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PROCEEDINGS AND DEBATES OF THE 87th CONGRESS, SECOND SESSION

SENATE

MONDAY, FEBRUARY 26, 1962

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

Bishop W. Earl Ledden, D.D., of the Wesley Theological Seminary, Washington, D.C., offered the following prayer:

Almighty God, Maker of heaven and earth, whose dwelling is the light of blazing suns and boundless space—and in the heart of man—we bless Thy name that Thou art mindful of man; Thou visitest him; Thou givest him dominion over the works of Thy hands.

On this day of national exultation over man's expanding dominion, forbid that we forget the Divine Source of both universe and dominion.

To Thee we give thanks, O God, for those gifts of mind and heart and character that have enabled men and women of this Nation to win the victory in which we all this day rejoice: that capacity for sustained effort, undiscouraged by hope deferred, undaunted by success denied, until patience and devotion were at last rewarded with high achievement.

Especially do we bless Thy name for the skill and shining courage, the discipline and high devotion of the one whom we unite to honor.

And we are grateful for that within the Nation's soul which recognizes greatness, respects devotion, responds to courage.

In this response make us ashamed of all littleness, all cowardice in the face of moral challenge, all selfishness when tempted to exploit divisions among us, all indifference to human needs about us.

And may the celebrations of this day summon all Americans to manifest yet again the vision, the virtue, and the valor of those brave days that brought our Nation to birth.

In the name of Christ. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, February 22, 1962, was dispensed with.

MESSAGES FROM THE PRESIDENT; APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that on February 16, 1962, the President had signed the following acts:

S. 631. An act for the relief of Elwood Brunken;

S. 651. An act for the relief of Howard B. Schmuts; and

S. 1456. An act to authorize an additional Assistant Secretary of Commerce.

EXECUTIVE MESSAGES REFERRED

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the Committee on Armed Services.

(For nominations this day received, see the end of Senate proceedings.)

ORDER DISPENSING WITH CALL OF CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent to dispense with the call of the calendar.

The PRESIDENT pro tempore. Without objection, it is so ordered.

LIMITATION OF DEBATE DURING MORNING HOUR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in connection with the morning hour be limited to 3 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Public Lands Subcommittee of the Committee on Interior and Insular Affairs was authorized to meet during the session of the Senate today.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

AMENDMENT OF 18 U.S.C. 4163, RELATING TO DISCHARGE OF PRISONERS

A letter from the Acting Attorney General, transmitting a draft of proposed legislation to amend 18 U.S.C. 4163, relating to discharge of prisoners (with an accompanying paper); to the Committee on the Judiciary.

REPORT OF ATOMIC ENERGY COMMISSION

A letter from the Assistant General Manager, U.S. Atomic Energy Commission, Washington, D.C., reporting, pursuant to law, that the Commission took no actions under authority of Public Law 85-804, during the calendar year ended December 31, 1961; to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

A concurrent resolution of the Legislature of the State of Michigan; to the Committee on Interior and Insular Affairs:

"SENATE CONCURRENT RESOLUTION 3

"Concurrent resolution memorializing the U.S. Congress concerning the Gogebic Iron Range and the Menominee and Marquette Iron Ranges

"Whereas the majority of the deep-shaft iron mines on the Gogebic Iron Range and the Menominee and Marquette Iron Ranges have ceased operations, thereby creating a serious economic hardship on the peoples and the communities involved, and the future of the remaining mines is extremely doubtful, indicating possibility of more extensive unemployment and acute suffering; and

"Whereas the potentials are not only local, they are of vital interest to the Nation; and

"Whereas proof exists that there are tremendous reserves of iron ore in the Gogebic Iron Range and the Menominee and Marquette Iron Ranges and the ore can be beneficiated and pelletized, thereby creating a product which is in demand by the steel companies; and

"Whereas these processes of beneficiation and pelletizing demand large quantities of natural gas, which is not now available in the immediate area: Now, therefore, be it

"*Resolved by the senate (the house of representatives concurring)*, That the Congress of the United States is hereby respectfully urged to establish an investigatory committee to probe the facts herein reviewed and related problems in the Gogebic Iron Range and the Menominee and Marquette Iron Ranges, to restore economic recovery and stability in the area, and to preserve for the Nation the use of these valuable iron ore deposits; and be it further

"*Resolved*, That copies of this resolution be transmitted to the President of the United States, the Governors of Michigan and Wisconsin, the President of the Senate, the Speaker of the House of Representatives, and to each Michigan and Wisconsin Delegate to the Congress of the United States, and the Assembly and Senate of the State of Wisconsin.

"Adopted by the senate, January 16, 1962.

"BERYL I. KENTON,
"Secretary of the Senate.

"Adopted by the house, February 1, 1962.

"NORMAN E. PHILLEO,
"Clerk of the House of Representatives."

Resolutions adopted by the U.S. section of the Women's International League for Peace and Freedom, at Philadelphia, Pa., relating to South Vietnam, and so forth; to the Committee on Foreign Relations.

A resolution adopted by the City Council of the City of Lampasas, Tex., opposing the

establishment of a U.S. Department of Urban Affairs; ordered to lie on the table.

By Mr. CHAVEZ:

A resolution of the House of Representatives of the State of New Mexico; to the Committee on Government Operations:

"HOUSE MEMORIAL 1

"Memorial petitioning the Congress of the United States to transfer the present site and building of the Santa Fe Post Office, when it is declared surplus, to the State of New Mexico for the utilization of such site and building for a State museum

"Whereas the General Services Administration has announced plans to begin construction of a new post office and Federal building for the city of Santa Fe in the near future; and

"Whereas the present post office site and building, located on Cathedral Place in Santa Fe, will be vacated upon completion of the new structure; and

"Whereas the architectural style and floor plan of the present Santa Fe Post Office building and its proximity to the historic Santa Fe Plaza and Palace of the Governors makes it admirably suited for a State Anthropological Museum; and

"Whereas the present facilities of the Museum of New Mexico are no longer capable of expansion to accommodate prehistoric Indian exhibits and other artifacts of an ethnological nature; and

"Whereas more than 200,000 American and foreign tourists, scholars and students visit Santa Fe each year, for the purpose of viewing and studying these antiquities of the West: now, therefore, be it

"*Resolved*, That the Congress of the United States be respectfully petitioned to pass the necessary legislation permitting the transfer of the present site and building of the Santa Fe Post Office, upon its being declared surplus by the General Services Administration, to the State of New Mexico for utilization as a State Anthropological Museum; and be it further

"*Resolved*, That copies of this memorial be sent to the Honorable John F. Kennedy, President of the United States, the Honorable Lyndon B. Johnson, Vice President of the United States and President of the Senate, the Honorable John W. McCormack, Speaker of the House of Representatives, the Honorable Franklin Floete, Administrator of General Services, the Honorable Dennis Chavez and the Honorable Clinton P. Anderson, U.S. Senators from New Mexico, and the Honorable Thomas G. Morris and the Honorable Joseph M. Montoya, U.S. Congressmen from New Mexico.

"JACK M. CAMPBELL,
"*Speaker, House of Representatives.*
"ALBERT ROMERO,
"*Chief Clerk, House of Representatives.*"

(Mr. ANDERSON presented a resolution of the House of Representatives of the State of New Mexico, identical with the foregoing, which was referred to the Committee on Government Operations.)

MILITARY STATUS OF GUAM—LETTER AND RESOLUTION

Mr. ANDERSON. Mr. President, the right of petition for redress of grievances is a right dear to the hearts of all Americans, and one deeply embedded in our history and traditions.

As chairman of the Committee on Interior and Insular Affairs, the unit of the Senate which has initial responsibility for Federal legislation affecting Guam, I have received such a petition from the citizens of Guam, who are American citizens, in the form of a resolution adopted by the popularly elected Legislature of Guam requesting review of status of that island with respect to military operations and facilities there. I ask unanimous consent, Mr. President, that this resolution, together with the official letter of transmittal from the speaker of the Guamanian Legislature, the Honorable Antonio B. Won Pat, be printed at this point in the RECORD.

There being no objection, the letter and resolution were referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

SIXTH GUAM LEGISLATURE,
TERRITORY OF GUAM,
Agana, Guam, February 16, 1962.

Hon. CLINTON B. ANDERSON,
Chairman, Senate Commitee on Interior and Insular Affairs, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: Transmitted herewith is a certified copy of Resolution 317, relative to respectfully requesting the Secretary of Defense to finally determine the status of Guam insofar as military facilities and operations are concerned, duly adopted by the Guam Legislature on February 6, 1962.

Sincerely yours,

A. B. WON PAT,
Speaker.

Enclosure.

RESOLUTION 317

Resolution relative to respectfully requesting the Secretary of Defense to finally determine the status of Guam insofar as military facilities and operations are concerned

Whereas the people of Guam, since the acquisition of the island from Spain in 1898, have earnestly strived for acceptance in the American Commonwealth, and through the generosity and benevolence of the American Government which provided public education to all, have learned the ways, customs and political principles of American democracy, and have at all times desired closer ties with the people of the United States; and

Whereas not long after the acquisition of Guam, a popular movement began which sought the priceless boon of American citizenship for the inhabitants of the island, delegations having been sent to Washington to this end in years well in advance of the Second World War; and

Whereas during the occupation of Guam by the Japanese during the Second World War, beginning in December of 1941 and continuing through long, bitter and cruel months until July of 1944, the people of Guam never gave up hope of their eventual liberation, and never forgot the fact that they were American nationals and a part of the United States, however remote and however limited their then political rights; and

Whereas as a result of the devotion of the people of Guam and their suffering and hardship on behalf of the American cause, the Congress of the United States enacted the Organic Act of Guam in 1950, extending to the inhabitants of this territory American citizenship and a limited form of home rule and self-government, Guam becoming an unincorporated territory of the United States; and

Whereas since the inception of civil government, the people of Guam had exercised with deep gratitude and pleasure their newly granted rights and privileges and have consistently sought even greater ties with the United States; they have no greater hope than that eventually they be permitted full participation in the great American Republic; and

Whereas despite the hard-earned and dearly bought territorial status of Guam, for many military purposes the island is still considered foreign and not domestic; thus American servicemen not recruited on Guam are given oversea pay if stationed here; the so-called dual wage system is permitted whereby Federal employees recruited in the United States have basic wages almost twice that of those locally hired, exclusive of cost-of-living allowances and other perquisites; military personnel stationed on Guam who are involved in crimes within the local community are, except for traffic offenses, not tried in the local courts but by court martial—this arrangement making Guam even more foreign than Japan which has a status-of-forces treaty with the United States, and is the result of an interdepartmental agreement between the Department of Interior and the Department of Defense; and other odd results derive from this foreign view of Guam, all of which are disturbing and disheartening to the people of this American territory who like to think of themselves as American citizens first and inhabitants of Guam second: Now, therefore, be it

Resolved, That in view of the foregoing, the Sixth Guam Legislature does hereby on behalf of the people of Guam respectfully request and memorialize the Secretary of Defense of the United States to make a final determination as to the status of Guam and whether it should continue to be a "foreign" base, and that the reasons for such final determination be forwarded to the legislature; and be it further

Resolved, That the speaker certify to and the legislative secretary attest the adoption hereof and that copies of the same be thereafter transmitted to the Secretary of Defense, to the Secretary of Interior, to the chairmen of the Senate and House Interior and Insular Affairs Committees, to the commander, naval forces, Marianas, to the commanding general, Andersen Air Force Base, Guam, and to the Governor of Guam.

Duly adopted on the 6th day of February 1962.

V. B. BAMBA,
Legislative Secretary.
A. B. WON PAT,
Speaker.

Mr. ANDERSON. Mr. President, I wish to make clear that my request that this petition be printed in the RECORD is not in any way to be construed as a criticism on my part of the activities and security measures the Navy has deemed necessary on Guam. But I do feel that this group of American citizens have a right to have official cognizance taken of their petition for redress of what they consider wrongs to them.

This is the American way.

WEATHER REPORTS—RESOLUTION

Mr. CARLSON. Mr. President, a radio station performs a most vital service for our citizens in furnishing them with weather reports, news, and many other services in the rural areas. Radio station KJCK renders this outstanding service.

I have just received a resolution from the Earl C. Gormley Post No. 45, American Legion, Junction City, Kans., urging the continuance of this service.

I ask unanimous consent that the resolution be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

This resolution is hereby formally adopted and passed this 15th day of January 1962, by the Earl C. Gormley Post No. 45, American Legion, Junction City, Kans., at its regular

business meeting duly and lawfully assembled.

"Whereas Federal Communications Commission regulation, section 3-87, presently permits daytime radio broadcasters to sign on as early as 4:00 a.m. each day; and

"Whereas under the above-mentioned regulation, Junction City's radio station, KJCK, is able to perform a most vital and beneficial service to the community of Junction City, Kans., by broadcasting news, weather, road conditions, farm news, time and temperature reports at an early hour; and

"Whereas this presunrise broadcasting is deemed to be a necessary and vital service by this, the undersigned organization and its members; and

"Whereas there is now a proposal before the Federal Communications Commission which would require all daytime radio stations, including KJCK, to sign on at local sunrise and not before: Therefore be it

"*Resolved*, That the Earl C. Gormley Post No. 45 of the American Legion, Junction City, Kans., in regular meeting duly and lawfully assembled, hereby urges the honorable Senators and Congressmen above mentioned to use such persuasion and take such steps as are necessary and reasonable to cause the proposed amendment to section 3-87 not to be amended."

In witness whereof the commander and adjutant of this post have hereunto affixed their signatures and the seal and a substantial portion of the membership have evidenced their wholehearted opposition to changing the present regulation by signing this resolution.

LYNN H. O'BRIEN,
Commander.

Attest:

WILLIAM HELM,
Adjutant.

EXECUTIVE REPORT OF A COMMITTEE

As in executive session,

The following favorable report of a nomination was submitted:

By Mr. FULBRIGHT, from the Committee on Foreign Relations:

John Bartlow Martin, of Illinois, to be Ambassador Extraordinary and Plenipotentiary to the Dominican Republic.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. KUCHEL (for himself and Mr. ENGLE):

S. 2886. A bill to designate the navigation lock on the Sacramento deepwater ship channel in the State of California as the William G. Stone Navigation Lock; to the Committee on Public Works.

(See the remarks of Mr. KUCHEL when he introduced the above bill, which appear under a separate heading.)

By Mr. KEATING:

S. 2887. A bill for the relief of Vito Magistrale; to the Committee on the Judiciary.

By Mr. ERVIN:

S. 2888. A bill to limit in certain cases the power of a single justice or judge of the United States to grant a stay of execution or sentence in connection with a habeas corpus proceeding or other proceeding collaterally attacking the conviction of any person; to the Committee on the Judiciary.

By Mr. CARLSON:

S. 2889. A bill for the relief of I. H. Hickman and Max Hickman; to the Committee on the Judiciary.

By Mr. KEFAUVER (for himself, Mr. MORSE, Mr. YARBOROUGH, and Mr. GORE):

S. 2890. A bill to establish a Communications Satellite Authority to provide for the development of a global communication system, and for other purposes; to the Committee on Aeronautical and Space Sciences.

(See the remarks of Mr. KEFAUVER when he introduced the above bill, which appear under a separate heading.)

By Mr. CASE of South Dakota:

S. 2891. A bill to authorize the Secretary of Agriculture to dispose of certain submarginal grazing lands in the State of South Dakota by public sale; to the Committee on Agriculture and Forestry.

S. 2892. A bill to amend title V of the National Defense Education Act of 1958 in order to provide for guidance, counseling, and testing programs in elementary schools, and to provide for training for individuals engaged in counseling and guidance in elementary schools; to the Committee on Labor and Public Welfare.

By Mr. CHURCH (by request):

S. 2893. A bill to declare that certain land of the United States is held by the United States in trust for the Prairie Band of Potawatomi Indians in Kansas;

S. 2894. A bill to declare that certain land of the United States is held by the United States in trust for the Oglala Sioux Indian Tribe of the Pine Ridge Reservation;

S. 2895. A bill to provide for the conveyance of certain lands of the Minnesota Chippewa Tribe of Indians to the Little Flower Mission of the St. Cloud Diocese; and

S. 2896. A bill to declare that certain land of the United States is held by the United States in trust for the Oglala Sioux Indian Tribe of the Pine Ridge Reservation; to the Committee on Interior and Insular Affairs.

By Mr. SCOTT:

S. 2897. A bill for the relief of Mrs. Laura Rivoir Cifaratti; to the Committee on the Judiciary.

By Mr. SCOTT (for himself and Mr. CLARK):

S. 2898. A bill to authorize the coinage of 50-cent pieces in commemoration of the 100th anniversary of the delivery of Lincoln's immortal address at Gettysburg; to the Committee on Banking and Currency.

By Mr. CHURCH:

S. 2899. A bill relating to the Indian heirship land problem; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. CHURCH when he introduced the above bill, which appear under a separate heading.)

By Mr. HRUSKA (for himself, Mr. KEATING, Mr. COTTON, and Mr. ERVIN):

S. 2900. A bill to provide for the representation of certain defendants in criminal cases in U.S. district courts; to the Committee on the Judiciary.

(See the remarks of Mr. HRUSKA when he introduced the above bill, which appear under a separate heading.)

By Mr. MANSFIELD:

S. 2901. A bill for the relief of Ling-Chuan Chiao; to the Committee on the Judiciary.

RESOLUTIONS

TO PRINT, WITH ILLUSTRATIONS, AS A SENATE DOCUMENT, A REPORT ENTITLED "SPECIAL REPORT ON LATIN AMERICA"

Mr. McCLELLAN submitted a resolution (S. Res. 301) to print, with illustrations, a report on Latin America, submitted by Senator McCLELLAN, of Arkansas, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when submitted by Mr. McCLELLAN, which appears under a separate heading.)

TO PRINT, WITH ILLUSTRATIONS, AS A SENATE DOCUMENT, A REPORT ENTITLED "LATIN AMERICA AND U.S. POLICIES"

Mr. McCLELLAN submitted a resolution (S. Res. 302) to print, with illustrations, a report on "Latin America and U.S. policies," submitted by Senator MANSFIELD, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when submitted by Mr. McCLELLAN, which appears under a separate heading.)

THE WILLIAM G. STONE NAVIGATION LOCK

Mr. KUCHEL. Mr. President, in only a little over a year from now, California will welcome the first oceangoing vessel into its capital city. Its arrival will mark the opening to the ports of the world of a new trade empire, many miles inland. Its arrival will mark, also, the realization of a long-sought dream by a number of dedicated citizens of the Sacramento area. These fine people are to be complimented for their support of the channel now almost completed.

One person, particularly, has demonstrated untiring effort in the planning and accomplishment of the Sacramento deep water channel. He is William G. Stone, general manager of the port district. The port district, I might add, was created back in 1947 for the purpose of developing the channel and providing the necessary corporate entity to represent and serve local interests in dealing with other communities as well as the State and Federal Governments.

Bill Stone has been part of the many years of planning that have gone into this project. For almost 40 years, he saw the possibility. During all these years, he had envisioned a navigation lock to connect the deep water channel and the Sacramento River, a mile and a half away. He is almost solely responsible for the realization of this lock and its potentials. Now completed, this connecting link will enable river barges to serve as cargo feeders for oceangoing ships. Not only does it expand the navigation complex of the area, but it opens still greater business, trade and industrial opportunities for northern California.

Speaking as one who has championed the construction of the Sacramento deep water ship channel, I know how untiring Bill Stone's efforts have been.

Because of his great contribution to both the Sacramento project and the welfare of his State, my colleague, the Senator from California [Mr. ENGLE] and I are pleased to introduce this measure on behalf of the people of the Sacramento area pursuant to a resolution adopted by the Sacramento City Council on January 4, 1962. This legislation would designate the navigation lock in the Sacramento deepwater ship channel

as the William G. Stone navigation lock. It will serve as a lasting testimony to the giant task he has directed and as a lasting tribute from the thankful citizens of Sacramento.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 2886) to designate the navigation lock on the Sacramento deepwater ship channel in the State of California as the William G. Stone navigation lock, introduced by Mr. KUCHEL (for himself and Mr. ENGLE), was received, read twice by its title, and referred to the Committee on Public Works.

ESTABLISHMENT, OWNERSHIP, OPERATION, AND REGULATION OF A COMMERCIAL COMMUNICATIONS SATELLITE SYSTEM

Mr. KEFAUVER. Mr. President, several bills have been introduced which would provide for the establishment, ownership, operation, and regulation of a commercial communications satellite system. S. 2650, introduced by the Senator from Oklahoma [Mr. KERR], would create a federally chartered corporation to be privately owned by U.S. communications common carriers. This corporation would operate the U.S. portion of a worldwide communications system. It would have a capitalization of $500 million, consisting of 5,000 shares of the value of $100,000 each. A minimum of five shares would be held by each owning carrier. The board of directors would consist of two directors appointed by each owning carrier and two additional directors designated jointly by the nonowning users.

The administration bill, S. 2814, also provides for a private corporation which would not be an agency or establishment of the U.S. Government. Share ownership in the administration's proposed Communications Satellite Corporation, however, is not to be limited to communications carriers. The corporation would be authorized to issue 1 million shares of class A stock at not less than $1,000 per share. Class A stock has voting rights and is eligible for dividends. No single investor would be permitted to own more than 15 percent of the authorized or more than 25 percent of the outstanding class A stock. The bill also authorizes the issuance of 10,000 shares of class B stock, which would be nonvoting and nondividend bearing.

Ownership of class B stock is limited to communications common carriers and the investment in such class B stock may be included in the rate base of the investing carrier to the extent allowed by the FCC. No limit is placed on the amount of class B stock which can be owned by an eligible carrier.

Subject to approval of the FCC, communications common carriers can exchange class A stock for class B stock, and vice versa. The FCC may compel a carrier to sell either class of stock to another carrier.

A board of directors of not more than 9 nor less than 13 directors would be chosen by the class A shareholders, subject to the limitation that no shareholder directly or indirectly could vote for more than 2 candidates for membership on the board.

The President, in his letter which accompanied the administration's bill, pointed out that the satellite communications system would by its very nature be a Government-created monopoly. In addition, under each of the proposals for private ownership the Federal Government would retain many important functions.

The Government would have to supervise relationships of any private corporation with foreign governments or international bodies and would have to conduct all negotiations with them.

The Government would have to insure timely arrangements for foreign participation in the establishment and use of the system.

The Government would have to coordinate research and development of governmental agencies with the program of any private corporation.

The Government would have to launch all satellites and provide associated services.

The Government would have to insure effective competition in the procurement by any private corporation of equipment and services.

The Government would have to insure carriers nondiscriminatory use of and equitable access to the satellite system.

The Government would have to regulate the ratemaking process.

The public interest in a satellite communications system is tremendous. Essential public services are involved. The question at issue involves the control and use of a natural resource—a part of the public domain so vast that its proportions cannot as yet be determined. It has been estimated that expenditures to date on the space program by our Government have exceeded $25 billion. The program cannot be continued without extensive governmental participation. The problems involved in the satellite program are similar to those in other areas where development of our country's resources are concerned and where Government ownership and operation have proved essential for the public good. A most notable example is, of course, the establishment of the Tennessee Valley Authority. Other examples are the Panama Canal Corporation, Bonneville Power Administration, Atomic Energy Commission and NASA. The Federal Government will be one of the major users of any satellite communications system that is developed. Furthermore, Federal Government is the only entity in our country with experience in the operation of a worldwide communications system.

For these reasons, to protect the public interest and the interest of our Government, the Senator from Oregon [Mr. MORSE] and I are introducing a bill which will provide for the following:

First. The creation of a Communications Satellite Authority, an agency of the U.S. Government, to own and control the U.S. portion of the communications satellite system, the ground stations and associated ground facilities.

Second. The leasing of communication channels by the Authority on a nondiscriminatory and equitable basis to all U.S. carriers authorized by the Federal Communications Commission and the provision of facilities for governmental needs. This would not prevent the operation of ground stations by private corporations on a contract basis.

Third. Opportunities for foreign participation and the provision of technical assistance to the less developed countries in the development of their communications facilities.

Fourth. A Board of Directors for the Authority composed of nine members appointed by the President, four from Government and five from private life. No Director will be allowed to have a financial interest in any communications carrier corporation engaged in wire or radio communications.

Fifth. Policies and broad programs are to be formulated by the Board of Directors of the Authority in the public interest.

Sixth. A capitalization of $500 million in bonds, with principal and interest payable solely from the net proceeds of the communications system.

The Senator from Oregon [Mr. MORSE] and I believe that this proposal affords the opportunity for maximum efficient development of our satellite communications system consistent with the public interest.

Mr. President, I introduce the bill, for appropriate reference, and ask unanimous consent that the bill may lie on the desk for the remainder of this day, in case any other Senator wishes to add his name as a cosponsor.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk, as requested.

The bill (S. 2890) to establish a Communications Satellite Authority to provide for the development of a global communications system, and for other purposes, introduced by Mr. KEFAUVER (for himself and Mr. MORSE), was received, read twice by its title, and referred to the Committee on Aeronautical and Space Sciences.

Mr. GORE. Mr. President, will my colleague yield?

Mr. KEFAUVER. I am happy to yield to my colleague.

Mr. GORE. I congratulate my colleague upon the introduction of this bill. Although I have not had an opportunity to study its details, the description which my able colleague has given of its purposes should, in my view, commend it to the very careful attention of the Senate.

This proposed legislation deals with an instrumentality which has been brought into being by the expenditure of public funds. The use of this instrumentality will be vital to the national interest; and I think this point of view is, indeed, worth consideration.

Although I try to maintain a rule against cosponsorship of bills, nevertheless I wish my able colleague to know that I am in full sympathy with his efforts.

Mr. KEFAUVER. Mr. President, I certainly appreciate the observations and the well calculated thoughts of my distinguished colleague; and his support of the bill will be welcomed. If he is willing to make an exception to his rule against cosponsorship of bills, I shall welcome having him as a cosponsor of this bill.

REPRESENTATION OF INDIGENT DEFENDANTS IN FEDERAL CRIMINAL CASES

Mr. HRUSKA. Mr. President, in the previous session of this Congress I introduced, together with my colleagues Senators KEATING, COTTON, and ERVIN, Senate bill 1484, providing for the representation of indigent defendants in Federal criminal cases.

The importance of this long neglected legislation cannot be overstressed. Its need is urgent. Its support is widespread. The courts, the legal profession, the Department of Justice, and the Congress have at various times expressed dissatisfaction with the present system of assigned counsel. Each has freely acknowledged the inadequacy of this system to insure even-handed justice in a nation dedicated to equal justice under the law.

In the months which have intervened since the introduction of S. 1484 the Constitutional Rights Subcommittee published a study entitled "Legal Counsel for Indigent Defendants in Federal Courts." It reviews judicial experience, as spelled out in case law, with the mandate of the sixth amendment. No more persuasive record needs be cited to urge the enactment of a public defender law.

I send to the desk a new bill which is essentially a revision of S. 1484. As did its predecessor, it provides for the appointment of a public defender by the district court on either a full-time or part-time basis. It also allows the district court to continue to assign counsel on an individual case basis, in which event an allowance is made for time and expenses. The bill, in short, is a refinement of S. 1484. Because of the indicated interest in this legislation, I ask unanimous consent, Mr. President, to have the bill printed in the RECORD.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD, as requested.

The bill (S. 2900) to provide for the representation of certain defendants in criminal cases in U.S. district courts, introduced by Mr. HRUSKA (for himself and other Senators), was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title 18 of the United States Code is amended by adding immediately after section 3006 the following new section:

"§ 3006A. Public defenders; representation of defendants.

"(a) Each United States district court may, with the approval of the judicial council of the circuit, appoint a public defender at each place where it holds a term of court. Whenever a district court is satisfied that the number of cases assigned to a public defender is greater than can be efficiently conducted by him, it may, with the approval of the judicial council of the circuit, appoint one or more assistant public defenders. The public defender, upon authorization by the court, may appoint such clerks and investigators as he determines necessary to enable him to carry out his duties under this section. Any such appointment shall be made subject to the approval of the Director of the Administrative Office of the United States Courts. Public defenders or assistant public defenders may be full-time or part-time officers as, in the judgment of the court, the volume of work of the court requires.

"(b) Whenever a district court in which there is a public defender is satisfied that a defendant charged with a felony or misdemeanor (other than a petty offense as defined in section 1 of this title) is unable to employ counsel because he is indigent, it may assign the public defender to represent such defendant unless counsel has been properly waived. In any case in which the court determines that the interest of any such defendant cannot adequately be represented by a public defender, it shall have authority to appoint other counsel to represent such defendant.

"(c) Any public defender or counsel appointed pursuant to this section to represent any defendant shall represent such defendant at every stage of the proceedings, including arraignment, preliminary examination and appeal, unless after such appointment the court is satisfied that the defendant is able to employ other available counsel or that there is just cause why the public defender or counsel so appointed should be permitted to withdraw. Each district court may adopt appropriate rules governing the conduct of public defenders not inconsistent with general regulations issued by the Judicial Conference of the United States.

"(d) Appointment of public defenders under this section shall, unless otherwise provided by the Judicial Conference of the United States, be limited to attorneys who have practiced for five years or more before the bar of the State or possession in which the appointing district court is located. Each public defender and assistant public defender shall be (1) appointed for a term of four years, (2) paid a salary based upon the service to be performed in an amount fixed by the Judicial Conference of the United States, and (3) reimbursed for reasonable expenses necessarily incurred by him (including the costs of technical experts required by the defense) in the performance of his duties and approved by the district court; except that in no case shall the salary of any public defender or assistant public defender appointed under this section to serve in any district exceed the salary paid the United States attorney in such district.

"(e) If any district court considers that the representation of indigent defendants charged with a felony or misdemeanor (other than a petty offense as defined in section 1 of this title) can best be provided for by the appointment of counsel rather than by the appointment of a full-time or part-time public defender as provided under subsection (a), the court shall have the authority to appoint counsel to represent indigent defendants in particular cases; except that no district court in a district having one or more cities of over five hundred thousand population shall exercise such authority without the approval of the judicial council of the circuit.

"(f) Any counsel appointed by the court pursuant to this section to represent any defendant shall be (1) compensated by the court for his service upon the conclusion of such service at a rate not in excess of $100 a day for time necessarily and properly expended in preparation and trial of the case and appeals; and (2) reimbursed for all reasonable expenses determined by the court to have been necessarily incurred by him in the representation of the defendant in accordance with the provisions of this section; except that the aggregate amount expended in any district for compensation and reimbursement by all such counsel appointed under this section to represent indigent defendants (including appeals) shall not exceed $10,000 in any fiscal year.

"(g) Whenever a district court in which there is a public defender is satisfied that a defendant charged with a felony or misdemeanor (other than a petty offense as defined in section 1 of this title) is unable to obtain counsel for any reason other than the fact that such person is indigent, the district court may assign a public defender to represent such defendant, unless counsel has been properly waived. In any case in which the court determines that the interest of a defendant cannot adequately be represented by a public defender, it shall have authority to appoint other counsel to represent such defendant. Any such person represented by a public defender or counsel as provided in this subsection shall pay such fees and costs as the court may determine to be fair and reasonable to defray the costs of such representation. Such amounts shall be paid to the clerk of the court for deposit in the general revenues of the Treasury.

"(h) There are hereby authorized to be appropriated to the United States courts, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the provisions of this section. The salaries and expenses of public defenders and assistant public defenders and the compensation and expenses of counsel appointed by the district courts under this section shall be paid out of appropriations available therefor under the supervision of the Director of the Administrative Office of the United States Courts.

"(i) The term 'United States district court' and 'district court' as used in this section shall include the District Court of the Virgin Islands, the District Court of Guam, the District Court of the Canal Zone, and the district courts of the United States created by chapter 5 of title 28 of the United States Code."

SEC. 2. The analysis of chapter 201 of title 18 of the United States Code is amended by adding immediately after item 3006 the following new item:

"3006A. Public defenders; representation of defendants."

TO PRINT, WITH ILLUSTRATIONS, AS A SENATE DOCUMENT, A REPORT ENTITLED "SPECIAL REPORT ON LATIN AMERICA"

Mr. McCLELLAN. Mr. President, I submit a resolution to provide for the printing, as a Senate document, a report entitled "Special Report on Latin America" which the State, Justice, and Judiciary Subcommittee submitted to the Committee on Appropriations on February 16, 1962, and which I ask to have appropriately referred.

The PRESIDENT pro tempore. The resolution will be received and appropriately referred.

The resolution (S. Res. 301) was referred to the Committee on Rules and Administration, as follows:

Resolved, That there be printed, with illustrations, as a Senate document, a report entitled "Special Report on Latin America" submitted by Senator JOHN L. MCCLELLAN to the Senate Committee on Appropriations on February 16, 1962; and that five thousand additional copies be printed for use of that committee.

TO PRINT, WITH ILLUSTRATIONS, AS A SENATE DOCUMENT, A REPORT ENTITLED "LATIN AMERICAN AND U.S. POLICIES"

Mr. McCLELLAN. Mr. President, I also submit a resolution to provide for the printing, as a Senate document, a report entitled "Latin American and U.S. Policies" which Senator MIKE MANSFIELD submitted to the State, Justice, and Judiciary Subcommittee of the Committee on Appropriations on January 13, 1962. I also ask that this resolution be appropriately referred.

The PRESIDENT pro tempore. The resolution will be received and appropriately referred.

The resolution (S. Res. 302) was referred to the Committee on Rules and Administration, as follows:

Resolved, That there be printed, with illustrations, as a Senate document, a report entitled "Latin American and United States Policies" submitted by Senator MIKE MANSFIELD to the Senate Committee on Appropriations on January 13, 1962; and that two thousand additional copies be printed for use of that committee.

Mr. McCLELLAN. Mr. President, the subcommittee, consisting of Senator MANSFIELD, Senator MARGARET CHASE SMITH, Senator DWORSHAK, Senator BIBLE, Senator HRUSKA, and myself, as chairman, made a visit to seven Latin American countries; namely, Mexico, Panama, Peru, Chile, Argentina, Brazil, and Venezuela, between November 18 and December 7 of last year. The purpose of the trip was to gather firsthand information of our Government's activities and aid programs carried out in these countries. Suffice to say, it was a most rewarding and beneficial trip, which, incidentally, was the first time that several of us had been to that area of the world. Long briefings were held with our officials located in these areas, as well as the host government and American and local businessmen.

The committee was busy 12 to 14 hours on many days, the meetings starting early in the morning and lasting into the evening. Rather than consume the time of the Members of this body, I recommend that they review the summary and conclusions of the group's findings while on the trip, and in this connection, Mr. President, I ask that such summary found on pages 1, 2, and 3 of the report be printed in the RECORD as a part of my remarks.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

SUMMARY AND CONCLUSIONS

1. The committee endorses the objectives of the Alliance for Progress and earnestly hopes its goals will be achieved. There is great need to attack the problems of poverty, unemployment, illiteracy, housing, and disease that plague the masses of people in our neighboring countries to the south. These countries, with their abundant natural resources, also have great potential economic opportunities awaiting development.

2. The Alliance for Progress program can be successful only if it is a venture of true partnership. The resources of the United States can provide help—perhaps that margin of help which will make the difference between success and failure. But the United States, itself, cannot do the whole job, nor even the major part. It cannot take over the responsibility of the recipient country. Each country must carry the heaviest part of its own burden. It must take positive affirmative action on its own initiative. Self-help measures are vital and indispensable. Democratic institutions must be strengthened, private enterprise must be fostered and allowed to operate without undue and unnecessary restrictions, tax and land reforms must be undertaken, educational systems must be developed and expanded. These and other measures can be accomplished only if the influential people and responsible Government officials of these countries exercise the most vigorous and enlightened leadership. They must pass laws, adopt policies, enforce regulations, and create an atmosphere conducive to the success of the program. Obviously, the United States cannot take such actions. If the recipient countries fail to do their part, our assistance will accomplish nothing. Our money will go "down the drain." U.S. aid already exceeds $900 million under the alliance program.

3. It is too soon to appraise the effectiveness of the Alliance for Progress program. Only a few months have elapsed since the Punta del Este charter was adopted. The committee realizes that a reasonable time is required to launch a program of this immensity. Plans must be formulated, organizations must be established, negotiations conducted, priorities determined and support developed. However, the committee was disappointed to find that little action had been taken along these lines by the countries visited. In fact, an attitude of waiting for Uncle Sam to take the lead seemed apparent.

4. Communism and Castroism are sufficient threats in some countries to cause real concern. Communists have infiltrated some schools, universities, labor unions, and legislatures. They subsidize distribution of books, utilize radio for their propaganda, administer adult education programs and jam the Voice of America broadcasts. However, the battle is by no means lost to the Communists. Their influence is on the decline in many fields. Only recently Communist fronts suffered defeat in student elections held at important universities. The committee is convinced the battle can be won only through constant vigilance, and wise, persistent and sacrificial action by the countries themselves.

5. Private enterprise, indigenous and foreign, must assume a major role in the development of Latin America. But it must be received with appreciation and not met with antagonism. Governments must create conditions that will attract and permit private enterprise to flourish; remove obstacles that keep out foreign investments, and refrain from measures and actions that cause the flight of local capital. Inflation must be brought under control and currencies stabilized. Likewise, self-defeating restrictions on remittance of profits to parent firms must be abolished, or, at least, be materially relaxed. Institutions, such as private savings and loan associations, must be encouraged to accumulate local capital to meet domestic investment requirements, especially in the housing field.

6. Weak political support coupled with great concern about future elections are obstacles to vigorous implementation of the Alliance for Progress by the governments in many countries visited. Harried by extremists on the left and the right, and, having to rely on unpredictable coalitions of small parties, the officials are reluctant to take steps that might lead to their political downfall (yet they urge, in the interim, a continuation of substantial aid). And if defeated, they might be replaced by extremists whose aims will be to obstruct and not to advance the objectives of the Alliance for Progress. This is one of the critical perils facing the Alliance program. But political timidity also is perilous, where the need for progress is pressing and time is short.

7. The population explosion in Latin America, reportedly greater than anywhere in the world, multiplies the severity of their social and economic problems. Despite recent economic growth, the lot of the poor has worsened in some countries because there are more mouths to feed. Great effort will be required in almost every country merely to stay abreast of the growing needs.

8. The military assistance program in Latin America has helped strengthen the collective defense and internal security of the hemisphere, as well as encourage economic development and social improvement projects planned under the Alliance program. The local armed forces play an influential part in the political life of these countries, and in some, exercise a stabilizing influence in the maintenance of democratic institutions. Military officers, who have been trained in the United States, are among our stanchest supporters. They are a strong anti-Communist core.

Graduates of the U.S. Army School of Jungle Warfare and the U.S. Air Force Technical School in Panama were found to be rendering valuable service to the military and the civilian economy upon return to their native countries. Argentina is the only nonparticipant in these training programs. Castro-inspired threats to overthrow Latin American governments has created new demands on the United States for military training and equipment.

9. The USIA program is said to be achieving rather impressive results through the radio, television, newspapers, libraries, binational centers, pamphlets, English teaching classes, et cetera. The committee believes, however, that more emphasis should be placed on media that best reach the masses, and a reappraisal of existing programs is therefore recommended. Increased emphasis should be placed on exposing the results of communism and Castroism, and on the nature of the Alliance for Progress, especially the self-help aspects of the plan.

10. The American businessmen with whom the committee consulted endorse the Alliance for Progress but strongly urge, as this committee does, that the United States insist on substantial self-help measures by the recipient countries.

11. While there appears on the part of some Latin American countries inadequate recognition and acceptance of the self-help requirement in the Alliance for Progress, some of the fault for this deficiency rests with our own country. The grandiose manner in which the $20 billion program was announced by our country failed to spell out and make crystal clear at the very outset of the program the mandatory self-help requirement.

12. The success of the Alliance for Progress depends heavily upon the wisdom and skill of the administrators of the AID program. They should not commit U.S. funds until the country concerned has firmly committed itself to specific self-help measures. Our aid should be conditioned on the basis of the recipient country's performance of the obligations they assumed under the Alliance. Aid should be extended step by step, project by project, after evidence of satisfactory performance on previous projects has been received. Long-term commitments entailing a multitude of projects should be avoided wherever practicable. The administrators must insure that the benefits flow to the needy masses, rather than to the wealthy. They must insure that U.S. funds loaned at low interest rates are not reloaned at usurious rates. They must make loans wherever possible, rather than grants, in line with our own interest as well as the desires of the recipient countries. Their primary objective must be to foster self-sustaining development and growth so that the countries will not be indefinitely dependent upon the United States for capital and technical assistance.

Where doubt arises as to the feasibility of a project or as to the ability of the recipient country to perform its obligations with respect to said project, such doubt should be resolved before any U.S. funds are committed. The recommendations of our ambassadors, which are now required on requests for external aid, should be of material benefit to officials in Washington considering project applications.

The Alliance for Progress will succeed only if the programs are administered prudently and effectively and within proper guidelines of sound and practical operations. The burden of that responsibility rests primarily on the executive branch, not the Congress of the United States.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. McCLELLAN. I am delighted to yield to the distinguished majority leader.

Mr. MANSFIELD. As a member of the Senate subcommittee of the Committee on Appropriations for the State, Justice, and Judiciary, it was my privilege and honor to serve under the chairmanship of the distinguished Senator from Arkansas [Mr. McCLELLAN] on the trip that was made to Latin America.

There have been many stories in the press about junkets undertaken by congressional committees. I state for the RECORD that I never served on a more hardworking committee, or more congenial committee, nor under such a distinguished chairman as the distinguished senior Senator from Arkansas. The results of this committee's travels, over a 3-week period into Latin America, will speak for themselves in the fact that three reports have been issued in the name of the committee, indicating what we did, what we found out, what we hope to accomplish. I would say the Senate as a whole and the people of this country owe a debt to the distinguished Senator from Arkansas for the devotion to duty which he showed on this trip.

Mr. McCLELLAN. I thank the distinguished Senator. The work of the committee could not have been accomplished, in my opinion, except for the cooperation and valuable assistance given by our distinguished majority leader and by each member of the committee. I have been on other trips before, visiting other countries and conferred with other government officials, on missions comparable to this one. Never have I participated in a trip where everyone associated with it was more congenial and cooperative—and, Mr. President, I may say, anxious—in endeavoring to carry out our mission and get information that we thought would be beneficial to us and to other Members of this body.

The report we file today has been documented by material which supports and gives a background which I believe every Member of this body will find to be interesting and instructive. I hope we may have many copies made available to Members so that we may supply many of our constituents with copies for their information. I hope to send at least one copy of it to each college and high school library in my State. I would like to do that.

I think it will be informative and valuable, in view of the program we are launching to assist our neighbors to the south to build up their economies and strength to help combat the international conspiracy that threatens to engulf the world.

This report also provides information that will be useful and helpful to our citizens in enabling them to understand what the Alliance for Progress program is, what we are trying to do, and why we are trying to do it.

Mrs. SMITH of Maine. Mr. President, I want to commend the senior Senator from Arkansas for his excellent chairmanship of the Appropriations Subcommittee on State and Justice and Judiciary, sometimes called the Subcommittee on Foreign Relations.

He did an excellent job on the South American trip of inquiry and gave to the people of South America an excellent image of our own country. He worked diligently and intelligently; and he performed an important mission with great wisdom and effectiveness.

I also want to commend Mr. Harold Merrick, of the staff of the Appropriations Committee, the senior professional staff member in charge of the work of this subcommittee. Without the indispensable excellence of Harold Merrick, the report and the work of the subcommittee would not have been possible. We are, indeed, most fortunate to have such an able and dedicated public servant.

Mr. HRUSKA. Mr. President, I wish to join my colleagues in commending the Senator from Arkansas [Mr. McCLELLAN] for the splendid manner in which he led the subcommittee of the Appropriations Committee for the Departments of State and Justice and the Judiciary during its travels to various Latin American countries last fall. It was in November that we undertook the trip which had for its chief objective the acquisition of knowledge about the Alliance for Progress program which would be useful in our hearings to be held later this session. It was a most profitable trip in that regard. We learned a great deal about the countries in which the Alliance for Progress will function.

All of us know that the declared objectives of the program are certainly important. Essentially we are saying that as a nation we stand ready to be of help to our sister countries in Latin America. The offer is, of course, conditioned upon the realistic condition that the country which is to be helped wishes to help itself. Its own efforts must be of such a kind as to truly contribute to the permanent well being and advancement of the country and its people.

Our travels and the many conferences confirmed the fact that the Alliance for Progress program faces real difficulties and serious obstacles. By way of illustrating some of the difficulties, I ask unanimous consent that, at the conclusion of my remarks, there may be printed in the RECORD four articles from various newspapers in my State.

The first of these is an article published in the Hastings, Nebr., Tribune of February 21, 1962, written by Lyle C. Wilson of the UPI.

Second is an article from the New York Times of February 25, 1962, entitled "Chile Is Pressed on Land Reform," written by Edward C. Burks of the New York news service.

Third is an article entitled "United States in Quandary on Aid to Brazil," also published in the New York Times, February 24, 1962, written by Ted Szulc.

Fourth is an editorial entitled "Crisis in Brazil," published in the Lincoln, Nebr., Journal of February 21, 1962.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Nebraska? The Chair hears none, and it is so ordered.

(See exhibit 1.)

Mr. HRUSKA. Mr. President, I wish to acknowledge at this time the patience and the perseverance, as well as the fine leadership, which was evidenced by the Senator from Arkansas [Mr. McCLELLAN] as chairman of our group. He certainly acted in the best tradition of the Senate and brought credit to the committees and delegations which undertake assignments of this kind. It was, in my judgment, one of the most profitable trips in which the Senator from Nebraska has ever engaged.

EXHIBIT 1

[From the Hastings (Nebr.) Tribune, Feb. 21, 1962]

SPEECH NEEDS EXPOSURE—ALLIANCE FOR PROGRESS PLAN TO BE STUDIED IN LATIN AMERICA

(By Lyle C. Wilson)

WASHINGTON.—A speech by the administrator of President Kennedy's Alliance for Progress needs more exposure than it got last week. And, most urgently, it needs more exposure in Latin America, as much exposure as it can get.

AFP is the administration's $3 billion 4-year project to improve social, economic, and political conditions in Latin America. This is a starter on a $20 billion project. The administrator is Teodoro Moscoso. Moscoso spoke at the National Press Club. Between the lines of his speech could be read Moscoso's and Kennedy's anxiety about AFP.

This anxiety reflects U.S. fear that Latin American countries will not undertake the land, tax, and other reforms essential to permit AFP to function. Congress will consider the $3 billion AFP authorization bill next month. Assurance of the good faith of Latin American nations will be demanded by powerful legislators. Failure of such assurance could kill, delay, or substantially diminish the project.

AFP DOOMED

Representative OTTO PASSMAN, Democrat, of Louisiana, told the House this week that AFP was doomed to fail unless the United States insists that the receiving nations firmly undertake the tax and land reforms stipulated and agreed upon.

That is just what Moscoso seemed to be talking about last week.

"We have the job," Moscoso said, "of making sure that it (the program) is not derailed by extreme rightwing elements who oppose social reforms—reforms which they fear would mean the end of their privilege and riches. However, the objective of AFP is not to redistribute the shares of an existing pie. It is to redistribute the shares of a rapidly growing pie.

"The rich need not get poorer as the pie grows, but the poor must certainly become

richer. The members of the traditional ruling class who support the AFP and its objectives have nothing to fear.

MORE TO FEAR

"But those who try to frustrate the AFP have a great deal to fear—not from the United States but from their own people."

In such language Moscoso sought to warn the rich that they must reform or risk political upheaval. The upheaval indicated is a Communist takeover in some Latin American countries. It could happen. If it happened there the United States would become increasingly isolated.

[From the New York Times, Feb. 25, 1962]

CHILE IS PRESSED ON LAND REFORM—CONSERVATISM AND THE COSTS DELAY NEEDED MEASURES

(By Edward C. Burks)

SANTIAGO, CHILE, February 16.—Chile's still-delayed land reform program may prove to be too little and too late, according to independent experts here who have kept a close watch on the country's economic difficulties.

Some observers say that the government of President Jorge Alessandri Rodriguez does not seem to be convinced of the need for profound reforms. One of the most pessimistic views on the part of these experts is that Chile could conceivably vote a pro-Communist president into office in the 1964 election.

On the other hand, the conservative Alessandri regime can claim the achievement of getting the landowning Conservative and Liberal Party members in its coalition to go along on a program of moderate reforms. For years the big landowners would not even discuss the idea of land distribution and new taxes; and many are still balking.

LITTLE CHANGE IN GENERATIONS

In the minds of governmental and social workers is the fact that most land reforms will be costly.

The last land census, according to the observers, showed that half of all owners of land—those less well-to-do—held less than 1 percent of the agriculture land. At the same time 1.5 percent of the owners had 70 percent of the land. That was in 1955. The change since that time has not been great.

This distribution has existed since colonial times. But in recent years the situation has reached a crisis stage for two principal reasons. Population growth is outstripping increases in farm production (2.4 percent, against 2 percent annually) in a country where malnutrition is already a severe problem. Secondly, the peasants, who lived an ignorant, medieval kind of existence for generations, have now been aroused by Communists and other leftists and agitators. And the peasants are now reached by radio.

A basic need is to amend the Constitution, because at present any expropriated land must be paid for in cash, and the cost would be prohibitive for any large-scale program. Proposed constitutional amendment calls for having the Government to pay owners of land that is taken 20 percent in cash and the rest over a 10-year period.

Even the 20-percent downpayment plan will be expensive. Here is the way some experts figure it: To make any real progress Chile would have to turn over expropriated land to 3,000 to 5,000 new small holders each year.

PAYMENTS PLAN NEEDED

To supply viable plots of land to 3,000 new owners each year would cost an estimated $6,750,000 in downpayments to the old owners. In addition, it is estimated that the new owners will need additional credits of $375 an acre yearly for a number of years to get on their feet.

After the Radical Party joined the Government coalition in the latter part of 1961, action was taken to prepare land reform legislation. The Radicals, a middle-of-the-road party, had the largest vote in the last elections in Chile's multiparty system, but a half dozen other parties have substantial representation in Congress also.

The Radicals declared that the Government had to do something drastic in the way of both land and tax reforms. But of late the proposed legislation has been delayed. Scheduled for introduction in the Congress in January it now will probably not reach the legislators until March.

Meanwhile, 14,000 rural families a year move into the crowded cities, increasing the size of the shantytown areas.

Chile will need not only land reform but also a considerable program of agricultural help in the form of credits to farmers, the setting up of cooperatives, irrigation, and new transport and marketing arrangements.

[From the New York Times, Feb. 24, 1962]

U.S. IN QUANDARY ON AID TO BRAZIL—REGIME BELIEVED INCAPABLE OF CARRYING OUT REFORMS

(By Tad Szulc)

WASHINGTON, February 23.—The administration is facing a crucial policy decision over the scope of further aid to Brazil. The belief is growing here that the present Brazilian Government is politically incapable of carrying out needed financial housecleaning or of launching long-range reforms.

Failure of Brazil to stabilize her inflation-ridden economy and to embark on basic social and economic reforms is ascribed here to the political weakness of the regime of President João Goulart and to a do-nothing attitude of the Brazilian Congress.

The view is rising in the administration, therefore, that the principle of self-help in Alliance for Progress would be violated if large-scale assistance was supplied to Latin-American countries unable or unwilling to undertake internal improvement measures. The Alliance is a cooperative enterprise designed to develop Latin America socially and economically over the next decade.

It is felt that it would be harmful for the United States to become too deeply committed in such countries—particularly in Brazil—and that the best that can be done is to provide quick-impact, short-term aid.

VIEW SHARED IN CONGRESS

This sentiment is also strongly held in Congress by such key figures as MIKE MANSFIELD, of Montana, Senate majority leader, and Representative OTTO E. PASSMAN, Louisiana Democrat, who is the chairman of the powerful House Appropriations Subcommittee on Foreign Aid.

In a special report on Brazil issued last week by the Senate Foreign Relations Committee, Senator MANSFIELD said in a discussion of past large-scale U.S. aid to Brazil:

"It is very doubtful that further assistance along these lines will make any significant impression on the present dangerous trends in Brazil * * *. Indeed, after providing a moment of relief, such assistance may, in effect, intensify them."

But while these administration and congressional evaluations reflect the determination that the Alliance for Progress should not be reduced to a unilateral aid program, important political factors affecting Brazil are also being considered.

The principal consideration is that if further large-scale aid is not provided to Brazil, then the Goulart regime may be further weakened, social unrest and political chaos may develop and the immediate future of the country may become dangerously unpredictable. Because of Brazil's immense importance in the hemisphere, these dangers are not lightly dismissed by the policymakers here.

MAJOR TEST FOR ALLIANCE

The question of the policy toward Brazil looms as the first major test of the Alliance for Progress and of the flexibility of its criteria.

As matters now stand, the administration is willing to continue special aid projects to Brazil, particularly for the vast underdeveloped northeast region, because it considers them useful in providing quick, effective relief where help is desperately needed.

Negotiations opened in Rio de Janeiro this week with Brazilian officials for a 2-year program of assistance to the development of the northeast. The emphasis is on irrigation, public health, education and transportation.

But Brazil requires assistance running into hundreds of millions of dollars, both for major development projects and for averting what promises to be a record budget deficit this year. Preliminary estimates suggest a deficit of approximately $750 million.

As an emergency measure, Brazil is requesting $558 million to finance basic development projects under the Alliance for Progress. This way, it is argued, many of the capital-investment projects now in the internal budget could be covered by the alliance funds and thus reduce the deficit. In Brazil, a deficit means issuing of more currency, thereby increasing inflation and worsening the social and political pressures.

Brazilian officials and some observers believe that such pressures could lead to the fall of the Goulart regime, either through a military coup d'etat, a violent shift toward the extreme left or a return to power of former President Janio Quadros, who resigned last August.

[From the Lincoln (Nebr.) Journal, Feb. 21, 1962]

CRISIS IN BRAZIL

The Alliance for Progress, while it offers hope that the Latin American countries can be kept out of the Communist orbit, is late. Just how late is pointed up by the internal trouble in Brazil, considered by many to be the key to the South American Continent.

Communists have not been unaware of the importance of Brazil and it is reliably estimated they have infiltrated the country with several thousand Moscow-trained agents since the resignation of Janio Quadros. Brazil is in a precarious economic situation with inflation wiping out the savings of the middle class and the farm population eking out a bare existence.

The American-owned telephone company has been expropriated with a mere $425,000 deposited as indemnity for the $8 million business.

Nothing in the Alliance for Progress forbids or even mentions expropriation but one of the basic principles is that Latin American nations should channel their available funds into new undertakings that create new jobs.

This act will most certainly discourage any investment of foreign capital in Brazil and a State Department spokesman said the expropriation tends to violate the spirit of the alliance.

There is some evidence that at long last Brazilians are awakening to the Communist threat. Some of the newspapers have been attempting to open the eyes of the public to the dangerous attitude of tolerating Fidel Castro in Cuba.

Unless this awareness is accompanied by able leadership and land reform the outlook is grim. And at the moment the leadership seems to be leading toward the brink of Communist domination, rather than away from it.

AMENDMENT OF FEDERAL AVIATION ACT OF 1958, TO PROVIDE FOR SUPPLEMENTAL AIR CARRIERS—AMENDMENTS

Mr. MONRONEY. Mr. President, I send to the desk amendments intended to be offered to the bill S. 1969. I ask unanimous consent that the amendment of the House be printed showing in appropriate type the amendments intended to be proposed thereto, and that it appear in the RECORD at the conclusion of my remarks.

The bill, S. 1969, was originally introduced by the Chairman of the Commerce Committee, Mr. MAGNUSON, at the request of the Civil Aeronautics Board, on May 25, 1961. After protracted hearings and conferences on the measure by the Aviation Subcommittee, the bill was reported on August 8, 1961, with committee amendments substantially altering the original board proposal. The background of this legislation and the provisions of the Senate bill are discussed in considerable detail in Senate Report 688, filed by the committee at that time. Further perfecting amendments were made on the floor, and the bill passed the Senate on August 28, 1961.

Extensive hearings were also held by the Transportation Subcommittee of the House Committee on Interstate and Foreign Commerce. That committee recommended amendments which substantially reduced the scope of the authority the Civil Aeronautics Board was authorized to grant to supplemental carriers in the Senate bill. On September 18, 1961, the House passed the bill with the committee amendment in the nature of a substitute. There was not time before the adjournment of Congress to complete action on the bill, and at the close of the last session it remained on the clerk's desk without the Senate having requested a conference or taken further action.

In the meantime, the Federal Aviation Agency and the Civil Aeronautics Board had undertaken, at the request of the Senate Committee on Commerce, a sweeping investigation of the supplemental carrier industry, its financial condition and its compliance with the regulations of the Board and the Administrator. This inquiry was accelerated and intensified as the result of a tragic crash of an Imperial Airlines Constellation near Richmond, Va., on November 8, 1961, in which 77 people lost their lives.

This ill-fated flight was carrying 74 newly inducted members of the U.S. Army from Newark, N.J., Wilkes-Barre, Pa., and Baltimore, Md., to Columbia, S.C., for training. The crash produced a tremendous clamor from a concerned press and public and from a number of Senators and Members of the House. Some of the more intemperate comments made at that time condemned the entire supplemental air carrier industry as unsafe, unreliable fly-by-nights.

Fortunately, however, three separate objective and responsible inquiries have been completed since that time. The Civil Aeronautics Board ably performed its statutory responsibility to investigate the cause of the accident, and on February 6, 1962, issued its report discussing the accident in great detail and determining the cause to have been lack of command coordination, lack of judgment, and lack of knowledge of the equipment on the part of the crew operating the flight. A subcommittee of the House Committee on Armed Services conducted a review of the Military Establishment's use of supplemental carriers, and on February 8, 1962, issued a constructive report. The third inquiry which was completed was the investigation of the industry being conducted jointly by the Board and the Federal Aviation Agency, to which I have referred earlier and the results of which I will discuss in further detail.

During the past few weeks members of the House Committee on Interstate and Foreign Commerce and the Senate Committee on Commerce have consulted together and with the Chairman and members of the Civil Aeronautics Board and the Administrator of the Federal Aviation Agency to determine whether changes needed to be made in the pending legislation. The Board has formally recommended certain amendments, and others have been suggested as a result of these conferences. All are designed to improve the effectiveness of Board regulation of the supplemental carrier industry and to permit the Board to act decisively to correct problems which arise with particular carriers. The amendments are the result of lessons learned in the recent investigation, and I believe will represent a substantial improvement in the bill.

Since these suggested amendments relate to matters which were not included in either the bill as passed by the Senate or the amendment passed by the House, it will be necessary to amend the bill in the Senate again in order to place these recommendations before the conference committee. The only orderly and responsible way to proceed in these circumstances is to hold a hearing on the proposed changes and give the interested parties an opportunity to be heard before the bill is called up for action and any amendments to it are offered. Therefore, the Aviation Subcommittee will hold hearings on the proposed amendments on Monday, March 5, at 10 a.m., in room 5110.

Briefly summarized the amendments which will be considered at that time are as follows:

First. Add a new provision recommended by the Board specifically authorizing the Board to require supplemental carriers to furnish performance bonds or carry liability insurance or both.

Second. Add a new provision recommended by the Board specifically authorizing the Board to prescribe minimum service which must be provided under a supplemental certificate and permitting suspension or revocation of a certificate for failure to provide such minimum service.

Third. Add a new provision recommended by the Board providing for suspension or revocation of a certificate for failure to file reports or failure to meet minimum standards of financial fitness.

Fourth. Change the provisions relating to interim certificates so as to:

(a) Make the issuance of an interim certificate discretionary with the Board.

(b) Give the Board complete discretion as to their terms, conditions, and limitations, rather than requiring that the interim certificates contain the same authority which the carriers now have.

(c) Condition the grant of an interim certificate upon a determination that the applicant is fit, willing, and able to perform supplemental air transportation properly and to conform to the provisions of the act and the rules, regulations, and requirements of the board and the Administrator.

Fifth. And a new provision authorizing the issuance of interim certificates as a supplemental air carrier to an all-cargo carrier renewal of whose all-cargo certificate has been denied by the Board.

Sixth. Change the provision terminating the existing authority of the supplemental carriers so as to provide for expiration of their present authority 60 days from the date of enactment, rather than on the date of an order granting or denying an interim certificate.

Seventh. Delete the provision regarding carriers whose operating authority is continued by virtue of a judicial stay, that provision now having become moot by subsequent court action.

Eighth. Change the provision that, if a violation of the act or a board regulation is a continuing one, each day of such violation shall constitute a separate offense, so that it applies to violations of safety regulations as well as economic regulations.

Since it is necessary to amend the House amendment and the conference will presumably be held on these amendments to the bill as passed by the House, it will be necessary to restore certain provisions relating to the economic authority of supplemental air carriers which were included in the original bill passed unanimously by the Senate. This is purely procedural, and the committee does not intend to consider again in the hearings those matters where the proposed amendment merely restores the provisions of the bill as passed by the Senate. The changes included in the amendment for the purpose of restoring the original Senate provisions are those which:

First. Restore the definition of charter service contained in the Senate bill.

Second. Restore the definition of supplemental air transportation contained in the Senate bill.

Third. Restore the provisions authorizing individually ticketed or waybilled service contained in the Senate bill.

Fourth. Restore the Senate provision permitting an air carrier other than a supplemental air carrier to perform charter service without regard to the type of service provided in its certificate—the so-called Engle amendment.

Fifth. Restore the Senate provision making supplemental carriers ineligible for subsidy.

Sixth. Delete the provision added by the House imposing a criminal penalty for economic offenses.

It will be the purpose of the committee to complete hearings and bring the bill before the Senate at the earliest possible date.

There being no objection, the amendments were received, ordered to be printed, and to be printed in the RECORD, as follows:

That (a) section 101 of the Federal Aviation Act of 1958 (49 U.S.C. 1301) is amended by redesignating paragraphs (13) through (31) as (14) through (32) and inserting therein a new paragraph to read as follows:

"(13) 'Charter service' means air transportation performed by an air carrier holding a certificate of public convenience and necessity where the entire capacity of one or more aircraft has been engaged for the movement of persons and their baggage or for the movement of property on a time, mileage, or trip basis, but shall not include transportation services offered by an air carrier to individual members of the general public or performed by an air carrier under an arrangement by which any person provides or offers to provide transportation services to individual members of the general public, other than as a member of a group on an all-expense-paid tour."

(b) Section 101 of the Federal Aviation Act, as amended, is further amended by redesignating paragraphs (32) and (33) as (35) and (36), respectively, and by inserting immediately after paragraph (31) the following new paragraphs:

"(32) 'Supplemental air carrier' means an air carrier holding a certificate of public convenience and necessity authorizing it to engage in supplemental air transportation.

"(33) 'Supplemental air transportation' means charter service and other air transportation rendered pursuant to a certificate of public convenience and necessity issued pursuant to section 401(d)(3) of this Act to supplement the service authorized by certificates of public convenience and necessity issued pursuant to sections 401(d) (1) and (2) of this Act."

SEC. 2. Subsection (d) of section 401 of the Federal Aviation Act of 1958 (49 U.S.C. 1371(d)) is amended by adding at the end thereof the following new paragraph:

"(3) In the case of an application for a certificate to engage in supplemental air transportation, the Board may issue a certificate, to any applicant not holding a certificate under paragraph (1) or (2) of this subsection, authorizing the whole or any part thereof, and for such periods, as may be required by the public convenience and necessity, if it finds that the applicant is fit, willing, and able properly to perform the transportation covered by the application and to conform to the provisions of this Act and the rules, regulations, and requirements of the Board hereunder. Any certificate issued pursuant to this paragraph authorizing individually ticketed or waybilled service shall contain such limitations, including the term thereof, as the Board finds are required to insure that such service will not result in significant diversion of traffic from any air carrier authorized to render service between the same points by a certificate or certificates of public convenience and necessity issued pursuant to paragraphs (1) and (2) of this subsection."

SEC. 3. Subsection (e) of section 401 of the Federal Aviation Act of 1958 (49 U.S.C. 1371(e)) is amended to read as follows:

"TERMS AND CONDITIONS OF CERTIFICATE

"(e)(1) Each certificate issued under this section shall specify the terminal points and intermediate points, if any, between which the air carrier is authorized to engage in air transportation and the service to be rendered; and there shall be attached to the exercise of the privileges granted by the certificate, or amendment thereto, such reasonable terms, conditions, and limitations as the public interest may require.

"(2) A certificate issued under this section to engage in foreign air transportation shall, insofar as the operation is to take place without the United States, designate the terminal and intermediate points only insofar as the Board shall deem practicable, and otherwise shall designate only the general route or routes to be followed. Any air carrier holding a certificate for foreign air transportation shall be authorized to handle and transport mail of countries other than the United States.

"(3) A certificate issued under this section to engage in supplemental air transportation shall designate the terminal and intermediate points only insofar as the Board shall deem practicable and otherwise shall designate only the geographical area or areas within or between which service may be rendered. The Board may by order or regulation attach to the exercise of any privilege or privileges granted by certificates for supplemental air transportation or amendments thereto, or to special operating authorizations granted under section 417 of this title, the conditions that the carrier shall furnish performance bonds or shall carry liability insurance, or both, in the minimum amounts and upon the minimum terms prescribed by the Board, or shall demonstrate arrangements equivalent thereto.

"(4) No term, condition, or limitation of a certificate shall restrict the right of an air carrier to add to or change schedules, equipment, accommodations, and facilities for performing the authorized transportation and service as the development of the business and the demands of the public shall require; except that the Board may impose such terms, conditions, or limitations in a certificate for supplemental air transportation when required by subsection (d)(3) of this section.

"(5) No air carrier shall be deemed to have violated any term, condition, or limitation of its certificate by landing or taking off during an emergency at a point not named in its certificate or by operating in an emergency, under regulations which may be prescribed by the Board, between terminal and intermediate points other than those specified in its certificate.

"(6) Any air carrier, other than a supplemental air carrier, may perform charter service or any other special service, without regard to the points named in its certificate, or the type of service provided therein, under regulations prescribed by the Board."

SEC. 4. (a) Subsection (f) of section 401 of the Federal Aviation Act of 1958 (49 U.S.C. 1371(f)) is amended by adding at the end thereof the following: "If any service authorized by a certificate to engage in supplemental air transportation is not performed to the minimum extent prescribed for such service in regulations or orders issued by the Board, the Board may suspend such certificate to the extent of such service, and may by order, entered after notice and hearing, direct that such certificate shall thereupon cease to be effective to the extent of such service."

(b) Subsection (g) of section 401 of the Federal Aviation Act of 1958 (49 U.S.C. 1371(g)) is amended by inserting, preceding the last sentence, a new sentence to read: "If a supplemental air carrier fails to file such reports as the Board requires to ascertain the carrier's continuing compliance with the minimum standards of financial fitness, or if the Board finds that the carrier's financial condition is not in compliance with such standards, the Board shall suspend such carrier's certificate, and where the carrier does not demonstrate compliance with such standards within a reasonable period fixed by the Board, it may, after notice and hearing, revoke such carrier's certificate."

SEC. 5. Clause (3) of section 406(b) of the Federal Aviation Act of 1958 (49 U.S.C. 1376(b)) is amended by inserting after "each such air carrier" the words "(other than a supplemental air carrier)".

SEC. 6. Title IV of the Federal Aviation Act of 1958 is amended by adding at the end thereof the following new section:

"SPECIAL OPERATING AUTHORIZATIONS

"Authority of Board to issue

"SEC. 417. (a) If the Board finds upon an investigation conducted on its own initiative or upon request of an air carrier—

"(1) that the capacity for air transportation being offered by the holder of a certificate of public convenience and necessity between particular points in the United States is, or will be, temporarily insufficient to meet the requirements of the public or the postal service; or

"(2) that there is a temporary requirement for air transportation between two points, one or both of which is not regularly served by an air carrier; and

"(3) that any supplemental air carrier can provide the additional service temporarily required in the public interest;

the Board may issue to such supplemental air carrier a special operating authorization to engage in air transportation between such points.

"Terms of authorization

"(b) A special operating authorization issued under this section—

"(1) shall contain such limitations or requirements as to frequency of service, size or type of equipment, or otherwise, as will assure that the service so authorized will alleviate the insufficiency which otherwise would exist, without significant diversion of traffic from the holders of certificates for the route;

"(2) shall be valid for not more than thirty days and may be extended for additional periods aggregating not more than sixty days; and

"(3) shall not be deemed a license within the meaning of section 9(b) of the Administrative Procedure Act (5 U.S.C. 1008(b)).

"Procedure

"(c) The Board shall by regulation establish procedures for the expeditious investigation and determination of requests for such special operating authorizations. Such procedures shall include written notice to air carriers certificated to provide service between the points involved, and shall provide for such opportunity to protest the application in writing, and at the Board's discretion to be heard orally in support of such protest, as will not unduly delay issuance of such special operating authorization, taking into account the degree of emergency involved."

SEC. 7. (a) If any applicant who makes application under section 401(d)(3) of the Federal Aviation Act of 1958 for a certificate for supplemental air transportation within thirty days after the date of enactment of this Act shall show—

(1) that it, or its predecessor in interest, was an air carrier authorized to furnish service between places within the United States under a certificate of public convenience and necessity issued by the Civil Aeronautics Board pursuant to order E-13436, adopted January 28, 1959, or order E-14196, adopted July 8, 1959, or that it was given interim authority to operate in interstate air transportation as a supplemental air carrier under Board order E-9744 of November 15, 1955, and has pending before the Board an application for certification as a supplemental air carrier which was filed prior to July 14, 1960;

(2) that, during the period beginning on the date such certificate was issued or such interim operating authority was conferred by the Board and ending on the date of enactment of this Act, such applicant or his predecessor in interest lawfully performed (A) a substantial portion of the transportation authorized by such certificate or interim operating authority, (B) substantial operations in overseas or foreign air transportation, as a supplemental or large irregular air carrier, authorized by the Board, or (C) substantial operations for the Military Establishment of the United States authorized by the Board;

(3) that such certificate or interim operating authority had not been revoked or otherwise terminated by the Board or had not otherwise expired prior to the enactment of this Act; *Provided*, That for the purposes of this section such certificate or operating authority shall be considered to have been revoked or terminated if the Board has issued a final order to that effect on or before the date of enactment of this Act, notwithstanding a pending judicial review of such order; and

(4) that such certificate or interim operating authority is held by the original grantee or has been transferred to the applicant with Board approval pursuant to section 401(h) of the Federal Aviation Act of 1958: *Provided*, That a person who on the date of enactment of this Act had on file with the Board an application for the approval of transfer to him of a certificate for supplemental air transportation or interim operating authority, may be issued a new interim certificate or new interim operating authority under this section if the Board approves the transfer pursuant to section 401(h) of the Federal Aviation Act of 1958;

the Board, may issue a new interim certificate or new interim authority to such applicant to engage in supplemental air transportation subject to such terms, conditions, and limitations as the Board deems proper, pending issuance or denial of a certificate pursuant to section 401(d)(3) of the Federal Aviation Act of 1958 if it determines that the applicant is fit, willing, and able properly to perform such transportation and to conform to the provisions of this Act and the rules, regulations, and requirements of the Board and the Administrator hereunder.

(b) If any applicant who makes application under section 401(d)(3) of the Federal Aviation Act of 1958 for a certificate for supplemental air transportation within thirty days after the date of enactment of this Act shall show that it or its predecessor has received interim operating authority from the Civil Aeronautics Board pursuant to paragraph (2) of the first section of Public Law 86-661 of July 14, 1960 (74 Stat. 527), the Board may issue new interim authority to such applicant to engage in supplemental air transportation subject to such terms, conditions, and limitations as the Board deems proper, pending issuance or denial of a certificate pursuant to section 401(d)(3) of the Federal Aviation Act of 1958 if it determines that the applicant is fit, willing, and able properly to perform such transportation and to conform to the provisions of this Act and the rules, regulations, and requirements of the Board and the Administrator hereunder.

(c) If an applicant who makes application under section 401(d)(3) of the Federal Aviation Act for a certificate for supplemental air transportation shall show—

(1) that it, or its predecessor in interest, was a carrier authorized to furnish all-cargo service between places within the United States by a certificate of public convenience and necessity issued by the Civil Aeronautics Board pursuant to order numbered E-3085, adopted July 29, 1949, order numbered E-9760, adopted November 21, 1955, or order numbered E-10084, adopted March 12, 1956;

(2) that within thirty days prior to such application there has become final an order of the Civil Aeronautics Board in the domestic cargo-mail service case, docket numbered 10,067 and others, denying applicant's, or its predecessor's, application for renewal of such certificate; and

(3) that immediately prior to the effective date of such denial the applicant, or its predecessor in interest, lawfully performed either (A) any portion of the service authorized by the certificate or (B) any operations for the Military Establishment of the United States authorized by the Board;

the Board may issue a new interim certificate to such applicant to engage in supplemental air transportation, subject to such terms, conditions, and limitations as the Board deems proper, pending issuance or denial of a certificate pursuant to section 401(d)(3) of the Federal Aviation Act of 1958, if it determines that the applicant is fit, willing, and able properly to perform such transportation and to conform to the provisions of this Act and the rules, regulations, and requirements of the Board and the Administrator hereunder.

(d) A new interim certificate or new interim authority issued under this section shall not be deemed a license within the meaning of section 9(b) of the Administrative Procedure Act (5 U.S.C. 1008(b)).

SEC. 8. (a) If any air carrier, or its predecessor in interest, was an air carrier authorized to furnish service between places within the United States by a certificate of public convenience and necessity issued by the Civil Aeronautics Board pursuant to order E-13436, adopted January 28, 1959, or order E-14196, adopted July 8, 1959, or it or its predecessor received interim operating authority from the Board pursuant to paragraph (2) of the first section of Public Law 86-661 of July 14, 1960 (74 Stat. 527), it may perform operations under its existing authority for thirty days from the date of enactment of this Act, and if it has filed application pursuant to section 401(d)(3) of the Federal Aviation Act of 1958 within said thirty days, until the Board has granted or denied a new interim certificate or new interim authority under section 7 of this Act. Any air carrier whose application for certification as a supplemental air carrier is pending before the Board and which (A) has operated in interstate air transportation as a supplemental air carrier pursuant to authority granted under Board order E-9744 of November 15, 1955, and (B) had such application for a certificate as a supplemental air carrier pending before the Board on July 14, 1960, may continue to operate in interstate air transportation under its existing authority for thirty days from the date of enactment of this Act, and if it has filed application pursuant to section 401(d)(3) of the Federal Aviation Act of 1958 within said thirty days, until the Board has granted or denied a new interim certificate or new interim authority under section 7 of this Act.

(b) The certificates of public convenience and necessity issued by the Board pursuant to order E-13436 adopted January 28, 1959, and order E-14196, adopted July 8, 1959, and the interim operating authority issued by the Board pursuant to paragraph (2) of the first section of Public Law 86-661 of July 14, 1960 (74 Stat. 527), and the exemption authority issued by the Board under order E-9744 of November 15, 1955, and prior authority under individual exemptions or Letters of Registration reinstated by the Board under order E-10161 of April 3, 1956, shall terminate sixty days from the date of enactment of this Act.

SEC. 9. The provisions of this Act shall in no way affect the authority of the Board—

(1) to maintain any enforcement or compliance proceeding or action against the holder of a certificate of public convenience and necessity issued pursuant to Board order E-13436 of January 28, 1959, or Board order E-14196 of July 8, 1959, or against the holder of any interim operating authority conferred by the Board under paragraph (2) of the first section of Public Law 86-661 or under Board order E-9744 of November 15, 1955, which proceeding or action is pending before the Board on the date of enactment of this Act; or

(2) to institute, or or after the date of enactment of this Act, any enforcement or compliance proceeding or action against the holder of any certificate or interim operating authority referred to in paragraph (1) of this section with respect to any violation of—

(A) the Federal Aviation Act of 1958,

(B) the provisions of such certificate,

(C) the terms of such operating authority, or

(D) the regulations of the Board, without regard to when such violation occurred.

Any sanction which the Board lawfully could have imposed on the operating authority of the holder of any certificate or interim operating authority referred to in paragraph (1) of this section for any violation referred to in paragraph (2) of this section, which violation occurred prior to the issuance to such holder of a new interim certificate or new interim authority under section 5 of this Act or the issuance to such holder of a certificate of public convenience and necessity to engage in supplemental air transportation under paragraph (3) of section 401(d) of the Federal Aviation Act of 1958, may be imposed on the certificate or other operating authority issued to such holder under section 5 of this Act or under paragraph (3) of section 401(d) of the Federal Aviation Act of 1958.

SEC. 10. Any application of an air carrier heretofore consolidated into the Board proceeding known as the Large Irregular Air Carrier Investigation, Docket Numbered 5132 and others, shall be deemed to have been finally disposed of upon the date of enactment of this Act.

SEC. 11. Section 901(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1471(a)) is amended to read as follows:

"Safety, economic, and postal offenses

"SEC. 901. (a)(1) Any person who violates (A) any provision of title III, IV, V, VI, VII, or XII of this Act, or any rule, regulation, or order issued thereunder, or under section 1002(i), or any term, condition, or limitation of any permit or certificate issued under title IV, or (B) any rule or regulation issued by the Postmaster General under this Act, shall be subject to a civil penalty of not to exceed $1,000 for each such violation. If such violation is a continuing one, each day of such violation shall constitute a separate offense: *Provided*, That this subsection shall not apply to members of the Armed Forces of the United States, or those civilian employees of the Department of Defense who are subject to the provisions of the Uniform Code of Military Justice, while engaged in the performance of their official duties; and the appropriate military authorities shall be responsible for taking any necessary disciplinary action with respect thereto and for making to the Administrator or Board, as appropriate, a timely report of any such action taken.

"(2) Any such civil penalty may be compromised by the Administrator in the case of violations of titles III, V, VI, or XII, or any rule, regulation, or order issued thereunder, or by the Board in the case of violations of titles IV or VII, or any rule, regulation, or order issued thereunder, or under section 1002(i), or any term, condition, or limitation of any permit or certificate issued under title IV, or by the Postmaster General in the case of regulations issued by him. The amount of such penalty, when finally determined, or the amount agreed upon in

compromise, may be deducted from any sums owning by the United States to the person charged."

SEC. 12. (a) That portion of the table of contents contained in the first section of the Federal Aviation Act of 1958 which appears under the heading "Title IV—Air Carrier Economic Regulation" is amended by adding at the end thereof the following:

"Sec. 417. Special operating authorizations.
"(a) Authority of Board to issue.
"(b) Terms of authorization.
"(c) Procedure."

(b) That portion of such table of contents which appears under the heading "Sec. 901. Civil penalties." is amended by striking out "(a) Safety and postal offenses," and inserting in lieu thereof "(a) Safety, economic, and postal offenses.".

U.S. COMMISSION ON AGING—ADDITIONAL COSPONSOR OF BILL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that in further printings of Senate bill 2779, to establish a U.S. Commission on Aging, the name of the junior Senator from California [Mr. ENGLE] be entered as a cosponsor.

The PRESIDENT pro tempore. Without objection, it is so ordered.

QUALITY STABILIZATION ACT—ADDITIONAL COSPONSORS OF JOINT RESOLUTION

Under authority of the order of the Senate of February 21, 1962, the names of Mr. MUNDT and Mr. CASE of South Dakota were added as additional cosponsors of the joint resolution (S.J. Res. 159) to amend the Federal Trade Commission Act, to promote quality and price stabilization, to define and restrain certain unfair methods of distribution, and to confirm, define, and equalize the rights of producers and resellers in the distribution of goods identified by distinguishing brands, names, or trademarks, and for other purposes, introduced by Mr. HUMPHREY (for himself and other Senators) on February 21, 1962.

NOTICE OF HEARINGS ON THE CONVENTION ON SAFETY OF LIFE AT SEA

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that there may be inserted in the RECORD at this point an announcement released on February 23, 1962, of public hearings on Executive K, 87th Congress, 1st session, the International Convention for Safety of Life at Sea, to be held on Tuesday, February 27, 1962.

There being no objection, the release was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
COMMITTEE ON FOREIGN RELATIONS,
February 23, 1962.

Senator J. W. FULBRIGHT, chairman of the Committee on Foreign Relations, announced today that a hearing would be held on Tuesday, February 27, at 10:30 a.m. on Executive K, 87th Congress, 1st session, the International Convention on Safety of Life at Sea.

The convention was signed in London on January 17, 1960, by the United States and transmitted to the Senate for advice and consent thereto on April 27, 1961. When it enters into force, it will supersede the present convention of 1948 on the same subject.

NOTICE OF HEARINGS ON NOMINATIONS OF U.S. DISTRICT JUDGES FOR SOUTHERN AND EASTERN DISTRICTS OF NEW YORK, AND THE SECOND CIRCUIT

Mr. KEATING. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that public hearings have been scheduled for Monday, March 5, 1962, at 10:30 a.m., in room 2228 New Senate Office Building, on the following nominations:

Paul R. Hays, of New York, to be U.S. circuit judge, Second Circuit;

Dudley B. Bonsal, of New York, to be U.S. district judge, southern district of New York;

Wilfred Feinberg, of New York, to be U.S. district judge, southern district of New York; and

George Rosling, of New York, to be U.S. district judge, eastern district of New York.

At the indicated time and place persons interested in the hearings may make such representations as may be pertinent.

The subcommittee consists of the Senator from Mississippi [Mr. EASTLAND], the Senator from South Carolina [Mr. JOHNSTON], and myself, as chairman.

NOTICE OF HEARINGS ON NOMINATIONS OF U.S. DISTRICT JUDGES FOR NORTHERN, SOUTHERN, AND WESTERN DISTRICTS OF TEXAS

Mr. HRUSKA. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that public hearings have been scheduled for Wednesday, March 7, 1962, at 10:30 a.m., in room 2228 New Senate Office Building, on the following nominations:

Leo Brewster, of Texas, to be U.S. district judge, northern district of Texas;

Sarah T. Hughes, of Texas, to be U.S. district judge, northern district of Texas;

James L. Noel, Jr., of Texas, to be U.S. district judge, southern district of Texas; and

Adrian A. Spears, of Texas, to be U.S. district judge, western district of Texas.

At the indicated time and place persons interested in the hearings may make such representations as may be pertinent.

The subcommittee consists of the Senator from Mississippi [Mr. EASTLAND], chairman, the Senator from South Carolina [Mr. JOHNSTON], and the Senator from Nebraska [Mr. HRUSKA].

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on February 23, 1962, he presented to the President of the United States the following enrolled bills:

S. 67. An act for the relief of Col. Samuel Hale;

S. 235. An act for the relief of Evagelos Mablekos;

S. 241. An act for the relief of Haralambos Agourakis;

S. 429. An act for the relief of A1c. Percy J. Truleau;

S. 521. An act for the relief of Charles J. Utterback;

S. 531. An act for the relief of Eugenia Chrzastowski;

S. 1076. An act for the relief of Nancie Ellen Williamson;

S. 1348. An act for the relief of Sulzbach Construction Co.;

S. 1560. An act for the relief of Yasuko Otsu;

S. 1685. An act for the relief of Brigitte Marie Ida Kroll;

S. 1776. An act for the relief of Frances E. Sarcone;

S. 1791. An act for the relief of Dr. Tzycheng Peng;

S. 1832. An act for the relief of Susanne Rae Deremo;

S. 1866. An act for the relief of Dr. Berchmans Rioux;

S. 1870. An act for the relief of Lucia Blanca Clanto Rosa;

S. 2149. An act for the relief of Hugo Kolberg;

S. 2163. An act for the relief of Saifook Chan; and

S. 2385. An act for the relief of Dr. Hau Cheong Kwaan, his wife, Tech Phaik Koui Kwaan, and their daughter, Laura Wai Man Kwaan.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. JACKSON:

Article entitled "United States Has No Alternative But To Resume Tests in Air," written by himself and published in the Seattle (Wash.) Times of February 15, 1962.

THE JORDANS OF NORTH CAROLINA

Mr. ERVIN. Mr. President, down through its long history, North Carolina has been blessed with many great families whose contributions have enriched our State and Nation. However, probably no one family at any one point in our history has contributed more than a family which is now represented in this august body—the Jordans of North Carolina.

Mr. President, the late Henry Harrison Jordan, attorney and Methodist minister, died in 1931, leaving four sons, Frank, Everett, Charles, and Henry. The impact of these four brothers on education, government, and religion will be felt forever in our country.

The Senate is well aware of the quiet humor, deep humility, and iron integrity of my distinguished colleague from North Carolina, Senator B. EVERETT JORDAN. Senator JORDAN's brothers, the Reverend Frank Jordan, superintendent of the Winston-Salem, N.C., Methodist district; Charles Jordan, vice president of Duke University; and Henry Jordan, industrialist and Democratic Party leader, are men who have excelled in their respective vocations, and North Carolina is proud of their achievements. Last fall I enjoyed reading an article entitled "The Jordan Brothers: Remarkable Quartet." I believe that the Members of the Senate will enjoy knowing more about our distinguished colleague from North Carolina, EVERETT JORDAN, and the many fine contributions he and his illustrious family have made to North Carolina and to the Nation. I, therefore, ask unanimous consent that the referenced article which appeared in the October 29, 1961, edition of the Winston-Salem Journal and Sentinel be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[Sunday morning, Oct. 29, 1961]

THE JORDAN BROTHERS: REMARKABLE QUARTET—MANY FACETS OF NORTH CAROLINA PUBLIC LIFE BEAR DEEP IMPRINTS OF THEIR DYNAMIC TOUCH

(By Chester Davis)

The chances are that you never heard of Henry Harrison Jordan. He's been dead now for almost 30 years. Even when he was active he wasn't known much outside of Piedmont, N.C., or outside of the Methodist Church in Piedmont, N.C., for that matter.

But this Henry Harrison Jordan was quite a fellow. Offhand, it's hard to think of many men who have had a greater or more varied impact on North Carolina. It's true that he managed this impact through his four sons—Everett, Henry, Frank, and Charles—but it was pretty much his impact just the same.

Without really intending it, he raised those boys in his own image. That done, they took care of the rest, and what they took care of covers a good deal of ground.

Henry Harrison was raised in a poor, God-fearing Baptist family. (And this was about the only kind there was in Iredell County back in the tough years of Civil War and Reconstruction.) He had some schooling—maybe up through fourth grade—and it made him thirsty for the sort of education that just wasn't available for a youngster of his time, place, and circumstances.

But he learned to read, and for as long as he lived Henry Harrison never stopped reading. He read his way into a job as a public school teacher and, while he was teaching school, he went on and read his way through a Statesville lawyer's office to a law degree.

FROM LAW TO MINISTRY

That done, he hung out a shingle in the village of Mooresville and, with Blackstone at his elbow, set out to earn his living and, he hoped, the honorary title of "Judge."

Within a matter of only a year or two, Henry Harrison Jordan married Annie Sellers of Burlington and thereby allied himself with an astonishing Alamance County family.

Dr. Benjamin A. Sellers, Annie's father, was a member of the committee that named the town of Burlington. But his greatest claim to fame related to his family. Born in 1812, the good doctor did not marry until he was 50. Even with that late start he had time to raise a family of 11 children. The Sellers, along with the Holts, did much to make the Haw River a mill (cotton) stream.

Annie Sellers, a small, quiet, well-educated (Greensboro Female College) woman, swiftly discovered she had hitched her wagon to a shooting star.

Not long after her marriage Henry Harrison Jordan, who had established himself as a comer both in the law and in business affairs, felt the call to serve the Lord. Born and raised a Baptist, he tossed aside his budding law practice and in its place took on the horse and buggy and the $250 a year salary (when it could be collected) that went with riding the Lenoir circuit for the Methodist Church.

After that home was where you hung your hat for the Jordans. At 4-year intervals they roamed about the Piedmont—Ramseur, Kernersville, Walkertown, Mocksville, Henrietta, Marion, Morgantown, Salisbury, and Gastonia—in search of souls less lost than they.

Along the way the four boys and two girls—Lucy and Margaret—were born and, in a pogo stick fashion, raised.

Unlike most parents—and, unlike a good many preachers for that matter—the Rev. Henry Harrison Jordan did not raise his youngsters on a "do as I say, not as I do" basis. This tall (6-foot-1), slender man operated on the basis of precept. He set the example by his own conduct. By a process of osmosis, his example became a part of the very being of his children.

DEDICATED FAMILY MAN

Henry Harrison Jordan was, to begin with, a dedicated family man. His dedication clearly is mirrored in the self-sacrifice he and his wife made on behalf of the family. That can be illustrated in many ways but it is seen most clearly in the matter of education.

The Reverend Henry Jordan possessed a consuming passion for education. Largely self-educated—but well educated in the sense he read widely (at his death he left a library of some 5,000 volumes) and had trained himself to become a lucid and eloquent speaker with a fine command of the language—he was determined that his children would have the best possible education. This he provided.

With the exception of Henry (who attended Emory and Henry College) all of the Jordan children attended Trinity (now Duke) College. Three of the boys—Henry in dentistry, Frank in the ministry and Charles in law—also did graduate work. For a period of 13 years this man—a man wholly dependent on his limited salary as a Methodist minister—had two and sometimes three children in college or graduate school. He somehow managed this so that the children were not asked to dilute their efforts by working their way through school.

And this passion for education spread well beyond the family. At the time of his death his youngest son, Charles, served as executor of his estate. Charles says, "In papa's papers I found a large number of notes—all in small amounts of, say, $20, $47 and the like—he had signed in order to help youngsters get to college. They used to say that papa helped more young people get an education than any other minister in the western North Carolina conference."

This reverence for education is among the heritages he passed on to his sons. At one time or another all of the Jordan boys have contributed a great deal to education in North Carolina.

Charles Jordan, today a vice president of Duke University, has devoted his entire life to building that institution to a place of prominence and prestige. For a period of 10 years Charley Jordan served as chairman of the Durham County Board of Education. He presently is a member of the State board of education.

Henry Jordan, today an industrialist and, perhaps, the most widely respected political leader in North Carolina, spent many years as a member of the Gaston and Randolph County Boards of Education.

EVERETT JORDAN, a U.S. Senator, is an active member of the boards of trustees of Elon College, Duke University, and American University in Washington, D.C. Most of the money he gives away each year—and, since he is a wealthy man, his gifts are substantial—is earmarked for church-related colleges and universities.

The Reverend Frank Jordan, superintendent of the Winston-Salem district of the Methodist Church, has served as chairman of the board of education of the Methodist Church in the western North Carolina conference. His son, Frank Jr., is a graduate student at Duke (English) and he plans to teach. A daughter, Janet, presently is the director of Christian education at the First Methodist Church in Martinsville, Va.

EDUCATION AND RELIGION

That recital underscores the fact that, in the minds of the Jordans, education is closely linked to the church. For a period of 30 years (1927–58) Senator EVERETT JORDAN taught a Sunday school class. Charley Jordan for 4 years labored with the committee which sought to find ways for merging the Methodist and Episcopal Churches. There was one period of 10 years when all the brothers except Frank—who, as a minister, could not qualify—were members of the board of stewards of their respective Methodist churches.

But the interesting thing about the Jordan family is not so much that the basic virtues of the father—reverence of education, dedication to the family, and love of the church—were visited upon the sons as it is the fact that the essential character traits of the father were inherited by the sons.

Henry Harrison Jordan believed that the Lord helped those who first helped themselves. He believed in hard work. When he built a church or a parsonage—and a recital of his accomplishments in this area makes it sound as if he operated as a part-time contractor on the side—he was the man who first climbed the ladder and started to drive the nails. He figured that once he started, his congregation would come up the ladder and join him.

In the lives of his sons there are innumerable instances which can be cited to illustrate the fact his example was catching. But a page out of the life of EVERETT JORDAN—a man who has no hobby unless it is work—will suffice.

Along about 1921 EVERETT hired on as a mill hand in a Gastonia textile plan. By 1927 he was superintendent of one of the largest textile mills in Gastonia. As the Reverend Frank Jordan says, "EVERETT has a real mechanical knack. He started out on a surveyor's gang carrying a chain and he ended up with the transit."

EVERETT swiftly had need for this knack just as he was soon to need his dogged drive and his conviction that there is no problem that can't be solved by hard work.

In 1928 Henry Jordan, then the best dentist in Belmont because he was the only one, joined with his uncle, Charlie Sellers, and his brother, Everett, and purchased the bankrupt White-Williamson cotton mill in the isolated Alamance County village of Saxapahaw.

The price tag—$140,000—was high for what they got. The mill had been shut down for 4 years. The millhouses, unpainted shacks located on barren clay flats, were falling apart and most of the mill families had long since moved away.

The mill itself operated by water power (supplemented by diesel engines in times of drought and the nearest powerlines, located some 15 miles away, did not reach Saxapahaw until the mid-1950's. Besides being close to obsolete, this mill, managed by EVERETT JORDAN, made its entry into a cutthroat field just at the time the textile industry began its long slide into the devastating depression of the 1930's.

"When my wife and I first came to Saxapahaw," EVERETT JORDAN says, "She took one look and then she said, 'EVERETT, you take the mill, I'll take the village.' "

That they did. Over the years Mrs. Jordan—she came to be known as "the hunter of hedges" because of her passion for privet borders around the mill homes—made the village a model of its kind. EVERETT did the same with the mill, but at a more labored pace.

He had no more than arrived in Saxapahaw when the dam, the single source

of power, broke. EVERETT was the first to climb into the water to start repairs. "Seeing me there in the water," he says, "the millhands joined in."

A STRUGGLE TO VICTORY

"For a period of years," Charley Jordan says, "everybody knew that the Saxapahaw mill was busted except EVERETT." And by the time EVERETT got around to realizing that he was skating on thin financial ice, the mill was solvent and growing.

That mill—it is a part of a string of mills operated by EVERETT and Henry Jordan—hired, maybe, 50 hands back in 1928. When its sales went as high as $44,000 in a single month, EVERETT JORDAN thought he was in high cotton. Today the three Jordan controlled mills employ some 1,200 workers and their gross sales run along at about $15 million a year.

Hard work? Sure. But there was more than that. There was also the Jordan trait—a marked one in the father—of making do with what there was at hand. "There wasn't much money in our home when we were kids," Dr. Henry Jordan says. "So papa, when he tackled a job, would first try one approach to a solution. If that didn't work he'd shift over to another and keep this up until he somehow got the job done."

This resiliency is a family characteristic.

Henry Jordan practiced dentistry in Belmont for 20 years. (His canny sense of timing—a real factor in his political success—and his "Easy now, this isn't going to hurt" approach to tough political problems very likely trace back to this period.) When his legs gave out on him (a result of a broken vertebrae) he made the shift from dentistry to the management of a textile mill in Cedar Falls with grace and marked success. He later shifted from industry to politics with equal ease.

Frank Jordan started out as an employee of the British-American Tobacco Co. (a job he gave up because his father, who liked to have his boys near at hand, advised him against going abroad). Later he took a crack at banking in Gastonia and then, in the manner of his father, entered the ministry.

EVERETT JORDAN, on his climb from mill hand to mill superintendent to mill owner, became associated with what was the most conservative group of businessmen in North Carolina. Yet, despite that background, he served successfully as chairman of the State Democratic Party's executive committee. (He was the first man to hold this position through two administrations—and they were the administration of Governors as politically unlike as W. Kerr Scott, William Umstead, Luther Hodges.) Later, he served as Democratic national committeeman from North Carolina. Since 1958, first by appointment and then by election, he has served in the U.S. Senate.

A LINK TO THE PEOPLE

Charley Jordan, while he has steadfastly remained at Duke University since 1919, possesses this same resiliency. He started out to be a lawyer and then shifted to education and, more specifically, to the public relations aspects of education. His wife says that his resiliency results from the fact that he, like the bad little girl, simply doesn't know how to say "No." A glance at his record of activity at the local and State level—it ranges from work with the local YMCA to the presidency of the North Carolina Symphony Society—tends to support that point of view.

In these shifts—dentistry to industry to politics, industry to politics, business to the ministry and law to public relations—there is one pole star. It is people.

"Papa always said," Henry Jordan recalls, "that if you want friends you have to be friendly." To this Charley Jordan adds, "Our father taught us to respect people." EVERETT JORDAN chimes in with, "I never knew a person who didn't have some good in him." And Frank Jordan sums it all up by saying, "I don't know of anything that's better than people. They are the most interesting—and the best—thing in life."

With the sons of a Methodist preacher—compelled at 4-year intervals to make new friends in new surroundings—friendliness is almost as necessary as a suitcase. But in the case of the Jordan boys it also is inborn. People attracted the father into the ministry and people have led the boys to their separate destinations.

In fact people have helped them reach these destinations. It is doubtful if there is any family in North Carolina who has more friends. Dr. Henry Jordan rarely walks alone. Wherever he is you find a knot of people gathered around him. He is a man who truly never met a stranger. Yet, in talking of his brothers, Dr. Henry says, "Charley and Frank, who represent the better element in the family, have more friends than anybody I ever knew. Wherever I go people say, 'Hi Henry, how's Frank?' or 'Oh, so you're Charley's brother.'"

All of the brothers—even the less outgoing EVERETT—are as gregarious as mink and they are great and tireless (Rotary to the Masons) joiners. Part of this results from the fact that they possess wry—sometimes sly—senses of humor and to laugh they require people around them.

They laugh as readily at themselves as they do at others. EVERETT, who is generally reputed to be the most solemn of the Jordans, shares this trait.

In 1958, Gov. Luther Hodges appointed EVERETT JORDAN to the Senate, there was a great editorial outcry that JORDAN was simply to keep the seat warm until Hodges would come to Washington and take over. Undoubtedly the charge that he was serving as a stooge for Luther Hodges offended EVERETT JORDAN. But it did not offend him deeply enough to cause him to lose his sense of humor.

HE WASN'T ANY DUMMY

When you enter his office in Saxapahaw there is one picture on the wall. It is a framed cartoon by Hugh Haynie. The cartoon pictures Luther Hodges crouched behind a tailor's dummy named EVERETT JORDAN and the caption reads, "I looked over JORDAN and what did I see?"

When you talk to Dr. Henry Jordan you discover that the man regularly beads his running line of thought with humorous—often pointed—anecdotes. With his eyes sparkling behind brushy eyebrows, Dr. Henry delights in picturing himself as being a shade more thrifty than Jack Benny.

Picking up this line, Jim Chaney, writing in the Raleigh News and Observer, once said of Dr. Jordan, "He was born a trifle cross eyed but he can spot a dime a year away and he can, his friends joke, keep one even longer."

Actually Henry Jordan is a tender, easily touched (in every sense) and generous man. Like his brothers, he tithes and, if the truth were known, probably tithes more than you or I would feel justified.

But, seen in another light, the thriftiness Henry Jordan jokes about really is nothing more than the sort of good management and good business sense he and his brothers learned from their father.

After putting six children through college and, in three cases, graduate school, the father—although he remained dependent on his salary as a minister for as long as he lived—managed to leave an estate something in excess of $50,000.

To do that required something more than good management. It also required a business sense somewhat sharper than a serpent's tooth. The Reverend Henry Harrison Jordan was just that sharp. A prominent Gastonia businessman once told Charles Jordan, "Your father was the best judge of real property values I ever met. I'd rather trust his judgment than any Gastonia realtor I know."

ALL GOOD BUSINESSMEN

Henry Harrison Jordan frequently strayed off on business ventures of the most unpreacher-like nature, but his wandering always was done in the name of the Lord.

When, in his pastoral journeying, he was sent to Mocksville he found that tiny Davie County village in the grip of a panic. There was no employment and families were leaving the village to move to the tobacco and textile mills in Winston-Salem.

To correct this bleeding away of his flock, the Reverend Henry H. Jordan and some associates organized a furniture plant. Later, in Walkertown, he organized a chair factory in order to create local job opportunities. In both cases he served these plants as an unsalaried officer and in each case the plants were, at least until they burned down, profitable business ventures.

All four of the Jordan boys possess this same knack for careful money management and the same skill in business operation. These traits help explain the success of all four brothers. In the case of Henry and EVERETT they also explain two rather considerable fortunes.

It's worth noting, however, that the sons, like the father, regularly have placed service above the amassing of wealth. Frank took that step when he moved into the ministry. Charley has remained at Duke University—and remained despite attractive offers elsewhere—for the same reason. And the feeling of service to others is one of the factors that steered Henry and EVERETT into politics.

When Dr. Jordan, in his warm and affable fashion, chats about his career he talks less about himself than about what he was able to do for others. In the period, for example, he served as chairman of the State highway commission under Gov. W. Kerr Scott, he lists three high points:

Getting the farmers of North Carolina out of the mud through the $200 million rural road bond program. (Administering this program, Dr. Jordan probably spent more money faster and more effectively than any other North Carolinian.)

The program of separating the prison system from the highway department. This separation, completed just this year, traces back to a study Dr. Jordan initiated as head of the highway commission.

The establishment of the first rehabilitation program for youthful first offenders at Camp Butner. This was one part of putting the States prison system on a professional (rather than political) basis.

The bang that EVERETT JORDAN is getting out of serving in the U.S. Senate rises more from the fact the job enables him to be neighborly in the old Saxapahaw sense than it does from the fact it places him in a position to play at being a statesman at a critical time in this Nation's life. Senator EVERETT JORDAN may be, as some say, as conservative as a swallowtail coat, but he is refreshingly free from any taint of humbug.

THE FELLOW NAMED JOHN

When he talks of the work he has done in the Senate—the Wilkesboro Dam, the liberalization of regulations relating to cotton and tobacco acreage allotments, for example—he talks in terms of what these things mean to a fellow named John who lives down the road. He thinks in the day-to-day specifics of individual people and not in terms of masses and vast social trends.

The satisfaction they find in service—a badly overworked and somewhat saccharine phrase—may very well explain why these men are so devoid of bitterness. Both EVERETT and Henry have been through the political mills and, although they have been ground upon, they appear genuinely to forgive those who have ground upon them.

In 1952 it was widely believed that Henry Jordan could have run for Governor and won. He did not choose to run because he feared his candidacy would jeopardize the rural road program. In 1954 he wanted to run but he was realistic enough to recognize that he could not beat Luther Hodges. Today his friends—and they outnumber the English sparrow—are pleading with him to run in 1964 as a successor to Terry Sanford.

With that background you would expect Dr. Jordan to be speckled and itching with the political hives. He isn't. "My yen for office," he says, "isn't that great." But the yen for service undoubtedly is there and if the timing strikes him as right—and, in judging political timing he is a master—he is likely to "hear the call" just as clearly as his brother Frank or his father before him.

AN INGRAINED INTEGRITY

And in this respect he is a good deal like his father. Once, while practicing law in Mooresville, Henry Harrison Jordan was elected mayor in a write-in campaign. Since he had nothing to do with the campaign he refused to serve. "I wasn't a candidate and the people had no chance to learn where I stood," he explained.

"Papa," Henry Jordan says, "had more integrity than any man I ever knew." It's interesting that of all the editorials that have been written about Dr. Henry Jordan the one that pleased him most was a short piece in the Charlotte Observer which summed up his work as chairman of the State highway commission with the words, "Henry Jordan's integrity never was questioned."

With the simple change of one word—replacing "Henry" with "Everett" or "Charles" or "Frank"—the statement would wear just as well. And there, too, you end up just about where you started with a man named Henry Harrison Jordan, a man who lived so well that he has continued to live as a vital force in this State through his four sons.

LAST OF THE BLACKFEET INDIAN MEDICINE MEN DIES

Mr. MANSFIELD. Mr. President, it was with great sorrow that I learned recently of the death of one of Montana's most colorful personalities, a man whose life has spanned a good part of Montana's history. Charlie Crow Chief Reevis is dead at the age of 87. He died in Browning on the Blackfeet Indian Reservation where he lived most of his life.

The death of Charlie Reevis leaves only seven long-haired elderly braves on the Blackfeet Reservation. Reevis was a very active exponent and crusader for the cause of the reservation Indian. He has appeared before congressional committees, and his striking features are well known throughout the country because of the likenesses which have appeared in national publications.

Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a news account of Charlie Reevis' death as it appeared in the Billings Gazette of February 19, 1962.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CHARLIE CROW CHIEF REEVIS: LAST MEDICINE MAN OF BLACKFEET DIES

(By Patricia Scott)

BROWNING.—The last of the Blackfeet Medicine Men of Montana—Charlie Crow Chief Reevis—is dead at the age of 87.

Funeral services for the soft-spoken tribal leader will be at 11 a.m. from the Church of the Little Flower in Browning. He died of a heart attack Friday while a guest at a Browning hotel where he had come from his ranch on the Two Medicine River to be near his wife who was a hospital patient.

Reevis' death left only seven long-haired elderly braves on the Blackfeet Reservation. They are James White Calf, Juniper Old Person, Fish Wolf Robe, Dan Bull Plume No. 1, Louis Plenty Treaty, Chewing Black Bones and Joe New Robe.

FORMED COMMITTEE

With these men, Reevis formed the arrangements committee for the North American Indian Days celebration here last August. He was chairman of that committee and also was to have been chairman of the 1962 celebration of tribal dances.

Reevis' death robbed him of the opportunity he had hoped for all his life. That was to see the "Sweetgrass Hills" claim settled. The claim is pending before the Indian Claims Commission. It involves payment for vast lands ceded by the Blackfeet and the Gros Ventres to the Federal Government.

Reevis' grandfather, Three Suns, was one who signed the Treaty of 1855 by which the land extending from the Missouri River north to Canada and from east of the Rocky Mountains to North Dakota were given up.

MEDAL PRIZED POSSESSION

Three Suns was given a medal for his part in the treaty. It was to Reevis that the medal bearing the likeness of Abraham Lincoln was passed. It was his most prized possession.

Although he spent most of his life on the reservation, Reevis' strikingly handsome features were known across the nations. His likeness appeared several years ago on the cover of True magazine. He also was the subject of a portrait reproduced in the last of a long series of Great Northern calendars.

Reevis' testimony was sought by Congressional committees holding hearings in Washington, D.C., on Indian matters. He represented his tribe on other occasions in Washington where he impressed his listeners with what was recognized as a fair approach and astute judgment.

EDUCATED AT ST. PETER'S

He also was one of the few living Blackfeet who had received his education at St. Peter's Mission near Fort Shaw. Not only because of his advanced years, but also because of his success as a stockman he was named to the Blackfeet Honory Council. The council is a group of elder tribal statesmen who advised the elected councilmen.

With Reevis' death may also have died any hope that the Medicine Lodge ceremony may again have been performed on the Blackfeet Indian Reservation.

STAGED CEREMONY

The Blackfeet looked to Reevis in staging the last few of the rare 3-day religious observances that begins with the selection of the center pole from which material sacrifices to the sun god are tied in the culmination of the ritual. Reevis emerged from the last of such rituals, following 3 days of fasting and meditation, thin but erect.

Because he was the only man qualified to perform the secret ritual the Montana Blackfeet permitted him to turn to the Blood Reserve in Canada for necessary assistance in carrying out the full ritual.

In turn, he was asked to assist the Bloods in similar ceremonies.

Survivors, in addition to his widow, include sons, Louis, James and Henry, and daughters Agnes and Cecile.

TRIBUTE TO SENATOR BENJAMIN A. SMITH II

Mr. MANSFIELD. Mr. President, Saturday's newspapers contained the usual mixture of news—some encouraging, some indifferent, some distressing.

There was one story that I read with the utmost regret. It disclosed the decision of the distinguished junior Senator from Massachusetts [Mr. SMITH] not to seek election to the Senate this year.

Mr. President, I respect the Senator's decision, but I must say that I shall miss him very much when the 88th Congress convenes next January.

Senator SMITH came to this body to fill part of the unexpired term of a former legislator who now occupies a position of considerable responsibility in the executive branch. He had had no previous experience in a legislative assembly; nevertheless he displayed from the beginning the highest qualities of diligence and acumen in carrying out the responsibilities of his office. His contributions to the work of the Senate Labor and Public Welfare, Public Works, and District of Columbia Committees have been considerable. He has performed the traditional duties of a freshman Senator with consistent good humor, and he has cooperated with the leadership on every occasion. Senator SMITH has been a strong supporter of the administration's program, but he has always retained the independence of judgment we associated with a Gloucesterman.

To sum up, Mr. President, I regret his decision not to seek election for the full term beginning in January 1963. I know the people of Massachusetts, who have been extraordinarily well served in this body, will send to the Senate a man capable of continuing that tradition of enlightened and forward-looking public service. Whoever may assume that responsibility must live up to a high standard of performance. Senator BENJAMIN SMITH has done so.

MONTANA GIRL DISCOVERS NIGERIA

Mr. MANSFIELD. Mr. President, the Peace Corps has drawn its recruits from all walks of life and every section of the country. The Peace Corps is making a fine start in helping our friends around the world help themselves. Montana is proud of its Peace Corps men, and I am particularly pleased with one of the Corps' teachers in Nigeria, Mary Roberta Jones, of Great Falls, Mont. Roberta is well known in my office, where she worked for two summers while doing undergraduate work at Mount Holyoke College. After graduation Roberta returned to Montana State University

where she obtained a master's degree in political science.

After training 9 weeks at the University of Michigan she is now teaching English at the University of Nigeria. Roberta's reports to her parents, Mr. and Mrs. Robert H. Jones, of Great Falls, have been most enthusiastic about the program and the people of Nigeria.

The February 18, 1962, issue of the Great Falls Tribune carries an excellent interview, by letter, with Roberta. Mr. President, I ask unanimous consent that this article prepared by Lois Murray be printed in the CONGRESSIONAL RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PEACE CORPS GIRL "DISCOVERS" NIGERIA

(By Lois Murray)

It isn't a case of "In darkest Africa" for a Great Falls girl who is a member of the U.S. Peace Corps in Nigeria. Mary Roberta Jones, daughter of Mr. and Mrs. Robert H. Jones, 501 Third Avenue N., writes enthusiastically to her parents about her exciting adventure. Trained for 9 weeks at Michigan University last fall, she left this country November 24 with the Peace Corps to teach English at the University of Nigeria.

In helping to bring light to what we have considered the Dark Continent, Miss Jones and her fellow classmates found ample signs of enlightened civilization awaiting them. Witness Mary Roberta's letters home—the modern, new university where she teaches and lives * * * the Government spends one-third of its income on education * * * one of the Nigerian newspapers, published in English, was established in 1852.

The Nigerian Daily Express—that Mary Roberta mails her parents—includes daily accounts of world news by Nigerian expert political analysts and interviews of world-known figures done with the ease and sharp wit we expect to see in the New York Times.

The newspaper ads, if you consider them a mark of civilization, picture Negro people every bit as white shirted and Arrow tied as ads of white people. Judging by their "gracious living" ads on homefurnishings, clothing, sport equipment, cars, motorcycles, liquor, jewelry, and cameras, their tastes seem identical to ours. The woman's page, published in one issue by a New York syndicate, is edited by a glamorous-looking Nigerian woman with a picture of her in hairdo and dress, a la mode, at the top of the page with her own byline, "Modupe."

Described by Mary as "the best group I have ever been with," her Peace Corps class, from the United States, represents a cross section of young people ranging mostly from 23 to 27 years of age, from various backgrounds and colleges. Among them are lawyers, a veterinarian and biologist. One of the lawyers is a 23-year-old American Negro woman. The oldest is a woman in her fifties, a former high school principal from Washington, D.C., who had taught in Ghana previously. Mary is a political science major. The group also includes married couples.

The Americans met an even greater variety on the faculty of the University of Nigeria. Coming from every corner of the world, many of them have their doctorates as do the Americans, and are distinguished leaders in their fields. Mary spent her first Sunday afternoon in Nigeria playing the game of British Monopoly with a lecturer in physics and his wife from South Africa.

On their arrival, the Peace Corps and other faculty members were entertained at a cocktail party given by Indian faculty members in celebration of India's independence. Nonalcoholic punch was served with what Mary called, "intriguing food." In the reception line, guests received cigarettes, cloves or mints, and cotton-tipped toothpicks dipped in Tabu perfume. University and Government authorities there, eager to have their visitors get acquainted, whisk them off on tours of the country every spare moment. Mary says that Americans could take a page from their book on hospitality.

Her students, in their twenties, come from the African bush. One of them took her visiting to a bush village, consisting of huts described by Mary as whitewashed and cleaned especially for the Christmas season. The chief of the village invited his guests in for coconut wine and presented them each with a shilling as a token of friendship. The bush village is a compound about a half block in size and is lush with palm, mango and coconut trees. Chickens and cows wander freely. The young Peace Corps teacher states her students are "extremely alert." Their courses are similar to those offered immigrants in America.

Besides tennis and swimming, one of Mary's extracurricular activities is teaching history and current events at the Queen of the Rosary Catholic Mission, a school for girls between the ages of 14 and 17. This project is separate from the Peace Corps.

She compares the medical facilities there favorably with ours. When she had to have a tooth pulled, she went to a dentist, a Texan who practices in a well-equipped Baptist clinic in Enugu, a city the size of Great Falls. Within 3 miles of the university are four physicians: a World Health doctor from Portugal; an Irish Sister doctor and a European at St. Theresa's Mission Hospital, and a Nigerian who is a graduate of London University, where he majored in tropical diseases.

Mary worked in Senator MIKE MANSFIELD's Washington, D.C., office in the summer of 1959. A native of Billings, she was graduated from Central Catholic High School, Great Falls, attended St. Catherine's, St. Paul, and was graduated from Mount Holyoke College. Mary got her master's degree in political science at Montana State University. While at Central Catholic High School she received the American Legion School Award and certificates of honorable mention and school awards.

SPLIT BETWEEN MAJOR COMMUNIST POWERS

Mr. MANSFIELD. Mr. President, the events of the 22d Congress of the Soviet Communist Party reveal the deep ideological differences which have developed between the present Soviet Russian leaders and the Chinese Communists. These differences may well have profound consequences for world history in the decade ahead. A most interesting interpretive account of the split between the major Communist powers appeared in the February issue of the magazine Encounter. Its author is Mr. Richard Lowenthal.

I ask unanimous consent that it may be printed at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

DUEL WITH A SHADOW

(By Richard Lowenthal)

The weird events that took place at the 22d Congress of the Soviet Communist Party, and the subsequent appearance of new rifts within the Sino-Soviet alliance, mark a true turning point in the history of both the Soviet empire and the international Communist movement. Unless I totally misread the signs, they also mark a turning point in the personal history of Nikita Sergeyevich Khrushchev—the end of his dream of achieving world hegemony by pushing the expansion of the empire and the movement on separate but parallel lines. It was by fulfilling that dream that he had hoped at last to outgrow the haunting shadow of Stalin—and the shadow has proved too big for him.

I am not suggesting, of course, that the party Congress brought any weakening of Khrushchev's position inside the present Soviet leadership, as some of his Western admirers seem to have feared on rather insufficient grounds. The basis for his control of party and state was solidly laid 5 years ago with the election of a Central Committee dominated by his nominees at the 20th Congress. Ever since he defeated his Stalinist rivals in the party presidium with the help of that Central Committee during the great crisis of June 1957, he has been the uncontested victor in the struggle for Stalin's succession. All that could be asked from the 22d Congress in that field was that it should consecrate Khrushchev's triumph by the final and formal condemnation of the antiparty group that had dared to lift their hands against him (there had been no opportunity for that at the extraordinary 21st Congress of 1959, no general report of the Central Committee was rendered), and that it should make a further contribution both to the reeducation of the hierarchy of party and state in a post-Stalinist spirit and to the renewal of the personnel of that hierarchy. This the Congress accomplished with dutiful unanimity and according to plan.

For there was a planned element in the proceedings which has since become known as the "second de-Stalinization"—though in the public mind, this has by now been entirely overshadowed by the unplanned drama which was superimposed on it. As articles in the Soviet press showed on the eve of the Congress, Khrushchev intended to use it not only for a final settling of accounts with his defeated opponents, but for emphasizing the principles underlying the difference between Stalin's method of government and his own. That was the meaning of the claim in the new party program that the Soviet Union had now ceased to be a "dictatorship of the proletariat" and had become a true "people's state," accompanied by the statement (in the Congress issue of the Moscow Communist) that this transition might have been accomplished 20 years earlier but for Stalin's personal rule. The charge that Stalin unnecessarily perpetuated his autocratic rule at a time when all "hostile classes" had been successfully liquidated was brought not only in order to make the "democratic" merits of his successor shine all the more brightly against this dark background, but also in order to make the whole army of Soviet bureaucrats understand that the real change—a change not from dictatorship to democracy, but from mass terrorism to normality and from the whip of forced exploitation to the lure of economic incentive—was irreversible. Khrushchev has long been convinced that the modern Soviet society of today cannot be kept going by the same primitive and brutal methods by which its industrial apparatus was first created, and that officials who cannot or will not learn the more difficult techniques of leadership and administration required for the new stage will have to go, even if they faithfully repeat his every word. De-Stalinization, to him, has meant chiefly that.

Yet to accomplish these eminently reasonable and by now highly conventional objectives, it would not have been necessary to dig up the dead past in order to bury it once again. There was no need to retell publicly the horrible story of Stalin's crimes against his closest associates, to recall the killing of the flower of the Red army on the eve of Hitler's war, to produce the evidence pointing to police connivance at the murder of Kirov which thus became the pretext for

starting the trials of former leading Bolsheviks. There was no need either to remove the dead tyrant from his honored place at Lenin's side, or to rename the city (and even the battle) of Stalingrad. Retraining of the Soviet Communist Party machine and administration required that the myth of Stalin's infallibility should be deflated, that his achievements should be placed in historical perspective. It did not require that the chief architect of the Soviet Union's present power should be publicly dragged through the blood and mud on which he built it. Nor did Khrushchev himself think so before the Congress: nothing in the preparations, nothing even in his own opening reports indicated such an intention.

This, then, was the unplanned drama of the Congress. And it arose not from the internal problems of the Soviet Union, but from the fact that the long-festering dispute with Communist China got out of hand. It started when Premier Chou En-lai, leading the Chinese delegation, reacted to the first moderate attacks on Stalin's memory by laying down a wreath at his tomb; from that moment, the transfer of the body from its showcase became inevitable. The image of the former ruler had to be spat upon because the Chinese had turned it into a banner for their attack on his heirs.

There is dialectical irony rather than logical necessity in the fact that the Chinese Communists should have emerged as the posthumous defenders of Stalin, to whom they owe less than any other party in the Soviet bloc. Mao had gained full control of the Chinese Party only behind Stalin's back, at a moment in 1935, during the long march, when communications between Moscow and the Chinese Red Army were temporarily interrupted. He had used it to educate his cadres in distrust of foreign models and rejection of Stalin-type mass purges. His first "rectification of thought" of 1941 was a kind of de-Stalinization avant la lettre. And he had conquered state power, not unlike Tito, without substantial Soviet help and only by defying Stalin's advice at the decisive moment, when he launched his final all-out offensive in the civil war.

Later, the Chinese Communists reaped substantial benefits from Stalin's death, gaining important changes in the highly unequal treaty of alliance that was the best he would grant them in 1950. It is true that they warned against the drastic form of Khrushchev's de-Stalinization in 1956, correctly foreseeing the danger which so sudden a break in ideological continuity might spell for Soviet authority and therefore for the unity of the bloc. But it is also true that they approved the substance of Khrushchev's attempt to overcome Stalin's "great Russian chauvinism," to grant more autonomy to the satellites, and to win back the Yugoslavs. Hence during the critical period in 1956–57, when both Soviet control of Eastern Europe and Khrushchev's control of the Soviet Party hung in the balance, the Chinese Communists used the full weight of their intact authority to support both.

Yet from the moment when Mao, at the Moscow international conference of November 1957, deliberately assumed the role of the most active sponsor of the unity of the bloc under Soviet leadership, he seems to have considered that this would entitle him to increased influence on Soviet policy in the future. For the first time, China had successfully intervened in the destinies of a part of Europe. Would not her continued material dependence on Soviet aid henceforth be balanced by the ideological dependence of Stalin's inexperienced successor on the proven wisdom of Mao? But Khrushchev did not see it that way. Once the acute crisis in his East European empire had been overcome with Chinese help, he felt no need for further Chinese advice on what he regarded as his own affairs. Nor was he willing to pay heed to Chinese interests where they collided with Russia's own.

It was this sharp disappointment of Chinese hopes for increased economic, diplomatic, and military support from the Soviets that led to the first major disagreements between Mao and Khrushchev during 1958. Soviet investment in the improvement of Russia and East European conditions increased and aid agreements designed to acquire goodwill among the uncommitted states of Asia gained in importance. But the Soviet failure to grant the massive new credits needed to tide China over the critical period of her industrialization greatly contributed to push her into the adventure of the great leap forward and the imposition of people's communes throughout the Chinese countryside. While Khrushchev, conscious of the new relation of forces between Russia and the West that had come about with the advent of the intercontinental rocket, embarked on a worldwide offensive, he remained careful to limit the risk of an armed clash with the United States by alternating the creation of crisis with offers of summit meetings, the language of threats with that of coexistence. This caution first led him to offend Mao by temporarily agreeing to discuss the Middle Eastern crisis of that summer at a summit meeting called in the framework of the United Nations Security Council, and later to let him down by his refusal, during the bombardment of Quemoy, to supply him with guided missiles equivalent to those given by the Americans to Chiang's forces.

To the Chinese leaders, deprived of scope for similarly flexible tactics by their lack of diplomatic relations with the principal enemy, and deeply immersed in the efforts and sacrifices of their domestic revolutionary upheaval, the cautious egotism practiced by the Soviets at their expense seemed evidence that Khrushchev and his team were sadly lacking in the spirit of international solidarity and revolutionary militancy—hence unfit for the leading role in the Socialist camp and the international Communist movement for which Mao himself had cast them. They prepared to challenge that role by ideological arguments. By September 1958, the Chinese claim that the people's communes were an application of the supposed Leninist principle of uninterrupted revolution and a shortcut on the road from the lower Socialist to the higher Communist stage, implied that while the Russians were looking for comfortable resting places on that road, the Chinese were hurrying ahead and overtaking them. In the following months, the Soviets replied with a vigorous campaign against the utopian concept of achieving full communism before a stage of economic abundance had been reached, and with developing their own concept of moving toward communism on the basis of the most developed modern technique. Under the pressure of this criticism and of the severe practical setbacks suffered by the people's communes, this first Chinese challenge had to be withdrawn by the turn of the year. At the 21st Congress of the CPSU in February 1959, Chou En-lai recognized that Russia alone had started on the road to the higher stage, and was rewarded by a new agreement on economic aid.

The conflict revived, however, in a more acute form in the winter of 1959–60, owing to Khrushchev's visit to Eisenhower, his summit preparations, and his hardly benevolent neutrality in China's quarrels with India and Indonesia. This time the Chinese, now thoroughly alarmed, were not content with working out a theoretical position for challenging the leading role of the Soviet Union: they were openly seeking to recruit allies within the international movement. At leadership meetings of various international front organizations (the World Peace Council, the World Trade Union Federation, the Afro-Asian Solidarity Committee, etc., as well as at a meeting of the Warsaw Pact), the Chinese criticized the Russians for their "un-Marxist" illusions about the possibility of securing peace by agreement with Eisenhower, and their opportunist tendency to subordinate their support of revolutionary movements and wars of liberation to the tactical needs of their diplomacy of coexistence. Finally, they chose the 90th anniversary of Lenin's birth in April 1960, as an occasion to publish their arguments in a whole series of articles.

The platform from which the Chinese attack was launched, of uninterrupted revolution, at home and unlimited support for revolution abroad, was Trotskyite rather than Stalinist in inspiration. Yet to the Stalinist remnants in Russia and the Soviet bloc, any powerful voice that raised doubts in the Leninist orthodoxy of Khrushchev and his team must have been more than welcome. Moreover, they disliked many of the same things which were now criticized by the Chinese—Khrushchev's personal diplomacy with its necessary pretense of believing in the peaceful intentions of the other side (whitewashing imperialism and deceiving the masses about its bellicose nature)—his wooing of "bourgeois nationalist" dictators with offers of economic aid—his softness toward the Yugoslav renegades. As for the Chinese, they might hope to find truly congenial allies among Asian or Latin-American Communists thirsting for wars of liberation; but in Russia and Eastern Europe, the Stalinist remnants were their only hope.

In fact, it may now be regarded as proven that the alliance between the Chinese and the Stalinists had been formed by April 1960, if not before. At the 22d Congress Mr. Ilychev, one of the newly-promoted secretaries of the Central Committee of the CPSU, disclosed that on the same occasion when the Chinese started their public campaign, the 90th anniversary of Lenin's birth, Molotov, then Soviet Ambassador in Outer Mongolia, submitted to the Moscow Communist an article on similar lines—a curious case of the master's spirit manifesting itself simultaneously in Peiping and Ulan-Bator. Khrushchev took the point. During the next few weeks, Molotov was recalled, President Voroshilov, the last undisclosed member of the Stalinist former majority of the party presidium, was encouraged to retire from all his offices, and Pravda suddenly published the anti-Stalinist epic of the poet Tvardovsky.

During the same period, the Albanian Communist leaders first showed their defiance of Khrushchev's leadership. Hoxha and Shehu, it may be assumed, had never wavered in their gratitude to Stalin, whom they regarded as the liberator of Albania from Yugoslav domination, and to whom they owed their personal triumph over the pro-Yugoslav group of Koci Xoxe inside the party. They had distrusted Khrushchev from the moment of his first visit to Belgrade, and had quietly and successfully resisted his efforts to rehabilitate the executed Xoxe and to change the Albanian party leadership in the interest of better relations with Yugoslavia. When, in 1958, party ties between the Soviet bloc and Yugoslavia were severed again, they had eagerly used the opportunity to denounce their archenemies once more as imperialist agents, just as China did, and had been with difficulty persuaded by Khrushchev, when he visited Albania in 1959, to tone down the violence of their anti-Yugoslav campaign. But up to 1960, they had never openly and explicitly criticized the policies of Khrushchev or the decisions of the 20th Congress. Only when China started her attack on Soviet foreign policy did the Albanian Stalinists come out into the open, flatly refusing to support the proposals for an atom-free zone

in the Balkans put forward on Soviet instructions by other members of the Warsaw Pact. At the Bucharest conference of ruling Communist parties in June 1960, when Khrushchev tried to force the Chinese to withdraw their criticism, the Albanians openly sided with the latter and helped them to insist on the calling of a world conference which subsequently met in Moscow.

In raising their challenge to Soviet international leadership, the Chinese Communists clearly did not want to break up the alliance. They wanted more Soviet support, not less. But neither can they have expected that they would quickly or easily supplant Soviet leadership—the greater power and older authority of Moscow precluded that. They must have counted on a prolonged ideological tug-of-war, in which the alliance would continue without a clearly established leader, and Chinese influence in the world movement would gradually increase from one compromise to the next.

But if that was their aim, it seems clear in retrospect that they made any prolonged period of such divergent unity (in the striking phrase of Professor Brzezinski) far more difficult by their alliance with the Stalinist remnants in Russia and the Soviet bloc. Khrushchev, too, was certainly interested in maintaining the alliance and could be expected to make some concessions to Chinese pressure, as indeed he did in his behavior on the international stage during the months preceding last winter's World Conference of Communist Parties, and also in some of the formulations adopted at the Conference. More important, he explicitly renounced the Soviet Union's claim to its traditional leading role in the Communist world movement, thus recognizing the limitations imposed on his international authority by Chinese opposition and the need for continued adjustment of policies to meet new situations. But he could not be expected to tolerate continued Stalinist defiance within his own power sphere.

Even before the Moscow Conference, a bid to remove Hoxha from the leadership of the Albanian party had been made by pro-Soviet elements; it was forestalled by a purge of the Central Committee and arrests of important officials. After the Conference, Hoxha had his policy approved by a party congress, and the arrested men were executed after a show trial for alleged conspiracy with Yugoslavia, Greece, and the United States. As these events proceeded during 1961, Moscow stepped up the pressure by stopping economic aid, canceling credits, calling home the submarines based in Albania, and finally recalling all Soviet and Soviet bloc technicians. But a Chinese aid agreement and Chinese technicians stepped into the breach as far as possible. The Chinese leaders thus indicated their determination not to abandon the first small European country that had sided with them—in other words, to maintain a permanent challenge to Khrushchev's authority even within his empire.

Khrushchev's public attack on Albania in his opening speech at the 22d Congress, and Chou En-lai's rejection of that attack must be understood in that context. The Soviet leader was not really, as has been said, making a veiled attack on China by criticizing Albania: he was warning China that he would expel the Albanian Stalinists from the fold, whether China liked it or not—that he might tolerate prolonged differences with his Chinese ally, but not a Chinese faction within his own backyard. Chou En-lai's reply was a counterwarning that China would not accept the legitimacy of any expulsion from the Socialist camp; and his deposition of the wreath at Stalin's tomb was an open challenge to Khrushchev's legitimacy even in Russia itself—an attempt to conjure up the ghost of the Soviet past against the Soviet present. The shadow of Stalin had suddenly come alive again, and it had assumed the features of Mao.

It was at that moment that the quarrel got out of hand. Each side had been determined to avoid a break, but each side had counted even more on the other's need to avoid it, and on the limits that would impose on its actions. Each had thus more and more committed its prestige in order to impress the other and force it to retreat; and each had thereby made it increasingly difficult for itself to retreat for the sake of unity. Mao had tried to demonstrate that Khrushchev could not force an approval of his anti-Stalinist line, and in particular the expulsion of the Albanian leaders, on the international movement against China's will; even after the Moscow congress, he sent the Albanians a telegram praising their correct policy and hailing them as close brothers within the Socialist camp. Khrushchev had tried to demonstrate that he was free to take what action he liked against the Stalinist remnants in Russia and the Soviet bloc, whether China approved it or not; in the end he had no option but to break diplomatic relations with Albania before it had been condemned by any international Communist conference—something not even Stalin had done. While the Chinese Communists were exhibiting Stalin's picture along with those of Marx, Lenin, and Mao, and while Stalin statues were falling on Khrushchev's orders all over Eastern Europe, Khrushchev found himself forced to out-Stalin Stalin in his own methods of conducting his conflict with a small Communist country.

To understand the full impact of these events on Khrushchev's Russia, one has to recall the basic concept of the relations between the Soviet Empire and the Communist world movement with which he set out, and its contrast to the ideas and practice of Stalin.[1] During a long reign in isolation Stalin had acquired the firm conviction that no progress of Communist world revolution was either likely or desirable unless it coincided with the territorial aggrandizement of the Soviet Empire: the action of the Communist parties abroad had to be strictly and openly subordinated to the interests of the Soviet fatherland, because the interests of world communism were simply identical with the growth of Soviet power. Hence, while Stalin expanded the frontiers of the Soviet Union and subjected a number of neighboring states to its control, he warned against the decisive moves of the independent Yugoslav and Chinese revolutions, and distrusted the new regimes after their victories. His rigid identification of the Communist cause with the cause of the Soviet Union made it impossible for him to recognize any independent allies, any truly equal partners within his camp. It was this that led to his conflict with Tito, and despite his realistic caution in his dealings with China would sooner or later also have led to conflict with Mao.

Khrushchev, coming to power in a very different situation, started with a much more confident view of the strength and nature of independent revolutionary forces. He drew from the Chinese experience the lesson that Communist revolutions could and would occur parallel with, but independent of, the direct increase of the power of the Soviet Union, and that they could immensely add to the total strength of the Socialist camp. He concluded that such independent revolutionary regimes would have to be treated as equal partners, and that even the satellites should be granted increased autonomy to make the rising Socialist world system more attractive. Hence he put relations with China on a new basis in the autumn of 1954, moved for reconciliation with Tito in 1955, and proclaimed from the platform of the 20th Party Congress in 1956 the doctrine that each Communist Party was free to find its own road to power.

Khrushchev did not abandon this outlook even after he had used armed force to keep Hungary within the Soviet empire, and after his hope of winning Tito back as an ally had been disappointed. He made a point of preserving normal (and at times even friendly) diplomatic relations with the Yugoslav Government even while attacking its revisionist ideas, thus underlining the difference between his methods and Stalin's. While pursuing his own imperial interests with scant attention to the complaints of his Chinese allies, he accepted their persistent nonconformity without undue irritation. Even difficult allies, to him, were primarily a source of strength.

For ultimately Khrushchev's whole vision of the world relation of forces, and of the march of history toward the worldwide victory of communism, hinged on this belief in the fundamental harmony between the interests of the Soviet Union and the development of independent revolutionary forces all over the world. It was by the dynamics of revolution that the balance of terror between the superpowers could be most easily bypassed, and thus the actual balance of power tipped in favor of the Soviet camp without war.

It is, of course, unlikely that Khrushchev was ever so naive as to believe in the official doctrine that no differences of interest could arise between states governed by Communist parties. But he seems to have been confident that, once the equality of the partners was recognized in principle, any differences could be adjusted without major strain because of the overriding importance of the common conflict with the non-Communist world. What he failed to foresee was that the very ideological tie on which he relied to insure the adjustment might prevent it—by turning the limited conflict of interest into an all-out ideological struggle for leadership.

Yet this is what has happened. The Soviet-Chinese dispute has got out of control not because the differences of interest between the two great Communist powers were unbridgeable in themselves, but because the struggle was conducted in an ideological form which came to involve the prestige of either regime to the point of no return. From the moment that the Chinese leaders allied themselves with the Stalinist remnants in Russia and the Soviet bloc, Khrushchev's imperial power was at stake. He had to choose between observing the new rules of an international movement no longer controlled by Russia alone, which meant waiting for the verdict of an international conference in which the Chinese might wield a veto power, or creating an accomplished fact by the use of Russian imperial strength. Inevitably, he chose the latter. By breaking relations with Albania without waiting for her international condemnation, he admitted that his belief in the necessary harmony of Soviet and world-Communist interests had been mistaken, and that once placed at the crossroads Khrushchev's Russia, like Stalin's, would put her own power first.

In admitting the failure of his fundamental concept of the advance of world communism, in accomplishing the break with Albania and accepting the risk of a break with China for the sake of Russian imperial interests, Khrushchev has, I believe, critically weakened the dynamic power of Russia's thrust toward world hegemony. He can no longer count on running the empire and the movement in double harness. He has opened the road to new and as yet unforeseeable autonomous developments in all those Communist parties that have the inner strength for a new departure. But beyond that, he has also dealt a major

[1] See "The Changed Antagonist," Encounter, January 1961.

blow to the future of ideological party rule in Russia itself.

Just as, in the international field, Khrushchev had believed that he could promote, simultaneously and without contradiction, the progress of independent revolutionary forces and the growth of Soviet power, so he has always believed that he could work at home simultaneously for speedy economic improvement by pragmatic reforms and for the preservation of ideological party rule. As many observers have pointed out, the growth of a modern industrial society with highly educated cadres and outspoken claims for material improvement, together with the disappearance of mass terrrorism from Soviet daily life, has greatly weakened the hold of the official ideology on both the masses and the intelligentsia, and even the pressure toward outward conformity. Yet Khrushchev, aware that the party regime requires the ideological vision for its legitimation, has consistently tried to counter the anti-ideological current arising from below, from the nature of the new Soviet society, by a conscious effort at reideologization from above. Hence his interest in a new party program for the transition to communism.

Yet the belief in the imminence of the worldwide victory of the Communist movement, and in the natural harmony of interests among all Communist parties and all governments ruled by them, is one of the main pillars of that ideological vision. The events during and after the 22d Congress have undermined that pillar—and that at the same moment when the renewed bitterness of the anti-Stalin campaign must have raised doubts about the essential continuity of the party's policy and principles and also about the nature of a political system that made Stalin's crimes possible. For the thoughtful young generation of Soviet citizens in particular, the value of the party regime as guarantee of alliance with all progressive forces abroad, and as trustee for a more just and humane future at home is thus put into question all at once.

Of course, Khrushchev's own belief in the party regime will not be changed by these events, as his power is bound up with it. Nor is that power likely to be endangered while he is capable of wielding it. The story of Titoist Yugoslavia is there to remind us that a modern party monopoly, even with its international backing gone and popular belief in its ideology widely undermined, and even in the absence of Stalinist mass terrorism, may cling to power for a long time so long as its top leadership stays outwardly united under an uncontested chief. But even under that regime, the blows that have broken up its ideological crust may well prove the prelude to bolder pragmatic experimentation, particularly in the economic field, than in the past.

From a long run point of view, Khrushchev's duel with the shadow of Stalin will leave no victor—except perhaps the people of Russia. For the Stalinist regime, the Stalinist ideological synthesis, and the Stalin image are shattered beyond repair, and Khrushchev has failed to replace them by a viable ideological synthesis of his own. The full effects of this failure may only come to the surface when the question of the future of the regime is reopened: in the next crisis of succession.

THE PEACE CORPS

Mr. SYMINGTON. Mr. President, from the beginning some of us had faith in the future of the Peace Corps. That faith is now being realized.

This Corps contains young Americans training and working in the tradition of neighborliness which is so characteristic of what is best in our way of life.

As the success of the Peace Corps effort becomes more apparent we should pay tribute not only to the young men and young women in this novel and constructive effort but also to the Peace Corps planners who, under Sargent Shriver, have had the foresight to provide these members with adequate training.

In this connection, Mr. President, I ask unanimous consent to have printed at this point in the RECORD a recent article from the St. Louis Post-Dispatch. The article describes in some detail one of these training efforts.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the St. Louis Post Dispatch, Jan. 2, 1962]

TRAINING IN JUNGLE FOR PEACE CORPS—WORK IN PUERTO RICO DESIGNED TO TEST MUSCLE, TOUGHEN MIND, BUILD CHARACTER

(By Patricia McCormack)

RIO ABAJO, P.R., January 2.—Few patches of jungle come as rugged as the Rio Abajo Forest—physical training ground for the Peace Corps.

Young women and men muster here for 26 days of sweaty toil meant to test muscle, toughen the mind, and build character.

Wildlife hereabouts creeps, crawls and flies. There is jungle rot and mildew.

The camp itself testifies to the Peace Corps ideal—self-help, plus what's at hand to improve. The land was donated by Puerto Rico.

The old-fashioned ice boxes came from the Navy. The mattresses came from the Boy Scouts, the blankets from the Girl Scouts, and the tents from the National Guard.

There is no fancy kitchen, but somehow Humphrey Palermo, the chef, manages to produce a cake 30 inches across and 6 inches high when each batch of Corps men and women graduate from the camp. The most recent cake had lettered on it—"Welcome to Pakistan."

Recruits leave running water, telephones, and privacy behind. They learn to wash their clothes in a creek or a barrel of rainwater. They learn to accept the situation when the next day's togs take 3 days to dry. They even work for their breakfast, starting the day at 6 a.m., with a 2-mile run through the woods. The workout is climaxed by a plunge in an ice-cold mountain stream.

These Peace Corps Joes and Janes gripe plenty at first. This is natural and is expected of them. The current gripes add to the chorus of complaints that filled the air hereabouts back in the 1940's when GI Joes were dropped here for conditioning prior to combat in Korea.

For the Peace Corps recruits, the hard life at Rio Abajo is the last step before embarking for west Pakistan, Tanganyika, or wherever Peace Corps members are ordered to go.

Here, there's no special softie course for the women. The physical testing that taxes former football players is the same for males and females.

There's hiking—overnight type, regardless of the weather, and with a pack on the back. In the pack are C rations.

The mountain climbing includes a descent equal to that of a 12-story building. In the course of the descent by rope alone there's a 20-foot free fall. Recruits who whimper the first time they go through the free fall must do it again.

This outdoor classroom was selected for more than the abundant jungle life. It gives the Corpsmen the feeling of being in a foreign land.

But even more important, Puerto Rico is positive proof of an underdeveloped area that has lifted itself by its own bootstraps within the last decade.

Those in training have many chances to see successful improvement projects—ranging from sewage disposal plants to housing developments.

What they see when they get out to the civilized parts of the island is much like the improvement projects they hope to be a part of when they hit underdeveloped lands to which they are assigned.

A part almost as important as physical training, testing of mind and psyche, comes at night during bull sessions—and during daily seminars under skies that are by turn sunny and cloudy.

Bill Haddad, Associate Director of the Peace Corps, put it this way:

"We aim to throw the young people in training back on their heels, giving them situations they never before encountered and teaching them to draw on inner resources that they didn't realize they had.

"When they have that 20-foot free fall while descending on a rope, we're not so much teaching mountain climbing as we are teaching them to conquer fear, giving them the stamina to cope with strange situations."

Then there's the cultural conditioning for the country to which the volunteers are assigned.

Barbara Jean Payne, 22, a graduate of Wheaton College, told of the conditioning for women. She has been assigned to teach chemistry at a women's college in west Pakistan.

"In Pakistan," she said, "a woman must give dirty looks and show indignation if a male so much as brushes her elbow. We practiced that during training.

"And we learned not to show too much curiosity or surprise over the native garb—a bourka—our students will be wearing to class."

Miss Payne, a native of Evanston, Ill., said a bourka is a tentlike cloak the west Pakistan females wear. The cloak covers the face and has just tiny slits for the women to see through.

At the bull sessions, the Peace Corps volunteers also practice the language of the land to which assigned. They also are taught here how to help families with far less material things than the typical American family has.

At a typical seminar, the instructor poses a problem, saying—"You are to build a road and you have native workers. How would you make them do their best?"

"I'd explain to them that they wanted us to come there and that we should get the job done properly," one volunteer replied.

Another interrupts with—"Wait a minute, wouldn't it be better to tell them it's for the good of their country?"

The instructor interjects—"But suppose they said they never had this road and if they never got it they would never miss it."

"They'd never say that," another Corpsman says. "The best approach would be to tell them to work and then knock off early, getting home sooner."

"Ah," the instructor said, "but suppose they don't want to go home?"

So it goes through the seminars. The instructor poses a problem. The students propose a solution. And the instructor quickly shoots back a reason the solution won't work. On every problem, the discussion on solutions goes from A through Z.

This is part of the mental toughening, "throwing the Corpsmen back on their heels," as Haddad put it.

There's also a self-help and help others aspect to training. As part of the self-help, recent students built a bridge over a creek. When another group needed a

classroom to shelter from the rain, Corps men and women went out into the woods, felled trees and from the lumber built a classroom.

The help-others facet was demonstrated when Corpsman met with the poverty-strapped families from a neighboring mountain village, asking the villagers what they needed most.

The villagers said they need a nursery school. The Corpsmen soon will build it.

Adis Palmar, 26, a nurse from Northport, N.Y., headed for a hospital in west Pakistan, said in an interview that the rugged training works.

"I learned that I can do the impossible," she said.

LEGISLATIVE PROGRAM

Mr. MANSFIELD. Mr. President, I wish to announce that when Senators who have morning-hour business to submit have concluded there will be a quorum call; and thereafter, at some time between 12:45 and 12:50, the Senate will leave for the Hall of the House of Representatives. It is my understanding that Colonel Glenn will be in the Hall of the House of Representatives, ready to participate in the ceremonies, at approximately 1 o'clock.

Mr. SYMINGTON. Mr. President, will the majority leader yield?

Mr. MANSFIELD. I yield.

Mr. SYMINGTON. How long does the majority leader think the ceremony in the Hall of the House of Representatives will last?

Mr. MANSFIELD. I have no idea; but I understand Colonel Glenn is due at a luncheon at the State Department at 2 o'clock. So I judge the ceremony in the Hall of the House of Representatives would last not more than half an hour, at the most.

Mr. SYMINGTON. I thank the majority leader.

Mr. MANSFIELD. Mr. President, at the conclusion of the joint session of the two Houses, the Senate will resume its session; and at that time Senators will have an opportunity to express their sorrow and their condolences at the passing of the late Senator Irving Ives, of New York.

TECHNOLOGY FOR AIRPOWER

Mr. LAUSCHE. Mr. President—

On a hilltop overlooking the city of Dayton, Ohio, is a rundown, barnlike building which has a critical importance in the cold war. This World War II temporary structure is the main facility of the Air Force Institute of Technology, a small, fully accredited engineering college which serves as the backbone of the Air Force technical manpower program.

I have just read the first paragraph of an article entitled "Technology for Air Power." The Air Force has been begging for an appropriation of approximately $5 million in order to be able to bring the facilities of its technology for airpower up to a standard which will befit the importance of the position it occupies in our defense posture. It has not been successful in that effort. The Air Force Institute of Technology is known as the postgraduate school of the Air Force Academy in Colorado. This article points out the significance of the Air Force Institute of Technology; and I ask unanimous consent that it be printed in full in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TECHNOLOGY FOR AIR POWER

(By Maj. Gen. Edward P. Mechling)

The Air Force Institute of Technology, despite a decrepit physical plant, is doing a unique job in preparing officers in engineering, science, and logistics, but greater expansion is urgently required.

On a hilltop overlooking the city of Dayton, Ohio, is a rundown, barnlike building which has a critical importance in the cold war. This World War II temporary structure is the main facility of the Air Force Institute of Technology, a small, fully accredited engineering college which serves as the backbone of the Air Force technical manpower program.

Lately the Air Force has taken on considerably heavier aerospace responsibilities. Air Force Institute of Technology already has played a large supporting role while the Air Force Systems Command, Air Force Logistics Command, and other primary mission commands have maintained a killing pace in aerospace technology. Air Force Institute of Technology and its related educational programs pump the lifeblood into the operating units—the officers with one, two, or three degrees in the engineering and scientific disciplines that underlie the new weapon systems.

The commissioned manpower situation in the Air Force is not at all satisfactory so far as technical education is concerned. If the Air Force Institute of Technology should falter—or even fail to grow properly—the situation will worsen during the crucial weapons competition in the 1960's. Right now only 49 percent of the Air Force officers on duty have college degrees, while the figure is 60 percent in the Army and 64 percent in the Navy.

The problem has been under study for some time in the Air Force Department of Personnel Procurement and Training, and all studies lead back to Air Force Institute of Technology. Currently the Air Force is developing a multiple upgrading and educational program which would bring the officer degree level from 49 percent up to 75 percent by 1970—and 75 percent is not a high proportion in view of the fantastic technological requirements just ahead, such as those of spacecraft.

In this upgrading by 26 percentage points, Air Force Institute of Technology would have to expand sufficiently to produce 15 points. Operation Bootstrap, consisting of short temporary-duty educational hitches, would produce three points, and intensive recruitment of college-trained men to replace normal attrition would produce the remaining 8 percent.

It is not farfetched to say that if Air Force Institute of Technology is properly developed, the Air Force will make the grade in advanced weaponry; and that if Air Force Institute of Technology does not grow properly, the issue takes on very serious aspects.

What is the situation at the Institute? Despite the best money-raising efforts of the Air Force ever since 1955, the in-house science and engineering portion of the program still is squeezed into a warehouse-like structure comparable to those in which Army Officer Candidate School classes were taught in World War II, except that 20 years of age and hard use have been added.

The subcritical reactor used for instruction in nuclear engineering, on the first floor, has to be used after hours so as not to radiate any student officers just above the pine boards on the second floor. Classrooms are separated by quarter-inch plywood, and it is not unusual for a student to hear three lectures at once.

The faculty sometimes posts a sign at one place or another, with the warning, "No Loitering Here, Men Working on Roof." This resulted after a hard fall taken some time ago by a carpenter through the ancient roof.

Academically, the Air Force Institute of Technology is a first-class outfit. Its teaching equipment, faculty, and academic reputation are not merely good—they are unique and cannot be duplicated as a package anywhere in the country.

Air Force Institute of Technology's program consists of a resident science and engineering school, a school of logistics, a civil engineering center, and a civilian institutions program. Its resident science and engineering school, which is fully accredited both at the undergraduate and graduate levels, now has an enrollment of more than 280. Less than one-third of these men are in the two senior undergraduate programs, aeromechanics and electronics.

Of the 200 in graduate programs, 55 are studying aeronautical engineering and air weapons, 47 astronautics, 59 electrical engineering (which at Air Force Institute of Technology means electronics or guidance and control), and 39 nuclear engineering.

The school of logistics and the civil engineering center are operated in separate facilities in another area at Wright-Patterson Air Force Base. Currently there are 237 students in the school of logistics and 110 in the civil engineering center. The purpose of the former is to provide trained logisticians and to serve as a center for research and study of Air Force logistics problems; the latter, to develop professionally qualified civil engineers who understand the special requirements of Air Force installations.

Rounding out the Air Force Institute of Technology program is its responsibility for the massive civilian institutions program under which about 4,000 Air Force officers and airmen are receiving education and training at more than 80 civilian colleges and universities and with selected industries.

This contract arrangement includes study in the general areas of the arts and social sciences, biological and physical sciences, business administration, engineering, foreign language, medical, meteorology, and other fields. No major changes are planned in this amount of outside training except to increase it proportionately to increasing needs.

Most of the concern at the Air Force Institute of Technology has been involved with the College of Science and Engineering, partly because of its especially decrepit building and partly because of its vital relationship to the weapon-system and logistics commands of the Air Force.

Sometimes the debate over development of the Air Force Institute of Technology, in the Congress and elsewhere, has involved the question of whether the Air Force should be operating a college of science and engineering on an in-house basis, rather than depending wholly on its contract arrangements with civilian universities.

The all-important point is that the Air Force Institute of Technology program is so sophisticated, in terms of the particular environment of Air Force weapons systems development, that it shoud not be supplanted by a civilian institution. Among its unique courses are those in aircraft structures and armament installation; armament design and test instrumentation, airborne fire control, dynamics of missiles, and theory and evaluation of weapons.

These and other courses are so unique, by comparison with conventional engineering instruction, that they depend heavily and sometimes altogether for supporting material upon lecture notes drawn from Air Force knowledge rather than upon textbooks.

Other courses are in fields in which other engineering schools offer instruction but which are given at the Air Force Institute of Technology through materials and techniques which reflect a particular Air Force orientation not ordinarily possible through civilian instruction. Among these are courses in radar and infrared guidance systems, electronic systems, inertial guidance, and nuclear engineering.

The faculty at Air Force Institute of Technology reflects some of the same special qualities found in the curriculum. The 1959–60 School of Engineering faculty at Air Force Institute of Technology consisted of 53 men. Among these, 23, or 43 percent, were Air Force officers who not only were fully qualified to give conventional graduate and undergraduate engineering instruction, but also were qualified in terms of particular Air Force applications of the subject matter involved, by virtue of their own operating experience within the Air Force.

No civilian college of engineering could reasonably be called upon to stretch its own character so far out of shape as to be able to teach in an Air Force context as well as the Air Force itself can do. To put the matter more simply, no civilian college of engineering should be induced to load large numbers of uniformed Air Force engineers into its faculty for the purpose of teaching engineering to Air Force officers, with special reference to Air Force goals and methodologies.

The Air Force Institute of Technology curriculum and faculty are relatively unique, but for the technological education purposes of the Air Force the surrounding environment is even more so.

Across the street from Air Force Institute of Technology is the Aeronautical Systems Division of the Air Force Systems Command, which is currently responsible for Dyna-Soar, B-70, and numerous other advanced weapon system projects.

Within easy walking distance of Air Force Institute of Technology are the Aeronautical Research Laboratory, which is the largest single in-house basic research installation of the Air Force Office of Aerospace Research; and the Aerospace Medical Research Laboratories, which is one of the key units for analysis of human factors under aeronautical and space-flight conditions.

Air Force Institute of Technology sits in the middle of one of the largest existing accumulations of equipment in the aerospace weapon systems field—equipment which is in use on the firing line, so to speak, in the international weapons-development competition.

Aside from the invaluable person-to-person contact between operating personnel and the Institute faculty and students, the Air Force Institute of Technology already has conducted for some time an elaborate exploitation of the special environment at Wright-Patterson. Graduate students are assigned to the operating laboratories for thesis work on subjects of direct value in going projects.

A work-study program has been developed which involves a 6-month tour of full-time duty in the laboratories as a part of the curricular program. Operating personnel and laboratories play a part in the seminars and colloquia for the graduate students, and in the orientation tours by which young officers studying at the Air Force Institute of Technology can learn the appearance and feel of research and development materiel.

Less than 5 minutes distant, via expressway, is Headquarters, Air Force Logistics Command—the nerve center for Air Force weapons systems procurement. In this command is the greatest existing know-how in the field of procurement, installation, and maintenance of advanced weapons systems, and the Air Force Logistics Command contains the in-house technical competence whereby the Air Force is able to take care of itself in the operations of the weapons industry.

In gross size the Institute is a small college. In terms of graduate education in the main technological fields, however, the Air Force Institute of Technology has become one of the major institutions in the Nation.

According to the latest figures of the U.S. Department of Health, Education, and Welfare, 149 American colleges are granting master's degree in one or more fields of engineering. During the period from July 1, 1959, through June 30, 1960, these 149 institutions granted 7,159 master's degrees. The Air Force Institute of Technology, in conferring 74 M.S. degrees during this period, ranked 28th among the 149 institutions.

In particular engineering fields which are most crucial to advanced weapons development, Air Force Institute of Technology now plays an indispensable part in the production of the Nation's qualified manpower. For example, Air Force Institute of Technology's production of masters in nuclear engineering ranks third in the Nation, with 13 graduates in 1959–60, behind MIT with 32 and Michigan with 22. The 38 other schools with graduate programs in this field lag far behind Air Force Institute of Technology.

In aeronautical engineering, the Air Force Institute of Technology ranked fourth with 27 masters in 1959–60, behind MIT with 66; Caltech with 33; and Michigan with 31. Even in so large a field as electrical engineering, with 126 institutions offering master's degrees, Air Force Institute of Technology ranked 18th with a granting of 33 last year.

And while 1961 comparative figures are not yet available, Air Force Institute of Technology's own figures show that its output of graduate engineering degrees rose from 74 in 1960 to 113 in 1961—a strong indication that its relative importance is much greater now than it was during the 1959–60 period for which comparative figures are shown above.

Meanwhile, Air Force Institute of Technology clearly ranks first in the Nation in output from its unique combined program of aeronautical engineering, astronautics, guidance, and control, and guided missiles.

The Air Force Institute of Technology program is an old one, dating back to the canvas-airplane days after World War I. An "Air School of Application" was established within the Engineering Division at old McCook Field in Dayton in 1919. Dayton citizens donated 4,500 acres of land for the establishment of Wright Field in 1927, and the engineering and training activities were moved to the new installation.

After many organizational and policy shifts through the thirties and forties, the Institute was established in an approximation of its present form in 1946 by Lt. Gen. Nathan F. Twining, then commanding general of the Air Materiel Command. In 1950 command jurisdiction was moved to the Air University, with headquarters at Maxwell AFB, Montgomery, Ala., but the operational functions have continued to be closely intertwined with the facilities and requirements of logistics and systems units at Wright-Patterson.

The history of efforts to improve facilities of the Institute is a story of misunderstanding of the crucial nature of the program and of the educational concept that it represents. As in too many instances of rapid evolution in the weapons field, the country has lagged behind the facts of the situation.

While the hard-driven Institute faculty continues to do a superb job—in the opinion of the Air Force and of the principal academic accrediting agencies of the country—it still is having to work under physical circumstances that topflight professional men should no longer have to tolerate. They still do so mainly because of the fascination with important new concepts that is so characteristic of a real pro, but this is a thin thread for the support of a major portion of the Nation's technical manpower training capability.

The continuing failure to provide facilities for the Institute implies an increasingly dangerous approach, with heavier and heavier dependence upon civilian institutions which have growing problems of their own.

For example, in 1959 the President's Science Advisory Committee reported as follows:

"More than 600 colleges and universities in the country offer graduate degrees of some kind; of these about 280 offer graduate degrees in scientific, medical, and engineering subjects. Yet scarcely more than a score can claim real distinction in any one scientific field, let alone more than one. Only a few excel in several fields.

"These few top-quality departments are major national assets. But they are rapidly becoming overloaded, and the big increase in graduate enrollment is still several years off. We have still far to go in the development of high-quality graduate work and university research in most engineering fields."

Often the Air Force Institute of Technology civilian institutions program pays to State and private universities only the standard tuition rates for educaton of Air Force officers sent to their campuses. Since tuition bears only a fraction of the cost of higher education, the endowments and State tax resources of these institutions are subsidizing the Air Force. In the case of Ohio State University, for example, tuition pays only about $1 in $5 of the general fund operating cost.

The Air Force is in the position of having to be heavily subsidized by the overworked revenue sources of the State and private colleges.

Here is the history of efforts in recent fiscal years to obtain appropriations for improvement of the Air Force Institute of Technology facility:

Fiscal year 1955: Air University requested $4.1 million as phase I of a three-phase program to cost $12.5 million eventually. Phase I deferred by USAF because of other higher priority projects.

Fiscal year 1956: Congress authorized $4.155 million for phase I and appropriated the funds. Office of Secretary of Defense refused to apportion the funds or authorize expenditure because of increased estimates from Corps of Army Engineers.

Fiscal year 1957: No new requests to Congress. No funds apportioned by Office of Secretary of Defense.

Fiscal year 1958: Academic facility proposed for funding under earlier 1956 authorization. Denied by Office of Secretary of Defense.

Fiscal year 1959: Office of Secretary of Defense requested to include an item raising the authorization and funding to $10.025 million. Denied by Office of Secretary of Defense. Request reduced to $7.4 million. Denied by Congress.

Fiscal year 1960: Total of $7.4 million requested for phase I. Denied by House Appropriations Committee. Amount reduced to $5 million in Senate committee which approved. Denied in conference committee.

Fiscal year 1961: Authorization lapsed. Request deleted by Office of Secretary of Defense.

Fiscal year 1962: Request deleted by Office of Secretary of Defense.

During these earlier hardships, the Air Force Institute of Technology did get far enough to complete the engineering and design work for a modern college of science and engineering building which would provide an additional 130,000 square feet of educational space for about $4.5 million.

The Office of the Secretary of Defense, reported to be hard pressed for money, redlined the item again in December 1961, thus keeping it out of the executive budget for construction in fiscal year 1963. The Congress now could enact a new authorization and an appropriation, in its own judgment, for the proper development of the Institute.

Gen. B. A. Schriever, who personally carries the principal responsibility for weapons development in the Air Force, has proposed an ultimate Air Force Institute of Technology program that would be five times the size of the present activity. Yet despite his urging and that of others best able to understand the problem, the Air Force Institute of Technology still lacks adequate facilities even for its present program. He summed up the problem by quoting the crusty language of Gen. James H. Doolittle:

"If we should have to fight, we should be prepared to do it from the neck up and not from the neck down."

COMMUNITY COLLEGE ACTION

Mr. DIRKSEN. Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks an editorial entitled "Community College Action," published in the Harrisburg (Pa.) Evening News of February 19, 1962, dealing with the inclusion of a $50 million junior college construction aid program in the overall $2.5 billion higher education bill. The distinguished Senator from New Jersey [Mr. CASE] labored for the past 5 years in support of this program, dealing with the 2-year community college movement.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

COMMUNITY COLLEGE ACTION

Pennsylvania's Senator CLARK, nobody's conservative, was for it. Arizona's Senator GOLDWATER, nobody's liberal, was for it. So were liberal Senator MORSE, conservative Senator TOWER, and a whole host of Senators in the middle of the political spectrum.

The object of this rare agreement was the inclusion of a $50 million junior college construction aid program in the overall $2.5 billion higher education bill. Sole credit for maneuvering the program into the bill must go to Republican Senator CASE, of New Jersey, who has been waging a one-man campaign for this project for the last 5 years. Yet he could not have gained his victory without the strong support of his colleagues, and this support would not have developed were it not for the soundness of what Senator CASE had been saying all along about junior or community colleges.

In States from New York to California, the 2-year community college movement has been booming. These institutions meet a number of educational needs. They can offer semiprofessional or technical training to young people who want to go beyond high school but not through 4 years of college. And under properly administered standards, they can provide the first 2 years of thorough undergraduate training. With all this, they have the advantage of economy. They bring education close to students, making it possible for them to live at home. At the same time the public or private sponsors of the college build only classroom, library, and laboratory facilities. There's no need for elaborate campuses and dormitories.

Because the 2-year colleges promise a feasible way of absorbing much of the huge college enrollment increase in the next decade, Senator CASE's proposal has picked up both liberal and conservative support. Senators GOLDWATER and TOWER, both members of the Senate Education Subcommittee, opposed the principal parts of the college-aid bill but supported the junior college program, which would match State and local funds with Federal contributions.

It might be mentioned here that Senator GOLDWATER's home State of Arizona is now in the process of constructing a network of 14 community colleges.

PRIVATE CAPITAL HELPS ORBITRY ACHIEVEMENT

Mr. MUNDT. Mr. President, as the Nation and our National Capital join in paying rightful tribute to Col. John H. Glenn, Jr., for his epochal flight thrice around the world, it is well to call attention to the fact that private capital as well as public funds contributed to the developments preceding this historic achievement.

John A. Kennedy, a resident of San Diego, Calif., but a voting citizen of South Dakota, who owns and publishes our State's largest daily newspaper—the Sioux Falls Daily Argus-Leader—has written a signed copyrighted news story reporting how Floyd Odlum and his Consolidated-Vultee Co., of San Diego, invested hundreds of thousands of dollars in private funds to keep experiments in the development of MX-774, forerunner to the Atlas, moving ahead at a time when public funds were unavailable to continue the pioneer work being undertaken by Karel Bossart, and his team of engineers.

It is especially fitting in my opinion, Mr. President, that America's first successful flight around the world in orbital atmosphere should be the product of both private and public financing and both public and private management. This, indeed, is partnership at its best and clearly demonstrates the value of Government and industry working together as a team rather than fighting against each other as rivals. I ask that the entire article by Mr. Kennedy appear in the RECORD at this point as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Sioux Falls (S. Dak.) Argus-Leader, Feb. 21, 1962]

COURAGEOUS INVESTMENT BY U.S. FIRM KEPT EARLY ATLAS PROJECT GOING

(By John A. Kennedy)

SAN DIEGO, CALIF.—The Atlas missile—the corporate-financed gamble that paid off for America Tuesday.

Tuesday's breathtaking accomplishment of Marine Astronaut John H. Glenn might not have happened so soon had it not been for the courageous investment before the Korean war of several hundred thousand dollars by the then debt-ridden Consolidated-Vultee firm here in San Diego.

Immediately after the cessation of World War II, a team of research and development engineers—financed by a small grant of leftover Air Force funds—started research in long-range missiles that later developed into the successful Atlas missile that is the giant in this field today.

The Air Force funds, small as they were, ran out.

The project was about to be junked.

Financier Floyd Odlum who had purchased control of Consolidated-Vultee in 1948, discovered many more liabilities in his company's portfolio than he had expected.

Debts were piling high in the building of the original Convair propeller plane which apparently had been woefully underpriced when contracts for sale were made to various airlines immediately after the war.

Odlum's attention was called to the potentialities of what became the Atlas, then known as the MX-774.

The chief engineer was Karel Bossart, a Belgian.

In the parlance at Convair, it was known as the "beast" but actually had been referred to as the "Atlas"—no connection with Odlum's corporation—a holding company.

The engineers convinced Odlum it had merit for America.

Even though the company was in the red, his board of directors approved the spending of several hundred thousand dollars of the company's money when U.S. Government funds were not available, to keep Bossart and his team of researchers together and working until the Government eventually came back into the picture.

In 1953 the Air Force evidenced more interest and eventually approved the great national program which ended up with the building of the astronautics plant on Kearny Mesa here in San Diego, where Tuesday officials and employees were understandably electrified by the feat of their workmanship guided by Astronaut John H. Glenn.

The company, now General Dynamics, has had a very rough time.

In fact it has lost some $440 million mainly due to its jet passenger program. But there was jubilation here last night for the willingness of Odlum and his board of directors—back before the Korean war—in appropriating the few hundred thousand dollars—not tax money—that was largely responsible for the basis of Tuesday's accomplishment.

RESOLUTION OF NATIONAL SOCIETY OF THE SONS OF THE AMERICAN REVOLUTION CALLING FOR EMBARGO ON TRADE WITH SOVIET UNION

Mr. CAPEHART. Mr. President, the National Society of the Sons of the American Revolution, Schuyler Colfax chapter, South Bend, Ind., on January 31, 1962, adopted a resolution calling for total embargo on goods and services to the Soviet Union and its satellite countries. The resolution is of such significance that I ask unanimous consent to have it printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION CALLING FOR TOTAL EMBARGO ON GOODS AND SERVICES TO THE SOVIET UNION AND ITS SATELLITE COUNTRIES

Whereas since 1948 export controls have been mainly used as an instrument of national security to keep strategic commodities from the Soviet Union and its European satellites; and

Whereas certain European satellites, including Poland and Yugoslavia, have been the recipients of certain strategic commodities and technical data having a potential military significance; and

Whereas the latter European satellites have been exempt from the aforementioned export controls, that is, exempt from the requirement of the U.S. Department of Commerce that there be granted validated licenses for the shipment of materials, equipment, and technical data, including technological services, on the positive list

of controlled commodities or oft called strategic materials; and

Whereas the close ties established by the Soviet Union with its European satellites make very easy the unrestricted diversion, transshipment and reexportation of U.S. origin materials, equipment, and technical data urgently desired by the Soviet Union; and

Whereas our trade with Communist China, North Vietnam, and North Korea is now under total embargo: Therefore, be it

Resolved by the Board of National Trustees of the National Society of the Sons of the American Revolution, That, all things considered, the U.S. Department of Commerce is requested to take prompt action to abate its granting of licenses, validated or general, for the shipment of materials, equipment, and technical data, including technological services, to the Soviet Union and all its satellites; that is, promptly effect the same total embargo that is now in effect toward Communist China, North Vietnam, and North Korea.

ORDER OF BUSINESS

The PRESIDING OFFICER (Mr. THURMOND in the chair). Is there further morning business?

Mr. MANSFIELD. Mr. President, has morning business been concluded?

The PRESIDING OFFICER. Without objection, morning business is closed.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

RECESS

Mr. ERVIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ERVIN. Mr. President, I move that the Senate recess subject to the call of the Chair.

The PRESIDING OFFICER. The question is on the motion of the Senator from North Carolina.

The motion was agreed to, and the Senate took a recess, subject to the call of the Chair.

Thereupon (at 12 o'clock and 30 minutes p.m.) the Senate, preceded by its Secretary [Felton M. Johnston], its Sergeant at Arms [Joseph C. Duke], and the President pro tempore, proceeded to the Hall of the House of Representatives to hear the report by Lt. Col. John H. Glenn, Jr., on his orbit flight of February 20, 1962.

(For the address delivered by Lt. Col. John Glenn, see pages 2902–2903 of the Congressional Record of today.)

LEGISLATIVE SESSION

The joint meeting of the two Houses having been dissolved, the Senate returned to its Chamber at 1 o'clock and 50 minutes p.m., when it was called to order by the President pro tempore.

Mr. JAVITS. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JAVITS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. HART in the chair). Without objection, it is so ordered.

SUPPORT FOR 88.5-MILE PADRE ISLAND SEASHORE AREA GROWS

Mr. YARBOROUGH. Mr. President, awareness of the need for creating a national seashore recreational area on Padre Island on the Texas gulf coast is growing both in the State of Texas and in the Nation. Support is also growing.

S. 4, the bill I have introduced to create a national park on 88.5 miles of Padre Island, would help to fill the urgent and growing need for recreational space of the hard-working and often overcrowded population of our country. The time to act is now. One reason for urgency is that promoters are trying to pump up the price of the Padre Island area. Delays are costly to the taxpayer, except for the few promoters who seek to profit by delay and perhaps by killing the bill altogether.

With the need for recreational areas so obvious to all of us, it is obvious also that an 88.5-mile-long area is small for creation of a park for the use of all the people for all time.

Even a larger area should be set aside for public use.

Texans are ready and willing to provide a new and better place for tourists to visit. Padre Island, with a climate so comfortable that it was visited by several thousand people on Sunday, February 4, when much of the Nation was experiencing freezing weather, would be a genuine seashore recreational area of the first class, and is important to the whole Nation as well as to Texas as the finest remaining seashore recreational area available for public use.

The opportunity to provide such a fine area for public national use must not be stymied by private promotion nor by public misinformation. There would be ample room on the 110-mile-long island for private development for tourist court meccas on Padre Island, outside the area included in the bill for an 88.5-mile park. And with prompt action, there would be an assurance that the public's interest will be defended and permanently protected.

On February 15, 1962, Mr. Frank E. Masland, Jr., Chairman of the U.S. National Parks Advisory Board, visited Padre Island, Tex., and the surrounding area. He was accompanied by Dr. Clarence Cottam, director of Rob and Bessie Welder Wildlife Foundation and president of the National Parks Association; Judge Noah Kennedy; County Commissioner Robert N. Barnes, and County Building Superintendent Leslie Chappell.

At the conclusion of the tour, Chairman Masland said that a seashore recreation area on Padre Island of less than 88 miles would be ridiculous; that Padre Island is beyond question one of the most choice seashore areas still available on the entire U.S. coastline; that all oil revenues would be preserved to the State and local owners and would not be taken by the Federal Government; and that, in fact, there is no real, sound, legitimate reason for any disinterested citizen not to support the Padre Island project.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD an article entitled, "Choice Seashore Site—Parks Adviser Hits 65-Mile Padre Plan," written by Cliff Lawhorne and published in the Corpus Christi Caller-Times of February 16, 1962.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CHOICE SEASHORE SITE—PARKS ADVISER HITS 65-MILE PADRE PLAN

(By Cliff Lawhorne)

A national seashore area on Padre Island of much less than 88 miles would be ridiculous, Frank E. Masland, Jr., Chairman of the U.S. Advisory Board on National Parks, said here yesterday during an all-day tour of the island.

Masland, whose Board advises Secretary of the Interior Steward Udall, said a seashore area preserve of no longer than 65 miles would not be desirable.

Masland toured the island with Dr. Clarence Cottam, director of Rob and Bessie Welder Wildlife Foundation and president of the National Parks Association. They were accompanied by County Judge Noah Kennedy, County Commissioner Robert N. Barnes, and County Building Superintendent Leslie Chappell.

Masland said Padre Island is "beyond question one of the most choice seashore areas still available on the entire U.S. coastline" for a national preserve.

He said that if a national seashore area designation for Padre Island "did not prove to be one of the biggest businesses in the State, it would be the exception."

A bill to establish a national seashore area on Padre Island could "get through Congress without much trouble if there were some unanimity (in the Texas delegation) in regard to it," he said.

Senator RALPH YARBOROUGH, of TEXAS, has introduced a bill calling for an 88-mile seashore area, and Representative JOHN YOUNG, of Corpus Christi, and Representative JOE KILGORE, of McAllen, have bills calling for a 65-mile-long preserve.

"All legitimate differences to the establishment of a national seashore area can be settled unless there is an adamant local position for a through road," Masland said.

He said the National Park Service "does not want a road and so far as I see it this is the only bone of contention."

The National Park Service is interested in providing access roads to the seashore area if it is established, he said.

"A seashore area is designated for preservation and use of the public," Masland said. "If a through road were put on the island, there would be all use and little preservation."

Masland also said the pending seashore bills protect Texas oil interests in the Laguna Madre, which is included in the area proposed for a national seashore area.

"The schoolchildren of Texas have nothing to worry about. The Federal Government is not going to take any of their money from oil revenues," he said.

Masland said regulatory measures on oil exploration are designed only to prevent companies from destroying the natural beauty while drilling for oil.

CANAL ISSUE

He also said he sees no great controversy with the Intracoastal Canal. "I feel this is an area of compromise. The channel should be preserved, and there is enough room between the mud flats and the channel for compromise."

Masland toured 40 miles down the island, to Big Shell. He and the others not only inspected the beach areas but made periodic side jaunts behind the sand dunes and over to the Laguna Madre side of the island.

He took pictures of all portions of the island visited.

"Padre Island looks like an entirely different island than that I visited 2 years ago," Masland said. "Hurricane Carla has in many respects improved it."

"There is nothing else like this. I think it should be preserved in all its natural beauty. It is unique to begin with. It's big enough. Its scope is sufficient. It is compatible with preservation. There is no doubt in anybody's mind in the National Park Service as to the appropriateness of this island in the park system."

FORWARD LOOK

He said the proposed national seashore area would not just meet the needs of today "but the needs of tomorrow."

"I don't know of any instance when a national park has not proved to be a tremendous—not just a modest but a tremendous—economic advantage to the area in which it is established," he said.

Masland said that at Cape Hatteras, recently designated as a national seashore area, a number of high class motels have been developed nearby.

"I can see the same thing here exactly," Masland said. "This is a tremendous area for recreational purposes and there is ample opportunity for contiguous private development at both ends."

Masland, of Carlisle, Pa., is a manufacturer, homebuilder, and banker and has extensive farm holdings. He is a director of the Academy of Natural Sciences of Philadelphia and a number of large concerns.

He and his wife are staying here with Mr. and Mrs. Harry B. Lankford, 3402 Ocean Drive. Mrs. Masland and Mrs. Lankford are cousins.

SUPERIOR SITE

Cottam said during the tour that Padre Island "in my opinion is the greatest area in the Nation for a national seashore area."

Chappell, who drove a powerwagon for the tour, said Masland and Cottam are the first persons he has taken on an inspection of the island "who really wanted to see it."

"Most of those I have driven went down about 6 or 7 miles and said they had seen enough," Chappell said. "These men wanted to see as much as possible and they spent all day doing it."

Judge Kennedy, who is a member of Governor Daniel's Padre Island Study Committee, explained developments on the State level as they pertain to the proposed park proposal. He told Masland he definitely is for a Federal preservation on the island.

Both Kennedy and Barnes, in whose precinct a portion of Padre Island lies, acted as guides for the visitors. Sun Oil Co. acted as host for the group at the firm's Yarbrough (Murdock) Pass station.

Mr. YARBOROUGH. Mr. President, as an indication of the growing support for the Padre Island Seashore Recreational Area, I ask unanimous consent to have printed at this point in the RECORD a uanimous resolution of the Tejas—Dallas-Fort Worth—chapter of the National Campers and Hikers Association, and a letter from Charles Lea, chairman of the Men's Garden Clubs of America.

There being no objection, the resolution and letter were ordered to be printed in the RECORD, as follows:

NATIONAL CAMPERS AND HIKERS ASSOCIATION,
Orange, N.J., February 9, 1962.

The Honorable RALPH YARBOROUGH,
U.S. Senate,
Washington, D.C.

MY DEAR SENATOR YARBOROUGH: The Tejas (Dallas-Fort Worth) chapter of the National Campers and Hikers Association at its last regular monthly meeting expressed a unanimous opinion and request concerning the making of Padre Island into a national park.

We feel that making this area into a national park not only would benefit Texas but would be an asset to the whole Nation.

The National Campers and Hikers Association is made up of family campers who spend vacations and leisure hours camping outdoors, and as a group discuss the various aspects of camping and encourage fellow citizens to take up this very popular and fast-growing wholesome recreation.

Family campers of all our 50 States make use of the exceptionally fine campgrounds maintained within all our national parks. The numerous reports made to our association on camping trips made by families and vacationers attest to this fact. Making the Padre Island area into a national park with adequate camping accommodations will be one of the best ways to continue to promote this fine service to campers.

At the last chapter meeting we were authorized to write you this letter and request that you encourage making Padre Island into a national park whenever this matter comes to your attention.

Sincerely yours,

KENNETH E. DORCAS, *President, Tejas Chapter.*

MEN'S GARDEN CLUBS OF AMERICA,
Spartanburg, S.C., February 8, 1962.

Hon. RALPH YARBOROUGH,
Senator from Texas,
Senate Office Building,
Washington, D.C.

DEAR SENATOR YARBOROUGH: This is to advise you that the Men's Garden Clubs of America are again 100 percent behind the bills pending in Congress of the four national seashore areas—Point Reyes, Calif.; Padre Island, Tex.; the Oregon Dunes, Oreg., and the Indiana Dunes, Ind., and we are hoping that Congress will approve these four this year.

I call your attention to an advertisement in the U.S. News & World Report, of February 5, 1962, pages 84 and 85, colored pictures of the South Padre Beach, which is now on the market and is having national publicity for sales. It seems to me that unless the Padre Island shoreline is approved this year there is not going to be much left for a national seashore area.

We are arousing our entire 200 clubs in the United States again this year in support of these bills. If we can do anything further, please advise.

Sincerely yours,

NATIONAL PROJECTS COMMITTEE,
By CHARLES LEA, *Chairman.*

Mr. YARBOROUGH. Mr. President, the need for recreational space cannot be solved by inaction and by delay. It can be solved only by prompt and positive action at all levels of government, and it is an unavoidable responsibility of all levels of government to make certain that the need for more recreational areas is met.

Who are those who seek to oppose immediate action to create a national seashore recreation area on Padre Island?

Recently a national magazine ran a two-page advertisement on Padre Island, which, in effect, supports my statement that delay in the passage of the Padre Island bill might result in a claim for an increased price for the land, since the purchasing of tracts might result in a claim of a higher price level. Immediate action, therefore, is obviously in the public's interest.

Mr. President, I ask unanimous consent to have printed in the RECORD the text of a two-page advertisement published in the U.S. News & World Report of February 5, 1962.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SOUTH PADRE BEACH IN THE LOWER RIO GRANDE VALLEY

SOUTH PADRE BEACH

On the Gulf of Mexico side of the Rio Grande Valley are 40 magnificent miles of soft, white sand and clear, blue water. Only U.S. beach with continuous cool summer trade winds. No undertow, no insects.

Year-round temperature is identical with south Florida. Famous for citrus groves and vegetables. Lush irrigated land. Exhilarating desert air. Population 800,000. United States and Mexico.

The tip of Texas where the desert meets the sea. One of America's three subtropical beach areas; 600 miles south of Los Angeles and in the same latitude as the Florida gold coast. The New York Times has described the Rio Grande area as "the winter tourist's frontier, unspoiled by high prices and commercialism."

Romantic old Mexico is minutes away, the only truly foreign culture accessible to the 85 percent of Americans who vacation by auto. Ancient cathedrals, bull fights, exotic shows, quaint shops and cafes. Prices one-third United States.

Sand dunes on Padre Beach, flower covered, are considered by many to be the most beautiful of any seashore area. Short motor trips to Corpus Christi, King Ranch—the United States largest, 90-mile-long Falcon Lake and Mexico are musts.

Charro Days: Brownsville's weeklong international mardi gras attracts floats from both sides of the border. The valley produces 11 million boxes of oranges and famous pink grapefruit. Outdoor living, golfing, hunting, fishing unequaled.

Southmost College, Brownsville, Tex.: This beautiful administration building was formerly the hospital for old Fort Brown, designed and built in 1850 by General Gorgas, who built the Panama Canal.

Wesley Manor, in Weslaco, Tex.: Nondenominational residence for senior citizens with full medical care, ready in 1963, sponsored by Methodist Church. The valley has numerous modern hospitals and many medical specialists have moved here because of climate; leisurely way of life.

Sea Isle Motel: One of the many deluxe motels and efficiency apartments on south Padre Beach. Dozens throughout the valley. Winter rates are reasonable. There are community fiestas, artistic and recreational activities.

SPECIAL REPORT FOR INVESTORS

Were you one of those, who, 20 years ago, failed to anticipate the boom in Florida and California resort lands? Here's another opportunity for substantial profits.

We are offering investors participation in capital gains from the growth of the last large undeveloped subtropical beach area in the United States.

Only three U.S.A. subtropical beach areas: southern Florida, southern California, and southern Texas. Two are highly developed, overcrowded, and sell at peak prices. Only South Padre Beach, Tex., has everything and still sells at predevelopment prices. True,

the rush to the sun has spilled over into inland areas but four out of five people prefer the beaches.

The Padre-Rio Grande Valley area is served by five airlines, three railroads, three transcontinental buses, and ship lines. From the East and South: Eastern Airlines. From the East and Midwest: Braniff Airline. For 80 percent of the United States, the new Federal Highway System to Brownsville is shortest route to Mexico City and the best connection to the soon-to-be-completed Pan-American highway to Panama.

One of the few great growth opportunities

Nationalism, Castroism, and socialism jeopardize many offshore beach investments—not to mention the fact that 85 percent of American tourists travel by car. Last year, Hawaii, 300,000; Florida, 9 million.

WARM VERSUS COLD WATER BEACHES

In recent years there has been a vast migration to the sun lands of Florida, California, Arizona, and New Mexico. This has skyrocketed land values.

Another reason: Costs of deluxe hotel-motels have become too high for most northern, short-season beaches. Seventy-five percent of all new resort construction is in sun States.

Florida's long-neglected gulf beaches outgained the Dow averages by 700 percent and are still one-third of Gold Coast prices. Few glamour stocks can match this 20-year average increment of 100 percent a year.

South Padre Beach should surpass this record. With 40 miles of beach, South Padre is convenient to 1,500,000 prospective visitors per beach mile. Florida, with 600 miles of beach, has only 140,000.

A major factor in this forecast is the estimated U.S. growth for the next 8 years:

	1970	Increase	Gain
			Percent
U.S. population	220,000,000	35,000,000	18
Senior citizens	20,000,000	3,000,000	17
Gross national product	$820,000,000,000	$320,000,000,000	64
Family income	$8,500	$2,500	40
Marriages	2,000,000	500,000	33
House starts	2,000,000	750,000	75
Texas population	14,000,000	[1] 3,000,000	33

[1] Note tremendous growth for Texas: 3,000,000 increase compared to 2,333,000 for Florida for same period—according to a well-known Washington newsletter.

Industry is rapidly turning Texas into an urban area. Ten of the thirty-five fastest growing U.S. cities are within her borders. Union Carbide Corp. just opened a new $30 million plant at Brownsville, says the Rio Grande area had the finest employee relocation acceptance in its history.

And the greatest potential market for Padre's warm sands is the now financially independent senior citizen, who will not retire to isolation on a foreign island.

Thousands of these men and women will like South Padre Beach with its warm winters and cool summers, superb recreational activities, friendly western atmosphere, and lower building and living costs.

Padre is the nearest warm salt-water beach to the 60 million Midwest Americans who are cold in winter and hot in summer. It is equidistant from both coasts and an ideal location for conventions, company meetings, and family gatherings.

For grandma's peace of mind, there are no major atomic targets within 250 miles. For grandpa's boredom, modest ventures into orange groves, shrimp boats, oil production, or many services required by a rapidly growing community.

Future plans: Because of large holdings, South Padre Investment Corp. assumes responsibility for guiding Padre's city planning, zoning, building restrictions, national promotion and advertising.

For generations, the development of South Padre Beach was held back by a king-size legal battle for oil rights and by inaccessibility. A recent U.S. Supreme Court decision, in favor of private ownership, makes insured titles available. And a new $2¼ million causeway across Laguna Madre Bay opens the beach to modern development.

Padre is a developer's dream. No mangrove swamps to clear and drain, no cliffs to level, no forest to cut, and no rocks to blast. Unlimited water from the Rio Grande River. Utilities already at beach.

South Padre Investment Corp. is the owner of 25,000 acres with some 50 miles of gulf and bay frontage. To broaden ownership and create greater public interest, we are making a wholesale offering of 3,000 acres (6 miles of waterfront) at predevelopment prices. These are zoned investment tracts of 7½ to 80 acres, starting at $4,500. Terms to qualified buyers. All titles insured. Broker inquiries invited.

Memo to officials of corporations with excess capital: Contact us re senior housing and resort development; two of the outstanding growth opportunities of the sixties. Write to: Jonathan H. Conrow, chairman.

Historically, strategically situated land is the No. 1 growth opportunity and inflation hedge. There is very little undeveloped beachfront left; public parks, military installations, ports, plants are competing for it. South Padre is the last large undeveloped subtropical beach in the United States of America.

Ownership of acreage tracts on Padre does not require you to be a builder-developer any more than if you owned 50 acres in Los Angeles. At the right time, developers will bid for your bargain.

With vacationing Americans, the newest resort soon displaces the older fashioned favorite. Atlantic City was at its zenith when waterfront lots on Miami Beach were still $500 each. Investors who recognize this phenomenon and keep switching to the newer areas, have made fortunes.

Combine business with pleasure and bring your family to explore the valley and continue on into glamorous and courteous old Mexico. For those with limited time, we suggest a weekend.

AMENDMENT OF ACT ESTABLISHING CODE OF LAW FOR THE DISTRICT OF COLUMBIA

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 5143) to amend section 801 of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901.

IRVING M. IVES

Mr. JAVITS. Mr. President, I ask unanimous consent that the remarks to be made on the passing of Senator Irving M. Ives, our former colleague in this Chamber, may be appropriately designated and separately set forth in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, my colleague, Senator KEATING, and I have always proceeded as partners in respect of our Senate duties; and today I speak in that vein. But because of the fact that I served for 2 years in the Senate with Senator Ives, I shall—with my colleague's agreement—speak first in paying tribute to this distinguished statesman.

Mr. President, this is a very sad hour for me, and I believe it is a very sad hour for the entire country. It is perhaps best epitomized in the summary of Irving M. Ives' life which is contained in an editorial to his memory published on yesterday, February 25, in the New York Herald Tribune. In the editorial, the final appraisal of Irving Ives' life reads as follows:

New York may well honor his memory, for he left an enduring monument in the statute books of State and Nation.

Mr. President, this is how I believe Senator Ives would have wished it.

He was a friend of mine for many, many years; and largely and very importantly due to his intercession, I had the great honor, when I first came to Congress, of being permitted to serve on the Foreign Affairs Committee of the House of Representatives. I found great support from him. Indeed, I think it is fair to say that I was chosen by him to run for election as Attorney General of New York, for he, himself, commended me highly to Governor Dewey. Furthermore, it was one of the crowning pleasures of my life to be able to join Senator Ives in this Chamber. I say that, Mr. President, because this is more than a formal tribute from me. It is a very deeply felt and a somewhat emotional tribute to a very dear and a very warm friend.

Mr. President, Irving Ives was a very great New Yorker; and he put our State—as the unique memorial of his works—on a road of which I am extremely proud, for Senator Ives, I believe, more than any other legislator of modern times in the State of New York, established the bases for our State's being the leader in enlightened legislation of a kind which represents to the country the spirit of New York at its best. In this respect he was outstanding among all who have served in the New York State Legislature—and some very eminent men have served there. In July, 1945, Senator Ives joined in sponsoring the famous Ives-Quinn bill—a measure known as the Fair Employment Practices Act—which began the entire movement, in the Nation and in the State legislatures, to eliminate segregation and discrimination on grounds of race, creed, color, or national origin.

This movement has grown, with New York State always being the leader; and we owe it very heavily to the brilliant initiative of Irving Ives, supported—as he was—by our then Governor, Governor Dewey, and joined on a completely bipartisan basis by State Senator Quinn, the Democratic leader of the New York State Senate.

Mr. President, in another area Senator Ives has also given our State a tremendous standing in the country; I refer to the area of labor-management relations. Irving Ives had a deep sense of justice and a great breadth of understanding in dealing with that subject. He clearly understood labor-union activity; and he thought it extremely important to the

country, and wanted to foster it. But he also knew that it had to be developed with impartiality and equal justice; and in dealing with the labor legislation of New York State and the labor legislation in the U.S. Congress, Irving M. Ives showed great understanding of our country's productive strength. His very enlightened attitude in regard to legislation dealing with labor relations was followed through in New York, and it was through his influence that the New York State College of Industrial and Labor Relations was established at Cornell University—one of the outstanding schools of that sort in the entire world. He became its dean during the short interregnum between his service in the New York State Assembly and the commencement of his service here in the U.S. Senate, and in that position he made extremely gifted contributions to the body of law on that subject.

Irving Ives was very greatly responsible for bringing about, in the Taft-Hartley law, changes and amendments which have endured to this day, which have made that law a far more constructive piece of legislation than labor had feared it would be.

Mr. President, perhaps it is also well to speak of another achievement of Senator Ives—one in which I had the very rare privilege of joining: I refer to the establishment of the great power project at Niagara. That matter had been "kicking around" here for 6 or 7 years, but had gotten nowhere. When I came to the Senate at the beginning of 1957, Senator Ives "picked up the ball," which had been "rolling around the field" at that point, and, with the tremendous cooperation—for which we in New York shall never fail to be grateful—of the Senator from Oklahoma [Mr. KERR], worked out a piece of legislation satisfactory to all the divergent interests concerned, even those of Pennsylvania, which was greatly concerned, and also those of other States, and brought about the initiation of this project, which quite soon will be producing power in a magnificent way from this great natural power source which had gone largely unused for so many years, notwithstanding our knowledge of its capacity.

Mr. President, Irving Ives was my personal friend. I visited with him many, many times, and also came to know his wonderful, sweet wife, Marion, and his son, George, who is a very gifted lawyer. All of them have been good friends of mine through the years. So, Mr. President, it is with deep feeling that I speak of Irving Ives' career.

I feel very badly—as I believe all of us do—because of the fact that Irving Ives died at a relatively young age. He was a man of great vigor and great force; and I cannot help but feel—as I know so many in New York do—that the end of his life came much too soon, and very largely because of his labors, which took a tremendous toll of his physical capabilities—a toll which became evident here in the last years of his service in this body, and was heavily instrumental in inducing him not to run for reelection.

Mr. President, to show the extraordinary understanding of Irving Ives, I may say, too, that in my opinion he would not for a moment have laid down his role in the Senate, notwithstanding his ill health, had he not felt that in Senator KEATING he would have a successor of eminence and distinction; and certainly that has been demonstrated on the record during the years when Senator KEATING has served here.

I can say perhaps more easily than can Senator KEATING that one of the great joys of his life was that Senator KEATING consented to leave the House and come to the Senate and that he was elected as our upstate New York Senator. So I think Senator KEATING will be speaking today not only about a dear friend whom I loved—and I use that description literally, and with a sense of a grave loss as a man, quite apart from being a Senator and a representative of our State in this great and august body—but about a magnificent son whom our State has lost. We can only try, in the inspiration of his life, to carry on from the point where he has left.

I defer now to my distinguished colleague and Senator Ives' successor [Mr. KEATING].

The PRESIDING OFFICER. The Senator from New York may proceed.

Mr. KEATING. Mr. President, first, I am very grateful to my distinguished colleague for the kind remarks he has made about me. We all know that in the death of Irving Ives the Nation has suffered a great loss, for a great American and an outstanding public servant has passed from our midst. The loss, as my colleague from New York [Mr. JAVITS] has beautifully said, is most deeply felt by those among us who knew Irving Ives personally, who knew him as a U.S. Senator, who knew him as a New York State legislator, who knew him in his public career, but who also knew him as a man who, it may truly be said, spent his life in making his friends proud to call him friend.

Irving Ives was elected to the Senate from his hometown of Norwich, N.Y., in Chenango County, in 1946, and for 12 years he dedicated his manifold talents of spirit, intellect, and energy to the greater good of the people of his State and Nation. He has left his mark not only in the hearts of those privileged to know him and to work with him, and among a host of friends, but also in the body of inspired and forward-looking legislation with which his name will ever be associated.

During his distinguished career in this body, as my colleague from New York [Mr. JAVITS] pointed out, Irving Ives won special acclaim for his preeminent work in the field of labor relations. In his first year here as a Senator, he worked diligently to revise the Taft-Hartley law in the direction of greater viability and effectiveness. Subsequently, he was one of the leaders in the action that resulted in the setting up of a special Senate committee to examine the entire area of labor-management relationships. The deep and abiding interest of Irving Ives in the cause of his fellow men was demonstrated early in his career in the New York State Legislature, where he served, as has been pointed out, as assemblyman, as speaker of the assembly, and as majority leader.

As my colleague from New York [Mr. JAVITS] has said, his sponsorship there of New York State's pioneering Fair Employment Practices Act is perhaps the crowning monument to him in the New York State Legislature. This act prohibited discrimination in employment because of race, creed, color, national origin or ancestry.

He was always, both in the State legislature and in his work in the Federal Legislature, the stalwart champion of the rights of every man. And, in addition to the legislation which my colleague from New York [Mr. JAVITS] has referred to, he sponsored legislation creating the New York State Commerce Department and the State College of Industrial and Labor Relations at Cornell University, where he served briefly as dean prior to his election to the Senate.

Irving Ives gave freely of himself to the great human causes in which he believed. He gave, as well, to those of us who knew him personally, the warm and memorable gift of his friendship. In sum, let it be said that humanity was Irving Ives' hometown. He has left the presence of his fellow men, but he can never leave their hearts and their memories.

To his wife Marion, to his son George, to his friends and neighbors of Norwich, N.Y., and indeed, to all whose lives were touched by Irving Ives throughout the State of New York and the Nation, I extend my profound sympathy.

Mr. JAVITS. I thank my colleague very much for his wonderful remarks.

Mr. DIRKSEN. Mr. President, today it has been the privilege of Congress to be host to a great American who must exemplify to all people, young and old, the great attribute of courage. No one can dispute that there had to be that requisite of physical courage in the heart and mind of Colonel Glenn to undertake a flight that might involve his life and one which so much depended upon perfection of mechanisms to take him up and bring him back.

The feat reminds me that courage was one of the great attributes of Irving Ives. He was a man of consummate courage. Regardless of what the contrary demand might be, what he should do was a matter of conviction with him, and whether he felt he was on the right side of an issue or not, nothing made him quail.

Shakespeare once wrote:

> Cowards die many times before their deaths;
> The valiant never taste of death but once.

Irving Ives was a valiant person. I have no recollection that his mind ever faltered, that his heart ever quailed. When he was decidedly in a minority position on any issue that reached the Senate floor, he stood up and expressed his conviction. He uttered his view, and very boldly put himself on the record. And so he is stamped as a man of tremendous courage.

Secondly, there was a tenacity about him. He followed through on an issue. I had seen him do it time and time again when others might have a momentary or transitory interest and then let the issue go. When he had enlisted in a cause, he was interested; he never let the issue drop. That was another great quality about him.

I often think of two boys who were going up and down the neighborhood, asking people for the privilege of mowing their lawns for 50 cents an hour. They came to a man who was sweating away in the mowing of his lawn. They said, "Mister, how about mowing your lawn for 50 cents an hour?" He said, "I am almost half through." They said, "Most of the lawns we get to mow are already half finished." The tenacity was not there. The followthrough was not there.

That was another great quality about Irving Ives—he followed through, and there was no amount of opinion that could prod him from the rock of his conviction.

Somewhere in the Old Testament is this rather interesting phrase:

> Follow not a multitude to do evil.

Irving Ives cared not what the multitude believed. If in his judgment it was wrong and was diverting him from the course of conviction, justice and right, he stood his ground. This stamped him as a noble man indeed.

The whole world, the country, his State, and his community have lost a great citizen.

Mr. MANSFIELD. Mr. President, a great public servant has gone to his reward.

I remember, when I first came to the Senate, my becoming acquainted with our former colleague and his wife. Senator Irving Ives of New York was to me a good friend and a good counselor.

I knew of his reputation in the fields specifically of civil rights and of labor relations, but also in this Chamber and in committees I saw at first hand how constructive, how understanding, and how tolerant in his outlook he was.

I recall also that, Senator Ives, in cooperation with the present Chief Executive of our country, then Senator John F. Kennedy, of Massachusetts, serving with him on the Committee on Labor and Public Welfare, offered a sound piece of legislation which became known as the Kennedy-Ives bill.

Senator Ives made many contributions to the welfare of his State and of his Nation. It was with regret that many of us saw him leave the Senate, but it was with understanding also, because we knew something of the physical disabilities under which he labored and we knew how difficult it was for him to maintain his daily schedules.

He was a great man. He was a good Senator.

On behalf of Mrs. Mansfield and myself, I extend to his family our deepest sympathy and condolences. May his soul rest in peace.

Mr. AIKEN. Mr. President, although I knew Irving and Marion Ives both before he was elected to the Senate, it was only after he came to Washington, D.C., that I really got to know them well. He occupied the adjoining office to my own for the 12 years he was a Member of the Senate, and I had many opportunities to observe his devotion to his people and to his work.

We served on the same committee during those years, the Committee on Labor and Public Welfare, and he was particularly keen and well versed in the fields of labor and education.

During all the years he was in the Senate he worked long and hard for the people of his State and of the country. It was not unusual to see his office lighted late at night when he was working on plans for the next day.

He was a keen student of proposed legislation, and he practiced fairness in regard to legislation which he proposed and which he, to a large extent, carried through.

I join with other Senators in extending my fullest sympathy to Marion, to his son George, and to his family, as well as to others who will miss him very much.

Mr. CASE of South Dakota. Mr. President, it was my privilege to know Senator Ives through two pieces of legislation in which he was greatly interested, to which the Senator from New York has already alluded. The first was with respect to labor-management relations, and the other with respect to the development of Niagara River power.

In 1946, the year in which Senator Ives was elected to the Senate, it was my privilege to sponsor a labor-management relations bill which was passed by the House of Representatives and the Senate and which was vetoed by President Truman. During the summer of 1946 I had the privilege of going to Saranac Lake, N.Y., to speak at a midsummer meeting of the New York Bar Association, to discuss labor legislation. I learned of Senator Ives' earlier work in that field in the State of New York.

When he came to the Senate it was my privilege to converse with him at various times on the legislation which later evolved as the Taft-Hartley Act and amendments thereto which he sponsored.

Subsequently, while I was the ranking minority member of the Committee on Public Works, the question of Niagara power came up. To Senator Ives I went on many occasions to get, as best I could, the feeling of the people of New York as to the development of Niagara power. I might say that I took my cue from him in many instances, as to what features should be incorporated in that proposed legislation, and I was guided by his counsel in seeking to achieve a workable result.

I counted it a great privilege to have the benefit of his counsel on both matters.

Senator Ives was certainly an objective legislator. He had no personal rancor. I do not think that was in his makeup. He thought clearly and constructively, and he sought to accomplish what he believed to be the best good for the greatest number of people.

He was an inspiration as a legislator. To those of us who were privileged to be associated with him, his clear thinking and his constructive attitude will always be a great source of encouragement.

Mrs. Case joins with me in extending condolences and deepest sympathy to Mrs. Ives, to George, and to the other members of his family.

Mr. CASE of New Jersey. Mr. President, I join my colleagues in the expression of feelings of great loss on the death of Irving Ives. It was with a very heavy heart that I learned, over the weekend, that he had died. It was with a feeling of shock, too, although we all knew he was in failing health. We simply had not, I think, accepted the fact that he was fatally ill.

When I came to the Senate I found Senator Ives already a figure of distinction. I had known of his work in the Legislature of the State of New York and previously as head of the school at Cornell. I came to look upon him as one of my guides and advisers, particularly in regard to matters relating to the great field of labor-management relations and also, of course, to the broad field of human and civil rights, in which his interests were so very deep and as to which his contributions were so very great throughout his long period of public service.

He was a man whose mind was open at a time when open minds were not the rule. He broke new ground in his recognition of the problems which had been brought to our economy and to the whole fabric of American life in both the areas I have mentioned, which have been so well described by the Senator from New [Mr. JAVITS]. Without the work that he did in this field, I venture to say we would not have managed to make the advances we have made in these two great areas of American life.

He will be sorely missed in his own community and in the State of New York. We in Washington, D.C., representing the Nation, will miss him deeply.

Mrs. Case shares with me a great sense of personal loss, and joins with me in expressing our affections to Mrs. Ives and to George.

Mr. WILLIAMS of Delaware. Mr. President, I join the Senators from New York in paying respects to the family and friends of the late Senator Ives.

I had the privilege of coming to the Senate in 1946 and serving for 12 years with Senator Ives. During that period I developed a great respect both for his ability as a Member of the Senate and for the manner in which he represented his State and country. The record that Irving Ives established in the Senate will better stand as a living monument to the memory of that great man than anything we can add today. On behalf of both Mrs. Williams and myself, I extend our sympathy to Mrs. Ives and the Ives family in this hour of grief.

Mr. BUSH. Mr. President, it was an unhappy moment when this morning I read to Mrs. Bush the newspaper report of the death of Senator Irving Ives. We had enjoyed a very warm friendship with the Senator and his lovely wife Marion. Mrs. Bush felt that Marion Ives was one of her closest friends among the wives of Senators. So I know she is with me at this moment as I express before the Senate our very deep regret to Marion Ives and to their son George concerning the uphappy passing of the great Senator.

before the Senate. Yet it was as a devoted

Irving McNeil Ives was born in Bainbridge

After my election to the Senate in November 1952, I took office immediately. One of the very first men I met was Senator Ives. His office was opposite the offices that had already been assigned to me. I went to his office and had a long talk with him. He gave me a great deal of advice, much of which I found immediately useful, and all of which I appreciated very much.

I came to know Senator Ives quite well and quite soon. I noticed that, even in those days, his health was not particularly strong. Nevertheless, his party put a heavy burden on him, as I recall, in 1954, when they persuaded him to run for the office of Governor of New York against the challenger Averell Harriman, who later won that election by a narrow margin.

Irving Ives did not really seek that office, and yet because his party felt that he was the logical candidate in the whole great State of New York to serve in the capacity of Governor, he was willing to make the necessary personal sacrifices and make the race against Averell Harriman. He made a very creditable race, but it was not quite good enough.

In the 1952 election Irving Ives was elected U.S. Senator for the second time by a margin of approximately 1,200,000 votes.

As the Senator from New Jersey (Mr. CASE) has said, Irving Ives was probably outstanding in the Senate for his interest in civil rights legislation. He was a man with vision and courage in that field. He probably did more than any other Senator—certainly as much as any other Senator—in his time to advance the cause of civil rights and to make the Congress aware of its responsibility in that particular field of legislation.

We have witnessed the passing of a great U.S. Senator, a fine American and, I say on behalf of Mrs. Bush and myself, a very good friend.

Mr. KUCHEL. Mr. President, all of us who knew the late great senior Senator from the State of New York, Irving Ives, are disconsolate at the news of his passing. Members of this body, both Republicans and Democrats, knew him not alone as a man of courage and conviction and of very high talent, but also as a very beloved friend.

My wife and I became acquainted with the late Senator Ives and Mrs. Ives shortly after I became a Member of the Senate in 1953. That acquaintanceship, and the fact that we served together on the Republican side of the aisle, led to a friendship which ripened into one of the very sweet recollections which I shall have of a man who was an ideal Senator in many ways, who represented his great State of New York with high ability, but who also, in a larger sense, represented his country as he should have represented it. He read into the tenets of the Republican Party the tradition of Lincoln. His life and his official action made of him an unyielding and devoted advocate of that fine phrase "equal treatment under law," which is so often discarded in our country and in the world today.

The United States as a nation is enriched because of the unselfish and devoted service which Senator Ives gave, first in the government of his State, and subsequently in the Government of his Nation.

I am deeply moved at the passing of Irving Ives. I join with my dear friends, the senior Senator from New York [Mr. JAVITS], the junior Senator from New York [Mr. KEATING], and others who mourn his passing and who speak in the Senate on this occasion, in extending to the Irving Ives family our heartfelt condolences on their great loss.

Mr. YARBOROUGH. Mr. President, on the 30th day of January 1958 I was appointed a member of the Committee on Labor and Public Welfare, upon which Senator Ives was serving at that time. I had the privilege of serving with him for only 1 year. But in that year I saw him make a contribution to the progress of the American people that I believe is worthy of note.

There was before the Subcommittee on Education, upon which we both served, the National Defense Education Act of 1958, which has been called the most notable national education legislation since the Morrill Land Grant College Act of 1862. Senator Ives supported that legislation. We did not always agree on all the details, but he supported the legislation in committee. He helped to bring it to the floor of the Senate; and in its final passage in this body by a vote of 62 to 26, he voted for the National Defense Education Act of 1958.

I pay tribute to the devotion of Senator Ives to education. It was a devotion that was expressed many times in the brief 11 months that I had the privilege of serving with Senator Ives on the Subcommittee on Education of the Committee on Labor and Public Welfare. I believe that a note of the work that he put into that bill is worthy of permanent preservation in the archives of our Nation.

Mr. CHURCH. Mr. President, I join my colleagues in expressing my sorrow at the news of the passing of Senator Ives.

I knew him only briefly, but I was very much impressed with him in the months that I served with him on the Select Committee to Investigate Improper Practices in Labor and Management, which became familiarly known as the Rackets Committee, or the McClellan committee. It was my privilege to sit beside Senator Ives in the hearings of that committee during the last year that he served in the Senate.

Under conditions that produced considerable tension and aggravation in the course of the hearings of that committee, I never saw him flinch, I never saw him unfair in his questioning; he combined a sense of justice and fair play with firmness and conviction. He was most impressive as a Senator and as a gentleman.

I am sorry that death has taken a man who has rendered such distinguished service. His memory will long be honored in the Halls of Congress.

Mr. COOPER. Mr. President, in 1947, when I first became a Member of the Senate, it was my good fortune to meet Senator Irving Ives, who came to the Senate at the same time. Later, when I returned to the Senate, I served with him on the Committee on Labor and Public Welfare, for 4 years. There I learned at firsthand, as I had learned earlier, of his great skill as a legislator, particularly in the field of labor-management relations.

All of us know that his skill and knowledge in the field of labor-management relations helped fashion many important legislative acts that were enacted by Congress.

I had the good fortune, too, to have an office which adjoined his office, and in that way I had a chance to know him personally and to talk with him often.

All of us will always remember him as a man who was just, who was frank, who was tolerant, and who was very kind. I know he will be remembered by all of us who have known him and by thousands of people in this country who have been affected by his work as a Member of the Senate and, earlier by his work as a member of the New York State Assembly.

He worked for economic justice to those who labor. He sought always equality in civil rights for all the people of this country. As I have said, his tolerance and sense of justice also gave him strength and authority in the field of social legislation.

I join my colleagues in saying that we mourn his loss. Our deep sympathy goes to his family.

Mr. JAVITS. Mr. President, I know that Senator KEATING joins me in together expressing our appreciation and gratitude for the fine sentiments which have been expressed today about so distinguished a son of our State as Irving Ives. I know that I bespeak the wishes of Mrs. Ives and of George Ives, the Senator's son, in expressing thankfulness that he should be held in such high esteem by those who served with him in the Senate, and that his value to his State and to the Nation should stand in such high esteem.

I ask unanimous consent that other Members of the Senate, if they so desire, may add their statements appropriately to the remarks which have been made today.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, I ask unanimous consent to have printed in the RECORD at this point an editorial and article on the late Senator Ives, published in the New York Herald Tribune.

There being no objection, the editorial and article were ordered to be printed in the RECORD, as follows:

[From the New York Herald Tribune, Feb. 25, 1962]

IRVING IVES: SERVANT OF THIS STATE

When New York State sent Irving Ives to the Senate of the United States, he entered upon the national stage and played his part there with distinction. His intelligent and intensive interest in labor legislation in Washington was not limited by State boundaries and there was nothing parochial in his approach to the other problems that came

before the Senate. Yet it was as a devoted and effective servant of New York that Mr. Ives probably did his finest work.

In his 15 years in the State assembly, Irving Ives served as speaker and as majority leader. In the latter post he acquired that respect for party discipline which later caused him to remark that "a maverick makes a lot of noise, but doesn't accomplish anything." The teamwork between Governor Dewey and the legislature in which Mr. Ives took so prominent a part, accomplished a great deal. But the majority leader was not merely a sergeant-at-arms for the Governor; he was in fact a leader who made a lasting and beneficial mark upon that body of progressive and practical law relating to labor, welfare, and equality of opportunity of which New York State boasts today.

Irving Ives was a good Republican, a good citizen, and a good legislator. New York may well honor his memory, for he left an enduring monument in the statute books of State and Nation.

[From the New York Times, Feb. 24, 1962]

IRVING IVES DEAD; EX-U.S. SENATOR, 66—NEW YORK REPUBLICAN WAS A SPECIALIST IN CIVIL RIGHTS AND LABOR LEGISLATION—DEFEATED LEHMAN IN 1946—COAUTHOR OF STATE'S FAIR EMPLOYMENT PRACTICES ACT—FORMER CORNELL DEAN

NORWICH, N.Y., February 24.—Former U.S. Senator Irving M. Ives, a specialist in labor and civil rights legislation and coauthor of New York's Fair Employment Practices Act, died today after a long illness. He was 66 years old.

Death came at Chenango Memorial Hospital in this central New York hamlet where he had lived for many years and where he began his political career. He was a Republican.

Mr. Ives entered the hospital last Monday and underwent surgery that night for a stomach hemorrhage.

Governor Rockefeller, on learning of Mr. Ives' death said:

"The passing of Irving M. Ives is indeed sad and marks the end of a career of outstanding service to the people of this State and Nation. He was coauthor of legislation which in 1945 placed New York first among the States to ban discrimination in employment. Twice elected to 6-year terms in the U.S. Senate, he made his influence felt importantly in writing the Nation's laws. We have lost a good citizen and a good friend."

A funeral service will be conducted Tuesday at 2 p.m. at Emanuel Protestant Episcopal Church, here. Burial will be in Bainbridge Cemetery.

STATE LEGISLATOR 16 YEARS

When he was elected to the Senate in 1946, Mr. Ives had the advantage of 16 years' experience in the New York Legislature, where he had come to be regarded as a vigorous debater and a skillful conciliator and political leader.

In the political arena, his ability as a votegetter became apparent when he became the first person to defeat the popular former Gov. Herbert H. Lehman.

Both in the State legislature and in the Senate, Mr. Ives specialized in labor and social legislation. His knowledge of these subjects, together with his ability to eliminate the purely doctrinaire in favor of the practical, resulted in his name becoming associated with much advanced legislation.

He once said that the legislation of which he was proudest was New York's Ives-Quinn bill, which he wrote with the late State Senator Elmer F. Quinn, of New York. This bill, which became law in July 1945, is known as the Fair Employment Practices Act. It made illegal all racial and religious discrimination in employment. It became the model of similar laws in other States.

Irving McNeil Ives was born in Bainbridge, Chenango County, January 24, 1896. He belonged to an old New York State family that had come from Vermont in 1795.

He attended the public schools of Bainbridge and Oneonta and entered Hamilton College. There his education was temporarily interrupted by World War I. Mr. Ives enlisted in the infantry, fought in the Argonne and at St. Mihiel and became a first lieutenant. He returned to Hamilton, was elected to Phi Beta Kappa and was graduated with honors in 1920.

TWENTY-FIVE-DOLLARS-A-WEEK BANK CLERK

After working for 3 years as a $25-a-week bank clerk in New York, Mr. Ives became a representative of the Manufacturers Trust Co. upstate.

A high-spirited young man, he gravitated to an insurgent Republican group headed by Melvin C. Eaton, who was contesting the leadership of Chenango County. Mr. Eaton was successful and Mr. Ives won a seat in the State assembly in 1930.

In the late Oswald D. Heck, of Schenectady, Assemblyman Ives found another kindred spirit in liberal Republicanism. Through Mr. Heck's influence he was elected speaker of the assembly. In 1937, Mr. Ives became majority leader of the assembly.

From 1938 to 1946 he headed the powerful joint legislative committee on industrial and labor conditions. He was the author and sponsor of legislation creating the State department of commerce. It was through his initiative that the New York State School of Industrial Relations was established at Cornell University.

In 1946, Mr. Ives indicated that he would like to try for the U.S. Senate, but he received little or no encouragement from other Republican leaders

Mr. Ives thereupon announced that he would retire from politics and would accept the post of dean of the school of industrial and labor relations he had helped to found at Cornell.

OPPOSED LEHMAN

But he was not to be in political limbo for long. When it was apparent that the Democrats would nominate former Governor Lehman for the Senate, the only person who seemed to have any chance to defeat him was Mr. Ives. The Republican strategists obtained the nomination for the Cornell dean.

The strategists were right. For the first time in history the State American Federation of Labor refused to support the Democratic candidate. Mr. Ives' record as cosponsor of the Ives-Quinn bill gained for him thousands of Negro and Jewish votes. He defeated Mr. Lehman 2,659,365 votes to 2,309,112.

During his year as a "freshman" in the Senate, Senator Ives declined to assume a back seat usually reserved for first-term members.

When the late Senator Robert A. Taft of Ohio approached Senator Ives to inform him that he was preparing to introduce a bill modifying the National Labor Relations Act, Mr. Ives blandly replied that he had a bill of his own he intended to introduce. The cleavage between the two legislators was immediate and wide but did not last long.

Using his proposed bill as a lever, Senator Ives managed to persuade the Ohioan to eliminate some of his more drastic revisions of the Wagner Act. Senator Ives voted for the Taft measure and also with the majority that overrode President Harry S. Truman's veto.

Senator Ives' honeymoon with labor was at an end. When he voted for the modified Taft-Hartley bill, the late William Green, president of the A.F. of L. denounced him as a "reactionary" and sought his defeat at the polls.

EARLY EISENHOWER BACKER

Both Senator Ives and Gov. Thomas E. Dewey were early supporters of General of the Army Dwight D. Eisenhower for President in 1952. Senator Ives ran for re-election against John Cashmore, Borough President of Brooklyn.

He defeated Mr. Cashmore by a plurality of 1,332,198 votes, the largest ever obtained by a candidate in the state. He carried all but 3 of the State's 62 counties.

Two years later, Mr. Ives, chosen by his party as its candidate to succeed Governor Dewey lost in the closest state election since 1850. Running against W. Averell Harriman, who had both Democratic and Liberal party backing, Mr. Ives was defeated by 11,125 votes. This was the only defeat he suffered at the polls in his 28-year career.

On May 14, 1958, when he was completing his second term in the Senate, Mr. Ives announced that he would not run for reelection. He had undergone two major operations in 1956.

Ironically, one of the bills he cosponsored in his last year as a Senator became a leading issue in the 1958 campaign. This was the highly controversial labor reform bill, written with the then Senator John F. Kennedy, Democrat, of Massachusetts.

It was designed to help correct abuses disclosed in hearings before the Senate Select Committee on Improper Activities in the Labor or Management Field, also known as the Rackets Committee. Senator Ives was vice chairman; the chairman was Senator JOHN L. MCCLELLAN, Democrat, of Arkansas.

FORCED BECK RESIGNATION

The committee forced the resignation of Dave Beck as head of the powerful International Brotherhood of Teamsters. Beck's successor, James R. Hoffa, also came under its fire.

Senator Ives' barbs were in evidence in an exchange with Hoffa. The Senator remarked at one point that, while Hoffa had not invoked the fifth amendment, he had "done a marvelous job of crawling around it."

Mr. Ives had complimented Hoffa on his extraordinary memory, but a few days later, when the teamster president suffered lapses, the Senator told him he had a "convenient forgettery."

On June 17, 1958, after acting on 46 amendments, the Senate passed the Kennedy-Ives bill by a vote of 88 to 1. After meeting vigorous opposition, however, from organized business and Secretary of Labor James P. Mitchell, the House killed the measure on August 18.

The question of who stopped labor reform became the leading issue in the fall campaign, the Democrats blaming the Republicans and vice versa. Mr. Ives was one of those opposed to the so-called right-to-work laws and introduced his reform bill to head off extreme legislation of that type.

The Senator declined, because of ill health, to seek reelection in 1958. He had suffered a slight stroke in October of that year and soon afterward suffered a fractured shoulder in a fall.

LITHUANIA

Mr. KUCHEL. Mr. President, on February 16, Americans who trace their ancestry to historic Lithuania, celebrated the 709th anniversary of the founding of that gallant nation and the 44th anniversary of her independence following the First World War.

There is, regretfully, no joy in commemorating these anniversaries. In Lithuania—as in the rest of East-Central Europe under Communist domination—all basic human rights and freedoms have been blotted out. The brave people

of Lithuania exist in the hope that they will survive the present tyranny and oppression. They exist solely in the hope and prayer that the principles of international law will finally triumph, and that those in the world who respect human rights, justice and freedom for all nations will help them honor their goal of self-determination.

Lithuanian rights to national independence and statehood rest, apart from the generally accepted right of self-determination, upon her record of existence as a nation-state. It was in 1253 that the Lithuanian principalities were united into a modern state. At that time, Pope Innocent IV issued a papal mandate to crown Mindauga king of Lithuania.

Within two centuries, Lithuania expanded to become a great Eastern European Empire, stretching from the Baltic to the Black Sea. Of her role in the Middle Ages, one scholar has written:

> The Lithuanians had established a powerful and independent state in Europe during the Middle Ages. They were able to check the German drive to the east for centuries. They protected Europe against Mongols and Tartars. They furnished a power and a government behind which the eastern Slavs could live in peace and safety with a freedom unknown in Moscoviet Russia. They blessed their subjects with more human freedom than in the neighboring countries. They encouraged education and toleration and they played their part in the general development of European civilization.

It was in the 18th century that the Lithuanian nation marked its decline when it was brought under Russian czarist domination. Several attempts to throw off Russian domination were unsuccessful, and after the third and most fierce revolt in 1831, the czarist government began a policy of Russianization—replacing the time-honored Lithuanian language and culture with Russian. Nonetheless, the proud Lithuanians resisted and remained faithful to their religion, their language, and their traditions.

It was Germany's defeat in the First World War—Germany had occupied Lithuania during the war—and Russia's revolution that paved the way for the reestablishment of Lithuania's independence. The Lithuanian National Conference convoked in Vilnius in 1917, called for Lithuania's elevation to the status of a sovereign state. On February 16, 1918, the newly elected Lithuanian Council, the Taryba, proclaimed the "reestablishment of an independent State of Lithuania, founded on democratic principles."

On September 22, 1921, Lithuania became a member of the League of Nations, thus becoming a full-fledged partner of the international community.

Several treaties between Russia and Lithuania declared respect for the independence of the reestablished nation. Russia and Lithuania signed a treaty of peace in 1920 and the Russians renounced, without any reservations whatsoever, all rights to Lithuania:

> In conformity with the declaration by the Russian Socialist Federated Soviet Republics, all peoples have the right of self-determination. Russia recognizes without any reserve the sovereignty and independence of the State of Lithuania with all jurisdiction and resulting from such recognition and voluntarily and forever renounces all sovereign rights possessed by Russia over the Lithuanian people and territory.

By the treaty of nonagression of 1926, the Soviet Union reaffirmed that treaty, providing that they mutually agree to respect their respective sovereignty and also their integrity and territorial inviolability in all circumstances. In 1935 when that treaty was extended, the Soviet Commissar of Foreign Affairs stated:

> The whole world must know that our proposal is not of a temporary character, has not been caused by incidental conjectural circumstances, but is an expression of our constant timeless policy of peace, of which the fundamental element is preservation of independence of the young states which you are representing here.

In the matter of nonaggression, the bilateral commitments and pledges of the Soviet Union with regard to Lithuania were explicit and precise. A convention for the definition of aggression was drawn up between Lithuania and the Soviet Union in which both countries agreed to recognize as aggressor that state which declared war on the other or invaded the territory of the other.

With the outbreak of hostilities in Europe, Lithuania attempted to maintain absolute neutrality. Nonetheless, it was gradually engulfed as history once again repeated itself. Soviet Russia and Germany flagrantly and perfidiously violated the aforementioned treaties and pledges and disrupted the freedom of Lithuania. In concluding a German-Soviet nonaggressive pact in 1939, they had signed a secret protocol to divide Lithuania between them. In June of 1940, Russia forcibly incorporated it into the Soviet Union and thereafter paid Germany $7.5 million for its share of the loot.

Possessing a very limited force, Lithuania alone was not in a position to resist the Soviet aggression. Property was confiscated, businesses nationalized, farms collectivized. All cultural life was forced into the Communist pattern. A ruthless campaign against the church started the religious persecution that continues to this day. Elections with a single list of Moscow-chosen candidates were forced upon the people.

Of these elections, and similar ones held in Latvia and Estonia, the House Select Committee on Communist Aggression came to the conclusion that—

> The evidence is overwhelming and conclusive that Estonia, Latvia, and Lithuania were forcibly occupied and illegally annexed by the U.S.S.R. Any claims by the U.S.S.R. that the elections conducted by them in July 1940 were free and voluntary or that the resolutions adopted by the resulting parliaments petitioning for recognition as a Soviet Republic were legal are false and without foundation in fact.

All the treacherous Soviet measures were supported by mass deportations and terror. It is estimated that during this early occupation about 45,000 Lithuanians were lost in a purging of what the Soviets called hostile, criminal, and socially dangerous elements. About 30,000 of these were members of the intelligentsia deported to Siberia. Some 5,000 political prisoners were executed—most of these when the Russians hastily retreated under Nazi advances. The Nazis, in their turn, annihilated other segments of the population.

When the tide of the war turned against Germany, Lithuania returned not to independence but to Soviet domination. Another reign of terror began. The Lithuanian people were reduced to Soviet serfs. The country was locked behind the Iron Curtain.

When the Soviets retook the country in 1944, some 80,000 Lithuanians fled to West Germany. Another 60,000 were found in East Germany and deported to Siberia. During 1945 and 1946 an additional 145,000 were deported. Still another massive deportation occurred in 1949 in answer to passive resistance of the farming population to the collectivization of agriculture.

The free world denounced the barbaric and illegal Nazi and Soviet acts on and against Lithuania. Many nations of the free world have not recognized the incorporation of Lithuania into the Soviet Empire. Free Lithuanian diplomatic and consular representatives are still recognized by the United States and other nations in Latin America and Europe. Legally, Lithuania is an existing state.

Estonia and Latvia have befallen similar fates. This suppression of human freedom deserves the attention of the United States and free peoples everywhere. For this reason, last year, I submitted a resolution requesting the President to bring up the Baltic States question before the United Nations and ask that the United Nations request the Soviets (a) to withdraw all Soviet troops, agents, colonists and controls from Lithuania, Estonia, and Latvia, (b) to return all Baltic exiles from Siberia, prison and slave labor camps and be it finally resolved, that the United Nations conduct free elections in Lithuania, Estonia, and Latvia under its supervision.

The resolution was referred to the Senate Committee on Foreign Relations. Subsequently, the State Department filed an adverse report. I regret that action and believe that the cause of freedom and liberty demands a reevaluation of that stand. I respectfully urge Secretary of State Rusk to take another look at my resolution.

Are we afraid to stand up and expose to the world deceitful Soviet occupation of many once free nations? Today and not tomorrow is the time to brand the Soviet as the largest colonial empire in the world. By timidity, we invite further Communist aggression.

The Soviets have been expanding their areas of control over foreign peoples since 1917 and, more audaciously, since 1939. In a joint operation with World War II Nazi forces, they invaded eastern Poland; they moved against Finland and bit off 17,000 square miles; they grabbed the three Baltic States of Latvia, Lithuania and Estonia; they obliged the Rumanian Government to surrender Bessarabia and northern Bucovina. These seizures were intended to be temporary defense measures, but the "borrowed" territory has not yet been returned to its owners despite the years since the end of the war with Germany. Meanwhile, Khrushchev has criticized Stalin for just about everything—but not for the annexation of territory.

Other republics and provinces were absorbed into the Soviet territory. Their identity is rapidly fading with the times. In the course of their march to Berlin, Soviet troops converted into satellites the countries of Albania, Bulgaria, Czechoslovakia, East Germany, Hungary, Poland and Rumania.

Since then, together with their Red Chinese partner in crime, Tibet, slices of India, North Korea, and North Vietnam have come under Communist control. And, they are now looking with hungry eyes at Laos and South Vietnam.

The new colonial status of these captive nations is hidden behind the label of people's democracy. Nonetheless, the plain truth is that over 17 countries and 8 regions, incorporating about 850 million people, have been annexed. They have lost their political, economic, military, intellectual, cultural, and spiritual freedom to the Soviet Union.

There can be no more fitting description of their present status than the one Mr. Khrushchev has used in regard to the Western colonies:

> There the complete arbitrary rule of the foreigners reigns supreme. People of the colonial countries have not only been deprived of the right to independence and self-government, but their national and human feelings and dignity are insulted and flouted at every step. The foreign monopolies pump out of the colonies all that is valuable, barbarically plunder the wealth by means of merciless exploitation.

The wealth of the captive nations has been plundered and siphoned off. At the same time, the Soviet Union charges them higher prices for Soviet exports than it charges its Western trading partners. This way, the U.S.S.R. can finance its economic offensive and disrupt the trading and commodity markets of the world.

While this exists behind the Iron Curtain and while the rehabilitation of their war-ravaged cities is far from complete, Western war-torn Europe has emerged as a powerful industrial complex, a bastion to democratic freedom.

Soviet expansion is working in reverse trend. In an era when new nations are springing up everywhere, the Soviet Union, all the while paying lipservice to self-determination, is continuously expanding its tenacles of control. From 1945 to the present, 44 nations representing about 900 million people have gained their independence. Some 38 of them have already become free and independent members of the United Nations.

The Soviet Union is unequivocally for self-determination—in Africa and in Asia. Yet, they do not apply it to nations absorbed into the Soviet Empire.

"You know that on the national question the Soviet Union is invariably guided by the right of nations to self-determination," Khrushchev told the African People's Conference meeting in Accra in 1958. And at a recent Communist Party Congress in Moscow, Khrushchev boasted, "Colonialism is doomed, and a stake will be driven into its grave."

The Communist leader speaks in half-truths. The tide of self-determination has not yet reached the Communist colonial empire.

The sufferings and subjugation of Lithuania and the other captive nations must, if we are to survive in liberty, spur free peoples to the preservation of man's inalienable rights. By maintaining the rights of others to be free, we confirm our own unyielding will to survive in freedom and in peace.

COOPERATIVE POWER POLICY

Mr. ANDERSON. Mr. President, the Members of the Senate will recall that last July the Committee on Interior and Insular Affairs held exploratory hearings on the issue of whether electric power transmission lines from the upper Colorado River storage project should be built by private utilities or by the Federal Government. The legislation establishing the project, which I had the honor of sponsoring, had been considered by the Interior Committee in the 84th Congress, and in my measure, S. 500, 84th Congress, there was authorization for the Secretary of the Interior to build the transmission lines at his discretion.

The private utility companies operating in the upper Colorado River Basin wished to build the lines and carry the Federal hydroelectric power, at a price. Secretary Udall, as had his predecessor in the Eisenhower administration, Fred Seaton, was convinced that the utilities' offer was too high, and sought an appropriation of funds from the Appropriations Committee for Federal construction. The utilities opposed this appropriation, and it was in an effort to clarify the issues that I, as chairman of the Interior Committee, held, first, informal discussions, and then formal open hearings in July.

These hearings were published under the title "Statement of Positions on the Upper Colorado River Storage Project." Subsequently the appropriation for Federal construction was authorized, but with the directive to the Secretary of the Interior to attempt to work out satisfactory terms and conditions for construction by the private utilities prior to the spending of any of the appropriated funds.

As the Members of the Senate know, the Secretary has been able to negotiate satisfactory agreements for private construction.

This morning the Washington Post and Times Herald printed a penetrating editorial on this agreement, analyzing the facts and hailing it as an example of good public policy and a useful precedent when the extremists are locked in battle over the relative merits of private power and public power.

Because of the continuing public importance of the issue, I ask unanimous consent that the text of the Post's editorial be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

COOPERATIVE POWER POLICY

Two facts stand out from the agreements which the Bureau of Reclamation has negotiated with the private power companies for the transmission of power to be generated by the immense Colorado River projects. First, the achievement of a reasonable working relationship became possible only after Congress had appropriated funds to begin the construction of an all-Federal system for the movement of this power. The previous offers of the private companies had been rejected as being exorbitant. But after it became apparent that the Government was ready to build a complete transmission system of its own, new offers were forthcoming. It is said that the present agreements will ultimately put into the Upper Colorado Basin fund about $400 million more than the companies' previous offers would have done.

The second fact that stands out from the agreement is that this cooperative arrangement will cost taxpayers much less than it would have done to build a wholly new system of transmission lines. While the agreements with the various private utilities in Colorado, New Mexico, Utah, and Wyoming differ in details, the general policy is to make full use of the existing private facilities and then for the companies and the Government to alternate in the construction of new lines as they are needed for joint use. In the case of the Utah Power & Light Co., however, only company lines will be used because the service charges agreed upon are less than would be the cost of constructing and operating new Government lines. The company will build a new line to the dam under construction at Glen Canyon, Ariz.

The saving in Utah alone is estimated to be more than $700,000 a year. It may be assumed that the private companies will obtain benefits from these cooperative arrangements; otherwise they would not have negotiated the agreements. Even more obvious is the advantage to the Government in terms of reduced outlays and the creation of a cooperative power system.

Whether this type of agreement is called partnership or a cooperative approach, as Secretary of the Interior Udall prefers, is of no significance. The important point is that private utilities and the Government have decided to work together in what appears to be a mutually advantageous endeavor. That is good public policy, and it ought to serve as a useful precedent when the extremists are locked in battle over the relative merits of private power and public power.

HEALTH SECURITY FOR THE AGED

Mr. ANDERSON. Mr. President, because the voice of the American Medical Association is loud and unrelenting in opposition to the proposal for financing health security for the aged through social security, it should not be concluded that it is the voice of all American doctors. It is not. Many physicians are opposed to a campaign based on generating unwarranted fear, rather than fact. Above the thunder of the AMA can be heard those physicians who know that sloganeering will not provide relief for the aged.

A large group of doctors in Palo Alto, Calif., became so disgusted with the medical lobby's campaign last summer that they publicly declared their support of the administration's health-care

plan. Other physicians in San Francisco, Chicago, Los Angeles, New York, and here in Washington have formed similar groups.

In the February 17 issue of the Nation, Robert Mishell, a postdoctoral research fellow of the Arthritis and Rheumatism Foundation at Stanford University School of Medicine, and Lenore A. Herzenberg, a research assistant in the school's department of genetics, relate how and why this tide of dissent is growing. I ask unanimous consent that the article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MEDICARE: SECOND ROUND—SOME DOCTORS THINK TWICE

(By Robert Mishell and Lenore A. Herzenberg)

The American Medical Association, which has frequently been referred to as one of the strongest unions in the country, draws much of its strength from the illusion that it speaks for the overwhelming majority of physicians in the country. Last summer, more than 100 of the 250 physicians in the area of Palo Alto, Calif., joined in sponsoring a committee in support of the administration's program for providing medical care for the aged through social security, thus publicly declaring themselves in open disagreement with the AMA. Since then, other physicians in San Francisco, Los Angeles, Chicago, New York, and Washington, D.C., have formed similar groups with the same intention, specifically, to indicate to Congress and the general public that medicine is not unanimously opposed to a rational program of medical care for this Nation's 16.5 million aged.

The response of organized medicine to this internal rebellion has varied. The AMA and some local societies take the position that the dissidents represent a small minority of honorable, albeit misguided, colleagues who are entitled to speak their minds. Other groups, particularly the Los Angeles County Medical Association, have had to prevail upon members to maintain a policy of opposition to the dissidents which does not cross the bounds of propriety. This policy was enunciated in the LACMA Bulletin after a number of vitriolic attacks on the dissidents by impassioned "right"-thinking colleagues. One irate Birchite M.D. had even gone so far as to denounce them as traitors who should be shot. Because of this kind of hysteria, many younger physicians who depend on their older colleagues for hospital staff privileges, have felt it necessary to be discreetly silent, though they favor the administration bill and have supported the committee with financial contributions. As far as is known, organized medicine frowns upon this kind of pressure, though it has not done much to dispel it.

While the AMA leadership has urged moderation in attacks upon these dissenting doctors, it has exercised very little moderation in its own attack upon the legislation. The AMA has spared neither effort nor expense in its effort to secure opposition to the Anderson-King bill in Congress and to maintain solid opposition to it within the profession. Perhaps wisely, its primary effort has not been directed toward the public.

Though the medical profession as a whole is ostensibly in full accord with AMA policy, the public-relations division of the organization apparently has felt impelled to conduct a thorough educational campaign among doctors, including those who are not members. Literature describing the bill as "compulsory," "socialistic" and "interfering" was sent to physicians in great quantities. Doctors, supplied with pamphlets saying "when the Government enters the consulting room," were urged to distribute the message to their patients. Though the pamphlets allege that the "interference" will be in the area of purely medical matters, the underlying implication that "interference" might apply to physicians' incomes is there for those whose hearing is so attuned.

An imaginative and diverse approach was devised for Congress. The personal physicians of Congressmen were urged to lobby against "this socialistic scheme"—presumably within the sancity of the physicians' office or at the Congressman's bedside. Apparently no conflict of interest was noted by the AMA in pursuing this program. Another effective idea spawned in the public-relations headquarters was to have all physicians write to their Congressmen on their prescription pads; this presumably was to create the image of the doctor who feels so strongly about the issue that he must take a moment out of his busy day—so busy he cannot take time to dictate a letter—to jot a note to his Congressman.

In addition, more orthodox methods were used. Professional lobbyists contacted legislators individually and attempted to demonstrate how a negative vote on the bill would be in the Congressman's personal interest. Officials of the AMA and most State medical societies consumed a great deal of the House Ways and Means Committee's time by offering two contradictory ideas in repetitious testimony: that almost no problem exists in providing medical care for the elderly and that the voluntary health plans and the existing Kerr-Mills statute will, given enough time, ideally solve the problem. AMA's sudden ardor for federally supported State-welfare programs, as embodied in the stopgap Kerr-Mills law, seems strange; but, its very flaws seem to have softened the hostility with which the AMA generally regards such legislation.

Attempts to convince the general public that it does not want the benefits of the Anderson-King bill have, in the main, been indirect. The AMA's men in gray flannel suits, instead of directly attacking the bill's provisions, have attempted to link the legislation with socialized medicine, and the latter with compulsion, poor quality and impersonal service. This campaign has been used by the AMA periodically since the 1920's to fight Blue Cross, social security, workman's compensation, disability insurance and other social legislation. Since 1949, when President Truman proposed compulsory health insurance, the campaign has grown to thunderous proportions. To the AMA all proposals for Federal participation in providing medical care constitute "socialized medicine." The organization rarely debates socialized medicine on the merits; it relies on general scare words and images.

Today many segments of organized medicine oppose social security itself on the ground that it weakens the moral fiber of the Nation (though these same doctors don't worry about the moral fiber of those of their profession who seek special tax benefits to offset the cost of personal-annuity programs). This organized opposition has prevented physicians from participating in the social security program. Recently, an increasing number of physicians have vainly urged AMA to reverse this stand.

The rebellion among the Palo Alto psysicians was precipitated by a series of FM radio advertisements. The spots purported to have a physician speaking and urging the public to oppose the King bill as the opening wedge for socialized medicine in this country. The use of the phrase, "I am a physician," was startling to the conservative practitioners of Palo Alto, who had long agreed with AMA policy of prohibiting this kind of advertising by manufacturers of patent medicines and other nostrums. They were chagrined to find the AMA doing the same thing.

Initially, it was the desire to control the excesses of the AMA professional publicists which led the Palo Alto physicians to speak out; but when, of necessity, they examined the entire issue, the economic and social problems of providing medical care for the aged and the ways in which the administration's program would meet these needs, they became convinced of their responsibility to support the legislation and to make available to others the information which had led them to their decision. As they talked with colleagues (many of whom were shocked at hearing such heresies), they realized the extent to which the profession had been misled both as to the gravity of the problem and the soundness of the proposed solution. Almost none to whom they talked had read the Anderson-King bill or knew of its provisions. As the issue became open for discussion, more and more physicians joined in sponsoring the committee's efforts to spur passage of the bill. (Many have since urged that a bill with more comprehensive provisions be passed. Particularly, they would like to see provision for longer hospitalization when indicated, and for some method of helping the elderly patient meet both his out-of-hospital drug costs and the fees of his physician's services.)

Those who support the bill take the position that it is a sound, conservative, pragmatic approach to the problem of providing medical care for the elderly in a manner which neither degrades the recipient nor radically disturbs the traditional relationship between physician and patient. These physicians are aware of the acute problem their older patients face in meeting the spiraling costs of modern medical care. They know, also, that those patients who have been self-sufficient all their lives are more likely to do without needed medical care than apply for welfare at the county hospital.

More important, however, is the need of patients, particularly older patients, for continuity of care by a personal physician. Dr. Philip R. Lee, representing the Palo Alto physicians in testimony before the House Ways and Means Committee, stated:

"From my experience as a practicing physician, I am convinced that the aged individual's unique need is continuity and coordination of care, particularly important for the aged, because over 70 percent of them suffer from one or more chronic conditions requiring the utilization of multiple medical-care services. The utilization of these services is often difficult for an aged person because it is difficult for him to adjust to change."

Though Dr. Lee supports the Kerr-Mills law as a necessary complement to the King-Anderson bill, he points out that under the provisions of the former, most help will be rendered in county hospitals where this "unique need" is not met. He states:

"The King bill meets the aged individual's unique need for continuity of medical care services because it provides for payment of the patient's bill from the day he enters the hospital. This will permit the aged patient to enter the hospital of his choice under the continued care of his own personal physician rather than subjecting him to the disruption in his medical care which results from referral to the county hospital."

Under the Kerr-Mills law, a State can offer a wide variety of services, but in practice most of the services are sharply limited. To make best use of the available funds, States have extended existing welfare programs for eligible older citizens. This usually means that when an individual has exhausted his funds and requires hospitalization, his personal physician refers him to a county institution where an employed physician, often an intern, takes over his care. Upon discharge, the patient will go back to his personal doctor, who usually

must continue the care without knowing or having anything to say about his care in the hospital. The resulting confusion is detrimental to both patient and physician.

The provision for home-health services in the King bill is another which appeals to the Palo Alto physicians. With the development of these services, the doctors feel that they can offer much better medical care and rehabilitation for older patients than is currently available. The services are not available now because of a lack of funds; yet in pilot studies, full utilization of home-health services for elderly patients with chronic diseases has produced much better medical results at less cost than the current practice of providing terminal nursing care in a county institution.

Finally, the regulatory provisions of the King bill seem sound to most physicians who are familiar with them. They provide for the establishment in each participating hospital of a physician committee which will periodically review the charts of patients who are hospitalized for a longer than usual time under the plan. If abuse is suspected, the physician committee can then ask the patient's physician to explain his reasons for the prolonged hospitalization. This kind of internal, intraprofessional regulation has been a generally accepted practice in most hospitals regarding medical records and review of surgery. For a number of years it has been a standard practice to review insurance claims in this manner in Pennsylvania.

Though their numbers are as yet small in comparison to the AMA, the dissenting physicians have sparked the beginning of what might prove to be a healthy review of the politics of organized medicine by most physicians. The King bill represents only a small area in which AMA policy will be brought into question. Other problems that medicine must face are those concerned with reeducation of practicing physicians in an age of rapid technological advancement, development of more efficient ways of providing superspecialty services, placing of physicians in areas which are professionally impoverished, and the development of programs that will enable patients to meet the costs of medical services. The public, too, will have to realize that if it wants its health program to be of high quality, we will all have to respect the legitimate claims of physicians for remuneration and for the power to make all medical decisions. Hopefully, more physicians will join the rebels in this realization, because satisfactory resolution of these and other problems will only occur with medicine providing the leadership.

FOMENTING OF REVOLUTIONS IN UNDERDEVELOPED COUNTRIES

Mr. PELL. Mr. President, recently, the Veterans of Foreign Wars publication, the American Security Reporter, printed a most interesting article concerning the views of Gen. Vo Nguyen Giap regarding the fomenting of revolutions in underdeveloped countries. Since General Giap is Vice Premier, Defense Minister, and commander in chief of the Communist North Vietnam forces, his observations are particularly pertinent to the campaign of Communist terror and subversion currently being waged in South Vietnam. In their review of General Giap's book, the VFW Reporter very correctly points out that:

The time to defeat Communist revolution is at the beginning by solving key economic problems, by showing peoples how they can move ahead in a free society without mass conflict and without building hatred of others.

Mr. President, I believe this is particularly timely advice against the background of Communist subversive activities in many areas of the world, and I ask unanimous consent that the full text of the article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

GENERAL GIAP GIVES US DIRECTIONS FOR DO-IT-YOURSELF REVOLUTION

General Vo Nguyen Giap, of North (Communist) Vietnam, has just written a blueprint for do-it-yourself revolution in Asia, Africa, and Latin America.

Giap is Vice Premier, Defense Minister, and Army commander in chief of the Communist North Vietnam forces. Thus, his views relate directly to the current Red attack against South Vietnam as well as to other areas of the world.

How does he view the strategy of Communist aggression? Here are the elements:

Wage a "peasants' war" led by Communists. Start slow. Agitate the peasants to protest against rents and interest rates. Urge them to maintain the closest possible unity with progressive national groups.

Promote conflict between nationalism and imperialism and the peasantry against the landlords. This starts as an economic struggle, then is shifted over into a political struggle of class against class.

The final shift from a political struggle to armed conflict is a great change and takes a lot of preparation. Giap explains that at first the political struggle is most important, and armed conflict is secondary. Therefore, two forms of struggle become equal in importance. And, finally, armed struggle occupies the key role.

During the first two stages, Communists maintain a position of legal struggle for the broad masses while hard-core Communists lead phantom guerrilla attacks. Red agitators continue to excite the peasantry to heighten their patriotism and their hatred against imperialists and against the ruling class.

As guerrilla warfare develops, the attacks come in many areas, with guerrillas attacking, then melting away and disappearing among a population which has been trained to be sympathetic. Finally, the Communists decide to take the enemy by the throat. This is open, concerted military attack by Communist-led forces.

Giap comments that the Geneva agreements of 1954 led to the liberation of North Vietnam into Communist control. This enabled the Reds to use North Vietnam as a base for building forces for further aggression in Laos, Cambodia, and South Vietnam.

What can we learn from this 217-page book of Communist strategy and tactics?

Communist revolution is waged inside victim countries.

It depends upon the ability of Communist agitators to set one class of people at the throats of others within the same country.

It starts with agitation over economic issues; moves to political struggle; and ends with guerrilla fighting and civil war.

The guerrilla fighting is sporadic at first. Guerrillas hit garrison towns, military outposts, then post divisions and corps headquarters. Guerrillas go on to capture towns, and then launch an all-out march for complete victory.

Such was the pattern on the mainland of China. Such was the pattern in Cuba. Such is what we can expect in Asia, Africa, and Latin America.

The time to halt this kind of revolution is not after it has reached the guerrilla warfare and civil war stages. Then, it usually is too late.

The time to defeat Communist revolution is at the beginning by solving key economic problems, by showing peoples how they can move ahead in a free society without mass conflict and without building hatred of others.

Defeating communism is a grassroots effort whether the struggle is in the United States or in any farflung country of the world.

This is a lesson we had better learn and do something about. For we can be sure Communists in the developing countries around the world soon will be reading Giap's book and will be trying to put his tactics into operation against us.

IMMIGRATION POLICY

Mr. PELL. Mr. President, we are all aware that our immigration policy is a most important question which has vast implications in the field of foreign policy in addition to directly affecting the lives of many of our citizens and those who seek an opportunity to become citizens. I have always maintained that immigration legislation should not be a partisan matter. In this connection, I was very much impressed by a most stimulating speech recently given by the Honorable John W. Hanes, Jr., before the Allegheny County Committee on Immigration and Naturalization, in Pittsburgh.

Mr. Hanes was the Director of the Bureau of Security and Consular Affairs in the previous administration. He brings to the subject of immigration a great deal of practical experience. Since leaving office, Mr. Hanes has spent considerable time with questions involving immigration. Mr. Hanes opened his talk with some profound observations:

The subject of immigration is both unpopular and uninteresting to the average American even though it affects him deeply.

Immigration has made us as a people what we are. Future immigration—or the lack of it—will influence importantly the pace and the kind of change which our society will have.

Immigration policy is certainly important to the success or failure of our foreign policy, because it is the face which we turn toward the world. It is very often the "deeds" by which our words—and the true nature of our kind of Government—are judged by foreign peoples.

Those of us here tonight, by virtue of our special interest in immigration, are looked to by our fellow citizens for guidance in this immensely complex and confusing area. We bear, therefore, a very special responsibility to understand clearly what we are talking about.

Despite this fact, it is among those who should be best informed that often we find the readiest acceptance of common catchword assumptions whose validity they have never tested for themselves.

Have we really thought through the basic problems? Why do we want any immigration into this country? What kind? How should it be controlled; and for what purpose?

There are many pat answers to these elemental questions; but not all of them stand up to objective analysis.

In this thoughtful address, Mr. Hanes called for the appointment of a bipartisan Presidential Commission which would have 12 members; 4 drawn from Congress, 4 from the executive branch and 4 from private life. This Commission would be composed of persons who have established a high reputation, and it would specifically preclude persons

who have been previously identified with

mistake; the right to be a crackpot; the

Therefore, I ask unanimous consent

Loan, who hires Rev. James W. Fifield, di-

pant—met in a too-secret

who have been previously identified with particular opinions on immigration matters. The Commission would report to the President in 1963 after conducting a thorough study. The purpose of the Commission would be to produce a basic philosophy which could be proposed to the Congress for implementation as a new immigration law.

Mr. President, we do need a fresh approach in our immigration thinking; and, therefore, I have taken this opportunity to call to the attention of Congress and the public Mr. Hanes' most stimulating proposal. It is my earnest hope that the President will soon appoint the type of commission advocated by Mr. Hanes.

EXTREME CONSERVATISM

Mr. McGEE. Mr. President, I call the attention of the Senate to an editorial entitled "Uproar on the Right," published in the Washington Post yesterday, February 25, 1962. The burden of the editorial deals with the interest of the extremely conservative publication, the National Review, edited by William F. Buckley, Jr., in writing off Mr. Robert Welch, the extremist leader and eccentric director of the John Birch Society, but condoning the principles and the activities of the society itself. The Washington Post rightly takes Mr. Buckley and the National Review to task for this line.

The point I wish to make is that the present assault upon the odd statements and the distorted thinking of some of the so-called spokesmen for the extremist groups is leading to a very quick countermove in some segments of our society to dissociate themselves from the leadership of those groups, but to continue the questionable activities of the groups themselves.

I submit that to get rid of Robert Welch but to continue to support the John Birch Society and its principles would be no more effective than to get rid of Hitler but to retain Nazism, or to get rid of Stalin and keep communism. Let us not kid ourselves about the caliber of the leadership and what is keeping the leaders at the top. Basically, theirs is an extreme philosophy of a monopoly of all wisdom; a monopoly of what is right; a monopoly of all patriotism, which runs counter to the grain of all true Americanism.

I trust, therefore, that we will be too sophisticated and certainly too alert to fall for the convenient gimmick of simply lopping off the heads of a few leaders of these groups, but letting the purposes of the groups and their dedication proceed unchallenged—and I mean unchallenged by subjecting them to the light of day and the test of truth, for I am not among those who believe they ought to be outlawed. I think they have a right to be heard on the American scene, and they have been heard. However, I do not believe they have a right to overthrow the American principle of denying others also the right to be heard or even to intrude the prospect that someone other than themselves might also be right.

One of our cherished freedoms is the right to be wrong; the right to make a mistake; the right to be a crackpot; the right to be almost anything, so long as we are willing to run the gamut in the public forum of testing all ideas, in order to sift through them and determine that which seems to offer the better course of wisdom in the national interest.

Mr. President, I ask unanimous consent that the editorial entitled "Uproar on the Right," be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

UPROAR ON THE RIGHT

Mr. Robert Welch, the grand panjandrum of the John Birch Society, likes to dismiss all his critics as "Comsymps," which is a Birchism for Communist sympathizer. We eagerly await his verdict of the unexpected criticism that has come from the National Review edited by William F. Buckley Jr., a conservative Catholic who recently scolded the Pope for showing socialistic tendencies. After a devastating analysis of Mr. Welch's inanities, Mr. Buckley's magazine concludes that the founder of the John Birch Society "is damaging the cause of anticommunism."

It is good that an outstanding conservative like Mr. Buckley is kind enough to exonerate Dwight and Milton Eisenhower and the Dulles brothers from the crackpot charge of pro-communism. It is reassuring to hear the National Review instruct its readers that President Kennedy is not a tool, dupe or stooge of the Communist conspiracy.

But we are frankly baffled by the National Review's argument that there is value in the John Birch Society even if the founder and absolute overlord of the organization is the eccentric Mr. Welch. In effect, Mr. Buckley's editorial seems to argue for Welchism without Welch. There is a familiar note to these sectarian squabbles—in the early 1930's Edmund Wilson, the distinguished critic, once argued that communism had to be taken away from the Communists. In its present mood of soul searching, the National Review might consult the past to see what happened to the fellow travelers on the other side not so long ago.

BUSINESS CONNECTIONS WITH EXTREME RIGHTWING GROUPS

Mr. McGEE. Mr. President, on the same general subject, I wish to refer to a column of the Washington Merry-Go-Round, entitled "Rightwing Gets Backing from Big Advertisers," published in the Laramie, Wyo., Boomerang of February 15, 1962. The burden of the article is to show how in California a number of rather substantial business enterprises seem to have linked themselves, at least indirectly, with the activities of some extreme rightwing groups.

It is my judgment that it would be foolhardy on the part of any business enterprise, for nothing has so epitomized the success of American industrial capitalism as has its adherence to the principle of the exploration of new ideas and breaking through barriers to new discoveries and new technologies. This has been the earmark of the success of the American system.

So, Mr. President, now to find ourselves confronted by a group of business operations which would link themselves to the past and would try to prevent both the present and the future from coming fully into fruition, is to run against the grain of the best in American business.

Therefore, I ask unanimous consent that the article on the backing by big advertisers of that rightwing enterprise be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows.

RIGHTWING GETS BACKING FROM BIG ADVERTISERS

(By Drew Pearson)

(EDITOR'S NOTE.—Mr. Pearson has now returned to Washington but the following column was prepared while he was on the west coast.)

LOS ANGELES.—The strangest aspect of the rightwing movement in the Far West is the marriage between certain big advertisers and certain rightwing groups. The impact of television advertising by these sponsors, plus the carefully organized letterwriting campaign of the John Birchites, has now made a very definite and somewhat lopsided impact on southern California.

It will make Kennedy's legislative program much more difficult to pass and will cause trouble for certain Congressmen who support Kennedy's liberal measures.

Of more immediate importance, the alliance between the rightwing and potent advertisers has already caused violence, may cause more. As Rev. John Simmons, the Lutheran preacher whose home was bombed, pointed out to Mayor Sam Yorty of Los Angeles, "when you endorse meetings which preach hate, someone is likely to start throwing bombs."

The manner in which advertising is used as a political weapon to aid the rightwing is illustrated by a letter sent to one California daily paper by the Lewis Food Co., manufacturer of Dr. Ross' dog food, which supports the so-called Christian Anti-Communist Crusade.

The letter canceled all advertising in the newspaper, with this explanation: "Mr. Lewis is spending so much money promoting conservative causes that he doesn't want to dilute his effort."

The paper which lost the Dr. Ross dog food account had criticized the rightwing, defended the United Nations, and championed some of the liberal features of the Kennedy program.

WATCH YOUR EDITORIALS

Another warning to newspapers to side with the rightwing came from Hamilton Stone Associates, which recommends advertising media for food processors—the largest group of newspaper advertisers.

Sterling Rinear, merchandising manager of Hamilton Stone, gave this warning to a meeting of Los Angeles newspaper advertising representatives:

"We, as brokers, want the most mileage from each ad campaign. In making our recommendations, we use the usual gages, but recently have added one of our own."

Rinear then outlined his views on the Constitution and the American system of free enterprise, adding: "We ascertain the editorial philosophy of newspapers to see that they believe in these principles and that their editorials mirror this belief."

The newspaper ad men present got the point. They knew that it wasn't really the Constitution Hamilton Stone Associates was worried about, but rather editorials which ran counter to the rightwing.

Most California newspapers have ignored this warning—and some have suffered as a result.

While rightwing advertisers have cracked down on liberal newspapers on the one hand, other rightwing advertisers have been buying radio-TV time to sell their ideas to the public. This tends toward a one-sided presentation to the public.

One heavy rightwing advertiser is Joe Crail of West Coast Federal Savings and

Loan, who hires Rev. James W. Fifield, director of the Freedom Clubs, to pour out a daily radio diatribe on freedom. Crail also sponsors the Free Enterprise Bureau of Coast Federal Savings which circulated thousands of copies of Congressman JOHN ROUSSELOT's championship of the John Birch Society. ROUSSELOT is one of only two Congressmen who are Birch members.

MORE BIG ADVERTISERS

When Dr. Fred Schwarz booked the Hollywood Sports Arena last summer for his alleged "school of anticommunism," full-page ads began to appear in Los Angeles newspapers signed by Eversharp and Technicolor, promoting the Schwarz rally.

Later, when a larger Schwarz rally was held in the Hollywood Bowl, the TV time to carry the program over 34 TV stations in six Western States was paid for by Richfield Oil, Eversharp, Shick safety razors, and Technicolor at an estimated cost of $60,000.

Patrick Frawley is board chairman of Eversharp, Shick, and Technicolor, while the head of Richfield Oil is Alton W. Jones, close friend of ex-President Eisenhower and one of three men who made up the deficit on Ike's farm at Gettysburg.

Mr. Eisenhower has denounced rightwing groups in vigorous language, but his friend Jones either doesn't read what the ex-President says or else doesn't agree with him.

A tipoff regarding the further alinement of business with the extreme right was contained in a supplement to the Tidings, official weekly publication of Cardinal McIntyre's Los Angeles archdiocese, which on one page urged support of the following "patriotic business firms": Schick Razor, Richfield Oil, Coast Federal Savings, Knott's Berry Farm, Dr. Ross' Dog Food, Durand Door Supply, and Metropolitan Hardware, the latter two companies owned by Gilbert Durand, the man who sponsored the list of patriotic business firms.

So operates the new alliance of certain business groups, certain church groups, and the rightwing which is having such impact on southern California.

THE NATIONAL INDIGNATION CONVENTION

Mr. McGEE. Mr. President, I ask unanimous consent to have printed at this point in the RECORD an article about the National Indignation Convention, which assertedly held a meeting across the river, at the Marriott Motor Hotel. The article was published last Friday in the Washington Daily News.

The tone of the article is, I think, sufficient comment on the nature of the movement, whose leader is a gentleman from Texas by the name of Frank McGehee. In fact, Mr. President, I stress the spelling of his name—M-c-G-e-h-e-e—so there may be no confusion.

The question raised by the straight reporting by Mr. Tom Kelly in the article suggests that it is neither a national movement nor one representative in any broad sense at all, but that perhaps it may represent the rantings of an individual interested in taking in a little money, for whatever purposes would be his own business.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TOO MUCH ROOM—"I FIND MYSELF SO INDIGNANT"

(By Tom Kelly)

The National Indignation Convention—not notably national but certainly indignant—met in a too-roomy room at the Marriott Motor Hotel last night and issued a call for their brethren across the country to drop everything and come at once to Washington.

"If you can't come send money," NIC founder Frank McGehee, of Dallas, Tex., said in a radio appeal broadcast during the meeting, and "if you can come, you must come now."

The convention's indignation reached a climax at the end of the broadcast when a middle-aged woman pushed a newspaper reporter into a line of folding chairs for not rising promptly to sing "God Bless America." She also charged a couple of innocent bystanders with rising, but not singing.

MOVIES

An indignant young man told the newsman that a moving picture had been made of him that might well be used against him, though he did not say how.

Mr. McGehee originated the indignation movement in Dallas last October after learning the U.S. Air Force was training Yugoslav aviators.

Last night he called for a general movement to Washington to support a congressional resolution against any aid to any Communist country. The resolution has been introduced by Senator JOHN TOWER, Republican, of Texas, and Representative BRUCE ALGER, Republican, of Texas, but Mr. McGehee indicated that without indignant backing he's afraid it will never come to a vote.

SEATING

The convention met in the hotel's Persian Room, which seats 1,000. Mr. McGehee estimated the number present at 250, including some 70 to 80 people from 18 to 20 States.

He opened the program with an amplified telephone call from Representative GLENN CUNNINGHAM, Republican of Nebraska, who said that he was sorry he couldn't be present and that he heartily favored the Tower-Alger resolution.

Representative CUNNINGHAM said "most of us are tremendously discouraged. We keep losing." Mr. McGehee told him not to worry, "we're not going to leave you up there to be cut down."

Representative JOHN ROUSSELOT, Republican of California, a member of the John Birch Society, and Representative JOHN BELL WILLIAMS, Democrat, of Mississippi, were present but did not speak.

Representative JAMES B. UTT, Republican, of California, did speak. "I find myself indignant over so many things, I'm frustrated," he said.

He said he was indignant over: "Supreme Court rulings," "the use of Mt. Vernon for a party—a desecration," "Bobby Kennedy skipping rope in southeast Asia when he should be in Washington prosecuting Communists," "the treatment of Katanga Province" and "U.N. bonds."

He said he was also indignant about being called a "Neanderthal man" by leftists. He said he was "a little to the right of McKinley, a little to the left of Alfred the Great."

Mr. McGehee took over the microphone and called for people to come to Washington now.

"The Washington Hotel has 150 rooms dying to be reserved," he said.

Miss Wanda McNeice, of Missoula, Mont., read a short piece on "We the People" and urged everyone to write their Congressmen.

"She's just the average American citizen," Mr. McGehee said of Miss McNeice, "just the average human being. That's the only kind of people we have in this country."

Paper buckets were passed among the audience for contributions and a woman rose and asked Mr. McGehee to tell those who'll be coming to Washington "where they can contact you."

"I don't know where that will be," Mr. McGehee said. "Don't contact me. You get the room and we'll get you."

EDITOR-PRIEST CRITICIZES BIRCH-SOCIETY CATHOLICS

Mr. McGEE. Mr. President, there appears in today's issue of the Washington Post a report on an address delivered on yesterday by a distinguished member of the Catholic Church—an editor-priest who has criticized the Birch Society as any kind of an attraction for members of his faith. Because of the high tone of the fair appraisal—in my judgment—made by the priest, I ask unanimous consent that the account of his remarks be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

"SURPASSES MY UNDERSTANDING"—EDITOR-PRIEST CRITICIZES BIRCH-SOCIETY CATHOLICS

(By Kenneth Dole)

Non-Catholic Americans "have reason to doubt" the quality of Catholic Americanism when many Catholics belong to the John Birch Society, the editor of America magazine said yesterday.

"Just what Catholics are doing in this society—and what Catholic priests are doing on the roster of its endorsers or its inner council—surpasses my understanding," the Reverend Thurston N. Davis, S.J., said.

Describing birchism as a "strange phenomenon," Father Davis quoted the claim of Robert Welch, head of the society, that more than 40 percent of its membership is Catholic. The priest spoke at the annual communion breakfast of the Washington Retreat League at the Willard Hotel.

Now that Catholics, "a once-despised minority," have advanced to "a sort of 'moral majority' group in what tends more and more to be called a post-Protestant America," they have acquired new obligations, he said.

One is "to assert and defend the heritage of human reason," he said. "This means that we must conduct ourselves reasonably in the democratic debate that forms the lubricant of our American system of political and social life."

Also, he said, Catholics must not be tempted to abuse their power, or fall victim to smugness, conformity, softness, and pride.

"But let's remember," he said, "that there is no abuse of power in speaking out, clearly and unmistakably, where fundamental issues of public morality are concerned—or in the name of elementary justice, as is the case with regard to Federal aid for the Nation's schools."

Father Davis also warned against an incipient anticlericalism among Catholics.

He urged that Catholics drop "narrowly parochial views * * * vestiges from a remote past" and take a greater part in civic affairs. "Why," he asked, "are we Catholics still so hard to find on civic committees, in interracial projects, in human relations programs, and in other community and neighborhood ventures?"

GOULART SAYS REDS WILL "NEVER TAKE OVER BRAZIL"

Mr. McGEE. Mr. President, I wish to call the attention of the Senate to an interview of the President of Brazil, excerpts from which were published last Friday in the Washington Daily News. It was an interview by Richard H. Boyce, of the Scripps-Howard chain, with Mr. Goulart, the President of Brazil.

Several weeks ago, it was my privilege

holdings so more farmers will have land to

conducting Senate committee probes. In

"something big and fine has gone out of

this point in the RECORD an article about the

right to be wrong; the right to make a

grain of the best in American business.

One heavy rightwing advertiser is Joe Crail of West Coast Federal Savings and

not notably national but certainly indig-

who'll be coming to Washington "where they can contact you."

of the Scripps-Howard chain, with Mr. Goulart, the President of Brazil.

Several weeks ago, it was my privilege to visit, along with several of my colleagues, with President Goulart, in the interest of trying to understand the workings of the present political profiles in Brazil, as well as the system that is taking root there. I must say that we found President Goulart to be an exceedingly engaging gentleman. The comments exchanged between us were very revealing; and I believe that the substance of the comments contained in the interview by Mr. Boyce will be of value to the Members of the Senate.

In view of the fact that President Goulart will visit President Kennedy, and probably will visit the Members of the Senate, within a few weeks, I believe it will be very helpful to shed a bit of light which may provide greater understanding on that ground; and therefore I ask unanimous consent that the article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Daily News]

GOULART SAYS REDS WILL NEVER TAKE OVER BRAZIL

(By Richard H. Boyce)

RIO DE JANEIRO, February 23.—"As long as I am President of Brazil, the Communists shall never take over my country."

The words were spoken by Joao Goulart, Brazil's chief of state since Janio Quadros walked out on the job last August. Senor Goulart raised his right hand when he said it as though he were taking an oath.

At 44, he is balding, handsome, though slight of build, his manner breathes confidence and his ahy smile wins friends.

Senor Goulart has no delusions about his role as a President with clipped wings. Last September the Brazilian Congress amended the Constitution to establish a parliamentary form of government in which power is vested in a Premier with the President becoming something of a figurehead. The change was made to satisfy military foes of the left-leaning Goulart. He wants full Presidential powers back and may get them this fall.

WORKS SLOWLY

But meanwhile Senor Goulart is working slowly but steadily to overcome his country's dreadful inflation and worsening price spiral. And he sincerely wants to initiate those tax and land reforms which will earn Brazil a large share of Alliance for Progress aid.

In an exclusive interview in the beautiful palace of the orange trees here, he made these points:

That the economic crisis is being met by a program of emergency control of currency and credit and by enforced reduction of Government expenditures.

That a better future is at hand for the drought distressed northeast of Brazil.

That the return of Janio Quadros will make no difference to Senor Goulart's plans to visit the United States in April.

That he is "completely in favor" of Brazil's stand in the Punta del Este conference on Cuba. (Brazil abstained in the two-thirds majority vote to exclude Cuba from the inter-American system.)

Senor Goulart is in a most difficult position as President. On the one hand are the large landowners; on the other are the big industrialists. Together they pretty much control congress.

The landowners want the industrialists to pay big income taxes and to relinquish their controls on government. The industrialists want the big landowners to break up their holdings so more farmers will have land to work and thus be able to buy the cars and trucks and other hard goods which industry provides.

The two factions gang up to vote against any reform proposals relating to taxes, land and banking, especially if the leftists push for such changes. And Senor Goulart, darling of the labor movement, woos leftist and Communist support in an effort to build a bloc big enough to drive reform measures through. So far, he has been relatively unsuccessful. So he bides his time. Senor Goulart is a large landowner himself, and quite wealthy. Yet he has given 10 percent of his land to the peasants, free. His sister, married to the Governor of Rio Grande do Sul State, has given away 40 percent of her land. It is perhaps these attempts at social reform on a personal basis that have given rise to charges that Senor Goulart is alined with the Communists.

INSISTS

But Senor Goulart himself insists that unless the landowners yield a little and the industrialists yield a little, there is no hope of the broad kind of reform that will satisfy the Alliance for Progress. Indeed, he warns that lack of change may well lead to vociferous demands by the peasants, which could conceivably lead to an attempted takeover.

And unless there is this sort of compromise, he contends, there is no point in our pouring in aid money. For Senor Goulart knows the wealthy politicos will scoop off the cream for themselves as they have so many times in the past, and the Alliance projects will have little or no effect in the long run.

QUESTIONS

Other questions which Senor Goulart answered:

"Question: Do you think the 5-year plan for the development of the distressed northeast will make headway before the peasants become so unhappy they may revolt?

"Answer: I believe in the full execution of the plan for development of the northeast. The drama there is one of the most acute which exists. But I believe the northeasterners, with their good Christian formation, are capable of standing this load of suffering for a little longer. The northeasterner can understand the efforts and good intentions of the Brazil Government to give them a better future. So, I don't think they will get desperate.

"Question: Some people in the United States think you have leftist tendencies and some think you are a Communist. Would you comment?

"Answer: I would be very grateful if you could tell me how I can clear myself from such judgments and how to convince those people that they should not insist in trying to picture me as someone I am not.

"Question: Are there any Communists in your government?

"Answer: In a government of national concentration there are tendencies to the left, to the middle, and to the right. Active Communists in my government, however, I don't know of."

CONGRESSIONAL ACTIVITIES OF SENATOR STENNIS

Mr. McGEE. Mr. President, I wish to call the attention of the Senate to a very excellent editorial sketch assessing and evaluating one of our colleagues, the distinguished junior Senator from Mississippi [Mr. STENNIS]. The article was written by Cecil Holland, and was published yesterday in the Washington Star.

Certainly Senator STENNIS deserves very high praise; and Mr. Holland has assessed his activities particularly in conducting Senate committee probes. In the article, Mr. Holland brings into especial focus Senator STENNIS' conduct in connection with the present probe of military censorship.

I ask unanimous consent that the entire article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TICKLISH CONGRESSIONAL PROBES ARE A SPECIALTY FOR STENNIS

(By Cecil Holland)

Around the Senate and particularly in the Armed Services Committee there is a feeling that if a ticklish job has to be done, one demanding firmness with tact, the man to do it is JOHN C. STENNIS. The 60-year-old Mississippi Democrat, in the Senate since 1947, smiles easily, speaks with a resonant voice, and from years as a judge knows how to pound a gavel with emphasis.

So it came about that Senator STENNIS, one of the hardest working Members of Congress, drew the thankless assignment of heading the muzzling investigation. As chairman of the Senate Armed Services Preparedness Subcommittee, he was given the responsibility of sifting charges that military speechmakers have been restricted in warning about the menace of communism.

As of now, the investigation which carries potential political hazards from the far right has dragged on for more than 5 weeks. And the end is not in sight.

The inquiry thus far has been a little stormy and may get more so. The investigators have found themselves at cross-purposes with President Kennedy over questioning Pentagon censors. Even more troublesome, the subcommittee, much to the chagrin of its members, became involved in an unplanned skirmish with the redoubtable Marine Corps over a questionnaire which Senator STENNIS said would not be repeated.

HE KEEPS SMILING

As the man in the middle, Senator STENNIS has managed to keep smiling through it all. About the only times he has used his gavel were in opening and closing the public hearings.

This has been in character for the studious Mississippian who won a Phi Beta Kappa in college and went on to become a highly respected circuit judge before coming to the Senate.

On the death of Mississippi's demagogic Theodore Bilbo he entered the race for the vacant seat. While virtually unknown outside his rural judicial circuit, Senator STENNIS won out in a three-man race which included rambunctious John Rankin, long a Member of the House. An editorial in the Star at the time noted that he "campaigned with dignity and without showmanship."

The same words aptly describe his nearly 15 years in the Senate. He served the quiet apprenticeship of men who come to Washington intending to stay a long time. The censure proceedings against the late Senator McCarthy of Wisconsin brought him to the forefront.

HANDLED M'CARTHY AFFAIR

As a rule, Senators are loathe to chastise another Member. In the McCarthy affair it was touch-and-go when Senator STENNIS took the floor for a memorable speech. He accused the Wisconsin Republican of pouring "slush and slime" on the committees of the Senate and said his conduct "must be condemned."

In his speech Senator STENNIS, in effect, placed the Senate itself on trial. The question, he said, was for individual Senators to determine whether they upheld Senator McCarthy's conduct. "If we do," he went on,

"something big and fine has gone out of this Chamber." After that, there was little doubt about the censure outcome.

The man who now finds himself on the tightrope of another Senate problem was born August 3, 1901. He attended public schools and Mississippi State College before going on to the University of Virginia for his law degree. His career was in the pattern of many young lawyers.

He served in the Mississippi House of Representatives from 1928 to 1932, as district prosecutor and then on the bench for 10 years before coming to Washington.

SENATOR AS A JUDGE

The current investigation gave Senator STENNIS an opportunity which he seemed to relish to revert once more to the role of a judge. When the doctrine of executive privilege was raised by Secretary of Defense McNamara to deny the subcommittee the right to question censors on specific speeches they had reviewed, Senator STENNIS faced the task of ruling on the plea.

The issue had been anticipated. For several days the Senator had been studying the matter and the night before he stayed up until 1:30 a.m. brushing up on the precedents. Speaking only from notes, he reviewed succinctly a question which goes back to George Washington's administration. The question has arisen, he pointed out, in at least 14 administrations since that time before this instance.

Senator STENNIS said he had great faith in the legislative branch and believed that the powers of the Senate should be exercised to the utmost. He and the subcommittee had expressed the intention of exercising those powers until the doctrine of executive privilege was raised. "But now," he said, "we come face to face and are in direct conflict with the established doctrine of the separation of powers."

THREE-WAY STREET

The executive, the legislative, and the judicial branches of the Government, the Senator pointed out, each has certain privileges and it is not a one-way street. "I know of no case where the court has ever made the Senate or House surrender records from its files, or where the executive has made the legislative branch surrender records from its files, and I do not think either of them could.

"So it is a three-way street. Each is supreme within its field, and each is responsible within its field."

Senator STENNIS, with no more ado, held that the claim of executive privilege was valid and sustained the plea. It was not appealed

With this ruling the subcommittee crossed one hurdle but others are ahead. As one phase of its inquiry it will look into participation by the military in seminars designed to alert the public about the threats of communism.

WALKER MAY APPEAR

This may bring controversial Maj. Gen. Edwin A. Walker, who resigned from the Army, and others representing the far right before the subcommittee as witnesses. The radical right, as it is sometimes called, has been flexing its political muscles in various parts of the country including the South.

Senator STENNIS, who supported Adlai E. Stevenson in 1956 and spoke for President Kennedy in the 1960 campaign, faces the prospects of another controversial phase in the inquiry with equanimity. When he first came to the Senate he said, "I want to plow a straight furrow right down to the end of my row." And that is still his goal.

SUCCESS OF THE PEACE CORPS

Mr. McGEE. Mr. President, I ask unanimous consent to have printed at this point in the RECORD an article on the success of the Peace Corps. The article summarizes the first year of the Peace Corps' activities, and suggests—as the burden of the story—that even among those who at the time of its beginning had very serious doubts about the Peace Corps, are now to be found some of those who are strongest in its praise.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ONE-YEAR-OLD CORPS HELD A SUCCESS

(By Richard L. Lyons)

If customer satisfaction is the test of a product, the Peace Corps, which will be 1 year old next Thursday, currently rates as one of the shining successes of the New Frontier.

The Corps now has 698 volunteers working in 13 countries and every host nation has asked for more. Specific written requests from underdeveloped countries on file in Washington total over 6,000, more than can be filled in the next 2 years on the basis of present budget plans.

Plans are to have 2,300 Corps members overseas by June 30, and, if next year's $63.7 million budget is approved by Congress, 4,500 by mid-1963.

CRITICS SILENCED

As of now, chances of congressional support look good. Critics who ridiculed the idea a year ago as a kiddie corps or a draft-dodging boondoogle have been persuaded or silenced by the quiet, efficient operation to date. Senator BARRY GOLDWATER, Republican of Arizona, outspoken conservative, recently applauded it.

Only 3 of the 698 young volunteers sent out to teach and help ordinary people cope with the problems of daily living have been brought home as not suitable. Nigeria, which got upset about a worker's postcard that mentioned primitive conditions, has asked for 350 more teachers, 10 times the size of the original group.

Director R. Sargent Shriver reviewed the Peace Corps' first year last night on the NBS-WRC television program "A Moment With."

About 17,000 people have applied for the privilege of spending 2 years in primitive conditions, drawing only a living allowance plus $75 for each month upon completion of their service.

ONE THOUSAND A MONTH APPLY

After the big initial surge, applications have come in at a steady rate of about 1,000 a month, indicating more than a temporary burst of enthusiasm, Shriver said. Every State but Alaska is represented in the Corps. The average age is 25. About one-third of the volunteers are women. Average for women is a little higher; two of them are in their 60's, teaching home economics in Africa.

"They tell us overseas that the Peace Corps is achieving a very important success at the local level in these foreign countries," said Shriver. "Certainly we here in Washington hope that it is, and we hope that many more Americans will volunteer."

Teachers and engineers in all fields account for the bulk of the volunteers now being sought. But the Corps gets all kinds of requests. It needs a tailor for Peru, eight instructors in midwifery for Bolivia and 10 French-speaking fishermen to help West Africans improve their daily catch.

SOUTH VIETNAM AND THE CRISIS AT HOME

Mr. McGEE. Mr. President, the lead editorial published yesterday in the Washington Post evaluates the crisis in South Vietnam in the broad context of our national interest. The title of the editorial is "The Crisis at Home." In the editorial it is stated that we should look with great care upon an area so far distant, and that in particular we should consider its meaning to us in connection with matters so near at hand—in other words, that although South Vietnam is far away from us in geographical terms, its proximity is acute in terms of its importance in connection with the kind of freedom for which we have assumed the mantle of leadership for most of the rest of the world.

I ask unanimous consent that the entire editorial be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Sunday, February 25, 1962]

THE CRISIS AT HOME

The real crisis in South Vietnam is not far away in southeast Asia; it is a crisis of the American conscience and will. The questions it raises are not questions in a distant land, but questions in the hearts and minds and psychology of Americans.

We must ask ourselves if the United States is ready for the great-power burdens which Great Britain carried for so long. We must try to discover if there exists here in this affluent society the patience and fortitude to endure trial and trouble in some part of the world, as our regular lot, year in and year out. We really need to know if we are ready for the sad reports of dreary little harassing actions all about the world in places where our primary interests seem not at all engaged. We must make sufficient inquiry to learn if we are ready to send good men and brave men to dusty deaths in troubled places all over the globe.

We need to ask ourselves if we are ready for wars of the kind about which W. W. Rostow, chairman of the State Department's policy planning staff, and Secretary of Defense McNamara and many others have been talking. The big wars of this country involved departures from the norms of constitutional government. They were departures sanctioned for brief intervals. They were departures neither as great nor as long as the departures from accustomed process that may be involved in such wars as those we now support in South Vietnam. These wars involve not only unconventional tactics in the field but unconventional decision making in government—decisionmaking that often is in secret and that frequently violates proclaimed and formal professions of government.

American governments in wartime have been astonishingly candid about their field successes and failures. They have followed precedents set in the Revolutionary War. A government waging war by proxy cannot be candid. War waged through a second power, against a third power fighting for a fourth power is, by its very nature, war waged by guile and subterfuge. Its very virtue is the fraud which conceals the direct collision of the great powers and which enables each to strike the other without the hazards of escalating the conflict into a thermonuclear war. So the proxy war must be conducted without candor.

Much has been said recently about the field conditions under which such wars are fought. "Guerrilla war" really is not the adequate term. This sort of irregular warfare has been employed in every American war, beginning with the Revolution. The forces of the Viet Cong (and like Communist forces) are not just irregulars. The essential ingredient of their warfare is terror

against civilians. Roger Hilsman, Director of Intelligence and Research of the State Department has recently stressed that counteroperations should "cause a minimum of harm to the people."

Troops must "respect civilian rights and property." This is so that "the onus for anticivilian behavior should be diverted squarely to the guerrillas themselves." Those who fight terroristic tactics, however, are often trapped into embracing terror and torture themselves. This coercion corrupted the forces of France and introduced into the French military a corrosive and destroying poison.

The United States must face these risks with eyes open. Unless it struggles to maintain democratic policymaking on the basis of informed citizens and strives to preserve in its own irregular military forces a contempt for the ruthlessness and treachery of forces against which they fight, more will be hazarded in the battle than South Vietnam. The very spirit and conscience of the country may be made a part of the gamble.

It is difficult to see for the United States any endurable alternative to the great-power burdens that time and circumstance have put upon it; it is difficult to see an acceptable escape from the hard necessity of defending beleaguered small countries against Communist infiltration and internal war. It will not be enough, however, to carry such burdens and win such wars—it is necessary to carry these burdens and win these wars by methods that do not corrode or destroy the principles by which the country has lived.

We must take up our great-power burdens and fight our proxy wars with an awareness that the pursuit of these military purposes endangers not only our forces in the field but our institutions and our beliefs at home. Out of that awareness there ought to come new precautions against the corrosive belief that representative institutions, in such crises, are mere encumbering and embarrassing baggage with which practical diplomats and soldiers can safely dispense.

ALLIANCE FOR PROGRESS PLAN TO HELP LATIN AMERICAN ECONOMIC AND SOCIAL DEVELOPMENT

Mr. McGEE. Mr. President, I ask unanimous consent to have printed at this point in the RECORD an article which deals with the efforts on the part of the White House and the leadership in the State Department to move with greater expedition the program of the Alliance for Progress. The article was published on Friday in the Washington Post.

Mr. President, one of the burdens of the findings made during our recent study mission in Latin America was the sense of urgency and the requirement to get something tangible going very soon, particularly in time to leave an impact in advance of the important elections to be held this year in many of the Latin American countries.

I ask unanimous consent that the article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Feb. 23, 1962]

UNITED STATES PRODS LATIN-AID OFFICIALS

(By Ben F. Meyer)

Government officials were reported yesterday under White House orders to speed up President Kennedy's Alliance for Progress plan to help Latin America's economic and social development.

Criticism in Congress and elsewhere that the program has been slow to get underway and increasingly disquieting reports of internal problems in several hemisphere nations are understood to have spurred the intensified activity.

One official said today: "There is going to be a lot of nightwork, and, as a matter of fact, a lot of people in the State Department and the Agency for International Development have been called in for work Saturday and Sunday to be sure nothing is overlooked to get this thing rolling as it should."

The hurry-up has been ordered, he said, in face of a Communist step-up of activities to a surprising extent. The Reds are attempting to exploit discontent in the troubled period through which hemisphere nations are passing due to difficulty in marketing their basic products, the official said, adding:

"Time is the enemy, both of the nations trying to meet the clamor for reform and for progress, and for us here, too."

One Government expert said: "There is no question but what we shall attain the goal" of at least $1 billion in allocations to Latin American countries in the first year of the Alliance for Progress program.

"What we want to do," the official said, "is to get specific projects themselves to the people needing them. There is a new sense of urgency about this whole thing, because the situation requires urgency."

Aside from Bolivia and Ecuador—two South American nations in almost chronic economic and political difficulties—trouble zones apparently have been widening in other countries.

Brazil is reported in economic crisis and political tension; the Dominican Republic, struggling to get back on the road to democracy, was put under a virtual state of siege Wednesday to halt sabotage—both of its economy and of its aspirations to democracy.

"The situation is so disturbing throughout Latin America," one official said, "that if you blindfolded yourself and put your finger anywhere on the map of the area you would be almost certain to have it on a trouble spot."

COOPERATIVE POWER POLICY

Mr. McGEE. Mr. President, an editorial published today in the Washington Post comments on a development in the Western States, particularly in the realm of electric-power development in the Upper Colorado River projects area. The sense of the editorial is to commend the developments there on two grounds: First, because of the achievement of a reasonable working relationship which became possible only after Congress appropriated funds to begin the construction of an all-Federal system for the movement of the power, which hastened the development of the fuller utilization of the power potential of the area; and, second, because of the importance of working out the agreements just announced between the Bureau of Reclamation of the U.S. Government, on the one hand, and some of the private utility companies, on the other, to share in this development. Both augur well for the fullest possible use of the power potential of this great, untapped resource in that part of the West. They likewise are good news to the taxpayers, for this development will make possible a fuller utilization of the cost factor in connection with existing facilities which may be harnessed in the broad national interest.

Therefore, Mr. President, I ask unanimous consent that the editorial be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

COOPERATIVE POWER POLICY

Two facts stand out from the agreements which the Bureau of Reclamation has negotiated with the private power companies for the transmission of power to be generated by the immense Colorado River projects.

First, the achievement of a reasonable working relationship became possible only after Congress had appropriated funds to begin the construction of an all-Federal system for the movement of this power. The previous offers of the private companies had been rejected as being exorbitant. But after it became apparent that the Government was ready to build a complete transmission system of its own, new offers were forthcoming. It is said that the present agreements will ultimately put into the Upper Colorado Basin fund about $400 million more than the companies' previous offers would have done.

The second fact that stands out from the agreement is that this cooperative arrangement will cost taxpayers much less than it would have done to build a wholly new system of transmission lines. While the agreements with the various private utilities in Colorado, New Mexico, Utah, and Wyoming differ in details, the general policy is to make full use of the existing private facilities and then for the companies and the Government to alternate in the construction of new lines as they are needed for joint use. In the case of the Utah Power & Light Co., however, only company lines will be used because the service charges agreed upon are less than would be the cost of constructing and operating new Government lines. The company will build a new line to the dam under construction at Glen Canyon, Ariz.

The saving in Utah alone is estimated to be more than $700,000 a year. It may be assumed that the private companies will obtain benefits from these cooperative arrangements; otherwise they would not have negotiated the agreements. Even more obvious is the advantage to the Government in terms of reduced outlays and the creation of a cooperative power system.

Whether this type of agreement is called partnership or a cooperative approach, as Secretary of the Interior Udall prefers, is of no significance. The important point is that private utilities and the Government have decided to work together in what appears to be a mutually advantageous endeavor. That is good public policy, and it ought to serve as a useful precedent when the extremists are locked in battle over the relative merits of private power and public power.

INDIAN HEIRSHIP LAND PROBLEM

Mr. CHURCH. Mr. President, I send to the desk for appropriate reference a bill relating to the Indian heirship land problem.

Mr. President, on March 21, 1961, I introduced S. 1392, a bill relating to the Indian heirship land problem. At that time I explained that the United States holds in trust for Indians about 41,000 tracts of allotted land—approximately 6 million acres—that are fractionated ownership. This situation arose when, upon the death of the original allottee, his or her estate was probated and the heirs were given undivided interests in the tract. Through the years, succes-

sive probates have taken place affecting the same tract until at the present time there may be anywhere from 2 to 200 heirs holding fractional interests in a piece of trust land.

This fractionation of ownership has created serious problems for the heirs themselves, the tribes, and the Bureau of Indian Affairs which has responsibility for managing trust land.

In an effort to learn all the facts relating to the multiple ownership of Indian land, the staffs of the Senate and House Committees on Interior and Insular Affairs, in conjunction with the specialists of the Library of Congress, made extensive studies of the problem, beginning in 1959. In 1961, two heirship land survey reports were published by the House and Senate. These documents contain the most complete and up-to-date information on what the heirship problems are and where the problems exist. The reports also reflect suggested solutions by Indian owners of these lands, as well as those responsible for administering them.

Based on these studies, I sponsored S. 1392, a bill intended to help alleviate this worsening situation. At the time, I emphasized that S. 1392 was a vehicle for the purpose of exploring further the viewpoints and wishes of the people most affected by this problem. My first step following the introduction of S. 1392 was to have copies of the bill, and the explanation thereof, mailed to all Indian tribes, interested organizations, and agencies of the Federal Government, for their comments and recommendations. Hearings were held on S. 1392 by the Subcommittee on Indian Affairs, of which I am chairman, on August 9 and 10, 1961, and valuable testimony was received from Members of the Senate and House, the Interior Department, Justice Department, General Accounting Office, Indian organizations, and Indian tribes. Several thousand copies of the printed hearings were distributed to interested parties.

Mr. President, with the information gained from the congressional studies, plus the expert advice of Government agencies, Indian tribes, and organizations at the hearings, I have had prepared the bill which I am introducing today. The new bill contains some of the features of S. 1392, because they met the test of the hearings. In other respects it is substantially different.

In drafting this bill every effort has been made to formulate and authorize an effective program to alleviate the heirship land problem consistent with the constitutional rights of the individual Indian owners of these lands. Particular attention has been given in designing this legislation to maximize the opportunity to return multiple owned land to individual Indian ownership, or to tribal ownership, in a trust status. In other words, recognition is given to the desirability of retaining the land base as an economic resource for our Indian citizens. While it is extremely difficult to arrive at the critical balance between the indiscriminate disposal by Indians of their land as opposed to an effective solution to the heirship problem, I believe this has been accomplished. The language of this new measure, in my opinion, gives the Secretary of the Interior sufficient latitude to solve the problem but allows him enough discretion to protect the best interests of each Indian owner.

It is intended that additional hearings will be held on this new proposal in the near future. Indian tribes and others will be given advance notice of hearing dates when they have been scheduled. I feel sure that, with the cooperation of all of those who have a vital interest in this matter, we will be able to report corrective legislation to the Senate during this session of the Congress.

Mr. President, I ask unanimous consent that the text of the bill I am introducing today may be printed in full following these brief remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD, as requested by the Senator from Idaho.

The bill (S. 2899) relating to the Indian heirship land problem, introduced by Mr. CHURCH, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

The bill (S. 2899), introduced by Mr. CHURCH, is as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) any owner of an interest in any land where all of the undivided interests are in a trust or restricted status may request the Secretary of the Interior (hereinafter referred to as the "Secretary"), and the Secretary is hereby authorized, to partition the land in kind or sell the land if partition is not practicable and a sale would be in the best interests of the Indian owners.

(b) When any of the undivided interests in a tract of land is in an unrestricted status, any owner of a trust or restricted interest may request the Secretary, and the Secretary is hereby authorized, to sell all trust or restricted interests if a sale would be in the best interests of the Indian owners. The Secretary may also sell the unrestricted interests if authorized to do so by a power of attorney from the owner of the unrestricted interests.

SEC. 2. Whenever the Secretary, after receiving a request to partition or sell any tract of land under subsection (b) of section 1 of this Act, is unable after due effort to obtain the approval of any owner of an unrestricted interest in such tract, he shall, upon the request of any owner of an undivided interest therein, consent to judicial partition or sale of such tract if in his judgment such action is in the best interests of the Indian owners. Where such consent is granted, jurisdiction over the land is hereby conferred on any State court of competent jurisdiction to hear and determine the partition or sale proceedings and to render judgment for partition in kind or judicial sale in accordance with the law of the State wherein the lands are situated. The United States shall be an indispensable party to any such proceeding with the right of removal of the cause to the United States district court for the district in which the land is located, following the procedure in title 28, United States Code, section 1446. The proceeds of sale of the trust or restricted interests shall be paid to the Secretary for distribution unless he waives this requirement as to any of the owners thereof. If the land so partitioned or sold is acquired by an individual Indian or an Indian tribe, title thereto may be taken in a trust status.

SEC. 3. (a) If, with respect to any land transferred pursuant to this Act there is in existence an exemption from taxation which constitutes a vested property right, such exemption shall continue in force and effect until it terminates by virtue of its own limitations.

(b) No sale made under this Act shall include any mineral estate that has been reserved to any Indian tribe by any provision of law.

SEC. 4. For the purposes of this Act, the Secretary of the Interior is authorized to represent any Indian owner (1) who is a minor, (2) who is non compos mentis, (3) whose ownership interest in a decedent's estate has not been determined, or (4) who cannot be located by the Secretary after a reasonable and diligent search and the giving of notice by publication.

SEC. 5. The Secretary shall give actual or constructive notice and provide an opportunity for a hearing before partitioning in kind or selling land pursuant to this Act. All sales of lands made by the Secretary pursuant to this Act shall be by competitive bid, except that a sale may be made to one of the owners of an interest in the land, or to the tribe within whose reservation or approved consolidation area the land is located, at not less than the appraised value of the land if none of the owners after reasonable notice objects. If a timely objection is made, the sale shall be by sealed competitive bid: *Provided*, That if the high bid is not made by one of the Indian owners of an undivided interest, or by the tribe on whose reservation the land is located, any of the Indian owners or the tribe shall have the right to meet the high bid. If the tribe and one or more of the owners, or more than one of the owners but not the tribe, elect to meet the high bid, the Secretary shall solicit new bids limited to the parties exercising the election. Subsequent sale shall be for not less than the amount of the previous high bid. No sale shall be made at a price less than the appraised value of the land. Title to any land purchased by a tribe may be taken in trust for the tribe if it is located within the boundaries of the reservation or within the approved tribal consolidation area. Title to any land purchased by an individual Indian may be taken in a trust status.

SEC. 6. (a) In order to assist tribes that wish to purchase land offered for sale under the provisions of this Act, the Secretary is authorized to make a loan to any tribe under the conditions stated below, provided the tribe does not have funds available in an amount that is adequate to make the purchase and is unable to obtain a loan from any other source. Such loan shall be made from the revolving funds referred to in section 10 of this Act.

(b) The amount of the loan shall not exceed the appraised value of the land plus the value of any other property the tribe may mortgage or pledge as security for the loan.

(c) The tribe shall give to the United States a mortgage on the land purchased by the tribe with the loan, and on any other tribal property which the Secretary deems necessary to adequately secure the loan.

(d) A loan shall be for a term of not to exceed thirty years, and shall bear interest at a rate to be determined by the Secretary. A loan need not require repayment in equal installments, but it shall require repayment according to a schedule that will fully amortize the loan within the time specified. In the event of a default in the repayment of the loan, the Secretary of the Interior shall take such action as he deems necessary to protect the interests of the United States. If during the period of repayment the tribe is awarded a money judgment against the United States in excess of the unpaid balance of the loan, and if the payment of any installment on the loan is in default, the

installment(s) in default shall be collected from the appropriation to satisfy the judgment.

(e) Before a loan is made under this Act the tribe shall submit for the approval of the Secretary of the Interior a master plan for the use of all lands to be purchased. No plan shall be considered by the Secretary unless it has been first considered at a general meeting of tribal members called for that purpose and approved by a majority of the adult members present and voting at that meeting. Any tribe preparing a plan may call upon the Secretary for technical assistance, and the Secretary shall render such assistance as may be necessary. Such plan shall include provisions for consolidation of holdings of the tribe, or acquisition of sufficient lands in conjunction with those held to permit reasonable economic utilization of the land and repayment of the loan. Such plan may be revised from time to time with the approval of the Secretary.

(f) The cost of managing any land purchased by a tribe pursuant to this Act shall be borne by the tribe and not by the United States.

SEC. 7. Any tribe that adopts with the approval of the Secretary a plan pursuant to subsection 6(e) of this Act, or any other plan that does not involve a loan from the United States but which provides for the consolidation, management, use or disposition of tribal land, is hereby authorized, with the approval of the Secretary, notwithstanding any provision of the tribal constitution or other provision of law, to sell any tribal land or other property in furtherance of such plan.

SEC. 8. The Secretary shall approve no plan pursuant to this Act that contains any provision that will prohibit or delay a termination of Federal trust responsibilities with respect to the land during the term of the plan.

SEC. 9. This Act shall not repeal any authority of the Secretary under other law, but it shall supersede any limitation on the authority of the Secretary that is inconsistent with this Act.

SEC. 10. (a) All funds that are now or hereafter a part of the revolving fund authorized by the Act of June 18, 1934 (48 Stat. 986), the Act of June 26, 1936 (49 Stat. 1968), and the Act of April 19, 1950 (64 Stat. 44), as amended and supplemented, including sums received in settlement of debts of livestock pursuant to the Act of May 24, 1950 (64 Stat. 190), sums collected in repayment of loans heretofore or hereafter made, shall hereafter be available for loans to organizations of Indians, Eskimos, and Aleuts (hereinafter referred to as Indians), having a form of organization that is satisfactory to the Secretary, and to individual Indians of one-quarter degree or more of Indian blood who are not members of or eligible for membership in an organization that is making loans to its members, for any purpose that will promote the economic development of such organizations and their members, or the individual Indian borrowers.

(b) The appropriation authorization in section 10 of the Act of June 18, 1934 (48 Stat. 986), as amended by the Act of September 15, 1961 (75 Stat. 520), is hereby amended by increasing it from $20,000,000 to $50,000,000.

SEC. 11. (a) In order to prevent the problem of multiple ownership of undivided interests in any tract of land held in trust by the United States for an individual Indian, or held by an individual Indian subject to a restriction against alienation imposed by the United States, and at the same time provide maximum opportunity to retain such lands for use by Indians, the provisions of this section shall apply notwithstanding any other provision of law.

(b) When all interests in trust or restricted land are owned by one person other than an Indian tribe, and the title is transferred after the date of this Act but during the lifetime of the owner to two or more persons, the title shall be transferred in an unrestricted status.

(c) When all interests in trust or restricted land are owned by one person other than an Indian tribe, and the title is transferred after the date of this Act by devise or inheritance.

(1) If there is only one devisee or heir the title may be transferred in a trust or restricted status if such status is otherwise permitted by law.

(2) If there is more than one devisee or heir the Secretary shall notify each devisee or heir of his right to seek a partition or sale of the land in accordance with the provisions of this Act. If a partition or sale is not requested and approved within a reasonable time, as determined by the Secretary, the Secretary shall issue to the devisees or heirs an unrestricted deed or patent to the land. The transfer of the title upon the death of the decedent shall be subject to the provisions of this Act.

SEC. 12. The Secretary is authorized to execute such patents, deeds, orders, or other instruments as may be necessary or appropriate to carry out the provisions of this Act.

SEC. 13. The terms "owner" and "owners" as used herein include, wherever applicable, any tribe, band, group, community, or pueblo of Indians, Eskimos, or Aleuts, and also include any federally chartered organization of Indians, Eskimos, or Aleuts.

SEC. 14. (a) Sections 1 through 12 of this Act shall become effective one year after the date of its enactment.

(b) The Secretary shall, prior to the effective date of sections 1 through 12 of this Act, notify in writing each Indian tribe, and each owner of an undivided interest in Indian trust or restricted land, of the rights of such tribe or owner under this Act.

(c) The Secretary shall, prior to the conclusion of any probate proceeding conducted on or after the effective date of sections 1 through 12 of this Act, notify each heir or devisee having an interest in such proceedings of his rights under this Act.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. CHURCH. I am very happy to yield to the distinguished chairman of the Committee on Interior and Insular Affairs.

Mr. ANDERSON. I want to commend the Senator from Idaho for a very fine piece of work. Year by year a study has been made of the heirship problem, but nothing ever comes of it. These last couple of years, two huge volumes of testimony were taken. I think the Senate and House Committees on the Interior together made the most substantial study that has been made of the problem perhaps in the history of the country. I wish to strongly commend the Senator from Idaho for his work in this matter. We had the report of the task force that looked into the Indian problem. It made a great many recommendations, but I thought perhaps it had overlooked, or at least minimized, the two great questions that seem to exist in Indian affairs, namely the problem of termination and that of heirship. We are going to have the problem of termination for perhaps 50 years more, but we might be able to whip one of those two problems, and we will be able to get it done with the kind of work similar to that which has been done by the Senator from Idaho.

I admire the fine legal qualities he brings to this problem, but I also admire the determination he has shown in trying to bring a solution to it. It is a very difficult problem.

It is, from the taxpayers' standpoint, a very important piece of work, because if the heirship problem can be solved and these patches of land which are not now being farmed or grazed can be put to farming or grazing, many Indians who are now on relief or under special care of the Government will be free.

I therefore wish to commend the Senator from Idaho and tell him, as chairman of the full committee, I am proud of the work he has done in the subcommittee and am very grateful for the task he has undertaken. If the people of the country knew of the extent of the legal problems with which he has wrestled, he would be receiving many commendatory remarks from around the Nation.

Mr. CHURCH. I thank the Senator from New Mexico for his kind remarks.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. CHURCH. I yield to the distinguished majority leader.

Mr. MANSFIELD. I want to join the distinguished Senator from New Mexico, chairman of the Committee on Interior and Insular Affairs, in commending the Senator from Idaho [Mr. CHURCH] for the statement he has just made. We know the Senator from Idaho has been a champion of the American Indian, not only since he entered Congress, but long before he joined us in the Senate.

The distinguished Senator from New Mexico has put his finger on the two most important problems. The first is the question of termination, which will be a long time in being concluded satisfactorily. The other is the question of Indian heirships. Both of these questions are problems in my State of Montana, and throughout the West, and, for that matter, throughout the country.

So I sincerely hope the firm foundation which has been laid by the Senator from Idaho, who is chairman of the subcommittee handling the Indian affairs, will be built on, as Colonel Glenn said in the other body today, on a brick-by-brick basis until a pyramid is built.

I join the distinguished Senator from New Mexico, chairman of the full committee, in extending my commendation for the fine work already done by the Senator from Idaho and the great maturity he has shown in facing up to this most vexing problem.

Mr. CHURCH. I thank the Senator very much. I would add that, from the very beginning in the Committee on Interior and Insular Affairs, I have had not only the interest but the invariable support of our distinguished chairman [Mr. ANDERSON] who was the first to point out to me the gravity of this problem, and through whose leadership and inspiration I hope the committee can finally come forward with a legislative solution to a problem that is getting worse every year. It involves over 6 million acres now, and if we do nothing, in the next few years it will involve 12 million acres of land, all to the loss of the Indians and the taxpayers as well.

I hope this bill will be the vehicle through which Congress moves on to solve this problem.

NOTICE OF TIME FOR PAYING TRIBUTES TO THE LATE SENATOR ANDREW F. SCHOEPPEL

Mr. MANSFIELD. Mr. President, for the information of the Senate, at 2 o'clock on Monday next, or some day later in the week, Senators who desire to do so—and I hope they will be many in number—will be able to make statements relative to the passing of our late and beloved colleague, the former Senator from Kansas, Mr. Schoeppel.

ORDER FOR ADJOURNMENT UNTIL THURSDAY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate concludes its deliberations today it stay in adjournment to meet at 12 o'clock noon on Thursday next.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO LT. COL. JOHN H. GLENN, JR.

Mr. MANSFIELD. Mr. President, it is not very often that I am overly impressed by a speech. I must say, though, the speech by Lt. Col. John H. Glenn, Jr., of the U.S. Marine Corps before the joint meeting of the Congress this afternoon was outstanding.

Colonel Glenn was not being honored by the Congress so much as he was honoring the Congress and the American people in appearing before us. I think he exemplified the type of American which many of us had thought was disappearing from the scene. I, for one, was tremendously impressed by his patriotic, flag-waving speech, and I only hope that in the days, the months and the years ahead we shall hear more of this type of patriotism and shall see more of this kind of flag waving.

Colonel Glenn is a man who restores confidence in the character and integrity of our people. We owe to him, to Commander Shepard and Captain Grissom who went before him, and to those who will come after him, a vote of thanks.

As he said, in effect, what the astronauts are doing is building a pinnacle or a pyramid stone by stone. In doing so they are embarking on an unknown voyage through an unknown sea. They will succeed, but it will take time, it will take money, it will take patience and understanding.

I was very happy to note that Colonel Glenn in his speech to the Congress kept the use of the word "I" to a minimum and consistently used the word "we." He recognized that he was a part of a team and that it was "the luck of the draw," so to speak, which placed him in the third position after Commander Shepard and Captain Grissom. It will be "the luck of the draw" which will decide who among those yet to go will take their turns next.

I was impressed also by the recognition which Colonel Glenn gave to his parents, to his wife's parents, to his children, and to his wife. I think all too often, when men receive recognition, they forget that a great deal of credit should go to some who have been at their side and helped them along, and who by their love, trust, and confidence gave them the necessary impetus to forge ahead. No one in this world does anything alone. There is always someone or some group in the offing who has made a contribution, and all too often that contribution is not recognized.

I was pleased also to note that in using the collective "we," Colonel Glenn referred to his fellow astronauts. I was deeply proud that the Congress and the galleries and, I am sure, the people of America as a whole, rose and gave a standing ovation to the men, including the one on his way home from a tracking station in Australia, who had been preparing themselves to do so much for us. It was a great day for the American people.

Again I wish to say that I was extremely proud of Colonel Glenn, his fellow astronauts, his family, my colleagues, and the people of our country. I wish his successors well. I can only say again that what Colonel Glenn has done and what he has said has done much, in my opinion, to restore the faith and the confidence in our country which I am afraid some of our people have been losing in recent years.

Mr. HRUSKA. Mr. President, I should like to join in and comment upon the remarks made by our illustrious majority leader, the Senator from Montana [Mr. MANSFIELD], relating to the speech today by Lt. Col. John H. Glenn, Jr. It happens that last weekend I spent some time in the State of Ohio near New Concord, where the home of the Glenn family is located. Of course, everyone in Youngstown, Ohio, and vicinity was recalling any possible connection with that illustrious and now very distinguished family, and especially the astronaut himself. In fact, a citizen dug into one of their local newspapers to find that, while Lt. Col. John Glenn was attending college, he spent a 4-day weekend in Youngstown. The citizens of that town gloried greatly in that fact.

A matter I should like to comment upon, Mr. President, is that in John Glenn we find a well-balanced and well-rounded American citizen. He has acquired a great proficiency in his present calling. Certainly those of us who listened last week to the radio or TV broadcast of the event, and again listened to Colonel Glenn today were very much impressed with his composure and poise. His appearance before the joint session was a duty and an experience which certainly was totally new to him, and he performed well. He is a man who is very articulate and who certainly talks sense. It is easy to listen to him. I am gratified that America did. I subscribe fully to the sentiments expressed a few moments ago by the distinguished Senator from Montana.

Mr. PELL. Mr. President, I wish to join with my colleagues in welcoming Colonel Glenn, and in congratulating him on his very excellent address to the Congress. The successful orbital flight of Astronaut Glenn is a momentous scientific achievement for our country. It is in keeping with the democratic tradition that the orbital shot was made under the open scrutiny of the general public and not behind a closed curtain of secrecy, screening out all unsuccessful attempts. Colonel Glenn's success, however, represents not only an achievement for the United States; his threefold flight around the earth must be placed in a historical perspective as one more significant step forward in the progress of mankind's initial explorations into space.

We are indeed honored to have had Colonel Glenn with us. We look forward to hearing more about him and his colleagues as new and historic ventures into the universe are initiated.

ALLIANCE FOR PROGRESS IN AMERICAS

Mr. YARBOROUGH. Mr. President, this past weekend the National Broadcasting Co. broadcast a documentary film on Communist Cuba and its threat to the Western Hemisphere. It was a most informative documentary film, with no effort to inflame people, but rather to inform them. NBC is to be commended for its public service in the research, the filming, and editing of that film, which was done as to make it truly educational.

Mr. President, the Washington Post in an editorial today has added a very sound suggestion for one prong of our needed effort in Latin America.

The Alliance for Progress is nearly a year old, but, as the Washington Post editorial points out, it has moved slowly. The program has moved very slowly largely because of the entrenched economic injustices in certain Latin American countries. A hungry man is a discontented man. Parents whose children are starving are not going to welcome speeches as much as they welcome food.

Last year an acquaintance of mine from my home State came to my office and told me of one of the difficulties in Peru. It was virtually impossible for anyone except a man of wealth to own a home in Peru, because the only way in which one who did not own a home could acquire one would be to pay 40 percent of the cost in cash as the downpayment, and then pay the remainder of the cost in 5 years, the loan being made at an interest rate of approximately 20 percent.

I have checked with the State Department in the last few days and I have found that the situation has been improved. In 1959 we sent experts down to Peru in the building and loan field. Those experts have shown officials in Peru how to form building and loan associations, and the old Peruvian act establishing the bank for mortgages has been amended, so that since 1959 a man in Peru has been able to buy a home if he pays only 20 percent cash on the downpayment. But in a nation in which the average per capita annual income is about $120 per annum as compared to our average of something well over $2,000 per annum, rare indeed is the man

who can pay the 20 percent downpayment. Therefore, most people are condemned to be homeless, so far as ownership is concerned, for life.

Food comes even before shelter.

The suggestion in today's issue of the Washington Post that we use the land-grant colleges to send people to Latin-American countries to teach the people to raise food in quantity under a program called Operation Food Production, I think is a most worthwhile suggestion, because there are many areas in the world, particularly in Latin America, that are not now being used in the production of food, and in areas that are farmed, methods are often used which result in such low production and there is not enough to keep the pangs of hunger from being felt daily by the overwhelming majority of the people.

I commend the suggestion in the Washington Post that we use our expert know-how to aid the people of Latin America in stepping up their agriculture production in an effort to alleviate hunger in the countries there.

Mr. President, I ask unanimous consent that the editorial entitled "The Alliance's Progress," published in the Washington Post, issue of February 26, 1962, be printed at this point in my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE ALLIANCE'S PROGRESS

How fares the Alliance for Progress? It is nearly a year since President Kennedy invited Latin America to join in a massive decade-long, help-for-self-help development plan. In that year, progress in some respects has been good. Two countries—Colombia and Bolivia—have already submitted overall plans to the nine "wise men" who are acting as a panel of reviewing experts. A steady stream of loans is beginning to come from the Inter-American Development Bank for worthwhile projects.

But, it must be quickly added, in other respects, the alliance is running like the proverbial dry creek. Much of the impetus behind the alliance is lost in an organizational miasma. There is not much evidence yet that Latin American governments are showing an excessive eagerness to carry out the land, tax and other social reforms imperative to the alliance's success. Perhaps most disappointing, the alliance has failed to catch the popular imagination in much of Latin America.

To some extent, a fitful start is to be expected. Much of the basic organizational work should have been begun years ago. The mechanical paralysis is in part the price exacted by years of neglect. Moreover, in a decade-long program, the perspective of the first year can be misleading; the Marshall plan, too, was open to the reproach of confusion during its formative stage.

The strangest aspect of the Alliance's faltering start has been the failure of communication—despite this administration's penchant for words. Last week, Teodoro Moscoso, the Alliance administrator for AID, spoke eloquently on the need to regard the hemisphere effort as more than a job of bookkeeping and capital investment; it involves a war of ideas as well as flow of bankable loans. Yet there has been lamentably little drama about the alliance.

One suggestion that deserves consideration is that the Alliance enroll the great State university agricultural colleges in Operation Food Production. In no area is the contrast greater between Communist and free world achievement than in agriculture. Surely it would make a good deal of sense to yoke the energy and experience of North American food production specialists to the purposes of the alliance.

This could be done in a compelling way if 19 land-grant agricultural schools each "adopted" a Latin American country. North American experts could, over the decade, educate themselves on the food production problems of the adopted country—and Latin Americans could benefit from short-course instruction. Agricultural colleges now extend a soil analysis service and similar aid to farmers in the States; the same services could be extended to the adopted Latin American country.

Operation Food Production could be useful not only to Latin America, but also to the agricultural schools, now amidst a restive quest for new fields to cultivate. Some contract programs already exist on an ad hoc basis and could be quickly made part of a larger, more formal effort. This year, appropriately, is the centennial of the Morrill Act that established the land-grant colleges. It would seem a fitting year to begin a new "extension service" in an educational experiment that has succeeded beyond all expectations.

FAIRPLAY FOR OUR FARMERS

Mr. HRUSKA. Mr. President, few problems now confronting the Nation are more difficult to solve and more controversial than those facing American agriculture.

Through 33 years of dubious Government management of the farm economy, the problem has grown more confused, more chaotic, more chronic. This sorry record goes back to the New Deal days and spares no administration.

This year we are offered the Kennedy-Freeman farm plan, sired by Dr. Willard Cochrane, and described by Secretary Freeman as the cure for what ails the farmer.

Mr. President, this plan is a cure only in the sense that decapitation is a cure for headache. This statement will be protested that it is exaggeration. But have we ever before seriously considered a scheme that would dictate absolutely to our farmers what they will plant, how much they will harvest, how much they will charge, and at the same time threaten them with jail if they fail to comply?

When he testified before the House Committee on Agriculture, Secretary Freeman insisted that—

> We have kept constantly in mind the principles and values that are part of the American tradition. We have sought the recognize the value of individual freedom of action to the maximum extent consistent with the amount of regulation that is necessary to sustain the one requirement for the maintenance of individual enterprise—the opportunity to earn a fair income.

This could be comic if we were not dealing with the fortunes and future of millions of men and women who, under this scheme, would be subjected to the harshest, most restrictive, most authoritarian plan the Nation has ever known.

This is not the judgment of the Senator from Nebraska alone. It has been the consensus of virtually every knowledgeable writer and editor who has commented on the proposal, ranging from the smallest country weekly to Life magazine. I should like to read just a few samples from some Nebraska newspapers:

From the Lincoln (Nebr.) Star: "It is an uncomplicated choice that is given the farmer—he can take an absolute control of prices, production or marketing, or nothing at all. He can either swim the way the Government wants him to or he can sink. Not every farmer, perhaps, would sink if the Kennedy plan were approved by the Congress but turned down by the farmers. But if Congress approved the program, it would put the question of all or nothing squarely before the farmers. If they took nothing at all, it would put every farmer completely on his own. In addition to this, he could find himself in competition with the Government which would be authorized, under Kennedy's plan, to dump huge amounts of existing Federal surplus stocks onto the open market."

From the Norfolk Daily News: "It may be the farm program the President has handed us, is an advance prospectus of what is in store for us. Like the gaudy junk mail envelopes we are getting these days, it contains a picture in brilliant colors of what he offers, higher prices for farmers, a cut of $5 billion in the cost of the farm program, a heavier cut in croplands, with some farms near cities converted into recreation areas for townfolk, more forests, etc. Like the junk mail offering, the price is concealed until the last. It is the turning over to Government of greater control over the farmer and his operation. The farmer is given a free choice to accept or reject the program, but it looks as if his freedom consists of the right to choose between the Government plan and ruinous prices, depressed by the dumping of surpluses on the market. The right to dump is to be in the hands of the Agricultural Department."

From the Stockmen's Journal: "What it decides to do with this measure is perhaps more important to farmers than any similar action by Congress in the long succession of years in which it has perennially dealt with farm legislation. Significantly, this bill, if approved, would commit farmers to a bolder and broader program of farm controls (and penalties for disregarding such controls) than has ever prevailed before. It is based on the whole hog or none concept of what's right for agriculture, representing the administration's decision that there can be no middle ground in Government intervention in farming."

From the Omaha World-Herald: "In America, the road toward authoritarian Government is in the wrong direction. True, the American farmer has been penalized by past political programs. True, he is menaced by the consequent towering surpluses. True, the Government which led him into this grave trouble has a responsibility to rescue him. But the way to escape from the evils of control is not to create and submit to more authoritarian controls. The way to escape is to start on a rational program which will lead back to a free market. That, we think, would be the right direction."

From the Scottsbluff Star-Herald: "There is a minimum of democracy and much surrender of independence to be found in the Kennedy proposals. Perhaps the result is to be the eventual harvest of a Federal control crop sowed 30 or more years ago."

From the Lincoln Journal: "There is reason to believe that if the present mountainous surpluses are ever to be trimmed without ruining the whole farm economy, the strict control method is the only answer. The President's proposal comes close to serving one further purpose: allowing farmers themselves to choose, through referendum, between strict controls with price supports, and complete freedom with no price guarantee. Mr. Kennedy's plan goes too far, however, by providing that if controls are rejected by farmers, Government-owned grain could be dumped on the market. Added to the price-depressing effects of unlimited production, this would assure the collapse of farm prices. With this threat, farmers would have no choice but to vote for strict controls."

Mr. President, those editorials did not come from newspapers in great Eastern cities where mounting food prices and heavy taxes make the farmer some kind of villain. They came from papers serving the farmer, dedicated to his interest and reflecting his thinking.

Why would Secretary Freeman and Professor Cochrane present a program so unrealistic as the one they have sent us?

I submit, Mr. President, they would because they do not know—or choose to ignore—some basic truths about agriculture in America:

The first truth is that there is great competition within the industry we call farming. Only highly restrictive and repressive measures that farmers themselves will not accept will dull the edge of this competitive sword. That is to say that in the ultimate, any attempts to "control" total farm output is foredoomed to failure.

Second, modern science and technology has committed us to an irrevocable course of abundant production. Progress lies in the direction of that abundance being used effectively, not in its atrophy.

Third, the laws of economics are as immutable as the law of gravity and Ohm's law. We cannot repeal laws of economics any more than we can the physical laws. They were not passed by man. They are the result of human behavior in a free society. And the only way they can be amended is by enslavement.

A recognition of these truths would force this administration to aim its farm planning toward less control, not more. Managed abundance is a favorite slogan with a slogan-happy administration. The proposal now before us can create only mismanaged scarcity and the destruction, perhaps forever, of real opportunities for progress in agriculture.

This proposal is only a step away from making of agriculture a public utility with a Washington bureaucracy issuing licenses and franchises. If we adopt it we may as well prepare to create a new alphabetical regulatory agency. We will rename the Department of Agriculture the Rural Office of Planned Economics; its initials provide the rope with which the farmer is invited to hang himself.

Fortunately, there are alternatives. One is to set for ourselves the same goals proposed by the President in his message to us, but to start in precisely the opposite direction; that is, toward fewer, not more, Government controls. Let us decide on a transition with order and equity.

We should begin by taking the farmer from the precipice where the Kennedy-Freeman bill puts him with an order of jump, or else, and lead him gradually to the safety of the free and open market.

We should develop a long-range program which each year sees the Government withdrawing more and more, as farmers adjust to the changing situation. During the transition period, the farmer must be assisted financially, and, even more important, he must be supported with sensible programs of research which finds new uses for his products, new markets, and new approaches to reducing his cost of doing business.

The direction toward a solution to our difficulty has already been pointed out. Its ingredients include an effective land retirement program which profits from mistakes of the past and avoids them in the future; elimination of the vicious competition between the farmer and the Government with its hoards of Commodity Credit Corporation stocks; an orderly cutoff of wheat allotments and marketing quotas; a relationship between the support price for wheat and that for corn; limitation of agricultural conservation payments; export payments in kind; support of the parity concept.

I cannot believe that the genius that can place a man in orbit around the earth and that can produce revolutionary farm technology cannot solve the problem of abundance, if only we have the will to set ourselves to the task.

Mr. President, I base these remarks on the assumption that the American farmer wishes to be free.

It is more than an assumption. It is a conviction.

Surely, he deserves better than he has been offered in the Kennedy-Freeman bill.

ADJOURNMENT TO THURSDAY

Mr. HRUSKA. Mr. President, if there be no further business to come before the Senate I move that the Senate stand in adjournment until 12 o'clock noon on Thursday next, pursuant to the order previously entered.

The motion was agreed to; and (at 3 o'clock and 42 minutes p.m.) the Senate adjourned, under the previous order, until Thursday, March 1, 1962, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate February 26, 1962:

IN THE NAVY

The following-named officers of the Naval Reserve for temporary promotion to the grade of rear admiral subject to qualification therefor as provided by law:

LINE

Charles E. Rieben, Jr.
Stephen E. Jones.

MEDICAL CORPS

Moore Moore, Jr.

IN THE MARINE CORPS

The following-named officers of the Marine Corps for permanent appointment to the grade of first lieutenant, subject to qualification therefor as provided by law:

Abele, William R.
Abington, Richard C.
Abner, Edward L.
Adams, Joe C.
Adams, Billy W.
Alden, Marjory I.
Allen, John S., Jr.
Ammon, Ray D.
Amsler, John H.
Anderson, Jesse E., Jr.
Andrews, Donald W.
Archambault, Arthur E., Jr.
Armentrout, Terrence J.
Armstrong, Reginald E.
Atherton, John P.
Babbs, Kenneth J.
Baggett, Charles A.
Baier, James F.
Bailey, Richard W.
Bailey, Edward R.
Baker, Donald S.
Banks, Charles G., Jr.
Baradat, Armand J.
Barberi, John M.
Bartunek, Jack F.
Bauknight, Harry L.
Bean, Gary W.
Bearce, Larned V.
Beavers, Nannette L.
Behymer, Lynn A.
Belcher, William R.
Bell, Nancy C.
Bergbauer, Daniel M.
Bernotas, Alphonse A.
Bertrand, Horace A., Jr.
Bickley, Leroy A.
Bienvenu, Charles T., Jr.
Bienvenu, Wayne J.
Bizzano, Joseph D., Jr.
Black, Samuel E.
Bledsoe, Leard B., Jr.
Bock, Philip H.
Bogard, Bobby D.
Boltz, Harry W.
Boone, Fredrick E.
Boston, John C., Jr.
Bottom, Earle D., Jr.
Bowersox, Robert L.
Boyce, Edward H., Jr.
Boyd, Granberry D., III
Braman, George H., Jr.
Branner, William H., Jr.
Brennan, Robert V.
Breth, Frank J.
Brown, Bruce G.
Brown, Dwight E.
Brown, James H.
Brown, Jimmy L.
Brown, Mark T.
Bruce, James J.
Bryan, Charles G.
Burnett, Leslie D.
Burns, Edmund B. R.
Burns, John R., Jr.
Burt, Robert N.
Bush, Charles A.
Buske, Kenneth R.
Busse, David M.
Butler, John H.
Calhoun, David H.
Calteaux, John A.
Capin, Frank L.
Carnes, Robert A.
Carr, Donald R.
Carroll, Herman G., Jr.
Carter, Robert S.
Cashwell, Richard G.
Cassidy, Lawrence M.
Cates, George L.
Chambers, Francis X., Jr.
Chapla, Daniel B.
Cheney, Oakley W., Jr.
Christensen, Gary E.
Clarence, Donald L.
Clark, Arthur L.
Clements, John E., Jr.
Cole, Jean P.
Cole, Bobby F.
Coleman, David C.
Cone, Daniel B.
Connelly, Edmund J., Jr.
Cooper, Richard S.
Cooper, Gary J.
Coplan, Ronald F.
Cox, Frank J., Jr.
Crain, John D.
Crompton, Thomas R.
Cupples, Gordon J.
Curry, John E.
Cushing, Philbrook S.
Dade, Sally J.
Dalzell, Thomas J.
D'Amore, Louis J.
Daniel, Ray A.
Dauer, Arthur F.
Davis, David N.
Davis, Leonard N.
Deal, Frank E.
Dean, Anthony B.
DeDiminicantanio, Joseph
Delbert, John C., III
Deiulis, William E.
DeOrnellas, Clifton L.
Dickie, Louis
Dickinson, John
Diffee, Gerald L.
Dincher, Thomas A.
Dixon, Albert K., II
Dixon, Edward E.
Dods, Walter K.
Dominguez, Michael E. P.
Dorsey, James J.
Dougherty, John W.
Doughtie, Nath C.
Dove, William G., Jr.
Dowling, Richard D.
Drewelow, Dave G.
Driscoll, Norman R.
Driskell, James M.
Driver, Robert J., Jr.
Drum, David S.
Duffy, Timothy T.
Dunlap, Charles R.
Dunn, Ellsworth M., Jr.
Dvorak, David S.
Dwan, John F.
East, Herbert B., Jr.
Elliott, Keith E.
Eltringham, Charles J.
Epstein, Jerome R.
Eshelman, William P.
Estes, Henry D.
Etcho, Leonard L.
Fairchild, Chauncey R.
Fanning, David E.
Farrar, Ross W.
Farrier, James A.
Farrington, Francis X.
Faulkner, Joe E.
Fernandes, Angelo
Festa, Donald
Findlay, Raymond F., Jr.
Fischer, Max C.
Fisher, Roy E., Jr.
Fitts, Walter M.
Fleming, Charles A.
Flessner, Matthew
Floyd, David A.
Flynn, Joseph F.
Fox, Jon I.
Fricker, Jerrell T.
Frie, David J.
Furtado, Robert A.
Gallery, Vincent R.
Gapenski, Louis C.
Garbacz, Gerald G.
Gardner, Joseph E.
Gardner, Robert B.
Gentry, Harry R.
Georgia, Daniel C.
Gering, Michael S.
Gibbons, Edward W.
Gibson, Wallace C.
Gilfillan, William, III
Gillespie, Alec
Gillespie, Bernard M.
Gilmore, Vincent K.
Gipson, Carl L.
Gleim, Earl C.
Gould, Fred C.
Green, Marshall M.
Greene, Robert W.
Grega, Ronald R.
Gregor, Robert C.

Griggs, George R.
Grinalds, John S.
Halbert, Robert O.
Hambler, William O.
Hamilton, Robert E.
Hanle, Ray L., Jr.
Hanrahan, James G.
Hansen, Allen G.
Harrer, Dean R.
Hastings, Barclay
Hawkins, Herbert H., Jr.
Hawkins, Ronald H.
Hayward, Leo J.
Hefley, Henry S., Jr.
Heginbotham, Stanley J.
Henderson, David H.
Henry, Billy E.
Herman, Donald F.
Hicks, Harold D.
Hirsch, Donald B.
Hokom, Robert A.
Horsfall, Richard S.
Howe, David T.
Haynes, Edward J.
Huber, Thomas P.
Huddy, Norman W., Jr.
Hudson, Donald R.
Hunnicutt, John E.
Hyatt, Wayne R.
Iversen, Kenneth M.
Jackson, Bobby N.
Jackson, Clifford A.
Jenkins, Hulen F.
Jenkins, Raymond S., Jr.
Jennings, James W.
Johnson, Charles M.
Johnson, Gene C.
Johnson, Richard A.
Johnson, Robert E.
Johnson, Warren H.
Johnston, Clyde J.
Jolley, Hugh S.
Kappelman, Charles W.
Kaster, Stephen H.
Keesee, Barbara J.
Keiser, Gordon W.
Kelley, Reginald C., Jr
Kelly, Glenn D., Jr.
Kemper, David L.
Kempf, Donald G., Jr.
Keys, George F., III
Kiely, Denis J., Jr.
Kilday, John J.
Kilday, Jo A.
King, Paul F.
Kitto, Clyde W.
Knief, John H.
Knight, Charles T.
Koester, Alfred K.
Koppang, James D.
Koury, Victor A.
Koyiades, John
Kruger, Alfred L.
Kupets, George A.
Kurtz, Patrick T.
Lain, Bobby D.
Laing, Michael W.
Lamar, Lewis W.
Land, Edward J., Jr.
Lannes, William J., III
Larowe, William C.
Larson, Gary M.
Lashlee, Hugh W.
Laumbach, Dallas D.
Lavan, Ray E., Jr.
Lee, Thomas A., Jr.
Legro, Stanley W.
Lemay, Ralph E., Jr.
Lemmel, Kenneth G.
Lennartz, Francis J., IV
Lewin, Lawrence S.
Lewis, John W.
Libkie, Frederick A.
Littschwager, Robert C.
Lilley, Melton G.
Ling, Harry A., II
Long, Jules H., Jr.
Losee, Ronald M.
Losik, Francis A.
Lovett, William D.
Lowe, Robert E.
Lowrie, Marjorie A.
Lyman, Donald O.
Lyons, Perry D., Jr.
MacEachin, Douglas J.
Madden, Richard J.
Maney, David A.
Marino, Gaetano
Marks, Anthony M.
Marr, David G.
Marshall, John C.
McCarthy, Albert J., Jr.
McCarthy, John M.
McColl, David K., II
McCraw, Clifford L., Jr.
McFall, William T.
McFarlane, Robert C.
McIver, Werner W.
McLelland, Donald R.
McMinn, Wilbur C., Jr.
McNamara, Jack D.
McRoberts, James C.
Meehan, John L.
Meharg, Ben A.
Melville, Robert H.
Menning, Frederick H., Jr.
Messerschmidt, Donald B.
Metry, Robert A.
Metscher, Walter H.
Mickey, Robert B.
Mikkelson, Philip C.
Miskow, Kenneth P.
Monaghan, Thomas C.
Monroe, Jerry W.
Moore, William S., Jr.
Moran, John B.
Morgan, Harcourt A., III
Morris, Maynard R.
Morris, Robert S., Jr.
Mosser, George E.
Murphy, John T.
Nardo, Joseph P.
Nash, William A.
Naviaux, Jacques C.
Neville, William H.
Nevins, Gary R.
Norton, Gary D.
Noteboom, Kenneth W.
Ogle, Patrick A.
Omer, Jack L.
Osgood, Jonathan K.
Ostermann, George A.
Parker, Larry E.
Peet, Christopher
Pegler, Richard N.
Phelan, Leo H., III
Phillips, Jack W.
Pieri, Francis L., Jr.
Pittman, Ralford L.
Platt, John C., III
Preston, Raymond G.
Price, Ronald K.
Proctor, James M., III
Rader, Russell W.
Ray, Allen B.
Reetor, Edwin B.
Redelman, Roger L.
Reed, Amos R.
Reed, Gerald D.
Reilly, James E.
Rhodes, William M
Richards, Tommy J.
Rider, James W.
Rietman, Jan D.
Rindfleisch, Jon A.
Roberts, Albert J., III
Rohr, Stephen M.
Rolstad, Lawrence A.
Roof, Douglas P.
Rowley, William B.
Ruckdashel, Rex N.
Saenz, Ramiro
Sallstrom, Duane M.
Sapp, John W., IV
Sarvi, Alfred R.
Savage Robert B., Jr.
Schon, Peter C.
Schrader, Daniel W.
Schwenkler, Ronald G.
Searle, Robert E.
Seay, Herbert L.
Seay, Olen A., Jr.
Sedutto, William H.
Selby, Mack D.
Severs, Hugh B., II
Seward, William H.
Sewell, Welton C.
Sheehan, James P.
Shimota, John E.
Shirreffs, John J., Jr.
Shuter, David V. A.
Simmons, Gary
Sisson, Winfield W.
Skellenger, James R.
Sledge, John W., Jr.
Smith, Lynn A.
Smith, Stanley R.
Smith, George W. C., Jr.
Sole, Joseph A.
Solter, Harry L., Jr.
Souders, James P.
Southard, Frank L.
Stackpole, Henry C., Jr.
Stamand, Norman
Stanford, George R.
Stanton, James E.
Stanton, Donald R.
Stockwell, John R.
Stoner, Donald L.
St. Pierre, Glen S.
Strawn, James E
Sullivan, James V.
Swickheimer, Georgia L.
Swindle, Orson G., III
Swingen, Ronald K.
Taggart, Thomas M.
Tammaro, Richard J.
Taylor, Zelma L., Jr.
Thatcher, Arthur D., Jr.
Theer, Richard E.
Thomas, Dudley E., Jr.
Thomas, Henry E., IV
Thomas, Hagar E., Jr.
Thomas, Richard E.
Thompson, James M.
Thompson, Thomas W.
Thompson, William S., III
Tibbetts, Otis P.
Tinsley, James H.
Todd, James H.
Todd, Harry G.
Topham, James T.
Torinus, John B., Jr.
Towers, Thomas B.
Town, Kenneth R.
Tuggle, Michael L.
Tupper, Jan C.
Turner, Robert A., Jr.
Updyke, James M.
Vann, Fredric M.
Vecchio, Ralph J.
Vogler, Lewis D.
Vogt, Robert L.
Walker, Robert F.
Ward, Harold T., Jr.
Ward, Michael J.
Warman, Kenneth E.
Warren, David D.
Weber, Edward M.
Wells, Warren K.
Westfall, Joel I.
Wetzel, Richard A.
Whelan, James E.
White, Richard
Whittingham, David
Wilke, Martin R. P.
Williams, John R., Jr.
Williams, Wayne S.
Williams, Edward B.
Wilmore, Winfield S., II
Windolf, John A.
Winter, Richard D
Wolk, Charles J., Jr.
Wollard, David A.
Wolpert, Richard J.
Womac, Roy L.
Wood, Mack E., Jr.
Woods, Richard M.
Worley, Jerry W.
Wright, Grant D.
Wright, Wilton
Wright, William E.
Yarmy, Richard L.
Young, Lauritz W.
Young, Richard K.

IN THE NAVY

The following-named officers of the U.S. Navy for temporary appointment to the grade of lieutenant commander in the staff corps, as indicated, subject to qualification therefor as provided by law:

MEDICAL CORPS

Adams, Arland A.
Ahtye, Perry
*Andersen, Martin G.
*Atkins, Claude C.
Austin, James A.
*Bachus, Nelson E.
Baer, Henry A.
Baker, John H.
*Baker, Richard A.
Balas, George I.
*Ball, Robert E., Jr.
Barchet, Stephen
*Bargatze, Fred O.
Barnes, Sheldon H.
*Barnhill, Claude A.
*Barreca, Joseph P., Jr.
Bauer, Paul R.
*Beaudry, Arthur A.
Bellamy, James C.
Bitner, Daniel G.
Bomberger, John H. A., III
Bornmann, Robert C.
Brod, Robert C.
Brothers, William "S"
Brown, Leo R.
*Brunner, William F.
Burningham, Richard A.
Caldwell, Frederick S.
*Carter, Glenn A., Sr.
*Carver, Michael C.
Cassidy, Walter J., Jr.
*Cato, Pat A.
*Colburn, James E
Colgrove, Robert C.
Colter, Donald C
*Cooke, James K., Jr.
Cross, Gregory H.
Davis, Richard L
*Dawson, Frank J., II
Debevoise, Neilson T.
Deluca, Hugo S.
*Dewaal, Jan G
*Deyton, John W., Jr.
Dicus, Donald R.
Doneker, Thomas G.
Donnell, Garrett E.
*Donoghue, John J.
*Easterling, James F.
Edson, Mitchell
*Ekvall, Leslie D., Jr.
Ellingson, Abel R.
Elliot, William A.
*Ellis, Charles A., Jr.
Emerick, Charles W.
*Faulkner, Gerald D.
Fisher, Pierre J., Jr.
Forney, William R.
Fraser, Donald J.
*Fraser, Hugh E., Jr.
Gaeckle, Dudley J.
Garcia, Robert C.
Gehring, David A.
*Gehweiler, John A., Jr.
*German, Roy E.
Giard, Henry L.
Gibbons, William P.
*Glover, Clarence K., Jr.
Harris, David
*Harrison, Lucious A., Jr.
*Hart, George B.
*Hartman, John R.
Hauzenblass, John W.
*Hawley, Clyde D.
Highly, Francis M., Jr.
Holm, Victor M.
Hopping, Donald W.
Huseby, Helmer W. S.
Jacobs, Edmund P.
Jameson, Philip J.
Johnsen, Richard P.
Johnson, James H.
*Jones, Warren J., Jr.
*Kostohrys, Francis T
Largent, Gerald P.
Lawrence, David L.
Leblanc, Joseph V., III
Lobprels, Ervin L.
*Lockhart, Herbert G., Jr.
Lukash, William M.
*Mack, Walter J.
*Maher, Francis L.
Marinelli, Lawrence, Jr.
Martin, Philip R., Jr.
*Mayes, Alva L., Jr.
*Mazzarella, Italo C.
McArthur, James R.
*McDaniel, Jack P.
*Mekins, John A.
Mella, Gordon W.
Miller, Thomas P., Jr.
Millington, Richard A.
Mills, Mitchell
*Moore, John L.
Mortensen, Norval
*Moseley, Charles H., Jr.
Mucha, Stephen J.
*Mulligan, William P.
Mumma, John
Murgalo, Joseph A.
Muth, Robert G.
Narva, William M.
*Neugebauer, Marion K.
Nickel, Alvin L.
Nickerson, Charles W.
Nieves, Miguel, Jr.
Nyborg, Lester P.
O'Connor, Robert G.
Oliva, Vincent S.
*Plaut, Martin R.
Pohl, Charles E.
*Potter, Jack W.
Powell, Malcolm R.
*Pratt, Hugh S., Jr.
Prescott, William C.
*Proulx, Ronald A.
Raasch, Frank O., Jr.
*Real, Jack D
Rehme, Arthur L.
Reid, Donald
Reynolds, John R.
Rice, Bruce H.
Richardson, Fred C.
*Rivas, Hector M.
*Rizza, Robert G.
*Rosa-Garcia, Mario E.
*Royal, Orren L.
Russell, James S.
Ryskamp, James J., Jr.
*Sanders, James W., III
Seeley, Richard J.
Segaul, Arthur I.
Sell, Kenneth W.
Senn, Francis E., Jr.
Sierchio, Gerald P.
Simpson, Richard B
Sisler, Maynard L.
*Small, Robert B.
Smith, Joseph F.
Spradley, Charles G.
Stahl, Charles J., III
Stenger, John R.
Sternlieb, Peter
Stormo, Alan C.
Sweeny, John P.
Thomas, James J.
*Thorp, Adam T., Jr.
Toussaint, Harold E., Jr.
Townsend, Guy B.
*Villafanajusticia, Carlos
*Waldstreicher, Howard E.
*Wallace, Ralph E., Jr.
*Wenger, Norman E.
Wentworth, Alan F.
*Whetsell, Joe E.
Whitmore, John T.
Wilhelm, Harry W.
Wilkins, Charles N., Jr.
Wood, Joseph H., Jr.
*Woodstein, Ira J.
*Wuest, Frederick C.
*Yarley, Dewey H.

SUPPLY CORPS

Ayling, Charles W.
*Barrett, Charles W.
*Barton, Mortimer P., Jr
*Benedict, Joseph W.
Bolander, Jack "C"
*Boyle, John J.
*Brett, Justin D.
Brunson, Robert L.
*Buckman, Robert S.
*Burns, Richard C.
*Calais, Clifford A.
*Callman, Wayman G., Jr.
*Carr, Joseph D.
*Carson, Donald E.
Catanach, Anthony H.
*Cavanaugh, Alfred G.
*Crane, Barrett
Curtin, Pat
*Cuson, Charles E.
*Davison, David D., Jr.
Desroches, Sylvio J., Jr.
*Devine, Paul L.
*Devine, Wilfrid
*DeWinter, Richard E.
*Dickey, William H.
*Donnelly, Goodwin, III
*Dorsey, Elton E.
*Drake, William D
*Dukesherer, Raymond V.
*Durham, Graydon M.
Eckert, George H., Jr.
*Epstein, Edwin S., III
Felthousen, Charles E.
*Fischer, Robert R.
Foster, Robert W.
*Fleisher, Oscar T., Jr.
French, Robert T.
*French, Walter H., Jr.
*Galvez, Richard M.
*Gillesple, James A., Jr.
Giordano, Andrew A.
*Goeres, Gerald F.

*Gordon, John J.
Goslin, Thomas C., Jr.
Greer, Merwyn C.
*Griffiths, Donald J.
*Grimes, Fred M.
*Gudbranson, Larry G.
*Guffy, Wellard R.
*Gustavson, Arthur R.
Hamilton, Thomas, Jr.
*Hamilton, Walter S.
*Henderson, John S.
Hill, Jesse R., Jr.
Hill, Robert E.
*Huising, Don L.
*Jackson, Arthur D.
*Jerich, Frank J.
*Jones, Rial C.
*Kauder, Robert
*Kelly, Robert C.
*Kirby, Darrell M.
*Kirch, Frederick J.
*Kitko, John A.
*Klatt, Ivan J.
*Kohl, Jacob D.
*Landfair, Robert W.
*LaRosa, Eugene M., Jr.
*Leavitt, Jack B.
Lewis, John C.
*Lockwood, Albert N.
Lukens, Robert F.
*Luoto, Hugo M., Jr.
*Lynch, Robert E.
Madeira, Charles C.
Maier, Raymond G.
Mason, Albert G.
*Maxwell, Kenneth R.
Mayer, William H.
McCoy, Thomas E., Jr.
McDonald, Francis E.
*McKitrick, Robert L.
McMahan, Paul T.
*Meyers, Walter T.
*Miller, Eric H., Jr.
Moore, William J.
*Morrison, Quinn B.
Mullen, James V.
*Needham, Thomas P.
Neelley, Charles G.

CHAPLAIN CORPS

Auel, Carl A.
*Bontrager, John K.
*Carr, John F.
*Earnest, Ralph E.
*Goad, John T.
*Haroldsen, George E.
*Johns, Harry D.
*Letten, Lloyd W., Jr.
*Linsey, Stanford E., Jr.

CIVIL ENGINEER CORPS

*Armatrout, Merritt F.
*Bannister, William H.
*Biederman, Jack C.
Borberg, James R.
*Clark, Ray C.
*Coughlin, Richard D.
*Dixon, Olin L., III
*Fail, Raymond P., Jr.
*Field, Robert T.
Gates, Paul R.
*Geoly, Charles
*Green, Lawrence J.
*Hay, Erik K. F.
*Huszar, Louis, Jr.
Keegan, Robert D.
*LaRue, Van B.
*Mooney, Malcolm T.
*Newman, William H.
Oelkers, Harvey S.
*Parker, William W.
*Pearson, Lloyd I.
*Phleger, Charles P.
*Picht, George C.
Pokorny, Frank J., Jr.
*Postak, John N.
*Postich, George
*Potter, David W.
*Rains, William D.
*Rech, Henry J.
*Reynolds, Richard F
*Rhodes, Daniel M.
Rowley, Allyn E.
Sabec, Edwin J.
Sammons, Joseph E.
*Sandrock, John E.
*Schriner, James A.
*Searles, Donald W.
Sebes, Edward A.
Shipley, Robert W.
*Short, Carl W.
*Smith, Charles E.
*Stansbury, George L., III
Strange, Hubert E., Jr.
Sumner, William M.
Teaford, Sidney J.
*Tesch, Donald A.
*Thomas, Magnus R.
*Thompson, Gerald J.
*Thorup, Carlyle V.
*Trueblood, Howard G.
Van Scoyoc, James S.
Vishneski, John S., Jr.
Wadsworth, Ben A., Jr.
*Waller, Edmund M., Jr.
*Wampler, Richard B.
*Warren, Richard D.
Watt, Robert C.
*Webb, George H.
*Wells, John L., Jr.
Wiener, Lawrence "S"
Wolfe, William D.
*York, William B., Jr.
*Miller, Harry R.
*Morrill, Giles D.
*Ruud, Carl E.
*Schmid, Calvin F.
Scott, Knox O.
*Simmons, David E.
*Struthers, Basil H.
*Wicker, Richard F., Jr.

*Myers, Clayman C., Jr.
Rickels, Jack C.
*Saravia, Benjamin L.
*Seltes, John H.
*Surko, Alexander, Jr.
*Sutherland, Andrew G.
*Sutley, Robert M.
Taylor, James T.
*Tombari, Henry A.
*Whitehurst Marshall N., Jr.
*Williams, Curtis R., Jr.
*Williams, Edward J., Jr.
*Wilson, William L.
Wright, John A.

DENTAL CORPS

Albers, Delmar D.
*Allensworth, Thomas M., Jr.
Baker, Ronald D.
Barbor, Gerald L.
*Brault, Alfred O.
Brown, Kenneth E.
*Clark, Charles N., III
*Collevecchio, Emidio J.
*Collier, Richard D.
Coombs, Paul S.
Duncan, Donald E.
Eichel, Frederick P.
*Fulcher, Clyde L.
Gonder, Donald C.
*Hall, Ollie V., Jr.
Iandolo, Albert G.
*Kaneshiro, Kenneth K.
Kieny, Richard J.
King, Gordon E.
Klima, James E.
*Lawrence, Joseph J., Jr.
Little, Richard W.
Mainous, Elgene G.
McDonald, Edwin E., Jr.
McLeod, Carlton J.
Meister, Donald E.
Moffitt, William C.
Nester, Calvin D.
Parsons, Richard L.
Pepek, Stanley E.
Pines, Barry E.
Rice, George W., Jr.
Romaniello, Ronald M.
*Russell, John R.
*Sand, Ralph E.
Sanderson, Alexander D.
Scharpf, Herbert O.
Scott, William J.
Smith, Jerome A.
*Stewart, William B., Jr.
*Strauss Philip W.
*Tugwell, Howard S.
Williams, John E., Jr.
Wirthlin, Milton R., Jr.
Witte, Ernest T.
*Workman, James L.

MEDICAL SERVICE CORPS

Ambrose, Edward A.
Anderson, Floyd H., Jr.
*Bean, Willis E.
*Bender, Urban J.
Bennett, Paul P., Jr.
Blackmon, Edward H.
Brown, Staley W.
*Browne, Weldon G., Jr.
Buckley, Emanuel N.
*Cloud, Joe W.
Cole, James R.
*Costa, John F.
*Daniel, Harold E.
Dean, Jerdon J.
*Doucet, Louis E.
*Drake, Wilbur R.
Elliott, Gordon E.
Elmore, Milford D.
*Flournoy, Rollin H.
*Garver, Richard M.
Gill, Robert L.
Goding, Hubert M.
*Green, Gale R.
*Green, William J., Jr.
Guinn, John W.
*Gutekunst, Richard R.
Haggin, Douglas E.
*Harris, Albert C.
Havice, Andrew J.
*Honish, Joseph E.
*Howard, Wallace R.
*Huff, Samuel L.
*Hughes, Robert G.
*Hypes, Kenton, Jr.
Irvin, Ernest J.
*Johnson, Cecil R.
Jones, Earmon R., Jr.
*Jordan, Charles J.
Jula, Paul N.
*Karker, John L.
Kirsch, Jean P.
Knight, Jerry B.
*Kolb, William H.
Koon, Robert L.
*Larson, Alfhild L.
*Leonard, Russell D.
*Lewis, Robert K.
*Lewis, Thomas "W"
*Liedtke, Fred E.
*L'Italien, Robert V.
Longest, Clifford "B"
*MacCracken, Raymond J.
Mangham, Alonzo L., Jr.
May, Carl R.
*McClendon, Frank O., Jr.
McDuffie, Wilbur B.
*McKay, Charles E.
*Meyer, Robert E.
*Murphy, John S.
*Newman, Buther L., Jr.
Oakes, Harry A.
O'Neill, Joseph M.
*Owen, Orville K.
Peake, Stanley C.
*Peppler, Leonard A.
*Pike, William B.
*Reynolds, Donald C.
*Shaffer, Weller J., Jr.
*Smith, Denson L.
Steward, Edgar-T.
Tapscott, Donald E.
*Tedford, Charles F.
*Verme, Dominic A.
*Vise, Lee P.
Wells, John E.
White, Leland E.
Wilson, James R.
Wolf, John W.
*Wylie, David M.
Young, Johnny W.

NURSE CORPS

Beberidge, Robina W.
*Bonczar, Jean C.
*Bove, Mary L.
*Bowen, Edith M.
*Chart, Helen L.
*Clark, Charlotte E.
*Cowden, Elnora J.
*Demarco, Evelyn M.
*Dinneen, Florence R.
*Ellis, Jean E.
*Fine, Rachel A.
*Florence, Mary E.
Graves, Ellen G.
*Guccione, Geraldine M.
Gurgul, Stephanie D.
*Haile, Evelyn
*Halverson, Ruth E.
*Hennessey, Jane C.
*Herington, Virginia R.
Hessel, Jane C.
*Higgins, Helen B.
*Higgins, Mary E.
*Kratz, Hedwig L.
*Lanaghan, Harriett M.
*Lawrence, Opal M.
Martin, Juleime L.
*Maun, Shirley J.
*McCree, Dorothy N.
*McHenry, Catherine N.
*McKay, Bernadette A.
Mooney, Geraldine T.
*O'Connor, Margaret B.
*Parker, Viola J.
*Prencipe, Edith A.
*Racek, Marguerite J.
*Sampson, Natalie T.
*Shepherd, Luana
*Sherman, Mariam C.
*Siqueiros, Mary O.
*Soles, Hazel E.
*Stowell, Ellen J.
*Wilson, Katherine

The following-named officers of the U.S. Navy for temporary promotion to the grade of lieutenant in the line and staff corps, as indicated, subject to qualification therefor as provided by law:

LINE

*Brickell, Charles H., Jr.
*Maloy, Larry L.
*Rumney, Robert E.

SUPPLY CORPS

Allen, Raymond B.
Austin, Walter I.
Baker, James H.
*Basley, Raymond C.
*Basse, Warner P.
Baxley, Guy F.
Bell, Thomas A.
Bernes, Donald B.
*Beyer, Robert K.
*Blackburn, Richard C., Jr.
Blackford, John H.
*Blazina, Joseph B.
Bounds, Charles D.
Bowne, Charles J., Jr.
Broylan, Charles T.
Brooker, Thomas E.
Brooks, Charles H., Jr.
Brown, George C.
*Brown, James W.
Bryant, William W.
Buell, Robert M.
Buice, Joe, F.
Call, Thomas R.
Campbell, Charles O.
Carestia, Ralph J.
Caro, James M.
Carver, Roy E.
Cash, John J.
Cejka, Joseph L.
*Charette, Paul E.
Clark, Benjamin H.
Clarkson, James S.
Conquest, Donald D.
Coogan, Timothy P.
*Coon, Paul D.
Cooper, Jackie R.
*Countryman, Jean L.
*Craft, Thomas G.
Craig, Alan M.
*Culpepper, Glenn C.
Davis, David
*Davis, John R.
Davis, Richard M.
Denny, James L.
*Doddridge, Benjamin F.
*Dolan, Henry J.
Drake, Claude H.
Drury, William R.
*Eilberg, James S.
Ekholm, Harry H., Jr.
Eye, Charles C.
*Fischer, Gregory F.
Flanagan, Patrick F.
Fogle, William H., Jr.
French, Hugh R., Jr.
French, Robert L.
Fry, Frederick R.
Gage, Robert B.
*Gavin, Victor M.
*Giles, Robert B.
Gillingham, Roger D.
*Gleason, Bernard L.
*Goodwin, Theodore
Goss, Roland A.
*Govig, Melvin E.
Granucci, Richard A.
Gray, Lloyd C.
*Gregory, Kenneth R.
*Grogan, Arthur R.
*Haase, Robert L.
Halliday, John M.
Hanna, Charles V.
Hanna Robert M.
Hanson, Allan H.
*Harrison, Robert
Hartlieb, Daniel G.
Hatchett, John W.
Hazlett, Harry L.
Hicks, Chesley M., Jr.
*Hinz, Dan H.
Hogan, Richard C.
Hoopes, Ronald G.
*Horner, Norman K.
Huth, Carl F., Jr.
Jaecques, Raymond C.
*Johnson, Donald J.
Johnson, Omer L.
Johnson, Roy L.
Jones, William G.
Jubinski, Stephen
Judd, Earl D.
*Kaplan, Sumner H.
Kasch, Raymond F.
Kauffman, Dwayne E.
Keith, Bobby P.
Kennard, John T.
*Klein, Carl C.
Knight, James W., Jr.
*Konopik, Joseph F., Jr.
Lameyer, Daryl D.
Langlais, Ronald L.
Lemmo, Joseph G.
Livingston, Kenneth E.
Lombard, Graydon F.
Lord, Charles W.
Lucas, Duane B.
Lund, Jerome C.
*Lyman, Lawrence G.
Malcewicz, Paul F.
Marbain, Max D.
*Masters, Edward R.
Maxwell, John R.
*McElyea, Quinton L.
McGee, William Al
McNall, Phillip F.
Merrell, Billy J.
*Miller, Winston B.
Mitchell, Willis A.
Montgomery, Samuel S.
*Moon, Carl R.
Mulholland, Moston R., Jr.
Nagele, Eugene E.
*Natelson, Lawrence S.
Nix, Harvey W., Jr.
Olson, Engwall A., III
*Ostergard, Donald L.
*Overfelt, Arthur E.
*Owens, James C.
Patterson, James F.
Pierce, Gordon E., Jr.
Pollard, James O.
Powell, Hal B.
Powers, Richard F.
Reeder, VanLear L.
Risinger, Robert E.
Rock, Peter
Rogers, William J., Jr.
Rosenblum, James E.
Roth, Lawrence J.
Schrank, Joseph P.
Sells, Alan D.
*Serenius, William A.
Sievers, Louis A., Jr.
Simmons, Troy W.
Slauson, John W.
*Snyder, Alfred G.
Spence, George G., Jr.
Street, Edward L.
Stutts, Jack H.
Sveen, Gerald E.
*Styree, David M., Jr.
Walker, Eugene G.
Wardrup, Leo C., Jr.
Watson, Junior J.
*Welsh, John F.
Welzbacker, Peter J.
Werbel, Samuel G.
West, Jay F.

Wheeler, Hugh H.
Wion, Frank N.

The following-named (Naval Reserve Off... Edward B. Chapp... James M. Fox...

William L. Hicks... Jeffers M... Roy E. Miller... William A. Pete... Richard A. Steinge... Robert B. Vesbenesk...

Wheeler, Hugh H.
Willingham, David G.
Wilson, James, Jr.
Winn, Frank N.
Wyatt, John M.

CIVIL ENGINEER CORPS

Alexander, Robert E.
*Allgaier, Donald D.
Bednar, George J.
Biondo, Donald J.
Bodamer, James E.
Boennighausen, Thomas L.
Bolinger, Donald S.
*Brockwell, John A.
Bruen, Walter P., Jr.
*Byers, Eugene W.
*Carden, Orelean R., Jr.
*Carter, Robert L.
Caughman, James B., Jr.
Cervenka, Norman L.
*Christiansen, Von O.
Collett, David K.
*Connelly, John M.
*Connor, William C.
*Criss, Norman D.
Dallam, Michael M.
*Devicq, David C.
Donovan, Lawrence K.
Dozier, Herbert L., Jr.
*Engle, Richard M.
Enyedy, Joseph M., II
*Fabianic, William S.
*Farbarik, John J.
*Friedman, Robert B.
Gilmore, Gordon R.
Hale, Thomas E.
Harkless, Gerald A.
Harper, Melvin H.
*Hartman, Paul K.
Harwell, Thomas W.
Holmes, Henry A.
Hutto, Robert E.
Kelley, Frederick G.
Kirkley, Owen M.
Knox, Kenneth B.
Kohler, Arthur D., Jr.
Krauter, George E.
Kriebel, William V.
Kroll, Lawrence S.
Landers, David E.
Lanoue, Robert J.
Leonard, Daniel B., Jr.
Lowery, Richard A.
*Lutz, Donald F.
Lyons, James R.
Marshall, Jimmie G.
*Mathes, Sidney H.
Montoya, Benjamin F.
Moody, Thomas W.
*Moss, George
*Nelson, Richard A.
Peltier, Eugene J.
Perez, Johnny
*Purdum, Robert L.
Riley, James L.
Rowan, Howard K.
Schroeder, Clyde C.
Simmons, William A., Jr.
Smyth, Wayne S.
*Smythe, Arnold R., Jr.
Steadley, Alfred M., Jr.
Thoureen, Thomas H.
Walter, John A.
*Windle, Don G.

MEDICAL SERVICE CORPS

Anderson, Walter C.
Angelo, Lewis E.
Baker, George F., Jr.
Bender, Allen E.
Brown, Charles R.
Bullard, Henry B.
Cannady, John W., Jr.
Celeste, Vincent J.
Chipman, Albion P.
Coats, William J.
Comfort, Gerald G., Sr.
Corder, James E.
Crodick, William J.
Dewitt, James E.
Elfstrom, Berger R., Jr.
Fanning, Graydon E.
*Ford, Gerald R.
Ginn, Robert W.
Hodges, Richard C.
Holliday, James P., Jr.
Hussey, Theodore A.
Keller, Eugene R.
King, William U.
Kovarik, Clifford V.
Lakey, Dean E.
Law, Malcolm K.
Livingston, Donald K.
Madison, Howard D.
McIntyre, Max N.
McNair, Harold E.
Mulvey, Joseph R.
Owen, Ivan B.
Perry, Vernon P.
Redding, Francis J.
Richards, William E., Jr.
Scott, Floyd C., Jr.
Shedlosky, Albert F.
Smith, Fred E.
Smith, Robert W.
Ustick, Leo A.
Waters, Carl "R"

NURSE CORPS

*Calloway, Emily F.
*Kelly, Mary
Lundquist, Nancy L.
Madden, Anne S.
Sowash, Patricia A.
*Watson, Beverly A.

Lt. Helen R. Levin for temporary promotion to the grade of lieutenant commander in the Supply Corps of the U.S. Navy subject to qualification therefor as provided by law.

The following-named officers for permanent promotion to the grade of lieutenant (junior grade) in the line and staff corps, as indicated, subject to qualification therefor as provided by law:

LINE

Miller, Robert J.
Pfeifer, Robert D.
Roberts, Suzanne

SUPPLY CORPS

Dean, Robert W.
Nettles, Lawrence J.
Ott, Thomas S.

CIVIL ENGINEER CORPS

Shackelford, Robert H., Jr.

The following-named (Naval Reserve Officers' Training Corps) candidates to be permanent ensigns in the line of the Navy, subject to the qualifications therefor as provided by law:

Thomas B. Ackland
Darwin P. Afdahl
Lee H. Albright
Paul M. Althouse
Paul R. Alwine, Jr.
Dennis L. Amb
Harry L. Ames
Arthur H. Anderssen
Alan A. Anderson
David B. Archer
Ballard L. Argus
Wilbert L. Argus, Jr.
Donald Armstrong
Bruce B. Arnold
Larry J. Arnold
Robert F. Ash
Kenneth E. Ashman
Richard N. Atkinson
James J. Auborn
Frank H. Ayres
William I. Bacchus
Lee F. Backus
Steven M. Baker
Garry L. Baker
Richard C. Baldwin
Stephen A. Bansak, Jr.
Walter G. Barker, Jr.
William L. Barnes
Kenneth B. Barrett
Alston M. Barrow
Michael R. Bartlett
Robert J. Barton
Van D. Baser
John A. Basile
William M. Bass, Jr.
Kenneth P. Battaile
Harry B. Battin
Charles J. Bayer
Peter F. M. Beakschi III
William E. Beamer
Max H. Beasley, Jr.
Ronald C. Beers
Dennis D. Behm
Douglas L. Bekkedahl
James H. Bennetts, Jr.
David A. Berg
Thomas J. Berkey
Harold I. Berliner
Michael L. Berry
Robert H. Bestor, Jr.
Frederick A. Bierig
John A. Biggs
Sidney K. Billue
Walter R. Bird
Laurance A. Bissonnette
Howard V. Bivins
James U. Blacksher
Wilson M. Black
Larry G. Blackwell
James N. Blair
William D. Blake
William R. Blakeley
John W. Blouch
Erwin W. Boehmler, Jr.
Kirk S. Boman
James W. Bonar
Peter A. Bondi
John B. Bonds
Louis J. Boos
Peter S. Bordas
Leroy H. Botten
Eugene B. Bourque
Roger G. Bove
Andrew J. Bowen, Jr.
Robert B. Bradbury
Frederick E. Brahmer
Robert L. Brandon
Stephen H. Braver
James R. Brett
Harold L. Brewer
Charles B. Brinkman
Lynn S. Brock
David M. Brockway, Jr.
Harvey J. Brook
Edward D. Brown, Jr.
Berend D. Bruins
Wilson E. Brumley
Ronald A. Bruns
John E. Bryner
Robert H. Bunger
Bruce Burke
Paul T. Burkhart, Jr.
Thomas S. Burr
James G. Burritt
Arthur W. Bushore
Edward A. Butler
Dennis E. Butler
John A. Byers
Benjamin E. Caldwell
Christopher C. Calligan
Robert E. Calvert
Richard A. Camp
Peter W. Camp
Don L. Camp
Robert O. Canada III
Edward L. Cantrall
Douglas L. Carlson
John A. Carlson
Michael R. Carr
Terrence O. Carroll
Owen T. Carter
Stuart L. Carter
Henry L. Cassi, Jr.
George J. Cerrone, Jr.
Dennis R. Chamberlin
John R. Chapman
Robert D. Chapman
Richard B. Chapman
Richard L. Chappell
Howard S. Chesley
Samuel E. Christen
Edward L. Christensen
David R. Christiansen
Daniel T. Christianson
Thomas M. Cisler
Eugene J. Clancy
Wayne C. Clarke
Carl W. Clarke
Colin M. Clark
Daniel W. Clark
Kenneth G. Clausen
Richard T. Cleary III
A. Michel Clement
Norman J. Clemetsen
James E. Clendenin
Robert M. Clifford
James A. Clutz
Rufus H. Cofer, Jr.
Steven C. Cole
Charles E. Cole
William E. Coleman
Edward E. Collins
Charles D. Collins
Johnny W. Collins, Jr.
Edward G. Collins
Charles R. Colwell
Richard L. Comfort
John C. Conte
Frank M. Conway III
Larry E. Cook
Eugene E. Cook
David W. Coon
William K. Cooper
James T. Corbet
Thomas R. Cornell
David O. Cornish
Charles F. Costello
John J. Courts
Stanley E. Cowan
Charles B. Cowan
Gary L. Cox
John R. Craddock
John R. Craggs
John M. Crouch, Jr.
Henry D. Crowhurst
Edward W. Crump
Lynn H. Curtis
Richard A. Curtis
Joseph J. Dalleda
Frederic M. Dale
Jay N. Davis
Richard G. Davis
Martin D. Davis
Dock H. Davis
William D. Dawson
Garland L. Dean
David M. Dean, Jr.
Peter J. Debus
Stephen S. Decker
Robert C. O. T. Degavre
John P. Delievigne III
Alan F. Delp
Anthony L. Denboer
Michael R. Dennis
Quin A. Denvir
William S. Dereemer
George M. Devoe, Jr.
Frank C. Dickson II
Gerald B. Diedrich
Odell G. Dillard
Henry V. DiNunzio, Jr.
George W. Ditmore II
Durrett B. Dodson
William F. Donovan
Craig E. Dorman
Edgar J. Dowling, Jr.
William H. Draper
Robert H. Dressel
John J. Dugan, Jr.
Frank Dukat
Gerald D. Dulz
Duane S. Duncan, Jr.
Joseph E. Dunn
Lewis W. Dunton III
Larry A. Durbin
Richard S. Durham
Peter R. Eastman
Gareth R. Easton
Stuart K. Edleson, Jr.
Norman V. Edmondson, Jr.
William N. Ekstrand
James B. Ellern
Bruce Elliot
John M. Ellis III
Robert N. Endebrock
Charles E. Etter
Robert B. Evans
Donald R. Ewing
Joseph A. Fachinger
Richard M. Fairbanks III
Jackie R. Faro
Richard M. Farrell
Niels S. Favre
James P. Felte
Robert W. Felton
Clydus M. Fentress
Donald R. Ferguson
Ronald R. Fichtner
Travis F. Fincher
John R. Finger
Herbert E. Fish
Adam Fisher, Jr.
Sanford Fitch
James T. Fitzgerald
Marvin W. Fitzpatrick
William D. Fletcher
Robert A. Fletcher
Richard A. Flintoft
Carl B. Flock
James S. Florance
Richard P. Flynn
William K. Flynn
John H. Folsom
Nolan J. Fontenot
Richard R. Foody
Ralph Forglione
Paul J. Forrest
John H. Fort
Michael G. Forys
Erling P. Fossum
John H. Fowler
Thomas A. Fowler
Paul D. Fowlkes
James M. Fox
Stephen T. Francis
Donald K. Franke
Donald F. Fredley
Christopher W. French
John L. Frewing
Dean E. Frick
George E. Fritzell
George C. Fuller
John D. Fullerton
Clark W. Fulton, Jr.
Joseph L. Galbraith
Dale M. Gallaher
James W. Gann, Jr.
Thomas N. Gardner
Jerry D. Garrett
Alan R. Gass
Michael L. Gauer
James C. Gaulden, Jr.
Cornelius W. Gayner
Donald G. Gentry
Richard J. Gerdts
Charles L. Gerhardt
George S. Gladding
Danny E. Glenn
Louis E. Goebel
Bruce D. Goettel
Dan E. Goldman, Jr.
Francis A. Gomes
Charles F. Gonzales III
Grayson A. Goodman
Louis Goodness
James M. Goodrich
Gary B. Gordon
Ronald C. Goudy
Roger E. Gower
John E. Graham, Jr.
David S. Graham
Homer H. Graham, Jr.
Gary A. Granneman
William D. Grasse
Myron P. Gray
John F. Greene
Carl W. Gregory
Harold C. Griffin, Jr.
Charles M. Griffin
John C. Griffin
Darrel J. Grinstead
Clayton M. Grondahl
Paul N. Guehring
William L. Gutteron
Robert W. Gwadz
Richard C. Habermann
Douglas M. Haines
Howard R. Hall III
Michael R. Hamm
Michael D. Hanley
Frank E. Hanscom
Michael K. Hanson
George A. Harbour
Robert A. Hardekopf
Gregor J. Hargrett
Thomas R. Harkin
James H. V. Harlow
Charles W. Hartman III
Michael A. Hartman
William C. Harvey
Edward D. Hayes
Gilbert F. Hayes
George E. Hays, Jr.
David W. Heck
Douglas G. Heggie
David B. Heinzelman
Arthur W. Helweg
Willie B. Henderson, Jr.
William S. Hendrick
Jon K. Henlein
Eugene S. Henry
Thomas L. Herbert
William G. Herbert
Frederic S. Hering
Paul G. Herman
Norman B. Hess
Harvey J. Hewett, Jr.

William L. Hicks
Gerald F. Hicks
Eldon A. Hiebert
William G. Hill
Michael H. Hinchman
Thomas J. Hines
Stephen E. Hoag
Kenneth C. Hobson
Charles A. Hodapp
Edward F. Hogan
George W. Hogg
William C. Hollister
Philip N. Holt
Jack D. Hooks
Carl H. Horst
Carl P. Houck
John A. House II
Bruce W. Huffine
Kirk A. Hughes
John R. Hunter
Solomon P. Huntington
Richard H. Hutchins
Donald W. Huth
Philip J. Hymel
Alan F. Ingram
William H. Ingram, Jr.
Thomas C. Irwin
John S. Ivary
Douglass C. Jeffords
Tim M. Jenkins
Jon M. Jenkins
Allan D. Jerger
James R. Jetton, Jr.
John S. E. Jiannas
Earl P. Johnson
Albert W. Johnson
David K. Johnson
Robert O. Johnson
William A. Johnson
Robert M. Johnstone, Jr.
Kenneth H. Johnson
John P. A. Johnson
John L. Johnson
Robert E. Jones
James L. Jones
Thomas L. Jones
Richard A. Jones
Stephen B. Jordan
George L. Jordan
William M. Jordan
Dietger E. Jung
Wilbur L. Jurden, Jr.
Vernon A. Kalshan
Michael L. Kane
Clifford P. Kasdorf
Norman B. Kay
John C. Kees
Lynn C. Kehrli
John A. Keleher
Richard A. Kelley
Leonard Keller, Jr.
Roger W. Kemp, Jr.
John R. Kennedy
John C. Kennedy
Harvey S. Kerachsky
Robert F. Kerwin
Patrick J. Kester
Dean W. Kless
Steve F. Kime
William R. Kindley
James L. Kinnard
Herbert D. Kirkland III
Ralph L. Kissick
Thomas M. Kittredge
Philip G. Klintworth
Richard H. Klippert, Jr.
William H. Knapp
Rodney C. Koenig
Robert W. Kohankie II
Russell S. Koss
Thomas P. Krakker, Jr.
Lawrence J. Kramer
Richard J. Kraus
Kenneth P. Kreutzmann
Robert C. Krishfield
Jeffrey M. Krommenhoek
Rudolph V. Kreuger
Dan W. Kreuger
Allan M. Kushins
Walter B. Labatt
Walter W. Laity
Robert F. Lally, Jr.
Frederick H. Lamoureaux
Erich W. Larisch, Jr.
Harold S. Larsen
Peter S. Larsen
Peter R. Latham
George W. Lattimer
Robert D. Laws
John B. Leatherman, Jr.
Wilfred E. Lehder, Jr.
Alexander A. Leventis
Thomas A. Lewis
Stanley T. Lewis
Robert P. Lewis
Oscar Y. Lewis, Jr.
Edward J. Lieb
William H. Lieblein
Henry D. Light
Lee M. Lippert
Stephen A. Lison, Jr.
Stuart M. Lockwood
Raymond F. Lodge
Charles D. Lodge
Dennis R. Longfellow
Robert Lotz
John F. Lucey
James R. Lynch
Michael G. Lynch
Daniel J. Lynch II
Vincent A. Lytle
William R. Margretta
James S. Malott
Myron W. Manker
Philip L. Mansell
Richard H. Mansfield
Thomas J. Mantei
Randall A. March
Paul M. Margosian
Rudolph F. Marik
Leo J. Marsden
Michael J. Martin
Hoke P. Martin
Robert C. Marvin
Scott S. Massey, Jr.
Roy C. Masterson
Donald R. Mathiowetz
Dean E. Matthews
Fred Maxey, Jr.
Robert J. Maxson
Luke F. Mayer, Jr.
Ronald E. McArthur
Robert M. McCarthy
William M. McCormick
Ronald E. McCray
Thomas K. McCraw
Lowell R. McDaniel
Vernon D. McDaniel
Rodney L. McDougal
Thomas P. McGann, Jr.
Bruce K. McGill
William E. McIsaac, Jr.
Scott H. McKean
John F. McKenna
Robert M. Mead
John T. Meakim
Cornelius P. Medaglia
Fred M. Meenen
David R. Melendy
Rolf B. Memming
John S. Mendicino
Joseph D. Mengden
William C. Meredith III
Russell K. Merkey
James A. Merkle
Lawrence Merrill
Fred H. Merrick
Thomas J. Meskel
Edwin E. Messikomer
Frank D. Meyer
Roy E. Miller
Timothy L. Miller
Warren C. Miller, Jr.
William T. Milligan III
Duane E. Minard III
Harry A. Mitchell
Robert L. Mitchell
Charles R. Mitchell
Carl M. Mitchell
Paul C. Moessner
Robert B. Moffatt
Joel C. Monell
Warwick B. Moore
James P. Morgan
Donald H. Morgan
Edward E. Morler
William R. Morse
Joel E. Mosser
Terry R. Motteler
Dale R. Muehlenbrock
Joel W. Muehlhauser
Graham C. Mullen
Warren C. Munkasy
Brian J. Murray
Myron P. Mustaine, Jr.
Fraser R. Myers
Theodore J. Narozny
John S. Neal
David M. Nee
Donald R. Nelson
Roger S. Newkirk
George H. Ng
Eugene P. Nicholson
Robert G. Niederstadt
Ingmar J. Njus
Jack T. Norton, Jr.
Edward M. Novak
Joseph A. Novelline, Jr.
Stephen D. Nutt
Charles W. Oakes
Douglas A. O'Connell
William H. O'Donnell
James C. Okeson
Raymond A. Oliver
James R. Olsen
George D. Olsen
Donald W. Olson
John F. Opeka
John D. Orr
David C. Oxman
Robert E. Palmer
Patrick A. Pancoast
William C. Parker, Jr.
William D. Parsons
Benjamin R. Partin
Michael J. Pastore
Edwin F. Payne
Donald F. Pedretti
Frank E. Pelton III
Richard A. Pennington
Manuel J. Peres, Jr.
Philip W. Perry
Myron J. Peterson
Gary G. Peterson
Julius E. Peterson
Martin G. Phayre
Michael A. Pierson
Fay M. Piester
Paul B. Pitz
Steven C. Plotz
Jean E. Plourde
Michael J. Popik
Philip E. Porter
Gerald D. Prager
Victor Predtechenskis
Joseph L. Pressley
William G. Preston
Stanley J. Pryzby
Wolfgang H. Puchtler
Alan M. Purdy
Robert A. Queen
Michael A. Rainer
James V. Ramsdell, Jr.
Michael D. Rapp
Gerald C. Rappe
Arthur D. Rathjen
Morton D. Rau
David C. Rawlings
Harold B. Ray
Edward L. Reilly
William A. Retz
Kennedy "J" Rhea
James M. Rhodes, Jr.
Terry A. Rhodes
Harry E. Rich
James E. Rich
Thomas F. Rich
Bert R. Riemenschneider
Vernon L. Rifer
Lynn M. Rising
John D. Ristow
John A. Roach
Jeffrey D. Robb
George W. Robertson
John E. Robson
Marvin J. Rogneby
Gordon G. Roman
Paul A. Ronka
Charles F. Rood
Peter G. Roode
Alan C. Rosenberry
Bernard L. Rosenbach
James A. Ross
Herman D. Rotsch
Eugene C. Routh
Joseph P. Rowson
Bill Roy
Kenneth M. Royalty
James T. Ruffin
William J. Ruland
James H. Ruliffson
Peter A. Rumsey
William E. Rushin, Jr.
Peter F. Russell
Robert B. Ryland
John W. Sadler
George N. Saito
Charles W. Sammons
Michael M. Sampsel
Harry J. Saxton
Jerome B. Scanlon
Eric Schaefer
Lyle H. Schaefer
Richard H. Schaus
Wilhelm G. Scherwitzki
Frederick C. Schiller
Gerald W. Schilling
James D. Schlegel II
Charles T. Schmidt
Clemens E. Schmidt
Charles R. Schneider
Thomas O. Schooley
Carl E. Schubert
David D. Schuller
James M. Schwartz
William T. Schwartz
Robert J. Scopa
Joseph W. Scott
Lawrence R. Severin
Ralph B. Sewell
Jerry P. Shafer
Gary A. Sheltren
James M. Shepard
James L. Sherman
Robert J. Sherman
Jerome H. Short
James A. Shriver
Arnold B. Shuman
Peter M. Sieglaff
Dwight E. Silver
Edward A. Singer, Jr.
William H. Siren
Ronald E. Smart
Arthur W. Smith
David L. Smith
Franklin D. Snow
George A. Snyder
Peter D. Sofman
Lawrence A. Soletti
Fred N. Sortwell
David N. Spaans
James B. St. John
Charles M. Staehle
Karl E. Stahlkopf
Harold M. Stanford
David L. Steckman
Daniel L. Steele
Thomas A. Steele III
Frederick Steinkruger
Richard A. Steiner
Charles F. Stender
David A. Stephens
David H. Stere
George R. Sterner
Urvan R. Sternfels
Harry J. Stevens III
John B. Stevens
Philip C. Stevens
Harry A. Stewart, Jr.
John C. Stewart
Robert L. Stivers
Arthur W. Stone
Edwin L. Stoorza, Jr.
John C. Stotsenburg
Nial E. Stouder
Richard C. Strand
James D. Strickland Jr.
Thomas C. Stringer, Jr.
Bernard D. Strittmatter, Jr.
Michael J. Sullivan III
Jeffrey O. Sund
Charles M. Switzer
Grant E. Syphers, Jr.
George Taft
Robert S. Takeuchi
William J. Tanski
Robert W. Tate
Carroll E. Taylor
William L. Taylor
Henry V. Tease, Jr.
August B. Thau
Allan W. Thompson
Duval G. Thompson
James J. Thompson
Paul D. Thompson
Wayne E. Thompson
Stephen M. Thrasher, Jr.
Sean E. Tierney
Charles R. Tillotson
James R. Tilton
Roger H. Toler
Richard A. Tolmie
Joseph M. Tomlin
Michael E. Tomsho
Nathaniel A. Towle
Joseph J. Truhlar
James S. Turner
Stephen A. Turner
Charles E. Turner
David J. Ullius
Hubert H. Underwood
Ronel M. Urice
Andrew W. Urquhart
Roger W. Usborne
Ismael O. Valenzuela
Herschel M. Vaughan, Jr.
Russell S. Vaught
James W. Veirs, Jr.
George H. Verd
William S. Verdell
Robert R. Verhasselt
John E. Vick
James J. Viera
Fredrick J. Vollmar, Jr.
Bruce G. Wachter
Robert M. Wagner
George P. Wagner
John D. Wagoner
Michael R. Walker
Michael L. Walman
Jerry N. Ward
William E. Warren, Jr.
Randolph G. Watson
John T. Watt
Larry M. Weatherly
William J. Webster
John A. Weigant
Stephen E. Weiner
Edward W. Weis
James W. Weiske
Daniel C. Weiss
Richard A. Welch
Donald R. Wells
Jan P. Wells
Norman L. Wells
David C. West
Michael E. West
Thomas F. Westerman
David J. Wheaton
Thayer D. White
Byron P. Whitehurst
Payson R. Whitney, Jr.
James H. Wildman
Charles H. Willcox
Charles L. Williams
Charles S. Williams, Jr.
David L. Williams
Russell T. Williams, Jr.
Thomas F. Williamson
James J. Willmott
Clifford P. Willoz, Jr.
Jon W. Winder
Frederic D. Winslow
James L. Wise
Kenneth M. Wisehart
Richard J. Wolf
Forrest K. Wood
Laurence O. Woodbury
William H. Woodruff
James S. Woods III
Donald L. Woods
Benjamin W. Woodward III
Charles E. Wyatt
Joseph W. Yates III
Alan C. Yerkes
Robert R. Young
Francisco J. Yraguen
William H. Zachman
Roy A. Zink
Raymond A. Zuhr
Sherrod B. Zumbro

The following-named (Naval Reserve Officers' Training Corps candidates) to be permanent ensigns in the Supply Corps of the Navy, subject to the qualifications therefor as provided by law:

James R. Abernethy, Jr.
Jon T. Anderson
Gerald P. Andre
Frank L. Bartholomew III
Paul G. Bennett
Gordon J. Bentison
Darwin B. Carre, Jr.
Douglas L. Chisholm
John C. Dailey, Jr.
Jose Delasfuentes, Jr.
Todd L. Fay
Thomas M. Garrison
Raymond D. Gent
Keith E. Howe
Gerald G. Huffman
William W. Johnson
Karl W. Koch
Edward B. Kostin
Roger A. Kyllo
Charles Lehmann
Joel M. Lovstedt
Michael J. Maloney
Francis J. McGavran
Keith A. McKinley
Franklin L. McSwain
Victor E. Mix
John W. Nagel
Wayne J. Nelson
Gerald V. Niesar
George A. Nugent
John E. Pace
Dale J. Peterson
William A. Reed
Gary T. Richards
Evan L. Ridgway
Douglas Roche
Alan J. Rowan
Frank A. Russell

Keith E. Sickafoose
Robert L. Vanness
Robert E. Farrell
Larry E. Millikan
Ross E. Saxon
Will R. Wright

Vincent A. Orbish
Frederick P. Weisen-
Robert N. Malone
James R. Shannon
Homer L. Kocher
Richard N. Norton

Keith E. Sickafoose
James B. Sloan
Olen B. Smith, Jr.
Jeffrey P. Szalapski
Robert L. Vanness
Robert S. Watkins
Terry J. Witt

Kenneth A. Meredith (naval enlisted scientific educational program) to be a permanent ensign in the line of the Navy, subject to the qualifications therefor as provided by law.

The following-named (civilian college graduates) to be permanent lieutenants (junior grade) and temporary lieutenants in the Medical Corps of the Navy, subject to the qualifications therefor as provided by law:

Michael B. Hussey
John R. Nighswander

The following-named (Naval Reserve officers) to be permanent lieutenants in the Medical Corps of the Navy, subject to the qualifications therefor as provided by law:

John S. Floyd III
Franklin D. Jones
Fred E. Sobotka

The following-named (Naval Reserve officers) to be permanent lieutenants and temporary lieutenant commanders in the Medical Corps of the Navy, subject to the qualifications therefor as provided by law:

William M. Bristow
Melvin Museles

The following-named (Naval Reserve officers) to be permanent lieutenants (junior grade) and temporary lieutenants in the Medical Corps of the Navy, subject to the qualifications therefor as provided by law:

Wilmot S. Draper
William J. Farrell
Christopher A. Kaeppel
Samuel McQueen
Michael J. Pickering
John P. Skelly
Wilfred L. Williams

Kenneth V. Martin, U.S. Navy retired officer, to be reappointed a permanent chief warrant officer, W-3 in the Navy, pursuant to title 10, United States Code, section 1211.

Theodore A. Anderson, U.S. Navy retired officer, to be reappointed a lieutenant commander in the Navy for temporary service, pursuant to title 10, United States Code, section 1211.

The following-named officers to be permanent lieutenants (junior grade) and temporary lieutenants in the Medical Corps of the Navy, subject to the qualifications therefor as provided by law:

Lawrence L. Altaker
Enos T. Andrews
Anthony Armino
Halbert E. Ashworth
Fred L. Baker
Russell W. Baksic
James L. Basiliere
John W. Batcheller
Stephen T. Batthany
Robert B. Begg
Romaine L. Bendixen
Ronald L. Bendorf
David W. Billharz
Frank C. Blackburn
Terrell D. Blanton
Charles B. Bobo
Lawrence D. Bohan
Michael E. Bohan
Duane L. Bork
Robert L. Bowman
Bruce E. Bradley, Jr.
Charles K. Bradley
William E. Braun
Robert L. Brien
Robert D. Buchanan
Ronald E. Burmeister
Keith C. Burnes
Patrick L. Butler
Edward S. Carmick, Jr.
Raymond E. Carr
David F. Casey
Calvin R. Cassady
John P. Cloherty
Walter J. K. Clothier, Jr.
Terence R. Collins
James A. Combs
Fredrick E. Conrad
William R. Condrin
James H. Cook, Jr.
John P. Cook
Joseph V. Cook
Francis H. Corcoran
James W. Cottingham
John L. Cowan
Robert C. Crosson
Donald F. Davis
Henry F. Davis
James E. Davis
Daniel H. Day
Allen W. Delzell
William L. Dennison
John R. Dooley
Edward A. D'Orazio
Clem M. Doxey, Jr.
John M. Driscoll
William C. Duncan III
Jim H. Earls
Park W. Espenschade, Jr.
Donald C. Evans
Donald T. Evans
Warren G. Eyre
Charles S. Eytel
Raymond M. Farmer
Robert E. Farrell
Marshall P. Field
Nicholas R. Flager
Don. L. Fong
Thomas D. France
Thomas W. Gable
Thomas A. Gall
Ronald D. Gaskins
Charles L. Gaudry, Jr.
James A. Gibbons
Asa L. Godbey, Jr.
Philip J. Gosciewski
Curtis G. Graham
James N. Greene
George E. Griffin III
William M. Griffin
Hudson V. Grumbling, Jr.
Stanley W. Hailey, Jr.
James N. Hall
John J. Hand
Ray M. Hayworth
Ira L. Hemmings
Edwin J. Henrie
Ronald V. Hensley
Charles F. Hesse
Louis I. Hochheiser
Joseph Honigman
Richard N. Hood
James W. Howell
Charles R. Huddleston
Arden L. Huff
Walter W. Huurman, Jr.
John R. Jackson, Jr.
Neil D. Jackson
George R. Jay
William C. Johnson, Jr.
Raymond K. Joyner
Terrance P. Judge
Walter W. Karney
Franklin L. Katz
Geves S. Kenny
Robert P. Killinger
Edward D. Kraus
Michael N. Landis
Arthur J. Leupold
David H. Lewis
Roger P. Lewis
Edward W. Lieberman
Gregory J. Lignelli
Louis A. Ling
Henry J. Llewellyn
Louis D. Lowry
John T. Lucas
Donald L. Mansfield
Donald J. Maralst
John D. Marriott
Miles H. Martin, Jr.
Russell D. Martin
Maurice F. P. Masar
Joseph A. Matan
Allan L. Mattern
George D. Maxwell
John S. McCabe
Joseph C. McCarthy
James E. McCreedy
Edward R. McDonough
William E. McLean
Gerald F. Meier
Jacob W. Meighan
Larry E. Millikan
Robert D. Mills
William A. Mixon
James W. Moffat
Ralph Mollycheck
Roland W. Moynan
Maurice J. Mueller
Martien A. Mulder
James E. Mullen
James A. Murray
John R. Musser, Jr.
Rufus G. Neel
Robert J. Nelms, Jr.
Paul K. Newman
Lowell T. Niebaum
Clifton "C" Nugent
Theodore G. Obenchain
Richard K. Park
David E. Parsons
James F. Payne
Alfred T. Pepino
Norman E. Peters
William B. Pierce
Theodore I. Putnam
Anthony R. Prizzi
William J. Redfield
Donald R. Reimer
James G. Roberts
Jerry M. Robinson
Richard L. Rubottom
Joseph A. Ruggiero
Sandro R. Sandri
David E. Schalker
William H. Schmid
Rainer S. Schmidt
Michael C. Sheakey
David A. Smith
Lee E. Smith
Joseph W. Sokolowski, Jr.
Robert E. Sonnenberg
Warren H. Sothoron, Jr.
William K. Stern
George M. Stone II
Robert S. Stone
Richard R. Stoughton
Donald A. Talcott
Warren O. Terry
John H. Texter, Jr.
Jerry L. Thomas
Theodore F. Thurmon III
Talvaris Turaids
Richard R. Uhl
Gerard F. Vanderhoft
Larry Van Genderen
Philip R. VanPelt
Richard P. Vidacovich
Tommy L. Wages
John D. Wallin
Roman T. Wandalowski
John F. Warner
Robert D. Wasson
Sheridan L. Weinstein
Willis W. Willard III
Arthur K. Williams
Thomas A. Woods
Jerry C. Worsham
James W. Wright
Kenneth C. Yohn

The following-named candidates to be permanent ensigns in the line of the Navy, subject to the qualifications therefor as provided by law:

Philip C. Anderson
William M. Austin
Robert C. Ballard
Glenn R. Bilck
Jeremy M. Boorda
Fred F. Bowers
Edward J. Brooks
Allan R. Carpenter
Joseph W. Cashin, Jr.
Thomas E. Chipp
George A. Christensen
Keith L. Declerco
James L. Dodd
Marty R. Fisher
Jimmy N. Glover
Patrick E. Greene
Robert E. Hubbard
Edwin R. Johnson
William D. Jones
Dudley J. Kinsley
Robert L. Klinger
Elvie D. Lasiter
Charles E. Letourneau
Charles W. Lynch
George N. Maddox
James A. McDonald
John A. Payne
David L. Robbins
Ross E. Saxon
Edwin L. Towers
Eugene N. Whitt
Will R. Wright
Thomas J. Yerbich

The following-named candidates to be permanent ensigns in the Supply Corps of the Navy, subject to the qualifications therefor as provided by law:

Carmen B. Braswell
Roger R. Bromen
Robert Z. Gallion
Paul D. Rasmussen
John B. Sauer
Bobby F. Starnes

The following-named candidates to be lieutenants (junior grade) in the Navy, limited duty only, for temporary service, in the classifications indicated, subject to the qualifications therefor as provided by law:

SUPPLY CORPS

William E. Bond
Ronal S. Burris
Sylvester K. Harsen
George J. Jardine
Richard T. Williams

DECK

George W. Barbre
Eppa B. Barkley
Robert D. Benites
Leroy O. Chase
William E. Coleman
Bernice W. Collins
Leon B. Cranford
Willie B. Douglass
Edward V. Downey
Jessie D. Dye
Fred R. Estep
Marion C. Harrison
Charles W. Hayes
Hershal W. Hensley
Melvin E. Leggett
James L. Lemaster
Morris Lemaster
Rudolph G. Levasseur
William C. Long
Donald E. Machholz
Nathan F. McClure
Jack R. Menshouse
Curtis C. Nordwall
Michael J. Novak
Louis W. Pflecki
George B. Phillips
Henry J. Piech
William W. Ross
Francis R. Sanderlin
Arnold Singer
Edgar N. Smith
Joe M. Stott
William D. Todd
Ivan E. Vanauken, Jr.
Calvin L. Sauer
Edward J. Wall

OPERATIONS

David H. Blood
Melvin M. Burrows
Homer J. Cumm, Jr.
Howard F. B. Delamorton
Franklin L. Goff
Talis Lewie
Melvin V. Ponton
Edward E. Soper
Carl A. A. Weber
James W. Williams
Johnny L. Williams
Paul E. Yarbrough

ORDNANCE, SURFACE

William T. Cannon
James R. Graham
Oren A. Kreps
Marquis E. McMurray

ORDNANCE, CONTROL

Charles D. Firebaugh
Roland J. Gauthier
Andrew S. Horton
Max D. McCracken
James F. Ownby
Robert J. Pitteill
Donald C. Spiker

ORDNANCE, UNDERWATER

Vernon R. Dorrough
Thomas J. Fisher
Salvator F. Guglielmo
William W. Hoagland
Norman Lomax
Michael Tereo

ADMINISTRATION

Robert E. Elster
Robert B. Lightner
Thomas J. Richardson
Richard L. Stewart

ENGINEERING

William H. Abel
George L. Bahre
William A. Confer, Jr.
Thomas I. Coulter
Harold D. Dyer
Marvin O. Hindal
Jack L. Kirklen
Lewis L. Morris
Leonard J. Nugent
Bruce R. Richardson
Robert P. Sheehan

HULL

Fletcher L. Blackstock
William J. Bush
Perry C. Sharp
Leonard P. Stamer
Salvatore J. Torino
James D. Witt, Jr.

ELECTRICIAN

Lloyd Allan Berkey
Kenton C. Berry
Donald J. Cox
Douglas W. Worden

ELECTRONICS

Vernon D. Alston
John L. Bareilles
Morris N. Cavey
Joseph W. Bartholomew
Warren H. Clark
John J. Clinton
Kieth R. Ewing
Robert Farnham
George S. Foster
Ernest B. Gephart
Mark J. Maynard
Robert B. Miller
Frederick O'Brien

Vincent A. Orbish
David K. Pope
William B. Robinson
Theodore E. Salesky
Frederick P. Weisenberger
Edwin H. Wiley

CRYPTOLOGY

Daniel R. Caylor
Elmer L. Harmon, Jr.
Elmer D. Malone
Robert P. Rice

AVIATION OPERATIONS

James D. Baird
Byron M. Fadden
Hiram A. Foster
Everette Hatfield
Homer C. Johns, Jr.
John A. Linendoll
Robert C. Morris
Bradford H. Patterson
Clarence W. Rayburn
Kazimierz J. Szczepanski
John H. Wangler

PHOTOGRAPHY

Robert Doughty
Harold S. LaBlanc

AEROLOGY

Carl M. Morris

AVIATION ORDNANCE

Donald W. Dobbie
Harry J. Downey
Joe E. Fox
George W. Lindsay
William W. Locher
Fred W. Mabry
Weldon E. Maki
Donald O. McFadden
Albert M. Michaels
Charles L. Nagle
Jack W. Purtee
Delmaine A. Robertson
Arthur W. Sievers
Eugene F. Spelman
William R. Wimberly

AVIONICS

Everiste J. Blanchard
Marvin E. Boomgaarden
Irvin O. Claxton
Royal R. Field, Jr.
Richard M. Green
Roland E. Holmes
Joseph J. Jones
James R. Loucher
Harmon W. Sawyer
Frank L. Taylor

AVIATION MAINTENANCE

William D. Bakum
Kenneth R. Colby
George A. Everding
Dennis F. Felix
William G. Gregg
Kenneth Johnson
Frederic T. Kingsley
Harvey E. Naeser, Jr.
John B. Osborne
George A. Peltier, Jr.
Harold S. Riggs
Ray W. Smith
William C. Zimmerman

The following-named candidates to be ensigns in the Navy, limited duty only, for temporary service, in the classification indicated, subject to the qualifications therefor as provided by law:

SUPPLY CORPS

James D. Ayers
Donald P. Block
Lawrence D. Brzozowski
Floyd R. Castillo
Robert D. Copler
Jack D. Crow
Harold A. Eckard
William D. Emrich
Harry E. Flood
Robert Fowler
Marvin K. Geroe
Howard F. Gohrband, Jr.
Eldon W. Grace
Jose H. Gutierrez
Verlin C. Henson
Charles M. Hines
Allen R. Hooten
Hugh E. Jamieson
Stewart N. Landon
Eston M. Luna
John H. Pierce
Robert A. Poulin
Marvin D. Reynolds
Frank Rose, Jr.
Robert L. Schmidt
Thomas A. Seddon
Thomas E. Strohmeyer
James H. Terry
Marion C. Turley
Edward F. Wallace

CIVIL ENGINEER CORPS

Melvin A. Bell
Ronald E. Buntley, Jr.
Lloyd N. Hon
Yung H. Ketels
Robert W. Sharp
Walter S. Stephenson
Donald J. Thompson
Robert D. Thorp
Harold D. Wardenburg

DECK

Paul E. Adams
Girbirt L. Anspach, Jr.
Monroe M. Bailey
Peter D. Bailey
Thomas J. Bane
Blair Barrows
Robert L. Beasley
Luther Blevins
Charles R. Boltnott, Jr.
Bradley J. Bowman
Richard G. Brereton
Gordon R. Brown
Archibald G. Campbell
Howard Cartwright
Lewis E. Clanton
Reuben E. Clark
Donald J. Cleary
Richard J. Devuyst
William A. Dolph
Richard T. Fellis
Claude M. Flynn
Bobby E. Frost
Clyde J. Hardman
Robert G. Hodson
Robert N. Malone
Joseph H. Mangold
Alexander J. Martin
Robert L. McMillion
Douglas S. Milne
John H. Mullin
Harold D. Nix
William M. Payne
Edward R. Romero
Harry Sargeant, Jr.
Wayne E. Schneider
James R. Shannon
Richard A. Simants
Gerald W. Thomas
Clifford J. Thompson
Duane E. Tucker
Harry A. Voeth
Fred J. Warbington
Henry A. Werner
Robert L. Witten
Gerald F. Young, Jr.

OPERATIONS

Bernard Aisenberg
George W. Allen
Robert D. Altman
Charles A. Anderson
Jerry W. Armstrong
Ernest G. Barrieau
Robert F. Barry
Carl H. Bartman
Harold L. Beaver
William J. Bellone
Theodore F. Blakeslee
John L. Bohn
James L. Bond
John M. Borho
Louis C. Boughton
Charles E. Burns
Jean R. Cabana
William M. Calhoun
Robert N. Call
Major L. Carter
William C. Cathcart
Donald W. Clifton
Earl R. Crawford
Fred G. Daniels
David L. Devine
Jack R. Dover
Lawrence L. Edmunson
William J. Ehlers
Shirley H. Elliott
James M. Fogarty
Rommie T. Fort
William R. Freeman
James S. Gardner
Roger J. Garner
Daryl L. Gee
William E. Gorham
Donald L. Grazier
Victor S. Greenquist
Donald W. Hagey
David L. Hakin
Leslie E. Haskins
Sherman L. Heatherly
Clifford R. Huff
Delbert G. Huizenga
Robert E. Hutcherson
Glyn A. Hutchinson
Edward L. King
Marvin D. Kluck
Frank E. Leahy
Royal H. Logan, Jr.
William E. Lowe
Homer H. Maddux, Jr.
Augustine C. Marano
Harold C. Mayer
Carl W. McMahan
James E. Millner
John M. Moody
Leroy Murch
Walter E. Murdock
Patrick J. Murphy
John J. Muskovac, Jr.
Willie L. Norman
Robert E. O'Hara
Dennis S. Olsen
Donald J. O'Shea
Rudolf J. Pata
David P. Patton
Clyde H. Russell
Stanley E. Sampson
Anthony R. Schena
James F. Sheaver
Gerard R. Sheehan
Franklin L. Simpson
Thomas A. Smith
Francis M. Stills
Eldred B. Stricklin
Donald W. Stroebel
Joal C. Stroud
Robert P. Tarpley
Andrew J. Taylor, Jr.
Douglas Tucker
Leo P. Tucker
David B. Tullgren
Delano F. Turner
William E. Ungerman
James T. Vagenas
Jerry A. Vettrus
Robert C. Wilkie
William G. Williams
William J. Yaconiello
James F. Yanus

SURFACE ORDNANCE

Arthur D. Barber
John E. Barkley
Jimmy R. Campbell
Robert F. Chamberlain
Paul E. Christian
Wayne C. Church
Norman W. Culver
John P. Jenkins
Robert L. Lynch
George T. Riddick, Jr.
Joseph R. Sleeper
Milford E. Stanley
William L. Vincent
Richard L. Weaver

ORDNANCE CONTROL

Leonard J. Blumenshine
Charles F. Brown
Jerald D. Brown
Clayton E. Bruce
Warner B. Cline
Billie R. Creath
Russell E. Criste
Walter L. Czerwonka
Paul R. Delaney
William F. Ellis
W. Jack Fleming
James A. Goudreau
Charles I. Graham
Bernard A. Griebel
Billy E. Harper
Arthur R. Helms
Arthur E. Herring, Jr.
Charles W. Hudiburgh
James A. Johnson
William A. Meinert
Alvin R. McClure
Warren J. Perz
Paul H. Rogers, Jr.
John M. Rountree, Jr.
Frederick W. Sargent, Jr.
Glen P. Stedman
John F. Vogl
James I. Williams
Kenneth H. Wolf
Robert B. Young
James R. Zike

UNDERWATER ORDNANCE

Harry M. Campbell
James D. Connor
Robert F. Greene
Blas P. Hernandez
Homer L. Kocher
Guy E. Meadows
William J. Mehard, Jr.
Louis C. McInnis, Jr.
Richard N. Norton
Klaus R. Peterson
Robert W. Eines
Emery W. Young

ADMINISTRATION

Howard L. Bailey
Wilbert B. Barker
Gerald O. Barnes
William A. Callis
Charles H. Carney
Robert Ciepiela
David N. Clyde, Sr.
Alfred L. Collins, Jr.
Doyle W. Fortney
James F. Galen, Jr.
Daniel A. Gallagher
Roy W. Hall
Ernest E. Hamill
Gene E. Heidenreich
Ernest H. Johns
Edward F. Kapusta
Paul R. Karch
William J. Kirkhuff
Leander H. Klein
John C. Lawler
Frank L. McAninch
Herman M. Miller
C. C. Mills
Richard D. Morgan
Charles K. Morrison
Jack W. Moshgat
Estill E. Myers
Joseph G. Orlando
William D. Paschall
Victor D. Peroni
John J. Pursel
Thomas M. Pursel
Genaro M. Roybal
William R. Schrader
Duane F. Schupbach
Elva S. Scott, Jr.
Floyd A. Sheets
Anthony C. Sicari
Isaac B. Stapleford
Charles E. Swanson
Donald L. Terry
Charles A. Theisen
Bobbie E. Tousley
Robert R. Tripp
David P. Wilkerson
Joseph F. Williams, Jr.
Samuel E. Williams
Clyde Wilson

BANDMASTER

Dexter H. Reynolds, Jr.

ENGINEERING

William P. Bauer
Edward O. Benson
Allen G. Bitterman
James E. Blakemore
Samuel T. Bunch
Donald E. Burklo
Alvin E. Burns
Stuart N. Caldwell
Richard M. Clark
Richard A. Clifford
Harold N. Cobb
Thomas D. Coble
Virgil F. Cochran
David L. Combs
Paul D. Coyle
Clarence Crouch
Joel A. Dean
James J. Donahue
Floyd I. Drew
David D. Dutcher
Billy M. Ellis
Francis L. Enos
Glen H. Ernster
Jesse E. Fairow
George F. Fedon
James O. Ferqueron
Forrest W. Gardner
Marvin A. Garrett
Frank Graham
Jimmie L. Gray
Guy J. Gregoire
Ralph B. Griffin
Robert H. Groves
Daniel T. Hackney
James A. Hamel, Jr.
Billie R. Hardin
Curtis A. Hinton
Charles N. Hooper
James E. Howell
John M. Huber
Joseph M. Karatkiewicz
George J. Kelley
Phillip B. Kinnie, Jr.
Paul Kirkpatrick
Gerald A. Kresinske
Larry J. Lake
Robert J. Lalonde
Donald M. Lucas
William J. Malloy
Wadsworth W. McDaniel
Leroy V. McIvor
Norman H. Mellen
Delbert B. Miller
Raymond R. Mills, Jr.
David F. Moyer
Herbert E. Norr
Thomas J. Nugent
Alfred F. Ouellett
Richard A. Palleschi
Joseph A. Palmer
Robert J. Payne
Arthur D. Pelletier, Jr.
Philip Philipps, Jr.
John D. Pickett
Arthur D. Polo
Charles R. Raulerson
Keith C. Roberts
Wayne Rouse
Robert L. Sandberg
Dan C. Sanderson
Edgar A. Schardein
Thomas F. Schneck
Raymond A. Scott
William D. Spoon
Robert E. Stiens
Edward P. St. John
Jay L. Swank
Robert H. Tallman
John C. Tapscott
James C. Thomas
Verne P. Tibbetts, Jr.
Ronald J. Waldron
Robert G. Walker
Lawrence E. Warner
James P. Wellman
John T. Williams
Robert G. Wright
Philip W. Wyne

HULL

Brenton T. Artz
Dale G. Buckingham
George E. Burres, Jr.
William W. Davies
Donald B. Dunn
John A. Ebany
John B. Etchingham, Jr.
William R. Farmer
Raymond D. Fenno
James I. Fitzgerald
Douglas N. Garrison
Anthony Giovinazzo
Robert J. Griswold
Fred T. Hughes
John F. Kehoe
George I. Lish
William B. Matthews
Joseph G. McCartha
Beauford E. Myers

Ronald W. Myers
Cecil A. Patrick
Leonard W. Riedel
Eugene H. Schneider
Rudolph J. Spalenka

ELECTRICIAN

Jess R. Bland
Gordon J. Brenner
Ballard C. Brown
William B. Brown
Robert B. Creel
Richard J. Daly, Jr.
Eli L. Dammann
David A. Damron
Jack A. Davis
Joseph E. Degnan
Max H. Dixson
Albert W. Drake
Jack O. Gent
Robert V. Gillespie
George F. Herda
Leonard E. Hopkins
Jack E. Hull
Raymond G. Kazebee
Joseph H. Kellogg
Edgar V. Kennedy
Charles J. King
Emmanuel H. Koconis
Wendel E. Lemon
Robert F. Lenartz
Melvin H. Lenk
Carl B. Lewis
Norman E. Lingo
Martin W. Littleton III
Teodoro G. Lopez
Sidney G. Maffett, Sr.
Richard E. Marlin
Elam L. Mauk
Donald J. McDowell
Ronald N. Medlock
Marcus M. Muzzy
Richard N. Peterson
Kenneth L. Pierson
Dale E. Postel
Ellis F. Price
Joseph Propati
Raymond J. Shane
Wilmer L. Spinn
William C. Stancil, Jr.
Basil L. Stearns
David O. Thatcher
Ralph W. Waters
Harmon E. Wheeler
Claude D. Yeager

ELECTRONICS

Alfonso Amaro
Raymond Aspden
Calvin D. Bayless
Donald C. Beaubien
Leonard E. Berley
James J. Carrie, Jr.
Howard R. Chugg
Walter J. Cislo
Charles C. Cramer
Calvin W. Davis
Kenneth R. Floyd
Brett H. Fox
Darrell E. Gebhardt
William A. Guinn
Shirley R. Harmon, Jr.
Allen D. Harney
Edgar A. Harwell
Edmond R. Hockey
Billie J. Horton
Robert J. Jackson
Gene W. Johnson
Edward H. Knudsen
Thomas A. Krieger
John M. Marusa
Eugene W. Matlock
Rudolph McAfee
Paul K. McKimens
Robert N. McKinley
Lawrence D. Merten
Burton H. Miller, Jr.
Sebastian T. Minsterman
Edward A. Morrow
Thomas F. O'Donnell
Stanley J. Pasela
Thomas D. Price, Jr.
David R. Ramey
Frank S. Ramos
Frederick L. Richard
Wellington Roberts
Phillip B. Romer
Walter M. Saline, Jr.
Roy C. Schoeller
Lewis E. Smith, Jr.
Raymond R. Snider
Alvin C. Vonmosch
Robert G. Wagner
William J. Weisensee, Jr.
Francis R. Wilczewski
Justus E. Wildhaber
William W. Woodruff

CRYPTOLOGY

Rudolph L. Alsaker
Glenn W. Arbogast
Holten D. Ball
Ronald E. Baylis
Carlton B. Beckmann
John W. Boardman
Vernon P. Daggett
John T. Bomar III
George A. Damon
James A. Dye
Paul K. Fuquay
Robert L. Gillen
James E. Guyton
Lloyd H. Hicks
James K. Hill
Billy J. Holcomb
Glenford B. Hultz
Rodney R. Ingram
Charles L. James
Ord Jones
Donald Justice
David F. Keffer
Philip N. Lynch
Frank J. Madden, Jr.
Paul E. Matchett
Beryl C. Miller
Floyd H. Miller
Ernest D. Moody
Bobby Phipps
Billy J. Reed
Theodore J. Richard
James W. Rogers
Leonard W. Schneider
Robert F. Schweitzer
Hewlett O. Spires, Jr.
Richard C. Stewart
Donald R. Waide
Samuel B. Webb
Benny L. Williams
Clyde E. Wilson, Jr.

AVIATION OPERATIONS

Charles S. Ballard
Bruce F. Barber
Billy D. Brown
Lester M. Carlton, Jr.
Carrol E. Coleman
Martell J. Cook
Robert A. Cotter
John P. Cox
Alfred L. Derusso
Octavian Dragos
Robert C. Dumont
William W. Edwards
Alfred J. Finster
James M. Fitzsimons
Donald E. Forbes
Robert E. Fox
Elmer J. Gildersleeve
Donald W. Gray
Herbert H. Hassell
Jason N. Haveman
Homer Hawkins, Jr.
Leroy G. Hudson, Jr.
Neil H. Johnson
Thomas L. Johnston, Jr.
James H. Kenny
William D. Keener
Russell E. Larsen
Max E. Lemasters
Jesse L. Linder
William E. Melaner
William L. McElhiney
James B. McPherson
Glenn C. Mongeon
James W. Notman
Myron R. Rushlow
Charles T. Sanders
Donald D. Schenewerk
Leonard Schroeder
Robert H. Sinasky
Orville D. Stauber
William J. Strong
William W. Thompson
Marcus Welford, Jr.
Maurice A. Wheldon, Jr.
Francis E. Zizza

PHOTOGRAPHY

Robert K. McCarthy
James W. Miller
Richard A. Moxley, Jr.
Harold W. Ragsdale
Stephen G. Riley, Jr.
Merrell B. Tallent
Richard J. Wade, Jr.
Robert L. Williams

AEROLOGY

Stanley E. Adams
Isaac A. Fisher
Thomas G. Fitzpatrick
Arno E. Heintz, Jr.
Richard D. Gilmore
Donald E. Hays
Clifton L. Kennel
David M. Leib
Lawrence L. Libby
Thomas L. Megill
Norman L. Perkins
Virgil Sala
John J. Schelwer
David Sokol
Harold D. Story
Morris L. Summey
Thor Swan
Astor J. Syouro, Jr.
Allan W. Ulrich
Louis P. Veahman
Gordon J. Welch

AVIATION ORDNANCE

Jiles U. Acord, Jr.
Kenneth T. Ahlstrom
John L. Ferguson
Robert L. Ferguson
Kenneth A. Halstead
Roy E. Kiser
Jack W. Lacey
William J. Laws
Salvatore J. Loconte
Paul G. Porter
Robert L. Rankin
James E. Thompson
James F. Walck
Harold J. Walker
Roger C. Wilson, Jr.

AVIONICS

James E. Barkley
Bradford L. Bernard
Kenneth R. Carroll
Walter T. Chapman
James C. Cordle
Ralph G. Granneman
Paul E. Fisher
Bobby J. Fortenberry
Lesley J. Jackson
Kenneth W. Kelley
John R. Kennedy
Dale Kitch
James W. McGee
Bill Repko
Ervin E. Rice
George L. Shirley
Clarence H. Stumpe
Charles E. Swalley
Donald G. Timpson
Donald F. Walsh
Chester M. Whitehurst
Harold D. Williams
James W. Wills
Harry H. Wolfe
Alfred H. Young, Jr.

AVIATION MAINTENANCE

Herbert C. Barker
Richard E. Becker
Harry E. Bierly, Jr.
Raymond A. Binder
John Capewell
John P. Cavanaugh
Robert A. Chambers
John D. Cully
William F. Curran, Jr.
Harry R. Errington
Robert C. Fowler
Donald W. Fugere
Fred L. Gann
Floyd D. Gates
Norman H. Geisel
Andrew S. Higbee
Henry L. Hines, Jr.
Carl E. James
Francis E. King
Kenneth K. Koenning
Mark E. Lutz
John H. Lyde, Jr.
Gerald M. Menard
Robert E. Mikesell
William C. Murphy
George V. McCahan
Kenneth R. McClure
Fred J. Parris
Richard J. Postulka
Gerald D. Russell
John D. Smith
Hugh M. Smythe
Richard J. Tice
Joseph J. Verbella
Joseph E. Wagoner
Robert L. Wall
Ernest E. Wilson
Donald C. White
Sim E. Woodham

The following-named candidates selected as alternates to be ensigns in the Navy, limited duty only, for temporary service, in the classifications indicated, subject to the qualifications therefor as provided by law:

DECK

Billy E. Brown
Raymond G. Bell
Dewey Sebourn, Jr.

OPERATIONS

Raymond A. Dufresne

ORDNANCE, UNDERWATER

Coleman J. Wright
Ralph E. Keesling
Ronald I. Rossington

ADMINISTRATION

Anthony F. Flaherty
Charles E. Elson
James K. Lotridge
Ives R. Allbee
Kenneth C. Walser
Harold C. Hanson

BANDMASTER

Eugene E. Sauer

ENGINEERING

Wilfred P. Smalley
Bill M. Armontrout
Charles T. Hamilton
T. B. Richards
Robert J. Spooner
Jesse H. Smith
William J. Scully
Michael J. Anderson, Jr.
Jack R. Sadler
Charles J. Flick
Kenneth C. Terryberry
Claude R. Schroader
Maxey F. Cassada
Harold C. Kristof
Roger W. Dionne
Howard D. Anby
Andrew Shillingburg
Eugene H. Davies
Ellison J. Hearn
Joseph D. Cross
John S. Vindich
Francis J. Larock
Joseph M. Peters
Gerald E. Long
Samuel D. Mitchell
Ross Kelley
Herbert A. Harrison
Robert W. Reinsch
Ernest F. Holland
Bruce A. Petty
Vernon E. Whitney
James G. McDonough
Donald Dobos
Douglas E. Harms
Larence H. Brown
Warren E. Rhoades, Jr
Jackie O. Burton
Claude E. Taylor, Jr.
Clifford E. Pollock
Donald E. Werbe

HULL

Joseph G. Conjura
Tom C. Pillars
Daniel J. McGrath
Leonard R. Kraszyck
Michael A. Lynch

ELECTRICIAN

John C. Patterson
Louis R. Capone
Walter L. Pope
William M. Morgan
Charles E. Robe
Burl W. Mitchell
Robert L. Heim
Gerald W. Gallagher
Calvin L. K. Morrison
Richard R. Murray
Donald D. Brady
Gerald W. Kunz
William J. Bobersky
William D. Rogers, Jr.
Samuel R. Denton
Joseph K. Winsey
Frank E. Caine, Jr.
Algene R. Hendrickson
William Douglas

CRYPTOLOGY

Richard O. Casten
Roy G. Wilcox
Delbert D. Dubson
John T. Newberry
William H. Deemie
Richard E. Sanborn
Walter G. Johnson
Harold J. Dinsmore

AEROLOGY

Peter G. Taylor
Robert W. Sengbush

AVIATION MAINTENANCE

Merle I. Snyder
Robert B. Caldwell
Felix J. Bozzo
Robert A. Mierop
Rex A. Hill
Charles W. Hall
James R. Wright
Arthur H. Triebel, Jr.
Jack E. Laswell
Bob D. Sealy
Wilford C. Hall
Sherman M. Hunnell
Richard A. Krick
John J. Center, Jr.
Bernard J. Sharkey
Beauron L. Carnley

IN THE MARINE CORPS

The following named (Naval Reserve Officer Training Corps) for permanent appointment to the grade of second lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

Richard G. Adams
Frank D. Anzelmo
Al R. Atkinson
Lowell E. Austin, Jr.
Stephen W. Austin
Vincent W. Bannigan, Jr.
Maurice R. Banning
David R. Barth
Ernest G. Baxa, Jr.
James F. Beckley
Harold W. Blot
James A. Brabham, Jr.
Darwin E. Bremer
Alan D. Buch
Joseph T. Burkhardt
James F. Calkin
Jack R. Campbell, Jr.
David A. Capitanio
Charles L. Carpenter, Jr.
Steve G. Carson
Richard H. Carter
Lawrence J. Celmer
Arthur C. Chapman
Sydney E. Chipman

Thomas J. Chittenden
William H. Climo, Jr.
Eldridge R. Collins, Jr.
Frederic W. Cook
Thomas J. Dillon, Jr.
Robert H. Dingeman
Leonidas Doty III
David J. Douglas
Walter B. Dozier
William H. Draper
William W. Dunphy
Ralph T. Eff
Daniel J. Ellis
John O. Enockson
John D. Everroad
Rupert E. Fairfield, Jr.
James H. Fetzer
Michael Fiorillo, Jr.
George A. Focht
Michael E. Ford
Anthony J. Forlano
Douglas R. Frank
Frederick J. Frese III
William T. Gallagher
James W. Gallaway
Robert E. Garner
George R. Gay
Joseph R. Gedris
John R. Gentry
George K. Gill
Gordon J. Graham
Geoffrey E. Green
Howard E. Greenfield, Jr.
Jan P. Greer
Lon D. Hadden
Joseph J. Hahn, Jr.
Thomas E. Harbaugh, Jr.
James B. Hayden
Hugh H. Helm
Frederick H. Hemphill, Jr.
Porter K. Henderson
Thomas E. Hewitt
Alwin G. Holland, Jr.
Martin P. Holleran, Jr.
Curtis E. Holmes
John A. House II
Franklyn J. Howatt
Ronald H. Huesman
Patrick M. Hurdle
Richard B. Jackman
Robert L. Jarboe
Theodore J. Jardine
Jimmy L. Johnson
Weston L. Johnson
Douglas A. Jones
Gerald J. Keller
Richard B. Kenyon
Anthony F. Konopka
Thomas L. Kosciw
Richard J. Kuchinskas
Antone D. Lehr
James H. Levasseur
Michael D. Levine
David W. Lucas
Michael J. Lucci
William R. Luebke
Dale A. Luster
Harry T. Mackin
Robert W. Maddox
Richard F. Mayer
Roger G. McKee
Steven G. Mecham
Russell K. Merkey
Phillip J. Mirtz
Jay A. Mitchell
Aaron M. Mixon III
Paul A. Moeller, Jr.
Ned A. Moore
James J. Morin
Richard T. Morrissey
Russell E. Morrow
Ivan R. Mortensen
Dennis K. Mulligan
John A. Murray
John E. Neill III
Myron H. Nordquist
Bruce A. North
Theodore P. Nykreim, Jr.
Boyd D. Obermeyer
George C. Orfanedes
Richard C. Overstreet
Richard K. Palmer
David R. Parker
Richard F. Parker, Jr.
Chester J. Patraitis
James O. Pearson, Jr.
Joseph A. Peiner, Jr.
Thomas D. Perrie
Eric G. Peters
John R. Pfalzgraf
John M. Pickney III
James F. Pleva
Franklin H. Posey
Charles F. Preuss
Wayne P. Priest
Thomas J. Reed
Robert E. Reynolds
David G. Richardson
Jerry C. Robinson
Eugene J. Rouleau
Mike H. Roulier
George W. Ruth
John C. Ryan, Jr.
Earl M. Schara, Jr.
Gordon M. Schlitz
Arthur J. Schmidt
John R. Schwartz
Frank M. Shallene
Charles T. Shaw
John B. Sherman
Harry S. Shoemaker
Gary F. Simons
Loring E. Smith
Willie A. Smith
Charles R. Sorensen
Robert K. St. Claire
Robert R. Stevenson
James F. Stiven
David W. Stowell
William W. Sullivan
Walter G. Suttle
William T. Tatum, Jr.
David E. Thompson
Gary D. Thompson
Peter W. Topken
Leander J. Valdes III
Peter J. Van Ryzin
William W. Vardell
Richard W. Vereecke
Lewis C. Watt
John R. Watts, Jr.
William C. Wilkenioh
Charles B. Williams
Leslie A. Williams
Russel D. Williams, Jr.
Gary M. Witzenburg
Walter E. Wood
Dennis R. Woolley
Guy P. Wyster-Pratte
James L. Yost
Francisco J. Yraguen
Carl H. Yung

The following named (meritorious noncommissioned officers) for permanent appointment to the grade of second lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

William R. Acree
David H. Adams
Maurice S. Bacon
Lester C. Bartholow
Craig A. Bergman
Gary D. Clark
William M. Damerel
William R. Griffin
Norman R. Guidry
Robert A. Hale
James G. Hall
Edward J. Hassinger
Marlin N. Hinman
Kenneth H. Johnson
James L. Kerney
Perry C. Lindberg
Kenneth L. Milton
Robert D. Staples
Walter Tarnopilsky
Phillip J. Walsh
Edwin J. Wroblewski

The following named (Army Reserve Officers' Training Corps) for permanent appointment to the grade of second lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

Hugh D. Mahoney
Munro V. Robertson

The following-named officers of the Marine Corps for temporary appointment to the grade of first lieutenant, subject to the qualifications therefor as provided by law:

Louis P. Andrews
Joseph A. L. Bechtol
John M. Gruner
Thomas J. Houlahan
William C. Hunter
Francis D. Kelly
Lamar Sumier
William T. Sweeney
Albert K. Thompson

CWO John P. VanArtsdalen, USN(T) to be appointed a chief electronics technician (W-2) in the Navy for temporary service, in lieu of chief aviation technician (W-2) in the Navy as previously nominated, subject to the qualifications therefor as provided by law.

HOUSE OF REPRESENTATIVES

MONDAY, FEBRUARY 26, 1962

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Chronicles 26: 5: *As long as he sought the Lord, God made him to prosper.*

O Thou who art our refuge and strength in times of trouble, may we be numbered among the seekers and finders of God.

We are confident that our beloved country will prosper and never lose its national identity if we continue to turn our minds and hearts toward Thee.

Grant that in our fellowship with Thee we may find poise and peace for our restless spirits and inspiration and guidance for our noblest plans and purposes.

Enable us by Thy grace to accept the challenge of every lofty adventure, to discover and release the hidden splendor of the universe, and to bring to fulfillment the longings of humanity for the blessings of freedom and peace.

Hear us in the name of the Prince of Peace. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, February 22, 1962, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed joint resolutions and concurrent resolutions of the following titles, in which the concurrence of the House is requested:

S.J. Res. 152. Joint resolution to provide for the reappointment of Dr. Caryl P. Haskins as citizen regent of the Board of Regents of the Smithsonian Institution;

S.J. Res. 153. Joint resolution to provide for the reappointment of Dr. Crawford H. Greenewalt as citizen regent of the Board of Regents of the Smithsonian Institution;

S. Con. Res. 56. Concurrent resolution to print as a Senate document "A Report of U.S. Foreign Policy and Operations"; and

S. Con. Res. 59. Concurrent resolution authorizing the printing of additional copies of Senate Report 448, 87th Congress, entitled "Administered Prices, Drugs."

CANADA-UNITED STATES INTERPARLIAMENTARY DELEGATION

The SPEAKER laid before the House the following resignation of a member of the U.S. delegation of the Canada-United States Interparliamentary Group:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., February 22, 1962.

Hon. JOHN W. MCCORMACK,
Speaker, House of Representatives, Washington, D.C.

DEAR MR. SPEAKER: It is with much regret that I find that I am unable to participate in the meeting of the United States-Canada Interparliamentary Group which meets at Ottawa and to which you kindly appointed me. Therefore, I submit this letter of resignation from the Group.

Sincerely yours,
GLENN CUNNINGHAM,
Member of Congress.

The SPEAKER. Without objection, the resignation will be accepted.

There was no objection.

The SPEAKER. Pursuant to the provisions of section 1, Public Law 86-42, the Chair appoints as a member of the U.S. delegation of the Canada-United States Interparliamentary Group for the meeting to be held in Ottawa, Canada, from February 28 to March 4, 1962, the gentleman from Michigan [Mr. HARVEY], to fill the existing vacancy thereon.

RECESS

The SPEAKER. The House will stand in recess subject to the call of the Chair.

Accordingly (at 12 o'clock and 3 minutes p.m.) the House stood in recess subject to the call of the Chair.

JOINT MEETING OF THE TWO HOUSES OF CONGRESS TO RECEIVE LT. COL. JOHN H. GLENN, JR., U.S. MARINE CORPS

The SPEAKER of the House presided.

At 12 o'clock and 53 minutes p.m., the Doorkeeper announced the President pro tempore and Members of the U.S. Senate who entered the Hall of the House of Representatives, the President pro tempore taking the chair at the right of the Speaker, and the Members of the Senate the seats reserved for them.

The SPEAKER. On the part of the House the Chair appoints as members of the committee to escort Lieutenant Colonel Glenn into the Chamber, the gentleman from Oklahoma [Mr. ALBERT], the gentleman from Louisiana [Mr. BOGGS], the gentleman from Georgia [Mr. VINSON], the gentleman from California [Mr. GEORGE P. MILLER], the gentleman from Indiana [Mr. HALLECK], the gentleman from Illinois [Mr. ARENDS], and the gentleman from Massachusetts [Mr. MARTIN].

The PRESIDENT pro tempore. On the part of the Senate the Chair appoints as members of the committee of escort the Senator from Montana [Mr. MANSFIELD], the Senator from Georgia [Mr. RUSSELL], the Senator from Oklahoma [Mr. KERR], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Illinois [Mr. DIRKSEN], the Senator from Massachusetts [Mr. SALTONSTALL], the Senator from Wisconsin [Mr. WILEY], and the Senator from California [Mr. KUCHEL].

The Doorkeeper announced the ambassadors, ministers, and chargés d'affaires of foreign governments.

The ambassadors, ministers, and chargés d'affaires of foreign governments entered the Hall of the House of Representatives and took the seats reserved for them.

The Doorkeeper announced the Chief Justice of the United States and the Associate Justices of the Supreme Court.

The Chief Justice of the United States and the Associate Justices of the Supreme Court entered the Hall of the House of Representatives and took the seats reserved for them in front of the Speaker's rostrum.

At 1 o'clock and 6 minutes p.m., Lieutenant Colonel Glenn's fellow astronauts, Virgil I. Grissom, Alan B. Shepard, Jr., Donald K. Slayton, Malcolm S. Carpenter, and Walter M. Schirra entered the Chamber. [Applause, the Members rising.] (The other astronaut, Leroy G. Cooper, Jr., was in Australia.)

The Doorkeeper announced the Cabinet of the President of the United States.

The members of the Cabinet of the President of the United States entered the Hall of the House of Representatives and took the seats reserved for them in front of the Speaker's rostrum.

At 1 o'clock and 8 minutes p.m., the Vice President entered the Chamber and assumed the chair vacated by the President pro tempore at the right of the Speaker.

At 1 o'clock and 13 minutes p.m., the Doorkeeper announced Lieutenant Colonel Glenn.

Lieutenant Colonel Glenn, accompanied by the committee of escort, entered the Chamber and stood at the Clerk's desk. [Applause, the Members rising.]

The SPEAKER. Members of the Congress, it is a privilege, and I deem it a high honor to present to you a brave, a courageous American, a hero in World War II and in the Korean conflict, who recently in a most notable manner added glory and prestige to our country, the first U.S. astronaut to have achieved orbital flight, Lt. Col. John H. Glenn, Jr., U.S. Marine Corps. [Applause, the Members rising.]

Lieutenant Colonel GLENN. Mr. Speaker, Mr. President, Members of the Congress, I am only too aware of the tremendous honor that is being shown us at this joint meeting of the Congress today. When I think of past meetings that involved heads of state and equally notable persons, I can only say I am most humble to know that you consider our efforts to be in the same class. [Applause.]

This has been a great experience for all of us present and for all Americans, of course, and I am certainly glad to see that pride in our country and its accomplishments is not a thing of the past. [Applause.]

I still get a hard-to-define feeling inside when the flag goes by—and I know that all of you do, too. Today as we rode up Pennsylvania Avenue from the White House and saw the tremendous outpouring of feeling on the part of so many thousands of our people I got this same feeling all over again. Let us hope that none of us ever loses it. [Applause.]

The flight of *Friendship 7* on February 20 involved much more than one man in the spacecraft in orbit. [Applause.] I would like to have my parents stand up, please. [Mr. and Mrs. John Glenn, Sr., stood and received the rising applause of the Members.]

My wife's mother and Dr. Castor. [Dr. and Mrs. H. W. Castor stood and received the rising applause of the Members.]

My son and daughter, David and Carolyn. [David and Carolyn Glenn rose and received the rising applause of the Members.]

And the real rock in my family, my wife Annie. [Mrs. John H. Glenn, Jr., rose and received the applause of the Members.]

There are many more people, of course, involved in our flight in *Friendship 7*; many more things involved, as well as people. There was the vision of Congress that established this national program of space exploration. Beyond that, many thousands of people were involved, civilian contractors and many subcontractors in many different fields; many elements—civilian, civil service, and military, all blending their efforts toward a common goal.

To even attempt to give proper credit to all the individuals on this team effort would be impossible. But let me say that I have never seen a more sincere, dedicated, and hard-working group of people in my life. [Applause.]

From the original vision of the Congress to consummation of this orbital flight has been just over 3 years. This, in itself, states eloquently the case for the hard work and devotion of the entire Mercury team. This has not been just another job. It has been a dedicated labor such as I have not seen before. It has involved a cross cut of American endeavor with many different disciplines cooperating toward a common objective.

Friendship 7 is just a beginning, a successful experiment. It is another plateau in our step-by-step program of increasingly ambitious flights. The earlier flights of Alan Shepard and Gus Grissom were steppingstones toward *Friendship 7*. My flight in the *Friendship 7* spacecraft will, in turn, provide additional information for use in striving toward future flights that some of the other gentlemen you see here will take part in. [Applause.]

Scott Carpenter here, who was my backup on this flight; Walt Schirra, Deek Slayton, and one missing member, who is still on his way back from Australia, where he was on the tracking station, Gordon Cooper. A lot of direction is necessary for a project such as this, and the Director of Project Mercury since its inception has been Dr. Robert Gilruth, who certainly deserves a hand here. [Applause.]

I have been trying to introduce Walt Williams. I do not see him here. There he is up in the corner. [Applause.]

He was the Associate Director of Mercury, and was in the unenviable position of being Operational Director. He is a character, no matter how you look at him. He says hold the countdown, and one thing and another.

With all the experience we have had so far, where does this leave us?

There are the building blocks upon which we shall build much more ambitious and more productive portions of the program.

As was to be expected, not everything worked perfectly on my flight. We may well need to make changes—and these will be tried out on subsequent 3-orbit flights, later this year, to be followed by 18-orbit, 24-hour missions.

Beyond that, we look forward to Project Gemini—a two-man orbital vehicle with greatly increased capability for advanced experiments. There will be additional rendezvous experiments in space, technical and scientific observations—then, Apollo orbital, circumlunar and finally, lunar landing flights.

What did we learn from the *Friendship 7* flight that will help us attain these objectives?

Some specific items have already been covered briefly in the news reports. And I think it is of more than passing interest to all of us that information attained from these flights is readily available to all nations of the world. [Applause.]

The launch itself was conducted openly and with the news media representatives from around the world in attendance. [Applause.] Complete information is released as it is evaluated and validated. This is certainly in sharp contrast with similar programs conducted elsewhere in the world and elevates the peaceful intent of our program. [Applause.]

Data from the *Friendship 7* flight is still being analyzed. Certainly, much more information will be added to our storehouse of knowledge.

But these things we know. The Mercury spacecraft and systems design concepts are sound and have now been verified during manned flight. We also proved that man can operate intelligently in space and can adapt rapidly to this new environment.

Zero g., or weightlessness—at least for this period of time—appears to be no problem. As a matter of fact, lack of gravity is a rather fascinating thing.

Objects within the cockpit can be parked in midair. For example, at one time during the flight, I was using a hand held camera. Another system needed attention; so it seemed quite natural to let go of the camera, take care of the other chore in the spacecraft, then reach out, grasp the camera and go back about my business.

It is a real fascinating feeling, needless to say.

There seemed to be little sensation of speed although the craft was traveling at about 5 miles per second—a speed that I too find difficult to comprehend.

In addition to closely monitoring onboard systems, we were able to make numerous outside observations.

The view from that altitude defies description.

The horizon colors are brilliant and sunsets are spectacular. It is hard to beat a day in which you are permitted the luxury of seeing four sunsets.

I think after all of our talk of space, this morning coming up from Florida on the plane with President Kennedy, we had the opportunity to meet Mrs. Kennedy and Caroline before we took off. I think Caroline really cut us down to size and put us back in the proper position. She looked up, upon being introduced, and said, "Where's the monkey?" [Laughter.]

And I did not get a banana pellet on the whole ride.

Our efforts today and what we have done so far are but small building blocks in a huge pyramid to come.

But questions are sometimes raised regarding the immediate payoffs from our efforts. What benefits are we gaining from the money spent? The real benefits we probably cannot even detail. They are probably not even known to man today. But exploration and the pursuit of knowledge have always paid dividends in the long run—usually far greater than anything expected at the outset. [Applause.]

Experimenters with common, green mold, little dreamed what effect their discovery of penicillin would have.

The story has been told of Disraeli, Prime Minister of England at the time, visiting the laboratory of Faraday, one of the early experimenters with basic electrical principles. After viewing various demonstrations of electrical phenomena, Disraeli asked, "But of what possible use is it?" Faraday replied, "Mister Prime Minister, what good is a baby?"

That is the stage of development in our program today—in its infancy. And it indicates a much broader potential impact, of course, than even the discovery of electricity did. We are just probing the surface of the greatest advancements in man's knowledge of his surroundings that has ever been made, I feel. There are benefits to science across the board. Any major effort such as this results in research by so many different specialties that it is hard to even envision the benefits that will accrue in many fields.

Knowledge begets knowledge. The more I see, the more impressed I am—not with how much we know—but with how tremendous the areas are that are as yet unexplored.

Exploration, knowledge, and achievement are good only insofar as we apply them to our future actions. Progress never stops. We are now on the verge of a new era, I feel.

Today, I know that I seem to be standing alone on this great platform—just as I seemed to be alone in the cockpit of the *Friendship 7* spacecraft. But I am not. There were with me then—and with me now—thousands of Americans and many hundreds of citizens of many countries around the world who contributed to this truly international undertaking voluntarily and in a spirit of cooperation and understanding.

On behalf of all of those people, I would like to express my and their heartfelt thanks for the honors you have bestowed upon us here today.

We are all proud to have been privileged to be part of this effort, to represent our country as we have. As our knowledge of the universe in which we live increases, may God grant us the wisdom and guidance to use it wisely.

Thank you, gentlemen. [Applause, the Members rising.]

At 1 o'clock and 32 minutes p.m., Lieutenant Colonel Glenn, accompanied by the committee of escort, retired from the Hall of the House of Representatives.

The Doorkeeper escorted the invited guests from the Chamber in the following order:

The members of the President's Cabinet.

The Chief Justice of the United States and the Associate Justices of the Supreme Court.

The ambassadors, ministers, and chargés d'affaires of foreign governments.

JOINT MEETING DISSOLVED

The SPEAKER. The joint meeting of the two Houses is now dissolved.

Accordingly, at 1 o'clock and 36 minutes p.m., the joint meeting of the two Houses was dissolved.

The Members of the Senate retired to their Chamber.

AFTER RECESS

The recess having expired, at 2 o'clock and 15 minutes p.m., the House was called to order by the Speaker.

PRINTING OF PROCEEDINGS HAD DURING THE RECESS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the proceedings had during the recess be printed in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

USE OF FRANKING PRIVILEGE BY MEMBERS OF CONGRESS

Mr. WALTER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. WALTER. Mr. Speaker, on Friday, February 16, last, the Washington Post published an article unjustly critical of Representative CLYDE DOYLE, a Member of my committee. This article related to alleged "junk mail" distributed by Mr. DOYLE and other Members of Congress.

Mr. DOYLE was justly indignant over the treatment he received. I am glad to note that in publishing Mr. DOYLE's reply the Washington Post stated that it "regrets the implication the article conveyed."

The fact is that Mr. DOYLE's mail was not being transmitted unaddressed as "junk mail" but was being forwarded to his office in Los Angeles County where the envelopes were to be specifically addressed to members of his constituency by his office staff assisted by volunteer workers. The mail consisted of reprints of a speech by Mr. DOYLE entitled, "My Bill Will Outlaw Communist-Action Organizations, Including the Communist Party." This speech is an able presentation in support of his bill, H.R. 9944, the purpose of which is to make punishable membership in Communist-action organizations. The bill is complicated and important and Mr. DOYLE's excellent analysis should receive public attention.

Mr. Speaker, I am deeply concerned because of the undeserved aspersions cast upon Mr. DOYLE and other Members of the House. I wish to state that I have personally known Mr. DOYLE throughout his many years of faithful and dedicated service to his people and the Government of the United States. It would be difficult to point out an abler or more conscientious Member of the House than our colleague and friend, CLYDE DOYLE, who has at all times been dedicated to the ideals of our democratic society and has conducted himself both in public and private life with integrity and honor. I resent the irresponsible suggestions made against him and other Members of the House.

THE "FRIENDSHIP 7"

Mr. HUDDLESTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. HUDDLESTON. Mr. Speaker, the whole Nation pays tribute to Lt. Col. John H. Glenn, Jr., for his success in demonstrating the remarkable progress the United States has made in its man-in-space program. During the 4 hours and 56 minutes when Colonel Glenn was making three orbits of the earth, the attention of the world was concentrated on the *Friendship 7*. All of us shared the suspense of this spectacular achievement—the takeoff, Colonel Glenn's control of the spacecraft, that fireball of reentry, and that final moment when the pilot emerged from the space capsule. We salute Colonel Glenn as the first American to circle the earth in outer space.

This is the third successful flight of our men into space. On May 5, 1961, a Redstone-boosted capsule carried Alan B. Shepard on his ballistic-flight path. On July 21, 1961, the Mercury Redstone 4 launched Astronaut Virgil I. Grissom on a suborbital flight. The success of the *Friendship 7* on February 20, 1962, is a tribute to the work of all the scientists and engineers who have worked on Project Mercury. Much of this work

of course, was performed by the splendid team of researchers and technicians at Redstone Arsenal in my State of Alabama. Thousands of experts are required to accomplish the man-in-space mission, and all these people worked as a team to produce the Atlas D launcher and the bell-shaped spacecraft piloted by Colonel Glenn. We wish to pay tribute to all the dedicated people who made it possible to send the first American into orbit around the earth. And our gratitude extends as well to the people who manned the Project Mercury tracking stations throughout the world. We shall always remember that the darkness on the other side of the world was lighted by the people of Perth, Australia, and join with Colonel Glenn in saying "Thanks everybody."

ANNOUNCEMENT

Mr. PIRNIE. Mr. Speaker, on rollcall No. 20 I was necessarily absent. Had I been present I would have voted in favor of the resolution.

The SPEAKER. Is the gentleman making a statement or asking for a correction of the RECORD?

Mr. PIRNIE. I just wish to have it noted in the RECORD.

CALL OF THE HOUSE

Mr. COHELAN. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll and the following Members failed to answer to their names:

[Roll No. 21]

Addonizio	Feighan	Miller, George
Ashley	Fino	P.
Barrett, Pa.	Fogarty	Minshall
Bass, N.H.	Garmatz	Moeller
Beermann	Giaimo	Moorehead,
Belcher	Granahan	Ohio
Bennett, Mich.	Harsha	Morse
Berry	Hébert	Mosher
Bilitch	Henderson	Moulder, Mo.
Boggs	Hoffman, Mich.	O'Brien, N.Y.
Bolling, Mo.	Hosmer	Pillion
Bow	Hull	Powell
Brewster	Jarman	Price
Broomfield	Johansen,	Robison
Broyhill	Mich.	Rostenkowski
Burke, Mass.	Jones, Mo.	Ryan, Mich
Byrne, Pa.	Judd	St. George
Cannon	Kee	Saund
Celler	Kirwan	Scherer
Cook	Kitchin	Smith, Calif.
Cooley	Lesinski	Smith, Miss.
Curtis, Mass.	Lipscomb	Staggers
Delaney	Loser	Steed
Diggs	McCulloch	Thomas
Dulski	MacGregor	Weaver
Edmondson	Madden	Wickersham
Fallon	Martin, Mass.	Wilson, Ind.
Farbstein		

The SPEAKER. On this rollcall 356 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

AMENDING JUVENILE COURT ACT FOR THE DISTRICT OF COLUMBIA

Mr. JAMES C. DAVIS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 6747) to amend the Juvenile Court Act of the District of Columbia, and pending that motion, Mr. Speaker, I ask unanimous consent that general debate be limited to not to exceed 2 hours, to be equally divided and controlled by myself and the gentleman from New Jersey, Mr. AUCHINCLOSS.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The SPEAKER. The question is on the motion.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 6747 with Mr. FLOOD in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. The Chair recognizes the gentleman from Georgia [Mr. JAMES C. DAVIS].

Mr. JAMES C. DAVIS. Mr. Chairman, I yield myself 20 minutes.

Mr. Chairman, Subcommittee No. 3 of the House District Committee consists of 12 members, most of them with years of experience in District problems. Nine are attorneys at law. Four served as prosecuting attorneys before coming to Congress and two served as judges.

The subcommittee deals with legislation affecting the police, the courts, and crime. In dealing with the subject matter of this bill, it is not operating in a new field. This subcommittee originated legislation which Congress passed to provide more policemen on the beats, and in the prowl cars, to provide training facilities for the police force, to provide police dogs to help in apprehending criminals, and legislation to assist the law-enforcement agencies in the District and provide all the protection possible against the vicious criminals who have been roaming the streets and alleys of the city, breaking into homes, apartments, and business houses, and committing a continuous series of assaults, murders, rapes, robberies, burglaries, and other serious felonies and misdemeanors.

Attacks and assaults upon the streets, particularly upon women, reached the point that the police department issued a set of safety instructions for those having to use the streets after dark. Some of the things they advised the citizens to do were:

Always travel with a companion if possible.

Stick to well-traveled, well-lighted streets, wherever possible, whether on foot or in a car.

Carry your purse hugged close to you.

Keep your car door locked.

Always keep the car in gear. If anyone suspicious approaches you, "take off." This is true, even if it means running a red light.

At one period last year five women were forcibly raped in 4 days. Four of the rapes were committed within 13 hours.

In Washington rapes and assaults to rape are committed at all hours in the daytime and at night; they are committed on the streets and in the homes; they are even committed in business establishments.

One frail Government worker was assaulted at the very entrance to her apartment, was beaten and raped, and at the conclusion of the attack the rapist rammed his fingers in the victim's throat and almost tore her tongue out by the roots.

Another case last fall was of a woman found in her own apartment, beaten into unconsciousness, who remained in a coma for weeks. The last account I saw regarding that unfortunate victim, she was still in a state of coma.

I could use up the entire time allotted for general debate on this bill giving instance after instance of individual cases of assaults, robbery, rape, and murder without completing the list.

One of the shocking facts about crime in the District of Columbia is the great number of violent and brutal attacks committed by criminals between the ages of 16 and 18 years, who cannot be given adequate punishment in the juvenile court, and who have a shield of secrecy thrown over them, if their cases are retained in the juvenile court.

The bill before us today represents months of work and study on the part of this subcommittee. Many public hearings were held. Many executive sessions were held to study the testimony and the information gathered by the committee staff. The bill was reported to the full committee with the solid backing of 10 of the 12 subcommittee members. It is reported to the House by a substantial majority of the House District Committee.

All the provisions of this bill are needed to cope with juvenile crime in the District. Every provision in this bill is based upon sound reasons. I hope you will listen while I give you these reasons.

First, the bill converts the juvenile court from its present isolated, detached and separate status, into an integral part of the law-enforcing machinery of the District, by making it a branch of the municipal court, which court as a part of its functions already has jurisdiction of domestic relations cases.

Making the juvenile court a separate branch of the municipal court is in line with modern thinking of some of the best legal minds of the Nation. It is in line with the strong and decided opinion of Dean Emeritus Roscoe Pound of the Harvard University Law School. His article entitled "The Place of the Family Court in the Judicial System" published in the National Probation and Parole Association Journal in 1959, said among other things:

Today we have come to see the defects of the system of multiplied specialized courts:

It involves conflicts and overlappings of jurisdiction and consequent waste of judicial power.

It involves waste of litigants' time and money.

It requires determination of controversies in fragments, in which the merits of the whole situation may be lost.

It involves waste of public money in maintaining separate courts of limited powers.

It is only recently that we have begun to see the need to organize courts in such a way that judges may be called from one

to another, as the exigencies of judicial work may require, by some administrative agency in the judicial system which has the function of applying judicial power where it is needed, and without waste. What appears most conspicuously needed is responsible administrative leadership over an all-embracing court or court system, and in each branch or division."

One of the compelling reasons for changing this court so that it will come under the administration and management of the municipal court is this: As long as the juvenile court continues to be an autonomous court, answerable to no one, it is never going to afford protection to law-abiding citizens from juvenile criminals. The court is never going to impose punishment upon juvenile criminals adequate and sufficient to deter them from committing the vicious and violent crimes which they have been and are now committing.

The present juvenile court people insist that a violation of law by a juvenile, no matter how brutal or atrocious, is not a crime. They say it is only a delinquent act. They do not believe the juvenile court should impose a sentence upon a juvenile criminal in the nature of or as punishment for crime. The greatest protection the public can have from a robber, murderer, or rapist is punishment to deter him from doing it again, and confinement to remove him from the scene, so he cannot repeat the offense. Yet these juvenile court people will frankly tell you that their concern is with rehabilitation of the criminal. Their concern is not protection of the public.

On June 2, 1961, the legal and executive assistant to the juvenile court judge testified before the subcommittee as the representative of the court. I ask you to read his testimony on pages 222 and 223 of the hearings. We were questioning him about the policy of the court regarding punishment of juvenile criminals for serious crime. Here are some of the questions and answers:

Question. You do not think a person who has committed the offense of rape is entitled to any stigma, do you?

Answer. If he is treated as a criminal, yes, sir.

Question. Well, when he commits rape, is he a criminal or not?

Answer. If he is treated in the juvenile court, he has committed a delinquent act.

Question. That is one trouble about you and the juvenile court, instead of calling juvenile crime crime, you try to gloss it over and call it juvenile delinquency, when the truth of the matter is it ought to be called what it is, and that is crime. People are not ever going to be protected from this kind of juvenile hoodlumism and outrages as long as you do gloss it over and undertake to call it delinquency, when, as a matter of fact, it is crime of the most outrageous and horrible kind.

Answer. What good will it do to punish and stigmatize these children? Will that not tend to make them more criminal once they are released from jail?

On the subject of adequate punishment for rape and serious crimes of violence, we questioned this representative of the court about a case which had just recently occurred. In that case a juvenile criminal between 16 and 17 years old approached a woman student near her dormitory at the university she was attending. He produced a gun and marched her to the university fieldhouse where he forced her to disrobe and raped her several times. He robbed her of $2. The judge did not waive this most serious case to the U.S. district court. It was retained in the juvenile court. Although the judge could have sentenced this juvenile criminal to the National Training School until his 21st birthday, he sentenced him to the training school only to his 18th birthday, a period of some 16 or 18 months. They undertook to justify this handling of the case because the rapist and robber was making a good adjustment in school. Questions and answers regarding that case are on page 221 of the committee hearings. Here are some of the questions and answers:

Question. How many times did he rape this girl?

Answer. I do not know. I believe it was once.

Question. Was it not twice?

Answer. I do not know.

Question. How much did he rob her of?

Answer. Two dollars.

Question. So at least he committed one rape and one robbery?

Answer. Yes.

Question. And that is the sort of case you say because he was doing well in school, you thought it should not be waived?

Answer. I did not think so. The judge studied that case very carefully.

This testimony and other testimony to the subcommittee makes it clear that no will or purpose exists in the juvenile court as presently constituted to protect the citizens of the District from these horrible and atrocious crimes by meting out adequate sentences to the criminal in the juvenile court, or by waiving the case to the U.S. district court where adequate punishment could be inflicted.

As long as rapists and robbers between 16 and 18 years of age continue to have their crimes treated so lightly, we can only expect rape and robbery to continue against helpless victims here in the District. These cases I am telling you about are not isolated cases. They are part of a pattern. The table on page 14 of the committee report shows that in 1960 serious felonies such as rape, robbery, housebreaking, et cetera committed by 16- and 17-year-old criminals were substantially more than those committed by criminals in the 3-year-age bracket of 18, 19 and 20 years.

Table 18 of the juvenile court's statistical report for 1959, shows that for that year 49.2 percent of the juveniles before the court were repeat offenders. Table 7 of the court's report for 1961 shows that by that year repeaters had increased to 53.9 percent or more than half of the offenders before the court.

The subcommittee is convinced that the tragic situation now existing as to number of crimes and percentage of repeaters before the court is largely due to the practices and procedures inaugurated in 1958, and I shall deal with them more fully a little later. Under existing law the present judge will not change these practices and procedures. He inaugurated them. Under existing law no one else can require him to change them.

The remedy therefore is to do what this bill does, make the court a part of the municipal court so that its practices and procedures will be subject to supervision. This will give citizens a measure of protection against vicious crimes by juvenile thugs and hoodlums which I am sorry to say they do not now have.

The juvenile court's determined attitude to regard juvenile crime merely as delinquency, and their determined attitude against imposing sentences for punishment purposes evidently carries over into the consideration of whether cases of serious and violent crimes will be retained for disposal in the juvenile court, or be waived to the U.S. district court where, in a proper case, more adequate punishment may be imposed. It is a natural sequence that one who is reluctant to punish a lawbreaker in his own court is also reluctant to transfer that case to another court where adequate punishment might be imposed.

It is worthwhile to note, I think, another expensive result of the juvenile court's lax attitude toward juvenile crime. It is reported that the cost of replacing window glass in the District public school buildings broken out by juvenile hoodlums each year is near $100,000. In 1961, this cost the taxpayers $85,946. This vandalism and complete disregard of property rights, as well as human rights, is encouraged by the tolerant attitude of the juvenile court toward all juvenile crime. This is another reason why the court should be converted into a branch of the municipal court.

As a second major provision, this bill provides for one additional judge to serve in the juvenile court branch.

The Commissioners of the District of Columbia agree with the committee that one additional judge—not two additional judges—will afford all relief necessary.

The Commissioners on January 17, 1961, recommended that Congress provide two additional judges for the juvenile court. Upon further consideration, the Commissioners changed their position on that point, and on June 2, 1961, Corporation Counsel Chester H. Gray presented a letter from the Board of Commissioners to the chairman of the committee, advising that the Commissioners now recommend only one additional judge in the juvenile court, and that they also support certain other provisions in H.R. 6747, the bill under consideration today. In that letter, the Commissioners recommend one additional judge in the juvenile court instead of two. In that communication, the Commissioners endorsed the provision in H.R. 6747 which transfers jurisdiction out of the juvenile court into the municipal court over adult cases growing out of desertion of minor children by parents, also proceedings to force maintenance of children born out of wedlock, also prosecutions for contributing to the delinquency of minors, also violations of the child labor law, and violations of the compulsory school attendance law.

In addition, the Commissioners recommended still another change in the juvenile court law which is contained in this bill—namely, a provision to make it possible to place juvenile operators of motor vehicles under the point system for the

suspension or revocation of operator's permits.

In the Commissioners' "state of the Nation's Capital" message for 1962, issued January 15, 1962, the Commissioners reiterated their support of those portions of H.R. 6747 just mentioned, and in addition, recommended still another provision contained in H.R. 6747—namely, to transfer from juvenile court to the municipal court jurisdiction over all violations by 16- and 17-year-old juveniles of traffic laws and regulations, except those of driving under the influence of alcohol, leaving after colliding, reckless driving, and negligent homicide.

These twice-repeated endorsements by the District of Columbia Commissioners of certain provisions of H.R. 6747 confirm the findings of the subcommittee and the full committee that the juvenile court law is in need of substantive and material amendment.

When these adult cases are transferred out of the juvenile court into the municipal court, as recommended by the Commissioners and as provided in the bill, and when traffic cases are likewise transferred out of the juvenile court, the caseload of the juvenile court takes a sharp and abrupt drop. For instance, in 1960, of the 3,210 new petitions filed in the juvenile court, 1,485 of the petitions were adult petitions and only 1,725 juvenile petitions. The adult petitions lacked only 245 of being half the caseload for 1960.

Only about one-third of the court's backlog of cases are juvenile cases. Nearly two-thirds of the backlog are adult cases. In 1960, of the 1,667 backlog cases, only 502 were juvenile petitions; 1,165 were adult petitions. With one additional judge in the juvenile court branch, the backlog of cases can be cleaned up in short order, and with the transfer of adult cases and traffic cases to the municipal court, as recommended by the Commissioners, and as provided in this bill, one judge in the juvenile court branch can easily handle all juvenile cases, and very likely leave the additional judge provided in this bill free to serve most or all of his time in the municipal court.

A third important provision in this bill is that it retains complete jurisdiction of juveniles within the juvenile court branch.

One important change provided in this bill which will cut the caseload nearly in half is the transferring of adult cases out of the juvenile court to the municipal court. As I have already stated, this change is recommended by the District of Columbia Commissioners.

Another major change provided in the bill, and one of extreme importance to the citizens of the District of Columbia, is the change of the age limit from 18 to 16 years. This change will give urgently needed protection to District citizens; also, it will further reduce the caseload of the juvenile court branch.

In recommending this change in the juvenile court age, the judgment and findings of the committee are supported by overwhelming local sentiment and by the judgment of recognized experts in crime prevention and detection.

J. Edgar Hoover, director of the Federal Bureau of Investigation, in an article published in the Law Enforcement Bulletin, October 1, 1959, said:

> The problem of youthful crime—truly a monster of frightening proportions—exists not only in the densely populated metropolitan centers, but in each and every community in the land. Violent crime sprees and the bizarre escapades of young hoodlums, wily and hardened beyond their years, fire the imagination of other young punks across the Nation. Unfortunately, any escape from justice by youthful lawbreakers—through weak court systems, public indifference, softheaded sentimentality, senseless preference for the rights of the criminal instead of for his victim—can only give encouragement to other young thugs.
>
> It is my firm conviction that the all-out campaign against these flagrant young criminals who commit serious crimes must include publishing their names and crimes for public information, the ready availability of past records for the information of appropriate law-enforcement officers, and fingerprinting of these young lawbreakers for future identification.
>
> At this time when the increase in youthful crime constitutes the bulk of the shameful rise in our national crime, serious consideration should be given to lowering the age distinction between a juvenile and an adult violator. We are dealing with vicious young criminals, and they should be treated as such.

That was in 1959. Just 4 days ago in accepting the George Washington Award at Valley Forge, Pa., Mr. Hoover said this in his acceptance speech:

> By far the most shocking aspect of this mounting crime problem is the role played by youth. Among youth, there are some of the most brutal, incorrigible criminals in the Nation.
>
> Nearly one-half of the arrests for burglaries and larcenies, and almost two-thirds of the auto theft arrests each year involve persons less than 18 years old.
>
> And we are hastening national disaster when we tolerate weaknesses in the administration of justice—weaknesses which enable repeated undeserved leniencies to be showered upon vicious young thugs, robbers, rapists and murderers.
>
> Teenagers who consistently defy the law must be held legally accountable for their crimes against society. They, like their adult counterparts, must learn that there is no "privileged class" in America.

Another needed substantive change provided in this bill is a slight relaxation of the mandatory secrecy requirement in the present law. At present, a juvenile under 18 may commit any brutal or horrible crime, secure in the knowledge that, if he is caught, the general public may not witness his trial in the juvenile court, or obtain his name from the court, or obtain any other information regarding him, although he may be a habitual offender, and a many times repeater. His potential future victims on the street may not know his record so as to steer clear of him. He may not be fingerprinted for future identification.

This bill would modify that secrecy provision to this exent: The judge would have authority, if he saw fit to do so, to relax this secrecy provision in the case of a felony committed by a juvenile 14 years of age, or older, at the time of the crime. This authority would not be mandatory upon the judge. It would be discretionary with him. In every other case, the secrecy provision of the present law would remain in force.

Mr. L. Clark Schilder, a Federal reformatory warden for many years, who has handled thousand of boys at Chillcothe, Ohio, and El Reno, Okla., told the subcommittee—hearings, pages 139–140—in his opinion, this secrecy provision should be relaxed as is provided in this bill. Among other reasons, he said that publicity might serve to alert the neighbors, that it might prompt the parents to supervise their children better, and it might keep them on their toes in many respects.

Deputy Chief John E. Winters, commanding officer of the Youth Aid Division, of the Metropolitan Police Department, here in Washington, told the subcommittee that in his opinion, the 16- and 17-year-old criminals are fully aware of what they are doing. He said he does not think there is any doubt at all that some of them are hiding behind the protection that the law throws them behind as juveniles.

In discussing 16 years as the maximum juvenile court age, Deputy Chief Winters pointed to a number of acts of Congress which have established the age of 16 years to be the age of responsibility, such as the issuance of a driver's license, the age at which compulsory school attendance is no longer required, the age of consent in sex cases, the age under which in the Miller Sex Act penalties are doubled for the commission of certain acts against children, sodomy, indecent acts, prostitution, and so forth, and the age at which tobacco can be sold in any form to a person.

The subcommittee felt that if anyone concerned with juvenile court legislation could give the subcommittee valid reasons why the 18-year age limit should not be reduced to 16 years, certainly the judge of juvenile court could give those reasons. He was asked to give his reasons for insisting upon 18 years. He did not give the subcommittee a single valid reason to support his views. Here are the pertinent questions and answers:

> Question. Why should the statute place it at 18 years?
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> Answer. I suppose it is a question of where you draw the line. Some parts draw the line at 21. The military draws it at 17. Schools draw it at 16 for completion of school. I do not know the background sufficiently to know why 18 was picked exactly, but it is the most common and most universal throughout the country.
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> Question. In Baltimore I believe it is 16.
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> Answer. That is correct, sir.
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> Question. I am wondering if you could give us any reason why the age should be 18 instead of 16?
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> Answer. I'm afraid I could not give anything other than examples of precedent and tradition.

Responsible officials, familiar with crime problems, such as J. Edgar Hoover, Director of the Federal Bureau of Investigation, L. Clark Shilder, with years of experience as warden of boys' reformatories at Chillicothe, Ohio, and El Reno, Okla., Deputy Chief John E. Winters, head of the Youth Aid Division of the Metropolitan Police force here in Washington, among others, endorse a reduction of the juvenile court age from 18 years, as this subcommittee does.

The great number of brutal and atrocious crimes committed by 16- and 17-year-old juvenile criminals calls for this reduction. Representatives of the Federation of Women's Clubs and other women's organizations came before the subcommittee and plead for the reduction. Representatives of the various citizens' associations composed of the rank and file of people did likewise.

The subcommittee, seeking facts, if any existed, in opposition to the age reduction, went to the source which should have been able to furnish such reasons. All the information we received from the judge was the bare statement that he favored retention of the 18-year maximum.

Some of those who oppose this bill say that if it passes, the young first offender who makes his first misstep will be deprived of a chance of rehabilitation.

Nothing could be further from the truth. Those under the age of 16, if they are taken to court at all, will still be handled in the juvenile court branch. With the adult cases removed to the municipal court, the exclusive jurisdiction of the juvenile court branch will be juvenile cases. It will have ample time to deal with them.

Juveniles between the ages of 16 and 18 if they commit an offense which is a misdemeanor, or minor in nature, will go to the municipal court, of which the juvenile court branch will be a part. If the offense is a felony, or serious in nature and they go to the U.S. district court, that court can and no doubt will handle the case under the Federal Youths' Correction Act, which Congress passed in order to give special consideration to young law violators where there is a chance for rehabilitation.

An important reason for separating 16- and 17-year-old perpetrators of rapes, robberies, assaults, and so forth, from younger children, is the fact that such close association as results from all these being placed together in the National Training School, is bound to have a harmful and injurious effect upon the 13-to-15 year group of teenagers who have real prospects for rehabilitation.

If a lawbreaker between 16 and 18 years of age can be rehabilitated, a municipal court judge or a U.S. district court judge will give him a chance as readily as a juvenile court judge. All these courts have probation officers and clemency facilities. They investigate every convicted case before sentence is passed. In the commission of an offense where a second chance is indicated, every judge I know and every judge you know will give a teenager that chance, and be happy if he takes it.

If the opponents to this bill say that a rapist or robber is entitled to commit one such offense without feeling the hand of the law upon him, I say no. The public is entitled to be protected against offenses of that kind, even the first time. The law should be evoked when that kind of brutual, outrageous offense is committed. However, punishment in those cases still is a matter of discretion with the U.S. district court judges. I am confident they are capable of exercising a proper discretion in all cases.

From an overall standpoint, I am confident that the danger is not that too little leniency will be exercised, but that too much leniency may be extended.

The bill contains another necessary and major change. The District of Columbia Juvenile Court Act provides for jury trials in the juvenile court. This is the only juvenile court in the Nation, within my knowledge, having a jury trial provision. It is not needed. In the juvenile court there is no indictment or accusation charging a crime. The judgment is not a judgment of conviction. Under the juvenile court law whatever order may be entered by the judge does not constitute a criminal record. The jury trial provision serves no useful purpose. It does serve to delay the court considerably. I know of no one who favors continuing the jury trial provision. This bill repeals it.

The bill provides for prompt determination of the legal sufficiency of complaints against juveniles.

Finally the bill provides for a system of uniform crime reporting in the District of Columbia. This is a provision which will benefit not only the juvenile court branch. It will be of benefit to every law enforcing agency in the District. This provision will not make public any information regarding any individual juvenile. It provides a means of reporting crime uniformly in the District—something which has been needed for a long time.

Let me emphasize to you the fact that this bill has the support of the citizens of the District of Columbia who must the brunt of the rapes, the robberies, assaults, and violent crimes committed by these young thugs and hoodlums.

In summary, the court prior to 1958 handled a heavy intake of cases, operated efficiently, accumulated no backlog, and reduced public costs by increasing court collections. In contrast, beginning in 1958, the cost per case reached more than double the previous high; court collections dropped by $450,000; the rate of case intake declined substantially, yet a backlog developed at the rate of about 25 percent of the annual intake justifying at most the need of one-fourth the time of another judge. Additionally, substantive changes are needed in the Juvenile Court Act.

Mr. AUCHINCLOSS. Mr. Chairman, I yield 10 minutes to the gentleman from Pennsylvania [Mr. KEARNS].

Mr. KEARNS. Mr. Chairman, I think we can all agree, as we listened to this eloquent speech by the gentleman from Georgia that he certainly exemplified every word he was speaking to you about in support of H.R. 6747. We have been working on this legislation for a period of over 2 years, and I mean 2 long years, and we worked with great detail as to the provisions of the bill we would finally want to draft into legislation. I would say the hearings were well attended by the members of the Subcommittee No. 3 of the District Committee of the House of Representatives. I also want to pay tribute to the chairman of the full committee, JOHN MCMILLAN, who also sat in and listened attentively to the witnesses we had. I have been serving with these two gentlemen going on 16 years. I know their sincerity.

I am deeply convinced they would not bring a bill on the floor of this House that they did not believe in, and I feel that we as Members even not on the committee can certainly learn a lot from these two learned men who are so well versed in the legislation that is before us at this time.

As you know, I am on the Committee on Education and Labor; we have 11 subcommittees going with large staffs—in the singular—however, we take testimony after testimony on the provisions of legislation to come before this body both on education and labor, and I have never sat in hearings that have been as meticulously handled as those on this piece of legislation.

I want to point out a few provisions that I feel are most pertinent, because I feel that what we do under this bill is to protect the juvenile, not harm him. As has been so aptly pointed out, with this judge we recommend in this bill we will be able to do that.

For instance, the subcommittee determined to find out if judges alone would solve the difficulties of the juvenile court and I think that is a challenging question. A study of the operation over a 7-year period was made and myself as a lay person, not an attorney, became deeply interested in the provisions of what this law would do and what this judge under the provisions of the act could do.

The study demonstrated conclusively to the committee that provision of additional judges—in the plural—would gloss the deficiencies and inadequacies of the court.

In drafting this bill, the committee included the greatest number of recommendations, presented to it during hearings, which were in harmony with committee findings on the needs of the juvenile court. As a result, the bill carries some of the recommendations made by the Judicial Conference, the Board of Commissioners of the District, the Corporation Counsel of the District, the Youth Aid Division of the Metropolitan Police Department, and other groups and persons who presented their views to the committee. H.R. 6747 is the only bill with sufficient scope in its provisions to produce any significant improvement in the court and in the Juvenile Court Act.

Many interested and well meaning persons have been led to believe that the committee bill does not provide adequate judicial manpower for the juvenile court. I will prove to you that it not only provides adequate judicial manpower but actually makes available to the juvenile court more judicial manpower than does the Senate bill calling for two additional judges.

The statement has been made that the committee bill will destroy the local juvenile court. This is a preposterous distortion and a reflection on the sincerity of the committee. I will demonstrate to you by fact and on the record that these are assumptions and conclusions without any substance to support them.

Before dealing with these problems, the Members of the House should know

that the committee found during its

that this House will agree that juveniles

what the committee found during its hearings and study. The first hearings before the subcommittee were on the proposal for two additional judges for the juvenile court. No member questioned the need for more judicial manpower in the court. In a previous Congress, the committee reported and the House passed a bill providing an additional judge for the court.

The subcommittee determined to find out if judges alone would solve the difficulties of the juvenile court. A study of the operation of the court over a 7-year period was made. Statistics were examined, records studied, reasons for the present problems of the court were sought. This study demonstrated conclusively to the committee that mere provision of additional judges would gloss over the deficiencies and inadequacies of the court and continue serious defects in the present law. Such a remedy would be like prescribing aspirin for a case of ulcers.

The committee study showed that prior to 1958, this single judge court handled a 15-percent greater caseload without accumulating any backlog, and increased court collections more than $100,000 each year, all with fewer personnel and lower appropriations than at present. Following a change in the judgeship beginning in 1958, the juvenile court developed a backlog for the first time in many years. Statistics show that in the 3 years beginning with fiscal year 1958, the court disposed of an average of 40 percent fewer cases, had a lower case intake, accumulated a backlog of more than 1,600 cases while the cost per case increased from $123 to $270 and the court collections declined by nearly $450,000. During this same period, Congress gave the court substantially more personnel and increased appropriations by about 50 percent. At the same time, the percentage of repeat juvenile offenders increased by nearly 5 percent. These facts indicated to the committee serious problems which the mere addition of judges might not correct.

The committee also found need for basic changes in the Juvenile Court Act. These involved some of the recommendations of the Judicial Conference, the Commissioners of the District, the Youth Aid Division, the Corporation Counsel, and others.

To illustrate this point, one such change involves a basic American concept of freedom and justice. When an adult is charged with a crime, he is entitled to a prompt hearing to determine whether the charges placed against him are legally sufficient to hold him before the court. A juvenile should be treated at least as well as an adult. But under the present Juvenile Court Act, a juvenile charged with an offense may be under restraint for weeks or even months before any determination is made concerning the legal sufficiency of the complaint. In the meantime, a social worker study is made which may involve his family, friends, and neighbors only to result in dismissal at a later date for lack of legal substance in the complaint. This is an unreasonable imposition on the juvenile, the community, and is a waste of the time and effort of the court. I am sure that this House will agree that juveniles in the District of Columbia are entitled to better treatment. I am equally sure that the Members will support the effort of the committee to end this practice by amending the law as proposed in this bill.

Some Members of the House are under the impression that the local juvenile court is devoted solely to juvenile matters. This is not the case. At the present time, two-thirds of the backlog of cases in that court are adult cases. Normally about half of the cases coming into the court are likewise adult cases.

I know that some of you are under the impression that the juvenile court proceedings are noncriminal in character. This, too, is not the case. The juvenile court's jurisdiction includes a large percentage of adult cases calling for criminal action. About 40 percent of the pending adult caseload of the court involve use of criminal action.

The task of getting accurate information about the court's caseload and its operations was not an easy one. Statistics regarding the court's load and operations presented to various committees of Congress were weird indeed. The District of Columbia budget officer in requesting funds for the juvenile court for fiscal year 1959, predicted that the hearing load of the court for that year would be 20,000. Testimony before the Senate District Committee was that there would be 13,000 hearings in the juvenile court. When testimony was presented to the House District Committee, we were told that the court had 10,000 hearings in 1959. The committee had the court's work for 1959 flow-charted and later the court issued its own statistical report showing only 5,200 hearings for 1959.

During the committee hearings, the committee was informed that the pending bill would require the appointment of two additional judges in the U.S. District Court for the District of Columbia. Statistics of that court support no such conclusion. Statistics presented to the committee in hearings last year—Crime Situation in the District of Columbia, page 27—showed that the load of criminal indictments in the U.S. district court has declined steadily fgrom 1,967 in 1953 to 1,060 in 1960. By no stretch of the imagination will the pending bill burden the district court or call for any additional judge. It might be noted that the U.S. district court has concurrent jurisdiction on criminal nonsupport cases with the juvenile court. During a period when the district court criminal caseload was declining, it discontinued handling criminal nonsupport cases and placed the entire burden on the juvenile court.

It was also stated to the committee that the pending bill would require additional judges in the municipal court to handle misdemeanor cases. The record shows that more than 30,000 misdemeanor cases are filed in the municipal court annually. Any increase under this bill would be less than 1½ percent of the present criminal caseload of this 16-judge court.

Let us return to the claim that the pending bill will destroy the juvenile court. This gross misstatement appears in a resolution adopted by the Advisory Council of Judges of the National Council of Crime and Delinquency at its annual meeting in Oklahoma City last year. This resolution characterizes the committee's work as a present effort to dissect, debase, and substantially destroy the juvenile court of the District of Columbia. The substance of the resolution shows that the council had made no study of the local juvenile court, did not understand the committee bill, and was mistaken about the jurisdiction and relationships of the courts in the District of Columbia. The first statement betrays the council's lack of fact and accurate information.

The first sentence of the resolution contains the statement that "the juvenile court of the District of Columbia is the only Federal juvenile court in the United States." Members of the House who are lawyers will quickly understand the fallacy of this statement. Present law provides that appeals from the juvenile court go to the municipal court of appeals of the District of Columbia. If the juvenile court were a Federal court, cases on appeal would remain within Federal jurisdiction and be heard before the U.S. Circuit Court of Appeals for the District of Columbia.

If the juvenile court of the District were a Federal juvenile court, which it obviously is not, it would not be the only Federal juvenile jurisdiction. Under the Federal Juvenile Act, every U.S. district court throughout the Nation has jurisdiction to handle juvenile cases. Thus at the very beginning this resolution misstates the status of the juvenile court of the District of Columbia. The balance of the resolution further warps the purposes and content of the pending bill.

This bill does not debase the juvenile court. It makes it a branch of the court with the highest non-Federal jurisdiction in the District of Columbia. Appeals from the juvenile court branch, provided in this bill, would reach the same court of appeals as under present law. Certainly no one would propose that the juvenile court be made a part of the U.S. district court. That court already has juvenile jurisdiction. Such action would result in the contradiction of the same court having two juvenile jurisdictions with conflicting statutory provisions.

At present, the juvenile court of the District is a separate, detached, autonomous court. The juvenile court in Philadelphia or in New York is not an autonomous court. In fact, the autonomous juvenile court is the exception rather than the rule. The committee followed the advice and views of the distinguished dean emeritus of Harvard Law School, Dr. Roscoe Pound, who declares such separate courts are inefficient and wasteful and no longer conform to modern concepts of court administration, operation, and procedure.

It might be observed at this point that the National Council on Crime and Delinquency strongly advocates the formation of family courts which combine juvenile jurisdiction with other jurisdictions involving family problems. The pending bill, while not establishing a

family court as such, does bring together within the municipal court all elements of family court jurisdiction.

Under this bill, H.R. 6747, the juvenile court of the District of Columbia will become a branch of the municipal court. It will continue to operate in its separate court building where space is available for additional courtrooms. It will have the same staff and have exclusive jurisdiction over juvenile cases. The chief judge of the municipal court and the judges of the juvenile branch will for the first time have the chance to find out in practical operation how best to handle adult cases, whether in the juvenile jurisdiction as at present or in the adult side of the court. This will give the court the best possible administration and management and should save hundreds of thousands of dollars annually in lower court costs and increased court collections.

Returning now to one of my opening statements, I will explain why the committee bill provides more judicial manpower for juvenile court cases than the bills which provide two additional judges. As a result of the testimony before the committee and the statistical study, it was apparent beyond contradiction that one additional judge assigned to the juvenile bench would enable the court to clear up its backlog in a matter of months. Thereafter, the two judges would be carrying a caseload of less than that handled by the present judge.

However, the committee desired to make doubly sure of bringing the court caseload current and to provide for any emergency situation not now even a remote possibility. At present, there are four judges within the municipal court who are experienced in handling juvenile cases in the juvenile court. The bill makes their services available for handling of adult cases now within the juvenile court jurisdiction or juvenile cases by assignment to the juvenile court branch. These four judges, plus the present juvenile court judge, plus an additional judge authorized by this bill, makes a total of six judges available to handle the present juvenile court caseload without any sacrifice as to qualification and experience. This is double the number provided for in any other bill.

As a member of the subcommittee which drafted this bill, I can assure the House of the sincere effort made by every member of the subcommittee to produce legislation which would best meet the needs of the juvenile court. I am confident that on the basis of the testimony before the committee, the findings growing out of the committee study, and the demonstrated facts, the Members of the House will find the best judgment indicates their support for this bill. I am likewise confident that any conference between the House and Senate will bring about a most desirable enactment for the juvenile court for the District of Columbia.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. JAMES C. DAVIS. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. KEARNS. I am only too happy that I have permission to give these figures for the RECORD. However, I would like to add in closing that we do understand that the Senate has a bill which presents a two-judge program. But, I do feel honestly that this committee has gone into the depths and the realms of this type of legislation that we need, and I feel that we here in the House should have the respect and the belief in this committee that has done an outstanding job and accept their provisions of this act as our legislation here in the House. We know what is in this bill. We know what it will do. We have the facts and the figures before us. We know what they are doing and have been doing in the best interests of the District of Columbia, this, our Nation's Capital.

Mr. Chairman, I urge its support.

Mr. JAMES C. DAVIS. Mr. Chairman, I yield 10 minutes to the gentleman from North Carolina [Mr. WHITENER].

Mr. WHITENER. Mr. Chairman, I suppose that there has been no local legislation before this Congress which has evoked as much newspaper copy as has this so-called juvenile court bill. I cannot remember any bill, national in scope or local, which has resulted in the dissemination of more misinformation in the District of Columbia by its press corps than that we have had in the local papers than has this piece of legislation.

I suppose that some of you who have looked into the report find it surprisingly strange that there would be so much publicity about the legislation and so much dissemination of mimeographed letters on both sides of the issue, when the record will show that out of the 12-member subcommittee which has studied this legislation very carefully only 2 members of the subcommittee have signed the minority report. I think it is significant that 10 of the 12 members of the subcommittee who have approached this matter with gravity and with seriousness find agreement upon the contents of the legislation. I certainly would not undertake to try to point out why anyone would take the attitude they do on either side of the legislation. But, I do find it strange that some members of the subcommittee who oppose the legislation find certain provisions of it to be so distasteful when those provisions are exactly the provisions of the law of their own State. I cannot understand how anyone can reasonably stand here before the Congress or circulate petitions and letters and contend that some inhumane act is being committed under the leadership of the distinguished gentleman from Georgia [Mr. DAVIS], when he seeks to reduce the age of accountability in the District of Columbia for criminal offenses from 18 to 16 years. Some of the States from which the Members of the House opposing this bill come have the identical provision that this legislation would put into force in the District of Columbia.

Mr. Chairman, I feel that my State of North Carolina is certainly the equal of any State. I think that anyone would admit that the State from which I come has the reputation for meting out even-handed justice in its courts. In the State of North Carolina any person over the age of 16 is punishable as an adult for crime. Any person between the ages of 14 and 16 who commits a criminal offense punishable by more than 10 years in the State prison is subject to be punished as an adult. But all offenses committed by persons over 16 are punishable in the adult courts.

Mr. Chairman, there are some here who say that great violence will be done if we make the juvenile court a division of the municipal court of the District of Columbia. In the State of North Carolina—and I am sure this is true in most other States—the juvenile court is a branch of the superior court, which is the highest trial court in our jurisdiction.

Some of these people who testified before our committee and who for the want of a better term we can call "do-gooders," have said that there should be some particular qualifications for judges of the juvenile court; that the man with the qualifications to be a municipal judge or Federal district judge for some reason does not possess the requisite amount of experience and intelligence to deal with the person simply because the accused is of a certain age group. I suppose that most of these judges have had to deal with their own children in rearing them.

It is a rather singular thing that the U.S. attorney for the District of Columbia in his testimony admitted that other than the District of Columbia any boy in this Nation—in your district or mine—who steals an automobile in violation of the Dyer Act or the Interstate Theft of a Motor Vehicle Act or other Federal offense is subject to be tried by a district Federal judge in every single district except in the District of Columbia. Yet some of these same people are saying to you, I suppose by inference, that these great men who occupy the Federal judiciary posts throughout the Nation do not have the requisite experience or intellect—and/or intellect—to try a 16-year-old boy.

Mr. Chairman, this is a matter of a whirlwind that got started on the editorial pages of the newspapers here in the District of Columbia, and it is sweeping up in its wake or in its advanced winds—whatever a whirlwind does—many good people here in the District of Columbia. But this legislation is sound. I say to you that it is consistent with the practice in practically all of the States of this Union insofar as these judges are concerned.

If you go along with the minority view in this legislation, you will preserve a situation in the District of Columbia which sets up a juvenile court judge who is the only judge in the District of Columbia who is not answerable to some higher authority in the judiciary. This present situation in the District of Columbia juvenile court—and I am certainly not here to criticize a man who I

do not know; I am just saying that if you

Mr. AUCHINCLOSS. Mr. Chairman,

juvenile court operates. I have made in-

the enactment of the Senate bill, and

Judicial Conference Committee on Ju-

moments ago. I have known that gen-

time and effort of the court. I am sure

court. This gross misstatement appears

pending bill, while not establishing a

do not know; I am just saying that if you will read the record, read the additional views which the gentleman from Ohio [Mr. HARSHA] and I have set forth, and look at the record about the inefficient operation of this juvenile court under the incumbent judge, you may draw your own conclusion.

Perhaps we need these practical-minded judges instead of the visionaries and the social-worker types who are handling the juvenile court here in this District.

I can say this to you, and I know that you must all agree if you are keeping up with what is going on about us, that the crime situation in the District of Columbia is cause for concern on the part of the people throughout this Nation and the people whom you represent and whom I represent. And I know that all of us who have been prosecuting attorneys and have held judicial positions are just as concerned about the rehabilitory provisions of the law and the administration of justice as we are in the penal aspects of it. But at the same time we continue to preserve this "love-and kisses" type of treatment of the criminals who are knocking ladies down on the streets, who are invading the privacy of homes in the District of Columbia, and committing atrocious offenses; are we going to continue with this namby-pamby treatment of young hoodlums who are terrorizing not only the ladies of this community but who are terrorizing adult men in this community? I know that I do not speak with undue harshness of their conduct because many of you will remember the description which the gentleman from Michigan [Mr. DIGGS] gave here of a situation which he witnessed with his own eyes some year and a half ago, in the District of Columbia. You heard him describe it if you were here that day.

We are talking now about hard, cold facts, and I say this without being vitriolic about it, that we today are standing at the crossroads and we are being counted on the proposition whether we believe in law and order or whether we believe that a bunch of lawless individuals can go on unpunished without any fear of the law whatever in the Capital City of this Nation.

Mr. Chairman, if I may make another observation, there are many people here in this Chamber who earnestly and sincerely advocate that due to the accelerated educational program in this country we are being unfair to our youth by not reducing the voting age to 18 years. But strangely, some of those same people are saying that it is unduly harsh to say to one 18 years of age in whom they are willing to vest with all the rights of citizenship that he shall be taken into court and held accountable for his criminal acts.

This is a serious matter. I believe that no legislation in this or coming sessions will have a greater impact upon the Capital City of our Nation. I urge that you give serious consideration to your vote in this matter and that you follow the 10 out of the 12 members of the subcommittee who agree that it is good legislation.

Mr. AUCHINCLOSS. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. MULTER].

Mr. MULTER. Mr. Chairman, the issue that will be presented to this House is very simple: Shall we or shall we not destroy the juvenile court of the District of Columbia? If this is the show place of the country, if not of the world, then certainly our courts ought to set an example to the rest of the country. I think our juvenile court in this District has set a good example for the rest of the country.

The other body in 1959 passed a bill to make that juvenile court a more effective court by increasing its number of judges by two, from one to three, in order that they could get rid of the backlog of cases that had accumulated in that court despite the tremendous efforts of the single judge presiding there and a very devoted and dedicated staff.

When the bill came to this House, it was referred to the District Committee and set for hearing. There was a hearing on July 23, 1959, before this distinguished subcommittee. It was then recessed until December 10 of that year. Two more hearings were held in December of 1959 and then there were no further hearings on the matter until May 25 of 1961.

Mr. Chairman, the sole issue presented to the Committee on the District of Columbia of the House of Representatives was, Should we add two more judges to the juvenile court to make it a more effective court? The subcommittee in charge of the bill reported a new bill which sought to destroy the juvenile court by transferring its jurisdiction to the municipal court. If that were a good thing to do, then surely the lawyers and the judges involved would have said, "Let us do this." I think it is the lawyers and the judges in the District of Columbia who would know best whether that is the place to put this juvenile criminal jurisdiction. They say, however, "Do not do this. Keep this jurisdiction where it is."

Let me say to you that I bring to bear upon my evaluation of this subject almost 40 years of active practice at the bar as a lawyer.

We have juvenile courts all over the country in almost every State in the Union.

Now we can argue indefinitely whether or not the age limit should be 16 or 18. But, I ask you to lay that question aside. If and when that issue is presented to us solely, let us then argue that issue and determine it, but let us not get involved in that kind of an argument in determining whether or not the juvenile court as such should be destroyed and its jurisdiction vested in a solely criminal court.

The best proof of the fact that juvenile courts work and work extremely well, I find in the congressional district represented by our very distinguished chairman of the subcommittee, the gentleman from Georgia [Mr. JAMES C. DAVIS].

I have before me a booklet issued by that court for the year 1960. I have distributed it among all the members of the House committee. It shows how well a juvenile court operates. I have made inquiry in that congressional district. I am told everybody there is in favor of continuing that juvenile court.

Nobody there has ever urged that it should be destroyed or that its jurisdiction should be transferred somewhere else. And there too, strange as it may seem, they have a backlog of cases. I heard one gentleman refer to some figures in the thousands as the backlog of cases in the juvenile court of this district. I have before me the annual statistical report of the District juvenile court for the fiscal year 1961. It shows a backlog of cases of 646—one judge presiding. The annual report from this very effective court in Fulton County, Ga., shows that at the end of the fiscal year 1960 there was a backlog of 1,165 cases, almost twice as many as in the District of Columbia.

Referring again to the hearings—and I impugn no one's motives—I think those of the committee who are supporting this bill and who would like to accomplish the purpose sought by the bill sponsored by the gentleman from Georgia [Mr. JAMES C. DAVIS] are all sincere in their efforts. I think they really think they can do a better job by transferring this jurisdiction.

But let us look at the record they produced in their subcommittee. I have it in front of me.

There are 298 pages of testimony and statistics. There are only four pages of testimony in this record by three people supporting the position taken by the 15 members of the House District Committee who urge the enactment of this bill.

Ten of the members of the District Committee urge that we take the Senate version, the bill which I will offer as a substitute for this bill which will increase the number of judges by two and provides that one of three judges of the court act as a chief judge with administrative powers.

The overwhelming proof and testimony in the record of this subcommittee supports our position and that of the other body.

It does not support the bill (H.R. 6747) now before you.

If we pass that substitute, the bill can then go to the President for signature, we will get two more judges for the juvenile court, and the court will continue to function. Then when the President's Committee on Juvenile Delinquency brings in its report, if they indicate that the juvenile courts are the wrong way of handling this subject, we can have complete hearings on the subject and make whatever changes are recommended.

Who urges that we oppose the Davis version that is now before you and instead urges that we support the substitute to increase by two the number of judges in the juvenile court without touching the age limit provision in existing law? Yes, the newspapers of the District urge it. I do not think that makes it bad, and I do not think the newspapers stirred any particular enthusiasm for or against either of these bills. Naturally, I believe they are right in supporting my views. But let us look beyond the newspapers. The bar associations of the District of Columbia urge

the enactment of the Senate bill, and the defeat of the Davis bill. They are doing it because their best judgment as lawyers indicates that that is the way to handle the matter.

I have not heard a single judge in any of the courts of the District of Columbia urge anything except that we strengthen the juvenile court by increasing its personnel by two judges and not to transfer its jurisdiction, and urge us not to touch the age limit.

The Department of Justice and the Department of Health, Education, and Welfare, the local U.S. attorney, all urge support of my substitute and the defeat of the bill as now presented.

My version, that is the Senate bill, is bipartisan, supported by both the local political parties of the District of Columbia. The Republican Party and the Democratic Party both support the Senate version which I will offer as a substitute. They urge our opposition to the Davis bill now before us.

Six judicial councils and judicial committees, two bar associations, two labor councils and unions, the chamber of commerce and the board of trade of the District of Columbia, nine Catholic, Protestant, and Jewish churches and synagogues of the District, all take the same position that I urge upon you now: veterans groups and 21 other civic organizations of the District of Columbia, all urge the position I am taking and urging you to take. I know Members have received communications from these and many other organizations to the same effect.

Mr. Chairman, I set forth the names of some of these organizations:

The Metropolitan Washington Board of Trade.

District of Columbia Chamber of Commerce.

Democratic Central Committee of the District of Columbia.

Republican State Committee of the District of Columbia.

Central Labor Council—AFL–CIO.

All Souls Unitarian Church.

American Jewish Congress.

American Civil Liberties Union.

American Veterans Committee.

Archdiocesan Council of Catholic Men.

Barristers' Wives.

B'nai B'rith Women's Council.

Boys Club of Greater Washington.

Commissioners' Youth Council.

Congregational Social Action Committee.

Council of Churches.

Crime Commission of Metropolitan Washington.

District of Columbia Congress of Parents and Teachers.

District of Columbia Council of Jewish Women.

District of Columbia Council on Law Enforcement.

District of Columbia Teachers Union.

District of Columbia Young Democrats.

District of Columbia Bar Association Committee on Juvenile Court.

Federation of Citizens Associations.

Federation of Civic Associations.

Jewish Community Council of Greater Washington.

Judicial Conference Committee on Juvenile Court.

Juvenile Court Advisory Committee.

Social Order Committee of Washington Friends Meetings—Quakers.

Unitarian Fellowship for Social Justice.

Unitarian Laymen's League.

Unitarian Universalist Ministers.

Unitarian Women's Alliance.

Washington Bar Association.

Washington Urban League.

Young Men's Christian Association.

Young Women's Christian Association.

National Council of Juvenile Court Judges.

Advisory Council of Judges to the National Council on Crime and Delinquency.

District of Columbia Health and Welfare Council.

Americans for Democratic Action.

Daughters of the American Revolution.

League of Women Voters.

None of these organizations, none of these lawyers, none of these judges, have an ax to grind. Just like the proponents of the measure before you, who in good faith and sincerely and earnestly urge destruction of the Juvenile Court, we say to you just as sincerely and earnestly and with the same good faith if you want to solve the delinquency problem in the District one of the ways that is going to help solve the delinquency problem in the District, not the only way, but one of the ways of doing that is to increase the number of judges in the Juvenile Court of the District of Columbia by at least two. Yes, they originally asked for one. I think the District would have been very happy to have gotten one, but they now need two and with two they can do the job that needs doing; the backlog will be wiped out and we will begin to make a little more progress in solving the juvenile delinquency problem.

Mr. AUCHINCLOSS. Mr. Chairman, I yield 1 minute to the gentleman from New York [Mr. LINDSAY].

Mr. LINDSAY. Mr. Chairman, I think the majority of the committee has ignored the testimony and the great weight of judicial experience in the District of Columbia. The District of Columbia Bar Association has argued for the approach that has just been offered by my colleague from New York and will be presented in the form of a substitute bill. The Judicial Conference has argued for this approach. The substitute bill keeps the separate identity of the juvenile court and adds two new judges. Both are needed. Also, the substitute bill provides for juvenile jurisdiction up to 18 years of age. This is needed.

The argument I have heard about cases involving rape, murder, arson in the District of Columbia are not persuasive. No one has argued that the juvenile court may not waive jurisdiction in the case of any hardened juvenile with a record and turn him over to the District court for adult prosecution. The juvenile court may do this. But why lump all juveniles in this category?

A slight aspersion was cast on Judge Ketcham of the District Court a few moments ago. I have known that gentleman for many years. He is a distinguished judge. He has reduced the backlog of cases to the extent of his ability to do so. He cannot do more because two additional judges are needed for the court. He is a clearheaded judge and has done an excellent job. The remarks made a few moments ago which clearly implied that he is a fuzzy "do gooder" are both wrong and offensive.

Finally, the argument that the administration of justice would be improved if the juvenile court is merged with the municipal court flies into the face of the history of judicial administration and all legal thinking on the problem of juvenile delinquency.

I urge that the substitute bill—the Senate version—be adopted.

Mr. AUCHINCLOSS. Mr. Chairman, I yield 10 minutes to the gentleman from Louisiana [Mr. MORRISON].

Mr. MORRISON. Mr. Chairman, I introduced H.R. 5988, a bill which provides for the appointment of two additional judges for the juvenile court of the District of Columbia.

My bill is similar to the bill which was passed by the Senate, S. 486, known as the Bible bill, having been introduced by Senator BIBLE, who is chairman of the District of Columbia Committee of the Senate. This bill likewise provides for two additional judges for the juvenile court of the District of Columbia.

H.R. 6747, the Davis bill, if passed would effectively destroy the juvenile court of the District of Columbia.

Frankly, I do not think that two juvenile judges are sufficient, and feel that more are needed, especially when there are hundreds of juvenile cases on the docket which have not been disposed of.

However, the Bible bill creating two additional juvenile judges will certainly be a big help and a forward step toward relieving an almost intolerable situation here in the District of Columbia.

On March 24, 1961, and April 5, 1961, I received two letters from the Honorable Orman W. Ketcham, judge of the juvenile court of the District of Columbia, which I would like to read:

THE JUVENILE COURT OF THE DISTRICT OF COLUMBIA,
March 24, 1961.

Hon. JAMES H. MORRISON,
House District Committee,
House of Representatives,
Washington, D.C.

DEAR MR. MORRISON: I watched with great interest your appearance on the WRC's Sunday afternoon television show entitled "Challenge" when you appeared with Representative EARL WILSON and Bryson Rash. Please accept my hearty thanks for your statements in support of legislation to provide for the appointment of additional judges for our juvenile court. Your answers to Mr. Rash's questions on the subject indicated a broad understanding of city government and the need for swift, sure and certain justice in the operation of a good juvenile court.

At present, legislation introduced by Senator BIBLE on January 17, 1961 (S. 486), is pending in the Senate to provide two additional judges for the juvenile court of the District of Columbia. This legislation is desperately needed if we are to cope with

the problems of juvenile delinquency and

which affects the juvenile court movement.

Columbia Committee of the House, from

the chairman of the subcommittee, and

court and the municipal court for adult

and reducing the age limit of juveniles

the problems of juvenile delinquency and children in trouble here in the Nation's Capital.

I sincerely hope that you and your colleagues of the House Committee on the District of Columbia will favorably report on S. 486 or similar legislation to provide two additional judges for this court.

I am enclosing a copy of the Annual Report and Annual Statistical Report of the Juvenile Court for fiscal year ending June 30, 1960. I believe you will find in it ample evidence of why additional judges are urgently needed if the juvenile court is to continue to function satisfactorily.

If there is any further information about the court which you would like to have, we would be most happy to supply you with it.

Sincerely,

ORMAN W. KETCHAM.

THE JUVENILE COURT,
OF THE DISTRICT OF COLUMBIA,
April 5, 1961.

Hon. JAMES H. MORRISON,
House of Representatives,
Washington, D.C.

DEAR MR. MORRISON: Thank you for your letter of March 30 with the attached copy of your bill (H.R. 5988) to provide for the appointment of two additional judges for the juvenile court of the District of Columbia.

I deeply appreciate your prompt action in introducing a companion bill to S. 486 which was introduced by Senator BIBLE and cosponsored by Senators MORSE, HARTKE, BEALL, and PROUTY. This is indeed very encouraging and heartwarming news here at the juvenile court. I shall promptly inform the many community organizations and individuals who are interested in the improvement of the juvenile court of your action and urge them to support the bill and press for its early enactment by the Congress. To this end I would very much appreciate receiving as many additional copies of the bill as you can spare.

Please do not hesitate to call on us at any time for information or testimony which would support your bill, H.R. 5988.

Sincerely,

ORMAN W. KETCHAM.

In addition to these letters, I would like to bring to your attention a letter which I have received from Judge Leo B. Blessing, of the Juvenile Court of the Parish of Orleans, New Orleans, La., which I quote:

THE JUVENILE COURT,
PARISH OF ORLEANS,
New Orleans, La., May 16, 1961.

Hon. JAMES H. MORRISON,
Representative, Sixth Congressional District,
Washington, D.C.

DEAR CONGRESSMAN MORRISON: As a member of Subcommittee 3, presided over by the Honorable JAMES C. DAVIS, of Georgia, you, no doubt, are aware that H.R. 6747 has been submitted for consideration. The enclosed is a copy of a resolution adopted by the Advisory Council of Judges, a national group composed of judges from various levels of the judiciary, including the Supreme Court (both Federal and State), district, superior, juvenile, and family courts throughout the Nation. This resolution describes the feeling of the judges insofar as Mr. DAVIS' bill is concerned and we have agreed to do all in our power to protect the District of Columbia juvenile court.

I understand that you have submitted a piece of legislation more favorable to the court and urge you to fight for its adoption in place of the very damaging H.R. 6747, which Mr. DAVIS will, no doubt, support most vigorously.

The Louisiana State Council of Juvenile Court Judges is interested in any legislation which affects the juvenile court movement, whether in Louisiana or throughout the Nation. Certainly H.R. 6747, which seeks to destroy the juvenile court in the District of Columbia, is the kind of legislation which all judicial organizations must oppose. Knowing from past experience your always present desire to help anyone in trouble, I am urging you as a member of this subcommittee to speak out against H.R. 6747 at every opportunity.

With kindest personal regards, I remain,

Sincerely,

LEO B. BLESSING, *Judge.*

I would like to point out that the city of New Orleans, which is smaller in population than Washington, has at the present time three juvenile judges, the Honorable Leo B. Blessing, author of the letter that I have just read, the Honorable James P. O'Connor, and the Honorable James C. Gulotta.

I would like to read the resolution of the National Council on Crime and Delinquency which Judge Blessing has sent me:

RESOLUTION CONCERNING THE JUVENILE COURT OF THE DISTRICT OF COLUMBIA, ADOPTED BY THE ADVISORY COUNCIL OF JUDGES OF THE NATIONAL COUNCIL ON CRIME AND DELINQUENCY, AT THE ANNUAL CONFERENCE OF THE ADVISORY COUNCIL OF JUDGES AT OKLAHOMA CITY, OKLA., MAY 6, 1961

Whereas the juvenile court of the District of Columbia is the only Federal juvenile court in the United States and serves not only the children and citizens of Washington, D.C., but is a symbol of the American juvenile court system to foreign and American visitors in the Nation's Capital and throughout the American judiciary;

Whereas in the opinion of the advisory council of judges, the Congress of the United States has a special responsibility to make all reasonable efforts to insure the constant improvement of the juvenile court of the District of Columbia in order that it may shine as a beacon to the excellency of the American judicial system and as a constant reminder in the Nation's Capital of our American belief in equal justice for all;

Whereas many of the advances in juvenile court philosophy and judicial procedure achieved throughout the Nation in the past 60 years are presently threatened by legislation (H.R. 6747) now under consideration in the House of Representatives, which seeks to abolish the existing specialized court for children in the Capital City of Washington (modeled in 1938 upon standard juvenile court legislation) by drastically reducing the area of juvenile jurisdiction, by dispersing the bulk of that court's functions and jurisdictions among several courts of general or limited criminal jurisdiction, and by submerging the dismembered remainder of that court into a court of limited jurisdiction, thus eliminating the existing Federal showcase of American juvenile court justice in Washington, D.C.: Therefore, be it

Resolved, That the Advisory Council of Judges of the National Council on Crime and Delinquency, assembled at its annual conference at Oklahoma City, Okla., May 6, 1961, decries present efforts to dissect, debase, and substantially to destroy the juvenile court of the District of Columbia, and urges the Members of Congress, concerned about the reduction and control of juvenile crime and delinquency and the welfare of children, to reject such destructive and retrogressive legislation.

The general session adopted the resolution by unanimous vote.

LEO B. BLESSING.

MAY 10, 1961.

In addition to the above, I would like to quote from a letter to the District of Columbia Committee of the House, from the Honorable Byron White, Deputy Attorney General:

As a consequence of section 4 of the [Davis] bill, all juveniles 16 or more, involved in a felony offense would fall within the criminal jurisdiction of the U.S. District Court for the District of Columbia. In fiscal 1960, 105 juvenile cases were waived to the U.S. district court by the judge of the juvenile court. Section 4 of the bill would raise this figure approximately 575 cases per year. Chief Judge Pine advised that this transfer of criminal jurisdiction would require two additional district judges. It would also require an increase of at least two attorneys on the staff of the office of the U.S. attorney for the District of Columbia, whose office has the prospective jurisdiction in that court. In addition, section 4 of the bill would shift approximately 400 cases per year to the municipal court, with an attendant increase in the need for judges and prosecutors there.

The Department is concerned that such a wholesale change of method and treatment of juvenile offenders is not in the best interests of the administration of justice or of successfully combating juvenile delinquency, and that a preferable course would be to increase the existing court by two additional judges and to permit the discretion of that court to govern the waiver of jurisdiction over any offender under 18 years of age, on a case-by-case basis.

In addition to the three juvenile judges which I have mentioned for the city of New Orleans, I would also like to point out that the city of Cleveland, a comparable city to Washington, is staffed with four juvenile judges and five referees in their juvenile court. Philadelphia has 14 judges in its juvenile court, and there are many other cities in the United States of comparable size which have found that the greatest success in handling juveniles is with sufficient juvenile court judges.

Today I received a telegram from various religious and civic organizations, which are nonpartisan, urging the passage of the Bible bill for two additional juvenile court judges.

A host of other public and private organizations have added their voices for adding two much needed judges to the juvenile court, as against transferring its jurisdiction to the municipal court.

I, therefore, urge the defeat of the Davis bill and the passage of the Bible bill.

Mr. AUCHINCLOSS. Mr. Chairman, I yield 10 minutes to the gentleman from California [Mr. COHELAN].

Mr. COHELAN. Mr. Chairman and Members of the House, I might say at the outset that as a member of the Committee on the District of Columbia I have been exposed to this problem and share the feelings that have been expressed by our colleagues, the gentleman from New York [Mr. MULTER], the gentleman from Louisiana [Mr. MORRISON], the gentleman from Maryland [Mr. MATHIAS], other colleagues and those who signed the minority report. I have, however, had a great deal of experience in welfare matters in my State and community as a member of a welfare commission, and I suppose that should make it clear that we have every kind of experience reflected in our debate.

Mr. Chairman, I was very interested in the remarks made by our colleague,

the chairman of the subcommittee, and his reference to certain data that has been accumulated in the committee report. I want to take the opportunity to stress the fact that this issue has been studied and restudied not only by our own distinguished committee, but by other respected and responsible groups in the community. Perhaps one of the most interesting reports that has come forth on this general question of the juvenile court of the District of Columbia was the recent task force to study the operations of the juvenile court of the District of Columbia, and then report to the Commissioners of the District of Columbia on the operations of the juvenile court, which report was issued in June 1961. In the letter of transmittal, Mr. C. Aubrey Gasque makes this observation, and I quote in part:

In making its examination, the task force was fortunate enough to obtain the assistance of five recognized specialists in various aspects of court operations who reviewed, respectively, probation services, personnel, statistics and reports, space utilization, and the operations of the clerk's office. In this report our aim has not been to devise recommendations which would make the juvenile court of the District of Columbia a model institution—however worthy an objective that is—but we have insisted that the facilities and services usually expected of a juvenile court be provided and be well suited to the peculiar needs of our community—the Nation's Capital.

Then, of course the report goes on to discuss in great detail almost every aspect of the problem and it winds up with the following conclusions; and there are five. And I think in light of some of the views that have been expressed they might very well be quoted for the RECORD. They are:

1. The juvenile court of the District of Columbia, despite increasingly heavy caseloads, is being administered efficiently and is well organized to do effective work for the community.

2. With the addition of the six positions requested in the 1962 budget the professional and administrative staff, and supporting equipment and services, are adequate to handle the present workload.

3. Savings, in terms of reducing the funds for personnel and services, could not be achieved without seriously impairing the level and quality of services now available to handle a steadily-increasing workload.

4. Optimum use of the staff and resources in the juvenile court is not being realized because of a shortage of judgepower. Even so, certain internal adjustments—such as the creation of the position of court administrator and the delegation of director's conferences to the chief of intake and the senior members of the intake staff—would further streamline the court's organization and procedures and make for improved management and increased efficiency.

5. Lengthy periods of custody in the receiving home and undue delay in the adjudication of adult cases, both the results of a shortage of judgepower, are costing the taxpayers of the District of Columbia between $50,000 and $75,000 each year.

Mr. Chairman, it is absolutely essential at this point to establish just what the proponents of H.R. 6747 are attempting to accomplish. This legislation would destroy the independent juvenile court in the District of Columbia by, among other measures, submerging it as a branch of the municipal court and reducing the age limit of juveniles coming before the proposed new youth branch from 18 to 16.

Such action, Mr. Chairman, would be in direct contradiction to all of the experience we have gained in the 63 years since the enactment of the first juvenile court law in 1899.

The philosophy underlying the juvenile court approach—a philosophy of individualized justice—is more vital today with our increasing incidence of juvenile delinquency than ever before. Roscoe Pound, who by the way has been quoted on both sides, the eminent former dean of the Harvard Law School, in fact, has called the juvenile court "the greatest step forward in the administration of Anglo-Saxon justice since the signing of the Magna Carta."

The juvenile court philosophy states, in essence, that a child is different from an adult and should not be dealt with as such; that a child who has gone wrong is more likely to be responsive to treatment and rehabilitation than an adult; that a child should not be housed with adult offenders; and that this specialized approach, in order to be successful, must be administered by judges especially interested and qualified in their work. This approach, moreover, can be fully coupled with the protection of society.

The informal, extrajudicial approach of the juvenile court focuses attention on the unique problems and needs of children in their formative years. It is designed to check the criminal tendency at its inception, to protect the unformed character from improper environment and influences, to give to the weak and immature a fair, fighting chance to develop the elements of honesty, sobriety, and virtue so essential to good citizenship, and to prevent these youths from growing up to lead idle, dissolute, and immoral lives.

The present law governing the juvenile court requires that the judge of that court have a knowledge of social problems and procedure, and an understanding of child psychology. H.R. 6747, however, by making judges of the municipal courts and its proposed new juvenile branch interchangeable, denies the importance and soundness of this requirement. The Department of Justice and the Department of Health, Education, and Welfare have stated their opposition to this provision in the following unequivocal terms:

The Department does not believe that juvenile court judges, and judges serving in the municipal court hearing adult offenders, should be treated as interchangeable in the court structure. The experience of many of the larger cities has indicated that juvenile court judges should have specialized training and qualifications in the problems of juvenile delinquency and in methods of rehabilitation of juvenile offenders. Familiarity with these matters and with desirable hearing procedures for juvenile offenders is not normally a qualification of the judges of the municipal court. Nor is a juvenile court judge likely to be better qualified for the work of the municipal court than a judge of that court is for the work of a juvenile court judge.

The Department of Justice has added that it "is convinced that the juvenile court and the municipal court for adult offenders should be kept entirely separate in personnel and functions."

While there can, of course, be no absolute answer to the question of when a child becomes an adult, the provision in H.R. 6747 which would reduce the juvenile court's jurisdiction from 18- to 16-year-olds, is in direct opposition to the advice of all the highly competent sources cited in the minority views.

At the present time, only 7 of our 50 States have a 16-year-age limit. The National Council of Juvenile Court Judges and the Children's Bureau of the Department of Health, Education, and Welfare have consistently taken the position that the upper age limit for courts handling juveniles should be 18 years. The new Standard Juvenile Court Act published by the National Council on Crime and Delinquency provides for an 18-year-age limit.

Judge Ketcham of the District juvenile court has said:

My experience on the bench during the past 4 years has convinced me that the majority of juveniles referred to the court between 16 and 18 years of age are not beyond salvage. Many of them are first offenders, lack sophistication, are not violent, and can benefit materially from the rehabilitation services available within a juvenile court setting.

The Department of Justice believes "that a discriminating and careful effort toward rehabilitation of juvenile offenders in the 16- to 18-year-old category cannot be accomplished by throwing every such case into the adult criminal courts. Rather, it is believed that a more probable consequence would be to make hardened criminals of juvenile first offenders who, in some cases, might be rehabilitated if retained within the jurisdiction of the juvenile court."

Mr. Chairman, a look at the continually rising juvenile population in the District, the increasing incidence of juvenile delinquency across the country, and the mounting backlog of cases before the District's single juvenile court judge makes it very clear that the time has come for Congress to act. The time has come, though, not to destroy the juvenile court but to strengthen it, and to provide it with the necessary additional judges so that it can accomplish the vital purpose for which it was created.

Several recent studies dramatically reveal the extent to which the District's juvenile court is understaffed. A study completed in August of last year revealed that of the 12 largest cities in our Nation, 8 have only one juvenile court judge. Of these eight, however, only Washington and Milwaukee do not have referees or masters to assist the judge, and Milwaukee's juvenile court has no adult jurisdiction.

In 1960 the National Council on Crime and Delinquency made a thorough study of the district court's manpower needs. On the basis of all three criteria used—case capacity, police contacts and total child population—the council found that the District needed between three and six juvenile court judges as compared to the present single judge.

The result of this understaffing is obvious and predictable. Last year the

task force on the operations of the juvenile court reported that, allowing time for the intake investigation and the social study conducted by the court's probation officer, a case should come before the court within 3 or 4 weeks after the complaint is filed. Unfortunately, the average time period in the District of Columbia is 3 to 4 months, and some cases wait as long as 10 months.

It is obvious, therefore, that those who should be committed without delay for institutional treatment are not being processed in a timely fashion, and juveniles awaiting adjudication not infrequently become involved in new and more serious delinquencies.

District Police Chief Robert Murray has commented sharply on this situation saying:

> The long wait between arrest and disposition of the case gives these youngsters a poor idea of the importance of the trouble they are in. Until such time as the backlog in the juvenile court is eliminated, we are going to have a problem.

Mr. Chairman, a long list of distinguished and eminently well qualified authorities have commented on this problem. Almost without exception they have stated their opposition to abolishing an independent juvenile court in the District of Columbia as proposed by H.R. 6747. On the other hand, these same authorities have warmly endorsed and urged the provision of two additional judges for the juvenile court.

Mr. Chairman, H.R. 6747 is a regressive proposal which would destroy the years of excellent experience and progress made by the District's juvenile court. It would indeed be a step backward in an area where we must move forward, and it should be defeated.

At the same time, I believe that the evidence overwhelmingly supports the need for two additional juvenile court judges so that the court may meet its urgent requirements. At the appropriate time we will make this proposal and I urge my colleagues to support it so that the court may fully apply its present powers, and so that it may work to its maximum effectiveness in controlling juvenile delinquency and youth crime in our Nation's Capital.

Mr. Chairman, I urge my colleagues to give the following letters from the Deputy Attorney General and the Secretary of the Department of Health, Education, and Welfare their thoughtful attention as we prepare to act on this legislation:

MAY 24, 1961.

Hon. JOHN L. MCMILLAN,
Chairman, Committee on the District of Columbia, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: This is in response to your request for the views of the Department of Justice concerning H.R. 5988, "To provide for the appointment of two additional judges for the juvenile court of the District of Columbia" and H.R. 6747, "To amend the Juvenile Court Act of the District of Columbia."

The Department strongly favors the central purpose of H.R. 5988 and supports the legislation, with minor changes. The bill supplies a deficiency that has long been a serious one in the District of Columbia and is more serious now—the numerical deficiency of judges of the juvenile court. The one judge now sitting on the court has been unable, by himself, to hear and dispose of the cases coming before that court. The backlog of cases to be heard was, on March 31 of this year, 2,256. This situation produces long delays in the disposition of juvenile complaints, often a lapse of weeks between a juvenile's arrest and his appearance in court. In some instances, juveniles remain at large in a community for as long as 6 or 8 months until their cases can be reached on the court calendar. Thus, those who should be committed without delay for institutional treatment are not treated in timely fashion. Moreover, juveniles awaiting adjudication not infrequently become involved in new and more serious delinquencies.

The principal feature of the bill that recommends itself is the provision for two additional judges. Additional judge-power was recommended as long ago as the Ellison committee's report, January 14, 1954. That committee stated in the strongest terms its criticism of a caseload as high as 5,000 per year per judge. In comparison, the judge of the juvenile court heard 7,512 cases in the fiscal year ending June 30, 1960. There is an urgent community need for the services of two additional judges, and the Department supports the early enactment of this legislation.

The Department favors omitting from the bill the new language amending section 19(b) of the Juvenile Court Act of 1938. The new section 19(b) spells out in some detail three conditions for eligibility for appointment to the juvenile court. The detail is considerably more elaborate than that now contained in title 11, section 920 of the District of Columbia Code. The Department believes that it would be more desirable for the precise qualifications of the juvenile court judges to be left to the appointing power, and that the three conditions stated in the bill are too pointed and too personalized to allow the appointive power the desirable freedom of selection. It is to be assumed that the President will select qualified persons for the juvenile court, and that the appointments will reflect the emphasis that the President places upon particular qualifications. The efficacy of the appointive power is much reduced if the field is narrowly restricted by legislation, and if the President is not free to appoint qualified persons in whom he has confidence.

H.R. 6747 would transfer the functions of the juvenile court of the District of Columbia to the municipal court as a separate juvenile court branch, and would lower the age limit of juveniles falling within the mandatory jurisdiction of that branch from present age 18 to age 16. The bill would also provide that the juvenile jurisdiction of the branch may be waived, and the juvenile charged as an adult in any misdemeanor or felony case involving a juvenile of from 15 to 16 years.

The Department believes that there are serious reasons why it should oppose the enactment of H.R. 6747. The reasons are set forth below:

1. Section 1 of the bill creates a juvenile court branch in the municipal court for the District of Columbia, and provides that the chief judge of the municipal court may assign judges of the juvenile court branch to serve elsewhere in the municipal court and that he may assign judges from other branches of the court to serve in the juvenile court branch. The Department does not believe that juvenile court judges and judges serving in the municipal court hearing adult offenders should be treated as interchangeable in the court structure. The experience of many of the larger cities has indicated that juvenile court judges should have specialized training and qualifications in the problems of juvenile delinquency and methods of rehabilitation of juvenile offenders. Familiarity with these matters and with desirable hearing procedures for juvenile offenders is not normally a qualification of the judges of the municipal court. Nor is a juvenile court judge likely to be better qualified for the work of the municipal court than a judge of that court is for the work of a juvenile court judge.

For this reason the Department believes that the Chief Judge of the municipal court would rarely be able to make the findings called for in section 1(b) of the bill, that "the work in the juvenile court branch will not be adversely affected" by the assignment of a juvenile court judge to perform the duties of a municipal court judge or that "the work of the juvenile court branch requires * * * assignment" of a municipal court judge "to serve temporarily in the juvenile court branch." The Department is convinced that the juvenile court and the municipal court for adult offenders should be kept entirely separate in personnel and function.

2. Section 4 of the bill applies the jurisdiction of the proposed juvenile court branch of the municipal court to "any person under the age of 18 years * * *" who falls into the enumerated categories and defines the word "child" as a person under 16 and the word "adult" as a person 16 years or older. The present law brings within the jurisdiction of the juvenile court any person under the age of 18 years, leaving it to the juvenile court judge to waive his jurisdiction over persons in the range 16 to 18 years of age. The bill thus removes his jurisdiction in every case in which there is now discretion in the juvenile court judge. In addition, the bill would permit the judge of the juvenile court to waive jurisdiction of a child of 15 to 16 years. The Department doubts that a discriminating and careful effort toward rehabilitation of juvenile offenders in the 16- to 18-year category can be accomplished by throwing every such case into the adult criminal courts. Rather, it is believed that a more probable consequence would be to make hardened criminals of juvenile first offenders who, in some cases, might be rehabilitated if retained within the jurisdiction of the juvenile court.

As a consequence of section 4 of the bill, all juveniles of 16 years or more, involved in a felony offense, would fall within the criminal jurisdiction of the U.S. District Court for the District of Columbia. In fiscal 1960, 105 juveniles were waived to the U.S. district court by the judge of the juvenile court. Section 4 of the bill would raise this figure to approximately 575[1] cases per year. Chief Judge Pine of the U.S. district court advised the Judicial Conference of the District of Columbia Circuit, on May 11, 1961, that this transfer of criminal jurisdiction would require two additional district judges. It would also require an increase of at least two attorneys on the staff of the Office of the U.S. Attorney for the District of Columbia, whose office has the prospective jurisdiction in that court. In addition, section 4 of the bill would shift approximately 400 cases per year to the municipal court, with an attendant increase in the need for judges and prosecutors there. The Department is convinced that such a wholesale change of method and treatment of juvenile offenders is not in the best interests of the administration of justice or of successfully combating juvenile delinquency, and that a preferable course would be to increase the existing juvenile court by two additional judges and to permit the discretion of that court to govern the waiver of jurisdiction over any offender under 18 years of age, on a case-by-case basis.

[1] This figure is the number of felony offenses coming before the juvenile court in fiscal 1960.

Accordingly, the Department favors the enactment of H.R. 5988 subject to the comments made above with regard to the qualifications of the judges to be appointed.

The Bureau of the Budget has advised that there is no objection to the submission of this report from the standpoint of the administration's program.

Sincerely yours,

BYRON R. WHITE,
Deputy Attorney General.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE,
June 26, 1961.

Hon. JEFFERY COHELAN,
House of Representatives, Washington, D.C.

DEAR MR. COHELAN: In response to your letter of June 14, we welcome the opportunity of expressing our views on H.R. 6747, now pending before the Committee on the District of Columbia.

This bill would, as you say, "drastically alter the existing organization, jurisdiction, and procedure of the juvenile court for the District of Columbia." Not only would these changes, if enacted, turn back the clock in this important field in the District of Columbia but, because they would be an act of Congress, they might have an influence on action throughout the country altogether disproportionate to its character as local legislation. Enactment of this bill could, moreover, be construed as a disavowal of certain standards developed and supported for many years by our Children's Bureau in cooperation with the National Probation and Parole Association, the National Council of Juvenile Court Judges, and others, and rather recently reiterated in the Standard Family Court Act enclosed herewith.

We associate ourselves fully with the excellent report of the Department of Justice of May 24 to the committee, in which that Department (a) recommends, with certain amendments, enactment of H.R. 5988, which would provide for the appointment of two additional judges for the juvenile court, and (b) strongly opposes the provisions of H.R. 6747 that would transfer the functions of the juvenile court to the municipal court as a separate juvenile court branch and would completely exclude children between 16 and 18 from the juvenile court branch's jurisdiction. Besides these provisions of H.R. 6747, there are other provisions mentioned in your letter, as well as some noticed by us in the bill, on which we should like to comment briefly. We shall not, however, comment here on those provisions of the present law that are in need of improvement but are carried intact into H.R. 6747.

1. INTERCHANGEABILITY OF JUDGES IN CHILDREN'S AND GENERAL ADULTS CASES

H.R. 6747 would add 2 judges to the present 16 judges of the municipal court, transfer the functions of the present juvenile court of the District to a juvenile court branch established by the bill in the municipal court, require that 2 judges of the municipal court serve as judges of the juvenile court branch, "during their tenure of office" (one of them would be the present juvenile court judge during the remainder of his term), authorize the chief judge of the municipal court to assign additional judges of the court temporarily to the juvenile court branch as the work of the branch may require, and, on the other hand, authorize him to assign judges of the juvenile court branch temporarily to other judicial duties in the municipal court if he finds that the work of the juvenile court branch will not be adversely affected thereby. This would, in large measure, make judges in the juvenile court branch and other judges of the municipal court interchangeable in the court's work, with the consequent risk that both aspects of the court's work will suffer.

What is needed in view of the heavy caseload of the present judge of juvenile court is the appointment of additional judges for that court, who are especially qualified in that work. The present law (District of Columbia Code sec. 11-920) requires the judge of the juvenile court to "have a knowledge of social problems and procedure and an understanding of child psychology." While, even without this specification, additional appointments to that court, if authorized by law, could be expected to meet the essential qualifications for judges of that court, the arrangement provided for in this bill would give no such assurance. As stated in the Justice Department's report:

> "The experience of many of the larger cities has indicated that juvenile court judges should have specialized training and qualifications in the problems of juvenile delinquency and methods of rehabilitation of juvenile offenders. Familiarity with these matters and with desirable hearing procedures for juvenile offenders is not normally a qualification of the judges of the municipal court. Nor is a juvenile court judge likely to be better qualified for the work of the municipal court than a judge of that court is for the work of a juvenile court judge."

2. JURISDICTIONAL AGE LIMIT

The present law confers jurisdiction on the juvenile court of the District where the child is under 18 years of age, or where he is charged with having violated a law, or an ordinance or regulation of the District, prior to having become 18 and at the time of coming before the court is under 21. H.R. 6747, on the other hand, would define a 16-year-old person as an adult. It would give the juvenile court branch jurisdiction only where the individual is under 16, or where he is charged with having committed a violation of law, ordinance, or regulation prior to age 16 and is under 17 when he comes before the court

Again, the present act permits the juvenile court to waive its jurisdiction and order a child held for criminal trial as an adult if the child is 16 years of age or older and is charged with an offense which would amount to a felony in the case on an adult (or is a child charged with a capital offense). H.R. 6747 would permit the court to waive jurisdiction if the child is 15 years of age and charged with an act which in the case of an adult would be either a misdemeanor or a felony (or is a child charged with a capital offense).

These provisions, if enacted, would reverse much of the progress made in the juvenile court field since the enactment of the first juvenile court law in 1899.

It is generally accepted today, and it is the underlying philosophy of the juvenile court approach, that a child—even an adolescent child—is different from an adult and should not be dealt with as such or marked as a criminal; that not being mature, a child who has gone wrong is often in need of care and is likely to be more responsive to treatment and rehabilitation than an adult, though even as to the latter rehabilitation should be attempted where possible; that if institutionalized, the child should not be housed with adult offenders; and that this specialized approach to the problems of children and juvenile delinquency must, in order to be successful, be administered by specialized courts administered by judges especially interested in and qualified for such work and assisted by trained professional staff. This approach can be fully coupled with the protection of society.

The real question is not as to the validity of these premises but, rather, as to where the age line is properly drawn between "child" and "adult" insofar as criminal responsibility is concerned. There is, of course, no scientific answer applicable to all individuals. There are those who are still not mature at 20, and those who mature, physically, and socially, unusually early. Hence, the District Act and most juvenile court laws in the country, while fixing a mandatory maximum jurisdictional age limit, vest authority in the court to waive its jurisdiction in individual cases involving serious offenses in an age range in which there is a substantial problem in this regard. The District Act, following the prevailing pattern in the country, fixes the maximum age limit at 18, and permits the judge to waive the court's jurisdiction, after full investigation, in individual cases where the child is between 16 and 18 and is charged with an act that would be a felony in an adult. (The District Act also permits waiver at any age in capital cases.) Long experience and study on the part of the Children's Bureau and other experts in the field supports this choice as the most reasonable one. The age of 18, rather than 16, is also the age limit in the Federal Juvenile Delinquency Act, 18 U.S.C. 5031–5037.

In the light of the extensive studies of the Children's Bureau and our observation, moreover, we do not believe that it is sound to treat a person who is between 16 and 18 years of age mandatorily as an adult, as H.R. 6747 would do. In general, these youths have not matured to a degree which makes them unamenable to the kind of treatment for which the juvenile court system is designed. As said by the Justice Department, a likely consequence of the enactment of this reduction in the juvenile court age "would be to make hardened criminals of juvenile first offenders who, in some cases, might be rehabilitated if retained within the jurisdiction of the juvenile court." In fact, we believe this would be true in most cases. Even more objectionable is the provision which would permit the court, in noncapital cases, in fact even in misdemeanor cases, to turn a child of 15 years of age over for trial to the regular criminal courts.

3. The proposed section 11 of the Juvenile Court Act in the bill would authorize the court, in its discretion, to admit the general public to the hearing in cases involving a child "charged with an offense which would amount to a felony in the case of an adult, if such child was 14 years of age or older at the time of commission of such offense."

We believe that it would be a serious mistake to make this kind of exception to the present rule of the Juvenile Court Act, which requires exclusion of the general public in all cases. As you know, the present act is already broader than most juvenile court laws in this respect, in that it permits the presence not only of persons having a direct interest in the case and their representatives, but also permits the judge, by rule of court or special order to admit such other persons as he deems to have a legitimate interest in the case and the work of the court. This is broad enough to permit the court to admit to such hearings persons having a genuine concern with the work of the court, such as students of the subject or even representatives of the press under proper safeguards, while excluding the merely curious. To admit the general public would destroy the informal, conference type of hearing that should be used in these cases and would give these cases the atmosphere of a criminal trial. This is not to deny the seriousness of a deliberate act committed by a 14-year-old child which would be a felony if committed by an adult, but the methods of hearing used in juvenile courts at this time for impressing upon the child the seriousness of the situation are fully adequate to the purpose.

4. An analogous provision in the bill is the proposed section 20(e), which has no counterpart in the present law and which provides that, notwithstanding any other

provision of this section, all of the records of a case (including the social records) involving a child charged with an offense which would amount to a felony in the case of an adult, may in the court's discretion be opened to public inspection if the child was 14 years or older at the time of commission of the offense.

We can see no sound reason for permitting this exception to the imperative rule of confidentiality of juvenile court proceedings and records. The social records of the juvenile court may, under existing law, be made available by rule or special order to persons or agencies having a legitimate interest in the protection, welfare, treatment, and rehabilitation of the child and to any court before which any such child may appear.

5. The bill would further strengthen the control of the corporation counsel over the initiation of juvenile court proceedings by requiring him or his assistant to pass at the threshold on whether a petition "can be filed" on the basis of information submitted. It would, moreover, retain the present power of the corporation counsel or his assistant to authorize the filing of a petition despite the negative determination of the court's director of social work. It would seem that only the juvenile court judge should have such overriding power.

6. As your letter points out, the bill would remove from juvenile court jurisdiction, and vest in the municipal court (rather than the proposed juvenile court branch) jurisdiction over all cases involving the paternity and support of children born out of wedlock. It would seem, moreover, that other types of adult cases of which the juvenile court has jurisdiction would, under this bill be brought within the jurisdiction of the municipal court generally, rather than the proposed juvenile court branch. We have not had time to explore sufficiently this aspect of the bill, but it may be said at this time that we believe that paternity cases and those involving the support of children born out of wedlock and other cases involving family relationships should come within the jurisdiction of a family court if not a juvenile court.

We appreciate the opportunity you have given us to state our views on this bill.

We are advised by the Bureau of the Budget that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely yours,

ABE RIBICOFF, *Secretary*.

Mr. JAMES C. DAVIS. Mr. Chairman, I yield 5 minutes to the gentleman from Georgia [Mr. JOHN W. DAVIS].

Mr. JOHN W. DAVIS. Mr. Chairman, I rise as one who until January 1, 1961, had to act as the juvenile court judge of an area which comprised a population of about 100,000 people. That was in addition to my other duties which consisted of being a circuit judge. As a result of that, I want to take a moment or two to give you the benefit of some of my experience in the consideration of juvenile court cases.

I would like to start out by giving you a concrete example of something that is very bad and that can happen in a juvenile court. One time in my court, 19 youths were brought in, all of them charged with having stolen some hubcaps. There were 19 juvenile cases made. I looked into the facts of the matter, and when the truth was developed there were 14 of them guilty, 5 of them innocent.

Did you know that there was no way to prove that those boys were innocent to their schoolmates or to the people in the county generally? First, the records of the juvenile court are secret; the public cannot examine them. Second, the juvenile case is not a criminal case; it is a civil case. The issue is not guilt or innocence. In the third place, we are not bound by the ordinary rules of evidence; no formal charges are brought against a juvenile; he does not necessarily know what he is accused of, because it is not a criminal case. He does not have the right of confrontation of witnesses against him, is not guaranteed the benefit of counsel; he does not have the right of trial by jury. Why? Because he is being tried not as a person; he is being tried as a child.

The reason the juvenile court exists is to determine whether or not the protective wing of the State itself, the sovereign State, should be substituted for the natural protective wing provided by a child's parents. If something happens to the normal control exercised by parents, then a hearing is held to decide whether the State is to step into the shoes of the parents and, if so, should the child be confined to protect society or to protect the child? Should he be left in the home? Should he be placed in the custody of some relative? What should be done with him?

I would like to say this in defense of regular courts of general jurisdiction: they do guarantee a person, 17 years old, 16 years old, or whatnot, guarantee him the right to know of what he is accused. They guarantee him the right to be confronted by his accusers, guarantee him the right to have counsel, the right to appeal if he is wrongfully convicted.

You do not have any of these rights in the juvenile court. That is not the purpose of the juvenile court. The main purpose of the juvenile court is simply to look into the situation which involves a child who is not accountable for his acts—he has not the maturity to be accountable—and to say whether some change should be made in his individual life.

Mr. MULTER. Mr. Chairman, will the gentleman yield?

Mr. JOHN W. DAVIS. I yield.

Mr. MULTER. Would you mind telling the committee how you disposed of the 19 cases? What did you do with the five who were innocent? And what did you do with the 14 who were guilty?

Mr. JOHN W. DAVIS. I do not remember that in detail. The five who were innocent were sent back home.

Mr. MULTER. Sent back home?

Mr. JOHN W. DAVIS. We did make an entry on the docket that they were innocent, but nobody can get to the docket to see that they were innocent since the records of juvenile courts are not open to the public. All of them missed a day at school, and it hurt them in the eyes of their schoolmates. They considered all were equally guilty.

Mr. MULTER. Were the guilty paroled to their parents?

Mr. JOHN W. DAVIS. Some of the boys were paroled. I examined each of the 14 cases and dealt with each as justly as I could.

Mr. MULTER. You dealt with them according to what you thought the circumstances required, but did they get some kind of supervision to see that the offense would not be repeated?

Mr. JOHN W. DAVIS. Certainly. The point I am getting at is when you have a juvenile case under a certain age you are dealing with a child, you are not dealing with an adult, you are dealing with an individual who does not have the maturity to know right from wrong. The issue is not right and wrong.

Mr. AUCHINCLOSS. Mr. Chairman, I yield myself 8 minutes.

The CHAIRMAN. The gentleman from New Jersey is recognized.

Mr. AUCHINCLOSS. Mr. Chairman, this matter has been given a great deal of careful consideration. I have the deepest respect and highest regard for the gentleman from Georgia [Mr. JAMES C. DAVIS] for the diligent work that he did in the study of this legislation, and I am frank to say that I am very, very sad to think that such a fine man has brought in such an unfortunate bill.

Mr. Chairman, I have served on the District Committee for about 19 years. It has been my approach that when I sit on the committee considering these different problems to try and resolve them as to what I would do if the people of this town elected me to office. What do they want? Does the consensus of opinion demand it? Because, after all, I think we should recognize the fact that that is what we do in representing our own people; we want to know what they want. If we do not, we may not come down here again. We have that same responsibility representing the District of Columbia and its citizens, the people who live here.

What do they want? I have here in my hand, entirely unsolicited, a number of letters. There are 54 of them from individuals demanding that what is known as the Bible bill, which will be offered as a substitute, be enacted into law. It provides for two additional judges on the juvenile court.

I have here in my hand another list of 31 unsolicited letters which I received from institutions and organizations demanding the passage of that same bill which will be offered as a substitute.

May I read you some of the names of these institutions, and I will ask permission to put all of these letters in the RECORD when we go back in the House. They are: American Academy of Child Psychiatry; American Association of University Women; Children's Hospital, Department of Psychiatry; Citizens' Advisory Committee of the Juvenile Court; Commissioners' Youth Council of the District of Columbia and Juvenile Court of Judicial Conference; Council of Churches, National Capital Area; Judicial Conference Committee; League of Women Voters of the District of Columbia; Lawyers' Wives of the District of Columbia; Metropolitan Washington Board of Trade; National Council of Jewish Women; National Association of Social Workers, Washington, chapter; Northwest Boundary Civic Association, St. George's Church; Washington Bar Association; Petworth-Montgomery Hills

Baptist Church; Tifereth Israel Congregation; Twentieth Century Club; Washington Psychiatric Society; Young Women's Christian Association, Public Affairs Committee; Republican State Committee for the District of Columbia; Democratic Central Committee for the District of Columbia; U.S. Department of Justice; U.S. Court of Appeals, District of Columbia Circuit—I would like to read that letter to you:

U.S. COURT OF APPEALS,
DISTRICT OF COLUMBIA,
Washington, D.C., December 22, 1961.

Hon JOHN L. MCMILLAN,
Chairman, Committee on the District of Columbia,
House of Representatives,
Washington, D.C.

Re juvenile court of the District of Columbia, H.R. 6747 and S. 486, 87th Congress.

DEAR MR. CHAIRMAN: The judicial conference of this court, composed of the Federal judges of this circuit and many of the outstanding members of the bar of this circuit, together with representatives of the municipal court and the municipal court of appeals of the District of Columbia, take a deep interest in the functioning of the juvenile court of the District of Columbia, a part of the judicial machinery of this jurisdiction. By resolution adopted November 24, 1959, the Conference stated, among other things, its opinion that two additional judges were urgently needed on the juvenile court. Again, on May 11, 1961, the conference reaffirmed its resolution of November 24, 1959. The resolution of May 11, 1961, stated, in part, that "the need for additional judges for [the juvenile] court still persist."

The undersigned judges of the U.S. Court of Appeals for the District of Columbia Circuit share the views of the judicial conference of this circuit as expressed in the two resolutions just mentioned, and wish to advise you that in our opinion the independent status of the juvenile court should be preserved, and the need for two additional judges in that court continues to be most urgent.

We are sending copies of this letter to Hon. JAMES C. DAVIS and Hon. JAMES C. AUCHINCLOSS.

Very truly yours,

Wilbur K. Miller, Chief Judge; Henry W. Edgerton, E. Barrett Prettyman, David L. Bazelon, Charles Fahy, George T. Washington, John A. Danaher, Walter M. Bastian, Warren E. Burger, Circuit Judges.

Now, that letter is signed by the judges of the court, eight of them, plus the chief judge, Wilbur K. Miller.

Mr. Chairman, may I go back to what I started out to say. If we really want to represent the people of the District of Columbia, it is our duty—well, I was going to say a privilege, but it is our duty, anyway—to recognize what the thinking is in this area. These people are taxpayers. These people pay taxes here. Perhaps you do not realize that, but they do, and it is not an inconsiderable sum of money. I urge that we adopt the substitute bill which will be offered to provide two additional judges to relieve this terrific backlog of cases, which in itself causes an awful lot of juvenile delinquency in this area. I am not a lawyer; but after all is said and done, my friends, if you look at this question and this problem in the same way as you would look at a problem back home affecting the people that elected you to office, you cannot overcome this great influence of opinion of people in high office; people who know what they are talking about.

The matter to which I have previously referred is as follows:

WASHINGTON, D.C., *December 4, 1961.*

Hon. JAMES C. AUCHINCLOSS,
District of Columbia Committee,
House of Representatives,
Washington, D.C.

DEAR REPRESENTATIVE AUCHINCLOSS: I address this letter to you as the president of the Washington-Baltimore regional chapter of the American Academy of Child Psychiatry.

My colleagues and I have followed the newspaper reports of contemplated changes in the juvenile court of the District of Columbia and are alarmed at the radical retrogressive changes recommended in H.R. 6747. What defects which exist will not be remedied by this bill. Since World War II the problem has been one of insufficient manpower to adequately operate the court. The principles upon which the court has functioned are basically sound. We feel that the Senate bill 4586 which provides for two more judges for the juvenile court is a vital necessary recommendation. We also would like to see an increase of manpower to provide a more effective diagnostic and rehabilitative program and research studies in coping with the serious problem of delinquency.

Both in our professional judgment and as citizens of the community we strongly urge the adoption of the Senate bill 5486 for the appointment of additional juvenile court judges.

Respectfully yours,

SIDNEY BERMAN, M.D.

AMERICAN ASSOCIATION OF
UNIVERSITY WOMEN,
Washington, D.C., January 22, 1962.

The Honorable JAMES C. AUCHINCLOSS,
District of Columbia Committee,
House of Representatives, Washington, D.C.

DEAR MR. AUCHINCLOSS: The Washington, D.C., branch of the American Association of University Women advocates preservation of the autonomy of the juvenile court of the District of Columbia, the addition of two full-time judges to the juvenile court, and maintenance of 18 as the juvenile age limit. We are opposed to the provisions of H.R. 6747, which would abolish the autonomy of the juvenile court by making it a subordinate branch of the municipal court and lower the juvenile age limit from 18 to 16 years.

We believe the juvenile court has worked manfully to fulfill its responsibilities and that its backlog of more than 2,000 cases and the consequent delay in hearings are due to a social lag in recognizing that, whereas one judge may have been equal to the task at the time of the court's inception in 1906, the increased workload imposed by changing times necessitates the assignment of two additional judges to the court if justice in children's cases is to be dispensed promptly and compassionately.

We believe maintaining the jurisdictional autonomy of the juvenile court of the District of Columbia and giving the court the judicial manpower it needs to fulfill its responsibilities would recognize the sincere wish of the residents of the District of Columbia to cope effectively and understandingly both with the problems of juvenile delinquency in the District and with the various family and social problems involving the young that come to the attention of the juvenile court.

The Washington branch of the American Association of University Women is aware that compromise solutions have been proposed to bridge the differences between the provisions of the measure passed unanimously by the Senate (S. 486) and those of H.R. 6747. While we realize that compromise may prove to be necessary if the plight of the juvenile court is to be alleviated in any degree, we see no intrinsic value in the suggested compromise proposals. The proposal that juvenile cases involving adults, such as nonsupport and paternity cases, be transferred to the municipal court and the proposal that the juvenile court be allowed to waive to the municipal court cases of misdemeanors committed by juveniles appear to beg the question of additional judges for the juvenile court. Transferring cases of this type to the municipal court would vitiate the principle of a specialized court that underlies the institution of the juvenile court. Since the transfer of such cases from the juvenile court to the municipal court would necessitate the addition of another judge to the municipal court, the enactment of a proposal to this end might be characterized as "robbing Peter to pay Paul." We see no logic or humanity in adding to the responsibilities of the municipal court and in the process depriving the young of the more searching and specialized case exploration of the juvenile court when the addition of two judges to the juvenile court would enable the juvenile court to discharge promptly the responsibilities entrusted to it.

When H.R. 6747 comes up for consideration on the floor of the House, we hope there will be sufficient support from Members of the House to amend it in order that it may be more in line with the Senate bill 486 to the end of maintaining the autonomy of the juvenile court, enlarging the judiciary of the court from one to three judges, retaining the juvenile age limit of 18 years, and preserving the present jurisdiction of the court.

Sincerely yours,

ALICE C. COLE,
President of the Washington, D.C., Branch.

ASBURY METHODIST CHURCH,
Washington, D.C., December 22, 1961.

Hon. JAMES C. AUCHINCLOSS,
District of Columbia Committee,
House of Representatives,
Washington, D.C.

DEAR SIR: We, of Asbury Methodist Church, are very much concerned about the rapid rate of increase of crime in our city. We feel that too little is being done to deal with the young people and children who are becoming involved with the law. Two more judges for the juvenile court seems a logical place to begin.

Senate bill, S. 486, provides the needed judges; but thus far, the bill has been held up in the House of Representatives. It seems a terrible price to pay in human erosion while more and more girls and boys go through the process of maturing into hardened criminals, and dangers to society. It should prove more economical to prevent the young from becoming criminals, than to support and confine them after they have become lawbreakers. If we should save them, they could at least support themselves, and too, the lives of others would not be endangered by them, not even your own.

Your help and support for the bill which will provide two more judges for the juvenile court will do much to lift the moral standard of Washington, and contribute much to change the ugly picture which our city gives to the rest of the world, as the Capital of our Nation.

We are interested in preserving the juvenile court as it is now constituted; but with two more judges. We are thankful for such devoted and farsighted men as you, and feel that our city and Nation are greatly indebted to you for your services, I am

Sincerely yours,

JAMES D. FOY, *Minister*.

CHRIST CHURCH, GEORGETOWN,
Washington, D.C.

Hon. JAMES C. AUCHINCLOSS,
District of Columbia Committee,
House of Representatives, Washington, D.C.

MY DEAR MR. AUCHINCLOSS: May I express my deep concern for the children of our city whose futures are gravely imperiled by the inability of our juvenile court to handle its caseload. The people of my parish have the highest regard for Judge Ketcham and his staff. Knowing he faces an impossible situation, we trust your committee will give favorable consideration to the Bible bill (S. 486) which will provide for two more judges.

Surely any reduction of the scope of our juvenile court would destroy an effective, constructive, and intelligent handling of the problems of the young people who come before it. Quite clearly, its only weakness arises from the increase in our population and the ever-expanding complexity of our world. Its record, case for case, stands among the highest rated juvenile courts in our land. With the judges asked for it can continue to guard and promote the lives of the children of the city of Washington.

Faithfully yours,

JOHN R. ANSCHUTZ,
Rector.

CHILDREN'S HOSPITAL OF THE
DISTRICT OF COLUMBIA,
Washington, D.C., December 14, 1961.

Hon. JAMES C. AUCHINCLOSS,
District of Columbia Committee,
House of Representatives,
Washington, D.C.

DEAR REPRESENTATIVE AUCHINCLOSS: I am writing as Director of the Department of Psychiatry of the Children's Hospital of D.C. in support of the Senate bill for the D.C. juvenile court.

Our interest in this matter stems from our use of the juvenile court as an adjunct to our training program for child psychiatrists. We are therefore invested in having a professionally sound juvenile court in the District of Columbia. Our strong feeling is that the present constitution of the court is basically sound. We feel that its defects in functioning are related not to the concepts on which it is based, but on insufficient key manpower to carry it out properly. The first step in corrective approaches is to provide the additional judges necessary for better court functioning.

It is our recommendation therefore that that Senate bill for the juvenile court judge (S. 486) be substituted for H.R. 6747.

Sincerely,

REGINALD S. LOURIE, M.D.,
Director, Department of Psychiatry

NORTH MIAMI BEACH, FLA.

Hon. JAMES C. AUCHINCLOSS,
District of Columbia Committee,
House of Representatives,
Washington, D.C.

DEAR SIR: As a longtime resident interested in welfare work in the District of Columbia I recall with pleasure the years you served as chairman of the committee of which you are now a member. It seems quite natural to appeal to you as of old to help us straighten out our problems in connection with the juvenile court situation.

I am a member of the Citizens Advisory Committee of the Juvenile Court and in that capacity have firsthand knowledge of the seriousness of backlogs. The purpose of the court to advise, guide, and plan rehabilitation for young offenders to prevent them from becoming habitual criminals, cannot be accomplished under the present setup of one judge. As you know the Davis bill would mean a very grave move and would destroy the court. The Senate bill 486 aims to provide more judges. Our only hope is that the Senate bill serve as an amendment to the Davis bill.

We look to you for leadership now as in the past. Our civic leaders here are all in favor of such a move. Thank you for all you have done and are doing to help us.

Sincerely yours,

NETTIE OTTENBERG.

AMRAM, HAHN & SUNDLUN,
Washington, D.C., December 11, 1961.

Re H.R. 6747, Report No. 1041, of August 25, 1961.

Hon. JAMES C. AUCHINCLOSS,
District of Columbia Committee,
House of Representatives, Washington, D.C.

DEAR MR. AUCHINCLOSS: I am writing this letter to you as a member of the Commissioners Youth Council of the District of Columbia and also as a member of the special committee on the juvenile court of the Judicial Conference of the District of Columbia circuit.

In connection with my work with both of these groups, I have had occasion to study most carefully both the legal and the social aspects of the juvenile court problem and to investigate the actual operations of that court. I am sure you know how deeply the efficient operation of the juvenile court influences the work of the Commissioners Youth Council.

Both the Commissioners Youth Council and the judicial conference have recommended the passage of the bill calling for two more judges for the juvenile court, with no radical changes in either the jurisdiction or the operation of that court. Similarly both groups have expressed their disapproval of H.R. 6747 which would radically change both the jurisdiction and the operation of the juvenile court.

I need not elaborate the reasons behind my opinion. They are already in the record, in the testimony of the Attorney General, the Department of Health, Education, and Welfare, Chief Judge Prettyman, and others. In this connection, I wish to commend the minority report of the nine members of the District Committee who opposed H.R. 6747 and in which you joined. I earnestly hope that it will be possible to convince the House of Representatives either to pass the Senate bill S. 486 or to amend H.R. 6747 to incorporate the provisions of the Senate bill.

The juvenile court as presently constituted must be preserved and the proposals in H.R. 6747 which would substantively alter the administration of juvenile problems in the District of Columbia must be rejected.

Sincerely yours,

PHILIP W. AMRAM.

DECEMBER 26, 1961

Hon. ROBERT HALE,
Washington, D.C.

DEAR MR. HALE: As president of the Council of Churches, National Capital Area, representing the cooperative interest of the Protestant churches of Metropolitan Washington, and also as the rector of the Church of the Epiphany, Washington's downtown Episcopal church, I am writing you as I understand you are helping Congressman AUCHINCLOSS with reference to the juvenile court situation in the District of Columbia. I do hope that despite the action of the House District Committee that the House of Representatives as a whole will approve Senate bill 486, providing for two more judges for the juvenile court, accepting it as a substitute for H.R. 6747.

It is disgraceful that the District of Columbia should have to make do with one juvenile court judge. Anyone who has worked with young people over the years, as I have, knows full well that their best interests are served when it is possible for them to receive understanding attention, and an overworked court can hardly provide what the community needs in this regard. I hope that the Senate bill will be passed.

Should new hearings be called for, I should be delighted to appear.

Sincerely,

CHARLES D. KEAN,
Rector.

COUNCIL OF CHURCHES,
NATIONAL CAPITAL AREA,
Washington D.C., December 14, 1961.

The Honorable JAMES C. AUCHINCLOSS,
District of Columbia Committee,
House of Representatives,
Washington, D.C.

DEAR REPRESENTATIVE AUCHINCLOSS: The Council of Churches, National Capital Area, composed of 28 Protestant denominations, has gone on record urging the preservation of the Juvenile Court of the District, and the addition of two juvenile court judges. We are firmly opposed to the Davis bill (H.R. 6747) and are in sympathy with the principles expressed in Senate bill S. 486. We hope the latter bill may be offered as an amendment to H.R. 6747.

Enclosed is a copy of the action taken by the board of directors of the Council of Churches on this matter.

Sincerely,

VIRGIL E. LOWDER,
Executive Director.

STATEMENT ON THE PROPOSED CHANGES IN THE JUVENILE COURT OF THE DISTRICT OF COLUMBIA

The Council of Churches of the National Capital area, through its commission on community life and its department of social welfare, has for many years been deeply concerned about the problems of the juvenile court in the District of Columbia.

We note the following:

1. The caseload has increased in proportion to the increase in population.

2. There has been no corresponding increase in the number of judges.

3. There is now a backlog of some 2,000 cases.

We further note:

1. That House bill H.R. 6747 (the Davis bill) would wipe out advances made in recent years in the treatment of juvenile offenders. This bill would treat all 16- and 17-year-olds as adults, rather than leaving this to the discretion of the juvenile court.

2. It seems apparent that H.R. 6747 is concerned more with punishment than with rehabilitation and restoration to society.

Therefore we conclude:

1. That the adoption of the principles included in H.R. 6747 would be a tragic mistake, sending the District of Columbia back into a period of unenlightened punishment of the juvenile offender and making hardened criminals out of many first offenders who could be rehabilitated.

2. That the passage of H.R. 6747 is neither in the best interests of the District of Columbia or of the United States.

We recommend:

1. That the principles upon which the present juvenile court is established be refined and continued;

2. That toward the end of solving a heavy caseload, two additional judges be appointed to the juvenile court;

3. That at all times rehabilitation and not punishment be the overarching purpose of the juvenile courts.

CHILDREN'S COURT OF
SUFFOLK COUNTY,
Hauppauge, N.Y., January 24, 1962.

Hon. JAMES C. AUCHINCLOSS,
Representative of New Jersey,
House of Representatives,
Washington, D.C.

DEAR MR. AUCHINCLOSS: The writer is chairman of the committee known as the District of Columbia court committee. A meeting of this committee was held at the

Arlington County, Va., courthouse on November 10, 1961. Present as committee members were Judge B. Gordon Gentry, of Greensboro, N.C., Judge Hugh Reid, of Arlington, Va., and the writer, of Suffolk County, N.Y.

We adopted a motion at our meeting, wherein it was recommended that the National Council of Juvenile Court Judges urge the enactment of the Bible bill (S. 486) or similar bills now pending in the House, with respect to additional manpower in the juvenile court of the District of Columbia without reduction in its present juvenile jurisdiction or its present autonomy and that our organization so advise all Members of the House of Representatives of this action. On the question, all committee members voted "aye" and none voted "nay."

If you are of the opinion that worthwhile purpose would be served by having a further committee meeting in Washington, please advise.

Very truly yours,

FRANKLIN T. VOELKER,
Judge.

THE MUNICIPAL COURT
FOR THE DISTRICT OF COLUMBIA,
Washington, D.C., December 19, 1961.

Hon. JAMES C. AUCHINCLOSS,
House of Representatives,
Washington, D.C.

DEAR MR. AUCHINCLOSS: Reference is made to a recent conference with Mrs. George T. Washington representing the Committee on the Needs of the Juvenile Court for the District of Columbia, at whose request this letter is being addressed to you.

With respect to any bills before the U.S. Congress affecting the operating status of the juvenile court for the District of Columbia, it is the consensus of the judges of the municipal court for the District of Columbia that none of the functions of the former court should be transferred to any branch of the municipal court nor should that court be made a separate branch of the municipal court.

Sincerely yours,

JOHN LEWIS SMITH, Jr.,
Chief Judge.

THE EVENING STAR-THE SUNDAY STAR,
Washington, D.C., December 21, 1961.

Hon. JAMES C. AUCHINCLOSS,
District of Columbia Committee,
House of Representatives,
Washington, D.C.

DEAR MR. AUCHINCLOSS: I have been requested, as a former president of the Washington Board of Trade, to write to you in support of the Senate juvenile court bill (S. 486), which would add two judges to the juvenile court, without changing either the jurisdiction or the present organizational structure of the juvenile court. It is the hope of those interested in enactment of this bill that it will be proposed as an amendment to H.R. 6747.

I believe the Senate bill's provisions would correct what seems to be the fundamental weakness at juvenile court, that weakness being a shortage of manpower on the bench to cope with a volume of work that far exceeds the capacity of any one judge to deal with. The mere question of volume is highly complicated by the nature of the problem with which the juvenile court was created to handle.

The Evening Star, of which I am editor, has supported the work of the juvenile court for a great many years. We believe that H.R. 6747 would weaken rather than strengthen the administration of the court and would be a departure from established concepts of what such a court should attempt to do. We are very earnest in our hope that your well established reputation as an advocate of progressive and sound legislation will enable you to work for the enactment of S. 486.

With personal regard,

Yours sincerely,

B. M. MCKELWAY,
Editor.

FAMILY AND CHILD SERVICES
OF WASHINGTON, D.C.,
Washington D.C., January 29, 1962.

JOHN T. KOEHLER,
Chairman, Judicial Conference Committee on the Needs of the Juvenile Court, Washington, D.C.

DEAR MR. KOEHLER: At its January meeting, the board of trustees of Family and Child Services considered again, as it has before, the situation of the juvenile court.

On this occasion there was discussion of the proposal for a compromise solution to that which had been earlier advanced and embodied in the Bible bill. The board was unanimous in its feeling that the compromises as reported in the newspapers represented no improvement but a distinct weakening of the mission of the court. It therefore took this occasion to restate its conviction that the Bible bill should be supported and two judges added to the bench in the juvenile court.

Very truly yours,

JOHN G. THEBAN,
Executive Secretary.

WASHINGTON, D.C., *January 12, 1962.*

Hon JAMES C. AUCHINCLOSS,
District of Columbia Committee,
House of Representatives,
Washington, D.C.

DEAR SIR: There is enclosed herewith a copy of our letter to the Honorable JAMES H. MORRISON, Representative from Louisiana. This letter concerns a struggle for two additional judges in juvenile court, in which you have been in the forefront.

Very truly yours,

DE LONG HARRIS.

JANUARY 12, 1962.

Hon. JAMES H. MORRISON,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN MORRISON: This letter is being written, first of all as one of your constituents from Louisiana. This letter is written as an individual taxpayer in the District of Columbia, and in my capacity as a member of the Board of Directors of the Health and Welfare Council of the District of Columbia, a member of the executive committee of the Law Enforcement Council, a present member of the board of directors, and immediate past president of the Washington Bar Association, and as a member of the Judicial Conference for the District of Columbia Circuit.

All of the above-named bodies and organizations, with which I am affiliated, have endorsed and urged passage of Senate bill 486, which has passed the Senate, and is now in the hands of the House District Committee, which provides for two additional judges for the juvenile court of the District of Columbia. We are advised that, despite the almost unanimous approval of Senate bill 486 by individual citizens and taxpayers, and by many, many organizations in the District of Columbia, the Senate bill has not been reported out of the committee while, at the same time, House bill (H.R. 6747) has been reported out of the House District Committee, and may come up for vote on the floor of the House at almost any time. House bill 6747 would completely abolish the District of Columbia's juvenile court, and in its stead would transfer most of the functions of the juvenile court to the municipal court and would add two judges to the present bench of the municipal court.

I am happy to know you are on our side in this matter, because of your having introduced H.R. 5986, which would also add two judges to our juvenile court. I deem it, therefore, wholly unnecessary to delineate to you the infirmities of H.R. 6747, and the virtues of Senate bill 486, because of your knowledge of all of the facts and circumstances. However, I do enclose, for your information, a copy of a report prepared by undersigned, and adopted by the Health and Welfare Council at the last meeting, on January 9, 1962.

I wish to thank you for your past activity on my behalf and on behalf of other persons from your district, and to wish you continued success and happiness during the coming year.

Very truly yours,

DE LONG HARRIS.

REPORT ON PROPOSED LEGISLATION CONCERNING JUVENILE COURT

At the meeting of the council on October 2, 1961, the chairman requested the undersigned to prepare a short report concerning proposed juvenile court legislation. Pursuant thereto, the within report is submitted.

In 1959, both Houses of Congress passed bills, having as their principal purpose the creation of additional judgeships in the presently existing juvenile court. The Senate bill S. 1456, was reported favorably after hearings by the Senate District Committee was passed by the Senate, and was thereafter sent to the House of Representatives where the bill was referred to the House District Committee. Chairman DAVIS of that committee held hearings on S. 1456 on July 23 and December 10, 11, 1959. At those hearings, testimony was given by Judge Ketcham of the juvenile court, Hon. Robert E. McLaughlin, the then President of the Board of Commissioners, District of Columbia, Hon. E. Barrett Prettyman, the then Chief Judge, U.S. Court of Appeals for the District of Columbia Circuit, the late Leo A. Rover, the then Chief Judge, Municipal Court of Appeals for the District of Columbia, L. Clark Schilder, Washington Criminal Justice Association, and Mrs. Una Rita Quenstedt, Assistant Corporation Counsel for the District of Columbia, Chief, Domestic Relations and Collections Division. These persons were all in favor of passage of S. 1456. The Davis committee took no action at the conclusion of these hearings, and the bill was never reported on by the Davis committee, with the consequence that it was never presented to the House for action.

Of all of the many persons testifying or submitting statements to the House District Committee on S. 1456, although rigorously cross-examined by Chairman DAVIS, only Inspector Winters, of the Metropolitan Police Department, expressed any desire to have changed any portion of the existing Juvenile Court Act.

In the spring of 1961, Representative DAVIS introduced his own bill, H.R. 6747, which purposed to amend the Juvenile Court Act of the District of Columbia. The most important characteristics of the Davis bill are as follows:

1. It would abolish the juvenile court. As a substitute for the juvenile court, the bill provides for the transfer of all functions of the juvenile court to the municipal court for the District of Columbia, and at the same time creates two additional judgeships for the municipal court. These additional judges would serve in a juvenile branch of the municipal court. By the terms of the bill, the two judges would not be restricted to service in the juvenile branch. Also, the chief judge of the municipal court would be authorized to assign any municipal court judge to sit in the juvenile branch.

2. The bill would fix a child's 16th birthday as the outer limit of the jurisdiction of

the municipal court, juvenile branch, except in instances of felony charges, where a child, having attained the age of 15 years, might be waived to the U.S. district court for trial, as an adult.

Hearings were held by Chairman DAVIS on H.R. 6747 on June 23, 1961. The first witness was John T. Koehler, Chairman, Committee on Needs of the Juvenile Court, appointed by the Judicial Conference, District of Columbia Circuit. On behalf of the Judicial Conference, Mr. Koehler vigorously opposed passage of the Davis bill (H.R. 6747). He read into the record a resolution unanimously passed by the Judicial Conference, District of Columbia Circuit, on November 24, 1959, and reaffirmed by a second resolution adopted May 11, 1961.

The Judicial Conference of the District of Columbia Circuit is a body consisting of all of the district court judges, all circuit court of appeals judges in the District of Columbia, and 100 selected lawyers, who meet annually under aegis of the U.S. Court of Appeals for the District of Columbia, for the purpose of furthering the administration of justice in the District of Columbia. The undersigned has been a member of that conference for the last past 4 years. The resolution of the Judicial Conference, dated November 24, 1959, and reaffirmed by a second resolution dated May 11, 1961, is attached to this report. The undersigned agreed with and subscribed to all propositions advanced by the Judicial Conference.

Oliver Gasch, former U.S. attorney for the District of Columbia, and present chairman of the Law Enforcement Council, has testified before the District Committee, both in his capacity as District attorney and as chairman of the Law Enforcement Council. Wearing both hats, Mr. Gasch opposed passage of H.R. 6747, while at the same time he heartily supported and endorsed the several so-called three-judge bills.

The Law Enforcement Council for the District of Columbia is a body created by act of Congress, consisting of, among others, the following: Chief of police, judge of juvenile court, chief judge, municipal court, clerk, municipal court, U.S. attorney, U.S. commissioner, U.S. marshal, chief probation officer of the district court, representative of the Criminal Justice Association, representative of the Washington Bar Association, and representative of the District Bar Association. Undersigned has been a member of the Law Enforcement Council since 1958. The Law Enforcement Council has consistently urged passage of legislation enlarging juvenile court by providing for three juvenile court judges.

Felony trials of 15-year-olds in adult criminal courts is a matter that, through the years, has been almost totally eliminated in the United States. To bring back to the District of Columbia this type of barbarous behavior is unthinkable, at least to undersigned.

The municipal court for the District of Columbia handles 90 percent of the litigation in the District of Columbia, of all sorts, criminal and civil. The chief judge of the municipal court is violently opposed to the transfer of the functions of the juvenile court to the municipal court.

Much could be said concerning the problem, and, indeed, any undertaking to even outline the evidence along those lines would be so time-consuming and space-consuming as to be highly impractical for the purpose of this report. However, since almost all of the testimony, evidence and data available indicates the need for two additional juvenile court judges while, at the same time, dictating that passage of the Davis bill (H.R. 6747) would seriously impair justice for juveniles and for the public generally, undersigned recommends that this council reject the Davis bill and urge passage of a bill providing three judges in the present juvenile court. For those who seek additional information, the report of the hearings on H.R. 6747, and the reports of the Senate and House District Committee are available.

Respectfully submitted,

DE LONG HARRIS.

AMERICAN SECURITY & TRUST CO.,
Washington, D.C., January 18, 1962.

Congressman JAMES C. AUCHINCLOSS,
House of Representatives,
Washington, D.C.

MY DEAR CONGRESSMAN: I write you today as the former chairman of the Judicial Conference Committee on the needs of the Juvenile Court. Our committee was appointed in 1958 by Chief Judge Prettyman, who was then chairman of the Judicial Conference for the District of Columbia Circuit. It was composed of 20 outstanding lawyers and laymen of the Washington community who were interested and, in several instances, highly experienced in the field of juvenile court work. Mr. John Koehler is now chairman of the committee.

Our committee made what we believe to be a thorough investigation of the situation of the court and came to the conclusion that there was no need or occasion for basic change in the Juvenile Court Act as such, but that there was indeed an acute need for additional manpower on the juvenile court bench. It was the feeling of our committee the present juvenile court calendar could not possibly be handled by one judge, no matter how able he was or how hard he might work.

Hence, we have supported both in the current session of Congress and in the previous session, the bills which have been introduced, and which in both instances have passed the Senate, calling for the appointment of two additional judges to the juvenile court bench. We think only by this method can the basic difficulty and deficiency of the court be eliminated without abandoning the basic merits of the juvenile court system or reducing the court's jurisdiction to a point which would be equivalent to abandonment.

We believe that enactment of the bill reported out by the District Committee, H.R. 6747, would be totally unacceptable to the community as a whole, and a major reversal of 50 years of progress.

Therefore, we have consistently advocated the enactment of the bill which would provide for two more judges, S. 486, and the defeat of H.R. 6747.

Respectfully yours,

MURRAY PRESTON.

BUTLER, KOEHLER & TAUSIG,
Washington, D.C., February 2, 1962.

The Honorable JAMES C. AUCHINCLOSS,
U.S. House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN AUCHINCLOSS: I enclose the original of a letter from Family and Child Services of Washington, D.C., addressed to me, dated January 29, 1962, which states that the board of trustees of this organization has unanimously recommended that the proposed amendment to H.R. 6747 be supported and that two judges be added to the juvenile court. I am sure you will wish to have this letter for your files.

Speaking as chairman of the Special Committee of the Judicial Conference To Study the Needs of the Juvenile Court, I wish to advise you that our committee has been devoting considerable time to this problem. As you know, our committee is wholeheartedly behind the effort to add two more judges to the juvenile court. I wish to take this opportunity to thank you for your assistance in this endeavor.

It may be helpful, in this connection, to provide you with the following quotation from the 1960 report of the proceedings of a special session of the Judicial Conference of the United States. On pages 27–28 of this report, the Conference had the following to say:

"The Conference at its September 1959 session (Conference report, p. 20) called to the attention of the committee the problem of the waiver by the juvenile court of the District of Columbia to the District court of jurisdiction over juvenile offenders. The juvenile court in the District of Columbia has statutory authority to waive its jurisdiction over serious felonies committed by juveniles under 18 to the U.S. District Court for the District of Columbia, when, in its discretion, it deems that court to be proper.

"The committee reported that, after considering the problem, it was of the view that juvenile cases are essentially local matters, which should be handled by the juvenile court of the District of Columbia, and that the question of the proper disposition of juvenile cases requires trained and specialized personnel which at present are available only in the juvenile court. The committee was also of the view that such cases do not ordinarily belong in the criminal part of the U.S. district court, that the district court has no adequate facilities to dispose of such cases, and that to inject the added burdens of sifting local juvenile cases on an already overburdened district court would probably require more U.S. district judges and a duplicate professional staff for juvenile cases. The report of the committee was approved by the Conference."

If there is anything further I can do to be of assistance, please do not hesitate to call upon me.

Very truly yours,

JOHN T. KOEHLER.

LAWYERS' WIVES
OF THE DISTRICT OF COLUMBIA,
Washington, D.C., February 23, 1962.

Re juvenile court of the District of Columbia,
H.R. 6747 and S. 486, 87th Congress.

Hon. JOHN L. MCMILLAN,
Chairman, Committee on the District of Columbia, House of Representatives,
Washington, D.C.

DEAR MR. CHAIRMAN: The Lawyers' Wives of the District of Columbia, composed of wives of lawyers and judges residing in the National Capital area, has a very deep interest in the functioning and problems of the juvenile court of the District of Columbia. The board of trustees has directed me to present our view to you and your committee, with respect to pending legislation which would affect this court.

We believe that the principal aim and function of a court dealing with juvenile offenders should be rehabilitation, designed to convert the offender into a useful and responsible member of society, and that sufficient judges to accomplish this are urgently needed. We believe further that a closed hearing is an essential attribute of a proceeding looking to rehabilitation of the youthful offender, and that the specialized services of a juvenile court should remain, as under the present law, available to offenders who are under the age of 18.

Accordingly, we urge that the independent status of the Juvenile Court of the District of Columbia be preserved as it now stands, but with the addition of two judges, and that its jurisdiction over offenders under the age of 18 should remain unchanged. We therefore favor the enactment of S. 486, or a bill containing similar provisions, and are opposed to the provisions of H.R. 6747.

We are sending copies of this letter to the Honorable JAMES C. DAVIS, the Honorable

ABRAHAM J. MULTER, and the Honorable JAMES C. AUCHINCLOSS.

Yours very truly,

HELEN G. WASHINGTON,
President.

LEAGUE OF WOMEN VOTERS
OF THE DISTRICT OF COLUMBIA,
Washington, D.C., December 18, 1961.

Hon. JAMES C. AUCHINCLOSS,
District of Columbia Committee,
House of Representatives,
Washington, D.C.

DEAR MR. AUCHINCLOSS: The approaching date for the opening of the new Congress brings to mind our legislative problems for the District of Columbia. Of primary concern is the Davis bill (H.R. 6747) which, as you know, has not been called up for action on the floor of the House, even though it has been reported out by the District Committee. We hope that it will be called up at an early date and that the Senate bill (S. 486) will be offered as an amendment to H.R. 6747.

The league position on this measure has a long history. It was largely the initiative and unremitting work of the D.C. League of Women Voters that assured the enactment of our juvenile court law, based on the organization and philosophy of the Standard Act, in June 1938. Slight modifications since that time have not changed its basic principles, philosophy and procedure for conducting a noncriminal juvenile court and the league has consistently supported it.

The league believes the primary need of the juvenile court is additional judges as provided in S. 486. The one judge in 1906, when Washington's population was 300,000, was practical; but one judge in 1962 being expected to hear and adequately consider each of the 5,000 cases filed in his court is more than is humanly possible for a judge to perform.

"The juvenile court movement is based upon the theory of individualized justice with emphasis on what society can do for a child, rather than what to do against them for their misdeeds. The social approach to this problem is the proper diagnosis as to why a child has come in conflict with the law and what are the factors to be dealt with in bringing about his or her rehabilitation. These are peculiarly a part of modern juvenile court philosophy and procedure and are not found in the adversary procedure as administered in the criminal courts. The National Council of Juvenile Court Judges (meeting in June 1961) condemned the reorganization bill and supported the continuance of a well staffed juvenile court in the District of Columbia. A separate juvenile court would not only serve to rehabilitate the emotionally and socially maladjusted child who comes before the court, but also would serve as a shining example, both national and international, as the American method of handling the problems of children who come in conflict with the laws of society. The juvenile court when properly staffed and administered is the greatest protection society can have against the rise of crime."

The above is a quotation from Judge Woolfolk's letter, as recorded in the CONGRESSIONAL RECORD, August 24, 1961 (Judge Woolfolk juvenile court, Fulton County, Atlanta, Ga.).

We believe that the juvenile court should assist each child subject to its jurisdiction to grow into a law-abiding citizen, able and willing to do his share in our democratic society. If the court is to fulfill this function, it must have additional judges.

The league is vigorously opposed to any change in our existing juvenile court law which would place the court under the municipal court, lower the present age limit, publicize names of juvenile offenders or remove adult cases, such as paternity, nonsupport, abandonment, contributing to delinquency and assault, from the jurisdiction of the juvenile court.

Both Senator DODD, of Connecticut, and District Court Judge Luther Youngdahl have stated that changes proposed by H.R. 6747 would set the juvenile court movement back a half century.

When H.R. 6747 comes to the floor, we strongly urge you to support S. 486 as an amendment. The Senate bill contains the necessary provision to increase our judge power and thus improve the service of the court to our community. The League of Women Voters is most grateful for your longtime support of progressive legislation for the District.

Sincerely yours,

JOY R. SIMONSON,
President.

NATIONAL SAVINGS & TRUST CO.,
Washington, D.C., January 2, 1962.

Hon. JAMES C. AUCHINCLOSS,
District of Columbia Committee,
House of Representatives,
Washington, D.C.

DEAR MR. AUCHINCLOSS: I have been requested, in my capacity as a past president and director of the Metropolitan Washington Board of Trade, to express my views concerning the juvenile court bills, H.R. 6747 and S. 486, now before the Congress.

It is, and has always been, my considered judgment that the juvenile court, as presently constituted, should be preserved and that an additional judge or judges should be appointed to handle the great demands and increased business of the court. This matter has been discussed by many leading citizens in our city, and I do not recall hearing any contrary views from them.

The Metropolitan Washington Board of Trade, as an organization, recommends the foregoing action.

It is my firm belief S. 486 or a similar bill should be enacted.

Very truly yours,

PHILIP M. TALBOTT.

NATIONAL COUNCIL OF JEWISH WOMEN,
Washington, D.C., December 16, 1961.

Hon. JAMES C. AUCHINCLOSS,
House of Representatives,
Committee on the District of Columbia,
Washington, D.C.

DEAR SIR: We are writing to you concerning our deep concern for the fate of the juvenile court in the District of Columbia. In the last session of Congress, we presented statements before both the House and Senate Committees on the District of Columbia in which we opposed the provisions of H.R. 6747 and supported S. 486.

In general, we oppose lowering the age limit, transferring the presently autonomous court to the municipal court, and removing adult cases which concern the welfare of children from the jurisdiction of the juvenile court.

Our study of this serious situation has convinced us that adding additional judges and supportive staff to the court would be the most constructive step forward to improve and strengthen the court. As we said in our statement before the Senate Committee on the District of Columbia: "We feel confident that the present emergency would best be solved by adding sufficient judges and staff to the juvenile court which could then implement and improve its procedures in dealing with the special needs of unfortunate children or juveniles who need such training or supervision as will help them to become productive citizens."

We are enclosing copies of our previous statements which spell out in more detail our position on this legislation and we hope you will help the citizens of this city to secure a strong and effective juvenile court.

Sincerely yours,

MARCIA SMIGEL,
President.

NATIONAL ASSOCIATION OF
SOCIAL WORKERS,
METROPOLITAN WASHINGTON CHAPTER,
Washington, D.C., December 29, 1961.

The Honorable JAMES C. AUCHINCLOSS,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN: We understand from the League of Women Voters that this is a time when you may welcome a letter from us. We want to let you know of our conviction that a good District of Columbia juvenile court bill needs to become effective law as soon as possible. Included in our membership of nearly 1,000 professional social workers are a great many who have had firsthand experience that leads to this conviction.

Our own experience with the function of juvenile courts and our knowledge of professional experience elsewhere would not allow us to support H.R. 6747 as it stands. Thus we hope that the bill as finally passed will be the result of reconsideration along the lines of Senate bill (S. 486), providing two additional juvenile court judges, and strengthening the juvenile court structure and staff.

We have consistently opposed enactment of the bill H.R. 6747 and filed a statement on this for your committee record on August 17, 1961. Following are some of the specific points we would raise.

Professional opinion across the country is that all types of cases involving children can best be handled in a single specialized family court; but H.R. 6747 would not put nonsupport and paternity cases under the jurisdiction of the juvenile court branch of the municipal court.

The importance of skilled handling of young offenders to help prevent them from becoming repeated offenders calls for progressively better trained personnel; but under H.R. 6747, selection of personnel serving the juvenile branch would be outside civil service and without regard to qualifications.

Treating children of 16 and over as adults, as provided in H.R. 6747, is contrary to recommendations of professionals in the field of child care, and contrary to present procedures in over two-thirds of the States. Declaring that a teenager is an adult when he is in fact still a child would deprive him of those special services whose purpose is treatment of the child and protection of society against his becoming a confirmed offender. One result of such a provision, and of waivers generally to the adult court, is that rules of evidence and other legal requirements frequently allow the child to be released without any significant plan of treatment or followup; so that not only the child but in the long run the community also suffers.

The provision of H.R. 6747 which establishes the child as the basis of waiver, instead of the offense, means that once jurisdiction over the child is waived in connection with a particular offense he is treated as an adult for any future offense. This is a regression from the present procedure which permits individual decision on the use of children's services for treatment of a particular problem.

The provision to hold children as young as age 14 in jail for certain offenses is particularly bad, considering the possibly lifelong effect of such treatment.

To be a good law either for the community of Washington or for the young persons who

would be dealt with under it, H.R. 6747 needs much reconsideration, in our view.

Sincerely yours,

GENEVIEVE GABOWER,
Chapter Chairman.

THE METROPOLITAN BOARD OF TRADE
Washington, D.C., December 21, 1961.

Hon. JAMES C. AUCHINCLOSS,
District of Columbia Committee,
House of Representatives,
Washington, D.C.

DEAR MR. AUCHINCLOSS: The board of directors of the Metropolitan Wachington Board of Trade, on the recommendation of our law and legislation committee, endorsed legislation which would add two additional judges to the juvenile court a couple of years ago. This policy was adopted after careful study, has been reviewed by the committee, and is the official stand of this organization.

We very much hope that S. 486 will be adopted by the Congress.

Sincerely,

JOHN W. THOMPSON, Jr.,
President.

WASHINGTON, D.C.,
January 17, 1962.

Hon. HAROLD D. COOLEY,
House Office Building,
Washington, D.C.

HONORABLE SIR: This letter is in regard to S. 486, which has already passed the Senate and which provides for two more judges for the juvenile court.

I have been in active general practice in the District of Columbia for over 15 years years and have held the offices of president of the National Bar Association, Inc., president of the Washington Bar Association, Inc., and am presently a member of the executive committee of the Washington Bar Association, Inc., and chairman of the committee on criminal rules and procedure for the bar association of the District of Columbia.

As a practitioner I have had many occasions to appear in juvenile court in cases involving juveniles. The Honorable Oram W. Ketcham is doing an excellent job in his administration of the juvenile court. However, the caseload is of such magnitude that it is humanly impossible for one judge to keep the calendar current.

As spokesman for the above-named committees, and for the members of the Northwest Boundary Civic Association, for which I am legal adviser, and for members of St. George's Church, of which I am a member of the vestry and senior warden, and personally I am interested in preserving the juvenile court as it is now constituted with the addition of two more judges, and therefore respectfully urge you to use your good offices to amend H.R. 6747 on the floor of the House of Representatives by S. 486.

The various committees and groups which I am speaking for, and I, object to H.R. 6747 and to its provisions to transfer the juvenile court's jurisdiction to the municipal court, reduce the jurisdictional age limit from 18 to 16, and to allow waiver of cases to adult court at 15.

Very truly yours,

WM. S. THOMPSON.

PETWORTH-MONTGOMERY HILLS
BAPTIST CHURCH,
Silver Spring, Md., December 28, 1961.

Hon. JAMES C. AUCHINCLOSS,
District of Columbia Committee,
House of Representatives,
Washington, D.C.

DEAR MR. AUCHINCLOSS: For the past 12 years I have been a resident of the District of Columbia and pastor of the Petworth-Montgomery Hills Baptist Church, located at 557 Randolph Street NW. During the course of these years I have had opportunity to observe at very intimate levels, frequently, the problems relating to juvenile delinquency. I have on several occasions been related as pastor to boys who have appeared in juvenile court, and for a brief time while time permitted I served as sponsor for a boy at the National Training School.

As circumstances on the changing scene within the District of Columbia have increasingly augmented the problems involving the juvenile court, I have been distressed at the quibbling over methods while the lives of juveniles are being lost for lack of proper care. Any approach to the problem of crime among youth which tends to weaken the jurisdiction of the juvenile court seems to me to have little foundation in fact or theory. I find it difficult to understand the factors that have led to the propounding of the principles involved in House bill (H.R. 6747).

As a citizen of the District of Columbia, and as one vitally related to the youth problems within our borders, I urgently request that immediately upon the convening of Congress, you do all within your power to speedily secure the passage of the provisions already incorporated in Senate bill S. 486 and approved by that body. It is vitally important to the life of citizens of the District of Columbia that additional judges be approved for the juvenile court, and that this body be able to move rapidly ahead with its heavy load. I trust that you can prevent any further delay in this exceedingly vital business.

Very respectfully yours,

S. LEWIS MORGAN, Jr

PETWORTH-MONTGOMERY HILLS
BAPTIST CHURCH,
Silver Spring, Md., January 16, 1962

The Honorable JAMES C. AUCHINCLOSS,
District of Columbia Committee,
House of Representatives,
Washington, D.C.

DEAR SIR: The Petworth-Montgomery Hills Baptist Church, which has two locations in the Nation's Capital, has a well established, influential membership. The Petworth branch at 7th and Randolph Streets NW. will be 50 years old in December 1962. The Montgomery Hills branch has a new church building less than 5 years old on Georgia Avenue extended.

Because of concern for the community, as well as interest in social legislation affecting the citizens of the District and metropolitan area, this church has recently established a social service committee, with a social action subcommittee. Through this medium we hope to make known to the congressional committees the position of this congregation regarding bills which affect the welfare of the residents of the District and of the Nation as a whole.

At a church conference on January 10, 1962, the social action subcommittee presented through this chairman the committee's desire to protest the long delay in providing additional juvenile court judges for the District of Columbia. The congregation in business session without dissenting vote approved the committee's proposed action.

We, therefore, wish to convey to you our concern over the failure of the House of Representatives to concur in the Senate bill providing for two additional judges, and strongly urge that this or some other bill be quickly approved to provide said additional judges at the earliest possible moment. We believe the strengthening of the juvenile court system is absolutely imperative if we are to cope with the juvenile delinquency problem.

We trust that you will give serious consideration to this request from a group of the citizens of the District of Columbia who have no other way than this of expressing our convictions in such significant civic matters.

Respectfully,

THEODORE L. BERRY,
Chairman, Social Service Committee.

MABEL H. ELLETT,
Cochairman, Social Action Subcommittee.

WILLIE MOE SCONCE,
Director of Social Service.

S. LEWIS MORGAN, Jr.,
Pastor.

TIFERETH ISRAEL CONGREGATION,
Washington, D.C., January 29, 1962.

The Honorable JAMES C. AUCHINCLOSS,
District of Columbia Committee,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN AUCHINCLOSS: I write to you as a clergyman whose home and congregation are located in the District.

I have followed with much interest and deep concern the situation in our juvenile court and am most anxious that its hands be strengthened.

It is our view that this may be accomplished through the addition of two judges to the juvenile court as now constituted. We, therefore, favor the Senate bill (S. 486) as an amendment to the House bill (H.R. 6747).

Thank you so very much.

Respectfully,

A. NATHAN ABRAMOWITZ,
Rabbi.

TWENTIETH CENTURY CLUB,
Washington, D.C., January 23, 1962.

Hon. JAMES C. AUCHINCLOSS,
House of Representatives,
Washington, D.C.

MY DEAR MR. AUCHINCLOSS: The Twentieth Century Club, a civic organization of approximately 550 women, is interested in legislation enacted by the Congress affecting the welfare of the District of Columbia.

There is on record with the Congress a resolution from our organization, approving a proposed bill authorizing the appointment of two additional judges to the juvenile court of the District. The court has been operating for some time with only one judge to handle the volume of cases received.

We understand that in September 1961, the Senate passed and referred to the House District of Columbia Committee a bill (S. 486) authorizing two additional judges for the court. We also understand that the House District Committee has approved and reported out a bill (H.R. 6747), introduced by the Honorable JAMES C. DAVIS, which apparently provides for the elimination of the juvenile court as presently organized.

The Twentieth Century Club feels that the juvenile court is filling a very definite and urgent need in the community and that the addition of at least two judges is essential for its proper functioning.

We, therefore, desire to state again our interest in the preservation of the juvenile court, our desire for an adequate number of judges, and to record our support for the Senate bill (S. 486).

Sincerely yours,

MILDRED N. MORRELL,
President.

ELEANOR GESSFORD,
Chairman, Legislative Committee.

ARLINGTON, VA., *February 10, 1962.*

Representative JAMES C. AUCHINCLOSS,
District of Columbia Committee,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN AUCHINCLOSS: As chairman of the Public Affairs Committee of the District of Columbia YWCA, I am

writing you in behalf of legislation to improve the juvenile court system of the District of Columbia.

The enclosed carbon of a letter to Commissioner Tobriner will testify to our longstanding interest in the juvenile court situation.

Sincerely yours,

MRS. WILBUR L. MORSE.

THE WASHINGTON PSYCHIATRIC SOCIETY,
Chevy Chase, Md., February 6, 1962.

Hon. JAMES C. AUCHINCLOSS,
House of Representatives,
Washington, D.C.

DEAR MR. AUCHINCLOSS: The officers and council of the Washington Psychiatric Society have instructed me to write to you concerning pending legislation in regard to the juvenile court of the District of Columbia.

Through the years, we have been keenly interested in the juvenile court. We have been pleased with the functioning of the court in spite of what we have considered to be a great handicap of insufficient key personnel. We, therefore, support legislation such as proposed by Senator BIBLE and passed by the Senate to increase the number of judges for this court.

We consider the reorganization of the juvenile court proposed by Representative DAVIS to be potentially destructive to the effective functioning of the court. At a time when juvenile delinquency is recognized to be one of the major concerns of the Nation, it seems to us very dangerous to do anything which may undermine institutions which are working to relieve this problem. Rather, these institutions should be strengthened.

It is, therefore, our recommendation that the Senate bill increasing the number of juvenile court judges (S. 486) be substituted for H.R. 6747. We urge you to actively support this legislation.

Sincerely yours,

HEWITT I. VARNEY, M.D.,
President.

FEBRUARY 6, 1962.

The Honorable WALTER N. TOBRINER,
President, Board of Commissioners of the District of Columbia, Washington, D.C.

MY DEAR MR. TOBRINER: You may recall the Public Affairs Committee of the Young Women's Christian Association of the District of Columbia joined with other community organizations last spring in urging the Commissioners to give support to the addition of two judges to the juvenile court. Subsequently, some members of the public affairs committee did active lobbying, in June, against the pending Davis bill (House bill 6747).

It was with some dismay that we read the recent press release of the Commissioners' "State of Nation's Capital Report," which gave sanction to legislative action transferring certain juvenile cases to municipal court, and adding one judge to each of those courts. It was indeed heartening to read the press release (January 29, 1962) that you and the other Commissioners still favor two additional judges to the juvenile court as your first choice.

We hope this oversight will not hamper the united community effort toward the betterment of the juvenile court. We earnestly reaffirm our belief in the urgent need for two additional judges.

Sincerely,

MRS. WILBUR L. MORSE,
Chairman, Public Affairs Committee.

WASHINGTON, D.C., *February 22, 1962.*

Hon. JAMES C. AUCHINCLOSS,
Washington, D.C.:

Respectfully urge your support this Monday of bipartisan effort to substitute S. 486, adding two judges to present single judge juvenile court with insurmountable caseload, for H.R. 6747 abolishing independent specialized juvenile court and lowering juvenile age limit. All competent authorities and overwhelmingly unanimous community opinion support S. 486.

JOSEPH L. RAUH, Jr.,
Democratic Central Committee for the District of Columbia.

CARL L. SHIPLEY,
Republican State Committee for the District of Columbia.

WASHINGTON, D.C., *February 25, 1962.*

Hon. JAMES C. AUCHINCLOSS,
House Office Building,
Washington, D.C.:

District of Columbia Health and Welfare Council, representing local citizens and welfare agencies, vigorously reaffirms support of Senate version District of Columbia juvenile court bill and urges you vote for it.

ARVIN E. UPTON,
Chairman.

WASHINGTON, D.C., *January 17, 1962.*

Hon. JAMES C. AUCHINCLOSS,
Member of Congress,
U.S. Capitol, Washington, D.C.

DEAR CONGRESSMAN AUCHINCLOSS: As a longtime citizen of the District of Columbia, I deplore the lack of judges in our juvenile court and therefore urge the passage of bill S. 486.

Cordially yours,

WILLIAM M. BALLINGER, M.D.

THE METHODIST CHURCH,
WASHINGTON WEST DISTRICT,
BALTIMORE CONFERENCE,
Washington, D.C., December 26, 1961.

The Honorable JAMES C. AUCHINCLOSS,
House Office Building,
Washington, D.C.

DEAR MR. AUCHINCLOSS: I want to lend my support in the strongest way I know to the Senate bill S. 468 which provides for two more judges for the juvenile court. This bill, I believe, will appear before the House at a later date as an amendment to H.R. 6747. It is the amendment that I favor.

I have just recently left the pastorate of a church of 2,800 members and have had wide contact with youth and the problems that go with juvenile delinquency. I realize also the supreme importance of the committee's report and the necessity of extra judges to help carry the load.

Thank you so much for every effort you will put forth in behalf of this worthwhile measure.

Very sincerely yours,

EDGAR W. BECKETT.

WASHINGTON, D.C., *December 28, 1961.*

Hon. JAMES C. AUCHINCLOSS,
District of Columbia Committee,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN AUCHINCLOSS: The greatest need of the juvenile court of the District of Columbia today is additional judge power. This need can be corrected by supporting the Senate bill (S. 468) which provides for two additional judges as an amendment to the House bill (H.R. 6747). The provisions of the House bill are most undesirable.

The District was fortunate to have Congress enact a law in 1938 establishing a juvenile court which conformed to the Standard Act. This was a progressive step. Enactment of the House bill would be a regressive step. Twelve years ago, the need for additional judge power was recognized. It is not a new problem. It has developed into a serious situation demanding action.

I know from personal observation that there is too great a workload for one judge. I have studied the juvenile court as the chairman of a resource committee for the League of Women Voters of District of Columbia. This year I was a member of the task force which prepared a report for the Board of Commissioners of the District. For the past 8 years I have been a member of the juvenile court advisory committee. But most helpful of all, I have observed the judge in the courtroom hearing cases. The solution does not lie in weakening the structure we have by lowering age limits or transferring cases to other courts. The juvenile court needs more judges.

We are grateful to you for supporting the minority report of H.R. 6747. You know and appreciate our problem. I urge that you continue to support legislation which will preserve the court in its present form but strengthen it by the addition of two desperately needed judges.

Yours truly,

DOROTHY F. BELSLEY,
Vice Chairman, Juvenile Court Advisory Committee.

UNIVERSALIST NATIONAL
MEMORIAL CHURCH,
Washington, D.C., February 5, 1962.

Hon. JAMES C. AUCHINCLOSS,
House of Representatives,
Washington, D.C.

DEAR MR. AUCHINCLOSS: I am in favor of adding two more judges to the juvenile court.

Sincerely,

SETH R. BROOKS,
Minister.

CHATELAIN, GAUGER & NOLAN,
Washington, D.C., December 22, 1961.

Hon. JAMES C. AUCHINCLOSS,
District of Columbia Committee,
House of Representatives,
Washington, D.C.

DEAR JIM: Having spent many years as an officer and past president of the Washington Board of Trade, I have had occasion to study the needs of juvenile court.

I strongly support the endorsement by the board of trade of Senate bill S. 486 which I understand will be offered as amendment to H.R. 6747.

Sincerely yours,

LEON CHATELAIN, Jr.

CHAPEL OAKS COMMUNITY CHURCH,
Washington, D.C., February 5, 1962.

Hon. JAMES C. AUCHINCLOSS,
District of Columbia Committee,
House of Representatives.

DEAR SIR: In reference to your letter of December 18, I wish to request that you do consider adding more judges to the juvenile court (Bible bill S. 486).

I am in favor of having more judges as I think they are greatly needed. Thanking you for any consideration shown in this matter, I am,

Obligingly yours,

Rev. ERNEST CRAIG,
Pastor.

WASHINGTON, D.C., *January 13, 1962.*

Senator HUBERT HUMPHREY,
Senate Office Building,
Washington, D.C.

DEAR FRIEND: Just before Christmas I received a letter from the special committee to study the needs of the juvenile court of the District of Columbia, asking my views of the need of several more judges for the juvenile court. I would have answered sooner but due to illness in the family I had to be out of the city much of the time. Our city is a regular melting pot for people from not only here in this country but from all

over the world and most all these families have children and they get in trouble with the law time and time again and this causes the docket of the juvenile court to be crowded. We need more judges and not only that but we need more Christian workers in the court to aid in trying to save these youth and I know whereof I speak, for, I am proud to say, I receive letters and calls from these youth who have gone straight and made good. Letters come to me from Illinois, Ohio, South Carolina, North Carolina, and West Virginia where many of these youth have gone and made good. Will you see that Congressman JAMES C. AUCHINCLOSS gets word of this letter? I wanted it to go through your office. Thank you very much and any time I can be of service to you or yours just let me know.

Respectfully yours,

REV. S. L. DAW.

SHERWOOD PRESBYTERIAN CHURCH,
Washington, D.C., December 27, 1961.

Hon. JAMES AUCHINCLOSS,
District of Columbia Committee,
The House of Representatives,
Washington, D.C.

DEAR MR. AUCHINCLOSS: As a clergyman living and working in the District of Columbia I have been increasingly concerned about our understaffed juvenile court. The situation has been of concern not only because of many newspaper accounts, but also because of personal work with youth and families involved in court action. It is my sincere and studied conviction that the addition of judges to the juvenile court of the District will be a great and necessary aid in correcting present conditions of the juvenile court.

I share with many other concerned persons the belief in the desirability of continuing the present structure in the juvenile court. Therefore I am hopeful that you will lend your own concern and support to the Senate bill, providing more judges, as an amendment to the House of Representatives bill No. 6747.

With appreciation for your concern.

Sincerely yours,

CALVIN DE VRIES.

AMERICAN EVANGELISTIC ASSOCIATION AND CHURCH OF GOD OF PENNSYLVANIA,
Washington, D.C. September 30, 1961

Favoring the decision of the clergy of the District of Columbia and the committee under Rev. C. Leslie Glenn.

Attention: Hon. Robert Hale and JAMES C. AUCHINCLOSS.

HONORABLE SIRS AND THE CLERGY BRETHREN: I am in receipt of a letter from Rev. Leslie Glenn and his committee favoring more judges to be added to the juvenile court of this district.

Thank you for the opportunities of expressing my views on this condition.

After reading the papers on this, I have thought, one judge is not enough. The juvenile situation is getting completely out of hand, and has been for some time.

It seems that instead of getting better, it is getting worse. Both parents working and the children are left to themselves to do as they please with very little or no moral training; and in many instances, no Christian training at all in their homes. Something must be done to save our future America.

I am in favor of extra judges being put on the juvenile court to help curb this serious condition.

Of course, Christian training should be given by their parents and pastors. But where they are out of control of parents and won't listen to the pastors; the only thing is juvenile court, and they should have enough judges to do the work.

Thank you for the privilege of expressing my views.

Rev. and Mrs. JAMES L. DONALDSON.

WASHINGTON, D.C.,
January 18, 1962.

Hon. JAMES C. AUCHINCLOSS,
U.S. House of Representatives,
U.S. Capitol, Washington, D.C.

DEAR CONGRESSMAN: This is just to let you know that I am very much in favor of bill No. S. 486 which, as I understand it, provides for more judges for the juvenile court of the District of Columbia.

Very truly yours,

GUY O. DOVE, Jr.

WASHINGTON, D.C.,
December 14, 1961.

MY DEAR REPRESENTATIVE AUCHINCLOSS: My name is Mrs. Henry Gattan Doyle, and my interest in, and work for, the juvenile court of the District of Columbia has been constant ever since I had the privilege of a conference with President Coolidge at the White House on our juvenile court.

In my capacity, at various times, as president of the District of Columbia Board of Education; as chairman of the Commissioners' Youth Council; as chairman, under two different judges, of the juvenile court advisory committee, I have concerned myself with a study of the juvenile court. I have attended sessions of the court, and I have on several occasions accompanied officers of the Juvenile Bureau of the Police Department as they made their rounds throughout the night.

All my experience and study of the court convinces me that the primary need of the juvenile court at this time is the addition of two judges, as contemplated in the Senate bill 486.

In my judgment the juvenile court, as now constituted, with two additional judges, will increase the effectiveness of the rehabilitation of the young people who come before the court and will provide greater protection for the community.

With appreciation of your continued good work in the interest of the District of Columbia, I am.

Sincerely yours,

MRS. HENRY GRATTAN DOYLE

WASHINGTON, D.C., *January 9, 1962.*

Hon. ROBERT N. C. NIX,
House Office Building,
Washington, D.C.

DEAR BOB: This letter is in regard to H.R. 6747, a bill introduced by Congressman JAMES C. DAVIS to make the juvenile court a part of the municipal court and to limit its jurisdiction by changing its age limit from 18 years to 16 years.

I have practiced law in the District of Columbia for almost 20 years and I am familiar with the courts both as a practitioner and as a citizen. The lawyers have shown enough confidence in my judgment to elect me president of the Washington Bar Association.

H.R. 6747 would emasculate the juvenile court and effectively abolish its philosophy. It would put the court under judges not equipped to handle juveniles and would solve no problems. What the juvenile court needs is two more judges and additional social workers. No other metropolitan city has the caseload that your juvenile court has.

Knowing that you, as an outstanding lawyer, have an interest in the administration of law, I am asking you to use your good offices to amend H.R. 6747 on the floor of the House by S. 486.

With warm personal regards and assurances of my highest esteem, I am,

Very truly yours,

E. LEWIS FERRELL.

FERRIS & CO.,
Washington, D.C., January 25, 1962.

Hon. JAMES AUCHINCLOSS,
U.S. House of Representatives,
Washington, D.C.

DEAR MR. AUCHINCLOSS: Just a note to express my wholehearted support for the bill S. 486. For all acquainted with the problem, the past failures of the House District Committee to report out a sensible bill for solving the juvenile court problem is most shocking. We are most hopeful that reason will prevail in the current session.

Sincerely yours,

GEORGE M. FERRIS, Jr.,
Managing Partner.

THE RIGGS NATIONAL BANK,
Washington, D.C., December 29, 1961.

Hon. JAMES C. AUCHINCLOSS,
House Office Building,
Washington, D.C.

DEAR MR. AUCHINCLOSS: It is my understanding that at the next session of the Congress H.R. 6747 and S. 486 will come up for consideration.

These bills deal with the juvenile court. It would seem to me as now constituted that one additional judge, or two, in the judgment of those best qualified, would certainly do a lot to clear the congestion that exists in the court, particularly with the rise that we have had, unfortunately, in juvenile delinquency. I believe most of our leaders in the city who have given any consideration to this matter share this same opinion.

I understand that S. 486 is to be offered as an amendment to H.R. 6747 and as a former president of the Metropolitan Washington Board of Trade I know that body has endorsed the enactment of S. 486 or a bill similar in character.

I trust that you will give this matter your earnest consideration. I remain, with assurances of high regard,

Yours very sincerely,

ROBERT V. FLEMING.

ARNOLD, FORTAS & PORTER,
Washington, D.C., December 23, 1961.

Re District of Columbia juvenile court legislation.

Congressman JAMES C. AUCHINCLOSS,
House of Representatives,
Washington, D.C.

DEAR MR. AUCHINCLOSS: I write to express my strong support of S. 486 and my equally strong opposition to H.R. 6747 relating to the juvenile court of the District of Columbia.

Our juvenile court needs additional judges. It should not be stripped of functions. It should not be assimilated in whole or in part into the municipal court.

I hope that the House of Representatives will carefully consider this problem. If it does, I am confident that it will reject H.R. 6747 and will vote in favor of a measure comparable to S. 486.

I am an attorney practicing law in the District of Columbia; I have been a resident of the District of Columbia since 1938; I am a member of the special committee of the Judicial Conference to study the needs of the juvenile court of the District of Columbia; I am a member of the advisory committee on criminal rules of the Judicial Conference of the United States; and I am a member of the administrative conference of the United States. I served for approximately 3 years as Under Secretary of the Interior under Presidents Roosevelt and Truman.

Sincerely,

ABE FORTAS.

CEDAR HILL CEMETERY,
Washington, D.C., January 20, 1962.
The Honorable JAMES C. AUCHINCLOSS,
District of Columbia Committee, House of Representatives, Washington, D.C.

DEAR SIR: The fact that the city of Washington has only one judge to handle the District juvenile court cases is shocking and completely unrealistic. Due to the heavy caseload, many juveniles who should receive proper correction are being set free and are often in trouble again before their case has even received attention.

I am in favor of the Senate bill (S. 486) and hope that you will be in favor of same.

As a resident of this area and a father of five, I feel very strongly that proper discipline, including fast action on court cases, is one answer to our increasing crime rate amongst juveniles.

Your favorable consideration in this matter will be greatly appreciated.

Sincerely yours,
ROBERT G. GARRISON,
Superintendent.

WASHINGTON, D.C.,
January 5, 1962.
Hon. JAMES C. AUCHINCLOSS,
House District Committee,
Washington, D.C.

DEAR SIR: As a former president of the Washington Bar Association, I wish to be placed on record as endorsing Senate bill (S. 486), the juvenile court bill in preference to the House bill (H.R. 6747).

I personally favor the manner in which the juvenile court is presently conducted, but believe that there is an urgent need for the addition of one or two judges to help handle the tremendous caseload. I am opposed to making the juvenile court a part of the municipal court.

Very truly yours,
ROY GARVIN.

THE WASHINGTON
HEBREW CONGREGATION,
Washington, D.C., January 29, 1962.
Congressman JAMES C. AUCHINCLOSS,
House Office Building,
Washington, D.C.

MY DEAR CONGRESSMAN AUCHINCLOSS: I have studied with great care the finding of the special committee on the juvenile court. It is obvious that there is great need for additional judges to serve on the court. May I add my personal plea for early action in this direction.

This letter has been delayed because not until last week did I learn that the decision was still open to doubt. I hope that speedy affirmative action will be taken.

Cordially,
NORMAN GERSTENFELD.

WASHINGTON, D.C., *January 7, 1962.*
Hon. JAMES C. AUCHINCLOSS,
District of Columbia Committee,
House of Representatives,
Washington, D.C.

MY DEAR MR. AUCHINCLOSS: As a member of juvenile court advisory committee, I am sincerely interested in the passage of the Senate bill (S. 486) as an amendment to H.R. 6747.

The provisions of H.R. 6747 would destroy the juvenile court and its philosophy without remedying or alleviating the present conditions in any way. It seems imperative to me that the welfare of the citizens of the District of Columbia must be the prime consideration. To shift the operations of the juvenile court to the municipal court would be retrogressing at least 50 or 60 years.

The juvenile court as presently constituted is a court which can serve the people of the District if it has additional personnel. It should have at least one additional judge, and probably two. The lowering of the maximum age of clients serves no good purpose, but conversely, makes possible a great potential of irreparable harm. The downgrading of the juvenile court would be a most serious mistake.

I strongly urge the passage of S. 486 as a substitute for H.R. 6747.

Yours truly,
Mrs. HENRY GICHNER.

WASHINGTON, D.C., *January 3, 1962.*
Hon. JAMES C. AUCHINCLOSS,
House of Representatives,
Washington, D.C.

DEAR JIM: As you know, I have been struggling with this matter of the juvenile court for 3 years, talking to people who have had experience with it and serving on a committee which has made a close study of its operation. I hope you and your colleagues will be able to get the legislation through that is embodied in the Bible bill (S. 486).

The fundamental dishonesty of the present situation is that people suppose that juvenile offenders receive the careful consideration of a mature judge trained in the law. As a matter of fact, the court is so crowded that the judge is not able to give the proper time and he must often take the opinion of truant officers, lawyers, and others as to the disposition of the case. If we have a thing called the juvenile court, we at least should have enough judges so that decisions are made by men who have time to consider all the cases and give these offenders what is best for them and for society.

Children, even more than adults, should have not too long a wait between the crime and its punishment.

The citizens of this community are deeply grateful for all you have done in trying to get more judges for this court and I have the warmest admiration for all you are doing.

Affectionately,
C. LESLIE GLENN.

WASHINGTON, D.C.
Hon. JAMES C. AUCHINCLOSS,
District of Columbia Committee,
House of Representatives.

DEAR SIR: I am writing you concerning the Bible bill (S. 486) adding additional judges to our juvenile court.

These judges are badly needed to handle the situation as it stands and is increasing every day. If we can get these judges it will help to decrease juvenile delinquency.

The juveniles that are caught by the authorities should have a trial as soon as possible, and if found guilty they should be sentenced to an institution. It has been proven that juvenile aren't getting the proper training in the receiving homes. By staying at the receiving homes they are hard to handle when sent to an institution.

I hope that your committee will take every precaution to bring about this vital need of more judges.

Yours in Christ,
Rev. FRANKLIN GLENN.

BANK OF COMMERCE,
Washington, D.C., December 29, 1962.
Hon. JAMES C. AUCHINCLOSS,
District of Columbia Committee,
House of Representatives,
Washington, D.C.

DEAR MR. AUCHINCLOSS: As a past president of the Washington Board of Trade, I have been asked to express my views on H.R. 6747 and S. 486 which relate to the District of Columbia juvenile court.

I feel the juvenile court is most desirable and should be continued. To handle the greatly increased business of the court, at least one additional judge is needed. This view is shared by lawyers and other community leaders with whom I have discussed the matter.

I strongly recommend that the above bills be enacted into law.

Very truly yours,
THOMAS J. GROOM,
President.

WASHINGTON, D.C., *January 20, 1962.*
The Honorable JAMES C. AUCHINCLOSS,
District of Columbia Committee,
House of Representatives,
Washington, D.C.

DEAR SIR: This is to tell you that I feel very strongly in favor of Senate bill 486 to increase by two the number of judges to the juvenile court, and to request all possible assistance from you toward obtaining passage of this bill.

Sincerely yours,
LINUS P. HAYES.

HECHINGER,
Washington, D.C., February 5, 1962.
The Honorable JAMES C. AUCHINCLOSS,
House of Representatives,
Washington, D.C.

MY DEAR MR. AUCHINCLOSS: We in the local Washington scene plead with you to push S. 486 into law and give the District of Columbia more juvenile court judges.

Sincerely,
JOHN W. HECHINGER, *President.*

FIFTEENTH STREET
PRESBYTERIAN CHURCH,
Washington, D.C., February 15, 1962.
Hon. JAMES C. AUCHINCLOSS,
District of Columbia Committee,
House of Representatives,
Washington, D.C.

DEAR MR. AUCHINCLOSS: The House of Representatives has too long delayed action on the bill to provide two more judges for the juvenile court. When all the objections have been heard and all the stratagems devised to withhold the judges' appointments the people of the District of Columbia still know they are needed and that the circumventions are only political, without foundation in anything more than considerations of patronage and hometown accommodations. It is a deplorable condition when the citizens of the Nation's Capital are made the helpless victims of irresponsible political absentee landlordism. Please use the power and influence of your good office to get the bill H.R. 6747 to the floor of the House for action without the compromising amendments submitted by the District Commissioners.

Gratefully yours,
ROBERT P. JOHNSON.

GEORGETOWN UNIVERSITY HOSPITAL,
Washington, D.C., January 12, 1962.
Hon. JAMES C. AUCHINCLOSS
House of Representatives,
Washington, D.C.

DEAR SIR: I am writing you in regard to H.R. 6747 which deals with changes in the scope and administration of the juvenile court of the District of Columbia.

My interest in the juvenile court stems from knowledge of its problems directly and professionally. I am an associate professor of psychiatry, Georgetown University Medical Center, chief of children's psychiatric services. I am also a member of the juvenile court advisory committee and of the Commissioners Youth Council.

In my opinion passage of H.R. 6747 would seriously impair those functions relating to the protection and administration of justice to children for which the juvenile court was established. The provisions that are supposedly designed to bring about more efficient action would cripple the effectiveness of the court as a judicial arm of protection and guidance to those very offenders who can most profit from the few techniques available to change delinquent character.

The increase of stress on youngsters today is manifested not only by increase in internalized emotional problems, but more spectacularly and dangerously by increase of pathological social behavior, from delinquency of protest and tension to major crime. To cope with these problems in a constructive way, to take advantage of the relative plasticity of youth with its potential for change, the juvenile court must be strengthened and expanded.

It is most urgent that the Senate bill adding two juvenile court judges and maintaining the autonomy of the juvenile court be passed as an amendment in the House of Representatives.

Sincerely yours,

EDWIN S. KESSLER, M.D.

CORPS OF ENGINEERS, U.S. ARMY,
OFFICE OF THE DIVISION ENGINEER,
LOWER MISSISSIPPI VALLEY DIVISION,
Vicksburg, Miss., January 3, 1961.

Hon. JAMES C. DAVIS,
Fifth District of Georgia,
House of Representatives,
Washington, D.C.

DEAR JUDGE DAVIS: On my occasional visits to the District of Columbia during the past year, I have noted that you have been under continuing pressure to enlarge the juvenile court of the District of Columbia. Because I have some views on this problem derived in part from my service as a commissioner and which may be helpful to you, I am writing at this time.

Since my service in the District I have spent 3 years in command of one of the Army's large training centers at which young men from the north-central part of our country receive their basic training. In this service I was greatly heartened to see how well our young men respond to strong discipline and forceful leadership. We had the usual few who could not adjust to the discipline of military life, but the number was small.

As I have followed the functioning of juvenile courts in the District of Columbia and elsewhere in the country, I have become convinced that the present organization and functioning of our juvenile court system in the United States is self-defeating. The law places a heavy burden upon the judge to reform the delinquent child. Even when this is not possible, he must continue to try. The continued extenuation of offenses breeds a pattern of criminal action in delinquent children.

The law is self-defeating also in that the continuing exemption of young people from the due punishment for their offenses makes these children an object of exploitation by the mature criminal element in our society. Why should any adult try to steal an automobile if he can get a youth to do it for him? He knows that the youth will be exempt from the punishment which the adult would incur. It is my opinion that when the law puts a premium on the exploitation of children for criminal work, it is beyond the capacity of administrative process to avoid the consequences.

It seems to me that the bona fide and desirable objectives envisioned in the original creation of a juvenile court system can best be achieved if the jurisdiction of the juvenile court is limited to first offenders. Such a law would bring the interest of the offending child into harmony with the interest of the community. He would have his chance to go straight as an honorable citizen or to repeat his offenses and be classed as a criminal. If he makes the latter choice, he should be handled in the adult court and be subject to the full penalties authorized for the offense. There, he will, of course, receive the full individual consideration of his case which our judges give to all offenders.

I am convinced that for the juvenile who breaks the law after court warning, the full penalties of the adult court will be more salutary than any amount of social guidance.

It seems to me that the District Committee today has an opportunity to do some pioneering work which may greatly improve the effectiveness of our juvenile court system and have a salutary effect upon the unfortunate youth who find themselves in conflict with society.

I am well aware that my suggestion runs counter to the views of all the juvenile court judges and social workers of whom I have any knowledge. I can only submit that their views are not solving the problem and that more of the same treatment is an approach without hope.

With best wishes for your good health and prosperity in the new year, I am

Sincerely yours,

T. A. LANE,
Major General, U.S. Army,
Division Engineer.

MCLACHLEN BANKING CORP.,
Washington, D.C., December 27, 1961

The Honorable JAMES C. AUCHINCLOSS,
District of Columbia Committee,
House of Representatives,
Washington, D.C.

DEAR SIR: Being a lifelong resident of Metropolitan Washington and a former president of the Washington Board of Trade, I am deeply aware of the problems of this city and am interested in seeing that proper action is taken toward their solution.

I therefore would like to go on record with your committee as favoring the passage of the Senate juvenile court bill, S. 486, to add two much-needed judges to our juvenile court. Not only will this help to alleviate the backlog of cases now in the court, but it would also insure the prompt handling of future cases by judges who are qualified and experienced in juvenile problems. Since juvenile delinquency is one of the major problems facing our city today, I feel that a court of specialists, selected for the purpose of handling only this problem, is a necessity, if Washington is to regain its prestige as one of the choice residential cities of the world.

I think the action toward enlarging the facilities of the juvenile court is very much overdue and I urge that the bill to increase the number of judges in our present court be passed as soon as possible.

Yours very truly,

LANIER P. MCLACHLEN,
Chairman of the Board.

ST. ALBAN'S SCHOOL,
Washington, D.C., February 5, 1962

Hon. JAMES C. AUCHINCLOSS,
District of Columbia Committee,
House of Representatives,
Washington, D.C.

DEAR MR. AUCHINCLOSS: I would like to urge that two more judges for the juvenile court, as provided by the Bible bill (S. 486) be appointed.

It would seem to me that Judge Ketcham needs to be relieved of part of the tremendous burden he has been carrying. I hope very much that the additional judges will be appointed.

Sincerely,

CHARLES MARTIN,
Headmaster.

KAL, EHRLICH & MERRICK,
Washington, D.C., December 22, 1961

Hon. JAMES C. AUCHINCLOSS,
District of Columbia Committee,
House of Representatives,
Washington, D.C.

DEAR SIR: As a past president of the Washington Board of Trade, may I respectfully present my personal petition on behalf of the Senate juvenile court bill (S. 486) which I understand is to be offered as an amendment to H.R. 6747.

It is my considered opinion that this bill, which preserves the historical and sound basis for juvenile court jurisprudence, will perform a great service for the Nation's Capital. Additional judge power should certainly be made available to the present juvenile court.

Further, it is my thinking that in America we have always regarded juvenile court judgments as those which should not be retributive, but constructive, and offering the youth of our land an opportunity for a new start without the burden of criminality for which they are not responsible.

In the final analysis it is the duty of us, the adults of the community, to establish the standards that will give encouragement to our young people. To otherwise treat these young people is not in the traditions heritage of our great city and Nation.

I offer both my moral support, and such other support as may be needed, in respectfully submitting these opinions.

Very truly yours,

HARRY L. MERRICK,
President.

THE METHODIST CHURCH,
WASHINGTON EAST DISTRICT,
BALTIMORE CONFERENCE,
Washington, D.C., December 28, 1961.

The Honorable JAMES C. AUCHINCLOSS,
House Office Building, Washington, D.C.

DEAR MR. AUCHINCLOSS: I want to be very sure that we do all things possible to have two more judges for the juvenile court of the District of Columbia. I would support the Senate bill S. 468. It is my understanding that this bill will appear before the House at a later date in an amendment form through H.R. 6747.

I have recently been through experiences with some of our juveniles who were in no way helped by the shortage of judges. To my mind the problem is much deeper than a backlog of cases. The periods of waiting incur deeper psychological pock-holes in the spirits of youngsters than we may imagine.

I thank you for your consideration.

Yours very truly,

MARION S. MICHAEL.

WESLEY THEOLOGICAL SEMINARY,
Washington, D.C., February 7, 1962.

Hon. JAMES C. AUCHINCLOSS,
District of Columbia Committee, House of Representatives, Washington, D.C.

DEAR SIR: As one who has had a longtime professional interest in juvenile courts and in the welfare of children and youth, I am writing to express to you my deep concern over the tragic and unpardonable current situation with respect to the juvenile court in the District of Columbia.

Additional judges are obviously needed and irreparable damage is unquestionably being done many children and youth for lack of them. Two more judges, as provided by the Bible bill (S. 486), would be highly desirable.

Beyond the addition of judges, however, is great need for clear-cut endorsement of the rehabilitative and preventative philosophy upon which our juvenile courts are founded.

The overtones of harshly punitive attitudes, as well as of racial antipathy, in the continuing debate over the District's juvenile court needs are extremely deplorable. Surely we are a more enlightened people, and more genuinely concerned about the welfare of the young growing up in our midst, than the articulators of these sentiments indicate.

You may be sure that anything you can do toward effecting improvement of the present situation in the court will be appreciated by all knowledgeable people in the community.

Sincerely yours,

HASKELL M. MILLER.

WASHINGTON, D.C., *January 2, 1961.*

To Whom It May Concern:

I am writing concerning the situation in our city about there being only one judge to judge all the cases that come before juvenile court.

One suggestion to the situation is to add more judges. In that way it will make less work for one judge, also it will quicken the cases of nonsupport. After all, children will still have to live before the judge passes judgment for the father to support the child of children. Maybe that is why there are so many women on public assistance.

I am willing to help in any way that I can to help upbring humanity. In order to do that as it should be done properly we will have to have more judges. I feel as it is now we are unjust to burden one person for so many cases. There are so many judges qualified to handle some of the cases.

Sincerely yours,

ELDER F. E. MOLTON.

FEDERAL STORAGE CO.,
Washington, D.C., December 29, 1961.

Hon. JAMES C AUCHINCLOSS,
District of Columbia Committee,
House of Representatives,
Washington, D. C.

DEAR MR. AUCHINCLOSS: I am a past president of the Metropolitan Washington Board of Trade. I write you concerning juvenile court bills H.R. 6747 and S. 486, currently pending before the Congress.

I favor the passage of these or similar bills. The juvenile court in its present established form should be preserved, but it is of the greatest importance to the local community that additional judges be provided to handle the tremendously increased business of today.

I have talked to many leaders of our community, all of whom share this view. The Metropolitan Washington Board of Trade is on record as recommending this action.

Respectfully yours,

E. K. MORRIS.

WESTINGHOUSE ELECTRIC CORP.,
Washington, D.C., December 29, 1961.

Hon JAMES C AUCHINCLOSS,
District of Columbia Committee,
House of Representatives,
Washington, D.C.

DEAR MR AUCHINCLOSS: I have been asked to send you my views concerning juvenile court bills now being considered by the Congress—H R. 6747 and S. 486.

It seems to me that the juvenile court as now constituted should be preserved and that an additional judge or judges should be provided to handle the greatly increased business of the court. In my opinion, this view is shared by most community leaders. I am a former president of the Metropolitan Washington Board of Trade and I know that organization recommends this action.

My view is therefore that S. 486 or a similar bill should be enacted.

Very truly yours,

EDGAR MORRIS.

FIRST BAPTIST CHURCH,
North Brentwood, Md., February 5, 1962.

Hon. JAMES C. AUCHINCLOSS,
District of Columbia Committee,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN: This is to join other thousands of our District of Columbia citizens in a serious plea that you lend your great influence to have Bible bill S. 486 approved by the House of Representatives (which provides for two more judges for the juvenile court).

Very respectfully yours,

J. D. PAIR.

P.S.: I am a member of the Oldest Inhabitants, Inc., D.C.; the Federation of Civic Associations, D.C.; the D.C. Congress of PTA; the Alumni Association of Howard University, and the Baptist Ministers Conference of the District of Columbia.

THE PALISADES COMMUNITY CHURCH,
Washington, D.C., December 29, 1961.

Hon. JAMES C. AUCHINCLOSS,
House of Representatives,
Washington, D.C.

MY DEAR CONGRESSMAN: It is my understanding that H.R. 6747 will be presented on the floor of the House soon after Congress reconvenes. You can understand how a person in my position would be vitally interested in the problem which is attacked in this bill.

S. 486 which provides for two more judges for the juvenile court would preserve the juvenile court as it is now constituted, with additional judges and it would seem to me that it is more desirable than H.R. 6747. I therefore urge that the Senate bill be offered on the floor as an amendment to H.R. 6747, and that as speedy action as possible be taken on this legislation because of its very great urgency.

Sincerely,

NELSON C. PIERCE.

EMMANUEL LUTHERAN CHURCH,
Bethesda, Md., February 5, 1962.

Hon. JAMES C. AUCHINCLOSS,
District of Columbia Committee,
House of Representatives,
Washington, D.C.

DEAR MR. AUCHINCLOSS: Having lived in the District for nearly 20 years and in Bethesda for the past year, I have had a very keen interest in the youth of our community and especially the boys and girls who have come into conflict with the law. As executive director of the Council of Churches, National Capital Area, for 19 years, I came into very close contact with the juvenile court and the problems of delinquent youth. The Council of Churches sponsored a program for inner city youth on an interchurch basis.

My experiences and knowledge of the workings of a juvenile court both in the District and in Rochester, N.Y., where I formerly lived, lead me to wonder why the question concerning the appointment of two more judges for the juvenile court. It has been most disconcerting to witness the manner in which this matter has been delayed. Although not a lawyer it is my firm conviction that two more judges are needed and that this is the most efficient way of dealing with the problem before us.

Cannot we get some action shortly in the interest of the backlog of cases, and cases means boys and girls? Is there anything more we can do to help?

Sincerely yours,

FREDERICK E. REISSIG,
Pastor.

BETHESDA METHODIST CHURCH,
Bethesda, Md., January 9, 1962.

Congressman JAMES C. AUCHINCLOSS,
Care of the Honorable Robert Hale,
Washington, D.C.

DEAR MR. AUCHINCLOSS: I was formerly a member of the advisory committee of the juvenile court and also chairman of the committee. I want to express my hope that the committee will support Senate bill S. 486.

I am confident that the problem is in the number of judges to take care of the docket. I know that there is much controversy about this but the welfare of the children should come first in our thinking and the Senate bill covers the need, which I do not think that the House bill 6747 does.

Thanks for the time that you put in, seeking the welfare of the youth of Washington.

Sincerely yours,

ORRIS G. ROBINSON, D.D.,
Minister.

VICTOR O. SCHINNERER & CO., INC.,
Washington, D.C., January 5, 1962.

Hon. JAMES C. AUCHINCLOSS,
District of Columbia Committee,
House of Representatives,
Washington, D.C.

DEAR MR. AUCHINCLOSS: I have been requested to communicate to you my views concerning juvenile court bills H.R. 6747 and S. 486 which I understand will be considered by the Congress in the near future.

In my opinion, the juvenile court, as now constituted, should be retained and that an additional judge or judges should be added in order to cope with the greatly increased activity in this court.

As a past president of the Metropolitan Washington Board of Trade, I know that organization has taken this position and I believe it is shared by most community leaders.

In my opinion, S. 486 or a similar bill would be desirable.

Cordially yours,

VICTOR O. SCHINNERER,
President.

WASHINGTON, D.C., *February 5, 1962.*

Hon. JAMES C. AUCHINCLOSS,
District of Columbia Committee,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN AUCHINCLOSS: I have been made aware of the situation in our city's understaffed juvenile court. As a rabbi who has been associated with a large congregation in the District of Columbia for the past 25 years, I have a great interest and a deep concern in this matter. I share with many others the desire to see the juvenile court strengthened.

I understand that there is now up for consideration by Congress a bill passed by the Senate (S. 486) whose aim is to amend the House bill (H.R. 6747), and that this Senate bill would accomplish the objectives that so many of us favor—that of strengthening the hand of the juvenile court. May I, therefore, register my wholehearted support in favor of the Senate bill (S. 486). I sincerely hope that positive action in this direction will be speedily taken.

Thank you very much.

Sincerely yours,

HENRY SEGAL.

WASHINGTON, D.C., *December 31, 1961.*

Hon. JAMES C. AUCHINCLOSS,
House of Representatives,
Washington, D.C.

DEAR MR. AUCHINCLOSS: I am chairman of the Committee on Law of the National Council on Crime and Delinquency (formerly the National Probation and Parole Association), vice chairman of the District of Columbia Commissioners' Youth Council, and chairman of its committee on employment and education and a member of the District of Columbia Juvenile Court Advisory Committee. I have had 24 years' experience as a volunteer worker dealing with juvenile delinquents and youthful offenders in institutions and in the community.

As I stated before Mr. DAVIS' subcommittee on June 23 last, speaking for the abovementioned agencies as well as for myself personally, I urge legislation to provide two additional judges for the juvenile court as it is at present organized (S. 486) and I am strongly opposed to H.R. 6747. The latter bill in downgrading the juvenile court, lowering juvenile court age and impairing confidentiality, represents a radical departure in juvenile court philosophy and practice as it has developed in this country over the past 60 years. In addition, as I stated in detail in my testimony, it would place upon the district court, the criminal division of the municipal court, probation and parole services and correctional institutions burdens

which they are not and should not be in a position to assume. The interest of the community and the rehabilitation of the juvenile could not fail to suffer and to suffer seriously.

Yours sincerely,

G. HOWLAND SHAW.

THE GEORGE WASHINGTON UNIVERSITY,
Washington D.C., January 9, 1962.

Hon. JAMES C. AUCHINCLOSS,
House of Representatives,
Washington, D.C.

DEAR MR. AUCHINCLOSS: I want to express my great interest in the matter of the understaffed juvenile court. As a clergyman of this city and as director of University Chapel at the George Washington University, I have come to know rather intimately many of the problems that are involved. I sincerely hope, therefore, that House bill 6747 will be disapproved and that the Senate bill dealing with this matter will be heartily approved and passed.

I am convinced that the great need is to preserve the juvenile court as it is now constituted, but with the addition of at least two more judges.

Very sincerely yours,

JOSEPH R. SIZOO.

AMERICAN SECURITY & TRUST CO.,
Washington, D.C., January 8, 1962.

Hon. JAMES C. AUCHINCLOSS,
District of Columbia Committee,
House of Representatives,
Washington, D.C.

DEAR MR. AUCHINCLOSS: I have been asked to send you my views concerning juvenile court bills now being considered by the Congress, H.R. 6747 and S. 486.

It seems to me that the juvenile court as now constituted should be preserved and that an additional judge or judges should be provided to handle the greatly increased business of the court. I am a former president of the Metropolitan Washington Board of Trade and I know that organization recommends this action. My father, the late Justice Frederick L. Siddons, who was also a Commissioner of the District, often spoke to me of the great value of the juvenile court.

My view is therefore that S. 486 or a similar bill should be enacted.

Very truly yours,

FREDERICK P. H. SIDDONS.

WASHINGTON, D.C., *December 28, 1961.*

DEAR CONGRESSMAN AUCHINCLOSS: I have been deeply concerned over the years about the alarming reports in the city press of conditions arising from Washington's understaffed juvenile court.

Personally I see no reason for not adding two more judges, in line with a bill which has already passed the Senate, but has been held up in the lower House.

Respectfully,

REGINALD B. STEVENSON.

P.S.: I hope you will use your influence to have this bill presented for passing.

R. B. S.

FEBRUARY 14, 1962.

Hon. JAMES C. AUCHINCLOSS,
District of Columbia Committee,
House of Representatives, Washington, D.C.

DEAR SIR: I have been urged to petition for a favorable action on your part toward the creation of two additional judgeships for the District of Columbia juvenile court.

I add my voice to this plea gladly, since from all evidence, the present court is inadequate, juvenile delinquency is an ever-growing problem in the District, and our young people are not getting the assistance and counsel that is rightfully theirs.

I strongly urge your favorable consideration of these two additional judges, as provided for in the Bible bill (S. 486), plus any other action on your part which would lead to a broadening of cognizance and competence in the juvenile jurisprudence of this city.

Sincerely,

REV. ANDREW J. TILLMAN.

FIRST SPIRITUAL SCIENCE CHURCH
OF WASHINGTON, D.C., INC.,
Washington, D.C., January 15, 1962.

Hon. JAMES C. AUCHINCLOSS,
District of Columbia Committee, House of Representatives, Washington, D.C.

HONORABLE SIR: As an American citizen, a clergywoman, and a former voter of Third District of New Jersey, having served many sessions as a juror in the court in Freehold, N.J. (criminal and civil), I am particularly interested in preserving the juvenile court as it is with additional judgepower. I favor the Senate bill (S. 486) as an amendment to H.R. 6747 and trust that you will see fit to urge the adoption and passing of the amendment.

Sincerely yours,

REV. ALICE WELLSTOOD TINDALL.

THE CHURCH OF ST. TIMOTHY,
Washington, D.C., December 30, 1961.

The Honorable JAMES C. AUCHINCLOSS,
District of Columbia Committee, House of Representatives, Washington, D.C.

DEAR MR. AUCHINCLOSS: As rector of the Church of St. Timothy in southeast Washington, I am deeply concerned about proposed legislation affecting the juvenile court. Young people who get in trouble need the kind of skilled and understanding treatment this court was established to provide. Now, because it is shamefully understaffed and overloaded, this court cannot function as designed.

H.R. 6747 proposes a remedy which might help the overcrowding but destroys the special character of the juvenile court. My concern is to see the court continue essentially with its present setup but with added judges. Therefore, I strongly favor S. 486, and urge any steps that can reasonably be taken to secure its passage.

Sincerely yours,

ARTHUR H. UNDERWOOD,
Rector.

ST. PHILIP'S EPISCOPAL CHAPEL,
Washington, D.C., February 7, 1962.

Hon. JAMES C. AUCHINCLOSS,
District of Columbia Committee,
House of Representatives,
Washington, D.C.

MY DEAR MR. AUCHINCLOSS: Because I feel that the addition of two more judges for the juvenile court will be in the best interests of the youth of our city (and the rest of us too), I strongly urge your support of the Bible bill (S. 486) which has already passed the Senate.

Respectfully yours,

CHARLES E. WALDEN, Jr.,
Vicar.

CHRIST METHODIST CHURCH,
Washington, D.C., January 9, 1962.

The Honorable JAMES C. AUCHINCLOSS,
District of Columbia Committee,
House of Representatives,
Washington, D.C.

MY DEAR MR. AUCHINCLOSS: The juvenile crime situation in our city is both shocking and disgraceful. As one who travels considerably, this is a reflection against our Capital City.

The appointment of two additional judges would greatly relieve this problem and I urge you to do everything possible to see that the Senate bill is amended to H.R. 6747.

Sincerely yours,

LESTER K. WELCH.

ST. STEPHEN AND THE
INCARNATION CHURCH,
Washington, D.C., February 5, 1962.

DEAR SIR: Let me join with the many who are writing to you in the hope that the present difficulties surrounding our juvenile court might be corrected soon.

As a priest in charge of a large teenage program in a depressed neighborhood of Washington, I am aware of some of the difficulties which the existing situation means to our teenage population.

Certainly the Bible bill (S. 486), which would provide two more judges for the juvenile court, would be a giant step toward correcting some of the juvenile problems we are facing today.

Faithfully yours,

WILLIAM A. WENDT.

AUGUSTANA LUTHERAN CHURCH,
Washington, D.C., January 5, 1962.

Hon. JAMES C. AUCHINCLOSS.

DEAR CONGRESSMAN: As a pastor in the inner city of Washington, I see at firsthand the need to preserve the juvenile court as it is now constituted with additional judge power.

I strongly favor the Senate bill (S. 486) as an amendment to H.R. 6747.

Sincerely,

WAYNE R. WOODS,
Pastor.

ADAS ISRAEL SYNAGOGUE,
Washington, D.C., January 29, 1962.

Hon. JAMES C. AUCHINCLOSS,
House of Representatives,
Washington, D.C.

MY DEAR MR. AUCHINCLOSS: I am writing this letter in the hope that you will give your earnest consideration to the appointment of additional judges to alleviate the crowded condition on the calendar of the juvenile court.

It would be arrogant for me to describe the complexity of the District's juvenile delinquency problem. Clergymen are frequently faced with the results of this distressing social condition. The appointment of additional judges would go a long way toward rectifying this unfortunate situation.

I want to assure you that the synagogue which I represent is deeply concerned with this vital matter and we hope that the pending bill will have your endorsement.

Sincerely yours,

STANLEY RABINOWITZ,
Rabbi.

WASHINGTON, D.C., *February 25, 1962.*

Hon. JAMES C. AUCHINCLOSS,
Washington D.C.:

Urgent you support Monday substitution of Senate passed bill to strengthen District juvenile court and defeat House reported version.

All Souls Unitarian Church; American Jewish Congress; American Veterans Committee; Archdiocesan Council of Catholic Men for Archdiocese of Washington; B'nai B'rith Women's Council; Boys Club of Greater Washington; Congregational Social Action Committee; Crime Commission of Metropolitan Washington; District of Columbia Chamber of Commerce; District of Columbia Congress Parents and Teachers; District of Columbia Council Jewish Women; District of Columbia Council on Law Enforcement; District of Columbia Teachers Union; District of Columbia Young Democrats; Edmond Campbell, President, James Ernest, Chairman, Committee on Juvenile Court, Bar Association, District of Columbia; Federation of Citizens Associations; Federation of Civic Associations; Greater Washington Central Labor Council, AFL-CIO; Jewish

Community Council of Greater Washington; Junior Chamber of Commerce; Social Order Committee, Washington Friends Meetings; Unitarian Fellowship for Social Justice; Unitarian Laymen's League; Unitarian Universalist Ministers; Unitarian Women's Alliance; Washington Bar Association; Washington Urban League; Young Men's Christian Association.

HAMBURG, ARK.,
February 23, 1962.

Congressman JAMES C. AUCHINCLOSS,
House of Representatives,
Washington, D.C.

DEAR SIR: I am very interested in the passage of the Bible bill No. S. 486. Any consideration you give this bill will be greatly appreciated.

Sincerely,

W. T. HIGGINBOTHAM,
Juvenile Judge of Ashley County.

COMMONWEALTH OF PENNSYLVANIA,
45TH JUDICIAL DISTRICT,
Scranton, Pa., February 23, 1962.

Hon. JAMES C. AUCHINCLOSS,
House of Representatives,
Washington, D.C.

Re Bible bill, S. 486.

DEAR CONGRESSMAN AUCHINCLOSS: Some members of the Washington bar have communicated with me in connection with the above bill which I understand is designed to increase the number of judges in the District of Columbia.

I have no information as to the necessity of additional judges to clean up the civil and criminal lists in the District. However, I do know that there is a grave and pressing problem in the matter of juvenile delinquency in the city of Washington.

As a judge with juvenile court duties I know that it is unthinkable that one judge in this city can adequately take care of the number of cases respecting youngsters in trouble that he must deal with. I urge that additional judges be secured to assist in juvenile courtwork.

Yours truly,

OTTO P. ROBINSON.

COUNTY OF HILLSBOROUGH,
Tampa, Fla., February 22, 1962.

Hon. JAMES C. AUCHINCLOSS,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN: I am advised that the Bible bill which is S. 486 provides for additional judges for the juvenile court of the District of Columbia. I have had occasion to visit the court and there can be no question that additional judges are badly needed.

I am the senior judge of the juvenile and domestic relations court of Hillsborough County, Fla. Our county has a population of approximately 350,000 and does not, by any stretch of the imagination, have the serious delinquency problem that exists in Washington. The jurisdiction of our court is not so broad as that of the juvenile court of the District of Columbia, yet we have found it impossible for one judge to do an adequate job. We now have two full-time judges and I assure you that it requires diligence on the part of my associate and myself to keep our calendar current.

It is a tragic blindness to expect the juvenile court in the District of Columbia, where there are so many people living so close together, to function properly with one judge. There is no finer man on the juvenile court bench than Judge Ketcham nor is there one more anxious to do his work well, but his task is impossible.

In the city that should be the example for the whole country, the very principles upon which the juvenile courts were founded are being flagrantly violated, and discredit is being brought upon the whole idea, simply because there are not judges to hear the cases or an adequate staff to see that the cases are quickly presented and adequately followed up. When a child commits an offense and it is 6 months before his case can be heard, the situation is ridiculous. Children can't be put on ice for 6 months. They grow, and the crucial time for correction is now.

With best regards, I am,

Sincerely,

O. D. HOWELL, Jr.,
Judge, Juvenile and Domestic Relations Court.

SUPERIOR COURT OF GILA COUNTY,
Globe, Ariz., February 23, 1962.

Hon. JAMES C. AUCHINCLOSS,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN AUCHINCLOSS: I understand that Senate bill S. 486 has passed the Senate and is now being held in committee in the House.

I would urge you that our National Capital should be a showplace for all the world to see; that in the National Capital, of all places, the average citizen should be able to secure speedy and complete justice. This cannot be done if the judicial system is allowed to deteriorate by not having adequate judges and court facilities. If we cannot provide complete justice in our National Capital, how can we set ourselves up as a model for anyone else in the world?

I would urge that provision be made for adequate judges, and that we should do everything possible to wipe out the reputation for juvenile and other crime in Washington, D.C.

Yours very truly,

ROBERT E. MCGHEE,
Judge of Superior Court.

U.S. DEPARTMENT OF JUSTICE,
Washington, D.C., May 24, 1961.

Hon. JOHN L. MCMILLAN,
Chairman, Committee on the District of Columbia, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: This is in response to your request for the views of the Department of Justice concerning H.R. 5988, "To provide for the appointment of two additional judges for the juvenile court of the District of Columbia," and H.R. 6747, "To amend the Juvenile Court Act of the District of Columbia."

The Department strongly favors the central purpose of H.R. 5988 and supports the legislation, with minor changes. The bill supplies a deficiency that has long been a serious one in the District of Columbia and is more serious now—the numerical deficiency of judges of the juvenile court. The one judge now sitting on that court has been unable, by himself, to hear and dispose of the cases coming before that court. The backlog of cases to be heard was, on March 31, of this year, 2,256. This situation produces long delays in the disposition of juvenile complaints, often a lapse of weeks between a juvenile's arrest and his appearance in court. In some instances, juveniles remain at large in a community for as long as 6 or 8 months until their cases can be reached on the court calendar. Thus, those who should be committed without delays for institutional treatment are not treated in timely fashion. Moreover, juveniles awaiting adjudication not infrequently become involved in new and more serious delinquencies.

The principal feature of the bill that recommends itself is the provision for two additional judges. Additional judge power was recommended as long ago as the Ellison committee's report, January 14, 1954. That committee stated in the strongest terms its criticism of a caseload as high as 5,000 per year per judge. In comparison, the judge of the juvenile court heard 1,512 cases in the fiscal year ending June 30, 1960. There is an urgent community need for the services of two additional judges, and the Department supports the early enactment of this legislation.

The Department favors omitting from the bill the new language amending section 19 (b) of the Juvenile Court Act of 1938. The new section 19(b) spells out in some detail three conditions for eligibility for appointment to the juvenile court. The detail is considerably more elaborate than that now contained in title 11, section 920 of the District of Columbia Code. The Department believes that it would be more desirable for the precise qualifications of the juvenile court judges to be left to the appointing power, and that the three conditions stated in the bill are too pointed and too personalized to allow the appointive power the desirable freedom of selection. It is to be assumed that the President will select qualified persons for the juvenile court, and that the appointments will reflect the emphasis that the President places upon particular qualifications. The efficacy of the appointive power is much reduced if the field is narrowly restricted by legislation, and if the President is not free to appoint qualified persons in whom he has confidence.

H.R. 6747 would transfer the functions of the juvenile court of the District of Columbia to the municipal court as a separate juvenile court branch, and would lower the age limit of juveniles falling within the mandatory jurisdiction of that branch from present age 18 to age 16. The bill would also provide that the juvenile jurisdiction of the branch may be waived, and the juvenile charged as an adult in any misdemeanor or felony case involving a juvenile of from 15 to 16 years.

The Department believes that there are serious reasons why it should oppose the enactment of H.R. 6747. The reasons are set forth below:

1. Section 1 of the bill creates a juvenile court branch in the municipal court for the District of Columbia, and provides that the chief judge of the municipal court may assign judges of the juvenile court branch to serve elsewhere in the municipal court and that he may assign judges from other branches of the court to serve in the juvenile court branch. The Department does not believe that juvenile court judges and judges serving in the municipal court hearing adult offenders should be treated as interchangeable in the court structure. The experience of many of the larger cities has indicated that juvenile court judges should have specialized training and qualifications in the problems of juvenile delinquency and methods of rehabilitation of juvenile offenders. Familiarity with these matters and with desirable hearing procedures for juvenile offenders is not normally a qualification of the judges of the municipal court. Nor is a juvenile court judge likely to be better qualified for the work of the municipal court than a judge of that court is for the work of a juvenile court judge.

For this reason the Department believes that the chief judge of the municipal court would rarely be able to make the findings called for in section 1(b) of the bill, that "the work in the juvenile court branch will not be adversely affected" by the assignment of a juvenile court judge to perform the duties of a municipal court judge or that "the work of the juvenile court branch requires * * * assignment of a municipal court judge "to serve temporarily in the juvenile court branch." The Department is convinced that the juvenile court and the municipal court for adult offenders should

be kept entirely separate in personnel and function.

2. Section 4 of the bill applies the jurisdiction of the proposed juvenile court branch of the municipal court to "any person under the age of 16 years * * *" who falls into the enumerated categories and defines the word "child" as a person under 16 and the word "adult" as a person 16 years or older. The present law brings within the jurisdiction of the juvenile court any person under the age of 18 years, leaving it to the juvenile court judge to waive his jurisdiction over persons in the range 16 to 18 years of age. The bill thus removes his jurisdiction in every case in which there is now discretion in the juvenile court judge. In addition, the bill would permit the judge of the juvenile court to waive jurisdiction of a child of 15 to 16 years. The Department doubts that a discriminating and careful effort toward rehabilitation of juvenile offenders in the 16- to 18-year category can be accomplished by throwing every such case into the adult criminal courts. Rather, it is believed that a more probable consequence would be to make hardened criminals of juvenile first offenders who, in some cases, might be rehabilitated if retained within the jurisdiction of the juvenile court.

As a consequence of section 4 of the bill, all juveniles of 16 years or more, involved in a felony offense, would fall within the criminal jurisdiction of the U.S. District Court for the District of Columbia. In fiscal 1960, 105 juveniles were waived to the U.S. district court by the judge of the juvenile court. Section 4 of the bill would raise this figure to approximately 575[1] cases per year. Chief Judge Pine of the U.S. district court advised the Judicial Conference of the District of Columbia Circuit, on May 11, 1961, that this transfer of criminal jurisdiction would require two additional district judges. It would also require an increase of at least two attorneys on the staff of the office of the U.S. attorney for the District of Columbia, whose office has the prosecutive jurisdiction in that court. In addition, section 4 of the bill would shift approximately 400 cases per year to the municipal court, with an attendant increase in the need for judges and prosecutors there. The Department is convinced that such a wholesale change of method and treatment of juvenile offenders is not in the best interests of the administration of justice or of successfully combating juvenile delinquency, and that a preferable course would be to increase the existing juvenile court by two additional judges and to permit the discretion of that court to govern the waiver of jurisdiction over any offender under 18 years of age, on a case-by-case basis.

Accordingly, the Department favors the enactment of H.R. 5988 subject to the comments made above with regard to the qualifications of the judges to be appointed.

The Bureau of the Budget has advised that there is no objection to the submission of this report from the standpoint of the administration's program.

Sincerely yours,

BYRON R. WHITE,
Deputy Attorney General.

U.S. DEPARTMENT OF JUSTICE,
Washington, D.C., August 14, 1961.

Hon. ALAN BIBLE,
Chairman, Committee on the District of Columbia, U.S. Senate, Washington, D.C.

DEAR SENATOR: This is in response to your request for the views of the Department of Justice concerning the bill (S. 486) to provide for the appointment of two additional judges for the juvenile court of the District of Columbia.

The Department strongly favors the central purpose of S. 486 and supports the legislation, with minor changes. The bill supplies a deficiency that has long been a serious one in the District of Columbia and is more serious now—the numerical deficiency of judges of the juvenile court. The one judge now sitting on that court has been unable, by himself, to hear and dispose of the cases coming before that court. The backlog of cases to be heard was, on March 31 of this year, 2,256. This situation produces long delays in the disposition of juvenile complaints, often a lapse of weeks between a juvenile's arrest and his appearance in court. In some instances, juveniles remain at large in a community for as long as 6 or 8 months until their cases can be reached on the court calendar. Thus, those who should be committed without delays for institutional treatment are not treated in timely fashion. Moreover, juveniles awaiting adjudication not infrequently become involved in new and more serious delinquencies.

The principal feature of the bill that recommends itself is the provision for two additional judges. Additional judge power was recommended as long ago as the Ellison committee's report, January 14, 1954. That committee stated in the strongest terms its criticism of a caseload as high as 5,000 per year per judge. In comparison, the judge of the juvenile court heard 7,512 cases in the fiscal year ending June 30, 1960. There is an urgent community need for the services of two additional judges, and the Department supports the early enactment of this legislation.

The Department favors omitting from the bill the new language amending section 19(b) of the Juvenile Court Act of 1938. The new section 19(b) spells out in some detail three conditions for eligibility for appointment to the juvenile court. The detail is considerably more elaborate than that now contained in title 11, section 920 of the D.C. Code. The Department believes that it would be more desirable for the precise qualifications of the juvenile court judges to be left to the appointing power, and that the three conditions stated in the bill are too pointed and too personalized to allow the appointive power the desirable freedom of selection. It is to be assumed that the President will select qualified persons for the juvenile court, and that the appointments will reflect the emphasis that the President places upon particular qualifications. The efficacy of the appointive power is much reduced if the field is narrowly restricted by legislation, and if the President is not free to appoint qualified persons in whom he has confidence.

Subject to the comments with regard to the qualifications of the judges to be appointed, the Department of Justice favors the enactment of the bill.

The Bureau of the Budget has advised that there is no objection to the submission of this report from the standpoint of the administration's program.

Sincerely yours,

BYRON R. WHITE,
Deputy Attorney General.

Mr. JAMES C. DAVIS. Mr. Chairman, I yield 5 minutes to the distinguished chairman of the Committee on the District of Columbia, the gentleman from South Carolina [Mr. MCMILLAN].

Mr. MCMILLAN. Mr. Chairman, the bill, H.R. 6747, which is under consideration here today is a result of approximately 2 years' study and numerous hearings and investigation on the part of the Honorable JAMES C. DAVIS, chairman of Subcommittee No. 3 of the House District Committee, and the members of his subcommittee. I am certain there has never been a bill presented to the Congress which has had more thorough consideration than the juvenile court bill which we are considering today. In fact, the preparation of this bill has consumed the majority of the time of Subcommittee No. 3 and three members of the District Committee staff during the past 2 years.

We know that this is not a perfect bill; however, we also know the juvenile problem confronting this country is one of the most important problems we have confronting the Congress and, in my opinion, no person in the United States knows the exact answer to this problem. I am certain that if there is any Member of this body who feels that he can solve this most important problem, the Committee on the District of Columbia would be happy to turn the entire matter over to him without further discussion. We fully realize that it would have been the easy course on the part of our committee to go ahead and accept two additional judges to the present juvenile court which would have only necessitated having one or two hearings which possibly could have been done within a few weeks' time. However, I am certain that no Member of this body could conscientiously say that he or she believes that merely adding two additional juvenile judges to the juvenile court would solve the juvenile problem here in the District of Columbia.

Practically all the members of the House District Committee have been besieged with letters from throughout the United States complaining of the high crime rate here in the District of Columbia and especially complaints regarding criminal repeaters under the age of 18 years. We have approximately 5 or 6 million schoolchildren visiting the Nation's Capital each year who expect the Congress of the United States to enact laws which will properly protect them while they are visiting their Capital. We have approximately 250 conventions here in the city of Washington each year and some of these visitors are subjected to yokings, purse snatching, and other types of crimes committed by persons under the age of 18.

I must confess that I do not know the answer to this juvenile crime problem which is the reason I appointed Chairman JAMES C. DAVIS and his subcommittee to make a study of this problem and report legislation to the floor of the House with a view of at least reducing the crime rate here in the District of Columbia. The members of Subcommittee No. 3 of the House District Committee are well-experienced legislators who have had years and years of experience in the legal field. In fact, two of the members of this subcommittee have served for a number of years as circuit judges in their individual States and four or five other members of this subcommittee have served as district attorneys and prosecuting attorneys for their States for a number of years. The remainder of the members have had valuable experience in business affairs which should give them a wide knowledge of problems including crime.

[1] This figure is the number of felony offenses coming before the juvenile court in fiscal 1960.

My committee has been extremely disturbed over the high crime rate in our Nation's Capital for a number of years and we were successful last year in passing legislation amending the Mallory and Durham rules which legislation was recommended by one of the leading Federal judges in the District of Columbia and the chief of police. In fact, these two leading officials in the field of law enforcement advised the House District Committee that it would be advisable to amend the Mallory and Durham rules before the police in the Nation's Capital could substantially reduce the crime in the Nation's Capital.

I must confess that we have not enjoyed the support of the press and certain other elements residing in the District of Columbia in our effort to reduce crime here in the District of Columbia; however, I realize that they have a perfect right to their opinion on this subject.

H.R. 6747 is the most carefully prepared measure pending before the Congress. It goes farther than temporary relief to the court by additional judicial manpower. It provides for the best possible administration and will provide the greatest efficiency in handling juvenile cases. It makes several changes of law, some of which are badly needed.

The following are some of the things which the bill provides:

First. It provides for the appointment of an additional judge.

Second. It establishes the juvenile court as a separate branch within the municipal court of the District of Columbia, providing a flexibility in the assignment of cases or judges for most efficient disposition of cases and makes available the services of four additional experienced judges to handle juvenile matters.

Third. It provides that the legal sufficiency of a complaint against a juvenile shall be determined promptly at intake by the Corporation Counsel so that juveniles may not be held indefinitely under restraint without causes.

Fourth. It provides that minor traffic violations, not involving any element of delinquency may be handled through the Central Violations Bureau by posting collateral.

Fifth. It repeals the present law permitting jury trials in juvenile cases as recommended by the Judicial Conference.

Sixth. It places the age limit for juvenile at age 16.

Seventh. It enables the court to waive juvenile cases at age 15 and provides that once waived, the offender is thereafter not subject to juvenile jurisdiction.

Eighth. It relaxes the secrecy of court hearings and court records by giving the judge discretion to open the court or records to the public.

Ninth. It provides for a uniform system of reporting of crime statistics in the District of Columbia for both juveniles and adults.

The findings of the committee in its hearings and study of juvenile problems and the operation of the juvenile court indicate that there is need for these improvements. The committee believes that this bill will provide an excellent, efficient juvenile court for the District, save the people of the District hundreds of thousands of dollars, and bring about better rehabilitation for juveniles and greater safety to the public.

Mr. MATHIAS. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, I shall support the substitute to be offered by the gentleman from New York [Mr. MULTER]. The substitute, as I understand it, will be identical with the bill that I have introduced, H.R. 10367, and is identical with the bill already passed by the other body, a bill which simply adds two judges to the existing juvenile court of the District of Columbia. I have adopted this position only after very long and searching study and discussion with members of the bench, members of the bar, and community leaders in the city of Washington and in the metropolitan area.

The statistics that have been cited in this discussion today in the committee have been impressive. I shall cite only one statistic and that is the fact that in my judgment the overwhelming majority of the people of the District of Columbia and of the surrounding metropolitan area are nearly unanimous in wanting to retain a juvenile court in the District of Columbia and to give it more judges. These are the people who are affected and their voice should be heard in this Chamber this afternoon.

I believe, Mr. Chairman, that what I have just said is confirmed by the weight of the evidence as it has been reported in the hearings of the subcommittee. Of course, the occasion for this legislation is the backlog of some 2,000 and more cases which remain unheard on the docket of the juvenile court today. But as a result of the adoption of the substitute to be offered here this afternoon that backlog will be whittled down so that cases involving juveniles, impatient people to whom delay is always an important factor, will be whittled down from 15 weeks or more per case to a matter of days. The committee bill would extinguish the juvenile court and the people of the city of Washington do not want the juvenile court abolished.

One of the most amazing examples of testimony of community feeling that I have ever seen is the telegram which has come to various Members of the House today from 39 responsible leading community organizations of the District of Columbia representing all the religious denominations, representing the Republican and the Democratic State central committees, the Metropolitan Board of Trade, the junior chamber of commerce, the league of women voters, and many, many more. Just today, as this debate was about to begin, I received a last-minute plea from Mr. Carl Shipley, the chairman of the Republican State central committee for the District, to support the substitute, to save the juvenile court and add two judges to it. I do not think that this was merely a repetition of his joint plea which was made public several days ago, a joint plea with his opposite number, the chairman of the Democratic committee; but it was a personal plea from Carl Shipley as a citizen and as a distinguished member of the bar of the District of Columbia.

It has been said this afternoon that there is no will or force existing in the juvenile court as it is presently constituted to correct the conditions which we have heard described. I would point out that the substitute which I support does not propose to maintain the status quo in the juvenile court of the District of Columbia. It proposes to add two additional judges. It will improve not only the situation as to the number of cases which can be heard by the court but I think even more importantly, much more importantly, it will improve the quality of the attention which can be given to individual cases.

The administration of justice is not to be measured by the number of decisions that are made but whether or not a just decision has been made.

The pursuit of justice is a continuing quest. I feel sure that neither of the proposals which will be before the House would be advocated by their proponents as the final answer, the ultimate answer to the problems of the juvenile court and of juvenile delinquency.

But the one point upon which we all seem to agree here this afternoon is that there are not enough judges in the city of Washington to properly take care of the juvenile cases. With that one point of unanimous agreement, the practical thing and the reasonable thing, the thing that the overwhelming sentiment of the Washington metropolitan area wants and demands is that we add two judges to the present juvenile court.

I think the sentiment in Washington is expressed in the statement of Mrs. Louis Ottenberg which appears on page 291 and thereafter in the hearings. It is a plea which I bring to the House from the people of the District of Columbia and from the metropolitan area. She says: "So I beg you—I beg you just to give us a chance in the juvenile court."

I say, give that court a chance to act as it was intended to do, with an adequate number of judges. In this way, I believe the Congress will discharge its responsibility to the District of Columbia.

The CHAIRMAN. The gentleman from Georgia has 10 minutes in which to close debate.

Mr. JAMES C. DAVIS. Mr. Chairman, I yield 10 minutes to the distinguished gentleman from Virginia [Mr. SMITH].

Mr. SMITH of Virginia. Mr. Chairman, I think we are having a lot of conversation here about matters that are not too vital. Everybody, I think, knows we need improvement in the juvenile court of the District of Columbia. We have a bill before us that is a product of about 2 years of careful investigation, hearings and study by some of the ablest Members of the House of Representatives. They have come up with a report from a subcommittee in which the people who heard the evidence and know the facts right down to the ground have submitted that report and 10 out of 12 of

that subcommittee signed this report. Does that mean anything to Members who are trying to correct the situation that everybody knows is very evil here? What the opponents of this bill propose to do is merely to add two members to the court and not even undertake to deal with the serious problems in the present law, without which you cannot hope to cure this evil. To merely add some more judges without changing the law and correcting the evil is just like putting a shin plaster on a cancer—and what you have here in Washington is a cancer. I hear a lot of sob stuff about "Don't do anything to these poor innocent children that you bring into court." I do not hear much sobbing about the victims. Who has said a word here in defense of these people who find it unsafe to walk on the streets of Washington after sundown—women who are yoked and women who are dragged into alleys and raped by these criminal youths? Has anybody stood up here today and defended these unfortunate victims? Are you just going to put this little shin plaster on of adding some more judges and so let this situation go from bad to worse? I have been seeing all this stuff in the Washington Post and in the Washington Star. I happened to read a great sob story in the Washington Post on Saturday morning. When I turned the pages of my newspaper, I found what had happened the night before. I hope you take this situation seriously. I am going to read to you what happened in one evening in Washington. These are juvenile cases and most of them are between 17 and 18 years of age, youths who know what they are doing; many of them are hardened criminals. Yet, there is no way of reaching them. You sit here and sob about taking care of the poor little innocent children who are hauled into court for some slight misdemeanor. Are you going to let this condition remain when it is getting worse every day? Let me tell you what happened on Saturday night in Washington, D.C., while the Washington Post and the Washington Star were screaming "Oh, please protect the poor little innocent children who are brought into the juvenile court." Here is what I read in the newspaper.

Here is the case of a lady, secretary to an embassy. She was 37 years old. She was robbed on the highways of Washington right in front of 2435 15th Street NW., in the heart of your city. And who did it? The youth was described as a Negro 15 or 16 years old, 5 feet 10, thin build, and so forth.

Here is the case of a woman robbed of a purse by a youth. Irene Cranshaw robbed by youth of $3 in the fourth-floor hall of her apartment house. Who did it? He is described as a youth, as a slim Negro about 5 feet 8 inches tall, and so forth.

I know it is not nice to talk about the color of these people; I just accidentally did it.

Here is a man who lost $150 in a yoking robbery. James Jackson was robbed. Three of them approached him from the rear. They were from 15 to 17 years old. Oh, these poor innocent children that you have got to protect. It is just too bad.

Are you going to abide this thing forever? And that is what you are going to have to do if you just put a shin plaster on this cancer that is eating into the heart of the city and making it a jungle of criminality.

Here is the case of a lady 61 years old, mauled on the streets of Washington and robbed of her purse. The assailants were youths 15 to 17 years of age. Poor innocent children hauled into court. And when they get into court and confess their crimes these courts will say, "Well, now, we cannot take that as evidence because children are not given to telling the truth."

Are you going to put up with it forever after these men have worked hard for 2 years to try to correct the situation? The thing to do is to pass this bill as it is, let it go to conference, and let the conferees decide what changes are needed. I do not care whether you bring in two, three, or six judges; judges alone are never going to cure this situation in Washington.

Woman, 65, robbed of shopping bag and $8. The assailant was about 18 years of age. Three of them assailed her, grabbed her, and robbed her.

Woman, 55, loses purse to thief.

That is not the docket for a week or a month; that is the docket for 1 night, last Friday night here in Washington where the papers and do-gooders are screaming, screaming not to do anything to these poor innocent children. For God's sake let us do something about it.

The CHAIRMAN. The time of the gentleman from Virginia has expired, all time has expired. The Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Juvenile Court Act of the District of Columbia is amended to read as follows:

"(a) There is hereby created in the Municipal Court for the District of Columbia a Juvenile Court Branch.

"(b) Two judges of the Municipal Court for the District of Columbia shall, during their tenure of office, serve as judges of the Juvenile Court Branch but the chief judge of the court may, if he finds the work in the Juvenile Court Branch will not be adversely affected thereby, assign any judge of the Juvenile Court Branch to perform temporarily the duties of any other judge of the court. The chief judge of the court may, if in his opinion the work of the Juvenile Court Branch requires such assignment, assign any other judge of the court to serve temporarily in the Juvenile Court Branch.

"(c) The judges of the Juvenile Court Branch, with the approval of the chief judge of the court, shall have authority to appoint and remove a director of social work, and a supervisor of probation.

"SEC. 2. The purpose of this Act is to secure for each child under the jurisdiction of the Juvenile Court Branch such care and guidance, preferably in his own home, as will best serve the child's welfare and the public interest of the District of Columbia; to conserve and strengthen the child's family ties whenever possible, removing him from the custody of his parents only when his welfare or the safety and protection of the public cannot be adequately safeguarded without such removal; and, when such child is removed from his own family, to secure for him custody, care, and discipline as nearly as possible equivalent to that which should have been given by his parents.

"SEC. 3. This Act shall be liberally construed to accomplish the purpose herein sought.

"SEC. 4. (a) Except as otherwise specifically provided, this Act shall apply to any person under the age of sixteen years—

"(1) Who has committed any act which would constitute a violation of any law; or who has violated any ordinance or regulation of the District of Columbia; or

"(2) Who is habitually beyond the control of his parent, custodian, or guardian; or

"(3) Who is habitually truant from school or home; or

"(4) Who habitually so deports himself as to injure or endanger himself or the morals or safety of himself or others; or

"(5) Who is abandoned by his parent, guardian, or custodian; or

"(6) Who is homeless or without adequate parental support or care, or whose parent, guardian, or custodian neglects or refuses to provide support and care necessary for his health or welfare; or

"(7) Whose parent, guardian, or custodian neglects or refuses to provide or avail himself of the special care made necessary by his mental condition; or

"(8) Who associates with vagrants, vicious, or immoral persons; or

"(9) Who engages in an occupation or is in a situation dangerous to life or limb or injurious to the health or morals of himself or others.

"(b) As used in this Act—

"(1) The words 'Juvenile Court Branch' mean the Juvenile Court Branch of the Municipal Court for the District of Columbia;

"(2) The word 'judge' means a judge of the Juvenile Court Branch;

"(3) The word 'child' means a person under the age of sixteen years;

"(4) The word 'adult' means a person sixteen years of age or older.

"(c) This Act shall not apply to any person with respect to whom a judge of the Juvenile Court Branch shall have once waived jurisdiction under section 12 of this Act.

"SEC. 5. (a) Except as otherwise provided in this Act, the Juvenile Court Branch shall have original and exclusive jurisdiction of all cases and in proceedings:

"(1) Concerning any child coming within the terms and provisions of this Act.

"(2) Concerning any person under seventeen years of age charged with having violated any law, or violated any ordinance or regulation of the District of Columbia, prior to having become sixteen years of age, subject to appropriate statutes of limitation.

"(3) To determine the custody or guardianship of the person of any child coming within the provisions of this Act.

"(4) Concerning the following types of traffic violations by a child:

"(A) Operating vehicle under influence of alcohol or narcotics.

"(B) Leaving after colliding.

"(C) Reckless driving.

"(D) Negligent homicide.

"(E) Operating vehicle without permit.

"(F) Obtaining permit by misrepresentation.

"(G) Any traffic violations committed in conjunction with a criminal or quasi-criminal offense.

"(b) Nothing contained herein shall deprive other courts of the right to determine the custody of children upon writs of habeas corpus, or when such custody is incidental to the determination of causes pending in such courts.

"(c) When jurisdiction shall have been obtained by the Juvenile Court Branch in the case of any child, such child shall continue under the jurisdiction of the court

until he becomes twenty-one years of age unless discharged prior thereto: *Provided, however*, That nothing herein contained shall affect the jurisdiction of other courts over offenses committed by such child after he reaches the age of sixteen.

"SEC. 6. Whenever any person shall give information in his possession that a child is within the provisions of this Act, such information shall first be presented to the corporation counsel or his assistant who shall determine whether a petition can be filed under this Act. If a determination is made that a petition can be filed, it shall be the duty of a duly designated officer of the court to make the preliminary investigation to determine whether the interests of the public or of the child require that further action be taken and to report his finding, together with a statement of facts, to the director of social work. Whenever practicable such inquiry shall include a preliminary investigation of the home and environmental situation of the child, his previous history, and the circumstances which were the subject of the information. If the director of social work finds that jurisdiction should be acquired, he shall, after consultation with and approval by the corporation counsel or assistant corporation counsel assigned to the court, authorize a petition to be filed. In any case in which said director fails to so find, the corporation counsel or his assistant may authorize a petition to be filed. The proceedings shall be entitled, 'In the matter of , a child under sixteen years of age'. The petition shall be verified by the officer making the investigation, or some other person having personal knowledge of the case, and shall allege briefly the facts which bring said child within the provisions of this Act, and stating the name, age, and residence (1) of the child; (2) of his parents; (3) of his legal guardian, if there be one; (4) of the person or persons having custody or control of the child; and (5) of the nearest known relative, if no parent or guardian can be found. If any of the facts herein required are not known by the petitioner the petition shall so state.

"SEC. 7. In case a summons issued by the Juvenile Court Branch cannot be served, or the parties served fail to obey the same, or the welfare of the child requires that he shall be brought forthwith into the custody of the court, a warrant may be issued against the parent or guardian or against the child himself.

"SEC. 8. (a) Whenever any officer takes a child into custody, he shall, unless it is impracticable or has been otherwise ordered by the court, accept the written promise of the parent, guardian, or custodian to bring the child to the court at the time fixed. Thereupon such child may be released in the custody of a parent, guardian, or custodian. If not so released, such child shall be placed in the custody of a probation officer or other person designated by the court, or taken immediately to the court or to a place of detention provided by the Board of Public Welfare, and the officer taking him shall immediately notify the Juvenile Court Branch and shall file a petition when directed to do so by the court.

"(b) In the case of any child whose custody has been assumed by the Juvenile Court Branch and pending the final disposition of the case, the child may be released in the custody of a parent, guardian, or custodian, or of a probation officer or other person appointed by the court, to be brought before the court at the time designated. When not released as provided in this Act, such child, pending the hearing of the case, shall be detained in such place of detention as shall be provided by the Board of Public Welfare, subject to further order of the Juvenile Court Branch.

"(c) Nothing in this Act shall be construed as forbidding any peace officer, police officer, or probation officer from immediately taking into custody any child who is found violating any law or ordinance, or who is reasonably believed to be a fugitive from his parents or from justice, or whose surroundings are such as to endanger his health, morals, or safety, unless immediate action is taken. In every such case the officer taking the child into custody shall immediately report the fact to the Juvenile Court Branch and the case shall then be proceeded with as provided in this Act. No such child shall be held in such place of detention for any period longer than five days, excluding Sundays and holidays, unless the judge shall order such child detained for a further period.

"SEC. 9. If during the pendency of a criminal or quasi-criminal charge against any person under seventeen years of age, in any court other than the Juvenile Court Branch, it shall be ascertained that said person was under the age of sixteen years at the time of committing the alleged offense, it shall be the duty of such court to transfer such other case immediately, together with all the papers, documents, and testimony connected therewith, to the Juvenile Court Branch if such child is otherwise subject to this Act. The court making such transfer shall order the child to be taken forthwith to the place of detention designated by the court or to that court itself, or release such child in the custody of some suitable person to appear before the Juvenile Court Branch at a time designated. The Juvenile Court Branch shall thereupon proceed to hear and dispose of such case in the same manner as if it had been instituted in the Juvenile Court Branch in the first instance.

"SEC. 10. If a child fifteen years of age is charged with an offense which would amount to either a misdemeanor or a felony in the case of an adult, or any child charged with an offense which if committed by an adult is punishable by death or life imprisonment, judge of the Juvenile Court Branch may, after full investigation, waive jurisdiction and order such child held for trial under the regular procedure of the court which would have jurisdiction of such offense if committed by an adult.

"SEC. 11. A hearing conducted under this Act may be conducted in an informal manner, and may be adjourned from time to time. The general public may, in the discretion of the court, be admitted to the hearing of any case involving a child charged with an offense which would amount to a felony in the case of an adult if such child was fourteen years of age or older at the time of the commission of such offense. In the hearing of any other case the general public shall be excluded and only such persons as have a direct interest in the case and their representatives shall be admitted, except that the judge, by rule of court or special order, may admit such other persons as he deems to have a legitimate interest in the case or the work of the court. All cases involving children may be heard separately and apart from the trial of cases against adults. The court shall hear and determine all cases of children without a jury. If the Juvenile Court Branch shall find that the child comes within the provisions of this Act, it may by order duly entered proceed as follows:

"(1) Place the child on probation or under supervision in his own home or in the custody of a relative or other fit person, upon such terms as the court shall determine.

"(2) Commit the child to the Board of Public Welfare; or to the National Training School for Boys if in need of such care as is given in such school; or to a qualified suitable private institution or agency willing and able to assume the education, care, and maintenance of such child without expense to the public.

"(3) Make such further disposition of the child as may be provided by law and as the court may deem to be best for the best interests of the child. Nothing herein shall be construed as authorizing the removal of the child from the custody of his parents unless his welfare and the safety and protection of the public cannot be adequately safeguarded without such removal.

"SEC. 12. (a) Whenever a child is committed by the Juvenile Court Branch to custody other than that of its parent, the court may, after giving the parent a reasonable opportunity to be heard, adjudge that such parent shall pay in such manner as the court may direct such sums as will cover in whole or in part the support of such child, and if such parent shall willfully fail or refuse to pay such sum, he may be proceeded against as provided by law for cases of desertion or failure to provide subsistence.

"(b) Whenever the Juvenile Court Branch shall commit a child to any institution or agency, it shall transmit with the order of commitment a summary of its information concerning such child.

"(c) No adjudication upon the status of any child in the jurisdiction of the Juvenile Court Branch shall operate to impose any of the civil disabilities ordinarily imposed by conviction, nor shall any child be deemed a criminal by reason of such adjudication, nor shall such adjudication be deemed a conviction of a crime. The disposition of a child or any evidence given in the Juvenile Court Branch shall not be admissible as evidence against the child in any case or proceeding in any other court, nor shall such disposition, or evidence or adjudication operate to disqualify a child in any future civil-service examination, appointment, or application for public service under either the Government of the United States or of the District of Columbia.

"SEC. 13. (a) An order of commitment or probation made by the Juvenile Court Branch in the case of a child shall be subject to modification or revocation from time to time.

"(b) A parent, guardian, or next friend of a child who has been committed by the Juvenile Court Branch to the custody of an institution, agency, or person, may at any time file with the court a verified petition, making application for modification or revocation of an order of commitment or probation, stating that such institution, agency, or person has denied application for the release of the child or has failed to act upon such application within a reasonable time. If the Juvenile Court Branch is of the opinion that an investigation should be had, it may, upon due notice to all concerned, proceed to hear and determine the question at issue. It may thereupon order that such child be restored to the custody of its parent or guardian or be retained in the custody of the institution, agency, or person; and may direct such institution, agency, or person to make such other arrangements for the child's care and welfare as the circumstances of the case may require; or the court may make a further order or commitment.

"SEC. 14. Whenever in the course of a proceeding instituted under this Act it shall appear to the Juvenile Court Branch that the welfare of a child will be promoted by the appointment of a relative or other suitable individual as guardian of its person, when such child is not committed to an institution or to the custody of an incorporated society, the court shall have jurisdiction to make such appointment either upon the application of the child or some relative or next friend or upon the court's own motion, and in that event an order to show cause may be made by the court to be served upon the parent or parents or custodian of said child in such manner and for such time prior to the hearing as the Juvenile Court Branch may deem reasonable. In a

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case arising under this Act the court may also determine as between parents whether the father or the mother shall have the custody and control of said child.

"SEC. 15. In placing a child under any guardianship or custody other than that of its parent, the Juvenile Court Branch shall, when practicable, select a person, or an institution or agency governed by persons of like religious faith as that of the parents of such child, or in case of a difference in the religious faith of the parents, then of the religious faith of the child, or if the religious faith of the child is not ascertained, then of either of the parents.

"SEC. 16. Proceedings in cases against adults under this Act may be instituted in the Municipal Court for the District of Columbia upon complaint of an interested party or upon the court's own motion, and a reasonable opportunity to appear shall be afforded the respondent. The court may issue a summons, a warrant of arrest, or other process in order to secure or to compel the attendance of any necessary person. Any person who by act or omission willfully causes, encourages, or contributes to any condition which would bring a child within the provisions of this Act, or who by such act or omission tends to cause such a condition, shall be guilty of a misdemeanor and punished by a fine not exceeding $200 or imprisoned not exceeding 12 months, or by both fine and imprisonment; however, nothing in this sentence shall be construed to require that proceedings be initiated against any child by reason of such condition. Upon the trial of such cases the Municipal Court for the District of Columbia shall have power to impose such sentence as the law provides, or may suspend sentence and place on probation, and by order impose upon such adult such duty as shall be deemed to be for the best interests of the child or other persons concerned. If an adult is charged with an offense for which he is entitled to a trial by jury, he shall be so tried unless he shall expressly waive his right to such a trial.

"SEC. 17. (a) The supervisor of probation, under the director of social work, shall organize, direct, and develop the work of the probation department of the Juvenile Court Branch.

"(b) The probation department of the Juvenile Court Branch shall make such investigations as the court may direct, keep a written record of such investigations and submit the same to the judges or deal with them as he may direct. The probation department shall use all suitable methods to aid persons on probation and bring about improvement in their conduct and condition; keep informed concerning the conduct and condition of each person under its supervision and report thereon to the court as it may direct and keep full records of its work. The probation officers shall have such duties as may be assigned to them in the course of performing the functions of the probation department. Probation officers for the purpose of this Act shall have the power of police officers.

"SEC. 18 The Juvenile Court Branch may cause any child coming under its jurisdiction to be examined by a physician, psychiatrist, or psychologist appointed by the court. To the maximum extent practicable, such examinations shall be conducted by physicians, psychiatrists, or psychologists employed by other agencies of the Government of the District of Columbia.

"SEC. 19. (a) No child under 16 years of age who is otherwise subject to this Act shall be placed in or committed to any prison, jail, or lock-up, nor shall such child be taken into custody, detained, or transferred from place to place, where he may be brought in contact or communication with any adult convicted of crime or under arrest and charged with crime. A child 14 years of age or older, whose habits or conduct are deemed such as to constitute a menace to other children, may, with the consent of a judge or the director of social work, be placed in a jail or other place of detention for adults, but in a room or ward separate from adults.

"(b) The Board of Public Welfare of the District of Columbia shall make adequate provision for the temporary detention of children within its jurisdiction in a detention home or in boarding homes selected for purposes of such detention.

"SEC. 20. (a) The Juvenile Court Branch shall maintain records of all cases brought before the court. Such records shall be withheld from indiscriminate public inspection but shall be open to inspection only by respondents, their parents or guardians and their duly authorized attorneys, and by any institution or agency to which a child may have been committed pursuant to section 11 of this Act. Such records may, pursuant to rule of court or special order of the court, be inspected by other interested persons, institutions and agencies. As used in this subsection, the word 'records' includes notices filed with the court by arresting officers pursuant to section 8 of this Act, the court docket and entries therein, the petitions, complaints, information, motions and other papers filed in any case, transcripts of testimony taken in any case tried by the Juvenile Court Branch and findings, verdicts, judgments, orders and decrees, and other writings filed in proceedings before that court, other than social records.

"(b) The records made by officers of the court pursuant to sections 6 and 17 of this Act, referred to in this section as social records, shall be withheld from indiscriminate public inspection, except that such records or parts thereof shall be made available by rule of the Juvenile Court Branch or special order of the Juvenile Court Branch to such persons, governmental and private agencies, and institutions as have a legitimate interest in the protection, welfare, treatment, and rehabilitation of the child, and to any court before which any such child may appear. A judge may also provide by rule or special order that any such person or agency may make or receive copies of such records or parts thereof. No person, agency, or institution which has received records or information under this section may publish or use them for any purpose other than that for which they were received.

"(c) It shall be unlawful, except for purposes for which records, parts thereof, or information therefrom have been released pursuant to this section or except for purposes thereafter permitted by special order of the Juvenile Court Branch, and in accordance with any applicable rules of the Juvenile Court Branch, for any person or persons to disclose, receive, or make use of, or authorize, knowingly permit, participate in, or acquiesce in the use of any information concerning any juvenile before the Juvenile Court Branch, directly or indirectly derived from the records, papers, files, or communications of the Juvenile Court Branch, or acquired in the course of the performance of official duties.

"(d) Any person or persons who shall violate subsection (c) of this section shall be guilty of a misdemeanor, and upon conviction thereof, be punished by a fine of not more than $100 or by imprisonment for not more than ninety days, or by both. Prosecutions for violations of subsection (c) of this section shall be brought in the name of the District of Columbia in the Municipal Court for the District of Columbia by the Corporation Counsel or any of his assistants.

"(e) Notwithstanding any other provision of this section all of the records of any case (including the social records) involving a child charged with an offense which would amount to a felony in the case of an adult may, in the discretion of the court, be open to public inspection if such child was fourteen years of age or older at the time of the commission of such offense.

"SEC. 21. The Chief Judge of the Municipal Court for the District of Columbia shall have power to provide for the issuance of all necessary orders and writs in aid of the jurisdiction vested by this Act in the Municipal Court for the District of Columbia, and to frame and publish rules and regulate the procedure for cases arising under this Act. All such rules shall be enforced and construed beneficially for the remedial purposes of this Act.

"SEC. 22. It is hereby made the duty of every official of the District of Columbia or department thereof to render all assistance and cooperation within his or its jurisdictional power which may further the objects of the Act. All institutions or agencies to which the court sends any child are hereby required to give to the Juvenile Court Branch or to any officer appointed by it such information or reports concerning such child as the court or officer may require. The Juvenile Court Branch is authorized to seek the cooperation of all societies or organizations having for their object the protection or aid of children.

"SEC. 23. The District of Columbia is hereby made a party to all proceedings in the Juvenile Court Branch. The Corporation Counsel or his assistant shall present all cases within the jurisdiction of the Juvenile Court Branch involving a child and shall prosecute all cases within the jurisdiction of the Juvenile Court Branch in which an adult is charged with a crime.

"SEC. 24. Any person who willfully violates, neglects, or refuses to obey or perform any order of the Juvenile Court Branch may be declared in contempt and be punished by a fine not exceeding $200 or imprisonment for not more than 6 months, or both.

"SEC. 25. Except as provided in the Act entitled 'An Act to authorize the official reporters of the municipal court for the District of Columbia to collect fees for transcripts and for other purposes', approved July 18, 1947 (Public Law 201, Eightieth Congress), no fee shall be charged for any service rendered by the clerk or by any officers of the Juvenile Court Branch.

"SEC. 26. In all cases tried before the Juvenile Court Branch, the judgment of the court shall be final, except as provided in section 7 of the Act entitled 'An Act to consolidate the Police Court of the District of Columbia and the Municipal Court of the District of Columbia, to be known as "The Municipal Court for the District of Columbia", to create "The Municipal Court of Appeals for the District of Columbia", and for other purposes', approved April 1, 1942, as amended (D.C. Code, sec. 11-772).

"SEC. 27. This Act may be cited as the 'Juvenile Court Act of the District of Columbia'."

SEC. 2. The first paragraph under the center heading "THE MUNICIPAL COURT FOR THE DISTRICT OF COLUMBIA" in the Act entitled "An Act to consolidate the Police Court of the District of Columbia and the Municipal Court of the District of Columbia, to be known as 'The Municipal Court for the District of Columbia', to create 'The Municipal Court of Appeals for the District of Columbia', and for other purposes", approved April 1, 1942 (D.C. Code, sec. 11-752), is amended to read as follows:

"The court shall consist of eighteen judges appointed by the President with the advice and consent of the Senate, one of whom shall be designated by the President as chief judge."

SEC. 3. Subsection (a) of section 4 of the Act entitled "An Act to consolidate the Police Court of the District of Columbia and the Municipal Court of the District of Co-

lumbia, to be known as 'The Municipal Court for the District of Columbia', to create 'The Municipal Court of Appeals for the District of Columbia', and for other purposes", approved April 1, 1942, as amended (D.C. Code, sec. 11-755), is amended by adding "(1)" immediately after "SEC. 4. (a)" and by adding at the end of such subsection the following:

"(2) The Municipal Court for the District of Columbia shall have original and exclusive jurisdiction to determine cases of adults charged with willfully contributing to, encouraging, or tending to cause by any act or omission any condition which would bring a child within the provisions of the Juvenile Court Act. The Municipal Court for the District of Columbia shall have concurrent jurisdiction with the District Court of the United States for the District of Columbia in all cases arising under the Act entitled "An Act making it a misdemeanor in the District of Columbia to abandon or willfully neglect to provide for the support and maintenance by any person of his wife or of his or her minor children in destitute or necessitous circumstances", approved March 23, 1906.

SEC. 4. That section 113 of the Act entitled "An Act to establish a Domestic Relations Branch in the Municipal Court for the District of Columbia, and for other purposes", approved April 11, 1956 (D.C. Code, sec. 11-769), is amended by striking out "Juvenile Court" each place it appears therein and inserting in lieu thereof at each such place "Juvenile Court Branch of the Municipal Court for the District of Columbia".

SEC. 5. (a) The first sentence of section 3 of the Act entitled "An Act relating to children born out of wedlock", approved January 11, 1951 (D.C. Code, sec. 11-951), is amended to read as follows: "The Municipal Court for the District of Columbia is hereby given jurisdiction of all cases arising under this Act."

(b) Section 5 of such Act of January 11, 1951 (D.C. Code, sec. 11-953), is amended by striking out "at the juvenile court".

(c) The second sentence of subsection (b) of section 11 of such Act of January 11, 1951 (D.C. Code, sec. 11-959), is amended by striking out "The juvenile court of the District of Columbia" and inserting in lieu thereof "The Municipal Court for the District of Columbia".

(d) The first sentence of subsection (a) of section 13 of such Act of January 11, 1951 (D.C. Code, sec. 11-961), is amended by striking out "The juvenile court of the District of Columbia" and inserting in lieu thereof "The Municipal Court for the District of Columbia".

(e) Subsection (c) of section 13 of such Act of January 11, 1951 (D.C. Code, sec. 11-961), is amended by striking out "The juvenile court of the District of Columbia" and inserting in lieu thereof "The Municipal Court for the District of Columbia".

SEC. 6. The Act entitled "An Act to provide for the suspension of the imposition or execution of sentence in certain cases in the Municipal Court for the District of Columbia and in the Juvenile Court of the District of Columbia", approved June 18, 1958 (D.C. Code, sec. 11-968), is amended to read as follows:

"That in all cases of the Municipal Court for the District of Columbia, such court shall have the power upon conviction to suspend the imposition of sentence or to impose sentence and suspend the execution thereof, if it should appear to the satisfaction of the court that the ends of justice and the best interests of the public and of the defendant would be served thereby. In each case of the imposition of sentence and the suspension of the execution thereof, the Municipal Court may, in its discretion, place the defendant on probation as provided by the Act of June 25, 1910 (36 Stat. 864), as provided in section 16 of the Juvenile Court Act, as provided by the first section of the Act entitled 'An Act making it a misdemeanor in the District of Columbia to abandon or willfully neglect to provide for the support and maintenance by any person of his wife or of his or her minor children in destitute or necessitous circumstances', approved March 23, 1906, as amended (D.C. Code, sec. 22-903), or as provided by section 7 of Article I of the Act entitled 'An Act to provide for compulsory school attendance, for the taking of a school census in the District of Columbia, and for other purposes', approved February 4, 1925 (D.C. Code, sec. 31-207), as the case may be."

SEC. 7. The proviso under the side heading "JUVENILE COURT" under the center heading "COURTS" in the Act entitled "An Act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June thirtieth, nineteen hundred and eleven, and for other purposes", approved May 18, 1910 (D.C. Code, sec. 22-906), is hereby repealed.

SEC. 8. Section 927 of the Act entitled "An Act to establish a code of law for the District of Columbia", approved March 3, 1901, as amended (D.C. Code, sec. 24-301), is amended by striking out "the juvenile court of the District of Columbia" each place where it appears therein and inserting in lieu thereof at each such place "the Juvenile Court Branch of the Municipal Court for the District of Columbia".

SEC. 9. Clause (2) of section 405 of the District of Columbia Law Enforcement Act of 1953 (D.C. Code, sec. 24-106) is amended by striking out "the juvenile court of the District of Columbia" and inserting in lieu thereof "the Juvenile Court Branch of the Municipal Court for the District of Columbia".

SEC. 10. Section 26 of the Act entitled "An Act to regulate the employment of minors within the District of Columbia", approved May 29, 1928 (D.C. Code, sec. 36-228), is amended to read as follows:

"SEC. 26. The Municipal Court for the District of Columbia is hereby given jurisdiction in all cases arising under this Act."

SEC. 11. The last paragraph under the subheading "JUVENILE COURT" under the heading "COURTS AND PRISONS" in the Act entitled "An Act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenue of such District for the fiscal year ending June 30, 1930, and for other purposes", approved February 25, 1929 (D.C. Code, sec. 47-116), is hereby repealed.

SEC. 12. (a) (All of the functions of the Juvenile Court of the District of Columbia as in effect immediately prior to the effective date of this section which are not otherwise transferred in this Act to the Juvenile Court Branch of the Municipal Court for the District of Columbia are hereby transferred to such Juvenile Court Branch.

(b) All of the property, records, and unexpended balances of appropriations, allocations, and other funds (available or to be made available) of the Juvenile Court of the District of Columbia are hereby transferred to the Juvenile Court Branch of the Municipal Court for the District of Columbia.

SEC. 13. (a) The Judge of the Juvenile Court of the District of Columbia holding office on the effective date of this section shall serve as a judge of the Juvenile Court Branch of the Municipal Court for the District of Columbia until the expiration of the term for which he was appointed to the Juvenile Court and until his successor is appointed and qualified.

(b) All other personnel of the Juvenile Court of the District of Columbia, together with their positions, are hereby transferred to the Juvenile Court Branch of the Municipal Court for the District of Columbia.

(c) Subject to other provisions of this section, each person who is transferred to the Juvenile Court Branch under subsection (b) of this section shall remain subject to the civil service laws, rules, and regulations which would have been applicable to him if his transfer had not occurred, shall remain in the competitive civil service, and shall retain his status, tenure, rights, and benefits therein, including rights and benefits under the Veterans' Preference Act of 1944, as amended (5 U.S.C. 851 and following), and section 6 of the Act of August 24, 1912, as amended (5 U.S.C. 652), so long as he continues to hold in the Juvenile Court Branch the position which he held immediately prior to such transfer or so long as he holds, without break in service of one workday or more, a position in the Juvenile Court Branch the duties of which are substantially the same (as determined by the United States Civil Service Commission) as the duties of the position which he held immediately prior to such transfer. Except as provided in subsection (d) of this section, on and after the date on which such person no longer holds any such position, such person shall be subject to section 3 of the Act of April 1, 1942 (D.C. Code, sec. 11-754) to the same extent as other personnel of the Municipal Court for the District of Columbia.

(d) Section 12 of the Veterans' Preference Act of 1944, as amended (5 U.S.C. 861), relating to reduction in personnel, and paragraph (3) of subsection (b) of section 6 of the Act of August 24, 1912, as amended (5 U.S.C. 652(b)(3)), relating to payment of compensation to persons restored to duty after removal or suspension in a reduction in personnel, shall apply with respect to each employee in the Juvenile Court Branch (whether an employee in such Branch by reason of his transfer under subsection (b) of this section or otherwise) in the same manner and to the same extent as such provisions of law apply to employees in the competitive civil service.

(e) Subsections (c) and (d) of this section shall not be in effect on and after January 1, 1977.

SEC. 14. Each case or proceeding in the Juvenile Court of the District of Columbia on the effective date of this section shall be transferred to the Juvenile Court Branch of the Municipal Court for the District of Columbia. The Juvenile Court Act of the District of Columbia, as amended by this Act, shall apply to all offenses committed before the date of enactment of this section, except that where any person is charged with an offense committed before such date and at or before the time he is required to plead to the charge, he submits to the court, or branch thereof, as applicable, in which he otherwise would be tried for such offense a request therefor, (1) the age limitation in effect immediately prior to the date of enactment of this section shall apply to such offense, in lieu of the age limitation established by the amendments made by this Act; (2) sections 10 and 11 of the Juvenile Court Act of the District of Columbia, as in force immediately prior to such date of enactment shall apply to such offense, in lieu of such sections as amended by this Act; and (3) subsection (e) of section 20 of the Juvenile Court Act of the District of Columbia shall not apply with respect to such offense.

SEC. 15. The Commissioners of the District of Columbia shall establish a uniform system of reporting statistics relating to crimes (including both felonies and misdemeanors) which result in any action by the Municipal Court for the District of Columbia or the United States District Court for the District of Columbia. Such uniform system shall be designed so as to provide all information relevant to determining the effectiveness of the methods in dealing with juvenile and adult crime in the District of Columbia.

SEC. 16. The first sentence of subsection (a) of section 7 of the Act entitled "An Act

ferred from place to place, where he may be brought in contact or communication with any adult convicted of crime or under arrest and charged with crime. A child 14 years

"(e) Notwithstanding any other provision of this section all of the records of any case (including the social records) involving a child charged with an offense which would

SEC. 3. Subsection (a) of section 4 of the Act entitled "An Act to consolidate the Police Court of the District of Columbia and the Municipal Court of the District of Columbia

ndant on probation as provided by the Act of June 25, 1910 (36 Stat. 864), as provided in section 16 of the Juvenile Court Act, as

(c) Subject to other provisions of this section, each person who is transferred to

SEC. 16. The first sentence of subsection (a) of section 7 of the Act entitled "An Act

to consolidate the Police Court of the District of Columbia and the Municipal Court of the District of Columbia, to be known as 'The Municipal Court for the District of Columbia' to create 'The Municipal Court of Appeals for the District of Columbia', and for other purposes", approved April 1, 1942 (D.C. Code, sec. 11-772), is amended to read as follows: "Any party aggrieved by any final order or judgment of The Municipal Court for the District of Columbia, may appeal therefrom as of right to The Municipal Court of Appeals for the District of Columbia."

SEC. 17. Sections 2 and 14 of this Act shall take effect on the date of enactment of this Act, and the remainder of this Act shall take effect on the day after the date of its enactment.

Mr. JAMES C. DAVIS (interrupting the reading of the bill). Mr. Chairman, I ask unanimous consent that the bill be considered as read and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. MULTER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MULTER: Strike out all after the enacting clause and insert in lieu thereof the following: "That section 19 of the Juvenile Court Act of the District of Columbia, approved June 1, 1938, as amended (D.C. Code, sec. 11-920), is amended to read as follows:

"'Appointment, Qualifications, Oath, and Salary of Judges

"'SEC. 19. (a) The juvenile court of the District of Columbia shall consist of three judges learned in the law and appointed by the President, by and with the advice and consent of the Senate. Each judge appointed after the date of the enactment of this subsection shall serve for a term of ten years or until his successor is appointed and qualified.

"'(b) To be eligible for appointment as judge of the juvenile court a person must (1) have been a member of the bar of the District of Columbia for a period of five years preceding his appointment, (2) during a period of ten years immediately preceding his appointment, have been a resident of the District of Columbia or of the metropolitan area of the District for at least five years, of which not less than three years shall immediately precede his appointment, and (3) have a broad knowledge of social problems and procedures and an understanding of child psychology. For the purpose of this subsection the term "metropolitan area of the District" means Montgomery and Prince Georges Counties in Maryland and Arlington and Fairfax Counties and the cities of Alexandria and Falls Church in Virginia. Each judge shall, before entering upon the duties of his office, take the oath prescribed for judges of the courts of the United States.

"'(c) The President shall designate one of the judges to be the chief judge of the juvenile court. The chief judge shall be responsible for the administration of the court. During the temporary absence or disability of the chief judge, the associate judge of the juvenile court designated by the chief judge or acting chief judge of the United States District Court for the District of Columbia shall be responsible for the administration of the court. The salary of the chief judge shall be equal to the salary of the chief judge of the municipal court for the District of Columbia, and the salary of each associate judge shall be equal to the salary of an associate judge of the municipal court for the District of Columbia.'

"SEC. 2. The judge of the juvenile court of the District of Columbia who, on the date of the enactment of this Act, is occupying the position of judge created by the Juvenile Court Act of the District of Columbia, approved June 1, 1938, shall continue in office and shall be deemed to be occupying one of the three positions of judge provided for by section 19 of such Act, as amended by the first section of this Act, until the term for which he was appointed shall expire and his successor is duly appointed and qualified. Such judge shall be entitled to compensation in accordance with the provisions of section 19 of the Juvenile Court Act of the District of Columbia as amended by the first section of this Act

"SEC. 3. (a) Section 20 of the Juvenile Court Act of the District of Columbia is amended by striking out 'death of the' and inserting in lieu thereof 'death of any.'

"(b) Sections 3 and 27 of such act are amended by striking the word 'judge' wherever it appears therein and inserting in lieu thereof the word 'judges'.

"(c) Sections 22 and 24 of such act are amended by inserting the word 'chief' immediately before the word 'judge' wherever the same appears therein.

"(d) Sections 5, 13, 26, and 36 of such act are amended by striking out 'the judge' wherever it appears in such sections and inserting in lieu thereof 'a judge'.

"(e) Section 23 of such Act is amended (1) by striking from the second sentence 'the judge' and inserting in lieu thereof 'a judge'; and (2) by striking out 'the judge as he may direct and keep full records of its work', and inserting in lieu thereof 'the court as it may direct and such department shall keep full records of its work'.

"(f) Subsection (b) of section 28 of such Act is amended by striking out 'The judge may also provide by rule or', and inserting in lieu thereof 'The court may also provide by rule or a judge may provide by'.

"(g) Section 42 of such Act is amended by striking out 'judge and other'.

"SEC. 4. Section 21 of the Juvenile Court Act of the District of Columbia is amended by striking the word 'judge' and inserting in lieu thereof the word 'court'.

"SEC. 5. The Juvenile Court Act of the District of Columbia is amended by adding at the end thereof the following new section:

"'SEC. 45. The chief judge or the acting chief judge of the juvenile court shall submit to the Attorney General of the United States and to the President of the Board of Commissioners of the District of Columbia a detailed quarterly report of the work of the court, such report to be made within thirty days of the end of the quarter, and to include the number of juvenile and adult cases heard, the number of juvenile and adult cases calendared, the number of juvenile and adult complaints filed, the number of juvenile cases closed without court hearing, moneys collected for fines and support of legitimate and illegitimate family members, and such other information as may reflect the court's operation and volume of work. A copy of such report shall be kept in the office of the clerk of the court and be subject to public inspection during the regular hours that the court shall be open for business.'

"SEC. 6. Wherever in any laws of the United States reference is made to the judge of the juvenile court of the District of Columbia such reference shall be construed to mean any judge of such court."

Amend the title of the bill so as to read: "A bill to provide for the appointment of two additional judges for the juvenile court of the District of Columbia."

Mr. MULTER (interrupting the reading of the amendment). Mr. Chairman, I ask unanimous consent that the reading of the amendment be dispensed with, and that it be printed in the RECORD, in view of the fact it is identical with the bill S. 486 which passed the other body and was before the committee throughout its consideration.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MULTER. Mr. Chairman, as I indicated in making my unanimous-consent request, this amendment seeks to substitute for the bill H.R. 6747 the Senate bill S. 486, which passed the other body in the exact same form in the 86th Congress, if I recall correctly, unanimously, and again in the first session of this Congress, also unanimously. I believe it was reported unanimously by the District Committee of the other body. That body then acted in accordance with that recommendation and passed the bill providing for the addition to the Juvenile Court of the District of Columbia of two additional judges, making three in all; and, providing further, that one of the judges shall be designated by the President as chief judge of the juvenile court with all the powers and responsibilities for administering the court, thus meeting one of the objections to the present manner in which the juvenile court has been operating. It will have a presiding judge who will act as the administrative officer. We will have two judges assisting him in disposing of the court's business. I trust that if and when we implement this bill after it is passed by both Houses of Congress and signed by the President, we will then get an effective juvenile court in the District of Columbia.

There is not any doubt in my mind that every last Member of this body, every last Member of this Congress is concerned about the juvenile delinquency in the District and is concerned about the crime rate in the District. We are all sincerely concerned with doing something about it.

But crying for the victims of the criminals, whether they are juveniles or adults, does not solve the problem. We can solve a part of the problem if we add to the court the two additional judges which are required in order to properly transact its business. Destroying the juvenile court will not do the job. Transferring jurisdiction to the criminal courts or to the municipal court of the District will not do the job.

If you will refer to the majority report of the committee, you will find them saying that the way to solve this problem is to have a good juvenile court with enough manpower to do the job. The majority of the District Committee who are opposed to my substitute, all agree that we need more judges and that we need more manpower in the juvenile court. I suggest that while they are acting in the best of faith and most sincerely, their approach is wrong. The proper approach is that of the 10 members of the District Committee who took the minority view that you should not transfer jurisdiction to the municipal court. They urge instead the passage of the bill passed by the other body implementing this court so that it can do the job that is required of it.

I am not going to take the time to cite statistics to you. If you will look at the statistics on crime in the District, you will find there is as much or more crime that is committed by adults as by juveniles. There is an increase of crime in the District, and while there is some increase in juveniles committing crimes, there is also a great increase in adults committing crimes; this is a situation we have all over the country.

What we are trying to do here now is save the juvenile who can be saved. Remember, there is nothing in the bill we are offering as a substitute that takes away from the juvenile court its right to waive jurisdiction to the criminal court of any child over 16 years of age when the judge of the juvenile court says that that child is a hardened criminal and should be treated as a criminal. But, if the juvenile is a first offender before the court, whether he be 14, 15, 16, or 17, if there is a chance of rehabilitating that child, boy or girl, the only way to do it is through the juvenile court.

There is no State, no jurisdiction in the country that has set up juvenile courts that seeks to retreat from that position.

All insist that the juvenile court approach is the only proper approach if you are going to try to rehabilitate these children; always having in mind, however, that when you are dealing with a hardened criminal, child or adult, there is the criminal court to deal with him.

So, I beg of you to support my amendment and substitute S. 486 for the pending bill. Try this at least until the President's Commission on Juvenile Delinquency comes in with its report.

If that report should indicate that juvenile courts are not the way to handle these problems, I would be the first one to say that the gentleman from Georgia [Mr. JAMES C. DAVIS] is right. But, every judge in the District, every lawyer of every association who has had anything to do with the matter recommends the approach of the substitute. I suggest we are safe in following that method. This is particularly so because the very judges of the municipal court say they do not want this jurisdiction. They say leave it where it is.

I urge adoption of my amendment.

Mr. JAMES C. DAVIS. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I previously called attention to the fact that the Commissioners of the District of Columbia, who are certainly more familiar with the needs of the various courts in this District than any other group or body, have concurred in the recommendation of the Committee on the District of Columbia that the provisions of this bill providing for one additional judge for the juvenile court will give all the relief which is needed.

Now, you have had a lot of statements here of manufactured and artificial propaganda against H.R. 6747 and in favor of the Senate bill. It is easy to get that kind of propaganda; we are all familiar with it. I daresay there is nobody in the United States, no group in the United States more familiar with pressure tactics than the members of this committee.

Now, let me emphasize to you that the committee bill has the support of the citizens of the District of Columbia. In addition the one-judge provision is being supported by the Commissioners. This entire bill has the support of the citizens of the District of Columbia who must bear the brunt of the rapes, the robberies, the assaults, and the violent crimes committed by these young thugs and hoodlums.

Mrs. Harvey W. Wiley, who has had a long and active life in the District of Columbia, having been the president and leader of at least 12 organizations, a member of the Washington Association for Criminal Justice, and the Citizens' Crime Commission, appeared representing the Kalorama Citizens' Association. She advised the committee that on June 13, 1961, the citizens' association endorsed H.R. 6747 at a special board of directors meeting. She also advised that similar action was taken by a special board of directors meeting of the Women's City Club on July 10, 1961.

Mrs. Margaret A. Fisher testified representing the Washington Council of Citizens' Associations. The council is composed of 10 individual citizens' associations. Mrs. Fisher advised the committee of the council's approval of H.R. 6747 at their June 14, 1961, meeting.

Mrs. Ernest W. Howard, vice chairman of the Legislative Committee of the District of Columbia Federation of Women's Clubs, which has more than 6,000 members, testified that the federation had for the third successive time affirmed its position on the lowering of age limit of juveniles from 18 to 16, and recommended passage of H.R. 6747.

Mrs. Howard stated, and I quote her language:

> We in the Federation of Women's Clubs in 1955 endorsed the lowering of the age from 18 to 16. We believe that after 16, you are no longer a juvenile. We think that a 6-footer or 5-footer at 16 who is old enough to rape a woman is old enough to be tried as an adult.
>
> On April 24, 1961, we reaffirmed our stand on the lowering of the age limit.
>
> The women in the District—and even the men now—are afraid to go in the street at night. Women's organizations have had to change their meeting times to daytime. Women will not walk 2 blocks after the sun is down.
>
> Now we are even afraid to meet two girls on the street together. It used to be just the boys.
>
> We believe there should be punishment commensurate with the crime and we think that there is no juvenile capable of raping a woman. Juvenile facilities are for rehabilitation and not for punishment.

Mr. Grover M. Koockogey, president of the Kalorama Citizens' Association, supported passage of H.R. 6747, and told the subcommittee:

> This bill is an intelligent effort to solve the problem in the best possible way—transfer judges from the other court to help out until the docket is current. While not lacking in compassion for juvenile delinquents, it is gratifying to note that it also shows some compassion for the forgotten men and women, the District of Columbia taxpayers.

Mr. COHELAN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in warm support of the amendment offered by the gentleman from New York; an amendment which would take the constructive and urgently needed step of adding two additional judges to the juvenile court in the District of Columbia.

Mr. Chairman, a look at the continually rising juvenile population in the District—a figure which has increased by 50 percent between 1940 and 1950 alone; the increasing incidence of juvenile delinquency across our country; and the mounting backlog of cases before the District's single juvenile court judge—a backlog which now stands at over 2,200 cases—makes it very clear that the time has come for the Congress to act. The time has come, however, not to destroy the juvenile court but to strengthen it; the time has come to provide it with the additional judges which are essential so that it can accomplish the vital purposes for which it was created.

For years this juvenile court in the District of Columbia has labored under a workload of cases too enormous to be handled adequately by one man. This court, as a matter of fact, has been forced to get along with one judge ever since it was first founded in 1906, despite a threefold increase in the District's population.

Recently three independent studies of the District's juvenile court each have come to the conclusion that additional judges are mandatory if the court is to accomplish its proper functions. One of these studies was conducted by the District Council on Law Enforcement; a second by the Justice Department, United Community Services and the Department of Health, Education, and Welfare; and the third study by a task force under the leadership of C. Aubrey Gasque of the U.S. court's administrative office. The Gasque task force points out with particular clarity that the backlog of cases and the unfortunate delays which exist in the court today—delays which seriously interfere with the court's effectiveness—cannot be coped with successfully until additional judgepower is provided to move the cases along.

Last year the National Council on Crime and Delinquency published standards to measure adequate staffing of juvenile court benches, and on each of the three criteria used the District was found to be sorely lacking in judicial manpower. Where the Council found that the ratio of police juvenile contacts to judges should be 2,300 to 1, in Washington it is 6,671 to 1, or 3 times as much. Where the Council indicated that each juvenile court judge should hear 875 cases a year, in 1961 the present judge in the District of Columbia heard 3,141 cases, in addition to making 1,650 ex parte decisions. And third, where the Council recommended that a community should have 1 juvenile court judge for every 43,800 children within its jurisdiction, the number of juveniles 18 and under in the District of Columbia is

nearly 220,000 or fully 5 times as many as 1 judge should be expected to handle.

Finally, how does our Nation's Capital compare to other American cities? A survey completed recently of the 12 largest cities in this country revealed that Washington is the only city having a juvenile court with adult jurisdiction, yet staffed by a single judge with no referees. In other words, our National's Capital is at the bottom of the list in providing justice for its children in terms of adequate judgepower, and we who are responsible for this condition should feel no satisfaction until it is rectified.

Mr. Chairman, these studies make it clear that our amendment to provide two additional judges for the District's juvenile court is reasonable; they make it clear that rather than destroying the District's juvenile court we should strengthen it; and they make it clear that the best way to diminish the present caseload—a step which is absolutely essential to the control of juvenile delinquency in our Nation's Capital—is to provide two additional judges and to provide them now.

Mr. Chairman, I urge my colleagues to weigh these arguments carefully, and to support this constructive and urgently needed amendment.

Mr. KYL. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the gentleman from Iowa is not so much concerned with the impression made by the marble and concrete and cherry trees in the Nation's capital as he is with the juveniles and adults who live in this city and the rest of the Nation. And he is considerably worried that because of the gross oversimplification of this problem today, since we have spent this entire afternoon talking about the delinquency problems of the District, regardless of the outcome of the debate, we will think that we have done our job and the people of the District will think that they have done their job and from this point on we will have no more delinquency problem in the District of Columbia. I think we should be reminded that regardless of what we do here today we are going to continue to have a serious delinquency problem in the District of Columbia.

First of all, we are going to have to change some statutes. We are going to have to take traffic cases out of juvenile consideration. We are going to have to take these domestic cases out of juvenile court consideration. We are going to have to look at some other things. If you got 40 additional judges and put them in office tomorrow and took care of the backlog of cases next week, you would not have any place to put the offenders sentenced by the court. There are no adequate facilities for taking care of these youngsters today, even with this tremendous backlog.

We make a fine distinction between adults and juveniles and we say that there is some point where you can determine whether an individual is a juvenile or an adult. We have heard here today that it is unfair to the juvenile to place him in a detention home or a prison with mature adult individuals. This works both ways. Certainly, you can make a case for that point. But is it not also true, it is unfair to the 12- or 13- or 14- or 15-year-old youngsters to put them in a juvenile home with youngsters who have been experienced and hardened through 5 or 6 or 10 years of crime, having reached the age of 16 or 17? Believe it or not, Mr. Chairman, we have on the police records and court records of the District of Columbia a case in which a 17-year-old member of the U.S. Marine Corps was placed in the children's home because he was a juvenile. You see this works both ways when it comes to the effect of a 17 year old on those who are 12 or 13 or 14 years old or the effect of a 20-year-old on one who is 17 years of age. Who knows the answer? I certainly do not know the answer, and I do not presume to make the decision on all these problems.

It is a little hard to believe, however, if while the District of Columbia has been losing population and the delinquency in the District of Columbia has increased, to say we have an effective juvenile court. I think it might be said if the brand of justice does not improve with 5 or 10 or 15 judges, there is no solution, apparently, in a simple addition to the court. There is a great danger that we put all of our faith in some particular area like increasing the number of judges in the court.

Because we find on this occasion the eyes of this community focused on the House of Representatives, Mr. Chairman, I would simply like to suggest one of the possibilities which I think is more important than the matter of the number of judges. What we need here more than anything else is 400 or 500 or 1,000 or 1,500 volunteer probation officers selected by the schools and the police and the courts and social workers so that we can assign a youngster in a certain block to a volunteer probation officer who lives in that block. We can give the volunteer 10 nights or 15 nights or 20 nights of training, properly planned. We could call these people back for refresher courses so that then we could prevent this proposition which finds over 50 percent of youngsters referred to the juvenile court are repeaters.

Mr. Chairman, I am not an attorney. I have spent considerable time in reviewing the juvenile situation in the District. I have visited the court unannounced. I have been with the police and I have talked to these youngsters who are juveniles and I can say with conviction that under the rules, as we know them today, the average 15-, 16-, and 17-year-old youngster who violates the law in the District of Columbia very definitely lacks a respect for the law because he does not think he is going to have to suffer any consequences for his actions.

The CHAIRMAN. The time of the gentleman has expired.

Mr. AUCHINCLOSS. Mr. Chairman, I rise to ask the chairman if there is any chance of setting a time limit on this debate.

Mr. JAMES C. DAVIS. I would like to ascertain how many desire to be heard on this amendment. I think in view of the number who have indicated a desire to be heard we should proceed for a while.

Mr. WHITENER. Mr. Chairman, I rise in opposition to the substitute.

The CHAIRMAN. The gentleman from North Carolina is recognized.

Mr. WHITENER. Mr. Chairman, something has been said about the juvenile court and its operation here in the District and how it would be such a tragedy to upset it. As far as our subcommittee was able to learn, this is the only juvenile court in America which has jury trials for juveniles. So, actually what the bill which we originally were considering would do would be to get this court on the path that others are on.

My friend from New York [Mr. MULTER] talked about adequate judicial manpower and we all agree that the manpower must be increased. That, of course, is true. Actually we are trying to do more than the gentleman from New York, because we are saying that this juvenile court should be a branch or a division of the municipal court of the city and that all of the judges of the municipal court would from time to time be subject to assignment to the juvenile branch.

If I may say to the gentleman, we are offering more than they have asked for. I know they say this requires some special type of capability on the part of judges; but, my friends, there are Federal district judges all over the country who are today trying criminal cases in Federal courts who never practiced criminal law prior to going on the bench. We have judges in the Federal courts trying admiralty cases who never tried an admiralty case before as a lawyer. We must assume something which our friends of the opposition are not willing to assume, and that is that the judiciary of the District of Columbia consists of a group of able lawyers who are able to carry out the functions assigned to them.

Mr. MULTER. Mr. Chairman, will the gentleman yield?

Mr. WHITENER. If the gentleman will permit me to finish my statement I shall be pleased to yield.

I have here before me the report of the Metropolitan Police Department, Youth Aid Division, for the fiscal year 1961. The reason I sent for it was that one of my good friends of the opposition today talked about the increase in population among this juvenile group in the District and that that accounted for the ascendancy of the crime rate by that age group.

According to this report by the Police Department of the District, on July 1, 1959, the adult child population—that is children between 7 and 17 years—in the District of Columbia was estimated at 127,529. On April 1, 1960 this population had dropped to 114,462. So, contrary to the argument of my friend from New York [Mr. MULTER] in this population group there is actually a loss experienced of some 13,000.

The same report contains some other interesting figures about crime in the District: Part I offenses, as denominated by the department, include homicide, rape, robberies, attempted robberies,

housebreaking, attempted housebreaking, grand larceny, petty larceny, automobile theft, and so forth.

In 1961, according to the Police Department, the 16-year-olds in the District of Columbia committed 477 part I offenses, and the 17-year-olds committed 364 or a total 841 of these part I offenses.

Let me read to you from this report:

> The age of 16 years leads all others in the committing of part I offenses. This is a change as age 17 was dominant in 1959 and 1960.

So you see, for a 3-year period, the more serious offenses in the District of Columbia were committeed in greater proportion by the 16- and 17-year-olds than any other age group in the District.

Mr. PUCINSKI. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the substitute amendment. I wish to call attention of my colleagues here today to the fact that we are in effect sitting here in sort of a concurrent role; we are sitting as Members of Congress representing our respective districts and at the same time we are sitting as members of a city council dealing with matters of the District of Columbia itself.

We are therefore, in effect, being asked by the committee which urges our support of its bill to turn the clock back on a program that has worked well in most of our own individual congressional districts. I happen to represent a district in Cook County, Ill., which pioneered the concept of juvenile courts. The first juvenile court in America was established in Cook County, Ill., and it has worked well over the years.

We are in effect being asked here by the committee to do something in the District of Columbia that I seriously doubt many Members of Congress would agree to in their own respective districts, namely to dissolution of the juvenile court. I heard the gentleman from New York, author of the substitute amendment, cite the record of the juvenile court of the chairman's own district. It is a fine record and I doubt if the chairman who is urging support of the committee bill to transfer jurisdiction of the juvenile court in the District of Columbia to the municipal court would ever advocate similar action in his own State.

It would seem to me, then, that we should, as long as juvenile courts have worked well throughout the country, give the people of the District of Columbia the same consideration, as long as we have this responsibility as Members of Congress setting in judgment over problems effecting the District of Columbia. The people of the District do not have home rule, they cannot meet these problems themselves; therefore, they must come before this body for assistance.

With all due respect to the distinguished chairman of the Rules Committee, who cited here a list of crimes committed in the District on one single night by juveniles, I daresay that that testimony here today by the distinguished gentleman from Virginia merely attests to the wisdom of this House last year when we appropriated $30 million to once and for all see if we could find an answer to what it is that causes this rising tide among juveniles in the area of crime.

The simple changing of the law from a juvenile court to a municipal court is not the panacea for the problem. We are being asked today to turn away from a time-tested system of juvenile courts which have worked well throughout the Nation and return jurisdiction over juvenile offenders to the municipal court. I say, Mr. Chairman, that the wiser method is to approve the substitute amendment which would give the District juvenile court two additional judges who could help clear up the existing backlog here and then exert all our effort toward finding the real solution to juvenile crime; an answer that communities throughout America are earnestly seeking.

Recently I had occasion to discuss this problem of juvenile crime with the warden of one of our great prisons. He pointed out to me an inscription taken from an Egyptian tomb 2,000 years ago showing how the youth of that era was corrupt and disrespectful of authority. This warden said that they had this problem 2,000 years ago and we have it today. He said the problem has baffled civilization for 2,000 years and that we need not expect to find a solution now. This is a most regrettable attitude.

We have made progress in every single field of human endeavor—we paid tribute today to Colonel Glenn for his great accomplishment, in space exploration—and yet our society has not been able to find the answer to this mounting problem of juvenile delinquency. I feel confident an answer will be found. But, that is not the issue before us here today. The issue today is, Are we going to turn back the clock, or are we going to help strengthen the court that was created for the purpose of dealing with these juvenile criminals and give this court the help and the assistance that it needs and then see if we cannot find an overall solution dealing with this problem of juvenile crime all over the country? It is for this reason that I hope the Congress will support the substitute amendment and not turn back the clock here for the people in the District of Columbia. We would not do it in our own respective districts which we represent here in the Congress; why should we approach the problems of the District of Columbia in any lesser manner?

Mr. MULTER. Mr. Chairman, will the gentleman yield?

Mr. PUCINSKI. I yield to the gentleman from New York.

Mr. MULTER. I think it should be noted here that the judges of the municipal court themselves say that this jurisdiction of the juvenile court should not be transferred to that court, and surely if those judges say they cannot do the job or even if they were unwilling to do the job, this Congress should not foist upon that great court the jurisdiction that belongs to the juvenile court.

Mr. DOWDY. Mr. Chairman, I move to strike out the last word.

Mr. WHITENER. Mr. Chairman, will the gentleman yield?

Mr. DOWDY. I yield to the gentleman from North Carolina.

Mr. WHITENER. I would just like to point out to the Members that our dear friend from Illinois has commended his juvenile court, and according to the information we have, in Illinois a child 10 years of age or over may be waived to the adult court, so this bill would not be nearly as drastic as the Illinois law.

Mr. DOWDY. Mr. Chairman, I had not thought that I would speak on this proposal. I sat on the committee that wrote the bill and had something to say about what went in it. Many of my suggestions were favorably considered.

Now, we listened to the people from Washington come before our subcommittee during the hearings, and they wanted something done. I am not talking about the sob sisters and leftwing organizations which do not ever want anything done. Washington has a serious problem. We on the subcommittee and on the Committee on the District of Columbia felt that it was our duty to try to do something to help them. Of course, we have been presented here today with the argument that the only problem is the lack of judge power and that the intent of this bill is to do away with the juvenile court. That is a false statement on its face, and if anybody takes the trouble to read the bill, he will be convinced otherwise. We do not destroy the juvenile court. We do not tell the judges of the municipal court that they have to try juvenile cases. We merely make an additional branch in the municipal court to try these juvenile cases, letting the chief justice of the municipal court preside over these two additional judges that are made a branch of the municipal court. The committee bill is not a destruction of the juvenile court.

The point is this: At the hearing on this bill, the Police Department of the District came along with the other people who wanted something done to protect themselves from these thugs, rapists, hoodlums, and yokers that make it dangerous for the citizens here or visitors being on the street at night and sometimes in the daytime.

The Police Department told us that more judge power will not solve the problem, that the law needs to be changed; that the present law in the District of Columbia has been a miserable failure and they wanted something done about it.

Mr. Chairman, this bill is written to attempt to remedy that situation. The complaint was made by one of the speakers in support of the substitute that the juvenile court has adult jurisdiction. The bill that has been brought here by the committee does away with that, and turns that adult jurisdiction over to another court, and takes it out of the juvenile branch. It does not belong in the juvenile branch anyway.

Mr. Chairman, I had some experience in my life as a prosecutor with juvenile cases. Mention was made that we would not do something here that we would not do in our own States. I will guarantee the Members of the House that none of of us would vote in our own State to

have such a law as they have here, where a 20-year-old man can be brought in and tried as a juvenile for an offense which he has committed. You cannot do anything except give him a sentence to the reformatory until he is 21 years old. Take a rapist who evades arrest and is not caught until he is past 20 years old. Under the present District law, you would have to try him as a juvenile, and the greatest punishment that could be inflicted, regardless of the aggravated nature of the case, would be only a few months in the reformatory. We would not pass a law like that in any of our States. That is one of the things which is remedied here.

Mr. Chairman, this bill as presented by the committee is not going to solve the problems here in Washington, D.C. They have grown too long. But it will go a long way further than just adding some more judges. Any bill we pass is not going to solve all of the problems here because these sob sisters and left-wing organizations are not going to let you solve it. The problem could be solved if they would keep their mouths shut. Then we could bring some men in here to Washington that wanted to enforce the law, and be permitted to enforce it without being jerked up, based upon the complaints made against them, and tried for offenses for trying to enforce the law.

Mr. Chairman, I believe six men with courage and this legislation alone could go a long way toward solving the problems here in Washington, D.C., and they could still keep their 2,500 policemen, or whatever the number is. Let these folks do all of their complaining about them. I believe the people of the United States of America are entitled to better protection in their Nation's Capital, and I know that the responsible people living in the District desire to be protected in their lives, persons, and properties. If this House fails to do its duty, then may I say the guilt is not on the hands of our committee and subcommittee, which wrote this bill after hearing and advice from experts in the field.

Mr. SANTANGELO. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the motion.

Mr. Chairman and Members of the House, I support the amendment because I feel it better solves the problem which disturbs all of us in our individual districts, and throughout the United States. In 1955 I had the good fortune of being a member of a joint commission to study youth and juvenile delinquency in the State of New York. We made a very exhaustive study. Our conclusions are not the conclusions of the committee. This bill proposed by the committee and which the amendment would correct would prevent the boys and girls from the age of 16 to 18 to be treated as juvenile delinquents. Now, what does it mean for a person to be treated as a juvenile delinquent as opposed to being treated as a criminal? In those cases where violence is used, those cases where a crime of very serious proportion is committed, I can go along with the committee and I say the offenders should be tried as adults and punished severely for what they have done. But the great majority of cases committed by persons between the ages of 16 and 18 are misdemeanor offenses. What are misdemeanor offenses? They are simple assaults. What is a simple assault? It is a fight between two people. A person hits somebody a little too hard, gets into a fist fight, and if he is between the ages of 16 and 18 he must be treated as an adult criminal. What does petty larceny mean, except a little thievery? And what does larceny mean? It means stealing. Now, it might involve under $100, but the offender between 16 and 18 years of age is going to be treated as an adult criminal. We are aware of the number of people who are engaged in shoplifting. This is a very serious thing, but one of the consequences of classing the act under the committee bill is that the offender is treated as a criminal. Of the 3,225 cases in the juvenile court in fiscal year 1961, only about 450 were major crimes.

All the others were of lesser gravity. What happens when a person is convicted of a crime or when he is convicted of a misdemeanor instead of being convicted of juvenile delinquency? He is marked as a criminal. We find in the present situation that people are being treated as criminals where the crimes are serious. And yet when they are not serious and are misdemeanors they are treated as criminals.

Mr. Chairman, do you realize that under our system of government when a person has once been convicted of a crime as opposed to a conviction for juvenile delinquency, he may not get a job in the postal service? There are 2 million people who work in Civil Service. If conviction for juvenile delinquency were considered equivalent to conviction for a crime he could not work there. Such a man could not get a job as a barber, he could not get a job as a plumber. If he wanted to become a professional man, he could not become a doctor or a dentist or a lawyer. He could not work on the docks. He could not work as a plumber or anywhere where they require a license. He might not be able to get into the Army or Navy. He could not sell wines and beers if he had a grocery store. The effect of putting a label of criminal on a person is that he must carry it with him throughout his lifetime. You relegate him to menial employment or to a life of crime because he cannot make a living.

When you say that a person who commits a misdemeanor shall be treated as a criminal and not as a juvenile delinquent you are closing hope for him and not giving him a chance to move upward as a decent citizen. That is the viciousness of the proposal of the committee measure.

When you say that they shall stay in the juvenile court, then you are treating a person on an individual basis and you are not saying that everybody must be treated as a criminal. But if that person is a criminal, if he has an evil background then you can transfer him to the adult court.

As Judge Ketcham said, he directed 135 cases to be transferred to the District court. Attached to my remarks you will find a chart showing delinquency offenses for fiscal year 1961 in the District of Columbia.

Mr. Chairman, that is the essence of this amendment. The committee bill is a step backward. If we adopt the amendment, it will be a step forward. I ask in the name of humanity that we give these people who trespass once another chance for a decent life.

TABLE 4.—*Delinquency offenses, juvenile delinquency cases referred, by reason for referral, sex, and age group, fiscal year 1961*

Reason for referral	Total	Boys		Girls	
		Under 16	16 and over	Under 16	16 and over
Total	3,225	1,757	904	423	141
Arson	10	8	1	1	
Assault, aggravated	143	67	53	15	8
Assault, simple	191	96	82	8	5
Disorderly conduct	122	44	44	20	14
Drunkenness	33	3	24	4	2
Homicide	11	2	9		
Housebreaking, residence	215	151	51	9	4
Housebreaking, nonresidence	444	316	112	14	2
Larceny, grand ($100 and over)	37	28	6	2	1
Larceny, petit (under $100)	559	328	90	86	45
Property, damage or injury to	96	66	22	7	1
Purse snatching	87	48	38		1
Robbery	234	145	84	3	2
Sex offenses:					
Rape	9	4	5		
Carnal knowledge	37	18	19		
Indecent act on minor	5	2	3		
Indecent exposure	7	5	2		
Prostitution	3			1	2
Sodomy	10	7	3		
Other	12	4	4	2	2
Unauthorized use of auto	232	81	148		3
Unlawful entry	89	58	27	4	
Weapons, possessing or carrying	29	15	13		1
Other misdemeanors	63	48	15		
Other felonies	29	13	11	3	2
Other delinquent acts:					
Beyond control of parents	351	106	20	182	43
Truancy from school	136	86		50	
All other	31	8	9	12	2

Mr. BOGGS. Mr. Chairman, I rise in support of the substitute.

Mr. Chairman, listening to the debate this afternoon one might get the impression that what was involved here was whether or not a Member who was on one side or the other favored or did not favor crime. I think it can be very well established that every Member of this body is for the suppression of crime, whether it be of a major nature or a minor nature. I think it can be established that every Member of this body regrets the commission of crime whether it happens in the District of Columbia, whether it happens in New York City, or in New Orleans, or in Atlanta or in Savannah, or wherever it may happen.

I might say in my own case recently, with members of my own committee, I helped draft probably one of the most severe criminal codes on the statute books, that one dealing with the possession and peddling of narcotics. As a matter of fact it is one of the few crimes which carries with it mandatory sentences which in some cases, despite the fact that no loss of life is involved, may include the death penalty.

But I believe that we are engaged here in a discussion which in many ways is not entirely pertinent to the issue. The issue is how to deal with the crime that exists—whether it shall be done through the well-established juvenile courts which have come about through years of study throughout the United States, or some other way. We have three juvenile court judges in my town and I know that there would be a tremendous uproar in the city of New Orleans if anyone suggested transferring the jurisdiction of that court to the criminal court which is a court that deals with adult crime.

The second question is whether or not there shall be a change in the jurisdiction of the court so far as age is concerned. It seems to me an examination of both issues resolves itself in favor of the substitute.

For instance, there is no city in the United States with a population comparable to the District of Columbia that has one juvenile court judge. Now you think about that. For this city of this size, there is one judge. This means that there is a backlog, I am informed, of about 2,500 cases. Now you talk about justice. Justice is a two-edged sword. It is not a one-edged sword. Justice demands that you give a man accused of a crime, whether he be a juvenile or not, a fair and a just and an equitable trial in due course. One can be denied justice just as effectively if his trial is delayed inadvertently from time to time as one is denied justice when his trial results in a miscarriage of justice. So I say the fact that there is a great backlog of cases results in injustice to many young men, some of whom may be worth salvaging.

Another point to consider is what has happened in other jurisdictions. I do not know of any place where we have one judge for that many cases. As I pointed out, in my town which has a population about the same as the District of Columbia, we have three judges.

Let us talk about the age limit for just a moment and compare that with the situation in other States in the Union. Thirty-four States out of fifty States have an age limit of 18 years, nine States have an age limit of 17 years. Seven States have an age limit of 16 years. But most of them have what they call intermediate jurisdiction which means that in cases involving persons between the ages of 16 and 18, the jurisdiction can be either in the juvenile court or in another court depending on the character of the offense. I believe that is basically the existing rule in the District of Columbia because I read that 105 cases have been transferred from the existing juvenile court to the municipal court.

So, it seems to me, the logical way to approach this problem is to use the established methods, methods which have been perfected by people who are interested in suppressing crime but who are also interested in salvaging young men and young women. I appeal to you, if you want to pursue a fair course, I think you will adopt the substitute offered by the gentleman from New York and supported by my colleague on the committee, the gentleman from Louisiana [Mr. MORRISON].

Mr. JAMES C. DAVIS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I have listened with much appreciation, as I always do, to the eloquent speech made by the gentleman from New York [Mr. SANTANGELO]. He has pointed out to us the dire consequences which would result, if the age limit were reduced here from 18 to 16 years. That eloquent speech, of course, would make a much deeper impression if he could say to us, "In my city of New York, the age is 18." But in the city of New York, the age is 16.

As a matter of fact, Mr. Chairman, it was reported to our subcommittee that the mayor of New York City in getting out a report on juvenile crime has recommended to the legislature that in some instances the age be reduced down from 16 to 15 years where certain crimes are involved.

Mr. Chairman, I listened also with great appreciation, as I always do, to the eloquent talk of the distinguished gentleman from Louisiana [Mr. BOGGS]. I would be much more impressed by that eloquent talk which he has given us in favor of the proposed amendment, if he could say, "In the State of Louisiana, the age is 18 years." But, in Louisiana the age is 17 years.

To get down to brass tacks, Mr. Chairman, the age limit is not something that can be handled on an across-the-board basis. The age limit in a juvenile court is something that should be evaluated and determined by the conditions which prevail in the area served by the juvenile court.

For that reason, and on that basis, the age limit in Baltimore is 16 years. I think it should be 16 years here; the subcommittee thinks that, and the majority of the full committee thinks that.

In New York City, which could be said to be comparable to the District of Columbia, the age is 16 years.

Mr. MULTER. Mr. Chairman, will the gentleman yield?

Mr. JAMES C. DAVIS. I yield.

Mr. MULTER. We have in New York City and New York State the Youth Correction Act.

Mr. JAMES C. DAVIS. I do not yield any further, Mr. Chairman. I know you have that, but we have in the District of Columbia a similar provision under which all youthful offenders even up to 20 years of age are tried—the Youth Correction Act, and you do not have anything that is better than the Youth Correction Act. These young offenders will be able to present their cases and to receive just as much clemency in the U.S. District Court as they would in any court in New York City, New Orleans, La., or anywhere else.

The truth of the business is that one judge additional is all that is needed here in the District of Columbia. This bill H.R. 6747 provides that one additional judge. It is in keeping with what the Commissioners of the District recommend; it is in keeping with what the 10-member subcommittee who worked on this bill month after month recommends.

My friend, the gentleman from Louisiana, pointed out on the floor that he is in favor of suppressing crime. It is kind of like the weather that Mark Twain wrote about, everybody talks about it, but nobody does anything about it. This subcommittee of the District Committee which is charged under the law with jurisdiction of these matters are the only people who are undertaking to do something about it.

Everybody, of course, wants crime suppressed, but talking about it is not going to suppress it. It can be suppressed only by intelligent application of the law to the conditions as they exist as developed in the hearings. That is what this committee is undertaking to do.

Mr. GROSS. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, I was interested to hear the gentleman from New York [Mr. SANTANGELO] talk about a little thievery. I do not know what a little thievery means.

Mr. SANTANGELO. Mr. Chairman, will the gentleman yield to be enlightened?

Mr. GROSS. I yield to the gentleman.

Mr. SANTANGELO. Of course, little thievery means petty larceny, the theft of $5, or 5 cents.

Mr. GROSS. Then "little thievery" is relative, but however relative it is still thievery, is it not?

I have listened to all the debate on this bill; I do not think I have missed a word; I have heard telegrams read and reread, but I have yet to find out how the ADA, the Americans for Democratic Action, stands on the gentleman's amendment.

Mr. MULTER. Would the gentleman like to be told? Will the gentleman yield to me?

Mr. GROSS. I yield to the gentleman.

Mr. MULTER. Strange as it may seem they stand in the same position as the veterans organization, the League of Women Voters, and others; they are for the Senate version.

Mr. GROSS. Where do you find that information?

Mr. MULTER. I will give it to you.

Mr. GROSS. Is it in the hearings?

Mr. MULTER. No, it is not in the hearings, but it is in the telegram which was received, I think, by every Member of the House.

Mr. GROSS. I received one of those telegrams, and the ADA is not listed, not that it make any serious difference to me. The thing that surprises me is that they have not gone on record on this bill. It is one of the few instances where they have failed.

Do I understand that the amendment will provide for the appointment of two additional judges?

Mr. JAMES C. DAVIS. The amendment, yes, would provide for two additional judges.

Mr. GROSS. While the gentleman is on his feet, does he think it will be a year, 2 years, or 5 years before they get the two additional judges?

Mr. JAMES C. DAVIS. I would not be able to answer that.

Mr. GROSS. We heard a lot about justice delayed is justice denied when the Federal judgeship bill was before the House, but I picked up a paper yesterday and found that 36 of the judges that the House authorized nearly a year ago have not been appointed. When could we expect to get these two additional judges—in a year or 5 years? Does anybody have any idea when we might expect them to be appointed so that the caseload could be relieved? Or will politics be played clear up to the hilt in the appointment of these judges, too?

Mr. FORRESTER. I would like to point out to the gentleman that the gentleman from New York cited some veterans' organizations that participated in this telegram. I wonder if he will be good enough to tell us what veterans' organizations there were? I would like to know if the American Legion is in that, or the Veterans of Foreign Wars.

Mr. MULTER. The American Veterans' Committee is in one of them.

Mr. FORRESTER. Give us some more.

Mr. MULTER. I have a communication from the American Veterans' Committee, and I have a communication from the Jewish War Veterans.

Mr. FORRESTER. I would like to know. I want to have it straight.

Mr. MULTER. There are three veterans' organizations—the American Legion, the Jewish War Veterans, and the American Veterans' Committee that support the substitute.

Mr. GROSS. But the American Legion and the Veterans of Foreign Wars are not included in that telegram?

Mr. MULTER. Not in this telegram.

Mr. GROSS. No.

Mr. FORRESTER. I know the names of the American Legion and Veterans of Foreign Wars do not appear in that telegram, and I seriously doubt that those or either of those organizations approve the substitute.

Mr. GROSS. The gentleman from Georgia is correct.

Mr. THOMPSON of New Jersey. Mr. Chairman, I rise in support of the position taken by my colleague, the gentleman from New York [Mr. MULTER].

The juvenile court of the District of Columbia was established in 1906 when Washington was indeed a relatively small community. It was started with one judge and one probation officer, and handled cases of all juveniles under the age of 17. In 1938, due to the work of enlightened professional groups in the field of law and family and child welfare, the statute was modernized so that the jurisdiction of the court was enlarged to include all children under 18 and also to include adult cases—paternity, nonsupport, and some crimes—which pertain to children.

Today, after some 56 years of progress, with the population of the city tripled, and with the court's jurisdictional limits greatly enlarged, the juvenile court of the District of Columbia still has only one judge. I cannot conceive that anyone would want to set progress back 50 years.

I find it difficult to accept the position taken by the gentleman from Georgia in his bill, H.R. 6747, which provides for a reduction of the age limit for juveniles from 18 to 16 years. This is inconsistent with the standards applied in 34 States including the great State of New Jersey. The age limit in these States is fixed at 18 years. Out of all the States in the Union, only seven have a 16-year age limitation for handling of juveniles in the specialized court. In fact, in some of the areas which have a 16- or 17-year age limitation—New York City and Baltimore—provision is made for a youth court with jurisdiction between the age of 16 and 21. The enlightened thinking on the subject clearly points to affording certain juveniles the opportunity of not being characterized as criminals. The proposals of the gentleman from Georgia would cause every child over the age of 16 to be treated as a criminal regardless of the nature of the offense committed. I am most emphatically opposed to any such proposal which would subject the youthful children of our Nation's Capital to more severe criminal treatment than children in 34 States of the Nation are spared.

For these reasons and other reasons I have heard today, I oppose the enactment into law of H.R. 6747, and wholeheartedly support the substitute proposal of the gentleman from New York. To me this is the only sensible way for this Congress to act; that is, support in its entirety the bill which our colleagues on the Senate side have passed.

Mr. RYAN of New York. Mr. Chairman, I am opposed to H.R. 6747 and will support the substitute which is similar to the bill approved by the other body.

The Senate bill has the advantage of simplicity and constructiveness. It would add two judges to the present independent juvenile court framework and give the court a real opportunity to perform effectively. On the other hand, H.R. 6747 would go far beyond the obvious problem of insufficient personnel and calendar congestion and make broad-scale changes in the jurisdiction and functions of juvenile court.

The Senate-approved bill is easy to summarize because it would simply provide for a three-judge juvenile court. The President will fill vacancies by and with the advice and consent of the Senate. New appointees would serve 10-year terms. The bill sets forth qualifications of appointees, relating to membership in the District of Columbia bar and residence in the Washington metropolitan area. Appointees must also possess "a broad knowledge of social problems and procedures and an understanding of child psychology."

As I have indicated, H.R. 6747 goes far beyond this manpower problem and makes several radical changes in the juvenile court system. It would transfer the functions of the juvenile court to a juvenile court branch of the municipal court. It would lower the age limit of juveniles falling within the mandatory jurisdiction of that branch from age 18 to age 16. There are other changes in this 31-page bill, but these two are the serious ones.

The reorganization of juvenile court as a part of municipal court is advocated on the theory that it will allow flexibility in the assignment of judges to juvenile court cases, making it easier to handle a large backlog of cases. However, the congestion problem can be met by adding additional juvenile court judges, not by throwing the problem into the lap of the municipal court.

The Justice Department in its letter to the committee criticizing almost every aspect of H.R. 6747 said this, and I quote:

> The experience of many of the larger cities has indicated that juvenile court judges should have specialized training and qualifications in the problems of juvenile delinquency and methods of rehabilitation of juvenile offenders. Familiarity with these matters and with desirable hearing procedures for juvenile offenders is not normally a qualification of the judges of the municipal court. Nor is a juvenile court judge likely to be better qualified for the work of the municipal court than a judge of that court is for the work of a juvenile court judge (hearings, p. 161).

We must consider more than the numbers problem of backlog and caseload. We must consider the human problem of rehabilitation, which the juvenile court is equipped to handle.

H.R. 6747 also seeks to reduce the age jurisdiction and move all 16- and 17-year-olds into the regular adult criminal processes of municipal court and Federal district court.

Under present law the juvenile court's jurisdiction extends up to age 18. The age-18 line holds in 34 States, the Federal Juvenile Delinquency Act of 1938, and in recommendations of the National Council on Crime and Delinquency and the National Council of Juvenile Court Judges. Present law also has an element of flexibility that H.R. 6747 would

destroy, inasmuch as aggravated cases involving juveniles may be waived from juvenile court to the adult forum.

Under present law the juvenile court judge is given the power to waive cases for adult criminal prosecution. In this way, attention can be given to a young person's age, his school and home background, his maturity, the nature of the alleged crime, any prior record, and other relevant matters. Over 100 cases a year were waived to regular criminal courts in each of the last 3 fiscal years. But H.R. 6747 does away with this discretionary power and, in effect, treats all youngsters 16 and 17 as adult criminals.

The vast majority of youthful offenders who commit minor offenses out of mischief or because of lack of proper guidance can be made into useful citizens if we extend our hand to them. H.R. 6747 says, as a matter of legislative judgment, that once a youngster reaches his 16th birthday, that hand shall not be extended.

I believe that we should extend and improve rehabilitation services, so that we can help those youngsters who can be helped back to a healthy life in society. Police Chief Murray back in June last year expressed the same view. After a broadcast on WTOP-TV's Cityside program, Chief Murray gave reporters the following example:

> Take a boy who has a good record but gets mixed up in a stolen car case. I don't think that boy should go straight to District court on a felony charge. I think he should have another chance. (Washington Post, p. B1, June 11, 1961.)

Mr. Chairman, there is hardly any dissent from the proposition that the juvenile court with its lone judge is understaffed. The committee report, House Report 1041, acknowledges this much. It's report begins with the words:

> The need for additional judicial power on the juvenile court of the District of Columbia has been recognized for a number of years. (H. Rept. 1041, p. 1.)

With that we can all agree. The report states:

> It is imperative that additional judicial manpower be provided (p. 3).

It seems to me that the Senate-approved bill is the proper route to take. It provides for the increased manpower, but does not include the reorganization and the revamped age limit—which are strongly opposed by nine members of the committee itself as well as most of the persons and groups interested in the field of juvenile rehabilition.

Let us remember we are legislating for our Nation's Capital. The juvenile court system we have is one of the oldest in the country, established by act of Congress in 1906. Senator DODD, chairman of the Senate Subcommittee To Investigate Juvenile Delinquency, has said:

> Reducing from 18 to 16 the age limit of juveniles coming before the new youth branch would subvert the original purpose of the juvenile court and put us right back where we stated 60 years ago. (Quoted in H. Rept. 1041, minority views, p. 24.)

Let us not go in that direction.

The Congress last year authorized a system of Federal grants to community projects to demonstrate effective methods of controlling youth delinquency. This session we will be considering youth employment opportunities legislation, which has been favorably reported from committees in both Houses. The approach of these bills involves trial and error, a testing of knowledge and method, and a sharing of know-how among communities. Enactment of H.R. 6747 would imply a lack of confidence in juvenile court and its rehabilitative approach.

This is a time to move forward and find new approaches to the question of juvenile delinquency. I urge the defeat of H.R. 6747.

Mr. HALPERN. Mr. Chairman, I ask unanimous consent that the gentlewoman from New York [Mrs. WEIS] may extend her remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mrs. WEIS. Mr. Chairman, I rise in opposition to H.R. 6747 and I urge that it be defeated.

I do not want to take the time of the House repeating the arguments which have already been advanced here today by those who, like myself, oppose enactment of H.R. 6747. It is wholly sufficient, I think, to point out, as my colleagues have already done, that this legislation is not supported by a single competent judicial or social welfare authority anywhere in the entire country.

I have always believed that it is the duty of society to temper justice with compassion. I find little compassion in this bill.

I am not willing, for the sake of economy, efficient administration or speed in handling cases—items which seem so important to the supporters of H.R. 6747—to sacrifice the potentially useful lives of youngsters who, with enlightened handling could take their proper places in this community.

But, say the sponsors of this bill, what about the innocent people who are the victims of attacks, yokings and robberies by youngsters? Have you no concern for them?

The answer, of course, is that I certainly do. As a woman I am deeply concerned about the safety and well-being of the women of Washington, and I agree that we on the House District Committee—and for that matter, the entire Congress—have a serious responsibility toward them.

But I do not believe that this bill represents either a constructive approach to the juvenile crime problem or additional protection for the citizens of Washington against juvenile offenses.

On the other hand, I do believe that the addition of two new judges to the juvenile court is a constructive step forward in coping with the delinquency problem and I support the proposal to add these judges.

In this connection, I might point out that in my own home city of Rochester, N.Y., a city not noted for juvenile crime, with a population of approximately 375,000, we now have two juvenile court judges and we are actively seeking to increase this number to four.

There is just one final point that I should like to make. I do not think that all of the provisions of H.R. 6747 are bad. Particularly objectionable to me is the effort to abandon the juvenile court as a separate and independent court, which would be a tragic mistake. I am also opposed to lowering the juvenile age from 18 to 16. But there are other provisions of this bill which are considerably more meritorious, and I would hope that in the future further consideration will be given to these provisions even if H.R. 6747 is defeated, as I think it should be.

By the same token, it is completely unrealistic to think that by simply retaining the court's present status and adding two new juvenile court judges we can forget about the juvenile crime problem in Washington. Thus, even if the amendment to add these two judges carries, as I earnestly hope that it will, I trust that this will be only the beginning, and not the end of our efforts to improve the operation of the juvenile court and to deal more effectively with the juvenile delinquency problem in the District.

Mr. BARRY. Mr. Chairman, I would like to go on record in favor of the substitute amendment to H.R. 6747. From the evidence that I have seen, and from the debate on the floor, there is no doubt that the amendment is clearly preferable to the bill itself on the major provisions.

In the first place, we find that H.R. 6747 would destroy the independent juvenile court in the District of Columbia, and establish instead an additional branch of the municipal court. However, the common experience of the separate States has led the majority of them to adopt the independent juvenile court approach, and testimony given on this bill has consistently shown the need for strengthening, not weakening, the juvenile court in the District.

The backlog of cases in the juvenile court has been and is a scandal. Even under normal conditions, the necessary safeguards and formalities of the law require a sufficiently long waiting period. Among the catalog of infirmities which man must endure on this earth, the law's delay is one for which no adequate remedy has yet been found. But to compound the law's delay with man's delay as has been done in the District is surely unnecessary and should not be allowed to continue. The addition of two additional judges, not inclusion in the municipal court, is what is needed. The substitute amendment would provide them.

The other provision of H.R. 6747 which I cannot support is the one which would lower the age for municipal court jurisdiction from 18 to 16. On this point, two sound arguments have been put forward by proponents of the substitute—namely the minor nature of most offenses committed by those in this age group and the experience which various States have had. One in seven cases handled in the juvenile court in fiscal year 1961 were major crimes. All others were of a lesser nature. To permanently

classify persons 16 and 17 years old with a criminal record for the committing of a variety of minor crimes is unnecessary and unwise. Second, we find that 34 of the 50 States set the age limit at 18, presumably because their experience has shown this to be preferable to a lower limit. I believe that 18 years is the proper figure.

Finally, we find that an overwhelming number of organizations, agencies, and groups who are concerned and involved with the problem are in favor of the substitute. Almost everyone, from the District Commissioners and the judges of the municipal court to the Federal Departments of Justice and Health, Education, and Welfare are in agreement that the foregoing provisions of H.R. 6747 are not in the best interests of the District. The substitute amendment deserves support.

The CHAIRMAN. The question is on the substitute amendment offered by the gentleman from New York [Mr. MULTER].

The question was taken; and on a division (demanded by Mr. JAMES C. DAVIS) there were—ayes 137, noes 112.

Mr. JAMES C. DAVIS. Mr. Chairman, I demand tellers.

Tellers were ordered, and the chairman appointed as tellers Mr. JAMES C. DAVIS and Mr. MULTER.

The Committee again divided, and the tellers reported that there were—ayes 141, noes 117.

So the amendment was agreed to.

Mr. JAMES C. DAVIS. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with an amendment, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. FLOOD, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 6747) to amend the Juvenile Court Act for the District of Columbia, had directed him to report the bill back to the House with an amendment, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

Mr. JAMES C. DAVIS. Mr. Speaker, I move the previous question on the bill and the amendment thereto to final passage.

The previous question was ordered.

The SPEAKER. The question is on the amendment.

Mr. JAMES C. DAVIS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 222, nays 142, answered "present" 1, not voting 70, as follows:

[Roll No. 22]

YEAS 222

Addabbo, Albert, Anfuso, Arends, Aspinall, Auchincloss, Avery, Ayres, Bailey, Baring, Barry, Bass, Tenn., Bates, Becker, Bennett, Fla., Blatnik, Boggs, Boland, Brademas, Breeding, Brewster, Bromwell, Brooks, Tex., Buckley, Burke, Ky., Burke, Mass., Byrnes, Wis., Cahill, Carey, Casey, Celler, Chelf, Church, Clancy, Clark, Coad, Cohelan, Conte, Corbett, Corman, Curtin, Curtis, Mo., Daddario, Dague, Daniels, Dawson, Dent, Denton, Derounian, Diggs, Dingell, Dominick, Donohue, Dooley, Doyle, Dulski, Dwyer, Ellsworth, Fascell, Fenton, Findley, Finnegan, Flood, Ford, Frelinghuysen, Friedel, Gallagher, Gary, Gavin, Gilbert, Glenn, Gonzalez, Goodling, Granahan, Gray, Green, Oreg., Green, Pa., Griffiths, Gubser, Hagen, Calif., Halleck, Halpern, Hansen, Harding, Hays, Healey, Hechler, Holifield, Holland, Inouye, Jennings, Joelson, Johnson, Calif., Johnson, Md., Johnson, Wis., Karsten, Karth, Kastenmeier, Kee, Kelly, Keogh, Kilgore, King, Calif., King, Utah, Kirwan, Kluczynski, Kowalski, Kunkel, Laird, Lane, Langen, Lankford, Latta, Libonati, Lindsay, McDonough, McDowell, McFall, Macdonald, Mack, Madden, Magnuson, Marshall, Mathias, May, Merrow, Miller, Clem, Miller, George P., Miller, N.Y., Milliken, Mitchell, Moeller, Monagan, Montoya, Moorehead, Ohio, Moorhead, Pa., Morgan, Morris, Morrison, Mosher, Moss, Multer, Murphy, Nedzi, Nelsen, Nix, Norblad, O'Brien, Ill., O'Hara, Ill., O'Hara, Mich., O'Konski, Olsen, O'Neill, Osmers, Ostertag, Patman, Perkins, Pfost, Philbin, Pike, Pirnie, Powell, Price, Pucinski, Purcell, Quie, Randall, Ray, Reuss, Rhodes, Pa., Riehlman, Rivers, Alaska, Rodino, Rooney, Roush, Rutherford, Ryan, Mich., Ryan, N.Y., St. Germain, Santangelo, Saylor, Schadeberg, Schenck, Schneebeli, Schwengel, Scranton, Seely-Brown, Shelley, Sheppard, Shipley, Shriver, Sisk, Slack, Smith, Iowa, Spence, Springer, Stafford, Stratton, Stubblefield, Sullivan, Teague, Tex., Thompson, La., Thompson, N.J., Thompson, Tex., Thornberry, Tollefson, Trimble, Udall, Morris K., Utt, Vanik, Vanik, Weis, Whalley, Wharton, Widnall, Willis, Wilson, Calif., Wright, Yates, Young, Zablocki, Zelenko

ANSWERED "PRESENT"—1

Tupper

NOT VOTING—70

Abbitt, Abernethy, Adair, Alexander, Alford, Alger, Andersen, Minn., Andrews, Ashbrook, Ashmore, Baker, Baldwin, Battin, Beckworth, Bell, Betts, Bolton, Bosmer, Bow, Boykin, Bray, Brown, Bruce, Cederberg, Chamberlain, Chenoweth, Chipperfield, Collier, Colmer, Cramer, Cunningham, Davis, James C., Davis, John W., Derwinski, Devine, Dole, Dorn, Dowdy, Downing, Durno, Elliott, Everett, Evins, Fisher, Flint, Forrester, Fountain, Frazier, Fulton, Garland, Gathings, Grant, Gross, Hagan, Ga., Haley, Hall, Hardy, Harris, Harrison, Va., Harrison, Wyo., Harvey, Ind., Harvey, Mich., Hemphill, Herlong, Hiestand, Hoeven, Hoffman, Ill., Horan, Hosmer, Huddleston, Hull, Ichord, Mo., Jensen, Jonas, Jones, Ala., Jones, Mo., Kearns, Keith, Kilburn, King, N.Y., Knox, Kornegay, Kyl, Landrum, Lennon, McIntire, McMillan, McSween, McVey, Mahon, Mailliard, Martin, Mass., Martin, Nebr., Matthews, Meader, Michel, Mills, Murray, Natcher, Norrell, Nygaard, Passman, Pelly, Pilcher, Poage, Poff, Rains, Reece, Reifel, Rhodes, Ariz., Rivers, S.C., Roberts, Tex., Rogers, Colo., Rogers, Fla., Rogers, Tex., Roudebush, Rousselot, St. George, Schweiker, Scott, Selden, Short, Sikes, Siler, Smith, Calif., Smith, Va., Stephens, Taber, Taylor, Teague, Calif., Thomson, Wis., Tuck, Van Pelt, Van Zandt, Waggonner, Watts, Westland, Whitener, Whitten, Williams, Winstead, Younger

NAYS—142

So the amendment was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Garmatz for, with Mr. Johansen against.

Mr. Fallon for, with Mr. Beermann against.

Mr. Davis of Tennessee for, with Mr. Moore against.

Mr. Farbstein for, with Mr. Burleson against.

Mr. Delaney for, with Mr. Walter against.

Mr. Toll for, with Mrs. Blitch against.

Mr. Curtis of Massachusetts for, with Mr. Tupper against.

Mr. Bass of New Hampshire for, with Mr. Hoffman of Michigan against.

Mr. Addonizio for, with Mr. Broyhill against.

Mr. Fogarty for, with Mr. Loser against.

Until further notice:

Mr. Hébert with Mr. Anderson of Illinois.

Mr. Roosevelt with Mr. Goodell.

Mr. Barrett with Mr. McCulloch.

Mr. Byrne of Pennsylvania with Mr. Robison.

Mr. Kitchin with Mr. Wilson of Indiana.

Mr. Henderson with Mr. Judd.

Mr. Cooley with Mr. Bennett of Michigan.

Mr. Ullman with Mr. Broomfield.

Mr. Lesinski with Mr. Fino.

Mr. Ashley with Mr. Weaver.

Mr. Giaimo with Mr. Scherer.

Mr. Rostenkowski with Mr. Berry.

Mr. Staggers with Mr. Wallhauser.

Mr. Vinson with Mr. Pillion.

Mr. Cook with Mr. MacGregor.

Mr. O'Brien of New York with Mr. Harsha.

Mr. Moulder with Mr. Lipscomb.

Mr. Roberts of Alabama with Mr. Mason.

Mr. Peterson with Mr. Belcher.

Mr. Edmondson with Mr. Morse.

Mr. Smith of Mississippi with Mr. Griffin.

Mr. TUPPER. Mr. Speaker, I have a live pair with the gentleman from Massachusetts [Mr. CURTIS]. If he were present, he would have voted "yea." I voted "nay." I withdraw my vote and vote "present."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

Mr. MULTER. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 486) to provide for the appointment of two additional judges for the juvenile court of the District of Columbia.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 19 of the Juvenile Court Act of the District of Columbia, approved June 1, 1938, as amended (D.C. Code, sec. 11-920), is amended to read as follows:

"APPOINTMENT, QUALIFICATIONS, OATH, AND SALARY OF JUDGES

"SEC. 19. (a) The juvenile court of the District of Columbia shall consist of three judges learned in the law and appointed by the President, by and with the advice and consent of the Senate. Each judge appointed after the date of the enactment of this subsection shall serve for a term of ten years or until his successor is appointed and qualified.

"(b) To be eligible for appointment as judge of the juvenile court a person must (1) have been a member of the bar of the District of Columbia for a period of five years preceding his appointment, (2) during a period of ten years immediately preceding his appointment, have been a resident of the District of Columbia or of the metropolitan area of the District for at least five years, of which not less than three years shall immediately precede his appointment, and (3) have a broad knowledge of social problems and procedures and an understanding of child psychology. For the purpose of this subsection the term 'metropolitan area of the District' means Montgomery and Prince Georges Counties in Maryland and Arlington and Fairfax Counties and the cities of Alexandria and Falls Church in Virginia. Each judge shall, before entering upon the duties of his office, take the oath prescribed for judges of the courts of the United States.

"(c) The President shall designate one of the judges to be the chief judge of the juvenile court. The chief judge shall be responsible for the administration of the court. During the temporary absence or disability of the chief judge, the associate judge of the juvenile court designated by the chief judge or acting chief judge of the United States District Court for the District of Columbia shall be responsible for the administration of the court. The salary of the chief judge shall be equal to the salary of the chief judge of the municipal court for the District of Columbia, and the salary of each associate judge shall be equal to the salary of an associate judge of the municipal court for the District of Columbia."

SEC. 2. The judge of the juvenile court of the District of Columbia who, on the date of the enactment of this Act, is occupying the position of judge created by the Juvenile Court Act of the District Columbia, approved June 1, 1938, shall continue in office and shall be deemed to be occupying one of the three positions of judge provided for by section 19 of such Act, as amended by the first section of this Act, until the term for which he was appointed shall expire and his successor is duly appointed and qualified. Such judge shall be entitled to compensation in accordance with the provisions of section 19 of the Juvenile Court Act of the District of Columbia as amended by the first section of this Act.

SEC. 3. (a) Section 20 of the Juvenile Court Act of the District of Columbia is amended by striking out "death of the" and inserting in lieu thereof "death of any".

(b) Sections 3 and 27 of such Act are amended by striking the word "judge" wherever it appears therein and inserting in lieu thereof the word "judges".

(c) Sections 22 and 24 of such Act are amended by inserting the word "chief" immediately before the word "judge" wherever the same appears therein.

(d) Sections 5, 13, 26, and 36 of such Act are amended by striking out "the judge" wherever it appears in such sections and inserting in lieu thereof "a judge".

(e) Section 23 of such Act is amended (1) by striking from the second sentence "the judge" and inserting in lieu thereof "a judge"; and (2) by striking out "the judge as he may direct and keep full records of its work", and inserting in lieu thereof "the court as it may direct and such department shall keep full records of its work".

(f) Subsection (b) of section 28 of such Act is amended by striking out "The judge may also provide by rule or", and inserting in lieu thereof "The court may also provide by rule or a judge may provide by".

(g) Section 42 of such Act is amended by striking out "judge and other".

SEC. 4. Section 21 of the Juvenile Court Act of the District of Columbia is amended by striking the word "judge" and inserting in lieu thereof the word "court".

SEC. 5. The Juvenile Court Act of the District of Columbia as amended by adding at the end thereof the following new section:

"SEC. 45. The chief judge or the acting chief judge of the juvenile court shall submit to the Attorney General of the United States and to the President of the Board of Commissioners of the District of Columbia a detailed quarterly report of the work of the court, such report to be made within thirty days of the end of the quarter, and to include the number of juvenile and adult cases heard, the number of juvenile and adult cases calendared, the number of juvenile and adult complaints filed, the number of juvenile cases closed without court hearing, moneys collected for fines and support of legitimate and illegitimate family members, and such other information as may reflect the court's operation and volume of work. A copy of such report shall be kept in the office of the clerk of the court and be subject to public inspection during the regular hours that the court shall be open for business."

SEC. 6. Whenever in any laws of the United States reference is made to the judge of the juvenile court of the District of Columbia such reference shall be construed to mean any judge of such court.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill was laid on the table.

Mr. JAMES C. DAVIS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

REORGANIZATION PLAN NO. 2

Mr. HALPERN. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. YOUNGER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. YOUNGER. Mr. Speaker, last session the House rejected Reorganization Plan No. 2, 1961, by a vote of 323 to 77 because we concluded it was an attempt on the part of the Executive to gain control of the functions of the Federal Communications Commission, an arm of the Congress, by substituting an all-powerful Chairman appointed by the Executive. But it seems the Executive in his drive to bypass the legislative branch has established by Executive order, a Director of Telecommunications Management whose apparent duty will be to set policies and standards in the communications field.

So apparently we have lost another battle in the war of separation of powers. I say "apparently" because the FCC may yet resist the White House pressure and carry out their responsibilities as established by congressional act. But this is only a stopgap, for we know what will happen to the Commissioners who fail to cooperate. This appears to be another way to bypass the legislative branch and forge another link in that chain of events which may well lead to an all-powerful executive unhampered by the other two constitutional branches of Government.

The following is the Executive order and it deserves the study of every Member of Congress:

EXECUTIVE ORDER

ASSIGNING TELECOMMUNICATIONS MANAGEMENT FUNCTIONS

Whereas telecommunications is vital to the security and welfare of this Nation and to conduct of its foreign affairs; and

Whereas it is imperative that the United States maintain an efficient and well-planned national and international telecommunications program capable of stimulating and incorporating rapid technological advances being made in the field of telecommunications; and

Whereas the radio spectrum is a critical natural resource which requires effective, efficient, and prudent administration in the national interest; and

Whereas it is essential that responsibility be clearly assigned within the executive branch of the Government for promoting and encouraging effective and efficient administration and development of U.S. national and international telecommunications and for effecting the prudent use of the radiofrequency spectrum by the executive branch of the Government; and

Whereas there is an immediate and urgent need for an examination of ways and means of improving the administration and utilization of the radio spectrum as a whole; and

Whereas there is an immediate and urgent need for integrated short- and long-range planning with respect to national and international telecommunications programs, for continuing supervision over the use of the radiofrequency spectrum by the executive branch of the Government and for the development of national policies in the field of telecommunications: Now, therefore, as President of the United States and Commander in Chief of the Armed Forces of the United States, and by virtue of the authority vested in me by sections 305 and 606 of the Communications Act of 1934, as amended (47

U.S.C. 305 and 606), and by section 301 of title 3 of the United States Code, it is hereby ordered as follows:

SECTION 1. There is hereby established the position of Director of Telecommunications Management, which position shall be held by one of the Assistant Directors of the Office of Emergency Planning provided for under Reorganization Plan No. 1 of 1958, as amended (72 Stat. 1799).

SEC. 2. Subject to the authority and control of the President, the Director of Telecommunications Management shall:

(a) Coordinate telecommunications activities of the executive branch of the Government and be responsible for the formulation, after consultation with appropriate agencies, of overall policies and standards therefor. He shall promote and encourage the adoption of uniform policies and standards by agencies authorized to operate telecommunications systems. Agencies shall consult with the Director of Telecommunications Management in the development of policies and standards for the conduct of their telecommunications activities within the overall policies of the executive branch.

(b) Develop data with regard to U.S. Government frequency requirements.

(c) Encourage such research and development activities as he shall deem necessary and desirable for the attainment of the objectives set forth in section 6 below.

(d) Contract for studies and reports related to any aspect of his responsibilities.

SEC. 3. The authority to assign radio frequencies to Government agencies, vested in the President by section 305 of the Communications Act of 1934, as amended (47 U.S.C. 305), including all functions heretofore vested in the Interdepartment Radio Advisory Committee, is hereby delegated to the Director of the Office of Emergency Planning, who may redelegate such authority to the Director of Telecommunications Management. Such authority shall include the power to amend, modify, or revoke frequency assignments.

SEC. 4. The functions and responsibilities vested in the Director of the Office of Emergency Planning by Executive Order No. 10705 of April 17, 1957, as amended, may be redelegated to the Director of Telecommunications Management. Executive Orders No. 10695A of January 16, 1957, and No. 10705, as amended, are hereby further amended insofar as they are inconsistent with the present order. Executive Order No. 10460 of June 16, 1953, is hereby revoked.

SEC. 5. The Director of Telecommunications Management shall establish such interagency advisory committees and working groups composed of representatives of interested agencies and consult with such departments and agencies as may be necessary for the most effective performance of his functions. To the extent that he deems it necessary or advisable to continue the Interdepartment Radio Advisory Committee, it shall serve in an advisory capacity to the Director of Telecommunications Management.

SEC. 6. In carrying out functions under this order, the Director of Telecommunications Management shall consider the following objectives:

(a) Full and efficient employment of telecommunications resources in carrying out national policies;

(b) Development of telecommunications plans, policies, and programs under which full advantage of technological development will accrue to the Nation and the users of telecommunications; and which will satisfactorily serve the national security; sustain and contribute to the full development of world trade and commerce; strengthen the position and serve the best interests of the United States in negotiations with foreign nations; and permit maximum use of resources through better frequency management;

(c) Utilization of the radio spectrum by the Federal Government in a manner which permits and encourages the most beneficial use thereof in the public interest;

(d) Implementation of the national policy of development and effective use of space satellites for international telecommunications services.

SEC. 7. Nothing contained in this order shall be deemed to impair any existing authority or jurisdiction of the Federal Communications Commission.

SEC. 8. The Director of Telecommunications Management and the Federal Communications Commission shall assist and give policy advice to the Department of State in the discharge of its functions in the field of international telecommunications policies, positions, and negotiations.

SEC. 9. The Director of Telecommunications Management shall issue such rules and regulations as may be necessary to carry out the duties and responsibilities vested in him by this order or delegated to him under this order.

SEC. 10. All executive departments and agencies of the Federal Government are authorized and directed to cooperate with the Director of Telecommunications Management and to furnish him such information, support, and assistance, not inconsistent with the law, as he may require in the performance of his duties.

JOHN F. KENNEDY.

THE WHITE HOUSE, *February 16, 1962.*

SENATOR IRVING M. IVES

Mr. HALPERN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. OSTERTAG] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. OSTERTAG. Mr. Speaker, I join my colleagues in expressing my sorrow and regret at the passing of former U.S. Senator Irving M. Ives, and in expressing to his wife and son my deepest sympathy.

My association with Senator Ives goes back to the early 1930's, when I was privileged to serve with him as a member of the New York State Assembly. We shared the same office in the capitol at Albany. We sat side by side in the assembly chamber, and I witnessed firsthand his growth as a public servant, and his outstanding contributions to the State of New York. During that period, Senator Ives was elected speaker of the assembly, and subsequently was majority leader.

In line with Senator Ives' great interest in the welfare of the laboring man and his championship of good labor-management relations, he was proudest of his sponsorship in the State legislature of our State's pioneering Fair Employment Practices Act. He sponsored the creation of our State commerce department and the State college of industrial and labor relations at Cornell University. In recognition of his great knowledge and leadership in this field, he served as the first dean of this college at Cornell.

Senator Ives was a devoted public servant to the State of New York, and continued his fine record in the U.S. Senate from his election in 1946 until his retirement in 1958. He was a specialist in labor-management relations and civil rights, and a champion of fairness in these fields. He will be remembered here for his work in connection with the Taft-Hartley Act, his leadership in establishing the special Senate Committee To Investigate the Labor-Management Field, his sponsorship of labor reform legislation and the earlier act requiring public disclosure of the management of employee pension and welfare funds.

I can say with conviction that the service of Senator Irving M. Ives in the State government, in education, and in the Congress of the United States has made this country a better place in which to live, and the principles for which he stood and the programs he sponsored have left an indelible record in our Nation's annals of Government. Our country has lost a devoted servant, and we mourn his passing.

Mr. HALPERN. Mr. Speaker, I ask unanimous consent that the gentlewoman from New York [Mrs. WEIS] may extend her remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mrs. WEIS. Mr. Speaker, it was with a sense of deep personal loss that I learned over the weekend of the passing of former Senator Irving Ives, of Norwich, N.Y. It was a privilege for me to count Irving Ives as a personal friend of long standing and I share in full measure the sorrow of all his friends at his untimely death.

In a quiet, unassuming, and thoroughly competent way, Senator Ives devoted most of his life to the people of New York State. At 34, he was elected to the New York State Assembly and for 28 years, until failing health forced his retirement from the Senate in 1958, he served the people of our State in increasingly important positions.

In 1935, he became minority leader of the State assembly. He served as speaker in 1936 and as majority leader from 1937 to 1946. In that year he was elected to the U.S. Senate, where he served with great distinction for 12 years.

It was my pleasure to know and to be associated with Senator Ives for many years in the New York Republican organization. He was a man of great integrity and deep conviction, thoroughly dedicated to the public service. He was a statesman in the finest sense of the word who contributed immeasurably to the State of New York and to the Nation. He will be sorely missed.

LT. COL. JOHN H. GLENN, JR.

Mr. HALPERN. Mr. Speaker, I ask unanimous consent that the gentleman from North Dakota [Mr. SHORT] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. SHORT. Mr. Speaker, this is a momentous day—when Congress and the Capital City are joining to do honor to our outstanding American public hero—Astronaut and Lt. Col. John H. Glenn, Jr., of the Marine Corps.

This is a proud day for America, for many reasons. One of the reasons which impresses me and so many people in the world is that our American institution and guarantee of freedom of speech and press has once more been proven to be right. These truly are some of our most precious liberties. Oftentimes we hear comments that this is overdone. Last week and weeks before, many statements have been heard to the effect that since the public was getting edgy and tired of the on-again-off-again scheduling of the Glenn orbital flight, perhaps it would be just as well if these arrangements were not made so publicly. In a sense this is understandable because frustration is hard to take. However, now that this truly fantastic flight is successful—and our astronaut has been brought back safely to the bosom of his family, friends, and marines, everyone is heaving a sigh of relief and appear to be thankful that we have had this marvelous freedom of speech and press so no one in the world could doubt that our astronaut made this marvelous flight—honestly and openly—and nothing was left in a veiled state of doubt.

This all goes to prove that our forefathers knew what they were advocating when they wrote freedom of speech and press into our Bill of Rights. And it further goes to disprove the old saying that "what you don't know won't hurt you"—because in this special case, what the world knows has helped us.

Granted that our system of government sometimes seem to be slow and cumbersome—it does have a tendency to force our people to think and analyze and to take responsibility. For those who are too lazy mentally, we can only suggest that a move to one of the dictatorships might be more to their liking.

As for us—even when the headlines and news reports are frustrating—we thank God that this is so in our country. The names of Shepard, Grissom, and Glenn will never be forgotten—and they well deserve their fame. There will be many who follow in their footsteps and who will wend their ways to the stars. And all during this vast effort, every citizen can share in the glory as well—because we are allowed to follow the plans step by step. When we are strong enough to face failure, our joy in success can be even more intense, as individuals and as a nation.

This humble and modest young man, Astronaut John Glenn, has said that the public should look more closely to the scientific achievements and their implications—rather than to a wild cheering on of a public hero and glorification of the individual. We can understand and admire him for these sentiments. Truly if he were not an unusually well balanced young man, he would never have been chosen for the task. But we cannot help but be glad that we were permitted to share, to some degree, the joy and love and devotion exemplified by his fine family life. This was not a sacrifice wrung from a reluctant wife, children and parents by sharp orders of a dictator. His family truly were worthy to share in the honors which are now his. So our accolades must include them, as well as the entire astronaut team, and the scientists and leaders who have worked so hard and so long to bring about this successful flight.

Our best to Astronaut Glenn, Mrs. Glenn, their fine son and daughter, the proud parents. Our humble gratitude to those men of long ago who wrote guarantees into our Constitution and Bill of Rights which have made it possible for the entire country, and the world, to share in the glory and happiness today.

ADMINISTRATION'S FARM BILL

Mr. HALPERN. Mr. Speaker, I ask unanimous consent that the gentlewoman from Washington [Mrs. MAY] may extend her remarks at this point in the RECORD.

The SPEAKER. Is there objections to the request of the gentleman from New York?

There was no objection.

Mrs. MAY. Mr. Speaker, I am especially concerned about some of the provisions of title I of the administration's farm bill, H.R. 10010.

Title I—among other things—authorizes long-term—up to 15 years—agreements with farmers for recreation development, the purchase and resale of farmland for public recreation, fish, and wildlife, and other more economic uses, and greater cost sharing by the Federal Government in small watershed projects for public fish, wildlife, and recreational uses.

American agriculture is perhaps the greatest success story in the world today. In no other country can the farmers equal the productive capacity of the farmers of the United States. Modern technology and the initiative of U.S. farmers have made them the greatest agricultural producers in history. Their ability to produce has given this Nation one of its most valuable weapons—its agricultural plant. We should be proud of our farmers for giving us this weapon, one which no other country has been able to come near matching. It is as vital to our Nation as our missiles.

Herein lies my concern.

Are we now going to reward our farmers by having them give up a part of their most valuable asset—indeed, one of the most valuable assets of our Nation—their good farmland, for recreational purposes for our cities?

In addition to putting farmers in a straitjacket of controls, are we going to penalize them by having them set aside a portion of their farms as fishponds or picnic areas to be used, or abused, by swarms of folks from far-off cities?

Must we add to the already numerous problems of our farmers by having them assume the burden for supplying the Nation's recreational facilities?

Are not the wayside picnic areas made available by counties and States, and the facilities of our many fine municipal, county, State, and National parks designed to meet the recreational needs of the Nation?

Mr. Speaker, the report to the President and Congress dated January 9, 1962, by the Outdoor Recreation Resources Review Commission says there are now in the United States 24,000 recreation areas encompassing 283 million acres. This large number of areas, according to the Commission, includes some 15,000 small areas such as roadside picnic grounds and the extensive national forests, each of which is classed as a single area. These figures will become more impressive in the years ahead, for I am sure Congress has not authorized the establishment of the last national park or recreation area for the country.

This does not sound as though we are so destitute for recreational facilities that we must take good farmland for this purpose.

Let us keep in mind that with an ever-increasing population, it is reasonable to believe we will need these fish ponds and picnic areas in the future for their original purpose—to feed our people.

The Secretary of Agriculture has said that we will need 51 million acres less cropland by 1980. By 1980, a large portion of our good farmland will, of necessity, have been taken for housing, factories, and so forth, to meet the needs of our growing population, reducing available farmland accordingly.

Therefore, I urge caution in this whole area. Any of our rich farmland taken for recreational purposes will be lost to farming forever.

Let us be fair to our farmers. Why should we ask one segment of our population to supply the Nation's recreational facilities?

Mr. Speaker, I not only fail to see the need, but I fail to see the wisdom or justice for legislation of this kind.

FEDERAL AID TO ELEMENTARY AND SECONDARY SCHOOLS

Mr. HALPERN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. GOODELL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. GOODELL. Mr. Speaker, the New York State School Boards Association has just voted 5 to 1 against a general program of Federal aid to elementary and secondary schools.

I rise today to report to the Members of the House on this development in the continuing debate on the issue of general Federal aid to schools.

It is, I believe, a significant development worthy of the attention of those who have entered into this debate and of all those charged with the responsibility of deciding the issue.

Last year this group made a full presentation of the pros and cons of the question to local school boards in New York. Each board was then asked to register its vote. Here are the results: Yes, 80; no, 431.

I have previously sent to each of my colleagues individual copies of the release from the association noting this overwhelming rejection of such a Federal program. I insert it herewith so that such a significant report may have maximum availability to the public.

The local school boards are the ones who must daily struggle with the problem of meeting the costs of adequate education and their views certainly merit our respectful consideration. I therefore urge your careful study of this report.

I have called the report to the attention of the President and urged that he abandon his drive for a general aid program in the face of this rising tide of opposition.

REPORT ON POLL OF MEMBERSHIP—FEDERAL AID

Hugh Davies, president of the New York State School Boards Association, today reported that member school boards in New York State had expressed strong opposition to the extension of Federal aid to general support of public schools.

In a letter to school board presidents, Mr. Davies said, "This is a crucial action on the part of New York State school boards. Their position may well have an important effect on the action of delegates to the National School Boards Association convention when they meet in St. Louis next April."

Over 66 percent of the 811 members of the organization reported in the statewide poll conducted by the association; 431 school boards registered opposition and 80 boards recorded support for extended general Federal assistance to public schools of the Nation.

Ample evidence was given that school boards throughout the State gave careful consideration to this matter of broader Federal aid. In some instances the action of a board was reported as unanimous. Comments expanding on the boards' positions were received from many districts. In addition, 31 school boards reported that they took no position, either because no majority registered on either side of the question or because of a desire to vote on specific proposed legislation rather than on the broader question of general Federal support for public schools.

No opposition was registered to the present type of Federal aid by which the Federal Government encourages expansion of certain educational programs in the local district through sharing their cost. Several boards expressed a belief, however, that the Federal Government could assume other responsibilities such as (1) coordination of research and experimentation in elementary and secondary education; (2) extension of the National Defense Education Act to include grants for training teachers in humanities; (3) Federal scholarships for able students who could not afford to go to the college of their choice.

The poll, authorized by delegate action at the annual convention of the association in October 1961, produced the first significant expressions ever recorded in the State from local school boards on the question of general Federal aid to public elementary and secondary education.

JOINT ECONOMIC COMMITTEE

Mr. PATMAN. Mr. Speaker, section 5(b)(3) of the Employment Act of 1946, as amended, requires that the Joint Economic Committee file its report by the 1st of March. The committee has voted unanimously to request that it be permitted until midnight, March 7, to file its report.

I ask unanimous consent that this additional time be granted the committee.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

ELIMINATION OF SEPARATE BUT EQUAL PROVISION OF THE HILL-BURTON ACT

Mr. RYAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Speaker, today I have introduced a bill to eliminate the separate but equal provision of the Hill-Burton Act. The Hill-Burton program has provided Federal financing to help construct more than 2,000 medical care facilities in the 11 old Southern States. Since the inception of the Hill-Burton program these States have received $562,921,000 of the $1,550,214,062 spent or obligated by the Federal Government under the act. Authorities have pointed out that virtually all of these institutions discriminate in various ways against Negro citizens.

It is shocking that U.S. citizens who are in need of medical care are being discriminated against because of their race. When they are admitted to hospitals, they go to segregated wards. Their own doctor or dentist, if he is a Negro, is prohibited from treating them at the hospital. All this is being done under the sanction of U.S. law. Equality must be more than a mere slogan. It must, if we are to be true to our democratic principles, be a reality.

Discrimination in southern hospitals built under the Hill-Burton Act with Federal funds has been challenged recently in a suit filed in the Federal district court in North Carolina. The complaint alleges that discriminatory practices in hospitals violate the due process and equal protection clauses of the fifth amendment. The court has been asked to issue an injunction prohibiting the defendants from:

> Continuing to enforce the policy, practice, custom, and usage of denying admission to patients on the basis of race and in any way conditioning or abridging the admission to, and use of, the said facilities on the basis of race.

Congress should amend the Hill-Burton Act now, and I urge all the members of this body to support this measure and uphold the founding principles of our Nation.

NEED FOR LOCAL SELF-GOVERNMENT FOR THE DISTRICT OF COLUMBIA

Mrs. GREEN of Oregon. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from Oregon?

There was no objection.

Mrs. GREEN of Oregon. Mr. Speaker, the need for Congress to provide local self-government for the District of Columbia is once again demonstrated this afternoon. The House of Representatives of the Congress of the United States has spent most of the afternoon discussing proposed changes in the existing District juvenile court operations. I favored the Senate bill—providing two extra judges, but this is a matter that should be decided by the residents of the District of Columbia through their elected representatives. As important as this legislation is, still there are domestic and international affairs that need the full attention of this body, Mr. Speaker. We should not in these critical times be sitting as the governing body of this city. As I sat here listening to the ebb and flow of the debate, I thought time after time how important home rule is. And, therefore, I have a suggestion.

Mr. Speaker, there are many countries and territories in the world which do not rule themselves.

After World War I, the League of Nations had a Mandate Commission to which many of these territories were assigned. After World War II, the United Nations assumed the responsibility of administering these and others through its Trusteeship Council.

Through the trusteeship system, the United Nations has the task of preparing the peoples living in trust territories for eventual self-government or independence. It is as if an older person is placed in charge of a young person's valuables until the latter is old enough to look after his own valuables.

Six territories have been helped to independence or self-governing status since 1946 through the Trusteeship Council. These are French Togoland, French Cameroons, British Togoland, British Cameroons, the former colony of Italian Somaliland and just recently Tanganyika.

I am proposing, Mr. Speaker, that another non-self-governing territory be consigned to the Trusteeship Council in order to hasten its way to self-government. It may be surprising to my colleagues, because I am referring to a territorial enclave located within the continental limits of the United States. The 537 Members of the Congress should be thoroughly familiar with the territory I have in mind. They work in it when Congress is in session; some Members of Congress live in it. Specifically, I am referring to the District of Columbia.

If this proposal proves acceptable, then the District of Columbia would join the U.N. trusteeship system that now is responsible for New Guinea, administered by Australia; Western Samoa, administered by New Zealand; and the Pacific Islands Trust Territory that includes the Marshall, Marianas, and Caroline Islands, administered by the United States.

Now I grant you the inhabitants of the District of Columbia, about 763,000 persons, have achieved a somewhat higher level of development in the agricultural and industrial arts than have the peoples of the territories already under trusteeship. Many District inhabitants, I have observed, have fine little backyard flower and truck gardens. A fairly high degree of specialization in the division of labor in the manufacture, distribution and consumption of goods and commodities has been achieved, according to reports of our own Department of Commerce.

And their public transportation system, for example, is more diversified than is customarily found in trusteeship territories—except during snow or other inclement weather when it is probably as easy to find and move around by four-footed locomotion in New Guinea Trust Territory as it is in the District of Columbia.

And for many years, back in the 1800's, the inhabitants of the District did govern themselves, according to the folklore dimly remembered by the elders among the residents. But this right, it is recounted, was taken from them by their National Legislatures in the 1870's.

The memory of local self-government has been kept alive, Mr. Speaker, by local histories and local associations who proselytize among the younger residents to band together to regain local suffrage. But the National Legislature, at least an influential portion of it, remains deaf to entreaties for reasons I cannot appreciate. But it is well known that District inhabitants want home rule. It is not, for example, an uncommon sight to see signs reading "D.C. Wants To Vote" being carried in conspicuous places on their vehicles.

And because it is not deemed fit by domestic legislative organs for self-government, I think the Trusteeship Council of the U.N. is a fitting agency to help the District achieve local suffrage. I think it particularly fitting that the United Nations, which has been responsive to the aspirations of many developing territories throughout the world, be asked to assume the responsibility of bringing a fairly highly developed, peaceable, literate territory through whatever stages are necessary to achieve self-government. I think when the areas contiguous to the District of Columbia enjoy local self-government in a lusty, free-swinging, democratic fashion, it is less than fair to deny the District residents an avenue to achieve the same rights and privileges.

Now this is how I envision it would work:

The residents could ask the U.N. to be placed under the Trusteeship Council. The Government of the United States would be willing to be the administering country, of course.

Each year, the Trusteeship Council would consider reports sent it by the administering authorities. The Council would entertain petitions—you see, everyone in the District, if it became a trust territory, would have the right to write, in the form of a petition, to the U.N., putting down their hopes, their grievances and their requests. Many District residents could come to the U.N. headquarters in New York City and present their petitions in person.

Incidentally, such a trip would prove to be an educational experience to these inhabitants.

The Trusteeship Council would also send out missions from time to time to visit the District of Columbia. These missions look at the conditions under which the people live; at their schools—crowded; city hospital—badly in need of improvement; and health clinics—not nearly enough of them. They would also examine the crops—threatened by starlings—and the cattle (not allowed to walk the streets unleashed). These missions would be the "eyes and ears" of the Trusteeship Council. And, I would hope, at the appropriate time recommend that local self-government be granted. Since the Constitution of the United States has recently been amended to permit the inhabitants to vote for President and Vice President, it is not too much to hope that in a short time the inhabitants would be adjudged fit to exercise local self-government and thus relieve both the U.N. Trusteeship Council and the Congress of the United States of the burden of governing the District of Columbia.

RECENT REPORT OF THE COMPTROLLER GENERAL

Mr. KASTENMEIER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. KASTENMEIER. Mr. Speaker, once again I would like to direct to the attention of the House a recent report of the Comptroller General, this one reviewing the operation of the U.S. Weather Bureau. The report shows that gross inefficiency, duplication of facilities, and failure to comply with enacted regulations by the U.S. Weather Bureau has cost the taxpayer tens of thousands of dollars.

It is most probable that even larger sums than this are involved. The Comptroller General was reluctant in most cases to cite more than approximations because of the general unreliability of the records which the Weather Bureau has kept.

The report outlined the following inefficient business methods:

First. Duplication in weather facilities, within the Bureau itself and with other agencies;

Second. Weaknesses in warehouse management and control of inventories; and

Third. Extremely poor financial management: an inadequate system of control over appropriations and inadequacies in internal controls.

Specifically, to take only one example of the poorly run operation, there are three bureaus in Miami, Fla., which deal with similar problems: The Weather Bureau itself runs two bureaus and the Navy has a third. There is no reason why the overlapping of these bureaus cannot be eliminated. Over $35,000 alone could be saved in consolidating the Bureau's Miami operations. Hopefully the Bureau is beginning to consider this recommendation of the Comptroller General.

As one of the more ludicrous practices of Bureau management the report criticized duplicate receiving functions, showing how ordinary screwdrivers, pliers, wrenches, and padlocks were received in the storeroom, shipped to the engineering division where they were turned over to highly paid technicians for so-called testing, and then sent back to the storeroom where they were recounted and put into stock.

Aside from merely sloppy operation, the Bureau has specifically failed to comply with enacted regulations. The report pointed out, among other examples, violation of the Antideficiency Act—title 31, United States Code, section 665—and the Federal Property and Administrative Services Act of 1949. The latter act requires a stock catalog of inventory items and although the Bureau had promised the General Services Administration a complete catalog by September 30, 1954, in May 1960 the catalog was only 25- to 50-percent complete.

I strongly urge that the Bureau take immediate action to heed the recommendations of the Comptroller General. Although the Bureau has promised to improve its operations, in the past a glance at its records shows that it has been less than rigorous in meeting the tests of the Government Accounting Office and acting on its recommendations. Additionally, I think that the spot check of the Miami operations highlights the necessity for a general investigation of the meteorological facilities in order to avoid duplications and inefficiencies which the check revealed.

Private industry cannot afford indulging in the costs of poor management. Certainly the taxpayer should not be expected to either.

TRIBUTE TO TEMPLETON, MASS.

Mr. HALPERN. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. CONTE] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CONTE. Mr. Speaker, today I want to pay tribute to Templeton, Mass., an outstanding community, on the occasion of its 200th anniversary, and to call attention to the brilliant record established by the people of Templeton, from pre-Revolutionary times to the present day.

Templeton is located in Worcester County, a thriving industrial area and the home of many famous Americans. Eli Whitney, the inventor of the cotton gin, was a Worcester County alumnus. So was Gen. Artemus Ward, the first American to receive a general's commission under American authority. So were Gen. Rufus Putnam, Chief Engineer of the Continental Army; Historian George Bancroft; the Reverend Edward Everett Hale, and Clara Barton, founder of the American Red Cross.

Such are the people to emanate from Worcester County: men and women identified with the highest of American principles. Exceptional in the extent of their collective prowess, these persons were not, however, exceptional in the basis of their views and efforts. For the masses of Worcester County citizens, the people as a whole, have always been known for their industry and principle; and nowhere is there more striking evidence of this than in the history of Templeton Township.

Located in the extreme northerly portion of the county, Templeton came into existence with a population numbering in the vicinity of 300 persons, all hopeful of carving for themselves a large slice of the grand American dream.

To accomplish their goals they were required, however, to come up with some new techniques and ideas. As inlanders, they could not participate in the great New England shipping business, nor in the fishing trade. As hunters, they soon were plagued by the sharp decline in the animal population, caused in part by the skill of their own marksmanship, in part by several particularly harsh winters, and in part by the flight of the animals to unsettled regions farther inland. Nor was farming the answer, so far as the Templetonians were concerned. Their soil was not dead, by any means, but neither was it particularly fertile. Early crop-raising efforts revealed that grass and trees were the only things to be grown in the area with any guarantee of success.

To meet the critical nature of these problems, the Templeton pioneers turned to lumbering, manufacturing, and experimental farming, with considerable success. With white pine, spruce, hemlock, maple, birch, and beech trees in abundance, there was obviously a sound basis for establishing a wood industry in the area. This, the early inhabitants developed quickly. Abundant waterpower aided in the enterprise, enabling the construction of a sawmill and, later on, factories producing lumber, chairs, furniture, and other wood products.

The chair business was introduced locally about 1820. Posts, stretchers, and spindles for the chairs were split out of logs, shaved into shape, and finished on a turning lathe. Farmers busied themselves in the winter season getting ready their stock for the turners. About 1827 a "flag-seat" chair was conceived by a local citizen, and quickly became popular. The chairs were distributed to dealers all over the country, and proved a great financial success, with the result that Templeton became and remained for some time a town chiefly concerned with this single enterprise.

Other successful industries inaugurated in the early period of Templeton's existence included gristmilling, toy and tinware manufacture, and the production of potash. Efforts were also made to establish factories for the production of boots and hats, although these were not as great a commercial success.

In the agricultural field, corn was produced in sufficient quantity to result in the construction of a local corn mill at an early date. Some time later, experimentation led to the creation of a healthy greenhouse cucumber, for which the town became well known over a long period of time.

With industry and imagination on their side, the town fathers built Templeton into a bustling, successful community. When the Revolutionary War broke out, only 14 years following incorporation, the Templeton population was already 2½ times its original size. And by the time the Civil War years arrived, it had grown to three times its size in Revolutionary times.

From this population, the United States has gratefully accepted the services of patriotic volunteers in every national war effort in American history. Military companies existed in Templeton until about 1852. Templeton Common was the muster field for the troops, and muster day the gala occasion of the year.

So it has progressed from the beginning. Industry and enterprise, patriotism and fortitude, all girding the people of Templeton to cope successfully with each and every crisis they encounter.

Two hundred years of success in the implementation of democracy is a record worthy of none but the best in the American culture. And that is Templeton's record, and the record of its people—to the credit of the town, the Commonwealth of Massachusetts and the United States of America.

Those of us familiar with this record take pleasure today in relating it and in extending to the residents of Templeton our best wishes and congratulations for all that they and their forebears have achieved to date, and for all that they and their children will achieve in the future.

SUBCOMMITTEE NO. 5 OF THE COMMITTEE ON THE JUDICIARY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that Subcommittee No. 5 of the Committee on the Judiciary be permitted to sit during general debate on Wednesday and Thursday of this week.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

FACTS RELATING TO THE SALE OF CCC CORN

Mr. SMITH of Iowa. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. SMITH of Iowa. Mr. Speaker, although the administration's new farm policy and program proposals are still being heard in committee, there is a steadily growing volume of comment about them in the Congress and throughout the Nation.

This is a part of the vital democratic process of free and open discussion and debate.

If debate is to be constructive, however, it must be accurate in content and positive in purpose. I am hopeful our discussions of farm and food policies will follow those guidelines—hopeful our debate will inform rather than misinform, and will help our fellow citizens achieve decision rather than continuous confusion.

Mr. Speaker, if there is one point of general agreement on national farm policy it is this: Our Government must stop accumulating grain in excess of normal carryover and must cut back the outlays for storage and handling attached to these surpluses when they are in the hands of the Government.

Now, the proposed feed grains legislation contained in H.R. 10010 provides for, among other things, an orderly reduction in the excessive stocks of corn presently owned by the Federal Government. It also provides for a supply management program attached to price supports which farmers may approve, or reject, in a referendum.

The reduction in Government stocks takes place, under this proposed legislation, if farmers vote for supply management and price supports in their referendum; and the reduction in Government stocks also occurs, under this proposed legislation, if farmers vote against supply management and price supports.

Constructive criticism of any proposed legislation is desirable. Without it there is inadequate discussion and debate. However, most critics of H.R. 10010 have been traveling just one side of the street on reduction of Government stocks and storage costs. They say this policy is a club to force farmers to vote in favor of supply management and price supports, without adding that the drawdown of Federal stocks would take place regardless of referendum results.

Let us take a look at the Government's share of the feed grains supply apart from the proposed legislation. As citizens we own around one and a half billion bushels of corn. We have paid for it, and each month we add millions of dollars to the original cost by making payments for its storage.

What shall we do with this corn? Lock the warehouse and bin doors and throw away the keys, meanwhile continuing to issue Treasury checks for storage payments until the corn spoils and is useless to anyone here or abroad for any purpose? Dump the whole lot on the market at once and sink an already depressed farm commodity price structure? Or do we move it, in an orderly, reasonable way into the channels of use?

Secretary of Agriculture Freeman is recommending we move excessive Government stocks in an orderly, reasonable way into the channels of use. He has proved this can be done under the feed grains program—we moved and are still moving a large volume of corn out of Federal stocks, yet average 1961 farm prices for corn were above the 1960 average. This is because grain merchandisers knew we were going to produce less than consumption and therefore would not be adding to the marketable supply or carryover.

If H.R. 10010 is adopted in substantially its present form, and farmers approve the feed grains section in a referendum, a portion of Government stocks will be included in each year's marketing quota. If farmers turn down the feed grains section in a referendum, some of this Government corn—not more than 350 million bushels from a total supply of a billion and a half bushels—will be available for sale in a single marketing year, at market prices.

Actually, what is provided here is a limit on sales from Government stocks. Without this specification there would be no stopping place in any marketing year, if we retained the present feed grains program authority, until the Government holdings were all gone. Although they talk as if 350 million bushels per year is too much, the critics have not proposed any alternate limit and seem, therefore, to favor no limit.

It is a waste of time to talk about the possibility of any Secretary of Agriculture seeking to punish farmers by dumping corn on the market in a manner leading to price and supply chaos. Such action would not only offend farmers, it would be distasteful to every American with a sense of fairplay. Actually, as Secretary Freeman stated in a press conference the other day, corn prices under the no-control, no-support plan would be so low no Secretary of Agriculture would—on either an economic or humanitarian basis—further aggravate the situation by indiscriminate corn sales. Secretaries of Agriculture are responsible not only to growers and consumers of food, but to the Presidents who appoint them and to the Representatives and Senators who must face up to voters in elections.

I think the farmers of my district, and I believe this is true of farmers across the country, realize the dismal failure of combining supports with a no-control program and are willing to enter the decisionmaking process and choose between realistic alternatives. We owe them a sound basis for decision, unmarked by scarewords, half truths, and bogeymen.

CHEMICAL BANK NEW YORK TRUST CO.—WORLD FINANCE

Mr. SPENCE. Mr. Speaker, at the request of Hon. James J. Saxon, the Comptroller of the Currency, I ask that the following correspondence be inserted in the body of the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The matter referred to follows:

COMPTROLLER OF THE CURRENCY,
TREASURY DEPARTMENT,
Washington, D.C., February 19, 1962.

Hon. BRENT SPENCE,
Chairman, Committee on Banking and Currency, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: I am enclosing copy of a letter dated February 8, 1962, from Mr. Harold H. Helm, chairman of the board, Chemical Bank New York Trust Co., New York, N.Y., and my reply thereto dated February 17, 1962.

I wish to correct the inadvertent omission of the Chemical Bank New York Trust Co. as a major factor in world finance, and know of no other effective means of doing so than to ask if you would incorporate this correspondence in the CONGRESSIONAL RECORD. I hope it will be possible for you to do this.

Sincerely,

JAMES J. SAXON,
Comptroller of the Currency.

FEBRUARY 19, 1962.

Mr. HAROLD H. HELM,
Chairman, Chemical Bank New York Trust Co., New York, N.Y.

DEAR MR. HELM: Many thanks for your letter of February 8, 1962. Let me frankly acknowledge that I made an unintentional mistake in not including the Chemical Bank New York Trust Co. as one of the banks exercising a major role in world finance today. I cite, not by way of excuse but by way of explanation, that this answer arose out of the hearing on my nomination and was in response to a question which I had not anticipated. I hope you will forgive my error in this matter.

In seeking to correct the injustice I have done to the Chemical Bank New York Trust Co. I shall write to Senator ROBERTSON and Chairman SPENCE to ask each of them if he will put your letter into the CONGRESSIONAL RECORD together with a copy of this letter of response by me.

I appreciate your warm and thoughtful comments concerning my accession to the post of Comptroller of the Currency. Reciprocally, may I say that I have highly valued the opportunities I have had of working with you on common banking matters in the past. I need not tell you that you will always be warmly welcomed in this office.

Sincerely,

JAMES J. SAXON,
Comptroller of the Currency.

CHEMICAL BANK NEW YORK TRUST CO.,
New York, N.Y., February 8, 1962.

Hon. JAMES J. SAXON,
Comptroller of the Currency,
Treasury Department,
Washington, D.C.

DEAR MR. SAXON: On returning from a trip to Mexico, I found on my desk the following quote which appeared on the February 6 Dow, Jones ticker and in the next day's Wall Street Journal from your testimony before the Senate Banking Committee:

"Asked about participation by American banks in world banking Mr. Saxon deplored what he described as limited activity in this sphere—he said there are only four American banks—First National City Bank of New York, Chase Manhattan Bank, Bank of America and Morgan Guarantee Trust—that are major participants in world banking."

We believe that many other banks, both in New York and other cities, will probably feel as we do—that their foreign operations also entitle them to be included as major participants in the international banking field and that the role of American banking is not limited in this sphere. In the case of our bank, for example, our international division is one of the four or five largest in the United States, having a staff of 447 individuals. The total credit in loans, acceptances, and confirmed letters of credit which our international division had outstanding as of the end of the year, December 31, 1961, was almost $800 million. The international division's deposits from around the world were at that date in excess of half a billion, including $138 million on deposit with our London branch. Our monthly turnover in the international division for letters of credit, payments, acceptances and loans averages over $1 billion; the debits and credits to our deposit accounts average $6 billion per month. Our bank was the originator of foreign ship financing, and we are today the acknowledged leader in this field, having made aggregate loans of $500 million since the war.

Our bank has three Edge Act corporations: first, Chemical International Finance, Ltd., organized to extend credit on the movement of capital goods from the United States abroad; second, Chemical Overseas Finance Corp., to take active equity interest in companies abroad (doing only offshore business); and third, Chemical International Banking Corp., which has an agreement, subject to certain conditions, to purchase a 49-percent interest in the Bank of Liberia, Monrovia.

The 56 officers of our international division are constantly traveling all over the world and last year visited 58 out of the 70 countries in which we have credits outstanding. In addition, one of the principal endeavors of the senior officers of this bank is to strengthen our international ties and, in furtherance of this endeavor, are constantly making business trips to foreign countries.

The foregoing constitutes only a few of the reasons why we believe that our bank is a major participant in the international financing field. We have reason to believe this is also true of certain other banks in the country, which you did not mention. We bring this to your attention, Mr. Saxon, with the hope that you will keep this in mind when, as, and if there is occasion again to mention this subject.

Finally, I would like to extend my congratulations to you on receiving the backing of the Senate Banking Committee for the high post to which you have been appointed. Your long experience should enable you to render a great service to the banking community.

Sincerely yours,

HAROLD H. HELM.

"TITO" BETANCOURT DEMANDS A BILLION

The SPEAKER. Under previous order of the House, the gentleman from California [Mr. ROUSSELOT] is recognized for 60 minutes.

Mr. ROUSSELOT. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROUSSELOT. Mr. Speaker, since I last spoke here on the subject of Venezuela and Betancourt, pointing out that the Venezuelan President, Romulo Betancourt, is the State Department-supported Tito of South America, events in Venezuela have gone from bad to worse. In fact they have become so deplorable that the tottering Betancourt regime was recently forced to send a Macedonian call for help to the President of the United States. It seems that President Kennedy's trip to Venezuela was what was needed to bolster Betancourt's sinking Accion Democratica Government. To the eternal humiliation of the American people, President Kennedy permitted himself to be used in this desperate Betancourt personal political maneuver. He permitted himself to be paraded through the streets of Caracas to impress upon the discontented Venezuelan populace that the United States is backing Betancourt. Before he departed, he was persuaded to deliver a series of speeches, obviously prepared

for him by his "collectivist" aids, hailing the alleged progress of Venezuela under Betancourt and pledging generous American loans.

KENNEDY VISIT A CRUEL HOAX

The facts which I am going to present today show that President Kennedy in this Venezuelan visit was the victim of a cruel hoax. Those in the State Department who pressured him into making this extraordinary trip knew what they were doing. Governor Muñoz-Marin of Puerto Rico, who visited the President and who was honored by a special Pablo Casals recital, knew exactly what he was doing when he urged a Venezuelan visit upon our President. These advisers had in their hands all the facts proving Betancourt misrule which I am going to present in this speech. They had the Cates document, to which I referred in my speech of September 23, 1961—see CONGRESSIONAL RECORD, volume 107, part 16, pages 20941–20946—to prove that under its present administration Venezuela is pursuing policies which are undeserving of U.S. aid. In the face of the glaring truth, they perpetrated this barefaced hoax upon the President. They knew they had to do this dubious thing in order to save their fellow leftwinger, Betancourt, from inevitable collapse.

It will be asked, Why is it important to this blundering clique which stands so near to the White House throne to save Betancourt? The answer is plain. He had to be saved because he is the pivot man in their whole scheme to turn Latin America into a Socialist or Marxist experiment station.

The picture which President Kennedy was made to present in his speeches was that of a democratized Venezuelan people marching happily forward under Betancourt. In the President's words Betancourt's government "is setting an example of progressive, farseeing democracy for all the hemisphere to follow." What a ghastly prospect for Latin America if the example which it must follow is the incompetent Tito-style collectivist who temporarily lives in the Miraflores—Venezuela's "White House."

The questions arise: If Betancourt's rule is so praiseworthy and popular, why was it necessary to declare virtual martial law on the day of the Kennedy visit to protect Betancourt and his distinguished American guest from armed violence from a hostile populace? Why was it necessary for the United States to loan Betancourt two bulletproof automobiles for the Kennedy ride through Caracas? Why was it necessary for a net of American helicopters to fly over the motorcade as it passed through the streets? Why was Betancourt constrained to station 30,000 soldiers, marines and national guardsmen along the route—a mobilization which formed almost a solid wall at the Central Simon Bolivar? Why was it necessary on the day of Kennedy's visit to prohibit the gathering of more than three Venezuelans in Caracas, aside from the armed forces? Why did Betancourt find it necessary to throw over 2,000 opponents in jail before Kennedy arrived, apparently to prevent them from bringing an unfavorable report to the ears of the President? In the whole history of Venezuela no visiting head of state has ever had to be protected by such a bristling and panicky force.

It is true, in view of former Vice President Richard Nixon's ordeal in Caracas, that there was a need for taking adequate security measures for the President's visit, but the all-out steps taken by Betancourt indicate that something more than communism is feared. They indicate that the whole nation, right as well as left, is determinedly anti-Betancourt. Had the security precautions been exclusively anti-Communist, Betancourt's logical step would have been to paralyze the Communist movement by arresting its leaders. But this was not done. Only the small fry were imprisoned. Indeed, one of the contradictory and curious things about Betancourt's so-called anticommunism is that at no time has he ever placed the actual leaders of the Venezuelan Communist Party, Gustavo Machado, Eduardo Machado and Jesus Faria, under arrest. They have enjoyed a charmed immunity. In the instance of this Kennedy visit, the top Communist leaders were at liberty throughout the visit to act without restraint.

ARE ANTIGOVERNMENT DEMONSTRATIONS COMMUNIST INSPIRED?

Those acquainted with the current Venezuelan situation have become suspicious of the Betancourt labeling of all anti-Government demonstrations as "Communist." This makes good publicity copy to impress Americans that Betancourt is anti-Communist. Actually, a recent demonstration of high school students of San Cristobal was a protest of anti-Communist students against the Marxist indoctrination which was being forced upon them by Betancourt's Minister of Education. It is reported that every time an anti-Government demonstration takes place in Venezuela, Betancourt's friends, the Communist Party and the MIR—the left-wing of Betancourt's own party—stage a Communist demonstration and both demonstrations are then reported to the foreign press as Communist. In order to fool Washington there is a studied effort by the Accion Democratica to conceal the fact that an enormous conservative public in Venezuela does not believe Betancourt is anti-Communist.

The bitter proof of Betancourt's unpopularity is the fact that after elaborate preparations were made for Kennedy's visit only 150,000 Venezuelans turned out to hail our President—the following day in Colombia over 500,000 people poured out into the streets of Bogotá to cheer him. Even the 150,000 were mostly ringers. They included at least 40,000 Accion Democratica and COPEI—the pre-Betancourt Catholic party—members, together with 30,000 Government employees who were sent into the streets under orders from the regime. In Hollywood language the visit proved to be box-office poison. As a spectacle it was the flop of the century.

KENNEDY REBUFFED

A still further rebuff was in store for the President before he left the country. It is customary in Venezuela for a top-ranking visitor to be asked to appear before a joint session of the Congress and to sign the gold book in the municipal building in Caracas. The Congress, whose President is the Communist Raul Leoni, adjourned the day before the President's arrival, thus avoiding a Kennedy reception. The municipal council, which is Accion Democratica controlled, voted before the Kennedy coming not to ask him to sign the gold book. The sting of this experience to our President is that on January 13, 1959, Fidel Castro was asked to address a joint session of the Congress and to inscribe his name in the gold book.

UNITED STATES TO PAY FOR BETANCOURT EXTRAVAGANCE?

Of course, the actual reason behind all the urgency in the Kennedy visit was the insistent need of the Betancourt regime to get its hands on some real American money. In my first speech, I brought out the fact that the Betancourt government has served a demand upon the United States for $300 million. I was overcautious in my announcement. Now it appears that this huge estimate was only a feeler. Since the first overtures were made, Caracas has raised its sights. The actual figure was spelled out in the New York Times on June 29, 1961. Here is the story:

> Venezuela expects to obtain at least $1 billion in foreign loans, according to Dr. Andres German Otero, Finance Minister. "The loans will be for long-range capital expenditures and will come mainly from the United States," he said.

Note the disquieting observation that the loans "will come mainly from the United States."

Lest we think this is wishful thinking, listen to President Kennedy:

> Substantial new loans, in addition to those already provided, are under consideration by the Inter-American Development Bank.

Obviously, Betancourt is slated to get the dollars he wants. He will most assuredly get them unless the American people raise a voice of protest that even the "liberals" in Washington cannot ignore.

Is it not about time for America to ask, Why does Venezuela need these huge amounts of money? Venezuela is not a "have not" nation. Why is Betancourt demanding that the American people hand over $1 billion to him?

A prudent creditor always looks into the debt situation of a prospective borrower. What kind of a risk is Venezuela today?

Four years ago, under the Government which preceded Betancourt, the credit of Venezuela was gilt edged. Under Perez Jimenez the country was almost without debt. Here is what the First National City Bank of New York said in its special report on Venezuela issued in June 1957:

> External debt, other than the small Export-Import Bank loans, was liquidated a long time ago. Internal debt, consisting chiefly of Government-guaranteed obligations of various autonomous organizations, is relatively modest.

During this virtually debtless period, Venezuela was engaged in the most extraordinary program of public works and national improvement in the history of the nation. The public works which greeted President Kennedy's eyes as he visited Betancourt—the stately buildings, the great housing projects for workers, the magnificent Autopista over which he rolled on his drive from the Maiquetia Airport, and the great network of highways throughout the country—were all built under the Perez Jimenez government. When the revolutionary government came into power in 1958, the public works program was abruptly halted.

The striking thing about the public works program of the Jimenez government is that it was all self-financed by Venezuelan money. There were virtually no borrowings from the United States. The great tax income which Venezuela received from oil extraction and the money received from the sale of oil exploration rights—now halted for socialistic reasons by Betancourt—were plowed back into Venezuela to give it a modernized national plant. This careful stewardship by the government of the national economy paid dividends in popular well-being. The Chase Manhattan National Bank wrote in its report for the third quarter of 1957:

> The rate of economic progress in Venezuela during the past decade has outstripped that in any other Latin American nation.

Such was Venezuela on the eve of the coming of Betancourt to power.

What are the present figures? I do not ask you to take the figures of the New York Times, which leans over backward in its curious endeavor to make a hero of the unheroic Betancourt. I present the report of the Controller of the Republic of Venezuela to the Venezuelan Congress in 1959.

The Controller's report shows that on the eve of the revolution of January 1958, the total foreign debt of Venezuela was only 4,544 bolivars. The internal debt, which was largely a debt of the autonomous agencies of the states, was Bs2,847,507,005.

The supreme irony of Betancourt's need for American dollars is that in 1957, at the Panama conference which was attended by President Eisenhower, President Perez Jimenez actually offered to loan $30 million of Venezuela money to start an Inter-American Development Bank. What a fantastic reversal of roles. A Venezuela which only 4 years ago was paying its way and offering to loan millions to aid less fortunate nations now stands, under Betancourt, with hat in hand begging for U.S. dollars.

VENEZUELAN DEBT SITUATIONS TODAY

Let us look at the Venezuelan debt situation today. Again, I quote an authority on the Venezuelan economy, Prof. Carlos Pietri Martinez, professor of public administration at the University of Caracas. He says in his report published in the November 29, 1961, issue of El Universal, the leading daily newspaper in Caracas:

> First. The foreign debt of Venezuela has increased under Betancourt from Bs4,544 to over Bs2 billion.
>
> Second. The annual budget which Venezuela has always taken pride in keeping in balance has been in red ink for every year since the revolution. For 1958, the deficit was Bs1,544,540,000. For 1959, Bs872,300,000. For 1960, Bs865,230,000. Prof. Pietri Martinez estimates that the deficit for 1962 will amount to approximately Bs2 billion.
>
> Third. From a virtually debtless condition, Venezuela has sunk to a state in which the nation now has the highest per capita foreign debt of any country in Latin America.

According to the October 27, 1961, article in L'Esfera, which is quoted elsewhere in the speech, the present—1961—internal administrative debt of Venezuela, including invisible items, is now Bs7 billion.

Why has Venezuela gotten itself into this financial fix? The obvious deduction would be a falling off of public revenues. Some hint that this alibi might be offered is found in the words of the joint Kennedy-Betancourt statement of December 17, 1961, where there is an allusion to Venezuela's 1960–61 recession. If there was a recession, it certainly was not reflected in any falling off of tax collections. Prof. Pietri Martinez says on this point:

> The revenues of our last 4 years were the highest in our history. They reached the incredible figure of Bs34 billion, which included the regular income of the nation, the states, the municipalities and the autonomous organizations, the proceeds in the public credit transactions and the available cash reserves of the national treasury.

Prof. Pietri Martinez points out that in only 4 years the Betancourt Venezuelan Government squandered public revenues which aggregate more than half the 10-year amount allocated by the United States for the whole Latin American alliance-for-progress program.

If we omit the extraordinary item of receipts for franchises for oil explorations—a source of revenue which Betancourt abolished in his pursuit of oil industry industrialization—we find that tax collections have been higher under Betancourt than under Perez Jimenez. The highest prerevolutionary figure was Bs4,262,530,000. In 1960 it was Bs4,960,690,000. While the treasury situation was in balance before the revolution, there has been a staggering deficit for every subsequent year.

BETANCOURT'S GOLDBRICK BUREAUCRACY

The comparison gives us a suggestion of what is happening to Venezuela's tax billions. The receipts are actually increasing, but expenditures have shot up even more rapidly. The money has not been spent on public works, which would permanently enrich the nation. It has been "squandered," to use Prof. Pietri Martinez' term, on socially wasteful but politically rewarding schemes to increase the popularity of the Betancourt regime among the voters of Venezuela. It has been squandered in a wholesale corruption of the electorate by placing huge blocs of radical voters upon the public payrolls where they have become permanent charges of the state. One of Betancourt's first acts upon assuming power was to issue an order to all government departments and autonomous government-financed agencies to "absorb" the unemployed. The malcontents, the troublemakers, the "won't works" in Venezuela all have jobs—working for Betancourt's government. It is the honest and the hardworking Venezuelan who has tried to run a little store or business— the Venezuelan middle class—who has been driven to desperate ruin.

So brazen is this government job racket that Betancourt has even permitted the establishment of quotas for jobs in the various departments which are parceled out among members of the several parties which comprise Betancourt's coalition. Note, these are not real jobs. In army talk they are "goldbrick jobs." One of Betancourt's subordinates, the director of the state-controlled telephone system, cried out in public protest that he had been forced to "absorb" so many nonworking employees that he could eliminate 75 percent of his working force and still operate the lines more efficiently.

No totals of the size of this huge bureaucracy are obtainable from the Betancourt government. No breakdowns of the various ministry reports reveal the number of deadheads who are being carried. But this bureaucracy is the public scandal of Venezuela today. It is the open sieve through which disappear the billions of bolivars which Betancourt has collected. Faced with the specter of exhaustion of his money supply, Betancourt is turning eagerly to Washington to save him.

In my researches I have been able to isolate only one of the Betancourt ministries where it has been feasible to make a partial comparison of the spendings of the present and former regimes and to estimate the waste. This is the Ministry of Public Education. Through information supplied to me by a former minister, I find the following cost situation: In 1957 the total budgeted cost of the national primary school system was Bs75 million. In 1961 it was Bs258 million. Only 1 year before the Betancourt takeover a 5-year plan for the erection of thousands of new schoolhouses had been approved. The Betancourt government has chosen to rent new school space, with all the discomfort and graft that such a system involves. A per-pupil analysis of the cost shows, taking into account swollen operating costs, the annual cost per pupil was Bs87.5 in 1957. The 1961 cost was Bs322.5 per pupil.

Such staggering waste and bureaucratic misrule runs like a dark thread through all the present Venezuelan agencies. It is sedulously concealed from trustful visitors like President Kennedy.

ALLIANCE-FOR-PROGRESS PROGRAM

One of the strange episodes of the Betancourt regime was the appointment of Teodoro Moscoso, the Puerto Rican

pharmacist, as President Kennedy's Ambassador to Venezuela. The President has recalled Moscoso and given him the extremely important post of Chief of the alliance-for-progress program. The Moscoso appointment was one of the most unwelcome appointments ever made to the Venezuelan ambassadorship. When he arrived to take his office, he had to be virtually smuggled into Caracas to avoid hostile demonstrations. President Kennedy was wise in recalling him, but why was he promoted to his powerful post in the alliance-for-progress program. The whole incident demonstrates the air of unreality which has hung over United States-Venezuela relations since the Kennedy inauguration.

On the subject of Moscoso, Mr. Gilbert Garcia of Miami, Fla., an unusually well informed student of Latin American political trends and a man who has campaigned tirelessly for Democratic Party candidates in many elections, has stated:

> As head of economic development in Puerto Rico (Moscoso) was not altogether a success, as Governor Muñoz-Marin claims. In fact, many of his projects failed, and one of the biggest was one of his last ones. A slaughterhouse worth over $2 million now stands idle because Mr. Moscoso, after being advised by experts in this field, did not heed their advice and the $2 million project is idle and the American investors are the losers. The simple fact which he was told, which did not take a cattleman to understand, was that Puerto Rico has very little cattle, and to bring live cattle there to slaughter would defeat the purpose of Moscoso's plant. This is only one of his failures, but one of the latest.

The legend of Moscoso's business acumen is based upon pure Muñoz-Marin say-so. Why President Kennedy advanced him to such a key job in the alliance-for-progress program is explainable only if we understand the Muñoz-Marin-Betancourt alliance of intrigue which has enmeshed the Kennedy administration.

AGRARIAN REFORM BETANCOURT'S SHOWCARD

How about the agrarian reform? Some of us who have followed the progress of communism have become increasingly suspicious of the "agrarian reform" slogan. In every Communist takeover the redistribution of land is always the first seductive promise. Remember Mao Tse-tung in China who was hailed by many American "liberals" as the hope of China, because, as they told us, "He isn't a Communist at all, just an agrarian reformer." One American "liberal" even produced a document in 1944 comparing Mao to Thomas Jefferson. Betancourt is running true to form—he is marching "the Yenan way." Land reform is his great showcard.

No one disagrees with a genuine land program to better the lot of the farm population. However, when Communists and Socialists talk about agrarian reform, they do not mean a program which benefits the nation as well as the landless farmer. They mean the redistribution of land, regardless of whether it helps the nation. They mean "share the wealth."

The United States is the greatest example that could be cited of a nation which has enriched itself through a constructive agrarian program. Our program was inaugurated with the Homestead Act after the Civil War. Through this act the vast stretches of rich virgin land in the West were brought into cultivation. The act did not propose to take over the productive farms already in operation in New York, Pennsylvania, and Virginia and cut them up into small uneconomic holdings. The American people would probably have laughed it out of existence if it had proposed to do so. Instead, it directed the new farmers to uncultivated land on the frontier, which increased rather than decreased the Nation's crop production.

Does Betancourt propose to do this in Venezuela with the aid of the agrarian reform millions which President Kennedy promised him? No indeed. Venezuela has enormous stretches of uncultivated and good government-owned land in the provinces of Sucre, Monaga, Ansoategui, and Bolivar. They are served by convenient transportation facilities. For the more distant future it has the empire sweep of the vast area beyond the Orinoco.

Did Betancourt propose an agrarian plan like that of the United States which would open up this abundant government-owned land through an orderly, wealth-producing program? He did not. Instead, he launched a program to buy up land already in successful cultivation and cut it up into small, uneconomic plots. These plots were mostly near Caracas where they could be used as showcase exhibits for credulous visitors. President Kennedy was taken to one of these cut-up farms and induced to make a speech enthusiastically hailing the Betancourt land program and promising far-reaching aid.

It was characteristic of Betancourt that he could not be honest with President Kennedy even in this exhibition. Perez Segnini, Betancourt's director of the Instituto Agrario Nacional, informed President Kennedy's speechwriter that the Betancourt regime had already resettled farmers on 38,000 holdings. The President confidently proclaimed this figure to the world in his speech at La Morita. But after the speech, Ramon Quijava, head of the Agrarian Reform Division of the Accion Democratica, following a break with Betancourt, revealed the fact that not 38,000 but only 10,000 new holdings have been financed under the much publicized Betancourt agrarian reform. It was a grim trick to play on our trusting President.

The shrewd Betancourt realized the demagogic and humanitarian appeal of a program which seems to be doing something for the little fellow. He realized that it could be served up in the United States as the clinching argument for the American dollars for Betancourt. So the President and the unsuspecting newspapermen who accompanied him were shown this Potemkin exhibit as proof of Betancourt's achievement. They accepted it uncritically. They did not realize it was all a hollow pretense.

CORRUPTION RAMPANT UNDER BETANCOURT

In discussions of the Betancourt regime liberal writers have made much of the argument that the present government is honest while the regime of Perez Jimenez was corrupt. Unfortunately for Betancourt, facts are beginning to come to light which disclose the vast stew of corruption that conceals itself under the "democratic" phrases of the present administration.

A startling instance was given in the January 10, 1962, issue of L'Esfera, a Caracas daily newspaper. It revealed that Dr. Alberto Lopez Gallegos, member of the central committee of the Accion Democratica and former Governor of the Federal District, had received a letter from the construction company Inversiones Albatros, promising him Bs1 million and a monthly fee of Bs3,000 if he would successfully help the company obtain financing for extensive Government contracts from the Banco Obrero. The president of the Banco Obrero is the father-in-law of Dr. Lopez. The company received the financing. The letter was reproduced in L'Esfera.

It is commonly whispered in Venezuela that a farmer wishing to secure land under Betancourt's agrarian reform program must first make a payoff of 10 percent to the head of the Agrarian Reform Division of the Accion Democratica. The atmosphere of Betancourt's Venezuela is dense with such stories of widespread official corruption.

Nothing that I could say about the incredible misrule of the Betancourt regime would be more blasting than the words of L'Esfera. L'Esfera was one of the backers of Betancourt after the 1958 revolution. It followed him hopefully for a long time. In his third year it gave up. At the end of Betancourt's 32d month, it published a review of his regime. The conclusion which it reached was that the Accion Democratica Government was successful only in impoverishing the state. It gave a few damning statistics to prove its indictment. Here they are:

First. Venezuela's Treasury reserve under Betancourt has been wiped out. In 1957 the reserve stood at Bs2,350 million. In 1961 it had shrunk to Bs240 million.

Second. The cost of Betancourt's program of absorbing the unemployed in government jobs in 1961 aggregated the ruinous sum of Bs2,890 million.

Third. The Venezuelan construction industry is at a standstill. This second largest industry reports only 2,101 units under construction in 1961, in contrast to 11,680 units built in 1956.

Fourth. Petroleum production, Venezuela's first industry, has ceased to grow under Betancourt's stifling policies. In 1957 there were 637 units engaged in exploring new oilfields. In 1961 only one unit was at work. In 1957 there were 115 units being used to drill new wells. In 1961 only 35 drilling units were in the fields.

Fifth. Under Betancourt seven countries which before 1958 had bought oil from Venezuela had been lost to the nation.

Sixth. The decline of general business was shown by the fall of buying and selling transactions throughout the country. In 1956 transactions aggregating

Bs1,115 million in value in the purchase and sale of property had been recorded. In 1961 this dwindled to Bs405 million.

Seventh. Commenting on Betancourt's agrarian reform, L'Esfera cited corn as an index of its worth. Although the cost of the agrarian program to date has been Bs1 billion, production of corn has decreased. Venezuela in 1958 was a self-sufficient producer of its own corn. By 1961, after this vast outlay, Venezuela had become an importer of corn. With an increase of 70 percent in general price levels in the 3 years ending 1961, L'Esfera found large portions of the Venezuelan population are now suffering from insufficient food.

BETANCOURT REPUDIATED BY HIS OWN PARTY

We now come to the most startling fact in the whole shabby Betancourt story. Since President Kennedy's visit, even the Accion Democratica itself has repudiated Betancourt. President Kennedy's visit to save Betancourt was perhaps all in vain. Scarcely was he out of the country when the Accion Democratica fell into a violent internal fight. Two rival conventions were held the first week in January by two factions of the party on the same day. The largest faction, comprising 62 percent of the party membership, repudiated Betancourt and went into the opposition, forming a new party, the AR, or the Republican Socialist movement.

Betancourt has had the unhappy experience of seeing one of his favorite pupils, Raul Ramos Jimenez, leading the seceders. Jimenez, in denouncing Betancourt, declared on last January 4:

> The lack of definition and the confusion over what road it intends to take is undermining the faith of the nation in the present democratic regime. No one knows for sure where the country is headed. We only know that Mr. President wants above everything to finish out his term.

It is ironical that President Kennedy unwittingly touched off the events which now seem to be rushing the Venezuelan Tito to his end. Raul Jimenez is just as unacceptable a leader of Venezuela as Betancourt. Like Betancourt he is a Marxist and a Leninist, but he opportunistically recognized the mistake of Betancourt in calling upon the President of the United States to take sides in internal Venezuelan politics. He recognized the backwash of nationalistic resentment that such rash interference could arouse among the Venezuelan people. He has been quick to capitalize on it politically.

None of us can predict the future. It does not seem that Betancourt can survive his present difficulties. His incompetence, his tricky pretense of noncommunism, his cynical disregard of his nation's well-being is catching up with him. If he fails, Venezuela may get someone even worse. The great blunder of Washington is that while it had a chance it did nothing to make certain that Venezuela would get somebody better.

President Kennedy, misled again on Latin America by the Bowleses, the Goodwins, and the Muñoz-Marins, has made a supreme blunder in Venezuela. Let us hope that the slipping position of Betancourt will save the United States from giving him his requested billion dollars. Until the end of his term, President Kennedy will have before him his unfortunate comment that Betancourt's Venezuela is an example for all the hemisphere to follow. The words are the epitaph of the Kennedy Latin America policy.

The picture of this man of straw whom the State Department and the administration has elevated into our South American favorite is not a pretty one. Since my first talk on this subject, some people have raised the question whether Betancourt is still an actual Communist. In the case of a man who has worn a lifelong mask, this fact is sometimes difficult to determine. In Betancourt's case the fact that he is certainly a Tito-style Communist, building a nationalist Communist domain with the help of gullible liberals, is convincingly sustained by the facts.

IS BETANCOURT ANTI-COMMUNIST?

In one defense of Betancourt which appeared in the CONGRESSIONAL RECORD last September 27, the amazing statement was made that "since 1935, Romulo Betancourt has been one of the outstanding anti-Communist democratic leaders in Latin America." Similar statements citing the date 1935 have appeared in national magazines. Yet, the same article which appeared in the RECORD admitted that "after 1936" Betancourt's new style Communist Party, the ORVW, "joined forces with the official Communists, then calling themselves the Partido Republicano Progresista in a joint organization, the Partido Democratico Nacional." This is hardly the course which would be followed by an anti-Communist democratic leader who had repudiated communism. Obviously, there is something more than meets the eye.

The refutation of the myth that in 1935 Betancourt became an anti-Communist appears in his own words. Here it is. On February 15, 1937, 2 years after he is supposed to have turned against Communism, Betancourt wrote in the Caracas daily L'Esfera in an article signed by himself:

> It is very urgent to determine that the necessary revolution for transforming Venezuela only can succeed if it is conducted, led, and centralized by the Venezuelan Communist Party.

On this subject, let me cite a recent statement by Dr. Vitelio Reyes, author of the classic biography of the Venezuelan patriot Paez and himself a former member of the Venezuelan Congress. He says:

> Informed Venezuelans are amazed at the wide acceptance by Americans of the myth that Romulo Betancourt is now an anti-Communist. In Venezuela, we are under no such illusion. We have known him for over a quarter of a century as the cleverest Communist tactician in this hemisphere. The very fact that his pretense of anticommunism has fooled so many intelligent Americans is the proof of his adroitness.
>
> Actually, Betancourt's whole life plan has been based upon the so-called Barranquilla plan which was drafted in the early 1930's. This plan outlines the strategy of making Venezuela a Communist nation without using the Communist name. Betancourt throughout the years has been the leader of the Barranquilla plan group. He has consistently avoided the use of the name Communist or the use of Communist terminology. He has always played a deep game, with secret agreements and understandings with Machado, official leader of the Communist Party and Villalba and Caldera, the leaders of the two other supposedly opposition parties. He has even feuded with the Machado Communists at times, and since he became President, he has made arrests of minor Communist leaders and has made raids on Communist headquarters. But he has never illegalized the Communist Party. He has never arrested the Machado brothers and other top Communist Party officials.
>
> This astute strategy has fooled many Americans into believing that he has had a change of heart and is no longer a Communist. We Venezuelans know otherwise. We know that Betancourt, under his mask, is still skillfully leading Venezuela toward a nationalistic communism based on the Barranquilla plan.
>
> When the final showdown with Russia in this hemisphere comes, this slippery political eel will show his true colors.

In recent years while cementing his alliances with Governor Muñoz Marin and the New York circle of socialist-liberals, Betancourt has developed an amazing skill in the art of using what the Communists describe as "Aesopian language." He uses words to convey one expedient impression while, in reality, they mean something else.

The classic example of this Betancourt art in Aesopian language is his 887-page book Politica y Petroleo published in Mexico in 1956. Recently, in his furious gestures of window dressing to fool President Kennedy, Betancourt actually banned the circulation of his own book in Venezuela. It is virtually impossible to get a copy.

Unless one recognizes that there are two levels of meaning in Betancourt's studied style—one to reassure the liberals and the other to further his long-range Communist aims—this book will seem to be a hodgepodge of evasive words. Nowhere in the book is there a direct and quotable phrase to link Betancourt with his Communist school.

Yet, if one plows his way through this tortuous volume, the whole work conveys a clear impression of embittered and demagogic anti-Americanism. Phrases like American "exploitation of defenseless people," American "financial empires" in Latin America, "subterranean procedures" by American oil companies, "Wall Street," and "dirty maneuverings" by U.S. oil companies bestrew the book. In one place he compares the State Department and U.S. oil companies to a septic tank. The book is written in Latin American style. No Latin American leader can fail to get its meaning.

The book is a self-portrait of the present Betancourt. That is why he suppressed it before President Kennedy's visit. It is the portrait of a man who is cleverly whipping up the passions of Latin Americans against the United States while accepting and demanding our money and posing as our friend. Like the Titos, the Sukarnos, and the Nkrumahs throughout the world—his closest prototypes—he is deadly dangerous to the United States. If we are sincere in our fight against pro-Communist

activity in this hemisphere, we must expose the truth about what is going on in Venezuela. The people of the United States must know about this man Betancourt.

WE WERE THERE, TOO

The SPEAKER. Under previous order of the House, the gentleman from Iowa [Mr. SCHWENGEL] is recognized for 60 minutes.

Mr. SCHWENGEL. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. SCHWENGEL. Mr. Speaker, this is the day when a proud Government pays tribute to its new and very deserving hero, Lt. Col. John Glenn, Jr., the astronaut whose achievement in orbiting the earth has not only thrilled all Americans but has electrified the world.

The more we have seen and heard of Lieutenant Colonel Glenn since this successful space flight, the more impressed we have been with his sterling qualities as an individual. They were never more apparent than in the televised reunion with his family in Florida and in the press conference which followed. Although he was the man in the capsule and the figurehead for the attention, Lieutenant Colonel Glenn was quick to point out the tremendous team effort behind this successful conquest. "We," "us," and "our" were the pronouns used in giving, rather than taking credit. I never was more proud of an American than I was of him when he asked his family to take a bow with him.

Without detracting one bit from Glenn's own great contribution, people in the First District of Iowa, are proud of the part they played in the venture.

Employees of the Bendix Corp., Pioneer-Central Division, Davenport, Iowa, were confident that the earth-orbiting flight would be successful. They developed some of the equipment that helped make the flight possible.

The Pioneer-Central Division designed and manufactured three instruments for Project Mercury—a rate descent indicator, an absolute pressure regulator, and a pressure suit air-conditioning and ventilating system.

This division of Bendix also developed an optical liquid censor for the propellant loading system for the Atlas booster used in the flight.

George A. Lewthwaite, division general manager, made this statement in connection with company's role:

Pioneer-Central is proud to be a member of the industry-Government team that has made it possible for the first U.S. astronaut to travel in outer space.

Mel Thomas, of 1317 14th Avenue, Moline, Ill., a technician in the engineering department, said:

I was confident that he would get down safely. Personally I feel fortunate to be a part of a team effort that has not only developed instruments for Project Mercury but that was in constant touch with Colonel Glenn through the Bendix global tracking and communications system.

John Leder, 2216 Western Avenue, Davenport, Iowa, and also an engineering department technician said:

I built the prototype of the absolute pressure regulator which was in Glenn's spacecraft. Naturally, I felt that our products would operate perfectly.

Kenneth Abrahamson, 1928 Main Street, Davenport, an inspector in the quality control department at Pioneer-Central noted:

My job was to inspect the rate-of-descent indicators used in the flight. If they met our rigid quality requirements, they passed inspection. If not, they were rejected. As far as I am concerned, the flight was in the bag. I did, however, get a big lump in my throat when the spacecraft reached 30,000 feet during the descent. That was the critical time when Glenn was looking at our rate-of-descent indicator.

In Iowa City, Iowa, Dr. James A. Van Allen, the famed University of Iowa space scientist and discoverer of the deadly radiation belts in outer space said:

It was a magnificent human and technical achievement. The flight was an important milestone in the eventual manned exploration of space, including human landings on the moon and on planets.

In Burlington, Iowa, a former schoolmate of Lieutenant Colonel Glenn, Miss Annabelle Dahlsten, a grade school teacher, said:

The flight was typical of him. He was an all-American boy when I knew him in school at New Concord, Ohio.

Yes, Iowans watched, listened and prayed with the world last Tuesday as Astronaut John Glenn, Jr., became the first American to successfully orbit the earth. We were there, too.

THE EMANCIPATION PROCLAMATION CENTENNIAL DINNER

Mr. SCHWENGEL. Mr. Speaker, on February 10, the Willard Hotel in Washington, the scene of many events in connection with our Nation's history, once again served history as the setting for the Emancipation Proclamation Centennial dinner, sponsored by the Lincoln Group of the District of Columbia.

I had the privilege of participating in this event as we who honor and revere Lincoln met to note the centennial year of his great and then revolutionary document, the Emancipation Proclamation.

The principal speaker of the evening was the Honorable Edward R. Murrow, Director of the U.S. Information Agency, whose remarks have added immeasurably to the dimension of the Lincoln story. The Lincoln award of the year was made to Dr. David C. Mearns of the Manuscript Division of the Library of Congress. No better choice could have been made from among those who have contributed to the Lincoln legend which grows and grows.

Because of what was said there, and because I feel these words should be shared just as profusely as Lincoln is shared, I ask consent for the program and the remarks made at the Emancipation Proclamation Centennial dinner to appear in the RECORD.

It is incumbent at the outset to recognize the contributions of many individuals who had a hand in tying together the multiplicity of details upon which the success of a function of this type depends. I give these names, knowing full well that I run the risk of overlooking someone whose work was equally important. Such an oversight, I assure you, will not be intentional. These, then, are some of the people who gave of their time and effort in special ways: Annie Hausmann, our corresponding secretary, who was in charge of invitations; Richards Associates, who handled a myriad of detail; Ralph Becker, chairman and master of ceremonies; Nannine Young, who worked out the decorations; our president, Paul Gantt, and his wife, who did much more than preside; my own secretary, Sylvia Salato; Lloyd Dunlap of the Library of Congress for his work on the souvenir plates; George Moss of the Stafford Manufacturing Co., in Brooklyn, who prepared the plaque which was presented to David Mearns; Col. Randle Truett, in charge of the musical portion of the program; the Emancipation Proclamation Committee—Ralph Becker, chairman, Victor Birely, Josephine Cobb, Paul Gantt, Ralph Newman, Carl Haverlin, David C. Mearns, Carl Sandburg, Fred Schwengel—and Miss Josephine Cobb who was in charge of the display which was arranged through the cooperation of the Lincoln Museum and Carl Haverlin of Broadcast Music, Inc. Through the courtesy of this firm we were able to exhibit several interesting documents, one of the most historical of which was a manuscript of "The Battle Hymn of the Republic" in the handwriting of Julia Ward Howe. Many lithographs and photographs of the Emancipation Proclamation and its original reading were included in the display.

The following is the dinner program of the Emancipation Proclamation and the remarks which were made by the various participants. In addition we were pleased to have many messages from Lincoln friends and especially from the President of the United States, John F. Kennedy, to highlight the program and to make this evening more memorable. The message from President Kennedy was read at the start of the program by Mr. Edward McDermott, of Dubuque, Iowa, Acting Director, Office of Emergency Planning.

Mr. Ralph L. Becker, toastmaster, it gives me great pleasure to send greetings to all of you who are commemorating the 100th anniversary of the Emancipation Proclamation tonight. I wish that I could have joined you.

Lincoln said about the Declaration of Independence that it "Gave liberty not alone to the people of this country, but hope to all the world." It "gave promise that in due time the weights would be lifted from the shoulders of all men, and that all should have an equal chance."

The Emancipation Proclamation is even better described by his words. Its importance has never been greater than it is now—the weights of slavery, lifted in this country 100 years ago, have now been lifted almost everywhere in the world. But it is a

long, slow march to a world which recognizes freedom and equality as a right basic to human life.

Our progress is marked, but it is not complete. Lincoln's clarity of purpose and thought can serve to strengthen all of us for the tasks still ahead.

JOHN F. KENNEDY.

THE WHITE HOUSE, *February 10, 1962.*

DINNER PROGRAM, FEBRUARY 10, 1962

(Toastmaster, Mr. Ralph E. Becker)

Invocation: The Right Reverend Russell E. Phelan, Church of the Annunciation.

Welcome: Dr. Paul H. Gantt, president Lincoln Group of the District of Columbia.

Message from Congress: The Honorable FRED SCHWENGEL.

Musical interlude: Mr. Donald Boothman, "I Went Forward * * *" from Lincoln; "Requiem Aeternam," Herbert Elwell.

Presentation of the Lincoln Award of the Year: Mr. Carl Haverlin, president, Broadcast Music, Inc.; Dr. David C. Mearns, recipient.

Address: "The Legend of the Leader," the Honorable Edward R. Murrow, Director, U.S. Information Agency.

Benediction: The Right Reverend Phelan.

THE LINCOLN GROUP OF THE DISTRICT OF COLUMBIA, EMANCIPATION PROCLAMATION CENTENNIAL DINNER COMMITTEE

Mr. Ralph E. Becker, chairman, Mr. Elden E. Billings, Mr. Victor M. Birely, Dr. Homer L. Calkin, Miss Josephine Cobb, Mr. William A. Coblenz, Mr. Lloyd Dunlap, Mr. Robert F. Fenton, Mr. Sam Flickinger, Dr. Paul H. Gantt, Mrs. Anna V. Hausman, Mr. Carl Haverlin, Mr. George M. Landes, Jr., Mr. David C. Mearns, Mr. Ralph G. Newman, Miss Elizabeth Nolan, Mr. Frederick W. Reinig, Mr. Robert K. Richards, Mr. Carl Sandburg, the Honorable Fred Schwengel, Judge Arthur M. Smith, Col. Randle B. Truett, Mrs. Louise W. Williams, and the Honorable Ralph Yarborough.

The Secretary of the Treasury recorded in his diary the momentous Cabinet meeting of September 22, 1862. In the words of Salmon P. Chase, Lincoln is described at that historic occasion:

"All the members of the Cabinet were in attendance. There was some general talk; and the President mentioned that Artemus Ward had sent him his book. Proposed to read a chapter which he thought was very funny. Read it, and seemed to enjoy it very much—the heads also (except Stanton) of course. The chapter was 'Highhanded Outrage at Utica.'

"The President then took a graver tone and said:

"'Gentlemen, I have, as you are aware, thought a great deal about the relation of this war to slavery; and you all remember that, several weeks ago, I read to you an order I had prepared on this subject, which, on account of objections made by some of you, was not issued. Ever since then, my mind has been much occupied with this subject, and I have thought all along that the time for acting on it might very probably come. I think the time has come now. I wish it were a better time. I wish that we were in a better condition. The action of the Army against the rebels has not been quite what I should have best liked. But they have been driven out of Maryland, and Pennsylvania is no longer in danger of invasion. When the rebel army was at Frederick, I determined, as soon as it should be driven out of Maryland, to issue a Proclamation of Emancipation such as I thought would be most likely to be useful. I said nothing to anyone; but I made the promise to myself, and (hesitating a little)—to my Maker. The rebel army is now driven out, and I am going to fulfill that promise. I have got you together to hear what I have written down. I do not wish your advice about the main matter—for that I have determined for myself.'"

Mr. BECKER. Distinguished guests, ladies and gentlemen, I am honored to present to you the distinguished president of the Lincoln Group of the District of Columbia, Dr. Paul H. Gantt.

Dr. GANTT. Eight times in periods of greatest stress, this "last best hope on earth," these United States, have brought forth eight great Presidents. Abraham Lincoln is, was, and always will be primus inter pares. But with us, and for us, Lincoln is not only a President. He not only belongs "to the ages," he belongs to all the people, as Lincoln would have said. He belongs to you and me. Because Lincoln and his words live with us. He is your friend and mine, and of people of good will everywhere.

And so we are assembled here to celebrate the 100th anniversary of his most benevolent deed, the Emancipation Proclamation.

Lincoln saw clearly its significance. He told Seward: "If my name ever gets into history, it will be for this act, and my whole soul is in it."

What Lincoln did, and again to use his own words, he did "after full deliberation, and under a heavy and solemn sense of responsibility. I can only trust in God I have made no mistake. It is now for the country and the world to pass judgment, and, maybe take action on it."

Action the country did take. But it is still up to good people everywhere to follow the ideals and precepts of Lincoln.

And so we are here to rededicate ourselves to his ideals and to carry his precepts everywhere.

But let us not forget, that these ideas stem from the good American soil what then used to be the "old frontier" in Kentucky. To Kentucky there had migrated—almost simultaneously—the Daniel Boones, the Trumans, and the Lincolns. And let us not forget that they came from our neighboring Virginia, the perennial giver of Presidents. But let us turn from the "old frontier" to the present. There are three persons in this grand ballroom whose merits I should like to recognize at this time.

Only 3 weeks ago the situation of the Lincoln Group regarding this dinner was bleak indeed. We looked like Fort Sumter—without subsistence and without support. Only nine reservations had been received. Just look around now; about 350 persons have joined.

And the man chiefly responsible for it, whose unbounded energy made this dinner a success, is none other than the Congress' "Mr. Lincoln," our good friend and yours, the Lincoln Group's own FRED SCHWENGEL, Congressman from Iowa. FRED, take a bow. Among the angels there are also those with a fighting spirit. At least among us on earth. And one whose spirit has kept the Lincoln Group alive, as long as the memory of man runneth, is our corresponding secretary, Mrs. Anna V. Hausman, better known to us as "Annie." Annie, get up and let the people see you. Last but not least, I should like to introduce to you the chairman of the dinner committee who is also our master of ceremonies. As Lincoln aged under the burdens of his office, so has this man suffered under the burdens of this dinner. After he personally designed, photographed, ordered, and had tucked in the most beautiful Lincoln Emancipation Proclamation Plate ever issued, the plates got misdirected and landed somewhere in a warehouse in Bladensburg. But there is hope. I am reminded of Ulysses S. Grant, impatiently waiting at Pittsburgh Landing for the arrival of Gen. Lew Wallace, the "Ben-Hur" Wallace of later fame. Although Wallace had been only 5 miles away, it took him the entire day to arrive at the battlefield of Shiloh. But arrive he did. And this may be an omen for our plates. From our experience with Ralph E. Becker, our toastmaster, I believe he will march "faster."

And so I want to introduce to you this man who came to us from north of the Mason-Dixon line, but has already left his imprint on this southern city. This is a man who practices law for a living, and practices charity with compassion. Our good friend and master of ceremonies, Ralph E. Becker. But before I am turning the imaginary gavel over to him, I ask you all to join in a triple toast:

To the President of the United States.
To all our Presidents.
To Abraham Lincoln.
Ralph, the meeting is yours.

Mr. BECKER. The Lincoln Group of the District of Columbia was organized about 10 or 11 years ago by devotees, scholars, students and historians interested in preserving the ideals, principles and faith of the emancipator of our country, Abraham Lincoln. Distinguished men and women who are behind this organization include Carl Sandburg, who needs no title; Carl Haverlin, president of Broadcast Music, Inc., a Lincoln student, author and the owner of the largest private collection of Lincolnia in the United States, whose generosity has been evidenced time and time again in activities commemorating Abraham Lincoln, including the exhibition of priceless manuscripts this evening; Ralph Newman, scholar, author and owner of the Abraham Lincoln Bookshop in Chicago; Dr. David Mearns, whom the Lincoln experts recognize as the expert, Chief of the Manuscript Division of the Library of Congress; Mr. Victor Birely; and Congressman Fred Schwengel, who has been the prime mover in all of the many local and national activities which have, over the past year or more, been devoted to honoring the memory of President Lincoln.

This group has had the distinct privilege of having as its speakers on various occasions men of the stature of Carl Sandburg, Allan Nevins, historian, Bruce Catton, historian, and the Ambassador from Mexico to the United States, Senor Carillo-Flores, a Lincoln student for over a quarter of a century.

For this occasion, a commemorative plate was designed and made by Political Heritage, Inc., which will be distributed to each guest. The dinner plate is black and white and in the center, carries a photo reproduction of Francis Bicknell Carpenter's painting, now hanging in the Capitol, portraying the Cabinet meeting of September 22, 1862, at which Lincoln read the proclamation. In scroll form it carries an excerpt from his message to Congress, December 1, 1862. On either side of the photo are vignettes of the Lincoln Memorial exterior and interior, and on the top is a beautiful reproduction of a Brady photograph of Lincoln. On the reverse side is included the names of the members of the Emancipation Proclamation Committee of the Lincoln Group of the District of Columbia.

Distinguished guests, ladies and gentlemen, I now wish to present the man who has been a prime mover in all of the many local and national activities which have, over the past year or more, been devoted to honoring the memory of President Lincoln. The notable success of the Lincoln inaugural centennial program and this evening can be directly attributed to his inspiration and his personal active participation. I would like to take this occasion to express my personal appreciation for his constant and generous assistance. It is an honor for me to present to you the vice chairman of the Civil War Centennial Commission and Representative of the First District of Iowa, the Honorable FRED SCHWENGEL.

Congressman SCHWENGEL. Mr. Chairman, friendly Democrats, fellow Republicans, and Lincoln lovers from all over the world, distinguished guests, good friends:

I am pleased to have this opportunity to thank our very able chairman and master of ceremonies, Ralph Becker, for the tireless efforts he puts forth to make this banquet the success that it is. He is a dynamic individual who is a devoted student of history and a great admirer of Lincoln and who, by example, has displayed a very unselfish attitude by making his great collection of campaign memorabilia available to the public by giving it to the Smithsonian Institution where it will forever be preserved for us and for posterity.

It is good to have this time to come together where we can recall some of the great ideals and with them revive interest in those ideals which can serve for today, through a better understanding of how the difficult problems were dealt with in another time. The centennial period has evoked some very interesting and worthwhile literature. It occurred to me that you might be interested in what a contemporary author has written about what really happened at Appomattox.

"WHAT REALLY HAPPENED AT APPOMATTOX

"After chasing the Union Army all over the map, even as far north as Gettysburg way up in Pennsylvania, the Confederates and General Lee were very, very tired. The Southern Army, camped out at Appomattox, was preparing to wipe out the Yankees the next morning, march victoriously into Washington and raise the Stars and Bars over the White House.

"General Lee was resting at the courthouse before mapping out the strategy for this final campaign. Into the courthouse walked General Grant, ready to surrender. Grant was such an inconspicuous looking man that Lee took him to be his orderly. Naturally, Lee gave Grant his sword to polish. Grant, very surprised, took Lee's sword and actually thought that Lee had surrendered. He even thanked Lee for surrendering and General Lee, being a true southern gentleman, couldn't go back on his word."

Now I should like to bring greetings from Congress—from the Hill—and remind you of something that I am reminded of periodically when I think about what has happened there throughout history.

I have said often and believe deeply that more has happened in the shadow of your Capitol to protect the individual rights of people and to promote their interest collectively than has happened anywhere else in the world in all of history.

This is something for us to think about these days when Republicans and Democrats are out in the hustings saying unkind things and sometimes unnecessary things about each other that would lead us to believe that what we do there is never in the public interest.

A review of the facts will reveal that what we do is mostly in the public interest and even those things that are politically inspired can serve the political interest and this all in spite of writers and others who would have you believe otherwise.

Speaking in behalf of Allen Nevins of the Civil War Centennial Commission and all who commemorate the events of that time as we are doing tonight, it is important to emphasize not the conflict, but the tragedy, that at frightful cost enriched and made clear the American tradition. The phrase, "conceived in liberty and dedicated to the proposition that all men are created equal," acquired a magnificent meaning during and since the war for all of us and for all time. With the result that our Nation under God was unified and made strong beyond any power again to separate and divide. What has emerged now is the last great hope of an imperiled mankind.

The fragment of history we show so humbly today may furnish an insight into the tumult, the bitterness, that in the end cleared the air for the triumph forever of the American genius for justice and freedom.

From our early revolutionary beginnings and from this Lincoln heritage is forged our country's leadership in a world of this hour, a leadership that gives promise of freedom for all mankind everywhere.

It is my feeling that the real Lincoln credo, if we could understand it, is adequate for us and for the world. It is eloquent and it is inspiring. It is hard to summarize but perhaps it is best understood today as kind of an all-inclusive, generous and fair attitude toward all the people; a patient, kindly, forbearing justice, based upon the principles espoused in the great books of all time—books from which Lincoln drew his source of strength, translated through him into simple but adequate and beautifully written literature for all, which was always consistent with the highest ideals and noblest thoughts of the great philosophers and patriots that he learned about in the books he read. We are the inheritors of the ideals that inspired Lincoln and in addition we are the inheritors of the Lincoln heritage from which we learn that what we do for humanity lives on to benefit posterity.

The trials and tribulations of this world and the promised defeat by all "isms" foreign to freedom will recede into oblivion so long as we heed and apply the eloquent observations and adequate admonitions we find in the last 72 words in his message to Congress, the people of the United States and to the world which read: "With malice toward none; with charity for all; with firmness in the right as God gives us to see the right, let us strive on to finish the work we are in; to bind up the Nation's wounds; to care for him who shall have borne the battle, and for his widow, and his orphan—to do all which may achieve and cherish a just and lasting peace, among ourselves, and with all nations."

This seems to summarize best what he felt should be our credo, what is or should be the heart and soul of America and of all who love liberty.

Speaking from the summit of his experiences, at a time when elation would have been justified and at a time when vindictiveness would have been applauded, he knew then and we know now both should be avoided. I am glad they were.

Thank God he was big enough to admonish us to have no malice, an all-embracing charity, a God-given firmness in the right, to take care of all (North and South) who suffered in the sacrifice and finally, I believe, most important, told us to do all to achieve and cherish a just and lasting peace among ourselves and among all nations. Let us then today take heart and believe anew that right does make might, and let us know and understand that no doctrine, faith or knowledge is of value to man except as it bears fruit in intelligent action.

PRESENTATION OF THE LINCOLN AWARD OF THE YEAR TO DR. DAVID C. MEARNS, BY CARL HAVERLIN

Mr. HAVERLIN. All who have read David Mearns know he has mastered the art of polysyllabic alliteration.

For example in his splendid foreword to "Lincoln for the Ages" he speaks of Mr. Lincoln as the "polygonous prodigy of the prairies whose portrait is portrayed here with precision and prepense."

Therefore you may imagine how very tempting it is to me to refer to Mr. Mearns as "authoritative and astoundingly able aid and assistant to aspiring authors"—or as "benign, blessed and beneficent benefactor of bewildered bibliophiles,"—or as "cunning and capable coadjutor and careful collector, collator of—and connotator and commentator on calligraphic correspondence."

I resist the impulse to name him "good, great and gracious ghost to gallants in government"—and so on through the alphabet.

But I shall not do so.

It would be wrong of me.

My amateurish attempts at alliteration forthwith falling would woefully run the risk of loosing laughter and levity—thus justifying jocularity—when sober solemnity should reign rightfully.

No—I shall content myself by merely mentioning that Mr. Mearns is a mellow and magnificent magnus of manuscripts—and meaningfully mark him as munificently magnanimous with his multitudinous embellishments.

I shall not go on to say that he is a maker modulator manipulator and majestic Mikado of mellifluous multisyllabled masterpieces. Nor shall I add that magisterially he is a mountain and mightily merits memorialization.

The universal respect for the mind of David Mearns and the deep affection in which he is held by all who know him are the measures of his generous and unfailing service to us all.

To all of us who seek his help—from the academic to the amateur—he gives in profusion.

I do not propose to praise him especially for what he does so well within his working hours. It is taken for granted that a competent person should do well those things from which flow his livelihood.

But I do laud him for his tireless devotion to all the problems brought to him by the scholar or the beginner—over and beyond the call of duty and outside of Library hours.

Though tonight I know that I speak, generally, for all of you here, and for a host of others who cannot be here, in my proper person I represent the amateur. From all of my class I express gratitude for his tireless interest in our elementary affairs.

Three days ago, in New York, one representing the other end of the historical spectrum—William B Hesseltine of the University of Wisconsin—suggested that David Mearns had been thanked in the acknowledgment pages of more historical works than any other American.

By those qualified to judge, he is acknowledged to be in the tradition of all great curators who are at once custodians and midwives and, when the time is allowed them, creators.

In these three capacities his influence has been felt over many years by knowledgeable people everywhere.

So, on behalf of all who now read or will later read, it is my duty to thank him, and through him all men and women who follow his noble pursuit, for his long stewardship.

For 44 years he has dwelt on Parnassus. He came to the Library of Congress in 1918. He has had a succession of posts and is now Chief of the Manuscript Division and incumbent of the Chair of American History.

Earl Schenck Miers has written, "Dave Mearns is a man with a fundamental creed. * * * Speaking before the Tennessee Library Association, he said, * * * "only great books, great readers and great hearts can bring greatness to a library." On a recent junket we lunched with Jonathan Daniels in Chapel Hill and Burke Davis in High Point, with Lon Tinkle in Dallas, with Clyde Walton in Springfield and Paul Angle in Chicago. As working bookmen, we naturally talked like bores about our own plans, but inevitably one name cropped up to brighten the discussions—Dave Mearns. When in doubt, ask Dave. He is, among American historians, a scholar's scholar. His indebted friends are legion, and without exception they join Carl Sandburg in hoping that "the road to hell will grow green waitin' for him."

ACCEPTANCE OF ANNUAL AWARD FOR DISTINGUISHED SERVICE BY DR. DAVID C. MEARNS

Mr. MEARNS. Mr. Haverlin, this distinction comes as a complete, a bewildering, a stunning surprise. Indeed, so startled, so taken off guard am I that no thoughtful, no measured, no moving acknowledgment is possible. Your gracious words of presentation, your felicitous powers of expression, the extravagance of your personal kindness have set a head, easily turned, whirling at uncounted and uncountable r.p.m. To this stupefaction that I experience are added a conviction of my own unworthiness and the disturbing distress of guilt. Now I know how they must have felt who not so long ago stole the sesquicentennial plates. Thus rendered speechless and mute, I can only resort to stammering extemporaneity.

But despite the fact that it is undeserved and probably precisely because it is undeserved, I am the more profoundly sensible of the honor you do me. I shall burnish this bronze with gratitude, display it with vanity unconcealed, cherish it with affection for the bestowers, and in compassionate privacy, lift up loud hosannas for Mr. Lincoln and for all of you. At night, in gentle decibels, I shall softly murmur Lynken, Blynken and nod. Meanwhile, thank you very much for this most magnificent watch fob.

(Although he could not be present at the banquet, Carl Sandburg sent words of special tribute to Dr. David Mearns which were read at the time of the presentation.)

David Mearns is a man and a friend whom many of us would like to see given several awards.

As a lover of books and as a great writer, especially of one great book, it is good that he should have this plaque.

It is not often that a librarian is the author not only of good books, but of such a great book as Dave's two volumes of the Lincoln papers. It is a keen book and I often find myself reading it—passing by the introduction I wrote for it—and enjoying the choices he presents along with his commentaries. The book presents, for one thing, a portrait of Robert Todd Lincoln from a different viewpoint than is to be found anywhere else.

I find when in his company that he has read many books which have become a part of him, and his brief comments on them get to their very gist and heart. As a booklover, he sometimes reminds me of Charles Lamb, though he lacks Lamb's melancholy.

The few times that I have been in trouble about particular books and have dropped in on him at the Library, he has straightened out my difficulties.

He gives added honor and dignity to the role of librarian.

I send him salutations and profound affection upon the receipt of this plaque. I shall insist that he wear it for me when I am next in our Nation's Capital.

CARL SANDBURG.

Mr. BECKER. Distinguished guests, members of the Lincoln Group of the District of Columbia and their guests: This evening's speaker is well known to everyone here. For over 20 years he has been a frequent visitor to almost every American home through the modern miracles of radio and television. Before and during the trying and dark years of World War II, our speaker was our most direct and immediate link with the momentous events that were occurring in Europe. We who listened will never forget his gripping nightly reports which invariably began with the now historical phrase "This * * * is London."

Following the war, our speaker returned to the United States to become vice president and director of public affairs for the Columbia Broadcasting System, but shortly thereafter resigned from this position to return to news broadcasting. In 1951 he became a familiar figure on our television screens with his memorable program "See It Now." In 1953 he launched the equally successful series known as "Person to Person." As he had done with radio, our speaker used the full potential of this marvelous new medium, television, in exploring the personalities and events which shaped our lives at home and abroad. His inquiring mind has probed all facets of American life, political, economic, sociological.

In January 1962, our speaker ended his 25 years with CBS to accept his present assignment from President Kennedy. In his present demanding position, our speaker is responsible for projecting the American image to the rest of the world. I know that he has a great awareness that one cannot understand America today, its form of government, its aims and objectives, its hopes for other people, without a full appreciation of the role which Abraham Lincoln played in American history. I believe that our speaker shares my belief that of all the statesmen who were responsible for creating and molding the form of the great experiment known as American democracy, Abraham Lincoln emerges as the first among equals. His principles and convictions were those of the theorists, like Jefferson, but he had acquired and refined them through personal experience and sympathy for the plight and aspirations of his fellow men. In action, he was as aware as Washington that a President governs by the consent of the people. But this belief was predicated on his inherent respect for each individual no matter how humble—for he had been one of the humblest. Lincoln was the whole and true American—in faith, in act, in feeling and understanding.

Without further ado, I will call upon our speaker who is eminently qualified to discuss the many contributions of Abraham Lincoln and the importance of the event which we celebrate tonight in the context of American political action today, both at home and in international affairs. I take considerable pride in introducing the Director of the U.S. Information Agency, the Honorable Edward R. Murrow.

ADDRESS BY EDWARD R. MURROW, DIRECTOR, U.S. INFORMATION AGENCY

Mr. MURROW. Mr. Chairman, ladies and gentlemen, gratitude, we are often told, is that measure of appreciation a man expresses for favors or benefits received. I am indeed grateful for your invitation this evening. And yet gratitude alone seems inappropriate. For I have come not so much to share thoughts about Lincoln as to participate in the veneration of a legend. And legends, my friends, are not easily approached by mere mortals such as we.

I come as an interloper in the shrine of Lincolnesque recollection. There are, in this audience tonight, experts of Lincolnia with credentials far better than mine. I note that in times gone by your speakers have included such eminences as Allan Nevins, Bruce Catton, and Carl Sandburg. I know them all. They are scholars, historians, poets of the past. I am but a poor past broadcaster who was privileged to use his limited talent on an unlimited medium and who has chosen now to seek his daily bread in the public instead of the private arena. What novice new come to Lincoln could hope to improve on these phrases of Sandburg describing Lincoln as a man " who is both steel and velvet, who is as hard as rock and soft as drifting fog, who holds in his heart and mind the paradox of terrible storm and peace unspeakable and perfect."

One century has passed and the paradox of storm and peace is still upon our land. Daily the communications pour in from around the globe, relating the difficulties and the doldrums of threatened interests. Not too different, perhaps, from the cables that poured in on Lincoln from the front, relating the dread and the disappointments of secession defended. I well recall one cable said to have arrived at the White House with the signature, "General Hooker. Headquarters, in the saddle." A day passed, and another came with the same signature: "General Hooker. Headquarters, in the saddle." It was on the third such cable's arrival that Lincoln is reported to have remarked wrily: "General Hooker has his headquarters where his hindquarters ought to be."

As you may know, I head an Information Agency with over 200 posts in 99 countries. Our headquarters are thus in the field where our 1,400 Foreign Service officers occupy our version of the front lines. The hindquarters are back here where I work in Washington.

I have just returned from a visit to part of those headquarters—2 weeks ago I was in Africa. For most of the month of January I saw the fulminations of freedom that are welling up in those lands. I saw the anxious faces and eager hands of blackmen reaching for their future, I heard the voices and sounds of a tomorrow being spawned in the toil of today. I felt the thrill of excitement filling the hearts of these new men of Africa. These lands will never see their past again.

Their voice and their dream is the ebb tide on which history flows. And as the sea's ebb tide is relentless and unceasing, so too is the ebb tide which carries their dream through these days in which we now live.

There is in this, I suggest, an intense relevancy for us who revere the memory of Abraham Lincoln. If there was any one man who could shape the destiny of a land and a people for generations to follow, surely it was Lincoln. Forging the bonds of insoluble national union, molding the course of nation building, leading his people into and out of chaotic struggle in which much was given, more was demanded, and all was committed with blood strife their legacy but nationhood their future. This was Lincoln, gentlemen. But this, I suggest, is also Africa.

Here, then, is one full factor that puts this country in league with the "Revolution of Bright Hope" that is rising on our globe. We have a birthright on revolution. We are, in Henry Steele Commager's happy phrase, the oldest of the new nations, the first to be made out of an old world colony, ours the oldest written Constitution, the oldest continuous federal system and ours the oldest practice of self-government of any nation. And it is as a great revolutionary power that much of the world regards us.

Our Revolutionary documents are read and quoted worldwide. A small USIA library in Africa had more requests for the Federalist Papers in 4 weeks than the New York Public Library had in a full year. Demonstrators rioting in another African land quoted in explanation of their conduct a passage from Thomas Jefferson. When Libya convened its constitutional convention my Agency furnished on request a copy of the U.S. Constitution to every member of the convention, all translated into Arabic. Without exaggeration, that shot fired "by the rude bridge that arched the flood" has been quite literally heard around the world. And its echoes continue to reverberate across lands like those I visted in Africa.

Lincoln fits into this picture more aptly than most. He does so because of his highly personal "legend of the leader."

Though born amid revolution, America was governed by aristocrats. George Washington, John Adams, Tom Jefferson, James Madison, James Monroe, John Quincy Adams—these were all educated men of letters, aristocrats of bearing and breeding. The southerners among them even held slaves. It was not until Andrew Jackson that a man "from the people" rose to the

White House. But the most dramatized man of the people was surely Abe Lincoln. From log cabin to the Presidency, from rail splitter to nation builder, from common man to leader of men: this was the legendary route of Lincoln, and it is the legend of the leadership about this country that is popularized abroad.

"Lincoln," said Woodrow Wilson, "owed nothing to his birth and everything to his growth." This was the path of Lincoln. This, gentlemen, is also the path of Africa.

Lincoln is justly celebrated as the man who kept a nation from rending itself asunder. But if this was his canvas, his theme was larger. The effort was not only to preserve the Union but to preserve for the world the most successful experiment in free government that history had yet seen. He said in his first message to Congress in July 1861: "* * * it is a struggle for maintaining in the world that form and substance of government whose leading object is to elevate the condition of men—to lift artificial weights from all shoulders—to clear the paths of laudable pursuit for all—to afford all an unfettered start and a fair chance in the race of life."

Freemen everywhere, he insisted, had a stake in the preservation of the Union for that Union was "the last best hope of earth."

As early as the debates with Douglas, Lincoln propounded his doctrine of freedom for all. He declared that the men in Independence Hall were speaking to the whole world of men when they enunciated their principles.

"They reached forward and seized upon the farthest posterity. They erected a beacon to guide their children and their children's children * * * they established these great self-evident truths that when in the distant future some man, some faction, some interest should set up the doctrine that none but rich men, or none but white men, were entitled to life, liberty, and the pursuit of happiness, their posterity might look up again to the Declaration of Independence and take courage to renew the battle which their fathers began."

Americans were, in Lincoln's words, "God's almost chosen people." A civil war, then, engaged not for our land alone but for whatever land the fortunes of history might someday smile upon.

Of equal relevance for emerging nations today is the very time in which Lincoln lived. The milieu of Lincoln was the milieu of the frontier, of a nation on the move, of the growing pains that marked its evolution from a primitive to a developing society. Lincoln over a century ago lived amid circumstances ideally duplicated today in Africa.

Note these words: "New nations would be carved out of old empires, fabulous new lands would be explored and opened up for human settlement, and new struggles for human freedom would be won. The old slow-moving horse-drawn and wind-propelled modes of travel would give way to the (new)." R. Gerald McMurtry wrote that. He was describing the America of Lincoln's day. He could as well be describing the Africa of our day.

Amid the difficulties of burgeoning nationhood and a pain-wracked Civil War that near prostrated the Republic, Lincoln proved himself a man of mighty principle. Lincoln had every reason to postpone the elections of 1864—the bloody war was in its 4th year, he had no assurance of his own reelection. But hold the election he did. Listen to his words writ large on the pages of history a week after the election: "* * * the election was a necessity. We cannot have free government without elections; and if the rebellion could force us to forego, or postpone a national election, it might fairly claim to have already conquered and ruined us. * * * What has occurred in this case, must ever recur in similar cases * * * the election, along with its incidental and undesirable strife, has done good too. It has demonstrated that a people's government can sustain a national election in the midst of a great civil war. Until now it has not been known to the world that this was a possibility."

But it was a possibility. And the world saw it proven so. There may lie in this a moral for the newly arrived brotherhood of nations in Africa.

We do not expect them to imitate our forms. On the contrary, contemplation of our Civil War should make us tolerant of the difficulties of other lands. Our own forms were roughhewn for us. Into them our people have poured their blood and their toil, their work and their worry. Those forms even today undergo change and adjustment. Why, then, should we feel that our way is the best way for other peoples as well? Discovering one's own path in one's own manner is part of the soil in which our rootholds have grown. As we would not deny it to ourselves, so should we not deny it to others.

But we do expect these other lands to be true to their own principles and practices. The lesson of Lincoln and the 1864 election amid the travail of Civil War is a lesson ignored by others only to their loss. It says that the way of the expedient and the easy is not the way of the strong. This, too, is part of the legend of the leader that is Lincoln.

We celebrate this year the 100th anniversary of the Emancipation Proclamation. In a time when local problems have become global concerns it seems prophetic that this epic pronunciamento on domestic freedom had foreign policy overtones as well. By making the extirpation of slavery one of the main objects of the war, Lincoln rallied the moral sense of England and France to his side. Britain and France could then only be unshakably for the Union. There was a tide of history running in the affairs of men even then.

One century later, the issue to which that proclamation was directed is still not at rest. The Negro has gained his freedom. He is still en route to gaining his equality.

The proclamation resulted in political emancipation. Psychological emancipation has been longer coming. And the very nature of the Civil War has made its solution a difficult one. But because the war was severe, problems arising from it are severe. The South still has its bitter memories. Regional feeling and unity are still greater there than elsewhere in the country. And what more natural target for such lingering resentments than the very group which contributed a major issue to that fratricidal struggle, the Negro?

The most important aspect of slavery to impress itself on my mind is that it was Negro slavery. It was designed to regulate the relationships between black and white. The Civil War and the 13th amendment changed the status of the Negro, but the economic and social relationships of black and white were not greatly changed. Justifications of slavery before the war could be applied with equal force and relevance after the war to support continuation of the Negro as a subordinate. Indeed, in our southland today, there are phrases uttered that but for the accident of time could be relevant to issues bound up in the Civil War. This is not to say there is here a pro-slavery sentiment in the 20th century. Quite the contrary. But it does suggest that underlying the issues of slavery was a relationship of status between black and white. The Nation one century later is still engrossed in realining that relationship.

But the change of that relationship is inevitably stamped on the events of our day. Under Frank Roosevelt Negro advisers were appointed to the Cabinet. Under Harry Truman the seal of the President's office was implanted upon the report of his Civil Rights Commission officially decrying the rights denied Negroes. In the 1950's there issued a Supreme Court decision that may well rank as the 20th century Emancipation Proclamation—Brown vs. Board of Education, pronouncing separate facilities as inherently unequal. And only last month John F. Kennedy announced his intention of appointing the first Negro to sit in the President's Cabinet.

The Negro has come a long way in this land. He will go further. This country is indeed dedicated to the proposition that equality in the eyes of the law is not predicated upon color in the eyes of the beholder. This will take time because this land is equally dedicated to the rights and privileges of all its citizens. To change a majority, one respects a minority. And it will take place peacefully because this land is rooted in the soil of democracy and calm transition.

This I believe deeply: There is no land where changes so far reaching and so affecting the body politic could take place in an atmosphere so free of frenzy. It is a measure of the strength of a people that we do what we must do in a way that comforts the conscience of people with opposing points of view.

Saul Padover recently authored a book called "The Genius of America." His chapter headings list the molders of the country as they seem to him best to be known: "The American as Democrat—Thomas Jefferson"; "The American as Conservative—Alexander Hamilton"; "The American as Republican—James Madison"; "The American as Federalist—John Marshall"; "The American as Philosopher—Ralph Waldo Emerson." I could not help but note this chapter with a simpler listing: "The American—Abraham Lincoln."

Perhaps that is how we best remember Lincoln—simply the American.

Padover again says that America's most original contribution to political theory has been to have no theory. If true this be, then surely the capstone of our nationhood has been its people. If the American dream were to be summed up in the figure of but one solitary person, surely that person would be the solemn Lincoln.

There was about him that most peculiar quality of manhood that history best calls destiny. In him was wrapped not the hope of one people but the dream of all peoples. The Civil War was fought not only to unify this Nation or to free its slaves but for the freedom of men everywhere. Lincoln's lifespan of 56 years 2 months and 4 days is yet to end. And it may never, so long as men dare to tempt their dreams with the fervor of their hope.

His was an age newborn. He came into the world while Tom Jefferson was concluding his 8th year of the Presidency, that very winter that was the time of James Madison's inauguration and Bonaparte's invasion of Spain. A half century later he would be the first President born beyond the confines of the Thirteen Original States, even as one century later John F. Kennedy would be the first President born in this century.

And in this land of ours—born in revolution, tempered in struggle, united in blood, nurtured amid hope, and seasoned with responsibility—the rising nations of Africa see more than just history alone. They would elevate their gaze to a horizon but dimly perceived by some but a horizon to which all of us are inevitably bound. To some it may seem they are caught in the pathological fervor of their nationalism. But I suggest that what we witness is but the fervent profile of what—but for the grace of the past two centuries—would be the early spawning of our own land of America.

DECISIONS ON DISARMAMENT AND NUCLEAR TESTING

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Illinois [Mr. PRICE] is recognized for 20 minutes.

Mr. PRICE. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PRICE. Mr. Speaker, in his news conference of February 7, 1962, President Kennedy accurately predicted:

> In the next days and weeks there will be a good deal said and written about two American policies, one in the field of disarmament, and the other in the field of preparations, which have already been announced, to be in a position to test in the atmosphere if our national security indicates it is desirable.

The President knows that current and future U.S. decisions in the related fields of disarmament and nuclear testing will have profound and far-reaching effects not only for the United States but for the entire world. He also knows that both of these fields—disarmament and nuclear testing—involve problems of tremendous magnitude, the solution of which challenges the greatest minds of our time.

As March 14—the date on which the disarmament conference is due to begin—draws near and as U.S. preparations for atmospheric testing progress, more and more will our attention be drawn to these two subjects. The President very logically therefore could predict that there would be a great deal said and written about both.

What he logically could not have predicted however was that irresponsible representatives of the opposition party would distort the background and events leading to the U.S. present policy in an attempt to inject petty partisan politics into these serious international issues. That this has occurred is deplorable.

On February 21, 1962, the gentleman from Illinois, my distinguished colleague [Mr. MICHEL], in a prepared statement on the floor of the House discussed the question of U.S. atmospheric testing. In doing so he made numerous references to the former administration of President Eisenhower and by various innuendoes, attempted to make it appear that the present administration under President Kennedy is responsible for the United States having been fooled into a long moratorium on testing and thus losing ground to the Soviet Government in nuclear weapons.

It is understandable that the gentleman from Illinois [Mr. MICHEL] and others are concerned over the difficulties to date in negotiations with the Soviet Government. The fact that they may have gained valuable time on us through past clandestine tests and through secret preparations for their recent atmospheric series should also give concern.

But those of us who are on the Joint Committee on Atomic Energy and who have responsibility for keeping informed on such matters as well as other knowledgeable individuals were equally concerned in 1958, 1959, and 1960. It was at this period that the former administration under President Eisenhower, despite inadequate scientific basis and without the technical ability to assure the Soviets were not cheating, entered into and continued a ban on all U.S. nuclear tests. We were equally concerned when the conference on the discontinuance of nuclear weapon testing proposed by former President Eisenhower in 1958 continued under the former administration through 1959 and 1960 with numerous concessions on the part of the United States and without even the submission of a proposed treaty. We, who were knowledgeable, were careful, however, not to play upon the justifiable fears of the American people and inject partisan politics into the issues.

Mr. Speaker, while it is understandable that many are concerned over the problem of nuclear testing it is not understandable when someone makes it a matter of partisan politics. Similarly, it is unfair that misstatement of fact be permitted to stand in the RECORD without refutation. Accordingly, I request the indulgence of my colleagues in specifically citing certain portions of the February 21 statement of the gentleman from Illinois [Mr. MICHEL] which I believe reflect unfair and unwarranted attempts to use half-truths and innuendoes for partisan politics.

After quoting an editorial from the Peoria Journal Star on the subject of testing, the gentleman from Illinois [Mr. MICHEL] in his talk, said:

> And so we find that this country remains under the wraps of a self-imposed moratorium with none of the safeguards that the Eisenhower Administration first insisted on as a condition for prolonged suspension.

Notwithstanding the safeguards that the Eisenhower administration first insisted upon as a condition for prolonged suspension, the facts of the matter are that the U.S. Government, first, began the suspension in 1958 under the Eisenhower administration; second, continued the suspension through 1959 and 1960 under the Eisenhower administration.

After discussing the efforts of the Eisenhower administration to develop the nuclear capabilities of our Armed Forces, the gentleman from Illinois [Mr. MICHEL] says:

> Therefore, as far back as December 29, 1959, President Eisenhower put the Soviet Union and the rest of the world on notice that the United States, having found it impossible to reach a safeguarded agreement for mutual inspection and control with the Russians, would consider itself free to resume nuclear tests. Evidently President Kennedy did not see fit to continue this policy, even though there were good grounds for suspicion that the Russians had already begun preparatory tests while Arthur Dean was at Geneva.

My colleague did not refer to the fact that in August 1958 President Eisenhower in proposing the negotiation of a weapons test ban with the U.S.S.R. stated we would withhold testing for a period of 1 year after beginning of negotiations unless testing was resumed by the Soviet Union; that in November 1958, while negotiations were in progress, we detected nuclear tests by the U.S.S.R., but still continued our suspension. He does not refer to the fact that in August 1959 President Eisenhower extended the unilateral suspension by the United States past the original year to the end of 1959. He does not say that on December 29, 1959, when President Eisenhower announced the United States was free to resume testing after 1959 that it would not do so without giving advance notice and that such action was not taken by the Eisenhower administration during the remaining year 1960 when it was still in office.

The gentleman from Illinois [Mr. MICHEL] makes it appear that President Kennedy has done nothing in preparation for U.S. testing. He stated:

> I charge that as Commander in Chief it was not militarily justifiable for President Kennedy to delay, at least the preparations, for the resumption of American nuclear tests. It seems incredible with all the industrial and organizational capacity of the United States that we should not have been prepared in anticipation of the Soviet Union's action.

He makes no reference to the fact that under the previous Eisenhower administration, control over our Pacific testing site was taken away from the Atomic Energy Commission and our Pacific test site facilities were allowed to deteriorate. As a result the United States was left completely unprepared for an immediate resumption of atmospheric testing. He does not take note of the fact that the present administration had made preparations at the Nevada test site area involving complex underground tunnels—which to be fair, credit should also be given to the previous administration for also having supported—so that when President Kennedy on September 5, announced the United States would resume laboratory and underground testing, an underground U.S. test was able to be carried out within 2 weeks of the first detected Soviet test. He makes no reference to the orders of President Kennedy for preparations for atmospheric testing and the formation of a task force to carry out the tests.

Instead, the gentleman from Illinois [Mr. MICHEL] continues with what amounts to a distortion of fact by claiming:

> Nuclear scientists, such as Dr. Ludwig Teller, had insisted for months that Russia never had halted its nuclear testing and that President Kennedy should order a resumption of the experiments. President Kennedy did not even see fit to prepare. On September 5, 1961, under public pressure, the President ordered a resumption of testing, but it was a full 10 days before even a small underground test was detonated.

I do not know if my colleague was referring to our former member, Mr. Ludwig Teller of New York, or the nuclear physicist, Dr. Edward Teller. I presume he meant the latter.

He makes no mention that Dr. Teller during the previous administration also had insisted that Russia could be cheating—even Dr. Teller cannot claim it with certainty—and had recommended that President Eisenhower not suspend U.S.

testing; that Dr. Teller during the Eisenhower administration recommended resumption of testing. Neither does Mr. Michel refer to the fact that the Joint Chiefs of Staff recommended against the action of former President Eisenhower beginning and continuing the ban on all U.S. nuclear tests.

Anyone who has the slightest concept of the complexities of preparing for a nuclear test or the instrumentation required to obtain meaningful scientific data must wonder at the insinuation of the gentleman from Illinois [Mr. MICHEL] that 10 days from the date of orders to actual firing constituted an unwarranted delay.

After an obviously partisan and unwarranted attempt to make it appear that the present administration is solely responsible for the current situation and that our problems result from a deviation from the disarmament and testing policies of the former administration, the gentleman from Illinois [Mr. MICHEL] professes:

> This issue is not a partisan one; influential men in both parties have arrayed themselves on the side of resumption of atmospheric tests.

Mr. Speaker, I am sorry to see that some individuals are now going to play politics with these tremendously important international problems.

Many of the actions of the Eisenhower administration in the nuclear testing field and the disarmament field disturbed the Democratic members of the joint committee as I know it did our Republican colleagues. When under the Eisenhower administration, the United States made numerous concessions to the U.S.S.R., including lowering the number of worldwide control posts necessary to monitor a test treaty from 650 down to 180, agreeing to a quota system for inspections instead of one based solely on scientific indications, and embarking upon a suspension of all tests without adequate safeguards, to cite just a few, we were critical. We did not, however, play politics.

I am afraid that the attack of the gentleman from Illinois [Mr. MICHEL] of February 21, may not be an isolated incident. He undoubtedly took his signal from the prepared statements of the minority leaders of both Houses at their joint weekly news conference on February 20.

Mr. Speaker, on February 21, I released a statement to the press commenting on statements of the Republican leaders at their news conference February 20.

I invite your serious consideration to what I pointed out in my press statement:

> Republican leadership must realize that it cannot make irresponsible statements or issue half-truths and not be held to account. The problems we face in the world today are much too critical for either ill-informed or politically motivated opposition leaders to purposely distort. There is no substitute for looking at the record or honest appraisal of the true facts.

THE TECHNICAL EDUCATION ACT OF 1962

The SPEAKER pro tempore (Mr. PRICE). Under previous order of the House, the gentleman from New York [Mr. POWELL] is recognized for 20 minutes.

Mr. POWELL. Mr. Speaker, I am today introducing a bill to provide Federal assistance for the establishment and expansion of programs of technical education at the college level. I am proposing the Technical Education Act of 1962 to carry out the No. 1 recommendation made last month by my bipartisan Advisory Group on Higher Education under the chairmanship of the gentleman from Indiana [Mr. BRADEMAS]. I would like to note that a number of my colleagues on the House Education and Labor Committee are joining with me in introducing identical bills at this time. The authorship will be given by me to the gentleman from Indiana, Congressman BRADEMAS, who chaired the study group and prepared the original idea.

The five members of the advisory group recognized that a great unmet need for specialized manpower in the United States can only be filled through the training of tens of thousands of engineering and other semiprofessional technicians in college level programs requiring at least 2 years in full-time attendance. Unless we take this immediate step to provide such technical training opportunities, our national commitments to the conquest of space will surely fail, our scientific and medical research projects will falter, and our increasingly complex technological economy will not achieve the sustained rate of growth we must have.

This bill would authorize up to $40 million a year in each of the next 5 years for Federal matching grants for the establishment, expansion, or improvement of programs of technical education of not less than 2 years of full-time instruction in an organized occupational curriculum in engineering, mathematics, or the physical or biological sciences to prepare students for immediate employment at the semiprofessional level in engineering, scientific, or other technological fields. The bill would assist public and private nonprofit institutions of higher education in projects of acquiring essential facilities and equipment, strengthening and upgrading their faculties, creating new programs of technical education in fields essential to national security and economic growth, and providing the additional enrollment capacity needed to produce semiprofessional technicians at a rate that will match our national needs.

The Special Subcommittee on Education, under the chairmanship of the gentlelady from Oregon [Mrs. GREEN], is planning to hold hearings on this technical education bill in the very near future, and I look forward to its early consideration by the full Committee on Education and Labor.

EXPANSION OF TECHNICAL INSTITUTES AND SCHOOLS

Mr. HALPERN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. GOODELL] may extend his remarks at this point in the RECORD and may include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. GOODELL. Mr. Speaker, I have today joined the chairman of the Committee on Education and Labor, with others, in introducing legislation to assist the States in the expansion of technical institutes and schools to meet the rising needs of engineering and other semiprofessional technicians.

The purpose of this legislation is to aid in training those who with no less than 2 years of college level education can assist the fully professional engineers and technicians.

As noted by the gentleman from New York [Mr. POWELL] this legislation is designed to implement recommendation No. 1 of a special advisory group to the committee of which I was pleased to be a member. That recommendation, as contained in the report by the group, is as follows:

> That a program of Federal grants to the States be authorized to stimulate the establishment and expansion of technical institutes for the training of semiprofessional technicians at the college level; and
>
> That the Committee on Education and Labor conduct legislative hearings on this subject at the earliest possible date.

I must inform the House that the instant bill was not prepared by the members of the advisory group individually but was worked up by the professional staff without consultation with us. It is one possible attempt to implement our advisory group recommendation. I do not endorse this bill word for word or the amounts contemplated for expenditure. Full hearings have yet to be held before such a program can be justified.

You will note, for example, that the recommendation of the group is limited to stimulating establishment and expansion of technical facilities.

The bill, however, goes into some considerable detail about conforming State plans to requirements of the U.S. Commissioner of Education and other extensions of authority which have never been discussed by our advisory group.

As a member of the Subcommittee on Higher Education, I wish to assure the House that my efforts will be directed toward producing a reasonable and sensible implementation of the advisory group's recommendations.

I introduce this bill only as a draft from which our subcommittee may proceed.

THE TECHNICAL EDUCATION ACT OF 1962

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Indiana [Mr. BRADEMAS] is recognized for 20 minutes.

Mr. BRADEMAS. Mr. Speaker, I am today introducing a bill aimed at attacking a critical shortage of semiprofessional technicians in engineering and other fields essential to national security and economic growth.

The bill, the Technical Education Act of 1962, provides Federal assistance for the establishment and expansion of programs of technical education at the college level.

Other sponsors of the bill are the chairman of the House Education and Labor Committee, the Honorable ADAM CLAYTON POWELL, and the four other members of the committee with whom I served on an advisory group formed to make recommendations on higher education. They are Representatives ROBERT N. GIAIMO, of Connecticut, and JAMES G. O'HARA, of Michigan, both Democrats, and ALBERT H. QUIE, of Minnesota, and CHARLES E. GOODELL, of New York, Republicans. I am pleased that this proposal has bipartisan support.

The urgent need for enactment of this program by Congress was dramatically emphasized last week with the successful launching of Astronaut Marine Lt. Col. John H. Glenn, Jr. With this orbital flight Americans took a further great stride toward the conquest of space.

As we honor Colonel Glenn here in Washington, we are also paying tribute to thousands of men and women, silent partners of the astronauts, working at Cape Canaveral and other American missile launching sites and tracking stations throughout the world.

COLONEL GLENN NOT ALONE

As Colonel Glenn told us in his eloquent address to the joint session of Congress a few hours ago, he was not alone during his remarkable flight, for thousands of others on the ground and around the world played their part in making his achievement possible.

Who are these others? Some of them are scientists and engineers. Still more, however, are neither scientists nor engineers, but technicians, engineering technicians.

It is the knowledge and skills of these teams of specialists—teams composed of scientists, engineers, and engineering technicians—which we need in greatly increased numbers if the project to send a man to the moon is to be successful. These specialists are opening a new age of discovery. In doing so, however, they are exerting new and rigorous demands on American education.

Members of the university and scientific community fear, for example, that in order to recruit enough engineers for the moon shot alone, the National Aeronautics and Space Administration will be forced to raid the Nation's universities and industrial organizations. The required engineering technicians are nowhere in sight.

Engineering technicians are just one type of the highly trained manpower which our Nation must have if we are to meet the demands of our economy at home and the challenge to our national security abroad.

Because of the concern in Congress over the shortages of professional manpower, the chairman of the House Education and Labor Committee, the gentleman from New York [Mr. POWELL], last night asked five members of the committee to study unmet needs in higher education in those fields which contribute most directly to our national growth.

This bipartisan Advisory Group on Higher Education, of which I had the honor of serving as chairman, talked over a period of 4 months to leading members of the university and scientific community in an effort to determine what action Congress should take to help meet our national needs in higher education and specialized manpower.

SOVIET CHALLENGE

Four of the five members of the advisory group visited the Soviet Union last fall. We attended classes at schools and universities and technical institutes and talked with students and professors, Government officials and college presidents. All of us were impressed with the great emphasis on science and technology in Soviet education. The increasing stress in the Soviet Union on turning out more scientists and technicians is a major part of the Soviet drive to overtake the West economically and technically, in an effort to "bury you," in Khrushchev's dramatic phrase. This is a challenge we cannot ignore.

On our return from Russia, our group talked with Nicholas DeWitt, the expert from the Russian Research Center at Harvard who recently published an imposing study of education and employment in Russia. Mr. DeWitt, for example, warns that at the present time the Soviets are producing about two to three times as many engineers as are we in the United States.

The Soviet emphasis on technical education together with our own rapidly increasing needs in the fields of space technology and engineering give added significance to the leading recommendation of our Advisory Group on Higher Education. This proposal is for legislation to help increase the flow of semiprofessional technicians.

The members of our advisory group are convinced, after our discussions with scientists and educators, that the United States faces an alarming shortage of semiprofessional technicians. We feel that now is the time to take steps to insure that the scientists and engineers we now have be utilized as effectively as possible.

ENGINEERING TECHNICIAN NEEDS

Experts say that we should be training at least one engineering technician for each graduating engineer. Right now we are producing only about one such technician for every four engineers. In the United States we are graduating 32,000 engineers annually and only 7,000 to 8,000 engineering technicians.

Let me explain briefly what distinguishes an engineer from an engineering technician. The engineer is trained for 4 years in the university and is the professional graduate.

The engineering technician has 2 years of college level training. His job is to fill the gap caused by the change in engineering education. He is given as much mathematics as the engineer of 25 years ago, a thorough program in calculus, and is an important member of the engineering team.

The engineering technician can act as the liaison man between the engineer and the craftsman. He has been called the chief petty officer, the man who interprets the engineer's designs to the craftsman.

I think I should make it clear that the kind of technicians I am talking about cannot be trained by the vocational training and trade schools at the high school level in the United States. The Federal Government has done much over the years to support vocational education of less than college grade through such programs as Smith-Hughes and George-Barden. They are splendid programs but they are simply not suited to meet the urgent new demand for technicians trained at the college level. The developments in science and technology in the last 25 years have been so rapid that vocational or trade school education is simply not adequate to train persons for such jobs. The technician needs theoretical knowledge, not just craft skills.

IMPACT OF AUTOMATION

There is another important reason the members of our advisory group strongly recommended a program to provide more semiprofessional technicians, not only in engineering but in other fields such as medicine and dentistry. I refer to the changing nature of the labor force in the United States today. The developing trend in recent years toward automation means a shift from low-skilled production workers toward scientific and technical personnel. I have already noted that the semiprofessional technician plays an increasingly important role in supporting the work of the professional scientist and engineer. But the technician is crucial as well to filling the new jobs created by automation.

Clearly this shift toward more highly skilled persons will mean great opportunities for those people who can handle the new jobs, but serious strains and dislocations for those who cannot. The kind of semiprofessional technical education which the bill I am today introducing is designed to encourage can be of great value in meeting these new demands on our educational system.

PROVISIONS OF BILL SUMMARIZED

Mr. Speaker, let me summarize the main provisions of the technical education bill.

The bill calls for Federal grants to the States, on a matching basis: (1) to make inventories of existing 2-year college programs which prepare students for employment at the semiprofessional level; (2) to survey technical manpower requirements for semiprofessional technicians; and (3) to assist in projects for

the establishment, expansion or improvement of technical education.

The bill would provide $40 million a year for this year and each of the next 4 years for the establishment of technical education programs.

Eligible to receive grants would be public and private nonprofit institutions which provide full-time instruction in an organized occupational curriculum in engineering, mathematics, or the physical or biological sciences which prepare students for immediate employment at the semiprofessional level.

Colleges and universities, junior and community colleges as well as independent technical institutes would be eligible to receive grants if they met the high standards set up in the bill.

An important feature of the bill is that a participating institution must be accredited by a nationally recognized professional society in the field.

NEED FOR LEGISLATION URGENT

In conclusion, Mr. Speaker, I wish to cite three factors which I believe lend genuine urgency to the need for legislative action to increase the national pool of semiprofessional manpower:

First. With the mounting of a full-scale project for a space flight to the moon, the national space program is already running into serious shortages of engineers, scientists, and semiprofessional technicians.

Second. Labor requirements in recent years have been shifting away from low-skilled production workers to persons with technical, scientific, or managerial training. We know that this increasing trend toward automation means unemployment for many, and it also means we must train more people to meet the requirements of the new technology.

Third. The Soviet Union places heavy emphasis on scientific and technical education. This fact poses a challenge to our security—industrial, scientific, and military—that we cannot ignore.

Mr. Speaker, I am pleased that the gentleman from New York, Chairman POWELL, has urged that hearings be held soon on this legislation, and that the bill will be considered by the Subcommittee on Special Education under the chairmanship of the distinguished gentlelady from Oregon [Mrs. GREEN]. I hope that Congress will act on the bill during this session and that it will become law. For I am confident that, by helping increase our supply of trained manpower, this measure will help strengthen the security of our country and contribute to its economic growth.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. WEAVER (at the request of Mr. HALLECK), for February 26, and remainder of the week, on account of official business.

Mr. BYRNE of Pennsylvania (at the request of Mr. CLARK), on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. ROUSSELOT, for 1 hour, today.

Mr. SCHWENGEL, for 1 hour, today.

Mr. PRICE, for 20 minutes, today, and to revise and extend his remarks.

Mr. POWELL (at the request of Mr. ALBERT), for 20 minutes, today, to revise and extend his remarks, and include extraneous matter.

Mr. BRADEMAS (at the request of Mr. ALBERT), for 20 minutes, today, to revise and extend his remarks, and include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. HUDDLESTON.

Mr. AUCHINCLOSS to revise and extend his remarks made in Committee and to include letters and telegrams.

Mr. SANTANGELO and to include extraneous matter in his remarks today made in the Committee of the Whole.

(The following Members (at the request of Mr. HALPERN) and to include extraneous matter:)

Mr. VAN ZANDT.

Mr. HIESTAND.

Mr. DAGUE.

Mr. ALGER.

Mrs. MAY.

Mr. SHRIVER.

(The following Members (at the request of Mr. ALBERT) and to include extraneous matter:)

Mr. BAILEY.

Mr. MULTER.

Mr. ANFUSO.

Mrs. SULLIVAN in two instances.

Mr. RODINO in two instances.

Mr. FOGARTY.

Mr. MACK.

SENATE JOINT RESOLUTIONS AND CONCURRENT RESOLUTIONS REFERRED

Joint resolutions and concurrent resolutions of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S.J. Res. 152. Joint resolution to provide for the reappointment of Dr. Caryl P. Haskins as Citizen Regent of the Board of Regents of the Smithsonian Institution; to the Committee on House Administration.

S.J. Res. 153. Joint resolution to provide for the reappointment of Dr. Crawford H. Greenewalt as Citizen Regent of the Board of Regents of the Smithsonian Institution; to the Committee on House Administration.

S. Con. Res. 56. Concurrent resolution to print as a Senate document "A Report of U.S. Foreign Policy and Operations"; to the Committee on House Administration.

S. Con. Res. 59. Concurrent resolution authorizing the printing of additional copies of Senate Report 448, 87th Congress, entitled "Administered Prices, Drugs"; to the Committee on House Administration.

BILLS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on February 23, 1962, present to the President, for his approval, bills of the House of the following titles:

H.R. 74. An act to reimburse the city of New York for expenditure of funds to rehabilitate slip 7 in the city of New York and for use by the U.S. Army;

H.R. 258. An act to amend the District of Columbia Sales Tax Act to increase the rate of tax imposed on certain gross receipts, to amend the District of Columbia Motor Vehicle Parking Facility Act of 1942 to transfer certain parking fees and other moneys to the highway fund, and for other purposes;

H.R. 1375. An act to provide for the conveyance of certain real property of the United States to the former owner thereof;

H.R. 4934. An act to authorize the Secretary of Agriculture to modify certain leases entered into for the provision of recreation facilities in reservoir areas;

H.R. 8625. An act for the relief of Dennis H. O'Grady;

H.R. 8842. An act to amend subsection (h) of section 124 of the Agricultural Enabling Amendments Act of 1961; and

H.R. 9013. An act to provide for the transfer of rice acreage history where producer withdraws from the production of rice.

ADJOURNMENT

Mr. PUCINSKI. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 36 minutes p.m.), the House adjourned until tomorrow, Tuesday, February 27, 1962, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1739. A letter from the Chairman, Federal Power Commission, transmitting drafts of two bills as follows: (1) A bill to amend the Natural Gas Act, and (2) a bill to amend the Federal Power Act; to the Committee on Interstate and Foreign Commerce.

1740. A letter from the president, Boys' Clubs of America, transmitting an audited financial statement of Boys' Clubs of America for the year 1961, pursuant to Public Law 988, 84th Congress; to the Committee on the Judiciary.

1741. A letter from the Assistant General Manager, U.S. Atomic Energy Commission, transmitting a report by the Atomic Energy Commission relating to actions taken under the authority of Public Law 85-804 during the calendar year ending December 31, 1961; to the Committee on the Judiciary.

1742. A letter from the Acting Attorney General, transmitting a draft of a proposed bill to amend 18 United States Code 4163, relating to discharge of prisoners; to the Committee on the Judiciary.

1743. A communication from the President of the United States, transmitting a draft of a bill to amend the Peace Corps Act; to the Committee on Foreign Affairs.

1744. A letter from the Secretary of Labor, transmitting the final report on the exemptions available for employment in restaurants and other food service enterprises, pursuant to section 13 of the Fair Labor Standards Amendments of 1961; to the Committee on Education and Labor.

1745. A letter from the Secretary of Labor, transmitting the final report on the exemptions available for employment in hotels and motels, pursuant to section 13 of the Fair Labor Standards Amendments of 1961; to the Committee on Education and Labor.

1746. A letter from the Secretary of Labor, transmitting the final report on the exemptions available for the handling and processing of agricultural products, pursuant to section 13 of the Fair Labor Standards Amendments of 1961; to the Committee on Education and Labor.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ROGERS of Colorado: Committee on the Judiciary. S. 167. An act to authorize the Attorney General to compel the production of documentary evidence required in civil investigations for the enforcement of the antitrust laws, and for other purposes; with amendment (Rept. No. 1386). Referred to the Committee of the Whole House on the State of the Union.

Mr. EDMONDSON: Committee on Interior and Insular Affairs. H.R. 4094. A bill to amend the act of July 15, 1955, relating to the conservation of anthracite coal resources; with amendment (Rept. No. 1387). Referred to the Committee of the Whole House on the State of the Union.

Mr. O'BRIEN of New York: Committee on Interior and Insular Affairs. H.R. 10063. A bill to amend section 8 of the Organic Act of Guam and section 15 of the Revised Organic Act of the Virgin Islands, to provide for appointment of acting secretaries for such territories under certain conditions; without amendment (Rept. No. 1388). Referred to the Committee of the Whole House on the State of the Union.

Mr. POWELL: Committee on Education and Labor. H.R. 8962. A bill to revise the formula for apportioning cash assistance funds among the States under the National School Lunch Act, and for other purposes; with amendment (Rept. No. 1389). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. COOLEY:

H.R. 10373. A bill to amend the provisions of the Perishable Agricultural Commodities Act, 1930, relating to practices in the marketing of perishable agricultural commodities; to the Committee on Agriculture.

H.R. 10374. A bill to amend section 6 of the Agricultural Marketing Act, as amended, to reduce the revolving fund available for subscriptions to the capital stock of banks for cooperatives; to the Committee on Agriculture.

By Mr. DONOHUE:

H.R. 10375. A bill to amend sections 1821 and 1825 of title 28, United States Code, to increase the per diem, mileage, and subsistence allowances of witnesses, and for other purposes; to the Committee on the Judiciary.

By Mr. HARVEY of Indiana:

H.R. 10376. A bill to provide a minimum initial program of tax relief for small business and for persons engaged in small business; to the Committee on Ways and Means.

By Mr. HARVEY of Michigan:

H.R. 10377. A bill to amend the Flood Control Act of 1958 to authorize reimbursement to Frankenmuth, Mich., for certain work on the flood control project on the Saginaw River, Mich.; to the Committee on Public Works.

By Mr. KASTENMEIER:

H.R. 10378. A bill to promote the foreign policy of the United States by authorizing purchase of United Nations bonds and the appropriation of funds therefor, and to afford an opportunity for the people of the United States to participate in the purchase of such bonds; to the Committee on Foreign Affairs.

By Mr. KING of California:

H.R. 10379. A bill to authorize the modification of the existing project for the New Melones Dam and Reservoir, Stanislaus River, Calif., and for other purposes; to the Committee on Public Works.

By Mr. NYGAARD:

H.R. 10380. A bill to provide for additional places for holding court in the district of North Dakota; to the Committee on the Judiciary.

By Mr. SLACK:

H.R. 10381. A bill to provide for a conservation program for the Appalachian Highlands area; to the Committee on Agriculture.

By Mr. SMITH of Iowa:

H.R. 10382. A bill to designate the dam to be constructed and the reservoir to be formed on the Des Moines River, Marion County, Iowa, as the Red Rock Dam and Lake Red Rock; to the Committee on Public Works.

By Mr. SPENCE:

H.R. 10383. A bill to amend the Federal Home Loan Bank Act to give Puerto Rico the same treatment as a State in the election of Federal home loan bank directors; to the Committee on Banking and Currency.

By Mr. SPENCE (by request):

H.R. 10384. A bill to repeal certain legislation relating to the purchase of silver, and for other purposes; to the Committee on Banking and Currency.

By Mr. CELLER:

H.R. 10385. A bill to provide an orderly transition of television broadcasting from very high frequency transmission to ultra-high-frequency transmission, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. DINGELL:

H.R. 10386. A bill to provide social security coverage as self-employed individuals for fee office branch managers of the Michigan Department of State and their employees; to the Committee on Ways and Means.

By Mr. DOMINICK:

H.R. 10387. A bill to stabilize the mining of lead and zinc in the United States, and for other purposes; to the Committee on Ways and Means.

By Mr. ELLSWORTH:

H.R. 10388. A bill to amend the act of August 24, 1935, to permit the recovery of certain expenses in suits brought on bonds of contractors covering construction of public buildings or works; to the Committee on the Judiciary.

By Mr. PATMAN:

H.R. 10389. A bill to waive section 142 of title 28, United States Code, with respect to the U.S. District Court for the Eastern District of Texas, Marshall Division, holding court at Marshall, Tex.; to the Committee on the Judiciary.

By Mr. PERKINS:

H.R. 10390. A bill to assist the States in providing necessary instruction for adults not proficient in basic educational skills in order to achieve the higher levels of education demanded by industry, agriculture, commerce, and national preparedness, through grants to States for pilot projects, improvement of State services, and programs of instruction, and through grants to institutions of higher learning for development of materials and methods of instruction and for training of teaching and supervisory personnel; to the Committee on Education and Labor.

By Mr. PRICE:

H.R. 10391. A bill to amend the Standard Time Act of March 19, 1918, so as to provide that the standard time established thereunder shall be the measure of time for all purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ROOSEVELT:

H.R. 10392. A bill to amend the Packers and Stockyards Act, 1921, to strengthen independent competition by providing for competitive enterprise in the retail sales of meat, meat food products, livestock products, and other food items; to the Committee on Agriculture.

By Mr. SCHWEIKER:

H.R. 10393. A bill to establish an Office of Urban Affairs in the Executive Office of the President; to the Committee on Government Operations.

By Mr. HEALEY:

H.R. 10394. A bill to prohibit the application of unreasonable literary requirements with respect to the right to vote; to the Committee on the Judiciary.

By Mrs. KELLY:

H.R. 10395. A bill to amend title II of the Social Security Act to provide that an individual's application for benefits thereunder (or for a disability determination), filed before the individual actually becomes entitled to such benefits (or such determination), shall remain a valid application until final action is taken thereon; to the Committee on Ways and Means.

By Mr. BRADEMAS:

H.R. 10396. A bill to provide Federal assistance for the establishment, expansion, and improvement of programs of technical education at the college level; to the Committee on Education and Labor.

By Mr. POWELL:

H.R. 10397. A bill to provide Federal assistance for the establishment, expansion, and improvement of programs of technical education at the college level; to the Committee on Education and Labor.

By Mr. GIAIMO:

H.R. 10398. A bill to provide Federal assistance for the establishment, expansion and improvement of programs of technical education at the college level; to the Committee on Education and Labor.

By Mr. O'HARA of Michigan:

H.R. 10399. A bill to provide Federal assistance for the establishment, expansion, and improvement of programs of technical education at the college level; to the Committee on Education and Labor.

By Mr. QUIE:

H.R. 10400. A bill to provide Federal assistance for the establishment, expansion, and improvement of programs of technical education at the college level; to the Committee on Education and Labor.

By Mr. GOODELL:

H.R. 10401. A bill to provide Federal assistance for the establishment, expansion, and improvement of programs of technical education at the college level; to the Committee on Education and Labor.

By Mr. SIKES:

H.R. 10402. A bill to determine the need for a channel from Lanark Village to Apalachicola Bay, Fla.; to the Committee on Public Works.

By Mr. MORRIS K. UDALL:

H.R. 10403. A bill to facilitate the sale and disposal of Government stocks of extra long staple cotton; to the Committee on Armed Services.

By Mr. MORGAN:

H.R. 10404. A bill to amend the Peace Corps Act; to the Committee on Foreign Affairs.

By Mr. GALLAGHER:

H.R. 10405. A bill to amend the Peace Corps Act; to the Committee on Foreign Affairs.

By Mr. MURPHY:

H.R. 10406. A bill to amend the Peace Corps Act; to the Committee on Foreign Affairs.

By Mr. RYAN of New York:

H.R. 10407. A bill to amend the Hospital Survey and Construction Act to prohibit discrimination in any respect whatsoever on account of race, creed, or color in hospital facilities; to the Committee on Interstate and Foreign Commerce.

By Mr. HEALEY:

H.J. Res. 640. Joint resolution proposing an amendment to the Constitution of the United States to abolish literacy test qualifications for electors in Federal elections; to the Committee on the Judiciary.

By Mr. BONNER:

H. Con. Res. 438. Concurrent resolution to provide for a joint committee of the Congress to represent the Congress at ceremonies celebrating the 375th anniversary of the landing of the Lost Colony and the birth of Virginia Dare; to the Committee on Rules.

By Mr. ROOSEVELT (by request):

H. Con. Res. 439. Concurrent resolution expressing the sense of the Congress that the President should instruct the U.S. mission to the United Nations to bring the Baltic States question before that body with a view to the liberation of Lithuania, Latvia, and Estonia from Soviet occupation; to the Committee on Foreign Affairs.

By Mr. ROUSSELOT:

H. Res. 551. Resolution to provide for an investigation of banking practices of supplemental air carriers; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BLATNIK:

H.R. 10408. A bill for the relief of Katica Milkovic; to the Committee on the Judiciary.

By Mr. CHELF:

H.R. 10409. A bill to award Lt. Col. John H. Glenn, Jr., and other astronauts the Congressional Medal of Honor, cash bonuses, and for other purposes; to the Committee on Armed Services.

By Mr. CURTIN:

H.R. 10410. A bill for the relief of Sayhan Husnu Bilbasar and Suheyla Bilbasar; to the Committee on the Judiciary.

By Mr. CURTIS of Massachusetts:

H.R. 10411. A bill for the relief of Laszlo J. Bonis; to the Committee on the Judiciary.

By Mr. DULSKI (by request):

H.R. 10412. A bill for the relief of Maria M. Mourad and Mahmoud Mourad; to the Committee on the Judiciary.

By Mr. FISHER:

H.R. 10413. A bill for the relief of Mrs. E. E. Barefield; to the Committee on the Judiciary.

By Mr. HAGAN of Georgia:

H.R. 10414. A bill for the relief of James Hubert Rhoden and Marjorie Joyce Rhoden; to the Committee on the Judiciary.

By Mr. HARVEY of Indiana:

H.R. 10415. A bill for the relief of Earl T. Briley; to the Committee on the Judiciary.

By Mr. LIBONATI:

H.R. 10416. A bill for the relief of Enzo Pacifici Chinchenko; to the Committee on the Judiciary.

By Mr. MILLER of New York:

H.R. 10417. A bill for the relief of Mrs. Mitsue Sugimoto; to the Committee on the Judiciary.

By Mr. MORRISON:

H.R. 10418. A bill for the relief of Vito M. Carlino; to the Committee on the Judiciary.

By Mr. MULTER:

H.R. 10419. A bill for the relief of Abraham Abboud; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 10420. A bill for the relief of (Jimmy) Ching Wu; to the Committee of the Judiciary.

By Mr. ROOSEVELT:

H.R. 10421. A bill for the relief of Gideon Flat; to the Committee on the Judiciary.

By Mr. UTT:

H.R. 10422. A bill for the relief of Emma Hoffmann; to the Committee on the Judiciary.

H.R. 10423. A bill for the relief of Mrs. Dorothy H. Johnson; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

241. The SPEAKER presented a petition of Arthur G. Boyd, executive secretary, California State Board of Agriculture, Sacramento, Calif., relative to a resolution adopted by the California State Board of Agriculture at its meeting in Los Angeles, Calif., on February 19, 1962, relating to agriculture cooperatives and patronage dividends; to the Committee on Ways and Means.

EXTENSIONS OF REMARKS

Resumption of Atmospheric Nuclear Tests

EXTENSION OF REMARKS

OF

HON. HENRY M. JACKSON

OF WASHINGTON

IN THE SENATE OF THE UNITED STATES

Monday, February 26, 1962

Mr. JACKSON. Mr. President, a statement which I recently wrote was published in the Seattle Times, February 15, 1962, under the title "United States Has No Alternative but To Resume Tests in Air."

Because of the vital importance of the issue discussed in this article, I ask unanimous consent to have it printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

UNITED STATES HAS NO ALTERNATIVE BUT TO RESUME TESTS IN AIR

(By Senator HENRY M. JACKSON)

WASHINGTON.—Moscow has made it inevitable that the United States must resume atmospheric nuclear tests.

Last fall, after months of secret preparations, the Soviet Union callously broke the nuclear test moratorium and exploded between 40 and 50 nuclear weapons in the atmosphere.

For 39 months we sat through more than 350 negotiating sessions patiently trying to get an effective test-ban treaty. And more than 350 times the Russians said, "Nyet."

Khrushchev has forced the issue.

A President, on taking office, swears to "preserve, protect and defend the Constitution of the United States." His most solemn responsibility is to provide for the common defense.

By itself, a strong military posture is not an answer to the future problems of national security. But without such a posture there will be no future.

Today, America's atomic strength and strike capability, in the aggregate, is still the most powerful in the world. These capabilities are deployed so as to survive surprise attack and to devastate any aggressor which starts a nuclear war.

But the key question relates not to the present. It concerns the future. And that question is this: Will our atomic arsenal be strong enough 3 or 4 years from now to deter attacks on us and our friends and allies?

The Soviets use testing to terrorize the weak and sap the determination of the strong. But their tests are not mere bluff and blackmail. They also give Soviet leaders and scientists the chance to develop and improve their nuclear arms, for example, in the area of an antimissile missile. Nuclear weaponry is not a static art, any more than any other technology.

The Russians took big steps forward in their last series of tests. Moscow is now ahead of us in certain areas of nuclear-weapons development. In view of this, and to maintain this country's effective deterrent power, we must continue the improvement of our nuclear arms and delivery capabilities.

We have no alternative but to undertake some tests in the atmosphere. Testing is an indispensable part of any laboratory process—the only means by which we can move from scientific theory to proved weapons. And atmospheric testing is required because we cannot learn all we need to know simply through underground testing.

We will not conduct nuclear tests in the atmosphere for psychological or propaganda reasons—as Moscow has done. We will undertake such tests only to serve a rational military purpose. We should test only to the degree that the essential development of critical weapons cannot proceed without such tests—and with maximum precautions to restrict fallout to a minimum.

The course before us is clear:

1. The world is not safe in a nuclear-arms race.

Therefore, we must keep trying to achieve a secure arrangement for the reduction and control of armaments. We must continue to seek agreement on a nuclear-test-ban treaty based on an effective system of international inspection and control, which, among other things, could protect us against the repetition of lengthy secret preparations for surprise testing.

2. The world is not safe if the Soviet Union gains superiority in nuclear striking power.

Therefore, we must push the development of critical new weapons essential to the defense of the free world. Insofar as atmospheric testing is necessary to assure this development, we must go forward.

Send the Space Capsule Home

EXTENSION OF REMARKS

OF

HON. LEONOR K. SULLIVAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, February 26, 1962

Mrs. SULLIVAN. Mr. Speaker, this is a most appropriate day for me to call attention of the House to the fact that we in St. Louis are extremely anxious to have the space capsule in which Colonel Glenn made astronautical history returned to St. Louis where it originated.

I have read in the papers that Colonel Glenn's space capsule may be placed in the Smithsonian Institution. Apparently it would be placed next to the one used by Commander Shepard. We had asked for that one too. We would be glad to have either one. It would be placed in the Transportation Museum in St. Louis which is to become part of the Jefferson National Expansion Memorial.

We in St. Louis do not begrudge the Smithsonian Institution its right to these great trophies. After all, one of the most spectacular and treasured exhibits of the Smithsonian is the *Spirit of St. Louis*. But we do not think that the Smithsonian needs to have a whole series of historymaking space capsules. I would think one would be enough for the Smithsonian. We would like to have the other in St. Louis where it was built.

Views on Department of Urban Affairs and Housing

EXTENSION OF REMARKS

OF

HON. GARNER E. SHRIVER

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 26, 1962

Mr. SHRIVER. Mr. Speaker, under leave to extend my remarks in the RECORD, I wish to include a statement which expressed my views regarding Reorganization Plan No. 1 of 1962 which was rejected overwhelmingly by the House of Representatives last week:

STATEMENT OF CONGRESSMAN GARNER E. SHRIVER REGARDING PROPOSED DEPARTMENT OF URBAN AFFAIRS AND HOUSING

The past few days much has been said and written about the overwhelming defeat in the Congress of the administration's proposal to create a Cabinet-level Department of Urban Affairs and Housing. The vote in the U.S. House of Representatives was 264 to 150 in opposition to the creation of this new Department. As with so many controversial issues, there are, of course, seemingly valid arguments for and against.

As I observed the debate and all I could find to read on the subject, the main argument for the creation of this new Department was that with a large percentage of the people residing in the cities, a Cabinet officer with a department should primarily be concerned with the problems of cities.

In opposition to the creation of such a department were such reasons as:

1. The resolution before the Congress to create this Department of Urban Affairs and Housing would have included only about one-third of the Federal Government's present housing activities. It would not have embraced the veterans' housing programs nor the Federal Home Loan Bank. These housing agencies account for approximately 63 percent of the housing financing activities of the Federal Government.

2. A multitude of Federal functions useful to metropolitan areas in meeting many of their problems would have remained where they are now even if this new department had not been authorized. For example, the Federal highway program affecting access to municipalities and expressways through cities as well as city streets would remain in the Department of Commerce.

Technical assistance and other programs for "depressed areas" now afforded under the Area Redevelopment Act also would remain in Commerce.

Water pollution and sewage disposal programs remain under the jurisdiction of the Department of Health, Education, and Welfare where they are now.

Vocational education funds, social security activities, welfare programs, Hill-Burton funds for hospitals, assistance to schools in federally impacted areas such as Wichita, activities designed to promote public health, all these would remain right where they are now.

Another reason for lack of congressional support was stated by a member of the party of the administration when he said:

"In a few years' time, this Department would cost the Government $165 billion dollars. It would give the Secretary of Urban Affairs and Housing more power than has been held by an individual since the beginning our Government."

In other words, the creation of this new Department would bypass the States and centralize further power in the bureaucracy of Washington, with more and more Federal employees and more and more cost to the taxpayers.

These were some of the considerations which went into my decision to vote with the majority in opposing the present creation of this Department.

Finally, I would like to express my regret and, in fact, resentment of the deliberate injection of the racial issue into consideration of this request. The matter of who would be appointed to the chief position in the new Department had no place in a decision on the merits of the legislation.

My 10 years as chairman of our Kansas Legislature's Committee on Municipalities made me fully aware of the complex problems faced by metropolitan areas. I am convinced that the American public should not be led to believe that the creation of a new Department in Washington would solve all of these pressing metropolitan problems.

There must be a strengthening of relationships between local and State governments in meeting many of our urban problems. In Kansas, our larger cities, such as Wichita, have been given home rule authority to help them work out solutions for their special problems. Urban areas deserve more consideration from their respective State government, including appropriate representation according to population in their State legislatures. Fortunately, most of our States are now working toward these goals.

Bulgarian Liberation Day

EXTENSION OF REMARKS

OF

HON. PAUL B. DAGUE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 26, 1962

Mr. DAGUE. Mr. Speaker, the Bulgarian people are a proud people, people that review each year on March 3—their national liberation day—the feats of a glorious past. Throughout their long history they have had the unhappy distinction of living astride the path that has been trod by a succession of ruthless dictators and they have had the added inconvenience of living cheek and jowl with aggressive neighbors.

Forced to take the side of Nazi Germany in World War II, the Western allies took cognizance of the compulsion under which this great people were forced to suffer and our ultimate declaration of war against Bulgaria was a routine matter and did not conceal our reluctance to engage in conflict with a nation that even then had furnished so many stalwart volunteers for our own Armed Forces.

The irony of the situation is revealed by the fact that throughout the conflict Russia did not even bother to declare war on Bulgaria. As soon, however, as the hostilities with Germany were concluded, Russia promptly declared war on the Bulgarians and aided by subversives from within took over the prostrate nation and placed their puppets in control. There then followed a brief sequence of events of which we—the Western allies—can never be proud; namely, President Roosevelt gave a free hand to Churchill in the Balkan countries and Churchill in turn gave Stalin a free hand in Bulgaria. And from that moment to this very hour those great, liberty-loving people have had to submit to the cruelest type of dictatorial domination.

All Americans today are keenly alive to the great and ever increasing contributions that are being made by the Bulgarians in our midst who have found in these United States a haven for the oppressed. At the same time there must be an increasing awareness that our disservice to Bulgaria at the time of the Russian takeover can only be remedied by our support of their national aspirations from hereon. We applaud the laudable ambitions of the Bulgarian National Front of America and we shall support, all the way, their determination that their beloved homeland shall once more be free.

Meanings of the U.S.A.

EXTENSION OF REMARKS

OF

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, February 26, 1962

Mr. RODINO. Mr. Speaker, amid the great bulk of reading material of all descriptions that daily comes into our offices, there are many articles of genuine interest, some of which provide us with new insights into problems under consideration by our committees and by ourselves individually.

Occasionally, we receive a publication whose every article is important, whose every word has real meaning. The March issue of the Rotarian, the magazine of Rotary International, is just such a publication.

The issue is entitled "Meanings of the U.S.A." Its purpose is to give a perspective to our Nation, in the editors' words, as a traveler sees his native land upon returning to it from a long stay abroad; as a visitor sees that land for the first time; as specialists view it through their varied lenses—all seeing with fresh eyes, noting its unique qualities." Believe me, it has indeed fulfilled its purpose magnificently.

You will remember that on the 15th I spoke about the little-people-to-little-people program started by my son, Peter III. I sought your help in organizing this children's crusade. I pointed out the common ignorance—even among our own citizens—about America, what our country and way of life stand for, do and are. I called for support to an allout effort by our children to bring the facts of American life to the children of the world.

In this one magazine are 10 fine articles written by experts in their fields that will go far toward explaining America's precious quality to people everywhere. Because of their timeliness and uniform excellence, I intend to ask permission to insert them in the RECORD, so that the greatest possible circulation can be obtained among our citizens who may not be Rotarians.

Today, I would like only to quote the official object of this outstanding international organization which does so much each year for local communities:

The object of Rotary is to encourage and foster the ideal of service as a basis of worthy enterprise and, in particular, to encourage and foster: First. The development of acquaintance as an opportunity for service; Second. High ethical standards in business and professions, the recognition of the worthiness of all useful occupations, and the dignifying by each Rotarian of his occupation as an opportunity to serve society; Third. The application of the ideal of service by every Rotarian to his personal, business, and community life; Fourth. The advancement of international understanding, good will, and peace through a world fellowship of business and professional men united in the ideal of service.

Here is truly a people-to-people program in action.

Tribute to George Washington on the 230th Anniversary of His Birth

EXTENSION OF REMARKS

OF

HON. JAMES E. VAN ZANDT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 26, 1962

Mr. VAN ZANDT. Mr. Speaker, on February 22, 1962, it was my privilege to deliver the following address at the annual Washington Day banquet of Somerset Lodge No. 358, Free and Accepted Masons:

ADDRESS BY REPRESENTATIVE JAMES E. VAN ZANDT, MEMBER OF CONGRESS, 20TH DISTRICT OF PENNSYLVANIA, WASHINGTON DAY, AT SOMERSET LODGE NO. 358, OF THE FREE AND ACCEPTED MASONS, SOMERSET, PA., ON FEBRUARY 22, 1962

It is a genuine pleasure to be here with you tonight for this annual George Washington Day observance of Somerset Lodge No. 358.

I want you to know that I am speaking to you as a member of our fraternity.

I am a member of Hiram Lodge No. 616, of Altoona, of the Scottish rite bodies of the valley of Williamsport, and of Jaffa Shrine at Altoona.

Somerset has a proud history.

It was appropriately founded in 1787, the same year the Constitution of the United States was signed.

It was then known as Brunerstown.

The history of your city represents a long and honorable record.

On this date it is especially appropriate that we honor our first President—George Washington—who was born 230 years ago today.

There is always a certain solemnity about an occasion honoring George Washington.

There is a feeling of warm satisfaction, too, as in a large family gathering, met to pay reverent and affectionate tribute to an honored past.

Wherever George Washington's countrymen are assembled together there is a sense of brotherhood and common kinship that binds us together with the Father of our Country.

It is seldom in the history of the human race that a man is so obviously born to command.

Yes; one so perfectly equipped—by every quality of mind and heart—to lead a bewildered and distracted people into ways of safety; ways that proved to be sure and certain.

Every American is aware of the unmatched leadership of George Washington.

It is regrettable that very often Americans do not fully appreciate his true greatness.

He towers above the rest.

He appeared on the pages of our history at a most crucial time.

For him and his associates there could be no second guessing.

They gambled not only with their property but with their lives.

They won a victory which was good for the world.

As we briefly review the biographical facts pertinent to George Washington we recall that he was born in 1732 in Westmoreland County, Va.

He had little formal education but was gifted with much commonsense and the ability to lead.

He loved the out of doors and early in life became a guide.

An early significant public event in his life was his service as messenger from the Virginian to the French Governor in 1753–54.

In 1754 a battle at Great Meadows—fought by the small force he commanded—ushered in the long French and Indian War.

Washington was obliged to surrender Fort Necessity and so he resigned, but the next year he served on Braddock's staff at the defeat of the Monongahela.

Here he had a miraculous escape.

He continued in the army until 1759 and had a part in the taking of Fort Duquesne in 1758.

Washington married Martha Custis in 1759. He was a most devoted husband.

That same year he entered the Virginia House of Burgesses.

For several years he led the life of a Virginia planter at his beloved Mount Vernon.

He was a delegate to the First and Second Continental Congresses.

As the energies of the American Revolution exploded, he was chosen to head the Colonial forces.

He led those meager forces through 5 devastating years of war.

It was his task to put into the form of an organized force the raw and ill-equipped soldiers.

His first enterprise succeeded.

Boston was evacuated by the British March 17, 1776, and the Army was transferred to New York.

After the Declaration of Independence a disheartening series of reverses marked the next half year.

These included the Battle of Brooklyn, the withdrawal from New York, White Plains, the fall of Fort Washington, and the melancholy retreat of the diminishing Army across New Jersey.

But the morale of the troops and of the entire country was suddenly raised by Washing's brilliant surprise of Trenton and victory of Princeton.

In the autumn of 1777 Washington's army—though defeated at Brandywine and Germantown—kept a large British force occupied, and so contributed to the victory at Saratoga.

Then came the gloomy winter at Valley Forge.

The battle of Monmouth was won in the summer.

The treason of Benedict Arnold in 1780 was a severe blow.

The following summer Washington showed the qualities of a great general by his secret and rapid march from the Hudson River to Chesapeake Bay—a march which eventually resulted in the fall of Yorktown.

There continued widespread confidence in his thorough devotion to the cause of independence and the basic establishment of the new Nation.

Washington presided over the Federal Convention of 1787.

He was the unanimous choice for President.

Washington's Inauguration was in New York on April 30, 1789.

He was elected for a second term and he served until 1797.

Consider for a moment the long, long years of strain and drain during the agonizing struggle for independence—demanding day after day, for 8 weary years, the last ounce of physical, mental, and moral self-control.

Consider, too, that once independence was achieved the greatest, most daring experiment in human government was about to be launched.

The immense weight of responsibility then descended upon the weary shoulders of a man no longer young.

A man whose only wish was to remain for the rest of his life at his beloved Mount Vernon.

In Washington's own words, written in the summer of 1788, he said: "* * * the great searcher of human hearts is my witness that I have no wish which aspires beyond the humble and happy lot, of living and dying a private citizen on my own farm."

After a year of the Presidency, George Washington could still write wistfully of his Virginia home:

"I can truly say I had rather be at Mount Vernon with a friend or two about me than to be attended at the seat of government by the officers of state and the representatives of every power in Europe."

Two hundred and ten years ago on the 4th of November in 1752, the Masonic Lodge at Fredericksburg, Va., initiated George Washington as a member.

He brought honor, fame, and distinction to the great fraternity of Free Masons.

He was initiated an entered apprentice and in testimony of his esteem for this lodge and the cardinal principles of Freemasonry he retained his membership from the date of his initiation until the time of his death.

At the founding of the Grand Lodge of Virginia in 1785, George Washington, because of the esteem in which he was held by his brethren, was tendered the office of grand master.

Twice after this date he was proposed as Grand Master of the United States by other grand lodges.

Both of these honors were refused for reasons known best to himself.

When the Alexandria, Va., Lodge surrendered its charter—held from the Grand Lodge of Pennsylvania—and received its Virginia charter in the year 1788, George Washington was named its charter master by Most Worshipful Edmund Randolph, then Grand Master of Masons in Virginia.

The lodge has since changed its name to honor its illustrious charter master and is now known as Alexandria-Washington Lodge No. 22.

In 1951, in a volume published in the George Washington Masonic Bicentennial Year, under the authority of the Grand Lodge of Virginia, Grand Master Rudolph R. Cooke, wrote the following:

"George Washington lived in a period when new forces and new ideas and ideals were being born in the world.

"His life and his every action displayed his unwavering devotion to the great principles for which Freemasonry stands.

"The great concepts of brotherly love and freedom were given national birth because of his untiring efforts.

"His life—and the great principles for which he stood— are a part of the glorious heritage of every citizen of the United States of America.

"It is fitting and proper that we should honor his memory, praise his steadfast devotion to the principles of Freemasonry, and observe the anniversary of his Masonic birth with fitting solemnities."

Americans have—and almost seem to have by birth—an inordinate interest in "firsts."

Who was first to go up in a balloon?

Who was first to go over Niagara Falls in a barrel?

Who made the first automobile?

Washington—our first President—goes down in history as being the "first" in the hearts of his countrymen.

Two very learned men have in recent years published books on American "firsts," and it is interesting and enlightening to note how often Freemasonry has had a part in them.

To Washington's lot fell many many "firsts."

He was the first American Commander in Chief; the first President. In Freemasonry he was the first choice for grand master by Virginia, the first independent American grand lodge. The first choice by those who worked to have a national grand master. The first master of Alexandria lodge under its Virginia charter.

The sentimental values attached to Washington relics in the Masonic order reveal the depth of esteem in which he is held in the fraternity.

It has been said that Washington made sacred the things that he touched or that have been associated with him.

Thus cherished above rubies is a gavel made from an oak in the grounds of Mount Vernon. The Washington Bible. A tiny lock of his hair in a golden urn which was the handwork of Paul Revere. And many, many other relics.

It has been suggested that one of the underlying reasons for Washington's personal and persistent interest in Masonic lodges was his own conviction that the hope of success in the Revolution rested with the officers.

Washington always was pleased to see his officers become Masons because the lodge was a school of honor.

Something of the bitterness which Washington tasted in Benedict Arnold's treachery was the man's coldblooded violation of all his Masonic ties and confidences.

If these things are true—and certainly they are reasonable—they lend an added interest to George Washington—the Mason.

We can find much consolation in the decisions reached by George Washington in his troubled times—and in the philosophy of government—that is often hidden under the surface of Washington's more glamorous exploits.

There is no deep and lasting benefit from a mere recital of biographical facts concerning the life of a great man.

Rather, we must look into the past and dig from it nuggets of wisdom that we can apply to the problems of our time.

If George Washington could revisit this earth—one of his greatest surprises—aside from the mechanical changes in our lives—might be the diplomatic and personal relationships we in the United States have with half the world.

The names of the countries in our newspaper headlines would not be familiar to Washington.

Far less familiar to our first President would be the concepts of mutual security, technical cooperation, and permanent alliances for mutual defense.

He would undoubtedly be baffled by the United Nations, the Organization of American States, and the North Atlantic Treaty Organization and the obligations assumed by us under their respective charters.

Yet Washington was not only a great and good man, but also a practical one.

No doubt if he were President today he would be starting on his way to Latin America and planning European and other visits around the globe to further the peace of the world.

We must recall that the end of the American War for Independence brought freedom from outside rule, but it also brought uncertainty and upheaval.

The States became insecure in their relationships with each other.

There were those in Connecticut who feared the expansionist aims of Massachusetts and vice versa.

New York and New Jersey—with a common harbor—became involved in a tariff wrangle.

Despite all these internal problems George Washington had succeeded in turning back the British—largely because he was able to keep the military coalition of the States from breaking off into fragments.

He had the stature and the singleness of purpose that gave the States confidence, the rallying power, and the tenacity needed for victory.

He was a man of good will and absolute integrity, in whom all Americans could believe regardless of party.

Washington did exactly what was expected of him.

He stayed outside the range of frequently bitter debate, using his authority sparingly so that he could apply his full prestige before the people of all the States in the biggest job of all—which was to get the Constitution ratified.

It has been said that "this ability to stand symbolically before the Nation with arms fully outstretched—in order to appeal to and embrace all groups and parties caused many people to regard him as a National Father."

When it became necessary to elect the first President under the U.S. Constitution, the choice of the electors was automatic.

Washington carried with him into the Presidency the belief that he could be above the give-and-take of party strife.

Our Constitution—which reflects Washington's leadership in so many ways—slows up the final governmental decisions.

It subjects them to the checks and balances of repeated examination and the maturity of delayed judgment before becoming final.

Those who speak glibly of our Republic at the level of our Federal Government would do well to weigh these facts which have been responsible for making this a most stable government and our Republic the greatest guarantor of individual liberty in the world today.

Unfortunately some historians have attempted to downgrade Washington.

It has been said that Washington was a dreadful fellow who belonged to the gentry.

He owned property, he was an aristocrat, he was against the common people, and he was a reactionary.

This, however, is the same man who served his country without cost to the Nation and so helped win freedom for all people.

This is the same man who presided over our Constitutional Convention and helped provide the basis for the protection of private property with more people enjoying the blessings of ownership on a more equitable basis than in any other nation in the world.

This is the man who fought to destroy the right to inherit rank and title, and helped establish a government where titles of nobility are constitutionally forbidden.

This is the man who stands head and shoulders above his countrymen, and led the most Revolutionary movement, which resulted in the establishment of more freedoms than has been known to any nation in our world.

In his circular to the States—under date of June 8, 1783, written from his headquarters at Newburgh, N.Y., after the close of the war—Washington wrote a solemn admonition in what he supposed was a final public farewell to his countrymen.

In fatherly words he earnestly exhorted the Thirteen States whose independence he had so lately won and who had already fallen into quarreling and bickering among themselves:

"There are four things," wrote Washington, "which I humbly conceive are essential to the well being—I may even venture to say to the existence of the United States as an independent power:

"First, an indissoluble union of the States under one Federal head.

"Second, a sacred regard to public justice.

"Third, the adoption of a proper peace establishment; and

"Fourth, the prevalence of that pacific and friendly disposition among the people of the United States which will induce them to forget their local prejudices and policies to make those mutual concessions which are requisite to the general prosperity, and, in some instances, to sacrifice their individual advantages to the interest of the community.

"These are the pillars on which the glorious fabric of our independency and national character must be supported."

In paying tribute to George Washington—as Americans and as Masons—we can do no less than remember his desires for his beloved country by giving recognition to his demands for outstanding leadership.

A type of leadership that is so eloquently described in the following well-known prayer:

"God give us Men.
A time like this demands—strong minds,
great hearts, true faith, and ready
hands;
Men whom the lust of office does not kill;
Men whom the spoils of office cannot buy;
Men who express opinions and a will;
Men of honor;
Men who will not lie."

Washington Report

EXTENSION OF REMARKS

OF

HON. BRUCE ALGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 26, 1962

Mr. ALGER. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following newsletters of February 24, 1962:

WASHINGTON REPORT
(By Congressman BRUCE ALGER, Fifth District, Texas)

"As a very important source of strength and security, cherish public credit. One

method of preserving it is to use it as sparingly as possible, avoiding occasions of expense by cultivating peace, but remembering, also, that timely disbursements to prepare for danger, frequently prevent much greater disbursements to repel it; avoiding likewise the accumulation of debt, not only by shunning occasions of expense, but by vigorous exertions, in time of peace, to discharge the debts which unavoidable wars may have occasioned, not ungenerously throwing upon posterity the burden which we ourselves ought to bear."—George Washington's Farewell Address.

National Indignation Convention members visited Congress and Congressmen this week. Numerous Members, including myself, introduced concurrent resolutions stating "that no funds will be appropriated for the purpose of training military personnel from any Communist country or any country dominated by the Union of Soviet Socialist Republics:

"HOUSE CONCURRENT RESOLUTION 421

"Resolution to prohibit training enemy military personnel or aiding Communist nations

"*Resolved by the House of Representatives (the Senate concurring)* That no funds will be appropriated for the purpose of training military personnel from any Communist country or any country dominated by the Union of Soviet Socialist Republics.

"All Communists and other representatives of enemy countries now being trained in the United States as pilots, technicians, and other military personnel shall be returned to their own lands at the earliest possible moment.

"The transfer to Communist and other enemy nations of all planes and other weapons of war, and materials that may be converted to weapons of war, shall be terminated at once.

"Any such material in process of transfer shall be stopped in transit and returned to the United States; and any and all agreements relative thereto shall be canceled immediately.

"Any persons in Government found guilty of violating the provisions of this resolution shall be removed from office."

The good sense of this resolution is self-evident. The logic of why we have aided the enemy and continue to do so escapes me. I applaud those citizens who have indignantly petitioned their Government to change this, as well as other Government errors. People must protest loud and clear to all elected officials. (1) Educate, (2) lobby, (3) elect is the threefold course of action needed today to make "government of, by and for the people" succeed.

The Attorney General Robert Kennedy's remark discrediting Texas still remains unanswered as to what he really meant. It should be the expectation of all Texans, surely that this answer be forthcoming soon. Brave Americans who fought and died for this country in any war deserve a special place in the hearts and minds of those who follow and who must protect their honor.

The expropriation of American property, an $8 million company of International Telephone & Telegraph Co., by Brazil is another act in the chain of humiliation of the great United States. Once again the Untied States does nothing. No marines or warships offshore and tough diplomatic talk to remind Brazil that the U.S. lives and property are inviolate. Instead we listen to Mr. Goulart, President of Brazil, claim he is not responsible for and cannot control the action of his brother-in-law, Governor Leonel Brizola, in the seizure. An offer of $400,000 in exchange is more than outrageous. How can we encourage Americans to invest in foreign lands without protection? At the same time the administration has promised $20 billion in aid to the Alliance for Progress. What kind of progress is expropriation? Now, no doubt, the President will authorize millions in aid to Brazil. What's more, this criticism I herein level is the kind the liberals who control Congress call "extremist, reactionary, old fashioned." To me, the protection of U.S. lives and property is "patriotic, constitutional, commonsense." The healthiest action possible, and most needed in the world is timely, strong-armed toughness of the United States acting fast and sure to protect U.S. rights when and wherever they are jeopardized.

The debt ceiling was raised $2 billion. For the second year, I protested in debate and committee report, any increase. While it is true that the United States must pay bills when already contracted for and payment is due, it is equally true that denying money to the President would force some reshuffling of expenditures resulting in less spending. In 1954 Congress denied a $15 billion increase and the Government got along all right. Specifically, I criticized (1) the "temporary" tag. There's nothing temporary about Government spending; it's permanent; (2) Increased military spending is not the reason for more needed money since nondefense spending under Kennedy has been 60 to 75 percent of the increase, contrary to what is being told the public; (3) The debt ceiling is a false limitation and should be done away with: There is no limit to the Government's power to tax, spend and borrow. (Hence the need for my constitutional amendment (H.J. Res. 11) to force a balanced budget on Congress.) As usual, some Members demigogically spoke about the need for debt reduction, the same Members who have voted most, if not all, of the spending which occasioned the need for a debt ceiling increase. Nor is this all, the Ways and Means Committee is forewarned that the President will ask soon for $8 billion more increase of the debt. Welfare spending in every area is soaring. This year the President will require us to raise $14 billion more in taxes than last year just to break even, if there are no further increases by the President. I wonder when the people will really awaken and restrain the President and his equally radical ADA advisers in this mad race to financial ruin. I was proud this week to put in the CONGRESSIONAL RECORD the story of Daingerfield, Tex. Daingerfield, like Dallas, is determined to stand on its own feet, develop the community through the efforts of its own people instead of waiting for the Federal Government to do it.

The creation of a new Government Department of Urban Affairs and Housing and a new Cabinet officer occasioned the week's biggest controversy. A yes vote meant a no to permitting the President a go-ahead on Reorganization Plan No. 1 of 1962. The President was soundly rebuffed by a vote of 264 to 150. All but 13 Republicans were against the new Department. Of 248 Democrats voting, 111 joined the Republicans, leaving 137 Democrats favoring the new Department. Argument for: (1) Urban growth is great, (2) Federal housing and urban programs have grown greatly, (3) improved management and operation of Federal programs. Arguments against: (1) Vast increase of Federal employees and expense, (2) weakening of State and local jurisdiction, increase Federal centralization of power, (3) not necessary to accomplish Federal programs, (4) discourage initiative and further dry up local taxes as Federal Government collects taxes and returns some to the communities. Probably the biggest factors were not on the surface of the debate: (1) The President was trying to force Congress to accept his proposal, (2) the President injected politics by criticizing the Republicans in the Rules Committee who earlier voted against such a Department (all 5 Republicans of the committee were joined by 4 of the 10 Democrats) and secondly he announced Robert Weaver, a Negro, who would head the new Department as a Cabinet officer, a callous injection of the race issue. Subsequent developments include the President's announcement that the Department would still be set up. This time, I predict, the "benevolent dictatorship" will fail in its objective. Certainly, new pressures will be brought to bear against vulnerable Members of Congress by the President. How refreshing it would be if Congress would really reassert its constitutional role as it did this once.

The tax bill before Ways and Means has gone through so many revisions and "about-faces" I shall withhold overall comment until the final draft is complete. I can report with disappointment that several very sensible proposals were defeated. Eleven Republicans and one Democrat joined (but were defeated by 14 of 15 Democrats) in proposing a tax cut for individuals, corporations, and a liberalized depreciation allowance at a tax loss of $1.4 billion less than the President is demanding in the "giveaway" investment credit being granted to some industries and costing $1.8 billion. At a time of great spending it is recognizable that tax cuts are inconsistent. Now the President asks that $1.8 billion be cut as grants to certain taxpayers as the administration specifies. This is tremendous political power in the hands of the Treasury Department. As I see it, any tax cut should be a true tax cut, to everyone as the Alger-Baker-Herlong provision provides, which would liberalize depreciation and cut every bracket of individual and corporation taxes, the only real stimulus to our economy. Of course, the really necessary action to accompany tax cuts is reduced Federal spending. This is a lesson never learned by the Democrats now leading the administration and Congress.

This is a week which will be remembered for all time for the heroic achievement of Col. John Glenn in his inspiring race around the earth in space. On Monday the entire Congress will hold a joint session to pay tribute to the man and to his achievement. Every American heart thrilled at this latest success for our science, our technology, and the pioneering spirit which has always been an intrinsic part of American character.

"It is important likewise, that the habits of thinking in a free country should inspire caution in those intrusted with its administration, to confine themselves within their respective constitutional spheres, avoiding in the exercise of the powers of one department to encroach upon another."—George Washington's Farewell Address.

Estonian Independence Day

EXTENSION OF REMARKS

OF

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, February 26, 1962

Mr. RODINO. Mr. Speaker, during most of their modern history Estonians have been subjected to foreign rule. Founded by King Valdemar II of Denmark in 1219, they lived for centuries under Scandanavian governments. Finally, they fell under the yoke of the oppressive Russian czarist regime. When the Russian Imperial Government was overthrown by the 1917 revolution, Estonians burst their bonds and declared their freedom on February 24, 1918. Their long, hard struggle was ended, their national goal was realized.

For the next 22 years Estonians lived in peace and worked happily to build themselves a responsible republic and a progressive, healthy economy. But the evil forces of destruction and death were again let loose on the eve of World War II, and the unfortunate Estonians witnessed the doom of their independence as a nation and the loss of their freedom. In July 1940, the proud little nation was overrun by the Red army, and the country was annexed to the Soviet Union.

America has never recognized this brutal annexation. Estonians have never ceased to be Estonians. They have suffered these 22 years; they have borne the brunt of alien philosophies imposed upon them by godless Communists. They know, as we, that at the moment the indescribable suffering will go on, not look bright. But these brave and sturdy fighters for freedom, long schooled in adversity, cling tenaciously to their ideals and never entertain any doubt about the ultimate victory of their righteous cause of freedom and independence.

On Saturday, the 24th, the million citizens of that brave nation observed in private ways the 44th anniversary of their independence. There could be none of the joyous and public display that we in America give on our 4th of July. But in their hearts and minds, their prayers and determination were renewed. In America, the thousands of citizens that have sprung from this noble stock added their prayers. We were not in this Chamber on that day; but I know all of us assembled now joined in with them. Here and publicly let us now proclaim to the world the justness of their cause. Let us lift up our hearts in prayer that the same cherished freedom we enjoy will soon spread east of the Baltic, and that Estonia will again take her place in the councils as well as the hearts of the community of free nations.

Two Giant Steps Toward Victory in the Cold War

EXTENSION OF REMARKS

OF

HON. EDGAR W. HIESTAND

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 26, 1962

Mr. HIESTAND. Mr. Speaker, our colleague, the Honorable CRAIG HOSMER, of California, made such an appealing and penetrating statement on the Dean Manion Forum that, under unanimous consent, I include it in the RECORD, that all Members may read it:

TWO GIANT STEPS TOWARD VICTORY IN THE COLD WAR

Thank you, Dean Manion. For many years you have warned that the persistent and continuing goal of the international Communist conspiracy is world domination. You and your guests on the Manion Forum again and again have disclosed the many insidious and brutal ways in which Communists aggress against the free world. It has properly been pointed out that any mischief, from dropping pamphlets to dropping thermonuclear bombs, will be used by Communists whenever, wherever, and however it will help carry out Khrushchev's threat to bury us.

In this manner, they are fighting us over a spectrum of conflict which includes both cold war and hot war, and which can range from the least violent to the most violent actions in which man can engage. Communist dogma tells Communist leaders to use the greatest amount of violence they can get away with, without risking their own home base of aggressive strength.

For instance, the only reason Communists are not dropping atomic bombs on the United States today, quickly to remove us as the chief obstacle to their goal of world domination, is that they know we can and will retaliate with all our nuclear weapons and destroy them.

Because they are deterred, temporarily at least, from using hot war against us, they are using all the many weapons in their cold war arsenal in a massive attack on many fronts to defeat us by nonmilitary warfare. The situation is simply that unless or until they safely can burn us to death in a hot war, they intend to try freezing us to death in cold war.

Because of your efforts, Dean Manion, and the efforts of other patriots, the American people have become awakened to this great danger and are demanding that our Government take effective action in cold war just as it would in hot war should that ever be necessary. Even though our Government does not, the American people do recognize that on the decisive battlegrounds of the cold, nonmilitary war our defenses are shamefully weak, our generalship is appallingly bad, and our effort is woefully inadequate.

It would be madness to attempt fighting a hot war without declaring it, without national strategy, without top-level command, without war plans, without mobilizing, and without appealing to the patriotism of the people for the blood, sweat, toil, and tears needed to win it.

Yet, without any of these things, we are engaged in a new, strange, and deadly kind of a war—a cold, nonmilitary war, in which the stakes are freedom and survival, and which we are not winning. It is clear we will not start winning until the irrevocable determination developed by individual Americans to do so is declared to be the official policy of the Government of the United States.

RECOGNITION OF ENEMY NECESSARY FOR VICTORY

For this precise purpose, I have introduced House Joint Resolution 517. It is patterned after our declaration of war following the Japanese sneak attack on Pearl Harbor. However, House Joint Resolution 517 declares conflict rather than war and identifies our enemy as the international Communist conspiracy. This resolution directs the President to employ the entire power of the United States to carry on the cold war and pledges all the resources of the country to bring it to a successful conclusion.

This resolution will serve to start the official chain of events which must be started by the U.S. Government, if we are to stop losing and start winning. Only by openly declaring the conflict which the international Communist conspiracy wages against us, can we organize and mobilize to fight it as a major enterprise on the scale necessary for victory. The passage of House Joint Resolution 517 will not only mobilize America for cold war but will enlist the support of all men everywhere who cherish freedom in this great contest for its survival.

We Americans are not unique in our desire for freedom—only in our vast national power which causes people throughout the free world to look to the United States for leadership in the struggle to preserve it. Other people, too, want to fight effectively in the common cause. They, too, have their doubts, their worries, and their fears that the time of freedom is running short. But until the United States declares the conflict, begins to move against communism and move decisively, as a world leader should, others cannot be expected to go it alone.

Based on the formal congressional declaration of the conflict, many of the actions which must follow to win it can be put into effect without delay. The organization of our Government to fight cold war effectively is one of the most critical of these necessary actions.

The cold war sweeps across many otherwise unrelated functions of Government. It goes far beyond the jurisdiction of any of the specialized committees of Congress now in existence. And, in the executive branch, it goes far beyond the State Department or any other single department of Government—far beyond the formal Government even—it sweeps across our whole society.

The President alone has the broad power and control over the wide range of functions which must be organized, carried on, timed, coordinated, and pushed to overall success to meet the enemy and to overcome him. At the top, there must be a national nerve center and command post for cold, nonmilitary war. Call it the Strategic and Tactical Office of the President—STOP. And, at COMSTOP, in the White House itself, stopping communism must be a 24-hour-a-day operation for as long as it takes to do the job.

Likewise, the Congress should have a committee which views our cold war efforts as a unified whole. It has occurred to me that one of the existing committees of Congress, such as the Joint Committee on Atomic Energy, already accustomed to dealing with complex and highly classified information, might be the logical committee to which Congress should assign cold war responsibilities.

Once we properly declare the conflict with international communism, express our irrevocable determination to win it and organize ourselves to do so, we can begin to fight intelligently and effectively on the cold war's many battlefronts. We can tie together and coordinate national cold war strategy, intelligence activities, scientific propaganda, economic and diplomatic moves, psychological warfare, and all the other many activities short of actual military operations that winning cold war involves.

All these operations must be run by managers who are themselves knowledgeable in the political, strategic, and psychological nuances of nonmilitary warfare. We must quickly train, in our universities and elsewhere, the knowledgeable Americans needed to officer and man this new force of our national defense, the cold war fighting force.

CARRY COLD WAR FIGHT BEHIND IRON CURTAIN

From the overall strategic standpoint, it must be emphasized that fighting cold war effectively not only means defending against the aggressive action the Communists mount against us in our own territory, but, if we are ever to win, it means carrying the fight deep behind the Iron Curtain into communism's own home territory.

In urging former President Eisenhower to wage cold war and turn Moscow's own cold war weapons against it, Brig. Gen. David Sarnoff argued that our potential fifth column is greater by millions than the enemy's. Within the Communist empire are countless areas of weakness and possible internal strife. Our cold war strategy must be geared to go on the offensive and seize and exploit the opportunities they present us to carry our cause forward.

Turning from cold war strategy to cold war tactics, we find almost limitless opportunities for turning the tide of world events to our favor and away from the Communists. Immediately following our declaration of conflict against the international Communist

conspiracy, the Congress should declare contraband all Communist arms and munitions in the Western Hemisphere. I need not dwell on the presence of MIG fighters, Soviet tanks, and 400,000 Red armed soldiers in Cuba, almost within sight of our own shores, to underscore the necessity for this move.

I have introduced another resolution, House Joint Resolution 524, which formally declares that Communist arms and munitions are contraband in the Western Hemisphere and requires the President to enforce this contraband by appropriate use of U.S. airpower and seapower.

This is the way it would work: International law recognizes a right to enforce contraband. It is a peaceful procedure. A U.S. patrol aircraft spotting a Communist bloc ship headed toward Cuba or elsewhere in the Americas would signal a U.S. destroyer to intercept and search it. If Communist arms or munitions are found, the ship is warned to turn around. If its captain refuses or tries again to proceed toward his destination, our Navy can reboard the merchantman and jettison its contraband cargo and bring it to a U.S. port to have confiscation adjudged.

The advantages of this unique approach, based on modernization of longstanding principles of international law are many. Only a few U.S. aircraft and ships would be required. These would operate on the high seas, and there would be no interference with the integrity of any nation's territorial waters or domestic soil.

U.S. forces would be acting in a strong area of American sea and air power, almost 5,000 miles from the Soviet Union's nearest base. The Monroe Doctrine which protected the Western Hemisphere for so long from the grasping hands of European despots would once again be made meaningful and would once again be used courageously and effectively to preserve freedom in all the Americas.

My friends, House Joint Resolution 517, the declaration of conflict, and House Joint Resolution 524, the declaration of contraband, are vitally needed and should be enacted swiftly, but they are stalled in the House Foreign Affairs Committee and need your active support.

Thank you, Dean Manion, for this opportunity to urge from the Manion Forum that Americans demand that their Congressmen, their Senators, and their President move swiftly to do these things, and the many more necessary to make America strong and keep her free.

Congratulations to Postal Workers on Merger

EXTENSION OF REMARKS

OF

HON. GEORGE HUDDLESTON, JR.

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 26, 1962

Mr. HUDDLESTON. Mr. Speaker, the Alabama branch of the National Postal Transport Association has long been considered to be a guiding fixture on the scene of postal employee organizations in Birmingham, throughout Alabama, and the Memphis postal region. I have just been informed that the Alabama branch has voted by referendum ballot to merge with Local 303 of the United Federation of Postal Clerks.

The United Federation of Postal Clerks is a relatively new postal employee organization on the national scene, being recently formed by the merger of the National Postal Transport Association, the National Federation of Post Office Clerks, the United National Association of Post Office Craftsmen, and the United Postal Workers. However, within the framework of the national merger, it was stated that any merger on a lower level would be the result of local option. I am happy to notify the Speaker and my colleagues that this local option was exercised as a result of a unanimous vote of local 303 and a more than 20-to-1 vote of the Alabama branch. I certainly wish to congratulate the leaders of these two progressive organizations and especially Mr. John Waldrop, president of the Alabama branch and Mr. J. D. Park, president of local 303.

As a Member of Congress, I have been very close to the postal employee organizations in Alabama and even before coming to Congress I have been closely associated with many of the leaders of these organizations and personally aware of their problems. Just a few weeks ago, I had the pleasure of introducing a bill to amend the law relating to pay for postal employees which was assigned the number H.R. 9949 and was referred to the Committee on Post Office and Civil Service. And while I shall certainly do all within my power to see this bill, or its companion bill, through the legislative processes of Congress, I am aware that not all the problems of the postal employees of Alabama concern salary increases.

I may have been the first Member of Congress to ride in a railway post office car. Certainly I was the first in the sense that the ride, which was arranged for me by Mr. A. W. McCrary, Mr. J. L. Conway, Jr., and Mr. Joe D. Newton, of the Alabama branch, was accomplished even before I came to Congress in 1955. Under the guidance of these gentlemen, I learned the specialties of railway mail clerks, the things they need to know and the importance of the service they perform. Today, 8 years after that ride on the railway post office car, I realize that no one, either within or outside the Post Office Department, has yet developed a method of mail handling which will equal the idea of en route distribution as a benefit to the postal service and to postal patrons as well.

Partly because of the education I received on the trip, partly because of personal inspection of many of the post offices within the State of Alabama and partly because of my study of the supporting material furnished me by the postal employee organizations and their auxiliaries, I have on many occasions interceded with the Post Office Department on behalf of many postal employees in an effort to right the wrongs which sometimes occur. On many other occasions, I have introduced and supported legislation in this body designed to accomplish the same end; whether it be salary legislation where a discharge petition has sometimes been necessary or other types of legislation designed to prohibit "speed-ups" or "airlift" of first-class mails without payment of premium postage.

Thus, being quite familiar with the problems of our postal employees, the stalwart efforts of the employee organizations, and our entire postal setup in general, I think I am in a position to evaluate the significance of the merger of these two outstanding local postal employee unions. My judgment is that the merger will shortly prove to be one of the best things ever to happen for our career postal employees. One of the ways it is going to be beneficial is in being able to present to those of us in Congress a comprehensive view of new situations which arise from time to time affecting all postal employees and all postal patrons.

I am sure that members of the Alabama branch of the National Postal Transport Association feel a little sadness at the demise of their old organization. This organization served its members well. But I believe that the merged organization will promptly come to have the full loyalty and appreciation of those who made the decision to launch out on this new and promising venture.

Incidentally, I myself guard a certain fondness for the old Alabama branch of the NPTS. For example, I am proud to have hanging on the wall of my office the first "citation of loyalty" presented by the Alabama branch and which is signed by Mr. Joe D. Newton, then branch president and now an associate national vice president of the United Federation of Postal Clerks. I have a later award in my Birmingham office which is signed by Mr. John Waldrop, current president of the Alabama branch. I am also proud that a former member of my congressional staff, J. Thomas King, has received this award.

Mr. Speaker, it is my earnest desire to be present at the first meeting of the merged union to be held in Birmingham, Ala., on March 3 of this year and I shall make every effort to be there if at all possible. It has been my pleasure to attend many meetings of various postal employee unions and my pleasure to communicate with many postal employees throughout the State of Alabama. Again, I am certain that this great step forward will benefit both the employees and Members of Congress, and will contribute to a postal system for our Nation that is unsurpassable.

The Giant Noneconomy Size

EXTENSION OF REMARKS

OF

HON. LEONOR K. SULLIVAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, February 26, 1962

Mrs. SULLIVAN. Mr. Speaker, the Nation magazine, on December 9 of last year, carried an excellent article on "artful packaging" by John J. Lindsay, a reporter for the Washington Post and former Nieman fellow at Harvard, discussing some of the amazing testimony taken by the Senate Subcommittee on

Antitrust and Monopoly, under the chairmanship of Senator HART of Michigan, into deceptive packaging and labeling practices on consumer items. I think this article deserves the attention of all Members of Congress, and therefore I have received permission to place it in the CONGRESSIONAL RECORD.

Mr. Lindsay covered very ably, I believe, the practices which are now so common in the packaging of food items and household products generally, and the interesting if not necessarily persuasive explanations of food industry packaging specialists and industry spokesmen—or apologists—for the methods used. Also included are excellent samples of the indignation expressed by consumers for the conditions they have found in the packaging of items found in the supermarkets.

Mr. Lindsay, in the article, refers also to the idea which has been put forward for Federal regulation of packaging sizes to require standard quantities in many food and household items, but he concludes that this may perhaps not be feasible and therefore we might have to depend upon the industry to police itself.

SIMPLE AMENDMENT WOULD END MUCH CONFUSION

I regret that he did not include any reference to the solution which I suggested to the subcommittee last July, and which is an important provision of my bill, H.R. 1235, an omnibus measure which would close many of the existing loopholes in the Food, Drug and Cosmetic Act of 1938, our basic statute for consumer protection.

Under sections 403, 502, and 602, respectively, of the Food, Drug, and Cosmetic Act, a food, drug, or cosmetic item is considered misbranded, and therefore subject to seizure and removal from the market "unless it bears a label containing first, the name and place of business of the manufacturer, packer, or distributor; and, second, an accurate statement of the quantity of the contents in terms of weight, measure, or numerical count." Subsection (F) of section 403 further alleges misbranding unless "any word, statement, or other information required by or under authority of this act to appear on the label or labeling is not prominently placed thereon with such conspicuousness—as compared with other words, statements, designs, or devices, in the labeling—and in such terms as to render it likely to be read and understood by the ordinary individual under customary conditions of purchase and use."

Mr. Speaker, the language of the present law would appear to be plain and clear and unequivocal, but unfortunately, the courts have varied in their interpretation of what constitutes sufficient "conspicuousness" under this definition. And that is the rub.

For I am convinced that if the required information which appears on all packages can be found on the label and read by the consumer, most women will exercise their inherent objections to being cheated in their food purchases.

My bill, H.R. 1235, which covers the whole range of Food, Drug, and Cosmetic Act loopholes—including such things as factory inspection, certification of antibiotics, stricter controls over barbiturates and pep pills, pretesting for safety of cosmetics and also of prosthetic devices, closing of gaps in the new drug sanctions of the law, requiring proof of efficiency of new drugs and devices, and the removal of numerous special interest exemptions from regulation in the present law—has as one of its provisions the following additional requirement to be added on to the appropriate subsections of sections 403, 502, and 602, as follows:

> The Secretary of Health, Education, and Welfare may issue regulations which specify the kind, size, and location on the label or labeling of statements required by this section.

This additional provision would enable the Food and Drug Administration to specify—as it does now in the Hazardous Substances Act—the size of type and other requirements for giving the essential labeling information, so that the housewife would not need a magnifying glass to determine the quantity of contents. Of course, she still might need a slide rule to determine the best buy by size or brand, but at least she would have the opportunity to make such computations. At present, she often cannot compute the best buy because she simply cannot read or find the tiny type in which the contents are specified on the label.

Mr. Speaker, I submit at this point, Mr. Lindsay's article from the Nation of December 9, 1961, as follows:

THE GIANT NONECONOMY SIZE

(By John J. Lindsay)

One of the more obscure virtues of a democratic society was revealed recently by Roy King, publisher of a food trade magazine, in explaining why food manufacturers short-weight the American housewife with tricky packaging and labeling. Testifying before the Senate Antitrust and Monopoly Subcommittee, Mr. King said:

"In a democracy a citizen has an inalienable right to be different; and in this instance, the difference is the consumer's deviation from rationality as the foundation of her buying decisions."

It appears, according to Mr. King, that we are living in a "psychoeconomic era," which apparently means that while the practice of putting out a "jumbo" size of cereal that may contain a third less cereal than a competitor's "regular" size may "appear deceptive to the layman [sic] * * * it is not." It isn't deceptive because the housewife gets, instead of cereal, "attractive packaging" and the rich experience gained from being the subject of an emotional appeal made to her by the merchandisers.

All of this testimony the subcommittee found absorbing, but Senator PHILIP A. HART (Democrat, of Michigan) noted mildly that his colleagues were less interested in theory than in finding out whether the consumer was getting a "fair shake in the box" from the food manufacturers.

Since the subcommittee hearings began last summer—they are still in progress—a sizable number of housewives have trooped to the witness stand to argue, by their presence, with Mr. King's theory of their inalienable right" to be irrational. Take for example, Dorothy S. Wheeler, of Alexandria, Va., who thoughtfully brought along a few samples to show the Senators. She demonstrated a cake mix that was packaged in a container 20 percent larger than a rival product, but actually contained less mix. Then there was the instance of two bottles of vegetable oil, equal in height. But one had 25 percent less oil than the other because its "waistline" had been pinched to make for eye appeal.

The "irrationalist" legions got solid support from the articulate Mr. Marya Mannes, author and critic, who confessed that to her the modern supermarket is the "greatest exercise in planned confusion since the bazaars of Samarkand." She told the subcommittee that "most of us are simply too busy or too tired or too harassed to take a slide rule and an M.I.T. graduate with us to the supermarket and figure out what we're buying."

And the ominous thing about it, she said, is that "the makers of the goods we buy know this. In fact they know more about us than we know about them. They have spent millions of dollars studying us, the consumer." The big brothers in our society, she went on, are the "sellers and their brainwashing handmaidens, the behavioral scientists" who make the Orwellian nightmare seem like a refreshing dream. She estimated that the penny taken here and there in short-weight cartons and deliberate confusion of comparative prices and values is "greater than the staggering amount we forfeit to crime and corruption." Worse still, she observed, a sort of Gresham's law is at work in that "dishonest practices, because they succeed, will drive out honest practices because they don't."

An example of how this is actually working came up several months later during the hearings when Roy Zimmerman, a packager of private brands, conceded that in one instance his company was driven to advertise a quart of detergent as a "full quart—32 ounces" because a shelf-sharing competitor's brand containing 22 ounces was labeled "giant" size.

Here are further examples from the testimony of witnesses:

A baby-food processor brought out a new jar of applesauce containing a quarter of an ounce less than the old. An unwitting mother would, if she fed her child four jars a day, feed the child 24 pounds less per year without realizing it.

Two brands of soap pads were advertised at 13 cents each, but one box contained 4 pads and the other 5. Consumers complained that the distinction was made in print so fine that it could not be read without a magnifying glass.

Two brands of salt came in boxes containing identical amounts, but one box was an inch taller than the other.

Among detergents were found a giant size containing 3 pounds 5½ ounces, and a giant size containing 3 pounds 1¼ ounces. Both cost 77 cents each and looked the same size.

One breakfast-food company sold 6 biscuits in a box weighing 6 ounces, then brought out a new box, exactly the same size, containing 5 biscuits and weighing 5 ounces. One recurring complaint by witnesses was the reluctance of manufacturers to tell the consumer what he is getting. Senator HART explained the theme of the complaints this way: "Day by day, shoppers, pay more and more for less and less in bigger containers bearing smaller and smaller type." The Senator knew whereof he spoke; at one stage in the hearings, he had to use a magnifying glass to read the print on a label.

Some witnesses suggested that a uniform Federal packaging and labeling law is needed to bring coherence again to the market place; to drive out the inadvertent, and possibly deliberate, chaos in the variety of cartons offered that contain the same thing.

That this is easier said than done was quickly made clear. Quite apart from the question of Federal interference, the industry leaders are divided among themselves on whether packaging anarchy is harmful and costly to the consumer, or is actually a beneficent gesture bestowed by the industry on

a public that is clamoring for it (in accordance, one presumes, with King's law or irrationality).

When Senator HART suggested to Louis Cheskin, a Chicago motivational researcher, that the weight of a package's contents be stamped in large type on the label, Cheskin recoiled. "It would mutilate the psychological appeal of the package," he said. And when HART raised the question of establishing a uniform Federal packaging law, the witness feared for the American way of life. Cheskin said he opposed any "regimenting" of the packaging industry. It is only a short step from uniform sizes and shapes on store shelves to making every American dress like his neighbors he warned.

Senator HART and his colleagues were missing the point completely, it appeared. "Packaging," said Cheskin, "is the essence of the affluent society." Men package themselves in flashy automobiles; women with cosmetics and mink coats; families in fancy houses. Studies have shown, he went on, that people are more interested in packaging than in price.

But then the witness started to backtrack: of course, he said, only a stupid packager would cheat. An inferior product beautifully wrapped, like a vulgar woman beautifully groomed, is not likely to get a second chance. So, apparently, Senator HART and his colleagues were not missing the point, after all; the consumer is interested in value. The point of the hearings, which Cheskin apparently missed, was that consumers are confused by the multiplicity of product sizes and inconspicuous weight-labeling to the point where it is no longer possible to judge value received in terms of cost. None of the witnesses were complaining about the quality of the products—the point of Cheskin's vulgar women analogy.

It was left to Edmund W. J. Faison, president of Visual Research, Inc., to go all the way. He told the subcommittee that trimming sizes rather than raising prices was in response to consumer demand. Consumers would rather, he said, get less than pay more. The easiest thing the industry could do is to raise prices, he said, implying that by cutting contents instead, the industry was sacrificing much in order to please the consumer.

Two industry witnesses, Robert L. Andrews and Ray Zimmerman, packagers of private brands, agreed that the consumer should, of course, be told exactly and clearly what he is getting. They both opposed federally imposed uniformity, however, preferring that the industry police its own marts.

How widespread are the abuses alluded to by witnesses? Are they deliberate, or just inadvertencies growing out of the packaging revolution brought about by the motivational researchers?

In one statement preceding the hearings, Senator HART proved reluctant to make harsh judgments. Some of the practices which resulted in the consumer's plight "just grew up," HART conceded. If there is fraud in packaging, he said, it is not general.

One executive of a large grocery chain, who opposed Government regulation of packaging, said he had checked 68 items in one store and found only 3 in which the superduper, giant, or large economy size cost more per ounce than the smaller competing item. This works out to slightly more than 4 percent of the items checked, but if the ratio were applied to a complete inventory of products in a modern supermarket, where a display of 6,000 items is not unusual, some 250 items would fall under suspicion.

One witness, Mrs. Persia Campbell, economist at Queens College (New York City), and a consumer counsel to W. Averell Harriman when he was Governor of New York, raised the disturbing possibility that rising food costs—among others—might be concealed by labeling and packaging changes. "If we are to deal adequately with inflation, we must have it out in the open," she said.

Few insiders here expect the subcommittee to recommend Federal interference in the packaging and labeling industry. It is expected, however, that a strong recommendation will be made to the industry to put its own house in order—or face Federal action.

Whatever else comes out of the hearings, the American consumer can be grateful for one marketing tip offered by the articulate Roy King. Since the whole thing is emotional, why fret about intelligent selection of the best buy? Buy the beans that give you emotional goosebumps—and never mind how much you are getting for your money.

Mr. Speaker, I now submit at this point the text of my statement to the Hart subcommittee last July explaining not only the packaging-labeling provision but other provisions of H.R. 1235 to close loopholes in the Food, Drug, and Cosmetic Act, as follows:

STATEMENT PREPARED BY CONGRESSWOMAN LEONOR K. SULLIVAN, DEMOCRAT, OF MISSOURI, FOR SENATE JUDICIARY COMMITTEE'S ANTITRUST AND MONOPOLY SUBCOMMITTEE ON LABELING AND PACKAGING OF CONSUMER PRODUCTS, JULY 3, 1961

I want to begin my statement by expressing my thanks to Senator HART, of Michigan, for serving as chairman of these excellent and useful hearings on packaging and labeling practices affecting consumers. I feel these hearings represent one of the most effective instances of consumer education we have had in the Congress in many years.

Every shopper who has had to fight the battle of the best-buy dilemma in the stores and who has had the feeling that no one in Washington seemed to know or care about the problem, at least knows at this point that we do care and are concerned. The question now arises, however: What do we do about it?

No purpose would be served by my going back over the ground you have already covered and discussing the myriad of confusing sizes confronting the consumer in trying to buy almost any packaged food or other packaged consumer product sold presumably by weight. Sugar, at least, still comes in 2- and 5-pound bags, and coffee, in 1- and 2-pound bags or cans, and that's something to be thankful for. We can quickly compare price on these items, and on a few more.

But, as your previous witnesses have so ably pointed out, the careful shopper absolutely needs a slide rule and the knowledge of how to use it in order to divide fractions of ounces into "so many for so much" prices, if she is to estimate even roughly whether the large economy size is a better value than the smaller size. Often the answer is that it is not a better value—that the large size costs disproportionately more. And this answer always comes as a shock, as if the manufacturers and retailers, after spending years educating the consumer to believe the larger size is always more economical, are now cashing in on that induced belief by deliberately turning it against the consumer and cheating the purchaser. For that is exactly what the packaging rat race seems to represent.

UTOPIA, OR DECENT CONSIDERATION FOR THE CONSUMER?

The solution—from the consumer's standpoint, certainly—would be a return to the traditional and recognizable weights and measures in net contents—pounds, half pounds, quarts, pints, etc., as in bread and milk and butter and flour and a number of other products. Despite what the manufacturers and merchandisers profess, I have yet to meet any consumer who really prefers a 1⅔-pint size to a quart or a 79-ounce size to a half pound, and yet in many products that is what we are being offered, whether we know it or not.

And, just as you can compare the price of a half gallon of ice cream to the price for a quart, and the quart price to that for a pint, it would be wonderful if most other products came in double and triple or quadruple sizes, too, so that the consumer could readily estimate the degree of economy—or lack of it—in buying larger sizes.

Are we seeking utopia in asking that kind of consideration from the manufacturers and distributors? I don't think so. I think we are entitled to that kind of decency and consideration. Moreover, I think consumers should take a hand in this personally and ask for and insist upon standardized contents and show preference for products packaged in familiar quantity designations.

The Government, meanwhile, should move vigorously and effectively to enforce its newly upheld powers to crack down on deceptive packaging involving slack-filled containers holding an excessive amount of nothing.

VIOLATIONS OF INTENT OF FOOD AND DRUG ACT IN LABELING

Serious as it is to the consumer in trying to make intelligent choices in the stores, I am not nearly as concerned over the lack of uniformity of sizes which makes quantity versus price comparisons so mathematically difficult as I am over the fact that on many items, you just can't read the net weight, and thus can't make any computations at all. Oh, it appears on the package all right if it is a food item—but just try to find it. To me, this is indefensible, and an outright violation of the spirit and intent and clear wording of the Food, Drug, and Cosmetic Act.

For instance, the law now says in section 403 that an article of food in packaged form shall be considered misbranded, and therefore subject to seizure and removal from the market "* * * unless it bears a label containing (1) the name and place of business of the manufacturer, packer or distributor; and (2) an accurate statement of the quantity of the contents in terms of weight, measure or numerical count"; and, in subsection (F), "* * * if any word, statement or other information required by or under authority of this act to appear on the label or labeling is not prominently placed thereon with such conspicuousness (as compared with other words, statements, designs, or devices, in the labeling) and in such terms as to render it likely to be read and understood by the ordinary individual under customary conditions of purchase and use."

Senator HART and members of the subcommittee, it seems to me that the intent of the law is indeed clear. But apparently the courts have varied in their interpretation of what constitutes sufficient conspicuousness of the information required on the label and, as a result, finding the information is often a case for an eagle-eyed proofreader rather than the ordinary individual under customary conditions of purchase and use.

There are going to be hearings by the FDA soon on the information to be required and how it must be displayed on labels of hazardous household substances under the law we passed on this subject last year. If we were to permit manufacturers to use the required warning words of "Danger" and "Caution" and "Causes burns" or "Keep out of the reach of children" in the same circumspect and hidden manner as some of them do now on labels giving contents and weights on food packages, the hazardous-products law would be of little use.

SIMPLE AMENDMENT REQUIRED TO CLOSE LOOPHOLE

Now is this something we can correct? I believe it is, and by a very simple amendment to the Food, Drug, and Cosmetic Act—one which adds a new sentence to the end

of subsection (f) of section 403 as follows: "The Secretary (of Health, Education, and Welfare) may issue regulations which specify the kind, size, and location on the label or labeling of statements required by this section."

That is all that would be needed to bring the information on contents and weights out from behind the veil of tiny type in noncontrasting inks or pastel colors and let the consumer really read what the package is supposed to contain. This will not end the attempts at cheating in package sizes, but it will give the conscientious consumer who wants it at least a fighting chance to make a comparison. And perhaps then we can educate more consumers to read the labels and make the arithmetical computations; and if enough of us do that and get mad enough about the conspiracy of cruelty to the consumer represented by these fractionalized quantities we can do something about it—by refusing to buy products in packages made up deliberately to mislead us on size and weight.

The language I have just cited as necessary to strengthen the Food, Drug, and Cosmetic Act in regard to enforcement of the information requirements on food labels is a paragraph out of a 41-page bill which I introduced on January 3 of this year to completely rewrite whole sections of the Food, Drug, and Cosmetic Act and close a variety of loopholes, some of which have been in the act since it was passed originally in 1938.

SPECIAL INTEREST EXEMPTIONS

For instance, and just as a simple illustration of the special interest provisions which still permeate the law after all of these years, you may be surprised to learn that soap is not subject to regulation under the act as a cosmetic (although some special purpose soaps might occasionally qualify as regulated drugs under certain circumstances). We use soap primarily to get clean and that, it seems to me, is a pretty fundamental cosmetic use. Moreover, if you believe the soap advertisements, you would also suspect that many soap products have magic qualities to make us beautiful besides. But, regardless of all that, soap is not a cosmetic under the 1938 act. It is certainly not a food. And it is usually not a drug. It is, therefore, in most instances, a nothing under this act—it is by and large, therefore, not subject to labeling requirements of the act.

And if you think food packaging is confusing and misleading as to weight and size and contents, try—just try—to figure out the price per ounce or the comparative cost of two competing brands of soap in the stores.

We have always, since 1938, had strict laws covering notice of presence of artificial coloring matter in foods and drugs. But not in ice cream, butter, or cheese. That special interest exemption, like soaps, has been in the act from the beginning.

SERIOUS HAZARDS TO HEALTH AND SAFETY

The illustrations I have just cited of loopholes in the act involve primarily economic considerations—being able to read the label information on size and weight of contents for purposes of comparative shopping. Much more important to the consumer, however, are the loopholes which jeopardize the health of the public.

For instance, we have a strong law now on the pretesting of chemicals used in or on foodstuffs to establish their safety before use. Last year, we passed a law requiring the pretesting for safety of all color additives, not just the coal-tar colors. Color—artificial color—is an important ingredient in most cosmetics. It is, however, the only ingredient in cosmetics which we require must be pretested for safety before marketing. Hence, we have never had an effective, safe cosmetics law.

We have tried—consumers have tried—since 1938 to make the Food, Drug, and Cosmetic Act effective insofar as cosmetics are concerned—effective in preventing harmful beauty-aid products from reaching the market. But all we can do now—unless the culprit ingredient is an artificial color—is to wait until some or many consumers are hurt or burned or disfigured or caused great distress or serious illness by a new cosmetic product in order to take it off the market.

Illicit traffic in barbiturates and pep pills is a national danger and disgrace. Our laws for coping with this traffic are weak and inadequate. How many people must die in head-on collisions on the highways or commit suicide from sleeping pills before we really crack down on the widespread bootlegging of these dangerous drug items?

When section 507 of the Food, Drug, and Cosmetic Act was written some years ago to require certification of the antibiotic wonder drugs, we knew of only five of them. The law specifies that every batch of these five antibiotics or their derivatives must be certified as to potency and purity by the Food and Drug Administration. However, we now have a number of additional antibiotics. But unless they are made in combination with one of the five specified by name in the act, they do not have to be certified. Yet the certification tests from time to time have uncovered instances of improperly manufactured batches of antibiotics which would be either useless or fatal if used as prescribed by the physician.

Our factory inspection law is full of holes. Therapeutic devices are being marketed without proof of efficacy and—worse than that—without required pretesting for safety. New drugs must be proved safe before they are marketed but they don't have to be proved efficacious.

Because of the loopholes in factory inspection in the drug field, many doctors hesitate to prescribe by common or generic terms, fearing that unless they specify a brand name (which often costs far more) the patient may get a substandard product turned out by a fly-by-night manufacturer.

PIECEMEAL APPROACH TOO SLOW IN MAKING LAW EFFECTIVE

My purpose in listing some of the glaring loopholes and faults in the Food, Drug, and Cosmetic Act is twofold:

First, I am seeking, of course, to point out an effective course of action in correcting the situation involving deceptive or misleading or inadequate labeling information which you have been spotlighting in these hearings. I think one section of my bill, H.R. 1235, would go far toward solving that problem.

More than that, however, I want to point out that this is only one part of a vastly broader problem of protecting the consumer from a variety of practices and conditions in the marketplace affecting not only our pocketbooks but our health and our lives. Since they involve primarily inadequacies or loopholes in the Food, Drug, and Cosmetic Act, I think all of these problems should be solved legislatively in one big comprehensive package—in a consumer bill—instead of in the piecemeal fashion Congress has been following on consumer legislation since 1938.

For instance, in 1953 we closed partially one of the loopholes in the factory inspection law. In 1954 we passed a pesticides residue control bill. In 1957, we finally succeeded in establishing compulsory Federal inspection of poultry. In 1958 we passed the Food Additives Act. In 1960 we passed the Color Additives Act. Presumably, in that same pattern of a little bit at a time, we could get a safe cosmetics bill through next year, unless the situation as regards certification of antibiotic drugs or the factory inspection loopholes or fake cancer remedies or unsafe therapeutic devices or barbiturates and amphetamines or new drug sanctions or some other single issue should win priority in committee consideration. This is not to criticize either the House or Senate committees handling changes in the Food, Drug, and Cosmetic Act. They have performed notable service to the consumer in many ways.

H.R. 1235 SEEKS COMPREHENSIVE CHANGES IN STATUTE

It just seems to me we can no longer settle for the piecemeal approach. You have spotlighted the problem of deceptive packaging and misleading or inadequate labeling. And, of course, it is a serious problem to the consumer. It can be solved quite readily, I think, through simple amendments to the basic statute. All I am urging is that we keep in mind, in seeking a solution for this one problem, that with very little additional effort—assuming enough consumers can be aroused to the need—we can go on to make the Food, Drug, and Cosmetic Act the bastion of our health and the protector of the consumer it was intended to be when originally drawn and before the compromises had to be made to achieve passage in the atmosphere of 1938. We must make of this law the device Dr. Wiley intended it to be more than a half century ago when the original pure food law was passed in 1906.

I have prepared this statement in the hope that I can enlist the support of the Senators on this subcommittee, and of the witnesses who have appeared, and of all of the consumers who are interested in the facts you are bringing to light—enlist your support behind H.R. 1235, an omnibus bill I have introduced this year to meet some of the problems you have brought out in your hearings here as well as a great many other important problems affecting the consumer. I would appreciate it if you would include the text of H.R. 1235 in the record of your hearings.

H.R. 9986: A Bill To Prohibit the Application of Unreasonable Literary Requirement Regarding the Right To Vote

EXTENSION OF REMARKS

OF

HON. HERBERT ZELENKO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, February 26, 1962

Mr. ZELENKO. Mr. Speaker, 20 States in this great democracy still have some form of literacy test as a prerequisite for the exercise of the individual franchise to vote. On January 31, 1962, I introduced H.R. 9986, a bill to prohibit the application of unreasonable literacy requirements regarding the right to vote. Section 1 of my bill sets forth four findings of the Congress. It states, first, that Congress finds that the right to vote is fundamental to free, democratic government, and that it is the continuing responsibility of the Federal Government to secure and protect this right against all unreasonable and arbitrary restrictions.

The bill states, in the second place, that Congress finds that the right to vote of many persons has been subjected to arbitrary and unreasonable restrictions on account of race or color; that literacy tests have been extensively used to deny the suffrage to otherwise qualified persons because of their race or color; and that existing laws are not adequate to guarantee the enjoyment of this basic right without discrimination.

The bill further states, third, that Congress finds that illiteracy is rapidly disappearing in the United States, that the quality of elementary education furnished by the Nation's schools is of high caliber, that persons completing six grades of education in a State-accredited school can reasonably be expected to be literate; and that any literacy test that denies the right to vote to any person who has completed six grades is arbitrary and unreasonable.

The bill states finally, that Congress finds and declares that its enactment is necessary to make effective the guarantees of the Constitution, especially those contained in the 14th and 15th amendments, by eliminating or preventing arbitrary and unreasonable restrictions on the franchise which occur through the denial of the right to vote to persons with at least six grades of education.

Section 2 of the bill amends the Revised Statutes so as to provide that all citizens of the United States who are otherwise qualified to vote at any election by the people shall be entitled and allowed to vote at all elections without distinction of race, color, or previous condition of servitude and without being subjected to any literacy test beyond the completion of the sixth primary grade in a school accredited by any State or by the District of Columbia.

It is legislation of this character that will raise the level of true democracy in the United States, not to mention the effect it will have upon devastating Soviet propaganda in this area.

This bill will make effective the guarantees of the Constitution to many minority groups, members of which have been subjected to arbitrary and unreasonable restrictions on account of race or color.

I urge my colleagues to give serious and favorable consideration to the legislation I proposed and incorporated in H.R. 9986.

Dr. William M. Hudson Celebrates 90th Birthday

EXTENSION OF REMARKS

OF

HON. PETER F. MACK, JR.

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 26, 1962

Mr. MACK. Mr. Speaker, today is the 90th anniversary of the birth of Dr. William Mestrezat Hudson, president emeritus and still-active board member of Blackburn College in my hometown of Carlinville, Ill.

For 55 years Dr. Hudson has proudly served this college with his time, energy, intellect, and faith. Through his efforts Blackburn has retained its unique program of self-help education for students who otherwise may not have been able to afford college. Dr. Hudson has placed Blackburn on a sound financial basis, and increased the services of a higher education for the enrollments of 35 students in 1912 to over 300 students in 1945, the year of his retirement from the presidency.

William Mestrezat Hudson was born February 26, 1872, near Waynesburg, Greene County, Pa. He and his mother and two brothers and a sister moved to Waynesburg when he was 10, following the death of his father.

He was graduated from Waynesburg College in 1892, first in a class of 16. He entered Princeton University that fall and was graduated cum laude in 1893. In 1896 he was graduated from Princeton Theological Seminary and was ordained to the ministry of the Presbyterian Church that fall. He immediately took the pastorate of the New Providence Presbyterian Church at Carmichaels, Pa.

In 1900 he spent 7 months abroad, including a month in Egypt and Palestine.

From Carmichaels he moved to the pastorate of First Presbyterian Church at Clarksburg, W. Va.

In 1905 he married Miss Florence Ronald Barclay of Louisville, Ky. They have three daughters: Miss Harriet Hudson, Ph. D., academic dean of Randolph-Macon Woman's College, Lynchburg, Va.; Mrs. Leslie Meyer, Upper Montclair, N.J.; and Mrs. Florence Callaway, Laguna Beach, Calif.

Dr. Hudson served as president of Waynesburg College, Pennsylvania, from 1907 to 1911. He assumed the presidency of Blackburn College, Carlinville, Ill., in 1912 and held that post until his retirement in 1945. He is still an active member of the board of trustees of Blackburn College and is the president emeritus of Blackburn.

He holds a doctor of philosophy degree from Waynesburg College and has received honorary degrees from Princeton University; Henry Kendall College, Tulsa, Okla.; Illinois College, Jacksonville, Ill.; Waynesburg College, and Blackburn College.

He was named a "Pennsylvania ambassador" by the Commonwealth's chamber of commerce in 1950. The citation read, in part:

> For outstanding achievements in the best traditions of the Commonwealth, this citation is awarded to William M. Hudson, a former resident of Greene County, Pa., who has won distinction as a college president and devoted friend of financially needy students.

He was the first individual from Greene County to be so feted.

Upon assuming the presidency of Blackburn College he found the institution nearly destitute with a endowment that had been depleted to only $100,000. There were only 35 students and the graduating class numbered 2. Under these circumstances he established the now internationally famous work program at the college. The program, essentially the same today, requires all students to work 15 hours per week at on-campus institutional housekeeping tasks, in partial payment for their education. He had made it possible for students from low-income families to secure a college education.

Dr. Hudson erected new buildings on the campus, added to the faculty and increased the endowment funds so that at his retirement the institution was financially sound, noted for its academic excellence and enrolling more than 300 students. His work plan at Blackburn has been followed, in part, by several institutions in foreign countries. The unique program has been featured in such national and international publications as the Reader's Digest, the Saturday Evening Post, Redbook, and Collier's. The story has also been told overseas recently by the U.S. Information Agency and by Reuters, Ltd., international news syndicate.

Wrote Mr. W. L. Schmitt, publisher of the Macoupin County Enquirer:

> Few residents of Carlinville and Macoupin County have had a more satisfying career than William Mestrezat Hudson, president emeritus of Blackburn College, distinguished educator, religious leader and all-American citizen. Liberal in his educational philosophy, conscientious and capable in his devotion to the public good, strong and alert in mind and body, temperate in all things, a man of unusual strength in intellect and character Dr. William M. Hudson looms today among the great citizens of the community.

Thousands of college students have felt the impact of his work at Blackburn College. Without him this Nation would have had to neglect the many able young men and women he has helped educate.

With him for 55 years has been his wife, Florence, affectionately called "Mother Hudson" by the students of the college for more than a third of a century. Behind a great man one usually finds a great lady.

Still active in civic and church affairs, the Hudsons spend their winters in Lakeland, Fla. They return to their home in Carlinville, Ill., each spring.

Today his experiment with the work program at Blackburn College is an integral part of the Blackburn plan of education. By Dr. Hudson's example, and under the guidance of the now president of Blackburn College, Dr. Robert P. Ludlum, the institution now serves 400 students on its modern campus. It is a fully accredited, 4-year, degree-granting institution of higher education. It is best known for its work program, instituted by Dr. Hudson in 1913. Dr. Hudson's wisdom and foresight have contributed greatly to the establishment of the college on such a high academic plane.

The high esteem in which Dr. Hudson is held by his fellow townsmen is reflected in the following editorial from the February 22 issue of the Macoupin County Enquirer, of Carlinville, Ill.:

> DR. HUDSON NEARS THE AGE OF 90
>
> If the Enquirer were asked to name Carlinville's leading citizen, the most distinguished man in our community, we don't know of anyone more qualified for that honor than Dr. William M. Hudson, president emeritus of Blackburn College, consecrated churchman, ideal citizen, and longtime community leader.
>
> And the occasion of his coming 90th birthday next Monday would be an ideal time for the people of this area to pay him the honor which is his due. Dr. Hudson has spent the fruitful years of his life guiding young people and building up Carlinville's own unique institution of learning—Blackburn College.
>
> To enumerate the countless accomplishments of this venerable gentleman would require a good-sized volume, but possibly foremost of these would be his inauguration of the now world-famous study-work plan which has enabled thousands of worthy young men and women to acquire an education while paying part of their way with the labor of their hands.
>
> And while of course she is a long way from being as old as her husband, the gracious and warmhearted "Mother" Hudson also deserves honor and credit for the more than 50 years she has worked with, guided, counseled and put up with the eccentricities of her illustrious husband.
>
> Citizens of Carlinville and throughout this area will not be able to personally greet Dr. Hudson on the occasion of his reaching the estate of a nonagenarian, since they are spending the winter months in Florida, but we imagine hundreds will send him greetings by mail, telephone and telegraph.
>
> And we suggest, when the Hudsons return home in early April that the community join in giving a banquet in honor of our distinguished first citizen.

Questionnaire Results

EXTENSION OF REMARKS

OF

HON. CATHERINE MAY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, February 26, 1962

Mrs. MAY. Mr. Speaker, coinciding with the beginning of this session of the Congress, I sent a questionnaire into 89,923 homes in the Fourth Congressional District of the State of Washington to obtain the views of my constituency on various issues before us. By last week, 19,471, or nearly 22 percent, had been completed and returned to me.

I am proud that so many residents of my district are actively participating in governmental affairs in this way, and that thousands of those who replied to the questionnaire also enclosed helpful comments in explanation of their views.

Today I sent a copy of the tabulation to President Kennedy for his information and consideration, and I include the tabulation at this point in the RECORD for the information of my colleagues:

[In percent]

4th Congressional District (12 counties)	Yes	No	No opinion
1. If Red China is seated in the United Nations, should the United States consider withdrawing from the U.N.	40	82	8
2. Should the United States stop shipping strategic goods to Communist countries	90	5	5
3. Do you believe the United States should conduct nuclear tests in the atmosphere	62	23	15
4. In view of increased costs of our expanding military defense, would you support Congress in deferring action on increased expenditures for present or new domestic programs	61	28	11
5. Do you favor the administration's proposed $20,000,000,000 civil defense program to construct community fallout shelters	19	71	10
6. Which method would you favor to solve our post office deficit:			
(a) Increase postal rates for the purpose of maintaining the postal service on a self-supporting basis	68	----------	----------
(b) Meet increased costs through annual appropriations by the Congress	16	----------	16
7. In regard to Federal aid to education proposals, do you favor—			
(a) Federal funds for teachers' salaries	15	66	19
(b) Federal funds for school construction	35	47	18
(c) An income tax deduction for parents to help meet expenses in sending dependents to college	58	30	12
8. Do you favor compulsory medical care for the aged, tied to the social security fund	37	56	7
9. Do you support the wilderness bill	36	25	39
10. Do you think the Government should build a nationwide federalized power grid	17	60	23
11. Are you in favor of a power intertie between the States of Washington and California	33	45	22
12. In Government farm programs, do you favor:			
(a) Continuation of the present wheat program (10 percent acreage cut, price support at 83⅓ percent of parity)	8	55	37
(b) Enactment of a wheat marketing program featuring bushel control rather than acreage controls	27	27	36
(c) Expansion of Government control programs to additional farm commodities	5	66	29
(d) Reduction of Government control over agriculture	75	8	17

The Congress and the Nation's Health

EXTENSION OF REMARKS

OF

HON. JOHN E. FOGARTY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, February 26, 1962

Mr. FOGARTY. Mr. Speaker, under leave to extend my remarks, I include an address which I delivered at the New York Academy of Medicine, New York City, on November 2, 1961:

> THE CONGRESS AND THE NATION'S HEALTH
>
> It is an honor for me to have been asked to speak to you tonight. My great respect for the medical profession gives me, on such an occasion, a feeling of pride, and a feeling of humility, as well.
>
> What message can I, a layman, bring to you about the Nation's health? There is nothing I can say that will add to your knowledge of the state of the art of medicine. I am sure there are no facts in the realm of medical research that I can reveal that are not already available or known to you. What I can do is to give you the views of a Congressman whose major concern is the health of our citizens, and who has been privileged to have some responsibility in the tremendous growth of Government-supported biomedical research.
>
> In terms of my own experience as a lawmaker, I have not only served with pride as a Congressman from the Second District of Rhode Island for the past 20 years, but for the major part of that time I have also had one of the most satisfying committee assignments that it is possible to draw in the House of Representatives. As chairman of the subcommittee of the House Committee on Appropriations for the Department of Labor and the Department of Health, Education, and Welfare, I have had a part, each year, in the deliberations that determine the levels of the Federal medical research effort. It is my belief that the increasing amounts of money that have been allocated annually for these purposes have not only stimulated research primarily within the Public Health Service, but have quickened the pulse of medical research and medical education throughout the country.
>
> During these years, I have been able to see the desires and the will of the people reflected in the actions of Congress. The citizens of this country have made it known clearly that they want the means to better health, and Congress has attempted to make these means available.
>
> During these years, too, I have reflected often upon the responsibilities that Congress has to the people of the United States. Benjamin Disraeli, Britain's prime minister some 80 years ago, wrote, "I repeat, that all power is a trust; that we are accountable for its exercise; that from the people and for the people all springs, and all must exist." We in the Government take this trust seriously. We recognize that power is a mighty force; that its misuse can result in tragedy; that its proper use can bring the benefits and joys of peace, health, and prosperity. But, as Benjamin Disraeli said (paraphrasing, no doubt, Lincoln's words at Gettysburg in 1863), this Government, and our power, comes from the people, and must be totally for the people. To forget that this Government and this Congress were created by the will of the people is to forfeit their trust in us.
>
> To be worthy of this trust in carrying out the will of the people is not always an easy task. Speaking from my own experience, and particularly that part of it concerned with the means to better health, we in Congress have some difficult decisions to make; but I am convinced that congressional action in support of medical research has enabled this science to make great strides in developing new knowledge for the benefit of man.
>
> Medical research has accomplished things that would astound the physician of a generation ago. Imagine your predecessors' reaction to the modern hospital, with its bewildering machinery overflowing the operating room, with its battery of indicators and tubes in the recovery room, with its awesome equipment for radiation therapy.
>
> Think of some of the other benefits this boom in research has brought:
>
> New vaccines, notably those for polio, provide the means for wiping out this killing and crippling disease. The new measles vaccine, just emerging from the trial stage, will save the lives and the health of many thousands of children. Open heart surgery for the repair of defective organs, unthought of a generation ago, has only begun to reach the height of its healing powers. New drugs are easing the pains of arthritis and arresting the scourge of staphylococcal infections. New studies are investigating the causes of mental retardation and cerebral palsy.
>
> Expanded programs for fellowships and traineeships open the way for many more young people to enter the fields of medicine, nursing, and dentistry.
>
> Through other programs, medical schools are able to expand their teaching faculties and their facilities, and many more established and promising biomedical scientists are able to enter or continue their chosen fields of research.
>
> New hospitals are being erected. New centers for research are being planned.

These accomplishments are concrete. They reflect, at least in part, the will of the people as implemented by Congress.

But this is not the happy ending of the story, or even more than a segment of the story.

Why aren't the morbidity and mortality tables responding in a similarly dramatic fashion to these accomplishments of medical research? Why aren't all the people getting the benefits of the new vaccines, the new drugs, the new hospital facilities?

According to recent estimates released by the National Health Education Committee, a third of the American people are ill or handicapped. A third of this great, powerful, and prosperous Nation—roughly 60 million people are suffering some form of illness or impairment. And yet there are existing avenues of prevention, treatment, or cure open to most of them.

Here are a few facts for you:

Two hundred and sixty thousand people die every year from cancer. Some 75,000 of them could survive if present knowledge about cancer were fully applied.

At least half of the crippling from fractures, strokes, and arthritis is unnecessary.

For more than 20 years, the technical power to wipe out syphilis has been at hand, yet 200,000 children and youth under 20 contracted a venereal disease last year and the number is apparently increasing.

Strep sore throat ranks second on the list of communicable diseases reported to the Public Health Service—tens of thousands of cases each year. Yet only a few lucky ones get the prolonged treatment that will protect them from rheumatic fever and heart disease. Every year about 20,000 of the unlucky, untreated ones die of rehumatic fever or rheumatic heart disease.

You, as physicians, and I, as a lawmaker, are not living up to our responsibilities by permitting such conditions to endure. I am not so fatuous as to think that everyone can be cured of disability or disease, or that humanity, in the next few decades, will achieve good health for all. But something must be done—some reasonable approach must be made toward closing this gap between discovery and application.

Where does the trouble lie? I do not think anyone can give the answer to that in one simple, dogmatic sentence. The answer is complex because man himself is complex. The environment in which modern man finds himself is becoming more intricate and more hazardous. Yet, paradoxically, man and his problems are products of his own environment and of the social and cultural structure that he has created.

In time recently past, illnesses were generally acute and had a specific cause. Many of today's illnesses are chronic or ill defined How many patients complain of fatigue, or an aching back, or migraine, or indigestion? And how are these ailments diagnosed?

Some medical men have concluded that stress is the contributing cause of many of these ailments. Stress of competition on the job, stress of economic difficulties, general stress that evolves from a number of sources. The housewife is fatigued from the demands of the children, the household, and the community. The aged are under strain because so few of them have a secure place in society. Even the young people show signs of the strain—the problems of freedom of the adolescent, of dating, of job holding have assumed larger proportions in recent years * * * the problems of entering college, of keeping up with studies, of finding a good job after graduation. Many of these problems, you will say, have always been with us. I agree, they have. But have they ever loomed as large and as frightening as they do today?

Add to these social stresses those brought about through scientific and technological change. Noise imposes stress these days—the roar of heavy traffic, construction machinery, jet planes. The air we breathe in any large city is a menace to some degree. Our food is subject to contamination by insecticides, pesticides, additives, preservatives. The water we drink is rarely free completely of industrial wastes and contamination. As for the threat—the perhaps ultimate hazard—of radiation fallout, who has been able to say with authority what the effects on man will be now, and in generations to come, and who can assess the psychological damage it has already done?

How can any one group of medical men possibly solve the problems and cure the ills of modern man? The average general practitioner, a medical graduate of some 20 years, overburdened, lacking time to keep up with the new drugs, the new treatments, methods, and diagnoses, does his best but is rarely able to cope with the multiplicity of factors that may bear on his patient's condition.

The medical specialists, then, What do they contribute to the cure of man's ills? They contribute, I would say, many valuable pieces. Many of today's medical specialists have narrowed their fields down to a very specialized piece of man's anatomy. Contributions to knowledge and to individual cures prove valuable—but all too often, treatment of a specialized area of the anatomy fails to cure the whole man.

Nineteenth century health methods don't fit a 20th century society. We cannot keep research, disease, and environment in separate compartments. We must view man, his society, and his living conditions as a whole, and treat him accordingly. To get at the basis of your problem, we must call on other groups beyond medicine—the political groups, the social workers, the voluntary agencies—in fact, the whole society. Not only must these scientific disciplines and these social groups be brought into the scheme, but their lines of study and their activities must be adequately coordinated to provide directives for action and an integrated, overall view.

This, you might say, is the talk of a dreamer. It is. But it is the talk of a practical man, too. Early in my life I was a bricklayer. To build a wall you lay a brick at a time, but to know how high, how wide, and how fancy to build the wall, you have to be able to visualize the whole structure. A single analogy, but I think you see what I mean.

The time is approaching, but has not yet come, when we can visualize and treat man in his entirety—as a physiological mechanism, a mind, and a unit of his environment.

C. P. Snow, the English scientist-author, said, "The intellectual life of the whole Western society is increasingly being split into two polar groups. At one pole we have the literary intellectuals; at the other pole the scientists, and as the most representative, the physical scientists. Between the two a gulf of mutual incomprehension—sometimes, particularly among the young, hostility and dislike, but most of all lack of understanding."

Lack of understanding—lack of communication. In this sense, modern society is indeed fragmented. And yet we have at our command a truly astonishing technology—the mechanical means for reaching all but a handful of the world's isolated people. We have techniques for disseminating the printed and the spoken word everywhere. What is lacking is the intellect. So far, we have not used our technological means to accomplish the only truly valid end—the betterment of mankind.

In the development of medical care, we have fallen down sadly in communicating clear-cut patterns to follow. Studies a year or so ago showed that only one-sixth of the adults of the lowest social economic group susceptible to polio in New York City availed themselves of polio vaccine, even though this vaccine was offered free and was easily available. Among our highly educated, wealthier citizens, there have been many instances of people who have delayed seeking treatment for a serious symptom until the time is past when a cure can be offered.

We cannot shrug our shoulders and blame public apathy for these omissions.

We must move beyond our old patterns and solutions of health problems. Let us look at the individual, first of all, as part of his environment and culture. Let us use the full range of sciences to bring their learning and their techniques to bear on his problems. Then let us develop our methods of communication among the scientific disciplines, and between the scientists and the laymen.

I was tremendously encouraged to learn, 2 years ago, that the Stanford University Medical Center has made a fine start in this direction. The center was relocated, you may recall, on the Stanford campus near Palo Alto. Let me quote a few words from the president of Stanford University: "Central to this new Stanford program is the concept that the future progress of the medical sciences is inextricably linked with progress in the social sciences. It followed that the medical school should be so located and organized as to promote the closest possible relationship between teachers, investigators and students in all these fields. It followed also that opportunities for enriching the general education of the medical student would be greater if the medical school became, physically and philosophically, an integral part of the university." "A university," he said, "must be responsive not only to changes in the realm of man's knowledge but also to changes in the society in which new and old knowledge may be applied."

I applaud this concept. Today's physician or even the physician of the future cannot solve all medical problems alone. The physicist, the biochemist, the virologist—all these and many more research workers are uncovering new knowledge for his use. The psychologists are adding quantities of knowledge about man's motivations and behavior. The sociologist contributes the results of his studies on the effects on man of the society and environment.

Coordinating and integrating knowledge in this manner will inevitably prove more of a burden than the individual physician can manage. But is he, necessarily, the only one who can control our health destiny? The familiar and longstanding doctor-patient relationship epitomized by the family physician is a comfortable and reassuring one; but, in these days of specialization among physicians and moves by families, how many of our citizens are able to maintain such a relationship?

I think we can find, and we are finding, additional and more complete ways to solve some of our health problems; to find disease in the symptomless stage when it is still curable, to assure universal immunization, to treat chronic illness.

I realize that I may have drawn a picture of man as medical object being acted upon by numbers of learned men, who use quantities of knowledge and dozens of highly technical machines. If so, I believe it poses a question: Why should not man, as medical patient or as potential patient, have a voice in these health issues himself? Not only should the experts use highly developed communications systems to convey information to the individual, but the individual should be able to communicate his desires and ideas to the experts, as well.

Certainly there is tremendous value in mingling the voices of the experts and the non-experts on such issues as mass screening clinics to find the people who need medical treatment but don't know it; nursing home standards; organized home care programs; environmental health plans, and many other areas. Let us have a truly integrated effort to solve our health problems.

Please do not think that I underestimate the dedication and the contributions of our physicians. Individually, and through their professional organizations, their accomplishments have been truly wonderful, in the best sense of that word.

Nevertheless, I think it is time that we recognized that changes in the makeup of our society and changes in the nature of its health problems call for public as well as professional action.

One positive and, I predict, far-reaching step in this direction was taken this year with the passage of the Community Health Services and Facilities Act, which authorizes the Surgeon General of the Public Health Service to make grants to public or nonprofit private agencies or organizations for the development of outside-the-hospital health services, particularly for the chronically ill and aged.

The purpose of this act is to support studies, experiments, and demonstrations that will lead to new or improved community health services outside the hospital, with particular emphasis on services needed by these two large groups. Grants can be made to any State or local public agency or any nonprofit private agency or organization, such as health departments, welfare agencies, voluntary health associations, hospitals, or educational institutions.

The out-of-hospital services mentioned include nursing care and homemaker services, physiotherapy, and nutritional and social services for the sick at home; information and referral services, such as evaluation, placement, and counseling for the chronically ill and aged; and medical, dental, laboratory, and other services aimed toward prevention and early detection of disease, and evaluation of health status.

The ultimate objective in this new effort is to devise many new, improved, and more economical methods of organizing and delivering out-of-hospital health services. Some examples of the types of projects the Public Health Service hopes to include are demonstrations of how to coordinate the resources of community agencies so as to include all elements of a comprehensive care program; demonstrations of ways to provide specialized services to patients in nursing homes and in home health programs from a central source; demonstrations of the feasibility of a community, diagnositic, detection, and preventative medicine program.

Notice that these last points are not confined to the chronically ill and the aged. The Public Health Service's description of the Health Services and Facilities Act carries this new plan far beyond these special groups in stating, "Particular emphasis will be given to the problem of services for the chronically ill or aged, but attention will be given also to the potential for expansion to the health needs of the total community."

This, I am confident, will be a strong and meaningful start in the right direction to permit small groups, communities, counties, to pick up, carry on, improve upon and refine the health service ideas that germinate in the demonstration projects. Beyond that, here are many opportunities for developing and broadening the concept of the Health Services and Facilities Act. In considering what we might refer to as comprehensive health services, I am confident that there are many ways to prevent, alleviate, or cure a large number of man's ailments, but that one reason this existing knowledge is not fully used is that the necessary methods for applying it are not well understood by the key publics who must develop and support these methods. This, of course, is the problem of the lack of communication, as I pointed out earlier.

We might focus our attention on two major weaknesses in the present community patterns of health and medical care. First, the fact that existing services and facilities do not reach all who need them. Second, inadequate services and facilities prevent even those who are reached from getting the full gamut of preventive, restorative, and curative services.

There is no clear-cut definition yet of what kind of a comprehensive health pattern a modern community needs, nor is there a fully developed set of objectives and standards. However, there is general agreement on many of the basic elements of such a pattern.

Let us look, first, at the term "comprehensive." It can convey a dual meaning: no person is left out; no type of care is left out. It evokes the vision of a community health pattern that assures everyone the health and medical care he needs, when and where he needs it.

The term "services" is probably the best single word to describe the broad range of services and facilities that make up this ideal community health pattern. It is preferable to the word "care" both because it emphasizes the way care is achieved—the means, not the end product—and because the term "health care" has come to be associated with controversial measures for financing care.

While the Community Health Services and Facilities Act will certainly stimulate many States and communities to modernize some of their health activities, the more clearly the end goal can be visualized, the more constructive such action is likely to be. It is tremendously important that the public be shown how the separate pieces of the health programs can be fitted together to form a total pattern.

To communicate this concept to the general public, it would seem best to explain the theory it stands for in the simplest possible terms. So, at the outset, comprehensive health services might be considered to include only three basic health objectives: (1) Prevention, or preserving, health; (2) secondary prevention, or slowly down disability; (3) treatment, or speeding recovery.

While each of these objectives can be discussed in terms of almost any disease or disability, the initial discussion might be limited to a few which most concern the public and for which easily understood action can be taken.

Prevention, for example, may be discussed in terms of such obvious examples as immunization, fluoridation, rheumatic fever and TB prophylaxis, and VD control. Secondary prevention might stress early diagnosis through periodic checkups and through screening programs for diabetes, glaucoma, and cervical cancer. Secondary prevention will also feature restorative services in terms of the best known examples: stroke and arthritis exercises, and cardiac diets. Treatment may be approached from the standpoint of providing ancillary services, such as nursing, homemaker, therapeutic, social services, in homes and nursing homes, and the progressive care concept in hospital treatment.

The first steps in combined community action might include the cooperation of such groups, as health departments, to coordinate activity; Medical societies, to reach patients for early diagnosis and obtaining nonmedical services for long-term patients; voluntary agencies, whose own programs will be strengthened as the public gains a better understanding of the comprehensive health services concept; welfare agencies, for reaching low-income groups; hospitals, nursing homes, and other institutions offering restorative and other supplementary services; and finally, civic groups, including service clubs, unions, church groups, and others, for additional help and cooperation—especially in furthering health education or health consciousness.

All of this effort can, of course, be supplemented by television programs, films, booklets, newspaper features, newsletters, and reminders through schools.

Public leaders and group leaders must certainly be brought into the development of this concept and its promotion.

Prominent among planners should be the Government's health authorities, and the Nation's leading physicians, scientists, and medical educators. This is an ambitious concept, and that is why I have taken this opportunity to discuss it with you.

In a group such as yours—one of the outstanding medical groups in this country—are the men of vision who can help to implement these ideas. I have touched on some areas of discomfort, I am sure, but just a stirring of unease is sometimes necessary to produce action and what we need now is action. The time is certainly upon us when we must take bold steps to apply the sum of our knowledge to the sum of our needs.

The public has indicated its desires to Congress. Congress recognizes its responsibilities and has acted. A great medical center has shown what can be done in adapting its programs and courses of learning to meet new needs.

Gentlemen, we have the men, the intelligence, and the technology. The question is, do we have the wisdom and the courage to address ourselves to the emerging needs of our times. I think we do. You, leading physicians of this country have the ability to help in this move toward an application of our scientific knowledge to improve the health status of man.

An Address by the Honorable Douglas Dillon, Secretary of the Treasury, January 19, 1962

EXTENSION OF REMARKS

OF

HON. ABRAHAM J. MULTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, February 26, 1962

Mr. MULTER. Mr. Speaker, I commend to the interest of our colleagues the following address by the Honorable Douglas Dillon, Secretary of the Treasury, before the Savings Bond Conference at the Sheraton-Park Hotel in Washington on January 19, 1962.

Secretary Dillon enumerated the major specific goals of our economic policy as the reduction of unemployment; a rate of economic growth sufficient to provide jobs for the new millions coming into the labor market each year, and elimination of the balance of payments deficit. To accomplish these goals he urges a sharp increase in the level of private investment.

The Secretary's remarks follow:

REMARKS BY THE HONORABLE DOUGLAS DILLON, SECRETARY OF THE TREASURY, AT THE 1962 SAVINGS BONDS CONFERENCE, SHERATON-PARK HOTEL, WASHINGTON, D.C., JANUARY 19, 1962

I want to thank you for your interest in the savings bonds program. We value it as one of the Treasury's most important tools in managing the public debt, as well as a most effective way of encouraging individual citizens to share in the financial affairs of Government. It is also one of our country's most successful volunteer undertakings. Through the years, it has enlisted the pa-

triotic support of hundreds of thousands of people, under the leadership of distinguished individuals like yourselves. With your help, the savings bonds program will make an ever greater contribution to the economic strength we urgently require to fulfill the heavy responsibilities history has thrust upon us.

Our economic policy plays a vital role in meeting those responsibilities, for it will determine whether the future finds us weak or strong—idling along at half speed—or running at full throttle, powered by our tremendous productive potential.

To achieve that potential, our immediate economic goals are these:

First, to reduce unemployment. We simply cannot afford the misery and waste of having a large part of our labor force idle.

Second, to reach a rate of economic growth sufficient to assure jobs for the millions of workers entering the labor market in the years ahead, to guarantee to our citizens the benefits of a thriving economy, and to build the capacity to meet our international obligations.

Third, to eliminate the deficit in our international balance of payments, and its accompanying gold loss, for a sound dollar is as essential abroad as it is at home.

And, finally, to maintain reasonable price stability, so that our citizens may enjoy the full fruits of their savings, so that our economic gains are not wiped out by inflation, and so that our goods can compete successfully in world marketplaces.

We made considerable progress over the past year toward these objectives. At the close of 1961, our domestic economy reached record highs in terms of gross national product, personal income, industrial production, and manufacturers sales and new orders. Unemployment has finally begun to drop, and we expect it to decline further in the months ahead. Our gold loss in 1961 was just half the 1960 figure, the basic deficit in our balance of payments was cut by two-thirds, and the overall deficit by more than a third.

These gains were achieved in good measure because our fiscal and monetary policies were geared to the requirements of last year's recession and early recovery.

Largely because of increased defense needs, coupled with recession-level revenues, our national budget was in deficit—a deficit that, because of the recession, was both acceptable and inevitable. However, the economic growth forecast for 1962, with resulting higher revenues, makes it both desirable and possible—barring unpredictable international emergencies—to achieve a fully balanced budget in fiscal year 1963, as the President has recommended.

One of our most urgent national needs is a heavily accelerated flow of private investment into productive channels. A balanced budget stimulates such investment because it makes it unnecessary for the Government to tap the savings and credit that would otherwise be available for private investment. A balanced budget also facilitates the task of our monetary authorities, who strive to assure an adequate supply of funds for private investment at the same time that they guard against inflation.

Our policy of balancing the budget and simultaneously stimulating the flow of funds into private channels, reflects our firm belief that Government spending is not a satisfactory substitute for private investment. We look to private funds to finance the new factories, new tools, and new machinery that create more, better, and cheaper goods. A substantial and increasing flow of private investment is essential to economic growth in our free society.

It is disturbing, therefore, that our present level of investment is far from adequate. Over the past decade, nearly all of the major industrial nations of the free world had a substantially higher rate of domestic investment than the United States. Furthermore their ratio of productive investment to total output has been growing, whereas ours has been declining. Investment sparked the phenomenal growth of Japan and the Common Market countries of Western Europe, by contributing to rapid modernization of productive machinery and equipment. More modern equipment means more efficient production, and lower unit cost—hence more competitive capacity. As a result, friendly foreign nations are providing increasingly stiff competition for American manufacturers, both here and abroad.

For the future, then, a major goal of our economic policy is a sharply increased level of productive private investment, because it will:

Help our balance of payments by making our manufacturers more competitive, thus increasing our export surplus.

Help speed economic growth by increasing our productive capacity.

Help reduce unemployment by providing more jobs as new markets create new demand, and increased research and technology penetrate new manufacturing frontiers.

Finally, and most important, heavier investment will help to maintain price stability through lower production costs and higher productivity.

In addition to presenting a balanced budget, we are also proposing changes in our tax treatment of depreciation to stimulate business investment in productive machinery and equipment. Our program of depreciation reform involves both new legislation and the full use of existing administrative authority. On the legislative side, we are asking for an 8-percent tax credit for new investment in productive equipment. On the administrative side, we are updating depreciation schedules to take account of technological advances which have altered previous standards of obsolescence. This has already been largely accomplished for the textile industry, and we plan to announce revisions in depreciation guidelines for all other major industries this spring.

Such use of tax policy to stimulate the modernization and expansion of productive equipment is a major part of our effort to accelerate the long-range economic growth we need to achieve our true potential and to improve our balance of payments.

The heart of our balance-of-payments problem is this: We must generate a large enough commercial trade surplus to counterbalance our essential expenditures abroad. These expenditures include, in relative order of magnitude: First, the cost of our military forces overseas; second, private American investment in other countries; and third, that portion of our foreign aid not spent here for American products or services.

Our trade surplus—the excess of commercial exports over imports of goods and services—is substantial. But in recent years it has not been large enough to offset the balance-of-payments impact of our oversea operations. That shortfall constitutes the basic deficit in our international payments.

Preliminary figures indicate that last year our basic deficit was no more than a third of the basic deficit of $1.9 billion in 1960, and was far below the $4.3 billion in 1959. During the first 6 months of 1961 we actually ran a surplus in our basic accounts, as imports shrank because of the recession. During the third quarter, a sharp rise in imports brought with it the renewal of a substantial basic deficit which continued in the final quarter of the year—although at a diminished rate. With the sole exception of 1957, when the Suez Canal was closed and we exported unusual quantities of oil to Europe, 1961 provided the best record since we started running deficits in 1949. True, advance repayments of long-term debts—amounting to $650 million—were unusually large last year. However, the improvement was still substantial.

But improvement in our basic deficit is not enough. We must bring it under complete control so that we can look forward to full balance—and to surpluses; whenever they may be required in our overall national interest. We can accomplish this only by enlarging our export surplus, and by reducing outpayments when we can do so without curtailing activities vitally important to our Nation's future.

Our own security and our responsibilities to the free world require us to keep our troops abroad. We cannot endanger our security by withdrawing them in order to balance our international accounts. But we can and must find every possible way of limiting or offsetting the dollar outflow that inevitably accompanies the stationing of troops overseas. We are doing just that through a combination of economies and cooperative arrangements with certain of our allies. As a result, we can look forward to a substantial reduction in the dollar drain of our oversea forces.

In the case of private investment, we do not desire to reduce the flow abroad by imposing controls that would run counter to the principles of free trade and free competition so basic to our national purpose. We can, however, lessen the special inducements to American investment in other industrial countries that are part of our present tax system. That is why we are urging tax legislation to minimize such incentives.

Although our foreign assistance programs contribute to our annual dollar outflow, they do so to a far lesser degree than their overall amount might suggest. Two-thirds of all foreign aid expenditures are now being made here in the United States. Only the remaining third affects our payments position. We are making vigorous efforts to cut the balance of payments impact of foreign economic aid still further, and we hope to get it down to approximately one-fifth.

In the long run, however, the only way to eliminate our basic deficit is by increasing our export surplus. This will require the combined efforts of management, labor, and Government. Management and labor must work together to assure reasonable price stability so that our exporters can maintain their price competitiveness—and, we hope, improve it. Industry must modernize at a rapid rate. I have already told you what Government is doing in the field of depreciation reform to assist modernization. Government must also help to assure a supply of export credit to our traders as good as that available to their oversea competitors. We will very soon be in a position to do so for the first time through the operation of an export credit insurance program developed jointly by the Export-Import Bank and the insurance industry. Finally, American business—of which only a small percentage is now in the export field—must aggressively search out foreign trading opportunities wherever they may be. This is in the best tradition of our trading forebears, and it has never been more necessary than today.

Fortunately, the possibilities for increasing our oversea sales are excellent. The world is entering an entirely new trading era that holds out great promise for our exporters. In the case of our existing markets, we have only to look at the scope of the resurgent prosperity of Western Europe, and the emergence of the European Common Market, to see Europe's potential for our exports. And, although our markets in less-developed areas are limited today, as these countries grow and prosper, their demands for our goods will also grow.

Furthermore, in Europe and other parts of the world, thousands of American products are still virtually unknown. American business is just beginning to probe huge potential markets for them. Success in developing these markets will require bold enterprise and skillful competition.

If American business is to find new customers in Europe, we must deal with the Common Market on the matter of mutual tariff reduction. Congress must grant the President power to negotiate on a broader basis than present legislation allows. If Congress fails to provide this authority, American producers will be seriously handicapped in their efforts to retain and to expand their share of this large and rich trading area.

Now, let me turn to our overall payments deficit, which reflects both our basic deficit and short-term capital flows. Through 1959, short-term flows were small and usually favorable to our balance of payments. This was natural, since the currencies of other industrialized countries were not generally convertible, hence, not too attractive to foreign holders. However, with convertibility, money began to flow from one financial center to another in search of higher interest rates or speculative profits. The result was a substantial outflow of short-term funds from the United States, which in 1960 amounted to $2 billion.

This large short-term outflow obscured the dramatic improvement in our basic balance during 1960 and led to an overall deficit of $3.9 billion. Although altered in nature, substantial short-term outflows continued during 1961.

These short-term flows can be caused by various factors—a lessening of confidence or disparities in interest rates—as in the fall of 1960, or credits related to trade—as was largely the case this past year, when a substantial part of the outflow was in the form of bank loans to Japan to finance her growing imports.

Such short-term flows, when carried to excess, can be unhealthy—even dangerous. We have worked hard to neutralize them. We have held our short-term interest rates at levels that largely negated the attraction of foreign market rates. The Federal Reserve has increased the legal limit on the interest that may be paid on time deposits, thus enabling American banks to compete more effectively with their foreign counterparts. Our most recent step was taken earlier this month when the United States and nine other members of the International Monetary Fund agreed that $6 billion in additional resources should be provided for standby lending commitments to the Fund. These supplementary resources would be used to protect the world payments system, and would be available to the 10 participating countries, including the United States.

One aspect of our balance of payments deficit is worth stressing: The balance of payments is an accounting of transactions that affect the gold and liquid liability of the United States. It does not reflect long-term claims represented by U.S. investment abroad. For the 3 years 1958 through 1960, for instance, our payments deficits totaled $11 billion, of which about $5 billion represented our gold losses and $6 billion represented liquid dollar gains by foreigners. However, this loss was to a large extent matched by increased U.S. holdings of both short-term and long-term foreign assets.

Total foreign assets and investments of all sorts in the United States rose by about $13 billion from the end of 1957 to the end of 1960. During the same period, total U.S. Government and private loans and investments abroad (excluding loans repayable in local currency) increased by about $14.5 billion—a net gain to the United States of $1½ billion. However, we also lost $5 billion in gold. Thus our overall gold and international investment position showed a loss for the 3-year period of only about $3.5 billion net, in contrast to the deterioration in our current position of $11 billion as measured by our balance of payments account.

While this demonstrates that our long-term position is considerably stronger than balance of payments figures alone indicate, it in no way reduces the importance of putting an early end to the substantial payments deficits we have had since 1949. We must get our current balance in order so as to end the drain on our gold stocks.

I have outlined the principal elements of our foreign and domestic economic policy. Our prospects, both at home and abroad, are good, but we have much to do to insure that they remain so.

At home, I think everyone agrees that our first obligation is to reduce the unacceptably high level of unemployment. To be sure, for the last 2 months unemployment has dropped close to 6 percent, after hovering near 7 percent most of the year. And we expect it to drop below 5 percent by the end of the year, as long-range expansion takes hold. However, there is a hard core of unemployment which continued expansion may not touch. That is why we urgently need a manpower retraining bill, to ease the lingering human misery and chronic economic waste that such unemployment represents.

In addition, nearly a million young people in our country are neither earning nor learning. This dismal fact illustrates the need for a Youth Employment Opportunities Act, to insure that such frightening waste of our national potential does not continue.

And finally, although we look forward to prosperity, we cannot guarantee that there will never be another recession. To prepare for that possibility, President Kennedy has asked for three major countercyclical measures: broadened unemployment insurance, a standby program of public works, and the authority to promptly initiate limited and temporary tax reductions. These are needed in the earliest stages of recession—when quick action can accomplish effective results.

The achievement of our economic goals will not be easy. But it is our responsibility to demonstrate to the world the economic vitality of a free nation, and the value of a free enterprise society where labor, business, finance, and Government work together within the framework of a competitive price system, responding to the market forces of supply and demand.

The stimulus of competition has brought us the world's highest standard of living. Let us use our economic strength to develop our Nation to its true potential, to distribute the benefits of growth among our people, and to share our way of life with all the peoples of the world who choose the path of freedom.

Functional Illiteracy

EXTENSION OF REMARKS

OF

HON. CLEVELAND M. BAILEY

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 26, 1962

Mr. BAILEY. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following statement which I made before the General Subcommittee on Labor under date of February 19, 1962, in which I spoke in behalf of H.R. 10191, which is labeled as "Functional Illiteracy." In addition, I would like to include the statement made by the late Senator from West Virginia, the Honorable Harley M. Kilgore, in the publication School Life in March of 1952, entitled, "Literacy and the National Welfare."

The statements follows:

FUNCTIONAL ILLITERACY

Mr. Chairman, I appear in favor of H.R. 10191. The purpose of this bill, to provide an emergency program to eradicate undereducation among many adults, is of vital importance.

This problem is labeled "functional illiteracy". By that we refer to those adults whose education is so limited that they cannot be fully utilized in a complicated and mechanized and automated society. Furthermore, they have an adverse effect upon their children.

"It cannot be denied that children tend to be cast in the image of their parents. They learn their manners, their morals, their attitudes, their values, and much more, from their parents and families. They also learn how to make a living from them. A child whose father is an unskilled worker is also likely to become an unskilled worker.

"The home environment may handicap a child in school and in life, or it may be a source of special advantages. It may provide unusual opportunities, or it may close all doors and shut out opportunity." So says Patricia Sexton, assistant professor of educational sociology at New York University, in her recently published book "Education and Income."

In a study of the relationship between ability to read and family background, it was found that youngsters who scored high on reading tests were more likely to have been read to by their parents * * * usually owned several or many books. Lower income students are very often poor readers because they have never been introduced to public libraries by their parents, are not exposed to newspapers, magazines, and books in their homes.

IQ test scores have revealed that children of higher income families have higher IQ's. "But there is not a shred of proof that any of these IQ tests are valid measures of native intelligence, and in fact there is much proof that they are not," says Patricia Sexton.

Yale Prof. August B. Hollingshead says: "The [lowest class] adolescent has been subjected to a family and class culture in which failure, worry, and frustration are common. He has not been trained at home to do his best in school. His parents have not ingrained in him the idea that he must make good grades if he is to be a success in life. Moreover, the class system as it functions in school does not help him to overcome the poor training he has received at home and in the neighborhood."

Surveys made on school dropouts also point up the importance of the child's family influence. Studies made in Austin, Tex., and Tucson, Ariz., showed that a majority of the dropouts came from low-income families who lived in substandard housing and belonged to a racial minority. This kind of family, according to the NEA research division in its report on the study, tends to look upon education with hostility or indifference, and children from this background find it hard to feel that they belong in most schools or that what they learn there will ever be of any use to them.

So clear cut are these findings, it has been said that if you know a child's family income and level of education, you can pretty well predict his success or failure in school.

The implications for the families of America's 10.7 million functional illiterates are clear. Through no fault of his own, not because of his own lack of native intelligence or ability to learn, but because of his parents' low level of education, the child of functionally illiterate parents is usually doomed to failure in school, in competing for jobs, in making a happy adjustment to modern life. Chances are he will become a juvenile delinquent, a school dropout, one of society's parasites as his name appears again

and again on unemployment lists, welfare rolls, criminal court dockets. The social problems of America's illiterates are thus self-perpetuating, unless an all-out drive is made to educate them.

Ralph Young, director of Carver House settlement in St. Louis, Mo., said recently, "An illiterate family has a hard time turning our literate children. Even if they are eager to have their children attend school, they seldom can give the children the necessary intellectual motivation. The child is too likely to say, 'Why should I go to school? You didn't.' Or you get a parent who feels 'I made a living without schooling. Why should you have it?'

"Without a special effort to educate the illiterate adults, you will have the same vicious cycle of poverty, ignorance, and crime repeating itself generation after generation."

This program would complement title III of a bill, H.R. 10180, a general Federal aid to elementary and secondary education bill. Title III of my bill authorizes grants to the States to help eradicate special urban area educational problems, one of which is the dropout problem.

It will also complement a pilot project authorized a few weeks ago by our West Virginia State Legislature.

This bill would also help West Virginia speed its own efforts to curb adult functional illiteracy.

According to the 1950 census, West Virginia had a total population of 1,039,555, age 25 years and over. Of this number 142,500, or 13.7 percent, had less than 5 years of schooling and therefore were considered functionally illiterate. Of the 142,500 persons who were functionally illiterate 25,630, or 2.5 percent of the total of 1,039,555 adults, had not completed any years of schooling. Of the 142,500 functionally illiterates, 35,305 or 8.7 percent were urban, 72,190 or 16.9 were rural nonfarm, 35,005 or 17.3 percent were rural farm. Of the 1,039,555 adults 978,525 were white and 61,030 were nonwhite. Of the 142,500 functionally illiterates 126,145 were white and 16,355 were nonwhite.

In 1960 the situation in West Virginia had not made any significant gains or losses either in the number of adults 25 years and older or in the reduction of the number of functionally illiterates. For example, the adult population 25 years and over was 999,731 or 39,844 less than the adult population in 1950. In 1960, 110,000 or 11 percent of the adults had less than 5 years schooling completed. In 1950 West Virginia ranked 41st among the 48 States. In 1960 West Virginia ranked 29th among the 50 States.

Under the proposed legislation to provide assistance to States in the reduction of illiteracy, West Virginia would receive in grant-in-aid approximately $64,594 the first year, and approximately $129,188 for each of the succeeding 4 years of the program, or $580,000 over the 5-year period. This grant-in-aid assistance should be positive and stimulative in West Virginia in strengthening the foundation of education in the several communities. And it is upon a strong basic education that all training and retraining must rest.

Finally, as a West Virginian, I am pleased to suggest that the administration and you, Mr. Chairman, are traveling along a road pioneered by our late Senator Harley Kilgore.

LITERACY AND THE NATIONAL WELFARE

I am pleased to have the opportunity to express my views on the problem of illiteracy to the Nation through the columns of School Life. My interest in the problem is of long standing. It goes back to the days when I, just out of the University of West Virginia, taught public school in my native State. Later, as judge of the criminal court of Raleigh County, W. Va., I saw at first hand many of the tragic results of illiteracy.

It will be remembered that in 1948, I introduced a bill in the 2d session of the 80th Congress to assist the States in the removal of the blot from our Nation. I again introduced a similar bill in 1949 in the 1st session of the 81st Congress. And it is my intention to continue to do everything in my power to solve this problem until the Nation is aroused to its importance and the Congress assumes its responsibility in the matter. The reasons for my interest are fundamental, and may be stated very simply and directly.

ILLITERACY SLOWS NATIONAL DEFENSE

Adult illiteracy is a serious problem to our Defense authorities. The loss in manpower because of illiteracy during the last war is well known. The number of men rejected by the Selective Service System would have made 40 Army divisions. Even today, with our limited mobilization, the military could do a much more effective and speedy job of preparation if they did not have to contend with the illiterates. It is estimated that approximately 75,000 male youths who are functionally illiterate (had completed fewer than 5 years of schooling) reach registration age each year, and that the corresponding number of females is approximately 50,000. Unless means are provided to lift this mass of undereducated youth to a level of functional literacy, and if we face all-out mobilization, the Defense Establishment will find itself saddled with the burden of training as was the case during the last war. To the extent to which this is necessary, it will, of course, divert the time and energies of the military from their primary task of defense.

ILLITERACY RETARDS ECONOMIC GROWTH

Our economic strength is an important link in our defense program. The industrial and agricultural activities which are at the foundation of our economic strength are becoming highly mechanized, requiring an ever increasing amount of literacy. Lack of ability to read makes the illiterate a menace to himself and his fellows in industry and prevents the agricultural worker from benefiting fully from the services of Government bulletins, county agents, and other sources of helpfulness. The products of industry and farm are second only to manpower in our defense efforts. Anything, therefore, which impedes their flow, as does illiteracy, is an enemy within our ranks. It retards economic growth and development and should be stopped without delay.

Normally, when our economic establishment should be geared to the scientific and technological progress of our times, illiteracy is as much of a deterrent as in times of emergency. It is well known that industrial wages and farm income of individuals, communities and States rise in proportion to the rise in literacy. Retail sales also are closely related to literacy. The flow of interstate commerce, the interdependence of individuals and groups, and the elimination of geographical boundaries by modern transportation and communication facilities are more and more becoming matters of national concern. And anything which affects them, as does illiteracy, becomes a national responsibility.

LITERACY PROMOTES SOCIAL PROGRESS

Social progress is dependent upon individual progress. One of the most important ingredients of this progress is the ability to use effectively the tools of modern communication. The ability to function effectively as a worker, as a citizen, and as a member of a family is a powerful contributor to the general welfare of society. And the extent to which an individual can communicate with his fellows and understand the printed page, to that extent will he contribute to social advancement. In order to do these things, a command of the skills of communication is necessary. This includes not merely the ability to read and write, but also the ability to speak and listen with discrimination. The complexity and tempo of our civilization make these abilities mandatory. Employers do not want illiterates because they cannot meet the exacting requirements of the average job. The duties of a citizen in a modern community today call for competencies which illiterates do not possess. The relationships among the different members of the family today call for knowledge, skills, appreciations, and attitudes which are almost impossible for the illiterate to acquire. If, therefore, the Nation's progress and welfare depend on the efficiency of its workers, the competencies of its citizens, and the wholesomeness of the relationship of its families, it follows that anything that will contribute to the achievement of these goals—as does literacy—becomes an urgent responsibility of the Nation.

ILLITERACY ENDANGERS DEMOCRACY

Democracy, more than any other form of government, calls for a literate population. Our Founding Fathers recognized this, however, they did not specifically provide for its achievement in the organic law. Nevertheless, the principle has been so generally accepted that we have established the most comprehensive system of free universal compulsory education found anywhere in the world.

Despite this fact, we still have millions of adult citizens who are illiterate, whose lack of education is a handicap to themselves, and causes them to become a drag on society and a potential menace to our democratic way of life.

In order to function effectively in a democracy, citizens must possess facts about many things and people. If they are to exercise the kind of independent judgment which our representative form of government requires and are not to be unduly swayed by the rabble-rousers, and the bombardment of mass media, they must think clearly and discriminatingly about those things and people. They cannot think clearly and independently unless they can participate effectively in the arts and skills of communication which is functional literacy.

The extent to which the individual is the cornerstone of our democracy to that extent is it necessary that there be a high rate of literacy among all groups of our population, because, as I have often said, "talk about 'democracy' and 'our way of life' is largely unintelligible to illiterates."

The 1950 census data on illiteracy are not yet available. But according to the 1940 data, and the estimates of the Census Bureau in 1947, the problem is extensive and widespread. As I pointed out in my speech in the Senate on June 3, 1948, "the men and women in the United States who are now in the darkness of functional illiteracy are not all foreigners or Negroes, or members of other underprivileged groups. * * * Educators have long known that a grim percentage of our native-born white citizens have had little or no schooling." I also emphasized in that speech a fact which is not generally known; namely, that illiteracy exists throughout the Nation.

LITERACY IS A NATIONAL RESPONSIBILITY

A national program of action is needed for several reasons: (1) It is needed to equalize the burden of education, because many States are not able to support an adequate program of education; (2) since each State must contribute its share to the security of the Nation, it is the responsibility of the Nation to assure the effectiveness of that contribution; and (3) the magnitude and complexity of the problem require a concerted, coordinated, and frontal attack.

A national program of action such as I have been advocating will not only serve our own national needs, but will also contribute directly and indirectly to the strengthening of our international relations.

In the speech referred to earlier, I called attention to our contributions to the UNESCO program. Since that time we have contributed huge sums through ECA and point 4. A national program to eradicate illiteracy in the United States could help furnish the know-how in attacking the problem throughout the world. It is conceivable that such a program would also enable us to supply the many requests that come to us from other lands for teachers and leaders. The significance of this possibility is realized when it is recalled that practically one-half of the population of the world is illiterate, and that communism is making a strong bid for leadership of those masses. If we could thus give a needed emphasis on the human and social aspects of our aid to the world, in addition to our present emphasis on economic and military assistance, I am confident that it would pay handsome dividends; namely, greater faith in our humanitarian and democratic motives.

Report to the President of the United States and the Congress of the United States by the U.S. Delegation to the Italian Centennial Celebration at Turin

EXTENSION OF REMARKS

OF

HON. VICTOR L. ANFUSO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, February 26, 1962

Mr. ANFUSO. Mr. Speaker, in the summer of 1960, a concurrent resolution was passed by both Houses of Congress to "extend official greetings from the United States to the people of Italy on the occasion of the centennial anniversary of the unity of Italy and to provide for official participation by the United States in the celebration." I was the author of that resolution in the House, and it was subsequently cosponsored in the Senate by the then Senator John F. Kennedy of Massachusetts.

The celebration began in March of 1961 in the city of Turin, often described as the cradle of Italian unity, because it was there that King Victor Emmanuel II signed an act officially proclaiming the unified kingdom of Italy on March 17, 1861. In conjunction with the celebration in Turin, a special observance of the centennial of Italian unification was held on March 16, 1961, at the Department of State under the patronage of the President of the United States and the President of the Republic of Italy. President Kennedy delivered the principal address. His Excellency Manlio Brosio, Ambassador of Italy to the United States, and Prof. Gaetano Martino, head of the Italian delegation to the U.N. General Assembly, represented Italy. I had the honor of serving as chairman at the ceremony.

Shortly before Congress adjourned last September, President Kennedy appointed a congressional delegation to represent the United States at the centennial celebration in Turin, which was scheduled to end on September 30, 1961.

The delegation was composed of House Members. I was again privileged to be named chairman of the delegation. Other members of the group were: the Honorable EMANUEL CELLER of New York, chairman of the Judiciary Committee, the Honorable DOMINICK V. DANIELS of New Jersey, the Honorable DANTE B. FASCELL of Florida, the Honorable JOHN H. DENT of Pennsylvania, the Honorable SEYMOUR HALPERN of New York, the Honorable ROLAND V. LIBONATI of Illinois, the Honorable TORBERT H. MACDONALD of Massachusetts, the Honorable ABRAHAM J. MULTER of New York, the Honorable ADAM CLAYTON POWELL of New York, chairman of the House Education and Labor Committee, the Honorable PETER W. RODINO, Jr., of New Jersey, and the Honorable ALFRED E. SANTANGELO of New York. We were also accompanied by Judge Felix Forte of Massachusetts and Mr. D. Thomas Iorio, Deputy Sergeant at Arms for the House of Representatives.

Several other House Members had been named to the delegation, but unfortunately they were not able to make the trip. They are: the Honorable HUGH J. ADDONIZIO of New Jersey, the Honorable HAROLD D. COOLEY of North Carolina, chairman of the House Committee on Agriculture, Hon. SILVIO O. CONTE of Massachusetts, Hon. EMILIO Q. DADDARIO of Connecticut, Hon. ROBERT N. GIAIMO of Connecticut, Hon. GEORGE P. MILLER of California, chairman of the House Committee on Science and Astronautics, Hon. THOMAS E. MORGAN of Pennsylvania, chairman of the House Committee on Foreign Affairs, and the Honorable OLIN E. TEAGUE of Texas, chairman of the House Committee on Veterans' Affairs.

The delegation arrived in Turin on Thursday, September 21. That same evening we were received by the Italia 1961 and Torino 1961 Committees for the Italian Centennial Celebration. We were also the guests at a buffet dinner given by the U.S. Commissioner for the International Labor Exhibition at the Italia 1961 Exposition. The next day, Friday, September 22, we spent at the exposition. We dedicated the beautiful U.S. pavilion at the international fair which, incidentally, put the Russian pavilion, next door, to shame. We saw the historical exhibition which depicted the various steps, acts, personalities, and events leading up to the unification of the Italian nation a century ago. We also visited the International Labor Exhibition. In the evening an official dinner was given in honor of the delegation by the Italian National Committee.

As chairman of the delegation I brought greetings to the people of Italy on the occasion of the centennial and expressed our great pleasure to attend the celebration. I stated that we spent 2 days in Turin visiting the exhibition, adding: "I must say that this exhibition certainly does live up to its reputation; it is most impressive and inspiring. And, the Torinese were very gracious hosts." I stressed the close diplomatic ties between our two countries over the past 100 years and then told them of the resolution adopted in 1960 by the U.S. Congress to participate in the centennial celebration and of the observance we had in Washington last March with President Kennedy as guest speaker. On behalf of President Kennedy and the American people, I saluted the celebration of the Italian centennial, the President of Italy, and the Italian people.

We spent another day in Turin visiting the Fiat automobile plant and the company's vocational training school. We then left for Rome, where we spent several days. We met with the U.S. Ambassador to Italy, G. Frederick Reinhardt, who is doing a magnificent job there for our country. The highlights of our stay in Rome were the dinner given by by Prime Minister Amintore Fanfani, our visit to the Chamber of Deputies, and the audience with Pope John XXIII, at his summer residence at Castel Gandolfo on Friday, September 29.

In addition, we saw a good deal of what modern and booming Italy has achieved in our own times, such as hospitals, factories, farms, and schools. As a former member of the House Committee on Agriculture, I was particularly impressed with a model farm near Rome which we visited on September 27. At all these visits and on every occasion that we met with leaders of government and with representative groups of the Italian people we brought to them a message of friendship and solidarity from the people of the United States, and we expressed our hope and desire that our visit would contribute toward strengthening these bonds of friendship between the two nations.

Beyond the ceremonial activities of our mission, we made visits to many towns and hamlets throughout Italy—the idea of a group of U.S. Congressmen visiting and talking with townspeople, is in itself a novelty—did more good to offset the tragic inroads of communism in Italy in recent years than some of our other efforts. We met with factory workers, farmers, scientists, economists, industrialists, smalltown mayors, and many others. I think we found what makes the friendly Italian nation tick—and this can only lead to better understanding. I wish it were possible to create a similar atmosphere of friendship, trust, and understanding with other nations throughout the world.

In an unusual and informal private audience with Pope John XXIII, our delegation received a special message from His Holiness to President Kennedy praising the latter's efforts to secure world peace in our time. He expressed his wishes for the President's continued good health and success in the solution of international problems. We, in turn, brought a message of greeting from the President. The pontiff individually spoke with each person in our group.

As we concluded our visit and prepared to leave Italy, all of us were of the unanimous opinion that our mission was a success, we were well received, and

better relations between our two countries were promoted. Leaders of the Italian Government officially stated that the United States was the only nation in the world to send an official parliamentary delegation to Italy's centennial celebration. The reception accorded us by Prime Minister Fanfani and other members of his government was both warm and friendly. The Prime Minister specifically stated that our visit and our expression of support for the democratic processes being invoked to strengthen Italy against the forces of communism were most appreciated. We were not only pleased, but highly honored at such recognition.

At this point I should like to include as part of this report, the following documents and statements:

First. A letter from President Kennedy to President Giovanni Gronchi, of Italy, dated September 14, 1961.

Second. A letter from President Kennedy to Ambassador Giustino Artesani, chairman of the centennial committee at Turin, dated September 14, 1961.

Third. A letter from President Kennedy to me as chairman of the U.S. delegation, dated September 14, 1961.

Fourth. A letter—translated from Italian—from Prime Minister Amintore Fanfani to me, dated October 25, 1961.

Fifth. A letter to me from the Honorable EMANUEL CELLER, chairman of the House Judiciary Committee, dated December 26, 1961, expressing his views on the delegation's visit to Italy.

Sixth. A letter to the Honorable TORBERT MACDONALD from the Honorable PETER W. RODINO, JR., dated November 9, 1961, expressing his views on the visit.

Seventh. A statement submitted to me by the Honorable SEYMOUR HALPERN expressing his views on the visit.

Eighth. An article from the Chicago Daily News of May 23, 1961, "United States Eclipses Russ at Italy Exposition," which describes the exposition at Turin.

The documents and statements follow:

SEPTEMBER 14, 1961.

His Excellency GIOVANNI GRONCHI,
President of the Italian Republic,
Rome, Italy.

DEAR MR. PRESIDENT: I am happy to take the opportunity of this visit by a delegation of the House of Representatives of the United States to express to you the good wishes of the people of the United States for the people of Italy and their joy over the continued success of the celebration of the Centennial of Italian Unity at Turin. Italians indeed have a right to be proud of the progress their nation has made in the last century. Americans, many of them of Italian heritage, share this pride and wish the Italian people an even greater second 100 years.

Sincerely,

JOHN F. KENNEDY.

SEPTEMBER 14, 1961.

His Excellency Ambassador GIUSTINO ARTESANI,
Chairman of the Centennial Committee,
Turin, Italy.

DEAR MR. CHAIRMAN: I take the opportunity of this visit by a delegation of the House of Representatives of the United States under the chairmanship of the Honorable VICTOR L. ANFUSO to the celebration of the Centennial of the Unification of Italy at Turin to convey to the people of Italy the best wishes of the people of the United States on the occasion of the Centennial Exposition.

It is appropriate that a group of legislators from America should attend your celebration which has already acquired such renown. The ties between Italy and the United States are many. One of the strongest of these is the special place that Italy has in the hearts of the many Americans of Italian ancestry. New citizens from Italy and their sons have contributed in untold fashion to the welfare and progress of the United States. As the membership of this delegation will attest, many have been elected by their fellow citizens to serve in the Congress.

One hundred years ago the risorgimento gave birth to modern Italy. Eighty-five years earlier the American Revolution had brought about the birth of the American Republic. Today, the ideal of freedom is once again challenged. Americans and Italians are again required to stand up to tyranny. This is our task in 1961, to hold high the torch of freedom lit here in Turin a century ago that it may continue to shine forth its message of encouragement and hope for men the whole world over.

Sincerely,

JOHN F. KENNEDY

THE WHITE HOUSE,
Washington, D.C., September 14, 1961.

Hon. VICTOR L. ANFUSO,
House of Representatives,
Washington, D.C.

DEAR MR. ANFUSO: I am delighted to know that you and a delegation composed of Members of the United States House of Representatives and others are departing for Italy to participate in the ceremonies incident to the Centennial Celebration of the Unification of Italy which is being held at Turin.

I understand that you and your delegation will call on President Gronchi. I would be pleased if you would take the opportunity to present the enclosed letter to the President. I am also enclosing a message addressed to the Italian people to be delivered to the Chairman of the Centennial Committee.

My best wishes for a successful mission.

Sincerely,

JOHN F. KENNEDY.

THE LIBRARY OF CONGRESS,
WASHINGTON, D.C.,
Rome, October 25, 1961.

DEAR CONGRESSMAN ANFUSO: Also in the name of the Government over which I have the honor of presiding, I want to repeat the expression of my deepest appreciation to you, and to all those who made up the Presidential Committee, who, on the occasion of the Centennial of Italian Unity, personally conveyed their feelings of friendship.

The visit, because of the occasion on which it took place, and the eminent representation of Congress which participated in it, was only one of the happiest and most significant ceremonies of the Centennial, but effectively contributed to a renewal of the feelings of friendship between our two countries, united in the common struggle to defend the principles of liberty, humanity, respect and tolerance for all peoples.

Very cordially,

AMINTORE FANFANI,
President of the Council of Ministers.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., December 26, 1961.

Hon. VICTOR L. ANFUSO,
House of Representatives,
Washington, D.C.

DEAR VICTOR: In my previous trips to Italy since the end of World War II, I have been greatly impressed by the economic resurgence of our valued ally. Not just by the upward curve of the gross national product and the downward curve of unemployment, but by the tangible, visible evidences of a thriving economy: industrial and residential building, improved roads, power, and other public services, and especially by the eager, confident manner and outlook of the people themselves.

On our most recent visit, all these criteria were again in strong evidence. Perhaps the last was the most significant to me. To be sure, we were received warmly by all officials of the Italian Government. That was to be expected in view of our mission. But the genuine and friendly treatment we received everywhere at the hands of the private citizens of Italy was a true indication of just how closely our two countries are bound together.

I do not mean by implication to denigrate the reception afforded us by the Italian Government. I could not expect a finer reception anywhere. I am sure that the fact of our being the first group of national legislators officially to visit the centennial added to the naturally gracious attitude of our hosts. While many of our group, even as I, had previously visited Italy, our visit as a Presidentially appointed delegation demonstrated the strong interest America has in the welfare of Italy.

As I have stated above, I have long been impressed with the vitality of Italy's economy. I believe that both the Government and private citizens throughout Italy appreciate the value of America's assistance in the rebuilding of the Italian economy in the past 15 years.

In summary, I would say with respect to the centennial, the delegation's visit was beneficial to each of us as Representatives in the House, and to the alliance between our Nation and Italy. As for that alliance, I believe it is based on a firm and responsible national politicoeconomic situation in Italy.

With kind regards.

Sincerely,

EMANUEL CELLER.

NOVEMBER 9, 1961.

The Honorable TORBERT MACDONALD,
House of Representatives,
Washington, D.C.

DEAR TORBY: Here are a few of my thoughts and impressions of our recent trip to Italy.

Ours was the first such group of representative Government officials to officially visit the Italian centennial. We, therefore, received a warm response from not only the Italian Government but also the Italian people.

Our visit forcefully showed the genuine interest of America, the history of the exploration of and immigration into America by Italians further strengthens those ties, with the result that people throughout Italy look upon America almost as their second fatherland.

The sociocultural link between the two countries reaches into the political arena. For the official position of the Italian Government is thus founded on the spirit and sentiment of the people, its Government and its people in the welfare of Italy, its Government and its people.

Perhaps even more impressive than the official and warm reception accorded us by all the various members of the Italian Government was the spontaneous reception of the Italian people. The natural ties of friendship and family already bind many citizens of both countries together.

The economic condition of Italy has steadily improved and is now strong and sound. Here, too, the Government and the people recognize the importance of America's contributions to the revitalization and rebuilding of Italian industry and business after World War II.

In all respects, then, our alliance with Italy springs from solid trust and understanding and is based on a responsible, solid politicoeconomic national structure. In addition, Italy is eagerly and effectively participating as an integral unit of our NATO military forces.

I strongly believe that our trip was most worthwhile for ourselves as Members of Congress, and especially for the alliance between the two nations. We have once again proved our basic interest in Italy's well-being, and our genuine friendship and admiration for her people. Italy and her people similarly have once again proved their ability and desire to be a fundamental and active member of the free world of which America is the leader.

Sincerely yours,

PETER W. RODINO, JR.,
Member of Congress.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., February 20, 1962.

The Honorable VICTOR L. ANFUSO,
Member of Congress,
Washington, D.C.

DEAR VICTOR: It was a distinct honor to be named by President Kennedy as a member of the official U.S. delegation to honor Italy on the centennial celebration of its unification.

Now that the occasion is behind us, I wish to express to you my high regard as chairman, and in retrospect, report to you the great achievement accomplished by the delegation.

As a result of the visit, I have concluded few countries have contributed as much to the development of western civilization as has the Italian Nation. We owe many of our laws, much of our culture, and a significant share of our growth to this land which has never lost its national pride through the many centuries which saw it develop into the world's largest empire, emerge after years of darkness as the seat of the Renaissance, fall victim to political slavery, and eventually rejoin the community of nations as the proud, productive country it now is. We in America know only too well of the many contributions made to our Nation by Americans of Italian origin. Fourteen Members of the House; one Senator, and many enormously talented and able people in all parts of public and private life are of Italian extraction.

It was only fitting that our country join in paying tribute to Italy on this significant anniversary, and the President is to be complimented on recognizing the importance of this celebration as a means of extending further bonds of American friendship.

It is important, too, that the Congress of the United States unanimously endorsed the President's intention to send an official delegation to the celebration, not only as a tribute to the achievements of this Nation but as a token of the good will of the American people.

I was indeed proud to have been named a member of this delegation.

As the official U.S. representatives, I feel we made a most meaningful contribution by personally dedicating the U.S. pavilion at the international fair at Turin. I'm sure we all agree, without qualification, that the American exhibition was exceedingly impressive and not only far outshone the neighboring Russian pavilion, but it was obvious that our presentation drew more crowds than any other exhibition.

At the official opening of this centennial, held at Turin in commemoration of that city's fame as the site of King Victor Emmanuel's proclamation of the establishment of the unified Kingdom of Italy in 1861, your presentation of the official greetings of the U.S. Government and the American people, as the chairman of the delegation, was brilliantly delivered and exceedingly well received.

I will always remember with great pleasure the rewarding experiences we shared in conjunction with our ceremonial activities, the touring of the fair, the dining with Prime Minister Fanfani, the memorable audience with Pope John XXIII, our visit with our counterparts, the Italian Chamber of Deputies, and the multitude of other phases of our visit.

Although we received a warm welcome in our official capacity from both the Italian Government and the Italian press, I'm sure you agree perhaps the most inspiring part of our trip was the cordial reception afforded to us during informal visits to Italian towns, villages, and factories. I shall never forget how we were greeted with such unsurpassed warmth and friendliness, and in village after village, how we received messages of respect and love for the American people. I truly feel that this part of our visit did more to cement United States-Italian relationships than any amount of money could have accomplished. Everywhere we were hailed as the representatives of a country that symbolizes freedom and good will. To think that this personal contact with the local citizens would exude such a fine reaction was heart-warming, especially in a country where the extreme left has been making such strides in recent years. This to me was one of the real highlights of the trip. The Italian press commented on the cordiality of our reception by the people and hailed our mission and its purpose. It was the most heart-warming experience I have ever known.

Another event that marked the great significance of the mission was the reception by His Holiness Pope John XXIII, who warmly received us. Following your individual introductions of our group to the Holy Father, he delivered a memorable message of peace and goodwill. And he complimented the objective of our mission and asked that we convey his respect and affection to the American people, which I'm certain will be contained in your report to the President and to the Congress.

The mission could not have been more successful. I am sure that the Italian people will long remember this unprecedented recognition by the President and the Congress of the United States on the occasion of their 100th anniversary. I know that every member of the official delegation will join me in expressing our thanks to the Government and the people of Italy and our everlasting expressions of respect and good will for the citizens of Italy.

Yes, I was privileged indeed to be your fellow delegate on this all-important, highly successful mission. May I compliment you on the superb job you have done as chairman.

Very sincerely,

SEYMOUR HALPERN.

[From the Chicago Daily News, May 23, 1961]

U.S. ECLIPSES RUSS AT ITALY EXPOSITION—ASSISTED BY AMERICAN INDUSTRY, OUR EXHIBIT IS FIRST AT LAST

(By George Weller)

TURIN, ITALY.—This year's centenary of Italy as a republic is marked by an exposition where the United States, too often second to the Soviet Union in showmanship, at last takes a first.

With a strong helping hand from American industry—tax-deductible, naturally—Tom Miller, the hefty Barnum of the Commerce Department, has put on a mobile imaginative exhibit that makes the Soviet pavilion look like yesterday's yo-yo.

Seeing the rival exhibits—the American exhibit devoted to the art and science of communication, the Soviet display to a boring array of complex tools and loaded Leninist aphorisms—an Italian might read the international situation in reverse.

Aside from Soviet leadership of the race into space, he might even imagine that the supercommunicative Americans were winning in foreign policy, too.

The American exhibit gets "participation" right off by handing the visitor a black bakelite radio receiver the size of a ruler. He then walks around with this dark scepter at his ear, while it whispers to him—in his choice of four languages—a description of what he is seeing.

The transmission comes from a tiny wire strung overhead in each room.

When Italy's President Giovanni Gronchi led an advance party through, 22 of them were so enchanted with their lectours (made for $35 each by Frank McIntosh, of Bethesda, Md.), that they walked off with them.

But the souvenir hunters were out of luck. Outside the exhibit, the black wands will not pick up radio programs like an ordinary transmitter, but only the growl of elevators and power lines.

A mockup of the human brain the size of a garage stops the visitor in his tracks. From its various plates, the size of tabletops, wires trace the thought processes.

A singer opens up, the image identifying her face courses through the brain, and soon after this eye-message comes the confirmation through the ears.

These messages pass through odd portions of brain-land known as "upper little hill" for the eye, and "lower little hill" for the ear.

There's an American schoolhouse using the Hagerstown educational TV system.

For more Italian participation there's a huge earth, with the American satellite "Echo" hanging overhead. By pressing buttons the visitor can bounce signals off "Echo's" silver surface and back to earth.

He also sees the Navy's radio telescope in Virginia registering the soft rattlings of remote stars whose light started our way long before man was born.

In a room dark as a pilot's night there is a jet plane's control cabin. The visitor can sit at the pilot's controls as he slides down onto the striped lights of an airfield.

A mechanical computer blandly offers the Italian loaded questions he can ask, like "Why was the United States ready to open Commander Shepard's flight to the world press?"

The answers are all chockful of goodness—and not too much propaganda.

The taxpayers bill for the whole show is about $550,000, about one-eighth of the Commerce Department's annual budget for 12 to 14 international shows. But it would have been at least three times that amount without the tax rebate to tempt participation by American companies in the show, designed artistically by Manuel Jarrin of Detroit's Harley Earl Associates.

Upjohn pharmaceuticals contributed the electric brain, IBM the question-answer machinery, and General Electric much of the TV equipment.

The Yuri Gagarin exploit into space was curiously played down and fumbled by the Soviets, perhaps because the exhibit was designed before their space authority decided to leak details.

One Italian at the Soviet show wrote in the comment book, "Clever—but lacking in human warmth."

Another scribbled: "Hurray for liberty—the thing you don't possess."

HOUSE OF REPRESENTATIVES

TUESDAY, FEBRUARY 27, 1962

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Proverbs 3: 5: *Trust in the Lord with all thine heart; and lean not upon thine own understanding.*

Most merciful and gracious God, may we apprehend and appreciate more fully that we are daily being sustained by Thy divine providence and guided by Thy divine wisdom.

Make us humbly trustful of Thy love and devoutly obedient to Thy will, assured that out of the turmoil and tumult of our time there is emerging a new and higher civilization too wonderful for us to imagine and too glorious for us to dream.

Grant that while there is still so much of bitterness among the nations, our own beloved country may manifest that loftier spirit which has in it the finer essence of patience and forbearance, of compassion and brotherly kindness.

Hear us in Christ's name. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Ratchford, one of his secretaries, who also informed the House that on February 21, 1962, the President approved and signed a bill of the House of the following title:

H.R. 6013. An act for the relief of the Houston Belt & Terminal Railway Co.

COMMITTEE ON BANKING AND CURRENCY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on Banking and Currency may be permitted to sit today during general debate.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

REPORT ON TREASURY AND POST OFFICE APPROPRIATION BILL, 1963

Mr. GARY. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations have until midnight Thursday, March 1, to file a privileged report on the Treasury and Post Office appropriation bill for the fiscal year 1963.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. PILLION reserved all points of order on the bill.

CONSTRUCTION OF TELEVISION FACILITIES FOR EDUCATIONAL PURPOSES

Mr. ELLIOTT, from the Committee on Rules, reported the following privileged resolution (H. Res. 552, Rept. No. 1390) which was referred to the House Calendar and ordered to be printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 132) to amend the Communications Act of 1934 to establish a program of Federal matching grants for the construction of television facilities to be used for educational purposes. After general debate, which shall be confined to the bill, and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

BARRY PAUL COOK OF REVERE, MASS., 1 OF 40 FINALISTS IN SCIENCE TALENT SEARCH

Mr. LANE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LANE. Mr. Speaker, for the second year in a row, Revere High School of Revere, Mass., has produced 1 of the 40 finalists in the science talent search, that screens the Nation's most talented high school seniors, to find those with the greatest potential as researchers.

Barry Paul Cook is the son of Mr. and Mrs. Arnold F. Cook, 26 Arlington Avenue, Revere. He was chosen because his unique project "Programed Robot," was judged 1 of the best 40 among 3,559 completely qualified entrants who participated in the competition.

Cook's robot will make it possible for experimenters to penetrate into regions where conditions would be intolerable for a human; for instance, under the sea or on the surface of the moon he can be commanded to perform certain tasks, without interference from obstacles.

Competitors were required to take the difficult science aptitude examination, submit school records and faculty recommendations, and to write a research report on an individual science project.

Science Service, through the Science Clubs of America, administers the annual science talent search. For the 21st year, it has been financed by the Westinghouse Electric Corp.

Cook is 1 of the 10 girls and 30 boys in the United States who have been awarded an all-expense trip to Washington, D.C., where they will compete for $34,250 in Westinghouse scholarships and awards during the 5-day Science Talent Institute program that begins on March 1.

I am proud of this young man from my district, whose achievement brings honor to himself, his parents, and Revere High School.

The creative ability, the eagerness, and the hard work of Barry Cook have won for him both recognition and opportunity. With these qualities, he will build a future in fulfillment of his talent, and in service to humanity.

In congratulating him, we congratulate his parents who provided him with the environment of a happy home, and the inspiration of love, understanding, and encouragement.

We thank the teachers who gave him the tools of knowledge and then challenged him to go forward on his own. There were many, but we give particular credit to Leonard D'Orlando, director of science in the Revere public schools who inaugurated the science fairs 6 years ago; and Frank Roberto, head of the science department at Revere High.

This is the way that freedom develops excellence from education.

Young Barry Cook has proved himself in competition. Because he is one of the Nation's most promising student-scientists, we say to him—to borrow the language of the space age—that everything is in a "go condition." As he moves on through college, postgraduate studies and into the research field of experimental physics we wish him every success in exploring the new frontiers.

AUTHORIZING REGULATORY AGENCIES TO ESTABLISH A SET OF FEES

Mr. YOUNGER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. YOUNGER. Mr. Speaker, for a number of sessions, I have introduced legislation authorizing the various regulatory agencies to establish a set of fees for licensing their regulatory services. I have never been convinced that tax money should be used by these agencies which grant protected licenses, worth in many cases millions of dollars, without any cost to the licensee.

The Federal Government has always charged for its regulatory services in connection with the national banks, the insurance of accounts, Federal Reserve membership, supervision of savings and loan associations, membership in the Federal home loan banks and Federal Savings and Loan Insurance Corporation. All of these agencies have been self-supporting and paid for by their members.

During this session I introduced H.R. 1118 for the purpose of instructing the

FCC, FAA, CAB, SEC, FTC, ICC, and the FPC to set fees for their services to the end that each of these independent agencies should recover, as much as possible, all their operating and regulatory expenses.

I am delighted to learn that the FCC has a new proposal to establish fees for licensing and regulatory services and has invited comments by April 16 to the new rulemaking. I only wish that other independent agencies would follow suit as rapidly as possible.

The fees as proposed by the FCC are, in my opinion, minimum but at least it is a decided step in the right direction and I believe the Commissioners in this agency should receive congratulations by the Congress for adopting this forward step looking toward a goal whereby ultimately they will be self-supporting.

THE SECRETARY OF AGRICULTURE

Mr. KING of New York. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KING of New York. Mr. Speaker, when the Secretary of Agriculture held a national conference here in Washington last January to urge the American people to drink more milk and eat more dairy products, I was of the opinion that he was doing the American farmer a genuine service. I believe that greater use of dairy products in their daily diet will improve the health of our citizens.

Therefore, I was amazed to discover that this same Secretary of Agriculture has proposed to the Congress the enactment of legislation to make sure that American families do not have enough milk to drink.

The new Freeman farm program contemplates the imposition of the most stringent controls on dairy farmers. Each farmer would have a production base from which his milk output would be reduced.

Let me call particular attention to these words in section 438(a) of the proposed bill, H.R. 10010:

The marketing of milk or any product thereof by a producer in excess of his marketing allotment for any marketing period shall be subject to a surplus marketing fee. The amount of the fee shall be established and announced by the Secretary in advance of the marketing period to which it applies and shall be not in excess of $2.75.

In other words, if a milk producer sells more than his quota at any time—indeed if he gives it away—he can be fined up to $2.75 per hundredweight. This is roughly 6 cents per quart. It is within 1½ cents of the current support price for manufacturing milk. No dairy farmer can afford to pay such a penalty, although some will no doubt be forced to. Section 440 of the bill has this provision:

Any person failing to make any report or keep any record as required by the Secretary, pursuant to this subtitle, shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than $2,000 or by imprisonment for not more than one year, or both.

The milk producer, who, through no fault of his own, slips up and markets a few extra quarts of milk and forgets to record it will not only be fined 6 cents per quart. He could be fined $2,000 or sent to jail for a year while his entire farm went to pot.

Mr. Speaker, no dairy farmer wants such penalties hanging over his head. Nor do I, for one, think that this Congress will ever adopt legislation providing such severe fines and sentences.

Let the dairy farmer and the dairy industry continue their fine efforts to promote the increased consumption of milk and butter, cheese and ice cream, free of any meddling by the Secretary of Agriculture.

THE LATE HONORABLE DAN R. McGEHEE

Mr. WILLIAMS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. WILLIAMS. Mr. Speaker, it is with sadness that I inform the House of the passing of the distinguished former Member who preceded me in service in this body, Hon. Dan R. McGehee, of Mississippi.

Mr. McGehee passed away at the Franklin County Hospital in his home town of Meadville on Friday, February 9, after an extended illness. Services were conducted on Sunday, February 11, from the Meadville Baptist Church, where he had been a faithful member for many years.

Mr. McGehee enjoyed a long and fruitful career in public service, and for many years was a leading figure in Mississippi's public affairs.

His first period of service was as a State senator from his home county of Franklin, from 1924 to 1928. From 1928 to 1932 he served with distinction as a member of the Mississippi State House of Representatives, and was again elected to the State senate in 1931.

Mr. McGehee resigned from the State senate in 1934 in order to make a successful campaign for election to the U.S. House of Representatives from the old Seventh District of Mississippi. He served in this body for six terms, until 1947.

Because of his outgoing personality and love for his fellow man Mr. McGehee made friends easily and to many was known affectionately as "Smiling Dan."

He was a gentleman in the true sense of the word.

Dan McGehee's passing leaves a void in the hearts of all who were privileged to know him.

To his wife and daughters, we extend our sincere and heartfelt sympathy.

I include a brief biography from the Biographical Directory of the American Congress, and an article from his hometown paper, the Franklin Advocate, along with a copy of a resolution adopted by the Mississippi State Legislature.

BIOGRAPHY OF DAN McGEHEE

McGehee, Daniel Rayford, a Representative from Mississippi; born in Little Springs, Miss., September 10, 1883; attended the public schools; was graduated from Mississippi College at Clinton in 1903 and from the law department of the University of Mississippi at Oxford in 1909; was admitted to the bar in 1909 and commenced practice at Meadville, Miss., also engaged in agricultural pursuits and banking; member of the State senate 1924–28; served in the State house of representatives 1928–32; again a member of the State senate 1932–34; elected as a Democrat to the 74th and to the five succeeding Congresses (Jan. 3, 1935–Jan. 3, 1947); unsuccessful candidate for renomination in 1946 to the 80th Congress; resumed the practice of law, agricultural pursuits, and banking, and is a resident of Meadville, Miss.

DAN R. McGEHEE

Services were held Sunday afternoon, February 11, from Meadville Baptist Church, for Daniel R. McGehee, with the pastor, Rev. B. T. Bishop, officiating, assisted by a former pastor, Rev. W. A. Greene. Burial was in Midway Cemetery, with Hartman Funeral Home in charge of arrangements.

The former statesman, and outstanding citizen, died at Franklin County Hospital Friday night, after a lengthy illness. He was 78.

Dan McGehee was born at Little Springs, son of the late Mr. and Mrs. Calvin McGehee. He graduated from Mississippi College in 1903 and received a law degree from University of Mississippi in 1909. He entered politics in 1924 and served a 4-year term in the State senate. From 1928 to 1932 he was a member of the State house of representatives before winning reelection to the senate. He resigned from the senate after winning election to the U.S. Congress, representing Mississippi's old Seventh District in the House of Representatives. He served as president of the Bank of Franklin from 1918 until his death.

His active years of service to his county, State, and Nation will long be remembered by those who knew him best, and there are many.

Survivors include his widow, Mrs. Dorothy Hunt McGehee; three daughters, Mrs. Deane Black and Mrs. Patricia M. Bush, both of Washington, D.C.; actress Gloria McGehee, Hollywood, Calif.; and a brother, Dr. J. C. McGehee, of Bude, Miss.

Pallbearers were: W. M. Scarbrough, Garveese Dillon, Carey Graves, Fred Lovett, Lamar Saxon, R. G. Saxon, J. F. Hollinger, and George Gagliaidi.

SENATE CONCURRENT RESOLUTION 123

Concurrent resolution commending the public, private, and professional career of the late Daniel Rayford McGehee, of Meadville, Miss.; and expressing sympathy to his immediate family in the great loss of their beloved husband and father

Whereas our Almighty Creator, in His all-knowing and infinite wisdom, called home on February 9, 1962, at the age of 78, one of His servants in one of Mississippi's most distinguished, colorful, and dedicated citizens, the Honorable Daniel Rayford McGehee, of Meadville, Franklin County, Miss.; and

Whereas Mr. McGehee adequately prepared himself early in life for a public and professional career by receiving his baccalaureate degree from Mississippi College and

law degree at the University of Mississippi, and launched his professional career in his home community in 1909; and

Whereas by virtue of his enthusiastic leadership role in the interest of community improvement projects and programs designed for progress of all Mississippians, in addition to his skilled practice of law, Daniel R. McGehee was destined to become a successful businessman and possessed with many of the material thing of life which he freely shared with his less fortunate fellow man; and

Whereas possessed with the desirable qualities of leadership, Mr. McGehee was elected to the board of directors and president of the Bank of Franklin at Meadville which he held for 42 consecutive years; and was also elected to two terms each in the State Senate and House of Representatives of the State of Mississippi, where his statesmanlike leadership was soon to be recognized and effectively used to improve his native State; and

Whereas during his final term in the upper house, of the Mississippi Legislature, Senator McGehee was elected to the U.S. House of Representatives where he served with dignity, integrity, and militant courage of his convictions on behalf of his State and Nation for six consecutive terms as Congressman from Mississippi's old Seventh District; and

Whereas Congressman McGehee retired from public office in 1947 to return to his first loves, his devoted wife, the management of his vast farming, livestock and timber interests in addition to his civic, banking and law interests; and

Whereas the life and record of his personable, stately, and extraordinarily successful and influential roles as a planter, banker, State legislator and Congressman, will leave a vacuum in the lives of his fine and devoted family and countless thousands of friends who share these loved ones' mourning in the demise of Daniel Rayford McGehee; Now, therefore, be it

Resolved by the Senate of the State of Mississippi (the House of Representatives concurring therein), That we do hereby commend the public, private and professional career of former Congressman Daniel R. "Dan" McGehee; and do by these presents, express publicly this State's sympathy with his respected family, and his many friends and acquaintances everywhere; be it further

Resolved, That this resolution be spread upon the minutes of this legislature's proceedings with enrolled copies to Congressman McGehee's widow and close companion in life, Mrs. Dorothy Hunt McGehee of Meadville, Miss.; to his daughters, Mrs. Patricia McGehee Bush and Mrs. Deane McGehee Black, both of Washington, D.C., and Miss Gloria McGehee of Hollywood, Calif.; and to his only surviving brother, J. C. McGehee, M.D., of Bude, Miss.; and a copy to each member of Mississippi's congressional delegation in Washington, D.C.

Adopted by the senate, February 12, 1962.

PAUL B. JOHNSON,
President of the Senate.

Adopted by the house of representatives, February 15, 1962.

GRIGGS G. CONNOR,
Speaker of the House of Representatives pro tempore.

Mr. McCORMACK. Mr. Speaker, I am deeply grieved to learn of the death of our former colleague and our valued friend, Dan R. McGehee of Meadville, Miss.

Dan McGehee served his district with distinction in the House of Representatives from 1935 to 1947. He was a dedicated legislator, a hard-working Member, who served his people with great ability and with devotion and courage.

Possessing a keen and understanding mind, a man of nobility of character, a gentleman in every sense of the word, Dan McGehee enjoyed the respect and confidence of his colleagues.

He was my dear and valued friend. Between us there developed a friendship that I shall always treasure. I shall miss my dear friend, Dan McGehee, very much.

Mrs. McCormack joins with me in extending to Mrs. McGehee and her daughters our deep sympathy in their great loss and sorrow.

Mr. WHITTEN. Mr. Speaker, I join with my colleagues in expressing my sorrow at the passing of former Congressman Dan McGehee. It was my privilege to know him when a member of the Mississippi Legislature, before he came here to serve in the Congress. Always he was my friend.

Dan McGehee was a real American, possessed of an imposing figure and fine personality. When first I knew him he was affectionately referred to by the press as Smiling Dan McGehee. Truly he loved people.

Mr. Speaker, Dan McGehee made an enviable record as a Member of the Congress. He was courageous and firm in his stand on public issues, always a conservative and unusually sound in his views; busy, yes, but never too busy to accommodate a fellow Member.

Dan McGehee has a lovely family. His three daughters and his wife adored him as he did them. To his family we extend our deepest sympathy.

We have lost a friend and the Nation has lost a fine and great citizen.

Mr. WILLIAMS. Mr. Speaker, I yield to the dean of our delegation, the gentleman from Mississippi [Mr. COLMER].

Mr. COLMER. Mr. Speaker, I would like to join my colleague, the gentleman from Mississippi [Mr. WILLIAMS], and others in extolling the virtues of our deceased former colleague. It was my pleasure to serve in this body some 12 years with our late and lamented friend. During that service I learned to know and respect Dan McGehee as both a warm personal friend and as a dedicated Representative of his people in the Congress.

Dan McGehee possessed many splendid qualities both in the field of character and ability. Like all of us these qualities were possessed by him in varying degrees. From the personal angle, I am sure his most distinguishing virtue was his generosity and understanding nature in dealing with his fellow man. He was generous in both his attitude toward his fellow man as well as in dispensing his wealth in material things. He was considerate. He would not have willfully hurt an insect. He was incapable of doing a little or a mean thing.

Dan McGehee was a handsome man. Nature had provided him with a large and commanding physique. In many respects, he was typical of the popular conception of a Congressman. But he was more than a handsome statesman. He was a dedicated man. He believed in and practiced the fundamental cornerstones upon which the Republic was founded. Even after he left these congressional Halls his interest in preserving and perpetuating our great free form of government was uppermost in his mind. I, among others, was a frequent recipient of letters as well as telephone calls expressing his concern about the trend so evident here in later years away from constitutional and toward a Socialist type of government.

Although our friend and former colleague lived a long and useful life and made a splendid contribution to good government and was a good provider for his splendid family, his passing leaves a void that will be hard to fill among those who knew and loved him.

Mrs. Colmer joins me in extending our sincere sympathy to his beloved widow, Dorothy, and his beautiful and talented daughters in whom he took such justifiable pride.

Mr. WILLIAMS. Mr. Speaker, I yield to the gentleman from Mississippi [Mr. WINSTEAD].

Mr. WINSTEAD. Mr. Speaker, it is with a feeling of great personal loss that I join my Mississippi colleagues in paying tribute to the memory of my good friend, the Honorable Daniel Rayford McGehee, with whom I was privileged to serve in this House for many years. In his passing Mississippi and the entire Nation has lost an outstanding citizen and I have lost one of my closest personal friends.

At an early age, Dan McGehee had charted his course of public service and enthusiastically filled a leadership role in his community. Prior to his election to the National Congress, he served two terms each in the State Senate and the Mississippi House of Representatives.

He was a patriotic American and a fine legislator—thoroughly devoted to his State and Nation. He was deeply conscious of the needs of his fellow man and throughout his tenure of service in the Congress, he represented the people in his district with a real sense of dedication.

To his devoted wife, Dorothy, and to their three lovely daughters, Deane, Gloria, and Patricia, I extend my deep and heartfelt sympathy. May each find consolation in the knowledge that he lived a full and worthwhile life.

Mr. WILLIAMS. Mr. Speaker, I yield to the gentleman from South Carolina [Mr. DORN].

Mr. DORN. Mr. Speaker, while I did not serve in the House with the late Dan McGehee, I knew him well. I looked forward to his annual visits to the Capitol. We had many long and pleasant conversations in the cloakroom and on the floor about the progress of his beloved Southland. Dan McGehee was a very loyal, patriotic American. He was dedicated to the principles of States rights and individual liberty. He was a conservative in the Jeffersonian tradition. I join my colleagues from Mississippi in expressing my sympathy to his wonderful family.

Mr. WILLIAMS. Mr. Speaker, I yield to the gentleman from South Carolina [Mr. RIVERS].

Mr. RIVERS of South Carolina. Mr. Speaker, everybody knew Dan McGehee when he was chairman of the Claims

Committee. He would break his neck to do a favor for a Member of this House. I remember the days when Harold Ickes was here and we were trying to build a pipeline when the submarines were sinking all the ships on the east coast, and I tried to get one from the Yazoo down in Dan's section in Mississippi to the starving east coast. And, I remember Dan helped me to get that authorization for the pipeline, but Ickes never built it. Yet, Dan helped us. Mr. Speaker, there will never be a more polished, self-effacing, kind gentleman than Dan. The distinguished gentleman from Mississippi [Mr. WILLIAMS] is doing us a great kindness for making this possible for us to pay a humble tribute to a humble and great man. God bless you, Mr. WILLIAMS, for this your tribute to your distinguished predecessor.

Mr. ABERNETHY. Mr. Speaker, will my colleague yield?

Mr. WILLIAMS. I yield to my colleague from Mississippi.

Mr. ABERNETHY. Mr. Speaker, I fully share the sentiment and thoughts expressed by my colleague in the passing of my late friend, Dan McGehee. Mr. McGehee was one of the great political and business leaders of our State. His career of public service was marked with accomplishment for the betterment of those who honored him with high office.

As a Member of this body he served with distinction and honor. He had many friends here; and, whether friend or foe, all respected and admired him.

Dan McGehee belonged to a school of thought which I regret to say is losing position in government but not because of a lack of effort on his part. He was a strong constitutionalist. He opposed the centralization of power in Washington, a power which is leading to the destruction of the State and subordinate governmental bodies.

Our late colleague was a successful businessman, a good husband and a kind father. Indeed, Mr. Speaker, his life was one that those who follow would do well to emulate.

My sympathy goes out to his fine family.

Mr. WILLIAMS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the life and character of our former colleague, Dan McGehee.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. SMITH of Mississippi. Mr. Speaker, I want to join in the tributes being paid today to the late Dan McGehee. Mr. McGehee was a devoted public servant who made a valuable contribution to the life of our State and Nation during his long career.

Dan McGehee will be mourned by many Mississippians who greatly appreciated his dedicated public service, as well as many others throughout the Nation who knew him during his illustrious public and business career.

I would like to express my personal sympathy to his family.

Mr. FISHER. Mr. Speaker, I wish to join with my colleagues in the House in paying tribute to our departed friend, the late Dan McGehee, of Mississippi. We all recall the distinguished service rendered by Dan, covering a historic period in our history from 1935 to 1947. I believe it is safe to say that every person who ever met Dan McGehee liked him. He was a loyal friend, a great patriot, and a dedicated public servant. He was always found on the front line in the battles to preserve the finest attributes of our great heritage.

I want to underscore all the fine things that have been said here today about our departed friend, and to extend to his family my deepest sympathy in their bereavement.

THE LATE HONORABLE JOHN RIDLEY MITCHELL

Mr. EVINS. Mr. Speaker, I have just been advised by a telephone call of the death of a former Member of the House—the Honorable John Ridley Mitchell, of Tennessee. It is my sad duty to announce to my colleagues the news of the passing of Judge Mitchell, who was a predecessor of mine and who previously represented in the Congress the Fourth District of Tennessee.

Judge Mitchell's life was filled with distinguished service to the people of his area, Tennessee, and the Nation. John Ridley Mitchell loved and enjoyed people and he was beloved by all. He was a beloved personality, a great speaker, and a great patriot.

On several occasions I was privileged to sit on the same platform with Judge Mitchell and to hear his eloquent language and his marvelous use of the English language. As a wonderful speaker and even though he has lived in semi-retirement for the past few years, he was always much in demand for public speeches and appearances.

Judge Mitchell first entered public life as assistant attorney general for the fifth circuit in Tennessee in 1908 and served in this position for 10 years until he was elected attorney general for the fifth circuit. He served in this capacity until 1925 when he was appointed judge of the fifth judicial circuit of my State. He was elected for an 8-year term in 1926, and served until he offered himself as a candidate for Congress. He was elected to the 72d Congress in November of 1930. He was reelected to the 73d, 74th, and 75th Congresses.

Judge Mitchell served as a member of the House Committee on Agriculture and distinguished himself in the Congress. His presence will be missed by his many, many friends.

To Mrs. Mitchell and members of his family I extend an expression of my most sincere sympathy in their loss and bereavement.

Mr. Speaker, I wish to include with my remarks a short biography of the Honorable John Ridley Mitchell, taken from the Biographical Directory of The American Congress, 1774–1961. The biography follows:

BIOGRAPHY OF JOHN RIDLEY MITCHELL

Mitchell, John Ridley, a Representative from Tennessee; born in Livingston, Overton County, Tenn., September 26, 1877; attended the public schools; was graduated from Peabody College of Teachers, Nashville, Tenn., in 1896; private secretary to Representative C. E. Snodgrass 1899–1903; was graduated from the law department of Cumberland University, Lebanon, Tenn., in 1904; was admitted to the bar the same year and commenced practice in Crossville, Tenn.; presidential elector on the Democratic ticket of Parker and Davis in 1904; member of the State Democratic executive committee 1910–14; assistant attorney general of the fifth circuit of Tennessee 1908–18 and attorney general of the same circuit 1918–25; served as judge of the fifth circuit 1925–31; moved to Cookeville, Tenn., in 1931; elected as a Democrat to the 72d and to the three succeeding Congresses (March 4, 1931–January 3, 1939); was not a candidate for renomination in 1938, but was unsuccessful for the Democratic nomination for U.S. Senator; resumed the practice of law; attorney in the office of Alien Property Custodian from January 1943 to September 1945; special assistant to Attorney General in the Antitrust Division, Department of Justice, Washington, D.C., 1945–51; is a resident of Crossville, Tenn.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks and that all Members may be permitted to extend their remarks at this point on the life and character of the late John Ridley Mitchell.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

INTERNAL REVENUE SERVICE REGIONAL SERVICE CENTER, PORT HURON, MICH.

Mr. O'HARA of Michigan. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. O'HARA of Michigan. Mr. Speaker, the Internal Revenue Service is presently considering the establishment of a number of regional service centers, and is canvassing communities in the three-State area of Illinois, Michigan, and Wisconsin for a location for such a center for that IRS region.

Mr. Speaker, the city of Port Huron, Mich., through action of its city commission last night, has offered to build and lease to the Internal Revenue Service such facilities for $1 a year. This morning I received a telegram from Ray Mathieson, mayor of Port Huron, which reads as follows:

PORT HURON, MICH., *February 26, 1962.*

Congressman JAMES G. O'HARA,
House of Representatives,
Washington, D.C.:

The City Commission of the City of Port Huron, Mich., this evening passed the following resolution and urges that you follow through on this matter with the proper Federal agencies:

"Whereas the President of the United States suggested on January 21, 1961, in his inaugural address, 'Ask not what your country can do for you, but what you can do for your country': Now, therefore, be it

"*Resolved*, That the city of Port Huron, Mich., offer to the Internal Revenue Service, Treasury Department, Washington, D.C., a

new 200,000-square-foot office building to be built to their specifications and located on a 30-acre site to be leased at $1 per year for use as their proposed data-processing center for the Midwest area."

RAY L. MATHIESON,
Mayor.

Mr. Speaker, I wish to congratulate the city officials of Port Huron on their farsighted action, and encourage the Internal Revenue Service to give serious consideration to the application of the city of Port Huron and other progressive communities in the State of Michigan of which Port Huron is an outstanding example.

HEALTH AND MEDICAL CARE—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 347)

The SPEAKER laid before the House the following message from the President of the United States; which was read, referred to the Committee of the Whole House on the State of the Union, and ordered to be printed:

To the Congress of the United States:

The basic resource of a nation is its people. Its strength can be no greater than the health and vitality of its population. Preventable sickness, disability, and physical or mental incapacity are matters of both individual and national concern.

We can take justifiable pride in our achievements in the field of medicine. We stand among the select company of nations for whom fear of the great epidemic plagues is long past; our life expectancy has already reached the biblical three score and ten; and, unlike so many less fortunate peoples of the world, we need not struggle for mere survival. But measured against our capacity and capability in the fields of health and medical care, measured against the scope of the problems that remain and the opportunities to be seized, this Nation still falls far short of its responsibility.

Many thousands needlessly suffer from infectious diseases for which preventive measures are available. We are still 10th among the nations of the world in our infant mortality rate. Prolonged and costly illness in later years robs too many of our older citizens of pride, purpose, and savings. In many communities the treatment of the mentally ill and the mentally retarded is totally inadequate. And there are increasingly severe shortages of skilled personnel in all the vital health professions.

Basically, health care is a responsibility of individuals and families, of communities and voluntary agencies, of local and State governments. But the Federal Government shares this responsibility by providing leadership, guidance, and support in areas of national concern. And the Congress last year recognized this responsibility in important ways.

PROGRESS DURING 1961

Our States and communities have responded quickly and with impressive vigor to the invitation to cooperative action extended by the Community Health Services and Facilities Act passed by the Congress and signed into law only 4 months ago. As a result, better care for the chronically ill and the aged will soon be available in many parts of the Nation, both inside and outside the hospitals and other institutions in this program.

There is also visible progress in the effort to control water pollution, resulting from the expanded legislation passed by the Congress in 1961. Last year construction was begun on more waste treatment plants than ever before in our history—30 percent above the calendar year 1960 level.

There were, in addition, other important forward thrusts taken, with Federal help, in the protection of our Nation's health. Medical research advanced at an accelerated pace. We are now better equipped than ever before to evaluate and deal with radiation perils. The incidence of polio has been reduced to the lowest levels ever recorded. We have engaged our most talented doctors and scientists in an intensified search for the cause and cure of cancer, heart disease, mental illness, mental retardation, environmental health problems and other serious health hazards.

But, of the four basic improvements in the Federal health program I recommended to the Congress last year, two urgent needs—health insurance for the aged and assistance to education for the health professions—have not yet been met. The passage of time has only served to increase their urgency; and I repeat those requests today, along with other needed improvements.

I. HEALTH INSURANCE FOR THE AGED

Our social insurance system today guards against nearly every major financial setback: retirement, death, disability, and unemployment. But it does not protect our older citizens against the hardships of prolonged and expensive illness. Under our social security system, a retired person receives cash benefits to help meet the basic cost of food, shelter, and clothing—benefits to which he is entitled by reason of the contributions he made during his working years. They permit him to live in dignity and with independence—but only if a serious illness does not overtake him.

For, compared to the rest of us, our older citizens go to the hospital more often—they have more days of illness—and their stays in the hospital are thus more costly. But both their income and the proportion of their hospital bill covered by private insurance are, in most cases, substantially lower than those of younger persons.

Private health insurance has made notable advances in recent years. But older people, who need it most but can afford it least, are still unable to pay the high premiums made necessary by their disproportionately heavy use of health care services and facilities, if eligibility requirements are to be low and the scope of benefits broad. Today, only about half of our aged population has any health insurance of any kind—and most of these have insufficient coverage.

To be sure, welfare assistance, and Federal legislation to help the needy or "medically indigent," will provide health services in some instances. But this kind of help is not only less appealing, coupled as it is with a means test, it reaches very few of those who are not eligible for public assistance but are still not able to afford the care they need.

I therefore recommend again the enactment of a health insurance program for the elderly under the social security system. By this means the cost of health services in later years can be spread over the working years—and every worker can face the future with pride and confidence. This program, of course, would not interfere in any way with the freedom of choice of doctor, hospital, or nurse. It would not specify in any way the kind of medical or health care or treatment to be provided. But it would establish a means to pay for the following minimum levels of protection:

First. Inpatient hospital expenses for up to 90 days, in excess of $10 per day for the first 9 days (with a minimum payment by each person of $20), and full costs for the remaining 81 days.

Second. The cost of nursing home services up to 180 days immediately after discharge from a hospital. By providing nursing home care for twice as long as that in the hospital, the patient is encouraged to use the less expensive facilities when these will satisfy his requirements.

Third. The cost of hospital outpatient clinic diagnostic services in excess of $20. These benefits will reduce the need for hospital admissions and encourage early diagnosis.

Fourth. The cost of community visiting nurse services, and related home health services, for a limited number of visits. These will enable many older people to receive proper health care in their own homes.

It should be emphasized that we are discussing a gap in our self-financed, contributory social insurance system. These are all insurance benefits which will be available to everyone over 65 who is eligible for social security or railroad retirement benefits. They would be entirely self-financed by an increase in social security contributions of one-quarter of 1 percent each on employers and employees, and by an increase in the maximum earnings base from $4,800 a year to $5,200 a year. No burden on the general revenues is involved. I am not unmindful of the fact, however, that none of our social insurance systems is universal in its coverage—and that direct payments may be necessary to provide help to those not covered for health insurance by social security. But the two problems should not be confused—and those who have never made any contribution toward the system should not be regarded as in the same category as those who have—and because a minority lacks the protection of social security is no reason to deny additional self-financed benefits to the great majority which it covers.

II. HEALTH PROFESSIONS PERSONNEL

The Nation's health depends on the availability and efficient use of highly trained and skilled professional people.

These people are in very short supply. Unless we take steps to train more physicians and more dentists, the promise of modern medicine cannot be fully realized.

In an earlier message this year, I repeated my recommendation for Federal aid for the construction and expansion of schools of medicine, osteopathy, dentistry and public health, and for helping talented but needy students pursue their professional education. I recommended: (1) A 10-year program of grants to plan and construct such professional schools in order to increase the Nation's training capacity; and (2) a program of Federal scholarship aid for talented students in need of financial assistance, plus cost-of-education payments to the schools.

The urgency of this proposal cannot be repeated too often. It takes time to construct new facilities and many years for doctors to be trained. A young man entering college this fall will not be ready to start his practice until 1972—and even later if he plans to enter a speciality. The costs of construction and operation are mounting. Only six schools of medicine have been opened in the last decade; and the number of graduates has risen only 15 percent. Over the same period, student applications to medical schools have declined sharply. Our ratio of active physicians to population is less today than it was 10 years ago, and growing worse, and in the next 10 years we shall need to expand existing medical and dental school facilities, and to construct 20 new medical and 20 new dental schools.

We must also provide financial help to talented but needy students. I have previously expressed concern over the fact that medicine is increasingly attracting only the sons and daughters of high income families—43 percent of the students in our Nation's medical schools in 1959 came from the 12 percent of the U.S. families with an annual income of $10,000 or more.

A survey has shown that 4 years in medical school cost each student of the 1959 graduating class an average of $11,600. More than half of them had to borrow substantial sums to complete their education, and one-third of the group had an average debt of $5,000. Many of these students have from 1 to 7 years of additional professional training, at low stipends, facing them. Obviously further loans and further debts are not the answer.

Also: modern health care is extremely complex. It demands the services of a skilled and diversified team of specialists and technical personnel.

But there are shortages in almost every category—and the shortages are particularly severe in nursing. Last year I authorized the Surgeon General of the Public Health Service to set up a consultant group on nursing, and a comprehensive study of this field is well underway. I expect to receive their report in the near future.

III. IMMUNIZATION

There is no longer any reason why American children should suffer from polio, diphtheria, whooping cough, or tetanus—diseases which can cause death or serious consequences throughout a lifetime, which can be prevented, but which still prevail in too many cases.

I am asking the American people to join in a nationwide vaccination program to stamp out these four diseases, encouraging all communities to immunize both children and adults, keep them immunized, and plan for the routine immunization of children yet to be born. To assist the States and local communities in this effort over the next 3 years, I am proposing legislation authorizing a program of Federal assistance. This program would cover the full cost of vaccines for all children under 5 years of age. It would also assist in meeting the cost of organizing the vaccination drives begun during this period, and the cost of extra personnel needed for certain special tasks.

In addition, the legislation provides continuing authority to permit a similar attack on other infectious diseases which may become susceptible of practical eradication as a result of new vaccines or other preventive agents. Success in this effort will require the wholehearted assistance of the medical and public health professions, and a sustained nationwide health education effort.

IV. HEALTH RESEARCH

The development of these immunization techniques was made possible by medical research, just as it has made possible the new drugs, surgical techniques and other treatments which have virtually conquered many of the leading killers of a generation ago—tuberculosis, pneumonia, rheumatic fever and many others.

But conquest of the infectious diseases, by increasing our lifespan, has made us more vulnerable to cancer, heart disease and other long-term illnesses. Today, two persons die from heart disease and cancer in the United States every minute. Last year, more than 1 million Americans fell victim to these merciless diseases.

They are not merely diseases of old age. Cancer leads all other diseases as the cause of death in children under age 15. Of the 10 million Americans who suffer from heart disease, more than half of them are in their most productive years, between 25 and 64.

Fortunately, medical research, supported to an increasing degree over the past 15 years by the Federal Government, is achieving exciting breakthroughs against both cancer and heart disease as well as on many other fronts. We can now save one out of every three victims of cancer, compared to only one out of four saved less than a decade ago. Our nationwide cancer chemotherapy program is saving many children and adults who would have been considered hopeless cases only a few years ago. And advances in heart surgery have restored to productive lives many thousands, while full prevention of many forms of heart disease seems increasingly within our reach.

We must, therefore, continue to stimulate this flow of inventive ideas by supporting medical research along a very broad front. I have proposed substantially increased funds for the National Institutes of Health for 1963, particularly for research project grants, and the training of specialists in mental health. Expenditures by the Institutes in 1963 are estimated to exceed $740 million, an increase of more than $100 million from the current year and a fourfold increase in the last 5 years. I am also renewing my recommendation that the current limitation on payment of indirect costs by the National Institutes of Health in connection with research grants to universities and other institutions be removed.

In keeping with the broadening horizons of medical research, I again recommend the establishment of a new Institute for Child Health and Human Development within the National Institutes of Health. Legislation to create this new Institute was introduced in the last session of Congress.

We look to such an Institute for a full-scale attack on the unsolved afflictions of childhood. It would explore prenatal influences, mental retardation, the effect of nutrition on growth, and other basic facts needed to equip a child for a healthy, happy life. It would, in addition, stimulate imaginative research into the health problems of the whole person throughout his entire lifespan—from infancy to the health problems of aging.

As a parallel action I am requesting authorization for contracts and cooperative arrangements for research related to maternal and child health and crippled children's services. This legislation, introduced in the last session of Congress, would strengthen the programs of the Children's Bureau in these areas, and foster effective coordination between the research activities of this Bureau and those of the proposed new Institute.

I also recommend that the present Division of General Medical Sciences at the National Institutes of Health be given the status and title of an Institute. This program supports fundamental research in biology and other sciences, and strengthens the research capabilities of universities and other institutions.

Last year, Congress enacted legislation temporarily extending and expanding the program of Federal matching grants for the construction of health research facilities. This program has been very successful, and it should be further extended.

In these and other endeavors, including our new National Library of Medicine, we must take steps to accelerate the flow of scientific communication. The accumulation of knowledge is of little avail if it is not brought within reach of those who can use it. Faster and more complete communication from scientist to scientist is needed, so that their research efforts reinforce and complement each other; from researcher to practicing physician, so that new knowledge can save lives as swiftly as possible; and from the health professions to the public, so that people may act to protect their own health.

V. MENTAL HEALTH

While we have treated the physically ill with sympathy, our society has all

too often rejected the mentally ill, consigning them to huge custodial institutions away from the heart of the medical community. But more recently, the signs of progress toward enlightened treatment have been increasing. The discovery and widespread use of tranquilizing drugs over the past 8 years has resulted in an unprecedented reduction of 32,000 patients in the census of our State mental hospitals. But one-half of our hospital beds are still occupied by the mentally ill; and hundreds of thousands of sufferers and their families are still virtually without hope for progress.

I want to take this opportunity to express my approval, and offer Federal cooperation, for the action of the Governors of the 50 States at a special national Governors' conference called last November. In accepting the challenge of the report of the Joint Commission on Mental Illness and Health, they pledged a greater State effort—both to transfer treatment of the majority of mental patients from isolated institutions to modern psychiatric facilities in the heart of the community, and to provide more intensive treatment for hospitalized patients in State institutions.

But this problem cuts across State lines. Since the enactment in 1946 of the National Mental Health Act, the Federal Government has provided substantial assistance for the support of psychiatric research, training of personnel and community mental health programs. The Government is currently spending over $1 billion annually for mental health activities and benefits. The National Institute of Mental Health alone will use approximately $100 million this year. Approximately $350 million is budgeted by Federal agencies for the care of the mentally ill; over $500 million is spent annually in the form of pensions and compensation for veterans with neuropsychiatric disorders; and additional sums for similar benefits are paid by the social security and other Federal disability programs.

But far more needs to be done. Adequate care requires a supply of well trained personnel, working both in and out of mental hospitals. In 1946, there were only 500 psychiatric outpatient clinics in the Nation. Today, there are more than 1,500. More than 500,000 people received treatment in these clinics last year. We are making progress—but the total effort is still far short of the need. It will require still further Federal, State, and local cooperation and assistance.

I have directed the Secretary of Health, Education, and Welfare, the Secretary of Labor, and the Administrator of Veterans' Affairs, with the assistance of the Council of Economic Advisers and the Bureau of the Budget, to review the recommendations of the Joint Commission on Mental Illness and Health and to develop appropriate courses of action for the Federal Government. They have been instructed to consider such questions as the desirable alinement of responsibility among Federal, State, and local agencies and private groups; the channels through which Federal activities should be directed; the rate of expansion possible in the light of trained manpower availabilities; and the balance which should be maintained between institutional and noninstitutional programs.

Meanwhile, we must continue our vigorous support of research to learn more about the causes and treatment of mental illness. We must train many more mental health personnel. We must continue to strengthen treatment programs for Federal beneficiaries through our many existing Federal institutions, including St. Elizabeths Hospital. And I have recommended added funds for the National Institute of Mental Health to increase its program for the training of professional mental health workers and physicians.

VI. MENTAL RETARDATION

The nature and extent of mental retardation is often misunderstood. It is frequently confused with mental illness. While mental illness disables after a period of normal development, mental retardation is usually either present at birth or underway during childhood. It is not a disease but a symptom of a disease, an injury, or some obscure failure of development. It refers to a lack of intellectual ability, resulting from arrested mental development, and manifesting itself in poor learning, inadequate social adjustment, and delayed achievement. Its causes are many and obscure. We are encouraged with each new discovery—but present knowledge of this condition is still so fragmentary that its prevention and cure will require continued and persistent research over an extended period of time. The present limitations of knowledge make diagnosis extremely difficult, particularly since it involves the very young. And a major obstacle to progress is the lack of personnel trained in the special skills required to work effectively with the mentally retarded.

Thus, in spite of the progress made in recent years, mental retardation remains one of our most serious health and education problems. Approximately 5 million people in the United States are mentally retarded; and each year more than 126,000 more babies are born who will suffer from this tragic affliction.

I have asked the Panel on Mental Retardation which I appointed last year to appraise the adequacies of existing programs and the possibilities for greater utilization of current knowledge. It will review and make recommendations with regard to (1) the personnel necessary to develop and apply new knowledge; (2) promising avenues of investigation, and the means to support and encourage research along these lines; and (3) improvement and extension of present programs of treatment, education, and rehabilitation.

I expect the Panel's report before the end of this year; and we should then be ready for the next phase of the attack upon this problem. I am confident that the work of this Panel will help us chart the path toward our ultimate goal of preventing this tragic condition.

VII. TOWARD A MORE HEALTHY ENVIRONMENT

There is an increasing gap in our knowledge of the impact upon our health of the many new chemical compounds and physical and biological factors introduced daily into our environment. Every year 400 to 500 new chemicals come into use. Many of them will improve the public health. Others, regardless of every safeguard, present potential hazards. Each year there are 2 million new cases of intestinal disease. Hepatitis is at an alltime high. We need to apply additional protection against every new hazard resulting from contamination of the air we breathe or the water we drink.

As I already mentioned, the water pollution control legislation passed by the Congress last year has permitted us to step up our efforts to purify our water. We should make a similarly accelerated effort in parallel fields. I am therefore recommending—

1. Legislation to strengthen the Federal effort to prevent air pollution, a growing and serious problem in many areas. Fresh air cannot be piped into the cities, nor can it be stored for future use. Our only protection is to prevent pollution.

Under the existing Air Pollution Act, the Federal Government is conducting badly needed research on the biological effects of air pollution; developing improved methods for identifying, measuring, analyzing, and controlling pollution; and working with State and local officials to accelerate necessary control programs.

I recommend that the Congress enact legislation to provide:

(a) authority for an adequate research program on the causes, effects, and control of air pollution,

(b) project grants and technical assistance to State and local air pollution control agencies to assist in the development and initiation or improvement of programs to safeguard the quality of air, and

(c) authority to conduct studies and hold public conferences concerning any air pollution problem of interstate nature or of significance to communities in different parts of the Nation.

Legislation along these lines has already passed the Senate, and I urge final favorable action in this Congress.

2. In order to provide a central focal point for nationwide activities in the control of air pollution, water pollution, radiation hazards, and occupational hazards, I recommend the establishment of a National Environmental Health Center. This center will serve as the base laboratory for research and training activities, and as headquarters for Public Health Service personnel concerned with health hazards in the environment. It will facilitate regular and frequent collaboration between Public Health Service scientists and those with whom they should consult in other Federal agencies. The center will serve also to encourage closer cooperation with industrial research and control groups, with universities and private foundations, and with State and local agencies.

3. Finally, I have recommended an increase in the appropriations for the study and control of water and air pollution and for research into protection against radiation peril.

VIII. ENCOURAGEMENT OF GROUP PRACTICE

Akin to the problem of increasing our overall supply of professional and technical health personnel is the problem of making more effective use of the personnel we already have. Experience in many communities has proven the value of group medical and dental practice, where general practitioners and medical specialists voluntarily join to pool their professional skills, to use common facilities and personnel, and to offer comprehensive health services to their patients. Group practice offers great promise of improving the quality of medical care, of achieving significant economies and conveniences to physician and patient alike, and of facilitating a wider and better distribution of the available supply of scarce personnel.

A major obstacle to the development of group practice, however, particularly in our smaller communities, is a lack of the specialized facilities needed. I therefore recommend legislation which will authorize a 5-year program of Federal loans for construction and equipment of group practice medical and dental facilities, with priority being given to facilities in smaller communities and to those sponsored by nonprofit or cooperative organizations.

IX. HEALTH OF DOMESTIC AGRICULTURAL MIGRANT WORKERS

Domestic agricultural migrants and their families—numbering almost 1 million persons—have unmet health needs far greater than those of the general population. Their poor health not only affects their own lives and opportunities, but it is a threat to the members of the permanent communities through which they migrate. The poverty of these migrants, their lack of health knowledge, and their physical isolation and mobility, all tend to limit their access to community health services. To help improve their health conditions, I recommend—in addition to expanding the special Public Health Service activities directed to them—the enactment of legislation to encourage the States to provide facilities and services for migrant workers.

X. PUBLIC HEALTH SERVICE REORGANIZATION

Changes in recent years have greatly increased the responsibilities of the Public Health Service. Some major organizational changes are necessary in order to help this agency carry out its vital tasks more effectively. I will shortly forward to the Congress a proposal which will make these reorganizational changes possible. It will permit more effective administration of community health programs and those dealing with the health hazards of the environment.

OTHER HEALTH GOALS

The struggle for improved health is never ending. While we are pressing new attacks in sectors of past neglect and present urgency, we must continue to advance along the entire front.

Health facilities construction: I have asked the Secretary of Health, Education, and Welfare to review the program of federally aided medical facility construction, to evaluate its accomplishments and future course. Through the Federal support provided by this very successful program, general medical care facilities have been constructed in most of the areas of greatest need. There are, however, large and urgent unmet requirements for facilities to provide long-term care, especially for the elderly, and short-term mental care at the community level. In addition, a growing number of existing urban hospitals require modernization so that they may continue to serve the needs of the people dependent upon them.

Health of merchant seamen: Over the past several years funds for the operation of the Public Health Service hospitals have been substantially increased to improve the quality of medical care for merchant seamen and other beneficiaries. A start has also been made on enabling these hospitals to conduct medical research. I have directed the Secretary of Health, Education, and Welfare to develop a plan for providing more readily accessible hospital care for seamen and for improving the physical facilities of those Public Health Service hospitals which are needed to provide such care.

Physical fitness: The foundation of good health is laid in early life. Yet large numbers do not receive necessary health care as infants and schoolchildren. The alarming rate of correctible health defects among selective service registrants highlights the problem. In all 50 States there has been a gratifying response to my call of last year for vigorous programs for the physical development of our youth. Pilot projects stimulated by the President's Council on Youth Fitness proved that basic programs, within the reach of every school, can produce dramatic results. Our children must have an opportunity for physical development as well as for intellectual growth. Our increased national emphasis on physical fitness, based on daily vigorous activity and sound nutritional and health practices, should and will be continued.

International health: Finally, it is imperative that we help fulfill the health needs and expectations of less developed nations, who look to us as a source of hope and strength in fighting their staggering problems of disease and hunger. Mutual efforts toward attaining better health will help create mutual understanding. Our foreign assistance program must make maximum use of the medical and other health resources, skills and experience of our Nation in helping these nations advance their own knowledge and skill. We should, in addition, explore every possibility for scientific exchange and collaboration between our medical scientists and those of other nations—programs which are of benefit to all who participate and to all mankind.

CONCLUSION

Good health is a prerequisite to the enjoyment of pursuit of happiness. Whenever the miracles of modern medicine are beyond the reach of any group of Americans, for whatever reason—economic, geographic, occupational, or other—we must find a way to meet their needs and fulfill their hopes. For one true measure of a nation is its success in fulfilling the promise of a better life for each of its members. Let this be the measure of our Nation.

JOHN F. KENNEDY.

THE WHITE HOUSE, *February 27, 1962.*

MEDICAL CARE FOR THE AGED

Mr. HALPERN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. BARRY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BARRY. Mr. Speaker, with the receipt of the President's message, Congress is once again embroiled in the highly controversial issue of medical care for the aged. The President has placed this social security medical care program on the agenda of "must" legislation. Secretary Ribicoff has emphasized that he believes this legislation has great appeal to the voters. As in 1960, alternatives, compromises, rumors of political deals and clever parliamentary maneuvers are being reported daily in the press. The Congress, in this highly charged political atmosphere, will have to make fundamental decisions which, for years to come, will affect the quality of medical care in this country and could extend the social security program into areas hitherto uncharted.

The decisions made this year will be crucial. A wrong answer could be irreversible. But I seriously question whether the Congress is yet in the position to make the well-considered decision which is called for in this situation, on the desirability of adopting the President's proposal at this time. More specifically, I believe we cannot really take intelligent action until we know precisely what kind of a job the Kerr-Mills law—medical assistance for the aged—is capable of doing. To give a fair test to Kerr-Mills, which has been in effect in New York less than a year, is, I believe, the only sound approach. It is a position which is supported by most thinking Members of both parties. It is the approach of the Democratic chairman of the Committee on Ways and Means, the Honorable WILBUR D. MILLS, and of the chairman of the Republican policy committee, the Honorable JOHN W. BYRNES, an important member of the committee which considers this legislation. These two gentlemen have probably listened to more testimony on medical care for old people than any men in Congress.

As you may recall, the medical assistance for the aged program was born out of 13 weeks of executive sessions of the Committee on Ways and Means in the spring of 1960. It is based upon the historic principle of Federal-State cooperation whereby the rights of the States are preserved in effective copartnership relationships. It allows great latitude to the States in their determination of eligibility under the general purpose of the Federal law of providing aid to persons not on old-age assistance but whose

income and resources are insufficient to meet the cost of necessary medical services. Likewise, there is also great latitude left to the States in determining just what type of benefits will be most needed and most appropriate for their own people. The Kerr-Mills law also provided more favorable Federal financial participation in the old-age assistance medical care programs so as to encourage the liberalization of those programs already in existence and to encourage the establishment of programs in those States without such programs.

The implementation of the Kerr-Mills law has been carried out by the States with remarkable speed. This is due, in large part, to the program's support by the medical profession and also the favorable attitude of public welfare authorities. Latest statistics show that, as of January 22, 1962, 24 jurisdictions have the new medical assistance for the aged programs in effect. One more State has submitted its plan and three other jurisdictions have enacted legislation but the plan has not yet been submitted.

Let me briefly trace its rapid development. In March of 1961, five States had programs and payments were averaging $187 a month on behalf of 21,000 recipients. In August of this year—just 5 months later—the 14 jurisdictions with going programs showed payments for that month totaling about $12 million to 60,000 recipients for an average payment of over $200. As of November 1961, the new program was in effect in some 16 jurisdictions and was caring for some 71,652 recipients who were receiving payments which amounted to over $15 million for that month. The average payment for the 27,291 recipients on medical assistance for the aged in the State of New York for that month was $320.37. Moreover, as of December 1961, some 22 States had improved their coverage of content of services under the old-age assistance provisions of the Kerr-Mills law.

It is very early to assess the results of the Kerr-Mills legislation. Many States are experimenting with their programs, and expansion and contractions should be expected until they are able to arrive at programs which are completely adapted to local conditions. There have been some early difficulties in working out arrangements with doctors and hospitals, but the Kerr-Mills law provides the governmental mechanism which is most acceptable to the medical and hospital community because they know it is flexible enough to meet their particular problems.

Moreover, development of the medical assistance for the aged program has probably been inhibited, to some degree, by the arguments of those supporting the administration bill that it would soon be outmoded by a social security oriented program. Some State legislatures, as a result, have been reluctant to devote funds to the new program on the ground that it might be quickly superseded. This is understandable in view of the fact that the administration has been pulling out all stops to get its legislation on the books this year. If we in Congress make the right decision these inhibitions will be removed and we will get a clearer picture of just what Kerr-Mills can really do.

The need for caution and serious consideration by Congress before rushing headlong into the adoption of a social security medical care program is obvious for a number of reasons. I will mention just a few of them. One is that Congress should consider all the implications of introducing an entirely new concept of benefit under the social security program. For the first time there would be created a service benefit which has no wage relation or contribution relation to the beneficiary. In the past this wage-related cash benefit principle has been held to be a cornerstone of the social security system by the very people who now argue so vehemently for the President's program. To get medical care benefits, they seem willing to scrap this principle. Congress should look long and hard before it takes any step away from this philosophy. Such a departure could have the effect of undermining the philosophical base for the entire benefit and eligibility structure of the social security program. It also introduces the problems of administration of service benefits which the social security people, by training and experience, are not equipped to deal with.

Congress should also take a long and hard look at the additional social security tax which will be involved in the President's program. Under existing law the social security tax was increased this year and will be increased again in 1963, in 1966, and in 1968, to finance the present program. Thus, in 6 short years, the combined employer-employee tax will jump from 6¼ to 9¼ percent even without the enactment of this program. Any medical care proposal will have to be added on top of that.

Last spring, Secretary Ribicoff, under questioning by the Senate Finance Committee, stated that, in his judgment, the combined employer-employee tax should not go above 10 percent. His medical care program would add another half percent bringing the total cost to 9¾ percent. This would leave just a quarter of a percent with which to deal with all of the other possible improvements which may be needed in the program. In this sense, adoption of the medical care program may foreclose any congressional consideration of such policy questions as the relaxation of the earnings limitation which currently penalizes people for working and the blanketing in of those elderly widows and others not now covered under the social security system largely because their jobs or their husbands' jobs were specifically excluded from coverage under the system during their working life. I am not convinced that there has been any showing by the administration that their proposal, which will pay medical benefits to some people who actually do not need them, and will not pay benefits to others outside social security who do need them, is any more socially desirable than some of the measures I have mentioned.

Likewise, the Congress should give serious thought to the fact that many millions of people, both people who need benefits and those who are completely self-sufficient, will receive social security health benefits toward which they have made absolutely no contribution, because they were retired before the program goes into effect. This development would accentuate a situation under social security whereby younger workers are continually being forced to foot a greater proportion of the cost of the system. Actuarial studies, based on the social security legislation up until 1958 have shown that workers over age 20 in 1958 and their employers, as a class, will pay only about 42 percent—21 percent each—of the value of their benefit.

Workers in the future, and their employers, on the other hand, will pay 169 percent—84.5 percent each—of the value of their benefits. This disparity would be further increased by the administration's medical care bill under which millions of retired people, as I have said, will receive benefits without having made any social security tax contribution toward their cost. The question arises as to whether providing benefits only to people in need from general revenue taxation under Kerr-Mills is not a more preferable and equitable approach.

Apart from all these considerations, there is also the basic and very practical question of what effect the enactment of this legislation might have on the quality of medical care which could be provided, and the administrative problems which would arise, particularly because its administrative authority rests with the Federal Government. The bill provides, under the reassuring heading "Prohibition Against Interference," that "except as otherwise specifically provided," no Federal officer or employee can "exercise any supervision or control over the administration and operation of any such hospital, facility, or agency." However, the head of the legal division of the American Medical Association, in pointing out the significance of the phrase "except as otherwise provided," listed in the hearings some 10 specific exceptions in the administration bill which affect, in his words, "the practice of medicine and indicates in varying degrees an immediate supervision and control of medical personnel and facilities."

There is room for much deep thought in the following summary statement presented by the American Medical Association before the Committee on Ways and Means on this very important point:

> It is axiomatic that the Federal Government tends to control what it subsidizes. Indeed, the Government must, for it is duty-bound to see that the taxpayer's money is spent properly and with efficiency. The problem arises as a result of the fact that the providers of services and the Government may not see eye to eye on the subject of what constitutes efficiency. For as I shall discuss later, Government must concern itself primarily with the financial aspects of these programs; and the health professions must, if they are to provide quality medical care, concern themselves with quality medical care above all else.
>
> [The administration bill] disclaims its intention of meddling with the free practice of medicine, Mr. Chairman, as is customary in all bills which seek to utilize the compulsory social security mechanism as a device for financing health care for the aged. But if a single Government agency were empowered to buy from 10 to 20 percent of all care in the Nation's general hospitals, it takes no ouija board to predict that this agency would wield the power it had been given to influence the operation and management of such hospitals.

In this area of delicate relationships between Government and the medical profession I think it has been demonstrated that arrangements at the State and local level allowed by Kerr-Mills tend to preserve the freedom of the medical profession, and it is this freedom which is the only really effective safeguard against the deterioration of the quality of medical care.

On July 31, 1961, my colleague, the gentleman from Texas, Congressman BRUCE ALGER, entered into the CONGRESSIONAL RECORD an editorial from the Chicago Daily Tribune which referred to the pilot Medicare program undertaken by the State of Colorado. The article points up many of the unfortunate results of this plan which have led to widespread disillusionment on the part of the State legislature. In the words of the Tribune:

> Colorado's failure, with a program covering only 52,000 persons, demonstrates the basic unsoundness of President Kennedy's vastly greater proposal, scheduled for legislative action next year.

The Kerr-Mills program is an important piece of legislation. It is congressional recognition of the precarious plight of some of our older citizens who are particularly vulnerable to heavy medical bills. It provides generous Federal matching funds to the States so that these people—the people who really need such assistance—can be protected against the financial catastrophe of a serious or expensive illness. This is a program, I believe, which will meet the needs of the American people if it is given an honest and fair trial. On the other hand, if the Congress acts precipitously, under the President's prodding, we may saddle ourselves and our children with a program which would put the Federal Government into an entirely new kind of activity in a very sensitive area of human and governmental relations, and which could have the effect of injuring, rather than helping, the fine medical care which the American people are receiving today.

MANPOWER DEVELOPMENT AND TRAINING ACT OF 1961

Mr. MADDEN. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 544 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

> *Resolved*, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 8399) relating to the occupational training, development, and use of the manpower resources of the Nation, and for other purposes. After general debate, which shall be confined to the bill, and shall continue not to exceed three hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Education and Labor, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. MADDEN. Mr. Speaker, I yield myself such time as I may require, after which I yield 30 minutes to the gentlewoman from New York [Mrs. ST. GEORGE].

Mr. Speaker, House Resolution 544 calls up for debate and consideration House bill 8399. The rule calls for 3 hours' debate. I wish to congratulate the House Education and Labor Committee and particularly Congressman HOLLAND, of Pennsylvania, chairman of the subcommittee, for bringing this very necessary legislation on the floor of the House.

The manpower development and training bill is probably the most important piece of domestic legislation to come before the House during this session. It is important because something must be done to prevent the necessary costs of automation and economic growth from continuing to fall most heavily on those people who are least able to bear them. There are two alternatives to this bill. One is the reduction in the rate of our national growth and development. The other is to neglect the continued increase in unemployment being forced on millions of our people. This Nation cannot afford either of these alternatives.

This bill should be neither controversial nor political and has originated in the House, although the Senate has already passed a similar bill. The Senate rightly took a nonpartisan position on this necessary legislation. Hearings started a year ago by the Holland subcommittee of the Education and Labor Committee revealed many shocking facts about conditions resulting from automation and rapid technological change. While the national population and the available workforce have continued to grow at an unprecedented rate, job opportunities have not.

From 1950 through 1960 the number of workers in factory production in the United States fell 10 percent, while production rose 43 percent, and population increased 19 percent.

The total number of factory production and maintenance jobs has declined by 1½ million in the last 7 years.

Employment of production workers in the electrical industry fell 10 percent while output was rising 21 percent.

Well over half a million railroad jobs have disappeared since the war, while productivity rose 65 percent.

Output per man hour in our coal mines has doubled in this same period but there are now 300,000 fewer jobs in the industry.

Employment in the manufacture of electrical appliances has fallen 50 percent since 1953 although total output has risen.

Production and related jobs in the automobile industry have been declining almost steadily for several years, falling from 767,100 in 1953 to 612,600 in 1960.

The same trend exists in steel and other related industries. There has been a decline in employment in the manufacture of automation equipment itself. Employment in instrument production has fallen 15 percent in 7 years.

The Bureau of Labor Statistics reports that 25 percent of the jobs affected by the installation of electronic data processing systems have been permanently abolished. About 10,000 such systems were installed in 1961, each affecting an average of 140 jobs, or a total of 1,400,000 jobs. The result has been that a fourth of these, or about 350,000 clerical jobs alone, have been abolished by automation in the last year.

The rate of installation of office automation equipment will probably accelerate. If the 68 companies that are now manufacturing computers in the United States should double their sales this year, 700,000 additional clerical jobs will abolished.

Still more jobs are expected to be eliminated by other types of automation devices. For example, an automatic sales clerk can dispense up to 36 varieties of products, accept payments up to $5 and give the customer his exact change. According to testimony before the Holland subcommittee, an automatic law clerk can perform 7 man-hours of legal research in a few minutes; within 10 minutes of receiving a question involving tax exemption, the machine analyzed 400 laws from 50 States and the District of Columbia, typed all the statutes and case citations, and had begun typing the full text of the material.

Some idea of the immediate problem ahead can be seen from the fact that, even if all we do is increase our productivity at the same rate as we have been doing since the end of World War II, a total of 1,800,000 persons will feel the impact of technological change just in the year ahead.

Today, 20 percent—one in every five—of our unskilled workers are unemployed—a rate which is two-thirds higher than semiskilled workers, 100 percent higher than that for skilled craftsmen.

The problem is especially critical for older people, women and minority groups whose rate of unemployment continues at roughly double the average unemployment rate.

At the same time that old jobs are being wiped out new ones are being created. Today's unemployed are faced with want ads calling for workers skilled in transistorized circuitry, inertial guidance, ferret reconnaissance, human factors science, gyrodynamics, microminiaturization, and data telemetry. These job titles were unknown a half dozen years ago.

The problem is made worse by our educational weaknesses. In the next 10 years 26 million new young workers will enter the job market—and if current trends prevail, 7½ million of them will be dropouts, without a high school diploma and very ill fitted for the job world ahead which will see major advances on the technological scene.

Although these, and many other problems, were brought out by the hearings,

the Holland subcommittee concentrated its efforts primarily on what should be done to correct the hardships already caused by automation. The recommendations for constructive action to meet this crisis are almost as undisputed as the facts. Leaders of management, labor, and government have all urged the same action.

On February 14, 1962, President Kennedy said he regarded as the major domestic challenge of the 1960's the job of maintaining full employment in spite of automation.

The result of the hearings is H.R. 8399 which is before us today. This bill passed the Holland subcommittee by a vote of 6 to 1 and the Committee on Education and Labor by a vote of 24 to 3. It permits the Secretary of Labor to enter into agreements with the States whereby the States would pay a weekly retraining allowance to carefully selected unemployed persons. Before being selected all persons would be thoroughly tested and counseled. Although priority would be given to the unemployed, other qualified persons could be permitted retraining so that it will not always be necessary to wait until automation renders a job obsolete before anything is done to retrain the workers displaced. In order to make it possible to anticipate labor displacement and job obsolescence, this bill provides for the Secretary of Labor to appraise the Nation's manpower requirements and resources through comprehensive and continuous research. It also requires studies of employer and union practices which affect severance pay plans, seniority, and the use of extended leave plans for education and training purposes in order to promote greater labor mobility both geographically and occupationally.

The Secretary of Labor is also required to determine the Nation's skill requirements, develop policies for the adequate occupational development and maximum utilization of the skills of the Nation's workers. This legislation will develop broad, diversified training programs, including on-the-job training.

The bill also directs the Secretary of Labor to make maximum use of all possible resources for skill development. Among others, he will use the resources of industry, labor, public and private education and training institutions, and Federal, State, and local governmental agencies.

Furthermore, the Secretary of Health, Education, and Welfare is authorized to enter into agreements with the States, to improve vocational training, and may pay up to 100 percent of the cost to the State of carrying out the agreements with respect to unemployed persons and up to 50 percent for others.

Adequate safeguards prevent abuses such as persons drawing a retraining allowance simultaneously with unemployment compensation.

Most of the cost of this bill should be offset by savings in unemployment compensation alone. Even if all the cost were not offset it would be better to pay a man to retrain for a new job than to pay him to sit idly and wait for his old, obsolete job to open up again.

More important than the cost, however, is the need to give our people an honorable chance to find a place for themselves in our growing economy. It is generally agreed that a great injury will be inflicted on this generation, and on future generations, if nothing is done to halt the relentless growth of the mass of jobless, rootless, disillusioned and frustrated people displaced by technological changes. Workers should not be forced to match wits with machines, but should be given the opportunity to rise as high above the moron mentality of machinery as their talents permit.

Mr. Speaker, I reserve the balance of my time.

Mr. BOW. Mr. Speaker, will the gentleman yield?

Mr. MADDEN. Yes, I yield to the gentleman from Ohio.

Mr. BOW. When these people are retrained, where are we going to find jobs for them? What are you going to retrain them for? I think that is the important question.

Mr. MADDEN. I do not think retraining will provide jobs for all unemployed workers, but, there are a number of different vocations that have arisen in this scientific age which require skills.

Mr. BOW. If the gentleman will yield further, will the gentleman tell us where those jobs are?

Mr. MADDEN. Before the committee it was brought out that skilled workers are required in the field of gyrodynamics. That is an electrical operation.

Also there is the field of microminiaturization, and data telemetry, and a dozen other modern jobs in the electrical and scientific fields. Skilled workers are in demand in the construction field and other segments of our economy.

Mr. BOW. If the gentleman will yield further, is it the gentleman's opinion that you can take a man from a coal mine, for instance, and retrain him to go into these highly specialized skills?

Mr. MADDEN. I say that a great number of them can be retrained, especially the younger workers in crafts, and so forth, that would provide a living for their families.

Mr. BOW. If the gentleman will yield further, the point I am making is this: If we can retrain and find positions for them, that is fine. But are we going to retrain them and still have unemployment and create even a worse condition than we have at the present time? I have not been able to learn in my study of the hearings and the other information that has come to me of any area in which we have a shortage of employment that would take up the number of unemployed which we have in the country today.

Mr. MADDEN. A week ago a manufacturer from the southern part of Chicago was in my office. He is engaged in the precision steel manufacture. He told me that the great trouble he has is obtaining skilled workers. He said that he has an overflow of laborers and unskilled workers, but he needs skilled workers.

Mr. BOW. If the gentleman will yield further, how many skilled jobs does he have at this time that he would like to fill?

Mr. MADDEN. I asked him that very question. In his operation I think he has around 500 or 600 people employed. He said he could use from 40 to 50 skilled workers in his business today if he could find qualified skilled workers.

Mr. O'HARA of Michigan. Mr. Speaker, will the gentleman yield?

Mr. MADDEN. I yield to the gentleman.

Mr. O'HARA of Michigan. Mr. Speaker, I would like to call the gentleman's attention to the fact that in the last week the Department of Labor at the request of members of the committee contacted the State employment agencies of a number of States to ask them to furnish us with information with regard to any particular skills or occupations in which job openings were available and qualified persons were not available to fill those openings and where they possibly could to supply the number of openings in each category.

We have received replies from a number of States listing such occupational opportunities, and we shall, during the general debate go into this whole subject. I might mention that we have them listed alphabetically. Among some others we would have such things as airplane mechanics, aluminum sash and door makers, automatic transmission specialists, automobile body repairmen, automobile mechanics, boot and shoe workers, and others.

Mr. MADDEN. I thank the gentleman.

CALL OF THE HOUSE

Mr. HIESTAND. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore (Mr. PRICE). Evidently a quorum is not present.

Mr. MADDEN. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 23]

Adair	Harvey, Mich.	Multer
Bennett, Mich.	Hays	Robison
Boling	Hoffman, Mich.	Ryan, Mich.
Bolton	Johansen	Saund
Boykin	Judd	Scherer
Bromwell	Kelly	Shelley
Broyhill	Kirwan	Sheppard
Celler	Kitchin	Smith, Calif.
Chamberlain	Knox	Smith, Miss.
Cooley	Lipscomb	Spence
Davis, Tenn.	McDonough	Steed
Fallon	MacGregor	Thompson, La.
Fisher	Meader	Ullman
Giaimo	Merrow	Weaver
Gonzalez	Morgan	Whitten
Harris	Morrison	
Harsha	Moulder	

The SPEAKER. On this rollcall 381 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

MANPOWER DEVELOPMENT AND TRAINING ACT OF 1961

The SPEAKER. The Chair recognizes the gentlewoman from New York [Mrs. ST. GEORGE].

Mrs. ST. GEORGE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this legislation, H.R. 8399, comes to us under an open rule with 3 hours of general debate.

At first glance the bill has great appeal. How can anyone be against a retraining program? You might as well be against mother and the flag. Nevertheless, we must not be carried away by our initial enthusiasm, but must think the problem through.

Now, I am well aware that this bill, H.R. 8399, is never going to see the light of day. This bill will not see the light of day because to all intents and purposes it is going to be written on the floor of this House this afternoon. Nevertheless, I am addressing myself to the bill as it is written and as it is before you.

First of all, the general public is being led to believe that we have at present practically no retraining programs, and the press has never made any attempt to dispel this fallacy. Because, of course, it is a complete fallacy.

Under questioning, witnesses agreed that at the present time there are five or six agencies of Government which have retraining programs that are costing $535 million annually. This bill calls for an expenditure of $263 million over a 2-year period.

These figures do not taken into account the many programs financed and run by business corporations and private agencies. The total number of retraining programs, as far as I can find out—and I have had great difficulty in getting the figures—Government and private, is roughly 56. But I would like to call your attention to the result of a survey made by one of our colleagues who is a member of the committee that has brought this bill to the floor. In his report that he has made he states that:

> Within a few years there will be 300,000 such plans with assets totaling $100 billion. Control over such a vast investment in the hands of the Labor Secretary or labor leaders constitutes an enormous threat to our freedom.

Well, this of course is true. But when you look at the discrepancy between these figures you realize that to tell the very truth no one knows how many retraining programs there are and no one knows what they cost today or what they are going to cost in the future. It may well be said that these many programs constitute a disorderly approach to the problem, that this new approach will bring order out of chaos and get the retraining programs that have grown and flourished over 40 years under the control of the Federal Government. Be under no such delusion. This new program will be just one more added to all the others already in existence. There is not the slightest intention of curtailing or changing any of the department programs or any of the private ones, for that matter. This is just superimposing another Federal program to cost $263 million over a 2-year period on the present Government programs costing $535 million per annum.

Mr. LAIRD. Mr. Speaker, will the gentlewoman yield?

Mrs. ST. GEORGE. I yield to the gentleman from Wisconsin.

Mr. LAIRD. Mr. Speaker, I should like to state that in the Appropriations Subcommittee handling the Department of Health, Education, and Welfare, and also in the subcommittee handling the Department of Labor appropriations we went into this matter of training and retraining very throughly last year. We made additional funds available for the Bureau of Apprenticeship and Training. We made additional funds available for the Bureau of Vocational Rehabilitation. I should like to state that with all the words and speeches that have been given out by this administration, one of the first areas where they refused to follow out on the authority and appropriations made available by Congress was in this area of training. They refused to obligate the funds made available by the Congress to carry forward a new program of training in the Bureau of Apprenticeship and Training and an already existing program in the Department of Labor.

The area of vocational rehabilitation was one of the first places where funds were frozen by this administration, not expended in accordance with the appropriation measure passed by the Congress. It seems to me that if they really want to go forward with these programs they should have gone along with the Congress and used the funds that we made available for the fiscal year 1962.

I think it is important for the Members of the House to realize that this is one of the areas where they froze funds and where they would not go forward with existing programs in this area of training. The Bureau of Apprenticeship and Training and the vocational rehabilitation program were set back by the type of budget freezes that were ordered by the administration in September.

Mrs. ST. GEORGE. I thank the gentleman for his contribution. I think that bears out again the fact that there are many programs and also a great deal of money that has already been adjudicated to these programs. If it is not being used that is one more argument in this matter.

Again we find that there is no coordination here, that the bill is extremely loosely drawn and is about to be rewritten on the floor. There are to be at least 15 amendments offered. I understand they will be offered now in one package which means that the various Members will understand probably a little less about them, although I believe they are an improvement to the bill. This may or may not improve the legislation, but it seems as though the committee had hardly done their homework very satisfactorily. Besides all this, there does not appear to be any general demand or necessity for this added program. In the testimony this sentence occurred from one of the labor witnesses:

> I think we can all assume there are still areas where abuses are occurring.

That is on page 19 of the hearings on compensation and welfare legislation on May 24, 1961.

Well, there is no Government program where this assumption cannot be made and certainly the legislation before us today does not in any way even attempt to correct abuses because it merely adds another retraining program to the many that are already in existence.

Finally, Mr. Speaker, the bill we are discussing is so unlikely to be the bill—and in fact, will not be the bill—that will pass, that we are indeed "looking through a glass darkly," and we may well get quite a surprise when we see the final product of the will of the House face to face.

Mr. Speaker, I reserve the balance of my time.

The SPEAKER. The gentlewoman from New York has consumed 9 minutes.

Mr. MADDEN. Mr. Speaker, I yield 10 minutes to the gentleman from Massachusetts [Mr. O'NEILL].

Mr. O'NEILL. Mr. Speaker, I most wholeheartedly agree with the remarks of the gentleman from Indiana [Mr. MADDEN] in congratulating the gentleman from Pennsylvania [Mr. HOLLAND] for the wonderful work he has done on this legislation. Also I am in agreement with the gentleman from Indiana that this is one of the truly most important pieces of legislation facing this Congress this year.

Mr. Speaker, an editorial recently appeared in the Boston Globe and I think it is worth reading to the Members of the Congress. It is headed "A New Industrial Revolution."

The editorial is as follows:

> A NEW INDUSTRIAL REVOLUTION
>
> If there is a constant running through human affairs, and many believe there is, the man who designed the first wheel more than likely crushed his foot beneath it before he learned to ride. So it was with the first industrial revolution. So now with automation. This time, at least, man is conscious that he is grappling with a Frankenstein monster which he must bend to his will before it smashes his maker.
>
> One of the problems is the growing hard-core unemployment among unskilled and semiskilled workers. Secretary of Labor Arthur J. Goldberg in his appearance before Congress emphasized that although overall unemployment is at its lowest rate in 16 months—5.8 percent—the number of persons unemployed for 4 months or more has not dropped.
>
> This phenomenon—a dangerous one—is a result of automation.
>
> The word "automation" was coined not two decades ago by a student at the Harvard Graduate School of Business Administration; the word "cybernetics" 10 years ago by a professor of Massachusetts Institute of Technology. The first has been defined as the art of controlling machines by other machines. The second has been defined by its inventor, Norbert Wiener, as the science of communications and control in men and machines.
>
> The first pertains to technology; the second to pure science. Both have become of immense importance to the economies of

Europe and the United States and in the lives of their working peoples. In World War II both were vital to the survival of freedom. Now they threaten, by prodigious growth in their applications to production and business, to shackle the economy and smite the workers.

Properly managed, says Congressman ELMER J. HOLLAND, Democrat, of Pennsylvania, chairman of the Subcommittee on Unemployment and the Impact of Automation, they can open unbelievable vistas for the peoples of the world.

Recently a new warning was sounded, emphasizing the importance of the next 20 years in the struggle between men and machines. Donald N. Michael, a director of the Peace Research Institute in Washington, is author of "Cybernation: The Silent Conquest," a study published by the Fund for the Republic, source of many brilliant studies on domestic problems in the United States.

He warns that the initial stages of the struggle are upon us. The chief social problem resulting from automation is the displacement of the unskilled worker and his growing restlessness. In the long run, he holds, automation will not cause unemployment but will upgrade unskilled workers to skilled jobs, and provide better living.

The upgrading of workers, however, is falling fast behind the layoffs of workers in our changing technology. More and more men are finding themselves out of work and more of them are being classified as long-term unemployed. The special committee on unemployment has filed a bill aimed at offsetting the mounting costs of growing unemployment among the unskilled.

The bill provides for a Federal program for the training of long-term unemployed who presently are not permitted to take retraining courses while receiving unemployment compensation. Under its terms the Federal Government would continue the State payments at the end of their customary expiration, at the same time providing vocational training not to exceed 52 weeks. The skills taught would be aimed at the increasing skilled-job opportunities. The bill offers a wise approach to the cure of an economic illness in a nation otherwise prosperous.

Let us look at the history of the economy of this Nation since the turn of the century. At the present time we are going through an industrial and an educational revolution. Gone are the business techniques of the turn of the century; gone are the business techniques of post-World War I; gone are the business techniques of pre-World War II and post-World War II.

There was a time at the turn of the century when an educated man was considered a hindrance in business; he was considered part of the overhead. Back in the early days of this century they did not want educated people in business; an educated person, as I said, was overhead. It was only the man who worked with his hands who produced wealth for the industry of this Nation.

What has happened in the past 30 years in this Nation since 1932? Mind you, Mr. Speaker, one out of eight attended high school in this country—that is only 1930, 32 years ago. What is the figure today? Eighty percent out of one hundred percent attend high school, and by 1975 ninety-five percent of that youth bracket will be attending high school.

What happened in the field of higher education, in the field of the college and the university? In the year 1930, 4 percent of that age group had gone to college or university. That is the number in 1932. Thirty-two years ago, as I say, only 4 percent of that age group in the Nation were attending college. What is the figure today? The figure today is 35 percent of the youth in that age group in America who are attending college, and by 1975, 50 percent of that age group will be attending college.

What does that mean? It means that there is an educational revolution going on. What does it mean? Automation has stepped in. No matter how we consider it, only 3 percent will rise to the top.

What is going to happen to the youth of America who are graduates of high schools? What will happen to graduates of college in these tremendous numbers we have never had before? The fact is they are going into new fields. Here in the Boston paper over the weekend are 18 pages of advertising looking for men, not unskilled men, not semiskilled men, but skilled men. NASA had a half-page ad in all the Boston papers asking for people to go to Houston, asking for people to go to Denver, asking for people to go to Florida, asking for people from our Greater Boston area to go to other sections of the country. We ourselves ran 18 pages of ads in the Boston papers looking for skilled employees.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. O'NEILL. I yield.

Mr. GROSS. A part of them were probably cost-plus contractors, were they not?

Mr. O'NEILL. I have no idea of that.

Mr. LAIRD. Mr. Speaker, will the gentleman yield?

Mr. O'NEILL. I yield.

Mr. LAIRD. With all that need for skilled and trained people why should the Department of Labor freeze the funds in the Bureau of Apprenticeship of the Department for the year 1962? It seems to me this is the very time when we should go forward with these different training programs, but they froze the funds and did not go forward with this program in accordance with the express desire of Congress.

Does it not seem to be a bad time to be cutting back on those already existing training programs?

Mr. O'NEILL. I have not any knowledge of that. If the gentleman says it is so, I believe it is so. I agree with him, I think it is a bad time to cut back, but I realize the problem facing the Nation. We are in a period of transition, a period of overlap, because of automation. People are being laid off. Those people who are being laid off have not the qualifications to go into higher jobs. Industry itself cannot do it. It has not the time, it has not the money, it has not the will to educate these people.

The other day I went up to the New England Telephone & Telegraph Co. offices at about 6 o'clock to attend a meeting that was going on in reference to public relations. I was amazed to find out there were five different classes going on and being run by the New England Telephone Co.—advanced accounting, advanced office procedure, public relations, and two others.

It was interesting to note that each of this group of employees of the telephone company who were attending these classes, each one of them, was doing so voluntarily. In some instances they had so many volunteers that the workers that are employed could not get into one of these classes for a year.

The SPEAKER. The time of the gentleman from Massachusetts has expired.

Mr. MADDEN. Mr. Speaker, I yield the gentleman 3 additional minutes.

Mr. O'NEILL. Mr. Speaker, business is working in this field. There is a need for this overlap. There is an obligation upon a democracy to take care of this type of people. If we do not educate this type of people what are we going to do about it? We are going to have them put on welfare, we are going to put them on various types of relief programs. This is an overlap, this is a transition period, this is an obligation upon our country to take care of the people who are in this classification.

I think this is excellent legislation, and it is necessary for this Congress to go along with it. I want again to congratulate the gentleman from Pennsylvania [Mr. HOLLAND] for the tremendous work he has been doing in this field.

Mr. LANDRUM. Mr. Speaker, will the gentleman yield?

Mr. O'NEILL. I yield to the gentleman from Georgia.

Mr. LANDRUM. May I say that no one can disagree with the aims and desires we hope to get by legislation of this type; and certainly no one can disagree with the argument that the gentleman from Massachusetts has so eloquently stated, except for this reason: I do not understand, and I have not been able to understand during my study of this bill in the Committee on Education and Labor why we are seeking to lodge all of this new power in the Secretary of Labor when it is now available to the Secretary of Health, Education, and Welfare to administer. These vocational programs are under HEW now.

Can the gentleman tell me, and I have not had anyone in the Labor Committee or elsewhere to answer my question, why it is necessary to put this over into the Department of Labor and not leave it where it has been?

Mr. O'NEILL. The only answer I can give the gentleman is that apparently when the bill was originally filed by the gentleman from Pennsylvania [Mr. HOLLAND] it was assigned to that committee where a prodigious and prolonged study was made and a report issued.

Mr. LANDRUM. Is this vocational training program under the Department of Education?

Mr. O'NEILL. I know the need for the legislation. Where it belongs, according to the report of the committee, is in the Department of Labor, and I am willing to go along. I realize the need for the legislation.

Mr. LANDRUM. Does the gentleman make the argument that the U.S. Department of Education has not succeeded in its administration of the vocational program?

Mr. O'NEILL. No. I think they have only brushed the surface.

Mr. PERKINS. Mr. Speaker, will the gentleman yield?

Mr. O'NEILL. I yield to the gentleman from Kentucky.

Mr. PERKINS. I want to say to the gentleman from Georgia there is a lot more involved here. In reference to placement of these people who are being trained or retrained, it usually lies in the Department of Labor. We usually look to the Department of Labor for that.

Mr. LANDRUM. The Labor Department has that authority and is carrying out that responsibility today. It needs no further legislation.

Mrs. ST. GEORGE. Mr. Speaker, I yield 5 minutes to the gentleman from Kansas [Mr. AVERY].

Mr. AVERY. Mr. Speaker, my colleague on the Committee on Rules, the gentleman from Massachusetts [Mr. O'NEILL], reminded the House or made some reference to 32 years ago. I am happy that he did, because anybody that can remember 32 years ago or even not so long can remember Collier's magazine very well. One of the most outstanding features in Collier's magazine was a cartoon that was generally described as a Rube Goldberg cartoon. I think everybody remembers a little bit about the general nature of the cartoon. Everything was done the unusual way, the hard way, the most indirect way that you possibly could. If you wanted to put the cat out of the door, for example, you would not just open the door and put the cat out, but you would have to use all sorts of pulleys and ropes and wheels, and then something would bump the cat out of the door. Now, that same flare for the fantastic on the part of Rube Goldberg must have motivated Arthur Goldberg, in my opinion, in the drafting of this bill.

And you ask, What do I mean by that? And, I will tell you just exactly what I mean. This bill was before the Committee on Rules last August. When the proponents appeared before the Committee on Rules we asked them to tell the Committee on Rules in what skills, in what occupations, or in what professions there existed a shortage of skilled and qualified workers. They said, "Now, this bill has been drafted rather hurriedly and therefore we are not yet able to identify those areas in which there are not a sufficient number of skilled or trained workers to satisfy the market demand." The bill was left to rest with the Committee on Rules from August until February. That would be approximately 6 months. The proponents just last week came back before the Committee on Rules, and we asked them that same question: In what skills is there not a sufficient number of trained employees to satisfy the job opportunity? And they said, "We are sorry. The Secretary of Labor is still studying this matter and as yet he has not been able to determine and identify these areas." Well, I took the position that until the Secretary of Labor could positively identify these areas and advise the Committee on Rules, and the House in turn, the number of occupations and the amount of skilled labor that was not being satisfied we were not justified in spending a quarter of a billion dollars for this program.

Then, to allay some of the fears I might have had, as I went into the committee the next morning—and I want my friends over on my right side to pay particular attention to this—as I went into the committee the next morning a representative of the Secretary of Labor stopped me and said, "Well, Mr. Congressman, we do have a list of those skills for which there are not a sufficient number of trained employees. We have them all prepared for you this morning, and these are the skills." It is titled "Suggested Occupations for Training Under the Manpower Development and Training Act Bill." And, frankly, I was quite impressed. The first thing I did was to add them up. There are 300 and some occupations on these three pages of mimeographed copy. Then I started looking on these pages to see some of the skills for which there were not a sufficient number of trained employees.

Now I would like to call this to the attention of the gentleman from Pennsylvania [Mr. HOLLAND]. Since I have known him he has worked diligently to improve the lot of the glassblowers and the glass industry.

I would like to tell the gentleman that on this list there are glassblowers. We are going to retrain more glassblowers under this bill, if the bill is passed and the requested authority given to the Secretary of Labor.

Mr. Speaker, if we have some Members on the floor of the House now from Kentucky or from West Virginia or from some other coal-mining State, I would like to advise them that coal miners are included in this list also. Under this program, if the bill is passed without some revision, we are going to train more coal miners.

Mr. Speaker, other interesting occupations here are dishwashers, cleaning occupations, policemen, kitchen workers, laundry workers, cheesemakers, and so forth. I understand that we have quite a surplus of cheese now, but we are going to train more cheesemakers. What is the point of all this?

I am saying that the point I hope to establish is that with the passage of this bill in the manner in which it is written, it is entirely premature. I understand the author of the bill is prepared to accept quite a number of amendments from the minority, and I think maybe as many as 15. So, actually, one cannot tell by reading this bill what we are going to be voting on because it will probably contain entirely different stipulations than those that are on the printed pages that you have before you this afternoon.

Mr. Speaker, the second point I want to make is this: Where are the facilities in which we are going to train these people? Where are the teachers? The bill is silent in both of those areas.

We have been told, and in fact next week we may have before this House a proposal to send to conference a bill to increase classroom facilities to institutions of higher learning. Then there is the Federal aid to education bill and the National Defense Education Act to supply more alleged needed classrooms. Then, I ask, where are we going to train the people for which this bill is intended? The bill is silent on that. Where will the skilled instructors and other talent come from to retrain these people when we are reminded every day of a critical teacher shortage?

Mr. Speaker, I see the gentleman from Michigan on his feet. Would he like to answer those questions? I yield to the gentleman for the purpose of answering those questions.

Mr. O'HARA of Michigan. Mr. Speaker, I would like to inform the gentleman from Kansas that I have in my hand letters of recent date from the administrators of the bureaus of unemployment compensation of the States of Ohio, New Jersey, Indiana, Massachusetts, Pennsylvania, North Carolina, Illinois, and New York. I am afraid we do not as yet have Kansas.

Mr. AVERY. What do the letters say?

Mr. O'HARA of Michigan. This gives concrete information, and is not something dreamed up by the Secretary of Labor. We have here the administrators of the State employment agencies telling us the numbers of jobs and occupations in which these requests for workers have come which they cannot fill because they do not have skilled persons in those fields seeking employment. I think this is the best evidence, and we will at the appropriate time insert this matter in the RECORD.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. AVERY. I will yield after I make this comment:

If that information is so abundant, I wonder why the proponents of this bill could not present it to the Rules Committee and to the House a list of occupations needing more employees, rather than giving us a nondescript, and what I would call an irresponsible, list of classified jobs and skills.

Mr. O'HARA of Michigan. If the gentleman will yield, as the gentleman pointed out, this committee did not give him any such list. I do not know where that list came from.

Mr. AVERY. It came from the Secretary of Labor. A personal representative of the Secretary of Labor gave me this. He handed it to me.

Mr. O'HARA of Michigan. I think you had better take it up with him.

Mr. AVERY. He is going to administer the program, not the committee.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. AVERY. I yield to the gentleman from Iowa.

Mr. GROSS. Let the RECORD show that the gentleman never got an answer to his question: Where and who is going to train these people? I am waiting to hear somebody answer.

Mr. O'HARA of Michigan. Mr. Speaker, will the gentleman yield further?

Mr. AVERY. If we can stretch this minute a little longer, I will.

Mr. O'HARA of Michigan. As the gentleman from Iowa knows, we have been appropriating money for some years for vocational education facilities. It is the intent of the bill, and a study of

the bill will reveal this, that we plan to use existing State vocational education agencies for our training programs.

Mr. AVERY. Why do we need a new program if we already have one that is working?

Mrs. ST. GEORGE. Mr. Speaker, I yield 10 minutes to the gentleman from California [Mr. HIESTAND].

Mr. HIESTAND. Mr. Speaker, as was said by the gentleman from Georgia, few of us would have occasion to quarrel with the objectives of the bill. We would like to see the problem of unemployment attacked. We would like to see a lot of retraining, and so forth. The question before us is, will this bill do it? I suggest, Mr. Speaker, that the bill that has been introduced is entirely different from the bill that will be placed before us when we go into committee. There have been some 28 amendments offered by a member on the minority side of the committee and we have assurances that they are all going to be accepted.

But I suggest that in spite of accepting all of them, the bill is still a bad bill. It is a bad bill and should be defeated for four reasons.

First, it has the three basic ingredients of increased socialism, namely, increased Federal Government, largely increased power of the Executive, and tremendous new spending.

Second, the bill does not deal with the causes of unemployment. It deals only with the symptoms of unemployment. I suggest that that is a bad way to legislate, to doctor the symptoms of a disease and not get at the causes of the disease.

Third, the need for this particular gigantic boondoggle has not been shown. We have been discussing a number of different training programs and I assure you there are thousands of them, both public and private, and a big job is already being done.

Fourth, this plan is impractical; it simply will not work. It creates a great big boondoggle and nothing else.

Mr. Speaker, with regard to the first of the points, this would build a great superstructure, a vast new bureau costing, under the Senate bill, some $655 million, and in the House bill some $230 million. I suggest that we cannot cure unemployment or retrain masses of people who may not be equipped, simply by spending a lot of money, by hiring a lot of extra Federal bureaucrats. That will not go very far in curing the unemployment problem.

With regard to this matter of the causes of unemployment, no comprehensive survey has yet been made that I can find on the causes of unemployment. Some of the subcommittees of our Committee on Education and Labor are making studies of certain phases of it; automation, for instance, et cetera. But all the way through there is no comprehensive survey and we cannot tackle this job and legislate to correct it unless we get the causes of unemployment. And may I suggest such things as the types of workers that are unemployed; their length of service; the quantities by areas. We have a little of that, but not much.

Automation impact has been mentioned. Competition with imports. Labor troubles. The flight of industries because of the inequities of tax programs in many communities, or an unsatisfactory atmosphere for industry.

Scientific progress has caused much unemployment. Changing markets and especially changing demands.

All these things have to be explored if you are going intelligently to legislate on the correction of unemployment, which is the main objective of this bill.

May I suggest that there are other vast programs, that the need for this particular kind of program has not been shown because it cannot be shown. We have these programs starting away back with the George-Dean Act, the Smith-Hughes Vocational Training Act. They have 3,800,000 people under vocational training programs.

There is the Veterans' Rehabilitation and Vocational Training Act which has over 600,000.

There is the Apprenticeship and Training Act of the Department of Labor to which reference has been made, training 161,000.

Then last year we passed a depressed areas bill, or an Area Redevelopment Act and they plan tremendous training facilities.

There is the Youth Employment Opportunities Act of 1961 which has 21,800.

May I suggest that this constitutes, together with the many other training programs of each of the departments, a hodgepodge of training. There is no coordination. This bill would not coordinate them. It would superimpose a tremendous agency on top of all the others, not to mention the State retraining programs of which there are several good ones, and community programs, as well as the thousands of companies and employers who are doing their own apprenticeship and training programs.

I suggest that that phase of the matter is the most practical because there people are carefully screened and are chosen who are capable of taking this training and they are on the job and they can earn their way as they are taking the training. That is the best way to tackle this job. The Federal Government is not equipped and has no possible way of making a success of this thing. I claim it does not attack the hard core of unemployment, coal miners, railroad workers, and many thousands of other people who have been eliminated because they are not equipped to take the type of training that is called for by the list of vacancies that has been referred to by previous speakers.

I believe that this plan is completely impractical and is unworkable. I have had some personal experience in this regard for a number of years before coming to Congress I had to do with personnel matters and especially supervising training. I suggest it requires first of all careful selection of people, suitability for jobs, and then job opportunities. All of these things are required and I do not see how any mass training job can be applied and make this workable. There is bound to be much waste, waste of the taxpayers' money. Employers are much better qualified on their own than the Federal Government to tackle it.

Several efforts have been made in the communities. In Bridgeport, Conn., for instance—and this illustrates the point just made—they set up a committee and reviewed some 3,500 unemployed. They eliminated a number of them but made out cards for those and they added to their list to be considered some 879, a total of about 4,379 people. About 1,550 people were selected and after they screened them another 560 were unsuitable; 401 more declined because they were not interested. That cut the eligibles down to 589. Of that 589, 201 did not show up for the program at all. Another 248 failed the test and that still left 140. Of that 140 there were 43 who failed to start or dropped out. That left 97 out of the 4,400. Three of those were dropped and 10 quit and 5 got other jobs which left 79. Of those who completed the course satisfactorily there were only 57, and eventually 53 of those were hired by some 33 different companies. That is a good achievement for the 53 out of 4,400. But this is how it works, Mr. Chairman; it just does not work.

We have another instance in Detroit where the Public Works Commission made some studies and selected some 761 unemployed for retraining. They were unable to test 216 of these because they were illiterate. Of the rest of them 299 failed the test and that left only 146 eligible to take the course.

At Oklahoma City, the Armour Co. laid off 400 people. They knew in advance they were going to have to do that, so they provided an offer of vocational training and retraining. Of that 400 only 170 volunteered to take the test. Of that 170, 110 were unequipped and failed, leaving 60 qualified, 58 were enrolled in classes and only 7 were employed.

General Electric at Schenectady knew they were going to have to close some parts of their plant because of the change in types of scientific work and progress. They knew they were going to have to lay off about 17,000 people. So they laid out a plan in advance providing for a termination allowance and for retraining, for the time they were on the job and for quite a few months after they were on the job. Of the 17,000 practically all decided to take the severance pay rather than go into the retraining program.

The director of training in the General Electric branch, Mr. Earl S. Willis said:

> Any attempt to impose retraining on a national basis would be so complex as to be impractical.

Mr. Speaker, the bill as a whole is impractical. We have shown that the measure cannot possibly work. It has been shown also that this amount of money would be very difficult to spend and I suggest putting up $100 million the first year; a total of $230 million would be in large degree wasted.

It cannot possibly be well spent, as has been shown. We are invading the territory of the States and the communi-

ties. That is my No. 1 objection. We are building big government much bigger, another gigantic boondoggle. We are building the executive department bigger; we are spending a tremendous amount of money;

Second, we are doctoring the symptoms of unemployment rather than the causes of the disease;

Third, the need has not been shown; and

Fourth, the plan itself is impractical; it simply will not work. It is another big boondoggle and should be defeated.

Mr. Speaker, I yield back the balance of my time.

Mr. MADDEN. Mr. Speaker, I have no further requests for time.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. POWELL. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 8399) relating to the occupational training, development, and use of the manpower resources of the Nation, and for other purposes.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 8399, with Mr. MAHON in the chair.

The Clerk read the title of the bill.

By unanimous consent the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule the gentleman from New York [Mr. POWELL] will be recognized for 1½ hours, and the gentleman from Pennsylvania [Mr. KEARNS] for 1½ hours.

The Chair recognizes the gentleman from New York.

Mr. POWELL. Mr. Chairman, I yield myself such time as I may need.

Mr. Chairman, in his January 11 state of the Union message, and again in his Economic Report, the President stressed that the task of reducing unemployment and achieving full use of our manpower resources remains a serious challenge which this country must meet in order to fulfill its responsibilities to its citizens and its responsibilities as a leader of the free world.

In setting H.R. 8399 No. 1 on his priority list for domestic legislation, the President pointed out that this country cannot "countenance the suffering, frustration, and injustice of unemployment, or let the vast potential of the world's leading economy run to waste in idle manpower, silent machinery, and empty plants."

There is overwhelming support for the immediate enactment of this legislation. The need for training the hard-core unemployed workers has become widely recognized and publicized. Witnesses before our committee from all segments of the economy—business, labor, education, and the public—testified almost unanimously as to the urgent need for the training program which this bill establishes. Every recent study—the one done by the Committee for Economic Development, and the Michael report for the Center for the Study of Democratic Institutions—has indicated the need for training and retraining as an essential remedy.

The policy of retraining and retooling our manpower resources has had bipartisan support in this Congress. The bill received the support of the ranking minority members on our committee.

The other body passed a similar measure by a 2 to 1 vote in the last session, after it had been reported out unanimously by their Committee on Labor and Public Welfare.

The Republican study committee has produced a report endorsing the need for this type of legislation.

There is substantial agreement among all who have studied the problem that a major portion of our unemployment exists because most of our idle workers do not possess the skills necessary to equip them for jobs that are available in our highly industrialized economy. The more rapidly our economy advances, the more rapidly do skills become obsolete—and the need for training and retraining and for a continuing appraisal of skill needs and resources, such as this bill provides, become more pressing.

Despite recent indications of some recovery from the recession and a decrease in the unemployment rate, there still remains large numbers of workers who have exhausted, even extended, unemployment insurance benfits—those whose skills have become obsolete; the unskilled, especially those without high school education; older workers; minority groups; and the youth.

The American people are well aware of the urgency of this legislation. A recent public opinion poll disclosed that of all the proposals specified by the President in his second state of the Union message, the proposal to train the unemployed was cited by 67 percent of those replying as one for which they were willing to make sacrifices. This was more than twice the degree of support given to any other item listed.

It is clear that present Federal, State, local and private efforts fall far short of the total need, and that without an intensive nationwide program to provide opportunities for retraining, all too many men and women will never be able to obtain the skills which will enable them to be self-supporting and make their maximum contribution to the Nation's productivity. This bill establishes such a program.

The fact that we are in the midst of the cold war only increases the need for the programs this bill will provide. The present struggle requires the maximum use of all our manpower, with no waste of the skills and ability to produce that are now available in the ranks of our long-term unemployed, and which can be fully exploited and utilized when these unemployed are trained for the skills needed today and tomorrow.

Most of us are faced in our districts with visible evidence of the waste of human resources caused by industrial relocation, technological advancement, and the increased application of automation.

The good men and women who have been displaced and cast aside—victims of technological progress—should be given every opportunity to once again become productive members of society.

Mr. Chairman, I cannot close my remarks without paying tribute to the author of this bill, the gentleman from Pennsylvania [Mr. HOLLAND]. I can say that no bill in this Congress was proposed prior to this one, because on the morning after the elections in November, the gentleman from Pennsylvania called me and said:

> I would like a green light immediately to go ahead and study and bring forth legislation in this area.

So this legislation began the day after the elections. The homework has been good homework, despite the charge made by one of the Members of this body. It was bipartisan homework. We went out to get the best chief counsel we could get in this area. We hired a young man, Dr. Walter Buckingham, who had written a book on automation, dean of one of the graduate schools in the Georgia Institute of Technology. There has been considerable work done by the Republican group, and I want especially to pay tribute to the gentleman from New York [Mr. GOODELL] for his great assistance in connection with this program.

We have been told there may be in the course of the development of this discussion a new bill introduced on this floor. It will not be a new bill. It will be a bill that will carry many new ideas. What is wrong with that? If there is not a working of the will of this body, why do we ever have a discussion over any legislation?

If the gentlewoman on the Committee on Rules is opposed to such type of action, then why not vote out a closed rule instead of an open rule? We have an open rule so that we can produce better legislation on the floor of the House.

This committee that I have been privileged to be chairman of for just a matter of months is one of the hardest working committees in this Congress, and I resent the indictment that this committee was not a hard-working committee. On both sides of the aisle, Republicans and Democrats, in all of the subcommittees, have devoted their full time to work in the fields of education and labor. As the discussion goes along, with capable Members on both sides presenting their views, I am sure that the cloud of ignorance and lack of knowledge concerning this matter will be dispelled and that we will pass this bill by the same type of margin that it was passed by in the Senate.

Mr. KEARNS. Mr. Chairman, I yield myself such time as I may require.

Mr. Chairman, in all the years I have been in Congress I have never heard so many great eulogies before a bill has been debated. I think it is a wonderful idea to pay tribute, but I would rather wait and sum up the proceedings at the end of the debate and find out where the merits lie.

Mr. Chairman, I agree with my chairman that the subcommittee has been a

hard-working subcommittee. We know that throughout this country of ours we have an unemployment problem. We know we have to train and retrain and rehabilitate people in the jobs that are necessary in different places and parts of our country.

Now, this bill throws quite a bit of light upon this subject. And I stand in support of it. I am confident that a majority of the Members of this House will agree that this type of legislation is needed. However, it must be written in such a manner that the ultimate goals of the legislation will be accomplished. I believe that with the Goodell amendments we will have the bill that we want. It comes as a result of what the hearings unveiled. It comes as a result of good, sound reasoning, and it comes as a result of determination to do something concrete about this important matter that faces this Nation.

Mr. Chairman, I feel that when the provisions of the substitute are unveiled, each and every Member can deal honestly with his own conscience and vote as he should.

Today this country is faced with a strange dilemma. On the one hand, unemployment continues to be our No. 1 domestic problem. Much of this unemployment is caused by automation, foreign competition, plant relocation and normal shifts in our economic production demands. However, at the same time millions are unemployed, and countless jobs go unfilled because men do not have the right kind of skills or those with the skills do not know that the job exists at some other location. It is in this area that the proposed legislation is intended to do its most effective work.

This legislation will not create jobs nor will it prevent workers from losing their present job when this is caused by the factors that have been listed above. However, it is an affirmative step in the direction of providing a means whereby workers who are displaced, or who are about to be displaced, can upgrade their skills or acquire the necessary training to switch to a new field of employment. There is nothing more tragic than a situation where men sit around in idleness waiting for their old job to open up again when that old job has been forever eliminated. This legislation, and the program of training which it will initiate, can bring new hope and usefulness to this unfortunate group.

At the outset, title I of this bill will be the most important. Here the Secretary of Labor is authorized and instructed to survey the unemployment and employment situation as it exists today and as it will be developing in the future. With these statistics he should be able to determine which skills will become obsolete and which skills will become in short supply. Even more important, he should be able to predict what new skills will be needed as we enter into the space age which has now been opened up by Colonel Glenn's epoch-making orbital flight.

Next, the skills of our present work force will be identified and made known to employers who are seeking such skills. In turn, existing job opportunities will be pointed out to those who are seeking work and who are ready to take the training which is necessary to qualify them for such jobs.

Under title II, the Secretary of Labor will have the authority to test and select individuals for training. This is the heart of the bill—its most important part. Wise and careful selection can insure the success of the program. On the other hand, careless selection motivated by political or other extraneous considerations can spell failure and even worse the discrediting of the whole idea of retraining. It is here that the Goodell substitute contains its most important provisions. Under the provisions of the substitute, the Secretary of Labor is given very specific guidelines and criteria which he must follow when making his selection. For example, priority shall be given to unemployed individuals, and before a person is selected there must be a reasonable expectation of employment in the occupation for which he is trained or the Secretary has received assurance from the individual that he is willing to accept employment outside his area of residence. Also, there will be no referrals for training which takes less than 2 weeks unless there is an immediate job opportunity. Finally, if the trainee does not attend or progress satisfactorily he shall be dropped from the program.

We want to make it clear that this is not a gimmick to get people off the street—a meaningless make-work project. This is and must be a meaningful training program with a job waiting for the trainee once he successfully completes the course of training.

The training allowance provision contained in this section is also very important and again the Goodell substitute provides a number of essential safeguards. Training allowances will be limited to unemployed heads of families who have had at least 3 years' employment experience. It is not intended that this be in the form of a gratuity or spending money for professional trainees. Rather, it is intended to provide the means whereby a man can feed his family while he is being trained for a job which he would not otherwise be able to obtain. However, no training allowance can be paid to an individual who is taking a training course of less than 6 days' duration. The incentive for a quickie course must be an immediate job opportunity.

Finally, a training allowance cannot be paid to an individual for a year after he has received a training allowance under this act or any other Federal act. This, of course, is to discourage the professional trainee—the man who might be inclined or encouraged to go from one training program to another. This again emphasizes the point that this program is intended to train individuals for a specific job.

Title III establishes an on-the-job training program which will be administered by the Secretary of Labor. Training allowances may be given to supplement the pay which the trainee receives from his employer. In addition, classes provided by the Secretary of HEW may be utilized in the training. Again, the emphasis is on training for existing or soon to be existing jobs. An employer who is setting up a new plant or a new department in an old plant will be able to avail himself of this assistance. The trainees will be selected from the unemployed who have been tested and identified as having the requisite basic skill and ability by the Secretary of Labor.

Title IV, vocational training is placed under the jurisdiction of the Secretary of HEW. This is certainly appropriate and necessary for educational effort should be directed by the Secretary of HEW rather than the Secretary of Labor.

It is also provided that the Secretary of HEW shall utilize the States and the State's vocational education agencies.

Very quickly I would also like to mention two or three additional aspects of this bill which are most important.

The substitute provides that there will be matching by the States after 18 months. This is most important. Matching has always been a integral part of vocational training. It is absolutely essential that this important principle be incorporated at the outset. To do otherwise would be to unnecessarily federalize a program which should be carried on with the support and cooperation of the States.

It is also provided that the Secretary of Labor and the Secretary of HEW will report back to Congress once each year for the next 2 years. These reports are critical. This is a new program—we must follow it closely. In addition, there is much to be corrected in the present vocational education field. The Secretary of HEW is presently carrying forward a comprehensive survey. We must have the benefit of this survey as soon as it is completed. It is unfortunate but true, that the Assistant Secretary of HEW characterized the present system of vocational education as a hodgepodge when he was questioned by our committee. Hopefully, this can be corrected when the report and recommendations are received.

Finally, the substitute provides that training and placement under this program shall not be denied because of an individual's membership or nonmembership in a union. What could be more fair? Union membership or lack of union membership should have absolutely nothing to do with an individual's selection. It is his need for training and ability to be trained for a particular job that is all important. Those who would object to this provision would be permitting the injection into this program of a completely irrelevant and extraneous matter. In fairness to all future trainees this should not be done.

I urge that the manpower training bill as amended by the Goodell substitute be adopted. It is an important and necessary step. Training and retraining of workers, although now very important, will become even more important in the near future. Federal participation should be under a bill of this type and not in a piecemeal and inefficient manner. Although the administration appears to be headed in the direction of fragmentizing the Federal effort, we in this body and with this legislation have an opportunity to get it started in the right direction. If we do this, it will then be possible to insist that future programs follow the guidelines which we have established and be a part of this one overall training program.

Mr. POWELL. Mr. Chairman, I yield to the distinguished author of this bill, the gentleman from Pennsylvania [Mr. HOLLAND], 15 minutes.

Mr. HOLLAND. Mr. Chairman, we have before us today the Manpower Development and Training Act, H.R. 8399, legislation we have found to be necessary if we are to get our unemployed back to work, our underemployed on a full-time workweek, our national economy on a healthy, stable basis, and our relief load reduced.

I must admit that this sounds like extremely broad coverage for one piece of legislation. However, our unemployment problem is so complex and interwoven with other segments of our society we found, as a result of our public hearings of the Subcommittee on Unemployment and the Impact of Automation, this approach is the most practical as well as the most plausible.

Automation, our subcommittee found, is indeed the promise of the future, but it is also the problem of today.

Automation will create millions of jobs during the years ahead, but in so doing, it is now—and will continue—to eliminate millions of jobs held by those in our work forces.

We know we must have automation if we want our economy to grow and prosper, if we want to have an effective Defense Establishment, if we want to accelerate our space program, if we want to compete on the world market, and if we want to remain a leader in world affairs.

We also realized, however, at the conclusion of our hearings, that we could not sit back any longer and watch our unemployment increase.

We found that during the fifties, with each succeeding recession, more people were unemployed, and with each recovery period which followed, the rate of structural, hard-core, or long-term, or call it what you will, unemployment continued to grow.

In fact, the Department of Labor's latest report, for January of this year on the unemployment situation, shows that hard-core unemployment was holding at 1.25 million, about the same as 1 year ago.

We also found that the United States is the first nation in the world where output or production continued to rise, while employment of production workers continued to decrease.

It was almost unanimously accepted, by those who appeared and testified, and those who submitted statements before our subcommittee, that the present high level of unemployment is the most pressing domestic problem facing the American economy.

That was almost a year ago, and since then we have seen a considerable upswing in our national economy—our gross national product—but our unemployment rate has not responded equally, for it has decreased but little—by only 1 percent.

During the hearings it was revealed that if we did not act quickly our rate of unemployment in 1962 would be between 5 and 6 percent. Unfortunately, this estimate seems to be apparently accurate.

Testimony from the Department of Labor disclosed that we could expect 1.8 million jobs a year to be eliminated even if our technological advancement and our expansion of automation were no more rapid than at the present rate.

As I said before, we know we must have technological advancement, but we also know that these advancements are responsible for the problems with which we are faced—socially and economically.

It was disclosed at our hearings that the Government has the responsibility to create conditions conducive to economic expansion. However, it has additional responsibilities.

Mr. Ralph Cordiner, chairman of the board of General Electric, put it this way:

> If, in spite of the best planning we can do, some people are temporarily unemployed because of technological change, both industry and Government have a recognized responsibility to help families through any such periods of transition.

Mr. Don G. Mitchell, vice chairman of the board of General Telephone & Electronic Corp., said:

> It is the responsibility of the Government to anticipate and to identify those trends which will create chronic unemployment problems in the future, and it has the responsibility to participate in the solution of those problems once they occur.

Mr. Mitchell went on to say:

> A number of possible solutions have been suggested, including a high-level Federal agency which would coordinate Federal activities and work closely with States and local governments.
>
> There are some people who would insist that the Federal Government stay out of the picture. You and I know that is impossible, for there are certain aspects of the problem, certain critically distressed areas, that will require the kind of massive support that only the Federal Government can provide.

Mr. Thomas J. Watson, Jr., president of the IBM Corp., in his testimony said:

> The problem before us all is not whether to block technology. The problem is how to block unemployment. Perhaps the thing that confounds us about unemployment is our insistence on calling it a problem. How can we permit able-bodied men or women who want to work to be a problem. America's unemployed, corerctly handled, can provide a partial solution to the nation's real problem, that of learning to survive and triumph over communism.
>
> We must try to solve the unemployment problem—

And I am still quoting Mr. Watson—

> by putting it in the setting of the Nation's problems as a whole. In this way we can accept the challenge of unemployment and convert it, through reemployment, into a source of increased national power.
>
> Admittedly, it is a tremendous undertaking which would have vast effects financial and otherwise on our country. However, learning to survive and triumph in the modern world is an even vaster problem which will only be solved by realism and action of the very boldest sort.

Mr. Watson concluded:

> I believe we are at war. As soon as all of us realize it, we can begin to use all our tools to win it. This is no time to debate whether such a plan will mean more governmental control of business and science. Of course it will * * * but * * * the stakes are too great to let this worry stand in our way.

The President's Advisory Committee on Labor-Management Policy, in its recent report to the President on the unemployment situation, said:

> While employment has expanded in some industries, the net affect of rising output per worker—of the growing labor force—and of other factors—has been an increase in the volume of unemployment during the past few years, even as total employment has reached new heights. Proper retraining facilities, and a system of financial support for workers, while retraining, have been lacking.

The President's Advisory Committee on Labor-Management is composed of Government officials, representatives of labor, and leading industrialists, including Elliott V. Bell, chairman of the executive committee of the McGraw-Hill Publishing Co., Joseph L. Block, chairman of the board of Inland Steel Co., Richard S. Reynolds, Jr., president of Reynolds Metals Co., and Thomas J. Watson, Jr., president of IBM, whom I quoted earlier. The committee recommended:

> Support from both public and private organizations for retraining of workers who have been—and will be—displaced.
>
> Where it is not possible for the employer to reabsorb displaced workers, appropriately safeguarded public support, in the form of subsistence payments, should be available to industrial and agricultural workers who qualify for and engage in retraining.

Thus, their findings and recommendations concur with those of our Subcommittee on Unemployment and the impact of Automation and the full Committee on Education and Labor.

The Manpower Development and Training Act, H.R. 8399, we are now considering, is designed to provide training for our unemployed, and, in some cases, our underemployed, who through no fault of their own have found that their skills are now obsolete. Why? Because of the expanding use of automation and other technological changes in our industries.

I would like to emphasize again a fact brought out by Mr. Watson, of IBM—this is a national problem. Every section of our Nation—if it has not already felt the impact of this development—can rest assured that eventually it will experience it.

I would also like to point out that this is a nonpartisan proposal, for when a machine, a computer, a data processor, or some other automatic device moves in, it replaces Democrat and Republican alike. It recognizes no party lines.

I am glad to tell you that this bill, H.R. 8399, was reported out of the Committee on Education and Labor by a vote

of 24 to 3, indicating that the majority of committee members also felt this was a nonpartisan issue.

The able gentleman from Missouri [Mr. CURTIS] testified on behalf of this bill before the Rules Committee, as did our colleague from New York, the ranking minority member of our subcommittee [Mr. GOODELL].

Because our unemployment problem is nationwide we feel it is the duty of Congress to make every effort to find a solution.

This bill, we know, will not completely solve that problem, but we feel it is certainly a step in the right direction. A step we must take without further delay.

Our States or cities, alone, cannot provide the solution, nor can private corporations acting alone. However, with combined effort by States, counties, cities, private enterprise, and the assistance of the Federal Government, we can start on the road back to full employment and a healthy national economy.

I know that some people will say "we cannot afford this additional expense."

Let me point out to you, we cannot afford not to have this program.

All of us know that automation and technological advancements will continue at an even more rapid rate in the years ahead. With each advancement, more jobs in certain categories are eliminated. Without additional training, the future of these displaced workers point to only one place, our relief rolls.

We must remember one thing: Not only does the worker go on relief, but his family does also. His children do not receive, as a result of this situation, the necessary education or training to prepare them to work and live in our highly automated society of tomorrow, and, we may end up with them on our relief rolls permanently.

We must give these men and women who are raising families the opportunity to be retrained, reenter the work force, educate and support their families, become self-sustaining and active contributors to our national economy.

This legislation is an investment in the future. The ultimate returns received by the Nation will be boundless.

Let us look just a little further. I understand that we are going to be asked to help industry further modernize plant and equipment through tax legislation.

It must be realized that with each modernization and each improvement we will see more and more displaced workers, not only in the unskilled groups but also in the semiskilled group.

I do not want to be termed an "alarmist," but I would like to call your attention to the fact that if we keep losing taxpayers from the employment rolls and forcing them to become tax recipients on the relief rolls, who will pay their share of the cost of government? I mean the cost of city, county, State and Federal governments.

We know there are jobs available. However, they all call for more education or for more special training in specific skills than those now held by our unemployed.

With the passage of this legislation and the machinery available for our long-term unemployed to secure training our hard-core unemployment rate will be materially reduced.

Not only will our economy continue to grow, but our total unemployment will shrink and our relief rolls will decrease.

I ask your serious consideration of this legislation and your vote in favor of it.

Mr. ALBERT. Mr. Chairman, will the gentleman yield?

Mr. HOLLAND. I am glad to yield to the distinguished majority leader.

Mr. ALBERT. Mr. Chairman, first of all I desire to commend the gentleman from Pennsylvania upon the statement he has made. Secondly, I rise to pay personal testimony to the diligent effort the gentleman from Pennsylvania has put into this matter. Last August when this bill was reported from the Committee on Education and Labor the gentleman undertook to get it programed and advised that he would offer perfecting amendments when it reached the floor. He said he was going to continue his study and investigation of this matter. During all this time he was quick to give credit to other members of his subcommittee. For instance, he told me that the gentleman from New York [Mr. GOODELL] had important and what he thought were beneficial amendments.

Of the other members of the subcommittee some were interested in the farm provision, others in the youth training provision. The gentleman has pursued this matter vigorously, as has the subcommittee over which he presided; and I think it can well be said that this has been a bipartisan effort and that it has been a job well done.

Mr. MOORHEAD of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. HOLLAND. I yield.

Mr. MOORHEAD of Pennsylvania. I would like to join with our distinguished majority leader in praise of the distinguished chairman of this subcommittee. Not only in Washington but also in Pittsburgh, I have seen the work he has done, his selfless devotion to duty, his intense interest in the problems of the unemployed not only of his district but of my district and of the unemployed across the country. The work he has done should be recognized by the Congress and by the entire country.

Mr. KEARNS. Mr. Chairman, I yield 5 minutes to the gentleman from New Jersey [Mr. FRELINGHUYSEN].

Mr. FRELINGHUYSEN. Mr. Chairman, I should like to speak briefly in support of the general principle represented by this bill. I might add that I was not a member of the subcommittee which was primarily responsible for drafting this legislation; but I was, of course, a member of the full committee which considered its various provisions.

I believe the Federal Government under certain conditions should share in the responsibility of training and retraining workers. Of real importance also is a clearer definition of the Federal Government's responsibility for evaluating the changes in the Nation's manpower needs, and for seeking solutions to the problems which technological developments may create. Only by foreseeing where future manpower needs will be most acute, and where such needs will be substantially decreased, can adequate allowances be made for the impact of these future needs.

Having said this much, Mr. Chairman, I must add that I have definite reservations about certain provisions of the bill before us, H.R. 8399. There has been considerable talk, but no definite commitments, about the possibility of a substitute being offered for the bill before us. It is my hope, and indeed it is my understanding, that such a substitute is going to be forthcoming. The chairman of the full committee recognized that there has been solid bipartisan support for the principle represented by this bill, and substantial changes were made when the full committee discussed it. Yet, I think as the bill now stands it has serious deficiencies.

I agree strongly with those who argue that we need to pass legislation which is carefully drawn, and which will not give unnecessary or unduly broad powers to those who will administer the law.

On this point I would like to pay my tribute to the gentleman from New York [Mr. GOODELL], who has sent out a letter expressing some of his reservations about this bill. He has, in my opinion, done more than anyone—certainly on our side—to develop a reasonable basis for agreement.

It is my hope his bill, H.R. 10363, introduced on February 22, will form the basis for a compromise on which both sides will agree. I have never heard to the contrary, and I can only assume we are moving harmoniously toward that end.

I should like to point out one fact which disturbs me considerably. Admittedly this fact will be obvious to those who have given this question close attention, but I consider it of real importance. This bill now before us is only one of a number of measures, several of which have been enacted already, which deal with manpower training. Under the Area Redevelopment Act, for example, the Secretary of Labor is given considerable authority to make surveys of employment needs in the so-called distressed areas. He also is authorized to establish training programs in such areas, under section 16 of the act.

Training for young people is a major feature of the so-called Youth Employment Opportunities Act, H.R. 8354, approved last year by our Committee. Titles I and II of this bill provide for elaborate make-work programs, under the guise of on-the-job training. Title III would establish a so-called Youth Conservation Corps reminiscent of the Civilian Conservation Corps of the days of the depression.

In my opinion, Mr. Chairman, the provisions of the bill which we are considering which concerns the selection of trainees needs to be revised. I refer to section 202. It would be desirable to amend this section so as to make special provision for the training of our young people.

It should be pointed out that some 3.8 million persons during the year ending June 30, 1960, actually received training under existing Federal-State vocational education program. Included in this group were some 139,000 apprentices, 101,000 skilled technicians and 40,000 practical nurses. Any new Federal training programs, it should be evident, need to be carefully scrutinized if we are to avoid overlapping and duplication.

It should also be pointed out, Mr. Chairman, that President Kennedy has indicated that his proposed changes in this country's trade policies will necessitate some retraining of domestic workers. In his state of the Union message he proposed "appropriate and tested forms of assistance to firms and employees adjusting to import competition."

In his special message on trade Mr. Kennedy proposed what he described as trade adjustment assistance. He suggested that workers adversely affected by increased imports be given readjustment allowances and be encouraged to take vocational and training programs to develop higher and different skills.

I mention these instances, Mr. Chairman, to demonstrate that these training programs, while useful, need to be watched most carefully. Without some kind of direction, these programs may multiply alarmingly. There may well be unnecessary and undesirable overlapping and duplication.

In my opinion, one of the main reasons for passing a bill of this sort is to provide one point where Federal activities in the training field can be centralized. It would not be unreasonable to gather in one place what is already being done as well as what may be authorized in the future. For example, if training is considered necessary to aid workers adversely affected by increased imports, it might well be handled by the program which we now are proposing to authorize.

Mr. POWELL. Mr. Chairman, I yield 10 minutes to the gentleman from West Virginia [Mr. BAILEY].

Mr. BAILEY. Mr. Chairman, if we are to meet the responsibilities with which we as a nation are faced today, both at home and abroad, every resource we have will need to be exploited to the utmost. Of all our resources, manpower is the most vital, yet it is the one we perhaps use most poorly. This is an indulgence we can no longer afford.

The manpower development and training measure, H.R. 8399, is designed to develop our manpower resources more fully by improving the skills and adaptability of the Nation's workers. However, some question has been raised as to whether the manpower development and training proposals will do the job.

The job most certainly can be done by the programs contemplated. I say this on the basis of the Federal Government's experience in establishing training programs under the Area Redevelopment Act of 1961. As you know, this act provides, on a very small scale, for the type of training programs which would be available under the manpower development and training bill on a much broader scale.

This pioneering experience, although limited, has been excellent. It has provided us with invaluable experience. There is now solid evidence that the training programs contemplated can be conducted successfully and that some of our most stubborn problems of unemployment can be dealt with meaningfully through the use of carefully designed training programs.

During the relatively short period that the ARA training program has been underway, 28 States have submitted almost 100 training proposals, which would involve over 11,000 workers in 60 different occupations. In addition, there are training programs "in the mill" which will quickly exhaust all the available funds well before the end of the first year.

Forty-two programs with an enrollment of 5,500 have already been approved in 19 States.

Four such training programs are operating in West Virginia. They are in Clarksburg, my home city, Huntington, and in Grant and Mingo Counties. In the Clarksburg program, we are training aircraft riveters to be employed at a new Lockheed plant. It would have been impossible for us to obtain the plant if an adequate supply of skilled workers could not have been assured. One class has already been trained and workers are in the process of being hired; another class is in its third week, and a third class began yesterday. Altogether this program will furnish 225 employees for the new plant. Other skills for which training will be made available are auto mechanic, machinists, nurses aid, typists, and stenographers.

The first training programs approved under the ARA were in Huntington. This was a tribute to the former mayor, the Honorable David Francis, who has planned and long proposed such a comprehensive retraining program as is contemplated under the manpower development and training bill.

The Huntington program has been criticized from afar by those who know little or nothing about it. Mr. Francis, who is a coal operator, a Republican, and a conservative, has flatly refuted the charges made by critics.

The Huntington project is a success.

One of the most encouraging aspects of the area redevelopment training program has been its success in getting to the "hard core" unemployed. Over one-half of the trainees selected for courses have been out of work for over 26 weeks. In fact, one-third have been continuously jobless for over a year. It is also significant that about 12 percent of the selectees were over 45 years of age. In short, what impresses me is the unemployed persons, both men and women, with different educational backgrounds, from different areas, of different ages, are willing to take training which will put them back on the job.

If this kind of experience is repeated on the scale embodied in the manpower development and training bill, we will have gone far in resolving one of our most intractable manpower problems.

Since I have referred, at some length, to the area redevelopment program, it might be well to point out some similarities and differences between the training features of that act and the manpower development and training bill.

While the operation of the training programs under the Area Redevelopment Act and the manpower development and training bill are similar in some respects, they are designed to serve different needs. The retraining of workers under the Area Redevelopment Act is but a small part of a much larger program aimed at the rehabilitation of economically distressed areas. In this context, the training program has several serious limitations.

First, it is, at best, a small pilot effort which can provide training for perhaps 20,000 individuals. Obviously, our training needs are far greater than this.

Second, training is limited to places which have been designated as "redevelopment areas." However, the need for training is almost universal.

Third, the maximum training time is 16 weeks. This restricts the kind of training which can be given.

On the other hand, the training provided for in the manpower development and training bill is not hampered by these limitations. It is designed specifically to provide a broad and coordinated program to help workers throughout the Nation adjust to technological changes and to provide the best match between jobs that are becoming available and the people available to fill them.

The number of persons that could be trained under the manpower development and training bill exceeds 150,000 the first year and 250,000 the second year. Unlike the Area Redevelopment Act, every State and area may participate. Instead of 16 weeks, training will be permitted for 52 weeks which will provide a much more adequate basis for skill development.

There are other differing aspects of the manpower development and training bill worth pointing up. The bill contemplates the upgrading and updating of the skills of some employed workers so that they may keep abreast of the rapidly changing needs of our industrial complex. The training costs for these employed workers would be financed on a 50–50 State-matching basis. Of course, such persons would not receive training allowances. The manpower development and training bill also requires that States maintain their existing levels of vocational training from their own funds.

I mention these points of differences between the two bills to emphasize that the existence of the very modest training program under the Area Redevelopment Act in no way mitigates the need for the broad overall attack upon the Nation's need for manpower training embodied in the manpower development and training measure.

In its broadest sense, the manpower development and training bill proposes to demonstrate that a free society faced with a great outpouring of youth into its labor markets, increased needs for trained manpower, a changing technology, and a growing number of persistently unemployed workers, can maximize the use of its human resources.

I include here a list of the different kinds of occupations, 30 in all, for which workers are training under approved Area Redevelopment Act training programs:

1. Aluminum sash and door maker.
2. Automobile mechanic.
3. Automatic transmission specialist.
4. Chemical operator.
5. Draftsman.
6. Electrician, ship.
7. Electronic assembler.
8. Electronic mechanic.
9. Farm mechanic.
10. Machine tool operator.
11. Maintenance mechanic.
12. Millman, woodworking.
13. Nurse aid.
14. Radio and TV service and repair man.
15. Riveter, aircraft.
16. Route salesman.
17. Sewing machine operator.
18. Sheet metal machine operator.
19. Small appliance repairman.
20. Stenographer.
21. Tractor operator.
22. Typist.
23. Waiter and waitress.
24. Ward attendant.
25. Welder, combination.
26. Dry cleaner.
27. Presser, machine.
28. Spotter, general.
29. Presser, hand.
30. Boot and shoe worker.

Mr. Chairman, I would like at this time to include as a part of my remarks a letter from Mr. David L. Francis and an editorial from the Wall Street Journal:

PRINCESS COALS, INC.,
January 27, 1962.

Mr. DONALD I. ROGERS,
New York Herald Tribune,
New York, N.Y.

DEAR MR. ROGERS: My good friend, Arthur H. Motley, of Parade Publications, has sent me your editorial "Lollipop Flop," which appeared in the Herald Tribune on January 19. This had already been brought to my attention as a NAM editorial. Whether you secured your information from them or vice versa, or whether you write for both, I do not know. Quoted below is my reply to Mr. Motley:

"Now as to the editorial by Donald I. Rogers entitled 'Lollipop Flop.' This is indeed an unfortunate article because it is completely untrue. The program will be a success, has been to date, and at the end of this fiscal year it will have graduated the 325 students that the appropriations were set up for. It is anticipated that the great majority of these retrained unemployed persons will get gainful employment and we will learn a great deal about many facets of the program. Incidentally, the Ford Foundation approved a grant of $150,000 to study this whole problem and will set up in Huntington as its headquarters. The results of their study will be of real help across the Nation. We have much to learn and many knotty problems to solve. Articles like Editor Rogers' are a real tragedy."

I am always quite reluctant to be critical of someone whom I have never met and whose source of information is not known to me. However, your editorial is loaded with half-truths and untruths and is indeed harmful. It is regrettable that a paper of such a high reputation for editorial comment as the Herald Tribune would allow this to go out without doufflechecking.

I wonder if you bothered to call or make any check with anyone in the Huntington area.

Let me give you some of the true facts.

The Federal Government allocated, through ARA, to the local public school system $125,000 to run the pilot project in Huntington—not $15,000 as you indicate.

The program is not a total flop as you state. There is every indication that the 330 newly trained workers will be graduated from their courses by the June 30 date and a good portion of them will flow back into the workstream with gainful employment. The courses were limited in this instance to a select group that had been checked out in this area as having the best chance of supplying employment. Courses were limited to this local area supply. If outmigration had been contemplated the courses could have been broadened.

The State employment office did hire nine additional people to get the organization procedure set up. They did not cut back to four because of lack of demand. This had been anticipated all the time.

Some 2,000 inquiries have been received by the office and out of this number 750 were given aptitude tests. Many had already taken aptitude tests prior to this program, therefore a large number were eligible for further consultation. I don't know where you got your figures at the bottom of the first column and at the top of the second column of your editorial, but they are in error.

No courses have been abandoned although you state that they have been. All courses are being carried on—sometimes a little behind schedule and in some instances such as automatic transmission repair—there is a demand for twice the number that are now being trained.

You indicate there is no interest in this program. Interest is growing and inquiries are coming in at the rate of 500 per month.

Considerable basic information will be learned from this program, although we certainly admit we don't have all the answers. Much research has to be done.

The thing that bothers me as much as anything else about your editorial is the fact that the Herald Tribune would publish an editorial with such a flippant, negative attitude with which you write regarding the effort to solve a serious problem in our Nation—the one of the unemployed. There was nothing constructive in your editorial. Many thinking people in this Nation are working hard to try and find a solution. What we are doing may not be exactly right and we know we will make mistakes, but at least we are trying.

May I respectfully suggest that you visit Huntington and see what we are doing, let a little of this rub off on you, and then we would like some constructive suggestions as to how you feel the unemployment problem can be cured.

I am enclosing for some background reading some information which I have issued, the most recent talk by Governor Barron on our youth problems and a summary of the C.E.D. report on this matter. I have quite a file of other information but do not wish to overburden you.

I have always considered an editor as somewhat of a judge, who before he makes his decision weighs both sides of the question and then carefully considers the evidence and makes his decision. Did you do this?

Yours very truly,

DAVID L. FRANCIS,
President.

[From the Wall Street Journal, Feb. 16, 1962]

JOB RETRAINING—FIRST AREAS TO TRY IT FIND IT PRODUCES BOTH PROBLEMS AND REWARDS—APTITUDE TEST IS TOO TOUGH FOR SOME, BUT OTHERS GET BOOKKEEPER, RIVETER JOBS—A BILL FOR $655 MILLION

(By Phillip E. Norton)

HUNTINGTON, W. VA.—Mrs. Delores Creamens, crisply fresh in her newly starched white uniform, assists a wheelchair patient into a bed at Cabell-Huntington Hospital here and then moves on to her next chore as a nurses' aid. Less than 4 months ago, the trim, 26-year-old brunette was a jobless welder, one of this Mountain State's 64,200 unemployed.

Mrs. Creamens is only one of scores of previously unemployed individuals now at work in new fields for which they have been trained under provisions of the Federal Government's 1961 Area Redevelopment Act. Under this act, the Government offers aid to areas of high unemployment so that jobless persons who qualify can learn new and needed skills. Not yet a year old, the program already has enrolled 4,400 jobless persons; Federal officials expect the figure to reach 15,000 by June 30.

The progress—and many problems—of this embryonic venture are of more than passing significance. For one thing, the Kennedy administration is so enthused about the retraining concept it is striving to broaden the program—at a considerable increase in cost to taxpayers. Moreover, the lessons learned here and in other communities where the program is meeting its first tests may be of interest and value to high-unemployment areas which have not adopted the program or put it into effect at this time.

NOT A CURE-ALL

No one claims that job retraining will wipe out unemployment. Last month, joblessness in the United States fell below 6 percent of the labor force for the first time in 16 months. But some authorities on unemployment believe retraining is a promising means of attacking long-term unemployment in areas where industry has moved out or folded up and the unemployed have been unable or unwilling to move to more prosperous areas. Such an area is that around Huntington, where unemployment is running 8.7 percent of the labor force as a result of dwindling employment in coal mining counties to the south and of the departure of a number of businesses. Since 1955, the area has lost 28 industrial plants with about 4,000 employees.

It is much too early to pass final judgment on the merits of retraining, but so far Federal, State, and local officials appear pleased with results. "From where we sit, the program is definitely meeting a need and moving along nicely," comments an official of the Area Redevelopment Administration in Washington. Secretary of Labor Goldberg has called the program an "unqualified success."

The program is encountering some unexpected problems, however. Among the difficulties: Reluctance on the part of many jobless persons to train for new skills, the inability to retrain many individuals who need the jobs the most, and the problem of finding jobs for some of those who have been retrained.

The program has been approved by the ARA for 35 communities in 14 States from Rhode Island to Montana. ARA officials report they have applications from another 100 communities. The first three areas to set up programs—Huntington, Ansonia, Conn., and Providence-Pawtucket, R.I.—have enrolled 342 jobless persons for retraining and expect to train a total of 703 individuals by July 30.

AN OPTION ON PAYMENTS

Currently, applicants who qualify are trained from 2 to 16 weeks in one of 30 skills, ranging from waitress to machinist. Some $4 million has been provided in the current Federal fiscal year to conduct this training and another $10 million has been appropriated to pay trainees weekly allotments equal to the average weekly unemployment compensation payment in the

State in which the trainee resides. A trainee has the option of receiving this payment or of receiving unemployment benefits if he is eligible.

The Kennedy administration is backing a 4-year program that would provide $655 million to train 1 million persons displaced from their jobs by automation, foreign competition, industrial relocation and other causes. Such a bill already has been passed by the Senate and chances appear good for early action on a similar but more modest House bill calling for a 2-year, $300 million program. Both measures provide for a maximum of 52 weeks of payments instead of the present limit of 16. Unlike the present program, in which the Federal Government is footing the entire bill, States would put up matching funds under the proposed legislation.

The aim of retraining is to reduce the numbers of the so-called hard-core jobless—that is, those persons who have been out of work 1 year or more. The Labor Department estimates this hard core averaged about 800,000 persons last year, the most in over 20 years. Backers of the Federal program argue such unemployment is too large to be attacked effectively on the State or local level alone. Critics of the program contend it avoids coming to grips with the causes of unemployment and they doubt its chances of success in easing the problem.

THE HUNTINGTON PROGRAM

For an idea of how retraining works on the local level, take a look at the operation here in Huntington, the first community to receive authority to start a program. People in economically ailing Wayne and Cabell Counties were quick to respond when Congress enacted the retraining bill. Civic leaders set up an area economic development plan and won State approval for their proposed plan, as required by Federal law.

Included in Huntington's application for a retraining appropriation was a list of skills needed in the region; the list was compiled after a survey had been made of local businesses. The Huntington plan won Federal sanction last October and $135,000 was allotted to put it into effect.

Since then, local school and State employment officials have banded together under the supervision of the ARA to set up a training program in Huntington East High Trade School and in two local hospitals.

DISAPPOINTMENT OVER RESPONSE

Huntington officials concede they were disappointed with the initial response to the program. Post cards were sent out to 1,015 of the long-term unemployed, informing them of the retraining project. But only 640 appeared for aptitude tests and, of these, only 240 qualified for training.

Some local officials believe the reasons the response was not greater was that the cards were sent out not long before Christmas and that a good number of the recipients may have found temporary work for the holiday season. Other officials say many of the long-time unemployed simply stick to a dream that they will get their old jobs back someday. Snaps D. W. Fox, Jr., coordinator of the East High Trade School: "Some of our unemployed are just going to have to face facts and change their vocations in order to get jobs."

Officials in Providence, wanting to be sure they had people ready to start training when they won approval for their program, lined up 178 jobless persons as early as last September. But by the time the program was finally approved in November, nearly all of these candidates had found other work or part-time holiday employment and only nine were ready to begin training.

One major problem, according to retraining supervisors, is that poor education renders roughly half the long-term unemployed unsuitable for retraining. "I think the general aptitude test we give here frustrates some of those taking the test," says an examiner here in Huntington. "If too many people do badly on the test, then they'll tell others that it's a hard test and we may lose candidates."

TEST IS DIFFICULT

Alexander Osedach, manager of the employment office in Ansonia, fears the program there may run short of candidates because of the level of education required to pass the aptitude test. He recalls that of 83 candidates who took an aptitude test for a basic machine shop course, only 25 passed. The test is a "comparatively difficult" one which requires 2 years of high school and some understanding of algebra, Mr. Osedach says.

By far the toughest problem confronting retraining officials in Huntington is the placement of graduates. Last fall, when Huntington officials surveyed employers to determine what skills were needed locally, they discovered there was a demand for nurses' aids. As a result, the local employment office and school leaders set up three 4-week training courses for nurses' aids. Since December 23, the program has turned out 43 graduates. The jobs that appeared to be available last fall, however, have been snatched up by others in the meantime. Only 10 of the graduates have been placed so far.

"I think we should have spaced the three nurses' aid classes out over a longer period to allow need for their services to grow," declares Thomas Mitsoyianis, a Huntington employment office official. "However, this was the first time we ever had such a program and we could not foresee this problem."

ARE COURSES EXTENSIVE ENOUGH?

Some employment office people, while supporting the retraining concept, question whether the courses now being given are extensive enough. "I don't think training courses of 2- to 4-week duration are sufficient to prepare a person for a skill," declares Mrs. Alice K. Walsh, assistant director of replacement in Providence. Adds Oscar Duff, a West Virginia State employment official: "The act provides subsistence payments for only 16 weeks of training. What can you do in this time? If you did lengthen the training period to more than 16 weeks, I think many people would stop attending when the money stopped coming in."

Despite the problems involved, many employment office officials still are enthusiastic about the possibility of reducing unemployment through retraining.

Ansonia's Mr. Osedach says his office has placed all 16 men who recently were graduated from a machinery course and has received word "from 5 major employers that they can absorb the 27 retrainees who are halfway through the second course." Providence's Mrs. Walsh reports that a local bank has offered to supply calculating machines for a retraining course in bookkeeping and to hire graduates of the course.

West Virginia officials have found that job retraining can have some surprising but not unwelcome side effects. One lever used in luring Lockheed Aircraft Corp. to Clarksburg last year, they report, was the availability of a State-sponsored retraining program geared to retrain the jobless as aircraft riveters. West Virginia's Mr. Duff says all 21 trainees nearing the end of the first course in riveting will be hired by Lockheed if they pass the physical exam. And, he adds, employment officials plan to train 75 more riveters for Lockheed by June 30.

Mr. GOODELL. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, I rise in support of manpower training legislation. As the ranking member of the subcommittee that wrote this bill I wish to state that I think this bill we brought out of the committee is a promising beginning. It is my understanding that there will be presented a substitute, with bipartisan support, which embodies completely my bill, H.R. 10363. I emphasize that it includes, word for word, every single provision in that bill. Under these circumstances I am particularly pleased, because I offered these amendments; there was a total of 28 or 29 that I offered in subcommittee. About half of them were approved in subcommittee and the other half were rejected. Now that other half is being accepted in the form of a substitute. Under those circumstances I feel we are writing effective legislation.

I offered those amendments primarily to narrow our efforts and focus them on the places of most critical need and to prevent waste in this program.

I would emphasize, in answer to some of the comments that have been made here earlier that I certainly do not think training legislation is the full answer to our unemployment problem. It is a beginning. We are not going to spend money on any people who do not accept training, who do not make a sincere effort to utilize their abilities and develop new skills. If 10 percent of the unemployed in an area accept training, those are the ones we are going to spend money on. If 90 percent reject the training, we shall spend no money on them. They will remain on the unemployment rolls and the welfare rolls. So the 10 percent is a bonus. It is money spent well to put those 10 percent back into the productive stream of our economy.

I do not endorse the view that automation is a major cause of unemployment. I do not believe the facts will indicate that we should panic about the effects of automation. Most of its results are beneficial to mankind. Automation increases productivity and in my opinion when you increase productivity you ultimately increase employment. Historically this has been true in our economy.

No substantial expert has come before our committee and argued against technological progress and automation. We are simply striving to adapt humanely to the needs of fast change in our economy.

The statement was made earlier that we would have no one to train under these programs. I have before me a small example of some of the skills for which training would be useful. And when we go back into the House I shall place this in the RECORD as part of my remarks. But broken down, to give you an example of the type of things we can do, in an 8- to 20-weeks training period, we could train workers to be bookkeeping machine operators, key punch operators, clerk-typists, nurses' aids, welders, sewing machine operators, electronic assemblers, fabricators of plastics, and so forth.

In a 21- to 52-week training time we go all the way from medical record librarians and psychiatric social workers through X-ray technicians, surveyors,

fertilizer technicians, and so forth. This is a long, long list and to anyone who is interested I should be glad to make it available for him to see at the desk. It is also included in the RECORD at this point:

Examples of skills for which training will be used

I. 8 TO 20 WEEKS' TRAINING TIME

DOT Code	Title
1-02	Bookkeeping machine operator.
1-25	Key-punch operator.
	Tabulating machine operator.
	Calculating machine operator.
1-37	Clerk-typist.
1-75	Salesperson (specialty).
2-42	Nurse aid.
4-85	Welder, inert gas.
6-27	Sewing machine operator.
6-98	Electronic assemblers.
7-10	Fabricator, plastics.
7-57	Presser.
	Silk finisher.
	Laundry worker.

II. 21 TO 52 WEEKS' TRAINING TIME

DOT Code	Title
*0-01	Accountant.
*0-06	Technical writer.
*0-23	Librarian.
(*)	Medical record librarian.
*0-37	Psychiatric social worker.
(*)	Group worker.
(*)	Caseworker.
*0-32	Teacher, elementary.
(*)	Teacher, secondary.
(*)	Physical therapist.
(*)	Occupational therapist.
*0-33	Nurse, general duty.
(*)	Nurse, psychiatric.
(*)	Nurse, anesthetist.
*0-36	Statistician.
*0-39	Dietitian.
0-43	Display man.
0-44	Technical illustrator.
0-48	Draftsman.
	Detailer.
0-50	Dental hygienist.
	Dental technician.
	Laboratory technician (food procurement, chemical, metallurgy).
	Medical technician.
	X-ray technician.
0-52	Licensed vocational nurse.
0-64	Surveyor.
0-68	Fertilizer technician.
0-68	Insecticide technician.
*0-69	Programer.
(*)	Systems engineer.
0-71	Manager, restaurant.
0-74	Buyer trainee.
1-01	Bookkeeper, full charge.
1-20	Librarian assistant.
1-25	Console operator.
1-32	Medical assistant.
	Dental assistant.
1-33	Secretary.
	Medical secretary.
	Legal secretary.
1-37	Stenographer.
	Court reporter.
*1-65	Salesman, stocks and bonds.
2-32	Beauty operator.
2-36	Cook.
2-66	Law enforcement officer.
3-35	Farm equipment mechanic.
	Farm equipment operator.
4-35	Tailor.
4-78	Machinist.
	Tool and die maker.
	Inspector, machine shop.
	Shaper operator.
	Boring-mill operator.
	Jig boring-machine operator.
4, 6-78	Engine-lathe operator.
	Turret-lathe operator.
	Milling-machine operator.
	Cylindrical grinder.
	Surface grinder.

Examples of skills for which training will be used—Continued

II. 21 TO 52 WEEKS' TRAINING TIME—con.

DOT Code	Title
6-78	Drill-press operator.
	Radial-drill-press operator.
	Screw-machine operator.
	Automatic-screw-machine operator.
6-98	Universal-winding-machine operator.
5-17	Modelmaker.
5-57	Spotter.
	Drycleaner.
5-80	Airframe and powerplant mechanic.
5-81	Auto mechanic.
	Foreign car.
	Automatic transmission.
	Body-and-fender repairman.
5-83	Electronics technician.
	Electronics tube technician.
	Computer technician.
	Electrical appliance serviceman.
	Refrigeration mechanic.
	Air-conditioning mechanic.
	Office-machine serviceman.
	Radio and TV repairman.
7-99	Plumber apprentice.
	Sheet metal worker apprentice.

Items marked with an asterisk are occupations which require an academic background or degree such as B.A., B.S., A.A., R.N., as a prerequisite for training within the period indicated.

Perhaps the greatest need for retraining is for upgrading the skills of unemployed workers to enable them to compete for jobs in their present occupation. This problem is common among engineers, machinists and machine operators, typists, stenographers, secretaries, and maintenance mechanics.

There is also widespread need for training to upgrade the skills of employed workers, especially in the professional, technical, managerial, and skilled categories. Needed training includes the following subjects, most of them requiring in excess of 21 weeks training time: Blueprint reading, schematics reading, advanced mathematics, shop mathematics, technical communications, report and manual writing, speed reading, salesmanship, systems analysis, contract administration, human factors engineering, personnel and industrial relations subjects, statistical data analysis, and quality control.

There is a long, long list, much longer than will permit its inclusion here, which I would be glad to make available to anyone who is interested. It is by no means a complete list. My amendments were designed to prevent the types of things which were discussed here earlier as to abuses, putting people on training allowance to train them to be waitresses or dishwashers or chambermaids. One of my amendments would prevent any training allowance to a person who is trained for less than 6 days. This will eliminate in itself most of the very small minor skills for which some person might get a day or two of training. They can be trained, but will receive no training allowance. For anybody who is trained for less than 2 weeks under my amendment there must be an immediate job vacancy available. It is my opinion if you are training a person for less than 2 weeks' time you should know a job vacancy is there and will be there at the end of 2 weeks. Under my substitute bill there will be a training allowance paid only to unemployed—not to employed or underemployed or prospectively unemployed but only to unemployed, heads of families. In other words, the ones who are in most critical need and who have held jobs for at least 3 years will receive the help. This will prevent giving this aid to young people who have quit school in order perhaps to qualify for training allowances or for some kind of training.

Mr. LANDRUM. Mr. Chairman, will the gentleman yield?

Mr. GOODELL. I am delighted to yield to my colleague.

Mr. LANDRUM. In view of the statement just made by the gentleman from New York I would ask how his amendments would permit payment to people selected under this act under the provision on page 8 of the substitute, which I understand will be offered, which reads thusly:

> Workers in farm families with less than $1,200 net family income shall be considered unemployed for the purposes of this Act.

Now how are you going to provide for the payment of training allowances to a worker from that farm family?

Mr. GOODELL. The training allowance would be paid to him when he accepted a program of training for a specific skill, provided he was a head of family. If his training was for less than 6 days he would get no training allowance.

Mr. LANDRUM. You have just stated that no training allowance would be paid to one who had not held a job for at least 3 years. Must this farm family show that they had not had income of more than $1,200 for a period of 3 years?

Mr. GOODELL. No. He must show, to qualify for this aid, that he has held a job for 3 years in his lifetime.

Mr. LANDRUM. That is, if he has been a farmer, 3 of the years of his life, whether they were consecutive or not—or interspersed with great periods of employment in something else, he would still qualify under this bill?

Mr. GOODELL. That is correct. My amendment is designed merely to prevent aid to any young people who are quitting school and then going into a training program to be paid for it. They not only must have worked for 3 years, but they also must be heads of families and unemployed.

Mr. LANDRUM. In view of the last statement which the gentleman has made, referring to page 7 of what I understand will be the substitute to be offered by the gentleman we find that the Secretary of Labor whenever appropriate shall provide a special program for the testing and counseling of youth 16 years or older for selection of these youths for whom occupational training under this act is indicated. How are they going to qualify for on-the-job training when obviously they cannot have held a job for 3 years prior to that?

Mr. GOODELL. The young people who do not qualify as heads of families with 3 years of work and being unemployed will qualify for training but not for training allowances. We set up a special program for testing and counseling of these young people but they will get no training allowances from the Federal Government.

Mr. LANDRUM. Are you by this provision encouraging the 16-year-olds to abandon their high school training program?

Mr. GOODELL. I think this amendment prevents that. That is my intent in presenting the substitute.

Mr. LANDRUM. Are you encouraging the 16-year-old to abandon the opportunity to go to the area vocational schools that are being established in many of our States?

Mr. GOODELL. He may go to the vocational school exactly the way he is going now but he will not be paid a training allowance for doing so.

Mr. LANDRUM. That is the point I want to get at. In order to go to the vocational school he has to go there under the requirements and prerequisites set up by the Secretary of Labor. Is that not correct? That is what you are saying.

Mr. GOODELL. You have raised another point which I will cover at this stage because it is a very excellent point.

The CHAIRMAN. The gentleman has consumed 10 minutes.

Mr. GOODELL. Mr. Chairman, I yield myself 5 additional minutes.

To a considerable degree the original administration bill confused the authority of the Secretary of Health, Education, and Welfare and the Secretary of Labor. In subcommittee a number of my amendments were accepted which I believe clarified this point completely.

The original bill had a tendency to put our vocational schools under the Labor Secretary. We did not want that. We want them segregated completely, if I may use that word.

Mr. LANDRUM. That is a good word.

Mr. GOODELL. We will not get into that because I am afraid we have a little disagreement there. We want this separated, may I say, so that the vocational system would continue to be run by the local and State governments and HEW; and, therefore, we provided that 19 percent of the money would come from the Federal Government, 40 percent from the local government, and 35 percent from the State government. It is primarily a State and local program. We provide Federal aid to take up part of the burden. We specifically deny the Secretary of Labor the authority to move over into that program and start trying to take it over. I believe we do that effectively.

Mr. LANDRUM. Mr. Chairman, will the gentleman yield?

Mr. GOODELL. I yield.

Mr. LANDRUM. I cannot agree with that statement just made by the gentleman in view of the provisions of section 202 headed "Selection of Trainees." This states specifically that the Secretary of Labor, not the Secretary of Health, Education, and Welfare, the Secretary of Labor shall provide a special program for testing and counseling of youth 16 years of age or older, and for the selection of those youths for whom occupational training under this act is to be given. You specifically give the authority to the Secretary of Labor to select those youths.

Mr. GOODELL. Absolutely.

Mr. LANDRUM. And refer them to the Secretary of Health, Education, and Welfare.

Mr. GOODELL. Absolutely.

Mr. LANDRUM. The Secretary of Health, Education, and Welfare will have the direction of the educational agency, the counseling and guidance of the public school program and State school program which presently do that. Why do you want to remove it from them and let the Secretary of Labor get his fingers into the pie?

Mr. GOODELL. I will tell you precisely why we want to do it; and let me make this point: Selection, counseling, and referral of these unemployed prospective trainees is done by your local employment offices, by State employment offices, and the U.S. Employment Service under the jurisdiction of the Secretary of Labor. The Secretary of Labor is going to make this decision through those offices as to selecting, and testing, and referral. That is where the Secretary of Labor's authority ends. After the Secretary refers them, the local, State, and HEW vocational system provides the training, they control this training and the schooling. That is where we want to keep it.

Mr. LANDRUM. Mr. Chairman, will the gentleman yield further?

Mr. GOODELL. I shall be delighted to.

Mr. LANDRUM. So you confirm my previous suggestion that the only way you are going to get these youths into the vocational training program after the adoption of this bill is after the Secretary of Labor has tested them, counseled them, looked them over, sized them up for the qualities he wants, and then refers them himself.

Mr. GOODELL. He may enter vocational school without any reference to employment offices or the Secretary of Labor. But the only way he will qualify for a training allowance is if he goes through the orderly procedures of the employment offices. A good example of the need for such a procedure is that many of these vocational schools are teaching obsolescent trades where, had they consulted the employment offices, the employment offices could have told them the skills in which there were shortages and they could train people accordingly; under the substitute, there would be some coordinated effort.

Mr. LANDRUM. It seems to me that could be done under the Smith-Hughes Act, the National Defense Vocational Training Act, and others.

Mr. GOODELL. If I may say, the only agency that is capable of dealing with this unemployment problem properly and doing the testing and counseling is your local employment office which is under the jurisdiction of the States and the Department of Labor.

Mr. LANDRUM. Who is to determine the unemployment problem? Who is to determine the skill necessary? You are here giving the Secretary of Labor authority to select the trainee and to select him at a high school age level.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. GOODELL. Mr. Chairman, I yield myself 5 additional minutes.

Mr. ALBERT. Mr. Chairman, will the gentleman yield?

Mr. GOODELL. I yield to the gentleman from Oklahoma.

Mr. ALBERT. Somebody has to decide whether the youth or other unemployed person is going to be sent to an occupational school or on-the-job training. You have to have some concentration of responsibility in the matter of selection and referral but after the individual goes on the job or goes into that school, does not that institution and whoever in the Federal or State Governments, or whoever has jurisdiction, continue to have jurisdiction over the training?

Mr. GOODELL. That is true. We have a specific provision in here requiring HEW through the school to notify the local employment office if the student is not performing satisfactorily or attending satisfactorily. It is then entirely in the discretion of the HEW and the local vocational school system, as to whether the trainee is training satisfactorily. If they notify the Secretary of Labor that he is not, then he is cut off from the training allowance.

Mr. LANDRUM. Mr. Chairman, will the gentleman yield?

Mr. GOODELL. I yield to the gentleman from Georgia.

Mr. LANDRUM. In view of what has just been said about the Secretary of Labor having no more authority after the selections are made, I read section 303 of the proposed substitute, and it is in the pending bill too:

> The Secretary of Labor shall make appropriate provision for continuous supervision of the on-the-job training programs conducted under this title to insure the quality of the training provided and the adequacy of the various programs.

Mr. GOODELL. The gentleman in his very meticulous and intelligent way has skipped to another section dealing with on-the-job training, not vocational training. The Secretary of Labor now has jurisdiction and we are giving the Secretary of Labor continued jurisdiction over on-the-job training in the plants. That is no change over present law.

Mr. CURTIS of Missouri. Mr. Chairman, will the gentleman yield?

Mr. GOODELL. I yield to the gentleman from Missouri.

Mr. CURTIS of Missouri. I simply want to call to the attention of the Members of the House, this is one of the key areas where there has been a collapse in this whole program in our society. There has been a fight on jurisdiction between the Department of Education and the Department of Labor. I want to commend the committee for grappling with this difficult problem, and also the gentleman from Georgia for bringing out the point that this is the area that the Congress must resolve. But we certainly do not want to continue this confused jurisdiction. The committee has done an excellent job of preserving jurisdiction in a very practical way and providing a responsibility for moving forward.

Mr. GOODELL. I thank the gentleman.

May I point out further, in the substitute there will be a matching provision. The State governments shall match Federal funds in the payment of these training allowances as quickly as possible. My bill makes it 18 months. The unemployment compensation fund will be protected under my bill, which is the substitute, by providing reimbursement for training under the unemployment system. Today in approximately 17 States a man who is unemployed and collecting unemployment insurance may take training and continue to collect his unemployment compensation. This provision will permit us to reimburse those State unemployment trust funds, paid for entirely by the employers, for the period that a man is undergoing training. I think this is fair because you are taking a man out of the job market when he goes into a training school. He is temporarily not available for suitable jobs, and he should not be charged to the employed. I am happy that provision has been accepted.

Mr. WAGGONNER. Mr. Chairman, will the gentleman yield?

Mr. GOODELL. I yield to the gentleman from Louisiana.

Mr. WAGGONNER. Section 203(f), page 11:

> A person who receives training under this act shall not for 1 year be entitled to any training allowance.

That takes all discretion away from the man. If he refuses to take the training, he is sitting on the sidelines until he can get back to the Secretary of Labor.

Mr. GOODELL. That is very important. The greatest challenge made of this training allowance by conservatives, such as myself and others here, is that we might end up letting people stay on the unemployment rolls until their full eligibility had elapsed, then they could jump over and take up a training allowance.

This provision would give the local employment office some authority to deal with such a situation. A man who was deemed qualified for training and asked by the employment counselors to take up training and refused to do so, because he wanted to stay on the unemployment rolls until his eligibility was gone, would not be eligible for training for a year thereafter. It may be a harsh provision, but he is just ineligible, that is all.

Mr. WAGGONNER. What would happen if a man had been on the unemployment rolls and he had just one week of eligibility left?

Mr. GOODELL. In that circumstance, he would be eligible. If the long-term unemployed, particularly, are eligible for training and qualified, we want them to get the training and get them back in and start paying taxes instead of being on the unemployment or welfare rolls.

Mr. WAGGONNER. But the assumption is that the Secretary of Labor knows more about this than the man himself.

Mr. GOODELL. The unemployed man can refuse training. But he just will not get a training allowance for a year thereafter if he refuses it, and wants to sit around collecting unemployment compensation. I do not think he should be able to do that with impunity.

Mr. KYL. Mr. Chairman, will the gentleman yield?

Mr. GOODELL. I yield to the gentleman from Iowa.

Mr. KYL. The gentleman always speaks with such clarity. Suppose we have a rather small community and there are 25 people who want to be retrained in 25 different occupations, as you have listed them. Where are these people going to get their training?

Mr. GOODELL. We provide that they can be sent to the nearest place that provides this kind of facility. If they choose to go, they will go and we will help pay their transportation costs back and forth. One of my amendments would limit the total amount of this transportation allowance that may be granted to these people, but in small communities we anticipate they will have to go to the nearest facility, and if transportation is necessary, they will be paid that. If it is more economical for them to go and stay 5 days, in the nearest city for instance, to get this training, we will pay them subsistence while they are in the city.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. GOODELL. I yield to the gentleman from Iowa.

Mr. GROSS. What is this business going to cost, and where is the money coming from to pay it?

Mr. GOODELL. The money is going to come from the Federal Government, $262 million over a 2-year period. States will match Federal money after 18 months. I believe the history of training under the vocational rehabilitation program and under the vocational program generally has demonstrated that we will get back a major share of our expenditures in terms of increased productivity and taxes collected from the individuals involved. Instead of them standing around stagnating, they will be working and they will pay their share of taxes and pay part of the load, and we want to help them do that.

Mr. GROSS. I wish I could share your optimism, but I do not.

Mr. GOODELL. I am sorry I cannot persuade my esteemed colleague from Iowa, but I do feel this very deeply. This has been, I may say to my colleagues on this side, a Republican approach. It is a solidly conservative approach, in my opinion, to the problem of unemployment, to help the people develop their own potential and get back into the working force. I do not want to try to solve this problem by wildly throwing a lot of Federal money into the economy, loading your employers with more cost so that they cannot expand their operations, create new jobs, and improve their productivity. Nor should we do it by generally hamstringing the economy. This substitute bill, H.R. 10363, offered by me last week will help the employers to develop the skills of their workers, and they will be able to find the people they need in short skills more quickly because they will know where their supply is coming from. I, as much as anyone who has spoken here do not believe that we ought to shield our people or our economy completely from the facts of life, nor avoid the necessary purgings and shedding of inefficiencies in our economy. This substitute bill is a method of helping people help themselves by putting workers, who are laid off by reason of technological advancement, back to work productively, where they can carry their own load from there on. I want to express my commendation to the other side for accepting my substitute bill, H.R. 10363. My bill has 11 major differences from the committee bill. Those 11 changes were rejected in subcommittee when offered by me. I am glad the Democratic members of the committee are now accepting H.R. 10363, in toto. We will now have a bipartisan approach which I can accept wholeheartedly.

Mr. O'HARA of Michigan. Mr. Chairman, I yield such time as he may consume to the gentleman from Alabama [Mr. ELLIOTT].

Mr. ELLIOTT. Mr. Chairman, I support the bill, H.R. 8399, and particularly the inclusion of low-income farm people in the bill.

Mr. Chairman, it is a real pleasure for me to speak in favor of H.R. 8399, the Manpower Development and Training Act of 1962, which bill is now before the House. I have always been a firm supporter of, and a great believer in, more vocational education; more training for our citizens so that they can better compete for jobs in this age of technology and, thus, earn a better living for themselves and their families; more training so that industry will be encouraged to locate where there is a good supply of skilled employees; and more training so that our great country can grow and increase its productivity and thus maintain its leadership in the free world. I am glad the Committee on Education and Labor placed the responsibility for formal training under this bill in the hands of our friends of vocational education, who have had 40 years of experience in educating and training people for the vocations.

In my State, vocational education has done fine things—it is conducted by fine teachers and fine administrators. The only trouble with vocational education in Alabama is that there is not nearly enough of it. We do not have enough money to get the equipment and to compete with industry for teachers to furnish sufficient up-to-date training to the many people who could use it, and who desperately want and need it.

There are some in this great body who might have doubts about the wisdom of a comprehensive nationwide program of vocational training. Let me assure them on this score. The backlog of training to be done is so great that they need have no fears if this program were three times the size now proposed by the administration. Let me assure them that between training our unemployed

people of all ages and upgrading the skills of those who are now working, there will be no problem of spending the money both wisely and usefully.

The State of Alabama can well use the $5 million provided by this bill in the next 2 years. One-third of this sum will be available for equipment, teachers' salaries, and the other expenses of vocational education which as the Members of this body know has been supported by the Federal Govenment ever since 1917 when the Smith-Hughes Act was passed. The remainder of the funds will be available for providing allowances to tide over the unemployed person while he completes his training.

Mr. Chairman, I want to propose one amendment which I think will strengthen the bill. Alabama is an agricultural State. Many of its people are farmers who are not earning a good enough living. There are 79,724 rural farm families in my State whose total annual income is $1,200 or less. Of these families, 4,110 live in my Seventh Congressional District. This is not just an Alabama problem. There are 1,624,505 such farm families in the United States today. But where the national figure represents 12 percent of the country's farm community, the figure for my district represents 27 percent and the Alabama figure indicates that a total of 23 percent, nearly one-third, of our farm families earn less than $1,200.

These people are not unemployed the way a city dweller is when he has no job. But actually, this meager farm income is so small that the farmer's condition amounts to unemployment. Where the net family income is less than $1,200, it is my view that such a person should be considered unemployed. The change which I propose will permit farm workers to prepare themselves for jobs in their local communities and thus supplement their farm income. The Senate-passed bill contains language so providing and I am told that such an amendment to this bill is acceptable to the administration and to the chairman of the subcommittee, the gentleman from Pennsylvania [Mr. HOLLAND], who has worked so diligently and so worthily and so effectively on this bill.

I therefore propose the following amendment:

> At the end of section 202(a), on line 10, page 7 of the bill add the following: "Workers in farm families with less than $1,200 annual net family income shall be considered unemployed for the purpose of this Act."

Mr. O'HARA of Michigan. Mr. Chairman, I yield 10 minutes to the gentleman from Kentucky [Mr. PERKINS].

Mr. PERKINS. Mr. Chairman, the so-called Goodell bill, H.R. 10363, is primarily the original Holland bill, except that it does embody parts taken from the Senate bill, such as the priority provisions in that bill, which I personally feel will improve the Goodell proposal and the substitute to be offered by the gentleman from Pennsylvania [Mr. HOLLAND]. But, the gentleman from New York [Mr. GOODELL] also goes to the Youth Opportunities Act to take another provision, and that is on-the-job training for the youth.

Mr. Chairman, there are three titles in the Youth Opportunities Act. Title I provides for on-the-job training. Then there is the public service employment title, and the Youth Conservation Corps. It was our hope, of course, when we were studying the Youth Opportunities Act last year, and we felt at the time that we would get the Youth Opportunities Act to the floor prior to the retraining bill. But since the retraining bill has been brought to the floor first, naturally it makes good commonsense to put all of the retraining programs together.

Mr. Chairman, I hope I may be able to help clear up some way, somehow, where this question of authority should be lodged, and why it should be lodged in the Secretary of Labor. We have got to have a concentration of authority. We have more than 1 million youths today between the ages of 16 and 22 years who are unemployed, who are dropouts from high school, and from the grade schools. Many of these dropouts, these teenagers, that this bill provides for have dropped out of vocational educational schools. Would it not be ridiculous to try to require these youngsters to go right back to a place from which they had already dropped out?

It is natural that we have other provisions to take care of such youngsters, such as on-the-job training. We feel that good work can be done under this particular provision. Many of us remember the NYA days where hundreds and hundreds of thousands of youths between the ages of 17 to 22 were trained on the job and took their places in defense plants, having been trained as machinists, trained as stonemasons, welders, woodworking, and in many other trades.

Since the Department of Labor has the very definite responsibility, under this legislation, for determining manpower needs and the responsibility to screen, counsel, and select the people to be trained or retrained, they certainly should have the right to enter into contracts with HEW in connection with retraining. I may say that during World War II the Manpower Commission at that time determined the skills needed and they selected the people and referred them to various industrial establishments for training, as well as to the public vocational schools of America. This is not any precedent in any sense of the word.

So I think the committee has acted wisely in placing this authority in the hands of the Secretary of Labor because not only the youngsters, but the people trained or retrained always visit those State employment offices to ascertain information about employment. These unemployed expect the employment offices to have the answers.

Mr. LANDRUM. Mr. Chairman, will the gentleman yield?

Mr. PERKINS. I yield.

Mr. LANDRUM. Am I to draw from the statement just made by the gentleman from Kentucky that he favors the incorporation of all the vocational training in this country under the Secretary of Labor?

Mr. PERKINS. No; and I did not state that. I do not believe that. I think the vocational training programs are working fine. We are not interfering with the vocational educational programs.

We are only following standard procedure in this legislation. For instance, under the GI retraining program, hundreds of thousands of veterans were referred to the vocational educational schools by the State approving officer for the Veterans' Administration. When the Governor failed to name an approving agency for the Veterans' Administration, the referral was made by the regional office of the Veterans' Administration.

There has been no mixup there. The Department of Health, Education, and Welfare agreed to this bill and agreed to all the provisions in this bill.

Mr. LANDRUM. Mr. Chairman, if the gentleman will yield further, you are creating new authority in the field of vocational education in the Secretary of Labor, authority that he has not had and that has heretofore been lodged in the Department of Health, Education, and Welfare.

Mr. PERKINS. There is no transfer of any authority. It just gives the Secretary of Labor the right to enter into contracts concerning training and retraining with the Department of Health, Education, and Welfare. That has been true with other agencies for many, many years, primarily during World War II and since.

Mr. Chairman, this is another point I would like to make: whether the people to be retrained really want this bill. I for one, know that this is not a cure-all. In many areas in my section we need a public works program. In one of my counties we have some 12,000 unemployed. Some 3,100 of them today are drawing unemployment compensation. There are more than 3,000 exhaustions and some 6,000 of those, mostly miners, have not had employment for many years. But right across from Pike County, Ky., in Mingo County, W. Va., they have a training program under the Area Redevelopment Administration—a county about half the population of Pike County—and they can only train 200 people in the trade school there, but they have 964 men who have come in and applied for training. And this is right across the river from the county that I am talking about. This clearly demonstrates the great demand for training.

Not many years ago 25,000 men in the district that I represent earned a living from the mining of coal—today that figure is down to 10,000 even though the amount of coal being mined is about the same. The 15,000 who watched machinery take their jobs have been fighting adversity. They do not have the skills which employers require. Most of them want work, but they look for work under a terrible handicap. The bill we are debating today offers some of them hope. It offers training to those of them who can get benefit from such training. It offers it to them in the form of courses which are considered likely to provide jobs, and it offers them this training with enough weekly financial aid so as to permit completion of the courses.

The bill's passage will be a great day for vocational training. It provides some funds for on-the-job training to the extent that employers will find it feasible. But the greater part of the training money will go to vocational training—the kind of shop work, the kind of experience on modern machinery which is available at Mayo Technical Trade Schools in Ashland, Hazard, and elsewhere in the Nation. The bill will thus provide vocational training at an increased scale, $4½ million in Kentucky alone. As in other vocational training programs now supported by the Federal Government, this money will be expended for teachers' salaries, new equipment, the rental and renovation of buildings.

Mr. Chairman, I welcome the opportunity of speaking on behalf of a program which will mean so much to the people. I commend the administration for its leadership in bringing hope to our unemployed and in showing the way to a new era for vocational training.

Mr. POWELL. Mr. Chairman, I ask unanimous consent that a letter from the Secretary of Labor, Mr. Goldberg, addressed to the chairman of the Committee on Education and Labor of the House, be inserted at this point.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. POWELL. Mr. Chairman, the letter referred to is as follows:

U.S. DEPARTMENT OF LABOR,
OFFICE OF THE SECRETARY,
Washington, D.C., February 28, 1962

Hon. ADAM C. POWELL,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN: The amendments to H.R. 8399 in the proposed Holland substitute include certain language of which the purport is to transfer title I of H.R. 8354 to H.R. 8399. Title I of the administration's Youth Employment Opportunities Act (H.R. 8354) would authorize an annual program of training the first year for approximately 25,000 youth between the ages of 16 through 21.

The proposed amendment leaves to the discretion of the Secretary of Labor the proportion of training services available to such young people. In order to assure those who have devoted their interest and energies to the growing problem of 1 million out-of-school and unemployed youth, I want to make clear that it will be my intention to make available sufficient moneys authorized by H.R. 8399 as amended for training at least 25,000 young people the first year and 33,000 in subsequent years. The number of young people aided by the bill might exceed this number. I have assumed that appropriations will be made available at a level contemplated by the bill.

I will appreciate your making this letter a part of the legislative history of this bill.

Yours sincerely,

ARTHUR J. GOLDBERG,
Secretary of Labor.

Mr. GROSS. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] Seventy-six Members are present; not a quorum. The Clerk will call the roll.

The Clerk called the roll and the following Members failed to answer to their names:

[Roll No. 24]

Ashley	Harrison, Va.	Powell
Auchincloss	Harsha	Rains
Bennett, Mich.	Hebert	Saund
Bolling	Hoffman, Mich.	Scherer
Broyhill	Kitchin	Smith, Miss.
Buckley	Kluczynski	Steed
Clark	Lipscomb	Thomas
Cooley	MacGregor	Thompson, La.
Davis, Tenn.	Madden	Tupper
Dawson	Magnuson	Ullman
Fallon	May	Weaver
Fisher	Morrison	
Giaimo	Multer	

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. MAHON, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 8399, and finding itself without a quorum, he had directed the roll to be called, when 395 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. The gentleman from Kentucky [Mr. PERKINS] has 1 minute remaining.

Mr. SMITH of Iowa. Mr. Chairman, will the gentleman yield?

Mr. PERKINS. I yield to the gentleman.

Mr. SMITH of Iowa. Mr. Chairman, the gentleman indicated that only 200 out of 900 applicants under retraining under the depressed areas bill were receiving training in Kentucky. Will the gentleman explain why?

Mr. PERKINS. Certainly, the retraining program that I referred to was across the Tug River from the district that I represent, in Williamson, W. Va.

Under the ARA program the training is very much limited, and it has to be limited to that particular area where you have this high unemployment rate. Besides, the amount of funds involved in the ARA training or retraining program is only $4.5 million.

The manager of the Williamson local employment office told me over the telephone that 964 individuals had made application for training and at the most only 200 could be trained. I think this within itself clearly demonstrates the need for an expanded training and retraining program. Practically all of the 964 individuals who made application for training were unemployed coal miners.

Mr. Chairman, in conclusion, I do want to state that I do not know of any vocational leaders in the country who are not wholeheartedly supporting this bill.

The CHAIRMAN. The time of the gentleman from Kentucky has expired.

Mr. GOODELL. Mr. Chairman, I yield 10 minutes to the gentleman from Missouri [Mr. CURTIS].

Mr. CURTIS of Missouri. Mr. Chairman, I want to commend this subcommittee under the chairmanship of the gentleman from Pennsylvania [Mr. HOLLAND] for the very fine work that they have been doing, and in particular coordinating the various areas that this bill touches on. I say that with real concern because this does touch on one of the jurisdictions of the Committee on Ways and Means which considers unemployment insurance.

I am most pleased to state that among the amendments offered by the gentleman from New York [Mr. GOODELL] will be found the provision in regard to the unemployment insurance systems in the States so that this program will not interfere with or in any way damage them. I am looking to see if the chairman of the Committee on Ways and Means is in the Chamber. This matter has been cleared with the gentleman from Arkansas [Mr. MILLS], together with myself and the gentleman from Wisconsin, Congressman BYRNES, and others on the Committee on Ways and Means who are concerned with it. I do want to say my interest in this legislation goes way beyond the aspects of the unemployment insurance program. This has been a matter of constant concern to the Joint Economic Committee. I am happy to state that this bill and this concept is the approach I take in regard to the real problem of unemployment, which is that it is essentially a matter of frictional and structural unemployment and not a matter of cyclical and what I term to be the concept of the Keynesian economists who say that this unemployment can be solved through massive Federal expenditure programs. Indeed, I think the work that this subcommittee has done points up very pointedly the area just where it needs to be pinpointed and it is a matter of rapid economic growth, automation we call it, where skills are made obsolete very quickly and where it is concentrated among the unskilled and semiskilled workers, and that this job of retraining I might say is not a simple one—it is not just a question of matching the unskilled and the semiskilled unemployed person with the new skills that technological advancement creates because you are not going to take the displaced cotton picker or the displaced ditch digger and train him for these higher skills.

What is happening is that a person with a job retrains or studies at night to learn a higher skill so he moves over into that higher skill leaving a job open for someone down the line to upgrade his skill. This is a very difficult and complicated matter that this bill is directing its attention to with reference to this basic problem of retraining. Essentially the point needs to be made that automation and rapid technological advancement actually creates more jobs than it displaces. But the human element involved is the thing that makes it difficult for us as legislators to meet, because an unemployed person or a displaced skill is related to a human being and it involves all the human problems while the newly created job—which, incidentally, is going begging because we are not filling the jobs we need to fill—is not related yet to a human being and therefore we do not have it calling out in this fashion. Lest anyone think that these thousands of jobs that are going begging are not in existence, test yourself with your own newspaper and look at the want ads, particularly on Sunday where you will see the want ads showing skills that are going begging. Take the New York Sunday Times of this last Sunday or of any Sunday. You will find column after column and page after page of people advertising for the skills that are needed in our economy. Actually our unemployed are our greatest resources to fill these skills that our society needs.

One of the points brought out by the gentleman from New York [Mr. GOODELL] very ably and also by the gentleman from Georgia [Mr. LANDRUM] when he was pointing out this problem of the jurisdictions of vocational education which is in the Department of Health, Education, and Welfare, and on-the-job training and apprenticeship training which is in the Department of Labor, one of the tragedies has been over the period of years that our two Departments most concerned in this area have not been doing their job and vocational education has gotten to the point where much of it is training people in skills that are already obsolete.

The committee hearings bring this out to some degree; but the point of this lies here: Secretary Ribicoff in testifying before the Ways and Means Committee just 2 weeks ago in regard to revising our welfare program, pointed out the great need, he said, to have schools in the field of social work, not just the college graduates, I might add, to function in the field of social work. I asked the Secretary: "What are you doing in your vocational educational program toward attracting people to take jobs, to go out and become technicians in this field?" And Secretary Ribicoff made this remark, and I was pleased to hear it; he said: "After some of our previous discussions on this we are completely revising and studying in depth the entire field of Federal vocational education." This is a program, I might state, which dates back to 1917. This is nothing new. This is a program that has been in existence along with the other bill which became law in 1946. So a great deal of work has to be done by the Department of Health, Education, and Welfare in this tremendous area of vocational education.

Likewise, the Department has not been doing an adequate job in developing its dictionary of skills. That was brought out during debate on the floor when the rule was under consideration. I believe the gentleman from Kansas [Mr. AVERY] demonstrated the inadequate list of skills that has been compiled to date by the Department of Labor, highly inadequate. The job is not being done.

But the point of this bill and the key to this bill, in my judgment, is the requirement that both of these Departments report back—this is found on page 20, section 504(a)—both the Secretary of Labor and the Secretary of HEW shall report to the Congress prior to March 1, 1963, on what they have done in developing their programs, so that they know what they are doing and requiring, and the coordination of these two Departments on the scene.

Mr. LINDSAY. Mr. Chairman, will the gentleman yield?

Mr. CURTIS of Missouri. I yield.

Mr. LINDSAY. I am wondering how we can know what the needs are or may be until after the studies have been completed.

Mr. CURTIS of Missouri. Their program cannot go forward, of course, until they have appropriations. They have got to go to the Appropriations Committee and will have to take with them some adequate studies on the program they wish to implement.

Mr. SCRANTON. Mr. Chairman, will the gentleman yield?

Mr. CURTIS of Missouri. I yield.

Mr. SCRANTON. I would just like to commend the gentleman. It developed during hearings in our committee on area redevelopment and the consideration of this program from the Federal standpoint that it was extremely necessary to make provision for retraining, more provision than is presently made by either of these Departments. Particularly was this true in the larger urban areas.

I want further to commend the gentleman on the fine leadership he took in the last session of Congress in developing Operation Employment which was a major forerunner of this legislation.

Mr. CURTIS of Missouri. I want to thank the gentleman and at this time take occasion to call attention to what I thought was the splendid work done by around 60 Republican Congressmen in this Operation Employment in trying to study in depth some of these problems and getting the aid of people in the academic field to prepare papers.

Mr. RHODES of Arizona. Mr. Chairman, will the gentleman yield?

Mr. CURTIS of Missouri. I yield

Mr. RHODES of Arizona. I am glad that the matter of Operation Employment has been revealed on the floor, because the gentleman who now holds the floor, in my opinion, did one of the outstanding jobs done by any Member of the House in promulgating this particular study.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. GOODELL. Mr. Chairman, I yield the gentleman 5 additional minutes.

The CHAIRMAN. The gentleman from Missouri is recognized for 5 additional minutes.

Mr. RHODES of Arizona. Mr. Chairman, will the gentleman yield further?

Mr. CURTIS of Missouri. I yield.

Mr. RHODES of Arizona. The gentleman from Missouri put forth tremendous effort in exploring a question as important as any I have seen.

I want to particularly compliment the gentleman from Missouri and to make the observation I am sure he feels rather good today that so much of the study which he sponsored and the conclusions to which he came are in the bill now before the House.

Mr. CURTIS of Missouri. I thank the gentleman.

There was a lot of good work done by a lot of people.

Mr. GOODELL. Mr. Chairman, will the gentleman yield?

Mr. CURTIS of Missouri. I yield to the gentleman from New York.

Mr. GOODELL. I also would like to commend the gentleman for his leadership. In fact, many of my amendments were derived from the very solid statement he made after the study, and they have been incorporated in the substitute which will be presented tomorrow. I think the gentleman from Missouri can take considerable credit for this substitute.

The gentleman also referred to the requirement for reporting within a year. I would point out that the substitute which will be presented tomorrow specifically adds to the other report provisions that were in the previous bill, requiring that reports include the number of individuals trained and the number and types of training activities under this act, the number of unemployed or underemployed persons who have secured full-time employment as a result of such training, and the nature of such employment. That is spelled out in the bill specifically. They must report in detail and that report must also be made in 2 years, 1 year after enactment and 2 years after enactment.

Mr. CURTIS of Missouri. I appreciate the gentleman's statement, and I want to commend the gentleman from New York for the great work he did. I am so pleased these amendments are being accepted.

If I may turn again to the other side of the aisle and to say to the chairman how much I appreciate the cooperation the chairman gave to those of us who were trying to work on this, and the fact he has been working in this field so many, many years with great results. It could only be achieved with your patience and understanding, and I thank the gentleman.

Mr. LINDSAY. I should like also to commend the gentleman for his leadership in this field. I think the gentleman was one of the advance guards in this area in recognizing that this is possibly the most important domestic problem in the United States today. The gentleman from Missouri was one who led the fight in approaching the problem, and I should like to commend the gentleman for the excellent work he has done on this particular bill.

Mr. CURTIS of Missouri. There is one thing I am sorry is not in the bill. I spoke to the gentleman from Pennsylvania [Mr. HOLLAND]. Of course you cannot do everything.

I want to point out the importance of coordinating this whole program with the tremendous operation going on under the Department of Defense—the Army, Navy, and Air Force—in this entire field of training. Billions of dollars are being spent presently in this area with very little coordination. A great deal of this work is really of a civilian nature. We must move forward to bring about a better coordination.

I would like to mention three other areas where we ought to do something.

One is in connection with the unemployment insurance program. I am happy to state that now I think it is 16 States have turned this thing around so that a person is not removed from the unemployment insurance rolls when he retrains. Actually it should be if a person who has an obsolete skill refuses to retrain that he goes off of unemployment insurance, but certainly we should not have a deterrent to people retraining.

The second area is in the tax field. Actually, our tax laws discourage people from upgrading their skills because they are not given the cost of this training as a business deduction. If a schoolteacher, for example, goes to summer school because her school board tells her she will be fired if she does not, she can take this as a business deduction. But someone who goes to upgrade their skill cannot take it. We need to revise our tax laws and fix them to meet the mobility of labor. Under our tax laws, a worker's residence is where his job is. A worker's residence actually is where his home is, because 80 percent of our working people own their own homes. When he has to travel to another area to follow his job, he should be permitted, just as Congressmen have the right, to deduct the cost of maintaining two establishments. Certainly he should not have his per diem charged as income which the present tax laws require.

These are areas that still need further development and where the Federal Government is actually impeding its progress.

Mr. HALPERN. Mr. Chairman, will the gentleman yield?

Mr. CURTIS of Missouri. I yield to the gentleman from New York.

Mr. HALPERN. I want to commend the gentleman from Missouri on the superb work he has done in this field, and I want to compliment my colleague, the gentleman from New York [Mr. GOODELL] for his perspective and intelligent grasp of this unique problem and the great contribution he has made to this legislation.

Mr. CURTIS of Missouri. I thank the gentleman.

Mr. HALPERN. Mr. Chairman, I ask unanimous consent that the gentleman from Nebraska [Mr. MARTIN] may extend his remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MARTIN of Nebraska. Mr. Chairman, under the Area Redevelopment Act passed by the Congress last year, a retraining program was included with $4 million appropriated for retraining and $10 million for the payment of weekly allotments to the unemployed. This program has been approved by the Area Redevelopment Administration for 35 communities in 14 States from Rhode Island to Montana.

The first three areas to set up programs, Huntington, W. Va.; Ansonia, Conn.; and Providence, R.I., have enrolled only 342 jobless persons for retraining.

I must report to the House that, from the experiences of these areas thus far, the retraining program has not been too successful. Three major problems have arisen:

First. Reluctance on the part of many jobless persons to retrain for new skills.

Second. The inability to retrain for new skills those who need jobs the most.

Third. The problems of finding jobs for some of those who have been retrained.

Under the Area Redevelopment Act these people are trained from 2 to 16 weeks, in 30 skills, and courses have been given in fields ranging from waitresses to machinists. The primary reason, to my mind, that the program has not been successful is due to the fact that it does not get to the causes of unemployment. If a doctor treats a patient's symptoms without first ascertaining the causes of the illness, the chances are that the patient will not be cured. This is the case with the retraining program.

The Huntington, W. Va., program was the first to be authorized by the Area Redevelopment Administration—$135,000 was allotted. First, a complete survey was made in Huntington of the skills needed in the area. Post cards were sent to 1,015 hard-core unemployed—those unemployed longer than 1 year. Only 640 replies were received, and of this number, only 240 qualified for retraining. The major problems encountered with these people were inadequate education, unsuitability for retraining, and lack of interest. Many participated in the program simply to draw the weekly financial payments which were the same as those drawn from unemployment insurance, and they were primarily interested in this angle. The placement problem for graduates of the courses was a stumbling block, as witnessed by the fact that a survey indicated there was a demand for nurses' aids. Three 4-week courses for nurses' aids were set up with 43 graduates. In the meantime, however, most of the jobs were filled, and, up to this date, only 10 of the 43 have been placed in jobs.

Oscar Duff, a West Virginia State employment officer, stated:

> The act provides subsistance payments for only 16 weeks of training. What can you do in this time? If you did lengthen the training period for more than 16 weeks, I think many people would stop attending when the payments stopped coming in.

The bill which we have before us provides for 52 weeks of payments. I am fearful that, if enacted, many people would sign up for retraining courses simply to draw their weekly allowances for 52 weeks instead of the 39 weeks as provided under the Unemployment Insurance Act. Since many people have inadequate backgrounds of education to take the retraining courses, another bill has been introduced which is now being considered by the House Education and Labor Committee. This new bill is called the illiteracy bill, and would provide educational courses for those who cannot read or write or whose education stopped at the sixth grade or earlier. Consequently, you can see that one program simply brings about another, like a snowball gathering particles rolling down a hill and growing ever larger and larger.

This problem of retraining is one to be handled at the State and local level and not by the Federal Government, with matching funds, which forces the States to increase the size of their budgets and to take a bigger tax bite from its citizens.

In view of the fact that the results of the retraining program under the Area Redevelopment Act have not been successful, and do not get at the causes of unemployment, I am opposed to the enactment of this legislation.

Mr. McDOWELL. Mr. Chairman, I rise in support of H.R. 8399, the Manpower Development and Training Act of 1962.

In his message on the state of the Union, President Kennedy said:

> Our Nation is commissioned by history to be an observer of freedom's failure or the cause of its success. Our overriding obligation in the months ahead is to fulfill the world's hope by fulfilling our own faith.
>
> That task must begin at home. For if we cannot fulfill our own ideals, we cannot expect others to accept them. And when the youngest child alive today has grown to the cares of manhood, our position in the world will be determined first of all by what provisions we make today—for his education, his health, and his opportunities for a good home and a good job and a good life.

President Kennedy has repeatedly stressed to the Congress and the Nation that one of the most important objectives of this country is to seek a fully employed society with public and private activities geared to progress. But a new urgency now confronts our people; the United States and other industrialized countries of the free world are in the midst of the second industrial revolution. The first, which created modern society, replaced human and animal muscles with power-driven machines; the second, commonly known as automation, has created a new era in technology by the mechanization of thought processes and also muscle functions. The products of automation now make actual decisions, hitherto the exclusive ability of the human operator.

The benefits automation will bring to the United States and other parts of the world are incontestable. Chemists, physicists, and electrical engineers are compounding new materials and creating versatile new devices that can equip electronic machines with abilities that are comparable to those exercised by living organisms. In the newly christened field of bionics, our scientists study living systems found in nature for clues that can be helpful in developing machines that can "see" and "hear" and then interpret what they perceive. President John L. Burns of the Radio Corp. of America in a recent address at the California Institute of Technology pointed to bionics as a prime example of the increasing collaborative effort in science which holds more promise for human benefits than any temporal force at work in our civilization today.

Automation's benefits are not confined to production alone; the gains made possible by office automation—essentially electronic data processing—are at least as striking. But our society is more than technological—it is human, and the human implications of automation are of increasing concern to industry, to government, and to every American whose job on the production line and in other workplaces has been substituted by a bank of electronic transistors. Labor Secretary Goldberg recently said, and I concur:

> One of the challenges we are now confronted with is to see that we automate completely and fully, and at the same time devise programs so that human values are preserved.
>
> One of the big problems of this administration is to help set up programs so that, on the one hand, we get the full potential of automation and, on the other, safeguard against hardships that happen to individuals and to families when automation takes place.

The automation revolution began, unperceptibly and at no exact date, with a piling up of changes and step-by-step increases in mechanized operations and mechanized controls. After World War II, with widespread and accelerating use of the computer and other electronic brains, the lessons from our new technology in the 1950's were merely the fundamentals of much more complex problems for the 1960's. The lessons of the 1950's are now clear; while the labor force was expanding at an average rate of about 800,000 workers a year, our economy with new technology and improved efficiency failed to absorb both the new workers and the work needs of those affected by automation. The labor force increased by 6.5 million workers from 1953 to 1960, yet employment rose by only 4.5 million. This failure to adjust to a new force, combined with an unduly slow rate of economic growth, added 2 million more people to the ranks of the unemployed. The twofold task—to speed growth and provide specific adjustments—was not met in the 1950's.

Mr. Chairman, automation's effect on the basic segments of our economy during the last 10 years promises to spread rapidly to all aspects of our economy and society. What principally affected the miner, the railroader, and the factory worker in the 1950's has now reached the skills and job opportunities of the office workers, the government employee, the laboratory technician, the salesman, and even the law clerk, the mapmaker, the bank employee, and the roadbuilder will feel automation's impact.

America started the decade of the 1960's with the highest level of production, employment, and purchasing power in its history—but this decade also started with high jobless rates, large numbers of distressed communities which suffer from shifts in industry location and changes in new technology, and economic expansion too slow for the economy's needs. The growing problem of adjustment for older workers also takes on new form in a technological world. Moreover, few communities, rural or urban, are free of unemployment among the young—a problem complicated further by the growing number of high school dropouts who have little or no opportunity to obtain even a scarce unskilled job. It is indeed tragic that one-fifth of the 10 million students now enrolled in the 9th through 12th grades in our educational institutions will reportedly leave school before graduation. This problem, serious as it is, can become alarming if authorities are correct in estimating the number of dropouts in the next 5 years at 7½ million.

Within a healthy, growing economy, the American people should be able to plan and execute in a democratic fashion specific adjustments to automation at every level, through public and private efforts. Government, business, labor, and academic groups have started searching for answers. As the Holland Subcommittee on Unemployment and the Impact of Automation recently found, "it is the responsibility of the Government to create conditions conducive to economic expansion." Leaders of large corporations such as General Electric and General Telephone & Electronics testified that it is the responsibility of the Government to identify those trends which will create chronic unemployment problems in the future and to participate in the solutions. Both industry and Government have a recognized responsibility to help families in periods of transitional unemployment.

There have been successful efforts by labor and management acting jointly to bring about more effective adjustments to automation. This common responsibility to ease the transition, to make provision for workers inevitably displaced from their jobs is reflected in the growing number of automation funds being established in certain industries to investigate and provide improved methods of solving automation and relocation difficulties. On the industry-union level, agreements which provide for worker retraining have been reached by, among others, Armour & Co. and the United Packinghouse Workers and Amalgamated Meat Cutters; by the Kaiser Steel Corp. and United Steelworkers; and by the Pacific Maritime Association, which represents west coast shipping companies, and the International Longshoremen.

But these collective bargaining efforts and agreements are limited in that they deal with the problems of production workers in a single industry or in a single plant and who are retrained after new machines are installed—they do not solve the long-range problems of those employables displaced by new machines. A second drawback is that collective bargaining responsibilities cannot resolve the problems of those not yet employed or those workers whose potential employability has been greatly reduced by the new process' overall effect on employment or skill requirements. Consequently, the rest of society must be willing to assume responsibility at various private group and governmental levels for problems that reach far beyond the individual workplace and industry.

The Holland subcommittee report, "Impact of Automation on Employment" and the report of hearings held by the Subcommittee on Unemployment and the Impact of Automation of the Committee on Education and Labor of the House of Representatives in June 1961 provide ample evidence of the congressional concern for deep-seated joblessness and rapid changes in our industrial structure. President Kennedy's Committee on Labor-Management Policy established about a year ago to advise him on policies of economic growth and industrial relations also submitted recommendations on January 11, 1962, aimed at developing automation and other technological advance while at the same time increasing jobs and protecting workers. This Committee is composed of seven foremost labor leaders, seven corporation executives, and five public members. One of the members, Dr. Clark Kerr, president of the University of California, hailed the Committee's report as "the most comprehensive statement ever made as to private and public policy" on the problems of automation and full employment.

While the White House Conference on National Economic Policy scheduled for this summer will have an opportunity to read and study the Committee's report on automation and cybernation, a real leap forward is needed, now, not only to make up for the gap from the past but to provide for the quickening pace, the widening scope of the new technology. What is not automated today may be mechanized further and jobless workers will be just as unemployed, whether the academicians call it displacement or unemployment, whether its cause is mechanization or automation. Tomorrow's workers will require training for tomorrow's jobs, but the training must start today.

The programs that H.R. 8399 seeks to establish should be given an opportunity to meet this important and pressing domestic problem without further delay. Similar legislation has already passed the Senate, after lengthy hearings, on August 23, 1961.

Mr. Chairman, this is constructive legislation and I strongly urge its adoption by the Members of this House.

Mr. GOODELL. Mr. Chairman, I ask unanimous consent that the gentleman from Minnesota [Mr. QUIE] may extend his remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. QUIE. Mr. Chairman, chronic structural unemployment has been a problem which our country has faced almost continuously since the last war. In my home State of Minnesota there is a graphic example of this—the Iron Range of northern Minnesota. As I have watched the situation in that area I have become aware that steps must be taken to solve our problems—not just ease the pain caused by those problems nor postpone the day in which we must face up to the truth of those problems.

This is not a question of our States neglecting the problem of chronic unemployment. Many people at the State level of government are working hard to find a solution. Again, to use my home State as an example, Governor Andersen, of Minnesota, is providing admirable leadership to remove unemployment and to restore a more favorable competitive position for our American iron ore industry.

Within the realm of Federal responsibility, the present short range programs—such as providing adequate unemployment compensation—are desirable in alleviating the situation.

More important is that we develop long range programs aimed not only at lessening the results of our economic problems but also designed at removing the sources of these problems.

As a member of the House Committee on Education and Labor I have supported and will continue to support Federal aid for the retraining and relocation of unemployed workers. I believe that the question we face today is how we will arrive at the best bill to provide this retraining and relocation of workers.

Workers who have lost jobs because of basic changes in the economy must be encouraged to learn other skills which are in demand. We must not abandon those workers with obsolete skills to carry the burden of technological change alone.

The majority of these workers had no control over the economic shifts which left them unemployed with unwanted skills. They also lack the necessary resources for retraining. Added to these factors is a third and most important reason for Federal aid. Our national economy is presently losing the productive services of these workers.

The home communities of the retrained cannot be expected to carry the full load when, after new skills are developed, employment may be found in other areas and perhaps in other States.

If a retraining bill is passed it must be carefully coordinated with private, State, and local efforts to solve the problem. In particular, the training allowance provision must be made to dovetail with the present unemployment compensation system.

This, the Goodell substitute bill, would insure by requiring the States to match Federal funds in paying the retraining allowances as quickly as possible and by providing reimbursement to State unemployment compensation funds which would permit training while a worker collects unemployment compensation.

The Goodell substitute also provides needed provisions to insure that those people most needy receive retraining funds and that the retraining funds are not misused.

It is my privilege to serve with the gentleman from New York [Mr. GOODELL] on the Education and Labor Committee. Mr. GOODELL's keen grasp of this problem as it came before the committee and his hard work in drafting his retraining bill has greatly impressed me. The gentleman from New York [Mr. GOODELL] is to be commended for his efforts and contributions.

During the past few weeks there has been much discussion of expanded American foreign trade and of how the transition to freer trade can be made a smoother one. All of this talk has centered around the competitive position vis-a-vis the rest of the world.

Legislation providing for the retraining and relocation of workers would do much to enable us to compete more favorably with the rest of the world. Retraining of workers would not simply postpone the day when certain American products can openly compete with European goods as would be the effect of import quotas. Rather retraining would act to improve our competitive position today.

Retraining of workers is an example of positive and progressive Federal action at its finest. For this reason I heartily support the bill.

Mr. O'HARA of Michigan. Mr. Chairman, I yield such time as he may desire to the gentleman from California [Mr. COHELAN].

Mr. COHELAN. Mr. Chairman, I rise in support of this important legislation which would help the workers of our Nation adjust to the problems which are created by automation and rapid technological advances; legislation which would provide for the effective development and use of our Nation's manpower resources to meet the skill requirements of our highly advanced and constantly changing industrial society.

There is no question in my mind that one of the most serious domestic challenges confronting us in the 1960's is to achieve full employment in the face of a rapidly expanding labor force and the continued displacement of workers by automation.

We can, of course, take satisfaction that the seasonally adjusted rate of unemployment in January of this year dropped below the 6-percent level for the first time since September of 1960. We must take cognizance of the fact, however, that the number of long-term unemployed—those who have been out of work for 15 weeks or longer—has not changed from last January's total of 1,250,000, and that 700,000 of these workers have been out of work for more than 6 months.

Mr. Chairman, this problem of long-term unemployment is especially severe among the nonwhite elements of our labor force, and this is a matter with which I am greatly concerned. As the Department of Labor's figures for the month of January 1962 indicate, 10.8 percent of our labor force is composed of other than Caucasians—28.7 percent of this group, however—a disproportionately high level—has been seeking work for 6 months or longer.

This problem must be dealt with for it is a cause of severe personal suffering as well as a serious loss to our total national effort.

There is agreement among those who have studied this matter, as the Committee on Education and Labor has stated in its excellent report accompanying this bill:

> That a substantial proportion of our unemployment exists because idle workers do not have the skills necessary to enable them to undertake existing jobs. Many hundreds of thousands of unemployed lack the skills which are needed in our present-day economy. Unless these people acquire new skills, their unemployment will persist even when recovery from the present recession is completed.

Mr. Chairman, there can be no doubt that the labor force of this country is our most valuable productive resource. I urge my colleagues therefore, to support this constructive and urgently needed manpower development and training legislation which would enable us to more effectively utilize this resource: legislation which would improve the skills and adaptability of our Nation's workers through a continuing assessment and review of our manpower needs, and through broadly based programs of training and retraining which would match workers' skills with needed jobs.

Mr. O'HARA of Michigan. Mr. Chairman, I yield 10 minutes to the gentleman from New Jersey [Mr. JOELSON].

Mr. JOELSON. Mr. Chairman, as a member of the subcommittee which studied the impact of automation on the economy, I am very pleased to urge support of the bill under consideration. Of course, it is not the entire answer to our unemployment problem, but I think it is the key factor in the solution, and perhaps may be the cornerstone.

Now, this bill is not a radical departure from anything that we have known. It coordinates the work of two agencies that are most concerned with training for manpower objectives: the Department of Labor and through it the State and local employment service offices, and the Department of Health, Education, and Welfare and through it the State and local educational and vocational agencies. It is in this area that the Department of Labor and the local employment services will play their traditional role of determining skill needs, employment opportunities, labor supply, and then providing the necessary job placement services. After the worker has been selected for training, the Department of Health, Education, and Welfare will then come into play with the vocational and on-the-job training program.

I think we ought to emphasize that what we are going to deal with here are local programs. The testing, counseling, and placement of trainees will be done through the local public employment service offices. Vocational training will also be handled through the local and State vocational and educational agencies.

Now, we have three key considerations here: First, we are going to have an accurate determination of the areas in which there is need for workers; secondly, careful selection of the persons to be trained; and, third, a reasonable expectation of placement.

The bill would provide training allowances up to 52 weeks at what is the average unemployment compensation allowance. This is only as it should be, because you cannot expect a man who is unemployed due to the fact that his factory has moved away or shut down or

who has been automated out of a job to undergo the cost of his own training.

This bill will also provide travel allowances. Rather than going through the expense of setting up training centers in every little area, this bill provides, within certain limitations, that somebody who takes advantage of this training will be able to get some kind of an allowance for travel and subsistence, if necessary, to improve his skill so that he can improve the lot of himself and his family.

Of course, there is the cost factor here. It is $262 million over a 2-year period. But, when you consider the cost to our economy of continued chronic unemployment, the loss in purchasing power, and the loss in Government revenues, you will see that this is a very meager investment to make in order to gain full employment and an economy that is really rolling.

We have other programs, it is true, but the area redevelopment program takes care of distressed areas. We want to do something for this country before we have too many depressed areas, and we should not rely on the area redevelopment program as the solution to our national retraining problem.

Mr. Chairman, I say also that we should not rely exclusively on bills to train our younger people, because if a man loses his job at the age of 40 he is in real deep trouble—he and his family—unless he can develop a new skill and get into the job market where there are job opportunities. So for this reason I would urge upon my colleagues the support of this pending legislation.

Mr. STRATTON. Mr. Chairman, will the gentleman yield?

Mr. JOELSON. I yield to the gentleman from New York.

Mr. STRATTON. May I ask the gentleman is it true that in order to get this program going the plan is to get the cooperation from the States?

Mr. JOELSON. Absolutely. This is a plan that depends for its success on the cooperation of State and local agencies which in many cases exists already.

Mr. STRATTON. If the gentleman will yield further, the gentleman mentioned a moment ago the area redevelopment program. Of course, retraining was a feature of that. I was disturbed because in my own State of New York the State government has fallen down in utilizing the retraining features of that bill. I was delighted to see in this legislation that if the State fails to cooperate as the gentleman said, then there is a provision to go over the head of the State government in order to get the program going. I think that is a very necessary feature, if the State governments fail, as it has in the State of New York, to carry this program through.

Mr. JOELSON. We want to give the States an opportunity to help themselves, but if they do not we are not going to sit idly by until the entire country becomes a depressed area.

Mr. WAGGONNER. Mr. Chairman, will the gentleman yield?

Mr. JOELSON. I yield to the gentleman from Louisiana.

Mr. WAGGONNER. In line with the proposal which has been suggested, if the States do not cooperate in a manner that is satisfactory with the Secretary of the Department of Health, Education, and Welfare, are we to understand that the Secretary has the right to go in and confiscate public property and take over available facilities, facilities that he thinks are necessary?

Mr. JOELSON. No; absolutely no. That is not my understanding of the bill. If it were, I would not support it.

Mr. WAGGONNER. The bill refers to public and private facilities being taken over.

Mr. JOELSON. No. There is no hint or suspicion of confiscation by the Federal Government of any private facilities.

Mr. WAGGONNER. If the gentleman will yield further, it does give the Secretary, if he is not satisfied, that right to go in over their heads, and he could do what he wants to with public and private schools.

Mr. JOELSON. It gives him the right to establish his own program, but it certainly does not give him the right to confiscate any private facility. I do not know where the gentleman got that idea.

Mr. WAGGONNER. I want to say that he can do what he wants to.

Mr. O'HARA of Michigan. Mr. Chairman, will the gentleman yield?

Mr. JOELSON. I yield to the gentleman from Michigan.

Mr. O'HARA of Michigan. When one reads the provision, one should read all of the language, which is as follows:

> In the case of any State which does not enter into an agreement under this section, and in the case of any training which the State agency does not provide under such an agreement, the Secretary of Health, Education, and Welfare shall provide the needed training by agreement or contract with public or private educational or training institutions.

Mr. JOELSON. That is right. I assume this refers to on-the-job training programs with local trade associations, businesses, and unions, through voluntary cooperation getting into on-the-job training programs. But as to the fears of the gentleman from Louisiana, although I appreciate their seriousness, I do not think they are well founded.

Mr. ROOSEVELT. Mr. Chairman, will the gentleman yield?

Mr. JOELSON. I would be glad to yield to the gentleman from California.

Mr. ROOSEVELT. Mr. Chairman, I want to congratulate my colleague from New Jersey [Mr. JOELSON] for his very fine statement, and I associate myself with his statement.

Mr. Chairman, I would like to take this opportunity to make a statement in support of perhaps the most important and far-reaching piece of legislation to be presented to the 87th Congress—H.R. 8399—the Manpower Development and Training Act of 1961.

This bill launches a major assault upon one of the most serious and critical problems facing our country today, the problem of increasing unemployment and dislocation as a consequence of automation and other technological and scientific changes. The proposal recognizes the preeminent importance of this problem and approaches it with an appreciation and an understanding of the national commitment to attain the goals of maximum employment, production, and purchasing power, as stated in the Employment Act of 1946. The bill reaffirms the acknowledgment of the Employment Act that, to achieve the proposed goals, it is essential that there be rapid and continuous technological progress. The legislation further recognizes the continuing responsibility and necessity for the assistance of the Federal Government in the development of policies and programs leading to the development, preparation, and productive use of the Nation's manpower resources in pursuit of our national goals. It insures that the benefits of automation do not become burdens of widespread and severely debilitating unemployment.

The displaced wage earner of today is in a position comparable to that of the migrant Oklahomans of the 1930's. He is the victim of the industrial dust bowls created by automation and technological advances. The displaced worker frequently has no position to return to, and all too often, no position to go on to. He is exposed to the difficult problem of not only finding a new job, but also of finding a new skill and a new employment situation, perhaps in a new industry and in a new community as well.

With the intent of alleviating this disturbing situation, the Manpower Development and Training Act of 1961 proposes a broad and integrated program to assist workers to adjust to the ever-increasing problems of dislocation in the economy due to automation and technological changes. It proposes to go beyond the current and nonremedial subsidization of unemployment to a positive program of formulating and implementing solutions.

We are presently rocketing into the age of automation without knowing our destination. No one has all of the information needed to measure the dimensions of automation in our economy, to ascertain what technological breakthroughs are currently taking place, or what is on the drawing boards for future development. This proposed program provides for the much-needed evaluation of the impact of automation upon our economy. It provides for a determination of skill requirements, job opportunities, training needs, and for an investigation into existing impediments to labor mobility.

Aside from the activities of study, evaluation, appraisal, and reporting, the bill provides for concrete and practical programs to cope with the existing dislocation in the economy. There are provisions for the development and encouragement of broad and diversified on-the-job training programs to help those out of work and to equip workers with new, improved, and needed skills. Labor mobility will be encouraged through promotion by the Secretary of Labor of equitable practices to improve the mobility of workers and through counseling and placement activities.

This program is to be effectuated through the utilization, coordination, and cooperation of all appropriate agencies—public and private, local and national.

Demonstration, by way of available statistical evidence, of the great and continuing decreases in employment due to technological changes is wholly incapable of registering the enormous human loss involved. For thousands of persons, when the job goes, 20 or 30 years of what these people had believed to be security goes with it. Automation, the disappearance of long-established firms from the industry, the relocation of plants and reorganization of operations have thrown onto the streets thousands of experienced and skilled workers with years of service to an employer which now counts for nothing. These displaced workers suffer mental anguish and all of the indignities and hardships that life without work still brings to the men and their families who bear the brunt of economic dislocation.

The crux of the problem created by scientific and technological progress is how to adapt the economy to the new abundance which such progress makes possible. We must learn to live with this abundance, we must learn to use it, or else it will further disrupt our economy, create further dislocations, recessions, and more unemployment. The new economics of abundance requires new understanding and the adoption of the new forward looking programs and policies now proposed.

We have a special obligation and responsibility to those who have suffered as a consequence of the progress which benefits the vast majority, but so poignantly and injuriously affects many. The implementing of this program should allow many persons presently unable to participate effectively in the mainstream of the Nation's economy to resume their rightful and appropriate place in that economy. It is in the national interest that this be done, and that the opportunity to acquire new skills be afforded to these people in order to alleviate the hardships of unemployment, reduce the costs of unemployment compensation and public assistance, increase the Nation's productivity and its capacity to meet the constantly increasing demands and requirements of the present era.

Mr. GOODELL. Mr. Chairman, I yield 5 minutes to the gentlewoman from New Jersey [Mrs. DWYER].

Mrs. DWYER. Mr. Chairman, in my judgment, the Holland-Goodell legislation offers the best and most realistic hope of attacking effectively the persistent and increasing problem of technological unemployment.

It is a thoroughly constructive and positive and hopeful approach. It assumes—and I believe correctly—that the vast majority of unemployed workers are not content to sit back and draw unemployment compensation for as long as possible, that these displaced workers have a deep and urgent human desire to participate in the mainstream of American economic life, and that their major handicap has been a lack of training to equip them with the advanced technical skills now in demand by American industry.

As one of many Members here who represent industrial districts, I have seen the economic conditions developing over the years which have made a retraining program essential. During each of the two most recent economic recessions, I made it a point to visit employment offices, to talk with the unemployed, to consult at length with labor and business leaders in the area, and in general to obtain as broad an understanding as possible of the causes, effects, and possible cures of unemployment.

During each of these experiences, I was struck by the fact that unemployment tends to strike hardest at two well-defined groups of workers: first, the older worker who has been doing the same semiskilled or in some cases skilled job over a long period of time, and second, the young, less educated and generally unskilled worker who is often considered a very marginal producer.

Whenever management either introduces new and automated equipment into its plant or tightens its belt during a slack period by reducing costs, both these groups are adversely affected. The older workers are victims of outdated skills and changing job requirements, while the younger workers are victims of inadequate or insufficient education and training. A third group of workers joins the ranks of the unemployed when an entire plant either closes down or, like the huge Mack Truck plant in Plainfield, N.J., is moved to another part of the country.

At the very time such unemployment exists, even while it is growing in fact, there is a large and paradoxical demand for skilled labor in the same area.

Even as workers line up to receive their unemployment compensation checks, local newspapers carry column after column of help wanted advertising, and the same employment service offices feature lists of unfilled jobs.

It is the fundamental purpose of this legislation, as I see it, to unravel this paradox by bringing together the available labor supply and the available jobs by equipping displaced workers with the skills which industry and commerce now and in the future will need.

There is a further important objective of the bill which has been too widely unappreciated. This is the need to provide new and growing resources of highly skilled labor to meet the requirements of an expanding economy. It is obvious that automation brings with it some temporary unemployment, but I do not believe our experience confirms the fears of some that automation inevitably will cause increasing long-range joblessness. On the contrary, an expanding economy must have both improved equipment and more and better workers. The pending legislation can help provide these resources.

In human terms, Mr. Chairman, one of the most compelling arguments in favor of the bill is to consider the alternative to a retraining program. If we fail to take the steps proposed, we are saying, in effect, to millions of unemployed workers that they are not important to us; that they do not matter; that we have no place for them. Despite the obvious fact that they are without work through no fault of their own, we would be requiring them to bear the full burden of automation. We would be taxing them for the benefits to be enjoyed by the great mass of the country. We would be singling out the neediest among our people to pay the costs of the prosperity the rest of us are destined to enjoy.

I cannot imagine, Mr. Chairman, that any of us are willing to do that.

I urge Members on both sides of the aisle to support the Holland-Goodell substitute bill.

Mr. O'HARA of Michigan. Mr. Chairman, I yield 8 minutes to the gentleman from Indiana [Mr. BRADEMAS].

Mr. BRADEMAS. Mr. Chairman, the first thing I should like to do is to add my own hearty congratulations to our distinguished colleague, the gentleman from Pennsylvania [Mr. HOLLAND], who has given to the Congress such notable leadership in this field of the impact of automation on the labor force of our country. I would also add my congratulations to our colleague, the gentleman from New York [Mr. GOODELL], for his contribution to the shaping of this legislation. We have had ample testimony here this afternoon that this is a bipartisan operation. But I can think of no better evidence for the validity of that proposition than the strong position taken by the leading newspaper in my congressional district, indeed I would say the outstanding newspaper in the State of Indiana, the South Bend Tribune, which, I hasten to add, is a Republican newspaper and which, so far as I can recall in the four times I have run for Congress, has not yet seen fit to endorse me for that office. This is an editorial which was published on January 14, 1962, entitled "The Sooner the Better." Because I think this editorial from a Republican newspaper, the owner, editor, and publisher of which has been a delegate to the Republican National Convention, more eloquently summarizes the necessity for this legislation than any other document I have yet seen, I am going to read it in full.

The editorial reads as follows:

THE SOONER THE BETTER

The proposal that the Federal Government take the lead in establishing a broad program for the retraining of workers displaced by automation is again before Congress.

It is constructively realistic. Fortunately, the outlook for the birth of such a program is brighter in the 2d session of the 87th Congress than it was in the 1st when serious consideration of the matter was slow in getting started. In the first session the Senate passed a 4-year plan. A 2-year plan got tied up in the House Rules Committee.

Interestingly, and perhaps significantly, the idea already has the hearty endorsement of the President's 24-man Labor-Management Advisory Committee which has just made its first report to Mr. Kennedy.

The purpose of a retraining program is simple—to prepare displaced workers for jobs which they can't get because they lack

essential skills, and thus get them off public assistance rolls.

Such a program, to be sure, will cost a considerable amount of money. But it costs a considerable amount of money to support displaced workers on public assistance rolls, too. Getting them back to work would be an infinitely happier situation for everyone.

The need for adoption of such a program, possibly with the States eventually assuming a share of the cost, is given fresh urgency today by another question before Congress. That question concerns the lowering of trade barriers to stimulate exports and imports. This will have some dislocating effects, hurting some while helping other segments of the economy. International trade, being a two-way street, always works that way.

Thus it appears that the sooner a practical retraining program gets underway the better for everybody.

Moreover, the launching of the retraining program will involve some other things besides establishing training facilities. Some profound study will be required at the onset to determine the nature of training programs. It would be silly, for instance, to start training hundreds of thousands of men and women for certain jobs if there would be no demand for their services.

Last session's Senate bill 1991 properly took note of this, stipulating that the Secretary of Labor should be responsible for determining where job opportunities are as a first step toward activating training plans.

Those who discussed the problem pointed out that the country as a whole really does not know what the manpower requirements are. We lack specific information about what skills are in short supply. And certainly we have only vague notions of what the requirements are likely to be in the years ahead for all manner of jobs from well-drillers to nuclear physicists.

A retraining program, no matter how soundly conceived and efficiently directed, promises no utopia. It would not in itself solve the unemployment problem.

But it would, in our opinion, be a notable advance in coping with one of the Nation's most trying and frustrating social problems.

This editorial, Mr. Chairman, I want to repeat, is from an outstanding, Republican-owned newspaper. I think moreover, because this is a Midwestern newspaper, its position ought to stand as a symbol and perhaps offer us a little hope that we might get some support for this legislation from my Republican colleagues from my part of the country.

There are, Mr. Chairman, two particular points to which I want to make reference in the brief time I have at my disposal.

The first of these has to do with the problem of coordination of the program between the Department of Labor and the Department of Health, Education, and Welfare. As we know, all vocational education, which is the major form of training which is provided under this bill, is provided by local vocational educational agencies.

These agencies are the same ones which now receive Federal assistance under the Smith-Hughes and George-Barden Acts administered by the Department of Health, Education, and Welfare.

What is added by the Holland manpower bill is a requirement for job testing, counseling, and training by the Department of Labor through the local employment service offices before the worker is placed in a training program, and the payment of training allowances to unemployed workers receiving training. Basic to the design of the bill is the principle that training must be oriented to job opportunities.

The bill thus closely coordinates the work of the two Federal agencies most concerned with training for manpower objectives: the Department of Labor and through it the State and local employment service offices, and the Department of Health, Education, and Welfare, and through it the State and local vocational education agencies.

The roles that these two great Departments will perform are thus clearly those which have been traditionally assigned to the two agencies and will be closely coordinated under the manpower bill. Thus, one of the most constructive aspects of the bill is that it brings together into a working partnership those separate but indispensably related activities: vocational education and employment service functions.

I think the gentleman from the other side of the aisle, the gentleman from Missouri [Mr. CURTIS], has already hailed the Education and Labor Committee for its success in coordinating the operations of these two agencies of Government in this legislation.

Mr. Chairman, there is just one other point to which I want to address myself in connection with this bill, and it is this: It was contended earlier this afternoon that on the whole this program would only duplicate existing programs. I think this is an inaccurate statement. It is true that there are today in existence several very important vocational rehabilitation programs. However, there does not exist any general program for the some $4\frac{1}{2}$ million persons who are now unemployed. Most important among these programs to which I make reference are those that deal with the Smith-Hughes and George-Barden Acts, but they can spend only a part of their available funds for training suitable for employed workers, and what is available for appropriate training is insufficient. But the fact that there are some $4\frac{1}{2}$ million unemployed in the United States, a condition from which our country has been suffering in recent months and years, shows very clearly that these existing programs are simply inadequate to cope with the situation.

The veterans' programs are for veterans only and are now a relatively minimal operation. The training program provided by the Indian Bureau is for Indians only, and, of course, deals with only a very small segment of our population.

The vocational rehabilitation programs are only for the handicapped and spend most of their funds on special medical services. The vocational educational programs under the Smith-Hughes and George-Barden Acts can spend only a part of their available funds for training suitable for unemployed workers, and what is available for appropriate training is insufficient.

The Veterans' Administration, to cite just one example in some detail, has administered several different veterans' rehabilitation, educational, and training programs. Best known of these are the World War II GI educational bill, a similar bill for Korean veterans and the War Orphans Act.

Some of the veterans' educational benefits are expiring or have expired, such as the World War II GI bill. In addition, most of the educational assistance under the Korean Act was for a different type of education than will be provided in the manpower development and training bill, since most of the assistance provided under that act was for higher education.

I have in my hand some of the latest figures, for example, of rehabilitation programs under the Veterans' Administration. In training as of December 1961 there were some 164,120 persons of whom nearly 100,000 are in higher education programs which of course do not serve to retrain the unemployed people the Holland bill is designed to help.

A large part of the Federal money currently spent for education oriented to occupational training is that which goes for financing the programs for rehabilitating disabled people and placing them in suitable jobs. Expenditures for this program for 1962 will probably be around $100 million in Federal and State funds.

These programs for rehabilitating disabled workers are, however, substantially different from the training programs to be provided for unemployed and other workers under the manpower bill. A great percentage of the funds are used for the specialized services needed to physically rehabilitate the disabled workers. In many cases the handicapped person needs and receives individualized training in some existing program. These vocational rehabilitation programs, like the veterans' programs, thus have their limitations, and a large part of the funds available are devoted to nontraining activities. The State rehabilitation agencies provide these handicapped individuals a wide variety of rehabilitation services which cannot be provided under the manpower bill, such as medical and surgical restoration, prosthetic appliances and maintenance, transportation, and help in establishing small business enterprises.

Another great percentage of the Federal money available for occupational training is spent for the vocational education programs under the Smith-Hughes and George-Barden Acts and the several amendments to these statutes. In 1961 this amounted to some $48 million in Federal funds. This is still not nearly enough, however, to do the job that needs to be done, and for which the manpower bill is designed, to provide a general program for the more than 4.5 million unemployed. Only a part of the Smith-Hughes and George-Barden money is available for training programs suitable for the unemployed person, since the legislation specifies for what occupational groups the money can be spent. Nearly 4 million persons are now enrolled annually in these programs, of which at least a million and a half are

in agricultural training and nearly 800,000 in home economics. Roughly only a quarter of the $48 million goes to trade and industry occupations and of this amount two-thirds goes to training adults of the type contemplated in the manpower bill. To this extent, the training money authorized by the manpower bill—$30 million the first year and $58 million the second year—represents substantial and necessary beefing up of existing training programs. For many other occupational groups, such as sales and clerical, no existing Federal program provides the necessary occupational training.

It is also important to remember that the Federal Smith-Hughes and George-Barden money is only a fraction of the total money spent every year for vocational education in this country, most of it being State and local money. The States, for example, in 1961 put up almost twice as much as the Federal Government, and almost three times as much was contributed locally.

The competition for the training dollar at the State and local level is already intense and reflects the already strained budget of local school districts.

The continuing high unemployment figures show that in spite of all the vocational education which has been provided under existing programs, the employment needs of the country and of our unemployed workers are not being met.

All of these facts demonstrate the need for the type of occupational training programs provided by H.R. 8399.

Mr. Chairman, it seems to me this legislation is one of the most important subjects this Congress will have before it this sesssion. Certainly I hope that we in Indiana and in my own congressional district will seek to take advantage of it if it is passed. The bill has substantial bipartisan support, and I hope very much it will be overwhelmingly adopted.

Mr. GOODELL. Mr. Chairman, I yield 5 minutes to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Chairman, I had hoped that the chairman of the House Education and Labor Committee would be present on the floor, because I wanted to ask him a question about one of his remarks.

I have read the report in connection with this bill and I do not find anywhere in the report or other material any statement of the number of man-hours or man-years of civilian employment that will be necessitated by this legislation. Can anyone on the committee give me any idea of the additional employment that will be necessary with respect to this legislation?

Mr. BRADEMAS. I have studied a little economics in college, but I must confess I am not familiar with that phrase. Will the gentleman be kind enough to define it?

Mr. GROSS. I am only quoting from the law. To put it simply, How many more civilian employees are you going to have to administer this program?

Mr. BRADEMAS. The program which is envisioned by this legislation——

Mr. GROSS. How many more people are you going to have to have on the payroll to operate the program?

Mr. BRADEMAS. The gentleman has asked a question. Does he want an answer?

Mr. GROSS. I am glad to have the gentleman answer it.

Mr. BRADEMAS. I may say to the gentleman the program envisioned by this legislation is going to be administered through existing vocational education programs which are now administered by the Department of Labor and the Department of Health, Education, and Welfare.

I yield to one of my colleagues who sat on the subcommittee for specific figures. One of the great advantages of this legislation is there will not be the necessity for some new bureaucracy.

Mr. GROSS. I would like to have something more definite than that. I want to know how many people you are going to have on the payroll to administer this program. Obviously you are not going to do it within the present setup.

Mr. O'HARA of Michigan. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Michigan.

Mr. O'HARA of Michigan. I cannot advise the gentleman of the exact number. However, I can advise the gentleman that the title I provision, the cost of the overall direction of the program under the act, has been estimated, for purposes of the legislation, at $150,000.

Mr. GROSS. I thank the gentleman; if that is as far as he can go, it is not enough.

Mr. Chairman, let me point out that the chairman, the gentleman from New York [Mr. POWELL], in his remarks said that the committee had done its homework on this bill. The committee has not done its homework.

Let me read from Public Law 801, section 11:

SEC. 11. (a) Each report, recommendation, or other communication, of an official nature, of any department, agency, or independent establishment of the executive branch of the Federal Government (including any corporation wholly owned by the United States) which—

(1) relates to pending or proposed legislation which, if enacted, will entail an estimated annual expenditure of appropriated funds in excess of $1,000,000—

I am informed this proposal starts out with $260 million—

(2) is submitted or transmitted to the Congress or any committee thereof in compliance with law or on the initiative of the appropriate authority of the executive branch, and

(3) officially proposes or recommends the creation or expansion, either by action of the Congress or by administrative action, of any function, activity, or authority of any such department, agency, independent establishment, or corporation, to be in addition to those functions, activities, and authorities thereof existing at the time such report, recommendation, or communication is submitted or transmitted to the Congress or any committee thereof,

shall contain a statement, with respect to such department, agency, independent establishment, or corporation, for each of the first five fiscal years during which each such additional or expanded function, activity, or authority so proposed or recommended is to be in effect, disclosing the following information:

(A) the estimated maximum additional—

(i) man-years of civilian employment, by general categories of positions,

(ii) expenditures for personal services, and

(iii) expenditures for all purposes other than personal services.

This Committee on Education and Labor has one of the largest and one of the best paid staffs in the House of Representatives, so I am told. If I am wrong in that, I invite someone to get up and tell me I am wrong.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. GOODELL. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. GROSS. Here you are establishing this vast setup, and I say again that $260 million is merely seed money, yet you have completely ignored the mandatory provisions of Public Law 801. It is about time the executive branch and some of the committees of Congress conformed to the laws under which we are supposed to operate and provided the information the Members are supposed to have available.

Now, I would like to ask someone if it is proposed that the Federal Government train bank tellers. I have a list here which apparently was compiled by the U.S. Department of Labor dated February 7, 1962. Is it proposed to train bank tellers under the provisions of this bill? Is it proposed to train ticket agents under the provisions of this bill?

Mr. O'HARA of Michigan. Mr. Chairman, will the gentleman yield?

Mr. GROSS. Yes, I yield to the gentleman from Michigan.

Mr. O'HARA of Michigan. The occupations in which training will be given will be decided by the State employment agencies, and they will be occupations in which employment is available and for which qualified trainees are seeking training. Now, I cannot state definitely any one particular occupation for which training will or will not be given.

Mr. GROSS. But it will be on the recommendation of the Department of Labor. Certainly this must be construed as some kind of a recommendation on the part of the Department of Labor; is that not correct?

Mr. O'HARA of Michigan. If the gentleman refers to the same list which I have, it is a simple listing without any attempt to evaluate all of the categories and occupations which were reported by State employment agencies at a particular time.

Mr. GROSS. I find here listed a jobsetter. What is a jobsetter?

Mr. O'HARA of Michigan. A jobsetter is a gentleman who works on certain types of machines where the setting up of the machine is a very difficult task

and requires a high degree of skill. He sets up the machine for the operator.

Mr. GROSS. And, if I understand correctly, if he happened to live in Montana, he might have to be sent to San Francisco—since you say this is a special skill—he might be sent to San Francisco or Los Angeles, the nearest place he could get training, and the Government would pay him 10 cents a mile and subsistence; is that correct?

Mr. O'HARA of Michigan. I would simply say that the Secretary of Labor and the Members of the House who support this bill are anxious to train as many people as possible.

Mr. GROSS. I note there is also a listed skill known as twister tender. I wonder if this is for the training of individuals to take care of those who attend the all-night parties at the White House where they do the twist until the small hours of the morning. Is a "twister tender" related to these night club activities?

Mr. O'HARA of Michigan. I am sure the gentleman knows more about the twist than I do.

Mr. GROSS. Well, if I know more than you do, you do not know anything about the twist.

Anyway, this is very interesting. And, I hope eventually to find out just what a "twister tender" is supposed to do. You do not have any training for baby sitters listed, do you? Then I note on the list for training one word "helper." I do not know who this individual is going to help; it is just plain "helper." Help what and who? Help train a plumber to become an optician? I see there are opticians listed here for training purposes. Is he going to help an unemployed plumber become an optician, or is he going to help an unemployed optician become a plumber? Which is it going to be? You know, this list is tremendous. Training is to be offered PBX operators. The telephone company and businesses generally have been training their own PBX operators for years, but now the taxpayers are going to train them.

The gentleman from Massachusetts [Mr. O'NEILL] earlier this afternoon said he was surprised—I believe that was the word—surprised to find the telephone company conducting night training schools in Boston. Why, the telephone company has been doing this for years, training their own operators, linemen, and repairmen, and I submit if we leave them alone, they will continue to train their employees. The banks will continue to train their tellers, the railroads and airlines their ticket agents, and the grocery stores their clerks. These and a host of others of a similar nature are on this list as made available by the Labor Department.

I would still like to know from what source the money is to come, and in the hundreds of millions of dollars, to finance the programs here proposed. I have hoped that one day there would be the recognition that the U.S. Treasury is not a bottomless pit; that the financial condition of this Government is not good. I become more convinced each day that national bankruptcy is to be our fate.

Mr. O'HARA of Michigan. Mr. Chairman, I yield 10 minutes to the gentleman from Iowa [Mr. SMITH].

Mr. SMITH of Iowa. Mr. Chairman, I would like to discuss briefly at least some of the provisions of this bill that I think vitally affect a good share of our economy, and in particular the agricultural economy in this country. I think a lot of people have overlooked the very important effect that the movement of farmers off the farm has had on our total employment picture. The reason for this, of course, is that the biggest productivity increase in any sector in our economy has come in the agricultural economy since World War II. Since World War II we have had an average increase in productivity per year of 5.8 percent. Last year the increase in productivity was 7.7 percent; whereas the nonfarm productivity increase was only 2 percent last year, and on an average has been much, much less than in the agricultural segment of our economy. In other words, what has happened is that the farmers have automated much faster than the nonfarm segments of our economy. It is only natural, I suppose, as a result of this, unemployment would be much higher in the farm sector than in the nonfarm sector. So we find that farm unemployment last year totaled 14.7 percent; whereas nonfarm unemployment totaled 5.6 percent. Now, in this particular sector of our economy we do not have unemployment compensation. There is not any way for the farmer who leaves the farm to receive unemployment compensation while he is trying to get some training or reestablish himself in another job.

The very day the most skilled farmer moves to town he becomes an unskilled city worker, either to replace a city worker that is there or to go on the unskilled unemployed list trying to get a job. So actually these skilled and efficient farmers have become unskilled city workers, and have gone on the unemployment rolls at a rapid rate in the last several years. The total of unemployed, unskilled workers in the United States has been accumulating at a rate less than the number of farmers that have been leaving the farms. I think this is significant. For example, we find that since 1955 1,255,000 persons have left the farms. The total unskilled, unemployed at the present time is estimated at 738,000. This means that the agricultural employees that left the farms since 1955 now exceed by about 50 percent the total number of unskilled, unemployed workers. Some of the farmers who left the farms became skilled workers in the city, and some of them had enough capital of their own to go on to school and some, of course, went into private business. But on the other hand many, many went on the unemployment rolls. We still have a large pool remaining in the unskilled market where too few jobs are available.

Changes in American agriculture occurred at a more rapid rate during the 5 years preceding the last agricultural census than during any previous intercensus period. Rapid advancements in technology, mechanization and production techniques have had a tremendous impact on farming. Much greater specialization and commercialization in the production of many farm products occurred between 1954 and 1959 than during any 10-year period recorded by the farm census. The number of census farms dropped from 4.8 million in 1954 to 3.7 million in 1959 and the average size increased from 242 to 302 acres. Some of the decline in number, approximately 225,000 farms, was due to a change in the definition of a census farm, but most of the change resulted from the increased size in operating units and concurrent off-farm migration of farm people. Hired farmworkers averaged 1.9 million in 1960, about 3 percent fewer than in 1959. The technological upheaval characterizing today's agriculture presents far reaching challenges to training and retraining programs for this vital segment of our Nation's manpower.

Our rural manpower supply is vital to the Nation's economy, not only in sustaining and advancing the production of food and fiber, but also in its potential contribution to other work-force segments. Our three and seven-tenths million farms now provide over 180 million Americans with a quality and quantity of food and fiber that is the envy of the world, and produce great quantities that are distributed to other populations. Production per farmworker is now twice as high as it was two decades ago but with our population growing at the rate of 1.7 percent per year, with 3 million more people to feed each year, 8,000 more every day that dawns, the challenge is apparent. Training and retraining is essential in order to develop the new and more technical competencies demanded of those who will be employed in agricultural occupations. Training and retraining is essential in order to accomplish the successful migration of many rural youth and adults from farming to nonfarm agricultural or other types of employment. For many, the necessary training will permit transition to nonfarm agricultural occupations. Although the number of farm operators and laborers is decreasing, the total employed in agriculture remains relatively constant. The decline in the farming segment is nearly balanced by a raise in nonfarm agriculture employment. For others, the training will be necessary to establish them in agricultural occupations.

The adjustments apparent among farmers and farm laborers alone do not constitute the total rural training and retraining needs. There are 54 million people living in the countryside and villages of rural America. When we discuss manpower training and retraining needs of rural people we are not talking about a minimal segment of the national population, we are talking about nearly one-third of America. The startling fact is that over one-half of the poverty in America is rural poverty.

The number of rural families with inadequate incomes—less than $2,500—exceeds the number in urban areas—not only percentagewise, but by actual count.

There are 4.1 million inadequately low income rural families, total money incomes from all sources, of less than the equivalent of $208 per month, and 3.9 million such urban families. Also of significance, about one-tenth of the rural population is nonwhite, with the consequent unique added disparities of racial opportunity piled on top of the disparities of rural opportunity.

The near reversal that has occurred during the past two decades, in the necessary procedure for achieving maximum utilization of the Nation's manpower, poses a distinct challenge to training and retraining programs. During World War II and the Korean conflict, manpower utilization procedures were designed to make the fullest possible use of the skills of the work force. Unemployment and underemployment were not critical problems. Manpower was in short supply.

Today, nearly the reverse is true. The Nation has a large number of unemployed and underemployed workers and more will be displaced because of automation and other technological developments. Consequently, manpower utilization and training programs in this decade must be aimed at not only permitting entry into and increasing proficiency in existing agricultural occupations, but also at improving the competency of those in the Nation's work force who will need to qualify for other occupations.

The occupational training and retraining programs under the Area Redevelopment Act of 1961, are demonstrating the effectiveness of federally supported vocational assistance to the unemployed and underemployed. But, the provisions of this act are limited to designated economically distressed areas and relatively few of the approved projects are for the unemployed or underemployed in agriculture. Thirty-seven projects have been approved in 15 States, involving 5,013 trainees in 251 courses for 91 occupations. Eight are agricultural projects training 128 individuals. The manpower bill will permit development of the broad programs of vocational training for the unemployed and underemployed which is so seriously needed.

The need for this program has been widely acknowledged. Both management and labor testified for the bill. At the beginning of the hearings, I doubted the need for the legislation and tended to assume that industry could train needed employees but the hearings convinced me that automation and its benefits would be greatly retarded if we were to depend upon industry much of which does not have the will or wherewithall to train the workers needed before changing production methods or starting a new plant.

The Des Moines Tribune on February 23, 1962, carried an editorial on this subject and endorsing the content of this bill which I believe is worth reading. It is as follows:

NEED FOR JOB RETRAINING

President Kennedy emphasized last week the need for creation of 25,000 new jobs each week over the next 10 years for those coming into the labor market and those displaced by machines.

The chief hope for creating the needed jobs lies in expansion of the economy generally. But individuals displaced by machines must also be able to shift to other types of employment, which frequently require a higher degree of skill. The number of lost jobs directly attributable to automation isn't known, but it unquestionably is substantial. In New York City alone the changeover to automatic elevators has displaced 40,000 elevator operators—a work force that exceeds the entire population of such communities as Burlington, Clinton, or Ottumwa.

Congress approved a limited program of vocational retraining last year. The program enables jobless workers to attend special training courses and receive a subsistence allotment during training for a maximum of 16 weeks. The program is restricted to certain hard-hit areas and residents of only about 1,000 designated counties are eligible to take part. Job retraining programs have been approved in 35 communities.

The need for vocational training isn't limited to areas with especially heavy unemployment. Experience with the present program also shows it isn't possible in many cases to acquire needed skills in a 16-week course. The administration last year proposed a broader approach that would enable communities throughout the United States to develop on-the-job and vocational training programs for workers with obsolete or insufficient skills. The proposed program, to be financed by a combination of Federal and State funds, would permit training for up to a year. The Senate last year approved a program of this kind.

The revolutionary changes taking place in industry and agriculture together with increasing foreign competition make it imperative that Congress give attention promptly to this and other proposals that would provide the opportunity for Americans to make the necessary adjustments to changing economic conditions.

Mr. Chairman, when we had this bill under consideration the committee tried to include farmers with low incomes who want to prepare to leave agriculture within the meaning of the bill so that they could receive some on-the-job training and retraining. We provided, for example, on page 6, in section 201, that on-the-job training is designed to qualify for employment the many persons who cannot reasonably be expected to secure appropriate full-time employment without such training. This helps to define the full-time employment definition to include such farmers. Also in the priorities we determined that the persons who are unemployed should receive a priority. Originally there was discussed the possibility of including underemployed persons. It was thought that this would include farmers. I would point out, however, that many farmers are not underemployed. They may work 60 hours a week. They just do not make enough money. So, really, what we want to get included are those who are not going to have appropriate employment in the farm sector of our economy and want to retrain for a job which is available and pays better.

After the bill left our committee, several who were interested decided unemployed farmers should be more clearly defined as included in the priority.

Consequently the Senate, in considering this whole picture, tried to define this more definitely and they adopted a definition which will be included in the substitute, as I understand it, and if it was not going to be, I will offer an amendment to define unemployed persons as including those farmers that make less than $1,200 a year.

Mr. Chairman, if we review all of these figures, we see that if we exclude the farmers who have been taken off the farms, we have been able to take care of those persons who have been automated out of their jobs in the cities. We have been able to do this through the operation of the economy in general. But when 1,200,000 former farmers were added to the list economy and retraining available was not able to take care of this particular problem. So actually I think this is a very important part of the bill.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Iowa. I yield.

Mr. GROSS. I was surprised because I could not find in this list of jobs of one kind and another very much for the training of workers on the farms. What is the story on that?

Mr. SMITH of Iowa. I think the reason for that is evident from what I have just said: that 1,200,000 have left the farms in the last 6 years.

Mr. GROSS. Mr. Chairman, if the gentleman will yield further; but then some of these people might like to go out and work on the farm and be a midwife for a cow, when it is below zero, in a cold barn. And they ought to be trained to take care of the lamb crops that are coming on. As the gentleman well knows, that is a really exhilarating experience, to sit out there in a cold shed and help the lambs come along.

Mr. SMITH of Iowa. That is a nice experience that I have had many, many times. But I would like to point out to the gentleman that he has just given us an illustration of how this program will operate and will avoid training people for jobs that do not exist. We already have a surplus of the lamb tenders. We may not have the twister tenders, but we have too many of the lamb tenders.

Mr. GROSS. If the gentleman will yield further, we would like to spread the good things of life around to those people who have not had some of that experience out there in subzero weather. Why not spread the good things of life around and give the farmers a little bit of a break in this bill?

Mr. SMITH of Iowa. I think the farmers will get a break if this bill passes. I think the gentleman will find that the farmers around Waterloo will be taking retraining by the gross.

Mr. GROSS. I thank the gentleman. I consider that a real compliment. And we should give some of the people in the cities the chance to go out and learn how things operate out there.

Mr. SMITH of Iowa. We do not want these people to meet their Waterloo just because they have to move to Waterloo but instead want them to find a job.

Mr. GROSS. I would like to ask the gentleman from Iowa, Where is it proposed to dig up the money for all of this? This is just the seed stock, this $260 million. Where are we going to get the money for this job?

Mr. SMITH of Iowa. Mr. Chairman, I would point out, having served on a welfare board, and I know the gentleman is very well acquainted with this; if there is anything we cannot afford it is to continue year after year after year the people on welfare who could be rehabilitated when we know that about 20 percent of those people are retrainable and could be rehabilitated at a cost much less than to keep them on the welfare roll; get them into some other job instead of being on the welfare roll year after year after year.

Mr. GROSS. Is the gentleman saying inversely—and I do not want to put words in his mouth—that the passage of this bill will mean the end of the welfare rolls?

Mr. SMITH of Iowa. It will mean the reduction of those 20 percent that are retrainable and rehabilitatable who are on the welfare rolls now. It will reduce that considerably, or it should reduce that considerably.

Mr. GROSS. Mr. Chairman, if the gentleman will yield further, since the New Frontier came into the picture in Washington I have never heard of so much unemployment as I have this afternoon. I thought that real progress had been made. I have been reading about the real progress that the New Frontier has made in reducing unemployment. This afternoon we have had unemployment all over, up and down one side and the other of this Chamber, when we have been hearing nothing but unemployment.

Mr. SMITH of Iowa. If it had not been for the work of this committee and people like the chairman who have been working on it, the situation would have been much worse. While there is less today, that is not to say that there is no unemployment. I am sure the gentleman knows that there is unemployment in Iowa as well as elsewhere. All you have to do is to go down to the employment security commission and look at the list of people coming off the farms seeking some kind of job.

Mr. GROSS. Mr. Chairman, if the gentleman will yield further, I hope he will help me get a few New Yorkers out to Iowa to help take care of the pig crop that is coming on, the calf crop.

Mr. SMITH of Iowa. I hope we do not have too many new producers of pigs or the price will be too low.

I want to say, in closing that I was one of the doubters when this bill first started in the committee. I commend the gentleman from Pennsylvania [Mr. HOLLAND] because he certainly saw this problem long before most of us realized it really existed. When we first started hearings on this bill I thought, "Why does not industry take care of this? If they need to retrain people they ought to retrain them," but, as the hearings progressed we were told by both industry and management that automation was coming so fast and so greatly needed to keep up with the world competition, that industry would just simply not be able to do enough without some assistance. I was finally convinced from the facts that this legislation is needed.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GOODELL. Mr. Chairman, I yield such time as he may require to the gentleman from Nebraska [Mr. CUNNINGHAM].

Mr. CUNNINGHAM. Mr. Chairman, I have long been interested in the type of important legislation which is now before us and I shall support it as the most important means that I know of to relieve chronic unemployment which we note is general in many sections of the country. It is my feeling that we never fully recover employmentwise from the series of recessions that happen within our economy from time to time. I am convinced that the unemployment figures after the recession has run its course remain high because of the fact that jobs are lost through automation and the shifting of skills.

I have long been favorable to this needed legislation and last October I spoke at length on this subject before the Nebraska State AFL–CIO convention in Omaha, Nebr. During my presentation I outlined the problem as I saw it and which I believe now we are all aware of and I pointed out that this has been a bipartisan effort. I did then and I do now want to pay a special tribute to the gentleman from Pennsylvania [Mr. HOLLAND] who kindly took of his time to discuss details of the legislation with me during the 1st session of the 87th Congress, which proved most valuable in presenting this entire problem to the people with whom I spoke and communicated.

Mr. Chairman, there may be some alterations in the legislation of a minor nature which may be made, but I urge upon the Members to give this bill their wholehearted support because it is so vital to a vibrant economy and so necessary at this time.

Mr. O'HARA of Michigan. Mr. Chairman, I yield such time as he may require to the gentleman from Ohio [Mr. FEIGHAN].

Mr. FEIGHAN. Mr. Chairman, the United States has long held the lead as the foremost industrial nation in the world. Our economic strength in times of peace and in times of global conflict has demonstrated the meaning of a free economy in our free society. The productive genius of that free economy has lifted the burden of heavy labor from the backs of the American workingman while providing a standard of living for all Americans unequaled in the history of the world. That same productive genius has, in times of strife and war, defended the values of our free society and the cause of human freedom on far-flung battlefronts.

Today our Nation is passing through a technological revolution. The great scientific advances and breakthroughs of the postwar period have been harnessed to our national industrial complex. As a result there has developed a production capability in many basic industries which maximizes the use of technology and minimizes the use of manpower. This we have come to call automation.

Automation has caused and will continue to cause human upsets of a very serious nature. When manpower is replaced by high-speed, precision machines, the social and economic values of our free society are endangered. The danger lies in not making provision for the use of productive manpower which is displaced by automation. Unemployment and underemployment are the first problems arising from this trend. It is now apparent that unemployment for a large number of productive workers is both acute and prolonged. It is equally apparent that our problems of chronic unemployment will not be resolved by the normal upturn of our economy. There is a hard core of unemployed workers who will remain unemployed unless large-scale, cooperative efforts are made for their occupational retraining.

Such occupational retraining is necessary to provide these workers with new skills, the kinds of skills required by the rapid technological advances of the past decade. The alternative to such a worker retraining program is acceptance of a growing, hard core of unemployed workers with all the social and economic evils such a defeatist attitude is sure to generate. This we cannot afford. This we must not permit to happen. We must take positive action now to conserve our human resources in this period of national transition from an industrial economy to a technological economy.

H.R. 8399 is by no means a panacea for our problems or the only guideline to our national objective of maximum employment and a more fully productive work force. It is but one step in the right direction. Much more will need to be done in creating job opportunities geared to the technological age in which we live. It is estimated that 26 million new workers, our youth, will enter the labor market seeking jobs during the 10-year period ahead. Some 4 million new job opportunities must be created and stimulated each year if our Nation is to meet the needs of an expanding population. Our answer must be an ever-expanding national economy which fosters free, competitive enterprise and promotes the general welfare of all our people. The same pioneer spirit which produced the scientific discoveries leading to automation must now be turned to the development of new industries which will provide maximum employment and advance the common good. This is the new frontier we must explore and master in the decade of the 1960's.

Meanwhile, Government has a clear responsibility to harness the creative spirit and know-how of business and organized labor to resolve the economic and social problems caused by automation. This is not a task for Government alone. Nor is it the sole responsibility of business or organized labor. It is a challenge common to all.

Mr. Chairman, for the past several years I have attempted to call public attention to the dangers of rapid automation which occur when reasonable provisions are not made for the occupational retraining of workers displaced by highly productive machines. I have expressed concern that the problems of worker displacement would reach unmanageable proportions unless programs were developed to cushion the human impact of automation. The problems of chronic unemployment are now of such magnitude as to require a large-scale effort by the Department of Labor, with the cooperation of business and organized labor, to turn the tide before it is too late. I, therefore congratulate the Committee for the leadership it has taken in this matter, and urge the adoption of H.R. 8399.

Mr. O'HARA of Michigan. Mr. Chairman, I yield such time as he may require to the gentleman from Ohio [Mr. VANIK].

Mr. VANIK. Mr. Chairman, I am pleased to join in support of this legislation to train and more effectively utilize the manpower resources of the country.

Progress and automation have taken a steady toll of employment opportunities. Our increasing population and labor force make it necessary to create 4 million new jobs each year to accommodate the 1½ million new workers entering the labor market and the 2.5 million persons who lose jobs to automation each year. The Nation appears to be falling behind in its effort to provide full employment opportunities without inflation.

In my community of Cleveland the unemployed includes thousands of persons who have been chronically unemployed for a long period of time. For many, the prospects are discouragingly remote for return to regular, gainful employment. Such discouragement can soon lead to despair. While many of the unemployed are in their advanced years, there is a critical number who are young, more recent members of the work force.

Every day, every week, and every month throughout the year additional workers are displaced through automation. Simultaneously, the development of new industrial equipment and methods requires new and changing skills unavailable in many labor markets. While millions persist in unemployment throughout the Nation, job opportunities are advertised for applicants with special training qualifications.

It will well serve the entire Nation if training can be provided those of the unemployed who are retrainable for demanded skills and for employment opportunities that do exist. Preparing the men for the job will prove to be good public business. This bill is a giant step in the right direction.

Mr. GOODELL. Mr. Chairman, I yield such time as he may require to the gentleman from New York [Mr. LINDSAY].

Mr. LINDSAY. Mr. Chairman, I rise in favor of this legislation and also in favor of the bloc of amendments that will be offered by the gentleman from New York [Mr. GOODELL].

Mr. Chairman, this is extremely important legislation. I think the problem of automation comes close to being the No. 1 domestic problem facing us in the United States today. This bill is a large stride forward toward solving that problem.

Mr. O'HARA of Michigan. Mr. Chairman, I move that the Committee do now arise.

The motion was agreed to.

Accordingly the Committee rose, and the Speaker having resumed the chair, Mr. MAHON, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 8399) relating to the occupational training, development, and use of the manpower resources of the Nation, and for other purposes, had come to no resolution thereon.

RESIGNATIONS FROM CANADA-UNITED STATES INTERPARLIAMENTARY GROUP

The SPEAKER laid before the House the following communications which were read by the Clerk:

FEBRUARY 27, 1962

Hon. JOHN W. MCCORMACK,
Speaker, U.S. House of Representatives, Speaker's Offices, U.S. Capitol, Washington, D.C.

DEAR MR. SPEAKER: Due to unanticipated circumstances, it becomes necessary for me to submit my resignation as a member to the sixth session of the Canada-United States Interparliamentary Conference.

Very truly yours,
HAROLD D. DONOHUE.

FEBRUARY 26, 1962

Hon. JOHN W. MCCORMACK,
Speaker, U.S. House of Representatives, Washington, D.C.

DEAR MR. SPEAKER: With genuine regret, I hereby resign as a member of the Canada-United States Interparliamentary Group because of unexpected commitments which will command my attention during the time of the conference.

With best wishes, I am,
Sincerely yours,
PHILIP J. PHILBIN.

The SPEAKER. Without objection, the resignations are accepted.

There was no objection.

A NATIONAL LOTTERY

Mr. FINO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FINO. Mr. Speaker, while some of the Members of this Congress as well as other Government officials still express fear that a national lottery might raise economic, social, and moral issues, the wheels of fortune still continue to spin merrily in 24 States throughout this country pumping out tremendous tax revenues from racetrack betting.

The report on horseracing in the United States for the year 1961, just released by the National Association of State Racing Commissioners, reveals some interesting and startling revenue figures. It shows that $3,466,943,158 was wagered in these 24 States where gambling on horseracing is legal and proper. This is an increase of over $108 million from last year. It further reports that the revenue to these same States amounted to $264,858,077. Here again, an increase of almost $7 million from last year. New York State is reported taking in over $99 million in additional income—$2 million more than last year. Also, in spite of our sanctimonious attitude about gambling, our Federal Treasury was the recipient of additional millions of dollars in taxes collected on admission charges for 49,560,334 persons who attended the races during 1961—an increase of over 2½ million people from last year.

To those people who react with shocked surprise at the mere idea of legalizing a national lottery, I would like to point out that, according to this statistical report, the State of Florida again programed 8 additional racing days allotted for scholarships and charities. This means that gambling funds will again be used for the education of our young people and to help the needy. For that matter, is not all of this so-called gambling revenue commingled with other State income and used to build schools and teach our children?

This report makes one point crystal clear and that is, Mr. Speaker, that millions of American citizens throughout the United States enjoy the recreation and pleasures of gambling and that these 24 States, realizing that the urge to gamble is human and normal, have combined this universal human trait with their evergrowing need for more revenue.

Why, Mr. Speaker, all the resistance to a national lottery when every day millions of dollars are changing hands in every stock market, at every race track, at just about every sporting event that is staged? Are these transactions any different than buying a lottery ticket? Are these transactions any different than the lotteries conducted every month by thousands of civic clubs, churches and welfare organizations where automobiles, television sets, and other prizes go out to lucky ticket holders?

Yes, Mr. Speaker, if we would stop and think of how much other legalized gambling we permit every day without giving it a second thought, the idea of a national lottery is not as immoral or wicked as it sounds.

Mr. Speaker, I think the time is come for this Congress to stop playing a double role on the subject of gambling. I think the time is come for this government to wipe out hypocrisy and accept the indisputable fact that man is by his very nature a gambler and wants a chance to legally satisfy his gambling thirst.

More importantly, Mr. Speaker, I think the time is come for this Congress to realize that a national lottery, which can easily pump into our treasury $10 billion a year, would be the only means of reducing the heavy tax burden carried by our American wage earners. Let us wake up and become realistic and sensible on this issue.

INROADS OF AUTOMATION

Mr. SLACK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. SLACK. Mr. Speaker, this bill under consideration is one which I can support with full confidence that we are contemplating a positive step in dealing with the inroads which automation has made into the stability of our national economy.

There is no need to review in detail the bread-and-butter necessities, the economic arithmetic, which created the circumstances leading to our consideration of a measure of this kind. We are all familiar with the pertinent statistics:

That we have today a total of 4,091,000 unemployed persons.

That this figure has declined to 5.8 percent of the working force.

But we also have 1,250,000 persons unemployed for more than 4 months.

And we have 672,000 unemployed persons who have been economically dispossessed—they have not worked for 27 weeks or more.

These statistics reveal nothing new. They simply underline a truth which has been established for more than 10 years. Each of several postwar recessions has been followed by an economic upturn, but at the peak of each upturn the number of long-term unemployed has reached a higher total than it had during the last previous business advance. It is quite clear that we are exploiting our new technology for the general welfare of the Nation, but at the specific expense of certain segments of our labor force.

Last year the Congress authorized the beginnings of one remedial approach to the solution of this problem by passing the Area Redevelopment Act. Too little time has elapsed to permit us to determine how effective the depressed area approach will be. In any case, area redevelopment is a very broad field of activity and does not contemplate retraining of workers as a first consideration. The time has come to authorize another beginning to complement area redevelopment by emphasizing action tied directly to the human element in the total problem.

Some strong reservations concerning the validity of the retraining concept and the precedents which might be established by the adoption of this bill have been expressed in this Chamber. I have no desire to question the good faith of the opponents or to cast doubt on their sincerity. As one who represents a district in which several counties record long-term unemployment of over 20 percent of the working force, however, I feel obligated to place on the record certain convictions based on firsthand experience with the problem which has, of itself, aroused strong support for this proposal.

It has been said that the proposed retraining program will probably not succeed, will miss the heart of the problem, because previous retraining efforts have had only limited success.

In response I would comment that we lack a proper yardstick by which to measure probability of success. Previous retraining programs under the sponsorship of political and economic groups have been fragmentary or of a special objective character. No retraining program can positively guarantee that an unemployed person will automatically become an employed and productive citizen.

Worker retraining will not create job opportunity—only capital investment can do that—but it will vastly increase the chances of those who now have no chance at all, and if we have lost the courage to gamble on the initiative and energy of our own citizenry, then we are taking a long step backward indeed.

Some doubt has been expressed regarding the persons who would be retrained, and whether or not they would use this program for the purpose intended. We must realize that we are dealing with only one category of persons—the unemployed-employables, who can and will work if they are reoriented and directed toward those segments of the economy which are expanding. From personal experience I can testify that about 7 out of every 10 unemployed persons in my district who have been jobless for 26 weeks or more can be considered unemployed-employables, physically able to work and eager to earn a wage.

The question has been raised as to whether or not this program might become permanent. Indeed it might. And is that necessarily bad for the Nation? The best trained professional persons in this country make a practice of taking refresher courses to keep abreast of developments in their fields—to master the latest specialized information which they must use frequently. If retraining becomes a built-in phase of our continuous economic revolution, if portions of our working force regularly pass through such training on the way from idleness caused by technological advance to an upgraded status in another section of the economy, then the program will be fulfilling its function.

If you consider the alternatives you may well decide that this program will be self-liquidating. What are the alternatives?

More unemployment compensation?

More agricultural surplus commodities?

More food stamp plans for an indefinite number of years?

More broken homes, with the breadwinner gone, leading to more money for aid to dependent children?

More collusive union-management agreements to limit work force expansion and restrict job opportunity?

More tax proposals to discourage enterprise management or hinder modernization of our industrial system?

We want no more of any of these, and we all know it. We support amortization and tax writeoff programs for tools, structures, and devices. It has now come to be the time for parallel action in the field of human talents and endeavors.

Let it be said that an American working man has, not one industrial career, but 2 or 5 or 10 if necessary in his lifetime—so long as he is able and willing to work and to learn and relearn to work again. We must create a working force whose flexibility and adaptability matches the tremendous range of improvements now flowing from the experts in the new technology.

Concern has been expressed that the retraining program might provide improper advantages for particular firms or industries. This is not sufficient cause to oppose the program; it is a matter which can be handled by effective administration of the authority which we are delegating to the Secretary of Labor.

The suggestion has also been heard that the retraining program might undermine worker incentive to self-improvement and encourage the feeling that the Federal Government is responsible for the future of all unemployed persons. Some persons may well be so affected, but experience indicates to me that such persons would not work anyway. They are not properly among the unemployed-employables. They are marginal citizens and they like it that way. They are a minority which has always been with us and perhaps always will be.

No person who has not had the experience himself can appreciate the impact of 40 or 50 consecutive weeks of unemployment on a man who has worked steadily all of his previous life. There is a loss of status which is never really forgotten, and a loss of identity with the community—a frozen immobility which simply makes the unemployed person unable to understand what happened, or how, or why it happened to him. The experience itself is grievous enough, and the consequences are far-reaching, but when there is no alternative to continued idleness, then we can expect nothing but social disaster for the worker and his family.

The victim of long-term unemployment needs this alternative, just as the Nation as a whole needs an alternative to the present senseless growth of a larger and larger pool of industrially displaced persons.

We take great pride in our position as the No. 1 industrial nation in the world, and we are spending billions each year to maintain that position and to defend the principles on which our success is based. In that connection, and with reference to the pending measure, I would like to call your attention to a phrase made famous by our professional athletes. They speak of the "second effort," and say that there are many great athletes, but the champions are those who can meet an obstacle and surmount

it with a second effort of drive and determination.

In our programs to counter the effects of automation on our working force we too need a second effort because our first efforts have not completed the job. This retraining program is a second-effort try as part of our determination to continue as international champions in productivity and resourcefulness.

WILL THE DOMINICAN REPUBLIC BECOME ANOTHER CUBA?

Mr. ANFUSO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ANFUSO. Mr. Speaker, I recently spent 3 days in the Dominican Republic, from Thursday, February 15, to Sunday, February 18. I went there because I was very much concerned about the country and about the present situation there. Frankly, I fear that the Dominican Republic may become a second Cuba. Six months before Castro came to power in Cuba I warned that he was no liberator and that he was a Communist. Unfortunately, time proved that my analysis of the situation was right.

I am very much afraid that we are drifting into a similar situation in the Dominican Republic. That was the purpose of my going down there, that is, to learn the true facts, and if the situation warrants it to warn my colleagues in Congress.

I am today reporting to the Congress that the situation in the Dominican Republic is worse than I had anticipated. Unless we act, and act fast, we may soon be faced with another Communist-dominated country in the Caribbean. Only a couple of hundred miles away from our shores. If this should happen, Haiti would not be able to hold out long and our whole position in the Caribbean and the Western Hemisphere generally would be dangerously exposed.

Mr. Speaker, here are some facts that I discovered during my visit to the Dominican Republic:

First. Fidel Castro agents are infiltrating every branch of the Dominican Government, industry, labor, the state university and other sectors of Dominican life.

Second. The 14th of June movement is a well-organized, militant group, with definite Communist leanings. During my visit there, demonstrators associated with this movement burned an American flag and an Associated Press reporter, Robert Berrellez, was beaten up.

Third. I wanted to address the state university, but Dominican officials and our own Chargé d'Affaires warned against it because of possible, well-organized demonstrations by the students belonging to the 14th of June movement, which the Government was powerless to control.

Fourth. The country is on the verge of bankruptcy and may soon be ripe for a Communist takeover, unless political stability and a sound economic base are established.

Fifth. A sound economic base must be centered on sugar production and exports, which account for 70 percent of the country's economy.

Sixth. Loans alone will not help, I am convinced. In addition to loans, we can promote the future stability of the Dominican economy through a U.S. sugar quota of not less than 1 million tons for 1963.

Seventh. We must also provide material assistance to those parties in the Dominican Republic which are friendly to the United States and are strongly anti-Communist. The leftist organizations are getting plenty of financial help from Castro agents, which is undoubtedly emanating from the Soviet Union.

Mr. Speaker, at the end of 1960 the U.S. Government, in order to weaken the Trujillo regime and hasten its overthrow and its replacement by a democratic government, imposed a special import fee of 2 cents per pound on Dominican sugar shipped to the United States under nonquota allocations. This action caused the Dominican sugar industry to receive $21 million less for its exports than the actual market value. That $21 million went to the U.S. Treasury. In so doing the United States prevented it from going into the pockets of the Dominican dictator Trujillo to further enrich him and his family, which owned the sugar mills, factories, farms, and so forth.

As soon as the Trujillo regime had been replaced by a democratic form of government, the sanctions imposed by the Organization of American States—which had formed part of the legal basis for the action of the United States—were lifted.

In a measure, then, the $21 million which the United States had received should be considered as having been held in trust for a democratized Dominican sugar industry, which now belongs to the Dominican state and, therefore, to the people of the Dominican Republic. It has been agreed by all parties concerned that the funds returned to the Dominican Republic will be wholly used for social works—housing projects and the like—for the benefit of the Dominican population.

A gesture of this type on the part of the United States, that is, returning the money to the Dominican people, would help to strengthen the Alliance for Progress and would hasten the reestablishment of friendly relations between our two countries. Needless to say that many of the Dominican people still resent the support given to Trujillo by the United States. If this money were not to be returned, this fact would be utilized by the leftist Castro forces now operating in the Dominican Republic to foment hatred of the United States.

In connection with the sugar situation, which is of tremendous importance to the Dominican economy and its future stability, a start has been made by our Government in granting a sugar quota for the first 6 months of 1962 in the amount of 464,000 short tons, raw value. But we must not stop there. It is of vital importance—in fact, urgent—that we grant a sugar quota for the second half of this year of a quantity at least equal to that of the first half. "Without this," Dominican Government officials told me during my visit there, "we anticipate an economic collapse and political chaos."

What is further complicating the sugar situation is the fact that agricultural and factory wages in the sugar industry have increased this year from a minimum of 70 percent to a maximum of 120 percent. This means that the cost of production has been greatly increased, which exceeds the low world sugar price. The encouraging thing here is that profits no longer go to the Trujillo family, which previously owned and controlled the sugar industry, but are now utilized for the benefit of the people.

Mr. Speaker, at this point I want to quote from a message by Dr. Salvador Ortiz, Secretary of Commerce of the Dominican Republic, the section entitled "Ruinous Aspects of the Suggested Global Quota System":

> The U.S. Sugar Act expires on June 30, 1962. It is understood here that the U.S. Congress will deliberate on a new sugar act and decide on changes in the current act or extend the present act.
>
> The President of the United States, in his budget message to the U.S. Congress on January 18, 1962, proposed a radical change in sugar legislation. He recommended that the difference between the domestic and world price of sugar, which is currently received by foreign suppliers of sugar, will be retained by the United States to the extent permitted by existing international agreements.
>
> This, as is commonly understood, means that the United States would buy sugar from foreign countries at the "world price" for sugar. That price is a frightfully depressed price, markedly below the cost of production. It is a dumping price. It covers only about 10 percent of the world's production. It is a market for sugars which are homeless.
>
> Today the world price of sugar is $2.34 per 100 pounds and it can be conservatively stated that no country in the world can produce sugar at such a low price. Certainly the Dominican Republic cannot. And if the Dominican Republic is obliged to sell sugar at such a price it would be reduced to abject poverty and economic ruin.

While the sugar situation is the key to the country's economic stability, it is no less important to watch the political situation in the Dominican Republic very carefully. For example, it is urgent to see that leftist organizations do not gain control of the constitutional convention scheduled for June 1962. It is equally important that the elections, which are scheduled to be held in December 1962, produce a strong democratic government which can arrest further Communist infiltration.

Finally, I want to touch on a personal note. While I was in the Dominican Republic, the editor of the morning newspaper, El Caribe, German Ornes, personally attacked me as a friend of dictators. Nothing can be further from the truth. This is not only baseless, but too ridiculous for words. My record in Congress and my efforts in strengthening the democratic forces in Latin America are an open book for all to see. I was truly puzzled to know why this editor would attack me.

In checking on German Ornes, I discovered that in the years from 1948 to 1955 he served as a stooge of Dictator Trujillo as editor of the same newspaper El Caribe, which was Trujillo's mouthpiece. In fact, several years later Ornes bought the newspaper with the aid of a loan from the Trujillo government. In October 1955, however, Ornes incurred the dictator's enmity for publishing a picture of a group of flower-bedecked children placing their flowers at the base of a Trujillo bust, but the newspaper caption mistakenly reported that this was taking place at Trujillo's tomb. The next day Ornes left for a press meeting in the United States and refused to return to the Dominican Republic. Now, this man, who openly admits that he played ball with Dictator Trujillo and served as his mouthpiece for many years—and probably would have continued in that capacity for many more years, were it not for the mistake with the picture—dares to attack me because I came to the Dominican Republic to study the situation and to learn how best we can help that country attain economic stability.

I believe there is another reason for his attack, aside from his desire to show that by attacking me he wanted to break from his past association with Trujillo. While in the Dominican Republic, I met with a group of businessmen who are associated with the Business Council for International Understanding. This council seeks to promote better relations between the United States and other countries through a program of projects which are more suitable for private efforts than through the Government, such as 4-H Clubs, Boy Scouts, English language instruction, cultural programs, and the like. A very successful project of this type is operating in Mexico and I inserted a report on the Mexican project in the daily CONGRESSIONAL RECORD of June 1, 1961, pages A3882–A3884. Evidently, Ornes may be thinking that these efforts would win away some of the Dominican people, particularly the youth, from leftist influences and give them an appreciation of America and our democratic ways. His attack on me, therefore, serves a double purpose: He used it to slander American business efforts to aid his people, and it strengthens the hands of the leftists.

Incidentally, about a month ago this same Senor Ornes asked for the removal of two of our staff members attached to the U.S. Embassy in the Dominican Republic, and now he has asked for the removal of our labor attaché there, Fred Somerford, on the ground of alleged interference in Dominican affairs. He is very definitely anti-United States, according to all reports I have received.

The present council of the Dominican Government is headed by President Rafael Bonnelly and ably assisted by such distinguished men as Donald I. Reid Cabral, Dr. Nicholas Pichardo, Secretary of Finance, Dr. Manuel Tavares, and the Secretary of Commerce, Dr. Salvador Ortiz. These men are responsible leaders. They recognize the dangers facing their country and they have asked for help from the United States in their efforts to bring about an independent Dominican Republic free of Communist influences.

In conclusion, it is quite clear to all of us that the struggle for an independent Dominican Republic and a friendly Dominican Government is very important to the United States. If we sit back and do nothing to help bring that about, I am convinced that the Dominican Republic could be lost in 90 days. All we have to do is let the Communists and the Castro agents fan the political passions of the mob, and it will not be long before a revolt-ridden and chaotic situation will make the country ripe for a Communist takeover.

If we fail now in the Dominican Republic, we will have another Cuba on our hands and our position in Latin America will be further endangered. It may later cost us much more both in money and in lives to regain what we stand to lose if the Dominican Republic should go Communist. I know the Dominican people, who, like the Cubans and the other Latin American peoples, are friendly, deeply religious, proud of their ancestry and their country. We cannot and we should not let them down. The lesson of Cuba is too grim and too fresh in our minds.

FEDERAL-STATE RELATIONSHIPS IN PUBLIC WELFARE

Mr. BECKER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BECKER. Mr. Speaker, I believe it is most important and highly enlightening to insert in the RECORD a statement by the New York State Board of Social Welfare outlining problems in Federal-State relationships in public welfare and proposals for their solution. Along with the statement are accompanying resolutions of the State board for legislation to correct what the board points out is a deteriorating situation in these relationships.

I want to express my personal congratulations to the members of the New York State Board of Social Welfare for their recognition of the gradual encroachment of the Federal Government in fields that distinctly belong to the States and the localities.

As I have warned, and opposed, every time Federal-aid programs have come before the House, more and more controls must go with this aid. The statement by the board of social welfare clearly indicates that in this field it is taking its toll and has created a great deal of confusion.

I sincerely hope that in reading this statement other States will fall in line with the recommendations of the State of New York as a basis for legislation, and action will be taken to permit the States to conduct these affairs as originally intended.

This statement was sent to all the Members in the Congress from the State of New York.

The statement follows:

STATEMENT BY THE BOARD OF SOCIAL WELFARE

This board has been concerned over the years with the many problems that have stemmed from Federal-State relationships in the public welfare field, especially with the steadily increasing domination by Federal authorities and the consequent loss of State and local autonomy.

Back in 1951, the Governor of New York State appointed the [Kelly] commission to study federally aided welfare programs and examine the problems of Federal-State relationships and the more immediate threat of withholding Federal funds because of certain variances in assistance standards and practices in local public welfare departments. More recently, the New York State Temporary State Commission on Coordination of State Activities identified the danger of the current situation in this growing complex of Federal-State-local welfare machinery.

These and other studies by New York State indicated that there was no disagreement on the fundamental objectives of all modern public welfare—to help people who have no other resources but public aid, and to provide that assistance as promptly, as effectively, and as economically as possible, in accordance with the best self-help practices. What is involved is the bureaucratic network of Federal regulations, reporting, auditing, bulletins, State letters, interpretations, conformity reviews, and a snowstorm of other administrative paper requirements.

Once again this board finds it necessary to express concern, its very real alarm, over another threat to extend Federal dominance in public welfare—the latest welfare proposals of the Federal Department of Health, Education, and Welfare. Here again, this board and the staff of the State department of social welfare do not quarrel with objectives—providing for needy people who must be helped, rehabilitating individuals who can profit thereby, and using every known modern technique for breaking the chain of dependency in sorely deprived families. Our anxiety arises from the specific ways and means proposed to reach these objectives.

These new proposals, if adopted by the Congress, would give the Secretary of Health, Education, and Welfare in Washington full power to dictate in detail to all the States, and therefore to all the thousands of local communities in the Nation that administer public welfare, just how it is to be managed—almost down to the last piece of paper.

The discretion vested in the Secretary is without limitations.

The philosophy implied and inherent is in flat contradiction to the historic concern of New York State and its localities for home rule, and ignores the basic right and responsibility of the State and its localities to decide how they will conduct their public business.

We believe that a stand must be made now, by this State and, hopefully, every other State, to stop and to reverse the trend of increasing Federal domination, of a growing complexity that is getting completely out of hand, and of the constant threats to withhold Federal funds because of alleged nonconformity with Federal regulations.

To accomplish this urgently needed change, this board proposes that—

1. Because many of these problems stem from federally required State plans, the Social Security Act should be revised to require that, not a State's plan, but its State laws, should be used as the basis for determining whether a State is in conformity with Federal law.

Such a revision would also shift the responsibility for accepting or refusing Federal welfare funds from administrators to legislators. The amount of funds that are now available to a State such as New York, over $200 million annually, is so great that the

decision to accept or refuse such funds should be made by those who have the duty to decide the major fiscal policies of the State. After all, the effect of such fiscal decisions goes far beyond the interest or jurisdiction of any single State agency.

2. The Federal administrator's powers to review a State's program for conformity should be limited to reviewing a State's welfare laws. This would restrain Federal administrative personnel from continuously stretching Federal requirements and threatening a State agency with withdrawal of Federal funds unless its voluminous State plan is amended again and again to conform to the latest Federal interpretation of its own regulations.

3. Determinations stemming from this review procedure should be appealable to an appropriate Federal court, which would render a decision after a hearing in which the facts indicated whether a State did meet the requirements of the Federal law or whether its claims for Federal funds were made in good faith or that it withheld the Federal share of recovery funds from the Federal Government.

This board respectfully asks Governor Rockefeller to request the New York State Legislature to memorialize the Congress to consider the grave threats to the Federal-State-local welfare system, and to all Government relationships, represented by this imbalance of powers, and to act quickly and forthrightly to correct the situation.

This board also asks the New York State delegation to the Congress to give its special attention to the Federal legislative proposals before that body in the interest of New York State and all States.

RESOLUTION OF THE STATE BOARD OF SOCIAL WELFARE

Resolved, That this board recommends that the Social Security Act be amended, as follows:

I. That titles I, IV, X, and XIV be amended to require that a State's laws, instead of a State's plan, conform to the requirements of those titles to qualify the State for Federal funds thereunder.

II. That titles I, IV, X, XIV, and related provisions of the Social Security Act be amended to make clear that the powers and duties of the Department of Health, Education, and Welfare be limited to:

1. Determining whether a State's laws conform to the requirements of the Federal legislation;

2. Determining whether in the administration of the State's laws there be substantial compliance with the Federal legislation;

3. Determining whether a State's claims for Federal funds are properly computed and are based on actual expenditures made in good faith, and whether a State has correctly computed and reported the Federal share of amounts recovered from recipients, their estates and relatives;

4. Stimulating and assisting States to provide skilled social services for the prevention of dependency and for rehabilitation;

5. Stimulating and subsidizing research into the causes of dependency and into methods of effective rehabilitation; and

6. On request, to give advice and guidance to States for the better administration of the federally aided programs; and

III. That titles I, IV, X, and XIV and other related provisions of the Social Security Act be amended to provide that the Department of Health, Education, and Welfare shall not deny or withhold Federal funds made available to the States under any of the federally aided assistance programs except with the approval of an impartial administrative board (comprised, for instance, of three or five persons appointed by the President with the advice and consent of the Senate, and assured of facilities and services adequate to the discharge of its functions), issued after appropriate notice and opportunity to be heard shall have been afforded the State affected; and to provide further that the State affected shall have the right to appeal the determination of such board to an appropriate Federal court; and be it further

Resolved, That this board recommends that the Governor request the legislature to memorialize the Congress to amend the Social Security Act in accordance with the foregoing resolution.

H.R. 10454: A BILL FOR THE DISPOSITION OF PUBLIC LANDS

Mr. HALPERN. Mr. Speaker, I ask unanimous consent that the gentleman from Arizona [Mr. RHODES] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RHODES of Arizona. Mr. Speaker, the bill provides for the classification of all public lands except Indian reservations, national parks and monuments, and the like, as to the highest and best use for the land. The process of classification is to be accomplished by the agency of the U.S. Government owning the land in conjunction with the State in which the land is located. Any disputes on proper classification will be resolved by the Secretary of the Interior after notice and hearing.

Land classified for urban or industrial development may, at the option of the State, be appraised as to its present value. Such land may then, at the option of the State, be turned over to the possession of the State under a contract of sale. Under the terms of the contract the State shall have 10 years to develop the land or sell it to developers. At the end of the 10 years, the State shall either pay the appraised value of the land to the Federal Government, or return the land to the agency of the Federal Government which had jurisdiction of it.

If the land is sold, the State shall either pay in cash the appraised value of the land to the Federal Government, or assign such portion of deferred payments to be made by the purchaser as are necessary to pay the Federal Government the appraised value of the land.

Another feature of the bill is a provision that the Federal Government may turn over lands to a State, city, or county, without cost, provided these lands are used for school, park, or other public purposes, and that such use is commenced within a reasonable period of time.

The bill is designed to allow the States to plan orderly development of its most strategically located lands, and to provide land for public facilities now, commensurate with anticipated future growth.

A BILL TO PERMIT DONATION OF SURPLUS PERSONAL PROPERTY TO PUBLIC PARK, RECREATION, OR HISTORIC MONUMENT AGENCIES

Mr. HALPERN. Mr. Speaker, I ask unanimous consent that the gentleman from Nebraska [Mr. CUNNINGHAM] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CUNNINGHAM. Mr. Speaker, I have today introduced a bill which extends to public tax-supported park, recreation, and historic monument agencies the right to receive surplus Federal personal property.

This right to receive such surplus personal property is now granted other similar agencies, including civil defense and public health agencies.

Under this amendment to the Federal Property and Administrative Services Act of 1949, the Secretary of the Interior is designated as the officer who shall determine whether such personal property is usable and necessary to the program of the receiving agency. It may be donated to any park, recreation or historic monument agency of any State or of any political subdivision in any State.

This legislation extends to public park, recreation, and historic monument agencies the right to surplus Federal personal property. They now have the right to receive surplus Federal real property.

INFORMATION FILED WITH BUREAU OF CENSUS ON CONFIDENTIAL BASIS

Mr. HALPERN. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. JOHANSEN] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. JOHANSEN. Mr. Speaker, I have today introduced a bill to amend title 13, United States Code, to preserve the confidential nature of copies of information filed with the Bureau of the Census on a confidential basis.

The proposed amendment reads as follows:

(c) copies of census reports retained by respondents shall not be obtained by other departments or agencies of the Government through subpena or other process or by virtue of any law.

My action in introducing this bill is prompted by the decision of the U.S. Supreme Court on December 11, 1961, in the case of St. Regis Paper Co., petitioner, against United States.

In this case, the majority of the Court held that the petitioner, St. Regis Paper Co., was obligated to comply with an order of the Federal Trade Commission to produce file copies of reports which it had submitted to the Bureau of the Census even though sections 8 and 9 of title 13 of the United States Code purport to assure the complete confidentiality of such information supplied to the Bureau of the Census.

The Court held that "the prohibitions against disclosure contained in paragraph 9 run only against the officials receiving such information and do not purport to generally clothe census information with secrecy."

The Court further held:

Congress did not prohibit the use of the reports per se but merely restricted their use while in the hands of those persons receiving them; i.e., the Government officials. Indeed, when Congress has intended like reports not to be subject to compulsory process it has said so.

I agree with the dissenting views of Mr. Justice Black concurred in by Mr. Justices Whittaker and Stewart, that—

Our Government should not, by picayunish haggling over the scope of its promise, permit one of its arms to do that which, by any fair construction, the Government has given its word that no arm will do.

I further agree with the dissenting view that—

it is no less good morals and good law that the Government should turn square corners in dealing with the people than that the people should turn square corners in dealing with their Government.

As the dissenting views of Mr. Justice Black pointed out, the form supplied by the Census Bureau told the petitioner:

Your report is confidential and only sworn census employees will have access to it. It cannot be used for purposes of taxation, investigation, or regulation.

The purpose of the amendment to section 9 of title 13 contained in my bill is to provide the corrective treatment which the Court decision clearly indicates must be provided if the protection is to be assured.

My bill, if enacted, will preclude any future "picayunish haggling." It will assure complete confidentiality of data furnished the Bureau of the Census either in compliance with statutory requirement or in voluntary response to Census Bureau requests. It will give substance to the pledge offered by the President of the United States that, "no person can be harmed in any way by furnishing the information required."

This Presidential pledge, incidentally, conforms to the provision of section 8(c) of title 13 which states that—

In no case shall information furnished under the authority of this section be used to the detriment of the persons to whom such information relates.

As a member of the Census Subcommittee of the House Committee on Post Office and Civil Service, I intend to ask for early hearings on this bill which has also been introduced by the former chairman of this subcommittee, my distinguished colleague from Michigan [Mr. LESINSKI], and also in slightly different form by my distinguished colleague from Michigan [Mr. FORD].

WHEAT AT FOUR PRICES?

Mr. HALPERN. Mr. Speaker, I ask unanimous consent that the gentleman from Nebraska [Mr. BEERMANN] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BEERMANN. Mr. Speaker, 34 pages of the new farm bill are required to explain the administration's A B C D proposed wheat program.

I think it is fair to say that this is the most complicated proposal ever submitted to the Congress for any single commodity.

Any supposition that all of the complex gears provided are likely to mesh smoothly, and that all sorts of bugs will not develop is extremely naive.

I call this proposal the four-price wheat plan because it appears that there are at least four different prices which can be established for identical wheat raised on one farm by one farmer.

One price is the price he is going to get for a prescribed percentage of his wheat that theoretically is going to be used for human consumption in the United States. The Secretary of Agriculture would determine this price.

Another price is the price the farmer is supposed to get for a portion of his wheat that is theoretically going to be used for human consumption in other countries. The Secretary of Agriculture would determine this price too, and would also determine the percentage of all exported wheat that would be eligible to get this price.

The rest of a farmer's wheat would be eligible for a price support loan at a third price, determined by the Secretary.

The fourth price for a portion of a farmer's wheat would be applicable only if he planted excess acreage. The price for this wheat would be the same as the third price, minus a penalty of x cents a bushel.

This complicated structure is to be accomplished by commodity loan programs and by two different certificate plans. Each wheat farmer would get a certificate for that portion of his wheat going to domestic milling for food. Each wheat farmer would also get a certificate for that portion of his wheat going for export food uses.

The theory is that the wheat farmer would get these diverse prices by sale of these certificates to domestic millers and wheat exporters.

There are, it seems to me, some basic and extreme inequities involved in this proposal.

One of these is that the farmer who has customarily grown certain types of high quality milling wheat is discriminated against. Although there is no surplus of some types of wheat, and although buyers are ready and willing to pay a premium for such quality wheat, the producer of this wheat is going to be required to take the same cut in wheat acreage as other farmers who have increased production of kinds of wheat in surplus.

The way this complex multiple-price plan actually works is that the farmer who grows high quality milling wheat in firm demand is going to give up a part of his right to share in such firm demand to other farmers growing kinds of wheat not wanted by the market.

This disadvantage to farmers who grow kinds of wheat wanted by the market is reflected in many local situations. Certain producing areas that are able to produce quality milling wheat are going to have a substantial reduction in the amount they can sell for quality milling purposes in order that farmers in other areas may share in this market.

The program operates to freeze the uneconomical pattern of wheat production in recent years. This uneconomic pattern has been created by the 15-acre exemption, plus the incentives for maximum production. The wheat program has operated to spread wheat production in many areas and on many farms where wheat production would not have occurred except for the program.

It is time that we took action to get back to a more economic distribution of wheat production rather than to freeze the uneconomic pattern of recent years.

One of the results of the proposed multiple-price plan for wheat is well hidden beneath the complexities of the program.

This is the disposition of surplus wheat on the feed grain market on a subsidized basis.

No feed grain producer will quarrel with the use of wheat for feed if this is the result of fair, competitive marketing.

But feed grain producers do object and should object to subsidized competition in the feed grain market.

This subsidy comes about because the wheat producer gets a high price for that portion of his wheat crop that moves into domestic and foreign food use. This high price means that the wheat producer can accept a lower price for his uncertificated wheat than would otherwise be the case.

This effect of the program should not be obscured by the proposal to have a price support for uncertificated wheat. There is no place for uncertificated wheat to go except to the feed grain market. All that is produced will by necessity and in the absence of unusual circumstance eventually find its way into feed use. The delaying effect of the price-support program only increases the eventual impact of such movements.

I must confess that in reading the complex provisions of title IV–B of the administration's bill, relative to the multiple-price plan for wheat, that it is not possible to assess with accuracy the full picture of all that is involved.

The reason it is difficult is because on every page appear numerous provisions establishing discretionary authority for the Secretary of Agriculture.

This portion of the bill is filled with such phrases as: "The Secretary may permit the diverted acreage to be grazed in accordance with regulations prescribed by the Secretary." "The Secretary may require that the acreage diverted by the same as in the previous year," "as the Secretary may determine," "an amount of wheat determined by the Secretary," "the Secretary has reason to believe," "the Secretary finds," "the Secretary may," "apportioned by the Secretary," "prescribed by the Secretary," "as the Secretary determines should be considered," "the Secretary may permit producers of feed grains" to grow feed grains instead of wheat, "subject to such terms and conditions as the Secretary may prescribe," "designated by the Secretary," "the Secretary is authorized," "conservation uses approved by the Secretary," "to the extent the Secretary determines appropriate," "except as the Secretary may by regulations prescribe,"

"the Secretary shall provide for the sharing of payments," "in accord with regulations issued by the Secretary," "the Secretary shall prescribe conversion factors," "the Secretary is authorized to take such action as he determines to be necessary" and other similar phrases delegating broad powers to the Secretary of Agriculture.

Just like its forerunner, the Agricultural Act of 1961, this bill represents another and perhaps the greatest attempt at power grabbing in the legislative history of Congress. Never, to my knowledge, has Congress been asked to grant the Secretary such broad discretionary authority.

It would be, I submit, intolerable for Congress to delegate such broad powers to the Secretary of Agriculture.

I will also submit that the proposed multiple-price program for wheat is so complicated that it would be impractical for Congress to try to write more specific provisions.

All of which leads to the inescapable conclusion that this is an extraordinarily good reason why the entire proposal should not be enacted.

THE PLIGHT OF THE COTTON TEXTILE INDUSTRY

The SPEAKER. Under the previous order of the House, the gentleman from South Carolina [Mr. HEMPHILL] is recognized for 60 minutes.

Mr. HEMPHILL. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. HEMPHILL. Mr. Speaker, the subject of this 60 minutes' time today is the same subject I have talked on so much here, that is, the subject of textiles, because I am charged with the responsibility of representing a district whose primary industry is textiles, to make sure that we leave no stone unturned and that this administration—particularly the State Department with its policies which have been so disastrous to the textile industry in the past—knows what we are thinking and knows that we are thinking, thinking constantly of ways and means to protect our textile jobs, our textile industry.

On February 15 of this year the White House issued a release through the Office of the White House Press Secretary, about the long-term cotton textile arrangement concluded at a meeting of the Cotton Textile Committee of the General Agreement on Tariffs and Trade held in Geneva, Switzerland, January 29 to February 9, 1962.

There are many of us who view with interest and usually with apprehension, especially the textile people, when the GATT negotiations are in progress. We were assured by the White House of a supposedly very happy solution.

Under permission to include extraneous matter I set forth the press release at this point in the RECORD.

The matter referred to follows:

THE WHITE HOUSE PRESS RELEASE

The President today released the text of the long-term cotton textile arrangement concluded at a meeting of the Cotton Textile Committee of the General Agreement on Tariffs and Trade held in Geneva, Switzerland, January 29 to February 9, 1962.

Nineteen nations, representing the principal cotton textile exporting and importing nations of the free world participated in drafting the arrangements.

The arrangement is for a period of 5 years beginning October 1, 1962. It is similar to an earlier agreement covering a period between October 1, 1961, and October 1, 1962, which has enabled importing countries threatened by or subjected to market disruption in any of 64 categories of cotton textiles to restrain imports to the level of fiscal year 1961.

Under the terms of the new arrangement, an importing nation threatened by or subjected to market disruption on any item or category of cotton textiles may freeze imports for 1 year to the level of the first 12 of the preceding 15 months. If this market condition persists, the freeze may be extended for yet another year. Following that, increases may be limited to 5 percent a year. In all cases the decision is made unilaterally by the importing nation.

Accompanying the agreement will be an undertaking by those nations which have maintained quantitative restraints on cotton textile imports to expand access to their markets in order to relieve pressures elsewhere.

The 5 years during which the current agreement and the proposed agreement will be in force will permit the American cotton textile industry to plan their production and to sharpen their competitive position with the confidence that foreign imports will not disrupt their activities. It marks the conclusion of another step in the seven step program announced by the President on May 2, 1961, for assistance to the American textile industry.

Both industry and labor advisers to the U.S. delegation in Geneva expressed satisfaction with the terms of the agreement.

Mr. HEMPHILL. Along with that particular release was issued a statement of the agreements, and these I extend at this point in the RECORD:

LONG-TERM COTTON TEXTILE ARRANGEMENT[1]

Recognizing the need to take cooperative and constructive action with a view to the development of world trade;

Recognizing further that such action should be designed to facilitate economic expansion and promote the development of less developed countries possessing the necessary resources, such as raw materials and technical skills, by providing larger opportunities for increasing their exchange earnings from the sale in world markets of products which they can efficiently manufacture;

Noting, however, that in some countries situations have arisen which, in the view of these countries, cause or threaten to cause "disruption" of the market for cotton textiles;

Desiring to deal with these problems in such a way as to provide growing opportunities for exports of these products, provided that the development of this trade proceeds in a reasonable and orderly manner so as to avoid disruptive effects in individual markets and on individual lines of production in both importing and exporting countries;

Determined, in carrying out these objectives, to have regard to the declaration on promotion of the trade of less developed countries adopted by ministers at their meeting during the 19th session of the contracting parties in November 1961;

The participating countries have agreed, as follows:

ARTICLE 1

In order to assist in the solution of the problems referred to in the preamble to this arrangement, the participating countries are of the opinion that it may be desirable to apply, during the next few years, special practical measures of international cooperation which will assist in any adjustment that may be required by changes in the pattern of world trade in cotton textiles. They recognize, however, that the measures referred to above do not affect their rights and obligations under the General Agreement on Tariffs and Trade (hereinafter referred to as the GATT). They also recognize that, since these measures are intended to deal with the special problems of cotton textiles, they are not to be considered as lending themselves to application in other fields.

ARTICLE 2

1. Those participating countries still maintaining restrictions inconsistent with the provisions of the GATT on imports of cotton textiles from other participating countries agree to relax those restrictions progressively each year with a view to their elimination as soon as possible.

2. Without prejudice to the provisions of paragraphs 2 and 3 of article 3, no participating country shall introduce new import restrictions, or intensify existing import restrictions, on cotton textiles, insofar as this would be inconsistent with its obligations under the GATT.

3. The participating countries at present applying import restrictions to cotton textiles imported from other participating countries undertake to expand access to their markets for such cotton textiles so as to reach, by the end of the period of validity of the present arrangement, for the products remaining subject to restrictions at that date, taken as a whole, a level corresponding to the quotas opened in 1962, for such products, as increased by the percentage mentioned in annex A.

Where bilateral arrangements exist, annual increases shall be determined within the framework of bilateral negotiations. It would, however, be desirable that each annual increase should correspond as closely as possible to one-fifth of the overall increase.

4. The participating countries concerned shall administer their remaining restrictions on imports of cotton textiles from participating countries in an equitable manner and with due regard to the special needs and situation of the less-developed countries.

5. Notwithstanding the provisions of paragraph 3 above, if, during the licensing period preceding the entry into force of this arrangement, a specific basic quota is nil or negligible, the quota for the succeeding licensing period will be established at a reasonable level by the participating importing country concerned in consultation with the participating exporting country or countries concerned. Such consultation would normally take place within the framework of the bilateral negotiations referred to in paragraph 3 above.

6. Participating countries shall, as far as possible, eliminate import restrictions on the importation, under a system of temporary importation for reexport after processing, of cotton textiles originating in other participating countries.

[1] The negotiation of this arrangement was concluded in Geneva on an ad referendum basis on Feb. 9, 1962, by representatives of the following Governments: Australia, Austria, Canada, Denmark, India, Japan, Norway, Pakistan, Portugal, Spain, Sweden, United Kingdom (also representing Hong Kong), United States, and the member states of European Economic Community (Belgium, France, Federal Republic of Germany, Italy, Luxembourg, and Netherlands).

7. The participating countries shall notify the Cotton Textiles Committee as early as possible, and in any case not less than 1 month before the beginning of the licensing period, of the details of any quota or import restriction referred to in this article.

ARTICLE 3

1. If imports from a participating country or countries into another participating country of certain cotton textile products not subject to import restrictions should cause or threaten to cause disruption in the market of the importing country, that country may request the participating country or countries whose exports of such products are, in the judgment of the importing country, causing or threatening to cause market disruption to consult with a view to removing or avoiding such disruption. In its request the importing country will, at its discretion, indicate the specific level at which it considers that exports of such products should be restrained, a level which shall not be lower than the one indicated in annex B. The request shall be accompanied by a detailed, factual statement of the reasons and justification for the request; the requesting country shall communicate the same information to the Cotton Textiles Committee at the same time.

2. In critical circumstances, where an undue concentration of imports during the period specified in paragraph 3 below would cause damage difficult to repair, the requesting participating country may, until the end of the period, take the necessary temporary measures to limit the imports referred to in paragraph 1 above from the country or countries concerned.

3. If, within a period of 60 days after the request has been received by the participating exporting country or countries, there has been no agreement either on the request for export restraint or on any alternative solution, the requesting participating country may decline to accept imports for retention from the participating country or countries referred to in paragraph 1 above of the cotton textile products causing or threatening to cause market disruption, at a level higher than that specified in annex B, in respect of the period starting on the day when the request was received by the participating exporting country.

4. In order to avoid administrative difficulties in enforcing a given level of restraint on cotton textiles subject to measures taken under this article, the participating countries agree that there should be a reasonable degree of flexibility in the administration of these measures. Where restraint is exercised for more than one product the participating countries agree that the agreed level for any one product may be exceeded by 5 percent provided that the total exports subject to restraint do not exceed the aggregate level for all products so restrained on the basis of a common unit of measurement to be determined by the participating countries concerned.

5. If participating countries have recourse to the measures envisaged in this article, they shall, in introducing such measures, seek to avoid damage to the production and marketing of the exporting country and shall cooperate with a view to agreeing on suitable procedures, particularly as regards goods which have been, or which are about to be, shipped.

6. A participating country having recourse to the provisions of this article shall keep under review the measures taken under this article with a view to their relaxation and elimination as soon as possible. It will report from time to time, and in any case once a year, to the Cotton Textiles Committee on the progress made in the relaxation or elimination of such measures. Any participating country maintaining measures under this article shall afford adequate opportunity for consultation to any participating country or countries affected by such measures.

7. Participating importing countries may report the groups or categories to be used for statistical purposes to the Cotton Textiles Committee. The participating countries agree that measures envisaged in this article should only be resorted to sparingly, and should be limited to the precise products or precise groups or categories of products causing or threatening to cause market disruption, taking full account of the agreed objectives set out in the preamble to this arrangement. Participating countries shall seek to preserve a proper measure of equity where market disruption is caused or threatened by imports from more than one participating country and when resort to the measures envisaged in this article is unavoidable.

ARTICLE 4

Nothing in this arrangement shall prevent the application of mutually acceptable arrangements on other terms not inconsistent with the basic objectives of this arrangement. The participating countries shall keep the Cotton Textiles Committee fully informed on such arrangements, or the parts thereof, which have a bearing on the operation of this arrangement.

ARTICLE 5

The participating countries shall take steps to insure, by the exchange of information, including statistics on imports and exports when requested, and by other practical means, the effective operation of this arrangement.

ARTICLE 6

The participating countries agree to avoid circumvention of this arrangement by transshipment or rerouting, substitution of directly competitive textiles and action by nonparticipants. In particular, they agree on the following measures:

(a) Transshipment: The participating importing and exporting countries agree to collaborate with a view to preventing circumvention of this arrangement by transshipment or rerouting and to take appropriate administrative action to avoid such circumvention. In cases where a participating country has reason to believe that imports shipped to it from another participating country and purporting to have originated in that country did not originate there, it may request that country to consult with it with a view to assisting in the determination of the real origin of the goods.

(b) Substitution of directly competitive textiles: It is not the intention of the participating countries to broaden the scope of this arrangement beyond cotton textiles but, when there exists a situation or threat of market disruption in an importing country in terms of article 3, to prevent the circumvention of this arrangement by the deliberate substitution for cotton of directly competitive fibers. Accordingly, if the importing participating country concerned has reason to believe that imports of products in which this substitution has taken place have increased abnormally, that is, that this substitution has taken place solely in order to circumvent the provisions of this arrangement, that country may request the exporting country concerned to investigate the matter and to consult with it with a view to reaching agreement upon measures designed to prevent such circumvention. Such request shall be accompanied by a detailed, factual statement of the reasons and justification for the request. Failing agreement in the consultation within 60 days of such request, the importing participating country may decline to accept imports of the products concerned as provided for in article 3 and, at the same time, any of the participating countries concerned may refer the matter to the Cotton Textiles Committee which shall make such recommendations to the parties concerned as may be appropriate.

(c) Nonparticipants: The participating countries agree that, if it proves necessary to resort to the measures envisaged in article 3 above, the participating importing country or countries concerned shall take steps to insure that the participating country's exports against which such measures are taken shall not be restrained more severely than the exports of any country not participating in this arrangement which are causing, or threatening to cause, market disruption. The participating importing country or countries concerned will give sympathetic consideration to any representations from participating exporting countries to the effect that this principle is not being adhered to or that the operation of this arrangement is frustrated by trade with countries not party to his arrangement. If such trade is frustrating the operation of this arrangement, the participating countries shall consider taking such action as may be consistent with their law to prevent such frustration.

ARTICLE 7

1. In view of the safeguards provided for in this arrangement the participating countries shall, as far as possible, refrain from taking measures which may have the effect of nullifying the objectives of this arrangement.

2. If a participating country finds that its interests are being seriously affected by any such measure taken by another participating country, that country may request the country applying such measure to consult with a view to remedying the situation.

3. If the participating country so requested fails to take appropriate remedial action within a reasonable length of time, the requesting participating country may refer the matter to the Cotton Textiles Committee which shall promptly discuss such matter and make such comments to the participating countries as it considers appropriate. Such comments would be taken into account should the matter subsequently be brought before the contracting parties under the procedures of article XXIII of the GATT.

ARTICLE 8

The Cotton Textiles Committee, as established by the contracting parties at their 19th session, shall be composed of representatives of the countries party to this arrangement, and shall fulfill the responsibilities provided for it in this arrangement:

(a) The committee shall meet from time to time to discharge its functions. It will undertake studies on trade in cotton textiles as the participating countries may decide. It will collect the statistical and other information necessary for the discharge of its functions and will be empowered to request the participating countries to furnish such information.

(b) Any case of divergence of view between the participating countries as to the interpretation or application of this arrangement may be referred to the committee for discussion.

(c) The committee shall review the operation of this arrangement once a year and report to the contracting parties. The review during the third year shall be a major review of the arrangement in the light of its operation in the preceding years.

(d) The committee shall meet not later than 1 year before the expiry of this arrangement, in order to consider whether the arrangement should be extended, modified, or discontinued.

ARTICLE 9

For purposes of this arrangement the expression "cotton textiles" includes yarns, piece goods, made-up articles, garments, and other textile manufactured products, in

which cotton represents more than 50 percent (by weight) of the fiber content, with the exception of handloom fabrics of the cotton industry.

ARTICLE 10

For the purposes of this arrangement, the term "disruption" refers to situations of the kind described in the decision of the contracting parties of November 19, 1960, the relevant extract from which is reproduced in annex C.

ARTICLE 11

1. This arrangement is open for acceptance, by signature or otherwise, to governments, parties to the GATT or having provisionally acceded to that agreement, provided that if any such government maintains restrictions on the import of cotton textiles from other participating countries, that government shall, prior to its accepting this arrangement, agree with the Cotton Textiles Committee on the percentage by which it will undertake to increase the quotas other than those maintained under article XII or article XVIII of the GATT.

2. Any government which is not party to the GATT or has not acceded provisionally to the GATT may accede to this arrangement on terms to be agreed between that government and the participating countries. These terms would include a provision that any government which is not a party to the GATT must undertake, on acceding to this arrangement, not to introduce new import restrictions or intensify existing import restrictions, on cotton textiles, insofar as such action would, if that government had been a party to the GATT, be inconsistent with its obligations thereunder.

ARTICLE 12

1. This arrangement shall enter into force on October 1, 1962, subject to the provisions of paragraph 2 below.

2. The countries which have accepted this arrangement shall, upon the request of one or more of them, meet within 1 week prior to October 1, 1962, and, at that meeting, if a majority of these countries so decide, the provisions of paragraph 1 above may be modified.

ARTICLE 13

Any participating country may withdraw from this arrangement upon the expiration of 60 days from the day on which written notice of such withdrawal is received by the Executive Secretary of GATT.

ARTICLE 14

This arrangement shall remain in force for 5 years.

ARTICLE 15

The annexes to this arrangement constitute an integral part of this arrangement.

ANNEXES

ANNEX A

(The percentages in this annex will be communicated in due course.)

ANNEX B

1. (a) The level below which imports or exports of cotton textile products causing or threatening to cause market disruption may not be restrained under the provisions of article 3 shall be the level of actual imports or exports of such products during the 12-month period terminating 3 months preceding the month in which the request for consultation is made.

(b) Where a bilateral agreement on the yearly level of restraint exists between participating countries concerned covering the 12-month period referred to in paragraph (a), the level below which imports of cotton textile products causing or threatening to cause market disruption may not be restrained under the provisions of article 3 shall be the level provided for in the bilateral agreement in lieu of the level of actual imports or exports during the 12-month period referred to in paragraph (a).

Where the 12-month period referred to in paragraph (a) overlaps in part with the period covered by the bilateral agreement, the level shall be:

(i) the level provided for in the bilateral agreement, or the level of actual imports or exports, whichever is higher, for the months where the period covered by the bilateral agreement and the 12-month period referred to in paragraph (a) overlap; and

(ii) the level of actual imports or exports for the months where no overlap occurs.

2. Should the restraint measures remain in force for another 12-month period, the level for that period shall not be lower than the level specified for the preceding 12-month period, increased by 5 percent. In exceptional cases, where it is extremely difficult to apply the level referred to above, a percentage between 5 and 0 may be applied in the light of market conditions in the importing country and other relevant factors after consultation with the exporting country concerned.

3. Should the restraining measures remain in force for further periods, the level for each subsequent 12-month period shall not be lower than the level specified for the preceding 12-month period, increased by 5 percent.

ANNEX C

Extract from the contracting parties' decision of November 19, 1960:

"These situations (market disruption) generally contain the following elements in combination:

"(i) a sharp and substantial increase or potential increase of imports of particular products from particular sources;

"(ii) these products are offered at prices which are substantially below those prevailing for similar goods of comparable quality in the market of the importing country;

"(iii) there is serious damage to domestic producers or threat thereof;

"(iv) the price differentials referred to in paragraph (ii) above do not arise from governmental intervention in the fixing or formation of prices or from dumping practices.

"In some situations other elements are also present and the enumeration above is not, therefore, intended as an exhaustive definition of market disruption."

ANNEX D

For the purposes of applying article 9, the following list of the groups or subgroups of the S.I.T.C. is suggested. This list is illustrative and should not be considered as being exhaustive.

	SITC Rev.	BTN
I Cotton yarns and fabrics	651.3 .4 652	55.05 .06 .07 .08 .09 58.04A
II Cotton made-up articles and special fabrics	ex 653.7 ex 654 ex 655 ex 656 ex 657	ex 46.02 ex 58.01-03 ex 58.05-10 ex 59.01-17 ex 60.01 ex 62.01-06 ex 66.01-02 ex 66.03-06 ex 61.01-11 ex 65.03-07
III Cotton clothing	ex 841	

ANNEX E

Interpretative notes

1. Add article 3, paragraph 3: In Canada, there is no legislation whereby imports may be limited in a precise quantitative manner as envisaged in this paragraph. The provision available for limiting imports in order to avoid injury or a threat of injury to a domestic industry is contained in section 40A(7)(c) of the Customs Act which authorizes the application of special values for duty purposes. These special values cannot be used to achieve a precise level of imports. Accordingly, the participating countries recognize that, should Canada find it necessary to take action to limit imports pursuant to this arrangement, it would not be in a position to insure that imports would not fall below the minimum level as defined in this paragraph.

2. Add article 9: Notwithstanding the provisions of article 9, any country which is applying a criterion based on value will be free to continue to use that criterion for the purposes of article 9.

Mr. HEMPHILL. I also wish to insert in the RECORD at this point certain press releases on this particular story, for it has some impact on what I have to say.

The matter referred to follows:

[From the Washington (D.C.) Star, Feb. 16, 1962]

NINETEEN-NATION PACT SEEKS TEXTILE IMPORTS CURB

(By Lee M. Cohn)

The Kennedy administration, bidding for congressional support of its tariff-cutting proposals, today released the text of a 19-nation agreement designed to hold down "disruptive" imports of cotton textiles.

Under terms of the pact, the United States could freeze imports of cotton textiles at about current levels for 2 years. In each of the 3 ensuing years, the United States would have to permit a 5-percent increase in the imports.

Cotton textile manufacturers here have complained bitterly about competitive imports of low-priced yarn, cloth, and apparel from Japan, Hong Kong, and elsewhere.

These manufacturers and their employees' unions have threatened through their representatives in Congress to oppose the President's request for broad new tariff-cutting powers, unless the administration stems the flow of cotton textiles.

VOTES ARE NEEDED

With a close fight on the tariff bill expected this spring, the administration feels it needs the votes of textile-State Congressmen—concentrated mostly in New England and the South.

The 19-nation agreement, together with other measures to help the American textile industry, is aimed at winning this crucial support. The Associated Press reported that textile-State Congressmen, briefed on terms of the pact, expressed general satisfaction.

But some Japanese industrialists have complained about the agreement, because it would allow the United States to restrict imports unilaterally. U.S. officials, however, said the Japanese Government delegation approved the pact without reservation.

The agreement was negotiated last week at Geneva. It will go into force next October 1 for 5 years—replacing a 1-year pact expiring then—if the negotiating nations sign.

PLANNING SEEN ALLOWED

Hailing the agreement in a statement, the White House said it "will permit the American cotton textile industry to plan their production and to sharpen their competitive position with the confidence that foreign imports will not disrupt their activities."

White House officials said the United States "got more than we asked for" in machinery to protect American industry against competitive cotton textile imports.

At the same time, they said, Japan and the other exporters achieved valuable concessions, because the six nations of the European Common Market committed themselves to move toward elimination of their import quotas on cotton textiles.

The United States hopes to cushion the impact of its restrictions on Japanese imports by opening up other markets—mainly in Europe—to Japanese textiles.

Officials said complex formulas in the pact boil down to this:

If the United States or another importer decides that increased imports of any category of cotton textiles threaten to disrupt the domestic market, it will ask the exporting country to restrict its exports to a specific level.

If no agreement is reached within 60 days, the importing country may impose the restrictions—in effect, import quotas—unilaterally. In emergencies, the importing country may clamp down immediately, without waiting 60 days.

Under the formula, the United States next fall could freeze imports from Japan, for example, at the level of the year ended last June 30. This freeze would remain in effect up to 2 years.

FIVE-PERCENT QUOTA INCREASE

If the United States decided to continue restrictions, it would increase the quota in the third year by 5 percent. Additional 5-percent increases would be required in the fourth and fifth years.

Thus, the agreements will permit the United States and other importing countries to limit the increase of imports to 15 percent over the 5-year term of the pact.

The United States would not be required to impose the curbs, and the pact states that the restraints "should only be resorted to sparingly."

Existence of the agreement, officials said, will influence Japan and other exporters to exercise restraint. They will know that any big increase in their exports would carry the risk of quotas.

JAPANESE POSITION

Some Japanese industrialists have said they will urge their government to refuse to sign the Geneva agreement if the 8½-cent "equalization fee" is imposed. American officials insisted there is no connection between the fee and the Geneva pact.

Even if Japan refuses to sign the agreement, the United States could impose restrictions on imports unilaterally.

The 19 nations that negotiated the pact account for more than 90 percent of the non-Communist world's trade in cotton textiles. They are Australia, Austria, Canada, Denmark, India, Japan, Norway, Pakistan, Portugal, Spain, Sweden, United Kingdom (also representing Hong Kong), United States and the six members of the European Common Market—Belgium, France, West Germany, Italy, Luxembourg, and Netherlands.

NINETEEN NATIONS PUBLISH TEXTILE TRADE PACT

(By Carroll Kilpatrick)

The United States and 18 other nations yesterday published an agreement negotiated at Geneva by which they will attempt to stabilize the foreign trade in cotton textiles.

Exporting nations like Japan and India agreed to limit sales that threaten to "disrupt" markets in other countries. European importing nations agreed to end quota restrictions over a 5-year period.

President Kennedy called for the negotiations last May as part of a 7-point program to help this country's textile industry meet foreign competition and technological change.

By making concessions to the powerful textile industry, he is believed to have removed some of the opposition to his new trade program now before Congress. The White House said both industry and labor advisers to the American delegation in Geneva "expressed satisfaction with the terms of the agreement."

Congressmen from textile-manufacturing States indicated approval of the accord. These legislators, particularly southerners, in recent years have turned away from their historical support of liberal trade policies because of the growing competition from foreign textile imports.

Representative CARL VINSON, Democrat of Georgia, leader of the powerful textile bloc in the House, lauded Mr. Kennedy in a letter for "the noteworthy stand which you have taken" in the negotiations at Geneva that preceded the agreement.

Some other American industries have urged that they be given similar protection but the agreement pointedly says that it does not lend itself to application in other fields.

The agreement is designed to help Japan and other textile exporters by opening new markets in countries that now impose textile import quotas. It also means that textile exporters should be able to maintain or slightly increase their level of shipments to the United States.

The 19 countries that signed the 5-year agreement account for more than 90 percent of the free world cotton textile trade. The Cotton Textile Committee of the General Agreement on Tariffs and Trade conducted the negotiations, which ended February 9.

Under the terms of the arrangement, an importing nation threatened by or subjected to market disruption may freeze cotton textile imports for a year at the level of the first 12 of the preceding 15 months.

If the market condition persists, the freeze may be extended for another year. After that, increases may be limited to 5 percent a year for 3 years.

The agreement "will permit the American cotton textile industry to plan their production and to sharpen their competitive position with the confidence that foreign imports will not disrupt their activities," a White House statement said.

Following are the countries that took part in the negotiations: Australia, Austria, Canada, Denmark, India, Japan, Norway, Pakistan, Portugal, Spain, Sweden, United Kingdom (also representing Hong Kong), the United States and the Common Market (Belgium, France, West Germany, Italy, Luxembourg, and the Netherlands).

The new agreement goes into effect October 1 for the countries that ratify it.

Mr. HEMPHILL. Let me say here that I am most happy that finally we have a President of the United States who, in keeping with campaign promises, is trying to do something about the textile industry. As I said here before on many occasions, I went to the White House and elsewhere on different occasions under another administration and received all sorts of promises and at that time had some hope, but the promises were never fulfilled. Now, I think this administration and its various administrators have an opportunity to show me and the textile people they mean what they have said.

There are certain questions I think ought to be asked in public.

First. Is the same old crowd going to have charge, the policymakers that have sold the textile industry down the river, those policymakers in the State Department who have done so much to take away the jobs of textile people and to import foreign goods at the cost of American industry and the American consumer dollar? Are their ways going to be followed again, because of administration by the same people?

We have a little group in the House of Representatives we call the House textile group. It is a group of legislators of both parties who are affected by any trade or textile agreements or by any legislation or by any administrative orders. They are affected also by the policies of the State Department on textiles.

Second. On February 13 we sent up to the Tariff Commission a statement on section 22, because we were talking at that time about import fees which I think are very necessary. The import fee is very important. We, in the textile areas, are waiting to see whether or not the Tariff Commission, in keeping with the overwhelming testimony that has been presented there, and the fact that we live with this thing, and we are those who are the people being hurt by the importers, whether this import fee is going into effect. I think favorable action will be proof of the fact that this administrative agency, in keeping with the policy set forth by the President of the United States, is trying to help the textile industry. Here is the statement:

STATEMENT ON BEHALF OF HOUSE TEXTILE GROUP TO U.S. TARIFF COMMISSION IN THE COTTON TEXTILE CASE UNDER SECTION 22 OF THE AGRICULTURAL ADJUSTMENT ACT, FEBRUARY 13, 1962

Mr. Chairman and members of the Commission, we appreciate your courtesy in hearing us at this time. Those members of the House interested in fiber and textile matters met this morning under the chairmanship of Representative VINSON to discuss the matter now pending before you. The statement which we shall now present to you was formulated and approved by the group as a whole in that meeting.

Like the Department of Agriculture and the domestic cotton industry, we believe that an import fee on cotton products entering this country equivalent to the raw cotton export subsidy should be promptly imposed. Imports of cotton yarn, cloth, apparel, and other products are now clearly at levels which are rendering ineffective and materially interfering with this Government's cotton programs and which are substantially reducing the amount of products processed in the United States from cotton. We note that in previous section 22 cases the Tariff Commission has ruled that imports of more than 30,243 bales of upland-type raw cotton and 2 bales of cotton picker lap per year would constitute interference with the Department of Agriculture's cotton programs. In both cases, the President accepted the Tariff Commission's finding, and rigid import quotas of these amounts were imposed and remain in effect. We note that in the year 1960, according to the Department of Agriculture's statistics, the cotton equivalent of cotton textile imports amounted to over one-half million bales and is currently in the neighborhood of 400,000 bales per year. In other words, there is now coming into this country in manufactured form every month more cotton than the total amount set by this Commission of upland types and picker lap for a full year. Clearly, quick action is needed.

Just one point more, Mr. Chairman: Our morning mail and the newspapers for days have been full of importer propaganda directed at this Government and this Commission in the present case. None of it has anything to do with the present hearing. This hearing is being conducted under a long-existing act of Congress which provides an essential protection for the agricultural programs of this Government. This Commission is conducting a proper investigation under existing U.S. law and in clear

conformity with congressional intent in that

I have responsibility here to these 50

Cannon, a bespectacled bridge and base-

STATE-BY-STATE EXPORT SURVEY OF DEPART-

"Total value f.o.b. producing plant (esti-

mal, amount of production goes into exports

conformity with congressional intent in that legislation. We believe that the facts being brought out in this investigation by the Department of Agriculture witnesses and others clearly support the need for imposition of the offset import fee suggested by the Department of Agriculture.

Thank you very much.

On February 15 we sent to the White House a letter thanking the President. I think it appropriate that that particular letter be inserted in the RECORD at this point. It is a letter signed by the gentleman from Georgia [Mr. VINSON], who is our chairman, and is as follows:

HOUSE OF REPRESENTATIVES, COMMITTEE ON ARMED SERVICES, HOUSE OFFICE BUILDING,
Washington, D.C., February 15, 1962.

THE PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: Although we have not yet seen the actual text of the International Cotton Textile Arrangement concluded at Geneva on February 9, 1962, we understand that the United States will hold the level of imports of cotton textile products for a 5-year term at virtually the present level.

As you know, we have been gravely alarmed by the erosion of the American textile industry. We have been distressed by American workers being thrown out of their jobs as a result of the flood of foreign textile imports.

It was therefore with great pleasure, Mr. President, that we learned of your program of May 2, 1961, for assistance to the U.S. textile industry.

We now wish to take this opportunity to congratulate you upon the noteworthy step which you have taken, as part of your program, in negotiating a long-term arrangement at Geneva between the United States and the 18 other principal cotton textile countries of the free world. This is, indeed, an important move in the right direction for cotton textiles, and we would hope that the administration would now promptly move on wool and other textile fibers, which are in an even worse position, but which understandably could not be dealt with on this particular occasion.

Your confirmation that our understanding of the arrangement expressed in the first paragraph above is correct would be immensely gratifying to us and would act as a great stimulus to the American textile industry in modernization and advancement as a driving and fundamental force in our national economy. Last, we sincerely hope that the operation of the long-term arrangement will be carried out in such a way that its force is not modified or diluted by administrative judgment or action.

Respectfully yours,

CARL VINSON,
Chairman, House Textile Conference Group

People ask why are we concerned I want to tell you about a little plant in my district, tell you how the thing goes and what happens. I will not call the name of that plant for fear of reprisal. We will call it the B Company, owned by outside interests. They had a small plant in this city which employed 50 to 60 people. Last fall they closed down, dismantled the machinery, sent the superintendent and other officers, as well as some of the machinery, to another country where they have set up a plant to do the same thing in mills they control over there, which were built by American dollars.

I have responsibility here to these 50 or 60 people. They cannot work, cannot compete with cheap cotton, cheap labor, and the chance to perhaps export to the United States under the foolish policy of the State Department.

What are we going to say to those 50 or 60 people? They are Americans. They are taxpayers, homeowners, people who want the dignity of employment and the dignity of having a dollar, the ability to pay their bills, and other things that go along with making a decent living.

Where is our responsibility? Do we just write them off? They pay the taxes that go to pay the people in the State Department that serves other governments before they serve our Government, and I make that as a public statement.

We have been worried. We have a mill in my district run by Mr. Charlie Cannon, who is an able textileman and a successful businessman. He came out on February 18 saying he was afraid that the government textile policies are going to kill off the textiles.

I think the country would be better off to write off the State Department and keep the textiles, rather than writing off the textiles and keeping the State Department. So far as I can see, they have not had success in so long they do not know how to win. Certainly the textile people have suffered. The State Department has never won a battle for our textile people. Have they ever really fought for us?

I include the following article as a part of my remarks:

CANNON: GOVERNMENT'S TARIFF POLICIES WILL KILL TEXTILES

KANNAPOLIS, N.C.—"If the Government has its way with tariff rates, there will be no textile industry in 50 years. We will be in the same position as the West Virginia and Pennsylvania coal fields."

Who's talking?

These are the words of a quiet, quick-witted textile magnate—Charles A. Cannon, who'll be 70 next November 29.

"There are 2 million persons employed in the American textile industry," Cannon told Alex Coffin of the Charlotte News in one of his infrequent interviews. "The Government says it will retrain these people that lose their jobs through the import policies. What about the unemployed now? Why aren't they being retrained?

"You'll live to see the day when we depend on foreign countries for our clothes. If war comes, what will we do?"

Cannon, a relaxed, friendly man sporting a twinkle in his eyes, blames the plight of the cotton industry on five factors:

The United States furnishing equipment at low prices or no cost to underdeveloped countries.

The low wages paid in foreign countries that are 10 to 50 percent of the American wage.

The availability of cotton at no cost to foreign countries under the Public Law 480.

Low tariff rates.

Export subsidy of 9½ cents a pound or $42.50 a bale.

"One-half of the jobs in North Carolina industry are at stake," says the balding, medium-sized leader of the Cannon Mills empire and one of the South's biggest employers. "Textile workers in North Carolina are the best in the world. I'd put them up against any workers. But they haven't had a fair deal."

Cannon, a bespectacled bridge and baseball fan who maintains a pace that would test a far younger man, recommends a three-point program for bolstering the cotton industry:

Collect from importers an equalization fee to offset the advantage given to foreign producers who now buy American cotton 8½ cents a pound under the price given by American mills.

Establish fair quota limitations on imports of textiles from low-wage countries.

Insist that many other countries increase their imports from the areas requiring help through increase in exports of the products of those areas and thus relieve the growing pressure on the United States.

Cannon was born November 29, 1892, a block from the two-story frame home he now occupies on North Union Street in Concord.

James W. Cannon, father of the present operator, started the mill operations 75 years ago, and he died in 1921. He had six sons. Charles, the only survivor of the six, was elected president of the firm at age 29 when there were 6,700 employees. That number has increased threefold.

He is active in the Presbyterian Church, doesn't drink or smoke, and has made large gifts to education and medicine. Possibly his biggest monument is Cabarrus Memorial Hospital, which he has virtually supported for 25 years. He has made large contributions to Wingate Junior College. He is a trustee of both the University of North Carolina and Duke University.

A 2-hour interview brought on an assortment of opinions from North Carolina's most widely known textile tycoon. Such as:

Italy before World War II—"If Mussolini had died in 1935, he'd be their greatest hero"—tariff rates—"They are killing the textile industry"; Edward R. Murrow, head of U.S. Information Service—Cannon doesn't like him; the Common Market—"It won't work"; and flu shots—Cannon Mills gives them with a pistol-type injection.

The so-called Reciprocal Trade Extension Act expires this year. I say "so-called" because if Cordell Hull were to come back among us, and see what has been done to his reciprocal trade policy, he would think that certainly America was departing from all the concepts which he so completely and nobly espoused here. What they have done is to take the reciprocal trade policy up to the State Department where they have remodeled and revamped it and made it into a one-world idea, subjugating the American businessman to foreign domination, economically, politically, and otherwise and, if the United Nations continues, perhaps militarily.

I was interested in what was happening, because I had been given information about how much we in South Carolina exported to other countries. Once I had the list I asked the gentleman who brought it down to me how much it cost. I said, "What did you spend all this money for?" I said, "This is nothing but propaganda. What did you spend all this money for? I do not approve of it. Why do you not tell the story of the textiles, and when you tell the story of the textiles come back?" Well, he never has come back. So, I made the request as to how much we were exporting. I include as part of my remarks at this point an export survey entitled "Fact and Fiction" and the accompanying papers, which is information that I think is very important.

STATE-BY-STATE EXPORT SURVEY OF DEPARTMENT OF COMMERCE FACT AND FICTION

Attached to this memorandum is a copy of a press release issued by Secretary of Commerce Luther H. Hodges on Monday, January 29, purporting to give the "results of nationwide survey by the Bureau of the Census pinpointing for the first time the value of manufactured products exported from each of the 50 States during 1960."

The Department of Commerce sent to a large number of manufacturing plants in this country a questionnaire on which it noted that answer was required by law. The replies to this questionnaire constitute the data obtained on the survey by the Bureau of the Census of the Department of Commerce. The figures so obtained have, however, been greatly increased by the Office of Business Economics and the Bureau of International Programs of the Department of Commerce.

The publicity secured on the press release and on this survey is another example of the propaganda in support of the Trade Expansion Act of 1962 which requires careful scrutiny rather than acceptance with confidence in the data set forth.

In the instructions on the questionnaire the reporting plant is specifically directed to include, in its report of dollar value of exports, "sales to the U.S. Government in this country for shipment abroad under military and economic assistance programs."

Thus, the total value of exports as reported by the manufacturers at $9.8 billion is inflated by the inclusion of an unknown quantity of exports by the United States for which no dollars were received. To this extent, it is a fiction to cite the $9.8 billion as value of exports in foreign trade although a letter from Secretary Hodges to the companies answering the questionnaire said: "The purpose of this survey is to help assess the impact of foreign trade on our economy."

This method of attributing dollar value to exports for which no dollars are received in the United States and of indicating these values in alleged receipts from exports has been considered in another memorandum. These figures do not reflect "trade" as the word is generally understood and as the dictionaries define its meaning.

In this field the administration propagandists have taken a lesson from "Alice in Wonderland":

"When I use a word," Humpty-Dumpty said, "it means just what I choose it to mean—neither more nor less."

The economists and statisticians of the various divisions of the Department of Commerce have made no effort to deduct from the reported $9.8 billion value of exports the amount required to be reported on sales to our Government for shipment abroad under military and economic assistance. On the contrary, they have increased the reported $9.8 billion value of exports by adding $5.7 billion (an increase of over 58 percent) which admittedly have not been reported by the plants answering the survey but have been estimated by some formula—not ascertained by factual reporting. This extremely high percentage increase of the reported $9.8 billion to $15.5 billion, considering also the inclusion of military and economic assistance, makes the result a fiction disguised as an estimate.

One example will show on an industry basis the phenomenal results obtained by the methods used in this survey and estimate. In the table which is headed: "Value of Exports of Manufactured Products, by Region and State, and by Major Product Group: 1960," under the heading: "Apparel and related products" the following is set forth, the quoted items indicating descriptions as they appear in the report, the explanations in parentheses being added:

"Reported by manufacturers, $1.2 million."

"Total value f.o.b. producing plant (estimated by Department of Commerce economists and statisticians), $213.7 million."

"Total value at port (estimated by Department of Commerce economists and statisticians), $239.5 million."

Increase over reports from plants, $238.3 million.

Percent of increase over manufacturers' reports, 19,858—one-third percent.

Regardless of any claimed justification for such increase in total exports of the products of any industry, there can be no reasonable basis for the attempt to allocate dollar value of exports thus increased to specific States. For example, even if all the reports of $1.2 million exports of apparel and related products came from plants in New York State, no sound economist or statistician would inflate this figure by over 5,000 percent to develop an estimate of the exports of such products from New York State.

This fallacy is further illustrated by an examination of "data" relating to States. In the second paragraph of the press release the Department of Commerce has given "data" on exports from five States. The following tabulation shows the press release figures in comparison with the reports from manufacturing plants:

	Million
From the State of New York:	
Total value of exports as reported in press release	$1,417.4
Total value of exports as reported by manufacturers	$888.1
Increased by Commerce Department	$529.3
Percent of increase over reports	59.6
From the State of Illinois:	
Total value of exports as reported in press release	$1,407.8
Total value of exports as reported by manufacturers	$971.1
Increased by Commerce Department	$436.7
Percent of increase over reports	45.0
From the State of California:	
Total value of exports as reported in press release	$1,302.6
Total value of exports as reported by manufacturers	$809.7
Increased by Commerce Department	$492.9
Percent of increase over reports	60.9
From the State of Ohio:	
Total value of exports as reported in press release	$1,299.4
Total value of exports as reported by manufacturers	$921.5
Increased by Commerce Department	$377.9
Percent of increase over reports	41.0
From the State of Pennsylvania:	
Total value of exports as reported in press release	$1,189.5
Total value of exports as reported by manufacturers	$795.7
Increased by Commerce Department	$393.8
Percent of increase over reports	49.5

The press release also repeats the statement that "approximately 6 million American workers are employed in manufacturing plants which produce for export." As has been noted with reference to this figure, no claim is made that these 6 million workers are employed in producing goods for export. It is merely claimed that they are employed in the plants at which some, possibly minimal, amount of production goes into exports for sale or for military and economic assistance programs.

So far as is known, the Department of Commerce is not making a survey to determine the number of jobs exported as a result of increased imports displacing the products of the domestic textile, shoe manufacturing, and other industries.

A more detailed analysis may possibly be prepared, although it does not seem to be really required to refute the statement that this survey reveals "the specific stake each of our 50 States has in reaching rapidly expanding free world markets." The figures do not supply, as claimed, "graphic proof of that vital stake."

The figures on exports sold from plants in each State are, in fact, misleading.

SECRETARY HODGES RELEASES STATE-BY-STATE EXPORT SURVEY

Secretary of Commerce Luther H. Hodges today disclosed results of nationwide survey by the Bureau of the Census, pinpointing for the first time the value of manufactured products exported from each of the 50 States during 1960.

The survey, the first of its kind ever completed, showed New York to be the top U.S. exporter of manufactured goods, with total shipments of $1,417.4 million going abroad. Other leaders are Illinois, $1,407.8 million; California, $1,302.6 million; Ohio, $1,299.4 million, and Pennsylvania, $1,189.5 million.

The survey also reveals that approximately 6 million American workers are employed in manufacturing plants which produce for export, Secretary Hodges said.

"The figures," he declared, "bolster our conviction that exports create jobs, help keep our living standards high, and strengthen our ability to maintain our strong ties with the free world."

However, the Secretary called for redoubled efforts on the part of American business to further expand exports to benefit the domestic economy and improve the U.S. balance of payments.

Though the United States during 1960 attained a record high in total export trade—$19.5 billion in goods and $8 billion in services—this represents only slightly more than 5 percent of our gross national product—less than any other developed Western nation, the Secretary said.

He further remarked: "This new survey reveals for the first time the specific stake each of our 50 States has in reaching rapidly expanding free world markets. I think these figures provide all of us with graphic proof of that vital stake, and will help us to do even better in the future."

The survey, based on questionnaires returned by companies employing more than 100 workers for each plant exporting more than $25,000 in 1960, also provides State-by-State estimates of exports by major product group.

Total exports of manufactured goods in 1960 were valued at $15.5 billion f.o.b. plant. Individual exporting plants in the Census Bureau survey reported $9.8 billion of this total. The geographic origin of the remaining $5.7 billion not reported was estimated by the Commerce Department's Office of Business Economics and Bureau of International Programs, based upon data supplied by the Census Bureau and by the Bureau of Labor Statistics, U.S. Department of Labor.

The 6 million employees in plants reporting in the survey do not include employees of manufacturers who supply component parts of raw materials to plants; e.g., steel, tires, glass, etc., used in producing such items as assembled automobiles for export; or transportation and distribution services related to exports.

A table showing estimated value of exports by State and product group follows.

Value of exports of manufactured products, by region and State, and by major product group: 1960

[The estimated totals are accompanied by figures in parentheses actually reported to the Census Bureau by exporting manufacturers]

[Figures in millions of dollars]

Geographic division and State	Exports of manufactured products	Food and kindred products (20)	Tobacco products (21)	Textile mill products (22)	Apparel and related products (23)	Lumber and wood products (24)	Furniture and fixtures (25)	Paper and allied products (26)	Printing and publishing (27)	Chemicals and allied products (28)	Petroleum and coal products (29)	Rubber and plastics products n.e.c. (30)	Leather and leather products (31)	Stone, clay, and glass products (32)	Primary metal industries (33)	Fabricated metal products (34)	Machinery except electrical (35)	Electrical machinery (36)	Transportation equipment (37)	Instruments and related products (38)	Miscellaneous manufacturing (39+19)
Total value at port	16,898.0	1,634.6	494.4	495.8	239.5	189.8	48.1	456.9	146.3	2,022.1	639.9	306.5	92.9	221.0	1,220.8	554.5	3,188.0	1,112.4	2,804.3	470.6	559.6
Total value f.o.b. producing plant	15,454.3	1,587.6	446.8	436.1	213.7	147.9	42.5	405.9	137.8	1,798.3	555.2	289.6	87.4	193.4	1,090.2	503.5	2,940.1	1,011.9	2,653.6	429.2	483.6
Reported by manufacturers	(9,792.4)	(639.4)	(194.0)	(49.7)	(1.2)	(20.5)	(.5)	(261.7)	(57.8)	(1,367.5)	(436.7)	(160.0)	(32.6)	(127.3)	(899.8)	(321.6)	(2,208.5)	(672.9)	(1,937.3)	(285.2)	(118.2)
New England	1,015.7	34.7	2.5	66.3	16.5	6.7	2.2	29.8	6.8	51.7	1.0	40.5	25.8	17.9	20.9	49.4	268.0	85.8	163.0	61.0	63.2
Maine	(551.8)	(1.7)	(.....)	(D)	(.....)	(D)	(.....)	(18.9)	(D)	(36.7)	(D)	(20.8)	(8.7)	(11.4)	(16.3)	(26.8)	(189.7)	(54.8)	(D)	(41.7)	(21.1)
	37.3	0.1	(.....)	2.9	.5	2.9	.1	10.0	.1	T	.8	.8	3.4	(.....)	(.....)	(.....)	5.1	1.0	1.8	.1	.5
	(14.3)	(.....)	(.....)	(.....)	(.....)	(D)	(.....)	(8.1)	(.....)	(D)	(.....)	(.....)	(D)	(.....)	(.....)	(D)	(.5)	(D)	(.5)	(.....)	(D)
New Hampshire	34.7	1.5	(.....)	4.6	.2	1.1	.1	4.4	.2	.8	(.....)	.4	4.0	.3	7.5	.3	27.2	2.3	.8	.1	.5
	(30.3)	(D)	(.....)	(.....)	(.....)	(.....)	(.....)	(D)	(.....)	(.....)	(.....)	(D)	(D)	(.2)	(D)	(D)	(17.1)	(1.5)	(.....)	(D)	(D)
Vermont	28.1	2.6	(.....)	.8	.2	.3	.1	.4	.2	.1	(.....)	.5	.1	2.1	.8	.8	16.6	2.2	.8	.6	1.6
	(15.5)	(D)	(.....)	(.....)	(.....)	(.....)	(.....)	(D)	(.....)	(.....)	(.....)	(D)	(.....)	(D)	(D)	(D)	(11.7)	(1.5)	(.....)	(D)	(D)
Massachusetts	435.2	18.1	.7	30.0	12.2	1.3	1.2	11.2	3.7	27.0	.4	26.1	17.1	10.9	6.1	25.4	126.0	49.1	4.7	34.7	29.3
	(224.4)	(1.2)	(.....)	(.....)	(.....)	(D)	(.....)	(5.7)	(D)	(18.7)	(D)	(14.4)	(7.4)	(D)	(3.5)	(12.5)	(85.1)	(30.3)	(D)	(25.9)	(6.2)
Rhode Island	65.9	1.9	(.....)	20.0	.9	(.....)	.1	.3	.3	T	.4	4.4	.3	.2	T	1.9	15.9	3.1	1.0	2.3	7.8
	(22.2)	(D)	(.....)	(D)	(.....)	(.....)	(.....)	(.....)	(.....)	(D)	(D)	(D)	(.....)	(D)	(D)	(.8)	(D)	(1.7)	(D)	(D)	(2.0)
Connecticut	366.7	4.3	1.8	8.5	2.5	.3	.4	7.1	2.9	30.7	.2	8.2	.9	3.9	3.8	21.3	76.8	27.9	154.0	23.0	23.4
	(244.7)	(.....)	(.....)	(D)	(.....)	(.....)	(.....)	(D)	(D)	(15.0)	(.....)	(4.2)	(D)	(2.4)	(3.2)	(12.9)	(54.2)	(19.0)	(D)	(13.5)	(10.5)
Middle Atlantic	3,508.1	254.0	12.4	87.6	105.7	7.4	8.2	42.1	61.1	466.1	130.6	63.1	21.4	67.9	350.5	131.4	610.2	320.8	427.7	226.2	111.7
	(2,271.2)	(114.4)	(1.1)	(4.0)	(.....)	(D)	(D)	(21.0)	(36.0)	(341.2)	(99.2)	(29.9)	(5.2)	(43.0)	(290.4)	(85.8)	(460.5)	(202.3)	(343.7)	(157.8)	(34.6)
New York	1,417.4	148.2	.8	27.0	66.3	3.6	4.3	17.5	36.3	149.1	7.4	20.1	12.6	26.7	75.7	27.7	286.3	148.5	145.0	140.1	81.0
	(888.1)	(80.4)	(.....)	(D)	(.....)	(.....)	(.....)	(6.8)	(20.0)	(106.9)	(D)	(5.7)	(4.4)	(16.9)	(58.7)	(21.0)	(218.1)	(91.8)	(116.5)	(109.3)	(25.2)
New Jersey	897.0	56.9	.3	28.8	14.1	1.0	1.0	10.4	4.6	207.7	58.7	25.5	2.5	11.9	85.8	22.3	70.8	77.9	161.9	45.0	9.9
	(587.2)	(26.9)	(.....)	(.....)	(.....)	(.....)	(.....)	(5.6)	(1.8)	(150.6)	(D)	(15.2)	(D)	(7.5)	(64.7)	(14.1)	(50.9)	(45.3)	(131.6)	(21.2)	(4.2)
Pennsylvania	1,189.5	48.7	12.0	31.8	31.3	2.8	2.8	14.0	20.1	109.2	64.4	17.3	5.2	29.2	188.9	81.4	254.0	94.1	120.7	41.1	20.6
	(795.7)	(7.0)	(1.1)	(D)	(.....)	(D)	(D)	(8.5)	(14.2)	(81.7)	(47.0)	(8.8)	(D)	(18.5)	(166.9)	(50.7)	(191.5)	(65.0)	(95.5)	(27.3)	(7.1)
East North Central	4,583.8	357.7	3.1	16.0	23.9	14.1	11.1	20.1	36.0	273.3	30.3	121.7	24.9	55.6	252.3	179.5	1,495.5	329.0	1,020.1	76.2	89.4
	(3,119.5)	(136.1)	(.....)	(2.2)	(D)	(D)	(.5)	(9.4)	(15.7)	(187.4)	(16.7)	(72.0)	(16.6)	(36.5)	(191.5)	(120.5)	(1,165.4)	(223.1)	(781.6)	(49.2)	(42.8)
Ohio	1,209.4	47.1	2.5	7.2	6.4	1.9	2.3	8.8	7.5	67.6	5.3	85.5	2.4	20.2	119.3	59.6	372.2	122.8	324.3	13.1	18.4
	(921.5)	(5.1)	(.....)	(2.2)	(.....)	(.....)	(D)	(3.7)	(2.2)	(46.8)	(2.8)	(59.3)	(D)	(17.8)	(102.2)	(40.2)	(288.6)	(94.9)	(258.1)	(9.0)	(7.1)
Indiana	486.6	44.6	.8	.5	2.1	2.1	2.3	2.0	2.5	50.1	4.9	5.3	.4	5.4	38.5	30.3	89.1	73.2	130.1	4.1	U
	(316.2)	(13.5)	(.....)	(.....)	(.....)	(D)	(D)	(D)	(D)	(33.8)	(D)	(1.2)	(.....)	(D)	(28.3)	(22.1)	(69.8)	(43.2)	(85.4)	(2.9)	(1.2)
Illinois	1,497.8	183.8	.4	4.6	11.3	2.5	2.9	6.5	20.3	55.6	13.2	20.9	17.8	7.8	41.9	50.7	652.9	123.9	130.8	38.0	22.0
	(971.1)	(98.3)	(.....)	(.....)	(.....)	(.....)	(.....)	(D)	(11.6)	(31.4)	(2.6)	(7.9)	(14.7)	(4.8)	(15.6)	(29.7)	(512.8)	(80.5)	(113.8)	(31.2)	(10.0)
Michigan	898.7	42.8	.2	1.6	3.0	2.4	2.4	5.8	2.5	93.3	4.4	7.2	.8	15.0	46.0	22.7	180.4	31.7	350.1	8.8	28.6
	(646.5)	(7.8)	(.....)	(.....)	(D)	(.....)	(D)	(2.3)	(.....)	(72.0)	(D)	(3.3)	(D)	(9.2)	(41.3)	(16.4)	(144.0)	(24.7)	(308.6)	(2.9)	(D)
Wisconsin	411.4	39.0	.8	2.0	1.0	4.9	1.0	5.6	2.9	8.2	1.3	2.2	3.4	1.3	6.5	16.0	200.7	40.1	45.5	12.1	V
	(270.0)	(11.2)	(.....)	(.....)	(.....)	(D)	(.....)	(2.0)	(D)	(3.1)	(.....)	(.5)	(.7)	(D)	(3.9)	(11.8)	(150.0)	(29.6)	(35.6)	(3.1)	(D)
West North Central	764.0	240.6	.5	2.9	8.0	4.6	1.5	11.5	7.8	42.7	7.2	10.7	5.8	14.8	10.0	22.4	39.8	67.2	47.2	24.5	31.6
	(378.6)	(84.9)	(D)	(D)	(.....)	(.....)	(.....)	(D)	(1.1)	(27.9)	(2.6)	(D)	(.....)	(D)	(D)	(12.4)	(129.0)	(41.9)	(31.0)	(13.5)	(3.4)
Minnesota	176.4	49.4	.8	1.3	1.9	1.5	.3	5.4	1.8	7.7	1.2	1.3	.2	5.1	1.0	3.3	55.1	11.6	1.1	19.1	8.1
	(92.5)	(16.7)	(.....)	(D)	(.....)	(.....)	(.....)	(D)	(.....)	(D)	(D)	(.4)	(.....)	(D)	(D)	(D)	(38.2)	(8.7)	(.4)	(D)	(.2)
Iowa	243.0	73.6	(.....)	.8	.7	1.0	.2	.4	1.5	4.3	.3	2.7	.8	(.....)	3.0	7.2	95.8	44.2	1.1	2.6	4.3
	(121.4)	(28.3)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(D)	(D)	(.....)	(D)	(.....)	(.....)	(D)	(3.4)	(54.0)	(25.1)	(.6)	(D)	(D)
Missouri	193.0	30.4	.5	1.3	4.9	1.5	.6	5.0	2.9	25.4	3.1	1.3	5.4	8.5	4.6	7.8	28.7	11.7	11.0	1.6	16.9
	(91.5)	(17.3)	(D)	(.....)	(.....)	(.....)	(.....)	(D)	(D)	(17.8)	(D)	(.....)	(.....)	(D)	(D)	(4.0)	(19.5)	(D)	(D)	(D)	(1.9)
North Dakota	2.4	1.6	(.....)	(.....)	(.....)	(.....)	(.....)	.8	.1	.8	.2	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)
	(D)	(D)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)
South Dakota	7.4	6.6	(.....)	(.....)	.8	.2	.8	.8	.1	(.....)	(.....)	.8	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)
	(D)	(D)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)
Nebraska	41.9	24.7	(.....)	.8	.2	.1	(.....)	.1	.4	(.....)	.1	.7	.8	(.....)	.5	.7	9.9	.8	(.....)	(.....)	1.5
	(14.5)	(4.4)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(D)	(.....)	(D)	(.....)	(.....)	(D)	(.4)	(D)	(D)	(D)	(D)	(D)
Kansas	96.6	33.8	(.....)	.1	.4	.1	.1	.3	.6	3.4	2.1	4.4	.8	1.1	.8	3.1	12.7	(.....)	33.0	.3	.3
	(56.7)	(16.1)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(D)	(D)	(D)	(D)	(.....)	(D)	(.....)	(D)	(D)	(.....)	(D)	(.....)	(.....)
South Atlantic	1,655.0	123.0	390.2	220.0	25.4	27.0	9.6	137.0	10.3	305.9	4.4	20.7	3.7	15.5	127.9	26.0	64.4	47.4	68.4	6.1	30.3
	(845.8)	(13.5)	(191.6)	(34.1)	(D)	(.....)	(.....)	(98.4)	(D)	(235.2)	(2.6)	(7.2)	(1.2)	(10.6)	(115.0)	(17.9)	(44.9)	(31.1)	(33.1)	(2.3)	(2.5)
Delaware	29.4	5.9	(.....)	2.4	.6	.2	(.....)	(.....)	.1	8.8	1.1	1.5	1.3	(.....)	1	1.2	1.6	(.....)	9	.8	1.8
	(14.4)	(D)	(.....)	(.....)	(.....)	(.....)	(.....)	(D)	(.....)	(57.3)	(.....)	(D)	(D)	(.4)	(D)	(D)	(D)	(.....)	(D)	(D)	(D)
Maryland	216.9	20.0	1.2	1.5	6.6	1.1	.5	1.1	1.0	28.3	1.4	6.7	.4	6.2	X	6.2	19.9	18.8	11.0	2.6	7.8
	(138.4)	(2.9)	(.....)	(D)	(.....)	(.....)	(.....)	(.....)	(.....)	(20.5)	(D)	(D)	(.....)	(4.5)	(D)	(4.5)	(14.0)	(9.7)	(D)	(D)	(D)
District of Columbia	7.7	2.3	(.....)	.8	S	S	.8	1	4.6	.8	(.....)	S	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	.8
	(D)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(D)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)
Virginia	338.3	19.0	171.3	22.0	3.5	4.8	1.9	20.2	.9	66.6	.1	1.9	.8	.6	1.3	1.7	6.0	6.5	4.4	.6	1.2
	(213.3)	(D)	(121.1)	(9.7)	(.....)	(.....)	(.....)	(13.3)	(D)	(52.8)	(.....)	(1.1)	(.....)	(.4)	(D)	(1.2)	(4.5)	(D)	(D)	(D)	(D)

West Virginia	156.1	2.6	.5	.5	.4	1.5	.1	.2	.3	78.2	.8	S	S	5.4	W	4.4	11.5	7.2	.1	.2	.2
	(125.3)	(.....)	(D)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(65.5)	(D)	(.....)	(D)	(3.3)	(D)	(2.5)	(D)	(D)	(.....)	(.....)	(.....)
North Carolina	391.8	17.9	199.4	82.1	4.1	6.9	4.8	14.4	.8	13.4	.1	.8	.2	(.....)	4.9	8.5	8.6	11.7	.8	.6	11.8
	(128.0)	(D)	(D)	(13.7)	(.....)	(D)	(.....)	(9.7)	(.....)	(8.9)	(.....)	(D)	(.....)	(.....)	(D)	(D)	(5.5)	(8.9)	(D)	(D)	(D)
South Carolina	121.8	5.2	4.1	72.1	2.3	3.6	.3	8.4	.2	Y	.1	.9	S	1.5	T	1.1	1.6	.2	.2	.5	.2
	(30.4)	(.....)	(D)	(D)	(.....)	(.....)	(.....)	(D)	(.....)	(D)	(D)	(D)	(.....)	(D)	(D)	(D)	(D)	(D)	(.....)	(D)	(D)
Georgia	230.8	27.1	1.0	38.6	6.8	5.7	.8	48.7	.9	33.3	.1	S	.5	1.6	.9	1.0	14.8	1.6	45.0	.7	1.5
	(107.0)	(3.2)	(.....)	(5.9)	(D)	(.....)	(.....)	(35.8)	(D)	(D)	(.....)	(D)	(D)	(D)	(.....)	(0.8)	(10.37)	(1.3)	(D)	(D)	(D)
Florida	158.8	22.3	12.8	.4	.9	2.9	.1	43.1	1.1	58.1	.7	.4	.1	(.....)	.4	2.7	.8	.1	3.8	.5	5.4
	(85.1)	(2.9)	(D)	(.....)	(.....)	(.....)	(.....)	(32.7)	(.....)	(45.4)	(D)	(.....)	(.....)	(.....)	(.....)	(1.2)	(D)	(D)	(D)	(D)	(.....)
East South Central	587.3	74.3	37.9	34.2	15.4	15.5	2.9	49.1	2.5	145.8	.4	17.1	2.8	10.1	38.4	29.5	50.0	27.7	23.1	2.0	8.6
	(324.9)	(22.8)	(1.1)	(6.7)	(D)	(D)	(.....)	(30.0)	(.....)	(117.1)	(D)	(D)	(D)	(6.4)	(34.6)	(19.9)	(33.5)	(21.5)	(13.6)	(D)	(2.7)
Kentucky	178.4	12.3	33.1	.9	4.4	1.9	.5	.8	.7	44.2	.3	.6	.4	7.6	U	7.0	29.2	V	V	S	.5
	(102.2)	(1.8)	(1.1)	(.....)	(.....)	(.....)	(.....)	(D)	(.....)	(39.6)	(D)	(D)	(.....)	(D)	(D)	(4.3)	(20.3)	(D)	(D)	(.....)	(D)
Tennessee	220.1	35.2	4.8	13.4	5.2	3.8	1.4	15.0	1.1	71.1	.8	9.6	1.8	.7	V	18.3	9.6	6.5	3.4	T	5.2
	(132.0)	(15.6)	(.....)	(3.1)	(.....)	(.....)	(.....)	(D)	(.....)	(57.3)	(.....)	(D)	(.....)	(.4)	(D)	(D)	(6.2)	(5.4)	(2.0)	(D)	(D)
Alabama	109.2	13.2	(.....)	18.3	2.7	5.5	.3	5.6	.4	19.0	.1	6.6	.1	.2	V	3.7	7.0	T	2.9	.8	1.6
	(54.4)	(.8)	(.....)	(8.5)	(.....)	(D)	(.....)	(D)	(.....)	(13.7)	(.....)	(D)	(.....)	(D)	(D)	(D)	(D)	(D)	(1.1)	(.....)	(.....)
Mississippi	77.0	13.2	(.....)	1.4	3.1	4.2	.5	27.4	.2	11.4	(.....)	.1	.5	1.5	.1	.3	4.1	1.3	T	(.....)	T
	(36.1)	(4.4)	(.....)	(.....)	(D)	(.....)	(.....)	(D)	(.....)	(6.5)	(.....)	(D)	(.....)	(D)	(.....)	(D)	(.....)	(.9)	(D)	(.....)	(D)
West South Central	1,243.3	218.6	(.....)	4.4	7.3	12.5	2.3	21.1	3.7	372.1	265.9	8.7	1.1	3.3	139.8	27.2	113.5	8.7	20.2	8.14	4.8
	(608.2)	(131.9)	(.....)	(.....)	(D)	(.....)	(.....)	(15.7)	(.....)	(320.7)	(217.9)	(5.7)	(.....)	(2.1)	(117.7)	(13.4)	(93.3)	(5.0)	(9.0)	(4.7)	(D)
Arkansas	50.7	3.9	(.....)	.9	.6	4.6	.8	2.3	.2	1.3	.5	.6	.6	(.....)	2.0	.3	.6	(D)	.3	.8	.6
	(29.2)	(D)	(.....)	(.....)	(.....)	(.....)	(.....)	(D)	(.....)	(D)	(D)	(D)	(.....)	(.....)	(D)	(D)	(D)	(D)	(D)	(D)	(D)
Louisiana	254.1	24.5	(.....)	3.3	1.5	3.7	.1	10.3	.4	85.7	75.8	.1	.8	1.2	W	2.8	.4	(.....)	3.7	1.8	.7
	(192.0)	(10.6)	(.....)	.4	.9	2.9	.1	(7.3)	(.....)	(71.3)	(D)	(.....)	(.....)	(D)	(D)	(D)	(D)	(.....)	(D)	(.....)	(D)
Oklahoma	98.9	16.6	(.....)	.4	.4	.4	.1	.1	.5	2.4	12.1	5.4	S	1.8	24.8	8.3	19.1	.9	5.2	.3	.2
	(85.5)	(D)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(D)	(D)	(D)	(.....)	(1.0)	(D)	(4.6)	(15.1)	(D)	(D)	(D)	(D)
Texas	836.6	143.4	(.....)	2.7	4.7	3.7	1.2	8.2	2.4	282.6	177.2	2.5	.8	.3	X	15.6	93.1	7.0	10.8	7.7	3.2
	(651.3)	(91.8)	(.....)	(.....)	(.....)	(.....)	(.....)	(D)	(.....)	(247.3)	(148.1)	(D)	(.....)	(D)	(D)	(6.4)	(77.2)	(3.9)	(4.9)	(4.5)	(.....)
Mountain	177.3	31.7	(.....)	.1	.9	5.7	.3	T	1.6	10.1	1.2	3.8	.3	.8	W	2.5	37.5	.2.7	8.5	1.1	23.2
	(97.6)	(6.0)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(6.1)	(D)	(D)	(.....)	(D)	(D)	(1.4)	(29.3)	(1.9)	(D)	(D)	(D)
Montana	3.9	1.8	(.....)	.8	(.....)	1.4	.8	.8	.1	.5	.8	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	.8	.1	(.....)
	(D)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)
Idaho	13.6	9.3	(.....)	(.....)	.8	2.2	.8	T	.1	T	(.....)	.8	.8	(.....)	(.....)	.8	(.....)	(.....)	.1	(.....)	.2
	(6.4)	(D)	(.....)	(.....)	(.....)	(.....)	(.....)	(D)	(.....)	(D)	(.....)	(.....)	(.....)	(.....)	(.....)	(D)	(.....)	(.....)	(D)	(.....)	(D)
Wyoming	.7	.4	(.....)	(.....)	(.....)	.1	(.....)	(.....)	.1	(.....)	.2	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	.1	(.....)
	(D)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(D)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)
Colorado	48.4	8.6	(.....)	.8	.3	.7	.1	.1	.6	2.3	.9	3.5	.3	(.....)	9.7	1.7	14.3	2.2	.1	.2	1.1
	(28.2)	(D)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(D)	(D)	(D)	(D)	(.....)	(.....)	(D)	(D)	(D)	(D)	(.....)	(D)	(.....)
New Mexico	26.5	1.8	(.....)	(.....)	.1	.3	.8	(.....)	.1	T	(.....)	(.....)	.8	(.....)	U	(.....)	(.....)	(.....)	(.....)	(.....)	12.4
	(11.3)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(D)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)
Arizona	29.3	3.6	(.....)	(.....)	.2	.6	.1	.8	.2	.7	(.....)	.3	.8	(.....)	4.3	.2	2.4	.5	8.2	.8	7.5
	(12.8)	(D)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(D)	(.....)	(D)	(.....)	(.....)	(D)	(.....)	(D)	(D)	(D)	(D)	(.....)
Utah	45.8	5.5	(.....)	.8	.3	.1	.1	.8	.1	.8	.1	.8	.8	.8	16.4	.8	19.7	(.....)	.1	(.....)	1.9
	(32.0)	(.4)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(D)	(.....)	(.....)	(.....)	(D)	(D)	(D)	(D)	(.....)	(.....)	(.....)	(.....)
Nevada	5.4	.2	(.....)	(.....)	(.....)	.1	(.....)	(.....)	.1	.8	(.....)	(.....)	(.....)	.7	3.9	(.....)	(.....)	(.....)	(.....)	.8	(.....)
	(4.6)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(D)	(.....)	(.....)	(.....)	(D)	(D)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)
Pacific	1,994.2	252.3	.8	3.7	10.4	53.7	3.9	85.4	7.4	127.7	114.6	11.2	1.2	7.0	106.0	35.2	97.6	59.3	875.1	23.5	119.6
	(1,264.3)	(128.1)	(.....)	(.....)	(.....)	(18.0)	(.....)	(59.9)	(D)	(94.5)	(96.3)	(3.3)	(D)	(5.7)	(86.7)	(22.9)	(71.4)	(40.9)	(611.0)	(14.3)	(10.2)
Washington	582.8	30.2	(.....)	.8	.8	14.6	.3	67.5	.7	3.4	.6	.2	.1	.3	56.6	1.4	8.2	.2	397.2	.8	.3
	(393.7)	(19.1)	(.....)	(.....)	(.....)	(5.0)	(.....)	(48.9)	(.....)	(D)	(D)	(D)	(.....)	(D)	(51.2)	(.1)	(5.7)	(D)	(D)	(.....)	(.....)
Oregon	87.1	24.7	(.....)	.3	.5	23.9	.4	8.9	.1	.7	.8	.2	.8	.3	5.7	.1	4.8	14.1	1.3	.8	.2
	(50.8)	(D)	(.....)	(.....)	(.....)	(8.7)	(.....)	(7.3)	(.....)	(D)	(.....)	(D)	(.....)	(D)	(D)	(D)	(3.7)	(D)	(D)	(D)	(.....)
California	1,302.6	180.5	.8	3.2	9.0	14.8	3.3	6.4	6.0	123.3	113.3	10.7	1.1	6.3	43.6	33.4	84.8	45.1	476.5	22.2	119.1
	(809.7)	(96.8)	(.....)	(.....)	(.....)	(3.6)	(.....)	(D)	(D)	(92.3)	(D)	(3.1)	(D)	(5.2)	(D)	(21.6)	(61.9)	(D)	(D)	(D)	(10.2)
Alaska	4.0	1.6	(.....)	(.....)	.8	.1	(.....)	2.3	.8	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)
	(D)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(D)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)
Hawaii	15.5	14.9	(.....)	.8	.2	.1	.1	.1	.1	.1	(.....)	(.....)	.8	(.....)	(.....)	.2	(.....)	(.....)	.8	(.....)	(.....)
	(D)	(D)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(.....)	(D)	(.....)	(.....)	(.....)	(.....)	(.....)

Source: U.S. Department of Commerce, Office of Business Economics, Bureau of International Programs.

NOTE.—Figures may not add because of rounding.

Total exports included in this table exceed the 1960 Census Bureau's totals for manufactured foodstuffs, semimanufactures and finished manufactures by some $800,000,000. Figures given here include exports to Puerto Rico, bunker sales of fuel to foreign vessels, and certain other adjustments developed by the Bureau of Labor Statistics in their study of direct and indirect employment attributable to exports.

The national total figures and totals for the 20 industry groups in terms of value at port and value f.o.b. plant were prepared by the Bureau of Labor Statistics, based largely on Census export data and Census "bridge" tables on export and industry classification systems; total value, f.o.b. plant differs from value at port primarily by trade margins, transportation, and warehousing costs.

Regional and State distributions of exports, not reported directly by manufacturers, were estimated by the Office of Business Economics and the Bureau of International Programs, U.S. Department of Commerce, in order to account for local origin of all manufacturing exports. The figures reported by manufacturers are from a survey conducted by the Census Bureau of plants with more than 100 employees included in the Annual Survey of Manufactures and exporting $25,000 or more in 1960. The 1958 survey on distribution of manufacturers sales showed that those plants accounted for practically all exports made directly by manufacturing companies. Establishments in some industries with a small amount of exports in relation to the total number of establishments involved, were asked to report in the survey only when the parent company was known to export at least $1,000,000 per year. Industries handled in this fashion included the textile, apparel, lumber, and furniture groups and some individual industries in other groups.

(D) Withheld to avoid disclosing figures for individual companies.
S Less than $1.0 million.
T $1.0 to $4.9 million.
U $5.0 to $9.9 million.
V $10.0 to $24.9 million.
W $25.0 to $49.9 million.
X $50.0 to $99.9 million.
Y $100.0 million or more.

Mr. BOW. Mr. Speaker, will the gentleman yield?

Mr. HEMPHILL. I yield to the gentleman from Ohio.

Mr. BOW. I appreciate very much the gentleman's statement here today, and I agree with what he has to say. I am very much disturbed, and I am sure the gentleman is. Although I have no textiles in my district, I have other industries that may be affected. And, whether I did or not, I would be disturbed because American labor, wherever they may be, is put out of work. We have been having hearings on the State Department budget and I have been asking some questions about this thing, of the amount of money that is being spent on the preparation of pamphlets and the distribution of speeches. I asked them this question today. I said, "How about telling the other side of the story? You do not tell the whole story. You just try to promote one side." And, they very frankly admitted it. I totaled the number of speeches distributed by the State Department, those who followed the policy which is against what the gentleman is for. I said, "If I make a speech on this subject, will you print it and send it out to the same people you sent this to?" And they said, "Oh, no, we cannot do that." The gentleman has been talking a good deal about the State Department. I think we must add to this certain segments of the Commerce Department which are stimulating this thing. I am sure there is one where they are setting up a group to encourage the sale of Japanese textiles throughout European countries. It seems to me that what is necessary for our Commerce Department to do is to go out and sell American textiles to European countries and not try to develop Japanese trade in foreign countries. This was a rather amazing thing that they would do it. I think the gentleman is making an excellent statement, and I want to concur in what he has to say. I think this is one of the most dangerous things facing America today, is the total disregard for American labor, for American industry on these trade policies, and I just hope we can get at least a corporal's guard who are willing to stand up and be counted and point out to the people of the Nation the problems we are facing on the very question the gentleman is discussing.

Mr. HEMPHILL. I thank the gentleman for his contribution. I happen to admire the gentleman very much because of the fact he made a great fight, and I tried to support him, to keep American soldiers from being tried by foreign governments. My admiration has not lessened since then, and I thank the gentleman for his contribution today.

We are faced with a peculiar situation this year. The reciprocal trade extension expires. We are being told that we have to revamp our entire trade policy: the question of whether or not the President of the United States shall have certain executive powers in connection with the reduction of tariffs; the question of whether or not we are going to associate or join or otherwise be associated with the Common Market in Europe. Now, when the President of the United States says something—and I do not care of which party he is—I listen.

I always listened to the former President when he was in office. It causes me concern when the President makes a statement, because the President ought to be right. He just ought to be right. He is President. He has the biggest office in the Nation, the biggest in the world, and the greatest responsibility. He has the responsibility of freedom. There is no such thing as freedom without truth. So when the President says it is necessary, it gives me grave concern because I am in no sense a freetrader. I have seen what it has done to my textiles. I know what it has done to the gentleman's people out in West Virginia. I know what has been done to the bicycle people, and I could name dozens and dozens of industries that have been affected by this fool free-trade idea of selling American jobs for some supposed international favor or international posture. The posture I am concerned with is aimed first at helping Americans and preserving American jobs.

Mr. Speaker, one of the things that is bothering me about this new trade bill—and I put a notation in here to call attention to it—is this: In section 212 of the administration's trade bill there is a provision to authorize the President to put cotton and wool textiles on the free list since they are products of agricultural commodities to which that section refers. Now, what does that mean? Does that mean we are going to give this State Department further latitude in its future trade negotiations? If that is what that means, it has either got to be stricken from the bill or it is too dangerous a piece of legislation.

Mr. Speaker, the reason I get up here is because the hour is late. We have already lost plants. We have lost velveteen and gingham industries in my district. I know a plant which has been directly affected by the zeroing in on it this year. I am worried about the people. They are my friends, and I love them very much. We have got to do something about these problems, and we have got to have some assurance that this is just not some other idea that the do-gooders and the one-world people and the international planners have not put upon us for the purpose of taking over.

Mr. BAILEY. Mr. Speaker, will the gentleman yield?

Mr. HEMPHILL. I am delighted to yield to my distinguished friend from West Virginia.

Mr. BAILEY. The gentleman will recall that I wrote in the existing Trade Agreements Act of 1951 what is known as the escape clause. In the new proposal made by the administration it wipes out the present reciprocal trade agreement. They wipe out the peril points and the escape-clause procedure.

Does the gentleman think we should attempt to convince the Ways and Means Committee before it issues a closed rule that some amendments are necessary which would provide a prerequisite check by the Tariff Commission before the President is given authority to make reductions in any import duty?

Mr. HEMPHILL. I think that would be a very reasonable thing to do.

Mr. BAILEY. That is, to see whether it is going to destroy that particular industry or not.

Mr. HEMPHILL. I think that is very reasonable.

Let me ask the gentleman this: It has been my impression that the peril points and the escape-clause provisions were written into the legislation because the gentleman was seeking—and I know he was, and did a magnificent job—a means of protecting American industry. But I wonder if the gentleman agrees with me that in the administration of that particular legislation, especially the escape clause and the peril points, that we have not gotten the results that we would naturally expect?

Does the gentleman agree with me on that?

Mr. BAILEY. I do. There has been maladministration of both of them.

Mr. HEMPHILL. One of the things that concerns me today is whether or not there is going to be continued maladministration. I am concerned, because down in my country practicing law as a country lawyer, if you give a fellow a piece of business, if he does not do a good job for you, you wonder whether you will give him the next piece of business. Of course, perhaps, if you are in the Government, I do not guess it makes any difference because somebody covers for you if you do something bad. It concerns me that with the Tariff Commission making recommendations on the peril points nothing was done about it. I know the gentleman from West Virginia [Mr. BAILEY] is more versed than I am in this.

It causes me concern as to whether or not we are just being given a little sugar to draw the flies.

Mr. BAILEY. In this particular industry there would be no authority extended to the President until a determination was made in hearings before the Tariff Commission claiming that a particular industry had to have a reduction in import duties.

Mr. HEMPHILL. I think that is a very proper thing, to have a hearing in the Tariff Commission. But the thought occurs to me at this time as to who is going to administer this program and what is going to be done to take care of the jobs of the people. When I speak of the textile industry I speak of other industries also. I have great sympathy for those other industries which have been decimated or destroyed. The plywood and veneer people in my section have been considerably damaged by the administration of these policies and by the use of free trade policies.

But I say that we of the textile industries have hope. We have some happiness that something has been done. We have happiness in the promises, but we also await action, because down home you do not eat words. Textile workers have to have salaries to buy bread and meat. They cannot eat words. They cannot house themselves or clothe themselves with promises. It is a bread-and-

meat problem and it is a serious situation.

I, for one, continue to talk about this and bring out from time to time the thinking that I have. I have invited other Members to be present, but when it is so late in the day, sometimes they have schedules at their offices that prevent their being here.

Mr. BOW. Mr. Speaker, will the gentleman yield?

Mr. HEMPHILL. I am glad to yield to the gentleman from Ohio.

Mr. BOW. I hope the gentleman does not mind my asking him to yield at this time.

Mr. HEMPHILL. I am happy to yield.

Mr. BOW. The gentleman mentioned the political side of this. I will say to the gentleman that I opposed this sort of thing during the Eisenhower administration so I have no apologies, of course, for opposing it during the present administration. I should like to point out on the question of whether we need this additional law a speech made on October 12, 1960, by then Candidate Kennedy on this question. I think it is important that we consider it. He said in part:

> Hong Kong happens to be a place where textiles in the last few years have been coming from in the greatest quantities, at least with the greatest percentage of increase. So in answer to your question, because we must maintain our reciprocal trade policy, because we must sell abroad more than we take in, because the United States cannot take the lead in restricting trade, in fact, I emphasize that we should take the lead in persuading other countries to lessen their barriers against us, I believe that we can protect our domestic industry within present laws, with Presidential leadership, with a knowledge of the problem, with effective workings between the President and the State Department and countries abroad, and with the provisions in present reciprocal trade laws if vigorously, effectively, and responsibly administered.

May I say to the gentleman that this always seems to be the one point that they cannot seem to answer. The gentleman knows as well as I do that in article I, section 8 of the Constitution of the United States there is a provision that the Congress shall set these tariffs, imposts, and duties. How are we going to get away from it by the passage of this law, when we are delegating the authority of the Congress to the executive branch of the Government? Would it not be better if we brought back to the legislative branch the authority to handle these tariffs, imposts, and duties, through the Tariff Commission, where the President and the executive department could present their case?

If the Tariff Commission recommended in a certain way and they were not satisfied, they could come to the Congress with the possibility of a veto. But the Tariff Commission is the arm of the Congress, not of the executive branch, and that is where they should be doing this.

Then it seems to me, too, that we are not going to be able to do the kind of dealing that they are talking about here until we get foreign nations also to cut out some of their embargoes against us and some of their trade barriers other than tariffs. We have got to protect American industry, when we think of the amount of unemployment that we have today. It just seems perfectly ridiculous to me that we should be trying to do something to bring in more importations of these things that can be made more cheaply abroad and put American workmen out of work.

Mr. Speaker, I want to join the gentleman anytime, regardless of the hour of the night, in this fight against this proposition, if we can do something to protect American jobs and not export the jobs of American workingmen.

Mr. HEMPHILL. Mr. Speaker, I want to thank the gentleman. Let me say that I think one of the difficulties that any President has, from what I know of the Office, is the fact that in the administration of the law he has to depend on various people. I think in this particular area, of the time when the State Department took over the reciprocal trade arrangements that should have been put in the Department of Commerce and under the control of Congress. When the State Department took it over, it was a sad day for us. The President made a very fine statement in his campaign and I think he wants to live up to it. It is easy for me to say that if I were President I would do thus and so. And I guarantee that if I were President I would do thus and so; at least, there would be some changes made one way or the other; that is what the President has authority for.

But I feel this way about. We in the Congress must insist as never before—and I agree with the distinguished gentleman on this—that American jobs be protected, because there is no use of passing manpower and training legislation such as we have before us today, there is no use of suggesting that we pass any sort of legislation if we are going to continue to create unemployment by following the old-time policies of the State Department. It just does not make sense.

If I were President of the United States, I would tell whoever was the Cabinet officer to get the job done. If he did not get the job done, I would fire him.

Let me say one thing finally: I do not operate from a platform of fear and I do not intend to do so as an American. It seems to me we are always scared about what some other country is going to say. Well, I am not scared. If we would stand up for what we are and recognize what we have been and what we will be and recognize our potential we would not have to be worried about what any other country says. I do not care what any other country says. I am interested in what America says. The American textile workers are saying to the Nation today that we need help. They are saying, "Help us." I am here asking for that help and I am trying to get it for them. I am hopeful that our President's plan will give them that help. I am happy to say he has made a start in that direction, because the textile industry most certainly is a basic industry in peacetime as well as for our national defense.

Mr. WHITENER. Mr. Speaker, will the gentleman yield?

Mr. HEMPHILL. I yield to my distinguished friend, the gentleman from North Carolina, who has joined me in this fight on so many occasions.

Mr. WHITENER. I want to express my appreciation to the gentleman for his further efforts in this important matter. I regret that another meeting prevented my being here at the beginning of his remarks. The subject which the gentleman is now discussing is one of grave importance not only to the people of the great textile districts which the gentleman from South Carolina and I are privileged to represent, but I believe, as the gentleman has so well indicated, it is of grave importance to the Nation. The question of defense and national security which is involved in this matter of importation of textiles is one which concerns many of us and while I know that we are basically concerned about the economy of our own area I believe we can accurately say that we are equallly concerned with the national security aspect of the problem. I was heartened some time ago to see some indication that there was a more friendly attitude toward this great industry than we had seen in the past. But in recent days I am beginning to wonder just where we are going. I know the gentleman from South Carolina, as I did, testified a few days ago at the Tariff Commission at its present hearings with reference to the 8½-cent advantage which the foreign textile people have over our own manufacturers using domestically grown cotton that is American grown cotton. While I am not a prophet and I do not undertake to make any prophecy I have to say it would appear that we will not have much reason to expect any relief as a result of this current hearing.

I hope that I am wrong, but I know that the gentleman must have been somewhat impressed, as I was, when we appeared before the Tariff Commission to see there in this hearing room an agency of the U.S. Government supposedly conducting a hearing to determine what was to the best interest of America, and as we looked to our right to see participating in this hearing as alleged real parties in interest, representatives of foreign governments. While I was not present when some of the American textile people testified, I was told by some of them that the representatives of those countries were certainly less than kind in the attitude which they showed toward these agreements. They were there testifying in an American tribunal.

I could not help remembering that just a few short years ago the gentleman from South Carolina and I, along with millions of other Americans, were engaged at that time in mortal conflict with some of those people who are today undertaking to tell our people what we ought to do with a domestic economic problem. While I hope that any bitterness that was engendered in the hearts of any of the Americans who served in World War II and other wars has been dissipated, I am sure it is somewhat difficult to prevent a resurgence of that feeling when we see these people undertaking to cause this tribunal known as the

Tariff Commission to make a decision which will involve the livelihood of many Americans, many of our own friends and relatives, and also jeopardize the economy of this great country, which is important to all Americans.

I want to commend again the gentleman from South Carolina and say to him that the message which he brings and the warning which he sounds, and which I undertake to sound at regular intervals, should be heeded, and that we in this country should not fail to realize that our basic responsibility in peacetime as well as in wartime is to be dedicated to the preservation of our country, her economy, and the standards which our people have been able to achieve, and which is not given to them by reason of the bounty of any other nation or by reason of friendly determination by tax-finding tribunals of other nations.

I commend the gentleman and thank him for yielding to me.

Mr. HEMPHILL. I want to thank the gentleman for the statement he has made. He and I have been here many times to express our opinions on matters which cause us grave concern, when others were not so disposed.

It occurs to me after listening to his points of wisdom that after all the Tariff Commission was created for the benefit of the American people, American industry, and the segments of that industry. If they think that the evidence, the testimony of others than Americans, is more important than Americans, then they have departed from the concept which generated the creation of this Commission.

They have betrayed their trust to the American people and they have lost contact with the fact or the realism that if they do something to hurt America inevitably it hurts every citizen in some way, either by an increase in taxes or by the fact a nation is weakened economically or in many other ways.

So I would hope, since the administration went on record in this particular instance as favoring an import fee, in the Department of Agriculture particularly, that the Tariff Commission will adhere to the voice of the American President and the American people and American industry with reference to this thing which has been troubling us and has troubled us for so long.

I thank again the gentleman from North Carolina.

THE LATE HONORABLE RALPH W. GWINN, OF NEW YORK

Mr. BARRY. Mr. Speaker, former Congressman Ralph W. Gwinn, of the 27th District of New York, died today. I will announce time for eulogies on the floor of Congress.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. ADAIR, on tomorrow, for 1 hour.

Mr. MEADER (at the request of Mr. HALPERN) on Wednesday, February 28, for 30 minutes.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. WALTER.

Mr. PHILBIN and to include extraneous matter.

Mr. DORN and to include extraneous matter.

Mr. GEORGE P. MILLER.

(The following Members (at the request of Mr. HALPERN) and to include extraneous matter:)

Mr. VAN ZANDT in two instances.

Mr. ROUSSELOT.

Mrs. WEIS.

Mr. JENSEN.

(The following Members (at the request of Mr. ALBERT) and to include extraneous matter:)

Mr. NATCHER.

Mr. INOUYE.

Mr. STEED.

Mr. ANFUSO.

Mr. BAILEY to include extraneous matter in the remarks he made during general debate on H.R. 8399.

Mr. SMITH of Iowa to revise and extend the remarks he made in the Committee of the Whole and include extraneous matter.

(The following Members (at the request of Mr. ALBERT) and to include extraneous matter:)

Mr. MOSS.

Mrs. SULLIVAN.

ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 42 minutes p.m.) the House adjourned until tomorrow, Wednesday, February 28, 1962, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1747. A letter from the Secretary of the Treasury, transmitting a report of audit of the exchange stabilization fund for the fiscal year ended June 30, 1961, pursuant to section 10 of the Gold Reserve Act of 1934, approved January 30, 1934, as amended; to the Committee on Banking and Currency.

1748. A letter from the Administrator, General Services Administration, transmitting the report of the Archivist of the United States on records proposed for disposal under the law; to the Committee on House Administration.

1749. A letter from the Secretary of Health, Education, and Welfare, transmitting a draft of a proposed bill entitled "A bill to extend and strengthen the Federal air pollution control program"; to the Committee on Interstate and Foreign Commerce.

1750. A letter from the Secretary of Health, Education, and Welfare, transmitting a draft of a proposed bill entitled "A bill to assist States and communities to carry out intensive vaccination programs designed to protect their populations, especially all preschool children, against poliomyelitis, diphtheria, whooping cough, and tetanus, and against other diseases which may in the future become susceptible of practical elimination as a public health problem through such programs"; to the Committee on Interstate and Foreign Commerce.

1751. A letter from the Secretary of the Interior, transmitting a report relating to the Charles R. Robertson Lignite Research Laboratory of the Bureau of Mines at Grand Forks, N. Dak., for the calendar year 1961, pursuant to 62 Stat. 85; to the Committee on Interior and Insular Affairs.

1752. A letter from the Assistant Secretary of the Interior, relative to the receipt of a project proposal relating to the Cassia Creek Reservoir Co. of Cassia County, Idaho, and to state that they have applied for a loan and grant, pursuant to section 10 of the Small Reclamation Projects Act of 1956; to the Committee on Interior and Insular Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ELLIOTT: Committee on Rules. House Resolution 552. Resolution for consideration of H.R. 132, a bill to amend the Communications Act of 1934 to establish a program of Federal matching grants for the construction of television facilities to be used for educational purposes; without amendment (Rept. No. 1390). Referred to the House Calendar.

Mr. BROOKS of Texas: Committee on the Judiciary. H.R. 10184. A bill to amend section 130(a) of title 28, United States Code, so as to reconstitute the Eastern Judicial District of Wisconsin to include Menominee County, Wis.; with amendment (Rept. No. 1391). Referred to the Committee of the Whole House on the State of the Union.

Mr. LANE: Committee on the Judiciary. H.R. 10357. A bill to provide for the settlement of claims against the United States by members of the uniformed services and civilian officers and employees of the United States for damage to, or loss of, personal property incident to their service, and for other purposes; without amendment (Rept. No. 1392). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. EVINS:

H.R. 10424. A bill to extend and amend the Renegotiation Act of 1951; to the Committee on Ways and Means.

By Mr. HUDDLESTON:

H.R. 10425. A bill to amend the Civil Service Retirement Act to provide for the adjustment of inequities and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. KASTENMEIER:

H.R. 10426. A bill to amend the act of August 30, 1890, to eliminate the provisions thereof authorizing Federal contributions for the maintenance of schools of higher education in which racial segregation is practiced; to the Committee on Education and Labor.

By Mr. MONTOYA:

H.R. 10427. A bill to facilitate the sale and disposal of Government stocks of extra long staple cotton; to the Committee on Armed Services.

By Mr. MORRIS:

H.R. 10428. A bill to facilitate the sale and disposal of Government stocks of extra long staple cotton; to the Committee on Armed Services.

By Mr. STEED:

H.R. 10429. A bill to place certain limitations on the authority of the Federal Communications Commission to delete previously assigned very high frequency television channels, to give the Commission certain regulatory authority over television receiving apparatus, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. TRIMBLE:

H.R. 10430. A bill authorizing the modification of the general plan for the comprehensive development of the White River Basin to provide for additional hydroelectric power development, for the control of floods, and for other purposes; to the Committee on Public Works.

By Mr. WILLIS:

H.R. 10431. A bill to revise, codify, and enact title 37 of the United States Code, entitled "Pay and Allowances of the Uniformed Services"; to the Committee on the Judiciary.

H.R. 10432. A bill to amend title 39, United States Code, to codify certain recent public laws relating to the postal service and to improve the code; to the Committee on the Judiciary.

H.R. 10433. A bill to amend title 10, United States Code, to codify recent military laws, and to improve the code; to the Committee on the Judiciary.

By Mr. WILSON of California:

H.R. 10434. A bill to provide for the construction of a Veterans' Administration hospital at San Diego, Calif.; to the Committee on Veterans' Affairs.

By Mr. BARRY:

H.R. 10435. A bill to correct inequities with respect to the compensation of certain postal field service employees exercising supervisory functions, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 10436. A bill to provide salary adjustments in the basic salary of postal field service employees in certain areas, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 10437. A bill to amend the Internal Revenue Code of 1954 to repeal the tax presently imposed on the transportation of persons; to the Committee on Ways and Means.

By Mr. BYRNE of Pennsylvania:

H.R. 10438. A bill to authorize the Secretary of the Interior to acquire the Graff House site for inclusion in Independence National Historical Park, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. CUNNINGHAM:

H.R. 10439. A bill to amend the Federal Property and Administrative Services Act of 1949, as amended, to permit donation and other disposal of surplus personal property to tax-supported public park, recreation, or historic monument agencies; to the Committee on Government Operations.

By Mr. JAMES C. DAVIS:

H.R. 10440. A bill to authorize the acquisition, training, and maintenance of dogs to be used in law enforcement in the District of Columbia; to the Committee on the District of Columbia.

By Mr. JOHANSEN:

H.R. 10441. A bill to amend title 13, United States Code, to preserve the confidential nature of copies of information filed with the Bureau of the Census on a confidential basis; to the Committee on Post Office and Civil Service.

By Mr. McSWEEN:

H.R. 10442. A bill to establish a cropland retirement program; to the Committee on Agriculture.

By Mr. MORSE:

H.R. 10443. A bill to amend the Internal Revenue Code of 1954 to provide an additional income tax exemption of $1,000 for a taxpayer, spouse, or dependent who is a student at an institution of higher learning; to the Committee on Ways and Means.

By Mr. NELSEN:

H.R. 10444. A bill to limit the authority of the Commodity Credit Corporation to sell any farm commodity owned or controlled by it; to the Committee on Agriculture.

By Mr. FULTON:

H.R. 10445. A bill to establish an Office of Urban Affairs in the Executive Office of the President; to the Committee on Government Operations.

By Mr. GREEN of Pennsylvania:

H.R. 10446. A bill to authorize the Secretary of the Interior to acquire the Graff House site for inclusion in Independence National Historical Park, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. HARSHA:

H.R. 10447. A bill to amend the law relating to pay for postal employees; to the Committee on Post Office and Civil Service.

H.R. 10448. A bill to amend title 38, United States Code, to provide for the payment of pensions to veterans of World War I; to the Committee on Veterans' Affairs.

By Mr. HERLONG:

H.R. 10449. A bill to provide for a Veterans' Administration hospital in the Halifax area of Volusia County, Fla.; to the Committee on Veterans' Affairs.

By Mr. ST. GERMAIN:

H.R. 10450. A bill to promote safe driving and eliminate the reckless and irresponsible driver from the streets and highways of the District of Columbia by providing that any person operating a motor vehicle within the District while apparently under the influence of intoxicating liquor shall be deemed to have given his consent to a chemical test of certain of his body substance to determine the alcoholic content of his blood, and for other purposes; to the Committee on the District of Columbia.

By Mr. SHORT:

H.R. 10451. A bill to establish a cropland retirement program; to the Committee on Agriculture.

By Mr. NYGAARD:

H.R. 10452. A bill to donate to the Devils Lake Sioux Tribe of the Fort Totten Indian Reservation, N. Dak., approximately 275.74 acres of federally owned land; to the Committee on Interior and Insular Affairs.

By Mr. OLSEN:

H.R. 10453. A bill to amend title 23 of the United States Code relating to highways in order to require the approval of the Secretary of the Interior to surveys, plans, specifications, and estimates for projects on the Federal-aid highway systems for the purpose of protecting fish and wildlife and recreation resources; to the Committee on Public Works.

By Mr. RHODES of Arizona:

H.R. 10454. A bill to provide that certain public lands of the United States shall be disposed of for their highest and best use, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. LOSER:

H.J. Res. 641. Joint resolution designating February 20 of each year as John Glenn Day; to the Committee on the Judiciary.

By Mr. HÉBERT:

H.J. Res. 642. Joint resolution to authorize the Secretary of the Interior to acquire certain property within Chalmette National Historical Park, and for other purposes; to the Committee on Interior and Insular Affairs.

H.J. Res. 643. Joint resolution to establish the Sesquicentennial Commission for the Celebration of the Battle of New Orleans, and for other purposes; to the Committee on the Judiciary.

By Mr. TUCK:

H.J. Res. 644. Joint resolution granting consent of the Congress to a compact entered into between the State of Maryland and the Commonwealth of Virginia for the creation of the Potomac River Compact of 1958; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDONIZIO:

H.R. 10455. A bill for the relief of Beatris Foronda; to the Committee on the Judiciary.

By Mr. ANFUSO:

H.R. 10456. A bill for the relief of Evon Elaine Scott; to the Committee on the Judiciary.

By Mr. BARRY:

H.R. 10457. A bill for the relief of Palmira Landolfi; to the Committee on the Judiciary.

By Mr. BELL:

H.R. 10458. A bill for the relief of Fulvio Jose Gonzales; to the Committee on the Judiciary.

By Mr. BLATNIK:

H.R. 10459. A bill to provide for the conveyance of 39 acres of Minnesota Chippewa tribal land on the Fond du Lac Indian Reservation to the SS. Mary and Joseph Church, Sawyer, Minn.; to the Committee on Interior and Insular Affairs.

By Mr. BOGGS:

H.R. 10460. A bill for the relief of Kong Chu and his family; to the Committee on the Judiciary.

By Mr. BURKE of Massachusetts:

H.R. 10461. A bill for the relief of Anastasios Vitoratos; to the Committee on the Judiciary.

By Mr. GUBSER:

H.R. 10462. A bill for the relief of Yoo Chul Soo; to the Committee on the Judiciary.

H.R. 10463. A bill for the relief of Kate Pervetich; to the Committee on the Judiciary.

By Mr. INOUYE:

H.R. 10464. A bill for the relief of Benjamin A. Ramelb; to the Committee on the Judiciary.

H.R. 10465. A bill for the relief of Sue Tamaru; to the Committee on the Judiciary.

H.R. 10466. A bill to confer jurisdiction on the U.S. District Court for the District of Hawaii to hear, determine, and render judgment on the claims of Mrs. Agnes J. Wong against the United States; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 10467. A bill for the relief of Joseph William Rohee; to the Committee on the Judiciary.

By Mr. SIKES:

H.R. 10468. A bill for the relief of Harold William Abbott and others; to the Committee on the Judiciary.

By Mr. THOMPSON of New Jersey:

H.R. 10469. A bill for the relief of Mario Rossi; to the Committee on the Judiciary.

By Mr. LOSER:

H.J. Res. 645. Joint resolution authorizing the President to confer the Medal of Honor upon Lt. Col. John H. Glenn, Jr., U.S. Marine Corps; to the Committee on Armed Services.

EXTENSIONS OF REMARKS

Investigation of Banking Practices of Nonscheduled Airlines

EXTENSION OF REMARKS
OF
HON. JOHN H. ROUSSELOT
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1962

Mr. ROUSSELOT. Mr. Speaker, on February 26, 1962, I introduced House Resolution 551, the purpose of which is to provide for a congressional investigation of the banking practices of supplemental or nonscheduled airlines. It is my hope that the resolution will be assigned to the House Banking and Currency Committee.

Under unanimous consent, I include the resolution in the CONGRESSIONAL RECORD:

Whereas there has recently occurred in the supplemental airline industry, three tragic airplane crashes, namely:

1. Arctic Pacific Air Lines on October 29, 1960, at Toledo, Ohio, killing twenty passengers and a crew of two and injuring and maiming another twenty-five passengers. Sixteen of the deceased and twenty-two of the injured were young college football players from the California Polytechnic State College, San Luis Obispo, California.

2. President Airlines, Incorporated, on September 10, 1961, at Shannon, Ireland, killing seventy-seven passengers and six crewmembers. The deceased were sixty-five Germans, eight Austrians, two Dutch, and two Swiss representatives of those countries traveling to the United States to study our agricultural methods.

3. Imperial Airlines, Incorporated, on November 8, 1961, at Richmond, Virginia, killing seventy-four passengers and three crewmembers. The deceased passengers were young United States Army recruits on their way to be trained for service in our Armed Forces; and

Whereas investigations following these crashes reveal practices and conditions of maintenance, training, and operations of these airlines that are deplorable and intolerable; and

Whereas these deplorable and intolerable practices and conditions germinate in the financial environment of said airlines and their owners; and

Whereas report numbered 41, Eighty-seventh Congress, second session, of the House Armed Services Special Subcommittee investigating the Imperial crash states on page 3101 that little if any attention was given by the Civil Aeronautics Board or the Federal Aviation Agency to the economic capacity of the carrier to sustain operations; and

Whereas the records of the Civil Aeronautics Board disclose that of twenty certificated supplemental airlines, six are bankrupt and fourteen others show large deficits of operating capital and net worth—the House Armed Services Special Subcommittee Report Numbered 41, Eighty-seventh Congress, second session, pages 2887 to 2889, states in part:

1. Airline Transport Carriers, Incorporated, doing business as California Hawaiian Airlines:

Earned surplus (deficit)	$167,000
Net worth (deficit)	99,800

2. American Flyers Airline Corporation:

Current liabilities	$252,500
Current assets	107,500
Working capital (deficit)	145,000
Earned surplus (deficit)	49,700
Net worth (deficit)	44,700

3. Associated Air Transport, Incorporated:

Current liabilities	$354,000
Current assets	152,000
Working capital (deficit)	202,000
Earned surplus (deficit)	162,500
Capital surplus (deficit)	12,400
Net worth (deficit)	174,000

4. Coastal Air Lines:

Current liabilities	$29,700
Current assets	11,200
Working capital (deficit)	18,500
Earned surplus (deficit)	64,400
Net worth (deficit)	55,900

5. Modern Air Transport, Incorporated:

Current liabilities	$349,600
Current assets	152,500
Working capital (deficit)	197,100
Earned surplus (deficit)	38,300
Net worth (deficit)	37,300

6. Overseas National Airways:

Current liabilities	$2,848,000
Current assets	1,223,000
Working capital (deficit)	1,625,000
Earned surplus (deficit)	987,400
Net worth (deficit)	887,400

7. President Airlines, Incorporated (testimony of the Honorable FRANCIS E. WALTER, Democrat, of Pennsylvania):

"This is the company which stranded the Chicago charter group at Shannon Airport, Ireland, and the Los Angeles charter group in London last fall. As I recall, the press reported the stranding at Shannon as due to refusal of the airport authorities to release the plane until payment of delinquent landing fees and fuel and oil bills.

"On September 10, 1961, a President plane crashed on takeoff at Shannon, killing eighty-three persons.

"To the best of my knowledge, the Civil Aeronautics Board has not revoked the certificate of this carrier."

8. Saturn Airways, Incorporated:

Current liabilities	$720,900
Current assets	69,000
Working capital (deficit)	605,200

9. Sourdough:

Current liabilities	$12,000
Current assets	6,900
Working capital (deficit)	5,100

10. Standard Airways, Incorporated:

Current liabilities	$387,000
Current assets	251,000
Working capital (deficit)	136,500
Earned surplus (deficit)	23,500

11. Stewart Air Service (testimony of the Honorable FRANCIS E. WALTER, Democrat, of Pennsylvania):

"Current assets reported by the carrier as minus $2,170 with 'cash on hand' of minus $3,251. I have never heard of having an asset that is a minus dollar amount. Current liabilities are $70,594, for a working capital deficit of, I gather, $72,764."

12. United States Overseas Airlines, Incorporated:

Current liabilities	$3,422,500
Current assets	1,526,000
Working capital (deficit)	1,896,000
Earned surplus (deficit)	1,714,000
Net worth (deficit)	1,421,700

13. Vance Roberts (testimony of the Honorable FRANCIS E. WALTER, Democrat, of Pennsylvania):

"This appears to be a carrier of size comparable to Sourdough. Current assets are only $2,942, with total assets only $41,838."

14. World Wide Airlines, Incorporated:

Current liabilities	$110,700
Current assets	48,200
Working capital (deficit)	62,500
Earned surplus (deficit)	238,700
Net worth (deficit)	49,400

Whereas the House Armed Services Subcommittee report numbered 41, Eighty-seventh Congress, second session, states on page 3107 that Imperial Airlines' violations of Civil Aeronautics Board regulations were in the economic area by the use of misleading financial statements and by the filing of false statements with the Board according to the testimony under oath of the Chairman of the Civil Aeronautics Board, Alan S. Boyd; and

Whereas these companies could not exist for long if the above deficit balance sheets and financial status reported to the Civil Aeronautics Board were true; and

Whereas in light of the House Armed Services Special Subcommittee Report Numbered 41, Eighty-seventh Congress, second session, which states on page 3089 that the Federal Aviation Agency testified: "Our observations of the company's thirteen years of operations, and our intensive inspections following the recent accident indicate that the company tended to operate at all times with the very minimum of facilities and personnel for operations, training, and maintenance necessary to meet our safety standards" it is quite obvious that some undisclosed financial arrangements keep these airlines operating at dangerously low standards of safety and performance for the purpose of greater profits; and

Whereas there is evidence at hand that an investigation of the financial structure and banking practices of supplemental airlines will reveal the existence of a banking system which operates in defiance of the banking laws and extracts hundreds of thousands of dollars of cash and credit from banks for the operation of supplemental airlines by illegal arrangements of bank officials with airlines owners; and

Whereas this same illegal system has been worked by the officials of two different banks with the owners of two different airlines, it is evident that there is a system of illegal banking transactions among supplemental airlines which must be investigated for the purpose of making laws to prevent such practices; and

Whereas the House Armed Services Special Subcommittee Report Numbered 41, Eighty-seventh Congress, second session, on page 3101 emphasizes the "importance of having an industry that has integrity, not in a minimum degree but in a maximum degree" and the committee asks, "What can the Congress do to bring about this necessary degree of integrity in the supplemental air carrier industry?"; and

Whereas Congress on July 14, 1960, acting in good faith to save the airlines but under deadline conditions resulting from the decision of the United States Court of Appeals for the District of Columbia in the case of United Air Lines, and others, against Civil Aeronautics Board (108 U.S. Ct. of Appeals, D.C.), continued the operation of these supplemental airlines for twenty months; and

Whereas four months thereafter a plane of the defunct Arctic Pacific Air Lines crashed at Toledo, Ohio, killing and maiming members of the California Pyrotechnic College football team; and

Whereas there is pending in the Congress, S. 1969, a bill which, among other things, grants grandfather operating rights to the supplemental airlines listed above: Now, therefore, be it

Resolved, That the Banking and Currency Committee of the House forthwith conduct an investigation into the financial conditions and banking practices of banks making loans to and/or containing the bank accounts of the supplemental airlines; and be it further

Resolved, That the House defer and suspend action on any legislation permitting or authorizing the operation of supplemental airlines until the termination of such investigation.

For the purpose of carrying out this resolution, the committee or subcommittee is authorized to sit and act during the present Congress at such times and places within the United States, including any Commonwealth or possession thereof, whether the House is in session, has recessed, or has adjourned, to hold hearings, and to require by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records correspondence, memorandums, papers and documents as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member.

The committee shall report to the House as soon as practicable during the present Congress the results of its investigation and study, together with such recommendations as it deems advisable. Any such report which is made when the House is not in session shall be filed with the Clerk of the House.

Bulgarian Liberation Day

EXTENSION OF REMARKS
OF
HON. VICTOR L. ANFUSO
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1962

Mr. ANFUSO. Mr. Speaker, Americans of Bulgarian descent observe Bulgarian Liberation Day on March 3 of every year. The independence of Bulgaria dates back to March 3, 1878, when that nation's freedom was reestablished after centuries of oppression under the old Ottoman Empire. Bulgaria's independence came to an abrupt end when first Nazi Germany and later Soviet Russia established their domination over the country. To this day, Bulgaria remains a subjugated country under the yoke of the Kremlin and its people are a captive nation.

In connection with the observance of Bulgarian Liberation Day, I recently sent a letter of greeting to the Bulgarian National Front of America for their annual commemoration of the event, which is being observed on Saturday, March 3, at the New Yorker Hotel in New York City. I am pleased to insert into the CONGRESSIONAL RECORD the text of my message, which reads as follows:

FEBRUARY 12, 1962.

DR. KALIN KOSCHEFF,
Secretary-General, Bulgarian National Front of America, New York, N.Y.

DEAR DR. KOSCHEFF: Please convey the following message to your organization on March 3 at the Hotel New Yorker:

"On this day, when you meet to commemorate the Bulgarian Liberation Day, I am happy to join with you in hope and prayer for liberty and independence of your ancestral homeland.

"It is extremely important that we in this country and freedom-loving people in other countries should continue to focus the spotlight of the world on the subjugated status of the captive nations of Europe struggling under the yoke of tyrannical communism. We must do so in order to gain the offensive in the cold war. We must utilize every means to put Communist imperialism on the defensive and subject Russia to worldwide criticism.

"Carry on your good work and your untiring efforts so that Bulgaria may soon be liberated again. Your cause is close to the hearts of the American people, who support you and wish you an early victory."

Sincerely yours,

VICTOR L. ANFUSO.

Little People Crusade for Peace

EXTENSION OF REMARKS
OF
HON. PHILIP J. PHILBIN
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1962

Mr. PHILBIN. Mr. Speaker, I have noted with great interest and pleasure the laudatory and encouraging reports in the public press concerning the inspiring letters of friendship program proposed by our able and distinguished colleague, the Honorable PETER W. RODINO, JR., as a result of chance remarks of little 10-year-old Peter Rodino at the dinner table.

Young Peter suggested that Premier Khrushchev might be impressed if many children in America wrote him about the dangers of nuclear fallout to children everywhere from the Russian atmospheric testing. The lad spoke about this to his friends and schoolmates and soon the idea spread, even far beyond the Rodino neighborhood.

Candidly, I am pleased greatly, but not at all surprised that young Peter Rodino should show such extraordinary promise for a boy of his age. Congressman RODINO is one of the outstanding men in the Congress and his charming, gracious wife a most talented woman. They may well be very proud of Peter. I know that I am.

Parent-teacher groups, the Boy Scouts, and veterans organizations took up the suggestion and encouraged still more children to write. As a natural outgrowth of this spontaneous letter campaign, Congressman RODINO not long after suggested to the President's new Chairman of the people-to-people program, General Eisenhower, that a special little people program be developed to destroy the myth of communism through letters of truth from children in the free world in the cause of peace.

General Eisenhower and other officials of the people-to-people program agreed and Congressman RODINO has been cooperating with them in working out and completing details of the little people movement.

The response to Congressman RODINO's proposal has been prompt and heartening with messages of encouragement and support from many places and from people in all walks of life. I feel sure that our colleague will continue to receive the encouragement and backing he deserves in advancing this new and unique little people program.

Young Americans Learn, Live, and Serve Through 4-H

EXTENSION OF REMARKS
OF
HON. WILLIAM H. NATCHER
OF KENTUCKY
IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1962

Mr. NATCHER. Mr. Speaker, National 4-H Club Week will be celebrated this year from March 3-10, and it is most appropriate that a period is set aside each year to commend the members of this outstanding youth organization. Nearly 2½ million young Americans belong to 4-H Clubs, and they are fully deserving of our encouragement, respect, and support. These youngsters through their 4-H Club activities are preparing themselves to be the type of citizen America must have if we are to maintain our place of leadership in the world.

From a rather humble beginning around the turn of the century, the extensive system of 4-H Clubs is now worldwide and more than 50 countries have adopted all or part of the 4-H plan. Three major groups are largely responsible for this phenomenal growth: The Cooperative Extension Service of the U.S. Department of Agriculture and State land-grant colleges and universities, the National 4-H Club Foundation, and the National 4-H Service Committee. These groups have joined together in their common desire to assist 4-H members to utilize their talents and abilities to the fullest possible extent, to teach them to make use of science in farming and homemaking, and to encourage them to efficiently serve their community, State, and Nation.

Instruction and guidance are provided at the local level by county agents, home demonstration agents, 4-H leaders, parents, businessmen, teachers, and older 4-H'ers who give unstintingly of their time and effort to make this program a success. In the Second Congressional District of Kentucky, which I have the honor to represent, we are fortunate in

having a great many men and women who devote themselves to 4-H Club work and the success of their efforts is apparent in the many awards won by Kentucky 4-H members. These leaders certainly deserve our wholehearted gratitude for the contribution they are making to a stronger America through the youth of our Nation. The 4-H Club program is one of the finest methods I know of for achieving an informed, courageous and public-spirited citizenry.

Shortly after World War II, a national committee of extension workers spent 2 years considering various 4-H postwar programs. One of the guideposts for developing future 4-H programs which came out of this study was "Serving as Citizens in Maintaining World Peace." From this idea the International Farm Youth Exchange program was started, since the young people and their leaders reasoned that an exchange of rural youth between the United States and other countries would help to clear up misconceptions between peoples, and promote understanding of each others' aims and problems. Participants in the IFYE program actually live and work on farms and in rural communities in this country and other countries for about 6 months. The U.S. delegates who go abroad and the exchangees who come here are thus able to acquire a closer acquaintance with their hosts and their host country. When these young men and women return home they carry on an extensive reporting program to share their experiences with others. These 4-H'ers are truly grassroots ambassadors, and are contributing in a very effective manner to better world understanding.

The continuing theme of National 4-H Club Week is "Learn, Live, Serve Through 4-H," and, in my opinion, it clearly expressed the high ideals and purposes to which these young people have dedicated themselves. 4-H Club members learn numerous skills which will assist them in later life, they strive to live each day in a manner which will reflect credit upon themselves, their families, and their organization, and it is through service that these young people put into practice the training they have received in their 4-H Club projects.

Mr. Speaker, it is indeed a pleasure to extend my very best wishes to the members of the 4-H Clubs and their leaders, and to wish them continued success in all their endeavors.

The Myth of Our $5 Billion Export Trade Surplus

EXTENSION OF REMARKS

OF

HON. W. J. BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1962

Mr. DORN. Mr. Speaker, this is a cynical city. Often either by deliberation or by lack of knowledge, astronomical figures are thrown around to prove a political point. Often such figures are in fact highly misleading.

A current example is the figure of $5 billion which is attributed to our "export surplus." This figure has appeared in editorials all over the country and has been used by various high public officials in statements which are purported to be authoritative. Yet this $5 billion export surplus figure is a phony.

In this respect, I would like to quote one of our most distinguished colleagues, the senior Senator from Virginia, who says: "I think it is very deceitful to do this, to publish figures on a dollar basis when we don't receive any dollars."

Certainly the export figures should be revised so as not to include items which are sold for nonconvertible currencies. In our lifetimes, most of these currencies will remain nonconvertible. Nor should these figures include heavily subsidized exports; nor should they include charitable contributions; nor should they include equipment given away abroad under the foreign aid program; nor should they include equipment purchased here by American companies for use in their plants and subsidiaries abroad.

No one knows the exact amount of this equipment which is purchased by American companies for use in their foreign subsidiaries. The Department of Commerce made an estimate that the figure in 1957 for this was in the neighborhood of $1 billion.

And this is not all. Vast sums are spent in the purchase of American equipment here with funds which are made available through the International Bank for Reconstruction and Development, the Export-Import Bank, Development Loan Fund, Inter-American Development Bank, International Finance Corporation, and even the U.N. Many of these purchases are financed by long-term loans which may never be repaid. In fact, the healthy looking balance sheets of some of these organizations are almost entirely caused by the long-term nature of the loans. The document which I am submitting for the RECORD shows that the actual balance in favor of exports is only slightly more than a quarter of the mythical $5 billion or $1,387 million. However, when one considers the lending and other operations which I have just cited, there probably is no balance at all, or a negative one.

I, therefore, include under unanimous consent, the following analysis in the CONGRESSIONAL RECORD so that our colleagues may have an opportunity to study it.

THE MYTH OF OUR $5 BILLION EXPORT TRADE SURPLUS

The Congress and the American public are being asked to believe that the United States sells approximately $5 billion more in exports than it pays for imports. The mildest characterization of this claim is to call it a myth.

By endless repetition of Government officials and propagandists, the alleged $5 billion export trade surplus is being urged as one of the principal bases for the delegation by the Congress to the President of power to eliminate entirely duties on some commodities and to reduce duties on some other commodities up to 50 percent. If true, the claimed favorable export trade balance would not justify the proposition. The purpose of this paper is, however, merely to establish the misstatements of fact on which the proposition rests.

There can be no validity in a conclusion based on misstatement of fact. When errors of fact are revealed, the proposition which rests on them must be rejected.

The representations concerning the claimed $5 billion export trade surplus have been made in innumerable news stories, articles, pamphlets, radio and TV broadcasts and otherwise, and stem principally from such representations as the following:

The President in his speech to the AFL-CIO December 7, 1961, said:

"We sell abroad now nearly $5 billion more than we import, but unfortunately that $5 billion goes abroad in order to maintain the national security requirements of the United States."

Secretary of State Dean Rusk in a speech to the United Church Women on October 11, 1961, said:

"Last year we sold to other countries almost $20 billion worth of American goods" while "our purchases from abroad were in the order of $15 billion."

The Department of State Publication 7321, Commercial Policy Series 183, released in January 1962, states:

"In 1960, the United States sold about $20 billion worth of commodities abroad * * *."

Note the emphasis on what "we sell," the comparison in Dean Rusk's statement between what "we sold" and "our purchases," and the State Department's claim that our "sales" abroad amounted to $20 billion.

The fact is that we do not sell exports amounting to $5 billion more than what we pay for imports. We do not receive $20 billion for the American goods we export, although we undoubtedly pay $15 billion for the foreign goods we import.

These figures, which are used to support the argument for unprecedented grant of power to reduce duties even at the expense of injury to some domestic industries and communities, are made up by stating the dollar value of all goods which we export as if we received dollars in payment for all such goods.

We export the goods—we just don't get the dollars.

The Congress and the public are being misled to believe that the figures cited by Government propagandists relate to commercial transactions in international trade.

The total of $5 billion of export sales over import purchases is attained only by the fantastic, fictitious, and deceitful method of counting gifts as "sales."

The claimed dollar surplus of exports over imports (stated by the Treasury Department in June, 1961, as amounting to $4.7 billion) has been described by Senator ROBERT S. KERR, of Oklahoma, as "a fictitious figure." In response to a question propounded by Senator HARRY F. BYRD, of Virginia, at a hearing of the Committee on Finance of the U.S. Senate,[1] "You mean you included value of all the wheat and everything we send abroad, for which we get nothing?" Assistant Secretary of the Treasury A. Gilmore Flues answered, "That is included, sir."

Senator BYRD characterized the Government's method of including in the dollar value of exports the value of merchandise for which the United States does not receive dollars in the following statement: "I think it is very deceitful to do this, to publish figures on a dollar basis when we don't receive any dollars."

Although Government statistical reports on exports, imports, foreign aid, subsidized sales and other pertinent factors are not specifically designed to reveal the facts which rebut the myth of the $5 billion export trade surplus, the true facts can be

[1] Hearings on H.R. 6611, Senate Finance Committee, June 22-23, 1961, p. 34, 35.

gleaned from such statistics and the result is so startling that, even allowing for a margin of error, the basic fact remains; namely, that in the terms of international trade, in commercial transactions, we have not approached a $5 billion export trade surplus.

The following simple table on exports and imports for 1960 shows the facts:

	Billions of dollars
We exported merchandise valued at	19.409
We paid for imports from abroad	14.722
Thus, we shipped abroad merchandise which, in value, exceeds our payments for imports by	4.687
No dollars were received for the following exports:	
Nonagricultural products valued at (shipped on U.S. grants or foreign aid credits, U.S. suppliers being paid from U.S. Government funds)	.5
Agricultural products valued at[1] (U.S. Government paid U.S. suppliers. Foreign nations gave credits in their currencies to be used as grants or loans for projects in the foreign nation)	1.2
Agricultural products given for famine and emergency relief valued at (U.S. Government paid domestic suppliers)	.2
The total value of merchandise exported for which the United States received no hard cash	1.9
Of the merchandise which we shipped abroad exceeding in value our payments for imports, the amount for which the United States received dollars was	2.787
Some exports for which the United States received dollars were not strictly commercial transactions such as the sale of cotton at prices below cost and $42.50 per bale below the price to domestic mills. Some other sales were on credit, "loans" or, in effect, Government subsidy. These "sales" are estimated at	1.4
Thus, on commercial transactions in international trade, the favorable export trade balance was only slightly less than 30 percent of the mythical $5 billion export trade surplus	1.387

[1] The goods bartered by the United States for strategic raw materials have been excluded from the exports for which no dollars were received. These exports are valued at $118 million.

Sources: Statistical Abstract of the United States, 1961, p. 865; U.S. Dept. of Agriculture, Economic Research Service, Rept. No. 84, June 1961; Survey of Current Business, Dec. 1961, p. 16.

The effect of our so-called sales for credits in foreign currency may be illustrated with the following example, which demonstrates the administration's error in using the word "sell" when the right word is "give."

Upon agreement between our Government and Yugoslavia, 500,000 metric tons of American wheat are to be shipped to Yugoslavia. This wheat is valued at approximately $25 million and will so appear in Government figures showing the dollar value of our exports. The American suppliers of this wheat will be paid in dollars by the U.S. Government. The Yugoslavia Government will make payment in dinars (Yugoslavia currency of uncertain value), by crediting the purchase price to the United States with permission to the United States to apply 10 percent to the expenses of our Government in Yugoslavia. The other 90 percent will be given back to Yugoslavia as a gift or as a loan which may or may not be repaid and on terms which practically amount to a gift.

These funds are called counterpart funds, that is, funds in foreign currency derived from the sale of U.S. exports, in this case agricultural products, to be expended only in the foreign nation. Press accounts indicate that the United States has offered to approve the expenditure of some counterpart funds derived from the sale of agricultural products for research projects to advance common knowledge in the social welfare and maternal-child welfare fields, including the study of methods of treating children, ways of improving health services, medical care for the aged, juvenile delinquency, credit cooperatives, etc., in Yugoslavia, Poland, and elsewhere, with possible inclusion of India.

It is obvious that in dealing with Yugoslavia, India, Poland, and other foreign nations, the United States does not need to reduce duties on imports in order to induce these nations to continue to accept gifts of exports from the United States.

This country does not have a problem on its favorable balance of trade (considering trade in its usual sense as applying to commercial transactions). This country does have an unfavorable balance of payments. The United States simply pays out by gifts, etc., more than it receives in international dealings. The only practical correction of the problem of unfavorable balance of payments is available to the United States at any time. The correction is to reduce our payments, not our duties.

The foregoing solution is, however, too simple, practical and immediate to appeal to the advisers, the economists and others, particularly in the State Department, who have been guiding and will continue to guide our international trade negotiations. It cannot be expected that the President in the exercise of the vast powers conferred upon his office, including the additional powers sought by impending legislation, can examine into the details of the merits of every proposed transfer of goods from the dutiable list to the free list or drastic reductions in the rates of duty. It must be expected that, if the proposed power over tariffs is delegated by the Congress to the President, he will have to depend upon economists and other advisers, the same ones or their colleagues who have created the myth of our $5 billion surplus in international trade.

Col. John Glenn

EXTENSION OF REMARKS

OF

HON. BEN F. JENSEN

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1962

Mr. JENSEN. Mr. Speaker, at about 1 p.m. today it was my great pleasure and honor to shake the hand of that great American, Col. John Glenn, who challenged the elements of outer space and returned safely back to earth. Unlike his historymaking tour all alone, he visited our National Capital yesterday with his wonderful family, a brave little wife who he introduced to the cheering joint session of Congress, as the rock of the family.

The multitude which gathered along the parade route, who defied wind and rain to do honor to the man, was indeed living testimony to prove once again that all America can stand united under God in heartfelt thanksgiving. As a member of the subcommittee of appropriations for deficiency requests, I am now more satisfied than ever that I did right in supporting the request for additional funds for the space administration during the last session of Congress, a part of which was spent to finish the construction and preparations for the Glenn flight.

Public Lands and Public Records

EXTENSION OF REMARKS

OF

HON. JOHN E. MOSS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1962

Mr. MOSS. Mr. Speaker, a 4-year fight against unnecessary secrecy in the Bureau of Land Management has been successful. I have just been informed that reports made by the Bureau's engineers on the value of public land for which applications have been filed will now be made available to persons interested in the reports.

At first glance this may seem to be a small matter, but those of us from the fast-growing West recognize the importance of the public lands held in stewardship by the Federal Government. As the pressure for settling these public lands has increased in recent years, there have been complaints about Bureau of Land Management decisions on applications for private use of the land.

Only by making available the records of the Bureau's actions can the complaints be silenced, but for a number of years the basic documents showing land examiners' valuations of parcels of public lands have been withheld from the public. Secretary Udall was asked to look into the secrecy surrounding the Government handling of public lands, and he has informed the subcommittee that field examiners' reports on the value of public lands will now be made available to those who are applying for the lands and to others concerned with public land problems.

Following is the subcommittee's letter of inquiry and the Department's answer:

HOUSE OF REPRESENTATIVES,
SPECIAL GOVERNMENT INFORMATION SUBCOMMITTEE OF THE COMMITTEE ON GOVERNMENT OPERATIONS,
December 22, 1961.

Hon. STEWART L. UDALL,
Secretary of the Interior, Department of the Interior, Washington, D.C.

DEAR MR. SECRETARY: Following a study by the Special Subcommittee on Government Information of the availability of reports prepared by Bureau of Land Management field examiners, the Bureau changed its practices and made available to the public a great deal of additional information from the reports. This action was taken in the latter part of 1960—more than 2 years after the subcommittee first questioned the Bureau's information practices—and the first experience with the new system is being gained under the Kennedy administration.

A staff investigation indicates a number of important questions remain unanswered. Under the previous system, a single narrative report was filed by a field examiner reporting on the value of land to be classified as homesites under the Small Tracts Act. All of the facts collected by the field examiner, along with his conclusions and recommendations on the value of each tract, were included in the single report, and the previous administrators of the Interior Department refused to make available all parts of that report. This restriction applied not only to public access to the document but also to access by persons who had applied for the homesites under the Small Tracts Act.

The subcommittee has been informed that under the system which the Bureau of Land Management is now using the field report it divided into a series of documents. These documents include various reports covering the many factors which must be considered in determining the classification and value of public lands. The subcommittee has been informed that nearly all of these documents are public records and, as such, are available to persons applying for homesites under the Small Tracts Act. However, one of the more important documents in the field examiner's report is marked "Administrative use only." Bureau officials informed the subcommittee that this document—form 4-1499 which includes the field examiner's conclusions and the value which he set on the tract being claimed—is not made available to the public or even to persons applying for the specific tract.

This practice appears to conflict with Bureau of Land Management regulations as well as with Interior Department rules. More important, it obviously conflicts with the policy of public access to Government information which President Kennedy set forth in his state of the Union message last January.

A Bureau of Land Management memorandum, identified as release "130 6/27/58," lists the Bureau documents which will be classified as for administrative use only. The memorandum states that comments by employees which are not statements of fact will be restricted to "administrative use only" and adds:

"However, estimates are usually statements based on fact. Therefore, such things as estimates of value * * * are not 'for administrative use only.'"

The practice of withholding the field examiner's estimate of value certainly appears to be in direct conflict with this memorandum. If the withholding is required in all cases, it also appears to conflict with Interior Department regulations on the availability of official records. Section 2.2(a) of title 43, Code of Federal Regulations, states that Interior Department employees responsible for the custody of a record shall determine whether disclosure of the record "would be prejudicial to the interests of the Government and whether the person making the request is properly and directly concerned with the subject matter." Persons applying for land under the Small Tracts Act certainly are "properly and directly concerned" with field examiners reports on the value of the land for which they have applied. Yet Bureau regulations apparently prohibit access to such information.

The subcommittee would appreciate an explanation of the apparent conflicts with the Bureau memorandum and Department regulations. The subcommittee also would like a general explanation of the reason for withholding the field examiner's conclusions on the value of specific homesites from persons applying for the homesites. Also, please cite the specific statutory authority for withholding the information.

Sincerely,

JOHN E. MOSS,
Chairman.

DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., February 14, 1962.

Hon. JOHN E. MOSS,
Chairman, Subcommittee on Government Operations, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: This replies to your letter of December 22, 1961, which we acknowledged on January 12, concerning the availability of reports and other papers prepared by the Bureau of Land Management.

After further consideration, it has been determined that form 4-1499, "Land report—Field examiners conclusions," can and should be revised to remove any limitation on the availability of that record to persons properly and directly concerned, as provided by Department regulations. The Bureau of Land Management will take necessary action promptly to accomplish this revision. In amending its manual instructions the Bureau will also clarify those contained in the memorandum of July 13, 1956 (V BLM 6.1, App. No. 1, release No. 130, June 27, 1958), from which you quote concerning "estimates of value" which have their basis in fact. As in the past, the designated classification officer will continue to make his decision on the basis of facts. The field examiners will continue to investigate and to assemble and present the facts.

Sincerely yours,

STEWART L. UDALL,
Secretary of the Interior.

TV for Rural Areas

EXTENSION OF REMARKS
OF
HON. TOM STEED
OF OKLAHOMA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, February 27, 1962

Mr. STEED. Mr. Speaker, today I have introduced a bill concerning certain amendments to the Communications Act of 1934. I believe these amendments are necessary to protect the interest of all Americans and to insure that their wide area VHF television service is maintained and not weakened or destroyed. My action is prompted by the grave danger that millions of people—a great many of them farmers and ranchers—face the imminent possibility of losing all television service or ending up with a degraded technical quality of television service.

I am greatly concerned about the recent proposals of the Federal Communications Commission which could result in all television, nationwide, being switched from VHF channels to UHF channels. My concern is shared by other Members who have expressed themselves on this threat and have also introduced bills and resolutions on this very matter. Our distinguished colleague, the gentleman from Alabama, Mr. ROBERTS, has introduced a bill, H.R. 9267, and my bill is a companion measure. I endorse the remarks that Congressman ROBERTS made in the RECORD on September 19, 1961, on this matter, for I believe that what is at stake here is a matter of important public policy with complex issues that will have far-reaching effects on the future of television service in our country.

The threat facing the American television system is contained in FCC docket No. 14229. The stated objective of this proposal is to expand television service by encouraging the use of UHF—ultra high frequency—channels. I will support meaningful efforts to increase television service to the American people, but I must oppose any plan which would take consistently good television service away from millions of families who now receive it. I am convinced that the FCC's plan as stated will do just that—provide less service and a technically inferior service. Therefore, I must add my strenuous opposition to that which has already been expressed and oppose FCC docket No. 14229.

In docket No. 14229 the FCC is proposing to switch VHF stations to UHF channels through a process known as "deintermixture" to all-UHF. This means that VHF stations—which have been serving their communities for many years—will be forced to broadcast on a UHF channel regardless of whether they want to do so and despite the fact that this new UHF channel will be unable to provide service over the same wide rural areas that the existing VHF channel reaches.

The FCC plans initially to start a dangerous chain reaction to an all-UHF nationwide television system by switching VHF stations to UHF channels in eight communities. These eight areas are Montgomery, Ala.; Madison, Wis.; Rockford, Ill.; Champaign, Ill.; Hartford, Conn.; Erie, Pa.; Binghampton, N.Y.; and Columbia, S.C.

The FCC has stated that it will propose later that other communities lose their VHF stations and go all-UHF. Regions of the country would be switched to all-UHF and ultimately the entire country.

Like a chain reaction the progressive switch of VHF stations to UHF channels would leave a trail of television service destroyed or deteriorated. Millions will lose their sole source of TV service, millions more will lose their choice of service, and those who will be able to receive the new UHF channel will have less reliable reception than present VHF service.

Within the vast areas of television blackout live the farmers and ranchers who make up much of the economy of my State. It is these people who are extremely dependent on wide area VHF television service for weather news, feed and crop reports, market information and other important reports essential to the intelligent conduct of their business. It is in the public interest that this service is now available via the wide area VHF television service and yet the FCC proposes to take away the only opportunity many of these farmers and ranchers have to receive this service because the UHF channels just will not reach out far enough with a signal to provide these programs. The FCC apparently believes that increased competition would result, with a larger number of stations in small communities. But the history of television broadcasting thus far hardly warrants such a conclusion. My concern, therefore, is very great that the public interest of those people who will lose service or receive a degraded service is being completely ignored by

the FCC. However, I cannot ignore the serious implications of the Commission's all-UHF drive.

It seems to me that neither the VHF channels nor the UHF channels alone can provide adequately for television's future without compromising the existing technical standards and in so doing destroy or deteriorate existing consistently good television service. I have been told, however, that VHF and UHF—all 82 channels—are necessary to protect existing service and still allow room for television's growth. It would seem then that the intelligent approach would be to use the 12 VHF channels and the 70 UHF channels together, side by side, in the same communities and areas.

To successfully effectuate a VHF-UHF side-by-side approach, the FCC should have authority to require that all television sets shipped in interstate commerce be capable of receiving all channels—the present 70 UHF and the present 12 VHF. This would help to eliminate the "root problem" of receiver incompatibility and insure the final success of the side-by-side method of television allocations.

My bill provides for amendments to the Communications Act of 1934, which would protect existing wide area VHF television service, serving vast rural areas, allow for expansion of television via the UHF channels and insure their successful operation side by side with the VHF channels in the same communities through all-channel receivers. This would truly serve the public interest now and guarantee the protection of the public interest in the foreseeable future.

American Heritage Observance

EXTENSION OF REMARKS
OF
HON. JAMES E. VAN ZANDT
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, February 27, 1962

Mr. VAN ZANDT. Mr. Speaker, on Saturday, February 24, 1962, members of Court Eugene A. Garvey No. 652, Altoona, Catholic Daughters of America, sponsored a benefit luncheon, fashion show, and card party to buy books for the library of the new Bishop Guilfoyle High School at Altoona.

Some 400 persons attended this event held at the school. The theme of the observance was based on George Washington and it stressed his honesty as well as his burning desire and tireless efforts for liberty and freedom. It was my privilege to attend this event and to deliver the following address:

OUR AMERICAN HERITAGE

I am indeed honored to address the Catholic Daughters of America.

It is a pleasure to appear before your membership and to assimilate with you the atmosphere of patriotic endeavor, good fellowship, and constructive effort which exists on this occasion.

Your organization is a great force for good.

You believe in the propagation and preservation of your religious faith in promoting the spiritual and temporal welfare of the women of the Catholic Church.

The Catholic Daughters of America exemplifies the traditions of our country and is living testimony to the spirit of liberty in America.

Our country was born in the spirit of humble prayer, undaunted courage, and self-sacrifice.

We have a continuing obligation to restate and reinterpret our American heritage in the light of new political, economic, and social conditions of our time.

Too often our American heritage—our American traditions—are misrepresented and misinterpreted by people who have axes to grind—political or otherwise.

Words and phrases like "democracy," "liberty," "the pioneer spirit," "equality of opportunity," "self-reliance," "local self-rule," and "constitutional government" mean different things to different people.

New problems, new economic and social conditions, demand that we separate the essential American traditions from the nonessential and the outdated, so as to form a belief presented simply and freshly, and explicitly.

The hope of liberty drew our Founding Fathers across the sea to America.

In the pursuit of liberty they braved the dangers of the wilderness, pushing forward over the Appalachians and the Great Plains and through the Rocky Mountains to the shores of the Pacific.

Liberty still beckons to the descendants of the pioneers—to all who have now inherited America.

But liberty beckons in the 1960's along strange trails that the Founding Fathers neither knew or dreamed of.

What is liberty in a country of jet air travel and shining automobiles, supermarkets, large corporations, and labor unions?

Can we hope to continue to find liberty among the struggles of our time?

I firmly believe the reply of "Yes."

But, my friends, liberty has to be founded on security.

It was Daniel Webster who said:

"God grants liberty only to those who live it and are always ready to guard and defend it."

Since 1776 the meaning of "liberty" has changed with changing circumstances.

Our Pilgrim Fathers thought first of the freedom to worship God in their own way.

Today—three centuries later—complete freedom of worship has existed for so long that it is too often taken for granted.

Americans notice with uneasiness, however, that in nations where liberty disappears religious liberty disappears with other freedoms.

This week the United States celebrated the birth date of George Washington.

He was born in 1732—230 years ago.

Despite the vast span of time since his wisdom helped to guide the peoples of the Thirteen Colonies, first through the Revolution, and then through two terms as our first President, George Washington's words are still timely reminders of religious toleration and religious liberty.

Let us never forget it was a people of strong character who built this Nation—and only a strong people can be trusted with our great powers, privileges, and responsibilities.

One has only to read the history of early New England, Virginia, the Atlantic coast settlements, and our own Commonwealth of Pennsylvania, to be impressed by this fact.

Our Founding Fathers were a sturdy lot with strong sense of righteousness, justice, and personal integrity.

This Nation was founded upon the fundamental doctrines of reverence, industry, frugality, sobriety, and honesty.

It was a stern philosophy—but it was Christian—it was not weak.

The earlier settlers—the English, Scotch, Irish, and Scotch Irish, were succeeded by freedom-seeking French, by Germans fleeing from Prussian militarism, by Italians, by Scandinavians, Russians, and others who saw the vision of a land of liberty and opportunity.

They were refugees from political and religious oppression, but they were not fugitives from high moral concepts and disciplined religious living.

There was something noble and great in them which we in our day need if we are to emerge as a people worthy of survival.

We need to be reminded of the greatness of our Founding Fathers.

Their faith in God and country is a platform on which Republicans and Democrats, and others can write in behalf of truth.

It is the direct opposite of Kremlin ideology.

Communism is atheistic.

Our Founding Fathers believed in God.

The cornerstone of a church is an important part of the building's foundation.

So the cornerstone of our democracy is an important part of our Government's beginnings.

But at once someone asks: "What do you mean by democracy?"

President Lincoln answered that question when he spoke of "Government of the people, by the people, for the people."

What Lincoln meant was the right of the people to govern themselves; that is, to govern themselves directly in a local town meeting or indirectly through elected representatives in city, State, or national affairs.

The American way of life has been referred to as the idea of "giving everybody a chance to share in making the rules."

Like a person every nation has an individuality.

If it is to survive that individuality must be preserved.

The social order and the way of life prevalent in a nation are expressions of certain fundamental principles of morality and of government which mark it as distinct from every other nation.

The symbols of our American heritage—the Declaration of Independence, the Bill of Rights, the Gettysburg Address, are the foundations of our republic.

They are the expressions of our national faith—the legacy of America.

Men who would rule by enslavement—always have hated any form of human society based on the principle of freedom of the individual.

Such hatred and fear of a free society caused Benito Mussolini to refer to us as the "stinking corpse of democracy."

Today the same fear of freedom causes other dictators to inspire hatred of democratic principles and institutions which threaten their power over enslaved peoples.

The Iron Curtain with its censorship is an unconscious tribute to the vitality of the idea of human freedom—in our concept of American citizenship.

For today human liberty remains a challenge to dictators and an obstacle in their path.

When danger threatens it is natural to consider means for warding off that danger.

So we are forging a strong shield against the danger—a shield beyond which the free world may live in peace.

For our own national security we must build our strength, our political, economic, moral, and military strength, and the strength of all the other peaceful nations of the world into a force for the discouragement of aggression.

Granted this is only relative security, but there is no such thing as absolute security in the world today.

For so long as there is danger of aggression—only an economically unacceptable amount of military power can guarantee freedom from it.

We could—if we wished to curtail many of our basic inherent freedoms—become an armed camp fully mobilized.

However, we realize that even this would not be total security.

Meantime our job today is to so discourage any potential aggressor by our timely preparation that he will not accept the risk of an attack.

The price of peace in the world of today is continual preparedness.

It took a terrible war to teach us this.

But we also learned that our most powerful weapon was—and is—our moral fiber as a people.

This moral fiber grows—not from a disregard of our American heritage—but grows from the kind of discipline which our Founding Fathers developed.

It is the kind of discipline that makes good citizens cheerfully obey the rules and regulations.

It is the kind of discipline that allows us "the pursuit of happiness"—without a headlong rush into chaos.

We do know that a well-disciplined citizenry stands a better chance of national salvation when the moment of decision arrives—than a citizenry unaccustomed to orderly respect of its foundation stones.

We need to bring our American traditions out in the open.

They still stand for the principles that will not perish.

A Little-People-to-Little-People Program

EXTENSION OF REMARKS

OF

HON. FRANCIS E. WALTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1962

Mr. WALTER. Mr. Speaker, this past week our colleague, Congressman RODINO, presented a very meritorious proposal—one that every American parent should encourage. I refer to the little-people-to-little-people program instituted by our colleague's 10-year-old son, Peter.

I wholeheartedly endorse this movement. National leaders from all over the world daily are trying to solve the everyday problems that have been created mainly because of jealousy and ignorance.

Therefore, it becomes a natural thing for the children of this great Nation to educate other children of the world on the true meaning of Americanism.

The various veterans groups—the American Legion and Veterans of Foreign Wars—and parent-teacher groups, all have thrown their support behind the young people-young people campaign.

These groups see in such a program, if properly handled, a unique opportunity for our children to lead the fight of freemen everywhere against the Red menace.

We can be sure that the Communist nations of the world will try to use this means to further their own cleverly contrived propaganda campaigns. It is not unreasonable for us to believe that many of the letters that will originate from behind the Iron Curtain will be the handiwork of trained Communists trying to indoctrinate our own youngsters in the ways of communism.

However, I think it is worth the chance. The pen pal idea has proven profitable down through the years in developing everlasting friendships.

American youngsters, I feel, will join this children's crusade and effectively bring to the attention of the world the true meaning of democracy in America.

Remarks by Vice President Lyndon B. Johnson at Luncheon in Honor of Lt. Col. John H. Glenn, Jr.

EXTENSION OF REMARKS

OF

HON. GEORGE P. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1962

Mr. GEORGE P. MILLER. Mr. Speaker, all America glows with pride over the accomplishments of Lt. Col. John H. Glenn and our American astronauts, as well as the achievements of American scientific ingenuity.

Yesterday, Congress and official Washington paid a fitting tribute to Lt. Col. John Glenn. Following the very outstanding presentation by Colonel Glenn on the floor of the House before the joint meeting of Congress, a luncheon was held in the Colonel's honor. The remarks made by the Vice President on the occasion of this luncheon are most appropriate in stating the basis for America's space explorations and recognizing a few of those who have been in the forefront of the development of the space frontier.

I am proud and pleased to insert in the RECORD these brilliant statements of Vice President JOHNSON.

The statements follow:

REMARKS BY VICE PRESIDENT LYNDON B. JOHNSON AT LUNCHEON IN HONOR OF LT. COL. JOHN H. GLENN, JR., FEBRUARY 26, 1962

My friends and fellow Americans, this day belongs to Lt. Col. John H. Glenn and his fellow astronauts, the space pioneers of the New Frontier.

Our people are rejoicing. Rains may dampen the streets of Washington but they cannot dampen the mood of exhilaration that is deep within all of us.

There is a reason for this that goes beyond the magnitude of the achievement itself. It can be found in the character of the men who are blazing trails in the heavens.

We have held to the belief that in a democracy men who are adequate will arise to any situation, no matter how perilous. And we have proved that belief in men like John H. Glenn, Alan Shepard and Gus Grissom.

These are the men of absolute competence, complete devotion, sure courage and high purpose who are leading us to the stars. And behind them, we have millions of the same breed.

I can list only a few but some that I cannot name will be as important as those that I do.

The greatest administrator, Jim Webb.

Mr. Wisdom of Science, Hugh Dryden.

Mr. Gilruth, who did as much as any living man to make the Glenn flight a success.

Senator LAUSCHE, the senior Senator from Colonel Glenn's native State.

Walter Williams, whom we had trouble locating this morning.

Senator BOB KERR, the able and imaginative head of the Aeronautical and Space Sciences Committee.

GEORGE P. MILLER, the wise leader of the House committee.

The beloved former Speaker, JOE MARTIN, and the fair and nonpartisan Senator, ALEX WILEY.

Congressmen ALBERT THOMAS, FRANK BOW, MIKE KIRWAN, all of whom helped finance this great effort and Colonel Glenn's own Congressman, TOM MOORHEAD, as well as my own associate, Ed Welsh.

Like the astronauts themselves, our space program has been neither provocative nor timid. We have not rattled atomic bombs among the stars; nor have we shrunk from the full consequences of what we are doing.

We have proceeded with confidence, with sureness, with boldness tempered by prudence—and we have proceeded in the full light of day. We have not treated outer space as a vast collection of secrets which we hope to lock up in a steel safe, away from humanity.

Colonel Glenn, you and your fellow astronauts have done much more than advance human knowledge. You have also advanced the confidence that men should have in themselves and the Nation and the cause of freedom will always be grateful to you.

President's Proposal for Underwriting Cost of Vaccines for Immunization of All Children Under 5 Years of Age Recalls Approach of 1955 Sullivan Bill on Polio Immunization

EXTENSION OF REMARKS

OF

HON. LEONOR K. SULLIVAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1962

Mrs. SULLIVAN. Mr. Speaker, we have all been impressed, I believe, by the comprehensive message just presented to us today by President Kennedy on proposals to meet the health needs of the American people. This is a great challenge, and one I believe the Congress should and can meet in this session.

Mr. Speaker, while I endorse the general principles in the President's message and am delighted with the forthright manner in which he has again presented his views on this important issue, I am particularly pleased by his proposal for Federal underwriting of the cost of providing vaccines for the immunization of all children under 5 years of age in this country against polio, diphtheria, whooping cough, and tetanus. His approach to this problem recalls the proposal I made here on June 27, 1955, at the height of the confusion and chaos over the then brandnew Salk vaccine, when I suggested that the Federal Government buy the entire limited output and make it available for immunization of all children on a priority basis, without regard to economic circumstances of the families of the children involved.

My bill, H.R. 7026 of the 84th Congress, would have solved all of the priority headaches by turning the full supply of available vaccine over to the National Foundation for Infantile Paralysis for mass inoculation of children under priorities to be determined by that organization.

NOT A "DEAD HORSE"—WE SHOULD LEARN FROM PAST MISTAKES

This may now sound something like ancient history, Mr. Speaker, to hark back to events of 7 years ago, but it is not a case of "beating a dead horse." We made serious mistakes in 1955 in the handling of the polio vaccine opportunity, and it took several years before the panic and the hysteria over the immunization of children against this dread disease could be resolved in some orderly fashion.

The Department of Health, Education, and Welfare in 1955 was so fearful of charges of "socialism" in the handling of the polio problem that it was willing to do little more than provide Federal funds for purchase of vaccine for the indigent. Many parents, meanwhile, paid exhorbitant "black market" prices for Salk vaccine for their children, and the priorities often favored those willing to pay the highest fees. This should never have happened. I believe that the bill I introduced 7 years ago would have prevented much of the heartbreak and panic.

The problem today is much different. There are no real scarcities of vaccines. The problem is to assure that every child obtains the immunization we can provide. The best way to assure this, I believe, is through the approach the President now proposes of having the Federal Government provide the funds for the immunization of all children under 5, to get the program started on a comprehensive basis. Then the problem will be to make sure children born later are immunized, and that older children and adults are also immunized—but this can then be accomplished through educational activities with a minimum of Federal cost. There is a tremendous job, however, to begin the elimination of all four diseases cited by the President for which effective vaccines now exist, and I hope we can carry through on this.

The mistakes of 1955 in connection with the polio vaccine are therefore worth citing and remembering at this time, so that we can learn from—profit from—previous errors.

APPROACH OF THE SULLIVAN BILL OF 1955

Mr. Speaker, I submit as part of my remarks the speech I made in the House on June 27, 1955, in connection with the introduction of H.R. 7026, as follows:

SALK ANTIPOLIO VACCINE

Mrs. SULLIVAN. Mr. Speaker, I am today introducing a bill to have the Federal Government purchase sufficient quantities of the Salk antipolio vaccine to provide for the inoculation of all of the children in the United States under the age of 20.

The vaccine so purchased would be turned over to the National Foundation for Infantile Paralysis for allocation and distribution by the foundation, but under the general supervision of the Department of Health, Education, and Welfare. But it would be up to the national foundation—and, of course, that is the logical organization to have that authority and responsibility—to see to it that all of the children get this vaccine in the most equitable and efficient manner, deciding where it is needed most geographically and which age groups should have it first, and so on. The inoculations would be free. This is an idea on which I have been working since May 13 when Dr. Scheele appeared before us in the Banking and Currency Committee. I think it is the best approach.

FURTHER MATERIAL SUBMITTED BY MRS. SULLIVAN ON JUNE 27, 1955

Mr. Speaker, I also include at this point the additional material I submitted to the House on June 27, 1955, on the bill I introduced that day on the polio vaccine issue, including a press release on the bill and the text of the bill itself, as follows:

VESTING IN THE NATIONAL FOUNDATION FOR INFANTILE PARALYSIS SUFFICIENT QUANTITIES OF SALK VACCINE TO INOCULATE FREE ALL CHILDREN IN THE UNITED STATES UNDER THE AGE OF 20

(Extension of remarks of Hon. LEONOR K. SULLIVAN, of Missouri, in the House of Representatives, Monday, June 27, 1955)

Mrs. SULLIVAN. Mr. Speaker, as I announced to the House today, I have introduced a bill which has been in preparation for more than a month which would authorize the purchase by the United States of sufficient quantities of antipoliomyelitis vaccine to inoculate every child in the country, without charge. The actual allocation and distribution of the vaccine under my bill would be in the hands of the National Foundation for Infantile Paralysis.

I suggested this approach on May 13, when Dr. Leonard Scheele, the Surgeon General of the U.S. Public Health Service, was testifying before the House Banking and Currency Committee. While he voiced no official policy on that suggestion, he said he personally could see no objection to turning the whole thing over to the polio foundation. I then attempted to obtain the views of the foundation itself, but was unable to do so until just recently, when Mr. Basil O'Connor testified before the Senate Labor Committee. His testimony—in answer to persistent questioning—finally gave me the information I felt I needed before I introduced any legislation on the subject. In other words, we now have the word of the foundation that it can do this job; we also have the information from them as to how they would prefer to handle it in case it was thrust upon them.

I think they should have the responsibility. They do not ask for it. But they can handle it. And no other organization in the country, including no Goverment agency, could handle it as well, in my opinion.

Mr. Speaker, I have issued a press release which gives the full details on my bill, and I include it, and also a copy of my bill, as follows:

"CONGRESSWOMAN SULLIVAN TO INTRODUCE BILL TO TURN OVER TO NATIONAL FOUNDATION FOR INFANTILE PARALYSIS ENOUGH SALK VACCINE TO INOCULATE FREE ALL CHILDREN UNDER 20 YEARS OF AGE

"Congresswoman LEONOR K. SULLIVAN, Democrat, of Missouri, plans tomorrow (Monday) to introduce a bill which would have the Government purchase and turn over to the National Foundation for Infantile Paralysis sufficient supplies of the Salk antipoliomyelitis vaccine to immunize all children in the United States under the age of 20. The inoculations would be free.

"Mrs. SULLIVAN first broached this idea on May 13 during a hearing of the House Committee on Banking and Currency while she was questioning Dr. Leonard A. Scheele, Surgeon General of the U.S. Public Health Service. Dr. Scheele said that, speaking personally, he could see no objection to turning such a mass immunization program over to the National Foundation.

"The Congresswoman, 3 days later, on May 16, wired Basil O'Connor, president of the National Foundation for Infantile Paralysis, asking if he thought her proposal 'would be a practical approach and if the foundation would be willing to undertake the burden of the work. I can think of no better way of assuring fair distribution of the vaccine. Would you give me your views?' She said she would introduce such a bill if the foundation agreed.

"Mrs. SULLIVAN received no direct answer from the foundation. Mr. O'Connor asked for time to think over her suggestion. Failing in a subsequent effort to get a definite statement of views on this matter from Mr. O'Connor, Mrs. SULLIVAN waited until the foundation head testified before the Senate Committee on Labor and Education when, under persistent questioning, he finally, reluctantly, acknowledged that the National Foundation for Infantile Paralysis had the competency to inoculate all children in the country if the vaccine were supplied.

"The National Foundation, which financed Dr. Salk's research leading to the development of the vaccine, and also the field tests involving nearly a million children in 1953 and 1954, is now in the process of providing free inoculations for all first- and second-grade children.

"In his testimony before the Senate committee, Mr. O'Connor said the foundation would be reluctant to take Government money in carrying out a mass inoculation program. 'We would follow the policies that the Red Cross has always followed of not accepting Government funds. If that was officially presented to us, we would prefer that the Government buy the vaccine and give us the vaccine and vest it in us as we did in foreign civilian relief in the Red Cross.'

"After reading this testimony, Mrs. SULLIVAN decided to go ahead with the idea she had put forward on May 13 of having the Federal Government, through the Department of Health, Education, and Welfare, purchase the vaccine from the manufacturers, and then turn over the entire program of allocation and distribution of the vaccine for all children under 20 to the National Foundation for Infantile Paralysis, without regard to the ability of individual families to pay for the inoculations.

"The Congresswoman declared:

"'The confusion which arose because of the Government's original failure to have any practical program for allocation or distribution of the vaccine, or to assure that every child in the country would receive the vaccine regardless of ability to pay started this whole thing off on the wrong foot. The administration fumbled the thing terribly. Its present proposal for the free inoculation of indigent children puts too much of a charity connotation on this program. It is not charity. All the people of the United States have paid for the development of this vaccine through their dimes and dollars to the National Foundation.

"'The Foundation pioneered the vaccine. It has paid for its development. It has pledged 80 million it does not even have to carry out the school inoculation program for first and second graders. It has been engaged in this work for 20 years. It knows the priorities and the needs, both by age groups, geographically, and so on. You would have no question of blackmarketing or of anything of that nature, for no one, no matter how much money he had, could possibly corrupt the Foundation or argue with its decisions on who should get the vaccine and in what order.

"'My bill provides for the inoculation of all children under 20 by the end of 1956

with vaccine supplied by the Federal Government. I understand it will take until about then to make sure we have the 160 million separate shots of the vaccine needed to immunize the 59 million children under 20, giving 3 shots to each, including a third shot for the children who have already been covered.

"'Once this mass inoculation program is complete, then of course the antipolio immunization program could be carried on in routine fashion through normal channels as any other vaccination program is regularly handled. But there is nothing normal about the demand for this vaccine, and the problem it creates in assuring fair treatment for all, particularly in such an emotional area as this where the health of children is involved.'

"Mrs. SULLIVAN said her bill differs from the one introduced by all seven Democratic members of the Senate Labor Committee, which also provides for free inoculation of all children under 20 in that S. 2147, the Senate bill, provides for grants of money to the States to purchase and distribute the vaccine, whereas her bill has the Federal Government buying the vaccine directly, but authorizing the National Foundation, under the general supervision of the Secretary of Health, Education, and Welfare, to have complete control of allocation distribution, and regulation of the use of the vaccine.

"The Sullivan bill is attached, as follows:

"'H. R. 7026

"'A bill to provide for the purchase by the United States, and the distribution by the National Foundation for Infantile Paralysis, of a sufficient supply of poliomyelitis vaccine to immunize all children in the United States under 20 years of age against paralytic poliomyelitis

"'*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That, in order to promote the general welfare, raise the standard of health for all children of the United States, and institute the most effective and equitable plan for the eventual elimination of the scourge of paralytic poliomyelitis among the American people through mass immunization of all children under 20 years of age on a priority basis, without regard to their ability to pay for the vaccine, the Secretary of Health, Education, and Welfare shall purchase a supply of poliomyelitis vaccine sufficient to carry out such an immunization program as provided in section 2 of this Act.

"'SEC. 2. The National Foundation for Infantile Paralysis, under the general supervision of the Secretary of Health, Education, and Welfare, is hereby authorized to—

"'(1) develop a program for the allocation and distribution of all poliomyelitis vaccine purchased by such Secretary.

"'(2) establish priorities by age group and geographical location for the allocation and distribution of such vaccine in such a manner as to make the vaccine available to all children in the United States under 20 years of age, and

"'(3) regulate the use of such vaccine, under the provisions of this Act, in such a manner that will assure its most effective and equitable use in combating the spread of paralytic poliomyelitis in the United States.

"'SEC. 3. For the purposes of this Act the term "United States" includes Alaska, Hawaii, Puerto Rico, the Virgin Islands, Guam, American Samoa, the Canal Zone, and the District of Columbia.

"'SEC. 4. There are hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the provisions of this Act.

"'SEC. 5. This Act shall terminate not later than December 31, 1956.'"

Lincoln Day Address, 1962

EXTENSION OF REMARKS

OF

HON. JAMES E. VAN ZANDT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1962

Mr. VAN ZANDT. Mr. Speaker, during the observance of the Lincoln Day period it was my pleasure to deliver a series of addresses throughout the State of Pennsylvania and in West Virginia.

Among the various Lincoln Day dinners I attended in Pennsylvania was one sponsored by the Young Republican Club of Wyoming County which was held at Tunkhannock, Pa., February 14, 1962, and at which I delivered the following address:

ADDRESS BY REPRESENTATIVE JAMES E VAN ZANDT, MEMBER OF CONGRESS, 20TH DISTRICT OF PENNSYLVANIA, LINCOLN DAY ADDRESS AT TUNKHANNOCK, PA., FEBRUARY 14, 1962

Across the country this month Americans are pausing to commemorate the birthday of Abraham Lincoln, the martyred President who saved our Nation and emancipated a race.

His era in history was one of trouble and tribulation and his life has been a symbol to all mankind of the hope, opportunity, and freedom that is America.

Today, as we honor the man who was our first Republican President, his words come thundering down across the years as forcefully vital and true as when he first uttered them more than a century ago.

He brought to us a message of hope, of faith in ourselves, and in the wisdom of the Nation's Founders.

Lincoln was a great politician—in the highest sense of the term.

He loved people.

But he made it clear that he did not consider them infallible, for he said:

"It is true that you may fool all the people some of the time; you can even fool some of the people all the time; but you can't fool all of the people all the time."

I believe that is the message of hope which Lincoln brings to our party today.

For, in my opinion, the high-sounding oratory and rosy promises which marked John F. Kennedy's campaign in 1960, and his administration since then, are beginning to sound empty.

The indecision and weakness which sent an abortive band of Cuban rebels against Fidel Castro without U.S. air or naval support, the failure to honor our commitments in Laos, the vacillation which allowed the Communists to erect a wall sealing off East Berlin from the West, all are somehow inconsistent with the picture of strength and determination which brought Mr. Kennedy his victory at the polls in 1960.

The American people, who for more than a year have witnessed the lack of decisive action by the self-styled "New Frontier," now are beginning to ask some rather searching questions.

Why, they wonder, has the State Department used foreign aid and its diplomatic power to force the Lao to accept a government chosen for it by Nikita Khrushchev?

Why did the administration cancel out the air support for the Cuban invasion after it was underway, thus dooming more than 1,200 freedom fighters to imprisonment or death before Castro's firing squads?

Why were the Communists permitted to erect in Berlin, in absolute violation of five separate treaties and agreements signed since World War II, a wall which now locks in hundreds of thousands of East Germans and denies the previously guaranteed right of free access within the city?

Why were repeated pleas by the U.S. commander in that blockaded city asking for permission to tear down the wall not answered by Washington?

Why has this administration so consistently sided with neutralists and Communist nations against the Western Powers and thus strained relations with such longtime, dependable allies as Britain, France, Belgium, Portugal, and the Netherlands?

Why did we express simple regrets at the naked Indian aggression in Goa and then calmly announce that the incident would not influence whatsoever our multimillion dollar program of assistance to Nehru?

Why, when we supposedly are dedicated to the principle of self-determination for all peoples, are we openly siding with the pro-Communist Indonesian Government in its attempt to take over as a colony Dutch New Guinea?

Despite Mr. Kennedy's campaign promise to the contrary, why has this administration refused to protect its nuclear superiority through the resumption of atmospheric testing, even though the Russians broke the moratorium on experiments by setting off more than 30 such blasts, one of them a 50-megaton monster bomb?

Why did this administration approve a $133 million contribution to the pro-Communist Government of Ghana for construction of a dam on the Volta River?

Why did our economic growth, which averaged 3.1 percent annually during the Eisenhower administration and which Mr. Kennedy claimed was too slow, slip to 1.8 percent during his first year in office?

Why did average unemployment rise to a 20-year high last year with little prospect for improvement?

Why did a pledged farm income of 90 percent of parity drop to the 1939 depression low of 79 last year?

Why did a farm program that Mr. Kennedy told the people would cost a billion and a half—possibly $2 billion less than the Eisenhower program—actually cost a billion and a half dollars more?

Why have depressed area funds—earmarked for the rehabilitation of hard-hit urban communities, been dumped into such places as Gassville, Ark., which has a population of 233, to establish a shirt factory for low wage nonunion labor?

Why did Government payrolls increase by about 90,000 persons last year, despite Mr. Kennedy's campaign pledge to curtail Government spending and payroll padding?

Why, when he pledged that Civil Rights legislation would be among the first orders of business if he were elected, did President Kennedy refuse to endorse the bill he had called for?

Why was our prestige lowered around the world by irresponsible campaign talk about "missile gaps" which was later disproved, but which conveyed to other Nations at the time that we were a second-rate power and they had better turn to Russia for safety's sake?

Why were 150,000 reservists recalled to duty in what one high administrative official later admitted was a "mistake"?

The people will want to know why a presidential candidate who denounced family favoritism as "dangerous to our national morality" later put more of his relatives on the public payroll than perhaps any other President in history.

The people will also wonder why President Kennedy insists on surrounding himself with advisors and special assistants whose views are alien to our American philosophy, including, for example, one who openly has suggested the replacement of our form of Government with a welfare state as "the best answer to communism."

There will be other questions, too.

Explanations will be demanded for the $3.9 billion deficit compiled in fiscal 1961 after the Eisenhower administration had willed to the New Frontier a program which would have resulted in an $800 million surplus.

There is also the question of the Eisenhower budget which would have produced a $1.5 billion surplus in the current fiscal year, but instead is resulting in a $6.9 to $10 billion deficit.

But if the performance of the New Frontier during its first year in office is any indication, the people will receive, instead of answers, a fuzzy assortment of evasions and old-fashioned doubletalk.

You can take my word for it that when such conduct happens—the ordinarily slow-to-arouse American people will understand the mistake they themselves made in November 1960 when they elected to office an administration made up of political confidence men.

The result will be a voter's rebellion, which will sweep a Republican Congress into office in 1962 and a Republican administration into the White House in 1964.

When this happens, we will be able to return to the solid principles laid down more than a century ago by Lincoln when he said:

"I insist that if there is anything which it is the duty of the whole people never to entrust in any hands but their own, that thing, is the preservation and perpetuity of their own liberties and institutions."

As stewards of the Republican Party, we must pledge anew our courage and our determination to keep sacred these principles and to oppose with all our vigor those programs which we believe will violate them.

Lincoln's philosophy of government was simple.

He summed it up in these words:

"We see it, and to us it appears like principle, and the best sort of principle at that, the principle of allowing the people to do as they please, with their own business."

He described this philosophy of government as true republicanism and was confident and content to allow the people of the Nation to judge his administration accordingly.

And the people did judge accordingly.

Following Lincoln's tragic visit to Ford's Theater on the night of April 14, 1865, a grief-stricken and shocked American public dedicated itself to a perpetuation of the beliefs and principles he had given his life to strengthen.

Although his two greatest legacies to his country were the preservation of its unity and emancipation of the Negro, he also gave us our first veterans' benefit system, established the Department of Agriculture, opened Federal land to homesteaders and inaugurated our national banking system.

Because of his leadership and the goals of Republican government he set, Lincoln's successors brought our Nation the majority of the benefits it has received since.

Under Republican Presidents, the 14th and 15th amendments were added to our Constitution, extending to Negroes the right to vote and other privileges; the Departments of Justice, Commerce, and Labor were created; we acquired Alaska, Midway, Hawaii, Guam, Puerto Rico, and the Philippines; the first conservation program was started, establishing fisheries, national parks and forest services, the Geological Survey and the Bureau of Mines; the Civil Service Commission was established; Pan American Organization became a reality and immigration laws were enacted.

We stimulated development of our industries and agriculture through tariff acts and a reciprocity policy; monopolistic trusts were outlawed with the Sherman Antitrust Act; we inaugurated the Government's reclamation and irrigation program and built the Panama Canal.

A Republican Congress gave our women the right to vote.

We achieved the first voluntary arms limitation agreement with foreign powers, established the executive budget system, and promoted cooperative marketing in agriculture.

All this was done by Abraham Lincoln and by his Republican successors, prior to the advent of Franklin Roosevelt.

And despite the onslaughts of the New and Fair Deals on constitutional and Lincolnian principles during the 20 years that followed, Republicans in Congress successfully defeated many legislative attempts which would have led to even more government and less individual freedom.

With the election of Dwight D. Eisenhower in 1952, the Republican Party began the task of reestablishing the rights and privileges which had been weakened by the New and Fair Deals and reasserting the objectives of our party.

The record of the 8 Eisenhower years is indisputable evidence that this was done, and done during 6 of those years over the opposition of Democrats who controlled Congress.

We brought an end to the costly Korean war which a Democratic administration had forbidden us to win; we rebuilt our depleted armed services and brought a neglected missile and space program to a point where it was superior to all others in the world.

We put atomic energy to peaceful uses, raised employment to its highest peak in history, and checked the devaluation of our dollar.

Under the Eisenhower administration we also gave Americans the highest standard of living the world had ever known and increased our gross national product by one-fourth; raised wages and family income to new highs; extended social security protection to 12 million additional workers; and created the Department of Health, Education, and Welfare.

We halted the trend toward centralization of government in Washington, strengthened State and local authority, expanded farm markets, broadened conservation and resources programs and gave the Nation four balanced budgets in 8 years, as compared with three in 20 Democratic years.

We created the Small Business Administration and brought Alaska and Hawaii into the Union as States.

We brought these and thousands of other benefits to the American people, because our party always has been, and will continue to be, dedicated to the principles of free enterprise and individual initiative spelled out in our Federal Constitution and championed to the degree of martydom by Abraham Lincoln.

In 1859 Lincoln made this pledge:

"I have enlisted for the permanent success of the Republican cause."

We can do no less today.

Let us, each of us, on this occasion, pledge anew our determination to work for victory, because the welfare and success of our party means the welfare and success of our country.

Voice of Project Mercury Deserves Commendation

EXTENSION OF REMARKS

OF

HON. JESSICA McC. WEIS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1962

Mrs. WEIS. Mr. Speaker, yesterday the Congress, the people of Washington and, indeed, the entire Nation paid tribute to Lt. Col. John Glenn, and his six fellow astronauts who are pioneering America's efforts to explore space.

I want to say just a word today about still another member of the Project Mercury team who, in my opinion, is richly deserving of high praise. I refer to Lt. Col. John A. "Shorty" Powers, the man whose voice kept the entire world informed, step-by-step, of America's first successful manned orbital flight.

It was Colonel Powers, calm and unemotional throughout the entire tension-packed day, who, from the Mercury Control Center, relayed up-to-the-minute reports on the progress of the space flight His was the responsibility of keeping the world posted at all times on how the flight was going, and he did a superb job. His voice, as it went out over the airwaves to all parts of the globe, demonstrated conclusively to the world how a free country operates its space programs, openly and honestly. As we honor the Project Mercury team, I want to say a special "thank you" to Lt. Col. John A. Powers, the official voice of Project Mercury.

Peter Rodino III's Little-People-to-Little-People Program

EXTENSION OF REMARKS

OF

HON. DANIEL K. INOUYE

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1962

Mr. INOUYE. Mr. Speaker, I was very much impressed by the remarks of my colleague, the Honorable PETER RODINO, which appeared in the CONGRESSIONAL RECORD of February 15 concerning the little-people-to-little-people program.

I would like, first of all, to express my congratulations to Congressman RODINO's 10-year-old son, Peter, for giving expression to this idea and, of course, to Congressman RODINO for recognizing its potential and for giving encouragement for its application.

The children and youth of our country, surprisingly, are not deaf nor blind to the problems confronting the world today. Though their grasp and understanding of the complexities of these problems are at times incomplete and even sometimes naive, still we cannot help but recognize the basicity of their concern over such things as peace and war. After all, it is their future that is at stake and they have every right to take an interest in our efforts.

I, too, have received many letters from the children of Hawaii expressing their concern over world events. Their plea for world peace is an inspiration—a guide to the trees in this forest of congressional activities.

The people-to-people program has been preempted exclusively for adult participation and promotion. It serves a useful and valuable purpose, and I am

happy to say that the State of Hawaii has risen to the challenges of this program as evidenced by its sister city affiliations and student and businessmen exchange programs. The little-people-to-little-people program would be an appropriate corollary to the adult program. It has great merit and is certainly deserving of all encouragement.

HOUSE OF REPRESENTATIVES

WEDNESDAY, FEBRUARY 28, 1962

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Isaiah 12: 2: *Behold God is my salvation; I will trust and not be afraid.*

Eternal God, whose divine love always responds to those who truly seek Thee, we are again entering into fellowship with Thee through the gateway of prayer which is never closed to those who come unto Thee with a humble spirit and a contrite heart.

May each new day be one of unclouded vision for our President, our Speaker, and all the chosen representatives of our Republic as they take counsel together and courageously seek to deliver suffering and struggling humanity from the evil forces of aggression and aggrandizement.

Purge us from everything which dwarfs and deadens our capacities for noble service and may we discharge all our duties and responsibilities with a pure and steadfast devotion.

In Christ's name we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

SWEARING IN OF MEMBER

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from New York, Mr. BENJAMIN S. ROSENTHAL, be permitted to take the oath of office today. His certificate of election has not arrived, but there is no contest, and no question has been raised with regard to his election.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ROSENTHAL appeared at the bar of the House and took the oath of office.

CANADA-UNITED STATES INTERPARLIAMENTARY MEETING

The SPEAKER. The Chair makes the following appointments, which the Clerk will read:

The Clerk read as follows:

Pursuant to the provisions of section 1, Public Law 86-42, the Chair appoints as members of the U.S. delegation of the Canada-United States Interparliamentary Group for the meeting to be held in Ottawa, Canada, from February 28 to March 4, 1962, the gentleman from California [Mr. JOHNSON], and the gentleman from Hawaii [Mr. INOUYE], to fill the existing vacancies thereon.

COMMITTEE ON BANKING AND CURRENCY

Mr. MILLS. Mr. Speaker, I offer a privileged resolution (H. Res. 553) and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That HAROLD M. RYAN, of Michigan, be, and he is hereby, elected a member of the standing committee of the House of Representatives on Banking and Currency.

The resolution was agreed to.

A motion to reconsider was laid on the table.

MANPOWER DEVELOPMENT AND TRAINING ACT OF 1961

Mr. POWELL. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for further consideration of the bill (H.R. 8399) relating to the occupational training, development, and use of the manpower resources of the Nation, and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from New York.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H.R. 8399, with Mr. MAHON in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on yesterday the gentleman from New York [Mr. POWELL] had 16 minutes remaining, and the gentleman from Pennsylvania [Mr. KEARNS] had 25 minutes remaining.

The Chair recognizes the gentleman from New York [Mr. POWELL].

Mr. POWELL. Mr. Chairman, I yield 10 minutes to the gentleman from Michigan [Mr. O'HARA].

Mr. O'HARA of Michigan. Mr. Chairman, during the course of yesterday's debate a number of questions arose with regard to the fashion in which this bill, if enacted into law, would operate. In particular, there were questions with regard to an alleged conflict of responsibility between the Secretary of Labor and the Secretary of Health, Education, and Welfare, and with regard to the effect of enactment of this legislation upon existing vocational education and on-the-job training programs. I will direct myself to those questions.

In practical operation the manpower retraining program would work something like this: First, the Secretary of Labor would, through the facilities of the Bureau of Labor Statistics, the U.S. Employment Service and other divisions of the Department of Labor determine occupational——

Mr. KEARNS. Mr. Chairman, will the gentleman yield?

Mr. O'HARA of Michigan. I yield to the gentleman from Pennsylvania.

Mr. KEARNS. Mr. Chairman, is the gentleman going to be able to support the amendment that will be offered?

Mr. O'HARA of Michigan. I wish to say to the gentleman from Pennsylvania that I think the proposed amendment has a number of very good features and I support both the amendment and the bill.

Mr. KEARNS. I thank the gentleman.

Mr. O'HARA of Michigan. Mr. Chairman, the first step involves the selection through testing, interviewing and counseling of persons who are able and qualified to take training and want such training for new jobs. The jobs for which they will be trained would depend upon determinations by the Department of Labor and by the various State employment agencies. They would determine what the job needs and the training needs of their area were and they would select the occupations for which trainees would be trained.

Second, the States, under the provisions of their agreements with the Secretary of Labor and the Secretary of Health, Education, and Welfare, would provide suitable training programs to equip selected trainees with the desired skills. They would use existing public and private vocational training schools and agencies and on-the-job training programs.

Mr. Chairman, during the debate yesterday, the gentleman from Georgia [Mr. LANDRUM], raised a question with regard to the operation of other vocational training programs if this program were to be enacted into law. I think it should be made very clear at this point that, as far as trainees under this program go, they must be selected and referred to training by the State employment agencies; but this would in no way affect the operation of other vocational education programs and in particular it would not require a referral by the Secretary of Labor before taking part in existing programs such as the area vocational institute programs under the National Defense Education Act. They would continue as before.

The Federal Government would pay the cost of training under the act for unemployed trainees and up to 50 percent of the cost for trainees who have jobs of one sort or another and who are engaged in training for upgrading purposes.

During the course of the training program the Secretary would pay trainees a training allowance roughly equivalent to unemployment compensation benefits.

Persons being trained on-the-job training programs would, of course, be receiving some payment from their employers and their training allowance would be reduced accordingly.

Mr. Chairman, with regard to this matter of training allowances, the committee believes that training allowances are essential if this program is to work. Under the employment compensation laws of about two-thirds of the States, an unemployed person eligible for unemployment compensation and drawing unemployment compensation will lose his rights to those benefits if he undertakes a training program. When he undertakes a training program, he is considered no longer available for work and he is cut off from unemployment compensation. This feature of State unemployment compensation systems has been an important factor in inhibiting the use of training programs by unemployed persons. A man with a wife and two or three or four children can ill afford to give up his unemployment benefits, which he needs to pay the rent and to buy the groceries, to take a program of training. The proposal for training allowances is designed to make it possible for unemployed persons to take this training program and equip themselves for new employment without suffering a complete loss of income. They will receive an amount roughly equivalent to their unemployment compensation benefits while they are training.

Approximately one-third of the amount authorized to be appropriated will be allocated to teachers' salaries, equipment and rental of buildings which are aspects of vocational training traditionally supported by Federal funds. Approximately two-thirds of the total authorized to be appropriated would be expended for the payment of training allowances.

Finally, the bill provides for counseling and placement services through the State employment agencies for trainees who have successfully completed their courses.

Additional matter in the Holland bill sets forth the formula for the apportionment of Federal funds among the States, and provides safeguards to insure that the training offered is adequate to the purposes for which it is given, and to prevent States and other governmental units from substituting Federal programs under the act for existing local programs.

I think this last, Mr. Chairman, is a very important point because it is not our intention to merely subsidize existing vocational training programs. Funds under this act would be available only for additional training programs, over and above those presently being conducted. No State or locality could receive Federal funds for a training program under this act, if it were using those funds to reduce its local effort. They must maintain their level of local effort.

In conclusion, Mr. Chairman, I wish to emphasize that throughout this bill the utmost care has been taken to provide economical and efficient operation of the training program through maximum utilization of existing Federal and State agencies and avoiding duplication and overlapping of Federal and State efforts.

One of the ways we do this, Mr. Chairman, is through maintaining the traditional lines of authority of the Secretary of Labor and the Secretary of Health, Education, and Welfare. Throughout the history of such programs, the Secretary of Labor has been responsible for determining manpower needs and the referral and placement of jobseekers. We keep that function in the Department of Labor. We do not attempt to set up a new bureau within the Department of Health, Education, and Welfare to perform the same task.

We likewise keep on-the-job training under the jurisdiction of the Secretary of Labor. That is where it has been and we do not want to make a change.

Similarly we bring in the Secretary of Health, Education, and Welfare who has responsibility for Federal vocational education programs. We retain his role of leadership of those programs. There is no change in the existing lines of Federal authority contrary to what some of the speakers yesterday might have indicated. But, nevertheless, this is the explanation for the fact that both the Department of Labor and the Department of Health, Education, and Welfare are involved in the operation of this act.

Mr. Chairman, we do not pretend that the enactment of this bill is going to solve the Nation's unemployment problem. Indeed, under the 2-year operation of the act, only about 410,000 persons could receive training. The number of unemployed exceeds four million. But, we do believe we have a responsibility to make progress toward assisting those displaced from their jobs by technological change. That is what this bill does and I urge its enactment.

CALL OF THE HOUSE

Mr. EVINS. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. Fifty-six Members are present, not a quorum.

The Clerk will call the roll.

The Clerk called the roll and the following Members failed to answer to their names:

[Roll No. 25]

Bennett, Mich.	Hagan Ga.	Passman
Bonner	Harrison, Va.	Peterson
Broyhill	Hébert	Saund
Burke, Ky.	Henderson	Scherer
Cooley	Hoffman, Mich.	Shelley
Corman	Holifield	Smith Miss.
Davis, Tenn.	Jones, Ala.	Steed
Denton	King, Calif.	Thompson, N.J.
Downing	Kitchin	Weaver
Fallon	McDonough	Willis
Gray	MacGregor	

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. MAHON, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 8399 and finding itself without a quorum, he had directed the roll to be called, when 398 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. KEARNS].

Mr. KEARNS. Mr. Chairman, I yield 5 minutes to the gentleman from Florida [Mr. CRAMER].

Mr. CRAMER. Mr. Chairman, I understand the Holland substitute is to be offered very shortly. I have prepared an amendment to the Holland amendment, which would take care of a rather serious situation that has been caused by the Presidential order of embargo against Cuban imports. I agree with the purpose of the Presidential order, which in part is to cut off Havana tobacco coming in from Cuba pursuant to the embargo order of the President of February 3 of this year and which generally is to deny any dollar support to Communist Cuba.

Mr. Chairman, I think this is a unique opportunity to start a pilot program under this bill to see immediately just exactly what it can accomplish. I think the Congress of the United States has the responsibility, I might add, to the some 6,000 people who are employed now in the Havana cigar leaf industry in Tampa, Fla., many of whom are going to be put out of jobs, and nearly 500 who have lost their jobs already as a result of the Presidential embargo order of August 3 stopping Havana tobacco, the raw material, coming into this country. Let me say that I agree with the Presidential order, at least to the extent of the purpose the President intended to accomplish, and that is cutting off American dollars to Communist Fidel Castro in Cuba.

Unfortunately, I might point out as an aside, I think it is important for you to realize that this embargo is full of gaping loopholes. The result is going to be—and I have in my hand an article by Leslie Gould of the New York Journal American, dated February 22, 1962—and I have called this matter to the attention of the President, to the attention of the Secretary of State, pointing out that the embargo itself contains gaping loopholes allowing foreign countries to ship into the United States cigars made of Havana tobacco and even "processed" tobacco because, and I read here:

The Foreign Assets Control Division of the United States has just ruled including cigars made from imports from Cuba may be imported into the United States from the Canary Islands. It has also been decided they can be imported from Canada. It has further been decided—

And I quote:

that leaf—

That is, the raw material—

that has been processed likewise can be imported.

Mr. KEARNS. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I yield.

Mr. KEARNS. Does the gentleman mean to state that the embargo which is supposed to be against Cuba will not prove to be effective?

Mr. CRAMER. I am saying that the effect of the embargo is not going to be

to cut off dollars to Cuba, because the tobacco will be coming in by the back door through other countries by permitting imports of Havana tobacco, either as the finished product or semifinished product coming from other countries.

Mr. KEARNS. Mr. Chairman, will the gentleman yield further?

Mr. CRAMER. I yield.

Mr. KEARNS. They are practicing back-door spending like we are.

Mr. CRAMER. The result of the embargo order and the result of the loophole opened up by the order of the Foreign Assets Control Division is that Havana tobacco will come in as part of a finished product or processed leaf. So Castro is going to get dollars or other spendable currency from these other countries while our people are being put out of business. Thus, foreign countries will gobble up the $55 million industry in "Havana" cigars built largely by Tampa manufacturers over many decades.

As I say, I support the purpose of the President in placing the embargo, but the fact of the matter is that the purpose has been completely subverted by this ruling that permits the importation of cigars that have Havana tobacco in them, and it even goes so far as to permit processed leaf to come into this country even though it is not in a cigar.

So it does accomplish its objective. That is the point I am making. The effect eventually will be to put 6,000 people out of work.

I think there is a lot of merit to this program for retraining. This amendment would give an opportunity to the Secretary of Labor and the Secretary of Health, Education, and Welfare to initiate a program in this field where the U.S. Government itself is responsible through its foreign policy for putting these people out of work.

I would hope, Mr. Chairman, that this amendment would be considered on its merits. I understand there is generally an understanding or agreement that most amendments are going to be objected to by the ranking people on both sides of the aisle as a matter of course.

I recognize that there are serious problems with regard to a general broad amendment that would have the effect of changing this entire program, but this amendment does no violence to the bill before us—instead it implements it.

The CHAIRMAN. The time of the gentleman from Florida has expired.

Mr. KEARNS. Mr. Chairman, I yield the gentleman from Florida 2 additional minutes.

Mr. CRAMER. Mr. Chairman, the amendment, I submit, will do no violence whatsoever to this substitute but, as a matter of fact, will strengthen it because it will give the Secretary of Labor and the Secretary of Health, Education, and Welfare in this specific case where the Federal Government has a clear responsibility because the hardship results from Government action, I submit, to go into the Tampa district and conduct the studies, as well as the surveys, and to come up with a program for unemployment training or on-the-job training.

We have also the automation problem to some extent in the industry. And to put into effect in this specific instance programs that are intended to be accomplished by the general legislation. This does not do any violence whatsoever. It adds section 502 relating to unemployment resulting from an embargo:

SEC. 502. In carrying out his responsibilities under this Act with respect to the testing, counseling, and selecting for occupational training of individuals, the Secretary of Labor shall give particular attention to individuals whose unemployment is attributable to the embargo on trade with Cuba proclaimed by the President on February 3, 1962. In apportioning Federal expenditures as provided in section 501, the Secretary of Labor shall give special consideration to unemployment resulting from such embargo.

I say, Mr. Chairman, if there is any situation in the United States of America that justifies this House of Representatives giving consideration to that and using it as a pilot plant program or project to see how effective this bill before us is going to be now, not next year or the year after, but this year, it is the situation in my district. This bill before us really will not become effective until next year because it will take this long to make the studies. This gives the Secretary of Labor and the HEW an opportunity now to see how effective the program is going to be in an area where the U.S. Government and the Congress has a responsibility, because otherwise the result of this embargo is going to be that 6,000 people will be put out of work.

Mr. GOODELL. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, I sympathize with the very eloquent statement made by the gentleman from Florida. The committee as a whole recognizes this problem. The training program will certainly be designed to focus on such problems as are created by this peculiar Cuban embargo situation. I, myself, would make the statement to the gentleman, and I believe it will be concurred in by the other members of the committee, that we will put the Departments on notice that we want this to have a high priority and that the program provided in this bill shall be focused as quickly as possible on this problem.

The difficulty of writing this kind of amendment into the bill, I think, is clear. I hesitate to get into these specialized amendments and the setting of priorities in basic legislation.

Mr. CRAMER. Mr. Chairman, will the gentleman yield?

Mr. GOODELL. I yield to the gentleman from Florida.

Mr. CRAMER. I think the gentleman will agree, will he not, that there is only one situation in the United States that is serious because of this particular embargo, and that this amendment does not do violence in any way to the substitute but merely pinpoints a specific instance that could be used as a pilot project for this entire matter.

Does not the gentleman think under those circumstances, in that it fits right into the concept of what we are trying to accomplish, the committee should accept and welcome this amendment rather than oppose it?

Mr. GOODELL. There are other special circumstances that will apply to one area in the whole country. I do not think we ought to get into writing that kind of legislation. I agree that the Cuban embargo applies only to the gentleman's area. I respect the gentleman for fighting for this kind of amendment. I have a high esteem for the gentleman and his amendment.

Mr. KEARNS. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio [Mr. ASHBROOK].

Mr. ASHBROOK. Mr. Chairman, the most outstanding feature of the legislation under discussion today is its early denial of the existence of information upon which to wisely legislate in this field of unemployment retraining. The same situation abounds as pointed out earlier by Chairman POWELL who noted almost 20 agencies were granting some forms of aid to education.

While concurring completely with the belief that the Secretary of Labor should pursue the program of factual studies required of the Secretary in section 104 of this bill, and the manpower reports required of the Secretary in section 105, and the information and research required of the Secretary in section 106, these very stipulations are mute testimony to the lack of concrete information upon which the further titles of this bill are based.

In addition to this lack of specific information, it should be understood clearly by the Congress that this legislation would further extend a proliferation of Federal programs already beyond the comprehension of many Members of Congress. To illustrate this, I could introduce some 20 budgeted items for programs now being financed by the Federal Government in the Department of Justice, in the Departments of Labor, Interior, Commerce, and Health, Education, and Welfare, which have immediate relevance to the training of manpower and suggest the existence of facilities as well as personnel almost completely uncoordinated because of the limitations of the special interests of the executive agencies of the Federal Government.

Now we are asked to consider one further step in the dark toward the retraining of men whose aptitudes are unknown for jobs as yet unidentified and that may not exist. The lack of coordination of the programs will thus be further compounded by this program now before us and others that are soon to be presented, for it is well known that in proposing to assist that portion of our unemployed, who are defined as youth, legislation may come before us to devise special programs for men under 25, or under 21, or some other particular age level.

Similarly, in the trade agreements legislation that may come before us, provisions for retraining of those segments of labor presumed to be threatened by tariff changes may be said to justify still another program of retraining.

Let me call your attention to the startling fact that this proliferation and probable duplication of Federal efforts of training and retraining are most distasteful, not merely to people who would seek for more efficiency in the Federal Government, but to the entire educational profession, the national organizations of which have repeatedly indicated that such Federal programs should be under the direction of educational agencies.

Early this year, representatives of five major organizations, the AASA, the NSBA, the PTA, the NEA, and the Council of Chief State School Officers, concurred in the statement that—

Legislation which would specify Federal participation in special educational programs for urban youth should be under the auspices of regularly established educational agencies.

It was clear in the testimony of such groups last year that they did not favor the further compounding of the disorganized approach of the Federal Government to training and retraining for the multiplicity of special purposes found to be in the differing divisions of differing departments of the Federal Government, but today we consider doing just that.

Adding new training and skill development programs, new on-the-job training programs, the development of broad and diversified training programs, new programs of testing, counseling and selecting for occupational training those persons who are presumed to be unable to secure appropriate full-time employment without some unknown and unspecified type of training—these are open-end proposals in which neither the purposes nor the methods are specific; hence it might be assumed that the initiation of the programs authorized in such legislation would be delayed at least until the lack of information recognized in title I were corrected.

But this is not the case, for the Secretary of Labor is authorized to enter in agreements with the States at once to make arrangements to develop and encourage the development of broad and diversified training programs and to make such arrangements as he deems necessary to insure adherence to appropriate training standards and policies—and all of this is to be done without information about the availability of jobs for the persons being trained or even about the current programs of the States and the business community to do whatever training is appropriate in terms of job opportunities.

It should be noted that the securing of the information and the undertaking of the research requested in title I of this measure is already within the purview and the authority placed in the Department of Labor, in the Department of Health, Education, and Welfare, and hence that no legislation is required or even justifiable at this time. The various research and statistical agencies of the executive departments already have it in their power to provide us with such research and information and should do so, for unemployment is, indeed, a serious and continuing problem that needs better definition and analysis. But until such information is available, let me indicate that there are many other courses of action open to the Administration to resolve the unemployment situations, especially for young Americans.

Once more we are telling the American people that we have a solution to a knotty problem when, in fact, we do not.

Mr. BRADEMAS. Mr. Chairman, will the gentleman yield?

Mr. ASHBROOK. I yield to the gentleman from Indiana.

Mr. BRADEMAS. The gentleman from Ohio has made two points in his remarks, it seems to me: One is that the bill now under consideration does not adequately provide for coordination of the program. If I may, I would like to refer the gentleman to the remarks of his colleague on his side of the aisle, the gentleman from Missouri [Mr. CURTIS], yesterday at page 3012 in the RECORD, at which point the gentleman from Missouri [Mr. CURTIS] took particular care to commend the Holland subcommittee for its fine work in coordinating the various areas that this legislation touches upon.

Mr. Chairman, the gentleman from Missouri, a Republican, went ahead to suggest, if my colleague from Ohio [Mr. ASHBROOK] will recall, that the committee had done a particularly outstanding job in resolving what is often a difficult problem in such legislation—that of deciding which area the Department of Health, Education, and Welfare will administer; namely, the vocational educational programs contemplated in the proposal; and the area to be administered by the Department of Labor, namely, the matter of employment service functions.

Mr. Chairman, another argument, which my colleague from Ohio [Mr. ASHBROOK] attempts to make, is that this legislation will mean a duplication of existing efforts. I would like, if I may, to refer my colleague to my own remarks of yesterday, beginning at page 3018 of the CONGRESSIONAL RECORD, where I endeavored to outline some of the various vocational educational programs which are now law, such as the veterans program, which pertains to veterans only; the program for rehabilitation of disabled workers, which applies to disabled workers only; the programs for occupational training under the George-Barden and Smith-Hughes Acts which apply to those categories of occupations only; and the programs of the Indian Bureau, which pertains only to Indians.

Mr. Chairman, it should be clear that all of these vocational educational programs which I have cited respond to a particular need and to the problems of a particular category of persons, not one of these programs responds to the overall problem encountered by some 4.5 million unemployed men and women in the United States today. The fact that we have a continuing high level of unemployment in our country is clear evidence that in spite of the existence of all the vocational education programs to which the gentleman from Ohio has made reference, we still need a program to meet the general need to retrain unemployed workers who do not fall within the categories of existing vocational education programs.

Mr. ASHBROOK. Mr. Chairman, I would respectfully say to the gentleman from Indiana [Mr. BRADEMAS] that of all the budgeted items that I have seen regarding training programs, of which I have 20 here, in this year's budget, as near as I can see in this bill there is no effort made to in any way tie these programs together in order to avoid duplication and to prevent a proliferation of agencies in this area.

Mr. Chairman, as all of us know, our chairman said he wanted to blow the whistle in the area of aid to education until we could know just what was going on. I think it would be a good idea to blow the whistle in this area so we could make a better approach to this problem which would not further add to the bureaucratic monstrosity we now have in Washington which, through exorbitant taxation, is causing many of the problems of unemployment we here say we are attacking.

Bureaucracy is the key to unnecessary spending, unnecessary spending is the key to excessive taxation and excessive taxation, in my opinion, is stifling our free enterprise system and causing unemployment. Here was a chance to do something about bureaucracy but we merely added to the problem. Deficit spending, mushrooming bureaucracy, excessive taxation and a subsequent loss of our constitutional freedoms did not come about in a day but rather vote by vote, bill by bill. Today we are adding one more.

Mr. GOODELL. Mr. Chairman, I yield such time as he may require to the gentleman from New York [Mr. DOOLEY].

Mr. DOOLEY. Mr. Chairman, the legislation before the House at this time, H.R. 10363, which has to do with the retraining of workers so as to diminish the total of unemployed, merits my wholehearted support.

While it is a fact that funds are presently available in several areas, as in the Health, Education, and Welfare Department and the Labor Department, to help retrain workers in new technical skills, the fact is evident that in view of the disastrous impact of automation on hundreds of thousands of workers more money and more effort are need if a dent is to be made in this critical situation.

Automation in the long run may create jobs and I think that fact has been clearly demonstrated, but there is a timelag during which workers who are displaced from their jobs must learn new skills in order to be useful in this highly mechanical and technical age.

If our economy is to remain dynamic we must make a herculean effort to retrain thousands of workers and prepare them for new positions entirely different from those which they once filled. Labor and industry have both had programs directed toward this objective, but the task is so tremendous that Government aid is necessary.

Today, with an unemployment of several million—not all of which was caused by automation, of course—it is incumbent on the Government to endeavor to cut down on this figure. The want ads in the press are replete each day with jobs which cannot be filled because new skills have been introduced with which only comparatively few people are familiar.

The passage of this legislation will go a long way toward helping rectify a very grave situation which confronts our country.

Participants in the program will be counseled and tested through State employment offices. Under the proposed bill, the unemployed will receive priority, but others may also qualify under certain circumstances.

I think it is wise to limit the courses to no longer than 52 weeks, and in many cases the courses will be shorter.

The plan to have the Department of Health, Education, and Welfare cooperate with the Department of Labor and work through the various State departments of education in setting up training programs is a meritorious one. So, too, is the plan to have vocational school facilities utilized wherever possible for the training courses, and where necessary private vocational schools may also be brought into the picture.

While the cost is theoretically $263 million for the training of 300,000 persons, this expense will be quickly offset if the unemployed quota is reduced substantially.

Mr. GOODELL. Mr. Chairman, I yield such time as he may require to the gentleman from Pennsylvania [Mr. SAYLOR].

Mr. SAYLOR. Mr. Chairman, I desire to join with the many others of my colleagues who have paid tribute to the gentleman from Pennsylvania [Mr. HOLLAND], chairman of the Subcommittee on Unemployment and the Impact of Automation, and the ranking minority member, the gentleman from New York [Mr. GOODELL], as well as the other members of that subcommittee for their courageous hearings and hard work that have brought this bill to the floor of the House for action.

The cooperation of the members in accepting amendments in the original bill and Mr. HOLLAND's offering the substitute that has been carefully worked out is, in my opinion, one of the finest examples of bipartisanship effort to attack a real knotty problem that I have seen in a long time. I sincerely urge other committees and members to examine it and be guided by its example.

It is universally agreed that automation is a continuation of our growing manufacturing machines and methods, to supply our exploding population with more and better products and services to keep pace with our demands for a better living for all our people.

This change is no different than others that have taken place in the history of the world. However, these changes are more rapid and people have the effects thrust upon them with little on no warning.

This is due, in a large part, to the failure of business, labor, and government to recognize the early signs of change and to make early corresponding changes in procedure. Rather, we wait until the situation becomes critical and then severe methods are necessary to correct the resultant ills.

There is no doubt that the faster we make technological changes, the greater the immediate resultant unemployment. In other words, the greater the automation, the greater the unemployment and displacement.

If these problems are recognized early, then the men and women employed can be prepared for the new jobs created by the technological advancement. This is a corollary that when new machines displace workers—jobs that were never dreamed of are created. What we must do is prepare our people for these new jobs.

The legislation before us is the first genuine attack on this problem. It consolidates the Federal effort, and it coordinates the State and industrial effort.

This approach will prepare our citizens for jobs requiring higher skills and train already unemployed for these same skills where necessary.

I consider this legislation to be most vital and important to our country today. I am sure it was legislation like this that our Founding Fathers had in mind when they formed our Constitution and stated that among its purposes was to "promote the general welfare and to secure the blessings of liberty to ourselves and our posterity."

It combines heart and economy. What higher tribute could be asked?

Mr. GOODELL. Mr. Chairman, I yield 3 minutes to the gentleman from Montana [Mr. BATTIN].

Mr. BATTIN. Mr. Chairman, I witnessed yesterday and today something that I had not seen in the entire first session of this Congress, and that is both sides of the aisle really doing a job in working out their problems, and coming up with good legislation that will benefit the country.

A word of warning and something that we should watch in other legislation pending before Congress. Today we are considering this bill H.R. 8399 as amended by the Goodell substitute H.R. 10363. But in the agriculture bill presently before that committee there is a retraining provision for people who might be forced off the farm. There is also such a provision in the tariff proposal presented by the President. He recognizes that some people are going to be forced out of business and workers are going to lose their jobs. The net result will be that we are going to have to retrain workers should the tariff bill pass.

Mr. SMITH of Iowa. Mr. Chairman, will the gentleman yield?

Mr. BATTIN. I yield.

Mr. SMITH of Iowa. The proposal that came from the Department of Agriculture did not contain a retraining program. It was talked about, but it did not include it.

Mr. BATTIN. I stand corrected, but if the gentleman will read H.R. 10010, he will find that they are going to lease land, and buy land, and force people off the land, or take them off the land, and we will still have the problem of what to do with them once they are taken off.

Mr. SMITH of Iowa. The problem is there and under this bill retraining can be had to cope with that problem.

Mr. BATTIN. I thank the gentleman. Let us remember the days of World War II. The only fear I have is that they are going to retrain farmers to be factory workers and retrain factory workers to be farmers. I do not think that is what the President meant when he said he wanted to keep America moving.

Mr. POWELL. Mr. Chairman, I yield such time as he may require to the gentleman from Texas [Mr. FISHER].

Mr. FISHER. Mr. Chairman, today we are again called upon to extend and expand our welfare programs. There have been many of them presented here during recent years, and appealing arguments can always be made for them. More and more, the Federal Government is injecting itself into welfare projects, and here is another example. It has been said that America is gradually becoming a welfare state. Perhaps that is true. A rather substantial portion of our annual budgets is now devoted to welfare in one form or another.

Taking into account the existing programs, those that are authorized and those being projected, financed directly or indirectly, lump them together and you get a rise in welfare spending from $22.1 billion in 1960 to more than $35 billion in 1965. This estimate is based upon an exhaustive and authoritative study conducted by a committee of the Senate last year. That is a lot of money. And let us keep in mind that each of the several ambitious welfare programs which have been initiated during the past year will grow and expand each year. That is the history of such ventures.

The Department of Health, Education, and Welfare was created in 1952, as I recall. Appropriations to finance the varied welfare and other activities of that agency have more than doubled in 10 years. It has been said that last year was the biggest welfare year in American history. And with the approval of the pending bill, and add to it several others now pending, we can be sure this year will eclipse all of them.

A total of 77,000 new Federal employees were added to the rolls last year. Many of them are in offices or in the field, administering the new welfare programs. And it is said more must be added this year.

IS IT NECESSARY?

Mr. Chairman, there can be no question but that problems arise when people become unemployed. The impact of automation is serious. These problems are not new. They have been going on for years. It is said the recession has been licked, that we no longer face an unusual number of unemployed. Conditions in that respect are fairly normal. There is no emergency, we are assured.

Why, then, all this haste? Why this extraordinary measure to cope with a problem that at least at this time is nonexistent? Can it be properly said that in justification for this legislation we are in some degree indebted to the fertility of the imagination of those who sponsor it?

If indeed there is a need for Federal intervention in the area of retraining, then it would seem that need has already been met. In fact, the Federal Government is already up to its neck in this field of vocational training and retraining. We are spending hundreds of millions of dollars every year on this sort

of thing now. If there is need for additional Federal action, then would it not make more sense to expand existing programs rather than undertake a new one that will cost the taxpayers hundreds of millions of dollars?

There is now, for example, an extensive Federal participation in vocational education and training under the Smith-Hughes Act, in effect since 1946. There is a vocational rehabilitation and vocational education program for veterans. The Labor Department has for years been operating an apprenticeship program. And there is an ambitious retraining program for unemployed under the depressed areas bill enacted last year.

Under this latter program we are told that more than $400,000 is now being expended in a few counties down in Mississippi for the training of tractor drivers. This is typical of the boondoggling that is going on in the waste of taxpayers' money.

Then, there is the Youth Employment Opportunities Act of 1961, a massive training program just getting underway.

WHAT WILL IT COST?

Mr. Chairman, there has been very little said here by sponsors regarding the cost of this welfare plan, now being debated. Title II calls for the counseling, testing, and placement of 1,200,000 individuals and the payment of relocation allowances to 175,000, at a total cost of $176,460,000. Under title III the on-the-job programs would cost $7,600,000. Added to that is title IV which would provide vocational training for 200,000 unemployed, and 70,000 underemployed, all at a cost of $70,500,000. And this is just the beginning.

The various facets of costs included in the bill are too numerous to discuss. The training program, for example, provides an all-Federal payment to the trainee in the amount of the average unemployment compensation payment in the State.

Thus we would further inject the Federal Government into the training and education fields. We know that many corporations have their own training programs. That practice should be encouraged. The labor unions of this country profess to be interested in their members and their welfare. They fight and they strike to obtain welfare clauses in contracts, and a hundred other things. If they are so interested in the well-being of their members, then why do they not do more to provide training and retraining for their unemployed members? That could be done more extensively in coordination with management. And leave the Federal Government out of it. No one can say the wealthy unions and the prosperous industries are not more able to pay for this retraining than is the Federal Government. And they know a lot more about how to do it, and do it efficiently and successfully.

Mr. Chairman, I am convinced this legislation is unwise, unsound and unnecessary. No need has been shown, and if there is need then there are already scores of training programs in effect on all levels—Federal, State, and local, as well as nongovernmental. It is time we stop, look, and listen before we start billing our hard-pressed taxpayers for additional hundreds of millions of dollars to finance such a dubious venture into the welfare field.

Mr. POWELL. Mr. Chairman, I yield such time as he may require to the gentleman from Pennsylvania [Mr. BARRETT].

Mr. BARRETT. Mr. Chairman, my very good friend and colleague, the gentleman from Pennsylvania, Congressman ELMER J. HOLLAND, is to be commended for the very fine job he has done in preparing and presenting H.R. 8399, the Manpower Development and Training Act.

I rise in support of this much-needed legislation because the time has arrived when some positive steps must be taken to return men and women to work and thereby reduce our unemployment rolls.

Mr. Chairman, we have witnessed a tremendous upswing in the national economy under the leadership of our President, but at the same time we are faced with the bare fact that unemployment nationwide has dropped only 1 percent.

We know that automation and technological advancement in the future will increase at a much more rapid rate than in the past and, as a result, we will see more and more workers being displaced because the skills they now possess will be obsolete.

While it is true a great expense will be entailed in carrying out the program, nevertheless the books will balance in the long run due to the fact that our present relief rolls will be greatly reduced. This factor alone will create a more healthy economy and will permit people to again become self-sustaining and will allow them to contribute their share to the national economy.

This program will not only prove effective in large cities like Philadelphia, Pittsburgh, Scranton, and Wilkes-Barre in my own State of Pennsylvania, but will also prove beneficial in our rural areas throughout our country. The underemployed farmer will be helped and our unemployed youths between the ages of 16 and 21 will be given the opportunity to learn a skill or secure the additional education they need.

Mr. Chairman, H.R. 8399 is a sound, workable bill. Its purpose and the end result will strengthen our economy; provide jobs for everyone; reduce our unemployment rolls, and provide our Nation with the full manpower it needs to remain great.

I urge everyone here today to vote in favor of this great bill.

Mr. POWELL. Mr. Chairman, I yield such time as he may require to the gentleman from Illinois [Mr. GRAY].

Mr. GRAY. Mr. Chairman, I rise in support of this legislation.

Mr. Chairman, I thank the distinguished chairman of the House Committee on Education and Labor [Mr. POWELL] for yielding me enough time to rise in support of H.R. 8399, the Manpower Development and Training Act. Mr. Chairman, this will be a bright day for unemployed Americans who through no fault of their own are suffering undue hardship because of technological changes, automation, and other forms of work displacement. I am able to speak firsthand on this subject because I represent a coal mining district in southern Illinois that has experienced persistent unemployment for the past 15 years. When a coal miner yields his job to a machine he finds that job opportunities are so limited he has two alternatives. One is to stay in his home area and go on relief or travel hundreds and sometimes thousands of miles, leaving his family behind, to seek employment in the same field elsewhere. Generally, he has difficulties in finding a job by leaving home because the area to which he might be attracted generally is experiencing the same problem. Therefore, we find a wasteful dissipation of human resources because a person is trained in coal mining or some other given field and is not in a position to seek employment in another type industry. This legislation will give him an opportunity to retrain and learn a trade in a field that offers more opportunity and security.

Mr. Chairman, this type of a program will work. Let me give you one sterling example. We in southern Illinois were fortunate enough to receive the first area redevelopment loan approved in the United States under the newly created Area Redevelopment Act. We were able to secure a new firm locating a plant expansion in our area working over 500 employees. One of the incentives for locating this plant in our area of high unemployment was the fact that we had a large labor surplus and were willing to implement a retraining program. This, of course, will save the company many thousands of dollars and at the same time will bring new revenues and new hope into the community, the State, and the Federal Treasury. Let me give you a further example. By lending this one community $500,000 to be repaid with interest, the annual payroll will be in excess of $2 million and the anticipated Federal income taxes to be paid by the new corporation will be approximately $250,000 annually. Remember now, Mr. Chairman, at the present time no one is getting any benefit, including the Federal Government, because this is a new operation. By making a loan of only $500,000, which the Government will get back in its entirety, the Federal Treasury will be receiving, in income taxes, at the beginning, approximately $250,000 annually, with this amount to increase as production and sales increase. Does not this make good sense that we should provide assistance to these communities and provide retraining programs to the unemployed where the Government will receive untold benefits in new returns for the Treasury, in eliminating what now is nothing more than a dole through relief payments, and above all, eliminating the economic sores in certain areas throughout the country at a time when the general prosperity of the Nation is high? If we cannot afford to retrain our workers and give assistance to the unemployed now, I ask you when would be a good time? I want to congratulate the Committee on Education and Labor and particularly Mr. HOLLAND, of Pennsylvania, for bringing

this legislation before the House. It is a great step in the right direction.

In behalf of all the unemployed people of southern Illinois and the Nation let me say once again a big thanks.

Mr. POWELL. Mr. Chairman, I ask unanimous consent that the gentleman from Missouri [Mr. ICHORD] may extend his remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ICHORD of Missouri. Mr. Chairman, I am glad to support the Manpower Development and Training Act because I believe it is a constructive measure to actually solve a portion of the persistent problem of unemployment.

Although these are times of relative prosperity for many workers, Department of Labor figures show that on a seasonally adjusted basis, as of every month during 1961, more than 6 percent of the civilian labor force has been unemployed. The committee report indicates that a substantial number of these people have been unemployed for 6 months or more.

To a large extent these unemployed people are the innocent victims of conditions entirely outside their control—they are not unemployed because of a lack of ability, or a lack of industry.

For example, in my district in Missouri there are a substantial number of unemployed people who have been working in the lead mining industry. Many of the mines have closed because of the depression of prices caused by lead imports. These people, many of whom are highly skilled workers, have certainly been caught by conditions which they cannot control, and they need help.

Similarly, the tremendous increasing of efficiency of agricultural production has driven many people off the farm onto the labor market. The agriculture census shows that for my State of Missouri from 1950 to 1959, the number of farm operators has decreased from 230,000 to 169,000, and the number of farmworkers from 197,000 to 151,000. Similar reductions have taken place and are taking place all over the country. Due to age, and often to inadequate training for industrial work, the people displaced from agricultural work contribute more than their proportionate share to the number of unemployed.

It has been pointed out that technological changes in industry also displace many workers. It is ironical that automation and other industrial improvements, which do so much to improve industrial efficiency, should prove a tragedy to some workers by rendering their skills obsolete, or unneeded.

Unemployment insurance, and in some cases welfare assistance, is a help, but these programs just tide the worker over. They do not solve the problem. That is why we need the Manpower Development and Training Act.

I think this act contains a number of good features.

The first is that it provides for the Department of Labor to determine what our manpower needs are in order to be sure that the people who complete training programs will have a reasonable chance of marketing their new skills. It would certainly be a mistake to conduct training programs without first determining what skills are required. It would be tragic to retrain workmen only to find that they had been trained for the wrong job. And I think it is wise for the Department of Labor to have the responsibility for determining these manpower needs because the problem cuts across State lines.

The second feature of this bill which I would like to commend is the provision for testing and selecting the people who will be referred to training programs. Unfortunately, we cannot expect ever to solve our entire unemployment program retraining. Among the people in the ranks of the unemployed are some who may not be able to profit through training. And of those who could profit, their training should be adapted to their capabilities.

And finally, I like the fact that this bill provides that this program will be carried out through the existing agencies, much of it through agencies of the States. Use of these established agencies will make available their skill and experience, and will minimize the overhead cost of administering the program—it will help to accomplish the greatest possible results for the money spent.

I believe this is a good bill, that it should help a great many unemployed people to learn skills that are needed—skills that will enable them to get good, permanent jobs. It will get them off the relief rolls. It will restore their self-respect. It will enable them again to become productive, taxpaying members of our economy. We need this sort of program, and we can afford it. In the long run, it will probably pay for itself in reduced unemployment and welfare costs, and in increased taxes and production, not to mention the importance of the human values involved.

I urge the passage of the bill.

Mr. POWELL. Mr. Chairman, I yield the balance of the time on this side to our distinguished majority leader, the gentleman from Oklahoma [Mr. ALBERT].

Mr. ALBERT. Mr. Chairman, the general debate on this bill will come to a close within a few minutes, and the gentleman from Pennsylvania [Mr. HOLLAND] will introduce a substitute sponsored by himself and by the gentleman from New York [Mr. GOODELL]. I hope, Mr. Chairman, that the substitute will be adopted.

It seems to me that this substitute will do two important things. First, it will face up to the problems of unemployment which are resulting from automation and other technological developments. And second, it will give us an opportunity to upgrade the skills of our country and thus to improve our industrial potential.

The dynamic and expanding economy of the United States is continually eliminating some jobs and continually creating other jobs. We need the ability to move our workers out of skills that are outmoded into skills that are up to date and required in industry. The need is well known and well recognized. We have 4 million-plus unemployed and a record high of 66 million employed. Many of those who are unemployed might fill job openings listed in the want ad columns of any daily newspaper, but they lack the skills for such jobs. This bill undertakes to help give them the necessary skills and it seeks to do so through well-established institutions, public and private, Federal, State and local. The training facilities are in existence. They have the ability to do the job, but they cannot do the job alone.

There are those who say this bill will not work, that the unemployed are here to stay, and that there is nothing we can do about it. I refuse to accept this attitude of defeatism toward a problem which involves not only the American economy, but the daily welfare of thousands of American citizens. Of course, we have people who are unemployable, but I think the average American worker whose job has become obsolete can find a place in our expanding economy, if he is given proper guidance and proper training. The program, of course, will cost money but is it not better to try to prepare a man for a job and to give him a chance to be self-reliant than to continue him indefinitely on public relief? Does our progress in technology mean that we must prepare to finance larger and larger unemployment compensation programs and public assistance programs? Certainly, the best way out of this, and I think it is the practical way out, is to get our unemployed people back on the payrolls. This will improve the dignity of the worker; it will raise the self-respect of his family; and it will upgrade the economic ability of our country to meet its problems in the 1960's.

Mr. Chairman, I think the Holland substitute or, if you will, the Holland-Goodell substitute, improves the bill substantially. One of the provisions of the substitute provides training for farmers whose families have incomes of less than $1,200 a year. There is no place in our economy where the technological revolution has been so rapid as in American agriculture. If any of my colleagues were not here yesterday when the gentleman from Iowa [Mr. SMITH] gave authentic data on this subject, I suggest that he read his excellent remarks in the RECORD.

Mr. Chairman, another provision which, in my opinion, is an important one, is the provision relating to youth training.

Mr. Chairman, I think this bill will have broad public support. This bill will have the support of all classes of workers because its broad and integrated programs will help all classes of American workers to adjust to the quickening pace of American technology. It will have the support of management because its training programs are to be tailored to the changing skill requirements of industry and to shape American manpower to meet the changing needs.

It will have the support of the Nation because this practical approach to this critical problem will bolster the purchasing power of the Nation as it leads to higher employment.

Mr. Chairman, I am glad this bill has wide bipartisan support. Members of both parties on the committee have made significant contributions to this bill and all will share in the credit.

Reducing unemployment in the face of automation is a test of American ingenuity. The effort must be made. The bill before us offers a sound program which is strongly supported by public opinion. I hope the bill will be enacted into law.

Mr. YOUNGER. Mr. Chairman, will the gentleman yield?

Mr. ALBERT. I yield to the gentleman from California.

Mr. YOUNGER. I would just like to ask the gentleman one question. Are the funds necessary to implement this bill in the budget?

Mr. ALBERT. It is my understanding that they are, I will say to the gentleman.

Mr. YOUNGER. I have been trying to find out but have not been able to get any definite information about it.

Mr. ALBERT. I cannot make a categorical statement, but it is my opinion that they are.

Mr. POWELL. Mr. Chairman, will the gentleman yield?

Mr. ALBERT. I yield.

Mr. POWELL. I can say that funds are in the budget.

Mr. YOUNGER. I thank you.

Mr. KEARNS. Mr. Chairman, I would like to pay great tribute to the gentleman from Oklahoma [Mr. ALBERT], the majority leader; also to the gentleman from Pennsylvania [Mr. HOLLAND], of Pittsburgh, chairman of the committee. We went through the process of committee consideration with meticulous care and presented the bill on the floor. On our side there is the gentleman from New York [Mr. GOODELL], our ranking Member.

This is the way I like to see legislation handled. It should be handled this way most of the time. After we have done a good job, then let us agree.

Mr. ALBERT. I thank the gentleman. I think it is good for the country.

Mr. EDMONDSON. Mr. Chairman, I might say in expressing appreciation to the majority leader for his fine speech that I share his views and also support this much-needed measure. There is one aspect of the program that has not been dwelt upon sufficiently that I think is important, and that is that unemployed men who are retrained not only may be reemployed but can also frequently become self-employed and independent businessmen in their own right. That has been the experience of our outstanding Oklahoma State Technical School at Okmulgee, which will be playing a major role in Oklahoma's vocational training program under this bill, and I am sure it will be the case when this national retraining program is underway.

Mr. RHODES of Pennsylvania. Mr. Chairman, the manpower development and training proposal in this bill is meritorious. There is a great need for such a program and it should be passed.

The advance of automation and the growth of unemployment have created serious problems which require action of this kind to end the waste of human resources and the needless suffering and distress that inevitably follow the decline in job opportunities.

No one in this Congress has more experience in dealing with the effects of automation and unemployment than the author of this bill, my colleague from Pennsylvania, Representative ELMER HOLLAND.

Mr. HOLLAND has served for many years in both the State house and senate at Harrisburg. He has been closely associated with working people and knows from long experience as a labor unionist and legislator the impact that automation and unemployment have on the lives of the people and the economic health of the Commonwealth.

He has applied his efforts and talents to alleviate the hardship of families affected by unemployment and loss of income. He has sought to end the waste of human resources and the tremendous loss in productivity and wealth.

If enacted, the Holland proposal should go a long way in solving one of our Nation's more serious problems. No one can seriously doubt the positive effect this legislation will have in accelerating our rate of economic growth, increasing our national productivity, and in making our industries more able to compete abroad.

The problem which this proposal attempts to meet is a relatively new one. For the first time in history a Nation has within its midst a large number of unemployed people who have lost their jobs because they and their fellow workers have worked too well. During the years between 1950 and 1960, production increased 43 percent while the employment of our factory workers decreased by 10 percent. Today our blue-collar workers are the first to feel the impact of automation; tomorrow many white-collar workers—accountants, clerks, and secretaries—will also find themselves replaced by machines.

How we deal with this early impact of automation will determine the economic fate of the Nation. If Congress fails to act on this matter and the people come to fear automation, we can expect an increase in make-work policies, and in hostility to progress. If, on the other hand, we insure that the benefits of automation will be distributed among all our people, the way of the future will be the way of progress and growth.

Authoritative studies have revealed that the rate of unemployment for the poorly trained, poorly educated, and unskilled workers is about three times as great as for the well trained. The evidence reveals that jobs are available, but that for the most part, they require more education and more skills than many of the unemployed now have.

The bill before us will establish a 2-year program for training unemployed workers through the use of vocational education or on-the-job training facilities. Provision is also made for subsistence allowances to the trainees. And the Secretary of Labor is to make a comprehensive study of the Nation's "manpower requirements, resources, utilization, and training."

There are those who say we cannot afford to help our structurally unemployed fellow citizens. There are those who claim that the Nation cannot afford to deal with the oncoming problems of increasing technology and automation.

Yet, it seems that the Nation can ill afford to do nothing. Our manpower is our greatest natural resource. Without a highly skilled and highly productive working force, no nation can survive in the rough and tumble of international competition. Nor can our Nation be at its maximum strength to meet the challenge of totalitarian tyranny unless it is producing at the highest possible level.

Investment in the education and skills of a nation's people is one of the keys to economic growth and national well-being. I look upon this proposal not as a "spending proposal" but as an investment in America's future. It is a bill which should be passed and the program implemented without delay.

Mr. RYAN of New York. Mr. Chairman, it is a truism to state that we are living in a rapidly changing world. By and large each of us benefits from the changes that are taking place. Our standards of living are the highest ever enjoyed by any people, and they are constantly improving. New products and new services have made our lives easier and more enjoyable and have opened up opportunities for accomplishment that could hardly have existed under older methods.

I daresay, the rate of changes we have seen will continue and increase in the years ahead. Some say that automation is merely a continuation of the change in technology which began with the industrial revolution but that only the degree of change has increased. Granting that this is so, the degree of change is itself astounding.

The great technological changes that are increasing our productivity and improving our standard of living are having a serious side effect which is familiar to us all. These changes are making some men's skills obsolete. They are responsible for a great amount of the so-called "prosperity unemployment" that is troubling the labor market.

Machines are doing many jobs today that men did a short while ago. They are mining coal, controlling assembly lines, rolling steel, dispensing food. They are doing a multitude of tasks, many tedious, that once required the labor and attention of countless numbers of workers. They have also displaced workers and potential workers from these jobs. The U.S. Census Bureau is handling a bigger job in processing the 1960 census with the aid of new machines and the work of 50 statisticians than was done on the 1950 census by 4,100 statisticians—a small item in our total economy but typical of the proportions of the changes that are taking place. Productivity doubled in the soft coal industry from 1947 to 1959 and yet the number

of jobs in that industry declined by

will have to be planned to meet the

of jobs in that industry declined by 262,000.

We are left facing some hard decisions by the impacts of automation and improved technology. One of the most serious of our problems is how to supply the trained manpower that today's and tomorrow's jobs call for. A correlative problem exists concerning the employment of the worker whose experience, training, and skills have been outmoded by the machine.

There are no easy solutions to these problems. An important and necessary step that must be taken, however, is to train workers for the jobs that are available. During 1961 the average rate of unemployment in the United States was over 6 percent of the labor force. At the same time we were reading of this in the front sections of our newspapers, the want ads in the back section carried notices of jobs that were not being filled for lack of trained manpower. The same is true today even though the adjusted rate of unemployment has dipped below 6 percent.

I, therefore, wish to voice my support of the administration's bill calling for the training and retraining of unemployed workers—the Manpower Development and Training Act. A version of this bill, S. 1991, passed the Senate last year. A similar House bill, H.R. 8399, is before us today.

This bill has enjoyed unusual support because it proposes a realistic approach to supplying our country with the trained manpower it needs and at the same time alleviating many problems connected with unemployment. As the House report on the bill (H. Rept. No. 879) states:

> The bill thus seeks not only to deal with a major aspects of the Nation's problem of unemployment, but also to assist in achieving the goal of maximum employment and a more fully productive work force. It recognizes that a large share of the unemployment problem represents not the inability of the economy to create jobs but our failure to train people with the proper skills to qualify them for jobs.

Describing the bill briefly without going into detail, it directs the Secretary of Labor to study and determine the need for training programs both on a national and local basis. It provides funds for establishing training programs to fit the requirements of a particular locality. It also authorizes the payment of subsistence allowances to persons who are undergoing training under such a program. These allowances would be geared to State unemployment compensation payments and could be paid up to a maximum of 52 weeks. The training programs would be conducted largely through the use of existing or expanded public vocational educational facilities and also through on-the-job training. It is also hoped that new and improved training methods will be developed under the programs established pursuant to the bill.

This bill, in my opinion, represents a sensible and logical approach in coming to grips with the manpower needs and unemployment problems we face today. At the same time, I recognize the limits of this approach. Training programs will have to be planned to meet the economy of a locality and the vocational potential of the worker. Secretary of Labor Goldberg stated at the hearings on this proposal:

> This legislation, of course, cannot be a cure-all. It can enable us to do a tremendously valuable and, indeed, essential job. It is, however, but a part, though a closely related part, of the total job that needs to be done to meet our national objectives of raising the capacity of all our citizens to cope with increasingly complex problems in a fast-moving world, those of making a living as well as those of a nonvocational nature. General education, which is outside the scope of this particular legislation, provides the platform from which we launch specific job training. Unless a job trainee has a good basic education it is extremely difficult to teach him to do the work demanded by modern technology.

This bill is an integral part of the administration's overall plans to improve the general welfare. It meshes with other proposals submitted by the President concerning unemployment compensation, education and public welfare. Moreover, it carries forward the responsibility of the Federal Government under the Employment Act of 1946, which states:

> The Congress declares that it is the continuing policy and responsibility of the Federal Government to use all practical means consistent with its needs and obligations and other essential considerations of national policy, with the assistance and cooperation of industry, labor, and State and local governments, to coordinate and utilize all its plans, functions, and resources for the purpose of creating and maintaining, in a manner calculated to foster and promote free competitive enterprise and general welfare, conditions under which there will be afforded useful employment opportunities, including self-employment, for those able, willing, and seeking to work, and to promote maximum employment, production, and purchasing power.

Mr. Chairman, I urge the enactment of H.R. 8399.

Mr. ANFUSO. Mr. Chairman, I heartily support this bill now before us, the Manpower Development and Training Act of 1962. One of the most urgent problems facing us today is the impact of technological advances and automation upon our labor force. As a representative of an industrial area, I feel a special responsibility to those who are suffering the consequences of a progress which benefits the vast majority, but has disrupted the lives of so many. The whole program of reconciling a new type of economy to our existing labor force must be reappraised, accelerated and modernized. Existing facilities and funds are now inadequate; unemployment and therefore unemployment compensation is rising, and the morale of many workers is declining. The result: our economy suffers.

I feel strongly that one of the greatest assets of our country is manpower. It has been a continuing, thriving, positive force in our progress and growth. Shall we now treat it as a liability, charging off as lost the costs of unemployment and the resultant loss of manpower as to an investment on its way down? Or shall we take the positive approach—reinvest, and, through training and proper utilization, make this potential a good investment again?

The cost of the program under consideration will be $262 million, to be spent over a period of 2 years. Considering present unemployment costs, the loss of purchasing power and loss of Government revenues when, as now, more than four and a half million people are out of work, the investment is small. Granted that the proposed legislation will not solve each and every employment problem: it will still serve as a large nucleus for a solution.

Now, what will this bill do? First of all, it will coordinate the work of two agencies most concerned with training and manpower: the Department of Labor, and through it, State and local employment service offices; the Department of Health, Education, and Welfare, and through it, State and local educational and vocational agencies. It will provide a nationwide opportunity for vocational testing and occupational training—with priority given to the unemployed. Training will also be given to employed persons to update and upgrade their skills. The training offered to the unemployed will be supported by 100 percent Federal financing; the training for others will be on a 50-50 State matching basis. Training allowances, roughly equal to unemployment compensation payments, will be paid to unemployed trainees who are not receiving unemployment compensation benefits. There will be placement services for trainees who have completed a training program.

These training programs, which are to be offered to about 160,000 people the first year and 250,000 the second year, will vary in several ways. For example, the exact balance between unemployed and others receiving training will change with need; the length of training periods will depend upon the occupation involved and the labor market needs; State vocational agencies will arrange for training in public institutions, but when these are not available, private institutions will be used. And here let me emphasize the local nature of the program in question: the testing, counseling and placement of trainees, as well as the training facilities which I have mentioned will be done through local public employment service offices.

This program, in conclusion, will offer new hope to the thousands of workers who want to work but feel that their skills are outdated and no longer needed, to the displaced worker who has no position, and to unskilled young people entering the labor market. It will provide security, a knowledge of the importance of the individual, and a means to attain full employment and prosperity.

It is for these reasons that I strongly urge the adoption of this bill.

Mr. MATHIAS. Mr. Chairman, I rise to support the manpower development and training bill in general and the Holland-Goodell amendments in particular.

Retraining is clearly a constructive conservative approach to the problem of

unemployment. The objective of the bill is to assist individuals to develop their own potential and to return them to the productive stream of the American economy as rapidly as feasible. It focuses our effort on the hard core of residual unemployment, rather than indiscriminately raising Federal expenditures and Government deficits in order to stimulate the economy. In addition to concentrating on the most crucial needs, the retraining approach is an investment with real returns in both human and economic terms. It gives people on the unemployment rolls a new hope, a chance to regain the confidence, dignity, and self-esteem that derives from the full employment of their individual talents and potential. In economic terms it means increased productivity and tax returns from productive workers instead of stagnation and the endless drain of welfare payments.

In the past, I have applauded administration efforts to increase jobs in the depressed areas of my State. I have urged the Secretary of Labor not to overlook the pressing needs of western Maryland where the Cumberland labor market area has a current unemployment rate of 7.3 percent—December 1961—and Hagerstown 9.8 percent—December 1961. I welcome this bill as an important step in easing the substantial and persistent unemployment in these and similar areas.

While I welcome the administration's efforts, I have been disturbed, Mr. Chairman, by the impression that has been created, intentionally or not, that the Republican Party is dedicated to obstruction of this program.

This bill is a Republican contribution with bipartisan support. The Republican policy committee devoted considerable time in this general area last year. A special task force under the leadership of the gentleman from Missouri, Representative CURTIS, issued a report last summer entitled "Employment in the Dynamic American Economy." Retraining and manpower development were treated extensively in that report. The work of my colleague, the gentleman from New York [Mr. GOODELL], on the subcommittee reporting this bill is generally known and appreciated within this body.

Finally, Mr. Chairman, I should also like to endorse the specific amendments offered in the Holland substitute. These tighten up an already sound bill. They concentrate aid where it is most needed—to unemployed heads of families rather than high school dropouts. They extend the principle of matching Federal with State funds. They permit a smoother dovetailing with existing unemployment assistance programs. They eliminate potential abuses in the granting of training allowances. They institute attendance and progress requirements in regard to these allowances. I wholeheartedly support my colleague in his efforts to produce a carefully and narrowly drawn bill.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Manpower Development and Training Act of 1961".

Mr. HOLLAND. Mr. Chairman, I offer an amendment in the nature of a substitute.

The Clerk read as follows:

Amendment offered by Mr. HOLLAND: Strike out all after the enacting clause and insert in lieu thereof the following:

"That this Act may be cited as the 'Manpower Development and Training Act of 1962'.

"TITLE I—OCCUPATIONAL TRAINING AND MANPOWER UTILIZATION

"Statement of findings and purpose

"SEC. 102. The Congress finds that there is critical need for more and better trained personnel in many vital occupational categories, including professional, scientific, technical, and apprenticeable categories; that even in periods of high unemployment, many employment opportunities remain unfilled because of the shortages of qualified personnel; and that it is in the national interest that current and prospective manpower shortages be identified and that persons who can be qualified for these positions through education and training be sought out and trained, in order that the Nation may meet the staffing requirements of the struggle for freedom. The Congress further finds that the skills of many persons have been rendered obsolete by dislocations in the economy arising from automation or other technological developments, foreign competition, relocation of industry, shifts in market demands, and other changes in the structure of the economy; that Government leadership is necessary to insure that the benefits of automation do not become burdens of widespread unemployment; that the problem of assuring sufficient employment opportunities will be compounded by the extraordinarily rapid growth of the labor force in the next decade, particularly by the entrance of young people into the labor force, that improved planning and expended efforts will be required to assure that men, women, and young people will be trained and available to meet shifting employment needs; that many persons now unemployed or underemployed, in order to become qualified for reemployment or full employment must be assisted in providing themselves with skills which are or will be in demand in the labor market; that the skills of many persons now employed are inadequate to enable them to make their maximum contribution to the Nation's economy; and that it is in the national interest that the opportunity to acquire new skills be afforded to these people in order to alleviate the hardships of unemployment, reduce the cost of unemployment compensation and public assistance, and to increase the Nation's productivity and its capacity to meet the requirements of the space age. It is therefore the purpose of this Act to require the Federal Government to appraise the manpower requirements and resources of the Nation, and to develop and apply the information and methods needed to deal with the problems of unemployment resulting from automation and technological changes and other types of persistent unemployment.

"Automation and occupational training

"SEC. 103. To assist the Nation in accomplishing the objectives of technological progress while avoiding or minimizing individual hardship and widespread unemployment, the Secretary of Labor shall—

"(1) evaluate the impact of, and benefits and problems created by automation, technological progress, and other changes in the structure of production and demand on the use of the Nation's human resources; establish techniques and methods of detecting in advance the potential impact of such developments; develop solutions to these problems, and publish findings pertaining thereto; and to such ends conduct or cause to be conducted within the Department of Labor and other agencies of Government, a comprehensive and continuing program of research as may be necessary;

"(2) promote, encourage, or directly engage in programs of information and communication concerning automation, technological developments, and prevention and amelioration of undesirable manpower effects from such developments;

"(3) appraise the adequacy of the Nation's manpower development efforts to meet foreseeable manpower needs and recommend needed adjustments, including methods for promoting the most effective occupational utilization of, and providing useful work experience and training opportunities for, untrained and inexperienced youth;

"(4) arrange for the conduct of such research and investigations as give promise of furthering the objectives of this Act.

"Improving labor mobility

"SEC. 104. In order to encourage the mobility of labor, to determine existing impediments to such mobility, and to determine the feasibility and desirability of methods to improve the mobility of labor, the Secretary of Labor is directed to—

"(1) establish a program of factual studies of practices of employers and unions which tend to impede the mobility of workers or which facilitate mobility, including but not limited to early retirement and vesting provisions and practices under private compensation plans; the extension of health, welfare, and insurance benefits to laid-off workers; the operation of severance pay plans; the operation of seniority systems; and the use of extended leave plans for education and training purposes. A report on these studies shall be included as a part of the Secretary's report required under section 105.

"(2) promote by discussions, publications, and other appropriate means, the development and adoption of equitable practices which improve the mobility of workers.

"Manpower report

"SEC. 105. The Secretary of Labor shall make such reports and recommendations to the President as he deems appropriate pertaining to manpower requirements, resources, use, and training; and the President shall transmit to the Congress within sixty days after the beginning of each regular session (commencing with the year 1963) a report pertaining to manpower requirements, resources, utilization, and training.

"Information and research

"SEC. 106. The Secretary of Labor shall develop, compile, and make available, in such manner as he deems appropriate, information regarding skill requirements, occupational outlook, job opportunities, labor supply in various skills, and employment trends on a National, State, area or other appropriate basis which shall be used in the educational, training, counseling, and placement activities performed under this Act.

"Appropriations for administration

"SEC. 107. There is hereby authorized to be appropriated to the Secretary of Labor a sum, not to exceed $1,770,000 for the fiscal year ending June 30, 1963, and not to exceed $1,670,000 for the fiscal year ending June 30, 1964, to administer the provisions of this title.

"TITLE II—TRAINING AND SKILL DEVELOPMENT PROGRAMS

"Responsibility for programs

"SEC. 201. (a) In carrying out the purposes of this Act, the Secretary of Labor shall

determine the skill requirements of the economy, develop policies for the adequate occupational development and maximum utilization of the skills of the Nation's workers, and develop and encourage the development of broad and diversified training programs, including on-the-job training, designed to qualify for employment the many persons who cannot reasonably be expected to secure appropriate full-time employment without such training, and to equip the Nation's workers with the new and improved skills that are and will be required.

"(b) The Secretary of Labor shall carry out his responsibilities under this title through the maximum utilization of all possible resources for skill development available in industry, labor, public and private educational and training institutions, State, Federal, and local agencies, and other appropriate public and private organizations and facilities.

"Selection of trainees

"SEC. 202. (a) The Secretary of Labor shall provide a program for testing, counseling, and selecting for occupational training under titles III and IV those unemployed or underemployed individuals who cannot be expected to secure appropriate full-time employment without training. Whenever appropriate the Secretary shall also provide a special program for the testing and counseling of youths, sixteen years of age or older, and for the selection of those youths for whom occupational training under this Act is indicated.

"(b) Although priority in referral for training shall be extended to unemployed individuals, the Secretary of Labor shall, to the maximum extent possible, also refer other individuals qualified for training programs which will enable them to acquire needed skills. Priority in referral for training shall also be extended to individuals to be trained for skills needed within the area of their residence. Workers in farm families with less than $1,200 annual net family income shall be considered unemployed for the purpose of this Act.

"(c) Before selecting an individual for training, the Secretary shall determine that there is a reasonable expectation of employment in the occupation for which the individual is to be trained. If such employment is not available in the area in which the individual resides, the Secretary shall obtain reasonable assurance of such individual's willingness to accept employment outside his area of residence.

"(d) The Secretary shall not refer individuals for training in an occupation which requires less than two weeks' training, unless there are immediate employment opportunities in such occupation.

"(e) The duration of any training program to which an individual is referred shall be reasonable and consistent with the occupation for which the individual is being trained.

"(f) Upon certification by the responsible training agency that an individual who has been referred for training does not have a satisfactory attendance record or is not making satisfactory progress in such training, absent good cause, the Secretary shall forthwith terminate his training and subsistence and transportation allowances, and withdraw his referral. Such individual shall not be eligible for such allowances for one year thereafter.

"(g) The Secretary of Labor shall provide placement services to individuals who have completed their training under this Act, as well as counseling services to such individuals for an appropriate period after they have been placed.

"Training allowances

"SEC. 203. (a) The Secretary of Labor may, on behalf of the United States, enter into agreements with States (which, for the purposes of this Act shall include the District of Columbia, Puerto Rico, and the Virgin Islands) under which the Secretary of Labor shall make payments to such States either in advance or by way of reimbursement for the purpose of enabling such States, as agents for the United States, to make payment of weekly training allowances to unemployed individuals selected for training pursuant to the provisions of section 202 of this title and undergoing such training in a program operated pursuant to the provisions of this Act. Each such agreement shall provide that eighteen months after the enactment of this Act any payments made thereafter under this section must be matched by State funds in an amount equal to the Federal payment. Such payments shall be made for a period not exceeding fifty-two weeks, and the amount of any such payment in any week for individuals undergoing training, including uncompensated employer-provided training, shall not exceed the amount of the average weekly unemployment compensation payment (including allowances for dependents) for a week of total unemployment in the State making such payments during the most recent quarter for which such data are available: *Provided however*, That in any week an individual who, but for his training, would be entitled to unemployment compensation in excess of such an allowance shall receive an allowance increased by the amount of such excess.

"With respect to any week for which an individual receives unemployment compensation under title XV of the Social Security Act or any other Federal or State unemployment compensation law which is less than the average weekly unemployment compensation payment (including allowances for dependents) for a week of total unemployment in the State making such payment during the most recent quarter for which such data are available, a supplemental training allowance may be paid. This supplemental training allowance shall not exceed the difference between his unemployment compensation and the average weekly unemployment compensation payment referred to above.

"For individuals undergoing on-the-job training, the amount of any payment which would otherwise be made by the Secretary of Labor under this section shall be reduced by an amount which bears the same ratio to that payment as the number of compensated hours per week bears to forty hours: *Provided*, That in no event shall the payment to such an individual, when added to the amount received from the employer, bring the total to more than the average weekly unemployment compensation payment referred to above.

"(b) Training allowances may be supplemented by such sums as may be determined by the Secretary of Labor to be necessary to defray actual and necessary transportation expenses of individuals engaged in training under this Act and, when such training is provided in facilities which are not within commuting distance of their regular place of residence, to defray actual and necessary transportation and subsistence expenses for separate maintenance of such individuals.

The Secretary in defraying such subsistence expenses shall not afford any individual an allowance exceeding the rate of $35 per week; nor shall the Secretary authorize any transportation expenditure exceeding the rate of 10 cents per mile.

"(c) Training allowances shall be limited to unemployed persons who have had not less than three years of experience in gainful employment and who are heads of families or heads of households as defined in the Internal Revenue Code.

"(d) No weekly training allowance shall be paid to any person otherwise eligible who, with respect to the week for which such payment would be made, has received or is eligible for unemployment compensation under title XV of the Social Security Act or any other Federal or State unemployment compensation law, but if the appropriate State or Federal agency finally determines that a person denied training allowances for any week because of this subsection was not entitled to unemployment compensation under title XV of the Social Security Act or such Federal or State law with respect to such week, this subsection shall not apply with respect to such week.

"(e) Any agreement under this section may contain such provisions (including, so far as may be appropriate, provisions authorized or made applicable with respect to agreements concluded by the Secretary of Labor pursuant to title XV of the Social Security Act) as will promote effective administration, protect the United States against loss, and insure the proper application of payments made to the State under such agreement. Except as may be provided in such agreements, or in regulations hereinafter authorized, determinations by any duly designated officer or agency as to the eligibility of individuals for weekly training allowances under this section shall be final and conclusive for any purposes and not subject to review by any court or any other officer.

"(f) If unemployment compensation payments are paid to an individual taking training under this Act, or any other Federal Act, the State making such payments shall be reimbursed from funds herein appropriated. The amount of such reimbursement shall be determined by the Secretary of Labor on the basis of reports furnished to him by the States and such amount shall then be placed in the State's unemployment trust fund account.

"(g) A person who, in connection with an occupational training program, has received a training allowance or whose unemployment compensation payments were reimbursed under the provisions of this Act or any other Federal Act shall not be entitled to training allowances under this Act for one year after the completion or other termination of the training with respect to which such allowance or payment was made.

"(h) No training allowance shall be paid to any person who is receiving training for an occupation which requires a training period of less than six days.

"(i) A person who refuses, without good cause, to accept training under this Act shall not, for one year thereafter, be entitled to training allowances.

"Agreements with States

"SEC. 204. (a) The Secretary of Labor is authorized to enter into agreements with States, or with the appropriate State agency, pursuant to which the Secretary of Labor may, for the purpose of carrying out his functions and duties under this title, utilize the services of the appropriate State agency and, notwithstanding any other provision of law, may reimburse the State or appropriate agency and its employees for services rendered for such purposes.

"(b) Any agreement under this section may contain such provisions as will promote effective administration, protect the United States against loss and insure that the functions and duties to be carried out by the appropriate State agency are performed in a manner satisfactory to the Secretary of Labor.

"Rules and regulations

"SEC. 205. The Secretary of Labor shall prescribe such rules and regulations as he may deem necessary and appropriate to carry out the provisions of this title.

"Appropriations

"SEC. 206. There is hereby authorized to be appropriated to the Secretary of Labor a sum, not to exceed $65,800,000 for the fiscal year ending June 30, 1963, and not to exceed

$110,667,000 for the fiscal year ending June 30, 1964, to carry out the provisions of this title.

"TITLE III—ON-THE-JOB TRAINING

"Development of on-the-job training courses

"SEC. 301. (a) The Secretary of Labor shall encourage, develop, and secure the adoption of programs for on-the-job training needed to equip individuals selected for training with the appropriate skills. The Secretary shall, to the maximum extent possible, secure the adoption by private and public agencies, employers, trade associations, labor organizations and other industrial, educational, and community groups which he determines are qualified to conduct effective training programs under this title of such programs as he approves, and for this purpose he is authorized to enter into appropriate agreements with them.

"(b) The Secretary of Labor shall cooperate with the Secretary of Health, Education, and Welfare in coordinating on-the-job training programs with vocational elucational programs conducted pursuant to the provisions of title IV.

"Training program standards

"SEC. 302. In adopting or approving any training program under this title, and as a condition to the expenditure of funds for any such program, the Secretary shall make such arrangements as he deems necessary to insure adherence to appropriate training standards and policies, including assurances—

"(1) that the training content of the program is adequate, involves reasonable progression, and will result in the qualification of trainees for suitable employment;

"(2) that the training period is reasonable and consistent with periods customarily required for comparable training;

"(3) that adequate and safe facilities, personnel, and records of attendance and progress are provided; and

"(4) that the trainees are compensated by the employer at such rates, including periodic increases, as may be deemed reasonable under regulations hereinafter authorized, considering such factors as industry, geographical region, and trainee proficiency.

"Supervision of on-the-job and related training programs

"SEC. 303. The Secretary of Labor shall make appropriate provision for supervision of the on-the-job training programs conducted under this title to insure the quality of the training provided and the adequacy of the various programs.

"State agreements

"SEC. 304. (a) The Secretary of Labor is authorized to enter into an agreement with a State, or with the appropriate agency of the State, pursuant to which the Secretary of Labor may, for the purpose of carrying out his functions and duties under this title, utilize the services of the appropriate State agency and, notwithstanding any other provision of law, may reimburse such State or appropriate agency for services rendered for such purposes.

"(b) Any agreement under this section may contain such provisions as will promote effective administration, protect the United States against loss, and insure that the functions and duties to be carried out by the appropriate State agency are performed in a manner satisfactory to the Secretary of Labor.

"Rules and regulations

"SEC. 305. The Secretary of Labor shall prescribe such rules and regulations as he may deem necessary and appropriate to carry out the provisions of this title.

"Appropriations

"SEC. 306. There is hereby authorized to be appropriated to the Secretary of Labor a sum, not to exceed $2,800,000 for the fiscal year ending June 30, 1963, and not to exceed $4,800,000 for the fiscal year ending June 30, 1964, to carry out the provisions of this title.

"TITLE IV—VOCATIONAL TRAINING

"Provision of vocational training

"SEC. 401. The Secretary of Health, Education, and Welfare shall, pursuant to the provisions of title II of this Act, enter into agreements with States under which the appropriate State vocational education agencies will undertake to provide the vocational training needed to equip individuals, referred to the Secretary of Health, Education, and Welfare by the Secretary of Labor pursuant to section 202, for the occupation specified in the referrals. Such State agencies shall provide for such training through public education agencies or institutions or, if facilities or services of such agencies or institutions are not adequate for the purpose, through arrangements with private educational or training institutions. Any such agreement may provide for payment to such State agency of up to 100 per centum of the cost to the State of carrying out the agreement with respect to unemployed individuals, and up to 50 per centum of the cost with respect to other individuals, and shall contain such other provisions as will promote effective administration (including provisions for reports on the attendance and performance of trainees, with immediate notice to the Secretary of Labor in the event a trainee fails to attend or progress satisfactorily, and provision for continuous supervision of the training programs conducted under the agreement to insure the quality and adequacy of the training provided), protect the United States against loss, and assure that the functions and duties to be carried out by such State agency are performed in such fashion as will carry out the purposes of this title: *Provided*, That, after eighteen months after the enactment of this Act, any amount paid to a State to carry out an agreement authorized by this part shall be paid on condition that such State shall bear 50 per centum of such cost. In the case of any State which does not enter into an agreement under this section, and in the case of any training which the State agency does not provide under such an agreement, the Secretary of Health, Education, and Welfare shall provide the needed training by agreement or contract with public or private educational or training institutions.

"Cooperation with Secretary of Labor

"SEC. 402. The Secretary of Health, Education, and Welfare shall cooperate with the Secretary of Labor in coordinating vocational education programs with on-the-job training conducted pursuant to the provisions of title III.

"Rules and regulations

"SEC. 403. The Secretary of Health, Education, and Welfare may prescribe such rules and regulations as he may deem necessary and appropriate to carry out the provisions of this title.

"Appropriations

"SEC. 404. There is hereby authorized to be appropriated to the Secretary of Health, Education, and Welfare a sum, not to exceed $28,500,000 for the fiscal year ending June 30, 1963, and not to exceed $42,000,000 for the fiscal year ending June 30, 1964, to carry out the provisions of this title.

"TITLE V—MISCELLANEOUS

"Apportionment of benefits

"SEC. 501. For the purpose of effecting an equitable apportionment of Federal expenditures among the States in carrying out the programs authorized under titles II, III, and IV of this Act, the Secretary of Labor and the Secretary of Health, Education, and Welfare, in accordance with uniform standards and in arriving at such standards, shall consider the following factors: (1) the proportion which the labor force of a State bears to the total labor force of the United States, (2) the proportion which the unemployed in a State during the preceding calendar year bears to the total number of unemployed in the United States in the preceding calendar year, (3) the lack of appropriate full-time employment in the State, (4) the proportion which the insured unemployed within a State bears to the total number of insured employed within such State.

"Other agencies and departments

"SEC. 502. (a) In the performance of his functions under this Act, the Secretary of Labor, in order to avoid unnecessary expense and duplication of functions among Government agencies, shall use the available services or facilities of other agencies and instrumentalities of the Federal Government, under conditions specified in subsection (d). Each department, agency, or establishment of the United States is authorized and directed to cooperate with the Secretary of Labor and, to the extent permitted by law, to provide such services and facilities as he may request for his assistance in the performance of his functions under this Act.

"(b) Funds authorized to be appropriated under this Act may be transferred, with the approval of the Director of the Bureau of the Budget, between departments and agencies of the Government, if such funds are used for the purposes for which they are specifically authorized and appropriated.

"(c) The Secretary of Labor and the Secretary of Health, Education, and Welfare may make such contracts or agreements, establish such procedures, and make such payments, either in advance or by way of reimbursement, or otherwise allocate or expend funds made available under this Act, as they deem necessary to carry out the provisions of this Act.

"(d) The Secretary of Labor and the Secretary of Health, Education, and Welfare shall not use any authority conferred by this Act to assist in relocating establishments from one area to another. Such limitation shall not prohibit assistance to a business entity in the establishment of a new branch, affiliate, or subsidiary of such entity if the Secretary of Labor finds that such assistance will not result in an increase in unemployment in the area of original location or in any other area where such entity conducts business operations, unless he has reason to believe that such branch, affiliate, or subsidiary is being established with the intention of closing down the operations of the existing business entity in the area of its original location or in any other area where it conducts such operations.

"Maintenance of State effort

"SEC. 503. No training program which is financed in whole or in part by the Federal Government under this Act shall be approved unless the Secretary of Labor, if the program is authorized under title III, or the Secretary of Health, Education, and Welfare, if the program is authorized under title IV, satisfies himself that neither the State nor the locality in which the training is carried out has reduced or is reducing its own level of expenditures for vocational education and training, including program operation under provisions of the Smith-Hughes Vocational Education Act and titles I, II, and III of the Vocational Education Act of 1946, except for reductions unrelated to the provisions or purposes of this Act.

"Selection and referral

"SEC. 504. The selection of individuals for training under this Act and the placement of such individuals shall not be contingent upon such individual's membership or nonmembership in a labor organization.

"Secretaries' reports

"SEC. 505. (a) Prior to March 1, 1963, and again prior to March 1, 1964, the Secretary of Labor shall make a report to Congress. Such report shall contain an evaluation of the programs under titles I, II, and III, including the number of individuals trained and the number and types of training activities under this Act, the number of unemployed or underemployed persons who have secured full-time employment as a result of such training, and the nature of such employment, the need for continuing such programs, and recommendations for improvement.

"(b) Prior to March 1, 1963, and again prior to March 1, 1964, the Secretary of Health, Education, and Welfare shall also make a report to Congress. Such report shall contain an evaluation of the programs under title IV, the need for continuing such programs, and recommendations for improvement. The first such report shall also contain the results of the vocational training survey which is presently being conducted under the supervision of the Secretary.

"Termination of authority

"SEC. 506. (a) All authority conferred under titles II, III, and IV of this Act shall terminate at the close of June 30, 1964.

"(b) Notwithstanding the foregoing, the termination of these titles shall not affect the disbursement of funds under, or the carrying out of, any contract, commitment, or other obligation entered into pursuant to these titles prior to the date of such termination: *Provided*, That no disbursement of funds shall be made pursuant to the authority conferred under titles II, III, and IV of this Act after December 30, 1964.

"Appropriations

"SEC. 507. There is hereby authorized to be appropriated to the Secretaries of Labor, and Health, Education, and Welfare such sums as may be necessary to administer the provisions of this title, but not to exceed the sum of $1,600,000 for the fiscal year ending June 30, 1963, and not to exceed the sum of $2,750,000 for the fiscal year ending June 30, 1964."

Mr. POWELL (interrupting the reading). Mr. Chairman, I ask unanimous consent that the substitute be considered as read, and be open to amendment at any point.

Mr. GRIFFIN. Mr. Chairman, reserving the right to object, I should like to inquire as to whether the substitute the gentleman from Pennsylvania now offers is the same as H.R. 10363, the bill which was introduced by the gentleman from New York [Mr. GOODELL]? Is it identical in all respects?

Mr. HOLLAND. It is identical.

Mr. KEARNS. Will the gentleman from New York [Mr. GOODELL] be known as a cosponsor of the bill? We had one famous bill here known as the Landrum-Griffin bill.

Mr. HOLLAND. This is of bigger importance than the Landrum-Griffin bill.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. HOLLAND] is recognized for 5 minutes in support of his amendment.

Mr. HOLLAND. Mr. Chairman, in making this proposal, I am encouraged by the wide support given this legislation and the many fine things said about it from all parts of the country and from both sides of the aisle.

In proposing this substitute, I am, in effect, reintroducing my own bill, H.R. 8399, as it was reported by the Committee on Education and Labor, 24 to 3, last July 27. With the cooperation and assistance of the gentleman from New York [Mr. GOODELL], the ranking minority member of our subcommittee, we worked untiringly for the passage of this legislation, we have made certain modifications which will have a wide appeal to the Members of this body.

I would like to remind the House that it has been 7 months since the committee discharged its obligations on H.R. 8399.

Since then we have had two hearings before the Rules Committee—one last September and a second one several weeks ago.

I have also had the benefit of letters from many parts of the Nation as well as firsthand discussions with many of my own constituents, who are looking forward to the promise and hope which this bill will provide for them.

As the Senate passed a companion bill on August 23, I have carefully studied the debate which took place in that Chamber and, finally, I have consulted quite frequently with many of the Members, from both sides of the aisle, since Congress convened.

From all these sources, some significant additions to H.R. 8399 have been incorporated into the substitute. I would like to summarize these changes for you.

First. The most important is to spell out the fact that payment of training allowances are for those adults who have had at least 3 years of gainful employment and who are heads of households. This has always been my view, but to define it clearly is quite agreeable to me and to my colleagues.

Second. This bill was developed for the unemployed—the factory worker, the miner, and the white-collar clerk. It has been brought out, however, that the small farmer and the farmhand are also experiencing hardship from technological change. To help those whose net income is less than $1,200 per year we have considered them unemployed, rather than underemployed, for the purposes of this bill. I appreciate the help of my Republican and Democratic colleagues from the rural areas of the Nation for this suggestion and recommendation.

Third. It was the intent of this bill to preserve the system of training allowances separate from unemployment insurance benefits. In order to make this intent perfectly clear, a provision has been added which states the reimbursement of moneys will be given to those States which pay insurance benefits for time spent in training. This will insure replacement of funds to those States now following this practice.

Fourth. A fourth change has to do with the training for youth. H.R. 8399, as reported, provided training for all ages. In order to clarify this intent for those of us who are interested in the many unemployed between the ages of 16 and 21, my substitute includes a provision to provide this training.

Fifth. One oversight has been brought to our attention. It is the theory of the bill that those getting training will get training allowances rather than unemployment insurance benefits. These allowances are pegged at the State average. We failed, however, to take account of the unemployed person receiving benefits above the State average; the substitute makes this change.

Sixth. The original bill provided for 10 supergrade positions and we find this is no longer appropriate. It has, therefore, been eliminated in this substitute.

Seventh. The training for minor skills, requiring less than 2 weeks' time, will be prohibited unless immediate job opportunity is available before the training is undertaken.

Eighth. No training allowance will be available for those requiring less than 6 days' training. For jobs such as dishwashers, waitresses, and the like which require only 2 days' training, training will be available but not allowances.

Ninth. Trainees are required to have satisfactory attendance and show progress to remain under the program. Failure to do so—without good cause—will automatically stop the payment of allowances, and trainee cannot again qualify for at least 1 year.

Tenth. Applicants for training under this program cannot qualify if they have, during the previous year, received allowances for training under any other Federal program.

Eleventh. In regard to the subsistence and transportation expenses of trainees under this program, actual and necessary expenses must be shown. In no event shall these exceed $35 per week or 10 cents per mile.

Twelfth. States will be required to match Federal funds covering the cost of training allowances as quickly as is feasible.

These changes were discussed and approved by all interested persons.

I appreciate the help given me by all the Members who assisted and I would again like to commend Congressman GOODELL for his suggestions and recommendations.

Mr. Chairman, I am interested in getting our unemployed back to work—active in the work force of the Nation—thereby allowing our people to regain their self-respect and permitting them to again support their families and educate their children.

This, Mr. Chairman, is first and foremost in my mind.

To accomplish this I will cooperate with all Members on both sides of the aisle.

I know many Congressmen—both Republican and Democratic—who represent districts that need this legislation, and I know these Members want to vote for this bill.

I want them to be able to do so and I will bend over backward to let them.

What is most important is that we give our unemployed of the Nation the chance they so greatly need.

With the assistance and advice of the gentleman from New York [Mr. GOODELL] I believe we have the legislation properly prepared to meet the approval of all factions in this Congress.

Therefore, Mr. Chairman, I ask the support of my colleagues on both sides of the aisle for the amendment in the nature of a substitute bill which is now on your desk.

Mr. GOODELL. Mr. Chairman, I rise in support of the substitute.

Mr. Chairman, I want at the outset to commend my colleague, the gentleman from Pennsylvania [Mr. HOLLAND], for his work on this legislation, and I want to pay particular tribute to him for his willingness to accept this substitute, H.R. 10363, and offer it jointly on a bipartisan basis. And, I wish to emphasize the difference between this substitute on which we will vote and the bill that came from the committee.

This substitute will focus the bill on the unemployed workers who are heads of families and who have held jobs for at least 3 years. There will be no training allowance to a worker who does not fall in that category. It requires matching by the States of the administrative cost and of the training allowance cost after a period of 18 months. Experience has shown that where the States participate and put up some of this money, and they participate in this program through the employment offices locally and through the vocational offices locally as well as through the State legislatures appropriating money, that the program turns out to be much more efficient. The unemployment compensation fund will be protected by a new provision in my substitute bill. We had a running debate throughout the consideration of this bill as to how we could preserve the independence of this unemployment compensation system and the local control over it. We have worked out a system of reimbursing those unemployment trust funds which permit the payment of benefits to workers who are undergoing training. This, I believe, is important. It means that there will be an inducement for our State legislatures to extend the provision permitting unemployed workers to take their training while collecting unemployment benefits. Today, in most of our States, in all but 17, this is forbidden. A worker who is unemployed cannot be trained and still draw unemployment compensation. He has no choice. In other words, he must sit and just take the benefits. The substitute requires that there must be an immediate job opportunity if training is to be for less than 2 weeks. It is my view that if you are going to train a worker for less than 2 weeks' time, you should know that there is a job waiting for him at the end of that period.

The substitute forbids any training allowances for training of less than 6 days. This does not mean they cannot train workers for skills which take less than 6 days to acquire. But such trainees are not going to be paid a training allowance during that period. H.R. 10363 requires specifically satisfactory attendance and progress and requires the vocational school, or whatever other facility is involved, to notify the local employment office immediately if satisfactory performance is not forthcoming from the trainees.

Mr. Chairman, the bill forbids any payment of training allowances for 1 year after the training is completed, or after the training is turned down by a worker. This will foreclose the possibility of a worker collecting unemployment compensation after being advised by the office of employment locally that he should get some training and go back to work and he deciding that he wants to wait until his unemployment compensation runs out and then go over and get some training allowances. If he is offered the opportunity to train and turns it down, under the substitute and under the bill he will thereafter be ineligible for a training allowance for 1 year. We will permit no training eligibility to be determined by the employment office on the basis of union membership or nonunion membership, and we restrict the types and amounts of transportation and subsistence allowances that can be paid.

Mr. Chairman, H.R. 10363, which is the substitute now pending before the House, I believe is an efficient and effective and progressive program that this Congress should support upon a bipartisan basis. The program will help these workers get off the welfare and unemployment rolls and back into the productive stream of our economy.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. GOODELL. I yield to the gentleman from Iowa.

Mr. GROSS. What happens to the money in case a State does not want to participate, or does not have the money to participate? What happens to the money that is appropriated by the Federal Government? Does it go to some other State?

Mr. GOODELL. First of all, I do not think we will have many States that will not participate. If they do not participate the Office of the Department of Health, Education, and Welfare has the authority to set up some programs of vocational training in the area. This is only in the event that the State refuses to go along and provide these services themselves. We have such a vast program of vocational education today with 47 percent of it paid locally, 35 percent by the States, and only 19 percent by the Federal Government, that I do not think there is much danger of the States refusing to go along with this program.

Mr. PUCINSKI. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I rise in support of the substitute amendment now pending before the House. I am in full agreement with the previous speakers to the effect that the gentleman from Pennsylvania [Mr. HOLLAND] and the gentleman from New York [Mr. GOODELL] certainly deserve the gratitude and commendation of the entire Congress for working out an agreeable and acceptable formula that we can vote on today.

Mr. Chairman, I think that the substitute provision in some instances strengthens the bill. I would like to particularly point out the tribute that belongs to the gentleman from Pennsylvania [Mr. HOLLAND]. Two years ago the gentleman from Pennsylvania [Mr. HOLLAND] had asked the chairman of the Committee on Education and Labor of the House permission to conduct hearings on the effect of automation on the American economy. He has done a magnificent job. He has assembled a tremendous record of information and knowledge on this subject. The mere fact that we are here today, able to vote on this bill, I think is a tribute to his diligence and his sincere interest in this subject. I think the fact that we are able to vote on this bill today also reflects the new look in the Committee on Education and Labor of the House under the chairmanship of the gentleman from New York [Mr. POWELL] who has indeed encouraged this investigation of the impact of automation on the American employment scene, and who has helped the committee in every aspect.

Mr. Chairman, if this bill is adopted today, and I hope it will be, we indeed are writing an historic piece of legislation into the books of our country.

We are in this way giving full meaning to the fact that the Congress of the United States recognizes that problems in the employment field of America must follow the trend of automation; but we are also strengthening the whole concept of free enterprise as contrasted to the communistic totalitarian system's economy. We are saying here in effect that we recognize that American industry, working within the concept of free enterprise, has the right, has the responsibility, has the duty to move forward, to develop new technological means; but we are also recognizing that in this process there is a great dislocation of workers. And we here today are trying to provide legislation which will take care of these dislocated workers and put them back into the stream of gainful employment.

There are people in this country who have been unemployed for many, many years. These are people who want to go to work. These are people who want to preserve their personal dignity and earn their livelihood. But they have been dislocated from their regular jobs for various reasons—automation, movement of industry, foreign imports, various other reasons.

This legislation will help an estimated 450,000 people become better trained to take on new skills to replace old ones for which there no longer is a need because of technological improvements. The impact of these 450,000 people who would be helped by this legislation would be of great benefit to the economic growth of the country, to an extent that can hardly be estimated.

The question was raised, can older people be retrained? I have such profound confidence in the ingenuity and ability of the American worker that there is not the slightest doubt in my mind that a man who has worked with machines all his life can, indeed, be retrained for another job regardless of his age. There is not the slightest doubt in my mind that this can be done with considerable success. In Chicago, we have

seen hundreds of older workers lose their original jobs—jobs they held for many years—because some very large companies have moved to other parts of the country. There is no demand for these workers' particular skill in most instances. I believe the only way you can put these people back to work is to quickly train them for another job. There are jobs available. You need only look at the want ads of many newspapers to verify this statement. With just a little help in retraining, many of those now unemployed can be helped to qualify for these jobs.

The question was raised quite properly by the gentleman from Ohio, Mr. ASHBROOK, whether or not this is going to intrude upon other vocational programs. I think the substitute bill certainly reduces that possibility. Notwithstanding that, however, it appears to me that any legislation can be successful only if the legislative branch of the Government continues periodically to review the activities of the executive agencies of Government. We have had several examples of this in our committee under the chairmanship of the gentleman from New York [Mr. POWELL] when we called in administrators to see what they are doing with legislation that we pass in Congress; to see whether or not they are doing a good job. On a bipartisan basis we have suggested ways to improve administration of laws passed by Congress, in those cases where they have not been staying within the spirit of the act. I think if this act does not work, or is not administered properly by the agencies, Congress should react very swiftly. It is my judgment that Congress has a duty to ascertain whether the laws it enacts are being properly administered by the agencies.

Mr. KEARNS. Mr. Chairman, may I inquire of the chairman of the committee, the gentleman from New York [Mr. POWELL], how many amendments are pending on his side?

Mr. POWELL. Mr. Chairman, we have no amendments. We have worked this bill out in compromise.

Mr. KEARNS. Mr. Chairman, if there are any amendments pending on either side, may I ask whether they are perfecting amendments, or whether they are amendments that change the substance of the bill?

Mr. POWELL. Mr. Chairman, I do not know of any amendments that are pending.

Mr. KEARNS. Mr. Chairman, may I ask what amendments are pending, if any?

Mr. CRAMER. Mr. Chairman, I have an amendment, which is at the desk.

Mr. GROSS. Mr. Chairman, I demand the regular order.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. KEARNS] on the pending amendment.

Mr. KEARNS. Mr. Chairman, I move that all debate on the pending amendment and all amendments thereto close at 2:15 p.m.

Mr. POWELL. Mr. Chairman, the distinguished minority leader of my committee has moved that all debate close at 2:15. If he will amend his motion to reserve the last 5 minutes to this side, I would have no objection to that.

Mr. GROSS. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. GROSS. The gentleman may not make a reservation on a motion.

Mr. KEARNS. Mr. Chairman, I withdraw my motion.

Mr. GRIFFIN. Mr. Chairman, I rise to support the Holland-Goodell substitute and to call attention to several items which, I think, deserve particular attention. This bill would set up a 2-year program as it will be amended by the Holland-Goodell substitute and would authorize expenditures in the neighborhood of $253 million. I do not believe it is realistic to expect that the Department of Labor can properly and wisely spend as much money as is authorized for the first year of this program. Looking back at the area development legislation, sometimes referred to as the depressed-area bill, we know it has taken a long time to get that program underway. Before the pending bill could be effective, there must be made an inventory of the skills in short supply and a number of other steps must be taken. I should like to call the attention of the Committee on Appropriations to the fact that more money is probably being authorized than will be needed or can wisely be used in the first year. The Committee on Appropriations should take a close and careful look, and require that the Department of Labor justify fully the appropriation of any funds authorized by this bill.

Mr. O'HARA of Michigan. Mr. Chairman, will the gentleman yield?

Mr. GRIFFIN. I yield to the gentleman from Michigan.

Mr. O'HARA of Michigan. I would call the attention of my colleague to the fact that just the other day, in a discussion at the Department of Labor, I asked about the retraining provisions of the Area Redevelopment Act.

I was given to understand that as far as the retraining provisions of the Area Redevelopment Act are concerned, the funds appropriated have been almost completely committed for the current fiscal year. I do not know if the gentleman has other information, but that is the information which was given to me.

Mr. GRIFFIN. I join the gentleman in the desire to get this program underway as quickly as possible. It is not my purpose to retard it; however, I am suggesting that it is difficult to get a program of this kind rolling at once. It is going to take some time, and I question whether the full amount to be authorized by this bill is necessary.

Mr. Chairman, I should like to go to another point. The substitute contains an important provision in section 504 which provides that selection of trainees shall not be contingent upon membership or lack of membership in a labor organization. I would assume that if this provision had not been included we could expect that the Department of Labor, under no circumstances, would select trainees on the basis of whether or not they happened to belong to a union. In the selection of trainees, surely unemployed workers have the right to expect and demand that the Department of Labor will not discriminate on the basis of whether a person happens to be a union member or happens not to be a union member.

This can be very important because workers of the Negro race are excluded from membership in a number of unions, and a large percentage of the unemployed are Negroes.

Now that section 504 has been included in the Holland-Goodell substitute, it should not be taken out in conference. If the conferees should now allow the provision to be taken out it might be inferred that Congress would condone discrimination by the Department of Labor, on the basis of union membership or the lack of thereof. Accordingly, it is very essential now that section 504 be retained by the conferees.

I assume that the gentleman from Pennsylvania [Mr. HOLLAND] will be among the conferees. Will he comment in regard to section 504 of the substitute he has offered which provides that the selection of individuals shall not be contingent upon membership or nonmembership in a labor organization?

Mr. HOLLAND. That was the judgment of the committee. I will stand by the committee's decision.

Mr. HARDY. Mr. Chairman, will the gentleman yield?

Mr. GRIFFIN. I yield.

Mr. HARDY. This is a new bill we have before us now. Is there anywhere in writing an explanation of this bill similar to the analysis contained in the report on the original bill we had before us?

Mr. GRIFFIN. I will yield to the gentleman from New York [Mr. GOODELL] to reply.

Mr. GOODELL. I believe in general terms the analysis applies, but in the substitute we have made probably a total of 15 or 16 changes that I think are rather substantial, matching provisions, priority of employment, and so forth.

Mr. HARDY. If the gentleman will yield further, that is a matter I would like to know a little more about. There has been some discussion of matching provisions, but it has not been fully explained. I think we are probably going to be called upon to do something without knowing everything we ought to know. I understand in the substitute there is a section dealing with matching provisions which provides that in the event a State does not decided to match, then the Federal Government will assume the whole burden. I want to know if that is the fact.

Mr. GOODELL. May I say to the gentleman that last week I sent a letter to every Congressman dealing with the differences between the original bill and the substitute. Second, may I state that where a State does not enter into an agreement with the Federal Government under the vocational education system, then HEW can go in there and set up a program in the States where necessary to train workers.

Mr. HARDY. So that if the State does not pay half the cost then HEW pays it all.

Mr. GOODELL. No. In those instances HEW presumably will be able to provide only a limited program of training in such States, HEW will take over, if the State refuses to go along, and set up some kind of a small program in that State. They will use such facilities as may be made available to them, high school facilities, and so forth.

Mr. HARDY. But to the extent that it is carried on, the Federal Government will bear the entire cost.

The CHAIRMAN. The time of the gentleman from Michigan has again expired.

Mr. LANDRUM. Mr. Chairman, I ask unanimous consent that the gentleman from Michigan [Mr. GRIFFIN] may proceed for 1 additional minute.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. LANDRUM. Mr. Chairman, will the gentleman yield?

Mr. GRIFFIN. I yield to the distinguished gentleman from Georgia.

Mr. LANDRUM. I would like my distinguished friend from Michigan to direct his attention again to section 504, which he was discussing at the time this colloquy developed, with regard to membership or nonmembership in unions being required of people who are trained under this program in place. Take the case of an electrical contractor who has a collective bargaining agreement with a union; the union has an apprenticeship program which the prospective employee must complete before he can be employed under that collective bargaining agreement. How is the fellow who is to be trained under this act going to be protected in his right to get a job when he moves in to apply for employment in a concern which has a collective bargaining agreement of that type?

The CHAIRMAN. The time of the gentleman from Michigan has again expired.

Mr. GRIFFIN. Mr. Chairman, I ask unanimous consent to proceed for 3 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. GRIFFIN. Certainly I would not minimize the fact that in some situations even though a person did receive training he might still have difficulty in obtaining a job.

Mr. LANDRUM. This section 504 is not going to protect a person from that sort of situation?

Mr. GRIFFIN. It protects against discrimination in the selection of trainees.

Mr. LANDRUM. It does not give him protection in the placement of the fellow who has been trained?

Mr. GRIFFIN. No. The section goes only to the selection of trainees. In selecting trainees the selection shall not be contingent upon membership in a union or nonmembership in a union. That is as far as the section goes.

Mr. LANDRUM. So an employer with a collective bargaining agreement with a union is not going to be able to hire a person unless the person meets the apprenticeship requirements of the union?

Mr. GRIFFIN. That might be the case in some situations. There would be other situations in which it would not apply.

Mr. LANDRUM. If the gentleman will indulge me further.

Let us look at the situation which prevails in New York City today as between the electrical contractors and the electrical unions. Is it not likely that a person trained or retrained under this act would find himself absolutely helpless in the face of that situation?

Mr. GRIFFIN. Unfortunately, I think it is conceivable that in some localities a person who has been trained under this program and acquires certain skill might still find it difficult or all but impossible to find a job because of discriminatory practices, but at least we are taking a step in the right direction in training these people. Certainly they cannot obtain jobs if they do not have training or cannot get training in a particular skill or trade. To that extent I think we would be applying some pressure toward a change in the situation in some areas.

Mr. LANDRUM. I thank the gentleman.

Mr. GROSS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I have reread this list of jobs for which training would be provided by the Department of Labor and nowhere do I find any indication that voluntarily or unvoluntarily retired Members of Congress would be trained. Was any consideration given to that?

Mr. POWELL. There has already been a unanimous-consent request for the retraining of retired Members of Congress.

Mr. GROSS. What would they be retrained for—ticket sellers, bank tellers, waiters and waitresses?

Mr. POWELL. It might even entail twister tenders.

Mr. GROSS. I was going to ask if they might be in that category.

One Member a moment ago mentioned the unemployed because of foreign imports. Did the Committee on Education and Labor go into this subject, and can anyone on the Committee on Education and Labor tell us how many people are unemployed by virtue of imports?

Mr. POWELL. The distinguished gentleman from Pennsylvania [Mr. DENT] has been studying this problem of the impact of imports on unemployment. That study comes to a close tomorrow, March 1, and will be very helpful.

Mr. GROSS. I wonder if the gentleman from Pennsylvania [Mr. DENT] can give us any information as to the number of unemployed and therefore would be likely to come under the provisions of this bill, as a result of foreign imports?

Mr. DENT. Do I have an estimate of how many people are unemployed because of the impact of imports that would be benefited by this bill?

Mr. GROSS. Yes.

Mr. DENT. As I understand this bill, it relates to those who are unemployed because of internal conditions, such as automation. We are holding up relief for those who are displaced because of imports until we pass the new trade bill.

Mr. GROSS. It is as simple as that.

Mr. DENT. I do not know how simple it is.

Mr. GROSS. I am just wondering how you are going to find the jobs, not only for these people, but others who are out of work. How is it proposed to find jobs, by training or retraining, for people who are out of work because of foreign imports? There are no jobs for them because foreigners have taken over their employment.

Mr. DENT. The only thing I can say is, regardless of whether there are jobs available, it is absolutely essential that if persons are displaced from an industry in which they have worked and have been trained, we must, at least, give them hope that they will have a job, and at least take them to whatever job may come up.

Mr. GROSS. Do you think they can live on hope?

Mr. DENT. Well, I do not know. There are about 11 million people in the United States drawing relief, some in the third generation. They are doing pretty fair at it.

Mr. PUCINSKI. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Illinois.

Mr. PUCINSKI. It is my understanding as I read this legislation that it would apply to retraining the unemployed worker, regardless of what the cause of the unemployment may be.

Mr. GROSS. Now we have a difference of opinion on this subject. I wonder if the chairman could clarify it.

Mr. POWELL. I would like to say to the gentleman that there are 175,000 unfilled jobs reported each month.

Mr. GROSS. Well, but that does not answer the question of the number who are unemployed by virtue of foreign imports, and whether they can benefit under this bill. The gentleman from Pennsylvania indicates they will not benefit, and there must be many thousands in this country who have been knocked out of their jobs because of imports.

Mr. JOELSON. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from New Jersey.

Mr. JOELSON. The bill provides specifically that it will apply to any employee who is seeking work; it does not matter whether he is out of work due to automation or due to the fact that his plant closed down or due to foreign imports or any other reason. As far as your statement about not being able to find a job after he gets training, the bill provides specifically that there shall be a survey as to what skills are needed, and when that determination is made he is trained for this potential job.

Mr. KYL. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I asked for this time for the purpose of begging the indulgence of either the gentleman from New York [Mr. GOODELL] or the gentleman from New York [Mr. POWELL] for the purpose of presenting a couple of questions. The first one is this: If we are to distinguish between temporary programs as such and permanent programs as such, does the gentleman think that this program would be characterized as temporary or permanent?

Mr. GOODELL. May I say to the gentleman that I would hope that this program will be so effective that we will renew it and find that we want it to be a permanent program to put the people back to work. But, if we do not need it, we will not renew it. We require, in my substitute, a report in a year and then a report at the end of the second year, in great detail, as to the results, so that we can appraise whether we are really putting 3 percent, 5 percent, or 12 percent of these unemployed back to work through this training program. I intend to evaluate it very carefully as it goes along and eliminate it if it does not do the job.

Mr. KYL. The second question is in regard to the imposition of Federal control. Does not the gentleman believe there is a degree of compulsion on the part of the Federal Government in the very essence of these cost-sharing programs? In other words, does not the State legislature feel the Congress again has applied the blackjack. They say we can go along if we want to, but if we do not we lose the money.

Mr. GOODELL. Well, I would agree with the gentleman that this does apply.

In many instances, however, where the States are not doing this job it is because they do need the help of our employment office, and they do need the help of our vocational programs. We are trying to get them coordinated so that there will be liaison between the local, State, and Federal agencies that have to operate in this field in order to pinpoint those workers that can be retrained and those skills that are short, and to see that they train them in those skills and not in obsolescent skills.

Mr. KYL. I would say to the gentleman that within the last year or 2-year period the State of Iowa's office of unemployment and retraining has done the job outlined by the legislation under which they operate, but in each instance because they did the job they ran short of money. The Department of Labor did not furnish the necessary funds for the operation.

Mr. GOODELL. If the gentleman will yield further, I am aware that the Department of Labor and the Department of Health, Education, and Welfare cut back on these programs during the last year. While saying they were in favor of giving more emphasis to this, they cut back in their expenditures.

Mr. KYL. Mr. Chairman, in this list of occupations I notice airline hostesses and telephone operators. It has been my understanding that the private enterprise companies involved have been training people for these jobs. Is there anything in this legislation which would prevent these industries from turning over the cost of this training to the Federal Government?

Mr. GOODELL. If the gentleman will yield further, if there is any on-the-job training—and many of these fall in this category—if there is any on-the-job training program that is in existence they must go ahead and pay for it at their regular rate, and we will pay only a training allowance if the total pay to that individual involved in on-the-job training is less than the average unemployment compensation in that particular State. In other words, if they are getting on-the-job training, and are getting more than the average of unemployment compensation from the employer himself, there would be no training.

Mr. KYL. Is there any reason to suspect that the airline companies would not continue to accept the burden of training these people?

Mr. GOODELL. I think they would. I think with this program and with the restrictions we have written into it the Secretary of Labor would be compelled to see that they would continue it, and not give training allowances under such circumstances.

Mr. KYL. The gentleman mentions this on-the-job training. Is it conceivable that such a position as dishwasher, or housekeeper could not be as it has always been, an on-the-job training proposition? Are we not stretching the point a little bit by listing occupations such as these?

Mr. GOODELL. I say that I agree with the gentleman. I considered an amendment to forbid training for these types of things, but the difficulty was describing the various occupations we could list, such as dishwasher, and things of this nature, in the bill itself. But we do not expect them to give this type of training.

Mr. HIESTAND. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, up until now we have had quite a harmonious party, and a great many bouquets have been thrown to the committees and the individuals who have done this work, and I do not see the need to discourage those bouquets. No doubt they are deserved, and well deserved.

But, Mr. Chairman, I think we should consider what we are doing here. We are doing something that I am quite sure a lot of Members of this House would not do if they knew the facts.

Mr. Chairman, I opposed the rule yesterday because as I stated, there was going to be a substitute bill offered involving, as it is said, some 28 amendments, and this would be pretty much an entirely different bill than had been presented to the Rules Committee. I have studied these amendments, and many of them are acceptable, of course, but in effect we are writing a bill on the floor without ever having read it. This bill has not been read on the floor, and the entire amended bill is here presented. Requests have been made for the details on the changes, and to some degree they have been discussed, but not completely. In other words, we are voting blind if we vote on this bill.

Mr. Chairman, let us consider the fact that about 90 percent of the bills that have been sent up to us for enactment from the administration have three basic ingredients: No. 1, bigger Federal Government; No. 2, bigger executive power, especially within the Department of Labor, and No. 3, very much increased spending—in this case some $263 million. That is a colossal sum of money.

Mr. Chairman, testimony was offered yesterday that some of the vocational departments could not properly spend the money that had been appropriated, and I have no doubt that it is true. But here we would take $263 million to retrain a great many people.

I cited yesterday just a few instances, and I shall not repeat, but in a study made at Bridgeport, Conn., about 4,400 unemployed were checked and examined and cards made and deducting those who were not interested, those who could not pass a test and those who failed to show up, the inquiry wound up with 57 who finished the course. Only 53 trainees were placed, out of the original 4,400.

In Oklahoma City, Armour & Co. had to lay off 400 people. The company knew about it in advance and offered training courses and finally got 58 through the training courses, and only 7 of those were finally employed.

The Detroit Public Welfare Commission made a study of 761 people. Only 146 could qualify.

So it goes, in innumerable other cases. Why do I mention that? For this reason. The bill S. 1991, sent over from the other body, provides $655 million. It was estimated that this would train at least 100,000 people. Mr. Chairman, that is $6,550 per person. This bill authorizes $263 million, and taking the percentage of those who eventually can be trained, which would be about 41,000 people, it would cost $6,450 per person.

I think we have to consider what this bill really is. Is it the right bill or will the money just go down the drain?

The gentleman from Ohio [Mr. ASHBROOK] mentioned the fact that we had, and he cited them, 20 vast training programs now being administered. This is a gigantic bill to be superimposed on all of those; there is no cooperation with them provided, and no coordination. It is proposed to train many thousands of others including, I am told, by the way—and I do not happen to be a farmer—but I am told practically all family farmers in the United States. I know of one—and there are several others, perhaps—that has a gross income of $75,000 and made less than $1,200 net income. All farmers with a net income of $1,200 would be eligible, and that means all family farmers.

The CHAIRMAN. The time of the gentleman from California [Mr. HIESTAND] has expired.

Mr. HIESTAND. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HIESTAND. Mr. Chairman, here we have a project that will put the Federal Government into the business of guaranteeing jobs. Private industry could not guarantee jobs, of course not, and I question that the Federal Government can possibly do so.

With regard to the expense of the project, I propose to offer an amendment shortly that will cut the requested authorized amount about in half. I feel that if we pass this bill at least we ought to make it reasonable and sensible. I believe a good many Members who are in favor of the bill could vote for that amendment.

Mr. Chairman, may I suggest that our objections to this bill may be characterized in four ways. First, we have these three basic ingredients, of larger Government, bigger Executive power and Labor Department power, and bigger-spending. And second, we would attempt to doctor the symptoms of this disease of unemployment rather than getting at the causes of it. There has been no comprehensive survey. Several of our subcommittees are getting to it, but they have not had a complete survey of the whole unemployment picture and its causes. The Labor Department has not done it; nobody has done it.

The impact of automation, the impact of imports, labor troubles, the flight of industry from the community, other adverse business atmospheric conditions, scientific projects, changing markets, changing demands—Mr. Chairman, we cannot legislate intelligently unless we get at the causes of the problems we seek to correct. This only doctors the symptoms at a perfectly stupendous cost. We have all of these other programs, and many people have mentioned them. I do not care to belabor the point or go over them again, but I just say that these points are very important, and we need them to legislate intelligently. The need has not been shown because of all of these other programs involving millions and millions of people on vocational training, are now doing a large part of the job.

Furthermore and lastly, and more importantly than anything else, this is an impractical proposal. It cannot succeed. There are many changeable factors, some of which we have familiarity with and we do believe that the actual, the proposed, training cannot succeed. Only in rare cases and after study make it succeed. There must be some screening and some analysis to see whether a man is equipped to take training. Many people can qualify to make excellent coal miners and railroad workers. The shortage is in electronics and engineers. The bill does not solve any of these selective problems. True, we try to solve them, but I suggest this is completely impractical. It is a pipe dream. It might be called a gigantic boondoggle. I feel we ought to know what we are doing before we have any tremendous big scheme as this. I am sure when we offer the amendment to cut the expense at least that can be adopted. The bill is a bad bill with all of these 28 amendments, and I do not believe we should ever write a bill on the House floor as we are attempting here today. I oppose the bill and oppose the amendment and urge its defeat.

Mr. POWELL. Mr. Chairman, I ask unanimous consent that all debate on the pending amendment, and all amendments thereto, close at 2:30 p.m.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

Mr. HIESTAND. I object.

Mr. POWELL. Mr. Chairman, I move that all debate on the pending amendment, and all amendments thereto, close at 2:45 p.m.

The CHAIRMAN. The question is on the motion offered by the gentleman from New York [Mr. POWELL].

The motion was agreed to.

The CHAIRMAN. Under the limitation of time, the Chair will recognize those Members standing and seeking recognition.

The Chair recognizes the gentleman from New York [Mr. HALPERN].

Mr. HALPERN. Mr. Chairman, I offer an amendment which is at the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. HALPERN to the amendment offered by Mr. HOLLAND: On page 22, after line 18, insert the following and renumber the following sections to conform:

"NATIONAL ADVISORY COMMITTEE

"SEC. 503. (a) The Secretary shall appoint a National Advisory Committee which shall consist of ten members and shall be composed of representatives of labor, management, agriculture, education, and training, and the public in general. From the members appointed to such Committee the Secretary shall designate a Chairman. Such Committee, or any duly established subcommittee thereof, shall from time to time make recommendations to the Secretary relative to the carrying out of his duties under this Act. Such Committee shall hold not less than two meetings during each calendar year.

"(b) The National Advisory Committee shall encourage and assist in the organization on a plant, community, regional, or industry basis of labor-management-public committees and similar groups designed to further the purposes of this Act and may provide assistance to such groups, as well as existing groups organized for similar purposes, in effectuating such purposes.

"(c) The National Advisory Committee may accept gifts or bequests, either for carrying out specific programs or for its general activities or for its responsibilities under subsection (b) of this section."

The CHAIRMAN. The gentleman from New York is recognized.

Mr. HALPERN. Mr. Chairman, this amendment will establish a National Advisory Committee, which will be named by the Secretary and will consist of 10 people who shall be chosen from representatives of labor, management, agriculture, education, and training and the public in general.

This Committee would encourage and assist in the organization of labor-management-public committees on a plant, community, regional, and industrial basis.

Such local committees are highly desirable, for they could and would provide the local initiative which is essential for the complete success of the manpower development and training program, and also for the achieving of an increase in the rate of U.S. productivity.

I strongly believe that this substantive amendment to this Manpower Development and Training Act gives this Congress a unique opportunity to plant the seeds of local cooperation throughout the country. The work of plant, community, regional, and industrywide councils in implementing the purposes of this act cannot but extend into other aspects of the productivity issue. When all facets of our economic community begin to understand and freely discuss with each other, many of our problems will be well on the way to solution. The important thing is to get these segments of our communities started on a common working relationship, built around common interest.

Mr. Chairman, I am certain that this amendment will serve this extremely desirable goal.

The chairman of the committee, the gentleman from New York, tells me he has no objection to the concept of such an advisory committee and will urge it in conference.

Mr. Chairman, if it is good enough for conference, it seems to me it is good enough for this House to adopt. This, to me, is the proper way to legislate.

Mr. POWELL. Mr. Chairman, I rise in opposition to the amendment to congratulate my beloved friend, the gentleman from New York, for his amendment; but we are constrained to resist all amendments, because we believe that this substitute we have offered is the best possible solution to this problem. I therefore ask for a "no" vote on this amendment and all other amendments.

Mr. GOODELL. Mr. Chairman, I wish to join the chairman in opposition.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. HALPERN].

The amendment was rejected.

Mr. CRAMER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CRAMER to the amendment of Mr. HOLLAND: On page 21, after line 4, insert the following:

"UNEMPLOYMENT RESULTING FROM EMBARGO

"SEC. 502. In carrying out his responsibilities under this Act with respect to the testing, counseling, and selecting for occupational training of individuals, the Secretary of Labor shall give particular attention to individuals whose unemployment is attributable to the embargo on trade with Cuba proclaimed by the President on February 3, 1962. In apportioning Federal expenditures as provided in section 501, the Secretary of Labor shall give special consideration to unemployment resulting from such embargo."

Renumber the sections which follow accordingly.

The CHAIRMAN. The gentleman from Florida is recognized.

Mr. CRAMER. Mr. Chairman, I think the objective of this amendment is obvious. There are nearly 6,000 people who are cigar manufacturers who will be unemployed in the Tampa area, put out of work as a result of the Government Cuban embargo which was imposed on February 3 of this year.

The chairman of the committee suggested that the substitute is the best

possible solution to the problems, but I submit to you that the best possible solution to the problem in this situation is the amendment which I have offered. I call your attention to the fact that I think that this particular industry deserves particular attention. This means that the Secretary of Labor and the Secretary of Health, Education, and Welfare will be able to look at this problem at the present time, immediately, under the terms of the amendment, and give it some priority. I think it is entitled to priority for the simple reason that the people are being put out of work by the effects of a direct order of the Federal Government of the United States. Therefore, the Federal Government, in my opinion, has some responsibility. It should be emphasized that the embargo itself is so full of loopholes that the result is going to be that Havana tobacco will continue to come into the United States in the form of finished cigars or leaf that has been processed, coming from foreign countries.

So the loophole is so big and so broad that foreign governments will be able to absorb the $55 million Havana cigar market, all of that which is presently served by the cigar industry in this country. The effect will be that foreign countries will be able to take a $55 million industry from the United States.

I say that the provisions of the embargo have been shot full of loopholes by order of the Foreign Assets Control Division of the U.S. Treasury that has just ruled as follows:

> Goods, including cigars, made from imports from Cuba may be imported into the United States from the Canary Islands.

The ruling was made by Mrs. Margaret W. Schwartz, Acting Chief of the Division.

And further from Mrs. Schwartz and Stanley Sommerfield, General Counsel of the Division:

> Any and all goods processed or manufactured from Cuban imports in a country considered friendly (or at least neutral) may be imported into this country.

Mr. POWELL. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Florida [Mr. CRAMER].

Mr. GROSS. Mr. Chairman, a point of order.

The gentleman exhausted his time on the previous amendment, did he not? I demand the regular order.

The CHAIRMAN. Each Member was allocated 2 minutes.

Mr. GROSS. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. GROSS. Mr. Chairman, did not the gentleman from New York use his time in response to a previous amendment?

The CHAIRMAN. The Chair will say to the gentleman from Iowa that the gentleman from New York did not use his full 2 minutes.

Mr. GROSS. How much time does the gentleman have remaining?

The CHAIRMAN. The gentleman from New York has 1½ minutes remaining.

Mr. POWELL. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Florida for the reasons heretofore stated. I might say that in conference with the Secretary of Labor, since the gentleman made his remarks earlier, he has promised me he will devote full attention immediately to the specific problems in the gentleman's district in Florida.

Mr. CRAMER. Mr. Chairman, will the gentleman yield?

Mr. POWELL. I yield to the gentleman from Florida.

Mr. CRAMER. Will the gentleman include the Secretary of Health, Education, and Welfare as well?

Mr. GOODELL. Mr. Chairman, I will not repeat the remarks I made earlier when I paid tribute to the gentleman from Florida for fighting for his people. He has done a fine job today. I join with the gentleman from New York, however, in opposition to his amendment.

Mr. CRAMER. Does that include the Secretary of Health, Education, and Welfare?

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida [Mr. CRAMER].

The question was taken; and on a division (demanded by Mr. CRAMER) there were—ayes 50, noes 77.

So the amendment was rejected.

Mr. ASHBROOK. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. ASHBROOK: On page 14, on line 3 insert the following:
>
> "(j) A person who within 13 weeks after receiving State unemployment compensation benefits fails to apply for retraining under the provisions of this bill shall not be eligible to utilize the provisions and benefits of this bill for 12 months: *Provided, however*, That any person drawing State unemployment compensation benefits at the time this bill is enacted will not be disqualified by this section."

Mr. ASHBROOK. Mr. Chairman, a great amount of debate has concerned the fact that most of our unemployed want to find work. This amendment is predicated on that assumption. Simply stated, what we are doing here is to say that after drawing 13 weeks of unemployment compensation an individual must make a choice as to whether he wants to apply for retraining or take, in most cases, 26 weeks more of unemployment compensation. After 13 weeks he must make a choice. I know there is a certain pride of authorship in this bill which is leading the gentlemen to reject amendments but I suggest this amendment represents something that is badly needed.

Mr. O'HARA of Michigan. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I wish to call to the attention of the Members of the House the fact that the substitute pending before the House contains restrictions upon the drawing of training allowances by persons who do not faithfully carry out their training program or who refuse to accept training for new jobs. I call to your attention particularly subsection (f) of section 202 on page 8 and subsection (i) of section 203 on page 14. Both would terminate training allowances for people refusing to cooperate with the program. The amendment offered by the gentleman from Ohio, however, would place an affirmative duty upon every unemployed person to make application for retraining under the act. I do not think it is reasonable to expect that each and every unemployed person would know of this act and of the duty imposed upon him by the proposed amendment. The amendment affords no real protection that is not already provided in the bill as it is now written, and it should not be adopted.

Mr. GROSS. Mr. Chairman, I move to strike out the last word and yield 37½ seconds to the gentleman from Ohio [Mr. ASHBROOK].

Mr. ASHBROOK. Mr. Chairman, I thank the gentleman from Iowa for yielding me these 37½ seconds. I would say to the gentleman from Michigan, Yes, this does place on the unemployed a positive obligation of making up his mind after receiving 90 days, roughly, of unemployment compensation, whether or not he wants to become entitled to the benefits of the bill. I think it is reasonable that we should do that. The average people will draw 2, 4, 6 to 8 weeks. If a person draws 10 weeks the chances are that they will exhaust all of their benefits. I am saying that after 13 weeks the person should make up his mind either to apply for retraining or get 26 weeks' unemployment compensation but not both.

Mr. GOODELL. Mr. Chairman, I rise reluctantly in opposition to the amendment. I sympathize with the purpose of it. I wish we had had such an amendment offered before the committee so that we might have come up with language to accomplish the purpose. I am afraid the effect or tendency of this amendment is to force the Secretary to put a man in training regardless of whether a job is available. We have provided in the substitute a good many other restrictions to eliminate wasteful training. I am afraid some of these restrictions would be undermined under the 13-week principle, forcing unemployed workers into training regardless of job availability or qualification of workers for that type of training.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. ASHBROOK].

The amendment was rejected.

Mr. HIESTAND. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. HIESTAND to the amendment of Mr. HOLLAND: On page 15 on line 3, strike out "65,800,000" and insert "40,000,000", and on line 5 strike out "110,667,000" and insert "60,000,000."

Mr. HIESTAND. Mr. Chairman, I offer another amendment, and ask unanimous consent that these two amendments be considered en bloc.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

The Clerk read as follows:

> Amendment offered by Mr. HIESTAND to the amendment of Mr. HOLLAND: Page 20, on line 9, strike out "28,500,000" and insert "15,000,000," and on line 10 strike out "42,000,000" and insert "30,000,000."

Mr. HIESTAND. Mr. Chairman, these amendments do not need explanation. I am quite sure that if the Members of the House will ponder this bill and its vast possibilities for waste, they will vote for these amendments to keep the bill within reasonable bounds.

Mr. Chairman, I think $30 million, or $15 million, is still a lot of the people's money to be spent without a sound plan having been developed.

Mr. Chairman, the gentleman from Michigan [Mr. GRIFFIN] has discussed this stupendous cost most intelligently. A bureau of this size is very difficult to set up, especially for the first year. Any such amount of money as this is absurd. I think the amendments speak for themselves, and I think we should have a good deal of acceptance from both sides of the aisle. We would thereby considerably reduce the wild amount that is asked for. If we must have such a bill let's have one that approaches sanity.

Mr. POWELL. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the gentleman knows he is in error when he says that these amounts of money could not be properly set up, because the gentleman sat in during all of the discussion when these figures were arrived at; the truth is, the gentleman was one of the four members who was opposed to this legislation in the committee. This is just a method of attempting to emasculate the bill. I ask for a vote against the amendments.

The CHAIRMAN. The question is on the amendments offered by the gentleman from California [Mr. HIESTAND], to the amendment offered by the gentleman from Pennsylvania [Mr. HOLLAND].

The question was taken; and on a division (demanded by Mr. HIESTAND) there were—ayes 42, noes 99.

So the amendments were rejected.

The CHAIRMAN. The Chair recognizes the gentleman from Kansas [Mr. AVERY].

Mr. AVERY. Mr. Chairman, I do not have an amendment. I do have some questions. I see the gentleman from New York, the chairman of the committee, and the chairman of the subcommittee, present, and yet we are considering the bill authored by the gentleman from New York [Mr. GOODELL]. So I think I had better direct my questions to Mr. GOODELL.

Yesterday I was critical of the approach we were making under the Holland bill because the jobs were not identified for which these people might be trained. In regard to the Goodell bill, or the Holland substitute, as it may be called, am I correct in assuming that section 106 is a directive to the Secretary of the Department of Labor to proceed forthwith to identify these skills and professions and occupations in which there may be a shortage of qualified help; is that correct?

Mr. GOODELL. Mr. Chairman, I would say to the gentleman that is correct; and there is also such a direction to the Secretary of Labor in title II.

Mr. AVERY. One further question. Is the Secretary of Labor expected to refrain from commencing this retraining program until all of these skills have been identified, or may he determine that we need some technicians in a certain field, for example, and start retraining programs for technicians, but withhold the other aspects of the training program until a further identification can be made?

Mr. GOODELL. Many of these studies are now underway. The area skills survey studies, some of them, are completed, and we would anticipate when they are completed they would move immediately in those areas and if they found obvious shortages of skills in certain areas they would train immediately pending completion of those surveys.

Mr. AVERY. Mr. Chairman, may I ask the gentleman from New York [Mr. POWELL], the chairman of the committee, whether he is in agreement with the responses of his colleague from New York [Mr. GOODELL], or was he able to give attention to what he said?

Mr. POWELL. Mr. Chairman, I had the gentleman from Michigan in one ear, but I did have the gentleman from New York in the other ear and will say that I do agree fully with him.

Mr. AVERY. I thank the gentleman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. HOLLAND].

The amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. MAHON, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 8399) relating to the occupational training, development, and use of the manpower resources of the Nation, and for other purposes pursuant to House Resolution 544, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

Mr. HIESTAND. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. HIESTAND. I am.

The SPEAKER. The gentleman qualifies. The Clerk will report the motion.

The Clerk read as follows:

> Mr. HIESTAND moves to recommit the bill to the Committee on Education and Labor.

The SPEAKER. The question is on the motion to recommit.

The motion was rejected.

The SPEAKER. The question is on passage of the bill.

Mr. HIESTAND. Mr. Speaker, on that I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 354, nays 62, answered "present" 1, not voting 19, as follows:

[Roll No. 26]

YEAS—354

Adair	Devine	Kastenmeier
Addabbo	Diggs	Kearns
Addonizio	Dingell	Kee
Albert	Dole	Keith
Alexander	Dominick	Kelly
Alford	Donohue	Keogh
Andersen, Minn.	Dooley	Kilgore
	Dowdy	King, Calif.
Anderson, Ill.	Doyle	King, N.Y.
Andrews	Dulski	King, Utah
Anfuso	Durno	Kirwan
Arends	Dwyer	Kluczynski
Ashley	Edmondson	Knox
Aspinall	Elliott	Kornegay
Auchincloss	Ellsworth	Kowalski
Avery	Everett	Kunkel
Ayres	Evins	Kyl
Bailey	Farbstein	Laird
Baker	Fascell	Lane
Baldwin	Feighan	Langen
Baring	Fenton	Lankford
Barrett	Finnegan	Latta
Barry	Fino	Lennon
Bass, N.H.	Flood	Lesinski
Bass, Tenn.	Flynt	Libonati
Bates	Fogarty	Lindsay
Battin	Ford	Loser
Becker	Fountain	McCulloch
Beckworth	Frazier	McDonough
Belcher	Frelinghuysen	McDowell
Bell	Friedel	McFall
Bennett, Fla.	Fulton	McIntire
Berry	Gallagher	McMillan
Betts	Garland	McVey
Blatnik	Garmatz	MacGregor
Boggs	Gavin	Mack
Boland	Giaimo	Magnuson
Bolling	Gilbert	Mailliard
Bolton	Glenn	Marshall
Bonner	Gonzalez	Martin, Mass.
Bow	Goodell	Mathias
Boykin	Goodling	Matthews
Brademas	Granahan	May
Bray	Grant	Merrow
Breeding	Gray	Michel
Brewster	Green, Oreg.	Miller, Clem
Bromwell	Green, Pa.	Miller, George P.
Brooks, Tex.	Griffin	
Broomfield	Griffiths	Miller, N.Y.
Brown	Gubser	Milliken
Buckley	Hagen, Calif.	Mills
Burke, Ky.	Halleck	Minshall
Burke, Mass.	Halpern	Moeller
Byrne, Pa.	Hansen	Monagan
Byrnes, Wis.	Harding	Montoya
Cahill	Harris	Moore
Cannon	Harrison, Wyo.	Moorehead, Ohio
Carey	Harsha	
Cederberg	Harvey, Ind.	Moorhead, Pa.
Celler	Harvey, Mich.	Morgan
Chamberlain	Hays	Morris
Chelf	Healey	Morrison
Chenoweth	Hechler	Morse
Chiperfield	Hemphill	Mosher
Church	Henderson	Moss
Clancy	Herlong	Moulder
Clark	Hoeven	Multer
Coad	Holifield	Murphy
Cohelan	Holland	Natcher
Collier	Horan	Nedzi
Conte	Hosmer	Nelsen
Cook	Huddleston	Nix
Corbett	Hull	Norrell
Corman	Ichord, Mo.	Nygaard
Cramer	Inouye	O'Brien, Ill.
Cunningham	Jarman	O'Brien, N.Y.
Curtin	Jennings	O'Hara, Ill.
Curtis, Mass.	Joelson	O'Hara, Mich.
Curtis, Mo.	Johnson, Calif.	O'Konski
Daddario	Johnson, Md.	Olsen
Dague	Johnson, Wis.	O'Neill
Daniels	Jonas	Osmers
Dawson	Jones, Ala.	Ostertag
Delaney	Jones, Mo.	Patman
Dent	Judd	Pelly
Derounian	Karsten	Perkins
Derwinski	Karth	Peterson

Pfost	St. George	Teague, Calif.
Philbin	St. Germain	Thomas
Pike	Santangelo	Thompson, N.J.
Pirnie	Saylor	Thompson, Tex.
Poff	Schadeberg	Thomson, Wis.
Powell	Schenck	Thornberry
Price	Schneebeli	Toll
Pucinski	Schweiker	Tollefson
Purcell	Schwengel	Trimble
Quie	Scott	Tupper
Rains	Scranton	Udall, Morris K.
Randall	Seely-Brown	Ullman
Reifel	Selden	Vanik
Reuss	Shelley	Van Pelt
Rhodes, Ariz.	Shipley	Van Zandt
Rhodes, Pa.	Short	Vinson
Riehlman	Shriver	Walthauser
Rivers, Alaska	Sisk	Walter
Roberts, Ala.	Sikes	Watts
Roberts, Tex.	Siler	Weis
Robison	Sisk	Whalley
Rodino	Slack	Wharton
Rogers, Colo.	Smith, Iowa	Whitener
Rogers, Fla.	Spence	Wickersham
Rooney	Springer	Widnall
Roosevelt	Stafford	Wilson, Calif.
Rosenthal	Staggers	Wilson, Ind.
Rostenkowski	Stratton	Wright
Roudebush	Stubblefield	Yates
Roush	Sullivan	Younger
Ryan, Mich.	Taber	Zablocki
Ryan, N.Y.	Taylor	Zelenko

NAYS—62

Abbitt	Gross	Pilcher
Abernethy	Haley	Poage
Auger	Hall	Ray
Ashbrook	Hardy	Reece
Ashmore	Harrison, Va.	Rivers, S.C.
Beermann	Hebert	Rogers, Tex.
Bolton	Herlong	Rousselot
Bruce	Hoffman, Ill.	Rutherford
Burleson	Jensen	Smith, Calif.
Casey	Johansen	Smith, Va.
Colmer	Kilburn	Stephens
Davis,	Landrum	Teague, Tex.
James C.	Lipscomb	Thompson, La.
Davis, John W.	McSween	Tuck
Dorn	Mahon	Utt
Downing	Mason	Waggonner
Findley	Meader	Whitten
Fisher	Murray	Williams
Forrester	Norblad	Willis
Gary	Passman	Winstead
Gathings	Pilcher	Young

ANSWERED "PRESENT"—1

Martin, Nebr.

NOT VOTING—19

Bennett, Mich.	Hagan, Ga.	Scherer
Broyhill	Hoffman, Mich.	Sheppard
Cooley	Kitchin	Smith, Miss.
Davis, Tenn.	Macdonald	Steed
Denton	Madden	Weaver
Fallon	Saund	Westland

The Clerk announced the following pairs:

On this vote:

Mr. Westland for, with Mr. Martin of Nebraska against.

Until further notice:

Mr. Fallon with Mr. Scherer.

Mr. Hagan of Georgia with Mr. Hoffman of Michigan.

Mr. Denton with Mr. Weaver.

Mr. Madden with Mr. Bennett of Michigan.

Mr. Macdonald with Mr. Broyhill.

Mr. MARTIN of Nebraska. Mr. Speaker, I have a live pair with the gentleman from Washington [Mr. WESTLAND]. If he were present he would have voted "yea." I voted "nay." I withdraw my vote and vote "present."

The result of the vote was announced as above recorded.

Mr. POWELL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 1991) relating to manpower requirements, resources, development, and utilization, and for other purposes, strike out all after the enacting clause and insert in lieu thereof the provisions of H.R. 3399 relating to the occupational training, development, and use of the manpower resources of the Nation, and for other purposes, just passed.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Manpower Development and Training Act of 1961".

TITLE I—MANPOWER REQUIREMENTS, DEVELOPMENT, AND UTILIZATION

Statement of findings and purpose

SEC. 102. The Congress finds that there is critical need for more and better trained personnel in many vital occupational categories, including professional, scientific, technical, and apprenticeable categories; that even in periods of high unemployment, many employment opportunities remain unfilled because of the shortages of qualified personnel; and that it is in the national interest that current and prospective manpower shortages be identified and that persons who can be qualified for these positions through education and training be sought out and trained, in order that the Nation may meet the staffing requirements of the struggle for freedom. The Congress further finds that the skills of many persons have been rendered obsolete by dislocations in the economy arising from automation or other technological developments, foreign competition, relocation of industry, shifts in market demands, and other changes in the structure of the economy; that Government leadership is necessary to insure that the benefits of automation do not become burdens of widespread unemployment; that the problem of assuring sufficient employment opportunities will be compounded by the extraordinarily rapid growth of the labor force in the next decade, particularly by the entrance of young people into the labor force, that improved planning and expanded efforts will be required to assure that men, women, and young people will be trained and available to meet shifting employment needs; that many persons now unemployed or underemployed, in order to become qualified for reemployment or full employment must be provided with skills which are or will be in demand in the labor market; that the skills of many persons now employed are inadequate to enable them to make their maximum contribution to the Nation's economy; and that it is in the national interest that the opportunity to acquire new skills be afforded to these people in order to alleviate the hardships of unemployment, reduce the costs of unemployment compensation and public assistance, and to increase the Nation's productivity and its capacity to meet the requirements of the space age. It is therefore the purpose of this Act to require the Federal Government to appraise the manpower requirements and resources of the Nation, develop and apply the information and methods needed to deal with the problems of unemployment resulting from automation and technological changes and other types of persistent unemployment.

Evaluation, information, and research

SEC. 103. To assist the Nation in accomplishing the objectives of technological progress while avoiding or minimizing individual hardship and widespread unemployment, the Secretary of Labor shall—

(1) evaluate the impact of, and benefits and problems created by automation, technological progress, and other changes in the structure of production and demand on the use of the Nation's human resources; establish techniques and methods for detecting in advance the potential impact of such developments; develop solutions to these problems, and publish findings pertaining thereto;

(2) establish a program of factual studies of practices of employers and unions which tend to affect mobility of workers, including but not limited to early retirement and vesting provisions and practices under private compensation plans; the extension of health, welfare, and insurance benefits to laid-off workers; the operation of severance plans; and the use of extended leave plans for education and training purposes;

(3) appraise the adequacy of the Nation's manpower development efforts to meet foreseeable manpower needs and recommend needed adjustments, including methods for promoting the most effective occupational utilization of and providing useful work experience and training opportunities for untrained and inexperienced youth;

(4) promote, encourage, or directly engage in programs of information and communication concerning manpower requirements, development, and utilization, including prevention and amelioration of undesirable manpower effects from automation and other technological developments and improvement of the mobility of workers; and

(5) arrange for the conduct of such research and investigations as give promise of furthering the objectives of this Act.

Skill and training requirements

SEC. 104. The Secretary of Labor shall develop, compile, and make available information regarding skill requirements, occupational outlook, job opportunities, labor supply in various skills, training activities, and employment trends on a National, State, or area or other appropriate basis which shall be used in determining the educational, training, counseling, and placement activities performed under this Act.

Manpower report

SEC. 105. The Secretary of Labor shall make such reports and recommendations to the President as he deems appropriate pertaining to manpower requirements, resources, use, and training; and the President shall transmit to the Congress within sixty days after the beginning of each regular session (commencing with the year 1962) a report pertaining to manpower requirements, resources, utilization, and training.

TITLE II—TRAINING AND SKILL DEVELOPMENT PROGRAMS

Part A—Duties of the Secretary of Labor

General Responsibility

SEC. 201. In carrying out the purposes of this Act, the Secretary of Labor shall determine the skill requirements of the economy, develop policies for the adequate occupational development and maximum utilization of the skills of the Nation's workers, promote and encourage the development of broad and diversified training and retraining programs, including on-the-job training designed to qualify for employment the many persons who cannot reasonably be expected to secure full-time employment without such training, and to equip the Nation's workers with the new and improved skills that are or will be required.

Selection of Trainees

SEC. 202. (a) The Secretary of Labor shall provide a program for testing, counseling, and selecting for occupational training those unemployed or underemployed persons who cannot reasonably be expected to secure appropriate fulltime employment without training. Whenever appropriate the Secretary shall provide a special program for the testing, counseling and selection of youths, sixteen years or older, for occupational training and further schooling. Workers in farm

families with less than $1,200 annual net family income shall be considered unemployed for the purpose of this Act.

(b) Although priority in referral for training shall be extended to unemployed persons, the Secretary of Labor shall also refer other persons qualified for training or retraining programs which will enable them to acquire needed skills. Priority in referral for training shall also be extended to persons to be trained for skills needed within the State of their residence.

(c) The Secretary of Labor shall determine the occupational training or retraining needs of referred persons, provide for their orderly selection and referral for training under this Act, and provide placement services to persons who have completed their training, as well as follow-up studies to determine whether the programs provided meet the occupational training needs of the persons referred.

Weekly Training Allowances

SEC. 203. (a) The Secretary of Labor may, on behalf of the United States, enter into agreements with States under which the Secretary of Labor shall make payments to such States either in advance or by way of reimbursement for the purpose of enabling such States to make payment of weekly Federal training allowances to individuals selected for training pursuant to the provisions of section 202 and undergoing such training. Such payments shall be made for a period not exceeding fifty-two weeks, and the amount of any such payment in any week for individuals undergoing training, including uncompensated employer-provided training, shall not exceed the amount of the average weekly unemployment compensation payment (including allowances for dependents) for a week of total unemployment in the State making such payments during the most recent quarter for which such data are available: *Provided however*, That in any week an individual who, but for his training, would be entitled to unemployment compensation in excess of such allowance, shall receive an allowance increased by the amount of such excess.

For individuals undergoing on-the-job training the amount of any payment by the Secretary of Labor under this section shall be reduced by a proportion equal to the ratio that the number of compensated hours per week bears to forty hours: *Provided*, That in no event shall the payment to such an individual, when added to the amount received from the employer, bring the total to more than the average weekly unemployment compensation payment referred to above.

(b) Such weekly training allowances may be supplemented by such sums as may be determined by the Secretary of Labor to be necessary to defray transportation and subsistence expenses for separate maintenance of individuals engaged in training under this title including compensated full-time on-the-job training, when such training is provided in facilities which are not within commuting distance of their regular place of residence: *Provided*, That the Secretary in defraying such subsistence expenses shall not afford any individual an allowance exceeding the rate of $35 per week; nor shall the Secretary authorize any transportation expenditure exceeding the rate of 10 cents per mile: *And provided further*, That where due to the unusual circumstances the maximum per diem allowance would be more than the amount required to meet the actual and necessary expenses the Secretary may prescribe conditions under which reimbursement for such expenses may be authorized on an actual expense basis.

(c) Except where the Secretary of Labor finds such training allowances are necessary to provide occupational training for youths over sixteen but under twenty-two years of age, and only to the extent of 5 per centum of the total allowances under this section, such training allowances shall be limited to unemployed persons who have had not less than three years of experience in gainful employment and who are heads of families or heads of households as defined in the Internal Revenue Code.

(d) After June 30, 1963, any amount paid to a State for training allowances under this section shall be paid on condition that such State shall bear 50 per centum of the amount of such allowances.

(e) No training allowance shall be made to any person otherwise eligible who, with respect to the week for which such payment would be made, has received or is seeking unemployment compensation under title XV of the Social Security Act or any other Federal or State unemployment compensation law, but if the appropriate State or Federal agency finally determines that a person denied training allowances for any week because of this subsection was not entitled to unemployment compensation under title XV of the Social Security Act of such Federal or State law with respect to such week, this subsection shall not apply with respect to such week.

(f) A person who refuses, without good cause, to accept training under this Act shall not, for one year thereafter, be entitled to training allowances.

(g) Any agreement under this section may contain such provisions (including, as far as may be appropriate, provisions authorized or made applicable with respect to agreements concluded by the Secretary of Labor pursuant to title XV of the Social Security Act) as will promote effective administration, protect the United States against loss and insure the proper application of payments made to the State under such agreement. Except as may be provided in such agreements, or in regulations hereinafter authorized, determinations by any duly designated officer or agency as to the eligibility of individuals for weekly Federal training allowances under this section shall be final and conclusive for any purposes and not subject to review by any court or any other officer.

On-the-Job Training

SEC. 204. (a) The Secretary of Labor shall develop, and shall secure the adoption of programs for on-the-job training needed to equip individuals selected for training with the appropriate skills, including wherever appropriate special programs for youths over sixteen years of age. The Secretary shall, to the maximum extent possible, secure the adoption of programs by private and public agencies, employers, trade associations, labor organizations and other industrial and community groups which he determines are qualified to conduct effective on-the-job training programs.

(b) The Secretary of Labor shall cooperate with the Secretary of Health, Education, and Welfare in coordinating on-the-job training programs with vocational educational programs conducted pursuant to the provisions of this title.

(c) In adopting or approving any training program under this part, and as a condition to the expenditure of funds for any such program, the Secretary shall make such arrangements as he deems necessary to insure adherence to appropriate training standards, including assurances—

(1) that wages paid to trainees are not less than those customarily paid in the training establishment and in the community to learners on the same job; and

(2) that adequate and safe facilities, personnel, and records of attendance and progress are provided.

(d) Where on-the-job training programs under this part require supplementary classroom instruction, appropriate arrangements for such instruction shall be agreed to by the Secretary of Health, Education, and Welfare and the Secretary of Labor.

National Advisory Committee

SEC. 205. (a) The Secretary shall appoint a National Advisory Committee which shall consist of ten members and shall be composed of representatives of labor, management, agriculture, education, and training, and the public in general. From the members appointed to such Committee the Secretary shall designate a Chairman. Such Committee, or any duly established subcommittee thereof, shall from time to time make recommendations to the Secretary relative to the carrying out of his duties under this Act. Such Committee shall hold not less than two meetings during each calendar year.

(b) The National Advisory Committee shall encourage and assist in the organization on a plant, community, regional, or industry basis of labor-management-public committees and similar groups designed to further the purposes of this Act and may provide assistance to such groups, as well as existing groups organized for similar purposes, in effectuating such purposes.

(c) The National Advisory Committee may accept gifts or bequests, either for carrying out specific programs or for its general activities or for its responsibilities under subsection (b) of this section.

Reports on Operation of Training Programs

SEC. 206. The Secretary shall develop, compile and make available information concerning—

(1) the number and types of training and retraining activities conducted under this Act;

(2) the number of unemployed persons who have secured full-time employment in fields related to such training or retraining; and

(3) the nature of such employment.

State Agreements

SEC. 207. (a) The Secretary of Labor is authorized to enter into an agreement with a State, or with the appropriate agency of the State, pursuant to which the Secretary of Labor may, for the purpose of carrying out his functions and duties under this title, utilize the services of the appropriate State agency and, notwithstanding any other provision of law, may reimburse such State or appropriate agency for services rendered for such purposes.

(b) Any agreement under this section may contain such provisions as will promote effective administration, protect the United States against loss and insure that the functions and duties to be carried out by the appropriate State agency are performed in a satisfactory manner.

Rules and Regulations

SEC. 208. The Secretary of Labor shall prescribe such rules and regulations as he may deem necessary and appropriate to carry out the provisions of this part.

Part B—Duties of the Secretary of Health, Education, and Welfare

General Responsibility

SEC. 231. The Secretary of Health, Education, and Welfare shall, pursuant to the provisions of this title, enter into agreements with States under which the appropriate State vocational education agencies will undertake to provide training or retraining needed to equip individuals referred to the Secretary of Health, Education, and Welfare by the Secretary of Labor pursuant to section 202, for the occupations specified in the referrals. Such State agencies shall provide for such training or retraining through public education agencies or institutions or, if facilities or services of such agencies or institutions are not adequate for the purpose, through arrangements with private educational or training institutions. Any such

agreement shall provide for payment to such State agency of 100 per centum of the cost to the State of carrying out the agreement with respect to unemployed individuals, and 50 per centum of the cost with respect to other individuals referred under this Act, and shall contain such other provisions as will promote effective administration (including provision for reports on the attendance and performance of trainees and provision for continuous supervision of the training programs conducted under the agreement to insure the quality and adequacy of the training provided), protect the United States against loss, and assure that the functions and duties to be carried out by such State agency are performed in such fashion as will carry out the purposes of this title: *Provided*, That after June 30, 1963, any amount paid to a State to carry out an agreement authorized by this part shall be paid on condition that such State shall bear 50 per centum of such cost. In the case of any State which does not enter into an agreement under this section, and in the case of any training which the State agency does not provide under such an agreement, the Secretary of Health, Education, and Welfare may provide the needed training by agreement or contract with public or private educational or training institutions.

Rules and Regulations

SEC. 232. The Secretary of Health, Education, and Welfare may prescribe such rules and regulations as he may deem necessary and appropriate to carry out the provisions of this part.

TITLE III—MISCELLANEOUS

Apportionment of benefits

SEC. 301. For the purpose of effecting an equitable apportionment of Federal expenditures among the States in carrying out the programs authorized under title II of this Act, the Secretary of Labor and the Secretary of Health, Education, and Welfare shall make such apportionment in accordance with uniform standards and in arriving at such standards shall consider only the following factors: (1) the proportion which the labor force of a State bears to the total labor force of the United States, (2) the proportion which the unemployed in a State during the preceding calendar year bears to the total number of unemployed in the United States in the preceding calendar year, (3) the amount of underemployment in the State, (4) the proportion which the insured unemployed within a State bears to the total number of insured employed within such State. For this purpose, the word "State" shall be defined to include the District of Columbia, Puerto Rico, the Virgin Islands, and Guam.

Maintenance of State effort

SEC. 302. No training or retraining program which is financed in whole or in part by the Federal Government under this Act shall be approved unless the Secretary of Labor, if the program is authorized under part A of title II, or the Secretary of Health, Education, and Welfare, if the program is authorized under part B of title II, satisfies himself that the State and/or the locality in which the training is carried out is not reducing its own level of expenditures for vocational education and training, including program operation under provisions of the Smith-Hughes Vocational Education Act and titles I, II, and III of the Vocational Education Act of 1946, except for reductions unrelated to the provisions or purposes of this Act.

Other agencies and departments

SEC. 303. In the performance of his functions under this Act, the Secretary of Labor, in order to avoid unnecessary expense and duplication of functions among Government agencies, shall use the available services or facilities of other agencies and instrumentalities of the Federal Government, under conditions specified in section 306(a). Each department, agency, or establishment of the United States is authorized and directed to cooperate with the Secretary of Labor and, to the extent permitted by law, to provide such services and facilities as he may request for his assistance in the performance of his functions under this Act.

Appropriations

SEC. 304. (a) There are authorized to be appropriated to the Secretary of Labor and the Secretary of Health, Education, and Welfare, respectively, such sums as are necessary and appropriate to carry out the provisions of this Act. The total of such sums shall not exceed $90,000,000 for the fiscal year 1962, $165,000,000 for the fiscal year 1963, and $200,000,000 for each of the two succeeding fiscal years.

(b) Funds appropriated under the authorization of this Act may be transferred, with the approval of the Director of the Bureau of the Budget, between departments and agencies of the Government, if such funds are used for the purposes for which they are specifically authorized and appropriated.

(c) Any equipment and teaching aids purchased by a State or local vocational education agency with funds appropriated to carry out the provisions of part B shall become the property of the State.

(d) No portion of the funds to be used under part B of this Act shall be appropriated directly or indirectly to the purchase, erection, or repair of any building except for minor remodeling of a public building necessary to make it suitable for use in training under part B.

(e) Funds appropriated under this Act shall remain available for one fiscal year beyond that in which appropriated.

Additional positions

SEC. 305. Subject to the standards and procedures prescribed by section 505 of the Classification Act of 1949, as amended, the head of any agency, for the performance of functions under this Act, including functions delegated pursuant to section 303, may place positions in grades 16, 17, and 18 of the General Schedule established by such Act, and such positions shall be in addition to the number of such positions authorized by section 505 of the Classification Act of 1949, as amended, to be placed in such grades: *Provided*, That not to exceed a total of ten such positions may be placed in such grades under this subsection, to be apportioned among the agencies by the Director of the Bureau of the Budget.

Authority to contract

SEC. 306. (a) The Secretary of Labor and the Secretary of Health, Education, and Welfare may make such contracts or agreements, establish such procedures, and make such payments, either in advance or by way of reimbursement, as may be necessary to carry out the provisions of this Act.

(b) The Secretary of Labor and the Secretary of Health, Education, and Welfare shall not use any authority conferred by this Act to assist establishments in relocating from one area to another. The limitation set forth in this subsection shall not be construed to prohibit assistance to a business entity in the establishment of a new branch, affiliate, or subsidiary of such entity if the Secretary of Labor finds that the assistance in the establishment of such branch, affiliate, or subsidiary will not result in an increase in unemployment in the area of original location or in any other area where such entity conducts business operations, unless he has reason to believe that such branch, affiliate, or subsidiary is being established with the intention of closing down the operations of the existing business entity in the area of its original location or in any other area where it conducts such operations.

Termination of authority

SEC. 307. (a) All authority conferred under title II of this Act shall terminate at the close of June 30, 1965.

(b) Notwithstanding the foregoing, the termination of title II shall not affect the disbursement of funds under, or the carrying out of, any contract, commitment or other obligation entered into prior to the date of such termination: *Provided*, That no disbursement of funds shall be made pursuant to the authority conferred under title II of this Act after December 30, 1965.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. POWELL: Strike out all after the enacting clause and insert the following:

"That this Act may be cited as the "Manpower Development and Training Act of 1962".

"TITLE I—OCCUPATIONAL TRAINING AND MANPOWER UTILIZATION

"Statement of finding and purpose

"SEC. 102. The Congress finds that there is critical need for more and better trained personnel in many vital occupational categories, including professional, scientific, technical, and apprenticeable categories; that even in periods of high unemployment, many employment opportunities remain unfilled because of the shortages of qualified personnel; and that it is in the national interest that current and prospective manpower shortages be identified and that persons who can be qualified for these positions through education and training be sought out and trained, in order that the Nation may meet the staffing requirements of the struggle for freedom. The Congress further finds that the skills of many persons have been rendered obsolete by dislocations in the economy arising from automation or other technological developments, foreign competition, relocation of industry, shifts in market demands, and other changes in the structure of the economy; that Government leadership is necessary to insure that the benefits of automation do not become burdens of widespread unemployment; that the problem of assuring sufficient employment opportunities will be compounded by the extraordinarily rapid growth of the labor force in the next decade, particularly by the entrance of young people into the labor force, that improved planning and expanded efforts will be required to assure that men, women, and young people will be trained and available to meet shifting employment needs; that many persons now unemployed or underemployed, in order to become qualified for reemployment or full employment must be assisted in providing themselves with skills which are or will be in demand in the labor market; that the skills of many persons now employed are inadequate to enable them to make their maximum contribution to the Nation's economy; and that it is in the national interest that the opportunity to acquire new skills be afforded to these people in order to alleviate the hardships of unemployment, reduce the cost of unemployment compensation and public assistance, and to increase the Nation's productivity and its capacity to meet the requirements of the space age. It is therefore the purpose of this Act to require the Federal Government to appraise the manpower requirements and resources of the Nation, and to develop and apply the information and methods needed to deal with the problems of unemployment resulting from automation and technological changes and other types of persistent unemployment.

"Automation and occupational training

"SEC. 103. To assist the Nation in accomplishing the objectives of technological progress while avoiding or minimizing individual hardship and widespread unemployment, the Secretary of Labor shall—

"(1) evaluate the impact of, and benefits and problems created by automation, technological progress, and other changes in the structure of production and demand on the use of the Nation's human resources; establish techniques and methods of detecting in advance the potential impact of such developments; develop solutions to these problems, and publish findings pertaining thereto; and to such ends conduct or cause to be conducted within the Department of Labor and other agencies of Government a comprehensive and continuing program of research as may be necessary;

"(2) promote, encourage, or directly engage in programs of information and communication concerning automation, technological developments, and prevention and amelioration of undesirable manpower effects from such developments;

"(3) appraise the adequacy of the Nation's manpower development efforts to meet foreseeable manpower needs and recommend needed adjustments, including methods for promoting the most effective occupational utilization of, and providing useful work experience and training opportunities for, untrained and inexperienced youth;

"(4) arrange for the conduct of such research and investigations as give promise of furthering the objectives of this Act.

"Improving labor mobility

"SEC. 104. In order to encourage the mobility of labor, to determine existing impediments to such mobility, and to determine the feasibility and desirability of methods to improve the mobility of labor, the Secretary of Labor is directed to—

"(1) establish a program of factual studies of practices of employers and unions which tend to impede the mobility of workers or which facilitate mobility, including but not limited to early retirement and vesting provisions and practices under private compensation plans; the extension of health, welfare, and insurance benefits to laid-off workers; the operation of severance pay plans; the operation of seniority systems; and the use of extended leave plans for education and training purposes. A report on these studies shall be included as a part of the Secretary's report required under section 105.

"(2) promote by discussions, publications, and other appropriate means, the development and adoption of equitable practices which improve the mobility of workers.

"Manpower report

"SEC. 105. The Secretary of Labor shall make such reports and recommendations to the President as he deems appropriate pertaining to manpower requirements, resources, use, and training; and the President shall transmit to the Congress within sixty days after the beginning of each regular session (commencing with the year 1963) a report pertaining to manpower requirements, resources, utilization, and training.

"Information and research

"SEC. 106. The Secretary of Labor shall develop, compile, and make available, in such manner as he deems appropriate, information regarding skill requirements, occupational outlook, job opportunities, labor supply in various skills, and employment trends on a National, State, area or other appropriate basis which shall be used in the educational, training, counseling, and placement activities performed under this Act.

"Appropriations for administration

"SEC. 107. There is hereby authorized to be appropriated to the Secretary of Labor a sum, not to exceed $1,770,000 for the fiscal year ending June 30, 1963, and not to exceed $1,670,000 for the fiscal year ending June 30, 1964, to administer the provisions of this title.

"TITLE II—TRAINING AND SKILL DEVELOPMENT PROGRAMS

"Responsibility for programs

"SEC. 201. (a) In carrying out the purposes of this Act, the Secretary of Labor shall determine the skill requirements of the economy, develop policies for the adequate occupational development and maximum utilization of the skills of the Nation's workers, and develop and encourage the development of broad and diversified training programs, including on-the-job training, designed to qualify for employment the many persons who cannot reasonably be expected to secure appropriate full-time employment without such training, and to equip the Nation's workers with the new and improved skills that are and will be required.

"(b) The Secretary of Labor shall carry out his responsibilities under this title through the maximum utilization of all possible resources for skill development available in industry, labor, public and private educational and training institutions, State, Federal, and local agencies, and other appropriate public and private organizations and facilities.

"Selection of trainees

"SEC. 202. (a) The Secretary of Labor shall provide a program for testing, counseling, and selecting for occupational training under titles III and IV those unemployed or underemployed individuals who cannot be expected to secure appropriate full-time employment without training. Whenever appropriate the Secretary shall also provide a special program for the testing and counseling of youths, sixteen years of age or older, and for the selection of those youths for whom occupational training under this Act is indicated.

"(b) Although priority in referral for training shall be extended to unemployed individuals, the Secretary of Labor shall, to the maximum extent possible, also refer other individuals qualified for training programs which will enable them to acquire needed skills. Priority in referral for training shall also be extended to individuals to be trained for skills needed within the area of their residence. Workers in farm families with less than $1,200 annual net family income shall be considered unemployed for the purpose of this Act.

"(c) Before selecting an individual for training, the Secretary shall determine that there is a reasonable expectation of employment in the occupation for which the individual is to be trained. If such employment is not available in the area in which the individual resides, the Secretary shall obtain reasonable assurance of such individual's willingness to accept employment outside his area of residence.

"(d) The Secretary shall not refer individuals for training in an occupation which requires less than two weeks training, unless there are immediate employment opportunities in such occupation.

"(e) The duration of any training program to which an individual is referred shall be reasonable and consistent with the occupation for which the individual is being trained.

"(f) Upon certification by the responsible training agency that an individual who has been referred for training does not have a satisfactory attendance record or is not making satisfactory progress in such training, absent good cause, the Secretary shall forthwith terminate his training and subsistence and transportation allowances, and withdraw his referral. Such individual shall not be eligible for such allowances for one year thereafter.

"(g) The Secretary of Labor shall provide placement services to individuals who have completed their training under this Act, as well as counseling services to such individuals for an appropriate period after they have been placed.

"Training allowances

"SEC. 203. (a) The Secretary of Labor may, on behalf of the United States, enter into agreements with States (which, for the purposes of this Act shall include the District of Columbia, Puerto Rico, and the Virgin Islands) under which the Secretary of Labor shall make payments to such States either in advance or by way of reimbursement for the purpose of enabling such States, as agents for the United States, to make payment of weekly training allowances to unemployed individuals selected for training pursuant to the provisions of section 202 of this title and undergoing such training in a program operated pursuant to the provisions of this Act. Each such agreement shall provide that eighteen months after the enactment of this Act any payments made thereafter under this section must be matched by State funds in an amount equal to the Federal payment. Such payments shall be made for a period not exceeding fifty-two weeks, and the amount of any such payment in any week for individuals undergoing training, including uncompensated employer-provided training, shall not exceed the amount of the average weekly unemployment compensation payment (including allowances for dependents) for a week of total unemployment in the State making such payments during the most recent quarter for which such data are available: *Provided however*, That in any week an individual who, but for his training, would be entitled to unemployment compensation in excess of such an allowance shall receive an allowance increased by the amount of such excess.

"With respect to any week for which an individual receives unemployment compensation under title XV of the Social Security Act or any other Federal or State unemployment compensation law which is less than the average weekly unemployment compensation payment (including allowances for dependents) for a week of total unemployment in the State making such payment during the most recent quarter for which such data are available, a supplemental training allowance may be paid. This supplemental training allowance shall not exceed the difference between his unemployment compensation and the average weekly unemployment compensation payment referred to above.

"For individuals undergoing on-the-job training, the amount of any payment which would otherwise be made by the Secretary of Labor under this section shall be reduced by an amount which bears the same ratio to that payment as the number of compensated hours per week bears to forty hours: *Provided*, That in no event shall the payment to such an individual, when added to the amount received from the employer, bring the total to more than the average weekly unemployment compensation payment referred to above.

"(b) Training allowances may be supplemented by such sums as may be determined by the Secretary of Labor to be necessary to defray actual and necessary transportation expenses of individuals engaged in training under this Act and, when such training is provided in facilities which are not within commuting distance of their regular place of residence, to defray actual and necessary transportation and subsistence expenses for separate maintenance of such individuals. The Secretary in defraying such subsistence expenses shall not afford any individual an allowance exceeding the rate

of $35 per week; nor shall the Secretary authorize any transportation expenditure exceeding the rate of 10 cents per mile.

"(c) Training allowances shall be limited to unemployed persons who have had not less than three years of experience in gainful employment and who are heads of families or heads of households as defined in the Internal Revenue Code.

"(d) No weekly training allowance shall be paid to any person otherwise eligible who, with respect to the week for which such payment would be made, has received or is eligible for unemployment compensation under title XV of the Social Security Act or any other Federal or State unemployment compensation law, but if the appropriate State or Federal agency finally determines that a person denied training allowances for any week because of this subsection was not entitled to unemployment compensation under title XV of the Social Security Act or such Federal or State law with respect to such week, this subsection shall not apply with respect to such week.

"(e) Any agreement under this section may contain such provisions (including, so far as may be appropriate, provisions authorized or made applicable with respect to agreements concluded by the Secretary of Labor pursuant to title XV of the Social Security Act) as will promote effective administration, protect the United States against loss, and insure the proper application of payments made to the State under such agreement. Except as may be provided in such agreements, or in regulations hereinafter authorized, determinations by any duly designated officer or agency as to the eligibility of individuals for weekly training allowances under this section shall be final and conclusive for any purposes and not subject to review by any court or any other officer.

"(f) If unemployment compensation payments are paid to an individual taking training under this Act, or any other Federal Act, the State making such payments shall be reimbursed from funds herein appropriated. The amount of such reimbursement shall be determined by the Secretary of Labor on the basis of reports furnished to him by the States and such amount shall then be placed in the State's unemployment trust fund account.

"(g) A person who, in connection with an occupational training program, has received a training allowance or whose unemployment compensation payments were reimbursed under the provision of this Act or any other Federal Act shall not be entitled to training allowances under this Act for one year after the completion or other termination of the training with respect to which such allowance or payment was made.

"(h) No training allowance shall be paid to any person who is receiving training for an occupation which requires a training period of less than six days.

"(i) A person who refuses, without good cause, to accept training under this Act shall not, for one year thereafter, be entitled to training allowances.

"Agreements with States

"SEC. 204. (a) The Secretary of Labor is authorized to enter into agreements with States, or with the appropriate State agency, pursuant to which the Secretary of Labor may, for the purpose of carrying out his functions and duties under this title, utilize the services of the appropriate State agency and, notwithstanding any other provision of law, may reimburse the State or appropriate agency and its employees for services rendered for such purposes.

"(b) Any agreement under this section may contain such provisions as will promote effective administration, protect the United States against loss and insure that the functions and duties to be carried out by the appropriate State agency are performed in a manner satisfactory to the Secretary of Labor.

"Rules and regulations

"SEC. 205. The Secretary of Labor shall prescribe such rules and regulations as he may deem necessary and appropriate to carry out the provisions of this title.

"Appropriations

"SEC. 206. There is hereby authorized to be appropriated to the Secretary of Labor a sum, not to exceed $65,800,000 for the fiscal year ending June 30, 1963, and not to exceed $110,667,000 for the fiscal year ending June 30, 1964, to carry out the provisions of this title.

"TITLE III—ON-THE-JOB TRAINING

"Development of on-the-job training courses

"SEC. 301. (a) The Secretary of Labor shall encourage, develop, and secure the adoption of programs for on-the-job training needed to equip individuals selected for training with the appropriate skills. The Secretary shall, to the maximum extent possible, secure the adoption by private and public agencies, employers, trade associations, labor organizations and other industrial, educational, and community groups which he determines are qualified to conduct effective training programs under this title of such programs as he approves, and for this purpose he is authorized to enter into appropriate agreements with them.

"(b) The Secretary of Labor shall cooperate with the Secretary of Health, Education, and Welfare in coordinating on-the-job training programs with vocational educational programs conducted pursuant to the provisions of title IV.

"Training program standards

"SEC. 302. In adopting or approving any training program under this title, and as a condition to the expenditure of funds for any such program, the Secretary shall make such arrangements as he deems necessary to insure adherence to appropriate training standards and policies, including assurances—

"(1) that the training content of the program is adequate, involves reasonable progression, and will result in the qualification of trainees for suitable employment;

"(2) that the training period is reasonable and consistent with periods customarily required for comparable training;

"(3) that adequate and safe facilities, personnel, and records of attendance and progress are provided; and

"(4) that the trainees are compensated by the employer at such rates, including periodic increases, as may be deemed reasonable under regulations hereinafter authorized, considering such factors as industry, geographical region, and trainee proficiency.

"Supervision of on-the-job and related training programs

"SEC. 303. The Secretary of Labor shall make appropriate provision for supervision of the on-the-job training programs conducted under this title to insure the quality of the training provided and the adequacy of the various programs.

"State agreements

"SEC. 304. (a) The Secretary of Labor is authorized to enter into an agreement with a State, or with the appropriate agency of the State, pursuant to which the Secretary of Labor may, for the purpose of carrying out his functions and duties under this title, utilize the services of the appropriate State agency and, notwithstanding any other provision of law, may reimburse such State or appropriate agency for services rendered for such purposes.

"(b) Any agreement under this section may contain such provisions as will promote effective administration, protect the United States against loss, and insure that the functions and duties to be carried out by the appropriate State agency are performed in a manner satisfactory to the Secretary of Labor.

"Rules and regulations

"SEC. 305. The Secretary of Labor shall prescribe such rules and regulations as he may deem necessary and appropriate to carry out the provisions of this title.

"Appropriations

"SEC. 306. There is hereby authorized to be appropriated to the Secretary of Labor a sum, not to exceed $2,800,000 for the fiscal year ending June 30, 1963, and not to exceed $4,800,000 for the fiscal year ending June 30, 1964, to carry out the provisions of this title.

"TITLE IV—VOCATIONAL TRAINING

"Provision of vocational training

"SEC. 401. The Secretary of Health, Education, and Welfare shall, pursuant to the provisions of title II of this Act, enter into agreements with States under which the appropriate State vocational education agencies will undertake to provide the vocational training needed to equip individuals, referred to the Secretary of Health, Education, and Welfare by the Secretary of Labor pursuant to section 202, for the occupation specified in the referrals. Such State agencies shall provide for such training through public education agencies or institutions or, if facilities or services of such agencies or institutions are not adequate for the purpose, through arrangements with private educational or training institutions. Any such agreement may provide for payment to such State agency of up to 100 per centum of the cost to the State of carrying out the agreement with respect to unemployed individuals, and up to 50 per centum of the cost with respect to other individuals, and shall contain such other provisions as will promote effective administration (including provisions for reports on the attendance and performance of trainees, with immediate notice to the Secretary of Labor in the event a trainee fails to attend or progress satisfactorily, and provision for continuous supervision of the training programs conducted under the agreement to insure the quality and adequacy of the training provided), protect the United States against loss, and assure that the functions and duties to be carried out by such State agency are performed in such fashion as will carry out the purposes of this title: *Provided*, That, after eighteen months after the enactment of this Act, any amount paid to a State to carry out an agreement authorized by this part shall be paid on condition that such State shall bear 50 per centum of such cost. In the case of any State which does not enter into an agreement under this section, and in the case of any training which the State agency does not provide under such an agreement, the Secretary of Health, Education, and Welfare shall provide the needed training by agreement or contract with public or private educational or training institutions.

"Cooperation with Secretary of Labor

"SEC. 402. The Secretary of Health, Education, and Welfare shall cooperate with the Secretary of Labor in coordinating vocational education programs with on-the-job training conducted pursuant to the provisions of title III.

"Rules and regulations

"SEC. 403. The Secretary of Health, Education, and Welfare may prescribe such rules

and regulations as he may deem necessary and appropriate to carry out the provisions of this title.

"Appropriations

"SEC. 404. There is hereby authorized to be appropriated to the Secretary of Health, Education, and Welfare a sum, not to exceed $28,500,000 for the fiscal year ending June 30, 1963, and not to exceed $42,000,000 for the fiscal year ending June 30, 1964, to carry out the provisions of this title.

"TITLE V—MISCELLANEOUS

"Apportionment of benefits

"SEC. 501. For the purpose of effecting an equitable apportionment of Federal expenditures among the States in carrying out the programs authorized under titles II, III, and IV of this Act, the Secretary of Labor and the Secretary of Health, Education, and Welfare, in accordance with uniform standards and in arriving at such standards, shall consider the following factors: (1) the proportion which the labor force of a State bears to the total labor force of the United States, (2) the proportion which the unemployed in a State during the preceding calendar year bears to the total number of unemployed in the United States in the preceding calendar year, (3) the lack of appropriate full-time employment in the State, (4) the proportion which the insured unemployed within a State bears to the total number of insured employed within such State.

"Other agencies and departments

"SEC. 502. (a) In the performance of his functions under this Act, the Secretary of Labor, in order to avoid unnecessary expense and duplication of functions among Government agencies, shall use the available services or facilities of other agencies and instrumentalities of the Federal Government, under conditions specified in subsection (d). Each department, agency, or establishment of the United States is authorized and directed to cooperate with the Secretary of Labor and, to the extent permitted by law, to provide such services and facilities as he may request for his assistance in the performance of his functions under this Act.

"(b) Funds authorized to be appropriated under this Act may be transferred, with the approval of the Director of the Bureau of the Budget, between departments and agencies of the Government, if such funds are used for the purposes for which they are specifically authorized and appropriated.

"(c) The Secretary of Labor and the Secretary of Health, Education, and Welfare may make such contracts or agreements, establish such procedures, and make such payments, either in advance or by way of reimbursement, or otherwise allocate or expend funds made available under this Act, as they deem necessary to carry out the provisions of this Act.

"(d) The Secretary of Labor and the Secretary of Health, Education, and Welfare shall not use any authority conferred by this Act to assist in relocating establishments from one area to another. Such limitation shall not prohibit assistance to a business entity in the establishment of a new branch, affiliate, or subsidiary of such entity if the Secretary of Labor finds that such assistance will not result in an increase in unemployment in the area of original location or in any other area where such entity conducts business operations, unless he has reason to believe that such branch, affiliate, or subsidiary is being established with the intention of closing down the operations of the existing business entity in the area of its original location or in any other area where it conducts such operations.

"Maintenance of State effort

"SEC. 503. No training program which is financed in whole or in part by the Federal Government under this Act shall be approved unless the Secretary of Labor, if the program is authorized under title III, or the Secretary of Health, Education, and Welfare, if the program is authorized under title IV, satisfies himself that neither the State nor the locality in which the training is carried out has reduced or is reducing its own level of expenditures for vocational education and training, including program operation under provisions of the Smith-Hughes Vocational Education Act and titles I, II, and III of the Vocational Education Act of 1946, except for reductions unrelated to the provisions or purposes of this Act.

"Selection and referral

"SEC. 504. The selection of individuals for training under this Act and the placement of such individuals shall not be contingent upon such individual's membership or nonmembership in a labor organization.

"Secretaries' reports

"SEC. 505. (a) Prior to March 1, 1963, and again prior to March 1, 1964, the Secretary of Labor shall make a report to Congress. Such report shall contain an evaluation of the programs under titles I, II, and III, including the number of individuals trained and the number and types of training activities under this Act, the number of unemployed or underemployed persons who have secured full-time employment as a result of such training, and the nature of such employment, the need for continuing such programs, and recommendations for improvement.

"(b) Prior to March 1, 1963, and again prior to March 1, 1964, the Secretary of Health, Education, and Welfare shall also make a report to Congress. Such report shall contain an evaluation of the programs under title IV, the need for continuing such programs, and recommendations for improvement. The first such report shall also contain the results of the vocational training survey which is presently being conducted under the supervision of the Secretary.

"Termination of authority

"SEC. 506. (a) All authority conferred under titles II, III, and IV of this Act shall terminate at the close of June 30, 1964.

"(b) Notwithstanding the foregoing, the termination of these titles shall not affect the disbursement of funds under, or the carrying out of, any contract, commitment, or other obligation entered into pursuant to these titles prior to the date of such termination: *Provided*, That no disbursement of funds shall be made pursuant to the authority conferred under titles II, III, and IV of this Act after December 30, 1964.

"Appropriations

"SEC. 507. There is hereby authorized to be appropriated to the Secretaries of Labor and Health, Education, and Welfare such sums as may be necessary to administer the provisions of this title, but not to exceed the sum of $1,600,000 for the fiscal year ending June 30, 1963, and not to exceed the sum of $2,750,000 for the fiscal year ending June 30, 1964."

The amendment was agreed to.

The Senate bill was ordered to be read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 8399) was laid on the table.

Mr. POWELL. Mr. Speaker, I ask unanimous consent that the House insist on its amendment to the Senate bill, and ask for a conference with the Senate on the disagreeing votes thereon.

The SPEAKER. Is there objection to the request of the gentleman from New York?

The Chair hears none and appoints the following conferees: Messrs. POWELL, HOLLAND, O'HARA of Michigan, SMITH of IOWA, JOELSON, KEARNS, GOODELL, BRUCE, and GARLAND.

GENERAL LEAVE TO EXTEND

Mr. POWELL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

ANNUAL RED MASS HELD AT ST. MATTHEW'S CATHEDRAL

Mr. LIBONATI. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. LIBONATI. Mr. Speaker, the annual red Mass was held at St. Matthew's Cathedral, at 10 a.m., on Sunday, January 28, 1962. It can be truthfully said that many persons of consequence in public life, representatives of foreign lands and of our Government, were present.

During the celebration of the holy Mass, the Most Reverend Philip M. Hannan, auxiliary bishop of Washington, gave the sermon. With the sparkling fervor of true religious faith, the auxiliary bishop delivered one of the most touching and invigorating sermons that has ever been given before a mixed congregation in the annals of Washington churchdom. His masterful treatment of the subject matter, before an audience of men dedicated to the public service of governments, was eloquent, spiritually touching and humble in its pronouncements. The humbleness of this great churchman in the presence of so many distinguished and brilliant leaders, reflected the true virtue of his training at the hands of his mother church.

He announced, with true devotion, the true interpretation of freedom enjoyed by those who live as freemen and servants of God.

Mr. Speaker, so long as we have men of the cloth who speak in no uncertain terms depicting true lifetime religious values of our people and their honest obligations to government, the less will hypocracy be practiced among men. A wonderful message was delivered to us by a holy man who loves his God, his country, and his fellow men. In his sermon he earned the admiration of his listeners, regardless of faith, because of the direct, positive and practical treatment of the subject. May God bless him and keep him among us always to carry

on the light of knowledge of our religious freedom for all men.

TEXT OF SERMON BY THE MOST REVEREND PHILIP M. HANNAN, AUXILIARY BISHOP OF WASHINGTON, AT ANNUAL RED MASS AT ST. MATTHEW'S CATHEDRAL, 10 A.M., SUNDAY, JANUARY 28, 1962

"Live as freemen, yet not using your freedom as a cloak for malice, but as servants of God." (First Epistle of St. Peter, ch. I, verse 16.)

Thus did St. Peter urge the Christians of his day. Such also was the goal of the founders of this Nation who envisaged personal freedom under God as the basis of the Nation. Their beliefs in God, the natural law and reason buttressed their conviction—on which they staked their lives—that man could be free and conduct a successful government. They believed in "life, liberty and happiness" but liberty was the source of the happiness they sought. The taxes that they revolted against injured their conscience more than the economy, as the Federalist papers show. They were keenly aware that freedom demanded sacrifice and self-discipline, that the enemies of freedom were present in our own wills and passions as well as those of opposing nations. They recognized that freedom could be destroyed by those who abuse it as much as by those who forcibly overthrow it.

It was this concept of an individual's right to freedom under God that made our Revolution relevant to all humanity. It was this fact that impelled a great churchman and patriot to exclaim, "America, thy destiny is all humanity." This devotion to freedom under God remains our national will as evidenced so recently at Punta del Este in Uruguay. That will was solemnly affirmed a few weeks ago by our President who said, "While no nation has ever faced such a challenge, no nation has ever been so ready to seize the burden and the glory of freedom, and in this endeavor, may God watch over the United States of America."

As a result of our initiative in the field of industry and scientific advances, our country has fulfilled in large measure the hopes of our forefathers in the "pursuit of happiness." But the right of man that is still under heavy menace is the right to freedom, individual freedom, both at home and in our international relations. This is the crucial issue for the future of the world.

Freedom is under attack in our communities by the widespread crime which represents a subversion of the concept of individual freedom. It is under attack by those who use economic power to infringe the freedom of others in the business and labor world. It is under attack by those who fail to regard their fellow citizen as an equal and welcome Son of God, regardless of language or race or national descent. It is under attack by those who confuse freedom with its material fruits, who confuse freedom with personal indulgence.

To mark the defects in our life is not to deny the progress. Since our national beginning, we have constantly enlarged the scope of freedom, despite the lapses to which mortal man is always subject. Every lapse has sparked a fresh resolve and a quick advance. Today, with thanks to God in whose name and with whose help these advances were made, our country's system of free government is more relevant than ever to all humanity; it is still the best vindication of freedom under God that the world has seen.

The chief attack upon freedom comes in the international sphere. The scale of the attack indicates, I think, the extent of the success of our system of freedom under God.

Freedom is under attack in the international order because the traditional, God-centered concept of man is under attack. Materialistic collectivism or communism, denying the dignity of man by denying his creation, denies his personal freedom. Personal freedom is dispensable, even anachronistic, in any system which regards man as all matter, responsive to his environment but not personally free. For us, freedom is so essential to man that its denial is not a deprivation but an attempted mutation of man. For unless a man is free, all morality, all responsibility is only a mirage. Man is free or he is not a man. When Patrick Henry cried, "Give me liberty or give me death" he was voicing a basic fact of human life and civilization. The heedless slogan, "Better Red than dead" misses the nature of freedom and man. Rather should it read, "Dead in spirit if Red?" The essence of all materialistic belief is that man is essentially a consumer, content because he is fat, not because he is free.

The crisis today comes largely from the fact that man confuses his enjoyment of material goods with freedom. While we know that man must live on bread—and this country has been notable in its compassion on its neighbors throughout the world—he does not live by bread alone. Freedom is not identical with the standard of living, nor the enjoyment of material goods. Although freedom will generally produce a higher standard of living and higher production than a system of slave labor, freedom is not the possession of more cars, bigger houses, and television sets.

A distinguished scholar, Arnold Toynbee, noted the tendency today, during his address at Williamsburg last year of preferring material equality to liberty. He said: "The first objective on the agenda of the depressed majority of mankind is, I believe, not liberty but equality." He called upon the United States to help the world raise its material standard of living "as a means toward helping them to raise their spiritual standards."

His warning has merit. Has not this priority of material equality been the slogan of so many dictators who robbed the people of liberty by promises of bread? Social justice, so eloquently supported in the encyclical of the Holy Father, "Mater et Magistra," springs from the fact that man enjoys the right to freedom conferred by God. He needs decent housing and sufficient food to achieve his God-given destiny. He needs to be given the material means for the use of his freedom, but freedom under God is the goal, not material equality. Material equality is not enough, for there can be equality among slaves as well as among freemen. The only equality worth having is that of freemen who know that their freedom comes from God.

It is a curious, perhaps symptomatic fact that the Iron Curtain and concentration camps are the distinctive institutions of this age of totalitarian tyranny, an age also of relatively general prosperity. The question arises: Are the Iron Curtain and the concentration camps there because the world has so much preoccupation with wealth? Would Samuel Adams and his colleagues of 1776 have accepted them as quasi-permanent institutions of political life? Has the great postwar boom in the West failed freedom by a case of mistaken identity between freedom and prosperity? Are we ready for the "burden and glory of freedom"?

We can safeguard freedom only when we prize it for what it is and defend it against materialism. The conflict is basically spiritual and can ultimately only be solved by a spiritual resurgence that sees every man as a welcome fellow son of God endowed with His freedom. Even if the military threat of armed materialism no longer existed, even if hunger and poetry and all the aids to the materialist revolt were abolished, freedom would not be secure unless we had grasped the full splendor of freedom as the gift of God, an attribute which makes us His image.

No campaign for the cause of God can ever be waged except in the spirit of God, by His love for every man. We can defeat the emptiness of materialism only by conveying the richness of a life of faith. We can lose the fight against materialism only by fighting it on the wrong ground—by a greater materialism. For this reason, it is always instructive, even edifying, to speak with defectors from the cause of materialism. Basically, they left it because it disillusioned them, because it did not fill their God-given aspirations to achieve a life of freedom. I have not met one who did not sacrifice his material benefits to enjoy freedom. They do not come to us to enjoy greater material benefits. They come to enjoy freedom and their dignity as men.

Furthermore, they always tend to measure our system by the worth of our lives, for they have learned to distrust words. Herein lies the obligation of each of us to our country and to the world. Each one of us vindicates the system of freedom by the worth of his life. We defend freedom under God every day by honoring the just law that enshrines it. The just law of freedom is not only an ordinance of reason, it is a rule of action. The just law of freemen can exist only if freemen are virtuous. It is an old rule that if we do not act the way we think, we shall think the way we act. Every man, by his actions, contributes to the law. Centuries ago, Solon, the great Greek lawgiver remarked that fact. When asked whether he had devised the best law possible, he said, "The best that the people will accept." A distinguished professor of the University of Pennsylvania Law School expressed the same fact when he said, "If our profession aired our constitutional system, we have all the more obligation to see to it that it works—that your Nation does not lose sight of those self-evident principles upon which it was founded." This is a task incumbent upon all freemen. Freedom under God does not exist by virtue of a document or an agreement. Freedom exists only in act, in the will. Freedom lives only by the virtue of freemen, as St. Peter taught, "Live as free men, yet not using your freedom as a cloak for malice, but as servants of God." (First Epistle of St. Peter, ch. I, verse 16.)

[From the Washington Star, Jan. 29, 1962]

PERIL TO FREEDOM WARNING ISSUED AT RED MASS

Cabinet members, Ambassadors, Senators, and Congressmen attended Washington's traditional Roman Catholic red Mass yesterday and heard a warning that freedom is under attack in the United States.

The Most Reverend Philip M. Hannan, Catholic auxiliary bishop of Washington, told the 1,200 guests at St. Matthew's Cathedral that widespread crime and improper use of economic power infringe on freedom and added:

"It is under attack by those who fail to regard their fellow citizens as an equal * * * regardless of language or race or descent. It is under attack by those who confuse freedom with its material fruits, who confuse freedom with personal indulgence."

The Mass, taking its name from the color of the vestments worn by officiating priests, is celebrated annually to ask God's blessing on the administration of justice in the United States.

[From the Catholic Standard, Feb. 2, 1962]

BISHOP DEFINES FREEDOM

The American system of freedom is vindicated by the worth of the life of each of us, Bishop Philip M. Hannan told a distinguished congregation of top Government officials, judges and diplomats at the annual red Mass Sunday in St. Matthew's Cathedral.

Archbishop O'Boyle celebrated the Mass which is an annual event held near the beginning of the judicial year for judges, lawyers, and Government officials of all faiths to invoke God's blessings on their work. It is sponsored by the Lawyers' Committee of the John Carroll Society.

Notables attending the Mass included Speaker of the House John W. McCormack who headed a large delegation of Senators and Congressmen; Chief Justice Earl Warren and Associate Justice William J. Brennan, Jr., of the Supreme Court who led the judicial delegation; Attorney General Robert Kennedy and Postmaster General J. Edward Day who represented the Cabinet; and representatives from 15 foreign governments.

The prayer for civil authorities, written by Archbishop John Carroll in the early days of this country, was recited at the Mass.

VETERANS' AFFAIRS

Mr. RANDALL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD, and to include a statement of the commander of the American Legion before the Committee on Veterans' Affairs on Tuesday, February 27, 1962.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. RANDALL. Mr. Speaker, yesterday—Tuesday, February 27, 1962—was a very busy and eventful day on the third floor of the Old House Office Building. From all over America, members of the American Legion filled to capacity the large caucus room as their national commander, Charles L. Bacon, appeared before the House Veterans' Affairs Committee.

Such activity on this floor has not been seen in many years. Down the hall in the large Armed Services Committee room, appearing before the House Science and Astronautics Committee—House Space Committee—were America's three astronauts. Present were Comdr. Alan Shepard and Capt. Gus Grissom, both having earlier made successful suborbital flights; and with them, our great hero of the day, the humble, likable, really down to earth astronaut—Col. John H. Glenn.

Though every minute of that hearing was a new thrill for each and every person crowded into the committee room, we, as members of the House Space Committee, had to forgo the first part of their testimony. This was because at that particular time we had been awarded the enjoyable opportunity, which was at the same time a high privilege and a great honor, to introduce and present to the House Veterans' Affairs Committee our fellow Missourian, the national commander of the American Legion, Charles L. Bacon, who in his statement, presented the legislative objectives of the American Legion for the 2d session of the 87th Congress.

In asking leave to insert my remarks of introduction, it is not for any personal reasons but rather that through the pages of the CONGRESSIONAL RECORD, widespread circulation may be given to the personal history of the man who will this year lead the greatest veterans organization in the world. Therefore, following our remarks of introduction, we are asking leave that the statement of Commander Bacon be spread in the RECORD. He delivered a sincere, yet thought-provoking message from the American Legion to every Member of the Congress. The remarks of introduction and the commander's statement follow:

Mr. RANDALL. Mr. Chairman, and my colleagues on this great Committee on Veterans' Affairs. It is a real privilege, and I am highly honored this morning, for a fellow committee member to be permitted to introduce to the committee the distinguished commander in chief of the American Legion.

Charlie Bacon, as we all call our good friend, is one and the same Charles L. Bacon, of Kansas City, Mo., and a native of the city of Marshall, Saline County, Mo., who was unanimously elected national commander of the American Legion at the 43d National Convention in Denver, Colo., September 14, 1961.

It is very significant that Bacon was unopposed at Denver and was, in fact, elected by acclamation. This is not always the case. Not only was he the delegates' candidate at the beginning—he soon became the other candidates' candidate.

After the new commander's whirlwind trip of 30,000 miles in October 1961, there was at least one witness in every county in the United States who could bear witness to the fact that their new national leader was able, instantly likable, sincerely devoted to the principles of the American Legion and American citizenship, endowed with a high order of ability and basic good sense, possessed of a personal manner that is frank, friendly and reassuring.

He is the "Show Me" State's first member to be elected to the top position in the American Legion. But this is only one of a series of firsts on Bacon's part. He is the first—and so far the only—member of Post 191 at Marshall, Mo., to be awarded a life membership. He was the first of Missouri's World War II veterans to be elected department commander of the American Legion out in Missouri. It should be recalled that he graduated first, as the honor graduate of his class at Missouri Valley College, at Marshall, Mo. After leaving this small college he entered the University of Missouri where he was elected president of the student body, which made him the first—or top man—on the campus.

Another first for Bacon was that he was the youngest local president that the chamber of commerce at Marshall, Mo., had ever elected then and even to this date.

Our commander graduated from the University of Missouri in 1934 with honors, and returned to his home city of Marshall, Mo., where he engaged in the general practice of law until he was called into the service early in 1942, at about the beginning of World War II. It was then he was commissioned in the United States Navy and served first as a communications officer and later as a legal officer until April 1946 when he was separated from the service with the permanent rank of lieutenant commander.

After his release from the service he returned to his home city of Marshall, Mo., and to active membership in Marshall Post 191 of the American Legion. He has held several post and district offices. In 1948 he was elected department judge advocate; in 1949 he rose to the office of senior vice commander; and in 1950 was elected department commander of Missouri.

Although he soon completed his term as commander, he later served with distinction on many department and national commissions and committees.

But, to show the humility of our guest here this morning, after he had served as State American Legion commander in 1950, and did an outstanding job honoring and dignifying the department, he returned to his local post in Marshall and learned they badly needed an adjutant, and though he had just stepped down from the highest Legion office in the State, he jumped back in the harness to the lowly rank and glamourless job of post adjutant for a year.

Bacon followed his law profession in the city of Marshall until 1952, when he moved to Kansas City, Mo., to become chief counsel for the marketing division of Skelly Oil Co., and remained with that firm until 1956, at which time he became a partner in the firm of Shook, Hardy, Ottman, Mitchell & Bacon. While Charlie Bacon might be described as a corporation lawyer, he is certainly recognized in the courts where he has practiced as an outstanding trial lawyer.

Mr. Chairman, and members of the committee, if I may digress for a moment, I would like to interject just a word of personal observation about our distinguished guest here this morning. Having personally practiced law for many years in Jackson County, Mo., I know something of his great reputation as a trial lawyer, but I also served as a member of the Jackson County court for over 12 years (and during that time Charlie Bacon appeared before our court repeatedly), usually arguing the cause of a client before the board of equalization or representing some client on a question of zoning or land use and to the very best of my recollection there was not a single instance in which he did not prevail in behalf of his client.

Mr. Chairman, our commander has always been active in civic and educational affairs. He is now serving as vice president of the board of trustees of Missouri Valley College. It was not very long ago, in January 1962, that he was awarded the honorary degree of doctor of laws by that institution. He has been a member of the Missouri Citizens Commission for Education. He is a lifelong member and deacon of the Presbyterian Church; a member of the Masonic Lodge; a member of Sigma Nu social fraternity; and Phi Delta Phi legal fraternity.

Our commander is married to the former Helen Selvage, and is the father of two children—a daughter, now Mrs. Charles Rule, and a son, Charles L. (Buddy) Bacon, Jr.

Our guest is endowed with a good and warm sense of humor and an infectious smile. He is one who seems to grow on you. There must be something extraordinary about a man who continually rises in leadership and the answer is that he has the ordinary qualities that we look for in anyone on whom we seek to rely. He has the very ordinary things such as sincerity, friendliness, genuineness, clarity of judgment, capacity for hard work, general ability and that elusive thing we know as personal charm.

One of the great papers in mid-America, the Kansas City Star, in a warm editorial following Bacon's election stated, "* * * integrity and intelligence have marked his career. Calm and easygoing in appearance, he is a dynamo of energy. The Legion will have a whirlwind year under the leadership of Charlie Bacon."

He is a man of great loyalty to his country. He will ask for nothing that is not right or completely fair on behalf of the great veterans' organization that he represents. I am sure he puts his country above everything else, and this notwithstanding that he is the leader of a great organization, the largest veterans' organization in this country.

Mr. Chairman, Missouri is mid-America. It is neither South nor North nor East nor West. Kansas City, Charlie Bacon's home, is the heart of America, and he will give his heart and mind and full efforts all this year to the great organization he heads. Missouri is famous for the finest mules in the world, and the most famous country cured ham in all America. She has had many famous sons—Mark Twain, Champ

Clark, Gen. Black Jack Pershing, Gen. Omar Bradley, President Harry S. Truman—but in the realm of leadership for the veterans of this country, it is my considered judgment Charlie Bacon has been and will add luster to our State as a famous son of Old Missou.

Out in Missouri we are known as the "Show Me" State, and we are proud of that description. But everyone should remember that none of us ever have to be shown but once. That will be typical of the great year of service ahead for the veterans of this country by our witness here this morning.

My colleagues of the Veterans' Affairs Committee, it is my great pleasure and high honor to present to you the Honorable Charles L. Bacon, national commander of the American Legion.

STATEMENT BY CHARLES L. BACON, NATIONAL COMMANDER, THE AMERICAN LEGION, BEFORE THE COMMITTEE ON VETERANS' AFFAIRS, HOUSE OF REPRESENTATIVES, FEBRUARY 27, 1962

Mr. Chairman and members of the committee, this occasion has always meant much to the American Legion. In a personal way, it has added significance by virtue of the fact that I have been presented to this committee by my friend and fellow Missourian, Congressman RANDALL.

At the outset, may I thank you, Mr. Chairman, and members of the committee for your consideration in receiving all of us this morning. We are grateful for this opportunity to present the American Legion's rehabilitation legislative program for the year.

We are extremely conscious of the fact that service on this committee constitutes one of the most difficult yet one of the most rewarding of congressional assignments. It is also a thrilling experience for a citizen to appear before legislative bodies, for it is in this arena that life and meaning are given the democratic processes.

The legionnaires who have joined me today are representatives of every State in the Nation. They are in Washington attending our annual commander's conference. This is an important series of meetings and, in addition to the 39th Annual Rehabilitation Conference, includes the convening of seven of the major commissions of the American Legion. The keynote of our conference is our conviction that the more effective we make the programs of the American Legion today, the stronger and better will be the America of tomorrow. This keynote calls attention to the reason for the very existence of the American Legion: a stronger and better America.

The American Legion is indebted to the Veterans' Affairs Committee for its significant efforts to improve and perfect legislation controlling veterans benefits. We know this committee is conscientious, is hard working, is sympathetic and is cooperative. If I were to epitomize the actions and results of the House Veterans' Affairs Committee, I would say that both strongly indicate that its members recognize and accept a compassionate responsibility for those who offered their lives in defense of this Nation. We have much to thank this committee for, not the least of which is the fact that it invariably receives our proposals, and those who present them, with understanding and grace.

Mr. Chairman, your committee staff has been most helpful to us. Mr. Meadows, Mr. Patterson, and all the others seem to consider us interested parties engaged in a mutual undertaking. We thank them for their willingness to receive and consider our suggestions and to keep us informed of the special studies in which they engage.

Mr. Chairman and members of the committee, we have a substantial number of legislative proposals which we will urge for your consideration this session. To us of the American Legion, all are important and we will work diligently toward their enactment. Although we appear and participate here today as advocates and not as the judge and jury, we desire that our participation be responsible, and may I assure you that we are aware of the fact that there can be a unity of purpose without a strict conformity of thought. Some of our proposals are more far reaching than others, or have a greater number of beneficiaries, or have a greater impact upon the veterans benefits program.

I intend, this morning, to discuss in rather general terms several which, in my judgment, fall into this latter category, and to submit, as an appendix to my statement, a complete list of all of our resolutions in the rehabilitation legislative field.

Disability and death compensation: It has been the well-established position of the American Legion that the service disabled and the survivors of those who die of service-connected causes, are the first concern of our organization and of the Congress. Their welfare and their best interests are always uppermost in our minds. Our complete dedication to the service disabled does not mean, however, that we will endorse every compensation bill presented. Last session, this committee did not approve the Legion's proposal to adjust the service-connected compensation law; that fact certainly does not justify the allegation by anyone that the committee is not for the service disabled. There are some compensation increase bills which in our judgment fail to meet basic and fundamental needs. It is most important to note here that I do not speak only of the question of how much of an increase should be granted. In addition to that important point are two other considerations about which we feel strongly. The American Legion is convinced that balance should be restored to the rate structure and that additional allowances, on a pro rata basis, should be provided for veterans rated 10 through 40 percent disabled. As to balance, we cannot escape the logic of the argument that contends that a man who is rated 90-percent disabled by the Veterans' Administration should receive a monthly sum equal to 90 percent of the amount payable for total disability. He did until 1952, when the rate structure was thrown out of balance. At present, he receives an amount equal to 79 percent of the amount payable for total disability. The imbalance continues down through the remaining percentage evaluations. If he is not truly 90-percent disabled, he should not be so rated, or the rating schedule, which specifies the evaluation to be assigned, should be modified. Nor can we in the Legion see the rationale in the law which provides additional allowances for the family of a man rated 50-percent disabled but not for the family of the man rated 40 percent. The inequity is particularly striking when we consider the case of a man with several children who is reduced, because of a changed physical condition, from 50 to 40 percent. He loses not only the 10-percent compensation, but also all allowances for his family—as though they had suddenly ceased to exist. It is the conviction of the American Legion that a compensation bill which does not restore balance and provide the additional allowances described is basically and fundamentally deficient. We urge your consideration of our proposal in this field.

Disability and death pension: Public Law 211, passed in the 86th Congress, instituted a number of substantial changes in existing pension legislation. These amendments were intended to perfect the controlling law and to especially benefit the most needy. Our experience with 86-211 impels us to the conclusion that certain revisions are in order. The resolution which our last national convention approved will, we believe, put the law in a form that will fulfill the purposes for which it was originally passed.

National service life insurance: Notwithstanding the value of national service life insurance, millions of veterans were unable to retain their insurance after discharge. The demands of education, growing families, economic adjustments, and so forth, were too great. We feel that had the Congress established a prospective termination date for the life insurance program, which had been in effect since the close of World War I, giving veterans a last but reasonable period in which to apply, many would have made the sacrifices necessary to secure the insurance. We urge that the privilege of securing national service life insurance now be reopened for a limited time, under specific conditions and with due regard for those who are now uninsurable as a result of service-connected disabilities.

Aging veterans: The aging and chronically ill veteran has been a source of great concern to us for some time. We have devoted much time and study to his problems. We have a joint economic-rehabilitation subcommittee whose sole function it is to consider this matter. The American Legion has urged that special medical facilities be provided for the veteran, usually advanced in age, who is afflicted with a long-term illness. I single out this subject because of its growing importance and because I know you share our interest in the subject.

Administration of veterans' benefits: We are aware of proposals to vest in agencies other than the VA the administration of certain veterans' benefits. We oppose such a move. Tradition and reason, in our judgment, require that the agency experienced and trained in these matters continue to control them. We fear, too, that one such loss would be followed by another, leading ultimately to the completely unsatisfactory condition that existed when veterans' matters were administered according to subject matter by various Federal agencies. Experience led the Congress to establish a single agency, charged with the responsibility for veterans' affairs. That same experience, now fortified by time and achievement, dictates that the single agency concept must be retained.

Mr. Chairman and members of the committee, the legislative proposals which we present to you today constitute one part of the whole effort to which the American Legion devotes itself. Were we an organization that only asked, I might be hesitant in coming before you today—even though that which we seek is for others. But our record of giving is a source of pride and satisfaction—giving, not only in the field of rehabilitation, where the Legion annually spends $2 million and where thousands of service officers, almost all unpaid, give countless thousands of hours of service; but giving, also, in our other programs, such as child welfare, boys state and junior baseball, in Americanism, and national security.

We are keenly aware that some of our proposals cost substantial amounts of money. I can assure you that the delegates to our conventions bear in mind constantly their responsibility to the public as well as to veterans. We believe that what we seek is right and reasonable. We are convinced that it will always be within the power of this Nation to do that which is right and reasonable.

Mr. Chairman, at the appropriate time, our staff will present to your committee the details of all of our specific legislative proposals. We will try, as always, to establish and document their validity and their desirability.

Thank you again for your kindness and for your attention.

PERSONAL EXPLANATION

Mr. MADDEN. Mr. Speaker, when the roll was called this afternoon I was at

a hearing at the Veterans' Administration. Had I been present I would have voted "yea."

CONSTRUCTIVE APPROACH ON LEGISLATION BY REPUBLICAN MEMBERS

Mr. HALLECK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HALLECK. Mr. Speaker, adoption of a substitute for the Manpower Development and Training Act of 1961, offered by the gentleman from New York, the Honorable CHARLES E. GOODELL, is further evidence of the constructive approach being taken toward legislation by Republican Members of the Congress.

The bill has now been passed by an overwhelming vote, 354 to 62, with 1 "present," and certainly an overwhelming vote of approval on my side of the aisle, where 145 voted "yea"; and for that I am very happy. While under House procedures the bill actually passed bears the name of a majority party Member, and that is as it should be, it embodies completely the substitute proposals put forward by the gentleman from New York Representative GOODELL and other Republican members of the Committee on Education and Labor.

By this action in accepting the Republican program for retraining unemployed workers, the House has effectively refuted the unfounded accusation that our position is always negative.

The Goodell substitute reflects in large measure an extensive study known as Operation Employment made by a task force of some 60 Republicans who called on some of the most knowledgeable private citizens in the Nation to advise them on ways to attack the problem of unemployment.

It should also be recalled that when the depressed areas legislation was before the House last year an attempt was made by Republicans to increase funds for a manpower retraining program. This proposal, however, was defeated by votes from the Democratic side of the aisle.

I am convinced that this sound Republican approach will give the country an effective new program to help those jobless people who want to work to regain a useful place in our economy as breadwinners. It is clear evidence of responsible Republican initiative and action in the Congress of the United States.

ROCHESTER'S EASTMAN PHILHARMONIA DESERVES HIGHEST PRAISE

Mr. HALPERN. Mr. Speaker, I ask unanimous consent that the gentlewoman from New York [Mrs. WEIS] may extend her remarks at this point in the RECORD and may include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mrs. WEIS. Mr. Speaker, the Eastman Philharmonia, the student symphony orchestra of the renowned Eastman School of Music, in Rochester, N.Y., returned Sunday from a tour abroad which has reaped great and enduring benefits for the United States. I rise today to pay special tribute to Dr. Howard Hanson, the beloved head of the Eastman School and conductor of the orchestra, to his very talented assistant, Frederic K. Fennell, and to the extraordinarily gifted young student musicians of the philharmonia.

Under the auspices of our people-to-people program, the Eastman Philharmonia has just completed a 3-month tour of 16 nations, including the Soviet Union, and every single performance of this magnificent student group was met with the highest critical acclaim. In my judgment, the music of the philharmonia has done more to enhance the cultural prestige of the United States abroad than any other single effort we have ever made. America owes a tremendous debt of gratitude to this dedicated and extremely gifted group of young people.

Wherever they went, these young musicians, ranging in age from only 17 to 22, performed splendidly. Newspaper accounts indicate that audiences and critics alike were amazed at their poise and ability. Their three concerts in Moscow drew rave notices and audiences demanded repeated playings of John Philip Sousa's "Stars and Stripes Forever"; in Lvov, in the heart of the Ukraine, the lights had to be turned off after seven encores so the audience would go home. Everywhere the reception was the same. The philharmonia captured the hearts of music lovers throughout Europe as they long ago captured the hearts of the people of my home city of Rochester.

Mr. Speaker, I am enormously proud of this wonderful group of young people and their devoted director, Howard Hanson, an old and dear personal friend of mine. I salute them for a job well done and wish them all many more successes in their musical careers. They have performed a truly great service in the cause of better understanding between the people of this country and those of the 16 other nations who were privileged to hear their beautiful music.

I should like to include at this point in the RECORD a series of newspaper clippings from Rochester papers which vividly describe the impact of the philharmonia's tour:

PHILHARMONIA WOWS REDS WITH "STARS AND STRIPES"

A Moscow audience last night took to heart John Philip Sousa's march honoring the everlasting quality of the American flag, thanks to Rochester's Eastman Philharmonia.

Wire service reports from Moscow indicated that most members of the enthusiastic audience in Tchaikovsky Conservatory heard Sousa's "Stars and Stripes Forever" last night, for the first—and second—time.

The first performance came as a third encore and drew shouts from the audience of "March. March." Several Russians asked Americans the name of the march. They seemed a little surprised when told but continued applauding.

The overflow audience of 2,000 called the orchestra back for encores for more than 40 minutes. The rousing march went over so well that it was played twice.

The march is being played regularly as an encore during the orchestra's 3-month European and Asian tour. Last night's was the first of three concerts to be played in Moscow by the 87-member orchestra.

The philharmonia enjoyed what conductor Howard Hanson called "one of our greatest receptions" in its first concert in the Soviet Union.

Among Soviet notables hailing the performance was Deputy Culture Minister A. N. Kuznetsov, who told Hanson:

"You made a wonderful impression. You played music that is seldom heard in our country."

The Tass News Agency described the performance as a smash hit and said the orchestra's wide ranging program "made an impression of very great musical culture."

U.S. Ambassador and Mrs. Llewelyn Thompson were on hand, but some members of the Embassy staff were unable to get tickets.

Rhythmic clapping and cheering by the audience lasted more than half an hour after the end of the regular concert which included works of Mozart, Purcell, De Falla, Ravel, and Conductor Hanson.

One enthusiastic Moscovite remarked to a reporter:

"I was worried because they all looked so young. But they are marvelous."

Kuznetsov, in an apparent reference to the Sousa march, told Hanson that part of the concert's success was somewhat unusual.

Sousa, America's "March King," is well known for his stirring patriotic marches. In 1880 he was appointed leader of the Marine Corps Band and served under Presidents Garfield, Arthur, Cleveland, and Harrison. In World War I he was given the rank of lieutenant commander and was director of music at the Great Lakes Naval Training Station.

Also well received was Hanson's Symphony No. 2 "Romantic." Tass said the symphony "is regarded by Moscow music critics as one of the most striking manifestations of American romanticism of the 20th century."

The concert included Purcell's "Dioclesian," the overture to Mozart's opera "Abduction from the Seraglio," Ravel's suite "Ma Mere l'Oye," and the suit from De Falla's "Three Cornered Hat."

After the audience filed out of the ornate Tchaikovsky Conservatory Hall into the frosty Moscow night, the orchestra remained seated.

In a burst of youthful exuberance it suddenly began playing again to an empty hall—without Hanson.

The orchestra is to play in Moscow tonight and tomorrow before touring the Soviet Union.

Hanson obviously spoke for the group when he said to the delighted audience "spasibo"—"thank you" in Russian.

PHILHARMONIA REPEATS MOSCOW HIT

Moscow.—The Eastman School of Music's all-student philharmonia orchestra scored another rousing triumph last night in the Soviet capital.

The audience at the Tchaikovsky Conservatory demanded six encores, including two repeats of the stirring Sousa march "Stars and Stripes Forever."

"This is the first time we ever had to play an encore to an encore," declared conductor Howard Hanson.

"Stars and Stripes Forever" appears to have become a favorite of Muscovite music lovers. At the philharmonia's opening concert Thursday night the audience took to the march music instantly and demanded to hear it again.

Last night's performance was televised over the Soviet network.

Hanson said in an interview on Moscow radio "I was impressed by the warmth of the reception."

Hanson said playing in the conservatory was a sentimental occasion for him because the late Serge Koussevitzky—"one of my very best friends"—was a graduate of the conservatory.

"Koussevitzky began directing the Boston Philharmonic in 1924," said Hanson, "the same year I went to Eastman."

Hanson said members of the Moscow audiences were surprised by the youth of the orchestra, whose members range in age from 17 to 22.

He reported that a Russian woman who came in to take a picture of the group stopped short at the sight of them and exclaimed "Amazing."

She was almost as surprised to learn that all were studying to be professionals, Hanson related.

PHILHARMONIA A SMASH HIT IN 3-DAY MOSCOW STAND

MOSCOW.—Eighty-seven young Americans of the University of Rochester's Eastman Philharmonia ended a 3-day stand in Moscow last night playing six encores for a delighted audience of Muscovite music lovers.

A standing-room-only audience showed its appreciation in the ornate Tchaikowsky Conservatory Hall for a program that included works of Beethoven, American Walter Piston, and Eastman Director Howard Hanson.

But the orchestra made its greatest hit with Sousa's "Stars and Stripes Forever" which it had to play twice on each of the three nights by popular demand.

Today the group continues its tour of the Soviet Union, which ends about February 23.

After Saturday night's concert, five of the American musicians held a jam session at the American Club, moving diplomats to do the charleston and jitterbug.

"This has been a fantastic experience," said Daniel T. Perantoni, 20, of Johnsonburg, Pa.

"The whole trip has been a fantastic experience—all 16 nations—everywhere we've been. Music is an international language."

The orchestra's associate director, Frederic K. Fennell, who conducted the first half of last night's concert, was highly enthusiastic about the orchestra's European tour under the cultural exchange program.

"This is the greatest kind of diplomacy since the days of Benjamin Franklin," he said. "It's like playing baseball in Yankee Stadium."

Fennell said that while the young musicians have been "up" for the whole tour, they are even keener to make a good impression in the Soviet Union.

From indications of the last 3 days, they will have no trouble.

Director Hanson, who conducted the second half of last night's concert as well as all of the Friday and Saturday performances, found himself still taking bows before a cheering audience 45 minutes after the end.

In an interview on Moscow Radio, Hanson commented:

"I was impressed by the warmth of the reception."

He said playing in the conservatory was a sentimental occasion because the late Serge Koussevitzky—"one of my very best friends"—was a graduate of the conservatory.

"Koussevitzky started directing the Boston Philharmonic in 1924, the same year I went to Eastman," Hanson said.

Last night's performance of the philharmonia was televised over the Soviet network.

ALLEN REPORTS FROM RUSSIA: "THEY WOULDN'T GO HOME"—PHILHARMONIA GIVES SEVEN ENCORES IN LVOV

(By Hamilton B. Allen)

(Ham Allen left February 5 to be with the Eastman Philharmonia during the latter weeks of its Russian tour. He arrived in Moscow a week ago and made arrangements to join the orchestra in Lvov. More detailed accounts of Allen's experiences in Russia will be published later in the Times-Union.)

KIEV, U.S.S.R.—They had to turn out the lights in a theater at Lvov Sunday night so the Eastman Philharmonia could go home.

The reception was that enthusiastic. An applauding audience brought the philharmonia back for seven encores for 1 hour after their performance had concluded.

Everyone agrees the reception in Lvov was the greatest of the entire 3-month oversea tour.

As the 87-member Rochester student orchestra left the theater and headed for their hotel, Russians stopped them in the streets. They wanted to talk and invite them to their homes and music schools.

Everybody with the orchestra and its staff is well.

These young people are making such an impression in Russia that it is hard to understand. The Russian visit has provided a series of fantastic experiences.

Lvov is an industrial center in the western Ukraine, about 50 miles from the Polish border. It is the former Galician capital in the old Austro-Hungarian Empire.

We journed by train from Lvov to Kiev where the philharmonia will perform Thursday night. Tonight, the orchestra and staff will go to the Kiev Ballet.

The philharmonia's performances in Lvov were brilliant.

Director Howard Hanson said he felt the orchestra was "playing well—way over their heads."

Sunday night's concert, devoted entirely to modern works, was led by Frederick Fennell, the associate conductor. The audience numbered more than 1,000, and 500 persons were turned away.

After the concert in Kiev Thursday night, the philharmonia will go to Leningrad for the windup of the Russian tour.

Hanson said he has accepted an invitation for the orchestra to give a concert April 7 in Philadelphia for the Musical Arts Society of America.

RUSSIANS WANT TO KNOW THE SCORES—THEY STOP PHILHARMONIA MEMBERS FOR MUSIC, FACTS ON AMERICA

(By Hamilton B. Allen)

The Russian man-in-the-street is packed full of curiosity. Drop an American in his town—or better, 97 Americans—and he and they are apt to cause quite a stir. The Russian people are deeply interested in the who and what and why of America.

Members of the Eastman Philharmonia told me that what I saw on this score happened in every town on the Russian tour.

It was particularly evident in the areas where Americans are decidedly in short supply, Lvov and Kiev, for instance. This I saw and was a part of. The impressions are lasting.

For instance, a few steps outside the concert hall in Lvov, on a side street, shortly before midnight, I came upon a crowd of people neck-stretching to hear and see what was going on in the middle of the tight-ringed circle.

Curious myself, I joined the stretch, all 6 feet 2, and saw Dr. Frederick Fennell, somewhat less than that height, way down in the center. He was being interrogated by a woman who spoke bits of English, translating for a Russian gentleman obviously of some distinction.

The immediate issue was Sousa's "Stars and Stripes Forever" march that had been played and later repeated at the concert. The man was a professor of music and he insisted that he "must have that music for his orchestra." He had never been so thrilled, he said, and if the maestro (Fennell) would allow him a score he would stay up all night to copy it and have it at the hotel before breakfast.

Satisfied that Fred was in no trouble, I broke off the fringe of the mesmerized audience and walked along the dark street. I wasn't half a block away when I sensed someone walking immediately behind me.

Then a young man caught my arm and said in stilted, halting English (that was much better, by the way, than my travel-book Russian) that he had seen me taking pictures at the concert and suspected I was a journalist from the United States and would I please answer a couple of questions about my homeland.

I decided to play it cool, so I said to go ahead and shoot the questions.

This is verbatim, for I made notes the moment I gained the quiet safety of the hotel:

"Tell me, is it true that all the future for youth is in our land [Russia] and that in America there is no future for your young people?"

I told him that I wasn't in Russia to make propaganda but that I wanted to tell him the truth, as long as he had asked.

I said, "No, that the future for young people in the United States was very bright and from what I had seen of Russia it was equally bright for the Soviet youth.

"Together," I said, hoping to add a clincher, "we could have the greatest future man ever knew if we learned how to get along in peace."

Then he said, "Our papers tell us that you people want war. Is that true?"

I vigorously denied that, said that it just plain wasn't true, that the papers that said that were not sticking to the facts, that he must remember that if you cut us we bleed the same as a Russian and that we wanted most of all to have peace on this earth and for all men everywhere to live happily and peaceful together.

He faded from my side as quietly as he had arrived. Who he was I do not know.

Many in the orchestra tell of similar experiences.

Two of the girls in the philharmonia, Patricia Dengler of Amarillo, Tex., and Linda Van Sickle of Cleveland, told me of one.

Again it was night (these meetings don't happen in daylight) when a couple accosted them after a concert and invited them to their home the next day. The man spoke good English.

The girls, eager to see how Russian people live, accepted. They took a taxi to the address and were welcomed into the "clean, neat, fairly comfortable" home (apartment; there are few single houses).

The man was a teacher of English, they learned, and was hoping that he could add to his library, his latest works of American origin being Mark Twain's writings. He wanted his children to become familiar with U.S. writers. He did not know of William Faulkner, nor of F. Scott Fitzgerald nor of any of the crop of major latter day authors, the girls said.

The girls said his hunger for "something beyond what he could get in local bookstalls" was pitiful.

They added what little they could from their travel reading. They said he was "touchingly grateful."

This is the way it went.

ORCHESTRA WOVE WEB OF UNDERSTANDING

(By Hamilton B. Allen)

The real story of the Eastman Philharmonia tour cannot be written in black and white. It was graven in the hearts of men in the universal language of beautiful music by 87 gallant young people from Rochester, N.Y. They and those who heard and those who saw will never think the same again, nor perhaps even be the same.

The transformation both in those who gave and in those who received, was visible and touching; a wonderment to a bystander briefly in their midst whose own experience never shall be forgotten.

Their story is as big as the land that stretches from the Atlantic eastward to the red-towered walls of the Kremlin; from the hot streets of Cairo, thick with the diseased, to the silent, frozen beauty of sophisticated Leningrad.

It is a story of tired people and long plane hops; crowded buses, and dirty trains; of warm receptions, and cold rooms; of gustatory delights, and horsemeat.

It is a story of eager kids who chose to forget sick bellies and homesick hearts to keep the show on the long, long road.

It is a story of an old man of Lvov, crying silently in a corner of the concert hall and through his tears muttering "duh-svee-dah-nee-yah" (so long, until the next time) as the young players left the hall; of others so smitten with the young musicians from America that they wanted only to touch them as they went by; of opened homes in a shuttered land; of struck-up friendships that ignited on dark streets between music hall and hotel and sparkled into bright, wonderful moments of a spontaneous people-to-people thing that no government bureau could have planned, nor stopped; of unmeasurable good will spread across Europe and through the Iron Curtain into the vast, forbidding darkness of Russian hinterlands where no American orchestra had ever been before.

It is the biggest story in the history of Rochester music, a fantastic triumph for Yankee diplomacy and complete vindication of the American system of music education pioneered here and showcased so brilliantly in the Eastman Philharmonia.

This is the reaction of a reporter on the "home" side.

Let's look at what the "other" side thought of the orchestra for a measure of its artistic accomplishments. Here is a professional view, written by Prof. M. Teryan, a leading critic in Soviet musical circles, for Soviet Culture, the principal magazine of music and the arts in all of Russia.

It was translated for me in the last moments before leaving Kiev for Moscow and home. Here it is:

"Despite the young age of the musicians, the orchestra impresses us first of all with its fine ensemble, with technical and group perfection, a high quality of sound, irreproachable in its intonation and rhythmic stability. The orchestra is superb in its dynamic gradation—from the softest pianissimo to a powerful forte, to which any harshness is foreign.

"Composer Dr. Howard Hanson is the artistic leader and the chief conductor of the Eastman orchestra. He is unquestionably a musician of high caliber.

"Dr. Hanson's manner of conducting bears no trace of affectation but is characterized by appealing modesty and charm. At the same time he is a deeply emotional and brilliant artist.

"Complex in style and character, the (first) concert program was carried out with great artistic mastery and variety of performance. The overture, 'Abduction from the Seraglio' by Mozart, sounded light and transparent; Ravel's 'Mother Goose Suite' was full of fresh orchestral color and shadings of timber. In de Falla's suite, 'The Three Cornered Hat,' the orchestra dazzled us with its rhythmic accuracy and true inner temperament. We were deeply impressed by the interpretation of Purcell's 'Dioclesian' suite—the utterly clear voice leading providing expressive and beautiful sonority.

"By the way, recalling the third concert, I must say that the magical mastery of the orchestra's full palette of colors revealed itself to the utmost in such scores as Respighi's 'Fountains of Rome' and in Liadov's 'The Enchanted Lake.'

"For the first time Muscovites heard Howard Hanson's Second Symphony, 'Romantic.' The audience highly appreciated both the mastery of the orchestra and of its leader.

"I shall not speak of the second concert of the American musicians where the superb art of Dr. Hanson and his students was reaffirmed anew. I shall just mention briefly the third and last concert in Moscow when the audience met another guest conductor, Dr. Frederick Fennell. I am pleased that Shostakovich's First Symphony found in Dr. Fennell a profound and thoughtful interpreter."

Said Dr. Hanson, with a sly chuckle of delight, "I couldn't have done better if I had written it myself."

PHILHARMONIA WINS PLAUDITS ON DEPARTURE FROM RUSSIA

Moscow.—The Eastman Philharmonia Orchestra of Rochester left for home last night after giving concerts in Moscow, Leningrad, Kiev, and other Soviet cities, Moscow radio said.

Tass, the Soviet news agency, appended this comment in reporting the departure:

"The greatest plaudits went to the art director of the orchestra, Composer Howard Hanson. It was noted in musical circles that the Eastman orchestra largely owes to Howard Hanson its high professional skill. The conductor has a natural bearing on the podium and does not strive for effects for effects' sake. Having a perfect command of the orchestra he is able to insure an amazingly balanced sound, making use of all the rich hues of the orchestra palette. The second conductor, Frederick Fennell, also produced a fine impression.

"The Soviet press and music critics noted that despite its youth the Eastman orchestra attracts one by its excellent feeling of ensemble, high technical skill, fine sound, a faultless intonational quality and sustained rhythm.

"The orchestra is equally good in the full dynamic range, from the most delicate pianissimo to a powerful forte without any ostentation, wrote the paper Sovetskaya Kultura."

PHILHARMONIA RETURNS TONIGHT FROM 3 MONTHS OF TRIUMPHS

The Eastman Philharmonia will return tonight in triumph after a three-continent, 3-month tour.

Hundreds of Rochesterians are expected to greet the 96-member orchestra when it arrives at Niagara Falls Airport at 8:25 p.m.

Political, civic and cultural leaders will be joined by scores of students and faculty members from the Eastman School of Music and University of Rochester.

Members of the troupe will be "piped" a welcome by the Eastman Wind Ensemble, organized by Dr. Frederick G. Fennell, associate philharmonia conductor and founder of the ensemble. Dr. Fennell was with the group during its tour.

Parents and friends of the young musicians will journey to Niagara Falls by auto. A local delegation of greeters will be headed by County Manager Gordon A. Howe and City Manager Henry R. Dutcher, Jr.

The travelers will leave Amsterdam, the Netherlands, today via a DC-3 jet. Rochester-Monroe County Airport's 5,500-foot runway is too short to accommodate the big plane, which carries 120 passengers.

After the landing at Niagara Falls, the company will return here by bus.

Persons wishing to drive to the welcoming ceremonies tonight were advised to leave the New York Thruway at exit 49. From there they should go north on Route 78 for 2 miles, then west on Route 324 to the junction of Routes 18 and 62 (about 6 miles). Continue northwest on Route 62 for 11.5 miles to Bell Aircraft plant. Signs pointing toward the airport and Air Force base show the way from there.

After the first salutations, an official welcome-home dinner will be held Wednesday night in the Sheraton Hotel. The dinner will honor Dr. Howard Hanson, director of Eastman School; Dr. Fennell; Richard Kilmer, concertmaster; and the other musical tourists.

The orchestra, made up of Eastman School students, led by Dr. Hanson and Dr. Fennell, left here on its State Department-sponsored tour November 24. They made their final appearance Thursday in Leningrad. That triumphant concert climaxed more than 70 played during the 10,000-mile itinerary.

Critics in Lisbon, Portugal (their first stop), described the philharmonia as sounding better than the Lisbon orchestra.

Reports reaching here disclosed that the young musicians found only critic acclaim in their journey.

That commendation was duplicated again and again in Switzerland, Luxembourg, Belgium, Sweden, West Germany, Egypt, Lebanon, Turkey, Poland, and the Soviet Union.

Perhaps in that country more than any other, the greatest triumphs were scored. The precision of the group impressed both Soviet critics and audiences.

At the first concert in Moscow January 26, more than 2,000 persons jammed into Moscow Conservatory. The crowd's shouts of appreciation kept the philharmonia playing encores for 40 minutes.

On that night the third encore was "Stars and Stripes Forever" and the Russians insisted it be played a second time.

A Tass critic wrote that the orchestra "made an impression of very great musical culture."

After the Moscow concert series, the philharmonia enchanted music lovers in other cities of eastern Russia. The Soviet tour ended last week in musically sophisticated Leningrad.

The philharmonia left the Soviet Union yesterday afternoon en route for Amsterdam, radio Moscow reported last night.

On January 22 in Warsaw, Poland, the acclaim brought four encores from a cheering crowd. In Cracow an audience broke precedent by asking an encore even before intermission.

"This just never happens," commented Dr. Fennell, who was conducting that day.

Besides exposing Iron Curtain countries to the performance level of an American student orchestra, the tour brought a large sampling of American music to many areas where it was rarely heard.

Among the works favorably cited most consistently by critics was Hanson's Second Symphony.

During the tour minor emergencies arose.

The most serious was the illness of Karen Phillips. Miss Phillips, a violist from Dallas, Tex., suffered an appendicitis attack which confined her to a hospital in Istanbul, Turkey.

But the 19-year-old artist caught the orchestra 10 days later in Warsaw. In true show business tradition she insisted on taking her place for the next concert.

But through both tribulations and triumphs the company apparently performed its musical mission of friendship to other nations.

The community's salutations which will begin tonight will be added to the long litany of praise recited so often in so many places.

HANSON MOVED BY RUSSIANS' RECEPTION

NIAGARA FALLS.—Russian audiences "could not have been nicer to us" Dr. Howard Hanson said last night as friends and well-wishers mobbed him inside the Niagara Falls Airbase hangar.

"No one could have given our Eastman Philharmonia Orchestra a warmer reception. Russia is a fascinating country and the whole experience has been tremendous."

The veteran conductor was most explicit in saying:

"I feel that the European and Middle East peoples not only like our young musicians for their talent but also for the way they conducted themselves."

Dr. Hanson, who lost nine pounds on the first 3 weeks of the tour, admitted he was very tired but very happy.

"It was hardly a vacation. When that big plane finally landed here in the United States, there was a reaction that I can't really put into words," he said. "Incidentally, we have had letters from embassies and consulates all over Europe, congratulating our philharmonia for its magnificent contribution to musical and cultural understanding.

"These young musicians were a great success. We all should be proud of them."

Dr. Hanson looked fit and ready and, with his usual ability to understate, remarked:

"I am amazed at the size of the crowd welcoming us here."

Among them was his private secretary, Mary Louise Creegan, who burst into tears as she gave the boss a bearhug.

THE FOOD AND AGRICULTURE ACT OF 1962

Mr. HALPERN. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. QUIE] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. QUIE. Mr. Speaker, the Committee on Agriculture has been studying H.R. 10010 which is entitled, The Food and Agriculture Act of 1962. Under this proposal the dairy industry would come under Government controls such as no dairy farmer has ever anticipated in the past.

One of the serious faults of this legislation is that all future production will be based on the production of farmers in the year 1961. At best this will be backward looking rather than forward looking legislation. It will freeze existing patterns of production and marketing not to levels of the present day but to 1961 levels. The dairy industry has undergone great changes in the last decade. This change and progress would virtually be stopped if the proposed legislation were enacted.

No Government regulation and no attempt to bring the dairy industry into a public utility status can possibly take into consideration and make adjustments for changes caused by population growth, changing consumer preferences, changing farm management efficiency, and new management practices and technological advantages which are assisting dairy farmers.

This lack of flexibility is of great concern to dairy farmers in my area of the country. I have received letter after letter from young dairy farmers, many of whom spent 1961 in the service and who now have gone back to their fathers' farms. The father reduced production in 1961 in order to handle production while his boy was in the service and now together they plan on operating an efficient dairy farm which will utilize the labor of both the young man and his own.

If this legislation is enacted it would prevent such an increase and in effect it would force the young man off the farm to find employment elsewhere. The letters which I received indicate that many young men, who have begun large expenditures for modernization of their dairy plant with the eventual goal of securing the number of cattle necessary to make an efficient operation of their farm, now find they would be prevented from reaching the point of efficient production because their production base would be their 1961 production.

Under the bill marketing allotment or bases could be transferred from one farm to another, but only according to the rules and regulations promulgated by the Secretary of Agriculture and he could also be in the market purchasing dairy bases and in that way bid up the prices of these bases. This would make an additional expenditure for any young farmer wanting to become a dairyman or to increase his herd to the size necessary for him to be an efficient dairyman.

The only individual that this program could possibly work for would be one who planned to reduce production next year anyway. The dairy farmers who would be satisfied with this program would be those who would comply with reduction of production automatically because of management decisions made by themselves.

The bill provides that all other dairy farmers would be kept in line because of substantial fines and imprisonment in a Federal penitentiary. Now, the Department of Agriculture has changed its mind and says this is no longer necessary. However, it should be pointed out that this is a portion of the bill and evidently was considered necessary at the time the bill was written.

The only way I can ever see that a production control plan would be in any way equitable is if it would apply equally to all dairy farmers. However, this law provides that so-called deficient areas could be exempted. Also, minimum allotments would be provided so that the small producer would not be subject to the act and in this way all the reduction in production would be saddled on commercial producers in areas where some supply of dairy products is provided for other areas of the country.

As the administration testified on the dairy section of this legislation they realized that there were many complex and difficult areas in which decisions must be made. Some of them are: what are to be the price support levels, how much will production be reduced, exactly how would transfer of allotments be provided, how would they define deficient areas, at what level would they set the minimum allotment, how would the country be divided into 15 different areas—and so on.

In every case it was stated by administration witnesses that these were details that had not yet been worked out. It seems to me that such details should be made available to the Congress in order that we may make a decision as to whether or not this is just legislation rather than waiting until the time of the referendum to inform the farmers to what kind of regulations and controls they actually would be subjected.

From all the studies I have made of quota plans—and this definitely is a quota plan—any of the present problems which would be solved would be dwarfed compared to the great problems that would be created. If we want a healthy and prosperous dairy industry in this country this is not the approach to take. Let us rather listen to the experience of the people involved in our great dairy industry—people who almost unanimously oppose this legislation—and let us take recommendations from them.

THE LATE HONORABLE RALPH GWINN

Mr. HALPERN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. RIEHLMAN] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RIEHLMAN. Mr. Speaker, I am deeply saddened at the passing of our good friend and former colleague Ralph Gwinn. It was a real privilege to serve with him here in the House. I was sorry when Ralph Gwinn announced his retirement from the Congress a few years ago and now the knowledge of his passing brings home a much greater loss.

Ralph Gwinn was one of the most devoted and conscientious men with whom I have served in the House. He was gracious, kind, and always willing to assist his colleagues with their many problems.

Ralph Gwinn was a great American who fought to the very end for the ideals in which he believed. He will be sorely missed.

My deepest sympathy goes out to his family in their bereavement.

SENATOR IRVING M. IVES

Mr. HALPERN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. RIEHLMAN] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RIEHLMAN. Mr. Speaker, this country suffered a considerable loss with the passing of former U.S. Senator Irving M. Ives of New York. Irving Ives was a

humanitarian in the true sense of the word. He was a man of principle and conviction and could always be counted on to pursue the course which he felt in his own heart and mind was in the best interests of his country.

Irving Ives was an inspiration to those around him, coming as close as anyone could, in my estimation, to setting a perfect example for those who would pursue a life of public service. Dedication, thoroughness, objectivity, effectiveness—these were hallmarks of Irving Ives' service.

His contributions to the well-being of his fellow man are marked indelibly on his outstanding record of public service in the New York State Assembly and in the U.S. Senate. Admiration and respect for Irving Ives would flow from a knowledge of his public record alone. These feelings are heightened by the fact that I was personally acquainted with him for many years before we both came to Washington in 1947 to serve in the Congress.

In this day and age when men of wisdom and vision are sorely needed, we are the worse for his passing. He has left as one of his many legacies, however, his shining example of statesmanship which will endure as a valuable guidepost for our individual actions in the months and years ahead.

ORGANIZATION OF THE DEFENSE SUPPLY AGENCY

Mr. WINSTEAD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. WINSTEAD. Mr. Speaker, on August 31 the Secretary of Defense announced the organization of the Defense Supply Agency. As a member of the Armed Services Committee I have long been concerned with the effort to economize and improve defense procurement through centralization of functions. I applaud the Secretary's current effort in this direction.

Implementation of the new Agency will have a drastic and curtailing effect upon many older segments of the defense structure. High among these is the Quartermaster Corps of the Army. This dedicated corps has, in the past, performed a huge part of defense procurement with unquestionable efficiency, and it is not due to any lack of progressive adaptation on the part of the Quartermaster Corps that has inspired this change. These changes could only be justified on the grounds that greater economies and efficiencies can be effected by the creation of the Defense Supply Agency.

The Quartermaster Corps is as old as the U.S. Army and older than the Navy and Marine Corps. Age alone does not warrant veneration. The corps, however, through 10 generations of war and peace has won the respect of the Armed Forces, the Nation, and our many allies. Of more significant interest in recent years—years marked by growth of management techniques—the corps has been in the forefront in applying modern business methods to military supply. It has been the leader in joint supply of common items. Around the world, beginning in World War II, it has supplied food and petroleum to all services. It was a pioneer in the joint purchase of clothing as early as 1954. Two years later it organized the first single managers which contributed to the U.S. taxpayers hundreds of millions of dollars savings.

When progress dictates the withdrawal of responsibility and prestige from any member of the governmental family, it is fitting that unusual and honorable performance in the past should be recognized and applauded. This should be in appreciation to the outgoing performers and for the encouragement and dignity of those left to continue remaining significant functions.

It is with these thoughts that I express appreciation to the Quartermaster Corps of the Army for its superior and traditional performance over these many years in the broadest field of defense procurement, and the confidence that its future performance in the field of direct supply will continue to contribute to the support and comfort of our combat forces.

RETIREMENT OF MAJ. GEN. PAUL B. BELL

Mr. WICKERSHAM. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. WICKERSHAM. Mr. Speaker, tomorrow Maj. Gen. Paul B. Bell will be retired from the U.S. Army Reserve. He has served our country in war and in peace. It is my distinct honor now to offer him, before this House assembled, our congratulations and our thanks.

General Bell has devoted almost 40 years to the Army National Guard and the U.S. Army Reserve. He terminates his military career as Commanding General of the 95th Division. He rose to this position of eminence from the enlisted ranks of the Wisconsin National Guard, which he first served as a private in January 1920. As Commanding General of the 95th Division and as a citizen of the State of Oklahoma, we honor him today.

General Bell is a fine American possessing a truly outstanding record of service. He was for many years with the 45th Division. During World War II, General Bell served nearly 6 years of active duty. His assignments included artillery battalion commander, artillery group executive officer, artillery group commander, and assistant artillery officer, artillery section of the European General Board. During 26 months of duty in the European theater, he earned many awards of merit and distinction, including the Silver Star, the Legion of Merit, the Bronze Star with Oak Leaf Cluster, the Air Medal, and the French Croix de Guerre with Palm.

After the war, General Bell joined the Army Reserve program, eventually undertaking his present command in April 1958.

General Bell should be proud of his service and the Army Reserve should be proud of General Bell. His leadership and high moral character mark him as one of the finest products of our military reserve program. It is through the dedication and service of men like General Bell—the civilian soldiers of our democracy—that the United States can face the challenging future with confidence.

On the occasion of General Bell's retirement, we now salute a man who has served his country well.

MANPOWER DEVELOPMENT AND TRAINING ACT

Mr. HALPERN. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. SCHADEBERG] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. SCHADEBERG. Mr. Speaker, this country's first modern apprenticeship law was enacted in my State of Wisconsin in 1911. Over the years other States adopted laws patterned after ours and today there are 26 States and Territories with apprenticeship laws and agencies similar to our apprenticeship division.

Wisconsin has participated in the veterans' training under Public Laws 346 and 550. Forty-three thousand veterans were approved for training. Thirteen thousand were on-the-job trainees, training for periods not to exceed 2 years, in every imaginable business and occupation.

It is my understanding that under H.R. 10363—H.R. 8399 as amended—State agencies having the experience and know-how will be utilized to assist in carrying out the intent of the program. I am only too aware that it is difficult for us to predict just what the Department of Labor will do in the administration of this legislation once it becomes law. However, I do wish to state for the record that many of my colleagues share with me the hope that existing State agencies dealing with apprenticeship and training programs will not only be utilized in administering the program but will be used to give the benefit of their experience in setting up approval criteria for all types of training on the job under the Manpower Development and Training Act.

Mr. HALPERN. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. MACGREGOR] may extend his remarks at this point in the RECORD and may include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MACGREGOR. Mr. Speaker, I speak in support of the Manpower Development and Training Act and the objectives toward which it is directed. The

widely recognized advances in American technology have produced profound results in our industrial production. The quality and quantity of our products have increased markedly. But hand in hand with these industrial changes has been a shift in the manpower skills necessary to operate industry. Only too frequently both industry and worker are found lacking the needed skills. It is specifically to this problem of training and retraining workers that the Manpower Development and Training bill is aimed.

I should like to direct attention specifically to that section of the bill which provides for educational institutions to offer the needed training programs. The bill authorizes State vocational education agencies to provide for such training through "public education agencies or institutions or, if facilities or services of such agencies or institutions are not adequate for the purpose, through arrangements with private educational or training institutions"—section 401, lines 10 to 15. Hence it is envisoned that existing available public facilities will be sought first and then qualified established private facilities will be utilized to provide any additional facilities. Such a priority system is only just for the administration of a public program.

However, it is significant to point out that section 503 of the bill requires that the present level of State and local vocational training effort be maintained. Hence, all existing programs must be continued at least on the present scale. Since most communities are already utilizing their public vocational facilities at near capacity, it is anticipated that existing public facilities may not be adequate to fulfill the new demands. In my own State, the University of Minnesota already utilizes through contract agreements the facilities of the William Hood Dunwoody Industrial Institute of Minneapolis for vocational education. The Dunwoody Institute is a nonprofit institution of extremely high reputation. It provides industrial and technical training of the finest caliber to men in the Minneapolis-St. Paul area. It is my understanding that institutions of such high caliber as Dunwoody were specifically intended to be eligible under provisions of this bill. I am sure that my distinguished colleagues who conducted hearings and drafted this bill would heartily concur that such is the intent of this bill. The following letter from the Department of Health, Education, and Welfare also indicates agreement by the administration:

JUNE 23, 1961.

DEAR MR. HOLLAND: There is a definite role for private, vocational, technical, and training schools and institutes under the Manpower Development and Training Act of 1961, H.R. 7373, if there were a training need in the area and the public schools were unable or preferred not to provide this particular training need.

The legislation specifically authorizes the State vocational agency to contract with private institutions to provide training and retraining requested by the employment services.

As you know, your bill authorizes the Secretary of Health, Education, and Welfare to contract directly with private institutions in an area if the State vocational education agency does not or cannot provide vocational training requested by the Secretary of Labor.

In the particular case of the Dunwoody Institute, Minneapolis, Minn., one of the Nation's outstanding technical institutes, it is noteworthy that the State University of Minnesota presently has a relationship with Dunwoody to provide training for university students which is not available through the university.

Thank you for your inquiry about this important matter. Please feel free to call on us for any further information you may need.

Sincerely yours,

PHILIP H. DES MARAIS,
Deputy Assistant Secretary, Department of Health, Education, and Welfare.

Mr. Speaker, other fine nonprofit private vocational institutes of high caliber are located in major industrial areas throughout the country. One example would be the David Rankin School of Mechanical Trades located in St. Louis, and so prominently discussed by the distinguished gentleman from St. Louis, Congressman THOMAS CURTIS. I am convinced from talking with subcommittee members that such eminently qualified institutions as Dunwoody and Rankin are intended to be eligible for participation in the programs established by the bill. It is the fly-by-night type of schools which took undue advantage of the earlier veterans education acts that cause concern to the framers of this legislation. The committee has assured me frequently that institutions of the excellent caliber of Dunwoody and Rankin are desired and necessary for the fullest implementation of this manpower program. Therefore, I feel it is essential in the passage of the manpower development and training bill to establish clearly the intention of Congress that qualified nonprofit private institutions should participate in the newly established program.

Mr. GOODELL. Mr. Speaker, I pay tribute to my esteemed colleague, the gentleman from Minnesota [Mr. MACGREGOR]. He is always alert and vigilant to the detailed items of legislation before this body, and particularly so when people of his Third Congressional District are affected. I wish to assure the gentleman that it is my understanding that the Labor Department has high respect for Dunwoody Institute.

As legislative history to this substitute bill, I want it clearly understood that we do not contemplate requiring trainees to attend public facilities when better private facilities are available in the community. The language of the bill authorizes agreements between the Secretary of HEW and State agencies to provide training "through public educational agencies or institutions, or, if facilities or services of such agencies or institutions are not adequate for the purpose, through arrangements with private educational or training institutions."

I would certainly contemplate that trainees at Dunwoody would normally qualify for training allowances since, as I understand it, no technical institutes in that area compare with Dunwoody in the particular type of training Dunwoody offers. It is not our intention to make life more difficult for private technical institutes or any other private institutions providing needed training facilities. I would certainly hope that the administrators of this substitute bill would lean over backward in this respect. Having discussed this with my Democratic colleagues, I believe my views are shared in this respect on a bipartisan basis.

KENNEDY'S POLITICAL TRICKERY

The SPEAKER. Under the previous order of the House, the gentleman from Michigan [Mr. MEADER] is recognized for 30 minutes.

Mr. MEADER. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. MEADER. Mr. Speaker, in my entire political career, I do not believe I have ever seen an instance of transparent political trickery to match President Kennedy's attempt to browbeat Congress into acquiescence in his unwise proposed reorganization plan to establish a Department of Urban Affairs and Housing.

When the President, in an angry reaction to the House Rules Committee's refusal, by a vote of nine to six, to grant a rule for the consideration of a bill to create a Department of Urban Affairs and Housing, announced that he would create such a Department by a reorganization plan and appoint Dr. Weaver, a Negro, as Secretary of the new Department, some of my friends of the press, while amused, said they regarded this as a brilliant stroke of political genius.

When, however, the House and Senate refused to be intimidated into voting for a plan which had no merits, on the threat of political extinction, the general press comment turned around the other way and indicated that the President had tried to get by with a fast one, but got caught in it and fell on his face.

For example, the following was the analysis of the Jackson (Mich.) Citizen Patriot:

> The introduction of the race issue was, as we called it some time ago, a shoddy political trick. It is good to see it turn into a political blunder.

I insert the entire editorial at this point in my remarks:

PRESIDENT'S POLITICAL BLUNDER

Washington news analysts are beginning to agree that President Kennedy's tactics with respect to the establishment of a Department of Urban Affairs are not producing the political results he expected.

Republicans who were shaking in their boots when the President injected the racial issue into the argument, are beginning to regain their confidence. As James Marlow, our Associated Press news analyst, reported Friday, it was the Democrats who helped wreck the Kennedy political steamroller.

The President has centered all of his fire on the Republicans, blaming them for denying the cities the so-called benefits of his scheme.

He has had not a word to say about Democrats who voted against him in the House, the Senate and in the House Rules Committee.

Neither has he taken cognizance of the fact that his party holds a hefty majority in each House of Congress. If the Democrats followed his leadership, every Republican in the place could vote against him and he still would get what he wants.

These facts are so obvious that the President's political moves lose their punch. Abraham Lincoln's "you can fool some of the people * * *" and so on still is true. After an issue reaches a certain degree of phoniness, the voters see through it without a magnifying glass or having a picture drawn for them.

And even if he tried, the President couldn't lay all the blame on a Republican-Dixiecrat coalition.

No less than seven Representatives from outside the Solid South and the so-called border States joined the Republican majority in rebuffing the President.

That gives weight to the Republican contention that the merits of the proposal, rather than the racial issue, were paramount in their considerations.

And, as a matter of fact, Republicans tend to be opposed to big government. They need not justify a vote against the creation of another department, with a threat of Federal control over local affairs, on any grounds other than that it is contrary to their political philosophy.

The introduction of the race issue was, as we called it some time ago, a shoddy political trick. It is good to see it turn into a political blunder.

On Wednesday, February 21, the House, by a resounding 264 to 150 rollcall vote, handed President Kennedy his most disastrous and humiliating defeat since he assumed office.

The President held a press conference shortly after this vote and made some amazing statements, seeking to pick up what political advantage he could out of the debacle. Among other things he said:

> Now, the difficulty, of course, is that many of those who do not live in urban areas are opposed to it. But if we in this country began to adopt a system that everyone who lives in a city area voted against those things which were of assistance to the farmer, and everybody who comes from a rural area voted against those policies which provided a better life for people in the city, and everybody who lived outside the Tennessee Valley voted against the Tennessee Valley Authority, and everyone who lived in the East voted against development in the Northwest or the development of natural resources, this country would come to a grinding halt.

Before the vote, the President's strategy was to promote the Urban Affairs Department proposal as a race issue to fill the void of his inaction in civil rights matters and to put Republicans on the spot. After his defeat, in his press conference, for the first time the President ascribed it to a farm versus city vote and as quoted above, deplored divisiveness and its possible effect upon the future of our system of government.

This is putting things in reverse. It was the President, by appealing to sectionalism and racial animosities and exploiting them rather than discussing the proposal on its merits, who sought to set class against class and section against section for his political advantage. I agree that divisiveness is harmful to our system of government and deplore anyone's attempting to appeal to racial or sectional prejudices.

Mr. Speaker, I am inserting at this point in my remarks a number of editorials and columns which seem to me clearly to demonstrate that in this instance, at least, the President was not able to fool very many people.

For example, the Adrian (Mich.) Daily Telegram carried an editorial on January 27, 1962, entitled "Keep the Issue Clear," which I insert herewith.

KEEP THE ISSUE CLEAR

President Kennedy's proposal to create a new Department of Urban Affairs and Housing with Cabinet status should be considered on its merits or lack of them. Either such a Department is needed or it is not needed. Partisan emotionalism and racialism ought not be a part of the decision. But that will not be the case. The President has helped to make it that way.

Upon learning that the House Rules Committee had turned down his bill to create the proposed Department, Mr. Kennedy announced he would create it by Executive order and that Robert C. Weaver, a Negro, would be named its head. That Mr. Weaver was in line for the appointment had been known a long time. The President's announcement thus was not news but it was challenging. It was a partisan challenge.

By using the procedure of an Executive order, Mr. Kennedy seeks to put the Members of the House or the Senate, or both, on record. For unless one or the other vetoes the plan, it will go into effect. And vetoes are a matter of record. Each Member of the House or Senate has to stand up and be counted.

There can be little objection to that. But there is valid objection to the reason that the President gave for deciding to issue the Executive order. He said he was "somewhat astonished at the Republican leadership" for opposing the bill in committee. The committee has a majority of Democrats. It was the votes of four southern Democrats plus those of five Republican members that killed the bill in committee. The southern Democrats in the committee deserted the Democratic leadership—the President's leadership. But Mr. Kennedy said nothing about that.

Thus the President, by singling out the Republicans, sought to make the proposed Department a partisan issue. But there is more to it than that. By saying that Mr. Weaver would be named head of the Department, he seeks to create the impression that the Republicans are supporting the southern Democrats on a racial issue. Almost immediately the headquarters of the National Association for Colored People announced that anyone opposing the Department would be acting out of racial prejudice.

That cannot be allowed to stand as the issue, no matter what the state of American politics. Neither of the two big political parties can be put in the position of being entitled to the exclusive allegiance of racial segments of the population. The color of a citizen's skin has no more to do with his stand on a new Department of Urban Affairs than the color of his eyes. The issue about the new Department is simply whether it is needed or not needed.

Certainly the population growth and the movements of the population in recent years have created problems. New areas have sprung up on the fringes of cities—the big cities and even the smaller cities—that are neither urban nor rural areas. But that does not prove the need for a new Federal Department on Urban Affairs.

Many of the opponents of the proposed Department think, and with good reason, that the Federal Government already is meddling too deeply in municipal affairs. They do not see any need for Federal grants to study city problems and recommend solutions. They think local governments should handle local affairs. They fear the trend toward centralized government. They think a new Department of Urban Affairs would likely seek broader fields of operation once it was established. They see it trying to get into such things as zoning, transportation, water supply, sewers, police and fire protection. They fear the creation of a vast new bureaucracy.

Clearly any such Department would engage in more social planning. With this country engaged in a cold war and with $52 billion a year being spent on national defense where are the extra billions for social plans coming from? Certainly it is far more essential now that we concentrate on the Nation's military and economic strength than on social plans.

Let's halt this trend into centralized government in Washington. Let's keep government in the hands of the people. Let's keep it out of the hands of bureaucrats.

The Jackson (Mich.) Citizen Patriot, on January 26, 1962, carried the following editorial, "What About the Democrats?"

WHAT ABOUT THE DEMOCRATS?

In his Wednesday press conference, President Kennedy made quite an issue of the rejection, by the House Rules Committee, of his proposal for establishing a new Department of Urban Affairs.

The President said he was "somewhat astonished" by the votes cast against the plan by the five Republican Members and indicated that he would submit the demand for a new department as a reorganization proposal.

Well, it's good politics to blame the other party for any negative action, but the story of the voting in the committee raises serious questions about the President's leadership of his own party.

The Democrats hold a 10-to-5 majority on the House Rules Committee. With an edge like that—the largest on any of the standing committees of the House—the President ought to be able to get just about anything he wants.

He was frustrated on this matter, however, by four southern Democrats who voted with the Republicans to make the tally nine to six against the proposal for a new Cabinet post.

Mr. Kennedy did not mention the four Democrats who went against his wishes. His criticism of the Republicans would have been more effective if he had included the members of his own party in his denunciation.

The President would gain more respect if he had the stomach to stand up and blast the Republicans for opposing his proposal on political grounds—and, at the same time, rebuke the four Democrats for bringing the racial issue into the matter. Mr. Kennedy affirmed, at his press conference, the general impression that he would appoint a Negro, Dr. Robert C. Weaver, to the Department of Urban Affairs. And that is exactly why the southern Democrats refused to go along.

As matters stand now, here is another case in which the President is backing and filling on, and playing politics with, civil rights. It ranks with his refusal to fulfill his campaign pledge to end, "with the stroke of a pen," discrimination in federally backed housing.

Mr. Kennedy, however, is a politician. He has to live with the southern Democrats because the New Frontier, for all practical purposes, does not represent the majority of Americans. This is a fact he must face, even though it occasionally leaves him with egg on his face.

The Ann Arbor (Mich.) News carried the article, "Kennedy's Racial Issue" on January 31, 1962.

KENNEDY'S RACIAL ISSUE

It hardly seems that the Nation needed another racial issue, particularly one involving Federal officials. But that is what President Kennedy has created, intentionally so far as anyone can tell, by his approach to the issue of adding a Department of Urban Affairs to the Cabinet.

Congressmen who oppose needless centralization of government—there are many in both parties—are now in a position where they can be accused of racial prejudice if they vote against the reorganization order Kennedy has sent them. The NAACP has seen to this by issuing a statement to the effect that prejudice can be the only reason for anyone opposing creation of an urban affairs department.

Robert C. Weaver, a Negro and Administrator of the Housing and Home Finance Agency, made no racial appeals when he argued for creation of an urban affairs department in a Detroit speech last November. This is being done by others. Weaver argued the case on its merits, although he is the one with greatest personal interest in the matter.

It is being argued that southern Democrats and northern Republicans oppose the proposed new Cabinet post because they don't want a Negro in so high a position. This may be true in some cases, but it is most unfair to generalize. Many sound reasons for doubting the wisdom of an urban affairs Cabinet post were advanced years before Kennedy was President, or before he said that Weaver would get the job.

These boil down to the argument that an urban affairs department in Washington would include within its jurisdiction many problems which can be settled more effectively and more rapidly on the local level.

In his message to Congress yesterday, Kennedy said the new Cabinet post would assume all duties of the agency Weaver now heads, including "advances and loans to assist in the planning and construction of needed public facilities, advances and loans to assist in comprehensive local planning, and others still."

It isn't necessary to be a Goldwater-style States righter to have honest fears that the new Federal department Kennedy proposes would soon be involved in such matters as Ann Arbor's controversial zoning ordinance and the decision of where and when to build the Northbelt bypass between U.S. 23 and Interstate 94.

Kennedy's mistake in wanting more centralization in dealing with local problems is probably an honest one. Local government is the area in which he has the least personal experience. Yet he seems to have some talent for it. His success in converting the matter into a racial issue must be the envy of many metropolitan political bosses.

On the same day, the Monroe (Mich.) Evening News had an editorial, "Urban Affairs Bureau or Bust":

URBAN AFFAIRS BUREAU OR BUST

It is obvious from statements made to the press by the administration and others that every trick in the political bag is going to be hauled out and sprung in the effort to force Congress acceptance of the organization of a Department of Urban Affairs and Housing.

The first effort appeared at the President's news conference last week. In the lead-off question put to him, Mr. Kennedy managed to imply that those who opposed a bill to create the new Department were against those who lived in cities. The bill met its predicted dismal end in the House Rules Committee by a 9 to 6 vote with five Republicans and four Democrats opposing the bill.

Following the committee's rejection of the bill, the National Association for the Advancement of Colored People telegraphed Representative JOHN BYRNES, chairman of the House Republican Policy Committee, that GOP opposition to the President's new Department "will be interpreted as Republican opposition to a possible Negro Cabinet appointment." To which Representative BYRNES replied that the committee rejected the new Department "as a dangerous attempt to centralize more power in the Federal Government. * * *" He further castigated the NAACP in attempting to "inject the race issue into what is essentially a question of public policy." BYRNES also charged the President with having made "a callous attempt" to the same end.

Unfortunately, such exchanges have resulted in obscuring the basic issues at stake. Because the President made the unusual move of naming a Cabinet post before that post is even created, he must be considered somewhat at fault.

The reorganization order, if it follows the wording of the House bill, would establish the new Department "to provide technical assistance and information, including a clearinghouse service" and many other "benefits," not only to urban complexes, but "to * * * all communities, regardless of size, whether incorporated or unincorporated."

Such a plan surely would swell the growing Federal bureaucracy. Objections on such grounds are well founded. Experience shows that such additions constantly grow in costs and number of employees. One can be sure that the original $64,000 to administer the new Department a year is merely an opening wedge masking an expansion well calculated to assume vast proportions.

The Washington Evening Star, on Tuesday, February 20, the day before the vote in the House, carried an editorial entitled "Strictly Political":

STRICTLY POLITICAL

The spectacle of Congressmen being threatened, in effect, with reprisals at the polls if they vote their convictions on the question of creating an Urban Affairs Department is not an admirable one. Yet this is the consequence of injecting a racial issue into the urban affairs debate.

It began when the President announced in advance that Robert C. Weaver, a Negro, would be named to the new Cabinet-level post if it should be created. This automatically insured the opposition of southern Democrats. But it raised a thorny political question for Republicans, especially in the House.

Most of them would not be opposed to the appointment of Mr. Weaver to a Cabinet-level post. But they are opposed to the creation of a Department of Urban Affairs on the ground that it would lead to costly extension of the Federal bureaucracy. As of now, however, they find themselves in something of a political trap. If they vote their beliefs—that is, if they vote against the President's urban affairs plan, they will be accused of doing so because they do not want to see a Negro in a Cabinet post. The stage for this was set by the President, and the backdrop was supplied Sunday by Mr. Weaver when, in his first public comment, he said he was sure "the minority group people will react very adversely against those" who vote against the President's plan.

It is deplorable that the fact of Mr. Weaver's race is alienating southern Democratic votes, for he seems fully qualified for the post to which he would be named. It is even more deplorable, however, that the fact of his race is being used in an attempt to coerce Members of Congress into voting for a Government reorganization plan in which, on its merits, they do not believe. This may be representative of the Kennedy brand of bare-knuckle domestic politics. But we doubt that all of its implications have been thought through.

The Adrian (Mich.) Daily Telegram on the same day carried an article entitled "How Bureaucracy Grows":

HOW BUREAUCRACY GROWS

When President Kennedy told Congress about the Department of Urban Affairs and Housing he wants to create, he left the function and powers of the department largely undefined. He asserted that city problems "are as complex as they are manifold" and mentioned among these the matter of mass transportation. When he enumerated the programs and responsibilities that would be transferred to the new department, he listed only those of the Housing and Home Finance Agency.

As the law now stands, the Federal Government has no authority in the mass transportation field, none except that of the Home and Finance Agency to allocate funds for transit surveys. So it would appear that the President is leaving some of the objectives of the new department to be implemented later as its bureaucratic structure grows and grows.

And Senator HARRY BYRD has offered some observations on what growth may be expected. He uses the Department of Health, Education, and Welfare as an example. That Department was set up in 1953 as a regrouping of agencies in the fields the name given it covers. The first year of its existence HEW had $1.9 billion to spend, employed 40,264 persons and had a payroll of $170 million. For the new fiscal year HEW proposes to spend $5.1 billion. It will have 79,456 employees and a payroll of $473.8 million. In 10 years the Department is spending two and a half times as much as at the outset, has nearly twice as many employees and a payroll about two and a half times as great.

Senator BYRD is known as the watchdog of the Treasury. He has declared he will vote against forming the urban affairs department.

The day after the defeat in the House, the Washington Evening Star carried an editorial entitled "Deserved Defeat":

DESERVED DEFEAT

The President's plan to set up a Department of Urban Affairs has met with a crushing defeat in the House, and deservedly so. The adverse vote was 264 to 150, and this 114-vote margin was much larger than anyone had predicted.

One reason, certainly, stems from the crude political pressure tactics used by the Kennedy administration. The first indication of this came on Tuesday when the Senate, which probably would have voted in favor of the plan on its merits, rejected a maneuver to get the Senate on record before the House could act. To do this it was necessary to discharge the Senate committee considering the plan, although it was conceded the committee had not used delaying tactics. In short, this was an attempt to use the Senate as a club with which to belabor the House, and the scheme was rejected by the decisive margin of 58 to 42.

Before the vote in the House, there was a contrived effort to inject racism into the debate. This was set up by the President when he announced that, should the new Department be created, he would appoint Robert C. Weaver, a Negro, as its head. The effect was to put pressure on the Republicans, since a vote against creating the Department would be attacked as a vote against permitting a Negro to achieve Cabinet status. Of course, this automatically assured the opposition of virtually all Southern Democrats, and left Republicans who might be against the new Department on its merits in a position where they could and would be charged with racism. To their credit, the vast majority of House Republicans refused to be

intimidated by this shabby strategy, and, somewhat surprisingly, they were joined in voting against the plan by a substantial number of Democrats from the West and Midwest.

We do not think that either the Senate or the House vote is an accurate reflection of sentiment with respect to the merits of the urban affairs plan, since it might have fared better had it not been for the attempt to put its opponents in such an obviously false position. Perhaps, as the President says, an Urban Affairs Department surely will be created later on. But the first requirement, we think, is for the administration to abandon the rash and even dangerous type of politicking which was the hallmark of this first unsuccessful effort.

The Adrian (Mich.) Daily Telegram also after the defeat of the plan in the House carried the following editorial, "Urban Department Blocked":

URBAN DEPARTMENT BLOCKED

President Kennedy has been defeated in his move to create a new Department of Urban Affairs. He is the victim of the resentment created in both branches of Congress by the type of pressure politics he exerted.

The Senate turned him down Tuesday, 58 to 42, on an administration maneuver aimed at placing that body on record as in favor of the plan before the House could vote. The Senate vote was not on the merits of creating the Department but whether to discharge the Senate committee from further consideration of the plan. Senator MIKE MANSFIELD, Senate majority leader, led that effort. While admitting that the committee considering the measure was operating effectively, he said that the President needed, for political reasons, to get an immediate vote on the Senate floor. But resentment turned against the effort to bypass normal committee consideration of proposed legislation.

In the House, the vote Wednesday was 264 to 150 against creating the new Department. Administration leaders had expected a defeat in the House, but the President's hope had been to first get the Senate on record for it. In the House, as in the Senate, a great deal of the opposition centered on the White House's pressure tactics.

A few weeks ago the House Rules Committee turned down the administration's bill to have Congress create the new Department. Thereupon the President declared he would create it by Executive order. Under this procedure the Department would be formed unless vetoed by one or both Chambers of Congress. But the President tried to fasten the blame for his defeat in the House committee entirely on Republican opposition, ignoring that the Democrats are a majority in the committee and that the turndown in committee had to be with Democratic help. In blaming the Republicans, the President also was aiming at creating the impression they objected to his intention to name Robert C. Weaver, a Negro, to head the proposed Department. Thus racism was injected.

The President brought this up again Wednesday in his comment on the House vote. He observed that the opposition to the new Department of Urban Affairs had said it was opposed only to the Department as being unnecessary and would support Mr. Weaver for another Cabinet post. Then, somewhat sarcastically, he remarked that Mr. Weaver could be grateful "for those good wishers for a Cabinet post for him when none was available." But a Cabinet post will be available if Abraham Ribicoff resigns to run for Congress.

Actually, any issue over a Negro in the Cabinet is wholly phony. But Mr. Kennedy created it. And he tried tactics designed to get every Member of Congress on record. The plain reason was that it could be made into fine material for the forthcoming congressional election campaign. But the tactics backfired, and the proposed Department of Urban Affairs is blocked for the time being.

And it should be blocked until there is a clear showing that it's desirable and essential. Congress is not convinced of that as yet.

William F. Pyper, Head of the Washington Booth Newspaper Bureau, summarized the political situation following the defeat of the Urban Affairs proposal as follows:

STATE GOP UNCONCERNED OVER EFFECTS OF URBAN AFFAIRS VOTE

(By William F. Pyper)

WASHINGTON.—Most of the Michigan Congressmen who voted against President Kennedy's plan to establish a Department of Urban Affairs and Housing say they would have done so without the racial issue being involved.

But, if the Democrats take the vote as a racial issue into the 1962 campaign, such Republican Congressmen have no fears. At least one of them believes it will work in reverse against the Democrats.

The outstate Republican Congressmen were unanimously against the reorganization plan, just as the Wayne County Democrats were, without exception, for it. In between the two categories is Representative JAMES G. O'HARA, a Democrat representing Macomb County and the Thumb area. He voted for the plan.

LOPSIDED VOTE

The plan was defeated by a vote of 264 to 150. The southern Democrats had been calculated to vote no, at least in part because President Kennedy had announced that the new Cabinet Department would be headed by Robert C. Weaver who now heads the Housing and Home Finance Agency. A Negro, Dr. Weaver would have been the first member of his race to serve in the Cabinet. But a good many nonsouthern Democrats voted against it, too.

President Kennedy made the Weaver announcement immediately after the House Rules Committee had rejected the proposal in the form of legislation. At first blush, many felt it was a smart political trick which might bring approval of the reorganization plan but which at least would put scores of lawmakers on the spot both in Congress and in their next election campaigns.

With the lopsided vote against the proposal in the House—following a less clear-cut vote in the Senate against considering the plan—it now looks as if Mr. Kennedy's strategy won him scarcely a vote in Congress. On the contrary, there is evidence that some voted against the plan largely because of the way administration leaders had presented it.

So the question naturally arises as to what the results will be if Democrats brandish the record next fall.

Representative ELFORD A. CEDERBERG, of Bay City, State whip who lines up Republicans to vote with the party, said he felt the effect, if any, would be the reverse of what the Democrats had in mind. He said constituents largely would have recognized the fraudulent nature of the issue, and that many would be as resentful as were some Congressmen.

NOTHING TO LOSE

On the other hand, what of Republicans from marginal districts, where the Negroes may hold the balance of power? Well, most of them vehemently insist they weren't even considering the racial, political issue. They were just against the proposed new Department, per se.

When they do break down to talk about it privately, they are inclined to point out they have nothing to lose. Most of the Negroes in their districts have been voting straight Democratic anyway, and there was no reason to believe they would vote for a Republican incumbent because of the one rather clouded issue. In other words, such Republicans owed their Negro constituents nothing politically and could expect nothing under any foreseeable circumstances.

Moreover, such Representatives believe the smart political trick will be regarded by many as a smart aleck trick, especially since it didn't work. One aspect was that Dr. Weaver himself took to the air in behalf of the proposal and incidentally in behalf of himself. They feel this may have alienated some Negroes as well as white voters.

At any rate the Republicans are proud of the shellacking they gave the Kennedy administration—perhaps its worst—and they don't seem much worried about campaign results.

James Marlow, whose column appeared in the Adrian Daily Telegram on February 26, 1962, summarized the history of this proposal as follows:

DEMOCRATS IN HOUSE WRECKED KENNEDY'S URBAN AFFAIRS PLAN

(By James Marlow)

WASHINGTON.—His own Democrats wrecked any chance for President Kennedy to make a political issue out of the ruination of his plan for a new Department of Urban Affairs and Housing.

The far-outnumbered Republicans in the House were against it but helpless to stop it without Democratic help. They got it in abundance, particularly from southern Democrats.

This doesn't leave Kennedy room for telling city voters in this year's congressional elections the Republicans did him in. The most he can say is that he was for it. That can't help his party much.

The Republicans' opposition was based on the argument that a new Department would only make the Government that much bigger and, since it would be concerned with cities, it would interfere with the rights of States to be concerned with cities.

It became clear that the bulk of southern Democrats would oppose the measure after Kennedy announced that he would appoint Robert C. Weaver, a Negro, to his Cabinet to head the new agency if the Department were created.

The idea for creating such a Department has been around for years.

Mr. Kennedy recommended it last year in a message to Congress.

He backed a bill to set it up. But the bill never got out of Senate and House committees to the floor of either House for a vote. The whole business began moving toward a fast climax last January 24.

Two things happened that day:

1. The House Rules committee voted against letting the bill come up on the floor. Southern Democrats and Republicans have dominated that committee, perhaps the most conservative in Congress.

Although the Democrats outnumber the Republicans in the committee 10 to 5, the vote against the bill was 9 to 6. Four southern Democrats joined the five Republicans in throttling the measure.

2. Kennedy decided to take a step which didn't require committee action at all. He told a news conference he was sending Congress, under his reorganization powers, a plan to set up a new Housing Department.

This meant the plan would go into effect in 60 days unless the House or Senate disapproved. That would require a wide-open vote on the floor so everyone could know who was for or against.

It was at this conference that he announced, in answer to a question, that he would name Weaver to head the new Department. Then he played a little politics.

He blasted those five Republicans on the Rules Committee who voted against the new Department bill without mentioning the fact that, being outnumbered 2 to 1, they couldn't have done anything to block the bill unless those four southern Democrats joined them.

As the days passed the Republicans repeated the arguments against a new Department, mentioned above, and it became plain southern Democrats were going to vote against the reorganization plan, too.

The vote in the House Wednesday was 264 against the Kennedy plan and only 150 for it. Those 264 were divided into 111 Democrats and 153 Republicans; the 150 for were made up of 137 Democrats and 13 Republicans.

Of the 111 Democrats against the plan, 94 were from the South. Seventeen Democrats from other sections went along with them.

After it was over Kennedy said, in effect, he'd try again. But it won't be this year.

The current issue of Time magazine, dated March 2, 1962, carries an article under the heading "The Congress" entitled "Big Backfire" as follows:

THE CONGRESS

BIG BACKFIRE

On paper, it looked like the perfect way to put Republicans on the spot in an election year. But last week, put into practice, the scheme blew up in the Kennedy administration's face.

At issue was the President's proposal to create a new, Cabinet-level Department of Urban Affairs, with Federal Housing Administrator Robert C. Weaver, a Negro, at its head. Republican Senators and Congressmen opposed the idea of the Department on grounds that it would merely add another cumbersome, costly layer to the Federal bureaucracy. Southern Democrats inevitably were hostile to Weaver's appointment.

Rubbing it in: Faced with all but certain Capitol Hill defeat, President Kennedy 5 weeks ago withdrew his request that Congress enact legislation establishing the Department, ordered its creation under his reorganization powers. Thus, if either the House or the Senate did not veto the plan within 60 days, the Department of Urban Affairs would automatically achieve status. Kennedy made it perfectly plain that if Congress did turn down the plan, he would blame Republicans for being (1) unwilling to help the Nation's cities, and (2) anti-Negro. And Weaver himself rubbed in the point. Said he on television: "There is a large segment of the population which will interpret a vote against this program as a vote against the concept of having a Negro in the Cabinet."

Thus the stage was set for 2 days of frantic maneuvering last week. White House strategists hoped to bring the proposal to a vote in the Senate—where it seemed more likely to win approval than in the House. The Senate's Government Operations Committee had completed its hearings, but Chairman JOHN MCCLELLAN (who opposed the measure) requested a brief delay before submitting the committee report. Since it then appeared that the House would withhold its vote until the Senate acted, Senate Democratic leader MIKE MANSFIELD graciously agreed: "I believe it is only fair and proper that the Senate observe the normal rules of procedure."

Upsetting the applecart: But just a few minutes later a House Republican upset the applecart. Michigan's Representative GEORGE MEADER, onetime staff director of the Senate Government Operations Committee, announced that he would force the urban affairs plan to a House vote 2 days later. In the Senate, MANSFIELD hurried back onto the floor and announced that he would move to discharge MCCLELLAN's committee and obtain a Senate vote before the House could act. It was a fatal move: tough old JOHN MCCLELLAN took it as a personal affront and began rounding up votes to defeat the discharge petition.

He did not have to look far for support. A discharge petition, taking a bill out of a committee's hands, is an unusual move, which is against Senate traditions. Arriving on the Senate floor to fight the petition, MCCLELLAN growled to a colleague: "I don't know if I'm a Democrat any more." Thundered he to the Senate: "The brightness of the legislative sky is clouded, the brilliance of statesmanship is dimmed, and the light of fairness and justice in this Chamber is darkened today by this deplorable action." For the first time in 20 years, every Member of the Senate was present to vote—and the rollcall was a stunning rebuke to the administration. The count against the discharge petition was 58–42. Among the nay-sayers were 26 Democrats, including several from Northern States. The next day the House administered the coup de grace, overwhelming the Department of Urban Affairs, 264–150. Among the 111 Democrats who voted for rejection were 18 from the North, Midwest, and West.

Despite lopsided majorities: In the flush of their victory, Republicans were quick to counterattack. Representative BOB WILSON, chairman of the House Republican campaign committee, fired off a telegram to the White House, suggesting that Robert Weaver be named to succeed Abraham Ribicoff, who plans to resign as Health, Education, and Welfare Secretary to run for the Senate. Senate Minority Leader EVERETT DIRKSEN gleefully assured a press conference that if Weaver were named to the HEW post, "not a single Republican vote" would be cast against him.

At his own press conference, the President fought back feebly. "In regard to Dr. Weaver," he said, "I see now that various people who opposed the Urban Department are now ready to support him for any Cabinet position he wishes—Defense, State, Treasury, or anything else. * * * I'm sure he is grateful for those good wishes for a Cabinet position where there is no vacancy. Mr. Weaver will get along all right, but I think the question is the people in the cities are the ones who have been defeated."

All in all, it was a humiliating administration setback. Far from making Republicans look bad, the President had merely succeeded in losing—despite lopsided Democratic majorities in both the House and Senate.

Mr. Speaker, I hope that President Kennedy has learned from this experience—

First. That he should study any proposed fundamental changes in the structure of our Government carefully to make certain that they are in the public interest before recommending them to the Congress;

Second. That he should treat the Congress of the United States, a coordinate branch of Government, with the respect and comity which are so necessary if our unique tripartite Federal system is to function smoothly and effectively and avoid unseemly conflicts between the elected representatives of the people and the people's Chief Administrator;

Third. That he should forget politics for awhile and start executing the vast powers of the Presidency in the public interest on the theory that service is the best salesmanship and that excellent performance in his high office is the best and surest means of meriting the approval of the American people;

Fourth. That if he must play politics, he play it at a high level.

In days where executive encroachment on legislative authority is the rule rather than the exception, it did my heart good to see both the Senate and the House forthrightly exercise their constitutional authority. I expressed these views in a letter to my constituents which I incorporate at this point in my remarks:

FEBRUARY 26, 1962.

DEAR FRIEND: Last week both the Senate and the House of Representatives displayed independence and determination in representing the views and aspirations of the American people by rejecting Reorganization Plan No. 1 of 1962 to create a new Department of Urban Affairs and Housing. That action made me proud of the Congress of the United States and proud to be a Member of it.

For years our House Government Operations Committee has had before it bills to create a Department of Urban Affairs and Housing, but nobody took them seriously until the New Frontier decided to sponsor this proposal.

Last year the Democratic majority of our committee subserviently reported out a bill late in the session to create this new Department. But in January the Rules Committee, which had been stacked a year before through White House insistence and intervention, by a vote of nine to six refused to grant a rule. Thereupon the President, in a partisan political pique, announced that he would circumvent the legislative process by creating a department by a reorganization plan.

This was the President's first major attack upon the Congress. He sought, by improperly injecting extraneous issues such as the race issue (by announcing that he would appoint a Negro as Secretary of the Department) and by seeking to appeal to the big city vote (by claiming this proposal would be of benefit to the cities) to make a political issue out of a serious matter of Government organization and to intimidate the Congress into bowing to his will by threatening political reprisal at the polls.

The President's shoddy political tricks have backfired. He did not fool the American people by his attempted distortion of the issue. He did not intimidate the Congress of the United States.

The proposal had no merits. The Senate, by a vote of 58 to 42, forthrightly declined to discharge its Government Operations Committee, under the chairmanship of Senator MCCLELLAN, which had diligently pursued its inquiry into the merits of Reorganization Plan No. 1. And the House, by an overwhelming vote of 264 to 150, defied the President's efforts at political coercion and repudiated a proposal which never should have been considered seriously in the first place.

The President would have frozen into the fabric of our Government a small part of the Federal Government's activities in housing which the Congress has not yet seen fit to make permanent. The Housing and Home Finance Agency and its constituent agencies are only temporary, with either dollar limits, unit limits, or time limits on the exercise of their functions. To freeze temporary agencies into a permanent Department with a Secretary, Assistant Secretaries, Counsel and all the trappings of bureaucracy would be the height of folly.

This resounding rejection by Congress of this phony proposal restores my faith in representative government.

Sincerely,

GEORGE MEADER.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. MEADER. I yield to the gentleman from Oklahoma.

Mr. ALBERT. The gentleman, of course, has made a statement that contains a lot of matter with which I am in full agreement. But if I understood his statement correctly he indicated he thought the President had used browbeating tactics, first by sending up the Executive order; and, second, by announcing that if this Department were established he would appoint Mr. Weaver as the first Secretary.

The gentleman knows full well that the method which the President used in this instance to try to establish another executive department in the Government is a method which has been prescribed by law and which was used by President Eisenhower when the Department of Health, Education, and Welfare was established.

The President's response when a newspaper reporter asked him who would be appointed the first Secretary if the Department were set up, if I have the report correctly, was an honest statement that he would appoint Mr. Weaver, who had been a very successful Administrator of the Agency known as the Housing and Home Finance Agency.

If the information which I have read in the press is correct, essentially the same sort of preannouncement, that Mrs. Hobby would be made Secretary of Health, Education, and Labor, was made prior to the establishment of that Department.

The President in making this announcement and in using this method of trying to set up a new executive department was not departing from the precedents established by the previous administration, and he certainly was acting within the scope of powers given him by legislation enacted by the Congress.

Mr. MEADER. Mr. Speaker, first I want to take up one matter. I happen to be a member of the House Government Operations Committee. It is not my intention to debate the merits of Reorganization Plan No. 1 of 1962 today.

I did debate the merits of this plan when it was before the House last Wednesday, February 21, and my analysis of the plan is set forth at length in that debate commencing on page 2634 and concluding on page 2637 of the CONGRESSIONAL RECORD of that date. And, I refer to that because in explaining the plan I called attention to the fact that the last Department which was created was the Department of Health, Education, and Welfare, on April 1, 1953.

The gentleman is correct that President Eisenhower did send up Reorganization Plan No. 1 of 1953 to create the Department of Health, Education, and Welfare, and I believe the gentleman is correct in stating that the President may have announced his intent to appoint Mrs. Hobby in advance of sending up the reorganization plan.

But where the gentleman is slightly in error is that the Department of Health, Education, and Welfare did not come into being by a reorganization plan but by a law passed by the Congress, House Joint Resolution 223 of the 83d Congress, Public Law 13, when it was signed by the President on April 1, 1953.

That House joint resolution was introduced by my colleague, the ranking member, and at that time chairman of the House Committee on Government Operations, the Honorable CLARE HOFFMAN, of Michigan.

The effect of the joint resolution was to incorporate the provisions of the reorganization plan in the joint resolution by reference and advance the effective date when it would come into operation. But, when that resolution passed the House and the Senate, and was signed by the President as any bill or joint resolution is, that Department came into being as a result of a law passed by the Congress. Now, I admit that probably is a technical difference, but it is of some importance.

Mr. ALBERT. I think the gentleman is correct. The point I am making, though, and if I recall correctly, is that there was no substantial argument at that time that the President did not have the authority to send up this kind of reorganization plan; that if action had not been taken to veto the plan, or if the matter had not been handled by the joint resolution to which the gentleman refers, the Department of Health, Education, and Welfare would have been established by reason of the President's reorganization plan. President Eisenhower used the same method of initiating this matter and he announced whom he would name as Secretary in advance—at least, I remember a newspaper article in which it was said that he intended to appoint Mrs. Hobby. I am trying to show the parallel between the procedure used by the two Presidents.

Mr. MEADER. I would like to answer the gentleman before yielding further. I might say that I appreciate the point the majority leader is trying to make, but I must confess that I see some slight difference between the situation which existed when President Eisenhower sent up Reorganization Plan No. 1 of 1953 and when President Kennedy sent up Reorganization Plan No. 1 of 1962. And, primarily the difference is that the House Committee on Rules had acted upon legislation reported out of our Committee on Government Operations last August. The House Committee on Rules which, due to the President's insistence and intervention the year before, had been stacked so that the administration's legislative program presumably would get more sympathetic consideration in the Committee on Rules, had by a vote of 9 to 6 declined to grant a rule.

When this Rules Committee with four Democrats and five Republicans against it voted not to report a rule to consider the legislation our committee reported last August, the President immediately pointed out that the Republican members were to blame for the failure of the Rules Committee to grant a rule, when there were almost as many Democrats voting against it. He immediately announced he would create the Department by reorganization plan and said he was bringing out in the open the fact that he was going to appoint Dr. Weaver as the Secretary of the new Department.

I say he threw down a challenge to the Congress by saying:

> Since Congress has refused in its normal legislative process to act on this bill that the administration supports, I am going to use my unusual reorganization power to accomplish that end and defy the Republicans or the Democrats to vote against creating an office to which I can appoint a member of the Negro race.

I say that was a political bludgeoning of the Congress. It was the President's first attack upon the Congress, other than his intervention in the Rules Committee fight which, in my judgment, was a matter of internal housekeeping of the House of Representatives and should be of no interest or concern to the White House.

I think the Congress did what it should do under these circumstances, if it has any self-respect, by repudiating the reorganization plan proposal and the political White House strategy and by refusing to be intimidated. I am proud of it for doing so, and I wish I could enlist the support of the majority leader in standing up for the prerogatives of the House of Representatives, of which he is one of the principal leaders.

Mr ALBERT. Mr. Speaker, will the gentleman yield?

Mr. MEADER. I yield to the majority leader.

Mr. ALBERT. I respectfully reply to the gentleman from Michigan that on that issue I certainly agree with the gentleman. I am as jealous as the gentleman of the prerogatives of the House of Representatives. But I think the gentleman is slightly in error when he states that the administration took any part in the vote on the resolution to enlarge the Rules Committee. If it did take any part. I had no knowledge of it.

Mr. MEADER. Well, perhaps the gentleman is better informed on that. He is much closer to the internal operations of his party than I am. But I must say that I have an acquaintance with a good many members of his party who indicated to me that the President, or at least some of his entourage at the White House, did discuss the matter with them on ocassion, and that he may have had some influence upon that very narrow margin by which the Rules Committee was increased.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. MEADER. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, I want to commend the gentleman for his statement this afternoon. It needed to be made by someone. It was hard for me to believe that the President in his press conference on the same day that the Department of Urban Affairs and Housing was defeated in the House of Representatives would display the rancor that he did. He pitted sections of the country against others and blamed his defeat upon those who he said voted against the appointment of a Negro to the proposed Cabinet position. This just does not scour. I am one of those who voted against that proposition, and apparently the President cannot understand this or did not want to understand it—who voted in opposition from the standpoint

of economy and the fact that this Cabinet position was unnecessary. Again, I say that the gentleman from Michigan [Mr. MEADER], has made a statement that badly needed to be made, and I agree with him entirely.

Mr. MEADER. I thank the gentleman.

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to revise and extend my remarks made in the colloquy with the gentleman from Michigan [Mr. MEADER].

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. ADAIR, for Monday, March 5, 1962, vacating his special order for today.

Mr. BRUCE (at the request of Mr. HALPERN), for 1 hour, on Thursday, March 1.

Mr. HALPERN, for 40 minutes, on Thursday, March 1.

Mr. KING of California (at the request of Mr. ALBERT), for 30 minutes, on Monday next.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. BARRETT.

Mr. MADDEN and to include a statement made before the Subcommittee on Public Lands.

(The following Members (at the request of Mr. HALPERN) and to include extraneous matter:)

Mr. ALGER.

Mr. HALL.

Mr. FINDLEY.

Mr. CURTIS of Missouri in two instances.

Mr. HALPERN.

(The following Members (at the request of Mr. ALBERT) and to include extraneous matter:)

Mr. BUCKLEY.

Mr. ZELENKO.

Mr. ZABLOCKI.

ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I move the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 39 minutes p.m.) the House adjourned until tomorrow, Thursday, March 1, 1962, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mrs. PFOST: Committee on Interior and Insular Affairs. H.R. 9097. A bill to authorize the Secretary of the Interior to sell certain public lands in Idaho; with amendment (Rept. No. 1398). Referred to the Committee of the Whole House on the State of the Union.

Mrs. PFOST: Committee on Interior and Insular Affairs. H.R. 9273. A bill to repeal obsolete laws relating to military bounty land warrants and to provide for cancellation of recorded warrants; with amendment (Rept. No. 1394). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. POFF: Committee on the Judiciary. House Joint Resolution 638. Joint resolution for the relief of certain aliens who are serving in the U.S. Armed Forces; without amendment (Rept. No. 1395). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. DOLE:

H.R. 10470. A bill to promote safe driving and eliminate the reckless and irresponsible driver from the streets and highways of the District of Columbia by providing that any person operating a motor vehicle within the District while apparently under the influence of intoxicating liquor shall be deemed to have given his consent to a chemical test of certain of his body substances to determine the alcoholic content of his blood, and for other purposes; to the Committee on the District of Columbia.

By Mr. BREWSTER:

H.R. 10471. A bill to transfer certain administrative responsibility for the operation of Washington National Airport and Dulles International Airport from the administrator of the Federal Aviation Agency to a Washington Airports Board, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. DAGUE:

H.R. 10472. A bill to authorize the Secretary of the Interior to acquire the Graff House site for inclusion in Independence National Historical Park, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. DINGELL:

H.R. 10473. A bill to amend the Internal Revenue Code of 1954 to provide increased tax incentive for individuals and corporations that manufacture or produce goods for export; to the Committee on Ways and Means.

By Mr. DURNO:

H.R. 10474. A bill to amend the Vocational Rehabilitation Act to eliminate or modify certain Federal requirements that might otherwise prevent constructive reorganizations of the State agencies which are involved in the administration of the program under such act; to the Committee on Education and Labor.

H.R. 10475. A bill to amend the Public Health Service Act to eliminate or modify certain Federal requirements that might otherwise prevent constructive reorganizations of the State agencies which are involved in the administration of the programs thereunder; to the Committee on Interstate and Foreign Commerce.

H.R. 10476. A bill to amend titles I, IV, X, and XIV of the Social Security Act to eliminate or modify certain Federal requirements that might otherwise prevent constructive reorganizations of the State agencies which are involved in the administration of the programs under such titles; to the Committee on Ways and Means.

By Mr. LESINSKI:

H.R. 10477. A bill to amend the Internal Revenue Code of 1954 to provide a gradual increase over a 12-year period in the personal income tax exemptions of an individual taxpayer (from $600 to $1,200) and in the surtax exemption of a corporate taxpayer (from $25,000 to $50,000); to the Committee on Ways and Means.

H.R. 10478. A bill to amend the Internal Revenue Code of 1954 to provide a gradual increase over a 2-year period in the personal income tax exemptions of an individual taxpayer (from $600 to $700) and in the surtax exemption of a corporate taxpayer (from $25,000 to $29,000); to the Committee on Ways and Means.

By Mr. TUPPER:

H.R. 10479. A bill to amend certain provisions of the Antidumping Act, 1921, to provide for greater certainty, speed, and efficiency in the enforcement thereof, and for other purposes; to the Committee on Ways and Means.

By Mr. MURRAY:

H.R. 10480. A bill to reform the majority statutory salary systems of the Federal Government, to establish appropriate relationships among them, to adopt and apply the principle of government-private enterprise salary comparability, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. ROGERS of Florida:

H.R. 10481. A bill to create an additional judicial district for the State of Florida, to be known as the middle district of Florida; to the Committee on the Judiciary.

By Mr. ADDABBO:

H.R. 10482. A bill to make the Commission on Civil Rights a permanent agency in the executive branch of the Government; to the Committee on the Judiciary.

H.R. 10483. A bill to prohibit the application of unreasonable literacy requirements with respect to the right to vote; to the Committee on the Judiciary.

H.R. 10484. A bill to provide additional means of securing and protecting the civil rights of persons within the jurisdiction of the United States; to the Committee on the Judiciary.

By Mr. BERRY:

H.R. 10485. A bill to declare that certain lands of the United States is held by the United States in trust for the Oglala Sioux Indian Tribe of the Pine Ridge Reservation; to the Committee on Interior and Insular Affairs.

By Mr. LIBONATI:

H.R. 10486. A bill to provide that an honorable discharge from the Armed Forces will expunge convictions for misdemeanors from the record of the member; to the Committee on the Judiciary.

By Mr. MOSS:

H.R. 10487. A bill to amend title III of the Public Health Service Act to authorize grants for family clinics for domestic agricultural migratory workers, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. RYAN of New York:

H.R. 10488. A bill to amend the law relating to pay for postal employees; to the Committee on Post Office and Civil Service.

By Mr. ZELENKO:

H.R. 10489. A bill to amend section 613 of the Merchant Marine Act, 1936, to require certain vessels to stop at ports in Puerto Rico and the Virgin Islands; to the Committee on Merchant Marine and Fisheries.

By Mr. BARRY:

H.R. 10490. A bill to amend title II of the Society Security Act to limit the deductions which would otherwise be made on account of outside earnings from the benefits to which an individual is entitled in the year in which he (or the primary beneficiary) retires or the year in which he attains age 72; to the Committee on Ways and Means.

By Mr. FARBSTEIN:

H.R. 10491. A bill to promote the foreign policy of the United States by authorizing purchase of United Nations bonds and the appropriation of funds therefor, and to afford an opportunity for the people of the United States to participate in the purchase of such bonds; to the Committee on Foreign Affairs.

H.R. 10492. A bill to amend the Peace Corps Act; to the Committee on Foreign Affairs.

By Mr. FORRESTER:

H.R. 10493. A bill to amend title 18, United States Code, section 4163, relating to discharge of prisoners; to the Committee on the Judiciary.

By Mr. KEARNS:

H.R. 10494. A bill to amend the act entitled "An act to create a Recreation Board for the District of Columbia, to define its duties, and for other purposes," approved April 29, 1942, as amended; to the Committee on the District of Columbia.

By Mr. RHODES of Arizona:

H.R. 10495. A bill to amend the act of April 19, 1950, relating to the rehabilitation of the Navajo and Hopi Tribes of Indians, to authorize certain additional highway projects; to the Committee on Interior and Insular Affairs.

By Mr. FARBSTEIN:

H. Con. Res. 440. Concurrent resolution to express the sense of the Congress that the U.S. Mission to the United Nations should seek the adoption by the United Nations of a resolution condemning the recent manifestations of anti-Semitism in the Soviet Union; to the Committee on Foreign Affairs.

H. Con. Res. 441. Concurrent resolution expressing the sense of the Congress that the United Nations Human Rights Commission should increase its activities and give greater publicity to instances of discrimination and persecution in order to focus world opinion upon these practices and nations engaged therein; to the Committee on Foreign Affairs.

By Mr. WILLIAMS:

H. Con. Res. 442. Concurrent resolution to prohibit training military personnel or aiding Communist nations; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 4 of rule XXII,

The SPEAKER presented a memorial of the Legislature of the State of Kentucky, memorializing the President and the Congress of the United States relative to Federal income taxation of the interest derived from public bonds, which was referred to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BUCKLEY:

H.R. 10496. A bill for the relief of Adriana Noferini; to the Committee on the Judiciary.

H.R. 10497. A bill for the relief of Solomon Blumenfeld; to the Committee on the Judiciary.

H.R. 10498. A bill for the relief of Ghazaros and Makrouhie Kalfayan; to the Committee on the Judiciary.

By Mr. CONTE:

H.R. 10499. A bill for the relief of Erwin A. Suehs; to the Committee on the Judiciary.

By Mr. CRAMER:

H.R. 10500. A bill for the relief of Lt. Col. and Mrs. Raymond M. Schuler; to the Committee on the Judiciary.

By Mr. FORRESTER:

H.R. 10501. A bill for the relief of Kenyon B. Zahner; to the Committee on the Judiciary.

By Mr. HARRISON of Virginia:

H.R. 10502. A bill for the relief of James B. Troup; to the Committee on the Judiciary.

By Mr. SANTANGELO:

H.R. 10503. A bill for the relief of Dr. William Quatico; to the Committee on the Judiciary.

By Mr. SMITH of California:

H.R. 10504. A bill for the relief of Jewelle Louise Larry (Kwan Ai Yun); to the Committee on the Judiciary.

By Mr. WILSON of California:

H.R. 10505. A bill for the relief of Feliciano Caba; to the Committee on the Judiciary.

H.R. 10506. A bill for the relief of George Mattar; to the Committee on the Judiciary.

By Mr. GREEN of Pennsylvania:

H.R. 10507. A bill for the relief of Mrs. Mary Wadlow; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

242. By Mr. McCULLOCH: Petition of Edward H. Becker, commander World War I Veterans Post No. 2406; William Eickenhorst, commander, Veterans of Foreign Wars Post No. 3035; and H. H. Hesseling, commander, American Legion Post No. 268, and many members of their posts in Delphos, Ohio, urging favorable action on H.R. 3745; to the Committee on Veterans' Affairs.

243. By the SPEAKER: Petition of James W. Hafey, executive director, Catholic War Veterans, United States of America, Washington, D.C., relative to the Catholic War Veterans paying tribute to the late Honorable Sam Rayburn, former Speaker of the House of Representatives of the United States, and that a special prayer be said for the repose of his soul; to the Committee on House Administration.

EXTENSIONS OF REMARKS

The Little-People-to-Little-People Program

EXTENSION OF REMARKS

OF

HON. CLEMENT J. ZABLOCKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 1962

Mr. ZABLOCKI. Mr. Speaker, I was very interested to read in the RECORD of February 15 the remarks of our good friend and distinguished colleague from New Jersey [Mr. RODINO] relating to his son's little-people-to-little-people program.

I think that Peter Rodino the younger should be complimented on his zeal and desire to help the statesmen of our day to solve the most perplexing problem our Nation has ever faced: the problem of achieving security, and peace with justice, in a world poised on the brink of a nuclear holocaust.

Although he is quite young, Peter's and other young people's preoccupation with this grave problem is certainly legitimate. The solution of this problem will determine what kind of a world they are going to live in. God willing, they have many years ahead of them, and they should be able to look forward to living them in a world which is not constantly threatened with global disaster.

I think it is important for our young people to become aware of world problems, to strive to understand them, and to determine to solve them.

One important task in this field involves understanding our own heritage, and the nature of the Communist force which threatens it.

I think that our schools could do better work in this area. I understand that there are many schools below the college level which do not provide any type of instruction about communism. Theirs is a shortsighted policy. I hope that it will be corrected before long.

Young people are anxious to know, and to understand. It is our job to help them, to guide them, to bring them to the truth. We need not, and should not, use Communist methods of indoctrination. True to the principles of our free society, our schools should stop at the point at which our people—young and old alike—can arrive at the truth. And it is in truth that our strength lies.

I hope that we can bring more facts about communism to our youth. This is important. And I commend efforts directed to this end.

Job Training for the Unemployed

EXTENSION OF REMARKS

OF

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 1962

Mr. FINDLEY. Mr. Speaker, in my annual legislative questionnaire mailed to citizens of western Illinois, I asked this question, among others: "Should the Federal Government pay for job training for the unemployed?"

Returns to date show this response: yes, 492; no, 2,685.

The folks back home seem to have clearer vision than some of us in Washington.

The proposed training program would mark the beginning of a new Federal activity. Eighteen States are already carrying out job training programs for unemployed, and the others have the opportunity to do so. In view of the fact that the Federal Government is already spending a million dollars an hour more than it takes in, a brandnew activity of questionable constitutionality seems doubly unwise.

No one seriously suggests that this program would last only 2 years. No one seriously doubts that it will grow in size year after year, and have much the same dangers and shortcomings ascribed to proposals for Federal aid to meet ongoing expenses in public education.

CSA Voting Record

EXTENSION OF REMARKS

OF

HON. THOMAS B. CURTIS

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 1962

Mr. CURTIS of Missouri. Mr. Speaker, many of my colleagues have received copies of the CSA Voting Index and I suppose that this index has been disseminated around the country. It was very difficult for me to understand the rationale behind the votes selected as key votes in this index and it certainly was difficult to understand the conclusions drawn from the compilation of these votes. Hon. BRUCE ALGER has written a letter to Mr. Kent Courtney, national chairman, the Conservative Society of America, New Orleans, La., making pertinent comments in regard to this voting index. Mr. ALGER, of course, was in a position to write this critical letter inasmuch as he had a 100 percent record according to their standards.

The letter is as follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., February 13, 1962.

Mr. KENT COURTNEY,
National Chairman, the Conservative Society of America, New Orleans, La.

DEAR MR. COURTNEY: Thank you for sending me a copy of the CSA Voting Index. I think you have done a fine job of compiling the voting records of Members of Congress on the most vital issues affecting our Nation and the freedom of the people.

I would be derelict in my duty to you, as a friend, if I did not point out that your conclusions in which you attempt to prove there is no difference between the parties contradicts the excellent job you did in the compilation. I am sure you are much too sincere in your efforts to protect our free enterprise system than to allow faulty reasoning to detract from your efforts. It is in this spirit and as a friend that I feel I must point out to you the fallacies proved by your own figures.

YOUR CONCLUSION

In your foreword you repeatedly attack the Republican Party for "trying to outdo the Democratic Party, in appeasing the Communists and outbid it in spending the taxpayers' dollar—a pale copy of the Socialist, Communist-appeasing Democratic Party." On page 14 you state, "It was members of the Republican Party which gave Kennedy his margin of victory on five key bills in the 1961 session of Congress."

THE ISSUES

Now, Mr. Courtney, let us take your own figures on the very next page on these five key issues. On area development 17 percent of those for were Republican and 83 percent were Democratic; feed grains bill only 2 percent of the Republicans voted for the bill; raise minimum wage, 30 percent of the vote was Republican and 70 percent was Democratic; cultural exchange, 40 percent Republican, 60 percent Democratic; foreign aid, 28 percent Republican, 72 percent Democratic. With those lopsided percentages, how can you possibly justify the claim the parties are the same or that the Republicans gave Kennedy his margin of victory?

THE CONGRESSMEN

On page 55 of your book you show 38 Members of the House voting from 70 to 100 percent conservative and only 3 of the 38 you list are Democrats. How can you then substantiate your claim that there is no difference between the parties, using your own figures?

On page 59 you list 47 Congressmen from big cities who vote 90 to 100 percent pro-Socialist and only 1 of these is Republican. On page 60 you name 81 Congressmen with a 100 percent pro-Socialist voting record and on page 62 there are 36 Congressmen with a 90 to 99 percent pro-Socialist record and not a single Republican among them. Take these three pages and your own figures show that out of 163 Congressmen with a 100 percent or nearly 100 percent pro-Socialist voting records there are 162 Democrats and 1 Republican and then you claim there is no difference between the parties.

THE COMMITTEES

Let's take your figures on the committees. In this area your findings are completely erroneous as a result of striking an average of the entire committee membership. By this method you prove nothing in comparing the attitude of the parties. The only way you can show a party comparison is to take the average of Democratic committee members as opposed to the average of Republican members. Comparing the averages of Democratic members and Republican members we find, as examples, Appropriations, Democrats, 25 percent conservative, Republicans, 53 percent; Banking and Currency, Democrats, 7.5 percent, Republicans, 46 percent; Labor and Public Welfare, Democrats, 2.4 percent, Republicans, 40 percent. These are Senate committees. Figures on the House side are equally lopsided.

If you carry out the party averages in your table on page 68 we find in the House the Democrats come up with an overall average for all committees of 14 percent conservative against a Republican average of 50 percent and in the Senate, Democrats 16 percent against Republicans 57 percent. Granted that 50 percent and 57 percent are far from perfect (and how happy all of us would be if we could attain perfection but we know it is not possible) the difference between 14 percent and 50 percent and 16 percent and 57 percent certainly is enough to prove that the parties are not the same to any degree.

I could go on and on through your compilation. In every table you prove conclusively that the Republican Party is far more conservative than the Democrats, but you ignore your own findings in summing up. This is no brief for those Republicans who consistently vote the liberal way, but it is a plea to you not to jeopardize the great work you are doing by being blind to the facts. In the foreseeable future there is little chance that a third party movement would be successful. That means the conservatives have their best hope within the Republican Party. Your efforts to beclouds the relative positions of the parties can only lead to confusion in the minds of the voters and result in the reelection of those who support the radically led Democratic Party.

I want to remain your friend and have you for mine because I believe we are both fighting for the same cause—the future of this great land of ours. We weaken this cause when we allow ourselves to become vulnerable as a result of juggling figures to prove some special point in which we feel we have a particularly personal interest.

With kind regards.

Sincerely yours,

BRUCE ALGER.

Entertainment Deductions

EXTENSION OF REMARKS

OF

HON. SEYMOUR HALPERN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 1962

Mr. HALPERN. Mr. Speaker, the administration tax bill has aroused a storm of interest and concern. Its provisions are manifold, and I have strong convictions and reservations regarding several of them. In some areas it is fair and equitable, but in others it is far from desirable.

I have made my views known on many of the bill's proposals and intend to make my final decision on the legislation only after my full and complete study of all of its provisions and a careful review of the committee report.

There is one phase of the bill as submitted that has long been of especial concern to me. It affects a highly controversial phase of our tax law that is a perennial issue. I refer to the section dealing with entertainment deductions for business. Admirable as the objective may seem, I firmly believe that these provisions, if enacted, will do more harm than good. They defeat their own basic purpose.

It is my firm conviction, after full evaluation of every aspect of the bill's proposal on expense accounts, that it is inequitable, unworkable, unrealistic, unfair and—in plain language—ridiculous.

Mr. Speaker, under unanimous consent, I herewith submit the views that I have expressed on this phase of the bill to the Ways and Means Committee during its deliberations on the tax legislation:

Mr. Chairman, the President's proposals to restrict or disallow completely certain types of business entertainment and travel expenses do not represent the best possible means for dealing with expense account abuses. He has proposed that all entertainment expenditures, dues and fees to clubs, and expenditures made in connection with yachts, hunting lodges, etc., be denied as deductions. He would also limit business gifts to $10 per donee per year, limit meals and lodging while traveling to $30 per day, and limit food and beverage outlays on guests to about $7 per guest per day.

I strongly oppose this type of legislation for the following reasons:

1. The Internal Revenue Code presently provides appropriate standards for administrative solution of problems cited as reasons for legislation. In 1960 the Internal Revenue Service announced a threefold program of stricter checking of tax returns to deal with abuses involving entertainment, travel, and similar expenses which included new reporting requirements and stricter checking of business returns. Moreover, the Tax Rate Extension Act of 1960 directs that the Treasury shall make a study of the effectiveness of the new administrative procedures. Since such a study has not as yet been released, at the very least, the President's legislative proposals seem premature.

2. Entertainment is an accepted legitimate business practice and tax legislation should not be used to destroy the practice. For instance, it is one of the major ways to promote business for those businesses that are restrained from advertising by ethical considerations, lawyers, doctors, and other professional persons. It is quite inequitable to use tax legislation to punish a method of doing business simply because some businessmen violate an existing enforcible law.

3. The President's legislative proposals are full of exceptions, interpretations, and examples. Much of the problem will still be left to administrative interpretation. The suggested rules and exceptions will be fertile territory for imaginative tax advisers. Moreover, the amounts specifically stated in the law as allowable for certain deductions do not take into account the differences in costs in certain locations. Nor the differences in the personal living standards of various business people who travel. A prominent business person in New York City obviously has different requirements from a book salesman in Keokuk, Iowa. Basically, in this field a large measure of justice can be achieved only through administrative procedures rather than through blanket legislative action. Abuses of expense accounts may be more properly corrected by proper audits and good administration.

For the above reasons I believe the President's proposals for outlawing and limiting certain categories of expenses as deductions in determining taxable income are unsound. They present drastic and arbitrary provisions that would needlessly hamper business. Present law, if adequately enforced, can easily cure the abuses of a few. The proposals, in sum, are an improper attempt to cure by statute problems which are essentially failures of administration.

Medicare Polls

EXTENSION OF REMARKS

OF

HON. THOMAS B. CURTIS

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 1962

Mr. CURTIS of Missouri. Mr. Speaker, from time to time there have appeared in the CONGRESSIONAL RECORD the results of polls taken by various Members of the Senate and the House of Representatives on the subject of financing health care for the aged. This issue, being of importance at the present time, generally has a high place on the list in any questionnaire circulated by Members of the Congress.

A compilation has been made of the results of the polls on this matter which have been printed in the CONGRESSIONAL RECORD. The science of taking polls is, at best, in the exploratory stage. Nevertheless, some emphasis has been placed upon preference polls by those who support the social security approach to financing the health care of the aged and it would be interesting and quite helpful if more Congressmen who circulate questonnaires would place the results of these inquiries in the RECORD. At present, the polls which have appeared in the CONGRESSIONAL RECORD show, as well as can be found in bringing them together, that only about 40 percent of those responding favored the social security approach. This is significantly below the support claimed by its backers. I urge that other Representatives and Senators who have polled their constituencies on this matter place the results of their polls in the RECORD to help us achieve a better understanding of this matter and the support which is given the varying approaches to the important question of financing the health care of our aged.

The compilation follows:

POLLS PRINTED IN CONGRESSIONAL RECORD

Representative THOR C. TOLLEFSON, Republican, of Washington, April 24, 1961: Should medical and hospital care for the elderly be provided through the Social Security Act under a plan calling for an increase in the payroll tax? Yes, 64 percent; no, 33 percent; no opinion, 3 percent.

Senator J. GLENN BEALL, Republican, of Maryland, June 12, 1961: Are you in favor of federally financed medical benefits under the social security system? Yes, 25 percent; no, 65 percent; no answer, 10 percent.

Representative JOHN M. ASHBROOK, Republican, of Ohio, June 12, 1961: Which more adequately reflects your position on medical care: (a) I support a compulsory Federal program of medical care for the aged under social security with the cost of program paid for by increased taxes on employees and employers, 16 percent; (b) I support a voluntary program of medical care for the aged with costs shared by Federal and State Governments out of general tax revenues, 29 percent; (c) I do not believe in Government participation in this field, 48 percent; and no opinion, 7 percent.

Representative DELBERT L. LATTA, Republican, of Ohio, June 20, 1961:

Do you favor a compulsory Federal medical-care hospitalization program for those receiving social security to be financed by increasing social security taxes? Yes, 21 percent; no, 79 percent.

If your answer is "No", would you favor such a proposal if it also included those not on social security but past 65? Yes, 26 percent; no, 74 percent.

Would you prefer that the Federal Government not enter the medical-care hospitalization field? Yes, 70 percent; no, 30 percent.

Representative SILVIO O. CONTE, Republican, of Massachusetts, June 19, 1961: Do you favor:

Compulsory plan, administered by Federal Government and financed by employer-employee increases in social security taxes? Yes, 796; no, 1,292; no opinion, 212.

Voluntary, State-administered plan, financed by State, Federal, and individual contributions? Yes, 1,192; no, 816; no opinion, 292.

Representative GORDON L. MCDONOUGH, Republican, of California, June 7, 1961:

Do you favor a compulsory medical aid plan under social security? Yes, 26.4 percent; no, 73.6 percent.

Do you favor medical aid for the elderly under a plan which would permit all elderly people to benefit, regardless of social security coverage? Yes, 54.1 percent; no, 45.9 percent.

Representative HERMAN T. SCHNEEBELI, Republican, of Pennsylvania, June 6, 1961: Do you favor Federal aid (a) to the aged by matching funds to the States (Kerr-Mills)? Yes, 31 percent; no, 39 percent; undecided, 30 percent. (b) To the aged by the social security method? Yes, 59 percent; no, 27 percent; undecided, 24 percent.

Representative PETER FRELINGHUYSEN, JR. Republican, of New Jersey, May 24, 1961: Do you favor medical care for the aged tied to social security? Yes, 53 percent; no, 39 percent; no opinion, 8 percent.

Representative E. Y. BERRY, Republican, of South Dakota, May 3, 1961: Do you favor medical care for the aged under the social security program not based on need, pushing the payroll tax to 10 percent by 1969, applicable only to those covered by social security? This program has been proposed rather than the State-administered program covering any needy person enacted by Congress last year. Yes, 19 percent; no, 70 percent; not certain, 11 percent.

Representative FRANCES P. BOLTON, Republican, of Ohio, March 22, 1961: Do you favor a health insurance program tied in to the social security system? Yes, 58 percent; no, 35 percent; no opinion, 7 percent.

Representative E. C. GATHINGS, Democrat, of Arkansas, May 8, 1961: Do you favor medical and health care for social security beneficiaries financed by increased social security taxes? Yes, 32 percent; no, 64 percent; no opinion, 4 percent.

Representative BURR P. HARRISON, Democrat, of Virginia, May 17, 1961: Do you favor legislation which would provide health protection for people over 65 years of age? Yes, 1,160; no, 178; uncommitted, 35. If so, should it be under the social security system? Yes, 859; no, 260; uncommitted, 254.

Representative TOM V. MOORHEHEAD, Republican, of Ohio, May 22, 1961: Which one of the following do you support:

(a) A compulsory Federal program of medical care for the aged under social security with costs borne by increased taxes on employees and employers? Yes, 27.51 percent; no (blank); no opinion, 6.20 percent.

(b) A voluntary program of medical care for the aged with costs shared by the Federal Government from general tax revenues and the individual beneficiary? Yes, 39.84 percent; no (blank); no opinion (blank).

(c) No medical care for the aged involving Federal Government participation? Yes, 24.65 percent; no (blank); no opinion (blank).

Representative PAUL G. ROGERS, Democrat, of Florida, May 17, 1961: Do you favor the proposal to make a compulsory medical care plan for the aged part of the social security program? Yes, 55 percent; no, 45 percent.

Representative ALFRED E. SANTANGELO, Democrat, of New York, May 4, 1961: Do you favor legislation granting annually 60 days of hospitalization, nursing care and surgical expenses for retired pensioners under social security system in lieu of present law which provides that Federal Government will match State expenditures for programs for retired pensioners earning less than $2,500 annually or who are welfare recipients? Percentage results in entire district: Yes, 74 percent; no, 26 percent. Percentage results above 96th Street at East Harlem section: Yes, 87 percent; no, 13 percent.

Representative HAROLD R. COLLIER, Republican, of Illinois, May 29, 1961: Do you favor—

Assistance limited to social security recipients by increasing social security tax rates? Yes, 30 percent; no, 59 percent; no opinion, 11 percent.

Assistance to all citizens over 65, based upon criteria of need, with Federal Government and States sharing the cost? Yes, 55 percent; no, 35 percent; no opinion, 10 percent.

Representative MARGUERITE STITT CHURCH, Republican, of Illinois, June 26, 1961: Do you favor a Federal medical care program for the aged? Yes, 40.8 percent; no, 32 percent;

no opinion, 27.2 percent. If so, do you prefer—

(a) Extension to all over 65, based on need, with Federal Government and States sharing the cost (present law)? Yes, 50.1 percent; no, 21.3 percent; no opinion, 28.6 percent.

(b) Increased social security taxes on employees and employers to cover social security beneficiaries only? Yes, 19.1 percent; no, 38 percent; no opinion, 42.9 percent.

Representative ROBERT J. CORBETT, Republican, of Pennsylvania, July 17, 1961: Should medical care for the aged be financed through social security (Forand plan) rather than some other way? Yes, 55 percent; no, 45 percent.

Representative GARNER E. SHRIVER, Republican, of Kansas, August 1, 1961. Do you favor medical care for the aged financed through: Social security—yes, 30.5 percent; no, 64.5 percent; uncertain, 5 percent. Federal grants to States—yes, 38.5 percent; no, 49.9 percent; uncertain, 11.6 percent. No Federal program in this area—yes, 4.9 percent; no, 45.3 percent; uncertain, 13.8 percent.

Representative SAMUEL S. STRATTON, Democrat, of New York, July 20, 1961. Do you favor hospitalization insurance for retired persons as part of an expanded social security system? Yes, 70.7 percent; no, 22.7 percent; undecided, 6.6 percent.

Representative DAVE MARTIN, Republican, of Nebraska, July 5, 1961. Should we increase social security taxes to provide free medical care for pensioners, despite the fact that many are not covered by social security? Yes, 11.2 percent; no, 81 percent; not sure, 7 percent.

Representative WILLIAM G. BRAY, Republican, of Indiana, August 28, 1961. Do you favor increase in social security taxes to provide a compulsory Government program for medical care of persons over 65? Yes, 30 percent; no 67 percent; no opinion, 3 percent.

Representative WILLIAM B. WIDNALL, Republican, of New Jersey, August 23, 1961. Do you favor a Federal program of medical aid for the elderly? Yes, 72.5 percent; no, 21.25 percent; no opinion, 6.25 percent. Through Federal aid to States, each State to administer the program on the basis of need? Yes, 50.5 percent; no, 49.5 percent; no opinion (blank). Through social security? Yes, 62.5 percent; no, 37.5 percent.

Representative CLARK MACGREGOR, Republican, of Minnesota, January 10, 1962. Do you favor medical care for the aged under social security? Yes, 33.7 percent; no, 50.6 percent; no response, 15.7 percent.

Representative JAMES E. VAN ZANDT, Republican, of Pennsylvania, January 23, 1962. Do you favor providing medical and hospital care to recipients of social security benefits and paying the cost by increasing payroll taxes? Yes, 33.3 percent; no, 66.7 percent.

Caribbean Cruise Legislation

EXTENSION OF REMARKS

OF

HON. HERBERT ZELENKO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 1962

Mr. ZELENKO. Mr. Speaker, I have today introduced a bill to amend section 613 of the Merchant Marine Act of 1936 to require Government-subsidized U.S. passenger vessels, which have been given permission to operate Caribbean cruises, to stop at the ports of Puerto Rico and the Virgin Islands on each cruise.

Since the Merchant Marine Act already authorizes the payment of operating-differential subsidy for these cruises, it is only fair to require U.S. ships cruising the Caribbean to make stops at these U.S. ports. It would be indeed unfortunate if these beautiful parts of the United States were not seen by our cruising citizenry.

Needless to say, these islands have much to offer the tourist. In turn, our dollars would not be dissipated in foreign markets, but rather the American dollar would aid in the economic development of Puerto Rico and the Virgin Islands, a responsibility which is largely ours to share.

This legislation is especially needed at a time when our Government is concerned with the flow of the American dollar and its effect upon the U.S. gold reserve, and has the personal support of both Governor Muñoz-Marin of Puerto Rico and Governor Palewonsky of the Virgin Islands.

I strongly urge my colleagues to support this legislation and earnestly request that it be given early and favorable consideration by Congress.

Barter, Stockpile, and the Administration's Dilemma

EXTENSION OF REMARKS

OF

HON. DURWARD G. HALL

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 1962

Mr. HALL. Mr. Speaker, on February 22, 1962, my distinguished colleague from North Carolina, the longtime chairman of the House Committee on Agriculture, submitted a statement in the CONGRESSIONAL RECORD taking exception to statements which I made concerning the administration's position on the barter program insofar as it affects the stockpiling of lead. He apparently was championing the position of the Department of Agriculture in so doing.

I had previously questioned the consistency of the administration's expression of astonishment over the size of our stockpiling program in view of its failure to heed my request of July 13, 1961, to the President urging opposition to a proposed barter agreement. This barter agreement ultimately resulted in the acquisition of 100,000 tons of lead from Australia and Canada to be added to our already excessive stockpile.

I have carefully read my colleague's statement and noted particularly his comment that "he is not aware of the full details of the particular barter transaction criticized by Mr. HALL."

I regret that the chairman of the Committee on Agriculture did not avail himself of the opportunity to become familiar with this particular transaction and study the correspondence which I had with the White House.

Had he done so, I am sure he would not have spoken so hastily as to my confusion, and with so little basis in fact. I refer in particular to the following statements which he made:

> Under this program our farm surpluses are exchanged for scarce metals and other storable materials produced in other countries.

As a member of the Armed Services Committee, I am well aware of the need to maintain an adequate reserve of strategic materials such as beryllium, titanium, nickel, and so forth, which this country has trouble producing in sufficient quantities to meet national security needs. However, lead certainly is not a scarce mineral, a fact to which the thousands of unemployed miners throughout the Nation, and particularly in Missouri, will attest. The tragic plight of the mining industry is not due to any scarcity of lead, but rather to the depressed price conditions which prevail in the industry, a direct result of excessive importations from other countries, and possibly production costs.

Within the past few weeks, the price of lead has sunk to 9½ cents, the lowest level since price controls were removed after World War II. The lead obtained through the barter program has no market, but goes directly into the stockpile, thus creating a greater surplus and downward pressures on price. This situation continues in spite of the lead-zinc subsidy bill enacted in the last session which thus far has failed to solve any problems.

The President did not refer to the supplemental stockpile.

The President's announcement made no distinction between the strategic and supplemental stockpile, and the dollar value of the stockpile which he quoted included both items. The President himself has expressed shock at the size of the stockpile, an observation which the gentleman from North Carolina apparently has overlooked in his zeal for bartering. It makes no sense to separate stockpiles obtained through barter from those obtained by other methods. The end result is the same no matter which "pile" we ignore:

> No part of our agricultural export program makes more sense than this program of exchanging perishable surpluses for nonperishable materials which we do not produce in sufficient quantity in the United States to meet our requirements.

In my opinion nothing makes less sense than to substitute one surplus for another whose economic results are as devastating to the lead-zinc industry as our grain surpluses have been to the farmer. In 1960 only 23 percent of our domestic lead was produced in the United States while imports accounted for 33 percent of consumption with the remainder coming from secondary sources reclaimed lead. This does not reflect any lack of domestic lead, but rather indicates the extent to which Government policies are dissipating the domestic industry in favor of foreign ores. According to the Emergency Lead Zinc Committee there were 1,346 lead and zinc mines in the United States in 1948 and this had dwindled to only 292 mines by 1960. Production of lead in the United States is down from 390,476 tons in 1948 to 246,667 tons in 1960. These figures do not reflect any lack of domestic lead resources. They reflect the drastic effect of excessive imports on our market. The amount of lead which the United States agreed to import from Canada and Australia under last year's barter agreement is more than one-third of the total U.S. production. Meanwhile our own mines stand idle, and workers remain unemployed. It is important to maintain know-how, pumps, cribbing, and avoid the deleterious effect of ionized salts of water and acid in our fields and mines for conservation alone.

The Emergency Lead Zinc Committee further states:

> It is imperative for the economy of mining States * * * and for the national economy and defense that we maintain a domestic lead-zinc mining industry that can continue to explore, and develop our mineral reserves and to mine a substantial part of our own lead-zinc needs.
>
> There must be import controls to equalize present levels of low world mining costs compared to those under the higher living standards of the United States, particularly since our own Government has helped subsidize foreign production through barter purchases for our stockpile, and has provided development loans for foreign mineral exploration and plant expansion.

I am sure that if there were idle lead mines in North Carolina instead of tobacco and cotton, the gentleman from North Carolina would be more concerned over the administration's and Cabinet's actions. My real thesis in the first place was that in view of the President's admission of my being partially right—the left hand—Department of Agriculture—knoweth not what the right hand doeth—administration, Department of State, and the Department of the Interior.

> I am further encouraged to believe that this position—barter—is supported by our Chief Executive.

This is contradictory to the letter which I received on July 19, 1961 from Presidential Assistant Lawrence F. O'Brien, in answer to my protest to the barter agreement. Speaking for the President, he said:

> Certainly the domestic barter program suffers from some of the disadvantages to which you refer. * * *

Probably the most vulnerable statement made by the gentleman from North Carolina was his comment:

> This [barter] agreement reduced surpluses of lead hanging over the market which were equally depressing world and domestic prices.

The lead-zinc industry is unanimous in its contention that the barter program has been an absolute and utter failure insofar as it was intended to reduce surpluses and improve prices. As stated previously, the present price on lead is 9½ cents, the lowest since 1946, and overall world production shows no signs of any marked decline, the barter program notwithstanding.

The huge quantities of lead in our stockpile continue to depress the market and the administration has indicated that lead from the stockpile may be moved into world markets, in an effort to decrease the size of the stockpile.

If further evidence is needed, I quote from the brief filed this month with the U.S. Tariff Commission by six companies engaged in the lead and zinc industry in the United States:

> We join in submitting this statement * * * to emphasize the fact that the existing U.S. Government policy toward lead and zinc has failed. It has not significantly helped the domestic mines which it was designed to protect. * * * It has created conditions and sacrifice to foreign competition and markets of certain of the industries principal customers, the fabricators of lead and zinc.
>
> It will be seen that for 14 years lead production has been in excess of lead consumption. This long continued imbalance has been possible only because the greater part of the material produced, represented by the gap between production and consumption, has been taken off the market, primarily by the U.S. Government for stockpiling or through barter transactions. For years, the acquisition of surplus stocks for stockpile has permitted world producers to operate without regard for the economic axiom that production cannot indefinitely exceed consumption.

While I am glad that the chairman of the Committee on Agriculture has appointed my colleague from Missouri to look into this question, I can assure him that there is little need for an investigation to determine the sources of opposition to the barter program. It comes from thousands of unemployed miners throughout the Nation whose ability to earn a living has been taken away from them by Government policy.

In order to further enlighten my colleague and so that in his well-secured position he won't have to "shoot from the hip," without warning at a "confused" freshman Member, I ask unanimous consent to insert the following correspondence on this subject:

Letter from HALL to President, July 13, 1961.

Letter from O'Brien to HALL, July 18, 1961.

Letter from John R. Duncan, Jr., October 3, 1961.

Letter from John H. Kelly, August 7, 1961.

The letters follow:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., July 13, 1961.

The Honorable JOHN F. KENNEDY,
President of the United States,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: I am disturbed by the recommendations of your administration within the past few weeks affecting policy toward the lead-zinc industry. I wish to call several matters to your attention, and to the attention of your advisers in the Department of Interior and the Department of State.

One cannot help but draw the conclusion that the Department of State and the Department of Interior are recommending a course of action which will be utterly disastrous for our domestic lead-zinc industry, and for the thousands of persons employed in that industry.

Specifically, I refer to the administration's recommendation for a system of barter and stockpile as the solution to the lead-zinc problem. More "solutions" like this and we will no longer have a lead-zinc problem—or a lead-zinc industry.

As a Representative of the Seventh District of Missouri, with a concentration of lead-zinc mines, I call attention to these recent developments:

1. Negotiations are nearing completion for barter of 100,000 tons of lead from Australian and Canadian mining companies. This metal will be added to the U.S. supplemental stockpile in spite of the unanimous objection of the domestic lead-zinc industry.

In essence, we are thus using our agricultural surpluses in a barter arrangement which will add to our lead-zinc surpluses and will tend to further depress the lead-zinc market.

2. The administration has recommended a new policy that would consist of a barter program to purchase $60 million worth of surplus domestic lead-zinc stocks now held by U.S. producers, to be added to the supplemental stockpile.

A review of our policy over the past 10 years will disclose that the major effect of stockpiling and barter has been to encourage more foreign production of lead and zinc. Foreign producers, many of them subsidized through our foreign aid program, have never failed to take advantage of opportunities to feed their production into the United States. The present quotas are so high that they offer virtually no restriction on these imports. Any temporary benefit from this proposal would not reach the miners who are the ones who need help, but would go to two or three large producers whose excess stocks, in many cases, has been refined from foreign ores, and who have large oversea investments.

The major cause of instability of price and stocks during the past 10 years has been and still is the import of excessive foreign supplies of these metals, largely the result of higher production costs here and economic assistance to oversea producers.

It might be added that other domestic programs implemented by the administration affecting wage costs, tax demands, and so forth, are hardly calculated to lower our own production costs.

It is an irrefutable fact that the State Department has been the major obstacle in efforts to grant relief to our lead-zinc industry through adjustments in tariffs and quotas—this in spite of the fact that several Tariff Commission determinations of injury with recommendations for greater tariff protection have fallen—and continue to fall—on deaf ears.

I contend that the State Department has virtual sole jurisdiction in an area affecting thousands of domestic jobs in the lead-zinc industry, and that responsible persons in that Department are resigned to the demise of this industry—this in spite of the fact that lead and zinc are strategic materials, the domestic production of which is absolutely vital to our defense needs in times of emergency.

I submit that the domestic miner should have at least a minimum of 50 percent of our U.S. market needs of lead and zinc ores and that it is time for this administration to begin paying more heed to the advice of industry spokesmen and less heed to officials in the State Department who seem to be wholly preoccupied with the creation of jobs overseas at the expense of domestic workers. Surely, we must realize that we cannot and should not curry favor or influence foreign loyalty with self-degrading and one-way trade agreements.

I believe that H.R. 3416 involving judicial use of tariffs and import quotas with less influence on subsidies, is at least a step in the right direction and is urgently needed if the lead-zinc industry in southwest Missouri is to survive. Do you recall your campaign promises in Joplin, Mo., while wearing a miner's hard hat?

I also urge the administration to reconsider its support of section 609 of the foreign aid bill which would permit the AID administrator to dispose of lead-zinc from our supplemental stockpile unless the Congress specifically disapproves the plan within a 60-day period. Such "vest-pocket approval" techniques have no place in a statesmanlike legislative program.

Aside from the constitutional question of whether Congress should abandon its authority in this area, it makes little sense for the administration to be seeking authority to unload our lead-zinc stockpile on the world market at the same time that it is negotiating an agreement with Canada and Australia to obtain their lead-zinc for inclusion in that same stockpile.

Nor do I believe that the administration should take such authority out of the hands of a domestic agency, OCDM, and place it in the hands of an agency primarily concerned with foreign affairs and having little regard for the effect of its actions on our domestic economy.

At the meeting with mining State congressional group on June 23 you indicated your intent to assign a task force to devote further study to the lead-zinc problem.

The last thing we need is a task force study to tell us what our problems are in the lead-zinc industry. We know what those problems are; we know what initial steps should be taken; and we certainly know that the situation will become steadily worse as long as policy is being dictated by the Department of State.

I hope you will see fit to reverse the administration's policy so that a sick industry will be given a chance for survival, and our internal economy may flourish again on principles which have made our Nation great.

Respectfully submitted.

DURWARD G. HALL,
Member of Congress.

THE WHITE HOUSE,
Washington, D.C., July 18, 1961.

Hon. DURWARD G. HALL,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN: For the President, I would like to acknowledge and thank you for your letter of July 13 commenting on a policy for the domestic lead-zinc industry. Certainly, the domestic barter program suffers from some of the disadvantages to which you refer, and I am bringing your comments to the attention of the Department of the Interior and the Department of State for consideration.

We expect that within a few days, the Department of Interior will be prepared to express its views on the pending legislation dealing with the lead and zinc industry. We appreciate your letting us have the benefit of your thinking.

Sincerely yours,

LAWRENCE F. O'BRIEN,
Special Assistant to the President.

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C.

Hon. DURWARD G. HALL,
House of Representatives,
Washington, D.C.

DEAR MR. HALL: Your letter of July 13 addressed to the President has been referred to this Department for further reply.

The proposed barter program is not being pursued actively at the present time. It is undoubtedly true that the Government's acquisition of lead and zinc, both by purchase for the strategic stockpile and by barter, over a period of several years did serve to perpetuate an overproduction of these metals. It was for this reason that in 1958 this Department requested the Department of Agriculture to remove lead and zinc from the list of materials eligible for barter. We did not suggest merely a resumption of the earlier program. We specifically proposed that it be limited to the acquisition of surplus stocks in the United States, and we had expected to obtain some kind of agreement with producers holding these stocks not to rebuild them. This proposal was never thought of as the solution to the entire lead-zinc problem. In fact, we believe that any single solution to such a complex problem is likely to create as many difficulties as it solves.

I am enclosing a copy of the statement which I presented to the Senate Subcommittee on Minerals, Materials and Fuels on July 25 concerning lead-zinc legislation. You will note that our reference to task forces is not a further study of the lead-zinc problem but a basic analysis of depressed community problems and a beginning of a program of basic improvement of the economic opportunities in these areas.

We welcome your interest and appreciate your continued cooperation.

Sincerely yours,

JOHN M. KELLY,
Assistant Secretary

DEPARTMENT OF AGRICULTURE,
Washington, D.C., October 3, 1961.

Hon. DURWARD G. HALL,
House of Representatives.

DEAR MR. HALL: This is in reply to your letter of September 5, 1961, with respect to barter transactions involving lead and zinc.

The Department has not entered into any contracts for the exchange of zinc during the past 2 years. On August 23, 1961, the Department entered into contracts for the exchange of CCC-owned agricultural commodities for 100,000 short tons of lead from Canada and Australia, while the principal commodities are tobacco and feed grains, some wheat may be exported. The lead will be placed in the stockpile and will not enter commercial markets until such time as it is released. These contracts were entered into on the understanding that the producers of lead in Canada and Australia have taken steps to reduce their production.

This arrangement was designed to reduce supplies of lead which were depressing the market and it followed a recommendation made by the International Lead and Zinc Study Group at its 3d session held in Mexico City, March 20–24, 1961. A copy of a press release reporting on this meeting is enclosed.

The Department does not regard the barter program as a complete solution to the wheat and feed grain problem. We are administering the program in accordance with the laws passed by the Congress and regard it as one of the ways we can promote the export of agricultural commodities.

If you have any further questions about the barter program, I shall be glad to try to answer them.

Sincerely yours,

JOHN P. DUNCAN, Jr.,
Assistant Secretary.

Hon. Ralph Gwinn

EXTENSION OF REMARKS
OF
HON. BRUCE ALGER
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Wednesday, February 28, 1962

Mr. ALGER. Mr. Speaker, one of the great privileges I have enjoyed as a Member of Congress was the opportunity to serve with Ralph Gwinn and to enjoy a personal friendship with him which carried beyond our service together in the House. We shared a common philosophy of government, a philosophy to which he was completely dedicated. He believed, with all his heart, in the God-given freedom of the individual as set forth in the founding documents of this Nation. So dedicated was he to this principle that he gave up his seat in Congress because he felt he could render greater service to the people if he worked outside the limits set by congressional rules and procedure.

The Nation has lost one of its fine leaders, many of us have lost a valued friend, but the Nation, the people, and his friends are better because Ralph passed this way.

The Indiana Dunes and Harbor in Lake County

EXTENSION OF REMARKS
OF
HON. RAY J. MADDEN
OF INDIANA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, February 28, 1962

Mr. MADDEN. Mr. Speaker, the Senate Subcommittee on Public Lands is holding hearings on Senator PAUL DOUGLAS' save-the-dunes bill.

The following is a statement which I made before this committee on Monday of this week:

THE INDIANA DUNES AND HARBOR IN LAKE COUNTY

(Statement of Hon. RAY J. MADDEN, a Representative in Congress from the First Congressional District of Indiana, before the Subcommittee on Public Lands, Interior and Insular Affairs Committee of the Senate)

Mr. MADDEN. Mr. Chairman, I represent the largest industrial congressional district in the United States. There are three major steel mills in the Calumet region of Indiana, the Inland, Youngstown, Carnegie Illinois, and a number of other steel fabricating mills. We have the refineries of all of the major oil companies and several hundred more industries, large and small.

Lake County, by the way, comprises the First Congressional District of Indiana. As Representative of that area I am very much alarmed from the standpoint of unemployment.

In 1946, and that was the first year after World War II, the manufacture of steel was at its height. At that time, the mills only occasionally would operate 100 percent.

In the last few years, the steel mills in my area have on occasion been down to 46 percent. Automation coming in, during the last 7 or 8 years has thrown thousands not only out of work but also on part time, 3 days a week, 2 days a week, 4 days a week. A man, at the head of the family, when he is working part time, is out of the purchasing market because his purchasing is confined to food, clothing, rent, and the bare necessities of life. I was interested in the telegram read by Senator DOUGLAS from Joseph Germano, director of the Chicago Northern Indiana Steelworkers Union opposing the proposed harbor at Burns Ditch.

Now, I am very much in favor of a harbor for northern Indiana, but I am interested in seeing that the harbor is located in a place where it can serve industry that is already operating.

I have already gotten a favorable report on my resolution from the Public Works Committee of the House authorising an Army Engineers study and survey for a harbor located in the area of Whiting, and East Chicago, and Hammond in the northeast corner of Lake County.

Senator BIBLE. That would be Lake County and that would be west of Porter County. Is that correct?

Mr. MADDEN. Yes. Right up near the Illinois line, where the port would be in close proximity there for shipping down through the Illinois and Mississippi Rivers to the Gulf of Mexico.

Senator BIBLE. What is the position of that particular legislation now, Congressman MADDEN?

You say you have made a request to the——

Mr. MADDEN. The Public Works Committee of the House has already favorably acted on the request for an engineers' survey and it is a matter now as to when the Appropriations Committee will authorize money for the survey.

I appeared in Indianapolis last August, when the Army Engineers hearings were held down there. I mentioned then, and I am going to repeat to this committee, there seems to be something rather mysterious about the report that the Army Engineers issued in October 1960 on this proposed harbor at Burns Ditch. For some reason or other that report was withdrawn. I do not know what pressures were brought to bear for the Army Engineers to recall and nullify that report. According to that report, the figures revealed from the Army Engineers are as follows, and, they are not RAY MADDEN'S figures.

I will read: According to the Army Engineers report 97.3 percent of the future benefits coming from this proposed harbor at Burns Ditch will go to two steel companies; namely, Midwest, a wholly owned subsidiary of National Steel and the adjacent proposed construction of Bethlehem Steel Co.

On page 19, paragraph 57 of the report—now, listen to this—it states that the estimated total average annual benefit will be $8,157,000. Of this amount, cargo or shipping, exclusive of the steel mill operation, will account for only $217,000.

Now, that is the Army Engineers report of October 1960. The shipping that would come from all of central Indiana and southern Indiana, would amount to $217,000 as compared with $8,157,000. The latter figure would be the shipping of the two proposed steel mills.

I fail to see, Mr. Chairman, the justification for the expenditure of millions of dollars of public money to provide a harbor and a port for the exclusive benefit of two wealthy and powerful steel mills.

Now, in Lake County—the Carnegie Illinois Steel, Inland, and Youngstown have their harbors and did not ask the Government or State of Indiana to finance them. Of course, I do not want to cast an aspersion but there seems to be some kind of powerful interest behind this situation.

In Congress, working along with other colleagues for several terms for the St. Lawrence Waterway project we had difficulty in getting results. Then in 1953, a very distinguished industrialist by the name of George Humphrey became the Secretary of the Treasury and it did not take long for favorable action to start on the St. Lawrence Waterway. Maybe Mr. Humphrey of the National Steel Co. might have something to do with this terrific publicity and organization behind the Burns Ditch Port project to provide a harbor to accommodate his and the proposed adjacent steel mills.

Mr. Chairman, I think there is good evidence to indicate that because of the character of the lake itself, this proposed port down at Burns Ditch might be a white elephant from the standpoint of sandfill and sand drift at the southern tip of Lake Michigan.

U.S. Senator Daniel Webster made a special trip from Washington in July 1836, to Michigan City to attend a big celebration on opening the original shipping harbor at this southern tip of Lake Michigan—the Congress had spent considerable money on way back 130 years ago for a port at Michigan City. For a period of 50 years thereafter Congress from time to time appropriated money to clean out the sandfill and drift at the Michigan City port.

Army Engineers report of October 1960 revealed there is a north-to-south windsweep down that lake of about 500 miles. Mariners or sailors on that lake will testify that there is no body of water where there are higher waves and more sand drift than into the south tip of Lake Michigan.

It would be a terrific expense to keep a port of that type operating at that particular location.

Now, somebody here stated this morning that there were trainloads of sand hauled from the dunes in to make beaches in Chicago. Yes. Why?

Right in that area, because of the terrific sand deposits caused by storms with a 500-mile sweep is the reason we have the sand dunes at the southern tip of Lake Michigan.

That is what made the dunes.

That is why there is not a spot in the world like the Indiana Dunes.

And it has been brought out in our hearing, in the Army Engineers report of 1960, that there would be a shifting back and forth, east and west, of the sand silt there. Imagine what that will do to the park that we have there now, Indiana Dunes State Park.

Steel mill waste and pollution would spoil the water and beaches for miles surrounding the Indiana State Park.

I happen to have experience, as far as parks on the south shore of Lake Michigan are concerned. Back in 1935 and 1936, I was city comptroller at Gary, and we had a public beach there, and still have it.

The citizens of Gary can hardly enjoy it because of the influx of people coming from Chicago. We are right in the shadow of six million people in the Chicago area. And I do think that the time has come when we had better start paying a little attention to future generations and people coming from some other place for recreation.

Now, they say that there are many miles of sand around that Lake Michigan shores; but the port that I am interested in, and the chamber of commerce at Hammond, and the chamber of commerce at East Chicago, and Whiting, and the mayor of Hammond, Gary, East Chicago, and Whiting—they are very much interested in the port right there where there is plenty of industrial business and shipping right now.

Why, we have a township relief loaf in Lake County of people working only part time and unemployed in our steel mills today. With automation, what is going to happen if two great mills start operating 12 miles east of us?

Workers will flock in from all areas of the country to work in those mills. We are going to increase our relief roll problem.

I have received thousands of letters on this matter of the sand dunes. I received these letters not only from my area, but from Indiana and also from the Chicago district. They all ask that something be done in order to preserve the Indiana Dunes for future generations.

Before I terminate my remarks I think it might be well to read an editorial from James DeLaurier, publisher of the Hammond Times, in regard to what the Inland Steel had to say about the harbor at Burns Ditch. I will read part of this editorial.

And it says that one of the more significant voices opposing a port in Indiana at the Burns Ditch area of Porter County was unheard, although on the record—at the Army Engineers hearing in Indianapolis last August was the Inland Steel Co.

It opposes the site in Porter County, that is, Burns Ditch, and it was set forth in a written statement, submitted in behalf of the company for the hearing record, by Delmar W. Johnson, vice president of researching and planning.

It placed in the record, although not read at the hearing, and it said, to begin with, Johnson makes clear that Inland has a valid interest in the Porter County area.

Now, they own land there, where it is proposed to locate the port. Since 1919 Inland has owned more than 600 acres of land, including the mill shoreland from the Lake-Porter County line, east toward Ogden. This property has been held and has continued to be held for the purpose of building a steel plant with harbor connections, Johnson points out.

Actual maps locating the proposed port's future extension to the southwest show the harbor line touching the southeast corner of the Inland Steel property on U.S. 12. Inland's statement declares that the October 1960—that is the Army Engineers report—that, for some mysterious reason was recalled, Inland states, and Inland's statement declares that the October 1960, interim report, submitted by the Army Engineers, estimates that oversea general cargo would amount to only 160,000 tons a year by the 10th year after the harbor is built. That is after the proposed Burns Ditch Port is completed. And only 370,000 tons a year by the end of 50 years. Now, that comes from the Army Engineers report of 1960, as far as the future shipping down into central Indiana from a port at that particular is concerned.

In contrast, the annual water-borne tonnage for the steel mills, proposed to be built at the site, would run into 10 million tons per year. This, Inland says, would mean that the State and Federal Government together would be investing $74 million mainly for the benefit of two private steel companies, but even this tonnage, Inland says, will be negligible until blast furnaces and steel furnaces are installed. Inland says that they appear to be some distance away.

Inland states it takes note that Hammond, Whiting, and East Chicago, have urged Congressman RAY MADDEN to petition the Army Engineers for a study of what came to be known as the Tri-City Port, which would extend along the shores of the three cities and would be created of a long breakwater between existing breakwaters in south Chicago and the Indiana harbor.

That is the port I am talking about, which is now before the House of Representatives.

Furthermore, Inland points out the Monon Railroad is going ahead with plans to improve the harbor at Michigan City at its own expense, which would provide a port for handling bulk and general cargo.

That comes from the Inland Steel. Inland asked the Army Engineers to disapprove the Burns Ditch site until a study can be made of the Tri-City area. Somebody told me that there is an Army Engineers report coming out here in the next few days, pending this hearing.

Senator BIBLE. They will testify in full when——

Mr. MADDEN. I would like to have the Army Engineers defer until they make a study of the Tri-City Harbor where there is industry already established and where it could operate once we build a good harbor there with plenty of business right from industry that is operating in this locality already.

"This is the first time that Inland or any other major steel company in Lake County has taken a position on the recent proposal for building a port of Indiana at Burns Ditch. There is some feeling that Lake County steel mills have refrained from speaking out on the Burns Ditch site question in the past for fear it might seem they were taking a dog-in-the-manger attitude." End of quote from Hammond Times.

Well, the telegrams that were read here this morning from the leaders of the mill workers in the Calumet region, that they are against it because thousands of families are having a hard time making a living on 3 days a week and the three steel mills

operating lin Lake County today, all of this should be taken into account.

As I have said, I have received thousands of letters regarding this matter, and I am going to read one very briefly to you and then terminate.

This letter comes from Chicago and is dated February 21. I received it Saturday.

"To Congressman RAY J. MADDEN, House of Representatives:

"SIR: This is perhaps the last opportunity to save or lose one of nature's jewels, God's gifts to the American people, the Indiana Sand Dunes.

"Knowing how precious is your time, sir, I shall put my appeal to you as short as possible.

"1. I am pleading for conservation of the area along Michigan Lake eastern shore, Indiana Sand Dunes, not for my personal interests, having none and being too old to have any, just for the health, fresh air, benefit, and happiness of the future generations of millions of Americans in the Midwest.

"2. In my long life I have found only two such spots of natural beauty:

"One is the Kurish Neringa (Nehrung) or Little Sahara on the eastern shores of the Baltic Sea in Lithuania, alas now cut off from the free world by the Soviet Iron Curtain. The other one is the Indiana Sand Dunes, and the only one left for the free world. There is no other spot in this hemisphere like Michigan Lake shores. A large part of the dunes is spoiled and destroyed forever already by industry. Sand Dunes is the last piece of a jewel left intact, and being already destroyed in two vital places: at the Burns Ditch and in the Dunes Acres region.

"3. It took nature centuries to build one sand dune, yet it takes one day only for a bulldozer to destroy it, and dozens of bulldozers are at work there already. What the interested-in-destruction people say, is just bunk. Workers in Porter County would rather go by car, bus, or electric train a few miles farther and work in steel mills and come back to Porter County homes with fresh air and healthy happy families.

"4. Lots of people from other lands complain that Americans do not appreciate real beauty and are bent on destruction of nature. The ugly industrial sections of cities and towns tend to testify to it and the insistency of these interested in building their mills and factories exactly in the rest of unspoiled area, confirms it. However, the energetic resistance of people of the Midwest, the heroic struggle of the Save the Dunes Committee and the sympathetic attitude of many Senators and Congressmen witness to it that Americans are not the nation of sheep as some author called them.

"5. Sir, it is so easy to spoil nature and spread blight and find arguments for such inglorious acts. Yet, I may assure you, the posterity will build monuments of gratitude not to those who have built factories and slums with accompanying foul air and diseases, only will build to those who cared for health and happiness of theirs and their children. Your CONGRESSIONAL RECORDS have stated that only one-half of one-third of an inch of sea and lake shores are left for every citizen of the United States, and, remember, population is growing fast, and sources for fresh air and recreation are rapidly diminishing.

"Let my weak voice be one in a choir of many thousands. Save the dunes."

I want to thank the committee for your attention.

Senator BIBLE. Thank you very much, Congressman MADDEN. I understand your position.

I have no questions.

Senator DWORSHAK?

Senator DWORSHAK. No questions.

Senator BIBLE. Senator LONG?

Senator LONG. No questions.

Senator BIBLE. Thank you very much, Congressman MADDEN. Let's withhold our applause until the hearing is completed.

Commemorating Bulgarian Liberation Day

EXTENSION OF REMARKS

OF

HON. CHARLES A. BUCKLEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 1962

Mr. BUCKLEY. Mr. Speaker, this coming March 3, 1962, represents the 84th anniversary of the commemoration of Bulgarian Liberation Day. This date first came into being to honor the brave Bulgarian people on March 3, 1878, and has been observed ever since by all freedom-loving peoples.

Bulgaria is one of the smaller nations in the Balkan Peninsula but its impact on that immediate area throughout its long, troubled history has been an important one. The Bulgarian people over the centuries have been consistently in the forefront in the fight for freedom and the rights of mankind. This struggle goes back to the Middle Ages and the 14th century when the Bulgarians were subjugated by the Turks and forced to live under this rule almost 500 years. In 1878 peace came to the people of Bulgaria and in commemoration of that freedom the date of March 3 is celebrated annually as a Bulgarian holiday. This day has been properly set aside to honor those people of Bulgaria who have sacrificed their lives to keep aloft the true spirit of independence and to protect the sovereign rights of men. Once again Bulgarians lie suppressed under the heel of a new tyranny—communism. But like other tyrannies, communism will one day vanish and the people of Bulgaria will once again control their own lives and their own destinies.

I am privileged to salute the brave Bulgarian people on this their great Liberation Day and I wish them most fervently an early end to the dictatorship they now suffer under and the right that belongs to all men—the right to live freely and in a manner of their own choosing.

The Little-People-to-Little-People Program

EXTENSION OF REMARKS

OF

HON. WILLIAM A. BARRETT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 28, 1962

Mr. BARRETT. Mr. Speaker, I would like to take this opportunity to congratulate my very good friend and colleague, Congressman RODINO, of New Jersey, on his excellent speech of February 15, 1962, on the little-people-to-little-people program; and to commend his son, Peter, for his initiative and forethought in giving birth to the idea.

We have all been reminded at one time or another of the verse from Psalms, "Out of the mouths of babes and sucklings hast Thou ordained strength because of thine enemies."

In our modern day world, out of the minds of our junior citizens a worthwhile crusade has started. It is a crusade to further peace among Nations and among the peoples of Nations. It is a noble cause endorsed by our future leaders of the United States. It is a program we adults should follow and encourage.

HOUSE OF REPRESENTATIVES

THURSDAY, MARCH 1, 1962

The House met at 12 o'clock noon.

Rev. Warren F. Taylor, pastor, Smithfield Baptist Church, Smithfield, Va., offered the following prayer:

Eternal God, we thank Thee that we are living in these days when so much is demanded of us.

We thank Thee for those who seek to be equal to the changes of the times, and who respond with their best and not their worst.

We thank Thee for the leaders of our country, for their devotion to the people's welfare.

May not the many calls made upon them cause them to forget the call they had to become our leaders. May not the dailiness of their meetings cause them to forget why they meet. May not the drudgery of their work cause them to lose sight of its worth. May not our apathy or opposition cause them to be overly discouraged or openly cynical.

Keep them, we pray, brave and strong men of good will and good humor, that the work of justice and truth be more established on earth.

Through Jesus Christ, our Lord. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Ratchford, one of his secretaries.

ADJOURNMENT OVER UNTIL MONDAY NEXT

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

LEGISLATIVE PROGRAM FOR THE WEEK OF MARCH 5

Mr. HALLECK. Mr. Speaker, reserving the right to object—and I shall not object—I should like to take this opportunity to inquire of the acting majority leader as to the program for next week.

Mr. BOGGS. On Monday the Consent Calendar will be called. There are no suspensions scheduled for Monday.

On Tuesday the Private Calendar will be considered, to be followed by the Treasury-Post Office appropriation bill for 1963.

For Wednesday and the balance of the week H.R. 132, known as the education by television bill.

Conference reports may be brought up at any time and any further program will be announced later.

Mr. HALLECK. Mr. Speaker, further reserving the right to object, I should like to make the comment—and I am sure all of us will agree—that I am happy to see that bills are now coming out of the Committee on Appropriations. I dare to express the hope that the committee will be able to move along rapidly with its work and that we may dispose of those bills expeditiously; because certainly that sort of action is essential to an early adjournment of this session.

Mr. Speaker, I withdraw my reservation of objection.

Mr. BOGGS. I thank the gentleman.

Mr. GROSS. Mr. Speaker, further reserving the right to object, it was my intention to ask the gentleman—and I hope this will be his policy in the future—to announce the program for the coming week before asking unanimous consent to go over so that we may know whether there is any work that could be brought before the House of Representatives on a Friday. It is my hope that this session of Congress can reach adjournment not later than the 1st of August. Now I would like to ask the gentleman, if he can give us any information as to whether there will be an Easter recess this year.

Mr. BOGGS. That decision, of course, will be made by the leadership in due course. We are trying to move ahead as rapidly as possible and as rapidly as the committees report their bills out. We are doing our very best.

Mr. GROSS. Does the gentleman have any idea on that at this time? Some of us who live a considerable distance from Washington ought to have time to make plans, if there is to be an Easter recess. I am perfectly willing, I might say to the gentleman, to stay here and work, if that will expedite the session.

Mr. HALLECK. Mr. Speaker, if the gentleman will yield, I think in fairness it should be said that the Speaker has conferred with me about plans for the Easter recess. We are not close enough to Easter yet to determine just what we might be able to do. So far as I am concerned, I want it clearly understood that these conversations have been had with myself and the Speaker for which I thank the Speaker, and I will say to the gentleman from Iowa that as quickly as it can be determined, then Members will be informed. I might say, of course, that Easter is some 6 weeks away and no one can tell at this stage just what the legislative situation might be.

Mr. BOGGS. I thank the gentleman.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana [Mr. BOGGS]?

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that on Wednesday next the business in order under the Calendar Wednesday rule be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

THE MARDI GRAS

Mr. THOMPSON of Louisiana. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. THOMPSON of Louisiana. Mr. Speaker, the State of Louisiana again salutes Washington on the occasion of the Mardi gras.

I have been commissioned as chairman of the festivities to make this announcement.

Today the Louisiana Mardi gras flags are flying from the mast of the Sheraton Park Hotel. The Louisiana State Society again this year brings to Washington a little of Louisiana by way of a colorful and typical New Orleans Mardi gras parade and Mardi gras ball. Beginning at 6:30 next Saturday evening, the parade will proceed down the Avenue of Presidents, around the White House, out Connecticut Avenue and ending around 8 o'clock, just before the ball begins, at the Sheraton Park Hotel.

The ball this year is dedicated to "Lovely Louisiana," in conformance with the great efforts of Governor Davis and the Louisiana State Legislature to let America know the beauties and charm of Louisiana. As chairman of the ball festivities, I wish to make known to the membership of this body that we have as a visitor in Washington now the queen of our 1962 Washington Mardi gras ball, Her Majesty Rebekah Jo Hannie, the daughter of Dr. and Mrs. George Hannie of Lake Charles, La. With Queen Rebekah Jo are the 28 Louisiana festival queens who will be princesses in the queen's court and the 13 other beautiful Louisiana girls who will be maids in the queen's court.

The king of our ball, whose identity has been closely guarded until this time, will be the Honorable Voris King of Lake Charles, who truly represents the development in Louisiana.

Mr. Speaker, the civic and business leaders of Louisiana, who assisted so ably in accomplishing this dazzling event, will be here to participate in the festivities and are designated, as is traditional in Louisiana Mardi gras balls, as the dukes to the king. They are: Cecil R. Middleton, chairman, DeRidder; Ase Barnett, Lake Charles; William R. Burk, New Orleans; Jack S. Burk, Baton Rouge; Ray A. Whatley, Alexandria; Jerald J. Gallinhouse, New Orleans; J. Ed Kyle, Berwick; Senator Sylvan Friedman, Natchez; Mitch Ashy, Eunice; and Nicholas P. Trist, Arabi.

The guest narrator for the Pageant of Queens at the ball will be the famous Tony Marvin, formerly with Columbia Broadcasting System and who now has his own television program.

Queen Rebekah Jo will be escorted at the Mardi gras ball by none other than our revered chief justice of the Louisiana Supreme Court, the Honorable John B. Fournet.

We of the Louisiana delegation are proud that our folks back home have again honored us by the visit of this fine group who are in Washington for our Louisiana State Society Mardi gras ball.

The festival queens who are princesses in the court are:

Miss Marilyn Ann Adams, queen of the International Rice Festival of Crowley, La.

Miss Donny Adams, queen of the Louisiana Paper Festival of Bogalusa, La.

Miss Val Jean Banta, queen of the Louisiana Gulf Coast Oil Exposition of Lafayette, La.

Miss Hilda Blackburn, queen of the Holiday in Dixie Festival of Shreveport, La.

Miss Sharon Kay Bond, sweetheart of the American Legion of Bogalusa, La.

Miss Amanda Bordelon, queen of the Floral Trail Festival of New Orleans, La.

Miss Marie Colvin, queen of the Louisiana Peach Festival of Ruston, La.

Miss Kathryn Ann Chappuis, queen of the Cotton Festival of Ville Platte, La.

Miss Charlotte Judith Cox, queen of the Louisiana Sugar Cane Festival of New Iberia, La.

Miss Cora Jean Doty, queen of the Louisiana Future Farmers of America of Baton Rouge, La.

Miss Carmen deMahy, queen of the Louisiana Dairy Festival of Abbeville, La.

Miss Janie Gaudet, queen of the Orange Festival of Buras, La.

Miss Claire Green, queen of the Shrimp Festival of Morgan City, La.

Miss Dianne Griffin, queen of the Louisiana Livestock and Pasture Festival of Marksville, La.

Miss Dianne McJimsey, queen of the Fishing Industry Festival of Delcambre, La.

Miss Susan Kathryn Gould, queen of the Louisiana State University Maid of Cotton Festival of Baton Rouge, La.

Miss Phyllis Miller, queen of the Louisiana Yambilee Festival of Opelousas, La.

Miss Dell Dean Mouton, queen of the Vermilion Fair and Livestock Festival of Kaplan, La.

Miss Pennye Lucille Proctor, queen of the Southwest Louisiana Mardi Gras Association of Lafayette, La.

Miss Annette Rhodes, queen of the Rose Festival of Bogalusa, La.

Miss Pat O'Neil, queen of the Louisiana Fur & Wildlife Association of Cameron, La.

Miss Peggy Romero, queen of the Louisiana Farm Bureau Federation of Baton Rouge, La.

Miss Susan Pryor Sloat, queen of the Ozone Camellia Show of Slidell, La.

Miss Diana Jane Smith, queen of the North Louisiana Delta Festival of Bastrop, La.

Miss Elizabeth Lyman, queen of the University of Southwest Louisiana Mid-Winter Camellia Festival of Lafayette, La.

Miss Beverly Sumrall, queen of the Louisiana Forest Festival of Winnfield, La.

Miss Sandra Townson, queen of the Lovely Louisiana Tourist Association of DeRidder, La.

Miss Georgia Koons, queen of the Tomato Festival of St. Bernard Parish, La.

The maids-in-waiting are:

Miss Elizabeth Bailey, of Church Point, La.

Miss Hazel Amelia Bordelon of Ville Platte, La.

Miss Antoinette Ackal Doumit of New Iberia, La.

Miss Ann Epperson of Baton Rouge, La.

Miss Mary Elizabeth Estrade of Washington, D.C.

Miss Donna Guerin of Baton Rouge, La.

Miss Mary Etta Grissaffi of Morgan City, La.

Miss Frances Kurzweg of Lafayette, La.

Miss Bunny Masingill of Natchitoches, La.

Miss Mel McIlwain of Washington, D.C.

Miss Margaret Mayeux of Mamou, La.

Miss Barbara Prestridge of Vidalia, La.

Miss Carmen Prudhomme of Ville Platte, La.

Miss Shannon Cookson of New Orleans, La.

THE LATE HONORABLE RALPH GWINN

Mr. BARRY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BARRY. Mr. Speaker, I am confident every Member who knew Ralph Waldo Gwinn shares today in the sadness of his passing. Ralph Gwinn was an unusual statesman. He, like so many of our distinguished businessmen and lawyers, was concerned with our country's future in the late 1930's. But unlike many of our people in the country who were not satisfied with the way things were going, Ralph Gwinn determined to do something about it. He did not know exactly where to go, so he looked in the telephone book under the name of the party whose principles seemed closest to his own, and found the name of the National Republican Club on 40th Street in New York. After his lunch, took a walk to the nearby club and to the first person he met, he said, "I am Ralph Gwinn and I want to get into politics." It was my privilege to meet him the following week at the National Republican Club when I learned of his desire to do something for the Republican Party and for the Nation.

During the next 4 years, Ralph Gwinn was elected Village Counsel of Bronxville where he lived; he became the president of the National Republican Club in New York City, the doors of which he had walked through on that first day; and finally he was elected a Member of the U.S. Congress.

Ralph Gwinn was born in Noblesville, Ind., in 1884. His life spanned many decades and many interests. During his lifetime, he was lawyer, churchman, author, educator, and statesman. To each of these endeavors, he brought the same energy and conviction, the same sincerity and high purpose for which he was so greatly admired. A graduate of DePauw University and Columbia Law School, he served during World War I as special counsel to the War Shipping Board.

During the twenties and thirties he distinguished himself in the practice of law, and after two previous attempts, was elected to the House in 1944. For the next 14 years he served with distinction in this body, where at the time of his retirement he was the ranking Republican Member of the Education and Labor Committee.

In addition to his service in the Congress, Mr. Gwinn was Village Counsel of Bronxville and a former president of its board of education; a trustee of DePauw University and of Asheville School for Boys; president of the International Association of Daily Vacation Bible Schools; director of Agricultural Missions, Inc.; president of the National Republican Club; and director of the Christion Rural Fellowship.

During his long and distinguished service as a Member of this body, Ralph Gwinn won the respect of Members on both sides of the aisle as a man of character and principle. Those who were close to him knew that his adherence to principle in public was simply a reflection of the man in private life, a man whose personal conduct was exemplary, whose word was his bond, whose friendship was held in the highest esteem. He was, if you will, a living illustration of the famous lines from Hamlet:

> This above all: to thine own self be true,
> And it must follow, as the night the day,
> Thou canst not then be false to any man.

Mr. Speaker, our late colleague earned during his lifetime the two greatest tributes which we can pay him now in death. He was a Christian gentleman and he was a patriotic American. We who were privileged to know Ralph Gwinn will not forget the personal example he set for us and for all his countrymen.

Mr. Speaker, I yield to the gentleman from Ohio [Mr. BOW].

Mr. BOW. Mr. Speaker, the gentleman from New York [Mr. BARRY] has very eloquently spoken of our late friend Ralph Gwinn. I should like to add just a few words about one of God's great noblemen, Ralph Gwinn. When I first came to the Congress some 12 years ago he was one of my earliest friends here. He was a Member who gave us good advice.

Ralph Gwinn was a great constitutionalist. He sat with me many times and discussed the Constitution of the United States and the necessity of its preservation if we were to preserve this great country of ours. All during his service here we worked together on this proposition. He talked to me one day on the floor, saying he was going to leave this body, that he felt he could do more good in going out over the countryside and talking to the people of the country on Government, our Constitution, and the country's history. His great concern was that our history was not being taught in various areas of the country, that it was not being used in the schools as he thought it should be. He thought perhaps by retiring from the Congress he could take this message to the people and in that way contribute more fully to the future of America than he could here, although his service here, I am sure all my colleagues will agree, has been a great contribution.

After leaving Congress he came to my congressional district on several occasions to speak to patriotic groups, schools, and organizations.

Mr. Speaker, my life has been made much deeper, much happier, because of my association with Ralph Gwinn. I am saddened by his passing, but gladdened by the fact that I was able to serve here in Congress with this great man.

Those of us who in our humble way tread the Halls of Congress are walking in the shadow of giants. Ralph Gwinn was truly a giant among those who served here in the House of Representatives.

I shall miss his communications which I have received in recent months. I have lost a great and good friend.

I thank the gentleman from New York.

Mr. BARRY. Mr. Speaker, I yield to the gentleman from Indiana [Mr. ROUDEBUSH].

Mr. ROUDEBUSH. Mr. Speaker, today I rise to pay my respects and to express my sorrow at the passing of a great Hoosier, Ralph Waldo Gwinn.

Ralph Gwinn was born in my hometown of Noblesville, Ind., on March 29, 1884.

He attended our public schools there, and later graduated from DePauw University, located at Greencastle, in the district I have the honor to represent. He later served as a trustee of that great educational institution.

Although Ralph Waldo Gwinn is probably best identified as a member of the congressional delegation of the Empire State of New York, we of Indiana were mighty proud of his great record of public service.

Much has been said about this great man's achievements. He was an outstanding Member of Congress. He devoted himself to the cause of our Nation during the First World War, serving in

several capacities under the Secretary of War.

He was a fine author, especially in the fields of education, religion, and agriculture. He was a dedicated public servant, and wherever he made his home he left a record of service to that community.

We of Indiana, and perhaps more especially we of Noblesville, in Hamilton County, pay our final respects to this great and good man.

Mr. BARRY. Mr. Speaker, I yield to the gentleman from Ohio [Mr. BROWN].

Mr. BROWN. Mr. Speaker, I, too, have been saddened by word of the passing of our longtime friend and former colleague in this House, Ralph Gwinn.

Ralph Gwinn was a man of great ability, but he was also an individual of greater courage, greater faith, greater belief in our institutions, and even a greater supporter of the Constitution and our way of life. He battled here, on the floor of the House, for the things in which he believed, for the preservation of our Republic, and of the form of government which he loved.

He has contributed much throughout the years, not only in the House of Representatives but elsewhere, to the understanding by many people of our system of government, and what the liberties and the freedoms handed down to us in the form of the Constitution and the Bill of Rights by the Founding Fathers have meant, and still mean to those of us in this generation, and to future generations yet to come.

The world is a better place for Ralph Gwinn having lived in it. He will be missed here by all of us who knew, respected, and loved him. He has left to us many precious memories which will be retained as long as we may live.

We should all be grateful to the Almighty Father for having given to us men of the type of Ralph Gwinn. May his soul rest in peace.

Mr. BARRY. Mr. Speaker, I yield to the gentlewoman from New York [Mrs. ST. GEORGE].

Mrs. ST. GEORGE. Mr. Speaker, I, too, am greatly saddened at the loss of former Congressman Ralph Gwinn.

Ralph Gwinn was to me always a typical good neighbor. He was my neighbor in fact, he was my neighbor here in the Congress of the United States where I came 2 years after he had been elected.

He was always helpful, he had a certain serenity that was refreshing. I think it is safe to say that Ralph Gwinn was a conservative. In being a conservative he was perfectly well satisfied to be called one without any lamentation; he suffered a good deal of thunder from the left, as anyone who is not completely on that side invariably does.

He took it all in good part. He had friends on both sides of the aisle. Nothing of that sort ever disturbed him. And, in fact, when he used to come into my district, there was always that aura of serenity, which is certainly not common among politicians. I know that the gentleman from New York who has spoken so eloquently of his predecessor realizes also how very devoted Ralph Gwinn was to him. I have very rarely seen a Congressman or any other politician speak with such affection and such regard of a successor. Most of us in this vale of tears are always a little bit jealous of someone who comes after us. This was never the case with Ralph Gwinn. He was deeply interested in his successor, in his career, and in his future. There again his superb serenity that marked him as a man showed in his every move.

It is best typified, it seems to me, in the words of the great Sainte Teresa:

> Let nothing disturb thee; let nothing dismay thee. All things pass. God never changes.

Mr. BARRY. Mr. Speaker, I yield to the gentleman from New York [Mr. OSTERTAG].

Mr. OSTERTAG. Mr. Speaker, I desire to join my colleagues today to express my deep regret and sorrow in the passing of our former colleague, Ralph W. Gwinn, and in expressing to his family my deepest sympathy.

Ralph Gwinn served in the House of Representatives with distinction for 14 years. He served with credit not only to himself, but to the people he represented. He was noted for his dedicated championship of the cause of conservatism and constitutional principles, and he was a tireless worker and devoted public servant during his tenure in the House. He earned the admiration and respect of his colleagues, the people of his district and the Nation for his integrity and his faithful adherence to efficiency, economy, and good government. May I say that my public service has been enriched by virtue of my association with him during the period of his membership here in the House of Representatives.

The people of this Nation have lost a good friend and a distinguished public servant. His service and his record will continue throughout the years ahead to guide and influence the course of our Republic. His contribution to the well-being of our Nation is immeasurable. We shall miss him and mourn his passing.

Mr. BARRY. Mr. Speaker, I yield to the gentleman from New York [Mr. GOODELL], who will speak in behalf of the gentleman from Pennsylvania [Mr. KEARNS], ranking member of the Committee on Education and Labor.

Mr. GOODELL. Mr. Speaker, I never had the good fortune to know Ralph Gwinn personally. I knew him by reputation prior to my entrance into the Congress. It is said that a man's reputation goes before him. I can say, I think, with all sincerity and truth that in the case of Ralph Gwinn his reputation lingers after him here in the Congress. As a member of the Committee on Education and Labor I pay tribute to his memory; the memory of his sterling character and high honor and dedication that will live on here in the hearts of the Members who knew him and those who came after him.

The gentleman from Pennsylvania [Mr. KEARNS], who succeeded Mr. Gwinn as the ranking Republican on the Committee on Education and Labor, was grieved that he could not be here today and express personally his own earnest and sincere sympathy to Mr. Gwinn's family and friends and to participate in this tribute.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks and I ask unanimous consent that the gentleman from Pennsylvania [Mr. KEARNS] be permitted to extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KEARNS. Mr. Speaker, I served with Ralph Waldo Gwinn on the Committee on Education and Labor from the time I entered the Congress in 1947 until he retired in 1958. He was ranking member of the committee in the 2d session of the 85th Congress after our colleague, Samuel McConnell, retired. Therefore, I knew him well, and I respected him.

Ralph was a deeply religious man. He taught Sunday school and was active in church work.

He believed in the things for which he stood. He never took a position out of political expediency. There was no subterfuge in him.

Highly personable, and a delight to be around, he was an extremely able lawyer, author, and educator.

A man of high purpose and devotion to principle and possessing great force, he brought to everything he did intense energy and conviction.

He had many interests. He was a trustee of DePauw University and of the Asheville School for Boys. He was president of the International Association of Daily Vacation Bible Schools, and he also was president of the National Republican Club and director of the Christian Rural Fellowship.

A constitutionalist, Ralph Gwinn respected and defended the great principles which are set forth in our Constitution. He believed profoundly that the greatness of our country was due to individual liberty and the free enterprise system.

I join my colleagues in extending sincere sympathy to the members of his family. We shall all miss him.

Mr. BARRY. Mr. Speaker, I yield to the gentleman from New York [Mr. DOOLEY].

Mr. DOOLEY. Mr. Speaker, the gentleman from New York grieves over the passing of Ralph W. Gwinn, who represented the 27th Congressional District of our State in this body for 14 years.

Mr. Gwinn's stanch conservatism was as unvarying as his charm and his gracious manner. He stood firmly for his ideas, regardless of the opposition.

As the Representative from the neighboring district to my own in Westchester County, Mr. Gwinn was known for his strong denunciation of communism, socialism, labor racketeering, and Federal subsidies. He constantly declared there was no middle of the road, and he vigorously opposed the setting up of programs to, as he expressed it, "confiscate our properties and liberties for a communal state."

I knew Mr. Gwinn as a friend and neighbor, and no man ever took his responsibilities with deeper sincerity or

worked as hard to reach his stated objectives.

The country loses a fine citizen in the passing of Ralph Gwinn, and I express my condolences to Mrs. Gwinn, who survives him.

Mr. BARRY. Mr. Speaker, I yield to the gentleman from New York [Mr. RAY].

Mr. RAY. Mr. Speaker, I shall not try to add to what has been said about the qualities of Ralph Gwinn as a Member of Congress, his services and record. I want just to tell something on the personal side.

Mr. Speaker, Ralph Gwinn and I became acquainted back in 1919 when we found ourselves bearing the long titles of Assistant Special Representatives of the Secretary of War in a group formed to settle and collect from the Allied Governments amounts which our Government felt they owed to it as the result of purchasing activities for them during the war.

Mr. Speaker, we lived and worked closely together in Washington for 3 months. Then, as we were ready to present our claims, we learned that the missions of the foreign governments concerned had all gone home. I tell that story because it was typical of Ralph Gwinn that he urged and largely assured that we pack our bags and go abroad, too. His claims dealt with England and mine dealt with Italy and France. We were both abroad 3 months, and then came back here and prepared our reports. Our friendship continued all through the later years.

Less than 3 weeks ago he called me and we had a very pleasant luncheon that stretched into the afternoon. I was delighted to see that he had apparently recovered from his recent illness. He was talking about plans to make talks in California and through the Middle West. I thought he looked to be in better shape than I had seen him for a long, long time.

Mr. Speaker, Ralph Gwinn will be deeply missed by all who knew him. I have benefited greatly from my friendship with him, and I am delighted and glad that he was apparently enjoying good health at the time he was taken away.

Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. KILBURN] be permitted to insert his remarks in the RECORD at this point.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KILBURN. Mr. Speaker, I was saddened at the death of Ralph Gwinn. I, of course, knew him all the time he was in Congress. He was honest and sincere. He worked hard and was able and efficient and always worked for what he believed to be the best interests of our country. He was a good friend and I am going to miss him.

Mr. BARRY. Mr. Speaker, I yield to the gentleman from Missouri [Mr. HALL].

Mr. HALL. Mr. Speaker, I rise as a Representative of one of the freshmen groups in the Congress who did not have the privilege of serving with the Honorable Ralph Gwinn, of New York, but would honor his memory as a living example of one who in the interest and dedication to principle and the Constitution, stepped out of the service of the Government and the Congress and made a tour through the country, interesting those in service who might come later. I am an example of those who were imbued with his example, as witnessed by the many testimonials today, of citizenship responsibility.

It was while I was serving as chairman of the Citizenship Responsibility Council of the State of Missouri that the Honorable Ralph Gwinn one day short-circuited one of his trips and made two appearances, one at a luncheon in my hometown, where we were serving as the program chairman; and later on that evening in Kansas City, Mo. It was then and in this manner that his inspiration became available to me. I think it is extremely appropriate that I, as a Representative of the 42 Members on this side of the aisle in this year's 87th Congress, rise and add to the testimonials so beautifully given by his fellow statesmen from New York and others. I would point to the effect that he has had on our lives in his pure belief in living within the Constitution and in conservatism. In fact, my last meeting with him was at one of the luncheon meetings of the Americans for Constitutional Action, just a few weeks back, here beneath the dome of the Capitol. Certainly in behalf of my colleagues and those others upon whom he has exerted influence in their service, I should like to join in these testimonials and in extending sympathy to the family and to the country in the loss of a great statesman.

Mr. BARRY. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. FRELINGHUSEN] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FRELINGHUYSEN. Mr. Speaker, like many others here today I considered Ralph Gwinn a true friend and I was shocked to hear of his sudden death. I too should like to join in an expression of deep sympathy to his widow and the other members of his family.

When I first came to Congress in January 1953 I was assigned to the House Education and Labor Committee. In the years that followed I came to know, and to respect, the real ability of Ralph Gwinn as a member of that committee. He was a man of strong convictions, with an ability to express himself and to organize support for his views which made him a man who carried unusual weight. Though not always agreeing with his views, all the members of that committee realized that he was a man of ability, and perhaps more importantly, a man of integrity.

In addition to these qualities which made him a man to be listened to, and to be reckoned with, Ralph Gwinn had real personal charm. He was interested in the problems, and the views, of those junior to him, and persuasive in stating his own case. He was dignified yet a kindly man, a man of stability and patience. He was, also, a man of understanding and sympathy, with a kindliness which endeared him to us all. When he retired in 1958, we here in Washington lost a valued and experienced legislator and a real friend. Now, with his death, we have indeed suffered an irrevocable loss.

Mr. BARRY. Mr. Speaker, I yield to the gentleman from Washington [Mr. HORAN].

Mr. HORAN. Mr. Speaker, I wish to join with my colleagues in paying tribute to the memory of the Honorable Ralph W. Gwinn.

I knew him very well. He was a Christian gentleman. He was a sound and constructive patriot who truly loved his fellow men and wanted this great Nation to be—and to remain—the land of the free and, as the home of the brave, to make a lasting contribution to the future of civilization.

Mrs. Horan, who also knew Ralph, and myself extend our deepest sympathies to his widow and to his family.

Mr. BARRY. Mr. Speaker, I yield to the gentleman from Maine [Mr. McINTIRE].

Mr. McINTIRE. Mr. Speaker, I, too, wish to join in paying tribute to a personal friend who has passed to his reward. Ralph Gwinn by his very physique was marked as a distinguished person, but as one became personally acquainted with him, one appreciated that he was distinguished by the solid principles for which he stood in his public life, the principles he fought for in the body politic, and also the principles that guided his personal life.

As one who came to the Congress in the latter part of Ralph Gwinn's service here, I consider it a rich addition to the treasury of my experience to have had his personal friendship and to know of the great contribution that he made as a citizen of New York and of our great country.

Mrs. McIntire joins me in extending our deepest sympathy to his widow and others of the family.

Mr. AUCHINCLOSS. Mr. Speaker, it was with a heavy heart that I learned of the death of my old friend, Ralph Waldo Gwinn, who served in Congress for six terms beginning with the 79th Congress. Ralph Gwinn was a man of deep convictions who studied legislative problems with meticulous care. I think there has rarely been a more conscientious Member of Congress who worked incessantly on what he believed to be sound and in the interest of our country. He made many friends in spite of what some people chose to call a narrow-minded disposition. I never found him to be narrowminded because in spite of his determined beliefs he was always ready to listen to arguments on the other side of the question and wholeheartedly respected the views of those who differed with him. But he was intolerant of anybody disloyal to the high ideals of America, and the freedom and liberties that our citizens enjoy. His patriotism was infectious.

I extend my heartfelt sympathy to his family and I, personally, feel the loss of

a very dear friend as well as a very great American.

Mr. MARTIN of Massachusetts. Mr. Speaker, I was distressed to learn of the death of Ralph W. Gwinn, with whom I enjoyed a close friendly relationship during the 14 years he served in the House.

Ralph Gwinn was a very able, scholarly, and conscientious gentleman. He had strong convictions on the issues which came before Congress. The only factor which influenced his decisions was his own independent judgment on what he believed was right for America. He profoundly believed that the greatness of our country was built upon individual liberty and the free enterprise system. He never wavered from his philosophy that the nation which was governed best was the nation which was governed least.

He was a sincere, dedicated public servant. His love for our country knew no bounds.

The Nation has lost a great citizen. Those of us who served with him have lost a fine friend. I extend to Mrs. Gwinn and his family my deepest sympathy.

Mr. HALLECK. Mr. Speaker, I join with my colleagues in expressing my sorrow at the news of Ralph Gwinn's passing.

His record of service in the Congress of the United States was distinguished by a deep sense of devotion to principles of our Constitution.

No Member of this body ever demonstrated a more consistent or persistent faith in a belief that individual liberty must always be the cornerstone of our great political system. He was a dedicated champion of human freedom.

Ralph Gwinn possessed a keenly analytical mind that could cut to the heart of controversy and this attribute made him an invaluable member of the great Committee on Education and Labor.

Those of us from Indiana are justifiably proud that this fine Christian gentleman and able statesman was a native Hoosier who spent the most important years of his life—the formative years on through college, in our State. I counted Ralph Gwinn among my most valued friends during the years we served here together and it was with a sense of regret that I saw him retire several years back. May it be said of Ralph Gwinn that he was a noble man in the full sense of that term and that the cause of freedom was served well by the example he set for all of us.

Mr. PHILBIN. Mr. Speaker, I am very sorry indeed to learn of the passing of our former, very distinguished and beloved colleague, the Honorable Ralph Waldo Gwinn.

Ralph Gwinn was a man of great ability and he was completely dedicated to his work in the Congress and to our country. He served in this body with great distinction and won the respect, admiration and warm regard of his colleagues. I was always proud to call him friend and cherished his friendship.

Learned in the law, devoted to his work and zealous in standing by his strong convictions, his entire career was marked by success, effectiveness and constructive achievement, and he will be sorely missed in many places and by many people.

I extend my sincere sympathy to his devoted family and hope and pray that they may be comforted and sustained by the Almighty to bear their great loss with true fortitude.

Ralph Gwinn was a true and gracious gentleman, a great American, a dedicated public servant.

May the good Lord keep him in His heavenly home and give him eternal peace and rest.

Mr. HARVEY of Indiana. Mr. Speaker, it was an honor to be called a friend by Ralph Gwinn, and I am happy to have had that privilege. Because he was a former Hoosier, Indiana can share the pride that New York has had for this statesman. With all his great sense of the greatness of our Republic, he never lost his own personal humility. This was but one of the many qualities that endeared Ralph Gwinn to his numerous friends. He served not only his family, but his State and country well; his passing leaves a void in my heart that will not be filled.

Mr. HOEVEN. Mr. Speaker, a mighty oak has fallen in the passing of my very good friend, Ralph W. Gwinn. It was my privilege to have been associated with him during his entire service in the House of Representatives.

Ralph Gwinn was a gentleman's gentleman of the first order. Likable, honest, and sincere, he stood out among his fellows as a man of sterling character and as one who adhered to high moral principles. He was a man with deep convictions who could not be swayed even in the face of public clamor to do something which he knew was not right.

Ralph Gwinn was a real statesman and an able legislator. In short, he was a Christian gentleman who served well his day and generation. I personally mourn his untimely passing.

Mr. GAVIN. Mr. Speaker, I was most sorry to learn today of the passing of our very good friend and former colleague, Ralph W. Gwinn, of New York.

He was highly respected and genuinely admired by all who knew him and worked with him. His lines of friendship encircled friends of all elements of our social life.

He was a man who dedicated most of his life to the service of his district and State and Nation and he contributed much to the civic, social, and spiritual life of the area in which he lived.

He was a firm believer in our American way of life with an abiding faith in the principles and ideals of our Government.

In all things it can be said he was an outstanding citizen and a great American.

So today it is with a feeling of deep sadness that we who were privileged to serve with him in the House record his passing and we will remember him for the many little acts of kindness that indicated his friendship and good will toward the Members of this House.

I extend my deep and sincere sympathy to his family.

Mr. RHODES of Arizona. Mr. Speaker, it is with a feeling of great loss that I join my colleagues in mutual sorrow at the death of former Representative Ralph W. Gwinn, of New York. I had the pleasure of serving with Ralph Gwinn for 6 years on the Committee on Education and Labor. During that time I got to know the fine character of Ralph Gwinn and to admire the steadfastness with which he maintained his well-considered principles.

Ralph Gwinn never refused to take a definite stand on any subject. He was a conservative of the old school and obviously had trouble squaring his conservative principles with the direction taken by the American Government in later years. Paradoxically, since Mr. Gwinn retired from the House, this body seems to have grown more conservative, and to have acted more in line with the principles which Congressman Gwinn espoused than it did during the later years of his membership.

I have known Mrs. Gwinn for many years. Her sons, David Page, of Colorado, and Prof. Thomas Page, of the University of Illinois, I regard as two of my very good friends. It was with genuine pleasure that I learned of her marriage to my good friend, Ralph Gwinn, some few years ago. It is because of my affection for both Mr. and Mrs. Gwinn, stemming from time prior to the time of their marriage, that I am in a particularly unique position. This position allows me to share her loss and to express my condolences in a very special way.

This is a better nation because of the life of Ralph Gwinn. He will be missed by everyone who knew him.

Mr. KEOGH. Mr. Speaker, I share the sadness of his family in the passing of an earnest, conscientious, and able former colleague, the Honorable Ralph Waldo Gwinn, of New York.

I was not of his political faith, and, certainly, I differed often with him on legislation coming before us. If I could not speak well of our departed colleague, however, I should not address the chair at this time. I can acknowledge in all sincerity my deep respect for Mr. Gwinn. The motivation behind his public service is one of the strengths of our democratic system of government. He had a deep conviction that he held views in common with many citizens, and that it was his duty to commit his talents to the expression and advancement of these views.

As we can recall, our colleague was a distinguished lawyer, well into his middle years, when first he took the field as a political candidate. As he recognized, if there were no differences in the interpretation of law, including our charter of liberty, the Constitution, there would be little need for courts or lawyers. Ralph Gwinn believed with evangelistic intensity in the principle of government under law. That we might differ on specific applications of this principle is not important now. What is important is that we Americans have a written guarantee of the opportunity to fight for the right as we see it, and an obligation to exercise this opportunity.

The loss of any fully committed fighter in this cause—as Ralph Gwinn surely was—is a loss to all Americans.

Mr. CHENOWETH. Mr. Speaker, I was deeply saddened when I learned of the passing of our former distinguished colleague from New York, Ralph Waldo Gwinn. His passing came as a great shock to me.

I had the great privilege of serving with Ralph Gwinn in the House. I recall his interest in education, and I served with him on the House Committee on Education. I have never met a finer Christian gentleman. My association with Ralph Gwinn will always be an inspiration and a challenge to me.

Ralph Gwinn was a devoted and conscientious public servant. He was a champion of constitutional government, and had strong personal convictions on national issues. He believed in States rights and was sincerely concerned over the trend toward centralization of power in the Federal Government.

Ralph Gwinn rendered outstanding service as a Member of Congress, not alone to his district in New York, but to the entire Nation. He will be remembered by all who believe in maintaining constitutional government and our free enterprise system.

I greatly enjoyed and valued my personal association and fellowship with Ralph Gwinn. It was always a delightful experience to visit with him. I shall always be grateful for his friendship which has meant so much to me over the years. His passing is an irreparable loss to the Nation, and to me personally.

Mrs. Chenoweth joins in extending our deep personal sympathy to Mrs. Gwinn and the other members of the family.

Mr. DAGUE. Mr. Speaker, it is with profound regret that I have had the word of the passing of our former colleague and friend, Ralph Waldo Gwinn, and I know that I voice the universal sorrow of all of his former associates as we contemplate the loss of this stalwart American.

Ralph Gwinn was typical of that much-maligned group of conservatives who could not help but see, and vigorously decry, the encroachment of entrenched bureaucracy upon our lives. Ralph Gwinn believed in the sanctity of our constitutional privileges, but along with many of us, he could not help but sense that erosion of our liberties that must always accompany an expansion of centralized government to the displacement of local autonomy.

In his private life Ralph Gwinn was a generous, a genial, and a God-fearing man. As a founding member of our House Breakfast Prayer Group he gave public testimony to his continued reliance on divine power for guidance in the decisions every Congressman must make and he was fervent in his prayerful solicitation of that help that must always come from higher sources. Our departed friend and colleague was a man of highest principles, a man of virtuous life, and a shining example of integrity in a materialistic world.

Our hearts go out to his loved ones in this sad hour and we extend to them our heartfelt condolences with the assurance that even as they have lost a beloved helpmate and counselor we, too, have lost a stanch friend. May an all-kind providence sustain them in this time of parting.

Mr. CRAMER. Mr. Speaker, it was distressing and saddening to me to have learned of the untimely passing of my former colleague and good friend, Hon. Ralph W. Gwinn, and as I was flying back to my district the afternoon I had learned this bad news, I reflected upon what our friendship had meant to me.

When I came to the House in 1955 as a 32-year-old Congressman and one of the few Republican Members of Congress from the Deep South, I was badly in need of a strong, friendly hand. Ralph Gwinn placed that hand on my shoulder.

Ralph Gwinn possessed the experience, wisdom, and love of country that I appreciate, and I came to respect him, and his judgment, from the very beginning of my House service.

I can recall his urging me to take the lead in establishing true, two-party government in my State. Ralph Gwinn had a passionate interest in local government, and in civic and educational and fraternal affairs on the homefront as well, and it was his belief that a Member of Congress still owed a certain amount of his energies to his home community.

I particularly used to enjoy sitting down with Ralph for a discussion of the subjects that were of interest to us both. One was constitutional law, and on this subject he was without peers, for he had been interested in this since his graduation from Columbia Law School.

He was a firm believer in the principles of conservatism, and during his tenure in Congress, at a time when he was ranking minority member of the Education and Labor Committee, he grew restless as he thought of the great need for getting across to the Nation the message of conservatism and constitutional government, and so he left this body in order to preach his beliefs from coast to coast.

He was in great demand as a speaker at Republican rallies and meetings, and both the older and the fledgling members of the party revered him for his unwavering fight against reckless, spendthrift government.

He was a man of courage, dedicated to his adopted State of New York, ready at all times to defend his beliefs and his friends, and sternly determined that the basic principles on which this Government was founded should never be disregarded and shunted aside. Those who knew him best will admit that Ralph Gwinn would have fought the entire Government if necessary to back up what he thought was right.

I know that our friend and colleague is at peace with his Maker, and it is my prayer that he have eternal rest and comfort after his many years of being a saintly human being.

Mr. BARRY. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to extend their remarks in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

REPORT OF U.S. FOREIGN POLICY AND OPERATIONS

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I call up the concurrent resolution (S. Con. Res. 56) to print as a Senate document "A Report of U.S. Foreign Policy and Operations," and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed with illustrations, as a Senate document, a report entitled "A Report of United States Foreign Policy and Operations", submitted by Senator Allen J. Ellender to the Senate Committee on Appropriations on January 24, 1962; and that four thousand additional copies be printed for the use of that committee.

The resolution was concurred in.

A motion to reconsider was laid on the table.

THE LATE HONORABLE IRVING McNEIL IVES

Mr. TABER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. TABER. Mr. Speaker, I was greatly shocked and grieved to read of the death last Sunday of Hon. Irving M. Ives, who for 12 years was a Member of the U.S. Senate from the State of New York. He lived in Norwich, N.Y., in my district. We were very close personal friends. He was first elected to the Assembly of the State of New York in 1930, where he served until 1946. He was minority leader in the New York State Assembly in 1935, became speaker in 1936, and was majority leader in that body from 1937 to 1946. He performed valuable public service on many boards and commissions and in 1946 he was elected to the Senate of the United States, where he served for 12 years in that distinguished body. He was one of the ablest and most forceful speakers that we had in the State of New York. I know that the people of the entire State of New York are very sad at his passing.

I wish to extend my sympathy to Mrs. Ives and to their children. I hope things go well with them in the future.

Mr. HALPERN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HALPERN. Mr. Speaker, I want to concur in the comments made by the distinguished gentleman from New York [Mr. TABER] regarding the untimely passing of the Honorable Irving Ives.

I had the utmost regard, respect, and affection for Senator Ives and am deeply grieved by his passing. I knew Irving well, especially during his years in the New York State Legislature. He was

majority leader of the assembly during my first 7 years in the New York State Senate. If ever a man served the people of New York with respect, dignity, and unique ability, it was Irving Ives. His name is legend in the New York State Legislature; his great works, a lasting monument to his genius.

In the U.S. Senate Irving Ives carried on his tireless dedicated work and gave freely of himself despite the fact that he was sacrificing his physical health.

His everlastingly sound contributions to the betterment of America and the free world will long be remembered.

I extend my heartfelt sympathy to his lovely, dear wife Marion, and his fine son, George.

Mr. BARRY. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes, and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BARRY. Mr. Speaker, I would like to pay tribute this afternoon, along with some of my colleagues, to the late Senator Irving M. Ives of Norwich, N.Y., who was a fellow alumnus of Hamilton College.

Mr. Speaker, over the years it was my privilege to know him and to know of the interest that he had in young people throughout our State. He was interested in them in public affairs, and especially in the field of politics. He had a long interest in the betterment of the working man, and especially in the security of the working man. Above all, I believe that his greatest accomplishment was when as speaker of the Assembly of New York State he secured the passage of his own bill, the Anti-discrimination Act, which prevents discrimination in the hiring of personnel in New York because of race, creed, or color. This act was at the time the first of its kind to be passed by any State legislature in the Nation. Many State legislatures have since followed the New York law and have established commissions to guarantee the same rights provided in Senator Ives' bill. It is a great tribute to him and to his memory that this remarkable accomplishment stands today as a milestone in the continuing struggle against bigotry.

SOCIAL SECURITY MEDICAL CARE FOR MR. AND MRS. SENIOR CITIZEN

Mr. DULSKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DULSKI. Mr. Speaker, as we enter the 2d session of the 87th Congress, I want to once again focus attention on the urgent need for medical care for our senior citizens. This is a domestic issue which we can no longer ignore, and we cannot delay legislation which will provide hospitalization and medical benefits for over 14 million of our Nation's elderly population.

Last year I introduced a bill which would provide these benefits through the social security mechanism. This was known as the Forand bill in the previous Congress. Other proposals have been introduced which would provide benefits along these lines—on a broader or lesser scale.

Coming at a time when earnings and income are sharply reduced, the rate of illness and medical expenses for the aged is much greater than for the rest of the population. Since they are poorer risks, the aged cannot secure the same level of health benefits for the same price as the younger age group. In our State of New York, only about 35 percent of those 65 or over have hospitalization insurance. As a consequence, a large proportion of these older people without financial resources must rely upon care provided by public agencies, charities, or relatives. And many do not seek the care they need because of the costs involved, and others go into debt.

The pitifully inadequate benefits, now provided by our Federal Government in matching funds with States, through the Kerr-Mills Act enacted in the 86th Congress, should be supplemented by legislation of the type I have introduced. Estimates of the cost of such a program have been placed at $1,050,000 during the first year of operation—all of which would be covered by the tax increase. This would provide medical benefits for 14¼ million elderly, out of an aged population of 16¾ million.

My proposal, admittedly, will not entirely solve the medical problems encountered by Mr. and Mrs. Senior Citizen. It is not designed to achieve this purpose. But it is a measure of security that will guard against total financial disaster resulting from medical misfortunes beyond the control of individuals.

Our great Nation can ill afford to continue ignoring the plight of our elderly. This Congress must act, and I urge our Committee on Ways and Means to give this legislation speedy consideration.

RESPONSIBLE GOVERNMENT AND REAL FISCAL RESPONSIBILITY

Mr. ELLSWORTH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and to include an editorial.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. ELLSWORTH. Mr. Speaker, our colleague, the gentleman from Missouri [Mr. CURTIS], has once again made a valuable contribution to public understanding of responsible government and real fiscal responsibility.

One of the advantages of the statutory ceiling on the public debt is that it requires Congressional and public comment and debate whenever the ceiling has to be raised. This helps to point up—for everyone—the connection between spending and paying.

An excellent recent example of what I mean is provided by the public response to Mr. CURTIS' comments in the debate on H.R. 10050, recently passed by this House, to increase the public debt ceiling to $300 billion. In the course of the debate on that bill, our colleague, the gentleman from Missouri [Mr. CURTIS] said:

> Some Members vote all year to spend and then try and use this bill to try and fool the voters into thinking they are for economy.

This trenchant statement stimulated widespread public comment—including an enthusiastic editorial in the Kansas City Times of January 22, 1962. The Times is, of course, one of the truly great metropolitan dailies in America—and it circulates widely in my district. I am pleased to be able to bring that editorial to the attention of the House, and I include it at this point in the RECORD.

A CAPITAL THOUGHT ON CAPITOL HILL

The other day, on the floor of the U.S. House of Representatives, a little speech was delivered which should be engraved in bronze and prominently displayed in the Capitol. The speaker was Representative TOM CURTIS, Republican, of Missouri, and his subject was the bill, subsequently approved, to increase the ceiling on the public debt to $300 billion. He said:

"Some Members vote all year to spend and then try and use this bill to try and fool the voters into thinking they are for economy."

Too true, all too true. And we suspect that many Congressmen recognized the wisdom with which the Missourian spoke. Of course the House had no choice; the Treasury was in a jam and the increase from $298 to $300 billion was an essential and mechanical matter. And we fear that, as Secretary Dillon has indicated, another boost may be necessary before the end of the session. What is to be will be.

But there are also, before Congress this year, proposals for spending that may add to the debt, not now, but next year and the next and the next. Some are necessary. Some, perhaps, are desirable but obviously could be delayed.

As the lawmakers consider these measures, we hope Representative CURTIS' words will be remembered. In many cases, today's vote is tomorrow's debt. The time to strike a blow for economy is not when the Treasury calls "Help!" But rather when money is mentioned on the floor, and the Clerk calls the roll.

PROPOSED NATIONAL ADVISORY MEDICAL COMMISSION

Mr. DURNO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. DURNO. Mr. Speaker, I am today introducing legislation to establish a National Advisory Medical Commission to investigate and recommend the best means of providing medical care for needy Americans over age 65.

It is obvious to all that a problem exists. My proposal is the most feasible and practical means of cutting through the confusion which now surrounds this vitally important project, and of achieving action instead of politically inspired words.

Even apart from the fact that there appears to be little likelihood it will be

enacted this year, the social security-approach program embraced in H.R. 4222 is, in my opinion, woefully inadequate. It does not protect those who need it most. It does not protect against catastrophic illness. It would completely upset the practices of many hospital and clinical groups. And its cost would endanger the entire social security system.

I believe my plan, rather than delaying action, would be the most expeditious and effective means of achieving an adequate free enterprise program to assure proper medical care for needy aged.

I am deeply interested in this problem as a result of having practiced medicine for more than 30 years before I became a Member of Congress. The development of better medical care for all, in my State and in my country, long has been my primary interest in life. In the early thirties, I helped organize the first doctor-owned hospital association in Oregon, which was the forerunner of the present Blue Cross and Blue Shield plans. I served for 12 years as a member of the Oregon State Board of Medical Examiners, which listened to complaints and grievances of all kinds.

From this broad experience, I know that the aging and the aged require a special kind of medical care. Many times, it amounts to social guidance. I am confident that boosting their morale in a proper way would reduce hospitalization of our oldsters by a third or more. This can be done only by improving and expanding the often personalized relationship that now exists between physician and patient.

This relationship would deteriorate, not improve or expand, if the aged were regimented under a socialized medical care program as would be done under H.R. 4222. The way to improve that relationship is through a voluntary insurance program which would permit our aged to maintain their individual dignity and to continue to exercise their unhampered freedom of personal choice in their medical care.

To this point, no one has fully explored the field and come up with specific recommendations for a voluntary, free enterprise insurance program such as I have in mind. I believe such a thorough study is essential to permit us to act authoritatively and know what we are doing in considering legislation.

Any proper solution to the problem must give adequate weight not only to the role played by the Federal Government, but to the roles of the States and private agencies as well.

For this reason, my proposal calls for the President to appoint a 21-member Commission covering the broad range of interested groups. It would be composed of three members representing the Federal Government; three representing State governments; three, the American Hospital Association; three, the American Medical Association; one, insurance underwriters; one, the Blue Cross Association; one, the Blue Shield Association; one, the American Osteopathic Association; one, the American Nurses Association; one, the paramedical group; and three members representing the public at large.

My bill would require this Commission to study and investigate all present activities in which Federal aid is extended to State and local governments for medical care for the aged. It also would be required to look into proposals put forth by interested public and private agencies and organizations, including those represented on the Commission, for such care.

Not later than January 31, 1963, the Commission would submit a final report, including its recommendations for legislative action, to the President for transmittal to Congress.

My bill provides that "to the extent feasible," the program recommended by the Commission should:

First. Be voluntary.

Second. Be based on free enterprise effort and administered through nongovernmental insurance companies.

Third. Provide adequate medical care including the cost of catastrophic illness.

Fourth. Include a basic insurance contract stated in a concise and understandable manner.

Fifth. Provide that the contract be available to all qualified insurance companies on an individual or cooperative basis so as to spread participation in the plan as widely as possible throughout the country.

Sixth. Be financed jointly by the Federal Government, the States and the individual. The Federal contribution would be by direct appropriations by the Congress. The individual's share would be determined by his income tax payments of prior years. Thus, he would not be expected to take a pauper's oath, nor would there be any loss of dignity involved.

Seventh. Provide for establishment of a permanent advisory committee to maintain a continuing check on operations of the program, and to report annually to Congress on any changes it finds would help the program.

The Commission would be given the usual investigative powers to hold hearings, administer oaths, issue subpenas, and obtain helpful information from Government agencies. Its members would be reimbursed for travel, subsistence and other necessary expenses, and could employ such staff members as they deem necessary.

I hope my bill is enacted. I believe this is the only way we can achieve effective and adequate action to fill this real need.

SUBSIDIZING SOVIET PROPAGANDA IN THE U.S. MAILS

Mr. CUNNINGHAM. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. CUNNINGHAM. Mr. Speaker, I hold in my hand three booklets that have been mailed in huge quantities throughout the country by the Soviet Embassy here in Washington. They are entitled "Khrushchev on the Future," "Program of the Communist Party," "Khrushchev and the 26th Congress."

This is out-and-out political propaganda, and it is sent at the special subsidized third-class bulk rate.

This particular mailing went to the Adams Public Library at Adams, Nebr., at a cost of less than 7 cents. Under the amendment to the postal rate bill dealing with this subject and passed by this body we would no longer as American taxpayers subsidize the mailing of this type of Communist propaganda throughout the United States. It could be sent at fourth-class rates, which are not covered in the postal rate increase bill, but instead of costing 7 cents with the balance made up by the American taxpayers, it would cost the Soviet Embassy 51 cents to send the booklets to Adams, Nebr., by parcel post. It would cost them 64 cents to send them to the west coast; it would cost them 24 cents to send them here in the Washington area.

I think it is high time that we stopped the free or subsidized delivery of Communist political propaganda of which this is a good example. I am hopeful that the decision to do so by the House will become the law of the land in the near future.

CONSERVATION—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 348)

The SPEAKER laid before the House the following message from the President of the United States, which was read, referred to the Committee of the Whole House on the State of the Union, and ordered to be printed:

To the Congress of the United States:

As our population expands, as our industrial output increases, and as rising productivity makes possible increased enjoyment of leisure time, the obligation to make the most efficient and beneficial use of our natural resources becomes correspondingly greater. The standard of living we enjoy—greater than any other nation in history—is attributable in large measure to the wide variety and rich abundance of this country's physical resources. But these resources are not inexhaustible—nor do they automatically replenish themselves.

We depend on our natural resources to sustain us—but in turn their continued availability must depend on our using them prudently, improving them wisely, and, where possible, restoring them promptly. We must reaffirm our dedication to the sound practices of conservation which can be defined as the wise use of our natural environment; it is, in the final analysis, the highest form of national thrift—the prevention of waste and despoilment while preserving, improving, and renewing the quality and usefulness of all our resources. Our deep spiritual confidence that this Nation will survive the perils of today—which may well be with us for decades to come—compels us to invest in our Nation's future, to consider and meet our obligations to our children and the numberless generations that will follow.

Our national conservation effort must include the complete spectrum of resources: air, water, and land; fuels, energy, and minerals; soils, forests, and forage; fish and wildlife. Together they make up the world of nature which surrounds us—a vital part of the American heritage. And we must not neglect our human resources—the Youth Conservation Corps, proposed as a part of the administration's youth employment opportunities bill, should be established to achieve the dual objectives of conserving and developing the talents of our youth and of conserving and developing our outdoor resources.

In the second month of this administration I sent to the Congress a message summarizing our plans for the development of our natural resources. In the year which followed, heartening progress was made, including the following:

A full-scale attack on one of the most destructive forms of waste—water pollution—has been mounted under the 1961 amendments to the Water Pollution Control Act.

The saline water program to find cheaper means of converting salt water to fresh water was given new impetus by legislation enacted last year; three demonstration plants have begun operation and two more will shortly be under construction.

Flood plain studies were initiated under a new nationwide program to provide the States and local governments with information needed to regulate the use of flood plains, thereby minimizing frightful flood losses.

Work was started on 74 major water resources projects and 79 small watershed projects, and planning for water resources development has been intensified.

Under recently issued regulations, sufficient land can now be acquired in the construction of federally financed reservoirs to preserve the recreational potential of those areas.

Our urban areas can now guide their growth and development through the acquisition of open space for recreation and other purposes under the Housing Act of 1961—a landmark in conservation effort.

The great outer beach of Cape Cod is now a national seashore area, protected for the present and future enjoyment of all Americans, the first major addition to the National Park System in 14 years.

A long-range duck stamp program has been launched to acquire additional lands for waterfowl so that they may grow and thrive.

A 10-year projection of needs and plans for the development of our national forests was sent to the Congress last September—a major step forward in the management of publicly owned forests.

The Delaware River Basin Compact was approved, providing a new basis for cooperative and coordinate development.

The Tennessee Valley Authority is giving new emphasis to tributary watershed development.

This progress is gratifying. But much remains to be done—our renewed interest and momentum must not wane. To provide an opportunity for the exchange of further ideas—and to permit those who have dedicated their efforts to the principles of conservation to participate in evaluating the progress that has been made—and to seek the best possible advice in prescribing what must be done in the future—I propose to convene a White House Conference on Conservation this year.

I. OUTDOOR RECREATION RESOURCES

Adequate outdoor recreational facilities are among the basic requirements of a sound national conservation program. The increased leisure time enjoyed by our growing population and the greater mobility made possible by improved highway networks have dramatically increased the Nation's need for additional recreational areas. The 341 million visits to Federal land and water areas recorded in 1960 are expected to double by 1970 and to increase fivefold by the end of the century. The need for an aggressive program of recreational development is both real and immediate.

The Outdoor Recreation Resources Review Commission, after a 3-year study of our Nation's recreational demands and opportunities, has submitted a series of recommendations deserving the attention of governments at all levels and of the citizenry at large. Many of the Commission's suggestions have already been explored and developed to the point where we are prepared to recommend legislation implementing them. Others will be carefully considered and, where appropriate, put into effect by Executive action; where additional legislation is required, recommendations will be made to the Congress.

1. More than 20 different Federal departments and agencies have responsibilities of one sort or another in the field of recreation. It is essential that there be close coordination among these different groups and that all plans be fitted into a basic national policy. Accordingly, as recommended by the ORRRC Report, I shall appoint an Outdoor Recreation Advisory Council made up of the heads of departments and agencies principally concerned with recreation—to provide a proper forum for considering national recreation policy and to facilitate coordinated efforts among the various agencies.

2. Another organizational recommendation of the ORRRC Report to be adopted is the creation within the Department of the Interior of a Bureau of Outdoor Recreation. This Bureau will carry out planning functions already assigned to the Department of the Interior and will administer the program of Federal assistance for State agencies I am proposing below. This new Bureau will serve as a focal point within the Federal Government for the many activities related to outdoor recreation, and will work and consult with the Departments of Agriculture, Army, and Health, Education, and Welfare, the Housing and Home Finance Agency, and with other governmental agencies in implementing Federal outdoor recreation policies.

3. The interest and investment in recreational development by the various States have been irregular and uneven. Some have demonstrated outstanding organizational skills with corresponding benefits. The ORRRC recommendation that the States should be encouraged and aided in their efforts to understand and realize the full potential that lies within their boundaries rests on sound ground. Accordingly, I urge the Congress to enact legislation which will shortly be transmitted to establish a program of matching grants for the development of State plans for outdoor recreational programs. This program will supplement that enacted last year which authorized assistance to State and local governments in planning and acquiring open space lands in urban areas for recreation, conservation, and other purposes.

4. In most cases the magnificent national parks, monuments, forests, and wildlife refuges presently maintained and operated by the Federal Government have either been donated by States or private citizens or carved out of lands in the public domain. No longer can these sources be relied upon—we must move forward with an affirmative program of land acquisition for recreational purposes. For with each passing year, prime areas for outdoor recreation and fish and wildlife are preempted for suburban growth, industrial development, or other uses. That expenditures for land resources is also a sound financial investment is clear from the multiplied value of those lands now devoted to parks, forests, and wildlife refuges which were acquired decades ago by the great conservationists—moreover, steadily rising land prices can in some cases serve to foreclose public acquisition. Expansion of our permanent recreational land base can best be achieved by investments in our future in the form of modest user payments from those who now enjoy our superb outdoor areas and from recreation and land related receipts.

To meet our national needs for adequate outdoor recreational lands, I propose creation of a "Land Conservation Fund" to be financed by (1) proceeds from entrance, admission, or user fees and charges at Federal recreation areas; (2) annual user charges on recreation boats; (3) diversion from the Highway Trust Fund of refundable, but unclaimed, taxes paid on gasoline used in motorboats; and (4) receipts from the sale of surplus Federal nonmilitary lands.

To prevent costly delay in beginning an acquisition program, I recommend authorization be granted to include advances from the Treasury not to exceed $500 million over an 8-year period in the proposed land conservation fund which will be repaid from the regular revenue sources of the fund. Money would be made available from the fund for land acquisition by annual appropriations by the Congress.

5. Last year's congressional approval of the Cape Cod National Seashore Area should be regarded as the pathbreaker for many other worthy park land proposals pending before the Congress. I urge favorable action on legislation to create Point Reyes National Seashore in California; Great Basin National

Park in Nevada; Ozark Rivers National Monument in Missouri; Sagamore Hill National Historic Site in New York; Canyonlands National Park in Utah; Sleeping Bear Dunes National Lakeshore in Michigan; Prairie National Park in Kansas; Padre Island National Seashore in Texas; a national lakeshore area in northern Indiana; and Ice Age National Scientific Reserve in Wisconsin. Acquisition of these park lands would be financed through the land acquisition fund.

6. In some sections of the United States—notably the East—available public lands do not meet the large recreational demands. These pent-up demands can be met in some instances through the disposal of lands surplus to Federal needs. I recommend that the Federal Surplus Property Disposal Act be amended to permit States and local governments to acquire surplus Federal lands for park, recreation, or wildlife uses on more liberal terms. Furthermore as the ORRRC report pointed out, fishing, hiking, picnicking, riding, and camping activities on private lands can—and should—be intensified and encouraged. One important step in this direction is the recommendation made in my message on agriculture which would permit the orderly movement of millions of acres of land not needed to produce food and fibers to recreational and other uses.

7. The special urgent recreation needs of our urban dwellers, first recognized by Congress in the Housing Act of 1961, are evident from the dramatic response to this administration's open-space land programs on the part of States and cities throughout the Nation. In view of the known backlog of need for recreational lands, and the remarkable rate at which urban and suburban lands are being put to other uses, I have recommended that the present open-space grant authorization be increased by $50 million.

8. The fast-vanishing public shorelines of this country constitute a joint problem for the Federal Government and the States requiring a carefully conceived program of preservation. I recommend approval of legislation along the lines of S. 543, as approved by the Senate, to authorize a study of the ocean, lake and river shorelines of the Nation to develop a Federal-State shoreline preservation program.

9. Finally, we must protect and preserve our Nation's remaining wilderness area. This key element of our conservation program should have priority attention.

I therefore again strongly urge the Congress to enact legislation establishing a National Wilderness Preservation System along the lines of S. 174, introduced by Senator ANDERSON.

Mr. GROSS. In view of the fact, Mr. Speaker, that there are only 13 Members on the floor, would it be in order to ask unanimous consent that the message be considered as read and printed in the RECORD at this point?

The SPEAKER. The Chair hopes the gentleman will not do that.

The Clerk continued the reading of the President's message:

II. WATER RESOURCES

Our Nation's progress is reflected in the history of our great river systems. The water that courses through our rivers and streams holds the key to full national development. Uncontrolled, it wipes out homes, lives, and dreams, bringing disaster in the form of floods; controlled, it is an effective artery of transportation, a boon to industrial development, a source of beauty and recreation, and the means for turning arid areas into rich and versatile cropland. In no resource field are conservation principles more applicable. By 1980, it is estimated, our national water needs will nearly double—by the end of the century they will triple. But the quantity of water which nature supplies will remain almost constant.

Our goal, therefore, is to have sufficient water sufficiently clean in the right place at the right time to serve the range of human and industrial needs. And we must harmonize conflicting objectives—for example, irrigation versus navigation, multiple-purpose reservoirs versus scenic park sites. Comprehensive and integrated planning is the only solution of this problem, requiring cooperative efforts at all levels of government.

I, therefore, again urge the Congress to enact the Water Resources Planning Act which I transmitted to the Congress last July which would authorize Federal grants-in-aid to assist the States in water resource planning; authorize the establishment of river basin commissions representing State and National views to prepare and keep up to date coordinated and integrated basin plans; and establish a Water Resources Council of key Cabinet officers to coordinate Federal river basin planning and development activities.

This administration adheres to the policy enunciated in my natural resources message of last year that our available water supply will be used to provide maximum benefits for all purposes—hydroelectric power, irrigation and reclamation, navigation, recreation and wildlife, and municipal and industrial water supply. These diverse uses and our future needs require thoughtful preservation and full development of our national water resources.

The leadtime is long in the development of water resources. Years are required to plan and build sound projects. Time should not be lost on those projects which have already been transmitted to the Congress for authorization: San Juan-Chama, Fryingpan-Arkansas, Burns Creek, Garrison diversion, and Auburn-Folsom South. Federal planning efforts have been intensified and studies and recommendations for authorization of additional water developments accelerated. These plans and recommendations will be submitted to the Congress as they are completed.

III. PUBLIC LANDS

One hundred and fifty years ago the vacant lands of the West were opened to private use. One hundred years ago the Congress passed the Homestead Act, probably the single greatest stimulus to national development ever enacted. Under the impetus of that act and other laws, more than 1.1 billion acres of the original public domain have been transferred to private and non-Federal public ownership. The 768 million acres remaining in Federal ownership are a valuable national asset.

Although the acres set aside for national parks, forests, and wildlife refuges are contributing increasingly to the national welfare, we must take action to assure that the full potential is realized from the vacant unused areas in the public domain (180 million acres, exclusive of Alaska). More intensive management is now being applied to the public domain lands, but still more needs to be done. For example, we plan to establish a realistic schedule of fees and charges for use of Federal rangelands, to replace the peculiar patchwork schedule now in effect.

As a basis for making the public domain lands more productive, a comprehensive inventory has been initiated. Although most public domain lands must be retained in Federal ownership for defense and conservation purposes, there are numerous tracts which can be utilized best through private ownership. We are currently updating procedures for land exchanges to provide more orderly patterns of land tenure on both public and private lands. But unfortunately, the laws governing the transfer of public lands to other ownerships are antiquated and new procedures are sorely needed. I urge enactment of a new general land-sale law along the lines of H.R. 7788, as introduced by Congressman ASPINALL.

IV. SOIL, WATERSHED, AND RANGE RESOURCES

For a quarter of a century, we have recognized that a major responsibility for resources conservation rests with the farmers, ranchers, and others who own three-fourths of the Nation's land area. Today, 29,000 soil conservation districts provide leadership in the conservation effort with Federal technical and financial assistance.

Much progress has been made—by land terracing, stripcropping, and other erosion prevention and water conservation measures—but nearly three-fourths of private crop and range lands still need improved conservation practices. Joint action to conserve this basic resource—the land—must be continued and intensified for the benefit of future generations.

During 1961 more watershed projects were approved for construction than in any previous year. This accelerated pace must be continued, on both public and private lands. These projects, while comparatively small, are of vital importance to rural areas and should be as broadly beneficial to the watershed area as possible. I urge, therefore, that the Congress enact legislation which will shortly be transmitted to clarify certain provisions of the Watershed Protection and Flood Prevention Act and to allow deferred repayment of municipal and industrial water supply costs.

A special problem of land conservation calling for immediate attention is the serious erosion and river pollution created by surface mining practices. Techniques must promptly be devised to prevent or minimize this despoilment if we are not to abandon great areas of scenic beauty and create difficult silting problems in many sections of the country. I have directed the Secretary of the Interior, working with appropriate Federal agencies and with the States, to recommend a program of research and action.

V. TIMBER RESOURCES

Timber growth, particularly in softwoods, must be increased significantly if we are to meet the Nation's projected future requirements for wood products. The growing of timber is a long-term project requiring concerted public and private efforts and considerable advance planning.

A major advance in Federal forestry efforts was the 10-year development program established for the national forests and announced last September. The Secretary of the Interior is currently preparing a comparable program for the forests under the jurisdiction of his Department.

To implement these, I recommend approval of legislation to be sent to the Congress shortly to accelerate the development of national multiple-purpose forest roads and trails.

Although management of public forests and the large private forests rests on a sound basis, there is opportunity for further improvement. For example, one step that can and will be taken is the establishment of a policy permitting the Federal Government to condition its granting of rights-of-way to private timberland owners within national forests upon the receipt of corresponding rights to cross their private lands in order to harvest timber from national forests. For an effective national timber resources conservation effort, however, we must depend upon the quarter billion acres of private timberlands, consisting primarily of small tracts in more than 4 million ownerships.

Improved timber management practice on these small tracts is difficult because of such problems as nonresident ownership, short tenure, owner's lack of knowledge or interest in forestry, limited economic incentives, and the inefficient size of forest units. Existing technical and financial assistance programs have proven inadequate, and I have therefore directed the Secretary of Agriculture to intensify the efforts of his Department to develop a program for improving the management of those small forests.

VI. MINERALS

During the last 30 years, this Nation has consumed more minerals than all the peoples of the world had previously used. Twice in those 30 years we have doubled the rate of mineral production. Current demands are being met without difficulty primarily because of the immense technical and exploratory efforts of the 1940's and early 1950's. But present availability of raw materials must not blind us to tomorrow's requirements.

Conservation of mineral resources benefits from the fact that, for practical purposes, they are not fixed in quantity—the usable volume and variety of minerals increase as technology advances. We have learned to use a host of materials which had no previous value or had value only in limited uses.

Technical research is obviously the critical element in a program of conserving and strengthening both our mineral resources and our minerals industries. To assure us of adequate quantities of minerals in the future, and to enable our minerals industries to compete in world markets, we must find more effective means of discovering and extracting mineral deposits, learn to refine materials of lower quality, and find both new uses for minerals which are relatively abundant, and substitutes for those which are scarce or difficult to procure.

A possible breakthrough for one of the hardest hit minerals industries is the recent development of a coal slurry—a mixture of coal and water—which can be fed directly into great boilers for producing steam to generate electricity. This slurry, capable of being transported through pipelines similar to those used for oil, holds great promise and merits governmental and industrial consideration. I will shortly send to the Congress proposals to facilitate the construction of pipelines to transport coal slurry in interstate commerce.

VII. POWER

One of the major challenges in resource conservation lies in the orderly development and efficient utilization of energy resources to meet the Nation's electric power needs—needs which double every decade. The goal of this administration is to insure an abundance of low-cost power for all consumers—urban and rural, industrial and domestic. To achieve this, we must use more effectively all sources of fuel, find cheaper ways to harness nuclear energy, develop our hydroelectric potential, utilize presently unused heat produced by nature or as a byproduct of industrial processes, and even capture the energy of the tides where feasible.

The ability to make long-range plans for the expansion of our Nation's electric power supply required by constantly growing power needs will be enhanced by a comprehensive nationwide survey to be undertaken by the Federal Power Commission. Under existing authority contained in the Federal Power Act, the Commission will project our national power needs for the 1960's and 1970's and suggest the broad outline of a fully interconnected system of power supply for the entire country. This information will encourage the electric power industry—both private and public—to develop individual expansion programs and intertie systems permitting all elements of the industry—and more importantly the consumers—to benefit from efficient, orderly planned growth. I urge favorable action on the request for adequate funds to initiate this study of the Nation's power needs for the next 20 years.

Advantageous arrangements and technological improvements for power generation and transmission are being developed by the Department of the Interior. Experimentation in extra high-voltage, direct-current transmission over long distances promises to enable us to send major blocks of low-cost, off-peak electricity—that which is generated when the demand is low—as far as a thousand miles to areas where such energy can be put to higher and more valuable use because of their different patterns of electricity demands. Similarly, investigation is continuing on possibilities for using cheap off-peak power to pump water to storage reservoirs permitting the water to be used to generate power when demands are great and power sells at a premium.

VIII. RESEARCH AND TECHNOLOGY

Implicit in the conservation thesis of wise use, improvement, preservation and restoration of our resources is the basic requirement of greater scientific knowledge and improved resources management. The catalog of resource problems set forth in this message demonstrates the importance of intensive research in the resources field. In response to the demonstrated need for concentrated and coordinated research, this administration has requested the National Academy of Sciences to undertake a thorough evaluation of the potentials and needs for research underlying the development and use of natural resources; directed the Federal Council for Science and Technology to coordinate the wide-ranging research programs of participating agencies to strengthen and unify our total governmental research effort in the natural resources field; and directed the Council of Economic Advisers to stimulate research in the economics of resource use.

Coordinated research programs already underway and worthy of special note are the following:

Oceanography: Our intensified effort to expand our knowledge and understanding of the vast resources held by the oceans through basic research and surveys of geologic and living resources will surely result in extending our known resource base, with encouraging prospects for improving our standard of living and adding protein-rich marine products to the diets of the hungry people of the world.

Sports fisheries and wildlife: Studies of diseases and pesticides are continuing and efforts to solve the problems of passing migratory fish over high dams are being accelerated. A new laboratory has been opened on the Atlantic coast to study the management of salt-water sport fish—the basis of a growing industry.

Agriculture and forestry: The Secretary of Agriculture will soon appoint an advisory panel of outstanding scientists to appraise and propose changes in the Department's research programs.

The emphasis will be shifted from increasing production to problems of soil and water, forest resources, forage production, watershed protection, and protection of plants and animals against pests and diseases. Economic studies to provide the bases for sound land and water resources policies and optimum land use adjustments will be further intensified.

Water: An Institute of Water Research participated in by all water resource agencies, to be established in the Department of the Interior, will conduct basic research on surface and ground waters to develop fundamental principles and facilitate improved translation of scientific information into water management practices. Concentrated and coordinated research programs in a number of agencies are being directed to such specific problems as desalinization of water, improving water quality and flood forecasting and preventing water evaporation.

Just as our investment of scientific talent, money, and time is better utilized in well coordinated and complementary programs within the Federal Government and by the closest working relationships with State and local governments, the academic community and industry, so our efforts should be meshed with those of the other countries of the world. Resource conservation problems are worldwide; efforts to solve them should be equally universal. This Nation will continue to cooperate in international scientific and research undertakings; and the useful information and specific technological applications we develop—economically feasible desalinization of sea water, for example—will be made available immediately, as has always been our practice, to advance the welfare of all peoples of the world.

CONCLUSION

In the work of conservation, time should be made our friend, not our adversary. Actions deferred are frequently opportunities lost, and, in terms of financial outlay, dollars invested today will yield great benefits in the years to come. The progress made in the resources field in the first year of this administration is encouraging; implementation of the new recommendations made today will maintain the momentum, enabling us to repay our debt to the past and meet our obligations to the future.

JOHN F. KENNEDY.

THE WHITE HOUSE, *March 1, 1962.*

PROVIDING ADEQUATE HELP AND MEDICAL CARE FOR OUR AGING CITIZENS

Mr. HALPERN. Mr. Speaker, I ask unanimous consent that the gentleman from Kansas [Mr. ELLSWORTH] may extend his remarks at this point in the RECORD, and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ELLSWORTH. Mr. Speaker, one of the most crucial challenges facing America today is the issue of providing adequate health and medical care for our aging citizens. I am strong for medical care for the aged, and always have been.

There are nearly 17 million individuals in America today who are 65 or over. Half of these persons have a disabling disease that affects their ability to live normal everyday lives. We in Kansas have a greater-than-average concentration of citizens 65 and over, so we have a special responsibility to come to grips in an effective way with providing adequate medical care for the aged.

The struggle to extend adequate health and medical care for the aged has been moving forward on many fronts.

Nursing home construction and operation have been stimulated by Federal matching-fund grants to States and communities. Home and community nursing services have been stimulated by Federal-State matching grants.

Training in the field of practical nursing has been vastly assisted by recent amendments to the Federal Vocational Education Act.

All these programs go right to the heart of one of the central problems of health and medical care for the aged—the problems of inadequate hospital bed space, overcrowded hospitals, and hospitalization costs that are too high. More nursing homes and personnel will relieve the pressure on the hospitals, and will permit sharp reductions all along the line in the cost of health and medical care for the aged.

I was glad to be able to support and work for and vote for every one of these splendid programs, here in the Congress. I look forward to helping these programs improve over the years ahead. Every one of these fine programs depends in large measure upon the support and the vitality of local participation—both community and State.

In addition, the Kerr-Mills law, now swinging into full operation in over half the States, provides direct financial help—on a Federal-State matching basis—to those who need it right now. This is not a program for the really poor person, who has free county medical care available. It is a program available to everyone who is 65 or over, but whose budget cannot provide for this one large item—health care costs. The Kerr-Mills law is working well in those States where it has been implemented—such as Florida—because it acts to give the assistance which is needed within the context of the problem that actually exists.

In addition, I am today introducing a bill in Congress that will stand with these other important programs in helping provide adequate health and medical care for all Americans, on the basis of dignity, and the soundest possible financing.

My bill—which is the companion to a bill already introduced by Congressman THOMAS B. CURTIS, of Missouri, would amend the Federal tax law so as to grant tax-exempt status to pension plans of all kinds which include provision for the health and medical care needs of their beneficiaries.

Many companies and other employers already have pension plans set up for their employees, to provide pensions upon retirement. Some employees' organizations, in cooperation with their employers, have established pension plans for their members that operate on a nationwide basis, so that a worker and his family may keep their pension rights no matter where the breadwinner may be employed and no matter how he may move around the country from one job to another. This is important to many Americans in our highly mobile society.

My bill would make all these pension plans, and the contributions to them, eligible for tax-free status even when they include insurance or reserves to meet retired employees' health and medical care needs. Strange as it may seem, this is not the case under present law. Believe it or not, if a health care plan is added to a tax-exempt pension plan, the present law deprives the entire plan of its tax-free status.

My bill would remove this obstacle. I feel that this would open the way immediately to coverage of millions of employees by health and medical care benefit plans for their retirement, financed either through prepaid health insurance or by the accumulation of reserves in the tax-free pension-health care fund thus created.

My bill is intended to extend the same benefits to self-employed persons' pension plans, if and when such plans are granted tax-exempt status as they properly should be.

This bill involves some of the most advanced techniques of health insurance, including that of prepayment allowing the individual to provide for financing his future health needs by payment on health insurance for his retirement, during his working years.

My bill would remove one more Federal Government roadblock to progress. In this case, presently existing unrealistic Federal tax laws have been discriminating against the full and free development of a dynamic and meaningful development in this most crucial area of national policy—health and medical care for the aged. My bill would open up the opportunity, and would permit the creation of the best possible planning for full retirement security.

COMMITTEE ON UN-AMERICAN ACTIVITIES

Mr. WAGGONNER. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. WALTER] may extend his remarks at this point in the RECORD, and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. WALTER. Mr. Speaker, attacks upon the Committee on Un-American Activities are nothing new. A recent one published as a full-page advertisement in the New York Times, however, certainly took on a new twist. Filled with falsehoods about the committee of which I have the honor to be chairman, it was a peculiar tribute to George Washington—the Father of our Country and the symbol of honesty to every American schoolboy—for it was published on the 230th anniversary of his birth. A splendid reply to those falsehoods was made by Columnist George Sokolsky.

[From the Washington Post, Mar. 1, 1962]

THESE DAYS—HUAC

(By George E. Sokolsky)

Each session of Congress faces a heavy barrage for the abolition of the House Un-American Activities Committee. When it comes to such matters, it is preferable to rely on J. Edgar Hoover rather than on Clarence E. Pickett, who signs himself as chairman, ad hoc committee.

This year, the ad hoc committee's advertisement, which is given a full page in the New York Times, produces these arguments against the House Committee on Un-American Activities:

1. "Dividing the Nation; setting neighbor against neighbor."

Of course, it might be said that the existence of Republicans and Democrats divides the Nation; or having Catholics, Protestants, and Jews divides the Nation; or for that matter, having any sharp differences of opinion divides the Nation. We are not a monolithic state. Differences of view do not divide the Nation; they make for enlightenment. But, no difference can make espionage tolerable—that is a different story.

As for setting neighbor against neighbor, it seems that that is carrying toleration too far. For instance, if a neighbor of mine is engaged in pushing dope, should I tell or in a neighborly fashion be silent? Many issues arise which require that we set ourselves against our neighbors.

2. "Depriving the Nation of the benefits of free discussion."

Quite the contrary. The existence of the House Committee on Un-American Activities provides opportunity for free discussion. If the witness chooses to plead the fifth amendment and be silent, that is his privilege and responsibility. Otherwise, he can state his case as he desires, under oath, in the presence of his neighbors.

3. "Diverting attention and energy from the critical world situation to the minuscule domestic Communist movement."

The clerical world problem is our continuing war with Soviet Russia, a war that takes on new phases every day. The present phase is a struggle to contain Soviet imperialism within its present boundaries.

In this war, the Communist Party plays the role of a fifth column, engaged principally in espionage and in intellectual and moral sabotage. Three agencies of Government exist to observe this Soviet effort within the United States—the FBI, the House Committee on Un-American Activities, the Senate Internal Security Subcommittee. Because of the nature of our laws, it is necessary to have more than one agency. Experience over two decades has shown that this method, while slow, works satisfactorily. A swifter method would degenerate into a police state.

4. "Creating doubt among the peoples of the world who look to us for a living example of the values of freedom."

Surely, the peoples of the world do not expect the United States to tolerate Soviet infiltration in our country, as Soviet Russia has through Communist Parties, infiltrated in the affairs of other countries, where the Communists even sit in the government.

The fact is that more and more countries which, out of fear, tolerated Communist activities, are now recognizing the Trojan horse peril.

THE ICE AGE NATIONAL SCIENTIFIC RESERVE IN WISCONSIN

Mr. WAGGONNER. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. REUSS] may extend his remarks at this point in the RECORD, and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. REUSS. Mr. Speaker, lovers of the out-of-doors were heartened by the inclusion in President Kennedy's conservation message of a request for the establishment in 1962 of an Ice Age National Scientific Reserve in Wisconsin among his list of 10 national park proposals on which action is urged.

A description of the Ice Age National Scientific Reserve is contained in my article in the March 1962 Eagle magazine "The Battle of the Glaciers":

THE BATTLE OF THE GLACIERS

About 1 million years ago, long before man was on the scene, an epochal battle of the elements began in North America. Four times, over geological ages, a great ice cap formed in the Labrador-Hudson Bay region, advanced into the heartland of North America and retreated under a warming sun.

The clearest evidences of the gigantic struggle are today to be found scattered throughout Wisconsin. This great saga in the natural history of North America is due to be illustrated and interpreted soon in the proposed Ice Age National Scientific Reserve.

Early in 1962, National Park Service Director Conrad Wirth gave his official blessing to the proposal. Bills to make the ice age reserve into law are now before the House and Senate.

The ice age reserve will be made up of segments of the 500-mile-long record of glaciation located within the State of Wisconsin, and will provide recreation for thousands of visitors.

Today, the once glaciated heartland—the area south of the pine-spruce forest on the Canadian border and lying between the Ohio River approaches to the Appalachians on the east and the Missouri River approaches to the Rockies on the west—is the most intensely developed region in the United States. With its rich soil, its abundant water, and its temperate climate, it has long since been almost wholly cleared for farm, for city, and for factory.

The whole vast area contains the greatest population concentration in the United States. Like people everywhere, the people of the heartland are enjoying new leisure and need an opportunity for healthful recreation and for communion with nature. Yet in the whole area there exists today hardly a national park worthy of the name. Creation of the Ice Age National Scientific Reserve will meet a long-felt need.

The idea of a national scientific reserve is a new one for the National Park Service. The national parks, 7 national historical parks, 83 national monuments, 12 national military parks, 1 national memorial park, 3 national battlefield parks, 3 national battlefield sites, 12 national historic sites, 13 national memorials, 10 national cemeteries, 1 national seashore recreational area, 3 national recreational areas.

But the remnants of the ice age in Wisconsin did not readily fit into any of these categories. For one thing, they were situated in clusters hundreds of miles apart. This suggested that most of the administration should be done by the State of Wisconsin, which is on the spot anyway. Furthermore, hunting and lumber operations are quite properly prohibited in the national park system proper. But there seems to be no reason to stop a hunter from trailing a rabbit in the Wisconsin glacial area, or a lumber operator from practicing sustained yield forestry in the moraine forest.

So the ice age proposal envisages a national scientific reserve, under the National Park Service, but with the land still owned by the State of Wisconsin or even by Wisconsin county governments. Uncle Sam, under the proposal, would share the costs of the reserve—50 percent of the cost of buying land; 75 percent of the cost of supplying interpretive services—lectures, nature walks, and visitor centers; and 50 percent of the cost of maintaining everything else in the reserve, such as camping, picnicking, and swimming grounds.

Under the proposal, the reserve will include all the main features of glaciated terrain. The massive North American glacier, up to 2 miles thick, scoured ground and polished the land as it advanced and retreated. The four major advances of the glacier are called the Nebraskan, the Kansan, the Illinoisian, and the Wisconsin. The latest one—the Wisconsin—occurred a mere 10,000 years ago. Since it came last, it obliterated earlier glaciers.

The Wisconsin glacier was divided into five lobes or fingers—the Lake Michigan Lobe, the Green Bay Lobe, and several lobes farther west. The hills of boulders, pebbles and clay left at the edges of these fingers are called moraines, and they extend over Wisconsin for 500 miles from Lake Michigan to the Minnesota border. Their soil is rocky, which accounts for the happy accident that they have been saved from farming and are mostly hardwood-covered today.

The moraine areas abound in glacial geology. Melting ice masses caused depressions in the ground hundreds of feet deep, called kettle holes. Where the moraines acted as a dam, lakes and swamps were created. At other times, the melting glacier deposited its debris as high cones that look like volcanic craters, known as kames (the original kames are to be found in Scotland). Again, streams of melting water under the glacier dumped their rocks in snakelike, hogback ridges, sometimes miles in length, known as eskers (the originals occur in Ireland). Finally, there are drumlins—long, cigar-shaped hills facing toward the ice's retreat.

The reserve would concentrate on four areas:

1. The Kettle Moraine State Forest, 120 miles of moraine in southeastern Wisconsin. Here the examples of kames, eskers and kettleholes are unsurpassed.

2. An area full of drumlines near Campbellsport, Wis.

3. Devil's Lake State Park, 50 miles west of Madison. Here a mighty battle occurred between the advancing glacier and the preexisting bedrock of southwestern Wisconsin which, by some fluke no geologist has ever been able to explain, escaped the glacier. The glacier scraped out the softer hills on its way, but retreated before the massive obstacles of quartzite which still towers over Devil's Lake. This large and beautiful lake makes the area as delightful for family as it is tantalizing for the scientist.

4. The Chippewa wilderness in northwestern Wisconsin near Bloomer. Here the moraine created more than 300 kettlehole lakes and swamps, full of songbirds and waterfowl.

The bill encourages private conservation organizations, such as the Ice Age Park and Trail Foundation, to continue building woodland trails on the intervening moraines to link up these four main units. In the future, a family that wants to make a 20-year project of it will be able to hike the 500 miles in easy stages. In the process, they will have a chance to know nature, and to understand how the great midcontinent section of America was formed.

When the Ice Age National Scientific Reserve is dedicated a couple of years from

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now, the man who had most to do with conserving it will not be present. He is Raymond T. Zillmer, who died in December 1960, at the age of 70. Ray Zillmer was a highly successful Milwaukee lawyer who loved the outdoors as much as he did the law. Over his long life, he had walked almost every inch of the 500-mile-long remnants of the ice age. For years Ray Zillmer was a one-man propaganda agency for the establishment of the ice age reserve. When the 500-mile trail that will link together the Ice Age National Scientific Reserve is built, his friends and fellow outdoorsmen have agreed to call it the Ray Zillmer Trail.

Commenting on the proposed ice age reserve, Geologist Robert H. Rose of the National Park Service said: "This could well rank among the greatest of the many significant adventures upon which the National Park Service has embarked in the past or with which it may become intimately identified in the future."

Mr. Speaker, I also include an editorial from the March 4, 1962, Milwaukee Journal:

KENNEDY WOULD SPEED UP CONSERVATION DEVELOPMENT

President Kennedy has made clear to Congress his desire to push ahead faster and farther on many conservation fronts. His message is one of specifics, mentioning a wide variety of projects the President considers worth while and even urgent. Of special interest in this area is his approval of the proposed Sleeping Bear Dunes Park in Michigan and the Indiana Dunes Lake Shore Park, both on Lake Michigan, and the Ice Age National Scientific Reserve in Wisconsin.

Prompt acquisition of choice sites for national parks and other recreational areas, before they are converted to other uses, is imperative. "Actions deferred are frequently opportunities lost and, in terms of financial outlay, dollars invested today will yield great benefits in years to come," the President observes.

His recommendations for new Federal outlays for this purpose are, by present day standards, modest. He proposes that part of that new money come from entrance, admission or user fees at national parks and recreation areas—there are some fees now—and annual user charges on recreation boats.

The President announces that a Bureau of Outdoor Recreation will be set up in the Interior Department. He again endorses the long delayed bill to set aside certain Federal tracts as wilderness areas.

More significant than some of these details, however, is the great stress the President puts on conservation research and planning for the future. A White House Conference on Conservation will be held this year to stimulate national thought, discussion and effort along these lines.

Following a good start made in the Eisenhower administration, the Kennedy administration is stepping up the tempo of conservation progress at the national level. It has set even more ambitious goals. The one danger, judging from the President's message, is that its efforts may be so dissipated by espousing many diverse conservation projects, including those at the State and local levels, that not enough push will be put behind the big and vital Federal undertakings on which most conservationists are agreed.

THE COMING BATTLE OVER TRADE

Mr. WAGGONNER. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. REUSS] may extend his remarks at this point in the RECORD, and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. REUSS. Mr. Speaker, I include my article in the March 1962 issue of the Progressive entitled "The Coming Battle Over Trade":

THE COMING BATTLE OVER TRADE

(By HENRY S. REUSS)

When President John F. Kennedy sent his foreign trade program to Capitol Hill in January, his message to Congress accompanying the recommended proposals gave them added stature and importance. He chose to call the trade program the greatest challenge of all. Yet, paradoxically, the President's clearest chances of persuading Congress to adopt his recommendations rest on his ability to depict the program less as an economic trade measure than as a means of furthering the unity of the free world.

As late as last November, it seemed dubious that there would be any foreign trade program presented to this Congress. Most of the President's advisers were counseling caution: The public is not yet ready; let's wait until Britain is safely in the Common Market; there is too much risk of defeat in Congress.

But President Kennedy sensed, as he did on the eve of his decision to enter the West Virginia primary 2 years ago, that there is a tide in the affairs of men, which, taken at the flood, leads on to victory. What he has asked for represents a sharp break from the cautious aims of earlier reciprocal trade agreement acts.

Instead of the usual timid tariff-cutting powers of 20 percent or so, the President asks for power, over a 5-year period, to reduce tariffs by 100 percent on goods produced mainly in the United States and Western Europe, such as automobiles, consumer durables, machine tools, machinery, and most chemicals; and by 50 percent on other industrial product. The principle of nondiscriminatory, most-favored-nation treatment which we have followed ever since 1934 is retained.

Protectionist safeguards are considerably watered down. Under the President's current plan, industries jeopardized by import competition would be helped primarily by methods other than tariff raising. These trade-adjustment procedures would include unemployment compensation, retraining, and relocation allowances for workers, tax benefits, and loans to industries to encourage diversification.

The fundamental reason for such relatively radical powers to be placed in the hands of the President is the astonishing economic and industrial development of Western Europe in the past decade, culminating in the creation of the unprecedentedly successful Common Market. The immediate and urgent need for such wide-ranging powers is to give the President the strongest possible bargaining power in his efforts to open up Western Europe's growing market.

Our payments position has been deteriorating for almost a decade. Though our exports of goods have been exceeding our imports by a strong margin—$20 billion to $15 billion in 1961, our overall deficits, taking into account our military expenditures abroad, our foreign aid, and our private capital investment overseas, have been around $3 billion a year for each of the last 4 years.

The most constructive single way in which the United States can get rid of her persistent payments deficit—a deficit brought about mainly by our assuming our world responsibilities for defense, aid, and investment—is by expanding our exports. And the burgeoning Western European market is the most promising area in which to expand. For the last 2 years our exports to Western Europe exceeded $6 billion a year, almost one-third of our total exports.

The President's proposals, if approved by Congress, will not in themselves solve our foreign payments problem. But they will give him a powerful tool with which to negotiate with an increasingly unifying Western Europe, not only on trade and tariffs, but on other world responsibilities where the European countries have been dragging their feet.

Since World War II, the United States has steadfastly traveled away from narrow nationalism and isolationism in its major actions affecting other countries. Europe has renounced colonialism and has moved to erase national economic boundaries on the Continent. These are huge steps forward. They have been approved and applauded by the United States.

But it must be said candidly that Europe does not yet have a world view. Its sense of responsibility has not grown in pace with its prosperity and growing power. Its actions in certain major policy areas are not reassuring and, if persisted in, may diminish or nullify U.S. efforts in the free world community.

The measure by which prosperous Western Europe still fails to live up to its responsibilities is readily seen in the U.S. balance of payments with continental Europe. During the third quarter of 1961, we were in deficit to Europe by $1.5 billion.

The deficit was not due to our inability to sell goods to European customers. Indeed, we had a merchandise trade surplus—an excess of U.S. exports to Europe over imports—of $532 million in these 3 months. But this favorable balance failed by a huge margin to cover $2 billion in other payments to Europe, mainly because of large tourist expenditures, private capital investment, money transfers to Americans living in Europe, troop pay and other defense expenditures, and short-term capital movement.

These figures are for the most recently available quarter. They may overstate the extent of the current dollar outflow to Europe. But there is no question that the balance is tipped toward Europe by a substantial margin.

There are many constructive steps Europe could take to correct this situation. First, the European countries could substantially lower their tariff walls so as to buy more goods and services from the United States. They could also open their markets to Japanese exports. Japan's extra earnings would tend to be spent in the United States for more food, raw materials, machinery, and other goods. Second, they could greatly enlarge foreign aid expenditures on an untied basis, and try to channel purchases to the United States. Third, they could, directly or indirectly, pay much more as their share of the defense of Europe. Fourth, to protect the dollar while all these adjustments were being made, the more prosperous European countries could join in an adequate international credit agreement.

By forming a customs union, the six countries of the Common Market—Germany, France, Italy, Belgium, the Netherlands, and Luxembourg—have gained tariff advantages over the United States. The advantages come from the fact that member countries of the union will gradually reduce their tariffs to each other while working toward a common set of duties toward the outside world. These built-in advantages—discriminations against outsiders—cannot fail to affect U.S. exports adversely. Moreover, since there is every likelihood that the customs union will soon expand to include the United Kingdom and the remaining European countries, Western

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Europe will have combined to place obstacles to an expansion of imports from the United States just when more imports will be needed.

Germany, with more than full employment and confronted with the need to import labor from other countries, persists in protecting a high-cost inefficient domestic coal industry and in limiting annual coal imports from the United States to 5 million metric tons. Its domestic consumption is more than 110 million tons annually. An expansion in coal exports of 10 million tons per year could mean an increase in U.S. exports of $100 million. It exports $6 million of certain kinds of leather to the United States, yet holds down imports of similar leather from the United States to $50,000 per year.

The Common Market countries want more tariff protection on wheat, feed grains, and other agricultural commodities important to U.S. trade. The argument among these countries now turns on how high that protection should be. Again, this attempt to increase agricultural production through higher tariffs comes when labor shortages in European industry are multiplying, and a shift away from inefficient agriculture to industry would be advantageous.

Until very recently, Europe's bilateral foreign aid expenditures consisted almost entirely of grants or loans to colonies, former colonies closely tied to the mother country's economy, or export credits and guarantees. Almost none of the aid was given in a way which could result in purchases outside the aid country, and so did nothing to correct payments imbalances. Apart from a new program in Germany, there appears to be little prospect in the near future for foreign aid of the kind which would help the U.S. balance of payments.

The United States spends about $3 billion per year outside this country for defense. Nearly half of this is spent for the defense of Western Europe. In the fiscal year ending June 30, 1961, we spent more than a billion dollars in Germany, France, and Italy, three of the countries which have gained most in reserves from us in recent years.

To reverse this flow, the countries which are in current surplus payments position could increase their troop support in NATO, making it less necessary for this country to send troops from the United States; pay for local base operating expenses, such as pay for civilian personnel, land rental costs, construction, and locally purchased goods and services; and purchase their own equipment and materials from the United States.

The United States does not expect gratitude for past favors from Europe, nor does it need to ask for aid out of weakness. What the United States and the rest of the free world do expect are a sense of responsibility and a sense of common purpose on the part of the European countries.

The President's request for greater freedom in negotiating tariff reductions is designed primarily to enlarge our opportunities for trade with Western Europe, but it is also conceived as a bargaining power of considerable strength in achieving a more equitable sharing of responsibilities in foreign aid and the common defense.

The potential European markets for U.S. goods is impressive. The U.S. internal market for automobiles, TV and radio sets, refrigerators, and washing machines is 90 percent or better saturated, except for replacements. But from testimony before the Joint Economic Committee last December, saturation in Western Europe is only about 22 percent for automobiles, 22 percent for radios, 13 percent for refrigerators, and 16 percent for washing machines.

Yet the new external tariff of the Common Market will contain some staggering discriminations against our goods. The proposed Common Market external tariffs (subject to reductions up to 20 percent in return for reciprocal U.S. reductions) are 29 percent for automobiles, 20 percent for radio and TV sets, 19 percent for washing machines, and 18 percent for automatic dishwashers.

These tariffs, it should be emphasized, will in most cases be considerably higher than the previous tariffs of some of our best and fastest-growing European customers, such as Germany and Benelux. Given the ability of one Common Market country to enter the other without tariffs, our exports to Europe—if nature is allowed to take its course—will contract rather than expand.

The United States could lead a Spartan life, keep wages and prices stable, and make admirable productivity gains, yet see much of our export trade gobbled up by countries to which the Common Market accords a sweeping discriminatory advantage.

The President is proposing, instead, that we face the realities of a new international situation with a fresh and aggressive tariff policy aimed at expanding our foreign trade, even at the cost of some temporary dislocations here at home. For the first time since 1934, our trade proposals are less a sentimental curtsy to Adam Smith and more a hardheaded imperative for America's international solvency.

How will the President's trade program fare in Congress? In the traditional trade battle the protectionist voice is always disproportionately loud. A Congressman whose district includes a bird-cage factory employing seven workers will hear plenty about the threat of Italian imports. Meanwhile, thousands of workers in the district whose end-products go into exports are never heard from. Consumers, who stand to benefit from varied and cheaper goods, are similarly unorganized and silent.

The protectionists are effectively organized into the Nationwide Committee on Import-Export Policy. The Committee opposes the trade adjustment program almost as vigorously as it opposes low tariffs. The trade adjustment plan attempts to rescue a victim of import competition by helping it to switch to other lines. Once this is accomplished, the Committee loses a constituent—perhaps accounting for its lack of enthusiasm for trade adjustment.

Pessimists over the prospect for the President's trade proposal can point to two other factors:

Congressmen from the South, formerly the citadel of free trade, have become increasingly protectionist in the last decade. The need for cotton exports formerly carried the day, but now the textile industry, hit by competition from Europe, Japan, and Hong Kong, commands increasing protectionist strength.

Unemployment still hovers around 6 percent, our most persistent domestic economic problem. Congressmen are always tempted to export unemployment—"let's keep up our exports, but let's protect our domestic industries from cheap foreign labor by high tariffs."

With all the old protectionist arguments once again advanced, with much of the South deserting free trade, with a high plateau of unemployment—how can the administration get even a timid trade act through Congress, much less the ambitious bill presented?

Ironically, in 1962 boldness may succeed where timidity would surely fail. The reason is the Common Market, and the revolution it has wrought. The Common Market is moving faster than even its originators dreamed. Since the Treaty of Rome was signed in 1957 by the Inner Six—France, West Germany, Italy, Belgium, the Netherlands, and Luxembourg—internal tariffs have been reduced 50 percent, and will disappear by 1966.

Prosperity within the Common Market—an internal market of 170 million people—is without precedent. The area's gross national product is rising at close to 6 percent a year, twice the recent rate of the United States' and Great Britain's. West Germany's gross national product doubled in the 5-year period 1955–60.

Now Great Britain, Denmark, and Ireland have applied for membership in the Common Market. Others in the Outer Seven are expected to follow; when organization is completed, the area could have a population of close to 270 million. Even more than economic, the Common Market's purpose is political. As the sharp edges of age-old European nationalism are removed, the chances of conflict diminish. West Germany and France could be allies, not enemies.

The United States has consistently supported the Common Market, even if it hurts us. Now, the Common Market is beginning to hurt. But it need not hurt long, if we have the courage to make the bold policy changes necessary.

What is inspiring about the Common Market is its power to move men's preoccupation away from narrow nationalism. If we choose to sit on the sidelines and do nothing, we could watch the Common Market, as enlarged, further divide the free world. If, on the other hand, we seize its logic and apply it broadly, we can play our part in the creation of a community of free nations that can grow beyond our dreams. Only such a strong community is capable of meeting the requirements of the underdeveloped countries, of offering a magnet to the peoples back of the Iron Curtain. The adventure could be what the West needs to recover its spirit over the next two decades.

Will Congress give the President the powers he seeks? I think so. The President and the people have sensed a historic tide, and Congress must move with it, too.

PEACE CORPS FIRST ANNIVERSARY

Mr. WAGGONNER. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. BOLAND] may extend his remarks at this point in the RECORD, and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. BOLAND. Mr. Speaker, the Peace Corps, perhaps the most exciting experiment undertaken by President Kennedy's New Frontier, is celebrating its first birthday today.

One year ago, on March 1, 1961, President Kennedy established the Peace Corps on a temporary pilot basis under Executive order, and named Sargent Shriver as the Director. On that same day, the President sent to the Congress a special message recommending establishment of a permanent Peace Corps. In his message, President Kennedy said of the Peace Corps:

> A pool of trained American men and women sent overseas by the U.S. Government, or through private organizations and institutions, to help foreign countries meet their urgent needs for skilled manpower.

EIGHT HUNDRED AND SEVENTY-NINE PEACE CORPS VOLUNTEERS IN 14 COUNTRIES

Mr. Speaker, as of February 1, 1962, no less than 879 Peace Corps volunteers in 14 countries were helping our neighbors to help themselves, and at the same time improving America's reputation all over

the world. Countries in Africa, Asia, and Latin America have requested the Peace Corps to send them 3,000 teachers—and to send them this year—to teach English and general science in grade schools; English, social science, mathematics, and science in high schools; supervise vocational training, teach adults how to read, and to help inaugurate local programs for teacher training.

This is just one example of the fields in which the Peace Corps volunteers are working. Other young Americans are contributing their skills to help build roads and drainage ditches. Still others will be working as mechanics, architects, building construction foremen, nurses, and social workers. The Peace Corps has expanded its recruiting system to permit qualified candidates to choose their projects at the time they enter the Peace Corps.

Mr. Speaker, these substantial accomplishments have been accompanied by many problems and the birth pangs which probably go along with any new enterprise. Yet the difficulties which the Peace Corps has encountered from time to time hardly justify the claims of critics—heard more frequently a year ago than today—that the Peace Corps is a juvenile program, naive and arrogant, which will be met abroad with indifference or amusement. Some of the critics said last year that the Peace Corps idea was fraught with danger and would boomerang.

SARGENT SHRIVER'S DIRECTORSHIP BROUGHT PEACE CORPS SUCCESS

On the contrary, the response at home and abroad to the Peace Corps has been overwhelming. The Peace Corps caught on because it seemed to tap an unfulfilled sense of idealism, or of national purpose, among many young Americans. And the Peace Corps was also successful due to the dedicated leadership of Director Sargent Shriver. He was convinced from the beginning of the tremendous value that the Peace Corps can have in person-to-person and nation-to-nation relationships and the beneficial effect it would have on U.S. foreign policy. Director Shriver went into the job with no organization and only some studies to work with. He had only a voluntary staff. Yes, this was an auspicious start for the Peace Corps, for it was a living demonstration of the dedication and zeal of young Americans who were filled with a desire to serve their country and humanity in the underprivileged sections of the world.

Mr. Speaker, in every country in which the Peace Corps now operates we have been asked to send back more volunteers. A headline in the New York Times a few weeks ago read "Peace Corps a Hit With Tanganyika." The next day the Washington Post reported: "50 Peace Corpsmen Doing Well in Ghana." The volunteers in Tanganyika were making surveys for a road system and preparing geological maps for this newly independent east African country, and at the same time winning friends for America with baseball and guitars. The group in Ghana, consisting of 50 volunteer teachers, were reported to be doing well because they were neither "dreamy-eyed idealists" nor "unromantic realists," but, like all Peace Corps volunteers, working for limited goals and experiencing the great personal and national satisfaction that comes from individual action for the common good.

Finally, in paying tribute to the Peace Corps as it begins its second year of operations, we cannot forget the great colleges and universities in the United States and their qualified faculties who gave of their time and effort to training the Peace Corps volunteers. They also contributed their talents, and without their dedication to this ideal, the Peace Corps program, I am sure, would not be the success it is today on its first birthday. May I offer my congratulations to all those who made the Peace Corps a success, and wish Director Shriver and his volunteers continued achievement in the years to come. I also include with my remarks an editorial from the Washington Post of Wednesday, February 28, entitled "Lively Youngster."

LIVELY YOUNGSTER

The Peace Corps is 1 year old this week and is entitled to light its candle with a jaunty flourish. When it was born, skeptics were quick to say, "It's a good idea, but—." Now it can be asserted that it is a good idea, period. As President Kennedy noted in his letter to Congress, the best proof of the Corps' success is that every one of the 12 countries in which volunteers are now at work has requested additional recruits.

Considering the speed with which the Peace Corps was assembled, it is not surprising that an occasional misstep occurred. What is amazing is that the adverse incidents have been so few—indeed, only the famous affair of the postcard is worth mentioning at all. The impressive point is that by June 30, the Peace Corps will have reached its authorized strength of 2,400 and that the oversea reception of the volunteers has been emphatically favorable.

Mr. Kennedy is asking Congress to increase the authorization for the Corps from $40 million to $63.7 million to permit a growth to 6,700 volunteers. Surely this request should find a sympathetic response. Not the least of the Peace Corps' contribution, as Mr. Kennedy suggests, is that it is creating a pool of future Foreign Service officers who will know what life in a village is like. The Peace Corps is an investment not only in the developing countries; it is an investment in our own youth. Like Colonel Glenn, the youngsters in the Peace Corps serve as tonic for tired blood in an affluent society.

FEDERAL-STATE-COUNTY COOPERATIVE PARTNERSHIP

Mr. WAGGONNER. Mr. Speaker, I ask unanimous consent that the gentleman from Alabama [Mr. RAINS] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. RAINS. Mr. Speaker, I would like to call the attention of Congress to a Federal-State-county cooperative partnership which had its beginnings in 1914 and has developed today to a point where it has worldwide recognition as an example of what can be accomplished for the Nation's good when the governments of all States and counties join together with the Federal Government to work on a common problem.

I refer to the Cooperative Extension Services of the land-grant colleges and universities and the U.S. Department of Agriculture.

I have been intimately aware of the results obtained in my district and the State as a whole from the work of our county extension agents. They are the bulwark of any agricultural program. They not only represent the Federal Government's interest but the State's and county's as well.

Extension agents perform many services for the Department of Agriculture which the Federal Government would have to provide independently if the facilities of the total Extension Service were not accessible to the Department of Agriculture. We here in Congress have a responsibility to see that our States and counties receive adequate support in this grassroots program. It is in this connection that I have some concern, which I think should be the concern of Congress as well.

Historically the Extension Service has represented a cooperative program between Federal and State government. This cooperative principle applies to the financing of this important work. However, over the past several years the Federal support for this program has fallen below—considerably below—that provided by States and counties. In fact, since 1947 the Federal Government's contribution to the cost of conducting this work has been below 50 percent. Currently it is only 37 percent and unless a substantial increase is granted this year in Federal funds, the percentage will be even less.

Failure of the Federal Government to provide its fair share is seriously hampering the total program. Funds are not sufficient to pay adequate salaries. States and counties have recognized the need for salary adjustments and have increased appropriations for extension work considerably over the past few years. If the Federal Government had contributed its share during this same period, the salary scheduled would be more realistic in line with the duties and responsibilities required of our county extension agents. They have an extremely important assignment under today's conditions to help in every way possible to get the benefits of research applied through their work with farm and rural people. All the research in the world is worthless unless it can be furnished to the user in a form he can understand and apply. Our county agents are the focal point of all the agricultural programs—National, State, and local.

In my State the average salary of county extension agents is $5,768 per year. This is substantially below that which they deserve, and should receive in line with their educational requirements and the job they are expected to do.

Requests are being made for an increase of $12 million in appropriations for the Extension Service. If all of this were used for salary improvement, salaries of extension workers could be increased an average of only 9.4 percent—a rather meager figure in the light of what has been done in recent years for classified civil service employees.

I fully endorse this $12 million increase and urge Congress to act favorably upon it.

SUBPENA OF CENSUS RECORDS BY THE FEDERAL TRADE COMMISSION

Mr. WAGGONNER. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. LESINSKI] may extend his remarks at this point in the RECORD, and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. LESINSKI. Mr. Speaker, I am concerned about the far-reaching effects of the recent Supreme Court decision in St. Regis Paper Co. against the United States. In effect, the decision authorizes the Federal Trade Commission to subpena copies of census records in the files of business establishments and to employ these confidential census reports in legal proceedings against private business.

Mr. Speaker, as a result of this decision, a law enforcement agency can accomplish indirectly what the law—United States Code, title 13, section 9—forbids it to do directly. Moreover, in my opinion, the Government has broken faith with business and industry by this action since the confidentiality of business records as reported in the census has been guaranteed time and time again throughout our history. The President has stated:

> No person can be harmed in any way by furnishing the information required in the census.

We must remember also that much of the statistical information collected by the Federal agencies is not compulsory, but voluntary—business firms cooperate willingly with the Federal Government in supplying needed information on employment, payrolls, earnings, production, productivity, and many other subjects. This information is vital to the conduct of our affairs. How can the Government expect businessmen to cooperate voluntarily in some reporting systems, on the one hand, when, with the other, we remove the protection of confidentiality from business reports supplied to the Government.

The Government of the United States should keep its word. Accordingly, I have introduced a bill, H.R. 10344, to amend title 13, United States Code, to preserve the confidential nature of copies of information filed with the Bureau of the Census on a confidential basis as have my two colleagues from Michigan [Mr. FORD and Mr. JOHANSEN].

I urge your careful consideration of this matter.

WE SHOULD WELCOME TSHOMBE

The SPEAKER. Under previous order of the House, the gentleman from Indiana [Mr. BRUCE] is recognized for 60 minutes.

Mr. BRUCE. Mr. Speaker, I have requested this time in order to comment upon a development at high level in the U.S. Government in the matter of decisions which I feel are open to most serious question as far as judgment is concerned. Over the last several years we have seen coming in as guests of the United States an interesting assortment of foreign dignitaries, without seeming regard of what their ideological philosophy might have been, one after the other, receiving red-carpet treatment both at the executive level and at the level of the press in the United States.

Only a few years ago the American people were, in my opinion, victimized by a visit from the greatest murderer in the history of recorded civilization, Nikita Khrushchev. There were many reasons given for the invitation extended to Nikita Khrushchev to visit the United States. Among them, one of the most interesting arguments was that if only he came over here he would see our fine people, our wonderful factories, our beautiful highways and buildings and in effect go back home and change his ways. He did not even wait to go back home before he uttered his now famous statement, "We shall bury you."

The invitation was issued to Nikita Khrushchev in spite of the fact that the record of Mr. Khrushchev had been clearly established both by his deeds and by legislative study. A document of this body entitled "Who Are They?" prepared at the request of the Committee on Un-American Activities by the Legislative Reference Service of the Library of Congress was published on July 12, 1957, and it flatly summarizes Mr. Khrushchev in these words:

> Khrushchev is a sworn enemy of the democratic form of government and the American way of life. He reviles this country as being devoid of political freedom and economic stability and ruled by a handful of greedy capitalists who enslave the working people. He and his fellow Communists are driven by the desire to outdistance the United States, the most advanced and powerful capitalist country. His fanatical belief in the superiority of the Communist system leaves no doubt in his mind that, whether there be peace or war, the ultimate communization of the world is certain to arrive. Only recently, television viewers in the United States had an opportunity to witness his prediction that their "grandchildren will live under socialism" (i.e. communism).
>
> To attain this objective, Khrushchev displays versatility and flexibility in selecting the device which he considers most effective and promising at the moment: Nuclear blackmail, subversion, propaganda, interference in the domestic affairs of other states, driving a wedge between peoples and their governments, exploitation of anticolonial and nationalist feelings in Asia and Africa, and direct revolutionary action. All these expedients serve the single-minded goal of Soviet aggrandizement and of accelerating the march of communism.

That was the conclusion reached by a legislative body, a report issued by the House of Representatives. In spite of this overwhelming evidence of the nature of the man who was to be invited, an invitation was given to Nikita Khrushchev to come and visit the United States. Since that time we have had many other interesting visitors; more recently a man by the name of Cheddi Jagan. Well, his background is rather well known as well as the background in this country of his wife, who has lost her citizenship now, and her alleged activity in the Communist Party in Chicago.

We have had Mr. Nkrumah as the official guest of this country. We have had Sukarno in this country as a guest with the red-carpet treatment at highest levels. And most recently we have had the newly imposed Premier of the Central Congolese Government, Cyrille Adoula, as the guest of this Government.

It seems a striking contradiction of traditional policy of the United States when our Government refuses the request of a prominent foreign spokesman to visit this country; and I refer specifically to the President of Katanga, Moise Tshombe. The arrogant refusal to admit Mr. Tshombe to this country has aroused the indignation of those who believe in civil liberties, those who believe in freedom of speech, freedom of information, and those who believe that there are gains in certain circumstances to be attained by exchange of foreign dignitaries as well as exchange at lower level.

Now it is not that our State Department's position in the Congo has been inconsistent; it has been most consistent in its inconsistencies. They have repeatedly gone contrary to the evidence that is available, and on two prior occasions I have come to the well of the House to warn about developments that were about to take place in the Congo. This was prior to the explosion that took place there with all of the killings and the ravaging, and again in this session of the 87th Congress to warn of developments taking place by the imposed central government figures. My opinion and evaluation has not changed to this day.

Be that as it may, it certainly seems to be an interesting commentary upon freedom of speech and the right of the American people to hear all sides of a controversial question when our State Department arrogantly refuses to grant entrance permission to Mr. Tshombe. I do not stand here as an advocate of hero worship as I do not believe any one figure in the African arena qualifies for that particular adulation. But I do believe that with all of the mass of public opinion that has been aroused on this question of the United Nations aggression in the Congo, and the many letters to the editors of newspapers all across the country, and I understand that on this question they have had a record number of letters from American citizens. From the mail that is being received in my office and several others with whom I have checked, expressing grave concern about our activities supporting the United Nations position in the Congo with equipment and finances, it is most unreasonable that a man who has declared himself time and time again by his words and his deeds to be pro-United States and who desires to set up a constitutional form of government protecting the rights of individuals

within the Congo—a man who has adhered to the philosophy that free enterprise can work in the Congo rather than the doctrinaire imposition of Socialist governments—that this man should be denied the opportunity to present his case to the American people directly is almost beyond belief.

Unprecedented action has been taken on several occasions in this Congo development. One of the most interesting was the method by which our State Department attempted to expel from this country the personal representative of Moise Tshombe, Mr. Michel Struelens, who was here duly authorized as the personal representative of President Tshombe, as his liaison with the United Nations and his press information officer. Scurrilous charges were made by certain top individuals in our State Department, false charges, complete distortion and smear of the first order against the person of Michel Struelens. Without any advance warning, he was called into a meeting and his visa was lifted by the U.S. Government authorities supposedly on direction of the Department of State. Well, fortunately, there are those in this body and in the other body who took a rather dim view of this autocratic action. I am happy to report our State Department was not successful in expelling Michel Struelens from the United States primarily because the junior Member from Connecticut of the other body had been directly responsible for the issuance of a subpena for Mr. Struelens, and it was a bit difficult for our executive branch to expel from the country a man who was under subpena to one of the legislative bodies.

I have learned since that time, after certain testimony has been given, that they have reversed their decisions at State Department levels and have decided that they should perhaps not expel Mr. Struelens.

I think it is significant that such groups as the American Civil Liberties Union, the American Jewish Congress, and others have joined in the protest against this autocratic action of our executive branch in regard to Mr. Tshombe of Katanga.

Of what is our State Department frightened? They have been feeding us a steady diet of gobbledygook and doubletalk about what is happening in the Congo. They have told us time and time again that they are seeking stability in the Congo. They told us time and again they believed that the United Nations is the world's hope for peace, and yet in providing the impetus behind the United Nations they turn to war as the impetus to peace. What kind of nonsense is this?

President Tshombe has had invitations from many American groups, including the Meet the Press program, including several major press conferences of the highest level in the United States, including an invitation to address a rally Wednesday next in Madison Square Garden in New York to be sponsored by the Young Americans for Freedom. I believe that Mr. Tshombe should have the opportunity to clearly and openly present his position so the American people can evaluate these events for themselves.

I believe it was right and proper that Cyrille Adoula should have been invited to come to the United States. I believe he should have had the opportunity to present his viewpoint of the situation in the Congo clearly and without restraint. I believe it is equally important that Moise Tshombe be given a like opportunity.

I, for one, trust the American people. I do not believe the American people have to be spoon fed by tax-paid propagandists. I believe the American people can listen calmly and coolly to the statements made by President Tshombe as they did to those made by Cyrille Adoula, as they did to those made by Nikita Khrushchev earlier, as they did to those by Sukarno and by Jagan, and judge for themselves where the truth lies.

One of our major dangers—this is merely a personal opinion—one of the major dangers in this country is that we are now being literally spoon fed controlled opinions by little men who like to play God. That is a strong statement, but I have become more convinced in a year and 2 months than I was earlier. I do not believe that the Government rules the people; I believe it is the servant of the people, and unless the American people are given the opportunity to correctly hear the different sides of conflicts of such major importance they cannot possibly reach sound conclusions. They should not have to go on fishing expeditions; they should not have to rely upon two or three Members of this body or the other body to inform them with months of tedious labor and information that is not being provided at the top level.

A few days ago I sent a very strongly worded letter to our Secretary of State questioning his judgment and the judgment of the Department, and particularly those involved in refusal to allow Moise Tshombe to visit the United States. In that letter I requested an immediate reversal of the present State Department position.

It is morally wrong, it is wrong in freedom to black out a whole position of such controversial nature from the American people. I again protest loud and long the action of our State Department, apparently once more using the words of the great Congressman WALTER JUDD, in "trying to make friends out of our enemies by making enemies out of our friends."

I sincerely hope those who are in positions of responsibility will quickly reevaluate the effect of this action against Mr. Tshombe on the emerging nations of Africa and the uncommitted nations of the world, and reverse their position, and greet Mr. Tshombe and give him the opportunity to present his viewpoint.

Mr. ROUSSELOT. Mr. Speaker, will the gentleman yield?

Mr. BRUCE. I yield to the gentleman from California.

Mr. ROUSSELOT. Mr. Speaker, I rise to associate myself with the remarks of the gentleman from Indiana that he so ably put before the Congress today. I, too, believe it is a tragedy that our State Department has taken the arbitrary position that a man from a country in Africa that is so important to the stability of the entire African Continent is not allowed to send one of its major representatives from one of its major provinces to this country upon invitation by many groups within this country. As the gentleman from Indiana has so carefully pointed out that is a true denial of academic freedom and in every sense of our true heritage in this country.

I think the press of the Nation should be greatly concerned because it very much affects the ability of our Nation to know the opposite point of view that exists within the Congo today, and especially from a person like Mr. Tshombe who represents the basic philosophy of free enterprise and a form of constitutional government that he is not allowed to present it here in this very important time in our history.

Mr. BRUCE. I thank the gentleman.

Mr. SHORT. Mr. Speaker, will the gentleman yield?

Mr. BRUCE. I yield to the gentleman from North Dakota.

Mr. SHORT. Mr. Speaker, I want to commend the gentleman from Indiana for taking the time here today to apprise the Members of Congress of this situation in regard to the, shall I say, refusal on the part of the State Department to allow Mr. Tshombe to visit the United States. I, too, wrote a letter to the Secretary of State in which I requested him to make a public pronouncement on the part of the State Department as to just why they feel their position in denying Mr. Tshombe a visa the United States was justified. If this sort of thing has been indulged in by the State Department in any other instance, if it is true that this is a policy the State Department has—I do not know whether I have any particular quarrel with it—in my opinion, the policy should be explained. I think the instances where similar refusals have been issued by the State Department need explanation.

We are aware of the people, as the gentleman has mentioned, who have been permitted to visit this country, people that very definitely expressed points of view that are somewhat at odds with the point of view—this is my opinion—that are contrary to the point of view of Mr. Tshombe. But I have enough confidence in the American people to think they should have a chance to evaluate the expressions on both sides of this issue.

This is of primary consequence right now in the establishment of the Congo Government.

I am real pleased that the gentleman has taken the time today to go into this matter at some considerable length. It will help Members of Congress, it will be helpful to the people of the United States to better understand the situation.

I thank the gentleman for yielding to me.

Mr. BRUCE. I thank the gentleman from North Dakota and the gentleman from California for their remarks on this very important matter.

I would like to add one final word. I believe in this issue—the press of the United States by and large deserves the highest commendation on the whole Congolese issue. Having been in the field of news reporting for several years, I cannot recall a single issue where so many of the major newspapers of this country paralleled the viewpoint of protest of the action of both the United Nations and the U.S. position supporting it. They have consistently done, I think, one of the best jobs of keeping this front and center of any major problem that has come up in recent years. I am grateful for their concern and urge them to continue to ferret out and put the spotlight on this very critical problem which can spell the difference between the entire continent of Africa going under Soviet domination. The alternative is not to come under American domination but to emerge as a great force for freedom in its own right in the world tomorrow.

LONG ISLAND'S MITCHEL FIELD

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. HALPERN] is recognized for 40 minutes.

Mr. HALPERN. Mr. Speaker, it has been more than a year since the Defense Department announced that it was abandoning Long Island's Mitchel Field. This action came as a great relief to many Long Islanders who know full well that the field's presence in their area was a great danger—that residential areas completely surrounded it, and were in constant peril of death and destruction which could drop unexpectedly and tragically from the skies

As one of the considerations in declaring the field obsolete, the Department of Defense recognized that the phenomenal rate of growth of the area made the field a serious threat to the lives and nerves of the residents of Long Island.

But, unfortunately, the Defense Department's realistic and fair appraisal of the situation is not shared by other agencies of the Government.

The Federal Aviation Agency has indicated that it favors the reopening of this field as a commercial airport.

In January of this year, the FAA held hearings at Mitchel Field and afterwards reportedly again recommended to the General Services Administration that it be used for airport purposes. The final decision of the GSA on this matter is due shortly. Before its determination of final disposition, I again plead for a realistic evaluation of all of the factors concerned.

There are many sound reasons for the vehement opposition to the airport plan—primary among them being, of course, concern for the welfare and safety of the people of the surrounding areas.

Furthermore, there is a dire need for civic, educational, medical, and cultural resources on Long Island to keep up with its fantastic rate of growth. Another consideration is the ideal location this site affords for a Veterans' Administration general-medical-surgical hospital which is so vitally needed in the Queens-Nassau-Suffolk area to meet the ever increasing needs of the over 400,000 veterans who live in these counties.

At the January 17 hearings of the FAA I pointed this out, among the many other reasons, as irrefutable arguments against the utilization of the property for airport purposes. In my statement to the FAA, I said:

> Vigorously oppose FAA plan to use Mitchel Field as commercial airport. Urge consideration of the use of this site as a Veterans' Administration medical and surgical hospital as well as for an educational cultural and civic center. In my capacity as a member of the House Veterans' Affairs Committee and its Subcommittee on Hospitals I have long sought VA hospital facilities for the Queens-Nassau-Suffolk area. Have been informed by Veterans' Administrator John S. Gleason, Jr., that the VA has included a new hospital for Long Island in its 1962–63 veterans hospital program and has requested that earmarking of approximately 150 acres of Mitchel Field for this purpose. This is an ideal site for the construction of the proposed 1,000-bed VA hospital. It is easily accessible by highway and public transportation to all Long Islanders. It would save a considerable sum in construction costs as the Government already owns the land. And, of important consideration, it is adjacent to the Nassau County Medical Center Meadowbrook Hospital. The need for a VA hospital on Long Island could not be more obvious. There are now 3½ million people in the Queens-Nassau-Suffolk area but not one medical-surgical hospital for veterans. The area is experiencing a phenomenal rate of growth. The 1960 census shows that the Queens population increased 16 percent, Nassau 92 percent, Suffolk 138 percent. And the latest VA figures reveal that there are 240,890 veterans now living in Queens, 101,860 in Nassau, and 39,370 in Suffolk. This makes a total of 382,120 veterans now residents in these three counties. The VA hospital proposal at Mitchell Field has the support of every veterans organization in the Long Island area. In addition, it has attracted overwhelming support from the general public. And, it has the backing and active interest of the New York State Division of Veterans' Affairs.
>
> In view of this proven need and the great steps gained in winning such a hospital it would be nothing short of tragic if it were lost. If by any chance the proponents of the airport were to win this issue, it would be appalling. It would be ridiculous to contemplate a hospital on the site so contiguous to an airport. It certainly would be inimical to the health and welfare of the patients at the hospital. Aside from the important consideration of the hospital, the traffic at the airport would be a serious threat to the safety and welfare of the citizens in the heavily populated residential areas surrounding Mitchel Field. These considerations together with the convincing arguments put forth for educational, cultural, and civic utilization of the field, provide a clear-cut picture as to why the FAA plans for a commercial airport should be dropped.

Mr. Speaker, I have since been informed that the Veterans' Administration has shelved its plans to use Mitchel Field because the State medical school which was being considered for the site would certainly not be built if the area were retained as an airport.

This decision by the Veterans' Administration was based on its policy of locating new hospitals adjacent to medical schools.

I trust the General Services Administration will reject any plan for any airport, so that the hopes for a medical school can be revived, and that the plans for a VA hospital can be realized, and the great need for educational, civic, and cultural facilities which the site affords can be met.

Mr. Speaker, the logic behind this plan is so clear—and the alternatives so selfish and callous—that I cannot understand why the Government has not long ago given the go-ahead for the use of Mitchel Field for these worthwhile purposes.

We have been promised a decision by the GSA—first on February 15, then March 1; now I understand it will be "10 or 14" more days. I have appealed in person and by letter to all of the agencies involved, emphasizing over and over the responsibility the Government has to protect the health and welfare of the citizens of Long Island, emphasizing again and again the need for educational and cultural facilities—the need that so far overshadows any possible benefit that could be derived from the use of Mitchel Field as a small commercial airport.

Mr. Speaker, I again make a fervent plea to the FAA and the GSA to seriously consider all the factors involved in the situation. The disadvantages of Mitchel Field as an airport are frightening—the advantages of the site for the educational, cultural and medical benefit of the citizens of Long Island are limitless.

I repeat that the greatest consideration involved in this decision is the safety and welfare of our people. Recently, the Long Island Press pointed out the dangers of an airport at Mitchel Field in a starkly revealing series of articles that began on January 8.

I commend these articles, which were brilliantly written by Leonard Victor, to the especial attention of my colleagues in this House and the American people. They describe vividly and completely the fallacy behind the FAA's recommendation—and the need for constructive civic use of this site.

Although these articles make specific reference to the residents of Nassau County, much of the Mitchel Field approach area covers Queens County, and these residents are equally concerned with the problem.

[From the Long Island Press, Jan. 8, 1962]

MITCHEL "SAFETY" RECORD: 15 CRASHES, 18 DEAD

(Nassau's golden opportunity to use the abandoned acres of Mitchel Field for colleges and a cultural and civic center are being temporarily stymied by a small—but loud—group of businessmen claiming the field should be reopened. This series will tell the dangers that led to the field's closing and of the carefully-laid plans to put the empty land to the best use for Long Island's citizens. The planners who charted the future use of Mitchel did not include an airport because it would be a "continuing nuisance and menace," as well as prevent the land from being used for public instead of private purposes.)

(By Leonard Victor)

Last year the Air Force bowed to the demands of Nassau's citizens and shut down Mitchel Field.

The Department of Defense bluntly admitted what the homeowners surrounding

the field had known for years—the airport was obsolete and hazardous.

The demands to close the field began much earlier—practically the day World War II ended.

Mitchel's beginnings during World War I were out in the country. The early planes were small and slow, so when they had motor trouble—as they often did—they landed safely on the nearest potato farm.

The potato farms disappeared abruptly and completely after World War II.

In one of the Nation's biggest building booms Nassau became a suburban giant with nearly 1.5 million residents.

Suddenly the noisier, heavier, postwar planes flying in and out of Mitchel were traveling over nothing but homes, filled with children who cried at night when the engines roared.

Suddenly there were no open fields for emergency landings.

A giant troop transport that crash-landed en route to the field had to try for a landing on Southern State Parkway in North Lindenhurst. One motorist was killed when the plane crushed his car, but clustered home communities a few hundred yards away were almost miraculously spared.

There have been other near-misses in recent years as planes en route to or from Mitchel crashed in East Meadow, Wantagh, Levittown, and other nearby communities.

But the death toll in the 15 crashes since 1947 still adds up to 18 fatalities.

The Air Force, responding to the growing protests limited flights severely—whenever possible.

Four-engined planes and screaming big fighter jets were barred from the field because women and children in surrounding communities were frightened too often by the wall-shaking noise.

Mitchel played an important part in World War II. Many important organizations, such as the Continental Air Force Command, were housed at the giant base.

The Air Force was understandably reluctant to give up the site.

Finally, inevitably, they recognized that time had passed the historic field by.

It had no place in the exact center of a totally built-up country of home communities.

Reserve planes were dispersed to the open spaces of Stewart Field at West Point and McGuire Air Force Base not the desolate flats of south Jersey.

Conac went to a giant Georgia base with uninhabited safety buffer areas around it bigger than all of Mitchel Field.

The last plane rose off the runway and Mitchel closed officially—too small, surrounded by homes, too much in the path of busy passenger traffic to be safe any longer.

The people of the county breathed a unanimous sigh of relief and got on with the job of planning what to do with the site, which Robert Moses called "a golden opportunity for Nassau."

These plans included using the field's buildings as a campus so the new Nassau Community College could handle the 10,000 local youngsters expected to be knocking on its doors by 1970.

Hofstra College, badly overcrowded just across the street from the field, is hopefully looking forward to getting 150 acres of the site—acres they need desperately for expansion.

The planners worked on another urgently needed project—a civic and cultural center for Nassau that would be a "Little Lincoln Center." Combined with a central reference library, this complex would serve the 1.5 million residents now totally without any facilities of this kind.

There are other plans on the drawing board for specialized parks for the still growing population, for an industrial park that would swell Nassau pay envelopes and produce taxes for the county.

When these plans were announced there were no dissenters. Political leaders of both parties joined civic groups in agreeing that the county-appointed planners had made the most of the golden opportunity.

Suddenly a very small but very vocal group of businessmen equipped with expert propaganda machinery appeared on the scene and began demanding that Mitchel be reopened as a private airport.

They egged on—or were egged on by—the Federal Aviation Agency which has a standing policy of trying to reopen abandoned military fields.

Every Long Island Congressman, the State's two U.S. Senators, the Nassau County executive plus every major elected official in the county told the FAA that Nassau's people didn't want an airport. So did important groups in Nassau.

Despite this, the FAA stopped the Government's real estate agency, the General Services Administration, from turning over Mitchel's acres to Nassau County.

The delay among other things, forced Nassau Community College to turn away pupils because the college's temporary quarters in rented space and a courthouse building won't hold more.

A week from tomorrow, the FAA—which wants an airport at Mitchel—will sit as judge and jury at "hearings" for or against an airport on the land.

Those hearings may well decide when—if ever—the citizens of Nassau can go ahead with their well-thought-out plans for colleges and a civic center to benefit the community.

Those hearings will play a big part in deciding whether the homes of Nassau will shake and rattle once again from 10 to 20 times as much dangerous, thunderous low air traffic as plagued them when Mitchel was a military field.

[From the Long Island Press, Jan. 9, 1962]

MITCHEL "BUFFER" ZONE: HOMES AND PEOPLE

(Mitchel Field was closed last year by the Air Force because it was hazardous and obsolete. This was no news to Nassau's homeowners who had demanded the shutdown for many years. This second story in a series about the abandoned field explains some of the dangers an airport at Mitchel presents to the community.)

(By Leonard Victor)

Airplane engines quit once in a while just like the motors in cars.

The difference of course is that a pilot can't pull over and park.

The best he can do is try and turn his powerless bulk into a glider and make a safe emergency landing—if there's a place below to land.

At worst, he bails out, leaving his unguided plane to plummet earthward and hit where chance sends it.

There are fewer of those motor failures in straight and level flight—like the jet fighter that hit Levittown—than during takeoffs and landings.

The most dangerous moments in all flying are the takeoffs and landings.

Taking off, the pilot uses every bit of engine power he has to move his plane fast enough to become airborne.

He must have speed and more speed to lift his plane over the airport fence and make it climb.

If the thundering engine, working its hardest, quits, the pilot has to land in a hurry. But at this point, just past the airport, he seldom has altitude for maneuvering or the excess speed to handle his crippled plane like a motorless glider.

If he tries to turn around and get back to the field, he sacrifices his scanty altitude and too-slow flying speed making the turn.

That desperation turn has led to many crashes. The plane loses flying speed and in aeronautical terms "stalls," plummeting to the ground.

If the pilot were thousands of feet in the air, he could wait until the dive gave him more speed and then level out his plane.

Near the ground he hasn't enough height to do this. His salvation lies in having flat, open spaces ahead where he can land.

There are no such spots, technically termed "buffer areas," around Mitchel.

The few people who want to reopen Mitchel as an airport say callously in their propaganda that there are buffer areas around the field: Mitchel Gardens and Roosevelt Field.

But Mitchel Gardens is a building development, housing the wives and children of 670 servicemen. Servicemen are people, too.

And Roosevelt Field is a busy shopping center with thousands of customers, day and evening, plus a factory complex with more thousands at work day and night.

The pilot making a landing faces much the same dangers as on a takeoff.

He is flying low, getting ready to set his plane down at the edge of the runway.

He is also flying as slowly as he can, close to the stalling speed, so he can touch his wheels down at the slowest possible speed and stop before he runs out of runway.

There's a speed he must get down to before he can hit his brakes or reverse propellors for the slowdown on the runway.

Whether he's idling the motor of a light plane or roaring the motors of a big one because his landing flaps are out, the same menace of motor failure exists.

The man coming in for a landing needs an emergency spot to sit down, too.

There are no emergency landing spots around Mitchel except busy Salisbury Park, so close to touchdown that it is small comfort to airmen.

There are no landing areas on the usual takeoff path over Hempstead closer than the Hempstead Lake, 3 miles away.

Motor failures are rare, even rarer than pilot error, but they are a big contributing factor in the Mitchel accident record.

Despite good pilots and the finest military maintenance, there have been 15 crashes with a total of 18 deaths involving Mitchel since 1947.

The technically oriented homeowners of Nassau have a better-than-average understanding of the dangers involved in those takeoffs and landings.

That's why they kept on demanding the Mitchel shutdown which they finally got last year.

The county's homeowners haven't forgotten the endless tension, the endless nerve-jangling noise that the Mitchel operation meant.

Some who didn't protest through the years because they felt they were making a sacrifice for national defense plan to protest any plan for reopening the field now.

The new field the Federal Aviation Agency wants at Mitchel means 300 takeoffs and landings per day at the very start—three times the danger and noise of the former 100 Air Force "moves" a day. The FAA admitted to the press that 1,000 flights a day would eventually be made at Mitchel.

Worse yet, the small handful of businessmen making the mob-sized noise for the field's reopening boast they'll turn it into a huge air freight terminal.

If they do this, so a few executives will have a place to park their planes closer to their factories, the noise and danger will be greater than it is today at the borders of Idlewild and La Guardia airports.

There are no safety zones surrounding tiny Mitchel Field like the buffer areas of water at Idlewild and La Guardia.

Only homes.

The Long Island citizens in those homes are going to make sure the Federal Aviation Agency knows they don't want heavily loaded air freighters thundering low over them in

a thousand takeoffs and landings every 24 hours.

When the hearings the FAA forced—because their policy is to try and reopen all abandoned military fields—start next Tuesday they will be heard.

Even the FAA, sitting as judge and jury "impartially" on an airport they favor, can't fail to get the message.

The people of Nassau don't want a field at Mitchel.

They want colleges for their children, plus a civic and cultural center the county has long needed.

They want a continuation of the danger-free peace and quiet they've felt since Mitchel was closed.

[From the Long Island Press, Jan. 10, 1962]

MITCHEL COULD EASE LOAD ON OUR BULGING CAMPUSES

(Space, funds, and buildings for colleges are among Long Island's most pressing needs. This third story of a series about abandoned Mitchel Field tells how the former Air Force base could be used for the public's best benefit by giving part of its land to colleges urgently needing room for expansion.)

(By Leonard Victor)

More than 30,000 Nassau residents will be clamoring for admission to Nassau Community College by 1970.

You or your children—or someone you know—will certainly be among the 10,000 full-time day students and the 20,000 night-time students at the school just 8 years from now.

This assumes, of course, that the college gets the readymade 235-acre campus—complete with buildings—waiting for it now at abandoned Mitchel Field.

If the scheme for an airport at the former military base is pushed through over the protests of Nassau's citizens, the college will have to look elsewhere for a site and then build. There are no other sites of equal size as centrally located as Mitchel.

Moreover, the loss of Mitchel would mean that thousands of Nassau students would be robbed of a chance for very low cost, high-caliber education during the 5 years or so it would take to build a new campus.

The cost of a built-from-the-ground campus: about $10 million.

The cost of buying the Mitchel campus from the Federal Government: nothing.

The Federal Government can give college land to communities free of charge.

That 30,000-student number for Nassau Community by 1970 wasn't picked from a hat.

It is the figure in the master plan of the State University of New York, the parent organization of the new school established for Nassau's growing education needs.

Some educators, multiplying Nassau public school enrollment figures by the percent of high school grads now hunting college space, say the State University's estimate is much too low.

They point to the constant rise in college applicants—6 percent in 1959, 7.5 percent in 1960—and warn there's no end of the rise in sight.

They may be right.

Already 2-year-old Nassau Community is bulging at the seams with 675 day and 1,600 night students in cramped temporary quarters at the Mineola Courthouse.

Over 400 daytime applicants were turned away last term for lack of space.

Because the State and county pay two-thirds of the tuition cost, Nassau Community gives the student of high ability—who can't afford the more expensive schools—an equal chance for education.

The tuition averages $300 a year at Nassau Community.

Elsewhere the cost runs anywhere up to $2,500 for tuition plus the extra cost of living away from home.

Given the space and buildings making up the readymade campus at Mitchel, the college could start right away. Finally, Nassau's youngsters could get the same low-cost higher education that's been available for years in New York City and other parts of the country.

Nassau Community offers only 2-year courses now, in the liberal arts, engineering science, business administration and nursing.

Until the school gets a permanent campus, it can't expand into the 4-year college it should be.

The students denied an education if Nassau Community College doesn't expand aren't the only ones who will be robbed if a small group of businessmen succeed in forcing an airport down the unwilling throats of Nassau's homeowners.

Directly across Hempstead Turnpike from the now-empty field sits Hofstra College, filled beyond capacity with 9,000 day and night graduate and postgraduate students.

Hofstra's planners are hungrily eyeing the 150 acres across from them that they've been promised for expansion.

The college's funds have been drained buying the built-up land surrounding them on three sides. The last acre they were able to put together cost just over $120,000.

Hofstra faces an expensive, inefficient campus breakup—like the accelerated education school they were already forced to locate separately in Westbury—if they don't get the Mitchel land.

If they get the acreage, they can spend their limited funds wisely taking care of their share of the ever-growing job of providing higher education.

The Federal Aviation Agency—which has a policy of trying to reopen all abandoned military fields as general airports—says Hofstra should take the space between the runways at Mitchel.

The draftsman who drew the tiny triangle of land labeled Hofstra between the runways on the FAA's map for an airport at Mitchel must have winced as he worked.

Hofstra's officials have lived too long near the danger, noise and nuisance of an airport to ever agree to move even an inch closer.

If the small group of businessmen with the big propaganda machine and the FAA succeed, Hofstra, like Nassau Community College, won't be able to expand.

No one outside of the tiny proairport group is sure whether they're egging on the FAA or the FAA is pushing them.

But this much is known: Every elected official of Nassau, every Long Island Congressman, plus the State's two U.S. Senators have already told the FAA that Long Islanders don't want an airport at Mitchel.

Despite this, the FAA's holding hearings next week at Mitchel at which these same distinguished national and community leaders will be forced to repeat the same thing again.

Since the "judge and jury" at the hearings is the FAA—which has said it wants an airport at Mitchel—it is a fair question to ask whether the flight agency will get the message any better the second time than the first.

This is certain though: By the time those hearings end the vast majority of Nassau's homeowners will be on the record again, too.

And that record will be that the only runways wanted are the ones on the athletic fields of the two colleges waiting so impatiently to get on with their vital job on Mitchel's land.

[From the Long Island Press, Jan. 11, 1962]

MITCHEL MASTER PLAN—PATTERSON-MOSES TEAM BLUEPRINTS PRACTICAL, WELL-BALANCED PROGRAM TO BENEFIT COUNTY

(The land at Mitchel Field, in the heart of populated Nassau, can be used wisely as the county's citizens want it to be—or it can again become an airport to serve a tiny minority group. This fourth story in a series about the abandoned military site tells of the skilled planners who worked hard to decide the site's best use, and of the plans they have for serving Nassau through important nonflying improvements at Mitchel.)

(By Leonard Victor)

When the good news finally came that the giant Air Force base at Mitchel would shut, dozens of ideas for the land had already been proposed.

The wonderful chance to use the land for the best interests of Nassau's nearly 1.5 million citizens was too good to waste on either amateur planners or those with selfish interests.

So A. Holly Patterson, then the county executive, asked a distinguished group of Long Islanders to carefully plot the future of Mitchel's 1,112 acres.

He chose one of the greatest planners of modern times, Robert Moses, as chairman of the development group's executive committee.

The other members of the 11-man committee, and the consultants who helped them, were of the same high caliber.

After probing and weighing for months what would be best for the public welfare, the committee came up with a practical, well-balanced report benefiting the county through these planned improvements:

A civic center with buildings for public meetings, conventions, exhibitions, concerts, dramatic productions, and lectures—something the county has long needed and wanted.

Giving urgently needed land to Nassau Community College and Hofstra College to help meet the ever-increasing demand for higher education.

The setting aside of a small land area for future public and secondary school expansion.

The establishment of a payroll-producing, taxpaying light industry park in the most suitable location at the northwest end of the site.

The creation of two neighborhood parks long needed by residents to the west and southeast of the former air site.

The building of new roads to end the giant roadblock the field had been to both north-south and east-west traffic.

The plan was detailed, sensible, and complete.

It showed the best use for every inch of the precious land, so important to the county's citizens and future.

Approval of the plan was nearly unanimous.

It got complete bipartisan political support and hearty acceptance by religious, civic, and educational groups.

Only one small business group, bankrolling a very expert propaganda machinery, dissented.

They insisted Nassau couldn't live without a private field for air freight and executive's planes—even though the county's payroll and factory building activities are expanding more now than ever before.

The business group says the Mitchel site must be sliced in half for an airport even though it would mean:

The end of immediate expansion plans for Nassau Community College to meet the needs of the county's high school graduates.

The end of plans for Hofstra College's growth.

The end of plans for a county cultural and civic center.

The end of plans for thoroughfares to prevent today's and tomorrow's traffic bottlenecks in the busy area.

That civic center—which an airport scheme at Mitchel would kill—will serve all of Long Island's population.

Today, if Nassau's teachers wanted a countywide education convention, they

couldn't find a place big enough to hold it in.

The same is true of Long Island's larger industries and dozens of countywide fraternal, civic, and social groups.

All of them are forced to leave Long Island for their big banquets, meetings, and conventions—or limit attendance as the Nassau County American Legion now does at their annual convention.

A 2,000-seat municipal auditorium which could also be used as a convention and exposition hall will solve that big and growing problem.

The main hall would have kitchen facilities and be ringed with galleries and meeting rooms to be used for smaller cultural and commercial shows and conferences.

It's no secret that Broadway producers have long eyed the success of the Jones Beach Marine Theater enviously. They'd like a centrally located all-weather theater with ample parking like the one planned for Mitchel, so they could top the avid Long Island market of playgoers.

All of this important use means that the center will either break even and cost the county nothing—or run at a profit.

The two colleges adjoining the center hope to use its facilities, too, for concerts, seminars, and dramatic performances. Hofstra's fine playhouse, for example, is now being used to capacity.

And both campuses will benefit, like the rest of Nassau, through the central reference library planned as part of the center.

To Nassau's residents, the 200-acre civic and cultural center will be a long-awaited "Little Lincoln Center"—and much more.

The recent surge in motel building even means that nationally significant conventions lasting more than a day can be held at Mitchel, now that there's ample housing nearby.

Should there be a civic center on Mitchel's land or an airport which can't handle regular passenger traffic—just private planes?

Next week, Robert Moses will speak at the "impartial hearing" on an airport at Mitchel—being run by the FAA which admits it wants the airport no matter who suffers from it.

Perhaps he will use the same words he used last summer to tell FAA boss Halaby that the people of Nassau don't want an airport at Mitchel:

"There is no more reason for an airport in the heart of Nassau County than there is for one in the heart of Queens, Brooklyn, Manhattan or the Bronx. La Guardia and Idlewild are located on the waterfront—not in the heart of a teeming population.

"There have been a number of fatal accidents in this rapidly growing area heavily surrounded by homes, schools and other uses. Last year's air tragedy at La Guardia Field (a crash after takeoff which killed 4) was caused by a single-engine air taxi of the kind that would use a general airport in the heart of Nassau's congested population.

"Your attitude is arbitrary and constitutes a grave disservice to the public."

The hearings next Tuesday and Wednesday at Mitchel Field are open to the public.

[From the Long Island Press, Jan. 12, 1962]

FAA ADMITS JETS COULD USE MITCHEL—IF IT'S REOPENED

(This final article about the abandoned Mitchel Field site tells the viewpoint of the FAA, which wants a field at Mitchel, and also points out 3 of Long Island's 16 airports that could do the Mitchel "airport job" better.)

(By Leonard Victor)

Oscar Bakke says there could be jets and round-the-clock flying at Mitchel if the airport is reopened.

He should know.

Mr. Bakke's the Federal Aviation boss for the region and the man who OK'd the plan to reopen the deserted military base as a general airport.

His boss, FAA Director Najeeb Halaby, wants all closed military bases in America reopened as private fields.

To Bakke, Mitchel's also a golden chance to siphon freight traffic away from busy La Guardia, Idlewild, and Newark Airports.

He's a man fully oriented to commercial flying, and he just can't conceive of the reopened field being a danger or even a noise nuisance to the people in the homes tightly surrounding it.

Sitting in his soundproofed office in the Federal Building at Idlewild, he told me that not only could freight jets and freight turbojets use the field, but that there might eventually be feeder passenger lines there, too.

"It would all depend on the county's rules, or the rules of whoever runs the field," he said.

Pressed about the propaganda from the small group of businessmen who also want Mitchel to be an airport again—instead of an education-cultural-civic center—he was refreshingly honest.

The propaganda that only small planes would use the field, and only in perfect weather, looked like a foot-in-the-door technique, he admitted.

To Bakke's way of thinking, Mitchel Field should be utilized fully.

Did he realize that starting the field up again wiped out the hopes of both Hofstra and Nassau Community College for land at the site? That the airport and the colleges were an "either-or" proposition?

In answer he brought out the map showing his plan for the field.

In it, Hofstra would get a triangle of land, boxed on two sides by busy runways. Nassau Community would get a narrow strip of land along Meadowbrook Parkway, without the Mitchel buildings the public college must have to open a no-cost campus right away.

Both colleges have already said bluntly that they can't use the land offered by the FAA plan.

Bakke admits that such sites as the giant Republic Aviation Field—half surrounded by the safety barriers of cemeteries and farmland—might be better.

Zahn's Airport, near Republic, is another field which he says "could do the job too." Suffolk County already has plans to expand the field, which, like Republic, is on the Nassau-Suffolk borderline.

Both fields, besides having buffer zones, are much further away than Mitchel from the busy, tangled air traffic streaking toward Idlewild and La Guardia Airports.

A Government-sponsored study of those traffic patterns was carried out last year by the Airborne Instruments Laboratories of Deer Park.

Their report: Mitchel had only "very limited value," because it was too close to La Guardia and Idlewild and in the busy flight paths to them.

Other air experts, including the air engineers who operate Idlewild and La Guardia Airports for the port authority, have labeled the field fit at best for good-weather daytime flying.

Further east on Long Island sits a giant among airfields, MacArthur Airport. Almost all the land around it is vacant, and what the local authority doesn't own as buffer zones is still available at decent prices.

Bakke insists the fields are too far out to be useful, even though his agency is now spending $17.5 million for a landing system and other improvements at MacArthur.

Another expert who says Zahn's and Republic's fields could do the job is Ed Bechtold, of Freeport, the Air Line Pilots Association safety chairman for this area.

The two fields together, he felt sure, could handle much more traffic than Mitchel, probably even in weather conditions that would shut the now-abandoned site in the heart of Nassau.

Next Tuesday and Wednesday, Mr. Bakke will hold hearings to decide whether there should be an airport at Mitchel.

The legislators, civic leaders, and elected officials of both parties in Nassau will tell him again what they've already said on behalf of Nassau's citizens:

"We don't want an airport in the built-up center of our county."

The small group of businessmen who want a place to park their handful of executive planes will tell him again what their noisy propaganda machine's already said: "Without an airport, Nassau will falter and go broke. Business (even though the record shows it is getting better all the time in Nassau) will die."

Nassau's homeowners, their wives and even children, will tell him directly, "We don't want the tension and danger, the noise and jangled nerves an airport means."

What happens after the hearings?

The FAA has until February 15 to convince a public agency that it should run an airport at Mitchel.

That's pretty unlikely because both Nassau's board of supervisors and Hempstead's town board have already given the FAA a loud "No." Both will repeat it at the hearings Tuesday and Wednesday.

On February 15 the General Services Administration—the Government's real estate agency—takes back control of the land unless the FAA either asks for—and receives—a third extension of their "temporary lease" or sets up an airport itself.

If the FAA hears and pretty unlikely too, because Congress has made it clear it won't back the idea of the Agency going into the airport business, especially in defiance of the opposition of the community.

What's more, Bakke himself told me that both he and his boss, Halaby, promised "that under no circumstances will we ever run our own airport at Mitchel."

If the FAA hears and understands the loud, clear voice of Nassau's citizens at next week's hearings, February 15 will be the day that marks the start of the job of putting Mitchel's acres to the best use for the whole community—for colleges, a civic and cultural center, parks and light industry.

NATIONAL 4-H CLUB WEEK

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Mississippi [Mr. WINSTEAD] is recognized for 15 minutes.

Mr. WINSTEAD. Mr. Speaker, I wish to remind the membership of the House that March 3-10 has been designated as National 4-H Club Week. Six outstanding 4-H'ers from various sections of the Nation have been selected to present the President with the annual "4-H Club Report to the Nation" and while each of these has an enviable record, I would like to call special attention to the record of David Smith, a resident of my congressional district, who is the son of Mr. and Mrs. Ross Smith. David comes from Rankin County, which many of you will recall is the home of Miss America of 1959—Miss Mary Ann Mobley. My pride in the accomplishments of this fine young American is increased by the fact that his father and I grew up together in the same community in Neshoba County, Miss., and have been close personal friends through the years.

Mr. J. Walter Terry, associate county agent of Rankin County, recently said of David:

From my first observation of David Smith, as an 8-year-old eager, ambitious,

yet modest and unselfish youngster, I have seen him grow into the versatile young businessman, leader and Christian gentleman that he is today.

I would like to pause here to pay tribute to the dedicated men and women of the cooperative extension work in agriculture and home economics who continue to contribute so greatly to the development of solid American citizens by their effective work in directing and counseling 4-H Club members throughout this great Nation.

The Federal Extension Service of the U.S. Department of Agriculture has compiled the following information about David Smith:

DAVID B. SMITH, 19, ROUTE 6, BOX 286, JACKSON, MISS.

Lives on 870-acre farm. Parents: Mr. and Mrs. M. Ross Smith. Has been 4-H'er for 10 years, now sophomore at Mississippi State University.

Projects and activities: Citizenship, leadership, swine, beef, dairy, pasture, corn, tractor, entomology, electricity, automotive, and safety. Has completed 71 projects out of 86 in which enrolled. Netted income of $10,267 out of grossed $48,805 from all 4-H work. Started in 4-H with Angus heifer whose calves he sold to buy gilt.

Sold enough pigs from first litter to pay expenses and get in hog business in which has excelled. Has won more than 370 swine awards—topped by being named "Mississippi's Most Outstanding Junior Hog Producer." Between 1953 and 1960, won one or more grand champion, champion, or reserve champion ratings in every district show and fair in State.

In 4-H, has had 560 hogs; also 43 beef cattle, 35 dairy cows; and 78 acres of pasture; raised 1,880 bushels of corn, carried entomology projects 5 years, tractor 7 years, safety 7 years, electric 5 years, and automotive 5 years. Has held 69 4-H offices and committee posts. Among latter have been president of local club 6 years, and twice president of 4-H county council.

Has also been president of County Junior Livestock Association, and is now president of State Junior Livestock Association. Has made 162 4-H talks, radio and television appearances; written 112 4-H articles. Has won trips to National 4-H Congress twice—the first time receiving a college scholarship in swine, and last year receiving a scholarship as national 4-H achievement winner.

In school, has been highly popular leader and outstanding in sports. Was president of class 2 years, vice president of student body, and 1960 student body president. In 1959 was elected Best All Around Boy Student. In high school received three football letters and four baseball letters. Was cocaptain of football team in junior year, and captain of both football and baseball teams in senior year. Received Most Valuable Football Player Award in high school, and was elected Senior Most Likely To Succeed. When finished high school, was offered full 4-year football scholarship, plus expense money, at out-of-State university. Declined when got 4-H scholarships, and enrolled at home State university.

In community, has participated in more than 60 leadership and citizenship projects in past 5 years, winning many county leadership awards, and American Legion Out-Standing Citizen Award. Has worked for community improvement of various types, and with such fund drives as Crippled Children, State 4-H Foundation, National 4-H Foundation, school grounds beautification, and Friendship for Korea. Once he and brother sent registered pigs as gifts to Korea.

THE APPEARANCE OF THE FEDERAL CITY

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Pennsylvania [Mr. KEARNS] is recognized for 15 minutes.

Mr. KEARNS. Mr. Speaker, city planning in the Nation's Capital is costing vast sums, and it is high time that some consideration was given to the quality and the results. This is especially true since the Congress must appropriate the funds required.

One of our country's outstanding architects, Victor Gruen, a man who is, indeed, internationally famed as an architect, recently charged that planning in the Nation's Capital was—

separating retail areas from residential areas though obviously it is people who buy things. We are separating buildings serving cultural and artistic pursuits from residential and retail areas though obviously people would visit these institutions more frequently if they weren't far away from their residences and though obviously the success of retail establishments would be enhanced by the shoppers' traffic generated by such institutions.

We are separating working places, that is, office buildings whether they are governmental or private, high-quality industrial enterprises, from all formerly mentioned categories, thus forcing long and tedious trips to and from work. We are doing so in spite of the fact that through technological progress most industrial activities have lost those disturbing qualities such as smoke and smell which in the early days of industrialization made this separation necessary.

We are separating government workers from other workers, putting them into ghettoes called civic centers where they are removed from the life of the normal citizen, and where they can meet only their own kind. We are doing so in spite of the fact that office work for the government is in character identical with office work for a private corporation, and that by doing so we are creating unnecessary trips for the civic employees as well as for those who have to visit governmental offices.

Every citizen of our country is deeply concerned over planning which, in the words of Mr. Gruen, impoverishes the Nation's Capital.

Planning in the Nation's Capital has resulted in:

First. Three-hundred-and-twenty-five-dollar-a-month luxury apartments in the Southwest urban renewal project in the District of Columbia in which the Federal Government has an investment of more than $70 million. People who can afford such apartments do not need Federal aid, and, especially, from a program which is essentially a slum-clearance program.

Second. Urban renewal schemes for the renovation of the Georgetown area of Washington have been in the newspapers for months. Georgetown is one of the most expensive areas in the entire country to live in. If it is a slum, and if it is blighted, then this is news to its inhabitants.

Third. Parking lots requiring the destruction of houses which would cost up to $50,000 to $75,000 each to replace are planned in the Adams-Morgan urban renewal project. No pictures of these homes which are marked for destruction have appeared in the local newspapers in the District of Columbia which, however, constantly plays up the slum and blight in the Adams-Morgan project.

If there is one shred of evidence that 16th Street, Columbia Road, Lanier Place, and the Kalorama Triangle are slum areas—as claimed by the National Capital Planning Commission—then it should be brought forward for the entire Nation to examine.

The Washington Post has said that:

Adams-Morgan is a neighborhood of striking contrasts. It boasts some of the city's grandest residences and some of its most squalid slums.

If the planners concentrated on the squalid slums and left the good housing alone everyone would applaud their efforts.

The Evening Star pointed out in a major article on November 24, 1960, that the gross cost of the Adams-Morgan urban renewal project was $24,811,000; the net cost, $17,751,000; the District share, $5,917,000; and the Federal share, $12,492,000.

The Evening Star, February 28, 1962, reported that the plan being developed by the National Capital Planning Commission for the Adams-Morgan project will be submitted to two neighborhood organizations and later to block groups. No mention at all is made of any presentation being made to the Kalorama Citizens Association, or the Kalorama Triangle Restoration Society, the two major groups of citizens in the area.

These groups have been critical of the planning, and this may be the reason they are being ignored by the planners. One of the Nation's leading housing authorities, Harry A. Barbour, has developed for the Kalorama Citizens Association a parking plan which would be fair to the merchants and citizens of the Adams-Morgan area and save the taxpayers millions of dollars. The NCPC has shown no interest in this privately developed plan, and no concern for the money it would save.

The National Capital Planning Commission has worked for the Inner Loop Expressway despite the lack of any study of the impact which the Inner Loop would have on the property, revenues, and lives of the citizens of the District of Columbia.

The National Capital Planning Commission has worked for an expressway on historic Capitol Hill which, if built, would create a Chinese wall across one of the most significant areas in the Nation's Capital.

Now the National Capital Planning Commission has voted to make a study of the preservation of the historic buildings on Capitol Hill, but the study comes too late since people will have to move out of the way of highway construction within 2 or 3 months. This study of the historic Capitol Hill area, while welcome, should have been completed several years ago.

What is needed, obviously, are planners who can instill confidence in their plans; planners who can develop plans which will be fair and just to the citizens of the Nation's Capital; planners who have the ability to develop plans which will have the support of the planning profession of this Nation. What is

also needed is the enactment of my H.R. 10494, and H.R. 10177 offered by the gentleman from New Jersey [Mr. WINNALL].

Because of the importance of this speech by Victor Gruen, which was delivered at the Second Annual Community Appearance Conference sponsored by the Metropolitan Washington Board of Trade, I include it here as part of my remarks for the information of my colleagues:

THE APPEARANCE OF THE FEDERAL CITY

(Address by Victor Gruen, FAIA, before the second annual Community Appearance Conference, Washington, D.C., Jan. 5, 1962)

Ladies and gentlemen, I appear here as the first speaker of the Second Community Appearance Conference.

This is a simple enough statement, but I woke up to its implications only after I had written the draft of my talk. At that moment I received from your chairman copies of the talks given on the occasion of the first conference. In studying them, I felt that everything I had planned to say had been stated excellently by others a year ago—by Morton Hoppenfeld, by David Finley, Conrad L. Wirth, by Cloethiel Smith, and especially impressively by Mr. James Marston Fitch, Mrs. Moholy-Nagy, and Mr. Edward Stone.

When I concluded my reading of these illuminating manuscripts I threw my own away, deciding that I would, as graciously as possible, tell you that inasmuch as last year's conference supplied you with all the philosophic background needed for the master planning of your community, we might just as well use the hour allotted to me in a more pleasurable manner by walking over to the National Gallery.

But then something happened which, unfortunately for all of us, made me change my mind again. I studied a handsome booklet: "A Plan for the Year 2000 for the Nation's Capital."

As a result of this study, I became impressed once more, as I have been so often in the past, with the problems and difficulties inherent in human communication. This brochure furnished proof that even men of great ability and of unquestionably highest intention like those who worked on this plan can fall prey to the danger of getting the words but missing the message.

Mr. William Finley, the chief planner of this city, stated last year at this conference:

"In the 3 years since I have arrived I have never met a man who didn't have high ideals for this city, but somehow the results of the many efforts just don't result in great works either in architecture and landscape design or in urban design."

The master plan developed for the year 2000 is, in my opinion, just another proof of the correctness of his observation. It represents a mosaic of high ideals for this city and as you will agree, a mosaic can be a thing of great beauty. Some of the stones of this mosaic are glistening and handsome. But it is in the very nature of any mosaic that it either must be affixed to a solid supporting structure of stone or brick, or in the case of a mosaic glass window, held together by a structural metal framework.

In spite of thorough search, I fail to detect in the plan for the year 2000 such supporting background or framework. Without that, a mosaic must fall apart, and the handsome, glittering elements will become irretrievably lost.

I hope to make a constructive contribution to this discussion, and for this purpose it might be useful to repeat some of the statements made at last year's conference and, without fear of being impolite or blunt, to sharpen their points in the hope that the message might then penetrate to the minds and hearts of those concerned with the appearance of this city of Washington.

In trying to analyze the word "appearance" which signifies the theme of this discussion, nearly every speaker agreed last year that we were talking about more than just the looks of the outer surfaces. We are talking here not as cosmeticians but as people desiring to get to the core of the problem. My esteemed colleague, Cloethiel Smith, related last year that she looked up the meaning of the word "appearance" in the dictionary and was greatly disturbed. She then looked for a synonym and arrived at one that looked much better; namely, the word "aspect," because it has emotional implications ascribed either to the object itself or felt by the beholder. If we understand the word "appearance" in this sense, with its deeper meaning, then we have to deal not just with the aspects but with the ecology of urbia.

Mr. James Marston Fitch said last year about the forces which form Washington:

"Instead of an authentic metropolis, it makes for a kind of gigantic combination of company town, transient camp and pilgrimage center. However, Washington's problems today are only partially attributable to being the Nation's Capital. Others are simply due to her being an American city in the second half of the 20th century."

Inasmuch as I am sure we all realize this statement to be true, we will do well to consider the overall urban problems before trying to analyze the specific case on hand.

The cause of the urban crisis is the inability of urban organisms to keep pace with the extremely rapid changes in the sciences, in technology and in sociological development.

The last 50 years have brought with them scientific and technological developments powerful enough to change our dictionary. New words like automation, atomic energy, television, jet propulsion, astronaut, intercontinental missile, supersonic speed and so on, have been added to our vocabulary, signifying the impact of such changes on our daily lives. Sociologically we are experiencing a population explosion; spreading of the wealth from the few to the many; mass production; mass consumption; shrinkage of the rural population because of technological progress in agriculture and, as a result of it and of the general population increase, explosive growth of population in metropolitan areas.

New words have also been added to the vocabulary with regard to the development of metropolitan areas outside of the cities: suburban sprawl, freeways, cloverleaves, are just a few of them. Significantly, the urban vocabulary itself has not been enriched. We are still working with the old terms of streets and squares, of slums and blight, of streetcars, buses, subways; and this stunted urban vocabulary indicates our impotence with regard to city life and urban culture.

In our fast-moving times there are only two choices: progress or retrogression. There is no such thing as standing still in the atomic age. If we are not able to improve the appearance of our cities, we will have to face their disappearance.

A disappearance not of the physical structures nor of the political entities, but of urbia as a dynamic force in our culture and civilization; of its disappearance as an effective tool for implementing direct communication between people; as a tool for the exchange of ideas and goods; its disappearance as a cradle of human progress in all fields of human endeavor.

There are today those who, because of the deterioration of the appearance of the city, are inclined to believe that its disappearance would be no great loss; who feel that in an era in which indirect human communication by telephone, radio, television has vastly improved, in a time when individual mobility by automobile has become possible, the city is no longer necessary and that decentralization of human settlement in sprawling form all over the countryside is the pattern of the future. There lives in this country a whole generation who, having never experienced the benefits of truly urban life and having never seen a well functioning city—that means one of good appearance—wouldn't shed a tear if all our cities would disappear.

This negative attitude about truly urban qualities is not just restricted to those who are downright hostile to the city but has affected those who try to save it and who are working on plans for its reorganization as well. Their minds have become confused and they are trying to help the city by imitating the subcity or suburbia; by injecting into the urban body foreign and destructive ideas like low density residential areas, mass transportation by private automobile, and compartmentalization of land uses.

Suburban values and urban values mix as poorly as do water and fire. It is exactly this well-meaning but schizophrenic type of planning which destroys urbia.

The downward trend of our urban culture is due to two types of sins: sins of commission and sins of omission. Broadly speaking, the sins of commission consist of our actions to separate from each other all those urban elements which, if the city is to work, belong in intimate commingling with each other. The sins of omission consist of our neglecting to separate from each other those activities which disturb and destroy one another.

The sins of commission and the sins of omission are causally interrelated. We are separating activities which belong together from each other because our omission to separate those which are disturbing to them makes it impossible to operate otherwise.

Let me attempt to explain this paradox in greater detail. I said that we are committing the sin of separating urban elements from each other which belong together because they depend on each other. We are separating retail areas from residential areas though obviously it is people who buy things. We are separating buildings serving cultural and artistic pursuits from residential and from retail areas, though obviously people would visit these institutions more frequently if they weren't far away from their residences, and though obviously the success of retail establishments would be enhanced by the shoppers' traffic generated by such institutions.

We are separating working places, that is, office buildings whether they are governmental or private, high quality industrial enterprises from all formerly mentioned categories, thus forcing long and tedious trips to and from work. We are doing so in spite of the fact that through technological progress most industrial activities have lost those disturbing qualities such as smoke and smell which in the early days of industrialization made this separation necessary.

We are separating government workers from other workers, putting them into ghettoes called civic centers where they are removed from the life of the normal citizen, and where they can meet only their own kind. We are doing so in spite of the fact that office work for the government is in character identical with office work for a private corporation, and that by doing so we are creating unnecessary trips for the civic employees as well as for those who have to visit governmental offices.

We are further separating, by careful compartmentalization, the rich from the middle classes, the upper middle class from the lower

middle class, and all of them from the economically least successful. By doing so we not only create a highly prejudiced society but we are making it extremely difficult for those with higher incomes to obtain the services of those with lower incomes, and for those who render domestic services to reach their places of work.

We are separating theaters and places serving cultural and recreational needs from all other categories and by doing so we are not only isolating them from urban life but also impoverish the general city by extracting facilities from it which give it life and zest.

To illustrate the degree and effect of this craze for compartmentalization, let us look, in contrast, to the older European cities like, for example, Paris. Here the opera sits in the middle of a district devoted to retail, to residences and to government buildings. Going to the opera or leaving it, you enjoy window shopping and you have a choice of visiting hundreds of restaurants and cafes. A few steps from the opera you find large department stores and hundreds of specialty stores, from luxury shops to 5 and 10 cent stores. Above the stores and shops are residences of all types: luxury apartments, small apartments, hotel rooms. Dozens of other theaters, office buildings, governmental buildings, are sprinkled all over the urban environment. The President's Palais fronts one of the busiest shopping streets, and I have watched M. de Gaulle's comings and goings from the entrance vestibule of a little millinery store.

The Academy of Fine Arts is surrounded by buildings which contain living quarters on the upper floors, and bistros, cafes, and antique shops on the ground floor. Whenever I visited the offices of friends or clients in Paris I found, right around the corner, a wide selection of places where one could have a cup of coffee or a meal. Around the Church of the Madeleine there is a flower market, apartment houses and, on their ground floor, again, stores of every description including the most mouth-watering delicatessen stores. Some of the buildings contain elegant apartments; others cheap ones. The effect of this intimate intermingling is vibrant urban life, admired by hundreds of thousands of American tourists who cross the ocean at great cost and walk their feet off in order to participate in an urban experience which has become a rarity in our country.

Paris is an old, organically and slowly evolved city. Now that it is exposed to the benefits of 20th century technological developments like congestion by automobiles, frictions are occurring and newer developments around Paris are beginning to reflect a spirit of separation and compartmentalization similar to that which we find in our own cities. Western Europe, generally, as an effect of its present prosperity, starts to show the effects of sins of commission which I touched on before.

I say that the sins of omission consist of our neglect to separate those activities which have a destructive influence on human activities. This second type of activities can be classified as utilitarian and mechanical in character. At a time when these utilitarian and mechanical features were less complex than they are today, we managed to remove them from the surface stepwise as urban civilization progressed. It is an earmark of a civilized city to remove its sewage from the gutter and put it underground. Likewise, the moving of telephone wires, electrical wires, water lines, gas mains, is accepted as good urban policy. Even when the railroad was invented it took us only a comparatively short time to realize that trains on Main Street were an utter nuisance and we removed their rails from sight, hearing, and smell. The advent of the airplane found us relatively well prepared and though early airports were close to the city, pretty soon we moved them to the outskirts.

But one technological event has swamped us with such vehemence that we have surrendered urban life and urban values to it without a struggle. That is the advent of the rubber-wheeled vehicle, the private car, the truck, and the trailer, as a means of mass transportation. Their threat to human life and health, as the yearly figures of killed and maimed demonstrate, is as great as that of the exposed sewer. Their disruptive influence on the street pattern is greater than that of the railroad train on Main Street, which at least operated in accordance with a schedule.

The suddenness of the attack by an army of machines which, growing at a faster birth rate than the human population, having now reached a population of over 60 million, may explain in part our failure to act as we did with regard to other utilitarian functions; but it doesn't excuse us from taking action now if we want to rescue our cities which, because we have neglected the problem, are threatening to go to pieces. And when I say pieces, I mean just that. When I described our sins of commission, I described our tendency toward a piecemeal pattern. The casual connection is obvious. Because we have not been able or willing to separate utilitarian and mechanical functions—and most of all mass transportation by automobile—from our human activity areas, we have had to adjust our human activity areas to serve the automobile.

Nobody wants to live, any more, above stores and shops, because nobody can survive the disturbances which the automobile and truck traffic engender.

Working places which have to offer parking space for their workers must move into areas where they can provide such space at a lower cost. So, to an even higher degree, do industrial plants.

Families with children flee the melee of men and machines, into the suburbs, and when they do so in sufficient numbers they create identical conditions in outlying areas and then flee even farther, recreating the problems. People with enough money buy lots of land in the suburbs and exurbs in order to protect their lives, their health, and their privacy and thus depending on the economic status of the citizen we experience suburban sprawl neatly compartmentalized into subdivisions of varying lot sizes determined by the size of the paycheck.

Retail organizations follow their customers, settling either in strips along suburban highways or in shopping centers. Metropolitan areas spread farther and farther, eating up landscape and countryside at an alarming rate, until they flow together into an amorphous, disorderly, unurban conglomeration for which the name megalopolis has been coined.

With the growing distance from the original urban core, it becomes increasingly difficult and inconvenient to reach it. Surrounded by blight and slum formation it languishes economically and there is a danger that our metropolitan regions will soon resemble gigantic doughnuts with all the dough on the outside and a hole in the middle.

Our sins of commission and our sins of omission are inescapably interconnected. As long as we commit the sin of omission, namely, the one of failing to separate mechanical and utilitarian functions from human ones, we will never be able to stop the sins of commission, namely, those of separating the various human functions which have a logical affinity for each other.

Any plan for the future of our cities which is not founded on the principle of separation of all mechanical and utilitarian functions from human ones is halfhearted and half baked. Let me prove this to you by discussing those qualities which make a downtown core a workable, livable, dynamic and, therefore, economically successful one.

Inasmuch as its function is to bring about the greatest ease and direct human communication, it has to be as compact as possible. In order to further the exchange of human ideas and of goods it must have the quality of small-grained variety and diversity. If its aim is to bring people close together, it obviously must bring buildings close together and it must therefore achieve greatest potential density. It cannot fulfill any of these aims if a large portion of its surface land is to be devoted to the storage of moving, stalled, or resting vehicles. Wherever we have made the attempt to provide sufficient space for the insatiable appetite of the automobile, we have converted our downtown areas into places which, seen from the air, resemble bombed-out cities after World War II. Los Angeles which has given its heart and soul to the automobile has now, instead of them, a downtown area in which two-thirds of the land is used as space for moving and storing tin, with only one-third remaining for buildings. Even Manhattan, which at least to a large degree is served by public transportation, has, thanks to the great efforts of its planners who concentrated their efforts on constructing bridges and tunnels for automobiles, been invaded by the metal hordes to such a degree that on Thursday, December 28, the Herald Tribune carried on its front page the headline: "The Day New York Almost Stopped."

The example of Manhattan makes it obvious that there is no possibility of compromise. You cannot have an efficient city core half separated and half unseparated. (Any more than a lady can manage to be half a virgin.) Removal of transportation facilities from the surface areas within active urbanized centers must be just as complete as removal of the sewer lines and gas mains and water lines and railroad trains.

The answer to the mass transportation problem in urban centers can obviously be found only by applying technological means which will guarantee swift, convenient and space-saving movement. Compromise between two solutions is usually worse than either one of them. A compromise between public and private transportation follows this axiom. Private transportation has ruinous effects on the values which people, coming to a downtown area, seek, and at the same time it bankrupts, through competition, public transportation which then, in order to make ends meet, cuts steadily on quality and service. The pattern which develops in the case of such unnatural competition is usually that public transportation has to serve the masses during rush hours in the morning and evening, and remain idle during other hours of the day, when private transportation by automobile still finds it possible to operate. This, as everybody who has tried it knows, is a hell of a way to run a railroad.

It has often been stated that it would be impossible to get Americans used to the idea of traveling by public transportation. This simply is not true. It may be difficult to do so when there is a choice, but consider the millions who use, daily, the public transportation facilities of high speed elevators in office and apartment buildings, the escalators in department stores and banks, without raising a question or complaint.

Now, of course, were we to introduce automobile ramps into these buildings and create a choice, then we might run into trouble. We don't do so because the costs would be staggering. I submit that the cost of taking care of millions of automobiles in our downtown centers is just as staggering and just as unreasonable.

Without accepting the need for complete separation of all utilitarian, mechanical, operational, accessory facilities from the truly human activities as a noncompromisable prerequisite of any planning philosophy for the second half of the 20th century,

there can, in my opinion, be no successful projection of urban development for the future.

Once, however, it is accepted, wide and hopeful prospects open up. The separation of which I spoke can be attained in many ways. In the most compact areas it will have to be a vertical separation. In less active areas it can be horizontal. However the separation may be accomplished, it will offer us the opportunity to correct our sins of commission. All human activities, whether they are residing or working, learning or relaxing, can be moved closely together, utilizing the space wasted up to now for mechanical uses, freeing the environment from danger and disturbance. The only exception to this possibility will be those working activities which, in spite of technological progress are still obnoxious because of smoke or fumes or noises. However, it can be predicted for sure that the number of such industrial activities will, with the progress of technology, steadily shrink.

Because of the ability thus gained to move closer together, we will regain the chance to preserve landscape and countryside from being gobbled up by suburban sprawl.

Variety is the spice of life. Our present urban pattern robs us of the variety and the spice by covering the landscape and countryside with an amorphous conglomeration which is neither fish nor fowl, neither city nor country. The separation of utilitarian activities from human ones will equip us with the tools for greater concentration and for the defining of dynamic urban areas, and of setting them strictly apart from restful nature.

Let me add to these arguments by quoting from last year's speakers. Mr. Fitch said:

"Basic therapy and not more visual cosmetics are called for. At the risk of oversimplification I would say that the therapy indicated is a first rate transportation system. The urban landscape has become progressively uglier, less safe, more noisy, and less healthy as we have shifted from mass to private transport. A modern underground passenger system should have a complementary system for freight and parcel delivery.

"The technology which confidently talks of putting a man on the moon will have no trouble in solving such simple terrestrial problems as this.

"We must rid the downtown area of the most disastrous blight of all—the parking lot.

"We are building our cities in such form that they cannot discharge their civilizing function. We build them up of airtight monolithic units. Solid housing here, solid shopping there, solid office buildings 5 miles down the road.

"That is why the average American enters these areas only when he has to and flees them as soon as he can.

"The central issue is how we want the city to act, to behave, to perform. When we are agreed on that, it will be much easier to decide how that city should look."

My colleague, Mr. Stone, said:

"An English observer came here and said he had noticed a very strong determination on the part of the people of this country to pave it with beer cans, used car lots and filling stations so they could ride by in a lemon yellow Cadillac with a platinum blonde and contemplate the ruins.

"The Washington rapid transit system will have to allow freedom of movement downtown without automobiles and without the added encumbrances of great garages in the middle of the city. If we don't do that we will be just like Los Angeles.

"Any of our monuments, electric, modern or whatever, when placed in a forest of automobiles, are doomed anyway. Every public building in Washington is now in the middle of a parking lot like a supermarket.

"By pursuing the tradition of building single-family dwelling units you can see the prophecy of a city stretching from here to New York as a real one."

Most significant were the remarks of Mr. Conrad Wirth, the Director of the National Park Service, who stated that he wouldn't talk as directly toward the park angle as he might be expected to do. He preferred to speak about his deep-seated concerns, namely, about the encroachment on the existing parks of highway and parking lots, now even underground parking lots which continually threaten and in some cases actually encroach upon park values and land. He stated:

"The words spoken by Mr. Edson, the president of the board of trade in the year 1900—'We desire that this city shall be a fit setting for the great Capital and that squalor and meanness shall not surround and mar its wonderful grandeur'—would become meaningless."

In connection with the quoted speech, it is significant to note that Senate Report No. 166, better known as the Macmillan Report of 1901 which still has a basic effect on the plan of the city, made one decisive contribution: it was responsible for the removal of the old railroad station and the tracks from the Mall. This great decision was made in the so-called railroad age. By the application of the principle of separation, in this case the railroad from the urban body, many of the positive features of the city of Washington were made possible. Is it thinkable that we, 60 years later, in the so-called automobile age, should not have the same courage as those who preceded us?

And now let us take a look, in the light of what has been stated so eloquently at last year's meeting, and on the basis of the additional reasoning which I have advanced, at the plans prepared for the Capital region for the year 2000. I am sure it will be criticized by many as being too radical. I am of the opposite opinion. The word "radical," derived from the Latin "radicalis" meaning "having roots," implies that a radical solution is one that goes right to the root of the problem. This plan, in my opinion, does not. The report quotes Burnham's famous saying: "Make no little plans. They have no magic to stir men's blood."

These words appear on the back cover but what is between the two covers, though beautifully illustrated, and though adorned with praiseworthy phrases, is, I am afraid—a little plan with no magic.

Because the intentions are good, it is ambivalent, full of inherent contradictions, and schizophrenic. The radial corridor plan which it proposes is nothing but a schematic drawing of the growth pattern which our metropolitan areas have followed in the past. If you want to have a more realistic picture of it, you just have to visit any of our fast-growing urban areas like Los Angeles. There you have Metro Center in the form of an undernourished downtown area. You have dozens of arterial corridors stretching in all directions. Along them, you will find the corridor towns varying in population from 50,000 to 100,000, like Hollywood, Beverly Hills, Westwood, Santa Monica and so on.

True enough, the green areas between them are largely missing. Those open areas were there 30 years ago but because the corridor towns needed to be connected, concentric ring roads were built and population pressure caused the gradual filling up of the spaces with suburban fallout.

The report stresses in words the need for greater concentration and the need for open land. But instead of forthrightly stating that these aims can be secured only on the basis of complete separation of all utilitarian from all human activities, it sidesteps the issue. It speaks of the creation of relatively compact suburban communities. It advocates greater reliance on mass transportation. A few pages later, it resignedly states that more and more people will rely on individual forms of transportation and that there will be continuing tendency toward dispersal.

A paragraph farther on, it reverses itself stating that people will be living at close quarters. It comes forth with the idea of creating new compact towns but it carefully specifies that the density should only be somewhat higher than is typical of today's suburban areas. In the design of the new suburban units it uses the old recipe of compartmentalization by dividing each community into hermetically closed-off office centers, shopping centers, community centers and residential areas with varying density. It mentions the doctrine of defined urban clusters separated from each other by open countryside but it arranges them along new superhighways with public transportation in the center strip in such manner that one flows into the other.

The report professes that only public transportation can fully serve the Metro Center but proposes new superhighways from the corridor towns, thus putting the two modes of transportation into direct competition. The plan goes so far as to state that although the transit system will be built to the highest possible standards, most automobile users will be converted to this system only after congestion on the highways reaches intolerable levels. It seems to follow that if the highways would not be built at all, then the rapid transit system would have a chance to economically exist before intolerable levels of traffic on the highways are reached.

By projecting new radial highways which are to bring a good portion of the 3 million new inhabitants to the downtown area it automatically creates the necessity for more road service, more garages, more gas stations within the downtown core. Thus it is killing, from the outset, any chance of reshaping Metro Center into a truly urban compact organism.

As a planner, I know of course that in the execution of any master plan compromises will of necessity have to be made. But here we are confronted with the opportunity of developing the principles of a plan to stretch over the next 40 years, a timespan which, because of the speeded-up tempo of our times, is comparable to one of at least 80 years in the past. If the plan which is supposed to give the directions is not based on forthright uncompromising thinking, how can one hope that its execution would yield any worthwhile results?

In making this critical appraisal of the plan, I do not wish to deprecate its sincerity nor take away from the many good elements contained within it. It represents an excellent basis from which to start a discussion. It will be possible to transform it into a workable directional plan if it is underpinned with the foundation of truly urban thought.

Toward this end we will have to throw overboard misconceptions, false beliefs and prejudices. Let me just enumerate a few of them:

1. We have to throw overboard the prejudice that high density is a devil and low density therefore angelic. Suburban low densities arrived at by placing detached houses with useless side yards on the countryside is indeed diabolic. High density, on the other hand, is a prerequisite for an urbanized society. The greatest efforts of the city planners and architects must go in the direction of developing methods by which the highest practical densities through multiple use of the land can be obtained without infringing on the supply of air, light, mobility, and privacy.

2. We must forget about the idea that it is virtuous to separate various human activities from each other and that it is bad, as the planning report expresses it, to "let one encroach on the other." This "encroachment" is exactly what creates urban interest, variety, dynamism, ease of communication. "Encroachment" is the spice of life. The compartmentalized city is dull, unworkable, unlivable. The filing cabinet principle is not applicable to human life.

3. We must throw away the old wives' tale that a "free choice" must be given to everybody between using land-wasting private transportation or land-saving public transit in urban areas. That is just like stating that there should be a free choice between making an honest living or stealing from society. Inasmuch as land is an irreplaceable natural resource which, within urbanized areas, is in extremely short supply, the stealing of this resource is immoral.

4. We must rid ourselves of the idea that when considering the construction of public transportation it must be proven that it will be economically self-supporting, but that on the other hand the construction, maintenance, and operation of the trackage for private transportation (highways, freeways, bridges) must be a public service paid out of taxes. It is provable that it is cheaper to transport every urbanite free of charge on newly to be constructed public transit if the cost of land, the toll in life and health, the deterioration of the economic and cultural values caused by private transportation are taken into consideration. (The city of Ithaca is now experimenting with free bus transportation and indications are that the increased tax income resulting from better business of the downtown stores alone will be sufficient to outweigh the loss of revenue from busfares.)

If we are willing to throw these outmoded and outlived misconceptions into the trash can we can start urban planning on principles which make fullest use of the tools which science and technology of the second half of the 20th century put at our disposal. We will then find ourselves equipped with the wherewithal to create tightly woven, well functioning, inspiring urban communities which are livable and healthy, and we will find that population increases can easily be taken care of within existing metropolitan boundaries with plenty of space to spare for parks, green belts, and recreational areas.

We will find that our cities do not have to grow by the childish procedure of running away from themselves but that they can organically ripen by a mature growing process within.

Only then will we be able to balance the gregarious, busy urban area with the quiet restful natural beauty of surrounding countryside which we can then protect so that it remains unsullied by the subhumans, suburban, substandard infiltrations which now threaten to desecrate every last square foot of landscape.

Planning for the renewal of our languishing cities must emanate from the realization that cities are for people and not vice versa, and that technology has to serve the people and the city, and cannot be allowed to tyrannize them.

Settlements which enslave and degrade humanity are not cities. They are—I wanted to say for the birds, but that would be unfair. Any self-respecting bird would rather become extinct than settle on the land despoiled by the human-made mess.

THE BUCHAREST POGROM

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. HALPERN], is recognized for 10 minutes.

Mr. HALPERN. Mr. Speaker, the 21st anniversary of a grisly event in modern Jewish martyrology was recently marked. It was one of the early instances of savagery perpetrated by organized Nazi-Fascist forces. For 3 days, January 21–23, 1941, a wild pogrom raged in the streets of Bucharest, conducted by the anti-Semitic Iron Guard and its ally, the National Union of Rumanian Christian Students.

Pillage, arson, robbery, and foul murder ruled the day. Synagogues were looted and sacked, homes and offices of Jews were destroyed, and hundreds of Jewish men, women, and children were massacred in an indescribably bestial manner. Finally, when these riots became an actual threat to the reactionary but non-Fascist regime of Gen. Ion Antonescu, they were swiftly quelled, but the pogrom leaders escaped. The following June a military court found them guilty of insurrection and they were sentenced in absentia.

These unhappy events are noted here now not merely because their anniversary recalls them grimly to mind, but because some of the leading culprits remain unpunished, enjoying life in Spain, in Latin America, and one of them in the United States itself. This man walks the streets of one of our great cities freely and honorably.

His name is Viorel Trifa. From the mid-1930's he began to play a leading role in the Fascist National Union of Rumanian Christian Students. During the events recalled here, he was president of this group. Trifa and his organization contributed significantly through speeches, manifestoes, and demonstrations, to inciting the pogrom, and there is no doubt of their active participation in it. At the subsequent court-martial, this man was sentenced in absentia to life imprisonment at hard labor—Rumania at that time had not capital punishment.

I have learned that despite this heinous background, this person was admitted to the United States as a displaced person in July of 1950. Within a year, it is reported that he was "ordained" as a member of the clergy of the Rumanian Orthodox Church, and as Bishop Valerian he is now serving in the city of Detroit. I put "ordained" in quotes because the circumstances of his so-called ordination are highly questionable. According to a statement of the Rumanian Orthodox Missionary Episcopate in America, Trifa was ordained by an unfrocked priest, and charges of simony have been registered by the episcopate against both Trifa and the "priest" who "ordained" him. Apparently the ceremonies of this suspect consecration were carried out despite a Federal court injunction sought and obtained by the episcopate.

These are appalling reports. Has not the time come for public opinion to be clearly aware of Trifa's background and his presence in our midst. Should not the circumstances of his admission and continued free residence in our country be reexamined by the appropriate authorities?

I shall be glad to make available to the proper Government authorities the documentation which provides the basis for my remarks here today. I feel they offer more than sufficient proof for a reinvestigation of this man.

Mr. Speaker, on the occasion of this recent anniversary, I call this matter to the attention of the American people and to my colleagues in this House. I call upon the Government to make an immediate investigation of all the circumstances of this situation.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. WINSTEAD, for 15 minutes today, to revise and extend his remarks, and to include extraneous matter.

Mr. KEARNS, for 1 hour, today.

Mr. HALPERN, for 10 minutes, today.

Mr. DOOLEY, for 30 minutes, Tuesday, March 6, 1962.

Mr. FLOOD, for 1 hour, Wednesday, March 7, 1962.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

(The following Members (at the request of Mr. HALPERN) and to include extraneous matter:)

Mr. ROBISON.

Mr. MICHEL.

Mr. RAY.

(The following Members (at the request of Mr. WAGGONNER) and to include extraneous matter:)

Mr. DINGELL in two instances.

Mr. KEOGH.

Mr. RIVERS of South Carolina.

Mr. MULTER in two instances.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 486. An act to provide for the appointment of two additional judges for the juvenile court of the District of Columbia.

ADJOURNMENT

Mr. WAGGONNER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 28 minutes p.m.), under its previous order, the House adjourned until Monday, March 5, 1962, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1753. A letter from the Secretary of the Treasury, transmitting the sixth annual report on the financial condition and fiscal operations of the highway trust fund, pursuant to section 209(e)(1) of the Highway Revenue Act of 1956 (H. Doc. No. 349); to the Committee on Ways and Means and ordered to be printed.

1754. A letter from the President of the Board of Commissioners of the District of

Columbia, transmitting a draft of a proposed bill entitled "A bill to amend section 4 of the act of Congress approved March 1, 1899, entitled 'An act to authorize the Commissioners of the District of Columbia to remove dangerous and unsafe buildings and parts thereof, and for other purposes'"; to the Committee on the District of Columbia.

1755. A letter from the Librarian of Congress, transmitting a report of the affairs of the Library of Congress, including the copyright business, for the fiscal year ending June 30, 1961; to the Committee on House Administration.

1756. A letter from the Assistant Secretary of the Interior, relative to the receipt of a project proposal relating to the Settlement Canyon Irrigation Co. of Tooele County, Utah, and the application for a loan, pursuant to the Small Reclamation Projects Act of 1956; to the Committee on Interior and Insular Affairs.

1757. A letter from the Administrator, National Aeronautics and Space Administration, transmitting a report to the Committee on Science and Astronautics of the House of Representatives pursuant to section 3 of the act of July 21, 1961 (75 Stat. 216, 217), and pursuant to rule XL of the Rules of the House of Representatives; to the Committee on Science and Astronautics.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HAYS: Committee on House Administration. Senate Concurrent Resolution 56. Concurrent resolution to print as a Senate document "A Report of U.S. Foreign Policy and Operations"; without amendment (Rept. No. 1396). Ordered to be printed.

Mr. GARY: Committee on Appropriations. H.R. 10526. A bill making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies for the fiscal year ending June 30, 1963, and for other purposes; without amendment (Rept. No. 1397). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ASHBROOK:

H.R. 10508. A bill to limit the purposes for which funds appropriated or otherwise made available to the Department of Health, Education, and Welfare may be used; to the Committee on Education and Labor.

H.R. 10509. A bill for the relief of Licking Valley Local School District, Licking County, Ohio; to the Committee on the Judiciary.

By Mr. BAILEY:

H.R. 10510. A bill to provide for a conservation program for the Appalachian Highlands area; to the Committee on Agriculture.

By Mr. BERRY:

H.R. 10511. A bill to authorize the sale of certain lands of the Cheyenne River Sioux Tribe; to the Committee on Interior and Insular Affairs.

By Mr. CRAMER:

H.R. 10512. A bill to provide relief for certain domestic cigar manufacturers affected by the Cuban embargo by exempting from duty any Cuban tobacco held under bond in the United States on the effective date of such embargo and withdrawn by them before such embargo is lifted; to the Committee on Ways and Means.

By Mr. DURNO:

H.R. 10513. A bill to establish a National Advisory Medical Commission; to the Committee on Interstate and Foreign Commerce.

By Mr. ELLSWORTH:

H.R. 10514. A bill to amend section 401 of the Internal Revenue Code of 1954 to provide that plans which provide certain medical and other benefits for retired employees and their families may be qualified pension plans; to the Committee on Ways and Means.

By Mr. EVERETT:

H.R. 10515. A bill authorizing a survey to determine the feasibility of constructing a canal and waterway connecting the Mississippi River and the Tennessee River, via the Middle Fork of the Obion River and the Big Sandy River, or its tributaries, Tennessee; to the Committee on Public Works.

By Mr. FARBSTEIN:

H.R. 10516. A bill to protect the right to vote in Federal elections free from arbitrary discrimination by literacy tests or other means; to the Committee on the Judiciary.

By Mr. McMILLAN:

H.R. 10517. A bill to amend the Federal Trade Commission Act, to promote quality and price stabilization, to define and restrain certain unfair methods of distribution and to confirm, define, and equalize the rights of producers and resellers in the distribution of goods identified by distinguishing brands, names, or trademarks, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. MOORHEAD of Pennsylvania:

H.R. 10518. A bill to amend the Small Business Act to provide that the program under which the Government contracts are set aside for small business concerns shall not apply in the case of contracts for maintenance, repair, or construction; to the Committee on Banking and Currency.

By Mr. ROBERTS of Alabama:

H.R. 10519. A bill to extend and strengthen the Federal air pollution control program; to the Committee on Interstate and Foreign Commerce.

By Mr. TEAGUE of California:

H.R. 10520. A bill to establish a cropland retirement program; to the Committee on Agriculture.

By Mr. TEAGUE of Texas:

H.R. 10521. A bill to amend title 38, United States Code, to provide education and training for veterans of service after January 31, 1955, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. WALTER:

H.R. 10522. A bill to authorize establishment of the Tock's Island National Recreation Area in the States of Pennsylvania and New Jersey and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. WEAVER:

H.R. 10523. A bill to amend subsection (c) of section 303 of the Communications Act of 1934, with respect to the hours of operation of certain broadcasting stations; to the Committee on Interstate and Foreign Commerce.

By Mr. GARY:

H.R. 10526. A bill making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies for the fiscal year ending June 30, 1963, and for other purposes.

By Mr. BECKER:

H. Res. 554. Resolution establishing a Special Committee on Captive Nations; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. MORSE:

H.R. 10524. A bill for the relief of VIP Air Transport, Inc.; to the Committee on the Judiciary.

H.R. 10525. A bill for the relief of Francis L. Quinn; to the Committee on the Judiciary.

SENATE

THURSDAY, MARCH 1, 1962

The Senate met at 12 o'clock meridian, and was called to order by Hon. LEE METCALF, a Senator from the State of Montana.

Rev. James P. Wesberry, D.D., pastor, Morningside Baptist Church, Atlanta, Ga., offered the following prayer:

Holy Father, we bow humbly in Thy presence, for surely Thou art very present in this sacred place where many mighty decisions are made affecting not only our beloved Nation, but also the nations of the entire world. Thou art in the councils of all who love, honor, serve, and put their trust in Thee. We bless Thy name for the glorious privilege of living and serving in a nation whose God is the Lord.

We express to Thee today the gratitude of our hearts for the beloved and gracious Chaplain of the Senate and for his inspiring prayers and his beautiful Christian witness throughout America. We humbly commend to Thee Vice President JOHNSON, and ask Thy special blessings upon our great President Kennedy, each Member of the Senate, and all of our other national leaders. Grant to each of them heavenly wisdom and the strength of Thy holy spirit.

We rejoice in this great new day when science and religion unite in an atmosphere of prayer and our Nation plunges ahead in the conquest of space. May this be but the beginning of a great and continuous revival of our absolute dependence upon Thee, of spiritual renewal, and of daily repentance throughout the land. Through Jesus Christ, our Lord, we pray. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., March 1, 1962.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. LEE METCALF, a Senator from the State of Montana, to perform the duties of the Chair during my absence.

CARL HAYDEN,
President pro tempore.

Mr. METCALF thereupon took the chair as Acting President pro tempore.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Monday, February 26, 1962, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries.

REPORT OF OFFICE OF MINERALS EXPLORATION—MESSAGE FROM THE PRESIDENT

The ACTING PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Interior and Insular Affairs:

To the Congress of the United States:

I transmit herewith the seventh Semi-annual Report of the Office of Minerals Exploration from the Secretary of the Interior as prescribed by section 5 of the act of August 21, 1958, entitled "To provide a program for the discovery of the mineral reserves of the United States, its territories and possessions by encouraging exploration for minerals, and for other purposes."

JOHN F. KENNEDY.

THE WHITE HOUSE, *March 1, 1962.*

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, informed the Senate that, pursuant to the provisions of section 1, Public Law 86-42, the Speaker had appointed Mr. JOHNSON of California, and Mr. INOUYE, of Hawaii, as members of the U.S. delegation of the Canada-United States Interparliamentary Group, for the meeting to be held in Ottawa, Canada, from February 28 to March 4, 1962.

The message also informed the Senate that the Speaker had appointed Mr. HARVEY of Michigan to serve as a member of the United States-Canada Interparliamentary Group.

The message announced that the House had passed, without amendment, the bill (S. 486) to provide for the appointment of two additional judges for the juvenile court of the District of Columbia.

The message also announced that the House had passed the bill (S. 1991) relating to manpower requirements, resources, development, and utilization, and for other purposes, with an amendment, in which it requested the concurrence of the Senate; that the House insisted upon its amendment to the bill, asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. POWELL, Mr. HOLLAND, Mr. O'HARA of Michigan, Mr. SMITH of Iowa, Mr. JOELSON, Mr. KEARNS, Mr. GOODELL, Mr. BRUCE, and Mr. GARLAND were appointed managers on the part of the House at the conference.

LIMITATION OF DEBATE DURING MORNING HOUR

On request of Mr. MANSFIELD, and by unanimous consent, it was ordered that statements in connection with the morning hour be limited to 3 minutes.

COMMITTEE MEETING DURING SESSION OF THE SENATE

On request of Mr. GORE, and by unanimous consent, the Constitutional Rights Subcommittee of the Committee on the Judiciary was authorized to meet during the session of the Senate today.

EULOGIES OF SENATOR SCHOEPPEL ON MARCH 13

Mr. MANSFIELD. Mr. President, for the information of the Senate, let me state that on March 13, at approximately 2 p.m., a time will be set aside for the purpose of allowing Senators to deliver eulogies on the passing of our late, beloved colleague, the Senator from Kansas, Mr. Schoeppel.

Mr. CARLSON. Mr. President, will the majority leader yield?

Mr. MANSFIELD. Yes, indeed.

Mr. CARLSON. I deeply appreciate the change of date. It is unfortunate that I have a schedule which will prevent my being present on March 5; and I assure the majority leader that I deeply appreciate this change of the date.

Mr. MANSFIELD. Mr. President, it is a pleasure in this instance, as in all others, to be able to comply with the request of the Senator most concerned; and I am happy that we are able to make a change which is convenient for all concerned.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The ACTING PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. FULBRIGHT, from the Committee on Foreign Relations:

John Calvin Hill, Jr., of South Carolina, a Foreign Service officer, for promotion from class 3 to class 2;

Philip J. Farley, of Virginia, for appointment as a Foreign Service officer of class 1, a consul general, and a secretary in the diplomatic service;

Lewis E. Gleeck, Jr., of California, and sundry other persons, now Foreign Service officers of class 2 and secretaries in the diplomatic service, to be also consuls general;

Samuel Owen Lane, of California, and Everett E. Melby, of Illinois, now Foreign Service officers of class 3 and secretaries in the diplomatic service, to be also consuls general;

Norman Armour, Jr., of New York, for reappointment in the Foreign Service as a Foreign Service officer of class 3, a consul, and a secretary in the diplomatic service;

Charles H. Taquey, of the District of Columbia, for appointment as a Foreign Service officer of class 3, a consul, and a secretary in the diplomatic service;

Charles C. Flowerree, of Virginia, and sundry other persons, for appointment as Foreign Service officers of class 4, consuls, and secretaries in the diplomatic service;

James F. Shea, of Maryland, for appointment as a Foreign Service officer of class 5, a consul, and a secretary in the diplomatic service;

Joseph Basile, of New Jersey, now a Foreign Service officer of class 6 and a secretary in the diplomatic service, to be also a consul;

Joseph O. Eblan, of New Hampshire, for appointment as a Foreign Service officer of class 6, a vice consul of career, and a secretary in the diplomatic service;

Philip J. Adler, of Pennsylvania, and sundry other persons, for appointment as Foreign Service officers of class 7, vice consuls of career, and secretaries in the diplomatic service;

David L. Aaron, of California, and sundry other persons, for appointment as Foreign Service officers of class 8, vice consuls of career, and secretaries in the diplomatic service;

Harris H. Huston, of Ohio, a Foreign Service Reserve officer, to be a consul general;

Stuart J. Bohacek, of Nebraska, and sundry other Foreign Service Reserve officers, to be consuls;

John W. Dixon, of Virginia, and Rodney N. Landreth, of Pennsylvania, Foreign Service Reserve officers, to be consuls and secretaries in the diplomatic service;

Charles L. Acree, Jr., of New Jersey, and sundry other Foreign Service Reserve officers, to be vice consuls;

Charles H. Bibbings, of Virginia, a Foreign Service Reserve officer, to be a vice consul and a secretary in the diplomatic service;

Thomas R. Blackshear, of California, and sundry other Foreign Service Reserve officers, to be secretaries in the diplomatic service;

Ernest J. Colton, of Virginia, a Foreign Service Staff officer, to be a consul;

Executive A, 87th Congress, 2d session. Amendment to the first sentence of subparagraph A.3 of article VI of the statute of the International Atomic Energy Agency, approved by the General Conference of the Agency on October 4, 1961; (Ex. Rept. No. 3); and

Executive F, 87th Congress, 1st session. Amendments to articles 10(a) (2) and (13) of the Convention of the World Meteorological Organization, as embodied in resolutions adopted at the Third Congress of the Organization, held at Geneva, from April 1 to 28, 1959 (Ex. Rept. No. 4).

By Mr. BYRD of Virginia, from the Committee on Finance:

Gertrude M. Cwikla, of Connecticut, to be collector of customs for customs collection district No. 6, with headquarters at Bridgeport, Conn.

The ACTING PRESIDENT pro tempore. If there be no further reports of committees, the nomination on the Executive Calendar will be stated.

AMBASSADOR

The Chief Clerk read the nomination of John Bartlow Martin, of Illinois, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Dominican Republic.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of this nomination.

The ACTING PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following communication and letters, which were referred as indicated:

AMENDMENT OF PEACE CORPS ACT

A communication from the President of the United States, transmitting a draft of proposed legislation to amend the Peace Corps Act (with an accompanying paper); to the Committee on Foreign Relations.

AUDIT REPORT ON EXCHANGE STABILIZATION FUND

A letter from the Secretary of the Treasury, transmitting, pursuant to law, a report of an audit of the exchange stabilization fund, for the fiscal year ended June 30, 1961 (with an accompanying report); to the Committee on Banking and Currency.

AMENDMENT OF ACT RELATING TO REMOVAL OF DANGEROUS AND UNSAFE BUILDINGS IN THE DISTRICT OF COLUMBIA

A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to amend section 4 of the act of Congress approved March 1, 1899, entitled "An act to authorize the Commissioners of the District of Columbia to remove dangerous and unsafe buildings and parts thereof, and for other purposes" (with an accompanying paper); to the Committee on the District of Columbia.

REPORT ON FINANCIAL CONDITION AND RESULTS OF OPERATIONS OF THE HIGHWAY TRUST FUND

A letter from the Secretary of the Treasury, transmitting, pursuant to law, a report on the financial condition and results of the operations of the highway trust fund, for the fiscal year ended June 30, 1961 (with an accompanying report); to the Committee on Finance.

REPORT ON FOREIGN EXCESS PROPERTY DISPOSED OF BY U.S. DEPARTMENT OF COMMERCE

A letter from the Director, Office of Administrative Operations, Department of Commerce, reporting, pursuant to law, on foreign excess property disposed of by that Department, during calendar year 1961; to the Committee on Government Operations.

AUDIT REPORT ON NATIONAL FUND FOR MEDICAL EDUCATION

A letter from the executive vice president, National Fund for Medical Education, New York, N.Y., transmitting, pursuant to law, a report of an audit of that fund, for the year ended December 31, 1961 (with an accompanying report); to the Committee on the Judiciary.

FINANCIAL STATEMENT OF BOYS' CLUBS OF AMERICA

A letter from the President, and National Director, Boys' Clubs of America, New York, N.Y., transmitting, pursuant to law, an audited financial statement of that organization, for the year 1961 (with an accompanying report); to the Committee on the Judiciary.

VACCINATION ASSISTANCE ACT OF 1962

A letter from the Secretary of Health, Education, and Welfare, transmitting a draft of proposed legislation to assist States and communities to carry out intensive vaccination programs designed to protect their populations, especially all preschool children, against poliomyelitis, diphtheria, whooping cough, and tetanus, and against other diseases which may in the future become susceptible of practical elimination as a public health problem through such programs (with accompanying papers); to the Committee on Labor and Public Welfare.

FINAL REPORT ON EXEMPTIONS AVAILABLE FOR EMPLOYMENT IN RESTAURANTS AND OTHER FOOD SERVICE ENTERPRISES

A letter from the Secretary of Labor, transmitting, pursuant to law, the final report on the exemptions available for employment in restaurants and other food service enterprises, dated February 1962 (with an accompanying report); to the Committee on Labor and Public Welfare.

FINAL REPORT ON EXEMPTIONS AVAILABLE FOR EMPLOYMENT IN HOTELS AND MOTELS

A letter from the Secretary of Labor, transmitting, pursuant to law, the final report on the exemptions available for employment in hotels and motels, dated February 1962 (with an accompanying report); to the Committee on Labor and Public Welfare.

REPORT OF LIBRARY OF CONGRESS

A letter from the Librarian of Congress, transmitting, pursuant to law, a report of the Library of Congress, for the fiscal year ended June 30, 1960 (with an accompanying report); to the Committee on Rules and Administration.

DISPOSITION OF EXECUTIVE PAPERS

A letter from the Administrator, General Services Administration, Washington, D.C., transmitting, pursuant to law, a report of the Archivist of the United States on a list of papers and documents on the files of several departments and agencies of the Government which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The ACTING PRESIDENT pro tempore appointed Mr. JOHNSTON and Mr. CARLSON members of the committee on the part of the Senate.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the ACTING PRESIDENT pro tempore:

A concurrent resolution of the Senate of the Commonwealth of Kentucky; to the Committee on Finance:

"SENATE RESOLUTION 19

"Concurrent resolution relative to Federal income taxation of the interest derived from public bonds

"Whereas the State of Kentucky and the political subdivisions thereof have in the past and are now currently engaged in financing, through the issuance of bonds, needed public improvements such as the building of schools, highways, toll roads and other projects for the promotion of the health, safety, and welfare of the people; and

"Whereas the interest income which the owner derives from such bonds has in the past and is now currently exempt from the imposition of any Federal income tax; and

"Whereas the Federal taxation of the interest of such bonds, as income, would result in the curtailment of construction of needed public improvements, and would result in either an increase of taxes imposed by the State of Kentucky and any political subdivision thereof in order to pay higher interest costs, or the assumption by the Federal Government of the responsibility of financing such improvements; and

"Whereas there is currently a national movement to permit the imposition of the Federal income tax on the interest income from the bonds issued or to be issued by the several States and their political subdivisions: Now, therefore, be it

"*Resolved by the Senate of the Commonwealth of Kentucky (the House of Representatives concurring therein)*:

"SECTION 1. That the General Assembly of the State of Kentucky respectfully memorializes the President and the Congress of the United States to oppose any amendment of the Constitution of the United States, or any other action by the Congress of the United States, or the executive branch thereof, which would have the effect of subjecting the income from State and local bonds to a Federal tax or to cause the tax to be increased because of such bond holdings by a taxpayer whether or not the increase is in fact titled a tax; and

"SEC. 2. That the clerk of the senate is hereby directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from Kentucky in the Congress of the United States.

"Attest:

"JOHN K. KILLIS,
"*Chief Clerk of the Senate.*"

A resolution of the Senate of the State of Georgia; to the Committee on Labor and Public Welfare:

"SENATE RESOLUTION 105

"Resolution designed to institute a method of instruction for the youth of Georgia in the dogmas and tenets of Americanism and to develop intelligent and aggressive opposition to communism and teach loyalty to our American political and economic sytaem

"Whereas the totalitarianism of aggressive world communism constantly threatens the peace of the world and the continued existence of the United States of America as a free republic composed of sovereign States; and

"Whereas it is becoming increasingly apparent that if we as a Nation are to successfully combat and defeat the Communist conspiracy at home and abroad and perpetuate and strengthen our American way of life, it is essential that every American citizen must know and understand the fundamental theories and basic principles of our American constitutional, social, economic, and political system and also, by way of contrast, the strategy, tactics, nature, effects, logistics, purposes and principles of communism as it actually operates in the world today; and

"Whereas, the General Assembly of the State of Georgia finds it to be a fact that—

"(a) Political ideology commonly known and referred to as communism is in conflict and contrary to the principle of constitutional Government of the United States of America as epitomized in its National Constitution;

"(b) The successful exploitation and manipulation of youth and student groups throughout the world that are a major challenge which free world forces must meet and defeat;

"(c) The best method of meeting this challenge is to have the youth of the State and Nation thoroughly and completely informed as to the evils, dangers, and fallacies of communism by giving them a thorough understanding of the entire Communist movement including its history, doctrines, objectives, and techniques; and

"Whereas it is the opinion of this august body that it is imperative that an organized and comprehensive educational effort should be promptly undertaken by every school and educational institution in the State of Georgia and throughout the United States so that the necessary instruction and indoctrination to this end can be imparted and the present lethargy and mass ignorance of the true character and consequence of Soviet communism can be dispelled; and

"Whereas it is the belief of the General Assembly of Georgia that every high school and college student in the State of Georgia should be required to take a separate course or unit of study as part of the regular and mandatory curriculum at some time during the latter portion of his period of high school or college studies respectively, which would not only give to every student a clear understanding of and a deep loyalty to the ideals, the principles, traditions, advantages, and institutions of representative democracy and free capitalism in a federation of sovereign states as established by the drafters of the Constitution of the United States; but which would at the same time, by comparison teach every student why communism and socialism are evil and vicious, why they destroy the freedom, well-being, dignity, and happiness of the individual, and why they are our implacable enemy, to the end that students will understand the propaganda and dishonesty of Soviet Russia, Red China, and the other apparatus and affiliates of organized communism and national socialism; and

"Whereas the General Assembly of Georgia is convinced that a sound, comprehensive and universal program of high school and college instruction of this scope is indispensable to an adequate national defense and vital to assure that the citizens of Georgia in the future will be equipped to reject and intelligently argue against and destroy the lures, traps, pitfalls, lies and propaganda of communism with reason, communication and logic based on a thorough knowledge of the concepts and fundamental elements of our American system and a firm grasp of the belief of decentralized government, representative democracy, free competitive capitalism, separation of powers in government, private ownership of property and the means of production, reasonable and limited taxation, and reserved powers of the States, freedom of religion, speech, press, voting, and of course, individual economic opportunities, limited powers of Federal Government, separation of church and state activities and the essential figures of our American economic system: Therefore be it

"*Resolved by the General Assembly of the State of Georgia*, That the State school superintendent, the State board of education, the chancellor and board of regents of the university system of Georgia, and the governing authorities of all private and public high schools and colleges in Georgia are hereby earnestly urged, requested, memorialized, and petitioned to take prompt action to respectively—

"(1) establish a mandatory requirement that a separate required comprehensive 6-week unit of instruction be instituted in every high school in Georgia during the 1962–63 school year within the framework of the presently required course on American history in the 11th or 12th grades, teaching Americanism versus communism within the scope and objectives as hereinabove described;

"(2) establish a mandatory requirement beginning with the 1962–63 school year that each college or university student in either his junior or senior year will be required to take a separate and comprehensive course or unit of instruction for at least 10 clock hours, teaching Americanism versus communism within the scope and objectives as hereinabove described; and be it further

"*Resolved*, That we believe that these courses should be part of the regular, prescribed and required high school, college, and university curricular and that no student should be graduated or receive a diploma from any high school, college, or university who fails to successfully complete this course or unit of instruction in Americanism versus communism; and be it further

"*Resolved*, That this body urges the State board of education and the board of regents of the university system of the State of Georgia to prepare, approve, select, or prescribe all textbooks, teachers' manuals, student workbooks, reference books, and materials, and other things such as films, tapes, visual aids, pamphlets used in such courses or units of instruction and to supply same; and be it further

"*Resolved*, That the secretary of the senate is hereby requested to mail a copy of this resolution to each newspaper, radio and television station in the State of Georgia, the State school superintendent and each member of the State board of education, the chancellor of the university system of Georgia and each member of the board of regents of said university system, the president of each college or university in the State of Georgia, each county and city school superintendent, each member of every county or city school board, to the governing authorities of every private secondary school in the State of Georgia, to the President and Vice President of the United States, to each Member of the Congress of the United States, to each judge of the Supreme Court and every district court of the State of Georgia, to the Governor, the Lieutenant Governor, attorney general, and chief education official of each State of the Union, to each and every Federal court and to the principal of each high school in the State of Georgia."

A resolution of the Assembly of the State of New York; ordered to lie on the table:

"RESOLUTION 130

"Resolution congratulating Astronaut John H. Glenn on his orbital flight

"Whereas Astronaut John H. Glenn today successfully completed orbital flight around the earth; and

"Whereas this accomplishment has won for him respect and admiration and it is the sense of the people of the State of New York as expressed by the considered judgment of the members of the legislature that cognizance be taken of the meritorious and courageous personal effort; and

"Whereas these qualities of devotion, courage, dedication and faith show to the men of the free world that this great Nation will long endure and lead all men of the earth in a conquest of the frontiers of space as our forefathers conquered the frontiers of this continent; Now, therefore, be it

"*Resolved*, That the members of the Assembly of the State of New York do hereby extend to Astronaut John H. Glenn their heartiest congratulations on this memorable occasion and express their sincere personal wishes for continued good health and future success for him and his family; and be it further

"*Resolved*, That copies of this resolution be transmitted to Astronaut John H. Glenn and his family, the President of the United States, the Secretary of the Senate and Clerk of the House of Representatives of the United States.

"By order of the assembly.

"ANSLEY B. BORKOWSKI,
"*Clerk.*"

A resolution adopted by the fall board meeting of the Waco Junior Chamber of Commerce, Waco, Tex., opposing the sale of certain agricultural commodities to Russia; to the Committee on Commerce.

A resolution adopted by the national board of officers of the Catholic War Veterans of the United States of America, Washington, D.C., relating to the death of the late Speaker of the House of Representatives, Sam Rayburn; ordered to lie on the table.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BYRD of Virginia, from the Committee on Finance, without amendment:

H.R. 641. An act to provide for the free entry of an intermediate lens beta-ray spectrometer for the use of Tulane University, New Orleans, La. (Rept. No. 1218); and

H.R. 10050. An act to provide for a further temporary increase in the public debt limit set forth in the Second Liberty Bond Act (Rept. No. 1221).

By Mr. ANDERSON, from the Committee on Interior and Insular Affairs, without amendment:

S. 1023. A bill to amend the Act of August 20, 1954 (68 Stat. 752), in order to provide for the construction, operation, and maintenance of additional features of the Talent division of the Rogue River Basin reclamation project, Oregon (Rept. No. 1220); and

H.R. 7855. An act granting the consent of Congress to an amendment to a compact ratified by the States of Louisiana and Texas and relating to the waters of the Sabine River (Rept. No. 1219).

By Mr. JACKSON, from the Committee on Interior and Insular Affairs, without amendment:

S. 2774. A bill to amend section 8 of the Organic Act of Guam and section 15 of the Revised Organic Act of the Virgin Islands, to provide for appointment of acting secretaries for such territories under certain conditions (Rept. No. 1222); and

H.R. 7666. An act to amend section 17(a) of the Revised Organic Act of the Virgin Islands pertaining to the salary of the government comptroller (Rept. No. 1224).

By Mr. JACKSON, from the Committee on Interior and Insular Affairs, with amendments:

S. 2775. A bill to remove the ceiling on the authorization for appropriation for the government of the Trust Territory of the Pacific Islands (Rept. No. 1223).

REPORT ENTITLED "THE MIGRATORY FARM LABOR PROBLEM IN THE UNITED STATES, SECOND REPORT" (S. REPT. NO. 1225)

Mr. BURDICK. Mr. President, from the Committee on Labor and Public Welfare, pursuant to Senate Resolution 86, 87th Congress, 1st session, I submit a report entitled "The Migratory Farm Labor Problem in the United States, Second Report," and ask unanimous consent that the report be received and that it remain on the table until March 8, 1962, in order that minority or individual views may be received and printed as part of the report.

The ACTING PRESIDENT pro tempore. The report will be received, printed, and lie on the desk, as requested by the Senator from North Dakota.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by

unanimous consent, the second time, and referred as follows:

By Mr. SPARKMAN:

S. 2902. A bill for the relief of Sumiko Takahashi; to the Committee on the Judiciary.

By Mr. WILEY:

S. 2903. A bill to amend section 130(a) of title 28, United States Code, so as to reconstitute the Eastern Judicial District of Wisconsin to include Menominee County, Wis.; and

S. 2904. A bill for the relief of Herrn Stefan Zappel; to the Committee on the Judiciary.

By Mr. CHAVEZ:

S. 2905. A bill to authorize the disposal of surplus property to State agencies regularly engaged in the operation of annual fairs and similar expositions; to the Committee on Government Operations.

S. 2906. A bill for the relief of Elvira Alonso Canedo, Maria del Pilar Alonso Canedo, and Gloria Alonso Canedo; to the Committee on the Judiciary.

By Mr. CHAVEZ (by request):

S. 2907. A bill to authorize an additional appropriation for the Rama Road; to the Committee on Public Works.

By Mr. DOUGLAS:

S. 2908. A bill for the relief of Rosa Fumarola Ballce; to the Committee on the Judiciary.

By Mr. SMATHERS:

S. 2909. A bill for the relief of Carl Henrik Brodin; to the Committee on the Judiciary.

By Mr. HILL:

S. 2910. A bill to assist States and communities to carry out intensive vaccination programs designed to protect their populations, especially all preschool children, against poliomyelitis, diphtheria, whooping cough, and tetanus, and against other diseases which may in the future become susceptible of practical elimination as a public health problem through such programs; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. HILL when he introduced the above bill, which appear under a separate heading.)

By Mr. BURDICK:

S. 2911. A bill to donate to the Devils Lake Sioux Tribe of the Fort Totten Indian Reservation, N. Dak., approximately 275.74 acres of federally owned land; to the Committee on Interior and Insular Affairs.

By Mr. KEATING:

S. 2912. A bill to amend Private Law 86-339; to the Committee on the Judiciary.

By Mr. BEALL:

S. 2913. A bill for the relief of Nellie M. Cox; to the Committee on the Judiciary.

S. 2914. A bill to provide for the issuance of a special postage stamp in commemoration of the 165th anniversary of the launching of the U.S. frigate *Constellation* at Baltimore, Md.; to the Committee on Post Office and Civil Service.

By Mr. BIBLE (by request):

S. 2915. A bill to revise the boundary of Dinosaur National Monument, and for other purposes; and

S. 2916. A bill to change the names of the Edison Home National Historic Site and the Edison Laboratory National Monument, to authorize the acceptance of donations, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BUSH:

S. 2917. A bill for the relief of Dr. Florencio A. Hipona; to the Committee on the Judiciary.

By Mr. CURTIS:

S. 2918. A bill to amend subsection (c) of section 303 of the Communications Act of 1934, with respect to the hours of operation of certain broadcasting stations; to the Committee on Commerce.

By Mr. SPARKMAN (by request):

S. 2919. A bill to authorize certain retired personnel of the U.S. Government to accept and wear decorations, presents, and other things tendered them by certain foreign countries; to the Committee on Foreign Relations.

(See the remarks of Mr. SPARKMAN when he introduced the above bill, which appear under a separate heading.)

By Mr. SMITH of Massachusetts:

S. 2920. A bill for the relief of Konstantinos H. Rigas; and

S. 2921. A bill for the relief of Nikolos Z. Lakios; to the Committee on the Judiciary.

By Mr. KEFAUVER:

S. 2922. A bill for the relief of Raymond Chester Hendon;

S. 2923. A bill for the relief of Thomas L. Cable;

S. 2924. A bill for the relief of the estate of Gerald A. Orken; and

S. 2925. A bill for the relief of Berry Orville Smallwood; to the Committee on the Judiciary.

By Mr. LONG of Louisiana:

S. 2926. A bill to amend section 620 of the Foreign Assistance Act of 1961 so as to prohibit assistance under that act to the government of any country which has not established equitable procedures for compensating U.S. citizens for loss of property by expropriation; to the Committee on Foreign Relations.

(See the remarks of Mr. LONG of Louisiana when he introduced the above bills, which appear under a separate heading.)

By Mr. CASE of South Dakota:

S. 2927. A bill to provide for the distribution of the total net income from wildlife refuges administered by the U.S. Fish and Wildlife Service of the Department of the Interior, and for other purposes; to the Committee on Commerce.

(See the remarks of Mr. CASE of South Dakota when he introduced the above bill, which appear under a separate heading.)

By Mr. SMATHERS:

S. 2928. A bill for the relief of Seymour K. Owens; to the Committee on the Judiciary.

By Mr. SYMINGTON (for himself and Mr. LONG of Missouri):

S. 2929. A bill to amend the General Bridge Act of 1946 for the purpose of maintaining existing bridge clearances on the Mississippi River and connecting rivers and waterways; to the Committee on Public Works.

By Mr. MOSS:

S. 2930. A bill for the relief of Chester J. Olsen; to the Committee on the Judiciary.

By Mr. TOWER:

S. 2931. A bill to amend the antitrust laws to prohibit certain activities of labor organizations in restraint of trade and commerce, and for other purposes; to the Committee on the Judiciary.

S. 2932. A bill to amend the Internal Revenue Code of 1954 so as to provide for scheduled personal and corporate income tax reductions, and for other purposes; to the Committee on Finance.

(See the remarks of Mr. TOWER when he introduced the above bills, which appear under a separate heading.)

By Mr. HUMPHREY (for himself and Mr. MCCARTHY):

S. 2933. A bill to extend the authority of the Secretary of the Army to lease a portion of Twin Cities Arsenal, Minn., to Independent School District No. 16, Minnesota; to the Committee on Armed Services.

By Mr. SMATHERS:

S. 2934. A bill to authorize the erection of a monument in commemoration of the first U.S. manned vehicle orbital flight around the earth; to the Committee on Rules and Administration.

(See the remarks of Mr. SMATHERS when he introduced the above bill, which appear under a separate heading.)

By Mr. FULBRIGHT (by request):

S. 2935. A bill to amend the Peace Corps Act; to the Committee on Foreign Relations.

(See the remarks of Mr. FULBRIGHT when he introduced the above bill, which appear under a separate heading.)

By Mr. MORSE (for himself, Mr. MAGNUSON, Mr. BARTLETT, Mr. BIBLE, Mr. CARROLL, Mr. CHURCH, Mr. ENGLE, Mr. GRUENING, Mr. JACKSON, Mr. MCGEE, Mr. METCALF, Mr. MOSS, Mrs. NEUBERGER, and Mr. HICKEY):

S. 2936. A bill to amend chapter 3 of title 23, United States Code, to provide for the system of forest development roads and trails needed for the utilization and protection of lands administered by the Forest Service, and for other purposes; to the Committee on Public Works.

(See the remarks of Mr. MORSE when he introduced the above bill, which appear under a separate heading.)

By Mr. SCOTT (for himself and Mr. BUTLER):

S.J. Res. 160. Joint resolution to authorize the Secretary of Commerce to contract pursuant to the Merchant Marine Act, 1936, as amended, for the construction of at least two oceangoing ore or coal carriers; to the Committee on Commerce.

By Mr. TOWER:

S.J. Res. 161. Joint resolution to establish rules of interpretation governing questions of the effect of acts of Congress on State laws; to the Committee on the Judiciary.

S.J. Res. 162. Joint resolution directing the Secretary of Agriculture to submit proposals to the Congress for the gradual termination of unnecessary Federal controls on farming; to the Committee on Agriculture and Forestry.

S.J. Res. 163. Joint resolution to establish the Joint Committee on Foreign Trade; to the Committee on Commerce.

S.J. Res. 164. Joint resolution proposing an amendment to the Constitution of the United States relative to the balancing of the budget; to the Committee on the Judiciary.

(See the remarks of Mr. TOWER when he introduced the above joint resolutions, which appear under a separate heading.)

CONCURRENT RESOLUTION

TO EXPRESS THE SENSE OF CONGRESS THAT THE PURPOSE OF U.S. FOREIGN POLICY IS VICTORY OVER COMMUNISM

Mr. TOWER submitted a concurrent resolution (S. Con. Res. 60) to express the sense of Congress that the purpose of U.S. foreign policy is victory over communism, which was referred to the Committee on Foreign Relations.

(See the above concurrent resolution printed in full when submitted by Mr. TOWER, which appears under a separate heading.)

RESOLUTION

INVESTIGATION OF GOVERNMENT COMPETITION WITH PRIVATE BUSINESS

Mr. TOWER submitted a resolution (S. Res. 303) to provide for an investigation of Government competition with private business, which was referred to the Committee on Government Operations.

(See the above resolution printed in full when submitted by Mr. TOWER, which appears under a separate heading.)

VACCINATION ASSISTANCE ACT OF 1962

Mr. HILL. Mr. President, I introduce, for appropriate reference, a bill to assist States and communities to carry out intensive vaccination programs designed to protect their populations, especially all preschool children, against poliomyelitis, diphtheria, whooping cough, and tetanus, and against other diseases which may in the future become susceptible of practical elimination as a public health problem through such programs. I ask unanimous consent that a letter from the Secretary of the Department of Health, Education, and Welfare relating to the bill, be printed in the RECORD.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the RECORD.

The bill (S. 2910) to assist States and communities to carry out intensive vaccination programs designed to protect their populations, especially all preschool children, against poliomyelitis, diphtheria, whooping cough, and tetanus, and against other diseases which may in the future become susceptible of practical elimination as a public health problem through such programs, introduced by Mr. HILL, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

The letter presented by Mr. HILL is as follows:

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE,
Washington, D.C., February 27, 1962.

Hon. LYNDON B. JOHNSON,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: I am enclosing for your consideration a draft of a bill to assist States and communities to carry out intensive vaccination programs against poliomyelitis and certain other infectious diseases.

This proposed legislation would carry out the President's recommendation for such assistance in his special health message.

Modern medical research has provided us with vaccines capable of conquering certain infectious diseases which have been major threats to the public health, and more such preventive agents can be anticipated in the near future. The purpose of this bill is to provide Federal leadership in assuring that these medical discoveries will be so utilized as to achieve the maximum benefits and protection to the public.

The draft bill would amend the Public Health Service Act to authorize a short-term program of special project grants to States and communities for intensive vaccination programs against poliomyelitis, diphtheria, whooping cough, and tetanus. It would also authorize similar aid for intensive programs directed toward other major infectious diseases when vaccines or other preventive agents become available which are capable of eliminating any such disease as a public health problem.

The need for this proposed authorization can be illustrated by a brief review of the development and application of the Salk vaccine for the prevention of poliomyelitis. Seven years ago medical research developed, for the first time, an effective preventive measure against this serious disease. As soon as the vaccine became available in adequate supply, the health resources of the Nation were mobilized in an effort to accelerate its distribution and to assure its availability to susceptible persons throughout the country. The results to date have been very gratifying, as indicated by the sharp drop in the incidence of poliomyelitis throughout the Nation in recent years.

Despite this progress, however, poliomyelitis has not yet been truly conquered in the United States, as evidenced by recent studies of the immunization status of our population. These studies reveal that large segments of the population in all parts of the country still have little or no protection against polio. The largest of the unprotected groups is comprised of children under 5 years of age. Although these children are particularly susceptible to poliomyelitis, substantially less than one-half of them have been adequately protected through vaccination. Apart from their individual susceptibility to the disease, these children, together with other unvaccinated persons, constitute a community epidemic hazard which must be eliminated if we are to complete our conquest of poliomyelitis.

This pattern of incomplete public protection, with large population groups remaining unvaccinated, is not confined to poliomyelitis. On the contrary, it is very closely paralleled in the case of other diseases for which effective vaccines are available—diphtheria, whooping cough, and tetanus. Indeed, the very same groups, and particularly the preschool children, who are lacking in protection against poliomyelitis are also unprotected against these other serious infectious diseases. This common problem arises from the fact that these groups are the most difficult to reach through ordinary vaccination programs.

If we are to overcome the public health hazards represented by this pattern of incomplete vaccination protection, a two-stage national effort will be required. First, and most immediately necessary, is a nationwide program of intensive community vaccination campaigns aimed at the coverage of all substantial groups of unvaccinated susceptible persons. Second, these intensive programs must be followed up with measures to strengthen regular ongoing vaccination programs, with particular attention to more effective coverage of the newly born each year.

The proposed draft legislation is directed primarily toward the first step in this effort. It would authorize special Federal assistance to stimulate and assist in financing intensive community vaccination programs initiated prior to June 30, 1965, which are directed toward elimination of our present deficiencies of vaccination against poliomyelitis, diphtheria, whooping cough, and tetanus. Under the bill these programs must be so designed and conducted as to achieve the immunization of practically all susceptible persons in the community, particularly children who are under the age of 5 years. Convenience and inexpensiveness will be the deciding factors to many groups of individuals who have not been previously immunized. It will, therefore, be necessary for each program to provide enough public or nonprofit community vaccination facilities to vaccinate at no or low cost all who wish to avail themselves of this method of vaccination and, in the case of children under 5, without charge for the vaccine or its administration. However, for those people who prefer to turn to their private physicians for their vaccinations, free vaccine purchased with the aid of Federal funds could also be made available to their physicians for vaccination of children under 5.

Federal grant funds could be used for the purchase of vaccine for children under 5 years of age and for the salaries and related expenses of additional State and local health personnel required to promote and organize intensive community programs and to maintain the epidemiologic and laboratory surveillance required. The States and communities, for their part, would be responsible for supporting, through public funds or otherwise, all other elements of the intensive programs—including the services of physicians, nurses, and other personnel required in the conduct of each community program, and the purchase of vaccine for persons other than children under 5. The methods of organizing and conducting local programs—including the choice as to which of the available polio vaccines will be used for different groups—would be left to State and local determination.

With respect to the followup or vaccination maintenance programs, the draft bill specifies that an "intensive community vaccination program" shall include "plans and measures looking toward strengthening of ongoing community programs." Federal assistance under this proposed new program would be available only for the development and installation of such plans and measures, however. It would not be available for the continuing support of these ongoing programs. Whatever Federal aid may be required for this purpose would be provided, as it is now, through the regular matching grant programs authorized by existing provisions of the Public Health Service Act and by title V of the Social Security Act.

In addition to the provisions relating specifically to programs of vaccination against poliomyelitis, diphtheria, whooping cough, and tetanus, the draft bill also authorizes similar aid for intensive programs directed against other serious infectious diseases, such as measles, for which effective preventive agents may become available in future years. This standby authorization does not commit the Federal Government to participate in the costs of all immunization programs deriving from the discovery of new vaccines or preventive agents in future years. It is specifically limited to programs directed against an infectious disease which represents a major public health problem and which is susceptible of practical elimination as a public health problem through the kind of intensive community programs for which grants would be authorized.

In our opinion, the provision of Federal aid to States and communities for the purposes authorized by the draft bill will greatly add to the protection of the Nation's health and will represent a forward step in assuring that future advances in medical research will be promptly and effectively applied toward this national objective.

We shall appreciate it if you will refer the enclosed draft bill to the appropriate committee for consideration.

In compliance with Public Law 801, 84th Congress, there is enclosed a statement of estimated costs and personnel requirements which would be entailed by enactment of the proposed legislation.

The Bureau of the Budget advises that enactment of this legislation would be in accord with the program of the President.

Sincerely,

ABRAHAM RIBICOFF,
Secretary.

OMNIBUS FOREIGN DECORATIONS LEGISLATION

Mr. SPARKMAN. Mr. President, by request I introduce, for appropriate reference, a bill to authorize certain retired personnel of the U.S. Government to accept and wear decorations, presents, and other things tendered them by certain foreign countries.

The proposed legislation has been requested by the Secretary of State, and I am introducing it in order that there may be a specific bill to which Members of the Senate and the public may direct their attention and comments.

Mr. President, such a bill is ordinarily introduced every 2 or 3 years in order to bring up to date the list of those who have received foreign decorations. It is a rather lengthy bill. I have not yet had an opportunity to examine it in detail. Therefore, I reserve my right to support or oppose this bill, as well as any suggested amendments to it, when the matter is considered by the Committee on Foreign Relations.

I ask unanimous consent that the letter from the Secretary of State, dated February 6, 1962, to the Vice President in regard to the bill may be printed in the RECORD at this point.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the RECORD.

The bill (S. 2919) to authorize certain retired personnel of the U.S. Government to accept and wear decorations, presents, and other things tendered them by certain foreign countries, introduced by Mr. SPARKMAN, by request, was received, read twice by its title, and referred to the Committee on Foreign Relations.

The letter presented by Mr. SPARKMAN is as follows:

Hon. LYNDON B. JOHNSON,
President of the Senate.

DEAR MR. VICE PRESIDENT: On April 13, 1954, the President issued an instruction to the heads of executive departments and establishments directing each agency to transmit to the Secretary of State a list of its retired personnel for whom the Department of State under the provisions of the act of January 31, 1881 (5 U.S.C. 115), is holding decorations, orders, medals, or presents tendered them by foreign governments and for the acceptance of which the agency desires to request the consent of Congress required by article 1, section 9, clause 8 of the Constitution. The Presidential instruction further directs the Secretary of State to have prepared an omnibus authorizing bill covering the retired personnel listed by agencies and to transmit such bill and consolidated list to the Congress.

In accordance with this instruction and with the requirements of the act of January 27, 1934 (5 U.S.C. 115a), there is transmitted herewith a proposed bill to authorize certain retired personnel of the U.S. Government to accept and wear decorations, presents, and other things tendered them by certain foreign countries.

From the standpoint of the foreign relations of the United States, the Department perceives no objection to acceptance by these persons of the decorations, presents, and other things tendered by the foreign countries indicated in the attached bill.

The proposed bill lists only those names of persons who have become eligible for inclusion during the last 4 years. Attention is invited, therefore, to the problem presented by the growing accumulation of awards which the Department is required to hold. It is hoped that the Congress will give its early consideration to this proposed bill during this session. A similar communication has been forwarded to the Speaker of the House of Representatives.

The Department has been advised by the Bureau of the Budget that there is no objection from the standpoint of the administration's program to the submission of this proposal to the Congress for its consideration.

Sincerely yours,

DEAN RUSK.

AMENDMENT OF FOREIGN ASSISTANCE ACT OF 1961

Mr. LONG of Louisiana. Mr. President, recently, the governor of one of the states of Brazil seized the properties of Campanhia Telefonica Nacional, a Brazilian telephone company owned by an American firm. The compensation: $400,000 in Brazilian currencies—not U.S. dollars—is approximately 5 percent of the estimated value of the seized properties.

Nationalization of U.S. property in foreign lands is not something brand-new. It has happened many times. A certain amount of it is expected from time to time. Sometimes it can be justified or at least excused.

Yet, when the confiscation becomes wholesale and the U.S. Government seems to cooperate in it, that is a different matter. Confiscation became wholesale in Cuba and was a prelude to communism in that island. It threatens to become wholesale in Brazil. Should it herald the establishment of a Communist state in Brazil, we would not have a small infection to contend with, but a mighty cancer in the largest country in Latin America that could easily spread throughout the rest of Central and South America.

And, certainly, if the United States pursues its present course, it would be lending encouragement, if not open assistance to more such seizures of U.S. citizens' property.

The U.S. Government has already sent a billion and a half dollars in foreign aid to Brazil. Hardly a day has gone by in the last 6 months when some new aspect of U.S. foreign aid to Brazil has not been brought to light. At the very moment of the seizure of this International Telephone & Telegraph outlet in Brazil, our Government is reportedly engaged in negotiations for the allocation of another half-billion dollars of foreign aid to Brazil.

We have come to a crossroad in our foreign aid program in general and in the alliance for progress in particular. Now is the time when we should decide whether to stop the practice of expropriation of U.S. property and other equally outrageous practices or to ignore, even encourage such practices. I say "encourage" because our foreign aid may well be put to good use in expropriating others of our citizens' properties.

The problem is now before us. Do we get tough, or do we speak the language that the recipients of our foreign aid have come to know: generosity without end, without objective, without constructive purpose? Do we tell countries such as Brazil that their aid is stopped until they learn to handle it in a way we think proper and until they help us in our life or death struggle against communism? Or do we say: 'You do with the aid as you see fit—if you think it can be best put to use by financing your takeover of our citizens' property, that is your privilege; we attach no conditions to your use of our funds'?

It would be my suggestion that we should pull the purse strings closed until we are assured that the money will be spent to do what we want done, which means the improvement of the lives of the people, and that the country will cooperate with us politically. This would discourage the abstentions such as those at the Punta del Este meeting. We should rid ourselves of the wholly impractical notion that our foreign policy is based completely on long-term economic gains, separate and apart from any short-term political or economic considerations. In the long run, we will all be dead, and the decision of freedom or slavery will be behind us.

Thus, we should not continue generous U.S. foreign aid at the same time that the aid's recipients are seizing, virtually without compensation, valuable property of those U.S. taxpayers who are paying for that very aid.

Specifically, our Government should tell the Government of Brazil that the I.T. & T. property must be returned or adequate compensation made and that no such take-aways will occur in the future or else forget about any further gifts or loans from us. All aid to Brazil should be held up until adequate assurances have been obtained that fair treatment will be accorded to Americans who in good faith have sought to bring development to Brazil and that future aid will not be frittered away in graft and mismanagement. In Brazil's case, this sanction should be imposed administratively, but we should legislate these conditions on aid in the future. Toward that end, I now introduce an amendment to the Foreign Assistance Act of 1961, which would direct the President to stop aid to a country which permitted expropriation of property of U.S. citizens without proper compensation; and I ask unanimous consent that the bill may lie on the desk for 5 days in case any other Senator wishes to add his name as a cosponsor.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk, as requested by the Senator from Louisiana.

The bill (S. 2926) to amend section 620 of the Foreign Assistance Act of 1961 so as to prohibit assistance under that act to the government of any country which has not established equitable procedures for compensating U.S. citizens for loss of property by expropriation, introduced by Mr. LONG of Louisiana, was received, read twice by its title, and referred to the Committee on Foreign Relations.

Mr. LONG of Louisiana. Mr. President, I have long advocated that we must spell out in precise language in our law what conditions we expect to be abided by in our foreign aid program. Unless we do that here in Congress, it will not be done, for the administrators of the aid program have a longstanding fear that, if they are not able to give away each year all of the money that we appropriate to them for such purposes, Congress will not appropriate as large an amount in the following year.

We should act immediately, for if we permit Brazil to confiscate and still receive the bountiful offerings of our aid, there will be nothing to discourage other countries from doing likewise.

The seizures in Cuba substantially reduced the amount of private capital being funneled into the underdeveloped nations of Latin America. The once mighty flow of U.S. capital, reduced to a mere trickle, might cease altogether should Brazil continue to seize and its neighbors follow suit. This would be doubly dangerous, for from all indications the end of private investment in foreign countries seems to increase the outpouring of public funds from this Nation to those foreign countries.

Unless precautions are taken, we may find the foreign aid funds of U.S. taxpayers actually being used to finance the nationalization or taking away of property belonging to those same taxpayers. A true case of "heads you win, tails I lose."

On the other hand, our foreign aid program could be used to guarantee fair treatment to our private investors. These private investors could in turn reduce the need of foreign aid. This is the direction in which we should be headed.

The opposite situation would be to have the foreign aid program administered in such a way that the more we give, the more we have to give. I fear this is the manner in which the program is presently being administered. Our foreign aid is fast becoming an automatic pump priming proposition for many countries with the result that the more we pay today, the more we shall be compelled to pay in the future.

The crisis is at hand. I ask my colleagues in Congress to help me point the way that the administration must take.

DISTRIBUTION OF INCOME FROM WILDLIFE REFUGES

Mr. CASE of South Dakota. Mr. President, I introduce, for appropriate reference, a bill to provide for the distribution of income from wildlife refuges administered by the U.S. Fish and Wildlife Service of the Department of the Interior for payments in lieu of taxes and to authorize U.S. Fish and Wildlife Service to dispose of uplands surplus to their needs for the wetlands acquisition program.

I ask unanimous consent to have printed in the RECORD at this point in my remarks two items which document the need for such legislation: first, an article which appeared in the Webster Reporter and Farmer dated January 10, 1962, by Mr. Harold Card, publisher of this newspaper which points out the significance of the wetlands acquisition program and stresses the need for a clear understanding of its implications; second, a letter from R. W. Burwell, the regional director of Fish and Wildlife, which appeared in the Webster Reporter and Farmer on the same date as a companion report to Mr. Card's article.

There being no objection, the article and letter were ordered to be printed in the RECORD, as follows:

[From the Webster (S. Dak.) Reporter and Farmer, Jan. 10, 1962]

AREA COUNTY COMMISSIONERS TALK U.S. WETLANDS ACQUISITION PLAN

The program of the U.S. Fish and Wildlife Service to acquire, by purchase or lease, wetlands in South Dakota to bolster waterfowl production, highlighted discussion last Thursday afternoon at the quarterly meeting of the Northeastern South Dakota County Commissioners Association, held at the Izaak Walton Clubhouse at Webster.

Information regarding the program was somewhat limited and no formal action by the group was taken. A proposal was made that at the April meeting of the association, representatives of the Fish and Wildlife Service as well as Izaak Walton and sportsman clubs be invited to attend.

Main discussion at the meeting centered around the fact that lands purchased by the Fish and Wildlife Service would be taken off the tax rolls and that this could result in hardship for school districts as well as the entire county.

SENATOR JOINS DISCUSSION

Senator FRANCIS CASE, who addressed the meeting on highways and other matters and joined in the discussion on the wetlands program, told of proposals made in Congress to reimburse certain areas for tax losses sustained under Federal programs. Later information was furnished that Governor Gubbrud, of South Dakota, Governor Guy, of North Dakota, and Governor Anderson, of Minnesota, have been contacted in the hope that a program could be worked out for presentation to Congress.

Presently a portion of the money received from the sale of duck stamps is earmarked for the purchase of "brooding areas" but no provision is made for use of these moneys for reimbursing local taxing districts for revenues lost by removal of these lands from tax rolls.

WORKING IN DAY COUNTY

Representatives of the Aberdeen office have been working in Day County and elsewhere for some time negotiating land purchase and lease agreements. These representatives appeared before the Day County commissioners about a month ago asking the latter to approve a resolution which in effect stated that they were familiar with the program and had no objections to it. The commissioners deferred action pending further information and initiated discussion of the program at the joint meeting of the Lake Region County Commissioners Association last Thursday.

The Fish and Wildlife Service proposes in Day County to purchase 3,328 acres of wetlands and to lease an additional 45,390 acres. A similar program of varying proportions is proposed in 34 other counties in South Dakota.

The land-purchase program, which results in taking property off the tax rolls of the county, townships and school districts, is provoking extensive discussion. The lease program, under which the land would continue on these tax rolls, has aroused less comment.

BIGGER PURCHASES LIKELY

Although the proposed purchase of wetlands in Day County under the program is only 3,328 acres, the U.S. Fish and Wildlife Service estimates that in order to acquire this acreage of wetlands, it will have to purchase as much as 16,640 acres. This will likely take place because landowners may be unwilling at times to sell except along legal subdivision lines and would either sell all or none. This figure of 16,640 acres, of course, is only an estimate. It may run less, as the Fish and Wildlife Service hopes, or it may run considerably more. In either case, all lands purchased go off the tax roll and will never return unless a Federal law is enacted which permits the Government to sell tracts acquired under this program.

Under present law, the Fish and Wildlife Service pays 25 percent of any receipts from permitted uses of its lands to the counties in lieu of taxes. However, this would in most cases amount to very little because permitted uses of the purchased land would be mostly livestock grazing and one-fourth of this revenue would not compensate for tax losses. If the land purchases were large in one school district, the result could be severe hardship to the district in the operation of its school.

PROBLEMS FOR FARMERS

Other angles of the problem are worthy of thought:

Drainage from areas adjoining the purchased tracts would probably be restricted for the reason that the program is aimed at preserving potholes for maximum waterfowl production.

Farmers desiring to extend their landholdings to adjoining areas would have to compete with the U.S. Treasury in bidding for lands they desire to buy.

The same is true regarding leases.

The good intentions of the Fish and Wildlife Service in promoting waterfowl production are not doubted. Their job has been assigned to them and the rules have been laid down by Federal law.

IMPORTANT DUCK AREA

Day County, as well as other counties in northeastern South Dakota, has a larger percentage of duck-producing potholes than most areas. In fact, this region has received wide publicity as one of the chief "duck factories" of the Nation. Only one other county (Edmunds) in South Dakota has a larger quota than Day for wet-lands purchase and no county exceeds Day County in acreages proposed for lease. Eleven counties in this general area are expected to furnish more than 50 percent of both the purchased wet lands and leased wet lands under the program for South Dakota.

The Reporter and Farmer has made inquiry and the information received indicates that more than 2,700 acres of land in Day County has been purchased to date, of the approximately 5,700 acres purchased through the Aberdeen office. This includes, apparently, three completely quarter-section farms and possibly more. In one case, a tenant and his family will be dislodged and forced to locate elsewhere.

BURWELL WRITES LETTER

On page 1 of section 2 of this paper, there appears a letter by Regional Director Robert W. Burwell, of the U.S. Fish and Wildlife Service at Minneapolis, further explaining the program and we commend it to your reading. In connection with the Burwell letter, it will be noted he refers to a table accompanying his letter which shows the estimate of wet land to be purchased and the amount to be leased. This complete table is available at this office for anyone who desires to see it but is not reprinted here because of space limitations.

A portion of the table, of interest to our readers, is printed herewith. Please note that the figures shown in parentheses are the acreages (both wetland and upland) which the Fish and Wildlife Service estimates will have to be purchased in order to obtain the desired acreages of wet lands shown in the first column:

Proposed purchase:	*Proposed easement*
Day County: 3,328 (16,640)	43,390
Marshall County: 2,828 (14,140)	24,185
Roberts County: 1,810 (9,048)	36,841
Grant County: 259 (1,296)	10,351
Codington County: 752 (3,760)	24,376
Clark County: 1,446 (7,232)	36,297
Spink County: 479 (2,346)	8,811
Brown County: 2,320 (11,600)	6,129
Edmunds County: 4,000 (31,812)	41,779
McPherson County: 2,688 (13,440)	26,456
Kingsbury County: 1,888 (9,441)	27,563
Other counties: 18,273 (123,245)	191,218
Total for State: 40,071 (244,000)	476,596

This newspaper has from time to time carried articles about the program, one as early as February 4, 1960, when H. Milton Reeves, wildlife biologist for the Aberdeen office, appeared before the Webster Kiwanis Club to explain the program. We believe that the program should be studied carefully to see if there are ways in which the good features of the plan can be retained and the unfavorable features corrected by legislation or otherwise, so that areas which geographically and topographically are so situated as to furnish a great many of the migratory waterfowl population for the enjoyment of hunters everywhere are not penalized for their favorable location.

HAROLD W. CARD,
Editor.

[From the Webster (S. Dak.) Reporter and Farmer, Jan. 10, 1962]

REGIONAL DIRECTOR OF FISH AND WILDLIFE SERVICE EXPLAINS PLAN FOR LAND ACQUISITION PROGRAM

(EDITOR'S NOTE.—The following letter from Robert W. Burwell, regional director of the U.S. Fish and Wildlife Service, Department of the Interior, at Minneapolis, relating to the wetlands acquisition program, was received following a telephone conversation with Mr. Burwell last Friday jointly by Lester Berner, Pierre, chief of the Game Division of the South Dakota Game, Fish and Parks Department, and Harold W. Card, of the Reporter and Farmer. This letter is being published as background information for an article appearing elsewhere in this paper, written by Mr. Card, which points out the significance of this program as it applies to Day County and adjoining areas of northeastern South Dakota, and suggests the need for a clear understanding of its implications for local taxing districts and for farmers adjacent to these areas. We commend this letter to your careful reading, as well as the article relating to it, appearing elsewhere. (The letter follows:)

JANUARY 5, 1962.

HAROLD CARD,
Publisher, Reporter and Farmer,
Webster, S. Dak.

DEAR MR. CARD: We were pleased to have an opportunity to talk with you this morning about our program for the acquisition of waterfowl production areas in South Dakota. We agree with you that there has been a lot of misunderstanding about this program and that a good news story giving the facts would be most worthwhile at this time.

Perhaps it is appropriate to begin this story by telling you the facts as to how it all began.

LOSS OF NESTING AREAS

Back in the early 1950's our Bureau made an inventory of wetland areas remaining in the United States. We learned that there were at that time approximately 750,000 acres of wet lands in South Dakota. At about the same time, we learned that a number of factors were destroying wet lands useful to waterfowl. These factors included highway construction, filling, urban expansion, drainage, and others. Our information indicated that the waterfowl-producing areas were being lost at an average rate of about 2 percent per year in the Dakotas and Minnesota, largely through drainage.

We looked into several solutions to the drainage problem and finally concluded that the best means of saving a significant portion of the important waterfowl producing areas would be an acquisition program. The inventory of wet lands had shown that there were a great many wetland areas in South Dakota and that the average size was about 1.5 acres. There were some areas which were considerably larger and which held water throughout the summer period except in years of extreme drought. These areas were suitable to rear waterfowl broods to the flight stage. Many of the other wetland areas were as small as one-tenth of an acre and held water for no more than a few days or weeks during the spring.

PLAN ACQUISITION PROGRAM

We conducted studies to see which wet lands were important to waterfowl production. These studies showed that even the one-tenth acre wet lands were useful in the spring because ducks require isolation from members of the same species in order to mate and nest. We found too that the broods hatched at the very tiny temporary potholes would move as much as 2.5 miles overland to reach a larger, more permanent marsh that would provide food, water, and cover all summer. Once the broods were hatched, the ducks no longer required isolation, but would gather together in larger numbers on the deeper potholes.

These facts suggested a way in which the acquisition program could be conducted so as to avoid the purchase of excessive amounts of land. Not only were we concerned about buying large amounts of land because we recognized that such a program could conceivably result in tax losses, but dry land doesn't produce ducks and our funds would only go so far.

Our program was established on a theory that we could buy about four brood marshes in each township where such marshes existed. If these brood marshes were properly distributed in the township, they would provide water for the broods for all of the ducks in the township throughout the summer.

SUPPLEMENT BY LEASE PROGRAM

The smaller, more temporary wet lands needed protection also. So we developed the idea of obtaining easements in which the landowner would agree not to drain, burn, or fill his wet lands for a 20-year period. Under the easement, the farmer would retain ownership of the wetland areas and have all uses of the land, except drainage, burning and filling.

Our legal advisers stated that the easements should be taken only following the purchase of a brood area to which the waterfowl broods could move from the areas proposed for easement. This is the basic approach to the acquisition program; namely, buy brood areas, then obtain easements from as many landowners as possible within 2 miles of the brood area to assure that there will be sufficient broods to use the area purchased for them.

NO CONDEMNATION PROCEDURES

Since it was obvious that the program would require a number of years to complete and since the best possible public relations would be necessary during this period, the Bureau adopted a policy that condemnation would not be used to purchase the waterfowl production areas. In other words, the Bureau would deal only with willing sellers and pay the fair market value of the land. The fair market value would be determined by an investigation of recent sales of comparable land in the vicinity of the proposed purchase.

CAN'T SELL LANDS BOUGHT

It was realized that farmers would, at times, desire to sell only along legal subdivision lines. This would require the Bureau to buy croplands surplus to its needs. This posed a problem because the Bureau cannot sell lands purchased for waterfowl purposes. It is, however, empowered to swap surplus lands for other lands suitable to its needs on a value-for-value basis. Where the Bureau must buy upland surplus to its needs, it plans to negotiate an exchange of such lands with nearby owners for wetland areas which the owner would be willing to trade.

It was estimated that approximately 40,000 acres of suitable brood areas might be purchased in South Dakota as a maximum. This figure does not include the uplands which farmers might desire to sell surrounding the brood areas. To be on the safe side, the Bureau estimated that no purchase should contain less than 20 percent wet lands, but should contain as much wet lands as possible so as to reduce the amount of upland taken off the tax rolls. To date, the average has been about 40 percent wet lands for purchases in South Dakota. It is expected that the percentage of wet land to upland will increase as the program moves farther south in South Dakota because land values are higher and farmers will prefer to sell as little upland as possible in marking off the boundaries of the wetland areas.

FUNDS AVAILABLE TILL 1967

The Bureau has estimated that it will be able to obtain easements to cover approximately 475,000 acres of wet lands in South Dakota.

The funds for the acquisition program in South Dakota will be available for about 6 more years; so, the program should be completed in 1967.

A table is attached showing the estimate of the amount of wet land to be purchased and the amount of wet land to be protected by easements in each of the counties in South Dakota. We believe that these are the maximum acreages of wet lands that we would like to purchase. Much will depend on the willingness of farmers to sell wet lands and the willingness of farmers to offer easements on their wet lands. The amount of uplands will be the least amount the farmers will sell along with the wetland areas, except that the Bureau would like to have a 200-foot strip of upland around the brood marshes to provide nesting habitat.

TAX LOSS RECOGNIZED

At the present time, the Bureau pays 25 percent of any receipts from permitted uses of its lands to the counties in lieu of taxes. This amount is set by law. The Bureau recognizes that this payment generally will not compensate the counties for tax losses because most of the permitted use of the purchased lands will be livestock grazing. We have been conducting a tax study to determine the extent of these losses and what might be done to properly compensate for them. The facts obtained from the study have been provided to the Governors of the States of North and South Dakota and Minnesota for whatever action they may deem advisable. Our Bureau cannot pay more than the present 25 percent of receipts unless the Congress authorizes us to do so.

SCHEDULE MEETINGS

Attempts have been made to schedule meetings with county commissioners to explain the program for the acquisition of waterfowl production areas. To date it has been possible to schedule meetings with only the county commissioners of Day, Edmunds, and Brown Counties. Our representatives wrote on June 9, 1961, to the commissioners of Clark, McPherson, and Marshall Counties asking for an opportunity to explain our program, but the meetings have not been held. Additional meetings will be held as fast as it is possible to schedule them.

The acquisition program in South Dakota is handled by our office in Aberdeen. The address is as follows: Area Acquisition Office, Bureau of Sport Fisheries and Wildlife, 202 Van Slyke Building, 116½ South Main Street.

Please let us know if we can be of further assistance to you.

Sincerely yours,

R. W. BURWELL,
Regional Director.

Mr. CASE of South Dakota. Mr. President, this proposed legislation seeks to deal in a practical and realistic manner with a problem associated with the wetlands acquisition program. The Department of the Interior has estimated that a minimum of 12,500,000 acres of wet lands are needed in the United States to maintain waterfowl populations at a significant level. Of this total, 5,500,000 acres are already under public control. The remainder is to be acquired by State and Federal agencies in the coming years. Part of this amount, or approximately 2,771,000 acres, is to be acquired with funds authorized by Congress in 1961 in the form of an emergency Federal loan of $105 million.

A large portion of this $105 million is to be spent in South Dakota, North Dakota, and Minnesota. Presently, this acquisition program is at a standstill in these three States. The required approval of the Governors of these States, in accordance with Public Law 87-383, is being withheld because local governing bodies point out that extreme hardships will occur to counties, townships, and school districts in which large acreages are purchased. The program in effect removes property from the tax rolls since legislation does not allow payment of taxes by the Federal Government.

This area of the country should not be penalized, because of its favorable waterfowl production location, to the benefit of other sections of the Nation. Under present law, the Fish and Wildlife Service pays 25 percent of any receipts from permitted uses of its lands to the counties in lieu of taxes. However, this amounts to very little because permitted uses of the purchased wet lands would be mostly livestock grazing. One-fourth of this revenue does not compensate for tax losses.

The bill which I propose will alleviate any hardships to local governing bodies by making payments to the counties in the amount of three-fourths of 1 percent of the appraised value of the land. This formula will provide for payments very closely approximating that which would be assessed on a taxation basis. These payments would average about 45 cents per acre per year.

I wish to emphasize, Mr. President, that the money for these payments would be provided by income derived from lands under Federal ownership as Federal wildlife refuges. Therefore, no special or additional appropriations would be required to meet the provisions of this bill.

We must also face the fact that many times landowners desire to sell wet lands along legal subdivision lines. This means that the Fish and Wildlife Service will purchase uplands surplus to waterfowl production needs. This ratio thus far in the history of the wet-lands acquisition program averages 40 percent wet lands to 60 percent uplands.

So, Mr. President, in this bill I propose authorization for the U.S. Fish and Wildlife Service to dispose of these surplus uplands to the highest bidder and return the money to the migratory bird conservation fund.

I hope that this legislation which I offer today will be given prompt and careful consideration. Success of the wet-lands acquisition program is contingent upon finding a legislative solution to these problems.

In conclusion, Mr. President, I ask unanimous consent that the bill may be printed at this point in the RECORD.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2927) to provide for the distribution of the total net income from wildlife refuges administered by the U.S. Fish and Wildlife Service of the Department of the Interior, and for other purposes, introduced by Mr. CASE of South Dakota, was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 401 of the Act of June 15, 1935 (16 U.S.C. 715s), is amended to read as follows:

"SEC. 401. (a) All money received during each fiscal year from the sale or other disposition of surplus wildlife or of timber, hay, grass, or other spontaneous products of the soil, shell, sand or gravel and from other privileges on any refuge established under the Migratory Bird Conservation Act of February 18, 1929, or any other law, proclamation, or Executive order administered by the United States Fish and Wildlife Service, Department of the Interior, shall be covered into the United States Treasury and set aside as a special fund to remain available for expenditure, without further appropriation, by the Secretary of the Interior for (1) necessary expenses incurred in effecting such sale or other disposition of such wildlife or products, in granting such privileges, or in the administration of the provisions of this section; and (2) payments to the counties in which the lands in such refuges are situated, to be used solely for the benefit of the public schools and roads therein, as follows:

"(A) to each county in which public domain land in such a refuge is situated, an amount equal to such portion of 25 per centum of the net receipts (after deduction of amounts expended under clause (1) above) from such refuge in each fiscal year as the area of such public domain land bears to the total area of such refuge; and

"(B) to each county in which refuge land other than public domain land is situated, for each fiscal year, an amount equal to three-quarters of 1 per centum of the appraised value of such other land, exclusive of improvements, as initially determined by the Secretary of the Interior and as redetermined by the Secretary at not more than ten-year intervals.

Payments to counties under the provisions of this section in any fiscal year shall not exceed the amount that will be available in such year for such payments in the fund established under the provisions of this section. If the amount in such fund in any year is not adequate to cover the total amount of payments to the counties as determined under clause 2 (A) and (B) above, each such payment shall be reduced by such per centum as is equal to the per centum by which the total of such payments determined under clause 2 (A) and (B) for such year exceeds the amount available for such payments in such year in such funds.

"(b) Subject to the applicable provisions of the Federal Property and Administrative Services Act of 1949, the disposition or sale of surplus animals and products and the grant of privileges on such wildlife refuges may be made upon such terms and conditions as the Secretary of the Interior determines to be in the best interests of the Government or as will advance the knowledge of, and disseminate information regarding, the conservation of wildlife, including sale in the open market, exchange of animals for the same or other kinds, and gifts or loans to public or private institutions for exhibition or propagation."

SEC. 2. The General Appropriation Act, 1951 (64 Stat. 595), is amended by striking out the paragraph entitled "Management of National Wildlife Refuges" under the heading "FISH AND WILDLIFE SERVICE".

SEC. 3. Section 5 of the Migratory Bird Conservation Act (16 U.S.C. 715d) is amended by inserting "(a)" after "SEC. 5." and by inserting at the end of such section a new subsection as follows:

"(b) Notwithstanding the provisions of the Federal Property and Administrative Services Act of 1949, the Secretary of the Interior may, upon determining that any land acquired in fee under the provisions of this Act is no longer required for the purposes of this Act, dispose of such land at public auction to the highest bidder. Any amounts received by the Secretary for land disposed of under the provisions of this subsection shall be paid into the migratory bird conservation fund, established pursuant to section 4 of the Act of March 16, 1934 (48 Stat. 451), to be available for the purposes of such fund."

SEC. 4. The amendments made by the first section and section 2 of this Act shall become effective on the first day of the first fiscal year beginning after the date of enactment of this Act. The amendment made by section 3 of this Act shall become effective on such date of enactment.

MONUMENT COMMEMORATING FIRST U.S.-MANNED ORBITAL FLIGHT AROUND THE EARTH

Mr. SMATHERS. Mr. President, I introduce for appropriate reference a bill to authorize the erection of a monument commemorating the first U.S.-manned orbital flight around the earth.

My bill would authorize the Secretary of Defense and the Administrator of the National Aeronautics and Space Administration to erect an appropriate monument on, or as near as possible to, complex 14, Cape Canaveral, Fla., the point from which Lt. Col. John H. Glenn, Jr., rode his *Friendship 7* space capsule into orbit and thus into the pages of history on February 20, 1962.

We in Florida take a particularly personal pride in John Glenn, Jr. We Floridians are proud that he started his historic flight from our shore. And we marines are proud that Glenn was selected for this first effort.

It is fitting for us to recall man's first conquest of air at a time when we are hailing his first successful conquest of outer space in orbital flight. As John Glenn told the Senate Space Committee yesterday—Wednesday: "We have just made our third flight at Kitty Hawk."

Thirty-five years ago, Mr. President, the 69th Congress passed a bill to erect a monument on Kill Devil Hill at Kitty Hawk, N.C., commemorating—and I quote—"the first successful human attempt in all history at power-driven airplane flight, achieved by Orville Wright on December 17, 1903."

The courageous achievement of Orville Wright changed the course of history, much more than he could have conceived.

So, too, we know that John Glenn's orbital flight will alter the course of man's history on this earth, and I am sure to a far greater extent than we can now imagine.

In some future year the perspective of human life as viewed from outer space could perhaps alter the ambitious plans of world domination held by the Communist empire, and thus bring closer to realization the hope of man for peace on earth.

It is not the common thing, I realize, Mr. President, to commemorate an event with a lasting memorial so closely following the occurrence itself—the rationale being that only time can place current events in their proper historical perspective. In this case, however, the conclusion is forced upon reasonable men, that America's first orbital flight will have a monumental impact upon history.

I urge the Congress to enact this legislation so that a fitting monument can be erected contemporary with the men who have achieved greatness in their time.

We can thus demonstrate to John Glenn, his fellow astronauts, Commander Shepard and Colonel Grissom, and to all the members of his team at Cape Canaveral and at points around the globe the homage, and gratitude of a grateful nation, and free world, and the pride and esteem in which we hold these men.

By so doing, we can stimulate them to even greater achievements toward recapturing for America complete supremacy in outer space.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 2934) to authorize the erection of a monument in commemoration of the first U.S.-manned vehicle orbital flight around the earth, introduced by Mr. SMATHERS, was received, read twice by its title, and referred to the Committee on Rules and Administration.

AMENDMENT OF PEACE CORPS ACT

Mr. FULBRIGHT. Mr. President, by request, I introduce for appropriate reference a bill to amend the Peace Corps Act—Public Law 87-293.

The proposed legislation has been requested by the President, and I am introducing it in order that there may be a specific bill to which Members of the Senate and the public may direct their attention and comments.

I reserve my right to support or oppose this bill, as well as any suggested amendments to it, when the matter is considered by the Committee on Foreign Relations.

I ask unanimous consent that the bill may be printed in the RECORD at this point, together with a section-by-section analysis of the changes which are proposed. The analysis was submitted by the executive branch.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill and section-by-section analysis will be printed in the RECORD.

The bill (S. 2935) to amend the Peace Corps Act, introduced by Mr. FULBRIGHT, by request, was received, read twice by its title, referred to the Committee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3(b) of the Peace Corps Act, which authorizes appropriations to carry out the purposes of that Act, is amended by striking out "1962" and "$40,000,000" and substituting "1963" and "$63,750,000", respectively.

SEC. 2. Section 5 of the Peace Corps Act, which relates to Peace Corps volunteers, is amended as follows:

(a) In subsection (b), insert the following sentence immediately after the first sentence: "Supplies or equipment provided volunteers may be transferred to the government or other entities of the country or area in which they have been serving, when no longer necessary for their maintenance or to insure their health or capacity to serve effectively, and when such transfers would further the purposes of this Act."

(b) In subsection (h), strike out "and for the purposes of" immediately after "tort liability statute," and insert in lieu thereof "the Federal Voting Assistance Act of 1955 (5 U.S.C. 2171 et seq.), and".

SEC. 3. Section 7(b) of the Peace Corps Act, which relates to compensation of persons employed in the United States in activities authorized by that Act, is amended by striking out "so" in the first sentence thereof.

SEC. 4. Section 10(a)(2) of the Peace Corps Act, which relates to the assignment of volunteers to duty with international organizations and agencies, is amended by inserting "in fiscal year 1963, in addition to the number of assignments previously permitted," immediately after "shall be assigned" and by striking out "or volunteer leaders" immediately after "Peace Corps volunteers".

SEC. 5. Section 13(a) of the Peace Corps Act, which relates to the employment of experts and consultants, is amended by striking out "Peace Corps" and substituting "President".

The section-by-section analysis presented by Mr. FULBRIGHT is as follows:

SECTION-BY-SECTION ANALYSIS OF THE PROPOSED ACT TO AMEND THE PEACE CORPS ACT AS SUBMITTED BY THE EXECUTIVE BRANCH

The proposed act (the bill) to amend the Peace Corps Act has two main purposes. First, it authorizes new appropriations under the general authority in the Peace Corps Act (the act) for appropriations to carry out the purposes of the act. The bill would accomplish this by striking out the amount and the reference to the fiscal year in that general authorization and substituting the new amount and the new fiscal year. Deletion of the amount and date in the general authorization, of course, has no effect on funds heretofore made available to carry out the purposes or provisions of the act. Second, the bill would effect six other amendments to the act, some of which are of a substantive nature designed to promote more effective and efficient operation of the Peace Corps, and others of which are clarifying or technical changes.

Section 1: Amends section 3(b) of the act, which relates to authorizations, to authorize the appropriation of $63,750,000 for fiscal year 1963 to carry out the purposes of the act. The appropriation of $40 million for fiscal year 1962 was authorized by this general authority.

Section 2: Amends section 5 of the act, which relates to Peace Corps volunteers, in two respects:

Subsection 2(a) of the bill amends subsection 5(b) of the act to permit supplies or equipment provided for the volunteers and no longer required in connection with their work to be transferred to the Government or other entities of the country or area to which the volunteers are assigned. Clothing and subsistence (e.g., food) provided to volunteers under the authority of subsection 5(b) are transferred to them outright and, in the normal course of their work, consumed or otherwise fully used up. Similarly, supplies and equipment (e.g., medicines, whether for personal or project use), which in the normal course of events would also be fully used up or otherwise difficult to account for at the end of a volunteer's tour of duty, are also transferred to them outright. And in many cases it is most efficient or economical to make funds available to the volunteers themselves or to the host country for the purchase of certain supplies or equipment (e.g., household furnishings). Title to such supplies or equipment would normally be in the purchaser.

On the other hand, supplies or equipment of substantial value (e.g., teaching aids, surveying equipment) which would not normally be consumed or fully used up in connection with the volunteers' work is generally not transferred to the volunteers. In many cases the interests of the Peace Corps program and of the United States would be substantially advanced if, when no longer required by the volunteers, such equipment or supplies could be left with the host country or institutions therein, like the school or hospital with which the volunteers have been working. This would be permitted by the proposed amendment.

It is to be emphasized that the authority requested does not augment the basic authority in section 5(b) of the act to provide equipment or supplies for the volunteers. This existing authority is limited to providing the supplies or equipment necessary for the maintenance of the volunteers or to insure their health or capacity to serve effectively. The Peace Corps' general policy, further, is not to provide equipment or supplies of a value in excess of roughly $1,000 per volunteer.

Subsection 2(b) of the bill amends subsection 5(h) of the act, which specifies the laws for the purposes of which volunteers shall be considered employees of the United States, by adding the Federal Voting Assistance Act of 1955 (5 U.S.C. 2171 et seq.). Except for purposes of the laws specified in section 5(h) or elsewhere in the act, volunteers are not persons holding an office of trust or profit under the United States or officers or employees thereof. The Federal Voting Assistance Act in general authorizes Government officials to take reasonable measures to assist Federal employees absent from the States where they maintain voting residences to exercise absentee voting rights. It is to be emphasized that that act does not grant absentee voting rights. It merely provides for administrative assistance to Federal employees who wish to exercise such absentee voting rights as may be accorded by the States where they maintain voting residences.

Section 3: Amends section 7(b) of the act, which relates to the compensation of persons engaged in the United States in activities authorized thereby, by striking out the word "so." This is a technical change. Section 7(b) is comparable to section 625(b)(2) of the Foreign Assistance Act of 1961, as amended, and substantially identical to section 527(b) of the Mutual Security Act of 1954, as amended, on which it was based. Like those sections, section 7(b) was intended to permit persons employed, appointed or assigned under section 7(c) of the act, the Foreign Service Act of 1946, as amended, or other authorities, and on detail with the Peace Corps in the United States, to be compensated at rates authorized by section 7(b) appropriate to the positions to which they are detailed. Deletion of the word "so," which does not appear in either

section 625(b)(2) or section 527(b), will correct an apparent inadvertence in the drafting of the act and thus clarify this technical matter.

Section 4: Amends the proviso to section 10(a)(2) of the act, which generally authorizes the assignment of volunteers to duty with United Nations or other intergovernmental organizations or agencies, (a) to permit 125 volunteers to be assigned in fiscal year 1963 under the authority of section 10(a)(2) in addition to the 125 now permitted thereunder and (b) to delete the reference to volunteer leaders. Volunteers would be assigned to international organizations under arrangements between the Peace Corps and the organization comparable to arrangements between the Peace Corps and voluntary agencies or universities made pursuant to sections 5(g) and 10(a)(1) of the act, except that such assignments may be agreed upon only in special cases where the Secretary of State has determined that the assignments would serve the purposes of the act. Deletion of the reference to volunteer leaders is a technical change. Section 6 of the act provides that, except as otherwise provided, all provisions of the act applicable to volunteers shall be applicable to volunteer leaders and that volunteers shall include volunteer leaders. Hence, section 10(a)(2), as amended, would continue to apply to volunteer leaders.

Section 5: Amends section 13(a) of the act, which relates to the employment of experts and consultants, by striking out "Peace Corps" and substituting "President." This is a purely technical change to reflect the fact that the act does not create a Peace Corps agency, but confers authorities and functions upon the President who provides for the Peace Corps agency in the course of delegating these functions pursuant to section 4(b) of the act. Consistent with this structure of the act, the authority to employ experts or consultants, like the section 7 authorities to employ or appoint persons, should be conferred upon the President.

PROPOSED LEGISLATIVE PROGRAM

Mr. TOWER. Mr. President, I introduce an affirmative, conservative legislative program, including eight separate bills and resolutions, which I send to the desk, for appropriate reference.

The ACTING PRESIDENT pro tempore. The proposals will be received and appropriately referred.

The concurrent resolution, joint resolutions, resolution, and bills, submitted and introduced by Mr. TOWER, were received, and referred, as follows:

SENATE CONCURRENT RESOLUTION 60

Concurrent resolution to express the sense of Congress that the purpose of U.S. foreign policy is victory over communism; to the Committee on Foreign Relations

Whereas the foreign policy of the United States appears to omit the possibility of complete and clear-cut victory over Communist imperialism; and

Whereas this is a policy which places human survival above human dignity, which fears random manifestations of opinion more than it nurtures the hope of freedom; and

Whereas the Congress has not consented, nor can it consent to such a policy; and

Whereas the mission of the United States must be to secure victory over tyranny, the end of man's enslavement of man, and the ultimate impotence of all concentrations of power which may now or hereafter threaten the peace of the world and the freedom of its peoples; and

Whereas this purpose should be enunciated in such a way that whatever enemies we face cannot mistake it, so that the people we represent may determine their own support, and so that the enslaved peoples of the earth may find hope for a future in which their freedom, and the whole cause of freedom, is not sacrificed for safety but instead is consecrated as the central cause of our time and all times: Therefore be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress that the purpose of the United States in its relations with other nations of the world should be—

(1) victory over Communist tyranny;

(2) to oppose by all effective means the growth of any power dedicated to aggression or the denial of freedom to its own or any other peoples;

(3) to oppose communism's worldwide efforts to subvert nations and peoples by the most effective means available;

(4) to support for all nations submitted to Soviet, Communist Chinese, or other Communist control since 1939, the right of free choice of government, after proper preparation and under appropriate electoral supervision;

(5) to press by all diplomatic means for the withdrawal of Soviet, Communist Chinese, or other Communist forces, both uniformed and covert, from all areas entered by them since 1939;

(6) to reduce Communist war machines, and the economies which support them, to levels at which they can no longer threaten the peace of the world;

(7) to fully arm, both in material and morally, ourselves for these tasks;

(8) to support and fully defend those whose freedom is threatened;

(9) to support and assist those whose aspirations for freedom are challenged by internal or external forces whose ultimate path would lead to tyranny;

(10) to counsel and assist those who, untried in freedom, are tempted by the promise of rapid growth to embrace coercive economic systems, that they may be preserved instead on the path of the only proven progress to freedom—that of individual dedication, dignity, initiative, and responsibility in a free capitalistic economy;

(11) to enjoin all nations to a course of full commitment to self-determination; to discourage attitudes of benevolent neutrality which, when men are not free, debase all men, weaken all freedom, and work not for peace but for the advantage of aggressors; and

(12) to remind a world often fearfully unsure, that peace in our time depends not upon the concessions of free nations but upon their determination and upon the enemy's assessment of that determination, that life itself is no more dear than the conditions of that life, and that freedom is the only tolerable human condition for the people of these United States and for a world at peace.

The joint resolution (S.J. Res. 161) to establish rules of interpretation governing questions of the effect of acts of Congress on State laws, was received, read twice by its title, and referred to the Committee on the Judiciary.

The bill (S. 2931) to amend the antitrust laws to prohibit certain activities of labor organizations in restraint of trade and commerce, and for other purposes, was received, read twice by its title, and referred to the Committee on the Judiciary.

The joint resolution (S.J. Res. 162) directing the Secretary of Agriculture to submit proposals to the Congress for the gradual termination of unnecessary Federal controls on farming, was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

The resolution (S. Res. 303) to provide for an investigation of Government competition with private business, was referred to the Committee on Government Operations, as follows:

Resolved, That the Committee on Government Operations, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to make a full and complete study for the purpose of determining—

(1) the extent to which departments and agencies of the Government are engaged in the production or furnishing of goods and services which can be supplied by private enterprise;

(2) the extent to which necessity or the national security require that such goods and services be produced or furnished by departments or agencies of the Government; and

(3) the means and methods by which the function of producing or furnishing such goods and services may be transferred at the earliest practicable time and to the greatest practicable extent to private competitive enterprise within the United States.

SEC. 2. For the purposes of this resolution, the committee, from February 1, 1962, through January 31, 1963, is authorized to (1) make such expenditures as it deems advisable; (2) employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized at its discretion to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,200 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings upon the study and investigation authorized by this resolution, together with its recommendations for such legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1963.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $125,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

The joint resolution (S.J. Res. 163) to establish the Joint Committee on Foreign Trade, was received, read twice by its title, and referred to the Committee on Commerce.

The bill (S. 2932) to amend the Internal Revenue Code of 1954 so as to provide for scheduled personal and corporate income tax reductions, and for other purposes, was received, read twice by its title, and referred to the Committee on Finance.

The joint resolution (S.J. Res. 164) proposing an amendment to the Constitution of the United States relative to the balancing of the budget, was received, read twice by its title, and referred to the Committee on the Judiciary.

Mr. TOWER. Mr. President, I do not expect all of these measures to receive immediate consideration by a Democratic Congress; but these proposals and

others to come from me and my colleagues will, I believe, help to blueprint an affirmative, conservative legislative covenant.

This eight-measure program includes a foreign policy resolution expressing "the sense of the Congress that victory over communism is the aim and objective of U.S. foreign policy"; and it includes bills and resolutions devoted to States rights, labor antitrust, agriculture, Government competition with private business, foreign trade, taxes, and a mandatory balanced Federal budget.

Mr. President, I should like to summarize the eight bills and resolutions I have submitted:

First. Foreign policy resolution: This resolution expresses the sense of the Congress that the purpose of U.S. foreign policy is: First, victory over communism; second, to oppose by all effective means the growth of any power dedicated to aggression or the denial of freedom to its own or to any other people; third, to oppose and end communism's worldwide efforts to subvert nations and people; fourth, to support and secure the right of free choice of government for all nations submitted to Communist control since 1939.

Second. States rights: A resolution to establish rules of interpretation governing questions of the effect of Federal laws on State laws. The resolution would provide that no future act of Congress would be construed as indicating an intent on the part of Congress to preempt State laws on the same subject matter, unless Congress expresses such intent.

Third. Labor antitrust law: The purpose here is to prohibit certain types of union activity intended to lessen competition or to establish monopolies in the marketplace for products or commodities—for example, efforts by unions to prevent the installation of preglazed windows or factory painted kitchen cabinets. It has no application whatsoever to the supply or price of labor.

Fourth. Agriculture: A resolution to gradually increase acreage allotments and marketing quotas, while gradually reducing the level of price supports. The ultimate goal is to restore agriculture to a market-regulated economy. The period of time within which all such controls would be terminated would be not more than 6 years.

Fifth. Government competition with private business: A resolution authorizing a Senate committee—the Committee on Government Operations—to make a full and complete study to determine the extent of Government competition with private enterprise, and to determine means and methods by which such functions can be transferred to private enterprise.

Sixth. Foreign trade: A resolution to establish a Joint Committee on Foreign Trade, to exercise congressional oversight of all foreign trade programs.

I should like to call particular attention to my foreign-trade resolution, because I believe it is one on which this body might arrive at some degree of unanimity. The resolution would simply establish a Joint Committee on Foreign Trade, which would coordinate all the various, disseminated functions of various congressional committees relating to foreign trade. The new joint committee would serve an oversight function in that connection. It would not necessarily mean either the liberalization or the constriction of present foreign trade policies.

Seventh. Taxes: A tax bill identical with H.R. 2030, introduced in the House of Representatives by Representative HERLONG, of Florida, and Representative BAKER, of Tennessee. This is a comprehensive proposal calling for across-the-board reductions in tax scales, both individual and business. In addition, it includes new depreciation provisions applied to new acquisition of business plant and equipment. This measure would make statutory provision for tax-free transfer of capital by individuals, but not by corporations, from one investment to another within a taxable year when the investments have been held at least 6 months. Finally, the bill would establish a new formula for setting tax rates on estates and gifts, with a top rate of 47 percent.

Eighth. Balanced Federal budget: Here, again, is a measure—introduced as a part of this conservative package—that has been previously introduced. This is the so-called Byrd-Bridges amendment, a proposed constitutional amendment to make mandatory a balanced Federal budget, except in case of war or other grave national emergency.

Mr. President, very often we conservatives have been accused of being negativists, of always opposing, but never proposing constructive alternatives. I believe my program provides a constructive alternative to proposals of the administration, to proposals which have been championed by "liberals."

I happen to believe that the term "conservatism" is synonymous with "freedom" and also with "progress," because freedom and progress are irrevocably bound together. I think the people of the United States have proven that a free people can achieve anything they set out to achieve. I believe that a minimum of Government interference into the affairs of the economy and into the affairs of society is desirable if we are to realize progress. I believe progress can be achieved within the framework of existing institutions.

I do not believe it is necessary to concentrate great powers in the hands of the Central Government, in order to cause our Nation to make progress. I believe as did two great Democrats—first, Thomas Jefferson, who said:

> That government is best which governs least.

And, second, Woodrow Wilson, who said:

> The history of liberty is the history of the limitation of governmental power, not the increase of it.

I believe that the program I have now offered would, if implemented into law, result in the stimulation of the flow of capital, the promotion of incentive, and in great economic growth for our country, so that we might better confront the Soviet Union in the cold war.

Mr. President, I do not claim to have a monopoly on truth, and I know that the program I have offered is not perfect. But I believe it to be a constructive and conservative, yet progressive, alternative to the proposals which have been sent to us from the White House.

Mr. JAVITS. Mr. President, will the Senator from Texas yield to me? I would like to say a word on what he has said.

Mr. TOWER. I yield.

Mr. JAVITS. I think what the Senator from Texas [Mr. TOWER] is doing is extremely wise and very laudable. He is presenting affirmative alternatives consistent with his philosophy. I may not agree with a great deal of what he presents, and I may not agree with some aspects of that philosophy, but I think it is extremely helpful for my party that it should be given in specific terms. It is especially important now because people like myself who have protested vigorously against what I call the radical right—that is, people who are away outside of the constitutional concept of American life, who want to impeach Earl Warren, who call high officials Communists, and who want us to get out of the U.N.—should be consistent in their positions and should be given publicity.

I myself shall take occasion at an early time to present, as I have on specific measures like trade and medical care for the aged, my concept of what ought to be the line pursued by my party. Maybe it is distinguishable—I have no doubt it will be—from that presented by the Senator from Texas [Mr. TOWER]. I welcome the fact that we are getting down to specifics, that this is not the radical right we are talking about; this is conservatism, which has every right and as much right as has liberalism to put its position before the country.

CHANGE OF DATE FOR FILING REPORTS BY PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

Mr. MCCLELLAN. Mr. President, 1 month ago I asked for and received unanimous consent of the Senate for the permanent Subcommittee on Investigations of the Senate Committee on Government Operations to file certain reports concerning last year's work not later than March 1, 1962, rather than by the prescribed date of January 31, 1962.

These two reports, involving missile bases and organized crime, have been under study by the committee members. It is now apparent that further deliberations by the committee members are necessary in order that an agreement may be reached and recommendations may be submitted.

Accordingly, I ask unanimous consent that the date for filing of these two reports, concerning our inquiries into work stoppages at missile bases and organized crime, be extended to April 1, 1962. I have cleared this with the leadership on both sides.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

AMENDMENT OF SECTION 801 OF ACT RELATING TO ESTABLISHMENT OF CODE OF LAW FOR THE DISTRICT OF COLUMBIA—AMENDMENT

Mr. MORSE submitted an amendment, intended to be proposed by him, to the bill (S. 1380) to amend section 801 of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901, which was referred to the Committee on the District of Columbia and ordered to be printed.

REPORT OF SECRETARY OF THE INTERIOR ON COLORADO RIVER STORAGE PROJECT (S. DOC. NO. 74)

Mr. ANDERSON. Mr. President, I herewith request unanimous consent that the fifth annual report of the Secretary of the Interior on the Colorado River storage project and participating projects, authorized by the Congress in 1956—Public Law 485, 84th Congress, 70 Stat. 105—together with pertinent comments and materials be printed, with illustrations as a Senate document. This is in conformity with previous Senate action and will provide a continuing record of the progress of this great undertaking.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

PRINTING OF REVIEW OF REPORT ON OAKLAND HARBOR, CALIF., FRUITVALE AVENUE BRIDGE (S. DOC. NO. 75)

Mr. RANDOLPH. Mr. President, on behalf of the Senator from New Mexico [Mr. CHAVEZ], I present a letter from the Secretary of the Army, transmitting a report dated October 11, 1960, from the Acting Chief of Engineers, Department of the Army, together with accompanying papers and illustrations, on a review of the report on the Oakland Harbor, Calif., Fruitvale Avenue Bridge, requested by a resolution of the Committee on Public Works, adopted on May 12, 1950. I ask unanimous consent that the report be printed as a Senate document, with illustrations, and referred to the Committee on Public Works.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

TO PRINT AS A SENATE DOCUMENT THE REPORT OF THE 50TH MEETING OF THE INTERPARLIAMENTARY UNION

Mr. GORE. Mr. President, as President of the American group, I submit, pursuant to law, the report of the group of the 50th meeting of the Interparliamentary Union held at Brussels, Belgium, from September 14 to 22, 1961. I ask unanimous consent that the report be printed as a Senate document.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. GORE. Mr. President, with the unanimous approval of the group, I asked a fiscal bonded employee of the U.S. Senate to handle the disbursement of all funds. That report has now been made. Each member of the delegation has signed the blue slips required by law. I have now signed the capitulation. It is in the hands of the chairman of the Committee on Foreign Relations, who will, in turn, I feel certain, file it with the Committee on Appropriations and later place it in the CONGRESSIONAL RECORD.

I think the record shows that this was the most economically conducted Interparliamentary Union Conference, so far as the U.S. group is concerned, that has been held for some while. The group was diligent. They were in full attendance and attended to their duties.

Since the Conference ended, the executive secretary of the U.S. interparliamentary group, Dr. Franklin Dunham, has passed to his reward. I wish to pay tribute to the life, the service, the capacity, and the dedication of this devoted public servant. An employee of the U.S. Government, this distinguished man of cultured attainments served his country well.

On behalf of the Interparliamentary Union Group of the United States, I extend to Mrs. Dunham and the other members of Dr. Dunham's family our sympathy and condolences.

Mr. CASE of South Dakota. Mr. President, will the Senator from Tennessee yield?

Mr. GORE. I yield.

Mr. CASE of South Dakota. The work of Dr. Dunham should earn him a great reward. He was the guiding spirit of the delegations to the Interparliamentary Union for many years. He was an outstanding educator. He was firmly committed to a better understanding among the peoples of the world. Every Interparliamentary Union delegation in the future will miss the beneficent influence of his understanding, his guidance, and his counsel.

Mr. GORE. I appreciate the generous remarks of the distinguished junior Senator from South Dakota.

Mr. President, I wish to announce and to call a meeting of the U.S. Interparliamentary Union group to be held on Thursday morning, March 8, at 9 a.m., in one of the private dining rooms in the New Senate Office Building, 4-G, for the purpose of considering the selection of a successor to Dr. Dunham as secretary to the group, and to consider other business of the interparliamentary group.

PROTECTION OF THE RIGHT OF THE PUBLIC TO INFORMATION—ADDITIONAL COSPONSOR OF BILL

Mr. MCGEE. Mr. President, at the request of the Senator from Colorado [Mr. CARROLL], I ask unanimous consent that at the next printing of the bill (S. 1567) introduced April 12, 1961, by Senator CARROLL, for himself, Mr. HART, Mr. LONG of Missouri, and Mr. PROXMIRE—to amend section 3 of the act of June 11, 1946, 60 Stat. 238—to clarify and protect the right of the public to information—the name of the Senator from Florida [Mr. SMATHERS] be added as a cosponsor.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

CONDEMNATION OF PROSECUTION OF ROMAN CATHOLIC PRIESTS BY GOVERNMENT OF LITHUANIA AND COMMUNIST PERSECUTION OF RELIGION EVERYWHERE BEHIND THE IRON CURTAIN—ADDITIONAL COSPONSOR OF CONCURRENT RESOLUTION

Mr. DOUGLAS. Mr. President, I ask unanimous consent that the name of the junior Senator from Rhode Island [Mr. PELL] be added as a cosponsor of Senate Concurrent Resolution 57, condemning the prosecution of Roman Catholic priests by the puppet Soviet Communist government of Lithuania and Communist persecution of religion everywhere behind the Iron Curtain, which I introduced on February 5, 1962.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

NOTICE OF RECEIPT OF NOMINATIONS BY COMMITTEE ON FOREIGN RELATIONS

Mr. FULBRIGHT. Mr. President, as chairman of the Committee on Foreign Relations, I desire to announce that today the Senate received the nominations of John L. Salter, of Washington, to be Assistant Administrator for Congressional Liaison, Agency for International Development; Herbert J. Waters, of Virginia, to be Assistant Administrator for Material Resources, Agency for International Development; W. Michael Blumenthal, of New Jersey, to be the representative of the United States of America on the Commission on International Commodity Trade of the Economic and Social Council of the United Nations.

In accordance with the committee rule, these pending nominations may not be considered prior to the expiration of 6 days of their receipt in the Senate.

NOTICE OF HEARINGS ON TREASURY AND POST OFFICE DEPARTMENTS APPROPRIATION BILL

Mr. ROBERTSON. Mr. President, the regular annual appropriation bill for fiscal year 1963 for the Treasury Department, the Post Office Department, and for certain related independent agencies is expected to pass the House of Representatives Tuesday, March 6, 1962.

The Senate Subcommittee on Appropriations handling this bill, of which I am the chairman, has scheduled hearings on the bill beginning Wednesday, March 7.

Secretary of the Treasury Dillon is scheduled for 10 a.m., Wednesday, March 7, in room 1224, New Senate Office Building. It is expected that other Treasury witnesses will follow Secretary

Dillon Wednesday morning and Wednesday afternoon.

On Thursday, March 8, at 10 a.m., we expect to hear from Postmaster General Day, and we will follow in the afternoon with the Bureau of the Budget, the Tax Court, and other independent related agencies.

I want to give this notice to the Senate in the RECORD so that anyone who has any interest in this bill may have an opportunity to present testimony to the subcommittee.

The schedule of hearings is as follows:

SCHEDULE OF HEARINGS OF TREASURY-POST OFFICE-EXECUTIVE OFFICE APPROPRIATION BILL, 1963, A. WILLIS ROBERTSON, SUBCOMMITTEE CHAIRMAN

Wednesday, March 7, 1962, 10 a.m., room 1224, New Senate Office Building.

At 10 a.m., Secretary of the Treasury Douglas Dillon.

At 2 p.m., Treasury Department items.

Thursday, March 8, 1962, 10 a.m., room 1224, New Senate Office Building.

At 10 a.m., Postmaster General J. Edward Day.

At 2 p.m., related agencies: Bureau of the Budget et al.

NOTICE OF HEARINGS ON SO-CALLED "DEPOSITORY LIBRARY BILLS

Mr. JORDAN. Mr. President, I wish to announce for the information of all interested parties that the Subcommittee on the Library of the Committee on Rules and Administration has scheduled hearings at 10 a.m. on Thursday and Friday, March 15 and 16, 1962, in room 301, Old Senate Office Building, on the so-called depository library bills, S. 2029—by Senator FRANK J. LAUSCHE—and H.R. 8141—passed by the House of Representatives on August 22, 1961.

All persons interested in testifying at the hearings or in submitting written statements should at their earliest possible convenience communicate with Mr. Gordon F. Harrison, chief clerk and counsel, Committee on Rules and Administration, room 305, Senate Office Building, Washington, D.C.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, March 1, 1962, he presented to the President of the United States the enrolled bill (S. 486) to provide for the appointment of two additional judges for the juvenile court of the District of Columbia.

PROPOSED HEALTH LEGISLATION—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 347)

Mr. GORE. Mr. President, the President of the United States today has sent to the Senate a message dealing with health. I ask unanimous consent that the message be printed in the RECORD without reading, and appropriately referred.

(The message has been read in the House of Representatives.)

There being no objection, the message was referred to the Committee on Labor and Public Welfare, as follows:

To the Congress of the United States:

The basic resource of a nation is its people. Its strength can be no greater than the health and vitality of its population. Preventable sickness, disability, and physical or mental incapacity are matters of both individual and national concern.

We can take justifiable pride in our achievements in the field of medicine. We stand among the select company of nations for whom fear of the great epidemic plagues is long past; our life expectancy has already reached the Biblical three score and ten; and, unlike so many less fortunate peoples of the world, we need not struggle for mere survival. But measured against our capacity and capability in the fields of health and medical care, measured against the scope of the problems that remains and the opportunities to be seized, this Nation still falls far short of its responsibility.

Many thousands needlessly suffer from infectious diseases for which preventive measures are available. We are still 10th among the nations of the world in our infant mortality rate. Prolonged and costly illness in later years robs too many of our older citizens of pride, purposes, and savings. In many communities the treatment of the mentally ill and the mentally retarded is totally inadequate. And there are increasingly severe shortages of skilled personnel in all the vital health professions.

Basically, health care is a responsibility of individuals and families, of communities and voluntary agencies, of local and State governments. But the Federal Government shares this responsibility by providing leadership, guidance and support in areas of national concern. And the Congress last year recognized this responsibility in important ways.

PROGRESS DURING 1961

Our States and communities have responded quickly and with impressive vigor to the invitation to cooperative action extended by the Community Health Services and Facilities Act passed by the Congress and signed into law only 4 months ago. As a result, better care for the chronically ill and the aged will soon be available in many parts of the Nation, both inside and outside the hospitals and other institutions in this program.

There is also visible progress in the effort to control water pollution, resulting from the expanded legislation passed by the Congress in 1961. Last year construction was begun on more waste treatment plants than ever before in our history—30 percent above the calendar year 1960 level.

There were, in addition, other important forward thrusts taken, with Federal help, in the protection of our Nation's health. Medical research advanced at an accelerated pace. We are now better equipped than ever before to evaluate and deal with radiation perils. The incidence of polio has been reduced to the lowest levels ever recorded. We have engaged our most talented doctors and scientists in an intensified search for the cause and cure of cancer, heart disease, mental illness, mental retardation, environmental health problems, and other serious health hazards.

But, of the four basic improvements in the Federal health program I recommended to the Congress last year, two urgent needs—health insurance for the aged and assistance to education for the health professions—have not yet been met. The passage of time has only served to increase their urgency; and I repeat those requests today, along with other needed improvements.

I. HEALTH INSURANCE FOR THE AGED

Our social insurance system today guards against nearly every major financial setback: retirement, death, disability, and unemployment. But it does not protect our older citizens against the hardships of prolonged and expensive illness. Under our social security system, a retired person receives cash benefits to help meet the basic cost of food, shelter and clothing—benefits to which he is entitled by reason of the contributions he made during his working years. They permit him to live in dignity and with independence—but only if a serious illness does not overtake him.

For, compared to the rest of us, our older citizens go to the hospital more often—they have more days of illness—and their stays in the hospital are thus more costly. But both their income and the proportion of their hospital bill covered by private insurance are, in most cases, substantially lower than those of younger persons.

Private health insurance has made notable advances in recent years. But older people, who need it most but can afford it least, are still unable to pay the high premiums made necessary by their disproportionately heavy use of health care services and facilities, if eligibility requirements are to be low and the scope of benefits broad. Today, only about half of our aged population has any health insurance of any kind—and most of these have insufficient coverage.

To be sure, welfare assistance, and Federal legislation to help the needy or "medically indigent," will provide health services in some instances. But this kind of help is not only less appealing, coupled as it is with a means test, it reaches very few of those who are not eligible for public assistance but are still not able to afford the care they need.

I therefore recommend again the enactment of a health insurance program for the elderly under the social security system. By this means the cost of health services in later years can be spread over the working years—and every worker can face the future with pride and confidence. This program, of course, would not interfere in any way with the freedom of choice of doctor, hospital, or nurse. It would not specify in any way the kind of medical or health care or treatment to be provided. But it would establish a means to pay for the following minimum levels of protection:

First. Inpatient hospital expenses for up to 90 days, in excess of $10 per day for the first 9 days (with a minimum payment by each person of $200), and full costs for the remaining 81 days.

Second. The cost of nursing home services up to 180 days immediately after discharge from a hospital. By providing nursing home care for twice as long as that in the hospital, the patient is encouraged to use the less expensive facilities when these will satisfy his requirements.

Third. The cost of hospital outpatient clinic diagnostic services in excess of $20. These benefits will reduce the need for hospital admissions and encourage early diagnosis.

Fourth. The cost of community visiting nurse services, and related home health services, for a limited number of visits. These will enable many older people to receive proper health care in their own homes.

It should be emphasized that we are discussing a gap in our self-financed, contributory social insurance system. These are all insurance benefits which will be available to everyone over 65 who is eligible for social security or railroad retirement benefits. They would be entirely self-financed by an increase in social security contributions of one-quarter of 1 percent each on employers and employees, and by an increase in the maximum earnings base from $4,800 a year to $5,200 a year. No burden on the general revenues is involved. I am not unmindful of the fact, however, that none of our social insurance systems is universal in its coverage—and that direct payments may be necessary to provide help to those not covered for health insurance by social security. But the two problems should not be confused—and those who have never made any contribution toward the system should not be regarded as in the same category as those who have—and because a minority lacks the protection of social security is no reason to deny additional self-financed benefits to the great majority which it covers.

II HEALTH PROFESSIONS PERSONNEL

The Nation's health depends on the availability and efficient use of highly trained and skilled professional people. These people are in very short supply. Unless we take steps to train more physicians and more dentists, the promise of modern medicine cannot be fully realized.

In an earlier message this year, I repeated my recommendation for Federal aid for the construction and expansion of schools of medicine, osteopathy, dentistry and public health, and for helping talented but needy students pursue their professional education. I recommended: (1) A 10-year program of grants to plan and construct such professional schools in order to increase the Nation's training capacity; and (2) a program of Federal scholarship aid for talented students in need of financial assistance, plus cost-of-education payments to the schools.

The urgency of this proposal cannot be repeated too often. It takes time to construct new facilities and many years for doctors to be trained. A young man entering college this fall will not be ready to start his practice until 1972—and even later if he plans to enter a specialty. The costs of construction and operation are mounting. Only six schools of medicine have been opened in the last decade; and the number of graduates has risen only 15 percent. Over the same period, student applications to medical schools have declined sharply. Our ratio of active physicians to population is less today than it was 10 years ago, and growing worse, and in the next 10 years we shall need to expand existing medical and dental school facilities, and to construct 20 new medical and 20 new dental schools.

We must also provide financial help to talented but needy students. I have previously expressed concern over the fact that medicine is increasingly attracting only the sons and daughters of high income families—43 percent of the students in our Nation's medical schools in 1959 came from the 12 percent of the U.S. families with an annual income of $10,000 or more.

A survey has shown that 4 years in medical school cost each student of the 1959 graduating class an average of $11,600. More than half of them had to borrow substantial sums to complete their education, and one-third of the group had an average debt of $5,000. Many of these students still have from 1 to 7 years of additional professional training, at low stipends, still facing them. Obviously further loans and further debts are not the answer.

Also, modern health care is extremely complex. It demands the services of a skilled and diversified team of specialists and technical personnel.

But there are shortages in almost every category—and the shortages are particularly severe in nursing. Last year I authorized the Surgeon General of the Public Health Service to set up a consultant group on nursing, and a comprehensive study of this field is well underway. I expect to receive their report in the near future.

III. IMMUNIZATION

There is no longer any reason why American children should suffer from polio, diphtheria, whooping cough, or tetanus—diseases which can cause death or serious consequences throughout a lifetime, which can be prevented, but which still prevail in too many cases.

I am asking the American people to join in a nationwide vaccination program to stamp out these four diseases, encouraging all communities to immunize both children and adults, keep them immunized, and plan for the routine immunization of children yet to be born. To assist the States and local communities in this effort over the next 3 years, I am proposing legislation authorizing a program of Federal assistance. This program would cover the full cost of vaccines for all children under 5 years of age. It would also assist in meeting the cost of organizing the vaccination drives begun during this period, and the cost of extra personnel needed for certain special tasks.

In addition, the legislation provides continuing authority to permit a similar attack on other infectious diseases which may become susceptible of practical eradication as a result of new vaccines or other preventive agents. Success in this effort will require the wholehearted assistance of the medical and public health professions, and a sustained nationwide health education effort.

IV. HEALTH RESEARCH

The development of these immunization techniques was made possible by medical research, just as it has made possible the new drugs, surgical techniques and other treatments which have virtually conquered many of the leading killers of a generation ago—tuberculosis, pneumonia, rheumatic fever, and many others.

But conquest of the infectious diseases, by increasing our lifespan, has made us more vulnerable to cancer, heart disease, and other long-term illnesses. Today, two persons die from heart disease and cancer in the United States every minute. Last year, more than 1 million Americans fell victim to these merciless diseases.

They are not merely diseases of old age. Cancer leads all other diseases as the cause of death in children under age 15. Of the 10 million Americans who suffer from heart disease, more than half of them are in their most productive years, between 25 and 64.

Fortunately, medical research, supported to an increasing degree over the past 15 years by the Federal Government, is achieving exciting breakthroughs against both cancer and heart disease as well as on many other fronts. We can now save one out of every three victims of cancer, compared to only one out of four saved less than a decade ago. Our nationwide cancer chemotherapy program is saving many children and adults who would have been considered hopeless cases only a few years ago. And advances in heart surgery have restored to productive lives many thousands, while full prevention of many forms of heart disease seems increasingly within our reach.

We must, therefore, continue to stimulate this flow of inventive ideas by supporting medical research along a very broad front. I have proposed substantially increased funds for the National Institutes of Health for 1963, particularly for research project grants, and the training of specialists in mental health. Expenditures by the Institutes in 1963 are estimated to exceed $740 million, an increase of more than $100 million from the current year and a fourfold increase in the last 5 years. I am also renewing my recommendation that the current limitation on payment of indirect costs by the National Institutes of Health in connection with research grants to universities and other institutions be removed.

In keeping with the broadening horizons of medical research, I again recommend the establishment of a new Institute for Child Health and Human Development within the National Institutes of Health. Legislation to create this new Institute was introduced in the last session of Congress.

We look to such an Institute for a full-scale attack on the unsolved afflictions of childhood. It would explore prenatal

influences, mental retardation, the effect of nutrition on growth, and other basic facts needed to equip a child for a healthy, happy life. It would, in addition, stimulate imaginative research into the health problems of the whole person throughout his entire lifespan—from infancy to the health problems of aging.

As a parallel action I am requesting authorization for contracts and cooperative arrangements for research related to maternal and child health and crippled children's services. This legislation, introduced in the last session of Congress, would strengthen the programs of the Children's Bureau in these areas, and foster effective coordination between the research activities of this Bureau and those of the proposed new Institute.

I also recommend that the present Division of General Medical Sciences at the National Institutes of Health be given the status and title of an Institute. This program supports fundamental research in biology and other sciences, and strengthens the research capabilities of universities and other institutions.

Last year, Congress enacted legislation temporarily extending and expanding the program of Federal matching grants for the construction of health research facilities. This program has been very successful, and it should be further extended.

In these and other endeavors, including our new National Library of Medicine, we must take steps to accelerate the flow of scientific communication. The accumulation of knowledge is of little avail if it is not brought within reach of those who can use it. Faster and more complete communication from scientist to scientist is needed, so that their research efforts reinforce and complement each other; from researcher to practicing physician, so that new knowledge can save lives as swiftly as possible; and from the health professions to the public, so that people may act to protect their own health.

V. MENTAL HEALTH

While we have treated the physically ill with sympathy, our society has all too often rejected the mentally ill, consigning them to huge custodial institutions away from the heart of the medical community. But more recently, the signs of progress toward enlightened treatment have been increasing. The discovery and widespread use of tranquilizing drugs over the past 6 years has resulted in an unprecedented reduction of 32,000 patients in the census of our State mental hospitals. But one-half of our hospital beds are still occupied by the mentally ill; and hundreds of thousands of sufferers and their families are still virtually without hope for progress.

I want to take this opportunity to express my approval, and offer Federal cooperation, for the action of the Governors of the 50 States at a special National Governors' Conference called last November. In accepting the challenge of the report of the Joint Commission on Mental Illness and Health, they pledged a greater State effort—both to transfer treatment of the majority of mental patients from isolated institutions to modern psychiatric facilities in the heart of the community, and to provide more intensive treatment for hospitalized patients in State institutions.

But this problem cuts across State lines. Since the enactment in 1946 of the National Mental Health Act, the Federal Government has provided substantial assistance for the support of psychiatric research, training of personnel and community mental health programs. The Government is currently spending over $1 billion annually for mental health activities and benefits. The National Institute of Mental Health alone will use approximately $100 million this year. Approximately $350 million is budgeted by Federal agencies for the care of the mentally ill; over $500 million is spent annually in the form of pensions and compensation for veterans with neuropsychiatric disorders; and additional sums for similar benefits are paid by the social security and other Federal disability programs.

But far more needs to be done. Adequate care requires a supply of well-trained personnel, working both in and out of mental hospitals. In 1946, there were only 500 psychiatric outpatient clinics in the Nation. Today there are more than 1,500. More than 500,000 people received treatment in these clinics last year. We are making progress—but the total effort is still far short of the need. It will require still further Federal, State, and local cooperation and assistance.

I have directed the Secretary of Health, Education, and Welfare, the Secretary of Labor, and the Administrator of Veterans' Affairs, with the assistance of the Council of Economic Advisers and the Bureau of the Budget, to review the recommendations of the Joint Commission on Mental Illness and Health, and to develop appropriate courses of action for the Federal Government. They have been instructed to consider such questions as the desirable alinement of responsibility among Federal, State, and local agencies and private groups; the channels through which Federal activities should be directed; the rate of expansion possible in the light of trained manpower availabilities; and the balance which should be maintained between institutional and noninstitutional programs.

Meanwhile, we must continue our vigorous support of research to learn more about the causes and treatment of mental illness. We must train many more mental health personnel. We must continue to strengthen treatment programs for Federal beneficiaries through our many existing Federal institutions, including St. Elizabeths Hospital. And I have recommended added funds for the National Institute of Mental Health to increase its program for the training of professional mental health workers and physicians.

VI. MENTAL RETARDATION

The nature and extent of mental retardation is often misunderstood. It is frequently confused with mental illness. While mental illness disables after a period of normal development, mental retardation is usually either present at birth or underway during childhood. It is not a disease but a sympton of a disease, an injury, or some obscure failure of development. It refers to a lack of intellectual ability, resulting from arrested mental development, and manifesting itself in poor learning, inadequate social adjustment, and delayed achievement. Its causes are many and obscure. We are encouraged with each new discovery—but present knowledge of this condition is still so fragmentary that its prevention and cure will require continued and persistent research over an extended period of time. The present limitations of knowledge make diagnosis extremely difficult, particularly since it involves the very young. And a major obstacle to progress is the lack of personnel trained in the special skills required to work effectively with the mentally retarded.

Thus, in spite of the progress made in recent years, mental retardation remains one of our most serious health and education problems. Approximately 5 million people in the United States are mentally retarded; and each year more than 126,000 more babies are born who will suffer from this tragic affliction.

I have asked the Panel or Mental Retardation which I appointed last year to appraise the adequacies of existing programs and the possibilities for greater utilization of current knowledge. It will review and make recommendations with regard to: (1) the personnel necessary to develop and apply new knowledge; (2) promising avenues of investigation, and the means to support and encourage research along these lines; and (3) improvement and extension of present programs of treatment, education, and rehabilitation.

I expect the Panel's report before the end of this year; and we should then be ready for the next phase of the attack upon this problem. I am confident that the work of this Panel will help us chart the path toward our ultimate goal of preventing this tragic condition.

VII. TOWARD A MORE HEALTHY ENVIRONMENT

There is an increasing gap in our knowledge of the impact upon our health of the many new chemical compounds and physical and biological factors introduced daily into our environment. Every year 400 to 500 new chemicals come into use. Many of them will involve the public health. Others, regardless of every safeguard, present potential hazards. Each year there are 2 million new cases of intestinal disease. Hepatitis is at an alltime high. We need to apply additional protection against every new hazard resulting from contamination of the air we breathe or the water we drink.

As I already mentioned, the water pollution control legislation passed by the Congress last year has permitted us to step up our efforts to purify our water. We should make a similarly accelerated effort in parallel fields. I am, therefore, recommending:

1. Legislation to strengthen the Federal effort to prevent air pollution, a growing and serious problem in many areas. Fresh air cannot be piped into the cities, nor can it be stored for future use. Our only protection is to prevent pollution.

Under the existing Air Pollution Act, the Federal Government is conducting badly needed research on the biological effects of air pollution; developing improved methods for identifying, measuring, analyzing, and controlling pollution; and working with State and local officials to accelerate necessary control programs.

I recommend that the Congress enact legislation to provide: (a) authority for an adequate research program on the causes, effects, and control of air pollution; (b) project grants and technical assistance to State and local air pollution control agencies to assist in the development and initiation or improvement of programs to safeguard the quality of air; and (c) authority to conduct studies and hold public conferences concerning any air pollution problem of interstate nature or of significance to communities in different parts of the Nation.

Legislation along these lines has already passed the Senate, and I urge final favorable action in this Congress.

2. In order to provide a central focal point for nationwide activities in the control of air pollution, water pollution, radiation hazards, and occupational hazards, I recommend the establishment of a National Environmental Health Center. This center will serve as the base laboratory for research and training activities, and as headquarters for Public Health Service personnel concerned with health hazards in the environment. It will facilitate regular and frequent collaboration between Public Health Service scientists and those with whom they should consult in other Federal agencies. The center will serve also to encourage closer cooperation with industrial research and control groups, with universities and private foundations, and with State and local agencies.

3. Finally, I have recommended an increase in the appropriations for the study and control of water and air pollution and for research into protection against radiation peril.

VIII. ENCOURAGEMENT OF GROUP PRACTICE

Akin to the problem of increasing our overall supply of professional and technical health personnel is the problem of making more effective use of the personnel we already have. Experience in many communities has proven the value of group medical and dental practice, where general practitioners and medical specialists voluntarily join to pool their professional skills, to use common facilities and personnel, and to offer comprehensive health services to their patients. Group practice offers great promise of improving the quality of medical care, of achieving significant economies and conveniences to physician and patient alike, and of facilitating a wider and better distribution of the available supply of scarce personnel.

A major obstacle to the development of group practice, however, particularly in our smaller communities, is a lack of the specialized facilities needed. I therefore recommend legislation which will authorize a 5-year program of Federal loans for construction and equipment of group practice medical and dental facilities, with priority being given to facilities in smaller communities and to those sponsored by nonprofit or cooperative organizations.

IX. HEALTH OF DOMESTIC AGRICULTURAL MIGRANT WORKERS

Domestic agricultural migrants and their families—numbering almost 1 million persons—have unmet health needs far greater than those of the general population. Their poor health not only affects their own lives and opportunities, but it is a threat to the members of the permanent communities through which they migrate. The poverty of these migrants, their lack of health knowledge, and their physical isolation and mobility, all tend to limit their access to community health services. To help improve their health conditions, I recommend—in addition to expanding the special Public Health Service activities directed to them—the enactment of legislation to encourage the States to provide facilities and services for migrant workers.

X. PUBLIC HEALTH SERVICE REORGANIZATION

Changes in recent years have greatly increased the responsibilities of the Public Health Service. Some major organizational changes are necessary in order to help this agency carry out its vital tasks more effectively. I will shortly forward to the Congress a proposal which will make these reorganizational changes possible. It will permit more effective administration of community health programs and those dealing with the health hazards of the environment.

OTHER HEALTH GOALS

The struggle for improved health is never ending. While we are pressing new attacks in sectors of past neglect and present urgency, we must continue to advance along the entire front.

Health facilities construction: I have asked the Secretary of Health, Education, and Welfare to review the program of federally aided medical facility construction, to evaluate its accomplishments and future course. Through the Federal support provided by this very successful program, general medical care facilities have been constructed in most of the areas of greatest need. There are, however, large and urgent unmet requirements for facilities to provide long-term care, especially for the elderly, and short-term mental care at the community level. In addition, a growing number of existing urban hospitals require modernization so that they may continue to serve the needs of the people dependent upon them.

Health of merchant seamen: Over the past several years funds for the operation of the Public Health Service hospitals have been substantially increased to improve the quality of medical care for merchant seamen and other beneficiaries. A start has also been made on enabling these hospitals to conduct medical research. I have directed the Secretary of Health, Education, and Welfare to develop a plan for providing more readily accessible hospital care for seamen and for improving the physical facilities of those Public Health Service hospitals which are needed to provide such care.

Physical fitness: The foundation of good health is laid in early life. Yet large numbers do not receive necessary health care as infants and schoolchildren. The alarming rate of correctible health defects among selective service registrants highlights the problem. In all 50 States there has been a gratifying response to my call of last year for vigorous programs for the physical development of our youth. Pilot projects stimulated by the President's Council on Youth Fitness proved that basic programs, within the reach of every school, can produce dramatic results. Our children must have an opportunity for physical development as well as for intellectual growth. Our increased national emphasis on physical fitness, based on daily vigorous activity and sound nutritional and health practices, should and will be continued.

International health: Finally, it is imperative that we help fulfill the health needs and expectations of less developed nations, who look to us as a source of hope and strength in fighting their staggering problems of disease and hunger. Mutual efforts toward attaining better health will help create mutual understanding. Our foreign assistance program must make maximum use of the medical and other health resources, skills and experience of our Nation in helping these nations advance their own knowledge and skill. We should, in addition, explore every possibility for scientific exchange and collaboration between our medical scientists and those of other nations—programs which are of benefit to all who participate and to all mankind.

CONCLUSION

Good health is a prerequisite to the enjoyment of "pursuit of happiness." Whenever the miracles of modern medicine are beyond the reach of any group of Americans, for whatever reason—economic, geographic, occupational, or other—we must find a way to meet their needs and fulfill their hopes. For one true measure of a nation is its success in fulfilling the promise of a better life for each of its members. Let this be the measure of our Nation.

JOHN F. KENNEDY.

THE WHITE HOUSE, *February 27, 1962.*

NATIONAL RESOURCES—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 348)

Mr. GORE. Mr. President, the President of the United States today has sent to the Senate a message dealing with natural resources of the Nation. I ask unanimous consent that the message be printed in the RECORD without reading, and appropriately referred.

(The message has been read in the House of Representatives.)

There being no objection, the message was referred to the Committee on Interior and Insular Affairs, as follows:

To the Congress of the United States:

As our population expands, as our industrial output increases, and as rising productivity makes possible increased enjoyment of leisure time, the obligation to make the most efficient and beneficial

use of our natural resources becomes correspondingly greater. The standard of living we enjoy—greater than any other nation in history—is attributable in large measure to the wide variety and rich abundance of this country's physical resources. But these resources are not inexhaustible—nor do they automatically replenish themselves.

We depend on our natural resources to sustain us—but in turn their continued availability must depend on our using them prudently, improving them wisely, and, where possible, restoring them promptly. We must reaffirm our dedication to the sound practices of conservation which can be defined as the wise use of our natural environment; it is, in the final analysis, the highest form of national thrift—the prevention of waste and despoilment while preserving, improving, and renewing the quality and usefulness of all our resources. Our deep spiritual confidence that this Nation will survive the perils of today—which may well be with us for decades to come—compels us to invest in our Nation's future, to consider and meet our obligations to our children and the numberless generations that will follow.

Our national conservation effort must include the complete spectrum of resources: air, water, and land; fuels, energy, and minerals; soils, forests, and forage; fish and wildlife. Together they make up the world of nature which surrounds us—a vital part of the American heritage. And we must not neglect our human resources—the Youth Conservation Corps, proposed as a part of the administration's youth employment opportunities bill, should be established to achieve the dual objectives of conserving and developing the talents of our youth and of conserving and developing our outdoor resources.

In the second month of this administration I sent to the Congress a message summarizing our plans for the development of our natural resources. In the year which followed, heartening progress was made, including the following:

A full-scale attack on one of the most destructive forms of waste—water pollution—has been mounted under the 1961 amendments to the Water Pollution Control Act.

The saline water program to find cheaper means of converting salt water to fresh water was given new impetus by legislation enacted last year; three demonstration plants have begun operation and two more will shortly be under construction.

Flood plain studies were initiated under a new nationwide program to provide the States and local governments with information needed to regulate the use of flood plains, thereby minimizing frightful flood losses.

Work was started on 74 major water resources projects and 79 small watershed projects, and planning for water resources development has been intensified.

Under recently issued regulations, sufficient land can now be acquired in the construction of federally financed reservoirs to preserve the recreational potential of those areas.

Our urban areas can now guide their growth and development through the acquisition of open space for recreation and other purposes under the Housing Act of 1961—a landmark in conservation effort.

The great outer beach of Cape Cod is now a national seashore area, protected for the present and future enjoyment of all Americans, the first major addition to the national park system in 14 years.

A long-range duck stamp program has been launched to acquire additional lands for waterfowl so that they may grow and thrive.

A 10-year projection of needs and plans for the development of our national forests was sent to the Congress last September—a major step forward in the management of publicly owned forests.

The Delaware River Basin compact was approved, providing a new basis for cooperative and coordinate development.

The Tennessee Valley Authority is giving new emphasis to tributary watershed development.

This progress is gratifying. But much remains to be done—our renewed interest and momentum must not wane. To provide an opportunity for the exchange of further ideas—and to permit those who have dedicated their efforts to the principles of conservation to participate in evaluating the progress that has been made—and to seek the best possible advice in prescribing what must be done in the future—I propose to convene a White House Conference on Conservation this year.

I. OUTDOOR RECREATION RESOURCES

Adequate outdoor recreational facilities are among the basic requirements of a sound national conservation program. The increased leisure time enjoyed by our growing population and the greater mobility made possible by improved highway networks have dramatically increased the Nation's need for additional recreational areas. The 341 million visits to Federal land and water areas recorded in 1960 are expected to double by 1970 and to increase fivefold by the end of the century. The need for an aggressive program of recreational development is both real and immediate.

The Outdoor Recreation Resources Review Commission, after a 3-year study of our Nation's recreational demands and opportunities, has submitted a series of recommendations deserving the attention of governments at all levels and of the citizenry at large. Many of the Commission's suggestions have already been explored and developed to the point where we are prepared to recommend legislation implementing them. Others will be carefully considered and, where appropriate, put into effect by Executive action; where additional legislation is required, recommendations will be made to the Congress.

1. More than 20 different Federal departments and agencies have responsibilities of one sort or another in the field of recreation. It is essential that there be close coordination among these different groups and that all plans be fitted into a basic national policy. Accordingly, as recommended by the ORRRC report, I shall appoint an Outdoor Recreation Advisory Council made up of the heads of departments and agencies principally concerned with recreation—to provide a proper forum for considering national recreation policy and to facilitate coordinated efforts among the various agencies.

2. Another organizational recommendation of the ORRRC report to be adopted is the creation within the Department of the Interior of a Bureau of Outdoor Recreation. This Bureau will carry out planning functions already assigned to the Department of the Interior and will administer the program of Federal assistance for State agencies I am proposing below. This new Bureau will serve as a focal point within the Federal Government for the many activities related to outdoor recreation, and will work and consult with the Departments of Agriculture, Army, and Health, Education, and Welfare, the Housing and Home Finance Agency and with other governmental agencies in implementing Federal outdoor recreation policies.

3. The interest and investment in recreational development by the various States have been irregular and uneven. Some have demonstrated outstanding organizational skills with corresponding benefits. The ORRRC recommendation that the States should be encouraged and aided in their efforts to understand and realize the full potential that lies within their boundaries rests on sound ground. Accordingly, I urge the Congress to enact legislation which will shortly be transmitted to establish a program of matching grants for the development of State plans for outdoor recreational programs. This program will supplement that enacted last year which authorized assistance to State and local governments in planning and acquiring open space lands in urban areas for recreation, conservation, and other purposes.

4. In most cases the magnificent national parks, monuments, forests and wildlife refuges presently maintained and operated by the Federal Government have either been donated by States or private citizens or carved out of lands in the public domain. No longer can these sources be relied upon—we must move forward with an affirmative program of land acquisition for recreational purposes. For with each passing year, prime areas for outdoor recreation and fish and wildlife are preempted for suburban growth, industrial development or other uses. That expenditures for land resources is also a sound financial investment is clear from the multiplied value of those lands now devoted to parks, forests, and wildlife refuges which were acquired decades ago by the great conservationists—moreover, steadily rising land prices can in some cases serve to foreclose public acquisition. Expansion of our permanent recreational land base can best be achieved by investments in our future in the form of modest user payments from those who now enjoy our superb outdoor areas and from recreation and land related receipts.

To meet our national needs for adequate outdoor recreational lands, I propose creation of a "Land Conservation Fund" to be financed by (1) proceeds from entrance, admission, or user fees and charges at Federal recreation areas; (2) annual user charges on recreation boats; (3) diversion from the highway trust fund of refundable, but unclaimed, taxes paid on gasoline used in motor boats; and (4) receipts from the sale of surplus Federal nonmilitary lands.

To prevent costly delay in beginning an acquisition program, I recommend authorization be granted to include advances from the Treasury not to exceed $500 million over an 8-year period in the proposed "Land Conservation Fund" which will be repaid from the regular revenue sources of the fund. Money would be made available from the fund for land acquisition by annual appropriations by the Congress.

5. Last year's congressional approval of the Cape Cod National Seashore Area should be regarded as the pathbreaker for many other worthy park land proposals pending before the Congress. I urge favorable action on legislation to create Point Reyes National Seashore in California; Great Basin National Park in Nevada; Ozark Rivers National Monument in Missouri; Sagamore Hill National Historic Site in New York; Canyonlands National Park in Utah; Sleeping Bear Dunes National Lakeshore in Michigan; Prairie National Park in Kansas; Padre Island National Seashore in Texas; a national lakeshore area in northern Indiana; and Ice Age National Scientific Reserve in Wisconsin. Acquisition of these park lands would be financed through the "Land Acquisition Fund."

6. In some sections of the United States—notably the East—available public lands do not meet the large recreational demands. These pent-up demands can be met in some instances through the disposal of lands surplus to Federal needs. I recommend that the Federal Surplus Property Disposal Act be amended to permit States and local governments to acquire surplus Federal lands for park, recreation or wildlife uses on more liberal terms. Furthermore, as the ORRRC report pointed out, fishing, hiking, picnicking, riding, and camping activities on private lands can—and should be intensified and encouraged. One important step in this direction is the recommendation made in my message on agriculture which would permit the orderly movement of millions of acres of land not needed to produce food and fibers to recreational and other uses.

7. The special urgent recreation needs of our urban dwellers, first recognized by Congress in the Housing Act of 1961, are evident from the dramatic response to this administration's open-space land programs on the part of States and cities throughout the Nation. In view of the known backlog of need for recreational lands, and the remarkable rate at which urban and suburban lands are being put to other uses, I have recommended that the present open-space grant authorization be increased by $50 million.

8. The fast-vanishing public shorelines of this country constitute a joint problem for the Federal Government and the States requiring a carefully conceived program of preservation. I recommend approval of legislation along the lines of S. 543, as approved by the Senate, to authorize a study of the ocean, lake, and river shorelines of the Nation to develop a Federal-State shoreline preservation program.

9. Finally, we must protect and preserve our Nation's remaining wilderness area. This key element of our conservation program should have priority attention.

I therefore again strongly urge the Congress to enact legislation establishing a National Wilderness Preservation System along the lines of S. 174, introduced by Senator ANDERSON.

II. WATER RESOURCES

Our Nation's progress is reflected in the history of our great river systems. The water that courses through our rivers and streams holds the key to full national development. Uncontrolled, it wipes out homes, lives, and dreams, bringing disaster in the form of floods; controlled, it is an effective artery of transportation, a boon to industrial development, a source of beauty and recreation, and the means for turning arid areas into rich and versatile cropland. In no resource field are conservation principles more applicable. By 1980, it is estimated, our national water needs will nearly double—by the end of the century they will triple. But the quantity of water which nature supplies will remain almost constant.

Our goal, therefore, is to have sufficient water sufficiently clean in the right place at the right time to serve the range of human and industrial needs. And we must harmonize conflicting objectives—for example, irrigation against navigation, multiple-purpose reservoirs against scenic park sites. Comprehensive and integrated planning is the only solution of this problem, requiring cooperative efforts at all levels of Government.

I, therefore, again urge the Congress to enact the Water Resources Planning Act which I transmitted to the Congress last July which would authorize Federal grants-in-aid to assist the States in water resource planning; authorize the establishment of river basin commissions representing State and National views to prepare and keep up to date coordinated and integrated basin plans; and establish a Water Resources Council of key Cabinet officers to coordinate Federal river basin planning and development activities.

This administration adheres to the policy enunciated in my natural resources message of last year that our available water supply will be used to provide maximum benefits for all purposes—hydroelectric power, irrigation and reclamation, navigation, recreation and wildlife, and municipal and industrial water supply. These diverse uses and our future needs require thoughtful preservation and full development of our national water resources.

The leadtime is long in the development of water resources. Years are required to plan and build sound projects. Time should not be lost on those projects which have already been transmitted to the Congress for authorization: San Juan-Chama, Fryingpan-Arkansas, Burns Creek, Garrison diversion, and Auburn-Folsom South. Federal planning efforts have been intensified and studies and recommendations for authorization of additional water developments accelerated. These plans and recommendations will be submitted to the Congress as they are completed.

III. PUBLIC LANDS

One hundred and fifty years ago the vacant lands of the West were opened to private use. One hundred years ago the Congress passed the Homestead Act, probably the single greatest stimulus to national development ever enacted. Under the impetus of that act and other laws, more than 1.1 billion acres of the original public domain have been transferred to private and non-Federal public ownership. The 768 million acres remaining in Federal ownership are a valuable national asset.

Although the acres set aside for national parks, forests, and wildlife refuges are contributing increasingly to the national welfare, we must take action to assure that the full potential is realized from the vacant unused areas in the public domain (180 million acres, exclusive of Alaska). More intensive management is now being applied to the public domain lands, but still more needs to be done. For example, we plan to establish a realistic schedule of fees and charges for use of Federal range lands, to replace the peculiar patchwork schedule now in effect.

As a basis for making the public domain lands more productive, a comprehensive inventory has been initiated. Although most public domain lands must be retained in Federal ownership for defense and conservation purposes, there are numerous tracts which can be utilized best through private ownership. We are currently updating procedures for land exchanges to provide more orderly patterns of land tenure on both public and private lands. But unfortunately, the laws governing the transfer of public lands to other ownerships are antiquated and new procedures are sorely needed. I urge enactment of a new general land-sale law along the lines of H.R. 7788, as introduced by Congressman ASPINALL.

IV. SOIL, WATERSHED, AND RANGE RESOURCES

For a quarter of a century, we have recognized that a major responsibility for resources conservation rests with the farmers, ranchers, and others who own three-fourths of the Nation's land area. Today, 29,000 soil conservation districts provide leadership in the conservation effort with Federal technical and financial assistance.

Much progress has been made—by land terracing, stripcropping, and other erosion prevention and water conservation measures—but nearly three-fourths of private crop and range lands still need improved conservation practices. Joint action to conserve this basic resource—the land—must be continued and intensified for the benefit of future generations.

During 1961 more watershed projects were approved for construction than in any previous year. This accelerated pace must be continued, on both public and private lands. These projects, while comparatively small, are of vital importance to rural areas and should be as broadly beneficial to the watershed area as possible. I urge, therefore, that the Congress enact legislation which will shortly be transmitted to clarify certain provisions of the Watershed Protection and Flood Prevention Act and to allow deferred repayment of municipal and industrial water supply costs.

A special problem of land conservation calling for immediate attention is the serious erosion and river pollution created by surface mining practices. Techniques must promptly be devised to prevent or minimize this despoilment if we are not to abandon great areas of scenic beauty and create difficult silting problems in many sections of the country. I have directed the Secretary of the Interior, working with appropriate Federal agencies and with the States, to recommend a program of research and action.

V. TIMBER RESOURCES

Timber growth, particularly in softwoods, must be increased significantly if we are to meet the Nation's projected future requirements for wood products. The growing of timber is a long-term project, requiring concerted public and private efforts, and considerable advance planning.

A major advance in Federal forestry efforts was the 10-year development program established for the national forests and announced last September. The Secretary of the Interior is currently preparing a comparable program for the forests under the jurisdiction of his Department.

To implement these, I recommend approval of legislation to be sent to the Congress shortly to accelerate the development of national multiple-purpose forest roads and trails.

Although management of public forests and the large private forests rests on a sound basis, there is opportunity for further improvement. For example, one step that can and will be taken is the establishment of a policy, permitting the Federal Government to condition its granting of rights-of-way to private timber landowners within national forests upon the receipt of corresponding rights to cross their private lands in order to harvest timber from national forests. For an effective national timber resources conservation effort, however, we must depend upon the quarter-billion acres of private timberlands, consisting primarily of small tracts in more than 4 million ownerships.

Improved timber management practice on these small tracts is difficult because of such problems as nonresident ownership, short tenure, owner's lack of knowledge or interest in forestry, limited economic incentives, and the inefficient size of forest units. Existing technical and financial assistance programs have proven inadequate, and I have therefore directed the Secretary of Agriculture to intensify the efforts of his Department to develop a program for improving the management of those small forests.

VI. MINERALS

During the last 30 years, this Nation has consumed more minerals than all the peoples of the world had previously used. Twice in those 30 years we have doubled the rate of mineral production. Current demands are being met without difficulty primarily because of the immense technical and exploratory efforts of the 1940's and early 1950's. But present availability of raw materials must not blind us to tomorrow's requirements.

Conservation of mineral resources benefits from the fact that, for practical purposes, they are not fixed in quantity—the usable volume and variety of minerals increase as technology advances. We have learned to use a host of materials which had no previous value or had value only in limited uses.

Technical research is obviously the critical element in a program of conserving and strengthening both our mineral resources and our minerals industries. To assure us of adequate quantities of minerals in the future, and to enable our minerals industries to compete in world markets, we must find more effective means of discovering and extracting mineral deposits, learn to refine materials of lower quality, and find both new uses for minerals which are relatively abundant, and substitutes for those which are scarce or difficult to procure.

A possible breakthrough for one of the hardest hit minerals industries is the recent development of a coal slurry—a mixture of coal and water—which can be fed directly into great boilers for producing steam to generate electricity. This slurry, capable of being transported through pipelines similar to those used for oil, holds great promise and merits governmental and industrial consideration. I will shortly send to the Congress proposals to facilitate the construction of pipelines to transport coal slurry in interstate commerce.

VII. POWER

One of the major challenges in resource conservation lies in the orderly development and efficient utilization of energy resources to meet the Nation's electric power needs—needs which double every decade. The goal of this administration is to insure an abundance of low-cost power for all consumers—urban and rural, industrial and domestic. To achieve this, we must use more effectively all sources of fuel, find cheaper ways to harness nuclear energy, develop our hydroelectric potential, utilize presently unused heat produced by nature or as a byproduct of industrial processes, and even capture the energy of the tides where feasible.

The ability to make long-range plans for the expansion of our Nation's electric power supply required by constantly growing power needs will be enhanced by a comprehensive nationwide survey to be undertaken by the Federal Power Commission. Under existing authority contained in the Federal Power Act, the Commission will project our national power needs for the 1970's and 1980's and suggest the broad outline of a fully interconnected system of power supply for the entire country. This information will encourage the electric power industry—both private and public—to develop individual expansion programs and intertie systems permitting all elements of the industry—and more importantly the consumers—to benefit from efficient, orderly planned growth. I urge favorable action on the request for adequate funds to initiate this study of the Nation's power needs for the next 20 years.

Advantageous arrangements and technological improvements for power generation and transmission are being developed by the Department of the Interior. Experimentation in extra high-voltage, direct-current transmission over long distances promises to enable us to send major blocks of low-cost off-peak electricity—that which is generated when the demand is low—as far as a thousand miles to areas where such energy can be put to higher and more valuable use because of their different patterns of electricity demands. Similarly, investigation is continuing on possibilities for using cheap off-peak power to pump water to storage reservoirs permitting the water to be used to generate power when demands are great and power sells at a premium.

VIII. RESEARCH AND TECHNOLOGY

Implicit in the conservation thesis of wise use, improvement, preservation and restoration of our resources is the basic requirement of greater scientific knowledge and improved resources management. The catalog of resource problems set forth in this message demonstrates the importance of intensive research in the resources field. In response to the demonstrated need for concentrated and coordinated research, this administration has:

Requested the National Academy of Sciences to undertake a thorough evaluation of the potentials and needs for research underlying the development and use of natural resources.

Directed the Federal Council for Science and Technology to coordinate the wide-ranging research programs of participating agencies to strengthen and unify our total governmental research effort in the natural resources field.

Directed the Council of Economic Advisers to stimulate research in the economics of resource use.

Coordinated research programs already underway and worthy of special note are the following:

Oceanography: Our intensified effort to expand our knowledge and understanding of the vast resources held by the oceans through basic research and surveys of geologic and living resources will surely result in extending our known resource base, with encouraging prospects for improving our standard of living and adding protein-rich marine products to the diets of the hungry people of the world.

Sports fisheries and wildlife: Studies of diseases and pesticides are continuing and efforts to solve the problems of passing migratory fish over high dams are being accelerated. A new laboratory has been opened on the Atlantic coast to study the management of salt water sport fish—the basis of a growing industry.

Agriculture and forestry: The Secretary of Agriculture will soon appoint an advisory panel of outstanding scientists to appraise and propose changes in the Department's research programs. The emphasis will be shifted from increasing production to problems of soil and water, forest resources, forage production, watershed protection, and protection of plants and animals against pests and diseases. Economic studies to provide the bases for sound land and water resources policies and optimum land use adjustments will be further intensified.

Water: An Institute of Water Research participated in by all water resource agencies, to be established in the Department of the Interior, will conduct basic research on surface and ground waters to develop fundamental principles and facilitate improved translation of scientific information into water management practices. Concentrated and coordinated research programs in a number of agencies are being directed to such specific problems as desalinization of water, improving water quality and flood forecasting and preventing water evaporation.

Just as our investment of scientific talent, money, and time is better utilized in well coordinated and complementary programs within the Federal Government and by the closest working relationships with State and local governments, the academic community and industry, so our efforts should be meshed with those of the other countries of the world. Resource conservation problems are worldwide; efforts to solve them should be equally universal. This Nation will continue to cooperate in international scientific and research undertakings; and the useful information and specific technological applications we develop—economically feasible desalinization of sea water, for example—will be made available immediately, as has always been our practice, to advance the welfare of all peoples of the world.

CONCLUSION

In the work of conservation, time should be made our friend, not our adversary. Actions deferred are frequently opportunities lost, and, in terms of financial outlay, dollars invested today will yield great benefits in the years to come. The progress made in the resources field in the first year of this administration is encouraging; implementation of the new recommendations made today will maintain the momentum, enabling us to repay our debt to the past and meet our obligations to the future.

JOHN F. KENNEDY.

THE WHITE HOUSE, *March 1, 1962.*

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the Record, as follows:

By Mr. CHURCH:

Address entitled "The Scourge of Giantism in Business and Politics," delivered by himself before the Retail Clothiers & Furnishers convention in Washington, D.C., on February 12, 1962.

By Mr. HARTKE:

Lincoln Day Address by himself at Lincoln City, Ind., on February 12, 1962.

Address delivered by Senator ELLENDER before the Wabash Valley Association, at Purdue University, in West Lafayette, Ind., on January 31, 1962.

By Mr. WILEY:

Address entitled "Outer Space: The New Arena for World Communications," delivered by himself on February 14, 1962, in Milwaukee, Wis., before a group of telephone company officers and personnel.

Excerpts from weekend broadcast by himself over Wisconsin radio station, dealing with the need for a more effective national agricultural policy.

By Mr. CARROLL:

Statement by himself before House Committee on Agriculture relating to certain discriminatory provisions in the Perishable Agricultural Commodities Act.

Statement by himself before House Committee on Agriculture concerning the growing concentration of monopoly power in the food distribution industry.

By Mr. COOPER:

Article entitled "The Test Debate: We Need To Know More," written by Senator ANDERSON and published in the New York Times magazine of February 25, 1962.

PROBLEMS OF MONTANA WHEAT AND BARLEY PRODUCERS—STATEMENT BY SENATOR MANSFIELD AND RESPONSES TO QUESTIONS

Mr. MANSFIELD. Mr. President, on February 28 my distinguished colleague, the Senator from Montana [Mr. METCALF], who today also is the Acting President pro tempore of the Senate, and I appeared before the Senate Committee on Agriculture and Forestry. At that time we introduced to the committee a number of wheat and barley producers from Montana, so that they would have a chance to make their views on their particular problems known to that committee. I ask unanimous consent to have printed at this point in the RECORD the remarks I made before the committee on that occasion and also the responses to some questions which I raised with the Department of Agriculture.

There being no objection, the statement and the memorandum were ordered to be printed in the RECORD, as follows:

STATEMENT OF HON. MIKE MANSFIELD, U.S. SENATOR FROM THE STATE OF MONTANA

Senator MANSFIELD. Thank you, Mr. Chairman.

I am happy to have the privilege of being here today with my distinguished colleague from Montana, Senator LEE METCALF, and to present to you a group who have come almost 3,000 miles to testify this morning and to make their views known to this particular and most important committee.

I think I ought to say at the beginning—and this is more for the benefit of the folks from Montana, primarily—that many bills are introduced in the Congress, but that very few of them come out as originally introduced. That is because they are subject to testimony and to the study and consideration by the members of the committee themselves.

Before I start on my statement, I would like to ask this committee to take into consideration the Durum wheat problem in Montana, because we think that we are entitled to additional consideration in that particular commodity, and it is the hope of Senator METCALF and myself that this particular question will be given serious consideration and that this committee will, in its wisdom, do what it can to help the hard wheat, the Durum wheat farmers of our State.

Mr. Chairman, the feed grain program of the Department of Agriculture has generated more controversy and discussion in Montana than any other issue in recent months. Because of the many communications which my colleague, Senator METCALF, and I have received, we have endeavored, on the floor of the Senate, to summarize for our own purposes and for the edification of our fellow Montanans, exactly what the program is and what it is designed to do.

Both Senator METCALF and I have had, with the Department of Agriculture officials, many conferences at which the Montana situation was thoroughly reviewed. It was contacts such as those which recently brought about the reclassification of Compana barley as a malting barley for the 1962 program. This will be of considerable value to the Montana grain growers. Senator METCALF and I are very proud that we were in large part responsible for bringing about this change as far as this particular type of barley is concerned.

The President's message on agriculture has been submitted to the Congress, and the program which will be enacted will govern the 1963 crop year and a period thereafter which has not yet been determined. Extensive hearings will be held in both the House and Senate. Senator METCALF and I appreciate receiving from our constituents sound, reasonable suggestions which will help us in supporting a new farm bill which will benefit Montana and the general agricultural economy of this country.

We are also happy that we were able to make it possible for a delegation of Montana farmers to appear before the Senate Committee on Agriculture today. It is our understanding the same group will appear before the House committee on March 1—that is, tomorrow.

I want to say on behalf of my colleague and myself that we are deeply indebted to the chairman of this committee, Senator ELLENDER, of Louisiana, and his colleagues for showing this consideration and this courtesy to this group.

MONTANA AND THE FARM PROGRAM

Mr. Chairman, agriculture and a new workable farm policy is one of the more serious issues before the House of Representatives and the Senate in this session of the 87th Congress. It is an issue basic to the well-being of the United States and a very important segment of our populace, the farmers and ranchers. I do not pretend to be an expert nor do I know all the answers to the farm problem. I have, however, spent a great deal of time in recent years, and more particularly in recent months, studying the farm issues in Montana and those associated throughout the Nation. My presentation today is an attempt at trying to suggest what the problems are and how best we might try to resolve them.

A strong and prosperous agricultural economy is basic to any free society. Many nations of the world find themselves going through an evolution from an essentially agrarian and rural society to that of an industrialized urban society. This does not mean that agriculture is no less important to the individual State or country but the farmers and ranchers of this country are becoming so efficient that they are producing far beyond our needs with fewer participants. Conservation, technical advances and efficiency have produced monumental surpluses which the Federal Government has taken over so as to protect in some degree the market price for these commodities. In

addition, the number of farmers and ranchers required to do this work is far less than before.

What happens to these people now, where do they go, what happens to the small towns and cities throughout the country that are dependent on the local agricultural economy?

I feel that the Federal Government has a responsibility.

If the Federal Government were to pull out completely, what would happen?

I suspect that the farmers would produce more and more, surpluses would mushroom, prices would decline, the small farmer would be squeezed out and ultimately our agricultural economy would be in the control of a few large efficient farmers and ranchers.

What happens to the little guy?

It seems to me that the farmer is increasing his production to improve his income but at the same time overproduction is creating a surplus and a reduced price for his crops.

I do not advocate Federal control of the individual but it appears in this instance that Federal protection and guidance is vital if there is to be any stability. The program being propored by the administration is a plan geared to the needs of a nation in a very complex world. The needs of our country as a whole are important and they should be the ultimate goal, but we also have 50 different States with a multitude of different issues and problems within each State.

I am most familiar with Montana and its difficulties and I therefore propose several situations and problems which are important to Montana and I ask that they be considered by the Senate Committee on Agriculture in deliberating new farm legislation which will be reported to the Senate for further discussion.

Montana is essentially a wheat and feed grain State. We pride ourselves on growing varieties of Hard wheat which are not greatly overproduced under existing market demands. Barley surpluses have been reduced by increased shipping to the west coast for export and local droughts. Should consideration be given to areas and States which contribute less to the surplus problem?

Will controls result in higher prices, above and beyond support levels, for these quality grains?

In Montana it is difficult for farmers to divert to other crops because of limited growing conditions.

Can these people receive assurances that diversion to other crops will not adversely affect their growing histories of the basic crops such as wheat and barley?

Should varieties of one grain be selected out for special treatment, such as that which is now being done for malting varieties of barley?

Are acreage production figures selected from a sufficient number of producing years to establish an equitable average?

Do rotation and summer-fallow practices penalize a farmer in figuring acreage reductions as opposed to a farmer who can satisfactorily produce on his total acreage year after year?

When the committee prepares its report on the new farm legislation I do hope that they will set forth in a concise manner just how serious the surplus of agricultural commodities is at the present time.

What progress, for example, is being made through programs such as Public Law 480?

What effects are agricultural imports having on the domestic market?

Would it be desirable to expand the list of crops which will be permitted to be grown on retired acres to include mustard, canary seed and rape?

There is considerable interest in this possibility in Montana.

How can the safflower industry best be expanded?

These are questions which the committee, the Congress, the farmers and the people in general will have to face up to and find answers for. I have presented similar questions and situations to the Department of Agriculture and the attached is the response which the committee may find of interest. Mr. Chairman, I ask that this information from the Department and a statement I made on the floor of the Senate on February 15 be incorporated with my statement in the hearings on the 1962 farm bill.

Thank you.

MEMORANDUM

1. How does malting barley acreage in Montana compare with other States?

Since Compana barley is now exempted under the malting barley provisions of the feed grain program, nearly 84 percent of the Montana barley acreage is exempted. This compares with 86.3 percent in North Dakota and places Montana barley growers in an excellent position to participate in the feed grain program.

2. How much did changing Compana to a malting barley mean to Montana farmers?

Compana is widely produced in the State of Montana, utilizing approximately 59 percent of the total acreage seeded to all barley there in 1960. The 1959–60 acreage of Compana was probably about 1 million acres. The malting barley provisions of the feed grain program permit an increase of 10 percent in the malting barley acreage. If all growers of Compana in the State apply for and use those provisions there would be an increase of about 100,000 acres of barley over the 1959–60 average acreage. Using the 1959–60 average yield per acre this increased acreage would produce about 2.5 million bushels of barley and could mean approximately $2,250,000 additional income for Montana barley producers.

3. Is it possible to include mustard, canary seed, and rape in the same manner as safflower?

Generally speaking, the conserving practices specified for retired feed grain acreages will protect the soil from erosion and depletion. However, the feed-grain law authorizes the planting of safflower, sunflowers, sesame, and guar on retired acres. Where these crops are planted, no acreage retirement payments are received, but the grower is considered to be in compliance with the feed grain program and eligible for price support. To the best of our knowledge mustard, canary and rape seed are not in short supply—to encourage more production of these crops might tend to depress prices and build up surpluses. In view of the specialty nature of these crops, the Department will consider any proposed amendment to the law authorizing seeding of these crops on diverted acres.

4. Is there a surplus of barley in Montana?

There has been a surplus of barley in Montana during recent years. This State is the only one among the 11 Western States which is considered a feed surplus State among those growing feed grains. Normally its surplus is more than 500,000 tons, much of which is barley. However, in 1960, there was a decline in yield and in 1961 the severe drought further drastically reduced the yield per acre of all grains on the dryland farms of the State.

Montana producers have placed substantial quantities of barley under price support loans during recent years. From the 1959 crop 9.5 million bushels were placed under loan; 6 million bushels from the 1960 crop; and 1.2 million bushels from the 1961 crop through December 31, 1961.

The CCC inventory of Montana barley after the 1959 loans matured was 7.7 million bushels. The inventory went down to 3,239,000 bushels in 1960 and decreased slightly in 1961 to 3,216,000 bushels. As of January 31, CCC still had 120,000 bushels of barley in warehouses and 2,250,000 bushels in Government-owned bins. (Barley on farm under loan in Montana, totaled 6,051,000 bushels as of February 16, 1962.)

Also as of February 16, 1962, there were 15,271,000 bushels of wheat stored on farms, under loan, in Montana, 16,161,000 bushels in warehouses, and an estimated 500,000 bushels in CCC bin storage, for a total of almost 32 million bushels.

5. Is the acreage history on feed grains and wheat protected when safflower is planted on diverted acres?

Yes. Under both programs those who plant safflower, sesame, sunflowers, or guar on diverted acres have their acreage history protected in the same way as those using the diverted acres for conservation practices.

6. Is feed grain being brought into Montana?

In the commercial handling of feed this is not an unusual situation. When there is a local demand, feed users purchase grain that they consider the best choice, taking into consideration price and feed value.

Under the disaster livestock feed program it has been necessary to move feed grain into some parts of Montana because this grain, owned by CCC, was closer to the point of need and cheaper to move than Montana grown barley.

This was done to reduce the cost of the disaster feed program and save money for the taxpayers. A relatively small amount of corn was furnished sheepmen in this program because they preferred it and were willing to transport it at their own expense.

7. Will the barley program affect strip cropping as a wind erosion conservation practice?

Stripping cropping, with alternate rows of crop and summer fallow, is an essential practice in successful farming in most of the eastern two-thirds of Montana. Before this practice was adopted, yields were relatively low and danger of complete crop failure was frequent. Strip cropping aids in conserving moisture and preventing erosion. For the country as a whole the land now in production is producing more than can be used domestically and sold abroad at reasonable prices. Therefore, a part of the cropland must be taken out of production if there is to be a reasonable balance between production and consumption. If that balance is to be reached, some of the land retired would logically be summer-fallowed land that produces wheat and feed grains. In carrying out the Department policy of adapting the program to producers' needs every effort is made to permit farmer-elected committeeman judgment to be applied in determining acceptable land use on diverted acres. The Department does not insist on the diverted land being put to a particular use.

8. Is the small farmer being squeezed out of business?

The food and agriculture program proposed for the sixties by the President and now before the Congress takes into consideration the fact that the family farm system has given this Nation the strongest and most productive and efficient agriculture in the world. The first objective of the legislation is to make it possible for the efficient farm family to earn a living comparable to other economic groups. In addition, it is desired that new nonfarm job opportunities, coupled with part-time farming, can be increased so that some of the smaller or less efficient farmers can still live on the land and contribute to the well-being of rural communities. The problems vary in the different areas of rural America but it is the intention of this administration to protect the future of these people as much as possible.

9. Other areas can raise crops as a substitute for wheat—Montana has barley only.

A lack of alternate crops is general in the moisture-deficient dryland farming areas

of the Great Plains States. To attempt to grow the presently adapted crops might lead to creation of other surpluses and multiply farm problems by encouraging surpluses of these other crops that now are being successfully and profitably grown elsewhere.

10. The place of summer fallow in cropping system, i.e, the contention that summer fallow operators crop only about half their acreage are therefore at a disadvantage?

Summer fallow for grain production is practiced to produce higher and more consistent yields over a period of years. Summer fallow is also generally credited with reducing the wide swings up and down in production in the areas in which it is practiced. Although the ups and downs in yields are still substantial, the downs are not as low as formerly.

It is true that the wheat program has resulted in farmers who formerly summer fallowed about half their cropland each year having farm wheat allotments representing only about 30 to 35 percent of their cultivated acreage. The reduction has not been proportionately more severe than on those farms that formerly had all their cropland planted to wheat. The farmer in the same area who has not summer fallowed for his wheat acreage has the same problem of what to grow on his land that is taken out of wheat production as does the man with summer fallow. Since both the summer fallow man and the nonsummer fallow operator have made porportionate reductions in acreage, there is no particular advantage to either.

Many who have studied the surplus problem have concluded that with our modern methods of farming the production of many crops will continue to add to the surplus problem if all the land is kept in production. Therefore, some of the land, including a portion of the summer fallow land, must be taken out of production if a reasonable balance is to be achieved.

11. Aren't those who grow flax, oats, etc., instead of barley, now penalized?

These producers shifted the production of some of their land but such shifts have not necessarily resulted in them being penalized. Price support loans are available without the requirement of acreage reduction—which can be a distinct advantage rather than a penalty since price support is available on unrestricted production.

FOREIGN TRIP BY THE ATTORNEY GENERAL AND MRS. ROBERT KENNEDY

Mr. MANSFIELD. Mr. President, we live in an age of indirect human communication. The great bulk of the impressions which one people receives from others on this globe, comes by way of the press, the movies, the television, and similar devices.

However desirable and essential these instruments of communication may be, the fact is that they are not a substitute for direct human contact. They do not say what a handshake can say. They cannot answer a burning doubt with a well-turned explanation from an alert mind. They cannot meet a smile with a smile. They cannot respond as a human presence can respond to the humor, the questions, the angers, and the eagerness of other human beings.

For direct communication—and as a nation we have a need for it with all the peoples of the world—we must have representatives of American life who are willing to go abroad, representatives who are prepared to meet face-to-face with the ordinary people of the human family. We must have representatives who are able to get across to others, by word, gesture, or deed what we are and what we stand for as a nation, what this Nation means to us and to all men and women.

In the persons of the able Attorney General, Mr. Robert Kennedy, and his charming wife we have recently had an example of what representatives of this kind can do. As the Senate will recall, during World War II there used to be a slogan which glared at us from every air terminal and bus or train station. It read, "Is this trip necessary?" I want to say, Mr. President, that this trip of Bobby and Ethel Kennedy was immensely necessary and immensely useful.

The manner in which these two fine Americans were welcomed wherever they went is not so important; the cheers from thousands and even the jeers from a few were not personal. What matters far more was how the Kennedys met those vast throngs in Japan, Indonesia, Southeast Asia and elsewhere. What matters far more is the national message that they communicated by their presence and manner to these other peoples of the world.

What the Kennedy visit told them of this Nation, in effect, adds up to a message of a young and vigorous people, a warm and friendly people, a determined and courageous people, a people neither boastful nor apologetic but honest with itself and others, a people neither perfect nor prostrate, a people with its just share of wit and wisdom, a people determined to do what must be done to meet its own problems, and prepared to do what it can to help others to meet their difficulties, to the end that peace and human freedom and human progress shall survive and spread throughout the world.

Is that not, Mr. President, the portrait which each of us holds of the Nation in our most perceptive moments? Is that not, in the last analysis, what our foreign policy, our military policies—all our policies—are about?

That is why this trip was necessary and useful. That is why the trips of the President and the Vice President and other spokesmen for this Government have been necessary in this administration, even as in its predecessor. Who, for example, would not recognize in all candor the great contribution which Milton Eisenhower made in this connection during the administration of President Eisenhower?

The mission of Robert Kennedy and his wife, Ethel, has had the full endorsement of the Secretary of State, just as the earlier missions of the Vice President and others have had similar encouragement. They have had it because these missions say in a vivid way what it is so inadequate to try to say with formal diplomacy and state papers alone—that this Nation's purposes and policies are interwoven with the deepest hopes of all the world's people.

So let me say that it is a pleasure to welcome home the Attorney General and his wife. I am particularly delighted that they were able to make this journey together. One without the other would not have achieved for the Nation what together they have done so ably and so well.

Mr. CHURCH. Mr. President, to tell the American story as it should be told to a skeptical and ill-informed world is as hard to do as it needs the doing.

Our Attorney General, Robert Kennedy, showed tenacious skill during the course of his good will mission abroad, in speaking up effectively for the United States. An excellent account of the Attorney General's performance in Japan was given by Ralph McGill, and appeared in the Washington Evening Star on February 25, 1962, entitled "Superb Job by Robert Kennedy—Attorney General Hailed for Defense of Americanism Against Reds."

I ask unanimous consent that the text of Mr. McGill's article be published at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SUPERB JOB BY ROBERT KENNEDY—ATTORNEY GENERAL HAILED FOR DEFENSE OF AMERICANISM AGAINST REDS

(By Ralph McGill)

An award of merit from the National Association of Manufacturers (NAM) seems in order for Robert Kennedy.

Not in our time has any American so effectively explained and so defended our system as has the young Attorney General in appearances in Japan and Indonesia. He did it the hard way—by confronting Communist elements face to face and letting the audience see and hear the confrontation. In none was he bested. In each he left the opponent discomfited.

We have had pedantic, stuffy and trite explanations of American capitalism. But in Tokyo Mr. Kennedy was superb.

The rightwing partisan Republican voice has been an unimaginative whine asking that Mr. Kennedy come home. There was one G.O.P. exception. Richard Nixon, having met and tested the Kennedy steel, came forward with what was an all-American comment. He praised Robert Kennedy for being tough-minded, quick, intelligent, and possessed of a tremendous will to win.

Mr. Kennedy was representing the American people. He is, of course, the brother of the President of the United States. Because of this his words inescapably took on a quasi-official coloring. How lucky for us that this is true. It made his success the more impressive.

Mr. Kennedy not merely got into Tokyo. He was heard. About 100 young Communists were among 6,000 students who jammed an auditorium built to seat 4,000. This, with authorities unable to move, created a situation ripe for Communist agitation. Mr. Kennedy shouted them down. He demanded the Communist spokesman come up and debate. He held out the microphone. The Communists cut the wiring, plunging the auditorium into darkness. Fist fights broke out. But Mr. Kennedy kept talking. Lights were restored. The President's brother still was there, in control of the podium.

Perhaps his best performance, and the one that should win him the sincere appreciation and admiration of all those who really care for the American capitalist system, was one which pitted him against the 39-year-old secretary general of the Marxist Socialist Party of Japan.

The Attorney General charged the Japanese political left had one standard for Russia and another for the United States. He

countered accusations about Laos and Cuba with Tibet and Hungary.

"So it is satisfactory if they use troops or kill people," he said. "They are not imperialists. The Soviet Union puts walls around its people to keep them in the workers' paradise and marches into Hungary and you don't call them imperialist, I'm confused."

The Japanese Marxist leader was told he had a complete misconception about American capitalism, and what sort of Government we have.

"You know the United States, as run by this administration, is not made up of imperialists and capitalists," he said. "Did you gather that from Labor Secretary Arthur Goldberg, who came from the steelworkers' union? Or from a country which has raised the minimum wage to $1.25 an hour and passed the biggest housing bill in history?"

The Japanese leftist said he was referring to the basic structure of capitalism, such as that developed by J. P. Morgan, the Rockefellers and other famous American capitalists.

"You are talking about the United States of 100 years ago," Mr. Kennedy told him. "Do you think we have stood still? This is a different country, not what Marx was talking about 100 years ago. We are not run by Governor Rockefeller. I do not want to be facetious with you, but obviously there are matters you have not given sufficient thought to."

This was real education and anticommunism. It was intelligent, elementary instruction in American capitalism, in which profits are used to pay for social reforms. It is this sort of pro-Americanism which highlights the stupidities of the superpatriots who are as dull and uninformed about this country and its capitalist meanings as is the Japanese Marxist.

COLONEL GLENN'S ORBITAL FLIGHT

Mr. DIRKSEN. Mr. President, on the day of the launching of the space capsule containing the great American, Colonel Glenn, there was in my office a group watching that event on television. I saw the launching, and I gloried over that achievement, and I also gloried when we honored Colonel Glenn at the joint meeting. I have an idea that a man who was not here—and I do not know whether he was invited—was also watching the proceedings with a great deal of interest.

But, in any event, he must have been contemplating his own relationships with all the developments that took place while he was here in Washington, the people he knew, the frustrations that were his in his hour on the scene. I trust he will never be forgotten—and he never will be forgotten. I refer to former President Eisenhower. He may have been watching the TV screen at Gettysburg, for all I know. My regret is that he was not here at the time, because so much of the buildup, so much of the work that was done, was accomplished when he was Commander in Chief of the Armed Forces and also the President of the United States.

In that connection, I submit for the RECORD, and ask unanimous consent to have printed, an editorial from the Peoria Journal Star, dated Tuesday, February 27, 1962, under the title "The Forgotten Man?"

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE FORGOTTEN MAN?

(By C. L. Dancey)

In all the sharing of the triumph of the space shot, one empty spot keeps coming to mind, over and over, and as yet we have not seen it show itself in all the celebrations.

This program goes a long way back to the selection of astronauts, the launching of space medicine research, of astronaut training, the program for the development of a life-sustaining capsule that could reenter the atmosphere, the proving of a reliable and reasonably safe booster, development of recovery techniques, and so forth.

In its early conception and planning when all these programs were launched it was calculated that they would all become married in 1962 when an Atlas would loft a Mercury capsule containing one of the original astronauts into orbit.

At long last that came to pass, and the triumph was first shared at Cape Canaveral by the launch crew, John Glenn, Mr. McNabb, long the keyman in Atlas launchings, the head of NASA, the commander of Cape Canaveral, the heads of space committees of the Congress, and the President of the United States.

It was a great day for all of them—followed by another great day in the city of Washington.

Everybody got into the act that ever had anything significant to do with this program, soon or late—everybody except one man.

That old man now living on a farm had his share of frustrations in setting it up and getting it started, and his share of criticism and even ridicule—and when the day of triumph came, as it did, on the original schedule with the same team he had organized, we guess he watched it on TV like the rest of us, and watched the others glowing, smiling and witty, basking in the cheers, and sharing the triumph while he remained far away in the mountains on his farm—at Gettysburg, Pa.

KENNEDY SEEMS INDIFFERENT TO COST

Mr. DIRKSEN. Mr. President, in the New York Post for February 1, 1962, appeared an article by Henry J. Taylor, under the title "Kennedy Seems Indifferent to Cost." Mr. Taylor really goes to the heart of the question of spending, taxes, and related matters, and it has particular significance now because the entire country is becoming increasingly aware of taxes at local, State, and National levels.

Only this week, Chicago papers have been carrying such headlines as "Chicago Tax Rate Soars 10½ Percent." Still another headline states, "Tax on Homes Doubled Since World War II." Still another headline reads, "Tax History of a Chicago Home; Bill Nearly Tripled." This latter relates to what happened to taxes on Chicago property from 1933 through 1960.

In view of a $92.5 billion budget which will be translated into action in the days immediately ahead in the form of appropriation bills, it is high time that the Congress comes to real grips with the question of public spending.

I ask unanimous consent that the article in the New York Post be printed at this point in the RECORD as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

KENNEDY SEEMS INDIFFERENT TO COST

(By Henry J. Taylor)

The arrival of money ("Where's the money coming from?") has never been a problem in President Kennedy's life. The money was always there.

It is a significant fact bearing on the President's state of the Union message and his whole approach to the New Frontier.

The message has something in it ($) for almost everybody. But, again, the President neither counts the cost carefully and clearly nor shows a grief for those who have to pay it. This is not callousness. It comes from having lived a life apart from what taxes really mean if you not only have to pay them but earn them.

It is very hard to pay your way in life, protect the family, have children and put them through school, meet emergencies that somehow come one on the other, or wait a long, long time for even small wishes that are in your heart. Nearly all Americans struggle in a way that, by fate's lottery, the President has never experienced.

You must be working at it yourself really to have the endless problem a part of you.

And you discover that, if you do not concentrate on where the money is coming from, you and your family are utterly lost under lifes' wheels. So is a nation.

A government is not an earner. A government is merely a spender—a distributor of our taxes. Anything President Kennedy says he will give to the people he must first take away from the people. In real purchasing power we will all grow steadily poorer as the inevitable result of the program. For the vital point which is passed over is that the money comes from us.

The currency rotating process in the wastelands of government spending passes our tax money through a sieve of Government overhead that drains off more of its value all the time. It costs the Government so much to run itself that, no matter what the spending agencies do with the money left over, great loss is sustained by the working people who supply the money in the first place.

For, already, any man who can face yesterday's bills, today's expenses, and April's taxes is a miracle man. More than we pay for food we spend for government. Taxes and food alone take more than half our total earnings, on the average across our country. Moreover, taxes are among the largest items in all costs of production, and therefore, in prices.

This is a major reason why our dollars have become dollarettes. We pay every penny; and at the same time we're paying more than $8 billion a year interest on the money Washington has already borrowed.

All our Presidents through World War II taxed the people about $248 billion. This included two World Wars. The Government in the brief period since then has taxed us about twice as much—that is to say twice as much as all administrations in the previous 156 years—and is currently spending more than the entire incomes of all the people west of the Mississippi River. These taxes can be sound; but they can also be robbery. It depends on what the politicians do with our money.

The profoundly wrong approach is the refusal for a variety of reasons, some undeniably political, to cut back on all the pork-barrel billions. For in the face of the Soviet threat it is not a question of "Where's the money coming from now?" It is a question of "Where's the money coming from for generations on end?"

Few compliments are so hollow and unprofitable as the one you sometimes hear at the end of a bar rail: "He was a good spender while he had it." Shakespeare made

Hamlet much wiser. In his great play, act I, scene 2, he begins a speech to Horatio with a word and a warning that has never lost its importance to men or nations: "Thrift, thrift, Horatio." Until the President learns this and practices it for our imperiled Nation, our long-term survival against the Soviet Union cannot be guaranteed.

GOLD MEDAL AWARD TO ROBERT E. KINTNER AT VETERANS OF FOREIGN WARS ANNUAL CONGRESSIONAL DINNER

Mr. DIRKSEN. Mr. President, on February 6, 1962, the Veterans of Foreign Wars of the United States held that that organization's annual congressional dinner honoring the Members of Congress who have served in the Armed Forces. This occasion has become a notable one in the Capital City of our Nation.

Among the almost 1,500 guests, including many of the top officials, military and civilian, of our Government, were over 400 Members of Congress. Also in attendance were high officials of the Veterans of Foreign Wars from every part of our country.

One of the traditional features of the VFW congressional banquet is the annual award of the VFW Commander in Chief's Gold Medal to an outstanding citizen of the Nation. This year that award was made to one of the leading persons of our times in journalism and broadcasting.

Commander in Chief Robert E. Hansen, of Minnesota, conferred the gold medal and accompanying citation to Mr. Robert E. Kintner, president of the National Broadcasting Co. Commander Hansen's address of presentation set forth clearly the notable achievements of Mr. Kintner and related his many contributions to journalism and broadcasting.

By conferring this high VFW award on Mr. Kintner, Commander in Chief Hansen recognized Mr. Kintner's high attributes of citizenship and his dedicated efforts to inform the public with accurate and comprehensive news.

I ask unanimous consent to have printed in the RECORD following my remarks, Commander Hansen's introduction and tribute to a distinguished citizen, Mr. Robert E. Kintner.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

INTRODUCTION FOR MR. ROBERT E. KINTNER, PRESIDENT, NATIONAL BROADCASTING COMPANY, VETERANS OF FOREIGN WARS CONGRESSIONAL DINNER, FEBRUARY 6, 1962

The man whom the Veterans of Foreign Wars honor tonight is the president of the company that was a pioneer in network broadcasting in this country. Equally significant is the fact that for many years in his professional life he was a journalist of first rank. For now, more than ever, radio and television are major media of news, and it is altogether fitting that journalism should be represented so ably on the top level of network management. Because of the tremendous national audiences to which radio and television speak, and the great impact they carry, an unusually heavy responsibility falls upon the men who occupy positions at the helm of our networks. To this responsibility, the guest we honor this evening brings not only professional expertness and long experience, but the qualities of character and high patriotism that have distinguished his whole career. Our honored guest is a Pennsylvanian, born in Stroudsburg, a community as well known for its beauty as for ruggedness of spirit. He attended Swarthmore College, where he was a Phi Beta Kappa man, and soon after graduation joined the editorial staff of the New York Herald Tribune.

As first he specialized in financial reporting. His energy and resourcefulness as a reporter and his clear, well-balanced stories soon won him appointment to the Herald Tribune's Washington bureau. As a Washington correspondent, he teamed up with Joseph Alsop to form a unique and memorable journalistic partnership. It flourished during the exciting, newsfilled years of the New Deal. Together they wrote a nationally syndicated column which for years attracted wide attention. In addition to his newspaper work, he was coauthor of articles for the Saturday Evening Post and with Mr. Alsop wrote two best sellers, "Men Around the President" and "American White Paper."

In 1941, he joined the U.S. Army. He served overseas and in Washington. A disability suffered in combat caught up with him in 1944, and he left the service that year with the rank of lieutenant colonel and was awarded the Legion of Merit.

In the same year, 1944, he began a new career in the field of broadcasting. He joined the American Broadcasting Co. as vice president with supervision of news, public service and public relations. He advanced rapidly and in 1949, he became president of ABC. He left ABC in October 1956, joined the National Broadcasting Co. shortly thereafter in January 1957. He became a member of the NBC board of directors in June of 1957, and was elected president on July 11, 1958.

At NBC, under Board Chairman Robert W. Sarnoff, his duties as president range across all the NBC's operations, including the television network, the radio network, the NBC-owned and operated stations and its foreign operations. As you might expect, he has taken special interest in NBC news and the task of building and enlarging the NBC news organization.

Under his direction the NBC news staff was expanded, the scope of its operations vastly increased and more time was made available for its programs on the NBC Television and Radio Networks. Today the NBC news staff has grown to more than 700, its men are stationed in 75 countries around the globe. The organization that our guest and his associates have built up is permeated with his own high sense of dedication to serving the public.

Beyond its wide range of news and documentary programs, NBC News is also responsible for outstanding programs in the fields of religion and education as well as informational programs especially designed for younger viewers—such shows as "Update," "1-2-3, Go," and "Championship Debate."

In these days of danger and uncertainty when Americans face awesome decisions almost every day of their lives, he has been steadfast in his devotion to the highest ideals of service to the public.

It is a pleasure for us to honor—and a privilege for me to present to you now—the president of the National Broadcasting Co., Mr. Robert E. Kintner.

ESTONIAN INDEPENDENCE DAY

Mr. DIRKSEN. Mr. President, February 24, for the people of Estonia, is a day of nostalgia, since it was 44 years ago, on February 24, 1918, they gained their independence and realized self-government. However, in 1940, during World War II, the Baltic countries, Estonia, Latvia, and Lithuania, were victims of the Soviet Russia, and this state of freedom was suppressed. Today, they remain subjugated under communistic rule. Hope, determination, and genuine concern for a revival of liberty and self-determination are continuous that these people may soon regain their freedom.

On February 15, this year, in my brief remarks on the Senate floor in behalf of the Lithuanians behind the Iron Curtain, I indicated it was right and proper that resolutions be passed and speeches made in behalf of subjugated peoples—and I believe these words are worth repeating—"urging that the United States ask the United Nations to request the Soviets, first, to withdraw all Soviet troops from these enumerated nations—Estonia, Latvia, Poland, Czechoslovakia, Hungary, Yugoslavia, Albania, Bulgaria, and East Germany—that are behind the Iron Curtain and, second, to permit free elections so people may have the right of self-determination which has always been a principle of our American way of life. It is my fervent hope that when next Lithuania's Independence Day rolls around the peoples of the free world will have made some gains in moving the machinery of the United Nations toward greater freedoms to the peoples behind the Iron Curtain." This surely is my hope for the people of Estonia as it is for all suppressed peoples. May their decisions, right or wrong, be their own and not of others imposed upon them.

I ask unanimous consent that a declaration unanimously adopted by Americans of Estonian descent, as well as Estonian refugees in this country, gathered at the commemoration of the 44th anniversary of the Proclamation of Independence of the Republic of Estonia, at Howard Taft High School, New York City, on February 25, 1962, be printed at this point in the RECORD as a part of my remarks.

There being no objection, the statement was ordered to be printed in the RECORD as follows:

We are gathered here in this free country to commemorate the day when the Estonians 44 years ago publicly declared that they have regained their freedom from oppressive Russian rule and resumed their national life as an independent nation.

We recall today the struggle of the Estonian people against the invading Communist armies in 1918–20, their victory over the Soviets, the establishment of a modern democratic administration based on law, and the achievements in cultural and economic fields, as well as Estonia's friendly and peaceful coexistence with other nations.

At the same time we are depressed by the thought that all these achievements are being destroyed by the Soviets and that Estonia is still under Soviet occupation and Soviet rule, which has been imposed through the most flagrant act of aggression by Soviet Russia.

The peace-loving and law-abiding people of Estonia, who have enjoyed freely the fruits of their work, independent arts and literature, are deprived of all civil liberties and are fed by the Soviets just to keep them alive for Soviet slavery.

We cannot understand the fact that while independence is being given to African territories, nothing positive has been done toward

the reestablishment of freedom to the recognized nations of Estonia, Latvia, and Lithuania.

While pressure is being exercised on Western governments for the abolishment of colonialism in different parts of the world, no pressure is exerted on Soviet Russia for the termination of its most cruel type of colonialism in the Baltic countries.

Regardless of the tragic situation, the Estonians in their homeland as well as in other countries have faith in justice and have not lost their spirit to fight for freedom. Under present circumstances they alone are powerless to rid themselves of the Soviet slavery. In their struggle they hope for support and assistance from other nations, particularly the United States of America.

SENATOR HRUSKA URGES OLD-FASHIONED FAIRPLAY

Mr. DIRKSEN. Mr. President, sometime ago, our colleague, the Senator from Nebraska [Mr. HRUSKA] addressed a meeting of the New Jersey press on the subject of fairplay in congressional investigations.

A number of articles commenting on the Senator's timely remarks have appeared across the Nation. One of them is an editorial in the Council Bluffs, Iowa, Non-Pareil, entitled "Senator HRUSKA Urges Old-Fashioned Fairplay."

Because the subject deserves the attention of all who are concerned with the phenomenon of congressional inquiry, I ask unanimous consent that the editorial from the Non-Pareil be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

SENATOR HRUSKA URGES OLD-FASHIONED FAIRPLAY

U.S. Senator ROMAN HRUSKA, of Nebraska, recently addressed a group of publishers, editors, and newspaper writers in the New York metropolitan area on the old-fashioned concept of fairplay.

He discussed the activities of the Antitrust and Monopoly Subcommittee of the U.S. Senate dealing specifically with the investigation of the manufacturers of the so-called ethical drugs.

In recent years this subcommittee has probed the affairs of a number of industries, including automobiles, steel, bread, insurance, farm implements, oil, baseball, football, and asphalt roofing.

Two years ago the hearings on drugs began. These drug hearings, he said, have had no equal in persistence, intensity, length, and massive attack. In the course of its existence the committee has accumulated 26 large volumes of transcripts—3 dealing with steel, 2 with automobiles, and asphalt roofing filling 1 volume.

But the drug hearings have filled 13 volumes—half of the total number the subcommittee has compiled. They total over 10,000 pages.

The drugmakers were almost unknown to the public when the hearings began, because their products as a rule are sold only on physicians' prescriptions.

The witnesses who appeared before the committee did not qualify as experts. Many of them were sensationalists and the newsmen who covered the hearings reveled in their testimony.

Charges of fantastic price markups ranged 1,000 to 10,000 percent. "Drug Firm Accused of Boosting Products Price 7,000 Percent," was one headline. "Asthma Drug Price Is Found 11 Times Cost," said another. A wire service quoted a Senate investigator as asserting that a large drug concern used 14 cents worth of material to make a product it sold for $15.

The cost of research, manufacture, administration, plant, wages, depreciation, distribution, etc. were ignored or played down.

No mention was made of the fact that one drug company spent $4 million screening 100,000 soil samples to find one antibiotic. Nor was there any mention of the company which keeps in constant production the antitoxin for botulism, a rare disease which occurs in the entire Nation perhaps a hundred times a year.

The drug manufacturers, Senator HRUSKA pointed out, are typical of a pattern. They happen to be the whipping boys of the moment. There is a trend today to undercut and undermine the entire economic system which has built our country and made it great.

There are many who would have us believe that profits mean greed. Nothing could be further from the truth. Profits mean opportunity—opportunity to grow and prosper.

Yet the hearings go on, the spectacle continues—a kangaroo court shrewdly rigged to discredit a great industry, to persuade the public that the discoverers of miracle drugs are guilty of selfish derelictions. The industry neither deserves nor does the situation warrant, a witch hunt.

Senator HRUSKA conceded that the great pharmaceutical houses are not perfect. But thanks to antibiotics and hormones and vaccines our children no longer die of scarlet fever at 4, or of diphtheria at 14, or older folks of pneumonia at 40.

The men in the laboratories are now turning their attention to illnesses that are chronic, that kill with slow and dreary decay.

Heart disease in its many forms, senility, mental illness, and above all cancer.

Ten or fifteen years from now, a cure for cancer may be available. Heart diseases, mental ailments may be averted to a great degree.

The drug industry, and all other industries are entitled to fairplay. The result could be fairplay for future generations.

ANNOUNCEMENT BY SENATOR KUCHEL, OF CALIFORNIA, OF HIS CANDIDACY FOR REELECTION TO THE SENATE

Mr. DIRKSEN. Mr. President, yesterday my friend and close associate, the Republican whip, Senator KUCHEL, of California, formally announced his candidacy for reelection to the Senate.

I like that paragraph in his announcement which states his concept of his public duty. He has stated to the people of California:

> It is to the people of my State and Nation that I owe my allegiance. A public office in my view continues to be a public trust. I am an American Senator. My duty is to my fellow Americans—all of them. My first concern is to my country and its preservation.

No one could have stated a finer or more fundamental concept of public duty, and all who know Senator KUCHEL know full well that this has been the guideline for his public and private conduct at all times.

He has been so diligent in devoting himself to the public business, and should and will command the confidence, the esteem, and the devotion of the voters of California.

Mr. SALTONSTALL. I join the Senator from Illinois in the sentiments he has expressed regarding our assistant leader, the Senator from California [Mr. KUCHEL]. Certainly, we know that he lives up to those ideals which have been so well expressed by the Senator from Illinois. We earnestly hope he will continue to be a Member of this body.

Mr. CASE of New Jersey. Mr. President, I was delighted to learn that our good friend and colleague, TOM KUCHEL, our assistant minority leader, has announced in California that he will be a candidate for reelection. Senator KUCHEL is that enviable Member of the Senate, a man who obviously enjoys his work and is exceedingly good at it.

His accomplishments for his State and for his Nation are many. The significant thing to me is not only that he has succeeded so well, but that he has done it without losing any of his legion of friends in this Chamber. TOM KUCHEL is one of our principal leaders on this side of the aisle, but his friends overflow this barrier. He has the facility for upholding our party effectively, but doing so without rancor.

In his quarter century in public life, TOM KUCHEL has demonstrated how much a young man interested in the public service can do. He has risen steadily up the ladder of public office, building solidly, using experience to assist him in carrying out new and broader responsibilities.

In the Senate his colleagues have demonstrated their recognition of his ability and service by according him ever-increasing responsibility and the people of California, in my opinion, are fortunate to have his services available for another term. It will be a pleasure to have TOM KUCHEL here for the next 6 years, and, I hope, even longer.

It is not for naught that Senator KUCHEL has become our deputy leader on the Republican side. It is because he has earned the place by his character, his quality and his skill. I, like the Senator from New Jersey, feel that the people of California will indeed be very well served and will have made a deep contribution to the Nation if they send him back to us in the Senate.

Mr. JAVITS. Mr. President, I, too, take great pleasure in Senator TOM KUCHEL's having announced that he will seek reelection. Two points in his record give me special gratification. One is his constant strong feeling of fairplay for Americans who have suffered from some form of discrimination or segregation, a feeling which he expresses by insistently and eloquently calling for equal treatment under the law.

In TOM KUCHEL's case, equality under the law is not merely one of his goals, it is his life's work. The way he has voted and fought on this floor is an intrepid expression of his sterling character and deep convictions on that subject.

Second, he has demonstrated his feelings for our friends and neighbors abroad, indeed, for all people who are in foreign lands. He has served many times as a representative of the Senate, and in his own capacity as a Senator, on official missions throughout the world. He has a deep understanding of the fact that we are all alike in our aspirations and ideals, and that we must find measures in which those common aspirations and ideals may be pursued in freedom.

He has a deep feeling for the leadership in this cause which the United States has the high privilege of exercising.

Mr. SCOTT. I rise today to compliment my colleague from California, Senator KUCHEL, as well as to express my satisfaction with the announcement that he will be a candidate for reelection this year to the U.S. Senate. All too often, Mr. President, in complimenting a fellow Member in this body, we in the Senate are prone to pay our compliments by generalities rather than pointing out the specific accomplishments of one of our colleagues.

As we know, TOM KUCHEL was appointed to the U.S. Senate to fill the seat vacated by former Vice President Richard Nixon. Two years later, the Senate was indeed fortunate when the wise voters of California returned him by a majority of more than 300,000. In 1956, he was reelected to the Senate for a full term with a plurality of 450,000 votes. In 1959, we in the Senate elected him as the assistant minority leader and he was unanimously reelected in 1961. In 1957–58 and 1960 TOM KUCHEL was designated as an official delegate representing the United States to the NATO Conference in Paris. In these days that the strength of the United States is so important both from an international as well as a domestic standpoint, TOM KUCHEL has been one of the leaders in the Congress of the United States in making sure that the strength is not only maintained but increased. He has consistently supported a strong national defense and mutual security program. He has been one of the leaders in the Senate in opposition to American assistance to Communist satellite governments. He had repeatedly demanded a complete economic embargo against Cuba, which is now the policy of the U.S. Government, and he has urged our allies in NATO as well as elsewhere to assume a greater share in providing for a common defense of the free world. Much to the disturbance of many of us in the East, he has led a successful fight to protect California's defense procurement contracts. From an appropriation standpoint, he has supported the authorizations and appropriations for military personnel and procurement.

His fight against communism is not anything new. As far back as 1940 as a State assemblyman, TOM KUCHEL coauthored legislation to outlaw the Communist Party in California. In 1941 as a State senator he voted to remove the Communist Party from the election ballot. He has followed that strong anti-Communist line while a Member of the U.S. Senate. I would think that one of the best compliments paid to TOM KUCHEL was by the Soviet news agency in Moscow which bitterly denounced him for his searing attacks on attempted Soviet subversion of neutral areas. From a domestic standpoint, Senator KUCHEL has successfully sponsored water projects, which are so important to the State of California. His interests in recreation and recreation areas for his people has been consistent. His knowledge of foreign trade has served him well in successfully fighting for the increasing of foreign markets for California's fruits. At the same time, his knowledge has served him well in insisting that imported dates be subjected to the same quality specifications as American-grown dates. As a member of the Merchant Marine Subcommittee, I am well aware of TOM KUCHEL's activity of obtaining recognition for coast shipbuilding and repair industries. In particular, he supported the 50–50 cargo preference clause for protection of American-flag vessels.

The veterans of California can indeed be thankful for a fellow veteran, as he was the moving force behind Senate authorization of veterans' hospitals at Palo Alto-Stanford, the Long Beach Hospital and the Martinez.

For an immediate and scientific answer to the smog problem found in areas in California has been of continuing concern to Senator KUCHEL. He authored the Kuchel Air Pollution Research Act and in 1961 was the author of a four year extension of the program for smog research. Many of our senior citizens have moved to California to enjoy their years of retirement. Appreciating many of the financial problems they met in their years of retirement, TOM KUCHEL was a cosponsor of legislation to provide medical care assistance to all citizens over the age of 65. He has been a firm supporter of an improved and realistic social security program including the revision of the impractical earnings limitation.

All in all, Mr. President, I think that the U.S. Senate has been most fortunate to have TOM KUCHEL as one of its Members. I think that the people of California as well as the Nation have been most fortunate in his enlightened and most progressive work in this body. I am sure, Mr. President, that the people of California will once again express their satisfaction for the fine job that he has done and return him to this body next year.

Mr. KEATING. Mr. President, I am proud to add my tribute to those who have honored TOM KUCHEL. His announcement that he will run for reelection will, I deeply hope, assure that TOM KUCHEL will serve for a good many years to come. TOM is a vigorous, energetic American, who believes deeply in his country and who has devoted all of his adult life to public service. We need more men like TOM KUCHEL. He has been an effective leader in the Congress and an articulate spokesman for his party and the causes in which he deeply believes.

Mr. President, TOM KUCHEL is a fighter for civil rights, an active advocate of a sound defense system, and a hard worker for the interests and special needs of his great State. No one could be more familiar with that than the Senators from New York.

TOM KUCHEL is a fine product of his State. California in previous eras was a magnet for men and women seeking their fortunes. The gold rush drew thousands of eager Americans to California. Now, California is repaying that debt by sending its citizens eastward, sending fine citizens like TOM KUCHEL, to participate in the governing of our Nation. They are saying to their leading citizens: "Go east, young man." And, I hope, millions of Californians will say to TOM KUCHEL once again, "Go east, young man." TOM belongs in the Senate. He has served his country well and I am fully confident that the great wisdom and good judgment of the people of his State will permit him to continue to do so.

Mr. COOPER. Mr. President, I am glad to know, although it is not unexpected, that the very able and distinguished Senator from California, Senator KUCHEL, has announced officially that he will be a candidate for reelection to the Senate.

It is not for me to inject my views into the internal politics of another State. However, in this case, I hope that I will be permitted to say something about the quality of the service and the leadership of Senator KUCHEL in the U.S. Senate.

All Republicans know that twice, Senator KUCHEL has been elected unanimously to be the whip of the Republican Party in the Senate. The position of whip is the second post on the floor of the Senate. He has fought continuously for the interests of our party on the floor of the Senate, consistent with the national interest.

California is a great State. If it is not the first, it is second in the value of its agricultural products. It is a great industrial State—and provides in large measure the sinews of our national defense. All of us in the Senate know that Senator KUCHEL has fought vigorously and successfully on the floor of the Senate and in committee for California's agricultural and industrial interests, for its fair share of defense programs, for its water resources, and for other functions and programs which are in the interest of the people of his State.

We know that he has impressed his interest and work upon national and international problems. He has shown great interest in labor-management problems and he has been fair to both labor and industry. He has been increasingly active in the cause of national defense and the security of our country. His noble humanitarian character has helped the people of our country. He has fought for equality of opportunity, and equality of civil rights for all our people.

In the field of international affairs, he has represented the Senate and our country in many conferences, with honor, and for the benefit, and the security of our Nation.

All of us respect and admire Senator KUCHEL because of his devotion to his duties; because he is independent in his views; because he fights for what he believes to be the best interests of California and the Nation.

Senator KUCHEL is one of the great leaders of our party of the Senate and the Nation. We believe that he will come back to us for another 6 years, and then for many more.

NEW RULING BY CIVIL SERVICE COMMISSION

Mr. WILLIAMS of Delaware. Mr. President, a new ruling has just been

issued by the Civil Service Commission which if allowed to stand unchallenged will prove disastrous to our civil service system.

The civil service system was started years ago to prevent either political party from using the patronage system as a method of buying votes or of perpetuating itself in power.

Under this system Federal employees were guaranteed security of jobs without regard as to which political party won the election, the sole requirement being that they efficiently perform the duties of their jobs and refrain from political activities.

This did not mean that they could not as citizens take part in the elections by supporting the political party or the candidate of their choice. It merely meant that they should not take an active part or utilize the prestige of their Government positions to support the political philosophy of either party.

Down through the years this principle of a sound nonpolitical civil service system which protected both the Federal employees and the American taxpayers from the costly abuse of the patronage system, has been respected by all the administrations.

With this background, I am very much disturbed by the recent action of the Kennedy administration wherein they have taken the first step toward breaking down the civil service system.

For the first time in history, upon the request of the administration, the Chairman of the Civil Service Commission has announced a policy declaring that career officials under the Kennedy administration who are under civil service status can now take an active part in what they describe as explaining "the position of the administration in the proposed legislation before interested public groups."

This is a poorly concealed directive to career civil service employees of the Federal Government that this administration expects them to take an active part in speaking before public groups for the specific purpose of selling the political philosophy and legislative programs of the New Frontier administration.

In my opinion, this ruling is a definite violation of the Federal law which prohibits the use of appropriated funds for publicity or propaganda designed to support or defeat legislation pending before Congress.

As a strong supporter of a sound civil service system and as one who is determined that we not go back to the pork barrel patronage system of the old era, I am strongly protesting this recent decision of the U.S. Civil Service Commission, and I am forwarding to the Attorney General of the United States a copy of the Civil Service Commissioner's letter and new ruling and asking for an official opinion as to its legality.

If the Attorney General upholds this apparent violation of the intent of the civil service laws, then Congress should take heed and enact whatever legislation is necessary to stop this abuse before it breaks down our entire civil service system.

These career employees who are enjoying the benefits of civil service are on the payroll of the American taxpayers. Their salaries are paid with appropriated funds, and I cannot conceive of the Attorney General's overriding the statutory language of the law which specifically prohibits the use of appropriated funds for publicity or propaganda designed to support or defeat legislation pending before Congress.

It is significant that this ruling waives the civil service restriction only to those civil service employees who elect to explain or defend the position of the administration. They are not released as free agents to express their own opinions when it is against the administration's proposal.

The ACTING PRESIDENT pro tempore. The time of the Senator from Delaware has expired.

Mr. WILLIAMS of Delaware. I ask for 3 more minutes.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senator may have 3 additional minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. WILLIAMS of Delaware. I quote from part 2 of the ruling—the complete ruling will be incorporated later:

> A more difficult decision is faced when new or changed programs are pending before Congress in the form of proposed legislation. Definitive statutory language prohibits the use of appropriated funds for publicity or propaganda designed to support or defeat legislation pending before Congress. Such language clearly limits the career official's position of possible support of or opposition to new or amendatory legislation. Aware of these implications, however, the career official may explain the position of the administration in the proposed legislation before interested public groups.

I repeat the key sentence in this new ruling:

> Aware of these implications, however, the career official may explain the position of the administration in the proposed legislation before interested public groups.

There can be no question but that the law specifically prohibits the use of appropriated funds for publicity or propaganda purposes either to support or to defeat legislation pending before Congress.

Under this new ruling, the Kennedy administration is saying one-half of this law will be waived, and the civil service employees can speak in favor of the administration's legislative proposals, but not against them.

At this point I ask unanimous consent to have incorporated in the RECORD a copy of Commissioner Macy's letter of February 15, 1962, along with a copy of the attached ruling, followed by a copy of my letter to Attorney General Robert Kennedy asking for an opinion as to its legality.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. CIVIL SERVICE COMMISSION,
Washington, D.C., February 15, 1962.

Hon. JOHN J. WILLIAMS,
U.S. Senate, Washington, D.C.

DEAR SENATOR WILLIAMS: In response to your request of January 29, I am enclosing a copy of the memorandum of guidance I forwarded on January 10 to department and agency heads concerning the role of the career official in support of Federal programs.

I believe it will be helpful to you in reviewing this memorandum to know that it was developed purely as staff guidance in response to requests from both career executives and Presidential appointees. The document was distributed for whatever use department and agency heads might wish to make of it. It was in no sense a directive nor a formal action of the Civil Service Commission. The absence of guidance of this type prompted the preparation of the document, and, to the best of my knowledge, the text of this statement has not been previously distributed although frequent reference has been made in the past to legal responsibilities of career officials.

To place the guidelines in the proper frame of reference, I think it important to invite your attention specifically to the second sentence in the paragraph preceding the guidelines which reads as follows: "Discretion and judgment must be applied by both Presidential appointees and career officials within the context of each problem as it arises."

Please let me know if there is additional information which you desire on this subject.

Sincerely yours,

JOHN W. MACY, Jr.,
Chairman.

RULING—ROLE OF THE CAREER OFFICIAL IN SUPPORT OF FEDERAL PROGRAMS

The extent to which Federal career officials should publicly support current and discuss proposed programs of their departments and agencies requires thoughtful judgment by all concerned. The role of the career official is still evolving within our system of government with the consequence that the precedent of longstanding tradition is not available. It is understandable, therefore, that uncertainty exists regarding the role the career official should play in program advocacy. This uncertainty has prompted requests from career officials, particularly in the field service, and from department and agency heads for guidance.

No definitive standard can be enunciated to define this role. Discretion and judgment must be applied by both Presidential appointees and career officials within the context of each problem as it arises. With this in mind it may be helpful, nevertheless, to consider the following guidelines:

1. Programs already authorized by law or Executive order:

When a Federal program is based on law or Executive order, every career official has a positive obligation to make it function as efficiently and economically as possible and to support it as long as it is a part of recognized policy. This means that a career official may properly make speeches explaining and interpreting a current program, identifying its public purposes, citing its achievements, defending it against uninformed or unjust criticisms, pointing out need for possible corrective action or soliciting views for improving it. The fact that the program was the subject of partisan controversy during the stages of enactment or development would in no sense lessen this obligation, although the career official should exercise care in divorcing his remarks from a strictly political context.

2. Pending legislation:

A more difficult decision is faced when new or changed programs are pending before Congress in the form of proposed legislation. Definitive statutory language prohibits use of appropriated funds for "publicity or propaganda designed to support or defeat legislation pending before Congress." Such language clearly limits the career official's position of possible support of or opposition to new or amendatory legislation. Aware of these implications, however, the career official may explain the position of the

administration in the proposed legislation before interested public groups.

Frequently, career officials are requested to testify on pending legislative proposals before congressional committees. Presidential appointees should recognize potential political involvement in assigning responsibility for legislative testimony to career officials. In most instances, the career officials should be used to present factual or technical testimony with policy advocacy reserved for presentation by the Presidential appointee.

A special circumstance arises when congressional committees request the technical services of career officials to assist in drafting bills or reports. Even in politically controversial areas such an assignment is appropriate if it is understood that the career official is serving as a technical expert to assist in committee work under the direction of committee leadership.

JOHN W. MACY, Jr.,
Chairman,
U.S. Civil Service Commission.

FEBRUARY 27, 1962.

Hon. ROBERT F. KENNEDY,
The Attorney General,
Washington, D.C.

MY DEAR MR. ATTORNEY GENERAL: Under date of January 10, 1962, Mr. John W. Macy, Jr., Chairman of the U.S. Civil Service Commission, issued a new ruling (a copy of which is enclosed) which grants to career officials as well as to Presidential appointees the right to propagandize—or as he says "explain"—before interested public groups the position of the administration on proposed legislation.

In connection with this ruling I would appreciate an answer to the following question:

1. In the opinion of the Department of Justice is this ruling legal?

Should your Department uphold the legality of this ruling I would appreciate answers to these questions:

1. Can career employees who may differ with the position of the administration speak before interested public groups in opposition to the administration's position on pending legislation without any fear of retaliation or without jeopardizing the security of their position?

2. In the Commission's ruling reference is made to the right of career employees to speak before "interested public groups." Would not the term "interested public groups" include political meetings, since we all recognize political groups as being most interested in all legislative proposals?

Yours sincerely,

JOHN J. WILLIAMS.

There are two laws dealing with this subject:

Section 509 of the general Government matters, Department of Commerce, and Related Agencies Appropriation Act, 1962, approved August 3, 1961 (Public Law 87-126):

"No part of any appropriation contained in this or any other Act, or of the funds available for expenditure by any individual, corporation, or agency included in this or any other Act, shall be used for publicity or propaganda purposes designed to support or defeat legislation pending before Congress."

Section 1913: Lobbying with Appropriated Moneys, from title 18 of the United States Code:

"No part of the money appropriated by any enactment of Congress shall, in the absence of express authorization by Congress, be used directly or indirectly to pay for any personal service, advertisement, telegram, telephone, letter, printed or written matter, or other device, intended or designed to influence in any manner a Member of Congress, to favor or oppose, by vote or otherwise, any legislation or appropriation by Congress, whether before or after the introduction of any bill or resolution proposing such legislation or appropriation; but this shall not prevent officers or employees of the United States or of its departments or agencies from communicating to Members of Congress on the request of any Member or to Congress, through the proper official channels, requests for legislation or appropriations which they deem necessary for the efficient conduct of the public business.

"Whoever, being an officer or employee of the United States or of any department or agency thereof, violates or attempts to violate this section, shall be fined not more than $500 or imprisoned not more than one year, or both; and after notice and hearing by the superior officer vested with the power of removing him, shall be removed from office or employment." (June 25, 1948, ch. 645, 62 Stat. 792.)

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield to the Senator from Kansas.

Mr. CARLSON. I wish to state that the ruling has greatly concerned me, as one who has been interested in a civil service merit system for Federal employees. The Senator from Delaware has rendered a real service, in my opinion.

When I read the ruling, I find the section which says:

> Aware of these implications, however, the career official may explain the position of the administration in the proposed legislation before interested public groups.

I cannot see anything other than that the career people, the civil service people, will get into politics, and I sincerely hope that will not happen.

THE LATE SENATOR IRVING IVES

Mr. SALTONSTALL. Mr. President, on Monday last I was unavoidably away from the session, and upon my return I learned of the death of my good friend Irving Ives. He was a valuable Member of this body during the 8 years he served here.

He expressed his views clearly. He expressed himself frankly. Whether or not one agreed with him, one recognized he was always sincere in the point of view he took. He was always very frank in his expressions of a private nature to anyone who sought his advice. He was a good debater, and he was a real student of legislative matters.

During his service as a member of the legislature of his home State of New York, he worked diligently to improve the laws of that State. He was particularly active in connection with welfare and related legislation which helped to improve the situations of many people in New York.

I certainly am one of those who will miss him and his good judgment in the days to come. I wish to extend my sympathies to his good wife Marion, to his son, and to other members of his family.

Mr. PASTORE. Mr. President, in the New York village of Bainbridge where he was born, Irving Ives is at rest. For the hour of that final tribute the business of the community halted in reverence. And a silent hour might well have been observed throughout the world in gratitude to this great American.

Irving Ives had earned and commanded the affection of millions in the State he served so well. He was a great Senator who earned and commanded the affection of those privileged to serve with him. The aisle that divides us could not divide the respect in which we all held Senator Ives.

I borrow the words of our late colleague, Senator Murray, of Montana, on the occasion of the election of Irving Ives as president of the International Labor Organization at Geneva in June 1953.

Mr. Murray said at that time:

> Senator Ives was singled out in that great gathering of representatives of workers, employers, and governments of the world because of his high qualifications and broad experience in the field of industrial and human relations.

Further, I would like to borrow some phrases from the address of Senator Ives on that occasion:

> We have come together representing many nations, yet seeking no selfish advantage for any; pledged to the improvement of mankind's welfare, yet seeking no profit for any man at the price of another man's loss.
>
> Have not working men and women achieved more dignified stature, more humane working conditions?
>
> Have we not helped to convince the world that the aged and the incapacitated have a right to consideration?
>
> Man's progress is certain and secure only when it is universal.
>
> I trust that we shall remember that no agreements among men can be lasting unless they are entered into willingly and with a sense of justice.
>
> If we are to build for the eternal emancipation of mankind we must build with ideals to which all of us can subscribe with willing hearts. All else is temporary.
>
> The cause to which we are devoted is the cause of humanity itself. May God grant us the wisdom and the courage to measure up to its demands.

These are the deathless phrases of Irving Ives. It is a philosophy that cannot die; that cannot be denied.

The humanity, equality, and understanding that Irving Ives labored to have written into law that it might be part of the daily happiness of humankind is the real monument to the memory of this great American.

WELCOME HOME, BOBBY AND TEDDY

Mr. BENNETT. Mr. President, I have been interested in hearing the greetings from my friends on the other side of the aisle to the two traveling Kennedy brothers. We Republicans also welcome Bobby and Teddy home. To us, they have seemed a little like Hans and Fritz, the central characters in the cartoon, the "Katzenjammer Kids."

They have now been everywhere, practically to every place, and perhaps into everybody's hair. Much like the two comic characters, they have successfully made the daily press—not the inside sheet of the last page, of course, but usually the front page.

From what they have gleaned from their fly-by-night stops, each no doubt will be duly qualified; one as a foreign policy expert who can now advise Dean Rusk, and the other with a sound foundation for political action in Massachusetts.

We hope the results of the two separate trips were worth the cost. There have been indications that this cost was borne by the Kennedy fortune, but it would be interesting to know what, if any, supplementary charges were assessed to the taxpayers.

With a near miss here and there, we are glad that their trips were concluded without harm. Teddy can now resume the morning coffee hours in Massachusetts, and Bobby, we hope, can adjust himself to his official duties at the Department of Justice.

BEWARE OF FARM REGIMENTATION

Mr. BENNETT. Mr. President, last year we went through a traumatic experience when the administration tried to revise the normal constitutional legislative process to enact a farm program. The proposal was that the Department of Agriculture would usurp the role of Congress and legislate the program, while Congress would be given merely a limited veto power over the activities of the Department. The program pointed toward a near dictatorship in agriculture. Fortunately, the public and Congress saw through this idea in time to block it.

ADMINISTRATION PROGRAM—REGIMENTATION OF FARMERS

This year the administration is at it again—not with the same approach, but with a similar end result—a federally controlled agriculture. The junior Senator from New York (Mr. KEATING) has suggested that the administration's A-B-C-D farm program, which is supposed to mean abundance, balance, conservation, and development, could more correctly be translated authority, bureaucracy, controls, and deficits. I certainly agree.

This year's farm proposal asks for the ultimate in regimentation of our farm and food economy. The program calls for marketing controls in addition to the traditional acreage limitations. It puts the farmer in a straitjacket, limiting the amount of certain key farm commodities he could sell—beginning now with wheat, feed grains, and milk, undoubtedly spreading to others at a later time. Irrespective of production within the limits of their acreage restrictions, farmers would be additionally restricted in what they could sell from the farm and would be subject to stiff fines for selling more than their quotas.

CONTROLS ENTIRE FOOD TRADE

This program could lead to central Federal control of the entire food trade from the farm to the factory to the local grocery store. The Government would regulate the flow of food supplies and prices of those food supplies all along the line. This should worry us, but even if we restrict our comments to the farm sector there is enough to worry about in the current farm bill.

One of the many troubles with agriculture is that it is already controlled too much. The price mechanism of the free marketplace has not been allowed to perform its traditional function of influencing output and consumption. Thus, the President is merely prescribing more of what already ails us.

There was a danger that this proposal might slip by us as some other farm boondoggles have done in the past—quietly, without great fanfare, and with the pitch that this is "just another farm bill." Fortunately, because of last year's abortive attempt, farmers are alert to the problem, and I do not think they are going to let the administration get away with this one.

We have become accustomed to the fact that our farm situation is a mess. The administration was counting on that to persuade farmers to accept any proposal which suggested a cure. That is one reason why the proposal sent up this year by the President is so dangerous. This bill is a real sleeper. Its details are not yet completely clear, but it is clear that it is a major step leading to a controlled economy. The President has stressed the fact that this is a program of farm management. This is a significant phrase because the program attempts to do just that—place in the hands of one man some of the powers of a dictatorship over our Nation's production of food.

The Senate hearings on the administration proposal have brought out a potential danger from another section of the bill. The rural renewal title would permit the Government to condemn farms on a wholesale basis for recreation areas, wildlife habitats, and other uses. The Secretary could take a farm or farms in an area even if everyone in the area was against it. Following attacks by committee members, I was pleased to note that Secretary Freeman told the committee he would attempt to restrict the Federal power in this regard by writing guidelines and more specific language. I am anxious to see the new language.

BLACKMAIL AND BRIBERY

I am particularly worried about the manner in which this program for increased Federal controls will be forced on the farmers. It involves both blackmail and bribery. The plan provides for strict controls of acreage and marketing of feed grains and dairy products. Farmers are supposedly given a democratic vote as to whether they will accept the Government marketing regulations or not. But the referenda really offer no choice in the matter. The program provides that if the farmers reject the program price supports will be lifted and the farmers will be clobbered with the dumping of Government surpluses—up to 370 million bushels of feed grains and 200 million bushels of wheat. This, of course, would break the market price and have disastrous consequences on producers. Thus surpluses created by past foolish Government programs would be used to coerce farmers into accepting the current proposals for even tighter administrative controls over acreages and marketings. This is blackmail.

On the other hand, farmers are told they can have their price supports if they vote for strict marketing controls. This is bribery. I think this is a shocking attack on the intelligence of our citizenry, and more than that, it is a dangerous display of naked Federal power and should give even the most ardent bureaucrats cause for concern.

A COMPLICATED PROGRAM

The details of the program for some individual commodities are yet to be spelled out, but those details we do have clearly demonstrate how complicated and unworkable the administration program is. In wheat, for example, three prices would be used—one for domestic milling wheat, one for export wheat, and one for feed wheat. Domestic wheat prices would be set at a high level, feed wheat would be set low, and export wheat prices would be indefinite, left to the discretion of the planners. Perhaps this complicated structure is part of a deliberate plan to so confuse the farmers that they will support central management of farm affairs, since the farmers won't have time to take accounting courses, nor will they have access to computers to take care of the complicated details.

A PROGRAM FOR FARM PROSPERITY

But the farm problem is not insoluble. There are ways of coping with it, if we are really willing. In the long run this involves returns to a free market for agriculture and a limitation of the Federal role to research, reporting services, and protection against disaster.

In the short run, I urge support of the American Farm Bureau's crop adjustment program. This bill would authorize a plan for cropland retirement on a voluntary, competitive bid basis. Rentals would be paid by the Federal Government while land was in retirement or until it was devoted to other uses. This program would also limit the power of the Secretary of Agriculture to dump CCC stocks on the market. No sales could be made for domestic use at less than 115 percent of the current support price. The longrun benefits of this program would be to retire sufficient land to bring the supplies of wheat and other grains in line with current demand. This would benefit the growers of those products, as well as the stock and poultry feeders and the taxpayers themselves.

Mr. President, I ask unanimous consent to have printed in the RECORD a summary of highlights of the Farm Bureau proposal. I also ask unanimous consent to insert an editorial from Life magazine and an editorial from the Salt Lake City Deseret News which discuss this issue.

There being no objection, the summary and editorials were ordered to be printed in the RECORD, as follows:

HIGHLIGHTS OF THE FARM BUREAU PROGRAM FOR A FREE AND PROSPEROUS AGRICULTURE

This program consists of three principal, interrelated parts, and calls for legislation to:

1. Provide opportunity for the renewal of expiring conservation reserve contracts.

2. Authorize new long-term contracts for cropland retirement on a purely voluntary, competitive bid basis.

3. Remove from production the additional cropland, if any, necessary to balance output and market demand on an annual contract basis, as a qualification for price support on certain commodities.

To implement these major proposals and round out the program, Farm Bureau favors essential supplementary provisions to:

1. Set forth broad guidelines for use by the Secretary in:

(a) Establishing the total cropland to be removed from production.

(b) Developing and offering long-term land retirement contracts designed to achieve the retirement goal as economically and quickly as practically possible.

(c) Establishing the additional acreage, if any, to be retired under annual contracts to meet the overall retirement goal. (This would be the basis for determining the percentage of cropland, if any, to be retired in order to qualify for price supports on wheat, soybeans, flaxseed, corn, and other feed grains. Land already under a retirement contract would be counted in meeting this requirement.)

2. Offer land retirement payments at levels calculated to achieve the acreage goal necessary to balance output with market needs on a voluntary basis.

3. Require that land placed under retirement contracts be in addition to land ordinarily left idle or fallowed.

4. Encourage the retirement of whole farms to reduce the tendency of farmers to offset the effects of land retirement by increasing the output from land remaining in production on the same farm.

5. Set forth conditions that must be met in the designation and care of retired acreage. Land to be placed under retirement contracts would:

(a) Be designated in advance of the planting season to prevent the program from being used as a free crop insurance.

(b) Be kept under cover and clear of noxious and objectionable weeds.

(c) Not be harvested or grazed during the contract period, nor used to produce crops for harvest after the expiration of the contract in a manner that abuses the purpose of the program.

6. Insure that farmers who retire less than the whole farm under this program will be free to use their remaining cropland for the production of any crop not subject to allotments or marketing quotas.

7. Limit the percentage of land that may be placed under long-term retirement contracts in any county to avoid disrupting local communities.

8. Authorize land retirement payments in either cash or kind, with payments in kind to be offered only when market prices are at least 115 percent of the support level.

9. Require that price supports be set at levels which will provide more opportunity for the market to function.

(a) Support levels for cotton, rice, corn, and other feed grains would be set in keeping with the philosophy of the Agricultural Act of 1958.

(b) Wheat supports would be related to the level of corn supports, with adjustments for differences in weight, nutritive value, buyer preference, and supply and demand conditions; and with premiums for milling and baking quality.

(c) Soybean supports would be reduced from the increased level applicable to the 1961 crop to permit the market to function.

10. Eliminate wheat allotments and quotas simultaneously with the initiation of a program incorporating the long-term land retirement and cropland adjustment features of provisions II and III above.

11. Prohibit the unrestricted release of CCC stocks domestically, except at prices well above support levels, unless the quantity released is replaced by open-market purchases.

12. Continue use of export payments in kind.

[From Life magazine, Feb. 9, 1962]

FOR THE ROYAL MESS, AN AX

The administration's new farm program has been greeted by the leftish National Farmers Union with hearty cheers. Farmers, says the National Farmers Union, are offered a good choice between adjusting production, with price protection, or going on the so-called free market. The noisy apostles of the free market should welcome this challenge, if they are sincere.

As noisy apostles of the free market, we regretfully but sincerely declare this so-called challenge a fraud. Secretary Freeman offers all feed-grain farmers a choice between the most rigorous system of production controls they have ever faced and a system of no price supports whatever plus this "blackjack": if the farmers refuse controls, the Government will immediately bust their market by selling 10 million tons of surplus feed grains (about 12 percent of its long-insulated stocks). If that's a free market, so is what the Soviets create when they dump oil or tin. If our farmers should really face this Hobson's choice in the voluntary vote by which Freeman hopes to sanctify his program, they will be in much the same position as a Russian whose "yes" vote sanctifies the official Khrushchev slate.

Though Freeman's option is a political phony, his program has a certain ruthless logic. It offers to "solve" the farm problem by putting grain growers in the same well-padded corral of controls and subsidies that has kept U.S. tobacco farmers quiet these last 20 years. With artificially high prices, diminishing acreage, and thorough policing, tobacco farmers make steady money for less and less work. The only trouble is that the U.S. share of world tobacco exports has fallen from half to a third in 10 years. If Freeman extends the tobacco straitjacket to wheat and feed-grain farmers, they will follow the tobacco farmers into comfortable decline at a time when the United States (and the world) needs more farm exports, not less.

No wonder Freeman's plan has aroused congressional and Farm Bureau hostility. Its chances of passage, in anything like his version, are virtually nil. Congress, as so often before, will try to take the bait in it and reject the penalties, leaving the farmers bribed but unfettered to raise still bigger surpluses for Government bins. But the whole of the Freeman plan is so complex, and the farm experts in Congress so adroit, that few laymen will be able to tell what is happening. The farm scandal is hidden beneath so much technical gobbledygook that Congress has even more room for fraudulent behavior than Freeman.

In this dilemma we are grateful for one new idea in Freeman's program. For dairy farmers he proposes a dollar ceiling on what the Government will shell out—$300 million a year. There's a thought anyone can grasp. Let economy-minded Congressmen think in similar terms. Let them set a dollar ceiling on the whole agricultural budget. Let them cut it down to $5 billion this year, to $4 billion next, and so on, until it is under control again. And let the experts worry about how to share out this dwindling gravy.

It isn't as though its present recipients were starving, or even poor. The American farmers who get most of the subsidies are the most efficient (and richest) in the world. Their habituation to subsidies is ridiculous. They can no more be permanently insulated from world prices and remain healthy than any other business can. But as long as the administration is exploiting instead of helping Congress' incompetence to solve the farm problem, the path back to economic sanity and freer markets can only be blazed with an ax: cut, cut, cut, deny, deny.

The President last week coupled his farm message with a proposal for a new Department of Urban Affairs—certainly a logical request, since 70 percent of Americans now live in urban areas. But can we really consider this seriously until the Department of Agriculture has been cut down to size? We taxpayers had better not set up a new and potentially more expensive lobby in the Cabinet until the agricultural larceny has been stopped.

[From the Deseret News, Feb. 10, 1962]

DON'T BLACKJACK FARMERS

An inaccurate picture of the administration's new farm program was given this week in Salt Lake City by James T. Ralph, an Assistant Secretary of Agriculture.

Mr. Ralph, here for a conservation meeting, got off on the right foot when he noted that our economic system permits two types of controls—governmental control or self-control. But then he went astray by claiming the proposed new program would allow farmers "the right of self-determination enjoyed by many other professions and industries."

That sounds nice, but unfortunately it just isn't so.

To be sure, under the program farmers would have the choice of either accepting or rejecting marketing quotas. If they accept those quotas they will be accepting governmental controls rated the most strict in U.S. agricultural history. If, however, they choose not to accept the program they will receive no price supports at all. Moreover, huge quantities of Government-held grains—up to 10 million tons of feed grains and 200 million bushels of wheat—could be dumped on the market, thus depressing prices.

How anyone can call this self-determination is something of a mystery. Instead, it amounts to placing the farmer, figuratively speaking, between the frying pan and the fire.

One reason the administration even dares to advance such an unfair plan in the first place is that farmers are rapidly losing their political influence. That's because there are fewer and fewer of them.

If this trend keeps up, sooner or later Congress may become brave enough to solve the farm problem on a realistic, nonregimentated basis without any alleged fear of reprisal from the farm bloc.

Any such fears already are unwarranted since most farmers want the Government to get out of agriculture—but on a gradual basis instead of yanking the rug out from under them all at once.

It's about time we gave the farmers what they want and need instead of alternately trying to bribe them with their own taxes, then threatening to blackjack them with surpluses created by unsound Government programs.

THE PROPOSED NEW CAPITOL GARAGE

Mr. DOUGLAS. Mr. President, I have had a number of inquiries about the underground garage which the Architect of the Capitol has proposed to be built under the east front of the Capitol. Some of the inquiries have questioned what certainly appear to be the excessive costs of such a garage.

In August of 1957 there was a report by the Architect of the Capitol on the plans and estimates of cost of various pieces of construction to take place at the Capitol. Among these were estimates for a 4-level underground garage to provide parking accommodations for approximately 1,900 automobiles. This was to be constructed under the east plaza, and three vehicular tunnels were to provide entrances and exists to the garage from the north, south, and

west. The estimated cost in 1957 was $41,970,000, or a cost of $22,089 per car.

WE SHOULD EXAMINE PROPOSAL BEFORE CONGRESS IS CALLED ON TO ACT

Many of the major projects in the 1957 report have already been carried out. We have spent at least $24,546,000 for the New Senate Office Building. The furniture cost at least another $1 million.

In addition, $250,000 was spent for repairs to the old building incident to the moving to the new building. The repairs to the Senate steps and the subway terminal cost another $4 million. For the east front of the Capitol, an estimated amount of $18½ million was spent. The original estimate for the construction of the Third House Office Building was $68 million, but I assume that it will cost much more than that. Now there is also a proposal to extend the west front of the Capitol at a cost of at least $18,225,000, and an underground garage, to cost at least $42 million, is proposed. Because of cost increases there would possibly be spent as much as $50 million to accommodate 1,900 automobiles in this garage.

PRESENT PARKING FACILITIES

Mr. President, I think it is worthwhile knowing the facilities that we now have for parking at the Capitol. We have on the Senate side facilities for 1,882 cars. I will submit a table showing where those are distributed. On the House side we have facilities for 1,701 cars; or a total of 3,583 cars.

I ask unanimous consent to have printed at this point in the RECORD a table showing how these spaces are distributed.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Existing parking space at U.S. Capitol

SENATE	
Street and roadway parking	590
Capitol plaza	170
Parking lots	774
New Senate Office Building Garage:	
Upper level	86
Lower level	76
Legislative garage	187
Total, Senate	1,882
HOUSE	
Capitol plaza; Street parking; Parking lots	1,400
Old House Office Building courtyard	301
Total, House	1,701
Total parking	3,583

Mr. DOUGLAS. In addition, I understand that the third House Office Building is to have a three-level garage, so that the figures for parking on the House side could run to a figure as much as 500 to a thousand additional cars. It is now proposed to have, in addition to all of those facilities, a four-level underground garage at a cost of between $42 million and $50 million for 1,900 automobiles.

The ACTING PRESIDENT pro tempore. The time of the Senator has expired.

Mr. DOUGLAS. Mr. President, I ask unanimous consent that I may be permitted to continue for a period in excess of the 3-minute limit.

The ACTING PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

Mr. DOUGLAS. I thank the Chair.

As I have pointed out, many of the projects have already been completed. But two major ones—the construction of an underground garage and the extension of the west front—have not yet been started, nor have funds yet been appropriated for these projects. But as about $2 million was spent for underpinnings of the proposed garage at the time the terminal for the subway from the new Senate Office Building to the Capitol was built, I believe that we should go into the garage matter before we are presented with a request for appropriations.

Because of this, and because of some of the facts I have gathered about the Grant Park Garage in Chicago, built underground on the lake front, I believe that a most serious question should be raised about whether this project is worth the cost.

COMPARATIVE COSTS—GRANT PARK AND CAPITOL GARAGES

At Grant Park in Chicago, the underground garage provides space for 2,359 cars, or 459 more spaces than would be provided under the Capitol East Front. It was completed in 1954 at a total cost of $7.9 million, or a cost of $3,349 per car, as opposed to the estimated $22,089 per car for the Capitol garage.

I ask unanimous consent that a table giving the comparative information of these two garages be placed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

	Proposed Capitol garage	Existing Grant Park garage
Underground levels	4	[1] 3
Number of cars	1,900	2,359
Cost	[2] $41,970,000	[3] $7,900,000
Cost per car	$22,089	$3,349

[1] 2 plus mezzanine.
[2] 1957 estimate.
[3] 1954.

Mr. DOUGLAS. Let me point out certain additional facts. In the report of the Architect of the Capitol, it is noted that if the size of the Capitol garage were reduced to hold only 1,100 cars, it could be built for $33,727,000, or $8.2 million less. However, this so-called reduction in cost would be more apparent than real, for the cost per car would then increase from $22,089 to $30,661.

When my staff inquired of the Office of the Architect of the Capitol about the proposed cost of the garage, a question arose as to what the cost would be today, or 5 years after the estimate of $41,970,000 was made. The estimate given is that the cost would rise at the rate of about 2½ percent a year, so that the estimated cost in 1962 would be at least 12½ percent greater than in 1957. Hence, the present cost would be over $47 million, or a cost of over $24,700 per car. A year and a half from now it could be as much as $50 million.

As a result of these figures, several questions arise in my mind. The first question is: Is it worth spending this much money for parking for Senators, their employees—which is said to be the primary purpose of the underground garage—and some of the public? Would not this be called a parking palace? Secondly, if the garage is to be built, could not this cost be reduced, and what accounts for the very, very high estimate?

SHOULD A PARKING PALACE BE BUILT AT ALL?

On the first issue, I question, and I think the Congress should question, whether this garage should be built at all.

We already have almost 3,600 spaces for the cars of Senators, Representatives, and their employees. There are only 535 or 538 Members of the two bodies. There are already spaces for Representatives, Senators, and an average of six employees in each office to park a car. Then there would be the additional garage in the third House Office Building, which, as I said, will provide space for as many as 500 to 1,000 additional cars, and would tend to provide space for 8 cars per office.

WRONG PRIORITIES

This seems to be a very great public expenditure for parking. I notice, for example, that the new Alexandria, Va., hospital, which is probably one of the most modern hospitals in the country, cost only $3.75 million, including equipment, to provide beds for 258 adults and infants. Using the 1957 estimates for the proposed garage, we could build 13 such new hospitals for the amount which we would spend for the new garage alone.

Would it not be of greater public benefit to erect hospitals for sick people at a cost of $14,534 per bed than to construct a garage at a cost of $22,089 per car?

I note that this garage would cost twice as much as is in next year's budget under the Health, Education, and Welfare Department for funds to be spent for chronic diseases and the health of the aged. It is almost twice as much as will be spent by HEW next year for community health.

Next year's budget for the Department of Health, Education, and Welfare includes only $8.8 million for control of air pollution, or one-fifth to one-sixth the cost of the garage. The same budget includes only $20.5 million for water pollution control, which is less than one-half of the cost of the garage. And the cost of the garage is over one-quarter of the amount of our entire estimated expenditure for USIA programs for next year. Therefore, Mr. President, I question very much whether such an expenditure is necessary at all.

REASONS GIVEN FOR HIGH COSTS

My staff has asked the Architect's office why the cost of this garage should be so high. To be fair to them, I think I should give their reasons:

First. It is a four-level underground garage. However, as we have seen, the Grant Park garage is a three-level garage but built at a cost of only one-seventh as much per car as the proposed Capitol garage.

Second. It is said that the walls, for various reasons, will be very thick.

Third. It is claimed that there is a problem of waterproofing and that a mechanical dewatering system will be needed during the construction to save the trees on the Capitol's east plaza. I may also point out here that the Grant Park garage in Chicago was built on land which adjoins Lake Michigan and, in my judgment, the water problem is as great, if not greater than, the construction of an underground garage at a hill here at the Capitol.

Fourth. It is said that the construction might have to be done in stages.

Fifth. It is said that the tunnels and the ramps would be both longer and wider than might ordinarily be the case. However, the cost of a proposed fourth entrance tunnel for the Capitol garage entering from East Capitol Street is given in the Architect's report at $6 million. This is almost the amount of the total cost of the Grant Park garage, which itself has two underground entrances and two underground exits.

SHOULD WE NOT CALL A HALT NOW?

In view of the past expenditures for the new Senate Office Building, for the tunnel leading from the New and Old Senate Office Buildings to the Capitol, the extension of the east front of the Capitol, and the third House Office Building, it seems to this Senator that the time for the Congress to call a halt on new expenditures by the Architect of the Capitol is at hand—including expenditures of $22,089 per car for an underground parking lot, and for further vast expenditures to extend the west front of the Capitol.

AMERICA NEEDS MORE GOLD AND HOW TO SATISFY THAT NEED

Mr. GRUENING. Mr. President, in urging support for a very splendid joint resolution introduced by the junior Senator from California [Mr. ENGLE] in his behalf and that of others, in the course of remarks on the floor of the Senate in support of this measure, I asked how effective had been our national measures to stop the outflow of gold.

The resolution, of which I am a cosponsor, seeks to remedy this situation by subsidizing gold miners by additional payments in an amount not to exceed $35 per ounce for each ounce of new production.

I am glad to see that this purpose is supported elsewhere. An article entitled "America Needs More Gold," by Alice Widener, recently appeared in the Houston, Tex., Sunday Chronicle, which refers specifically to my as yet unanswered query.

I ask unanimous consent that the article be printed at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

AMERICA NEEDS MORE GOLD

(By Alice Widener)

In the coming congressional investigation of our Nation's huge stockpile of strategic minerals, it is probable that our meager supply of gold will not be mentioned. Yet gold is a prime strategic and economic necessity.

Senator ERNEST GRUENING, of Alaska, asked from the Senate floor, February 12, "How effective have been our national measures to stop the outflow of gold?"

The U.S. Treasury Department's office of domestic gold and silver operations furnished Senator GRUENING with these figures on gold bullion on deposit:

Jan. 31, 1960	$19,143,560,721.00
Feb. 3, 1961	17,436,295,334.22
Feb. 5, 1962	16,790,080,826.75

THREE MEANS

Of this 1962 total of gold reserves, nearly all belongs to foreign countries. And so some of the West European members of the International Monetary Fund, mostly in response to our plea, have had to create an "emergency pool" to try to rescue the dollar from any "run." It is very doubtful whether such a rescue could be effected if the United States were to continue its present monetary and fiscal policies.

Consultation with authorities in New York City elicited the consensus that there are only three practical ways of trying to cope with the gold problem:

1. Correct the wrong fiscal and monetary policies leading to the decline of our gold reserves.

2. Devalue the dollar by increasing the U.S.-fixed price of gold ($35 an ounce).

3. Subsidize greater U.S. gold production.

(A fourth suggested way—of vastly stimulating export of high-wage U.S. goods and services—is not practical because of increased economic competition from the tooled-up, lower wage West European and Japanese economies.)

Devaluation of the dollar would badly hurt every American.

The subsidy of gold production in the United States is what Senator GRUENING advocates. He quotes Government and other authorities to show that the decline in U.S. gold output has resulted from a lack of incentive to produce because of rising costs and the fixed price of $35 an ounce. This lack of incentive has hindered necessary investment in modern machinery and tools for gold mining.

The U.S. gold production is small and is declining. The vastly larger proportion of South Africa, Russia, and Canada is increasing.

All economists are agreed that the United States cannot continue to lose gold reserves.

These losses are owing solely to the fact the United States is spending more money than it has, and is piling up national debts.

ONLY ONE EFFECTIVE

Among the three practical ways of halting our gold loss, only one can be effective—the restoration of sound fiscal and monetary policies by Congress.

There is no doubt, however, that our country should have modern and profitable gold mining. We need a stockpile of gold for many strategic purposes, not known to the general public.

No conservative economist approves of government-subsidized production. However, our country absolutely must be able in times of emergency to mine gold—for economic and strategic reasons. Now that Senator GRUENING has called this urgent matter to congressional attention, the public, too, should learn as much as possible about gold. Americans urgently need more of it.

SENATE JOINT RESOLUTION 137 WILL MAKE POSSIBLE THE LONG OVERDUE START TOWARD PLANNING AND DEVELOPMENT OF A ROADS SYSTEM WITHIN ALASKA

Mr. GRUENING. Mr. President, this week it has been my privilege and pleasure to appear as a witness before Senate and House committees considering legislation designed to start planning and development of a roads system within Alaska.

On Tuesday, February 27, 1962, I testified on behalf of Senate Joint Resolution 137 before the Subcommittee on Public Roads of the Senate Committee on Public Works. The subcommittee chairman, the Senator from Michigan [Mr. MCNAMARA], and other committee members allowed all the time desired for the witnesses to present the case for the legislation.

A number of Alaska State officials appeared personally or submitted written statements on behalf of Senate Joint Resolution 137. Coming from the State were Mr. Hugh J. Wade, secretary of state, speaking on behalf of Governor Egan. Our commissioner of public works, Mr. Richard A. Downing, was also in Washington, D.C., to speak for the resolution and to describe for the committee the work by Alaska to improve existing roads. Mr. Phil Holdsworth, Alaska commissioner of natural resources, sent a statement supplementing the remarks of Governor Egan and Commissioner Downing.

Alaska's congressional delegation was present to express unanimous approval of the resolution which is supported by the President, the Department of Commerce, and the Bureau of the Budget.

Department of Commerce spokesmen conveyed departmental approval of the resolution. Testimony was given by Under Secretary for Transportation Clarence D. Martin, Jr. He was accompanied by Mr. A. F. Ghiglione of the Bureau of Public Roads.

The following day, Wednesday, February 28, 1962, members of the House Subcommittee on Roads of the Committee on Public Works heard witnesses speaking on behalf of House Joint Resolution 572. This resolution is identical to the Senate measure. It was introduced by Representative RIVERS.

I had the honor to testify before the House subcommittee and I wish to report that its members were generous in giving those of us present such time as we desired.

Representative JOHN KLUCZYNSKI, of Illinois, was chairman of the hearing in the absence of Chairman FALLON, who was out of the city on committee business. Representative KLUCZYNSKI is familiar with the roads problem in Alaska, having had the privilege of working with Senator BARTLETT when he was Delegate BARTLETT and a nonvoting Member of the House of Representatives prior to Alaska's becoming a State.

Other committee members indicated their interest in the resolution and asked a number of penetrating questions.

The courtesy of the Senate and House committees in scheduling the hearings on following days kept travel costs down for the witnesses coming directly from the State which was most helpful.

Mr. President, part of the work of a legislator involves helping his colleagues learn more about the particular problems which face his State. For this very important reason I ask unanimous consent that my testimony on behalf of

Senate Joint Resolution 137, including such tables and information as accompanied it, be printed at this point in the RECORD.

There being no objection, the testimoney was ordered to be printed in the RECORD, as follows:

TESTIMONY BY SENATOR ERNEST GRUENING ON BEHALF OF SENATE JOINT RESOLUTION 137, A JOINT RESOLUTION AUTHORIZING THE SECRETARY OF COMMERCE TO CONDUCT STUDIES AND PLAN A ROAD PROGRAM FOR ALASKA—BEFORE THE SUBCOMMITTEE ON PUBLIC ROADS OF THE SENATE COMMITTEE ON PUBLIC WORKS, FEBRUARY 27, 1962

Mr. Chairman, I appreciate this opportunity to appear before you and other members of the Subcommittee on Public Roads to testify on behalf of Senate Joint Resolution 137. This legislative proposal is supported by the President, the Department of Commerce, and the Bureau of the Budget. It would make possible the long overdue start toward positive planning and development of a roads system within Alaska.

Working cooperatively, through his Bureau of Public Roads, and the State of Alaska, the Secretary of Commerce would make engineering studies and estimates and planning surveys "relative to a highway construction program for the State of Alaska." The resolution also proposes that the Secretary of Commerce in consultation with the Secretary of State explore the possibilities of connecting Alaska cities to roads already constructed in Canada.

Under the language of the resolution, the Secretary of Commerce is requested to submit his findings to the Congress on or before May 15, 1963. His report would include:

1. An analysis of the adequacy of the Federal-aid highway program to provide for a satisfactory program in both the populated and the undeveloped areas in Alaska;

2. Specific recommendations as to the construction of roads through undeveloped areas of Alaska and to connect them with roads in Canada; and

3. A feasible program for implementing such specific recommendations, including cost estimates, recommendations as to the sharing of cost responsibilities and other pertinent matters.

The legislation suggests that either before or after making his final report the Secretary of Commerce recommend to Congress how highway construction within Alaska might proceed to facilitate the purposes of Senate Joint Resolution 137.

The legislation authorizes the appropriation of $600,000 of Treasury funds not otherwise appropriated to make these studies and surveys.

Mr. Chairman, I have gone into detail because I wished to make clear to all who are interested in the development of Alaska the importance of this long-awaited first step. The path ahead is lengthy. President Kennedy knows it has been long awaited and needed and I thank him on behalf of all Alaskans for proposing this far-visioned and practical move to help solve Alaska's highway problems.

I recall his statement on the floor of the Senate on June 24, 1960, when he said:

"We must expand and modernize Alaska's highway system—a system is an essential condition of Alaska's future development—by greatly increasing our highway program so that Alaska's highways will be the equal of those in other States, which have been receiving Federal help over a long period of time."

Indeed, other States have been receiving substantial Federal help over a long period of time since 1916 when the Federal-aid highway legislation was enacted, a period in which Alaska was neglected by exclusion from the program except in the national forests, for 40 years. The Bureau of Public Roads has estimated that Alaska lacks $300 million it had not received from the Government as its proper share of Federal highway programs.

Alaska has received only $84.7 million of Federal highway funds since 1916. The condition, or rather nonexisting condition, of Alaskan roads reflects this lack of funds.

As a member of the Public Works Committee, I appreciate the value of roads, both in and out of our Nation. I know, for example, that Alaska is considered a part of the Pan-American Highway and that the Pan-American Highway figuratively stretches nearly 12,050 miles from Fairbanks to the tip of Argentina. Ideally this highway seeks to connect the principal cities of the countries through which it passes. It is so in Central America. As a member of the Subcommittee on Roads, Senator RANDOLPH and I earlier this year inspected the Inter-American Highway in the Republics of Panama, Costa Rica, Nicaragua, Honduras, El Salvador, and Guatemala. In all but one of these, Honduras, the Inter-American Highway passed through these countries, capitals, and in the case of Honduras, its capital, Tegucigalpa, is connected with the Inter-American by a fine highway built with foreign aid funds. But such is not the case in Alaska. The principal cities including the capital, Juneau, are not connected.

And surely no area is more vitally in need of roads to connect with the pan-American highway system than is our country's largest State, with its strategic military importance as a defense outpost and outer perimeter in the defense warning system.

There are other factors for consideration. Vital as Alaska is to the national defense picture the State also offers enormous untapped economic potential. Alaska offers room for the burgeoning populations within the lower 48 States. Alaska offers recreation potential for scholar and skier, for canoe enthusiast and fisherman, for hunter with camera or rifle.

In transmitting the proposed joint resolution near the close of the 1st session of the 87th Congress, Secretary Hodges and his staff reported that the Department had given intensive and careful consideration to the special problems of the State of Alaska in relation to its highway needs.

His letter of transmittal said in part:

"Alaska's situation is unique both in terms of its location—separated from the rest of continental United States by another country—and its other unusual geographic and economic characteristics necessitating special treatment. There is need, in particular, for extraordinary local and long development-type roads, and roads to interconnect centers of population which are accessible only by water or air transportation, or through Canadian territory."

Residents of Alaska willingly vouch for the validity of these statements. They find it expensive to travel from one city to another by air. Maritime passenger travel between our coastal communities, and the majority of them are coastal, no longer exists. The last regular maritime service by an American flag carrier ceased in 1954. Even coach fares are foreign to Alaskans. Alaskans pay for first-class passage when they fly via scheduled airlines.

Yes, the air cost of intrastate travel in Alaska is expensive. But it is available and the airlines have served Alaskans competently. But airways, however essential, are not sufficient. One cannot build a home on an airway. No area was ever developed without surface transportation. There is need and room for both air and road travel in Alaska.

Americans like to get in the car and "go someplace," especially to the big city within the State. I thought it would be interesting to compare the cost of visits in three large cities in three States.

In each case I have selected a family of four to make the trip: mother, father, and two children, one 10, the other 14. The States in which they live are Oklahoma, Michigan, and Alaska.

The Oklahomans live in Beaver City, 225 miles from Oklahoma City. They have a variety of road routes upon which to travel. It is an easy 1-day trip. Assuming their car made 20 miles to the gallon of gasoline, they would use 25 gallons on the round trip. If they pay 30 cents per gallon the bill will total $7.50.

The people from Michigan live in Alpena, 282 miles from Detroit. The cost of gas is about the same as that in Oklahoma, $7.50.

The Alaskans live in Bethel, which is 438 air miles from Anchorage. They will travel by air because there is no connecting road. Round trip passage from Bethel to Anchorage and return is $132, including tax, for any air traveler over 12 years of age. Three adults will pay $396. The 10 year old's fare is $66. The total cost of the trip would be $542.

The people in Alaska, in order to travel to the nearest big city, would have to pay almost 65 times as much as the people in Michigan or Oklahoma.

The undertaking of a realistic road program for Alaska will result in considerable economic benefit to the manufacturers of automobiles and automotive parts since, surprising as it may seem, Alaskans, despite the lack of roads, already have a high percentage of automobiles. Consider the capital city of Juneau with only a corporate population of 6,797, although the surrounding Gastineau Channel area includes an additional 2,498 people. Yet there are 6,831 motor vehicles registered in Juneau—more than 1 motor vehicle for each man, woman, and child in Juneau. The same holds true for a number of other Alaska communities. I ask that a table which I have prepared comparing population and roads to motor vehicles registered in certain cities of Alaska be inserted at this point in my remarks. This table shows that for the 8 communities of Ketchikan, Wrangell, Petersburg, Juneau, Sitka, Haines, Nome, and Kodiak, there is a combined population of only 24,670 and only 657 miles of road, but that those 24,670 people own 14,257 motor vehicles. Compare this to the national figure of approximately 71 million motor vehicles in 1960 with a population of 179 million persons.

City	Election district population	Corporate population	Vehicles registered	Miles of road
Ketchikan	10,070	6,483	2,798	65
Wrangell	4,181	1,315	288	12
Petersburg		1,502	372	30
Juneau	9,745	6,797	6,831	72
Sitka	6,690	3,237	1,126	18
Haines		392	450	57
Nome	6,091	2,316	541	200
Kodiak	7,174	2,628	1,873	88
Total		24,670	14,257	657

In order to visualize the scanty surface transportation in Alaska we might picture what a corresponding lack of it would be like in the 48 States. We would have one railway system extending from New York to Chicago, that is to say about one-third of the way across the country, perhaps going by way of Cleveland and Detroit or Indianapolis. There would be a highway roughly paralleling that highway but taking a slightly different route, going perhaps through Philadelphia, Pittsburgh, and Cincinnati.

There might be a branch or two extending from that highway. Washington, D.C., would be unconnected with any other city by highway. Residents west of Chicago

would have to fly to the Capital of our Nation.

There would be a few short stubs of roads going from Washington, D.C., and perhaps a few of the cities. The rest of the country would have to depend on air transportation.

I use such an illustration to make vivid the deplorable situation which exists in Alaska today—1962—not 1862. Obviously a great area such as Alaska cannot be developed without highways. Our other States would never have developed without highways and railways.

In no respect is the contrast between Alaska and all the other States more marked than in surface transportation. The majority of Alaska's communities are unconnected with any others by highway or railroad. By the same token, these isolated Alaska communities are unconnected with the transcontinental highway system.

The unique condition in which Alaska finds itself highwaywise may be illustrated by the stark fact that perhaps nowhere in the other 49 States does there exist a community, no matter how small, to which it is not possible to drive in an automobile or ride in a train. The whole economy and civilization of 20th century America is based on this free and ready access for goods and people. The very character of the American citizen is undoubtedly conditioned in an important way by the circumstance that, no matter where he lives, he can get in the family automobile and drive somewhere—to the nearest large city, to the capital of his State or Nation.

In Alaska, five of the seven largest cities, including Juneau, the capital, have no road system which leads to any other place. A dozen cities with population of 1,000 or more have neither road nor rail connection with any other city. In terms of surface transportation, Alaska in 1959 was in about the same situation as other States found themselves in 1850 before the construction of transcontinental railroads or a nationwide road network.

The reason for this state of affairs in the 49th State is not far to seek. It is owing to longstanding and almost totally unrelieved discrimination in the manner in which Federal highway programs have been enacted. Until 1956, Alaska was totally excluded from Federal-aid highway legislation. In 1956, Alaska was included, but on a sharply reduced basis. The State is still totally excluded from the interstate or throughway part of Federal programs—except that Alaska is included in the collection of the excise taxes which support the interstate program.

According to figures provided by the Bureau of Public Roads, there are today 5,356 miles of roads in Alaska. Of this total, 1,249 miles are classified as unconstructed. In other words, these roads exist only on paper. Of the remainder, only 2,515 miles are of such quality and in such locations that travel over them is possible throughout the year.

As far as surface is concerned, 1,113 miles are surfaced or paved, 38 miles surface treated, 2,720 miles gravel, and 246 miles unimproved. The total of existing and unconstructed rural roads is 5,320 miles, of such urban roads 23 miles.

This is a meager network indeed for an area one-fifth the size of the other 49 States combined. It seems obvious that the first thing which must be done to enable Alaska to progress is to provide a means to construct roads in the new State.

The Bureau of Public Roads statistics show that 1,653 miles comprise a connecting primary system that serves only the cities in the south central portion of Alaska from Seward and Homer north through the communities of the Kenai Peninsula, Anchorage, Chugach, Palmer, Wasilla, with a branch to Willow, Glennallen, Valdez, Copper Center, Tok, Big Delta, Fairbanks, Livengood, and Circle with a branch to Nenana. Some 2,454 miles in a secondary system connect with the primary system. Much of Alaska's road mileage consists of isolated stubs of road that lead a short distance from population centers and then end abruptly.

A proper system of highways within Alaska would reduce travel distance and time of travel. It would reduce the high cost of living. It would encourage homesteading practices which today are surrounded by prohibitive costs. It would make possible the better utilization of Alaska's recreation potential. It would open mineralized areas to mining.

How would it reduce distances? Consider the complications involved in driving from Anchorage to Mount McKinley National Park. Motorists now travel three sides of a rectangle. They drive east for 189 miles, north for 70 miles, then west 162 miles for a total distance of 422 miles. A direct, northerly route from Anchorage between the two points would save more than 250 miles cutting the distance from 422 to 172 miles. Such a saving in time and miles will speed the development of the recreational potential in the State, and save untold dollars in cost. The residents of Fairbanks face a similar roundabout journey to get to the park. They have to drive over the two longer sides of a long triangle.

Better roads can contribute to the health and welfare of the State's citizens. Better roads will make it possible for consumers to select from a greater quantity and variety of goods. Better roads could open the vast potential of the farm areas of the Susitna River Valley, and others in the vicinity of the Fairbanks-Nenana region, for instance.

Roads traditionally have been basic to movement of people and goods in the development of any frontier area. Better roads can open up vast reserves of timber for pulpwood, lumber, and manufactures such as furniture.

I would be remiss were I not to recognize that the importance of roads in Alaska began to draw more notice with the coming of World War II.

In checking the Alaska highway program expenditures, fiscal years 1905 to 1956, inclusive, we learn that congressional appropriations totaled more than $187½ million. It is a sizable amount taken alone but in truth it is only a drop in the bucket.

If we look more closely we learn that $169.3 million of congressional funds were spent from 1940 through 1956, primarily years of war or years of uneasy peace. During the nearly 35 years prior to 1940 we find that only $18.3 million came to Alaska through congressional appropriations. It is not a healthy picture. Statistics prove that construction undertaken under a crash program is expensive, often double what identical work could cost during peacetime.

Today, as we begin 1962, decades of development within Alaska await us. The era of exploitation and indifference and neglect should be ending.

It is obvious that the real need in the 49th State is a system of roads and ferries which will tie together its farflung communities and regions. The residents of now unconnected Okiak, Aleknagik, Angoon, Atanik, Barrow, Chulitna, Clear, Coal Creek, Cordova, Council, Craig, Cripple, Davenport, Deering, Dillingham, Douglas, Flat, Folger, Fort Yukon, Garner, Haycock, Healy Fork, Hollis, Hoonah, Hydaburg, Juneau, Kake, Kaltag, Ketchikan, and adjacent communities, Kivalina, Klawak, Klukwan, Kotzebue, Koyukuk, Lena Beach, McCarthy, McGrath (and the other towns in the Kuskokwin Valley), Metlakatla, Minto, Moody, Napaimiut, Nation, Nenana, Nome, Nulato, Ophir, Petersburg, Placerville, Point Hope, Point Lay, Poorman, Ruby, St. Mary's, St. Michael, Seldovia, Shishmaref, Sitka, Skagway, Talkeetna, Tanana, Taylor, Teller, Unalakleet, Wainwright, Woodchopper, and Wrangell, to name only a few, live in the same State with the other communities in the center of western Alaska. Chances are too few for them to know one another.

A realistic road program coupled with ferry systems would facilitate statewide improvement, rather than only community improvement. It could open up development unattainable without the highways, but sorely needed.

Why does this state of affairs exist?

Statistics prove that if Alaska had shared on an equal basis with the other States in roadbuilding programs instead of being totally excluded from the benefits of Federal highway aid legislation—although paying all Federal taxes—Alaska would now have an adequate highway system.

Even today Alaska, as I have pointed out, has been subject to all the Federal taxes over the years that all the other States have paid. As a matter of fact, through taxation, Alaska has helped support the Federal aid highway program since 1916, even though not receiving one penny in return. (The funds Alaska did receive in the form of appropriations to the Alaska Road Commission and the Bureau of Public Roads were drastically reduced, as compared with other States' participation, or, during some years, curtailed, eliminated altogether.)

In addition, Alaskans were and are now paying, since 1956, the special tax on tires, tubes, gasoline, oil, new automobiles, trucks, buses, and trailers through which the interstate throughway system is supported. Yet Alaskans are deprived of all the benefits from this fund.

This longstanding discrimination, 40 years of it, from 1916 to 1956, was recognized by a sister committee, the Senate Committee on Interior and Insular Affairs, in reporting out the Alaska omnibus bill, when it said:

"The committee has included provisions in this bill placing the State of Alaska under the Federal-aid highway program on the same basis as all other States. It has done so with the full realization, however, that with respect to highways Alaska has been inequitably treated in the past and would have entered upon statehood with a highway system much more advanced if it had been treated with respect to Federal-aid highway aid on the same basis as the other States and territories. As has been pointed out, Alaska did not participate at all in the Federal-aid highway program until 1956 and from then on only on a limited basis.

"The committee, therefore, feels that the Congress still has a responsibility and a duty to examine this situation in the near future more closely in order to provide for equitable and equal treatment for the new State.

"It is hoped that the appropriate committees of the Congress will, therefore, study fully this problem and recommend at the earliest possible moment the steps needed to assure Alaska's participation in the highway program on the basis of full equality, taking into consideration its limited past participation." This is the appropriate committee.

For the reasons I have discussed, Mr. Chairman, I believe Senate Joint Resolution 137 will initiate a program of sound and necessary highway development in Alaska. While it is a modest start, such a program will benefit the State and the Nation.

I am aware of the fact that the Congress needs no precedent for acting, especially in this case in view of the unique situation in which Alaska finds itself.

However, if the Congress does desire a precedent for equalizing a road situation in the case of a particular State or territory, such a precedent may be found in the action of Congress with respect to the then Territory of Hawaii. Originally in 1916, both Alaska and Hawaii were not admitted to participation in the Federal-aid highway program when it was begun. However, after

Hawaii was admitted to full participation, the Congress passed a special act (Public Law 722, 71st Cong., approved February 23, 1931) to pay to the Territory of Hawaii "certain sums that are representative in part of the aid that would have been given the territory had the Federal Highway Act when passed been held to have extended these benefits to Hawaii equally with the States."

The same situation prevails with respect to the State of Alaska, although the administration is requesting at this time only survey funds in an amount well below the sum which would be due on an equalization basis. I ask that a copy of Public Law 722 be printed in the record of these hearings.

It is a long way from Ketchikan to Nome—some 1,100 miles by air and today impossible to reach over roads which are nonexistent. I look forward to the day when those roads exist. I hope this year can mark the start toward that day.

Surely we can do for our own what we have done and are doing abroad.

In the last 7 years we have spent four-fifths of a billion dollars on highways in other nations. The precise figure is $801,449,165. The survey sum we seek today is one-thousandth of 1 percent of this total.

The sum we seek, $800,000, is equivalent to that expended for one highway repair and maintenance program in Cambodia or for the major portion of the Quetzaltenango-Retalhuleu Road in Guatemala or for a national roads improvement and maintenance program in Afghanistan.

Let us review just a few of the highway projects abroad for which Federal funds have been expended: 1957, general highway improvement in Thailand, $8,102,000, in addition to over $2.4 million for other highway work; 1957, Philippines, highway improvement, $3.5 million; 1959–61, Rangoon-Mandalay Road, Burma, $900,000; 1960, construction of Nam Cadinh-Nam Hin Boun Road in Laos, $8,650,000; 1960, Vietnam, highway and bridge construction, $10,165,000; 1959, Thailand, East-West Highway, $3,813,000; 1958, Cambodia, Port Highway, $6,111,000; 1957, Guatemala, Atlantic Highway, $6,043,000; 1957, Vietnam, highways and bridges, $12,462,000.

I should like also to incorporate with my testimony the complete text of the resolution we are considering as exhibit A.

And I should like to place in the hearing record at the conclusion of my testimony a compilation of the moneys spent by our Government overseas since fiscal year 1955 as exhibit B.

And finally I would like to place in the record of this hearing four tables showing the amounts of funds Alaska would have received had it been allotted funds on the same basis as the other States and territories compared to the amounts of Federal funds Alaska actually did receive.

I wish to express again my thanks to the committee for this opportunity to speak on behalf of Senate Joint Resolution 137 which I had the privilege to introduce September 13, 1961, on behalf of myself and the senior Senator from New Mexico, the chairman of our Public Works Committee, Mr. CHAVEZ, the senior Senator from West Virginia, Mr. RANDOLPH, the junior Senator from Ohio, Mr. YOUNG, and the junior Senator from Hawaii, Mr. LONG.

PUBLIC LAW 722, 71ST CONGRESS, APPROVED FEBRUARY 23, 1931

CH. 283.—An Act to amend the Act entitled "An Act to extend the provisions of certain laws to the Territory of Hawaii," approved March 10, 1924.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act entitled "An Act to extend the provisions of certain laws to the Territory of Hawaii," approved March 10, 1924 (43 Stat. 17), is hereby amended by adding at the end thereof the following: "*Provided further,* That the system of roads on which Federal-aid apportionments to the Territory of Hawaii shall be expended may be determined and agreed upon by the Governor of said Territory and the Secretary of Agriculture without regard to the limitations in section 6 of the Federal Highway Act respecting the selection and designation of such system of roads; and when the system first determined and agreed upon shall have been completed, additions thereto may be made in like manner as funds become available for the construction and maintenance of such additions: *And provided further,* That there is authorized to be paid from funds heretofore authorized, appropriated, allocated, and unobligated under the Federal Highway Act a sum not to exceed $880,000 for the purpose of road construction in the Territory of Hawaii, which sum equals the amount such Territory would have received for roads built and incorporated upon the 7 per centum system as approved, during the period from 1917 to 1925. The Secretary of the Treasury shall pay to the Territory of Hawaii, or to such official or depository as may be designated by it, on warrants drawn by the Secretary of Agriculture, such part of such sum as may from time to time be necessary for the construction or reconstruction of any highway in such Territory the project for which has been approved by the Secretary of Agriculture. The provisions of this Act shall in no way impair the right of such Territory to receive the benefits of the Federal Highway Act."

Approved, February 23, 1931.

S. J. RES. 137

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Commerce, in cooperation with the State of Alaska, is hereby authorized to make engineering studies and estimates and planning surveys relative to a highway construction program for the State of Alaska, and, in accordance with treaties or other agreements to be negotiated with Canada by the Secretary of State in consultation with the Secretary of Commerce, engineering studies, estimates, and planning surveys relative to roads in Canada to connect with Alaska.

SEC. 2. On or before May 15, 1963, the Secretary of Commerce shall submit a report to the Congress which shall include—

(1) an analysis of the adequacy of the Federal-aid highway program to provide for a satisfactory program in both the populated and the undeveloped areas in Alaska;

(2) specific recommendations as to the construction of roads through undeveloped areas of Alaska and to connect them with roads in Canada; and

(3) a feasible program for implementing such specific recommendations, including cost estimates, recommendations as to the sharing of cost responsibilities, and other pertinent matters.

SEC. 3. From time to time, either before or after submission of the report provided for in section 2 of this Act, the Secretary of Commerce may submit recommendations to the Congress with respect to the construction of particular highways to carry out the purposes of this Act.

SEC. 4. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, to be available until expended, the sum of $800,000 for the purpose of making the studies, surveys, and report authorized by sections 1 and 2 hereof.

Aid to foreign countries under the Foreign Assistance Act for road construction and maintenance, fiscal years 1955–61

FISCAL YEAR 1955

Far East:	
China (Republic of): Traffic safety engineering	$5,000
Laos: Improvement of and extension of Lao highway system	1,370,930
Philippines: Highway improvement (Barrio Roads)	3,789,000
Thailand:	
Highway development	55,000
Construction equipment training	75,000
Special N. E. highway project Saraburi-Korat-Ban Thai Highway	3,130,000
Expanded aid program highways	355,000
Vietnam: General program for roads and bridges	376,500
Near East, Africa, and south Asia:	
Egypt:	
Highway improvement	6,514,000
Transportation and communications—highways	10,500
Transportation-asphalt and bitumen training	3,000
Iran: Demonstration and training in use of highway maintenance equipment	406,667
Iraq: Highway development (Edwards, Kelcey, Beck contract)	176,496
Israel: For road construction	18,750
Jordan: Roads	2,537,250
Lebanon: Public roads development	5,700,000
Liberia: Highway program (PW-5) highway maintenance	291,000
Pakistan:	
East Pakistan road development training program	4,660
Baluchistan States Union Road projects	693,815
Pakistan highway system and research development program	35,340
Turkey: Istanbul arterial highway study	90,000
Oversea territories:	
United Kingdom:	
Highway economist-engineer	6,000
Road research engineer	24,000
Study of low-cost earth road construction	3,150
U.S. highway economist-engineer to the federation	12,000
Europe:	
Spain: American highway practices	17,400
Latin America:	
Bolivia:	
Transportation (highways)	5,328
Observation and seminar program for Latin American public works and highway officials	4,884
Public roads—administration	38,146
Brazil: Transportation highways	18,500
Colombia: Transportation — roads	12,000
Costa Rica: Highway planning, construction and maintenance improvement project	2,400
Cuba: Public works and highway training	2,120
Dominican Republic: Specialized training for other departments, inter-American seminar	1,200

Aid to foreign countries under the Foreign Assistance Act for road construction and maintenance, fiscal years 1955–61—Con.

FISCAL YEAR 1955—continued

Latin America—Continued	
Guatemala:	
Pacific (Slope) Highway—from Popoya through Retalhuleu to Coatepeque and from Retalhuleu to Champerico	$3,675,000
Observation and seminar program for Latin American public works and highway officials	1,100
Haiti: Market roads	325,000
Honduras: Consultation in highways	9,600
Mexico: Observation and seminars for Latin American public works and highway officials	3,000
Paraguay:	
Trans-Chaco Road project	20,817
Demonstration and training project—road construction and maintenance	100,000
Peru: Bridge construction	3,650
Oversea territories: British Guiana — transportation — highways	2,600
Total fiscal year 1955	29,925,713

FISCAL YEAR 1956

Far East:	
Cambodia:	
Port highway	7,400,000
Highway repair and maintenance	765,000
Repair, rehabilitation, and construction bridges	650,000
China (Taiwan):	
East-west highway construction (RETSER)	400,000
Heavy construction equipment	206,200
Highway improvement and administration	13,000
Indonesian Republic: Highway technical training	34,000
Korea:	
Highway transportation trainees	15,000
Asphalt hot mix plant	160,000
Highway and bridge construction	545,000
Heavy equipment and spare parts for highway and street construction	275,000
Laos: Reopening and establishing maintenance on national roads	2,678,019
Philippines: Highway improvement	2,419,000
Thailand:	
Highway development	75,000
Highway, special northeast	6,212,000
Highways, expanded aid	2,302,900
Vietnam: Highways and bridges	5,440,000
Near East and south Asia:	
Egypt: Transportation and communications highway improvement	21,500
India: Highway transportation	8,000
Iran: Demonstration and training in the use of highway maintenance equipment	354,900
Iraq: Highway development (Edwards, Kelcey Back contract)	316,000
Israel: Road construction	25,000
Jordan: Roads	263,100

Aid to foreign countries under the Foreign Assistance Act for road construction and maintenance, fiscal years 1955–61—Con.

FISCAL YEAR 1956—continued

Near East and south Asia—Continued	
Lebanon:	
Public roads development of Lebanon-Beirut-Maameltein highway	$100,000
Beirut-Syrian border highway	3,200,000
Pakistan:	
East Pakistan road development and training program	939,389
Pakistan highway system and research demonstration program	142,450
Turkey: Highway engineering advisers	147,000
Africa:	
Liberia: Highway program, PW-5	256,2000
Oversea territories: United Kingdom: Public works department engineer to United States	6,000
Europe:	
Greece: Training in road design, pavements and testing material	27,000
Spain: American highway practices study	15,000
Latin America:	
Bolivia:	
Administration (Bolivian-American Cooperative Road Service)	52,313
Demonstration of equipment maintenance and repair (Servicio Cooperativo Boliviano-Americano de Caminos)	32,187
Demonstration of road maintenance and betterment (Bolivian-American Cooperative Road Service)	51,100
Construction and maintenance of road system—Cochabama-Santa Cruz	1,187,350
Colombia:	
Training program in highway construction and maintenance	23,500
Highway construction and maintenance project Valle, Cauca, and Caldas	10,000
Costa Rica: Highway improvement project	27,960
Guatemala:	
Pacific Slope Highway (Popoja to Coatepeque section)	1,700,000
Atlantic Highway	5,205,000
Quetzaltenango - Retalhuleu Road	950,000
Pacific Slope Highway—east and west sections	1,206,000
Haiti:	
Voldrogue Pourcine Road (completion)	423,740
Anse D'Hainault—Sources Chaudes Market Road (completion)	38,800
Low level bridge across Volrogue River	63,842
Survey and construction of Pestel-Corail Highway	222,000
Survey and Construction of Les Anglais-Tiburon Market Road	40,000
Honduras: Consultation in highways	39,076
Nicaragua: Public roads	17,644
Paraguay:	
Trans-Chaco Road project	91,200
Demonstration and training — road construction and maintenance	123,700

Aid to foreign countries under the Foreign Assistance Act for road construction and maintenance, fiscal years 1955–61—Con.

FISCAL YEAR 1957

Latin America—Continued	
Oversea territories:	
British Guiana: Highway construction, maintenance and design project	$18,000
Total fiscal year 1956	46,937,070
Far East:	
Cambodia:	
Port highway	8,500,000
Highway—bridge rehabilitation and construction	435,000
China (Taiwan):	
Highway bridge engineering	5,000
Municipal road improvement—provisional department of reconstruction	6,000
East-West Highway construction	450,000
Highway improvement	5,000
Highway and traffic engineering training	4,000
Japan: Highway study	39,000
Korea:	
Highway and bridge construction and rehabilitation	1,561,000
Heavy equipment and spare parts for highway, street paving, bridge construction, and repair shop	2,400,000
Road and street paving rehabilitation	913,000
Laos: Reopening and establishing maintenance on national roads	1,050,000
Philippines: Highway improvement	3,579,000
Thailand:	
Highways, special northeast	1,824,000
General highway improvement	8,102,000
Highway department operations	454,000
Bangkok-Bangkapi Road improvement	97,000
Vietnam:	
Highways and bridges	12,462,000
Near East and south Asia:	
Afghanistan: National roads improvement and maintenance	2,132,000
Ceylon: Highway development	965,000
India: Highway transportation	13,000
Iran: Highway equipment maintenance and repair shops	1,060,000
Iraq: Highway development	304,000
Israel: Road construction	7,000
Jordan:	
Road development	7,000
Roads	1,358,000
Highway administration	16,000
Lebanon:	
Public roads development of Lebanon (coastal)	1,000,000
Highway advisory and training project	28,000
Pakistan:	
East Pakistan road development and training	79,000
West Pakistan road construction	35,000
Highway system	34,000
Turkey: Highway engineering advisers	173,000
Baghdad Pact:	
Regional highway project—Turkey and Iran	1,340,000
Regional highway project—Turkey and Iran	860,000

Aid to foreign countries under the Foreign Assistance Act for road construction and maintenance, fiscal years 1955–61—Con.

FISCAL YEAR 1957—continued

Africa:	
Liberia: Highway program	$948,000
Libya: Rehabilitation and construction of provincial and federal roads	907,000
Oversea territories:	
Somalia: Highway improvement	2,000
United Kingdom:	
Road research engineer	8,000
U.S. highway economist-engineer to the Federation of Rhodesia and Nyasaland	4,000
Southern Rhodesia—highway planning and construction	3,000
Europe:	
Spain: American highway practices studies	12,000
Latin America:	
Bolivia:	
Administration (Bolivian-American Cooperative Road Service)	46,000
Demonstration of road maintenance and betterment (Bolivian-American Cooperative Road Service)	133,000
Colombia: Highway construction and maintenance project Valle, Cauca, and Caldas, and training of highway engineers	24,000
Costa Rica: Highway improvement project (training personnel)	14,000
Guatemala:	
Atlantic Highway	6,043,000
Pacific Slope Highway—east and west sections	1,700,000
Project access roads (rural development program)	700,000
Honduras: Consultation in highway development	32,000
Mexico: Training facilities for operators and mechanics	100,000
Nicaragua: Transportation—highways	14,000
Oversea territories: British Guiana: Road development project	10,000
Total fiscal year 1957	61,392,000

FISCAL YEAR 1958

Far East:	
Cambodia:	
Port highway	6,111,000
Highway and bridge repair and rehabilitation	398,000
China (Taiwan): East-west highway construction	589,000
Indonesian Republic: Highway construction and rehabilitation	8,000,000
Korea: Highway and bridge construction and rehabilitation	992,000
Laos: Reopening and maintenance on national roads	1,107,000
Philippines: Highway improvement	1,635,000
Thailand:	
Highways, special northeast	692,000
Highway department operations	154,000
East-west highway	2,000,000
Vietnam: Highways and bridges	14,944,000
Near East and south Asia:	
Afghanistan: National roads improvement and maintenance	807,000
Ceylon: Highway development	111,000

Aid to foreign countries under the Foreign Assistance Act for road construction and maintenance, fiscal years 1955–61—Con.

FISCAL YEAR 1958—continued

Near East and south Asia—Continued	
India: Highway transportation	$12,000
Iraq: Highway development	140,000
Jordan:	
Roads	1,200,000
Highway administration	402,000
Highway construction	1,045,000
Lebanon: Highway development of Lebanon	37,000
Nepal: Regional projects personnel	43,000
Pakistan:	
East Pakistan road development and training program	83,000
Karachi-Kalat-Quetta road project	66,000
Turkey: Highway engineering advisers	162,000
Africa:	
Liberia: Highway program	394,000
Libya: Rehabilitation and construction of provincial and federal roads	1,300,000
Oversea territories:	
Somalia: Highway improvement	47,000
United Kingdom:	
Highway engineering	22,000
Study of highway maintenance	2,000
Europe:	
Spain:	
Training highway construction mechanics and operators	41,000
American highway practices study	15,000
Latin America:	
Bolivia:	
Administration (Road Servicio)	68,000
Demonstration road maintenance and betterment	181,000
Colombia: Transportation—practical training in highway construction and maintenance	29,000
Cuba: Public road training	5,000
Guatemala: Project access roads (rural development program)	675,000
Honduras: Consultation in highways	37,000
Mexico: Training facilities for operators and mechanics	2,000
Nicaragua: Transportation—highways	5,000
Oversea territories:	
British Guiana: Roads development project	17,000
Asian Economic Development Fund: India-Nepal Roadway	5,000,000
Total fiscal year 1958	48,570,000

FISCAL YEAR 1959

Far East:	
Burma: Rangoon-Mandalay Road	750,000
Cambodia:	
Port highway	2,246,000
Highway engineering advisory services	6,000
China (Taiwan): East-West Highway construction	33,000
Korea: Highway and bridge construction rehabilitation	1,057,000
Laos: Development of Lao national road system	1,265,000
Philippines: Highway improvement	546,000

Aid to foreign countries under the Foreign Assistance Act for road construction and maintenance, fiscal years 1955–61—Con.

FISCAL YEAR 1959—continued

Far East—Continued	
Thailand:	
Highway department operations	$403,000
East-West Highway	3,813,000
Bangkok-Saraburi Highway	115,000
Korat-Nongkai Highway	85,000
Highway materials survey	15,000
Vietnam: Highway and bridge construction	15,282
Near East and south Asia:	
Afghanistan: National roads improvement and maintenance	400,000
Ceylon: Highway development	151,000
India: Highways and bridges	29,000
Jordan:	
Highway and management	150,000
Highway construction	470,000
Lebanon: Highway development	361,000
Nepal: Regional project—highway	96,000
Sudan:	
Highway development	901,000
Highway construction demonstration (North Khartoum-Khogalab Road)	560,000
Turkey: Highway engineering advisers	132,000
United Arab Republic: Highway development	225,000
Africa:	
Liberia: Highway program	292,000
Libya: Roads	600,000
Oversea territories:	
United Kingdom:	
Southern Cameroons—highways engineering training	3,000
Road engineering study courses	4,000
Europe:	
Spain:	
American highway practices study	22,000
Training highway construction mechanics-operators	51,000
Latin America:	
Argentina: Highway transportation—advanced highway engineering training	4,000
Bolivia: Administration (roads, servicio)	91,000
Demonstration road maintenance and betterment	168,000
Colombia: Training—highway construction and maintenance	38,000
Costa Rica: Ministry of Public Works—highway planning	7,000
Cuba: Public roads training	1,000
El Salvador: International road educational foundation training program	6,000
Honduras: Consultation in highways	47,000
Mexico: Training facilities for operators and mechanics	31,000
Nicaragua: Transportation—highways	7,000
Oversea territories:	
British Guiana: Roads development project	19,000
West Indies and east Caribbean: Road improvement demonstration and training	11,000
Total fiscal year 1959	15,226,282

FISCAL YEAR 1960

Far East:	
Cambodia: Highway repair and maintenance	33,000

Aid to foreign countries under the Foreign Assistance Act for road construction and maintenance, fiscal years 1955–61—Con.

FISCAL YEAR 1960—continued

Far East—Continued	
Republic of China: Highway and road development	$150,000
Indonesia:	
Highway organization staff development	94,000
Highway construction and rehabilitation — reobligation	4,700,000
Korea:	
Highway and bridge construction and rehabilitation	1,123,000
Highway and bridge construction and rehabilitation—reobligation	192,000
Laos:	
Development of Lao national road system	1,470,000
Construction of the Nam Cadinh-Nam Hin Boun Road	8,650,000
Philippines: Highway improvement	109,000
Thailand:	
Highway department operations	364,000
East-West Highway	1,857,000
Highway department operations—reobligations	261,000
East-West Highway—reobligation	600,000
Vietnam: Highway and bridge construction	10,165,000
Near East and south Asia:	
Afghanistan:	
National roads improvement and maintenance	1,466,000
National roads improvement and maintenance—reobligation	100,000
Ceylon: Highway and rail traffic survey and planning	127,000
India: Highways and bridges	48,000
Jordan:	
Roads	834,000
Highway administration	94,000
Highway construction	518,000
Highway maintenance	384,000
Highway administration—reobligation	16,000
Lebanon: Highway development of Lebanon	81,000
Nepal: Regional transportation facilities	89,000
United Arab Republic: Highway development	13,000
Yemen: Road construction and training	2,395,000
Cento (Central Treaty Organization) Cento regional Turkey-Iran Highway	2,000
Africa:	
Liberia: Highway program	353,000
Morocco: Road survey	6,000
Nigeria: Highway engineering training	9,000
Somali Republic: Highway improvement	103,000
Sudan:	
Highway development	718,000
Highway construction demonstration	1,059,000
Tunisia: Road construction equipment	1,200,000
Rhodesia: Southern Rhodesia—highway planning and construction	4,000
Europe:	
Spain:	
Training highway construction mechanics and operators	34,000
Training highway construction mechanics and operators—reobligation	16,000

Aid to foreign countries under the Foreign Assistance Act for road construction and maintenance, fiscal years 1955–61—Con.

FISCAL YEAR 1960—continued

Latin America:	
Argentina: Highway transportation—advanced highway engineering training	$5,000
Bolivia:	
Equipment operator	10,000
Engineering construction units	100,000
Administration (road service)	78,000
Demonstration road maintenance	81,000
Colombia:	
Highways construction and maintenance	24,000
Pan-American Highway construction and maintenance—reobligation	250,000
Costa Rica: Ministry of Public Works—highway planning	5,000
Guatemala: Bridge construction—reobligation	204,000
Honduras: Consultation in highways	29,000
Jamaica: Transportation	4,000
Mexico: Training facilities for operators and mechanics	23,000
Nicaragua: Transportation—highways	6,000
Panama:	
Training and operating of heavy equipment	75,000
Training and operating of heavy equipment—reobligation	103,000
Oversea territories: Roads development project	2,000
Total fiscal year 1960	40,437,000

FISCAL YEAR 1961

Far East:	
Burma: Rangoon-Mandalay Road	200,000
Cambodia:	
Highway repair and maintenance	80,000
Khmer-American Friendship Highway	1,900,000
Indonesia:	
Highway construction and rehabilitation	605,000
Highway organization staff development	144,000
Korea: Highway and bridge construction and rehabilitation	2,347,000
Laos: Development of Lao national road system	235,000
Philippines: Highway and equipment maintenance	87,000
Thailand:	
Highway department operations	223,000
Bangkok-Saraburi Highway	225,000
Vietnam: Highway and bridge construction	111,000
Near East and south Asia:	
Afghanistan: National roads improvement and maintenance	291,000
Ceylon:	
Highway development	142,000
Highway and rail traffic survey and planning	20,000
Jordan:	
Highway construction	618,000
Highway maintenance	28,000
Lebanon: Highway development of Lebanon	139,000
Nepal: Regional transportation facilities	890,000
Yemen: Highway construction and training	3,019,000

Aid to foreign countries under the Foreign Assistance Act for road construction and maintenance, fiscal years 1955–61—Con.

FISCAL YEAR 1961—continued

Africa:	
Ethiopia: Highway economic and feasibility studies	$67,000
Liberia: Highway program	337,000
Malagasy Republic: Provision, operation and maintenance roadbuilding program	316,000
Mali, Republic of: Roadbuilding	6,000
Morocco: Road survey	18,000
Nigeria: Road survey	113,000
Somali Republic: Highway improvement	32,000
Southern Cameroons: Technical survey—highways	15,000
Sudan:	
Highway development	240,000
Highway construction demonstration	237,000
Tanganyika: Road materials testing and use	16,000
Togo:	
Training in equipment selection and specification	4,000
Highway equipment inventory training and equipment	583,000
Tunisia: Road construction equipment	1,413,000
Latin America:	
Bolivia:	
Administration (road service)	25,000
Demonstration road maintenance	30,000
Colombia: Highways construction maintenance	24,000
Costa Rica: Ministry of Public Works—highway planning	5,000
Honduras: Equipment and management operation	71,000
Mexico: Training facilities for operators and mechanics	16,000
Nicaragua: Transportation—highways	5,000
Panama:	
Training and operation of heavy equipment	117,000
Construction of farm-to-market roads	315,000
West Indies:	
Highway equipment	110,000
Road development—demonstration and training	62,000
Access roads	98,000
Road construction—St. Kitts	85,000
Road improvement — St. Lucia	52,000
Oversea territories:	
British Guiana:	
Roads development project	17,000
Roads, engineering analysis survey	300,000
Europe:	
Spain: American highway practices study	45,000
Total fiscal year 1961	13,965,700

Fiscal year:	*Amounts*
1955	$29,925,713
1956	46,937,070
1957	61,392,000
1958	48,570,000
1959	15,226,282
1960	40,437,000
1961	13,965,700
Total	256,453,765

Prepared in the office of Senator ERNEST GRUENING.

SOURCE: Fiscal years 1955–61 projects by field of activity and country—International Cooperation Administration, Office of Statistics and Reports.

Road construction—Statement of loans made by the International Bank for Reconstruction and Development (the World Bank)

Fiscal year report	Year made	Maturities	Interest rate including commission	Original principal amount	Partial cancellation	Effective loans sold or agreed to be sold: Total sales	Effective loans sold or agreed to be sold: Portion matured	Principal repayment to Bank	Effective loans held by Bank	Principal amount disbursed
			Percent							
Brazil:										
June 30, 1957	Apr. 30, 1953	1954–59	4½	$3,000,000				$1,800,000	$1,200,000	
June 30, 1958	do	1954–59	4½	3,000,000	$18,946			2,381,064	600,000	
Colombia:										
June 30, 1957	Apr. 10, 1951	1954–61	3½	16,500,000		$800,000	$800,000	5,733,000	9,967,000	
June 30, 1958	do	1954–61	3½	16,500,000		800,000	800,000	8,083,000	7,617,000	
June 30, 1959	do	1954–61	3½	16,500,000		800,000	800,000	10,525,000	5,175,000	$16,500,000
June 30, 1960	do	1954–61	3½	16,500,000		800,000	800,000	13,063,000	2,637,000	16,800,000
June 30, 1957	Sept. 10, 1953	1955–63	4¾	14,350,000				2,297,000	12,053,000	
June 30, 1958	do	1955–63	4¾	14,350,000				3,920,000	10,430,000	
June 30, 1959	do	1955–63	4¾	14,350,000				5,622,000	8,728,000	14,350,000
June 30, 1960	do	1955–63	4¾	14,350,000				7,468,000	6,945,000	14,350,000
June 30, 1961	do	1955–63	4¾	14,350,000		350,000		9,274,000	4,726,000	14,350,000
June 30, 1957	June 8, 1956	1959–71	4¾	16,500,000					16,500,000	
June 30, 1958	do	1959–71	4¾	16,500,000					16,500,000	
June 30, 1959	do	1959–71	4¾	16,500,000				491,000	16,009,000	11,868,162
June 30, 1960	do	1959–71	4¾	16,500,000				1,808,000	14,692,000	13,126,434
June 30, 1961	do	1959–71	4¾	16,500,000				2,574,000	13,926,000	15,117,240
Ecuador:										
June 30, 1957	Feb. 10, 1954	1958–64	4¾	8,500,000						8,500,000
June 30, 1958	do	1958–64	4¾	8,500,000	1,000,000			68,000	7,432,000	
June 30, 1959	do	1958–64	4¾	8,500,000				744,000	6,756,000	7,500,000
June 30, 1960	do	1958–64	4¾	8,500,000				1,974,000	5,526,000	7,500,000
June 30, 1961	do	1958–64	4¾	8,500,000				3,262,000	4,238,000	7,800,000
June 30, 1958	Sept. 20, 1957	1962–77	5¾	14,500,000		141,000			14,359,000	
June 30, 1959	do	1962–77	5¾	14,500,000		141,000			14,359,000	1,227,297
June 30, 1960	do	1962–77	5¾	14,500,000		141,000			14,359,000	5,349,494
June 30, 1961	do	1962–77	5¾	14,500,000		141,000			14,359,000	9,656,103
Chile:										
June 30, 1961	June 28, 1961	1964–70	5¾	6,000,000		(1)				
El Salvador:										
June 30, 1957	Oct. 12, 1954	1959–66	4½	11,000,000		250,000			10,750,000	
June 30, 1958	do	1959–66	4½	11,000,000		250,000			10,750,000	
June 30, 1959	do	1959–66	4½	11,000,000			250,000	334,000	10,516,000	10,692,467
June 30, 1960	do	1959–66	4½	11,000,000				1,542,000	9,458,000	10,829,036
June 30, 1961	do	1959–66	4½	11,000,000				2,904,000	8,096,000	11,042,218
June 30, 1959	Jan. 7, 1959	1963–74	5¾	5,000,000		(2)				
June 30, 1960	do	1963–74	5¾	5,000,000		300,000			4,700,000	298,988
June 30, 1961	do	1963–74	5¾	5,000,000		300,000				1,405,677
Ethiopia:										
June 30, 1957	Sept. 13, 1950	1956–71	4	5,000,000				361,000	4,639,000	
June 30, 1958	do	1956–71	4	5,000,000				614,000	4,386,000	
June 30, 1959	do	1956–71	4	5,000,000				877,000	4,123,000	5,000,000
June 30, 1960	do	1956–71	4	5,000,000				1,152,000	3,848,000	5,000,000
June 30, 1961	do	1956–71	4	5,000,000				1,437,000	3,563,000	5,000,000
June 30, 1958	June 28, 1957	1961–77	5¾	15,000,000		1,491,000			13,509,000	
June 30, 1959	do	1961–77	5¾	15,000,000						4,108,840
June 30, 1960	do	1961–77	5¾	15,000,000						8,203,175
June 30, 1961	do	1961–77	5¾	15,000,000						11,252,693
Guatemala:										
June 30, 1957	July 29, 1955	1959–70	4½	18,200,000		576,000			17,624,000	
June 30, 1958	do	1959–70	4½	18,200,000					17,624,000	
June 30, 1959	do	1959–70	4½	18,200,000			576,000			17,618,443
June 30, 1960	do	1959–70	4½	18,200,000				1,192,000	16,432,000	17,962,303
June 30, 1961	do	1959–70	4½	18,200,000				2,440,000	15,184,000	18,199,066
Haiti:										
June 30, 1957	May 7, 1956	1959–67	4½	2,600,000		413,000			2,187,000	
June 30, 1958	do	1959–67	4½	2,600,000					2,187,000	
June 30, 1959	do	1959–67	4½	2,600,000		386,000			2,214,000	541,947
June 30, 1960	do	1959–67	4½	2,600,000					2,214,000	1,973,756
June 30, 1961	do	1959–67	4½	2,600,000					2,214,000	2,320,998
Honduras:										
June 30, 1957	Dec. 22, 1955	1957–64	4½	4,200,000		872,000			3,328,000	
June 30, 1958	do	1957–64	4½	4,200,000			483,000		3,328,000	
June 30, 1959	do	1957–64	4½	4,200,000			872,000	185,000	3,143,000	3,780,362
June 30, 1960	do	1957–64	4½	4,200,000			872,000	643,000	2,685,000	3,888,053
June 30, 1961	do	1957–64	4½	4,200,000				1,195,000	2,133,000	4,140,549
June 30, 1958	May 9, 1958	1961–78	5¾	5,500,000		(3)				
June 30, 1959	do	1961–78	5¾	5,500,000		299,000			5,201,000	422,214
June 30, 1960	do	1961–78	5¾	5,500,000					5,201,000	2,358,041
June 30, 1961	do	1961–78	5¾	5,500,000			97,000		5,201,000	4,084,608
Nicaragua:										
June 30, 1957	June 7, 1951	1954–61	4¼	3,500,000		29,000	29,000	1,213,000	2,288,000	
June 30, 1958	do	1954–61	4¼	3,500,000				1,680,000	1,791,000	
June 30, 1959	do	1954–61	4¼	3,500,000				2,167,000	1,304,000	3,500,000
June 30, 1960	do	1954–61	4¼	3,500,000				2,673,000	798,000	3,500,000
June 30, 1961	do	1954–61	4¼	3,500,000				3,203,000	771,000	3,500,000
June 30, 1957	Sept. 4, 1953	1957–63	4¾	3,500,000				214,000	3,286,000	
June 30, 1958	do	1957–63	4¾	3,500,000				657,000	2,843,000	
June 30, 1959	do	1957–63	4¾	3,500,000				1,121,000	2,379,000	3,417,942
June 30, 1960	do	1957–63	4¾	3,500,000				1,606,000	1,894,000	3,500,000
June 30, 1961	do	1957–63	4¾	3,500,000				2,116,000	1,384,000	3,500,000
Panama:										
June 30, 1957	July 12, 1955	1959–64	4¼	5,900,000		1,700,000			4,200,000	
June 30, 1958	do	1959–64	4¼	5,900,000						
June 30, 1959	do	1959–64	4¼	5,900,000						
June 30, 1960	do	1959–64	4¼							
June 30, 1961	(4)			7,300,000	542,574					6,847,426
Do	Aug. 19, 1960	1964–75	5¾	7,200,000		457,000			6,743,000	
Peru:										
June 30, 1957	Aug. 3, 1955	1958–64	4½	5,000,000		683,000			4,317,000	
June 30, 1958	do	1958–64	4½	5,000,000					4,317,000	
June 30, 1959	do	1958–64	4½	5,000,000			683,000		4,317,000	4,946,386
June 30, 1960	do	1958–64	4½	5,000,000	5,113			713,000	3,508,887	4,994,887
June 30, 1961	do	1958–64	4½	5,000,000		1,033,000		1,456,000	2,508,887	4,994,887
Do	Dec. 19, 1960	1966–76	5¾	5,500,000		50,000			5,450,000	53,980

[1] The Bank has entered into agreements to sell portions of loans shown which are not yet effective: For Chile, $250,000; El Salvador, $300,000.
[2] Agreement providing for this loan has been signed but the loan does not become effective and disbursements thereunder do not start until the borrower and guarantor, if any, take certain action and furnish certain documents to the Bank.
[3] Agreements providing for this loan have been signed, but the loan does not become effective and disbursements thereunder do not start until the borrower and guarantor, if any, take certain action and furnish certain documents to the Bank.
[4] The Bank has entered into agreements to sell $299,000 of this loan.
[5] Repaid 3 loans.

NOTE.—Prepared in the office of Senator ERNEST GRUENING.

Current credits and loans to foreign governments for highway construction by the Export-Import Bank

Country	Credits authorized: Date	Credits authorized: Amount	Undisbursed balance	Status of loans: Disbursed	Status of loans: Repaid	Status of loans: Outstanding	Interest	Repayment terms
							Percent	
Liberia	Jan. 20, 1955	$16,300,000	$400,313.14	$15,899,686.86	$316,100.00	$15,583,586.68	4¾	35 semiannual payments beginning Sept. 15, 1959.
Do	Jan. 11, 1961	5,000,000		5,000,000.00	1,436,250.00	3,563,750.00	3½	36 semiannual payments beginning Sept. 15, 1963.
Bolivia	Mar. 4, 1942	10,320,000		10,320,000.00	1,360,411.70	8,959,588.20	3½	$9,100,588.20, 36 semiannual payments beginning Jan. 15, 1957.
Do	Oct. 28, 1949	18,400,000		18,400,000.00	2,464,713.10	15,935,286.90	3½	$18,235,286.90, 36 semiannual payments beginning Jan. 15, 1957.
Colombia	May 24, 1960	2,800,000		2,280,434.84	2,280,434.84			Repaid $219,865.16, not used.
Costa Rica	Nov. 3, 1955	14,540,000	2,964,977.51	11,575,022.49	2,671,342.00	8,903,680.49	4½	$0,540,000, 20 semiannual payments beginning May 1, 1957.
							5¼	$3,790,000, 30 semiannual payments beginning May 1, 1960.
Do	Apr. 15, 1960	8,000,000	8,000,000.00				5¾	30 semiannual payments beginning May 1, 1960.
Ecuador	Dec. 18, 1962	8,791,000		8,771,070.10	5,261,723.51	3,509,346.59	4	30 quarterly payments beginning May 1, 1960 ($20,829.90 not used).
Do	Oct. 8, 1947	2,720,000		2,720,000.00	791,124.09	1,928,875.91	3½	80 quarterly from dates of notes.
Do	Sept. 16, 1963	4,980,000		4,980,000.00	1,554,971.80	3,425,028.20	5	60 quarterly payments from dates of notes.
Do	Jan. 16, 1957	280,000		280,000.00	42,030.28	207,969.75	5¼	Do.
Guatemala	Jan. 26, 1961	3,600,000	3,600,000.00				5¾	24 semiannus. payments beginning Mar. 31, 1964.
Do	Dec. 16, 1960	3,000,000	3,000,000.00				5¼	24 semiannual payments beginning July 31, 1964.
Honduras	Jan. 17, 1957	1,810,000	510,000.00	1,300,000.00	1,300,000.00	1,180,999.01	5¼	30 semiannual payments beginning Feb. 1, 1960, except advances in excess of $1,300,000 payable 30 semiannual payments beginning Aug. 1 1962.
Nicaragua	Dec. 12, 1956	2,000,000	245,509.36	1,754,490.64	113,342.00	1,641,148.64	6¾	30 semiannual payments beginning Aug. 1, 1959.
Panama	June 14, 1967	12,850,000	6,749,579.00	6,100,421.00		6,100,421.00	5¾	60 quarterly payments beginning July 31, 1962.
Total		110,081,000						

Source: Report to the Congress by the Export-Import Bank of Washington for the 12 months ending June 30, 1961. Prepared in the office of Senator GRUENING.

Development Loan Fund (this agency was abolished and now comes under the Agency for International Development) cumulative status of credit authorization as of Nov. 3, 1961

ROAD CONSTRUCTION AND MAINTENANCE

[Dollar amounts in thousands]

Region and country	Borrower	Project	Net authorized or obligated	Date agreements signed (obligations)	Terms: Interest rate	Terms: Duration	Terms: Currency of repayment	Disbursement	U.S. dollars or U.S.-dollar equivalents: Repayments	U.S. dollars or U.S.-dollar equivalents: Interest collected
DIRECT LOANS										
Africa:					*Percent*	*Years*				
Ethiopia	Imperial Ethiopian Government.	Road maintenance	$3,600.0	Aug. 15, 1961	3½	13	Ethiopian dollars.			
Tanganyika	Government of the Trust Territory of Tanganyika.	Road construction	1,898.4	Jan. 18, 1961	3½	20	U.S. dollars	$40		
Far East:										
Philippines	Republic of the Philippines.	Roads and bridges rehabilitation.	18,750.0	June 29, 1959	3½	13	Pesos	1,611		
Malaya	Federation of Malaya	Roads and bridges	10,000.0	Mar. 18, 1959	3½	10	U.S. dollars	572	$300	$13
Latin America:										
Bolivia	Government of Bolivia	Highway maintenance commitments.	2,000.0 / 100,000.0	Allocation commitment						
Ecuador	Government of Ecuador	Highway construction	4,686.0	Mar. 23, 1960	3½	20	(1)	1,885	100	70
Do	do	do	5,300.0	Nov. 6, 1959	3½	18	Sucres [1]	4,049	30	54
Guatemala	Government of Guatemala	do	2,100.0	Jan. 24, 1961	3½	15½	U.S. dollars			
Do	do	do	5,400.0		3½	15	Quetzals			
Honduras	Government of Honduras	Highway development	5,000.0	May 16, 1958	3½	20	Lempiras	2,766	100	61
Nicaragua	Government of Nicaragua	Highway construction	4,300.0	Sept. 25, 1961	3½	15	Cordobas			
Do	do	do	2,800.0	Allocation						
Panama	Republic of Panama	Feeder roads	5,300.0	Nov. 10, 1960	3	15	U.S. dollars			
Paraguay	Government of Paraguay	Road improvement	2,410.0	Oct. 20, 1958	3½	15	(2)	2,348	75	92
Do	do	do	7,100.0	Oct. 23, 1961	3½	20	(2)			
Peru	Government of Peru	Highway construction	4,500.0	Dec. 19, 1960	3½	15	Soles [3]	34		
Do	do	Penetration roads	1,800.0	Sept. 8, 1961	3½	20	(2)			
Near East:										
Iran	Plan organization	Highway construction	25,000.0	Oct. 7, 1959	3½	17	U.S. dollars	25,000	100	266
Do	do	do	26,200.0	Dec. 6, 1960	3½	17	do	9,430		
Do	do	do	12,000.0	Aug. 14, 1961	3½	17	do	5,000		
South Asia: Ceylon	Government of Ceylon	Highway development	900.0	July 28, 1958	3½	10	Rupees	602	75	17
Total			260,994,400.0							

[1] 1st ½ in sucres; last ½ in U.S. dollars.
[2] Development Loan Fund may at its option request repayment in U.S. dollars for installments 21 through 24.
[3] 1st 18 installments ($1,203,127) in guaranies; remaining 12 installments ($12,960,866) in U.S. dollars.
[4] One-half of each payment in guaranies; ½ in U.S. dollars.
[5] Development Loan Fund may at its option request repayment in U.S. dollars for installments 19 through 29.
[6] 1st ½ in soles; last ½ in U.S. dollars.

Source: Final report of Development Loan Fund, Nov. 3, 1961. Prepared in the office of Senator ERNEST GRUENING.

Federal highway programs—Actual apportionments and allocations to Alaska, and estimated amounts Alaska would have received had they participated in all apportionments on the same basis as other States

[In millions]

Fund	Estimated	Actual
1917–33:		
Federal aid	$67.3	.....
Emergency funds [1]	36.8	.....
1936–43:		
Prewar primary	48.1	.....
Prewar secondary	6.1	.....
1946–48 and 1950–60, including primary	204.8	[2] 825.2
1960–66:		
Secondary	136.3	[2] 17.0
Urban	.6	1.2
1960:		
"D" funds	16.1	6.2
Subtotal	516.6	48.6
Forest highways	40.8	32.5
Public lands	14.6	.....
Access road funds:		
Sec. 6	2.5	2.5
Sec. 12	1.1	[2] 1.1
Subtotal	59.0	36.1
Total	575.6	84.7

[1] 1934–35 public works and work program highway.
[2] Alaska received their first Federal-aid highway funds under the Federal-Aid Highway Act of 1956.
[3] Total approved as of Dec. 31, 1958.

Congressional appropriation for roads in Alaska other than Federal highway programs

[In millions]

1905–56: Congressional appropriations to Alaska Road Commission	$187.6
1925–52: Roads and trails, National Park Service	2.5
Total	190.1

Total Federal aid and congressional appropriations for roads in Alaska

[In millions]

Federal highway funds, actual apportionments	$84.7
Congressional appropriations for Alaskan roads other than Federal aid	190.1
Total	274.8

Total missing funds due Alaska

[In millions]

Apportionments and allocations to Alaska had the State participated in all apportionments on the same basis as other States	$575.6
Actual apportionments and allocations to Alaska under Federal highway programs and other congressional appropriations	274.8
Total due Alaska	300.8

COMPLACENCY TOWARD THE COMMUNIST THREAT

Mr. DIRKSEN. Mr. President, recently I stated that every American must be alert to any threats to our inherited freedoms as set forth in the Declaration of Independence and the Constitution of the United States of America. We must be concerned over the threats of communism or any "isms" which has for its objective the destruction of our freedoms and our free system. For a great number of years there has been a complacency in this country toward this Communist conspiracy and Communist threat that has led me and some of my colleagues in Government to become gravely concerned over what must be done to make each citizen eternally vigilant—the price he must pay for freedom.

What disturbs me, Mr. President, is that there are persons who treat very lightly a Communist threat to our way of life in this country. Some of these persons belittle the threat with the comment that there are too few in number to cause concern. Time does not permit a full discussion on this point, but I would like to remind those who treat the subject lightly that there were only a handful of Communists who took over Russia in 1917; and a ridiculously low percentage of the population who took over each of the satellites which are now behind the Iron Curtain. From January to May of each year we commemorate Ukraine, Lithuania, Estonia, Bulgaria, Albania, Latvia, Czechoslovakia, Hungary, Yugoslavia Independence Days with the hope that these nations now behind the Iron Curtain may some day be free.

All of these nations were taken over by the Communists by a handful of people. All we have to do is look 90 miles south of the tip of Florida and recall that only a handful of Communists, led by Castro, in the hills of Cuba, have taken over the entire Cuban island.

Mr. President, I will take the word of J. Edgar Hoover who stated:

> Communism is the major menace of our times. Today, it threatens the very existence of our Western civilization.

Before the national convention of the American Legion, Mr. Hoover stated:

> To dismiss lightly the existence of the subversive threat in the United States is to deliberately commit national suicide. In some quarters we are surely doing just that.

Mr. President, I am not an alarmist. I merely want our people, especially our leaders, to be eternally vigilant.

I ask unanimous consent that the report of American Bar Association Special Committee on Communist Tactics, Strategy, and Objectives, filed with the house of delegates of the American Bar Association in August 1958, be printed at this point in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

REPORT OF AMERICAN BAR ASSOCIATION SPECIAL COMMITTEE ON COMMUNIST TACTICS, STRATEGY, AND OBJECTIVES

PAUL REVERES ARE NOT ALWAYS HEEDED

"A Night To Remember" tells of the five iceberg warnings sent by wireless to the *Titanic*. When the sixth message, "Look out for icebergs," came in, the *Titanic*'s operator wired back: "Shut up, I'm busy." Just 35 minutes later, the ship, whose captain had said "God himself could not sink," was sinking.

The phrase "Remember Pearl Harbor" should remind us that we, people and leaders, were cocksure and complacent before the afternoon of December 7, 1941. The FBI had warned of frequent messages from the Japanse consulate at Hawaii to Tokyo telling of the presence and absence of America warships at Pearl Harbor. Dies committee reports of Japanese espionage by fishing vessels were ridiculed as headline hunting. Capt. Laurence Safford, who was recently awarded $100,000 by a grateful Congress for his World War II coding and decoding inventions, had decoded all the Japanese pre-Pearl Harbor war messages for his superiors. Yet, the attack came as a stunning surprise.

Most persons who are informed on communism think our country is now in greater danger than were the *Titanic* and Pearl Harbor. The thesis of J. Edgar Hoover's new book, "Masters of Deceit," is:

> "Communism is the major menace of our time. Today, it threatens the very existence of our western civilization." [1]

In his speech to the 1957 national convention of the American Legion, Mr. Hoover warned:

> "To dismiss lightly the existence of the subversive threat in the United States is to deliberately commit national suicide. In some quarters we are surely doing just that."

On July 6, 1958, Prof. J. Sterling Livingston, a Pentagon consultant stated:

> "The doctrine of pre-emptive war is definitely a part of Soviet strategy. The Russians plan as part of their strategy to strike a forestalling nuclear blow against their enemies." [2]

The lawyer-author of the Gaither report to the President on national security recently told our association:

> "Our security is in unprecedented peril. * * * The ultimate objective of international communism is world domination, and the Soviet Union will pursue this objective ruthlessly and relentlessly, employing every possible political, economic, subversive, and military strategem and tactic." [3]

I. COURT DECISIONS ON COMMUNISM

The 1953 midyear report of this committee praised the opinions of Chief Justice Stone in *Schneiderman* v. *United States* [4] and of Mr. Justice Jackson in *American Communications Association* v. *Douds* [5] for their conclusion, based on Communist documents, that the Communist Party, U.S.A. is not a political party but, to quote Mr. Justice Jackson: "Is a conspiratorial and revolutionary junta, organized to reach ends and to use methods which are incompatible with our constitutional system."

Similar statements were made by Chief Justice Hughes when, as Secretary of State, he refused to recognize the Communist Government of Russia, and by Chief Justice Vinson in his scholarly opinion upholding the convictions of the 11 top Communists under the Smith Act.[6]

In the last 2 years, the Supreme Court has decided the following 20 cases:

1. *Communist Party* v. *Subversive Activities Control Board*. The Court refused to uphold or pass on the constitutionality of the Subversive Activities Control Act of 1950, and delayed the effectiveness of the act.

2. *Pennsylvania* v. *Steve Nelson*. The Court held that it was unlawful for Pennsylvania to prosecute a Pennsylvania Communist Party leader under the Pennsylvania Sedition Act, and indicated that the anti-sedition laws of 42 States and of Alaska and Hawaii cannot be enforced.

3. *Yates* v. *United States*. The Court reversed two Federal courts and ruled that teaching and advocating forcible overthrow of our Government, even "with evil intent," was not punishable under the Smith Act as long as it was "divorced from any effort to instigate action to that end," and ordered 5 Communist Party leaders freed and new trials for another 9.

4. *Cole* v. *Young*. The Court reversed two Federal courts and held that, although the Summary Suspension Act of 1950 gave the Federal Government the right to dismiss employees "in the interest of the national security of the United States," it was not in the interest of the national security to dismiss an employee who contributed funds and services to a not-disputed subversive organization, unless that employee was in a "sensitive position."

5. *Service* v. *Dulles*. The Court reversed two Federal courts which had refused to set aside the discharge of John Stewart Service by the State Department. The FBI had a recording of a conversation between Service and an editor of the pro-Communist magazine Amerasia, in the latter's hotel room in which Service spoke of military plans which were very secret.[7] Earlier the FBI had found large numbers of secret and confidential State Department documents in the Amerasia office. The lower courts had followed the McCarran amendment which gave the Secretary of State absolute discretion to discharge any employee in the interests of the United States.

6. *Slochower* v. *Board of Education of New York*. The Court reversed the decisions of three New York courts and held it was unconstitutional to automatically discharge a teacher, in accordance with New York law, because he took the fifth amendment when asked about Communist activities. On petition for rehearing, the Court admitted that its opinion was in error in stating that Slochower was not aware that his claim of the fifth amendment would ipso facto result in his discharge; however, the Court denied rehearing.

7. *Sweezy* v. *New Hampshire*. The Court reversed the New Hampshire Supreme Court and held that the attorney general of New Hampshire was without authority to question Professor Sweezy, a lecturer at the State university, concerning a lecture and other suspected subversive activities. Questions which the Court said that Sweezy properly refused to answer included: "Did you advocate Marxism at that time?" and "Do you believe in communism?"

8. *United States* v. *Witkovich*. The Court decided that, under the Immigration and Nationality Act of 1952, which provides that any alien against whom there is a final order of deportation shall "give information under oath as to his nationality, circumstances, habits, associations and activities, and such other information, whether or not related to the foregoing, as the Attorney General may deem fit and proper," the Attorney General did not have the right to ask Witkovich: "Since the order of deportation was entered in your case on June 25, 1953, have you attended any meetings of the Communist Party of the U.S.A.?"

9. *Schware* v. *Board of Examiners of New Mexico*. The Court reversed the decisions of the New Mexico Board of Bar Examiners and of the New Mexico Supreme Court which had said: "We believe one who has knowingly given his loyalties to the Communist Party for 6 or 7 years during a period of responsible adulthood is a person of questionable character." The Supreme Court ruled that "membership in the Communist Party during the 1930's cannot be said to raise substantial doubts about his present good moral character."

10. *Konigsberg* v. *State Bar of California*. The Court reversed the decisions of the California Committee of Bar Examiners and of the California Supreme Court and held that it was unconstitutional to deny a license to practice law to an applicant who refused to answer this question put by the bar committee: "Mr. Konigsberg, are you a Communist?" and a series of similar questions.

11. *Jencks* v. *United States*. The Court reversed two Federal courts and held that Jencks, who was convicted of filing a false non-Communist affidavit, must be given the contents of all confidential FBI reports which were made by any Government witness in the case even though Jencks "restricted his motions to a request for production of the reports to the trial judge for the judge's inspection and determination whether and to what extent the reports should be made available."

12. *Watkins* v. *United States*. The Court reversed the Federal District Court and six judges of the Court of Appeals of the District of Columbia and held that the House Un-American Activities Committee could not require a witness who admitted "I freely cooperated with the Communist Party" to name his Communist associates, even though the witness did not invoke the fifth amendment. The Court said: "We remain unenlightened as to the subject to which the questions asked petitioner were pertinent." The Court did not question "the power of the Congress to inquire into and publicize corruption, maladministration or inefficiency in agencies of the Government." The Court did question the right of Congress to inquire into and publicize communism and subversion, and suggested that this "involved a broad scale intrusion into the lives and affairs of private citizens."

13. *Raley, Stern, and Brown* v. *Ohio*. The Court reversed the Ohio Supreme Court and lower courts and set aside the conviction of three men who had refused to answer questions about Communist activities put to them by the Ohio Un-American Activities Commission.

14. *Flaxer* v. *United States*. The Court reversed two Federal courts and set aside the conviction of Flaxer of contempt for refusing to produce records of alleged Communist activities subpenaed by the Senate Internal Security Subcommittee.

15. *Sacher* v. *United States*. The Court reversed two Federal courts and set aside the conviction of Sacher of contempt for refusing to tell the Senate Internal Security Subcommittee whether he was "a member of the lawyers' section of the Communist Party." In the second Sacher appeal, the Court again reversed the court of appeals and said that this question was not pertinent to the subcommittee's investigation of Communist witness Matusow's recantation. The Court refused to hear any argument from the Government lawyers representing this Senate subcommittee.

16. *Yates* v. *United States*. In the second Yates appeal, the Court reversed two Federal courts and held that the refusal of Communist Party member Yates "to answer 11 questions about Communist membership of other persons" did not constitute 11 contempts. In the third Yates appeal, the Court reversed two Federal courts and held that Yates' contempt sentence of 1 year should be reduced to the 15 days already served for this contempt.

17. *Bonetti* v. *Rogers*. The Court reversed two Federal courts and held that, although the Internal Security Act of 1950 provides that any alien, who "at any time" after entering the United States shall have been a member of the Communist Party, is deportable, Bonetti, an alien who became a Communist after entering the United States, was not deportable because he had reentered after quitting the party. The dissenting judges charged that this construction reads "at any time" out of the act and the word "last" into the statute, and "cripples the effectiveness of the act."

18. *Consul General for Yugoslavia* v. *Andrew Artukovic*. The Court reversed two Federal courts and held that Artukovic, an anti-Communist refugee from Yugoslavia who is living with his wife and children in California, could not claim political asylum in America, but had to submit to an extradition hearing which would be based on Yugoslavia's political charges.

19. *Rockwell Kent* v. *Dulles*. The Court reversed two Federal courts and held that the State Department could not require every applicant for a passport to file a non-Communist affidavit.

20. *Dayton* v. *Dulles*. The Court reversed two Federal courts and held that the State Department had to give a passport to a research physicist whose passport application to accept a job in India had been denied for security reasons. The Secretary of State had found that Dayton had lived for 8 months with a Communist who "was involved in the espionage apparatus of Julius Rosenberg" and that Dayton was going to work in India with another Communist "who recently renounced his American citizenship."

In accordance with the resolution of the house of delegates and authorization of the board of governors, our committee—on the request of the State attorney for its cooperation—applied for and obtained permission to appear as amicus curiae in the appeal pending in the Supreme Court of Florida from the order of dismissal of the disciplinary proceedings against Leo Sheiner. Leo Sheiner had twice previously been ordered disbarred by the circuit court of Florida.

Our committee prepared and submitted a brief to the Supreme Court of Florida stating its views on the duty of the bar and of the courts to cleanse its ranks of an unfit member. The committee further stated its concept of an acceptable standard of fitness for attorneys and of the unfitness of any member of the bar who, in appropriate proceedings persists in refusal to answer pertinent questions concerning his activities in the Communist Party or Communist-dominated fronts on the ground that his answers to such questions concerning his activities might tend to incriminate him. It is inconceivable to us that an attorney and officer of the court may continue in good standing while he pleads self-incrimination in refusing to answer questions relating to subversive activities.

The brief pointed out that, in other walks of life, labor-union officials, teachers, Government employees, and employees of private industry, there had been set a standard under which the individual will be safeguarded in invoking the fifth amendment to inquiries which might tend to incriminate him, but by so doing he forfeits his position of trust and responsibility. The Sheiner case is very important to the bar as other States having such problem attorneys on their rolls have been awaiting the final decision in this matter.

The appeal was argued before the Supreme Court of Florida on February 8, 1958. Julius Applebaum, a member of our committee, argued as amicus curiae for this association. On July 24, 1958, the court issued an order on its own motion requesting further argument on September 5, 1958, and permitting supplemental briefs as to the application of three decisions, *Max Lerner* v. *Hugh J. Casey, et al.*; *Herman A. Beilan* v. *Board of Public Education, School District of Philadelphia*; and *Milton Knapp* v. *Mitchell D. Schweitzer, et al.*, rendered by the United States Supreme Court on June 30, 1958. Our committee is preparing such supplemental brief in behalf of the association and will participate in the reargument. Our committee is willing to appear in similar cases upon direction of the house of delegates or board of governors.

II. COMMUNIST TACTICS

Communist Russia has been called "a riddle wrapped in a mystery inside an enigma." This is true only for those who are ignorant of Communist writings. The Communists have set forth their master plan of world conquest even more forthrightly than did Hitler in "Mein Kampf." The Communist

[1] P. vi.
[2] St. Louis Post-Dispatch, July 6, 1958.
[3] American Bar Association Journal, May 1958, pp. 425–426.
[4] 320 U.S. 118, 170.
[5] 339 U.S. 382, 424.
[6] *Dennis* v. *United States* (341 U.S. 494.)
[7] U.S. Senate Committee Hearings on Charges of Disloyalty in the State Department, June 26, 1950, pp. 1391 ff., espec. 1404; cf. *United States* v. *Jaffe*, 98 F. Supp. 191, 194 (1951).

Manifesto said: "The Communists disdain to conceal their views and aims." [8] Communists have never deviated from the theory enunciated by Marx and the strategy devised by Lenin.

For those who want to understand communism, we prescribe, not a 15-day trip to Russia, but 15 days in a library studying the Communist conspiracy. The following quotations from Communist authorities are an accurate summary of Communist tactics, strategy, and objectives.

The Communist master plan for world conquest was stated by Lenin in these words:

"First, we will take Eastern Europe, then the masses of Asia, then we will encircle the United States, which will be the last bastion of capitalism. We will not have to attack. It will fall like an overripe fruit into our hands." [9]

During the last 25 years, the United States has had 5,400 meetings with the Communists, including Teheran, Yalta, Potsdam, Panmunjom, and Geneva. The negotiators spoke 106 million words (700 volumes). All this talk led to 52 major agreements, and Soviet Russia has broken 50 of them. The Communists have followed Lenin's dictum about treaties and agreements:

"Promises are like pie crusts—made to be broken." [10]

During the last 3 years, the United States has met 73 times at Geneva with the Chinese Reds to negotiate the release of 450 American prisoners. Not one American serviceman has been accounted for or released. The Communists have followed Stalin's principle of diplomatic intercourse:

"Words must have no relation to action—otherwise what kind of diplomacy is it? Words are one thing, actions another. Good words are a mask for concealment of bad deeds. Sincere diplomacy is no more possible than dry water or iron wood." [11]

Marx and Engels stated this objective in the Communist Manifesto:

"The theory of the Communists may be summed up in the single sentence: Abolition of private property." [12]

Lenin gave this command to Communists:

"We have to use any ruse, dodges, tricks, cunning, unlawful method, concealment, and veiling of the truth." [13]

On another occasion, Lenin added:

"As long as capitalism remains we cannot live in peace. In the end one or the other will triumph—a funeral requiem will be sung over the Soviet Republic or over world capitalism." [14]

On September 17, 1955, Nikita Khrushchev warned us:

"If anyone thinks that our smiles mean the abandonment of the teachings of Marx, Engels, and Lenin, he is deceiving himself cruelly. Those who expect this to happen might just as well wait for a shrimp to learn how to whistle." [15]

Khrushchev made this statement to Western diplomats at a Moscow reception on November 18, 1956:

"If you don't like us, don't accept our invitations and don't invite us to come to see you. Whether you like it or not, history is on our side. We will bury you." [16]

Khrushchev appeared on our American television screens on June 2, 1957, and confidently told us:

"Your grandchildren will live under socialism."

William Z. Foster dedicated his book, "The Twilight of World Capitalism," to his great-grandson, "who will live in a Communist United States."

The Communist philosophy of negotiation was stated in 1931 to the Lenin School of Political Warfare in Moscow by Dmitri Manuilski, a Soviet official and at one time the presiding officer of the U.N. Security Council:

"War to the hilt between communism and capitalism is inevitable. Today, of course, we are not strong enough to attack. Our time will come in 20 or 30 years. To win we shall need the element of surprise. The bourgeoisie will have to be put to sleep. So we shall begin by launching the most spectacular peace movement on record. There will be electrifying overtures and unheard of concessions. The capitalistic countries, stupid and decadent, will rejoice to cooperate in their own destruction. They will leap at another chance to be friends. As soon as their guard is down, we shall smash them with our clenched fist." [17]

Georgi Dimitrov advised the Lenin School of Political Warfare how to make use of innocents and dupes in these words:

"As Soviet power grows, there will be a greater aversion to Communist parties everywhere. So we must practice the techniques of withdrawal. Never appear in the foreground; let our friends do the work. We must always remember that one sympathizer is generally worth more than a dozen militant Communists. A university professor, who without being a party member lends himself to the interests of the Soviet Union, is worth more than a hundred men with party cards. A writer of reputation, or a retired general, are worth more than 500 poor devils who don't know any better than to get themselves beaten up by the police. Every man has his value, his merit. The writer who, without being a party member, defends the Soviet Union, the union leader who is outside our ranks but defends Soviet international policy, is worth more than a thousand party members." [18]

The key to Communist tactics is the dialectic. Just as the movements of the planets are predictable by astronomers, so are Communist movements predictable by those who have studied the dialectic. The dialectic is an instrument which gives the Communists complete freedom from normal and logical restraints. According to the dialectic, the Communist objective is never approached in a direct, persistent line. It is not even approached in a circuitous, winding pathway. The dialectic mode of progress consists of a series of advances and retreats. Communists do not wait for an opening; they create it.

Lenin described the dialectic in his work "One Step Forward, Two Steps Backward." [19] The Communists go backward and forward to inevitable victory. The operation of the dialectic is like hammering a nail. It is a foolish man who brings down the hammer with a crashing blow and then continues to push. When that blow has spent itself, the entire direction of progress is reversed, and the goal is achieved through a series of backward-forward motions. According to the dialectic, even though heading away from the goal, you are still fulfilling the scientific method of approach; and therefore the reverse movement must be carried out with the same fervor and determination.

The closing of the Daily Worker was a dialectical maneuver. The Communist Party made a dialectical retreat in stopping publication of the leading party organ on January 13, 1956, under the subterfuge that it was in dire financial condition. In so doing, the Communist Party made a two-step advance. First, it strengthened the discipline of the party because, as J. Edgar Hoover has pointed out, the internal struggle for power resulted in a decisive victory for the pro-Soviet faction.[20] Secondly, the ousted editor of the Daily Worker, John Gates, now performs the function of a Tito within the United States. Gates is infinitely more valuable to communism lecturing at American colleges and universities than he ever was while with the Daily Worker. Gatesism promotes the apathy of the intellectuals under the theme: "Communism is dying out." The Communists aim to keep us complacent until the choice is annihilation or surrender, at which time they confidently expect us to submit to a negotiated surrender.

Also during this past year, the Communists went forward with the rocks and garbage thrown at Vice President Nixon in South America; backward with the smiles of Menshikov; forward with the executions of Nagy and Maleter; backward by allowing Tito to make a few anti-Soviet statements; forward with the defeats of anti-Communists in Syria and Indonesia—all with the same unity of purpose that makes everything contribute to their plan of world conquest.

The major Communist tactics at the present time include the following:

1. Nullification of the Smith Act and other anti-Communist legislation. FBI Director J. Edgar Hoover testified January 16, 1956, at a House hearing made public in May, that 49 of the 108 top Communists convicted by Federal juries under the Smith Act have been set free by Supreme Court decisions.[21] Judge Richard H. Chambers of the U.S. court of appeals, in a decision releasing 11 of these top Communists, said that Supreme Court decisions have left the Smith Act, as to any further prosecution under it, a virtual shambles.

J. Edgar Hoover also testified that a top Communist functionary described the decision in the Smith Act case of June 17, 1957, as the greatest victory the Communist Party in America has ever received.[22] The Daily Worker summed up the Yates, Watkins and other cases of that same day in these words: "The curtain is closing on one of our worst periods." [23] The Sunday Worker of May 11, 1958, contains strong opposition to any legislation to overcome the Supreme Court's rulings on internal security.

Other anti-Communist laws which have been targets of the Communist Party and which are now nullified or weakened by the foregoing 20 cases are the Subversive Activities Control Act of 1950, the antisedition laws of 42 States, Alaska, and Hawaii, key security provisions of the Immigration and Nationality Act of 1952, and the Summary Suspension Act of 1950.

2. Mumbling the FBI and congressional investigations. For years the Communist Party has poured out its most hysterical language against what the Reds call "the gestapolike FBI," and congressional inquisitions and witch hunts. This tactic has been so successful that it is now said that the Communists don't have to tell congressional committees anything.

Judge Robert Morris, chief counsel for the Senate Internal Security Subcommittee for 6 years, said: "The power of the Congress to learn the underlying facts of the [Communist] conspiracy has been hamstrung" since the decision in the Watkins case.

In the first session of Congress since the Watkins decision the House Un-American Activities Committee conducted only one investigation and the Senate Internal Security Subcommittee held only one public hearing. On July 5, 1958, the press reported that congressional investigations into the Communist conspiracy have reached an all-time low for the last two decades, although committee files are bulging with data on the conspiracy which are crying for exploration.

The experience of France, and particularly Germany, shows the danger of restricting legislative investigations.[24] Bismarck so feared the power of parliamentary investigation that he dissolved the Prussian Parliament when it attempted to assert its right of investigation. Historians agree that the lack of legislative investigation was the greatest single cause for the authoritarianism of Imperial Germany. When the Weimar Republic was created, article 34 of the constitution granted the Reichstag the power "to appoint investigating committees." When the Reichstag attempted to exercise its constitutional right, the German Constitutional Court, in two key cases, narrowed the scope of parliamentary inquiry so considerably that the investigating powers of the Reichstag were inadequate to its tasks. As a result, the Reichstag never exposed the Nazi Party, or Hitler's purges, concentration camps, and secret police. The success of the Nazi conspiracy taught the German Supreme Court a lesson. On August 17, 1956, it handed down a scholarly 375-page opinion which outlawed all activities of the Communist conspiracy in West Germany.

3. Elimination of Federal and State security programs. This tactic has been completely successful in regard to nonsensitive positions, although evidence is abundant that the Communist conspiracy considers nonsensitive positions vitally important. Military security officers have caught Communist janitors collecting the contents of wastebaskets and Communist stenographers making an extra carbon copy of all documents and mailing them to their Communist superiors. The New York Times reported on July 11, 1958, that there are more than 300 Government employees dismissed or suspended as security risks who are due to be reinstated with backpay.

Everyone admits that Government employment is not a right but a privilege. Yet, the effect of the Cole, Service, Slochower, and Sweezy decisions is to prevent Federal and State Governments from withdrawing this privilege from those who associate with Communists or who are security risks.

On July 9, 1958, the legal chief of the State Department Passport Division testified in Congress that, as a result of the June 1958 decisions in the Kent and Dayton cases, the State Department has had to issue 77 passports to suspected subversives and has another 70 applications pending whose travel abroad will be against the security of the United States. He pleaded for early passage of the legislation submitted by President Eisenhower to overcome these decisions and to give the State Department authority to bar passports from persons whose travel abroad may be deemed injurious to American security.

Joseph Z. Kornfeder, one of the founders of the Communist Party U.S.A., who is now anti-Communist, testified that American passports are essential to Communist spying operations. These Supreme Court decisions, he testified, will save the Soviet Union time and money because it will no longer be necessary to forge American passports.

4. The peace offensive. On April 1, 1951, the House Un-American Activities Committee issued a report called "The Communist Peace Offensive: a Campaign To Disarm and Defeat the United States." This document showed in detail how intellectuals, professors, writers, and others who influence public opinion, were sucked into various Communist peace fronts. This report said: "The most dangerous hoax ever devised by the international Communist conspiracy is the current worldwide 'peace' offensive."

Today, under the slogans "peace" and "peaceful coexistence," we are witnessing a revival of this Communist peace offensive. The Czechoslovaks and Hungarians found that coexistence with communism is like getting into a cage with a hungry lion; after the lion has eaten the man, they lie down and coexist in peace. Peaceful coexistence means Communist conquest without war. In his February 1956 report to the 20th Congress, Khrushchev asserted in Aesopian language that peaceful coexistence would lead to the victory of world communism.[25]

Dr. Fred C. Schwarz, in his testimony before the House Un-American Activities Committee, has accurately described what the Communists mean by peace: "Every act that contributes to the Communist conquest is a peaceful act. If they take a gun, they take a peaceful gun, containing a peaceful bullet, and kill you peacefully and put you in a peaceful grave. When the Chinese Communists murder millions, it is an act of peace. When the Russian tanks rolled into Budapest to butcher and destroy, it was glorious peace." This is what J. Edgar Hoover calls semantic sabotage. We cannot negotiate with the Communists because they insist black is white and murder is peaceful coexistence.

5. Summit conferences. Four experts on communism testified before the U.S. House Un-American Activities Committee on April 30, 1958, that "the Kremlin looks upon a summit conference solely as another weapon in its program of global conquest." Dr. David J. Dallin, Dr. Anthony T. Bouscaren, Dr. James D. Atkinson, and Mr. Francis J. McNamara all declared that "in seeking an international conference, the purpose of the Soviet Union is not to negotiate peace but to disarm the West intellectually and psychologically." All four consultants were in agreement that another summit conference would constitute "a grave setback for the free world." [26] Other experts have said that a summit conference, in Red doubletalk, means a "submit conference."

We must bear in mind that the Communists have the most deplorable record in all history for violation of solemn treaties,[27] and that it is the policy of Communists to promise anything and to perform nothing unless it serves their immediate ends. Just as a confirmed alcoholic is not cured by being invited to have one more drink, so a confirmed treatybreaker is not cured by being invited to sign a new treaty. The President is therefore right in demanding that Communists first demonstrate their good faith by complying with their prior agreements. Without such evidence of good faith, the conference becomes merely a Communist vehicle for propaganda purposes.

6. Cultural exchanges. Nikita Khrushchev's famous report of February 1956 lists cultural and business exchanges as one of those developments which will bring about the growing weaknesses of the United States and advance world socialism.[28] On June 2, 1957, Khrushchev appeared on American television screens and called for a wider exchange of cultural delegations. On December 22, 1957, the Communist Daily Worker declared that perhaps the best Christmas present Santa Claus will bring America will be the widespread cultural exchange of certain Americans with Soviet agents coming to this country.

On January 27, 1958, the United States signed a 2-year agreement with Soviet Russia for the exchange of persons in the cultural, scientific, technical, and educational fields. Matt Cvetic, former FBI undercover agent who worked with the Communists for 9 years, said: "Every single delegate from Russia or a satellite country with whom I ever came in contact myself, while posing as a Communist for the FBI, was either a member of the Soviet secret police or the Soviet espionage apparatus. The primary activity of every one of Moscow's cultural delegates while in this country is to promote the Communist world revolution." E. H. Cookridge, former British secret service agent and an authority on Soviet espionage, had this to say: "Every Soviet football team, every athlete competing at an international sport event, Soviet scientists attending a congress abroad, the Moscow Ballet performing in a Western capital or a group of Soviet artists at a film festival are invariably accompanied by special agents of the Soviet secret police." Judge Robert Morris, who has spent the last 17 years intensively studying the Communist conspiracy, said: "In past years of the exchange, secret police have passed as farmers, ice skaters, clergymen, and scientists for the purpose of conducting espionage operations in this country."

We commend the Veterans of Foreign Wars for their brilliant evaluation of the program of cultural exchanges with Soviet Russia. The VFW said: "The United States is losing and Moscow is gaining through this program as it is now operated. * * * Moscow obviously wants only those exchanges and contacts which give its trusted agents an opportunity to mislead foreigners about the Soviet Union. * * * Moscow has also used the visitor-exchange program as a means of weakening U.S. security regulations." [29] We also commend AFL-CIO President George Meany for his statement on cultural exchanges: "No believer in the basic principles of free trade unionism could today conceivably desecrate these principles by undertaking to visit a country whose tyrannical leadership has for the 40 years of its existence been the avowed and uncompromising enemy of all human rights."

Cultural interchange with Soviet Russia is a one-way street. When Americans go to Russia, they speak only through interpreters, see only what the Communists want them to see and hear only Communist propaganda. For example, in the Ukraine, the Soviet Government built a children's playground over a mass grave of thousands of anti-Communists. Visitors to Russia, seeing only the surface, come home and report how kind Communists are to their children.

Ivan Pushkar, a Ukrainian imprisoned in slave labor camps in Siberia, testified before the House Select Committee on Communist Aggression [30] how the Russians would "stage these conducted tours for foreigners" with "ruse and fakery and fraud." Henry A. Wallace, in a frank article published in 1953, related that he did not realize during his tour of Soviet Russia how the Communists were making feverish efforts to hoodwink him. Wallace said it was only much later that he learned how a Communist slave labor

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[8] U.S. House Un-American Activities Committee, "Strategy and Tactics of World Communism," sec. A, "Marxist Classics," May 29, 1956, p. 71.

[9] "Collected Works of Lenin," vol. 10, p. 172.

[10] Ibid., vol. 9, pp. 290–291; Proletarian No. 20, 1905.

[11] HUAC, "Marxist Classics," op. cit., p. 33.

[12] Ibid, p. 56.

[13] Hoover, Herbert, "40 Key Questions About Our Foreign Policy," Scarsdale, N.Y., Updegraff Press, 1952, p. 3.

[14] Idem.

[15] St. Louis Post-Dispatch, Sept. 18, 1955.

[16] U.S. News & World Report, Dec. 27, 1957, p. 22.

[17] CONGRESSIONAL RECORD, May 31, 1955, p. A3764.

[18] HUAC, annual report, 1957, p. 2.

[19] HUAC, "Marxist Classics," op. cit., p. 187.

[20] U.S. House Appropriations Subcommittee, hearings on the Department of Justice, Jan. 16, 1958, p. 176.

[21] Ibid., p. 173.

[22] Ibid., p. 174.

[23] Editorial, June 19, 1957.

[24] Ehrmann, Henry W., "The Duty of Disclosure in Parliamentary Investigation: A Compartive Study," 11 University of Chicago Law Review, 117–153, February 1944.

[25] HUAC, "Marxist Classics," op. cit.; pp. xxiv–xxv.

[26] "What Is Behind the Soviet Proposal for a Summit Conference?"

[27] U.S. Senate Internal Security Subcommittee, "Soviet Political Agreements and Results," 1956.

[28] HUAC, "Marxist Classics," op. cit., pp. xxiii–xxiv.

[29] Veterans of Foreign Wars, Guardpost for Freedom, Dec. 1, 1957, and June 1, 1958.

[30] Oct. 11, 1954.

camp had been transformed into a show city, with prisoners herded out of sight and watchtowers torn down, merely to deceive the American Vice President. Elinor Lipper verifies this in her book, "Eleven Years in Soviet Prison Camps." As a prisoner in a slave camp visited by Wallace, she gives an inside account of how American tourists in Russia are deceived.

On the other hand, Communist visitors to the United States have been given access to our industrial and agricultural know-how, as well as to some of our scientific and military installations. This knowledge has been used to strengthen the Communist dictatorship in areas where it is weakest, such as laborsaving devices and corn-hog production.

7. Recognition of Red China: Diplomatic recognition is essential to Communist subversion. The Communist espionage apparatus needs the diplomatic immunity of its embassies and consulates to set up spy centers. It needs the unbroken seal of the diplomatic pouch to transmit orders to its spies and couriers and to receive back their reports and microfilmed documents.

How the Red diplomatic apparatus functions is described in detail in the report of the Canadian Royal Commission [1] which investigated code clerk Igor Gouzenko's revelations, in the Report of the Australian Royal Commission [2] which investigated Embassy Secretary Vladimir Petrov's confession, and in the Senate Internal Security Subcommittee investigation of U.S. Communists working for the U.N.[3] conducted by Senator Herbert O'Conor, last chairman of this committee.

That Red China will model her tactics after the tactics of Soviet Russia is made clear by the statement of Premier Chou En-lai in the Communist magazine International Affairs:

"The great Communist Party of China, organized by progressive elements of the Chinese people, was founded and developed under the influence of the October revolution, and was modeled on the Communist Party of the Soviet Union." [4]

8. Halt nuclear tests: The current Communist tactic to get an agreement with the West halting nuclear tests is similar to Soviet exploitation of the agreement made at Panmunjom not to rearm the North and South Koreans with jet planes and other modern weapons. The Soviets promptly violated this agreement. Then they violated its inspection clause by refusing to permit the neutral inspection team to inspect North Korean airfields.

Most experts agree that the net results of the suspension of nuclear tests would be that the United States would stop testing but that within the vast, isolated Soviet land mass, there would be circumvention of the ban on testing.

The National Academy of Sciences, in a report on "The Biological Effects of Atomic Radiation," said that the U.S. population is exposed to radiation from the natural background of cosmic rays, etc., of about 4.3 roentgens, and from medical and dental X-rays of about 3 roentgens. Nuclear weapons tests—if continued at the rate of the past 5 years would give a probable 30-year dose of about 0.1 roentgen. This is less than one would get from a radium dial on a wrist watch. This report was confirmed by a report to Parliament made by the Medical Research Council of Great Britain.[5]

9. East-West trade: Khrushchev's report of February 14, 1956, calls for East-West trade; [6] and this has been part of the Communist line for many years. Foreign trade, to a Communist country, is a means of waging cold war. It is a means of obtaining from the outside world the strategic materials with which it can arm itself for world conquest. Trading with the Communist bloc would be a psychological as well as a military defeat for the United States. The goods we might sell to the Communist bloc will be used against us just as the superb Rolls-Royce jet engines sold to Russia were used to power the Mig-15's against us in Korea.

In May 1956, Khrushchev sent an 8-page letter to President Eisenhower in which he brazenly suggested that the United States grant Soviet Russia long-term dollar credits in order to finance trade with the United States. We would not gain by trading our machinery for Soviet I O U's or even Russia's raw materials. The Senate report on the "Accessibility of Strategic and Critical Materials" issued July 9, 1954, shows that the Western Hemisphere contains all the 77 critical and strategic materials needed for military security. The answer to the propaganda for East-West trade is more North-South trade.

10. Propaganda: Communists are spending $3 billion a year on propaganda which is reaching every city and hamlet in our Nation. In 1 day, Communist propaganda coming through New York City alone fills three large warehouses, and not a single piece is labeled "Communist propaganda" as required by the Foreign Agents Registration Act. This propaganda comes not only from Russia, but also from Red China, from Iron Curtain countries, and from Western Europe. Much additional Red propaganda is published in the United States by Communist publishers.

The House Un-American Activities Committee recently reported: "Propaganda is part of a global program which ranks as one of the Kremlin's most important instruments of conquest." Henry Loomis, former Director of the Office of Research and Intelligence of the U.S. Information Agency, estimated that 25 million persons throughout the world are directly engaged in disseminating Communist propaganda."

11. Humiliation: As a dialectical maneuver in between its peace offensive and its drive for a summit conference, the Kremlin uses the tactic of humiliation. This tactic had already been used by the Communists on American prisoners in Korea.

Communists masterminded insulting demonstrations all over South America against Vice President Nixon, which included spitting on him and the throwing of rocks and garbage. On July 18, 1958, a mob of 100,000 Communists gathered in front of the American Embassy in Moscow and threw ink bottles and stones which shattered most of the windows on the first five floors. All spring there was a wave of demonstrations against the American information agencies in various parts of the world, with burnings of the American libraries. This summer, there has been the series of kidnapings of American citizens: 9 U.S. soldiers held by East Germany, 9 U.S. airmen shot down in Armenia; and 47 civilians, sailors, and marines kidnaped in Cuba. In addition, there is an untold number of Americans who are being held captive in the Soviet Union. In an interview this summer, John Noble, one of the few captives who have been released, made this statement about American prisoners in Red slave-labor camps: "Every day the Russians taunted us—'If you had a government in America, they'd get you out.'"

III. HINDSIGHT OR FORESIGHT?

On June 17, 1958, when the Soviet news agency, Tass, announced the executions of former Hungarian Premier Imre Nagy, Gen. Paul Maleter, and two other leaders of the anti-Communist rebellion of 1956, Western leaders expressed shock and dismay. General Maleter, the hero of the rebellion, was seized by the Soviets when he met with them under a flag of truce to negotiate the withdrawal of the Red army from Budapest. Nagy and his associates were executed, although they had received a written guarantee of safe conduct when they left their asylum in the Yugoslav Embassy.

To even the most elementary student of Communist history and tactics, these enormous acts of treachery came as no surprise. In March 1945, 16 top leaders of the Polish Government were invited to Moscow for negotiations and were promised on the word of honor of the Soviet Government, that they would have safe conduct. All 16 were arrested and then vanished. Nothing was heard of any of them until 10 years later, when the wife of Gen. Leopold Okulicki was notified of his death 9 years before in a Soviet prison.[7] The perfect parallel between Soviet betrayal of safe-conduct pledges to the Poles in 1945 and to the Hungarians in 1958 should remind Western leaders of the old Indian maxim: "Paleface cheat red man once, shame on paleface. Paleface cheat red man twice, shame on red man." Since the Katyn Forest massacre of 1943, it has been obvious that coexistence with communism is a contradiction in terms.

With each succeeding act of Soviet bad faith, many Western spokesmen express surprise. When anti-Communists reply: "You should have expected this," the politically naive make a common rejoinder: "That is mere hindsight; no one could have predicted that the Communists could be that bad." It is appropriate to point out that informed anti-Communists have always known and publicly stated that it is impossible to negotiate with international communism.

It was not hindsight, it was foresight when Secretary of State Bainbridge Colby said on August 10, 1920:

"The existing regime in Russia is based upon the negation of every principle of honor and good faith. * * * The responsible leaders of the regime have frequently and openly boasted that they are willing to sign agreements and undertakings with foreign powers while not having the slightest intention of observing such undertakings or carrying out such agreements. * * * Upon numerous occasions the responsible spokesmen of this power, and its official agencies, have declared that it is their understanding that the very existence of bolshevism in Russia, the maintenance of their own rule, depends, and must continue to depend, upon the occurrence of revolutions in all other great civilized nations, including the United States, which will overthrow and destroy their governments and set up Bolshevist rule in their stead. They have made it quite plain that they intend to use every means, including, of course, diplomatic agencies, to promote such revolutionary movements in other countries. * * * We cannot recognize, hold official relations with, or give friendly reception to the agents of a government which is determined and bound to conspire against our institutions; whose diplomats will be the agitators of dangerous revolt; whose spokesmen say that they sign agreements with no intention of keeping them." [8]

It was not hindsight, but foresight when Secretary of State Charles Evans Hughes stated on March 21, 1923:

"We are just as anxious in this Department and in every branch of the administration as you can possibly be, to promote peace in the world, to get rid of hatred, to have a spirit of mutual understanding, but the world we desire is a world not threat-

[1] June 27, 1946.
[2] Aug. 22, 1955.
[3] Jan. 2, 1953.
[4] November 1957, p. 20.
[5] U.S. News & World Report, June 7, 1957, pp. 25–27.
[6] HUAC, "Marxist Classics," op. cit., pp. xxiii–xxiv.
[7] Annual report, 1957, p. 33.
[8] Mikolajczyk, Stanislaw, "The Rape of Poland," New York, McGraw-Hill Book Co., 1958, pp. 111–112.
[9] U.S. Senate Internal Security Subcommittee, second report, March 22, 1954, p. 41.

ened with the destructive propaganda of the Soviet authorities, and one in which there will be good faith and the recognition of obligations and a sound basis of international intercourse." [9]

It was not hindsight, it was foresight when Robert F. Kelley, Chief of the Division of Eastern European Affairs in the Department of State, wrote in a memorandum dated July 27, 1933:

"The fundamental obstacle in the way of the establishment with Russia of the relations usual between nations in diplomatic intercourse is the world revolutionary aims and practices of the rulers of that country. It is obvious that, so long as the Communist regime continues to carry on in other countries activities designed to bring about ultimately the overthrow of the government and institutions of these countries, the establishment of genuine friendly relations between Russia and those countries is out of the question." [1]

It was not hindsight, it was foresight when U.S. Ambassador to Moscow Laurence Steinhardt reported, on June 17, 1941:

"My observation of the psychology of the individuals who are conducting Soviet foreign policy has long since convinced me that they do not and cannot be induced to respond to the customary amenities, that it is not possible to create international good will with them, that they will always sacrifice the future in favor of an immediate gain, and that they are not affected by ethical or moral considerations nor guided by the relationships which are customary between individuals of culture and breeding. Their psychology recognizes only firmness, power, and force, and reflects primitive instincts and reactions entirely devoid of the restraints of civilization. I am of the opinion that they must be dealt with on this basis and on this basis alone." [2]

Former President Herbert Hoover predicted on June 29, 1941:

"The gargantuan jest of all history would be if we should give aid to Stalin in the war. * * * The result would be to spread communism over the world."

IV. CURRENT FALLACIES ABOUT COMMUNISM

So much misinformation is current about communism that it is appropriate to expose some of the major fallacies.

1. "Communism in the United States is dwindling in power because the party is dwindling in numbers." This popular belief shows a complete misunderstanding of Leninism. Lenin's great contribution to communism was his principle of the dedicated few. He coined the expression "the fewer, the better." He originated the party of professional revolutionaries subject to military discipline. He rejected the idea of a popular party, and enunciated the principle that no one should be given party membership unless he was under discipline. This is how Lenin was able to establish communism with only 17 supporters and to take over Russia with only 40,000.

It is just as false to measure the strength of communism in the United States by comparing the small number of party members with the large number of non-Communists, as it would be to measure the seaworthiness of a ship by comparing the area of its holes with the area of its hull. A few strategically placed holes can sink the largest ship.

The real strength of communism in the United States is the number of non-Communist organizations and individuals who will collaborate with the Communists. For every Communist Party member, there may be 100 non-Communists who will do the work of the Communists.

The Communists now have 600 fronts. In addition they have fronts in front of the fronts. Making use of their fellow travelers and dupes, plus their united front tactic, the Communists boast they can have 50,000 letters on any issue sent to Capitol Hill or the White House inside of 72 hours.

2. "The Communist Party is just another political party." It has been indisputably established by the hearings of the Subversive Activities Control Board in 1951 and 1952, by 20 years of investigation by congressional committees, and by the prior decisions of the Supreme Court in *Dennis* v. *United States* [3] and in *American Communications Association* v. *Douds*,[4] that the Communist Party U.S.A. is not just a minor political party like the Prohibition Party. In the Dennis case, Chief Justice Vinson rightly described the Communist Party as "a highly organized conspiracy, with rigidly disciplined members subject to call when the leaders, these petitioners, felt that the time had come for action."

Like an iceberg, eight-ninths of the Communist Party has always been underground. The crypto-Communists who carry no cards, and whose names appear on no party records, are the most dangerous Communists. Top Communist agents such as Klaus Fuchs, Guy Burgess, and Donald Maclean never marched in a May Day parade, never carried a hammer and sickle banner, never raised a clenched fist at a Red rally. They were effective agents because they were always underground conspirators, and never aboveground.

3. "Poverty breeds communism." This is the false-stomach theory of communism. Communism is not a disease caused by an empty stomach; it is a disease of the mind and soul. Communism does not originate with the poor, the uneducated, the exploited, or the working class. Every major world Communist figure who became a Communist in a non-Communist country did so as a student intellectual, materialistic in philosophy and atheistic in faith. The list of important Communist agents who were well-fed student intellectuals includes Marx, Engels, Lenin, Stalin, Chou En-lai, Chou Teh, Mao Tse-tung, Ho Chi-minh, Alger Hiss, Harry Dexter White, Klaus Fuchs, Julius Rosenberg, Guy Burgess, and Donald Maclean. The Communist government of Kerala, democratically elected after the Hungarian revolt was crushed by Soviet troops, has 11 members; 9 are the sons of Indian aristocrats or intellectuals.

4. "The only alternative to peaceful coexistence is world war III with nuclear destruction of our cities." The Communists do not want to destroy us or our cities. A dead man is useless as a slave laborer. They want to take our cities intact as they captured Prague and the giant Skoda munitions works. They plan to capture America with native Communists, just as they took Czechoslovakia with Czechs, China with Chinese, Indochina with Indochinese, South Korea with Koreans, and almost took Spain with Spaniards.

The only alternative is not world war III. Another alternative is a declaration of independence for the satellites and oppressed peoples of Russia. The Kremlin would not embark upon a foreign war if it had or was threatened with a strong independence movement behind the Iron Curtain. The Kremlin remembers that communism came to power only because the czar, and then the Kerensky government, insisted on forcing the people to fight a foreign war. The Kremlin remembers that in 1941 the Germans were welcomed as liberators, and were hard fought only after they failed to act as liberators.

V. SAFEGUARDING OUR REPUBLIC

1. Remedial legislation: In his testimony before a House Appropriations Subcommittee on January 16, 1958, J. Edgar Hoover said:

"Crime and subversion have become critical challenges due to the mounting success of criminal and subversive elements in employing loopholes, technicalities, and delays in the law to defeat the interests of justice." [5]

Hoover quoted a Federal judge who warned against "an unfortunate trend of judicial decisions * * * which strain and stretch to give the guilty not the same but vastly more protection than the law-abiding citizen." [6] In his speech to the national convention of the American Legion last fall, Hoover warned us:

"It would be the worst kind of folly to allow the spy and subversive immunity through technical rather than logical interpretation of the law, while they plot the destruction of our democratic form of government."

We urge that careful consideration be given to congressional legislation or judicial construction which will:

1. Restore to congressional committees the right to determine whether the questions asked of pro-Communist witnesses are pertinent.

2. Restore to congressional committees the same freedom to investigate Communists and pro-Communists that these committees have always had to investigate businessmen and labor leaders.

3. Restore to the States the right to enforce their own antisubversive laws.

4. Restore to the Smith Act the provision which makes it a crime to teach or advocate the violent overthrow of the Government.

5. Restore to the Smith Act the meaning of "organize" which includes organizational work done after 1945, so that Communist organizers cannot hide behind a statute of limitations.

6. Restore to the executive branch the right to determine and to dismiss security risks in both sensitive and nonsensitive positions of the Government.

7. Restore to the States the right to set standards high enough to exclude from public employment and education those who refuse to testify about their Communist activities and associates.

8. Restore to the executive branch the right to question aliens awaiting deportation about subversive associates and contacts, and the right to deport aliens who are Communists at any time after entering the United States.

9. Restore to the executive branch the right to deny passports to those who refuse to sign a non-Communist affidavit.

10. Restore to the States the right to exclude from the practice of law those who have been members of the Communist conspiracy or who refuse to testify about Communist activities.

Although 8 years have elapsed since the passage of the Internal Security Act, the Communists have succeeded in preventing its enforcement and in blocking a final judicial determination of its constitutionality. The April 20, 1953, order of the Subversive Activities Control Board, issued after exhaustive hearings and backed by scholarly documentation, that the Communist Party U.S.A. must comply with said act still awaits enforcement. We reassert the views stated in the brief we filed in the U.S. Supreme Court in support of this important legislation. If any part of this act violates the Constitution, the courts should so hold and Congress should pass new legislation or

[1] U.S. News & World Report, Dec. 17, 1954, p. 128.
[2] Ibid., p. 130.
[3] Ibid., July 4, 1958, p. 72.
[4] 341 U.S. 494.
[5] 339 U.S. 382.
[6] Hearings on the Department of Justice, p. 174.
[7] Idem.

amend the old act to conform to constitutional requirements. If it is constitutional, the Communist Party and members should not have immunity from its security provisions during many years of protracted litigation."

2. Reevaluate the policy of recognition of Soviet Russia and its satellites: How diplomatic recognition can be used as a weapon in the cold war was well stated by House Majority Leader JOHN W. MCCORMACK on July 13, 1956, when he called for "a severance of diplomatic relations with Russia." Four American Presidents refused to recognize the Communist Government of Russia, and it remained weak and ineffective so long as it was unrecognized. Communism began to spread through the world as soon as the United States extended diplomatic recognition in 1933, because, in violation of all international morality and even of the executive agreement by which recognition was extended, Soviet Russia used her embassies and consulates as centers of espionage, subversion, and propaganda.

In describing the recent case involving the Communist spy, Rudolf Ivanovich Abel, J. Edgar Hoover testified:

"I mention this case particularly, Mr. Chairman, because there are some people who think that the matter of Soviet espionage is a thing of the past and no longer exists in view of the theme of peaceful coexistence the Soviets continue to expound. Many of the incidents in the Abel case occurred in 1957."

We must all realize that Communist governments use blackmail, counterfeiting, forgery, kidnaping, lying, mass murder, slavery, subversion, theft, and treaty breaking as part of their official state policy. It is a matter of historical record that the Kremlin blackmailed the Allies into concessions during World War II by threatening to sign a separate peace with Hitler; that Communist governments have counterfeited American money and forged American passports; kidnaped American citizens and held them for ransom; kidnaped 28,000 Greek children in the cruelest mass abduction in modern history; murdered 11,000 Polish officers at Katyn Forest,[10] 6,112 American soldiers whom they captured in Korea,[11] and thousands of boys and girls in Hungary, forced millions of Polish, Latvian, Lithuanian, Estonian, Czech, Hungarian, and Ukrainian citizens to work as slave laborers in Siberia; stole 600 tons of gold bars worth $700 million from the Government of Spain in 1936;[12] destroyed by subversion the postwar Republics of Bulgaria, Czechoslovakia, Hungary, and Poland; and violated 50 of their last 52 treaties.

Nothing would slow down the Communist line more definitely than if the United States were to recognize the necessity of treating Soviet Russia as an outlaw and putting its Red agents in the same category. It would dry up the channels by which Soviet Russia spreads its propaganda, directs its espionage, and enforces its discipline on our citizens.

We invite serious attention to the speech of Richard L. Roudebush, commander in chief of the Veterans of Foreign Wars, to the national encampment of the VFW on August 30, 1957, in which he called on our Government to sever diplomatic relations with the Soviet Union.[13] Twenty-two State conventions of the American Legion have also endorsed withdrawal of recognition from Soviet Russia.

It has been claimed that our embassies in Communist countries have value as listening posts. Evidence is abundant that our embassies provide listening posts only for the Communists and not for Americans. American diplomats discovered a microphone had been hidden for years only a few feet from where our Ambassador to Moscow Joseph E. Davies dictated his top-secret reports to Washington. In the American legation in Communist Hungary, a microphone was discovered in the fireplace of the room where Cardinal Mindszenty resides. The Communists had a wire recorder on the legation roof.

We should, of course, continue to refuse recognition to Red China, and we should continue to press for the return of or a satisfactory accounting for the 450 American prisoners of war still held by Red China in violation of the Korean armistice agreement, as called for by House Resolution 202, unanimously passed by the House of Representatives on July 9, 1957.

3. Be prepared with a plan of action: One of the several lessons we learned from the Hungarian rebellion in October 1956 was that the West has no plan of action. The Voice of America, Radio Free Europe and promises of liberation by responsible American officials had kept alive the hope for freedom. But when the major breakthrough came in Hungary, we had no plan to help the freedom fighters. This aid did not need to be military, but it did need to be prompt. The Reverend Daniel A. Poling, editor of the Christian Herald, said in June 1958:

"There were 4 days when in the opinion [even] of Tito, recognition by the United States of the Nagy government would have saved the revolution. Nothing more than this was required. Red Russia waited until she knew we would not act—and then she came."

Similar lost opportunities to administer a fatal or crippling blow to world communism were the occasions of Stalin's death, and the Posnan and the East German rebellions. Each opportunity was muffed by the West because we had no plan.

Had our leaders understood the Communist dialectic, they would have known that we could have intervened to aid the Hungarian freedom fighters without running any risk of war with Russia. It would have been un-Marxian an antidialectical for Soviet Russia to have fought the United States over the issue of freedom for Hungary. On the other hand, it was a dialectical advance for Soviet Russia to fight little Hungary, because, while going backward in world opinion over Hungary itself, it went forward in proving that the West will not heed anti-Communist pleas for help, and that Communist nations aid each other, but anti-Communists must fight alone.

4. Study communism: In 1937, Pope Pius XI asked a searching question about communism:

"How is it possible that such a system, long since rejected scientifically and now proved erroneous by experience, how is it, we ask, that such a system could spread so rapidly in all parts of the world?"

He answered his own question in these words: "The explanation lies in the fact that too few have been able to grasp the nature of communism."

Twenty-one years later, an additional 750 million human beings have been swept behind the Iron Curtain. But it is unfortunately still true that all too few people understand what communism is. Last year, our committee reported:

"The greatest asset the Communists have at the present time is not the hydrogen bomb, certainly not Soviet satellites, but world ignorance of their tactics, strategy and objectives."

When our enemy was Nazi Germany, our Government and military leaders studied every detail of the enemy and his strategy. One of the great generals of the European campaign was George S. Patton. Early in World War II, when the Germans were advancing, General Patton was asked one day if he wasn't discouraged. His answer was precise:

"I have studied the German for 40 years. I have read the memoirs of his great men. I have studied every detail of all his military campaigns. I have attended some of his staff courses. I know exactly how he will react under any given set of circumstances. He does not know what I will do. For this reason, when the time comes, I shall beat the hell out of him."

And this, he did.

We can no more save our Republic from communism merely by saying we are against communism, than parents can save their children from polio by fervently being against polio. To conquer any disease requires intelligent study to isolate the germ and discover the vaccine. As the No. 1 killer in the world today, communism is a disease which merits our urgent study.

APPENDIX—RECOMMENDED READING

Books play a vitally important part in the history of government and economics. One need only mention Das Kapital, the Wealth of Nations, Uncle Tom's Cabin, and the Federalist Papers to be reminded that books have started wars, changed the economy of great nations, and established new governments.

A number of books published during the past year by some of the world's top experts on communism testify to the overriding importance of the Communist issue, and to the unhappy reality that the United States is losing the battle against international communism. A study of the following books and reports could halt the rising tide of world communism.

1. Congressional committee hearings and reports: For 20 years the House Un-American Activities Committee has been patiently investigating the Communist conspiracy. The reports of its hearings, and those of its Senate counterpart, the Internal Security Subcommittee, are an encyclopedia of information on this continuing conspiracy. The abuse which has been heaped upon these committees by the Communists and their fronts is itself an attestation of the value of these reports.

2. "Masters of Deceit: The Story of Communism in America and How To Fight It," by FBI Director J. Edgar Hoover (Henry Holt and Co., New York, 1958, $5). Mr. Hoover's preeminence as an authority on communism is unchallenged. This book provides us with a valuable primer on communism in the United States: its history, strategy, membership and future. He describes the day-to-day operations of the Communist Party, what goes on underground, and how discipline is enforced. He shatters many anti-anti-Communist arguments and shows why this is no time for complacency regarding internal subversion.

3. "No Wonder We Are Losing," by Judge Robert Morris (the Bookmailer, New York, 1958, $2.50). Judge Morris has put into this book his personal record of 17 years' investigation of communism on behalf of the New York State Legislature, Naval Intelligence, and as chief counsel for the Senate Internal Security Subcommittee. Particularly important chapters concern the famous hearings on the Institute of Pacific Relations, communism's reach into education, and methods and rules of congressional committees.

4. "I Was a Slave in Russia," by John H. Noble (Devin-Adair Co., New York, 1958, $3.75). The author, an American citizen, was captured by the Russians just after V-E Day in 1945 and held prisoner for 9 years. In this book, he tells of his shocking experiences as a slave laborer in Siberia; of other Americans who are still there; and of the millions of political prisoners and how they are treated. This book is especially useful for those who believe in summit conferences and cultural exchanges with the Communists.

5. "Communist Psychological Warfare: Consultation with Edward Hunter," by the U.S. House Un-American Activities Committee (U.S. Government Printing Office, March 13, 1958). In 25 pages of testimony under questioning by Staff Director Richard Arens, Edward Hunter gives a brilliant analysis of current Communist strategy and how it follows here the pattern so successful in Asia. A distinguished journalist, author, and expert on communism in the Far East, Mr. Hunter is the originator of the term "brainwashing." In this report, he warns that Communist psychological warfare is now winning such extensive victories in the United States that the Red bloc will not need to employ direct military force against us in order to win the total war which they are waging.

6. "International Communism: Consultation with Dr. Fred C. Schwarz," by the U.S. House Un-American Activities Committee (U.S. Government Printing Office, May 29, 1957). Dr. Schwarz is an Australian psychiatrist who is one of the world's top authorities on communism, particularly on the Communist mind. In this testimony, Dr. Schwarz gives his expert diagnosis, prognosis, and recommended treatment for the disease of communism. He shows how the first step in the Communist conquest of every country is the ideological conquest of the student mind.

7. "A Guide to Anti-Communist Action," by Dr. Anthony T. Bouscaren (Henry Regnery Co., Chicago, 1958, $4). Dr. Bouscaren is the author of a number of authoritative works in the field of international Communist operations. He is a professor of political science at Marquette University, Milwaukee, Wis., and is currently teaching at the National War College, in Washington, D.C. This book provides specific answers to the question of how individual Americans can combat communism with knowledge and facts.

[10] Subversive Activities Control Board, report, S. Doc. No. 41, 83d Cong., 1st sess., Apr. 23, 1953.

[11] Hearings on the Department of Justice, op cit., p. 178.

[12] U.S. House Katyn Forest Committee, final report, Dec. 22, 1952.

[13] U.S. Senate Committee on Government Operations, Permanent Subcommittee on Investigations, "Korean War Atrocities," Jan. 11, 1954.

[14] National Republic, February 1958, p. 3.

[15] VFW, Guardpost for Freedom, Oct. 1, 1957.

AIR CRASH

Mr. KEATING. Mr. President, the shocking crash of a Boeing 707 jet after takeoff at Idlewild this morning has just been announced. I am informed that all of the 97 passengers and crewmen aboard were killed. This is a staggering tragedy, but we are at least grateful that as far as is presently known the plane did not crash in an area where residences or traffic congestion could compound the death toll.

Mr. President, during the year 1961, U.S.-certificated route air carriers had one of the best safety records of all times with an estimated passenger fatality rate per 100 million passenger-miles of only 0.29. This tragedy shows that safety precautions and investigations can never be taken for granted, that eternal vigilance is necessary to provide maximum safety precautions for all air travel.

Mr. President, I have already been in touch with the Federal Aviation Agency and the CAB requesting that I be kept fully informed of the details of this event and of the findings of the Civil Aeronautics Board.

Mr. President, we offer sympathy and condolences to the friends and relatives of those who were lost in this crash and assure them that no means will be spared to ascertain the cause of this disaster and methods to reduce the likelihood of recurrences.

Mr. JAVITS. Mr. President, will my colleague yield?

Mr. KEATING. I yield.

Mr. JAVITS. I join my colleague in what he has just stated. I hope and pray that none of my personal friends were passengers on the plane. It is a disaster enough that so many persons lost their lives, many of whom, I regret to state, are undoubtedly New Yorkers.

I am pleased to know that my colleague, as a member of the appropriate committee, will follow through with the appropriate agencies of Government upon this matter. I am sure that all of us join in expressing our deepest sorrow and sympathy to the bereaved families who are affected by this terrible disaster.

Mr. BUSH. Mr. President, I am glad that I have been here to listen to the Senator from New York [Mr. KEATING] speak on this very tragic subject. I commend him for what he has done in bringing the matter before the Senate and in asking that the Federal authorities investigate the matter, as a member of the Committee on Commerce. This tragic accident occurred at Idlewild, which is the airfield most of us in Connecticut use many, many times.

I certainly join with both New York Senators in expressing, on behalf of the people of my State, deepest sympathy to the families who have been so tragically bereaved by this frightening accident.

I agree with the Senator from New York [Mr. KEATING] that we must continue to explore and insist upon more and more safety rules and devices to prevent this type of accident.

Mr. JAVITS. Mr. President, I ask unanimous consent that my colleague from New York be granted an additional 3 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

TRIBUTE TO REPRESENTATIVE RALPH W. GWINN OF NEW YORK

Mr. KEATING. Mr. President, the news of the death of Ralph W. Gwinn has deeply saddened those among us who were his friends and who were privileged to serve with him in the Congress of the United States. His tenure in the House of Representatives spanned a period of 14 years, from 1944 to 1958, as Representative from the 27th Congressional District, comprising Westchester and Putnam Counties in New York State. Mr. Gwinn held strong convictions on what he considered to be the necessary limitations of Federal power, and stated and defended his position with vigor and candor. He was respected, even by those who disagreed with him, for the forcefulness of his character and for the sincerity of his beliefs. Mr. Gwinn was a deeply religious man, and this aspect of his career is impressively reflected in his service as president of the International Association of Daily Vacation Bible Schools, as director of Agricultural Missions, Inc., and of the Christian Rural Fellowship. I know that I speak for all my congressional colleagues who knew and esteemed Ralph Gwinn when I convey to his bereaved family the deepest expression of sympathy on this sorrowful occasion.

Mr. JAVITS. Mr. President, I wish to join with my colleague, the distinguished junior Senator from New York [Mr. KEATING], in expressing condolences and sympathy to the family of Ralph Gwinn. I served with him in the House of Representatives, as did other Members of this body. He and I frequently disagreed. He was a man of very conservative views. Nevertheless, he was my friend. There was no finer American or gentleman than Ralph Gwinn. He served his country well according to his lights. I consider it a high privilege to honor him. He lived to a fine age and did splendid work in behalf of his country and the ideals in which he believed.

Mr. President, I ask unanimous consent to have printed as a part of my remarks the obituary notice published in the New York Herald Tribune.

There being no objection, the obituary notice was ordered to be printed in the RECORD, as follows:

RALPH W. GWINN IS DEAD; FORMER NEW YORK CONGRESSMAN

BOYNTON BEACH, FLA.—Ralph W. Gwinn, 77, a former New York Congressman, died yesterday of a heart attack.

Mr. Gwinn, of Pawling, N.Y., was stricken at nearby Delray Beach, where he was spending the winter. He died in Bethesda Hospital.

Mr. Gwinn was born in Noblesville, Ind., and was graduated from DePauw University and Columbia University Law School, later setting up a private law practice in New York City.

WRITER ON AGRICULTURE

During World War I he served as special counsel for the War Shipping Board and as special representative of the Secretary of War in the European Theater. He had a farm in Pawling—called Ravenwood—and wrote numerous articles on agricultural affairs.

A Republican, Mr. Gwinn was first elected to Congress in 1945 and served seven consecutive terms in the lower House, retiring in 1959. He had not sought reelection. His 27th Congressional District encompasses Yonkers, Greenburgh, Eastchester, Mount Pleasant, Ossining, Cortlandt and Peekskill.

He was a conservative who opposed a centralized government and urged less Government spending. In 1957, he addressed a tax protest rally in Chicago and urged a constitutional limitation on the spending powers of the Federal Government.

URGED BUSINESS TO ORGANIZE

The following year he told a meeting in Pittsburgh that no bill had a chance of passage if it was "against the will of the AFL-CIO." Mr. Gwinn, at the time the top Republican on the House Labor Committee, added that unless business organizes to elect candidates favorable to it "we shall continue to have a labor-Socialist Congress."

Mr. Gwinn was president of the Bronxville, N.Y., Board of Education from 1923 through 1930. He had served as a trustee of DePauw University since 1923 and of the Asheville (N.C.) School for Boys since 1930.

Surviving are his wife, Mary, and a son, Robert, of Nashville, Tenn.

Mr. CASE of South Dakota. Mr. President, the distinguished Senators from

New York have correctly expressed the feelings of those of us who were colleagues of Ralph Gwinn in the House of Representatives. He had character, courage, and conviction. The influence of his life was for good.

Mr. KEATING. Mr. President, I thank the Senator from South Dakota.

FORTY-FOURTH ANNIVERSARY OF ESTONIAN INDEPENDENCE

Mr. KEATING. Mr. President, I am happy to commemorate the 44th anniversary of the independence of the Estonian people. On February 24, 1918, these fine people established the Estonian Republic and Estonian independence, after 200 years of Russian domination. During the years of living under the oppressive regime of the Russian czars, the Estonian people maintained their distinct national character, clung steadfastly to their goal for independence and achieved their goal.

After this historic date in 1918, the Estonian people were only able to enjoy their freedom for two decades. The Red army, during World War II, overran and occupied the country. Estonia was subsequently incorporated into the Soviet Union and the free republic was at an end.

Since this event, the Estonians have not been free in their homeland. They have suffered under the oppressive yoke of their Communist taskmasters. We salute these people for holding fast in their belief and in their confidence that Estonia will regain her freedom and independence. Communist oppression has not stamped out the spirit of these people. We join the Estonians and the Americans of Estonian descent in their hope for deliverance from the tyranny under which they struggle.

APPOINTMENT OF SENATOR PELL TO BE A MEMBER OF THE CANADA-UNITED STATES PARLIAMENTARY CONFERENCE NOW MEETING IN OTTAWA

The ACTING PRESIDENT pro tempore. The Chair, for the Vice President, appoints the Senator from Rhode Island [Mr. PELL] to be a member of the Canada-United States Parliamentary Conference now meeting in Ottawa, vice the Senator from Connecticut [Mr. DODD], resigned.

THE FARM PROBLEM—A GREAT OPPORTUNITY

Mr. JAVITS. Mr. President, I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks an article entitled "The Crux of the Farm Problem," written by Walter Lippmann, and published in the New York Herald Tribune of February 22.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. (See exhibit 1.)

Mr. JAVITS. Mr. President, I have long believed that as a matter of fundamental economic fact it is both ineffective and, in the long run, injurious to try to solve the problem of overproduction by production controls, quotas or other artificial devices aimed at restraining productivity. This is particularly true when accelerating productivity is largely attributable to tremendous technological advance, such as we have seen in American agriculture in the past 10 years. American agriculture should not be leashed; its surging forces of inventiveness and abundance should not be frustrated and discouraged. Yet clearly it is also a matter of fundamental economic fact that these powerful productive forces must be equated with consumption. Mr. Lippmann's article goes a long way to the heart of this vital matter and points up the urgent need for the Congress to reexamine now our approach to a national agricultural policy and to recast it in terms of helping to establish a maximum effective agricultural working force rather than continuing the present approach of attempting to fix production by allocation among the existing agricultural working force.

EXHIBIT 1

THE CRUX OF THE FARM PROBLEM

(By Walter Lippmann)

Both we and they, the free societies and the Communists, are contending with a farm problem. But their problem is how to produce enough and ours is what to do with too much.

They are finding that under regimentation and control the farmers lack the incentive to produce. For some 30 years we have been using Government controls and subsidies to hold up prices in an effort to protect the farmers' incomes from the consequences of too much supply and too little demand. The overall result has been still more supply resulting in lower incomes for most farmers and huge, costly, and unmanageable surpluses in the Government's hands.

The farm problem as we have known it since the time of Coolidge and Hoover is not confined to the United States. It exists in Western Europe and it is the most difficult of all the issues which will have to be settled if there is to be a degree of economic unity in the free world. It is the agricultural questions which make it most difficult to work out some form of economic union—for the six countries in the Common Market, the so-called Outer Seven, the British Commonwealth, the United States, Latin America, and Japan.

The movement toward free trade in industrial products is achieving great momentum, and there do not appear to be any insuperable difficulties to a wide free trade area market. But a wide common market for agricultural products, both temperate and tropical, faces obstacles which will not easily be overcome.

In dealing with unsolved problems, the first step towards an eventual solution is to isolate and define the crux of the problem. The economists have done that. But it may be some time before public men, who have to face the voters, will think it prudent to publish the bad news from the economists. The bad news is that there are more farmers trying to make a living on the land than our modern scientific agriculture requires. Underneath the crop surpluses there is a surplus of farmers. The essence of the farm problem is how to take care of the farmers who, because they are not needed, cannot make a decent living.

In his farm message on January 31, the President ventured onto this new and politically dangerous ground. He pointed out that out of our 3½ million farmers, 1½ million produce 87 percent of the total production. They could easily produce also the 13 percent which is now produced by the other 2 million farmers. We are faced, then, with the brutal fact that there are too many farmers. There are nearly twice as many farmers as are needed for efficient production. And in the years to come, as more and more scientific means are applied to agriculture, the number of farmers that are needed will decline still more.

I have called this a brutal fact even though it means that for us an age of plenty has arrived. It is a brutal fact because farming is not only the production of food and fiber. It is a way of life which Americans have always believed nourishes the spirit. Yet just as the cities are swallowing the villages, and the metropolis is swallowing the cities, so the industrial farms with their machinery and technology are swallowing the traditional farms. We are in the midst of an agricultural revolution which is epochal in its consequences.

This revolution cannot be stopped or turned back by any farm program that Congress should vote or that the Treasury could possibly afford. In view of the many demands on our national strength, we cannot, even if we wished, indulge in the waste of precious human resources represented in the production of crops at high prices for storage. We need that energy spent on real work, not make work. Gradually, we shall have to recognize the fact that the true purpose of a farm policy is to reduce the hardships of the victims of the agricultural revolution, and to protect and help the unneeded farmers in changing over to other occupations.

If we call things by their right names, a realistic farm policy is not an attempt to rig the market, or to insulate it from competition. In reality it will have to be a welfare program for the retiring farmers and their children, and for the lands which must also be retired from agriculture. We need to encourage the young people from less productive rural areas to leave farming for other occupations. Education plays the leading role. Direct incentives can be offered to encourage the shift away from farming. Denmark for example, gives special scholarships to young people from the country. As industry becomes more evenly distributed among the States, a move from farming to another industry will less often entail a geographic move. A rural redevelopment program can help provide new uses for the land and new jobs for people retired from farming, softening the impact of the technological revolution in agriculture.

The prospect of more food from less cropland offers us a new freedom to use land as we wish to use it. We have hardly begun to realize the opportunities opened to us by the new processes of agriculture—the opportunity to conserve the soil and wildlife and to reforest and to set aside land for recreation and for esthetic purposes.

So, the farm problem should be approached not as an annoying and somewhat tragic muddle, but as a great opportunity.

THE NATIONAL TRADE POLICY ACT OF 1962, PART III—A UNIFIED FREE WORLD POLICY IN TRADE WITH THE COMMUNIST BLOC

Mr. JAVITS. Mr. President, any new trade policy legislation should contain provisions for the utilization of Presidential negotiating authority in formulating a unified free world policy in commercial relations with the Communist bloc. The need for such concerted action is documented in "The Political Stakes of East-West Trade," a report which I submitted to the Joint Economic Committee last month, based on a fact-

finding trip to the U.S.S.R. and eastern Europe which I undertook for the committee in November 1961. The report is available as a joint committee print.

The National Trade Policy Act of 1962—S. 2840—expresses the sense of the Congress that the President should apply U.S. trade bargaining power to negotiation of a treaty with our military allies providing for: First, effective controls on the shipment of strategic goods to the Communist bloc; second, alternative marketing and purchasing opportunities for free world nations experiencing Communist economic pressure; third, contingency plans for the strategic use of East-West trade; and fourth, the basis for ground rules on trade to which the Communist bloc must adhere in its commercial relations with the free world. The key issue is the leadership role which the United States must play in this effort of fashioning trade into an effective instrument for obtaining free world objectives.

Unfortunately, the President's bill continues the purely negative policies which have failed to prevent a widening rift in the free world's position on East-West trade since the Korean war—a rift which the Communist bloc has exploited by divisive tactics and through which it has picked the best fruits of our technology to build up its own economy.

We cannot afford to let this continue. Trade is a weapon wielded by the Communists for political purposes throughout the free world. Now is the opportunity for a united free world to use its far superior economic strength in an effective defense against these maneuvers.

Mr. President, I was pleased to read in the Washington Post of February 28 the seventh of a series of articles by former Vice President Richard M. Nixon, wherein our most distinguished former colleague makes the identical point. He writes:

The national administration should adopt as a top priority target the development of a solid Western front on trade policies in all dealings with the Communist bloc. The negotiations which may take place if the administration's new trade program is approved by Congress could well afford an opportunity for exerting such leadership.

I ask unanimous consent to have former Vice President Nixon's article printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

NIXON WRITES: TRADE IS A WEAPON AND WESTERN ALLIES SHOULD CLOSE RANKS AND USE IT NOW

(By Richard M. Nixon)

At a time that the Communists are waging all-out cold war with no holds barred against the free world, the United States is fighting with one hand tied behind its back.

While the United States has clamped down on trade with the Communist nations, our NATO allies, whose economies we helped to restore with the Marshall plan, are now conducting a flourishing business with the Soviet bloc.

We must stop pulling in different directions before it is too late. The national administration should adopt as a top priority target the development of a solid Western front on trade policies in all dealings with the Communist bloc. It should launch a diplomatic offensive aimed at convincing our allies that the fight against communism is not a spare time hobby to be fought after the profitable deal has been made.

We are engaged in an unconditional battle in which the weapons are political, psychological and economic as well as military. Yet on the economic level the free world has a bad case of economic schizophrenia. Since the death of Stalin in 1953, the Soviet Union's imports from the West have almost quadrupled—from $400 million worth of goods to $1.5 billion in 1960. Trade between the entire Communist bloc and the free world has grown dramatically from $3 billion in 1953 to $8.7 billion in 1960.

And today England, Canada, and other Western countries are vying for trade with Communist China, openly admitting that one of their primary motives is profit.

The United States has established an embargo on trade with Communist China and has severely curbed its trade with the Soviet Union and her satellites. The only loser under the present system is the American worker and businessman. For what American industry does not sell to the Communists, they buy from other free countries. The Communists still get what they want. It is only that the United States loses the business.

Our NATO allies have agreed to ban strategic war material from East-West trade, but they have sold hundreds of fishing trawlers to the Soviet Union. These were considered nonstrategic items. But the same fishing boats have been spying off Cape Canaveral. Rubber is another nonstrategic commodity sold to the Communist bloc in large quantities. Yet, Uncle Sam would have to wear a blindfold not to see that an army rolls on rubber wheels.

In modern warfare every thing is potentially strategic. It involves more than sending the Communists oil and gas pipelines, sheet steel, heavy machinery, and chemicals. Everything the Communists buy from the West enables Soviet-bloc workers and technicians to increase production that can be turned against us.

REDS DEPEND ON TRADE

Trading with the Communists is like playing cards with a stacked deck. Almost everything that the Soviets sell to our allies is available or can be produced in the free world. The reverse is not true. The Communists are far more dependent on what they can buy from us than what our allies get from them.

Western manufacturers have sold the Reds entire factories, large steel rolling mills, a complete plant to produce trucks, and several hydropower stations. On one of his most important deals, Khrushchev explained that the Soviet Union gained "new chemical enterprises without wasting time on creation of plans and mastering of the production of new types of equipment."

The answer is plain. Western productivity, technical know-how and trade add up to one of our best weapons. We must use it in the cold war.

Trade and economic sanctions must be wielded as a lever at the bargaining table to move the Russians from their intransigent positions. The Berlin wall might have crumbled in a week if we had threatened a complete economic embargo on East Germany. The Soviet Union's support of guerrillas in South Vietnam and in Laos might well have been traded on a quid pro quo basis for the right to buy Western goods.

GOODS USED AS WEAPON

The Soviet Union certainly recognizes the value of trade as a cold war weapon. Underdeveloped neutral nations have been lured into their grasp by giveaway trade agreements. The Soviets have deliberately unloaded vast quantities of tin, aluminum, lead, and zinc at a loss in order to upset the world market and to generate economic difficulties in the non-Communist nations.

It is time we used that weapon. The current 7-year plan of the Soviet Union is based upon continued trade with the West. The Soviet economy could be seriously disrupted by cutting off that trade. The satellite countries are even more dependent on our trade. And Communist China, which is following the same course of buying Western technology as did the Soviet Union in the 1930s, could be thrown into chaos if the Western allies joined the United States in a quarantine against that outlaw country.

Werner Keller, in a book to be published in the United States next month, makes the point that, "Were it not for the boundless assistance of Western Europe and the United States, Russia would be a second-rate power today. Whether Russia will actually overtake the free world or not will be decided by the West." The point of this excellent and detailed book is made in its title: East Minus West Equals Zero.

The United States should not have to fight the cold war with one hand tied behind its back. If we are to join with our NATO allies in a common bond of military defense against communism, then they should join with us on the economic front. The Western World must have a common policy.

We have been unable to convince our allies of this policy heretofore because of their precarious dependence on all the trade opportunities available to them. But now that the European Common Market is providing them with greatly expanded trade opportunities within their own community, the United States should exert its leadership for a common front on dealing with the Communists. The negotiations which may take place if the administration's new trade program is approved by Congress could well afford an opportunity for exerting such leadership.

A united offensive on the economic front is one of our best potential weapons in the fight against communism and we should use it.

THE CONTROVERSY OVER CENSORSHIP OF MILITARY OFFICERS' SPEECHES—GENERAL EISENHOWER'S LETTERS

Mr. JAVITS. Mr. President, I wish to make a few comments about the hearings now taking place before the subcommittee headed by the distinguished junior Senator from Mississippi [Mr. STENNIS], concerning censorship of speeches about communism by the military. I am moved to make these comments by the splendid letter sent to Senator STENNIS by Gen. Dwight D. Eisenhower under date of January 15, 1962, as supplemented by his letter of January 30, 1962. I had the honor of seeing General Eisenhower and of discussing this subject with him at his vacation resort in California.

General Eisenhower's letters should be read carefully, because they specify the policy which should commend itself to us all. I ask unanimous consent that they may be printed as a part of my remarks.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

JANUARY 15, 1962.

Hon. JOHN STENNIS,
Chairman of the Special Committee,
Senate Armed Services Committee,
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: I am complimented by your invitation to comment on various

matters of current interest to your subcommittee. Because I have had no occasion to examine these issues in detail since leaving the Presidency, I shall direct my remarks to basic considerations rather than to the specifics of pending issues. This statement therefore will deal in general terms with the public need for information on the Communist threat; extremism; the military role in providing information on communism; slurs on the military; and censorship.

I am sure that all of us would deplore any move which would restrict public access to reliable information on the deadliness, implacability, totality, and cunning of the Communist assault on freedom. We should not trouble ourselves over the possibility of overinforming the public. Rather we should be watchful of any tendency to withhold releaseable information. Those of us who over the years have had to deal directly with the Communist leaders and system believe—unanimously, I think—that the more our people can be brought to comprehend the all-encompassing nature of the threat, the stronger will be our own determination to preserve freedom at home, and the greater will be our national willingness to sacrifice to advance freedom throughout the world. Telling the stark truth about communism is the best way to make our own citizenry and other peoples appreciate the blessings of liberty. We should encourage all individuals who are well informed on Communist tactics and strategy to expound freely and often on this subject. We should concentrate on assuring ourselves that the public has ready access to the best available information, rather than expending too much energy on deciding which persons or groups should fill this need.

One phase of this matter concerns me deeply—as it has for many years. I refer to the tendency to impugn motives when matters of this kind enter the public arena. Because the public is, rightly, troubled by the Communist menace, the subject tends to excite fear and suspicion and is susceptible always of being exploited for political or other purposes. Thus extremism finds a fertile soil. And as charge begets countercharge, unless the Nation's leaders move with wisdom and restraint the fanatics of both the right and left so belabor each other as almost to monopolize the issue, leading the Nation to preoccupy itself with the evils of extremists instead of the evils of communism. Facts are forgotten in the extravagance of mutual accusation. Extremism always distorts—what we need is hard fact, calmly presented and digested, so that we may act with prudence and some wisdom in defending ourselves. Incidentally, I have noted that the fanatic thrives on publicity; he withers when ignored.

Next, I take up the matter which, so you indicate to me, engages your particular interest—the appropriate military role in helping to inform the nonmilitary in respect to the tactics, strategy, and concepts of communism.

First, I mention in passing that I endorse without qualification the doctrine of military subordination to civil authority. The armed services are not policymaking bodies. Their function is faithfully to execute the policy decisions of the properly constituted agencies of civil government. It is equally true, however, that, in this modern day, the need of civil government for the counsel and advice of military personnel in devising of policies grows more acute.

I subscribe also to the position expressed to your subcommittee last fall by the Secretary of Defense, that military involvement in the providing of information concerning Communist potential aggression—indeed its involvement in all matters—must be clearly nonpartisan, directed to subjects related to the defense of America, and in harmony with approved national policies.

This is, of course, easily said. But difficulties are inescapable when one attempts to decide what type of statement or gathering is partisan and what isn't—what, conceivably, in these times is unrelated to the Nation's strength and safety—and what, precisely, national policy really is. Such determinations are necessarily, in good measure, subjective. I suspect that many active duty personnel could conclude from such broad guidelines that virtually any utterance before a nonmilitary group might be construed as a violation of instructions of higher authority; hence the course of prudence would be to say nothing at all.

It is, of course, not the function of the military services to ferret out the details of attempted Communist subversion in our Nation. This is the task of the Federal Bureau of Investigation, under Mr. J. Edgar Hoover. However, by virtue of its vital mission to defend our country, its long professional experience with Communist tactics and its highly developed educational system, our military is singularly well trained to provide to the public, as well as to the members of the Armed Forces, the implications of the extreme threat of Communist imperialism.

Incidentally, Mr. Chairman, if your committee should glance over the curricula of the National War College and, indeed, of all the service war colleges, you will find, I believe, that the aims, objectives, and methods of communism and its aggressive threats to our system are probed more intensively and more pragmatically in these institutions than in virtually any civilian university in the Nation. This has long been true. The Armed Forces Industrial College, for instance, began conducting very fruitful national security seminars on matters of this kind as long ago as 1948. I believe these seminars are still in progress. The result is that senior officers in the Armed Forces are qualified to develop among their units the necessary understanding concerning potential aggressors, and their purposes and tactics.

As an example of this kind of education: In the summer of 1959, the Joint Chiefs of Staff authorized a 2-day strategy seminar of 210 selected reservists. The War College seminar presented 55 top experts as lecturers. This faculty was strictly bipartisan—including former Secretary of State Dean Acheson and other prominent Democrats, as well as Republicans. Some of the speakers were openly critical of various policies and programs of my administration. But I thought it unwise to suppress or inhibit such discussions since I believe that the American people have a right and a need to know the alternate ways of meeting the Communist challenge. As an indication of the caliber of students, three alumni of the first seminar are now U.S. Senators. Others were college presidents, deans, editors, publishers, Congressmen, Governors, lawyers, college and high school teachers, and businessmen. I believe that all concerned found the discussions highly provocative and useful, and that there is value in such efforts for the Nation as a whole.

The need for anti-Communist education in the Armed Forces is self-evident. Your committee recalls, I am sure, our sad experiences in Korea a decade ago, in respect to the conduct of some of our captured Americans. This gave rise to improved troop information programs designed to strengthen troop appreciation of the fundamentals of our own and the Soviet system.

I need not remind your committee, especially, that in these times military considerations and economic, political, and ideological considerations are interrelated to such a degree as to make an arbitrary dividing line between the military and the nonmilitary increasingly unrealistic—a truth, indeed, which gave rise 15 years ago to the establishment by law of the National Security Council. Here, in the Nation's topmost planning group, the military, through the Secretary of Defense—and, by invitation, the chairman and/or members of the Joint Chiefs of Staff—directly advise in the development of America's master policies. These advisers, and their supporting staffs, are an asset of incalculable value to this Nation, and policies governing their usefulness and employment should leave a great deal of latitude to the judgment and responsibility of these men.

As to informing the public at large, I have heard statements to the effect that the use of the military in this effort stems from a National Security Council directive of 1958. This, I believe, is in error. It is true that during my Presidency great pains were taken to coordinate the efforts of the military services in its preparations for countering hostile moves against the external threat, on the one hand, and those of the Federal Bureau of Investigation concerned in combating internal Communist subversion on the other. But to the best of my recollection there is no national security document specifically directing military involvement in the internal problem, and unless material has been taken out of context, or general language interpreted very loosely, I think there is no basis for these assertions involving the National Security Council. Nevertheless, both procedures—the troop education programs and the general educational program—seem to me as desirable for our country now as they did just a few years back. Each supplements and supports the other—Defense personnel takes the lead in the first, civilian agencies do so in the second.

Naturally, when civilians or soldiers undertake programs of this kind, within or outside the Government, the process cannot be expected to work perfectly at all times and at all places. Faulty techniques, errors of judgment, impulsive statements, occasional excesses—these are bound to occur. As always in cases of inescapable overlappings of responsibility, the heads of affected agencies must apply judgment—a rule of reason. Such responsible heads can expect to receive the full cooperation of the military leadership in seeing to it that policies are obeyed and flaws are corrected.

Accordingly, should departmental instructions be so phrased as unduly to prohibit desirable military participation in these educational efforts respecting the Communist menace, I suggest that your committee recommend their re-study with a view to appropriate revision. The Reds are well aware of the integrity, patriotic motives and high qualifications of our military. I suspect they would be delighted if we should prevent such people from spreading the truth about Communist imperialism.

Pertaining at least indirectly to this subject, I have heard of accusations alleging that military education is so narrow as to make service personnel incapable of grasping the whole complex of dangers confronting our country. It is hinted that the entire officer corps has become politically infected, and prone to be disloyal to the Commander in Chief.

I, for one, want to be on the record as expressing my indestructible faith and pride in our armed services—even though their loyalty, patriotism, and breadth of understanding need no defense from me or anyone else.

The entire Nation, including the armed services, insists that in our free system military influence must be kept within proper constitutional, legal, and administrative bounds. Moreover, as mentioned in my final address as President, we must watchfully mind the military-industrial complex,

for it tends to generate powerful economic and political pressures beyond the anticipations even of the participants themselves. But these are matters of proportion and sensible national leadership, requiring the same kind of continuing oversight and perspective that other major power groupings in our society, including business, labor, and Government itself, require in the interest of keeping our system flexible, balanced and free. In a half century of national service, I have yet to meet the American military officer who viewed himself as a budding Napoleon, or even a Rasputin, and I suggest it is worthy of note that in recent world history the three major dictators, Hitler, Mussolini and Stalin, came from civil life. This fact does not warrant a general indictment of civilian motivation, any more than one or two military extremists might warrant the absurdity that all the military harbors political designs dangerous to our constitutional form of government.

I believe, therefore, that your committee will render valuable service by rejecting the recent spate of attacks upon the competence and loyalty of the military and by disapproving any effort to thrust them, so to speak, behind an American Iron Curtain, ordered to stand mutely by as hostile forces tirelessly strive to undermine every aspect of American life. I say, let our informed military speak, always under properly established policies and the general—not petty—supervision of their civilian superiors. Should they, here or there, speak or act partisanly, imprudently, or in contravention of national policies, then hold them directly accountable, for it is a function of command to keep military personnel properly respectful of the obligations of the uniform. At all events, I am certain of this: give military leaders a lucid explanation of the Nation's policies, and they will, with rare and easily controllable exceptions, loyally perform.

Generally in the same connection, I question the desirability of requiring the topmost Government officials, whether military or civilian, to submit their proposed public statements for what amounts to censorship of content—as distinguished from security matters—prior to their utterance. I am aware, in saying this, that procedures in my own and in the administration of my predecessor may have functioned in this way. But, in thoughtful reassessment of this procedure, I incline to the view that when responsible and restricted officials feel compelled to submit to censorship, we are smothering the concept of personal responsibility under a practice of heavyhanded and unjustified staff supervision.

Responsible officials, when in doubt, will voluntarily "coordinate" proposed public statements within their own and sister departments so as to protect the Nation, their services and themselves, but such voluntary coordination is some distance from censorship. I would hope that all who study this problem objectively will see the virtues of such a "cooperative" system as opposed to censorship, except, of course, where security is involved. I have always believed—as I now do—that good faith and close understanding among the important officials of great human organizations are far more important to success than are any number of arbitrary regulations and pedantic instructions. This is really the meaning of this letter.

So viewing the problems before your subcommittee, I wish you and your colleagues well in your endeavor to maintain balance and good sense in respect to the matters receiving your current consideration.

With warm regard.

Sincerely,

DWIGHT D. EISENHOWER.

PALM DESERT, *January 30, 1962.*

Hon. JOHN STENNIS,
Chairman, Special Preparedness Subcommittee, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: Referring to your January 25 letter, the officials to whom I have reference are civilians in the Department of Defense who hold Presidential appointments, confirmed by the Senate, and also those military leaders who are the principal military advisers in the formulation of national security policy. This category of positions includes, of course, the members of the Joint Chiefs of Staff, the Secretary and Deputy Secretary of Defense, and six Secretaries and Under Secretaries in the military departments. There are doubtless others in this broad category.

Such people, if they have good judgment, will have their public remarks carefully studied, prior to their utterance, by competent staffs to protect against inadvertent errors. If, however, such officials are lacking in judgment, or if they are determined openly to take issue with Presidential positions, they will have to be dealt with by means other than censorship of occasional articles and speeches.

As suggested in my statement to your committee, there is something belittling to an individual of this station in our Government, to compel them to submit to uninhibited editing of their views by subordinates whose patricipation in top Government counsels is peripheral or nonexistent.

In summary, I believe this: for top Defense officials, civilian and military, security clearances are necessary; coordination is only to be expected; censorship is unavailing as well as demeaning.

With warm regard.

Sincerely,

DWIGHT D. EISENHOWER.

Mr. JAVITS. Mr. President, General Eisenhower's letters lead to these conclusions: That military officers should speak; that there must be some technique in the civilian establishment for protecting the national security in respect of such speeches; but that the highest officers should not be demeaned by mandatory editing. These ideas are carefully balanced in General Eisenhower's most statesmanlike letters.

I agree that military officers should speak because they have expertise in the military techniques employed by the Communist bloc and thus can contribute much to the Nation's understanding of that subject. And the Armed Forces have already available a large establishment for educating their personnel. Perhaps most important, the military is comprised of citizens who must be kept informed and alert not only as citizens but as individuals who are charged with special responsibility and expected to take special risks.

There must be some technique for protecting the national security when military officers speak, because the subordination of the Military Establishment to the policies of the civilian branches of Government is basic to our constitutional system. The question is, Who shall determine whether their statements are compatible with governmental policy and how shall it be done? This is the key question to which the special subcommittee will, I am sure, devote itself in assessing the testimony which it is hearing.

Military officers at the highest level should be permitted to avail themselves on a voluntary basis of whatever machinery the civilian departments establish. The rest should be left to their discipline as officers and to their sense of responsibility as public servants of high standing.

Mr. President, I believe General Eisenhower's letters are a monumental, historic contribution by a man who has held both positions—the top military command and the Presidency of the United States. It deserves the careful study and attention of every Member of the Senate.

THE RISE IN THE DEBT LIMIT

Mr. LAUSCHE. Mr. President, it will be with reluctance that I will approve the measure which will authorize an increase in the national debt from $298 billion to $300 billion. I think it is rather certain that within a short time an additional request will be made to increase the debt limit to $308 billion.

I will approve of the measure which will come before the Senate because it is obvious that for this fiscal year $2 billion more is needed if the Government is to pay its debts.

Since I have been a Member of the Senate I have tried to fight against creating new subsidies, expanding old ones, and taking on functions that properly belong to local and State governments, and I have tried to stop the making of expenditures for what are desirable but not essential activities of the Federal Government. Others have also fought against those measures, but the fight has been rather unsuccessful.

Already pending before the Senate for the ensuing year are many new proposals for expanded subsidies, for the creation of new ones, for the taking on of functions which do not belong to the Federal Government, but belong to the local and State governments, and for the expenditure of funds for nonessential, although perhaps desirable, projects.

Mr. President, we cannot continue on the way we have been proceeding. The national debt will be $308 billion, and the probability is that next year there will be requests for added expenditures.

Those who vote for these measures ought unhesitatingly to approve the expansion of the debt limit; but in fighting on the floor of the Senate against precipitating the Federal Government inordinately into debt and in fighting against darkening the prospects of ever being able to reduce taxes, I would not be honest with myself if then, in one sweep, completely inconsistent with what I have been advocating, I were to vote in favor of expanding the national debt.

There has been a limitation by law on the size of the national debt. That law has acted as a barricade to prevent the Congress from indulging in extravagant expenditures. I intend to recognize the purpose of that law, and I intend to make the fight against inordinate expenditures. In order to do that, when the next measure of this sort comes before the Senate, I shall ask that we

take a deep look at this entire problem before we expand the debt to $308 billion.

The ACTING PRESIDENT pro tempore. The time available to the Senator from Ohio, under the morning-hour limitation, has expired.

FARMERS VIEW KENNEDY PROPOSAL FAVORABLY

Mr. YOUNG of Ohio. Mr. President, the legislative proposals that would implement President Kennedy's farm message are now being considered by the Senate Committee on Agriculture and Forestry, on which I have the honor to serve.

These proposals will improve farm income, utilize our agriculture abundance in the public interest, reduce the costly surplus, and develop our recreation and wildlife potential. These programs are of vital importance to American farmers, and will prove beneficial to them.

The Toledo Blade, one of the great newspapers of Ohio and of the Nation, on February 2, 1962, published an article written by James Metcalf, farm editor, on the interest shown by Ohio farmers in the new programs. I ask unanimous consent that this excellent article reflecting the interest of Ohio farmers in the proposed farm legislation be printed at this point in the RECORD, as part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

COUNTY AGENTS FIND AREA FARMERS VIEWING KENNEDY PROPOSALS FAVORABLY—GROWING SENTIMENT REVEALED BY RURAL SPOKESMEN OF NORTHWEST OHIO TO GIVE PROGRAM OPPORTUNITY TO PROVE ITSELF

(By James Metcalf)

Northwestern Ohio county agents said today that the reaction of farmers to President Kennedy's farm program outlined in a special session of Congress this week generally is favorable.

These agents also noted that the opinions of farmers in this area have changed in the last year or two from strong opposition to Government controls to a belief that it will be better to cooperate with the Agriculture Department since regulations are here to stay.

County agents said that it was too early to hear a large number of reactions about the administration's new proposals, but they reported a growing sentiment to give new proposals a chance to boost income to farmers, cut surpluses and reduce the cost of the farm program.

F. I. Bell, Williams County agent, said that while farmers in his area still believe that less Government is best, it is possible that an increasing number favor trying the administration's remedies. He noted that dairying is important in Williams County and that sentiment is growing in favor of giving marketing regulations a chance.

NOTE PROGRESS MADE

Lorain Bassinger, Hardin County agent, said that while he has no reactions from farmers on this week's message to Congress, growers in his area seem to be more favorable to the administration's program, since it has already made some headway in reducing the surplus burden. He reported attending a milk meeting recently in which 60 percent of producers present favored a trial of the milk quota plan.

Byron E. Gamble, Seneca County agent, said that his farmers are keenly interested in what the administration's program for 1962 will be when completely spelled out. He said that recently more farmers in his district have expressed favorable interest in the new farm proposals, especially the milk program.

He noted that serving milk at the White House made a strong impression on Seneca County dairymen and farmers generally and that the administration's habit of placing more producers and farm organization leaders on top national committees has made quite a favorable impression.

Richard Farison, Wood County agent, reported that growers in his county are still evenly divided on farm program plans.

COOPERATIVE ATTITUDE

R. J. Laser, county agent at Monroe County, Mich., said that the new program is largely a followup of 1961 policies. He noted that more of his growers are expressing a willingness to give the administration's plans a chance.

Glenn E. Maddy, Sandusky County agent, said there is little or no change in sentiment in his area. He stated that many growers were not satisfied with the 1961 feed grain program, feeling that payments were too low.

He said that recent reports indicate farmers in the area will increase their corn acreage this year.

In Lenawee County, Mich., Russell McDonald said he had not been aware of any reaction to date on the President's program.

Farmers in Ottawa County seemed to be very interested in the President's program, according to Don Kimmet, county agent of 4-H. He said that at a meeting 10 days ago, a meeting of farmers expected to draw about 60 was attended by more than 200.

They discussed primarily the agriculture commodity program, said Mr. Kimmet. But he said there were numerous questions concerning barley and corn acreage, and other matters on the program that would affect farmers.

Fred Knoblauch, Blissfield farmer, said he really doesn't favor any type of Government program, because he is a livestock producer and therefore needs more grain than he is producing presently.

Mr. Knoblauch also had talked to some farmers in Gratiot County, north of Lansing, and he reports that the small farmer there is having trouble finding corn to buy. It also is a heavy livestock farm-producing area.

Mr. Knoblauch said that the only corn available is that offered by the Commodity Credit Corporation, and that this makes it difficult for the small farmer to buy in such large quantities. The bins of CCC hold 3,000 bushels each.

FISH PROTEIN CONCENTRATE

Mr. YOUNG of Ohio. Mr. President, studies have revealed the enormous value of fish protein concentrate. The potential of this inexpensive, high-protein powder is unknown; and at the moment it is delayed, as proponents and opponents debate as to its worth.

An editor in my State, Mr. Steve Esrati, has discussed the matter in two articles which appeared in the Celina (Ohio) Daily Standard). Mr. Esrati has commented on the shortsightedness of the Food and Drug Administration, which ruled on January 25, 1962, that whole-fish protein concentrate cannot be sold in the United States.

Obviously this matter concerns every American. As Mr Esrati has noted, fish protein concentrate could mean life to the peoples of the emerging nations.

I ask unanimous consent that his two articles be reprinted in the RECORD at this point, so that we may better understand this important debate.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Celina Daily Standard, Feb 21, 1962]

BEHIND THE NEWS

(By Steve Esrati)

A WEAPON OUTLAWED

The Food and Drug Administration seldom gets involved in foreign policy, but recently FDA really put the United States on the spot in our foreign aid program.

On January 25, FDA published an order that whole fish protein concentrate cannot be sold in the United States. Since American biochemists have been working on the production of protein-rich food supplements for areas of the world in which meat is short, Communist agents can now spread the word that we are shipping food to undernourished peoples of the world which we will not permit our own people to eat.

Senator ERNEST GRUENING, of Alaska, says the FDA's order, "unless rescinded, will greatly impede the efforts of the United States in the struggle against the threats of Communist world domination. One of the greatest weapons in the arsenal of the United States against these threats is food."

But FDA wants to observe the spirit as well as the letter of the Pure Food and Drug Act, and entrails cannot be sold to humans in America unless they are clearly marked as such. The protein product made from whole fish, utilizes the entire fish.

The difficulty here is that in the manufacture of whole-fish protein supplement, the fish is processed into a completely different product—flour. This high-protein flour tastes pretty good and, of course, is thoroughly processed, sterilized, refined. The fact that entrails, eyes, heads, and bone all make up the flour, as well as the usually edible portions of the fish, does not concern the eater of bread baked from such flour. He is happy to eat bread.

But FDA wants the fish processed so the parts unfit for human consumption will be removed—even though these are no longer impurities in the final product.

Senator GRUENING says that this demand will raise the end-product cost threefold and will preclude the use of fish protein additive on an international scale.

The FDA Commissioner made his ruling despite the fact that over half of the 1,800 opinions on the fish protein product taken under advisement by FDA were favorable.

The Commissioner contends that inclusion of the whole fish brings the product under the forbidden category of "filthy" or "putrid" or "otherwise unfit for food." The scientists proposing this addition to the diet of the hungry argue that no trace of anything filthy or putrid remains in the final food product, that solvent baths have effectively eliminated all objectionable matter.

But the arguments, pro and con, are merely on a technicality. Not many Americans will ever have need to utilize whole fish protein flour. By banning its sale to Americans, the Commissioner has struck an effective blow against the food for peace program.

And it isn't very logical, either. GRUENING, in a letter to HEW Secretary Abraham Ribicoff, comments wryly:

"Americans who do not like the idea of whole fish protein would not have to eat it. But that is no reason for denying its use to every citizen, thereby effectively denying its employment as well in our food-for-peace program."

And lest we forget, the good old FDA went along happily allowing the chief of its antibiotics division, the man who ruled on the safety and efficacy of these lifegiving drugs, to be editor of a medical magazine, MD, which loaded its coffers on ads from Pfizer, Merck, Abbott, and other manufacturers of antibiotics while at the same time selling reprints of favorable articles and reviews back to the drug firms.

The FDA is charged with the protection of Americans. That is its job, but America is not only threatened by fish viscera. It is also threatened by hungry revolutionaries who can hear the siren song of Fidel Castro and Nikita Khrushchev.

[From the Celina Evening Standard, Feb. 24, 1962]

BEHIND THE NEWS

(By Steve Esrati)

FISH STORY—PART II

This is a postscript to a recent column in which I questioned the Food and Drug Administration's banning of the sale of a whole fish protein product to Americans.

Senator BENJAMIN SMITH II, the man who sits in President Kennedy's seat in the upper House of Congress, has added his voice to that of Senator ERNEST GRUENING, of Alaska, also a native of the Bay State, in denouncing the action.

The two Senators, who are both from States where the fishing industry is of major importance, may appear to be motivated by self-interest. They are not. The reason they are interested in the protein food is because they want to feed the hungry. In view of the increased awareness of hunger and misery in many areas of the world, this is an admirable fight to reverse the FDA and the Senators are to be commended.

Senator SMITH has supplied the following additional information about the protein product. "It can be manufactured anywhere in the world where fish are available for as little as 15 cents a pound. It represents a potential major weapon in our worldwide battle against hunger and in particular against protein malnutrition, the most widespread disease on this planet."

Congress authorized a study of the product last year when it awarded a $50,000 grant to the Department of the Interior. Dr. E. Ray Pariser, formerly of the Massachusetts Institute of Technology, is conducting the study.

The product is presently manufactured in the old whaling town of New Bedford, Mass., but its utilization, in the words of Senator SMITH, "is being hindered by a recent shortsighted and irrelevant ruling of the Food and Drug Administration."

"The FDA," says the Senator, "has not said that fish protein is harmful or unfit for human consumption in any way. It simply says that the American public would consider that product filthy if allowed to purchase it, hence should not be permitted to do so."

The United States had made a remarkable breakthrough in food technology in being the first country in the world prepared to market fish protein commercially. Secretary of the Interior Stewart Udall, Mrs. Eleanor Roosevelt, and the specialized agencies of the United Nations have recognized the value of the product and are supporting it.

But a bumbling bureaucracy in the FDA is now acting like the Pentagon officials who kept America's space race shackled; they gave the Navy priority to get into the ill-starred Vanguard program, while letting the Army's successful Redstone missile sit in disfavor in the custody of Dr. von Braun. We could have been first in space. The Army missile which launched Explorer I proved that. But we were not.

Now we could be first in the race for that inner comfort which comes with a full stomach. Again we will lose the race. Again we shall afford our enemies a propaganda victory when they take the matter by the horns—prior to marketing their version of the same product—and proclaim to Peruvians, Kassai, Punjabis and Balinese that the product we want to sell is unfit for human consumption, that we will not allow Americans to eat it.

Shortsightedness is the purest characteristic of the bureaucrat. He passes papers back and forth, he sends memos, he sets up files and an elaborate staff. But the bureaucrat, by tying himself down to a narrow-sighted routine—which does not go beyond the walls of his little empire—does not and cannot take into consideration the long-term consequences of his stalling in action.

It is time for increased congressional pressure to an extent which will cause the FDA to reverse its ill-considered ban.

Representative HASTINGS KEITH, of Massachusetts, has introduced a bill into Congress which would permit a new Congress-backed test of the product. It is hoped that the Keith bill is successful.

DANIEL RAYFORD McGEHEE

Mr. STENNIS. Mr. President, I rise to express honor and tribute to a great public servant, Daniel Rayford McGehee.

After a long illness, Mr. McGehee died on February 9, at the age of 79. He was born at Little Springs, Miss., on September 10, 1883. He attended the public schools, and was graduated from Mississippi College, at Clinton, in 1903, and from the law department of the University of Mississippi, at Oxford, in 1909. He was admitted to the bar in that year, and commenced his law practice at Meadville, Miss.

In addition to practicing law, Mr. McGehee served as president of his hometown bank of Meadville for 42 years, and engaged in farming and cattle raising, as well.

Mr. McGehee served in an outstanding manner in the Mississippi Senate from 1924 to 1928.

Following his service in the Mississippi Senate, he served as a member of the State house of representatives from 1928 to 1932, during which time it was my honor and pleasure to have been associated with him. He returned to the State senate in 1932, and served until 1934, when he was elected to Congress from the Seventh District of Mississippi.

As a Member of Congress, Mr. McGehee contributed 12 long years—from 1935 to 1947—of effective and useful service.

Following this period in Congress, he returned to Mississippi, and resumed the practice of law, together with his agricultural pursuits and banking.

Mr. McGehee lived a full and fruitful life, and served with great credit his community, his State, and the Nation. He was a Baptist and a Mason.

We share with his family and friends the loss which has been suffered in his passing, but his record of service to his people stands as a lasting monument to his memory.

Mr. President, I voice the sentiments of all who served with Mr. McGehee in the Mississippi House of Representatives, in the Mississippi State Senate, and in the National Congress, in paying this tribute to him and in expressing our great loss at his passing.

Mr. YOUNG of Ohio. Mr. President, years ago, during 4 years of my 8 years' service in the House of Representatives as Congressman at Large from Ohio, I frequently sat with the late Congressman Dan McGehee, of Mississippi. During those years when he and I served together we became close personal friends, and over the years he has been my good friend. He was truly a great public servant. He was, in fact, one of the finest men I ever knew, and it was with a feeling of deep regret that I learned of his death. I extend my sympathy to members of his family on the great loss they have sustained.

ADDRESS BY DR. EDGAR F. SHANNON, JR., ON LAUNCHING OF THE POLARIS SUBMARINE "THOMAS JEFFERSON"

Mr. ROBERTSON. Mr. President, Dr. Edgar F. Shannon, Jr., president of the University of Virginia, last Saturday delivered the principal address at the launching of the new Polaris submarine, *Thomas Jefferson*, at Newport News.

The vessel was constructed by the Newport News Shipbuilding & Dry Dock Co., which has a time-honored tradition of building good ships for the U.S. Navy. She was named for a great Virginian, whose devotion to the cause of human freedom helped immensely to launch and sustain our mighty Republic.

Because many of us were unable to be present and to hear Dr. Shannon's fine address, I ask unanimous consent to have it printed in the CONGRESSIONAL RECORD at this point in our proceedings today.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE SERVANT OF FREEDOM

(Address by Edgar Finley Shannon, Jr., president, University of Virginia, at the launching of the Polaris submarine, *Thomas Jefferson*)

Mr. Blewett, Governor Darden, Mrs. McNamara, Mr. Secretary, honored guests, ladies and gentlemen, it is always a moment of achievement and of anticipation when, after months of exacting labor, a ship is ready for the water. This is an occasion for particular gratitude and resolve when another Polaris submarine will unerringly seek the element in which she will live. I wish to thank the Secretary of the Navy and Mr. William Blewett, president of the Newport News Shipbuilding & Dry Dock Co., for the honor of participating in this auspicious ceremony. As an officer in the Ready Reserve of the U.S. Navy, I am gratified to think of this day as something of a homecoming—since my first active duty was in the Headquarters of the 5th Naval District, and nearly 20 years ago I reported to the light cruiser *Biloxi* (CL-80), then under construction in this shipyard. As president of the university founded by Thomas Jefferson, I am privileged to be present today at the launching of a ship that will bear his name. As a Virginian, I am happy to have this opportunity to salute one of Virginia's leading industrial firms and to pay tribute to a great Virginian, who is one of the greatest Americans of all time. I

wish to commend all the men and women of the Newport News Shipbuilding & Dry Dock Co. who have had a part in bringing this ship to readiness for launching and who will continue her construction until she is ready for the fleet. I congratulate the U.S. Navy upon this prospective addition to our naval forces and to the military strength of this country.

In November 1789, Mr. Jefferson, as he is still affectionately known in Charlottesville, returning from his diplomatic post in France, reached Hampton Roads. While he was at sea he had been nominated as Secretary of State by President George Washington. When he landed at Norfolk, he first learned of his nomination and was greeted by the mayor, recorder, and aldermen of the Borough of Norfolk, who thanked him for his services to Virginia and wished him success and happiness in the new office to which he had been called by a grateful country. He replied to their greetings with these words: "That my country should be served is the first wish of my heart. I should be doubly happy indeed were I to render it a service." The statement characteristically embodies Mr. Jefferson's lifelong commitment to serving this country—a commitment which he also conceived of as advancing human liberty. The service that he rendered is one of the most inspiring chapters of American history. Through drafting the Declaration of Independence and through participating in the Constitutional Convention, he risked life and livelihood to bring this Nation into being and to establish it upon a foundation of freedom. His farsighted consummation of the Louisiana Purchase extended the territory of the United States westward and guaranteed that the United States would become not simply an isolated nation on the eastern coast of North America, but a great continental power stretching from the Atlantic to the Pacific Ocean. And, as he had served his State as Burgess, delegate to the general assembly, and Governor, he served his country in the offices of Secretary of State, Vice President, and President. Always he longed for private life in Albemarle County at Monticello; but repeatedly he sacrificed his own desires to the call of public duty—an example which we in our own day must honor and be ready to emulate. As the eminent biographer Mr. Dumas Malone writes: Jefferson "is a true and pure symbol of the rights of man because in his own mind the cause was greater than himself."

You will recall that he wished only three facts inscribed upon his tombstone—that he was the author of the Declaration of Independence, the originator of the bill establishing religious freedom in Virginia, and the founder of the University of Virginia. These were the achievements for which he wanted to be remembered. Each assured fundamental liberties to his fellow Americans: political freedom through the Declaration of Independence, religious freedom through the Virginia bill, and intellectual freedom through the founding of the university. Truly, Thomas Jefferson was the servant of freedom.

Moreover, as Mr. Malone declares, Jefferson "in his own person reminds us what man can do with freedom." He reveals to the fullest extent what a freeman can attain by individual initiative, courage, self-reliance, originality, and human sympathy. He illustrates the limitless possibilities of human aspiration and of personal fulfillment under a democratic form of government.

The first wish of Mr. Jefferson's heart—that his country should be served—is why we are assembled here. The atomic submarine, armed with Polaris missiles, is a constant warning to the enemies of freedom—a warning of the retaliatory power of the United States. It is especially fitting, therefore, that the submarine which we christen today should bear the name of Thomas Jefferson, for she herself will play a major part in maintaining our liberty. She too will be a servant of freedom. Her name also reiterates the ideal of expanding the perimeters of freedom, as Jefferson himself did by extending the borders of the United States. Further, the *Thomas Jefferson* is a monument to the scientific ingenuity of freemen—an ingenuity so prominent among the talents of the sage of Monticello. On this occasion we witness another instance of the fruition of a great scientific venture, thus far unique in the world. This has been an exciting week for Americans when we are already exhilarated by the space flight of Lt. Col. John Glenn.

The Polaris submarine also testifies to the creative genius of the people of the United States and underlines the importance of new ideas and original methods in science and in all other fields of intellectual endeavor. As a submarine, this vessel will generally operate alone. She will be a symbol of independence and self-reliance; but though separated from other units of the fleet, she will be cooperating in a common purpose and working for the common good. Once more there is a parallel with Mr. Jefferson, who typifies the worth of the individual—a concept that we revere in a democratic, Christian society. It is gratifying that the names of the submarines of the *Ethan Allen* class all commemorate great individuals in American history, and primarily those who championed the rights of man.

In one branch of its derivation, the word "servant" comes from the Latin servare, which means to protect or to preserve. In accordance with this definition, the submarine *Thomas Jefferson* will be a protector and preserver of the freedom of the United States—a mighty deterrent to nuclear aggression. At the same time, let us think rather in affirmative instead of negative terms; for preserving freedom also carries the concurrent responsibility of sharing it with others. So long as we remain invincible and cherish our freedom, we can help others to attain the blessings of liberty under law. We must have faith in ourselves, in each other, and in our principles of government. We must have the courage and the will to make sacrifices for the rights we hold dear.

In the broadest sense then, not only this ship but the workers who have built her, the crew who will sail her, and indeed all citizens of the United States are servants of freedom. It is the abiding glory of the United States that her people are not slaves to a tyrannical master but are the willing servants of an immutable principle.

Finally, let me say to the captain and the crew of the *Thomas Jefferson*, "Good luck and Godspeed." May the *Thomas Jefferson* be a happy and an efficient ship. Long may she roam the seas in the cause of liberty and the pursuits of peace. May her very existence assure that her missiles need never be fired in war; and may her men, returning from each cruise to this blessed land, continually rejoice in their heritage, so nobly summarized in the name *Thomas Jefferson*.

THE PRESIDENT'S PAY RAISE RECOMMENDATIONS

Mr. ROBERTSON. Mr. President, last week the President of the United States requested the Congress to send him a bill raising the pay of all Government employees—which undoubtedly the Congress will do. But my present guess is that it will not be the bill the President has recommended. In the first place, since he will have to borrow between $7 and $8 billion to pay for obligations already incurred, the President does not want any of the proposed pay increase to come in the current fiscal year; but Government employees are urging the passage of a bill that would become immediately effective. In the second place, while the President's recommendations could not be called niggardly, because he recommends a raise, in three yearly installments, that would add a billion a year to the present $10 billion Government employee payroll, the President recommends very large increases for those receiving $10,000 a year or more, and relatively small increases for those receiving compensation below that figure. Yet a large majority of civil service workers receive less than $10,000 a year, and it is hardly realistic to expect the Congress in an election year to ignore that pertinent fact. As a matter of fact, in passing a pay raise bill in 1960, the Congress deliberately limited it to those receiving $11,000 a year or less.

During the past 12 years the Congress has passed four pay-raise bills, and on each occasion Government workers have requested far more than they really expected to get. Consequently, we should not take too seriously the request, recently submitted to the Senate Committee on Post Office and Civil Service by the head of the Letter Carriers Union, that postal workers be given an immediate pay increase of $700 million, and all other civil service workers an immediate increase of $2,100 million, in contrast to the President's request of a pay increase for postal workers of $59 million, not to be effective until next January, and for other Government employees an increase of about $150 million.

The pay-raise bill which the Congress will eventually send to the President should be determined by two fundamental factors: First, compensation for Government employees on the basis of what they could reasonably expect to earn in private industry; and, second, periodic pay raises in keeping with the rising cost of living, and irrespective of the fact that at this time many Government bureaus are overstaffed.

With respect to the second test, I ask permission to have printed at this point in the RECORD tables showing the increased cost of living since 1939, according to figures furnished by the Bureau of Labor Statistics, and the pay raises for Government employees provided by the Congress during those years.

There being no objection, the letter and tables were ordered to be printed in the RECORD, as follows:

EXECUTIVE OFFICE
OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D.C., March 1, 1962

Hon. A. WILLIS ROBERTSON,
U.S. Senate,
Washington, D.C.

DEAR SENATOR ROBERTSON: I am enclosing a table showing the accumulated pay increases for certain key positions in the postal service and the classified service in comparison with the cost of living since 1939. This table shows that the Consumer Price Index, as reported by the Bureau of Labor Statistics of the Department of Labor, had increased through July 1, 1960—the date

of the last Federal pay increase—by 113 percent. In contrast, the pay for the clerk-carrier group of the postal service, which represents approximately 90 percent of the total employees of the postal field service, had increased 179.1 percent. Similarly, the pay for the beginning grade in the classified service, principally messengers, had increased by 152.8 percent and the entry level for professional employees at GS-5 had increased 117.3 percent. In contrast, the pay for postmasters, particularly for the larger post offices, and for top administrative and professional positions, has not kept pace with the increase in the cost of living.

From July 1, 1960, the date of the last pay increase, and through January 1962, the percentage increase in the cost of living has been 1.3 percent. If pay increases were to be provided only to offset an increase in the cost of living since that date, therefore, these lower paid employees would be entitled only to a 1.3 percent increase.

I hope that the attached material will be useful to you.

Sincerely yours,

ELMER B. STAATS,
Deputy Director.

PAST FEDERAL SALARY LEGISLATION

In the Federal salary legislation of the World War II and subsequent years, while the purchasing power of the salary dollar was decreasing, the Government provided a wide variety of pay increases. In 1962, looking back over the cumulative effect of these actions, we find that some salary classifications have been increased far more than others.

The wide variety of treatment that has been provided is shown on the accompanying table. The increases since the pre-World War II period have ranged from about 179 percent for the postal clerks and carriers at PFS-4, and 152.8 percent for Classification Act messengers at GS-1, to increases of only about 38 percent for postmasters in the largest post offices and increases of only about 78 percent for Classification Act positions at GS-15, such as division chiefs. During this same period, Cabinet Secretary salaries were increased by 67 percent.

Using 1939 as the base prewar year, we also find that the Labor Department's Consumer Price Index increased in 1960, the date of the last Federal pay legislation, by about 113 percent.

Comparison of increases in key levels of Classification Act and postal field service with increases in Consumer Price Index (1939–60)

[In percent]

	1945	1946	1948	1949	1951	1955	1956	1958	1960
Consumer Price Index	29.5	40.4	73.1	71.4	86.9	92.8	95.6	107.9	113.0
Clerk, carrier: PFS-4	23.5	47.1	73.5	80.6	115.9	138.8	.....	160.9	179.1
Postmaster:									
PFS-11	9.5	19.0	29.8	32.6	51.7	81.9	.....	67.4	80.0
PFS-19	.....	3.3	7.1	8.1	14.8	16.7	.....	28.5	38.2
GS-1 (messenger)	19.5	39.4	55.6	74.6	98.4	113.5	.....	134.9	152.8
GS-5 (professional entry level)	16.0	32.2	48.7	55.0	70.5	83.5	.....	102.0	117.3
GS-11 (journeyman professional)	13.2	20.0	37.7	42.1	55.3	66.2	.....	85.0	98.9
GS-15 (division chief)	9.4	24.7	26.8	31.3	40.1	50.1	.....	65.9	77.9
Cabinet Secretary	.....	.....	.....	50.0	.....	.....	66.6	.....	.....

NOTE.—Increases are those received by employees in the entry step of the level. The increases result from upward adjustment of entry rate, except for the 1945 increase for clerks and carriers and the 1949 increase for GS-15, both of which increases resulted from conversions to higher steps.

Mr. RUSSELL. Mr. President, will the Senator from Virginia yield?

Mr. ROBERTSON. I yield.

Mr. RUSSELL. What is the maximum which, under the bill, would be paid at the end of 3 years to any civil servant?

Mr. ROBERTSON. Under the President's bill it would be $28,000 a year; but the President proposes that the big increase be given to those with salaries from $10,000 up. However, in 1960, we limited the pay increase to salaries of $11,000 or less. Everyone knows that the majority of the postal workers earn less than $10,000, and it would not be realistic to expect Congress to ignore that fact in an election year—to put the matter mildly. [Laughter.]

THE SUPREME COURT'S RULING ON RACIAL INTEGRATION IN THE PUBLIC SCHOOLS

Mr. RUSSELL. Mr. President, I ask unanimous consent to have printed in the body of the RECORD an editorial entitled "The Truth Comes Out." The editorial was published in the Chattanooga News-Free Press of January 30, 1962.

The editorial deals with one of the most significant articles I have read in some time—one written by Dr. Alfred H. Kelly, professor of history at Wayne State University, Detroit, and published in the U.S. News & World Report. In the article, Dr. Kelly very frankly and blandly tells in detail how in the famous Brown school case they sought to distort history, so as to make it appear that in adopting the 14th amendment, Congress sought to have it apply to schools.

There being no objection, the editorial was order to be printed in the RECORD, as follows:

THE TRUTH COMES OUT

A peculiar and significant story behind the Warren court's unconstitutional ruling forcing racial integration in the public schools was told freely and with candor recently by Dr. Alfred H. Kelly, professor of history at Wayne State University, Detroit, in a speech before the American Historical Association in Washington.

U.S. News & World Report has provided a distinct service in printing in its current issue key excerpts from that speech. The story Dr. Kelly tells clearly shows the trumped up grounds on which the unconstitutional integration decree by the Warren court was based. It exposes the perfidy of the court and the NAACP approach. And Dr. Kelly should know what he is talking about because he is no opponent of the decision but was in league with the NAACP in cooking up the historical background material on which the NAACP based its case.

Dr. Kelly says he was called in by the NAACP after the Supreme Court had indicated that to overturn the half-century-old *Plessy v. Ferguson* Supreme Court ruling, that upheld separate but equal schools, the court would need some historical material that would seem to indicate that the Congress which proposed the 14th amendment intended to do away with segregation in the schools.

Dr. Kelly frankly commented that the 14th amendment grew out of the Civil Rights Act of 1866 and that in researching the debate of Congress on that act this was the finding: "The conclusion for any reasonably objective historian was painfully clear: The Civil Rights Act as it passed Congress was specifically rewritten to avoid the embarrassing question of a congressional attack upon State racial segregation laws, including school segregation."

Dr. Kelly proceeded to tell about his work for the NAACP: "I am afraid that for the next few days I ceased to function as a historian, and, instead, took up the practice of law without a license. The problem we faced was not the historian's discovery of truth, the whole truth, and nothing but the truth; the problem instead was the formulation of an adequate gloss on the fateful events of 1866 sufficient to convince the court that we had something of a historical case.

"It is not that we were engaged in formulating lies; there was nothing as crude and naive as that. But we were using facts, emphasizing facts, bearing down on facts, sliding off facts, quietly ignoring facts and, above all, interpreting facts in a way to do what Thurgood Marshall (NAACP attorney) said we had to do—'get by those boys down there.'

"In other words, Marshall said, we didn't need to win a historical argument hands down—all we needed was a face-saving draw. 'A nothing-to-nothing score,' Marshall put it, 'means we win the ball game.' I believe, by the way, that this was a correct interpretation of the Court's mood.

Thus was cooked up the phony case to allow Chief Justice Earl Warren to pretend erroneously and fraudulently that the 14th amendment might permit the kind of dictatorial action represented by his integration opinion that he apparently had predetermined.

Dr. Kelly further commented: "Warren's opinion noted briefly that there was a general disagreement among opposing counsel and historians about what the amendment as of 1866 had been intended to mean, and thereupon proceeded to junk the historical approach entirely and instead settle the question of segregation on straightout sociological grounds."

Thus ignoring the facts—ignoring that the 14th amendment did not provide for Federal enforcement of racial integration, ignoring that the 14th amendment was not even legally ratified in the manner specified by the Constitution, ignoring that the same Congress that wrote the 14th amendment established a segregated school system in the District of Columbia—the Warren court usurped power it did not have to impose its dictatorial decree upon the Nation.

Dr. Kelly's very frank discussion of his work with the NAACP to set the stage for this fraud on constitutional government by the Warren court is most vital documentation on the decline of the American Republic.

THE DEBT CEILING

Mr. CASE of South Dakota. Mr. President, today we have before us a bill to increase the debt ceiling by $2 billion. The two Senators from Virginia have been in the forefront of the fight against what is called back-door spending.

A proposal was sent to Congress by the President on the 19th of February which would create a new device to get

money out of the Treasury which can be labeled side-door financing. The President would be given authority, up to $2 billion, to take money from appropriations heretofore made and apply it for the acceleration of public works programs.

The language in the draft of the bill submitted by the President is the most astounding language I have read in appropriation proposals since I have been in Congress.

Mr. ROBERTSON. Mr. President, if the Senator will yield, the recommendation was referred to the Banking and Currency Committee, of which the junior Senator from Virginia is chairman. It has not come out yet.

Mr. CASE of South Dakota. It has not yet come out, but H.R. 10317 has been introduced in the House of Representatives by the distinguished Mr. BUCKLEY, of New York.

Mr. ROBERTSON. Protocol prevents us from commenting on what the House does or why it does it, but the junior Senator from Virginia can say that the $2 billion bill has not yet been introduced in the Senate.

Mr. CASE of South Dakota. This is a side-door financing proposal.

Mr. President, I ask unanimous consent that I may have 1 additional minute.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. CASE of South Dakota. The proposed language reads:

> In order to expedite financing activities under this Act, the President may, during the existence of any capital improvement acceleration period, cause the unobligated balances of appropriations, contract authorizations, revolving funds, and other authorizations to expend from public or corporate debt receipts available to the departments and agencies of the executive branch to be transferred to the appropriate accounts of such other departments and agencies in such amounts and at such times as he may deem appropriate and, notwithstanding the provisions of any other law, such transferred balances may be used for the purposes of this Act: *Provided*, That there are hereby authorized to be appropriated such amounts as may be required to restore such transferred balances not otherwise restored to the sources of funds from which they were derived.

That is side-door financing, and it proposes to shift from existing programs moneys appropriated for specific purposes and make them available to be used by the President, ranging from sidewalk to sewage disposal projects, at his will and in his time, and to create a vacuum or deficit in other funds from which he takes the money, which Congress will be called upon to appropriate for. That is side-door financing.

Mr. CURTIS. Mr. President, will the Senator yield?

Mr. CASE of South Dakota. If I have time, I will yield.

Mr. CURTIS. Does the authority of the President pertain to using funds related to continuing annual appropriations which are provided by Congress?

Mr. CASE of South Dakota. It says, "from revolving funds and other authorizations to expend from public or corporate debt receipts," and I think would include some of the funds to which the Senator has referred.

The ACTING PRESIDENT pro tempore. The time of the Senator has expired.

PROPOSED COOPERATION BETWEEN THE UNITED STATES AND RUSSIA

Mr. CURTIS. Mr. President, there appeared in the Omaha World-Herald of Friday, February 23, 1962, an editorial entitled "Buddies in Space?" I ask unanimous consent that it be printed in the body of the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

BUDDIES IN SPACE?

While buzzing America's planes in the Berlin corridor, Nikita Khrushchev proposes to fly with us to the stars.

Mr. Khrushchev recently shot off 50 or more nuclear bombs. He torpedoed the Geneva disarmament conference. He promoted guerrilla fighting in Laos, and threatened war with us over Cuba.

He is working day and night to undermine the NATO Alliance, and has just been rebuffed in his latest efforts to woo the West Germans.

Yet now he is trying to muscle in on America's latest triumph in space. He has made the same proposal which Presidents Eisenhower and Kennedy made long ago; namely, that the United States and Soviet Russia cooperate in the exploration of space.

For 20 years America's leaders have tried to play partners with the Russians in matters of mutual interest. Except for a limited experiment in Antarctica and a few scientific projects relating to the Geophysical Year, those efforts have failed.

U.S. materiel which was rushed to Russia in World War II did much to save the Soviets from defeat by the Nazis. Yet the Communists were so suspicious, and were such untrustworthy partners, that it was impossible to mesh Soviet and American power to crush the Nazis by joint effort.

Right after World War II, the United States moved to internationalize atomic weapons and control them. At that time only America had the atomic bomb. Foster Dulles sat through session after session of fruitless negotiation from 1946 to 1949, when President Truman announced the Russians had set off a nuclear blast. While dickering, the Russians had been working feverishly, and successfully, to perfect the A-bomb.

This dreary story of American proposals for mutual effort, always followed by Soviet rebuffs and betrayal, has wound its way through fruitless attempts to cooperate in harnessing the atom for peaceful purposes and through endless efforts to agree on a formula for disarmament.

The cynical Josef Stalin and his successor have taken advantage of America's sincere proposals, one by one, for propaganda purposes. And now Nikita Khrushchev proposes that America and the Soviet Union become buddies in space.

There isn't the slightest reason to believe that Khrushchev is sincere or that President Kennedy's polite acceptance will lead to anything but shattered hopes among those who dare to remain hopeful after so many Communist betrayals.

THE NATIONAL DEBT LIMITATION

Mr. THURMOND. Mr. President, we are to be faced soon with another proposal for an increase in the national debt limitation, this time to the astronomic figure of $308 billion. I take this opportunity to go on record in opposition to this proposal. Even though it is to be only temporary, I cannot give it my support, because to do so would be to give tacit approval to the extravagant and unnecessary measures which have caused this proposal to be brought before us.

This proposal is not the illness itself, it is merely a symptom of a much greater malady which must be cured if we are to maintain our economic balance and our rightful position as leader of the free world.

ADDRESS BY JENKIN LLOYD JONES

Mr. THURMOND. Mr. President, a recent address by Mr. Jenkin Lloyd Jones, editor of the Tulsa (Okla.) Tribune, has come to my attention, and this address has impressed me so much that I feel it should be available in the CONGRESSIONAL RECORD for Members of the House and Senate to read. Earlier, on November 24, 1961, it was printed in Human Events, and on February 18, 1962, the Spartanburg (S.C.) Herald-Journal reprinted the text of this speech in full, beginning on page 1 of that distinguished newspaper. Since that time I have noticed that the Reader's Digest in its March issue has printed a condensed version.

I ask unanimous consent that the text of this speech as printed in the Spartanburg Herald-Journal be printed in the body of the RECORD following these remarks.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

ABOUT OUR NATIONAL MORALS

(By Jenkin Lloyd Jones)

(EDITOR'S NOTE.—Although Editor Jones was voicing this challenge specifically for newspapermen, we feel that it is of sufficient import to be considered by everyone in the Spartanburg area. We would also commend it for study by members of the Spartanburg Ministerial Association.)

"You have typewriters, presses and a huge audience. How about raising hell?"

This was the climax to an address by Jenkin Lloyd Jones, Tulsa, Okla., Tribune editor, which attracted nationwide attention. Jones, addressing newspaper editors at the Inland Daily Press Association convention, was expressing his caustic opinions of progressive education, behavioristic psychology, the relief scandals, dirty movies, peep show literature, unemployment benefit loafers and decadence in general.

I look upon our own country and much that I see disturbs me. But we are a great people. We have a noble tradition. We have much to teach the world, and if America should go down soon it would be too early.

One thing is certain. We shall be given no centuries for a leisurely and comfortable decay. We have an enemy now—remorseless, crude, brutal and cocky. However much the leaders of the Communist conspiracy may lie to their subjects about our motives, about our conditions of prosperity, about our policies and aims, one thing they believe themselves implicitly—and that is that we are in an advanced state of moral decline.

When Nikita Khrushchev visited Hollywood he was shown only one movie set, that of a wild dance scene in "Can-Can." He said it represented decadence and I am sure he really thought so. It is a dogma of current

Communist faith that America is Sodom and Gomorrah, ripening for the kill.

PROGRESSIVE EDUCATION

We are now at the end of the third decade of the national insanity known as progressive education. This was the education where everybody passes, where the report cards were noncommittal, lest the failure be faced with the fact of his failure, where all moved at a snail pace like a transatlantic convoy so that the slowest need not be left behind, and all proceeded toward adulthood in the lock-step of "togetherness." Thus the competition that breeds excellence was to be sacrificed for the benefit of something called "life adjustment."

With what results? We have watched juvenile delinquency climb steadily. We have produced tens of thousands of high-school graduates who move their lips as they read and cannot write a coherent paragraph. While our Russian contemporaries, who were supposed to be dedicated to the mass man, have been busy constructing an intellectual elite we have been engaged in the wholesale production of mediocrity. What a switch.

When was the last time you, as editors and publishers, examined the curricula of your local schools? How did your school rank on the standardized Iowa tests? When have you looked at your schools' report cards and the philosophy behind their grading system? Have you asked to examine any senior English themes? Have you offered any recognition to your schools' best scholars to compare to the recognition you accord your schools' best football players?

NO ONE-LEGGED HALFBACKS

For the funny thing about "progressive educators" is that theory vanishes when the referee's whistle blows for the kickoff. In the classroom they pretend to grade subjectively, against the student's supposed capacity, lest he be humiliated by natural inadequacy. But on the football field they never put in a one-legged halfback on the theory that, considering his disability, he's a great halfback. They put in the best halfback they've got, period. The ungifted sit on the bench or back in the stands even though they, too, might thirst for glory. If our schools were as anxious to turn out brains as they are to turn out winning football teams this strange contradiction would not exist.

Having neglected disciplines in education it was quite logical that we should reject disciplines in art. The great painters and sculptors of the past studied anatomy so diligently that they often indulged in their own bodysnatching. And today, after many centuries, we stare at the ceiling of the Sistine Chapel or at the walls of the Reichsmusee and marvel at their works.

But this self-discipline is of little concern to the modern nonobjective painter. All he needs is pigment and press agent. He can throw colors at a canvas and the art world will discover him. He can stick bits of glass, old rags and quids of chewing tobacco on a board and he is a social critic. He can drive a car back and forth in pools of paint and Life magazine will write him up.

Talent is for squares. What you need is vast effrontery. If you undertake to paint a cow it must look something like a cow. That takes at least a sign painter's ability But you can claim to paint a picture of your psyche and no matter what the result who is to say what your psyche looks like? So our museums are filled with daubs being stared at by confused citizens who haven't the guts to admit they are confused.

But the age of fakery in art is a mild cross that American civilization bears. Much more serious is our collapse of moral standards and the blunting of our capacity for righteous indignation.

PURITANS WERE TREMENDOUS PEOPLE

Our puritan ancestors were preoccupied with sin. They were hag ridden and guilt ridden and theirs was a repressed and neurotic society. But they had horsepower. They wrested livings from rocky land, built our earliest colleges, started our literature, caused our industrial revolution, and found time in between to fight the Indians, the French, and British; to bawl for abolition, women suffrage, and prison reform, and to experiment with graham crackers and bloomers. They were a tremendous people.

And for all their exaggerated attention to sin, their philosophy rested on a great granite rock: man was the master of his soul. You didn't have to be bad. You could and should be better. And if you wanted to escape the eternal fires you'd damned well better be.

In recent years all this has changed in America. We have decided that sin is largely imaginary. We have become enamored with behavoristic psychology. This holds that a man is a product of his heredity and his environment, and his behavior to a large degree is foreordained by both. He is either a product of a happy combination of genes and chromosomes or an unhappy combination. He moves in an environment that will tend to make him good or that will tend to make him evil. He is just a chip tossed helplessly by forces beyond his control and, therefore, not reasonable.

Well, the theory that misbehavior can be cured by pulling down tenements and erecting in their places elaborate public housing is not holding water. The crime rates continue to rise along with our outlays for social services. We speak of underprivilege. Yet the young men who swagger up and down the streets, boldly flaunting their gang symbols on their black jackets, are far more blessed in creature comforts, opportunities for advancement, and freedom from drudgery than 90 percent of the children of the world. We have sown the dragon's teeth of pseudoscientific sentimentality, and out of the ground has sprung the legion bearing switchblade knives and bicycle chains.

Clearly something is missing. Could it be what the rest of the world's children have been given—the doctrine of individual responsibility?

RELIEF AN HONORABLE CAREER

Relief is gradually becoming an honorable career in America. It is a pretty fair life, if you have neither conscience nor pride. The politicians will weep over you. The State will give a mother a bonus for her illegitimate children, and if she neglects them sufficiently she can save enough out of her ADC payments to keep herself and her boy friend in wine and gin. Nothing is your fault. And when the city fathers of a harassed community like Newburgh suggest that able-bodied welfare clients might sweep the streets the liberal editorialists arise as one man and denounce them for their medieval cruelty.

I don't know how long Americans can stand this erosion of principle.

Nations are built by people capable of great energy and self-discipline.

The welfare state that taxes away the rewards of responsible behavior so that it can remove the age-old penalties for irresponsible behavior is building on a foundation of jelly. It is time we stopped this elaborate pretense that there is no difference between the genuinely unfortunate and the mobs of reliefers who start throwing bottles every time the cops try to make a legitimate arrest.

Finally, there is the status of our entertainment and our literature.

MOVIES ARE DIRTIER THAN EVER

Can anyone deny that movies are dirtier than ever? But they don't call it dirt They call it "realism." Why do we let them fool us? Why do we nod owlishly when they tell us that filth is merely a daring art form, that licentiousness is really social comment? Isn't it time we recognize Hollywood's quest for the fast buck for what it is? Isn't it plain that the financially harassed movie industry is putting gobs of sex in the darkened drive-ins in an effort to lure curious teenagers away from their TV sets? Recently, the screen industry solemnly announced that henceforth perversion and homosexuality would no longer be barred from the screen provided the subjects were handled with delicacy and taste. Good Lord.

And we of the press are a party to the crime. Last year the movie ads in our newspaper got so salacious and suggestive that the advertising manager and I decided to throw out the worst and set up some standards. We thought that due to our ukase there might be some interruptions in advertising some shows. But no. Within a couple of hours the exhibitors were down with much milder ads. How was this miracle accomplished?

Well, it seems that the exhibitors are supplied with several different ads for each movie. If the publishers are dumb enough to accept the most suggestive ones those are what they get. But if publishers squawk the cleaner ads are sent down. Isn't it time we all squawked?

I think it's time we quit giving page one play to the extramarital junkets of crooners. I think it is time we stopped treating as glamorous and exciting the brazen shackups of screen tramps. I think it is time we asked our Broadway and Hollywood columnists if they can't find something decent and inspiring going on along their beats.

IS THIS REALLY REALISM?

And the stage: They raided Minsky's so Minsky's has spread all over town. Bawdiness has put on a dinner jacket, and seats in the orchestra that used to go for 6 bits at the Old Howard and Nichols' Gayety are now scaled at $8.80. Oh, yes. And we have lots of "realism." Incestuous Americans. Perverted Americans. Degenerate Americans. Murderous Americans.

How many of these "realistic" Americans do you know?

Two months ago an American touring company, sponsored by the State Department and paid for by your tax dollars, presented one of Tennessee Williams' more depraved offerings to an audience in Rio de Janeiro. The audience hooted in disgust and walked out. And where did it walk to? Right across the street where a Russian ballet company was putting on a beautiful performance for the glory of Russia. How dumb can we get?

We are drowning our youngsters in violence, cynicism and sadism piped into the living room and even the nursery. The grandchildren of the kids who used to weep because "The Little Match Girl" froze to death now feel cheated if she isn't slugged, raped and thrown into a Bessemer converter.

LITERATURE—PEEP SHOW VARIETY

And there's our literature. The old eye-poppers of the past, which tourists used to smuggle back from Paris under their dirty shirts, are now tame stuff. Compared to some of our modern slush, "Ulysses" reads like the minutes of the Epworth League. "Lady Chatterly's Lover" has been draped with the mantle of art, and it is now on sale in the corner drugstore to your high-school-age son or daughter for 50 cents. Henry Miller's "Tropic of Cancer," which resembles a collection of inscriptions taken from privy walls, is about to join Lady Chatterly. The "quick-buck" boys have apparently convinced our "bumfuzzled" judges that there is no difference between a peep show and a moral lecture.

And, of course, we have our latter-day historical novels in which the romance of man's upward movement from savagery is lost in a confused welter of bundlings and tumblings. The foreign reader of one of these epics on the development of the American West must marvel that our forefathers found time to quell the Comanches, plow up Kansas and build the transcontinental railroad while spending practically all their time in the hay.

Don Maxwell of the Chicago Tribune has recently asked his book department to quit advertising scatological literature by including it in the list of best sellers. The critics and the book publishers have denounced him for tampering with the facts. I would like to raise a somewhat larger question: Who is tampering with the soul of America?

For nations do have souls. They have collective personalities. People who think well of themselves collectively exhibit elan and enthusiasm and morale. When nations cease believing in themselves, when they regard their institutions with cynicism and their traditions with flippancy they will not long remain great nations. When they seek learning without effort and wages without work they are beginning to stagger. When they become hedonistic and pleasure-oriented, when their Boy Scouts on their 14-mile hikes start to hitch, there's trouble ahead. Where payola becomes a way of life, expense account cheating common, and union goonery a fiercely defended "right" that nation is in danger. And where police departments attempt to control burglary by the novel method of making it a department monopoly then the chasm yawns.

Ladies and gentlemen: Do not let me overdraw the picture. This is still a great powerful, vibrant, able, optimistic nation. Americans—our readers—do believe in themselves and in their country.

But there is rot and there is blight and there is cutting out and filling to be done if we, as the leader of freemen, are to survive the hammer blows which quite plainly are in store for us all.

We have reached the stomach-turning point. We have reached the point where we should reexamine the debilitating philosophy of permissiveness. Let this not be confused with the philosophy of liberty. The school system that permits our children to develop a quarter of their natural talents is not a champion of our liberties. The healthy man who chooses to loaf on unemployment compensation is not a defender of human freedom. The playwright who would degrade us, the author who would profit from pandering to the worst that's in us are no friends of ours.

LET'S GET IT FIXED

It is time we hit the sawdust trail. It is time we revived the idea that there is such a thing as sin—just plain old willful sin. It is time we brought self-discipline back into style. And who has a greater responsibility at this hour than we, the gentlemen of the press?

So I suggest:

Let's look at our educational institutions at the local level, and if Johnny can't read by the time he's ready to get married let's find out why.

Let's look at the distribution of public largesse and if, far from alleviating human misery, it is producing the sloth and irresponsibility that intensifies it, let's get it fixed.

Let's quit being bulldozed and bedazzled by self-appointed longhairs. Let's have the guts to say that a book is dirt if that's what we think of it, or that a painting may well be a daub if you can't figure out which way to hang it. And if some beatnik welds together a collection of rusty cogwheels and old corset stays and claims it's a greater sculpture than Michelangelo's "David" let's have the courage to say that it looks like junk and probably is.

Let's blow the whistle on plays that would bring blushes to an American Legion stag party. Let's not be awed by movie characters with barnyard morals even if some of them have been photographed climbing aboard the Presidential yacht. Let us pay more attention in our news columns to the decent people everywhere who are trying to do something for the good of others.

In short, gentlemen, let's cover up the cesspool and start planting some flowers.

Well, that's the jeremiad. I never thought I'd deliver one of these. I never dreamed I'd go around sounding like an advance man for the Watch-and-Ward Society. I used to consider myself quite a liberal young man. I still think that on some people bikinis look fine.

FED UP TO HERE

But I am fed up to here with educationists and pseudosocial scientists who have underrated our potential as a people. I am fed up to here with the medicine men who try to pass off pretense for art and purience for literature. I am tired of seeing America debased and low-rated in the eyes of foreigners. And I am genuinely disturbed that to idealistic youth in many countries the fraud of communism appears synonymous with morality, while we, the chief repository of real freedom, are regarded as being in the last stages of decay.

We can learn a lesson from history. Twice before our British cousins appeared heading into a collapse of principle, and twice they drew themselves back. The British court reached an advanced stage of corruption under the Stuarts. But the people rebelled. And in the old days of George IV and William IV it looked as though Britain were rotting out again. But the people banged through the reform laws, and under Victoria went on to the peak of their power.

In this hour of fear, confusion, and self-doubt, let this be the story of America. Unless I misread the signs, a great number of our people are ready. Let there be a fresh breeze, a breeze of new honesty, new idealism, new integrity.

And there, gentlemen, is where you come in. You have typewriters, presses, and a huge audience.

How about raising hell?

ADDRESS BY J. EDGAR HOOVER, DIRECTOR, FEDERAL BUREAU OF INVESTIGATION

Mr. THURMOND. Mr. President, on George Washington's Birthday I had the pleasure and honor as a member of the board of directors of Freedoms Foundation at Valley Forge, Pa., to attend ceremonies at which the Honorable J. Edgar Hoover, the able Director of the Federal Bureau of Investigation, was presented with the George Washington Award. Freedoms Foundation is a great institution, which is doing a wonderful work to preserve freedom, and there is no question that Mr. Hoover, by his diligent and capable work for so many years as Director of the FBI, has made significant contributions toward preserving freedom, which I deem to be the highest end of government. On this auspicious occasion Mr. Hoover delivered a very eloquent address, entitled "The Courage of Freemen." It closes with a profound statement admonishing all Americans to live our lives so that we may proclaim to the whole world: "Individual freedom is our creed—national freedom is our heritage—world freedom is our goal." This is a wonderful thought, Mr. President, and this is an outstanding address, which I commend to the Members of the Senate and ask unanimous consent that it be printed in the body of the RECORD following these remarks.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE COURAGE OF FREEMEN

(Remarks of J. Edgar Hoover, Director, Federal Bureau of Investigation upon receiving the George Washington Award of Freedoms Foundation at Valley Forge, Pa., February 22, 1962)

I am honored to accept the George Washington Award as a manifestation of your confidence in the men and women of the FBI. My associates join me in expressing heartfelt thanks for this recognition.

This hallowed ground upon which we stand today is the most meaningful spot in all America. It is most fittingly the home of the Freedoms Foundation and its vitally important mission. You are stimulating deeper appreciation of our Nation's noble past. Due, in no small measure, to your efforts, thousands of young people in our schools and colleges are developing a better understanding and taking greater pride in the priceless gift of freedom won for us by our early patriots—men of God-given strength and determination who laid the cornerstones for this great Nation.

Today, as never before, America has need for men and women who possess the moral strength and courage of our forefathers—modern-day patriots, with pride in our country and faith in freedom, unafraid to declare to anyone in the world, "I believe in liberty. I believe in justice. I will fight, if need be, to defend the dignity of man."

Too often in recent years, patriotic symbols have been shunted aside. Our national heroes have been maligned, our history distorted. Has it become a disgrace to pledge allegiance to our flag—or to sign a loyalty oath, or pay tribute to our national anthem? Is it shameful to encourage our children to memorize the stirring words of the men of 1776? Is it becoming opprobrious to state "In God we trust" when proclaiming our love of country?

What we desperately need today is patriotism founded on a real understanding of the American ideal—a dedicated belief in our principles of freedom and a determination to perpetuate America's heritage.

The ringing words spoken in 1850 by that great patriot Daniel Webster in the Senate of the United States are as meaningful today as then:

"I was born an American; I will live an American; I shall die an American; and I intend to perform the duties incumbent upon me in that character to the end of my career."

These words epitomize the strength of our Republic—the determination of American patriots from Bunker Hill to the wall of Berlin to uphold and to defend the cause of freedom.

This historic and hallowed site of Valley Forge is a monument to the true spirit of America. On this ground 184 years ago, a battered but unbowed group of patriots, dedicated to an ideal, wrote indelibly with their life's blood a new chapter in the history of freedom. Here was born a new nation, conceived in liberty and dedicated to the proposition that all men are created equal.

There must be in America a rebirth of the spirit of Valley Forge. The true strength of our Founding Fathers did not spring from materialistic ambitions—but from the deeper wellsprings of the spirit. For them, no sacrifice was too great in upholding the cause of freedom.

In our Nation today, the proper balance between the rights of the individual and those of society is being undermined by two

major elements—communism and organized crime—two powerful and dangerous foes. We will underrate either of these enemies only at extreme peril to all we have and are.

Our Nation's crime problem is growing in both size and intensity. During the past decade, crime has nearly doubled across the United States. It is outpacing our population growth by more than 4 to 1.

Today, in this great land of ours, a vicious crime of violence—a murder, forcible rape or assault to kill—is committed every 3 minutes. There is a robbery every 6 minutes; a burglary every 30 seconds; and 37 cars are stolen every hour.

By far the most shocking aspect of this mounting crime problem is the role played by youth. Among youth, there are some of the most brutal, incorrigible criminals in the Nation.

Nowhere is the tragic failure of American parents more dramatically demonstrated than in police records which show that nearly one-half of the arrests for burglaries and larcenies, and almost two-thirds of the auto theft arrests each year involve persons less than 18 years old.

We are losing the battle when thousands upon thousands of our youth remain morally unfortified against the temptations of a life of crime. And we are hastening national disaster when we tolerate weaknesses in the administration of justice—weaknesses which enable repeated undeserved leniencies to be showered upon vicious young thugs, robbers, rapists, and murderers.

Teenagers who consistently defy the law must be held legally accountable for their crimes against society. They, like their adult counterparts, must learn that there is no privileged class in America.

The America we live in today must awaken to the danger. A tidal wave of lawless tyranny is now surging forth from the criminal and subversive underworlds. It breaks with abrasive effect against the foundations of our Republic. Our national conscience, our heritage of freedom, the entire cause of decency, are being severely tested by these deadly enemies.

Crime has a partner in forming the common denominator of a breakdown in moral behavior; it is the influence of godless communism. The forces of communism pervert our Bill of Rights. They hide behind a protective cloak of constitutional privilege while acting to destroy our freedoms.

In the eyes of their Soviet comrades, the Communists in this country have a vital role in the march toward world enslavement. They are, by Nikita Khrushchev's own description, a "valuable" arm of the international conspiracy against God and freedom.

This deadly international conspiracy now rules more than a fourth of the earth's surface and a third of her peoples. Its tentacles reach to the very shores of America where, less than 100 miles from our coastline, the Communist dagger, clenched in the tight fist of a bearded international bandit, strikes at the heart of a desperate people and endangers the peace of this hemisphere.

In Europe, in Asia, and in our own Western Hemisphere, a steady stream of freedom-loving peoples continues to flee the Communist world of enslavement. Nowhere are we more conscious of voices clamoring to be heard than in Cuba, Hungary, East Germany, and other Communist-controlled countries where the embers of freedom continue to burn in the hearts of men, women, and children.

At this vital juncture in history, we as Americans face a critical challenge. Khrushchev, Castro, and other leaders of the Communist world have staked their futures on the belief that an army of slaves dragging their chains can overtake free Americans, some of whom they see dragging their feet. It is not enough to be against communism. We must shed our complacency and aggressively meet this challenge.

Do our citizens fully appreciate what they are fighting for? This is the key question. This is the theme which you here at Freedoms Foundation have been so valiantly stressing. We are fighting—not to conquer, not to destroy, but to preserve and strengthen the integrity of free government, the dignity of man, the worth of the individual personality. We are fighting for the supremacy of law, for the rights of free speech, free assembly, free press, the right to worship God.

The basic answer to communism is moral. The fight is economic, political, social, psychological, diplomatic, strategic; but, above all, it is spiritual. It is a battle of ideas, of diametrically opposite concepts of man.

When our forefathers came to these shores, they came to develop a new political principle foreign to the lands whence they came. Here, men were to be superior to governments. That is why there can be no compromise with the Communists. They are at war with the entire cause of freedom, and the sooner every American faces this fact, the stronger our position will be.

America has no place for those timid souls who urge "appeasement at any price" nor those who chant the "Better Red than Dead" slogan. We need men with a capacity for moral indignation, men of faith, men of conviction, men with the God-given strength and determination to uphold the cause of democracy.

Our freedoms were not won by defeatists—fair-weather patriots who crawl into hiding at the first sign of danger. Nor does our strength stem from the pseudo liberals of the extreme left nor the pseudo patriots of the extreme right.

The cause of freedom is not advanced by persons or organizations which make it a fetish to grant our enemies privileges that law-abiding citizens themselves do not enjoy or seek. Nor is the American tradition fostered by those self-professed experts who promote hysteria by distorting the truth and misrepresenting the facts concerning the internal enemies of the United States. We should not minimize the threat and challenge of communism for one moment. But we must guard against the hysterical and irrational approach.

Our strength lies in our firm belief in freedom and a determination to maintain our freedom with sound, informed understanding of American ideals and principles. There still is virtue in the old-fashioned American belief in fighting for ideals, as well as against evils.

In the tradition of the early patriots, we must make our American heritage a living, dynamic, meaningful force. The men of Valley Forge knew why they were fighting. They had faith in an ideal—a faith which warmed their bodies against the bitter cold, which numbed the pain of frostbitten hands and feet, which quelled the gnawing hunger, which buoyed the spirits of an army far outnumbered.

George Washington and his valiant troops fought not for themselves alone, but for generations yet unborn. This too is our task. From our shoulders, the mantle of freedom—worn proudly for all the world to behold—must pass unstained to our children and to our children's children. No generation ever faced a more vital responsibility.

A half century ago, one of our great Presidents, Theodore Roosevelt, warned, "If we stand idly by, if we seek merely swollen, slouthful ease, and ignoble peace, if we shrink from the hard contests which men must win at hazard of their lives and at the risk of all that they hold dear, then the bolder and stronger peoples will pass us by and will win for themselves the domination of the world."

Our Nation was founded by overcoming adversity. From the time of the early patriots—the pioneers, the Civil War, World War I, the great depression, World War II—always there has been a challenge for us to meet and conquer. Greatness won through the challenge of adversity can, however, be lost through inaction and lethargy.

Our challenge lies directly before us. The course is indelibly clear. Ours is a just cause. If we have faith in humanity, if we seek God's divine guidance, if we summon the courage of our forefathers, our heritage of freedom will be preserved.

History teaches us that we must carefully tend the fires of freedom here at home—for the light of freemen will penetrate the darkness of tyranny wherever it exists in the world, bringing hope and trust in our noble cause.

We must dedicate ourselves to the principle that freedom under God is man's destiny. We must not only live our lives according to this principle but also defend it unto death with the courage of freemen.

Let us live our lives so that we may proclaim to the whole world:

"Individual freedom is our creed—national freedom is our heritage—world freedom is our goal."

MANPOWER DEVELOPMENT AND TRAINING ACT OF 1962

The ACTING PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill from the Senate (S. 1991) entitled "An act relating to manpower requirements, resources, development, and utilization, and for other purposes," which was to strike out all after the enacting clause and insert:

That this Act may be cited as the "Manpower Development and Training Act of 1962".

TITLE I—OCCUPATIONAL TRAINING AND MANPOWER UTILIZATION

Statement of findings and purpose

SEC. 102. The Congress finds that there is critical need for more and better trained personnel in many vital occupational categories, including professional, scientific, technical, and apprenticeable categories; that even in periods of high unemployment, many employment opportunities remain unfilled because of the shortages of qualified personnel; and that it is in the national interest that current and prospective manpower shortages be identified and that persons who can be qualified for these positions through education and training be sought out and trained, in order that the Nation may meet the staffing requirements of the struggle for freedom. The Congress further finds that the skills of many persons have been rendered obsolete by dislocations in the economy arising from automation or other technological developments, foreign competition, relocation of industry, shifts in market demands, and other changes in the structure of the economy; that Government leadership is necessary to insure that the benefits of automation do not become burdens of widespread unemployment; that the problem of assuring sufficient employment opportunities will be compounded by the extraordinarily rapid growth of the labor force in the next decade, particularly by the entrance of young people into the labor force, that improved planning and expanded efforts will be required to assure that men, women, and young people will be trained and available to meet shifting employment needs; that many persons now unemployed or underemployed, in order to become qualified for reemployment or full employment must be assisted in providing themselves

with skills which are or will be in demand in the labor market; that the skills of many persons now employed are inadequate to enable them to make their maximum contribution to the Nation's economy; and that it is in the national interest that the opportunity to acquire new skills be afforded to these people in order to alleviate the hardships of unemployment, reduce the cost of unemployment compensation and public assistance, and to increase the Nation's productivity and its capacity to meet the requirements of the space age. It is therefore the purpose of this Act to require the Federal Government to appraise the manpower requirements and resources of the Nation, and to develop and apply the information and methods needed to deal with the problems of unemployment resulting from automation and technological changes and other types of persistent unemployment.

Automation and occupational training

SEC. 103. To assist the Nation in accomplishing the objectives of technological progress while avoiding or minimizing individual hardship and widespread unemployment, the Secretary of Labor shall—

(1) evaluate the impact of, and benefits and problems created by automation, technological progress, and other changes in the structure of production and demand on the use of the Nation's human resources; establish techniques and methods of detecting in advance the potential impact of such developments; develop solutions to these problems, and publish findings pertaining thereto; and to such ends conduct or cause to be conducted within the Department of Labor and other agencies of Government, a comprehensive and continuing program of research as may be necessary;

(2) promote, encourage, or directly engage in programs of information and communication concerning automation, technological developments, and prevention and amelioration of undesirable manpower effects from such developments;

(3) appraise the adequacy of the Nation's manpower development efforts to meet foreseeable manpower needs and recommend needed adjustments, including methods for promoting the most effective occupational utilization of, and providing useful work experience and training opportunities for, untrained and inexperienced youth;

(4) arrange for the conduct of such research and investigations as give promise of furthering the objectives of this Act.

Improving labor mobility

SEC. 104. In order to encourage the mobility of labor, to determine existing impediments to such mobility, and to determine the feasibility and desirability of methods to improve the mobility of labor, the Secretary of Labor is directed to—

(1) establish a program of factual studies of practices of employers and unions which tend to impede the mobility of workers or which facilitate mobility, including but not limited to early retirement and vesting provisions and practices under private compensation plans; the extension of health, welfare, and insurance benefits to laid-off workers; the operation of severance pay plans; the operation of seniority systems; and the use of extended leave plans for education and training purposes. A report on these studies shall be included as a part of the Secretary's report required under section 105.

(2) promote by discussions, publications, and other appropriate means, the development and adoption of equitable practices which improve the mobility of workers.

Manpower report

SEC. 105. The Secretary of Labor shall make such reports and recommendations to the President as he deems appropriate pertaining to manpower requirements, resources, use, and training; and the President shall transmit to the Congress within sixty days after the beginning of each regular session (commencing with the year 1963) a report pertaining to manpower requirements, resources, utilization, and training.

Information and research

SEC. 106. The Secretary of Labor shall develop, compile, and make available, in such manner as he deems appropriate, information regarding skill requirements, occupational outlook, job opportunities, labor supply in various skills, and employment trends on a National, State, area, or other appropriate basis which shall be used in the educational, training, counseling, and placement activities performed under this Act.

Appropriations for administration

SEC. 107. There is hereby authorized to be appropriated to the Secretary of Labor a sum, not to exceed $1,770,000 for the fiscal year ending June 30, 1963, and not to exceed $1,670,000 for the fiscal year ending June 30, 1964, to administer the provisions of this title.

TITLE II—TRAINING AND SKILL DEVELOPMENT PROGRAMS

Responsibility for programs

SEC. 201. (a) In carrying out the purposes of this Act, the Secretary of Labor shall determine the skill requirements of the economy, develop policies for the adequate occupational development and maximum utilization of the skills of the Nation's workers, and develop and encourage the development of broad and diversified training programs, including on-the-job training, designed to qualify for employment the many persons who cannot reasonably be expected to secure appropriate full-time employment without such training, and to equip the Nation's workers with the new and improved skills that are and will be required.

(b) The Secretary of Labor shall carry out his responsibilities under this title through the maximum utilization of all possible resources for skill development available in industry, labor, public and private educational and training institutions, State, Federal, and local agencies, and other appropriate public and private organizations and facilities.

Selection of trainees

SEC. 202. (a) The Secretary of Labor shall provide a program for testing, counseling, and selecting for occupational training under titles III and IV those unemployed or underemployed individuals who cannot be expected to secure appropriate full-time employment without training. Whenever appropriate the Secretary shall also provide a special program for the testing and counseling of youths, sixteen years of age or older, and for the selection of those youths for whom occupational training under this Act is indicated.

(b) Although priority in referral for training shall be expended to unemployed individuals, the Secretary of Labor shall, to the maximum extent possible, also refer other individuals qualified for training programs which will enable them to acquire needed skills. Priority in referral for training shall also be extended to individuals to be trained for skills needed within the area of their residence. Workers in farm families with less than $1,200 annual net family income shall be considered unemployed for the purpose of this Act.

(c) Before selecting an individual for training, the Secretary shall determine that there is a reasonable expectation of employment in the occupation for which the individual is to be trained. If such employment is not available in the area in which the individual resides, the Secretary shall obtain reasonable assurance of such individual's willingness to accept employment outside his area of residence.

(d) The Secretary shall not refer individuals for training in an occupation which requires less than two weeks training, unless there are immediate employment opportunities in such occupation.

(e) The duration of any training program to which an individual is referred shall be reasonable and consistent with the occupation for which the individual is being trained.

(f) Upon certification by the responsible training agency that an individual who has been referred for training does not have a satisfactory attendance record or is not making satisfactory progress in such training, absent good cause, the Secretary shall forthwith terminate his training and subsistence and transportation allowances, and withdraw his referral. Such individual shall not be eligible for such allowances for one year thereafter.

(g) The Secretary of Labor shall provide placement services to individuals who have completed their training under this Act, as well as counseling services to such individuals for an appropriate period after they have been placed.

Training allowances

SEC. 203. (a) The Secretary of Labor may, on behalf of the United States, enter into agreements with States (which, for the purposes of this Act, shall include the District of Columbia, Puerto Rico, and the Virgin Islands) under which the Secretary of Labor shall make payments to such States either in advance or by way of reimbursement for the purpose of enabling such States, as agents for the United States, to make payment of weekly training allowances to unemployed individuals selected for training pursuant to the provisions of section 202 of this title and undergoing such training in a program operated pursuant to the provisions of this Act. Each such agreement shall provide that eighteen months after the enactment of this Act any payments made thereafter under this section must be matched by State funds in an amount equal to the Federal payment. Such payments shall be made for a period not exceeding fifty-two weeks, and the amount of any such payment in any week for individuals undergoing training, including uncompensated employer-provided training, shall not exceed the amount of the average weekly unemployment compensation payment (including allowances for dependents) for a week of total unemployment in the State making such payments during the most recent quarter for which such data are available: *Provided however*, That in any week an individual who, but for his training, would be entitled to unemployment compensation in excess of such an allowance shall receive an allowance increased by the amount of such excess.

With respect to any week for which an individual receives unemployment compensation under title XV of the Social Security Act or any other Federal or State unemployment compensation law which is less than the average weekly unemployment compensation payment (including allowances for dependents) for a week of total unemployment in the State making such payment during the most recent quarter for which such data are available, a supplemental training allowance may be paid. This supplemental training allowance shall not exceed the difference between his unemployment compensation and the average weekly unemployment compensation payment referred to above.

For individuals undergoing on-the-job training, the amount of any payment which would otherwise be made by the Secretary of Labor under this section shall be reduced by an amount which bears the same ratio to that payment as the number of compensated hours per week bears to forty hours: Provided, That in no event shall the payment to such an individual, when added to the amount received from the employer, bring the total to more than the average weekly unemployment compensation payment referred to above.

(b) Training allowances may be supplemented by such sums as may be determined by the Secretary of Labor to be necessary to defray actual and necessary transportation expenses of individuals engaged in training under this Act and, when such training is provided in facilities which are not within commuting distance of their regular place of residence, to defray actual and necessary transportation and subsistence expenses for separate maintenance of such individuals. The Secretary in defraying such subsistence expenses shall not afford any individual an allowance exceeding the rate of $35 per week; nor shall the Secretary authorize any transportation expenditure exceeding the rate of 10 cents per mile.

(c) Training allowances shall be limited to unemployed persons who have had not less than three years of experience in gainful employment and who are heads of families or heads of households as defined in the Internal Revenue Code.

(d) No weekly training allowance shall be paid to any person otherwise eligible who, with respect to the week for which such payment would be made, has received or is eligible for unemployment compensation under title XV of the Social Security Act or any other Federal or State unemployment compensation law, but if the appropriate State or Federal agency finally determines that a person denied training allowances for any week because of this subsection was not entitled to unemployment compensation under title XV of the Social Security Act or such Federal or State law with respect to such week, this subsection shall not apply with respect to such week.

(e) Any agreement under this section may contain such provisions (including, so far as may be appropriate, provisions authorized or made applicable with respect to agreements concluded by the Secretary of Labor pursuant to title XV of the Social Security Act) as will promote effective administration, protect the United States against loss, and insure the proper application of payments made to the State under such agreement. Except as may be provided in such agreements, or in regulations hereinafter authorized, determinations by any duly designated officer or agency as to the eligibility of individuals for weekly training allowances under this section shall be final and conclusive for any purposes and not subject to review by any court or any other officer.

(f) If unemployment compensation payments are paid to an individual taking training under this Act, or any other Federal Act, the State making such payments shall be reimbursed from funds herein appropriated. The amount of such reimbursement shall be determined by the Secretary of Labor on the basis of reports furnished to him by the States and such amount shall then be placed in the State's unemployment trust fund account.

(g) A person who, in connection with an occupational training program, has received a training allowance or whose unemployment compensation payments were reimbursed under the provisions of this Act or any other Federal Act shall not be entitled to training allowances under this Act for one year after the completion or other termination of the training with respect to which such allowance or payment was made.

(h) No training allowance shall be paid to any person who is receiving training for an occupation which requires a training period of less than six days.

(i) A person who refuses, without good cause, to accept training under this Act shall not, for one year thereafter, be entitled to training allowances.

Agreements with States

SEC. 204. (a) The Secretary of Labor is authorized to enter into agreements with States, or with the appropriate State agency, pursuant to which the Secretary of Labor may, for the purpose of carrying out his functions and duties under this title, utilize the services of the appropriate State agency and, notwithstanding any other provision of law, may reimburse the State or appropriate agency and its employees for services rendered for such purposes.

(b) Any agreement under this section may contain such provisions as will promote effective administration, protect the United States against loss, and insure that the functions and duties to be carried out by the appropriate State agency are performed in a manner satisfactory to the Secretary of Labor.

Rules and regulations

SEC. 205. The Secretary of Labor shall prescribe such rules and regulations as he may deem necessary and appropriate to carry out the provisions of this title.

Appropriations

SEC. 206. There is hereby authorized to be appropriated to the Secretary of Labor a sum, not to exceed $65,800,000 for the fiscal year ending June 30, 1963, and not to exceed $110,667,000 for the fiscal year ending June 30, 1964, to carry out the provisions of this title.

TITLE III—ON-THE-JOB TRAINING

Development of on-the-job training courses

SEC. 301. (a) The Secretary of Labor shall encourage, develop, and secure the adoption of programs for on-the-job training needed to equip individuals selected for training with the appropriate skills. The Secretary shall, to the maximum extent possible, secure the adoption by private and public agencies, employers, trade associations, labor organizations and other industrial, educational, and community groups which he determines are qualified to conduct effective training programs under this title of such programs as he approves, and for this purpose he is authorized to enter into appropriate agreements with them.

(b) The Secretary of Labor shall cooperate with the Secretary of Health, Education, and Welfare in coordinating on-the-job training programs with vocational educational programs conducted pursuant to the provisions of title IV.

Training program standards

SEC. 302. In adopting or approving any training program under this title, and as a condition to the expenditure of funds for any such program, the Secretary shall make such arrangements as he deems necessary to insure adherence to appropriate training standards and policies, including assurances—

(1) that the training content of the program is adequate, involves reasonable progression, and will result in the qualification of trainees for suitable employment;

(2) that the training period is reasonable and consistent with periods customarily required for comparable training;

(3) that adequate and safe facilities, personnel, and records of attendance and progress are provided; and

(4) that the trainees are compensated by the employer at such rates, including periodic increases, as may be deemed reasonable under regulations hereinafter authorized, considering such factors as industry, geographical region, and trainee proficiency.

Supervision of on-the-job and related training programs

SEC. 303. The Secretary of Labor shall make appropriate provision for supervision of the on-the-job training programs conducted under this title to insure the quality of the training provided and the adequacy of the various programs.

State agreements

SEC. 304. (a) The Secretary of Labor is authorized to enter into an agreement with a State, or with the appropriate agency of the State, pursuant to which the Secretary of Labor may, for the purpose of carrying out his functions and duties under this title, utilize the services of the appropriate State agency and, notwithstanding any other provision of law, may reimburse such State or appropriate agency for services rendered for such purposes.

(b) Any agreement under this section may contain such provisions as will promote effective administration, protect the United States against loss, and insure that the functions and duties to be carried out by the appropriate State agency are performed in a manner satisfactory to the Secretary of Labor.

Rules and regulations

SEC. 305. The Secretary of Labor shall prescribe such rules and regulations as he may deem necessary and appropriate to carry out the provisions of this title.

Appropriations

SEC. 306. There is hereby authorized to be appropriated to the Secretary of Labor a sum, not to exceed $2,800,000 for the fiscal year ending June 30, 1963, and not to exceed $4,800,000 for the fiscal year ending June 30, 1964, to carry out the provisions of this title.

TITLE IV—VOCATIONAL TRAINING

Provision of vocational training

SEC. 401. The Secretary of Health, Education, and Welfare shall, pursuant to the provisions of title II of this Act, enter into agreements with States under which the appropriate State vocational education agencies will undertake to provide the vocational training needed to equip individuals, referred to the Secretary of Health, Education, and Welfare by the Secretary of Labor pursuant to section 202, for the occupation specified in the referrals. Such State agencies shall provide for such training through public education agencies or institutions or, if facilities or services of such agencies or institutions are not adequate for the purpose, through arrangements with private educational or training institutions. Any such agreement may provide for payment to such State agency of up to 100 per centum of the cost to the State of carrying out the agreement with respect to unemployed individuals, and up to 50 per centum of the cost with respect to other individuals, and shall contain such other provisions as will promote effective administration (including provisions for reports on the attendance and performance of trainees, with immediate notice to the Secretary of Labor in the event a trainee fails to attend or progress satisfactorily, and provision for continuous supervision of the training programs conducted under the agreement to insure the quality and adequacy of the training provided), protect the United States against loss, and assure that the functions and duties to be carried out by such State agency are performed in such fashion as will carry out the purposes of this title: *Provided*, That, after eighteen months after the enactment of this Act, any amount paid to a State to carry out an agreement authorized by this part shall be paid on condition that

such State shall bear 50 per centum of such cost. In the case of any State which does not enter into an agreement under this section, and in the case of any training which the State agency does not provide under such an agreement, the Secretary of Health, Education, and Welfare shall provide the needed training by agreement or contract with public or private educational or training institutions.

Cooperation with Secretary of Labor

SEC. 402. The Secretary of Health, Education, and Welfare shall cooperate with the Secretary of Labor in coordinating vocational education programs with on-the-job training conducted pursuant to the provisions of title III.

Rules and regulations

SEC. 403. The Secretary of Health, Education, and Welfare may prescribe such rules and regulations as he may deem necessary and appropriate to carry out the provisions of this title.

Appropriations

SEC. 404. There is hereby authorized to be appropriated to the Secretary of Health, Education, and Welfare a sum, not to exceed $28,500,000 for the fiscal year ending June 30, 1963, and not to exceed $42,000,000 for the fiscal year ending June 30, 1964, to carry out the provisions of this title.

TITLE V—MISCELLANEOUS

Apportionment of benefits

SEC. 501. For the purpose of effecting an equitable apportionment of Federal expenditures among the States in carrying out the programs authorized under titles II, III, and IV of this Act, the Secretary of Labor and the Secretary of Health, Education, and Welfare, in accordance with uniform standards and in arriving at such standards, shall consider the following factors: (1) the proportion which the labor force of a State bears to the total labor force of the United States, (2) the proportion which the unemployed in a State during the preceding calendar year bears to the total number of unemployed in the United States in the preceding calendar year, (3) the lack of appropriate full-time employment in the State, (4) the proportion which the insured unemployed within a State bears to the total number of insured employed within such State.

Other agencies and departments

SEC. 502. (a) In the performance of his functions under this Act, the Secretary of Labor, in order to avoid unnecessary expense and duplication of functions among Government agencies, shall use the available services or facilities of other agencies and instrumentalities of the Federal Government, under conditions specified in subsection (d). Each department, agency, or establishment of the United States is authorized and directed to cooperate with the Secretary of Labor and, to the extent permitted by law, to provide such services and facilities as he may request for his assistance in the performance of his functions under this Act.

(b) Funds authorized to be appropriated under this Act may be transferred, with the approval of the Director of the Bureau of the Budget, between departments and agencies of the Government, if such funds are used for the purposes for which they are specifically authorized and appropriated.

(c) The Secretary of Labor and the Secretary of Health, Education, and Welfare may make such contracts or agreements, establish such procedures, and make such payments, either in advance or by way of reimbursement, or otherwise allocate or expend funds made available, under this Act, as they deem necessary to carry out the provisions of this Act.

(d) The Secretary of Labor and the Secretary of Health, Education, and Welfare shall not use any authority conferred by this Act to assist in relocating establishments from one area to another. Such limitation shall not prohibit assistance to a business entity in the establishment of a new branch, affiliate, or subsidiary of such entity if the Secretary of Labor finds that such assistance will not result in an increase in unemployment in the area of original location or in any other area where such entity conducts business operations, unless he has reason to believe that such branch, affiliate, or subsidiary is being established with the intention of closing down the operations of the existing business entity in the area of its original location or in any other area where it conducts such operations.

Maintenance of State effort

SEC. 503. No training program which is financed in whole or in part by the Federal Government under this Act shall be approved unless the Secretary of Labor, if the program is authorized under title III, or the Secretary of Health, Education, and Welfare, if the program is authorized under title IV, satisfies himself that neither the State nor the locality in which the training is carried out has reduced or is reducing its own level of expenditures for vocational education and training, including program operation under provisions of the Smith-Hughes Vocational Education Act and titles I, II, and III of the Vocational Education Act of 1946, except for reductions unrelated to the provisions or purposes of this Act.

Selection and referral

SEC. 504. The selection of individuals for training under this Act and the placement of such individuals shall not be contingent upon such individual's membership or nonmembership in a labor organization.

Secretaries' reports

SEC. 505. (a) Prior to March 1, 1963, and again prior to March 1, 1964, the Secretary of Labor shall make a report to Congress. Such report shall contain an evaluation of the programs under titles I, II, and III, including the number of individuals trained and the number and types of training activities under this Act, the number of unemployed or underemployed persons who have secured full-time employment as a result of such training, and the nature of such employment, the need for continuing such programs, and recommendations for improvement.

(b) Prior to March 1, 1963, and again prior to March 1, 1964, the Secretary of Health, Education, and Welfare shall also make a report to Congress. Such report shall contain an evaluation of the programs under title IV, the need for continuing such programs, and recommendations for improvement. The first such report shall also contain the results of the vocational training survey which is presently being conducted under the supervision of the Secretary.

Termination of authority

SEC. 506. (a) All authority conferred under titles II, III, and IV of this Act shall terminate at the close of June 30, 1964.

(b) Notwithstanding the foregoing, the termination of these titles shall not affect the disbursement of funds under, or the carrying out of, any contract, commitment, or other obligation entered into pursuant to these titles prior to the date of such termination: *Provided*, That no disbursement of funds shall be made pursuant to the authority conferred under titles II, III, and IV of this Act after December 30, 1964.

Appropriations

SEC. 507. There is hereby authorized to be appropriated to the Secretaries of Labor and Health, Education, and Welfare such sums as may be necessary to administer the provisions of this title, but not to exceed the sum of $1,600,000 for the fiscal year ending June 30, 1963, and not to exceed the sum of $2,750,000 for the fiscal year ending June 30, 1964.

Mr. GORE. Mr. President, I move that the Senate disagree to the amendment of the House to the bill, S. 1991, agree to the conference asked by the House on the disagreeing votes of the two Houses thereon, and that the conferees on the part of the Senate be appointed by the Chair.

The motion was agreed to and the Acting President pro tempore appointed Mr. CLARK, Mr. RANDOLPH, Mr. McNAMARA, Mr. PELL, Mr. PROUTY, and Mr. MURPHY conferees on the part of the Senate.

Mr. GORE. Mr. President, I ask unanimous consent that S. 1991 be printed showing the House amendments thereto.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

FURTHER TEMPORARY INCREASE IN PUBLIC DEBT LIMIT

Mr. GORE. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H.R. 10050, the so-called debt limit bill.

The ACTING PRESIDENT pro tempore. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 10050) to provide for a further temporary increase in the public debt limit set forth in the Second Liberty Bond Act.

The ACTING PRESIDENT pro tempore. Is there objection to the request of the Senator from Tennessee?

There being no objection, the Senate proceeded to consider the bill.

Mr. BYRD of Virginia. Mr. President, it is with a great deal of reluctance and, I will say, a good deal of sadness that, as chairman of the Senate Committee on Finance, I am compelled to ask for an increase in the Federal debt limit from $298 to $300 billion.

I do so, Mr. President, because the President of the United States, in person, has advised me that unless the debt limit is increased by March 1, our Government cannot pay its current bills.

I do not recall in my long service on the Senate Committee on Finance that there has ever before arisen an emergency condition such as is presented to the Senate today. We of course must recognize that the failure of this Government to pay its bills would create chaos at home and abroad in the free world, and we cannot permit such a situation to occur.

I wish to say, Mr. President, that before July 1, the administration is going to ask that the debt limit be raised again by $8 billion. As chairman of the Finance Committee—and I hope I shall be joined by other Senators—I shall oppose to the utmost of my capacity raising the debt limit an additional $8 billion, to $308 billion for next fiscal year when the administration says there will be a balanced budget.

Under circumstances which have been allowed to develop, we are virtually forced to go more deeply into debt to pay running expenses continually coming due in excess of revenue income.

Federal financial crises such as this are recurring with increasing frequency. Enactment of the pending bill will raise the limit on the Federal debt $7 billion in 8 months.

A year ago the debt limit was $293 billion. The present $298 billion limit was requested by the administration last June. Now it is asking that the limit be raised again to $300 billion.

A $308 billion limit will be requested before June 30, lifting the limit by $15 billion in a year. As the situation stands now, this will be the year of the highest revenue and highest debt in history.

It is clear that continually raising the statutory limit on the Federal debt is only temporizing with dangerous deterioration in the Government's basic fiscal condition.

A thorough examination of the financial position of the United States should and will be made before the next request to raise the limit on the Federal debt is granted.

Work on the examination has started. The Government's obligations are huge, complex and worldwide. The study will be exhaustive. It is concerned with hard facts as distinguished from fiscal fantasy.

As a starting fact—regardless of how important the justifications were—there have been 24 Federal deficits in the past 30 years; there is another this year; and another, in my judgment, is to be expected next year.

The deficit last fiscal year was $3.9 billion. This year, ending June 30, it will be $7 billion to $10 billion. The combined deficits for the 2 years will total $11 billion to $14 billion.

Deterioration in the Government's fiscal position over the past year is documented chronologically by a succession of official statements—each showing the situation worse than before.

A year ago the previous administration estimated a $1.5 billion surplus in the current fiscal year, 1962, which began last July 1.

On March 27, 1961, the present administration revised the estimate to forecast at $2.1 billion deficit.

On March 28 the deficit estimate was revised to $2.8 billion.

On May 25 the deficit estimate was revised to $3.6 billion.

On June 27 the deficit estimate was revised to $3.7 billion.

On July 25 the deficit estimate was revised to $5.3 billion.

On October 29 the deficit estimate was revised to $6.9 billion.

On January 18, 1962, the President in his budget message revised the deficit estimate again to $7 billion.

The latest monthly Treasury statement showed an actual deficit of $9.4 billion during the first 7 months of the year, through January.

Only last June 27 the Secretary of the Treasury testified that "a temporary statutory debt limit of $298 billion should give us sufficient elbow room for maximum efficiency of operations."

Treasury figures relating to the pending $2 billion debt-increase bill show deterioration in the fiscal situation has been precipitate since the June request to raise the debt limit to $298 billion.

The Treasury's June estimates of debt levels, on a semimonthly basis, were wrong as much as $5.4 billion in the first half of the fiscal year ending in December.

The Treasury's June estimates of semimonthly debt levels for the last half of this fiscal year—January–June 1962—are now revised upward as much as $5.6 billion.

Unnecessary spending is increasing. Nonmilitary Federal expenditures in the first 7 months this year, through January, ran 10 percent higher than during the same period last year.

Total Federal expenditures in the July–January period were $3.9 billion higher than last year; nonmilitary expenditures increased $2.4 billion, and military expenditures increased $1.5 billion.

We have been the policeman, the banker, and the Santa Claus for the free world more than 15 years. Recent figures showed U.S. foreign aid has totaled more than $100 billion, and it is continuing.

Meanwhile we are faced with a menacing deficit in the balance of international payments between the United States and nations we have assisted. It has run as high as $4 billion a year.

This situation, in combination with domestic deficits which threaten or cause inflation, has resulted in a drain on our gold supply. We have lost 30 percent of our gold in relatively few years. Mr. President, I emphasize: We have lost 30 percent of our gold reserves.

Neither our form of government nor our system of enterprise can survive insolvency. All of us know that we cannot continue much longer to spend and spend, and tax and tax, and borrow and borrow.

We are already laboring under a terrible tax burden. It is confiscatory in some areas. Deficits are continuing; and the debt is at a peak never reached even for 4 years of global shooting war.

In addition to $300 billion in direct debt, we have assumed contingent liabilities at home and abroad amounting to untold billions more. Now we propose to underwrite the debts of the United Nations.

Is it possible for us to destroy ourselves from within?

Every American should ask himself that question. Nothing could serve Khrushchev better. Survival of free nations, including our own, depends on the financial soundness of this Government.

Nothing now before Congress or any other branch of Government is more important than protection of the Nation's fiscal structure. It is being examined. Meanwhile further impairment should be stopped.

Mr. LAUSCHE and Mr. LONG of Louisiana addressed the Chair.

Mr. BYRD of Virginia. I yield to the Senator from Ohio.

Mr. LAUSCHE. Am I correct in understanding that the $2 billion which is requested in the measure now before the Senate contemplates taking care of bills the Government will owe for this fiscal year?

Mr. BYRD of Virginia. The Senator is correct.

The Treasury reports that unless the bill is passed by March 1—or within a day or so—the Government's current bills cannot be paid.

Mr. LAUSCHE. Will the Senator repeat the figures he gave about increases we have provided within the last year? Have we increased the authorized national debt limit during the present fiscal year?

Mr. BYRD of Virginia. We increased the Federal debt limit last June to $298 billion. At that time we were told that that ceiling would be sufficient for the next fiscal year.

Mr. LAUSCHE. Expenditures have now created a necessity for an increase in that amount by $5 billion?

Mr. BYRD of Virginia. The limit was raised $5 billion last year.

Mr. LAUSCHE. So it is proposed to increase the limit by $7 billion in order to take care of practically all of this year's fiscal problems.

Mr. BYRD of Virginia. The Senator is correct. Then if we add the $8 billion additional amount which the administration has already requested, the increase would be $15 billion.

Mr. LAUSCHE. I ask the Senator from Virginia whether, on the basis of recommended expenditures for new programs which have been suggested, he can envision a balanced budget for next year.

Mr. BYRD of Virginia. It is my frank and considered opinion that there will not be a balanced budget next year. The administration's budget for fiscal year 1963 shows only a razor-edge balance with no allowances for possible adverse conditions.

It is based on an $11 billion increase in income from taxation, which may not develop. Many things may happen so that the additional amount expected will not be received.

I would be willing to venture, as strongly as I can, the prediction that there will be a very substantial deficit unless something is done to stop spending in the fiscal year beginning on the first of next July.

Mr. LAUSCHE. If there is to be a balanced budget, what justification is there for an authorization to increase the debt limit to $308 billion?

Mr. BYRD of Virginia. I do not think there is a real justification for the proposed increase if the budget is to be balanced. Of course, it is true that revenue does not come evenly over the

year, and this is one of the reasons given.

But I assure the Senator from Ohio that members of the Senate Committee on Finance intend to make an exhaustive study of the request for another $8 billion increase in the debt limit at a time when we are supposed to have a balanced budget.

Mr. LAUSCHE. I should like to make my position clear at this time that I shall not vote to increase the national debt limit to $308 billion unless I see evidences of a sincere purpose to eliminate unessential spending, and a determination not to take on functions that can be performed back home, not to expand existing subsidies, and not to create new ones.

Mr. BYRD of Virginia. I agree with the Senator.

Mr. LAUSCHE. I will join with the Senator from Virginia to oppose the contemplated increase when such a measure comes before the Senate, unless there are evidences of the character that I have indicated.

Mr. BYRD of Virginia. I thank the Senator.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. BYRD of Virginia. I yield to the Senator from Louisiana.

Mr. LONG of Louisiana. In the course of the study of the proposed increase in the national debt limit, the Senator from Virginia raised the question as to why our Nation is calling in obligations to the Government which are out at low-interest rates, such as 2½ percent or 2⅜ percent, and replacing those bonds with other bonds carrying an interest rate of 3½ percent, and in some cases 4 percent. I ask the Senator if he knows of any precedent for calling in many billions of dollars of bonds that have not fallen due and replacing those with bonds that carry a full point higher interest rate. Does the Senator have any idea as to how much such action will cost the Government?

Mr. BYRD of Virginia. As the Senator, who is a very important member of the Senate Committee on Finance, knows, the committee yesterday arranged for the Secretary of the Treasury to come before the committee and explain that action.

As a member of the Senate Committee on Finance for a long period of time, I can say it has not been a common practice, 10 years before maturity, to substitute existing bonds, carrying an interest rate of 2½ percent, with 30-year bonds carrying an interest rate of 3½ percent. The holders of such bonds will certainly receive a substantial benefit, because they will get 1 percent more, at least, for 10 years.

Mr. LONG of Louisiana. The Senator is a former Governor of the State of Virginia. I should like to ask the Senator if, at the time he was Governor, he would have considered calling in low-interest rate bonds and replacing them with higher interest rate bonds.

Mr. BYRD of Virginia. No; I certainly would not have done that. In fact, Virginia is supposed to be out of debt, so we do not have a question relating to bonds.

Mr. LONG of Louisiana. Such action undoubtedly will cost a great deal of money; will it not?

Mr. BYRD of Virginia. It is bound to do so. I hope the Senator from Louisiana will question the Secretary of the Treasury on this subject when he appears before the committee.

As I see it, the Department is setting a 3½-percent long-term interest rate by substituting new 30-year bonds in place of others of lesser interest which are not due for 10 years.

Mr. LONG of Louisiana. As the Senator well knows, the Secretary of the Treasury is supposed to come before the committee in open hearing and attempt to justify his action.

Mr. BYRD of Virginia. The Senator is correct.

Mr. LONG of Louisiana. Can the distinguished chairman think of any conceivable reason for the substitution of high-interest-rate bonds for low-interest-rate bonds?

Mr. BYRD of Virginia. No. Of course, I am willing, as I know the Senator from Louisiana is also willing, to hear the Secretary of the Treasury's reason for the action.

Mr. LONG of Louisiana. I must agree with the distinguished chairman of the Committee on Finance. I cannot see any excuse at all for the action taken.

Mr. BYRD of Virginia. I thank the Senator from Louisiana.

Mr. TOWER. Mr. President, will the Senator yield?

Mr. BYRD of Virginia. I yield.

Mr. TOWER. If we owe the debt to ourselves, and if we can afford to service that debt every year, what difference does it make if we should encourage a large debt?

Mr. BYRD of Virginia. The Senator from Texas starts on a premise with which the Senator from Virginia does not agree, that is, that we owe the debt to ourselves.

Mr. TOWER. It is a question that has been raised.

Mr. BYRD of Virginia. The question was raised long before the Senator from Texas came to the Senate. It was raised during the Roosevelt administration. President Roosevelt said, "What difference does it make? We owe it to ourselves."

One difference is that whenever one pays his income tax, 10 percent of that tax goes to the interest on the bonds. That is one difference it makes.

Mr. TOWER. Is it true that if the Federal Government is in the money market bidding up interest rates, it is bound to compete with private business in their search for capital?

Mr. BYRD of Virginia. There is no doubt about that. The Senator from Tennessee brought out that point several years ago.

Mr. TOWER. Does the Senator have any idea who will pay off the debt which we are now incurring?

Mr. BYRD of Virginia. In my opinion the debt will not be paid off at all, at least not in my lifetime. The Senator from Texas is younger than the Senator from Virginia. Maybe he will live long enough to see a few billion dollars of the debt retired. But I do not expect to live long enough to see any of the debt paid off, unless there is a complete change in the attitude of Congress and the attitude of the administrations today and those to come toward wasteful and extravagant expenditures as are now being made.

Mr. TOWER. Would the Senator recommend that, by means of a constitutional amendment, it be made mandatory that the budget be balanced every year?

Mr. BYRD of Virginia. That would make it difficult to meet emergencies.

Mr. TOWER. With the exception of emergencies, I mean.

Mr. BYRD of Virginia. I do not know whether that would work. However, Congress has it in its control, and can exercise the control if it wishes to do so, by not appropriating the money. That is what we ought to do. We ought to stop appropriating money for wasteful expenditures. For foreign aid we have spent so far $100 billion. I voted for the Marshall plan. It provided for 4 years of expenditures, amounting to $15 billion. Now we have spent already $100 billion.

Mr. TOWER. Mr. President, the Senator, then, is saying that one of the possible solutions to this problem would be for Congress to act responsibly and not appropriate so much money.

Mr. BYRD of Virginia. Only Congress can appropriate money, and Congress is to be criticized as much as the various administrations in this case, because Congress has appropriated the money in each instance.

Mr. TOWER. I thank the distinguished Senator from Virginia and associate myself with his conclusions.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. BYRD of Virginia. I yield.

Mr. WILLIAMS of Delaware. I congratulate the Senator from Virginia for alerting both the Congress and the country to the dangers with which we are confronted if we do not do something about making appropriations for unnecessary expenditures.

I also wish to join both him and the Senator from Louisiana [Mr. LONG] in criticizing the recent financing on the part of the administration in calling in 2½ percent bonds, which have 10 or 12 more years to run, and refinancing them with 3½ percent bonds.

I know of instances when corporations and perhaps even the Government has called in high interest rate bonds which were maturing at high interest rates and refinancing them at lower interest rates. This is the first time in my memory that I know of any responsible institution calling in 2½ percent bonds, which still have 10 or 12 years to run, and refinancing them with 3½ percent bonds, and doing it voluntarily.

I shall be interested to hear any possible explanation of this practice that the Secretary of the Treasury will be able to give to the committee next week.

I thank the Senator from Virginia for the remarks that he has made today, and also on his asking the Secretary of the Treasury to explain some of these transactions.

The ACTING PRESIDENT pro tempore. If there be no amendment to be proposed, the question is on the third reading of the bill.

SPACE SCIENCE MANPOWER PROBLEMS

Mr. CANNON. Mr. President, just 10 days ago the first American flew in orbit around this earth. Last Monday that man, John H. Glenn, Jr., stood in these Halls of Congress and said:

> We are just probing the surface of forthcoming scientific advancement.

He told us that the length of time he had been connected with Project Mercury—some 3 years—had impressed him mainly with a sense of how "tremendous are the areas left to be explored."

Finally, in closing his address, John Glenn told us that "knowledge begets knowledge"; that "exploration, knowledge and achievement are only as good as our ability to apply them to future actions."

Remarks of this nature, although we have heard their like before, seem to have a special significance when spoken by a man such as Astronaut Glenn, a man who combines within himself a representation of America's highest scientific achievement together with a level of personal courage that still leaves most of us marveling.

John Glenn's use of the word "we" in describing his accomplishments was a great deal more than mere modesty; it indicated—as he said many times last week—that thousands of Americans working together were the essential ingredient in the success of this first orbital flight.

And it is true that for every John Glenn in orbit, there must be thousands of engineers, scientists and technicians working on the ground. And if tens of thousands of men were required in order to bring about Glenn's accomplishment, how many more do you suppose we will need next year and the year after, when 5, 10, perhaps 25 American spacemen will have been sent aloft?

All of us in America have had a great lift of confidence and pride as a result of Glenn's accomplishment. He has proven to us that we have the ability to actually bring about the fantastic space accomplishments which only 2 or 3 years ago seemed like the wildest dreams. Since Glenn's flight, ideas such as a rendezvous in space, landing on the moon, and visiting Mars and the other planets have suddenly become much more real, much more immediate than they ever were before.

Yet, though we have the scientific and technical ability without a doubt, there is grave doubt as to whether we will have the quantity of scientific and technical manpower which such an effort will require.

I am not the first one to voice concern over this problem, but I am concerned that the American public—and perhaps some of the Members of this body—are not yet sufficiently alerted to the critical nature of the scientific manpower shortage. Without such an alertness, the necessary corrective actions are doomed to failure.

To place before the Senate the immensity of the problem and the depth of the concern, let me mention a few of the sources which have called attention to this issue in the last few months.

Let me begin with the words of President Kennedy at his press conference on January 15. The President said:

> One of the most critical problems facing this Nation is the inadequacy of the supply of scientific and technical manpower to satisfy the expanding requirements of this country's research and development efforts in the near future.

The Engineers Joint Council has reported a steady decline in engineering enrollments. In 1950 the Nation's colleges graduated 52,700 engineers; in 1960, less than 2 years ago, the number dropped to 37,800.

NASA itself has already told us that it will need 13,000 more engineers and scientists over the next few years. Only this Tuesday the Senate Space Committee began hearings on satellite communications legislation which could lead to a demand for more engineers. The expanding activities of the Atomic Energy Commission will certainly increase the science manpower demand. Just where these people will be found is still unknown.

Secretary Ribicoff, of the Department of Health, Education, and Welfare, has called attention to the fall in the percentage of freshmen entering engineering colleges and has said:

> The balance of brainpower may tip—and tip dangerously—against us if the Nation does not soon awake to the importance of education to the freedom of the Western World.

Dr. Jerome Weisner, the President's science adviser, has said:

> It is time for a searching study and analysis of our technical manpower—its quality and utilization, as well as quantity—and its implications for public policy. Similarly, we must make careful assessments of the demands our expanding research and development programs, both public and private, will place on our technical manpower resources.
>
> The effective use of scientists and engineers is important for the individual as well as for the Nation. In my view, far too little attention has been directed toward determining how effectively the national pool of scientific and technical manpower is distributed among industry, government, and universities, or to gaining a better understanding of the technical manpower needs and practices of each of these sectors, and of the factors that influence manpower distribution.

The National Science Foundation, in a report recently published by Dr. Nicholas DeWitt, of the Russian Research Center at Harvard University, has revealed a most disturbing series of comparisons in a major analysis of Soviet education which indicates that the U.S.S.R. is producing two to three times as many scientific and technical graduates yearly as the United States.

Just take a look at some of the comparative Soviet-United States statistics. In the Soviet Union about 57 percent of all 1959 graduates at the bachelor level were in the sciences and engineering, compared with 24 percent in the United States. The projected annual addition of professional engineering graduates in the Soviet Union is 125,000, more than three times that of the United States. The Soviets are constantly intensifying and increasing the time devoted to these subjects in secondary schools, and nearly one-third of all Soviet engineering field professionals are women, compared with 1 percent in the United States. Upward of 5 percent of the gross national product in the Soviet Union is spent on education, as compared with about 3.6 percent in the United States.

Moreover, the quality must also be considered. Dr. DeWitt's report states that Soviet professional education in most scientific and engineering fields is at least equivalent to, and sometimes more extensive than, that in the United States or Western Europe.

All of this does not mean that we could or should follow the Soviet methods of producing scientists and engineers. The free American educational system may never, perhaps, match in pure numbers the output of a system that allows the individual no freedom of choice regarding his education, a system that is determined to turn out scientists and engineers in quantity at almost a complete sacrifice of the fields of the social sciences, the arts, and the humanities.

Nevertheless, the tremendous Soviet strides in this field, coupled with our own declining—or, at best, static—output, cannot fail to be a matter of gravest concern to the Nation. We cannot help sounding the alarm over this situation, which is no less than a major threat in the long-run struggle between democracy and totalitarianism.

More and more it is becoming obvious—as we all heard the other day from Colonel Glenn—that science and technology will increasingly become the foundation of our national strength.

These are the reasons why I believe so fervently that we in Congress should not let ancient prejudices or short-range motives cloud our thinking on the great issues of aid to education, whether we are talking about the postgraduate, the college, or the secondary school level.

The issue, to my mind, has long since transcended the arguments which used to preoccupy the debaters in years gone by. Even the long and legalistic arguments over the proper role of the Federal Government, though important, must now take second place to the realization that today a discussion of education is nothing less than a discussion of national survival.

The building of a classroom is equally important as the building of a battleship or a missile. This is stated not in terms of rhetoric or to express a high-sounding sentiment; this, in my opinion, is no less than a hard statement of fact. If we falter in our mastery of space, if we fail to maintain a preeminent position, that failure will be laid directly to the lack of an adequate supply of critically needed scientific and engineering manpower—and the classroom is the only place where this critical space-age item can be produced.

Yet even if we do manage, by some miracle, to refill our educational pipeline in the near future, we still must cope with the immediate shortage of trained technical personnel, which will be with us for at least the next 5 years, and probably 10. In order to do this there are some questions we must answer: What action is being taken by the Federal Government in response to the President's expressed concern over the shortage of scientists and engineers? What has the National Academy of Sciences done regarding a study of scientific and technical manpower utilization? How efficient is the roster of scientific personnel which the National Science Foundation is required by law to maintain? What do the professional and scientific societies think can be done to help us to get the best possible use out of the technical talent now in our possession? How do present-day industry recruiting practices affect the optimum use of our scientific manpower pool? What is the effect of Defense Department procurement procedures on the careers and jobs of our scientists and engineers? What is the answer to the question regarding whether our technical manpower is properly distributed among universities, industry, and Government? What about the use of scientific personnel in administrative positions?

The Soviet Union encourages it; many American scientists object to it. What are the guidelines? How many scientists are wasting their talents on simple and routine operations, are being stockpiled by industry, while frustrations build up, knowledge fades, and opportunities are overlooked? Are we making adequate use of our nondegree technicians? Are we availing ourselves of opportunities to upgrade people in this category into full-fledged engineers or scientists?

In this last connection, NASA, for example, has explored a crash program of upgrading junior scientific and engineering personnel by encouraging them to take night courses or on-the-job graduate work. NASA itself subsidizes on-the-job graduate training.

Another longer range approach along the same lines is to convince industry and the universities that they must enter into a much more intensified cooperative partnership to provide half-time graduate education for employees.

As for the long-range solutions that should be examined, we have already hinted at most of them. First, money for our classrooms. The National Science Foundation calls for a total investment for science and engineering education rising from $2.1 billion in 1961, to $5.5 billion by 1970. We need to take a new look at the way we present science, engineering and mathematics courses in our schools and colleges. We must seek imaginative ways of encouraging the future generation of engineers and scientists. As an example, NASA's personnel work in such fields as "control and guidance systems," "energy conversion," "flight systems," and the like—these are the designations of the future, the ones that will appeal to the awakening student. Mechanical, chemical, or physical engineers—the old designations—are found distributed throughout these new areas. We must do more—much more—to encourage women to enter the fields of science and engineering. We must develop new methods for discovering the gifted and creative individual in our schools, many of whom drop out too soon or remain undiscovered because of our overreliance on sometimes faulty measurements such as the IQ or academic grades—measurements which several experiments are proving to be far less reliable guides than we once thought they were.

In this short discussion, I have just barely touched on some of the problems and ramifications which lie at the heart of our scientific manpower dilemma. All of the questions and programs which I have mentioned deserve a much greater degree of attention from this body.

It is my feeling that Congress, by every means at its disposal, must alert Americans to the very real dangers which face us, if we do not drastically step up our supply and improve our utilization of scientific and engineering manpower.

It would indeed be a cruel turn of events if we were to lose our mastery in space or our general preeminence in science because of a lack of that "we" element of which Colonel Glenn spoke to us so proudly.

For Colonel Glenn has made us all aware that he and the other astronauts can do the task we have required of them. As a priority matter of national policy, we must see that these men in space are backed up by a scientific community of adequate size, and in quality second to none.

I intend to speak out frequently on these problems. It is not my desire to be one who merely views with alarm. It is, however, essential that we lay these facts concerning our scientific manpower gap before the public. In so doing, we not only provide information, but we actively contribute to a national awareness which will act as a stimulant to increase student enthusiasm for careers in science.

A TRIBUTE TO SENATOR RANDOLPH

Mr. GRUENING. Mr. President, an interesting and deserved commentary on the services to his State of our able and hard-working colleague, JENNINGS RANDOLPH, recently appeared in a nationally syndicated column. It is a tribute not only to a distinguished Member of this body, but to his State of West Virginia.

I ask unanimous consent that Holmes Alexander's article, entitled "The Rebound of West Virginia," be printed in the body of the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE REBOUND OF WEST VIRGINIA

(By Holmes Alexander)

WASHINGTON.—Long ago, in the 1930's, the then Congressman JENNINGS RANDOLPH, Democrat, of West Virginia, was distressed at the closing of Dorman Mills in Parsons, Tucker County. This sort of event is a catastrophe in a small town and it was complicated in this case by the shaky condition of the local bank. RANDOLPH managed to raise a loan to the bank from the Reconstruction Finance Corporation—and the mill and the town were saved.

Ever since that experience JENNINGS RANDOLPH, now a rather thoughtful Senator interested in Federal-State relations and concerned about the elephantiasis that afflicts our Central Government, has declined to be apologetic about turning to Washington to help his State. But he also believes, and practices, the principle of self-help.

Along with President Kennedy, the West Virginia delegation, and the State agencies back home, RANDOLPH has been working on reconstruction of both morale and economy in West Virginia which, in the 1960 Democratic primary campaign, became practically a household word for the poorhouse, much to the annoyance of West Virginians, including this one.

But the rebuilding of the State has been a joy to all beholders, and proof that Federal aid need not preclude self-improvement. RANDOLPH is proud that 7 of 10 Cabinet members have visited the State in the line of duty. One of the Senator's best efforts has been to supply West Virginia with direct air service between all the main centers—something that its mountains never permitted railroads or buses to provide. It is now possible to fly daily out of Washington to Martinsburg, Elkins, Morgantown, Beckley, Parkersburg, Clarksburg, Fairmont, and Bluefield, as well as to the cities of Charleston, Wheeling, and Huntington.

Morale boosting began at home when Governor Barron instituted a do-it-yourself campaign of house painting, street repair, stream cleaning, and general sprucing up. The State was losing population at an alarming rate, so that it took some inspired persuasion to get new business even to consider moving in.

Actually, West Virginians work harder than most Americans when they get a chance. Labor Department figures for the 1953-60 period show the loss of work time in this State to be only 0.37 percent, or about 1 day a year.

The rebuilders of West Virginia did so well that 10,000 new jobs have been added during the Kennedy administration. Lockheed and North American Aviation have set up plants in Clarksburg and Princeton. There is a shipbuilding plant constructing two vessels for the Navy and one for the Commerce Department at Point Pleasant on the Ohio River. The legislature has set in motion a pipeline to chute Stony River coal in the form of sludge to the industrial areas of New York and New Jersey.

MODERN PLANTS

By far the majority of the new plants are very modern, postwar enterprises such as electronics and plastics, with numerous ventures simply labeled as "research and development." Not all are Government connected. The Internal Revenue Service has a big computer at Martinsburg, and there is a weapons factory in Wheeling. But Melpar will start building an electronics plant next month in Fairmont.

In pursuit of private industry, the Governor has housed a special assistant, Paul Crabtree, in Washington. One of his main purposes is to call on the companies which keep agents in Washington, and try to get them to locate in West Virginia. No shop is considered too small, and this accounts for the many new and experimental ventures which, if successful, will produce more jobs each year. In 1963, the centennial of the State's foundation, there will be a modest drive to bring in tourists for various historical reenactments.

All this seems worth recording since the Federal Government, willy-nilly, is going to burst into State and community affairs with programs of education, highways, housing, and just about anything else which comes to mind. West Virginia is proof, at least to me, that a proud and industrious people, with thoughtful and persistent leaders, need not abandon their dignity and ingenuity.

OPPOSES PROGRAMS

Senator RANDOLPH himself is an example of a man who does not consider his soul bought when he seeks and gets favors for his State from the White House. RANDOLPH is publicly opposing the President's pet project for a Department of Urban Affairs and Housing, despite pressure on him by Governor Barron. In meetings of the Labor and Public Welfare Committee, as well as on the Senate floor, RANDOLPH has consistently tried to limit Federal scholarship funds to loans, and to prohibit grants or giveaways. He has been adamant against appropriating any Federal funds for private, parochial, or church schools, at all levels of education and for any purpose.

We could use more States and more statesmen who, although forced to go to Washington where the money is, manage to retain independence and respectability.

COMPARISONS OF U.S. ARMY WITH RUSSIAN ARMY

Mr. BEALL. Mr. President, as a member of the Senate Armed Services Committee I have paid particular attention to comparisons of the U.S. Army with the Russian Army, but I am forced to confess that many of them have been inadequate, misleading, or downright confusing. This has made it difficult for me to gain a true picture of our Army strength as compared with that of Russia, and I know from many conversations that numerous other persons share my problem. Therefore, it was with special interest that I read Mr. Mark S. Watson's articles on the matter in the Sun, of Baltimore, Md. Mr. Watson is acknowledged to be one of the foremost military experts in our Nation as well as an authority on foreign affairs. It is my opinion that his articles on the strength of our Army should be required reading for everyone interested in our military security, and consequently I ask unanimous consent that they be printed at this point in the RECORD.

There being no objection, the articles were order to be printed in the RECORD, as follows:

[From the Baltimore Sun, Feb. 27, 1962]

U.S., RED ARMY UNITS COMPARED—COMBAT RATIO OF MANPOWER SHOWS LITTLE VARIATION

(By Mark S. Watson)

WASHINGTON, February 26.—The circumstance that the U.S. Army, with slightly under 1 million officers and men, maintains but 16 Regular Army divisions, whereas the Russian Army, with about 2,200,000 officers and men, maintains 150 divisions, has long baffled both Congress and public.

The usual civilian explanation has been that the U.S. Army must be wasteful of its manpower, and most official answers have done little either to refute that explanation or explain the mystery.

DATA STUDY USED

A detailed study of data dealing with U.S. Army forces as a whole and, particularly with those deployed overseas, also with Russian Army forces, now permits a fairly simple explanation, and one more gratifying to American sensibilities.

Despite the apparent vast disparity in the proportion of combat divisions to total manpower, there appears to be little real variation in the two nations' ratios of useful employment of riflemen and other combat elements.

If one makes use specifically of figures for Gen. Bruce C. Clarke's U.S. Army in Europe alone—constituting about a quarter of the total U.S. Army, and comprising the free world's prime barrier to Russian threats—he finds an impressive demonstration both of high combat readiness and of optimum use of manpower.

General Clarke's own review of his establishment—often spoken of as a five-division force but actually something very much greater—declares that after "the year of the buildup" now just about completed, his command is "better prepared than ever before to fight, if called upon."

From General Clarke and other sources have come new data, plus some persuasive conclusions, dealing with the mysterious discrepancy between 150 Russian divisions and 16 U.S. divisions. The data can be condensed for present purposes into the following:

1. To a marked degree (and largely for total power as well as geographical reasons) Russia counts upon initial employment of very few full-strength and fully ready divisions. To compensate, it has available near at hand and at immediate notice an immense supply of well-trained, disciplined reserves.

Hence its 150 divisions differ greatly, in accordance with whatever is Moscow's current planning. Most of them range from 85 percent of strength down to as low as 25 percent. The average is probably 7,000, against an authorized divisional strength of 13,000.

(In the U.S. Army's current buildup, all 16 Regular divisions are being brought to full authorized strength, which averages 15,000 men.)

DESIGNED FOR DEPLOYMENT

2. The strategic requirements for the two armies are quite different, and these impose radical differences in organization. Notably, Russia's army is designed to fight at home or on adjacent territory. The U.S. Army, as bulwark of the free world, must be designed for deployment abroad.

Consequently 80 percent of the Russian active forces are in Russia itself and 20 percent in the nearby satellites. Thus massed, and available for any action on the Eurasian land mass (and thanks to dictatorship controls, secretly) they can be swiftly concentrated at any point of Moscow's own determination.

This Communist capability imposes on the United States the severe handicap of having to be prepared to resist not at one point but at any point. As a result, about 40 percent of total U.S. strength must be placed overseas, not in one tidy package but in a great many, with multiple means of effecting concentration when and where needed on short notice.

REDS FREE OF PROBLEMS

It is this circumstance which creates for the U.S. forces some truly enormous problems of supply, storage, maintenance, and administration at many levels and many places, as well as extraordinary problems of worldwide reconnaissance, communications and command.

Russia is largely free of those problems, by reason of its power to initiate hostilities, when and where and how and in what measure it wishes, and because its forces even in battle will retain access, overland and for a relatively short distance, with supplies, reinforcements, and all command levels.

The U.S. problem in case of war is immensely increased by the existence of 3,000 miles or more of open sea between continental United States and either Europe or Asia. Unless the Navy can maintain freedom of sea communication the problem is insuperable—and the 1941-43 difficulties in overcoming enemy submarines is something to bear in mind.

TREATMENT COMPARED

3. The treatment of any military force cannot vary greatly from the treatment of its civilians, that is, by its national standard of living. American soldiers would have a hard time with the treatment Russia gives its own soldiers, not for a few days of battle, but always.

This applies to food, drink, housing, transport, sanitation, medical care, recordkeeping, military justice, burial, even religious and recreational facilities. These things are all "normal" for an American civilian and to a very large degree for the American soldier as well. Providing them calls for a surprising number of personnel who must be added as "overhead" to the riflemen.

FEW REFORMS MADE

4. Training factors vary. Russian conscripts are trained in the field units and counted as a part of them. The United States does a great deal of its training in separate centers and schools and in the Reserve units. This again is a drain on Regular manpower, fully justified, but something to be accounted for in the division-to-total comparison under discussion.

5. The posts, camps, and stations scattered over the United States must be operated by members of the Army, rotated back from the divisions. (There are far too many of these installations, due to political pressures, but the present tough Defense management is making a few reforms.) Russia operates its comparable installations by personnel not included in the 2,200,000. The U.S. procedure is professionally approved—but it too is here mentioned simply as a factor in the comparison.

6. "Security" missions back of the lines, civil and military government of occupied areas, higher echelon communications, railroad security, etc., are attended to by U.S. military personnel (again removed from possible use in divisions). Russia uses "Security Forces" (not included in the military enrollment) for all these purposes.

SEIZED FROM OTHERS

7. Russia does not even plan to use its own military resources for its multiple-service needs in time of war, but to assign these tasks to indigenous civilians or to captured enemy forces. Nor does it concern itself greatly with the sustenance requirements of populations in captured territory—rather, seizes whatever plunder its army requires. With a different concept of national responsibility, the United States habitually assures captured populations both protection and living, and uses its own military (another drain on divisions) for the "services" which Russia seizes from others.

8. In any kind of management a minimum foundation is needed, for whatever number of units are being managed or commanded. Thus, the more units, the smaller (relatively) the slice of management each requires. An army with few divisions, by contrast, has necessarily a relatively large overhead per division.

TWICE AS LARGE

These eight general factors permit a few exploratory explanations of why, at present, roughly 1 million U.S. troops include but 16 divisions and 2,200,000 Russian troops include 150.

First, the U.S. divisions are about twice as large—which eliminates half the discrepancy at a clip.

Second, a very large part of the U.S. Army is in nondivisional units, assigned to missions which somehow the Russian Army, in wartime too would have to provide by some means (and presumably by diversion of some of its divisional strength). Reference here is not to the multiple activities listed in the above items 2, 4, 5, and 7, but to strategic missile and air-defense units, and to such nondivisional support elements as the U.S. Army already has in being.

There is no exact measure of all this, naturally. One expert has figured that if Russia, like the United States, had an Army of about 1 million men, and the same strategic problems, it would have to divert roughly 44 percent to its own nondivisional and administrative and logistic forces, and 20 percent more to strategic missile and air defense units. In that case Russia's residue would be something like 22 divisions (of U.S. size) against our 16—the difference being taken up by the inescapable differences mentioned in items 3, 6, and 7 in the above listing.

RED RESERVISTS READY

On the other hand there is one very large factor of influence in the opposite direction. That is, in the two nations' planned use of reservists. Our recent experience shown that use of reservists has its serious complications—military, political, and economic. Russia, to put it bluntly, would suffer incomparably less; its reservists are trained, equipped, and ready, and can be called instantly to the colors, willy-nilly. That is quite a difference.

This last point, in fact, must be ever present in the free world's planning. America's reservist difficulties are largely duplicated in every other free nation. Russia's reservist difficulties are all but negligible, as are China's.

Even so, the computations above are hard to shake. They provide a lucid explanation of why Russia, with 2¼ times as many troops, can list more than nine times as many divisions—of a sort.

[From the Baltimore Sun, Feb. 28, 1962]

NOT ALL ARMY IS IN DIVISIONS

(By Mark S. Watson)

WASHINGTON, February 27.—The five divisions in the U.S. Army in Europe (America's most powerful concentration of ground forces) number roughly but 70,000 officers and men. The U.S. Army in Europe numbers nearly 240,000. What are all the others?

The explanation provides a part of the answer to the layman's question of "Why only 16 divisions in a Regular Army of 960,000?" which was discussed in last night's dispatch. The division is the field unit of prime importance in computing an Army's strength, but it is by no means the only factor. And in the case of the U.S. Army in Europe the other factors are of unusual importance.

ELEMENTS IN 7TH ARMY

Gen. Bruce C. Clarke, who has had an immense role in building up the 7th U.S. Army (to which all five divisions are attached) and latterly the rest of the U.S. Army in Europe, into a very high state of combat readiness, gives the figures with complete frankness.

In the 7th Army itself are these combat elements:

1. The five divisions referred to—two of them armored, one mechanized infantry and two infantry divisions in process of becoming mechanized, with a sizable airborne element included for emergency.
2. Four armored cavalry regiments.
3. Five tank battalions.
4. Four armored infantry battalions.
5. Nine combat engineer battalions.
6. Thirty-six artillery battalions.
7. Twelve air-defense battalions.
8. Eleven signal battalions.

LIKE ELEMENTS IN DIVISIONS

All these items from 2 to 8 are additional to like elements within the divisions. They have conventional weapons and atomic weapons.

In addition to its own U.S. divisions, set up in two corps, the 7th Army has attached to it for NATO emergency two German corps, and for both of them U.S. Army resources provide very considerable support, again both atomic and conventional.

The 7th Army is about 70 percent of the total force of the U.S. Army in Europe.

ROLE OF COMMUNICATIONS ZONE

Fifteen percent of the total is in the Communications Zone, mainly in Germany and France. It supplies all logistic needs of the 7th Army and 80 percent (measured in tonnage) of the needs of the U.S. Air Force in Europe. It also provides some logistic support for the German Army, stores U.S. war supplies, maintains equipment needing heavier attention than the forward area units can give, and is prepared to process additional troop units which may be sent to Europe.

DIVISION-SLICE DECEPTIVE

The remaining 15 percent of the U.S. Army in Europe is made up of troops in Berlin, "special forces," the Southern European Task Force (in Italy) which is mainly a missile brigade, special weapons support for other NATO allies, support for NATO and European command headquarters, advanced training schools for officers and men (including 1,200 NATO students) recreation, construction, and communication activities.

Thus described in detail, it is seen that the "division-slice" (a somewhat dubious planning instrument, determined by dividing the number of divisions into total number of men) is nowhere near as bulky as suggested in the "16 divisions to 1 million men" ratio discussed in last night's dispatch.

In fact, in "stores of U.S. war supplies" by the Communications Zone forces, noted above, are the heavy equipment of two divisions which are still in the United States. The design is to fly the divisions' personnel over to Europe and turn over these stores to them, thereby deploying them in days instead of weeks.

WAY TO ADD DIVISION

Thus, the 7th Army would then have seven divisions, yet with no large increase to overhead, and the "division slice" would come down to about 35,000.

General Clarke makes a notable distinction between Russian and American theory on the battle-use of divisions, which has a bearing on this division-slice matter. American planning is to keep its battling divisions up to maximum strength, by bringing in replacements as rapidly as battle losses require, thereby getting full value from an experienced "team" and command.

Russian practice has been to grind the original division to the last point of value, and then replace it in line with a new division. Each country likes its own method—but here is another factor justifying the larger "division-slice" in American practice.

Incidentally, Clarke has disputed the actuality of Russia's 150-division-to-2,200,000-men calculation, holding that this would mean a division slice of only 15,000 men—and that no 10,000-man division can fight effectively with only 5,000 men as backup.

The explanation would have to be that Russia intends to pour in reserves rapidly, or else replace wornout divisions rapidly.

CLARKE PRAISES 7TH ARMY

His own 7th Army Clarke proudly refers to as "the strongest and best balanced Army team we have had in Europe since World War II."

He has stressed the on-call availability of all units, the 12 o'clock curfew for all personnel, the sharp discipline, the correctness of community relations, the participation of 80 percent of all personnel in a formal monthly savings program, the watchfulness against waste, and the austerity of living as a part of helping the Treasury's fight against gold outflow.

But chiefly his drive has been for continuous training of individuals and units, notably in the new weapons which have been pouring into the 7th Army in recent months.

NEW RIFLES FOR COMBAT UNITS

These include the new rifles for all combat units, a rapid increase in the new M-60 machineguns, M-60 tanks and M-113 armored carriers.

The new around-the-corner M-79 grenade launcher, Mohawk light planes, Iroquois turbine-helicopter, the new M-151 jeep, and the "Silent Sentry" transistorized frontline radar (operating in all weathers) are in increasing supply.

Since November the added Air Force close-support squadrons have brought needed assistance.

ROCKETS AND MISSILES

Beyond all this is the impressive support provided by the new short- and middle-range rockets and missiles with which the U.S. Army in Europe brings immeasurable assistance not only to the 7th Army but to the NATO allies.

All this adds to the "divisional slice." But it adds vastly more to the divisions' effectiveness.

RANGE MANAGEMENT

Mr. METCALF. Mr. President, Assistant Secretary of the Interior John A. Carver, Jr., spoke before the American National Cattlemen's Association in Tampa on January 26. He recited the complexities involved in public land management and some of the inequities in grazing fees. He pointed out that in Montana, for example, a study of comparable lands showed that a private

owner was receiving $3 per animal unit month, the Forest Service 49 cents, while on Bureau of Land Management lands the flat rate then was 22 cents.

He recalled President Kennedy's order in his resources message a year ago, that there be developed a set of "general principles for the application of fees, permits, and other user charges at all types of Federal natural resources projects or areas."

Secretary Carver went on to discuss other aspects of the fee system, and I ask unanimous consent that his entire Tampa speech appear at this point in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

ADDRESS BY ASSISTANT SECRETARY OF THE INTERIOR JOHN A. CARVER, JR., AT THE 65TH ANNUAL CONVENTION OF THE AMERICAN NATIONAL CATTLEMEN'S ASSOCIATION IN TAMPA, FLA., JANUARY 26, 1962

The Department which I represent proudly here today is sometimes referred to as the "Department of the West". It is true that most of the lands and resources which we are charged to manage and conserve are located west of the 100th meridian. Some of us, however, are making a concerted effort to carry our mission to the other sections by emphasizing the stake which the whole Nation has in the publicly owned forests, grasslands and scenic wonders of the area. There needs also to be a general awareness of some of the problems and issues which are thought of as western but which have a significance beyond that region.

I am therefore doubly indebted to you for your invitation to participate in this convention. I have not only the opportunity of visiting and perhaps carrying our message to a State not on our usual itinerary, but a chance to discuss an aspect of our work with a segment of your industry not usually represented in our deliberations.

Nevertheless, I'm pleased to remind you that your national convention is being held in one of the public land States. Even though the remaining public domain lands in Florida now total less than 2,000 acres, it originally was more than 45 million. When the United States acquired Florida from Spain in 1819, we paid about $7 million, or about 14 cents an acre. This was quite a bit more than the 2 cents per acre that we paid in 1867 for Alaska, the State farthest removed from you, which cost about the same number of dollars, but had a lot more acres. However, Florida land values being what they are, you can boast of a greater rate of appreciation on the original investment.

While our Department does not bulk large as a supplier of space and forage in Florida, this has not seemed to discourage the growth of a thriving cattle industry—a sobering and somewhat deflating thought. And yet we have had a part in this development in quite a different way. A very significant participant in this important Florida industry is the Seminole Indian enterprise which we have the duty of serving as trustee and advisor in its commendable effort to improve the welfare of the Seminole people. Their success symbolizes the capacity of this land to support a thriving livestock industry.

A few years ago, the Seminoles succeeded in clearing and diking some of their marshy lands. With the addition of fertilizer, fencing and a moderate investment in stock, they have achieved one of the major successes among Indian enterprises. From a few thousand, their individually owned herds have grown to about 7,500; the calf crop has risen from 20 percent to 80 percent. The old swampland produced 16 pounds of beef to the acre; reclaimed and irrigated pasture now produces 700 pounds. So ours is a direct interest in the grazing industry of this State—even if a limited one. We see a proud people who have now established a goal of a 125-cow herd for each family. If the Lone Ranger and Tonto had not already demonstrated it, we have clear proof that there is no incompatibility between cowboys and Indians.

In a little more than 3 weeks, I will be meeting with some of you at the National Advisory Board Council session at Albuquerque. Your association stresses its nationwide status by both the words "American" and "National." The word "national" might seem to be less appropriate for the Albuquerque meeting, which will concern itself with the use by livestock (and, so far as the forage is concerned, by wildlife) of about 170 million acres of Federal land administered by the Bureau of Land Management in 10 Western States.

This isn't all of the Federal range administered by the Interior Department, and the U.S. Forest Service administers grazing, among other uses, on 60 million acres or so of national forests in those same States. The 25 million AUM's forage furnished by BLM and USFS (16.7 million BLM and 8.5 million AUM's Forest Service) in the Western States constitutes only about one-tenth of the total livestock feed requirements of the States themselves. Nationally, all Federal rangelands supply less than 3 percent of the total feed requirements.

I don't give these statistics to minimize the importance of the Federal rangelands. It is the nursery that supplies a sizable part of the animals for the livestock feeder industry. It is the seasonal supply of feed to supplement other sources, and is the key to successful operation of hundreds or thousands of different livestock operators.

Within the West itself, on a State-by-State basis, the degree of dependence on Federal lands varies widely. A measure of this degree of dependence has been computed, which reflects the relative position of livestock income to total agricultural income, and of income dependent on Federal rangeland to total livestock income. This index of dependence on Federal rangeland varies from a high of 40 in Nevada down to five in California and Oregon, and less than that in Washington. In Wyoming it's 25; in Utah 20; in New Mexico 15; in Montana, Idaho, Colorado, and Arizona it's 10.

However, even in California which ranks low on this scale, some communities' dependence index would shoot way up near 100 percent, just as it does in many parts of Nevada and Wyoming. The impact of dependence on Federal lands can be critical to the economy in many western towns and counties.

But the National Advisory Board Council is national nonetheless. For it is concerned with the use of Federal range under a Federal statute, the Taylor Grazing Act of 1934. That statute has as one of its purposes the stabilization of the livestock industry dependent on the Federal range and it gave a preference to landowners engaged in the livestock business at the time of the passage of the act. Although the grazing districts which the law authorizes exist only in the Western States, they are creatures of a national act, and administered by the Interior Department, a national agency. These are Federal lands, owned by the whole Nation.

The Taylor Grazing Act, as I've said, has as an objective the stabilization of the livestock industry dependent on Federal range. I doubt that this means necessarily the subsidization of that segment of the industry, yet aspects are present which have been charged as subsidy and which are worthy of discussion in this national convention.

The act provides for the payment annually of reasonable fees. The Secretary of the Interior is required, in fixing the fees, to "take into account the extent to which such districts yield public benefits over and above those accruing to the users of the forage resources for livestock purposes" and the act authorizes a preference or priority system.

This priority system gives economic significance to the Taylor Grazing Act. The grazing privileges it confers have a monetary value or economic worth. True, they cannot be sold or transferred as separate entities, but their value is nonetheless real since they become a part of the value of the home ranch or base lands belonging to the holder. They are capitalized into the real value of the home ranch just as effectively as if they were an improvement on fee lands.

When a ranch changes hands, or is mortgaged, or is involved in any other credit transaction, the buyer or the banker is concerned with the nature and extent of the grazing "rights" almost more than with anything else. This economic fact of life means several things to us. It means that withdrawal or reduction of the privilege of grazing on Federal land can have a violent economic impact on ranch operations which are heavily dependent on Federal range. By the same token, this capitalized increment is also reflected in higher tax payments since assessments follow market value, however imperfectly.

Yet the courts have said many times that "grazing privileges" are just that. They are not private property to be bought and sold, and governmental action which takes them away is not a taking for which compensation must be paid. The Congress has made one significant general exception—if the taking is to serve a use for war or national defense purposes, the Government will pay "for the losses suffered."

Now all of this may sound like a pretty good thing—at least for the privileged priority holders. But there is a pervading atmosphere of insecurity under this system and for a number of reasons. First, as I shall outline in more detail later, there is no guarantee that the lands must always be used for grazing; competing uses may be given priority. Further, States have certain claims against the public domain; if they select grazing lands, the priority rights are extinguished. In other situations, grazing lands may be exchanged for State or private lands with the same result if, to use the language of the act, "the public interest will be benefited thereby."

Reduction in grazing allotments can have the same effect on capitalized values. This is a serious matter in money terms only if the values capitalized into the home ranch by reasons of Federal grazing privileges bear a significant relationship to the values apart from the Federal grazing. I've hinted at this by pointing out the great variation in dependence on Federal range, suggesting that the degree of dependence affects these values. The number of operators totally dependent on Federal range is comparatively few, and even as to them there are or could be alternate feed sources in most cases. But other factors are involved.

The user of the range, Federal or private, regards grazing fees as a major dollar sign factor. To put Federal fees in perspective, we must compare them with the cost of equivalent forage on private lands as well as measure them against the increase in the value of an animal attributable to Federal range use. By such analysis we can begin

to evaluate the nature and extent of the capitalized values derived from public range use.

At the outset of this discussion, let me admit and emphasize my full recognition that the Bureau of Land Management pricing system is no model of fairness or precision. It's very deficiencies cast dark suspicions on direct comparison with the price of forage from other sources. Some of these should be cited:

Logically the value of an AUM should vary with carrying capacity for each unit of land; the greater the carrying capacity the more valuable the AUM. Yet we have a standard rate.

Seasonally the availability and nutritional value of forage varies. Our rate is uniform.

But still other factors enter in, to make comparison difficult because they grow out of the public ownership and management of the resources—as contrasted with equivalent private lands. First, competing public uses are or are subject to being accommodated: recreational uses, hunting and fishing, wildlife habitat areas, and the like. What discount should be allowed for this? Another factor: grazing fees have remained below the level of actual cost for so long as to suggest that public policy favors the maintenance of a fee level unrelated to outside measures of forage value.

This last suggestion can almost be proved by tracing the history of the fee schedule. The initial rate was set at a meeting of the National Council's precursor organization in Salt Lake City in 1936. The Department proposed a figure of 10 cents per AUM, pending detailed study and development of a fee system. Only the representatives of California and Colorado found this acceptable, however, and a compromise 5-cent level resulted. Today our rate is 19 cents. Taking into account price inflation, the interim rate proposed in 1936—10 cents—converts to 24 cents, 5 cents more than we now charge. Thus we haven't even reached the fee level that the Department thought minimal a quarter of a century ago.

Bearing in mind all I've said about the reasons why the Federal fee should not necessarily be measured by the private market, we can tentatively approach a consideration of the extent of the difference.

An interesting case study of an area of Nevada is available. In the area studied, public land, private land, and leased railroad land are all checkerboarded, eliminating considerations of differences in land types. Prices paid in a recent year for use of sagebrush range with a carrying capacity of 12 acres AUM, used during spring, summer, and fall, were 19 cents to the BLM and 60 cents to the railroad. The associated fee land used for grazing carries a burden of taxes and an inferred burden of interest on the value of the land which computes out at $3.60 per AUM.

Another study confining itself to comparable lands compared BLM, Forest Service, and State or private rates. In Montana, the private owner was getting $3, the Forest Service 49 cents, and while on BLM the flat rate then was 22 cents.

The Forest Service in some areas administers both Forest Service and intermingled private lands, but at different rates. Their own rates in one such area are 2½ times higher than under BLM; their administered rates more than four times BLM's.

Among the bureaus of the Department of the Interior which report to me, the Bureau of Indian Affairs gets roughly five times as much per AUM for leased Indian lands as is charged in the grazing districts. The BLM itself gets three times as much per AUM on some of its leased L.U. lands as it gets in the districts, and more than twice as much on the O. & C. grant lands.

Are these low fees necessarily subsidies?

A Department of Agriculture economist, M. L. Upchurch, summarized the dilemma to my satisfaction last month at a meeting in Denver of the American Association for the Advancement of Science:

"Federal range is always used in conjunction with private pasture, cropland, or water resources. Together, these resources are the land base of a ranch, a livestock-producing firm. Together, they have a value. If one part of this input mix is underpriced, it is likely that other parts are overpriced. Thus when a ranch is sold, it is likely that the profit-producing capacity of the entire ranch is capitalized in the private property part of it. People who have bought ranches under these circumstances doubtless feel that they have paid full value for this profit-producing capacity, even though they did not pay the Federal Government for it.

"Once a schedule of prices becomes institutionalized—be it grazing fees on public land, taxes, or rates charged for irrigation water—to the extent that other prices and costs adjust to them, there are strong arguments against change, or at least against large or sudden changes. Values of commensurate property of public range users have adjusted to the present schedule of fees. Ranchers who have bought such property have paid full value for the productive capacity of their ranches. An increase in grazing fees would, in effect, multiply the price they have already paid."

For those of you who have no dependence on Federal range, a formula will come to mind. Take the amount that a ranch's value with its Federal grazing rights exceeds its value without them; figure interest on the difference at the going commercial rate. Add this to direct grazing costs, and then make grazing cost comparisons. If the resulting figure favors the operator, what we call it—subsidy or something else—is irrelevant. The essential fact is that it is an economic reality which has become an integral part of the industry's pattern. We ought not tinker with it unless we have a clear realization of the possible consequences.

From a public policy standpoint, we must examine the question from all sides. Did Congress, we must ask ourselves, intend that we should consider the situation of the user as we find him in 1962, 28 years after the passage of the act? In 1934, it seems from an examination of the legislative history, the intent was to give to the user conditions and terms of use to enable him to secure for his labor and invested capital a return at least equivalent to that earned by the labor and capital of other stockmen. The system has resulted, as we have seen from Mr. Upchurch, in an artificial inflation of the commensurate value. Upward adjustment of fees will multiply to him costs already paid. Is this situation a reason not to adjust fees upward?

These questions have assumed an importance such as they have never had before because a combination of circumstances and trends are forcing us to reevaluate the fee structure.

In the West itself there are the beginnings of complaint about the Taylor Grazing Act preference system—stemming as you might imagine from those who have need for additional forage but who do not qualify for permits.

Moreover, deficits have accumulated in the management of grazing lands: of 170 plus million acres used for this purpose, a hundred million are producing less than their forage potential and 35 million are deteriorating under present use. As responsible husbandmen, we cannot allow our national heritage to deteriorate. To seek the funds to rebuild and preserve the range is to raise the question of user fees. What does our balance sheet show under this scrutiny?

Receipts from BLM grazing fees in Taylor Act districts brought in $8 million in 1960. In this fiscal year of 1963 we will spend more than $4 million for range management and protection alone, plus nearly a million for weed control and a large part of the $6.5 million allocated to soil and moisture conservation on public lands. Even at this rate of expenditure, I'm told we have a 100-year backlog of deferred work. No one will expect current users to pay the full cost of remedying generations of neglect. But demands that their proportionate share be increased will be almost impossible to silence.

Finally, President Kennedy in his resources message about a year ago charged the Bureau of the Budget with the responsibility of developing a set of general principles for the application of fees, permits, and other user charges at all types of Federal natural resources projects or areas.

The need for such principles was set forth by the President in these terms: "Fees and user charges wholly inconsistent with each other, with value received, and with public policy have been imposed at some Federal developments."

I venture to say that this Presidential directive will result in two strong pressures—one to bring the fees charged into some kind of uniformity among the Federal agencies. The other will require that the fees at least cover the cost of administration. Both of these pressures will tend inevitably toward increasing the present levels.

In response to the requirement imposed as a result of the President's message, the Department submitted to the Bureau of the Budget suggested principles. Therein was recognized the principle that user fees and charges for grazing should correspond to the fair market value, as established by appraisal or competitive bidding, but this principle was coupled with the recognition that "where competitive bidding would result in destroying established ranching operations dependent upon Federal grazing lands as provided by law other methods of determining fair market value consistent with the circumstances shall be used."

In this we have provided no answer to the basic question. You will note that the Department of the Interior has approached the issue with caution—not because we are opposed to equitable adjustments, but because there is too much at stake. We have no disposition to disrupt the system or to destroy established ranching operations.

But change is coming and we must be able to gage realistically how much change we can absorb without serious impact. One indicator of this is instruction: the average fee paid for public domain grazing—overall—is $100. Thirty thousand permittees pay a total of $3 million. The fees fixed by the Department are not, therefore, a major part of ranching costs. Even the biggest operator will find his Taylor Act fees insignificant in comparison with his other cost elements.

Our present fee system dates from a note published in the Federal Register over the signature of former Secretary Seaton. That system ties grazing fees, on an automatic escalation basis, to the average price per pound of beef or lamb. The merits of fee increases entirely apart, I am personally very much in doubt that the 1957 note effectively discharges the Secretary's duty to adjust rates annually, as the act clearly prescribes.

Be that as it may, and in response to all of the stimuli which I have outlined, we recently published as proposed rulemaking a draft of regulations to revise this system. Our proposal would not of itself change existing rates. It would, however, provide the framework within which the Secretary could exercise his discretion to adjust fees

as conditions warrant or require. He would utilize a formula based on a percentage of the market price per pound of beef or lamb. Under the present system, that percentage is fixed at 100 percent of the market average which may vary from year to year. Our revision would insert a second variable in that the Secretary might also adjust the percentage factor.

Although this procedure was discussed with the National Advisory Board Council, notice of intent to adopt it has evoked objections. We have postponed final action to adopt the proposed rule until after the Albuquerque meeting when these objections can be heard and considered in full detail.

This brings us to the crossroads of decision. But it is not alone the Department which is confronted with the dilemma. The industry must also accept responsibility for the sound planning of its future on the Federal range. It seems to me that it is confronted with two pretty clear alternatives:

1. If the range users' appraisal of the situation is anywhere near mine as summarized here, then they ought to cooperate with us in devising realistic adjustments in the fee system. These improvements, I can guarantee, will be undertaken in full realization of the philosophy which I have emphasized, that we are dealing with the values of ranches. Fees can be adjusted gradually, but I see no escape from the conclusion that they must be revised upward.

2. Now the alternative is to attempt to retain the status quo. As long as the forage rate is substantially different from commercial rates it really doesn't much matter whether the differential is 1:5 or 1:10 or 1:20. But if there is to be an attempt to freeze the present fee system, then its proponents should be prepared to secure an amendment to remove the Secretary's duty to fix reasonable rates annually.

In evaluating the feasibility of the latter alternative, I think we should take a very close look at some influences developing outside the cattle industry. Symbolic of this is the pendency before the Congress of several bills which would make Bureau of Land Management lands subject to the same management objectives as set forth for Forest Service lands in the Multiple Use Act of 1960.

My personal feeling is that multiple-use legislation is all right if it isn't oversold. Where two or more uses of public land can be accommodated, it is only good sense that they should be. But when the Secretary of the Interior must choose as between incompatible uses, the existence of a multiple-use statute doesn't help him much.

Whenever I meet with associations like yours, concerned with uses of resources of our public lands—forests, minerals, livestock—I find an atmosphere of unrest and insecurity.

The prevailing spirit is that a land management system which has produced so much social good—which has developed the raw West and made it great—ought to be preserved unchanged. The posture is one of defensiveness—status quo.

But this view overlooks the fact that we have witnessed a turn of the economic wheel. Thirty years ago the western livestock industry was the backbone of our beef, lamb, wool, and hide supply. Like the rest of the Nation it had fallen upon hard times. Additionally, its reconstruction was hampered by the confusion that existed with respect to the use of the Federal range. The Taylor Grazing Act was an essential step to recovery—it resolved the longstanding problem of Federal range ownership and use.

Yet almost from the year of its enactment great changes have been at work in our land. The most colossal war in history required that millions of acres be withdrawn for military purposes; our increasing dependence on petroleum and natural gas has created a competitor for the land; the gasoline drawn from public lands propels automobiles and trucks across broad strips gouged out of the once-free range for highways; and now an exploding population with more leisure and greater mobility demands that open space be set aside for parks and recreation areas, and hunting and fishing preserves. These competing uses are formidable in their demands. The Taylor Grazing Act is no citadel of defense for the western cattlemen when another use is shown to have superior social or economic values. In fact, the act by its own language provides the mechanism whereby its original beneficiaries may be displaced.

In this arena of competition resolute resistance to change is not enough. You must be prepared to demonstrate that traditional uses of the public domain—grazing, lumbering and mining—are paying for the use privilege at least at a level compatible with their economic contribution to the Nation.

And do not make the mistake that public recreation will be an easy foe in this kind of competition. The national forests had nearly a hundred million visitors last year. If collection of a ten cent entry fee had been made, recreation use of the forests would have returned more than three times the grazing fee proceeds from BLM lands.

Just such a fee arrangement is being discussed to finance expanded public recreation—for parks and recreation areas on public domain and national forest lands. Can the livestock industry stand pat in the face of this comparison?

Or use hunting as an example: The Fish and Wildlife Service has documented it as a billion dollar industry already with a forecast that this will double by 1980. By that date we are told there will be 12 million big game hunters—at a dollar apiece for a Federal permit, those using public lands would outstrip grazers in BLM lands as contributors to the general welfare even now.

So multiple-use is far from a refuge for the cattleman. Indeed, it is the gate through which competing uses enter what was his domain. These uses may be compatible with grazing—they may not displace it from the range—but as they are made to pay their way, the livestock industry must be prepared to undergo user charge comparisons.

The livestock industry and the wood industry and the mining industry have a story to tell as to their role in supplying the country with protein and cellulose and minerals; the increase in demand for red meat and wood products is every bit as dramatic as the increase in demand for recreation, for it stems from the same set of circumstances.

A study recently submitted to me projects an increase of 87 percent in the demand for beef by 1980 over 1960 which would require a 75- to 80-percent increase in number of animals.

That this increase in demand should be met in material part from the public range is sensible because the public range is susceptible to such use. Such use is in aid of good management.

But it is only logical that livestock will be considered as having a dominant claim for at least its present share of the range's use if it pays reasonable fees for such use. And certainly increased use from Federal investment in reseeding and the like need not be burdened by the embedded rates applied to the existing resources. Movement toward this objective will have to be orderly and graduated—but, to paraphrase the President, let us begin.

A final word about multiple-use. If we must incorporate the term into our lexicon, we ought to lift our sights to the future. The determinants for competing use demands ought not to be merely the immediate needs of the hunters versus the park enthusiasts; the recreationists versus the commercial users; the returns to the Treasury from camping fees versus grazing fees. The test for multiple-use ought to include the relative contribution toward meeting the national needs of this country, 20, 50, a hundred years hence. Among our national security needs, our food and fiber needs, our need for pure water, and our need for green open spaces, a natural order of importance will evolve and change with the times and technology. Especially is this true when we know our land base is no longer stretchable, and we recognize that we are planning for the future as well as meeting the needs of the present.

We know how rapidly our population is expanding; we know how technology is giving us all more leisure, more mobility, and more money. Every land-use decision we make ought to meet a test of contribution to the maximum extent possible to the projected needs not just of parks and recreation, but of food, fiber, water.

Mr. METCALF. Mr. President, on February 19 in Albuquerque, Secretary Carver addressed the National Advisory Board Council, which advises on use of Taylor grazing lands. He there proposed, to stimulate discussion, the proposition that, for the ensuing year, BLM grazing fees be not less than 19 cents nor more than 38 cents per AUM—for cattle. Within that range, and taking into account the variable factors outlined above, the district advisory board would be given the responsibility to recommend how much, if any, a given permittee should pay.

Any amount collected over and above the basic 19 cents minimum—

Suggested Secretary Carver—

shall be available for range improvement work within the district in which it is collected. The district board should bear the responsibility of recommending the amount and kind of work to be done.

Mr. President, the Department of the Interior, under Secretary Udall and his assistants, is doing an excellent job of bringing scholarship, energy, and experience to bear on complicated resource problems. I believe Secretary Carver has made significant contributions to range management. I commend Secretary Udall, Assistant Secretary Carver, and their career associates for the job they are doing.

I ask unanimous consent to insert in the RECORD, at this point, the full text of Secretary Carver's Albuquerque speech.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

REMARKS BY ASSISTANT SECRETARY OF THE INTERIOR JOHN A. CARVER, JR., FEBRUARY 19, 1962, BEFORE THE NATIONAL ADVISORY BOARD COUNCIL MEETING IN ALBUQUERQUE, N. MEX.

I'm glad to be meeting with you again. Since our first meeting in Washington, early in this administration, a year has passed. In that time, we've come to know each other quite well, I think.

In that year, we've plowed some ground, some of it over and over again. But we've made measurable progress, too. Six months ago, at Salt Lake City, we concentrated our attention on procedural matters and the relationship of the Interior Department to this

Council. I think we won't have to go over that again.

We discussed, also, expanded membership for the Council; new regulations which are designed to accomplish this are in effect, but haven't been finally implemented. Since we are discussing a matter today which directly affects you as livestock operators, and less directly affects the authorized expanded membership, I think our delay in implementing these regulations does no harm.

We are acquainted with each other, as I said. You know something of my thinking about administration of the Taylor Grazing Act. You remember, I hope, that I emphasized in Salt Lake last year that the district advisory boards are statutory boards, and that the State and the National Boards have status as representative extensions of the statutory district boards under our regulations. You know that I know that the responsibility to amend the Taylor Act is the Congress, not ours.

At the Salt Lake meeting we agreed on the principle that grazing fees should continue to be expressed as a percentage of the market price per pound of animal. (The specifics I use today relate to cattle prices and fees for cow AUM's. I'm sure the principles are equally applicable, so I hope the sheepmen will go along with the fact that I started with cows at Tampa, and find it easier to stay with them.) When I signed a proposed rulemaking notice for the Federal Register which put this into regulatory language, there was an adverse reaction. Although it didn't come from the members of this Council, segments of the industry with which you are in good communication expressed concern in such a way as to indicate to me that we weren't as explicit as we might have been.

The tempest about the proposed rule making wasn't, and isn't, by itself very important. The Secretary's authority and responsibility under the Taylor Act to fix reasonable fees isn't diminished or increased in the proposed change. But it is perfectly clear that to change the percentage of the per pound price will be the way, hereafter, to raise (or lower) fees for use of BLM range if the rule becomes effective.

In a word, perhaps, we are more explicit in the proposed regulation than we were at Salt Lake.

But today we are less concerned with the procedural question of what formula is used to express grazing fees than we are with the substantive question of whether grazing fees are going to be raised, and, if so, when and by how much.

Well, let me set your mind partially at ease—we aren't going to raise the fees during the calendar year 1962.

Indeed I won't be so bold as to promise flatly that we are going to change them in 1963 or any other given year. I've read too much history to get myself out on that limb.

Last month in the warmth and hospitality of Florida, I made a speech to the American National Cattlemen's Association. Some of you were there. What I said didn't create much of a ripple—I was last on a long morning program. Just before introducing me, the hungry crowd was told that they were short of lunches and that it was first come—first served, starting right then. Not many hungry cowmen chose me over lunch.

But I had prepared my remarks after considering the adverse reaction to the proposed rule-making notice on tying grazing fees to livestock prices. I knew it was important that we begin to be explicit with the industry, beginning with this Council, about fees.

I've sent you each a copy of what I said in Tampa. I hope you have had the chance to go through it, as it indicates several things about my attitude toward the question of fees:

That I am fully cognizant of how features of the Taylor Grazing Act, including the priority system and the low fee structure, are capitalized into the values of the base ranches.

That I know, therefore, that abrupt or drastic changes in fees could have effects upon established ranches far exceeding the dollar impact of the increased fees.

That I do not think we are administering the public range to raise revenues, primarily, and that I am aware that benefits to the public ought not be charged against the users.

I pointed out that the $3 million collected from grazing fees in districts didn't loom large against what we spent; that Federal forage was a least-cost item in ranching costs, insignificant in comparison with other cost elements; that there has been virtually no real increase since 1936, when a compromise fee only half what the Department felt then was minimal was put into effect; that outside pressures were building for making fees uniform with those charged by other Government agencies; and that we weren't in a good position to get the increased appropriations we need to do the rehabilitation work that needs doing unless we show some forward motion on the fee question.

It isn't just the Department's problem; industry must also accept responsibility for the sound planning of its future on the Federal range. It seems to me, I said in Tampa, that the industry is confronted with two pretty clear alternatives.

If, I said, the range users' appraisal of the situation is anywhere near mine as summarized here, then they ought to cooperate with us in devising realistic adjustments in the fee system. These improvements, I can promise, would be undertaken in full realization of the philosophy which I had emphasized—that we are dealing with the values of ranches. Fees can be adjusted gradually—but I said I saw no escape from the conclusion that they must be revised upward.

The alternative, it seemed to me, was for the industry to attempt to retain the status quo. As long as the forage rate is substantially different from commercial rates it really doesn't much matter whether the differential is 1:5 or 1:10 or 1:20. In that case, I thought the industry should be prepared to secure an amendment to remove the Secretary's duty to fix reasonable rates.

In other words, to go back to the substantive questions you are all interested in—whether we are going to raise fees, and if so, when and by how much—I would like us to agree that this Council might well take the first step.

You know, now, that in our opinion, the weight of the evidence indicates that fees ought to be raised, and we've set forth some of the evidence. We are getting more. You know that we won't press for an increase this year, but that we do think we ought to make a start, beginning next year.

If this Council should come up with a program—a plan for scheduled moderate upward adjustments designed to reach some mutually agreed upon standard, taking into account variations for quality and other factors, we will give you, I pledge, the most sympathetic consideration.

Secretary Ickes directed a communication be read at the first conference on the subject of fees at Salt Lake City, in 1936. In it he said:

"The Interior Department will have no quarrel with stockmen on that subject. You are willing to pay reasonable fees, and that is all we will expect. I believe that fees should be on a sliding scale varying with the earning capacity of the land as measured by the market value of the livestock grazed upon it. Fees should not be so low as to arouse the envy of those not entitled to public range rights or as to subject the permittees to a charge of receiving Government subsidy.

"The whole question of fees, at the beginning, will be experimental. We will approach the matter with an open mind and consider it from the standpoint alike of the public interest and of the welfare of the stockmen."

What is reasonable, of course, is the question. Taking all the facts and circumstances together, I am sure most of you would defend the present fee structure as not unreasonable.

In this, in a sense, I've been your ally. For I've said that the fee isn't as much of a subsidy as it appears. Values of commensurate property of public range users have adjusted to the present schedule of fees. An increase in grazing fees would, in effect, multiply the price already paid.

But this is the end result of 28 years of failure to come to grips with the problem. I hope we are now coming to grips with it, for I feel that the trend must be reversed. We cannot continue to justify as reasonable grazing fees which are one-fifteenth of the price of comparable private forage, or one-sixth the price of forage which we administer on other Interior Department land, or one-third the price of comparable Forest Service forage.

Our forage ought to be priced less, for many reasons, than other forage sources. But many people feel that the Government ought not to consider the fact that ranchers have paid more for their ranches than they would have if fees had stayed more in line with competitive private forage.

Let's assume for purposes at least of finishing this speech, that you now agree with me in principle. You are at least moderately appreciative and reassured by the fact that you have until next year to think about it. But in the meantime you wouldn't mind having a more specific expression of how I think this might come about.

As great an evil as too low a fee, in my opinion, is having a uniform fee. I emphasized this in Tampa. In Salt Lake 6 months ago, I said I thought that part of the increase ought to go into range improvement work and fairly promptly. The range improvement fee is scheduled for application to projects along with other funds, and we are woefully late in getting to specifically needed work.

I've said today I think we must start upward. Although the outside limit of the value the forage would bring in competitive bid is not our objective, and neither is raising enough money from this source to pay the national debt, we feel, nevertheless, that the spread between BLM and other public and private forage ought to be a little narrower.

Now let a rank amateur stumble into an area where angels fear to tread, and make a couple of concrete suggestions.

First, my assumptions:

Fees ought to vary based upon the kind of forage, whether annual or perennial, and the season of use.

There ought to be differences based upon the degree of range improvement; i.e., water distribution, fencing, accessibility, and the like.

Dependability of the range, related to such factors as likelihood of losing it to other uses is another variable.

So is the average price of livestock for the preceding year—although it, like the preceding item, wouldn't involve as much of a variation as some of the others listed.

Fees are not now affected by the relative price of public and private range in the same vicinity, adjusted for comparability, and taking into account abnormal or distress factors. In essence, I am suggesting that they ought to be. At least I feel that after a period of adjustment, we ought to be able to justify the price of our forage as

some percentage of the going open-market value of forage generally. The amount of percentage reduction should be based, of course, upon all of the factors named, and other factors which you and the experts say ought to be considered also.

I'd like to make one other assumption, one I think all of you will agree with. I think it is desirable that we assign to the district advisory board the maximum possible responsibility to apply these variables.

Remember what the Taylor Act says: "In order that the Secretary of the Interior may have the benefit of the fullest information and advice concerning physical, economic, and other local conditions in the several grazing districts" and "each" board shall offer advice and make a recommendation on each application for a grazing permit within its district.

With this last assumption I think we have the key to a scheme which ought at least to kick off some discussion among you. As I visualize it, something like this could be announced to the users, to the district advisory boards, and to the public generally:

1. For the ensuing year, the Secretary finds that grazing fees should be not less than 19 cents nor more than 38 cents per/AUM (for cattle).

2. Within that range, and taking into account the variable factors outlined above, the district advisory board would be given the responsibility to recommend how much, if any, a given permittee should pay.

3. Any amount collected over and above the basic 19-cent minimum shall be available for range improvement work within the district in which it is collected. The district board should bear the responsibility of recommending the amount and kind of work to be done.

4. The State advisory boards would review the action of the district boards, to assure reasonable uniformity. And the National Board, in turn, would consider the action of all State boards. The State director or the director would act upon recommendations of the State or National Boards to make adjustments indicated to assure reasonable uniformity.

The Secretary of the Interior, having broad discretion, could set a new minimum fee, and a new maximum fee each year, in consultation with the National Advisory Board Council. He could determine what percentage of the minimum would be for range improvement on a national basis (25 percent at the present time), and specifically that amount which the district boards should collect above the annual minimum for that year would be for range improvements of the local district.

This is not proposed rulemaking; my suggestion might have fatal flaws that I don't know about. If it does, don't blame the officials of the Bureau of Land Management, for I didn't give them much of a chance to review it.

It is, only, a well-intentioned effort on my part to think through the matter of fees taking into account the principles which I deem important in the administration of the Department's responsibilities under the Taylor Grazing Act of 1934.

In conclusion, let me review what these principles are:

1. There is an affirmative responsibility on the part of the Secretary of the Interior to consider the adequacy of existing fees, and related factors bearing upon the fee-fixing responsibility imposed by the Taylor Act.

2. The situation of the users has to be taken into account, and particularly the capitalized value of the Taylor Act priorities and fee levels. Raising fees without adequate consideration of this could result in confiscatory action.

3. "Reasonable" is an imprecise word. Standards which are applied in determining what is reasonable or unreasonable should be capable of being stated. To the fullest extent practicable they should be made known to the public.

4. A great many variables which have the effect of justifying fees lower than the price of other public or private forage ought to be measured and applied.

5. I think it appropriate, and indicated by the act itself, that specific responsibility should be given to the district boards to make recommendations, after taking into account applicable variables, as to exactly where the fee should be within the minimum and maximum limits set by the Secretary of the Interior.

6. If statutory authority exists therefor, it is appropriate that more of the fee collected be retained and applied locally to range improvement work.

7. If it is at all feasible, the initiative for installing a pricing system which meets these standards ought to come from the Taylor Grazing Act permittees and their representative district, State and National Boards. Stabilization of the livestock industry dependent on the public range is a statutory objective.

I've put forward a proposal to stimulate discussion. I will close by saying that I think it important that this matter receive your prompt consideration. If you think that you will need more than a year to come to a final recommendation to us on a new pricing policy, you may wish to recommend a flat interim increase.

We genuinely want to have specific proposals from you, and within a reasonable time. I am convinced that it is not in your interest, and not consistent with our responsibility, to postpone action beyond the end of this year.

ECONOMIC OUTLOOK FOR PENNSYLVANIA

Mr. SCOTT. Mr. President, I ask unanimous consent to have printed in the RECORD the text of an address given by Henderson Supplee, Jr., president of the Atlantic Refining Co., before the Pennsylvania Citizens Conference on State Issues on February 14.

Mr. Supplee reviews the economic rise and decline in Pennsylvania and then makes several dramatic proposals to help the Commonwealth get back on its feet. The speech refers to several slides which cannot be reprinted in the RECORD, but the references have not been taken out of the text because this would interfere with the continuity of the speech.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE ECONOMIC OUTLOOK FOR PENNSYLVANIA

(Talk by Henderson Supplee, Jr., Pennsylvania Citizens Conference on State Issues, Harrisburg, Pa., February 14, 1962)

PENNSYLVANIA EARLY GLORY

The rise of Pennsylvania's fame as the Keystone State paced the growth of America as a world economic leader. Pennsylvania was blessed with rich stores of raw materials accessible for fabrication and marketing. In short, Pennsylvania's prosperity stemmed from the only really basic source—creation and distribution of wealth.

Pennsylvania supplied the Nation's early low-cost energy sources—first from coal, then from crude oil and natural gas. From these fuel sources, Pennsylvania developed the first iron manufacturing and later the country's first Portland cement industry. Abundant timber provided building materials for factories and homes. A diversified agriculture supplied wheat, cattle, dairy products and tobacco for a mushrooming population in and around the State.

Slide 1 illustrates the peak of Pennsylvania's prosperity beginning about 1880. Thereafter, the State enjoyed an extension of this prosperity throughout most of the 20th century's first half.

THE CONTRAST TODAY

We turn now to examine what has befallen our proud Keystone State.

Slide 2 shows a map of Pennsylvania counties designated as redevelopment areas—the green being labor markets with substantial and persistent labor surplus; the red being rural countries with low income.

Slides 3, 4, and 5 show comparisons with the neighboring States of Ohio, New York, and New Jersey.

Slide 6 shows that this cluster of States, together with West Virginia, share the worrisome characteristic of having substantial and persistent labor surplus.

Consider another yardstick. Slide 7 shows percentage of population change 1960 versus 1950 in Pennsylvania by county.

Slide 8 compares the change by bar chart for nearby States and the U.S. average.

Again, for 1960 versus 1950, the bars on slide 9 make the same area comparisons by change of personal income.

Slide 10 compares percentage change in number of manufacturing establishments for 1958 versus 1954 for a group of Eastern States and average for the United States.

Now let's seek out causes for Pennsylvania's decline from top listing in prosperity to the substandard relationships so graphically illustrated by the slides. Slide 11 shows the total decrease in Pennsylvania's employment for 1960 versus 1950, and more than accounts for the net total through a combination of the four industries—primary metals, textiles, transportation, and coal mining. How this growth of unemployment affects regions of the State and how their circumstances relate to the United States is shown in slide 12.

Pennsylvania's iron and steel industry has received important continuing demand from automobile manufacturing. However, new products, for example, aluminum and plastics; imports from abroad; paralyzing strikes; and automation have reduced iron and steel employment by some 25,000 people in the last 10 years.

In the years just before World War I, Pennsylvania's anthracite coal mines employed nearly 175,000 people, or about 6 percent of our labor force. The growth of competing fuels, the bad work stoppage record, and, finally, automation, have reduced the industry's employment to 19,000 at present. Total coal mining employment in the last 10 years has dropped nearly 115,000.

Rail transportation is another of Pennsylvania's formerly important industries whose employment has fallen some 50,000 since 1950. As in the case of coal, competition from outside the industry reduced job opportunities and obliged drastic, though belated streamlining to cope with the competition.

Everyone knows the forces that prompted textile plants to abandon northern operations and to reduce employment further through resort to automation to withstand competition from domestic and foreign sources.

Slide 13 illustrates the serious percentage employment declines for primary metals, coal mining, transportation, and textiles. Only three categories indicate significant increases. From the chart you will notice they are wholesale and retail trade, financial and service trade, and government. The last, of course, is not a source of strength because it is necessarily parasitic in the State economy.

Thus, we come naturally, but sadly to the fact that large increases in unemployment

have been accompanied by unemployment compensation taxes rising from $60 million in 1950 to $282 million in 1961. Accompanying this dollar increase has been a rise in average rate for this tax to 3.2 percent—the highest in the Nation. To an uninformed person, it may seem to be a matter of small consequence when a payroll tax rate changes by 1 percentage point; but, to a large employer, such small percentage change can have heavy impact. For example, my own company's total Pennsylvania payroll is $58¼ million annually. Therefore, each 1 percent of tax applied to the subject wage portion amounts to a quarter million dollars per year.

Slide 14 shows what has happened to the unemployment compensation tax trends of Pennsylvania, New York, New Jersey, and Ohio in the period 1958 to 1961. You will recall from an earlier slide that these States are in the general area that compares unfavorably with most of the remaining areas of the country. Obviously, the rate of unemployment compensation tax is important to an employer who may have a high percentage of total expense committed to labor cost.

Unemployment benefits paid in Pennsylvania rose from $160 million in 1956 to $341 million in 1961, a rise of 113 percent. Truly Pennsylvania has become a welfare State.

As a result of this drain, the State's unemployment compensation fund, which had been $607 million in 1951, with $1¼ billion tax receipts over the next 10 years, by the end of 1961 was depleted and was burdened with $200 million in Federal loans.

There have been sharp increases in the costs of other State services in the short period since 1954. With Pennsylvania's small increase in population and in value added to manufacturing, the higher cost load of governmental services has required higher tax rates.

The Pennsylvania Economy League and Bureau of Municipal Research has made comparisons for a hypothetical corporation operating in and out of the State of its incorporation. If the corporation were based in Pennsylvania, the total State taxes would be 56 percent higher than if based in New Jersey, 14.6 percent higher than if based in Delaware, 10.4 percent higher than if based in Maryland.

Pennsylvania's problems are aggravated by changes in the national economic and industrial picture. We all know that a large part of the national economy is bolstered by defense expenditures. Unfortunately for Pennsylvania, however, there has been a shift from the earlier pattern of defense expenditures. Conventional weapons, such as tanks, and large volume purchases of uniforms have given way to developments of unmanned rockets and missiles. With the changes, Pennsylvania has lost much of its former share of money spent for military defense.

Aggressive recruitment efforts of other States are among the contributing causes for Pennsylvania industry and people leaving the State.

PENNSYLVANIA'S NEGATIVE SPIRAL

From the facts presented up to this point, it should be strikingly evident that Pennsylvania's problem is the negative spiral in which our State is caught. Not only have we lost momentum from our principal employment industries, but we must recognize that the accelerating automation trend will further reduce labor requirements in many industries. In turn, this, of course, will increase unemployment, lead to further population migration and, hence, require higher taxes with adverse effect on communities and with more intense competition between communities to attract new industry.

It has long been my observation that one of the most devastating misfortunes that can befall a human institution is to become involved in a negative spiral. The effect of this debilitating force is to set up a chain reaction whereby an institution has less capability of performance and the resulting decline of effectiveness, in turn, again reduces the capability. Let's face up to it. Once the spiral has become established, it can only drag the institution down until sufficient counterforce can be developed to reverse the spiral. This is what we must now face up to in Pennsylvania.

Having shook ourselves up, what are the remedies that will be corrective and stimulate a new surge of growth in Pennsylvania?

PENNSYLVANIA'S ASSETS

So that we may have confidence in facing the problem of remedy, let's start with an examination of Pennsylvania's assets. Among these we find that Pennsylvania is the center of the heaviest population concentration in the United States. More than 67 million people—three-eighths of the Nation's total population—live within 200 miles of the center of Pennsylvania. Within the State is a labor force of 4.7 million. We hear references to the "megalopolis," which is the result of the tendency of metropolitan areas to grow together and we are reminded that this is what is happening to the area from Boston to Washington. Within our State borders are 15 major industrial centers and two of the largest metropolitan areas in the United States.

It is estimated that one-third of the resources of this total area are in Pennsylvania. These include: virtually all of the country's anthracite, first rank for minerals other than petroleum and natural gas, second only to West Virginia in bituminous coal, deposits of petroleum, natural gas and limestone. Except for marginal portions in the northwest corner, Pennsylvania's productive soil is a major factor in our ranking among the first 16 agricultural States. This is supplemented by more productive forest growth than is characteristic of the Middle Atlantic region as a whole. We are blessed with generous supplies of water. We have ports on three of the major waterways in the east; namely, the Delaware, St. Lawrence Seaway and the Ohio.

In addition to our 9,600 miles of railroad, the State has 100,000 miles of roadways exclusive of the turnpike. Completion of the interstate highway program will provide the State with an additional east-west thoroughfare. Plans must be laid to assure that these highways will complement each other for the general betterment of the State and not compete to the net detriment of the State economy. In the jet age, Pennsylvania still maintains a key position lying directly at the crossroads of the Nation's important airlanes. Stemming from our early start in colonial days, Pennsylvania has 122 institutions of higher learning, a figure exceeded only by New York and California. As against a U.S. average of 6½ percent of public school teachers teaching under substandard credentials, Pennsylvania has only 1.3 percent.

STEPS FOR REMEDY

If Pennsylvania is to arrest and then reverse the negative direction of its prosperity spiral and, if this is to be accomplished despite the loss of important earlier advantages and in the face of stiff competition from other States, then the remedial objectives should include the following:

1. Encourage existing industry to remain in the State and expand here.

2. Draw new industry into Pennsylvania in preference to location elsewhere.

3. Make Pennsylvania appeal to people as a place to live, work, and enjoy recreation.

It should not be suggested that the State is not already at work on a remedial program. In the whole country in 1962 there are probably some 7,000 agencies of all types active in planning for industrial and local development. Pennsylvania is reported to have over 400, or more than any other State. It is gratifying to learn that the Pennsylvania Industrial Development Authority is considered a particularly successful lending authority with encouraging results, although still with much work to be done. These organizations, staffed and guided by people at work to overcome our problems, should have encouragement and support. It is to be hoped that agencies at the separate levels of Federal, State, and local planning will cooperate to promote mutual effectiveness.

In the area of general taxes, it is reassuring to learn from the Pennsylvania Economy League "Pennsylvania's industrial tax climate, once notoriously bad, has shown improvement in recent years; it is vitally important that these improvements be preserved and extended if Pennsylvania is to enjoy its share of future industrial expansion; proposed expansions of public programs and expenditures should be carefully weighed against their impact on the State's economic growth."

It is gratifying to note, also, that the local government commission (a special committee of the legislature with members from both houses) is making a study of more economical and effective collection of local taxes. Despite controversial factors, it is to be hoped that there will be wide cooperation and careful consideration when the study becomes available. This study is an important aspect of possible remedial action, because, in Pennsylvania, the Commonwealth assumes financial responsibilities more generally borne or shared by local communities of other States. In Pennsylvania, for example, the State pays for all public assistance and public welfare; four-fifths of all highway, street and road construction and maintenance; 55 percent of education costs.

Recognition of problems in our taxation methods has brought about a recent trend in the right direction for direct taxes on business and industry. By 1953 that segment of the Commonwealth was bearing 41.3 percent of total tax collections. For 1961 it is estimated there will be a drop to 24 percent. Contributing to this reduction of tax burden on the productive segment has been—

1. Establishment of a broad-based sales tax.

2. Manufacturers' exemption from State capital stock and franchise taxes.

3. Prohibiting assessment of industrial machinery for real property tax purposes by local governments within the State.

Among the additional remedies that should be considered is the step taken by several other States to set up broader scope tax equalization boards. The possible benefit can be better understood when it is realized that the State has more than 4,800 local taxing authorities with a wide variety of millage rates and assessment systems.

Crying out for reform is Pennsylvania's unemployment compensation tax system. Let's take a look at the leak points that have drained off more than $600 million from the unemployment compensation fund.

1. The Pennsylvania State Chamber of Commerce estimates that, in the last few years, $85 million has gone to people who have retired on pension. Our State program only partly restricts concurrent payment of unemployment compensation, social security, old-age pension and company pensions.

2. So-called "double dippers" can make a second benefit claim because of a lag provision which ignores earnings for as long as 6 months.

3. The present benefit table is weighted in favor of casually employed and lowest income producers. This was aggravated by a 1955 amendment providing for uniform

duration of benefits whereby an individual, whose limited earnings barely enabled him to qualify, can still receive benefits for the same number of weeks as a person who had been steadily employed. Obviously, this is an attraction to parasites on the system.

4. Although employees on strike are ineligible for benefit, they are entitled to compensation when they have been locked out by their employer. Reasonable as this provision may seem to be in theory, it provides incentive for political pressure and resultant abuse.

The unemployment compensation field is a highly sensitive area of legislation. On the one hand we have the fact that more than 200,000 Pennsylvanians are receiving as much as $40 per week. The effect is a current drain on the fund at the rate of $4.7 million per week. Among the legitimate causes for unemployment compensation, we must recognize the impact from businesses that move or reduce their activities, as well as changes in technology that affect work force needs. Hence, the tax burden is bound to be substantial. The problem is to prevent an excessive payroll handicap that can cause more damage than it cures.

It has been claimed that the State legislature has routinely considered abuses under the unemployment compensation system, yet serious abuses remain uncorrected. Whether the abuses are thoroughly justifiable or continue, because they are protected by votes of vested interest minorities; in either case, the effect is similar. The more the benefits, the more the tax. The more the tax, the larger the burden on the State economy with resultant detriment to total employment, followed by need for more unemployment compensation. This is the negative spiral under full momentum.

STATE AND LOCAL GOVERNMENT

This brings us to consideration of efficiency in Government as a vital factor. The pressures brought to bear on legislators need not have such frequently negative effect if the legislative body equipped itself with adequate staff to do its own factfinding. In this regard it is encouraging to learn that a Budget and Finance Committee recently has been established and that now the General Assembly is beginning to obtain justifications for budget projects instead of receiving lump-sum data.

An important example of needed improvement in capital budgeting involves Pennsylvania's highway program. We greatly need completely developed plans that can be made known throughout the State instead of being sprung on localities, with attendant waste of time and money from opposition understandably arising from property owners who have had inadequate warning. Other States are successfully using procedures of advanced acquisition planned before desired routes have been developed with homes, factories, and other improvements so costly for the State to acquire.

The general assembly has powers of investigation. When these are used for one day wonders, little benefit results. However, adequately staffed and seriously directed investigations, followed by formal committee reports, would be a means of permitting legislators to be more effectively informed for their responsibilities.

Last year's report of the Senate Investigating Committee on Election Irregularities demonstrates what can be done.

In Pennsylvania we make use of that peculiar government instrument, the general State authority. Is this the least costly and most efficient way to finance State improvements? Does the legislature have adequate control over projects financed by the authority? The Pennsylvania Planning Board recommends a constitutional amendment and gradual change in emphasis so that financing may stem more from current revenues than through borrowing.

There is probably no single improvement more important to the future of Pennsylvania than a merit system across the board in our State government. All of us know the practical politics arguments for continuance of a spoils system. When these arguments prevail, the result is the selection of people and their maintenance in jobs for political reasons and not because of fitness in the first place, supported by competent performance. Promotions based on party loyalty, rather than demonstrated skill in performance, have the results we all know too well. Government, like all other organizations, must use enlightened procedures to obtain successful results. Much remains to be done in Pennsylvania.

COURT SYSTEM

The public indifference that has permitted Pennsylvania State government to preserve so much of the spoils system is reflected also in our need for court reform. The Chief Justice of our Supreme Court has been informed that in the Philadelphia courts of common pleas alone there is an alarming backlog of 21,000 cases. If we select the easy remedy of more judges, we must recognize that inevitably there will be more expense and, therefore, need for more taxes. Other State and Federal court systems have successfully used the technique of more court administrators. Indeed, we are urged by the former chancellor of the Philadelphia bar to change the entire method of selection of judges in Pennsylvania; to scrap our magistrates system and substitute a new minor judiciary. These improvements can be achieved when citizens are adequately aroused.

EDUCATION

Like other subjects on which I have commented briefly, Pennsylvania's educational program is important enough to justify detailed handling. Time permits only hasty reference to four significant points:

1. The fast pace of change in work demand emphasizes the need to provide basic education and training, in order that young people may enter the labor force with reasonable flexibility for adjustment to the changing tides of job opportunity.

2. We are obliged to recognize that training should no longer end with the completion of high school. A new cooperation will be necessary between the State education system and employers to provide continuing opportunities for training.

3. It is estimated that by 1970 some 400,000 young people will be old enough to enter the labor market. They must have training opportunity, so that they will not face the alternatives of leaving our State or throwing themselves on public welfare.

4. The proposed school redistricting should be carefully studied and developed for whatever economies and efficiency improved may be obtainable.

RECREATION AND LIVABILITY IN PENNSYLVANIA

If Pennsylvania is to have increased appeal as a State in which to live, work, and enjoy recreation, as mentioned earlier among our objectives, then we must realize how times have changed. Formerly, people would work where plants were located. Among State areas needing redevelopment, there are examples of mill towns and mining towns clearly showing that inhabitants of earlier days lacked opportunity and inclination for insistence on attractiveness of surroundings and availability of facilities for enjoyment of leisure time.

The Pennsylvania Planning Board has proposed that by 1970 there be three great Federal parks in Pennsylvania based on three multiple-purpose large reservoirs. These are expected to lay the foundation for a new year-round recreation industry, easily accessible by the interstate highway network.

Later phases of the Pennsylvania Planning Board's objectives for 1970 include scenic highways and promotion of Pennsylvania's rich store of historic sites.

CONCLUSION

In this presentation we have developed three principal points:

1. Pennsylvania's early preeminence.

2. Decline from that preeminence by a still continuing negative spiral.

3. Pennsylvania has the assets on which to base a reversal of the spiral and many areas of improvement are clearly indicated. There remains only the question of how to organize for the remedial job.

Fortunately, much of the organization now exists—what is needed is public awareness and public support of action. But the public doesn't rise to action until aroused and led. Pennsylvania can't afford to wait for leadership from one or a few individuals. If they were politicians, too much time and wasted effort would go into partisan controversy. Civic leaders generally have commitments of personal careers that permit only extracurricular attention to civic affairs.

But I have mentioned that over 400 planning organizations exist in Pennsylvania. Every sizable community has its chamber of commerce, sometimes several. Rotary, Kiwanis, and Lion Clubs are strongly organized for local activities. For the State as a whole, we have the Pennsylvania Planning Board and the Pennsylvania Chamber of Commerce. At the west end of the State, the Allegheny conference, and at the east end the Greater Philadelphia movement represent top civic leadership of Pennsylvania's two major concentrations of people and productive resources. Numerous other civic organizations are active throughout the Commonwealth.

We, the people of Pennsylvania, have endured adequate proof that a welfare state is no viable substitute for a State that produces and distributes wealth from its basic resources.

Let's rediscover what we have to use and determine what may still be needed. Let's take inventory, county by county, and especially at the regional level—where so much remains to be done by coordination for mutual benefit. Let's capitalize on Pennsylvania's great arteries of transportation: rail, water, highway (present and building), and airway. By surveys, as needed, but principally by the energetic cooperation of existing organizations in which so many of our most productive people are already enrolled, let's work ourselves out of the dead end welfare route and back into a recapture of the productivity that created Pennsylvania's early glory.

Modest investment in purposeful analysis and planning can avert many, many times such outlays needed to supply welfare funds for the unemployed. We can make it no longer necessary for our politicians to seek election by promising to give away increasing portions of our State's decreasing prosperity. The most irresistible pressure group of all will be the productive people in Pennsylvania united to arrest and reverse our negative spiral.

SOUR NOTE ON MAN IN SPACE

Mr. SCOTT. Mr. President, all America has been rejoicing in the launching of an American man in space. The flight of John Glenn who orbited three times around the world lifted hearts in all of the free world.

In all of the things I have seen or read in this great feat there has been only one ugly note. I will not dignify what was said by discussing it on this floor. But I ask unanimous consent to insert into the RECORD an editorial and a column which appeared in the Washington Evening Star of February 27, 1962.

There being no objection, the editorial and column were ordered to be printed in the RECORD, as follows:

POLITICS AND THE INFINITE

Measured against the stars and the incomprehensible magnitudes of infinity, a man like Democratic National Chairman John M. Bailey seems to be quite absurdly small, to put it mildly. This holds true for all of us earthlings, of course, but he stands out at the moment as a particularly glaring example of how ridiculous a human biped can make himself look when he says silly things about the high heavens around us and our terra firma politics.

What silly things? Well, Mr. Bailey has hailed Astronaut Glenn's triple orbital flight as a triumph that must be credited to the Democratic Party and "the imagination, energy, and know-how of the Kennedy administration." This is a real blooper, and a strangely stupid one in view of Mr. Bailey's reputation for being sensible, and in view also of the fact that Project Mercury was set up by the Republican Eisenhower administration.

Colonel Glenn, in any case, has set a nonpolitical standard, away up there above our little earth, around which all men of good will, intelligence, commonsense, and genuine patriotism can rally. In short, he has achieved something so grand that politicians like Mr. Bailey make themselves look foolish when they try to capitalize on it for votes.

GLENN FEAT THRUST INTO POLITICS

(By Gould Lincoln)

To many Americans the attempt by Democratic National Chairman John M. Bailey to play partisan party politics with the earth-orbiting flight of Col. John H. Glenn, Jr., claiming all the credit for the Kennedy administration, came with a sickening thud. It came at a time when the whole Nation, Republicans and Democrats alike, were rejoicing in the success of this remarkable achievement and in the fact that the United States had demonstrated once again the courage of its citizens and the worth of its scientists. Chairman Bailey was delivering a peptalk to Democrats in Hartford, Conn., in his own home State. And he seemed to be trying to use the Glenn space flight to cover up his disappointment over the knockout blow last week to President Kennedy's Urban Affairs Department proposal in the Congress.

The language used by Mr. Bailey was far different from that of Vice President LYNDON JOHNSON, who as Democratic leader of the Senate and as chairman of the Senate Committee on Aeronautical and Space Sciences, said in January 1958: "Why do we now stand in a posture of relative weakness? (Soviet Russians had demonstrated their capacity to launch a half-ton satellite into space.) When such a question is asked, as it should be asked, there is an ever-present danger that we shall frame our answers in terms of credit and blame. To do this now could well be fatal. There is little question that wrong decisions have been made. These errors are not divided along any partisan lines. As Prime Minister Churchill told the House of Commons on June 18, 1940: 'If we open a quarrel between the past and the present, we shall find that we have lost the future.'"

SPEAKS AS AMERICAN

Mr. JOHNSON was speaking, not as a Democrat but as an American, at a time this Nation was faced with a major problem—that of regaining lost ground in the field of missile and space development. The record shows that Mr. JOHNSON has been a leader for years in the drive to promote the development of space science and of missiles capable of putting men into space.

It is of interest to recall that Vice President JOHNSON, as long ago as January 1958, was urging that "we make provision for inviting together the scientists of other nations to work in concert on projects to extend the frontiers of man and to find solutions of the troubles of this earth." This is similar to the recent proposal made by Premier Khrushchev in his letter to President Kennedy congratulating Colonel Glenn on his orbital flight. And in November of 1958 it was Senator JOHNSON who was chosen to present to the United Nations a resolution calling for a committee to explore the possibilities of joint United Nations actions on outer space.

It has been Vice President JOHNSON'S deep belief that outer space could be a pathway to world peace. In his opinion, the United States now has a rare opportunity to seize the initiative. President Kennedy has already replied to Mr. Khrushchev that he welcomed the idea of cooperation in the development of space science and travel in the cause of peace.

For many reasons, therefore, it was very fitting that the Vice President should have been selected to ride with Colonel Glenn on his trip to the Capitol from the White House yesterday. And it was with fitting pride in Colonel Glenn and his accomplishments that the Vice President presided jointly with Speaker JOHN MCCORMACK over the meeting of Congress which listened to the astronaut tell of his experience in space, and honored him. Colonel Glenn's fervent wish that man may go forward into more and more knowledge of outer space and that such knowledge may aid toward a peaceful world runs parallel to that expressed 4 years ago by Mr. JOHNSON.

BAILEY REMARK

Mr. Bailey's effort to make political capital out of the Glenn flight was couched in these words: "This week our country celebrated an inspiring achievement, the three orbits around the earth of Astronaut John Glenn. This magnificent flight symbolized what can be done by an administration (the Kennedy administration) with the imagination, energy, and know-how to set big goals and to reach them. It showed what America can do when urgency and determination replace apathy and indecision in the executive branch (presided over by former President Eisenhower) of our Government."

Senator HICKENLOOPER, of Iowa, chairman of the Republican policy committee of the Senate, countered with a statement that the Kennedy administration simply carried out the program of the Eisenhower administration—the Mercury program started 3 years ago. Senator HICKENLOOPER said that "no responsible" Democrat will seek to make political capital out of the result. He commented further that during the Truman administration less than $4 million was spent on intermediate range and intercontinental ballistic missiles; that starting in 1953 the Eisenhower administration built the program for development of heavy thrust missiles, and from 1953 through 1961, the Eisenhower administration planned, spent, and appropriated $14 billion for the intercontinental and intermediate range missile alone. This program, he said, made possible the heroic feat of Colonel Glenn.

MILITARY WPA

Mr. ENGLE. Mr. President, I heartily agree with the New York Times editorial of February 23, 1962, stating:

The Nation's military effort should not become a rescue operation for local economies.

This has consistently been our position in California. We believe that military contracts should be based upon the capability of the company involved to supply the best product at the lowest price in the shortest period of time. We in California are prepared to sharpen our pencils and compete on that basis.

This does not mean that I am insensitive to the problems where high unemployment occurs. I think other means must be adopted to remedy those situations. I am convinced that, if we ever make defense contracts in this Nation a military WPA, we will injure the national defense and be acting adversely to the national interest.

I ask unanimous consent, at this point, to place in the RECORD the editorial in the New York Times.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

NO MILITARY WPA

The Republic Aviation Corp. on Long Island is scheduled to put into effect today the first of the layoffs made necessary by the Air Force's cancellation of the company's contract for F-105 planes. Republic has warned that the layoffs may reach a total of 13,000 in the next 2 years unless new military contracts are obtained. This will be a grievous personal blow to the workers and their families; it will also bear heavily on the company, its 900 subcontractors and the entire Long Island economy.

The severity of these repercussions makes obligatory maximum effort by all agencies of Government to find useful new employment for the displaced workers and facilities. However, one consideration must remain inviolable in all the rescue operations: The military procurement program is not a make-work program akin to the old WPA contracts, for obsolete and unneeded equipment cannot be continued merely to protect jobs or to shore up a distressed area. If the Republic plant can be kept busy on aircraft or other materiel the Defense Department genuinely needs, that will be a constructive solution. If not, public and private effort will have to focus on providing enough regular civilian work.

President Kennedy has appointed a task force headed by Secretary of Labor Goldberg to consider ways of minimizing the human hardships caused by shifts in defense needs.

But whether in Texas or New York, the Nation's military effort should not become a rescue operation for local economies—despite the best efforts of many ardent Congressmen to make it so.

EAST-WEST NEGOTIATIONS ON SPACE AND TEST BANS

Mr. WILEY. Mr. President, today we in the Nation's Capital welcome with pride and deep gratitude the U.S. Astronaut, Col. John Glenn.

Launched before the eyes of the world—not secretly behind an Iron Curtain extending upward to the edge of space—the space flight of *Friendship* 7 represents an opening of new horizons—indeed, a new world—to freemen.

Entrusted with a new miracle-type capability we, and humanly must now build further upon this initial foundation of space conquest; to dedicate and utilize space potentialities for serving—not destroying—mankind.

The successful flight of *Friendship* 7, then, also means a giant step forward in our space program.

As, in the past, the exploration of space, in addition to its significance in ultimately bringing benefits to mankind, continues to be a highly significant factor in competition between the Communist and non-Communist world.

As usual, however, Khrushchev is attempting to, first, bring the Soviet Union into the scene, and, second, gain, if possible, propaganda advantage.

Evidently, Khrushchev now intends to orbit a new propaganda campaign by paying more lipservice to—but failing to support any real progress on—cooperation in space exploration and control and reduction of armaments.

Currently, the world is exploring for ways, first, to halt the nuclear arms race, and, second, to utilize outer space for peaceful purposes.

Policywise, we, as a nation, have by word and action attempted to attain these goals.

By contrast, the Communists have, first, refused to agree to any realistic safeguarded agreement on controls of arms, and, second, to cooperate on space.

Deceptively, the Soviet Premier once again intends to utilize both fields as launching pads for propaganda, not for real progress toward peace in the world.

During the past 16 years, about 70 major East-West conferences, including hundreds of lesser level meetings, have been held to consider arms reduction and control.

What has been the reason for failure? The Soviet Union has been unwilling to adopt any kind of realistic safeguards. Now, we find Mr. Khrushchev plumping again for an 18-nation summit conference on halting nuclear tests. However, there are no hopeful signs for real progress beyond stalemated meetings of too much talk and too little action.

The U.S. *Friendship* 7 project, orbiting Colonel Glenn successfully around the globe, apparently also persuades Mr. Khrushchev that here is a new opportunity for propagandizing. Despite the fact that the United States and the U.N. have attempted to obtain agreement for dedication of space for peaceful purposes, the Kremlin, time after time, has roadblocked any real progress.

The United States, then, must be extremely cautious in negotiating with the Soviet Union on cooperating in space. Why? As in the past, we can expect that the "guiding principles" of Red cooperation would be, first, utilizing the negotiations for propaganda, and, second, attempting to capitalize upon any degree of cooperation as one-way street benefit for the Soviet Union, not for serving mutual interests of cooperating nations.

As in the past, we need, of course, to redeclare to the world that we are ready, willing, and eager to engaged in realistic good faith negotiations in these and any other fields. At the same time, we must also make it crystal clear that we will not be duped by deceptive lipservice, propaganda tactics; nor will we allow the Reds to succeed in blaming the United States for blockading progress, either in test ban agreements, or cooperation on exploration of outer space.

NEEDED: CAUTION ON PROPOSED KENNEDY-KHRUSHCHEV TV TALKS

Mr. WILEY. Mr. President, the United States and the Soviet Union, currently, are considering an exchange on TV programs by President Kennedy and Premier Khrushchev. The programs would be recorded; and then shown in the U.S.S.R. and the United States respectively. Personally, on merit of the idea alone, I feel that any realistic exposure of the Communist-dominated people to the truth and facts of life in today's world would serve, in the long run, the cause of peace.

About a year ago, in fact, I urged, not merely bilaterial, but global, TV discussions, insofar as television extends, of the major challenges confronting the world.

In any proposed exchange, however, there is need for extreme caution. Why? To attempt to assure that, if there were such an agreement, U.S. views would be given equal time and coverage in the Soviet Union.

As a precedent, we recall Red trickery in the proposed visits between former President Eisenhower and Mr. Khrushchev. According to the arrangements, Khrushchev, with all propaganda horns blaring, visited the United States.

In response the Soviet Premier—apparently afraid to expose the Soviet people to the popular "I like Ike" peace fever sweeping the world, utilized a trumped up excuse and withdrew the invitation for Mr. Eisenhower to visit the Soviet Union 2 years ago.

Consequently, in my judgment, new negotiations of any kind of exchanges should be conducted very cautiously as I believe they will.

A MOMENT WITH CARLOS ROMULO

Mr. MUNDT. Mr. President, one of America's dearest friends is the Republic of the Philippines. And one of that hardy little nation's most eloquent spokesmen is Gen. Carlos P. Romulo, retiring Ambassador from the Philippines.

Recently General Romulo—with whom most if not all in this Chamber are well acquainted—appeared on a television program produced here in Washington by WRC-TV, channel 4, the NBC station.

This program is "A Moment With * * *," telecast every Saturday with Deena Clark as the hostess.

General Romulo is one of our most dedicated freedom fighters who has long stood in the frontlines of action battling the foes of liberty. He qualifies, if anyone does, as an expert on the Communist menace confronting the free world today.

And it is on this menace, the threat of communism, that General Romulo dwelt in his visit with Deena Clark. His message, I feel, is one that should be brought to the home of every American. It is my hope that WRC and NBC will work out some type of arrangement to see that this excellent discussion by General Romulo is presented over and over again throughout the country, not only on the television network, but through making this film available to schools and organizations. The text should also be made available in printed form.

Not often have I heard a dissertation which quickly went to the heart of the problem confronting America today. The analysis is clear, the explanation to the point. General Romulo's words are not only worth repeating—they should be shouted from the housetops.

Mr. President, I ask unanimous consent that the program "A Moment With Carlos P. Romulo" be made a part of the RECORD at this point.

There being no objection, the program was ordered to be printed in the RECORD, as follows:

A MOMENT WITH CARLOS P. ROMULO

DEENA CLARK. Gen. Carlos P. Romulo, just retiring as Ambassador from the Philippines, is one of the best friends the United States ever had. That was evident even in his teens when young Carlos won a high school oratorical contest with an oration called "My Faith in America."

After taking a master's degree from Columbia University, where he was a first-stringer on the debating team, young Romulo returned to Manila University to teach literature, then head the English department. Turning to journalism, he rose from cub reporter to editor and publisher of the powerful chain which issues dailies in English, Spanish, and Tagalog. Politically astute, young Romulo began contributing to important American magazines like Foreign Affairs, the Reader's Digest, and the Saturday Review of Literature. In 1941, just before the attack on Pearl Harbor, he wrote a series of articles predicting Japanese aggression. The series won him the Pulitzer Prize.

On December 7, when the bombs dropped, Romulo volunteered for the U.S. Army and became aide-de-camp to Gen. Douglas MacArthur. Promoted under fire, he was the last man to leave Bataan—and then left only after his Commander in Chief strictly ordered him to do so.

In 1945, at the first United Nations Conference in San Francisco, General Romulo proved himself a world figure, fighting for justice and the human rights of all. Since then he has been President of the Fourth General Assembly of the United Nations; served 10 years as his country's highest envoy to the United States; written 11 bestsellers; been awarded 43 honorary degrees from colleges and universities, including Harvard, Notre Dame, and MacAlaster; and been honored with 42 awards in recognition of his outstanding contribution to world brotherhood and humanity.

We are honored to bring you now, Gen. Carlos P. Romulo.

Gen. CARLOS P. ROMULO. In these days of danger—danger for the free world—it seems to me it is very important for the American people to have a yardstick, a gage by which to judge whenever an international crisis is developing anywhere in the world, whether the position taken by the free world on such a crisis is sound or unsound, fair or unfair, right or wrong, patriotic or unpatriotic. And I would like to base such a yardstick purely on logic and reason, devoid of any partisan bias or of any emotionalism. And I would submit three major premises, that taken together can be that yardstick.

And the first premise is this: Do you or do you not accept that your country, the United States, is not an imperialistic country? Whatever might have been the international connotations of your early adventures as a nation at the beginning of this century in Cuba, in the Philippines, in Panama, in Mexico, in Nicaragua—whatever, too,

might have been in the international connotations of your so-called dollar diplomacy which made many enemies for you unquestionably—certainly after the First and Second World Wars, and those two wars you won decisively. In fact, your entry in both wars was decisive. And in the Second World War, in the Pacific war, it can be said that you won that war singlehandedly. And yet after those two World Wars, unlike other victors in the past, you not only refused to annex one single inch of territory—you not only shared your abundance with all friends and foes alike—but you also proved to be the most generous victor in the history of all wars.

Witness your treatment of Germany and of Japan. In the light of these records, certainly no objective observer, and no true American will refuse to admit that your country, the United States, is not an imperialistic country. If we accept this first major premise, as we must, because in all fairness it is true, then we must accept the corollary syllogism that whenever Soviet Russia provokes a crisis anywhere in the world, be it in Iraq or Lebanon, in the Middle East or the Near East, or in Formosa, in the Far East or in Berlin, Germany, or in the Congo, Africa, must be in the interest—whatever position America takes in such a crisis—must be in the interest of world peace and security. That is the first premise.

The second premise that flows from the first is this: Do you or do you not accept the basic Communist objective and philosophy is world conquest? Who can deny that? Certainly Nikita Khrushchev not only does not deny it, but reiterates it whenever he can. I remember during a certain day, that infamous visit of his here in your country, he kept on repeating that objective of communism. When in the National Press Club in Washington he was asked to explain why he once said he would bury you. Without a moment's hesitation, and with arrogance he said, because I believe in the true historical process, that in the same manner that feudalism made way for capitalism, so in exactly the same manner, he said, capitalism must make way for communism, implying, of course, that communism is the wave of the future, that communism will rule the world.

If we accept this second major premise, as we must, because it is so, the basic Communist objective and philosophy is world conquest. Then we must accept the corollary syllogism that wherever Soviet Russia provokes a crisis anywhere in the world, it is part and parcel of this strategy to conquer the world, and it is therefore the duty of America, and of all those who believe in democracy and freedom, to resist it whenever, and wherever it happens. That is the second premise.

The third premise that flows from the first, and the second, is this—do you or do you not accept that you, as a people, are now engaged in a life and death global struggle against communism? That you are now as a nation locked in mortal combat with communism? Who can deny that? Who can deny that Soviet Russia is trying every means to destroy America's prestige all over the world? To present you as the aggressor nation, the imperialist nation, the materialminded nation, the dollar-crazy nation, the ugly American, trying to defeat you in every line of human endeavor, trying not only as Nikita Khrushchev says to overtake you, but to surpass you. Trying to undermine and destroy and subvert the American way of life.

If we accept this third major premise as we must, because it is so, that you as a people today are engaged in a life and death global struggle against communism, then we must accept the corrolary syllogism that wherever Soviet Russia provides a crisis anywhere in the world, it is only because it is part and parcel of their strategy to conquer the world, but in order to achieve that objective, Soviet Russia must first defeat the United States, and so therefore not only for the sake of world peace and security, but more importantly, for the sake of the security of your lives, for the safety of your dear ones, for the survival of the American way of life. It is important that wherever such a crisis is, that is provoked by Soviet Russia, you must resist it, if you want security and the survival of the American way of life.

That, my friends, are the three premises based entirely on logic and reason, that I submit to you as your friend, which taken together, I believe, you can use as your yardstick whenever in your morning or your evening newspaper you read an international crisis developing anywhere in the world. I submit these three premises to avoid confusion, in order that we may think clearly, because sometimes we are confused. We hear arguments pro and con, partisan discussions, sometimes serve not so much to enlighten as to exacerbate feelings. And so, as one who has studied this question carefully, and as one who hails from a country that has thrown its lot with the free world, we are not fence sitters in the Philippines, we are a committed nation—a committed nation because we are committed to ideals for which our heroes died. The Philippine Republic was first proclaimed in 1899, and we promulgated a constitution based on democratic principles, so that our commitment to democracy antedated the arrival of American troops in the Philippines. We are therefore a committed country, not so much to a particular nation of people, but we are committed to ideals of democracy and freedom, which we share in common with the American people, and because we are a committed nation, we want you to know that we are against all the evil forces of communism, that monolithic ideology, godless, that reduces everything to materialistic dialectics.

BULGARIAN LIBERATION DAY

Mr. MUNDT. Mr. President, March 3 is being commemorated by Bulgarians throughout the world as Bulgarian Liberation Day.

Even though Bulgaria is under Communist domination, its citizens are commemorating the winning of independence and freedom on March 3, 1878. After 485 years of domination by the Ottoman Empire, they were free. This freedom lasted only some 60 years when war struck again and this brave little country ended up behind the Iron Curtain.

Since the Bulgarians still in their native land are unable to speak out, it is most fitting that we here in the Senate pause to pay tribute to these freedom-loving people.

As the Bulgarian national front commemorates liberation day, we can only hope that soon their country will emerge from behind the Iron Curtain and they will be able to celebrate once again—a free people in their homeland.

TRIBUTE TO CAPT. EDDIE RICKENBACKER

Mr. LONG of Missouri. Mr. President, the Mexico Evening Ledger recently carried an editorial answering many of the arguments made by Capt. Eddie Rickenbacker recently at an anti-Communist school in Tulsa, Okla. The editorial points out why we cannot repeal the income tax, why we should not quit the United Nations, why we should not stop foreign aid. It also discusses the relationship between State and Federal governments. But more than this, the editorial comments on the road we are taking toward ultimate victory over communism. Freedom has never been an easy road. Twentieth century science and technology have only made the going tougher. We cannot attain victory by wishing for the simpler days of past centuries. We are taking the steps which lead to victory. They are hard, tough steps and there are many more to be taken. With God's help, we will reach our goal but it will test the courage, fortitude and faith of every American.

Mr. President, I ask unanimous consent that the editorial that appeared in the Mexico Evening Ledger on February 13, 1962, be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

CAPTAIN EDDIE AND BATHING THE BABY

Capt. Eddie Rickenbacker was speaking from the platform of an anti-Communist school in Tulsa, Okla.

He called for the repeal of the Federal income tax; he proposed we quit the United Nations; he said we should stop foreign aid; he said the Government should sell all Government corporations to private enterprise and restore States rights.

And the Associated Press quoted him as recounting the history of Russian-American relations and then saying, "from all indications we are heading toward an ultimate surrender."

We don't like the income tax any better than anyone else. But who pays our troops, for their equipment, for our planes, for our missiles, for our subs and ships? Who pays the sound and necessary bills of government without this tax?

So we quit the U.N. Then what? Should there be no forum in which representatives of various nations speak up for what they believe, and denounce that in which they don't believe? Who attempts to restore order in the Congo, the Middle East, other areas of U.N. action? Do we do it alone? Or, perhaps, let the Commies do it? With no U.N. who does it? Someone will.

As for foreign aid, would Greece today be Communist without our help? How many other countries would have turned Red? As it is, only Cuba has fallen to the Reds for any reason other than occupation by Red troops. And Cuba is one country where Russian aid was more than American aid.

We don't like aid any better than anybody else. But we would a lot rather lick communism with dollars than bayonets as long as we can win doing it. And can you prove we are not winning?

What about Government corporations and States rights? We favor Government in business as little as possible and we favor all the States rights possible for the States. Even so there are business areas and limited States rights which belong under some Federal control. To say there aren't is to try to repeal the revolution of time and space and modern technology.

Captain Eddie says we are heading toward "an ultimate surrender."

No, we aren't.

We're heading toward an ultimate victory over communism after which we will be challenged by some other force. Perhaps fascism again, or anarchy again, or monarchy, or something entirely new. We don't know what it will be but we do know the day shall never come when liberty lives uncontested.

All we have to do is win the contests.

So far, we have won them.

And we have won them by strengthening ourselves and our institutions. That is what we're doing now. That is what we must constantly do.

But, Captain Eddie, in cleaning up the mess, let's not throw the baby out with the bath water.

JOHN ODGEN CARLEY

Mr. STENNIS. Mr. President, few men attain true greatness, but John Odgen Carley did. The reason, and some of the high points thereof, are stated in an editorial published in the Commercial Appeal, Memphis, Tenn., February 21, 1962, one of the Nation's great daily newspapers to which Jack Odgen Carley had devoted a large portion of his life.

Men such as Jack Odgen Carley make our country great. He gave much and reaped much—friendship and respect of his fellow men.

Mr. President, I ask unanimous consent to insert the editorial in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

JOHN OGDEN CARLEY

Somewhere the martial strains of a smartly stepping marching band are sounding the salute.

A bright American flag is waving at half-staff—but proudly so.

The heads of great and powerful men are bowed in humble homage to a newspaperman who had no peer.

First, last, and always John Ogden Carley was a newspaperman. If the word has dignity and integrity it is because a man like Jack Carley imparted his own character to his profession.

When the fires are lit in living rooms in days to come, and old friends of Jack Carley sit around them telling the stories of his years, they will begin to discover as they recount events that Jack was a giver whose generosity only now can be assessed.

Most of all, he gave himself.

Let us start with Jack as a young Canadian, fired by patriotism for the British Empire, eager to battle the Hun, ready to die.

In later years this same devotion to country was transferred to the United States. He could not love unless he loved deeply, and he worshiped this Nation, its traditions, its history and its people. For many years the awards and honors which others have felt compelled to heap upon Jack Carley put this quality of his at the top. Americanism, in all its good and rightly virtue and with all honesty and dedication, was never more clearly personified than in this man.

The loyalty, almost fierce in its intensity, which Jack had given to the British Empire, he now moved south from Canada after World War I, and as a young newspaperman he began breaking the trail that led to a lifetime of consecrated journalism.

In Los Angeles, in Chicago, and then in Memphis he learned, as astute newspapermen do, how to sift the truth from lies, the good from the wicked, facts from confusion, meaning from events.

Out of this seed, planted in Memphis, many good things grew to fruition. How can they be told?

Jack Carley waded in the flood waters of the devastating Mississippi Valley floods of 1927 and 1937. He fought back from a typewriter, spinning out the words of challenge and demand which spurred the Congress of the United States and the Army Corps of Engineers in the great battle to prevent such floods from ever returning.

He became the confidant of that person highest in preserving the security of America from national criminals and international agents—Director J. Edgar Hoover of the Federal Bureau of Investigation. To hear either of them speak of the other was to know how strong their bond held them and how much it was forged from their mutual love and loyalty for America.

To say that Jack Carley was a fire buff and an expert on crime prevention is inadequate. But for years he crawled out of bed in the small hours of the night to rush to a three-alarmer, where he tramped through the rivulets of water and watched the heated glare of flames. And while he waged never-ending conflict against the unlawful, he was more deeply concerned about the means of keeping crime from happening, of making prisons a place of rehabilitation, of cleansing the soul of the criminal and strengthening the bars to misbehavior.

When American troops thrust through bloody Central Europe in the closing weeks of World War II, Jack Carley was hot on their heels, a witness of the trauma of Hitlerism, and again a more aroused advocate of the kind of Americanism which opened the vise of history to turn free the victims of oppression.

Then, at the turning point in history, Jack Carley began to loose the flow of warnings against international communism. Perhaps the scope and meaning of this act, this recognition of danger and evil, is best revealed in the words of a rival newsman, Editor Edward J. Meeman of the Memphis Press-Scimitar.

"The United States should know that Jack Carley in person and through his paper was speaking against communism in the days in which such speech was not fashionable," Mr. Meeman said in 1955.

Those intimate with the Commercial Appeal's long and early leadership in the campaign to expose the beastiality and hypocrisy of communism know that it was Jack Carley's doing. His warnings leapt from this selfsame typewriter, into the same hot lead, to be emblazoned on this very same page. And he had the satisfaction of seeing his locale, and his Nation, respond.

What else is there to say? Why, say that Jack Carley was as avidly militant in trying to bring the arts, the humanities, the gifts of great talents to Memphis and the midsouth. Say that whoever knew him was his friend, and that once brought to ferment, his friendship was unshakable. Say that he could clasp a child to his breast and by his own mystical means of osmosis transmit an unforgettable love. Say that his pulse quickened and his frame snapped to attention when he heard the skirl of bagpipes playing "Scotland the Brave," or a regimental band trooping the colors. Or a resounding air by Sousa.

And say that he was a man, built of an iron that could not be corroded, a man constructed of virtue, honesty and dignity, who saw the material world with piercing eyes, and then turned to his God and family and friends to observe a transcendent spiritual world.

Generals of the Army, preservers of the laws of this Nation, men of the mighty Mississippi River, children of the future—and newspapermen everywhere—bow in respect.

Jack Carley showed you how to get the most out of life, and how to give the most.

WALL STREET JOURNAL EDITORIAL UPHOLDING THE CONSTITUTIONAL RIGHT OF STATES TO FIX QUALIFICATIONS OF ELECTORS

Mr. STENNIS. Mr. President, despite the clear provisions of the Constitution, proposals continue to be made that Congress should interfere with the right of each State to fix the qualifications of its electors. A few weeks ago, a bill was presented in the Senate proposing that Congress take action to lower voting qualifications, especially as to literacy tests.

At that time, I pointed out that so far as voter qualifications are concerned, if they are to be changed at all they should be changed upward and not downward. But in any event, this is a matter for each State to decide as this is the clear mandate of the Constitution. The Congress has no business in this field at all, and any action by the Congress in enacting legislation on this subject, whether on educational or other grounds, is clearly unconstitutional.

On February 26, 1962, there appeared in the Wall Street Journal an excellent and well-reasoned editorial upholding the right of the States in this field and pointing out that such matters are within the sole jurisdiction of each State under the Constitution. I commend this fine publication for this editorial and ask unanimous consent that this editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

MR. KENNEDY AND THE CONSTITUTION

Sometimes listening to President Kennedy discuss the U.S. Constitution we wonder if he can possibly be talking about the same document that's displayed in the National Archives and read by every schoolboy.

Mr. Kennedy, who is in favor of having the Federal Government take on responsibility for supporting local schools, says he has discovered somewhere in the Constitution a great bar against the use of the Federal funds to educate a child who attends a school with any religious sponsorship.

Yet while thus finding in the Constitution a provision that escapes an unlearned schoolboy's eye, the President is apparently unable to locate a clause which generations of old-fashioned law professors have read as clearly reserving to the separate States the right to set their own voting requirements, subject only to the general requirements in the Constitution itself. So the President contends that the rules on voting can be changed by a simple congressional bill.

Now it's true that in the copy we have in front of us the Constitution does say (first amendment) that "Congress shall make no law respecting an establishment of religion." It's true also that these 10 words have given birth to reams of opinions about what they mean.

But all they clearly prevent is the setting up of a state church or the conferring upon one church of special favors denied to another. And even in this novel Federal Aid to Education bill no one is proposing that aid be given exclusively to church schools or to Catholic schools or Protestant schools to the exclusion of each other.

In case after case, in both Federal and State courts, it has been held that there can be no discrimination against religious schools any more than any discrimination for them. In our own area, for example, public funds are used to transport children to religious schools in exactly the same way they are used to transport children to the public schools.

It is President Kennedy who reads into these seemingly clear 10 words a hidden meaning. He says the Federal Government can take over the local responsibility for schools but that it is somehow barred from carrying out that responsibility in as equally an impartial and nondiscriminatory fashion.

We find this Presidential interpretation of the Constitution no harder to follow than his views on the power of Congress to change the voting laws of the several States.

The original Constitution (art. I, sec. 2), left voting requirements up to the States, with the provision that anyone who could vote for the most numerous branch of a State legislature could vote in a Federal election. Since then a State's discretionary power has been further limited; you can't be barred from voting because you are a female or on account of race or color.

But up to now all changes in the States' power over the voting franchise have been made by amending the Constitution itself in the regular fashion. The Supreme Court has upheld the right of States to have varying rules within this framework (including the requirement of literacy tests) so long as the rules apply alike to all applicants for the voting privilege.

What President Kennedy has done is to discover some power in the Constitution which permits Congress, by a simple legislative act, to tell States they can't set their own literacy requirements, however fairly and impartially applied to all comers. No need to bother with the cumbersome procedure of amending the Constitution itself.

Of course we have long since been disabused of the notion that the Constitution means what it may seem to mean to the person of ordinary education in the British language. There is, for example, a clause in it which says, "the powers not delegated to the United States by the Constitution * * * are reserved to the States respectively," but no Supreme Court in the last 25 years has been able to find it.

Now just as we were getting used to the idea that the Constitution is whatever the Supreme Court says it is, we run into this new doctrine that it's whatever the President reads into it or out of it. No wonder we have so much trouble keeping up to date.

HEALTH AND MEDICAL CARE

Mr. RANDOLPH. Mr. President, earlier today, in remarks taped for radio broadcasting, I expressed the opinion that President Kennedy's message to the Congress last Monday on problems and recommended programs in the field of health and medical care was one of our Chief Executive's most important and forthright announcements.

I said—and I reiterate—that I agree completely with the President in his appraisal that "measured against our capacity and capability in the fields of health and medical care—measured against the scope of the problems that remain and the opportunities to be seized—this Nation still falls far short of its responsibility."

Likewise, I said—and I repeat now—that I am in concert with the President's assessment of areas of responsibility. He was correct in asserting that "basically, health care is a responsibility of individuals and families, of communities and voluntary agencies, of local and State governments. But the Federal Government shares this responsibility by providing leadership, guidance, and support in areas of national concern. And the Congress last year recognized this responsibility in important ways. * * * But of the four basic improvements in the Federal health program recommended by Congress last year, two urgent ones—health insurance for the aged and assistance to education for the health professions—have not been met."

The President was so right when he declared that "the passage of time has only served to increase their urgency."

I support the administration's health program, especially the bringing of medical care for the aged under the social security system.

SPACE FLIGHT OF LT. COL. JOHN GLENN, JR.

Mr. JOHNSTON. Mr. President, I wish to bring to the attention of the Senate one of the most appropriate editorials written on the space flight of Lt. Col. John Glenn, Jr.

Appearing in the February 22 edition of the Anderson Independent of Anderson, S.C., this editorial contains an extraordinary insight into the impact of space exploration and its meaning to humanity everywhere.

As this article so aptly states, this is but the cradle stage of the space age. So far, it has been impressive, thrilling, and heartening. But we have not yet even started to crawl, and to advance further, this program will need the support and prayers and faith of every American.

I ask that this editorial be printed in the body of the RECORD, together with my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

JOHN GLENN'S FLIGHT: THE MIGHTY POWER OF PRAYER IS PROVEN AGAIN

Thanks, Lt. Col. John Glenn.

Thanks, also, to your teammates, to the dedicated scientists, and to all who had anything to do with it.

And thanks, above all, to God.

In Anderson and elsewhere in the United States heads are being held a little higher today.

Steps are more brisk.

Shoulders are more squared.

There is a new spirit abroad in the land.

You performed a heroic feat, John Glenn.

In the blinding glare of worldwide publicity you laid your life on the line.

You were the first to explore what President Kennedy calls a new ocean.

The President also said the United States must sail on this new ocean from here on out, and be second to none.

The vastness of this new ocean upon which mankind is embarked is beyond imagination.

Minds of mere men cannot grasp it.

Technological miracles are wrought every hour.

Every day more mysteries of the universe are solved.

But the remaining mysteries are as vast and numerous as the billions of bits of matter swirling eternally about us at distances no man can calculate.

And then, still farther beyond, is the greatest mystery.

But now he has seen it with his own eyes.

Yes, John Glenn, your flight unlocked more mysteries.

You pioneered a trail that will become commonplace.

The data you nailed down—effects of weightlessness on a man subjected to the terrific pull of gravity and push of the earth's thin covering of atmosphere, the condition of the *Friendship 7* capsule after its memorable journey—all of these contribute to the next step.

There must be next steps.

There must be longer steps.

There must be unceasing effort to insure, as President Kennedy said, that the United States will be second to none in space know-how and control essential to security and protection of this land from those who would use their own space knowledge to destroy us.

These are important considerations.

These are matters of immediate and urgent concern.

Your contribution in these respects are vital, John Glenn, and your fellow citizens owe you an astronomical debt of gratitude.

ACCREDITATION OF THE NEW BEDFORD INSTITUTE OF TECHNOLOGY, NEW BEDFORD, MASS.

Mr. SALTONSTALL. Mr. President, one of the major industries in Massachusetts is education, and it is an industry of which we are extremely proud. Communities in many parts of Massachusetts, starting with the Massachusetts Bay Colony established colleges for the education first of the clergy, then for the advancement of the classics, science, and business.

One of the community colleges of which we are increasingly proud is New Bedford Institute of Technology, which was chartered in 1895 by the State of Massachusetts as the New Bedford Textile School to serve New Bedford's major industry at that time. Its first class opened in 1898. It became a State institution in 1918 by an amendment to the State constitution. New Bedford Institute of Technology, as the school is now known, has broadened its interests since its first course on the manufacturing of cotton to the present time when it offers a full range of courses covering a variety of subjects. The number of its graduates grew to well over 6,000 on its 50th anniversary in 1948 and has grown substantially since that time.

At a community banquet on February 28, the institute observed its accreditation by the New England Association of Colleges. State and local leaders attended to pay tribute to this fine college. The main speaker was Dana Cotton, a dean of Harvard College. Thus, the oldest college in the United States saluted the newest accreditation.

We are proud of New Bedford Institute of Technology; the city is proud of it; and we look forward to new growth led by citizens of this alert community, responding to the changing pressures of this modern era.

ENCOURAGEMENT OF TRAVEL IN AMERICA

Mr. BURDICK. Mr. President, I call to the attention of Senators an address delivered by Hon. GALE W. MCGEE, senior Senator from Wyoming, before the Cheyenne regional travel meeting on February 19, 1962, encouraging American travel.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY THE HONORABLE GALE W. MCGEE BEFORE THE CHEYENNE REGIONAL TRAVEL MEETING, FEBRUARY 19, 1962

We are engaged here today in a new adventure in international friendship and fortune. It is the program now called Visit U.S.A.

The origin of this program goes back more than 15 years, to the end of World War II. At that time the great task which faced us all was that of rebuilding war-devastated Europe. In that unprecedented period the United States launched a program never before attempted in history; namely, that of sharing its treasure, its wealth, and its know-how with its war-weakened allies and its enemies as well. History already records this as the first instance in which the victor has so generously aided the vanquished in recovering from defeat.

A key feature of the rebuilding of Western Europe was that of attracting more and more American travelers to the European mainland. American tourist dollars, it was reasoned, would do a great deal toward reviving economic activity amid and around the battlefields of the war. Wyoming participated in that revival. Many groups from this State have visited Western Europe in recent years. While a professor at the University of Wyoming, I had occasion to take two Wyoming groups of teachers, students, and business people—one group to the NATO countries of Western Europe, and the other to the satellite countries of Eastern Europe and to the Soviet Union itself. This stream of visitors from our State was multiplied by the trek of hundreds and hundreds of similar groups from all over our Nation—all of which reached a peak last year when more than 2 million American tourists went abroad.

The success of reviving tourism was one segment of the total success of reviving the economy of Western Europe. One of the greatest tributes to that success is the current prosperity of our friends in the Old World.

But with that success has come problems. Not the least of these difficulties has been the imbalance in the flow of dollars away from our shores. While more than 2 million of our citizens traveled overseas, scarcely a half million foreigners returned those visits to the shores of the United States. The result was a dollar imbalance of $1.1 billion. To redress that imbalance, one of two alternative courses of action was open to us. We could either clamp tight Government controls on the foreign travel of American citizens, or we could step up the numbers of foreigners coming to our shores. The first alternative would be negative and would require strong regimentation by the Federal Government. The second was the positive approach and would turn the strengths and imagination of the free enterprise system loose on assaulting the problem. I am happy to report that I personally recommended, and this new administration has implemented, the free enterprise approach.

In June of 1961 our efforts were climaxed by the enactment by the Congress and the signing into law by President Kennedy of the International Travel Act. I was proud to be one of its first sponsors. Our Senate Committee on Interstate and Foreign Commerce held extensive hearings on it. From those hearings emerged most of the guidelines within the act itself. The act creates the U.S. Travel Service; and with its passage, President Kennedy set the theme of the new program by saying: "America's welcome sign is out. We invite people of all the world to visit us, to see our land and learn our ways. Travel is one of the most powerful forces for international understanding and world peace." Secretary of Commerce Hodges, whose responsibility it would be to launch the new program, voiced the American viewpoint in these words: "Just as we encourage Americans to travel abroad in the interest of world commerce and friendship, so we invite others to visit the United States of America for the same reasons. Travel is a two-way street. Everyone gains when planes and ships are filled both ways."

During the past few months the first Director of the new Travel Service, Mr. Volt Gilmore, has diligently devoted his time to setting up the first U.S. travel offices abroad. As he has bluntly told our prospective visitors: "With economic prosperity now worldwide—with millions for the first time enjoying enough time and money to afford a real trip—we urge you to start repaying all the visits you have had from Americans over the years. We make no apology—we want your money, just as we also want your friendship and understanding. For the rising tide of curious visitors from other lands, we Americans are even prepared to become picturesque natives."

I personally had the privilege of inspecting the new American travel efforts being set up in Frankfurt, Germany, in Berlin—in the company of Secretary Hodges—and in Madrid during October 1961. Frankly, our immediate interest is the money which the new program will bring in. Each European visitor on the average spends $500 after he gets here. This spreads quickly among carriers, hotels, motels, restaurants, taxis, sightseeing companies, amusements, and general retail establishments. To measure its potential impact across America, consider that a mere doubling of visitor traffic to the United States over the next 4 years—and that is conservative—would pump $250 million of new money annually into our financial bloodstream.

Lest the delegates here representing the Great Plains and Rocky Mountain States of our area fear that these funds from abroad will all be drained off before the potential visitors reach the West, let me hasten to add that, as one of the westerners on the Interstate and Foreign Commerce Committee, I attempted to make a considerable point to the Department of Commerce and to the officials of the new program itself of the importance of bringing these new visitors beyond New York and Washington out into the hinterland of America—out here into God's country. My own travels in most of the countries of the world convinced me that visitors from other countries want to see all of our land; our big cities and our villages, our highways, and our byways, our factories and our farms, our scenic wonders and our historic shrines, our institutions and—most of all—our people.

But I would sound two notes of caution: First, this will not all happen overnight. Competition is keen for the tourist dollar. Here in America more than two dozen other governments are spending more than $7 million each year to persuade us to go abroad. Abroad the rivalry is just as keen, especially from Iron Curtain countries. Our new Visit U.S.A. campaign must convince people overseas that we want them to come, that our welcome is warm, that it's easier than they think and less expensive than they imagine. This may take time, but it will succeed.

Let me quickly add the second note of caution: This effort will only succeed if visitors like what they find here. The best advertised of products fail when the contents don't live up to the label. In this case, the product is the image of America, the friendliness of its people, the thoughtfulness and cordiality of the welcome accorded visitors. We have God-given lures to entice them westward; namely, the beauty of our Great Plains and the exciting ruggedness of our Rocky Mountains. We have also another western image which excites the curiosity of our European friends. It is the history and legend of the cowboy west. It is perhaps worth noting that there is a greater per capita sale of western paraphernalia for the younger generation in West Germany than there is even in our own country.

I also recall a little incident which occurred to Mrs. McGee and me during a visit to Florence, Italy, some few years ago. Loraine, after purchasing an article in the straw market of that beautiful Italian city, was immediately engaged in animated conversation with a little Italian woman who made the sale. Neither lady could speak the other's native tongue, but both succeeded in establishing a common denominator of understanding by means of a little body english, smiles, gestures, and a few pencilled diagrams. The upshot of it all was the wish of the Italian gal to know from what part of the States we had come. At first we said the West, but that meant nothing. Then we tried the Rocky Mountains, but that struck no spark. Finally, in desperation we shrugged our shoulders and said, "We're from Wyoming." With that the little Italian girl's eyes lit up with a sense of recognition. She reached over to a stack of straw hats, placed one of them on her head, shoved up the front brim, cocked the forefinger and thumb of both hands, pointed in our direction, and said, "Vaioming, Bang. Bang. Bang. Even there the imagery of the western frontier was well understood. More than a few of these visitors will be drawn to the West by the prospect of real, live rodeos.

But however strong the attractions of our scenery or our rodeos, neither has the strength of permanent impression that the greatest of all our products can produce; namely, the friendliness of our western people. This is a quality which still impresses our own citizenry here in America.

Only last week an affluent New York banker who was visiting me in Washington remarked upon the open friendliness of all people whom he had met on a recent hunting expedition into the Rocky Mountains. Earlier this year, a distinguished European ambassador told me at dinner that the most exciting thing that had happened to him and to his family was their automobile trip through the West. "The friendliness of your people in the West," he noted, "is your greatest, most exciting product." It is this which the West best can contribute toward a stronger image of our country among the strangers who visit our land.

In the long run, however, the most exciting prospect in this new program is that of its people-to-people contacts. During my tour of South America just a few weeks ago, I was struck by the singular coincidence of positive feeling toward the United States in every instance where the individuals had toured through a portion of our country.

Let me go one step further and suggest that many of our difficulties are due to the fact that people do not have the privilege of getting to know the peoples of other lands. I recall some 5 or 6 years ago when we were visiting in Moscow. As we well know, automobiles are scarce in the Soviet Union and traffic jams are few and far between. While there we had an extended conversation with a dedicated Communist youth who was attracted by a Life magazine article which we carried with us showing the congested parking lot near an American factory. Vladimir's eyes figuratively popped out at the sight of so many shiny, new cars, all of them

the property of the "working class." I asked him what he thought of it. Apparently conditioned to suspect everything as "propaganda," Vladimir said, "It is an interesting picture, but I know how you obtained it. Your Government probably ordered everyone for hundreds of miles around to park his car on that lot, on that day, at that time so that a photographer could take a picture of the Government-ordered congestion." Nothing I could say to him would remove his skepticism about the validity of that parking-lot picture in an American magazine. All that could change Vladimir's skepticism would be an actual visit to the United States so that he might see for himself. Vladimir's plight and doubts are somewhat typical of that of tens of thousands of others in the Old World.

Or let's take another case in point—the Communist propaganda barrage in Western Europe against capitalism. Their assault is actually on the forms of capitalism which prevailed in the 19th century, and there are still limited areas of Western Europe in which the old capitalism of the days of "tycoons," "capitalistic imperialists," and similar ogres associated with what is now an outmoded economic system. What so many of the people of Europe cannot comprehend, because they have not seen it, is America's new capitalism, the "people's capitalism" as it has properly been described, a capital enterprise society in which nearly every individual personally owns stock in some of its facets. It is this new socially responsible and politically responsive capitalism which we must help all of the world not only to see but to understand.

And the program which we are discussing here today, Visit U.S.A., will contribute greatly toward getting that message across. This, then, becomes the image of America that can have the most important and lasting result in our favor. Through it we will be building new international friendships and understandings. This is the way to world peace. Upon its achievement rests our hope for the future.

AIR SAFETY AND FIREFIGHTING EQUIPMENT

Mr. RANDOLPH. Mr. President, the flaming crash of the jet airplane which we have heard about and read about earlier today, with the tragic loss of 95 persons aboard, causes me to bring to the attention of the Members of this forum and our citizens generally the need for provision for all safeguards possible in connection with the operation of aircraft for commercial purposes.

The overall record of safety of the scheduled airlines of this country is an excellent one. The record of the company suffering this accident is one of the best over a span of years of service. Mr. President, I ask unanimous consent to place in the RECORD compelling comment which appeared in the August 1961 issue of the Air Review, which is a publication of the National Security Commission of the American Legion. The article is in the form of an editorial entitled "Copters to the Rescue."

At our commercial airports the greatest frequency of trouble in the operation of jet aircraft comes on the approach for landing and on takeoff of the aircraft before assuming its normal flight. We have provided firefighting equipment by ground vehicle which must converge in the case of an accident. This firefighting equipment needs to be augmented and strengthened by firefighting equipment which can move at a moment's notice, without traffic trouble, by helicopter above and around the point of the disaster.

The program of helicopters for rescue has been so effective in connection with experimentation and actual use by the Air Force of the United States that I recommend the most careful scrutiny of this effort from the standpoint of the possible extension of such helicopter firefighting equipment by air, as an adjunct to the firefighting equipment now in use on trucks. I now discuss with my colleagues in the Senate this challenge at a time when, very frankly, we are not only concerned but also saddened by the death of so many of our citizens.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

COPTERS TO THE RESCUE

A highly adaptable airport firefighting service, developed and widely used by the military, has been suggested as one of the means of achieving increased traffic safety in the jet age.

Aerospace Industries Association, reacting to Federal Aviation Agency concern over the inadequacy of firefighting equipment maintained by a number of major airports, has suggested to FAA Administrator Najeeb Halaby that strong consideration be given to the use of helicopters in firefighting and rescue emergencies at commercial airports.

An Air Force study has shown that 96 percent of all accidents occur within 61 miles of airbases and 72 percent occur within 10 miles. These figures, which would be similar for commercial aviation, point up the value of the extreme mobility and service provided by rotary-winged aircraft. The value has long been recognized by the Air Force, which has developed helicopter rescue and firefighting techniques to the state of a fine art.

AIA says the same thing can be done commercially, where the problem of accessibility is generally as critical as it is to the Air Force. Since the majority of air tragedies occur shortly after takeoff and during landing procedures, inability of ground equipment such as fire and rescue trucks to reach the accident scene soon enough has cost countless lives and millions of dollars of damage which might have been saved by quicker assistance. Time is the most vital asset in fighting the effects of such an accident, and time is the very thing that helicopters have to offer. With quick-starting engines and the unique ability to zero in immediately on accident scenes—whether in the water, rough terrain, or roadless areas—rotary-winged craft have proven that they can transport effective fire and rescue relief service more rapidly than any other system.

Air Force helicopters have successfully performed a long series of difficult rescue and firefighting missions under a wide range of hazardous terrain and weather conditions. One of the more spectacular performances took place at Larson Air Force Base, Wash., in 1960, when a B-52 crashed and burned following a fuel mishap. The Air Force helicopter pilot hovered over the burning bomber, beating back smoke, heat and flames while ground firemen poured foam on the aircraft. From his aerial vantage point, the helicopter pilot was able to spot fuel tank ruptures and, using the craft's rotor downwash, he was able to prevent the major portion of the bomber's 128,000-pound fuel load from igniting until well after all 10 crewmen had safely evacuated the aircraft. Base fire and safety officers and the bomber pilot credited the helicopter with a major role in saving the lives of the crewmen. There have since been two similar instances in which rotor downwash has allowed pilots to escape serious injury.

In still another application to firefighting, the U.S. Forest Service recently purchased its first firefighting helicopter. The Service has long been one of the Nation's largest users of chartered helicopters, assigning them to various forestry jobs, primarily firefighting. Forestry use of chartered helicopters has mushroomed from 950 hours in 1954 to more than 9,000 hours in 1960. The current year, so far the West's worst fire year, will probably set a new record in helicopter utilization. Major fires so far have brought as many as 11 commercial helicopters into service on one fire.

So advanced has become the art of helicopter firefighting that special firefighting pods are now available for attachment to the craft. These units, self-contained and ready for instant operation, are capable of applying a thick blanket of foam which, with the tremendously beneficial effect of the downward airflow from the craft's rotor blades, can make short work of a blaze.

The Airport Operators Council has called upon the FAA to study the problem of aircraft fires and has suggested that a Federal Rescue Service might be the answer to adequate firefighting facilities at all airports. The American Legion agrees that this very serious problem should be studied carefully by the FAA, and we suggest first and foremost consideration be given to acquisition of firefighting helicopters at major airports. Their value in such missions has been eloquently proven; it is time to apply it in behalf of a safer commercial transportation era.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to the concurrent resolution (S. Con. Res. 56) to print as a Senate document "A Report of U.S. Foreign Policy and Operations."

ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (S. 486) to provide for the appointment of two additional judges for the juvenile court of the District of Columbia, and it was signed by the Acting President pro tempore.

AMENDMENT OF ACT ESTABLISHING CODE OF LAW FOR THE DISTRICT OF COLUMBIA

The ACTING PRESIDENT pro tempore. The hour of 2 o'clock having arrived, the morning hour is closed, and the Chair lays before the Senate the unfinished business, which will be stated.

The LEGISLATIVE CLERK. A bill (H.R. 5143) to amend section 801 of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901.

NEW YORK'S RECEPTION FOR JOHN H. GLENN

Mr. JAVITS. Mr. President, I should like to turn now to the subject of the great celebration being held today in my hometown, New York City. I did

not have an opportunity to be there today because of business in the Senate.

New York City is giving a great welcome to Col. John H. Glenn. It is truly a heartfelt embrace and a tribute to the courage, skill, and spirit of Colonel Glenn and his fellow astronauts. Colonel Glenn's orbital flight was an historic lift, not only in terms of scientific achievement, but also for American pride and confidence. It has given America and the free world what it has needed.

New York City today is speaking for the country, with a great outpouring of affection, and it is expressing the feeling of America in a most eloquent way. The whole Nation must certainly be proud of what is taking place in New York, the most dynamic, electric city in the country and the world.

I hope those who are sometimes critical of New York will take note of this day, when the whole country takes pride in the fact that it is New York City which is demonstrating to the whole world in the most magnificent manner possible how we in the United States feel about Colonel Glenn.

Mr. MORTON. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. MORTON. I invite the Senator to come to Louisville on the first Saturday in May, Derby Day in Kentucky. [Laughter.]

Mr. TOWER. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. TOWER. I point out that if Colonel Glenn had come to Wichita Falls, Tex., he would have gotten as resounding a welcome there as he is getting in New York.

Mr. JAVITS. I have no doubt that if the event were held in Wichita Falls, Tex., or any other place, the reception would be as heartfelt, but no other place can muster a reception of the magnitude which New York can offer, with its ticker-tape parade, the trip up Broadway, and the great reception at the Waldorf-Astoria. No other place can more truly capture the American mood today.

THE AIRLINER CRASH IN NEW YORK

Mr. JAVITS. Sadly, Mr. President, this great reception is being held under a pall of sorrow, because of the dreadful airplane crash in New York City. As we tell the story of our time here in the Senate, both stories should be spoken of in reporting what has occurred today.

FURTHER TEMPORARY INCREASE IN PUBLIC DEBT LIMIT

Mr. GORE. Mr. President, I ask unanimous consent that the pending business be temporarily laid aside and that the Senate resume the consideration of H.R. 10050, the debt limit bill.

The ACTING PRESIDENT pro tempore. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 10050) to provide for a further temporary increase in the public debt limit set forth in the Second Liberty Bond Act.

The ACTING PRESIDENT pro tempore. Is there objection to the request of the Senator from Tennessee?

There being no objection, the Senate resumed the consideration of the bill.

GOOD-WILL TRIPS

Mr. ALLOTT. Mr. President, in these days when we seem to have a number of unofficial ambassadors of good will to represent the Government in a semi-official capacity around the world, for some very limited, or doubtfully limited, purpose, I call attention to the fact that I have received a letter from Mr. Frank P. Ponce, of Lake City, Colo., who, in a semihumorous and tongue-in-cheek way, points out what a beautiful job both he and his wife could do if given a similar opportunity. I am sure they would do it.

I refer the letter to my colleagues. I am sure they will all be interested in reading it. I ask unanimous consent that it be made a part of the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

LAKE CITY, COLO.,
February 23, 1962.

Hon. GORDON ALLOTT,
The Senator from Colorado,
Executive Offices,
Washington, D.C.

DEAR SENATOR ALLOTT: After thinking it over carefully I have decided that my wife and I could arrange to make a trip around the world at the expense of the taxpayer. This, of course, would be just a vacation trip but we will call it a good-will trip and we can be classed as special good-will ambassadors.

There are numerous points in our favor but mainly we would not be leaving a Cabinet post and seven children to the mercy of underlings, as we might be needed here, so there would be no hurry as to our return trip. I am certain that the taxpayers will be delighted to furnish unlimited cash for such a trip but, as a matter of caution, it might be better to wait until after our departure to "let them in on the deal."

I do not think there is any doubt that we would make a good impression and I honestly believe that I might even be able to do a better job than a 35-year-old inexperienced attorney. This is due to the fact that I have had unlimited experience in meeting all kinds of people as the owner and operator of a small Rocky Mountain resort hotel in Colorado.

Not being in any hurry we would not require the most expensive methods of transportation and the very highest priced accommodations and servants. We would travel on freight boats which carry passengers and would be content with ordinary accommodations on shore. I don't think I would make any speeches as I might say the wrong thing, which has been done on occasion, but I would be glad to read any short speeches that might have been written and carefully censored for me in Washington. Of course Washington would make all special arrangements such as notifying the various countries of our arrival dates and the like but I can handle the ordinary details myself, if necessary.

So, this is just to advise you that I am leaving all the minor details up to you and as soon as we are supplied with an unlimited amount of cash we can leave at any time.

Sincerely yours,

FRANK P. PONCE.

ORDER OF BUSINESS

Mr. CLARK. Mr. President, I ask unanimous consent that I may yield to the acting majority leader in order that a vote may be asked for, without my losing my right to the floor.

Mr. JAVITS. Mr. President, reserving the right to object, the minority leader wishes to be heard and does not wish to have a vote taken before he has spoken.

ADDRESS BY DOUGLAS DILLON, SECRETARY OF THE TREASURY

Mr. CLARK. Mr. President, on January 19 of this year the Honorable Douglas Dillon, Secretary of the Treasury, made an address at the Savings Bonds Conference held by the Treasury. In that very able speech, Mr. Dillon outlined our economic and fiscal policy. He stated that, in order to attain our full economic potential, we were following four principles: first, to reduce unemployment; second, to increase the rate of economic growth; third, to eliminate the deficit in our international balance of payments; and, finally, to maintain reasonable price stability.

In my judgment, this speech of the Secretary of the Treasury states as clearly and as succinctly as anything that has been said by anyone in an administration for a long time our proper economic goals.

I ask unanimous consent that a copy of the address may appear in the RECORD at this point in my remarks.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

REMARKS BY THE HONORABLE DOUGLAS DILLON, SECRETARY OF THE TREASURY, AT THE 1962 SAVINGS BONDS CONFERENCE, SHERATON-PARK HOTEL, WASHINGTON, D.C., JANUARY 19, 1962

I want to thank you for your interest in the savings bonds program. We value it as one of the Treasury's most important tools in managing the public debt, as well as a most effective way of encouraging individual citizens to share in the financial affairs of Government. It is also one of our country's most successful volunteer undertakings. Through the years, it has enlisted the patriotic support of hundreds of thousands of people, under the leadership of distinguished individuals like yourselves. With your help, the savings bonds program will make an ever greater contribution to the economic strength we urgently require to fulfill the heavy responsibilities history has thrust upon us.

Our economic policy plays a vital role in meeting those responsibilities, for it will determine whether the future finds us weak or strong—idling along at half speed—or running at full throttle, powered by our tremendous productive potential.

To achieve that potential, our immediate economic goals are these:

First, to reduce unemployment. We simply cannot afford the misery and waste of having a large part of our labor force idle.

Second, to reach a rate of economic growth sufficient to assure jobs for the millions of workers entering the labor market in the years ahead, to guarantee to our citizens the benefits of a thriving economy, and to build the capacity to meet our international obligations.

Third, to eliminate the deficit in our international balance of payments, and its accompanying gold loss, for a sound dollar is as essential abroad as it is at home.

And, finally, to maintain reasonable price stability, so that our citizens may enjoy the full fruits of their savings, so that our economic gains are not wiped out by inflation, and so that our goods can compete successfully in world marketplaces.

We made considerable progress over the past year toward these objectives. At the close of 1961, our domestic economy reached record highs in terms of gross national product, personal income, industrial production, and manufacturers' sales and new orders. Unemployment has finally begun to drop, and we expect it to decline further in the months ahead. Our gold loss in 1961 was just half the 1960 figure, the basic deficit in our balance of payments was cut by two-thirds, and the overall deficit by more than a third.

These gains were achieved in good measure because our fiscal and monetary policies were geared to the requirements of last year's recession and early recovery.

Largely because of increased defense needs, coupled with recession-level revenues, our national budget was in deficit—a deficit that, because of the recession, was both acceptable and inevitable. However, the economic growth forecast for 1962, with resulting higher revenues, makes it both desirable and possible—barring unpredictable international emergencies—to achieve a fully balanced budget in fiscal year 1963, as the President has recommended.

One of our most urgent national needs is a heavily accelerated flow of private investment into productive channels. A balanced budget stimulates such investment because it makes it unnecessary for the Government to tap the savings and credit that would otherwise be available for private investment. A balanced budget also facilitates the task of our monetary authorities, who strive to assure an adequate supply of funds for private investment at the same time that they guard against inflation.

Our policy of balancing the budget and simultaneously stimulating the flow of funds into private channels, reflects our firm belief that Government spending is not a satisfactory substitute for private investment. We look to private funds to finance the new factories, new tools, and new machinery that create more, better, and cheaper goods. A substantial and increasing flow of private investment is essential to economic growth in our free society.

It is disturbing, therefore, that our present level of investment is far from adequate. Over the past decade, nearly all of the major industrial nations of the free world had a substantially higher rate of domestic investment than the United States. Furthermore, their ratio of productive investment to total output has been growing, whereas ours has been declining. Investment sparked the phenomenal growth of Japan and the Common Market countries of Western Europe, by contributing to rapid modernization of productive machinery and equipment. More modern equipment means more efficient production, and lower unit cost—hence more competitive capacity. As a result, friendly foreign nations are providing increasingly stiff competition for American manufacturers, both here and abroad.

For the future, then, a major goal of our economic policy is a sharply increased level of productive private investment, because it will—

Help our balance-of-payments by making our manufacturers more competitive, thus increasing our export surplus.

Help speed economic growth by increasing our productive capacity.

Help reduce unemployment by providing more jobs as new markets create new demand, and increased research and technology penetrate new manufacturing frontiers.

Finally, and most important, heavier investment will help to maintain price stability through lower production costs and higher productivity.

In addition to presenting a balanced budget, we are also proposing changes in our tax treatment of depreciation to stimulate business investment in productive machinery and equipment. Our program of depreciation reform involves both new legislation and the full use of existing administrative authority. On the legislative side, we are asking for an 8-percent tax credit for new investment in productive equipment. On the administrative side, we are updating depreciation schedules to take account of technological advances which have altered previous standards of obsolescence. This has already been largely accomplished for the textile industry, and we plan to announce revisions in depreciation guidelines for all other major industries this spring.

Such use of tax policy to stimulate the modernization and expansion of productive equipment is a major part of our effort to accelerate the long-range economic growth we need to achieve our true potential and to improve our balance-of-payments.

The heart of our balance-of-payments problem is this: We must generate a large enough commercial trade surplus to counterbalance our essential expenditures abroad. These expenditures include, in relative order of magnitude: first, the cost of our military forces overseas; second, private American investment in other countries; and third, that portion of our foreign aid not spent here for American products or services.

Our trade surplus—the excess of commercial exports over imports of goods and services—is substantial. But in recent years it has not been large enough to offset the balance-of-payments impact of our oversea operations. That shortfall constitutes the basic deficit in our international payments.

Preliminary figures indicate that last year our basic deficit was no more than a third of the basic deficit of $1.9 billion in 1960, and was far below the $4.3 billion in 1959. During the first 6 months of 1961 we actually ran a surplus in our basic accounts, as imports shrank because of the recession. During the third quarter, a sharp rise in imports brought with it the renewal of a substantial basic deficit which continued in the final quarter of the year—although at a diminished rate. With the sole exception of 1957, when the Suez Canal was closed and we exported unusual quantities of oil to Europe, 1961 provided the best record since we started running deficits in 1949. True, advance repayments of long-term debts—amounting to $650 million—were unusually large last year. However, the improvement was still substantial.

But improvement in our basic deficit is not enough. We must bring it under complete control so that we can look forward to full balance—and to surpluses; whenever they may be required in our overall national interest. We can accomplish this only by enlarging our export surplus, and by reducing outpayments when we can do so without curtailing activities vitally important to our Nation's future.

Our own security and our responsibilities to the free world require us to keep our troops abroad. We cannot endanger our security by withdrawing them in order to balance our international accounts. But we can and must find every possible way of limiting or offsetting the dollar outflow that inevitably accompanies the stationing of troops overseas. We are doing just that through a combination of economies and cooperative arrangements with certain of our allies. As a result, we can look forward to a substantial reduction in the dollar drain of our oversea forces.

In the case of private investment, we do not desire to reduce the flow abroad by imposing controls that would run counter to the principles of free trade and free competition so basic to our national purpose. We can, however, lessen the special inducements to American investment in other industrial countries that are part of our present tax system. That is why we are urging tax legislation to minimize such incentives.

Although our foreign assistance programs contribute to our annual dollar outflow, they do so to a far lesser degree than their overall amount might suggest. Two-thirds of all foreign aid expenditures are now being made here in the United States. Only the remaining third affects our payments position. We are making vigorous efforts to cut the balance-of-payments impact of foreign economic aid still further, and we hope to get it down to approximately one-fifth.

In the long run, however, the only way to eliminate our basic deficit is by increasing our export surplus. This will require the combined efforts of management, labor, and government. Management and labor must work together to assure reasonable price stability so that our exporters can maintain their price competitiveness—and, we hope, improve it. Industry must modernize at a rapid rate. I have already told you what Government is doing in the field of depreciation reform to assist modernization. Government must also help to assure a supply of export credit to our traders as good as that available to their overseas competitors. We will very soon be in a position to do so for the first time through the operation of an export credit insurance program developed jointly by the Export-Import Bank and the insurance industry. Finally, American business—of which only a small percentage is now in the export field—must aggressively search out foreign trading opportunities wherever they may be. This is in the best tradition of our trading forebears, and it has never been more necessary than today.

Fortunately, the possibilities for increasing our overseas sales are excellent. The world is entering an entirely new trading era that holds out great promise for our exporters. In the case of our existing markets, we have only to look at the scope of the resurgent prosperity of Western Europe, and the emergence of the European Common Market, to see Europe's potential for our exports. And, although our markets in less-developed areas are limited today, as these countries grow and prosper, their demands for our goods will also grow.

Furthermore, in Europe and other parts of the world, thousands of American products are still virtually unknown. American business is just beginning to probe huge potential markets for them. Success in developing these markets will require bold enterprise and skillful competition.

If American business is to find new customers in Europe, we must deal with the Common Market on the matter of mutual tariff reduction. Congress must grant the President power to negotiate on a broader basis than present legislation allows. If Congress fails to provide this authority, American producers will be seriously handicapped in their efforts to retain and to expand their share of this large and rich trading area.

Now, let me turn to our overall payments deficit, which reflects both our basic deficit and short-term capital flows. Through 1959, short-term flows were small and usually favorable to our balance of payments. This was natural, since the currencies of other industrialized countries were not generally convertible, hence, not too attractive to foreign holders. However, with convertibility, money began to flow from one financial center to another in search of higher interest rates or speculative profits. The result was

a substantial outflow of short-term funds from the United States, which in 1960 amounted to $2 billion.

This large short-term outflow obscured the dramatic improvement in our basic balance during 1960 and led to an overall deficit of $3.9 billion. Although altered in nature, substantial short-term outflows continued during 1961.

These short-term flows can be caused by various factors—a lessening of confidence or disparities in interest rates—as in the fall of 1960, or credits related to trade—as was largely the case this past year, when a substantial part of the outflow was in the form of bank loans to Japan to finance her growing imports.

Such short-term flows, when carried to excess, can be unhealthy—even dangerous. We have worked hard to neutralize them. We have held our short-term interest rates at levels that largely negated the attraction of foreign market rates. The Federal Reserve has increased the legal limit on the interest that may be paid on time deposits, thus enabling American banks to compete more effectively with their foreign counterparts. Our most recent step was taken earlier this month when the United States and nine other members of the International Monetary Fund agreed that $6 billion in additional resources should be provided for standby lending commitments to the Fund. These supplementary resources would be used to protect the world payments system, and would be available to the 10 participating countries, including the United States.

One aspect of our balance-of-payments deficit is worth stressing: The balance of payments is an accounting of transactions that affect the gold and liquid liability of the United States. It does not reflect long-term claims represented by U.S. investment abroad. For the 3 years 1958 through 1960, for instance, our payments deficits totaled $11 billion, of which about $5 billion represented our gold losses and $6 billion represented liquid dollar gains by foreigners. However, this loss was to a large extent matched by increased U.S. holdings of both short-term and long-term foreign assets.

Total foreign assets and investments of all sorts in the United States rose by about $13 billion from the end of 1957 to the end of 1960. During the same period, total U.S. Government and private loans and investments abroad (excluding loans repayable in local currency) increased by about $14.5 billion—a net gain to the United States of $1½ billion. However, we also lost $5 billion in gold. Thus our overall gold and international investment position showed a loss for the 3 year period of only about $3.5 billion net, in contrast to the deterioration in our current position of $11 billion as measured by our balance-of-payments account.

While this demonstrates that our long-term position is considerably stronger than balance-of-payments figures alone indicate, it in no way reduces the importance of putting an early end to the substantial payments deficits we have had since 1949. We must get our current balance in order so as to end the drain on our gold stocks.

I have outlined the principal elements of our foreign and domestic economic policy. Our prospects, both at home and abroad, are good, but we have much to do to insure that they remain so.

At home, I think everyone agrees that our first obligation is to reduce the unacceptably high level of unemployment. To be sure, for the last 2 months unemployment has dropped close to 6 percent, after hovering near 7 percent most of the year. And we expect it to drop below 5 percent by the end of the year, as long-range expansion takes hold. However, there is a hard core of unemployment which continued expansion may not touch. That is why we urgently need a manpower retraining bill, to ease the lingering human misery and chronic economic waste that such unemployment represents.

In addition, nearly a million young people in our country are neither earning nor learning. This dismal fact illustrates the need for a Youth Employment Opportunities Act, to insure that such frightening waste of our national potential does not continue.

And finally, although we look forward to prosperity, we cannot guarantee that there will never be another recession. To prepare for that possibility, President Kennedy has asked for three major countercyclical measures: Broadened unemployment insurance, a standby program of public works, and the authority to promptly initiate limited and temporary tax reductions. These are needed in the earliest stages of recession—when quick action can accomplish effective results.

The achievement of our economic goals will not be easy. But it is our responsibility to demonstrate to the world the economic vitality of a free nation, and the value of a free enterprise society where labor, business, finance, and Government work together within the framework of a competitive price system, responding to the market forces of supply and demand.

The stimulus of competition has brought us the world's highest standard of living. Let us use our economic strength to develop our Nation to its true potential, to distribute the benefits of growth among our people, and to share our way of life with all the peoples of the world who choose the path of freedom.

COLONEL GLENN WOULD NOT BE ABLE TO GET A JOB—HE'S 40

Mr. CLARK. Mr. President, in a column published yesterday, the well-known commentator, Bob Considine, calls attention to the ironic fact that if Col. John Glenn were to walk into the employment office of almost any corporation in America and seek a job, he would be told, if it were not for his fame, that he is unemployable—because he has reached the advanced age of 40.

We all know Colonel Glenn is not going to be looking for work, of course, but Mr. Considine's article calls dramatic attention to the deplorable fact that many tens of thousands of young men in his age bracket—young, to me—many, no doubt, with potentialities approaching those of Colonel Glenn, are being wasted today because of the arbitrary and senseless discrimination of most employers against men over 40 years of age.

I ask unanimous consent that Mr. Considine's column, which appeared in the Northern Virginia Sun of February 28, be inserted at this point in the RECORD as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

EXCEPT FOR HIS REPUTATION, GLENN COULDN'T GET JOB TODAY—HE'S 40

(By Bob Considine)

A great many Americans who are still turning cartwheels over the wondrous achievement of Astronaut John Glenn would not hire him if he came to their employment window, hat in hand and minus a rep.

HE'S 40

If he were plain J. H. Glenn, American father of two teenagers, and he applied for a job in almost any average field of endeavor, the personnel manager would snap, "Sorry, Glenn, we're looking for a younger man."

"But, sir," he might say, echoing the hurt protest heard every day in this country, "I don't consider myself beyond my prime. Why, I feel as good as I did when I was 20. I'm sure I could handle that job if you give me a chance."

"Sorry, Glenn—it's a young man's world, you know."

Sad, but true. Look at the help wanted ads. Or, if you're 40 or more, find out personally how tough it is to get a job commensurate with your experience.

John Glenn's contribution to the American scene is enormous—big enough, we hope, to lap over into the periphery of geriatrics. He had to make decisions in space that could be brewed only in the well of experience, shaped in the forge of maturity.

This is not to say that those same clear panic-free resolutions could not have been made by a man young enough to be his son. It is only to say that he, John Glenn, who has lived beyond half of his life expectancy, made them. Countless thousands of Americans his age and much more are deprived of opportunities today simply because they are "too old."

The colonel is one of the oldest American folk heroes ever to emerge, come to think of it.

Charles Augustus Lindbergh was 25 when he flew the Atlantic in 33 hours (Glenn's time was less than 33 minutes). Babe Ruth was 32 the year he hit 60 home runs. Bobby Jones retired at 28, after the "grand slam." Ernest Hemingway wrote "A Farewell to Arms" at 31. Jack Dempsey was 24 the day he massacred Jess Willard.

John Glenn, 40, will be remembered with all of them—though, stripped of his fame, but not his talent, he would have trouble today getting work as a ribbon clerk.

STREAMLINING IS OVERDUE

Mr. CLARK. Mr. President, the columnist Henry J. Taylor has never been one of my heroes, and I am sure I am not one of his. In fact, on most matters we find ourselves in substantial disagreement. However, in the Washington Daily News of February 28, this year, Mr. Taylor has a column entitled "Streamlining Is Overdue" with which I find myself in accord insofar as it refers to the need of both Houses of Congress to drastically revise their practices and procedures in order that our legislative bodies may meet the challenge which confronts them in this rapidly changing world.

I ask unanimous consent that the article written by Mr. Taylor be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

STREAMLINING IS OVERDUE

(By Henry J. Taylor)

President Kennedy is right in his worry about Congress. He needs sympathy in his plight. So does our whole country. For the streamlining is overdue. And, among other encumbrances to action, the committees continue to sprout like Gracie Fields' "biggest aspidistra in the world."

Although Congress some years ago passed legislation to reduce these, the number has grown until the Senate now has 16 standing committees, plus 109 subcommittees. The House has 20 standing committees, plus 131 subcommittees. In addition, there are 303 joint and select committees. This total becomes a gargantuan 579 committees, with

all the conflict, overlapping, underlapping, and sidewise-lapping easily imagined.

That's what the President and the country face in asking for action. In the New England vernacular, the 579 committees gum up the sapworks.

In fact, if we don't quit babbling about a certain problem in the CONGRESSIONAL RECORD the Russians are going to find out that in this critical session the United States is unable to agree on a national flower.

While we talk about liberty the conditions essential to our liberty are seldom mentioned. One condition is not only a responsive Congress but a workable Congress. Surely, no Congress is responsive that is not highly workable.

The basic business of Congress is necessarily performed in committees. Legislation proposed is referred first to a committee. This is where the overlapping problem starts. In fact, some committees exist in order to bypass other committees known to oppose certain legislation. The 579 total represents the morass.

The chairmanship (very powerful and tied to seniority) of every House and Senate committee goes to the party that has a majority in the body, even if this majority is only one seat. Republicans have controlled Congress and thus held every chairmanship. But the problem was unsolved. The Democrats have held the same power, as they do today. A dead hand remains on the throttle, endangering the national train like Casey Jones.

Nothing important is easy. But Khrushchev flexes. Our Nation's tragic debt and enormous spending are heading us smack toward a devaluation of the American dollar unless the trend is reversed.

Other problems, complex enough to drain the wisdom of the hundred wisest men, face the President, the Congress, and all of us in a common crisis that shakes the world. In our imperiled hour is it too much to ask the Congress to put its own house in order? What are the Senators and Congressmen waiting for?

Surely, the President would help in every way he can. And, if the outnumbered Republicans are anxious to do something, why don't they show more initiative in this? The call for a better Congress is a duty; an overdue duty of Congress itself.

PEOPLE ON PUBLIC RELIEF ROLLS

Mr. CLARK. Mr. President, the presiding bishop of the Episcopal Church has spoken out, warning against general criticism of people on public relief rolls.

Opposing an attitude spread by much-publicized recent controversies over public welfare recipients, the Right Reverend Arthur C. Lichtenberger, D.D., clearly points out its dangers in a statement which appeared in the February issue of the Episcopal publication, Churchways.

I ask unanimous consent that the Reverend Lichtenberger's statement be inserted at this point in the RECORD as a part of my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

The total welfare of people is a basic concern of the Christian religion.

By word and deed the ministry of Jesus was largely given to the personal and social needs of people in trouble. The Christian church has always developed services for the poor and the afflicted. Christians today join with others in supporting a wide range of voluntary social services.

The development of public welfare programs in the United States is a recognition of this Christian and humanitarian concern for human needs. American democracy is best served when broad social welfare programs function under both Government and voluntary auspices.

Public welfare services are matters of justice and should be available to those in need, unrestricted by residence, citizenship, or circumstances of birth. The vast public welfare programs must be under constant supervision and evaluation by public officials and representatives of the people to assure that they meet the changing needs of handicapped people. But we must take great care that the necessary evaluation of programs and their administration does not transpose itself into general criticism of the recipients—the aged, the blind, the sick, children under 18 years of age, and others who cannot defend themselves.

I hope that Episcopalians will join with all men of good will in being alert to the welfare needs of people in their communities, and in supporting the welfare services available to them. This is one way of loving thy neighbor as thyself in our present world.

DISARMAMENT

Mr. CLARK. Mr. President, I now desire to speak for a few minutes on the subject of disarmament, the climate toward disarmament in the Senate and in the country, and the prospects for disarmament in the coming conference at Geneva, which convenes on March 14 of this year.

Mr. President, the morning newspapers carry the statement that the President is about to authorize the resumption of nuclear testing in the atmosphere. If he does this, I shall support him because I am confident that he has carefully weighed, on the basis of information not available to me or to most of my colleagues, the basic facts involved in that fateful decision. I am also confident he would not and will not take this tragic step unless he is convinced it is the only wise way to maintain our national security and our freedom. If atmospheric nuclear testing is to be resumed, obviously there is merit to making the decision before the disarmament conference meets.

There are those who will say that the resumption of nuclear testing, combined with the critical condition in Berlin, in Vietnam, in Laos, and in many other parts of the world, makes this a most inopportune time for the convening of a new conference on the perennial subject of world peace, world law, and disarmament.

I am not in accord with this view. I do not believe that the uncertain political condition of the world and the resumption of nuclear testing mean that disarmament cannot be brought about as a result of intelligent diplomacy on the part of the members of the 18-nation disarmament conference.

When it is the darkest it is frequently just before the dawn. In business, in the law, and in other instances when men come together to negotiate, frequently the break or the agreement comes at a time when things seem most hopeless, at a time when both sides are of the view that no progress is possible, but each is determined to make one more effort to achieve a mutually desired result.

So, Mr. President, I suggest that we should look forward to the disarmament conference in the hope that something meaningful can come out of it.

In considering that conference, we must give some thought to what is the position of the Government of the United States. I think that position has been substantially misunderstood both in the country and in the Congress. One reason for my so thinking arises from a relatively short insertion in the RECORD made by my good friend the junior Senator from Texas [Mr. TOWER] on January 29 of this year, which appears in the RECORD at page 1043.

I ask unanimous consent, Mr. President, that my colleague's comments and a column which he introduced into the RECORD at that point, written by a man named Ken Thompson, published in a Dallas newspaper, entitled "One, Two, Three—Surrender," may be printed in the RECORD at this point in my remarks.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

THE SURRENDER OF AMERICAN RIGHTS AND SOVEREIGNTY

Mr. TOWER. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. TOWER. Every day more and more people share a growing concern for the preoccupation of the State Department and some people in high places with the issue of disarmament. I think we all look forward to the day when men will "beat their swords into plowshares and their spears into pruning hooks." But at a time when Western civilization is confronted by an extreme militaristic threat looking toward world conquest, I think it is naive and unrealistic to be preoccupied with the question of disarmament. We know that the Communist conspiracy has no intention of coexisting with us. We know that they are bent on domination of the whole world. I think we show weakness in the eyes of all other nations at this time in talking of disarmament.

In this connection, I ask to have printed in the RECORD a very fine editorial entitled "One, Two, Three—Surrender," by Ken Thompson, editorial staffwriter, published in the Dallas Morning News of January 23, 1962.

There being no objection, the editorial was order to be printed in the RECORD, as follows:

"ONE, TWO, THREE—SURRENDER

"(By Ken Thompson)

"One of the most incredible documents ever to emerge from the foggy corridors of the State Department is a bulletin entitled 'Freedom From War: The U.S. Program for General and Complete Disarmament in a Peaceful World.' As skeptical as I have always been of the measure of good sense and loyalty within the State Department, I never would have believed that these people we call our diplomats could so completely and unabashedly advocate the surrender of American rights and sovereignty until this bulletin appeared.

"What it amounts to, in effect, is the official U.S. position on the subject of disarmament. More specifically, it is the basis of proposals which have already been submitted to the United Nations by the United States.

"Although this bulletin was published last fall and is available for just 15 cents from the Government Printing Office in Washington, there has been very little attention paid to it.

"Why, I cannot tell you, for it is certainly the most fantastic, harebrained blueprint for surrender on record.

"Old Nikita himself might just as well have written it. And if more of the American people knew about this scheme there would be a nationwide uproar that would make the reaction to the Alger Hiss scandal look like another era of good feeling by comparison.

"Last September President Kennedy addressed the United Nations and spoke of the desire of the United States to reach an agreement on disarmament. His stand has been echoed by Adlai Stevenson, our chief delegate and Ambassador to the U.N.

"Where Kennedy and Stevenson spoke in general terms, the State Department bulletin deals in specifics. It supplies the term for those vague goals the administration hopes to gain through the U.N.

"What are these terms? The State Department document summarizes the proposals as a 'new program [which] provides for the progressive reduction of warmaking capabilities of nations and the simultaneous strengthening of international institutions to settle disputes and maintain the peace.' This program is broken down into three phases or parts.

"In the first phase, all nuclear weapons tests by nations would be prohibited, production of fissionable material stopped, strategic delivery systems reduced, and conventional arms and armed forces would be cut.

"In the second phase, present stocks of nuclear weapons would be reduced, further cuts would be made in armed forces, armaments, and delivery systems, and military bases and facilities would be dismantled. At the same time, a peace force would be established for the United Nations.

"In the third and final phase, all nations would possess only those forces, nonnuclear armaments, and establishments required for the purpose of maintaining internal order; they would also support and provide agreed manpower for a U.N. peace force.

"This force would be fully functioning, and would be sufficiently strong to overpower any individual nation or combination of nations resisting its will.

"There you have it. One, two, three, bingo. The U.N. rules the world.

"And who rules the U.N.? That is the question. If for one moment old Nikita thinks he isn't going to rule the U.N., you can bet your last kopek he's not going to fall for a trap like this.

"As soon as he and Mr. Nehru, Mr. Nkrumah, Mr. Sukarno, and a few other scoundrels count enough votes to come up with a winning combination, such a proposal will be a natural for them, and there won't be any more kopeks left for us to count. That's the beauty of the system—from Mr. Khrushchev's point of view, of course. It's heads he wins, tails we lose.

"And speaking of votes, one of the most interesting—if most frightening—aspects of this proposal is the lineup on an 18-nation negotiating body in the U.N. which soon will be considering this disarmament scheme.

"Originally, this committee was composed of five Western nations (Britain, Canada, France, Italy, and the United States) and five Soviet bloc nations (Bulgaria, Czechoslovakia, Poland, Rumania, and the U.S.S.R.). But the sharp division of these two factions resulted in a complete deadlock, and on June 27, 1960, the Soviets walked out.

"Then somebody came up with the bright idea of adding eight independent nations to the committee as a compromise—two Asian, two African, two Latin American, one Middle Eastern, and one European.

"The future of this country—and of the free world may very well depend upon how those eight nations line up.

"At the moment the future is looking very dark. For from Asia, they picked Burma and India; from Africa, Nigeria and Ethiopia; from Latin America, Mexico and Brazil; Egypt from the Middle East, and Sweden from Europe.

"Five of these nations—a clear majority—recently voted in favor of seating Red China in the U.N. and kicking Chiang out. These five nations are Burma, Egypt, Ethiopia, India, and Sweden.

"Moreover, Mexico was the only Latin American nation (other than Cuba, of course) to oppose flatly a resolution by the Organization of American States calling for a Foreign Ministers' Conference on the Cuban threat of Communist invasion of the hemisphere.

"Brazil, which refused to support this same measure by abstaining on the vote, has already proclaimed its disapproval of any measures which the Foreign Ministers might take to deal with Castro. The Brazilian Government has officially called upon the United States and other hemisphere nations to coexist with Cuban communism.

"How many friends does this leave the United States on the all-important U.N. Disarmament Committee? You count 'em. I'm sick."

Mr. CLARK. Readers of the RECORD will note that my distinguished colleague made certain statements to which I take strong dissent.

First, he said:

Every day more and more people share a growing concern for the preoccupation of the State Department and some people in high places with the issue of disarmament.

Second, he said:

I think it is naive and unrealistic to be preoccupied with the question of disarmament.

Third, he said:

We know that the Communist conspiracy has no intention of coexisting with us.

Mr. President, I take strong exception to each of those three statements.

In the column which the junior Senator from Texas inserted in the RECORD, its author, Mr. Ken Thompson, referred to what he calls—as stated in the article:

One of the most incredible documents ever to emerge from the foggy corridors of the State Department is a bulletin entitled "Freedom From War: The U.S. Program for General and Complete Disarmament in a Peaceful World."

I continue to quote from Mr. Thompson:

As skeptical as I have always been of the measure of good sense and loyalty within the State Department, I never would have believed that these people we call our diplomats could so completely and unabashedly advocate the surrender of American rights and sovereignty until this bulletin appeared.

Mr. President, I submit that both the junior Senator from Texas and Mr. Thompson are pretty far off base in the comments which I have noted.

In the first place, the program entitled, "Freedom From War: The U.S. Program for General and Complete Disarmament in a Peaceful World," is not some pamphlet dreamed up in what is referred to as the "foggy corridors of the State Department." It is the fixed, determined, and approved policy of the Government of the United States of America. It was laid down by the President of the United States, John Fitzgerald Kennedy, in a speech he made before the United Nations on September 25 of last year—a speech which I think will ring down through the corridors of history.

That program, when it was submitted by the President of the United States, had the approval not only of the State Department but also of the President's then disarmament adviser, Mr. McCloy, who was its principal author; of the Department of Defense; and of the Atomic Energy Commission. It represents the fixed and determined policy of the executive arm of the U.S. Government.

If individuals, whether on or off this floor, desire to criticize that program, they should turn their criticism not against some subordinates in the State Department but against the Commander in Chief of the Armed Forces of the United States of America, the President of the United States.

I recall to Members the dramatic statement made by the President in that splendid address before the United Nations, to the effect that he challenged the Soviet Union to a race for peace, not a race for war. In that connection I suggest that the program presented by our President at that time has, by implication at least, the full support of the Congress of the United States.

Mr. President, in my view the President's program for total and permanent disarmament under enforceable world law is not only that of his administration but is also the kind of program which Congress envisioned when, last summer, it passed the statute creating the U.S. Arms Control and Disarmament Agency. That bill was passed on September 8 by the Senate by a vote of 73 to 14 only approximately 2 weeks before the President made his historic appearance before the United Nations. The bill was passed a few days later by the House of Representatives, by a vote of 280 to 54.

As expressed in the first annual report of the U.S. Arms Control and Disarmament Agency:

Successful arms control and disarmament negotiations are, of course, the chief purpose of the Agency's existence, and the goal to which its energies are directed.

Therefore, Mr. President, I submit that the executive and the legislative branches of our Government are substantially in accord in supporting the President's program for total and complete disarmament under enforceable world law, and I suggest that it is neither naive nor unrealistic—as was suggested by the junior Senator from Texas—for the Congress of the United States and the people of the United States to take an active, keen, and present interest in the subject of disarmament.

Far from its being naive to be preoccupied with this subject, I suggest that disarmament, world peace, and world law not only should be, but are, the constant preoccupation of all intelligent and educated men and women who desire to survive in freedom.

Mr. President, I am not one who believes in a theory of either national or international relationships by which we engage in a kind of international game

of cops and robbers, nor am I one who believes that foreign affairs can be treated in terms of a college football game in which the will to win, the will to cross the goal line or to "rack up a score," is the dominant motive. I believe that life is far more complicated than that, and I believe that the world is far more complex than that.

I look forward with confidence to the progress of the President's plan, and I pledge it my unremitting support.

The rest of Mr. Thompson's editorial—published in the Dallas News—about which I have been speaking is a sort of combination of an attack on the United Nations and a suggestion that the Soviet Union is about to take over, with some success, or desires to take over, that international agency. In light of the President's plan for disarmament, I should like to comment on those remarks.

Mr. President, the U.S. program for general and complete disarmament in a peaceful world, referred to so sneeringly by Mr. Thompson, is designed to provide a better world for the American people to live in, by assuring international peace through disarmament and the strengthening of international institutions. It is not a program for the surrender of American rights and sovereignty. The program is based on the belief, shared, I believe, by most Americans, that war has been a scourge to mankind, and should be eliminated. Modern war has become so devastating, because of nuclear weapons, long-range missiles, and other products of modern technology, that a grave responsibility rests on the U.S. Government and on all its elected public officials to do everything within their power to prevent the outbreak of a major conflict. For this reason, during the postwar period, the United States has consistently sought, under both the Republican administration and Democratic administrations, international agreement to control or to abolish armaments. Mr. President, I submit that to do so is neither naive nor unrealistic.

The U.S. program is not a unilateral one. The United States will not do anything under the President's program unless the Soviet Union and other countries agree to do the same thing and agree to sound international control and inspection arrangements to permit verification of steps taken under the agreement. If—as Mr. Thompson suggests—this program is one for "the surrender of American rights and sovereignty"—and it is not—then it is also a program for the surrender of Soviet rights and sovereignty.

I submit that it is a gross distortion to maintain that the program envisages U.N. rule of the world. The United Nations is not a world government. The U.N. Charter is founded on its charter, which cannot be changed in any way affecting the United States without undergoing the treaty procedures set forth in the U.S. Constitution, which require approval by two-thirds of the elected representatives of the American people serving in the U.S. Senate.

Mr. President, probably the Soviet Union would like to dominate the United Nations, if it could; but it is unable to do so, and what the government of the Soviet Union actually has in mind is, not a strengthened United Nations, but a weakened one. In fact, the Soviet Union has consistently and strenuously opposed all efforts to strengthen the United Nations.

So, Mr. President, I believe it is perhaps naive and unrealistic to treat the United Nations and the President's plan for total and permanent disarmament under enforceable world law with the scant courtesy which has been afforded in the editorial to which I have just now made reference.

Mr. President, the next disarmament conference will meet on March 14, at Geneva. It is true, as I have said before, that international tensions have recently increased. It is true that probably we shall have to resume nuclear-weapons testing in the atmosphere. But I repeat that frequently it is darkest just before the dawn, and that the time to make an agreement is when people are frightened at the results of not making an agreement, and when the need for survival will bring people to appreciate that some accommodation must be made between nations, if they are to survive, in order to control nuclear warfare and the use of nuclear weapons, and that therefore it is necessary to proceed with a staged and effectively controlled disarmament program which can bring peace to the world.

POPULARITY OF THE UNITED NATIONS

Mr. CLARK. Mr. President, at this time I desire to speak on the popularity or lack of popularity of the United Nations. I wish to call to the attention of my colleagues and, through the RECORD, to call to the attention of the country, the fact that the United Nations has rarely in its history been as popular with the people of the United States of America as it is today.

Actually, in 1951, according to a Gallup poll, only 57 percent of the American people felt the United Nations was doing a fair job, whereas, as of today, 78 percent of the American people think the United Nations is doing a fair job.

In 1951, 12 percent of the American people were prepared to give up the United Nations; but, as of today, only 5 percent of the American people so feel.

As of today, Mr. President, 83 percent of the American people believe the United Nations is very important in the world in which we live. An additional 9 percent think it fairly important. Only 4 percent think it not so important, and another 4 percent have no opinion on that subject.

These figures are taken from a Gallup poll reprinted in the New York Herald Tribune on February 27 of this year. I ask unanimous consent that the article, written by Joseph Newman, outlining that poll, be printed at this point in the RECORD, in connection with my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

AMERICANS ARE KEEPING FAITH IN U.N.—SURVEY FINDS OPINION UNCHANGED IN YEAR

(By Joseph Newman)

UNITED NATIONS, N.Y.—The great majority of Americans continue to put their faith in the United Nations, notwithstanding disappointments over the Soviet use of the veto and the Indian invasion of Goa, according to a Gallup poll.

A year ago, before the uncertainty caused by the death of Secretary General Dag Hammarskjold and the resentment aroused by India's invasion of the Portuguese enclave, 83 percent of the persons interviewed said it was very important for the United States to try to make the U.N. a success.

Now, notwithstanding unfavorable developments and sharp attacks for the failure to halt the Indian invasion, the percentage of Americans who believe in the U.N. remains as high as before—83 percent.

HOPE FOR PEACE

Typical of the sentiment of many persons interviewed by Gallup poll reporters was this remark by a miner's wife in the town of Grindstone (population 1,094), in southwestern Pennsylvania:

"If the United Nations fails, there's no chance remaining for peace."

A cross-section of the American public in all parts of the country was asked: "How important do you think it is that we try to make the U.N. a success—very important, fairly important, or not so important?"

The results:

	Percent
Very important	83
Fairly important	9
Not so important	4
No opinion	4

A high majority continued to believe that the U.N. was doing a good or fair job. Increasing confidence in the competence of the U.N. was indicated by replies to this question:

"In general, do you think the U.N. Organization is doing a good job or a poor job in trying to solve the problems it has to face?"

The answers to this same question over a period of 11 years were:

[Percent]

Year	Good or fair	Poor job	No opinion
1951	57	36	7
1954	55	30	15
1956	77	11	12
1961	80	9	11
Now	78	12	10

Increased support for U.S. participation in the U.N. was shown by answers to a third question: "Do you think the United States should give up its membership in the U.N. or not?"

[Percent]

Year	Yes, give up	No	No opinion
1951	12	75	13
Now	5	90	5

UNITED NATIONS BONDS

Mr. CLARK. Mr. President, I hope we are soon to consider, as a result of hearings held and executive action scheduled by the Senate Foreign Relations Committee, a proposal to authorize the purchase by the U.S. Government of up to $100 million worth of United Nations bonds. I am most hopeful that a favorable report on that proposal will shortly be forthcoming from the Senate Foreign Relations Committee. When it is, I shall support that proposal to the utmost of my ability; and I am confident that in so doing I shall be representing not only what I am sure is the overwhelming majority of my constituents in the Commonwealth of Pennsylvania, but also the overwhelming majority of the intelligent and alert people who make up the population of the United States of America.

Mr. President, I yield the floor.

FURTHER TEMPORARY INCREASE IN PUBLIC DEBT LIMIT

The Senate resumed the consideration of the bill (H.R. 10050) to provide for a further temporary increase in the public debt limit set forth in the Second Liberty Bond Act.

Mr. DIRKSEN. Mr. President, that whimsical English professor, Dr. Parkinson, should formulate another Parkinson's law relating to the public debt since it so closely parallels his law on bureaucratic growth. Just as spending will always reach and overtake revenues so the public debt will constantly pierce the ceiling and finally go into orbit.

Since the public is becoming keenly tax conscious, it should be observed that debt is a deferred tax and must either be paid, repudiated, or monetized.

The word "monetized" is a good hand-embroidered word for absorbing into Government trust funds in increasing amounts the bonds which represent it. The latest figure I have seen is that $83 billion of Government bonds are now in trust accounts such as social security, civil service retirement, the railroad retirement account, and so forth.

Now at long last it has become a rather bewildering squirrel cage.

No wonder Emerson once remarked that, of all debts, man is least willing to pay taxes. I suppose men have a natural doubt as to what they receive for their money. Our public debt is like the sentiment in the old spiritual with the title "Inching Along." I remember hearing the song, "I am inching along, I am inching along, I am inching along, I am inching along to the Lord." We are inching along on the public debt. Year by year it inches upward.

Twenty-one years ago the debt started with a ceiling of $65 billion. It was formalized at that point. Then in World War II it jumped to $300 billion. I am speaking now of the debt ceiling. It has been gradually inching from $275 billion to the request for a ceiling of $308 billion that is before us now, although only a part of the requested increase is before the Senate at the present time.

Our debt and Federal taxes must be viewed in the light of local taxes as well. I found a painful reminder in the headlines of the Chicago newspapers this week. One headline stated, "Chicago Tax Rate Soars 10½ Percent." Another headline stated, "The Tax History of a Chicago Home. Bill Nearly Tripled." That was for the period 1933–60.

Those facts, plus the estimated Federal spending for fiscal year 1963 at a level of $92½ billion, exclusive of trust accounts, with the thousands of jobs to be added, should certainly provoke the keenest interest on the part of Congress when we deal with the forthcoming succession of appropriation bills.

Mr. President, we can no longer laugh off the Federal debt. When I speak about Parkinson's law, I think it is as clear as a crystal that when a limit is set, we rise to it, then we go through it.

I am reminded of a little story that I have previously told on the Senate floor. A fellow in one of the States had a balky mule. The mule lay down on the pavement and would not budge. His owner wore out a club on the mule. It did no good. The man built a modest fire under the mule. That did not help matters. Finally, a veterinarian came along and said, "What is the matter, Joe? You having trouble with your mule?" "Yeah, Doc, I can't do a thing with it."

So the veterinarian reached into his case and got out a great big animal syringe, filled it with something, and gave the mule a squirt in the hind quarters. In a little bit the mule got up and started down the street lickity-split.

The owner looked at the disappearing mule, looked at the doc, and said, "Doc, how much does that cost?"

The veterinarian said, "That's 10 cents."

The owner said, "Here is 30 cents. Give me two shots so I can catch that mule."

The story illustrates my point. We set a limit, and then we have to catch up to that limit all over again. So we set the limit higher. Then our expenditures rise to that point. There must be a Parkinson's law that fits the situation. We had better find out what it is, because the process is alarming.

I have not been a member of the Committee on Appropriations for quite some time, but if my figure is correct—and I checked with Mr. Scorr in the Committee on Appropriations this morning—we owe the civil service retirement fund $32 billion. From time to time we have tried to put a little money into the fund and get rid of the disparity. We now have provided that appropriation bills must contain the increment that each agency will owe. With respect to those who are on the Federal roll, we must match funds and pay into the retirement fund. We cannot see this debt, with other obligations that we owe, grow by leaps and bounds into the billions, without having a sense of apprehension.

This morning I made a little check because I saw the word "trillion." We are about to become accustomed to the word "trillion." The State and local debt is $70 billion. The corporate debt is $350 billion. The Federal debt is $300 billion. Private debt is $290 billion. We have a trillion-dollar debt in our country. It is an interest-bearing debt, and it will rise up like Banquo's ghost at the table one day and haunt this body, because Congress has exclusive authority over the public purse.

There is no sense in trying to shunt off our responsibility. It is ours. So I utter these sentiments with respect to the bill which we must pass unless we want to repudiate our obligations, not pay, or monetize. We must pass the bill. But, as an admonition, when the first of the appropriation bills comes to the floors of Congress, it will be the individual responsibility of every Representative and every Senator—a responsibility for which he will be accountable to the people of the country, and particularly to his constituency—to see that the ultimate in economy and thrift is exercised if we are to do our full duty and not one day be convulsed by a debt that will have grown to such astounding proportions that it may, like an avalanche, wipe out many of the values that we hope will remain durable and fundamental in our country.

Mr. DWORSHAK. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. DWORSHAK. The Senator is aware that, in sending his budget to Congress in January, the President, as he had done previously, indicated that there would be a balanced budget in fiscal year 1963.

I am sure that the minority leader knows that the Appropriations Committee hearings have already started for several of the department budgets. There is evidence that there will be sizable increases for every program and almost every activity in the executive department. Expansions, increases, and duplications have been proposed. There is no inclination whatsoever to curtail Federal spending in order to make a balanced budget possible next year.

The Senator will recall that a year ago we were to end this fiscal year with a small surplus. Already the administration admits that we shall have at least a $7½ billion deficit, and we shall probably approach the $9 billion or $10 billion mark. So I completely concur in the views of the Senator from Illinois that sooner or later every Senator must stand up and vote either to curtail or to increase Federal expenditures. So far as the Budget Bureau and the administration are concerned, the evidence points conclusively to the prospect of larger deficits.

So far as I am concerned, I am against even a $2 billion increase in the debt ceiling. We have been increasing the debt ceiling almost every year for the previous administration and now for the present administration. If we were to take a courageous stand and refuse to go along, and serve notice, as the legislative branch of the Government, that we are opposed to bankrupting this Government, we would get some response downtown from the executive department.

Does the Senator agree with me?

Mr. DIRKSEN. Mr. President, I concur generally in what my distinguished friend from Idaho says. I have only one or two other observations to offer. I

doubt whether we have a full appreciation of all the implications that are involved. We must not forget that more than $20 billion—in short-term U.S. paper—is in the hands of either investors or central banks in other countries at the present time. I believe the distinguished Senator from Virginia [Mr. BYRD] will bear me out. The minute they get the conviction that we are not willing to face up to our responsibility to keep our fiscal house in order, they can redeem this paper. It is redeemable in gold. We do not have anywhere near enough gold to meet that kind of responsibility and still maintain a 25 percent reserve, as required by law. The result would be what? If that were to happen, we had better start running from the bomb shelter.

Mr. DWORSHAK. Mr. President, will the Senator yield further?

Mr. DIRKSEN. I yield.

Mr. DWORSHAK. Last fall the President and other spokesmen of the administration indicated that they were adopting measures to stop dwindling gold reserves, and that the U.S. adverse balance of payments was under control.

In the recent calendar year we had an adverse balance of payments, as I recall, of about $2½ billion. The Secretary of the Treasury has been reassuring the American taxpayers for several months now that an effective control would be exercised soon over this adverse balance of payments.

In today's newspapers the Secretary of the Treasury serves notice that it will be late in the calendar year 1963 before there will be any hope of having a favorable balance of payments on international trade and on our gold dollars.

If the Senator will yield further, I should like to call his attention to an article which appears in today's Wall Street Journal, which illustrates the utter incapability of the administration to keep its pledges to the American people.

The article is datelined New York, and reads in part:

NEW YORK.—Cerro Corp. and National Distillers & Chemical Corp. have dropped plans to build a primary aluminum reduction plant in northwestern Oregon.

The companies had been seeking financing for a $50 million, 55,000-ton-per-year reduction plant that would have been built at Wauna, Oreg., a small town on the Columbia River about 55 miles west of Portland.

The article also states:

Aluminum prices have dropped in recent months in domestic and world markets. In addition, other plant construction is planned, such as a huge hydroelectric-aluminum plant complex on the Volta River in Ghana.

The Senator, of course, is aware that recently the administration announced that $37 million would be the initial contribution by our Government, with which the Government of Ghana would build the huge hydroelectric-aluminum plant.

At a time when we are considering retraining and relocation programs, when there is widespread unemployment in the country, the administration is not only not economizing in any way, but is very generously providing millions and millions of dollars for projects like this one in Ghana.

Does the Senator think this action will contribute to a balanced budget?

Mr. DIRKSEN. I have grave doubts about it. However, I wish to take exception to one word that my friend from Idaho used. He said that the administration did not have the "capability." It has the capability. This is a matter of determination, pure and simple. When we get the conviction that we are in danger, and the course is clear, it is only a question of conviction in following that course, and letting the chips fall where they may.

I add one other thought. All this seems very, very remote from the general discussion. It would seem to be miles away from the interest of the people. It seems to me that the gold balance problem is indeed a serious matter. If this house of cards ever falls over, its effect, in the form of waves, will roll all the way to the consumer level. I am not in a position to estimate the damage that that could do.

I have said on one or two occasions that sometimes we are like the chap who participated in an examination to become a rural mail carrier. One of the questions that he had to answer was: "How far is the sun from the earth?"

After chewing on the end of his lead pencil, this applicant finally wrote: "Far enough so that it won't interfere with my duties as a carrier of the mail."

It may be a long distance, but this matter is closer than that. At the heart is thrift, the conservation of our financial resources, and the effective administration of our fiscal affairs, so that it will inbreed confidence in all corners of the earth that we do mean to face up to the problems on the human front.

Mr. DWORSHAK. Mr. President, will the Senator yield further?

Mr. DIRKSEN. I yield.

Mr. DWORSHAK. In January the director of the Bureau of the Budget and the Secretary of the Treasury testified before the Appropriations Committee on the general fiscal outlook. The Secretary pointed out that by using a managed economy, it would be possible for the administration to apply controls over our gross national product, and the available taxable revenue that would be available to take care of the expense of operating our Federal Government.

When he concluded his statement, indicating that there could be a push button control of our economy—on income, tax revenue, and everything else—I asked him what the situation would be if we became involved in several cold wars or in some international emergency which would affect the economic status of the free nations of the world, particularly the United States. I wanted to know whether he contended that the administration through its various devices and agencies could control the trend not only at home but also abroad, which would make it possible for us to survive an international financial debacle.

He said if we became involved in this kind of trouble, then we would face a serious dilemma, because he had to admit that we could not control these trends outside of our own country.

Mr. DIRKSEN. I thank my distinguished friend from Pennsylvania for yielding.

The ACTING PRESIDENT pro tempore. The question is on the third reading of the bill.

The bill (H.R. 10050) was ordered to a third reading, was read the third time, and was passed.

CONVEYANCE TO STATE OF WYOMING FOR AGRICULTURAL PURPOSES CERTAIN REAL PROPERTY IN SWEETWATER COUNTY, WYO.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside and that the Senate proceed to the consideration of Calendar No. 1185, S. 875.

The ACTING PRESIDENT pro tempore. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 875) to authorize and direct the Secretary of Agriculture to convey to the State of Wyoming for agricultural purposes certain real property in Sweetwater County, Wyo.

The ACTING PRESIDENT pro tempore. Is there objection to the request?

There being no objection, the Senate proceeded to consider the bill.

Mr. HICKEY. Mr. President, this bill authorizes conveyance by quitclaim deed to the State of Wyoming without cost of approximately 664.12 acres constituting the Farson pilot farm in Sweetwater County, Wyo.

The conveyance would be conditioned upon continued use of the property in the cooperative agricultural demonstrational work of the Department of Agriculture and the State of Wyoming. Oil and gas rights would be reserved to the United States. Conveyance to the State may result in some savings in cost to the United States.

MORSE FORMULA PRECEDENTS

The bill is generally similar to Public Law 59, 85th Congress, which provided for conveyance of the Midwest Claypan Experiment Station to the University of Missouri. The last paragraph of S. 875 is substantially identical to the last paragraph of Public Law 59, as it was amended to meet the objection of the Senator from Oregon [Mr. MORSE]. Where Public Law 59 provided that the property should be used in cooperative agricultural experiment work of the Department of Agriculture and the State of Missouri, the last paragraph of S. 875 provides that the property shall be used in the cooperative agricultural demonstrational work of the Department of Agriculture and the State of Wyoming.

In objecting to the bill which became Public Law 59, as it was reported by the Senate, the Senator from Oregon pointed out that the bill as it had been reported did not follow the pattern under which dryland experiment stations had been given to the States for the following reason:

Such arrangements have to be cooperative arrangements for the operation of the stations in line with a Federal agricultural program. Today, the Acting Secretary of Agriculture, Mr. True D. Morse, is trying to give the Senate the impression that the pending bill is identical with the dryland station transfer bill. But that is not true, because the dryland station transfer bill affected my State, and I know what the cooperative arrangements were. They were not that some institution could obtain the particular station and use it for any agricultural purpose, with no strings attached—such as the pending bill would permit.

If the Department of Agriculture wishes to tie down the proposed grant to cooperative arrangements between the Federal Government and the University of Missouri, that is a different matter. But I say most respectfully that that is not set forth in the bill. So the pending bill and Public Law 825 are not analogous at all.

After the amendment of the bill to include language substantially identical to that of S. 875, the Senator from Oregon said:

Mr. President, I assure my friend, the distinguished junior Senator from Missouri [Mr. SYMINGTON], that not only am I satisfied with the amendment he has offered, but I wish to offer him exceedingly high commendation for the typical statesmanship he is exhibiting again in this matter as he does in other matters.

The Senator from Missouri in the first instance was not fully aware of the rather technical basis of the objections I raised to his bill, because we were of one mind as to the objectives. Our disagreement was only over a small matter of wording. The Senator from Missouri has studied the statement I made concerning the matter and has assured me that he meant this bill to be identical in objective with the so-called dryland bills which were passed some years ago by the Senate. The Senator from Missouri has offered an amendment which brings this bill into complete agreement with the so-called dryland bills.

I thank the Senator from Missouri, and I wish to say to him on the floor of the Senate that no one has cooperated with me more completely in the past several years in the application of the so-called Morse formula to the transfer of Federal property than has the junior Senator from Missouri. I thank him very much for his assistance.

REORGANIZATION PLAN NO. 1 OF 1962, DEPARTMENT OF URBAN AFFAIRS AND HOUSING

Mr. MANSFIELD. Mr. President, on February 20, the Senate declined to take up the President's Reorganization Plan No. 1, of 1962, which would have provided for a Department of Urban Affairs and Housing. Subsequently, the House of Representatives rejected the plan, thus making any further consideration of the plan by this body moot.

On February 20, the distinguished junior Senator from Maine [Mr. MUSKIE] was prepared to deliver the basic argument for the proposed Department of Urban Affairs. As many Senators know, he left a hospital bed to attend that session.

At the time, following the Senate vote on the motion to discharge the Committee on Government Operations from further consideration of the reorganization plan, it did not seem necessary to place in the RECORD the substantive arguments on behalf of the plan, as contained in Senator MUSKIE's speech.

However, it is now apparent that the proposed Department of Urban Affairs and Housing is a live issue on the political hustings, if not in this Chamber. The time has come to clarify the record on this proposal in some detail and to set forth the substantive, objective, and rational arguments for a Cabinet-level department which would coordinate Federal responsibilities in the fields of urban development and housing.

The junior Senator from Maine prepared such a speech for delivery in this Chamber. It has been unfortunate that his automobile accident and the course of events in this Chamber prevented him from delivering that speech. But because of their importance to a balanced and thoughtful discussion of this important issue, I ask unanimous consent that the remarks prepared by the junior Senator from Maine [Mr. MUSKIE] and the accompanying exhibits on the President's Reorganization Plan No. 1, of 1962, be printed in the RECORD at this point.

There being no objection, the speech and exhibits were ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR MUSKIE

Today the Senate embarks on an historic debate. We have before us the recommendation of the President of the United States to establish an 11th Cabinet department in the executive branch—the Department of Urban Affairs and Housing. I support that recommendation fully, and I urge the Senate to support it.

I have traveled a long road to reach the conviction from which I speak today. The State of Maine, which I have the honor and privilege of representing, in part, in the Senate, is by no stretch of the imagination a big-city State. We are a State in which great areas are sparsely populated. We have not a single city in the State which would be called big, measured by the standards of New York, Pennsylvania, Illinois, or California. We are a State of small towns and small cities, surrounded by modest suburban areas and farms of modest size. Among our 50 urban areas, all but 8 have populations of less than 15,000.

So it may seem strange to some that I rise today to place the voice and the vote of the junior Senator from Maine behind the establishment of a Department of Urban Affairs and Housing. But I do so, because I believe it is right; because I believe it is needed; because I believe it is important. I believe it is important for the people of Maine, and for the people of every one of the 49 other States.

These beliefs are firmly rooted in personal experience. I have known intimately the life and problems of the people in the towns and cities of Maine. I have served in its legislature. I have had the honor of serving as its Governor. I have also served from the time of its establishment on the Commission on Intergovernmental Relations, set up by legislation which I helped to sponsor.

None of this is said by way of advertising myself as an authority. My purpose is only to emphasize that when we come to consider the problem before us today, it is, to me, no abstraction—nothing about which I feel impelled to consult the textbooks on government or political science. To me, the problems of local, State, and Federal Government are very real and very vivid. Equally real and equally vivid are the relationships between these levels; their interdependence if the public interest is to be adequately served; and the crying need for a more coordinated center for the administration of urban programs at the national level.

My personal experience is far from unique in this body. The Senator from Pennsylvania [Mr. CLARK], who was strongly supporting this action long before many of us had made up our minds about it, served with distinction as mayor of the great city of Philadelphia. He knows at firsthand what urban problems are and how inadequate today are our governmental facilities to deal with them. The Senator from Minnesota [Mr. HUMPHREY] cannot possibly view this as an academic question; he wrestled with these problems as mayor of Minneapolis. The junior Senator from Massachusetts [Mr. SMITH] and the Senator from Indiana [Mr. HARTKE] have carried these responsibilities on their own shoulders at the municipal level. The Senator from Rhode Island [Mr. PASTORE] has served as Governor of his State, and sought to cope from the Governor's chair with the incredibly complicated problems resulting from the rapid urbanization of our country. I am sure there are others whom I have not named.

The issue before the Senate today, I say to my colleagues on both sides of the aisle, is purely and simply one of good organization and good administration—in a word, of good government. We have today in the Housing and Home Finance Agency over a score of programs which this Congress has instituted—some very large, some small; some as new as the Housing Act of 1961, and others which have been in operation for a quarter of a century or more. All are related to each other, and each is important to the sound growth and the present and future prosperity of urban communities in every one of the 50 States. Administering them is an independent agency of Government which has served us well in the past, but which has been overwhelmed and outdated by the tide of change. Its administrative structure was established at a time when the principal problem confronting the Government in this area was to overcome the shortage of housing for returning veterans of World War II. Onto that structure have been grafted a dozen or more new programs, some directly concerned with housing and others with much broader though closely related urban matters—urban renewal, urban planning, community facilities, mass transportation, and conservation of open space land near our cities.

The mission of the Agency has outgrown its form. The lines of authority within the Agency are the result of historical accident. Statutory authority had been conferred on the heads of organizations prior to the incorporation of these organizations into the Housing and Home Finance Agency when it was originally established. Other functions have since been transferred to the Agency from other parts of the Government. As a result, the statutory authority for some of the major functions of the Agency is not vested in the head of the Agency. This means that the mechanism for coordination among the many complex programs of the Agency, with their tremendous impact on our local communities, is inadequate and often ineffective. Of course, all powers of the new Department would be vested in the Secretary as head of the Department.

Perhaps most important of all, there is no continuing and appropriate voice in the highest councils of Government to represent the problems of the people living in our urban areas. There is no agency—no adequate instrument, as the President expressed it in his message on the plan—to which the President, the Congress, and the States and local communities can turn for overall advice and assistance in connection with all the interrelated problems of housing and urban development. This is what the President seeks to remedy through this reorganization plan.

Before we finish this debate we shall, I surmise, be talking about everything under

the sun from States rights to builders' profits. So be it. But as we enter this tangled maze of arguments and counterarguments, I would hope that we will not forget the real, central point; and that is, quite simply, that the plan reorganizes these already existing programs and administrative agencies into an executive department—headed by a Secretary who sits in the President's Cabinet—with crystal-clear lines of authority conforming to an elementary principle of good business management, in or out of government. The President in his message put it this way:

"I propose to act now to strengthen and improve the machinery through which, in large part, the Federal Government must act to carry out its proper role of encouragement and assistance to States and local governments, to voluntary efforts and to private enterprise, in the solution of these problems."

Let us see if we can put this whole matter into a little historical perspective.

Back in the 1920's there was not a program in Government which we would recognize today as a housing or primarily an urban program. There was nothing but the leftovers of a modest and not very successful World War I housing program conducted by the U.S. Housing Corporation—long since out of business. This was how matters stood until the great depression struck.

That depression, as we all know, brought the home financing and building industries of the Nation to a virtual standstill. During an extended and dreadful period, far more homes were foreclosed than were built or sold—except at distress sales. Something had to be done, and, as ever, necessity proved the mother of invention. One experimental program followed another—HOLC, the home loan bank system, the rudimentary beginnings of a secondary mortgage market device, mortgage and home improvement loan insurance, resettlement housing, public housing, and I am sure still others that I have forgotten. By the time the war came, Washington was full of big and little housing agencies. There was one under every bush, until a trade journal could write in 1942:

"The urgent need of coordinated Federal housing agencies was highlighted last week in hearings before the Senate Committee on Education and Labor. * * * Members of the committee gave up in despair after hearing representatives of 20 different housing agencies offer a description of how they thought the $50 million for emergency housing in Washington should be spent."

In February 1942 the President drew this scattered and chaotic group together into the Nation's first housing agency, under the title of the National Housing Agency. Since this was done under his war powers, it was a temporary reorganization to assist in the prosecution of the national war effort. Thus matters remained until the war ended.

After the war, a new problem arose. The war powers of the President were about to come to an end, but clearly the housing problem was not. There was a desperate shortage of homes for the men of our demobilizing forces. The homebuilding industry was plagued by shortages of land, of materials, and of labor. Construction costs shot up alarmingly. The Congress and the executive branch were alike appalled at the prospect and the temporary National Housing Agency should dissolve into the agglomeration and confusion which had existed before it was created.

After many false starts and extended national debate, the President sent to the Congress Reorganization Plan No. 3 of 1947, which became effective on July 27, 1947, and established the Housing and Home Finance Agency as a permanent agency of Government.

The Housing and Home Finance Agency as it was established at that time bore little resemblance to the Agency as we know it today. There was no Urban Renewal Administration; no Community Facilities Administration; no Federal National Mortgage Association. It was, quite simply, a housing agency. It had no responsibilities for slum clearance and urban renewal, or for assistance to States and local communities in comprehensive planning, advances for planning of non-Federal public works, and so on and on.

The first great breakthrough toward a more comprehensive approach toward the problems of growing urban communities came in the Housing Act of 1949. That was the act which established the slum clearance and urban development program—a major new program which was not housing as such, and yet was profoundly related to housing purpose, method, and result. Title I of this act proclaimed for the first time a national housing policy which stands unchanged today and to which the President referred to the text of his message on Reorganization Plan No. 1 of 1962, when he called for this action "to serve better all income groups in our population and to move ever closer to the goal of a decent home in a suitable living environment for every American family." Here was something new, indeed.

We are now getting into relatively recent history, and most of us will readily remember many of the new programs which Congress has authorized since 1949 and assigned to the Housing and Home Finance Agency. I could mention college housing, for example—or public facility loans—or the several special programs to aid in housing our older people—or assistance for cooperative housing—and so on. But since these are more familiar, I will not detain the Senate by going through each one of them. However, in order that the record may be clear, and so that Senators may refresh their recollection of these matters while reviewing the record, I ask unanimous consent that there may be printed at this point in my remarks a statement headed "Major Developments Affecting Urban Affairs and Housing." (See exhibit 1.)

We have come a long way since 1949. Only the name remains the same—and it woefully fails to convey a true impression of the present functions and programs of the Agency. In simple truth, the Housing and Home Finance Agency has long since become in fact, though not in name, an Urban Affairs and Housing Agency. What the President asks us to join him in doing is not to change the character of the Agency, but to give long-overdue recognition to what it actually is today. I ask unanimous consent that there may be printed in the RECORD a statement I have here entitled "Organization and Functions of HHFA." It very briefly summarizes some 30 active programs in the field of urban affairs and housing which are now being administered by the Housing and Home Finance Agency. (See exhibit 2.)

Before turning to the next phase of this discussion, it is convenient here to point out that these programs are not only numerous—not only complex—not only closely related among themselves—not only large and significant; they are also, with minor exceptions, permanent activities of the Federal Government. Senators who were present and heard the testimony will recall that the Budget Director, when he was discussing the appropriate criteria for judging when an agency had reached the point where it should be considered for Cabinet status, stressed not only the size, scope, the complexity, and the national importance of its programs, but also their permanence.

Of course, there are a few purely experimental programs authorized on a limited temporary basis, such as the programs of grants for developing and demonstrating new methods of providing housing for low-income persons and new methods of improving mass transportation. Congress may elect to extend these programs or let them expire.

Now, I am well aware that as a legal technicality all the programs of the Federal Housing Administration will expire on a date certain under existing law—some in 1963 and the remainder in 1965. But that is only a legal technicality. Surely there is not a Senator on this floor—or off it, for that matter—who seriously believes that the Congress of the United States is going to let the Federal Housing Administration go out of business in the summer of 1965. It has been extended periodically since it was set up 27 years ago, and we all know it will continue to be extended.

Most of the major programs have no expiration date at all. Some of them, to be sure, have dollar limits on their authorizations. But here again, the record shows that the Congress has increased these limits as they were reached or about to be reached. The college housing program, as best I recall—though it was enacted before I came here—started with an authorization of $300 million. Under the Housing Act of 1961, the program, in successive stages, will reach a total of $2,875 million. The urban renewal program enacted in 1949 and the public facilities loan program enacted in its present form in 1955 similarly started with dollar authorizations adequate only for limited periods of time and have been similarly extended by the Congress.

I could cite other examples, but I believe I have said enough to establish the point that these programs, in addition to being large, complex, interrelated, and important, also meet the test of permanence. To complete the record, however, I ask unanimous consent, Mr. President, that there may be printed at this point a table, entitled "Program Authorizations and Expiration Dates," showing the various programs of the Housing and Home Finance Agency with their expiration dates, where there are expiration dates, and with any applicable monetary limitations in other cases.

The programs are also national in scope, extending to large and small communities throughout the country. There is not a single State which is not significantly affected by one or more of these programs. I ask unanimous consent that there be printed in the RECORD three tables showing the extent to which selected Housing Agency programs, namely "College Housing Loans" (see exhibit 4), "Public Works Planning Advances" (see exhibit 5), and "Urban Renewal Grants" (see exhibit 6), are truly national in scope, serving as they do virtually all parts of the Nation.

The mounting need and demand for a Department of Urban Affairs and Housing has been reflected in legislative recommendations and the introduction of many bills in the Congress. Bills to establish an executive department concerned with urban affairs and housing were introduced in the 84th, 85th, and 86th Congresses. These differed in content, but they all had as their major purpose the creation of a Cabinet-level department to administer and coordinate Federal programs relating to urban affairs and housing. One of these bills in the 86th Congress was S. 3292, introduced by Senator CLARK, for himself and Senators MURRAY, JAVITS, and WILLIAMS of New Jersey. It was favorably reported by the Senate Committee on Banking and Currency after extensive hearings.

In the President's state of the Union message in January 1961 and in his special message to the Congress on our nation's housing in March of that year, the President reaffirmed the need for the Department. On April 18 he transmitted to the Congress draft legislation to carry out his recommendation.

Last year 20 bills relating to the establishment of such a department were introduced. These included S. 609, introduced by Senator BUSH, and S. 1633, introduced by Senator CLARK, for himself and 16 other Senators. Following extensive hearings before the House and Senate Committees on Government Operations, identical bills for this purpose were reported favorably in the two Houses: S. 1633 on September 6 and H.R. 8429 on August 28.

In his state of the Union message in January of this year the President again strongly urged a new Department of Urban Affairs and Housing. On January 24 the Rules Committee of the House of Representatives voted against giving the Members of that body the opportunity to vote on a bill to create a new department which had been reported by its Committee on Government Operations. Accordingly, the President had no really practical alternative but to submit his proposal in the form of a reorganization plan as authorized by the Reorganization Act of 1949.

PROVISIONS OF REORGANIZATION PLAN

At this point, I believe it would be helpful to review each of the plan's provisions. Because there has been so much confusion and misinformation about the effect of the plan, it is very important for all of us to keep firmly in mind during the debate just exactly what these provisions of the plan are. Actually, there is no reason for uncertainty or confusion about these provisions, as they are quite clear and simple.

As a general statement, the plan can be said to do but one thing—it would create a new department in the executive branch and transfer to it the existing functions of the Housing and Home Finance Agency, providing for their administration in accordance with sound principles already approved by the Congress for other executive departments. The plan is brief—taking less than 2 pages in the President's transmittal message. Let me run through the seven sections of the plan:

Section 1 would establish the new Department. It would provide that there shall be at the head of the Department a Secretary appointed by the President with the advice and consent of the Senate. The Department would be administered under the supervision and direction of the Secretary—thus obviating the impediments to good administration which result from scattered authority such as now exists with respect to major programs in the existing Housing and Home Finance Agency.

Section 2 of the plan would provide for the other top officials of the Department. These would consist of an Under Secretary, three Assistant Secretaries and a General Counsel, each of whom would be appointed by the President with the advice and consent of the Senate. There would also be in the Department an Administrative Assistant Secretary who would be appointed, with the approval of the President, by the Secretary under the classified civil service. The Secretary and these other officials would receive compensation at the rate provided by law for corresponding officials in other executive departments.

Section 3 of the plan provides for the transfer of Housing Agency functions to the new Department. I know that you are familiar with most of the programs of this Agency, including its five constituent organizations. Therefore, I will not attempt to enumerate all of its various programs here. Also, there has already been ordered placed in the RECORD a statement entitled "Organization and Functions of HHFA" which describes the Agency's great range of diverse but closely interrelated activities.

Section 3 of the plan would transfer to the Secretary all functions of the Housing and Home Finance Administrator (including the administration of the programs of the Urban Renewal Administration and the Community Facilities Administration) and the authorities now vested in the Public Housing Administration and the Federal Housing Administration and their officers. Recognizing that private housing will continue to be the core of all the interrelated programs of the Department, the Federal Housing Administration would be transferred as an entity to the new Department. Provision is also made for the continuance of the existing office of Federal Housing Commissioner appointed by the President with the advice and consent of the Senate. The Commissioner would continue to head the Federal Housing Administration under the supervision and direction of the Secretary as head of the Department.

The Federal National Mortgage Association and its functions would be transferred to the new Department without change, in view of the special legal status of the Association as a mixed-ownership corporation. The Secretary would serve as Chairman of the Board of the Association, as the Housing and Home Finance Administrator now does. No change in the organization or functions of the Association within the Department affecting its secondary market operations could be made unless the Secretary finds that such change would not adversely affect the rights and interests of owners of outstanding common stock of the Association.

Along with the functions transferred by the plan, there would be transferred the related personnel, property, records, funds, assets, and liabilities.

Sections 4 through 7 of the plan consist of standard provisions relating to delegations of functions and other technical matters.

There is nothing in the reorganization plan except the strictly organizational changes I have described. No new function or program is authorized and no additional funds are provided.

As I would like to explain later in my remarks, the reorganization plan is essentially the same as the legislation reported favorably last year by the House and Senate Committees on Government Operations, except as to a few minor substantive provisions which legally cannot be included in a reorganization plan.

THE ARGUMENTS FOR THE PLAN EXAMINED

I turn now to a review of the reasons why, in my judgment, the reorganization proposed by the President is not only desirable but urgently needed. I should like to stress three principal points:

First, the plan is needed to improve organization at the top level in the executive branch.

Second, the reorganization is needed in the interest of economy and efficiency.

Third, the reorganization is needed to assure the highly necessary coordination of a group of programs which are closely related in their objective, and which should be equally closely related in their planning and execution.

I submit that the issue before the Senate is first and foremost one of good organization, of simple good Government. I submit that it makes plain, good commonsense for the major programs of the Federal Government which deal directly with the problems of planning and shaping urban growth to be established as a Cabinet department, headed by a Secretary with the authority appropriate to his position and necessary to discharge his responsibilities. To use the words of Nelson Rockefeller in his memorandum to President Eisenhower of July 2, 1957, these programs go far beyond housing and involve "the general physical planning and development of communities." There is nothing novel about this proposal. We are merely applying here time-tested concepts of good business and good government—applying them to a new situation, which has grown up because of the pace of urbanization in the last few decades.

I am not in the least impressed with the arguments of those who try to confuse this issue by suggesting that this Department would be, or should be, or might become, a department of everything-that-happens in cities. That would be absurd, of course—about as absurd as trying to put into the Department of the Interior everything that happens within our continental limits, or into the Treasury everything that costs money. We have a very clear unifying theme for this proposed department, and that is to encourage and to help provide good homes in good neighborhoods for our growing urban population. That is what this plan is all about.

To accomplish that objective, we need an executive department which has the primary responsibility for working with other departments and with States and local governmental agencies to encourage the analysis and identification of their problems of growth and development—not simply their problems today, but their problems 2, 5, and 10 years hence. This Department should also have the necessary tools to aid local governments in comprehensive planning for the solution of these problems, and in the actual execution of their programs of housing, urban renewal, and the provision of necessary community facilities. Once these plans are made, with proper consideration for the total land use pattern in the community, then of course it simply makes good sense for an egency like the Bureau of Public Roads, for example, to continue to carry out its operation program within the context of the needs of our Interstate Highway System, or for problems of air and water pollution and hospitals to continue to be treated as public health problems, which obviously they are.

The President has said, and I agree with him, that the people who live in and near our cities deserve a spokesman in the highest council of Government—the President's Cabinet. But I submit that the reverse proposition is equally valid: the President and the Cabinet itself need a Secretary of Urban Affairs and Housing.

What is the significance of the President's Cabinet in our form of government? Opinions differ widely on this question, and it is not easy to give it a simple answer. As we all know, the Cabinet is not established by the Constitution; it is an invention of the Executive, which has grown up over the years. The use made of the Cabinet has varied considerably with different Presidents. Some have made extensive use of it as a method for coordinating the Government's varied programs; other Presidents have used it largely as a political sounding board.

In general, however, I think it is fair to say that the Cabinet, together with the President, constitute the hard core of an administration. These are the men who have most continuous access to the President, and the most intimate understanding of his views. These are the men who have the most continuous responsibility for coordinating the almost unbelievably complex activities of modern government. Of course, final decisions must be made by the President himself—he cannot delegate them to a committee. But these are the men who hammer out the policy, subject to his final approval.

Now let us suppose that the Cabinet undertakes a review of the state of the general economy. Should not such a discussion include the views of the Government's principal housing official, considering that housing is perhaps the third largest factor in the entire economy? It is difficult to think of anything more vital to economic stability, prosperity, and growth, yet there is no Cabinet officer to bring special knowledge and experience to bear on this subject.

Or let us imagine that the Cabinet is concerned with the many problems resulting from the movement of population from the farms to the cities. How absurd it is that we have a Cabinet officer present to discuss the problems of the areas from which the people are moving, but none to represent the areas to which they are moving.

Or again, let us imagine that the Cabinet is to take up the general question of monetary and credit policy. Total nonfarm residential mortgage debt in the United States is about $175 billion. Something in the neighborhood of $15 billion is expected to be the net investment in housing mortgages during this calendar year alone. Are not these matters of enough consequence to be represented in such a discussion?

I could give a dozen other examples. For instance, the Cabinet often reviews the general budget picture. Surely, such a review must be incomplete without a spokesman for the programs of the Housing and Home Finance Agency, which constitutes one of the largest and most complex parts of the entire budget, outside the national security area. I think it is self-evident that the programs of the Department of Agriculture, or of Labor, or of Health, Education, and Welfare, or of Commerce would benefit by having at the Cabinet table a spokesman for urban affairs and housing.

Now, it has been argued since this proposal was made that the Housing Administrator can and sometimes does attend Cabinet meetings at the invitation of the President. In all charity, this argument is just a little silly. Of course the Administrator can go to a Cabinet meeting if the President asks him. So could I. A man may eat by invitation in the Senate dining room, but that doesn't make him a Senator. An official doesn't get to be a member of the President's Cabinet by attending meetings—he gets there by heading an executive department of government. People may talk as much as they like about this being a mere matter of prestige, and so on, but there is not one person on this floor who doesn't know that a Cabinet officer has more influence, more weight, and more effect than the head of an independent agency. That is a fact of life, and will continue to be.

I conclude that the facts clearly show that the President and the Cabinet itself need the inclusion in its structure of a Secretary of Urban Affairs and Housing, if the Cabinet is to function as it should to assist this and future Presidents in their duties as Chief Executive.

Now, what about this matter of economy and efficiency? Some people have tried to make much out of the fact that higher salaries and a couple of additional positions established under the plan will cost about $50,000 a year. But that is peanuts compared to what is really involved here. The Budget Director said that he believed these costs would actually be offset by other savings—but even if they were not, surely we are not going to decide a matter of this importance on the basis of the cost of modest salary increases to a few officials who are overworked and underpaid anyhow.

Let's look at the big money. The Federal Housing Administration alone has insured mortgages and home improvement loans totaling something in the neighborhood of $70 billion, and about half of that is still outstanding as a contingent liability of the Government. The Federal National Mortgage Association owns about 600,000 mortgages, representing a Government investment of some $6 billion. The college housing program involves nearly $3 billion, and the public facilities loan program another $600 million.

Let us consider urban renewal for a moment. The grant authorization under title I now stands at $4 billion. Think of it. Now a 1-percent increase in efficiency and productivity in that one program alone would be worth $40 million—or enough to pay the increased salary costs under this plan for a little better than 80 years. Surely a 1-percent increase in efficiency in just one program is a modest target.

But in government, as in business, improved organization should yield greater efficiency and productivity in all programs—not just one. After all, the principles of organization in big government are not greatly different from those in big business. If this Agency were a big private corporation, we would not have any doubt about what to do, and we would confidently expect that clarifying the basic organization structure and establishing clear lines of authority and responsibility would pay off in increased efficiency. Mr. President, I am convinced that this reorganization means savings to the taxpayer over the next few years not of thousands but of millions and tens of millions of tax dollars.

I turn next to the importance—in my judgment, the critical importance—of the highest degree of coordination among all the related programs and activities of the Housing and Home Finance Agency. For it is precisely here that our cities and urban areas will benefit most from the reorganization proposed by the President.

I quoted earlier the language of the President's message concerning the need for action now to strengthen and improve the administrative facilities at the Federal level. The message then refers to the complexity of urban problems, and the need for certain basic unifying concepts which will define objectives and suggest the boundaries of policy. The President then speaks of the programs of the Agency, describing them as including "an extraordinary range of diverse yet closely interrelated activities." And then occurs this striking paragraph:

"Widely different as these Federal programs are in subject matter and in techniques, they all affect the lives and welfare of families in our cities and their surrounding areas, and they all impinge in one degree or another on each other. None can or should stand by itself. The basic purpose of this plan is to establish a department which will bring a maximum degree of coordination and effectiveness to the planning and execution of all of them."

Now, what exactly is the President talking about? Let us see if we can make this general language a little bit concrete.

Let us take a neighborhood in some city—almost any city. It could be in a great metropolitan center, or in a town of 25,000 or 10,000. This neighborhood we are supposing is getting old; it has started down the incline that ends in a slum. Part of it is a slum now, much of it is not—not yet. Every Senator has seen a hundred such neighborhoods in his own State.

Now, a local public agency begins to survey this area and make plans for rescuing it, for stopping the process of decay and starting the neighborhood back on the upgrade. It is enabled to do this job by a planning advance under title I of the Housing Act of 1949, administered by the Housing and Home Finance Agency. When the planning job is done, the local agency receives a contract for an urban renewal project, which will involve clearance of those parts of the neighborhood that are too far gone, and conservation and improvement of the rest.

Under title I, the urban renewal plan for the area must conform to a general plan for the community as a whole. If that plan is inadequate or obsolete—or if, as is too often true, it doesn't exist at all—then another branch of the local government may seek assistance from the Housing and Home Finance Agency under section 701 of the Housing Act of 1954. If our neighborhood is in a small city or town, that grant will come to it through the State planning agency.

When the local agency begins to carry out its project, people and small businesses will have to be relocated. The Urban Renewal Administration in the Housing and Home Finance Agency makes grants to pay relocation expenses, up to the limits specified in the law. But moving expenses are only part of the problem. Where are the people to live? Perhaps, if they are low-income families, in public housing assisted by the Public Housing Administration with annual contributions. Or if they are in the middle-income range, in new or rehabilitated housing financed with FHA mortgage insurance under section 221. Or, if their incomes are high enough, in new or existing standard housing financed under FHA's section 203, or perhaps in rental housing under section 207. Perhaps a labor union or some similar group decides to form a cooperative to provide the needed housing. In that case, probably they will find their financing through FHA's section 213.

Experience has shown that a great many of the people who have to be relocated from project areas in the central cities are advanced in age. It is a tragic fact that run-down neighborhoods tend to be heavily populated by older people. All five constituents of the Housing and Home Finance Agency have special programs designed to assist the local community in the solution of this very human relocation problem. Each program, of course, is pointed toward a different kind of need. For example, the Federal Housing Administration provides a special form of mortgage insurance for housing for elderly people where the capital put in and the revenues of the project make up an economically sound, long-term loan. The Community Facilities Administration makes direct loans at the college housing interest rate, to provide decent housing at lower rentals. And at the lowest income levels, the Public Housing Administration has a special program for older people.

But we still have not considered what is to be built on the cleared land. Is it to be residential? In that case, because of the special elements of risk involved in what formerly was a slum or near-slum area, in all probability the financing of the housing to be built will have to be supported by FHA insurance under section 220. Or perhaps public facilities are necessary to improve the area. If so, planning advances are available from the Community Facilities Administration of the Housing and Home Finance Agency to be repaid when construction is actually undertaken, sometimes with the aid of a CFA loan. But let me note that the Housing Act of 1954, which authorized the public works advance planning program, requires that any project so assisted conform to any applicable general plans for the development of the area as a whole—and so we come full circle.

I feel safe in asserting that there is no other department or agency in government where it is so clearly true that one major project in one city or town may involve, not only every major constituent agency or bureau, but even every program administered by these different but associated agencies. Perhaps I have not said enough about the Federal National Mortgage Association. Note well that the FNMA is as much in the heart of these operations as any of its sister agencies. It is the special assistance support of the FNMA which is the catalyst, if you will, for such diverse activities as housing in urban renewal areas, housing for relocated families or the elderly and other special-purpose form of financing which have not yet established their place in the private market.

I could expand this discussion further. For example, we will recognize the tremendous economic importance of maintaining and improving our existing stock of housing, in which the Nation has an investment on

the order of $500 billion. That is a key piece of our hypothetical urban renewal project—to preserve and upgrade the major portion of the area, without having to resort to the drastic surgery of clearance and demolition. And to accomplish this, probably the key tool is the new authority granted to FHA in the Housing Act of 1961 to insure loans up to $10,000 and up to 20 years for major home improvements.

There are probably a half-dozen or more important programs I have not yet cited in this connection, but it seems to me that this is enough. I think this recital, which was hypothetical but completely realistic, is quite enough to establish how rightly the President chose his words when he referred to "an extraordinary range of diverse yet closely interrelated activities." It would require, it seems to me, an astonishingly effective set of cross-eyed spectacles for anyone to fail to see the importance—the basic national significance—of establishing at the national level that form of organization which will produce the highest degree of coordination and unity of purpose in the planning and execution of these necessarily complex programs.

On February 7 the senior Senator from Pennsylvania addressed this body on the proposed new Department. No one in this body has had deeper concern for the problems of our cities or done more to help solve them than the senior Senator from Pennsylvania. To any who have not heard or read his statement (appearing at p. 1993 of the CONGRESSIONAL RECORD) I recommend it for its accuracy and clarity. After laying to rest the most terrifying of the "bogeymen" raised by opponents of the Department, he explains these four important things which the creation of the new Department would do:

"First, it would raise the status of a cluster of governmental programs which, taken together, have a tremendous impact on the development of communities of all sizes.

"Second, the plan would bring greater attention to the problems of urban America.

"Third, the reorganization would improve the coordination of Federal functions affecting communities.

"Fourth, the new Department would be in a better position to provide information and technical assistance to State and local governments on problems arising from urban growth."

These are four major benefits which would flow to all of our communities and ultimately to all of the Nation.

I am well aware that I have already spoken at great length about the contents and the merits of this reorganization plan. I do not wish further to try the patience of my colleagues by describing as well a great amount of background information. However, many Senators would undoubtedly find it useful if relevant background information were spread upon the RECORD.

With this in mind, I ask unanimous consent to have printed in the RECORD at the end of my remarks a series of documents which I will briefly identify.

The first of these is a short statement on the "Growth of Demand for a Cabinet Department" (see exhibit 7.) This demand is rooted in the sharp growth of our urban centers during the present century. The brief statement shows how the demand was expressed in recommendations made since 1938 for changing the structure of the Federal agencies engaged in housing and urban development activities. A second historical statement lists "Studies of the Federal Role in Housing and Urban Affairs" (see exhibit 8), starting in the late 1930's and culminating in the hearings on Reorganization Plan No. 1 of 1962. A third is a "Chronology" (see exhibit 9) listing actions taken between January 1961, when President Kennedy recommended the establishment of a new department in his first state of the Union message, through January 1962, when he transmitted Reorganization Plan No. 1 of 1962 to the Congress.

This brings us to the Housing and Home Finance Agency as it now exists. Material on the organization and functions of the Agency have already been ordered to be inserted in the RECORD. Additional material for inclusion at the close of my remarks includes a chart entitled "HHFA Employment Summary" (see exhibit 10), and an explanation of "HHFA Programs for Small Communities." (See exhibit 11.)

It would also be helpful if the RECORD contained a brief statement showing "Additional Costs of Top Level Positions" (see exhibit 12) and a brief discussion of "Housing Programs Not Transferred." (See exhibit 13.) These programs include farm housing functions of the Department of Agriculture, the credit functions administered by the Federal Home Loan Bank Board, and the home loan guaranty program of the Veterans' Administration.

Certain questions have been asked concerning the provision of the plan which would vest basic functions of the Housing and Home Finance Agency in the Secretary of the new Department. The answers to these questions may be found in a statement entitled "Powers of the Secretary Compared With Those of the Housing and Home Finance Administrator." (See exhibit 14.) Background information concerning this feature of the plan is contained in a statement listing "Hoover Commission Recommendations" (see exhibit 15) and in another statement dealing with "General Transfers of Authority to Department Heads." (See exhibit 16.) The latter document lists various reorganization plans and statutes which have transferred authority to the heads of each of the 10 present executive departments. A list entitled "Establishment of Executive Departments" (see exhibit 17) is also submitted for the RECORD. This shows the year when each of the present executive departments was established, the authority under which it was established, and information relating to its predecessor agency.

Finally, I wish to submit for the RECORD a "Summary of Differences Between the 1961 Bills and Reorganization Plan No. 1 of 1962." (See exhibit 18.) A study of this document indicates that there are no really significant differences between the departmental status legislation which was approved by the House and Senate Committees on Government Operations last fall and the President's reorganization plan.

For example, the legislation contains a declaration of congressional purpose which could not appropriately or legally be included in the plan. However, a similar explanation of the purposes to be accomplished is to be found in the President's message transmitting the plan to the Congress.

Secondly, the plan could not include certain provisions of the legislation which would vest in the Secretary functions relating to studies of housing and urban development, the Secretary's advisory relationship to the President, and his role in helping to coordinate Federal activities affecting urban areas. Such legislative provisions cannot legally be included in a reorganization plan. However, their omission from the plan in no way detracts from its practical effect. Thus, functions with respect to housing and urban development studies are in fact controlled through the annual appropriations process and will continue to be so controlled regardless of general language of the type included in the predecessor bills. The Secretary's advisory relationship to the President and his role in furthering the coordination of Federal activities affecting urban areas will, as a practical matter, flow from his Cabinet status. The references to these two functions in the departmental status legislation were merely descriptive of the effects which tend to follow from departmental status.

A third change is the omission from the plan of authority to provide a general clearinghouse service to State and local governments in developing solutions to urban problems. This is legislation which could not legally be included in a reorganization plan. It should be noted, however, that the Secretary of the new Department would be authorized under the plan to provide States and localities with technical assistance of various types in accordance with a number of specific provisions of present law now administered within the Housing and Home Finance Agency.

The reorganization plan could not include provisions which were contained in the predecessor legislation directing the Secretary to give consideration to the special problems of small towns and communities and defining urban areas and urban communities. These provisions would not in fact change the existing situation with respect to smaller communities. Smaller communities now participate very extensively in Housing Agency programs. The provisions were added to the original legislation at the request of a distinguished minority member of the Committee on Government Operations who desired reassurance in this matter. Actually, the best assurance that the needs of our smaller communities are not now being neglected by the Housing and Home Finance Agency and that they will not be neglected under the reorganization plan is to be found in present practices which are described in the statement entitled "HHFA Programs for Small Communities."

THE ARGUMENTS AGAINST THE PLAN EXAMINED

The arguments which have been made against the proposal to establish a Department of Urban Affairs and Housing are to me clearly without foundation. This is not because they are lacking in surface plausibility, but rather because each of them is based on a misconception of what a reorganization plan can actually do or not do.

Some have criticized the plan because they fear that the Government reorganization by itself will mesmerize future Congresses into enacting substantive proposals which will somehow destroy the States. In effect, they believe that the plan will do dangerous things which no reorganization plan can possibly do. On the other hand, those who mistakenly expect a governmental reorganization plan to solve major substantive as well as organizational problems naturally feel that the plan does not do enough. They say it would merely create some high ranking offices, and that this is hardly worth all the bother. Interestingly, neither of these two inconsistent views of the matter is without precedent.

In the House debate on January 15, 1903, Mr. Gaines had the following objection to the creation of the Department of Commerce and Labor, the predecessor to our two present Departments:

"In such action, Mr. Chairman, are we undertaking to absorb, by right of might, if you please, the powers and rights of the State? Is not such legislation an invitation for the Government of the United States to rush down and undertake to attend to all the varied business of the States and crush the latter? If we continue to do this—and we see the great tendency toward it—how soon will it be before the States are destroyed—the States that created the Union?"

In the House debate on May 21, 1888, Mr. Blount spoke as follows in opposition to setting up a Department of Agriculture:

"Mr. Speaker, if I could see any benefit to result to the farmers of the country from this bill, I would give it my cordial support. * * * What is proposed in this bill for the purpose of advancing agriculture? You have today the Agricultural Bureau in

existence, with all its functions; and what are you proposing now? Simply to create some new offices. You propose to make the head of that Department a Cabinet officer, with increased salary; and you propose to create an assistant who is to receive a liberal salary. Beyond this, except transferring to the Agricultural Department the Signal Service—a service which, so far as I know, is well conducted today—there is nothing in this bill. I cannot see anything in it for the purpose of promoting agriculture."

Returning to the plan now before us, I want to try to summarize the objections which have been made and explain why they do not persuade me.

1. It has been said that the establishment of a new department will lead to large increases in programs and spending for urban development and housing. This argument fails to give full and proper weight to the fact that only the Congress can establish new programs of assistance for housing and urban development and only the Congress can authorize or appropriate funds for new or expanded programs. The Congress will do neither when it approves Reorganization Plan No. 1 of 1962.

Certainly, the need for a Cabinet department to handle Federal programs of urban development and housing will make it easier for the executive branch to administer and coordinate any future expansion of Federal interest approved by the Congress in this area. The lack of a Cabinet department has not prevented the Congress from enacting new programs and expanding existing ones to help alleviate some of these problems of urbanization. Nor will the existence of a Cabinet department create—in and of itself—new programs and expenditures.

The immediate increase in expenditures which can be expected to result from approval of the plan is about $50,000 annually for the salaries of several important new officers, the Secretary, the Under Secretary, three Assistant Secretaries, and an Administrative Assistant Secretary. The better coordination of any two of the dozens of programs now administered within the Housing Agency or the better coordination of these programs with those of other departments could save many times this sum as a result of a single decision within the executive branch.

2. Some fear that the reorganization plan will weaken State and local governments and centralize more power in Washington. Let me say first, on this point, that as a former Governor and as a present member of the Intergovernmental Relations Commission, I would find it impossible to support any measure which would result in the reduction of State and local authority and initiative. In fact, this plan would not extend in any way the power or control of the Federal Government over other governmental jurisdictions, nor would it in any way affect the authority of any State, city, or other local body.

The Department of Urban Affairs and Housing would administer programs enacted by the Congress. The legislation authorizing these programs sets the framework for the relationship between the Federal Government and the State or local governments receiving assistance.

All of the intergovernmental programs which would be assigned to the Department by this plan provide financial assistance only to State or local public bodies which request it. Participation by cities or other local bodies must be authorized by the State legislature or some specific constitutional provision, or both.

President Kennedy said in his message transmitting the plan:

"Just as the programs of the Department of Agriculture have strengthened the role of the States in measuring and helping solve the problems of their farmers, so the Department of Urban Affairs and Housing will provide additional opportunities for the States to play a strong role in the development of their urban communities."

I firmly believe this to be so. Establishment of a Federal department with Cabinet rank to deal with particular types of problems has in the past stimulated the States to create their own departments designed to deal with the same types of problems at the State level. For example, the establishment of a Federal Department of Labor with Cabinet rank in 1913 served not only to give labor a voice in the Cabinet, but also lead the way for every State in the Union to form an executive department or agency to deal with problems affecting labor.

As a result of the urban planning assistance program of the Housing and Home Finance Agency, authorized in 1954, about three-fourths of the States have established new State agencies or authorized existing State agencies to participate in that program. It provides matching grants for urban planning to States to help State, local, metropolitan and regional planning agencies. The number of States participating has risen from 4 in 1955 to 47 at present.

It is true, of course, that the States should further strengthen their own capacity to deal with housing and urban matters. For example, only six States now make contributions to urban renewal programs. The need for greater State initiative in this area is well recognized. But far from weakening State participation in these programs, the Department of Urban Affairs and Housing would have as a practical responsibility the encouragement of States to exercise positive leadership in solving urban problems.

3. The argument has also been made that departments should be organized by major purpose rather than by geographic areas and that a Department of Urban Affairs and Housing will create a cleavage between our urban and rural populations. The new Department would not be established on any geographical basis or on the basis of where people live. Rather, it would be established to deal with problems, programs, and activities which are primarily and peculiarly urban. This would not create any cleavage between urban and rural people, because it does not alter any Federal functions applicable to them. The Department is needed, not strictly because 70 percent of our people live in urban areas, but because of the magnitude and intensity of urban problems which have developed.

The plan would have a unified major purpose. The urban development and urban housing functions which would be assigned to the Department all have a unified objective—to provide homes in good neighborhoods in well-planned communities adequately served by related public facilities. In fact, the functions of the Department are more closely interrelated in objective than are the programs of most existing Departments. It is this complex interrelationship of program purpose which has contributed to the demand for Cabinet status for the present Agency.

It must be remembered, too, that the Department would not administer all of the Federal programs having an impact on urban areas. The Department would help provide leadership and coordination within the executive branch in regard to the major problems of urban growth, but other important Federal activities for assistance to cities in such areas as education, health, and interstate highways would continue to be handled by the agencies to which they are now assigned on the basis that their primary purposes relate to education, health, and commerce.

There is no more reason to suppose that the establishment of a Department of Urban Affairs and Housing will create friction between urban and rural dwellers than did the establishment of the Department of Agriculture. If anything, I think it is fair to assume that the new Department would help achieve a happy balance which has been long lacking.

4. Objections have been made because some important urban functions would not be placed in the new Department. Some witnesses opposed the plan because of its failure to include in the functions of the new Department such functions as assistance for highways, air and water pollution, hospital construction, and others.

The establishment of the Department will provide a Cabinet officer who can deal more effectively with other Cabinet officers on problems of mutual interest. It is neither necessary nor desirable, however, for one department to administer by itself all of the programs affecting urban areas.

The body of programs now being administered by the Housing and Home Finance Agency and which would be transferred to the new Department provide a sound basis for the kind of leadership at the Federal level which is needed. Programs of the Department for assistance to urban areas in comprehensive planning for urban land use and future development permit the localities themselves and the other Federal agencies involved to appraise the need for and the best location of such things as highways, schools, health and sanitation facilities. These same comprehensive plans would provide a basis for approval by the new Department of various aids which it would administer directly—programs for urban redevelopment and renewal, community facilities planning and construction, mass transportation, and housing.

The additional programs which have been suggested for inclusion in the new Department are being satisfactorily administered by the agencies in which they now reside and in which they have been placed on the basis that their purposes related primarily to commerce or health rather than to desirable urban development as such. A Cabinet Department of Urban Affairs and Housing will provide a strengthened mechanism within the executive branch for assuring a proper relationship among all of these programs.

5. Objections have also been made because the housing functions of the Veterans' Administration and the Federal Home Loan Bank Board would not be transferred. The problems of coordinating the VA guarantee program with the FHA mortgage insurance program have long since been worked out, and the programs are operating smoothly. Transferring this program which is being phased out under legislation enacted in 1961 would be time consuming and expensive, and would offer no real advantage.

As to the Federal Home Loan Bank Board, the Congress acted on its organizational placement in 1955, when it separated the Board from the Housing and Home Finance Agency. This was done by the Congress on its own initiative and not on the recommendation of the executive branch. This action is, of course, open to review by the Congress at any time. In the meantime, the President's plan is fully in accord with congressional preferences in this matter.

6. Groups whose interests have been focused on homebuilding have expressed fear that the new Department would emphasize urban affairs functions to the detriment of the housing functions assigned it. There is no basis at all in the plan for any such nervous concern. The fact is that the plan would make the Government's principal housing official a member of the Cabinet and thus strengthen the organizational position of the housing programs within the Federal Establishment.

In transmitting the plan, the President said:

"Because of its magnitude in our economy and the immediacy of its impact on

our people, housing has been and will continue to be the heart of this complex of related programs. In recognition of this fact, the plan provides for the transfer of the Federal Housing Administration as an entity to the new Department."

There is no reason to expect that this would not be so. Historically, housing has formed the nucleus for the other programs assigned the present Housing and Home Finance Agency, and must continue to do so. About three-fourths of all of the privately owned structures of our urban areas are residential. In addition to assisting in the provision of this housing, the programs of the Department would assist in planning, financing and providing the community facilities and other amenities which are necessary to serve and support housing, including well-planned neighborhoods and communities.

As we said in our committee report on S. 1633:

"The end objective remains, as the Congress declared in 1949, 'a decent home and a suitable environment for every American family.'"

All the housing, planning, urban renewal, and community facility programs which would be administered by the new Department have this end objective.

7. Yet another baseless fear is expressed by those who predict that the new Department will emphasize aid to big cities, to the detriment of smaller communities. There is nothing at all in the plan which supports this fear and there is ample evidence in the entire history of substantive housing and community development legislation which negates it. As has been emphasized already, the plan does not change in any way the programs now being administered by the Housing Agency, nor the relationships of the Federal Government with other levels of government in the administration of those programs. The Department would continue to emphasize aid to smaller communities, as the Housing Agency has done in the past, because they frequently have the greater need and because Congress has enacted programs which authorize such assistance to smaller communities, often on a priority basis. In this connection I again refer the Members to the statement already submitted for the RECORD on "HHFA Programs for Small Communities."

The objective of the executive branch in this regard was made clear in the message of the President transmitting the plan.

President Kennedy said:

"It should not be assumed that these are matters of concern only to our larger cities. Hundreds of smaller cities and towns are located on or near the fringes of rapidly growing urban areas. The problems of the cities affect them today, and will be theirs tomorrow. Hundreds of other smaller towns and cities not now affected will be so situated a few short years hence. Thus, the smaller towns and cities have a stake in this proposal as vital as, and only a little less immediate than, that of our large urban centers. This plan is addressed to their needs as well as to those of the major cities."

8. Perhaps the gentlest argument against the plan is the one which assumes that the existing Housing Agency can do just as well everthing that the new Department would do. The reorganization plan would in fact do two very important things which need doing and cannot be done without the plan:

It would elevate to Cabinet rank the agency having primary responsibility for housing and urban development programs; and

It would give the Secretary of that Department the clear authority to administer effectively the programs of the Department and to assure that they are properly coordinated with each other and with the programs of other departments.

The importance of these objectives should not be minimized. Witness after witness before our committee has stressed the need for stronger leadership in urban development and housing at the Federal level.

The kind of leadership we should seek cannot be provided by an independent agency head who is not a Cabinet member and who has only the power of general supervision and coordination over two major constituent agencies whose powers are not vested in the head of the entire Agency. A provision in the Independent Offices Appropriation Act, 1955, cited by some as constituting a full grant of authority to the Housing and Home Finance Administrator, is simply inadequate. It must be taken in the context of the statutory limitations on the present powers of the Administrator which indicate congressional intention that basic program functions, as distinct from administrative services, shall not be subject to the Administrator's direction, but only to his general supervision and coordination.

This very limiting phrase is repeated in the 1955 Appropriation Act provision. The phrase in turn was clearly intended to be far more limited than the phrase "superintendence, direction, coordination, and control." Indeed, the latter phrase was included in plan No. 1 of 1946 which would have created an overall Housing Agency one year earlier, and this inclusion led to the defeat of the 1946 plan. Thus, the provision most certainly does not provide an adequate, or even a very clear, vesting of responsibility. Also, it fails to vest in the Housing Administrator the statutory functions previously vested in constituent agency commissioners.

Budget Director Bell, testifying for the President, said on this general point:

"He [the President] is convinced • • • that a Secretary with Cabinet rank can play a far more effective role in coordinating these programs with other Government activities, and conducting them with economy and efficiency, than could the present agency."

CONCLUSION

In conclusion, I want to re-emphasize the fact that the President's reorganization plan is an urgently needed step in good government organization. Partisan political arguments and incidental disputes should not divert us from that fact. In the words of our President, a Department of Urban Affairs and Housing is urgently needed to enable him to discharge most effectively the responsibilities in this area placed upon him by the Constitution and by the statutes enacted by the Congress. This represents his judgment as to the governmental organization needed by him for this purpose. It represents also the judgment of key officials in the previous administration.

The new Department would give a voice in the Cabinet on urban and housing matters so that proper consideration and weight would be given to them in the overall administration of the executive branch. It would enable a better coordination of the interrelated functions of the various departments.

The new Department would give our States and communities an urgently needed agency at the departmental level to assist them in formulating and carrying out local programs relating to their general physical planning and development. This is the basis on which the Department would be established. It would not be established on a geographical basis or provide a cleavage between rural and urban populations. It would administer an especially logical category of functions in the executive branch.

In no way whatsoever would the reorganization plan extend Federal authority or reduce the stature and position of the States and localities. Instead, history teaches us that the functions of States and localities in this field would be stimulated and strengthened by the creation of the Department.

The reorganization plan would have no significant bearing on either the size of any programs or the size of the organizations administering them, as these would continue to be fixed in legislation enacted by the Congress. In fact, the internal organization of the Department would be put on a sound basis to permit greater efficiency and economy, which should result in substantial savings in the cost of services and in the cost of financing the local projects which are being assisted.

In the interest of the better management of the executive branch and to better serve our States, our cities and towns, and the people for whom they exist, I urge rejection of the resolution of disapproval, Senate Resolution 288.

EXHIBIT 1

MAJOR DEVELOPMENTS AFFECTING URBAN AFFAIRS AND HOUSING

This summary outlines the major events which, over the last three decades, have led to the establishment of a single point of responsibility for the supervision and coordination of the Government's principal housing and community development programs.

THE DEPRESSION YEARS

Although there are isolated instances of Federal concern over housing and related problems which go back 50 years and more, the substantial development of the Government's interest in this field did not occur until the 1930's.

The President's Conference on Home Ownership in 1931 undertook an extensive study of housing and its financing. There were enacted during the ensuing prewar years—

In 1932: The Home Loan Bank Act which established the Federal Home Loan Bank System under a Federal Home Loan Bank Board.

In 1933: The Home Owners Loan Act, which established the Home Owners Loan Corporation for the relief of distressed homeowners and lending institutions.

In 1934: The National Housing Act, which—

Established the Federal Savings and Loan Insurance Corporation under the Federal Home Loan Bank Board.

Established the Federal Housing Administration to administer the title I program of insurance for home improvement and the title II program of mortgage insurance for small homes and rental housing projects.

Authorized the chartering of national mortgage associations to provide a secondary mortgage market. The Federal National Mortgage Association was originally chartered under this authority.

In 1937: The U.S. Housing Act of 1937, which created the U.S. Housing Authority in the Department of the Interior to administer a program of federally aided low-rent public housing.

In 1939: Reorganization Plan No. 1 of 1939, which transferred the U.S. Housing Authority to the Federal Works Agency; and transferred the Federal Home Loan Bank Board and the Federal Housing Administration to the Federal Loan Agency.

In the depression years various emergency relief acts were also enacted, under which experimental public housing programs were undertaken by the Public Works Administration, the Subsistence Homesteads Division of the Department of Agriculture, and the Resettlement Administration.

THE DEFENSE AND WAR PERIOD

During the defense and war periods of World War II, housing was viewed as an essential component of the war production

effort. This period saw the following developments in housing legislation and organization:

In 1940: Authorization for the U.S. Housing Authority to construct projects for defense workers and for the Army and Navy to build emergency housing for defense and military personnel.

Appointment in July 1940, of a Defense Housing Coordinator, attached to the National Defense Advisory Committee and having only advisory powers.

The Lanham Act which authorized the construction of publicly financed war housing by the Federal Works Agency.

In 1941: Establishment in January 1941, of a Division of Defense Housing Coordination in the Office for Emergency Management, with vague and indefinite powers of coordination.

Title VI of the National Housing Act, which laid the basis for FHA-insured privately financed war housing.

In 1942: Establishment of the National Housing Agency by Executive Order 9070 in February 1942. This consolidated most of the Federal housing programs into three constituents: the Federal Home Loan Bank Administration, Federal Public Housing Authority, and Federal Housing Administration. The National Housing Administrator reported directly to the President.

In 1946: Establishment of the Office of the Housing Expeditor in 1946 to administer the veterans' emergency housing program. The positions of Housing Expeditor and National Housing Administrator were combined from February 1946 to January 1947, when they were again separated.

THE POSTWAR PERIOD

The Executive order which set up the National Housing Agency was issued under war powers and would have ceased to be effective 6 months after the legal termination of the war. The need for a coordinated Federal approach to housing assistance was, however, emphasized by the severe national housing shortage which existed after the war.

As this need began to be met, the emerging problems of the central cities came into focus as one of major consequence to urban and metropolitan area development and to the entire nation.

Important steps in the postwar period which affected the position of HHFA as the focal center for national planning and action on housing and community development problems generally were:

In 1947: Establishment of the Housing and Home Finance Agency by Reorganization Plan No. 3 of 1947 as a permanent independent agency reporting to the President. The plan established as constituent agencies of HHFA the Federal Housing Administration, the Public Housing Administration and the Home Loan Bank Board.

In 1948: Authorization for a housing research program in the Housing Act of 1948.

In 1949: Enactment of the slum clearance and redevelopment program and of an extended low-rent public housing program in the Housing Act of 1949. This act also contained a declaration of national housing policy and broadened the scope of the housing research program.

In 1950: Transfer to HHFA by Reorganization Plans 17, 22, and 23 of 1950 of the program of advances for public works planning and the Lanham Act war public works program from the General Services Administration; of the Federal National Mortgage Association from RFC; and of the prefabricated housing loan program from RFC.

Enactment of the college housing loan program.

In 1951: Assignment to HHFA of the defense housing and community facilities and services program, designed to provide housing and community facilities for defense activities stimulated by the Korean conflict.

In 1953: Recommendations of the President's Advisory Committee on Government Housing Policies and Programs, from which most of the provisions of the Housing Act of 1954 evolved.

In 1954: The Housing Act of 1954, which broadened the approach to slum clearance to include rehabilitation and conservation, authorized the special urban renewal sections 220 and 221 FHA insurance programs, instituted the workable program for community improvement as a prerequisite to participation in certain Federal programs, and established the urban planning assistance program.

In 1954: Establishment, by an order of the Administrator, of the Community Facilities Administration and the Urban Renewal Administration. These new constituents had previously been divisions in the Office of the Administrator.

Enactment of the Federal National Mortgage Association Charter Act, which rechartered FNMA and provided the basis for the eventual transfer of the Association's secondary market operations to a privately owned and financed corporation.

In 1955: Enactment of a new program for public facility loans, to be administered by HHFA.

Separation of the Federal Home Loan Bank Board from HHFA, and its establishment as an independent executive agency.

In 1956: Authorization of a program of studies on problems of housing need, demand, and supply.

Enactment of special programs designed to assist in providing housing for elderly persons, including special authorities and priorities under the PHA low-rent public housing program.

In 1957: Transfer by Reorganization Plan No. 1 of 1957 of the RFC public agency loan portfolio to HHFA for liquidation. The mortgages held by RFC as a result of loans made under the programs of the RFC Mortgage Company, and the Defense Homes Corporation had been transferred to HHFA for liquidation in 1954.

In 1959: Enactment of FHA mortgage insurance programs for rental units and nursing homes for the elderly and a program of direct loans for housing for the elderly.

In 1961: The Housing Act of 1961, which—

Assigned to HHFA new programs to assist urban mass transportation through loans for facilities and equipment and grants for comprehensive planning and for demonstration projects.

Enacted a new program of grants to help localities acquire permanent open-space land.

Provided for new FHA programs for home improvement and rehabilitation and for experimental housing, and a new mortgage insurance program for displaced families and other low and moderate income families.

Reduced the interest rate for public facility loans to small communities and authorized a technical advisory service to such communities.

Authorized liberalized aids to depressed areas participating in the urban renewal and public facility loan programs, in addition to provision for special programs authorized in the Area Redevelopment Act.

Authorized a program of demonstration projects for housing for low-income persons and families.

EXHIBIT 2

ORGANIZATION AND FUNCTIONS OF HHFA

The Housing and Home Finance Agency consists of the Office of the Administrator, three constituent agencies, and two constituent units.

The constituent agencies are the Federal Housing Administration, Public Housing Administration, and the Federal National Mortgage Association. These constituents are established by law and have statutory powers independent of the Administrator. The Federal Housing Commissioner and the Public Housing Commissioner are appointed by the President, with the advice and consent of the Senate. Under the FNMA Charter Act, the Housing Administrator is Chairman of the FNMA Board of Directors and appoints the other members of the Board and the Association's principal officers.

These three constituents are self-contained entities and each has its own field structure, although regional boundaries conform with minor variations to a standard HHFA pattern.

The constituent units are the Community Facilities Administration and the Urban Renewal Administration. These constituents were established in 1954 by order of the Administrator to administer programs vested directly in him by law. The Community Facilities Commissioner and Urban Renewal Commissioner are appointed by the Administrator.

These two constituents obtain common administrative services from the Office of the Administrator and in the field their programs are carried out through HHFA regional offices.

The regional administrators in charge of HHFA regional offices, in addition to supervising field execution of the community facilities and urban renewal programs, represent the Administrator in their regional areas and in the general coordination of Housing Agency programs at the local level.

The Administrator is Chairman of the National Voluntary Mortgage Credit Extension Committee (voluntary home mortgage credit program). The Agency provides staff help for both the national and regional committees set up under this program.

The Administrator is also Chairman of the National Housing Council, established under Reorganization Plan No. 3 of 1947, to promote the most effective use of the Government's housing resources and assure coordination of National Housing policies with overall Government and fiscal policies. The National Housing Council is made up of ex-officio members from various Government departments and agencies. It has been largely inactive since 1954.

FUNCTIONS

Office of the Administrator: The Office of the Administrator assists the Administrator in carrying out his responsibilities as head of the Agency, including the supervision and coordination of the constituent agencies and units, and in carrying out those program functions not delegated to or performed by the constituents. The Office also provides certain common services to the Community Facilities Administration and the Urban Renewal Administration. Other functions administered within the Office of the Administrator include:

Urban mass transportation grants and loans: The Housing Act of 1961 provides for (1) grants for up to two-thirds of the cost of comprehensive planning for mass transportation, (2) grants for up to two-thirds of the cost of demonstration projects designed to improve, or reduce the need for, mass transportation, and (3) loans to finance the acquisition, construction, and improvement of transportation facilities. Certain aspects of the comprehensive planning grant program will be administered by URA, and certain technical services in the facilities loan program will be provided by CFA.

Urban studies and housing research: A program of research and studies in housing and urban problems is carried out under the authority of the Housing Act of 1948, as amended, and the Housing Act of 1956.

Low-income housing demonstration grants: Grants may be made to demonstrate new or improved means of providing housing for low-income families.

Federal Housing Administration: The Federal Housing Administration insures lenders against loss on mortgage loans covering new or existing residential properties and on loans for home modernization and improvement. The principal FHA programs are:

Home mortgage insurance: More than 70 percent of FHA insurance is on one- to four-family houses in the regular mortgage market. The majority of these mortgages are insured under section 203 of the National Housing Act and included in the Mutual Mortgage Insurance Fund.

Multifamily rental housing mortgage insurance: Mortgages on multifamily rental housing in the regular market are issued under section 207.

Cooperative housing mortgage insurance: Section 213 provides for the insurance of mortgages on cooperative housing built by cooperative associations or by builders for sale to cooperatives.

Urban renewal mortgage insurance: Section 220 provides special mortgage insurance aids for the construction or rehabilitation of residential properties in urban renewal project areas.

Mortgage insurance for moderate income and displaced families: Section 221, as amended by the Housing Act of 1961, provides assistance for moderate income families through special mortgage insurance aids for low downpayment, long maturity loans to purchasers of one- to four-family homes, and for low-interest loans to private nonprofit bodies, limited dividend corporations, cooperatives, and public agencies for construction or rehabilitation of multiunit rental housing.

Mortgage insurance for housing for the elderly: A special program, under section 231, assists in providing housing for the elderly.

Home improvement loans: A new program enacted in the Housing Act of 1961 authorizes insurance of home improvement and rehabilitation loans up to $10,000 per dwelling unit at not more than 6 percent interest and a maturity up to 20 years.

Experimental housing mortgage insurance: Mortgages may be insured on properties involving uses of advanced technology in housing design, materials or construction or experimental neighborhood design under the Housing Act of 1961.

Mortgage insurance for individually owned units in multifamily structures (condominium mortgages): Mortgage insurance may be provided under a new provision in the Housing Act of 1961 for individual fee simple or long-term lease ownership of a unit in a multifamily structure.

Armed services housing mortgage insurance: FHA has three programs, under sections 803, 809, and 222, which are particularly designed to provide housing for military and civilian personnel living at or near military installations. A large part of the family housing for military personnel in the past decade has been financed under these programs.

Property improvement loan insurance: In addition to its mortgage insurance programs, FHA coinsures qualified lending institutions against loss on loans made to finance alterations, repairs, and improvements to homes and other properties and the building of small nonresidential structures.

Public Housing Administration: PHA assists in the provision of public low-rent housing for low-income families (under the Housing Act of 1937) through (1) direct loans and the guarantee of private loans to local housing authorities for construction financing and (2) annual contributions to meet the local housing authority's annual payments on its long-term bonds issued for permanent financing. The annual contribution is reduced to the extent that project income exceeds operating expense and reserve requirements. The housing is planned, owned, and managed by local housing authorities, created under State law.

Special housing can be provided under this program for elderly persons and families of low income.

Federal National Mortgage Association: FNMA carries out three primary functions, for which separate accountability is required under the FNMA Charter Act. These are:

Secondary mortgage market function: FNMA supplements the private secondary mortgage market through the purchase and sale of FHA-insured and VA-guaranteed mortgages, thus providing a degree of liquidity for mortage investments and improving the distribution of investment capital available for home mortgages.

Sellers to FNMA under this function must subscribe to the common stock of the Association. The charter act contemplates eventual private ownership of the secondary market function through the transfer of the Association's liabilities and assets to the owners of the common stock.

The Housing Act of 1961 authorizes FNMA to make loans, with maturities up to 1 year, on the security of FHA or VA mortgages.

Special assistance function: At the direction of the President or Congress, FNMA makes commitments to purchase and purchases selected types of mortgages originated under special housing programs. This authority may also be used by the President to retard or stop a decline in mortgage lending and home building activities which threatens materially the stability of a high-level national economy.

Management and liquidation function: FNMA is responsible for managing and liquidating the portfolio of mortgages acquired by it prior to the charter act of 1954. It may also purchase and dispose of mortgages held by other HHFA constituents when the administrator finds that this will be in the interest of efficient management.

Community Facilities Administration: The Community Facilities Administration administers five active programs and is responsible for the liquidation of certain programs for which program authorization has expired. The active programs are:

Advances for public works planning: Interest-free advances are made for the planning of essential public works. The advances are repayable when and if construction is undertaken.

College housing loans: Loans are available for student and faculty housing and related facilities and for housing for student nurses, interns, and residents, to public and private nonprofit colleges and hospitals which cannot secure funds from other sources on equally favorable terms. Loans are limited to 40 years. Interest rates cannot exceed the higher of 2¾ percent or one-fourth percent above the cost of borrowing from the Treasury. The current rate is 3⅜ percent.

Public facility loans: Loans for essential public facilities are made to non-Federal public bodies unable to obtain funds from other sources at reasonable interest rates. Eligibility is limited to communities with a population of less than 50,000 or, if located in an economically depressed area, less than 150,000. Maturities of loans cannot exceed 40 years. The interest rate under the statutory interest rate formula established by the Housing Act of 1961 is 3⅝ percent for the fiscal year 1962.

Public facility loans under the Area Redevelopment Act, administered by delegation of the Secretary of Commerce, may be made in designated areas of persistent unemployment at interest rates of 3⅜ percent during fiscal year 1962. The Area Redevelopment Act also authorizes grants for public facilities in such areas.

Senior citizens housing loans: Low-interest long-term loans are made to private nonprofit corporations, consumer cooperatives, and public agencies for up to 100 percent of the cost of constructing or converting housing facilities for elderly persons and families. The maximum repayment period is 50 years. The interest rate cannot exceed the higher of 2¾ percent or one-fourth percent added to the average annual interest rate on all interest-bearing U.S. obligations forming a part of the national debt. The current rate is 3⅜ percent.

School construction: CFA provides technical, legal, financial, and engineering services in the administration of the Federal and non-Federal school construction programs of the Office of Education.

Urban Renewal Administration: This constituent administers the following programs relating to urban renewal and community planning:

Slum clearance and urban renewal program (title I, Housing Act of 1949): Urban renewal projects are planned and carried out by local public agencies.

URA provides advances for survey and planning activities, feasibility surveys, and general neighborhood renewal plans.

Loans and grants are provided to assist in carrying out such project execution activities as land acquisition, temporary operation of acquired properties, relocation of site occupants, demolition work, installation of public improvements to prepare the land for redevelopment, and land disposition. The Federal grant at project settlement covers two-thirds of the net cost of the project, except under the Housing Act of 1961, the Federal share is increased to three-fourths for any municipality having a population of 50,000 or less (or 150,000 for a municipality in an economically depressed area).

Grants are also made to share the cost of citywide plans for a long-range urban renewal program.

Demonstration grant program: Grants are made to non-Federal public bodies to cover two-thirds of the costs of projects which develop, test, and demonstrate improved methods and techniques for slum prevention and elimination.

Urban planning assistance grants: Two-thirds grants are made to State planning agencies to provide planning assistance to municipalities, counties, or groups of adjacent communities which have a population of less than 50,000. Similar grants are made to State, metropolitan, and regional planning agencies for comprehensive planning in State, interstate, and metropolitan areas and urban regions; and to local governments in disaster areas and in areas facing rapid urbanization as a result of the expansion of Federal installations. Under the Area Redevelopment Act, grants of up to 75 percent can be made for comprehensive planning in designated redevelopment areas, either directly or through State planning agencies.

Open-space land grants: The Housing Act of 1961 authorizes a new program of Federal grants to assist local public bodies in the acquisition of land required in connection with comprehensive urban plans to be used as permanent open space for recreational, conservation, and scenic purposes. Grants may normally not exceed 20 percent of the cost of the land; but, to encourage comprehensive areawide planning, the grant may be increased to 30 percent to a public body which exercises responsibilities for an urban area as a whole or as participant in an interstate or similar compact or agreement for an area.

EXHIBIT 3

Program authorizations and expiration dates as of Housing Act of 1961

Program	Expiration date	Authorization
General FHA loan and mortgage insurance authorization (except sec. 2 (insurance of financial institutions), sec. 221 (housing for moderate income and displaced families), and title VIII (armed services housing mortgage insurance)).	Oct. 1, 1965	Authorized in 1934 and continuously extended.
Insured home improvement loans	Oct. 1, 1965	Authorized in 1939 and continuously extended.
Housing for moderate-income and displaced families:		
(1) Mortgages (sales and rental) at market rate	July 1, 1963 (for moderate income; no termination date on displaced persons).	New program authorized in 1961.
(2) Mortgages (rental) below market rate	July 1, 1965 (for moderate income; no termination date on displaced persons).	Do.
Military housing mortgage insurance	Oct. 1, 1962	Authorized in 1949 and continuously extended.
Secondary market activities of FNMA:		
(1) Treasury subscription of preferred stock		$115,000,000.
(2) Treasury purchase of obligations		$2,250,000,000.
Special assistance purchases by FNMA:		
(1) General authorization		$1,700,000,000 plus unexpired funds under sec. 305(g) plus amounts released in management and liquidation portfolio in 1961 64.
(2) Sec. 213 special assistance purchases		$225,000,000; $62,500,000 reserved for consumer co-op management or sales type, and $12,500,000 for builder-sponsor co-op.
(3) Title VIII (armed services housing) special assistance purchases		$500,000,000, of which $58,750,000 is reserved for sec. 809 purchases.
VHMCP activities	Oct. 1, 1965 (subject to prior cancellation by concurrent resolution).	Authorized by Housing Act of 1954 and continuously extended.
College housing loans		Revolving fund. $1,675,000,000 limit increased by $200,000,000 on each July 1, 1961 through 1964, inclusive; other educational facilities, $175,000,000 limit increased by $30,000,000 on each July 1, 1961 through 1964; hospitals, $100,000,000 limit increased by $30,000,000 on each July 1, 1961 through 1964.
Loans for housing for the elderly		Revolving fund, $125,000,000.
Urban renewal loans		$1,000,000,000, but may be increased by authority of the President.
Urban renewal and mass transportation capital grants		$4,000,000,000, of which $25,000,000 is authorized for mass transportation demonstration projects and $5,000,000 for grants to assist slum clearance and urban renewal methods and techniques.
Urban planning grants		$75,000,000.
Low-rent public housing Treasury borrowing authority		Not to exceed $1,500,000,000 in obligations to the Treasury outstanding at any one time.
Annual contribution authority		$3,46,000,000 per year.
Capital grant authority		$30,000,000.
Advances for reserve of planned public works		Revolving fund, $58,000,000.
Public facility loans		Revolving fund, $600,000,000.
Loans to improve mass transportation service in urban areas	Dec. 31, 1962	$50,000,000. New program authorized in 1961.
Open-space grants		Do.

EXHIBIT 4. COLLEGE HOUSING LOANS

Cumulative number and amount of approvals, by State, as of Nov. 30, 1961

[Dollars in thousands]

State	Colleges		Hospitals	
	Number	Amount	Number	Amount
Alabama	35	$29,527	1	$372
Alaska	2	2,960		
Arizona	13	15,398		
Arkansas	33	23,564	1	500
California	64	106,784	2	392
Colorado	37	39,987		
Connecticut	11	15,810		
Delaware	5	4,494	1	250
District of Columbia	12	18,294		
Florida	28	36,992	1	200
Georgia	27	22,936	3	2,645
Hawaii	3	1,249		
Idaho	10	4,532		
Illinois	67	73,384	4	2,277
Indiana	41	61,405		
Iowa	26	14,856		
Kansas	46	39,551	4	1,536
Kentucky	39	38,408		
Louisiana	32	47,443		
Maine	2	680		
Maryland	13	11,192	2	821
Massachusetts	46	46,505	1	300
Michigan	23	35,234	2	523
Minnesota	27	27,614	2	1,035
Mississippi	27	24,124		
Missouri	57	38,794	4	1,791
Montana	17	12,800	1	776
Nebraska	13	5,471	2	1,015
Nevada	1	2,042		
New Hampshire	6	5,959		
New Jersey	23	26,139	3	1,285
New Mexico	13	9,828		
New York	100	141,832	13	9,266
North Carolina	43	35,198	1	585
North Dakota	9	6,006		
Ohio	76	74,098	5	2,029
Oklahoma	19	16,300	2	735
Oregon	21	12,014	2	940
Pennsylvania	90	80,975	8	4,305
Rhode Island	10	9,963		
South Carolina	20	14,520		
South Dakota	21	11,724	1	480
Tennessee	35	26,127		
Texas	100	101,838	1	356
Utah	14	12,150		
Vermont	16	10,556		
Virginia	18	10,153	3	913
Washington	38	51,517		

EXHIBIT 4. COLLEGE HOUSING LOANS—Continued

[Dollars in thousands]

State	Colleges		Hospitals	
	Number	Amount	Number	Amount
West Virginia	33	$18,632		
Wisconsin	24	41,341	2	$600
Wyoming	1	635		
Puerto Rico	6	9,243		
Total	1,486	1,535,166	72	35,837

EXHIBIT 5. PUBLIC WORKS PLANNING ADVANCES

The following table shows the cumulative number and value of approved advances as of November 30, 1961, by State:

Cumulative approvals as of Nov. 30, 1961

[Dollars in thousands]

State	Number of approvals	Amount	State	Number of approvals	Amount
Alabama	29	$1,368	Montana	125	$1,344
Alaska	35	902	Nebraska	2	33
Arizona	46	685	Nevada	9	68
Arkansas	19	86	New Hampshire	34	644
California	290	5,930	New Jersey	79	3,714
Colorado	28	1,180	New Mexico	2	3
Connecticut	30	1,495	New York	73	2,340
Delaware	1	14	North Carolina	22	315
District of Columbia	1	28	North Dakota	0	0
Florida	56	930	Ohio	49	1,807
Georgia	20	335	Oklahoma	3	210
Hawaii	3	29	Oregon	70	972
Idaho	18	110	Pennsylvania	108	5,635
Illinois	84	2,663	Rhode Island	7	339
Indiana	9	381	South Carolina	10	197
Iowa	20	198	South Dakota	3	58
Kansas	54	679	Tennessee	17	200
Kentucky	21	464	Texas	62	1,529
Louisiana	83	1,955	Utah	17	183
Maine	17	134	Vermont	66	689
Maryland	21	853	Virginia	26	410
Massachusetts	75	2,100	Washington	102	5,046
Michigan	25	1,186	West Virginia	30	571
Minnesota	23	228	Wisconsin	11	219
Mississippi	25	453	Wyoming	9	202
Missouri	16	578			
			Total	2,061	51,781

EXHIBIT 6. URBAN RENEWAL PROGRAM

Title I of Housing Act of 1949—Grants as of Dec. 3, 1961

State	Number of localities	Number of projects	Amount	State	Number of localities	Number of projects	Amount
Alabama	25	42	$34,196,677	Missouri	15	32	$98,870,280
Alaska	3	7	4,349,080	Nevada	2	2	1,719,699
Arizona	1	1	2,441,000	New Hampshire	4	8	6,734,087
Arkansas	10	20	24,262,642	New Jersey	37	77	144,431,205
California	27	48	137,612,820	New York	52	110	361,800,369
Colorado	3	8	5,535,719	North Carolina	13	17	29,509,291
Connecticut	26	52	161,874,415	North Dakota	2	3	2,787,359
Delaware	2	3	4,205,958	Ohio	13	42	138,835,348
District of Columbia	1	9	76,969,624	Oklahoma	3	5	1,536,356
Florida	2	3	11,851,828	Oregon	5	6	6,389,840
Georgia	30	45	41,744,935	Pennsylvania	56	129	283,595,054
Hawaii	2	8	24,876,946	Puerto Rico	34	52	28,462,869
Illinois	16	52	138,843,393	Rhode Island	2	13	49,000,779
Indiana	19	25	39,229,479	South Carolina	2	2	1,696,061
Iowa	3	4	12,039,660	Tennessee	23	36	81,914,098
Kansas	5	11	22,849,726	Texas	18	30	27,854,274
Kentucky	12	18	29,414,583	Vermont	1	1	1,596,058
Louisiana	1	1	1,939	Virginia	12	25	54,246,426
Maine	4	8	9,700,896	Virgin Islands	3	3	852,750
Maryland	2	18	57,985,784	Washington	4	9	21,793,411
Massachusetts	26	54	119,905,158	West Virginia	4	5	3,788,355
Michigan	26	47	93,739,762	Wisconsin	2	6	16,615,609
Minnesota	3	13	36,474,722				
Mississippi	3	3	3,402,779	Total	559	1,113	2,476,552,153

EXHIBIT 7

GROWTH OF DEMAND FOR A CABINET DEPARTMENT

The demand for a department to represent the Nation's housing and urban development needs at the Cabinet table is rooted in the explosive growth of our urban centers and the transformation from the essentially rural economy of a scant half-century ago to the predominantly urban economy of the 1960's.

The growth of this demand is traceable in the development of the programs and organization established to meet the emerging problems of urbanization—from a group of widely scattered defense and war housing programs and agencies; through a temporary consolidation of these under the pressure of war into the National Housing Agency in 1942; to the recognition of the permanent nature of the problem with the establishment of the Housing and Home Finance Agency in 1947.

The formation of HHFA was followed by a series of actions by the President and Congress to round out the skeletal mission of the Agency and to strengthen its supervisory and coordinating functions. These actions included increasing the responsibilities of the Administrator for research, economic analysis, and policy and program advice; transferring to HHFA the community facilities programs of the General Services Administration and the secondary mortgage market operations of the Federal National Mortgage Association; and enacting a variety of new programs in response to special needs and the generally increasing desire of localities for assistance in planning and development; the slum clearance and urban renewal program of 1949, the expanded urban renewal program of 1954 with its special FHA supporting programs, the urban planning assistance program, expanded low-rent public housing, college housing, public facilities loans, special programs for housing the elderly, and the programs enacted in 1961 to meet the need for moderate-income private housing, and to cope with the pressing problems of urban transportation and the proper development of open-space land.

The demand that the capacity of HHFA to provide leadership in urban development and housing matters be strengthened has grown steadily along with the increased Federal interest and participation in urban problems.

In 1938, 23 years ago, the President's Committee on Administrative Management called attention to the needs of urban communities and urged the Bureau of the Budget to assume future responsibilities in this area.

In 1942 Charles E. Merriam called for a department of urbanism within the Federal Government during a conference on this subject at Harvard University.

Ten years later, the National Housing Conference recommended to Congress the establishment of a Department of Housing and Urban Development. In subsequent years, this recommendation has been supported by the American Municipal Association, representing more than 12,000 cities; the U.S. Conference of Mayors representing more than 315 cities; the AFL-CIO; the National Association of Housing and Redevelopment Officials; the American Society of Planning Officials; and other organizations concerned with housing and urban development problems.

The first Hoover Commission recommended that all housing activities be placed in one agency under a single administrator who should be given the type of authority recommended for the heads of all agencies.

A broadly representative President's Advisory Committee on Government Housing Policies and Programs reported in 1953, after a thorough study of the then existing activities of HHFA, that:

"There should continue to be a single housing agency headed by an Administrator. * * * The Administrator should be given clear authority to supervise and direct, if necessary, the activities of constituent agencies where any matter of basic policy is involved. The Committee is convinced that although the heads of constituent agencies should be fully responsible for the day-to-day operations of the programs of their agencies, the Administrator must have clear and unmistakable authority to supervise constituent operations for and on behalf of the President."

The Democratic Party platform of 1960 recognized the growing needs of the urban population and stated that the party would bring together within a single Cabinet department the programs concerned with urban problems. This was followed by an address by Senator Kennedy in October of 1960 favoring a Cabinet department for urban development and metropolitan planning activities. In his state of the Union message in January and his special message to the Congress on housing and community development in March 1961, the President reaffirmed the need for the department; and on April 18, 1961, he transmitted to the Congress draft legislation to carry out his recommendation.

This need was again stressed in the state of the Union message for 1962, and in the transmittal of Reorganization Plan No. 1 of 1962 to the Congress.

The plan under consideration is not the first legislation to have been introduced for the purpose of establishing a Cabinet Department for Urban and Housing Affairs.

Bills to establish an executive department concerned with housing and urban affairs have been introduced in the 84th, 85th, and 86th Congresses including four bills in the 84th Congress, one in the 85th, and eight in the 86th. Although the specific provisions of these bills varied, they all had as their major purpose the creation of a Cabinet-level department to administer and coordinate Federal programs and activities having a major impact on urban areas.

S. 3292, a bill to establish a Department of Housing and Metropolitan Affairs, introduced during the 86th Congress by Senator Clark for himself and Senators Murray, Democrat, Montana, Javits, Republican, New York, and Williams, Democrat, New Jersey, was favorably reported by the Senate Committee on Banking and Currency (Rept. No. 1607 to accompany S. 3292, 86th Cong., 2d sess.) following hearings held over a 3-week period starting on May 9, 1960. No further action was taken on this bill.

During the 1st session of the 87th Congress, 20 bills relating to the establishment of such a department were introduced.

Following hearings before the House and Senate Committees on Government Operations, identical bills for the purpose were reported favorably in the two Houses: S. 1633 in the Senate (Rept. No. 1053). These two bills are the immediate predecessors to Reorganization Plan No. 1 of 1962.

EXHIBIT 8

STUDIES OF FEDERAL ROLE IN HOUSING AND URBAN AFFAIRS

The responsibilities of the Federal Government with respect to problems of urban affairs and housing have been the subject of a large number of official studies and investigations. These have included the questions of intergovernmental relations between the Federal Government, the States, and the cities, and of the organization of the Federal Government to best meet its responsibilities in this area.

Among these studies have been—

In 1937: National Resources Committee. The National Resources Committee, in its report to the President entitled "Our Cities," reviewed in depth the problems of the cities. It studied the role of the Federal Government, and concluded that "all in all there has been more widespread national neglect

of our cities than of any other major segment of our national existence." The Committee recommended creation of a Federal unit for urban research, and called for action on "the urgent necessity of coordinating both at Washington and in the field the related services and activities performed by the various Federal agencies operating in urban areas."

In 1949: The Commission on Organization of the Executive Branch of the Government (First Hoover Commission). The Commission studied the housing programs of the Government as a part of its review of the executive branch. In its report on "Federal Business Enterprises," which included a section on "Business Enterprises in Housing," the Commission recommended that "all housing activities be placed in one agency under a single Administrator, who should be given the same type of authority which we have recommended for the heads of all agencies."

In 1953: The President's Advisory Committee on Government Housing Policies and Programs. The Committee made a detailed study of Government housing programs, including low-income housing, and urban development, rehabilitation, and conservation. It emphasized the need for a complete and coordinated program of urban renewal, noting that "a piecemeal attack on slums simply will not work," recommended "Federal assistance to help communities help themselves attack the problem of the spread of slums at every stage of urban decay," and recommended that the housing activities of the Government be grouped within a single agency.

In 1955: Commission on Intergovernmental Relations (Kestnbaum Commission). The Commission studied in depth the problems of Federal, State and local government relations, including their impact on the areas of housing and urban affairs. The Commission's report pointed to the need for greater coordination of Federal programs in these areas, noting that "Public and private housing, Federal Housing Administration insurance, private insured and uninsured mortgage lending, Veterans' Administration loan guarantees, slum clearance, urban renewal, rehabilitation, and enforcement, and local public works are all related in local communities. Diverse lines of responsibility to the Washington offices of these programs tend to create confusion."

In 1961: Advisory Commission on Intergovernmental Relations. This Commission made a special study of governmental structure, organization and planning in metropolitan areas, which included suggested action by local, State, and Federal Governments. The Commission's report recommended expanded and improved Federal financial and technical assistance to metropolitan areas; it also recommended that "steps be taken within both the executive and legislative branches of the National Government to bring together in better coordination and interrelationship the various Federal programs which impact upon orderly planning and development within the large urban areas."

In addition to the studies of the committees and commissions noted above, the Congress itself has studied the problem in considerable detail over a period of years. Committees of both Houses have held hearings and considered detailed testimony on the problems of Federal programs and Federal-State-local relations in the field of housing and urban affairs.

Among these hearings have been—

In 1945, Senate: The Subcommittee on Housing and Urban Development of the Senate Special Committee on Postwar Economic Policy and Planning, headed by Senator Taft, held hearings from June 1944 to February 1945, and studied the question in detail. Senator Taft later noted that "our subcommittee spent nearly a year in dealing with that problem."

In 1946, Senate: The Banking and Currency Committee held extensive hearings in December 1945 and January 1946 on S. 1592, to establish a national housing policy (the Wagner-Ellender-Taft bill).

In 1948, joint: The Joint Committee on Housing was created by the 80th Congress and held extensive hearings in 1947 and early 1948, including hearings in 32 cities throughout the country. The results of its studies and hearings were published as a report entitled "Housing in America."

In 1955, House: Subcommittee of the Committee on Government Operations held hearings in July 1955, on H.R. 1864 to create a department of urbiculture.

In 1959, Senate: The Subcommittee on Reorganization and International Organizations of the Committee on Government Operations held hearings in July 1959 on S. 1431 to provide for the establishment of a commission on metropolitan problems and S. 2397 to establish a department of urbiculture.

In 1959, House: Subcommittee of the Committee on Government Operations held hearings in June and July 1959, on eight bills to establish a commission on metropolitan problems and urban development, and to create a department of urban affairs.

In 1960, Senate: Subcommittee of the Committee on Banking and Currency held hearings in May 1960 on a number of bills to amend the Federal housing laws, including S. 3292 to provide for the establishment of a department of housing and urban affairs. S. 3292 was subsequently reported favorably to the Senate by the Committee on Banking and Currency.

In 1961, Senate: The Subcommittee on Reorganization and International Organizations of the Committee on Government Operations held hearings in June 1961 on four bills to provide for establishment of a department of urban affairs and housing. S. 1633 was subsequently reported favorably to the Senate by the Committee on Government Operations.

In 1961, House: Subcommittee of the Committee on Government Operations held hearings in May and June of 1961 on H.R. 6433 to establish a department of urban affairs and housing. H.R. 8429, a clean bill, was subsequently reported favorably to the House of Representatives by the Committee on Government Operations.

In 1962: Hearings before House and Senate Committees on Government Operations during February 1962, on Reorganization Plan No. 1 of 1962.

In addition to the studies and hearings by both the executive and legislative branches of the Government, there have, of course, been a large number of reports, articles, and studies by private individuals, research organizations, and universities and foundations on the various aspects of metropolitan problems, and on the relationship of the Federal Government and its programs and activities, to those problems.

EXHIBIT 9

CHRONOLOGY

January 30, 1961: President Kennedy, in his state of the Union message, said that a new housing program under a new department will be needed this year.

March 9, 1961: President Kennedy, in his message to Congress on "Our Nation's Housing," recommended the establishment in the executive branch of a new, Cabinet-rank department for housing and urban affairs.

April 17, 1961: Budget Director David E. Bell submitted to President Kennedy a draft of proposed departmental legislation.

April 18, 1961: President Kennedy transmitted the draft legislation to the President of the Senate and the Speaker of the House of Representatives.

April 18, 1961: Bills introduced in the House by Representative FASCELL, of Florida, and in the Senate by Senator CLARK, of Pennsylvania, for himself and 14 other Senators.

May 24, June 6, 7, and 13, 1961: Public hearings held on the legislation by a subcommittee of the House Committee on Government Operations.

June 21 and 22, 1961: Public hearings held on the legislation by a subcommittee of the Senate Committee on Government Operations.

August 28, 1961: House Committee on Government Operations reported favorably on the bill (H.R. 8429).

September 6, 1961: Senate Committee on Government Operations reported favorably on the bill (S. 1633).

January 11, 1962: President Kennedy said in his state of the Union message: "Both equity and commonsense require that our Nation's urban areas—containing three-fourths of our population—sit as equals at the Cabinet table. I urge a new Department of Urban Affairs and Housing."

January 24, 1962: House Committee on Rules denied a rule to clear the House bill for floor action. President Kennedy said in a press conference: "I am going to send it to Congress as a reorganization plan and give every Member of the House and Senate an opportunity to give their views and work their will on this."

January 30, 1962: President Kennedy transmitted Reorganization Plan No. 1 of 1962 to the Congress to establish a Department of Urban Affairs and Housing.

EXHIBIT 10

HHFA employment summary Dec. 31, 1961

	Washington	Field	Total
Office of the Administrator (includes CFA, URA and VHMC'P):			
Full time	675	1,317	1,992
Part time	24	39	63
Total	699	1,356	2,055
Federal Housing Administration:			
Full time	2,022	5,721	7,743
Part time	15	70	85
Total	2,037	5,791	7,828
Public Housing Administration:			
Full time	449	943	1,392
Part time	2	3	5
Total	451	946	1,397
Federal National Mortgage Association: Full time	98	863	961
Total HHFA:			
Full time	3,244	8,864	12,108
Part time	41	112	153
Total	3,285	8,976	12,261

EXHIBIT 11

HHFA PROGRAMS FOR SMALL COMMUNITIES

The proposal for a Department of Urban Affairs and Housing has been referred to as a measure for the big cities. There have been congressional demands for a similar department for small towns and at least one bill, introduced in the House by Congressman CUNNINGHAM, of Nebraska, would establish such a department.

While the big cities are, of course, vitally interested in the proposal for a Department of Urban Affairs and Housing, the smaller communities are equally interested.

In his message transmitting Reorganization Plan No. 1 of 1962 President Kennedy said:

"It should not be assumed that these are matters of concern only to our larger cities. Hundreds of smaller cities and towns are located on or near the fringes of rapidly

growing urban areas. The problems of the cities affect them today, and will be theirs tomorrow. Hundreds of other smaller towns and cities not now affected will be so situated a few short years hence. Thus, the smaller towns and cities have a stake in this proposal as vital as, and only a little less immediate than, that of our large urban centers. This plan is addressed to their needs as well as to those of the major cities."

Mayor Daley, of Chicago, and Mayor West, of Nashville, both emphasized this point in their testimony on the bills last year.

Mayor Daley said: "I would like to give particular emphasis to the far-reaching benefits that this bill would give to our urban and suburban communities. This is not a bill for the big cities."

And Mayor West, speaking on behalf of the U.S. Conference of Mayors and the American Municipal Association before both the House and Senate subcommittees, said: "When we speak of a Department of Urban Affairs we do not mean a department of "big city affairs" or "small town affairs." This Department would be charged with looking after the programs of vital interest to the big city and the small town."

Ed E. Reid, executive director of the Alabama League of Municipalities, also speaking for the American Municipal Association, made the same point in the statement filed with the House and Senate subcommittees. He said:

"There is one point which I cannot emphasize too strongly. Some people unfortunately seem to identify a Department of Urban Affairs only with large cities. This impression is completely mistaken.

"To be sure our large cities have some special problems, as do small communities. However cities of every size have many problems and aspirations in common. I feel confident that a Department of Urban Affairs and Housing would not be administered simply to benefit the larger metropolitan areas.

* * * * *

"The Alabama League * * * represents all Alabama communities, regardless of size. These communities range from very small towns up to the metropolitan area of Birmingham with a total population of over 600,000, but most of them are small, by big city standards. I would not be testifying in support of this measure, if I did not believe that all of these communities would benefit."

Some of the programs which would be transferred to the new Department are particularly designed to help small cities. These include the program of advances for public works planning and the public facility loan program, both administered by the Community Facilities Administration, and the urban planning assistance program administered by the Urban Renewal Administration. In each of these programs, the major portion of the assistance is given to communities of under 50,000 population.

Other HHFA programs also contribute to the welfare of the Nation's smaller cities. For example, over 585,000 FHA mortgages were insured in counties outside of standard metropolitan areas during the period of 1935–52. About $300 million in capital grants has been made available to communities under 50,000 persons through URA's slum clearance and urban renewal program. And over 40 percent of the communities with low-rent public housing projects in preconstruction, construction, or management were cities of less than 5,000.

A program outline of significant HHFA assistance to the small cities follows:

COMMUNITY FACILITIES ADMINISTRATION

Advances for public works planning: Interest-free advances are made for the planning of essential public works. The advances are repayable when and if construction is undertaken.

Communities under 5,000 population have provided 1,256 of the 3,518 applications received as of December 31, 1961, and 2,778 applications have come from cities under 50,000 persons. Communities of 50,000 or less have submitted 78.5 percent of the applications under this program.

Public facility loans: The program of public facility loans is especially beneficial to the smaller communities. Loans for essential public facilities are made to non-Federal public bodies unable to obtain funds from other sources at reasonable interest rates. Loans are limited to 40 years. Current interest rates for loans are 3⅝ percent, or 3⅜ percent for communities situated in redevelopment areas designated under the Area Redevelopment Act, Public Law 87–27.

The Housing Act of 1961 established a population limit of less than 50,000 for applicant communities, or less than 150,000 for communities situated in redevelopment areas.

By the end of December 1961, there had been 393 net approved loans for over $115 million made under this program.

URBAN RENEWAL ADMINISTRATION

Urban planning assistance: Under the urban planning assistance program, two-thirds grants are made to State planning agencies for aid to municipalities, counties, and communities with less than 50,000 population. Three-fourths grants are made for urban planning for municipalities and counties in designated redevelopment areas. Although grants are also made for State, interstate, metropolitan area, and regional planning, the bulk of the program is geared to communities of less than 50,000 population.

Financial assistance for the preparation of community plans has been made available to 2,001 localities of under 50,000 population. These represent over 85 percent of the total number of communities assisted under the program.

Urban renewal: HHFA also provides financial assistance to localities for planning and carrying out urban renewal projects. For communities of up to 50,000 (150,000 in redevelopment areas), the Federal share is three-fourths of cost instead of two-thirds.

Of the 470 localities participating in the urban renewal program, 100 of them are under 10,000. Localities of under 50,000 population total 291.

A total of 349, or 43 percent, of the 813 urban renewal projects being planned or undertaken in June 1961 were in cities of under 50,000 population. Of the nearly $2 billion capital grant reservations made in the program, $293 million or 16 percent have gone to communities of under 50,000 population with $47 million alone reserved to cities of under 10,000.

FEDERAL HOUSING ADMINISTRATION

The latest statistics on FHA-insured home mortgages by location of property cover the period of 1935–52. Some 19 percent of the FHA-insured mortgages in this period were in counties outside of standard metropolitan areas and in which the largest city had less than 50,000 population.

The dollar amount for the 585,000 FHA-insured home mortgages in counties outside of standard metropolitan areas in this period was a little over $3 billion.

PUBLIC HOUSING ADMINISTRATION

Out of a total of 1,517 communities with FHA low-rent housing in preconstruction, construction or management on September 30, 1961, 1,177 were outside urbanized areas; 853 of these were communities of less than 10,000 population and 650 had population of less than 5,000 according to the 1960 census.

Small cities in the South have especially benefited under this program. The Atlanta and Fort Worth regions have almost 74 percent of the communities under 10,000 which have public housing low-rent projects in preconstruction, construction or management.

EXHIBIT 12

ADDITIONAL COSTS OF TOP-LEVEL POSITIONS

The following table shows the increase in authorized costs of top-level positions attributable to the plan, taking into account new positions established or provided for by the plan and positions abolished or rendered unnecessary.

As indicated in the recapitulation, a total of seven positions is established or authorized by the plan at a total annual salary cost of $145,000; and five existing HHFA positions at a total annual salary cost of $95,570 are abolished or rendered unnecessary by the bill. The net increase in annual salary cost is $49,430.

Effect of reorganization plan on authorized costs of top-level positions

Positions established by plan	Number	Annual cost
Secretary	1	$25,000
Under Secretary	1	21,000
Assistant Secretary	3	60,000
General Counsel	1	20,000
Administrative Assistant Secretary	1	19,000
Total	7	145,000
Positions abolished by plan:		
Administrator	1	21,000
Deputy Administrator	1	20,000
Total	2	41,000
Positions rendered unnecessary by plan:		
General Counsel	1	18,500
Assistant Administrator (administration)	1	17,570
Assistant Administrator (program policy)	1	18,500
Total	3	54,570
Recapitulation:		
Positions established by plan	7	145,000
Positions abolished or rendered unnecessary	−5	−95,570
Difference	2	49,430

EXHIBIT 13

HOUSING PROGRAMS NOT TRANSFERRED

Farm housing: Historically, the housing functions which have been assigned to HHFA have had as their basic common objective the improvement of living conditions in urban areas. The housing functions of the new Department will be organized around this major purpose.

While Federal aids to both urban and farm housing are generally financial in nature, the problems of financing a farm home are inseparable from those of financing the farm itself. That is, the farm and the farm home are parts of the same economic unit.

As responsibility for the farm as a productive unit rests with the Department of Agriculture, it is believed that the farm housing program should continue to operate within that Department.

Federal Home Loan Bank Board: The Federal Home Loan Bank Board was created as an independent agency in 1932. At one time, it was a part of the former Federal Loan Agency. From 1942 until 1947 it was a constituent of the National Housing Agency and from 1947 until 1955 it was a constituent of the Housing and Home Finance Agency.

The Board again became an independent agency under the Housing Amendments of 1955. Opponents of the change argued that the major purpose of the Board was the encouragement of additional credit for housing, and that this function logically belonged in HHFA. However, advocates of the legislation to grant independence to the Board emphasized that fact that the Board had responsibility for the supervision of

private financial institutions and that its functions were largely regulatory, or even quasi-judicial, in nature.

Because reasonable arguments can and have been made on both sides of the issue, there appears no reason for asking the Congress to reverse its recent action. During consideration of the Housing Amendments of 1955, it became clear that there was strong bipartisan support for the Board's independence, both in the House and in the Senate.

There is nothing in the administration proposal which would in any way affect the present independent status of the Federal Home Loan Bank Board.

Veterans' Administration home loan program: The home loan guarantee program of the Veterans' Administration is similar, both in purpose and in general approach, to the FHA's mortgage insurance program. For this reason, it has been proposed many times that this program be transferred to the agency responsible for the major housing programs of the Federal Government.

It has been the position of HHFA for many years that, while any new veterans' housing program might well be administered within the framework of FHA, the present guarantee program should remain in the Veterans' Administration until it is liquidated.

EXHIBIT 14

POWERS OF THE SECRETARY COMPARED WITH THOSE OF THE HOUSING AND HOME FINANCE ADMINISTRATOR

The Housing Administrator derives his basic authority as head of the Housing and Home Finance Agency from Reorganization Plan No. 3 of 1947 which created the Agency. The Administrator's relationship to the five major constituents falls into three categories:

In the case of the programs of the Urban Renewal Administration and the Community Facilities Administration, the statutory powers are vested in the Administrator and delegated by him to the Commissioners of the URA and CFA or to the regional administrators. The Commissioners of the URA and the CFA and the regional administrators are appointed by the Administrator.

The Federal National Mortgage Association falls into a second category because the statutory powers are vested in the Association as a corporate entity. However, the Administrator is Chairman of the Board and appoints the other members of the Board and the officers of the Association. Thus, the programs of the FNMA, like those of the URA and the CFA, are in effect administered through the constituent, subject to supervision, coordination, and direction by the Administrator.

The relationship of the Administrator to the Federal Housing Administration and the Public Housing Administration is different in that the statutory responsibility for their basic programs is vested directly in the constituent, subject to the "general supervision and coordination" of the Administrator. Also, the Commissioners of these two constituent agencies are appointed by the President, with the advice and consent of the Senate.

The significance of the reference to "general supervision and coordination" in Reorganization Plan No. 3 of 1947 can best be understood by contrasting it with a provision in Reorganization Plan No. 1 of 1946 which failed of approval by the Congress. The 1946 plan would have provided that the constituent agencies of the proposed permanent "National Housing Agency" shall be subject to the "general superintendence, direction, coordination, and control" of the Administrator. The legislative history of the 1946 plan reveals quite clearly that the references to "direction" and "control" contributed to the failure of the Congress to approve the plan. The 1947 plan, which omits these words, must therefore be construed in the light of the objections made to the 1946 plan.

Under Reorganization Plan No. 1 of 1952:

1. The functions and powers of the Housing and Home Finance Administrator and the Public Housing Commissioner would be vested directly in the Secretary, who could redelegate them.

2. The Federal Housing Administration would be transferred as an entity, under its own name, to the Department. Its functions would be transferred to the Secretary as head of the Department, to be carried out under his direction by the Federal Housing Commissioner appointed by the President with the advice and consent of the Senate.

3. The Federal National Mortgage Association would also be transferred as an entity, under its own name, to the Department. The Secretary would have the same powers as are now possessed by the Housing and Home Finance Administrator to manage the affairs of the Association. He would serve as Chairman of the Board of Directors and appoint the other members of the Board and the Association's principal officers.

4. The statutory powers now vested in the Administrator with respect to the programs of the Urban Renewal Administration and the Community Facilities Administration would be transferred to the Secretary who would continue to appoint the heads of these constituents in the same manner as they are now appointed by the Administrator.

EXHIBIT 15

HOOVER COMMISSION RECOMMENDATIONS

The following recommendations were made by the Commission on Organization of the Executive Branch of the Government (the first Hoover Commission) in its report on "General Management of the Executive Branch."

"Recommendation No. 14: Under the President, the heads of departments must hold full responsibility for the conduct of their departments. There must be a clear line of authority reaching down through every step of the organization and no subordinate should have authority independent from that of his superior.

"Recommendation No. 16: Department heads must have adequate staff assistance if they are to achieve efficiency and economy in departmental operations.

"Recommendation No. 18: Each department head should receive from the Congress administrative authority to organize his department and to place him in control of its administration.

"Recommendation No. 19: We recommend that, to lay the foundations of authority and discipline, the staff officials and, as a rule bureau chiefs should be appointed by the department heads, and that proper consideration be given to the promotion of career employees.

"Recommendation No. 20: We recommend that the department head should be given authority to determine the organization within his department. He should be given authority to assign funds appropriated by the Congress for a given purpose to that agency in his department which he believes can best effect the will of Congress."

Since Congress in 1949 was dealing with the question of organization in the field of housing, the Hoover Commission noted in their report on "Federal Business Enterprises" that they were not in a position to present complete recommendations in this area. However, they did recommend "that all housing activities be placed in one agency under a single administrator who should be given the type of authority which we have recommended for the heads of all agencies."

The second Hoover Commission made no specific recommendations with respect to the general powers and functions of the heads of departments.

EXHIBIT 16

GENERAL TRANSFERS OF AUTHORITY TO DEPARTMENT HEADS

Various reorganization plans and statutes have transferred generally to the heads of executive departments the functions vested in other officers, agencies, and employees of their departments. Those acts, which also generally authorized the delegation of the functions transferred, are listed below together with the exceptions to the general transfers of functions contained therein. In all cases, with the exception of the Department of Defense and the Department of Health, Education, and Welfare, all functions, except as noted, are vested in the Secretary who is authorized to delegate these functions within the department.

State: The Secretary may promulgate rules and regulations necessary to carry out his functions and those of the Department and he may delegate the authority to perform those functions (5 U.S.C. 151c); he may also prescribe duties for Assistant Secretaries and other employees of the Department and make changes and transfers therein (5 U.S.C. 154). The Secretary is authorized to administer, coordinate and direct the Foreign Service and the personnel of the Department, and the authorities vested in various officers with respect to the Foreign Service and Department personnel were transferred to the Secretary by the act of May 26, 1949 (22 U.S.C. 811a).

Treasury: Reorganization Plan No. 26 of 1950 effected a general transfer of authorities to the Secretary. The plan, which was effective July 31, 1950, excepted from the transfer functions vested in hearing examiners by the Administrative Procedure Act and functions vested in the Comptroller of the Currency; the plan was also subject to the provision of the act of January 28, 1915, requiring the Coast Guard to operate as part of the Navy in time of war or when the President so directs.

Justice: Reorganization Plan No. 2 of 1950 effected a general transfer of authorities to the Attorney General. The plan, which was effective May 14, 1950, excepted from the transfer functions vested in hearing examiners by the Administrative Procedure Act, functions vested in Federal Prison Industries, Inc., the Board of Directors and officers of Federal Prison Industries, Inc., and the Board of Parole.

Post Office: Reorganization Plan No. 3 of 1949 effected a general transfer of authorities to the Postmaster General. There were no exceptions to the plan which was effective August 20, 1949.

Interior: Reorganization Plan No. 3 of 1950 effected a general transfer of authorities to the Secretary. The plan, which was effective May 24, 1950, excepted from the transfer functions vested in hearing examiners by the Administrative Procedure Act and functions vested in the Virgin Islands Corporation, its Board of Directors and officers.

Agriculture: Reorganization Plan No. 2 of 1953 effected a general transfer of authorities to the Secretary. The plan, which was effective March 25, 1953, excepted from the transfer functions vested in hearing examiners by the Administrative Procedure Act, functions vested in the Department's corporations and the boards of directors and officers of those corporations, functions of the Advisory Board of the Commodity Credit Corporation, and functions vested in the Farm Credit Administration, its agencies, officers, and entities.

Commerce: Reorganization Plan No. 5 of 1950 effected a general transfer of functions to the Secretary. The plan, which was effective May 24, 1950, excepted from the transfer functions vested in hearing examiners by the Administrative Procedure Act and functions vested in the Civil Aeronautics Board, the Inland Waterways Corporation, and the Advisory Board of the Inland Waterways Corporation.

Labor: Reorganization Plan No. 6 of 1950 effected a general transfer of functions to the Secretary. The plan, which was effective May 24, 1950, excepted from the transfer the functions of hearing examiners under the Administrative Procedure Act.

Health, Education, and Welfare: No general transfer of functions has been effected. Reorganization Plan No. 1 of 1953, which created the Department, made the Department subject to administration under the supervision and direction of the Secretary. The plan, which was effective April 11, 1953, vests in the Secretary the functions of of the Federal Security Administrator, authorizes him to prescribe the functions of the Under Secretary, Assistant Secretaries, and Commissioner of Social Security, and authorizes him to establish central administrative services. However, no professional or substantive functions may be removed from any officer in connection with the establishment of such central services. The plan transferred the agencies of the Federal Security Agency to the Department together with their respective functions and resources.

Defense: No general transfer of functions has been effected. The National Security Act of 1947 placed the Department under the direction, authority and control of the Secretary, and it authorized the Secretary to prescribe the powers and duties of the other officers and employees of the Department of Defense. The act authorizes the Secretary to (1) assign and reassign the development and operational use of weapons systems; (2) provide for the carrying out of common supply or service activities by one agency; and (3) transfer, reassign, abolish and consolidate functions or take other steps to improve the operations of the Department, provided that, if the action affects a function established by law, the Secretary shall first report thereon to the Armed Services Committees and the action may be barred within 40 days by resolution of either House of Congress. The act further provides that each military department shall be separately organized under its own Secretary but shall function under the direction, authority and control of the Secretary of Defense. Reorganization Plan No. 6 of 1953 transferred to the Secretary the functions of the Munitions Board, the Research and Development Board, the Defense Supply Management Agency, the Director of Installations and the approval of the selection of the Director of the Joint Staff.

EXHIBIT 17

Establishment of executive departments

Name	Year (and authority)	Predecessor agency
State	1789 (act of Sept. 15, 1789)	Department of Foreign Affairs established under Articles of Confederation.
Treasury	1789 (act of Sept. 2, 1789)	
Defense	1949 (National Security Act Amendments of Aug. 10, 1949).	National Military Establishment created by the National Security Act of 1947. The NME consisted of the Office of the Secretary of Defense, the Joint Chiefs of Staff, the Joint Staff, and certain boards.
Justice	1870 (act of June 22, 1870)	Office of the Attorney General established in 1789.
Post Office	1872 (act of June 8, 1872)	Postal service established under Articles of Confederation; Office of Postmaster General established in 1789; nonexecutive department created in 1792.
Interior	1849 (act of Mar. 3, 1849)	Created from the transfer of the General Land Office, Office of Indian Affairs, Pension Office, Patent Office, and other boards.
Agriculture	1889 (act of Feb. 9, 1889)	Nonexecutive department created in 1862 under Commissioner of Agriculture.
Commerce	1913 (act of Mar. 4, 1913)	Department of Commerce and Labor created in 1903.
Labor	1913 (act of Mar. 4, 1913)	Department of Commerce and Labor created in 1903. There was also a nonexecutive department established in 1888 under a Commissioner of Labor.
Health, Education, and Welfare.	1953 (Reorganization Plan No. 1 of 1953, and the act of Apr. 1, 1953).	Federal Security Agency created in 1939.

EXHIBIT 18

SUMMARY OF DIFFERENCES BETWEEN THE 1961 BILLS AND REORGANIZATION PLAN NO. 1 OF 1962

Insofar as the Reorganization Act of 1949 permits, Reorganization Plan No. 1 of 1962 follows the provisions of S. 1633 and H.R. 8429 as reported to the Senate and House of Representatives.

The significant differences are identified below:

1. The bills contained a declaration of purpose (sec. 2) which, because it expresses the intent of Congress in connection with the legislation then under consideration, is inappropriate to a reorganization plan.

This declaration provided:

"DECLARATION OF PURPOSE

"SEC. 2. The Congress hereby declares that the general welfare and security of the Nation and the health and living standards of our people require, as a matter of national purpose, sound development and redevelopment of our urban communities in which the vast majority of our people live and work.

"To carry out such purpose, and in recognition of the increasing importance of urban communities in our national life, the Congress finds that establishment of an executive department is desirable to achieve the best administration of the principal programs of the Federal Government which provide assistance for housing and for the development and redevelopment of our urban communities; to give leadership within the executive branch in securing the coordination of the various Federal activities which have a major effect upon urban, suburban, or metropolitan development and redevelopment; to encourage the solution of problems of housing and of urban, suburban, and metropolitan development and redevelopment through State, county, town, village, or other local and private action, including promotion of interstate, regional, and metropolitan cooperation; and to provide for full and appropriate consideration, at the national level, of the needs and interests of urban areas and of the people who live and work in them."

2. The bills elaborated, in section 3(b), on certain functions to be performed by the Secretary in connection with studies of housing and urban development problems, his advisory relationship to the President, and his role in coordinating Federal activities affecting urban areas. Section 3(b) also added additional functions with respect to providing a clearinghouse service to State, county, town, village, or other local governments. This section, therefore, constituted legislation outside the purview of a reorganization plan.

The omitted section read:

"SEC. 3(b). The Secretary shall, among his responsibilities, conduct continuing comprehensive studies, and make available findings, with respect to the problems of housing and urban development; advise the President with respect to Federal programs and activities relating to such problems; develop and recommend to the President policies for fostering the orderly growth and development of the Nation's urban communities; exercise leadership at the direction of the President in coordinating Federal activities affecting urban areas; provide technical assistance and information, including a clearinghouse service, to State, county, town, village, or other local governments in developing solutions to urban problems; and encourage comprehensive planning by the State and local governments with a view to coordinating Federal, State, and community development activities at the local level."

3. S. 1633 and H.R. 8429 also contained two sections relating to small towns and communities (sec. 3 c and d).

The first of these sections directed the Secretary to give consideration to the special problems of small towns and communities. The second defined "urban areas" and "urban communities" and provided that nothing in the bill should be construed so as to deny or limit the benefits of any program assigned to the Department on the basis of corporate status or population.

Although these sections did not in fact change the existing situation with respect to smaller communities participating in Housing Agency programs, they were added to the original bills in order to give additional reassurance to those who felt that the pending legislation would favor the big cities. Since they constitute legislation outside the purview of a reorganization plan, they do not appear in Reorganization Plan No. 1 of 1962.

The sections omitted are:

"SEC. 3(c). In carrying out his functions under this act, the Secretary shall give consideration to the special problems of small towns and communities, including their needs for planning their future growth and for housing and community facilities, and shall provide appropriate assistance to such towns and communities in meeting these needs.

"(d) For the purposes of this Act, the terms 'urban areas' and 'urban communities' are intended to include all communities, regardless of size, whether incorporated or unincorporated, which may be eligible for assistance under laws administered by the Department. Nothing in this Act shall be construed to deny or limit the benefits of any program, functions, or activity assigned to the Department by this or any other Act to any community on the basis of its population or corporate status, except as may be expressly provided by law."

4. A number of administrative and technical provisions which appeared in S. 1633 and H.R. 8429 do not appear in the reorganization plan. These are:

Section 5(c): Relating to the pay of the FNMA President. This section is no longer appropriate in view of the deletion of the material in section 7(c) of the bills.

Section 6(a): Adding the Secretary of Urban Affairs and Housing, as well as the Secretary of Health, Education, and Welfare, to the line of Presidential succession.

Sections 6(b) and 6(c): Making title 5 U.S.C. applicable to the new Department.

Section 7(c): Relating to appointments of officers and employees and authorizing 9 positions at salary rates not in excess of GS-18 plus $1,500.

Section 7(d): Authorizing an additional number of positions in grades GS-16, 17, and 18. (Recommendation not dependent on departmental status.)

Section 7(e): (Second sentence) Repealing the prohibition in the Housing Act of 1949 against the redelegation of certain functions by the Housing and Home Finance Administrator.

Section 7(f): Authorizing the employment of consultants at not to exceed $100 per diem.

Section 7(g): Authorizing the establishment of a working capital fund for expenses in connection with the provision of common administrative services.

Section 7(h): Relating to the departmental seal.

Section 8: Relating to the time when the Department's annual report is to be submitted.

Section 10: Separability clause.

5. Other provisions of S. 1633 and H.R. 8429 are omitted because they are covered by the Reorganization Act of 1949 without specific mention in the reorganization plan. These are:

Section 9: Savings provisions. The last sentence of this section, relating to lapsed positions, is covered by section 6 of the plan.

Section 10(a): Effective date. Provisions with respect to the initial appointments to the new offices established in the Department are made by section 7 of the plan.

THE ADMINISTRATION'S FARM BILL

Mr. McCARTHY. Mr. President, yesterday the Senate Committee on Agriculture and Forestry completed its open hearings on the administration farm bill.

I am hopeful that we will be able to develop and to report a committee bill for action by the Senate which, if it does not attain all the objectives of the administration, will at least be a constructive and realistic start toward meeting the problems of low farm family income, excessive surpluses and high Government costs.

My purpose in taking the floor of the Senate today is not to discuss the farm bill in detail but to commend Secretary of Agriculture Orville Freeman for his accomplishments in his first 13 months in office.

When the new administration took office last year, few Cabinet members faced problems equal to those of the Secretary of Agriculture. The heritage of surpluses and excessive costs from the Benson administration, in addition to changes and shifts in American agriculture resulting from rapid technological and scientific advances, had created a series of end-of-the-line situations.

The most apparent characteristics of Secretary Freeman's administration have been his capacity for hard work and his dedication to serving the American farmer. The morale of the farmers improved as they recognized his personal commitment to assist them. Not all have been in agreement with his programs, but he has earned their respect.

The extensive responsibilities of the Secretary of Agriculture call for more than enthusiasm and dedication. They require great skill in administering the varied agencies within the Department. They call for intelligence in appraising the complexities and interrelationships of the problems and for creativity in devising new procedures to meet them. They call for honesty in speaking frankly both to farmers and the general public about the extent of the problems and for courage in recommending difficult adjustments. In addition they require of a Secretary the practical wisdom of recognizing the role of Congress and of willingness to cooperate with Members of Congress.

In my judgment, Secretary Freeman has exhibited these qualities to a high degree. Within a few weeks of taking office he presented an emergency feed grain program which last year succeeded in cutting down the feed grain surplus for the first time in 9 years and which contributed to the billion dollar increase in farm income in 1961. The substantive features of the major administration farm bill were also approved in the last session, but the feed grain and wheat programs were temporary measures and there is now a need for permanent legislation. In the meantime the decreased consumption and increased production of milk has added another serious problem.

I believe that Secretary Freeman has performed a service in presenting a comprehensive picture of the farm problem. He has gone to the farmers and to the people and to the Congress. He has presented the problems realistically and proposed a program for improvement. He has not promised easy remedies. He has not promised dramatic increases in farm income nor instant elimination of surpluses. He has insisted that for commodities in heavy surplus farmers must be willing to adopt some method of control of production if they want price supports.

There are questions to raise about the practical procedures in the administration program, and the committees are studying changes and alternatives. But I believe the approach of Secretary Freeman and the administration has the merit of showing the understanding of the various phases of the farm problem and the need for an overall approach.

The great efficiency of American farmers—and their ability to produce is increasing steadily—means that with fewer acres they can provide food and fiber for a growing population and expanding exports. The Department has estimated that we will need 50 million fewer acres of cropland by 1980.

The American farmers of the rural communities do not want "retired acres."

They want productive use of land and they want expanding, not retiring, communities. Some means must be found to assist this process.

That some measure of the effectiveness of Orville Freeman as Secretary of Agriculture can be drawn from his reception by the Committees on Agriculture of the House and the Senate. Secretary Freeman received a rising round of applause when he appeared before the House Committee on Agriculture last month. Insofar as I know this has not happened to any recent Secretary of Agriculture. He has always been well received by the Senate Committee on Agriculture. I served on Agriculture in the House and Secretary Freeman has earned this respect.

In recent weeks there have been attacks on the administration program and Secretary Freeman. The strong opposition of the national spokesmen for the Farm Bureau and the chamber of commerce are well publicized.

I think it is significant that the administration plan was treated seriously by representatives of a number of responsible farm groups and that it gained substantial support.

Mr. Herschel D. Newsom, master of the Grange, presented the statement of the National Grange on February 26 and stated that the administration bill, S. 2786, "embodies many principles and purposes which conform to long-established Grange policy even though we may before committee deliberations are complete desire to submit additional recommendations for certain modifications and considerations by this committee."

The statement of the National Council of Farmer Cooperatives, which is a national federation of 5,700 farmer cooperatives serving a membership of about 2,700,000 farmers, was presented by Mr. Homer L. Brinkley, executive vice president. He stated:

> The program and activities proposed in this bill represent a comprehensive attack on the farm income problem. Although our testimony later will show that we do not agree with certain specific recommendations we believe there is merit in the general structure—which meets today's needs and prepares for the next decade at the same time. Our principal reason for this statement is that the overall approach of the bill aims to create an economic climate or atmosphere in which farmers can aspire to earn, through the market system, a standard of living comparable to that of nonfarmers. It seeks to do this by balancing productive resources in agriculture with food and fiber needs for normal consumption, exports, and carryover. In such a climate farmers will be able to strengthen their economic bargaining power and thus retain some of the rewards of their rising productivity so that they may continue their contribution to economic progress. The structure of this bill also seeks to reduce tax costs of farm programs by reducing the surplus in storage.

Mr. James G. Patton, president of the National Farmers Union, testified for his organization on February 22 and said:

> The program of National Farmers Union expresses the belief that our family farm system has proved to be the most efficient system of agriculture in the world, as well as exerting a great stabilizing influence on the social, economic, and political life of the Nation. Congressional approval of the legislation before the committee is imperative if the traditional family farm pattern of agriculture is to survive in the United States. The central issue is whether we will be able to maintain our family farm pattern in agriculture or go down the road toward factory-in-the-field agriculture.

Mr. Fred V. Heinkel, president of the Missouri Farmers Association, concluded his statement before the Senate committee on February 26 by stating:

> I feel that unless the means are provided whereby farmers can manage their production in an orderly manner, the Congress will find itself confronted with the necessity for continuing the same sort of costly programs which have become so familiar to us in recent years. There is no need to stand still or to turn back. The opportunity is here to move forward with a dynamic program to bring prosperity to our American farmers.
>
> Therefore, I heartily endorse the program that has been outlined and presented to you by the Secretary of Agriculture, and I urge its adoption.

Finally, Mr. Fred J. Ludwig, of Laurens, Iowa, introduced at the Senate committee hearings the resolutions adopted at the 58th Annual Convention of the Farmers Grain Dealers Association of Iowa, an organization of about 330 cooperative elevators. Among the resolutions they adopted, at their meeting in Des Moines, Iowa, January 22–24, was one on production control. It reads:

> We strongly favor a policy of firm production controls which will spell out specific minimum compliance standards which, if exceeded, would make the producer ineligible for Government price supports. Furthermore, we urge that the rules and regulations developed to enforce these controls should be based on specific acreage allotments. We are in favor of a program that makes provision for strict cross-compliance. It is our general feeling that a workable solution to mounting surpluses in corn production would be a program providing for an effective reduction in corn acreage with a goal which will direct the price of corn toward parity.

Mr. President, the final resolution of the farm grain dealers which Mr. Ludwig placed in the hearing record was one of appreciation to Secretary Freeman. I ask that the resolution be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

> We commend Secretary Freeman for his vigorous, untiring, informed, articulate championship of the American farmer. We especially commend: His prodigious efforts which gave us the 1961 feed grain bill which, along with other measures, increased the 1961 net income of farmers by a billion dollars; his many forceful and effective appearances, usually before a misinformed and often hostile public where he has extolled the marvels of our agricultural production and the efficiency of our farmers and the benefits this bestows on the consumer, has been very effective; his alertness in sensing the threat to agriculture's and our Nation's best interests if certain proposals under consideration in the Common Market negotiations were adopted, and his toughness and steadfastness in his insistence on equitable treatment for agriculture in the Common Market negotiations marks him as a statesman gifted with foresight and fortitude.
>
> Agriculture could ask for no abler or more dedicated advocate than Secretary Freeman.

Mr. McCARTHY. Mr. President, I wish particularly to commend the Secretary of Agriculture for his performance as Secretary during the past year and for his dedication to earnest and, I think, successful efforts to develop a program for the consideration of Congress.

RESUMPTION OF NUCLEAR TESTING IN THE ATMOSPHERE

Mr. COOPER. Mr. President, I was very much interested a short time ago when I heard the distinguished Senator from Pennsylvania [Mr. CLARK] speak about the report in the New York Times today that President Kennedy has decided to resume nuclear testing in the atmosphere, and that he might announce the resumption of tests prior to the convening of the 18-nation conference on disarmament at Geneva on March 14. I should like to comment briefly upon his statement.

The decision of the United States to refrain from tests in the atmosphere—a decision made by President Eisenhower in October 1958—was faithfully observed by his administration, as it has been observed by President Kennedy. Each administration has made every effort to reach an agreement with the Soviet Union for the continued cessation of tests, if assured by adequate controls. Last year, the Soviet Union walked out of the negotiations at Geneva, and immediately resumed tests in the atmosphere. Soviet tests had evidently been thoroughly planned and prepared at the very time negotiations were taking place, and were accompanied by Mr. Khrushchev's threat that the nuclear power of the Soviet Union could destroy millions of people.

I do not know that the President has made this decision, but if so, I support him for several reasons.

First, the President has evidently been advised from the most competent sources that Soviet tests could upset the balance of nuclear power, which is a deterrent against war, and give an advantage to the Soviet Union, which would endanger our security. In these circumstances, the President has no choice except to resume atmospheric tests to protect the security of our country, to deter war, and to maintain freedom.

Second, I think it important that the announcement be made before the convening of the 18-nation Disarmament Conference in Geneva, for to go to this meeting with an ambiguous position respecting the necessary resumption of tests would be harmful to our own interests, and could leave unclear to the Soviet Union and other countries the determination to secure our country, due to the refusal of the Soviet Union to agree to an enforceable program for the cessation of tests.

Third, it will inform the Soviet Union that the United States will not be influenced by pressure and propaganda.

Again, I believe the declaration of our intentions in advance will strengthen the position of the United States at the conference. Some of its members made little protest against Soviet testing. They should know that we are determined to protect our interests, and that it is in their interests as well as ours that the Soviet Union comes to an actual and true agreement.

If the President takes this step, and I commend him for it, I think it important that every government in the world and their peoples be informed of our reasons. It is important for them to know, as well as the people of the United States, that only a true and enforceable agreement respecting atmospheric tests will lead to their cessation. It is important for them to know that, unlike the Soviet Union, we have worked in good faith for such an agreement, under the administrations of President Eisenhower and President Kennedy.

I make one final comment. Ours is the first generation to live in a time of nuclear balance, or what is called grimly a time of nuclear terror. I doubt that we give full consideration to the implications of such a time on our free government, our economy, and our individual lives.

This leads me to say that although the President may decide to resume tests—and it seems necessary—we should continue our efforts to reach agreement with the Soviet Union. Some in our country—and their voices swell—say that it is useless, and I admit there is little proof to the contrary. But the United States differs from the Soviet Union. Our system, unlike theirs, is based on ethical and religious principles—as well as on a concept of international law. Futile as it may seem at present, we owe it to our people, to the people of the world, and to our principles, to continue our efforts toward true and enforceable agreements.

I repeat: Although the decision to resume nuclear testing in the atmosphere is a difficult and serious decision to make, I have reached the conclusion—and I reached it sometime ago—that, under the circumstances, to protect our security, the President has no other alternative.

Mr. CLARK. Mr. President, I am happy to know that the views of the distinguished Senator from Kentucky with respect to nuclear tests are in accordance with my own.

JOINT ECONOMIC COMMITTEE

Mr. DOUGLAS. Mr. President, section 5(b)(3) of the Employment Act of 1946, as amended, requires that the Joint Economic Committee file its report by the 1st of March. The committee has voted unanimously to request that it be permitted until midnight March 7 to file its report.

I may add that the distinguished senior Senator from Connecticut [Mr. BUSH], the ranking Republican member of the committee, has agreed to this extension and has authorized me to so state upon the floor of the Senate.

The PRESIDING OFFICER (Mr. HICKEY in the chair). Is there objection? The Chair hears none, and it is so ordered.

FARM LEGISLATION FOR 1962

Mr. CARLSON. Mr. President, a few weeks ago President Kennedy, in his farm message to the Congress, proposed far-reaching changes in our farm price support, conservation, and food for peace programs. This was promptly followed by a draft of a recommended Food and Agriculture Act of 1962, introduced in the Senate by Senator ELLENDER as S. 2786, and in the House as H.R. 10010 by Mr. COOLEY.

Hearings are now in progress in both the Senate and the House on these bills, which are over 100 pages in length.

Mr. President, I have asked for the floor today not to oppose the major provisions in these bills—although I do oppose some of them. Rather, I have asked for the floor because of my great concern that the President and the Secretary of Agriculture have not presented the Congress with realistic farm legislative goals for 1962.

Unless Congress takes the initiative and breaks these 100-page omnibus bills up into manageable parts, I fear that Congress will be discussing and debating the provisions of the bill until the planting season is past.

After spending most of the session eliminating undesirable and controversial features from the last year's omnibus farm bill, late in the summer we were told that we must accept a 1-year emergency program for wheat for 1962. Time had run out. Wheat seeding would be in progress before desirable long term wheat provisions could be agreed on and put into effect. This need not have happened. We could have had long term wheat legislation last year if realistic legislative goals had been set.

Have we not had enough experience with omnibus farm bills in the past 10 years to learn that we cannot adequately consider all the aspects of possible major changes in long-term farm legislation in one session of Congress?

S. 2786 contains five titles. Title I deals with conservation and land use. It contains amendments to three existing statutes dealing with soil and water conservation and acquisition of land by the Government. Title II contains controversial amendments to Public Law 480.

Senators will remember the great controversy which surrounded the extension of marketing order authorities in the Agricultural Act of 1961. Title III of S. 2786 contains additional highly controversial amendments to existing marketing order legislation. It authorizes the Secretary of Agriculture to establish allotments under turkey and milk marketing orders. Passing over title IV for the moment, we find proposed amendments to the Farmers Home Administration and Rural Electrification Acts in title V.

Returning to title IV, we find it contains the long-term price support proposals for wheat, feed grains, and dairy products. The wheat proposals appear to follow rather closely the provisions of S. 2535 introduced in September 1961 by Senator NEUBERGER and cosponsored by me and other Senators. This bill followed the recommendations of the National Association of Wheat Producers, the Grange, and the National Farmers Union. There is sufficient similarity between subtitle A of title IV of the administration bill and S. 2535 to assure a compromise on desirable long-term wheat legislation, in plenty of time to guide 1962 fall seedings if Congress will give early consideration to wheat legislation. With the addition of a few vital but simple amendments, the administration's subtitle A of title IV would correspond closely to S. 2535 and make a long step forward in wheat price support legislation.

The proposals for long-term feed grain and dairy price support legislation, including mandatory production, adjustments in subtitles B and C of title IV are highly controversial and lack widespread producer support. Their consideration will embroil the Congress in extensive hearings and debates.

One of the programs that has resulted in a reduction of production of wheat and feed grains is the taking of land out of production through the Soil Conservation Service and the conservation acreage reserve.

The pending bill carries provision for an extended program of removing land from production. This program—if approved and handled in a manner that will not destroy the economy of local communities, but at the same time remove some of our land from production on a long-term basis—would be most helpful.

The Congress will be reluctant to approve temporary programs for 1963 until it has as much evidence as possible on the operation of the 1962 programs. This means delaying the formulation of temporary 1963 feed grain and dairy price support programs until the closing weeks of this session.

We cannot wait that long to adopt long-term wheat legislation. Wheat legislation must be passed early enough to apply to the 1963 crop, much of which is seeded in the months of August to October.

The chairman of the Committee on Agriculture and Forestry [Mr. ELLENDER] has begun hearings on the wheat section of the general farm bill. I am confident the committee will study and explore every phase of our wheat problem before reporting a bill to the Senate.

Nineteen hundred and sixty-one may well have marked a turning point in the world wheat situation. For several years, supplies have been expanding. This is no longer true. As of November 1, 1961, supplies of wheat remaining in the four principal exporting countries for export and carryover were 15 percent lower than a year earlier. This is due both to reduced production and increased exports.

In this country, the carryover on July 1, 1962, is expected to be about 50 million bushels less than a year earlier.

This will be the first decline in U.S. stocks since July 1, 1958. The 1962 program with its compulsory acreage reduction of 10 percent, and possibilities for additional reductions, will cut the size of the 1962 crop, although the amount cannot be safely estimated at this time.

In considering long-term wheat legislation we should recognize that surplus wheat stocks already are declining rather than growing further. Production in 1961 was about 60 million bushels less than expected disappearance in the 1961 to 1962 marketing year. Production under the temporary 1962 program is again expected to fall below utilization, causing a further reduction in carryover stocks in 1963. As a result of the temporary 1962 legislation, wheat seedings in Kansas last fall dropped to 9,762,000 acres—almost 40 percent below the 16,244,000 acres seeded in the fall of 1949.

Kansas wheat producers are concerned about the loss of wheat acreage in the State. We in Kansas believe that wheat in storage is one of our most valuable assets. We shall have only a little more than a year's supply of wheat on hand at the end of this crop year, while the Government is carrying a 3- to 5-year supply of other, no more strategic, materials. Frankly, from a security standpoint, I would be happy if our carryover of wheat were larger. We have only to look at Canada to see how rapidly a seemingly large surplus can turn into a shortage.

Three years ago wheat surpluses in Canada were so burdensome that farmers had to obtain government permits to market their wheat. Permits were issued on a pro rata basis.

Two years ago Canada had a surplus of 852 million bushels of wheat and that was reduced—because of a short crop—to around 300 million bushels. Today, with wheat stocks exhausted, the Canadian Government is urging farmers to grow as much wheat as possible in 1962. One short crop—because of unfavorable weather—and a few sales of wheat to China turned a burdensome surplus into a threatened shortage.

Our own State of Kansas and other wheat producing States in the winter wheat producing section have produced abnormally large crops of wheat for our section. Kansas in the last 4 years raised a trifle over 1 billion bushels of wheat. This is an average of over 250 million bushels per year.

Our average wheat crop for the past 72 years in our State is 123 million bushels. During the past 4 years we have had ideal weather for the production of winter wheat.

Year:	Bushels
1958	296,548,000
1959	209,700,000
1960	290,640,000
1961	274,718,000

That is not always true in our State and we have had some very small crops. There is no doubt that Kansas and other wheat-producing areas of the Midwest will again produce some short wheat crops.

I would call attention to the wheat produced in Kansas for the following years:

Year:	Bushels
1917	42,785,000
1918	97,710,000
1923	63,804,000
1925	90,539,000
1933	66,931,000
1934	84,323,000
1935	64,055,000

No one in our State likes to look forward to crop years of this type, but should they come, our national wheat surplus would disappear most rapidly.

The world situation is such that I do not believe we can afford to gamble on this. We should keep at least a 2-year supply of wheat.

In developing long-term wheat price support legislation, we must keep in mind the possibility that the world situation may change at any time. There is no greater asset in time of world disorder than an adequate supply of high quality wheat.

We are fortunate in our Nation to have great storage capacity where wheat can be stored without deterioration.

I would call attention to the amount of wheat that we had on hand July 1, 1960, and July 1, 1961, as shown by the following table:

	July 1, 1960	July 1, 1961
On farms	95,935,000	135,893,000
Commodity Credit Corporation	63,451,000	70,559,000
Mills, elevators, warehouses	1,154,132,000	1,200,114,000
Total	1,313,518,000	1,406,566,000

Our storage facilities are not only the most modern in the world, but are adequate to take care of an abundant supply of wheat.

Much has been said about the cost of farm price support programs in recent years. I am happy that my fellow Kansans and farmers elsewhere in the United States have been able to produce so abundantly that we are concerned with the cost of managing abundance rather than—as in Russia—being concerned with the cost of overcoming shortages.

There also has been much talk about the cost of supporting the prices of one commodity versus the cost of supporting prices of other commodities. It simply is not true that wheat price support costs have been out of line with those of other major commodities. Studies made by the Legislative Reference Service indicate that the annual average losses or costs for wheat price supports either for the 9 fiscal years 1953–61, inclusive, or for the three most recent fiscal years, 1959–61, are less than for several other of the more important commodities. The detailed figures for cotton, dairy products, feed grains, and wheat are as follows:

Losses on Government price support operations for cotton, dairy products, feed grains, and wheat, fiscal years 1953–61 [1]

	Annual average losses or costs		Losses as percentage of value of marketings [2]	
	1953–61 (millions)	1959–61 (millions)	1953–61	1959–61
Cotton	$195	$315	8	12
Dairy products	285	252	6	5
Feed grains	256	439	5	8
Wheat	233	250	12	12

[1] Realized losses on CCC inventory transactions including resealing and interest expenses (under accounting procedures adopted June 30, 1961), plus export subsidies and sec. 32 funds used for price support operations.

[2] Value of crops produced in case of feed grains.

We must, of course, reduce the Government cost of farm programs to the extent that we can without lowering farm income or placing excessive restrictions on farmers.

The administration's wheat bill proposes a number of drastic changes, including the elimination of the long-standing minimum of 55-million-acre allotments.

It recognizes a relationship between wheat and feed grains. It sets a feed wheat price support geared to corn price support. It would permit feed grain acreage to be substituted for wheat acreage allotments—and in the feed grain bill, wheat could replace feed grain acreage.

In the event the program passes Congress and is turned down by farmers in a referendum, price supports would be cut to half of parity and CCC would be authorized to sell as much as 200 million bushels of wheat at market price.

These are proposed vital changes in our wheat program and a program that our wheat farmers have become accustomed to.

The farmers of our Nation are entitled to their fair share of the national income and certainly we must not approve legislation that will in any way impair this.

Personally, I am fearful that the pending proposed farm legislation will be more in the interests of the consumer than in the producer. It is for this reason that I am going to be hesitant to vote for an all-inclusive omnibus farm bill until I am assured that it will have no adverse effects on agriculture.

Mr. THURMOND obtained the floor.

Mr. MANSFIELD. Mr. President, will the Senator from South Carolina yield briefly without losing his right to the floor?

Mr. THURMOND. Mr. President, I am happy to yield to the majority leader.

AMENDMENT OF ACT ESTABLISHING CODE OF LAW FOR THE DISTRICT OF COLUMBIA

The Senate resumed the consideration of the bill (H.R. 5143) to amend section 801 of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901.

Mr. MANSFIELD. Mr. President, I wish to propound a unanimous-consent request. The request has been cleared with all the interested parties and will be stated in the usual form.

I ask unanimous consent that on Monday, March 12, the bill (H.R. 5143), Calendar No. 496, to amend section 801 of the act entitled, "An act to establish a code of law for the District of Columbia," approved March 3, 1901, be made the pending business on that date beginning at the conclusion of the morning hour, 1 hour to be allocated on each amendment and 2 hours on the bill.

The PRESIDING OFFICER. Is there objection?

Mr. MORSE. Mr. President, reserving the right to object, though I shall not object, I wish to make an explanation of my support of the proposed unanimous-consent request.

Mr. THURMOND. Mr. President, I should like to inquire how long the Senator from Oregon desires to speak, because I have the floor.

Mr. MORSE. Mr. President, I beg the Senator's pardon. Since I just came to the floor of the Senate, I did not realize that he had the floor. The majority leader has made a unanimous-consent request proposal. I expect to accept it. But I wish the RECORD to show my reasons for accepting it, and I should not require more than 2 minutes to do so.

Mr. THURMOND. Mr. President, I yield 2 minutes to the distinguished Senator from Oregon.

Mr. MORSE. Mr. President, I shall discuss later at some length an amendment I shall offer to the so-called District of Columbia mandatory capital punishment bill this afternoon. I have been interested in various newspaper stories to the effect that the senior Senator from Oregon intended to conduct a filibuster on the bill. Such has never been my intention. I have been trying to work out as best I could a sound piece of legislation in this whole field of capital punishment and life imprisonment.

Mr. MANSFIELD. Mr. President, may I say that the Senator from Oregon has been most cooperative with the leadership in that respect.

Mr. MORSE. I thank the Senator. This afternoon I intend to offer an amendment to the bill, but on March 12 I shall move to recommit the bill to the committee for a definite time certain until we can bring in some expert witnesses on the bill. We have no printed hearings on the bill. Not a single expert on criminology has been called for hearings on the bill. The bill is a vital and substantive bill dealing with the whole question of the handling of prisoners. If we pass the bill without doing a good job now, we shall throw back for years the passage of adequate legislation in that field. I am perfectly willing to recommit the bill until five criminologists, whose names I shall mention on March 12, are invited to appear before the committee and testify. They will testify against the bill on the ground that it has no basis in modern criminology, and they will support the amendments I will offer.

I am happy to accept the unanimous-consent request. I wish to obtain a vote on the question, but I want the Senate to know what it is voting on before it votes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana? The Chair hears none, and it is so ordered.

The unanimous-consent request, subsequently reduced to writing, is as follows:

Ordered, That, effective on Monday, March 12, 1962, at the conclusion of routine morning business, during the further consideration of the bill (H.R. 5143) to amend section 801 of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901, debate on any amendment, motion, or appeal, except a motion to lay on the table, shall be limited to 1 hour, to be equally divided and controlled by the mover of any such amendment or motion and the majority leader: *Provided*, That in the event the majority leader is in favor of any such amendment or motion, the time in opposition thereto shall be controlled by the minority leader or some Senator designated by him: *Provided, further*, That no amendment that is not germane to the provisions of the said bill shall be received.

Ordered further, That on the question of the final passage of the said bill debate shall be limited to 2 hours, to be equally divided and controlled, respectively, by the majority and minority leaders: *Provided*, That the said leaders, or either of them, may, from the time under their control on the passage

of the said bill, allot additional time to any Senator during the consideration of any amendment, motion, or appeal.

LEGISLATIVE PROGRAM

Mr. MANSFIELD. Mr. President, for the information of the Senate, I should like to announce that the pending business is Calendar No. 1185, a bill (S. 875) to authorize and direct the Secretary of Agriculture to convey to the State of Wyoming for agricultural purposes certain real property in Sweetwater County, Wyo. We hope to dispose of that bill today, together with Calendar No. 813, a bill (H.R. 3788) to provide for the transfer of the U.S. vessel *Alaska* to the State of California, for the use and benefit of the department of fish and game of such State, and Calendar No. 825, a bill (S. 778) to amend the act entitled "An act to authorize the District of Columbia government to establish an Office of Civil Defense, and for other purposes," approved August 11, 1950.

If we complete consideration of those bills, we shall go over until Monday at the conclusion of today's business.

I thank the Senator from South Carolina.

CENSORSHIP OF SPEECHES OF DEPARTMENT OF DEFENSE PERSONNEL

Mr. THURMOND. Mr. President, on August 17, 1961, and the days following, I brought to the attention of the Senate and the public the fact that speeches of Defense Department personnel were being censored to eliminate and blunt perceptive statements concerning: the nature of our Communist enemy, the cold war being waged against us, our points of vulnerability to Communist tactics, and discussions of ways and means to emerge victorious over the Communist challenge.

The fact of such censorship is now proven, as is conclusively evidenced by the material I caused to be printed in the CONGRESSIONAL RECORD on February 19, 1962, which appears beginning on page 2445 and ends on page 2491 of the RECORD. This voluminous compilation, as adequate as it is to demonstrate the patterns and practices which have prevailed, is by no means the total of the censorship of statements of this nature; these excerpts are taken from a relatively brief period of time in relation to the long period in which such practices have prevailed, and there can be no exact measurement of the extent and volume of suppression of free expression and self-censorship which resulted as a natural psychological reaction to the impact of the actual censorship.

Mr. President, not only is the fact of this censorship conclusively established in this material, but also the primary origin of the censorship. A great majority of the changes which blunted and thwarted the statements about communism were made by and at the Department of State, and others were made in the Department of Defense under the guidance of the Department of State or in conformity to prior changes made by the State Department.

Now that it has been established, what is being done and who is doing it, there remains the question: Why is such censorship being done?

Three distinct reasons for this seemingly unexplainable type of censorship have been advanced. They are:

First. That it is necessary to tone down statements about communism during periods when so-called sensitive negotiations are in progress;

Second. That low-ranking or inexperienced personnel who do the actual censorship follow their individual judgment rather than the guidelines furnished them, or that the guidelines may be too general; and

Third. That the censors are informed and knowledgeable on official estimates of the Communists and the policies which our Government is following, and are conscientiously and ably requiring conformity of speeches to such official estimates and policies.

Mr. President, the so-called sensitive negotiations theory must be rejected, for the sensitive negotiations excuse is nothing more than a pretext for paralysis. It will not hold water.

In the first place, an examination of the speech changes now in the RECORD reveals that degrees of antagonism or belligerence toward the Soviets or other Communists is not the sole test of acceptability for a speaker's remarks. Even more crucial is the speaker's degree of incisiveness about the Communists and the nature of the cold war they are waging. For instance, one of the deleted statements is this:

> In fact, the big question of our day is just simply this: Will the future world, that is, the emerging world order, be in our image, the image of the Western World, or will it be in the image of world communism?

This particular censored statement is not belligerent, nor one with which even the Soviets could disagree, for almost daily some high Communist figure alludes to the irreconcilable conflict of systems which exists between communism and the societies of the free world. It is impossible to conclude that this thought, deleted in this and many other instances, was redlined for fear of offending Communist leaders with whom our diplomats were negotiating.

Even the comments written by the censors in the margins of the speeches to explain the deletions and changes refute the idea that there was a motivation for the deletion or change based on fear of antagonizing Communist leaders and thereby upsetting negotiations with them. For example, in one instance where the phrase "Sino-Soviet" was inserted in a speech just prior to the word "communism," the censor noted in the margin that "it is only the externally aggressive type—Sino-Soviet—which the United States is committed to check." Surely a belligerent statement about Sino-Soviet communism would be no less offensive to Khrushchev and company than the same belligerent statement about communism in general, although it might be more gratifying to them if they found in it, by examining it that closely, the reflection of the abject refusal to see communism as it really is.

The consistency of deletions and changes also belies the validity of the sensitive negotiations excuse. For example, in May 1960 the censors deleted a warning about the dangers of the Communist advance. This was in the period immediately preceding the Paris summit conference. The same type warning was deleted, also, however, on April 13, 1960; April 27, 1960; January 29, 1961; January 30, 1961; March 17, 1961; March 25, 1961; April 26, 1961; April 28, 1961; May 16, 1961; May 17, 1961; and August 14, 1961; merely to cite a few instances.

With this consistency of censorship in evidence, an acknowledgment that it was done to prevent the upset of sensitive negotiations would be to acknowledge that through negotiations the Communists have succeeded in completely paralyzing the United States. Such negotiations, judging from the consistency of the deletions, would have to have been in progress almost continuously. If mere words can disrupt these sensitive negotiations, surely we cannot take any action against the Communist movement, or they might be really offended. Such a rationale could only spell pretext for paralysis.

Now let us examine the second reason or excuse which has been advanced for the patterns of censorship which have been established, to wit: that low-ranking or inexperienced personnel who do the actual censorship follow their individual judgment rather than the guidelines furnished them, or that the guidelines may be too general.

This reason or excuse is, of course, by its very nature contradictory to the sensitive negotiations pretense. They cannot stand together, for they are mutually exclusive. If the censors knew of the existence of some sensitive negotiations, and acted in accordance with them, then they had sufficient guidelines and followed them diligently. If, on the other hand, the censors were using individual judgment, whim, or caprice, or were not given proper guidelines, they obviously were not acting in the interest of maintaining a "love and kisses" atmosphere at some sensitive negotiations session. Advocates of these two excuses will have to choose one or the other—they cannot have their cake and eat it, too.

I am convinced, Mr. President, that this inexperience and poor administration plea is just as devoid of validity as Ireland is of snakes.

The censors who work in the Department of Defense are of the rank of major or above, and there are only two who rank that low. This indicates that the most inexperienced of the censors in the Department of Defense has 12 years or more of commissioned service. In that time, and before reaching that grade, an officer learns to follow orders. In addition, these men are under the direct supervision of an Assistant Secretary of Defense, appointed by the President and confirmed by the Senate. While this Assistant Secretary might be challenged on some areas of competence, even I concede that he manages to command compliance from his subordinates with his orders.

The real source of the censorship comes, not from the Defense Department, however, but from the State Department. Here, according to the Department of State, the speeches submitted for clearance are sent to those persons in the Department most familiar with the subject matter. Indeed, the State Department advises that usually the speeches go to the policy planning and guidance staff, to whom our policies should be most familiar, for they are the ones who help to formulate them. Here, the censorship actions may indeed reflect the personal judgment of the censor, for he may be applying a policy to the making of which he contributed in the formation stage. Again, however, the consistency belies the absence of policy itself, for certain concepts are deleted, whether applied in a speech to the area of southeast Asia or to the area of Eastern Europe, and therefore censored by different personalities.

The second excuse, "inexperience and poor management," is as weak as "sensitive negotiations," and no more than a poorly contrived camouflage for secret policies.

This, Mr. President, brings us to the third, and the only valid, explanation of the censorship which has been established: that the censors are informed and knowledgeable on official intelligence estimates about the Communists and the policies which our Government is following, and are conscientiously and ably requiring conformity of speeches to such official estimates and policies. Not only is this the only alternative explanation which is not patently full of holes, but it is borne out and substantiated by, first, the testimony which has so far been given before the Special Preparedness Subcommittee of the Senate which is investigating the matter; second, the evidence of the deletions themselves; and, third, the marginal comments of the censors.

Let us first examine the testimony. It is quite true that most of the officers whose speeches were censored knew of no policies with which their original remarks would have been inconsistent. Most of them professed little inside knowledge of our actual foreign policies, however, nor were they familiar with National Security Council directives. Indeed, they could hardly be expected to have detected a pattern of consistency in speech changes, for they were familiar only with the changes in their own speeches.

There are two persons who have testified who have seen more than one person's speeches, however. One is the Assistant Secretary of Defense for Public Affairs, who has responsibility for censorship activities in the Department of Defense. The other was for a long time Chief of the Army Section in the Department of Defense Directorate of Security Review. Both of these witnesses testified that all the censorship actions, to the best of their knowledge, reflected existing policy, without any erroneous application of judgment by the individual censors. Had the other personnel in the Department of Defense Directorate of Security Review been permitted to testify fully, rather than being cut off by the plea of Executive privilege, I am confident that practically every censorship action taken in the Department of Defense could have been related to a specific policy or an identical previous action by the State Department censors, thereby establishing clearly that the work of the Department of Defense censors reflected efficient adherence to instruction and orders.

Again, the very consistency of the changes in the speeches is silent but unassailable evidence that policy lies beneath them. For example, the concept of "achieving victory," or "beating the Communist challenge," or "extending freedom" was expressed in speeches where the subject matter was the African nations and where the subject matter was the Communist attack in southeast Asia. Each went to the expert on the particular subject, but the concept of "victory" or "extending freedom" was deleted in each case by each of the experts. The common denominator could only have been policy.

The proof of the pudding lies in the marginal notes inserted by the censors themselves, for the fact is that the policy reasons for the changes, stated by the censors, are verifiable by veiled statements of persons in high position in the executive branch and by visible actions of our Government.

Consider, for example, the statement of a censor, penciled in the margin of a speech to which I referred previously, to the effect that it is only the externally aggressive type of communism which the United States is committed to check. This obviously means that the United States is officially opposed only to Communist regimes which have the hardware potential and manpower for precipitating military aggression on us, or possibly on another territory. Conversely, we must assume that this statement means also that we are not committed against Communist regimes which we do not conceive to have, in and of themselves, the relative potential for military aggression.

Mr. President, the same conception of our policy was stated by the Director of the U.S. Information Agency, in only slightly different, but somewhat less obvious, words, when he said, in the film, "Challenge of Ideas": "What we object to fundamentally is the aggressive nature of the Communist state."

Our actions speak even louder in consistency with the same policy. Yugoslavia is a Communist territory dominated by a Communist regime. Obviously we do not believe that it has the material means for military aggression. We are, therefore, not opposed to Communist Yugoslavia. On the contrary, we are aiding them—both economically and militarily. This action shouts louder than even our Voice of America broadcasts, to all who will see—that we, the United States, are not opposed to or committed to check communism, per se, just aggressive totalitarianism—and then whether it be of the Communist variety or the Trujillo variety. Is there any wonder that Cheddi Jagan was so confident of getting money from us? He does not have the military potential to start a hot war with anyone, even though he is a Communist.

On Tuesday, February 27, the Under Secretary of State testified before the Special Preparedness Subcommittee, and by his testimony confirmed with finality that the speech changes and deletions reflect our foreign policy. After a series of questions and answers on this specific point, I stated to Mr. Ball—and I quote from the transcript of the hearings:

> Mr. Secretary, I just want to say it is gratifying for you to confirm what I have been convinced of since I first studied the speech deletions and changes: That is that the speech deletions and changes are the result of a knowledgeable application of our foreign policy to the speeches, to insure conformity with our foreign policy.

In reply, Mr. Ball stated:

> That is right.

Mr. President, the censorship actions have been established—censorship of statements that expose the true nature of the worldwide Communist movement for what it is: a power-seeking, God-denying, man- and material-worshiping, amoral force, operating from bases of territories it dominates, by conspiratorial tactics of subversion, infiltration, propaganda, assassination, genocide, espionage, political and economic blackmail, all under the cover of the threat of nuclear holocaust, through an apparatus composed of agents, tools, opportunists, and dupes of all ethnic origins and nationalities, bent on the unswerving goal of world domination and subjection, and the re-creation of man himself into the common mold of an obedient slave to the minority for which communism was designed to appeal—the minority to which it has ever since captivated, and to the minority—may it ever grow smaller—which may in the future be so blind spiritually and so engrossed materially as to be stricken by the soul-destroying disease promulgated and spread by Marx and his successors.

Also established is the source of the censorship—the Department of State—the Department that is the repository of the power to enforce throughout the executive branch of the Government compliance and consistency with those most supersecret of policy papers—National Security Council directives.

Despite the attempted evasions, Mr. President, not only the what of censorship and who did the censorship is established—the why of censorship is also revealed.

No, Mr. President, sensitive negotiations were not the reason for the censorship: Sensitive negotiations are only a pretext for paralysis.

Nor is inexperience and poor administration the reason for the censorship: for the excuse of inexperience and poor administration is but a camouflage for secret policies.

The secret policies themselves are the reason for this censorship. The policies are the why. The censorship actions displayed in the CONGRESSIONAL RECORD for February 19 are reflections of our foreign policies. The now-revealed, covert manifestations of our policies in the form of censored statements are but

parallels in words for the actions, misactions, and inactions of our Government which over a period of years have miserably failed to halt or repel the expansion of the Communist movement.

The speech changes themselves, therefore, constitute the best known guide and key for those of us, including the American people, who have witnessed the tragic results, but have been excluded from knowing the nature of those supersecret policies of frustration and paralysis which have guided our Government's conduct in relation to the Communist total war being waged against us.

We can win the cold war. We can do so without materially increasing the chances of a nuclear exchange, for we have the spiritual, mental, and material resources to wage victorious campaigns in the political, psychological, economic, and propaganda areas of the conflict, as well as the military power to deter a general war. It will avail us nothing if by the maintenance of superior nuclear and conventional war capabilities we deter a general war, if at the same time we lose the cold war by default through adherence to policies of frustration and paralysis.

The key to the censorship is no-win policies which have been or are being followed. Not only censorship, but the entire course of the cold war can be corrected by abandoning these no-win policies and ridding ourselves of the frustration and paralysis thereby induced.

We have the potential to eradicate the disease of communism without general war; but, to realize that potential, we must have the will to win; and just as important, that will to win must be embodied in the policies of our Government.

Mr. President, it is regrettable that we must use changes and deletions in speeches to ferret out the specific secret policies our Government follows, for this is a painstaking and monumental task. I assure the Senate, however, that I shall do my utmost in the hearings, now underway, and on the Senate floor, to identify and expose, with a high degree of specificity, the secret policies of frustration and paralysis reflected in the censorship items which have been exposed.

Mr. President, I ask unanimous consent that an address made by me on the subject "Dare We Win?" delivered before the American Institute for Freedom Forum, at John Hancock Hall, in Boston, Mass., at 2 p.m. on Sunday, February 25, 1962, be printed in the RECORD following my remarks.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

DARE WE WIN?

(Address by Senator STROM THURMOND to the American Institute for Freedom Forum, Boston, Mass., February 25, 1962)

It is indeed gratifying to have this opportunity to speak to you. I consider it an honor to have been invited, but more important than the honor bestowed on me as an individual, by having been invited to speak to you is the subject I want to discuss with you. Because of the vital importance I attach to this subject, I will not dwell on the formalities further, but instead go directly into the heart of the matter.

About a century ago, Karl Marx, utilizing the materialistic philosophy of Feuerbach based on an inversion of the German idealism expounded by Hegel, and applying British political economy of the mid-19th century as a worldwide gage, formalized an ideology which has been a disease which has constituted an increasingly menacing threat to the freedom of man ever since.

Until the early years of the 20th century, the plague of this disease was limited for the most part to the mental impairment of those whose spiritual void and intellectual fanaticism made them captive of communism's illogic. In 1917, however, a relatively small band of fanatics, diseased with Marx's ideology, opportunistically seized control of a large territory, and, by means of every foul and inhuman device conceivable, managed by the 1920's to bring the peoples of Russia under their domination. Marx with his ideology had enslaved Marxists; beginning in 1917, the Marxists began enslaving millions of non-Marxists; both processes are continuing to this day.

Following the capture by the Communists of a base of operations beginning in 1917, the disease spread outside the base of operations through massive efforts to enslave the mentality of susceptible men everywhere to Communist ideology; while inside Russia, the Communist captors turned to slave labor, purge, and terror to reorder the structure of its human, material, and geographic base of operations for the massive worldwide onslaught against the liberty of man which has followed.

Immediately prior to, during, and particularly following, the earthwide upheaval of World War II the Communists thrust forward with their expansionist movement to enslave mankind. No longer is their base of operations limited to their original conquest of the territory of Russia. Today the Communists dominate 26 percent of the world's land mass and 36 percent of the world's population, having gained control of about 15 countries and 900 million people since World War II.

In the meanwhile we, the United States, have accepted—possibly a little reluctantly—the title of "leader" of the free peoples of the world. We accepted the mantle of leadership and signified our willingness to sacrifice in the interest of the responsibilities thereby incurred. We have made sacrifices, but so far we have failed to cope adequately with the enslavement of millions and the threatened enslavement of the remainder of the earth's people.

The record of Communist advances and our naivete, inaction, and belated reaction to this international gangster force is not pleasant to contemplate. The American public's reaction has, for the most part, been initially surprise, too often followed by disillusionment, at our seeming inability to cope with the offensives and constant pressures of the would-be gravediggers of men's liberty.

Warnings of the menace constituted by the international Communist movement, like warnings against our misconceptions of the nature and tactics of this enslaving force, have persisted throughout—but were seemingly muted to official ears. Our official attitude has continued to naively approach the offensive waged by the international Communist force as if it could be treated and coped with in the framework of conflicting interests between the traditional nation-states, conflicts of the type so familiar to the course of history. Our leaders steadfastly refused to recognize that the Communist movement was an international one, operating through an apparatus which ignores ethnic and national origins toward goals beyond those of any national interest.

In the last few years the warnings have increased in number and intensity. As the Communist expansionist movement scored new successes, its tactics, through repetition, became more transparent—transparent even to the extent of exposing the nature of the movement itself. At long last, there appeared to be evidence that official ears were at least acknowledging the warning voices—but, alas—the evidence indicated suppression of the voices, rather than heed.

Among those in our society who have experienced the broadest exposure to the operations of Communist apparatus are many of our citizens in uniform, who in the last two decades have proudly worn that uniform in the remotest areas of the globe. These men, knowledgeable in the values of individual liberty, and impressed by the contrast of its absence among peoples contacted in their travels, have in recent years joined the swell of voices raised in explanation and warning in order that the nature of the insidious Communist movement, the amoral tactics which it employs, and the ever-increasing menace which it constitutes, might be known and understood by those in whom resides the ultimate power in American government—the American people, themselves.

The means and forums of these military speakers varied. A number utilized the opportunities of chance, and usually infrequent, invitations to speak before diverse gatherings of the public, such as civic and fraternal organization meetings, business and labor groups, and audiences gathered for celebrations of patriotic occasions. Others participated in seminars on the cold war and communism, which were specifically designed to promulgate facts about the enemy and the nature of the struggle in which we are engaged. Other expressions for the same purpose found outlets in the organized programs of information and education for our armed service personnel.

Those who heard and heeded the facts and warnings of those civilians and military persons knowledgeable from study and exposure to the true nature and tactics of Communist operations gained a new perspective; and with it a new and purposeful dedication to individual liberty and spiritual devotion, and a determination that the evil perpetrated by Marx could, and would, be eradicated from the face of the earth. It seemed logical that a reorientation of our Nation's official attitude would surely follow.

The evidence of official awareness of the increased swell of voices spreading information and warnings was particularly disappointing; for it indicated that official acknowledgment brought not reorientation of attitude, but attempts to suppress those voices raised in warning.

The expressions of armed services personnel who spoke with incisiveness concerning the Communist movement and the menace it constitutes were censored in order to blunt, confuse, and divert the words of those who would inform the public on what the cold war was really all about. Participation by military men in cold war seminars was discouraged by use of official sanctions, some of which were ruthlessly drastic. Information and education programs for the armed services were continuously screened and sanitized, diluting not only the material providing incisive insight into the Communist movement, but also the material which would provide education about the basic fundamentals of our traditional concepts of government, and the stark contrast revealed between our system and that of the Communist movement.

The suppression was covert; and with rare exceptions, such as the suppression of Admiral Burke's Silver Quill speech, concealed from the eyes of the public. If our course of lethargy, inaction, and tardy reaction to the Communist offensive was to be reversed, the American people had to know of the covert suppression being practiced, and the underlying motivations which dictated such covert suppression of information about the cold war.

Neither the suppression of anti-Communist statements, nor the revelation of that suppression, challenges or even involves our traditional concept of civilian control of the military. Unfortunately, the concept of civilian control over the military has been raised and bantered about in an attempt to divert the public's attention, with a strawman issue, from the suppression of information on communism which has been taking place. Civilian control over the military was incorporated as an integral principle in our Constitution, and throughout the history of our Nation has gone unchallenged and uncontradicted. It is firmly entrenched in all Americans, including those citizens who are now serving as members of our Armed Forces.

While no American, military or civilian, questions the right of our civilian officials to control the military, our civilian officials are, nevertheless, answerable to their own superiors—the American people—for the manner in which that control is exercised.

Even the fact of censorship, itself, of the speeches of military officers is not in issue, insofar as it concerns the right of civilian officials to impose censorship on the statements of military personnel. On the very first occasion on which I mentioned to the Senate the censorship of anti-Communist statements from the speeches of military personnel, I stated, and I quote from the CONGRESSIONAL RECORD of August 17, 1961: "Let me make it clear, as have Admiral Burke and others, that no one can have valid objection to a requirement that speeches of Government officials, including the military, be cleared in advance to insure consistency with policy and security requirements." It would be, in my opinion, the better part of wisdom to adequately inform, and provide guidelines for, our military personnel on the security requirements and policies of our Government, and then hold them personally responsible, in line with their other command functions, for their individual remarks, rather than have them submit their remarks to a prior restraint. As important as are procedures—and since the beginning of our inquiry into the censorship of remarks on communism these procedures have been improved, and I hope will be still further improved—the method of policy and security review of speeches of military personnel is collateral, at best, to the real issue involved. The right of civil authorities to subject the speeches to censorship is not involved even collaterally.

The crux of the matter revolves around the content of the material censored, and the concepts and facts which have been suppressed by means of censorship. Correction in censorship procedures will not remedy the problem, for procedures do not touch the heart of the matter, which are the facts and concepts suppressed.

A great volume of the censored material is now available for public inspection. I caused this material to be printed in the CONGRESSIONAL RECORD for February 19, 1962, and it is obtainable from the Government Printing Office. While this constitutes only a portion of the material which has been censored, it, nevertheless, fills about 46 pages of the CONGRESSIONAL RECORD.

Listen to some of the material which was deleted, and I quote:

"The answer has been written for the world to see in the blood of martyrs and the ink of genius. In the Ukraine, East Germany, Poland, China, Hungary, and other Communist-dominated slave states, brave men have given their lives to show us the weakness behind the facade."

Here is another one:

"The world Communist movement today is but a single conspiracy by a small, organized minority—against humanity as a whole. They plot to impose on all humanity a self-confessed dictatorship operating through individual parties centrally controlled through the principle of democratic centralism, and coordinated under the leadership of the Communist Party of Soviet Russia."

Here is another:

"They are political conspirators. Communist leaders have risen to power—consolidated and expanded their power—through ruthless political conspiracy. They are masters of deceit, concealment, subversion, and intimidation.

"To such men military force is important; they respect it. It sustains them in power. It gives them the prestige, the persuasive and implicit threat, of great military strength. But still they think and act primarily as political conspirators.

"It is very important to remember this, lest due to our own forgetfulness the Communists mislead us, focus our attention on the military threat, while they push toward their goal of empire by less dramatic but equally effective means."

And another:

"Let us not be deceived by beguiling assurances that Communist aggressors have had a change of heart. Let us not be hoodwinked by Khrushchev's cunning conniving."

And another:

"For example, not too long ago he said that his country would 'bury us.' Did he mean this merely economically or in peaceful competition, as he phrases it? It doesn't seem very likely, for, in another statement, he pointed out that Communists attach great importance to revolutionary theory and were achieving their successes precisely because they are always guided by Marxist-Leninist teachings. The revolutionary theory, the early teachings of Marx and Lenin, all forecast a continuing struggle against the capitalist state ending only when these states were overthrown."

And another:

"Make no mistake; we are at war right now—a total war of ideas. War becomes total when the price is total: the world itself."

And still another deleted passage:

"Whenever possible, they will create turmoil, then militarily, economically, and politically attempt to exploit the confusion that results. Or if confusion already prevails, they will infiltrate with their highly skilled specialists so that a controlling government sympathetic to them will emerge. They thrive on civil war, whether or not it is of their own making."

These are but a few examples of the material censored.

The American people now have access to much of the censored material. It has been made public. It has also been established that the source of most of this censorship is not in the Department of Defense, but in the Department of State.

It is not enough, however, for the American people to know what is being censored and which department is censoring it—they also have the right and the need to know why it is being censored. Various reasons have been advanced. There are those who have advanced the excuse that this censorship results from nothing more than the inexperience and bungling so typical of the monstrous bureaucracy our Government constitutes. Also there has been advanced the excuse that "sensitive negotiations" which our Government was conducting with Communist leaders would have been upset had these statements been permitted. I have studied these censored remarks diligently, and I must reluctantly confess that I believe the remarks were censored because they were in conflict with the established foreign policies of our Nation which have been, or are, governing our conduct of foreign affairs.

The Senate Preparedness Subcommittee, in its investigation, made an attempt to find out why these statements about communism are being censored. The best way to find out was to examine under oath the person who actually took his pencil and deleted material on communism or substituted other material for it. This logical and reasonable endeavor was thwarted, unfortunately, by a letter of the President of the United States directing all personnel in the Departments of Defense and State not to reveal to the committee and the American public which individual censored a particular speech.

The use of the plea of Executive privilege by a President to conceal information from the Congress is neither new nor rare, although the legal basis for such an action appears rather dubious, especially when the privilege claimed is attempted to be so broadly applied as in the most recent instance. The Congress, with ever-diminishing jealousy of its powers and responsibilities derived from the Constitution, has repeatedly declined to assert its prerogatives to the extent that the plea of Executive privilege could be resolved by the courts. I am not so naive as to believe that the Congress will suddenly reverse its unjealous and acquiescent attitude toward the Executive, and force a showdown in this instance. After all, the Congress did not contest the plea of Executive privilege when it was invoked to conceal embarrassing data on waste and corruption in the foreign aid program in Laos; or the settlement of an antitrust suit by a former Attorney General; or the detailed facts in the Goldfine-Adams case; or the facts of the William Remington security risk case; or the case of the Communist and former Assistant Treasury Secretary Harry Dexter White; or the existence of East-West trade in strategic materials; or even the coverup of a Government peanut butter scandal. I regret this unjealous attitude of Congress, for I realize the dangerous implications which can flow from the use of the plea of Executive privilege. Had it been invoked by the Harding administration, for instance, it is doubtful that even the Teapot Dome oil scandals could ever have been uncovered.

The results of the invocation of the plea of Executive privilege, or the "Executive fifth amendment," as it has come to be known, should be clearly understood. Whatever the legal justification, if any, for the withholding by the Executive of information from Congress, I cannot conceive of any right of the Executive to withhold information, except that which is classified because it affects the security of the Nation, from the American people—in whom the supreme sovereignty of our Nation is vested. The ultimate effect of the plea of Executive privilege in this case is to withhold nonclassified information from the American people.

What sort of information is withheld and for what reason? I am convinced the personnel in the Department of Defense who did the censoring have no reluctance to discuss their activities, for they have nothing to hide. They have been performing their duties consistent with the instructions they have received, and would like nothing more than to make a full disclosure of the facts. Their interest could be best served by a withdrawal of the plea of Executive privilege and by permitting them to testify fully.

Without their full testimony it will be much more difficult, but by no means impossible, to ascertain and expose the real reasons for the censorship. It is not errant personalities that are being hidden and concealed behind the claim of "Executive privilege"—it is our policies themselves. It is our foreign policies with which the incisive statements about communism, and its tactics, conflict, and because of the conflict must be censored. Indeed, we have been told repeatedly by high officials testifying before our committee that it is so important that all people in the Government "speak with one voice." To insure that everyone, including military officers who know the nature and tactics of communism, speak with one

voice, is the expressed purpose of such censorship. The statements remaining after the application of censorship are largely generalized, pointless, vague and often meaningless. When they are compared to the voice in which our State Department has been speaking for years, there is, indeed, one voice—and the desired conformity.

If you want to know what foreign policy our Nation has followed or is following, study the deleted statements. The deleted statements are quite forthright, and simply stated. It is really not difficult at all to discern what concept or policy is contradicted by the deleted statement. In fact, the censors sometimes supplied the key themselves by a penciled note in the margin of the speech opposite the deletion or change. Let me give you an example. In reference to the conflict between communism and freemen, a speaker proposed to state, and I quote:

"The outcome will determine not only whether we will live in a free or a slave state but whether by the turn of the century world trade will be based on four rubles to the dollar, or four dollars to the ruble. Either we remain the champion in this vicious race by exerting our full strength and rise to great heights for the benefit of all mankind, or we can skulk and sulk like fearful and frustrated people and go down in the ignominy of defeat. The choice is ours; the hour is late; the time for decision is now."

That was what the speaker proposed to say. Here is what the censor commented by means of a penciled note in the margin: "Eliminate either or concept to allow possibility of evolution of Soviet system." To paraphrase the censor, what he is saying is, "Oh, no, General, you haven't left room for the possibility that the leopard will change his spots." And if the General doesn't believe that the Communists are possibly going to mend their ways, and stop trying to enslave the world, he is out of step with our State Department and our foreign policy. And don't forget, we've got to speak with one voice.

What does it mean in terms of U.S. foreign relations that our foreign policy is based on the estimate that the Communists may see the errors of their ways and mend them? I'll tell you what it means. It means we coexist, so the Communists will have time to evolve into rational human beings. It means that we sit on our hands, and even back up, if necessary, to avoid a clash of wills with the Communists, in the fond hope that, given time, the Soviets will turn their growing economic capacity from arms to consumer goods, and get too fat, lazy, and self-satisfied to be their nasty, vicious, depraved selves. It means we call Castro another agrarian reformer and ignore his Communist record, statements, and fellow conspirators. It means we write off the captive nations for whatever period it takes the Communists to evolve, even if it's three centuries. It means we pretend that Laos is just another remote little country having some trouble with its freedom, rather than a current major target of the international Communist expansionist movement because it is the gateway to southeast Asia. It means we turn on our friends in the Congo to avoid a head-on clash with the Communists in that arena. It means we turn our back while the Berlin wall is built.

This is what the general would contradict if he omitted the "possibility of evolution of Soviet society."

There is a group in our contemporary society which believes that the American public has little, if any, need to know about the menace of the cold war, and that the American public is not capable of passing judgment on our foreign policies. I am convinced that the American public, when given the facts, makes a mighty sound judgment—even if it won't be convinced that a leopard might change his spots.

Another thing you will find running through the material deleted by the censors are statements about winning the cold war, and extending freedom. Again, this kind of talk had to be censored, because it wouldn't be speaking with one voice. We've heard time and again from our high officials that any attempts to win would start a nuclear war. I guess it has not been said often enough to get through, however, for the press reported that the Attorney General said in Rome the other day that we are going to win in Vietnam. He still hasn't got the word that we have a no-win policy, but I sure don't see how he missed it. It's been confessed and professed both in actions and words for years. Now it is highlighted in the censored material.

Frankly, I've yet to meet a person who wants to see a nuclear war.

I have met some experienced and well-informed people, however, who believe that we can stop running from reality without precipitating a nuclear war. I share that belief. We can even take steps calculated to lead to victory over communism without escalation into a war. In an article by General Decker, Chief of Staff of the Army, which was censored in its entirety, he proposed to state, and I quote:

"We can develop and apply power as subtly and persistently as the Communists. We can do this without automatically causing escalation. Military power applied skillfully has great potential beyond its evident combat application."

General Decker would also have reminded us, had he been permitted, and again I quote:

"We have those conventional forces deployed in forward areas along the Iron and Bamboo Curtains. * * * It is important to recall that communism has made no territorial gains in any areas where such forces are deployed."

General Decker's article was censored in its entirety, but no one has yet challenged its truth. We have even clashed head on with the Communists without precipitating a nuclear war—remember Greece, and Turkey, and Lebanon, and the Formosa Straits?

The Communists, including Khrushchev, want desperately to dominate the world—but a world with people for slave labor, not a nuclear-made wasteland. Even Khrushchev doesn't want a nuclear war—and we have this on no less authority than a State Department censor. A note on one of the censored speeches states, and I quote: "State feels Khrushchev does not want general war and is unwilling to bear the losses such a war would entail, even though he could win it." Khrushchev doesn't want a general war, but he's waging a vicious cold war, and doesn't miss any opportunity to boast that he is going to win it.

We can win the cold war. We can't win with no-win policies, or by avoiding clashes with the Communists, while we sit on our hands waiting naively for the Communists to "evolve."

We can win the cold war only if we have the will to win and, just as important, if we incorporate the will to win in our policies. We can win without causing a nuclear war. Let us keep in mind the words of one officer, who would have said, had he not been censored:

"We can protect the overcoat of freedom from the violent theft in the daytime, only to find that the moths of subversion and slow revolution have devoured it in the night." Let us resolve to protect our freedom, day and night.

TAXATION OF FOREIGN OPERATIONS

THE TERMINATION OF TAX-HAVEN ABUSES

Mr. GORE. Mr. President, the tax laws of the United States give preferential treatment to all income earned in other countries. The income of foreign corporate subsidiaries enjoys a double preference. When such a subsidiary is located in any one of several tax-haven countries, the preference skyrockets.

It is unfair of some of our taxpayers to avoid or escape payment of taxes on income earned abroad, while their fellow Americans pay full taxes on income earned in the United States. Moreover, these laws are now severely adverse to the national interest in other important ways, including the export of industry and capital, balance-of-payments difficulties, drain upon U.S. gold reserves, and so forth.

This problem became serious in the middle 1950's. Though I was by no means the first to recognize its danger and the magnitude to which it might grow, if uncorrected, I was one of those who became concerned about it about 3 years ago and began to address the Senate upon the subject. Unfortunately, the problem has now become acute, indeed.

Fortunately, President Kennedy clearly recognized the problem and recommended enactment of corrective legislation in his very first message to the Congress. The President and Secretary Dillon have persisted in requests for the Congress to pass remedial legislation.

Today, for the third in a series on this general subject, I wish to address the Senate upon tax-haven operations in particular, giving some examples of the more flagrant abuses associated with tax-haven operations and suggesting some remedies.

As I have said, when the deferral of taxes on income earned abroad is coupled with a tax-haven operation, then the favoritism and the possibilities for tax avoidance skyrocket.

Before going further, Mr. President, it should be noted that the House Ways and Means Committee is reported now to have agreed to support some remedial provisions of law in this regard. This is a step in the right direction that should be welcomed. I hope the Senate will completely repeal the provisions that give preferential treatment to foreign income.

Let me say in the beginning that I, in no sense, condemn foreign investment. There is economic justification for much of our legitimate foreign investment and operations. Such operations are surely justified when they relate to an increased sales effort for U.S. exports. But, as I have previously pointed out, only about 10 percent of our foreign investment has such a purpose. These operations do not need tax inducements.

Some foreign operations in the extractive industries are justified. We need raw materials and, in many instances, the countries where the natural

resources are located in abundance lack the capital to exploit these resources. These operations obviously do not need the deferral inducement, since most of them are organized in branch form, in which case profits are taxed annually.

In many instances the banks, the utilities companies, and similar enterprises operated abroad by U.S. taxpayers have a perfectly valid economic justification. Even manufacturing subsidiaries, in a goodly number of cases, have economic justification. I would not, for one moment, entertain the notion of trying to terminate all such activities. But, where there is an economic justification, tax inducement is neither needed nor justified.

Let me emphasize that the removal of the tax privileges and preference now enjoyed by foreign activities will not destroy or even curtail those activities which have a genuine economic reason for existence.

Equalizing the tax burden borne by foreign and domestic activities is, in the first place, fair and sensible. Why penalize an industry because it operates in the United States, or reward a corporation that moves its factory into another country? By what right or reason does a U.S. taxpayer have less responsibility to his country because he invests his money in another country?

Moreover, equalization of the tax burden will slow down and perhaps bring to a standstill the expansion of those foreign business activities which have been called into being by the tax privileges they enjoy. I hope this point will be understood by those who are sympathetic with my point of view and by those who are hostile to it.

Tax haven operations have a particularly significant bearing on this point. Even with the deferral privilege, the tax credit, the exemption from U.S. income tax of the salaries of overseas employees, and all the rest, many companies would not export dollars and factories out of the country without the added tax haven gimmicks.

LACK OF ECONOMIC JUSTIFICATION

What makes a tax haven operation possible? Two things are required: First, a foreign country having a low or nonexistent tax rate on corporations located in that country but doing business outside the country, and, second, the deferral privilege for foreign subsidiary corporations whereby no U.S. tax on their income is levied by the United States until such time as earnings are repatriated to the U.S. parent.

The desire of U.S. taxpayers, particularly corporations, to avoid or evade the taxes of the United States or some foreign country having a tax structure similar to our own makes a tax haven operation attractive. The dividing line between avoidance and evasion appears to me to be particularly thin in many tax-haven operations. The deferral privilege, of course, is the major reason for setting up a tax-haven operation. The tax-haven operation, in turn, is the mechanism which makes deferral really pay off.

Tax haven abuses are of two general types. First, there are the operations which have as their primary purpose the transfer of profits into a tax haven corporation in a way which avoids or evades any substantial taxation by the country where the profits legitimately originate. This may involve diverting funds which actually represent profits earned in the United States, and which should be taxed in the United States, into a tax haven. In other cases profits arising in some foreign country having a tax system somewhat similar to our own may be diverted into a tax haven. The second general type of abuse centers around the uses to which funds may be put once they have been accumulated in a tax haven.

The devices are legion. They range all the way from false markups of sales and purchases through tax haven subsidiaries to the well known reinsurance racket. The abuses in the use of accumulated funds often consist of various convolutions which result in the conversion of ordinary income into something which can ultimately be brought home at the lower capital gains rate. Even better, of course, is to use these earnings which have escaped substantial taxation for investment in yet another foreign manufacturing plant. Having gone into bricks, mortar, and machinery in Europe, these profits never come back to the United States to be taxed. Those who speak so casually of the deferral of taxes might be reminded that, in such an instance, deferral extends into eternity. In fact, tax deferral is tax forgiveness in a very real sense.

Some people refuse to recognize any tax haven operation, no matter how blatant, as an abuse. To them, apparently, it is just smart business to avoid or evade all taxes possible, whether United States or foreign. I do not think such an attitude is characteristic of our business community. I certainly hope not. That such an attitude does exist, however, is all too evident. And the abuses have been growing by great leaps.

One rather discouraging proof of this attitude came in testimony before the Ways and Means Committee last summer. I have already, in an earlier address, referred to testimony given by Mr. H. J. Heinz II, on behalf of 19 companies. Mr. Heinz brought along with him a Mr. Benoit, said to be an economist. Mr. Benoit expressed the thought, in a prepared memorandum, that it was a good thing for U.S.-owned corporations to avoid the taxes of foreign countries because this would mean, ultimately, more in U.S. taxes if this money ever came back to the United States through Switzerland or some other tax haven. Mr. Benoit could not see why there should be any objection in this country if our people overseas were successful in beating the taxes of foreign countries. He stated, "It is mystifying that the Secretary of the Treasury should object to this." In other words, it is not understandable to this economist that the United States, together with other trading nations, should want to police international brigands so long as these freebooters ultimately bring home to the United States a part of the loot. It is all right to be ugly so long as one is American.

I do not want to get into the foreign policy area here, but if we are going to operate in an atmosphere of mutual trust, confidence, and respect in the Atlantic Community, surely the least we can do as a government is not to encourage our own people operating internationally to try to evade taxes in their host countries. We would expect the same treatment in return. According to Secretary Dillon, some European countries are also concerned over tax-haven abuses, and may follow our lead in taking corrective action.

SPECIFIC ABUSES

There are so many different types of tax-haven abuses that it would take all day to detail them. I would like now, however, to cite some specific cases to illustrate a few of the more frequently practiced ways of getting profits into tax havens virtually untaxed.

A. A favorite method these days is to rig prices when purchasing or selling through a tax-haven subsidiary. If selling abroad, the U.S. corporation "sells" to its tax-haven subsidiary at a very low markup. This, of course, pulls most of the manufacturing profit out of the United States and into the tax haven. When going the other way, that is, when purchasing, the tax-haven subsidiary buys raw materials abroad and "sells" them to its U.S. parent or affiliate with a high markup. This keeps a large part of the real U.S. manufacturing profit from ever entering the United States at all.

Here are some examples of operations of this type:

First. A company which manufactures electrical controls sells its products in many foreign markets. Prior to 1957 its foreign sales were made from the U.S.-based corporation. Having become aware of the benefits of tax havens, this company at that time established a subsidiary in Venezuela and began to sell its products, at least on paper, to its Venezuelan subsidiary which, in turn, sold them all over the world. The sales were still actually made in the same way as before—in fact, the Venezuelan corporation had only one employee in Venezuela. There was a very low markup on sales to the Venezuelan corporation, and a high markup on sales from the Venezuelan corporation to the real customer. In this way over $1 million of income which was really earned in the United States was diverted to Venezuela, completely escaping U.S. taxation, over a period of less than 3 years.

Second. A metallurgical company recently formed a subsidiary in the Bahamas from which it purchases manganese ore. The purchases are actually made through an independent Nassau broker and the ore is shipped from other countries directly to the United States. The U.S. corporation pays its Bahamian subsidiary excessive prices for manganese. In one year, it appears that about $500,000 was piled up in Nassau which

really represented profits earned in the United States—but untaxed here.

Third. A U.S. corporation, which has been importing green coffee from South America for years, decided to start operating through a tax haven purchasing subsidiary. It acquired the stock of a Panamanian corporation which was dormant and began to purchase coffee through this subsidiary, although all the business was still done from the office of the U.S. corporation and the coffee was shipped directly from South American ports to the United States just as it had been before the acquisition of the Panamanian corporation. Enough of the profit wound up in Panama to avoid or evade $500,000 in U.S. taxation within a short time.

B. The collection of patent and licensing fees from foreign companies constitutes a fertile field for escaping U.S. income taxation. Here are two examples:

First. A few years ago a U.S. printing and publishing company formed a subsidiary in Panama to collect fees from foreign companies using secret processes and patents developed in the United States. Although the Panamanian corporation had no depreciable assets and carried no employees on its payroll, it managed within a short time to collect enough fees to allow the parent U.S. corporation to beat the U.S. Government out of about $300,000 in taxes. I shall leave it to the judgment of my colleagues whether this constitutes avoidance or evasion.

Second. In 1956 a U.S. drug manufacturer formed a Swiss patent holding company. Patent and licensing agreements formerly executed between foreign companies and the U.S. corporation were thereafter negotiated with this dummy Swiss subsidiary. The employees of the U.S. corporation continued to handle all negotiations and perform services just as they had always done. As a result, this Swiss tax haven subsidiary now collects anywhere from $100,000 to $500,000 each year from foreign corporations. The U.S. corporation's development program is a continuing one, conducted in the United States, and the cost of this development program is, of course, charged off against U.S. taxes. This is a double insult.

C. Sometimes it is better to operate on a commission basis in sales or purchases rather than to attempt to pass title to goods through a foreign subsidiary. Often, personnel will actually be assigned to the foreign subsidiary, and the job formerly done in the United States will be done by salesmen and technicians who work out of the tax haven. Here the problem is one of loading the commission rate.

Here is an example:

The stockholders of a relatively small U.S. corporation selling carbon products abroad formed a Panamanian corporation which receives a commission on all sales made by the U.S. corporation in Europe and Japan. The Panamanian corporation has opened a European office which, of course, could more logically be operated directly by the home office. Within a few years, income has been diverted to this tax haven corporation, by allowing it to charge commissions about double the going rate, in the amount of some $2.5 million.

D. We hear a lot about the motion picture industry having been shipped from Hollywood to tax havens. Here is an illustration of one gimmick in this area. In this case, two corporations were formed, one in the United States and one in Liechtenstein. Needless to say, both were controlled by the same stockholders, although there may be some sucker stockholders in the U.S. corporation who were not cut in on the Liechtenstein loot. At any rate, a motion picture was produced. The U.S. corporation distributed the film in this country and in Canada, and the Liechtenstein corporation distributed it everywhere else around the world. Production costs were allocated in such a way that the U.S. corporation paid a disproportionately large share and, therefore, made a disproportionately lower profit. Most of the profit wound up in Liechtenstein, a renowned tax haven.

E. Sometimes tax avoidance centers around loans made to foreign subsidiaries, sometimes around loans made to the parent U.S. corporation. Here is a case where loans to subsidiaries constituted tax avoidance. A domestic machinery manufacturing corporation has some subsidiaries abroad, and it also has licensing agreements with unrelated foreign corporations. These unrelated corporations pay a fee of 6 percent of gross receipts, but the subsidiaries pay nothing. When these subsidiaries were set up, some in tax haven countries, large interest-free loans were made to them by the parent U.S. corporation. The parent U.S. corporation borrowed the money for these loans, on which it pays interest, the cost of which is deducted from U.S. earnings. A recent check showed over $21 million in these loans outstanding. When these loans are repaid, they will not, of course, give rise to any tax here, as would have been the case had stock been subscribed and dividends later paid. In a case of this sort, the foreign corporation is a sham, the operation being really, in substance if not in form, a foreign branch of the domestic corporation. The profits ought to be taxed annually. The courts, however, have been reluctant to look through and beyond the corporate form.

Incidentally, although I do not want to discuss this matter specifically today, this type of arrangement is one of the characteristics of the Volta River scheme in Ghana. The American aluminum companies, the only ones who have any chance to profit from the Volta Dam, have obtained approval from the Treasury Department and, presumably, from the Internal Revenue Service, for the advancement of disproportionately large loans to the foreign subsidiary which will be set up. Costs can be largely recovered without the inconvenience of paying taxes on dividends.

F. In some cases there is no evasion of taxes, there is merely an avoidance. Here is an example. An importer of raw materials formerly used unrelated shippers to bring its raw materials to the United States. A few years ago this corporation organized its own transportation subsidiary in Panama. Although there is apparently no rigging of costs in this case, the Panamanian subsidiary pays practically no taxes and profits are not repatriated. It has been estimated that the United States has lost about $17 million in revenues during the past few years from this tax haven operation.

G. Reinsurance is a fertile field for tax dodging through tax havens. Here is a case. A U.S. appliance manufacturer owns a finance company. This finance company requires borrowers financing these appliances to take out credit life insurance. Insurance is placed with a legitimate U.S. life insurance company, unrelated to the appliance manufacturer. There is, however, a side agreement that this U.S. life insurance company will reinsure through a dummy company in the Netherlands Antilles which is an affiliate of the U.S. finance company which is, you will recall, owned by the appliance manufacturer. This operation was set up in 1959, and within 6 months almost $1 million was pulled out from under U.S. taxation and into this tax haven subsidiary.

Sometimes the reinsurance racket is operated in reverse. One large U.S. insurance company has set up an operating subsidiary in Switzerland and negotiated favorable reinsurance treaties with the Swiss company. In this way, claims against the Swiss company are at least partially paid by the U.S. company, thereby reducing taxable profits in the United States and building up the assets of the Swiss company very rapidly. Once sufficient assets are collected in this way in Switzerland, a worldwide organization can be formed, largely from untaxed earnings pulled out of the United States.

EXTENT OF TAX HAVEN OPERATIONS

I could go on detailing such cases all day. Even so, some may feel that these are isolated cases and that tax haven abuses are really not widespread. To be perfectly frank, I do not know just how widespread they are, and I doubt that the Internal Revenue Service knows. Our knowledge in this area is inadequate.

We do have some guidance, though. It has been estimated that there are about 20,000 foreign corporations controlled by U.S. stockholders, in addition to an unknown number of partnerships, trusts, and other entities not in corporate form.

I do not know how many of these are tax haven operations, but I believe they run into the thousands. There are some 20 countries which have the requisite tax structure to become tax havens, but some of them do not have the political stability or the currency convertibility which would make tax haven operations within their borders safe or profitable. Among the more popular tax havens are the Bahamas, Panama, Switzerland, Liechtenstein, Liberia, Bermuda, the Netherlands Antilles, Venezuela, and, since business has fallen off at Monte Carlo, the almost sovereign principality of Monaco is making its bid.

I have tried to get a rundown on the new corporations owned or controlled by

American interests which have been started in these countries, but it is difficult. Some 2 years ago when I first started looking into tax haven abuses in detail, I was informed that our Commerce and State Department people who are supposed to get this kind of information for us simply were not doing it, perhaps could not do it. In the past year or so, however, I find that our agencies are suddenly able to obtain more information than was formerly the case. But we still do not know as much as we need to know.

But we can pick up very concrete evidence here and there about tax-haven corporations. In 1960 and 1961, there was an increase in the number of corporations officially reported as having been formed abroad by American corporations. These reports are sketchy at best, and can show only trends or rough comparisons. But it is interesting to note the large numbers reported from tax-haven countries as against those reported formed in Germany, for example. Of course it is possible that some of the corporations organized in tax-haven countries are there for legitimate reasons, but what are the probabilities? In 1960 and 1961 official reports were received of the formation of 76 new subsidiaries in Switzerland, 46 in Panama, 10 in Liechtenstein, and 55 in the Bahamas. Compare these numbers in these large and important countries with the 22 reported from Germany. As I said, these official reports are fragmentary, but on this basis it appears reasonable to assume that a great many of these corporations organized in tax havens are there for no legitimate purpose. The ratio of companies formed in tax havens to those formed in a country like Germany is certainly indicative of a great deal of tax-haven activity.

We do know from other, and nonofficial, sources that there are hundreds of U.S.-owned corporations in Switzerland. We have been able to identify about 500 Swiss subsidiaries of U.S. companies, and it would appear that a great many of them are of very recent origin.

Last year, it was determined that, between September 1, 1959, and December 31, 1960, at least 217 new U.S. subsidiaries were organized in Switzerland. A look at the cantons in which these new subsidiaries are located might give us an insight into the possibility of some of them having been organized purely as tax-avoidance devices.

These 217 new subsidiaries are concentrated largely in 3 of Switzerland's 22 cantons. Geneva got 63, Zurich 36, and Zug 56. All of these three cantons have favorable cantonal taxes and are good tax haven locations.

There could conceivably be legitimate reasons for some of these corporations setting up shop in Geneva and Zurich. But why would 56 U.S. corporations be organized in Zug in so short a time? This is a remote canton, having absolutely nothing to commend it to American capital, so far as I can see, except that the taxes imposed by the canton can be negotiated down to about zero. I question whether any American subsidiary has been organized in Zug for legitimate reasons.

What legitimate purpose could be served by an American subsidiary in Liechtenstein? This country has a total population of about 15,000. The only thing approaching a city is a country village, Vaduz. The main industry there is stamp engraving and printing. Any of my colleagues who have seen the movie "The Mouse That Roared" will have a fairly correct idea of the economic potential of Liechtenstein. Yet we find many American corporations setting up headquarters there, simply to beat some government, usually our own, out of taxes.

Another indication of the extent of tax haven activities is seen in the formation of foreign insurance companies owned by American interests shortly after the Congress passed the Life Insurance Company Income Tax Act of 1959 to begin taxing, although inadequately, some of the underwriting gains of life insurance companies. According to the best information I have been able to obtain, there was in 1955, one American-owned insurance company established in the Bahamas. In 1958, one more was established. In 1959, 20 new ones sprang up, and during the first part of 1960, for which I have statistics, at an accelerated rate. This timing could hardly be a coincidence. This story has been repeated in other tax haven countries.

ADMINISTRATIVE CORRECTION

Many apologists for our international operators do publicly recognize that there is a tax haven problem. But they hasten to state that it is small and can be cleared up by administrative action on the part of the Internal Revenue Service. This is not so easy.

The tools needed by the Internal Revenue Service to police international operations are not now in existence, and I doubt they can be made available. It would take too much manpower under the very best conditions to police all these corporations. And bear in mind that we are dealing with corporations which are subject to, and under the protection of, foreign governments even though owned by American taxpayers. The economic espionage laws in such countries as Switzerland and Liechtenstein are regularly invoked when our Internal Revenue Service agents, stationed in Paris to monitor operations of U.S. corporations in Europe, try to investigate one of our own foreign operators. These economic espionage laws, by the way, constitute one of the big drawing cards which often induce tax haven operators to set up shop in a particular country. These international freebooters wants to conduct their operations in as much secrecy as possible.

I did succeed in getting some rather mild reporting amendments adopted in 1960. The reports which are now just beginning to come in as a result of these changes will be of some assistance to the Internal Revenue Service in knowing when and where certain organizations and reorganizations take place, but this is still not enough. Our Treasury officials simply do not know and cannot know what is going on overseas.

Of course if a tax haven corporation is purely a sham, it is legally possible to ignore its form as a legal entity, look through the foreign corporation and tax the U.S. parent corporation on the profits ostensibly earned by the dummy corporation. It sounds easy, but it is hard to do.

We also have available to the Internal Revenue Service section 482, and I often hear it said that the Internal Revenue Service has only to use section 482 a little more vigorously to correct tax haven abuses. This section allows IRS to make a proper allocation of income and expenses among related taxpayers. Theoretically, it is possible to correct a great many abuses by this route. As a practical matter, there are many difficulties.

Suppose it is suspected that a domestic corporation is using a Panamanian subsidiary improperly in purchasing raw materials and using a Swiss subsidiary improperly in marketing its products abroad. The general pattern of such an arrangement is that the domestic corporation would purchase from its subsidiary in Panama at a higher than justifiable price and sell to its Swiss subsidiary at too low a price. What are some of the problems the IRS is up against?

Taxpayers, in such a situation, are generally not fully cooperative. The books of the domestic corporation can be examined, of course, but they tell only about one-third of the story. When the agent tries to secure the books of the Swiss corporation he is often stopped by the Swiss authorities. In some cases he will be allowed to go to Switzerland but will receive no assistance from the Swiss authorities. He must, then, visit a dozen or more countries and many hundreds of customers and suppliers to try to trace individual transactions. If he is lucky and gets some good evidence together, he then faces a long administrative and court fight. This takes years and the full time of many highly skilled persons. We do not have a great many of the type that this requires but there are untold thousands of U.S. foreign corporations and subsidiaries.

The magnitude of the policing task can be realized just by looking at the sheer numbers of foreign subsidiaries some corporations maintain. At least one domestic corporation is known to have over 250 foreign affiliates of one kind or another. I have in my files the names of 98 foreign corporations in which one particular U.S. corporation owns at least a 25-percent interest.

I do not think it is possible for the Internal Revenue Service adequately to police tax haven dodges no matter how many reporting and investigative tools we give them.

LEGISLATIVE CORRECTION

Given the fact that it is a practical impossibility, then, to police foreign operators adequately through administrative action, we are face to face with the necessity for making some legislative changes which may clear up our difficulties.

The essence of the difficulty in dealing with tax haven operations is secrecy. The thing which makes it all worthwhile

to the U.S. corporation is deferral of the U.S. income tax.

The only sure cure for the problem is to tax annually, as earned, all the profits of all U.S.-owned corporations, no matter where they are located. If the corporation is located in a country which has a tax structure similar to our own, the additional tax it will pay to the United States will be small. If it is operating in a tax haven country legitimately it will not be at any disadvantage vis-a-vis corporations operating in other foreign countries or in the United States. If it is operating in a tax haven country unethically the taxation of its profits will go a long way toward discouraging and terminating such unethical operations.

The termination of the deferral privilege for all foreign subsidiaries is the best and surest way of stopping tax haven abuses.

Of course, it is theoretically possible to go about correcting abuses legislatively in another way. It would be possible, theoretically, to single out and define each and every possible tax haven abuse and then draw up legislation specifically aimed at that abuse. This may be possible, but it certainly is not practical.

I have tried this approach. Last year I introduced a bill which I think would terminate one type of reinsurance racket. This approach necessitated making major changes in three sections of the Internal Revenue Code. And this was aimed at stopping only one type of reinsurance abuse. There are several types of abuse in this one narrow field alone. And, in matters as complicated as this, new loopholes can be pried open as fast as an old one is papered over if we only give cursory, surface treatment to the problem. In my view, the specific, piecemeal type of attack on tax haven abuses will not work.

Repeal of the deferral privilege will correct most of the abuses. This would be both effective and fair.

To sum up briefly, I have now delivered three addresses on the taxation of foreign operations. I have stated my reasons for feeling that the rapid expansion of certain foreign operations, particularly manufacturing subsidiaries in Europe, is not in the public interest, especially when they are subsidized and encouraged by U.S. tax favoritism.

I have shown how some of our foreign investment adversely affects the domestic economy by shipping factories and jobs overseas, and I have shown how the same operations adversely affect the balance of payments and gold drain.

Today I have shown something of the effect and extent of tax haven abuses.

A principal cause of all those problems—tax abuses and inequity, the export of jobs and capital overseas, the balance of payments and gold drain difficulties—is our faulty taxation of foreign operations. The cure, then, lies at least partially in tightening up these tax laws so as to equalize the taxation of domestic and foreign operations, as well as to equalize the taxation of operations in various foreign countries, including tax havens.

The tax bill which is now being considered by the Ways and Means Committee will give the Senate a vehicle for serious legislative action in this field. I shall do my best to see that the Senate has the opportunity to act.

CONTRIBUTION OF REPUBLIC AVIATION CORP.

Mr. KEATING. Mr. President, the recent decision of the Defense Department not to continue procurement of the F-105 fighter bomber has been a great blow to Long Island and in particular to those individuals in the corporation who did such a fine job in developing this up to now very satisfactory and highly praised airplane. In the development and production of this supersonic plane, Republic Aviation made a deliberate and concentrated attempt to reduce costs throughout the program.

As a result, Republic was able to reduce its bill by $226 million at a time when national defense cost the United States about $100,000 a minute. The American people can be very grateful for the kind of cost reduction achieved by Republic. This accomplishment is an additional reason why the Defense Department should exert every possible effort to insure that Republic Aviation receives continuing consideration from the Federal Government. Because of perhaps overhasty decisions in design competitions, this firm is now faced with a drastic and serious decline in business and employment. The loss, not only to Long Island, but to the entire defense procurement picture, would be grave. It is most assuredly in the national interest for the Defense Department to make sure that Republic's proposals in the future are given the most careful consideration and that every effort is taken to channel programs to Republic in the interim period.

This is the kind of effort the Defense Department should encourage, not penalize. I, therefore, intend to specifically call it to Secretary McNamara's attention.

Mr. President, I ask unanimous consent to include following my remarks the press release describing Republic's achievement in saving the American taxpayers a quarter of a billion dollars.

There being no objection, the press release was ordered to be printed in the RECORD, as follows:

REPUBLIC SHAVES F-105D COSTS IN 2-YEAR PROGRAM—NATIONWIDE COST REDUCTION CAMPAIGN REDUCES COSTS $226 MILLION

WASHINGTON, D.C., February 26.—More than $226 million have been saved in production of the supersonic F-105D fighter-bomber as the result of a 2-year nationwide cost-reduction program, Mundy I. Peale, president of Republic Aviation Corp., reported today.

Peale, in a keynote address at the opening session of the sixth joint industry-military packaging and materials handling symposium sponsored by the National Security Industrial Association, told delegates that $189 million of the savings were achieved by the company and its associate contractors, and that an additional $37 million was obtained by suppliers to the Government of equipment used in the jet aircraft. The cumulative savings are based on unit costs of the 1,400-mile-an-hour fighter in fiscal 1960 and 1961 versus 1959's costs.

The campaign, Peale explained, is being carried on by an estimated 40,000 people in 831 companies in 30 States, all of whom are engaged in production of parts for the F-105D.

He pointed out that national defense will cost the United States about $100,000 a minute this year. Inasmuch as industry spends 50 percent of the procurement dollars it has the responsibility, he added, to see to it that its operations are as efficient and economical as human ingenuity can make them.

Thinking small helps as much as thinking big, Peale said, citing savings of $340,000 his company had achieved with 33 of its suppliers in the routine area of materials handling and packaging. For example, one supplier redesigned the packaging for landing gear assembly from a wooden crate to reusable metal sections and saved $84 per plane, or overall contract saving of $36,500.

Cost management at the Long Island aircraft firm is directed toward three areas, the Republic official explained: on-site, off-site costs on subcontracted items, and costs for Government-furnished equipment. Although costs incurred at Republic itself represent less than half of the contract dollar, the on-site program accounts for almost three-fourths of the total savings, he stated.

Peale cited the use of a direct labor control and reporting system to improve shop supervision; quality control and scrap reduction and new tooling and manufacturing methods as typical of the procedures introduced to reduce costs, in addition to improvements in materials handling. Additional improvement is being made through the installation of an automated data collection system which will feed timekeeping and other data direct to a computer.

However, he cautioned the conference delegates not to get transfixed by the dollar sign. Saving dollars will not, by itself, guarantee success of any program, he declared, unless it also improves quality, increases reliability or achieves better performance in some manner.

We cannot let the sheer volume of dollars involved in a $52.7 billion military budget delude us into thinking we have a built-in cushion against mistakes or an excuse for waste, he added.

THE POLICY OF THE INTERIOR DEPARTMENT

Mr. ANDERSON. Mr. President, I have received from the Secretary of the Interior a statement of Interior Department policy in relation to the acquisition of land and provision of recreational opportunities at reservoirs constructed by Interior Department agencies.

Accompanying the new Interior policy is copy of an agreement between the Department and the Corps of U.S. Army Engineers on the same subject.

This new policy, and the agreement of the Interior Department and the Corps of Army Engineers, are intended to implement recommendations of the Outdoor Recreation Resources Review Commission that we take the greatest possible advantage of recreational opportunities at Federal dams, to meet a phenomenal growth in use of water-based recreational facilities.

ORRRC studies based on interviews with a cross section of 16,000 of our citizens indicated that swimming, now the Nation's second most popular recreational activity, will move into first place, supplanting "driving for pleasure," in the years ahead.

Available beaches are today overcrowded. Meeting future needs is going to require wise use of every foot of shore—ocean, lake, river or reservoir shore—that can be made available for recreation.

Mr. President, I ask unanimous consent to insert the new Interior Department statement of policy, and the Army-Interior agreement, in the RECORD for the information of Members.

I congratulate the Secretary of the Interior and the Corps of Engineers for the speedy response and implementation of the Outdoor Recreation Resources Review Commission recommendation.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

JOINT POLICIES OF THE DEPARTMENTS OF THE INTERIOR AND OF THE ARMY RELATIVE TO RESERVOIR PROJECT LANDS

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C.

ACQUISITION OF LANDS FOR RESERVOIR PROJECTS

Insofar as permitted by law, it is the policy of the Departments of the Interior and of the Army to acquire, as a part of reservoir project construction, adequate interest in lands necessary for the realization of optimum values for all purposes including additional land areas to assure full realization of optimum present and future outdoor recreational and fish and wildlife potentials of each reservoir.

1. Lands for reservoir construction and operation. The fee title will be acquired to the following:

(a) Lands necessary for permanent structures.

(b) Lands below the maximum flowage line of the reservoir including lands below a selected freeboard where necessary to safeguard against the effects of saturation, wave action, and bank erosion, and to permit induced surcharge operation.

(c) Lands needed to provide for public access to the maximum flowage line as described in paragraph 1b, or for operation and maintenance of the project.

2. Additional lands for correlative purposes. The fee title will be acquired for the following:

(a) Such lands as are needed to meet present and future requirements for fish and wildlife as determined pursuant to the Fish and Wildlife Coordination Act.

(b) Such lands as are needed to meet present and future public requirements for outdoor recreation, as may be authorized by Congress.

3. Easements in lieu of fee title may be taken only for lands that meet all of the following conditions:

(a) Lands lying above the storage pool.

(b) Lands in remote portions of the project area.

(c) Lands determined to be of no substantial value for protection or enhancement of fish and wildlife resources, or for public outdoor recreation.

(d) It is to the financial advantage of the Government to take easements in lieu of fee title.

4. Blocking out. Blocking out will be accomplished in accordance with sound real estate practices; for example, on minor sectional subdivision lines; and normally, land will not be acquired to avoid severance damage if the owner will waive such damage.

5. Mineral rights. Mineral, oil and gas rights will not be acquired except where the development thereof would interfere with project purposes, but mineral rights not acquired will be subordinated to the Government's right to regulate their development in a manner that will not interfere with the primary purposes of the project, including public access.

6. Buildings. Buildings for human occupancy as well as other structures which would interfere with the operation of the project for any project purpose will be prohibited on reservoir project lands.

This joint agreement will be published in the Federal Register.

Approved:

STEWART L. UDALL,
Secretary of the Interior.
STEPHEN AILES,
Acting Secretary of the Army.

POLICIES OF THE DEPARTMENT RELATIVE TO RESERVOIR PROJECT LANDS

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C.

The following material is a portion of the departmental manual and the numbering system is that of the manual. Secretary Order 2744 (19 FR 381) is revoked.

PART 751—RESERVOIR PROJECT LANDS

Chapter 1—Policies

751.1.1. General policy: The Department of the Interior considers that public recreation and fish and wildlife should be purposes given full consideration equally with other purposes of reservoir projects undertaken by the Federal Government. To this end, insofar as permitted by law, the planning, development, and management of Federal reservoirs for which this Department has a responsibility shall provide for realization of optimum present and future outdoor recreation and fish and wildlife potentialities associated with each reservoir development.

751.1.2. Reservoir projects proposed for authorization:

A. Planning and development:

1. The project plan for each reservoir project for which authorization is sought will explicitly include recreation and fish and wildlife provisions generally in accord with the policy statement in section 1 of this statement. Such provisions in project plans will be sufficiently specific so that when the project is authorized the Department of the Interior will have a clear basis for requesting appropriations and other action to effectuate the plan.

2. The National Park Service and the Fish and Wildlife Service are responsible respectively for developing the recreation and the fish and wildlife portions of the project plan, and they shall collaborate with the reservoir construction agency to assure a mutually acceptable project plan.

B. Review: Authorization proposals pending in the Department, the Bureau of the Budget, or before the Congress will be reviewed to assure conformance with the policies set forth herein, and such general or specific legislation and such rules and regulations as may be needed to effectuate the policies and procedures set forth herein will be submitted for appropriate action.

751.1.3. Reservoirs in operation, under construction, or authorized: The status of reservoirs for which this Department has the responsibility including those reservoirs already authorized but not yet under construction, reservoirs currently under construction but not yet completed, and completed reservoirs now in operation will be reviewed to determine what measures are needed and appropriate in order to apply to such reservoirs the policies and procedures set forth herein, and to provide plans and cost estimates for such measures. Such general or specific legislation and such rules and regulations as may be needed to effectuate the policies and procedures set forth herein will be submitted for appropriate action.

751.1.4. Acquisition of lands for reservoir projects: It is the policy of the Department of the Interior to acquire as a part of reservoir project construction adequate interest in lands necessary for the realization of optimum values for all purposes including additional land areas to assure full realization of optimum present and future outdoor recreational and fish and wildlife potentials of each reservoir.

A. Lands for reservoir construction and operation: The fee title will be acquired to the following:

1. Lands necessary for permanent structures.

2. Lands below the maximum flowage line of the reservoir including lands below a selected freeboard where necessary to safeguard against the effects of saturation, wave action, and bank erosion, and to permit induced surcharge operation.

3. Lands needed to provide for public access to the maximum flowage line as described in paragraph 1b, or for operation and maintenance of the project.

B. Additional lands for correlative purposes: The fee title will be acquired for the following:

1. Such lands as are needed to meet present and future requirements for fish and wildlife as determined pursuant to the Fish and Wildlife Coordination Act.

2. Such lands as are needed to meet present and future requirements for outdoor recreation, as may be authorized by Congress.

C. Easements in lieu of fee title may be taken only for lands that meet all of the following conditions:

1. Lands lying above the storage pool.

2. Lands in remote portions of the project area.

3. Lands determined by the Fish and Wildlife Service or the National Park Service respectively to be of no substantial value for protection or enhancement of fish and wildlife resources, or for public outdoor recreation.

4. It is to the financial advantage of the Government to take easements in lieu of fee title.

D. Blocking out: Blocking out will be accomplished in accordance with sound real estate practices, for example, on minor sectional subdivision lines; and normally, land will not be acquired to avoid severance damage if the owner will waive such damage.

E. Mineral rights: Mineral, oil and gas rights will not be acquired except where the development thereof would interfere with project purposes, but mineral rights not acquired will be subordinated to the Government's right to regulate their development in a manner that will not interfere with the primary purposes of the project, including public access.

F. Buildings: Buildings for human occupancy as well as other structures which would interfere with the operation of the project for any project purpose will be prohibited on reservoir project lands.

STEWART L. UDALL,
Secretary of the Interior.

BULGARIAN LIBERATION DAY

Mr. KEATING. Mr. President, Bulgaria was a mighty kingdom during the Middle Ages, but early in the 15th century it was overrun by the Ottoman Turks. Then for some 400 years its sturdy and stouthearted people lived under Ottoman sultans without losing sight of their goal, without relinquishing their dream of freedom. In 1878 they at last regained their freedom and independence. That happy event took place as the result of the Russo-Turkish War of 1877–78, and the peace treaty signed on March 3 guaranteed Bulgaria's freedom.

That historic event of 84 years ago became a national holiday for the Bulgarian people, marking a definite turning point in their history. Since then, however, their history has been compounded with happiness and misery, achievement and tragedy. They were dragged into the First World War, and fought on the side of the vanquished. In this they were unfortunate, but they were no more fortunate in the last war. Again, much against their wishes, they were drawn into it, and before it was over they found themselves behind the Iron Curtain. There they are today, separated and sealed off from the free world. For all practical purposes their country is part of the Soviet Union and they are pawns in the hands of the Soviet bosses. For almost two decades they have been suffering under the unrelaxing yoke of Communist tyranny. But these fighters for freedom have not forgotten the momentous event of 84 years ago, their liberation day, and its supreme significance. Though they are not free to celebrate it in their homeland, this is being done annually in Bulgarian communities throughout the free world. I gladly join in the celebration of the 84th anniversary of this historic event, Bulgarian Liberation Day, in the hope that one day Bulgaria will again enjoy a true liberation from Soviet imperialism.

ADMINISTRATION POSITION ON CONGRESSIONAL TRADE VETO

Mr. KEATING. Mr. President, I have been urging for quite some time now that the Congress include in the 1962 Trade Extension Act provision for a two-thirds congressional veto over trade agreements and modifications of agreements negotiated by the executive branch.

The reasons for this are clear and simple. The Constitution assigns the Congress authority over trade matters. While admittedly, the President must be given the reaponsibility for the day-to-day implementation of trade negotiations, it is my firm belief that some way must be found to retain in the Congress more of its constitutional authority over trade than is contemplated in the draft legislation which has been submitted to us by the administration.

Giving the Congress a veto within a specified period of time, for example 60 days, will result in more balanced and wider consideration of the factors which enter into the negotiating of trade agreements. It will by no means hamstring the President. I want to emphasize that the recently announced agreement with the Common Market took 16 months to work out. If we are going to spend 16 months negotiating, then surely we can give the Congress 60 days to think it over.

The Congress is more responsible to and knowledgeable about local conditions, local workers, and local industry than is the executive branch of our Government. This is an important point. Some industries cannot afford tariff reductions. I believe that we must expand our trade contacts to the fullest extent possible; but I do not believe that our Nation or any other nation should do so in these special cases wherein trade concessions would mean an unrealistic and dangerous burden on American workers and certain very directly affected American communities.

Trade legislation is of absolutely vital importance this year. This is one of those exciting turning points in our history. We are facing a new phenomenon—the growth of mighty constellations of trading power, the Common Market of Europe and eventually the common markets of the future of Africa, Asia, and Latin America. We must move ahead: not as Democrats and Republicans, but as Americans.

This is not an issue for debates between liberals and conservatives. It works both ways. It is liberal in the sense that it will expand trade. It is conservative in the sense that it will help us to preserve and to strengthen the free enterprise system around the world. Our Nation must continue to take the lead in building a businesslike understanding among free people, joined in a mutual striving for prosperity and peace.

I fully believe that the Congress will enact legislation this year to permit an orderly progression toward wider trade contacts. I stress the word "orderly" for it is this concept of an orderly movement to expand trade that we must keep uppermost in mind. While increasing our trade with the nations of the free world, we must at the same time see to it that our domestic economy is strong and that we permit it to continue to grow and to prosper by reserving the conditions for it to do so. Here at home, we must avoid having certain trade policy decisions bring about the unnecessary disruption of men and industries.

A two-thirds congressional trade veto, such as I suggested, would only be exercised under the most extreme circumstances, circumstances in which the President clearly exceeded the intent of the Congress. Furthermore, even if this veto power were not exercised in a given case, the very fact of bringing the Congress into this process would assure a more balanced consideration of trade matters. The requirement for congressional review would make our negotiators overseas more aware of the fact that we in the Congress and in fact the entire Nation are interested in what they are doing.

Mr. President, I want to make it abundantly clear that giving the Congress power to veto trade agreements negotiated by the President would not be inconsistent with realistic tariff negotiating between ourselves and the European Common Market. It is true that a trade veto would in certain cases serve as a restraint in the broad process of trade negotiations, but whether this is desirable depends upon how a veto is applied, not upon the fact of its existence. I believe it would serve as a brake upon widespread, and possibly irresponsible, reductions in tariffs. From the point of view of outright free traders, who want no such brakes, this would be a bad feature of the law. Contrarily, from the point of view of those who want the President to use the brake pedal, as well as the accelerator, it is a desirable feature.

The decision is up to the Congress. If we are to give the President broad new trade negotiating powers, which it appears he must have, then surely there is ample and sufficient reason for the Congress to insist that some provision be included for congressional oversight on a continuing basis in the 1962 trade bill.

Recently, I addressed a letter to the Under Secretary of State, Mr. George Ball, inquiring as to the administration's position on the possibility of including a trade veto provision in the 1962 Trade Extension Act. The Under Secretary's reply was responsive and thoughtful, but unfortunately negative. In opposing a trade veto, Mr. Ball said that he feared "that the element of insecurity implicit in the possibility of a congressional veto would place our side under an almost impossible disability."

Mr. President, before I indicate my views on this specific point I think it would be appropriate to request unanimous consent to have Secretary Ball's letter appear at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

FEBRUARY 13, 1962

The Honorable KENNETH B. KEATING,
U.S. Senate.

DEAR KEN: I have given careful thought to the proposal that you made on the Senate floor January 15. You suggest that Congress be given the power to veto by a two-thirds vote trade agreements and modifications thereof. I am grateful to you for sending it to me.

I appreciate your initiative in putting forth a proposal that might make it easier for the Congress to enact a balanced trade policy. I am delighted also to find that you and I are in agreement on the need for the United States to take a giant step to strengthen and secure our trade relations.

The negotiation of agreements that will preserve and expand market opportunities for American producers will undoubtedly prove complex and difficult. If they are to succeed it will be essential that our representatives be able to assure their negotiating partners that they are in position to conclude binding arrangements. I am afraid that the element of insecurity implicit in the possibility of a congressional veto could place our side under an almost impossible disability.

In drafting the proposed new trade bill, we have taken into account the need to provide clear and precise standards for the utilization of the authority delegated to the President. As a result the intent of Congress should be so well defined as to avoid the need for a congressional scrutiny after the fact.

I recognize the constructive purpose in the initiative you have taken, but for the reasons I have stated I do not feel that we could support an amendment of the President's trade proposals along the line you have suggested.

I am sorry to have taken so long in answering this letter, but I wanted to give thoughtful study to your suggestions.

I hope that we can have an opportunity to discuss the trade legislation in more detail before long.

With best wishes.

Sincerely yours,

GEORGE W. BALL.

Mr. KEATING. Mr. President, to reiterate, Mr. Ball contends that a congressional veto would place our side under an almost impossible disability. I think that the Secretary is mistaken in this viewpoint. It is my impression upon a fairly close study of the workings of the European Common Market, that a very similar power will be lodged in the Council of Ministers of the Common Market.

After the EEC is fully established, member states no longer will have jurisdiction over tariffs. Setting tariff rates will be a prerogative of the EEC, through its various institutions, primarily the Commission and the Council of Ministers. If one studies the structure of these governing units of the EEC, which will exist and have full authority in 1966–67, they suggest an important argument for giving Congress a veto authority in trade matters. Let me briefly describe the major governing units of the EEC.

The Commission consists of nine persons appointed by common agreement among member states for a renewable 4-year term. It is the executive body of the EEC, its members being responsible to the Community as an entity and not to any member government. It prepares recommendations for the Council of Ministers and also decides certain matters itself, as provided for in the treaty.

The Council of Ministers has the final power of decision. It is composed of one representative from each member state. Its principal responsibility is to coordinate the economic policies of the members and to decide important issues arising with respect to the Common Market. Generally speaking, the Commission's powers are those of supervision and recommendation, whereas final decisions on most major questions of policy are vested in the Council.

Certain decisions of the Council must be unanimous, while others may be by what is known as a qualified majority vote, a vote weighted in accordance with the importance of the individual country represented. The representatives of Germany, France, and Italy have four votes each, those of Belgium and the Netherlands two, and of Luxembourg one. Certain questions, however, can be decided by a simple majority vote. Through the course of the transition period an increasing number of decisions can be reached by simple majority vote.

The Assembly, which serves the Coal and Steel Community and Euratom—the Atomic Energy Community, which was created simultaneously with the Economic Community—as well as the EEC, is a 142-man body appointed by the parliaments of the member states.

It has few powers, other than to debate and to recommend. It may censure the Commission by a two-thirds vote, in which case the members of the Commission are to resign as a body. It has no power over the Council of Ministers.

The Court of Justice, also shared with the Coal and Steel Community and Euratom, consists of seven judges who are chosen for 6-year terms by the governments of the member states. As the judicial arm of the Community, it hears appeals from individuals and corporations affected by decisions of the Commission and Council. It also has jurisdiction over appeals by the member states. If it finds that a member state has failed to fulfill an obligation, it is authorized to take corrective measures prescribed in the treaty.

Article 113 of the Treaty of Rome provides that the Commission shall submit to the Council recommendations with a view to tariff negotiations with third countries concerning the customs tariff. The Council is to authorize the Commission to open such negotiations, and the Commission is to conduct them in consultation with a special committee appointed by the Council to assist it in this task within the framework of such directives as the Council may issue to it.

It is clear to me from these provisions that all EEC tariff reductions negotiated by the Commission will be subject to approval by the Council. As far as the external affairs of the EEC are concerned, the requirement of approval by the Council is roughly analogous to a requirement that trade agreements negotiated by the President of the United States shall be subject to veto by the U.S. Congress.

This is my main point. If the EEC preserves to the Council the power to review and overrule the Commission, then what reason is there for the United States not to assign a similar power to the Congress under certain carefully prescribed conditions?

The same reasoning applies with respect to the United Kingdom, which is not yet a member of the EEC. British negotiators represent Her Majesty's government, but cannot commit the United Kingdom. Under the British Cabinet form of government only the Prime Minister and his government can commit the country, but always subject to ultimate approval by the Parliament. If Parliament disapproves the Prime Minister's policies and acts, he must resign, whereupon a new government is formed.

In sum, I am of the opinion that the proposal that Congress have power to veto trade agreements negotiated by the President, within a reasonable period of time, is consistent with the principles of the Treaty of Rome. It will not put our negotiators at any more of a disadvantage than negotiators for the Commission of the European Economic Community.

With this in mind, I cannot subscribe to the reasoning suggested by the Under Secretary of State in his reply to my letter asking his opinion on a congressional trade veto. I hope and believe that the Congress will uphold this view and that there will be included in the 1962 Trade Extension Act reasonable powers for the Congress to participate in this vital and far-reaching movement to achieve expanded trade contracts among the nations of the free world.

FARM LEGISLATION

Mr. PROXMIRE. Mr. President, the Committee on Agriculture and Forestry yesterday ended a series of hearings on the new farm bill. Some of the testimony given before that committee is extremely helpful and useful in the consideration of the farm problem, which is one of the most serious and difficult and perplexing problems that confront the Congress and the Nation.

Because much of the testimony was of such widespread importance, I will ask unanimous consent that it be printed in the RECORD at this point in my remarks.

First I call attention to the testimony of Mr. Homer L. Brinkley, executive vice president, National Council of Farmer Cooperatives. This group represents approximately 5,700 farmer cooperatives throughout the Nation, serving approximately 2.75 million farmer memberships. I should like to read one or two passages in Mr. Brinkley's statement to the Committee on Agriculture and Forestry:

> The latest information from the Council of Economic Advisers is that net per capita farm income fell from 53 percent of per-capita nonfarm income to 43 percent of per capita nonfarm income during the past decade.

In other words, the farmer is getting only $4 for every $10 of off-farm earnings.

Mr. Brinkley goes on to say:

> Our principal reason for this statement is that the overall approach of the bill aims to create an economic climate or atmosphere in which farmers can aspire to earn, through the market system, a standard of living comparable to that of nonfarmers.

Mr. Brinkley continues:

> This is a program for long-range transfer of excess resources out of agriculture. Such a transfer is urgently needed because there is almost universal agreement that the growing imbalance between agricultural output and demand, domestic and foreign, for these products is caused by too many resources in the agricultural production plant. Furthermore, organization of agriculture in millions of relatively small-scale and highly competitive units makes this transfer virtually unattainable by private means. The farmers producing each commodity may, by extensive and enlightened group action, manage local surpluses or short-run surpluses of their product, but they cannot control the general surplus caused by excessive resources.

I ask unanimous consent that the entire statement by Mr. Brinkley be printed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF NATIONAL COUNCIL OF FARMER COOPERATIVES BEFORE THE SENATE COMMITTEE ON AGRICULTURE AND FORESTRY ON S. 2786, FEBRUARY 22, 1962

I am Homer L. Brinkley, executive vice president, National Council of Farmer Cooperatives. We appreciate the opportunity to present our views on S. 2786 to this committee.

The National Council of Farmer Cooperatives is a national federation of farmer-owned and farmer-controlled cooperative marketing and purchasing associations. Our affiliates include 5,700 farmer cooperatives throughout the Nation serving approximately 2.75 million farmer memberships. Our member organizations market for their farmer members varying percentages of most commercial farm commodities and purchase for their farmer members their basic production supplies.

Our statement is separated into several sections corresponding to the different titles of the bill.

GENERAL SCOPE OF THE BILL

The need for a vigorous multipronged attack on the farm problem is before us today as it has been for many years. The overwhelming need for such an attack arises from the fact of almost continuously declining income position of farmers. The latest information from the Council of Economic Advisers is that net per capita farm income fell from 53 percent of per capita nonfarm income to 43 percent of per capita nonfarm income during the past decade. This is principally the result of an economic organization and structure of agriculture in which the cardinal rule of operation is unrestricted, or ineffectively restricted, output from the resources available regardless of price. In sharp contrast the economic organization of industry and labor permit operations in which restricted output tailored to demand is widespread. Another important stimulus for a multipronged attack is that the farm problem is not a simple one and will not respond to simple one-shot magic formula ideas. The proper approach is a careful introduction of new ideas and wise modification and improvement of old ideas.

The program and activities proposed in this bill represent a comprehensive attack on the farm income problem. Although our testimony later will show that we do not agree with certain specific recommendations we believe there is merit in the general structure—which meets today's needs and prepares for the next decade at the same time. Our principal reason for this statement is that the overall approach of the bill aims to create an economic climate or atmosphere in which farmers can aspire to earn, through the market system, a standard of living comparable to that of nonfarmers. It seeks to do this by balancing productive resources in agriculture with food and fiber needs for normal consumption, exports, and carryover. In such a climate farmers will be able to strengthen their economic bargaining power and thus retain some of the rewards of their rising productivity so that they may continue their contribution to economic progress. The structure of this bill also seeks to reduce tax costs of farm programs by reducing the surplus in storage.

Our general policies over the years have favored any reasonable approach provided it would give an attainable degree of hope for achieving the objectives we mentioned above. We submit further that we are not seeking perfection but it seems to us imperative that a minimum gage of effectiveness must rest upon a reversal of the trend toward ever-mounting surpluses. Such a trend can lead only to increasing dependence upon the bounty of a government whose gratefulness for such long-continued abundance may one day reach the breaking point. We suggest, therefore, that effective action is somewhat overdue. We further submit that if Congress does establish a more direct and forceful approach in this direction, incentive programs leading to a phasing out of such an approach should, at the same time, be included. We suggest that title I is a step in that direction. We urge that we not look only to ever-increasing controls as the paramount fate of agriculture in this country. Yet, we must realize that neither can we continue with the plans which resulted in our present problem.

Before commenting on title I, I want to express concern with the title of the entire bill as the "Food and Agriculture Act of 1962." This seems to be in line with reports concerning changing the name of the U.S. Department of Agriculture to U.S. Department of Food and Agriculture. We are in complete disagreement with the titles in both cases. If changed nomenclature is to be relied upon as an appeal for closer identification with consumer interests we regard it as totally inadequate for the purpose.

TITLE I—LAND USE ADJUSTMENT

At the 1960 annual meeting of the National Council of Farmer Cooperatives the delegate body approved the following policy statement:

"The national council is dedicated to an agricultural policy which will assure people an adequate supply of high quality food and fiber, and provide an economic climate in agriculture which will encourage and permit typical farm families to earn per capita income and security comparable to that enjoyed by the nonfarm population."

In the statement of the National Council of Farmer Cooperatives on the long-term measures needed to achieve farm income goals, made on January 26, 1961, we said:

"A balanced land use and water resources program is an essential part of creating the overall climate in which farmers, through their own business organizations, can cope with market problems peculiar to each commodity. The principal responsibility for effective marketing of each commodity rests with the producers of that commodity. They are unable to cope with the problem of total resources in agriculture. A program of watershed development, soil conservation, and sound land use can and should receive a high priority in a sound national agricultural program."

Subject to some limitations expressed below, we support the program for land and water use authorized in title I of this bill. This is a program for long-range transfer of excess resources out of agriculture. Such a transfer is urgently needed because there is almost universal agreement that the growing imbalance between agricultural output and demand, domestic and foreign, for these products is caused by too many resources in the agricultural production plant. Furthermore, this transfer is uniquely a responsibility of the Government because the organization of agriculture in millions of relatively small-scale and highly competitive units makes this transfer virtually unattainable by private means. The farmers producing each commodity may, by extensive and enlightened group action, manage local surpluses or short-run surpluses of their product, but they cannot control the general surplus caused by excessive resources.

We interpret the land and water program in this bill to be more than a simple system of land stagnation—one in which the land is insulated and left idle and unproductive. This program is a land-use system in which land is used productively for such community facilities and services as the public needs and is willing to pay for. Hence, it is not subject to the criticism that it causes unemployment of resources as do many industry and labor resource adjustment programs.

One of the important weaknesses of a land-use program of this type in achieving its objective is that it transfers or removes only one of the many resources used in agriculture. Farmers have in the past shown that they can and will substitute labor and capital for land and thereby maintain output even when land area is reduced. There would be a compelling pressure to remove other resources such as labor and capital if whole farms were removed from cultivation. We believe the results would be more fruitful if whole farms were removed. The Congress might wish to require, for example, that a certain minimum proportion of the funds expended, or a certain proportion of the land acquired, be for whole farms.

One of the important resources accounting for high agricultural output and productivity is new technology. The flow of new technologies from public and private laboratories and their rapid application has been a major factor in national economic progress and in making food in variety, abundance and quality the great price value for consumers it is today. This same process has, however, intensified the farm income problem because the new technologies raised output sufficient to offset the cost-reducing benefits. In order, therefore, that the research program and the land-use program of the Government are not working at cross purposes the research program must be adjusted to reduce emphasis on output raising technologies and to increase emphasis on raising the value of products, creation of new products and alternate opportunities, raising demand for farm products, improving standards of nutrition, and reducing costs of production and marketing. Then, as the land-use program gains in effectiveness, farmers' income will improve because their private marketing programs will be conducted in a more favorable climate and they can retain a portion of the results of their improving productivity. In this way, farm income will increase without the necessity for a corresponding increase in prices to consumers for the farm product portion of their food bill.

Some critics are likely to fear that an effective land-use program of this sort will raise consumer prices because of artificial scarcity. We are for reasonable abundance and not scarcity. But there should be a degree of balance of production with demand. Under such conditions farmers will then be free to exert their best efforts to gain a more equitable share of the national income by way of higher consumer prices through better marketing practices and opportunities rather than by way of larger Government payments or loans.

The prospects for success of a sound land and water use program will be greatly enhanced by a positive program for facilitating the migration of excess farm labor to nonfarm jobs. This would amount to the transfer of labor resources from lower to higher productive uses. Therefore, this land-use program should be supplemented by rural education and training programs to provide greater off-farm income, or better opportunities for contribution to society in other endeavors.

The greatest barrier to transfer of excess farm labor is industrial unemployment and restrictive labor training and apprenticeship practices. The relationship of industrial unemployment (hence, nonfarm job opportunities) to the rate of migration off farms was shown explicitly in the 1962 Report of the Council of Economic Advisers. On page 96 of its report the Council states, "Failure to maintain full employment limits the ability of industry to absorb farm workers displaced by advancing technology. During periods of peak economic activity, migration has been above 5 percent of the farm population. During recessions in the last decade the migration rate out of agriculture has fallen considerably. Thus, the problem of agricultural labor mobility is very largely a question of the availability of nonagricultural job opportunities."

At the 1960 annual meeting the delegates of the National Council of Farmer Cooperatives approved the following policy statement:

"National agricultural policies should not be such as to promote chronic overproduction beyond any demand. They should, on the other hand provide opportunity to promote efficiency, permit sound economic and technical adjustments, and result in a high level of consumption of farm commodities. The level of production should be susceptible to such adjustment as will result in solid economic stability in farming and a percentage of the national income commensurate with the contribution to our economy made by the farmers of the Nation. A fundamental principle in any farming program should involve maximum incentives for sound marketing efforts by farmer cooperatives and other private commercial interests."

Another feature of title I of this bill which appears to us to be significant is that no part of this proposal pertains to any particular commodity. This means that within the framework of the land area and other resources available to farmers a maximum incentive for development of effective private marketing programs would be retained. As the land-use program becomes effective present restrictions on freedom to plant would be eased. In other words, the land-use program does not increase direct Government participation in the production and marketing programs for farm products but holds out hope for reduction of such intervention.

An effective program of land and water use, as proposed in this bill, will undoubtedly be condemned by some as paying farmers not to produce. Such criticism represents exercise of a double standard of value, for other economic groups in the country have long had a system of economic power whereby they were handsomely rewarded for not producing to capacity. The program in this bill seeks to create, through Government supervision, a relationship in our agricultural plant between resources used and total output which will give farmers an income more comparable to that of nonfarm employment. The economic organization of most manufacturing industry and most organized labor (in a climate created by Government) is of such a nature as to permit the development of private economic power of considerable magnitude. This economic power enables these groups to exercise private supply control so that output is tailored to demand at fair prices. This results in various amounts of unemployment or unused resources. In a talk in Washington, D.C., on October 27, 1961, Mr. Walter W. Heller, Chairman, Council of Economic Advisers, estimated the amount of resources in the United States which had been idle for many months at 6 to 7 percent of our labor force and 15 to 25 percent of our industrial capacity. One direct harmful effect on farmers of this economic power has been mentioned—that is, the creation of barriers to better job opportunities.

Another direct effect is on farm costs. Although gross farm income has risen in recent years, production costs have risen so that net farm income has remained about the same. This power of nonfarm industries to pass along their rising costs without seriously jeopardizing their profit position and, at the same time, causing unemployment, results from their ability to tailor output to demand. This action is precisely described as "being paid not to produce."

It is indeed appropriate and long past overdue for national agricultural policy to recognize explicitly the great imbalance in economic power between agriculture and most industry and labor. Title I of this bill seeks to do this.

TITLE II—AGRICULTURAL TRADE DEVELOPMENT

At the 1962 annual meeting of the National Council of Farmer Cooperatives, the delegate body approved the following policy statement:

"The National Council of Farmer Cooperatives will support and seek legislation to continue the operation of the principles of Public Law 480 with sufficient funds provided to do an adequate job of moving U.S. agricultural commodities and effectively implementing the objectives of the Agricultural Trade Development and Assistance Act."

In our testimony before this committee on amendments to the Agricultural Trade Assistance Act of 1954 about one year ago we expressed the view that Public Law 480 was one of the most practical and constructive efforts put forward by our Government to thaw the postwar foreign exchange situation and stimulate foreign trade generally around the world. We believed then and now that our stocks of commodities can be an even more potent force for balanced economic development in underdeveloped countries by providing that greater care be taken to see that we move as rapidly as possible to a policy of using the accumulation of foreign currencies on a loan rather than a grant basis to the countries of origin. We have supported and will continue to support measures for strengthening Public Law 480 while at the same time adopting those measures which will put more foreign trade of U.S. farm products on a sound, hard currency, commercial market basis.

We approve, in general, the amendments to title II, Public Law 480, to permit the Commodity Credit Corporation to acquire surplus commodities not in stock for use in famine relief and other direct distribution. This amounts to a considerable broadening of authority because the definition of surplus agricultural commodities in title I is quite broad. The Secretary of Agriculture has stated that he intends to use this authority principally for the purchase of beans, peanuts, soybeans and other high-protein plant foods. However, no such limitation is placed on the bill either as to commodities or cost and, therefore, it would appear to give authority to the Commodity Credit Corporation to purchase nearly any farm product for direct relief purposes. Direct relief programs, properly used, are highly desirable under conditions of famine and disaster, and have helped make friends for the United States. These programs, however, should be clearly labeled as relief and should have a ceiling in terms of funds, and a precise statement of purpose. They also should be conducted so that they supplement and support self-help efforts for rehabilitation and development.

In general, we approve of the amendments proposed for title IV, Public Law 480—long-term supply contracts—since sales under this title are of the most important long-range benefit to the friendly countries involved and of great long-range benefit to the United States in stimulating demand and expanding markets for United States farm products. The provisions for broadening to permit agreements either with foreign nations or with the private trade in those countries and the addition of two years of credit to the terms of sale appear to be desirable. However, there should always be safeguards to preserve and protect the principle of maximum use of private trade.

The most important broadening of Public Law 480 through this bill is the proposal for the addition of new Title V "Multi-lateral Food Programs." The authority granted in the bill would permit transferring a certain portion of Commodity Credit Corporation stocks, or private stocks procured by the CCC for this purpose, to the FAO or to the United Nations or to any other instrumentality of the U.N. for such disposition as that body would see fit. The United States would thus practically lose control of the effective use of these products in its own self-interest. We believe, furthermore, that the protection furnished by the phrase in the bill "Reasonable precautions will be taken to assure that agricultural commodities utilized in the program should not displace or interfere with sales of agricultural commodities produced in the United States" is intolerably weak. Little or no effective control could be exercised over the FAO or other international body after we had released title of the goods. We regard some of the problems involved in international management of commodities as so involved and dangerous to private market systems that we would oppose such a transfer of authority and responsibility. We suggest that we have always been willing to cooperate with those countries which are willing to join with us on an equitable basis in meeting the requirements of underdeveloped areas. Such cooperation from other countries has been largely noticeable by its absence. There is no reason to believe that the provisions of this bill will result in any different situation.

A further broadening authority which would permit the CCC to pay for the cost of processing, packaging, transporting, handling, and other charges in order to make commodities available to the multilateral food programs, is undesirable. We feel that this would involve the U.S. Government in a program of furnishing additional services the cost of which might far exceed the cost of the farm products themselves. We believe that our national objectives, in terms of making available low-cost food to underdeveloped countries for balanced economic development, is completed by the supplying of the raw products under the applicable terms of Public Law 480.

Title II of the bill appears to be largely designed to move in the direction of adopting and implementing the concept of a world food budget. We agree fully with the great need in many foreign countries for an improvement in the diet, and especially its protein content, but we have also found that many products can seldom be offered in volume, even as gifts, without disturbing the established balance of trade in other countries and without having the United States accused of "dumping your farm problems on our shoulders." We have serious doubts that the United States should begin to incur this obligation without carefully considered budgetary or quantitative limitations, or other carefully spelled out requirements, that the contributions will assist in the sound, well-balanced, economic development of the country involved. Furthermore, we should require sound self-help programs as a prerequisite for our own assistance as a general rule. We suggest further that better administration and more clearly defined objectives of present programs will be more fruitful than new and untried concepts.

TITLE III—MARKETING ORDERS

The important feature of this title is the authority to utilize marketing quotas as one of the programs under marketing orders for turkeys and turkey hatching eggs, and for milk. This is a new type of authority which is not now available under the marketing order law. The utilization of marketing quota authority means adjustment of production rather than adjustment of the amount marketed after production. The effects of such action are different in each agricultural industry and no generalized appraisal of a quota program for any particular commodity can be made. For this reason, the National Council of Farmer Cooperatives takes no definitive position regarding quotas for milk or turkeys and turkey hatching eggs. This must remain in the hands of the producers concerned because it involves the particular methods by which they wish to modify their private marketing and production programs to achieve best results.

We support the new provision in this title authorizing the establishment of marketing research and development projects in the dairy industry which shall be inaugurated by, paid for, and run by producers only. There is no provision in the Agricultural Marketing Agreement Act of 1937 for producer marketing orders. It is our opinion that this is a highly desirable type of authority which would add greatly to the flexibility and usefulness of this type of program in achieving its objectives.

In view of the successful experience of many members of the National Council of Farmer Cooperatives with marketing agreements and orders, we strongly support widening the marketing order authority to provide for the inclusion of additional products to which marketing orders are adapted, provided the producers signify their desire to

be so included. We understand several bills have been introduced to amend the law along these lines. We urge this committee to consider promptly these and other similar bills which may be introduced.

In addition, experience of producers with the marketing order authority has revealed that the provisions in present law for marketing research programs is neither broad enough nor is applicable to present day conditions.

At its 1961 annual meeting, delegates of the National Council of Farmer Cooperatives adopted the following policy statement:

"Marketing agreements and orders: The national council favors legislation for the continuation and liberalization of the marketing agreement and order type authority to enlarge and clarify the authorization for agencies established under marketing orders to engage in or finance, within reasonable limits, research and/or market promotion activities from funds collected pursuant to the marketing order."

We recommend, therefore, that paragraph E, lines 6 through 12, page 13, of the bill be changed to read:

"Establishing or providing for the establishment of research in marketing, distribution, new uses, and in nutrition; for the establishment of domestic and foreign market expansion projects designed to assist, improve, or promote the marketing, distribution, and consumption of any such commodity or product, the expense of such project to be paid from funds collected pursuant to the marketing order."

The reason for recommending this change of language is that the old language of section 8c(6)(I) also repeated in the bill, is too restrictive to meet present-day conditions. It does not recognize the great importance of market expansion projects, particularly those for foreign markets. It does not recognize that market expansion projects must follow market research projects. Having researched and developed a new product it must then be put on the market and promoted in a way to meet modern-day conditions of processing, transportation, and distribution. The inclusion of the specific words "market expansion projects designed to assist, improve, or promote the marketing, distribution, and consumption of any such commodity or product" refers to the need for farmers and producers of any specific commodity to have available to them all the tools of market promotion which may be needed to expand the consumption of their product.

It would be a further desirable broadening of the act if the authority for marketing research and expansion programs as a producer marketing order (lines 12–25, page 13, and lines 1–4, page 14) were made available to producers of all commodities listed in the act.

TITLE IV—COMMODITY PROGRAMS

Our comments on this title will be brief and general in nature. We have already indicated our view that a more positive and effective program is required to reverse the current trend to ever-expanding accumulation of surpluses. Rather than detailed discussion of each commodity program, we would prefer, at this time, to confine our observations to principles. One of these to which we strongly subscribe is our 1959 resolution as follows:

"Soil diversion: The council endorses the principle that farmers paid for diverting acres of soil-depleting crops shall not use the diverted acres for producing other agricultural products for markets."

One of the reasons for criticisms of some of the price-support programs of the past has been that they did not require that the acreage removed from cultivation of the commodity in surplus be insulated. Much of this acreage was planted to other crops so that the resources remained in agriculture and the producers of one commodity were allowed to pass the effects of their surplus on to other commodities. One of the effective features of the 1961 feed grains program was that rigid cross compliance was required. We strongly support continuation of rigid cross-compliance provisions of the commodity programs in order that the resources taken out of one commodity will not spill over and operate to the detriment of the producers of other commodities.

In the past quota programs or production-control measures, projected on a so-called commodity-by-commodity basis have had the great weakness of not recognizing that excess resources in the whole of agriculture are the chief cause of our surplus conditions. We believe, therefore, that the opportunity for success of the commodity programs under title IV of this bill would be greater if contingent upon the addition of the general land and water use provisions of title I of this bill. The establishment and vigorous prosecution of provisions requested in title I of the bill will permit eventual tapering off and elimination of specific commodity-by-commodity supply control programs.

We recognize the great need for continuing vigorous action to correct the imbalance between production and demand existing in wheat and feed grains. It appears essential that immediate steps be taken to reduce production to such a level that some stocks can be withdrawn from Commodity Credit Corporation holdings gradually over the next few years. It is desirable that the income of the producers of these commodities should be protected during the transition period. In some respects the solutions proposed seem more complicated than the problems they seek to solve. If control programs are offered as the only permanent solutions, and if they seem to lead to ever-increasing rigidities which depend upon punitive measures alone for implementation, we fear the consequences.

For example, we are concerned about the provisions in section 409, page 49 of the bill that authorizes the Secretary to sell CCC stocks equivalent to 10 million tons of feed grains or 200 million bushels of wheat in the event marketing quotas for these products are disapproved by producers. This could be construed as a threat to producers. We believe it is desirable for farmers to realize that if the Government is willing to protect their income position they must also assume their share of responsibility for correcting the cause of the imbalance. We believe that farmers will respond to this responsibility if given the means to do so and without a real or implied threat as a condition. If this provision is intended to be a protection rather than a threat, then its relationship to current measures regulating release of CCC's stocks should be spelled out.

One feature of the commodity programs involving storage requires further study and action to make the commodity programs more flexible. This is the purchase agreement feature versus the loan feature. We believe that further emphasis on the purchase agreement feature puts a premium on marketing operations and helps keep farmers and cooperatives in a liquid market position. By contrast, the products under loan provisions are sealed in dead storage. The price-support programs would be further strengthened if more realistic differentials between grades, qualities and sizes, etc., were established. Higher premiums should be set for products with desirable characteristics and greater discounts be set for those with undesirable characteristics. For those grades and qualities so low as to be ordinarily unsalable, we suggest no price supports. In this way incentives for changing production patterns would be enhanced and sales would be increased because products would better meet the present-day needs of consumers in both domestic and foreign markets. Quality, as a tool of sound competition, cannot be overemphasized.

Another desirable objective is that the prices of those products which enter export trade should be maintained at a level which will not jeopardize expansion of exports and that special provisions enabling fully competitive pricing in such markets be provided for. The principal decision by the producers involved is the determination of the manner of achieving these objectives with minimum conflict. We would point out and stress the protectionist characteristics of the external tariff structure of the Common Market and of other countries with respect to agriculture. Unless positive countermeasures are available, either through trade agreements or otherwise, American agriculture may be permanently forced into the position of a residual supplier. This is completely untenable either from the standpoint of American agriculture or our national interest.

TITLE V—GENERAL PROVISIONS

Our comments on title V will be limited to section 501.

In general, we approve of the provisions of section 501 which would authorize the Farmers Home Administration to broaden its program of loans to include recreational uses and facilities and to construct drainage and sewer systems. Support for these provisions is based upon our support for title I which is a program for shifting land from crop production to other productive community use. The measures proposed in section 501 of title V appear to be additional measures to support the general program proposed in title I.

We wish to thank the committee for the opportunity to present the views of the National Council of Farmer Cooperatives.

Mr. PROXMIRE. Mr. Fred V. Heinkel, president of the Missouri Farmers' Association also testified before the committee. He stated:

We are living in an era of tremendous agricultural production. This abundance has been a great blessing to most of the people of the United States and to large parts of the rest of the world. Food is provided at extraordinarily low prices in relation to disposable income, in relation to hours of work required to purchase food units, and in regard to the providing of a wholesome and nutritious diet to the American public.

However, notwithstanding the farmer's acceptance and use of the research, technology, and mechanization made available to him, that has meant so much to the rest of society, he finds himself holding the bag and being criticized for producing too much.

Mr. President, I ask unanimous consent that this statement by Mr. Heinkel be printed in the RECORD at this point in my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF FRED V. HEINKEL, PRESIDENT, MISSOURI FARMERS ASSOCIATION, BEFORE THE SENATE COMMITTEE ON AGRICULTURE AND FORESTRY, FEBRUARY 26, 1962

Mr. Chairman and members of this committee, my name is Fred V. Heinkel, and I reside in Columbia, Mo. I am deeply grateful for the opportunity to appear before this committee in support of progressive legislation for the benefit of the farmers of this country, which is also in the public interest. I am president of the Missouri Farmers Association, with a membership of more than 158,000 farmers; and it has also been my pleasure to serve as chairman of the feed grains and wheat advisory committee. Our committee was composed of persons with broad and intimate experience in these commodities. The recommendations of our committee have been incorporated into the Food and Agriculture Act of 1962.

Full and comprehensive statements have been presented, and I shall not burden the committee with repetition of these matters. I am confident that you are in possession of all the facts.

It is important, however, to emphasize one aspect of the program presented to you for consideration. We are living in an era of tremendous agricultural production. This abundance has been a great blessing to most of the people of the United States and to large parts of the rest of the world. Food is provided at extraordinarily low prices in relation to disposable income, in relation to hours of work required to purchase food units, and in regard to the providing of a wholesome and nutritious diet to the American public.

However, notwithstanding the farmer's acceptance and use of the research, technology and mechanization made available to him, that has meant so much to the rest of society, he finds himself holding the bag and being criticized for producing too much.

This is not as it should be. When the American worker and American industry increase their productivity, it usually works to their benefit. However, labor and industry both have tools at their command whereby their abundance can be managed. Much of agriculture is without such a tool which would permit proper management of its productive capacity. Certain segments of agriculture do have programs whereby production is managed. This is true with sugar, cotton, rice, tobacco, and peanuts. These farmers have been able to work within the framework of such programs successfully; and it has proved to be a great benefit. The same should be true for the rest of agriculture.

It is a tremendous waste of our resources, both human and material, to produce food and fiber for which there is no foreseeable need. We have all witnessed the economic blight and chaos that result from such wasteful overproduction. It is virtually impossible for farmers acting alone and as individuals to curb this trend toward overproduction. A voluntary supply management program is at the mercy of the few greedy people who can make ineffectual the efforts of the many who cooperate. Thus the program must have full participation, with all farmers sharing both the benefits and the responsibilities.

Some people do not want to believe that we are in a critical era so far as agriculture is concerned. But we are. Only last year thousands of farmers were rescued from the brink of financial disaster by the emergency feed grain program. This program together with the increase in price supports on soybeans, milk and other commodities raised net farm income by more than $1 billion in 1961. However, we have only made a modest start toward solving the farm problem. If we fail to pass additional realistic legislation this year, then with respect to corn and other feed grains, that are the very heart of our food production, we revert back to the unsound program of 1959 and 1960. This would again mean unlimited production, mounting surpluses, disastrously low prices and dwindling farm income.

Agriculture will not be sound and prosperous until the fundamental economic facts are realized and we have put into operation supply management practices similar to those now used in other segments of our economy.

It is not necessary that converted acres be lost for useful purposes. There are many needs for land in America other than food production. These needs will grow, and will probably grow faster than our total demand for food and fiber. The proposal before you takes this into account, and presents a long-range program designed to meet the overall needs of our people.

I believe that knowing all the facts, this committee is ready to meet the issue confronting them in a true and forthright manner. I believe the farmers of America are receptive to a practical and realistic approach and are honestly striving to find the solution to their problems. Farmers recognize that there is a limit to the amount of money that can be spent from the public treasury for their programs. They also recognize that unless better tools are placed in their hands with which to achieve this result, there is no alternative but the continuation of programs that require vast sums of money. To my mind the issue is clear; and equally clear are the possible choices open to us.

I feel that unless the means are provided whereby farmers can manage their production in an orderly manner, the Congress will find itself confronted with the necessity for continuing the same sort of costly programs which have become so familiar to us in recent years. There is no need to stand still or to turn back. The opportunity is here to move forward with a dynamic program to bring prosperity to our American farmers.

Therefore, I heartily endorse the program that has been outlined and presented to you by the Secretary of Agriculture, and I urge its adoption.

Mr. PROXMIRE. Mr. President, I now wish to refer to the statement made before the Senate Committee on Agriculture and Forestry by Mr. James L. Reeves, representing the Producer Creamery Co., of Springfield, Mo. Mr. Reeves, in his statement, said:

As a matter of fact, there is every indication that pressures of inadequate income have forced increased and unneeded production from the dairy farms of America that has been paid for in hours of work and wages that were common in the days of sweatshops.

Mr. President, this is not an exaggeration. In fact, the Department of Agriculture has shown quite conclusively and convincingly that the income for Wisconsin farmers is now down to a level of about 50 cents an hour.

Mr. Reeves further said:

Secondly, the present price-support level of $3.40 per hundredweight is the absolute minimum price that will maintain literally hundreds of family-sized dairy farms in a solvent position. A reduction to about $3.09 per hundredweight that is apparently mandatory under the present price-support law would slowly, but surely, bleed off the agricultural assets found in dairying and force the family-sized farm out of production.

Mr. Reeves further said:

We would like to point out the fallacy that reduced prices to dairymen will mean lower prices for consumers. Historically, as prices to producers have dropped, additional marketing costs or increased margins for processors have largely nullified lower costs to consumers. Thus, improved consumption records of some of our dairy products which have a degree of flexibility insofar as demand is concerned have not and will not respond to price reductions.

Mr. President, I ask unanimous consent that the entire statement by Mr. Reeves may be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF JAMES L. REEVES, PRODUCERS CREAMERY CO., SPRINGFIELD, MO.

May I, at the outset, express my personal appreciation and the appreciation of the dairy farmers of southwest Missouri for the opportunity to present the views of my organization.

Producers Creamery Co. is a cooperative milk marketing and processing organization with about 9,000 patron-members located in southwest Missouri. We wish to appear in support of S. 2786 and say a few words about the principles of supply management.

Let me say at the outset we are firmly convinced that the interest of dairymen and the consuming public can best be served by providing some economic tool that will aid price in the supply-demand adjustment technique.

The necessity for the additional technique has resulted from the effects of modern technology which have allowed the production ability of dairymen to outrun the effectiveness of the present dairy program.

Today, in our opinion, price is only one of the factors that influence management decisions and production response by dairymen. Lowering prices will not in the short run have a substantial effect upon production, but it will have a most disastrous effect upon the income of the dairymen of southwest Missouri and the Nation.

As a matter of fact, there is every indication that pressures of inadequate income have forced increased and unneeded production from the dairy farms of America that has been paid for in hours of work and wages that were common in the days of sweatshops.

Inadequate income for dairymen has also resulted in poor conservation practices in many areas. Today, of course, the dairyman bears the burden of this inequity but ultimately the consumer will pay the price in higher costs for milk and dairy products.

However, without becoming too involved in economic debate, we would like to present a brief chronology of our reasons for supporting the principles of supply management contained in Senate Resolution 2786.

First, in our opinion, substantially more milk and dairy products than we presently produce are needed for the minimum nutritional requirements of the consuming public.

The immediate problem of excessive Government stocks of dairy products has resulted from reduced consumption, principally as a result of food faddism and unwarranted concern over the radioactive fallout scare created by Khrushchev's testing of nuclear bombs. How temporary this level of reduced consumption of milk and dairy products will be is impossible to estimate.

However, I think it is obvious that the present price support program is neither designed or equipped to meet such emergencies. We believe that new techniques to adjust production and demand should be provided before dairymen are subjected to price reductions which are unwarranted, unfair, and certainly not in the long-range public interest.

Second, the present price support level of $3.40 per hundredweight is the absolute minimum price that will maintain literally hundreds of family-sized dairy farms in a solvent position. A reduction to about $3.09 per hundredweight that is apparently mandatory under the present price support law would slowly, but surely, bleed off the agricultural assets found in dairying and force the family-sized farm out of production.

Third, price alone is not sufficient to adjust production for temporary changes such as we have experienced during 1961.

Fourth, a system of supply management as proposed in Senate Resolution 2786 is not the application of rigid and unrelenting controls that unduly restrict the right of the individual dairyman to make production decisions. On the contrary, we view it as a technique for utilizing the concerted action of the majority of producers for the production and marketing of a commodity

that approaches the importance of a public utility because of its nutritional value.

The proposed law does nothing more than give dairymen an opportunity to make an orderly adjustment in his production capabilities related to demand.

In the fifth place, we would like to point out the fallacy that reduced prices to dairymen will mean lower prices for consumers. Historically, as prices to producers have dropped, additional marketing costs or increased margins for processors have largely nullified lower costs to consumers. Thus, improved consumption records of some of our dairy products which have a degree of flexibility insofar as demand is concerned have not and will not respond to price reductions. In short, a reduction in the producers price will not mean a reduction in the price paid by consumers.

We would point out that we judge the merits of this proposed law on the basis of its intentions and upon the obvious need for change and improvement of the 1949 Agricultural Act.

Finally, in our opinion as far as dairying is concerned, the principles of supply-management will merely give the dairyman an opportunity to act upon what is ostensibly a two-price system which recognizes that a small overproduction of any commodity or a rapid and unusual drop in consumption may result in a substantial reduction in the price of a commodity with a relatively inflexible demand.

We also note in passing that approximately one-half of the Nation's milk supply is regulated under Federal milk marketing orders and the pricing in these orders reflect this principle of the different values of milk used for different purposes.

We recognize, of course, that the administration of individual producer bases will require some effort but experience in many areas have proved them feasible and workable. There have been no unsurmountable problems in this program which regulates about one-half of the Nation's milk production.

In conclusion, it is our opinion that the technique of providing an opportunity for dairymen of the Nation to select the program they prefer—either a supply management program, or a program of flexible prices to regulate production and consumption is a sound approach to a problem that needs immediate action.

Mr. PROXMIRE. Mr. President, I have a statement by Mr. Robert C. Forsythe, manager, Metropolitan Cooperative Milk Producers Bargaining Agency, Inc., Syracuse, N.Y.

Mr. Forsythe, in the course of his statement, made an extremely interesting suggestion as to how the dairy program proposed by the Secretary might apply. He suggested that we establish a base for all producers on 1961 production, plus an increase of 1½ percent; and that we establish allotments for the first year at 100 percent of the base, and support the program with Government funds at a support level of $3.40. This, as he points out, would achieve reduction in production, because no farmer would increase his production by more than 1½ percent, and many, as always is true, would either decrease production or eliminate production and go out of business.

Mr. Forsythe made a number of other useful proposals, including the knocking out of the deficit production exemption permission that is now given the Secretary, and the producer exemption authority that is now given the Secretary.

I ask unanimous consent that the statement by Mr. Robert C. Forsythe be printed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

TESTIMONY OF ROBERT C. FORSYTHE, MANAGER, METROPOLITAN COOPERATIVE MILK PRODUCERS BARGAINING AGENCY, INC., TO THE U.S. SENATE COMMITTEE OF AGRICULTURE AND FORESTRY

Gentlemen, I am Robert C. Forsythe, manager of the Metropolitan Cooperative Milk Producers Bargaining Agency, Inc. Our headquarters are in Syracuse, N.Y., 527 South Warren Street. Our membership consists of 94 federated and affiliated cooperatives with a membership of approximately 21,000 milk producers. These dairymen are located in New York, New Jersey, Pennsylvania, and Vermont. I am speaking, however, for approximately 9,000 members of 93 cooperatives, exclusive of the membership of the Dairymen's League as that organization usually presents testimony before this group for their own membership.

I was a member of the Freeman National Dairy Advisory Committee, and for this reason I feel somewhat familiar with the genesis of the bill S. 2786, especially that portion dealing with dairy.

This testimony deals exclusively with two specific sections: Title III, marketing orders, and part VII, subtitle C.

Since the end of January, when this bill was introduced, our economists and others of our executives have conducted meetings or seminars in various parts of the milkshed in order to acquaint farmers with the bill, and as a corollary, to secure their reaction to it. These meetings have been generally well attended. After each meeting a ballot is taken of those in attendance which they may or may not sign and in which they are asked to express their view as to the matters which have been impartially presented to them. The result of this balloting, and I think it represents a fair sample of the thinking of our membership, was interesting to me, and I know it will be to you. One question asked was, "Based on what you now know about it, would you be in favor of the suggested national production control program?" On this question 30 percent answered in the affirmative, and 70 percent in the negative. In view of this, I must say to you that our organization cannot presently support subtitle C, part VII dealing with a national allotment program in its present form.

I am happy to state that as to one section of the bill at least—and I speak now of title III and the suggested amendment to section 8c which is found on page 13 of the print of the bill—our poll indicated that 91 percent felt we should have a market development and promotion program with all producers contributing equally. Needless to say, we have our own ideas as to how this should be implemented which I shall touch upon in a moment.

At a meeting of the appropriate committee of our organization the feeling was unanimous that I should express to this committee our thought that the farmers in our area are not yet ready for supply-management or production control. We would urge at this time that the integrity of marketing orders be maintained. I have some suggestions as to matters to be included in an amended draft of the bill, but I cannot tell you how a referendum vote among the farmers would go even if an amended draft includes all of the suggestions which we make.

At the meeting of our agency committee last Friday, a further sentiment was expressed which I want to pass on to you. It is this. The bill as now written presents a producer with a Hobson's choice. Our farmers feel that the coercive or threatening elements of the bill contained in section 438 dealing with surplus marketing fees should be removed.

At present we understand that the Secretary can reduce supports to 75 percent of parity on April 1 under the above-mentioned section 438; a negative vote on a national production control program could well reduce supports on dairy far below 75 percent—virtually eliminating it entirely. We feel that with these sections in the bill the Secretary of Agriculture is virtually dictating what the producers must do and that the referendum vote granted them would be as meaningless as a Russian election.

I would now like to present to you some specific recommendations of our organization:

1. We urge the support of the President's resolution to maintain the support price at $3.40 until December 31. (It is our hope that by that time a sound long-range program can be developed geared to bring supply in closer relationship with demand).

2. We urge that you support the right to vote for individual producers in a referendum. We are not at this time taking any position for or against marketing allotments as the best method to correct the dairy situation. However, any plan of supply-management through allotments developed by the Agriculture Department under this bill we believe should be subject to full consultation with dairy producer groups before a referendum.

3. We strongly urge your support and endorsement of the permissive legislation in title III allowing Federal order markets to develop market development, promotion and consumer education programs with all producers contributing equally. Administration of funds, should, however, be handled by a producer-constituted agency.

4. We support the amendment allowing Federal order markets to establish market-wide supply-management programs within their own markets employing the hearing process.

The following recommendations relate to part VII, subtitle C, dairy (national programs) and represent my own thinking as to changes I believe would make the program more palatable and equitable.

(a) Establish a base for all producers on 1961 production plus an increase of 1.5 percent. Establish allotments for the first year at 100 percent of base and support the program with government funds at a support level of $3.40. (This will, of course, take more than the suggested $300 million, but likewise so will the no-control program of 75 percent parity.)

(b) Allow free transfer of allotments—same basis as for bases.

(c) Delete page 89, beginning line 24 through page 90, line 5 (this language in S. 2786 would give the Secretary the right to make adjustments in marketing bases to relieve shortages in deficit production areas).

(d) No producer exemption.

(e) Add a paragraph protecting dairymen under supply-management program (from reduced dairy import tariffs).

(f) Require that in dairy counties that ASCS committee have at least one dairyman on committee.

(g) No reduction in allotments during the marketing year.

Gentlemen, as I said earlier, it is impossible for me to predict, and I dare say for anyone to predict how a farmer is going to vote upon any given subject. However, I do feel that if the bill were to incorporate the suggestions that I have made it would be much more palatable to the members of our agency.

I wish to thank you, Mr. Chairman, and members of this committee for the time and courtesy you have extended to me and my organization in allowing us to present our views to you.

I will be more than glad to answer any questions you may wish to ask.

CONVEYANCE TO STATE OF WYOMING FOR AGRICULTURAL PURPOSES CERTAIN REAL PROPERTY IN SWEETWATER COUNTY, WYO.

The Senate resumed the consideration of the bill (S. 875) to authorize and direct the Secretary of Agriculture to convey to the State of Wyoming for agricultural purposes certain real property in Sweetwater County, Wyo.

Mr. McGEE. Mr. President, I ask for the third reading of the bill.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 875) was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

Mr. MORSE. Mr. President, I wish to make a few comments on the bill.

I deeply appreciate the cooperation I have received from the two Senators from Wyoming in working out an arrangement in the bill whereby the Morse formula will not be violated. The Senators from Wyoming will recall that when the bill first came to the Senate the Senator from Oregon objected to it on the ground that it was not parallel to the so-called dry farming institute bill, which the Senate passed some time ago.

The two Senators from Wyoming came to me because they were very interested in understanding my point of view and in working out with me, if they could, compatible with their obligations to the State of Wyoming, an arrangement which would make it possible to have the bill passed in a modified form. That has been done. I thank the two Senators from Wyoming for their cooperation.

Before the afternoon is over, there will be another Senator, in connection with another bill, who will be noted as having done the same thing, in accommodating himself to the Morse formula. He was kind enough to say to me that he thinks the Morse formula is exceedingly sound public policy, and he thinks all Senators should comply with it.

For the record, so that there will be no question as to the position of the Senator from Oregon, this is to be a cooperative arrangement between the Federal Government and the State of Wyoming in the matter of research, which will provide benefits to the taxpayers of the country as a whole far in excess of the 50 percent of the appraised fair market value of that property.

In my judgment, the taxpayers of the United States are getting far in excess of what they would have received if the bill in the first instance had merely added to it the Morse formula. The two Senators from Wyoming are entitled to my sincere thanks, and I think the sincere thanks to all the taxpayers of the country, for working out a bill that now conforms in fact with the Morse formula.

Mr. McGEE. Mr. President, I wish to express to the Senator from Oregon my appreciation and the appreciation, I am sure, of my colleague, who is now in the chair, for the spirit in which the Senator from Oregon has approached the question, and to express our gratification at the arrival at a satisfactory arrangement for it. The Senator from Oregon has always held to a very wise and firm criterion by which to measure the kind of legislation now before the Senate, a criterion with which we fully agree, and we are happy that we have been able to meet the requirements of that criterion and still effect the arrangement that the bill envisages.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (S. 875) was passed.

DISTRICT OF COLUMBIA OFFICE OF CIVIL DEFENSE

Mr. HARTKE. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 825, Senate bill 778.

The PRESIDING OFFICER. The bill will be stated by title.

The CHIEF CLERK. A bill (S. 778) to amend the act entitled "An act to authorize the District of Columbia government to establish an Office of Civil Defense, and for other purposes," approved August 11, 1950.

The PRESIDING OFFICER. The question is on the motion of the Senator from Indiana.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on the District of Columbia with amendments, on page 4, line 17, after the word "unless", to strike out "an agency of the District government designated by the Commissioners has made" and insert "the Commissioners have made"; in line 21, after the word "employment", to insert *"Provided further*, That such investigation shall at least include a search of the records of the Federal Bureau of Investigation, the United States Civil Service Commission, the Un-American Activities Committee of the House of Representatives, and, if the applicant has been employed by or has had service with any of the Armed Forces of the United States, the intelligence branch thereof:"; on page 5, line 11, after the word "government", to strike out "of" and insert "or"; on page 9, line 19, after the word "shall", to insert "except as otherwise provided in this section,"; on page 10, line 17, after the word "of", to strike out "a concurrent employment status of such a member, benefits for disability or death would accrue to a person" and insert "his status elsewhere as an employee or as a retired annuitant or pensioner, such a member accrues benefits for disability or death"; on page 11, line 2, after the word "benefits", to insert "for the same injury"; in line 3, after the word "The", to strike out "Secretary" and insert "Commissioners"; in line 8, after the word "be", to strike out "covered into the fund established under section 35 of the Act of September 7, 1016, as amended" and insert "deposited in the Treasury to the credit of the District", and on page 29, line 25, after "SEC. 507.", to strike out "Nothing" and insert "Except as provided in section 101(c)(3), nothing"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the act entitled "An Act to authorize the District of Columbia government to establish an Office of Civil Defense, and for other purposes", approved August 11, 1950 (Public Law 686, Eighty-first Congress), as amended, is amended to read as follows:

"SECTION 1. PURPOSES.—Because of the existing and continuing possibility of the occurrence of disasters or emergencies of unprecedented size and destructiveness resulting from an attack and in order to insure that preparations of the District will be adequate to deal with such disasters or emergencies, and generally to provide for the common defense and to protect the public peace, health, and safety, to stabilize the economy, and to preserve the lives and property of the people of the District, it is hereby found and declared to be necessary: (1) to take preliminary precautionary steps; (2) to confer upon the Commissioners emergency powers; and (3) to authorize the establishment of such organizations and the taking of such steps as are necessary and appropriate to carry out the provisions of this Act. The Congress also finds, and declares, that it is necessary to make provision for the protection of lives and property of persons in the District from major disaster.

"SEC. 2. DEFINITIONS.—As used in this Act, unless the context indicates a different meaning—

"(a) 'District' means the District of Columbia;

"(b) 'Commissioners' means the Board of Commissioners of the District of Columbia;

"(c) 'Civil defense' means all those activities and measures designed or undertaken (1) to minimize the effects upon the civilian population of the District caused by an attack upon the United States; (2) to deal with the immediate emergency conditions which would be created by any such attack; and (3) to effectuate emergency repairs to, or the emergency restoration of, vital utilities and facilities destroyed or damaged by any such attack. Such term shall include, but shall not be limited to, (A) measures to be taken in preparation for anticipated attack, (B) measures to be taken during attack, and (C) measures to be taken following an attack.

"(d) 'Metropolitan area of the District' means the District and the counties of Arlington and Fairfax and the cities of Alexandria and Falls Chuch in Virginia and the counties of Prince Georges and Montgomery in Maryland.

"(e) 'Facilities' includes buildings, shelters, utilities, and land.

"(f) 'Materials' includes raw materials, supplies, medicines, equipment, component parts, and technical information and processes necessary for civil defense.

"(g) 'Attack' means any act or series of acts by an enemy of the United States causing, or which may cause, substantial damage or injury to civilian property or persons in the United States in any manner by sabotage or by use of bombs, shellfire, or atomic, radiological, chemical, bacteriological, or biological means or other weapons or processes.

"(h) 'Major disaster' means any flood, drought, fire, hurricane, earthquake, storm, or any catastrophe other than attack, in any part of the metropolitan area of the District

which, in the determination of the Commissioners is or threatens to be of such severity and magnitude that the personnel, materials, and facilities normally available for the protection of life and property are inadequate and emergency assistance is warranted.

"TITLE I—ORGANIZATION AND PERSONNEL

"SEC. 101. (a) OFFICE OF CIVIL DEFENSE.—To effectuate the purposes of this Act the Commissioners are authorized (1) to create in the District government an Office of Civil Defense to be headed by a director; (2) to employ personnel, including temporary and part-time personnel, and to fix their compensation in accordance with the Classification Act of 1949, as amended: *Provided*, That no person shall be employed pursuant to this section unless the Commissioners have made an investigation concerning such person and made a finding that he is suitable for employment: *Provided further*, That such investigation shall at least include a search of the records of the Federal Bureau of Investigation, the United States Civil Service Commission, the Un-American Activities Committee of the House of Representatives, and, if the applicant has been employed by or has had service with any of the Armed Forces of the United States, the intelligence branch thereof: *Provided further*, That upon request of the Commissioners, the United States Civil Service Commission shall conduct on a reimbursable basis a full field investigation of any such person and furnish a report thereon to the Commissioners: *Provided further*, That in the event any investigation made pursuant to this section develops a question concerning the loyalty or subversive activities or affiliations of the individual who is the subject of the investigation, the investigating agency of the District government or the United States Civil Service Commission shall refer the matter to the Federal Bureau of Investigation for a full field investigation, the results of which shall be furnished the Commissioners; (3) to establish such civil defense units and organizations, including an auxiliary police force, as they may deem appropriate; (4) to expand existing agencies of the District government concerned with civil defense; (5) to recruit, organize, equip, and train volunteers and to accept and utilize their services; (6) to make orders, rules, and regulations governing the operation of such civil defense units and organizations and the discipline of members and personnel thereof: *Provided*, That nothing contained in this Act shall be construed to authorize any such volunteer to demand or receive any salary or wages by reason of such training or service: *Provided further*, That during any period in which title III or title IV of this Act is in effect no person shall be entitled to any benefits under the Federal Employees Compensation Act, approved September 7, 1916, as amended, by reason of such training or service of any such volunteer; and (7) to cooperate with governmental and nongovernmental agencies, organizations, associations, and other entities, and coordinate the activities of all organizations for civil defense within the District.

"(b) RETIRED PERSONNEL MAY BE EMPLOYED.—Notwithstanding any limitation of any other law, there may be employed in such Office of Civil Defense any person who has been retired from any civilian office or position in the Federal or District governments, and while so employed in such Office of Civil Defense any such retired person may receive the compensation authorized for such employment or the retirement compensation, or annuity, whichever he may elect, and upon the termination of his employment in such Office of Civil Defense, he shall be restored to the same status as a retired officer or employee with the same retirement compensation, or annuity to which he was entitled before having been employed in such Office of Civil Defense.

"(c) (1) Each person employed pursuant to this Act shall execute the oath of office, loyalty oath and other affidavits required of other persons employed by the District of Columbia.

"(2) Each person, other than an alien, enrolled to serve as a volunteer pursuant to this Act shall, before entering upon his duties, take an oath in writing before a person authorized to administer oaths, or such other person as may be designated by the Commissioners for this purpose, which oath shall be substantially as follows:

"'I, ———————, do solemnly swear (or affirm) I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

"'I do further swear (or affirm) that I have not at any time heretofore advocated, that I do not now advocate, and that during such time as I am a member of the (name of civil defense organization) I will not advocate the overthrow of the Government of the United States by force or violence.'

Any person who shall be found guilty of having falsely taken such oath shall be punished as provided in section 1621, title 18, United States Code.

"(3) Notwithstanding the requirements of section 403(b) of the Federal Civil Defense Act of 1950, as amended, any alien enrolled to serve as a volunteer pursuant to this Act shall, before entering upon his duties, take an oath in writing before a person authorized to administer oaths, or such other person as may be designated by the Commissioners for this purpose, which oath shall be substantially as follows:

"'I, ———, do solemnly swear (or affirm) that I have not at any time heretofore advocated, that I do not now advocate, and that during such time as I am a member of the (name of civil defense organization) I will not advocate, the overthrow of the Government of the United States by force or violence.

"'And I do further swear (or affirm) that I have not been a member or an affiliate, that I am not now a member or an affiliate, and that during such time as I am a member of the (name of civil defense organization) I will not become a member or affiliate of, any organization, group, or combination of persons that advocates the overthrow of the Government of the United States by force or violence; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.'

Any person who shall be found guilty of having falsely taken such oath shall be punished as provided in section 1621, title 18, United States Code.

"SEC. 102. (a) INJURY AND DEATH BENEFITS FOR VOLUNTEERS.—(1) Except while title III or title IV of this Act is in effect, in case of injury or death resulting from injury (as defined in paragraph (2) of this subsection) to any duly enrolled volunteer member of any civil defense unit or organization created pursuant to this Act, the provisions of the Act entitled 'An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes', approved September 7, 1916, as amended, subject to the other subsections of this section, shall apply and such Act shall, except as otherwise provided in this section, be administered by the Secretary of Labor (hereinafter called the Secretary) in the same manner and to the same extent as if such person were a civil employee of the United States and were injured while in the performance of his duty: *Provided*, That for benefit computation, regardless of pay or status, such person shall be deemed to have had a monthly pay of $300.

"(2) As used in paragraph (1), the term 'injury' means injury arising out of and in the course of actual service as a member of such unit or organization while serving as such member and engaged in authorized active duty or while actually engaged in training under orders of competent authority related to specific training assignments and does not include injury sustained in travel to or returning from an active duty or training assignment.

"(3) The term 'injury' as defined in paragraph (2) includes such disease or infection as arises naturally out of such actual service or training or naturally or unavoidably results from an accidental injury incurred in such service or training.

"(b) (1) Where, because of his status elsewhere as an employee or as a retired annuitant or pensioner, such a member accrues benefits for disability or death under the District of Columbia workmen's compensation law, or the workmen's compensation law of any State or Territory, or the Federal Employees' Compensation Act, or under a pension or disability system applicable to members of a police or fire department, the person entitled to such other benefits shall not be entitled to benefits for the same injury under this section.

"(2) The Commissioners shall have a lien and a right of recovery, to the extent of any payments made under this section on account of injury or death, against any compensation payable under any other workmen's compensation law on account of the same injury or death; and any amounts recovered under this subsection shall be deposited in the Treasury to the credit of the District.

"(c) Whenever a claim is filed with the Secretary for benefits because of an alleged injury or death within the purview of this section, he shall notify the Commissioners and they or their designee shall investigate the facts surrounding such alleged injury and make certification with respect thereto, including certification as to such injured or deceased person's membership in a civil defense unit or organization created pursuant to this Act, and whether the injury or death arose out of and in the course of service as a member of such unit or organization while serving as a member and engaged in active duty or while engaged in training under orders of competent authority related to a specific training assignment. Such certification shall not excuse the making of such reports as are required by such Act of September 7, 1916, nor shall it be conclusive as to any facts therein.

"(d) Any compensation award made pursuant to the authority contained in this section shall be paid in the manner provided by law for the payment of general expenses of the government of the District.

"TITLE II—POWERS AND DUTIES

"SEC. 201. The Commissioners are authorized, in order to carry out the purposes of this Act:

"(a) PLANS AND PROGRAMS.—To prepare comprehensive plans and programs for civil defense, including plans for utilization of shelters or evacuation, or both, as protective measures, such plans and programs to be integrated into and coordinated with the civil defense plans and programs of the Federal Government and of States and appropriate political subdivisions thereof.

"(b) TRAINING AND PREPARATION.—To conduct training programs and public information programs; to publicly disseminate appropriate civil defense information by all appropriate means; to organize, equip, and train civil defense units and organizations, including auxiliary police and firefighting forces, and the personnel thereof; to conduct blackouts and practice blackouts, air raid drills, mobilization of civil defense forces, and other tests and exercises; to construct or prepare shelters for protection from enemy attack; to participate either within or outside the District in drills or tests jointly with States and political subdivisions thereof; to provide for the effective screening or extinguishing of all lights or lighting devices and appliances; and to take other preparatory steps, including the partial or full mobilization of civil defense units and organizations.

"(c) CONTROL DURING DRILLS.—To control pedestrian and vehicular traffic, transportation, communication, and other public utility facilities and services, and the conduct of persons other than members of the armed services of the United States during drills and tests and immediately prior and subsequent thereto.

"(d) COMMUNICATION, ATTACK WARNING, AND CONTROL FACILITIES.—To provide and maintain necessary civil defense communications and devices for warning the civilian population of attack; and to establish and maintain control and reporting centers and other operational headquarters and facilities, including one or more such facilities outside the District.

"(e) POLICE POWERS FOR AUXILIARY POLICE.—To vest such members of the auxiliary police force with such of the powers, and to impose upon them such of the duties, of members of the Metropolitan Police force as the Commissioners may determine: *Provided*, That the Commissioners shall not vest any such power in any such member unless they are satisfied that such member has received sufficient training and is otherwise qualified: *Provided further*, That powers of members of the Metropolitan Police force so vested shall be exercised only during a state of civil defense emergency established or declared in accordance with the provisions of section 301 of this Act and, when authorized by the Commissioners (a) during drills and tests, (b) during periods of training, and (c) immediately prior to and during major disasters.

"(f) SURVEYS OF RESOURCES.—To make studies and surveys of the resources and facilities within or available to the District for civil defense, and to plan for the most efficient emergency use thereof.

"(g) STOCKING OF MATERIALS.—To procure and stockpile necessary materials and to store them within or outside the District.

"(h) PROTECTION OF VITAL FACILITIES AND MATERIALS.—To provide for the guarding and protection of water supplies, railroads, public utilities, bridges, highways, public buildings, communication facilities, vital and strategic materials, and other focal points of possible attack, the loss or destruction of which might menace or endanger the security and safety of the civilian population or impede the defense effort.

"(i) ACCEPTANCE OF GIFTS OF FACILITIES, MATERIALS, AND FUNDS.—Notwithstanding the provisions of any other law, to accept gifts of facilities, materials, and funds that may from time to time be offered to the government of the District and to use or expend the same for purposes of this Act.

"(j) UTILIZATION OF FEDERAL DEPARTMENTS AND AGENCIES.—To request any Federal department or agency, to provide the District with assistance for purposes of planning for civil defense and natural disaster and of training District government employees and others in civil defense and natural disaster methods, techniques, and practices; and such departments and agencies are authorized to provide such assistance.

"(k) (1) ASSIGNMENT OF FUNCTIONS TO DISTRICT DEPARTMENTS, AND SO FORTH.—To assign specific civil defense functions to any District department, office, board, commission, or agency. In order to perform such assigned functions, each District department, office, board, commission, and agency is authorized to utilize its personnel, facilities, resources, and funds, and recruit, organize, train, equip, and utilize volunteers.

"(2) Each officer and employee of each department, office, board, commission, or agency (a) which has no specific civil defense function assigned to it by the Commissioners, or (b) which is not, in the judgment of the Commissioners, immediately necessary for the continued operation of essential services while title III of this Act is in effect, shall be assigned to and trained in such civil defense duties as the Commissioners shall direct, such duties to be performed during any period when title III of this Act shall be in effect.

"(l) ACQUISITION AND USE OF MATERIALS, FACILITIES, LANDS, AND SERVICES.—To acquire by loan, donation, purchase, or rental, and to use, operate, and maintain, equipment and materials of all kinds; to acquire, by loan, donation, purchase, or condemnation, or to rent, lands and buildings or any interest therein; to construct, maintain, repair, alter, and use structures of all kinds and to procure, by contract or otherwise, services of any nature.

"(m) WAIVER OF BUILDING REGULATIONS.—To waive any regulation governing the erection, alteration, height, or use of structures, buildings, towers, or appurtenances, or parts thereof, whenever the same shall be necessary for civil defense purposes.

"(n) (1) REGULATIONS AND PENALTIES.—To make regulations to carry out the purposes of this Act, including regulations establishing security requirements and safeguards and restricting access to information and property, and to prescribe penalties for violations of such regulations not exceeding a fine of $300 or imprisonment for ninety days. Prosecutions for violations of such regulations shall be brought in the name of the District of Columbia by the Corporation Counsel or any of his assistants. Regulations which are to become effective only when title III or title IV of this Act shall become effective may be promulgated prior to the taking effect of such title III or title IV.

"(2) LIABILITIES AND PENALTIES UNDER REPEALED REGULATIONS SAVED.—When any regulation made under the authority of this Act is repealed, rescinded, or ceases to be effective, penalties and liabilities thereunder shall not be released or extinguished, unless there be an express provision to so release or extinguish, but such regulations shall be treated as remaining in force for the purpose of sustaining any proper action or prosecution for the enforcement of any such penalty or liability.

"(o) INTERSTATE COMPACTS.—To take all necessary actions to carry out the purposes of interstate civil defense and disaster compacts entered into pursuant to the joint resolution entitled 'Joint resolution authorizing the District of Columbia to enter into interstate civil-defense compacts', approved April 22, 1954 (68 Stat. 59).

"(p) PRESERVATION OF RECORDS.—To provide for the preservation of records considered essential to the functioning of the government of the District, including the copying of such records, where necessary, and the storage thereof in a safe place either within or outside the District.

"TITLE III—EMERGENCY POWERS

"SEC. 301. WHEN EFFECTIVE.—The provisions of this title shall be operative (a) whenever a state of civil defense emergency in the District has been proclaimed by the President or by Congress in accordance with the provisions of the Federal Civil Defense Act of 1950; or (b) whenever the Commissioners invoke the provisions of this title in the absence of a declaration of civil defense emergency (1) upon receipt of strategic intelligence from the Director of the Office of Civil and Defense Mobilization indicating an attack is probable, (2) upon warning of attack by the Office of Civil and Defense Mobilization, or (3) upon the occurrence of an attack.

"SEC. 302. POWERS AND DUTIES OF COMMISSIONERS.—In addition to the powers and duties which are now or may hereafter be vested in the Commissioners, they are hereby authorized to take such measures during any such emergency as may be necessary for the protection, relief, and assistance of persons and property without regard to the provisions of any other law to the extent that such provisions interfere with or prevent the carrying out of such measures, including, but not limited to, the following:

"(a) POWERS UNDER TITLE II EXTENDED TO TITLE III.—To exercise all powers and authority vested in them by title II of this Act.

"(b) POLICE POWERS.—To vest members of District civil defense units and organizations with such authority, including such of the powers of the Metropolitan Police force as the Commissioners may deem appropriate, as will enable such members to carry out and perform the functions and duties imposed upon them pursuant to this Act.

"(c) PROTECTION OF PERSONS WITHIN THE DISTRICT.—To prepare for, order, and regulate the carrying out of measures for the protection of persons in the District, including the evacuation of persons from the District or from any part thereof, to such places, including shelters, in the District, as the Commissioners may designate, or outside the District as the Commissioners may designate with the approval of the Governor of any State or the designee of such Governor, and to provide for the reception, housing, maintenance, and care of such evacuees: *Provided*, That the evacuation of personnel of any activity of the Federal Government shall take place only upon the consent of the Office of Civil and Defense Mobilization or of such other authority or authorities as may be designated by the President; however, upon agreement, any prearranged plan between such Office or such other authorities and the Commissioners shall constitute such consent.

"(d) AUTHORITY OF THE COMMISSIONERS OVER THE SEMIAUTONOMOUS AGENCIES OF THE DISTRICT OF COLUMBIA.—For the purposes of civil defense only, to exercise full authority over those semiautonomous agencies, officers, and individuals exercising governmental authority in and performing governmental functions for the District of Columbia, including the Apprenticeship Council, the Board for the Condemnation of Insanitary Buildings, the Board of Education, the Board of Elections, the Board of Library Trustees, the Board of Recreation, the Board of Zoning Adjustment, the National Zoological Park, the Public Utilities Commission, the District of Columbia Redevelopment Land Agency, the Zoning Commission, the District of Columbia Tax Court, the Juvenile Court of the District of Columbia, the Municipal Court for the District of Columbia, and the Municipal Court of Appeals for the District of Columbia.

"(e) AVAILABILITY OF FUNDS.—For the purposes of carrying out the provisions of this Act, to expend at the discretion of the Commissioners: (a) the unexpended balances of appropriations in any District of Columbia Appropriation Act, including but not limited to any funds obligated for accounting purposes but which in the judgment of the Commissioners may be diverted to civil defense purposes; and (b) any funds to the credit of the District of Columbia in the Treasury not otherwise appropriated, and such funds are hereby appropriated for such purposes.

"(f) DISPOSITION OF MATERIALS.—Either within or outside the District, to sell, lease, lend, transfer, or deliver materials or perform services for civil defense purposes on such terms and conditions as the Commissioners shall prescribe.

"(g) DISTRIBUTION OF SUPPLIES AND FINANCIAL ASSISTANCE FOR TEMPORARY RELIEF.—Either within or outside the District, to expend and distribute materials, including but not limited to food, fuel, and clothing; to provide emergency housing; to provide financial assistance for the temporary relief or aid of any civilian injured or in want as the result of attack; and to take whatever other action may be necessary for the purpose of preventing and alleviating suffering of persons and preventing the spread of disease and to obligate the District for the payment therefor.

"(h) ALLOCATION OF FOOD, FUEL, AND OTHER VITAL SUPPLIES.—To promulgate regulations prohibiting or regulating the sale, use, disposition, or transfer, and the transportation from within the District to any point outside the District, of such food, fuel, medical supplies, electric power, gas, or other articles necessary to prevent or alleviate suffering of persons or to prevent the spread of disease in said District, and to allocate all or any of the same in such manner, upon such conditions, and to such extent as they may deem necessary or appropriate to effectuate the purposes of this title: *Provided*, That every such regulation shall cease to be effective on the ninetieth day after the effective date of such regulation or upon the effective date of any regulation of general application and dealing with the same subject matter issued by any agency of the United States.

"(i) SHUTTING OFF UTILITIES SERVICES.—To shut off, disconnect, or suspend service from or by, or require the shutting off, disconnection, or suspension of service from or by, gas mains, electric powerlines, or other utilities.

"(j) DESTRUCTION OF CONTAMINATED PROPERTY.—To destroy or cause to be destroyed any property, real or personal, in the District found to be contaminated by radioactive or poisonous substance, or contaminated by germs, viruses, or other matter deleterious to life or health, and, by reason of such contamination, dangerous to persons or property, and pending the time when any such contaminated property shall be rendered safe, to prohibit persons from contacting or approaching so close to such property as to endanger their lives or health.

"(k) OTHER MEASURES FOLLOWING ATTACK.—To take such other measures as are necessary following attack, including but not limited to, firefighting, rescue, medical, health and sanitation services, radiological monitoring, unexploded bomb reconnaissance, debris removal, and essential emergency repair or restoration of vital facilities.

"(l) BURIAL OF DEAD—To provide for the burial of the bodies of human beings whose deaths are caused by or result from the occurrence of disaster contemplated by this Act and whenever the public interest is such as to require the same, the Commissioners may provide for the burial of such bodies in common graves.

"(m) REQUISITIONING OF PRIVATE PERSONAL PROPERTY.—To requisition, take possession of, and use privately owned personal property of whatever kind and nature or any rights therein as may in their opinion be necessary for the purposes of this Act and to ascertain and pay just compensation for such property or any rights therein to be determined as hereinafter provided. The Commissioners shall promptly determine the amount of compensation to be paid for any such property or the use thereof requisitioned pursuant to this Act but each such determination shall be made as of the time it is requisitioned in accordance with the provision for just compensation in the fifth amendment of the Constitution of the United States. If the person entitled to receive the amount so determined by the Commissioners as just compensation is unwilling to accept the same as full and complete compensation for such property or the use thereof he shall be paid promptly 75 per centum of such amount and shall be entitled to recover from the District in an action brought in the appropriate court within three years after the date of the Commissioners' award, an additional amount which, when added to the amount so paid to him, shall be just compensation.

"(n) DISPOSAL OF PERSONAL PROPERTY.—Whenever the need for the purposes of this Act of any personal property requisitioned under this title shall terminate, the Commissioners may dispose of such property under such terms and conditions as they deem appropriate, but to the extent feasible and practicable they shall give the former owner of any property so disposed of an opportunity to reacquire it (1) at its then fair value as determined by the Commissioners or (2) if it is to be disposed of (otherwise than at a public sale of which he is given reasonable notice) at less than such value, at the highest price any other person is willing to pay therefor: *Provided*, That such opportunity to reacquire need not be given in the case of fungibles or items having a then fair value of less than $1,000.

"SEC. 303. NONLIABILITY OF DISTRICT AND OTHERS FOR DAMAGES.—Neither the District nor any officer, agent, employee, or regularly appointed volunteer worker in the service of said District, nor any individual, receiver, firm, partnership, corporation, association, or trustee, or any of the agents thereof, in good faith and without willful or gross negligence carrying out, complying with, enforcing, or attempting to carry out, comply with, or enforce this Act or any order, rule, or regulation issued or promulgated pursuant to this Act, shall be liable for any damage sustained by any person, including volunteers, or property as the result of such activity. The provisions of this section shall not affect the right of any person to receive benefits to which he would otherwise be entitled under section 102 of this Act, or any workmen's compensation law, or under any pension, retirement, or disability law, nor the right of any such person to receive any benefits or compensation under any other Act of Congress.

"SEC. 304. REMOVAL FROM DISTRICT.—During such time as this title is in effect the Commissioners may order the government of the District, or any part thereof, its personnel and its property, removed from the District; and while outside the District the personnel are authorized to perform such duties as are assigned by the Commissioners or by the civil defense authorities of the State in which they are then located.

"SEC. 305. OPERATIONS OUTSIDE THE DISTRICT.—During such time as the District government is located outside the District the Commissioners shall continue to exercise the powers conferred upon them by this or any other Act: *Provided*, That such powers shall be exercised only over and with respect to the District of Columbia, property owned by the District of Columbia, or property owned by the United States and used by the District with the permission of the United States.

"SEC. 306. OPERATIONS IN THE ABSENCE OF A QUORUM OF THE BOARD OF COMMISSIONERS.—In the absence of a quorum of the Board of Commissioners, one Commissioner, or the Assistant to the Engineer Commissioner authorized to perform the functions of the Engineer Commissioner in his absence or disability, shall exercise all of the powers and perform all of the functions of the Board of Commissioners including, but not limited to, (a) making and adopting regulations, (b) approving contracts in excess of $25,000, (c) appointing or removing the head of any agency responsible directly to the Board of Commissioners, (d) approving the budget for the District of Columbia, and (e) authorizing the performance of any of the Board's functions by any officer, employee, or agency of the government of the District of Columbia, except the courts thereof: *Provided*, That such Commissioner or such Assistant to the Engineer Commissioner shall not provide for the performance by any other officer, employee, or agency of the functions enumerated in (a) through (d) of this section.

"TITLE IV—MAJOR DISASTERS

"SEC. 401. WHEN EFFECTIVE.—The provisions of this title shall be operative only during a major disaster, as determined by the Commissioners to exist and as proclaimed by them with the approval of the President. The Commissioners shall announce the termination of a major disaster by a proclamation issued on their own initiative or upon direction of the President.

"SEC. 402. POWERS AND DUTIES OF COMMISSIONERS.—Whenever a major disaster has been proclaimed (a) there shall be vested in the Commissioners, in addition to the powers and duties which are now or may hereafter be vested in them, the powers and duties which would be vested in them as if title III of this act was in effect, and (b) all provisions of such title III shall, insofar as they are applicable, be operative as if they were set forth in this title.

"TITLE V—GENERAL PROVISIONS

"SEC. 501. MOTOR VEHICLE SAFETY RESPONSIBILITY ACT INAPPLICABLE.—During such periods of time that any privately owned motor vehicle is used by the District under the authority of this act the operator thereof shall not be deemed or held to be the agent of the owner of such vehicle within the meaning of the Motor Vehicle Safety Responsibility Act of the District of Columbia, approved May 25, 1954 (68 Stat. 120, ch. 222), as amended (title 40, ch. 4, D.C. Code, 1951 edition).

"SEC. 502. NONLIABILITY OF PERSONS PERMITTING USE OF REAL PROPERTY AS SHELTER.—Any person owning or controlling real property who, voluntarily and without compensation, grants to the District a license or privilege, or otherwise permits the District to inspect, designate, and use the whole or any part or parts of such real property for the purpose of sheltering persons during periods when title III of this act is operative, or at any time for purposes of drilling persons in or familiarizing persons with emergency procedures, shall together with his successors in interest, if any, not be civilly liable for negligently causing the death of, or injury to, any person, or for loss of or damage to property of such person on or about such real property under such license, privilege, or other permission.

"SEC. 503. DELEGATION OF AUTHORITY.—The Commissioners are authorized to delegate to officers and employees of the District and to such other persons as the Commissioners deem appropriate such of the powers conferred upon them by this Act as they may determine and may by regulation provide for the subdelegation of any delegated power: *Provided*, That except when title III or title IV of this Act is in effect, the Commissioners shall not delegate the power to make regulations authorized by this Act.

"SEC. 504. APPROPRIATIONS.—Appropriations to carry out the purposes of this Act are hereby authorized.

"SEC. 505. ACT OF MAY 21, 1951, AS AMENDED.—The provisions of the Act approved May 21, 1951, as amended by the Act approved July 6, 1953 (Public Law 103, Eighty-third Congress), authorizing the appointment of a member of the Metropolitan Police Department or a member of the Fire Department, District of Columbia, to any position in any office or agency succeeding to the functions of the Office of Civil Defense (abolished pursuant to Reorganization Plan Numbered 5 of 1952) shall be applicable with respect to the Office of Civil Defense created by this amendatory Act.

"SEC. 506. ARMED SERVICES.—Nothing contained in this Act shall be construed as authorizing the Commissioners to direct or control in any manner the activities, personnel, installations, facilities, or equipment of the armed services of the United States, or any of the subordinate agencies of such armed services.

"SEC. 507. Except as provided in section 101(c)(3), nothing in this Act shall be construed to amend or modify the provisions of the Federal Civil Defense Act of 1950, as amended, or the Act 'To authorize Federal assistance to States and local governments in major disasters, and for other purposes', approved September 30, 1950 (64 Stat. 1109).

"SEC. 508. SEPARABILITY.—If any provision of this Act or the application of such provision to any person or circumstance shall be held invalid, the remainder of the Act, and the application of such provisions to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

"SEC. 509. REORGANIZATION PLAN NUMBERED 5 OF 1952.—Except as otherwise provided in section 306 of this Act, this Act shall not be considered as affecting the authority vested in the Commissioners by Reorganization Plan Numbered 5 of 1952 (66 Stat. 824; D.C. Code, title 1, appendix, 1951 edition, supp. VI). Any function vested by this Act in any agency established pursuant to this Act or such plan shall be deemed to be vested in said Commissioners and shall be subject to delegation in accordance with section 306 of this Act.

"SEC. 510. SHORT TITLE.—This Act may be cited as the 'District of Columbia Civil Defense Act'."

Mr. HARTKE. Mr. President, I ask unanimous consent that the committee amendments be agreed to en bloc.

The PRESIDING OFFICER. Without objection, the committee amendments are agreed to en bloc.

Mr. HARTKE. Mr. President, I offer several technical amendments, which would make the bill conform to a recent executive order of the Secretary of Defense, and I ask unanimous consent that those amendments be considered en bloc.

The PRESIDING OFFICER. The amendments will be stated.

The CHIEF CLERK. On page 18, line 13, after the word "the", it is proposed to strike out "Director of the Office of Civil and Defense Mobilization" and insert in lieu thereof "Secretary of Defense".

On page 18, line 15, after the word "the", it is proposed to strike out "Office of Civil and Defense Mobilization" and insert in lieu thereof "Secretary of Defense".

On page 19, line 23, after the word "the", where it appears the second time, it is proposed to strike out "Office of Civil and Defense Mobilization" and insert in lieu thereof "Secretary of Defense".

On page 20, line 2, after the word "between", it is proposed to strike out "such Office" and insert in lieu thereof "the Secretary of Defense".

The PRESIDING OFFICER. Without objection, the amendments are considered and agreed to en bloc.

Mr. HARTKE. Mr. President, I ask unanimous consent that statements relating to the bill, including a letter to the chairman of the District Committee, be printed at this point in the RECORD.

There being no objection, the statement and letter were ordered to be printed in the RECORD, as follows:

STATEMENT RELATING TO S. 778

It is the purpose of S. 778 to amend the present Civil Defense Act for the District of Columbia, which was enacted in 1950, so as to more adequately meet the needs of the District in respect to planning, training, and preparation for civil defense in case of attack, and for the exercise of emergency powers after an attack or in case a major disaster should occur in the District.

This bill proposes to amend the 1950 Civil Defense Act by expanding upon the purposes of the act; by including a section on the definition of certain appropriate terms; by broadening the provisions pertaining to the organization and personnel of the District of Columbia's Office of Civil Defense and the powers and duties of the Commissioners for the District of Columbia; and by including provisions which cover emergency powers, major disasters (other than those caused by enemy attack), and other general matters.

The initial Civil Defense Act for the District of Columbia was enacted into law in 1950 shortly after the outbreak of the Korean conflict. At that time it was considered essential to enact promptly some bill to provide basic needs in the area of civil defense for the District. When this particular legislation was pending in the Congress, very little State legislation had been enacted in the area of civil defense. However, at the present time all of the States have passed laws relating to civil defense. In some instances these State laws are more comprehensive, and provide the civil defense officials with broader authority to act than does the present civil defense law for the District.

In the interim period following the passage of the 1950 Civil Defense Act for the District of Columbia, the concepts of civil defense have changed, and much has been learned about improved civil defense techniques and procedures. With this in mind, the pending bill proposes to take advantage of what has been learned in the field of civil defense by updating the 1950 act so that the District can more effectively cope with emergencies arising from enemy attack and other major disasters.

This bill, with the exception of a few substantive and nonsubstantive changes, is basically similar to S. 2728 of the 85th Congress, which passed the Senate on August 14, 1958. In this same regard, the pending bill is also similar to S. 2446 of the 86th Congress, which passed the Senate on April 11, 1960, but such failed to clear the other body.

Your committee held hearings on S. 778 on March 31, 1961, and at these proceedings the bill was strongly supported by the Commissioners for the District of Columbia, the Office of Civil and Defense Mobilization, the U.S. Civil Service Commission, the Civil Defense Agency for the State of Maryland, and the Office of Civil Defense for the Commonwealth of Virginia. No one appeared in opposition to the bill.

In the event any Member of the Senate has any question concerning whether this legislation conforms with the new plans of the President for civil defense activity for the Washington Metropolitan area, it should be known that the committee queried the District government in this connection and has since received a letter dated February 23, 1962, from Hon. John B. Duncan, Acting President, Board of Commissioners, in which he advises that S. 778 is not in conflict with such program.

Your committee views S. 778 as being a progressive step forward in civil defense; and accordingly, may I urge upon the Senate that the bill be passed.

ACTIVITIES OF THE OFFICE OF CIVIL DEFENSE FOR THE DISTRICT OF COLUMBIA

The Office of Civil Defense for the District of Columbia, operating under the provisions of the 1950 Civil Defense Act is responsible for the planning, organization, training, public education, and other implementation to obtain maximum civil defense readiness of the District of Columbia. Under the purview of the 1950 Civil Defense Act, the primary objectives of the Office of the Civil Defense for the District are to:

1. Provide leadership in the organization, mobilization, and training of the civilian population in order to maintain maximum protection of the public under threatened or actual attack or major disaster, and to insure that care and assistance will be provided to survivors.

2. Advise the Commissioners on matters of policy and plans under which the District government agencies will discharge their civil defense responsibilities.

3. Develop procedures which will insure the utilization of the total resources within the District in a civil defense emergency.

4. Direct a continuing effort to establish a common understanding of responsibilities, functions, and channels of communication, and authority for emergency operations within the District government and between the District, Federal, and adjoining State governments, including mutual aid operations with nearby political jurisdictions.

5. Direct civil defense operations, under the appropriate orders of the Board of Commissioners, during the period of a declared major disaster or following an enemy attack in this area.

Since the enactment of the Civil Defense Act for the District in 1950, the budget for the Civil Defense Office based on any one fiscal year with the exception of fiscal year 1962 has been less than $100,000. In fiscal 1959, the appropriation was $86,000. The major portion of the appropriated funds have been used essentially to cover the cost of personnel and administrative expenses.

Under the provisions of Public Law 85-606, the Congress established the policy of joint Federal-State responsibility for national survival and civil defense. Effective January 1, 1961, appropriated funds for Federal contribution has been made available to the District and the States to meet the need for additional personnel and increased administrative costs in support of the accelerated Federal civil defense programs.

The Office of Civil Defense for the District of Columbia in fiscal year 1961 received, under Public Law 85-606, $26,000 in matching funds from the Federal Government, thus providing a total of $86,000 for civil defense use in the District for fiscal 1961.

These matching funds of the Federal Government will make possible the District proceeding with the following important programs:

First, the District's relocation site is being rapidly developed by the addition of communication equipment and by coordination with the other District departments.

Second, a radiological monitoring network and training program is being developed and maintained at a satisfactory level.

Third, training programs for key District personnel are being prepared, and information and guidance to the public on an expanded basis is being constantly disseminated. In this connection it is interesting to note that during the first 10 days of the issuance of the Federal Government publication, "Fallout Protection," there has been 200,000 requests for the booklet.

The Federal Government at the present time has the responsibility for providing shelters in the Washington metropolitan area. In pursuance of this responsibility, a shelter survey has been conducted within the past several months. It is anticipated

that the District will require shelters for 500,000 persons. In making this survey, the Office of Civil Defense for the District of Columbia has cooperated wholeheartedly with the Federal Government. The local civil defense office has cooperated to the extent of making available the greater portion of its personnel.

Your committee views S. 778 as progressive legislation that will not only improve the overall capacity of the Civil Defense Office for the District of Columbia to adequately cope with emergencies arising from enemy attack and other catastrophies, but equally important the pending bill will allow the District to pursue an active and responsible interest of joint Federal-State responsibility for national survival and civil defense.

FEBRUARY 23, 1962.

Hon. ALAN BIBLE,
Chairman, Committee on the District of Columbia, U.S. Senate, Washington, D.C.

MY DEAR SENATOR BIBLE: The staff director of the Senate District Committee, Mr. Chester H. Smith, has inquired if S. 778, 87th Congress, a bill "to amend the act entitled 'An act to authorize the District of Columbia government to establish an Office of Civil Defense, and for other purposes', approved August 11, 1950", as reported out by the committee on August 30, 1961, is in conflict with the Federal civil defense program as most recently revised by Executive Order No. 10952 of July 20, 1961.

Except as indicated below, S. 778 is consistent with the civil defense program established by the President and the Congress in the fall of last year. The bill, when approved by the Congress, will provide the Commissioners and the Office of Civil Defense with the authority necessary to strengthen the civil defense posture of the District of Columbia in the areas of planning, organization of the local resources, and in the conduct of emergency measures necessary to give the new national civil defense program real meaning and support.

However, S. 778 should be amended to reflect the transfer of responsibilities from the Director of the Office of Civil and Defense Mobilization to the Secretary of Defense effected by Executive Order No. 10952 of July 20, 1961. Accordingly, the bill should be amended by striking "Director of the Office of Civil and Defense Mobilization" in lines 13 and 14 on page 18, by striking "Office of Civil and Defense Mobilization" in lines 15 and 16 on page 18 and lines 23 and 24 on page 19, and inserting in lieu thereof "Secretary of Defense", and by striking "such Office" in lines 2 and 3 on page 20 and inserting in lieu thereof "the Secretary of Defense".

Yours very sincerely,

JOHN B. DUNCAN,
Acting President, Board of Commissioners, District of Columbia.

Mr. HARTKE. Mr. President, for the RECORD I should like to point out that there was no opposition to the bill, which deals with civil defense in the District of Columbia. The bill would bring the law up to date with modern concept and with other State laws. There was no opposition in the committee and there has been no opposition stated since that time. I think it is the type of bill which everyone would approve.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 778) was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (S. 778) was passed.

BROADCASTING IN THE UNITED STATES

Mr. MCGEE. Mr. President, I wish briefly to call to the attention of the Senate a speech which was delivered last night to a meeting of the National Association of Broadcasters by the senior Senator from Rhode Island [Mr. PASTORE], who was present in the Chamber a moment ago. I wanted him to hear my statement.

In my judgment, in his speech the Senator from Rhode Island "laid it on the line" firmly and strongly enough so that all of those attending that meeting could surely get the message. What he made clear was that there were certain minimum standards and responsibilities that the radio and TV broadcasters of this country have a public obligation to live up to, and that the Subcommittee on Communications of the Committee on Commerce, of which the Senator from Rhode Island [Mr. PASTORE] is the chairman, is much interested in seeing a greater response and a greater responsibility on the part of broadcasters in general.

I ask unanimous consent that the full text of the remarks of the Senator from Rhode Island be printed at this point in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

REMARKS OF U.S. SENATOR JOHN O. PASTORE AT THE LUNCHEON MEETING OF THE NATIONAL ASSOCIATION OF BROADCASTERS, SHOREHAM HOTEL, WASHINGTON, D.C., WEDNESDAY, FEBRUARY 28, 1962

My fellow Americans, I sincerely appreciate your invitation and the opportunity to address these few remarks to you this afternoon. As becomes the hour, I shall try to be brief. As becomes the times, I may be blunt. But whatever I say, I say in a spirit of friendliness and cooperation, for in the end unless we promote a system of broadcasting which will serve the public interest, both of us shall have failed in our responsibility to the people whom we serve. So—what is good or what is bad in broadcasting we share as partners.

You are meeting within the octave of one of the most exciting and dramatic feats recorded in history. I refer specifically to the orbital flight of Col. John Glenn. The part that this industry played in bringing this saga of human endurance and scientific progress to the attention of people of our Nation and, indeed, the entire world through radio and television is a milestone for which this industry has every right to be proud. This is one of the industry's finest hours.

The broadcasting system of the United States—radio and television—has long been one of the most outstanding accomplishments of our society. It started as a pioneering effort dominated by persons who were fervently individualistic and independently determined to develop a new means of mass communication.

From the humble beginning of the small crystal set, the broadcaster has built a system of mass communications that today comprises more than 3,500 AM radio stations, 800 commercial FM stations, 543 commercial TV stations, and 62 educational TV stations.

Naturally, during this growth there came increased complexities and abuses. But, on the whole, the people of the United States have been able to witness, and, in the main, enjoy, the benefits of a substantially free competitive industry.

In the postwar period the development and phenomenal acceptance of television by the public brought a new and sparkling dimension to mass communications and a greater awareness of broadcasting, plus closer scrutiny of its operations. To use a cliche, we wonder sometimes how we ever lived without radio and television.

Radio and television are continuously changing our social, political, economic, and educational outlook. No one can dispute the role the so-called TV debates played in our 1960 presidential campaign. They were markedly successful and all broadcasters should be proud of the record. As an illustration of the conceded influence of this medium, there are a few—I may say quite a few—members of the party not my own who, up to this day, still feel the result might have been different but for the TV debates.

In spite of their many successes, radio, and television are still plagued by the identical problems which haunt most human endeavors—the widely changing tastes and habits of the American people.

Everyone in and out of government familiar with broadcasting has a sympathetic regard for this problem.

For more than 10 years I have sat as a member of the Senate Commerce Committee, 6 of them as chairman of the Subcommittee on Communications. I sat through those difficult days of hearings involving the entire television industry when programing, network operations, and allocation were the issues of concern. The industry was young. It was going through growing pains. The desire to permit untrammeled growth urged that each doubt be resolved in favor of the broadcasters.

However, the recent widespread and critical expressions concerning programing cannot be ignored. Television does influence—its capacity to convey ideas is immeasurable. Its full impact on children and adults can neither be precisely appraised or accurately predicted. But every responsible person must agree that its impact is real and far reaching.

Speaking of criticism, one has only to look at the April 1961 issue of TV Guide where the editors were so disturbed and incensed at the status of television that they wrote an open letter to the Chairman of the FCC, and it stated, among other things:

"Television violence is making our youth callous and damaging America's image abroad. Despite network pledges to curtail violence there still is a cumulative impression of violence for the sake of violence on television."

More recently we had the observation of a three-man team from the Stanford University Institute for Communications Research, Drs. Wilbur Schramm, Jack Lyle, and Edwin Parker, in a study entitled, "Television: the Lives of Our Children." This study was 3 years in the making and is based upon responses from 6,000 children, 2,000 parents, and 300 schoolteachers. In referring to TV violence they stated:

"Mindful that most parents are worried about the incessant violence on TV, the researchers examined 100 hours of programs in the so-called children's hours of television, the period from 4 p.m. to 9 p.m.

"In those 100 hours the authors counted: 12 murders, 16 major gunfights, 21 persons shot, 21 other violent incidents with guns, 15 fistfights, 15 incidents in which 1 person slugged another, and an attempted murder with a pitchfork, 2 strangings, 1 stabbing in the back with a butcher knife, 3 successful suicides (and 1 unsuccessful

suicide), 4 people pushed or falling off cliffs, 2 cars running over a cliff, 2 attempts made to run over persons with automobiles, a raving psychotic loose in an airliner, 2 mob scenes (in 1 the wrong man is hanged), a horse grinding a man under its hooves, 2 robberies, a woman killed by falling from a train, a tidal wave, an earthquake, a hired killer stalking his victim, and finally, 1 guillotining.

"Does this type of TV violence disturb our children? The researchers are alarmed: 'Hour after hour this parade of violence passed, as it must pass before our children week after week, and the amount and intensity of it gives one pause.' They add that more research is urgently needed in this area of television and children."

Indeed, even the president of the National Association of Broadcasters, my good friend, Governor Collins, has been urging the broadcasters to make progress in improving the quality of their programing.

"I believe," said Mr. Collins, "that we must become involved more effectively in improving the kind and quality of programing. The diversity of programs in prime time."

I want to make it clear that I am not condemning all television programing nor subscribing to the thesis that all crime-and-violence, blood-and-thunder programs are the role and direct cause of juvenile delinquency. But I must agree that this type of program is not conducive to good behavior and does not excite and draw out the best attributes of character in our children and, indeed, even in adults. Television has become a part of our way of life. It is an integral part of our society. It is a habit with the American people that cannot now be broken. It has been said that the children spend as much time before the television set as they do in school or in church. This places a grave responsibility on the shoulders of the broadcasters.

Every broadcaster who assumes this responsibility knows well that he is not compelled by any force to enter broadcasting as a profession. Once he does make his choice, and usually he does so against many competitors, he cannot shirk his responsibilities.

Therefore, I want the record to clearly show that I commend the Chairman of the Federal Communications Commission, Newton N. Minow, for the position that he has taken in a number of his recent statements. I might have said some things differently and probably would have used a different approach.

Nevertheless, his message should be heeded by the broadcasters because the members of the Senate Commerce Committee, during Mr. Minow's confirmation hearing and at practically every hearing held on communications, expressed concern about the quality of programs now being made available to the public. Therefore, I am quite sure that Mr. Minow has the encouragement and the support of the Senate Commerce Committee.

Congress will not and cannot stand idly by and allow excesses or abuses to dominate this great medium, nor will it be stampeded by the cries of censorship every time an observation of a constructive nature is made to improve the quality of programing. There is no one more than I, myself, who would resist interference with freedom of expression.

On the other hand, it is well to remember that there is one distinguishing factor that separates the broadcasting system from almost every business in the United States—that is, a condition that the broadcaster must operate in the public interest. I know there will always be debate between reasonable people as to the meaning of public interest or public service. I need only refer you to the extended testimony that has been and is being submitted on this subject to the FCC and the Commission's statement of policy with regard to this subject. Leroy Collins, president of the National Association of Broadcasters, put forth his ideas of the definition of public interest last year, as follows, and I am willing to accept it:

"Some say the public interest and what interests the public is one and the same. I do not agree.

"Programing in the public interest is not completely fulfilled by the mere broadcasting of something which may attract large segments of the public. In fact, the public interest cannot be served adequately through entertainment alone, any more than man can live by bread alone.

"Serving the public interest means doing that which advances the general welfare. Quality entertainment is a major factor in this, but not the totality of it.

"Broadcasting, to serve the public interest, must have a soul and a conscience; a burning desire to excel, as well as to sell; the urge to build the character, citizenship, and intellectual stature of people, as well as to expand the gross national product.

"And this should be reflected in what goes on the air for American men, women, and children to see and hear and be influenced by."

I would urge the entire broadcasting industry to take a new, long, hard look at itself and at its practices, particularly in programing. The broadcaster cannot afford to be complacent. He should remember that morality and responsibility in the broadcast field is not just the duty of avoiding a conflict with the letter of the law, rule and policy of the FCC. The broadcaster has a greater duty—one to stimulate, to inform and to bring to the general public informational programing that can help the people in these difficult and trying days to formulate judgments that will assist our leadership.

I would be less than candid not to tell you how greatly disturbed I was recently when I read about the "Bus Stop" production involving Fabian.

Jack Gould, TV editor of the New York Times, and one of the most respected writers in broadcasting, in referring to this program, has stated that "it was a disgraceful and contemptible flaunting of decency, an indescribably coarse glorification of vulgarity to win an easy rating." I am told that in the preview of this program by the affiliates, 25 rejected it and 2 of the sponsors refused to sponsor the program. These I commend for their foresight and courage.

Eventually, however, 90 affiliates did carry the program. When the television code administrator informed the network that it received complaints about this show before it was actually broadcast and requested an opportunity to screen the program, ABC, even though a subscriber to the TV code, rejected this request. Is this cooperative self-regulation?

I cannot but remind myself of the numerous appearances before Congress of various industry representatives who claimed no new laws or regulations were needed because they were in a position to regulate themselves; that they had a code for TV and radio and that this was sufficient. I wonder how the performance of "Bus Stop" squares with this assertion, or is this a patent deficiency in the network and code relationship? You will hear more from me on this subject of the TV code and the industry at a later date.

In the meantime, I sincerely hope that the broadcasters and the networks will take heed of the current developments which reveal that the majority of programing over individual stations today comes from the networks.

About 90 percent of the so-called prime evening hours when the largest number of TV sets are in use are occupied by programs originating with the three television networks. Yet, in spite of the fact that the licensee bears the FCC responsibility for everything that appears on his station, he plays a limited role in the preparation, selection, and formulation of the program received from the networks. More effective procedures must be worked out by the licensees and the networks so that each will share the responsibility and play a greater role during the 18-month leadtime period.

I know that since our network practices hearings of 1956, a greater exchange of information has taken place between the affiliate and the network. But I feel sure, in view of the disclosures of recent weeks, that some formula can be worked out that will bring about a more equitable sharing of responsibility for all types of programing by the licensee and networks in the leadtime period as well as the preview period.

One must never forget that the broadcasting industry is possessed of unique and profound powers of distributing information and entertainment to many people in an impressive fashion.

It is like a roaring waterfall bursting with power only to see its strength wasted as the water flows aimlessly, because it has been only partially harnessed. Yet the waterfall properly harnessed and effectively channeled can become the obedient servant of mankind by giving forth electrical energy to run the factories and light our homes.

Similarly, television is a tremendous resource that must be fully developed so that the full benefits of this dynamic medium can stimulate man's fertile valley of ideas. Television must excite and invite youth into pursuing objectives as mighty as our times demand. Television must not dissipate its power on unworthy attitudes that are obstacles to public acceptance and public service. Other media have successfully sidestepped such obstacles. Television's rightful place is at least an equal obligation to enlighten our people with facts, information, and background so that meaningful and responsible conclusions can be drawn to support and encourage our leaders.

I have the feeling that a determined industry can do this, but if it does not, then some adjusting and regulating may have to be done by others. This is not a threat—this is a challenge.

There is no intention on my part to make a blanket indictment of the networks as such. Few misdemeanors do not make a crimewave. Our networks must have a reason for existence or they would not wield the influence they do. There is no desire to harm them, but there is a responsibility to know their purposes, their principles, and their performance.

And these must all conform to our common dedication that our airwaves shall play their part in a world that will forever be free, intelligent and decent.

You have had your moments of greatness. But this industry cannot rest on the laurels of the past. That will not excuse any laxity of the present.

Laxity and lassitude must give way to vigor and vision. Vision is always the projection of the eye and the mind into the heart and the soul of the future.

It has been written in the Scriptures, "Where there is no vision the people perish."

I say that America has vision. It is nowere more positive and powerful than in the network of sight and sound that is in your acre. I am certain that your industry will justify the faith that the people of America have placed in you. They proved that faith by inviting you into their homes.

As in your codes and conduct, your principles and your programs, you safeguard those homes, you make secure the American dream, and you make certain the American destiny.

ANOTHER DANDY ORBIT: THE TOUR OF ATTORNEY GENERAL ROBERT F. KENNEDY.

Mr. McGEE. Mr. President, a short editorial entitled "Another Dandy Orbit," which was published in today's issue of the Washington Daily News, stated:

Attorney General Robert F. Kennedy returned yesterday from a month-long trip around the world. Objective: good will. Mission more than fulfilled.

It wasn't a fawning kind of good will, or patronizing; rather it was realistic and thoughtful. About the best summation we've read was a translation from the Japanese weekly, Sankei:

"Bobby Kennedy is a frank, energetic, tough guy, but a charming and refined salesman. He casually meets and shakes hands with anyone. Without mincing his words, he boldly asks questions and gives answers. If he's in the mood, he even sings."

Everywhere he went—a dozen or so major countries—he seems to have left the impression of universal youth's feeling for the world. Maybe he hit a wrong note on occasions, but even Texans should forgive him in the larger interests of leaving a good image abroad of today's America.

The freshness of Bobby Kennedy's approach on issues of the day, in every country he visited, undoubtedly will leave vivid and propitious memories. So much so, that East German Communist propagandist Gerhard Eisler only yesterday was moved to bellow "Go to hell, little monster" in unwitting praise.

I ask unanimous consent that the full editorial be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

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SITUATION IN VIETNAM

Mr. McGEE. Mr. President, in his press conference this morning, the Secretary of State, Dean Rusk, spoke on the American position in the Vietnam crisis at the present point. I ask unanimous consent that the statement be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

NEWS CONFERENCE OF THE SECRETARY OF STATE, DEAN RUSK

Secretary RUSK. I would like to open today with a statement on Vietnam. We have noted recent comments from Peiping, Moscow, and Hanoi about the nature and purposes of American aid to Vietnam. I should like, therefore, to make a brief comment on that situation. These comments from Communist capitols wholly neglect the fact that the Republic of Vietnam is under attack by Communist guerrillas who are directed, trained, supplied and reinforced by North Vietnam—all in gross violation of the 1954 Geneva accords. Irrefutable evidence of this illegal and aggressive activity has been made public; I can add that what is known publicly is strongly and conclusively reinforced by intelligence information. U.S. military and economic assistance and technical advice are being extended to the Republic of Vietnam at its request to assist the Vietnamese people to maintain their independence against this aggression. There have been other examples, in almost every continent, of this type of aggression. The United States is assisting with training, logistics, transportation and advisory personnel to enable the Government of Vietnam to deal with this conspiratorial effort to take over that country by violent means. We have no combat units in that country and we have no desire for bases or other U.S. military advantages. All we want is that the Vietnamese be free to determine their own future.

In reference to the demand by the Communists that the cochairmen of the 1954 Geneva Conference and other countries concerned consult regarding Vietnam, the United States is always prepared to talk about situations which represent a threat to the peace, but what must be talked about is the root of the trouble; in this case it is the Communist aggression against Vietnam in disregard of the Geneva Accords.

The President made it clear last December in responding to the Vietnamese request for assistance that, "Our primary purpose is to help your people maintain their independence. If the Communist authorities in North Vietnam will stop their campaign to destroy the Republic of Vietnam, the measures we are taking to assist your defense efforts will no longer be necessary."

There is no threat to the peace of southeast Asia from the south or from across the Pacific Ocean; the threat comes only from the north, from those who have declared their intention to force the rest of the world into their pattern—despite the fact that no people has yet chosen that pattern in a genuinely free election.

There can be peace overnight in Vietnam if those responsible for the aggression wish peace. The situation is just as simple as that.

SENATOR THOMAS J. DODD, OF CONNECTICUT

Mr. DOUGLAS. Mr. President, those of us who are in public life know that very often the public image which some try to create of a person is far different from the real person and the views he actually holds.

In recent months there appears to have been an attempt by some to label our colleague, TOM DODD, of Connecticut, as somehow being a very conservative, or even a reactionary person.

Those of us who know TOM DODD and who have watched his record here in the Senate and in the House know that this is not the case. On domestic issues Senator DODD has one of the finest voting records in the Senate. In recent years the Americans for Democratic Action, which cannot be labeled a reactionary organization, have rated him from 80 percent to 100 percent in support of the programs which they feel are important.

On the other hand, I note that in a voting record put out by the Conservative Society of America they rated him only 13 percent conservative and 87 percent anticonservative.

May I also say that Senator DODD, while a vigorous anti-Communist, has many times stood up in support of those who have been unfairly accused by the far right of so-called Communist leanings.

He has denounced the John Birch Society; in the South he has called for racial equality; and he has supported the reputations of such vigorous social Democrats as Vaino Tanner, the great Finnish statesman.

I think the public should know that Senator DODD's domestic voting record is one of strong support for liberal and progressive causes, and that his opposition to communism is one based on the facts as he sees them and not on indiscriminate attacks on the innocent. As I have said, he, in fact, to my personal knowledge, has actually helped the innocent who have been unfairly accused by extremists.

Those who saw the Senator from Connecticut in his magnificent appearance on the program "Meet the Press" Sunday appreciate, I think, the poise and balance with which he discussed difficult issues, such as our policy toward Katanga, China, and other places. I think that statement should correct some of the misapprehensions about the Senator from Connecticut which have been created.

I ask unanimous consent that an article entitled "Specter to the Left Is a Critic of the Right," by Tom Kelly, published in the Washington Daily News, issue of October 30, 1961, be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SENATOR DODD FINDS HIMSELF IN THE MIDDLE—SPECTER OF THE LEFT IS A CRITIC OF THE RIGHT

(By Tom Kelly)

For some time now a specter has been haunting some members of the liberal left—the specter of Senator THOMAS J. DODD, Democrat, of Connecticut.

He is chatty, girls at many a cocktail party will tell you, easily identifiable as the visible spirit of the late Senator Joseph McCarthy, Republican, of Wisconsin.

This is exceedingly odd.

Senator DODD is the most outspoken member of the Senate Internal Security Subcommittee and he is notably articulate on communism.

FIRST ATTACK

He was first depicted as a witness-baiting, publicity-making, advantage-taking bully last October in an article in Harper's by British theater critic Kenneth Tynan who had been summoned as a witness in a hearing on the Fair Play for Cuba Committee.

The FPCC was eventually shown to be heavily infiltrated by Communists and largely financed by Castro, but Mr. Tynan, as it turned out, was not a member. He was sort of an innocent bystiner, having appeared as a signatory in an FPCC newspaper ad.

In his article Mr. Tynan said first that the committee's power to subpena him or anyone struck him as "highly unconstitutional"—a strange conceit since the power has been used openly by scores of congressional committees for at least 100 years.

His direct criticism of Senator DODD was more rhetorical. He found him "flushed, frowning" and of questionable manners.

Mr. Tynan said the committee's questions left him "incredulous," "stunned," and full of "astonished amusement." Harper's later published a statement by Senator DODD that the particular questions which left him so astonished and amused had, in fact, never been asked.

Mr. Tynan, in his published reply, did not challenge this assertion.

Since Mr. Tynan sounded the alarm, Senator DODD has gained a growing reputation as a "McCarthy," a doughhead, a reactionary and a man virulently opposed to anything of faintly liberal tinge.

Last month the Washington Post decided that Senator DODD, after "a succession of fumbling and amateur efforts to impersonate the late Joe McCarthy" had "at last succeeded."

THE OTHER SIDE

It is, therefore, rather surprising to find that the Senator considers himself a "liberal." It is almost as astonishing to find that the Americans for Democratic Action, the voice of dedicated liberalism, apparently does too.

The ADA, which scores congressional votes on a basis of liberalism, gave him 100 percent last year and 80 percent this. He is, and has been, a supporter of all the recognized liberal causes, such as public housing and aid to the aged.

He has denounced the John Birch Society on the Senate floor as "an affront to decency and intelligence." Last summer he told an American Legion group, of all people, "that the wild and woolly rightwingers who often call themselves 100-percent Americans" are, in fact, "grotesque caricatures, symbols of everything that is is essentially un-American. They proceed on the basis that a man is guilty until proved innocent, that the constitutional rights of suspected persons should be abrogated, that foreigners, foreign goods and foreign ideas should be excluded from America."

In Dallas, Tex., of all places, he told his audience that one of the conspicuous blots on the American scene is "the tragedy of racial discrimination. The American Negro finds artificial obstacles placed in his path everywhere he turns—discrimination in essential aspects of social life, discrimination in education, discrimination in housing, discrimination in employment. [It] is the ultimate denial of our professions of liberty and human dignity."

He says he did and does consider the late Senator McCarthy "a reckless and irresponsible man."

DIFFERENCES

Many an honest liberal can find points of disagreement with some of Senator DODD's conclusions as to the best way to handle specific problems arising out of our conflicts with Russia.

His position that Cheddi Jagan, Prime Minister of British Guiana—who is admittedly a Marxist—should be denied all U.S. aid is one open to debate since Mr. Jagan claims to be permanently wedded to free, democratic elections and a free press.

Before we give him any money, Mr. Jagan should demonstrate that he is as democratic as he claims, Senator DODD says.

"I would never foreclose the possibility that a man can change but on the record [he is] violently anti-American and positively pro-Communist."

On occasion Senator DODD, however, has expressed admiration for a good many Socialists.

He told the anti-Communist crusade in the Hollywood Bowl that it "was a tough old European Social Democrat, Vaino Tanner, who saved Finland from communism while the Finnish Agrarian Party, which was supposed to be more conservative, collaborated with the Communists."

He then listed five other "Socialist statesmen" in four European countries who had "played outstanding roles in resisting communism."

He praised the American AFL–CIO unions as having "more solid understanding on the subject of communism than any other major sector of our society."

He thinks the dangers of Communist infiltration and subversion are obvious but he does not see Communists behind every curtain: "Communist infiltration in Government may at no time constitute more than a tiny fraction of 1 percent of all Government employes and officials. It will never be able to take over the American Government from within as some exaggerated fears have had it."

It is difficult from the published transcripts of his hearings to find basis from the belief that he is abusive to witnesses, including those who plead the fifth amendment. The transcripts are, on the other hand, fairly well speckled with witnesses who are determinedly dilatory.

AS HE SEES IT

The Senator himself conceives his role as one of rallying liberals and conservatives of good will against communism and in ousting the nuts at both extremes.

"I am particularly worried by the growing bitterness between our liberals and our conservatives. In speaking about liberals, I do not mean the totalitarian sympathizers of the Soviet Union who disguise themselves as liberals and in speaking about conservatives I do not mean those who have so completely abdicated their belief in freedom that they still regret the defeat of nazism. I refer to the great mass of decent Americans whose adherence to these respective philosophies of government falls within the framework of the American political tradition."

He does not think that the voice of DODD is the voice of God.

"I am," he said, "doing the best I can."

There seems no better basis to think his voice is the voice of McCarthy.

THE QUALITY OF JUSTICE

Mr. BENNETT. Mr. President, one of the most shocking examples of the political callousness of the present administration is the cavalier manner in which it has handled appointments to the Federal bench.

When the administration took office last year, we were told that politics would not determine the appointment of Federal judges, but that they would be appointed solely on the basis of qualification. Yet the American Bar Association's Committee on the Federal Judiciary last week reported that of the 82 chosen for lifetime judgeships made by President Kennedy, all 82 were Democrats.

We had come to expect political affiliation to be the determining factor in all appointments within the Federal Government under this administration, but we were shocked to learn that in appointing these judges Mr. Kennedy named 7 who were designated by the American Bar Association as "not qualified" and another 23 who failed to achieve the American Bar Association's designation of "well qualified."

The implication of this report is very clear. It is obvious that the Kennedy administration believes an unqualified Democrat is superior to a well-qualified Republican. To carry this kind of thinking into the all-important field of appointments to the Federal bench is an unconscionable abuse of the power to make judicial appointments.

President Eisenhower's record was in sharp contrast. It will be remembered that President Eisenhower time after time offered to make half of his appointments Republican and half Democrat if Congress would agree to authorize the new judgeships which were so desperately needed during the later years of his administration. But for political reasons, the Democratic Congress refused. Nevertheless, by 1960 half of the Nation's judges were Democrats and half Republicans.

Even more important, however, is the fact that 188 of the 189 appointments made by President Eisenhower had been approved by the American Bar Association as competent to serve as Federal judges. The remaining one was not recommended only because of his age.

The American Bar Association report gives one more example of the tendency of the Kennedy administration to view the Federal Government as the exclusive property of the Democratic Party, to be used in whatever way will benefit the party most. This is a regrettable situation, and one which should greatly concern the members of the Judiciary Committee from both political parties who, I am sure, are anxious to see the the quality of American justice maintained at the highest possible level.

I ask unanimous consent to insert at this point in the RECORD an editorial from the March 2, 1962, issue of Life magazine entitled "Bar's Concern About the Bench."

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

BAR'S CONCERN ABOUT THE BENCH

A little-advertised achievement of the Eisenhower administration was its slow but stubborn raising of the quality of the Federal bench. By 1960 the judges were about one-half Democrats and half Republicans; more important, all of Ike's 189 appointments (except 1 for age) had survived a new system of careful scrutiny by the American Bar Association in collaboration with the Attorney General. Last week Bernard G. Segal, chairman of the American Bar Association's Committee on Federal Judiciary, quoted the late Judge Vanderbilt on judicial reform: "No sport for the short-winded."

It appears that Kennedy in his first year has made nearly three times as many new judicial appointments as did Eisenhower in his first year, all but one of whom (a liberal) have been Democrats. American Bar Association checking procedure is still at work; Mr. Segal reports good relation with the Attorney General; two-thirds of the Kennedy appointments won the American Bar Association's "well qualified" or better. Nevertheless 23 were merely qualified and 7 were

called "not qualified," a term the American Bar Association does not use carelessly. Says Mr. Segal mildly, "We believe a great opportunity has been lost."

In other words, 8 years of steady court progress are in danger of being sacrificed to partisan politics. Said one anti-Kennedy paper, "What did you expect?" We expected and we expect more. It is promised that the next batch of appointments will be less one-sided politically—an easy promise in States where there are two Republican Senators who can throw their weight around. But, politics aside, let's have no more of these "not qualified" appointments. These men are appointed for life and they hold the quality of American justice in their hands.

FOREST ACCESS ROADS

Mr. MORSE. Mr. President, on February 1, Attorney General Robert Kennedy issued a landmark decision to Secretary of Agriculture Freeman on access to the national forests created from the public domain. Transmittal of that decision to the Secretary was delayed some 20 days because, although the Attorney General was in full agreement in principle, he desired there be a further review by Assistant Attorney General Byron White.

I ask unanimous consent that this opinion, along with other pertinent material, be placed in the RECORD at the close of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

HIGHLIGHTS OF THE DECISION

Mr. MORSE. Mr. President, two questions were posed to the Attorney General:

1. Did the act of June 4, 1897 (16 U.S.C. 478), contemplate that "actual settlers residing within the boundaries of the national forests" shall include any firms, corporations, or persons other than a person "who goes upon the public land with the intention of making it his home under the settlement laws"?

2. Does the Secretary of Agriculture, under the act of June 4, 1897 (16 U.S.C. 478), or any other act pertinent to the national forests, have the authority to include, as a condition of the grant of a right to cross national forest land, the receipt where needed (of a right) to cross lands owned or controlled, directly or indirectly by the applicant? (If the answer is in the affirmative, are there any special exceptions?) Collaterally, may the Secretary of Agriculture, utilizing 16 U.S.C. 525, request the Secretary of the Interior to apply this policy should the Secretary of Agriculture desire an easement to be granted?

The Attorney General's answer to the first question was:

The language of the act and its legislative history, in particular its stress on the residence requirement, indicate a clear congressional purpose to include in the term "actual settlers residing within the boundaries of national forests" the original settler who resides on the land and to exclude from it corporations or other business entities which, within the boundaries of national forests, own property which never was settled under the homestead laws. To include those business entities in the term "actual settlers residing within the boundaries of the national forests" would be to read into the legislation precisely the amendment which was proposed and rejected.

In short—a lumber company is not an actual settler.

In answer to the second question, the Attorney General said:

You have the discretionary authority in cases which you consider appropriate to condition the grant of a right to use existing or to construct new roads on national forest lands on the grant by the applicant of a reciprocal right to the United States.

On the collateral part of question two, the Attorney General said:

It may, therefore, be desirable to devise some administrative machinery pursuant to which an application to your Department for the construction of a road across national forest lands can be referred by you to the Department of the Interior for the grant of an easement without requiring the filing of multiple applications. While I believe such a machinery can be established under 16 U.S.C. 525 and 472, whether you should attempt to do so is again a matter confided to your discretion.

Since I first came to the Senate I have made the matter of access roads into national forest lands and into other segments of the public domain one of my major concerns. I have introduced a good many pieces of legislation in the Senate on the subject. I have followed a course of action that has brought to my State millions of dollars which otherwise it would not have had except for my intervention. During some administrations obviously great injustice was being done to the taxpayers of the country by the failure of the administration to include in its budget proposals adequate sums of money for the construction of access roads into Federal timber, so that harvestable timber, including that which has become overripe, windblown, or diseased, could be brought out. The result was the saving of millions of dollars to the taxpayers of our country.

I have fought in the Senate over the years for increased appropriations for access roads because I knew it was a sound position to take. I knew that we could not possibly justify on economic grounds the failure to bring access roads into Federal timber to take out timber which was ready for the harvest or which otherwise would waste away because it was windblown, diseased, or overripe.

I have taken the position for years that timber is a crop, and wise husbandry policies call for its careful cropping. That is why I have been such an advocate of adequate access road legislation. There is pending before the Senate S. 501, which is an access road bill. Today I send to the desk a revised copy of S. 501. I ask unanimous consent that it may be appropriately referred. I also ask unanimous consent for a new print of it to be made.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD, as requested by the Senator from Oregon.

The bill (S. 2936) to amend chapter 2 of title 23, United States Code, to provide for the system of forest development roads and trails needed for the utilization and protection of lands administered by the Forest Service, and for other purposes, introduced by Mr. MORSE (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Public Works.

Mr. MORSE. Mr. President, I ask unanimous consent, also, to have S. 501, as revised and as I am introducing it today, reprinted in the RECORD following my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. MORSE. Mr. President, at this point I want to touch briefly on a few key points.

This bill would provide a broad charter to the Forest Service to build "multiple-use management roads." I do not consider it desirable to spell out in detail how each phrase and section will operate. The Secretary of Agriculture will have the authority to do this by rule and regulation. There are many different situations which need to be taken into account and I would consider it better to give the Secretary the flexibility he needs to meet each situation. I would insist that he consult with various groups and consider the views they express. If there is a defect in some regulations which he declines to correct, then would be the time to consider whether the Congress should direct the Secretary to correct the situation.

Second, our bill suggests a substantial increase in the authorization. I cannot state the position of the President on this matter and I will respect his judgment on this proposal. It is necessary and desirable to have before the President the optimum program level. The case is a good one because these roads do not cost the taxpayers 1 cent in the long run. In the removal of any timber, the cost of a road affects the value of the timber.

One study in the Northwest points out that if forest roads are built to proper standards, during the next 20 years $329.5 million in maintenance and hauling costs alone would be saved as compared to a construction cost of $282 million. Those savings cannot help being reflected in less costly lumber for our people and in more efficient operation of the public forests.

I urge that the administration favorably report on the proposed legislation, and I say this mindful of the many meritorious programs which vie for the President's endorsement.

I close my remarks by pointing out again to the lumber industry that I intend to do whatever I can to make American lumber fully competitive with imported lumber.

"Wood Is Good" is a motto used by the timber industry. Our forests protect our waters and the products of the forests constitute one of our finest resources. We have no real shortage of wood overall right now. However, we will have one unless we meet the forest management responsibilities that confront us.

We do have a number of acute local shortages of timber supplies, and the

lack of access is a major contributing factor to this situation.

When the timber industry spokesmen appeared before Secretary Freeman, they talked of the need for cooperation. They spoke of their desire to help themselves. They have this opportunity now, and I assure them as one Senator from a timber State that I will work with them on every aspect of their program that meets the public interest test.

WHAT THE ATTORNEY GENERAL'S DECISION MEANS

The decision of the Attorney General provides the Forest Service with the full authority to issue regulations which could unlock in the Northwest alone at least 4 million acres of national forest commercial timberland, which would sustain an allowable cut of at least 700 million board feet annually. It could unlock more national forest acres covered with commercial timber than is under discussion in the wilderness bill. The commercial forest lands locked up by the timbermen often have private roads through them and, even more important, have a greater capacity to produce timber than most of the wilderness acres.

I digress to point out to the lumber industry that it has consistently opposed the enactment of the wilderness bill, giving among other reasons the argument that the bill would lock up national forest timber. But the fact is that some persons in the timber industry in the five States from California around to Montana have locked up more than 700 million board feet of annual allowable cut. This 4 million acres is already blanketed with 1,500 miles of road constructed by private industry to serve their intermingled holdings. In the aggregate, more than 55 billion board feet of timber is in an "economic icebox." This said condition exists for the reason that the Government timber cannot move over these roads because the private timber owners will not permit access by their own Government over their lands, in order to get out timber which belongs to all the taxpayers of the United States, millions of board feet of which need to be harvested.

Studies by the Forest Service indicate that there has been an annual loss from this landlocked Government timber, due to insects, disease, wind damage, overmaturity, and other causes, of 1 billion board feet per year having a value of $16 million.

On February 20 and 21, I met with representatives of the National Lumber Manufacturers Association and their subsidiary associations, and listened to their complaints about Forest Service policies. They complained in particular that the Forest Service was not selling the full allowable cut nor was the Forest Service pricing the timber equitably. They discarded the Forest Service's contention that bid prices usually run substantially above Forest Service appraised prices. The timber spokesmen complain, with justification, over the influx of lumber from northwest Canada. The essence of their plea is that action be taken to make American timber competitive.

It just so happens that the 700 million board feet of annual allowable cut which is locked up in the national forests by some lumbermen equals the amount of lumber we import by water from northwest Canada. I intend that we unlock this national forest timber, and I contend that its marketing under the principle of sustained yield will reduce the cost of lumber to the American people.

I am proud that, apparently, the President of the United States agrees with me, because of the great message on resources which he has sent to Congress.

In his resources message today, President Kennedy has forcefully pointed out that one step that can and will be taken is the establishment of a policy permitting the Federal Government to condition its granting of a right-of-way to private timberland owners within national forests upon the receipt of corresponding rights to cross their private lands in order to harvest timber from national forests.

Thus we have come the full cycle. The Secretary of Agriculture has obtained the legal advice of the Attorney General. The President has instructed the Secretary of Agriculture that he will proceed. It now is up to the Secretary to move with the vigor and dispatch that the President's instructions require.

The President has also promised to send to Congress shortly a request for authorizations for funds needed for the construction of needed roads in the national forests. This is the other necessary step to making the needed progress in conservation.

I wish to congratulate the President for the general excellence of his message on natural resources. In particular, I commend him for his clear and unequivocal statements on access policy and the need to advance authorizations. Those in the lumber industry who really have the public interest at heart will recognize that the President and the Attorney General have taken a wise course. The action by the President should hearten all conservationists, for we are embarked on a course which will make certain that the national forests cannot and will not be taken out of use to further a selfish private interest.

At this particular point in time the lumber industry faces many problems. There is no denying that the lumber market is off. Shipments into this country of lumber from British Columbia have acted to depress lumber prices. Activity by Japanese log buyers have buoyed up log prices. Shortages of available stumpage to bid on in the national forest in some areas where there are many mills have added to the cost-price squeeze many lumbermen have faced. We can and will find solutions. I point out to the lumbermen that the solutions will not be found by attacks upon the Secretary of Agriculture and the Forest Service. I want there to be no doubt about my position: There are improvements that the Forest Service can effect. I think I know something about this because I have spent the last several years trying to get the Forest Service to review its access policy. That finally was done, but not without persuasion on my part in the form of a well documented case, and an insistence that the matter be taken to the Attorney General.

There are other problems as to which the Forest Service may be reluctant to act. They will have to face up to these issues too—and I hope that the lesson I helped them to learn on access will not be lost as we proceed to test them on other subjects. While the senior Senator from Oregon may be pressing for changes in policy in other fields, I wish to stress that the public interest criteria must be met on each change in policy. I do not want the lumber interests to think for one thin minute that I intend to urge that the Forest Service or the Secretary of Agriculture adopt their suggestions if I am convinced that the public interest will not be benefited. The threat of retaliation at the polls next November on the part of the lumbermen will not worry me in the slightest.

In my judgment, for far too long, the lumber industry's posture in the public eye can best be described as giving the appearance of a man "looking backward through a knothole." The time for a change is long overdue. The road to progress cannot be found by looking backward—and one's vision is extremely limited looking through a knothole.

In my judgment, one of the factors leading to excessive bidding on national forest timber is its short supply; and the locking up of 700 million board feet of annual allowable cut is a contributing factor to the high bid prices about which the industry complains. The unlocking of this timber, therefore, is certainly one step which will help reduce the cost of national forest timber to the industry generally. There may be a need for further revisions of the Forest Service appraisal policy, but no amount of revision of appraised values will change the results of bidding unless the allowable cut is placed at its optimum level.

Over the past several years, I have been concerned that the Forest Service has not obtained adequate access to the national forests. Early in 1961, I conferred on this matter with Secretary Freeman, Assistant Secretary Welch, Agriculture Counsel Bagwell, representatives of the Forest Service, and the Attorney General. I believe that the Forest Service regulation on access, adopted in 1953, was not in accord with the intent of Congress. The position which the Department of Agriculture had been taking on this matter was largely the result of an unsigned memorandum prepared in the office of the General Counsel of Agriculture some time in 1950. It was my further position that the course being followed by the Forest Service was not in the best public interest. I therefore concluded, after conversation with these high Government officials, that the proper course for the Secretary of Agriculture to follow was to seek the advice of the Executive's chief legal officer, the Attorney General; and this I then requested be done.

On August 2, 1961, the Secretary of Agriculture presented the issues to the Attorney General, and sought this decision. While I do not have a copy of the

brief on this question submitted by the lumbermen to the Attorney General, I am highly pleased that they did make their views known to the Attorney General. So it cannot be argued by them that they did not have an opportunity to make their position well and fully known.

Thus, the Attorney General's decision was based upon a full and careful review of all the facts and thorough consideration of the arguments on both sides.

Here and now I say to the Secretary of Agriculture that he should immediately take the necessary steps to promulgate regulations giving life to the policy which the Attorney General clearly says it is within the discretion of the Secretary of Agriculture to follow.

The test that I intend to put to the actions by the Secretary is whether the regulations he puts forth are consistent with the policy which has been successfully carried out by the Department of the Interior on its Oregon and California lands since the spring of 1950.

In my judgment, the Secretary should immediately set up a task force within his General Counsel's office. Working in cooperation with the Secretary of the Interior, this force should expeditiously formulate a policy. I point out that it is not necessary for the Department of Agriculture—to use the terms of Gifford Pinchot, in this instance—to break new ground. This has already been done by the Department of the Interior.

I would also point out to the timbermen, with regard to the estoppel argument, that the Bureau of Land Management once followed a passive policy on rights of access similar to that of the Forest Service. This did not run against the Department of the Interior, and I consider it significant that the lumbermen never once have brought a suit against the Department of the Interior over its 1950 regulations on forest roads.

I know that a segment of the lumber industry feels rather strongly on the questions involved. As the Attorney General aptly pointed out in his decision, he was "impressed by the extent to which the statute tends to be viewed in absolute terms not borne out by either its language or legislative history. There is a tendency to claim, on the one hand, an almost unqualified statutory right of any owner of property located within the boundaries of national forests to build roads across the forest reserve, despite the narrow language of the statute, and to argue that, if this were not the case, owners would be without any rights whatsoever; that is, that you could arbitrarily deny access or condition it on unreasonable requirements. As I have emphasized, I do not understand this to be the law."

It is my understanding that spokesmen for the lumber industry have threatened to sue the Government on the matters here involved. I point out to them that when the Secretary completes action on the regulations and performs some act under them, they will be in a position to sue, if they so desire. I consider that an empty threat; but I also point out that had the issue not been so decided by the Attorney General, they would never have been in a position to sue. I want to give full assurance to the industry that I shall act as their legislative counsel, so to speak, in making certain that any views they wish to present to the Secretary of Agriculture, as he proceeds, are given a full and fair consideration. If the industry is concerned that some portion of the proposed regulations will place unreasonable requirements on them, if they can so convince me, I will champion their case; and even if they cannot convince me, I shall make certain that their views receive most careful consideration.

I therefore urge the timber industry and its spokesmen to work cooperatively with the Secretary of Agriculture to achieve the real goal of the policy issue in question—the operation of all of our national forests with the highest regard for the public interest and the achievement on commercial timberlands in public ownership of the best type of management, so as to produce an abundant and reasonably priced supply of forest products to meet the continuous needs of the American people.

IS THIS POLITICAL INTERFERENCE?

Not too long ago spokesmen purported to represent the views of one of our national conservation organizations, suggested that I was exerting political influence on the grazing policies of the Bureau of Land Management. In that instance, I had made a careful study of the Bureau's grazing policies, and reached these conclusions: First, that they needed to be changed; and second, that there was adequate Executive authority to change policies. I was further persuaded that the changes I suggested would serve the public interest.

In this instance, there may be in the lumber industry some who will contend that the senior Senator from Oregon has engaged in "political interference" with the affairs of the Forest Service. The term "political interference" is tossed about recklessly by those who wish to divert attention from the true purpose and nature of an inquiry by a Member of the Congress into the activities of a Government agency which administers laws enacted by the Congress. When I am satisfied that the public interest demands it, I shall not hesitate to question the activities or the policies of an agency administering the Federal law. Above all, I shall not be dissuaded by threats of political reprisals, no matter how important may be the groups or interests threatening those reprisals.

Mr. President, when I seek to carry out the trust of my office to protect the public interest, I am accustomed to the charge that I am engaged in political interference, so far as selfish-interest groups concerned are involved. But let me make clear, once again, if I have not already made it clear to such groups in my State, that the duty I owe the voters of the State of Oregon is to proceed to call for an analysis, a review, a study, and an investigation or a stop order in regard to any policy of any agency of the Government responsible to the Congress of the United States, when I am satisfied, on the basis of the facts, that that agency is following a policy which cannot be squared with the public interest; and my course will not be changed, my action will not be modified, nor will my duty be evaded simply because when I seek to prevent a wrong from being perpetrated by any Government agency, some selfish-interest group charges me with political interference.

In a few days I shall be speaking again about the Bureau of Land Management problem, and then a few days after that, and then a few days after that, and for as many times as it will be necessary for me to speak in order to get the facts in regard to the Bureau of Land Management policies before the Congress and before the American people, because I am completely convinced, Mr. President, that once I make that record, this administration will see that I am right about it, and will see that in the public interest, these policies of the Bureau of Land Management must be changed.

Mr. President, when I take hold of a problem which I know involves an injustice to the public interest, I do not give up; and I have not given up on this Forest Service issue.

Of course, at first I got the usual arguments—arguments which, if I had accepted them, would have caused me to desist. But I know what the 700 million board feet of timber, owned by the taxpayers of this country, which was being wasted, would mean to the economy of the Nation and to the best interests of the lumber industry; and that was one of many reasons which caused me to persist in regard to this matter, because I knew my law, and I knew I was right on the law, and I know that any Attorney General charged with the responsibility of researching this legal question could not escape reaching the conclusion which I had already reached in the brief I filed on this subject matter many, many months ago. But I make this comment, Mr. President, because I have gone through these wars before, and I know the tactics of selfish groups.

I want to say now to the taxpayers of Oregon that this matter is of vital concern to the economy of Oregon, because I can take one into forests in Oregon where there is Government timber in what I have referred to in this speech as the icebox of the private lumber industry of my State. I describe it in this fashion because it is not accessible due to the fact that private lumber interests have not been willing, on the basis of reciprocity, to give the Federal Government access to the people's lumber. I knew that was wrong. That is why I started this fight, Mr. President, and I am going to stick with it until this wrong is righted—until we get rules and regulations out of the Department of Agriculture that will open up the timber to many small mills in my State, and other States similarly situated, that are in need of Federal timber so they can put men back to work in the mills. Too many of these mills are closed down or operating on short shifts, because they cannot obtain access to Federal timber.

I have been fighting for the people of my State, and the Pacific Northwest, for jobs, for profits for lumber mills, for

lumber for housing programs, in the best interests of the economy of the Pacific Northwest.

Mr. CHURCH. Mr. President, will the Senator yield?

Mr. MORSE. I yield to the Senator from Idaho.

Mr. CHURCH. Did I correctly understand the senior Senator from Oregon to say that 700 million board feet of timber in public forests have been locked up by the policy of the private lumber companies in refusing access across their lands to make this timber available for public sale?

Mr. MORSE. That is the minimum figure. I consider it an understatement. Others have suggested that I use a higher figure. I make the statement that the figure of 700 million board feet is the minimum.

Mr. CHURCH. Does the Senator recall that last year, during the debate in the Senate on the wilderness bill, which was strongly opposed by many private lumber companies, and in all the furor since the Senate passed the wilderness bill, how many times private companies have said the wilderness bill is a terrible calamity because it locks up public forests that are needed by the lumber industry and puts them in wilderness, inaccessible forever to any commercial use, and therefore they are only serving the public interest in opposing a lockup that would deny the Western States the full potential of their economic development in future years?

Yet I understand that all the Federal timber in all the primitive areas that could possibly be locked up under the provisions of the wilderness bill comes to something like 520 million board feet, or less than the private companies that are raising this cry have, by their own policies, denied to the Forest Service and to the processes of public sale. In other words, they are locking up more timber by their own policies than the wilderness bill could possibly lock up, irrespective of the review which is provided for in the wilderness bill that these primitive areas may very well restore to forest land and multiple use large tracts of timber within the areas of the established wilderness areas.

Mr. MORSE. The Senator is correct. I think his figure of 520 million board feet is the maximum so far as the wilderness area is concerned, but that is the figure we should use, just as we should use the minimum figure with respect to the timber the private lumber owners are locking up.

Not only was this argument made over and over again in opposition to the wilderness bill, but many of the opponents of the wilderness bill were not fair enough to point out that even in the wilderness bill there are provisions to take care of the harvesting of timber because of disease and windblown and firehazard conditions.

Mr. CHURCH. As the Senator well knows—because he was one of the most articulate spokesmen in support of the wilderness bill last year, and certainly he is one of the best informed Members in the Senate on the provisions of the bill—the primitive areas that are included temporarily in the wilderness system will be reviewed during a 10-year period following enactment of the bill, and one of the purposes of the review is to determine what portions of the area containing stands of timber are to be restored to the Forest Service and to be subject to the multiple-use principles of the bill.

Mr. MORSE. The Senator is correct.

Mr. CHURCH. Therefore, without any question, the 520 million figure I have referred to is the maximum figure, because in the process of review portions of that area will be restored to ordinary forest status. So here we have a situation in which the interests that have objected most vociferously to the lockup in the wilderness bill are, by their own policies, locking up a far greater amount of public timber than could be locked up by virtue of the final application of the wilderness bill if it is made a part of the law.

The Senator from Oregon has rendered a very great service in unlocking public timber for public use through the opinion that he managed to get from the Justice Department. I am very much encouraged that the President, in his message today, made it clear that he intended to enforce this opinion, and that this is to be the new administrative policy of the Department of Agriculture and the Forest Service.

We are about to unlock a great tract of public timber, and this will make it possible for the Forest Service to better market the timber in the future and give to the lumber industry optimum cuts within the permissible annual cut consistent with sustained yield. This will be good for the country, and it certainly will be in the public interest, but it exposes the falsity of the argument that has been so often raised by the very forces who were against the wilderness bill during past months.

I commend the Senator for the very real public service he has rendered, and also for the effort he is making on the floor of the Senate to inform the public as to what the factors have been in the controversy of the past months.

Mr. MORSE. I appreciate very much the comments the Senator from Idaho has made in connection with this discussion this afternoon. I thank him for the great help he has been to me time and time again as we have worked together as partners in the Senate on timber problems, on issue after issue. I say from the floor of the Senate to the people of the State of Idaho that I congratulate them in having in the Senate a man who has done constructive work in behalf of the lumber interests of the people of Idaho, as the Senator has done. What he has been pointing out is the public-policy importance of unlocking that 700 million board feet of timber.

I invite Senators to take a look at a hypothetical situation for a moment, because it illustrates as well as I can do the operative facts of the problems we are talking about. Here is a large lumber company that owns thousands of acres of private timber. Let us say it lies along a river, and that the only roads available are roads into the private tract. Back of that, on mountainside after mountainside, are many thousands of acres of standing timber belonging to the Federal Government. The only access to the timber is across private land.

One can easily see the economically favored position the large lumber company is in. With respect to bidding for any of that timber, if the timber is finally put up for Government auction, the lumber company is in a preferred position because it is the only company that can reach it. In addition, by private agreement it has at its mercy potential bidders on the timber. The result is that very little of the timber is put up for sale. The timber on those mountainsides is in a private company's economic icebox. It is put in storage for the private company.

One can well imagine how the operators of small timber mills feel. This illustrates a point of view I have expressed for nearly 18 years in the Senate. I happen to believe that though there are some exceptions, for the most part the access roads to timber ought to be built by the Federal Government. The Forest Service—and the Bureau of Land Management, in some instances, also—have followed a policy of permitting companies to bid on timber with the understanding that the price paid for the timber would include a deductible allowance for the cost of the road. That does not often give the Federal Government the control over the road it should have, although the agreement can provide for specifications for the road.

The roads into the public domain are important for many reasons. They are important not alone for getting logs out, but also for fire protection. If we wisely use our forests and other natural resources, the roads are important to the greatest value of our Federal forests, which does not happen to be the timber at all. The greatest longtime value of our national forests, I think, will prove to be their recreational values. I think the taxpayers of the United States will receive more money into the Treasury of the United States from the use of our Federal forests for recreational purposes than for timber purposes or for any other value flowing from an economic severance, whether it is timber or the severance of some other natural resource.

When one argues against the large lumber companies, which are about the only ones which can afford to construct these very expensive roads, or when one takes the position that the Federal timber should be open to all bidders and that the Federal Government should build access roads so that all bidders would have an equal opportunity to bid, it may be said that one, somehow, is opposed to the big lumber companies.

I am not opposed to the big lumber companies. I am only opposed to any practice of the big lumber companies which economically discriminates against other competitors in the industry. I believe our lumber industry ought to be operated on the basis of fair rules of competition.

We have seen a good many abuses of this policy on the part of the owners of

private timberlands. If we are to give to a lumber company the right of access across a Federal road which is already built over public land—for that matter, if we wish to work out an arrangement to build a road across Federal land, although I say, again, I prefer to have the Federal Government do it—there is no possible basis for objection, on the ground of fairness, to say that the grant of access to the private operator is conditioned upon a reciprocal principle, which reciprocal principle is that the Federal Government shall have the right to go over the private land, on the basis of an arrangement that is arrived at in order to get at the landlocked Federal timber I discussed in my hypothetical. That is only commonsense.

One might say, "Senator, the Federal Government could proceed to condemn an easement across private land." That is costly. It is time consuming. It causes misunderstandings and irritation.

Furthermore, for many years the Forest Service as a matter of policy has taken the position, unless the case is most exceptional, that it will not resort to condemnation, because it feels it should settle such questions out on the basis of negotiated agreements or not at all. I have completely disagreed with that policy on the part of the Forest Service. I say to the Forest Service today, "I still disagree with that policy. When the public interest calls for the exercise of the right of condemnation in order to protect the public interest, the Forest Service, as well as any other Government agency, should exercise such right."

I think the decision of the Attorney General will greatly strengthen the hand of the Secretary of Agriculture, and through him the hand of the Forest Service, in reaching amicable understandings and arrangements with the lumber companies on the basis of the principle of reciprocity. I wish to make it clear that if any lumber company does not wish to cooperate, and seeks to prevent the Federal Government from acting through its duly appointed agents in protecting the public interest—whether it be the Forest Service, the Bureau of Land Management, or any other agency of Government—it is the clear duty of the officials of that department of the Federal Government to take whatever legal steps are necessary to protect the public interest.

I am not one who can ever be appealed to on the basis of economic threats or on the basis of threats of noncooperation with the Forest Service on the part of some lumber company, or a combination of them, or an association of them, if the Federal Government, through the Forest Service, under the direction of the Secretary of Agriculture, proceeds to take the necessary legal steps to protect the public interest. To them I say, as I say to all other groups in this country, "The public interest comes first."

So far as I am concerned, I only ask the Secretary of Agriculture to find out what is the public interest, and to make clear to the lumber companies that he intends to protect the public interest. The Attorney General's opinion leaves no room for doubt as to his legal power and ability to do the same.

What I have been saying applies very much to the Attorney General's opinion. I studied the situation carefully, made my presentation to the Secretary of Agriculture, both in person and by letter, and urged upon him that the issue be resolved through seeking the advice of the Attorney General of the United States. This is the type of "political interference," if that is what one wants to call it, that I continuously intend to engage in. For all I seek is that the public interest be properly served and protected.

I shall be interested also to watch what position is taken on this matter by the conservationists who attacked me on the grazing question before the Bureau of Land Management. For here are 4 million acres of national forest lands where the inability of the Forest Service to obtain access results in losses in the millions of dollars. Even more significant are the other resource losses such as the loss of recreation values and the high cost of proper protection and management of our national forests. Above all, the conservationists should not forget that the inability of the Forest Service to gain access to its "landlocked" commercial forests has resulted in great pressures from some of the big timber interests to open the high mountain forests and wilderness areas to logging, as pointed out by the Senator from Idaho [Mr. CHURCH]. The anomaly is that these big timber interests are the very people who are denying access to the Forest Service across their lands and roads.

Mr. McGEE subsequently said: Mr. President, let me say now, regarding the matter dealt with earlier today, one very close to the State of Wyoming; I refer to the matter of our timber reserves and full utilization of our timber resources—that I was much impressed by the statement of the Senator from Oregon [Mr. MORSE] that the American people are losing $150 million annually in connection with the activities of the timber operators themselves.

I repeat that it would be much easier not to "rock that boat" in an election year. But, nevertheless, the Senator from Oregon has the courage to tackle that problem, because it is the right thing to do; and I congratulate him on that, as well.

Mr. MORSE. The Senator from Wyoming is correct when he says it is the right thing to do; and I shall ask him to come to Oregon and make that statement there. [Laughter.]

Mr. McGEE. I thank the Senator from Oregon.

Mr. MORSE. Mr. President, I do not wish to leave the impression in this regard that the conservationists as a group are opposed to the Senator from Oregon and the stand that he has been taking on the Bureau of Land Management problem, this problem, or any of several other problems affecting our Federal forests and ranges. On the contrary, I received messages from many conservationists, including many members of the Izaak Walton League, assuring me of their support of the position that I have taken. All I wish to say is that I do not intend that the greedy few shall further divert the attention of the American people from the fact that the real lockup of the national forests has been the "special interest lockup" of valuable, available timber in the national forests.

The Attorney General is to be commended for the general excellence of the presentation of his decision. Also, his assistants, Mr. White and Mr. Katzenbach, are deserving of high praise. As a former law school dean, I consider this opinion to be well organized, well reasoned, well documented, and clearly stated. It leaves not the slightest shadow of doubt on the point that an actual settler residing within the boundaries of the national forests has a clear, technical meaning, and that a lumber company does not come within that definition.

Under the 1953 regulations the Department attempted to administer 16 U.S.C. 478 as if the words "actual settler residing within the boundaries of national forests" read, "any person or corporation owning property within the boundaries of national forests", and to construe the right of ingress and egress as including the right to construct wagon roads. The Attorney General clearly points out:

> The effect of this interpretation is that a lumber corporation may construct or use roads across national forests without having to pay for this privilege, while the United States has to pay just compensation to the same corporation when it seeks to cross that company's property in order to obtain access to its own forest lands.

On the question of conditioning the grant of a right-of-way, the Attorney General was similarly direct. He pointed out a number of facts, including the fact that the Supreme Court had upheld a requirement by the Federal Power Commission that a private power company seeking to construct a powerline over public roads would have to transmit some public power over that line. The Attorney General again was exceedingly clear when he said:

> I therefore conclude that you have the discretionary authority to require persons other than actual settlers residing within national forests to grant reciprocal rights to the United States for the privilege of using existing roads in national forests.

The Attorney General gave specific consideration to the Secretary's authority relating to permits to build wagon roads across the national forests. He pointed out that the Secretary has this authority which includes "the power to withhold a permit unless the applicant confers upon the United States a reciprocal benefit which bears a reasonable relation to the management of the national forests."

The Attorney General reasons further that this requirement may be imposed upon actual settlers who seek permits to construct wagon roads across the national forests, but he also says:

> In appropriate circumstances, this may require you to impose less burdensome conditions upon them than upon others and therefore to limit your exercise of administrative discretion to impose reciprocity requirements.

He further points out the Secretary has two sources of regulatory authority: 16 United States Code 478, 551, and 16 United States Code 525, with the latter somewhat broader than the former.

The Attorney General's clear conclusion here was—

> The legislation relating to the national forests authorized you to impose a reciprocity requirement on requests to use existing roads by persons who are not actual settlers, and to build wagon roads within national forests whether made by actual settlers or by other persons.

In short, every person who can demonstrate he is an actual settler can, as a matter of statutory right, continue to use existing roads. However, in the rare instances where an actual settler may wish to build a wagon road, and I am certain these would be extremely rare, a reciprocity requirement may be made, provided, of course, that the Government needed the use of the road. I am certain that these occasions would be extremely rare nowadays. As to all who are not actual settlers, the reciprocity requirement may be applicable. Of course, in the exercise of this authority, the Secretary must be fair and reasonable.

Mr. President, I should like to refer again to the contributions of the Senator from Idaho [Mr. CHURCH] to the discussion on the Attorney General's opinion. The Senator from Idaho pointed out that approximately 700 million board feet of Federal timber is landlocked by private owners, and that only 520 million board feet of timber are involved in the entire wilderness bill. Yet many of the lumber companies which are themselves engaged in landlocking Federal timber urged us to vote against the wilderness bill because, according to their sights, the wilderness bill would have the effect of landlocking timber, although, as I said earlier today, they did not go on to point out the many safeguards involved in the wilderness bill, including the safeguard that the Senator from Idaho [Mr. CHURCH] referred to; namely, that the bill itself provides for a review in 10 years of the policies and effects of the bill.

I wish to add an additional set of statistics to the discussion. The Forest Service states that 700 million board feet of allowable cut are locked up, plus one billion board feet per year lost to insects, and so forth, with a total annual loss of 1,700 million board feet.

The value of the timber stumpage, the Forest Service had said, would be $27 million, the value in product form; and in job payroll it is at least $150 million a year.

That is a substantial item, not only in the economy of the Nation as a whole, but also in the economy of the so-called lumber States of which my own State is one, and the State of the Senator from Idaho is another. The States of Washington, Montana, and all the other great lumber States of the Pacific Northwest are included.

We are really fighting for jobs for workers and profits for the lumbermen themselves. We are fighting for great economic assistance to an industry which at the present time is depressed. The lumber industry is one of the depressed industries of the United States. Most Senators are familiar with some of the reasons for that situation. We need the kind of action that the National Lumbermen's Association proposed to Secretary Freeman the other day at a conference that I attended, which line of action I endorse. I will do what I can to help the lumber companies get the kind of relief they are seeking. However, there is another line of action in which the lumbermen themselves can cooperate, by helping us, on a reciprocal basis, to reach the agreements and understandings that will be necessary in order to obtain access to the Federal timber envisioned by the Attorney General's opinion.

The Attorney General quickly disposed of the contention that the United States had not claimed any reciprocal rights for the grants of temporary permits during 64 years, pointing out first that, in fact, any estoppel period would date back to a much more recent time. He pointed out that the "practical and underlying interpretation of the statute would go back only to the amendment of the regulations in 1953, or possibly to 1950." His conclusion was:

> In the light of this history, I cannot conclude that there exists a "consistent and generally unchallenged" (*Norwegian Nitrogen Co. v. United States*, supra, at 315) administrative practice which assimilates "mere owner" to an "actual settler," and the right of egress and ingress to the right to construct wagon roads.

The fifth and final point in the Attorney General's letter is a general summation and includes discussion of contentions apparently raised by the lumbermen. The lumber companies contended that where a person owns property within the boundaries of a national forest and asks for a right to cross that forest, or construct a road, he is actually exerting an easement by necessity and consequently is entitled to the permit as a matter of private property right.

The Attorney General recognizes this as a complex and controversial matter. He says:

> It is my view that these easements do not exist over public lands. Moreover, if Government land could be servient property, it also would be dominant property where the situation is reversed, and you could, in the exercise of your discretion, refuse to respect an applicant's easement as long as he failed to honor his reciprocal obligation to the United States.

The Attorney General recognizes that the administration of a policy of reciprocity may sometimes be complicated, particularly in the situation where the private person seeks permission to build a relatively short wagon road over Government land and the Government seeks to build a much longer one over his property, or to use his extensive network of roads, or to exercise rights which are in other respects substantially greater than what it gives.

The Attorney General also recognizes that there may be possible unfairness or lack of equality where the Government recognizes a longtime easement but issues only a temporary permit. It is from this point that he proceeds to suggest that the Departments of Agriculture and Interior can work out a procedure under which the easement could be granted.

This decision, therefore, disposes of a number of points upon which the Forest Service has suggested in the past that there needed to be legislation. It suggested at one point that the Congress give the authority to secure reciprocal agreements, not withstanding the provisions of any other law. The Attorney General's decision says, in effect, that this is not needed for they do have the authority. The Forest Service, responsive to the wishes of the timber industry, has urged the Congress to grant the Secretary of Agriculture the right to issue easements. This, too, is not needed, for sufficient authority exists under present law and the Secretary of Agriculture and the Secretary of the Interior can work out the necessary machinery.

I say most respectfully, but critically, that I am accustomed to this "out" by the Forest Service. It is an old, old pattern. Whenever we find a practice that the Forest Service should not have allowed to develop in the first instance, and we say to the Forest Service, "You ought to change that practice," the alibi is, "We must have legislation."

We encountered that alibi when I brought this question up with them. I said we did not need legislation. The Attorney General's opinion makes that crystal clear. They do not need legislation in respect to some other problems that are pending downtown. What the Forest Service needs to do is to proceed at all times to represent the public interest first, and not the timber interest first. I say most respectfully that what the Forest Service needs to do is rejoin the Government and cease being an unwitting agent of the timber companies of this land, as it so frequently has been.

I say most respectfully, but critically, that time is long overdue for the Forest Service to function as a division of the Department of Agriculture, with the prime obligation of protecting the public interest. Had it done so, we would not have this controversy; and if it will do so, we shall avoid some other controversies which, I may say good naturedly, are "a-cooking."

So long as I sit in this body I do not propose to let the Forest Service or the Bureau of Land Management or any official thereof, with statutory authority in respect to the public domain of this country, follow an administrative course of action that is not in the public interest.

As I have been heard to say before, and as I repeat today, the forests do not belong to the Forest Service. The grazing land does not belong to the Bureau of Land Management. They are but the administrative agents of the Congress to carry out the administrative power Congress has delegated to them, in a manner that will protect and promote the public interest. It is a very simple formula of governmental administrative obligation.

I say most respectfully to Congress that every Representative and every Senator has the responsibility of checking the agencies of the Government to which the Congress has delegated its own administrative authority in regard to carrying out the purposes and intent of the laws on the books. I would be less than honest if I did not say this. Sometimes I am somewhat saddened and disillusioned in the Senate when I observe the first reaction that sometimes sweeps the thinking of many of my colleagues, busy men, who would find it more comfortable if another perplexing problem raising a challenge to some policy of an agency of Government were not raised. But it happens to be our trust and our job.

Sometimes I feel that it is too easy for Members of Congress to overlook the meaning of the system of checks and balances. The system of checks and balances permeates the entire administration of government at the executive level and the legislative level, wherever government operates. There is not a single member of the personnel of the executive branch of the Government whose position gives him the authority to render an operative judgment which is not subject to the system of checks and balances. In the interest of good government, we, as Members of Congress, must see to it that such an employee is subjected to the system of checks and balances. If we do not do that, there is no way to protect the American people from arbitrary discretion; there is no way to protect the American people from the inefficiency and bad judgment exercised by some administrator.

To carry out our duties as Senators, when we have been apprised of such a problem, will require much time. That will not always be pleasant. We cannot always please everyone. But if we live up to our trust of being completely impersonal about these matters and let the chips fall where they may, directing our course only by the compass of the public interest, the course of action becomes very clear.

I have interested myself in this problem during the past many months because I simply became convinced that this policy of the Forest Service is not in the public interest and just has to be stopped; and that the system of checks and balances which I seek to bring to bear upon the Forest Service in connection with this problem is in keeping with the duty which I owe to the people of my State.

I wanted to say these things today because I desired the RECORD to show the motivation of the senior Senator from Oregon in regard to this subject. I wanted to show the people of my State why I am following the course of action I am following in respect to certain policies which have been prevailing on our national forests.

I am perfectly aware that, in the past, Members of Congress from my State who have dared to raise any question about well-established policies of vested interests in relation to the Federal forests have found themselves involved in public controversy. There are those who think it is impolitic to follow my course of action in regard to the practices of the Forest Service and of the Bureau of Land Management. Of course, I would not have any right to sit in the Senate if I let that be the controlling factor in the course of action I follow here. I have seen an injustice practiced by both these agencies of Government, and I have sought only to carry out the obligation I owe to the people of my State.

I am convinced that once the facts of these controversies are placed before the people of my State, they will be able to understand, and I shall be perfectly willing to abide by their judgment.

As I have said earlier in my speech, I am introducing today a revised version of S. 501, which stresses proceeding vigorously with adequate authorizations for the construction of needed forest access road. I am including the proposed legislation, merely for the purpose of discussion, certain proposals suggested to me in the past by the Forest Service. It may be that when they come before the Committee on Public Works, other analyses will have been completed which will obviate the need for language relating to use fees and the construction of roads to the standards needed for the efficient and permanent management of our national forests.

Again, here I am strongly inclined to believe that the Congress has not denied to the Secretary of Agriculture, whether a road be constructed with appropriated funds or through a reduction in the price of the timber so that the purchaser may construct the road, the authority and responsibility to proceed efficiently in the public interest. I view the concept that a road constructed by a timber purchaser can be only to the standard that a prudent timber operator would use on that one small timber sale as a concept totally without merit. The national forests are public property, intended to be operated in the public interest, and this includes the taxpayers' interest. I believe that this the Congress already has so directed.

Thus, it follows that the Government's position in its management of the forests is that of the prudent manager. A prudent manager does not build a low-grade road to the first small timber sale in a drainage when he knows that he will be operating in that area in perpetuity and will be annually hauling out hundreds of millions of board feet of timber on a sustained-yield basis and managing all of the lands under the broad doctrine of multiple use. In those situations where, for one reason or another, it is necessary or desirable that the timber purchaser build the road, the Government has also a clear obligation to recognize fully this factor in setting the price of the timber and including this requirement in the sale contract.

There is an overriding necessity in the years immediately ahead of us to develop fully the economic and social potential of the national forests as a supplier of wood, water, grass, minerals, wildlife, and healthful outdoor recreational opportunities for our citizens.

Mr. President, this goal cannot be attained unless we first provide the complete network of needed roads. I therefore ask unanimous consent to include in the RECORD at this point a summary table of the developmental program for the national forests submitted to Congress last year by President Kennedy. The largest single investment contemplated is for access roads and this proposed legislation will move us toward meeting that goal.

There being no objection, the summary table was ordered to be printed in the RECORD, as follows:

A DEVELOPMENT PROGRAM FOR THE NATIONAL FORESTS

PROGRAM COSTS

The program includes costs for both recurrent work (operating costs) and nonrecurrent project work (development and capital investment costs).

Recurrent costs include such work as program administration and supervision, planning, maintenance of all structural facilities, maintenance of roads, protection from pests and fire, and other annually recurring costs. These costs would increase in relation to the increase of public needs and the installation of additional facilities.

National forest program, summary of work and costs, fiscal year 1963 through fiscal year 1972

[Based on dollar value as of May 15, 1961]

Item	Recurrent work annual level, 10th year	Nonrecurrent project work 10-year total	Work needed
	Thousands	*Thousands*	
Timber resource management	$41,229		Complete and keep current inventories and plans for 9,000,000 acres. Cut 13,000,000,000 board feet annually by 1972.
		$417,891	Culturally treat 10,000,000 acres. Plant 3,800,000 acres.
Recreation, public use	47,176		Complete management and development plans. Maintain facilities and provide sanitation and cleanup for 190,000,000 visits by 1972.
		408,720	Reconstruct and rehabilitate more than 2,000 existing campgrounds. Plan and develop 28,000 new campgrounds and picnic sites. Plan and develop 4,000 other recreation sites including swimming, boating, winter sports, and public service sites. Provide special development and information service for outstanding scenic and recreation features which attract heavy visitor concentrations.

National forest program, summary of work and costs, fiscal year 1963 through fiscal year 1972—Continued

[Based on dollar value as of May 15, 1961]

Item	Recurrent work annual level, 10th year	Nonrecurrent project work 10-year total	Work needed
	Thousands	*Thousands*	
Wildlife habitat management	$3,810		Administer, supervise, and coordinate wildlife activities and cooperate with States.
		$35,280	Improve 1,500,000 acres of game range, 7,000 miles of stream, 56,000 acres of lakes. Develop 2,000 wildlife watering facilities, 400,000 acres of wildlife openings, food patches, and game ways. 11,000,000 acres of rodent control.
Range resource management	8,227		Manage 13,000 grazing allotments. Maintain existing improvements.
		70,669	Complete analyses and plans on 7,600 allotments. Revegetate 4,000,000 acres. Construct 16,000 miles of fence, and 8,100 water developments.
Soil and water management	2,594		Manage and administer soil and water resource. Coordinate with other resources.
		89,718	Erosion control and stabilization on 1,800,000 acres, 22,000 miles of gullies and roads. Construct 570 pollution control and flood prevention projects. Conduct soil surveys on 29,000,000 acres. Initiate water yield inventories.
Land adjustments, classification, and uses	6,587		Examine mining claims. Administer mineral leases and special uses. Exchange 1,400,000 acres of land. Prepare up-to-date land status records. Conduct land classification work.
Land surveys and mapping	140		Maintain property line marking.
		88,305	Cadastral surveys of 6,587 corners and 13,200 miles of cadastral survey ties to metes and bounds surveys. Survey and mark 208,000 miles of property lines. Topographic mapping of 355,600 square miles.
Land purchase		66,500	Acquisition of 500,000 acres of land essential for recreation development, use and access, including protection of outstanding scenic areas and wilderness, and 950,000 acres of key inholdings to meet other national forest access, management, and resource restoration needs.
Forest fire protection	32,513		Intensify protection, including increased manpower, equipment, and aerial operations, to approximately 2 times present level.
		71,737	Reduce hazardous fuels on 4,000,000 acres. Construct 11,000 miles of firebreaks.
Insect and disease control	[1] 10,360		Intensify and accelerate detection, prevention, and control of forest insects and diseases to reduce current timber losses.
Structural improvements for fire and general purpose.	8,008	106,368	Maintain existing structural and communication improvements. Construct 2,640 housing and related improvements, 2,500 service buildings, 455 lookouts, 17 special structures; betterment of existing structures; 2,000 radio installations; replacement of 3,000 miles of telephone line; construction and reconstruction of 62 landing fields; construct 1,820 heliports and helipots.
Forest roads and trails	[2] 24,000		Maintain existing transportation system.
		[3] 1,212,484	Construct 79,400 miles of multiple-use purpose roads and 8,000 miles of trails. Provide supplemental work on roads constructed by timber purchasers.
Total	185,024	2,537,882	

[1] Includes national forest control only. Does not provide for amount of $3,100,000 for control on other Federal and State lands.
[2] Timber purchasers will maintain existing purchaser-constructed roads at an estimated additional annual cost of $5,000,000.
[3] Timber purchasers will construct an estimated 33,000 miles of road costing approximately an additional $474,000,000.

Proposed road construction development program for the national forests, 10-year period, fiscal years 1963–72—Estimated cost of roads to be constructed

	Appropriated funds	Timber purchasers	Total
Alaska	$26,228	$6,446	$32,674
Arizona	45,266	1,830	47,096
California	216,154	78,463	294,617
Colorado	81,058	3,649	84,707
Idaho	121,286	41,757	163,007
Montana	78,357	36,940	115,307
New Mexico	32,370	1,830	34,200
Oregon	233,778	192,230	425,008
Utah	60,948	21,816	43,764
Washington	125,378	98,608	223,064
Wyoming	35,744	2,518	38,262
Other States with national forests	177,753	7,023	184,776
Total	1,212,484	474,000	1,686,484

Mr. MORSE. Mr. President, I also ask unanimous consent to include in the RECORD at this point a proposal for expansion of the national forest roads and trails program submitted to the Congress by the National Association of County Officials.

There being no objection, the proposal was ordered to be printed in the RECORD, as follows:

PROPOSAL FOR EXPANSION OF THE NATIONAL FOREST ROADS AND TRAILS PROGRAM

(Submitted by the National Association of County Officials to the 87th U.S. Congress)

SUMMARY OF THE PROPOSAL

The National Association of County Officials proposes:

1. That the development program for the national forests, transmitted to Congress by President Kennedy on September 21, 1961, be immediately implemented by increasing the fiscal 1963 authorization for forest development roads and trails, as provided in the Federal-Aid Highway Act of 1960, from $40 million to $67.5 million. This increase is needed to enable the forest service to meet the schedule of road and trail construction proposed in the development program.

2. That the 10-year schedule of road and trail construction as proposed in the development program continue to be implemented in the future. This will require an increase in Federal authorizations and appropriations. We recommend that authorizations of $90 million for fiscal 1964 and $120 million for fiscal 1965 be included in the Federal-Aid Highway Act of 1962 in order to accelerate the construction of these badly needed multipurpose roads.

SUMMARY OF REASONS FOR THE PROPOSAL

Reasons for the first part of the proposal are set forth in the President's message of September 21, 1961, and in the Forest Service report which accompanied it, "A Development Program for the National Forests." The first part of the proposal is further supported in the President's message on natural resources, transmitted to the Congress February 21, 1962. Further documentation in this statement appears unnecessary.

In the second part of the proposal, NACO suggests shifting even further than the development program provides from purchaser financing to appropriation financing in the construction and maintenance of national forest roads and trails. The reasons for the second part of the proposal are set forth in the following sections.

1. The Forest Service, at the present and proposed level of purchaser financing, is often unable to require construction of the kinds of roads needed to fulfill the policies of the Multiple Use-Sustained Yield Act of June 12, 1960.

The Multiple Use-Sustained Yield Act of June 12, 1960, directs that "The national forests are established and shall be administered for outdoor recreation, range, timber, watershed, and wildlife, and fish purposes." Multiple-purpose usage of the national forests contemplated by the act of June 12, 1960, can be accommodated effectively only if there exists a road system adequate to guarantee the safety of traveling recreationists as well as efficiency in commercial operations and Forest Service protection and management.

When the Forest Service makes road construction a condition of a timber sale, it may require only that standard of road which a "prudent operator" would find necessary to build for the purpose of harvesting timber from the particular sale. The Forest Service may offer supplementary Government funds to the purchaser so that he can build a higher standard road, but acceptance by the purchaser is not compulsory and he frequently finds it more convenient to his operation to build to the lower standard.

Roads built exclusively under the "prudent operator" concept are ordinarily single-laned, inadequately surfaced, and generally substandard for economical permanent use. Except when appropriated funds are available to finance the extra cost of permanent-type bridges, they must utilize untreated wood in structures designed only for temporary uze to remove the timber sold.

Proper protection and management of the national forests also requires that the forest development road program be freed from the restrictions inherent in purchaser financing. To the extent that access roads are confined to the area of timber sales, access will not be gained to more remote areas. Access to the more remote areas is important for fire, insect and disease control, game, and watershed management purposes. These areas also have great scenic and recreation value, and they contain millions of board feet of old growth timber which should be harvested before it dies and rots.

It seems clear that multiple-purpose usage of the national forests cannot be achieved as long as the road building program is tied to the timber sale program. Planning and design of multiple-purpose roads should be systemwide and it should be based on

the long-range needs of all users. Only through appropriations and administration responsible to Congress can a program of this kind go forward.

2. Substandard roads are so costly to use and to maintain that it would be cheaper to build permanent roads to begin with.

There are now 162,400 miles of roads in the forest development road and trail system. The Forest Service estimates that about 105,000 miles of these roads—many of them built by purchasers under the "prudent operator" concept—will have to be reconstructed to higher standards to meet multiple-purpose requirements during the next 40 years.

In addition to the high cost of widening, resurfacing, or otherwise improving existing roadbeds, substandard roads are today wasting money in high-hauling costs and high-maintenance costs which would be reduced with good roads.

A recent engineering study by region 6 of the Forest Service analyzes the effect of maintenance and hauling costs as components of total annual costs per mile of road at different construction standards, and estimates that if access roads in region 6 could be built to planned standards during the next 20 years, savings in maintenance and hauling costs alone would amount to $329.5 million, as compared with construction costs of $282 million.

It would seem that for reasons of pure efficiency and economy, forest development roads and trails should be built to permanent, multiple-use standards. This can best be done through greater Federal participation in financing the system with direct appropriations.

3. Federal investments in access roads are returned to the Treasury in the form of stumpage receipts, and appropriation financing may actually bring a higher net return to the Federal Treasury.

When the Government requires a timber purchaser to build a road as a condition of a timber sale, it makes a deduction from the appraised value of the timber equal to the estimated cost of the road. Conversely, when the road is built from appropriated funds, no such deduction is made, and the money the United States receives for its timber is increased by an amount at least equal to the cost of the road.

Several considerations indicate that constructing the roads from appropriated funds may bring returns to the Government even greater that the stumpage value with roads installed. As noted above, hauling costs are lower with good roads, and this will be reflected in the purchaser's bid. Maintenance costs are also lower, and this will effect savings for the Government long after the timber is removed.

In addition, NACO believes that construction of more access roads by appropriation will stimulate competition both in bidding for stumpage and also in bidding for road construction jobs apart from the stumpage. This competition will tend to increase stumpage prices and maximize returns to the U.S. Treasury.

4. Increased appropriation financing will make it possible for more small operators to bid on Government timber.

Timber in remote areas must be sold in large blocs to justify the higher cost of access road construction, if such construction is made the responsibility of the purchaser. This precludes bidding by small operators, and reinforces the trend toward control of the timber industry by a few large operators.

When road construction is made a condition of a timber sale, the purchaser must finance at least some of the roads before he begins to remove any timber. On the other hand, when the roads are built by appropriated funds, the timber is paid for only as it is cut. This situation again gives a distinct advantage to the larger operator in a purchaser-financed sale, since the smaller mills may not have the operating capital or credit to finance the preliminary road construction. The recent program of Small Business Administration loans has alleviated this situation somewhat, but it is a less satisfactory solution than appropriation financing of access roads.

Furthermore, there is an element of risk in purchaser-financed sales which discourages bidding by small operators, and which is eliminated when roads are built from appropriated funds. The stumpage price for a national forest timber sale is adjusted quarterly over the period of the sale to reflect current market conditions. The operator is thus protected to some extent against a decline in the market. However, road costs that are deducted from the stumpage price at the outset cannot be included in this adjustment.

The number of small mills and logging operations in the Pacific Northwest has declined drastically during the last 15 years. While purchaser road financing policies are not solely responsible for this decline, they must be regarded as a significant contributing factor.

5. Under present practices, national forest roads are being built without true competitive bidding and other public controls ordinarily required for Government construction.

Federal law requires that national forest development roads built with appropriated funds costing over $10,000 per mile be let out for competitive bids. There is no corresponding requirement for roads built by timber purchasers, and in fact the vast majority of these roads are built by timber purchasers without competitive bidding.

NACO believes that in certain long-term timber sales made with a requirement of purchaser-constructed roads, the Government is not in a position to take advantage of savings which might accrue when the roads are financed by appropriation and put out for competitive bidding by road contractors. This situation may occur when provisions for renegotiation are included in sale contracts, and actual road construction costs turn out to be less than originally estimated by the Forest Service. At the time of renegotiation, the Forest Service will presumably have knowledge of the physical circumstances encountered in the course of road construction, such as types of soil conditions found and yardage of dirt moved. However, it will not have full knowledge of the operator's actual costs, and it seems unlikely that the operator will voluntarily disclose any unanticipated savings. On the other hand, if actual costs have exceeded the estimate, the operator will surely bring this fact to the attention of the Forest Service at renegotiation time.

In any event, when road construction is required of the timber contractor, there is not the same incentive for high-quality road construction as there would be under a separate contract for the road job. The timber contractor's first concern is harvesting the timber he has purchased. A road contractor, on the other hand, is interested primarily in fulfilling the road contract and does not get paid until the conditions of the contract are met.

6. Increased appropriation financing of roads will help local county governments and school districts meet costs arising from increased recreation and commercial activity in national forests.

President Kennedy's message to Congress of September 21, 1961, transmitting the revised development program, forecasts both more intensified recreation usage and an acceleration of timber harvesting and management in the national forests. While county governments welcome these developments as stimulants to the local economy, it must be recognized that they involve increased local government expenditures for roads and schools.

These roads and schools are financed in part by a 25-percent share of national forest timber receipts. When stumpage prices are reduced to compensate a timber purchaser for the cost of road construction, 25 percent of the reduction must be absorbed by county governments and school districts.

This financial loss to local governments must be viewed in the light of the total interests of the United States and of national forest users. However, in view of the considerable merits of appropriation financing discussed in the sections above, the reduction of local revenue due to purchaser financing seems particularly pointless to NACO.

Mr. MORSE. Mr. President, the county officials of the State of Oregon deserve commendation for their leadership on this vital program. The proposed legislation that I have introduced is in full accord with their recommendations.

Noting the extreme losses of resources and revenues on the 4 million acres I referred to earlier in my remarks, I point out that on an additional approximately 80 million acres of commercial timber land in the national forests, these losses are multiplied manifold where there are inadequate or nonexistent roads. This program of road construction will pay for itself in direct returns, and in indirect benefits it will pay dividends.

Mr. President, in closing my discussion of this subject matter, I wish to extend my sincere congratulations and compliments to the Attorney General and his assistants for the very fine opinion that has been rendered, which I have made the subject of my address this afternoon.

I also wish to compliment the Secretary of Agriculture, Mr. Freeman, for his statesmanship in seeing the importance of this subject matter to our lumber economy and in requesting of the Attorney General an advisory opinion dealing with the subject.

EXHIBIT 1

U.S. SENATE,
Washington, D.C., March 29, 1961.

Dr. RICHARD E. MCARDLE,
Chief, U.S. Forest Service,
Washington, D.C.

DEAR DR. MCARDLE: Following the conference on March 16, attended by your representative and those of the timber industry on S. 501 and related forest road matters, I have given further thought to points presented to me by my staff assistant.

Mr. Crafts asked whether I had any views as to whether the Forest Service report on S. 501 should be made immediately or later on. My view is that this is not a new subject; under the past administration it was difficult to get a favorable report on authorization or substantive legislation. I offer no suggestion except that public interest requirements be the main guide in formulating your recommendations.

It was with deep surprise that I heard that a Forest Service official suggested, at the March 16 conference, that the portion of S. 501 covering conditioning the grant of a right-of-way may not be an essential feature for successfully meeting the road requirements for the national forests. I am at a loss to understand how, as a part of S. 1797 in the 86th Congress, this was necessary legislation and now it is not so necessary.

I call your attention to the fact that I testified in support of this principle when S. 1797 was the subject of hearing. No evidence has been presented which in any way

reduces the view that this tool is needed to assure development of a forest road system adequate for full resource use to serve all users with proper management and protection.

It, therefore, seems to me that a great need exists to clarify the extent to which there is already vested in the Forest Service adequate authority in law to do some of the very things the Department has previously suggested be resolved by legislation.

Let me preface this request by saying I have proceeded up to now on the advice of your staff people that you lacked three key elements for a proper road policy:

1. Authority to construct all roads to standards needed for long-term management.

2. Authority to collect proper fees for road maintenance and use.

3. The ability to deal at arm's length with those who seek to deny the Government access to its lands except through the device of condemnation.

On these aspects I desire advice on the extent of the precise prohibitions in existing law which restrict executive action to fulfill properly the mission for which the national forests were established.

I desire both the statutory language and prior formal opinions by proper legal officers of the Government on the points discussed below:

1. When a national forest development road is constructed by a timber purchaser under the terms of a timber sale contract, which laws or decisions now expressly prohibit their construction in locations and according to specifications which will permit maximum economy in harvesting timber from (national forest) lands tributary to such roads and at the same time meet the requirements for protection, development and management thereof and for the utilization of the other resources thereof?

If there is no specific prohibition in law against these roads being constructed by purchasers to achieve maximum long-range development of timber in tributary areas, would you please advise me of the line of reasoning you follow in arriving at the conclusions that you are precluded from insisting on construction to serve such maximum long-term development.

2. There are two general classes of commercial users of national forest development roads; those who have contracted for national forest products and those hauling products from non-Federal lands intermingled with the forest.

Are there now any authorities under which you may require either class of commercial users to maintain a forest road as a condition of use? Is there a statutory prohibition on charging a fee for maintenance? Similarly on road use fees, may you make any charges, or are these expressly prohibited?

In the absence of a clear prohibition in law applicable to the fees mentioned in the preceding paragraph, I would appreciate your advising me of the line of reasoning you follow as to your conclusion that such fees may not be assessed.

3. Legislative proposals have suggested that authority be given the Forest Service to grant easements to cross national forest land. Is it really necessary and what is the qualitative and quantitative case for granting easements, rather than a permit or license? I invite your attention to 43 C.F.R. 115.157 (a) defining the permit therein as not an easement but merely a nonexclusive license and to the fact that some 2,000 permits have been successfully issued. Does authority rest in any other department to grant permits or easements on national forest lands? If so, is there a prohibition in law which impairs cooperation between departments on this matter?

4. The act of June 4, 1897 (16 U.S.C. 478) contains three sentences. First, it assures egress and ingress to actual settlers residing within the boundaries of national forests as well as their ability to cross forest land, construct necessary roads to their homes and property, and to utilize their property under such rules and regulations as the Secretary may prescribe.

Will you describe for me the historic and proper description of who is an actual settler residing in the context of our land laws as interpreted by those charged with this responsibility. To be precise—how can a forest products corporation be described as an "actual settler residing within the boundaries of national forests?"

The next two sentences of the 1897 law deal with any person assuring them that they may enter upon such national forests for all proper and lawful purposes including mining, and again they must comply with the Secretary's rules and regulations.

Who are in this second class?

If the actual settlers are a distinct category excluding, for example, miners and timber companies, then is there any basis for concluding that the rules and regulations promulgated by the Secretary may not include provisions similar to those found in 43 C.F.R. 115 governing permits for rights-of-way for logging roads on the Oregon and California grant lands? What also are the arguments for concluding in the positive?

5. Finally, what are the positive and negative arguments for including in regulations—if the matter can be resolved by the Secretary—or in law if need be, provisions for the settlement of road cost and use disputes by the device of arbitration.

I desire a full response by April 7.

Sincerely yours,

WAYNE MORSE.

U.S. DEPARTMENT OF AGRICULTURE,
FOREST SERVICE,
Washington, D.C., April 20, 1961.

Hon. WAYNE MORSE,
U.S. Senate.

DEAR SENATOR MORSE: This is in further reply to your letter of March 29 concerning S. 501.

We certainly appreciate the interest and strong support you have given and are giving to solving national forest access problems.

Before commenting on the numbered points in your letter, we would like to discuss briefly the situation with reference to the so-called reciprocity provision. Following the hearing last year on S. 1797, we made a case by case study of the access needs which could be anticipated over about the next 5 years in three of our western regions where access needs are most pressing. The cases analyzed were those where access to 50-million board feet or more of national forest timber was involved. We had believed and still believe, that authority to condition the granting of rights-of-way or permission to cross national forest land upon the applicant's granting to the United States of the right to cross the applicant's land would put the Forest Service in a more advantageous position. However, our further analysis discloses that the reciprocity authority would not help to solve as many cases as we had previously believed. The substance of other provisions of the road and easements bills would enable us to make a great deal of progress in solving our access problems. We, therefore, would be willing for the present to go ahead with the other provisions in order to see how far we can actually go in solving our access needs without the reciprocity provision. We believe that the progress we could make on this basis would be more than sufficient to justify this approach.

We will comment on the numbered points in your letter in the order in which they were set up.

1. Maximum economy road requirements: A complete statement on this matter is contained in the Comptroller General's letter (B-130831) dated February 7, 1958, to former Congressman Porter. A copy of this letter is enclosed. This letter recognizes the propriety, in appraising national-forest timber for sale, of allowing for road construction costs to be incurred by the purchaser. It holds, however, that "A timber sales contract requiring a timber purchaser to construct roads which would hold up through many sales, rather than just for the initial sale involved, would constitute, in part, a barter or exchange of timber for road construction which, therefore, is not authorized by this provision of law."

2(a). Road maintenance fees: Timber purchasers and users of other resources from Forest Service lands now may be required by the terms of their contracts or permits to maintain, as necessitated by their use, roads which are used by them in the conduct of their operations. The same requirements may be made of other commercial users including those who, in the utilization of mineral resources, timber, or other products on intermingled private lands, use Forest Service roads (16 U.S.C. 551). Section 1 of the act of March 3, 1925, as amended by section 5 of the act of April 24, 1950 (16 U.S.C. 572) permits the Forest Service to perform such maintenance work at the expense of the interested parties, when they so desire, through the use of deposits made by them for such purpose. There is no authority to require cash deposits to be used for this purpose. Even if there were authority to require payment, there would be the problem of expending them for maintenance work. In the absence of statutory authority, such payments would not be available for expenditure and would be for deposit into miscellaneous receipts (31 U.S.C. 484).

2(b). Road-use fees: Section 301 of title 23 of the United States Code provides, with certain exceptions not relevant here, that "* * * all highways constructed under the provisions of this title shall be free from tolls of all kinds." By the definition of "highway" in section 101(a) of that title, forest development roads are covered by this section. Only a limited few of the Forest Service roads are constructed without the use of some funds appropriated under the authority of title 23. The office of the General Counsel of this Department has advised us that the charging of a road-use fee would be prohibited by the provisions of the foregoing section.

3. Authority to grant easements: The executive agencies have no authority to grant easements on Government lands in the absence of express congressional authorization (16 Op. Atty. Gen. 152; see 22 id. 240). The Secretary of the Interior now has authority to grant easements for roads and highways over national forests reserved from the public domain (16 U.S.C. 525). Procedures for interdepartmental cooperation for the use of this authority have long been established. Our records indicate, however, that this easement granting authority has not been used but we know of no reason that it could not be used. At the present time there is no authority to grant easements for such purposes over national-forest lands acquired pursuant to the Weeks Act.

We believe that authority for the Secretary of Agriculture to grant easements over national-forest lands reserved from the public domain, over acquired national-forest lands, and over acquired rights-of-way for Forest Service roads on non-Federal lands is needed and would be very helpful.

In obtaining easements and rights-of-way to serve national-forest areas, it has been our practice to insist upon permanent rights. Many of the landowners with whom we negotiate for such rights-of-way also have

need for rights-of-way across national-forest lands. The negotiations with such owners would be greatly facilitated if we had authority to grant permanent easements.

We rather commonly have situations in which the Forest Service and another landowner desire to cooperate in building or extending, or using, a single road system over intermixed lands. Where the road crosses land of the cooperator, the Forest Service obtains easements from the cooperator in which he reserves a right to use the road he has built or will help to build on the easement he has granted. Where the road crosses national-forest land, the Forest Service in return can only issue a permit if it is acquired national forest land. For national forest land reserved from public domain we issue stipulations of the sort discussed below. Potential cooperators have objected to entering into arrangements for cooperative construction under such conditions on the grounds that a revocable permit is not sufficient guarantee on which to base their investment.

Some cooperators have accepted "Stipulations Governing Exercise of Ingress and Egress Rights" issued under authority of regulation U-14 (36 CFR 251.5) as sufficient guarantee of their right to use the road. However, such "stipulations" can only be issued for roads or portions of roads built on national forest reserved from the public domain. They cannot be issued for roads on other national forest lands such as the Weeks law lands, or on acquired easements. In a great many situations where cooperation is desired and needed by the Forest Service, parts of the road system are on such lands or on Government-owned interests in lands. Neither the easement granting authority of the Secretary of the Interior nor the recognition of rights of ingress and egress under the 1897 act, answer the needs in such situations.

We feel this authority is needed. We believe it is neither practicable nor workable to try to fill this need by depending on the authority of the Secretary of the Interior to issue assessments over only some kinds of national forest lands. And we feel that we would be able to work out a significant number of road access cases which are not yet resolved if the Secretary of Agriculture had authority to grant and exchange easements and rights-of-way. Of the larger access cases not yet solved about which we have reasonably complete knowledge, we think that at least one-fourth could be resolved fairly readily if the Forest Service had authority to issue and exchange easements over all categories of Forest Service lands. We would, of course, continue to issue permits in appropriate cases.

It should be noted that of the remaining three-fourths of the access cases, probably as much as one-half of the total will have to be worked out by appropriate purchase arrangements.

4. Ingress and egress rights: We realize there are different views on the question of who is entitled to egress and ingress under the act of June 4, 1897 (16 U.S.C. 478) and whether the Secretary may include provisions similar to those found in 43 CFR 115. Enclosed for your information is a copy of a letter of June 13, 1955, from General Counsel Robert L. Farrington to Mr. Arthur Perlman, staff director of the House Public Works and Resources Subcommittee, Committee on Government Operations, which discusses the subject.

As set forth in this letter by the General Counsel, the position of the Department is that a right of ingress and egress is held by all owners of lands within the national forests. Further, this right is recognized by statute and is not a permissive right dependent upon the discretion of the Secretary of Agriculture. Therefore, as stated in the General Counsel's letter of June 3, 1955, there would not be any basis for including provisions similar to those found in 43 CFR 115 governing permits for rights-of-way for logging roads on the O. & C. grant lands because the statute applying to O. & C. lands is different. Greater authority is reposed in the Secretary of the Interior as to those lands.

5. Arbitration of road costs and road use disputes: There is no general authority for arbitration to determine the rights of the United States, in the absence of specific statutory authority. A Government contracting officer cannot agree to settlement of disputes by arbitration (32 Comp. Gen. 333, and the authorities cited therein).

We fully recognize the desirability of making provision for persons with whom the Forest Service is dealing to present their views and supporting facts on matters in which they feel they are adversely affected by decisions of Forest Service officers. The procedures we follow afford opportunities to do this, both in informal discussions and through formal appeals. We believe that these procedures are working quite satisfactorily, as is indicated by the substantial lack of formal appeals on matters involving road costs and road use.

It is our view that decisions relating to resource uses and facilities needed in connection with the administration of Federal lands should be made by the responsible Federal officials. This is essential, not only from the standpoint of the application of technical principles, but also to assure that the needs are met for all resources on lands being administered under principles of multiple use and sustained yield.

We believe that arbitration as between two private parties has under some circumstances proven useful and desirable. However, to substitute the judgment of an arbitrator for that of the Federal executive would be to deprive the executive of essential authority without relieving him of the basic responsibility for the management of the Federal properties.

The complexities of management of the varied and interrelated resources increasingly requires consideration of factors outside of and sometimes remote from those that would be within the narrower purview of an arbitrator in a single dispute. Unless the executive function in toto is to be given over to an arbitrator, the decisions could not reflect the quality of judgment to be obtained through the sound use of the executive function. Arbitration as between the Government and a private party would be objectionable to the Forest Service as a part of the management of national forests for the reasons given.

We believe that our overall objective in obtaining access to national forests should continue to be the development of cooperative construction and joint-use roads in areas where national-forest lands and non-Federal lands are intermingled in a pattern where a single system of roads should serve all ownerships.

We hope that this information will meet your needs and again wish to express our appreciation for your interest in national-forest access road needs.

Sincerely yours,

RICHARD E. MCARDLE,
Chief.

By EDWARD C. CRAFTS.

COMPTROLLER GENERAL
OF THE UNITED STATES,
February 7, 1958.

Hon. CHARLES O. PORTER,
House of Representatives.

DEAR MR. PORTER: Your letter of December 18, 1957, acknowledged December 20 and January 6, presents two additional questions concerning the construction of access roads in the national forests, as follows:

"If the Forest Service goes ahead, as a matter of wise and sound management of the national forests, to plan its road construction, building roads into timberlands which will hold up through many sales, rather than for the initial sale of timber from a given area, will the General Accounting Office raise any objections, and, if so, what would these objections be?

"Furthermore, is it your position that, if there are objections, that these objections would be taken care of by the enactment of S. 1136?"

We have no objections to the construction of roads in the national forests which will hold up through many sales provided, of course, that the construction of such roads is accomplished in accordance with applicable law. In fact, our current audit at certain national forests has disclosed situations where we believe the construction of more permanent type roads, including bridges, would have been advantageous to the Government.

When the roads are constructed with funds appropriated for that purpose, we certainly have no objection to construction of the type of road deemed most advantageous to the Government in the management of the national forests. Many of the roads, however, are presently being constructed by timber purchasers under provisions in the timber sale contracts providing road allowances covering the estimated costs of road construction to timber purchasers as reductions in the value of the timber sold. Under current instructions in the Forest Service Manual (vol. 3, title 7, ch. 2, par. 203.84), the cost of constructing such roads may not exceed the estimated cost a prudent purchaser would incur for transportation of the timber in the specific sale. The only possible legislative authority for requiring the timber purchaser to construct more permanent type roads than he needs to remove the timber purchased appears to be the provision of law authorizing the sale of the timber which is contained in the act of June 4, 1897, 30 Stat. 35, as amended, 16 U.S.C. 476, which provides as follows (quoting from the United States Code):

"For the purpose of preserving the living and growing timber and promoting the younger growth on national forests, the Secretary of Agriculture, under such rules and regulations as he shall prescribe, may cause to be designated and appraised so much of the dead, matured, or large growth of trees found upon such national forests as may be compatible with the utilization of the forests thereon, and may sell the same for not less than the appraised value in such quantities to each purchaser as he shall prescribe, to be used in the State or Territory in which such timber reservation may be situated, respectively, but not for export therefrom. Before such sale shall take place notice thereof shall be given by the said Secretary of Agriculture for not less than thirty days, by publication in one or more newspapers of general circulation, as he may deem necessary, in the State or Territory where such reservation exists. In cases of unusual emergency the Secretary of Agriculture may, in the exercise of his discretion, permit the purchase of timber and cord wood in advance of advertisement of sale at rates of value approved by him and subject to payment of the full amount of the highest bid resulting from the usual advertisement of sale. He may, in his discretion, sell without advertisement, in quantities to suit applicants, at a fair appraisement, timber and cord wood and other forest products not exceeding $2,000 in appraised value. In cases in which advertisement is had and no satisfactory bid is received, or in cases in which the bidder fails to complete the purchase, the timber may be sold, without further advertisement, at private sale, in the discretion of the Secretary of Agriculture, at not less than the appraised valuation, in quantities to suit purchasers. Payments for such timber to be made to the receiver of the local land office of the district wherein said timber may be sold, under such rules and regulations as the Secretary of Agriculture may prescribe; and the moneys arising therefrom shall be accounted for by the receiver of such land office to the Secretary of Agriculture, in a separate account, and shall be covered into the Treasury. Such timber, before being sold, shall be marked and designated, and shall be cut and removed under the supervision of some person appointed for that purpose by the Secretary of Agriculture not interested in the purchase or removal of such timber nor in the employment of the purchaser thereof. Such supervisor shall make report in writing to the Secretary of Agriculture and to the receiver in the land office in which such reservation shall be located of his doings in the premises."

That provision of law authorizes the sale of certain timber in national forests at not less than its appraised value. The term "sale" is defined in Bouvier's Law Dictionary as follows:

"An agreement by which one of two contracting parties, called the seller, gives a thing and passes the title to it, in exchange for a certain price in current money, to the other party, who is called the buyer or purchaser who, on his part, agrees to pay such price. (2 Kent 363; Pothier, Vente, n.1.)

"Ordinarily a transfer of property for a fixed price in money or its equivalent. 110 U.S. 471; 47 Fed. Rep. 604.

"An executed sale is both a contract and a conveyance.

"This contract differs from a barter or exchange in this: that in the latter the price or consideration, instead of being paid in money, is paid in goods or merchandise susceptible of a valuation." (12 N.H. 390; 43 La. 194; 65 Ind. 409; 21 Vt. 520.)

In *Williamson et al.* v. *Berry*, 8 Howard 495, 544, it is stated: "that 'sale' is a word of precise legal import, both at law and in equity. It means at all times, a contract between parties, to give and to pass rights of property for money—which the buyer pays or promises to pay to the seller for the thing bought and sold. Noy's Max., ch. 43; Shep. Touch. 244."

In the light of that definition of the term "sale," such authority to sell the timber must be construed to require only money consideration for the timber sold as distinguished from a barter or exchange. A timber sales contract requiring a timber purchaser to construct roads which would hold up through many sales, rather than just for the initial sale involved, would constitute, in part, a barter or exchange of timber for road construction which, therefore, is not authorized by this provision of law.

We, therefore, are constrained to object to the construction of the more permanent type roads through a reduction in the price of the timber sold since we are not aware of any statutory authority therefor. The Assistant Secretary of Agriculture, by letter of January 22, 1958, informed us that they knew of no statutory authority by which the cost of roads beyond those required to remove the timber may be included in determining the appraised value of a given tract of timber.

We stated in our report of April 3, 1957, to the chairman, Senate Committee on Public Works, that S. 1136 would authorize construction of the timber access roads directly with appropriated funds, or indirectly by timber purchasers through a reduction in the price of the timber, or by cooperation with public or private agencies or persons. We offered no objections to its favorable consideration. It thus is our opinion that the enactment of S. 1136 would provide ample statutory authority for the construction of the type of roads needed.

If we can be of any assistance to you in this matter, please feel free to call upon us.

Sincerely yours,

JOSEPH CAMPBELL.

U.S. SENATE,
Washington, D.C., April 27, 1961.

Hon. ORVILLE FREEMAN,
Secretary of Agriculture,
Washington, D.C.

DEAR MR. SECRETARY: Over the last several years I have sponsored legislation to improve the total situation as it relates to forest roads and trails. In their basic principles, though not always the exact language, these bills, of which S. 501 is the latest, have been drafted by the Forest Service. I have given careful study to these technical areas and wrote a letter to Dr. McArdle on March 29 with his answer of April 20.

I believe that the Secretary of Agriculture has the authority to do several of the things on which the Forest Service has sought legislative pronouncements. I am convinced that the Forest Service, out of an abundance of caution, prefers to seek a further congressional sanction in areas where the public interest can be well served by the proper exercise of executive responsibilities.

Therefore I request that you seek the advice of the Executive's chief legal officer, the Attorney General, on several of these points so that the record can be clarified.

Let me state the questions I request you ask and the motivating premises:

1. Ingress and egress to the national forests.

The Forest Service, aided by an informal letter from the Department's counsel, suggests that act of June 4, 1897, gives a complete right to unlimited ingress and egress to all owners of land within the national forests. In connection with the 1956 hearings on Federal timber sale, the Library of Congress set forth a lengthy opinion stating persuasive reasons to the contrary.

I find it difficult to accept the position stated by the Forest Service. I believe the act of June 4, 1897 (16 U.S.C. 478) distinguishes between "actual settlers" and all others. In this connection I should point out that the act of February 15, 1901 (16 U.S.C. 522) in no way grants unlimited rights-of-way for the transportation of logs by water. Further, the act of March 3, 1899 (16 U.S.C. 525) provides for easements for roads and railroads—again not vesting a right. I consider it pertinent that in this period water and rail were the normal means for log transportation. Roads were used as short skidways to the water or railhead in the woods.

Beyond these acts it may be stated that "actual settlers" are a distinct class of persons with a technical meaning. I refer you to the several decisions cited on pages 202–203 of part II of the report on Federal timber sales policies. When I posed this point to the Forest Service, no answer was forthcoming.

The Forest Service does seem to contend that the authorities vested in the Secretary of Agriculture to regulate the use of the national forests are somewhat less than those in the Secretary of the Interior for other nonreserved public lands. I find this hard to accept.

It was not until 1905 that the forests were transferred to the Secretary of Agriculture with the consent of the Secretary of the Interior. From 1891 through 1905 when the whole body of law was created, responsibility for the administration of all public land was in the Secretary of Interior. It does not logically follow that the Congress in reserving—in setting aside for public use—the national forests would have given the Secretary less power than he had on the public domain in an era and situation where these lands were available for private acquisition. Certainly the legislative history of the 1897 act shows no such intent.

Thus I think that the first question to put to the Attorney General would be:

Did the act of June 4, 1897 (16 U.S.C. 478) contemplate that "actual settlers residing within the boundaries of the national forests" shall include any firms, corporations or persons other than a person "who goes upon the public land with the intention of making it his home under the settlement laws?"

2. Authority to condition a right-of-way.

The Department of the Interior in 43 CFR 115.154 et seq., has issued regulations governing logging roads. These regulations specify that nonexclusive licenses, not to be construed as easements, will be issued. They further enumerate the principle that when a timber operator seeks to cross lands of the Government he may be required to grant to the United States for use by it and its licensees, rights-of-way across lands controlled directly or indirectly by him, and the right to use and extend the road system including, of course, arrangements for just compensation. A variety of such permits have been successfully issued in the past 10 years. The total is about 2,000. The regulations have not been challenged in court as to their constitutionality. This question was decided on a parallel issue by the Supreme Court in *Federal Power Commission* v. *Idaho Power* (344 U.S. 17 (1952)) and the U.S. District Court for the District of Columbia in Civil No. 4540–50, *Idaho Power Company* v. *Oscar L. Chapman* (unreported).

The application of this principle of requiring the grant needed rights to the United States was sought by the Department in the 86th Congress under S. 1797. It is also contained in S. 501.

The question to be raised with the Attorney General is, Does the Secretary of Agriculture, under the act of June 4, 1897 (16 U.S.C. 478) or any other act pertinent to the national forests, have the authority to include, as a condition of the grant of a right to cross national forest land, the receipt where needed, to cross lands owned or controlled, directly or indirectly, by the applicant? If the answer is in the affirmative, are there any special exceptions? Collaterally, may the Secretary of Agriculture, utilizing 16 U.S.C. 525, request the Secretary of the Interior to apply this policy, should the Secretary of Agriculture desire an easement to be granted?

Were the Attorney General to conclude that lumber and pulp companies are not to be construed as actual settlers, and that you could condition the granting of rights to cross national forest lands for those concerns, two major areas of controversy would be eliminated.

This would leave as apparently necessary for legislative action, the question of a grant of authority to collect a road maintenance fee, a road use fee, and the transfer of the authority to issue easements from Interior to Agriculture. There is also a third matter—the construction of roads for maximum long-term economy—which may be capable of resolution by further consultation with the Comptroller General and, if not, legislation may be the solution. On this point I retain a strong feeling that again your authority is not less than that which I am told the Secretary of the Interior holds that he has on the administration of the O. & C. lands.

I would also hope that it might be possible to work out a procedure on the issuance of easements, if this is a necessary policy adjunct with the Secretary of the Interior.

With a new administration it is my position that a responsibility exists to seek a

legal review by the chief legal officer of the Government to determine the questions I have raised.

I would appreciate it very much if you would arrange to furnish me with a copy of your brief to the Attorney General. May I express the strong hope that you will make a vigorous, positive presentation in the affirmative that you will work closely with other affected departments, and that you will expedite action on this request.

Sincerely,

WAYNE MORSE.

DEPARTMENT OF AGRICULTURE,
Washington, D.C., August 2, 1961.

Hon. WAYNE MORSE,
U.S. Senate.

DEAR SENATOR MORSE: In accordance with the request in your letter of April 27, 1961, we enclose a copy of our letter of this date to the Attorney General asking his opinion on questions relative to ingress and egress over national forest lands.

Sincerely yours,

ORVILLE L. FREEMAN,
Secretary.

DEPARTMENT OF AGRICULTURE,
Washington, D.C., August 2, 1961.

The Honorable the ATTORNEY GENERAL.

DEAR MR. ATTORNEY GENERAL: The question with which we are concerned arises out of the interpretation given to the phrase, "actual settlers residing within" the national forests that have been reserved from the public domain and the rights of persons to whom the phrase applies to ingress and egress over the national forest land to and from their land within the exterior boundaries thereof.

The phrase is found in the act of June 4, 1897 (36 Stat. 35; 16 U.S.C. 478). The statute states in pertinent part:

"Nothing in sections 473–482 and 551 of this title shall be construed as prohibiting the egress or ingress of actual settlers residing within the boundaries of national forests, or from crossing the same to and from their property or homes; and such wagon roads and other improvements may be constructed thereon as may be necessary to reach their homes and to utilize their property under such rules and regulations as may be prescribed by the Secretary of Agriculture. Nor shall anything herein prohibit any person from entering upon such national forests for all proper and lawful purposes, including that of prospecting, locating, and developing the mineral resources thereof. Such persons must comply with the rules and regulations covering such national forests."

In a letter of April 27, 1961, to this Department, Senator WAYNE MORSE expressed his interest in the matter. In this connection he asked the following questions:

1. "Did the act of June 4, 1897 (16 U.S.C. 478), contemplate that 'actual settlers residing within the boundaries of the national forests' shall include any firms, corporations, or persons other than a person, 'who goes upon the public land with the intention of making it his home under the settlement laws?' "

2. "Does the Secretary of Agriculture, under the act of June 4, 1897 (16 U.S.C. 478), or any other act pertinent to the national forests, have the authority to include, as a condition of the grant of a right to cross national forest land, the receipt where needed [of a right], to cross lands owned or controlled, directly or indirectly, by the applicant? If the answer is in the affirmative, are there any special exceptions? Collaterally, may the Secretary of Agriculture, utilizing 16 U.S.C. 525, request the Secretary of the Interior to apply this policy should the Secretary of Agriculture desire an easement to be granted?"

So far as departmental interpretation is concerned, I understand that consistently during the more than 55 years that the Department, through the Forest Service, has administered the national forests it has done so in accord with the interpretation of "actual settlers residing" as being inclusive of all owners of land within the national forest boundaries. Accordingly, it has in practice considered that all classes of owners could not be denied opportunity of ingress and egress across the national forest lands to their property.

The interpretation of the section including the phrase "actual settlers residing within" was considered by the Office of the General Counsel (then Solicitor) in 1950. At that time an opinion was drafted after careful research. While the opinion was not signed and formalized, it was discussed with the Assistant Chief and other representatives of the Forest Service and constituted the basis for an informal opinion given at that time interpreting the statute. Following the informal advice formal recognition of ingress and egress over the national forest lands as a statutory right under the 1897 act applicable equally to all owners of property has been included in the Secretary's Regulations (36 CFR 251.5(d)) and the Forest Service Manual (FSM 2731). Pursuant to the regulations stipulations are entered into with landowners recognizing their right to ingress and egress.

The interpretation of the Department on this question and its policy with respect thereto are well known to industry, particularly in the western States where the problem arises. The position has been forcefully brought to the attention of the public in more recent years in connection with the obtaining of timber access roads across "checkerboard" lands, that, is lands where alternate sections are owned by the Government and private parties, and in connection with proposed legislation, which would have given this Department authority to grant easements for road rights-of-way and to require in connection with such a grant that the grantees reciprocate with easements over their lands. In supporting such legislation the Department reiterated its interpretation of the ingress and egress provision of the 1897 act.

In the development of timber access road systems to serve both national forest and privately owned lands there have been an increasing number of agreements between the Forest Service and owners of lands within the national forests relating to the construction and use of the roads over "checkerboard" areas. There are already in force and presently outstanding a large number of such agreements. These agreements involve road construction cost sharing as well as matters pertaining to use of both parties. As indicated above, the long standing practice of the Department has been such that these agreements have been, and are being, predicated upon the understanding that owners of land within the national forests have an ingress and egress right with respect thereto. There are presently under consideration and in various stages of negotiation and culmination many agreements for the construction and use of roads or road systems over adjoining national forest and private lands. Some of these relate to major timber access developments. The negotiations are on the basis of the Department's ingress and egress interpretation and practice.

In connection with an investigation of Federal timber sale policies and hearings held in connection therewith in 1956, attention was focused on the question of ingress and egress rights over the national forest lands. An opinion of May 8, 1956, on the subject was prepared by the American Law Division of the Library of Congress for Hon. James E. Murray, chairman, Special Subcommittee on the Legislative Oversight Function of the Committee on Interior and Insular Affairs, U.S. Senate, and Hon. Earl Chudoff, chairman, Committee on Public Works and Resources of the Committee on Government Operations, House of Representatives. The matter has also been examined by myself and the present General Counsel of this Department.

We wish to emphasize the importance of the issue involved. If the Department has erroneously interpreted and applied the subject section of the 1897 act for many years and now, by reason of a different interpretation of the law, may in its discretion deny ingress and egress over national forest lands to all who did not obtain their lands within the boundaries thereof by virtue of being "actual settlers residing" therein as of the effective date of the 1897 act, or through such settlers, then the Department naturally will have a much greater bargaining power in negotiating future agreements for timber access roads over "checkerboard" lands. At the same time, there will be for consideration what, if any, adjustments can and should be made in the recognition of ingress and egress rights accorded the numerous parties who constructed ingress and egress roads but who hereafter would be considered to have done so without authority. A repudiation of the prior recognition would leave such parties without a statutory right to benefit from their investments in such roads on the national forest lands unless and until they obtain a judicial determination in their favor. The accompanying loss as to the investments on the connecting parts of the roads on their own land would depend, of course, upon the extent to which as a practical matter the connecting segments could be used by themselves. We feel certain that "ingress-egress" roads built over national forest lands by parties who did not acquire title to their lands within the national forests as or through "actual settlers residing" as that phrase is used technically in some land laws far outnumber those built by parties who so acquired such lands.

We believe this problem is of such significance to the public and the members of the public who have an interest in lands within the boundaries of the national forests reserved from the public domain that it should be submitted for your opinion. We would appreciate your opinion, therefore, on the questions stated in the third paragraph of this letter. There is enclosed for your consideration in connection therewith the opinion prepared, but not signed, in the Office of the General Counsel (then Solicitor) in 1950 to which we have referred above. The questions discussed therein are substantially the questions stated above. The collateral question stated above, however, relates to a different statute, namely, the act of March 3, 1899 (16 U.S.C. 525). The act provides in pertinent part:

"In the form provided by existing law the Secretary of the Interior may file and approve surveys and plats of any right-of-way for a wagon road, railroad, or other highway over and across any national forest when in his judgment the public interests will not be injuriously affected thereby."

We do not question the right of the Secretary of the Interior under this statute to grant easements for roads and highways over national forests reserved from the public domain. It is a discretionary authority available when in the judgment of the Secretary of the Interior the public interests will not be injuriously affected. Use of the authority is, of course, dependent upon applications by those desiring to obtain the easements.

In addition to the question of rights of property owners in general there is a question of ingress and egress of miners. This issue heretofore has not been of any significance in view of the interpretation we have placed on the 1897 act. If, however, it is your opinion that our interpretation has been erroneous, we will need to know the

rights of miners, both before and after patent, to cross the national forest lands and construct roads thereon to reach their claims within the national forests.

We enclose for your consideration copies of the letter of April 27, 1961, from Senator MORSE, the opinion of May 8, 1956, prepared by the American Law Division of the Library of Congress, and the opinion drafted but not formalized in this Department in 1950.

Sincerely yours,

ORVILLE L. FREEMAN,
Secretary.

THE LIBRARY OF CONGRESS,
LEGISLATIVE REFERENCE SERVICE,
Washington, D.C.

To: Hon. JAMES E. MURRAY, chairman, Special Subcommittee on the Legislative Oversight Function of the Committee on Interior and Insular Affairs, U.S. Senate, and Hon. Karl Chudoff, chairman, Subcommittee on Public Works and Resources of the Committee on Government Operations, House of Representatives.

From: American Law Division.

Subject: Legal opinion respecting the acquisition by the United States of rights-of-way over private lands within the national forests for the purpose of cutting Government timber.

Reference is made to your letter of March 27, 1956, respecting the problems involved in the acquisition by the U.S. Forest Service of rights-of-way for the purpose of cutting Government timber and to the testimony on this problem adduced at hearings before the Subcommittee on the Legislative Oversight Function held at Portland, Oreg., on November 25, 1955, and at Washington, D.C., on February 21, 1956, draft copies of which have been furnished by the subcommittee. Your letter was addressed to the specific problem of negotiating reciprocal rights-of-way with owners of private lands within the national forests who, it would appear, already possess a statutory right-of-way across the national forests by virtue of the provisions of United States Code 16: 478. The following material attempts to answer your specific questions and, in addition, presents such aspects of the larger problems of acquiring rights-of-way as seem to warrant consideration.

THE BACKGROUND

The purposes for which rights-of-way are needed and in fact the entire background of the problem was briefly stated by Mr. Richard E. McArdle, Chief of the U.S. Forest Service at the hearings before the subcommittee on February 21, 1956, as follows:

"In the Pacific coast and inland empire States, numerous difficulties are being encountered in obtaining Federal rights to build roads across private lands or rights to use privately owned roads for hauling national forest timber to market. These difficulties are impeding our progress toward attaining full allowable cutting rate in many working circles and also restrict other types of use of national forests. Many cases have been satisfactorily solved through individual consideration and negotiation, but there is still a big job ahead.

"In Oregon and Washington adequate rights-of-way have not yet been obtained to about 20 percent of the commercial timber on the national forests. In most working circles sufficient access has been obtained to permit cutting at close to full allowable rates. Heretofore it has been possible to use effectively all available funds for timber-sale administration by adjusting our sale program away from areas with unsolved access problems into other portions of the working circle. Opportunities to make such sale program adjustments are now getting scarce. We estimate that in Oregon and Washington approximately 150 million board feet of the gap between actual and allowable annual cutting rates is involved in right-of-way difficulties.

"The general, and basic, policy in regard to national forest access is that the United States must have permanent rights-of-way to all of its lands. Adequate rights-of-way are needed to permit the Government to protect, administer, and utilize all the resources of the national forests. For adequate access, rights-of-way over private lands generally must be free of conditions or limitations on their full use, including use by the general public, when such use is compatible with public safety and protection of the roads and forest resources.

"Another basic policy is that national forest timber will not be advertised for sale until permanent easements for hauling it to market over an economically feasible route are obtained. This insures a bidding opportunity to every interested operator.

"We have endeavored to obtain necessary right-of-way over private lands, in accordance with the above policies, through friendly negotiation and the process of give and take with the land owners. It has been our policy that exercise of the right of condemnation, with just compensation to the owner of the land, should be resorted to only when other means of obtaining satisfactory access have failed.

"Within the last few years circumstances have been developing which will require more rapid progress through negotiations, and where that cannot be attained, earlier consideration of condemnation. It now appears that more use of condemnation procedure than in the past may be necessary to maintain or to make orderly progress toward attaining full allowable cutting rates in some working circles.

"Owners of private timberland located within the exterior boundaries of the national forests created from the public domain have the right to cross such national forest land through the provisions of the act of June 4, 1897. The Forest Service cannot require such a timber owner to grant reciprocal rights of crossing to the Government. At your hearing in Portland, a letter from the Department's General Counsel was furnished for the record to explain why this statute is applicable to timber hauling. We recommend no change be made in the provisions of this statute. We do not consider it necessary to abolish this long-established right of passage to solve our national forest timber access problems.

"Some private landowners have refused to grant easements to the United States for the stated reason that the Forest Service cannot grant them a reciprocal permanent easement across national forest land. We believe the Secretary of Agriculture should be authorized to grant easements for roads and other facilities across national forest lands, and to require a reciprocal exchange of rights-of-way with neighboring timberland owners in connection with the issuance of such easements to them.

"The present difficulties over access could be continued indefinitely and easily compounded if temporary rights-of-way are accepted. Use of temporary rights would give the private landowner advantages in influencing timing of timber offerings on the national forest lands in back of his lands. Temporary easements could cut off future use to the Government of roads for which public resources have made a substantial contribution to construction costs.

"Some segments of the forest-products industry are resisting Forest Service insistence on permanent easements. But I want to stress the need for permanent access to the national forests. The national forests are under permanent administration for the use and benefit of the citizens of the United States. Permanent management and permanent use require permanent access."

THE PROBLEM

Briefly stated, the problem is whether in the light of the laws under which the national forests are administered the Forest Service can acquire reciprocal permanent rights-of-way across private lands now blocking access to Government timber, without resorting to additional legislation. The Forest Service can make use of its powers of condemnation, but condemnation would not result in acquiring any reciprocity. At present attempts to negotiate reciprocal rights-of-way are not always successful because of the Department of Agriculture's interpretation of U.S.C. 16: 478. This section of the Code is said to give the lumber companies i.e., the present private owners, a statutory right-of-way over national forests lands thereby eliminating any reciprocal rights which the Government could offer in such negotiations. The key words in that section seem to be "actual settlers." If the words "actual settlers" were intended by Congress to include the original patentees of the land and their successors in interest, then the Government has no reciprocal rights to offer. However, if these words were intended to mean only the original patentees, then the lumber companies would appear to have only such rights of entry as is enjoyed by the general public. If the lumber companies only have a general right of entry together with the general public, then it would seem that the Forest Service could demand reciprocal rights-of-way.

No consideration appears to have been given to the question of whether the Government is already entitled to a way of necessity over the private lands which block access to its timber. Legal theory provides that where the grantor grants away part of his lands which block his access to his remaining land it will be presumed that he intended to and did reserve to himself a way of necessity over the lands granted. Although this theory is well established with respect to grants by private individuals, it has not been so established with respect to grants by the Government. All the land concerned, both national forest and private, originally formed part of the public domain. A study of this point might reveal a means of establishing the Government's right to a way of necessity.

It is proposed here to examine in detail the legislative history of section 478 and the legal background of the application of the principle of ways of necessity to grants by the Government in order to determine their possible use in connection with the Government's acquisition of rights-of-way. A brief background statement only is included with respect to the Government's right to use the power of condemnation because this right has been firmly established.

CONDEMNATION

The right of the Federal Government to condemn a right-of-way across private lands within national forests can hardly be controverted. The power to take private property for public use without consent of the owner is inherent in all sovereignty. This power, known as the power of eminent domain, is the offspring of political necessity and is inseparable from sovereignty unless denied to it by the fundamental law. (*Kohl* v. *United States*, 91 U.S. 367, *Searl* v. *School District No. 2*, 133 U.S. 553, and *Norwood* v. *Baker*, 172 U.S. 269). Such power is essential to a sovereign government and requires no constitutional recognition (*United States* v. *Carmack*, 329 U.S. 230, *Mississippi & R. River Boom Co.* v. *Patterson*, 98 U.S. 403, *United States* v. *Jones* 109 U.S. 513). In a government of limited and special powers the power of eminent domain can be exercised only in the mode provided by law (*New Orleans* v. *United States*, 10 pet. 662). It extends to every kind of property, both real and personal, within the jurisdiction of the sovereignty authorizing

the exercise of such power (*Georgia* v. *Chattanooga*, 264 U.S. 472; *Long Island Water Supply Co.* v. *Brooklyn*, 166 U.S. 685).

The fifth amendment to the U.S. Constitution provides in part: "* * *; nor shall any person * * * be deprived of life, liberty, or property without due process of law; nor shall private property be taken for public use, without just compensation."

These words are merely limitations upon the use of the power (*United States* v. *Jones*, 109 U.S. 513). The very nature of the Federal Government imposes another limitation upon its use. The Federal Government is one of delegated powers only, plus those powers reasonably necessary to carry the delegated powers into force and effect. It would therefore seem that the power of eminent domain could not be exercised by the Federal Government in situations not falling within either the delegated powers or the necessary powers (U.S. Constitution, art. I, sec. I, par. 8; *Martin* v. *Hunter's Lessee*, 1 Wheat. 304). The exercise of the power of eminent domain in condemning rights-of-way over private land within the national forest for the purpose of administering those forests would undoubtedly meet these limitations.

NEGOTIATION OF RECIPROCAL RIGHTS

In the negotiations for reciprocal rights-of-way, the Government has nothing to offer in return because of the Department of Agriculture's position that the owners already have statutory rights-of-way across national forest lands under the provisions of U.S.C. 16: 478.

The code section provides (see also 30 Stat. 36):

"Nothing in sections 473–482 and section 551 of this title shall be construed as prohibiting the egress or ingress of actual settlers residing within the boundaries of national forests, or from crossing the same to and from their property or homes; and such wagon roads and other improvements may be constructed thereon as may be necessary to reach their homes and to utilize their property under such rules and regulations as may be prescribed by the Secretary of Agriculture. Nor shall anything herein prohibit any person from entering upon such national forests for all proper and lawful purposes, including that of prospecting, locating, and developing the mineral resources thereof. Such persons must comply with the rules and regulations covering such national forests."

The position taken by the Forest Service with respect to such negotiations appears to be set forth in an exchange of letters between Mr. Arthur Perlman, staff director, Subcommittee on Public Works and Resources, House Committee on Government Operations and Mr. Robert L. Farrington, General Counsel, U.S. Department of Agriculture, dated May 20 and June 10, 1955 (draft hearing November 25, 1955, p. 2049) as follows:

"In discussions with the staff of the Subcommittee on Public Works and Resources, high officials of the Forest Service have stated that the Solicitor's office has held informally that under the act of June 4, 1897 (30 Stat. 36, 16 U.S.C. 478), the Secretary of Agriculture may not require timber owners who receive road rights-of-way through national forests to grant reciprocal hauling rights to the Federal Government and its licensees.

"The Forest Service officials indicated the solicitor's office has taken the position that the legislative history of the act requires the term 'actual settlers residing' in the forest to be construed as including corporations and others who own timber areas within the boundaries of the forests, even though they are not, in fact, actual settlers residing in the forests. The second sentence of the paragraph involved seems to make access by other persons subject clearly to regulations issued by the Secretary of Agriculture.

"The following paragraphs of the 1897 act, in the case of lieu selections, uses the term 'settler or owner,' thus inferentially making it clear that every owner of timberland in a forest is not a settler. It is difficult to see why the term 'actual settler residing' should be given an extremely broad meaning in one paragraph when the very next paragraph uses the term 'settler' in such a manner as to show that Congress did not understand it to have such a broad meaning.

"The third paragraph on page 36 of title 30, Statutes at Large, also reenforces the view that the term 'settlers residing' refers to individuals who live in the forest and not to absentee or corporate owners.

"Needless to say, we are somewhat puzzled by the stand of the Forest Service. Can legislative history be used to override the clear language of a statute? Is it being so used? Is the authority of the Secretary of Agriculture to secure access to timber through reciprocal rights less than that of the Secretary of the Interior on O. & C. lands? If so, why? Does the Secretary of Agriculture lack such authority entirely?

"Answers to these questions are needed by the subcommittee staff in its current study of the timber sale policies and practices of the Forest Service, the Bureau of Land Management, and the Bureau of Indian Affairs. We would, therefore, appreciate having, in the near future, a statement of the legal position of the Department of Agriculture with respect to these matters.

"ARTHUR PERLMAN,
"Staff Director, Public Works and Resources Subcommittee."

The Department stated its position in its reply as follows:

"Reference is made to your letter of May 20, 1955, concerning the authority of this Department under the act of June 4, 1897 (30 Stat. 36, 16 U.S.C. 478), relative to reciprocal road rights where timber is hauled over national forest and privately owned lands.

"The Secretary of Agriculture has no authority to grant easements for road rights-of-way over national forest lands reserved from the public domain. The Forest Service, therefore, cannot enter into agreements with private landowners under which reciprocal easements will be granted for timber hauling purposes. It does, however, have the authority to permit the construction or use of roadways across such lands. This is done through the issuance of a revocable permit or in connection with and as part of an authorized use of national forest land, such as use in connection with a timber sale contract. In addition, the Secretary through the Forest Service recognizes a statutory right of persons owning land within the national forests to have a roadway across such lands for ingress and egress purposes. The basis of such recognition is the interpretation of that part of the 1897 act to which you referred, namely section 478 of title 16, United States Code. The enjoyment of such a right is subject as to all persons to reasonable rules and regulations issued by the Secretary, as provided by the statute. It has been our informal view that this right is not an exclusive one, that is, one which permits the person enjoying the ingress and egress road to prohibit the reasonable use of such road by others. At the same time, the right may not be defeated through regulations unreasonably limiting it or making it dependent upon the landowner giving a consideration therefor, such as, for instance, use of a connecting roadway over his own land. Regulations reasonably governing road locations and standards of construction would be considered proper limitations on the right.

"As you indicated, this office has informally interpreted the act of June 4, 1897, as recognizing a right of ingress and egress across national forest lands reserved from the public domain in all persons owning land within the exterior borders thereof. In so doing, consideration was given to the legislative history of the act and the intent of Congress, keeping in mind such decisions as *Humphrey's Executor* v. *United States*, 295 U.S. 602, 625 (1935), *Holy Trinity Church* v. *United States*, 143 U.S. 457 (1892), and *United States* v. *American Trucking Association*, 310 U.S. 534, 543 (1940).

"Of particular significance in the legislative history are statements by Senator Berry and Senator Allison (a conferee who took a leading part in sponsoring the legislation). Senator Berry said:

"'The Senator from California, Mr. White, contends that this language would be construed to prohibit anyone who owns land, unless he was an actual settler within the limits, from going to and from that land. I do not think it possible that any court or any department would ever give such a construction to the section.'" (30 Cong. Ses. 1279.)

Senator Allison stated:

"'I am quite sure that persons owning lands within a reservation are not to be deprived of the right to enter upon those lands.' (30 Cong. Ses. 1278.)

"In addition to considering 16 U.S.C. 478, consideration also was given to the other portions of the 1897 Act to which you referred. Briefly, the second paragraph of 30 Stat. 36 deals with two groups of persons, namely those who as homesteaders on the public domain had not completed the full period of residence necessary to entitle them to a patent for the land and, therefore, had only unperfected claims and those who having fulfilled the residence and other requirements had perfected their claims and become owners. The fact that homesteaders who had not completed homesteading requirements were being given the same opportunity as owners but with different requirements necessitated specific reference to both groups in that part of the act. Such reasons do not extend to the third paragraph (found in 16 U.S.C. 479).

"As we have indicated above, this office has informally expressed the view that the right of ingress and egress which is held by owners of lands within the national forests is recognized by statute and is not a permissive right dependent upon the discretion of the Secretary of Agriculture. With respect to O. & C. lands, the statute is different and greater authority is reposed in the Secretary of the Interior. The act of January 21, 1895 (43 U.S.C. 956), which applies to those lands authorizes the Secretary of the Interior under regulations to be fixed by him to "permit" the use of rights-of-way. The regulations (43 CFR 115.154–115.179) provide with respect to the O. & C. lands that in granting rights-of-way across such lands to private operators, the operators may be required to grant to the United States certain reciprocal rights.

"ROBERT L. FARRINGTON,
"General Counsel, Department of Agriculture."

With respect to the statement in the letter of June 10 concerning the lack of authority in the Secretary of Agriculture to grant easements for road rights-of-way over national forest lands reserved from the public domain:

Easements are incorporeal hereditaments. While they are distinct from the ownership of land, they are more than a mere personal privilege; they constitute an interest in land. *Panhandle Eastern Pipe Line Co.*, v., *State Highway Com.*, 294 U.S. 613; *Smith* v. *Denniff*, 24 Mont. 20, 60 P. 398; *Tusi* v. *Jacobsen*, 134 Cer. 505, 293 P. 587, 939; *Shaw* v. *Proffitt*, 57 Cer. 192, 109 P. 504, 110 P. 1092; also 57 A.L.R. 1426. A search of the statutes has failed to reveal any statute which would appear to specifically authorize the Secretary to grant interests in forest lands such as are involved here. It is presumed, however, that

under his general regulatory and administrative powers respecting the forests he could perform some lesser act than deeding or granting away title to the easement either by way of permits, irrevocable for a period of years, or by lease.

With respect to interpretation of section 478, supra, the plain meaning of the language of the section would seem to indicate that it gives different rights to two different classes. The first class is actual settlers residing within the boundaries of national forests. They are given a statutory right of egress or ingress to cross national forest lands to and from their property or homes. They are also given a statutory right to construct wagon roads and other improvements necessary to reach their homes and to utilize their property. The right to construct, however, is made subject to the rules and regulations prescribed by the Secretary. Certainly such rules and regulations must be reasonable.

The second class is described in the section as any person and would seem to cover everybody, including lumber companies. These persons are given a mere right of entry for all proper and lawful purposes. The least this could mean is that the purpose must not only be lawful but also not inconsistent with the purposes for which the forest reserve was set up. It does, however, specifically include prospecting, locating and developing mineral resources. All persons of this class must comply with the rules and regulations covering such national forests. Certainly the obvious meaning of the section is that the first class is to have greater rights than the second class. The first class, by language of the section is given a statutory right-of-way while the second class with the possible exception of those developing mineral resources is given a mere license or permit of entry. Land-owning lumber companies within the national forests must therefore fall within one of the two classes. The Forest Service letter of June 10 appears to place them in the first class. It would appear questionable whether Congress, in the enactment of the section, intended that all landowners in the forests should be in the first class, since the intended class was specifically described as actual settlers and not landowners or owners of land or some other descriptive term. If this is true, the Secretary has a greater discretion in bargaining with such landowners than he appears to have exercised.

Obviously the key to a determination of the composition of the first class is a review of the legislative history of the enactment of section 478 with particular reference to the intent of Congress in using the words "actual settlers residing within the boundaries of national forests."

LEGISLATIVE HISTORY OF SECTION 478

Section 478 formed part of a much larger amendment offered by Mr. Pettigrew in the Senate (CONGRESSIONAL RECORD, vol. 30, pt. 1, p. 899), as a rider to H.R. 16, 55th Congress, 1st session, the sundry civil expenses appropriation bill in the year 1897. The rider was comprised of what is now sections 473–482 of title 16. The language of that part of the rider constituting section 478, as introduced, is identical with the present section; no changes have been made. During the course of the debate on the general rider a number of statements were made concerning the type of persons then in national forests. These statements may have some bearing upon a determination of the meaning of the words, actual settlers, used in section 478. They indicate a distinction in the minds of the speakers between actual settlers and others then in the national forests. For instance, Mr. Carter (p. 902) stated:

"In consequence of the hasty and inconsiderate course thus pursued mining towns, villages, patented mining claims and the homestead claims of actual settlers were included within a reservation and the people thus included."

Mr. Shoup (p. 910) stated in part:

"It has been said that there are no farmers, no miners on these reserves, but I have petitions from hundreds of farmers, from hundreds of miners, who are actually settlers on them."

Mr. Allison (p. 911) stated in part:

"I agree with what the Senator from South Dakota has said respecting the rights of settlers, the rights of villagers, the rights of the towns and other people who own property there, and I wish to say for this administration that as soon as practicable after Mr. McKinley was inaugurated President, and he could take up this question, he took it up through his Secretary of the Interior, and by frequent consultation considered the whole matter."

A point of order to the general Pettigrew amendment was voted down and the amendment or rider agreed to (pp. 924–925). The appropriation bill containing the rider numbered 16 passed the Senate on May 6, 1897 (p. 931).

When the House came to consider the amendments made by the Senate, Mr. Lacey (p. 961) stated:

"Mr. Chairman, I will take occasion at this time to call the attention of the Committee to the amendment that I proposed to be made by the House to the amendment No. 16 of the Senate. I shall move to concur in the Senate amendment with certain amendments and to those I wish to invite the attention of the Committee this morning. [The committee referred to was the Committee of the Whole.] The amendment is on pages 68, 69, 70, 71, 72, and 73 of the amended bill. In the last Congress the question of forest reservations was fully discussed, and this House passed the bill (H.R. 119) known as the McRae bill, or the forest reservation bill, which was the result of various conferences between the Committee on Public Lands and the gentlemen who have been interested in the subject of forest reservations.

"That bill is made the framework of Senate amendment 16 and I favor it in the main."

The bill to which Mr. Lacey referred, the McRae bill, was introduced and passed the House without debate in the 54th Congress, 1st session (CONGRESSIONAL RECORD, vol. 28, pp. 6410–6411). It contained a section on free ingress and egress as follows:

"SEC. 5. That nothing herein shall be construed to prohibit in any wise any person or persons from free ingress and egress in respect to such reservations or from crossing the same or from constructing through the same necessary wagon roads: *Provided further*, That a strict compliance with the statutes and rules, and regulations thereunder governing such reservations is observed."

No further action was taken by the 54th Congress on the bill H.R. 119.

The Senate amendment No. 16 to H.R. 16, 55th Congress was not concurred in by the House (CONGRESSIONAL RECORD, vol. 30, p. 1013). Thus the bill was sent to conference. However, the language of section 478 had not been changed when the conference report was placed before the Senate. There was extended debate on the meaning of the language in the paragraph which eventually became section 478 of the code (pp. 1278–1285; appendix to this report). Mr. White pointed out with respect to it that the language therein refers to the actual settlers within the boundaries of such reservations (p. 1278). He stated:

"In other words, the amendment properly reserves and gives to actual settlers the power of egress and ingress, but it does not deal in the same way with one who has bought from a person who has acquired title from the Government of the United States. His case is dealt with in another place as follows. I read on the same page, beginning with the next paragraph:

"'That in cases in which a tract covered by an unperfected bona fide claim or by a patent is included within the limits of a public forest reservation, the settler or owner thereof may, if he desires to do so, relinquish the tract to the Government, and may select in lieu thereof a tract of vacant land opened to settlement not exceeding in area the tract covered by his claim or patent; and no charge shall be made in such cases for making the entry of record or issuing the patent to cover the tracts selected: *Provided further*, that in cases of unperfected claims the requirements of the laws respecting settlement, residence, improvements, etc., are complied with on the new claims, credit being allowed for the time spent on the relinquished claims.'

"Now, I will state my objection to the provision. A man who has bought land from a person who has acquired title and fee from the Government is not protected by the bill. He is enclosed within a reservation and is compelled to stay there, and the only relief which the bill gives him is the right to go and select land elsewhere. By what right, by what authority, by what principle of justice is the man who has acquired absolute title and fee compelled by the Government of the United States to exchange his property for something else? Why this duress? Is there anything immoral or wrong in the attitude of the man who has bought land from the owner, and for an owner who has in his hand muniments of title derived from the Government of the United States? Why should a man who is a settler, who has an inchoate claim be given a greater right than a grantee of the owner in fee who has acquired a patent?

"I know four persons who are included in one of the California reservations in this way—that is, they have bought land from the patentee, acquired title to it, to some extent improved it, living some distance away from the reservation in the pursuit of their business, and their lands are taken into this reservation. They were not settlers within the technical interpretation of that phraseology, but they bought their land from the patentee of the Government of the United States; and now we say to them, 'You cannot enjoy your property; you are shut out from it; but we accord you the privilege of exchanging it for something elsewhere.' The individual would not be permitted to do that and, can the Government of the United States, pretending to take an honest attitude in this matter, justify legislation discriminating against a man who has bought upon the faith of its own patent?"

The General Counsel of the Department of Agriculture has quoted only three sentences from a total of eight pages of debate. As will be seen from the following, it seems doubtful that the position taken by the Department of Agriculture can be sustained on the basis of these three sentences when the whole debate is considered. Mr. Allison (quoted by the General Counsel) stated that the conference committee had not changed the phraseology which appears in section 478. They did, however, change the subsequent paragraph concerning exchange of lands. It should be noted that Mr. Allison was a member of the conference committee and was concerned with defending the change made in the lieu lands paragraph. Mr. Allison stated (p. 1278):

"The first quotation made by the Senator from California is the exact phraseology of the amendment which was inserted by the Senate itself. The conference committee did not change that phraseology. We supposed in dealing with this question on behalf of the Senate that those friendly to these general provisions had made adequate provision as respects these actual settlers

So there is no change in this conference report so far as the first paragraph read by the Senator of California is concerned.

"As to the second paragraph, the one which the Senator is now commenting upon, there is no change in substance. The phraseology inserted in lieu of the phraseology in the original Senate amendment was believed to be better by all those interested in this matter, and the phraseology was shown to a great many Senators. The Senator from California, perhaps, was not consulted in regard to that question. I understood the Senator to criticize the report of the conference committee when, in respect to the matters which he criticizes, there is no substantial change from the original amendment which was adopted by the Senate, and which was supposed to be satisfactory to those interested in the matter."

Mr. White then replied:

"This is an omission. Whether the original Senate phraseology ought to have been made more definite or not is entirely outside the necessities of the present case. There has been a change, and I say now, when attention is called to this manifest injustice, it ought to be rectified; and I assume that no member of the conference committee on the part of either House would object for a minute to inserting three or four words which can be readily suggested, and which will cure this entire discrepancy."

Mr. White continued:

"I call his attention to the second section, which seems to deal with this subject. In redrafting that provision it would be very easy to protect the rights of any owner of land included within a reservation, giving to such owner the right of egress and ingress. That is all I complain about. I think that could be readily done, and I cannot see that anyone would have any objection to it. If it has been heretofore omitted, either by failure on the part of myself or any other Senator to observe it, to know that fact would certainly be of no assistance to the settler, or to the patentee of the land or the purchaser. What we want to do is to get it right."

This was followed by a statement of Mr Allison containing the sentence quoted by the General Counsel as follows:

"I do not think there is the slightest trouble in respect to the matter now suggested by the Senator in the general phraseology as it stands. I am quite sure that persons owning land within a reservatilon are not to be deprived of the right to enter upon those lands."

Mr. White then stated:

"Will the Senator show me any provision here giving such right? I know it has been denied by the officers of the Government, and they have been excluded by soldiers."

Then comes a query from Mr. Berry as to Mr. White's point of complaint. Mr. White stated (p. 1279):

"My complaint is that the purchaser from a patentee of land under the Government of the United States, the patent issued under the Government of the United States, and the title perfected, cannot enjoy the right of egress and ingress; that he is shut out, excluded."

Mr. Allison then stated:

"All I desire to say in regard to this particular paragraph is that it was inserted for the benefit of those who, having land in a reservation, might, because of the reservation, desire to take land somewhere else, and if they so desire that the time they had resided on the land or whatever rights they had acquired in the land on the reservation should lap over, and they should have credit for it upon any new land that they might occupy."

Mr. White then stated:

"I appreciate the beneficent purpose involved. I'm only calling attention to the phraseology, which is of such a character that it precludes from the beneficial operation of this section any owner of land who does not come within the technical meaning of a settler and discriminates in favor of the possessor of an inchoate title against one who possesses a title in fee."

Certainly the interchange which follows immediately between Allison and White pins down the point that the question is still open as to whether the language of 478 would exclude all but the actual settlers; i.e., original homesteaders, etc.:

"Mr. ALLISON. Now, just one word, if the Senator from Utah will allow me. The general scope and object which we had in view was to give time to correct any error or imperfections in the provision, and was chiefly for that purpose that we urged upon the conferees on the part of the House that it was necessary temporarily to open up the reservations absolutely for a period of time in order that new legislation, if any might be required, could be had in the two Houses before that time expired. It may be that there will be other imperfections. That this is one I do not know, but, if so, it can easily be corrected hereafter.

"Mr. WHITE. I want to attract the attention of the Senate to a fact. It is not easy to correct these things hereafter. They can be corrected more easily now. But there is phraseology in the last paragraph I cited which would tend to negative the theory of the Senator as to the intention. Of course, the intention cannot govern when phraseology is otherwise. That section gives a right to one who holds under a patent to exchange the patented land. It thus seems to dispose of his case. If there is any other place in the amendment where the holder of a title under a patent is allowed the right to go in and out of the reservation it has not been pointed out, and by judicial construction it cannot be inserted in the absence of legislation. That matter is so important, involving the actual property and almost the whole possession of a number of people, that it seems to me it ought to be corrected when I presume that no one will deny such a provision would be eminently wise and absolutely just.

"Mr. CANNON. I should like to get the Senator's construction upon another point. In the first paragraph read by the Senator from California occur these words: 'Nothing herein shall be construed as prohibiting the egress or ingress of actual settlers residing within the boundaries of such reservations.' Now take the case, not an uncommon one, of a man who resides in a town located almost at the line, but outside of the reservation, and with the exception of his mere residence property he has all his land and possessions within the reservation, but does not reside there. Is there any protection accorded to him under this paragraph?

"Mr. WHITE. My response to that interrogatory would be that it must be construed to have been the intention of Congress, in adopting this amendment to confer its benefits upon actual settlers, as that phraseology is used in the land laws of the United States, and the word 'residing' would be construed with reference to those laws. I presume that if he had a residence adequate to make him an actual settler under the land laws of the United States, he would come within the beneficial operations of that section. But the question of the Senator from Utah brings us back and suggests again the fact that while this provision protects the person whose title is inchoate, the person who has a title in fee and whose title has ripened into a perfect one is excluded from the enjoyment of his prosperity.

"Mr. CANNON. Do the words, 'residing upon,' raise a dangerous question, that no person shall own lands in a reservation who does not reside there?

"Mr. WHITE. It should be 'bona fide settlers upon or owners within a reservation.'"

Mr. Shoup then made inquiries with respect to other portions of the provisions under discussion but which did not deal specifically with the main question herein.

Two sentences were quoted by the General Counsel, from the speech of Mr. Berry who, in discussing the matter as brought up by Mr. Shoup, alluded to the contentions of Senator White. Mr. Berry's remarks on this point, when quoted in full, do not conclusively support the position taken by the Department of Agriculture. Mr. Berry stated (p. 279-280):

"Now I wish to say a word in regard to the contention of the Senator from California, Mr. White. The Senator from California contends that this language would be construed to prohibit any one who owns land, unless he was an actual settler within the limits, from going to and from that land. I do not think it possible that any court or any department would ever give such a construction to the section. I wish to call the attention of the Senator from California to 2 or 3 words that he did not read, or at least he did not emphasize. The section reads:

"'Nothing herein shall be construed as prohibiting the egress or ingress of actual settlers residing within the boundaries of such reservations, or from crossing the same to and from their property or homes; and such wagon roads or other improvements may be constructed thereon as may be necessary to reach their homes and to utilize their property under such rules and regulations as may be prescribed by the Secretary of the Interior.' In addition to that there follows this language: 'Nor shall anything herein prohibit any person from entering upon such forest reservations for all proper and lawful purposes, including that of prospecting, locating, and developing the mineral resources thereof: *Provided*, That such persons comply with the rules and regulations covering such forest reservations.' Now then, there is an express provision that any person can enter for all lawful and proper purposes under such rules and regulations as shall be made by the Secretary of the Interior. Does any one suppose a man fit to be Secretary of the Interior of the United States would under that provision make a rule and regulation that because a man happens to reside in a town beyond the limits of the reservation he could not be permitted to have egress or ingress from his home to his possession therein? I think such a construction would be exceedingly technical and exceedingly narrow."

Thereafter, Mr. Berry spoke of other matters.

After additional debate, Mr. Rawlins moved that the conference committee report be amended as proposed by Mr. White. The Vice President ruled that the conference committee report could not be amended but that the vote would have to be either to accept or to reject the report. Thereafter the following illuminating debate took place (p. 1282):

"Mr. WHITE. It appears to me, if the Senator from Utah will permit a suggestion, that the better way to do that would be to recommit the entire subject, and then the committee could deal with it in view of the discussion in the Senate, and not attempt to confine the committee to any set phraseology. I think the committee is more competent to deal with it than any other body of Senators so far as selecting a form of phraseology is concerned.

"Mr. ALLISON. It seems to me that the only thing to do is to either adopt or reject the conference report.

"Mr. WHITE. Undoubtedly that is the situation, and I simply wish to detain the Senate for a moment, in view of the remarks made by the Senator from Arkansas, Mr. Berry, in reference to the criticism which I made a moment ago.

"I am confirmed in my view by a more careful reading of the provision to which

I have already called attention. The language is this:

"'Nothing herein shall be construed as prohibiting the egress or ingress of actual settlers residing within the boundaries of such reservations, or from crossing the same to and from their property or homes; and such wagon roads and other improvements may be constructed thereon as may be necessary to reach their homes and to utilize their property under such rules and regulations as may be prescribed by the Secretary of the interior.'

"Then follows the provision to which the Senator from Arkansas referred, as follows:

"'Nor shall anything herein prohibit any person from entering upon such forest reservations for all proper and lawful purposes, including that of prospecting, locating, and developing the mineral resources thereof; *Provided*, That such persons comply with the rules and regulations covering such forest reservations.'

"If the last clause stood independently, it would still be exceedingly doubtful whether it would authorize the crossing of the reservation to other properties; but there is no necessity of attempting to construe it standing alone, because the lawmaking authority has, by the explicit exscinding of patentees from the provision permitting this egress and ingress, limited it to the owners thereon specially designated. If the committee had said, 'Nothing herein shall be construed as prohibiting egress or ingress of actual settlers residing,' and had added the four words, 'or owners of land,' then there would have been no difficulty.

"Mr. ALLISON. Mr. President, the clause the Senator from California is reading is a clause in the original Senate amendment, and was not touched by the conference committee. It is your own clause, it is your own provision, which was inserted there, and by no possible construction has it been changed by subsequent or other clauses in the conference report. So that if we are now at this late day to enter upon a reconstruction of this great amendment, to occupy us in this body 3 or 4 days or a week, then of course we are to enter upon a new scheme of legislation with reference to these forest reservations, and I appeal to the Senator, in the interests which he and those associated with him have, not to undertake to require a conference committee to redraft this whole section.

"Mr. WHITE. I am not making any such attempt. I believe that the Senator from Iowa and every other Senator admits that I am right as to my contention that this privilege should be accorded to the owners of land on the reservations.

"Mr. ALLISON. Let me ask the Senator a question. Suppose I had a title from the Government, a patent to a tract of land, and afterward the Government for purposes of its own, created a reservation which embraced that tract of land, does he believe that any legislation we can make would deprive me of the power to go upon that land and exercise whatever right I desire to exercise as to the ownership and authority upon the land? Would a court sustain any statute which even in explicit and express terms would make such a prohibition? Certainly not.

"Mr. WHITE. I attempted to state to the Senate and to the Senator from Iowa and I will now restate the fact, which perhaps is more valuable than theorizing about what a decision may be. I am personally aware of tracts of land in the State of California around which a reservation has been declared, whereon the owners of land, purchasers from patentees, have not been permitted to enter and have been excluded by the Armed Forces of the United States under the direction of the Department of the Interior; and this legislation will give color to the exercise of that authority, because it omits from the grant the privilege of ingress and egress to those who are owners of the land; and, as I said before, it is a discrimination in favor of the possessor of the inchoate title.

"Now, in addition to what I said, I call the attention of the Senate to the last two lines on page 3:

"'The settlers residing within the exterior boundaries of such forest reservations, or in the vicinity thereof, may maintain schools and churches within such reservation, and for that purpose may occupy any part of the said forest reservation, not exceeding 2 acres for each schoolhouse and 1 acre for a church.

"'It is the obvious intention here to exclude from participancy in these statutory permissions the owners of the fee within the reservation. As far as the land owned is concerned, of course the owners can do with it what they like; but the use of the land is a part of its enjoyment, and whether it be usurpation or no, the fact is that the Government assumes to exercise the authority which I have stated, does exercise it, and does exclude from the participancy and full exercise of the right of an owner in fee men circumstanced as those to whom I have directed attention.

"'If there is anything sacred in reference to the first clause which I have criticized, the amendment I have referred to can be incorporated in the second clause, which the Senator admits has been subject to the scrutiny of the committee and altered there. There is no difficulty in inserting in that clause a half dozen words giving the owners of land in the reservation the same rights of ingress and egress heretofore accorded to settlers therein. The only way, of course, to meet this is to send the report back.'

"I cannot conceive of any argument, I cannot conceive of any suggestions, which would induce me to think that any rational man, anxious to do right, would father a piece of legislation, when his attention was called to it, as our attention is now called to it, which would exclude the owner of the land from enjoying that land and give a superior right to one whose title is less than fee. Of course if it is to meet with opposition elsewhere, if it cannot be incorporated in here, that is the end of it. We might take the matter as it is, but we should not refrain from an attempt to correct it because of the difficulty of going back, whether it be owing to the inattention of myself or anybody else. I am not charging any inattention upon the committee. The Committee on Appropriations does a very vast amount of work in the discharge of its duty to this body and to the country with signal ability, and it is and always has been a matter of wonder to me how that great committee is able so thoroughly to discharge its many duties.

"But still as we move on and examine this legislation there is perhaps none of us who may not discover some criticism that might be made. Our work, when it passes from this Chamber and from the Capitol, is frequently criticised, and frequently under the lamp of judicial scrutiny defects are discovered which would have been avoided if they had been called to our attention. When legislation is nascent is the time to point out defects. Whether those defects result from inattention on my part or inattention on the part of any other Senator or inattention on the part of anybody else cuts no figure with me. I will point it out, whether or not I have committed it, and will not consider that I am being unduly criticized if it is shown that I do not know everything."

No further discussion of the specific question here involved seems to have taken place during the remainder of the debate on these two sections. However, it is interesting to note that in the yea and nay vote which took place in the Senate on the conference report (p. 1285) and by which the report was adopted, Mr. Allison voted yea, Mr. White voted nay, and Mr. Berry was recorded as not voting.

Thus from an examination of the debate it can be readily seen that the sentences quoted by the general counsel are far from conclusive with respect to the intention of the Congress in enacting section 478. It would seem that the question with respect to the meaning of the words actual settlers was brought up and it was duly noted that the words had a technical meaning with respect to the land laws of the United States. Further, the effort to liberalize the meaning and bring within the benefits of the language, persons who were not actual settlers, or patentees from the United States but were purchasers therefrom, failed.

Technical meaning of "actual settlers"—decisions: It was noted in the debate, that the words, "actual settlers," have a specific technical meaning under the land laws of the United States. The decisions of the Department of the Interior at or about the time of the passage of the rider affords us a determination of the exact meaning of those words. The decisions follow. They are cited as "I.D." that is Interior decisions. In the earlier volumes the citation would read "L.D."—land decisions:

"Samuel N. Frank, January 2, 1884, 2 I.D. 628: In that case (*Allman* v. *Thulon* (Copp's Land laws, 690, 1875)), Assistant Attorney General Smith was of the opinion that the word 'settler' as used in the land laws of the United States, had a well-defined technical meaning, and 'a person is a settler who, intending to initiate a claim under any law of the United States, for the disposition of the public domain, does some act connecting himself with the particular tract claimed, said act being equivalent to announcement of such his intention, and from which the public generally may have notice of his claim. Such act constitutes a settlement; * * *.'

"The terms 'settlement' and 'inhabita' are both used in section 2259 (Rev. Stat.) in the order given, and the language clearly shows the distinction between the terms 'actual settler' and 'resident' as contemplated in the preemption law—the one meaning the performance of some simple act to operate as notice to the world that a tract is claimed, the other meaning that an actual residence or habitation must be established and follow the settlement.

"*U.S.* v. *Atterbury*, February 6, 1889, 8 I.D. 173, 176: The term 'actual settler' is technical and has acquired a well-defined meaning under the rulings of this Department and the decisions of the courts. An actual settler is one who goes upon the public land with the intention of making it his home under the settlement laws, and does some act in execution of such intention sufficient to give notice thereof to the public (4 Op. 493; *Lytle* v. *Arkansas*, 22 Howard 193; *Allman* v. *Thulon*, 1 C11 690).

"This act of settlement must be personal and cannot be made by an agent. *Foster* v. *McLean* (2 L.D., 175); *Byer* v. *Burrell* (6 L.D., 521).

"State of Oregon. 36 I.D. 509, 512: In the original act (the Carey Act of August 18, 1894, 28 Stat. 422) irrigation, reclamation, and occupancy by 'actual settlers' were conditions precedent to the issue of patent to the State. * * *

"The phrase 'actual settlers' so often used in the Federal and State laws regarding the disposal of public lands has a well-defined meaning, involving the idea of actual residence. *Gavitt* v. *Mohr*, 68 Cal. 506; *Mosely* v. *Torrence*, 71 Cal. 318; *Baker* v. *Millman*, 77 Tex. 46; *Bratton* v. *Cross*, 22 Kans. 673; *Turner* v. *Ferguson*, 58 Tex. 6; *Rene* v. *Prendergast*, 17 Ld. 385; *U.S.* v. *Atterbury*, 10 Ld. 36, 8 Ld. 173; *Samuel M. Frank*, 2 Ld. 628.

"Cases cited by the Department: The General Counsel states in the Department's letter: 'As you indicated this office has informally interpreted the act of June 4, 1897,

as recognizing a right of ingress and egress across national forest lands reserved from the public domain in all persons owning land within the exterior boundaries thereof. In so doing consideration was given to the legislative history of the act and the intent of Congress, keeping in mind such decisions as *Humphrey's Executive* v. *U.S.*, 295 U.S. 602, 625 (1935); *Holy Trinity Church* v. *U.S.*, 143 U.S. 457 (1892); and *U.S.* v. *American Trucking Association*, 310 U.S. 534, 543 (1940).'"

The cases cited by the General Counsel will be taken up below according to date. The Holy Trinity Church case was cited by the General Counsel generally, with no indication of the particular point it was to illustrate. It must therefore be presumed that the case is cited for the proposition that although Congress mentioned actual settlers and any person, Congress did not intend to exclude purchasers from actual settlers from the classification of actual settlers. The facts of the Holy Trinity Church case were that the church in New York had entered into a contract with an alien residing in England requiring the alien to come to the United States and serve the church as its rector. It was alleged that such a contract violated the act of February 26, 1885 (23 Stat. 332) which made it unlawful for any person or corporation, etc., in any manner whatsoever to prepay the transportation, or in any way assist, or encourage the importation or migration of any alien or aliens, any foreigner or foreigners into the United States under contract or agreement, made previous to the importation or migration, to perform labor or service of any kind in the United States. The Court in its opinion stated (pp. 458–459):

"It must be conceded that the act of the corporation is within the letter of this section, for the relation of rector to his church is one of service, and implies labor on the one side with compensation on the other. Not only are the general words 'labor' and 'service' both used, but also, as it were to guard against any narrow interpretation and emphasize a breadth of meaning, to them is added 'of any kind'; and, further, as noticed by the circuit judge in his opinion, the fifth section, which makes specific exceptions, among them professional actors, artists, lecturers, singers, and domestic servants, strengthens the idea that every other kind of labor and service was intended to be reached by the first section. While there is great force to this reasoning, we cannot think Congress intended to denounce with penalties a transaction like that in the present case. It is a familiar rule, that a thing may be within the letter of the statute and yet not within the statute, because not within its spirit, nor within the intention of its makers. This has been often asserted, and the reports are full of cases illustrating its application. This is not the substitution of the will of the judge for that of the legislator, for frequently words of general meaning are used in a statute, words broad enough to include an act in question, and yet a consideration of the whole legislation, or of the circumstances surrounding its enactment, or of the absurd results which follow from giving such broad meaning to the words, makes it unreasonable to believe that the legislator intended to include the particular act. As said in Plowden, 205: 'From which cases, it appears that the sages of the law heretofore have construed statutes quite contrary to the letter in some appearance, and those statutes which comprehend all things in the letter they have expounded to extend to but some things, and those which generally prohibit all people from doing such an act they have interpreted to permit some people to do it, and those which include every person in the letter, they have adjudged to reach to some persons only, which expositions have always been founded upon the intent of the legislature, which they have collected sometimes by considering the cause and necessity of making the act, sometimes by comparing one part of the act with another, and sometimes by foreign circumstances.'"

The Court thereafter, at great length, examined the title of the bill, the debate, the hearings, etc., and found that it was the intention of Congress that rectors having contracts with churches were not to be included in the excluded class under the act. The Court found that Congress actually intended to include general types of labor or service such as actors, lecturers, etc., in the exception. It concluded that, although not mentioned specifically either in the prohibitory statute or in the exception, rectors and ministers were to be included in the exception. I agree with the reasoning and decision of the Court as applied to the facts in the Holy Trinity Church case. However, that case is distinguishable from the facts in our problem. There the Congress had used general language, not language having a specific and technical meaning as in our problem. The use of the words (in the 1897 act) "actual settlers" connoted a particular class of individuals specifically.

The citation by the General Counsel of page 543 of *U.S.* v. *American Trucking Association* presumably refers to the language therein which states that, when the meaning has led to absurd or futile results, the Court will look beyond the words to the purposes of the act; that frequently when the plain meaning does not produce an absurd result but merely an unreasonable one, plainly at variance with the policy of the legislation as a whole, the Court will follow the purpose rather than the literal words. However, the two sentences containing this language should not be taken out of context. The Court indicated that it would go back and use whatever aids to construction are available in attempting to arrive at the literal meaning. The Court's point follows:

"In the interpretation of statutes, the function of the courts is easily stated. It is to construe the language so as to give effect to the intent of Congress. There is no invariable rule for the discovery of that intention. To take a few words from their context and with them thus isolated to attempt to determine their meaning, certainly would not contribute greatly to the discovery of the purpose of the draftsmen of a statute, particularly in a law drawn to meet any needs of a major occupation.

"There is, of course, no more persuasive evidence of the purpose of a statute than the words by which the legislature undertook to give expression to its wishes. Often these words are sufficient in and of themselves to determine the purpose of the legislation. In such cases we have followed their plain meaning. When that meaning has led to absurd or futile results, however, this Court has looked beyond the words to the purpose of the act. Frequently, however, even when the plain meaning did not produce absurd results but merely an unreasonable one 'plainly at variance with the policy of the legislation as a whole' this Court has followed that purpose, rather than the literal words. When aid to construction of the meaning of words, as used in the statute, is available, there certainly can be no 'rule of law' which forbids its use, however clear the words may appear on 'superficial examination.' The interpretation of the meaning of statutes, as applied to justiciable controversies, is exclusively a judicial function. This duty requires one body of public servants, the judges, to construe the meaning of what another body, the legislators, has said. Obviously there is danger that the courts' conclusion as to legislative purpose will be unconsciously influenced by the judges' own views or by factors not considered by the enacting body. A lively appreciation of the danger is the best assurance of escape from its threat but hardly justifies an acceptance of a literal interpretation dogma which withholds from the courts available information for reaching a correct conclusion. Emphasis should be laid, too, upon the necessity for appraisal of the purposes as a whole of Congress in analyzing the meaning of general connotation appearing in the text of statutes should not be given a wide meaning, contrary to a settled policy, 'excepting as a different purpose is plainly shown.'"

Before considering the case of *Humphrey's Executor* v. *U.S.*, 295 U.S. 602, 625 (1925) it should be pointed out that in the legislative history of the 1897 act neither the House nor the Senate Committee on Appropriations issued a printed report. Further the amendment which included the language of 478 was made on the floor of the Senate after the bill had been passed in the House and had been reported by the Senate Appropriations Committee. Therefore, the only items available for determining the intent of Congress are the debates, the statements of the author of the amendment, and the conference committee report (S. Doc. 102, 55th Cong., 1st sess.). However, as indicated in the debate on the amendment, the conference committee made no changes in the language of now section 478. A change was made in other sections but not in section 478. In the light of this history, the General Counsel's citation of Humphrey's case, is pointless. The general rule as stated on page 625 is:

"While the general rule precludes the use of these debates to explain the meaning of the words of the statute, they may be considered as reflecting light upon its general purposes and the evils which it sought to remedy."

As apparent at the top of page 625 of the reported case, the Court had before it reports of the committee which reported out the bill there concerned. In our case I am confident the courts would give decisive weight to the debates, in view of the fact that they are all that exists indicating the intent of Congress. It would therefore seem that the Humphrey case is not in point.

Congressional debates as indicative of congressional intent: With respect to the use, generally, of congressional debates in determining the intent of Congress, Sutherland: Statutory Construction (v. 2, pars. 5011, 5101, and 5104; footnotes have been omitted) states:

"§ 5011. Legislative debates: Statements by individual members of the legislature as to the meaning of provisions in a bill subsequently enacted into law, made during the general debate on the bill on the floor of each legislative house following its presentation by a standing committee, are generally held to be inadmissible as an aid in construing the statute. Legislative debates are 'expressive of the views and motives of individual members, and are not a safe guide, and hence may not be resorted to, in ascertaining the meaning and purpose of the lawmaking body.' '* * * it is impossible to determine with certainty what construction was put upon an act by the members of the legislative body that passed it by resorting to the speeches of individual members thereof. Those who did not speak may not have agreed with those who did; and those who spoke might differ from each other * * *.'

"In the earlier cases courts refused to consider legislative debates completely. This rule has been modified to permit explanatory statements by the member of the standing committee who is in charge of its presentation to the legislative house and leads the debate thereon. Now, in addition, the Federal courts hold that legislative debates are useful in the interpretation of a statute where they show a common agreement among the Members of the legislature as to the meaning of an ambiguous provision.

"Although legislative debates are generally not accepted as direct interpretive aids, in addition to judicial notice of contemporary events statements of individual legislators as to the problems before the legislature requiring its attention, made during the debate on the statute under consideration, have been referred to in order to discover the evil sought to be remedied thereby.

"Relevant conditions existing when the statute was adopted must be given due regard in the construction of statutes. However, this latter rule of construction in reality means that legislative debates may be used to aid in the construction of statutes, for from statements of individual legislators as to the evils requiring legislative attention, it is implied that the legislature intended to remedy the evils described. It would seem that it may be implied with equal or greater validity that the legislature intended what an individual legislator declared the meaning of the statute to be.

"Since the objective of statutory interpretation is to find the intended meaning of the statute's words, it would seem that any legislator's remarks which would throw light on the meaning of those words should be admitted, regardless of whether they are statements as to their meaning or statements as to the problems before the legislature. Although generally entitled to little weight, the value of such should depend upon how well informed their author appeared to be and how well he seemed to represent the views of his colleagues.

"§ 5101. Adoption of statutes into existing scheme of law—In general: Among the extrinsic aids of statutory construction are those which are gathered from circumstances existing or occurring at or after the statute goes into effect. As a general rule it may be stated that legislative intent should be determined as of the time the legislation goes into effect. But surrounding circumstances and situations occurring after the enactment of the statute may be of great or even conclusive assistance in determining a meaning which was intended to be conveyed. Legislative standards are generally couched in terms which have considerable breadth. Therefore a statute may be interpreted to include circumstances or situations which were unknown or did not exist at the time of the enactment of the statute. Contemporaneous and practicable construction may shed valuable light upon statutory meaning. Legislation should always be considered in peri materia with previous and subsequent legislative enactments. And it is seldom that statutes can be thoroughly understood unless considered with reference to common law concepts. In addition, particular types of statutes may carry necessary implications, not expressed in the literal terms of the legislation, which will apply to particular situations.

"§ 5104. Contemporaneous and practical interpretation serves as another aid of statutory construction, and therefore must be weighed against the other factors pertinent to the determination of legislative intent. Thus statements appear and reappear in the decisions to the effect that contemporaneous or practical interpretation will not be permitted to control the meaning of the plain and unambiguous terms of a statute. Whether the language of a statute is ambiguous or not will depend upon a number of factors, and it is submitted that contemporaneous and practical interpretation may serve as one of those factors. But where such interpretation is unreasonable and clearly erroneous it should always be rejected.

"The conclusiveness of a contemporaneous and practical interpretation will depend upon a number of additional elements that give efficacy to the rule. In general, these elements are: (1) That the interpretation originated from a reliable source; (2) that the interpretation has continued for a long period of time and received wide acceptation, and (3) that the interpretation was made at or near the time of the enactment of the statute. Where these factors are present the vagueness usually surrounding the other aids of construction are not present, and therefore the rule serves as one of the most definite and reliable sources of statutory meaning."

Certainly the three cases cited by the General Counsel do not support the position taken by the Department nor do they preclude use of the congressional debates, in the instant problem, to determine the intention of Congress.

View reenacting intent of Congress: It would seem, therefore, that section 478 does not give the lumber companies a statutory right of way across forest lands, as actual settlers, particularly in those cases where they are merely successors in interest by purchase from such settlers or under a railroad grant. Further, as such successors in interest they are entitled to mere rights of entry together with the general public under that section.

General conclusion: From the foregoing arguments it can be seen that the Forest Service has two methods of approaching the solution of the problem of acquiring permanent rights-of-way across private lands in the national forests. It may condemn the way. This method is sure, constitutional, well within the powers of the Service and will assure the Service of obtaining a permanent way for the exact uses for which it is desired.

The second method would be to treat those private owners, probably including the lumber companies, who are not actual settlers by a strict and technical interpretation of section 478, as members of the general public who are not entitled to the statutory rights of way. This would probably involve several legal actions to establish the exact status of the companies affected. The legislative history respecting the intent of Congress, supra, would constitute the heart of the Government's case. Should it be established that the lumber companies are not actual settlers under section 478, the Government would then be in a position to offer and receive reciprocal rights-of-way in subsequent negotiations.

Appendix: Photostatic copy of CONGRESSIONAL RECORD, 55th Congress, 1st session, volume 30, pages 1276–1285.

OPINION FOR MR. LYLE F. WATTS, CHIEF, FOREST SERVICE

DEAR MR. WATTS: We have been requested to consider the rights of persons owning land within or near the exterior boundaries of a national forest to build or use roads across such forest connecting with roads on their own land. Specifically, the questions may be stated as follows:

1. Is there any distinction between the rights of "actual settlers residing within" the external boundaries of national forests and persons residing outside of such forests but owning land therein to build or use connecting roads across the national forests to their property therein, and

2. May regulations governing the issuance of permits to build or use roads across the national forests connecting with privately owned roads require as a condition of a permit that the permittee shall allow the Federal Government or others designated by it to use portions of the privately owned road (a) when the permit is one issued to either an actual settler or nonsettler owner of land within the national forest for the purpose of egress and ingress and (b) when the permit is issued to one who does not own land within the national forest?

For the reasons given below it is our opinion that the first question should be answered in the negative and that, with reference to the second question, permission to use the privately owned road may be required when reasonably necessary for the protection or administration of the national forest. The standards of reasonableness may be more stringent in the type of case referred to in question 2(b) than in 2(a).

For a determination of the extent to which Congress has required or authorized the Secretary of Agriculture to permit the use of national forest lands for road or highway purposes we turn to consideration of the act of June 4, 1897, as amended (39 Stat. 35, 36; 16 U.S.C. 478, 551). The act provides in pertinent part as follows:

"The Secretary of Agriculture[1] * * * may make such rules and regulations and establish such service as will insure the objects of such reservations; namely, to regulate their occupancy and use, and to preserve the forests thereon from destruction * * *. Nothing herein shall be construed as prohibiting the egress or ingress of actual settlers residing within the boundaries of such reservations, or from crossing the same to and from their property or homes; and such wagon roads and other improvements may be constructed thereon as may be necessary to reach their homes and to utilize their property under such rules and regulations as may be prescribed by the Secretary of Agriculture. Nor shall anything herein prohibit any person from entering upon such forest reservations for all proper and lawful purposes, including that of prospecting, locating, and developing the mineral resources thereof: *Provided*, That such persons comply with the rules and regulations governing such forest reservations."

Presumably, the question of the possibility of a distinction between the rights of actual settlers and nonsettler landowners arises from the fact that the quoted statute refers specifically to "actual settlers residing within" and the question whether that phrase must be literally interpreted or may be construed as including nonsettlers owning land within the national forests.

The congressional debate[2] on the sundry civil appropriation bill, 1898, which became the act of June 4, 1897, supra, clearly shows a recognition of the fact that the term "actual settlers residing within" was subject to a literal interpretation which would exclude nonsettlers even though they owned lands within the forests. In opposition to such an interpretation, however, it was contended that as a practical matter persons owning lands within the forests would not be deprived of the right to enter upon their lands.

This contention was based, at least in part, upon statements to the effect that for the Government to surround private property with a national forest with no guarantee or reservation of a right of egress and ingress across the forest for nonsettler owners would in effect deprive such owners of their property in that it would coerce them into disposing of it against their will and probably at a loss. Doubt was expressed that Congress could enact such legislation or that any court or department would give so technical an interpretation to the language. Nevertheless, an amendment was offered to clarify the language by use of the words "any person or persons" in lieu of "actual settlers residing within."

However, the question as to the meaning of "actual settlers" had not been raised until after the bill had been reported out of conference. Under the rules of the Senate then in effect an amendment could not be made to a conference report, and for that reason the proposal failed. While we are cognizant of the technical interpretation of

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[1] The Secretary of Agriculture was substituted for the Secretary of Interior by the act of Feb. 1, 1905, 33 Stat. 628.

[2] For a more complete reference to the debate see app. A.

"actual settlers residing within" as being exclusive of nonsettler owners, we are impressed with the failure of the legislative history of the statute to show any studied intent upon the part of Congress to enact into law language which would result in the effect flowing from the technical interpretation.[3]

We also consider significant the timing of the consideration of the language and the events in connection therewith which tended to prevent amendatory action. It is observed that the sundry civil appropriation bill, 1898, was rushed through the dying days of the 2d session of the 54th Congress and approved by both Houses. It was not signed, however, by the President. It was again introduced in the early days of the 55th Congress, and being an appropriation bill was under great pressure for speedy enactment. Although the funds to be made available under the bill were for the fiscal year beginning July 1, 1897, and it would seem that the period from March 4 through June 30 would have afforded ample time for deliberate consideration of the appropriation bill, the records of the 55th Congress show that it was greatly concerned at that time with the speedy enactment of tariff legislation, and for that reason, and the fact that the preceding Congress had approved the bill, the 55th Congress was not inclined to delay the appropriation bill by a thorough reconsideration of it.

There was also a rather general feeling in Congress that there was an urgent need for passage of that part of the bill which provided for the suspension of the Executive orders and proclamations of February 22, 1897. The Executive orders had included within forest reservations vast areas embracing towns, railroads, and mining industries. As a result, many persons had been restricted in rights theretofore enjoyed and seriously handicapped in making their living. As indicated above, the bill had passed both Houses of Congress and had been referred to a conference committee. It was apparent that to take time for specific action to clarify the "actual settlers" provision would imperil timely enactment of legislation to remedy what was generally conceded to be a most unfortunate effect of the Executive orders, as well as enactment of the civil sundry appropriations.

These facts appear to be significant as showing the history of the times and events leading up to the passage of the bill. Contemporaneous events, the situation as it existed, and as it was reported to the Congress may properly be considered as a guide in construing a statute (*Shaw* v. *Kellog*, 170 U.S. 312, 331 (1898); *Holy Trinity Church* v. *United States*, 143 U.S. 457, 463 (1892); *Jennison* v. *Kirk*, 98 U.S. 453, 457 (1878)).

It is believed that in considering the interpretation of the language involved, there should also be applied the principle enunciated by the Supreme Court in *United States* v. *American Trucking Association*, 310 U.S. 534 (1940). It is stated therein at page 543:

"There is, of course, no more persuasive evidence of the purpose of a statute than the words by which the legislature undertook to give expression to its wishes. Often these words are sufficient in and of themselves to determine the purpose of the legislation. In such cases we have followed their plain meaning. When that meaning has led to absurd or futile results, however, this Court has looked beyond the words to the purpose of the act. Frequently, however, even when the plain meaning did not produce absurd results but merely an unreasonable one 'plainly at variance with the policy of the legislation as a whole' this Court has followed that purpose, rather than the literal words."

The absurdity of a literal interpretation in this case is emphasized, of course, when one considers (as was indicated in the congressional debate) that the technical interpretation would not only prohibit the non "actual settler" who was living outside the reservation from reentering the property he owned therein, but would also prevent him from coming from such property across the reservation if perchance he happened to be temporarily situated on the enclosed land when the forest reservation was established.

We do not overlook the fact that in subsequent sessions Congress has had ample time in which to substitute for the term "actual settlers" a broader term specifically including all owners of land within the national forests. We are not informed, however, of any administrative interpretation or practice through which the Department has attempted to apply so technical an interpretation to "actual settlers residing within" as to prohibit owners of land within a national forest but not living on such land from entering and departing as if they were "actual settlers" in the technical sense. Furthermore, there does not appear to be any reported court case in which an attempt was made to deny to nonsettler owners the right of egress or ingress enjoyed by "actual settlers." Under such circumstances congressional failure to change the language of the statute may well have been due to lack of demand therefor.

While there may be merit in the technical interpretation of "actual settler," a review of the debate on the bill leads to the conclusion that (1) the argument in support of the technical interpretation was at least partially answered by the assertion that no court or department of the Government would construe the language so technically, (2) it was thought that the brevity of time and complications of legislative procedure would endanger timely enactment of needed legislation if an attempt were made so late in its consideration to amend the controversial language, (3) the use of language which at first glance appears to restrict the referred to rights to "actual settlers" appears to have been due to inadvertence rather than to a studied intent on the part of Congress, and (4) Congress may reasonably be considered as having viewed the technical interpretation as one which if applied to nonsettlers would lead to so absurd a result that Congress would not be considered as having intended it. Judicial and administrative interpretation and practice do not seem to have created a demand for congressional action to change the language so as to specifically obviate the possibility of such a result.

In view of the foregoing, we are inclined to the view that the words "actual settlers residing within" as used in the quoted statute should not be so construed as to require a distinction between the rights of such settlers and persons living outside the national forests but owning land therein. That is to say, it is our opinion that the rights of egress or ingress and to construct or use roads within the national forests which under the 1897 act are reserved to "actual settlers residing within" the national forests are also reserved to the nonsettler owners of land within the national forests.

In considering our second question it may be well first to comment briefly on the scope of the authority under the 1897 act to cross the national forests. If there is any provision in the quoted portion of the act which pertains to an absolute right, unqualified or unlimited by rules or regulations, to cross such lands, it is found in the clause, "Nothing herein shall be construed as prohibiting the egress or ingress of actual settlers residing within the boundaries of such reservations or from crossing the same to and from their property or homes"; and by construing that language without reference to the clause relative to road construction which follows it and contains the limitation "under such rules and regulations." Under the then existing laws pertaining to the public lands the public had a recognized right to pass freely onto and across such lands. By use of the quoted clause Congress apparently intended that when any portion of the public lands was reserved for a national forest the existing rights to cross the land should not thereby be destroyed.

It will be observed, however, that this unlimited right which was preserved to actual settlers as that term is herein construed pertained only to "egress or ingress" or to "crossing" to and from their property and homes, which presumably could be accomplished by following a pathway or trail or by crossing unmarked land. If, however, they wish to improve their means of crossing such land by the construction of a road or other improvements then Congress specifically provided in the last clause of the sentence that such road is to be constructed under "rules and regulations" prescribed by the Secretary of Agriculture. Such "rules and regulations" apparently are the ones which the Secretary is specifically authorized to make under the first part of the quoted statute to "insure the objects" of the national forests. Our second question calls for consideration, therefore, of the legality and scope of regulations issued pursuant to such authority. We shall deal first with subhead (a) of the question.

In considering the scope of the authority encompassed within the Government's regulatory power, we are not unmindful of the power of the United States to "prohibit absolutely or fix the terms on which its property may be used" (*Light* v. *United States*, 220 U.S. 523, 536 (1911)). We are herein concerned, however, not with a situation where Congress has enacted legislation specifically stating the terms under which Government property may be used, but with a situation where the conditions governing its use are made subject to rules and regulations of an executive department.

The effect of the regulating authority under the quoted legislation has been considered by the courts in *United States* v. *Grimaud*, 220 U.S. 506 (1911). The Supreme Court therein held that authority thereunder to make rules and regulations was not an unconstitutional delegation of power to the Secretary of Agriculture. The decision was followed in *Light* v. *United States*, *supra*. The existence of facts justifying the issuance of the rule or regulation will be presumed (*Thompson* v. *Consolidated Gas Co.*, 300 U.S. 55, 69 (1937); *Pacific States Box and Basket Co.* v. *White*, 296 U.S. 176, 185 (1935)). Also, the power to regulate the occupancy and use of the forests may be exercised independently of the power to regulate their preservation (*United States* v. *Reeves*, 39 F. Supp. 580, 583 (D.C. W.D. Ark., 1941)). Furthermore, when once the Secretary exercises his discretion to determine that a particular use or occupancy of a national forest is consistent with insuring the objects for which the forest reservation was created, then his decision "is definitive and subject to review in no other way than by the Congress" (26 Ops. Atty. Gen., 470, 472 (1908)).

It seems clear that through rules and regulations the Secretary of Agriculture may govern the construction and use of roads across the national forests[4] and that the promulgation of rules and regulations otherwise acceptable may be based upon either the responsibility to preserve the forests or to regulate their occupancy and use.

The rulemaking authority is not, of course, to be exercised without some limitation. A principle of primary importance that must be borne in mind is that a regulation which requires as a condition to a special use permit that the permittee in turn shall allow the Government or its designees to use his privately owned roadway is a regulation affecting the property right of the individual. Thinking in terms specifically of a property right in, or to the use of, the land of an individual, we are confronted with the rule that property not only may not be taken without due process of law and compensation therefor but that any regulatory attempt to control land contrary to the consent or wishes of its owner must clearly be for the public rather than private benefit.

It has been held, for instance, that a regulatory order requiring a gas company to permit other gas producers to use its pipelines was objectionable, the court having concluded that compliance with the order would result in the taking of property for private rather than public benefit (*Thompson* v. *Consolidated Gas Company*, *supra*).[5] (See also, *Williamson* v. *United States*, 207 U.S. 425, 462 (1908).) Inasmuch as persons owning land within the national forests appear to have a statutory right of egress and ingress across such forests, we are inclined to view such a right as being in effect a property right within the principle we have just stated. If, therefore, in connection with a permit to use or construct a road across national forest land a regulation is to be relied upon as authority to require such a permittee to permit the Government or its designees to use his privately owned connecting road, the Department should be prepared to show that the use of the privately owned road is for the public benefit.

In addition to the public benefit requirement, rules and regulations promulgated pursuant to statutory authority must be consistent with the statute from which the authority is derived and must be reasonable (*Manhattan General Equipment Co.* v. *Commissioner*, 297 U.S. 129, 134 (1936); *International Railway Co.* v. *Davidson*, 257 U.S. 506, 514 (1922)). They must come within the framework of the legislation which declares the policy or purpose to be accomplished and which provides standards for the guidance of the administrative officials who are to carry the legislation into effect (*Panama Refining Co.* v. *Ryan*, 293 U.S. 388 (1935)). That is, they must not attempt to take the place of legislation but may serve to set forth the details to be observed within the standards provided by the legislation (*United States* v. *Shreveport Grain and Elevator Co.*, 287 U.S. 77 (1932); *United States* v. *Grimaud*, *supra*).

[3] Compare *Holy Trinity Church* v. *United States* (143 U.S. 457 (1892)), holding that the language "to perform labor or service of any kind" as used in a statute was intended by Congress to apply only to "cheap unskilled labor" and not to apply to the services of a minister or rector of a religious society. In reaching this conclusion the Court took notice of the fact that Congress was aware of the desirability of changing certain language so as to clearly show the true intent but failed to do so for practical reasons.

[4] The authority of the Secretary of the Interior under the act of Mar. 3, 1899 (16 U.S.C. 525), regarding rights-of-way across national forests need not now be considered for obvious reasons.

[5] The court found in this case that the regulatory order was not intended to prevent waste or to protect correlative rights of owners in the proportionate share of the common gas reservoir. On the contrary, it was intended, among other things, indirectly to compel the owners of certain gas pipelines to permit other gas producers to use such lines by restricting production by the pipe owners to the extent that in order to fill their gas sale obligations they would be required to purchase gas from producers who otherwise had no lines through which to reach the markets. Thus, the producers who owned no pipelines were given an outlet to the market through the forced contribution of pipelines by private owners.

Regulations which go beyond what Congress has authorized may be disregarded although such is not true where the regulations are "thought merely to be illiberal, inequitable or not conducive to the best results" (*Utah Power and Light Co.* v. *United States*, 243 U.S. 389, 410 (1917)).

Bearing in mind this necessity of restraining administrative discretion or regulations within the bounds of legislative policy and purpose, we look to the purpose for which Congress authorized the establishment of the national forests. It is set forth in the act of June 4, 1897, 30 Stat. 34, 16 U.S.C. 475, as follows:

"No public forest reservation shall be established, except to improve and protect the forest within the reservation, or for the purpose of securing favorable conditions of waterflows, and to furnish a continuous supply of timber for the use and necessities of citizens of the United States."

It is for the purpose of insuring such objects or purposes of forest reservations that the Secretary of Agriculture is authorized to make rules and regulations "to regulate their occupancy and use and to preserve the forests thereon from destruction." The extent to which the rules and regulations may be considered as reasonably providing for the accomplishment of such purposes is one of degree, the reasonableness to be determined in each case according to the facts of that particular case and within the limitations of the legal boundaries authorized by law. If we assume, for instance, that for practical purposes an individual can construct an egress and ingress roadway on his privately owned land within a national forest in only one location, and that the Government can reach points in the forest beyond or adjacent to the privately owned property without using the privately owned road and without undue interference with the administration or protection of the forest, it may be argued that it is unreasonable, and in effect coercive, to deny him the right to construct or use a connecting road at that location on national forest land unless he, in conformance with the Department's regulations, consents to a condition in his special use permit that use of the roadway on his land shall be open to the Government and its designees.

On the other hand, this office expressed the view in Op. Sol. 1483 that the Secretary by rules and regulations issued under authority of the 1897 act may require that a road shall be so located and constructed as to cause no unreasonable injury to the national forest or interfere with its administration. In line with that view, it may be argued that if an individual owning land within a national forest chooses to construct a road to the internal boundary of the national forest in one of two or more available locations, and chooses a location which, unlike others, will cause an unreasonable interference with the forest's occupancy and use or preservation,[6] then a regulation authorizing the imposing of a condition in the special use permit that the Government and its designees may use the individual's road would not be unreasonable.

In applying the principles which we have discussed we feel that there is a basis for distinguishing between the rights of the the persons referred to in question 2(a) and those referred to in 2(b). The rights relative to egress and ingress accorded actual settlers under the 1897 act are not available to persons who do not own land within the external boundaries of a national forest. The rights of the latter to cross such forests and to construct roads therein are permissive rather than statutory. Under such circumstances there appears to be clear authority for the Department to impose as to them much more stringent conditions or restrictions in its regulations governing permits to construct or use roads in the national forest (*Golden Gate Bridge and Highway District* v. *United States*, 125 F. 2d 872 (C.C.A., 9th, 1942) certiorari denied, 316 U.S. 700, 1942). (See also *Chicago M. and St. P. Railway Co.* v. *United States*, 218 F. 288 (C.C.A., 9th, 1914) affirmed, 244 U.S. 351 (1917); 25 Ops. Atty. Gen. 470; Op. Sol. 1921.) Compare regulations of the Department of the Interior relative to O. & C. lands, 15 F.R. 1971, 1972, April 7, 1950.

In summary, it is our opinion that with respect to the construction of roads across the national forests, Congress did not intend by the act of June 4, 1897, to distinguish between actual settlers within such forests and nonsettler owners of land therein. Both have a statutory right of egress and ingress across such lands. But if the means of egress and ingress is to be improved by the construction of a road or other improvements, then such construction must be in accordance with reasonable regulations. As to persons who do not own land within the forests, the regulations may reasonably impose more restrictive conditions.

Sincerely yours,

_____,
Solicitor.

APPENDIX A

In the debate on the sundry civil appropriation bill, 1898, which became the act of June 4, 1897, Senator White quoted from the conference report as follows:

"Nothing herein shall be construed as prohibiting the egress or ingress of actual settlers residing within the boundaries of such reservations" (30 CONGRESSIONAL RECORD 1278 (1897)).

He called attention to the fact that the language "refers to the actual settlers within the boundaries" and quoted the remainder of the sentence down to the semicolon; namely, "or from crossing the same to and from their property or homes;" id. He then pointed out that while the bill gave to actual settlers the "power of egress and ingress," it did not deal in the same way with a purchaser from a person who has acquired title from the Government. He stated that such a purchaser's case is dealt with in another paragraph of the bill relative to the right of persons whose land was covered by unperfected claims or by patents to relinquish the land and select other land elsewhere.[1] He referred to four such purchasers whose lands were included within one of the California reservations and who were living outside the reservation. He stated that inasmuch as they "were not settlers within the technical interpretation" the bill, if enacted into law, would give them no privilege of entry and would in effect through duress compel them to exchange the land for something elsewhere. He contended that an individual selling land would not be able to deprive the purchaser of a means of entry. Apparently, he had in mind a right-of-way of necessity. He asked if the Government could justify such discriminatory legislation. (Id.)

[6] As if, for instance, it would unreasonably necessitate the construction of a second road across the national forest to reach portions of the national forest adjacent to or beyond the privately owned land.

[1] The paragraph states: "That in cases in which a tract covered by an unperfected bona fide claim or by a patent is included within the limits of a public forest reservation, the settler or owner thereof may, if he desires to do so, relinquish the tract to the Government, and may select in lieu thereof a tract of vacant land open to settlement not to exceed in area the tract covered by his claim or patent; and no charge shall be made in such cases for making the entry of record or issuing the patent to cover the tract selected."

Senator Allison (a conferee who took a leading part in sponsoring the bill) stated: "I am quite sure that persons owning lands within a reservation are not to be deprived of the right to enter upon those lands."

"However," Senator White replied, "I know it has been denied by the officers of the Government, and they have been excluded by soldiers" (30 CONGRESSIONAL RECORD 1278 (1897)). Senator Cannon referred to the language relative to egress or ingress and inquired whether any protection was accorded a person living outside of the reservation but all of whose lands and possessions except his mere residence property were within the reservation. The following conversation then took place:

Mr. White: "My response to that interrogatory would be that it must be construed to have been the intention of Congress, in adopting this amendment, to confer its benefits upon actual settlers, as that phraseology is used in the land laws of the United States, and the word 'residing' would be construed with reference to those laws. I presume that if he had a residence adequate to make him an actual settler under the land laws of the United States, he would come within the beneficial operations of that section."

Mr. Cannon: "Do not the words 'residing upon' raise a dangerous question, that no persons shall own lands in a reservation who do not reside there?"

Mr. White: "It should be 'bona fide settlers upon or owners within a reservation'" (30 CONGRESSIONAL RECORD 1279 (1897)).

Senator Berry in reply to Senator White's technical interpretation of the language stated that he did not think it possible that any court or any department would ever give such a construction to the section. In support of that contention he stated that he wished to call the attention of Senator White "to two or three words that he did not read" and then quoted both that part of the sentence which Senator White had quoted, supra, and the remainder thereof following the semicolon; namely, "and such wagon roads and other improvements may be constructed thereon as may be necessary to reach their homes and to utilize their property under such rules and regulations as may be prescribed by the Secretary of the Interior."[8]

He then continued by quoting the next sentence of the section: "Nor shall anything herein prohibit any person from entering upon such forest reservations for all proper and lawful purposes, including that of prospecting, locating, and developing the mineral resources thereof: *Provided*, That such persons comply with the rules and regulations covering such forest reservations."

Senator Berry then stated: "Now, then, there is an express provision that any person can enter for all lawful and proper purposes under such rules and regulations as shall be made by the Secretary of the Interior. Does anyone suppose that a man fit to be Secretary of the Interior of the United States would under that provision make a rule and regulation that because a man happened to reside in a town beyond the limits of the reservation he could not be permitted to have egress or ingress from his home or his possessions therein? I think such a construction would be exceedingly technical and exceedingly narrow."

It will be observed that up to this time the point of contention was not whether there was an absolute right of egress or ingress under the first clause irrespective of rules and regulations provided for in the second clause. The main point under consideration was whether only actual settlers (apparently irrespective of any question of regulations) or all owners would have a right of egress and ingress. This is borne out by the statement of Senator White that "this legislation * * * omits from the grant the privilege of ingress and egress to those who are owners of the land" (30 CONGRESSIONAL RECORD 1282). It is further shown by the fact that Senator Rawlins, in offering an amendment had in mind "a full use of all properties, and rightful possessions within the boundaries of those reservations" (id. 1281) rather than any distinction between actual settlers and others relative to compliance with rules and regulations. The language proposed by the Senator as an amendment was:

"Nothing herein shall prevent any person or persons from ingress and egress upon such reservation connected with the use, purchase, or ownership of lands or other property within its boundaries."

He was informed, however, that the rules of the Senate would not permit an amendment to a conference report (30 CONGRESSIONAL RECORD 1281 (1897)).

Following further argument by Senator White, Senator Allison asked whether if he owned a tract to land with title from the Government and afterward the Government created a reservation which enclosed that land, Senator White believed that any legislation "we can make" would deprive him as owner of the power "to go upon that land and exercise whatever right I desire to exercise as to the ownership and authority upon the land." Senator Allison said a court "would not sustain any statute which even in explicit and express terms made such a prohibition." Senator Allison's conclusion apparently was based upon the theory that for the Government to surround private land with a reservation and no point of egress is in effect to take the land without due process of law. The "due process of law" theory, however, would not seem to prevent the enclosing of property if rights of egress and ingress were given, even if such rights were made subject to regulations. That is, regulations or the right to regulate would not necessarily defeat the right of "due process."

The question as to the meaning of "actual settlers" insofar as it includes nonresident owners does not appear to have been raised until Senator White objected to the use of the term. His objection was made after the bill was reported out of conference and the fact that no objection to the language had been made prior to submission of the bill to the conferees was one of the points raised in objection to taking time for its consideration after the conference report.

FEBRUARY 20, 1962.

The Honorable the SECRETARY OF AGRICULTURE.

MY DEAR MR. SECRETARY: The Attorney General has requested me to advise you that, if you approve, he should like to have published, in accordance with 5 U.S.C. 305, his opinion to you on the interpretation of 16 U.S.C. 478 and related statutes which I am transmitting herewith. Although the Attorney General approved this opinion on February 1, 1962, he requested me further to review it prior to transmitting it to you. Hence the delay in transmittal.

Please let me know whether you have any objection to the publication.

Sincerely,

BYRON R. WHITE,
Acting Attorney General.

FEBRUARY 1, 1962.

The Honorable the SECRETARY OF AGRICULTURE.

MY DEAR MR. SECRETARY: This is in reply to your letter of August 2, 1961, requesting my opinion on several questions arising in the administration of the national forests under the act of June 4, 1897, 30 Stat. 36, 16 U.S.C. 478.[1] The substance of the inquiry is whether you have the authority, to grant a permit to use an existing road in, or to build a new road across, a national forest on the condition that the applicant for that permit confer on the United States a reciprocal benefit with respect to his own property; i.e., that he permit the United States to use roads existing on it or to build new roads across it in order to reach national forest lands.

Your General Counsel has explained the factual circumstances underlying your inquiry. In many parts of the country, especially in the checkerboard lands of the Northwest,[2] much privately owned timber may be reached only by crossing national forests, and, conversely, private property frequently must be crossed in order to obtain access to national forests. During the past years, private landowners—even those who have been permitted to build roads across national forest lands in order to get to their own timber—have become reluctant to permit the Forest Service to build new roads or use existing ones over their own lands in order to reach national forest enclaves. As a result, the Forest Service has had to delay a considerable portion of its development program.[3] I understand that the disinclination of landowners to permit the Forest Service to cross their property may be explained in part by the intensification of land use and the rapid growth of land values, and to some extent by the circumstance that your Department can grant to the private owners only temporary revocable permits to cross national forests,[4] while the Forest Service for practical and fiscal reasons usually must insist on obtaining a permanent right-of-way over private property.[5]

This problem apparently came to a head in 1950. In regulations issued in that year with respect to certain timberlands under its jurisdiction, the Department of the Interior[6] took the position that it was the responsibility of that Department to obtain access to the timberlands administered by it (43 C.F.R. 115.155 (b) and (c)). On the basis of this finding, 43 C.F.R. 115.155(d) provides that where the Department of the Interior grants a right-of-way to a private operator, the latter may be required in appropriate circumstances to grant to the United States or to its licensees rights-of-way over property controlled by him directly or indirectly, or the right to use existing roads or road systems built by the private operator.[7]

At about the same time, the Chief of the Forest Service sought an opinion of the Solicitor of the Department of Agriculture as to whether the Department of Agriculture could issue similar regulations. A memorandum, prepared in the Solicitor's office, but not signed by the Solicitor, came to the conclusion that such requirements could not be imposed legally on persons owning property within the boundaries of national forests. The memorandum took the position, first, that the statutory right of "egress and ingress," provided for in 16 U.S.C. 478, was not limited to "actual settlers residing within the boundaries of national forests" in the technical sense, i.e., to a person who, under the homestead and related acts, has entered upon the public lands as a cultivator of the soil and who lives in a habitable dwelling he has placed upon the land.[8] It reasoned, on the basis of its reading of the legislative history of the act of June 4, 1897, supra, that Congress intended to confer a statutory right of egress and ingress on everyone who owned property within the boundaries of national forests. Second, the memorandum concluded that the authority of the Secretary of Agriculture to issue rules and regulations concerning the construction of wagon roads across national forests by persons having a right of egress and ingress was limited to the location of the road, and to the prevention of injury to the forest and of interference with its administration; hence, that he could not require a person who had a right of egress and ingress to give to the United States a reciprocal right to cross his own land. With respect to persons not having a right of egress and ingress the memorandum indicated that it might be permissible to impose such conditions. I understand that, while the then Solicitor of your Department did not sign this memorandum, your Department nonetheless adopted the views expressed in it.

In June 1953, your predecessor in office amended the regulations pertaining to permits for the construction and use of roads and trails over national forests so as to eliminate the then existing requirement of a permit "where there is a statutory right of ingress and egress." 36 C.F.R. 251.5(d) provides that:

"(d) The right to construct or use roads on national forest land for purposes of ingress and egress to and from privately owned property within the exterior boundaries of a national forest reserved from the public domain will be recognized when (1) the applicant is the owner of such property, (2) a roadway across such national forest land is necessary to enable the applicant to reach or utilize his property therein, and (3) the construction and use of the roadway is in accordance with the rules and regulations governing the occupancy, use and preservation of the national forests."

Under the 1953 regulations, your Department accordingly administers 16 U.S.C. 478 as if the words "actual settlers residing within the boundaries of national forests" read "any person or corporation owning property within the boundaries of national forests," and construes the right of ingress and egress as including the right to construct wagon roads. The effect of this interpretation is that a lumber corporation may construct or use roads across national forests without having to pay for this privilege, while the United States has to pay just compensation to the same corporation when it seeks to cross that company's property in order to obtain access to its own forest lands.

This interpretation of 16 U.S.C. 478 by your Department has not remained unchallenged. When it was brought to the attention of Congress during the joint hearings on Federal timber sales policies, conducted in 1955 and 1956 by subcommittees of the Senate Committee on Interior and Insular Affairs and of the House Committee on Government Operations,[9] the subcommittee chairmen asked the Legislative Reference Service of the Library of Congress for its interpretation of that section. The latter concluded that the legislative history on which your Department relies was far from conclusive and that it was insufficient to justify a departure from the clear and technical statutory language.[10] The House Committee on Government Operations apparently agreed with the Legislative Reference Service since it recommended that your Department should adopt the practice of the Department of the Interior, and require in appropriate cases that applicants for the construction of wagon roads across national forest lands grant reciprocal rights to the United States (cf. supra, p. 4).[11] Similarly, this Department has taken the position in the Minnesota Wilderness Area cases[12] that the words "actual settlers residing within the boundaries of national forests" were used in a narrow technical manner in 16 U.S.C. 473, and that they do not cover every natural person or corporation owning property within the boundaries of national forests.

I understand that you now want to reexamine the position taken by your Department. In this connection, you have asked me the following two specific questions:

"1. Did the act of June 4, 1897 (16 U.S.C. 478), contemplate that 'actual settlers residing within the boundaries of the national forests' shall include any firms, corporations or persons other than a person 'who goes upon the public land with the intention of making it his home under the settlement laws?'

"2. Does the Secretary of Agriculture, under the act of June 4, 1897 (16 U.S.C. 478), or any other act pertinent to the national forests, have the authority to include, as a condition of the grant of a right to cross national forest land, the receipt where needed, [of a right] to cross lands owned or controlled, directly or indirectly, by the applicant? (If the answer is in the affirmative, are there any special exceptions?) Collaterally, may the Secretary of Agriculture, utilizing 16 U.S.C. 625, request the Secretary of the Interior to apply this policy should the Secretary of Agriculture desire an easement to be granted?"

Ordinarily, in order to avoid conflicts with judicial tribunals, my predecessors have refused to issue opinions in situations similar to that here presented, i.e., in which there is a substantial likelihood that the issue discussed in the opinion will become the subject of litigation.[13] Nevertheless, special circumstances exist in this instance which seem to me to justify a departure from this general practice.

In the first place, your General Counsel has expressed the view that you have neither the duty nor even a discretionary authority to require a person or corporation owning property within the boundaries of a national forest and desiring to build a new road in that forest or to use existing roads therein to grant reciprocal rights to the United States. Should I refuse to supply you with the opinion you have requested, you would be placed in the position of either having to follow your General Counsel's view in your administration of the statute, with the consequence that the scope of your authority could not be determined judicially or otherwise, or of disregarding his view without further legal advice. My failure to issue an opinion consequently would place you in an awkward position. Further, in the Minnesota Wilderness Area litigation, this Department has already taken a position, contrary to that of your General Counsel, on one of the issues raised by your inquiry.[14] In those unusual circumstances, I believe that I have the obligation to depart from the normally applicable rule of declining to render an opinion where the issues presented in it are likely to become the subject of litigation.

For the reasons hereafter set forth in detail, I have reached the conclusion that the first question should be answered in the negative. With respect to the second question, it is my opinion that subject to one exception discussed below[15] you have the discretionary authority in cases which you consider appropriate to condition the grant of a right to use existing or to construct new roads on national forest lands on the grant by the applicant of a reciprocal right to the United States.

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[8] Changed to Secretary of Agriculture by the act of Feb. 1, 1905, see note 1 of text.

[1] That act, as codified in title 16 of the United States Code, provides in pertinent part:

"SEC. 478. Nothing in sections 473–482 and 551 of this title shall be construed as prohibiting the egress or ingress of actual settlers residing within the boundaries of national forests, or from crossing the same to and from their property or homes; and such wagon roads and other improvements may be constructed thereon as may be necessary to reach their homes and to utilize their property under such rules and regulations as may be prescribed by the Secretary of Agriculture. Nor shall anything herein prohibit any person from entering upon such national forests for all proper and lawful purposes, including that of prospecting, locating, and developing the mineral resources therof. Such persons must comply with the rules and regulations covering such national forests."

The scope of the act of June 4, 1897, 30 Stat. 36, is limited to national forests reserved from the public domain. This opinion, therefore, does not apply to national forests reserved from property acquired by the United States under the Weeks Act of March 1, 1911, 36 Stat. 961.

[2] Cf. *Camfield* v. *United States*, 167 U.S. 518.

[3] See also "Federal Timber Sales Policies," joint hearings before a Special Subcommittee on the Legislative Oversight Function of the Committee on Interior and Insular Affairs, U.S. Senate, and the Subcommittee on Public Works and Resource of the Government Operations Committee, House of Representatives, 84th Cong., 1st and 2d sess., vol. 2, p. 2051.

[4] The act of Feb. 1, 1905, 33 Stat. 628, 16 U.S.C. 472, transferring to the Department of Agriculture a large part of the jurisdiction over national forests then exercised by the Department of the Interior, has been implemented by an agreement between the two Departments pursuant to which the Department of Agriculture may grant temporary permits to occupy and use national forests which "if granted, will in nowise affect the fee or cloud the title of the United States should the reserve be discontinued," while the Department of the Interior "retains jurisdiction over all applications affecting lands within a forest reserve the granting of which amounts to an easement running with the land * * *." 33 L.D. 60, 610 (1905).

[5] "Federal Timber Sales Policies" (supra, n. 3), p. 2051.

[6] Circular 1751 of Apr. 5, 1950, 19 F.R. 1971, 43 C.F.R. pts. 154 to 179.

[7] 43 C.F.R. 244.52 extends these regulations to applications for permanent rights-of-way across national forests reserved to the Department of the Interior pursuant to the act of Feb. 1, 1905, 33 Stat. 628, 16 U.S.C. 472, and to the agreement between the Departments of Agriculture and of the Interior implementing that statute. Cf. supra, n. 4.

[8] For a more detailed discussion of the term "actual settler," see infra.

[9] "Federal Timber Sales Policies" (supra, n. 3), vol. 2, pp. 1454–1455.

[10] "Federal Timber Sales Policies," report submitted to the Senate Committee on Interior and Insular Affairs by its Subcommittee on the Legislative Oversight Function, committee print, 84th Cong., 2d sess., pt. II, pp. 187–231.

[11] H. Rept. No. 2960, 84th Cong., 2d sess., pp. 11–12.

[12] Cf. the briefs and memorandums filed by the United States in *Perko* v. *United States*, 204 F. 2d 446 (C.A. 8), certiorari denied, 346 U.S. 832; *Bydlen* v. *United States*, 175 F. Supp. 891 (C. Cl.); and *Mackie* v. *United States* (D.C. Minn., Fifth Division, No. 5–60–45 Civil).

[13] See, e.g., 31 Op. A.C. 86, 87; 37 Op. A.C. 34, 42; 41 Op. A.C. Mo. 46.

[14] The issue in the Minnesota Wilderness Area cases here relevant is the question whether the term "actual settlers residing within the boundaries of national forests" extends to every person owning property therein. The question of reciprocity did not arise in those cases.

[15] I.e., the situation in which an actual settler residing within the boundaries of a national forest seeks the right to use existing roads over national forest lands, see infra.

I

16 U.S.C. 478 is derived from the act of June 4, 1897, 30 Stat. 36, referred to by the Forest Service as its Organic Administration Act. The section may be divided into three parts: The first part provides that nothing in 16 U.S.C. 473–482 and 551—i.e., the act of June 4, 1897—shall be construed as prohibiting the egress and ingress of actual settlers residing within the boundaries of national forests. The second part permits actual settlers residing within the boundaries of national forests to construct such wagon roads and other improvements in national forests as may be necessary to reach their homes and utilize their property under such rules and regulations as may be prescribed by the Secretary of Agriculture. The third part authorizes any person to enter the national forests for all proper and lawful purposes, provided he complies with the rules and regulations covering the national forests.

Accordingly, 16 U.S.C. 478 deals with actual settlers in two ways. First, it provides that "[n]othing," in the 1897 act, "shall be construed as prohibiting the egress or ingress of actual settlers residing within the boundaries of national forests * * * ." This provision, however, merely relates to ingress and egress, i.e., the right to cross the national forests and to use existing roads and trails.[14] The right of actual settlers to construct wagon roads is dealt with separately and is made subject to two qualifications. The roads may be constructed only to reach their homes and to utilize their property and, even when constructed for such a purpose, the right to construct a wagon road is made subject to "such rules and regulations as may be prescribed by the Secretary of Agriculture."

The significance of the first question you have asked therefore relates primarily to what classes of persons have a right to bare ingress and egress, i.e., to the use of existing roads and trails. It may also have, as will be shown infra, page 28, some relevance to the source of your authority to impose a reciprocity requirement on a permit to construct wagon roads. Moreover, although the language of the section indicates that Congress intended significant differences between the two rights, it is conceivable that in special circumstances enjoyment of an effective right of ingress and egress may require the construction of roads. Accordingly, it is possible that these two rights may overlap in some circumstances. In addition, in the administration of your rulemaking power with respect to the construction of wagon roads you may wish to give special consideration to the applications of actual settlers, irrespective of their legal rights.

The term "actual settler" has had a well-established meaning as it relates to the public lands of the United States. It describes a person who contemplates "seeking a home on the public lands as a cultivator of the soil" (*Lytle* v. *State of Arkansas*, 22 How. 193, 206), or one "who goes upon the public land with the intention of making it his home under the settlement laws, and does some act in execution of such intention sufficient to give notice thereof to the public." *United States* v. *Atterbery*, 8 L.D. 173, 176 (1889), aff'd, 10 L.D. 36, 38 (1890). *United States* v. *New Orleans Pac. Ry. Co.*, 248 U.S. 507, 516, described an "actual settler" as a person who "had the qualifications named in the homestead law, was expecting to acquire title under that law, had placed on the land a habitable dwelling in which he and his family were living, had cleared, fenced and was cultivating several acres and was asserting a claim to the entire tract."[15]

These definitions highlight two points: First, the settler must be a person claiming under the settlement or homestead laws, the benefits of which have been traditionally limited to natural persons to the exclusion of corporations.[16] Second, the settler must actually be residing on the land.[17] 16 U.S.C. 478 accentuates the second point by its express requirement that the beneficiary of the right of egress and ingress must be a settler "residing within the boundaries of national forests." Wagon roads may be constructed "to reach their homes."

It follows that the term "owner" is not synonymous with "actual settler." This view of the meaning of 16 U.S.C. 478 is consistent with the language of the act of June 4, 1897,[18] as well as with its legislative history. An examination of that history discloses that at the time of original enactment, Congress was aware of the technical meaning accorded to the term "actual settler," and that the Senate defeated an amendment of 16 U.S.C. 478 expressly designed to extend the grant of the bare right of egress and ingress from actual settlers residing within the boundaries of national forests to all persons owning property therein.

Title 16 U.S.C. 478 was a part of a rider added to a sundry Civil Expense Appropriation Act in the Senate, after the bill already had passed the House of Representatives.[19] The amendment, which had been prepared in consultation with the Department of the Interior (30 CONGRESSIONAL RECORD 900, 901), was introduced by Senator Pettigrew on behalf of a group of western Senators in order to alleviate the impact of President Cleveland's Executive order of February 22, 1897, which had placed approximately 22 million acres of public lands in the forest reserve.[20] The original debate on the Pettigrew amendment in the Senate (30 CONGRESSIONAL RECORD, 899–902, 908–925)[21] did not touch upon rights of egress and ingress. It indicated concern for the rights of actual settlers to cut firewood (cf. 30 CONGRESSIONAL RECORD 901, 902, 912, 920), for the ability of mining companies to obtain the lumber necessary for their operations (cf. id., at 908, 912–914), and for the status of settlers who had not been able to obtain patents to their property because the land had not been surveyed (id., at 901).

During the debate in the House of Representatives on the question whether to concur in the Pettigrew amendment or to insist on a conference (id. at 961–971, 1005–1013), Representative Lacey explained that under the amendment the homesteader's "rights of ingress and egress are preserved" (id. at 964). Representative Castle explained (id. at 1007–1008) that the term "actual settler" was limited to persons cultivating agricultural or grazing lands under the Homestead and Preemption Acts, but that it did not apply to persons who had acquired timberlands under the Timber and Stone Act of June 3, 1873 (20 Stat. 89). The refusal of the House of Representatives to agree with all aspects of the Pettigrew and other amendments (30 CONGRESSIONAL RECORD, 1013, 1033) made it necessary to refer the bill to conference.

During the Senate debate on the conference report (id. at 1242–1243, 1278–1285), some of the same western Senators on whose behalf the Pettigrew amendment originally had been introduced moved to change the clause "actual settlers residing within the boundaries of national forests" to "bona fide settlers or owners within a reservation" (id. at 1278–1281). This motion was made although this part of the conference report (id. at 1242–1243) had retained the original wording of the Pettigrew amendment. Senator White, the principal spokesman for the western Senators during this debate, sought to justify this proposal by pointing to the narrow technical meaning of the term "actual settler" and expressed fear that the grantee of an actual settler would be denied a right of egress and ingress (id. at 1278). In a similar vein, Senator Cannon pointed to the case of a settler who owned land within a reservation, but whose residence happened to be located on the outside (id., at 1279).

Senator Berry opposed the proposed change, and showed that these apprehensions were unfounded. Referring to the third clause of 16 U.S.C. 478, he explained:

"Now, then, there is an express provision that any person can enter for all lawful and proper purposes under such rules and regulations as shall be made by the Secretary of the Interior. Does anyone suppose that a man fit to be Secretary of the Interior of the United States would under that provision make a rule and regulation that because a man happened to reside in a town beyond the limits of the reservation he could not be permitted to have egress or ingress from his home to his possessions therein? I think such a construction would be exceedingly technical and exceedingly narrow." (Id. at 1279–1280.)

And Senator Allison, the sponsor of the appropriation bill to which the Pettigrew rider had been attached, voiced the opinion that, as a matter of general law, a person normally would have the right to cross Government lands in order to reach his own property, and that there was no intent to deprive any person of that right (id. at 1278, 1282). The remarks Senators Berry and Allison made did not, however, indicate that the term "actual settler" was being used in the act in other than its technical sense. Rather they emphasized, and relied upon, the exercise of a sound discretion by the Secretary.

The amendment in which the language of 16 U.S.C. 478 was incorporated had been added to a badly needed appropriation bill by the same group of Senators who now wished a further change in its language. The rules of the Senate at that time permitted only acceptance or rejection of a conference report (id. at 1281). It was therefore pointed out that further consideration would cause substantial delay and that curative legislation could be enacted in the future (id. at 1282–1283). The Senate thereupon concurred in the conference report (id. at 1284–1285), and the later discussion in the House of Representatives (id. at 1397–1401) did not touch upon the issues here involved.

In sum, the legislative history discloses a desire to protect explicitly only the rights of ingress and egress of "actual settlers" in the technical sense of the term. It contains statements expressing confidence that other owners of property would not be unreasonably excluded by the Secretary, and notes that further protection of their interests, if required, could be supplied by future legislation. The language of the act and its legislative history, in particular its stress on

[14] This right of egress and ingress is recognized in the Trespass Regulations issued by the Department of Agriculture, cf. 36 CFR 261.2(1), (m).

[15] See also *Great Northern Ry. Co.* v. *Head*, 270 U.S. 539, 545–546, and *Oregon & Cal. R.R.* v. *United States*, 238 U.S. 393.

[16] Cf. R.S. 2289, 2290, as amended, 43 U.S.C. 161, 162.

[17] Cf. R.S. 2289–2291, 2297, as amended, 43 U.S.C. 161, 162, 164, 169.

[18] In the act, the paragraph immediately following what is now 16 U.S.C. 478 expressly distinguished between "settlers" and "owners."

[19] For the text of the rider, as originally introduced, see 30 CONGRESSIONAL RECORD, 899–900.

[20] Ino, "The United States Forest Policy," 130–142.

[21] There are no relevant committee reports.

the residence requirement, indicate a clear congressional purpose to include in the term "actual settlers residing within the boundaries of national forests" the original settler who resides on the land and to exclude from it corporations or other business entities which, within the boundaries of national forests, own property which never was "settled" under the homestead laws. To include those business entities in the term "actual settlers residing within the boundaries of national forests" would be to read into the legislation precisely the amendment which was proposed and rejected. Between these two extremes there are a number of intermediary types of property owners.[24] This opinion does not consider whether they are "actual settlers" within the meaning of the act. None of these cases may give rise to an actual problem. If they do, they will have to be decided on their specific facts.

II

The second question posed by you relates to the conditions which you may attach under 16 U.S.C. 478, or any other act pertinent to the national forests, to permits to cross national forest lands. As I pointed out above, 16 U.S.C. 478 deals with three situations: (1) the right of actual settlers to egress and ingress; (2) the right of actual settlers to construct wagon roads; and (3) the right of persons other than actual settlers to enter national forests for all proper and lawful purposes. The last situation may be subdivided into the rights to mere egress and ingress, in particular the right to use existing roads, and the right to construct wagon roads. The statute provides that the second and third rights are subject to the rules and regulations to be issued by the Secretary of Agriculture.

I shall address myself first to the right of egress and ingress of actual settlers, in particular their right to use existing roads, and the rights of persons who are not actual settlers to use such roads. The statute states expressly that nothing in the act (i.e., 16 U.S.C. 473–482 and 551) shall interfere with the rights of egress and ingress of an actual settler residing within the boundaries of national forests. One of the portions of the act not to "be construed as prohibiting the egress and ingress of actual settlers" is the paragraph (now 16 U.S.C. 551) pursuant to which the Secretary of Agriculture "may make such rules and regulations and establish such service as will insure the objects of such reservations, namely, to regulate their occupancy and use and to preserve the forests thereon from destruction."

Your Department has taken the position that in spite of the seemingly absolute prohibition in 16 U.S.C. 478 of any interference with the actual settlers' egress and ingress, those rights, nevertheless, are subject to reasonable regulation under 16 U.S.C. 551 "for the protection and preservation of the national forests."[25]

I see nothing in the legislative history inconsistent with this view. Such regulations can legitimately govern speed limits, traffic laws, regulation of the weight of vehicles, and other matters of a police or protective nature not imposing unreasonably burdensome or onerous conditions on egress and ingress. I believe, however, that the legislative history discloses a special concern that egress and ingress "by actual settlers residing within the boundaries of national forests" shall not be subjected to onerous conditions, and agree that the limitation of this right by the imposition of a reciprocity condition requiring use of a settler's property by the United States might well fall within the prohibition of the first sentence of 16 U.S.C. 478.

The prohibition contained in the opening clause of 16 U.S.C. 478, however, does not extend to the entry upon the national forests by persons who are not actual settlers, including their right to use existing roads. To the contrary, 16 U.S.C. 478 expressly subjects those rights to the Secretary's rulemaking authority under 16 U.S.C. 551. The Supreme Court has held that 16 U.S.C. 478 and 16 U.S.C. 551 must be read together. *United States* v. *Grimaud*, 220 U.S. 506, 507, 515. The question therefore remains whether these sections confer on you the authority to subject permits to enter national forests—which include the rights to use existing trails or roads—issued to persons who are not actual settlers to the requirement that the applicant grant to the United States a right of substantially similar value to use existing private roads or to construct new roads over private property. In my opinion, your rulemaking power is sufficiently broad to permit the imposition of these conditions.

Except as already described, the legislative history of the act of 1897 contains no discussion relating to the reciprocal rights of the United States, actual settlers, or others, to use existing or to construct new roads. However, subsequent judicial authority does bear upon the scope of the authority of the Secretary of Agriculture under the act of June 4, 1897. Congress has the constitutional authority to enable the Secretary to issue regulations as prescribed in 16 U.S.C. 551, *Light* v. *United States*, 220 U.S. 523, 526, and this section confers upon the Secretary a "broad scope of regulation" intended to "be effective." *Shannon* v. *United States*, 160 Fed. 870, 873 (C.A. 9); *Chicago Mil. & St. P. Ry.* v. *United States*, 218 Fed. 288, 298 (C.A. 9), aff'd, 244 U.S. 351.

More specifically, the courts have concluded that the powers and responsibilities of the Secretary of Agriculture under 16 U.S.C. 551 and related statutes are not limited to the management of the property owned by the United States but that they constitute the necessary statutory authority for the acquisition of access roads to national forests by purchase or condemnation where this is necessary for their protection and management. *United States* v. *Threlkeld*, 72 F. 2d 464, 465–466 (C.A. 10), certiorari denied, 293 U.S. 620; *Polson Logging Co.* v. *United States*, 160 F. 2d 712, 715 (C.A. 9). The Department of the Interior and Related Agencies Appropriation Act, 1962, Public Law 87–122, 75 Stat. 246, 258, cites the act of June 4, 1897, as amended, as the substantive authorization for an appropriation for "acquiring by condemnation or otherwise additional roads needed for access to national-forest lands * * *." Consequently, the procurement of access roads to national forests is a recognized function of the Secretary of Agriculture in connection with his administration of national forests.

Further, in *United States* v. *Grimaud*, supra, it was held that under his rulemaking authority, the Secretary could impose a fee for a "lawful and proper" use within the meaning of 16 U.S.C. 478—in that case grazing—of a national forest by an individual not an actual settler, where the fee required had a reasonable relationship to the objects of the rulemaking power conferred by 16 U.S.C. 551. "These fees were fixed to prevent excessive grazing and thereby protect the young growth, and native grasses, from destruction, and to make a slight income with which to meet the expenses of management." 220 U.S. at 521, 522.[26] The authority to impose that fee was not expressly conferred by the act of June 4, 1897, and I can see no significant legal difference between the requirement of payment of a fee and the requirement of the grant of a valuable privilege if in each case what is required bears a reasonable relationship to the objects of that legislation. Therefore, if you should determine that the use of privately owned roads or the construction of roads over private property is necessary to the preservation or management of the forests, I see no reason to read the pertinent statutes as denying you authority to issue regulations conditioning the use of existing roads within national forests (other than for egress and ingress of actual settlers), upon the grant to the United States of a reciprocal right.

Such a regulation would meet the basic test for imposing conditions attached to the use of Government property or facilities. It would be "relevant to Federal interest in the project and to the overall objectives thereof." *Ivanhoe Irrigation District* v. *McCracken*, 357 U.S. 273, 295.

In *Federal Power Commission* v. *Idaho Power Co.*, 344 U.S. 17, the Supreme Court dealt with a situation somewhat similar to that presented here. The Court held that, since the Federal Power Commission had been given the responsibility to permit the use of public lands for the transmission of private electric power where "appropriate, expedient, and in the public interest to conserve and utilize the * * * water-power resources of the region," it "might well determine * * * that if public lands are to be used for the transmission of power, conservation of the 'water-power resources of the region' requires that public power as well as private power be transmitted over them." 344 U.S. at 22–23. The Supreme Court therefore upheld the Commission's requirement that a private power company seeking to construct a power line over public lands would have to transmit some public power over that line.

I therefore conclude that you have the discretionary authority to require persons other than actual settlers residing within national forests to grant reciprocal rights to the United States for the privilege of using existing roads in national forests.

III

I now proceed to your authority relating to permits to build wagon roads across national forests. Since the right of actual settlers to build wagon roads across national forests is subject to your authority under 16 U.S.C. 551 to issue rules and regulations

[24] There are many possible variations. To name but a few: A natural person who resides on the land and cultivates it and who is the heir of an actual settler residing on the land; a natural person who resides on the land but does not cultivate it, and who is the grantee of an actual settler residing on the land; a corporation which uses the land for lumbering purposes and which is the distant grantee of an actual settler who had resided on the land. The legislative history cited above contains expressions of fear that the grantee of an actual settler would not be protected in rights to ingress and egress (cf. supra, p. 17), and there is authority for the view that the term refers only to the original settler who entered on public land under the homestead and similar laws and therefore does not include those who take from him by grant or descent. See, however, section 2 of the act of February 8, 1887, 24 Stat. 391, which expressly protects the rights of the heirs and grantees of actual settlers.

[25] Letter of your General Counsel dated Sept. 27, 1961, app. p. 1.

[26] Title V of the Independent Offices Appropriations Act, 1952, 65 Stat. 290, 5 U.S.C. 140, now expresses the general policy that Federal facilities should not be made available gratuitously to individual or corporate users. See in this connection also 16 U.S.C. 501.

(see supra, pp. 11, 21), and since this authority generally includes the power to withhold a permit unless the applicant confers upon the United States a reciprocal benefit which bears a reasonable relation to the management of the national forests, it follows that this reciprocity requirement may be imposed on actual settlers who seek permits to construct wagon roads across national forests. However, the statute makes specific reference to the construction of wagon roads by actual settlers. In appropriate circumstances, this may require you to impose less burdensome conditions upon them than upon others and therefore to limit your exercise of administrative discretion to impose reciprocity requirements.

With respect to applications by persons who are not actual settlers to construct wagon roads across national forests, your regulatory authority is based on two sources, viz, 16 U.S.C. 478, 551, and 16 U.S.C. 525. A reciprocity requirement may be imposed under either of them.

In section 9 of the first regulations issued under the act of June 4, 1897, the Secretary of the Interior took the position that his authority, under what is now 16 U.S.C. 478 and 551, to issue rules and regulations relating to the entry of persons other than actual settlers upon national forests for all proper and lawful purposes included the power to authorize the construction of wagon roads by such persons (24 L.D. 589, 591). You, too, are basing your authority to construct roads across national forests on the act of June 4, 1897, in particular 16 U.S.C. 551 (36 CFR pt. 251, Authority). I fully agree with these conclusions reached by the Departments of Agriculture and of the Interior. Having decided that you have the authority under 16 U.S.C. 478, 551, to require the grant of reciprocal rights from actual settlers who seek to build wagon roads across national forests and from persons who are not actual settlers who seek to use existing roads in national forests, it follows that the same rule applies to the issuance of permits, under that statutory authority, for the construction of wagon roads across national forests by persons who are not actual settlers.

An additional basis for your authority to impose this reciprocity requirement is provided by the act of March 3, 1899, 30 Stat. 1233, 16 U.S.C. 525, which was enacted 2 years after the issuance of the above-mentioned regulations of the Secretary of the Interior (supra, p. 28).

Title 16 U.S.C. 525 provides:

"In the form provided by existing law the Secretary of the Interior may file and approve surveys and plats of any right-of-way for a wagon road, railroad, or other highway over and across any national forest when in his judgment the public interests will not be injuriously affected thereby."

The enactment of this statute was prompted by the inability of the Secretary of the Interior under section 5 of the act of March 3, 1875, 18 Stat. 482, and similar legislation, to grant rights of way for railroads across national forests. Since this seriously interfered with the development of the West, and in particular the construction of railroads, Congress conferred upon the Secretary the power to grant such rights-of-way across national forests in those cases in which the public interest would not be adversely affected, rather than to require the passage of legislation in every such case.[27]

Although the Secretary of the Interior originally took the position that he had the authority under the act of June 4, 1897, to permit the construction of wagon roads across national forests by persons who are not actual settlers (supra, p. 28), it appears that he now refers to the act of March 3, 1899, i.e., 16 United States Code 525, as the basis of his power to grant such permit.[28]

The Supreme Court has held repeatedly that under 16 United States Code 525 the Secretary is "invested with a large measure of discretion to be exercised for the conservation of the public interest." *Chicago, Milwaukee & St. Paul Railway* v. *United States*, 244 U.S. 351, 358; *Van Dyke* v. *Arizona Eastern Railroad*, 248 U.S. 49, 53. The Court also pointed out that the right-of-way can be obtained only with the Secretary's approval. (Ibid.)

Your authority under 16 U.S.C. 525[29] appears, if anything, somewhat broader than under 16 U.S.C. 478 and 551. In any event, the same considerations which authorized the imposition of the reciprocity requirement under 16 U.S.C. 551 would justify a conclusion that the public interest would be injuriously affected if you were gratuitously to grant a right-of-way to a corporation which is unwilling to give a reciprocal benefit to the United States.

It is therefore my conclusion that the legislation relating to the national forests authorizes you to impose a reciprocity requirement on requests to use existing roads by persons who are not actual settlers, and to build wagon roads within national forests whether made by actual settlers or by other persons.

IV

The circumstance that the United States has not claimed any reciprocal rights for the grant of temporary permits[30] during the 64 years the statute has been on the books does not estop it now from issuing regulations to that effect. The property rights of the United States cannot be lost by estoppel or the failure of the United States or its officials to claim them. *Light* v. *United States*, 220 U.S. 523–535; *Utah Power & Light Co.* v. *United States*, 243 U.S. 389, 408–409; *United States* v. *City & County of San Francisco*, 310 U.S. 16, 31–32; *United States* v. *California*, 332 U.S. 19, 39–40; *St. Regis Paper Co.* v. *United States*, 368 U.S. 208, 218. Moreover, it appears from your General Counsel's letter of October 18, 1961, that this problem is of relatively recent origin; hence, the estoppel period would not date back to 1897, when the statute was enacted, but to a much more recent time, apparently at the earliest in the 1940's, when private landowners first became reluctant to give to the United States reciprocal rights-of-way voluntarily. Cf. *United States* v. *California*, 332 U.S. 19, 39.

It may, in addition, be contended that the conclusion herein is inconsistent with the doctrine of executive construction as formulated in *Norwegian Nitrogen Co.* v. *United States*, 288 U.S. 294, 315. So far as I can determine from the material submitted to me, the general public has as a matter of policy been permitted to use existing roads and trails in national forests since the statute was enacted without reference to the status of any individual as an actual settler, resident within the reserve or nonresident.[31] This does not, however, appear to represent an interpretation that the policy is legally required. Nor does this policy bar the United States from imposing conditions on such long-established use should new conditions require it. Cf. *Light* v. *United States*, supra, at 535.

So far as the construction of roads in national forests is concerned, I believe the doctrine of the *Norwegian Nitrogen Co.* case to be wholly inapplicable. The present administrative practice, evidenced by 36 CFR 251.5 (c) and (d), distinguishes between owners of property within the boundaries of national forests and nonowners and indicates that the former group has a statutory right of egress and ingress which entitles it to construct roads across national forest lands, while nonowners require a permit for the building of such roads. However, this practice and the underlying interpretation of the statute go back only to the amendment of the regulations in 1953, or possibly to 1950 (see supra, pp. 4–7). The information which you have supplied relating to the practice of the Department of Interior from the time immediately after the passage of the act of June 4, 1897, until 1905 is not completely clear.[32] However, as soon as the Department of Agriculture undertook the administration of the national forests in 1905, it specifically required every private person—as distinguished from State and county authorities—whether actual settler, mere owner, or nonowner, seeking to construct a wagon road across national forest lands to obtain a permit and maintained this requirement until 1953.[33]

In the light of this history, I cannot conclude that there exists "a consistent and generally unchallenged"[34] administrative practice which assimilates the "mere owner" to an "actual settler," and the right of egress and ingress to the right to construct wagon roads.

V

In arriving at the conclusions expressed in this opinion, I have had available to me not merely the views of your General Counsel, but also those of lumbering interests which might be affected by any change in policy. I have found these most helpful in my consideration of the issues presented to me. I am, however, impressed by the extent to which the statute tends to be viewed in absolute terms not borne out by either its language or legislative history. There is a tendency to claim on the one hand an almost unqualified statutory right of any owner of property located within the boundaries of national forests to build roads across the forest reserve, the narrow language of the statute and to argue that, if this were not the case, owners would be without any rights whatsoever; that is, that you could arbitrarily deny access or condition it on unreasonable requirements. As I have emphasized, I do not understand this to be the law.

The language of the act, and its legislative history indicate a congressional desire to permit actual settlers and others who own property within the boundaries of national forests to obtain access to, and use, their property, subject to the purposes to be attained by the statute; i.e., generally, the regulation of the occupancy and use of the reservations and the preservation of the forests thereon from destruction. As the Supreme Court pointed out in *United States* v. *Grimaud*, 220 U.S. 506, 516–517, it is your function to determine what private use of the national forests in any given case is consistent with the purposes sought to be attained by the statute.[35] The imposition of harsh and onerous requirements not related to the benefit received or to your general responsibility to preserve and manage the national forests, might well constitute an abuse of discretion.

The essence of the second question presented to me is not whether you have a mandatory duty to impose a reciprocity requirement on applicants who seek to cross national forests or to construct wagon roads therein, but whether you possess any discretionary authority to do so. My conclusion that you generally possess this discretionary authority, of course, does not preclude the possibility that in the circumstances of particular cases, which are not before me, the area of your authority may be significantly narrowed by such circumstances. In any event, the question whether you should exercise whatever authority you possess is a matter for you to determine. Problems of both policy and law may affect your exercise of discretion.

The memorandums submitted by the lumber companies take the position that where a person who owns property within the boundaries of a national forest asks for the right to cross that forest or to construct a road in it to reach his property, he is actually asserting an easement by necessity, and consequently entitled to the permit as a matter of private property right. The question whether an easement by necessity lies against the Government is extremely complex and controversial;[36] however, it need not be decided here. It is my view that these easements do not exist over public lands. Moreover, if Government land could be servient property, it also would be dominant property where the situation is reversed, and you could, in the exercise of your discretion, refuse to respect an applicant's easement as long as he failed to honor his reciprocal obligation to the United States.

It is also apparent that the administration of a policy requiring reciprocity may be complicated where a private person seeks permission to build a relatively short wagon road over Government lands, and the Government seeks to build a much longer one over his property, or to use his extensive network of roads, or to exercise rights which are in other respects substantially greater than what it gives.

Similar problems of possible unfairness and lack of equality may arise from the circumstance that, although you require the grant to the United States of at least long-term easement, you can issue only a temporary permit. It may, therefore, be desirable to devise some administrative machinery pursuant to which an application to your Department for the construction of a road across national forest lands can be referred by you to the Department of the Interior for the grant of an easement without requiring the filing of multiple applications. While I believe such a machinery can be established under 16 U.S.C. 525 and 472, whether you should attempt to do so is again a matter confided to your discretion.

Sincerely,

———,
Attorney General.

EXHIBIT 2

S. 2936

(In the Senate of the United States, March 1, 1962; Mr. MORSE (for himself, Mr. MAGNUSON, Mr. BARTLETT, Mr. BIBLE, Mr. CARROLL, Mr. CHURCH, Mr. ENGLE, Mr. GRUENING, Mr. JACKSON, Mr. MCGEE, Mr. METCALF, Mr. MOSS, Mrs. NEUBERGER, and Mr. HICKEY) introduced the following bill; which was read twice and referred to the Committee on Public Works:)

A bill to amend chapter 2 of title 23, United States Code, to provide for the system of forest development roads and trails needed for the utilization and protection of lands administered by the Forest Service, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) chapter 2 of title 23, United States Code, is amended by inserting after section 205 a new section as follows:

"§ 205A. System of forest development roads and trails

"(a) The Secretary of Agriculture (hereinafter in this section called the Secretary) is authorized and directed under rules and regulations to be promulgated by him to provide a system of development roads and trails in locations and according to specifications which will permit maximum long-term economy in the development and management of all the resources on lands administered by the Forest Service. These roads shall be known also as 'multiple use management roads' and shall be designed and used to enable the land administered by the Forest Service to be managed under the principles of multiple use and sustained yield for mineral, outdoor recreation, range, timber, watershed, wildlife and fish purposes and other authorized uses and services. Development roads and trails may be constructed, reconstructed, and maintained, and such roads and trails or rights-of-way therefor may be acquired by purchase, exchange, or condemnation, by the Secretary utilizing appropriated funds, by requirements on Forest Service contractors, including provisions for amortization of road costs in contracts, by requiring the payment of fees for the use and maintenance of roads and trails, by cooperation with public or private agencies or persons, or by a combination of these methods. The regulations of the Secretary shall provide that no fees for the use and maintenance of roads and trails shall be required if he determines that the interest of the United States does not require such payment.

"(b) Fees paid for the use of any road as to which the agreement under which the United States obtained its rights provides for delayed payments may be placed in a special account to pay the vendor and fees paid to cover the maintenance of roads are hereby made available until expended to cover the cost to the United States of accomplishing the purposes for which deposited: *Provided*, That deposits received for work on adjacent and overlapping areas may be combined when it is the most practicable and efficient manner of performing the work and cost thereof may be determined by estimates: *And provided further*, That unexpended balances upon accomplishment of the purpose for which deposited shall be transferred to miscellaneous receipts or refunded."

(b) The analysis of chapter 2 of title 23, United States Code, is amended by inserting after

"205. Forest development roads and trails."

a new item as follows:

"205A. System of forest development roads and trails."

SEC. 2. For the purpose of carrying out the provisions of sections 205 and 205A of title 23, United States Code, there are hereby authorized to be appropriated for forest development roads and trails to and on the national forests the following sums: $67,500,000 for the fiscal year ending June 30, 1963, and $90,000,000 for the fiscal year ending June 30, 1964, and $120,000,000 for the fiscal year ending June 30, 1965.

Mr. MORSE. Mr. President, I ask that my revised access-road bill remain at the desk until March 5 for the addition of other cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. MORSE. Mr. President, I should like to have the attention of the acting majority leader for a moment. I am perfectly willing to yield the floor for the time being, although I wish to take 10 or 15 minutes to place in the RECORD certain other material dealing with the unanimous-consent agreement which was entered into earlier this afternoon with respect to the District of Columbia capital punishment bill. However, the distinguished junior Senator from California [Mr. ENGLE] has pending before the Senate a bill which he wishes to call up this afternoon. He has been called to a committee meeting, and I have received a message that he cannot leave the committee now. He would like to have the bill brought out, and he is willing to accept the Morse amendment to it. In a few moments I shall submit that amendment; but first I wish to obtain unanimous consent that the Senator from California [Mr. ENGLE] be permitted to submit subsequently, for the RECORD, any statement he may wish to submit regarding the bill.

Mr. MCGEE. Yes.

The PRESIDING OFFICER (Mr. HICKEY in the chair). Is there objection? Without objection, it is so ordered.

TRANSFER OF THE U.S. VESSEL "ALASKA" TO THE STATE OF CALIFORNIA

Mr. MCGEE. Then, Mr. President, if it is agreeable to the Senate, I move that the Senate now proceed to the consideration of Calendar No. 813, House bill 3788.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Wyoming.

The motion was agreed to; and the Senate proceeded to the consideration of the bill (H.R. 3788) to provide for the transfer of the U.S. vessel *Alaska* to the

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[27] The legislative history indicates that neither the Secretary nor anyone else raised doubts as to the Secretary's existing authority to permit the construction of wagon roads, as opposed to railroads, in national forests prior to the enactment of the act of March 3, 1899 (16 U.S.C. 525). The reason for including a reference to wagon roads and highways in the statute is not clear. For the legislative background of the act see 32 CONGRESSIONAL RECORD 2800–2801, and the opinions of the District Court, the Court of Appeals, and the Supreme Court in *United States* v. *Chicago, Mil. & St. P. Ry. Co. of Idaho*, 207 Fed. 165, 170–171 (D.C. Idaho), aff'd. 218 Fed. 288 at 291–294 (C.A. 9), aff'd. 244 U.S. 351 at 356–358.

[28] Cf. 43 C.F.R. 244.52.

[29] The broad power under 16 U.S.C. 525 to grant permanent rights-of-way, of course, includes the lesser authority to grant temporary permits which do not affect the fee. The latter authority passed to the Secretary of Agriculture under the act of Feb. 1, 1905, 33 Stat. 628, 16 U.S.C. 472, and the implementing agreement of the Secretaries of Agriculture and of the Interior, cf. supra, p. 4. See also 16 U.S.C. 525, Cross References.

[30] The Department of the Interior has imposed the reciprocity requirement for the past 12 years where interests of a more permanent nature were involved, see supra, p. 4.

[31] A few minor exceptions have been made to give preference to actual settlers or residents. See "Trespass Regulations," 36 CFR 261.2(i) (m); 261.4(h); 261.11(f).

[32] Cf. letter of your General Counsel dated Sept. 27, 1961, appendix, pp. 8–9, 23.

[33] Id., pp. 9–13, and regulations issued Sept. 10, 1945, 10 F.R. 11672.

[34] *Norwegian Nitrogen Co.* v. *United States*, supra, at 315.

[35] *Light* v. *United States*, 220 U.S. 523, 536, indicates that the act of June 4, 1897, does not constitute the full exercise of the power Congress has under art. IV, sec. 3 of the Constitution to prohibit absolutely the use of national forests by private persons.

[36] See *Bydlon* v. *United States*, 175 F. Supp. 891, 898; Rombauer, *Easements by Way of Necessity Across Federal Lands*, 35 Washington Law Review 105; cf. *United States* v. *Rindge*, 208 Fed. 611–619 (S.D. Cal.); *Pearse* v. *Coal Creek Min. & Manufg. Co.*, 90 Tenn. 619, 18 S.W. 402; *State* v. *Black Bros.*, 116 Tex. 618, 625–629, 297 S.W. 213, 217–218; *Guess* v. *Asar*, 57 So. 2d 443 (Fla.); *Wilcoxen* v. *McGhee*, 12 Ill. 381, 385–386; Jones, *Easements*, sec. 298, 301; Simonton, *Ways by Necessity*, 25 Columbia Law Rev. 571, 575.

State of California for the use and benefit of the department of fish and game of such State.

Mr. MORSE. Mr. President, to this bill, I submit the amendment which I send to the desk, and ask to have stated.

The PRESIDING OFFICER. The amendment submitted by the Senator from Oregon will be stated.

The LEGISLATIVE CLERK. At the end of the bill, it is proposed to add the following new section:

SEC. 2. The conveyance authorized by this Act shall (1) be conditional upon the State of California paying to the Secretary of the Interior, as consideration for the vessel conveyed, an amount equal to fifty percent of the fair market value of such vessel at the time it was leased by the State in California, as determined by the Secretary of the Interior; and (2) provided that such vessel shall be used for a public purpose and if it should cease to be so used, all right, title, and interest therein shall immediately revert to the United States.

Mr. MORSE. Mr. President, I ask unanimous consent that there be printed at this point in the RECORD a discussion we had in the Senate in regard to this subject matter at the last time when this measure was before the Senate.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

[From the CONGRESSIONAL RECORD, Sept. 1, 1961]

TRANSFER OF U.S. VESSEL "ALASKA" TO STATE OF CALIFORNIA

Mr. MORSE. Mr. President, I ask unanimous consent that the Senate return to the consideration of Calendar No. 813, H.R. 3788.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 3788) to provide for the transfer of the U.S. vessel *Alaska* to the State of California, for the use and benefit of the department of fish and game of such State.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Oregon?

There being no objection, the Senate proceeded to consider the bill.

Mr. MORSE. I wish to make a few comments on the bill.

I am at a loss to understand the explanation of Calendar 813, H.R. 3788, which the Department of the Interior has made. A letter from Kenneth Holum, Assistant Secretary of the Interior, states:

"In 1956, the vessel was no longer required for our research purposes and was declared to be in excess of our needs. Thereafter, the General Services Administration authorized disposal of the vessel as surplus to the needs of the Government. Bids were solicited for sale of the vessel; however, no sale was consummated at that time."

I understand, therefore, that bids were received by the General Services Administration, but they did not think the bids were sufficient, and therefore no sale was consummated.

Notice what happened then:

"The State of California requested that the *Alaska* be made available to it on an indefinite loan basis. In the circumstances, that request was approved and the vessel has remained in use by the State since that time."

Mr. President, that is a remarkable transaction. I think we had better find out by what authority any department proceeds to loan out Federal property to a State or to anyone else for use by that State or any other recipient as property of all the taxpayers of this country with apparently no rental and no compensation to be received by the Federal taxpayers.

Notice what happened then:

"We believe the value of the *Alaska*, as a fishing boat, probably would not exceed $25,000. We are advised, however, that the State has expended $195,000 for alteration and conversion of the craft as a biological research vessel."

That is very interesting. By what authority did the General Services Administration proceed to let the State of California spend $195,000 on a piece of Federal property without any transfer of title of that property to the State of California, with the State of California investing all that money in the vessel, without even introducing a bill in Congress to give the vessel to the State? Yet the State spent $195,000 on the vessel.

I do not like the procedure. I do not like anything about this procedure. I want a full and detailed explanation from the General Services Administration and from the Department of the Interior with regard to this procedure. If we once allow this precedent to be established, if we once allow this procedure to be followed on the part of the General Services Administration and the Department of the Interior, we will open the gates for this kind of procedure which is not in the interest of the taxpayers of the country.

There are a great many State fishery and wildlife departments who would like to be the recipient of this kind of handout. If we are going to start this with California, let us see what we can do for the benefit of fishery and wildlife departments of other States, too.

I object to the bill being considered on the calendar until I get a full explanation from both the General Services Administration and the Department of the Interior, telling me by what procedure and by what law the vessel was turned over to the State of California and by what right this course of action was followed.

It would be very easy to get approval for this kind of transfer. It would be very easy, if they are going to spend $195,000, to pay 50 percent of the appraised fair market value of the vessel, which is all that the Morse formula calls for. That would amount to $12,500.

Mr. MORSE. Mr. President, in essence this bill would transfer to the State of California a ship which was under the jurisdiction of the General Services Administration. It was loaned to the State of California; and, as the previous record will show, no lease interest was entered into at that time; but California used the ship, and California spent $195,000 on it.

I commented on that procedure by California when we discussed this matter before. I stated that that expenditure by California should not result in giving to California, for nothing, any vested right in the ship; and I said that now to turn over the ship to California, without further payment, would be a clear violation of the Morse formula; and I also said that since 1946, I have stubbornly and consistently and—as I think my colleagues will agree—persistently battled for compliance with the Morse formula. In the cloakrooms, my colleagues generally tell me how right I am; they say, "Sometimes we have to disagree with you on the floor of the Senate; but insofar as you are consistent about it, we cannot quarrel with you about the public policy for which you are fighting."

Since 1946, it has resulted in saving the taxpayers of the Nation a great many millions of dollars, Mr. President; and let me say that I have received—as I received earlier this afternoon from the Senators from Wyoming, in connection with another bill which involved the application of the Morse formula—from other Senators, as I am now receiving from the Senator from California [Mr. ENGLE], very fine cooperation. The Senator from California has asked me to inform the Senate that he finds my amendment acceptable, and he hopes the Senate will adopt it.

I wish to state, as I have stated in times past in regard to similar matters, that the Senator from California is not accepting my amendment as a matter of form; he is accepting my amendment on the basis of its substance and its merits. He believes my amendment should be added to this bill, and he wants it included in this bill.

I wish to make it perfectly clear—as I have done in the past—when on rare occasions we have had some difficulty in connection with bills which, when the Senate sent them to conference, contained the Morse formula. In some cases the Morse formula provision was stricken from them by the conferees. If a bill goes to conference with a Morse formula provision added by the Senate, that formula should be retained in the bill. I wish to have it understood clearly that if the conference report, when it comes to the Senate, does not include the Morse formula, I shall do my very best to see to it that the conference report is not adopted by the Senate.

Mr. President, let me state that I have received excellent cooperation on this matter from the Senator from California [Mr. ENGLE]. If I did not receive cooperation of that sort from conference committees, of course I could not agree to have a bill which includes the Morse formula go to conference, because then that procedure would be only a parliamentary device to give me a "runaround." So I wish to make perfectly clear that that is not the intention of the Senator from California.

In fact, I should like to send a little message to the Governor of California: He should know that the Senator from California [Mr. ENGLE] has worked very hard in connection with this matter, and has given the Governor excellent support on it; and I think some reciprocity now is due from the Governor of California. I believe the Governor should make very clear, very quickly, that when the Morse formula amendment is added to this bill and when the bill including that amendment is passed today by the Senate, it is acceptable to him, and that the State of California will proceed to raise the necessary money in order to comply with the provisions of the Morse formula. It is a small amount of money, for the RECORD shows, and I have already stated it for the RECORD, that the estimate was that when the ship was turned over to California, it was worth somewhere in the neighborhood of $25,000, which means that 50 percent of its appraised fair market

value is $12,500. California has already spent $195,000 on the ship.

So, Mr. President, if California is now able to obtain the ship by paying $12,500, and if California thought the ship was worth the expenditure of $195,000, the $12,500 payment will be just a drop in the bucket. But the principle is very important, because it protects a very precious precedent which we established in 1946, when the subcommittee which first established the Morse formula in respect to surplus military property brought forth this formula which calls for the payment of 50 percent of the appraised fair market value when a piece of property is going to a State or to a subdivision thereof, for a public use, and for the payment of 100 percent of the appraised fair market value when the property is going for a private use.

I want the RECORD to show—as I said earlier today to the Senator from Wyoming—that I deeply appreciate the cooperation I have received from the Senator from California [Mr. ENGLE] in connection with this matter; and I urge the adoption of my amendment.

Mr. McGEE. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I yield.

Mr. McGEE. Do I correctly understand, in connection with the report received from the Department, that in connection with this matter the Department has received close cooperation from the State of California, and that the reports received by the Department from California were almost as helpful as if the Department itself had engaged in their preparation?

Mr. MORSE. Of course that is the case; and there is no question about the fine cooperation which we have received from the State of California. So I wish to put an end to any question about the kind of cooperation we have received from the State of California in connection with this measure.

Mr. McGEE. Mr. President, at the request of the Senator from California [Mr. ENGLE], I ask unanimous consent that an excerpt from the report dealing with the matter be printed at this point in the RECORD.

There being no objection, the excerpt from the report (No. 830) was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

H.R. 3788 would authorize and direct the Secretary of the Interior to donate and convey to the State of California, for the use and benefit of the department of fish and game of the State, all right, title, and interest of the United States in and to the fishing vessel *Alaska*.

GENERAL INFORMATION

The vessel involved is 100 feet in length, and was constructed in 1947 for use in the tuna fishery. The U.S. Fish and Wildlife Service acquired the vessel in 1950 for use in fisheries research, and then attempted to sell the vessel in 1956 when it was no longer needed. No purchaser appeared, whereupon the State of California requested that the vessel be turned over to it as a loan, for State biological research. The request was granted, under a 10-year operating agreement, entered into on June 22, 1957, between the fish and game department and the Secretary of the Interior.

The State of California has expended $195,000 to fit the vessel for its purposes. Inasmuch as its value for fishery use probably would not exceed $25,000, the Interior Department is on record to the effect that continued use by the California Fish and Game Department is advisable in that both State and Federal Government have an interest in the research work thus made possible.

The report of the Department of the Interior on the bill, addressed to the chairman of the House Committee on Merchant Marine and Fisheries, is appended. No objection to the bill has been recorded.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Oregon.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

If there be no further amendment to be proposed, the question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill (H.R. 3788) was read the third time and passed.

AMENDMENT OF ACT ESTABLISHING CODE OF LAW FOR THE DISTRICT OF COLUMBIA

Mr. McGEE. Mr. President, I ask unanimous consent that the Senate resume the consideration of Calendar No. 496, House bill 5143, to amend section 801 of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate resumed the consideration of the bill (H.R. 5143) to amend section 801 of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901.

Mr. MORSE. Mr. President, the comments I shall make at this time will be in regard to Senate bill 1380, Calendar No. 347, to amend section 801 of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901.

The unanimous-consent agreement entered into earlier today provides that on March 12 the Senate will proceed to take up this measure, that the time available for debate on the bill shall be limited to 2 hours, and that 30 minutes will be available to each side for debate on each amendment. That arrangement is perfectly satisfactory to me; and certainly it is a complete answer, let me say, to any newspaper articles to the effect that I sought to engage in a filibuster against this bill. Such has never been my intention or desire. I do want, however, an adequate record on the bill; and we do not have an adequate record at the present time.

This bill is of vital policy importance. Although it is a District of Columbia bill, I say to Senators that when they vote on the bill they are voting on a subject matter of great policy dimensions in the whole field of law enforcement and the treatment of prisoners. Mr. President, we are dealing with a subject matter of which I am sure many Members of the Senate will not be fully aware until they start getting the public reaction to whatever action is taken on the bill.

In 1956 I made a 20-minute speech in the Senate, setting forth my views in opposition to capital punishment. I said then that my views were based upon matters of religious faith; that, to me, very basic moral issues were involved. I did not seek then, nor do I now, to impose my religious viewpoint in the Senate. Of course, I have the duty to keep trust with my faith.

I think the whole matter of capital punishment, life imprisonment, parole or no parole, must be very seriously considered, and this is the vehicle that puts it before the Senate in its general implications, whether it is desired or not.

The little speech I made in 1956 which I mentioned earlier was reprinted in the Des Moines Register, and from the Des Moines Register it was reprinted by a group of religious periodicals and magazines; and in the 90 days following its reprint in the Des Moines Register I received several thousand letters and telegrams, through my office, bearing upon the position I took. They were 99 percent-plus in support of my position.

It may be said, "All you heard from were the anti-capital-punishment people." I am only citing the statistic, however, to show the Senate that they represent a substantial group, who have great concern over this question of capital punishment.

Between now and March 12, much can be done to remedy the situation. Today there is no adequate record on the bill. The committee hearings, such as they were, have not been printed. One of my objections to the consideration of the bill at this time, or on March 12, is that we do not have a record on the basis of which the Senate can justify action on the bill. The hearings were very brief, and there were not called before the committee qualified experts in criminology and penology. Witnesses were called before the committee who represented primarily prosecutors, local bar associations, and a judge or two.

As a lawyer, I say, Woe unto us if we should turn over to prosecutors, bar associations, and a few judges the decision as to how we should handle prisoners. They have a contribution to make, but only a contribution. They have a point of view to be weighed, but only a point of view. Their opinion is valuable, but it should never be exclusive or conclusive. When we are dealing with the whole question of law enforcement, punishment of the convicted, and procedures that we ought to consider in the handling of prisoners, we had better get the point of view of persons in addition to prosecutors, bar groups, and judges.

It is my position that the bill should go back to the committee for thorough hearings—they do not have to be long, but they should be thorough—in which there would be called before the committee as witnesses some of the outstanding criminologists and penologists in this country, some of the outstanding

prison administrators and wardens, and some of the recognized constitutional law experts, because in the course of the discussion of the bill we shall get into some questions of constitutional law, particularly when we enter into a discussion of the pardon phases of the law.

So on March 12, or 13, whenever we appropriately reach that question in the procedural handling of th bill, I shall move to recommit the bill to the Committee on the District of Columbia for further hearings, with instructions. I want to make very clear that I shall work out by then a time limitation within which the committee should report back, so no one will be in doubt as to my desire to get the bill before the Senate for a vote. I think the bill should be rereferred with instructions to the committee to report back in 2 weeks, and during those 2 weeks there should be called before the committee at least a few of the recognized authorities in this field.

Without taking the time to read them all, Mr. President, I ask unanimous consent to include in the RECORD a very brief list of prominent criminologists and penologists, which was furnished to me by the Library of Congress who dispute the claim that capital punishment is a deterrent to crime. Yet it will be found that proponents of the bill are in favor of it on the ground that it is necessary because it is a deterrent to crime.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

PROMINENT CRIMINOLOGISTS AND PENOLOGISTS WHO DISPUTE THE CLAIM THAT CAPITAL PUNISHMENT IS A DETERRENT TO CRIME—REQUEST OF MARCH 1

The following criminologists and penologists have taken the position that no proof exists which supports the thesis that capital punishment is a deterrent to crime. Some of them have gone further and maintained that available statistics can be interpreted as indicating, positively, that capital punishment is not a deterrent.

Dr. Harry Elmer Barnes, criminologist; coauthor, with Prof. Negle K. Teeters, of "New Horizons in Criminology."

Prof. Richard C. Donnelly, professor of law, Yale University, and retired member of the Connecticut Board of Parole.

Clinton E. Duffy, former warden of San Quentin Prison.

Sir Ernest Gowers, chairman of the Royal Commission on Capital Punishment (Great Britain, 1949–53).

Dr. William F. Graves, former prison doctor at San Quentin.

Lewis E. Lawes, former warden of Sing Sing Prison in New York.

Dr. Austin H. McCormick, professor of criminology at the University of California, Berkeley.

Donal MacNamara, president of the New York Institute of Criminology.

Richard A. McGee, director of the Department of Corrections, California.

Dr. Thorsten Sellin, chairman of the Department of Sociology at the University of Pennsylvania.

Prof. Negley K. Teeters, coauthor, with Dr. Harry Elmer Barnes, of "New Horizons in Criminology."

Mr. MORSE. Mr. President, I think some of these and other experts should be called. Not only have these criminologists and penologists taken the position that no proof exists that capital punishment is a deterrent to crime, but some of them have gone further and have maintained that available statistics show capital punishment is not a deterrent to crime.

In the hearings that I shall ask the Senate to authorize there ought to appear before the committee some of the outstanding prison wardens, Federal and State, to testify on this subject. But, it may be said: "This is only a little District of Columbia bill." It is, technically, but it is a bill that would establish a precedent, and we shall never be able to escape the fact that this was the considered judgment of the Senate concerning the handling of prisoners who fall under Federal jurisdiction. The whole Federal jurisdiction, so far as policy is concerned, is inescapably intertwined in this discussion. Within the next few years, there very well might be proposals for modification of our Federal statutes in regard to punishment for Federal crimes and the handling of prisoners.

I do not wish to see us make the mistake of establishing a legislative precedent on the District of Columbia bill which will rise to plague us when we have a bill of wider scope before us. One should not give me the argument that we could change it then. I have been here too long, and I know how the Senate works. It is a great handicap to have a precedent established in 1962 in the whole field of the treatment of prisoners and to expect that in 1963, 1964, or 1965 the Senate will reverse itself merely because the next bill may be broader in scope, so far as jurisdiction is concerned, but not broader in scope so far as an individual human life is concerned.

I shall be very frank with the Senate as to what my procedural policy is to be. I have an amendment pending before the Senate which would provide for the abolition of capital punishment and a substitution therefor, in any case that capital punishment otherwise would have been imposed, of life imprisonment with a denial of parole. I prefer that for the reasons I set out in my speech the other day, and that I shall cover in my speech on March 12. I think that is the best solution to the problem.

The legislative process calls for considering alternatives. If I cannot convince Senators that is the procedure we ought to follow, I shall suggest an alternative, if we provide for capital punishment, in the form of an amendment I shall offer this afternoon and have printed and referred. I shall call it up during the course of the debate, if it becomes parliamentarily necessary. The amendment would provide capital punishment but also would provide for mandatory life imprisonment as one alternative.

One might say, "Senator, why not propose that amendment in the first instance, not your first amendment, and be done with it?" It is because that issue deals with my very deep conviction that God and God alone should render the decision as to whether life should be taken. When it comes to the administration of government by way of imposing penalties for crimes committed, I happen to think it is immoral to inflict capital punishment. Honest and sincere people may have different moral evaluations. That happens to be mine.

There are also very good substantive arguments—which I shall make on March 12, citing writings of some of the authorities I have mentioned by name—to the effect that capital punishment does not produce the social results many people are inclined to attribute to it.

Mr. President, I submit, for appropriate reference, an amendment to the bill on page 2, line 7, beginning with the word "be" to strike out all through the period on line 9 and insert in lieu thereof the following:

Not be eligible for parole.

The language would then read:

Notwithstanding any other provision of law, a person convicted of first degree murder and upon whom a sentence of life imprisonment is imposed shall not be eligible for parole.

The PRESIDING OFFICER. The amendment will be received, printed, and referred to the Committee on the District of Columbia.

Mr. MORSE. Mr. President, I shall also offer a third amendment which will provide for a third alternative. It would permit capital punishment. It would permit mandatory life imprisonment. It would also permit discretion, if the jury did not hand down a verdict requiring mandatory life imprisonment or execution. It would authorize the judge to impose life imprisonment with parole.

In other words, the amendment would provide that the jury, in effect, could pass the buck to the judge. The jury could find the defendant guilty, but leave it to the judge to impose the sentence. That could include a sentence of life imprisonment with parole.

I am a little surprised that there has not been more public discussion of the law as it already exists in the other States, although I wish to say I am deeply grateful to the Washington Post and Times Herald for its editorials on this subject over the years. They are somewhat at variance with each other from time to time, but I think they have served a good educational purpose.

Mr. President, I ask unanimous consent to have printed in the RECORD again at this point the Washington Post and Times Herald editorial of February 15 of this year.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

ARCHAIC LAW

Deputy Attorney General Byron White has reminded the Senate that the District of Columbia is the sole remaining jurisdiction in the United States where the death penalty is mandatory for first-degree murder. The law is archaic he declared and has effectively discouraged convictions in the District because of the reluctance of judges and juries to impose death sentences. Over a 10-year period, according to the Deputy Attorney General, only 28 of 276 persons indicted for first-degree murder were convicted of that charge.

The reluctance of judges and juries to condemn a man to death is not hard to understand in a civilized community. The punishment, imposed in first-degree murder convictions, follows the philosophy of exact-

ing an eye for an eye and is barbaric. Imprisonment serves quite as well to protect the community from dangerous felons and does a great deal more to promote respect for the sanctity of human life. In addition, it affords a means of correcting a mistaken jury verdict.

This newspaper is in thorough agreement, therefore, with the amendment which Senator WAYNE MORSE has proposed to the pending bill, already passed by the House, which would make the penalty of death discretionary with judge and jury. Mr. MORSE would eliminate the death penalty altogether but permit the jury, in connection with certain crimes which now entail a death sentence, to impose a sentence of life imprisonment without possibility of parole.

The Senate is scheduled to consider the death-penalty bill early next week. We hope at the very least that it will follow the lead of the House and eliminate the mandatory imposition of the penalty, allowing a jury to impose life imprisonment by unanimous recommendation.

Mr. MORSE. In the course of the editorial the editorial writer says:

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On February 28 the Washington Post and Times Herald published another editorial, which I ask unanimous consent to have printed in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

FIRST-DEGREE MURDER

The Senate is scheduled today to consider the Abernethy bill, passed by the House, which would modify the mandatory death penalty now attached to any first degree murder conviction in the District of Columbia. The effect of the bill would be simply to bring sentencing in the District into conformity with the practice prevailing in every other Federal jurisdiction. This is to say, "Whoever is guilty of murder in the first degree, shall suffer death unless the jury qualifies its verdict by adding thereto 'without capital punishment,' in which event he shall be sentenced to imprisonment for life."

It seems to us that every practical and moral consideration argues for Senate endorsement of this change. The compelling practical consideration is this: It is extremely difficult to persuade juries to convict of murder in the first degree when the inescapable penalty is death; and when juries do convict, appellate courts commonly find some flaw requiring reversal. From the moral point of view, it seems genuinely hideous to decree the snuffing out of human life so indiscriminately and inflexibly.

This newspaper, which has long felt that capital punishment can serve only to diminish respect for life, hopes that one day the death penalty will be abandoned altogether in the District of Columbia. But that is an issue which can be resolved at some time in the future. For the present, we urge only that the Senate join the House in allowing juries to temper justice with some degree of mercy and reason.

Mr. MORSE. Mr. President, the editorial favors the passage of the bill as proposed by the committee. It could be said that the newspaper gave me approval of my principle but gave the committee the vote.

It takes a little time to get the public to understand the importance of putting a sound principle into legislative form.

The editorial of February 28 states in part:

It seems to us that every practical and moral consideration argues for Senate endorsement of this change. The compelling practical consideration is this: It is extremely difficult to persuade juries to convict of murder in the first degree when the inescapable penalty is death; and when juries do convict, appellate courts commonly find some flaw requiring reversal. From the moral point of view, it seems genuinely hideous to decree the snuffing out of human life so indiscriminately and inflexibly.

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I say good naturedly to the Washington Post, "Be of greater faith. Here is your chance to help." If you mean it when you say, as you do:

From the moral point of view, it seems genuinely hideous to decree the snuffing out of human life so indiscriminately and inflexibly. This newspaper, which has long felt that capital punishment can serve only to diminish respect for life, hopes that one day the death penalty will be abandoned altogether in the District of Columbia.

I say, "Why walk out on me? We have a chance. Now is the time to try."

If the Washington Post really believes that statement, it should stand by its previous endorsement of my point of view. At least, we ought to go to a vote on the question with the editorial support of journalists who say that they believe with me on the moral principle involved.

Over the years the Washington Post has published a series of editorials on the capital punishment issue. I ask unanimous consent to have them printed at this point in my remarks.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Washington Post, Feb. 28, 1960]

A LIFE FOR A LIFE

Within the next few weeks a new date will be set for a convicted murderer, Willie Lee Stewart, to die in the electric chair at the District jail. Lacking the facile pen of a Caryl Chessman and lacking the interest or notoriety that Chessman has created abroad, Stewart probably will pay the penalty prescribed by the law. Like Chessman, he has exhausted a variety of appeals; he also has been sentenced to death in three successive trials for a slaying committed nearly 7 years ago. Although the courts have accepted evidence that Stewart is of retarded mentality, there is no question that he is a murderer. Yet there is a decided inequality between his probable fate and the reprieve accorded Chessman.

This newspaper is opposed to capital punishment, but we shall not attempt to argue here whether or not Stewart should forfeit his life. It is bad practice to bend or alter broad principles of law in terms of individual cases. What the situation illustrates is not merely the inflexible and inexorable quality of capital punishment itself, but also the peculiar rigidity of the outmoded District law which makes the death sentence mandatory upon conviction of first-degree murder. The District is one of the last jurisdictions in the country to retain the mandatory sentence which leaves no discretion to the judge. This law will be put to another test in the murder trial of Russell Wayne Carpenter beginning on Monday.

We think that it is time for reexamination, in Washington and throughout the country, of the utility and ethics of capital punishment. The desirability of such a review has little or nothing to do with the foreign reaction in the Chessman case. No country can afford to base its law enforcement upon foreign opinion, which can be easily manipulated by propaganda as in the Rosenberg case a few years ago. Indeed, the very delay in the scheduled execution of Chessman, which made the punishment seem cruel and inhuman, was occasioned by the process of law which affords a defendant every conceivable opportunity to avail himself of his rights.

The case for abolition of capital punishment rests, we believe, upon two principal grounds. The first is that the deterrent effect attributed to the death sentence itself seems to be based largely or partly on a myth, the same myth that was used to justify amputation and flogging. Vice President Nixon, in a comment about the Chessman case the other day, expressed his personal view that the death sentence ought to be retained as a deterrent against atrocious crimes. It is probably true, as Mr. Nixon observed, that the enactment of the Lindbergh law making kidnaping a Federal crime had a substantial effect in reducing the incidence; but there is no showing that the deterrent effect is due to the death penalty rather than to Federal law enforcement, or that a life sentence would not serve just as adequately.

Indeed, respecting the general problem, there is some evidence on the other side of the question. When England made picking pockets a capital crime, the greatest incidence of pocket picking is said to have occurred at the hangings of convicted pickpockets—and because of the severe penalty it became very difficult to obtain jury convictions. Eight American States forbid capital punishment. In five of the six for which full statistics are available for 1957, the homicide rate was below the national average. Obviously the crime rate varies between sectors and between rural and urban areas—but punishment by noncapital means seems to be an effective deterrent, if punishment is what deters crime.

There is another consideration. The process of trial and justice can go awry, and men have been executed by error on what has seemed to be conclusive evidence. Where the punishment is life imprisonment or some other less ultimate penalty than death, it is possible to make at least a degree of restitution when mistakes are discovered. With the death sentence, rehabilitation is beyond human power.

The most basic argument for abolition of capital punishment, however, rests upon moral grounds. If life is sacred, and if man is created in the image of God, does society really have the right to exact a life for a life? War is a special circumstance which has its own rules of morality or the opposite; but in terms of deliberative justice is the state really warranted in arrogating to itself the role of God? We think not. Society certainly has the right to protect its members against heinous crimes by seeing to it

that offenders are confined or otherwise insulated; but we question profoundly whether capital punishment can do other than degrade the values of human dignity and inviolability to which Western civilization is dedicated.

Actually the death sentence, particularly the mandatory death sentence, is a relic of the concept described by Gilbert and Sullivan in their phrase about making the punishment fit the crime. Modern penology believes in making the punishment fit the criminal, and fit the range of sometimes uncontrollable mental and emotional factors that influence aberrant behavior. The reluctance to take a life even in atonement for the most vicious crime undoubtedly weighed heavily in Governor Brown's anguishing decision to reprieve Chessman and ask the California Legislature to consider again the question of the death penalty.

For these reasons we hope that the Chessman case, all the ballyhoo aside, will provoke a searching scrutiny of the principle of capital punishment, not only in California but also in the District of Columbia and in every jurisdiction where human being may be executed at the fiat of the state. If such cases provoke the revision of antiquated and barbarous laws along more humane lines, even the most wretched lives may have contributed to a socially useful purpose.

[From the Washington Post, Apr. 30, 1960]

WHEN THE STATE TAKES A LIFE

Barring providential intervention, Caryl Chessman will cease to exist as a person at 10 a.m., Pacific time, on Monday. He will not cease to exist as an issue. Foreign reaction to the execution of this convict nearly 12 years after his arrest would see to that, even if the grisly process of capital punishment exacting its metered toll had not already begun to haunt and sicken many Americans.

Governor Brown, who stayed the execution in February, may yet request the Supreme Court of California for clemency. But it may well be that this sacrifice in the gas chamber is necessary, as Chessman himself has seemed to think, in order to jolt the conscience of California and of the United States. That jolt is surely coming.

Capital punishment is not only brutal, it also is futile. Many penologists, including a number of prison wardens, agree that it is not a significant deterrent to crime. The seven States in this country and the many foreign countries that have prohibited or abolished it have reported no untoward problems on that account. Moreover, capital punishment makes no restitution whatever to the victim or victims of the crimes for which it is exacted. Instead, it involves the State—and thereby all the people—in a new enormity that compounds the original crime.

Whether Chessman had a fair trial and review of his conviction for the rape-kidnaping of which he was accused is pointless to argue. There are enough discrepancies to warrant some serious misgivings—in the identification by witnesses, in the transcript of the trial and in the curious technicality that subjected him to the death penalty because he transported his victim a short distance. But State and Federal courts have spoken, and the men who compose them are not unfair or insensitive. It is enough to accept the judgment that under present law Chessman has exhausted his rights. He has been convicted of a fiendish crime, and it is unnecessary to squander pity on him as an individual.

A far larger question is that of the punishment itself. Apart from the moral issue, which is very great and which involves society in the role of God, the very finality of the act precludes any correction of error.

This is not a negligible factor. A number of men are said to have been reprieved from death row at California's San Quentin prison in the last few years on the basis of new evidence. Howard K. Smith, in his extraordinary CBS radio documentary Thursday night, carried the account of a onetime assistant to a Governor of California who sought to flash a last-minute stay of execution because of new facts exonerating the accused, only to hear the trap on the gallows drop as he was talking to the warden.

And then there is the brutalizing factor. Elsewhere on this page we reprint from Frontier magazine an article by Dr. William F. Graves, a former physician at San Quentin. He recounts how an insane convict was shocked back to legal sanity so that he could be executed, and how another convict dying of cancer was subjected to three operations so that the state rather than the disease could claim his life. This amounts to sheer sadism.

Caryl Chessman may die under a system of law that exacts a life for a life or, as in his case, for something less. This brilliant, warped, wretched and dangerous man may warrant no special grief on his own account, but he has at least served to focus attention upon an archaic procedure under which others without Chessman's facile pen die substantially unnoted and without purpose. Happily, such instances in the District of Columbia should be markedly diminished when Congress passes the proposed revision of the death penalty.

What is at stake, basically, is in Albert Schweitzer's memorable phrase, "reverence for life." A society which profanes this reverence, in respect of even the most dastardly criminal, inescapably degrades itself in the process. "Any man's death diminishes me," said John Donne many years ago, "because I am involved in mankind."

Mr. MORSE. Mr. President, I also ask unanimous consent to have printed at this point a very fine article on the same subject written by Mr. Edward Bennett Williams, who is one of the Nation's leading criminal lawyers.

The PRESIDING OFFICER (Mr. BURDICK in the chair). Is there objection?

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Mar. 6, 1960]

A RELIC OF THE BARBAROUS DAYS WHEN LAW DEMANDED EYE FOR EYE

(By Edward Bennett Williams)

Caryl Chessman's 12 years in "death row" have underscored the inhumanity, the injustice, and the inequality of capital punishment. It is inhuman because its deterrent effects are now recognized as a myth. It is unjust because it leaves no remedy for a mistake. It is unequal because it is exacted almost exclusively of the poor and the ignorant. It is, in short, a relic of the barbarous days when our law demanded an eye for an eye.

The District of Columbia is the only jurisdiction in the United States which still has mandatory capital punishment for first-degree murder. If, as Vice President Nixon and many other people believe, capital punishment acts as a deterrent to atrocious crimes, one might suppose that the District would have fewer murders than any other city of comparable size. Unfortunately, this is not the case. The record shows that our criminal homicide rate is as high or higher than all other American cities of comparable size.

Today nine States have abolished capital punishment completely. The latest FBI statistics indicate that most of these States had a lower homicide rate than neighboring States which retain the death penalty.

These statistics may be inconclusive in themselves, but they are in accord with the views of judges, penologists, and psychiatrists who have firsthand knowledge in this field. Murder is the offense most often punished by execution. Almost always it is a crime of passion and impulse. If the killer weighs the consequences of his act at all before he kills, he weighs them upon scales distorted by dark and twisted emotions.

As Arthur Koestler has put it in his remarkable book, "Reflections on Hanging," "a normal person in a normal state of mind just doesn't commit murder." Penologists have searched in vain for a half century to find a single case of a convicted murderer who weighed and deliberated over the consequences of his deed in terms of death or imprisonment for himself before perpetrating the lethal act.

Moreover, the deterrent effect of any sanction depends in large measure upon its swiftness and sureness rather than upon its severity. Whatever capital punishment may be, it is neither swift nor sure. Caryl Chessman's case is extreme but not unique.

On March 12, 1953, one Willie Lee Stewart killed an elderly grocer during a holdup in the District of Columbia. On February 16, 1960, our court of appeals upheld his conviction for first-degree murder by a 5-to-4 vote. Twice before he had been convicted but twice before his conviction had been reversed.

The questions presented by his third appeal were so serious that they were considered by the full court, and there is a good chance that the Supreme Court will agree to hear the case. If it does, Stewart's execution must be postponed for many months. If the Supreme Court orders a new trial, the case may go on for years.

But, as Judge Charles Fahy points out, "the judgment of death by electrocution no less now than before calls upon us to examine the record with the utmost care to determine whether or not there is serious error."

Even the U.S. attorney for the District of Columbia now advocates the abolition of mandatory capital punishment because he says that juries are so reluctant to convict and the court of appeals is so reluctant to affirm in these cases.

He points out that from July 1, 1953, to the present time, 104 defendants were indicted in the District of Columbia for first-degree murder. Only one of these defendants has been electrocuted. These statistics are fairly representative of the country as a whole.

In 1958, for example, only 48 prisoners were executed under civil authority in the United States. Estimates by a group of American penologists indicate that not one out of a hundred homicides ends in an execution. Punishment so unswift and unsure can never be an effective deterrent.

Certainly the death penalty is not necessary to protect society. It is almost unheard of for a convicted killer to kill again after he has been released from prison. Parole authorities do not release such prisoners unless convinced that they are no longer dangerous to society.

In any event, the risk of recidivism is outweighed by the risk of executing innocent men. Unfortunately, the execution of the innocent is not a myth. Eyewitnesses make honest mistakes in identification. Circumstantial evidence can point to the wrong man. Perjury can survive even penetrating cross-examination.

Judge Curtis Bok, a veteran of more than 20 years on the Pennsylvania bench, insists that the convictions of the innocent still outnumber the acquittals of the guilty. There are several fascinating and fully documented compilations of cases where defendants were convicted of crimes committed by other men or even of crimes never committed at all. Capital punishment is indefensible if only because it renders irreversible these miscarriages of justice.

The death penalty is also indefensible today because it has become so discriminatory. Lewis E. Lawes served as warden at Sing Sing for many years. He took the last walk with condemned men many times. He later wrote that all of them were poor and most were friendless as well.

It was not without some foundation when Clarence Darrow observed that "only the poor are put to death." In 1958 the majority of the defendants executed in this country were indigent Negroes. A penalty which has been virtually abolished for white men with money ought to be abolished for everybody.

In the Middle Ages, society had a catalog of tortures, including the Iron Maiden, drawing and quartering, bone-crushing, tongue extraction, blinding, nailpulling, burning at the stake, crushing by increasing weights, smearing with honey and spread-eagling over red ants' nests, hanging by the thumbs, flaying, and burying alive.

In 1603, this was the sentence passed on Sir Walter Raleigh following his conviction for treason: "That you shall be had from hence to the place whence you came, there to remain until the day of execution. And from thence you shall be drawn upon a hurdle through the open streets to the place of execution, there to be hanged and cut down alive, and your privy members cut off and thrown into the fire before your eyes, and your body shall be opened, your heart and bowels plucked out. Then your head to be stricken off from your body, and your body shall be divided into four quarters, to be disposed of at the King's pleasure. And God have mercy upon your soul."

Less than 150 years ago, England had over 200 offenses punishable by death, including stealing a lace handkerchief and shooting the King's deer.

Civilized society has moved forward in its concept of crime and punishment. In this decade we must move still further. The gallows, the gas chamber, and the electric chair should be relegated to our museums to their appointed places alongside the rack, the thumbscrews, the guillotine and other discarded instruments of primitive injustice.

Mr. MORSE. Mr. President, although I am disappointed that the Washington Post gives me the words in support of the moral principles that I am urging in my amendment, but gives the opposition the vote, I thank the Washington Post for the great educational service that I think it has rendered in the editorials that it has published, including even its last one. I hope that man's inhumanity to man will not prevail on this subject.

I hope that in this session of Congress we can adopt the Morse amendment, which would abolish capital punishment in the District, and substitute therefor mandatory life imprisonment.

When I come to discuss this subject on March 12, I shall support an amendment to my preferred amendment, that is, the one that would abolish capital punishment and substitute mandatory life imprisonment.

Let me tell the Senate what I think would happen if the Senate should adopt either of my amendments. There would be more first degree murder convictions and fewer second degree murder convictions. There would be fewer hung juries. Furthermore, there would be less of a tendency for daily procrastination and the attempting of every possible technicality in order to prevent the executioner from going to work. I think the humaneness of my amendments would speak for themselves in any jury box, and I think in the long run there would be a more efficient administration of the criminal law.

I ask for the opportunity to present the witnesses to the District of Columbia who would make an adequate record on this subject, which the Senate does not now have. I do not speak critically of any of my colleagues. I merely say that I do not think the importance of this subject matter has been given the consideration in the Senate District Committee that it deserves. True, I speak from considerable experience in the field of criminal law, for that was my field before I entered politics. My work was in the field of criminal law. I happen to be coauthor of the Oregon "Crime Survey." I happened to be the editor in chief and the director, as a special assistant to the attorney general, of a 5-volume work in the field of criminal law administration. I was the author of two of those volumes and the editor in chief of the other three.

We are dealing with a subject—and I speak most respectfully—that the Committee on the District of Columbia is not fully aware of. I did not participate in the hearings. It is not my subcommittee. However, I opposed the bill in committee.

I renew my plea this afternoon on the floor of the Senate for a recommital to the committee for 2 weeks for the holding of hearings, in order that we may have the benefit of the most up-to-date scientific information in the field of criminology and penalogy dealing with this subject, so that when the Senate acts, it can be said that we have acted on the most intelligent basis possible because we had the evidence before us.

I ask unanimous consent that there be printed at this point in the RECORD an excellent editorial published in the Washington Evening Star of February 19, 1962.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

IN LIEU OF DEATH PENALTY

Senator MORSE has proposed, as a substitute for execution, that life imprisonment without possibility of parole be made the maximum penalty for what are now capital offenses in the District. There is much to be said for this proposal.

The death penalty is opposed by different people for different reasons. From the standpoint of effective law enforcement, however, a major consideration is that juries seem increasingly reluctant to return verdicts which can be expected to result in death sentences. It is possible that provisions for life sentences, without parole, might be an answer to this problem. A life sentence would also make it possible, through exercise of the President's pardoning power, to rectify those rare miscarriages of justice in which an innocent person is found guilty of a capital offense.

One objection to be anticipated is that a sentence to life imprisonment all too often has meant something less than that. For one reason or another the criminal has been released after serving a term of years, and the effect of this may be to cancel out the protection to which the public is entitled. Under the Morse proposal, however, a life sentence would mean a life sentence, and unless there is some valid objection which does not appear on the face of the matter his amendment merits serious consideration when the Senate this week takes up a House bill to modify the District's mandatory death penalty law.

Mr. MORSE. Mr. President, I think it is an excellent editorial. I would prefer elimination of the death penalty entirely. But if the majority of the Senate does not see its way to will such a decision, I suggest that we retain capital punishment, but not mandatory capital punishment, leaving it for the jury to decide—mandatory life imprisonment, if decreed by the jury, and life imprisonment with parole, if the judge so decrees in case the jury has left the decision of sentence up to him.

I received a letter from the Chief of Police of the District of Columbia. The Chief of Police has recommended the passage of the pending bill. I think it is only fair to him, in view of the newspaper story that appeared, that a portion of his letter be read, and then to have the whole letter printed in the RECORD.

Although I probably did not make my position entirely clear to the reporter, the Sunday Star on February 24, 1962, correctly quoted me as stating that your bill "makes good sense." I sincerely hope that either the Abernethy bill or your bill will be enacted, to correct the situation that exists under the present law, which carries the mandatory death penalty upon conviction for first degree murder.

In the past several years, a conviction for first degree murder has nearly always been self-defeating for law enforcement in the District of Columbia. In many such cases, the conviction has been reversed by the appellate courts and several were not finally adjudicated for many years.

Thanking you for your interest in the improvement of law enforcement in the District of Columbia, and with kind regards, I am,

Sincerely yours,

ROBERT V. MURRAY,
Chief of Police.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

GOVERNMENT OF THE
DISTRICT OF COLUMBIA,
METROPOLITAN POLICE DEPARTMENT,
February 27, 1962.

Hon. WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: In response to Mr. Judd's request, I am glad to comment upon your proposal, in S. 1380, that in lieu of the mandatory death penalty, a life sentence without hope of parole be authorized.

On March 8, 1961, the Law Enforcement Council of the District of Columbia, of which I am a member, voted to endorse the Abernethy bill (H.R. 5143). I joined in this endorsement and still favor the Abernethy bill.

Although I probably did not make my position entirely clear to the reporter, the Sunday Star on February 24, 1962, correctly quoted me as stating that your bill "makes good sense." I sincerely hope that either the Abernethy bill or your bill will be enacted, to correct the situation that exists under the present law, which carries the mandatory death penalty upon conviction for first degree murder.

In the past several years, a conviction for first degree murder has nearly always been self-defeating for law enforcement in the District of Columbia. In many such cases, the conviction has been reversed by the appellate courts and several were not finally adjudicated for many years.

Thanking you for your interest in the improvement of law enforcement in the District of Columbia, and with kind regards, I am,

Sincerely yours,

ROBERT V. MURRAY,
Chief of Police.

Mr. MORSE. Mr. President, I ask unanimous consent that I be permitted to insert in the RECORD certain other material on the subject, which I should like to insert in the RECORD tonight, so that it may be part of the RECORD prior to the debate on March 12, and I shall use it in the debate on March 12. It sets forth the laws of the States with respect to criminal offenses in which capital punishment is imposed. The tabulation shows great variation, of course, but also shows some of the alternative procedures which I am recommending in connection with the bill.

There being no objection, the matters referred to were ordered to be printed in the RECORD, as follows:

THE LIBRARY OF CONGRESS,
Washington, D.C., February 27, 1962

To: Hon. WAYNE MORSE.
(Attention Mr. Judd.)
From: American Law Division.
Subject: States, criminal offenses on which capital punishment is imposed.

Elements of criminal offenses vary from State to State. Because of the short deadline given for this report no attempt has been made to distinguish elements of such offenses as they vary from jurisdiction to jurisdiction. Instead, this report gives the name of the offense, the official statutory citation, and the death penalty which may be imposed if all the elements required by the statute are present.

HUGH P. PRICE,
Legislative Attorney.
GROVER S. WILLIAMS,
Legislative Attorney.

ALABAMA

Code of Alabama

Title 14, Sec. 85—Burglary in the first degree: "and shall on conviction be punished at the discretion of the jury, by death or by imprisonment in the penitentiary for not less than ten years."

Title 14, Sec. 97 (5)—Sabotage: "Should any loss of life occur by reason of such sabotage or destruction, or by reason of any attempted sabotage or destruction of such character, the person committing or attempting to commit same shall be guilty of murder with malice aforethought and shall be punished by death, or by confinement in the penitentiary for life or for any term of years not less than two."

Title 14, Sec. 123—Exploding or setting off dynamite: "Any person who wilfully sets off or explodes any dynamite or other explosive in, under or dangerously near any steam boat or vessel or railroad car in which there is at the time any human being, or any prison or jail or any other house or building which is occupied by a person lodged therein or any inhabited dwelling house or any house adjoining such house whether there is at the time in such house adjoining a dwelling house a human being or not shall on conviction be punished at the discretion of the jury by death or by imprisonment in the penitentiary for not less than ten years."

Title 14, Sec. 318—Murder, punishment: "Any person who is guilty of murder in the first degree, shall, on conviction, suffer death, or imprisonment in the penitentiary for life, at the discretion of the jury."

Title 14, Sec. 319—Punishment when committed by convict: "Any convict sentenced to imprisonment for life, who commits murder in the first degree, while such sentence remains in force against him, shall, on conviction, suffer death."

Title 14, Sec. 395—Punishment of rape: "Any person who is guilty of the crime of rape shall, on conviction, be punished at the discretion of the jury, by death or imprisonment in the penitentiary for not less than ten years."

Title 14, Sec. 397—Carnal knowledge of woman or girl by administering drug, etc.: "shall, on conviction, be punished at the discretion of the jury, by death or by imprisonment in the penitentiary for not less than ten years."

Title 14, Sec. 398—Carnal knowledge of girl under twelve years of age: "shall, on conviction be punished, at the discretion of the jury, either by death or by imprisonment in the penitentiary for not less than ten years."

Title 14, Sec. 415—Punishment of robbery: "Any person who is convicted of robbery shall be punished, at the discretion of the jury, by death, or by imprisonment in the penitentiary for not less than ten years."

Title 14, Sec. 424—Punishment of treason: Everyone who commits the crime of treason: "shall, on conviction, suffer death, or imprisonment in the penitentiary for life, at the discretion of the jury trying the same."

Title 14, Sec. 23—Arson in the first degree: "but if the said arson shall produce the death or maiming of any person, the punishment shall be death or imprisonment in the penitentiary for life, at the discretion of the jury."

Title 14, Sec. 24—Arson in the second degree: "but if the said arson shall produce the death or maiming of any person, the punishment shall be death or imprisonment in the penitentiary for life, at the discretion of the jury."

ALASKA

No death penalty.

ARIZONA

Arizona Revised Statutes

Sec. 13-250—Assault with deadly weapon or force by life prisoner; punishment: "is subject to punishment by death."

Sec. 13-453—Punishment for murder: "A person guilty of murder in the first degree shall suffer death or imprisonment in the State prison for life, at the discretion of the jury * * *, or upon a plea of guilty, the court shall determine the punishment."

Sec. 13-492—Kidnaping for extortion, robbery, ransom, rape, sodomy, lewd or lascivious acts: "If the person * * * suffers serious bodily harm * * * the person found guilty shall be punished by death or by life imprisonment without possibility of parole, whichever the jury recommends."

Sec. 13-572—"A person who by wilful perjury or subornation of perjury procures the conviction and execution of a sentence of death of an innocent person shall be punished by death."

Sec. 13-701—Treason: "The punishment for treason shall be death."

ARKANSAS

Arkansas Statutes

41-502—Convict burning penitentiary "shall be deemed guilty of arson, and on conviction shall suffer death."

41-2227—Penalty for murder in first degree: "Every person convicted of murder in the first degree, or as accessory before the fact to such murder, shall suffer death [or life imprisonment 43-2153]."

41-2304—Penalty for kidnaping for ransom: "Any person convicted of kidnaping for ransom shall be punished by imprisonment in the State penitentiary for life; or if he shall cause the person thus kidnaped to be injured, or if the victim shall suffer from disease or otherwise while in his custody, then he shall be punished by death."

41-2604—Death as result of injury or alarm: "shall be deemed guilty of murder in the first degree and punished as by law provided."

41-3403—Penalty for rape: "shall suffer the punishment of death or life imprisonment (43-2153)."

41-3405—Administering potion to female: "with intent to commit rape * * * shall upon conviction, be punished with death (or life imprisonment 43-2153)."

41-4102—Penalty for treason: "Any person convicted of treason shall suffer death (or life imprisonment 43-2153)."

CALIFORNIA

West's Annotated California Codes

Sec. 190—Murder: "Every person guilty of murder in the first degree shall suffer death, or confinement in the State prison for life, at the discretion of the jury."

Sec. 219—Train wrecking; punishment: "is guilty of a felony and punishable with death or imprisonment in the State prison for life, without possibility of parole, at the option of the jury trying the case, in cases where no person suffers bodily harm; and shall be punished with death in cases where any person suffers bodily harm."

Sec. 37—Treason: "The punishment of treason shall be death."

COLORADO

Colorado Revised Statutes

40-2-3—Murder: "and if murder of the first degree, the jury shall in its verdict fix the penalty to be suffered by the person so convicted, either at imprisonment for life at hard labor in the penitentiary, or at death."

40-2-45—Penalty for kidnaping: "and suffers bodily harm inflicted by such kidnaper or abductor, the jury upon conviction of such offender shall in their verdict fix the penalty at death or imprisonment for life."

40-23-14—Death caused in violations of anarchy, sedition, disloyalty: "shall be guilty of murder in first degree and be punished accordingly."

CONNECTICUT

General Statutes of Connecticut

Sec. 53-1—Treason: "shall suffer death."

Sec. 53-3—Attempt to kill president or ambassador: "shall suffer death."

Sec. 53-10—First degree murder: "shall suffer death unless the jury, by its verdict and as a part thereof, upon and after a consideration of all evidence, recommends imprisonment."

DELAWARE[1]

Delaware Code Annotated

11 Sec. 571—Murder in the first degree "is guilty of murder in the first degree and of a felony, and shall suffer death."

11 Sec. 623—Kidnapping: "is guilty of kidnapping and a felony, and shall suffer death."

11 Sec. 625—Kidnapping child under 15 years: "is guilty of a felony, and shall suffer death, or be imprisoned for life."

11 Sec. 781—Rape; carnal knowledge and abuse of female under seven: "Shall be guilty of felony and shall suffer death."

11 Sec. 861—Treason: "is guilty of a felony, and shall suffer death."

FLORIDA

Florida Statutes Annotated

Sec. 782.04—Murder: "shall be murder in the first degree, and shall be punishable by death."

Sec. 782.05—Killing in duel: "shall be murder in the first degree."

[1] Delaware in 1958 abolished the penalty of capital punishment and substituted life imprisonment. However, in the latter part of 1961 the Legislature over the Governor's veto reinstated capital punishment. A copy of such legislation is not available at this date and the offenses cited above are offenses of which capital punishment was imposed prior to 1958.

Sec. 782.06—Killing by obstructing railroad track: "shall be deemed guilty of murder in the first degree."

Sec. 790.16—Throwing bombs; discharging machine guns: "shall be a felony and shall be punishable by death."

Sec. 794.01 — Rape and forcible carnal knowledge: "shall be punished by death or by imprisonment in the State prison for life."

GEORGIA

Code of Georgia Annotated

Sec. 26-801—Treason, punishment: "and shall be punished with death."

Sec. 26-903—Insurrection, punishment: "shall be punished with death; or, if the jury recommend to mercy, confinement in the penitentiary for not less than five nor more than 20 years."

Sec. 26-1005—Punishment for murder; recommendation by injury: "The punishment for persons convicted of murder shall be death, but may be confinement in the penitentiary for life."

Sec. 26-1103—Foeticide; punishment "shall be punished by death or imprisonment for life, as the jury may recommend."

Sec. 26-1104—Punishment of persons advising killing of infants: "If any person shall counsel, advise, or direct a woman to kill the child with which she is pregnant, and after she is delivered of such child she shall kill it, every such person so advising or directing shall be deemed an accessory before the fact to such murder, and shall have the same punishment as the principal."

Sec. 26-1208 — Castration; punishment: "shall be punished with death."

Sec. 26-1302—"The crime of rape shall be punished with death, unless the defendant is recommended to mercy by the jury, in which such case the punishment shall be for not less than one nor more than 20 years."

Sec. 26-1304—Sexual intercourse with female under fourteen: "shall be guilty of rape and on conviction thereof shall be punished as prescribed by 26-1302."

Sec. 26-1603—Kidnapping for ransom: "shall be punishable by death."

Sec. 26-2204—Burning railroad bridges: "shall be deemed and adjudged arson, and shall be punished with death."

Sec. 26-2206—Punishment of arson causing death: "shall be punished by the death of the person committing the arson."

Sec. 26-2208—Arson, first degree, burning of dwelling: "If the arson shall produce death or maiming of any person, the punishment shall be death."

Sec. 26-2209—Second degree arson; burning of buildings other than dwellings: "If the arson shall produce the death or maiming of any person, the punishment shall be death."

Sec. 26-2210—Third degree arson; burning of private property: "If the arson shall produce the death or maiming of any person, the punishment shall be death."

Sec. 26-2211—Fourth degree arson; attempt to burn buildings or other property: "If the arson shall produce the death or maiming of any person, the punishment shall be death."

Sec. 26-2301—Destroying or injuring house with explosive substance resulting in death of human being: "and said act shall cause the death of a human being, such person so offending shall be punished by death."

Sec. 26-2302—House within a city or town: "shall be punished with death."

Sec. 26-2303—House not within a city: "shall be punished with death."

Sec. 26-4007—False witness causing death: "shall be punished with death or life imprisonment."

Sec. 26-5203—Fighting duel: "shall be guilty of murder and suffer the punishment of death."

Sec. 26-5401—Mob violence: "and should death result from such mob violence, the person causing said death shall be subject to indictment and trial for the offence of murder."

Sec. 26-7310—Offenses against public safety—murder if death ensues: "If death ensues to any person from the acts mentioned in the preceding section, the offender shall be guilty of murder."

Sec. 26-7314—Punishment for destroying, etc., railroad when death ensues: "the offender shall be guilty of murder and punished accordingly."

Sec. 26-7320—Possession or control of poisonous snake or reptile in manner endangering health or safety of person—punishment: "In event, however, that death is caused to a person on account of the violations of Sec. 26-7318, 26-7319 by some other person, the prisoner shall be sentenced to death, unless the jury trying the case should recommend mercy."

Sec. 26-2502—Robbery by force or by use of an offensive weapon: "shall be punished by death, unless the jury recommends mercy, in which event punishment shall be imprisonment for life."

HAWAII

No capital punishment.

IDAHO

Idaho Code

18-4004. Punishment for murder: "Every person guilty of murder in the first degree shall suffer death or be punished by imprisonment in the State prison for life, and the jury may decide which punishment shall be inflicted."

18-4504. First degree of kidnapping for ransom: "Every person guilty of kidnapping in the first degree shall suffer death or be punished by imprisonment in the State prison for life, and the jury may decide which punishment may be inflicted."

18-5411. Perjury resulting in execution of innocent person: "Every person who, by wilful perjury or subornation of perjury procures the conviction and execution of any innocent person, is punishable by death."

ILLINOIS

Illinois Revised Statutes, 1961

38 § 9-1 Murder: "A person convicted of murder shall be punished by death or imprisonment in the penitentiary for any indeterminate term with a minimum of not less than 14 years."

38 § 30-1 Treason: "A person convicted of treason shall be punished by death or imprisonment in the penitentiary for any indeterminate term with a minimum of not less than 14 years."

38 § 10-1 Kidnaping: "A person convicted of aggravated kidnaping for ransom shall be punished by death or imprisonment in the penitentiary for any indeterminate term with a minimum of not less than one year."

INDIANA

Burns Indiana Statutes

§ 10-307. Arson: Should the life of any person or persons be lost by reason of * * * the person or persons guilty of such violation shall be deemed guilty of murder in the first degree and, upon conviction thereof, shall suffer death or be imprisoned in the State prison during life.

§ 10-2903. Kidnaping for ransom: "and on conviction shall suffer death, or be imprisoned in the State prison during life."

§ 10-3401. Murder—First Degree: "is guilty of murder in the first degree, and on conviction shall suffer death or be imprisoned in the State prison during life."

§ 10-3402. Murder by duel: "and in doing inflicts a wound upon his antagonist or any other person, whereof the person thus injured shall die, is guilty of murder in the first degrees, and conviction, shall suffer death or be imprisoned in the State prison during life."

§ 10-3403. Murder by duel— Outside State: "is guilty of murder in the first degree, and, on conviction, shall suffer death or be imprisoned in the State prison during life."

§ 10-4401. Treason: "and, on conviction, shall suffer death or be imprisoned in the State prison during life."

IOWA

Iowa Code Annotated

§ 690.2 First Degree Murder: "is murder in the first degree, and shall be punished with death, or imprisonment for life at hard labor in the penitentiary, as determined by the jury, or by the court if the defendant pleads guilty."

§ 690.5. Fixing punishment in first degree murder: "Upon the trial of an indictment for murder, the jury, if it finds the defendant guilty of murder in the first degree, must direct in its verdict whether the punishment shall be death or imprisonment for life at hard labor in the penitentiary but if the defendant pleads guilty the court shall so direct, and in either case must enter judgment and pass sentence accordingly."

§ 697.1. Death caused by high explosives: "and by reason of the explosion thereof any person is killed, he shall be guilty of murder."

§ 706.3. Kidnaping for ransom; "shall be deemed to be guilty of the crime of kidnaping for the purpose of ransom, and upon conviction thereof shall be punished with death or imprisonment for life at hard labor in the penitentiary as determined by the jury, or the court if the defendant pleads guilty."

KANSAS

General Statutes of Kansas

§ 21-201. Treason: Every person who shall be convicted of treason against the state shall suffer death.

§ 21-403. Penalties for murder in the first * * * degrees: Every person convicted of murder in the first degree shall be punished by death, or by confinement and hard labor in the penitentiary of the State of Kansas for life.

§ 21-449. Kidnaping in the first degree: "be deemed guilty of kidnaping in the first degree and be punished by death or by confinement and hard labor in the penitentiary for life."

KENTUCKY

Kentucky Revised Statutes

§ 433.140. Armed robbery or burglary: "and in committing the act uses or displays any pistol, gun or other firearm or deadly weapon shall be punished by confinement in the penitentiary for life, or by death."

§ 433.150. Armed assault with intent to rob: "shall be punished by confinement in the penitentiary for twenty-one years or for life, or by death."

§ 435.010. Murder: Any person who commits willful murder shall be punished by confinement in the penitentiary for life, or by death.

§ 435.030. Homicide occurring in course of criminal syndicalism or sedition: "shall be punished by confinement in the penitentiary for life, or by death."

§ 435.080. Rape of child under twelve: "shall be punished by confinement in the penitentiary for life or by death."

§ 435.090. Rape of female over twelve: "shall be punished by death, or by confinement in the penitentiary for life without privilege of parole."

§ 435.140. Kidnapping: "shall be punished by confinement in the penitentiary for life, or by death."

§ 435.190. Reckless shooting or throwing of missile into train, station, or motor vehicle: "shall be punished by confinement in the penitentiary for life, or by death."

LOUISIANA

Louisiana Revised Statutes

14 § 30. Murder: "whoever commits the crime of murder shall be punished by death."

14 § 42. Aggravated rape: "whoever commits the crime of aggravated rape shall be punished by death."

14 § 44. Aggravated kidnapping: "whoever commits the crime of aggravated kidnapping shall be punished by death."

14 § 113. Treason: "whoever commits the crime of treason shall be punished by death."

MAINE

No capital punishment.

MARYLAND

Annotated Code of Maryland

Art. 27 § 12. Assault with intent to commit rape: "and every person convicted of the crime of an assault with intent to commit a rape shall be guilty of a felony and shall be punished with death, or, in the discretion of the court, he shall be sentenced to confinement in the penitentiary for the period of his natural life."

Art. 27 § 337. Kidnapping: "shall be guilty of a felony and shall be sentenced to death or to the penitentiary for not more than thirty years, in the discretion of the court."

Art. 27 § 413. Penalty for first degree murder: "Every person convicted of murder in the first degree * * * shall suffer death, or undergo a confinement in the penitentiary of the State for the period of their natural life, in the discretion of the court."

Art. 27 § 461. Rape: "shall at the discretion of the court, suffer death, or be sentenced to confinement in the penitentiary for the period of his natural life."

Art. 27 § 462. Carnal knowledge of child under fourteen or of insane, etc.: "every such carnal knowledge shall be deemed felony, and the offender being convicted thereof shall at the discretion of the court suffer death or imprisonment for life in the penitentiary."

MASSACHUSETTS

Massachusetts General Laws Annotated

265 § 2. Punishment for murder: "whoever is guilty of murder in the first degree shall suffer the punishment of death, unless the jury shall by their verdict, and as a part thereof, upon and after consideration of all the evidence, recommend that the sentence of death be not imposed, in which case he shall be punished by imprisonment in the state prison for life. * * * No person shall be eligible for parole * * * while he is serving a life sentence for murder in the first degree."

MICHIGAN

No capital punishment.

MINNESOTA

No capital punishment.

MISSISSIPPI

Mississippi Code

§ 2217. Homicide—the penalty for murder: "every person who shall be convicted of murder shall suffer death, unless the jury rendering the verdict shall fix the punishment at imprisonment in the penitentiary for the life of the convict."

§ 2238. Kidnaping, a capital offense, when: "shall on conviction suffer death or be imprisoned for life in the state penitentiary if the punishment is so fixed by the jury in its verdict."

§ 2358. Rape—carnal knowledge of a female under twelve years of age, or being over twelve, against her will: "shall suffer death, unless the jury shall fix the imprisonment in the penitentiary for life."

§ 2367. Robbery with firearms: "shall be punished by death if the penalty is so fixed by the jury."

§ 2397. Treason—punishment: "if any person shall levy war against this state, or adhere to its enemies, giving them aid and comfort, he shall be guilty of treason, and shall, upon conviction, suffer death; and the jury cannot affix another penalty."

MISSOURI

Vernon's Annotated Missouri Statutes

§ 559.030. Trials for murder, verdict and punishment: "and persons convicted of murder in the first degree shall suffer death, or be punished by imprisonment in the penitentiary during their natural lives."

§ 559.230. Kidnaping for ransom: "shall on conviction, be punished by death or imprisonment in the penitentiary not less than five years, at the option of the court or the jury assessing the punishment."

§ 559.260. Rape, punishment: "shall suffer death, or be punished by imprisonment in the penitentiary for not less than two years, in the discretion of the jury."

§ 560.140. Train robbery—penalty: "shall be guilty of a felony, and on conviction shall be punished by death, or confinement in the penitentiary for a term of not less than ten years."

§ 562.010. Treason, punishment of: "shall upon conviction, suffer death, or be sentenced to imprisonment in the penitentiary for a period of not less than ten years."

§ 564.560. Bombing—penalty: "shall be deemed guilty of bombing, and upon conviction thereof shall suffer death or be imprisoned in the state penitentiary for a term of not less than two years."

MONTANA

Revised Codes of Montana 1947

§ 94-2505 Punishment for murder: Every person guilty of murder in the first degree shall suffer death, or shall in the discretion of the jury, or of the court, if the punishment be left to the court, be imprisoned in the state prison for the term of his natural life.

§ 94-2601. Kidnaping: "shall, on conviction, be punished by death or imprisonment in the penitentiary not less than five years, at the option of the court or the jury assessing the punishment."

§ 94-4501. Treason: "The punishment of treason is death."

NEBRASKA

Revised Statutes [1943]

§ 28-401. Murder in the first degree: "and upon conviction thereof shall suffer death or shall be imprisoned in the penitentiary during life, in the discretion of the jury."

NEVADA

Revised Statutes

§ 196.010. Treason: "Treason is punishable by death."

§ 200.030. Murder: "If the jury shall find the defendant guilty of murder in the first degree, then the jury by its verdict shall fix the penalty at death or imprisonment in the State prison for life with or without possibility of parole."

§ 200.320. Kidnaping in first degree: "shall suffer death or shall be punished by imprisonment in the State prison for life at the discretion of the jury convicting the person so found guilty."

§ 200.360. Rape: "If the offense be accompanied with acts of extreme violence * * * the person guilty thereof shall be punished by imprisonment in the State prison for a term of not less than 20 years, or he shall suffer death, if the jury by their verdict affix the death penalty."

§ 200.380. Robbery: "but if such robbery is committed upon any train traveling upon any railroad within this State, the jury may, in its discretion, impose the penalty of death, or the court, in the event of a plea of guilty, may impose such death penalty."

§ 200.400. Assault with intent to commit a crime: "but if an assault with intent to commit rape be made, and if such crime be accompanied with acts of extreme cruelty * * * the person guilty thereof shall be punished in the State prison for a term of not less than 14 years, or he shall suffer death, if the jury by their verdict affix the death penalty."

§ 200.410. Duel when death ensues: "Offender is guilty of murder in the first degree, and upon conviction thereof shall be punished accordingly."

NEW HAMPSHIRE

Revised Statutes Annotated

§ 585: 4. Penalty (murder): "The punishment of murder in the first degree shall be death or imprisonment for, as the jury may determine, except as provided in section 5."

§ 585: 5. Plea of guilty: "If a person indicted for murder shall plead guilty of murder in the first degree, the court may immediately impose a sentence of imprisonment for life, or may submit to a jury the question of punishment, whether it shall be imprisonment for life or capital punishment."

NEW JERSEY

Annotated Statutes

§ 2A:113-4. Murder; punishment: "Every person convicted of murder in the first degree * * * shall suffer death unless the jury shall, by its verdict, and as a part thereof * * * recommend life imprisonment, in which case this and no greater punishment shall be imposed."

§ 2A:118-1. Kidnaping; demanding ransom: "and upon conviction shall suffer death, unless the jury by their verdict, and as a part thereof, * * * recommends imprisonment for life, in which case this and no greater punishment shall be imposed."

§ 2A:148-1. Treason: "is guilty of treason and shall suffer death."

NEW MEXICO

Annotated Statutes [1953]

§ 40-24-10. Penalty for murder: "Every person convicted of murder in the first degree shall suffer death unless the jury trying said cause shall specify life imprisonment in the penitentiary in lieu of death."

§ 40-25-3. Kidnaping for ransom: "shall upon conviction be punished (1) by death if the verdict of the jury shall so recommend, provided that the death sentence shall not be imposed by the court if, prior to its imposition, the kidnapped person has been liberated unharmed, or (2) if the death penalty shall not apply or be imposed the convicted person shall be punished by imprisonment in the penitentiary for such term of years as the court in its discretion shall determine, which term shall not be less than 5 years."

§ 40-25-4. Conspiracy to kidnap for ransom: "shall be punished in like manner as provided by said section" [reference is to § 40-25-3 above].

§ 40-38-1. Attacking train with intent to murder, rob, or commit any other felony: "on conviction thereof shall be deemed guilty of a felony and shall suffer the punishment of death."

§ 40-38-2. Aiders and abettors considered principals: "on conviction thereof shall be deemed to be principals and shall suffer the punishment therein prescribed" [reference is to § 40-38-1 above].

§ 40-38-11. Tampering with rails, ties, or switches—causing or attempting to cause a wreck: "on conviction thereof, such person or persons shall be deemed guilty of a capital felony, and shall suffer the punishment of death."

§ 40-38-12. Aiders and abettors deemed principals: "and on conviction shall suffer the same penalty as prescribed in said section" [reference is to § 40-38-11 above].

§ 40-38-14. Opening or closing switches—wrecking or attempting to wreck train: "shall be deemed guilty of a capital felony, and on conviction thereof shall suffer the punishment of death."

NEW YORK

Penal Law [McKinney's Consolidated Laws]

§ 1045. Punishment for murder in first degree: "Murder in the first degree is punishable by death, unless the jury recommends life imprisonment as provided by section 1045a."

Under section 1045a the jury may recommend life imprisonment for felony murder.)

§ 1250. Kidnaping defined: "is guilty of kidnaping, which, is a felony and is punishable, if a parent of the person kidnaped, by imprisonment for not more than 10 years and, if a person other than a parent of the person kidnaped, by death: *Provided, however*, that the jury, upon returning a verdict of guilty against a person upon whom the death penalty would otherwise be imposed, may recommend imprisonment of the convicted person, in lieu of death, and upon such recommendation such person shall be punished by imprisonment under an indeterminable sentence * * *. *Provided, further*, That notwithstanding the foregoing provisions of this section with respect to punishment by death, if the kidnaped person be released and returned alive prior to the opening of the trial, the death penalty shall not apply nor be imposed and the convicted person shall be punished by imprisonment in the same manner as though the jury, had recommended imprisonment."

§ 2382. Treason, how punished: "Treason is punishable by death."

NORTH CAROLINA

General Statutes

§ 14-17. Murder: punishment: "shall be deemed to be murder in the first degree and shall be punished by death: provided, if at the time of rendering its verdict in open court, the jury shall so recommend, the punishment shall be imprisonment for life in the State prison, and the court shall so instruct the jury."

§ 14-20. Killing adversary in duel: "If any person fights a duel in consequence of a challenge sent or received, and either of the parties shall be killed, then the survivor, on conviction thereof, shall suffer death."

§ 14-21. Punishment for rape: "Every person who is convicted * * * shall suffer death: provided, if the jury shall so recommend at the time of rendering its verdict in open court, the punishment shall be imprisonment for life in the State's prison, and the court shall so instruct the jury."

§ 14-52. Punishment for burglary: "Any person convicted * * * of the crime of burglary in the first degree shall suffer death: provided if the jury when rendering its verdict in open court shall so recommend, the punishment shall be imprisonment for life in the State's prison, and the court shall so instruct the jury."

§ 14-58. Punishment for arson: "Any person convicted * * * of arson shall suffer death: provided, if the jury shall so recommend, at the time of rendering its verdict in open court, the punishment shall be imprisonment for life in the State's prison, and the court shall so instruct the jury."

NORTH DAKOTA

This State does not impose capital punishment.

OHIO

Revised Code Annotated

§ 2901.01. Murder in the first degree: "whoever violates this section is guilty of murder in the first degree and shall be punished by death unless the jury trying the accused recommends mercy, in which case the punishment shall be imprisonment for life."

§ 2901.02. Murder by obstructing or injuring a railroad: "whoever violates this section is guilty of murder in the first degree and shall be punished by death unless the jury trying the accused recommends mercy, in which case the punishment shall be imprisonment for life."

§ 2901.03. Killing a guard: The text of the pertinent language here is the same as in the section immediately above.

§ 2901.04. Taking life of a police officer: The statement under the preceding section applies here.

§ 2901.09. Taking life of the president, or a person in line of succession of the presidency: "whoever violates this section shall be punished by death if such attempt results in the death of the person upon whom it is made."

§ 2901.10. Taking life of governor or lieutenant governor: The text of the pertinent statement here is the same as in the section immediately above.

§ 2901.27. Abducting person for purposes of extortion: "whoever violates this section shall be punished by death unless the jury trying the accused recommends mercy, in which case the punishment shall be imprisonment for life." If the person abducted is liberated unharmed prior to the commencement of trial, the person so convicted shall be imprisoned not less than 20 years.

§ 2901.28. Abduction resulting in death: "Whoever violates this section is guilty of murder in the first degree, and shall be punished by death, unless the jury trying the accused recommends mercy, in which case the punishment shall be imprisonment for life."

OKLAHOMA

Annotated Statutes

Title 21, § 707. Punishment of murder—discretion of jury—verdict—plea of guilty: "Every person convicted of murder shall suffer death, or imprisonment at hard labor in the State penitentiary for life, at the discretion of the jury. Upon trial of an indictment for murder, the jury, if they find the defendant guilty, must designate in their verdict whether he shall be punished by death or imprisonment for life at hard labor, and the judgment of the court shall be in accordance therewith. But upon a plea of guilty the court shall determine the same."

Title 21, § 745. Kidnaping for purpose of extortion, etc.: "shall be guilty of a felony, and upon conviction shall suffer death or imprisonment in the penitentiary, not less than 10 years."

Title 21, § 1115. Punishment for rape in first degree: "is punishable by death or imprisonment in the penitentiary, not less than 15 years, in the discretion of the jury, or in the case the jury fail or refuse to fix the punishment then the same shall be pronounced by the court."

OREGON

Revised Statutes

§ 162.030. Punishment for treason: "The penalty for treason is death, except when the trial jury in its verdict recommends life imprisonment, in which case the penalty shall be life imprisonment."

§ 163.010. First degree murder: "(3) Every person convicted of murder in the first degree shall be punished with death, except when the trial jury in its verdict recommends life imprisonment, in which case the penalty shall be life imprisonment."

PENNSYLVANIA

Statutes Annotated

Title 18, § 4701. Murder: "whoever is convicted of the crime of murder in the first degree is guilty of a felony and shall be sentenced to suffer death in the manner provided by law, or to undergo imprisonment for life, at the discretion of the jury trying the case, which shall fix the penalty by its verdict. The court shall impose the sentence so fixed, as in either case. On cases of pleas of guilty, the court, where it determines the crime to be murder of the first degree, shall, at its discretion, impose sentence of death or imprisonment for life."

RHODE ISLAND

Capital punishment is not imposed.

SOUTH CAROLINA

Code 1952

§ 16-52. Punishment for murder: "Whoever is guilty of murder shall suffer the punishment of death: *Provided, however*, That in any case in which the prisoner is found guilty of murder the jury may find a special verdict recommending him to the mercy of the court, whereupon the punishment shall be reduced to imprisonment in the penitentiary with hard labor during the whole lifetime of the prisoner."

§ 16-53. Killing by poison: "shall suffer death as in either cases of wilful murder."

§ 16-54. Killing by stabbing, etc.: "and being thereof convicted, shall suffer death as in the case of wilful murder."

§ 16-57. Lynching in the first degree: "any person found guilty of lynching in the first degree shall suffer death unless the jury shall recommend the defendants to the mercy of the court, in which event the defendant shall be confined at hard labor in the State penitentiary for a term not exceeding 40 years nor less than 5 years at the discretion of the presiding judge."

§ 16-23. Killing in a duel: "* * * being thereof convicted, shall suffer death, as in the case of wilful murder."

§ 16-72. Punishment for rape or assault with intent to ravish: "* * * shall suffer death unless the jury shall recommend him to the mercy of the court in which event he shall be confined at hard labor in the State penitentiary for a term not exceeding 40 years nor less than 5 years, at the discretion of the presiding judge."

§ 16-91. Kidnaping, etc.: "and, upon conviction, shall suffer the punishment that when any such person is found guilty of such felony the jury may find a special verdict recommending him or her to the mercy of the court, whereupon the punishment shall be reduced to imprisonment in the penitentiary with hard labor during the whole lifetime of the convicted person."

§ 16-92. Conspiracy to kidnap: "and, upon conviction, shall be punished in like manner as provided for the violation of § 16-91."

SOUTH DAKOTA

Code (1939)

§ 13.2012. Punishment for murder: "Every person convicted of murder shall be sentenced to death or to hard labor in the State Penitentiary, for life. Upon the trial of an indictment or information for murder, and in the event the accused is found guilty of murder as charged in the indictment or information, the trial judge may, upon receiving and filing the verdict of the jury, require the jury again to retire to their jury room, and the court may, thereupon, with or without further instructions, submit to said jury a supplementary verdict in the following form:

"We, the Jury, impaneled in the above entitled cause, having by our verdict found the defendant guilty of murder, do recommend that the defendant be sentenced to." Judgment of death shall not be pronounced by the court upon any defendant in case of trial and conviction of murder, under section, unless said jurors unanimously recommend the imposition of said death sentence; and notwithstanding such recommendation by the jury, the court may nevertheless pronounce judgment of life sentence. (Supp. 1960.)

§ 13.2701. Kidnaping: "shall be guilty of kidnaping and shall be punished:

"(a) By death, if the kidnaped person has not been liberated unharmed, and if the verdict of the jury shall direct that sentence of death be pronounced, or

"(b) By imprisonment in the State Penitentiary for any term of years or for life, if the death penalty is not imposed."

§ 13.2701-1. Supplemental verdict. [The text of the pertinent provision here concerning a supplemental verdict in connection with kidnaping is the same as that quoted above for murder.] (Supp. 1960.)

TENNESSEE

Code Annotated

§ 39-2405. Punishment for murder in the first degree: "Every person convicted of murder in the first degree, or as accessory before the fact to such crime, shall suffer death by electrocution, or be imprisoned for life or over 20 years, as the jury may determine."

§ 39-2406. Jury to fix punishment for murder in the first degree: "it shall be the duty of the jury convicting him in their verdict to fix his punishment, which punishment shall be death in the mode prescribed by law for the infliction of the death penalty in capital cases, or the jury may if they are of opinion that there are mitigating circumstances at imprisonment in the penitentiary for life, or for some period over 20 years."

§ 39-2603. Kidnapping for ransom: "and upon conviction shall suffer death in the electric chair, or be confined in the state penitentiary for such term of years not less than 20 years, which the jury may fix as the punishment therefor."

§ 39-3702. Punishment for rape: "whoever is convicted of the rape of any female shall suffer death by electrocution; provided, the jury before whom the offender is tried and convicted, may, if they think proper, commute the punishment for the offense to imprisonment in the penitentiary for life, or for a period of not less than 10 years."

TEXAS

Penal Code (Vernon's)

ART. 84. Punishment for treason: "If any citizen of this State shall be guilty of treason, he shall suffer death or imprisonment in the penitentiary for life."

ART. 1189. Penalty for rape: "A person guilty of rape shall be punished by death or by confinement in the penitentiary for life, or for any term of years not less than five."

ART. 1257. Punishment for murder. "The punishment for murder shall be death or confinement in the penitentiary for life or for any term of years not less than two."

UTAH

Utah Code

§ 76-7-12. Convicts serving life sentence: "who with malice aforethought, commits an assault upon any other convict, or upon the warden or any guard or upon any other person whomsoever, with a deadly weapon or instrument of any kind, or by means of force, or by administering any poisonous or deleterious substance which will likely produce great bodily injury, is punishable by death."

§ 76-16-2. Duel, death resulting from: "Every person guilty of fighting any duel, from which death ensues within a year and a day, is guilty of murder in the first degree."

§ 76-30-4. Penalty for murder: "Every person guilty of murder in the first degree shall suffer death, or, upon the recommendation of the jury, may be emprisoned at hard labor in the state prison for life, in the discretion of the court."

§ 76-35-1. Kidnaping: "every person guilty of kidnaping in the first degree shall suffer death or upon recommendation of the jury, may be imprisoned at hard labor in the state prison for life in the discretion of the court."

VERMONT

Vermont Statutes Annotated

§ 501. Arson causing death: "shall be guilty of murder in the first degree."

§ 2023. Murder: "The punishment of murder in the first degree shall be death or imprisonment in the state prison for life as the jury shall determine. For an unrelated second offense the punishment shall be death."

§ 2306. False testimony with intent to cause death: "shall be guilty of murder in the first degree."

§ 2403. Kidnaping with intent to extort money: "shall suffer the punishment of death or be imprisoned in the state prison for life."

§ 3401. Treason: "and shall suffer the punishment of death."

VIRGINIA

Code 1950

§ 18.1-16. Attempts to commit capital offenses; how punished: "except that attempts to commit rape, other than rape not punishable with death, or, in the discretion of the Jury or the Court trying the case without a Jury, by confinement in the penitentiary for life or for any term not less than 3 years."

§ 18.1-22. First-degree murder; how punished: "Murder of the first degree shall be punished with death, or by confinement in the penitentiary for life, or for any term not less than 20 years."

§ 18.1-38. Abduction with intent to extort money or of female for immoral purposes: "shall be punished with death, or by confinement in the penitentiary for life or any term not less than 3 years."

§ 18.1-44. Rape; Carnal knowledge of a child under 16 years of age, or a lunatic, etc "he shall, in the discretion of the court or Jury, be punished with death, or confinement in the penitentiary for life, or for any term not less than 5 years."

§ 18.1-91. Robbery accompanied by violence; how punished: "he shall be confined in the penitentiary for life, or be punished by death, or for any term not less than 5 years."

§ 18.1-418. Treason defined; how proved and punished: "Such treason, if proved by the testimony of two witnesses to the same overt act, or by confession in court, shall be punished with death."

WASHINGTON

Revised Code of Washington

§ 9.48.030. Murder—First degree—Death penalty up to jury: "murder in the first degree shall be punishable by imprisonment in the State penitentiary for life, unless the jury shall find that the punishment shall be death."

§ 9.52.010. Kidnaping, first * * * degree: "and in every trial for kidnaping in the first degree, the jury shall, if it find the defendant guilty, also find a special verdict as to whether or not the death penalty shall be inflicted; and if such special verdict is in the affirmative, the penalty shall be death."

§ 9.82.010. Treason: "treason is punishable by death."

WEST VIRGINIA

West Virginia Code

§ 5909. Treason—Punishment: "Whoever is guilty of treason against the State shall be punished with death, or, at the discretion of the jury, by confinement in the penitentiary not less than three nor more than 10 years."

§ 5917. Penalty of murder in first degree: "shall be punished with death."

§ 5929(1). Kidnaping for ransom: "he shall be guilty of a felony, and, upon conviction, shall be punished with death; * * * that the jury may, in their discretion, find that he be punished by confinement in the penitentiary, and if the jury so find, he shall be punished by confinement in the penitentiary during his life."

§ 5930. Rape: "he shall be guilty of a felony, and upon conviction, shall be punished with death or with confinement in the penitentiary for life, in the discretion of the court, or, if the jury add to its verdict a recommendation for mercy with confinement in the penitentiary for not less than five nor more than 20 years."

WISCONSIN

No capital punishment.

WYOMING

Wyoming Statutes

§ 6-54. Murder in the first degree: "is guilty of murder in the first degree and shall suffer death, but the Jury may qualify their verdict by adding thereto, "without capital punishment" and whenever the jury shall return a verdict qualified aforesaid, the person convicted shall be sentenced to imprisonment, at hard labor for life."

§ 6-59. Kidnaping for ransom or robbery: "shall, upon conviction, be punished by death if the verdict of the jury so recommend."

§ 6-61. Child stealing or harboring: "shall upon conviction thereof, suffer death, but the jury may qualify their verdict by adding thereto, "without capital punishment" and whenever the jury shall return a verdict qualified as aforesaid, the person convicted shall be sentenced to imprisonment in the penitentiary for any term not less than 1 year, or during life."

Mr. MORSE. Mr. President, one such item is a telegram I received from Debby Katz, of Los Angeles, which reads:

Urge amendment to H.R. 5143. Capital punishment is a barbaric practice.

Many communications show very strong belief on the part of many people on moral grounds. This is the case of a telegram which I received from a group in Wisconsin:

MADISON, WIS., *February 23, 1962*

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.:

Hope you will work for abolition of death penalty in District of Columbia. We believe long experience of our State in administration of criminal law is fully favorable to its abolition in our National Capital.

RAY A. BROWN,
GORDON B. BALDWIN,
JOHN A. C. HETHERINGTON,
LAWRENCE M. FRIEDMAN,
JAMES B. MACDONALD,
SAMUEL MERMIN,
WILLIAM G. RICE,
GEORGE H. YOUNG.

I also received a letter from a former professor of mine, which brought back many fond memories. He is a very distinguished member of the bar and a very distinguished law professor. I refer to William G. Rice, professor of law at the University of Wisconsin Law School. He writes as follows:

UNIVERSITY OF WISCONSIN LAW SCHOOL,
Madison, Wis., February 27, 1962.

Hon. WAYNE MORSE,
U.S. Senate, Senate Office Building,
Washington, D.C.

DEAR WAYNE: I wired you Friday on behalf of several of my fellow members of the university law faculty as follows:

"Hope you will work for abolition of death penalty in the District of Columbia. We believe long experience in our State in administration of criminal law is wholly favorable to its abolition in our National Capital."

Since sending the message, several more have requested to be included. The augmented list of signatures is now as follows: Gordon B. Baldwin, Jacob H. Beuscher, Abner Brodie, Ray A. Brown—

Ray Brown was my teacher in equity. I had not heard from him in years until a received this letter—

August G. Eckhardt, Lawrence M. Friedman, Orrin L. Helstad, John A. C. Hetherington, William A. Klein, James B. MacDonald, Samuel Mermin, William G. Rice, John C. Stedman, George H. Young.

I understand that others individually are writing to their Senators. I have found no one teaching here who is opposed to a move away from the mandatory infliction of death for crime.

Sincerely yours,

WILLIAM G. RICE,
Professor of Law.

P.S.—Best regards. Hope you can get your amendment adopted.

BILL.

I am satisfied that no one can successfully contradict me when I say that if the Senate will take the time and let the experts in criminal law and the authorities on criminology and penology make their views known to the Senate before it votes on the bill, my position will be overwhelmingly sustained.

Of course, here or there there will be one who does not agree, but I am talking about what the experts in the fields of criminal law administration and criminology and penology believe in regard to this subject matter.

That is why I have urged the Senate not to take hasty action on the bill. We know the attitude in the Senate. Why delude ourselves? District of Columbia bills do not receive the careful and thorough attention that other legislation gets. We know all the reasons for that. Very often a District of Columbia bill receives pretty short shrift in the Senate. That is what I have been up against parliamentarily in regard to this subject. In the desire to push the bill through, we do not even have the printed hearings. That is not the way to pass legislation. I do not care whether it involves the District of Columbia or any other subject matter or jurisdiction. When we have a bill before us which involves a major question of public policy, we had better have a record, because I say most respectfully to my colleagues in the Senate: "You will hear about this bill when you go home. You will be asked by many, 'How did you vote on the District of Columbia capital punishment bill? What consideration did you give at least to the alternative proposals offered by the Senator from Oregon?' You cannot escape it."

I give due notice that I am raising for the Senate a policy question that is of vital concern to a large number of people in this country, and of great concern to such experts and authorities as are represented by the telegram and letter which I received from the law faculty of the University of Wisconsin Law School.

I wish to put into the RECORD at this point a list of the States which have retained capital punishment, but also have provided that persons sentenced to life imprisonment for one or more crimes shall not be eligible for parole. To listen to some of my opponents, one would think that the Senator from Oregon has pulled this proposal out of the air. The following States provide some other punishments in capital cases—in some instances capital punishment; in some instances, no capital punishment; but even where capital punishment is provided, in some instances they also provide that a mandatory sentence of life imprisonment can be imposed:

Georgia, Hawaii, Iowa, Kentucky, Louisiana, Massachusetts, Michigan, Minnesota, Missouri, Nevada, Ohio.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

STATES WHICH HAVE STATUTORY PROVISIONS SPECIFICALLY PROVIDING THAT PERSONS SENTENCED TO LIFE IMPRISONMENT FOR ONE OR MORE CRIMES SHALL NOT BE ELIGIBLE FOR PAROLE[1]

Georgia: Code of Georgia, section 77-503.

Hawaii: Revised Laws of Hawaii, section 291-5.

Iowa: Iowa Code Annotated, section 247.5.

Kentucky: Kentucky Revised Statutes, section 435.090.

Louisiana: Louisiana Revised Statutes, section 574.3.

Massachusetts: Massachusetts General Laws Annotated, section 26532.

Michigan: Michigan Statutes Annotated, section 28.2304.

Minnesota: Minnesota Statutes Annotated, section 637.06.

Missouri: Vernon's Annotated Missouri Statutes, section 549.080.

Nevada: Nevada Revised Statutes, section 200.030(4).

Ohio: Ohio Revised Code, section 2965.23.

Mr. MORSE. Mr. President, the principle I am urging in my first alternative amendment, which provides for a continuation of capital punishment, but not mandatory capital punishment, and provides for mandatory life imprisonment without parole, is applied in some jurisdictions, some of which are among our strongest.

Furthermore, do not forget that in some States capital punishment has been abolished entirely.

Mr. President, I ask unanimous consent, without taking the time to read it, to have printed at this point in the RECORD a brief statement I have prepared concerning my first amendment, the one which would abolish capital punishment.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR MORSE

The amendment to S. 1380 provides that in all first degree murder convictions, the punishment shall be for life imprisonment with no eligibility for parole.

It also provides that any person who prior to enactment of the amendment was convicted of murder in the first degree in the District of Columbia and sentenced to death, and who is awaiting execution of the death sentence shall be resentenced to life imprisonment without eligibility for parole.

The amendment also makes a change in punishment in cases of rape.

Under existing law the jury may add to its verdict if it be guilty, the words "with the death penalty," and in such case the punishment shall be death by electrocution. Otherwise the maximum sentence in rape convictions is not more than 30 years. In those cases where the jury cannot agree as to punishment, the verdict of guilty shall be received and the court shall sentence to no more than 30 years.

My amendment authorizes the jury in rape cases to add to the verdict, if guilty, the words "with life imprisonment" in which case the punishment shall be in accordance. Otherwise, the maximum sentence in rape convictions shall not be more than 30 years.

If the jury cannot agree as to punishment then the punishment imposed shall be for not more than 30 years.

Any person sentenced to life imprisonment shall not be eligible for parole.

It is also provided that any person who prior to enactment of this amendment was convicted of rape and sentenced to death shall be resentenced to life imprisonment without eligibility for parole.

Mr. MORSE. Mr. President, I ask unanimous consent to have printed at this point in the RECORD, for future reference, if there should be a need to use it, in case a constitutional discussion of the law of pardon should arise, a brief summary, which has been prepared for me, with respect to the pardoning power of the President. The brief was prepared by the Legislative Reference Service of the Library of Congress.

There being no objection, the brief was ordered to be printed in the RECORD, as follows:

THE LIBRARY OF CONGRESS,
Washington, D.C., February 19, 1962.

To: Senate District Committee (Attention Mr. Judd).

From: American Law Division.

Subject: Outline for statement concerning the pardoning power of the President.

Pursuant to your request, the following outline is submitted. It must be emphasized, however, that in the time available for preparation of this material we have not been able to make a thorough investigation of the application of the pardon clause in the District of Columbia.

I. Article II, section 2, clause 1 of the Constitution vests in the President the "power to grant reprieves and pardons for offenses against the United States, except in cases of impeachment."

II. This power of the President is not subject to legislative control.

In the leading case of Ex Parte Garland, 4 Wall. 333, 380 (1866) the Supreme Court held that "Congress can neither limit the effect of his pardon, nor exclude from the exercise any class of offenders."

This decision was followed in the recent case of *Yelvington* v. *Presidential Pardon and Parole Attorneys* 211 F. 2d 642 (1954).

III. In determining whether the President has a constitutionally illimitable power to pardon violations of Acts of Congress applicable only in the District of Columbia, the critical question is whether such violations constitute "offenses against the United States" within the meaning of the pardon clause.

IV. It has been held that violations of an Act of Congress applicable only in the District of Columbia are "offenses against the United States", within the meaning of particular statutes. *Benson* v. *Henkel*, 198 U.S. 1, 14 (1905); *Beard* v. *Bennett*, 114 F. 2d 578 (1940).

V. The Supreme Court has said that Congress "is not a local legislature, but exercises this particuar power [over the District of Columbia] like all its other powers, in its high character as the legislature of the Union." *Cohens* v. *Virginia*, 6 Wheat. 264, 428 (1821).

VI. From the foregoing, it may be argued that the violation of any act of Congress is an offense against the United States within the meaning of the pardon clause, even if the act is local in operation. Whether this is true, or whether it rests in the discretion of Congress to determine whether such a violation is an offense against the United States appears not to have been definitively adjudicated.

MARY LOUISE RAMSEY,
Legislative Attorney.

[1] Such State statutes vary from State to State. Some jurisdictions limit such parole powers to one or more individual crimes while others may deny parole boards the power to grant paroles to all persons sentenced to life imprisonment.

Mr. MORSE. Mr. President, I asked the Library of Congress to furnish me with a list of States which provide that persons found guilty of certain offenses shall be punished by life imprisonment without the possibility of parole. I ask unanimous consent that the list be printed at this point in the RECORD.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

LIST OF STATES WHICH PROVIDE THAT PERSONS FOUND GUILTY SHALL BE PUNISHED BY DEATH OR BY LIFE IMPRISONMENT WITHOUT POSSIBILITY OF PAROLE FOR CERTAIN CRIMINAL OFFENSES

ARIZONA

Arizona Revised Statutes

SEC. 13-492. Kidnapping for extortion, robbery, ransom, rape, sodomy, lewd, or lascivious acts: If the person suffers serious bodily harm the person found guilty shall be punished by death or by life imprisonment without possibility of parole, whichever the jury recommends.

CALIFORNIA

West's Annotated California Codes

SEC. 219. Train wrecking; punishment: * * * is guilty of a felony and punishable with death or imprisonment in the State prison for life, without possibility of parole, at the option of the jury trying the case, in cases where no person suffers bodily harm; and shall be punished with death in cases where any person suffers bodily harm.

KENTUCKY

Kentucky Revised Statutes

SEC. 435.090. Rape of female over twelve: * * * shall be punished by death, or by confinement in the penitentiary for life without privilege of parole.

MASSACHUSETTS

Massachusetts General Laws Annotated

265. SEC. 2. Punishment for murder: * * * whoever is guilty of murder in the first degree shall suffer the punishment of death, unless the jury shall by their verdict, and as a part thereof, upon and after consideration of all the evidence, recommend that the sentence of death be not imposed, in which case he shall be punished by imprisonment in the State prison for life. No person shall be eligible for parole while he is serving a life sentence for murder in the first degree.

NEVADA[1]

Revised Statutes

SEC. 200.030. Murder. If the jury shall find the defendant guilty of murder in the first degree, then the jury by its verdict shall fix the penalty at death or imprisonment in the State prison for life with or without possibility of parole.

Mr. MORSE. Mr. President, I have taken this time deliberately because over the years I have found that it is a part of the educational process. One never knows when the placing in the RECORD of material which a Senator really needs may serve a good purpose; but I also have placed the information in the RECORD to enable Senators to use it if they wish to do so, so that they will not be in the position of saying: "I did not know what the trend in this field was among the penologists, criminologists, and other experts in the field of criminal law."

[1] The Nevada statute gives the jury three alternatives: First, fix the penalty at death; second, fix the penalty at imprisonment for life with possibility of parole; third, fix the penalty at life imprisonment without possibility of parole.

I have taken these few minutes to say to the Senate that on the basis of my experience in this field, I feel that the trend is against the bill. On the basis of my knowledge of this subject, the bill needs to be modified. The bill will not do the job that needs to be done in this field. The bill should go back to committee for 2 weeks.

I am not indulging in a dilatory tactic. If I wanted to engage in a dilatory tactic, I would not have accepted the unanimous-consent agreement I proposed the unanimous-consent agreement, as the majority leader will tell the Senate.

If the Senate will send the bill back to committee, I shall propose to bring in experts to testify and that the committee be required to hold the hearing and to report back in 2 weeks. I am doing my very best to try to prevent the Senate from making what I think would be a grievous mistake if it should pass the bill, until at least it made a better record than the Senate has made on the bill to date at the hearing level. That is the burden of my argument. I hope the Senate will give heed to it.

Mr. McGEE. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. McGEE. Speaking in my own behalf, I commend the Senator from Oregon for the contribution he has made on this extremely emotion-wrought question across the country. I hope Senators will avail themselves of the rich materials which the Senator from Oregon has made available to them in his remarks this afternoon.

It occurred to me, as the Senator from Oregon was speaking to the question of capital punishment, that this is the kind of subject which it would be convenient to dump in an election year, because in terms of its specific application to the District of Columbia, there is not a numerous Oregon constituency here. Yet the Senator from Oregon has demonstrated his great capacity to tackle these questions directly and without delay, on the question of right and wrong and the question of priorities. I wish to pay tribute to him on that count.

Mr. MORSE. I thank the Senator from Wyoming. I appreciate his remarks very much, because he does not know the Oregon background of this subject.

In 1914, the people of Oregon, by initiative, abolished capital punishment. Some years later a series of heinous crimes was committed. A high state of public concern was aroused, and capital punishment was reestablished. When the people abolished capital punishment, the vote for the abolishment was 100,552; the vote for the retention of capital punishment was 100,395. That gives a pretty good idea of how close the vote was in my State. In other words, when capital punishment was abolished in Oregon, it was abolished by the slight margin of 157 votes.

Within a few years a series of murders was committed, and capital punishment was reestablished. The argument was that the abolition of capital punishment had not stopped murders. Of course, it will not stop murders. But the interesting thing is that the statistical studies in the field of crime show, concerning the relationship of capital punishment to murders and to the absence of murders, that murders are caused almost invariably by other factors.

The latest attempt in my State on the question of abolishing capital punishishment was in 1958. The "no" vote was 276,487; the "yes" vote was 264,434.

So I assure the Senator from Wyoming that if I wanted to be politic about the question, I would simply keep my mouth shut. But I have a duty as a legislator, when an issue such as this comes before me, to speak out on what I think the truth is and the merits are. I think that the merits do not support the bill. I think we could make this a good bill.

Some able lawyers and others will be found in this field who do not share my view that parole should be denied in any case. I think they are very much mistaken. But they are persons of great ability. One of the most outstanding ones is Mr. Arthur J. Freund, of St. Louis, who finds himself in agreement with me concerning the abolishment of capital punishment, but in disagreement with me on denying parole.

Mr. President, I ask unanimous consent that Mr. Freund's letter be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

ST. LOUIS, MO., *February 22, 1962*.

Hon. WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR WAYNE: I have read in the CONGRESSIONAL RECORD of February 15, your moving Senate address on capital punishment. As a lawyer with a background of experience as a police commissioner of St. Louis and as a chairman of the section of criminal law of the American Bar Association, I am in complete agreement with your views except in one particular. I cannot concur with your view that where an accused is found guilty of a capital offense and sentenced to life imprisonment, that he shall thereafter be denied the possibility of parole.

Perhaps it is necessary as a tactical step in achieving the essential reform you seek to attach this proviso and I would certainly agree with your position if that is the best you can obtain at this time. I agree with you that Congress cannot restrict the constitutional powers of the President with respect to pardons and perhaps that may also be true with respect to his powers of commutation of sentence. However, I feel very strongly that the established procedure of parole should be maintained in all cases where the defendant is sentenced for a term of years or for life.

A letter such as this cannot consume either the time or take the space for a full discussion on the demerits of mandatory capital punishment such as now exists in the District. Suffice it to say, in my judgment, the present penal code of the District with respect to the mandatory death sentence disgraces our civilized Government.

There is one further observation I have: I do not think the death sentence should be adjudged in any case without the verdict of a jury and the concurrence of the judge. I think this should be so even where there is a plea of guilty.

With all good wishes.

Sincerely,

ARTHUR J. FREUND.

Mr. MORSE. Mr. President, my answer to Mr. Freund is that I think the sentence ought to be in the alterna-

tive. If the verdict of the jury is life imprisonment and no parole, that is that. If the jury does not say that, and the judge wishes to impose a sentence of life imprisonment with the possibility of parole, because he believes there may be some circumstances which would justify parole—I do not know what they might be—he should have that discretion.

I point out to the Senator from Wyoming that if we do not provide for life imprisonment without parole, the prosecution should be for second-degree murder. But if it is a case of first-degree murder, I take the position that that is the case of a person who ought to be put away; he should not be killed. That is where my religious faith comes into play. I think such a person should be imprisoned, and should be kept in prison, and should not be paroled. But I recognize that sincere men can differ. So on March 12 I shall offer these three alternatives, any one of which is preferable to the committee's version of the bill.

Mr. President, I yield the floor.

POLICING OF SPEECHES

Mr. McGEE. Mr. President, I ask unanimous consent to have printed in the RECORD an editorial entitled "On Policing Speeches," which was published on yesterday, February 28, in the Washington Evening Star. The editorial approves—and makes strong, laudatory comments on them—remarks made by Under Secretary of State George Ball on the question of policing speeches so that the Nation may speak with one voice at any official function or in any official capacity.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

ON POLICING SPEECHES

In an age as perilous as this, the Government of the United States can ill afford to address the world with conflicting voices emanating from places of authority. That is why efforts have been made for years past—in the White House, the State Department, the Pentagon and elsewhere—to see to it that important official speeches do not seem to war with each other, or raise the hobgoblin of serious inconsistency, on matters of high policy.

Perhaps the best explanation of these efforts has just been presented by Under Secretary of State George Ball to the Senate Armed Services Committee investigating charges that prominent American officials—particularly military leaders—have been subjected to muzzling in the form of deletions and alterations made in the text of their public addresses on the menace of communism. This muzzling, according to its critics, has amounted to unjustifiable censorship and reflects the no-win policy allegedly being pursued by the Kennedy administration in dealing with the threat of Red subversion and aggression.

Such criticism has been met head-on by Mr. Ball in his statement to the committee. Observing that the conduct of foreign affairs today "is an intricate, subtle, changing and always uncertain task," he has reminded everybody that when outstanding American officials deliver significant speeches, they are listened to by four different audiences—our home front, the allied world, the "neutralist" nations and the Communists behind the Iron Curtain. Accordingly, because of the effect that these addresses can have on foreign lands, both friendly and unfriendly, the State Department has the responsibility of reviewing them lest they inadvertently run counter to basic policy, complicate delicate negotiations or enable the propagandists of Moscow and Peiping to tear sentences out of context and distort them to spread the "pernicious myth" that our country is run by a clique of bloodthirsty warmongers.

Of course, there undoubtedly have been more than a few instances in which the reviewing process has resulted in deletions and alterations that have amounted to foolish censorship. Even so, Mr. Ball has made out a persuasive case for what the State Department, in concert with other Federal agencies, has long been trying to do to prevent serious overseas misunderstandings as regards American policy—misunderstandings often based on an extravagant sentence here or there in some speech lending itself to poisonous Red misrepresentation.

Clearly, as Mr. Ball has argued, the review program thus is needed to protect the best interests of the United States. Certainly, despite the mistakes that have marred it, it is a program that makes sense, and it cannot reasonably be cited as evidence that our country is following—which it obviously is not—a no-win policy in the cold war.

FIRST ANNIVERSARY OF THE PEACE CORPS

Mr. McGEE. Mr. President, I ask unanimous consent to have printed in the RECORD an editorial entitled "Lively Youngster," which was published on yesterday in the Washington Post. The editorial applauds the Peace Corps on its first anniversary.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

LIVELY YOUNGSTER

The Peace Corps is 1 year old this week and is entitled to light its candle with a jaunty flourish. When it was born, skeptics were quick to say "It's a good idea, but—." Now it can be asserted that it is a good idea, period. As President Kennedy noted in his letter to Congress, the best proof of the Corps success is that every one of the 12 countries in which volunteers are now at work has requested additional recruits.

Considering the speed with which the Peace Corps was assembled, it is not surprising that an occasional misstep occurred. What is amazing is that the adverse incidents have been so few—indeed, only the famous affair of the post card is worth mentioning at all. The impressive point is that by June 30, the Peace Corps will have reached its authorized strength of 2,400 and that the oversea reception of the volunteers has been emphatically favorable.

Mr. Kennedy is asking Congress to increase the authorization for the Corps from $40 million to $63.7 million to permit a growth to 6,700 volunteers. Surely this request should find a sympathetic response. Not the least of the Peace Corps contribution, as Mr. Kennedy suggests, is that it is creating a pool of future Foreign Service officers who will know what life in a village is like. The Peace Corps is an investment not only in the developing countries; it is an investment in our own youth. Like Colonel Glenn, the youngsters in the Peace Corps serve as tonic for tired blood in an affluent society.

INSIDE THE TWO ALLIANCES

Mr. McGEE. Mr. President, I ask unanimous consent to have printed at this point in the RECORD an article entitled "Inside the Two Alliances." The article was written by Walter Lippmann, and was published today in the Washington Post.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

INSIDE THE TWO ALLIANCES

(By Walter Lippmann)

For the time being the pending negotiations on Berlin, a nuclear test ban, and disarmament are stalled. There is little immediate prospect of a useful result. Almost certainly this is due to the fact that there exists a nuclear stalemate and that within that stalemate neither of the two great alliances has been able to agree within itself on a negotiating position. Both alliances are stalled by their internal conflicts and controversies.

It may well be that Mr. Khrushchev's insistence on meeting Mr. Kennedy face to face derives from the wishful idea that if the two chiefs of the two superpowers could talk to each other, they could make a deal which could submerge the discords in their alliances. Such a deal is, of course, out of the question. For while Mr. Khrushchev might conceivably override his Chinese ally, Mr. Kennedy will not and cannot proceed without the advice and consent of his allies. Mr. Kennedy is in some respects the leader but in no respect is he the master of the Western World.

There must be no illusions about this. It is for us a fixed point of vital interest and of honor. But it follows that we shall be living in a time of pause, when the problems within each alliance will come ahead of the international policy of the alliance. Experienced observers, who watch these things closely, are agreed that hesitation and uncertainty pervade Soviet foreign policy at the moment, and that Moscow does not know how far it dares to go forward toward agreements with the West, and how far it must go back into a rough rivalry.

It may be, as Mr. Alsop has been suggesting, that the Communist world is on the eve of a showdown. In the next few days there will be Communist meetings in Moscow and in Peiping, and there are indeed many signs that they will be concerned with the high policy of the Communist movement.

There is nothing we can do about this internal Communist controversy except to keep our eyes and ears open and our mouths shut. In the meantime we need to address ourselves to the problems of the Western alliance.

In view of what is possible, indeed within our reach, the prospects of the West are extremely good. We are already in the midst of intense and elaborate negotiations which are designed to bring together in one great trading area and in a closer political partnership Western Europe, the United States, the Commonwealth, Latin America, much of Africa, and Japan. If this great project can be carried out, we shall have secured firmly a favorable balance of power between the Communist world and our own.

There is reason for hoping that by the end of the summer Great Britain will have joined the European Economic Community, and that serious negotiations for an association with it will have begun for the West European neutrals and for the United States.

But we cannot be sure that the great project will be carried out. For the leading West European powers, France and the German Federal Republic, and in a measure also Great Britain, are each for different reasons nearing the end of a regime and indeed a political era. There are as yet no clear signs of what is to follow.

If all goes as well as it can go, the Algerian war will be formally terminated. Presumably, the French Government will be so firm that the settlement agreed to will be accepted by the European colony in Algeria

without a major rebellion. But after that or indeed along with it there will arise the exceedingly difficult problem of restoring some kind of parliamentary government to replace the personal authoritarianism of General de Gaulle. Many combinations are conceivable and many are rumored. We shall see anxious days in France, and our alliance with her may remain for some time to come in its present state of uncomfortable uncommunicativeness.

Great changes are impending in West Germany. The old Chancellor is not growing stronger or younger and with his powers failing, if a successor were clearly in sight, the change would not be long in coming. As it is, it will not be easy to govern Germany with so much uncertainty about the future.

Great Britain is moving toward a general election, and in foreign policy no country, as we ourselves know only too well, is at its best and strongest and clearest in an election year. Great Britain, moreover, is in the last and most difficult stage of the liquidation of empire. This is the stage, which France is passing through in Algeria, where there is a substantial colonial settlement of Europeans who are faced with the prospect of being ruled by an overwhelming native majority. Until the British find a solution in the Central African Federation, they will not be able to play the part the world needs to have them play in the underdeveloped territories.

Algeria and the British settlements in central Africa are the most important remnants of empire held by any Western great power. There are, of course, Angola and Ruanda-Urundi, but neither Portugal nor Belgium is a great power.

Our best role in the difficult final stages of liquidation is to help the French and the British to work out the transitional solution to which both are now committed. We should avoid anything which would put us in the role of trying to hasten a process of liberation which will turn out best if it is carried forward slowly, with magnanimity and deliberation.

ADJOURNMENT TO MONDAY

Mr. McGEE. Mr. President, if no Senator has other business to bring before the Senate at this time, I now move that the Senate adjourn until Monday, at noon.

The motion was agreed to; and (at 7 o'clock and 3 minutes p.m.) the Senate adjourned until Monday, March 5, 1962, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate March 1, 1962.

MUNICIPAL COURT FOR THE DISTRICT OF COLUMBIA

John J. Malloy, of the District of Columbia, to be judge of the municipal court for the District of Columbia for the term of 10 years. He is now serving in this office under an appointment which expired February 24, 1962.

MUNICIPAL COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA

Thomas D. Quinn, of the District of Columbia, to be judge of the municipal court of appeals for the District of Columbia for the term of 10 years. He is now serving in this office under an appointment which expired February 24, 1962.

UNITED NATIONS

W. Michael Blumenthal, of New Jersey, to be the representative of the United States of America on the Commission on International Commodity Trade of the Economic and Social Council of the United Nations.

AGENCY FOR INTERNATIONAL DEVELOPMENT

John L. Salter, of Washington, to be Assistant Administrator for Congressional Liaison, Agency for International Development.

Herbert J. Waters, of Virginia, to be Assistant Administrator for Material Resources, Agency for International Development.

POST OFFICE DEPARTMENT

Sidney W. Bishop, of California, to be an Assistant Postmaster General.

BUREAU OF CUSTOMS

John G. Green, of Wisconsin, to be collector of customs for customs collection district No. 36, with headquarters at Duluth, Minn.-Superior, Wis.

RAILROAD RETIREMENT BOARD

Arlon E. Lyon, of California, to be a member of the Railroad Retirement Board for the remainder of the term expiring August 28, 1964, vice Horace W. Harper, retiring.

PUBLIC HEALTH SERVICE

The following candidates for personnel action in the regular corps of the Public Health Service subject to qualifications therefor as provided by law and regulations:

FOR APPOINTMENT

To be senior surgeon

Carleton R. Dean

To be health services officer

Jeannette M. Miller

To be senior assistant health services officer

Alice V. Savage

FOR PERMANENT PROMOTION

To be senior assistant pharmacists

Edward E. Madden, Jr.
Jimmie G. Lewis
John T. Barnett

To be sanitarians

Howard L. Kusnetz
Bayard F. Bjornson

To be senior assistant therapists

Ronald D. Brown
William D. Wallis

OFFICE OF EMERGENCY PLANNING

Irvin Stewart, of West Virginia, to be an Assistant Director of the Office of Emergency Planning.

COAST AND GEODETIC SURVEY

Subject to qualifications provided by law, the following permanent appointment to the grades indicated in the Coast and Geodetic Survey.

To be lieutenant (junior grade)

Peter Aloysius Martus

To be ensigns

David Vincent Sibila
Eugene Arthur Jones
Jon Wallace Dromendahl
Stanley John Ruden

ST. LAWRENCE SEAWAY DEVELOPMENT CORPORATION

Martin W. Oettershagen, of Illinois, to be a member of the Advisory Board of the St. Lawrence Seaway Development Corporation, vice Paul M. Butler, deceased.

MISSISSIPPI RIVER COMMISSION

Brig. Gen. Ellsworth Ingalls Davis, O18658, U.S. Army, to be a member and President of the Mississippi River Commission, under the provisions of section 2 of an act of Congress approved June 28, 1879 (21 Stat. 37) (33 U.S.C. 642), vice Maj. Gen. Thomas A. Lane.

IN THE NAVY

The following-named officers of the Navy for appointment to the grade of vice admiral on the retired list in accordance with title 10, United States Code, section 5233:

Vice Adm. Roland N. Smoot, U.S. Navy.
Rear Adm. George L. Russell, U.S. Navy.

Having designated, under the provisions of title 10, United States Code, section 5231, Rear Adm. Robert T. S. Keith, U.S. Navy, for commands and other duties determined by the President to be within the contemplation of said section, I nominate him for appointment to the grade of vice admiral while so serving.

CONFIRMATION

Executive nomination confirmed by the Senate March 1, 1962:

DIPLOMATIC AND FOREIGN SERVICE

AMBASSADOR

John Bartlow Martin, of Illinois, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Dominican Republic.

EXTENSIONS OF REMARKS

Bill Would Give Small Business Greater Protection

EXTENSION OF REMARKS

OF

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 1, 1962

Mr. DINGELL. Mr. Speaker, I have today introduced a bill to give small businessmen greater protection against predatory price discrimination by big business. This would be accomplished by strengthening section 3 of the Robinson-Patman Act. That section would be expressly included in the antitrust laws in which the remedy provided by section 4 of the Clayton Act applies. Persons damaged by pricing practices prohibited by section 3 would be able to recover treble damages and the cost of suit, including a reasonable attorney's fee.

This legislation was made necessary by the decision of the Supreme Court in *Nashville Milk Co.* v. *Carnation Co.*, 355 U.S. 373 (1958). In that case the Supreme Court held, by the narrow margin of 5 to 4, that section 3 is not covered by the definition of antitrust laws, and hence that a suit for treble damages would not be for a violation of its provisions.

Section 3 is one of the most important provisions of the Robinson-Patman Act. It was designed to prevent several destructive forms of price discriminations, particularly sales at lower prices in one area than in another, or sales at unreasonably low prices, for the purpose of destroying competition or eliminating competition. Criminal penalties are imposed for violation of the section. Experience has demonstrated, however, that criminal penalties alone are insufficient to insure compliance with this law. The nature of the forbidden practices makes it difficult to prove all elements of the offense beyond a reasonable doubt as required in a criminal case. For that reason, the decision on the Nashville Milk Company case, denying a civil remedy for treble damages, greatly reduced the efficacy of section 3.

Small businessmen have been the principal victims of the discriminatory pricing outlawed by this section. To protect them, and to protect consumers from the excessive prices and other abuses that follow when small businessmen are eliminated as competitors of big business, it is necessary that the same civil remedy be granted for damages resulting from a violation of section 3 as is available under other provisions of the antitrust laws. That remedy is provided by my bill, and I urge that this legislation be given early consideration.

Bulgarian Liberation Day

EXTENSION OF REMARKS

OF

HON. ABRAHAM J. MULTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 1, 1962

Mr. MULTER. Mr. Speaker, Bulgarians have always constituted an important element in the turbulent history of the Balkan Peninsula.

There they lived in their historic homeland for centuries, and at times they attained greatness and glory. They had their powerful kingdom during the Middle Ages. Theirs was a formidable force to be reckoned with in all Balkan affairs.

But the uneasy balance of power in the area changed late in the Middle Ages with the appearance of a new force in the Balkans. The coming of the Ottoman Turks in the area in the 14th century spelled disaster to all nationalities there. All Balkan countries were overrun and their once free inhabitants were brought under the yoke of autocratic Ottoman sultans. Bulgaria thus became a province of the Ottoman Empire late in the 14th century.

Thenceforth for nearly five centuries, until the 1870's, Bulgarians endured the heavy and oppressive yoke of the sultans. During that time they were governed by callous and ruthless Ottoman agents. They suffered hardships, indignities, and iniquities. From all such harassments there appeared to be no escape for the Bulgarian people. They staged many rebellions, but each attempt was suppressed with savage fury. It was, however, world reaction to one of these atrocities of the Turks which finally brought liberation to the Bulgarian people.

In 1876 they staged a revolt, and it was suppressed by a wholesale massacre. Then Russia intervened to prevent the recurrence of such a terrible deed. In the ensuing Russo-Turkish war Bulgaria was liberated and in a treaty signed on March 3, 1878, the freedom of the Bulgarian people was recognized. That historic event of 84 years ago has become a Bulgarian national holiday and is being celebrated as such every year in all Bulgarian communities throughout the world—that is, throughout the free world.

As we are all aware, today Bulgarians are no more free than they were under the Ottoman Turks; they suffer as much under Communist tyranny, and unfortunately for the time being, perhaps, there is less chance for them to free themselves. But these stouthearted, courageous and liberty-loving people of historic Bulgaria have not given up their hope for freedom; they have not yielded under the superior force of their enemies, and they still cling to their ideal, to their national goal for a free and independent Bulgaria. On the 84th anniversary of their Liberation Day we are one in echoing their patriotic sentiments, and in wishing them success.

Lincoln Day Address by Senator Vance Hartke, of Indiana

EXTENSION OF REMARKS

OF

HON. VANCE HARTKE

OF INDIANA

IN THE SENATE OF THE UNITED STATES

Thursday, March 1, 1962

Mr. HARTKE. Mr. President, during the Senate's observance of Lincoln's birthday, I was absent from Washington spending a few days in my home State of Indiana.

During my stay there I was privileged to visit what is now Indiana's first national park, the Lincoln Boyhood National Memorial, and address a large group of Hoosiers who had gathered together at the site of Lincoln's boyhood home to pay tribute to our 16th President on the anniversary of his birth.

Since I was not present in the Senate to offer my tribute to President Lincoln, I ask unanimous consent that the text of my remarks at Lincoln Park be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

LINCOLN: AN INSPIRATION TO SUCCESS

(Address of the Honorable VANCE HARTKE, U.S. Senator, at Lincoln City, Ind., on the occasion of Lincoln's birthday)

My fellow Hoosiers, I come today to speak with you, not as a politician, not as a Democrat, not as a U.S. Senator. I come today as an American father concerned about the well-being of my children and your children—the children of all Americans.

Today we are gathered on the hallowed soil where once there played and worked a great American—a great President, Abraham Lincoln.

On this ground he lived and played and worked from the ages of 7 through 21.

But, age is both a biological and sociological concept. The annual revolution of the earth about the sun—the calendar year—has become a fundamental measure of time in ordinary appraisal and record of human affairs. Time, likewise, tends to keep pace with the development of language.

Even in the cradle, words take shape and assume pattern. Lincoln had an extraordinary interest in words: spoken, written and read. As an infant, he listened to his mother's voice. We are told that she recited to him bits from the Bible while she was at work in the cabin. Lincoln learned his letters from her at Knob Creek about the age of 5. And there is evidence that he was beginning to write letters soon after he arrived in Indiana. At age 8 he was reading the Bible and at 9 was reading Aesop's Fables. At 10, Robinson Crusoe.

There is no doubt, Abraham Lincoln was a book-loving boy.

Though Lincoln loved books, the first instrument placed in his hands, and one which often characterizes him, was an ax. He used his ax to cut through the thickness, foliage, and trees which formed, in those days, an indistinguishable network of vegetation.

To those of us living in Indiana today, it seems incredible that this very land was once a vast forest larger than New England.

But, as I said, there was no doubt, Abraham Lincoln was a book-loving boy.

Two books which left their lasting impression on Lincoln were Parson Weems' "Life of George Washington," and James Riley's "An Authentic Narrative of the Loss of the American Brig Commerce * * * With an Account of the Sufferings of Her Surviving Officers and Crew."

This latter book must have impressed Lincoln with the reality that slavery was not confined necessarily to those with dark skins, and that people of his own color might be enslaved by those powerful enough and disposed to carry out that purpose.

Today, there are throughout the world, those who would like to be powerful enough to carry out the purpose of enslaving all people who rejoice in freedom and liberty.

I said I came today as an American father. I do. But although I am an American father, I also have the great honor and distinction of being a U.S. Senator, wherein I have the opportunity to vote for those things which I honestly and sincerely believe will prevent the children of all Americans from becoming slaves of a diabolical society.

Lincoln had to read by a candle. Our children today can read by the finest electric lights. Lincoln's mother had to cook on a wood-burning stove, for which Lincoln had to cut the firewood. Today's children can watch their mothers bake a cake from a box; cook the vegetables taken from deep-freezer containers bought in a supermarket.

Lincoln's mother had to cook the food Lincoln and his father had killed from the surrounding forest, and the vegetables grown in their family garden.

Today's children can also become educated from watching a television screen in their own living rooms or schoolrooms.

Our children's schools are modern and highly equipped to give a seeking and curious mind the tools with which to find the answers to the problems of a complex society.

Historians tell us that when Lincoln came to Indiana, he was large for his age, so much so that his friends nicknamed him "long shanks." His height was the kind which is so nobly cherished by Hoosiers today on a basketball court. Lincoln did not get the chance to play basketball or participate in any sport. He was too occupied in his chores about the home, the farm, and the school.

But Lincoln never had the chance for a higher education, as he was never in a college or academy as a student. He followed a program of reading and study which he set up for himself, and his self-imposed discipline was rigid. His desire to know, to understand, was unquenchable.

The move by the Thomas Lincoln family from Kentucky to Indiana was transitional: it modified young Lincoln's southern heritage, but it did not erase that heritage. Southern Indiana was in Lincoln's youth a meeting ground between the North and South, and it remains so today. The Ohio River separates Indiana and Kentucky geographically, but there is a continuity of tradition, background, and environment in the region on both sides of this great river which is far more pronounced than any similarity that exists between northern and southern Indiana.

Had the Lincolns gone directly from Kentucky to Illinois, it is probable that the boy's southern experience might have been wholly submerged, and with it his capacity, later so evident, to understand and sympathize with the southern mind and heart.

Yes, I am proud to stand on this land with you today—the land to which Lincoln came in 1816, within a few days of December 11, the birthday of our great State.

I am proud to have sponsored with Congressman WINFIELD DENTON legislation which makes this land and the surrounding acreage the first national park for Indiana.

I am proud because I know that this shrine is symbolic of a youth who grew up in the traditions of everything which has made our country great.

And, today, in these years of crises when there are those who would enslave us, as Lincoln feared as a youth, we must—as parents—properly supervise our children and encourage them, just as Lincoln's mother, father, and stepmother encouraged him, and just as my mother, who is with me here today, encouraged me. We must set the example; we must provide the environment. In so doing, our children will not fail. They will not fail themselves, their parents, their country.

When Lincoln arrived in Indiana, he himself was but a small lad, and the State comprised but 15 counties. But in 1830, as the State's pioneer period was drawing to a close, Lincoln had come of age and stood 6 feet 4 inches tall. He grew up on our good soil of Indiana. The State also had grown, and comprised 60 organized counties.

The great seal of Indiana portrays the rising sun in the background and a buffalo sporting in a clearing. The center of interest is a tall frontiersman with an ax in hand engaged in felling a tree. This woodsman might well symbolize Abraham Lincoln, one of Indiana's finest contributions to civilization.

Abraham Lincoln did not fail his generation. Lincoln did not fail civilization. So this generation must not fail this generation. This generation must not fail civilization.

Hon. Irving M. Ives

EXTENSION OF REMARKS

OF

HON. EUGENE J. KEOGH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 1, 1962

Mr. KEOGH. Mr. Speaker, I was deeply saddened by the news of the passing of the Honorable Irving M. Ives, the former Senator from New York. Although we were not of the same political party, I have valued his friendship for almost 30 years, beginning when he was serving as speaker of the New York State Assembly and I was a member of the assembly from Brooklyn. His kindnesses to me at that time have not been forgotten.

During his 12 years' service as U.S. Senator from New York, from 1947 to 1959, there were many occasions on which we were together and our friendship grew and thrived. He was always deeply concerned with the well-being of our country and our people and could be counted on to do whatever was best for them.

Senator Ives' interests were varied—he was a soldier, banker, educator, and legislator—with the interests of America always guiding his activities. His talents in these fields were widely recognized, and many persons, like me, particularly respected him as an individual.

For the last few years, it was my pleasure to serve with Senator Ives on the board of directors of the City Title Insurance Co. of New York, of which board he was the chairman.

New York and the United States in his passing have lost a valuable public official and dedicated citizen.

Outer Space: The New Arena for World Communications

EXTENSION OF REMARKS

OF

HON. ALEXANDER WILEY

OF WISCONSIN

IN THE SENATE OF THE UNITED STATES

Thursday, March 1, 1962

Mr. WILEY. Mr. President, I was privileged, on the 14th of February last, while in Milwaukee, Wis., to speak to a fine group of telephone company officers and personnel. The occasion was a company meeting held at the Schroeder Hotel in Milwaukee. I ask that a copy of my remarks be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

OUTER SPACE: THE NEW ARENA FOR WORLD COMMUNICATIONS—"LET'S BRING THE PICTURE OF AMERICA INTO EVERY LIVING ROOM IN THE WORLD"

THE TELEPHONE—AN AMERICAN SYMBOL

It is a pleasure being with you, the telephone people, here in Milwaukee this morning. Yours is an industry which has become a symbol of the American way of life. Indeed, if I would have had to select the three outstanding scientific and mechanical devices which have made America what it is today, I would choose the automobile, electricity, and the telephone.

Without these three we would lack the unity that we now have. Without them the several States would have never been meshed into the immense economic giant that we now are. Without them the individual farmhouse would have remained far in the country, distant and remote, rather than having fully joined in the national life.

The telephone has become an American symbol, a tool that we take so much for granted that we hardly appreciate it any longer. Yet, in other places the telephone is something to strive for, something to hope for. In Asia, in Africa, and even in Russia, a telephone is a status symbol. Telephones there are in short supply.

In Russia being able to afford a telephone, and being able to obtain one from the Government telephone monopoly, is a major accomplishment. Let me remind you that in the United States with a population of 185 million, we have 74¼ million telephones. The Soviet Union, with a population of some 210 million, has only 4½ million telephones—or some 5 percent of the American total.

Now that we have this widespread net of telephones all over the surface of the United States, where do we go next? As a nation we have never been willing to accept a mere state of inaction. As a people we have always been searching for new challenges, for new outlets, for new horizons. Indeed, you members of the telecommunications industry have always taken a place of leadership in our constant search for improvements, change, growth and discovery.

Today I want to discuss before you what I consider a new rich field for American ingenuity. This indeed is a field in which you, in particular, should have a special interest. The field is space. And what I want to discuss with you specifically is the utilization of space and of space satellites for the development of worldwide communications.

President Kennedy, in the state of the Union message delivered about a month ago, had much to say about the trouble spots of the world, about the balance of payments, and about our military strength. Yet, note that despite the immediate threats that face this Nation and the world, the President took a few minutes to describe the future utilization of space. In the words of President Kennedy: "With the approval of Congress, we have undertaken in the past year a great new effort in outer space. Our aim is not simply to be first on the moon. Space is a vast new frontier of science, of commerce and of worldwide cooperation, and this Nation belongs among the first to exploit it."

SPACE—THE NEW FRONTIER

Let us examine these words. Only a few years ago space was a total mystery. Then came sputnik and space has remained constantly in the news. I have served as a member of the Senate Space Committee for over 3 years now, and I must admit that I have not become an expert in high military strategy or in the complexities of space engineering. But I do know the value of space to our national interest. Indeed, what we are interested in is not only a competition with Russia for prestige. We are as much interested in space utilization for weather prediction, and eventually weather control. We are interested in the use of space for a new type of wireless communication. Indeed, one of the most exciting projects for space is a global system of communication satellites linking the whole world in telegraph and telephone, in radio and television.

Today was set by NASA as the day for Astronaut John H. Glenn's orbital flight. This project, Project Mercury, has been in preparation for a long time. I am delighted to learn of the success of this great project.

In his bell-shaped craft, standing only 9½ feet high and measuring only 6 feet across the base, Glenn's assignment is to make from one to three orbits around this globe of ours. This one important project will cost this Nation some $400 million. This is a tremendously big investment, when we remember that the total yearly defense budget before the First World War was around $348 million, and that the total military budget in 1938, only shortly before the Second World War, was about three times the size of this project's cost.

Yet, we are willingly undertaking these explorations of space because we believe that in space there is the key to this Nation's and the world's future wealth and growth.

We all realize that, as yet, we do not fully know and cannot fully predict what space exploration may mean in years to come. In future years, it may well be said of our space pioneers what was once said of Columbus:

"When he started out he didn't know where he was going, when he got there he didn't know where he was, when he got back, he didn't know where he had been, and he did it all on borrowed money."

SHOWING THE TRUTH TO THE WORLD

Today, I want to discuss with you in particular the role of space in your field, the communications field. Colonel Glenn's space flight is not only an important technical success for the astronaut and his associates at Cape Canaveral, but it will also be a profound propaganda success for the United States. Films of this exploit, to be shown all over the world, will have a tremendous effect, similar to the effect of Commander Shepard's previous space flight. People who have only read about the Russian enterprises in space are able to see actual pictures of our American astronauts in flight. Not only American audiences but oversea audiences are exposed to the thrills of space exploration. And there is a lesson for us in the response of the world audiences.

The lesson is that showing the truth to people will work for our benefit, if we get the picture to the people who need to see it. And space indeed affords us an unparalleled opportunity to show the truth to the people of the world.

In the past we have used many means in order to convey the picture of America to the people of the world: we have used radio, books, and exchange programs. These have had some effect, but the effect of television programs showing to the world the great events and the ordinary life of citizens in a democracy would be definitely more powerful. And in space there has now appeared a new means for beaming television directly from the United States to oversea ground receiving stations through electronic relays borne by satellites.

Last week the President sent to Congress a program for the financing and operation of a multibillion international communications satellite system. This proposal will come before the Space Committee, of which I am a member. At this time there is still uncertainty as to the exact means for financing this satellite system. Some feel that the Government should take a direct part in it. Some believe that industry should manage it. And some believe that this important enterprise should combine both industry and Government. Whatever the final solution to this question, there is little doubt that our communication satellites will be in operation within the near future.

Within a year the National Aeronautics and Space Administration (NASA) will put into orbit an experimental satellite built by the American Telephone & Telegraph Co. This 175-pound sphere will contain a relay station that will provide for transmission of television, telephone calls, and other types of communications between the United States and Europe. Signals beamed from transmitters in the United States will be picked up by the satellite's antennas. These signals will be amplified within the satellite, then relayed to waiting ground stations in "Free Europe." This satellite will carry any picture from America across the Atlantic.

Naturally, a complete system of communications satellites operating 24 hours a day will be an expensive undertaking. But many communications experts believe that in the years ahead such a system may more than pay for itself in increased revenues from oversea transmission of telephone calls, business data, and TV programs.

But such a communications satellite system will have not only a commercial value. It can have a great impact on our propaganda competition with the Soviet Union.

Today, I would like to propose here that we dedicate this new communications system to the struggle for freedom, to the struggle for world opinion. Through such communications system we will be able to relay a true picture of our American way of life to broadcasting stations which in turn might transmit into the homes of the Africans, the Asians, the Russians, and the Chinese Communists.

There are 120 million television sets in use in the world. Of these almost 50 million are overseas and some 9 million are within the Communist bloc. Last year the number of oversea sets increased by 1 million each month. In many countries these sets are in public places and reach an ever-increasing number of people.

Through a communications satellite system we will be able to send programs through space into every country of the world. This is a great challenge to all of us.

This I therefore propose for today, let us set up a worldwide communications satellite system for the spread of truth and freedom.

Such a new international television network will comprise hundreds of millions of viewers. People on the far side of the world will see thriving American cities and the rewards of life lived in freedom. They will see the American workingman, his freedoms, his material blessings. One British authority has stated that such television satellites can decide whether Russian or English is to become the language of the future. More effective communications may well determine who will win the cold war.

The television battle is on even now. East Germany transmits anti-American programs, dramatizing unemployment and racial tensions to West Germany. But East German refugees say Western programs penetrate much deeper into East German territory and reach almost 2 million people.

CONCLUSION

We know Russia spends 10 times what we do in manpower and resources to make her propaganda appeal to the world. We must multiply our efforts. We must reach behind the Iron Curtain and into Russia itself. I envision that, as an extension of this proposed worldwide TV network, more Russian viewers will pick up our broadcasts from powerful free world antennas in Turkey, Iran, Pakistan, and Norway. The picture of truth will spread.

It has been said that whether we like it or not we are engaged in a worldwide space race with the Soviets. Our competitor in the space race is tough and determined. He is willing to deprive his people of consumer goods in order to channel more resources into space research. Can we afford to be second best? Should we not channel our riches to exploration and improvements rather than luxury?

The proposed international communications satellite system will be a wonderful tool for cooperation between the free nations. This country is in an economic and political position to marshal the scientific resources of the free world for such peaceful uses of outer space. Surely, the other nations and the other people will be enthusiastic and loyal partners when they are invited to share in this great human adventure, and the push into space, into the wonders and mysteries of the origin of matter and of life, can offer an unbounded challenge.

Bulgarian Struggle Against Communism

EXTENSION OF REMARKS

OF

HON. JOHN H. RAY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 1, 1962

Mr. RAY. Mr. Speaker, since 1945 Bulgaria has been drawn into the Soviet orbit, and has become practically a Soviet colony. Just as in the past the Bulgarian people fought the Turks for their freedom, now they are struggling in their homeland against Communist tyrants. March 3 will be the 84th anniversary of their liberation day and I wish them fortitude and the courage to bear their trials which some day must assuredly pass away.

The Scourge of Giantism in Business and Politics

EXTENSION OF REMARKS

OF

HON. FRANK CHURCH

OF IDAHO

IN THE SENATE OF THE UNITED STATES

Thursday, March 1, 1962

Mr. CHURCH. Mr. President, on February 12, I addressed the National Association of Retail Clothiers & Furnishers at their national convention here in Washington. Subsequently, I received a letter from Mr. George J. Burger, vice president of the National Federation of Independent Business, endorsing certain of the views I had expressed.

Believing the exchange may be of interest to independent businessmen generally, I ask unanimous consent that the relevant portion of my address, together with those parts of Mr. Burger's letter pertinent to it be printed in the RECORD.

There being no objection the excerpts were ordered to be printed in the RECORD, as follows:

THE SCOURGE OF GIANTISM IN BUSINESS AND POLITICS

(An address by Senator FRANK CHURCH, Democrat, of Idaho, before the Retail Clothiers & Furnishers convention, Sheraton-Park Hotel, Washington, D.C., Feb. 12, 1962)

Thank you for inviting me to be your speaker. You may regard yourselves as retail clothiers and furnishers, but I regard you as radical reformers, clothing over old-fashioned class distinctions.

Every country has had its method for making class distinctions. An Englishman is classified by the way he speaks. Remember that delightful bit from "My Fair Lady":

"Why can't the English teach
their children how to speak,
This verbal class distinction
by now should be antique."

Well, our own snobbery in bygone days used to be expressed, not by how one spoke, but by how one dressed.

What a change you clothiers have worked. Why, you have draped us all in cloth of such quality and style that it's hard to tell the difference, anymore, between a plutocrat and a plumber. In fact, here in Washington nowadays, the only way left to distinguish a Democrat from a Republican is to check on whether he's wearing a two- or a three-button coat.

All of this leads me to wonder where we are headed. It reminds me of the story Ambassador Carlos Romulo of the Philippines used to tell last year, at the time we were so agitated over the hijacking of those airliners. He said he flew out of San Francisco on a scheduled nonstop flight for New York City. About 2 hours later, as the

speedy jet approached the Great Lakes, the loudspeaker suddenly blurted out: "This is your captain. Within 5 minutes we shall be passing over Chicago; in another hour we will be landing at Idlewild—that is, we will be if this bearded fellow sitting beside me turns out to be a Jewish rabbi."

Where is the independent merchant, the small storekeeper, headed? This is the first question I would raise with you this evening. In your own line, you know how the storm clouds are gathering. Last year there were 1,107 business failures in the retail apparel trade. This was an increase of 14 percent from the 1960 rate. And these were not shoestring operators, because they left liabilities averaging nearly $36,000 apiece. This appalling casualty list reflects the serious difficulties that small businessmen are experiencing, not only in the retail clothing trade, but in every part of our economy. I would like to spend a few minutes discussing what I think are the main reasons for these difficulties, and what might be done about them.

When a typical independent retail business, such as yours, is forced to the wall, where have the customers gone? I think the answer is obvious. They have usually gone—whether for shoes, shirts, or suits—to a chain outlet, or a discount house. It is the twin lure of giantism and discountism that is undermining the independent retail merchant.

I cannot believe this trend is good for the country. The independent retail merchant, after all, has a special stake in a viable, free enterprise system quite unlike that of the chainstore executive. When he is displaced by a remote corporate hierarchy, a local organization man, and a crew of impersonally recruited hired help, the community suffers. Moreover, corporate giantism leads to monopoly. The bigs have ways of rendering competition painless to each other. The ultimate object of chain merchandising and monopoly is to increase profits by driving out independent competition, and when this happens, the consumer suffers, whether he knows it or not.

So it has been a long-professed objective of our Government to pursue policies calculated to preserve an economic environment in which the independent business venture can be started—can grow, prosper, and achieve a stable place in the community.

Many approaches have been tried. Some of them have helped. But no single one, nor any combination yet tried, has solved the problem. We have laws against practices which are in restraint of trade, or tend toward monopoly, or constitute unfair competition. I think they have had some efficacy, but they are difficult to enforce, and they have not arrested the trend toward extinction of independent business. We have a Federal agency, the Small Business Administration, whose chief function is to provide credit for hard-pressed local businesses. But experience has shown that credit alone is not the answer.

What is needed is a means of assisting the small but well-managed business to overcome the inherent competitive advantage of sheer bigness. I think the rational answer lies in a proper adjustment of tax policy, frankly designed to serve the public interest by giving preferred treatment to small business.

We do this already, to a limited extent, by means of the graduated personal income tax. But more and more the advantages of continuity of identity, limited liability, and readier access to capital, make the corporation the most chosen vehicle for doing business. And taxes on corporation profits are not graduated, except for the single step, from the normal tax of 30 percent to the surtax of an additional 22 percent, which comes when net profits reach $25,000.

While revision may be needed in the present surtax schedule on personal incomes, I think it is widely recognized that progressive taxation is fair, in principle, and that it has contributed significantly to the development of our democratic and equalitarian society. The same principle could be applied, it seems to me, to the taxation of corporate incomes, with equally beneficial results.

The Senate Select Committee on Small Business now has a measure of this kind under study. The proposal calls for a graduated tax rate, beginning at 5 percent instead of the present 30 percent, and yielding substantial reductions for corporations with net taxable incomes up to $250,000. For example, the tax on a net income of $5,000, under this new schedule, would be $250 instead of the present $1,500, a reduction of over 83 percent. On corporate incomes of $25,000, the tax would be reduced from $7,500 to $4,500, a saving of 40 percent. At $100,000 of net income, the tax would be reduced by more than 17 percent, and the saving would still be above 6 percent when corporate income reaches a quarter of a million dollars. Beyond that point, rates would remain substantially the same as at present, with no increases at any level.

There have been recent intimations that prudent tax cuts may be possible next year, if present business trends continue. If that happens, the time may be opportune to press for a graduated scaledown of corporate taxes as the key to strengthening the competitive position of small business in our economy. Smaller corporations would be able to use the tax differential to accumulate reserves. Moreover, recent changes in the Internal Revenue Code, giving individual and partnership enterprises the option of being taxed, and of reinvesting out of earnings, as if they were corporations, make the suggested new rate schedule even more attractive to small businesses.

I am by nature skeptical of panaceas, and I don't suggest that this new tax schedule, if adopted, will solve all your problems. However, I commend it to your attention. Additional information can be obtained from the Senate Select Committee on Small Business, and I know that your inquiries and support will be most welcome.

NATIONAL FEDERATION
OF INDEPENDENT BUSINESS,
San Mateo, Calif., February 14, 1962

Hon. FRANK CHURCH,
Senate Office Building,
Washington, D.C.

MY DEAR SENATOR CHURCH: I noted in the New York Times in the financial section, of your address before the National Association of Retail Clothiers & Furnishers at the Shoreham Hotel.

It is my opinion, Senator, that you hit the nail on the head when you blamed the growth of chains and discount houses for many of the difficulties faced by small retailers. "The twin lure of giantism and discountism," you said, "is undermining the independent retail merchant."

You spoke the views which I personally have maintained and which probably would be concurred in by the nationwide membership of the National Federation of Independent Business, which membership totals approximately 175,000, all independent business and professional men, and a goodly number in your own State of Idaho.

Bear in mind, Senator, the views I express come from my own personal experience in heretofore owning and operating an independent establishment for better than a quarter of a century. In those days we did have discount houses but not to the degree they exist in our overall economy today, and if it continues it will eventually destroy the business life of efficient independent business throughout the entire Nation, and producers should realize this before it goes a long way to reduce many producers.

When the Robinson-Patman Act was enacted by the Congress in the summer of 1936 we in small business, and particularly in the retail field, believed that our "Magna Carta" had arrived—that unjustified price discrimination was outlawed.

We have urged the Small Business Committees to make the principal item on their agenda, as a benefit to small business and the free enterprise system, that they check into the operation of the Robinson-Patman Act through its enforcing agency to find out if the law is really foolproof. If so—then vigorous enforcement. If the law is weak or deficient the agency should advise Congress as to the needed amendments to protect the free enterprise system, and more important, independent business throughout the Nation.

Again, Senator CHURCH, it is our opinion you made one of the most constructive addresses before a business group rendered in many years, and it might be of interest to you and your colleagues to make this letter a part of the CONGRESSIONAL RECORD. You would be doing a great service to small business not alone in the State of Idaho, but throughout the entire Nation.

With very high regards, and again our heartiest congratulations.

GEORGE J. BURGER,
Vice President.

Government by Leak

EXTENSION OF REMARKS
OF
HON. ROBERT H. MICHEL
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Thursday, March 1, 1962

Mr. MICHEL. Mr. Speaker, in view of today's statements in the press regarding President Kennedy's forthcoming announcement on nuclear air tests, I feel compelled to point out that this is a perfect example of Government by "leak" and reinforces my speech of February 21 concerning the President's hesitancy and indecisiveness on this question.

I am sure the leaders of both parties in the Congress would be interested in knowing of President Kennedy's thinking on this vital issue. As a member of the House Appropriations Committee I am particularly concerned since we have to appropriate the money for these projects. I cannot understand why the President feels it necessary to "leak" information to the New York Times, in a sense asking them what they think he should do.

I know that the majority of the Members of Congress on both sides of the aisle know what we should do and all feel affronted that the President does not see fit to be frank and open, even with members of his own party, on his final decision. The reasons for my convictions as to the thoughts of my colleagues are best illustrated in a letter from Senator THOMAS J. DODD dated August 9, 1961, to all of his colleagues in the Senate. I wish to include the letter at this point, and call special attention to his remarks concerning President Eisenhower to which I referred in my speech of February 21.

The letter follows:

U.S. SENATE,
COMMITTEE ON FOREIGN RELATIONS,
August 9, 1961.

DEAR SENATOR: Enclosed you will find a resolution, urging the immediate resumption of nuclear testing, which I plan to introduce at an early date.

As you know, we have observed a voluntary moratorium on nuclear tests for almost 3 years now, without any assurance that the Kremlin has been observing a reciprocal moratorium. In view of the fact that the Soviets have violated more than 1,000 treaties and agreements, there is, to put it mildly, a grave chance that they have not observed their side of the honor moratorium.

As you know, the Joint Chiefs of Staff, the Atomic Energy Commission and many of the members of the Joint Committee on Atomic Energy, who have access to all the information, have repeatedly urged the early resumption of nuclear weapons testing.

I would also like to point out that there exists no commitments, unilateral or otherwise, which would prevent us from resuming tests forthwith. President Eisenhower informed the world on December 29, 1959, that, because of the lack of progress at the Geneva Test Ban Conference, we would not further renew or extend the moratorium but would reserve the right to resume nuclear testing, with due notice to the international community.

I believe that this resolution reflects the attitude of the great majority of the American people and the great majority in Congress. I also believe that it could only be helpful in the present situation if the Senate passed such a "sense" resolution.

By its nature, this resolution should be introduced with broad bipartisan backing. I am therefore inviting members of both parties to join me in sponsoring the measure.

If you wish to be listed as a cosponsor, would you kindly advise Miss Jean Wegner in my office?

Sincerely yours,

THOMAS J. DODD.

Bulgarian Liberation Day

EXTENSION OF REMARKS
OF
HON. JOHN D. DINGELL
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Thursday, March 1, 1962

Mr. DINGELL. Mr. Speaker, the Bulgarian people have long been known as gallant and valiant fighters. During the Middle Ages they formed a flourishing kingdom in the Balkan Peninsula. In the 15th century, however, their country was overrun by the Ottoman Turks, and then for 400 years they were subjected to Turkish rule. But Bulgarians were never reconciled with their lot under the Turks, and made many attempts to free themselves from Turkish autocracy. Their last successful attempt was made in the 1870's, and in 1878 they succeeded in attaining freedom with the aid of imperial Russia. This success was confirmed by the Russo-Turkish Treaty, signed on March 3 of that year.

That day marks the liberation of modern Bulgaria from its Ottoman oppressors. The 84th anniversary celebration of that event is of special significance today, because once more Bulgarians find themselves subjected to a totalitarian regime not of their own choosing, but one imposed upon them by the Kremlin. Fortunately, they are just as determined to free themselves from Communist dictatorship as their grandfathers were in casting off the Ottoman Turkish rule. Let us hope that they will again attain their goal and live in freedom in their historic homeland.

Discrimination Against Small Colorado Grocers

EXTENSION OF REMARKS
OF
HON. JOHN A. CARROLL
OF COLORADO
IN THE SENATE OF THE UNITED STATES
Thursday, March 1, 1962

Mr. CARROLL. Mr. President, the small, independent grocers in my State are validly concerned about certain discriminatory provisions in the Perishable Agricultural Commodities Act.

I have presented their case, with certain proposed amendments of my own, to the House Agriculture Committee.

I ask unanimous consent that my statement before the House Agriculture Committee be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

PROPOSED AMENDMENTS OF THE PERISHABLE AGRICULTURAL COMMODITIES ACT TO PROTECT INDEPENDENT COLORADO GROCERS

(Statement by U.S. Senator JOHN A. CARROLL, of Colorado, before the House Agriculture Committee, February 26, 1962)

Mr. Chairman, I appear before you this morning on behalf of the small, independent grocers in Colorado.

The small, independent grocers in my State have, what I consider to be, a valid grievance against the administration of the Perishable Agricultural Commodities Act.

I am going to propose that the act be amended to cure what we consider to be a discriminatory condition.

Before I describe the problem in the State of Colorado, let me emphasize that our small, independent grocers fully support the purposes of the Perishable Agricultural Commodities Act. They encourage its full implementation.

What they do object to is the unfair imposition of an excessive amount of the financing of the PACA on the small, nonchain grocer.

I know that the Agriculture Department intends to recommend to your committee that the PACA be amended to change the licensing criteria for retail grocers. As I understand it, under the proposed USDA amendment, grocers who purchase more than $50,000 worth of fresh or frozen fruits and vegetables each year would be subject to paying the license fee.

NEW CRITERION PROPOSED

While there is no doubt that this change to a dollar volume criterion will be an immeasurable improvement over the old cloudy regulations of 1 ton or more (of the commodities) in excess of 20 times per year, it is still discriminatory against the independent grocer.

Under the proposed USDA amendment 63 independent Colorado retail grocers would be licensed.

However, at the same time, the PACA, unless further amended, would still permit the big Colorado grocery chains to operate with one license covering their hundreds of stores, most of which are many times larger than the independent retailers down the block who would have to be licensed.

POSITION OF ASSOCIATED GROCERS

Here is what Mr. Fred S. Fishburn, general manager of the Associated Grocers of Colorado, told me a few days ago:

"If the PACA is amended to require licensing of grocers purchasing over $50,000 of fresh or frozen fruits or vegetables, 63 of our member stores would be affected.

"We do not agree with the proposal, because our members are still discriminated against because the chain headquarters takes out one license for the distribution and not any for the retail units while we take out one for our distribution warehouse and under the new proposal 63 of our members would be affected and need the license and many more will come under it as they grow and do more business."

The USDA admits that the 300 large grocery chains in the country (doing 39 percent of all retail grocery business) should be licensed, because they affect the code of fair trading practices under the PACA.

I don't think anyone disagrees with this.

The Associated Grocers of Colorado, a 27-year-old organization of privately owned, small, independent grocers, agrees that its own distribution warehouse in Denver and Pueblo should be subject to licensing, because it too, like the chain wholesale center, is affected by the code of fair trading practices with the fruit and vegetable farmer.

LICENSING SYSTEM IS DISCRIMINATORY

But it is hard to understand why the AG member stores should be subject to licensing. They draw their stocks entirely from one central supply source in the exact same manner as a branch store of a major supermarket chain. The branch store of the chain, however, is exempt from licensing, even though it may do three times the volume of business of its AG competitor across the street.

This to me seems to be pure and simple discrimination.

The 637 independent grocers in the Rocky Mountain region ask simply for equitable treatment.

They should not be penalized because they do not belong to a large national chain.

They should not be penalized because they espouse and put into practice the spirit of private ownership and free competition as exemplified in a small business.

It would seem to me that the Department of Agriculture and the Congress would encourage competition in retail food marketing, rather than place more restrictive burdens on the small businessman who challenges the giant, corporate food chains with a bit of competitive spirit.

CARROLL AMENDMENTS

I make two alternative proposals for amending the Perishable Agricultural Commodities Act, Mr. Chairman, both of which I will submit in proper form to committee counsel.

First, I propose that the act be amended to exempt from licensing, independent retail grocers who in a year purchase all of their fresh and frozen fruits and vegetables from the same wholesale source. This would cover a marketing organization of hundreds of small, privately owned grocery stores who buy their stocks cooperatively from one central supply source.

Second, if in the wisdom of this committee it feels that the purposes and objectives of the PACA are best served by licensing all retail grocers who purchase a certain dollar volume of fresh or frozen fruits and vegetables, then I propose that the PACA

be amended to provide for licensing of unit stores within a grocery chain that meet the dollar volume criteria. This amendment would equalize treatment between grocery chainstores and privately owned, small business groceries.

Mr. Chairman, I thank you for your courtesy in hearing me today, and if the bill before you (H.R. 5023) is amended as I recommended, to protect the small independent grocer in Colorado, I assure you I will do all in my power to see to it that my colleagues in the Senate understand and support the action of the House.

Need for More Effective National Agricultural Policy

EXTENSION OF REMARKS

OF

HON. ALEXANDER WILEY

OF WISCONSIN

IN THE SENATE OF THE UNITED STATES

Thursday, March 1, 1962

Mr. WILEY. Mr. President, the Nation today—posessing the most efficient agricultural production system in the world—needs now a more effective national farm policy.

Over the years, a complex system of laws have been written into the statute books affecting major aspects of agriculture.

However, the creation of a more realistic farm program must—in my judgment—be based not upon Federal laws but, rather, upon economic principles applied by free enterprise.

In a weekend broadcast over Wisconsin radio stations, I made some recommendations which, if adopted, would, I believe, contribute to creating a more effective farm policy. I ask unanimous consent to have excerpts from the address printed in the RECORD.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

Traditionally, agriculture has served as a foundation stone of our economy, providing an abundant supply of healthful foods for a fast-increasing population, now estimated at 185 million; creating hundreds of thousands of jobs—on and off the farm; providing the United States with a tool of great humanitarian value; as well as a strategic weapon in policymaking; providing a way of life for 15½ million Americans—about 8¼ percent of the population—and generally serving the health and economic needs of the country.

Over the years, the American farmer—in meeting the food needs of our people—has written a real success story. As of now, an average farmer produces enough food for about 26 people. For the future, the ratio is expected to be even higher.

Unfortunately, greater efficiency and productivity, however, contain some built-in problems—the major one being the development of a supply-demand imbalance, resulting in a glutted market for dairy and other commodities.

The too-high stockpiles, however, represent, in my judgment, no real surplus as long as there are people who need milk and other foods to meet dietary requirements.

Rather, the major challenge is to provide more efficient channels for distributing food to hungry people, as well as to find other—including commercial, industrial—uses for farm products.

Over the years, a variety of efforts—governmental and nongovernmental—have been made to meet, and resolve, this difficult problem. Uncle Sam, of course, has a responsibility for preventing an economic collapse in agriculture—traditionally the birthplace of depressions.

The U.S. economic system, however, has been founded upon a concept of free enterprise—operating in accordance with economic principles—not perpetual Government support. For this reason, I believe there is need for a more creative effort to find nongovernmental solutions for problems in farming.

True, the farmers and their organizations, including the Grange, Farm Bureau, Farmers Union, National Dairy Council, American Dairy Association, national farm organizations, and others, have made realistic attempts to (1) crystallize recommendations of their respective memberships on farm policy; and (2) present these proposals to Congress.

These proposals, however, often differ widely—resulting in a need for a tremendous "sifting job" by the committees of Congress.

Because of these factors, I believe the creation of a national agricultural policy council—comprised of representatives of farmers and farm organizations—would provide useful, constructive machinery for formulating more effective farm policy.

The responsibilities of such a council would include—

1. Crystallizing the major challenges in agriculture.

2. Formulating recommendations for improving agricultural policy—including ironing out, insofar as possible, major differences; and

3. Presenting a finalized version of farm recommendations to Congress.

If this were done, I believe it would help to accomplish the following objectives:

1. Create a stronger voice for the farmer and farm organizations in creating and establishing national agricultural policy.

2. Lessen the work of congressional committees in "sifting the wheat from the chaff," ideawise.

3. Provide better guidance for revising and improving the hodgepodge system of farm laws now on the books; and

4. Reverse the trend of policymaking—and public thinking—from looking to Uncle Sam for solutions of too many problems, and toward greater effort and responsibility in finding nongovernmental solutions to the economic problems in agriculture.

Kill the Farm Bill

EXTENSION OF REMARKS

OF

HON. HOWARD W. ROBISON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 1, 1962

Mr. ROBISON. Mr. Speaker, it is impossible to discuss the administration's farm bill, and all its proposals for complete domination of the farmer by the administration, without referring at the outset to the political origins of the current prime mover in this fiasco, Secretary of Agriculture Orville L. Freeman.

Most of us know, I think—but all of us should be constantly reminded—that Secretary Freeman is a former Governor of Minnesota, a great State which, among other accomplishments, produces much milk. And just incidentally, that great State failed to return Mr. Freeman to the Governor's chair in 1960, and thus we now have him as Secretary of Agriculture here in Washington.

Often when I examine some of the Secretary's proposals I have the feeling he thinks he still is Governor of Minnesota, and not Secretary of Agriculture in the Cabinet of the President of the United States. It does not seem to me he has made the transition. I cannot possibly criticize his zeal for Minnesota while he was Governor of that State, but I am compelled to attack his primary concern for his native State at a time when he is clearly beholden to all of the people of the United States.

All of this is by way of a preface to the Secretary's proposal to make a public utility of the dairy business. If Secretary Freeman had his way, all milk production would be based on a 1961 history of production. This means the deficit milk producing areas of the Nation—the South, the Southwest, the West and the Northeast—would be expected to stop exactly where they are so that the producers of surplus milk in the upper Midwest then could walk into these other areas to grab the market.

At times Mr. Freeman professes great love for the farmer of this country, but his actions belie his words.

I wonder if he has thought through what his bill would do to a young dairyman in one of the deficit areas. We have thousands of these young men who have invested everything they have, indeed, their lives, to develop dairy herds in areas they know are not producing enough fluid milk for their own needs. Like most young men, they develop their herds carefully and slowly, but always with a market in mind. They haven't gone into the milk producing business simply because it was "the thing to do"—regardless of market—but because they saw a market.

Now comes Secretary Freeman, who once testified he thought it unfair for some dairymen to receive $5 a hundred pounds for milk, and for others to be paid only $3 a hundredweight. I grant it is unfortunate that the difference exists, but I must point out that the Secretary apparently paid no attention to the costs involved as between the $3 farmer and the $5 farmer. He said nothing about the higher land costs which must be paid by the $5 farmers—those closest to the market—nothing very much about higher taxes, nothing about higher labor costs, nothing about higher service costs—the plumber, electrician, garage, and all of the many services a dairyman must buy. He said nothing about these. He simply wanted to leave the impression that some farmers in the country—notably those of his native region—were being discriminated against.

This fight for milk markets is an old one and it has many ramifications, but in the final analysis we all must recognize that basically it is a battle between farmers with a market and those without one. In essence, thus, the Secretary seeks to settle the battle by using the power of the Government.

I am not for that kind of settlement of economic battles. I believe firmly

that competition, with all the advances and improvements brought about, will settle this issue, as it will many others.

Secretary Freeman got himself into a dairy surplus situation through his own folly by raising price supports on dairy products. It was freely predicted at the time of his action of last April that increased price supports would mean a tremendous dairy surplus situation. The Secretary proposed those predictions, and, oddly enough, he still will not acknowledge that price brought on excessive production. He chooses to ignore the facts.

I firmly believe that Congress should not ignore the facts—and I firmly believe that we will not. We have the safest and the best milk supply in the Nation, and we are the most efficient producers of wholesome milk. Our dairymen did not reach this status at the hands of economic coercionists like Secretary Freeman.

In the long run, the Secretary's proposal would mean higher milk prices because his bill would promote inefficient farming and inefficient farming simply has to be reflected in higher costs to the consumer. Mr. Speaker, I ask the able House Committee on Agriculture to perform the best possible service to all of the United States—kill the farm bill.

Coloradans Want the Packers and Stockyards Act Strengthened

EXTENSION OF REMARKS

OF

HON. JOHN A. CARROLL

OF COLORADO

IN THE SENATE OF THE UNITED STATES

Thursday, March 1, 1962

Mr. CARROLL. Mr. President, housewives, cattlemen, and livestock marketers in Colorado are concerned about the growing concentration of monopoly power in the food distribution industry.

Small packers are caught in a price squeeze, consumers are confronted with unrealistic "loss leader" prices, and farmers are forced to finance slow-pay buyers.

Congressman ROOSEVELT has introduced in the House a bill (H.R. 10392) to correct the administered price and monopoly tendencies in the food distribution business. This week Coloradans testified before the House Agriculture Committee in support of Mr. ROOSEVELT's bill.

I was happy to join them in this position and I ask unanimous consent, Mr. President, that my own statement before the House Agriculture Committee be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

COLORADANS WANT THE PACKERS AND STOCKYARDS ACT STRENGTHENED

(Statement by U.S. Senator JOHN A. CARROLL, of Colorado, before the House Agriculture Committee, February 26, 1962)

Mr. Chairman, several friends of mine from Colorado will be appearing before you this morning, testifying in behalf of Congressman ROOSEVELT's bill to amend the Packers and Stockyards Act (H.R. 3798).

I am proud to say I have worked closely with these men for many years on this serious issue, and I hope your committee will be able to act this year on the problem.

The State of Colorado has an immense economic interest in seeing its livestock industry prosper. Last year the value of livestock in Colorado was $370 million. Developments that tend to reduce competition in the industry are contrary to the best interests of Colorado ranchers, Colorado marketing businesses and the general Colorado economy.

This morning I appear before you, Mr. Chairman, principally to ask that two Colorado speeches on concentration in the food industry be included in your hearing record. These speeches define the plight of the independent livestock producers in the West and in a moment I shall describe them to you.

ACTION BY THE SENATE

Before I do I will take just a moment to review what we in the Senate have been doing to strengthen the Packers and Stockyards Act to provide for more competitive enterprise in the retail sales of meat:

1. In May of 1957 the Senate Subcommittee on Antitrust and Monopoly (of which I am a member) held hearings on "Unfair Trade Practices in the Meat Industry." The bill before the committee was S. 1356 (the O'Mahoney-Watkins bill) to separate regulation of the meatpackers from the Department of Agriculture and place such regulation under the Federal Trade Commission).

2. On July 24, 1957, the bill (S. 1356) was reported to the Senate in Senate Report No. 704.

3. In April of 1958, the bill was recommitted for joint hearings by the Agriculture Committee and the Judiciary Committee.

4. On August 22, 1958, the bill (considerably modified and reduced in scope) passed the Senate, containing the Carroll-Young amendment concerning posting of country auctions. The measure became law on September 2, 1958, and is Public Law 85-909.

5. In July of 1959, the Senate Small Business Committee held hearings on "Unfair Competition in Food Marketing."

6. In June of 1960, the Senate Small Business Committee held hearings on "The Report of the FTC on the Growth of Food Chains."

So, as you see, Mr. Chairman, we in the Senate are concerned with this problem and I hope our interest will begin to quicken to where we will see even greater action and more widespread and effective legislative results.

Mr. Chairman, diverse interests are pulling together to preserve and expand the spirit of competition in the meat industry.

THE CATTLEMAN WANTS ANTITRUST ACTION

The farmer-cattleman stands to lose heavily in any concentration of buying power in the food chains, and he is now becoming acutely aware of his precarious position.

The Wall Street Journal reported recently that farmers are complaining about store chains and packers using livestock on their own feedlots as a pool to draw on intermittently to avoid constant bidding against each other in the marketplace.

"One irate farmer" said the Wall Street Journal, "wrote his Congressman: 'They make millions of dollars in profits from buying farmers' livestock at reduced prices without making a dime on their own feeding operations'."

And the usually cautious cattlemen's associations are concerned about the concentration in marketing.

The American National Cattlemen's Association, through its executive vice president, C. W. "Bill" McMillan in Columbia, Mo., on July 20 of last year called for strengthening of the Packers and Stockyards Division of the USDA "so that it can resist efforts of some elements in the meat team * * * to force single-channel marketing." This is precisely the intent of the Roosevelt bill.

When Congressman ROOSEVELT held hearings on this subject in Denver in November of 1959, there were many witnesses from all phases of the meat producing industry. I was privileged to sit with the House committee on that occasion and I have a strong remembrance of the intensity and persuasiveness of the testimony.

THE CRAIG, COLO., CASE

As a result of the several areas of pressure from private associations and from both Houses of the Congress, especially including the two Appropriations Committees, the Packers and Stockyards Division of the Department of Agriculture, under its forceful new Director, Clarence H. Girard, has stepped up its watchdog operations. On September 14 of last year, Packers and Stockyards cracked down on seven meatpackers, three food chains, and two lamb dealers and charged them with price rigging and monopolistic practices in the marketing of lamb.

This case will be heard by the Department of Agriculture on March 6 in Craig, Colo., in the heart of our livestock country where some of the alleged violations took place.

As you can see, Mr. Chairman, interest in this issue is quickening in many places: the farmers with cattle, cattle feeders, the stockyards and, yes, even the packers themselves.

The number of packers squeezed into bankruptcy in recent years is alarming.

I'm sure it was to fight the growing concentration of meat marketing power in the hands of food chains that led the packers to seek Supreme Court modification of the 1920 consent decree which keeps packers out of the retail food business. And I think the Court was right when on June 20, 1961, it unanimously rejected the packers' request. To do otherwise would have compounded the concentration. But it must be admitted even the packers themselves are in an increasingly desperate condition. The Roosevelt bill would help packers too, in addition to the cattlemen, the feeders and the marketing agencies.

IT IS THE CONSUMER WHO PAYS

But, Mr. Chairman, as always, the one who gains the most when monopoly is curbed and competition expanded is the consumer.

As long as meat is priced unrealistically in the chains as a "loss leader" the ultimate consequence must be eventually higher prices to the consumer. This will occur as soon as competition in the growing and marketing of meat is eliminated and those functions are controlled by a few national food distribution hands.

In the end it is the consumer who pays for monopoly.

Mr. Chairman, the speeches mentioned earlier in my statement so logically yet dramatically describe the problem that Mr. ROOSEVELT's bill addresses itself to. I think they would help the members of this committee and the Members of the Congress to better understand the issue.

The first of these speeches is by Mr. Charles B. Jennings, assistant general manager, Denver Union Stockyards. In this speech, published in the January 24 issue of Cervi's Rocky Mountain Journal, Mr. Jennings describes the problem in the meat marketing industry as one of administered prices; prices controlled by large food chains.

The other speech that I commend for the consideration of your committee members is by Mr. Courtenay Davis, a cattle rancher of Horse Creek, Wyo. Mr. Davis' analysis of the

monopoly problems of what he calls the cow business, reflects the broad opinion of cattle producers in the West.

Mr. Chairman, I think you will find both of these articles directed specifically to the problem you are considering this morning, and I think if you see fit to include them in your hearing record, they would virtually represent two witnesses appearing this morning in support of Mr. ROOSEVELT's bill (H.R. 3798).

I appreciate the courtesy you have extended me in hearing me this morning, Mr. Chairman, on this issue which means so much to the consumers, cattle ranchers and stockyards operators in my State.

Humanity and Survival

EXTENSION OF REMARKS

OF

HON. ABRAHAM J. MULTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 1, 1962

Mr. MULTER. Mr. Speaker, I was privileged to participate in a symposium conducted by the Union of American Hebrew Congregations in Miami, Fla., on February 25, 1962, which dealt with the subject "Judaism and Survival." During the course of the discussions I delivered a short address which I commend to the attention of our colleagues. We are all faced with the reality of this question of survival in a nuclear age and much thinking and clarification must take place before we find ourselves on firmer ground. When we do this thinking and obtain this clarification we will be much better armed against disaster.

My remarks follow:

HUMANITY AND SURVIVAL

The subject of our conference, "Judaism and Survival," might just as well have been "Humanity and Survival." If the holocaust contemplated in these discussions should ever occur, and we all fervently pray that it will not, no part of any particular group or segment of mankind will survive. There will be no dividing by professions or by occupations or by colors or by religions.

It is fantastic to contemplate that such a catastrophe might be the ultimate proof that we are all brothers, regardless of color, race, creed, or place of origin.

No weapon of destruction ever devised by man ever did or ever will be able to discriminate or segregate in attacking its victims.

Therefore, the problem that seeks solution is not Who shall survive? but Shall any survive?

At this point, I would like to inject into the discussion three brief statements, each by great Presidents of the United States of America. I quote. "There is a rank due to the United States among nations which will be withheld, if not absolutely lost, by the reputation of weakness; if we desire to avoid insult, we must be able to repel it; if we desire to secure peace, it must be known that we are at all times ready for war." So spoke George Washington in his fifth annual address to the U.S. Congress in Philadelphia on December 3, 1793. I quote again: "What constitutes the bulwark of our own liberty and independence? It is not our frowning battlements, our bristling seacoasts. Our reliance is in the love of liberty which God has planted in us. Our defense is in the preservation of the spirit which prizes liberty as the heritage of all men in all lands everywhere." So spoke Abraham Lincoln in Edwardsville, Ill., on September 11, 1858.

Neither of these great men foresaw the thermonuclear missile age that threatens the universe today.

And now a last quote as follows: "We are amply strong for today and tomorrow, but we must consider the future, too." That is what President Kennedy said on February 9, 1962. In talking about meeting the Soviet threats to the security of the world, he pointed out that he and all of the American people are intent upon bringing about "total disarmament." I repeat, "total disarmament." In referring to that subject, President Kennedy said, "The only proper course for our Nation was to meet our defense needs while working toward a disarmament agreement." I continue to quote him: "It would be a great error to suppose that either of them makes the other wrong or unnecessary."

In these three Presidential statements, we find a good statement of our American principles based upon the fundamental moral principles which Judaism has preached throughout the years.

Even though I cannot agree, I understand the Quakers when they urge the only path to peace is by refusing to fight. I prefer the Judaistic principle that embraces that thought but goes further and adds to that concept the principle that men were born to be free and, if necessary, they must fight for that freedom, and if the goal to peace can be attained only by making that fight, then to battle we must go. What we must now do is follow the paths which may bring us to the ultimate goal of sholom—peace.

The one way is to expend every possible effort to bring about complete and total disarmament; not disarmament by the United States alone; not disarmament by us and our allies alone, but disarmament by the potential aggressors together with ourselves. We do not ask that the potential aggressors, who pretend that they are arming in defense against us, to disarm first. As evidence of our good faith, we say let us all disarm together.

While ceaselessly continuing our efforts toward that goal, which efforts have been opposed at every turn by the Communists, we must follow the other path by making ourselves so strong that they will never dare to attack us.

A part of that defense is to prepare for the offense which must follow any attack upon us. Another part of that defense is to prepare the civilian population against attack, an attack which will be directed against all of us without regard to color or race or creed.

It may be possible for someone to take a map of the United States and by drawing circles with a radius of 200 or 300 miles with the center of the circle placed in metropolitan communities and in strategic places, delineate a place or places in the desert or in the hills that might be immune from attack or immune from the effects of thermonuclear blasts. If one can find such a place or places to which he can resort, he might be temporarily safe. No one can assure him however, that the winds will not blow some of the radioactive material even to such a remote place. I have not tried the experiment but I am sure that if I did I would find very few places in the country that would qualify for this type of protection and I am just as sure that the few that would be found, if found at all, would accommodate only a tiny portion of our 180 million people.

Primarily the problem of civil defense is one for our Federal Government. Our Constitution places the responsibility, the duty, the obligation in the first instance upon the Federal Government. The fulfillment of the task is impossible without the combined cooperation of every State, every municipality and every one of our citizens.

For myself, I believe that attempting to build a shelter at one's home is of little value except possibly psychologically. It has a minimum of psychological value. There can be no assurance that the attack will come when you or I will be at home. The chances are that if an attack should come our families would be scattered, with some of us at home, some of us at work, and our children in various places, some at school, some at play, and some at work. I doubt if there would be sufficient time between warning and attack to gather our families together in one place.

Those of us who have the funds and the will to prepare such shelters at our homes will, in my opinion, when the time comes receive into them anyone, even total strangers, who may be upon the street when the catastrophe comes upon us. So much for the individual effort.

The public effort must necessarily concern itself with the building of shelters as individual structures to accommodate the public or with using existing structures or new structures primarily occupied for other purposes. Either all or a part of them will be converted to shelters.

My own opinion is that the best of these shelters will not afford the protection that is required. No one can predict when or where these missiles will fall and only the aggressor will know the type that will be dropped. A direct hit will destroy everything above and beneath the ground for miles around. Another exploded in the air would contaminate everything above ground, vegetable, animal, and human, and may even seep through the ground to wreak the same havoc. The only good that can come of wasting money on shelters is the psychological feeling created at home among our people that they may be saved, and the idea abroad among our enemies that we intend to try to survive.

As for me personally, I would prefer to see the millions of dollars that our Government must spend for such purposes diverted to the prevention and cure of disease in the hope of having a healthier community that will never be subject to the dire consequence of blasts and fallout. In my opinion, every dollar of public money that is spent for public shelters must be spent in such a way that every public building or quasi-public building can be utilized for the benefit of all who are close enough to gain entry. I include not only public and parochial schools but places of public worship, the churches, the synagogues, and the temples. This means the Catholic churches must be prepared to receive into their shelters noncommunicants. The Jewish synagogues must be prepared to receive Christians into their shelters. In fact, all of them must be prepared to shelter the heathen, as well as the believers. If the monotheistic religions of the world intend to practice their preachment that we are our brother's keeper.

All these religions teach that the stranger in our midst must be treated as one of us. When disaster strikes will we turn our backs on these teachings and prove that we are no better than the wildest animals? I believe not.

Naval Reservists Fine Performance

EXTENSION OF REMARKS

OF

HON. L. MENDEL RIVERS

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 1, 1962

Mr. RIVERS of South Carolina. Mr. Speaker, several weeks ago I addressed my colleagues on the performance of the

Air Force Reserve elements that had been recalled to active duty.

It was most gratifying to me to be able to speak so well of them because it has been my privilege to provide for the Reserves of all services with my colleagues of the subcommittee of the Armed Services Committee for Reserves.

Under leave to extend my remarks in the CONGRESSIONAL RECORD, I would like to take this opportunity to bring to the attention of my fellow Members in this House a similarly stellar performance on the part of the naval reservists who were called to active duty.

It is particularly gratifying to me because the home port of one of the destroyers called to active duty, the U.S.S. *Robinson*, was formerly in my district in South Carolina. This ship was manned to a large degree by reservists residing in or near Charleston, S.C.

The Navy's Selected Reserve responded immediately to the callup. It is not generally known but these naval reservists added a very substantial Navy of their own to the fleet. Forty destroyer-type antisubmarine ships steamed out to join the fleet and 18 naval air squadrons with 190 naval antisubmarine aircraft commenced antisubmarine surveillance patrols at once.

These ships and aircraft commanded and manned by reservists accomplished the transition from civil life to active service smoothly, quietly and without incident.

Some of the destroyers were off the Dominican coast during that crisis—others joined hunter-killer groups and are operating all over the Atlantic.

All of them moved to their stations at once without any postmobilization training.

Rear Adm. George P. Koch, U.S.N., who commands one of these groups, has written a report on the performance of his reserve ships. I want to read a part of this report to you at this time:

Four Reserve ships that I have with me, the U.S.S. *Miller*, formerly home ported at Boston; the U.S.S. *Robinson*, formerly home ported at Charleston; the U.S.S. *Hunt*, formerly home ported at Jacksonville; and the U.S.S. *Remey*, formerly home ported at New York, have performed superbly in every manner. They joined the group after being recalled for only a period of 1 month and by the time we reached the eastern Atlantic were performing as well as the regulars. We are now in the rough seas north of Scotland and the fact that they are doing as well as the two regular ships I have with me certainly speaks well for the worthwhileness of our Reserve training program.

Some of the Reserve officers and men told me that they wondered at first if it was really necessary for their recall. They said that even though their morale was very high because they were doing something at sea on this cruise, the above doubt was not competely dispelled until they visited Berlin and saw the wall. Most of these people are professional and business men and when they are released I am sure that they will spread the word widely in their respective communities why it is necessary to spend as many defense dollars as we presently are. The visit to Berlin also had a tremendous effect on the West Berlin people. Our sailors' blue uniforms were the first they had seen in large numbers for a long time and I have received many letters thanking us for showing them that the United States is really behind their struggle for freedom. The mayor of West Berlin personally greeted the Reserves and made a speech to them in English in which he stated that he realized the hardships they were going through in giving up their businesses and leaving their homes because of the Berlin crisis and wanted to make sure that they knew that everyone in Germany, and in West Berlin in particular, was certainly thankful for their sacrifices.

Adm. George Anderson, our Chief of Naval Operations, upon being questioned by the press in San Diego made the following statement:

Question. There's been a lot of discussion about reservists recently. One ship of reservists sailed to the Pacific. Has the progress you've made with the reservists called up been sufficient to the point you think it is justified to continue that type of Reserve program?

Answer. We have been very pleased with the magnificent response of our Naval Reserve to the recall to active duty. It has justified our faith in the Reserve system, and I feel these officers and men have made a valuable contribution, as the President stated, in preventing hostilities. They have acquired a great deal of training, and we hope that conditions will permit them to be released prior to the expiration of the full year. We hope, also, that, if some individuals desire voluntarily to stay on active duty, we may be able to utilize their services. But I think that our Naval Reserve and our Naval Air Reserve—and I know the Marines feel the same way about the Marine Reserve—are a fine system, and we contemplate no major changes.

Such testimonials by the high command of the operating forces reinforce my conviction that our Reserve programs have justified our supporting efforts and our confidence in the American traditional "defense backup" that relies upon the minutemen of today—the personnel of our Reserve Forces.

Address by Senator Allen J. Ellender, of Louisiana, Before Wabash Valley Association

EXTENSION OF REMARKS

OF

HON. VANCE HARTKE

OF INDIANA

IN THE SENATE OF THE UNITED STATES

Thursday, March 1, 1962

Mr. HARTKE. Mr. President, on January 31, 1962, it was my pleasure to attend a meeting of the Wabash Valley Association at Purdue University in West Lafayette, Ind., accompanied by my good friend and colleague, Senator ALLEN J. ELLENDER.

At the meeting, Senator ELLENDER delivered an extremely interesting and effective address in which he outlined the evolution of the Federal interest in water resource development and the problems we must face now if we are to provide for the future.

Mr. President, I ask unanimous consent that the text of Senator ELLENDER's excellent address be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY THE HONORABLE ALLEN J. ELLENDER, OF LOUISIANA, BEFORE THE WABASH VALLEY ASSOCIATION, LAFAYETTE, IND., JANUARY 31, 1962

I am pleased to be here.

I propose to discuss the problem of stream control, a subject in which your association is deeply interested, and which this area and the Mississippi River Delta, where I come from, have in common.

First of all, let me commend you for the fine presentation made by your association before the Appropriations Committees last year. It was one of the most effective you have ever made before our committee. Your requests were supported by your Senators, Congressmen, Governors, the Indiana Flood Control and Water Resources Commission, the Wabash Valley Interstate Commission, mayors of communities along the river, farmers, bankers and businessmen throughout the valley, all of which indicates splendid teamwork. As I recall, they presented a united front except for some opposition from local interests in Mount Carmel to the construction of levees for the protection of Levee Unit No. 5 in Indiana until equal protection can be provided for Mount Carmel on the Illinois side. I express the hope that initial construction funds will be appropriated for fiscal year 1963 for Levee Unit No. 5, in accordance with the recommendations in the President's budget. The district and division engineers have completed their study of local flood protection for Mount Carmel. Their report was approved by the Board of Engineers for Rivers and Harbors at its January meeting, and it should be processed in time to be included in the omnibus flood control authorization act this year. If authorized, you may count on my support for planning funds for Mount Carmel. As you know, due to the length of the protective works required for Levee Unit No. 5, the Mount Carmel project can be completed prior to any adverse effects from the construction works for the protection of Levee Unit No. 5.

I would now like to review the evolution of the Federal interest in water resource development, and to analyze briefly the problems which we must face now if we are to provide for the future. Many of you are very well acquainted with the subject, but I hope to elicit your continued interest in our efforts on the Washington level.

Those of us in Congress who have been battling for Federal funds for the protection of our two most precious natural resources—soil and water—have been the targets for much unjust and vile criticism. Fortunately, the ill-advised, misinformed, narrow-minded, ax-grinding, shortsighted critics have not been able to gather much momentum, and in spite of them we have been able to proceed in an orderly way. Our effort has been carried on in a nonpartisan manner. I express the hope that in the next 10 years most of our great valleys and many of our smaller ones will be free from damaging floods.

I have for a long time entertained the view that our land and water resources belong to all the people, and those of the present generation are merely the guardians of those resources, charged with the duty of protecting and preserving them for the benefit of generations yet unborn. Food and fiber are the lifeblood of any country. Without them its people would all die on the vine, hence it becomes the duty of a nation to provide the guidance, as well as the funds, for posterity.

The Federal interest in the development of our waterways dates back to 1824, when the first improvements of rivers and harbors for navigation were adopted by Congress and assigned to the Corps of Engineers. In the

beginning the Federal interest in waterways was confined to navigation. In 1879, when Congress passed an act creating the Mississippi River Commission, that interest was extended to include flood control. Later the California Debris Commission was created, with jurisdiction over the Sacramento and San Joaquin Rivers. In 1902 Congress established what is now the Bureau of Reclamation for the development of irrigation projects to provide water for the arid lands in the western portion of our country.

Up to this time the principal legislation enacted by the Congress in the field of water resources was single purpose; that is, navigation, flood control or irrigation. In 1927, however, the Congress directed the Corps of Engineers to make comprehensive water resources studies of the streams listed in House Document No. 308, 69th Congress, 1st session. The streams listed in that document constituted the principal rivers of the Nation.

The reports prepared under authority of that act became known as the 308 reports. They constitute the first comprehensive compilation of the water resources of our country. Indeed, the 308 report on the Tennessee River system was the basis on which the Tennessee Valley Authority was established in 1933. Similarly, the 308 report on the Sacramento-San Joaquin River was the basis for the authorization of the Central Valley project of the Bureau of Reclamation.

These reports were also the basis for many of the projects authorized in the First General Flood Control Act of 1936, which recognized that destructive floods on the Nation's rivers constitute a national menace by upsetting orderly progress, causing loss of life and a tremendous drain on our land resources, and further, that flood control is a proper activity of the Federal Government. That act established as national policy that the Federal Government should improve or participate in the improvement of navigable waters and their tributaries for flood control provided the benefits are in excess of the cost.

I believe that the key phrase here is "or participate in the improvement." The original omnibus flood control act required local interests to furnish lands, easements, and rights-of-way for all flood control projects. In later years, except for eliminating local cooperation on reservoirs, the Congress has taken steps to require additional local participation and we can expect that tendency to continue, where the benefits are purely local. For instance, the Flood Control Act of 1960 requires local cooperation of at least 20 percent of the total first cost on strictly local protection projects.

In the field of water resource development generally, legislation has enunciated broad policies, leaving the mechanics of project formulation and evaluation to the executive agencies and the Bureau of the Budget.

In 1952 the Bureau of the Budget, in cooperation with the various Federal agencies concerned, issued the now famous—or should I say "infamous"—Budget Circular Letter A-47, setting forth a broad outline of benefit and cost computations to be included in the evaluation of reports, and prescribing methods of amortization of projects.

Since its language is very general, it is subject to interpretation, and the Bureau of the Budget has consistently applied a very restrictive interpretation wherever possible. This has resulted in unfavorable reports on many good projects that should have been recommended and built during the last decade.

Naturally, there has been a great deal of dissatisfaction with the policies set forth in this document by both the Congress and the Federal agencies involved. Several years ago the Senate passed a resolution authorizing the creation of a Select Committee on Water Resources, to be composed of members of the Committees on Public Works, Agriculture, and Interior and Insular Affairs, to study resource development and policies, including Budget Circular Letter A-47.

The select committee was headed by the distinguished senior Senator from Oklahoma, the Honorable ROBERT S. KERR, and I had the privilege of serving on that committee. In passing, I might say that it was one of the few select or special committees to complete its task for less than the amount provided, spending only about $90,000 of the $125,000 authorized by the Senate for the study.

Furthermore, the committee completed its assignment within the time originally scheduled and then passed out of existence.

Grassroots hearings held in strategic areas of the country formed the basis of the exhaustive study of water resources made by the select committee. Its report and the 32 technical papers prepared in connection therewith have been hailed by members of both parties in Congress and by experts in the field of water resources throughout the country as the most significant contribution ever made in that field.

The committee report on the problems and the challenge set the stage for a greatly expanded water resource development program in the next two decades, but it is obvious that the program must be accelerated if we are to meet the challenge of economic and industrial development, and at the same time provide for the domestic water needs of our exploding population.

The magnitude of the problem facing this Nation in providing an adequate supply of water of good quality by the year 2000 can be grasped when we consider that the actual population of the contiguous portion of the United States in 1958 was 174 million, whereas the mean estimate of the population projection for the year 2000 is 329 million. The select committee's studies show that to meet the future needs for water supply would require a minimum expenditure of $12 billion in the next 20 years. I can assure you that only by complete development of our streams can we hope to provide for the water requirements which the economic growth of this country will demand in the years to come.

Last year an important step was taken toward comprehensive river basin development, when the Water Supply Act of 1960 was amended to provide that where the benefits from low flow regulation are general in nature, that is, not confined to a single area, the cost of storage for such regulation need not be reimbursed by the local interests.

Just recently the Bureau of the Budget has consulted with the executive agencies having a responsibility in the field of water resources with respect to an Executive order which will embody an interagency agreement relative to water resource development. One very significant feature of this proposed Executive order is that it will in effect repeal the restrictive policies pursued in the past by the Bureau of the Budget in its rigid definitions of the limitations imposed by Budget Circular Letter A-47. The Secretaries of the agencies involved now have this agreement for approval, and I feel confident that we are about to enter a new era of resource development.

As I previously stated, our Select Committee on Water Resources has given us the blueprint for the future development of our water resources. Its report and the technical papers prepared in connection therewith will be our guide in this field in the future. It is important for the American people to realize that to a great degree their future lies in the extent to which they develop their natural resources. But this is not enough. It is essential that Washington and the President recognize this need.

For 8 years we labored under a philosophy of no new starts, vetoes for rivers and harbors and flood control authorization bills, and vetoes for appropriation bills that dared to provide unbudgeted new starts for resource development projects. That situation has now changed.

President Kennedy is scrapping the shackles of the last 10 years imposed by Budget Circular Letter A-47. He laid down the challenge in his special message to the Congress on natural resources last year, when he said, and I quote:

"This Nation has been and is now especially fortunate in the blessings [of natural resources] we have inherited. Our entire society rests upon and is dependent upon our water, our land, our forests, and our minerals. Wise investments in our resource program today will return vast dividends tomorrow, while failure to act now may be opportunities lost forever. We can no longer ignore our country's need for development. Our available water supply must be used to give maximum benefits for all purposes: hydroelectric power, irrigation, reclamation, navigation, recreation, health, home, and industry."

That is the challenge.

We have a blueprint for our resources development, a clear definition of the problem, and a challenge from our President to move forward. There remains only the application of engineering technique and vision to conceive the projects which will be necessary to nurture our future economic growth. In an expanding economy, and with an increasing birth rate, the economy of an area develops proportionately to the boldness and the imagination of the engineer. To the economist falls the task of applying the hard rules of economics which can turn these dreams into realities. Here again, the success or failure of a project may hinge on the vision and imagination the economist uses in his application of sound economic principles. It is in this context that the full significance of the rescission of Circular Letter A-47 becomes apparent. I hope that the Corps of Engineers will provide the vision and the leadership necessary to regain a position of preeminence in the field of water resource development.

Since assuming the chairmanship of the Subcommittee on Public Works of the Senate Appropriations Committee, I have recommended increased appropriations for resource development, not only in Louisiana but throughout the country. I have fought for some new starts in both planning and construction each year in order to maintain a well-balanced construction and planning program. With constant opposition from the administration and the Bureau of the Budget, I have frequently felt as though I were a voice crying in the wilderness when I have tried to point out the importance of an adequate annual program in the field of natural resources. I firmly believed that increased appropriations were necessary if we were to continue to prosper as a Nation.

Today the picture is somewhat brighter, with a concise statement from the Senate Select Committee on Water Resources as to the need, and a direct challenge by the President of the United States to meet that need, backed up with budget requests that provide for the initiation of some new projects each year. With such a program we will meet that need.

I realize that the demand for new starts must be tempered by fiscal considerations with respect to other essential programs, and a desire to balance the Federal budget. After hearing all of the testimony in connection with the 1963 budget, the Congress may want to make some adjustments or additions to the President's budget request, but I feel certain that we will be operating in an atmosphere of understanding.

The change in attitude on the part of Government officials with respect to water resource projects has been reflected in the public press. Whereas a few years ago the

newspapers and magazines carried derogatory articles and characterizations of the water resource program as "pork barrel," today we have syndicated articles on the editorial pages of our newspapers by such writers as Ralph McGill, entitled "Water: Growing Concern for United States." In his article he quotes various passages from the Bible relative to the dependence of civilization on adequate water, and then states:

"We read stories about ancient civilizations dying. Archeologists, digging into old ruins, translating weird writings on clay tablets, interpreting the rings of centuries-old trees found in desert ruins, which tell us that cities and civilizations 'died' because the water supply failed. It happened on our continent to the Mesa Verde Indians."

It is refreshing to hear that message preached by a popular columnist, who can reach more people in 1 day than I have been able to reach over the years with my message. The reason for that is simple: Most of the people to whom I have been able to carry my message are public-spirited individuals already interested in the pressing problems of water conservation.

My conviction in the necessity for this program stems from a study of the problem as it develops in these United States. I am profoundly interested in the problems which organizations such as yours bring to my attention. These are situations capable of correction before an economically productive area is permanently destroyed.

The urgent need for meeting these problems is vividly impressed upon me as I travel through portions of the Old World. On every possible occasion in the past 10 or 12 years I have stated that my travels have convinced me that unless we protect our greatest resource—water—someday many parts of our country may become as barren as the Gobi Desert or the lands I have seen in old Persia. Our history books tell us that about 500 years before Christ, the entire area of Persia was capable of sustaining the livelihood of 115 million people. Now it can adequately care for less than 14 million people.

One important aspect of water engineering that has been given little attention is pollution abatement. Aggressive action must be taken to eliminate both manmade and natural sources of pollution if we have any hope of meeting the water requirements of our growing industry and population by the year 2000.

Of 36 local protection projects, only the local protection projects at Delphi, Lyford Gill Township, Vincennes, and Brevoort on the upper Wabash, and Muncie, White River Levee Unit No. 8 and the Grassy Creek projects in the White River Basin have been placed in operation. Of the remaining 28 authorized local protection projects, those for the protection of Rochester and McCleary's Bluff, Ill.; Tri-Pond levee, Indiana; and Greenfield Bayou levee, Indiana, are in the budget for advance planning in fiscal year 1963, and Wabash River, Levee Unit No. 5, Indiana; Mason J. Niblack levee, Indiana; and West Terre Haute, Ind., are recommended for construction. Therefore, there are 22 projects, most of which were authorized a quarter of a century ago, that have not been started and for which no funds are requested for fiscal year 1963.

The situation with respect to reservoirs is somewhat better. The Mansfield and Cogles Mill Reservoirs on the Wabash have been completed and construction funds have been requested for the Mississinewa and Salamonie Reservoirs in the upper Wabash and the Monroe Reservoir in the White River Basin. That leaves only the authorized Huntington Reservoir in the upper Wabash, for which no construction funds are requested. I am hopeful that a good case will be made for the early construction of this project and that the Congress will provide funds for the initiation of this project in fiscal year 1963.

I believe you have an effective organization which can be of great value, not only to all of you in the basin but to the Congress as well. Within the framework of the authorized projects, you can assist in the establishment of priorities, and then present a united front when requests are made to the Congress for appropriations to implement existing authorizations. I feel that within the past few years real progress has been made toward providing a measure of flood control and water conservation within the Wabash Basin.

I am sure all of you realize that the major effort in this direction can only be made after completion of the outstanding comprehensive report on the Wabash River and tributaries. The estimated cost of that report is $605,000, of which $329,200 has been appropriated. The request for fiscal year 1963 is for $100,000, compared with $75,000 requested for 1962. That will leave a balance of $175,800 for completion of this study after fiscal year 1963.

Considering only the authorized projects, we find that within the Wabash River Basin there are about 36 local flood protection projects, of which 11 are in the White River Basin, its major tributary. In addition there are six authorized reservoirs.

As all of you realize, even if all of the authorized projects were built, you would not have the flood protection required for the Wabash Basin, you would not have the water conservation storage needed for domestic and industrial water supply required to meet the needs of this great river valley in the next two decades; nor do you have the advantages of low-cost water transportation, which will be a stimulus to the further economic development of this basin. The realization of these aims can only be accomplished with the completion of the presently authorized review report and the appropriation of funds to build the projects that will be recommended in that report. So I say to you today—to a large extent, the future of your area is closely related to the early completion of that report and vigorous local support for early construction of the projects that the Corps of Engineers will recommend for the Wabash Basin.

The procedures for survey reports and project development provide for coordination and cooperation by local and State agencies. It is only in this way that the full aspirations of an area for the complete development of its natural resources can be realized. In the case of the Wabash River Basin, I am pleased to see that the facilities of three great universities—Illinois, Indiana, and Purdue—are being utilized in making certain studies to be incorporated in the comprehensive plan for the future development of this great river basin.

I am hopeful that this study will show the economical feasibility of extending Ohio River navigation up the Wabash River to some logical point such as Terre Haute, Ind. Such a development would provide low-cost water transportation from points along the Wabash River to the Mississippi River system, of which the Ohio and its tributaries are a part, to the Great Lakes and to the Gulf of Mexico. This comprehensive study, which includes a determination of the feasibility of navigation, comes at a time when our historic position of toll-free waterways is in jeopardy from a merciless attack by the railroad interests.

I cannot believe that these selfish interests will be successful in destroying the concept of toll-free waterways, one of the major factors in the rapid development of the Ohio and other river valleys of this Nation.

As you know, the President in his budget message recommended extension of the principle of user charges to inland waterways, and stated that a tax of 2 cents per gallon should be applied to all fuels used in transportation on these waterways, effective January 1, 1963. This, of course, is entirely different from the death-dealing measures being advocated by the railroads.

The railroads would like to see a tax on waterways which would amortize the first cost and cover all costs of maintenance and operation. At the present time the annual cost of maintenance and operation of our waterways runs about $100 million a year, whereas the fuel tax being recommended by the President is estimated to produce about $3 million during the first half-year of operation and about $10 million a year after it is in full operation.

The President's program contemplates extending to the waterways the fuel tax now imposed on the use of highways and airways. So long as this is a general tax on fuels, the amount of the tax is reasonable and equitably apportioned among the various modes of transportation, I think it would be unrealistic for the waterway operators to take the position that they and they alone should be excluded from the general application of a fuels tax.

If, on the other hand, when the details of the President's recommendations are made public, we find that coastal ports, the Great Lakes, and pleasure craft are excluded from the tax, we are faced with a different situation. The gas tax would then become a toll on our inland waterways in the form of a user charge. This would destroy our time-honored principle of toll-free waterways. At this point, regardless of the amount, I would oppose the measure in principle.

As one Member of Congress, I can assure you of my continued vigorous support of a program for the development of the natural resources of the United States, adequate to meet the needs of our children and our children's children.

Plans To Share Nuclear Weapons and Information With Our Allies

EXTENSION OF REMARKS

OF

HON. JOHN SHERMAN COOPER

OF KENTUCKY

IN THE SENATE OF THE UNITED STATES

Thursday, March 1, 1962

Mr. COOPER. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD, an article written by our distinguished colleague, Senator CLINTON P. ANDERSON, of New Mexico, entitled "The Test Debate: We Need To Know More." The article was carried by the New York Times magazine in its issue of February 25.

I shall not attempt to write a review of this important statement, for it speaks for itself, and I know that it will be read by thousands of people in our country, as well as abroad. It is enough to say that it is a reasoned, thoughtful argument that, quoting Senator ANDERSON, "the public is also entitled to know more about our plans to share nuclear weapons and information with our allies," and "Americans should be told the extent of their oversea obligations." Beyond this, it is a plea that fuller information be given our people on the whole subject of our nuclear strength and nuclear tests.

Senator ANDERSON urges four important conclusions:

First. Release of fuller information on where the Russians stand in relation to U.S. nuclear strength;

Second. Deliberate action by the heads of departments to halt the odious practice of leaking classified information;

Third. Improvement of Defense Department security methods for protecting nuclear secrets to bring them into line with the AEC system; and

Fourth. A clampdovn on the publication of technical weapons data of significant aid to unfriendly countries, or which contribute to the proliferation of atomic weapons.

Senator ANDERSON served many years as a member of the Joint Committee on Atomic Energy, and 4 years as its chairman. He has played a leading part in the development of our nuclear strength. His experience, thorough study, and judgment enable him to speak with an authority which deserves and receives attention and respect.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE TEST DEBATE: WE NEED TO KNOW MORE

(By Senator CLINTON P. ANDERSON, of New Mexico)

WASHINGTON.—If the United States is still ahead in atomic weapons, why do we have to start testing again? This question has already touched off an intense and even vehement debate about both the danger and the value of testing. It gathers added heat as a decision by the President on nuclear testing in the atmosphere seems to be at hand.

Regretfully, the debate has been characterized more by heat than by facts. The American people need more knowledge about this issue, but excessive security may be keeping it from them.

My concern is that Government secrecy policies have imposed such narrow restrictions on what the public can be told that the test debate serves to befuddle rather than inform the people. There is enough that is awesome and frustrating about nuclear-weapons developments without the Government's imposing the added burden of confusion.

The controversy built up steam last September when the Russians again began detonating nuclear weapons. Arguments have been voiced on both sides of the question, with many prominent scientists urging our resumption of tests. They believe that the Russian tests displayed significant progress. I agree with them. Official Government spokesmen, however, have declared that this country continues to have the greatest atomic arsenal, with weapons of all sizes and functions. This leaves the public wondering: If that is so, why do we have to start testing in the atmosphere again?

This is not only a military matter; it is also a political and social question that should be intelligently discussed by an informed citizenry. It is their future that hangs in the balance.

That such an exchange of views is fundamental to our system of government was appreciated by Prof. Henry DeWolf Smyth who, in the closing days of World War II, prefaced his official account of the making of the atomic bomb by declaring: "The ultimate responsibility for our Nation's policy rests on its citizens and they can discharge such responsibilities wisely only if they are informed."

Present atomic secrecy practices are direct descendants of the measures taken during World War II to keep shrouded the Manhattan project, which sired the A-bomb. Early in the development of the weapon, the scientists who were aware of the destructive potential of the fission process imposed self-censorship on their own activities.

The basic security framework within which the Atomic Energy Commission now operates was derived from the Atomic Energy Act of 1946. Established by the act was a special statutory category of information called restricted data, which was comprehensively defined to include virtually all atomic energy information.

By 1954, it was apparent that the law needed revision to make the atomic security system a more flexible tool of national policy. Major amendments were made in the law that year, including provision for the declassification of information that could be released "without undue risk to the common defense and security."

In the 1946 act, the criterion for declassification had been that the information could be published "without adversely affecting the common defense and security." The newer "undue risk" criterion recognizes that there is always an element of risk involved in declassifying information; it permits that risk to be weighed against the advantages to be gained by encouraging widespread dissemination of scientific and technical information relating to atomic energy.

This approach seeks security by achievement; that is, by the encouragement of research and development through free publication of information to advance our atomic art. In the final analysis, our best defense lies in accomplishment rather than concealment.

The condition of the world in which we find ourselves unquestionably justifies certain secrecy practices. To abandon them outright without reciprocal action on the part of the Soviet Union and other nations would threaten this Nation's defenses. Of increasing seriousness, too, is the fact that openness in atomic weaponry can accelerate the spread of nuclear arms to other nations—the so-called nth-power problem.

In the Times magazine 3 years ago I criticized abuses of the secrecy system in atomic energy. Many of us on the Joint Committee on Atomic Energy, as well as others, felt that extreme classification had retarded scientific progress. Disturbing us also was the fact that the public was being kept in the dark on fallout. The joint committee conducted public hearings to shed light on the nature of this unseen, unfelt pollutant.

There has been some improvement in recent years. For example, much of the information on our nuclear-driven rocket and nuclear powerplants for space satellites has been declassified. But the problem persists.

Our classification procedures can be ironic. At the same time that information in the realm of ideas and policy is kept hush-hush, technical information of military value is frequently released, to the marked advantage of unfriendly powers. The release of such data, I am convinced, results from the rather fierce competition for funds and mission assignments among the armed services, encouraged in large part by military contractors. Overclassification has encouraged leaks of information by some officials seeking to sway public opinion toward their own special interests despite possible damage to the broad public interest.

While there is a compelling need for meaningful public discussion of the broad issues involved in atomic armaments, the same arguments do not apply to the technical details of weapons and delivery systems. Even though the do-it-yourself spirit has taken firm root in home workshops, most persons are unable to fathom the intricacies of military gadgets. Moreover, I think it is fair to say that they have no desire to see the blueprints of an atomic bomb or know the operating characteristics of a submarine reactor (although at one time, I suggested that one of our early A-bombs be deactivated and displayed in Grand Central Station to remove some of the mystery in which these weapons are enveloped).

The United States operates an extensive and expensive intelligence apparatus to gather secrets of our enemies. Yet the kind of information this country pays dearly for in lives and treasure, other nations can obtain about us without risk—and free.

Well, not quite free. For $2.98, anyone can buy a plastic model of the Polaris submarine, the missile-carrying atomic-powered craft which is a key element in our deterrent strength. The model is based on official Navy blueprints and data furnished by the boatyard, according to a sheet of instructions accompanying each of the models.

Vice Adm. Hyman G. Rickover opposed release of this information because of its value to a foreign power. The toy model reveals the dimensions of the submarine, including the relative sizes of the reactor and machinery compartments, and indicates the size of the crew. Explaining his opposition, Rickover told the Joint Committee: "I see no reason why we should slave away and spend a lot of money and use up a lot of our talent and then just turn it over to a potential enemy. Can you conceive the Russians doing that?"

The Navy justified the release of the information to the model manufacturer on the ground that focusing attention on this vessel helps gain public support for the Polaris submarine program. There may be some truth in that from the Navy's standpoint, but in reality it was the Navy that originally dragged its feet on development of the nuclear submarine. The Joint Committee on Atomic Energy campaigned determinedly for it, and the American people are convinced of its value. The Navy's concern appears tardy.

Our intelligence experts know how difficult it is to obtain photographs of secret Russian weapons. By contrast, available on any newsstand in this country are magazines carrying clear illustrations of advanced American arms. A case in point was a photograph showing a nuclear depth charge slung beneath one of our bombers. A little time spent with this picture would give photo interpreters valuable information about the antisubmarine weapon.

I make no brief for hiding basic scientific information. It is doubtful that fundamental knowledge can be kept secret, since experience demonstrates that scientists working far apart and unaware of each others' labors often have discovered the same concepts at virtually the same time. It is in technology that greater precautions must be taken.

The inconsistencies in secrecy procedures never cease to amaze me. Here are some more examples:

1. I recently picked up a copy of a nuclear-industry newsletter which had an extensive and authoritative report on radiation problems involved in atomic-propelled rockets. The report detailed the findings of a bio-medical group at the AEC's Los Alamos laboratory.

The scientists, the report said, were optimistic about overcoming the radiation hazards of nuclear rockets. I have long advocated the development of this kind of space vehicle. When someone who saw the item in the newsletter asked for a copy of the report, it was denied because the document is classified.

2. "Confidential" was stamped on a document sent to the Joint Committee on Atomic Energy by the State Department. It listed the names of persons from the United States, Great Britain, and the Soviet Union who were representing their countries at the Geneva negotiations on cessation of atomic testing. Classifying the information in this confidential document was about as sensible as keeping the roster of the New York Yankees from the Cincinnati Reds; the members of the three delegations were known to the press as well as to those of us who had attended the Geneva talks.

3. Defense officials argued against public disclosure of the dates when the United States could fly a nuclear-powered rocket, although they maintained there was no military requirement for this craft. If the rocket isn't a military device, what difference does it make if another nation knows when it may fly? Incongruously, the Pentagon released the dates when the Atlas and Minuteman missiles would be operational.

Asked about this general problem of classification on another occasion Vice Adm. John M. Hoskins, Director of Declassification Policy, commented: "I've never known a man to be court-martialed for overclassifying a paper."

But overclassification presents more security problems than it solves. This was recognized by the Coolidge Committee on Secrecy Problems in the Defense Department when it warned that "overclassification has reached serious proportions."

"The result," the committee said, "is not only that the system fails to supply to the public information which its proper operation would supply, but the system has become so overloaded that proper protection of information which should be protected has suffered. The press regards the stamp of classification with feelings which vary from indifference to active contempt. Within the Department of Defense itself, the mass of classified papers has inevitably resulted in a casual attitude toward classified information, at least on the part of many."

Contrary to the popular notion that the military inherently is best able to keep secrets, evidence shows that the Defense Department's procedures for protecting atomic information are less stringent than those of the civilian AEC. Highly classified information, my experience shows, is passed on by Defense to personnel and contractors without the background investigation required for comparable transfer by the AEC. This is like trying to hold back the water by building a dam across half the river.

The Joint Committee on Atomic Energy's security subcommittee, of which I am chairman, has held the first of a series of hearings on what we believe is a double standard in the handling of nuclear secrets. A 1954 law stipulated that the Defense Department's regulations for safeguarding atomic secrets must be "adequate and in reasonable conformity" with those of the AEC. But recent months have brought a rash of leaks of secret information, apparently from the Defense Department.

An example of leaking—a favorite indoor sport in the Nation's Capital—is a recent Washington newspaper story headlined: "Secret Data Indicates Substantial Improvement in H-Bomb Efficiency." The story disclosed that analysis of the fall series of Soviet atomic tests revealed impressive improvements in nuclear weapons. The information came from a secret report. Disclosure of part of the report obviously served someone's narrow objective.

The Atomic Energy Commission corroborated the story to the extent of revealing that the Russians had made substantial progress. But the AEC added that there is no reason to believe that the balance of nuclear power has changed to favor the Soviet Union.

Slivers of information slipped to the press by officials, or preconceived appraisals by informed persons outside the Government, are no substitute for a frank explanation by the administration of the technical, strategic, and political reasons for its policy conclusions. President Kennedy has said that he will explain the basis for his decision on atmospheric tests when he reaches a final conclusion. I applaud that. I believe it would have served the national interest for the public to have had much of this information right along.

The blackout on fuller information on nuclear weapons testing is, I believe, accepted by the general public in the belief that the subject is too complex for comprehension and the information too vital to national security to be broadcast. This forecloses a widespread understanding of the options available to this country.

While the handful of leaders who must determine the Nation's course and their advisers are men of good faith and ability, the critical questions of war and peace cannot be left to the experts, free of scrutiny by citizens and Congress. The citizen cannot abdicate his responsibility. Without being given military secrets and without a scientific background, the citizen can still be informed and can understand the issues which underlie the test debate. Ignorance of these issues is neither necessary nor desirable.

It would be most useful to the current discussion if more information were provided the public, as the Joint Committee on Atomic Energy has done in open hearings on radiation hazards. An official white paper setting forth the basis for Executive decision has been recommended by some committee members.

Without compromising our intelligence network, the public can be told a good deal about what the Soviet Union has achieved in its recent atomic tests. The Russians have gained considerable sophistication in nuclear weapons. They know it. Why shouldn't the American people?

The approximate number of American, British, French, and Soviet tests has been disclosed. But it should be explained that, although we have conducted more tests than the Russians, a number of ours were to improve safety methods rather than to perfect new weapons.

I believe excessive secrecy left us out on the limb after the Russians exploded their multimegaton anticivilization bombs. Much was said about the heavy fallout which would result from these devices. Actually, the level of radioactive debris produced by them was far below expectations. It was some time after this fact was officially known that the AEC made the information public.

Although somewhat removed from the immediate issue of atmospheric testing, the public is also entitled to know more about our plans to share nuclear weapons and information with our allies. Americans should be told the extent of their oversea obligations.

Summing up, I would urge—

1. Release of fuller information on where the Russians stand in relation to United States nuclear strength;

2. Deliberate action by the heads of departments to halt the odious practice of leaking classified information;

3. Improvement of Defense Department security methods for protecting nuclear secrets to bring them into line with the AEC system; and

4. A clampdown on the publication of technical weapons data of significant aid to unfriendly countries, or which contribute to the proliferation of atomic weapons.

The educational campaign that has been conducted to inform Americans on the rather complex issue of foreign trade presents an excellent example of how a democratic society can promote its objectives through government-by-discussion. Within the bounds of essential secrecy, the same sort of effort can be useful in the test question, to gain popular support for upcoming Government decisions. The task is made easier by the continuing rise in educational levels in this country.

Viewing with foreboding the threat of Nazi Germany in the 1930's, Winston Churchill made a statement to his Prime Minister which is appropriate to the United States today. Churchill urged: "Tell the truth, tell the truth to the British people. They are a tough people and a robust people. They may be a bit offended at the moment, but if you have told them exactly what is going on, you have insured yourself against complaints and reproaches, which are very unpleasant when they come home on the morrow of some disillusionment."

SENATE

MONDAY, MARCH 5, 1962

The Senate met at 12 o'clock meridian, and was called to order by the Vice President.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Lord of all life, here and beyond, Thou art the God of this terrestrial ball we tread, and Thou art the God of the farthest star in the vastness of space which is beyond our imagination and comprehension.

If we take the wings of the morning and fly to the uttermost parts of the earth or sea, behold Thou art there; and if Thy earth children in expanding their dominion shall at last stand on some other whirling world, still man will find Thee there, for the hallowed words which our childhood lips were taught to utter—"Our Father"—mirror the final truth of all Thy creation. It is Thine immutable law which propels our tiny ships now venturing forth on the ocean of immensity.

Give us to see that the breathtaking vistas of the universe rebuke Thy earth children's separation into hostile camps on this third-rate planet of a third-rate sun.

Make us big enough and united enough to do our part in making the divided wilderness of this earth blossom as the rose in the garden of Thine infinite love. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, March 1, 1962, was dispensed with.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that on March 3, 1962, the President had approved and signed the following acts:

S. 67. An act for the relief of Col. Samuel Hale;

S. 235. An act for the relief of Evagelos Mablekos;

S. 241. An act for the relief of Haralambos Agourakis;

S. 429. An act for the relief of A1c Percy J. Trudeau;

S. 531. An act for the relief of Eugenia Chrzastowski;

S. 1076. An act for the relief of Nancie Ellen Williamson;

S. 1348. An act for the relief of Sulabach Construction Company;

S. 1560. An act for the relief of Yasuko Otsu;

S. 1685. An act for the relief of Brigitte Marie Ida Kroll;

S. 1791. An act for the relief of Dr. Tsy-cheng Peng;

S. 1776. An act for the relief of Frances E. Sarcone;

S. 1832. An act for the relief of Susanne Rae Deremo;

S. 1866. An act for the relief of Dr. Berchmans Rioux;

S. 1870. An act for the relief of Lucia Bianca Cianto Rosa;

S. 2149. An act for the relief of Hugo Kolberg;

S. 2163. An act for the relief of Saifook Chan; and

S. 2385. An act for the relief of Dr. Hau Cheong Kwaan, his wife, Tech Phaik Loui Kwaan, and their daughter, Laura Wai Man Kwaan.

REPORT OF COMMISSION ON INTERNATIONAL RULES OF JUDICIAL PROCEDURE—MESSAGE FROM THE PRESIDENT

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on the Judiciary:

To the Congress of the United States:

Pursuant to the provisions of Public Law 85-906, as amended, I transmit herewith for the information of the Congress the Third Annual Report of the Commission on International Rules of Judicial Procedure covering the period ending December 31, 1961.

JOHN F. KENNEDY

THE WHITE HOUSE, *March 3, 1962.*

CALL OF THE CALENDAR DISPENSED WITH

On request of Mr. MANSFIELD, and by unanimous consent, the call of the Legislative Calendar was dispensed with.

LIMITATION OF DEBATE DURING MORNING HOUR

On request of Mr. MANSFIELD, and by unanimous consent, it was ordered that statements in connection with the morning hour be limited to 3 minutes.

COMMITTEE MEETING DURING SESSION OF THE SENATE

On request of Mr. KUCHEL, and by unanimous consent, the Aeronautical and Space Sciences Committee was authorized to meet during the session of the Senate today.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of executive business, to consider the nominations on the Executive Calendar.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORT OF A COMMITTEE

The following favorable report of a nomination was submitted:

By Mr. HILL, from the Committee on Labor and Public Welfare:

Arlon E. Lyon, of California, to be a member of the Railroad Retirement Board.

The VICE PRESIDENT. If there be no further reports of committees, the nominations on the Executive Calendar will be stated.

COLLECTOR OF CUSTOMS

The legislative clerk read the nomination of Gertrude M. Cwikla, of Connecticut, to be collector of customs for customs collection district No. 6, with headquarters at Bridgeport, Conn.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

DIPLOMATIC AND FOREIGN SERVICE

The legislative clerk proceeded to read sundry nominations in the Diplomatic and Foreign Service.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The VICE PRESIDENT. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of all these nominations.

The VICE PRESIDENT. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

REPORT ON CONSTRUCTION AT NASA-LANGLEY RESEARCH CENTER, VIRGINIA

A letter from the Administrator, National Aeronautics and Space Administration, Washington, D.C., reporting, pursuant to law, on the construction at the NASA-Langley Research Center, Langley Air Force Base, Va., of a rendezvous docking facility; to the Committee on Aeronautical and Space Sciences.

REPORT ON TITLE I AGREEMENTS UNDER AGRICULTURAL TRADE DEVELOPMENT AND ASSISTANCE ACT OF 1954

A letter from the Acting Administrator, Foreign Agricultural Service, Department of Agriculture, Washington, D.C., transmitting, pursuant to law, a report on title I agreements under the Agricultural Trade Development and Assistance Act of 1954, for January 1962 (with accompanying papers); to the Committee on Agriculture and Forestry.

INDEX LISTING OF LEGISLATION OF GOVERNMENT OF THE RYUKYU ISLANDS

A letter from the Under Secretary of the Army, transmitting, pursuant to law, an index listing of legislation of the Government of the Ryukyu Islands dated February 28, 1962 (with accompanying papers); to the Committee on Armed Services.

REPORTS OF SMALL BUSINESS ADMINISTRATION ON ADMINISTRATION EXPENSES AND SUBCONTRACTING PROGRAM

A letter from the Administrator, Small Business Administration, Washington, D.C., transmitting, pursuant to law, reports of that Administration on administrative expenses by activity, for the period July 1-December 31, 1961, and report on the subcontracting program, dated February 19, 1962 (with accompanying reports); to the Committee on Banking and Currency.

REPORT OF U.S. ADVISORY COMMISSION ON INFORMATION

A letter from the Chairman, U.S. Advisory Commission on Information, Washington, D.C., transmitting, pursuant to law, a report of that Commission, dated February 1962 (with an accompanying report); to the Committee on Foreign Relations.

REPORT ON EXAMINATION OF AIRCRAFT MAINTENANCE PRACTICES FOR TRANSPORT AIRCRAFT IN THE MILITARY AIR TRANSPORT SERVICE

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the examination of aircraft maintenance practices for transport aircraft in the Military Air Transport Service, Department of the Air Force, dated February 1962 (with an accompanying report); to the Committee on Government Operations.

REPORT ON REVIEW OF PROGRAMING AND PROCUREMENT OF CERTAIN EQUIPMENT AND SERVICES IN THE SEMIAUTOMATIC GROUND ENVIRONMENT SYSTEM, DEPARTMENT OF THE AIR FORCE

A letter from the Comptroller General of the United States, tranamitting, pursuant to law, a report on the review of programing and procurement of selected operational equipment and communication services and the utilization of certain technical personnel by the Department of the Air Force in the Semiautomatic Ground Environment System (SAGE), dated February 1962 (with an accompanying report); to the Committee on Government Operations.

REPORT OF ACTIVITIES OF, EXPENDITURES BY, AND DONATIONS TO THE CHARLES R. ROBERTSON LIGNITE RESEARCH LABORATORY OF THE BUREAU OF MINES, GRAND FORKS, N. DAK.

A letter from the Secretary of the Interior, reporting, pursuant to law, on the activities of, expenditures by, and donations to the Charles R. Robertson Lignite Research Laboratory of the Bureau of Mines at Grand Forks, N. Dak., for the calendar year 1961; to the Committee on Interior and Insular Affairs.

REPORTS ON RECEIPT OF PROJECT PROPOSALS UNDER SMALL RECLAMATION PROJECTS ACT OF 1956

A letter from the Assistant Secretary of the Interior, reporting, pursuant to law, on the receipt of a project proposal under the Small Reclamation Projects Act of 1956, from the Cassia Creek Reservoir Co., of Cassia County, Idaho; to the Committee on Interior and Insular Affairs.

A letter from the Assistant Secretary of the Interior, reporting, pursuant to law, on the receipt of a project proposal under the Small Reclamation Projects Act of 1956, from the Settlement Canyon Irrigation Co., of Tooele County, Utah; to the Committee on Interior and Insular Affairs.

SUSPENSION OF DEPORTATION OF CERTAIN ALIENS

Two letters from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders suspending deportation of certain aliens, together with a statement of the facts and pertinent provisions of law pertaining to each alien, and the reasons for ordering such suspension (with accompanying papers); to the Committee on the Judiciary.

ADJUSTMENT OF IMMIGRATION STATUS OF CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, a copy of an order entered in behalf of certain aliens (with accompanying papers); to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A resolution of the House of Representatives of the State of Arizona; ordered to lie on the table:

"HOUSE RESOLUTION 12

"Resolution congratulating Lt. Col. John H. Glenn, Jr., for his successful flight around the world through space

"Whereas the world has expectantly and prayerfully watched the preparations to rocket Lt. Col. John H. Glenn, Jr., through space; and

"Whereas the final moment arrived on the morning of February 20, 1962, and the countdown proceeded successfully; and

"Whereas Lt. Col. John H. Glenn, Jr., America's favorite astronaut, was launched into orbit around the world and successfully completed the course of his flight: Therefore be it

"*Resolved by the House of Representatives of the State of Arizona:*

"1. That the people of the State of Arizona herald the event of this flight into space by Lt. Col. John H. Glenn, Jr., as one of the greatest moments in U.S. history and the members of the House of Representatives of the State of Arizona do hereby extend congratulations and good wishes to our favorite astronaut in this moment of greatness for the United States of America.

"2. That the Honorable Wesley Bolin, secretary of state of Arizona, is directed to transmit a certified copy of this resolution to each of the following: The President of the United States, the President of the U.S. Senate, the Speaker of the U.S. House of Representatives, the National Aeronautics and Space Administration, and Lt. Col. John H. Glenn, Jr., U.S. Marine Corps.

"Adopted by the house February 21, 1962.

"Approved by the Governor February 21, 1962.

"Filed in the office of the secretary of state February 21, 1962."

A resolution adopted by the board of directors of the Cigar Manufacturers' Association of America, Inc., New York, N.Y., favoring an embargo on the imports of all Cuban tobacco; to the Committee on Finance.

A resolution adopted by the Advertising Club of Beaumont, Tex., opposing the amendment of the tax reform bill permitting deductions for most legislative activities; to the Committee on Finance.

A resolution adopted at a mass meeting of Lithuanian Americans at Kenosha, Wis., relating to Lithuania's fight for freedom; to the Committee on Foreign Relations.

A proclamation issued by the Independent Citizens Council of the United States, of Chicago, Ill., embodying a petition of that council, praying for a redress of grievances; to the Committee on the Judiciary.

A concurrent resolution of the Legislature of the State of Pennsylvania; to the Committee on Labor and Public Welfare:

"The military forces and public health agencies of our Nation have a vital and continuous need for medical services. Difficulty has long been experienced in obtaining a sufficient number of medical men to administer proper care to military personnel and their dependents, and to efficiently carry on essential public health services.

"It is, therefore, deemed highly desirable that a Federal service school be established in the field of medicine patterned after West Point in the field of Army training, Annapolis, in the field of naval training, and the Air Force Academy in the field of aviation, which school would supply a steady flow of trained medical personnel for all of the branches of the service and for conducting our important public health service.

"It is also deemed desirable that such a school be established in a conveniently located medical and hospital center. No better location could possibly be found than Pittsburgh, Pa., which in recent years has become one of the leading medical centers of the United States, and which has a readily accessible central location: Therefore, be it

"*Resolved (the house of representatives concurring)*, That the General Assembly of the Commonwealth of Pennsylvania memorialize the Congress of the United States to establish a Federal medical school in the city of Pittsburgh, Pa.; and be it further

"*Resolved*, That copies of this resolution be transmitted to the Presiding Officer of each House of the Congress of the United States and to each Senator and Representative from Pennsylvania in the Congress of the United States.

"JOHN MORGAN DAVIS,
"*President of the Senate.*
"PAUL C. MOOMAW,
"*Secretary of the Senate.*
"J. OMINSKY,
"*Chief Clerk, House of Representatives.*"

By Mr. SALTONSTALL (for himself and Mr. SMITH of Massachusetts):

Resolution of the House of Representatives of the Commonwealth of Massachusetts; to the Committee on Government Operations:

"RESOLUTION MEMORIALIZING THE CONGRESS OF THE UNITED STATES IN FAVOR OF THE ESTABLISHMENT OF A DEPARTMENT OF URBAN AFFAIRS IN THE PRESIDENT'S CABINET

"Whereas the guidance, assistance, and supervision of the Federal Government is required in the increasingly complex and vital areas of city planning, urban renewal, traffic control, slum clearance, city administration, and those matters especially pertaining to the social and economic well-being of urban areas; and

"Whereas the creation of a Department of Urban Affairs in the President's Cabinet would assure uniformity of action, eliminate overlapping functions, and insure an integrated program; and

"Whereas the guidance within the President's Cabinet would aid inestimably in the financing of such projects, thus promising relief from burdensome taxation: Therefore be it

"*Resolved*, That the Massachusetts House of Representatives hereby urges the Congress of the United States to take such action necessary for the establishment of a Department of Urban Affairs in the President's Cabinet so as to provide more adequate assistance, guidance, and supervision in matters pertaining to urban affairs; and be it further

"*Resolved*, That copies of these resolutions be sent forthwith by the secretary of the Commonwealth to the President of the United States, to the Presiding Officer of each branch of Congress, and to the Members thereof from this Commonwealth.

"Adopted by the house of representatives, February 19, 1962.

"WILLIAM C. MAIERS,
"*Clerk.*

"Attest:

"KEVIN H. WHITE,
"*Secretary of the Commonwealth.*"

RESOLUTIONS OF HOUSE OF REPRESENTATIVES OF MASSACHUSETTS

Mr. SMITH of Massachusetts. Mr. President, on behalf of my colleague, the senior Senator from Massachusetts [Mr. SALTONSTALL], and myself, I present a resolution of the House of Representatives of the Commonwealth of Massachusetts relative to the closing of the East Boston Lamp Works by the General Electric Co. I ask unanimous consent that the resolutions be printed in the RECORD and appropriately referred.

There being no objection, the resolutions were referred to the Committee on Commerce, as follows:

RESOLUTION ON THE PERMANENT CLOSING OF THE EAST BOSTON LAMP WORKS BY THE GENERAL ELECTRIC CO.

Whereas the General Electric Co. has recently announced the permanent closing of their East Boston Lamp Works, and the transfer to the South of the work now done here; and

Whereas General Electric's excuse for moving is that it can manufacture cheaper in the South and be better able to compete against Japanese imports; and

Whereas a majority of the 450 affected employees have more than 15 years' service, and some as much as 40 years' service, in specialized jobs; and

Whereas many shopkeepers, tradesmen, professional people, and the community itself will also be adversely affected; and

Whereas this is only the latest of a long series of similar moves by General Electric and other corporations; and

Whereas the continued prosperity and well-being of the Commonwealth is contingent upon the elimination of the unfair practices and conditions used to solicit the runaway shop; and

Whereas the problem of the runaway shop, which constitutes a threat to the Massachusetts economy, cannot be solved as a Massachusetts problem alone but requires a broader national solution: Therefore be it

Resolved, That the Massachusetts House of Representatives takes note of the existing general attitude of helplessness which now permits these runaways with the resultant losses to employees and communities; and be it further

Resolved, That the Massachusetts House of Representatives respectfully urges the Federal Government and the Massachusetts congressional delegation to take whatever steps are necessary to convince General Electric to rescind its order to move this work out of Massachusetts; and be it further

Resolved, That the Massachusetts House of Representatives further respectfully urges the Federal Government and the Massachusetts congressional delegation to take the necessary measures, by tariff, quota, negotiation, or other appropriate means, to prevent

the complete domination of the domestic lamp market by imports; and be it further

Resolved, That the Massachusetts House of Representatives further respectfully urges the Congress of the United States to enact legislation to prevent the runaway of companies to backward areas by establishing standards of responsibility, by setting up national standards of basic conditions and preventing the giveaways now being used to solicit business; and be it further

Resolved, That the Secretary of the Commonwealth transmit forthwith copies of these resolutions to the President of the United States, to the Presiding Officer of each branch of Congress, and to each Member thereof from this Commonwealth

Adopted by the house of representatives February 1, 1962.

WILLIAM C. MAIERS,
Clerk

Attest:

KEVIN H. WHITE,
Secretary of the Commonwealth.

The VICE PRESIDENT laid before the Senate resolutions of the Massachusetts House of Representatives, identical with the foregoing, which were referred to the Committee on Commerce.

RESOLUTIONS OF WESTERN STATES LIVESTOCK SANITARY OFFICIALS

Mr. BENNETT. Mr. President, the State veterinarian of Utah has called to my attention three resolutions passed by the Western States Livestock Sanitary Officials which were adopted at a meeting held in conjunction with the Intermountain Veterinary Medical Association in Salt Lake City, Utah, January 24, 1962. These resolutions express concern—and I share that concern—over threats to domestic livestock from diseases from foreign animals and meats. The diseases specifically mentioned in the resolutions are foot-and-mouth disease, rinderpest, and cattle and sheep scabies.

The livestock sanitary officials make three specific recommendations, as follows:

First. The Secretary of Agriculture should take immediate steps to require that all prohibited sea store meats on vessels operating in foreign commerce be sealed at all U.S. ports of entry.

Second. Congress and the Department of Agriculture should continue to prohibit the importation of cloven-hoofed animals and fresh meats from countries where foot-and-mouth disease or rinderpest exist, and that no portion of such countries be regarded as free from these diseases, and that we do not relax our present requirements on animals and meats from such countries until it can be proven beyond doubt that there would be no hazard to livestock in this country.

Third. The Department of Agriculture and Congress should approve an increase in funds for the eradication of scabies. At the present time our budget for this service is $330,000. The recommended budget for this program is $1,450,000.

The Western States Livestock Sanitary Officials are concerned over the effects on our livestock industry and on the economy of the Western States should a condition such as foot-and-mouth disease, rinderpest, or scabies be introduced into this country. Almost all livestock-producing countries in the world have had outbreaks of these diseases and other diseases not known to exist in this country. These diseases can be carried in fresh and cured meats and livestock from foreign countries.

Utah is one of the largest sheep-producing States in the Nation. Our State has been free from sheep scabies for many years, but our officials feel that our own sheep industry would benefit from other areas becoming free from this disease. The means for complete eradication of scabies is available and should be exercised to accomplish this end.

We have adequate means and programs to eradicate each of these diseases, but it is important that the proper steps be taken and that adequate funds be made available to implement and complete such programs. I ask unanimous consent to have printed in the RECORD the resolutions adopted by the Association of Western States Livestock Sanitary Officials.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

RESOLUTION ON PROHIBITED MEAT STORES ON SHIPS

Whereas it is important that each animal disease regulatory official, either State or Federal, call attention to any possibility of the introduction of exotic diseases into the United States; and

Whereas the prevention of the entrance of exotic diseases is a "must" to the economy of livestock and allied industries; and

Whereas it also becomes important from a civil defense standpoint to prevent the introduction of foreign diseases since biological warfare is a threat to our national security; and

Whereas most all livestock-producing countries of the world had foot-and-mouth disease and or rinderpest, and many other serious diseases not known to exist in this country; and

Whereas these diseases can be carried in fresh and cured meats from such countries for indefinite periods; and

Whereas fresh, chilled, or frozen meat from countries where rinderpest or foot-and-mouth disease exists is prohibited entry into the United States; and

Whereas vessels operating in foreign commerce carry prohibited sea store meats, and such vessels dock at ports in this country; and

Whereas employees on boats carrying such sea stores may remove food meat stores from boats in port; and

Whereas considerable improvement has been made by officials of the U.S. Department of Agriculture in the last year in sealing lockers containing such prohibited meats, for which these officials are commended, there still remain many ports throughout the United States where prohibited meats are not being placed under seal when vessels arrive in such ports; and

Whereas the last two outbreaks of foot-and-mouth disease in the United States occurring in the State of California resulted from feeding of garbage from foreign vessels carrying prohibited sea store meats; and

Whereas the eradication of the disease resulting from these outbreaks cost livestock owners the loss of thousands of animals and the Federal and State Governments millions of dollars, and

Whereas if prohibited sea store meats are not placed under seal there is grave danger that such prohibited meat stores or garbage containing meat scraps from same may be removed and ultimately find their way to swine and other livestock and thus introduce dangerous exotic diseases causing great losses of livestock in this country: Now, therefore, be it

Resolved by the Association of Western States Livestock Sanitary Officials meeting in Salt Lake City, Utah, January 24, 1962, That the Secretary of Agriculture take immediate steps to require that all prohibited sea store meats on vessels operating in foreign commerce be sealed at all U.S. ports of entry to prevent the introduction of animal disease from foreign countries; and be it further

Resolved, That the secretary of this association forward copies of this resolution to the Secretary of the U.S. Department of Agriculture, to Senator RICHARD RUSSELL, of Georgia, chairman, Senate Appropriations Committee, Subcommittee on Agriculture, and to Representative JAMIE WHITTEN, of Mississippi, chairman of the House Appropriations Committee Subcommittee on Agriculture of the Congress of the United States, to the congressional delegates of the several States by the chief livestock sanitary official of each of the States, to the president of the United States Livestock Sanitary Association, to the American National Cattlemen's Association, and to the National Woolgrowers Association.

RESOLUTION ON FOOT-AND-MOUTH DISEASE MISSION

Whereas the President of the United States announced on January 6, 1962, that a scientific mission from this country would leave on January 7, for Argentina, Brazil, Uruguay, and the island of Tierra del Fuego; and

Whereas the countries this mission will visit are known to be plagued with foot-and-mouth disease; and

Whereas the mission is to visit ranches, meatpacking plants, and scientists to discuss foot-and-mouth disease; and

Whereas livestock sanitary officials and livestock owners in this country believe the purpose of this mission is to explore the feasibility of having the islahd of Tierra del Fuego declared free from foot-and-mouth disease as has been attempted in the past and, further, to explore and report on some possible ways whereby fresh meats may be shipped from South American foot-and-mouth disease infected countries to the United States; and

Whereas laws passed by the Congress of the United States and enforced by the Secretary of Agriculture are designed to prevent the introduction of foot-and-mouth disease from these countries; and

Whereas foot-and-mouth disease has been introduced into the United States on nine different occasions, into Mexico at least once and Canada once, and further, two of the outbreaks in the United States were fairly definitely traced to meats originating in South American countries; and

Whereas the costs to this country of eradicating the Mexican and the United States outbreaks have run into many millions of dollars; and

Whereas should the disease be introduced and become established due to unsuccessful attempts to eradicate it, this country would be burdened with one of the most costly and serious diseases known to man, as well as quarantines and embargoes invoked by other countries: Now, therefore, be it

Resolved by the Association of Western States Livestock Sanitary Officials at its annual meeting in Salt Lake City, Utah, January 24, 1962, That the Congress of the

United States and the Secretary of Agriculture continue to prohibit the importation of cloven-hoofed animals and the fresh meats thereof from countries where foot and mouth disease or rinderpest exist and, further, that no portion of such country, such as the Island of Tierra del Fuego, be regarded as free from these diseases and that, further, the Secretary not permit any relaxation in the present requirements imposed on animals and meats from the countries referred to until it has been definitely proven beyond any doubt that there could be no hazard to the livestock of this country; and be it further

Resolved, That a copy of this resolution be sent by the secretary of this association to the Secretary of Agriculture; to Senator ALLEN J. ELLENDER, of Louisiana, chairman of the Agriculture and Forestry Committee of the Senate; and to Representative HAROLD D. COOLEY, of North Carolina, chairman of the Agriculture Committee for the House of the Congress of the United States; and to the congressional delegates of the several States by the State livestock sanitary officials of those States.

RESOLUTION ON CATTLE AND SHEEP SCABIES

Whereas the disease of scabies in cattle and sheep continues to be a serious problem in many States; and

Whereas adequate means have been available for many years to eradicate these diseases, and programs have been adopted to eradicate such diseases; and

Whereas these diseases will increase and spread unless adequate funds are available to implement and complete such programs; and

Whereas the budget of the Agricultural Research Service, U.S. Department of Agriculture, allots only $330,000 for the fiscal year 1961–62 for the eradication of scabies; and

Whereas there is a consensus of livestock regulatory officials throughout the country that the amount of Federal funds allotted to scabies eradication is inadequate to eradicate the diseases in time to receive maximum benefits: Now, therefore, be it

Resolved by the Association of Western States Livestock Sanitary Officials in its annual meeting in Salt Lake City, Utah, January 24, 1962, That the Secretary of Agriculture request, and the House Committee on Agriculture and the Senate Committee on Agriculture approve an increase in these funds to approximately $1,450,000 during each of the fiscal years 1963, 1964, and 1965; and be it further

Resolved, That the secretary of the association send copies of this resolution to the Secretary of the U.S. Department of Agriculture, to Senator RICHARD RUSSELL, of Georgia, chairman, Senate Appropriations Committee, Subcommittee on Agriculture, and to Representative JAMIE WHITTEN, of Mississippi, chairman, House Appropriations Committee, Subcommittee on Agriculture of the Congress of the United States, to the congressional delegates of the several States by the State livestock sanitary officials of those States, and to the president of the United States Livestock Sanitary Association.

REPORT ON DISPOSITION OF EXECUTIVE PAPERS

Mr. JOHNSTON, from the Joint Select Committee on the Disposition of Papers in the Executive Departments, to which was referred for examination and recommendation a list of records transmitted to the Senate by the Archivist of the United States, dated February 12, 1962, that appeared to have no permanent value or historical interest, submitted a report thereon, pursuant to law.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CLARK:

S. 2937. A bill to amend the Civil Service Retirement Act so as to provide for increases in annuities, eliminate the option with respect to certain survivor annuities, and provide for interchange of credits between the civil service retirement system and the insurance system established by title II of the Social Security Act; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. CLARK when he introduced the above bill, which appear under a separate heading.)

By Mr. METCALF (for himself and Mr. MANSFIELD):

S. 2938. A bill to provide a standard procedure for the leasing of noncompetent allotted farming and grazing lands on the Crow Indian Reservation, Mont.; to the Committee on Interior and Insular Affairs.

By Mr. MCCLELLAN:

S. 2939. A bill to grant the American Numismatic Association perpetual succession; to the Committee on the Judiciary.

(See the remarks of Mr. MCCLELLAN when he introduced the above bill, which appear under a separate heading.)

By Mr. LONG of Missouri (for himself and Mr. SYMINGTON):

S. 2940. A bill for the relief of Dr. William M. Yen; to the Committee on the Judiciary.

By Mr. KEATING:

S. 2941. A bill to incorporate the Paralyzed Veterans of America; to the Committee on the Judiciary.

By Mr. WILEY:

S.J. Res. 165. Joint resolution to provide for the designation of February 20 of each year as National Space Day; to the Committee on the Judiciary.

(See the remarks of Mr. WILEY when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. SMITH of Massachusetts (for himself and Mr. CLARK):

S.J. Res. 166. Joint resolution to authorize the Secretary of Commerce to contract pursuant to the Merchant Marine Act, 1936, as amended, for the construction of at least two oceangoing ore or coal carriers; to the Committee on Commerce.

(See the remarks of Mr. SMITH of Massachusetts when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. BEALL (for himself and Mr. JOHNSTON):

S.J. Res. 167. Joint resolution to authorize the President to proclaim May 15 of each year as Peace Officers Memorial Day and the calendar week of each year during which such May 15 occurs as Police Week; to the Committee on the Judiciary.

CONCURRENT RESOLUTION

DESIGNATION OF MARCH 25, 1962, AS VOLUNTARY OVERSEAS AID WEEK

Mr. HUMPHREY submitted a concurrent resolution (S. Con. Res. 61), requesting the President to designate the week of March 25, 1962, as "Voluntary Overseas Aid Week," which was referred to the Committee on the Judiciary.

(See the above concurrent resolution printed in full when submitted by Mr. HUMPHREY, which appears under a separate heading.)

INCREASE IN ANNUITIES FOR CIVIL SERVICE EMPLOYEES

Mr. CLARK. Mr. President, I send to the desk for appropriate reference a bill to amend the Civil Service Retirement Act so as to provide for increases in annuities, and other matters.

Mr. President, I ask unanimous consent, first, that the bill may be printed in full at this point in my remarks; second, that an explanation and justification, consisting of a section-by-section explanation, be printed in the RECORD at this point in my remarks; and third, that the bill may lie on the desk until the end of business of next Thursday so that additional cosponsors may have an opportunity to join in presenting the proposed amendment.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill, explanation, and justification will be printed in the RECORD, and the bill may lie on the desk as requested by the Senator from Pennsylvania.

The bill (S. 2937) to amend the Civil Service Retirement Act so as to provide for increases in annuities, eliminate the option with respect to certain survivor annuities, and provide for interchange of credits between the civil service retirement system and the insurance system established by title II of the Social Security Act; to the Committee on Post Office and Civil Service, introduced by Mr. CLARK, was received, read twice by its title, referred to the Committee on Post Office and Civil Service, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Civil Service Retirement Act is amended by redesignating section 18 as section 21, and by inserting after section 17 the following new sections:

"INCREASES IN ANNUITIES

"SEC. 18. (a) Upon the first general adjustment in the rates of compensation of classified employees of the Government after the enactment of this section, the annuity of each annuitant (including survivor annuitants) whose annuity is payable from the fund and is based upon service which terminated before the effective date of such general adjustment shall be increased by a percentage determined by the Commission to be approximately equal to the average increase in rates of compensation resulting from such adjustment.

"(b) The annuity of each annuitant (including survivor annuitants) whose annuity is payable from the fund and is based upon service which terminates during the period beginning on the effective date of the general adjustment referred to in subsection (a) and ending five years after such date

shall be increased in accordance with the following table:

"If the annuity is based upon service which is terminated—	The annuity shall be increased by the following percentage of the increase determined by the Commission under subsection (a):
Not more than one year after such date	80 per centum
At least one year but less than two years after such date	60 per centum
At least two years but less than three years after such date	40 per centum
At least three years but less than four years after such date	20 per centum
At least four years but not more than five years after such date	10 per centum

"(c) Effective on the first day of the first calendar month which begins at least one year after the effective date of the adjustment provided by subsection (a) and annually thereafter, the annuity of each annuitant (including survivor annuitants) receiving an annuity payable from the fund shall be increased by a percentage equal to the percentage of increase, if any, in the cost of living as determined by the Commission on the basis of the Bureau of Labor Statistics' Consumer's Price Index for Moderate Income Families in Large Cities, since the last previous increase under this section, provided that such increase in the cost of living amounts to at least one per centum. In computing any increase in annuity under this subsection, there shall first be added to the annuity any increase therein authorized by subsection (a) or (b).

"(d) No increase shall be made under this section in the portion of any annuity purchased by voluntary contributions. The increase in the annuity of a retired employee under this section shall be included in computing the amount of the annuity of any survivor of such retired employee, but no survivor annuity shall be increased under subsection (b) in any case in which the annuity of the annuitant upon whose service the survivor annuity is based received an increase under subsection (a) or (b). Determinations by the Commission under this section shall be final and conclusive and shall not be subject to review.

"TRANSFER OF SOCIAL SECURITY CREDITS

"SEC. 19. (a) In determining length of service for the purpose of computing the annuity under section 9 of any employee or member who—

"(1) retires upon or after attainment of age 62;

"(2) has at least one quarter of coverage under title II of the Social Security Act, but is not a fully insured individual (as defined in section 214(a) of such Act); such employee or member, upon compliance with subsection (c), shall be credited with three additional months of service for each such quarter of coverage under such title.

"(b) The annuity under section 9 of any employee or member who—

"(1) retires prior to attainment of age 62;

"(2) has at least one quarter of coverage under title II of the Social Security Act, but is not a fully insured individual (as defined in section 214(a) of such Act);

shall, upon subsequent attainment of such age and compliance with subsection (c) be recomputed so as to include credit for three additional months of service for each such quarter of coverage under such title.

"(c) No additional service shall be credited pursuant to subsection (a) or (b) unless the employee or member—

"(1) makes application for such credit at such time and in such manner as the Commission shall by regulation prescribe;

"(2) deposits in the fund an amount for each quarter of coverage for which credit is requested equal to the amount by which—

"(i) one-fourth of his average salary multiplied by the rate of contribution under section 4 applicable on the last day of such quarter exceeds

"(ii) the amount of tax imposed by sections 3101 and 1401 of the Internal Revenue Code, by sections 1400 and 480 of the Internal Revenue Code of 1954, or prior provisions of law imposing taxes with respect to employment for social security purposes, as the case may be, with respect to his earnings and self-employment income for such quarter

"(d) No credit shall be allowed in the case of any employee or member under this section for any quarter of coverage if during any part of such quarter he performed service which is credited, without regard to this section, for the purpose of computing an annuity under this Act.

"(e) Service credited under this section shall be disregarded in determining average salary and eligibility for retirement for the purposes of this Act.

"(f) Any quarter of coverage credited to an employee or member under this section shall not thereafter be considered to be a quarter of coverage for purposes of the insurance system established by title II of the Social Security Act.

"(g) In any case in which an employee or member is credited with service in accordance with this section, with respect to any quarter of coverage, the Secretary of Health, Education, and Welfare shall transfer from the Federal Old-Age and Survivors Insurance Fund and Federal Disability Insurance Trust Fund to the civil service retirement and disability fund an amount equal to the amounts deposited therein for such quarter by reason of the tax imposed by sections 1401, 3101, and 3111 of the Internal Revenue Code of 1954, by sections 480, 1400, and 1410 of the Internal Revenue Code of 1939, or by prior provisions of law imposing taxes with respect to employment for social security purposes, as the case may be.

"TRANSFER OF CIVIL SERVICE CREDITS

"SEC. 20. (a) In determining entitlement to, and the amount of, any benefit payable under title II of the Social Security Act upon the basis of the earnings or self-employment income of any individual who at the time application is made for such benefit shall have performed less than five years of service which is creditable under section 3, such service shall be deemed, subject to subsection (b), to be 'employment' within the meaning of section 210 of the Social Security Act, and such individual shall be deemed to have received during such service 'wages' within the meaning of section 209 of the Social Security Act in an amount equal to the lesser of (1) the basic salary paid to him for such service, or (2) the maximum yearly amount which may be considered as wages under section 209 of the Social Security Act.

"(b) No service shall be deemed to be 'employment' under subsection (a) unless—

"(1) the individual performing such service so elects at such time and in such manner as the Secretary of Health, Education, and Welfare shall by regulation prescribe, and

"(2) there is paid into the Federal Old-Age and Survivor's Insurance Trust Fund and the Federal Disability Insurance Trust Fund amounts determined by the Secretary to be equal to the amounts which would have been paid into such funds by reason of the taxes imposed by section 3101 of the Internal Revenue Code of 1954, section 1400 of the Internal Revenue Code of 1939, or prior provisions of law imposing taxes on employees with respect to employment for social security purposes, as the case may be, if such service had been employment subject to such sections or such prior provisions of law.

For the purpose of paying in whole or in part the amount required by paragraph (2), such individual may, if he so elects, cause to be transferred to such funds from the civil service retirement and disability fund a sum equal to such amount or equal to his lump sum credit, whichever is lesser, and in such case the lump sum credit shall be reduced by the amount so transferred. Whenever an individual referred to in this subsection is deceased, any election which he would be authorized to make under this subsection may be made by any person who, upon application therefor, would be entitled to a monthly benefit under title II of the Social Security Act on the basis of the wages and self-employment income of such individual. In any case in which service is deemed to be employment in accordance with this section, the Civil Service Commission shall transfer from the civil service retirement and disability fund to the Federal Old Age and Survivors Insurance Trust Fund and Federal Disability Insurance Trust Fund an amount determined by the Secretary of Health, Education, and Welfare to be equal to the amounts which would have been paid into such funds by reason of the taxes imposed by section 3111 of the Internal Revenue Code of 1954, section 1410 of the Internal Revenue Code of 1939, or prior provisions of law imposing taxes on employers with respect to employment for social security purposes, as the case may be, if such service had been employment subject to such sections or such prior provisions of law.

"(c) Any service deemed to be 'employment' under this section shall not thereafter be considered as service for the purposes of any other section of this Act."

SEC. 2. (a) Section 9(g) of the Civil Service Retirement Act is amended to read as follows:

"(g) The annuity as hereinbefore provided, for any employee or member retiring under section 6, 7, or 8 who at the time of retirement has a wife or a dependent husband, or any such employee or member who at the time of retirement designates her husband (other than a dependent husband) to receive an annuity after her death computed as provided in section 10(a)(1), shall be reduced by 2½ per centum of so much thereof as does not exceed $2,400 and by 10 per centum of so much thereof as exceeds $2,400."

(b) Section 10(a)(1) of such Act is amended to read as follows:

"(1) If a member or employee dies after having retired under any provision of this Act and is survived by a wife or dependent husband to whom the member or employee was married at the time of retirement, or by a husband designated under section 9(g), such wife or husband shall be paid an annuity equal to 50 per centum of an annuity computed as provided in subsections (a), (b), (c), (d), (e), and (f) of section 9, as may apply with respect to the annuitant."

SEC. 3. The amendments made by the first section, insofar as they add a new section 19 to the Civil Service Retirement Act, and the amendments made by section 2, shall not apply in the case of employees retired or otherwise separated prior to the date of enactment of this Act, and the rights of such persons and their survivors shall continue in the same manner and to the same extent as if these amendments had not been enacted. Such amendments made by the first section, insofar as they add a new section 20 to the Civil Service Retirement Act, shall take effect upon the date of enactment of

this Act, but nothing contained in such section 20 shall be construed to require the Secretary of Health, Education, and Welfare to grant a recomputation of any individual's monthly insurance benefit under title II of the Social Security Act solely by reason of the enactment of such section 20, if such individual is entitled to such benefit for the month in which such section 20 is enacted.

The explanation and justification presented by Mr. CLARK is as follows:

SECTION-BY-SECTION EXPLANATION—CIVIL SERVICE RETIREMENT ACT OF 1962

EXPLANATION	JUSTIFICATION
General increase in benefits	
Section 18(a) provides that retired civil service employees shall receive a percentage increase in their annuities equal to the average percentage increase in salary granted to active classified employees by the next general pay raise, presumably in 1962	Retirees received their last increase in 1958, which is two pay raises ago. Active civil servants received a general increase in 1960, presumably based in part on increases in the cost of living, but retirees were not included. Since 1958, the Consumers Price Index has risen about 4 percent. (Note: this will not affect the Budget, since it will be paid from the retirement fund.)
Subsection (b) is a "tapering" provision, granting a proportional share of the increase to those retiring in the next 5 years	It takes 5 years for a pay increase to be reflected fully in an individual's retirement benefits, since these are based on the average of the "high five" years of his earnings record. Therefore without a "tapering" provision, persons retiring in 1963–67 would receive less than those already retired with comparable earnings records.
Future cost-of-living increases	
Subsection (c) provides for automatic cost-of-living increases in the future, to be computed annually, provided the cost of living has risen at least 1 percent.	The retirement bill offers an excellent opportunity to establish the principle that the Government should stand behind its obligations to the aging in constant dollars.
Subsection (d). Technical.	
Transfer of credits between social security and civil service	
Section 19 permits a Government employee who has some coverage under social security but not enough coverage to qualify for benefits (the requirement is now 11 quarters, rising to 40 quarters by 1991) may transfer his credits to the civil service retirement system and increase his civil service pension accordingly. He would be obligated to pay to the civil service retirement fund an amount equal to the difference between what he paid in social security payroll taxes and what he would have paid into the retirement fund if he had been employed by the Government. For this purpose, it would be assumed the employee's earnings during the period he was covered by social security would be equal to the average of his "high 5" years used as the base for computing his civil service retirement. Payroll taxes paid into the social security trust fund on the employee's wages would be transferred to the civil service retirement fund.	This provision will remove the inequity whereby a person employed 30 years by the Government receives 30 years of retirement credit while a person working 27 years for the Government and 3 years in private employment receives only 27 years of retirement credit and gets no benefit at all from the 3 years of social security taxes which he and his employer paid in. This inequity will grow increasingly severe, as the coverage required for social security benefits rises gradually to 10 years. This section will help the Government to retain the services of senior employees who have had some employment covered by social security but not enough to be insured, and now feel impelled to reenter private employment in order to complete their social security coverage and thus not lose that which they have already earned.
Section 20 authorizes a corresponding transfer of credits from civil service retirement to social security, in those instances where the employee has worked for the Government less than the 5 years required for civil service retirement and where such transfer would affect the employee's entitlement to social security benefits or the amount of his benefits. The employee would be required to pay into the social security trust fund the amount he would have paid in payroll taxes if he had been in covered private employment, and the employer's share of payroll taxes would be transferred from the civil service retirement fund to the social security trust fund.	At present, an employee may have worked both in the civil service and in private employment covered by social security, but not long enough to be eligible for retirement under either act. In those cases, he simply loses what he has paid in social security payroll taxes and gets no benefit from the employer's contribution under either program. This provision would enable the employee to combine his credits so as to become eligible for social security benefits. It would also enable him to increase his benefits in instances where his civil service employment would have the effect of raising his average wage base.
Automatic provision of benefits for surviving spouse	
Section 2 removes the option in present law whereby a civil service employee may either provide benefits for a surviving widow or dependent widower by reducing his own annuity, or collect his full annuity until his own death and make no provision for a surviving spouse. This section would make automatic the provision of benefits for the surviving widow or dependent widower.	With the present option in the law, some civil service employees elect to take their full annuities and make no provision for a surviving widow, either gambling that their wives will predecease them or for other reasons. As the consequence, some widows are left destitute. Many are surprised to learn that their husbands have failed to provide for them, and Congress is under recurrent pressure to provide them the benefits their husbands have denied them. The Social Security Act offers no such option but instead makes automatic the protection of surviving widows. This section writes the same principle into the Civil Service Retirement Act.
Section 3. Technical.	

GRANTING OF PERPETUAL SUCCESSION TO AMERICAN NUMISMATIC ASSOCIATION

Mr. McCLELLAN. Mr. President, I introduce, for appropriate reference, a bill to grant the American Numismatic Association perpetual succession.

This association has already been granted a Federal charter for a period of 50 years. That term, which commenced on May 9, 1912, will expire on May 9 of this year, if not extended, and I am now introducing a bill to grant perpetual succession to this fine organization.

This association, I may say, was first established in 1881 as a nonprofit organization, and, as I have said, was granted a Federal charter in 1912. Among other things, it was founded to advance the knowledge of numismatics and to aid and to maintain a feeling of good will between collectors of numismatic material throughout the world. It also has the important function of serving as a clearing house for the exchange of research material and historical reference works in this field.

The association has members in all of the 50 States and in at least 40 foreign countries. Its official monthly magazine, the Numismatist, has been published continuously since 1888. The current advertising manager of this journal is Mr. S. W. Freeman, of Newport, Ark.

My bill would make only one minor substantive alteration in the association's charter. This modification, which was requested by the association, merely would change the authorized number of persons who may serve on its board of governors.

I hope that the Senate Committee on the Judiciary will take early and favorable action on this measure.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2939) to grant the American Numismatic Association perpetual succession, introduced by Mr. McCLELLAN, was received, read twice by its title, and referred to the Committee on the Judiciary.

NATIONAL SPACE DAY

Mr. WILEY. Mr. President, I introduce, for appropriate reference, a joint resolution for designation of February 20 annually as National Space Day.

The successful orbiting of *Friendship 7*, manned by Col. John Glenn, represents, in my judgment, one of the greatest, most historically significant events in the progress and history of the United States.

The designation of a special day, then, would—

Provide an annual opportunity to pay tribute to the magnificent, almost miraculous, accomplishment in a new, largely unknown field of human endeavor;

Create greater public understanding of what we are shooting for in space;

Encourage qualified individuals to enter the field vocationally, not only as astronauts, but also to provide us with the essential space engineers, scientists, technicians, and other skilled personnel

needed for such highly complex activities; and finally

Give greater impetus and direction to our national effort to explore and utilize space to benefit mankind.

I request unanimous consent to have printed at this point in the RECORD: first, a copy of the joint resolution; second, excerpts of my weekend broadcast over Wisconsin radio stations on the merits of such a proposal.

The VICE PRESIDENT. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution and excerpts will be printed in the RECORD.

The joint resolution (S.J. Res. 165) to provide for the designation of February 20 of each year as National Space Day, introduced by Mr. WILEY, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

Resolved by the Senate and House of Representatives of the United States of American in Congress assembled, That, in honor of the successful completion of the first United States manned orbital flight around the earth by Lieutenant Colonel John H. Glenn, Junior, United States Marine Corps, on February 20, 1962, and in recognition of the significance of space exploration programs to the future of humanity, February 20 of each year is hereby designated as National Space Day, and the President of the United States is requested and authorized to issue annually a proclamation calling upon the people of the United States to observe and celebrate such day with appropriate ceremonies and activities.

The excerpts presented by Mr. WILEY are as follows:

WILEY PROPOSES NATIONAL SPACE DAY

The United States—indeed, all free humanity—has joyfully witnessed the successful space orbiting of Astronaut Col. John H. Glenn.

Launched before the eyes of the world—not secretly behind an Iron Curtain extending upward to the edge of space—the flight of *Friendship 7* opens a new horizon to freemen. Entrusted with a new miracle-type capability, we—and humanity—must now build further upon this initial foundation of space conquest. The ultimate goal, of course, is to utilize space potentials for serving, not destroying, mankind. Within its brief lifetime, the U.S. space exploration program has made tremendous progress. Despite the fact that the Soviet Union launched the first sputnik in 1957, the United States has now made a total of 69 launchings, as compared with 13 by the Communist world. The successful orbiting of Col. John Glenn, of course, marks the highlights of U.S. accomplishments up to the present time. Realistically, however, this provides only a foundation stone (although highly significant) upon which to build a great space program of the future.

As the ranking minority member of the Senate Aeronautical and Space Sciences Committee, I have been privileged in the past to work with my colleagues on developing and speeding up the space program. This week, I was privileged to discuss with Colonel Glenn and other astronauts the outlook for the future.

Wisconsin, also, can be particularly proud that one of its sons, Air Force Capt. Don Slayton, of Sparta, is to be the next pioneer in space. As of now, the flight is scheduled for within the next 40 to 60 days. With him (as with Colonel Glenn) will go the pride, as well as the prayers, of the Nation.

Historically speaking, the space exploration program is still in its formative years. Consequently, there is difficulty in assessing its ultimate significance to mankind. Nevertheless, there is a real need to attempt to evaluate, insofar as possible, its potential, both for defense and peaceful purposes. What, then, will be its practical values? Among others, these benefits will include the following:

1. A stronger defense through, for example, utilization of space spy satellites and a space guard to detect and alert us against possible sneak attack.

2. Improved radio, television, and telephone communications.

3. More effective weather forecasting to minimize losses from tornadoes, hurricanes, and other storms, and thus benefit conservation and agricultural programs; and

4. Further mans' efforts to utilize heat and light from the sun, and other natural forces of the universe to serve mankind.

ESTABLISHMENT OF A NATIONAL SPACE DAY

Recognizing, then (a) the significance of space programs to the future of humanity; and (b) that the successful orbiting by Col. John Glenn, represent a great historically significant event to U.S. progress and history, I shall propose legislation to create a National Space Day. Commemorating the first successful orbit of the U.S. astronaut, the designation of February 20 each year would—

Provide an annual opportunity to pay tribute to the magnificent—almost miraculous—accomplishment in a new, largely unknown field of human endeavor;

Creating greater public understanding of what we are shooting for in space;

Encourage qualified individuals to enter the field vocationally—not only as astronauts, but also to provide us with the essential space engineers, scientists, technicians, and other skilled personnel needed for such highly complex activities; and finally,

To give greater impetus and direction to our national effort to explore and utilize space to benefit mankind.

CONSTRUCTION OF CERTAIN OCEANGOING ORE OR COAL CARRIERS

Mr. SMITH of Massachusetts. Mr. President, on behalf of the Senator from Pennsylvania [Mr. CLARK] and myself, I introduce, for appropriate reference, a joint resolution to authorize the Secretary of Commerce to contract, pursuant to the Merchant Marine Act of 1936, as amended, for the construction of at least two oceangoing ore or coal carriers.

I feel that the United States must develop and maintain an adequate, well-balanced merchant marine, owned and operated under the U.S. flag by citizens of the United States and composed of the best equipped, safest, and most suitable types of vessels constructed in the United States.

The VICE PRESIDENT. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 166) to authorize the Secretary of Commerce to contract, pursuant to the Merchant Marine Act, 1936, as amended, for the construction of at least two oceangoing ore or coal carriers, introduced by Mr. SMITH of Massachusetts (for himself and Mr. CLARK), was received, read twice by its title, and referred to the Committee on Commerce.

VOLUNTARY OVERSEAS AID WEEK

Mr. HUMPHREY. Mr. President, I submit, for appropriate reference, a concurrent resolution authorizing the President to issue a proclamation declaring the week of March 25, 1962, as Voluntary Overseas Aid Week. The purpose of this concurrent resolution is to pay tribute to the accomplishments of the nonprofit voluntary agencies. They have done, are doing, and I am confident will continue to do an outstanding job of channeling the desire of the American people to help their less fortunate neighbors. At present there are 58 voluntary agencies engaged in people-to-people programs in some 100 countries and areas. Last year these agencies distributed educational and medical supplies, clothing, and cash, totaling around $75 million to over 100 million people. This food, clothing, and medical supplies came from direct personal donations of the American people.

In addition these agencies assisted in the distribution to needy people of a substantial part of the food made available under the food-for-peace program. These voluntary agencies have shown prudence and ability in carrying out these efforts matched only by the dedication to the cause of mankind.

A companion resolution is being introduced today in the House by Representative HAROLD COOLEY, of North Carolina.

The VICE PRESIDENT. The concurrent resolution will be received and appropriately referred.

The concurrent resolution (S. Con. Res. 61), submitted by Mr. HUMPHREY, was referred to the Committee on the Judiciary, as follows:

Whereas U.S. voluntary agencies have participated actively in international social and economic development efforts in many countries; and

Whereas the Government of the United States and its people have endorsed and supported the efforts of these agencies to provide varied types of assistance over a large area of the world; and

Whereas the people-to-people concept of assistance typified in the programs of these agencies is a reflection of American good will and our belief in human dignity and the democratic way of life; and

Whereas it is the declared policy of the Congress to encourage the continued contribution of these agencies in the less developed countries through their various programs of technical assistance and relief: Now, therefore, be it

Resolved by the Senate of the United States (the House of Representatives concurring), That it is the sense of the Congress that, people-to-people programs administered by nonprofit voluntary agencies registered with the Committee on Voluntary Foreign Aid evidence our friendship for peoples in other lands.

The President of the United States is requested to issue a proclamation designating the week of March 25, 1962, as Voluntary Overseas Aid Week.

PROVISION OF SYSTEM OF FOREST DEVELOPMENT ROADS AND TRAILS—ADDITIONAL COSPONSOR OF BILL

Under authority of the order of the Senate of March 1, 1962, the name of Mr. ANDERSON was added as an additional cosponsor of the bill (S. 2936) to amend chapter 2 of title 23, United States Code, to provide for the system of forest development roads and trails needed for the utilization and protection of lands administered by the Forest Service, and for other purposes, introduced by Mr. MORSE (for himself and other Senators) on March 1, 1962.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed, without amendment, the following bills of the Senate:

S. 201. An act to donate to the Zuni Tribe approximately 610 acres of federally owned land; and

S. 1299. An act to amend the Act of June 4, 1953 (67 Stat. 41), entitled "An act to authorize the Secretary of the Interior, or his authorized representative, to convey certain school properties to local school districts or public agencies."

The message also announced that the House had agreed to the amendment of the Senate to the bill (H.R. 2990) to confer jurisdiction upon the Court of Claims to determine the claim against the United States of Amis Construction Co. and San Ore Construction Co.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr CARROLL:

Statement prepared by himself for presentation to the House Health and Safety Subcommittee on February 21, 1962, in connection with the consideration of House bill 133, to establish a National Accident Prevention Center.

THIRTEENTH ANNUAL PANCAKE RACE AT LIBERAL, KANS.

Mr. KUCHEL. Mr. President, on behalf of the distinguished senior Senator from Kansas [Mr. CARLSON], I ask unanimous consent that a statement which he has prepared on the 13th annual pancake race at Liberal, Kans., be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

THIRTEENTH ANNUAL PANCAKE RACE AT LIBERAL, KANS.

The 13th annual pancake race at Liberal, Kans., will be run March 6. This event between the housewives of Liberal, Kans., and Olney, England, is always held on the Tuesday before Ash Wednesday.

The race is sponsored by the Junior Chamber of Commerce of Liberal, for the promotion of international relations between England and the United States. Thirteen years ago the housewives of Liberal, Kans., issued a challenge to the housewives of Olney, England, to a pancake race. Every Shrove Tuesday since then, this pancake race has taken place.

In fact, as a result of this, Liberal has become world famous as the pancake hub of the universe. Thousands of people gather in Liberal every Shrove Tuesday for this event, which starts with a pancake breakfast at 6 a.m.

I expect to attend the Pancake Day festivities in Liberal next Tuesday, as does my colleague, Senator PEARSON. On behalf of the Jaycees of Liberal, I should like to invite any and all Members of the Senate to attend this pancake breakfast in Liberal, as well as the other festivities, which include the big race between Liberal and Olney, the children's race, and other activities. I will guarantee any Senators who may be able to be there 100 free pancakes made from the world's finest flour milled from Kansas wheat.

Our Governor, the Honorable John Anderson, has proclaimed Tuesday, March 6, 1962, as Pancake Day. His proclamation follows:

"PANCAKE DAY PROCLAMATION

"*To the People of Kansas, Greetings.*

"Whereas the Liberal Junior Chamber of Commerce, Liberal, Kans., has sponsored and fostered the International Pancake Day Race between the housewives of Liberal, Kans., and Olney, England, for 13 years and such relationship between the United States and England has brought about better international relationship and promoted good will and a better understanding toward each nation; and

"Whereas Pancake Day is traditionally on Shrove Tuesday—the same being the first Tuesday before the lenten season—and that Shrove Tuesday falls on March 6, 1962; and

"Whereas the good people of Liberal, Kans., and of the State of Kansas observe Shrove Tuesday by eating the traditional meal of pancakes and the ingredients of pancakes are made from our good Kansas wheat and grown by our great Kansas wheat producers: Now, therefore,

"I, John Anderson, Governor of the State of Kansas, do hereby proclaim March 6, 1962, as Pancake Day for the State of Kansas and urge all of the good people of Kansas to attend the festivities in the pancake hub of the universe, Liberal, Kans., on March 6, 1962.

"By the Governor:

"JOHN ANDERSON,

"PAUL R. SHANAHAN,
"Secretary of State.

"LEONE M. POWERS,
"Assistant Secretary of State."

This is but one of the many community activities being carried on by the Liberal Jaycees, and is indicative of the fine leadership qualities of our young people. Congratulations, Liberal Jaycees.

PROS AND CONS OF CALIFORNIA'S WATER DISPUTE

Mr. KUCHEL. Mr. President, before the two Committees on Interior and Insular Affairs, of the two Houses of Congress, is a contract of crucial importance to the people of California. It has been entered into by Secretary Udall, representing the Government of the United States, and by the Governor of California, representing the people of California. I regret that there are some—I very much hope not too many—who oppose it.

At any rate, I was asked by the Washington Post to prepare a statement justifying the approval of the contract. Yesterday, the article which I prepared, and also an article by Mr. Walter E. Packard, of California, objecting to the contract, were published in that distinguished newspaper. I ask unanimous consent that the text of both articles be printed at this point in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

PROS AND CONS OF CALIFORNIA'S WATER DISPUTE

CONSERVATIONIST SEES REAL DANGER IN STATE'S LAND AND POWER INTERESTS

(By Walter E. Packard)

Within a year, California will be the most populous State in the Nation. The rate of population growth in Califorina is 2½ times larger than the average in the Nation, due in part to the mass movement of people into the State. This migration is stimulated to a considerable degree by the high wages paid in California's defense industries.

Where this population explosion will lead, nobody knows, but that it poses a growingly serious problem is evidenced by the fact that those who are planning to provide water for the people of southern California base their estimate on the expectation that southern California's population of 8,850,000 in 1958 will increase to 28 million in the year 2020, making southern California one of the most densely populated areas of the world with less than an eighth of an acre of farm land per person.

This is not an issue which concerns California alone. If the Nation's rate of population growth continues, within our lifetime the population of the United States will equal that of China today. This enormous increase, coupled with our hoped-for rise in the average level of living, will greatly accelerate the already serious decline in our indigenous reserves of industrial raw materials and will make the United States a strikingly have-not nation in sharp competition with other nations for access to the remaining industrial raw materials in the resources-rich but underdeveloped countries.

California and the other semiarid Western States are peculiarly dependent upon both water and power and are fortunate in having a potentially ample supply of both, if these resources are managed wisely. The Bureau of Reclamation has performed a very notable service in both of these fields.

It built the All-American Canal, which serves Imperial Valley; Boulder Dam, which supplies both water and power to the metropolitan district of southern California; the Central Valley project, which transfers surplus water from the Sacramento River to the dry lands in the upper San Joaquin Valley and develops a large block of power at the Shasta Dam; the Bonneville and Grand Coulee projects on the Columbia River; and numerous irrigation and power projects on the Snake and Colorado Rivers and their tributaries.

The Bureau of Reclamation is now the largest producer of hydroelectric power in the United States.

But more significant than these accomplishments are the two united western proposals prepared by the Bureau of Reclamation during the last period of the Truman administration. These two reports together provide:

1. A comprehensive plan for water development which will provide ample water for the irrigation of all irrigable areas lying west of the Rockies and all that needed for industrial and municipal uses, including enough water for southern California to permit the metropolitan district to release all the water it now takes from Boulder Dam for use in Arizona and all water now taken from Owens Valley for use in that valley and in portions of the Mojave Desert.

2. A comprehensive plan for the development of a power network tying the hydroelectric and atomic energy potentials of the Pacific Coast States with the thermoelectric potential of the coal producing areas of Utah, Wyoming, the Dakotas, and Iowa in the creation of a 500,000-volt transmission system which would provide all the power needed by

all of the area lying west of the Missouri River for an indefinite period.

No greater service could be rendered to California and the Western States than the perfection and early implementation of these united western proposals.

The Federal financing would create no serious problem. In fact, the construction would help meet one of our national problems—substituting sound peacetime development programs for defense spending.

This policy would provide a guide for similar developments in all parts of the United States. The need for a sound approach to this problem is completely compelling. That is why the situation in California is of such vital importance.

In the face of the successful record of the Bureau of Reclamation in California and other Western States and the thoroughly sound character of the united western proposals as long-range means of meeting water and power needs of California and the entire West, California has unilaterally adopted a thoroughly unsound State water plan.

What, one asks, were the factors which led to this action? Why did a majority of the people of the State support it by their vote? One answer to this query is that they and Governor Brown rightly recognized the pressing need for a long-range plan for water development and were offered no alternative.

The united western proposals were withdrawn from circulation soon after being approved by the then Secretary of the Interior, due to pressures of private land and power interests in California who wish to avoid the acreage limitations and public power preference clauses of the Reclamation Act passed by a Republican Congress in 1902 and supported by every administration, Democratic and Republican alike, since that time.

The fact is irrefutable that the big landowning and private power interests were able to condition the minds of a narrow majority of the people of the State to the acceptance of their wishes.

The practical political power of these two groups is measured, to a degree, by their financial interests in the State water plan. The large land-owning interests of the upper San Joaquin Valley may get the water they want at a price that will give them a net increase in land value amounting to more than the total capital costs of the State water plan.

In addition to avoiding the acreage limitations of the Reclamation Act, they also will seek to avoid the provisions of the 1889 irrigation district law of California, which provides for the taxation of land values as a means of paying construction costs.

All of the costs associated with land development under the State water plan will be paid by the consumers of the products produced on the land, based on the high cost of production of the marginal producer.

The total corporate holdings in the vicinity of the proposed State aqueduct comes to over 6 million acres. Add to this another 288,000 acres of land held in excess of 1,000 acres and the total area in the upper San Joaquin Valley that might conceivably be served by the State water plan comes to nearly 6½ million acres.

An increase in value of $300 per acre for this area, which include 1,674,000 acres of potentially irrigable but presently dry land, would exceed $1,750 million—the cost of the entire project.

The commonly expressed anticipated value of irrigated land in that area ranges up to $1,000 per acre.

The issues created by the existence of these large corporate farms is not necessarily going to be solved by the establishment of the old-style family farm. A family farm of 160 acres in the upper San Joaquin Valley valued at $1,000 per acre, with other investment costs added to cover buildings and equipment, does not present the image we have in mind when we become nostalgic over the "good old days."

The point I wish to make here is that no one has yet solved the complex problems associated with modern agriculture. What we want to do, and rightly so, is to preserve the human values associated with Jeffersonian democracy without destroying the efficiency of industrial techniques.

Only one fact relating to this problem is clear, and that is that the increase in land values created by the growing pressure of people upon land resources provides a source of income which can be used to finance public enterprises designed to serve the public interest without putting any extra burden on the consuming public.

It would be stupid to disregard recognized economic law and make the consuming public pay the project costs in the prices they are charged for the food they eat. The increment in land value, the need for taxing this value as a means of financing public works and the need for keeping consumer prices down are all results of the population explosion and should not be ignored.

In much the same way that large landowning interests profit at public expense by supporting the State water plan, the Pacific Gas & Electric Co. will, it is expected, be in a position to monopolize the power.

According to the State water plan, the P.G. & E. probably will get the 331,000 kilowatts of installed capacity capable of producing 1.3 billion kilowatt-hours of new energy developed by the Feather River project and probably will have a captive market for the energy needed to pump water over the Tehachapi Mountains, an amount of energy which is several times greater than the entire amount of energy developed by the Feather River project.

Provisions of the California State water plan governing water policies are not yet in force. Congress has time to review the decision of the Secretary of the Interior, who had acted without congressional approval in signing the contract on the San Luis segment of the State project, contrary to the reclamation law which he has sworn to uphold.

The legality of the contract is sufficiently in question to convince Attorney General Robert F. Kennedy that the question should be settled by Congress during the review period.

If the contract is disapproved by the Interior Committee of either House, the whole issue will be clarified. The longstanding reclamation law will be upheld. Governor Brown will be relieved of his responsibility for the water policy and the Secretary of the Interior can come to the rescue by offering to support a request from California that the Bureau of Reclamation reenter the picture and that the original Central Valley project be extended to include the facilities required to meet present and future needs.

This transfer from State to Federal responsibilities would make the project an interstate undertaking as contemplated by the united western proposal.

Both the acreage limitation and the public power preference clauses of the Reclamation Act would apply and the taxing provisions of the California irrigation district law could be employed to charge construction costs to the increase in land values created by the project as has been done very successfully in the Turlock and Modesto districts.

The transfer also would open up several opportunities for development of various alternative means of obtaining the desired physical ends.

The purpose of that part of the united western proposals which would supply southern California with water from the Columbia River could be accomplished without delay by the early construction of an enlarged cross-delta channel to supplement a saltwater barrier in the lower delta of the Sacramento and San Joaquin Rivers.

This would permit use of a larger portion of the 26 million acre-feet of good river water which now wastes into the sea.

When this supply is added to the 12 million acre-feet which can be brought into the Sacramento Valley from a series of storage dams in the northwestern portion of the State, it will provide enough water to supply the metropolitan district with ample water without using water from either the Colorado River or Owens Valley and without seriously diminishing the water supply.

What is needed in this dangerously artificial period in our history is the development of the type of statesmanship exhibited by Theodore Roosevelt, Gifford Pinchot, George Norris, Woodrow Wilson, the Robert M. La Follettes, Franklin D. Roosevelt, and other great progressive leaders of the 20th century, both Democratic and Republican.

We need leaders who can see and understand the complicated problems created by the population explosion, the concurrent decline in industrial raw material reserves and the resulting need for the conservation and development of our land, water and power resources on sound technical, social and economic principles.

These needs are mandatory conditions of both economic viability and social stability. The time to act is now and the responsibility rests directly upon the Congress.

The contract on the San Luis project signed by the Secretary of the Interior should be rejected during the 90-day review period as the first move toward sound planning. Wise action now will forestall serious and inescapable consequences later on.

Senator Backs Reservoir Project for Its Federal-State Cooperation

(By Thomas H. Kuchel.)

The probabilities are that the indigenous Indians of what is now southern California faced no serious water problem in those historic days before outsiders came. The reason is simple. It was not that nature then was pouring more rain and snow on the mountains and valleys. It was simply that there weren't too many human beings living there around, say, 1776.

But even then, the balance between availability and need was a delicate one. The Creator had made of the great southwestern expanse of the North American land mass a relatively dry desert. The native flora was geared to survive on a minimum of water. I think perhaps the people were too.

When the Spanish came in the late 1700's, shortage of water became a direct hazard to survival. As Father Serra trod our soil, building his missions years before our country was born, our first irrigation and reclamation projects began, with Indian labor under Spanish direction constructing earthen dams and crude aqueducts. Thus provision was made in early days to conserve water for domestic and agricultural use in those times when Mother Nature was unavailing.

During all the intervening years—180 and more—adequate water supply continued to be California's basic problem. The crude waterworks of the dons have been vastly supplemented by some of the most imposing—and most costly—projects which people anywhere ever undertook to construct.

During 1962 California will replace New York as the most populous State in the Nation. Each year over 500,000 new residents come to my State. Experts prophesy that by 2020 our present population will more than treble—believe it or not—to 57 million.

Most of our people, perhaps 13 million out of about 17 million, live in metropolitan areas. By 1975—13 years hence—9 million more will live in densely populated areas. Yet we continue to be also the first State in the value of our agricultural produce. With

this incredible increase in population has come a profound change in our demand for water.

This mounting thirst has been quenched, in part, by local people establishing local agencies under State law, investing an estimated $4 billion in local conservation projects. The city of Los Angeles built a 240-mile aqueduct to bring water to its people. And the Federal Government has built many reclamation and flood-control projects. We began to receive water and, incidentally, electricity from the Colorado River through Hoover Dam, a great Federal undertaking, supplying most of our parched Southland. Today that source is placed in jeopardy by the *Arizona* v. *California* lawsuit.

The most farflung Federal reclamation project is the Central Valley project, which serves much of the needs of the Sacramento and San Joaquin Valleys. Under Federal law it delivers, including acreage limitation, 3 million acre-feet of water to 800,000 acres. Its powerplants produce 3 billion kilowatt-hours, available on preference to public agencies. Water and power users will repay 94 percent of the Federal investment.

But the problem is still far from solution. Southern California, with more than half the population, has only 2 percent of the State's water resources. There is a present overdraft on the Southland's underground supply.

Until surplus northern water comes south, increasing needs of the South must depend on what the Colorado River may be able to supply.

It was incumbent, therefore, that the State government assume a concomitant responsibility with the Federal Government. It did. At a cost of many millions, it fashioned the State water plan, to be paid for by the people of the State, at an estimated cost of $12 billion. And to construct the first segment of that plan—called the Feather River project—the people, by their votes, have bonded themselves in an amount of $1,750 million.

Briefly, the Feather River project contemplates a State multipurpose dam at Oroville and a main aqueduct down the west side of the San Joaquin Valley bringing water across the Tehachapi Mountains to Los Angeles and most of the Southland. Other aqueducts will connect with the main stem to bring water to other areas en route.

A storage reservoir, so save water in wet months, is an indispensable part of this engineering marvel. The site chosen for such a reservoir is San Luis, located on the west side of the San Joaquin Valley.

San Luis is the only reservoir site the Creator has provided for a storage reservoir in this entire area.

Meanwhile, the Bureau of Reclamation had been studying means by which to bring supplemental water to a new and larger Federal service area in the San Joaquin, under the Central Valley project. With almost unanimous approval of the landowners and farmers on the west side of the San Joaquin Valley, the Bureau recommended that 500,000 additional acres be included in an enlarged Federal service area. More water, of course, would be needed. A storage reservoir would be required. Bureau engineers sought a reservoir site. Only one was found, San Luis.

Had there been two reservoir sites available, the State would have proceeded to construct a dam on one of them for the State project, while the Federal Government would have utilized the other. Side by side, the two sovereigns then would have gone forward with their separate water projects: State law governing the one exclusively; Federal law governing the other exclusively. But there weren't two sites.

And here, to the infinite credit of both governments, a statesmanlike agreement was reached. The Federal Government needed about 1 million acre-feet of storage. So did the State. Why not build one dam, double in size, to be used by both sovereigns, each to pay its proportionate share of the cost, precisely as if each had proceeded independently?

So a bill was fashioned authorizing a Federal-State agreement for construction and operation of the San Luis Reservoir. To assure the State of its own prerogatives in such a joint operation, the bill provided: "The State shall not be restricted in the exercise of its allocated right to the use of the capacities of the joint-use facilities for water service outside the Federal San Luis Unit Service Area."

California needs expanding reclamation projects. It also needs its own State project. Surely, Federal and State use of a double-size storage reservoir should create no jurisdictional strife. Could not each government release and sell its own waters, temporarily impounded at San Luis, under its own regulations, unhampered by the other government? The State should not seek to impose its will on the Federal system paid for by Federal funds. Nor should the Federal Government seek to impose its will on the State system, paid for by State moneys.

In the 85th Congress, I coauthored legislation authorizing the Secretary of Interior and California to enter into an agreement for construction and operation of the San Luis Reservoir, each to pay an agreed share. It passed the Senate and died in the House. In the 86th Congress it was enacted into law.

Debate on the bill was heated, vigorous and long. Some Members of Congress wanted the State project to be subject to Federal law, basing their argument on Federal participation in the construction and operation of the San Luis Reservoir. The rest of us vigorously disagreed. Like debate on any proposal, there were, to say the least, divergencies of view. At long last, the bill became law.

Did Congress intend that Federal law should control the State project simply because both sovereigns would share the use of one storage reservoir? I do not believe so.

Neither does the solicitor of the Department of Interior. He ruled:

"Since the San Luis Act and national reclamation policy do not require the application of Federal acreage limitations to the State service area, and since the application of Federal law to the State service area would clash with another basic national policy to leave the State free where Federal interests are not impaired, I have concluded that Federal acreage limitations do not apply to the State service area and that the proposed agreement for San Luis may be signed by you in its present form."

Neither does the U.S. Attorney General, who said to the Secretary of Interior, "after a careful examination of the relevant laws and legislative history, I concur in the conclusion of your solicitor that the San Luis Act does not require that an agreement executed by you and the State of California contain provisions imposing the acreage restriction upon the State service area."

The Attorney General then suggested that Congress might reexamine the question. But if, as he has concluded, the Congress has ruled on this question, why should the Congress have to do so again? The Constitution does not require that a bill be passed twice before it becomes effective.

Indeed, the San Luis Act is specific on the question of approval of the contract. It provides that no Federal moneys shall be appropriated for the Federal share of construction, until the contract has been submitted to Congress for 90 days, "and then only if neither the House and Senate Interior and Insular Affairs Committees has disapproved it by committee resolution within said 90 days." Secretary Udall and Governor Brown have signed such a contract. It was sent to Congress and is before the two committees.

Some people now demand the contract be repudiated. They would tear down long years of planning to bring water to dry areas of California. They would frustrate and destroy my State's growth and future development.

A few fancifully talk about "substitution of sound peacetime [Federal] development programs for defense spending." That is living in a dream world. California ought to be given credit for wanting to do all that it can for its own people. Of course, we need continued Federal help. But Congress ought not to be asked to assume the entire cost of satisfying our thirst. And I respectfully suggest there can be no substitution for defense spending, particularly when we are about to increase defense spending this year by billions of dollars.

I believe the intent of Congress, the rule of reason, and the interest of the public require approval of the San Luis contract.

The joint reservoir will serve both sovereigns. From the Federal standpoint, it will save money. According to the reclamation commissioner, were the dam to be constructed by the Federal Government alone to serve the Federal service area alone, Uncle Sam's cost would be $226,038,000. But through joint construction with State participation, the Federal share of joint costs to achieve the same service to the Federal area would be $196,211,000. The Commissioner reports a Federal savings of $31,211,000 on a joint facility.

Federal projects provide cheap water for farmers. Federal law makes no interest charge against the irrigator; power revenues reduce the cost of water to him. In the Central Valley project the farmer pays $3.50 per acre-foot, as against a charge of $20 per acre-foot which the State must charge for its water, regardless of use.

The State's Feather River project water will be expensive. All users, municipal, industrial or farmer, will pay the same interest on the $1,750 million bonds. The project is power deficient. Thus, it must buy power for pumping. In the future as in the past, California farmers will continue to look to Federal reclamation projects, acreage limitation and all, for their main source of supplemental water. Most of the Feather River water will go to cities and to industry. Incidentally, California contracts with irrigation districts provide for a 50-percent cut in delivery for farm use in any period of drought. And they require a $2 per acre-foot surcharge on water delivered to excess (over 160 acres) lands. Thus, an excess landowner pays $22 against $3.50 the Federal Government requires.

I am not unmindful of the problem of unjust enrichment. But Congress has neither the right nor the time to assume the responsibilities of the California Legislature. The unassailable fact is that a State project, built by State moneys, ought to furnish water under State law—not Federal law. Federal-State partnership of one reservoir cannot alter that fact.

This contract must not be rejected. To contend that if it were repudiated the Federal Government would immediately supply all the money to solve California's water problems is nonsense.

If the San Luis contract were to be rejected, a cruel, frightful wrong would be done to California. Rather than to attack a joint Federal-State water reservoir, America should salute California for assuming a multi-billion-dollar burden. We don't want to dry up and blow away. We are eager for continued Federal cooperation, and we want to do our part. Secretary Udall does not want to dictate how Californians use their

own water in their own waterworks; neither does—nor should—Congress. After all, Californians are people, too.

S O S—SAVE OUR STREAMS

Mr. METCALF. Mr. President, highway construction is ruining many fine streams. On January 30, I introduced S. 2767, which would require the approval of the Secretary of the Interior to surveys, plans, specifications, and estimates for projects on the Federal-aid highways systems, for the purpose of protecting fish, wildlife, and recreation resources. The bill was referred to the Senate Committee on Public Works.

Recently, Utah State University published a study entitled "Road Construction and Resource Use"—Extension Circular 297. This statement, with recommendations for coordinated planning, is a contribution of the College of Forest, Range, and Wildlife Management, at Utah State. The concluding recommendations are:

First. Begin a stepped up research program to determine future transportation requirements as related to resource use and human populations. It is suggested that the resources of universities be utilized for this research.

Second. Enact Federal and State legislation requiring coordination of all agencies having responsibility for resources affected by highway construction. At present, such consultation frequently takes place on a voluntary basis; but there is no legal mandate for coordinated planning.

Third. Establish through legislation, State highway planning boards or commissions having broad representation in all phases of land use, with authority to review and reject highway-design proposals.

Fourth. Obtain legislative recognition by local, State, and Federal governments of this principle: The costs of adequately protecting major resources—forest, range, and watershed; recreational and scenic; and wildlife—are normal costs of highway construction.

Mr. President, I ask unanimous consent to have the text of this pamphlet printed in the RECORD.

There being no objection, the pamphlet was ordered to be printed in the RECORD, as follows:

THE GENERAL IMPACT OF HIGHWAY CONSTRUCTION UPON LAND USE

The United States is experiencing a mass shift in population. There are movements from farms toward cities and from city centers outward, engulfing farms. This twofold shift has created the modern suburban phenomenon.

There are many reasons for these movements, but their direction is determined largely by highway construction. This has been true since man's earliest times. Shelters, villages, towns, and cities have followed trails, roads, and waterways. To a large extent, accessibility and transportation govern where people live and how land will be used.

Perhaps the most obvious effect of highway construction is the direct loss of land, especially farmland—an incipient erosion of a national resource. For example, the new Federal freeway program requires 30 acres per mile of highway. The freeways will consume the equivalent of 11,000 farms of 160 acres each. Of even greater importance is the indirect loss. Residential, business, and industrial expansions follow new highways, leapfrogging from one intersection to the next. These developments consume a vast acreage and modify the use of adjacent lands. Between the intersections, islands of unmanageable lands are created. These frequently become the sites for junkyards, shoddy developments, and other land wasting areas. The older concentrations become less important, but remain. This unplanned development of shoestring communities alters tax structures and complicates public services such as school facilities, garbage and sewage disposal, and police and fire protection.

There are many other impacts including direct destruction of scenic, recreation, and wildlife values as well as the more subtle influence upon animal behavior, especially wildlife movements.

While man has strong material interests, he has, through recorded history, demonstrated a strong desire and need for the aesthetic values of life. This is evidenced by the culture of early civilizations and by present day efforts to beautify utilitarian objects. Similar expressions are evident today in Europe. England, for example, takes great pride in the green belts which surround and beautify its communities. These make highway travel a more pleasing experience.

Basically, highways serve a strictly utilitarian purpose—their function is to get people and materials from one place to another, whether this be for reasons of commerce, defense, or recreation. There is, however, a growing interest in beautifying these routes. This requires more money first to minimize damage, and secondly to enhance the beauty of the road.

Highway designers are primarily concerned with three factors: traffic patterns; engineering feasibility; and economy of design. These have been the guides governing highway construction. Traffic demands, destinations, safety factors, and public pressures have been important considerations. Rarely has the impact upon land use and human population distributions received adequate attention. Indeed, those who urge consideration of other resources are often labeled "obstructionists to progress."

In States lacking a highway planning board or commission, the highway department has in effect become the land use planning agency, generally without personnel competent in many aspects of land use.

This statement is concerned with the impact on only three major resource groups: (1) Forest, range, and watershed resources; (2) wildlife resources and (3) scenic and recreational resources.

FOREST, RANGE, AND WATERSHED RESOURCES

Highways have certain positive values for forest and range resources. Timber and livestock are commonly transported by truck; hence, the improvement of roads aids in the normal activities of marketing these resources.

Deleterious effects also occur. With better highways, more people visit forest and rangelands which are frequently critical watershed areas. Increased visits magnify fire dangers and the risk of denuding critical areas. Moreover, livestock losses due to theft and accident may occur more frequently. The latter loss can be minimized by fenced roadways. Fenced rights-of-way, however, complicate range management practices.

Highway cuts frequently alter water table levels in their immediate vicinity. These changes often have adverse effects upon adjacent timber, causing it to become weakened and more susceptible to disease and insect infestation that may spread through the entire stand. This is but one of the unexpected and complex impacts of highway construction on natural resources.

Watershed problems are serious. The large cuts and fills common to modern highway design expose raw, unstabilized soil to the forces of erosion. Further, hard-surfaced roadbeds accumulate water which must be disposed of wisely to prevent erosion damage. In mountainous range and forest lands this is not easy. Natural channels are often forced to accommodate quantities of water far beyond their natural capacities, and the frequently steep gradients intensify erosive action.

Concentrations of runoff from large areas into a limited number of culverts which conduct the concentrated flow into inadequate channels on the downhill side create major watershed problems. Highway engineering and designing should include facilities to reduce the concentration of runoff and to expend the energy of increased runoff volume and velocity so that soil stability is retained. Gully formation below culverts lowers water tables and is a prime contributor to deterioration of vegetation.

There are similar problems, on a smaller scale, with access roads, trails, and other unsurfaced routes in forest and watershed areas. These, too, deserve careful attention.

Erosion can be minimized by careful engineering. In the past, this has received too little attention. This may reflect a weakness in engineering education. Many engineers are not aware of the complex and adverse biological effects of erosion.

WILDLIFE RESOURCES

Game: Highways are increasingly hazardous to game animals. Wider roads, higher speeds, and fenced rights-of-way combine to cause losses among game animals, especially in the West where big game migrations take place from mountains to foothills.

Some of these losses and hazards will not be eliminated. Speed limits cannot be reduced to levels which would eliminate game losses. Nor can the width of the roads be reduced. Two features may be effective in considering game needs: road location, and type of construction, including fencing.

In the West, big game animals, particularly deer, migrate from high mountain summer ranges to the foothill winter ranges. Since towns and cities are often located in the mouths of canyons, the major highways which connect these towns lie at the base of the mountains and, frequently, directly across these semiannual migration routes. Considerable losses occur in localities where there are large migrating herds. This has been true in the past with single lane roads, unfenced or so poorly fenced as to cause no obstacle to animal movements.

The construction of wide, divided, and fenced freeways is of greater concern. The fences are not complete barriers to deer. Older and weaker animals often fail to clear the fence and become entangled. The animals entering the right-of-way face other obstacles, the second fence and the oncoming cars. They often become confused and mill about until hit by vehicles. Also, of paramount concern is the hazard to human life and property.

These losses may be minimized by advance planning. In some areas, the highway could be located far enough from the foothills to avoid the major migration route and be fenced as an added precaution. Fences should be big-game proof. Where there is sufficient winter range above the highway, this may solve the problem.

In some cases, highway location cannot be varied to avoid migration routes. This is true in canyons and where the winter range is a great distance from the planned route. The solution to this hazard may be fencing to prevent entry of animals into the right-of-way, combined with underpasses at strategic intervals. If properly constructed and located, it seems likely that these safeguards would provide sufficient opportunity for game to safely bypass the highway.

However, the responses of big game to bypasses are not well known.

Another problem is in maintaining adequate game harvest. Many canyon highways are narrow and tortuous. Often the entire canyon bottom may be expropriated by the right-of-way, effectively sealing off access to the trails and secondary roads leading up tributary drainages formerly open and used by hunters. The Federal freeway system, with its limited access, has the same effect. This prevents hunter access and proper harvesting of game in the contiguous areas, resulting in a deterioration of range conditions. Proper planning can minimize, if not eliminate, the difficulties. Interchanges leading to existing roads and new construction of subsidiary roads should be part of the roadbuilding operation if proper game harvest is to be maintained. Access is also needed in managing other resources—for timber removal, fire suppression, and moving livestock.

The direct and indirect loss of farm lands is important to upland game, especially pheasants and quail. In addition to the land used for roads, residential, and industrial purposes, "shoestring" developments create isolated islands of habitat where game management and harvest is impractical. These "islands" cause safety problems; some areas must be closed even where game is present in harvestable numbers.

Shifting human populations, following highway construction, cause changes in hunting pressures. Further, modern highways and automobiles result in a very mobile hunting public, with hunting areas within easy reach. This means that game managers should develop and use means of manipulating hunter pressure.

Clearly, the impact upon game resources and their harvest must receive more attention in highway planning.

Fish: Water courses, lakes, swamps, and marshes often complicate highway construction. Often the "ideal" site for a proposed highway is also the location of bodies of water. The simplest expedient is to follow the most economical course, and this course very often modifies the flow rate, gradient, pools, and riffles of a stream, or the water levels of marshes, swamps, and lakes. Waters, wherever they occur, are of scenic value. For that reason alone, their protection should be considered.

A body of water capable of supporting fish is a living thing—a delicately balanced system. This is not generally understood. There is a delicate "chain" that must not be broken—a chain of light and shade, aquatic plants and animals, adequate oxygen, proper temperatures, and other factors. Any disturbance of this chain upsets the delicate balance so essential to fish life.

For example, channelizing or straightening a stream increases erosion and siltation, resulting in turbid waters. Sunlight reaching the stream bottom is reduced, eggs are smothered, and tiny food organisms suffocated. Removal of streamside vegetation reduces shade and increases water temperatures. Channelizing eliminates meanderings, increases the gradient and the velocity of the water. Fish, like all animals need rest. With high velocity, rest is impossible and fish are eliminated. Channelizing also reduces the length of a stream, decreasing the amount of living space. The sum effect of channelizing a stream is to eliminate or very seriously reduce fishing.

Earth filled structures across lakes cause biological changes. Water above the impoundment may fluctuate or stagnate, often causing changes in its biological composition.

Drainage of swamps or marshes eliminates fish habitat and ultimately the fishery along with waterfowl and furbearer resources.

Even with the best of intentions and substantial funds, complete mitigation of losses is virtually impossible. We do not know how to immediately create a fishing hole or restore a length of stream with the proper biota—with the proper relationship of pools, riffles, and shade. Further, restoration costs more than protection.

SCENIC AND RECREATIONAL RESOURCES

Highways which provide access to areas of scenic grandeur are a service to a vast number of Americans. What is often not considered, however, is that the country through which these highways pass is often of scenic and recreational value in its own right. These values should be preserved wherever possible.

Many highways pass through canyon bottoms. Because it is usually narrow, the canyon bottom is the cheapest and most direct course. This type of road very often sacrifices the bottom of a canyon, eliminates valuable streamside trees, channelizes a meandering stream, and reduces scenic beauty simply because it costs more money to build a bridge or move away from the stream.

The West has a great many scenic areas that are sought by millions of people every year. The American public has shown a need for scenic values and open spaces. Millions leave the cities on weekends to enjoy and recreate in areas of natural beauty. This need must not be ignored when highways are planned. Highways should be designed to minimize damage to recreational values.

ESTHETIC AND SOCIAL CONSIDERATIONS

Enjoyment of the out of doors is no longer a trivial pastime. National leaders are stressing that under modern-day conditions outdoor recreation is vital to our individual and national character. Marion Clawson, a director of Resources for the Future, has cautioned, "We don't just want outdoor recreation, we need it."

Outdoor recreation has become of tremendous social importance. It is a form of national therapy. The need is evidenced by the phenomenal return to the out of doors through the increase in fishing and hunting, picnicking, camping, and boating. The increase in these activities outstrips the population gain. Consideration for scenic and recreational values is justified solely on the basis of esthetic and social values.

ECONOMIC CONSIDERATION

Tourists in the United States spend over $20 billion annually. Scenic and natural recreational opportunities are responsible for much of this tourism. Fishermen and hunters spend over $5 billion. These expenditures will continue to rise.

Tourism can and is adding a third dimension to the usual two-dimensional agindustrial economy. Obviously, good roads are essential to increasing tourism. It is equally obvious that destruction of the attractions is poor resource use and poor economy.

Considering the tremendous and increasing economic value of wildlife, scenic and recreational resources, it is absurd and ridiculous to damage these resources unnecessarily simply to reduce highway costs. Such thinking is shortsighted and untenable.

THE NEED FOR COORDINATED PLANNING

Obviously, highway construction has an important impact on natural resources and on every phase of human activity, particularly upon urban and rural growth, development, and government. With more people placing more demands upon natural resources and the obvious necessity for a modern transportation system, there is an urgent need for coordinated and integrated planning. The United States can no longer afford unnecessary resource waste or unwise land use. Obviously, under these circumstances the cost of highway construction must increase.

Only through carefully integrated, long-range planning can resource waste be minimized. It has long been held that highway planning and urban and rural development are local responsibilities. Too often this responsibility has not been accepted. The State and Federal Governments have cautiously maintained a hands-off attitude. The importance of the responsibility at the local level is recognized and not minimized. The State and Federal Governments, however, have not accepted their full share of responsibility in providing assistance in a transportation system that has both State and National impacts.

Road location and design have been the province of county and State highway departments with local chambers of commerce usually having a considerable influence. Agricultural, wildlife, recreational, and other interests have not been actively involved except where pressures have been brought to bear.

The broad resource picture and the needs and requirements of all resource users cannot be considered until there is adequate representation of all interests in the earliest planning stages of highway construction. There must also be support from administrative and elected officials sympathetic to the unvoiced needs of the public—needs that are perhaps unknown to the general public during the planning stages.

RECOMMENDATIONS

The following actions are recommended to assure coordinated planning, intelligent resource use and orderly urban and rural development, all of which are influenced to a large extent by highway construction:

1. Begin a stepped up research program to determine future transportation requirements as related to resource use and human populations. It is suggested that the resources of universities be utilized for this research.

2. Enact Federal and State legislation requiring coordination of all agencies having responsibility for resources affected by highway construction. At present such consultation frequently takes place on a voluntary basis, but there is no legal mandate for coordinated planning.

3. Establish through legislation State highway planning boards or commissions having broad representation in all phases of land use with authority to review and reject highway design proposals.

4. Obtain legislative recognition by local, State, and Federal Governments of this principle: The costs of adequately protecting major resources—forest, range, and watershed; recreational and scenic; and wildlife—are normal costs of highway construction.

FACTS FOR YOUTH

Mr. MUNDT. Mr. President, three times a week there is published here in Washington a pamphlet entitled "Life Lines," an informative paper usually consisting of four pages.

Life Lines touches on a variety of topics in its editions, but always its central themes are devoted to fundamental Americanism and the development of Christian character.

As an example of the content of Life Lines I want to bring to attention today an article from the February 2 edition entitled "Facts for Youth."

This article is a reprint from the magazine, Junior Scholastic, and deals with the topic "What You Should Know About Communism—and Why." After reading this article I feel certain my colleagues join with me in commending

both Junior Scholastic and Life Lines for carrying this type of essay.

Mr. President, I ask unanimous consent that the article be made a part of the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FACTS FOR YOUTH

Into the midst of nationwide debate as to whether the people of America, and in particular the young people, should be taught the truth concerning communism, there has been dropped the most effective bomb for freedom in a long time. This is not a bomb in the military sense, but in the long run we believe that it will prove to be more effective in the defense of freedom than the most expensive bombs in our Nation's military arsenal. It hasn't sent up any mushroom clouds and its fallout preserves life instead of destroying life. It is designed to help future generations grow up strong and healthy instead of deformed by the effects of radioactive fallout. Above all, it is designed to help these children grow up free. The bomb we are referring to is the truth—the truth about communism as told on the level of a sixth grader and printed in the magazine, Junior Scholastic.

We salute the editors and publishers of this magazine for grade-school students on their article, "What You Should Know About Communism—and Why," the first in a series of 15 articles. If the Communists and Communist sympathizers in America are not successful in eliminating such articles, or in forcing the editors of this magazine to water them down, we believe the future of communism in America is doomed, for future citizens are being taught the truth about the enemy that wants to enslave them.

Here is the article:

"Did you ever meet a Communist? Perhaps you have without knowing it. If you pass a Communist in the street he looks just like anybody else. He goes by and doesn't harm you.

"Or does he?

"This man, like every other Communist, has one main purpose in life: to spread communism across the world. He wants the United States to have a Communist government like Soviet Russia's. He hopes to destroy all free nations. You and your family pay a high price because some people in this world believe in communism.

"First, there is the money cost. Ask your father about his taxes. Probably he'll tell you that his U.S. income tax has gone up. Perhaps a third to a half of your family's U.S. tax bill is the cost of communism. It is the cost of billions of dollars worth of guns, missiles, ships, and planes to defend our country and our allies. The purpose of all these arms is to keep the free world strong in case of a Communist attack.

"Before many years you, too, will be paying part of this tax-against-communism.

"You have other costs to pay. Most boys will probably spend a part of their lives in the Armed Forces. That, too, is part of the cost of defending our Nation against communism.

"Will you be safer at home than in the Armed Forces? In a modern war, planes can carry nuclear bombs to any city in a few hours. Rockets can cross oceans and continents in minutes.

"Many world leaders are hopeful of avoiding war. But as long as the Communists keep up their threats against free nations, we must keep up our defenses and stay calm under constant tension. We pay a high price to stand firm against communism. But there will be a far higher price to pay if freedom loses its struggle against communism.

"Let's see how you would live under communism.

"Your church: Communists would jeer at you if you went to church. They would tell you there is no God, that religion is a fake. Perhaps the Communist government would close your church altogether.

"Your school: The ideas of communism would be drilled into you from the first grade up. Your schoolbooks would be full of praise of communism and its leaders. How does communism compare with other systems? You'd never get a chance to find out, for libraries would have few if any books from the free world. Your teachers would tell you about crimes and strikes and other troubles in the free world—but not the good things of life under freedom. If your teachers thought you had doubts about communism, you would probably have a hard time getting into college.

"Your home: The Communist government would forbid you to listen to radio or TV programs from the free world. If you received mail from abroad, you would show it only to trusted friends. If you should happen to meet a foreigner, you probably wouldn't dare invite him to your home. Someone might get suspicious and tell the secret police. People suspected of opposing communism are sometimes whisked away—and often do not return.

"Your career: You might not have much to say about your career. The Communist leaders may decide that they need an extra supply of engineers or laboratory workers or plumbers. You may be one of a group picked for training in one of these jobs—and perhaps be sent to some faraway part of the country to work.

"What if you opposed communism? You might have a hard time getting any job at all except hard laboring work.

"Your government: When you were old enough to vote you would have no real choice in elections. That's because your party—the Communist party—would choose all the candidates. They would all be Communists or loyal followers of communism.

"In a Communist America, the freedoms that Americans love most would vanish. That is the price to pay if we lose the struggle against communism.

"Perhaps you are thinking: 'What can I do about all this? I'm just one young person in school. The job of winning this struggle is up to the generals and Senators and other important people in government.'

"True, the leaders of our Nation must take the lead in freedom's struggle. But every American has a part to play. In a few years you will be ready to vote and thus to help govern our country. You count as a person. Your vote will be as important as every other vote. Freedom's best hope is in the youth who will have to carry on the struggle against communism in the years ahead. You can help right now, in your own family. You can take a more useful part in discussions of world affairs if you know the real dangers of communism.

"To help you know these dangers, Junior Scholastic presents this series of articles.

"Why is it important to our Nation's future for young people to learn all they can about communism?

"1. To avoid overconfidence. Let's take the case of a football team whose members get overconfident. They're sure they can knock over their rivals without half trying. The players don't practice as hard as they should. A supposedly weaker team is going to roll right over them if they don't watch out. It's the same with a nation. If we don't know the facts about the great and growing strength of Soviet Russia and the Communist world, we may find ourselves losing the struggle against communism.

"2. To avoid fear. Take another football team. It is licked before the game starts because its members have heard so much about the strength of the opposition. The cure for fear, as well as overconfidence, is knowing the facts. People on the other side aren't supermen.

"3. To help find ways to win the struggle. What are the other side's weak points? We need to know them to make our own plans.

"4. To gain courage and determination. By faith in our American freedoms, by knowing our own strength and understanding our rival, communism, we will gain the courage we need to face a troubled future.

"This series of articles will give you a start toward that knowledge and understanding. You will find out where the ideas of communism came from, how they have spread, how the Russian Communists gained control of their country and their neighbors. You will read what the free world is doing to meet this challenge. Most important of all, you will learn how you can help to preserve freedom against the menace of communism."

That is the text of the first of a series of 15 articles entitled "What You Should Know About Communism—And Why," from the Junior Scholastic, a magazine for students from the sixth grade up. This same series of articles in advanced form is being presented in the Senior Scholastic for students of high school age.

Knowledge is the beginning of wisdom, and wise citizens will choose freedom over tyranny every time. We congratulate Junior Scholastic for this fine article. It was presented factually and calmly in the best tradition of a free search for truth.

OUTDOOR RECREATION FOR COMING GENERATIONS

Mr. MOSS. Mr. President, the Outdoor Recreation Resources Review Commission, which the Congress established to develop a policy and design for providing outdoor recreation for coming generations, has now presented its report. It brought us, in the chill month of February, a welcome whiff of the great outdoors.

It has also given us an impressive array of facts and estimates on existing recreational opportunities for the American people, and a number of useful recommendations for sound action to save and extend these opportunities in the future.

I commend the members of the Commission for the breadth and scope of their work, and thank them for the many hours of labor which went into it. Several Members of this body served on the Commission, among them the Senator from New Mexico [Mr. ANDERSON], the Senator from Idaho [Mr. DWORSHAK], the Senator from Washington [Mr. JACKSON], and the Senator from Iowa [Mr. MILLER]. We are especially under obligation to them.

The report dramatizes a situation we have known was shaping up for some time—that we are now a highly urban country with 63 percent of our people living on 10 percent of our land. Our big metropolitan centers become more heavily congested each day, increasing the need of the people to escape from the crowded cities to seek fresh air and relaxation in the great outdoors. Our parks, our open-air recreational areas and our beaches are no longer a luxury but a necessity.

By the year 2000 the Outdoor Recreation Resources Review Commission has

calculated our population will have doubled, and the demand for fresh air recreational facilities will have tripled. There is still considerable land available for recreational pursuits, but the trouble is that much of it is too far for city dwellers who have only a few hours for recreation, and that land which is available is being gobbled up for industrial or suburban development in some way. The primary need is for more recreational areas near metropolitan centers which are suitable for a Sunday outing.

Of secondary importance, but essential in a rounded picture of outdoor recreational opportunities, is the requirement for areas which are a 1-, 2-, or even a 3-day drive from great urban masses, and where people may go for several healing days or weeks far from the clatter of civilization. Such areas must also be sought out and preserved.

"In this respect, I was gratified to note that the Commission endorses the principle on which the wilderness bill is founded, and supports as a legitimate role of the Federal Government the preservation of scenic areas, natural wonders, primitive areas, and historic sites of national significance.

I am confident that the Canyonlands National Park which I seek to authorize in the State of Utah would fall into this latter category. The National Park Service says of it:

> Canyonlands would undoubtedly be one of the greatest scenic attractions in the national park system.

And furthermore states:

> "Its rugged landscape contains a profusion of impressive red rock canyons, sandstone spires, arches, and other erosive features that may well be of worldwide significance.

The ORRCA report also recommends management of Federal lands for the broadest possible recreational benefits consistent with other essential uses, which I contend my canyonlands bill would do, and suggests that the Federal Government should cooperate with the States by giving financial and technical assistance, promoting interstate arrangements, and generally assuming a vigorous land cooperative leadership in a nationwide recreational effort. This is obviously a sound approach.

It is in the ORRCA recommendations on the role the States should play in making outdoor recreational opportunities available to the American people that I am particularly interested, and wish to comment today.

The report specifically counsels acquisition of land and development of sites within a State which have recreational potentials as State parks or State recreational areas. Many of these lands are close to cities, and would lend themselves to development of recreational sites suitable for a weekend or a Sunday outing.

ORRCA especially wants to see them set aside now before they are used for other purposes. The ORRCA report, therefore, recommends:

> Surface rights to surplus Federal lands suitable for recreation should be transferred without cost to State or local governments with reversion clauses.

One of the first bills I introduced when I came to the Senate 3 years ago was S. 1032—86th Congress, 1st session—which would have amended the act of June 14, 1926, to provide that the 640-acre provision should not apply to the conveyance of lands for State park purposes, and that such land should be conveyed without cost. After considerable discussion, Congress passed legislation of this type, but the bill did only part of what we set out to do. The 640-acre limitation was lifted, and a State or territory was empowered to file for 6,400 acres a year for not more than three recreational sites. This was a tenfold increase, and, therefore, progress. But nothing was done to ease the financial problem to the States—the State still had to pay 50 percent of the fair market value of the land. I accepted the bill, and hoped the time would come when we could again consider the matter.

In 1960, only 1,954 acres of Federal land were transferred in the entire Nation to States and localities for park and recreational purposes under the provisions of the new law.

In the summer of 1961, Secretary of the Interior Udall, who saw that the price of the lands was stopping any real effort on the part of the States and localities to acquire Federal lands for park and recreational uses, reduced the price to $2.50 an acre—or to an annual rent of 25 cents an acre.

This action was a definite spur to the acquisition program—in 1961 some 4,768 acres of Federal land were transferred. But this still is a modest amount in comparison with the mounting demand for outdoor recreational sites.

Mr. President, the ORRCA report shows that 90 percent of all Americans participated in some form of outdoor recreation in the summer of 1960. In total, they participated in one activity or another on 4.4 billion separate occasions. It is anticipated that by 1976 the total will be 6.9 billion, and that by the year 2000 it will be 12.4 billion.

It seems to me, in view of this forecast, we cannot be satisfied with the kind of progress we are making in establishing recreational sites. We should do everything possible to encourage the States and communities to move, and move at once. If it is necessary to provide for the transferrence of Federal lands to States on a no-cost basis for State parks, with a reversion clause, and with realistic limits each year, then we should take action to do so. Such transfers are good business for the Federal Government because it means the States must dedicate the land to recreation, and properly manage it to this end, and this relieves the Federal Government of the responsibility.

It is not just the highly urbanized Eastern States which have a stake in the ORRCA report, although I admit their need may be most urgent. Many States which we are inclined to think of as the wide-open spaces could also, within a few years, run low on recreational areas.

For example, my own State of Utah, which still has areas in it in which no man has ever ventured, is now the 12th most urbanized State in the Union. It is more highly urbanized, in fact than such States as Pennsylvania, Ohio, and Florida. Seventy-five percent of our people live on less than 5 percent of our land. Recently the Utah State University adopted as the theme of its Annual Agriculture-Industry Conference "Utah's Urban-Rural Revolution."

I am glad to report that Utah is moving, through our State park and recreation commission, to acquire suitable Federal lands for State parks, and I am confident will continue to do so within the limits of its financial resources and its ability to properly develop and manage the lands it acquires. I hope other States in which there are Federal lands appropriate to recreational development will become as active as Utah. In a year or so I think we should take another look at the rate of land transferrals for State or community recreational use and if they have not gone up considerably under the Udall price reduction to $2.50 an acre, I believe the Congress should again consider legislation which provides for transferrence of Federal lands to the States for park purposes without cost.

GOLDEN ANNIVERSARY OF ST. LOUIS ARGUS

Mr. LONG of Missouri. Mr. President, the golden anniversary of one of this Nation's great minority newspapers, the St. Louis (Mo.) Argus, is being observed this month.

The St. Louis Argus printed its first edition in 1912 and has successfully weathered the financial tribulations of depressions and two World Wars. This is no mean accomplishment when one considers that during the depression of the thirties alone nearly 80 Negro newspapers suspended publication.

Today, we have advanced to the space age—and I wish to note here that St. Louis, the city of publication of the Argus, is where the space capsules are manufactured which have carried America's astronauts in their successful flights. These flights dramatically show that the world has grown smaller. Distances are measured in terms of hours rather than miles. This means domestic and international problems are now more closely related. The newspaper is more than ever a vital medium of information on which people depend.

It is this dependability that has become inherent in the Argus. It has also become a champion of all worthwhile causes, which means progress for the city of St. Louis. Howard B. Woods, executive editor of the Argus, sums up this philosophy:

> We are convinced that whatever strengthens the total city also benefits every citizen.

It is in this spirit of dedicated service to the community, the State of Missouri, and our great Nation that I commend the St. Louis Argus and its entire staff on its golden anniversary.

STANDARDS FOR MUENSTER CHEESE

Mr. WILEY. Mr. President, I was privileged today to receive from Mr. Fred

Galli, secretary-treasurer of the Wisconsin Swiss and Limburger Cheese Producers' Association, a resolution to create new standards for Muenster cheese for manufacturing.

I am aware, of course, that this resolution—as a petition for change in Federal regulations—is a matter for consideration by the Department of Health, Education, and Welfare.

The establishment of equitable and realistic standards for food products, however, is also the concern of Congress.

Although I shall be contacting HEW on this proposal, I ask unanimous consent to have a copy of the resolution printed at this point in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

PROPOSED RESOLUTIONS ON STANDARDS OF IDENTITY FOR MUENSTER CHEESE

Be it resolved by the Wisconsin Swiss and Limburger Cheese Producers Association, That the Food and Drug Administration be petitioned to create a new section to read: "Muenster Cheese for Manufacturing; Identity 19.552."

Muenster cheese for manufacturing conforms to the definition and standard of identity prescribed for Muenster cheese by section 19.550, except that milk is not pasteurized and the provision of paragraphs (d) and (e) (1) do not apply.

STATEMENT OF FACTS

1. Petitioner, the Wisconsin Swiss and Limburger Cheese Producers Association is a nonprofit corporation organized under the laws of the State of Wisconsin, with its principal office at Monroe, Wis. Its members are milk producers and operators of cheese factories engaged in the manufacture of Swiss, Limburger, brick, and Muenster cheese.

2. The procedure for manufacturing Muenster cheese is the same as that for brick cheese, except that Muenster cheese is normally marketed soon after manufacture without being subjected to the curing and aging process used for brick cheese. In view of this fact the standard for Muenster cheese (sec. 19.550) requires that milk used in the manufacture of Muenster cheese be pasteurized and no alternative 60-day holding period is prescribed as in the case of brick cheese (sec. 19.545).

3. During 1960 approximately 34 million pounds of brick and Muenster cheese was manufactured in Wisconsin, about one-half of which, or 17 million pounds, was Muenster cheese. The quality of Muenster cheese currently manufactured has sharply increased and at the present time a substantial amount of the current production of Muenster cheese is used for manufacturing into pasteurized process cheese, pasteurized process cheese foods and pasteurized process cheese spreads. For this purpose, and for purposes of cutting and packaging, substantial quantities of Muenster cheese are now being manufactured in rindless, block shape, each cheese weighing approximately 20 and 40 pounds.

4. It is necessary to require that Muenster used for manufacturing into pasteurized process cheese, pasteurized process cheese foods or pasteurized process cheese spreads be made from pasteurized milk, since such processed cheeses are subjected, during manufacture, to heat treatment for a time and a temperature sufficient to destroy any pathogenic organisms which might be present in the Muenster cheese so used.

5. For corresponding reasons the secretary, at a prior time adopted definitions and standards of identity for: Cheddar cheese for manufacturing (sec. 19.502); washed curd cheese for manufacturing (sec. 19.507); Colby cheese for manufacturing (sec. 19.512); granular cheese for manufacturing (sec. 19.537); and brick cheese for manufacturing (sec. 19.547). The secretary then determined that such standards for manufacturing cheese were reasonable and would promote honesty and fair dealing in the interest of consumers.

6. If the proposed definition and standard of identity for Muenster cheese for manufacturing is adopted paragraphs (a)(7) of secs. 19.750, 19.765, and 19.775 (pasteurized process cheese; pasteurized process cheese food; pasteurized process cheese spread, respectively) should be amended so as to provide (as is now provided for other cheeses manufacturing) that for the purpose of said sections Muenster cheese for manufacturing is considered as Muenster cheese.

Dated this 28th day of February 1962, at Monroe, Wis.

Respectfully submitted.

FRED GALLI,
Secretary

SPACE MEMORIAL

Mr. WILEY. Mr. President, the significance of the U.S. breakthrough into space merits, also, in my judgment, the erection of a memorial depicting the orbit, and featuring the astronauts in a prominent place in our Nation's Capital.

For this reason, I requested a special study by the Fine Arts Commission.

I ask unanimous consent to have a copy of the letter to Chairman David E. Finley, printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEAR CHAIRMAN FINLEY: I am writing to respectfully urge a special study to determine a fitting monument, statue, or other memorial to commemorate the U.S. breakthrough into space.

The successful orbiting of *Friendship 7*, manned by Col. John Glenn, represents, in my judgment, one of the greatest, most historically significant events in the progress and history of the United States.

The creation of a memorial depicting, perhaps, the orbit and featuring the pioneer astronauts is well warranted. Symbolizing a significant feature of national accomplishment, it would deserve, I believe, a prominent place in the Statuary Hall of Congress, or elsewhere in the Nation's Capital.

Following a study and acceptable recommendations, I would be happy to do all I can to encourage and support the erection of a memorial commensurate with the significance of the first successful manned orbit of the U.S. space program.

Looking forward to getting your evaluation of these recommendations, and with best wishes, I am,

Sincerely yours,

ALEXANDER WILEY

FINANCING OF HEALTH CARE FOR AGED

Mr. ANDERSON. Mr. President, the AFL–CIO executive council at its recent meeting in Florida issued a statement supporting the financing of health care for the aged through the social security and railroad retirement systems. I ask unanimous consent that the statement be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY THE AFL–CIO EXECUTIVE COUNCIL ON MEDICAL CARE FOR THE AGED

The executive council notes with satisfaction the evidence throughout the country of the rising tide of support for President Kennedy's program to provide health insurance for the aged through social security.

The council further welcomes the fact that this ground swell of public interest has apparently inspired a reexamination of the position of those who formerly contended no new programs were needed to assist the aged in financing their health care. In this connection, the council reviewed the proposals recently advanced by the American Medical Association, American Hospital Association, Blue Cross, Blue Shield, Senator JAVITS, and the commercial insurance companies with a view to determining whether these proposals to any extent measured up to the claims of their sponsors that they make the enactment of the Anderson-King bill unnecessary or inadvisable.

After a thorough examination of these plans and announcements, we have concluded that while they represent a significant shift in the position of their proponents, they provide no ground for lessening public support for the enactment of the Anderson-King bill. On the contrary, they confirm our contention that the enactment of the Anderson-King bill is the most important and immediately necessary step toward the development of well-rounded protection for older citizens in meeting the costs of their health care.

Most of these proposals contain elements that can be developed into effective supplements to basic health insurance protection through social security. None of them is an adequate substitute for health insurance through social security and the railroad retirement programs as provided for in the administration proposal, the Anderson-King bill, S. 909 and H.R. 4222.

Proposed substitute No. 1—the proposal of Blue Cross and the American Hospital Association: We commend these organizations for their courage in resisting the pressures of the American Medical Association, in realistically recognizing the need for Government financial participation and in departing from their earlier opposition to the use of the social security mechanism for raising the necessary funds to pay the costs of hospital bills for older people.

But by rejecting the principle that people, who have contributed toward health benefits while they are working, should receive these benefits as a matter of right on retirement, American Hospital Association and Blue Cross reveal that they still have much to learn about how social insurance can best work for the people. And by insisting that Blue Cross, and not the social security system, should administer any health insurance program for the aged, they appear to have a self-serving lack of faith in the social security and railroad retirement agencies, which have worked effectively on behalf of the American people for 26 years.

Proposed substitute No. 2—the proposal of Blue Shield and American Medical Association: By mid-February 1962, the American Medical Association didn't yet have a program to offer, but it had a press release. On careful reading, it becomes apparent that all its press release really said was that, after a while, if the 69 Blue Shield plans agreed, they would offer a nationwide plan to cover doctors' bills for persons over 65, at an approximate cost of $3 per person per month.

If the aged were to be expected to purchase a plan of this sort—which provides no

hospital or nursing home benefits—after they had paid for hospital and related coverage through a plan such as Blue Cross is advocating, the cost would be prohibitive for the vast majority of the aged. How can people over 65, whose average individual income is around $1,000 a year, be expected to pay $3 a month for limited medical benefits, plus $12 a month for certain hospital benefits under Blue Cross proposal? Why should the average retired person pay one-sixth of his meager income for health insurance premiums, when health insurance benefits could be financed instead through a contribution of about $1 a month during the breadwinner's working lifetime?

Proposed substitute No. 3: A health benefits bill introduced by Senator JAVITS (S. 2664): Based on the social security method of financing, the Javits bill has some sound elements. However, it has major weaknesses. Not all those contributing toward coverage through the social security system would be eligible for benefits. There is no provision for financing through the railroad retirement system. Some of the coverage would be provided by commercial insurance companies, thus adding needless costs and administrative complexity, and turning over power and profits to an agency over which the Government has no control and for which there would be no compensating advantages to the beneficiaries. By requiring people to choose between long-term and short-term benefits, the bill would force beneficiaries to gamble on the form their medical need would take.

Proposed substitute No. 4: The insurance industry continues to put forward claims that with the growth of their plans the social security mechanism is not necessary. However, they do not substantiate this with specific statistical information on the extent to which their plans have been accepted, and they have not yet found a way to provide protection against any substantial portion of the health bill for older people at rates within reach of those dependent on a retirement income.

Proposed substitute No. 5—the Kerr-Mills Act, which has now been on the Federal statute books for more than a year and a half: To date less than half of the States have passed the enabling legislation and appropriations necessary to implement the medical assistance to the aged program within the States. Only 16 have programs in operation as of February 1. Among these 16 States, benefits in some are as low as 6 days of hospital care only, and in several, less than one-tenth of 1 percent of those over 65 are receiving any benefits. There is fantastic variation in the benefits provided and the number of people cared for—a variation having no relationship whatsoever to the needs of the aged in the several States, but reflecting rather the ability of the States to raise increased revenues and the complexion of their legislatures. Thus, at the end of 1961, 92 cents of every dollar spent under the medical assistance to the aged provision of this measure were spent in three of the richest industrial States.

The Kerr-Mills Act could, of course, serve as a supplement to the basic social security program and as such it will always be needed. But the Kerr-Mills program cannot be relied on as the first line of defense against the medical needs of the aged. It is objectionable not only because it rests upon a means test—highly distasteful to the vast majority of self-reliant citizens but the experience of the last 18 months demonstrates in addition and conclusively that it is a complete failure as the primary governmental program to assist the aged in meeting the costs of health care. It simply has not worked.

On the basis of our examination of these proposals that have been advanced as substitutes for the Anderson-King bill, and in the light of our review of existing programs and current developments under the Kerr-Mills Act, the executive council has concluded:

1. That all interested groups have at last arrived at the common conclusion that action must be taken to meet the need of older people for a practical way to finance health costs in old age.

2. That President Kennedy's program, enabling people to contribute through social security toward health benefits they would receive as a matter of right after age 65, is the keystone to any successful method of meeting the need.

3. That the programs that have been offered as alternatives to the Kennedy health insurance program are unacceptable as alternatives, but contain elements that can be made to work usefully as supplements to the basic social security coverage.

Enactment of the Anderson-King bill would set up a basic floor of protection against medical costs for the vast majority of the aged, just as basic financial protection in old age is provided through the Social Security Act. Supplementary action would be not only possible, but stimulated by the enactment of the bill.

The aged, relieved at age 65 of the need for payment of premiums for basic protection, would be in a position to supplement their social security health insurance coverage with other insurance to cover doctors' bills and other benefits. Private health insurance could thrive in the process of meeting this supplementary need, just as private life insurance was stimulated in its growth by the enactment of the social security law 26 years ago. In this connection we would hope that the American Medical Association and Blue Shield continue their efforts to make available, at a reasonable cost, the nationwide insurance plan they recently announced.

The various States, in turn, could successfully implement or improve programs of medical assistance to the remaining needy aged through the Kerr-Mills Act. With the main burden of health cost met by social security, it would become possible for all the States to set up good medical assistance programs to meet any residual needs.

In short, these programs, operating not as substitutes, but as supplementary to the basic protection provided in the President's program, would make possible the development in America of a well-rounded comprehensive health care program for all the aged.

This is what the country needs and it needs it now.

COMPREHENSIVE MEDICAL CARE

Mr. ANDERSON. Mr. President, I believe a person can be a realist and an optimist. The two attitudes are not contradictory. I say this because I am disturbed by statements made by friends of the administration's health care for the aged plan which could have a disheartening effect on thousands of persons laboring energetically to win support for it. I am well aware of the obstacles in the way of enactment of this proposal, but I believe it can be passed in this session of Congress if we do not allow ourselves to become convinced that these obstacles are insurmountable. They are a long way from being that. An editorial in the Washington Post and Times Herald of March 2 speaks directly to this point, and I ask unanimous consent that it be printed in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

TO HEAL THE SICK

The President's latest message to Congress makes a powerful case for comprehensive medical care legislation. It is quite true, as the President says, that "preventable sickness, disability, and physical or mental incapacity are matters of both individual and national concern." It is equally true, to use the President's words again, that—

"Many thousands needlessly suffer from infectious diseases for which preventive measures are available. We are still 10th among the nations of the world in our infant mortality rate. Prolonged and costly illness in later years robs too many of our older citizens of pride, purpose, and savings. In many communities the treatment of the mentally ill and the mentally retarded is totally inedquate. And there are increasingly severe shortages of skilled personnel in all the vital health professions."

He proposes a program to cure these defects. He proposes that the American people use their National Government, as they have used it on so many other occasions and in so many other ways to promote the general welfare, as an instrument for stimulating medical research, developing skilled medical personnel, helping the mentally ill, and providing machinery to enable Americans to pay, through taxation, during their working years, for the medical care they will inevitably need in their old age when they are no longer able to work.

This seems to us a sensible, realistic approach to a difficult problem of national concern. But like any other proposal which departs in any degree from accustomed ways of doing things it is bound to run into the adamant opposition of those who are allergic to any innovation. Already the president of the American Medical Association—ignoring the incontrovertible facts in the President's message—has intoned that "no one supporting this proposal has yet presented any evidence that such radical legislation is needed" and has baldly asserted what is certainly not so, that the legislation "would interfere with the patient's freedom of choice of hospital and physician."

It would be childish on the part of the President to suppose that organized opposition to his proposals can be overcome by a mere message to Congress, however reasonable and eloquent. If the President wants a medical care program and not merely a political issue, he will have to roll up his sleeves and wade in for a whale of a fight. He can get the program—if he organizes support for it, if he tells his Secretary of Health, Education, and Welfare to go up and down the country speaking for it, if he himself talks directly to the American people explaining why the program is imperative, if he mobilizes and supports the numerous American physicians who are nauseated by the AMA's selfish standpattism and are eager to rebel against it, if he tells his spokesmen on Capitol Hill that this is "must" legislation, if he encourages the formation of citizens' committees to achieve medical care, if he prods labor and liberal organizations into joining the crusade, if, in short, he leads.

President Kennedy has a great idea in his message to Congress on medical care—a kind of New Frontier, as it were, in relation to the Nation's health. Of itself, of course, the idea will set no bones and heal no ailments. But translated into action, into reality, it can confer a tremendous boon on the American people.

THE NATION'S RECREATION FACILITIES

Mr. MOSS. Mr. President, the message sent by President Kennedy to the Congress on March 1 truly put the word "conserve" back into the conservation movement. If properly implemented by the Congress, the States, and the people, this farsighted program will completely reverse the corrosive conservation policies of the previous administration.

At a time when the Nation's population is increasing at an unprecedented rate, and when industrial growth is accelerating, we Americans must take on the stewardship of our natural resource heritage. The President's proposals revivify and strengthen the long tradition of Federal cooperation with private, State, and local operators for wise resource management.

I was particularly gratified that the President's message, and the editorial which appeared in the Washington Post, commenting on the message, especially stressed the importance of a new start in recreation. Mentioned among the new national parks which should be established was the Canyon Lands National Park in Utah. I am sponsoring a bill to authorize the creation of this park out of the fantastic scenery in one of the most remote and inaccessible areas of the West, and I hope that before this session adjourns the Congress will have an opportunity to vote on my bill.

I ask unanimous consent that the editorial which appeared in the Washington Post of Saturday, March 3, entitled "The Great Out of Doors" be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE GREAT OUT-OF-DOORS

President Kennedy's message on conservation is an impressive outline of policy in a very important field. Interest will doubtless be centered in his proposals for broadening the Nation's recreation facilities. The chief thrust of the message comes from its appeal for new national parks to be financed by a self-liquidating arrangement.

Taking note of increased leisure and greater demands for open-air recreation, the administration is moving to provide the facilities before it is too late. The 341 million visits to Federal land and water areas in 1960 are expected to double by 1970 and to increase fivefold by the year 2000. To meet this vast demand, the President would authorize advances from the Treasury up to $500 million as a land conservation fund. Part of the fund would be used to purchase land for the Point Reyes National Seashore in California, the Great Basin National Park in Nevada, the Ozark Rivers National Monument in Missouri, Sagamore Hill National Historic Site in New York, Canyon Lands National Park in Utah, Sleeping Bear Dunes National Lakeshore in Michigan, Prairie National Park in Kansas, Padre Island National Seashore in Texas, and the national lakeshore area in northern Indiana.

The President offers a practical method of replenishing the land conservation fund through admission and user fees, sale of surplus Federal nonmilitary lands and so forth. It is reasonable to ask the people who take advantage of the national parks system to pay the cost of its maintenance and extension. But the Government cannot wait until capital accumulates from these sources to finance its acquisition of new park lands. In many instances delay would greatly increase the cost of the land or render it unsuitable for recreation purposes. By creating the proposed fund Congress can serve the interests both of economy and of conservation.

Suggested also is a program of matching grants to encourage the States to provide more outdoor recreation. Surplus Federal lands would be turned over to the States for recreational use, where desirable, under a proposed amendment to the Federal Surplus Property Disposal Act. The President also asks once more for a study of the country's ocean, lake and river shorelines and for enactment of the wilderness bill.

In line with the recent report of the Outdoor Recreation Resources Review Commission, the President will create an Outdoor Recreation Advisory Council and a Bureau of Outdoor Recreation. Viewed as a whole, these projects are a formidable undertaking. It is a pity, however, that the White House did not include another recreational project of great importance to this area—the Chesapeake & Ohio Canal Historical Park.

ALASKA'S DIVISION OF LANDS MAKES A FINE START

Mr. GRUENING. Mr. President, the division of lands in Alaska, created as an agency of the department of natural resources by the first Alaska State Legislature in 1959, is under the able direction of Mr. Roscoe Bell, an experienced and dedicated public servant. He has just issued its first report.

The task of this agency, under Mr. Bell, is to select, and then administer, the approximately 27 percent of Alaska's 375 million acres, of not otherwise federally received land, which was granted to the 49th State by the Statehood Act. In addition, an estimated 30 to 40 million acres of tidelands and submerged lands also come under Mr. Bell's jurisdiction. The Statehood Act granted the State 25 years in which to make its selections. Excluded from this choice are some 21 million acres of national forest lands, some 20 million acres of Federal game ranges and refuges, some 6 million acres of national parks, some 3,741,465 acres of military reservations and withdrawals, some 4,072,146 acres of Indian and Eskimo reservations, made in an earlier stage of territorial development, and 207,812 acres of miscellaneous other Federal withdrawals.

A substantial handicap upon the selection process of the State's division of lands is the wholly insufficient and inadequate amount of land surveying performed when Alaska was a territory.

In a prestatehood hearing by the Senate Committee on Interior and Insular Affairs in 1950, Senator CLINTON ANDERSON, the able junior Senator from New Mexico, pointed out that at the rate the Federal Government had been surveying Alaska it would require 17,000 years to complete the surveys. The rate was not substantially increased during the succeeding decade.

Until the advent of statehood, all land management in Alaska was Federal, being specifically so reserved by the restrictive Territorial Organic Act of 1912. Hence, the organization of a State land management agency charged with the responsibility of selecting and administering an area and its resources as large as the combined New England States, New York, Pennsylvania, Maryland, Delaware, Virginia, and West Virginia is a formidable assignment.

It is to the great credit of Mr. Bell and his devoted staff that in the less than 3 years that the division of lands has been established, nearly 11 million acres of the 103 million acres granted by the Statehood Act—or slightly over one-tenth of the total, have been selected. Tentative approval has been granted by the Federal Government of 1,291,643 acres. A State park and recreation system has been created as well as the establishment of 62 roadside camps and picnic grounds, and the setting aside of the lake-studded, almost virginal Wood River area of over a million acres—a region of superlative scenery, of ample hunting, fishing, and camping potentials—with multiple use as the applied operational principle.

The State's recreation areas have been divided into seven classes—scenic parks, historic sites, recreation areas, beaches, parkways, wayside, and wilderness areas—thus testifying to the division's vision of Alaska's potential as a great recreational and tourist area, a development which will be fully utilized when the marine highway, the daily ferry system operating out of Prince Rupert, gets into full operation in the summer of 1963.

These ferries, with a capacity of over a hundred cars each, will enable tourists from the States to travel through the Canadian Rockies to Prince Rupert and then proceed northward over the famed Inside Passage—a wholly protected waterway—and touching at Ketchikan, Wrangell, Petersburg, Sitka, Juneau, Haines, and Skagway. From Haines they will proceed through British Columbia and Yukon Territory into western Alaska, returning either by the Alaska Highway or by the ferry route. Or they may travel into Alaska over the highway and return by the ferry.

The division of lands has also moved toward vigorous development of the natural resources on its lands—oil, timber, agricultural, and minerals. While still in its infancy, the division gives promise of usefully serving Alaska and the Nation by making hitherto untouched and undeveloped resources available to the State and Nation. It is off to a fine start in tackling a mammoth assignment.

PARTIES AND PRINCIPLES

Mr. BENNETT. Mr. President, Raymond Moley, the able columnist for Newsweek magazine, has just written two most interesting and challenging columns entitled "Parties and Principles." The columns are based on a thoroughly documented study by a highly reliable research agency.

The Moley thesis is that there is an essential cohesion within both parties and that the study shows that "all reasonable conservatives can and should find a party home in the Republican Party. Those who remain irreconcilable cannot be charged against the Republican Party. They must remain hopeless but impotent."

I ask unanimous consent that both of these columns be printed in the CONGRESSIONAL RECORD following my remarks so that they might receive the deserved attention of all Members of Congress.

There being no objection, the columns were ordered to be printed in the RECORD, as follows:

PARTIES AND PRINCIPLES—I

(By Raymond Moley)

There lingers in the minds of many Americans an assumption, born long ago, that there is no essential difference between the two political parties. They say: "How can a party stand for any principle when it has members of such divergent views as GOLDWATER and JAVITS? Or THURMOND and MORSE?" But the exceptions do not prove the assumption.

The essential cohesion within both parties is proved by a thoroughly documented study by a highly reliable private research agency, which I am privileged to summarize here. Seven years ago I commented on a study of the votes in the 83d Congress by the same agency. The present one deals with the 1961 session of the 87th Congress. This study of voting records on rollcalls is much more comprehensive than those made by the COPE, the ADA, or the ACA which consider less than 20 rollcalls. It covers 115 rollcalls in the Senate and 40 in the House.

It shows how Members voted on issues involving the centralization and enlargement of the power of the Federal Government, fiscal responsibility and spending, and the intervention of Government in labor relations and the private economy. Thus it shows the relative standing of Members in a broad spectrum from liberalism to conservatism in the sense in which those words are currently used. It does not include votes on foreign affairs except where the foregoing domestic matters are involved, nor civil rights, nor procedural matters. Unlike the studies mentioned above, it realizes that votes on vital amendments are more significant than on the final passage of bills.

IDEOLOGICAL SPECTRUM

I have divided the Members of the two Houses as they rank in the spectrum into three groups. In the Senate there are 32 Members in the more conservative group. Of these, 24 are Republicans and 8 are Democrats. In the middle group there are nine Republicans and seven Democrats. In the more liberal group there are two Republicans—JAVITS, and CASE of New Jersey—and 48 Democrats.

In the House there are 176 Members in the more conservative group—155 of whom are Republicans, and 21 Democrats. In the middle group there are 31 Members, of whom 13 are Republicans and 18 are Democrats. In the more liberal group there are 4 Republicans and 217 Democrats. Missing from the compilation are Members who served only during a part of the session.

Thus, on those issues of substantial ideological significance there is a concentration of Republicans in the conservative and of Democrats in the liberal sectors. It is very marked in this Congress, far more than in any period in modern times. And so there is a specific choice in principle between the two parties.

LIVING WITH ECCENTRICS

The lesson in this is clear to conservatives and liberals who choose to shun party allegiance. There is a lesson also for those who call themselves independent because of their claim that "there is no difference" or because they have no political principles or are just plain timid. There is a party which they can join and work and vote for. There is no valid argument for such abstentions. Those who do abstain are gravely injuring the vitality and health and success of a two-party system.

So far as deviationist members of the two parties are concerned, the foregoing figures show how truly exceptional they are and how little they affect the party of which they are only nominal members. But a big party can live with its eccentrics just as do religious bodies, nationalities, races, college faculties, and clubs.

Because of the traditional conditions in the South, there are more deviators in the Democratic Party than among the Republicans. This is shown in the study, although issues involving racial relations are not included.

These figures should show all reasonable conservatives that they can and should find a party home in the Republican Party. Those who remain irreconcilable cannot be charged against the Republican Party. They must remain hopeless but impotent.

Next week I shall name the leading conservative and liberal members of both parties and state certain further conclusions to be derived from this most important study.

PARTIES AND PRINCIPLES—II

(By Raymond Moley)

Last week I summarized the results of a most important analysis, by a highly reliable private research agency, of the voting of Members of Congress on an ideological scale running from what is currently called conservative to liberal. It is based upon the votes on vital issues in the 1961 session of the 87th Congress. Not only in the choice of issues counted, but in its comprehensiveness this study is much more revealing than those of the AFL–CIO's COPE, the ADA, and the ACA, which considered only from 10 to 18 issues. This one is based upon 115 rollcalls in the Senate and 40 in the House.

It shows that in the more conservative group there are 32 Senators—24 Republicans, and 8 Democrats. In the middle group are 9 Republicans and 7 Democrats. In the more liberal group are 2 Republicans—CASE of New Jersey and JAVITS—along with 48 Democrats.

In the House, in the more conservative group there are 155 Republicans and 21 Democrats. In the middle group, there are 13 Republicans and 18 Democrats. In the more liberal group there are 4 Republicans and 217 Democrats.

In this article I shall explain the statistical method used in the study and also name the most conservative and most liberal individual Members.

THE METHOD

The rollcalls selected were mostly votes cast on amendments to vital bills. This was done because the real sentiments of Members are most often registered then, rather than on the final passage of bills. This because after amendments have been adopted or defeated, Members are likely to decide to take "half a loaf."

The issues selected involved the enlargement of the powers of the Federal Government, fiscal responsibility and spending, and the intervention of Government in labor-management relations and the free competitive economy. Except where foreign relations had a direct bearing on the foregoing, such votes were omitted. Also omitted were votes on civil rights and procedural matters.

In calculating the record of Members, yea-and-nay votes and also absences were considered. However, this method, which really counted against the Member his failure to vote, seemed to me to be inadequate in comparing the records of Members because absences were in large part due to personal or family illness or important party or legislative business out of Washington. For example, those of Senators MORTON and GOLDWATER and Congressman MILLER were because of their party duties.

THE TOP NAMES

Therefore, in the Senate listing I have recalculated the record only according to yea-and-nay votes. Thus corrected and in alphabetical order, the 15 most conservative Senators were ALLOTT, BENNETT, BUTLER, CAPEHART, CASE of South Dakota, COTTON, CURTIS, DIRKSEN, DWORSHAK, GOLDWATER, HICKENLOOPER, HRUSKA, MILLER, MUNDT, and WILLIAMS of Delaware—all Republicans.

The most liberal were, in alphabetical order: CLARK, HART, HUMPHREY, JACKSON, LONG of Missouri, MCCARTHY, MCGEE, MCNAMARA, MANSFIELD, METCALF, MORSE, MUSKIE, NEUBERGER, RANDOLPH, and SMITH of Massachusetts—all Democrats.

Since the order would not be measurably changed in the listing, I have taken the original ranking in the study for the 20 most conservative and 20 most liberal Members of the House. The most conservative were, in alphabetical order: ASHBROOK, BECKER, BEERMANN, BOLTON, BRUCE, CHURCH, CLANCY, DEVINE, HOFFMAN of Illinois, JONAS, KING of New York, MCCULLOCH, MEADER, OSTERTAG, PILLION, POFF, RAY, ROBISON, SCHADEBERG, and TABER—all Republicans.

The most liberal were, alphabetically: Anfuso, Buckley, Celler, Friedel, Healey, Johnson of California, Karsten, Kastenmeier, Keogh, King of Utah, McCormack, McDowell, Multer, O'Hara of Michigan, Powell, Rabaut, Santangelo, Smith of Iowa, Ullman, and Wickersham—all Democrats.

After the 1960 election it was widely commented that the newly elected Members of the House were more conservative than their predecessors. This study bears this out in the case of 75 percent of the individuals involved.

The VICE PRESIDENT. Is there further morning business? If not, morning business is closed.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, what is the pending business?

The VICE PRESIDENT. The Chair has not laid down the unfinished business. It will not be laid before the Senate until 2 o'clock. The unfinished business is H.R. 5143, an act to amend section 801 of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901.

AMENDMENT OF ACT ESTABLISHING CODE OF LAW FOR THE DISTRICT OF COLUMBIA

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be laid before the Senate and made the pending business.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

The Senate resumed the consideration of the bill (H.R. 5143) to amend section 801 of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901.

AMENDMENT TO SABINE RIVER COMPACT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the pending business be laid aside temporarily, and that the Senate proceed to the consideration of Calendar No. 1190, H.R. 7855.

The VICE PRESIDENT. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 7855) granting the consent of Congress to an amendment to a compact ratified by the States of Louisiana and Texas and relating to the waters of the Sabine River.

The VICE PRESIDENT. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill.

The VICE PRESIDENT. The bill is open to amendment.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that an extract from the report of the Committee on Interior and Insular Affairs, in reporting the measure, be printed at this point in the RECORD.

There being no objection, the extract was ordered to be printed in the RECORD, as follows:

H.R. 7855 by Mr. BROOKS, of Texas, would give the consent of the Congress to an amendment to the compact between the States of Louisiana and Texas relating to the waters of the Sabine River. The amendment would change the term of the Texas members of the Sabine River Compact Administration from 2 to 6 years.

NEED

At the present time, the term of the Texas members of the Sabine River Compact Administration is 2 years. The Sabine River Compact Administration has been in operation for several years and, as a result of the practical experience gained, the State of Texas has determined that longer terms for its members would provide them a better opportunity to understand the problems and to make a contribution to sound development of the water resources of the Sabine River.

The VICE PRESIDENT. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill was ordered to a third reading, was read the third time, and passed.

APPOINTMENT OF ACTING SECRETARIES OF GUAM AND VIRGIN ISLANDS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1192, Senate bill 2774.

The VICE PRESIDENT. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 2774) to amend section 8 of the Organic Act of Guam, and section 15 of the Revised Organic Act of the Virgin Islands, to provide for appointment of acting secretaries for such territories under certain conditions.

The VICE PRESIDENT. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill.

Mr. KUCHEL. Mr. President, I ask unanimous consent that an extract from the report of the Committee on Interior and Insular Affairs showing the purpose of the bill be printed in the RECORD.

There being no objection, the extract was ordered to be printed in the RECORD, as follows:

The purpose of S. 2774, introduced by Senator JACKSON as the result of an executive communication from the Secretary of the Interior, is to permit the appointment of an acting government secretary for Guam and for the Virgin Islands under certain conditions.

NEED FOR LEGISLATION

S. 2774 will authorize the Governor of either of the territories named to appoint an acting government secretary during a vacancy in that office or while the secretary is unable to act, is absent, or is acting as Governor. On numerous occasions when the Governor's office is vacant for prolonged periods, the secretary must perform the duties of that office and of his own as well. While the latter may not be of great import they are burdensome. The acting secretary will be selected from among territorial department personnel and the bill provides that he will receive no additional compensation for his work as acting secretary.

Mr. WILLIAMS of Delaware. Mr President, may we have an explanation of the bill?

Mr. MANSFIELD. Mr. President, it is my understanding that hearings on S. 2774 were held by the Committee on Interior and Insular Affairs and that it was reported by the committee unanimously.

The purpose of the bill, introduced by the Senator from Washington [Mr. JACKSON], as the result of an executive communication from the Secretary of the Interior, is to permit the appointment of an acting government secretary for Guam and for the Virgin Islands under certain conditions, and there is evidently a need for the legislation.

May I say to the distinguished Senator from Delaware that S. 2774 will authorize the Governor of either of the territories to appoint an acting government secretary during a vacancy in that office, or while the secretary is unable to act, is absent, or is acting as Governor.

The VICE PRESIDENT. The bill is open to amendment. If there be no amendment to be offered, the question is on the engrossment and third reading of the bill.

The bill (S. 2774) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 8 of the Organic Act of Guam (64 Stat. 384, 387; 48 U.S.C. 1422b) is amended by adding the following at the end thereof: "The Governor or Acting Governor may from time to time designate an officer or employee of the executive branch of the government of Guam to act as secretary of Guam in case of a vacancy in the office of secretary of Guam or the disability or temporary absence of the secretary of Guam or while the secretary is acting as Governor, and the person so designated shall have all the powers of the secretary so long as such condition continues, except for the power set forth in the first sentence of section 7 of this Act. No additional compensation shall be paid to any person acting as Governor or as secretary under this Act."

Sec. 2. Section 15 of the Revised Organic Act of the Virgin Islands (68 Stat. 497, 504; 48 U.S.C. 1596) is amended by adding the following at the end thereof: "The Governor or Acting Governor may from time to time designate an officer or employee of the executive department of the government of the Virgin Islands to act as government secretary for the Virgin Islands in case of a vacancy in the office of the government secretary or the disability or temporary absence of the government secretary or while said government secretary is acting as Governor, and the person so designated shall have all the powers of government secretary so long as such condition continues, except for the power set forth in section 14 of this Act. No additional compensation shall be paid to any person acting as Governor or as secretary under this Act."

PROPOSED REMOVAL OF CEILING ON AUTHORIZATION FOR APPROPRIATION FOR GOVERNMENT OF TRUST TERRITORY OF PACIFIC ISLANDS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1193, Senate bill 2775.

The VICE PRESIDENT. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 2775) to remove the ceiling on the authorization for appropriation for the government of the Trust Territory of the Pacific Islands.

The VICE PRESIDENT. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Interior and Insular Affairs, with an amendment to strike out all after the enacting clause and insert:

That the appropriation authorization in section 2 of the Act of June 30, 1954 (68 Stat. 330), is hereby amended by increasing it from $7,500,000 to $15,000,000.

The amendment was agreed to.

Mr. MANSFIELD. Mr. President, the purpose of S. 2775, as amended, is to provide for an increase in the present authorized appropriation for the Trust Territory of the Pacific Islands from $7,500,000 to $15 million.

The Trust Territory of the Pacific Islands is administered by the Secretary of the Interior under Executive Order 10265, as amended, in accordance with a trusteeship agreement between the United States and the Security Council of the United Nations approved by the President under authority granted by the Congress. Under the terms of the agreement, the United States exercises full administrative, judicial, and legislative authority over the former Japanese-administered territory and has undertaken obligations to promote the political, economic, social, and educational advancement of the inhabitants.

In its proposed budget for fiscal year 1963, the Department is requesting approximately $10 million—an increase of about $2.5 million over the present limitation—to carry out its plans and programs in the territory.

There is set forth in the report a breakdown of the amounts, by activity, being sought for fiscal 1963, together with a projection of amounts to be requested for fiscal year 1964.

I ask unanimous consent that portions of the report of the Committee on Interior and Insular Affairs on the measure be printed at this point in the RECORD.

There being no objection, the extract was ordered to be printed in the RECORD, as follows:

The purpose of S. 2775, as amended, is to provide for an increase in the present authorized appropriation for the Trust Territory of the Pacific Islands from $7,500,000 to $15,000,000.

BACKGROUND

The Trust Territory of the Pacific Islands is administered by the Secretary of the Interior under Executive Order 10265, as amended, in accordance with a trusteeship agreement between the United States and the Security Council of the United Nations approved by the President under authority granted by the Congress (61 Stat. 397). Under the terms of the agreement, the United States exercises full administrative, judicial, and legislative authority over the former Japanese-administered territory and has undertaken obligations to promote the political, economic, social, and educational advancement of the inhabitants.

The entire trust territory which consists of the Marshall, Caroline, and northern Marianas Islands, comprises 96 islands and island groups with a total land area of 687 square miles. Pursuant to Executive Orders 10408 and 10470 of November 10, 1952, and July 17, 1953, respectively, the northern Marianas, excluding Rota, were transferred to the Navy. That portion of the territory under the jurisdiction of the Department of the Interior extends over 3 million square miles of ocean, consists of 83 islands and island groups with a land area of 564 square miles, and has a population of about 75,000.

NEED

The Department of the Interior, by executive communication of January 19, 1962, requested the introduction of legislation to remove the $7,500,000 ceiling now applicable to appropriations for the administration of the trust territory. In recent years, according to testimony from representatives of the Office of Territories, appropriations for programs in the trust treritory have averaged about $5 million annually. This amount, in the face of steadily rising administrative costs, has permitted little more than a holding operation in the islands for which the United States has responsibility. The Department of the Interior believes that programs and facilities of the trust territory should be improved and accelerated beyond the level maintained in the past. It is felt that special emphasis should be placed on the construction of needed hospitals, utility systems, and school buildings, as well as the political and economic development of the area. A further justification for lifting the present ceiling stems from the fact that, beginning July 1, 1962, the Saipan district, which has heretofore been the responsibility of the Navy Department, will be administered by the trust territory.

COST

In its proposed budget for fiscal year 1963, the Department is requesting approximately $10 million—an increase of about $2.5 million over the present limitation—to carry out its plans and programs in the territory. There is set forth below a breakdown of amounts, by activity, being sought for fiscal 1963, together with a projection of amounts to be requested for fiscal year 1964:

Projected maximum grant authorizations, trust territory, fiscal year 1964

	1963 budget	Projected 1964
Direct appropriations:		
Education	$175,000	$3,000,000
Public health	975,000	2,500,000
Economic and political development	700,000	1,500,000
Economic and political development	350,000	1,500,000
Legal and public safety	210,000	210,000
Operation and maintenance	1,750,000	1,850,000
Transportation services	2,031,000	2,250,000
General administration	1,320,000	1,500,000
Construction	2,499,000	3,700,000
Saipan (district administration)	1,500,000	1,500,000
Total	13,000,000	16,410,000
Less: local revenues and reimbursements	1,500,000	1,500,000
Total	11,500,000	14,910,000

The VICE PRESIDENT. The bill is open to further amendment.

If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

The title was amended, so as to read: "A bill to amend the act of June 30, 1954, providing for a continuance of civil government for the Trust Territory of the Pacific Islands."

GOVERNMENT COMPTROLLER OF VIRGIN ISLANDS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1194, House bill 7666.

The VICE PRESIDENT. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 7666) to amend section 17(a) of the Revised Organic Act of the Virgin Islands pertaining to the salary of the government comptroller.

The VICE PRESIDENT. Is there objection to the request of the Senator from Montana?

There being no objection the Senate proceeded to consider the bill.

Mr. MANSFIELD. Mr. President, H.R. 7666 will amend the Virgin Islands Revised Organic Act of 1954 by placing the position of government comptroller under the Classification Act of 1949, as amended, for salary fixing purposes. A companion bill, S. 2088, was introduced by the Senator from Washington [Mr. JACKSON] as the result of an executive communication from the Department of the Interior.

I ask unanimous consent that excerpts from the report filed by the Committee on Interior and Insular Affairs on the measure be incorporated at this point in the RECORD.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

PURPOSE

H.R. 7666 will amend the Virgin Islands Revised Organic Act of 1954 by placing the position of government comptroller under the Classification Act of 1949, as amended, for salary-fixing purposes. A companion bill, S. 2088, was introduced by Senator JACKSON as the result of an executive communication from the Department of the Interior.

NEED

The salary of the government comptroller, a Federal appointee, is now fixed by statute at the rate of $12,500 per annum. (In addition he currently receives a cost-of-living differential of 17½ percent.) This salary is changeable only by law and may or may not correspond to that being paid at any given time to the incumbents of comparable positions in the Federal service.

H.R. 7666 would overcome these problems by providing that the salary of the position in question be established in accordance with the standards provided by the Classification Act of 1949 as now or hereafter amended. Thus, the incumbent would automatically receive the same salary increases in the future that are received by other Federal employees covered by that act. H.R. 7666 will not, on the other hand, change the manner of appointing the comptroller, modify his duties as fixed by statute, lengthen or shorten his 10-year term of office, or convert the position into one under civil service.

The VICE PRESIDENT. The bill is open to amendment. If there be no amendment to be offered, the question is on the third reading of the bill.

The bill was ordered to a third reading, was read the third time, and passed.

MULTIMILLION-DOLLAR WINDFALL FOR GRAIN AND FEED DEALERS

Mr. WILLIAMS of Delaware. Mr. President, recently Secretary Freeman launched another program which will result in a multimillion-dollar windfall for the grain and feed dealers, and he attempts to justify this action with the pious hope that a part of the windfall profits will trickle down to the American poultry farmers.

He announced having negotiated lower rates with the southern railroads whereby he can now deliver corn to the feed dealers in the Southeastern States of Virginia, North Carolina, South Carolina, and Georgia at prices averaging between 10 cents and 15 cents below regular market price and below the price being paid by their competitors in the surrounding areas.

Only the larger grain dealers will get the cheaper price, while smaller dealers buying single carloads will get some reduction, but not as much.

The Robinson-Patman Act was enacted by Congress to prevent large companies from selling to customers in one area at prices cheaper than to others in competitive areas. Also, this law prohibits different prices to different size dealers in the same area when such differential results in a competitive advantage.

The Secretary of Agriculture apparently figures that his agency is above the law and that they can select the areas and the dealers who will get bargains from the Federal Government.

This recent action will have two major results:

First, it will give a definite competitive advantage to the poultrymen and the feed dealers in the favored States, who,

as a result of this decision, will be able to buy the corn at prices below those available to dealers in competitive areas.

Second, sale of this corn at the reduced prices will break the local price of corn at farm levels in those States, thereby causing a substantial loss to the local corn-producing farmers.

The Federal Government's program of subsidizing the production of broilers will encourage increased production of both poultry and livestock in those areas, with the result that a few months hence the poultry farmers will again be in the same situation that they were last year when the finished product was selling at less than cost of production.

Apparently Secretary Freeman wants to keep the poultry market in a demoralized condition in the hope that they will eventually be forced to appeal to the Government for aid.

The Department has already stated that they will be glad to support the price and control the production of poultry.

The officials of some of our electric companies were recently convicted of fixing prices and rigging markets; yet this is a far more serious action which the Secretary of Agriculture is now taking, wherein he manipulates the markets in a selected area for the apparent purpose of forcing the farmers producing corn in those areas to put their next year's acreage under the Government's price-support program and to force the poultry farmers to accept Government subsidies and controls.

Furthermore, the loss which the Government and the taxpayers will sustain on the corn being sold at these bargain prices will not necessarily accrue to the farmers producing poultry and livestock. If this were a general break in market prices nationally, the effect of the lower prices would eventually be reflected in lower feed costs; but with the price of corn being reduced in one area alone, it merely means that the dealers in those areas will get a definite competitive advantage. Corn already bought for future delivery will be diverted to other areas at the higher prices and replaced with cheap Government corn. The most of the savings thereon will merely result in wider margins of profit for the dealers, since the retail prices of feed, which in an integrated industry is reflected in the finished broiler, would be gaged by competitive prices in other areas.

Secretary Freeman's theory is that by making these large windfalls, resulting from the wider margins of profit available to the feed dealers of those areas, some of it may trickle down to the farmers growing these broilers.

This is not the first instance wherein decisions of Secretary Freeman have resulted in multimillion-dollar windfalls for grain dealers, instead of profiting the farmers.

For example, last year the Secretary of Agriculture arbitrarily announced a 45-cent per bushel increase in the support price for the 1961 crop of soybeans. At the same time the Government greatly accelerated its export program of soybean oil, with the result that the cash market on soybeans spectacularly rose nearly $1 per bushel.

For years farmers had been producing soybeans and had considered this a profitable crop, selling their beans on the free market without the need for any Government supports.

Already the higher support price of soybeans as announced last year has resulted in a 25-percent increase in the 1961 crop. Much of this increased production is going under Government supports, and warehouses are beginning to bulge with heavy inventories of Government-owned soybeans.

The New Frontier bureaucrats are now starting to advocate controls over production and getting ready to shed crocodile tears over the plight of the soybean farmers.

Last year's announced raise in the support price of soybeans, followed by the accelerated export sales, took place in the spring of 1961 long after the most of the farmers producing these soybeans had sold their 1960 crops. The bulk of the beans was then in the hands of the dealers, and it was the warehousemen and speculators who capitalized on this multimillion-dollar windfall resulting from the Agriculture Department's actions.

Many grain dealers who had large inventories of these soybeans made millions thereon, following Secretary Freeman's decision to raise the 1961 support price.

Also, last year the Secretary made another decision which resulted in a multimillion-dollar windfall to a group of grain dealers who were storing the Government's inventories of Durum wheat.

Last year there was a severe drought in the Durum-wheat-producing areas. This drought, which resulted in a sharp reduction in the 1961 production of Durum wheat, was certainly known to the Department of Agriculture. It was that agency which was surveying the area to determine the need for disaster aid for the farmers.

The Department of Agriculture had in its inventories around 5 million bushels of Durum wheat which it had obtained under the price support program of earlier years. Notwithstanding this advance knowledge of a short crop, they sold all of their Durum wheat holdings proximated $1 per bushel. Practically all of these bargain sales were made to the warehousemen and grain dealers in the area.

Again the farmers did not benefit on this multimillion-dollar windfall. Not only did the Department of Agriculture sell this wheat on the eve of its substantial market rise—which anyone could have recognized as inevitable, in view of the drastic crop failure—but also in many instances they sold it to those grain dealers at prices below the prevailing market price on the date of sale.

Both in the case of the sale of Durum wheat at bargain prices and in the case of the arbitrary announcement raising the support price of soybeans last year, the farmers did not reap the benefit of the multimillion-dollar windfalls.

Just as in the case of his action of a couple of weeks ago of announcing a program to sell corn at reduced prices in the Southeastern States, practically all of the multimillion-dollar windfall profits went to the grain and feed dealers.

Lest there be any misunderstanding, I am not indicting the grain and feed dealers of America, but I am saying that they do not need these multimillion-dollar windfalls being passed out so freely by the Secretary of Agriculture.

For 25 years prior to my coming to Washington, D.C., I was a grain and feed dealer, and I am still associated with the industry and proud of that connection; and it is based upon my experience as a grain and feed dealer that I charge that these three decisions of Secretary Freeman were not in the best interests of the American farmers.

In fact, some of the New Frontier decisions of Secretary Freeman are so obviously resulting in wider profits for the grain dealers that Kennedy's new farm program, which he described as the A B C D program of Agriculture, is becoming a standard joke in the grain trade. They are laughingly referring to this A B C D as standing for "always bigger commissions for dealers."

CREATING ALASKA'S OFFENSIVE MILITARY POTENTIAL AND RESTORING ITS OBSOLETE DEFENSIVE STRENGTH ARE OVERDUE

Mr. GRUENING. Mr. President——

The PRESIDING OFFICER (Mr. Moss in the chair). The Senator from Alaska is recognized.

Mr. GRUENING. Mr. President, the lack of military offensive capabilities in Alaska has been the subject of concern to knowledgeable Alaskans for a long time. The history of Alaska shows clearly that whatever defenses were placed there came in response to the efforts of Alaskans, through their unceasing urging upon the Federal defense agencies for adequate bases, and not because of a proper initiative and appreciation of the needs on the part of the Pentagon authorities and their predecessors.

As long ago as the 1930's and in the 1940's, Gen. H. H. (Hap) Arnold felt and subsequently stated that for reasons he was unable to understand, adequate defenses had never come to Alaska. In his book: "Global Mission," this great soldier—the only five-star general the Air Force has had—wrote:

> Through to this day Alaska has never received the attention in national defense planning that it deserves. * * *
>
> Alaska had always been and, no matter what happened in any theater of war, always remained, to me privately, a high priority. But we were never able to get the money or allocations for the Air Force that we really needed there to give us the kind of bases we required then and need more than ever now.

That is as true today as when it was written 13 years ago. It has not been changed by the advent of missiles.

Lt. Gen. Frank A. Armstrong, Jr., a great soldier with an almost unequaled record for conspicuous bravery, who served in Alaska for a number of years, first as chief of the Alaskan Air Command and then, on a subsequent tour of duty, as the supreme commander from

1957 to 1961, felt so strongly on this subject that he spoke about it publicly 3 years ago, urging the installation of missile bases in Alaskka. His forthright and courageous stand, in the tradition of Billy Mitchell, led to his highly regrettable retirement last June, when he was summoned to Washington and curtly told by Gen. Curt LeMay, shortly after LeMay's promotion to Chief of Staff, that he, Armstrong, must retire as of August 1, although this gallant soldier and able commander had over 2 years to serve before his normal anticipated retirement. It was a great shock to all Alaskans, who admired General Armstrong and appreciated his realistic appraisal of Alaska's and the Nation's military needs.

The weaknesses of Alaska's offensive strength are clearly set forth in an excellent article by Hanson W. Baldwin, the experienced and able military expert of the New York Times. He points out what has long been apparent, that the "Alaskan Command has no offensive capability whatsoever and no reconnaissance capability." He further points out that "its defensive capabilities are badly in need of modernization." Imagine two of our fighter pilots being obliged to jettison their wing tanks in order to fulfill their mission of watching two Russian planes on a snooping mission. I consider it disgraceful.

Mr. President, the great wisdom first uttered 27 years ago by the late and great Gen. Billy Mitchell, when he said:

> Alaska is the most central place in the world for aircraft, and that is true either of Europe, Asia, or North America. I believe in the future he who holds Alaska will hold the world, and I think it is the most important strategic place in the world.

That wise and classic guide for future policy has been ignored by the present Air Force Command in the Pentagon. Two years ago, it committed unspeakable folly in abolishing Ladd Air Force Base, next to Fairbanks, the oldest modern military establishment in Alaska, and by reversing its previous decision to station up-to-date fighter planes installed there, although its Alaska warehouses were bulging with parts of such planes that had been sent up there in anticipation of this previously announced move.

It cannot be pointed out too often or too strongly that Alaska's strategic position is such that it makes Alaska invaluable to our national defense and potential offense.

Long, long ago, Mr. President, over 15 years ago, when the United States was establishing bases all around the world, I pointed out then, publicly, that many of these foreign bases were built on quicksand, figuratively speaking; that the United States was liable, at any time, to be ordered to withdraw them, either due to the infiltration of communism, rampant nationalism, or for other reasons. That has already happened. In Morocco the United States has been obliged to abandon a costly airbase because the Moroccans do not want us there. We have been told to get out of Saudi Arabia. In Spain we are paying through the nose for the privilege of installing elaborate bases there and are being obliged to pay vast additional sums to keep Dictator Franco happy and our bases there. We have had trouble even persuading such friendly people as the Icelanders, whose ideas of freedom coincide with ours, in allowing us to keep our base there. And even within the land of our longtime ally, Great Britain, we find substantial agitation against the establishment of nuclear submarine bases and other needed military installations, and one of these days we may be told that their presence there is embarrassing. Nowhere outside of the soil of the United States are military establishments secure from action which will tend to eliminate them.

But in Alaska, where untold land is available—Alaska, that fronts on the strategic Arctic Ocean, whose shores lie within naked-eye view of Soviet Siberia—Alaska, which contains more promise and potential both for offense and for defense than any other area in the world—Alaska, which is American terrain inhabited by our patriotic citizenry—we find this shocking lack of offensive and reconnaissance potential, and obsoleteness in even our defensive measures.

The fault lies chiefly in Air Force policy. The Army is doing its part nobly. It is in very considerable part due to Maj. Gen. John H. Michaelis, a brilliant officer, that operations under Arctic conditions, in which our troops lacked experience, have been seriously undertaken, and that when Ladd Field was abandoned by the Air Force, it was taken over by the Army and renamed Fort Wainwright. As for the Navy, while we have the glamorous titles of the "Alaska Sea Frontier" and the "17th Naval District," with bases at Kodiak and Adak, the rear admiral there is given no ships and only a few planes.

It is high time that our military authorities give to Alaska the attention that it needs in the interest of national defense and offense.

I strongly recommend a careful reading of Hanson Baldwin's article to my colleagues in the Senate and in the House, to the military planners in the Pentagon, and to our Commander in Chief in the White House. I ask unanimous consent that the article be printed at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

GUARDIANS IN THE NORTH—ALASKA WARNING SYSTEM FOUND GOOD, BUT AIR COMBAT UNIT FLIES OLD PLANES

(By Hanson W. Baldwin)

More than 17,000 airmen of the Alaskan Air Command man the extreme outposts of freedom in North America.

The Alaskan Air Command, under Maj. Gen. Wendell W. Bowman, operates Alaska's four main military airfields, operates, administers or controls more than 40 radar sites and an intricate communication system, and provides a limited air defense and military transport system for Alaska. An antimissile warning station at Clear complements the aircraft control and warning station. A ground station—part of the Midas satellite system for the detection of the launching of an enemy missile—is under construction at Donnelly Flats, near Fairbanks.

The radar sites and communication system are superb, perhaps the best in the world. They enable the Alaska command to perform its primary mission, early warning to the North American Continent.

But the Alaskan command has no offensive capability whatsoever and no reconnaissance capability. And its defensive capabilities are badly in need of modernization. Lt. Col. Joe Rogers commands Alaska's only air combat unit, the 317th Fighter-Interceptor Squadron reinforced by 48 aircraft.

SQUADRON'S FIGHTERS

The squadron flies the Convair F-102, an obsolescent, delta-wing all-weather fighter-interceptor. Within close radius of its bases, this plane has considerable usefulness, though both its speed and altitude are too limited to enable it to provide adequate defenses against modern bombers.

But its greatest limitation, in the vast airspace over Alaska, is its range. This is so short that, even with wing tanks (which reduce its speed to subsonic), it is extended to subutmost to reach much beyond the peripheries of Alaska.

In fact the first interception in many years of Soviet aircraft flying off the Alaskan coast took place last December 6. The interception was a peaceful one, but important to show that it could be done. It did a great deal for Alaskan military morale, and it is considered certain its importance was not lost on the Russians.

Two Convair F-102 fighters took off from Galena and intercepted two Soviet TU-16 Badger medium bomber aircraft apparently on a routine electronics "snooping" mission. The bombers were 30,000 feet above the Arctic Ocean at a point about 120 miles north of Point Barrow.

The interceptors flew close to the Badgers for a short time, as the Russians were returning toward their bases in the Anadyr Peninsula. No shots were fired by either side; the Russians were over international waters. The U.S. interceptors, at the limit of their range, had to drop their wing tanks to return to base.

Alaska's manned fighter aircraft, which are also important for visual identification of unknown planes, are backed up by two Army Nike-Hercules missile battalions, for close-in defense of the Fairbanks and Anchorage areas.

In addition to the combat F-102's, the Alaskan Air Command flies more than 80 administrative, supply, and support aircraft. These include the old workhorse, the C-47, and the C-123, both used for air supply of outlying radar sites. These and other aircraft are obsolete. The C-47 has been grounded all over the world for wing inspection since a Montana National Guard C-47 lost one of its wings in flight. Metal fatigue has been discovered in many of these aircraft, and their scrapping or major factory-made modifications are indicated. The C-123's with narrow landing gear are extremely difficult to handle in the crosswinds often on Alaskan strips.

The Army in Alaska operates, in addition to the Nike Hercules battalions, two task forces with special equipment and organization built around the 2d Battle Group, 60th Infantry, at Fort Wainwright near Fairbanks and the 1st Battle Group, 23d Infantry at Fort Richardson, near Anchorage.

These task forces, with three mechanized rifle companies carried in armored personnel carriers, self-propelled and pack 75 mm. howitzers, and light tank companies, became far more mobile last year. Their new mobility came with the organization of an Army aviation battalion of helicopters and light fixed-wing aircraft, a total of about 80 Army aircraft.

GROUND MOBILITY

Forty powerful tracked cargo transporters, called the Nodwell, made by a Canadian company, and a number of M-116 1¼-ton tracked carriers have increased ground mobility.

Maj. Gen. John H. Michaelis, Army commander in Alaska, hopes to create one airborne company of infantrymen from spaces saved in administrative, support, and overhead functions. Hundreds of men already have been shifted within the theater from administrative or support to combat or combat-support units. There are more than 12,400 Army troops in Alaska.

The Navy in Alaska is the smallest of the three services, with fewer than 4,000 uniformed personnel assigned to its 2 bases at Kodiak and Adak. Rear Adm. Henry H. Caldwell, who is soon to be relieved, is responsible to the Alaskan command, but as commander of the Alaskan Sea Frontier he is also operationally responsible to the Commander in Chief of the Pacific Fleet, with headquarters in Hawaii.

The Navy's principal activities are submarine and shipping patrols, carried out principally by one squadron of land-based patrol aircraft.

The principal changed in the Alaskan defense picture in the last few years or now impending follow:

The deactivation of one fighter squadron in Alaska (one remains) and transfer of Ladd Air Force Base near Fairbanks to the Army, and its redesignation as Fort Wainwright.

Transfer of the Army's Arctic Test Center from Churchill in Canada, to Fort Wainwright. This center, where engineering tests of new equipment are conducted by the Army's various technical services, may be combined under one command with the Army's Arctic Test Board at Fort Greeley, Alaska, when the pending Army reorganization is completed.

The Army's ice-free port of Whittier, 62 miles by rail south of Anchorage, has been closed, for economy reasons, for shipment of dry cargo. The installations there, except for the fuel oil storage tanks are now deemed in excess of needs, and may be sold by the Government, if there are any takers.

A project to increase the capacity of the 626-mile, 8-inch oil pipeline from Haines to Fairbanks has been approved by the Army. The number of pumping stations will be increased from 5 to 11.

Impending transfer of the microwave, landline and cable Alaska Communications System, long operated by the Army, to control of the Air Force to be operated integrally with the system of radio communications operated by the Radio Corp. of America for the Air Force. All systems will be under the Defense Communication Agency.

Communication channels to Shemya, where important intelligence installations are situated, are being improved and an automatic all-State dialing system installed. A modified automatic data presentation system for air interception work is planned.

A YUKON CLINIC

Mr. GRUENING. Mr. President, a few months ago, four Alaskans, two of them physicians, a trained nurse, who was the wife of one of them, and an optician, traveled through the remoter parts of Alaska whose population is almost wholly native; that is, composed of descendants of Alaska's aboriginal population—Indian and Eskimo.

This team carried on clinics in eight villages and there treated the eye, ear, nose, throat, and dental ills of the inhabitants. The four participants are to be highly commended for this fine undertaking. In addition to the physical relief afforded the patients they treated, their visit and the published accounts thereof disclose graphically the health lacks and needs of a large proportion of Alaska's remoter rural communities.

While I am not prepared to endorse or disagree with the accompanying and incidental criticisms—which would require considerable analysis to place in proper perspective—of the performance of the Alaska Native Health Service, which is a part of the U.S. Public Health Service, the article by Dr. Milo Fritz sharply draws attention to a condition of ill health which calls for more effective remedial action than has existed hitherto. In initiating these clinics, Dr. and Mrs. Fritz, and their two associates, Dr. Nancy Lyman and Mr. John Spahn, have rendered a valuable service.

Though substantial gains have been made in the last decade and a half in an area of almost total previous neglect in drastically diminishing the incidence of tuberculosis among the natives of Alaska, which may in a large degree be attributed to the crusading efforts of Dr. C. Earl Albrecht, Alaska's first full-time commissioner of health—now assistant commissioner of health of the State of Pennsylvania—who enlisted both Federal and territorial support, very much remains to be done. Nor should this purpose—to be effective—be limited to medical care. It calls for educational and economic measures which will afford greater opportunities for self-help and better livelihoods for a substantial number of American citizens who live on little better than a bare subsistence basis. Such programs as the area redevelopment and retraining projects, inaugurated by the Kennedy administration, are steps in the right direction. But the advance needs to be made on a coordinated front of resource development, vocational education and resulting jobs, environmental hygiene, improved housing, better communications—in vast Alaskan areas wholly roadless—and a realization translated into action that standards of living need substantial improvement right here at home—"home" signifying for many of our own fellow Americans.

As President Kennedy said in the opening paragraph of his message to Congress last Thursday, March 1: The strength of a nation "can be no greater than the health and vitality of its population. Preventable sickness, disability, and physical or mental incapacity are matters of both individual and national concern."

And in his concluding paragraph, he said:

> Good health is a prerequisite to the enjoyment of pursuit of happiness.

And his final sentences are peculiarly applicable to the very condition with which we are here dealing—the health of our Alaskan natives:

> Whenever the miracles of modern medicine are beyond the reach of any group of Americans, for whatever reason—economic, geographic, occupational or other—we must find a way to meet their needs and fulfill their hopes. For one true measure of a nation is its success in fulfilling the promise of a better life for each of its members. Let this be the measure of our Nation.

Let us hope that the President's ringing words will be followed by appropriate action by those agencies entrusted with the pertinent responsibilities. I intend to do what I can to help bring this about.

I ask unanimous consent that the article "A Yukon Clinic," from Northwest Medicine, be printed at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A YUKON CLINIC

(By Milo H. Fritz, M.D., Anchorage, Alaska)

In 30 providentially sunny days from June 3 through July 3, 1961, my wife, a nurse, and Mr. John Spahn, a Guild optician, and I held an itinerant eye, nose, and throat and dental clinic in the Yukon Valley of Alaska. We were accompanied on this safari by Nancy Sydnam, a general practitioner of Anchorage. Dr. Sydnam went under the aegis of the Alaska chapter of the American Cancer Society and will report upon her observations in a separate communication. The remaining expenses were underwritten for the most part by the other three members of the group. The clinic was conducted, as the bureaucrats have it, "at no expense to the Government."

EIGHT VILLAGES SELECTED

On the basis of letters sent to 28, we chose 8 villages, arbitrarily, and held clinics in 6 of them. This account deals with the eye, ear, nose, and throat and dental aspects of the clinic. Dr. Sydnam lent her assistance and talent all along the way especially in the performance of preoperative physical examinations and crucial advice as to whether or not we should proceed with certain operations in the light of complicating physical findings. In four instances, she took time to stand by during the anesthesia and surgery of four particularly difficult cases badly in need of tonsillectomy and adenoidectomy. One of these had congenital heart disease and three others, all in the same family, had congenital methemoglobinemia.

Dr. Sydnam and my wife, using commercial transportation, arrived in Shageluk, our first stop, on the Innoko River on June 3, about 2 o'clock in the afternoon. Mr. Spahn and I flew in my four-place Piper Tri-Pacer on floats, arriving in Shageluk shortly after the ladies.

SUPPLIES

We lived in a log mission house and held our clinic in the parish hall, also of log construction. Ether, "trade goods" (lollipops), disposable paper drapes and towels, gauze tonsil sponges, and adenoid tampons with strings attached had been sent by air freight from Anchorage to this and the other five villages in which we hoped to do surgery. On the day we left Anchorage, between the four of us we brought along dental instruments, seven sets of tonsil and adenoid instruments, as well as a suction pressure ether machine and our own clothing. We had determined earlier that electricity, 110 volts, alternating current, was available at each of the proposed stops.

The clinic motto was "Education, Participation, and Responsibility." We permitted any interested villagers to watch everything we did from dental extractions and refractions to ether anesthesia and tonsil and adenoid cases and tonsillectomies done under local anesthesia. This was the education.

In each village from eager volunteers we chose one girl to be my surgical assistant, one to scrub instruments, one to change scrub basins and keep alcohol rinse basins full, one to sit with the postoperative patients, and six boys to be ambulance crew. This constituted participation. None of these eager volunteers had passed the sixth grade in formal education, but all made up

by eagerness, willingness, and heroic ability their formal education deficiencies.

In each village we had a collapsible army cot supplied by a native family and this was used as the ambulance to carry the postoperative patients back to their cabins after recovery from the anesthesia. Supplying the cot was the responsibility of the ambulance crew along with promptness in appearing for duty. The responsibility of each parent or foster parent was for the appearance of his children at the proper time with a blanket and without having anything by mouth after midnight of the evening before or after breakfast at 8 o'clock, if the child was scheduled for operation in the afternoon. We used our four air mattresses on the floor for the patients; the ambulance cot was bed No. 5.

TEAMWORK

Dr. Sydnam did the preoperative general physicals. Mr. Spahn did the optical dispensing and ran the ether suction pressure machine. My wife trained the surgical assistants, did the logistics of briefing patients, urging promptness, and explaining the importance of having nothing to eat for 6 hours prior to surgery. She also administered the 2 hour preoperative intramuscular Thorazine and the 1 hour preoperative hypodermic injection of atropine sulphate and Demerol. We boiled the instruments and set them up for use during the 2 hours between injections and the start of operations. We used either the cook stove of a neighboring cabin or a Yukon stove outdoors for the boiling of water and of instruments, depending on which was convenient. The people supplied the wood.

On the days for surgery we did five tonsil and adenoids or tonsillectomies between 10 a.m. and noon and five more between 2 and 4 in the afternoon. The rest of the day we pulled teeth, looked over the next day's patients or did general examinations, refractions and, of course, washed the instruments we had used and cleaned up the hospital.

CONSTANT VIGILANCE

My job was to give the anesthesia and operate, calling on John to increase or decrease the amount of ether as the occasion demanded. I also did the flying and shared photographic chores with the others. Also, the plane had to be watched over in case of rising or falling water levels in the rivers, change in the strength and direction of the wind, or the appearance of logs floating down the rivers and acting as battering rams against everything that they touched. Also, screws had to be tightened or replaced and constant tinkering had to be indulged in to keep the plane in tiptop flying condition. Constant vigilance (and tinkering) is the price not only of liberty but also of trouble-free aviation.

We were in Shageluk (population 155) on the Innoko River June 3 through 10. We did 21 tonsil and adenoids, 2 tonsillectomies, extracted a few teeth and prescribed 15 pairs of spectacles. Four Zenith hearing aids were prescribed and individual ear molds were made. Four audiograms were done. We found three cases of chronic mastoiditis and two cases needing tonsil and adenoids that we had no time to do. One patient needed eye muscle surgery for strabismus.

SOME CAME BY BOAT

Almost all of the people of Holikachuk (population 122), also on the Innoko, came down by boat to Shageluk. We did nine tonsil and adenoids, four tonsillectomies, extracted many teeth and prescribed 14 pairs of glasses. Three audiograms were performed and one hearing aid was prescribed. In this village five patients still need tonsil and adenoids, two need tonsillectomies, one very badly requires a submucous resection of the nasal septum, and one a dacryocystorhinostomy. One hearing aid was prescribed.

On June 10 through 15 we were at Huslia (population 168) on the Koyukuk River. Three audiograms were made, 3 hearing aids and 13 pairs of spectacles were prescribed; 23 tonsil and adenoids, 1 adenoidectomy and 2 tonsillectomies were performed. Many teeth were extracted. Three patients still require tonsil and adenoids, three need tonsillectomies and one needs a mastoidectomy.

We were in Allakaket (population 115) on the Koyukuk Rivers June 15 through 20. Here we did 22 tonsils and adenoids, 5 tonsillectomies, extracted a few teeth and prescribed 2 pairs of glasses. Five of the patients had come up the Koyukuk by air or boat from Hughes (population 69) for tonsils and adenoids.

ON THE YUKON

At Stevens Village (population 102) on the Yukon River we worked June 20 through 23. Many teeth were extracted, 14 tonsils and adenoids were done, 14 pairs of spectacles were prescribed, 2 patient were found who needed mastoidectomies, 1 needed a submucous resection of the nasal septum, and 1 a tonsil and adenoid.

Farther up the Yukon, June 23 through 27, we worked at Beaver (population 101). Here we did 21 tonsils and adenoids, 7 tonsillectomies and extracted many teeth. We were unable to do 3 additional tonsillectomies and 4 tonsils and adenoids. One mastoidectomy, reported to the Alaska Native Health Service in 1953, still needed to be done. One patient needs a cataract extraction and one a bilateral pterygium transplantation.

Finally, at Venetie (population 107), on the Chandalar River, we brought our clinic to a close. Before we could start we had to breathe life into one of two nonfunctioning diesel electric plants. A 12-volt storage battery from my plane saved the day and we did 17 tonsils and adenoids, 4 tonsillectomies and extracted innumerable teeth and prescribed 9 pairs of glasses. We left undone 8 mastoidectomies, 5 tonsillectomies, 2 tonsils and adenoids and 1 repair of an oronasal fistula.

NO FEELING OF CHARITY

Each patient was charged $6 for single vision and $8 for multifocal glasses—the rate charged by the State for the same type of spectacles. The difference between this price and the actual cost plus $1 is made up by funds supplied through the Eye, Ear, Nose, and Throat Foundation of Alaska, Inc. Where the $6 or $8 worked a hardship on certain individuals, as little as 25 cents was charged. In this way no patient ever had to feel he was an object of charity.

All patients who needed eye, ear, nose, and throat work that was not done will be reported by name, age, sex, diagnosis and village to the Alaska Native Health Service, as has been done for many years.

I gave 128 general anesthesias for 127 tonsils and adenoids and 1 adenoidectomy. I removed 24 pairs of tonsils under local anesthesia and extracted a derby hat full of teeth. The indications for all tonsil and adenoid surgery were advanced middle ear and mastoid disease. The indications for dental work were advanced caries and chronic severe pain. Glasses were prescribed to improve vision or restore it to normal.

ALASKA NATIVE HEALTH SERVICE

Ours is a compassionate and generous Nation. Unable to help our own people on an individual basis, we, through our Congress, established in Alaska the Alaska Native Health Service to do it for us—supplying this agency of our Government $11 million a year to care for 35,000 natives.

Middle ear and mastoid disease are crippling thousands and killing scores of our fellow citizens in Alaska because the Alaska Native Health Service will not institute a training program for their young surgeons in the proper performance of tonsillectomies or tonsils and adenoids. It refuses to establish a continuous tonsil and adenoid program in its six hospitals because it is "too dangerous." It will not supply the instruments for doing tonsils and adenoids and tonsillectomies to these hospitals even though the cost would be less than $2,000. It will not supply nurse anesthetists to give anesthesia for these vital but simple operations.

A CLINIC TO ST. MARY'S

During March 1961, I performed at no expense to the Government, 71 tonsils and adenoids or tonsillectomies at St. Mary's Mission giving about 50 ether anesthesias myself. This was done in 5 days. Forty of these seventy-one patients had been reported to the Alaska Native Health Service as being badly in need of tonsils and adenoids or tonsillectomies 1 year previously. The Alaska Native Health Service in the ensuing year had done two of these cases. In anger and disgust and with the loyal help of the mission staff, 71 operations were performed. The entire episode was described editorially in Northwest Medicine as "A Clinic to St. Mary's," copies of which were distributed by the editor to newspapers throughout the country. In addition, a copy of the editorial was sent to each member of the House of Delegates of the American Medical Association, each member of the U.S. Congress in Washington, D.C., and to each member of the legislature of the State of Alaska.

At first there was no reaction at all from the U.S. Public Health Service. Eventually the Service categorically denied that any of its officers had promised the removal of the tonsils and adenoids of the 40 children at St. Mary's Mission. A thermofax copy of the letter regarding this promise was forwarded to the editor of the Washington Report on Medical Sciences in which the U.S. Public Health Service refutation appeared. Next in this same publication a faceless and unidentified official of the U.S. Public Health Service said that in the fiscal year 1961 the Alaska Native Health Service had done 600 tonsils and adenoids. I would like to underscore the total inadequacy of this effort by pointing out that 40 medical officers with 6 hospitals in 1 year and an $11 million budget were able to do 611 operations where thousands needed to be performed, while 1 individual in 5 weeks with no hospital, giving his own anesthesias and spending his own money, somewhere in the neighborhood of $6,000, was able to do 227 operations.

INFORMATION FOR THE PUBLIC

The purpose of this communication is not to publicize my own ability, such as it is, as an otolaryngologist. Its purpose is to point out to the interested and enlightened public the absolute falsity of the Alaska Native Health Service claim that this kind of surgery cannot be done safely in six well-equipped hospitals with adequate personnel who could easily be trained here and with nurse anesthetists that are either available or can easily be trained in the administration of a safe, ether anesthetic.

I also wish to point out that this procedure of too little, too late and the arrogant dismissal of suggestions from consultants who understand this situation, as apparently the officials of the U.S. Public Health Service do not understand it, must not be permitted to obscure the obvious fact that young medical officers in this service must be trained and must forthwith begin a realistic attack on a disease that results in aural crippling and deafness to so large a number of individuals. After all, the officials of the U.S. Public Health Service and the Alaska Native Health Service are not sufficient unto themselves. They have not been given a mandate by the people to pursue their own course in all the

specialties of medicine without advice from the outside. Because of the natural deficiencies in any organization they retain consultants of whom I was one until May of this year when I resigned in order to carry on what has been described. Nevertheless, this year and for many years preceding, they have disregarded and ignored the suggestions outlined and reiterated in this paper.

It is not unfair or inappropriate at this time to point out to those who feel the Federal Government should practice medicine just how inefficient, calloused and arrogant officials can become, protected as they are by a monolithic bureaucracy and an astronomical budget for which no well-publicized accounting is ever made.

Many letters from all sorts of individuals throughout our Nation were received as a result of the editorial, "A Clinic to St. Mary's." It was very comforting to find that our citizens are indeed concerned over the plight of the native people of Alaska. I would respectfully suggest to the interested readers of this contribution that they write not to me but to their representatives in the Senate and House of Representatives in Washington, urging that this simple program be undertaken at once and prosecuted with vigor for as many years as it takes to eradicate this easily preventable affliction from crippling or killing more of our fellow citizens. Let all who read consider: "A nation that neglects its children has forgotten God."

"CROSSROADS TO ADVENTURE IN ALASKA" — ANCHORAGE'S FUR RENDEZVOUS IN THE 49TH STATE'S METROPOLIS

Mr. GRUENING. Mr. President, Anchorage, Alaska's metropolis and transportation crossroads of the northern hemisphere, is celebrating its annual fur rendezvous. This midwinter carnival was first established in 1955 and has become gayer and more glamorous with each passing year.

Its handsome current 74-page program printed on glossy paper and entitled "Crossroads to Adventure in Alaska" is profusely illustrated with scenic, human interest, and action photographs, which reveal the amazing variety of sport and entertainment. The rendezvous program contains also a foreword entitled "This Is Anchorage—All-America City."

I ask unanimous consent that this article be printed at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

Anchorage is a busy city. Boisterous shopping centers sprout where once cabins stood. A bold, new university splits yesterday's wilderness. The machinery of a modern port buds, now beckoning the world's shipping. A proud ski resort explodes away the cold isolation of a mountain peak. Steel and glass structures swiftly replace the old frames and false fronts. Everywhere progress carves the changing face of the future.

But for all the youthful dynamism, Anchorage is a city softly mature. With less than half a century trailing in her past, she boasts more in media, cultural activity, transportation, and general community consciousness than cities twice her size.

For serving Anchorage are two daily newspapers, six radio stations, two television stations, a community chorus, a civic ballet, a symphony orchestra, little theater groups, and the full gamut of sports activities. International air routes spoke out over her head; arteries of pavement radiate from her heart; iron rails thread the wilderness from her busy foothold; and waves of communication break from her breast to the reaches of all Alaska.

Yes, Anchorage is a busy city. A city full of busy people. Here are dreamers, mavericks, restless ones—people from all corners of the world—who want to be a part of a program unbound by tradition. Here, too, are the sourdoughs, the pioneers of Alaska. And here with all of them are the makings of a new and plastic tradition unique in the world.

Fringed on the north and west by the waters of Cook Inlet and on the east by the untamed Chugach Mountains, Anchorage lies on a rolling coastal plan with a climate much like southern Norway. The city is a button of activity surrounded by a vastness of Alaska's awesome beauty. Downtown Anchorage, as focused from Fourth Avenue, is a colony of fashionable shops; haughty office buildings and plush hotels at one end, exciting night spots at the other. During the week, Fourth Avenue buzzes with the business of traders, shoppers, and visitors. Sunday is a quiet day and the avenue slows to the pace of strollers. When dark, a jungle of neon flares and Anchorage's blaring night life takes command. Mingled with the businessmen, servicemen, and travelers are construction men and sourdoughs in for a visit from the bush.

And Anchorage is prime access to thousands of square miles of hunting-fishing paradise. The season's opening is cue for a rendezvous of the world's sportsmen. Alaska's registered guides and outfitters. Major fishing derbies are within easy reach; bush pilots' schedules are jammed with trips to the wild country. And the huntsmen's record books are replete with examples of Alaska's big game offering—Dall sheep, mountain goat, all species of bear, moose, caribou, deer.

Anchorage is also headquarters for the State's newest, brightest industry—oil. Drills probe the nearby Kenai Peninsula, and tankers ply south from Nikiska Beach with a 28,000-barrel-per-day production of Alaska crude.

Yes, Anchorage is a busy city, a city in hot pursuit of a wonder-filled future.

AUTHORIZATION FOR COMMITTEES TO FILE REPORTS DURING RECESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that committees of the Senate be authorized to file reports during the recess of the Senate between today and Thursday next.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider a nomination sent to the Senate by the President of the United States and reported today.

The PRESIDING OFFICER. Without objection, it is so ordered, and the nomination will be stated.

RAILROAD RETIREMENT BOARD

Mr. MANSFIELD. Mr. President, the President's nomination to fill the vacancy on the Railroad Retirement Board has been reported unanimously by the Senator from Alabama [Mr. HILL], chairman of the Committee on Labor and Public Welfare. It has been cleared on both sides of the aisle. I ask unanimous consent that the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. The nomination will be stated.

The Chief Clerk read the nomination of Arlon E. Lyon, of California, to be a member of the Railroad Retirement Board.

The PRESIDING OFFICER. Is there objection to the present consideration of the nomination? The Chair hears none. Without objection, the nomination is confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of the nomination.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

ORDER FOR ADJOURNMENT TO THURSDAY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate adjourns today, it adjourn to meet at 12 o'clock noon on Thursday next.

The PRESIDING OFFICER. Without objection, it is so ordered.

McNAMARA WARNS OF WASTE

Mr. PROXMIRE. Mr. President, the New York Times of March 5 reports in a front-page article by Jack Raymond reporting the considered view of the Secretary of Defense that a program to go into production now with the controversial B-70 high-speed manned bomber would be a "serious waste of the Nation's resources." Mr. Raymond is the Times' top Pentagon reporter, with an outstanding record for careful, accurate coverage of military affairs. This article, based as it is on the Secretary's answers to specific questions, can be considered authoritative. This is, of course, the Secretary's response to the unanimous action of the House Armed Services Committee on Thursday in ordering the Pentagon to spend $491 million more than the administration had intended on the B-70 program.

Secretary McNamara's position on the B-70 program is that "it does not appear wise at this time" to make a final commitment on what is estimated to be a $10 billion investment for the supersonic, high-altitude manned bomber. He repeated his previously stated position that if future circumstances would appear to make production of the B-70 desirable, the program could then be put into effect. But he believes that for the present it is wiser to proceed with the completion of the prototype development stage before moving into full production.

It is on this particular point that Secretary McNamara's opinions carry special authority. His many years of experience in manufacturing as a production expert give him an excellent grasp on questions of this kind. He is outstandingly qualified to evaluate the costs and benefits of such a program.

Secretary McNamara has earned the high regard of many individuals with responsibility for our Nation's defense, including Senators and Representatives. His views on this serious question will, I know, be an important factor in the decision on appropriating funds this year for the B-70 program.

I ask unanimous consent that Mr. Raymond's article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

McNAMARA WARNS OF WASTE IN PLAN FOR FLEET OF B-70'S—ASSERTS IT IS NOT WISE NOW TO GO BEYOND PRODUCTION OF THREE PROTOTYPE BOMBERS

(By Jack Raymond)

WASHINGTON, March 4.—Adoption of an Air Force plan to produce the controversial B-70 bomber in quantity would be a "serious waste of the Nation's resources," Secretary of Defense Robert S. McNamara said today.

In response to questions, he expressed the opinion that it "does not appear wise at this time" to make a final commitment on what he estimated would be a $10 billion production program for the proposed supersonic high-altitude bomber.

The Secretary pointed out, as he has in the past, that the administration's plans would permit a production program in the future "if circumstances appear to make this desirable."

Mr. McNamara commented on the bomber program in view of a sudden revival of agitation for a production plan that previously had been rejected by the Eisenhower and Kennedy administrations.

PLAN REJECTED BY KENNEDY

Present plans are limited to developing plane prototypes. Gen. Curtis E. LeMay, Chief of Staff of the Air Force, made a personal appeal for production of the B-70 as a weapons system in a White House visit a few weeks ago. But President Kennedy turned him down.

The Air Force won support in Congress, however.

The House Armed Services Committee unanimously voted on Thursday to "direct" the Pentagon to spend $491 million more than the administration had intended on the B-70 program. The extra money would permit development of the airplane as a weapons system, in accordance with Air Force wishes, rather than limiting it to three prototypes.

The B-70 bomber, recently redesignated officially as the RS-70 for reconnaissance strike, has had a long history of delays and reprograming during which more than $1 billion has been laid out for it. Preliminary studies on the plane were begun in 1953. It was pictured as a high altitude bomber that could travel 3 times the speed of sound, or some 2,200 miles an hour. It was given the name of Valkyrie.

PRIME CONTRACTOR CHOSEN

Following a competition in which the Boeing Aircraft Co. and North American Aviation Corp. were the leaders, North American was selected as the prime contractor in 1957. The first contract was issued with the idea of having the first plane by June 1962, and a wing of 45 operational bombers early in 1966.

In January 1958, Gen. Thomas D. White, then Air Force Chief of Staff, ordered an acceleration of the program to provide the first wing by about 18 months earlier than originally scheduled. But President Eisenhower, in a budget review, ordered a reduction in the funding. This put off the production schedule by 1 year.

The program to develop the B-70 as a weapons system was terminated by the Eisenhower administration a year later. The Pentagon was directed to develop a single prototype aircraft.

In the ensuing public and private debate, Congress sided with the Air Force and appropriated more money for the plane than the administration had sought, but President Eisenhower refused to spend it.

OBSOLESCENCE FORESEEN

General Eisenhower, in an argument that has since been picked up by the Kennedy administration, contended that the plane would not come into inventory until U.S. missile strength would make it obsolete.

The Kennedy administration increased the investment in the B-70 to permit the development to three prototype airplanes. However, it also rejected congressional appropriations to start a full-scale production line. A powerful Air Force campaign last year, including emphasis on Soviet advances in manned aircraft, failed to reverse the administration position.

This year the administration requested $1,200,000 to continue developing the plane simply for test purposes.

But General LeMay, in testimony before Congress, advocated a $5 million expenditure. He pointed to existing plans to shut down production this year on B-52 and B-58 bombers. Thus, without the B-70, the United States would have no manned bombers earmarked for future production.

Secretary McNamara discussed the B-70 program with General LeMay and Secretary of the Air Force Eugene M. Zuckert yesterday morning. In an interview later, Mr. McNamara said:

"The program which I recommended to the President and which he has presented to Congress proposes the expenditure of $1,300 million for the development of the B-70. In accordance with this program, the first B-70 will fly in December 1962, the second in September 1963, and the third in June 1964."

SAYS CHOICE REMAINS

"This program provides us with the option of introducing the plane into full production in the future if circumstances appear to make this desirable. The 1963 military program and budget provides for over 1,000 Atlas, Titan, and Minuteman intercontinental ballistic missiles, plus 41 submarines with over 650 Polaris missiles, plus more than 1,000 B-52, B-47, and B-58 bombers.

"In view of the size of these forces, it does not appear wise at this time to make a final commitment to a $10 billion B-70 production program. To do so would, in my opinion, be a serious waste of the Nation's resources."

The Secretary's session with the Air Force leaders was reported to be amicable. Afterward, Mr. McNamara and Mr. Zuckert, a friend and associate of many years, played squash in the Pentagon gym. The 50-year-old Air Force Secretary, 5 years older than his superior, won the match.

Once again official sources emphatically denied rumors that General LeMay and the administration were at such odds over the B-70 program and other strategic weapons programs that his resignation was pending.

The Secretary did not comment on the House Armed Services Committee's action in seeking to direct the Pentagon to spend on the B-70. In keeping with past practice, he reserved comment until congressional action was final.

WISCONSIN PURE MILK COOPERATIVE SUPPORTS PRESIDENT'S FARM BILL

Mr. PROXMIRE. Mr. President, last week the Senate Agriculture Committee conducted hearings on the President's farm bill, the Food and Agriculture Act of 1962. In those hearings an excellent and concise statement was furnished by Mr. William Eckles, manager of the Pure Milk Products Cooperative of Fond du Lac, Wis., which cooperative, incidentally, has a membership of over 15,000 dairy farmers.

Mr. Eckles devoted special attention to the provisions of the bill affecting the dairy industry. He strongly supported enactment of the resolution recommended by the President to maintain dairy price supports at their present level until the end of the year, to give dairy farmers time to work out a program to cope with the sudden sharp rise in surpluses, due principally to the unexpected, unprecedented drop in consumption this past year.

He also suggested five specific amendments, on important matters of detail in the President's proposed dairy program, which would make it a more satisfactory and equitable means of enabling producers to set their output at levels which can be marketed at fair prices.

The statement furnished by Bill Eckles concludes: "We urge adoption of the 'food and agriculture program of 1962' with the aforementioned suggested changes."

I ask unanimous consent that this statement be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF PURE MILK PRODUCTS COOPERATIVE, FOND DU LAC, WIS., IN SUPPORT OF BILL S. 2786—THE FOOD AND AGRICULTURAL ACT OF 1962

This organization, made up of over 15,000 Wisconsin dairy farmers, supports the Food and Agricultural Act of 1962.

The organization considers it a privilege to submit its views on this all-important subject. Agriculture is the basic industry of the country, and its prosperity is the basis of the Nation's economic well-being. If agriculture is in a depression, other branches of our economy will soon be in trouble with unemployment and depressed business activity.

The proposals to use and properly manage an abundant agriculture in needed quantities without undue waste and expense is sound, logical, and sensible.

The conservation of our resources that are presently unneeded for future people of this and other countries is sound and a worthy investment. Their use in providing recreational and conservation projects until needed for food and fiber production are worthy projects.

The development of resources in rural areas is an activity of great future value. People kept occupied, employed, and located in rural areas, will not burden unemployment rolls and replace urban people as employees.

Agriculture's abundant production has not to date been fully usable. Great population growth will not, in the near future, use the products of American farms.

High storage costs or carrying big stockpiles are uneconomical to taxpayers and the Government. Overproduction depresses

prices and farm returns unless Government supports prices at reasonable levels.

A sounder program than overproduction stockpiled at great expense or ruinously low prices because of reduced Government expenditures for supports, seems to be a managed production and marketing program for agricultural products.

We will direct our primary concern to the dairy programs of the Food and Agriculture Act of 1962. This is the business closest to this organization.

We strongly believe milk and dairy products are sufficiently essential as foods to merit special consideration.

We urge continuation of the present support program at $3.40 per hundredweight until this Congress can develop a program that would be voted upon by dairy farmers of the Nation. The program should give the milk producers an opportunity to balance supplies with needs in turn for a higher income.

We urge special care in developing a dairy program. Dairying is a long-term, expensive, confining, agricultural pursuit.

We would request that Congress consider amendments to the dairy provisions of the Food and Agricultural Act of 1962 as proposed that would:

1. Assure protection from imports while farmers are living with quotas or allotments to balance dairy and milk marketings and consumption. It seems very illogical for American dairy farmers to be subject to limitations if low-grade, cheaply produced foreign products are permitted to come in.

2. Permit the retention of dairy production in areas to which it is obviously best adapted. The movement of quotas or allotments from one area to another should be carefully supervised and controlled, so that they did not move to uneconomic regions. The movement of quotas or allotments into the hands of speculators or nonbona fide dairy farmers must be prevented.

3. Provide a level of supports that are more specific than the present draft provides. The 75-percent floor in effect for several years would seem a logical base from which price levels would operate. We believe the dairy program should be assured of this floor, because of the importance of milk and dairy products as the most essential and basic food. We also believe the 90-percent ceiling should be removed. Records of the USDA indicate that dairy farm labor returns are far below other pursuits. Parity of income would be a better objective.

4. Prohibit the declaration of deficit or short production areas, except in cases of extreme emergencies. We know of no area where sufficient milk is not available to supply the fluid product needs of the area. Manufactured products can be easily moved to these areas from regions of most economic domestic production.

5. Provide for quotas or allotments on all milk producers who market milk or butterfat products from their farms. The setting of a volume below which the production or marketing allotments would not apply, would be invitations to hundreds of small operations even within the same families to evade the requirements. Commercial dairy farm operators are entitled to protection from the scads of small exempt operations that would tend to develop if any exceptions are allowed.

The principle of giving a producer of a commodity, in this case milk, an individual voice in the program he desires, is reasonable.

We urge the adoption of the "Food and Agriculture Program of 1962" with the aforementioned suggested changes.

Producers of milk and butterfat are entitled to a vote on a program prior to its adoption.

We recommend the adoption of the legislation with a retention of the present price levels and program, until this long-term program could go to dairy farmers for their approval or disapproval.

REBUTTAL OF THE PHILOSOPHY OF THE EXTREME RIGHTWING

Mr. CLARK. Mr. President, last Friday, March 2, the New York Times published an excellent summary from a booklet entitled "Communism: Threat to Freedom," by the Reverend John F. Cronin, which was published by the National Catholic Welfare Conference. In my judgment, the pamphlet deserves the careful attention of all of us who are interested in national unity and a sound approach to national and international social and political problems. It is an effective rebuttal of the philosophy of the extreme rightwing, which has been so vocal in the public prints during the past year or so. I congratulate the Catholic Church and the Reverend John F. Cronin for having sponsored so effective a statement of true Americanism, and I ask unanimous consent that excerpts from the booklet be printed at this point in my remarks.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

EXCERPTS FROM CATHOLIC BOOKLET ON THE RIGHTWING

The Communist Party in the United States dates from 1919. During the 43 years of its existence here, it has varied in strength and effectiveness. For 15 years, 1935–50, it prospered both in terms of numbers and influence. After 1950, a sharp decline set in. By the 1960's, it reached its lowest ebb in terms of membership, finances, and influence on American opinion and policy.

The Communists that remain are by no means inactive. But compared with their activities and influence 20 years ago, Communists today are weak and impotent. Yet, in the 1960's, strong reaction against domestic communism is sweeping the land. Well financed and attended crusades, which would have been manna from heaven in 1946, are increasingly evident. Speakers and writers for such groups are vigorously fighting problems that were mostly solved by 1950, and neglecting the far greater dangers of Communist subversion in Asia, Africa, and Latin America, and the general world Communist offensive.

In many parts of the country, hysteria and suspicion are becoming increasingly evident. A virulent form of disunity is weakening us in the world struggle against communism, and performing this disservice in the name of militant anticommunism. Many Americans are confused and bewildered by the whole trend.

FALSE PROPHETS MISLEAD

It is easy to dismiss such events by name calling. But such an approach is unfair to millions of Americans who desperately want to do something about communism. They have been misled by false prophets, but these ordinary Americans are not extremists or crackpots.

Their basic problem is frustration and even fear. They have seen the Soviet Union apparently gaining in its struggle to communize the world. Those who would have Americans concentrate on a minor threat of domestic subversion and ignore subversion and Communist pressures in Europe, Asia, Africa, and Latin America are misleading the American people. Whatever their motives, they are effectively aiding the Communist cause.

They are most effective when they can quote "experts" to bolster their cause.

There are three types of "experts" whose credentials should be scrutinized with care. They are former agents of the FBI (Federal Bureau of Investigation), former informants for the FBI, and persons who have had first-hand contact with the Communist Party, either as members or victims.

Many of the more vocal anti-Communist groups have connected communism with social philosophies they find unpopular. Many, for example, use the argument expressed by a former high Government official in late 1961. It runs this way: Liberalism (or the Fair Deal or the New Frontier) is the same as the welfare state. The welfare state is socialism. And the Communists say that they are Socialists. Hence, liberalism is communism.

BAD LOGIC IS DISCERNED

Actually this statement is bad logic and worse history. As logic, it would make the encyclical of Pope John XXIII, Mater et Magistra (Christianity and Social Progress), a defense of communism. The encyclical advocates or does not reprove many specific items rejected by extremist groups (the use of the income tax to equalize burdens, and to undeveloped natives, Government action to smooth out economic change, social insurance, and to agriculture, housing subsidies, etc.).

The violent and bitter struggle for racial equality in the United States has often prompted charges that Communists were behind these activities.

Actually, it is an amazing fact that the Communists have had such little success among the Negroes.

In fact, Negro leaders and the overwhelming majority of Negro people have rejected Communist influence and have insisted that they are true Americans. Whenever Communist influence is detected by the NAACP (National Association for Advancement of Colored People) or CORE, it is promptly removed.

Protestant churches, especially the National Council of Churches, have also been a target for attack. Behind these attacks one usually finds opposition to the "social gospel" or to alleged modernist trends in organized protestanism.

PROTESTANT CLERGY DEFENDED

Communist influence among the Protestant clergy today is virtually nonexistent.

Some anti-Communist sources are also anti-Semitic. These groups are small and have little influence except among bigots. The organized Jewish community in the United States is strongly opposed to communism.

Groups opposed to the United Nations often use alleged Communist infiltration or even control as a weapon in attacking this organization.

Some of these opponents are basically isolationist and use the Communist charge as a handy weapon. Catholics who deny our international responsibilities do so in the face of repeated papal assertions of our moral obligation to seek world order, world prosperity and world peace.

The labor movement, and certain labor leaders, have also been the targets of special pleaders. Yet the CIO Congress of Industrial Organizations, wing of the labor movement expelled its Communist unions well before the general public became excited about the problem. Both wings have been working for years to fight for free labor unions, and against Communist unions, in Europe, Asia, Africa, and Latin America.

DISTORTIONS ARE OUTLINED

Offenses charged to Communist infiltration also include fluoridation of water, promoting mental health, and organized peddling of smut. Yet our organized dental profession supports fluoridation of water. The medical profession endorses sound mental-health programs. And organized pornography is a commercial venture, with no proven link to the Communist Party.

The menace of communism is much too real and much too worldwide for the American people to tolerate and support the distorted and misleading charges outlined above. Simple honesty and respect for truth should be adequate reasons for avoiding these efforts. But they are more than dishonest, they are also divisive. They sow distrust in our Nation at a time when national unity is imperative. They weaken our democracy by spreading suspicions of treason in Government and asking Americans to use Communist tactics against fellow Americans. If carried far enough, these movements would paralyze American diplomacy. When every discussion with the Communist powers is considered a sign of weakness or even treason, then we are left with only two stark alternatives: surrender or war. Surely our commonsense should tell us that we should seek some middle course between these extremes.

A mature and strong people have the inner strength to live with occasional frustration and failure. It does not cry disloyalty every time its will is thwarted. When honest mistakes of judgment are made, it seeks to correct them through the democratic process. Temper tantrums resulting from frustrations are not welcomed even in young children. In adults, they are signs of serious immaturity. There is much to be done to combat the menace of world communism. It is time for Americans to close ranks and to fight the real enemy on the real battleground with real weapons. If we fail in this, we shall be so weakened internally that Communist conquest will be inevitable.

For the average citizen who asks: What can I do to fight communism? The answer might well be: Devote all your strength and energy, in concert with your fellow Americans, to build national unity and moral strength. Practice your religion, and make it a vital force in your community. Even in dealing either moral evils, concentrate less on denunciation and more on giving leadership and example. Be a man of integrity in your work. Make your family outstanding by the quality of parental love and discipline you show. Unite with your neighbors for a high moral standard in your community. Work for racial justice and harmony. Do your part to make this a better and stronger Nation, and we shall not fear what the Communists plot and scheme against us.

Above all, we must have a broader vision of world needs.

DISARMAMENT HOPES

Mr. CLARK. Mr. President, we are all hopeful, if not too sanguine, that the conference about to meet in Geneva on the subject of disarmament and peace will result in some meaningful progress in that disputed area. An excellent column on this subject written by the well-known commentator, Peter Edson, appeared in the Washington Daily News on Thursday, March 1. I ask unanimous consent that the column be printed at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

DISARMAMENT HOPES

(By Peter Edson)

One stated goal for the 18-power United Nations Disarmament Conference opening in Geneva March 14 is to keep it going till something constructive comes out of it.

The American delegation at the outset will be headed by Secretary of State Dean Rusk, Director William C. Foster of the new, independent Arms Control and Disarmament Agency, and chief U.S. atomic test-ban negotiator Arthur H. Dean. The full delegation with many technicians, advisers, and experts will go prepared for everything but not knowing what to expect.

President Kennedy and British Prime Minister Harold Macmillan will not be there, insuring that the talks will not start off as a summit conference, which Russian Chairman Nikita Khrushchev wants it to be. Khrushchev and Foreign Minister Andrei Gromyko may or may not be there. If they're not, Russia's test-ban and disarmament monkeywrench thrower, Seymon K. Tsarapkin, is apt to be their head man.

What the other delegations will do—including the eight new neutral members added since the 10-nation West-East disarmament conference was wrecked by the Russians in 1960—is equally up in the air. Still, the outlook is not hopeless.

Both Russia and the Western Powers now openly admit that in a nuclear war there can be no winner—only mutual destruction.

The cost of nuclear weapons and missile delivery is so great that neither side can really afford it and both admit the money should be used for more constructive purposes.

The U.S. delegation goes to Geneva with some new, startling proposals which it hopes the Russians will accept.

One is to open initial zones of inspection for both sides, these zones to be gradually enlarged. This was included in the Soviet plan submitted last September 27.

Another is for the use of sampling techniques for spot checks on compliance and agreed-upon stages of disarmament. This involves some risk, but it opens the door to inspection.

After a period of general debate in plenary session, to educate the new members, the United States hopes that several working committees can be set up to tackle other specific areas.

How to limit vehicles for nuclear weapons delivery. How to establish exchange of information on existing armaments, subject to verification by ground control posts on both sides.

Specific proposals may be submitted on reduction of nuclear materials production, reduction of the dangers of surprise attack, limitation on distribution of nuclear materials and weapons know-how to other countries.

The greatest handicap to reaching an agreement at Geneva is that it may be necessary to settle the Berlin, Vietnam, and other crises before there can be any disarmament.

Also, no disarmament agreement can be made effective unless it is made binding on Communist China.

THE ECONOMIC IMPACTS OF DISARMAMENT

Mr. CLARK. Mr. President, the morning newspapers, particularly the New York Times, published a summary of a most important study prepared for the U.S. Arms Control and Disarmament Agency, entitled "Economic Impacts of Disarmament." This is the result of the work of a panel presided over by Mr. Emil Benoit, associate professor of international business at Columbia University.

This study deserves the consideration of all Members of the Congress and of the American public generally. I ask unanimous consent that the broad conclusions of the panel, put in summary form and appearing on pages 2 and 3 of the study, be printed in full at this point in my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY PANEL

(a) That disarmament of the type, and at the pace which the panel considers to be implied by the U.S. program for general and complete disarmament in a peaceful world, submitted to the United Nations on September 25, 1961—after allowance for proposed expansion in National Aeronautics and Space Administration (NASA) and civilian Atomic Energy Commission (AEC) programs and the requirements of disarmament inspection and international peace enforcement—should create small danger of provoking immediate depression in our economy, assuming sensible adjustment policies and vigorous Government leadership to dispel adverse effects on business and consumer anticipations and to provide reassurance that aggregate demand will not be allowed to decline precipitantly;

(b) That a steady decline in defense spending spread over several years may prove a significant drag on the economy and pose serious problems for policymakers. These problems can be mastered by the application of appropriate policies, the chief obstacles to which would be political resistance rather than deficiencies in our economic knowledge;

(c) That structural problems in particular industries or areas are unavoidable and could be serious for the individuals, companies, and communities prominently affected;

(d) That the alleviation of these structural difficulties may require a variety of adjustment programs, some providing assistance for the retraining, temporary support, and relocation of individuals and reconversion and diversification of enterprises, some promoting the importation of new industries into areas hard hit by the closing of defense plants and installations, and some, perhaps, seeking new publicly supported uses of national importance for part of our existing defense resources, particularly our capabilities in research and development;

(e) That included in the latter category might be research and development programs on technological bottlenecks impeding international economic development, which could also make a significant contribution to one of our major foreign policy objectives;

(f) That the impact of disarmament would only accentuate structural problems which already exist and which will have to be solved anyhow if the Nation is to produce up to its full potentialities;

(g) That if these problems are overcome, achievement of major national goals will be greatly facilitated by the use of the human and material resources released from the defense program;

(h) That within wide limits the Nation can afford to have as high or as low a level of defense expenditure as is deemed politically desirable and should feel no constraint on the economic side in adjusting defense expenditures to whatever level seems best to accord with our political objectives. However, advance planning by Government at all levels and by business firms, labor unions, and other private organizations is required if the economy is to adjust smoothly to significant changes in the level of defense spending, particularly such as would result from general and complete disarmament.

THE NATIONAL GUARD AND RESERVE PROGRAM

Mr. STENNIS. Mr. President, in recent months there has been considerable

public discussion regarding our Reserve and National Guard program. These discussions have followed the mobilization of our military Reserve Forces in connection with the Berlin crisis.

In all, some 150,000 members of the Army and Air National Guard, and Army, Navy, and Air Force Reserve were called to active duty, as President Kennedy has said, "to prevent a war, not to fight a war." But if war had been thrust upon us, they would have been ready.

The quick mobilization of our forces created severe problems. There were some inequities. Some administrative and supply deficiencies came to light. These were corrected in very short order. There were, in addition, some complaints on the part of a relatively few of those called to duty, especially those who had some genuine hardship or personal family problems.

These cases received widespread publicity, but in spite of the few cases which received public attention, there is no doubt that this has been the most successful mobilization, by far, in our Nation's history.

The tragedy of the situation is that a shadow has been cast unfairly on the overwhelming majority of the individuals called—who have worked hard and have carried out their assigned missions and orders effectively and without complaint. I believe that the public should have more information regarding the splendid job our reservists and national guardsmen have done. We have a sound military Reserve program, one which has met the test of time and has furnished the required trained men to meet any emergency, all over the world.

And so today, I want to address my remarks to this end.

I have given this problem considerable study and have made a personal investigation of the facts. It has been my privilege to talk with many of the people who have been called, both officers and enlisted men. Their record speaks for itself. These are outstanding men, dedicated to the task to be performed and loyal to their Nation. I do not think they should be done an injustice, nor that the Reserve and National Guard program should be endangered. In fact, I am convinced that we should put additional emphasis on the maintenance of a ready, trained Reserve Force. Throughout our history, we have maintained this program to our great advantage during times of unforeseen emergencies.

Many times I am asked if I see any prospect of a decrease in the cost of our vast military programs in the near future. I am compelled to answer each time that, in view of the mounting costs of modern weapons, including missiles, I do not see any chance to decrease it soon. The only way to prevent greatly increasing the cost is through a better emphasis on our Reserve and National Guard programs, whereby we utilize the talent and training of men who have already been in the military service, and have been basically trained already, and are prepared to move forward on short notice.

Among the units called, I am proud to say, my home State of Mississippi was very well represented.

Our 153d Air National Guard Tactical Reconnaissance Squadron, with 406 officers and enlisted men, is now serving on active duty at its home station in Meridian. I am very familiar with the outstanding record of this squadron, which has long been one of the Nation's leading Air Guard Squadrons. It was rated combat-ready long before it was mobilized. While it was not deployed to Europe as some of the other Air Guard Squadrons were—and much to its disappointment—it is thoroughly familiar with its oversea deployment route, having flown simulated routes from time to time. It could, with no exaggeration, be deployed on 24 hours' notice.

For the Army, Mississippi has provided 21 separate units. Sixteen of these are Army National Guard units and five are Army Reserve units. These units are now scattered throughout the United States, strengthening our Army in this time of crisis. They are truly a cross-section of our State, with home stations at Bay Saint Louis, Bruce, Calhoun City, Charleston, Clarksdale, Gulfport, Houston, Jackson, McComb, Meridian, Natchez, Pascagoula, Poplarville, Vicksburg, Webb, West Point, and Yazoo City. In all, 1,802 members of the Mississippi National Guard have answered the call to active duty, and more than 300 members of the Army Reserve.

Mr. President, I am glad to say that every Mississippi unit has passed the Army training tests, given to those called to active duty to test their combat readiness. This is an outstanding record and reflects the effectiveness of our National Guard program, under the able leadership of our State adjutant general, Maj. Gen. William P. Wilson.

Our naval reservists from Mississippi have responded in admirable fashion. A number of Navy men were called to active duty, including a naval reconnaissance squadron made up primarily of Mississippians, assigned to duty at Guantanamo Bay, Cuba, where they are playing an important role in carrying out our commitments in the Caribbean area. Other Mississippi naval reservists have important assignments.

We are proud of these Mississippi units, just as I am sure my colleagues and their constituents are proud of the units ordered to duty from their home States.

I mention these units from my State not in contrast and not because they are superior to those from other States, but because they are units of which I have personal knowledge. I personally know many of the officers and enlisted men who comprise the units. I even know something about their homelife, and the sacrifices they have made in carrying out their regular training and also when they were called to active duty. I have great pride in them, not only because they are from my home State, but also because they are worthy units of this great Reserve and National Guard program. As I have said, I am sure there are other units just as worthy in other States. However, it certainly makes one's blood tingle to know some of the very high quality units we do have, and the men in them.

These units were called because we faced a grave national crisis—perhaps the gravest crisis since World War II. Premier Khrushchev was threatening to sign a unilateral peace treaty with the East German puppet government, and thereby, with a single stroke of the pen, end our established rights of access to Berlin. We as a nation were determined to defend these rights—and the freedom of West Berlin—at any cost, even if that cost meant war.

As a result of this impending crisis, President Kennedy asked the Congress for emergency authorization to build up our Armed Forces, short of declaring a national emergency. The Congress responded within a week, authorizing a mobilization of up to 250,000 members of the Reserve components from the Army, Navy, and Air Force.

This callup and the response thereto was a major deterrent factor, and was heard last August and September and October in the Kremlin. I believe this is what turned the tide with reference to the Berlin crisis. No solution has been found to the Berlin crisis, but the active agitation and threats and the imminence of more serious trouble certainly have subsided. It was not due merely to what the President did and what the Congress did, but also, certainly, to what these units did. There was a fine response from these Reserve and National Guard units all over the Nation. These men were taken away from their homes from their firesides, from their professions, from their callings and skills and jobs; away from their families. Instead of a sour response, or complaints across the board, we had as a whole the finest type of response from these men, and an indication of loyalty and dedication and determination to do their part.

That was shared not only by them, but by their families and their business associates, as well. I think it was a great psychological factor in addition to the force that was behind the military numbers involved. That fact within itself was the real deterrent; it was the real noise which got through and was heard by the Kremlin.

One of the most impressive aspects of this callup was the mobilization of our Air Reserve Forces, including almost 21,000 Air National Guardsmen and 6,000 Air Force reservists. This was accomplished with very little public notice, but has resulted in a very substantial increase in our conventional fighter strength in Europe. The Air Guard has added the equivalent of seven tactical fighter wings, one tactical reconnaissance wing, and two global air transport wings to the active Air Force, while the Air Force Reserve's two wings of five troop carrier squadrons are now serving with the Tactical Air Command.

The highlight of the Air National Guard mobilization was the greatest oversea deployment of jet fighters in our history. Within 1 month of their recall last October 1, combat-ready pilots

of the Air National Guard flew more than 200 jet fighters from their home communities to bases in Europe.

Think of that, Mr. President. More than 200 jet fighters were flown by these guardsmen from the places where they lived, where they were members of the community, where they trained, and were flown directly to the bases in Western Europe.

These men were part-time pilots, who had had very little overwater flying experience. They were called upon to fly across the North Atlantic in wintry weather. Because of the range limitations of their aircraft, it was necessary for them to go via the Azores or via the Greenland-Iceland-Scotland route, each route calling for highly skilled navigation and cruise-control techniques. Under such circumstances, it is a remarkable tribute to their skill and training that every plane reached its assigned destination without a single mishap.

I emphasize again that this happened within 1 month after the recall on October 1.

On November 1, when the first of these planes was landing in Europe, the Air Force recalled three more Air National Guard squadrons, equipped with the supersonic F-104 Starfighter. Within 3 days, advance detachments from these squadrons were on their way to bases in Spain and Germany.

The F-104 does not have the range capability to cross the Atlantic under its own power, so the planes were dismantled, loaded into big transports of the Military Air Transport Service and ferried to Europe. So quickly and efficiently did these units accomplish the move that by November 24—hardly 3 weeks after they were mobilized—Air Guard F-104 pilots began flying alert missions from bases in Europe.

Mr. President, it is noteworthy that within 24 days after the call at the community level was answered, these men were actually flying alert missions from bases in Europe, even though the planes could not be flown there but had to be dismantled, loaded into transports, and carried overseas.

In accomplishing this deployment in such a manner, these Air Guardsmen proved themselves worthy of the highest praise from the Secretary of the Air Force, Eugene M. Zuckert, who emphasized their importance in these words:

> My warmest salute to the men of your command on their highly successful deployment to Europe. The manner in which the deployment was conducted so soon after recall could only be the result of sustained superior performance. It is my desire that every man in your organization knows of the pride the whole Air Force feels in this accomplishment, which reflects the high standard set and maintained in Air National Guard training.

In the Naval Reserve, nearly 8,000 officers and men were called. They came on duty with little fanfare or publicity, and this may well be a tribute to the men themselves, and to the Navy as a whole, for the smoothness with which they accomplished the whole exercise.

A total of 13 destroyers and 27 destroyer escorts were returned to sea for antisubmarine warfare missions. These ships have been completely integrated with the destroyer forces Atlantic and destroyer forces Pacific and are now on duty in the Mediterranean, the North Sea, and the Far East.

In addition to these, 18 antisubmarine air squadrons were activated. These are now stationed in the continental United States and are conducting regular antisubmarine patrols.

It was in connection with the Army's mobilization of Reserve components that most of the adverse publicity occurred. As I have stated, there were some shortcomings on the part of the Army and some complaints on the part of the reservists themselves. But they represented only such a small percentage of those recalled. The widespread publicity regarding a relatively few incidents has created a distorted impression that our Reserve program is ineffective. This is unfortunate, indeed, and wholly unjustified by the facts.

Actually, the real condition is exactly to the contrary.

General Van Fleet, serving as the personal representative to the Secretary of the Army, visited many of the training camps and found things running smoothly, with both readiness and morale running very high. The distinguished Senator from Wisconsin [Mr. PROXMIRE], who is now in the Chamber, and the distinguished Senator from West Virginia [Mr. BYRD] came back with similar reports after having visited units from their States. And just days ago the Army Chief of Staff, Gen. George H. Decker, returned from an inspection tour with this report:

> Results of my visit were most gratifying. Morale is uniformly excellent, officers and men have a high sense of purpose, are extremely proud of their units and are resentful of the unfavorable reflection on them caused by the complaints of a few. They are working hard to complete successfully their intensified training program and the Army training tests administered at the conclusion of that period of training. Some shortages of equipment still exist but these are being corrected as fast as Army resources will permit. Shortages in some items, such as self-propelled artillery, aircraft, and communications equipment will exist for some time. Unit commanders have advised me that thus far equipment shortages have had no significant adverse effect on training.
>
> The most impressive fact concerning the Reserve forces on active duty is the high quality of personnel of all ranks. I was most favorably impressed by their keenness of mind, their professional skill and their devotion to duty. I am convinced that they fully understand the reasons behind their callup and that the vast majority have accepted the interruption of their normal lives graciously.

Mr. President, I repeat, for emphasis, that that was a statement of high commendation from Gen. George H. Decker, who is now the Army Chief of Staff.

But over and above that, it is important to remember what these units have actually accomplished: that the immediate expansion of the Army—and its training base—was possible only because it was possible to call up, in September, approximately 46,000 trained members of the Army National Guard and Army Reserve both as individuals and as members of some 190 units, including the 100th Reserve Training Division of Kentucky. Later, in October, the additional callup of two full National Guard divisions—the 32d Infantry of Wisconsin and the 49th Armored of Texas—together with 249 smaller Guard and Reserve units, made available the ready forces required to reconstitute our strategic Reserve should it have been necessary to deploy the Regular divisions of STRAC on an emergency oversea mission. This amounted to indispensable national security insurance at a most critical moment.

I should like to repeat that statement: This amounted to indispensable national security insurance at a most critical moment.

The same can be said of all Reserve component units and individuals—regardless of their branch of service—who have been called. Some have chosen to exaggerate the shortcomings; but the indisputable facts are these: The units are performing like professionals, and they have helped prevent a war.

To emphasize this fact, I should like to quote a statement made by the Secretary of Defense at the time of a visit, 2 months ago, to one of our units in Europe:

> I think you should realize how extremely important this movement has been. Chancellor Adenauer wrote President Kennedy that, in his opinion, the prime factor influencing Khrushchev in his slowdown on the Berlin crisis was the swift, decisive build-up of American forces.

Mr. President, that is a most significant statement. I repeat with emphasis that all that the President did, all that the Congress did, and all that all others did, had their place; but the greatest importance lay in the fact that these men were trained, that they were ready in units, and that they were ready to go on short notice. And they did go. Their families responded in the same dedicated fashion in which they did. Their communities had going-away, farewell parties for them, and entered with wholehearted spirit into the entire matter; and these troops were ready for combat service when they reached their destination. There has been no parallel to this in all our history, and I believe that is the sound that got through to the Kremlin.

Mr. JACKSON. Mr. President, will the Senator from Mississippi yield?

The PRESIDING OFFICER (Mr. HICKEY in the chair). Does the Senator from Mississippi yield to the Senator from Washington?

Mr. STENNIS. I am glad to yield.

Mr. JACKSON. I wish to congratulate the Senator from Mississippi on the very fine statement he is making.

Mr. STENNIS. I thank the Senator from Washington.

Mr. JACKSON. His statement needs to be made. Much has been said about the Reserve program—some of it fair,

and some of it unfair. I think the truth of the matter is that, overall, the contributions made by your Reserves—coming, as they did, at a critical time—were absolutely invaluable. It is the first time we have used the military power represented in our Reserve program to achieve foreign-policy objectives.

Mr. STENNIS. That is correct.

Mr. JACKSON. The question has often been asked, When are the Reserves going to be used? Many persons think our Reserve power is to be used only in a hot war; but I think the series of events of the past few months has demonstrated that our Reserves can play a most invaluable role in the broad area of national security.

The distinguished Senator from Mississippi, who has studied this matter over the years, is, in my judgment, rendering a great service in pulling together all the arguments for and against, and in giving the country a factual account of what really was accomplished. This is most important, particularly in view of some unfortunate publicity which occurred during that period of time. So I wish to thank the Senator from Mississippi very much, indeed, for what he is doing.

Mr. STENNIS. I thank the Senator from Washington for his kind remarks. I also commend him for his unvarying support throughout the years as a member of the Armed Services Committee, of the proper kind of Reserve program, as well as in connection with other important assignments he has in the Congress. He can proper evaluate, and also can appreciate, the situation in this crisis and the importance of what the members of the Reserve and National Guard units did in connection with getting us through it.

Mr. PROXMIRE. Mr. President, will the Senator from Mississippi yield?

Mr. STENNIS. I am glad to yield to the Senator from Wisconsin.

Mr. PROXMIRE. I wish to join the Senator from Washington commending the Senator from Mississippi on his very useful statement. It is an extremely important statement to my State.

As the Senator from Mississippi has indicated, the fact is that the 32d Reserve Division, Wisconsin National Guard, was called up. Our State is mighty proud of the Red Arrow Division; and, as Senators know, it has made a brilliant combat record.

The Senator has stressed the sacrifice which these men and their families and communities have made. As the Senator indicated in the course of his remarks, I had a chance to go to Washington State, to visit the 32d Division, Wisconsin National Guard. That division has indeed the very strong morale to which the Senator from Mississippi has very properly referred.

I believe that the points the Senator from Mississippi is making in the course of his speech have not been sufficiently stressed elsewhere. It is true that the Secretary of Defense has spoken of this situation, and the President of the United States has said something about it; but it is most important to know that these men played a major part in connection with our handling of the Berlin crisis. The sacrifices they and their families have made have been most useful, and they have served our country well.

I am also grateful to the Senator from Mississippi for making so well balanced a statement. He has pointed out that there were shortcomings on the part of the Army, that the shortcomings were significant, and that the Army has taken steps to correct them, and that they have been acknowledged. The Senator from Mississippi has also pointed out that some shortages of equipment existed, and still exist, and that the Army is trying hard to correct them.

I believe that his statement is, altogether, a most welcome and useful one; and I commend the distinguished Senator from Mississippi for it. The people of Wisconsin will, I know, be very grateful for what he has stated in the course of his speech—for instance for statements such as the following:

> The units are performing like professionals, and they have helped prevent a war.

And also the statement by the Secretary of Defense:

> I think you should realize how extremely important this movement has been. Chancellor Adenauer wrote President Kennedy that, in his opinion, the prime factor influencing Khrushchev in his slowdown on the Berlin crisis was the swift, decisive buildup of American forces.

In conclusion, Mr. President, I wish to say to the Senator from Mississippi that I am delighted that he, as a distinguished member of the Armed Services Committee, and as one of the truly outstanding experts in the Senate on our Armed Forces, has made this statement this afternoon. I am sure members of the 32d Division will read it with gratitude and with care.

Mr. STENNIS. Mr. President, I thank the Senator from Wisconsin for his remarks, and also for the constant interest he has shown in this problem throughout the time when the Wisconsin unit was directly involved.

Mr. COOPER. Mr. President, will the Senator from Mississippi yield?

Mr. STENNIS. I am glad to yield to the Senator from Kentucky.

Mr. COOPER. Mr. President, I, too, am very glad the distinguished Senator from Mississippi, one of the great members of the Senate Armed Services Committee, has made his statement about the service of the Reserves and the National Guard.

As I am sure the Senator from Mississippi knows, the first Reserve division called up was the 100th Reserve Division, of Kentucky, under the command of Maj. Gen. Dillman Rash. It has been serving with great ability and distinction at Camp Chaffee, Ark.

In addition to making this reference to the Kentucky division which is rendering important service—a division of which all Kentuckians are very proud—I wish to say that I am glad the Senator from Mississippi has stressed the fact that these divisions of the National Guard are ready at times of crisis and emergency. Certainly it is important for all to realize that the fact that they were ready undoubtedly had a great deterrent effect at the time of the deepening of the Berlin crisis.

I am also glad that the Senator's statement in regard to the service of the Reserve divisions has afforded an opportunity to review the successes and also the shortcomings in connection with their training, preparation, and service. I know the Senator from Mississippi will pursue that subject very carefully, as a member of the Armed Services Committee, as will other Members.

Mr. STENNIS. I thank the Senator from Kentucky for his remarks, and also for his interest in these programs. He is familiar with them; and Kentuckians always do their share, and a little more.

It has been stated that the services had their weak spots and knew them; and I am glad to see that they are taking steps to remedy that situation.

I am sure the Reserve program at all times is both a necessity and a success, and also that in the future its valuable service can be repeated in even finer fashion.

I also wish to emphasize that I was familiar with the business dislocations, the job dislocations, and the number of persons whose jobs were affected because some key persons in those companies were called away, with resultant jeopardy to many small businesses—for instance, when the manager, perhaps a captain in one of these units, was called to duty. There were terrific repercussions in the communities, as well as in the families. I believe there was only one lack in that connection, and it was because of the fact that in some cases the individuals concerned did not realize that they were playing very important and very necessary parts. When that fact was fully understood, the difficulty was cleared up. When we got through, we had cleared up a great many doubts in the minds of certain persons.

Mr. President, I am about to conclude. We in America, where the concept of Ready Reserve Forces has been developed into a vital element of our military strength, can well be proud of the patriotic citizens who give much of their spare time to keep themselves prepared for duty when they are needed.

We all hate to see the words of a few blown up out of all proportion to reflect unfavorably on the dedicated and hard-working citizen-soldiers.

Here in the Congress, in the Senate Armed Services Committee, the Senate Appropriations Committee, and in other committees of the Senate and House which share the responsibility for providing the necessary resources for our National Guard and Reserve Forces, we have consistently worked to strengthen and vitalize the Reserve components as well as our Active Forces. We are aware of their great value to the Nation at comparatively small cost. I am sure I represent the sentiment of the Congress when I say that we pledge ourselves to assure continued strength and readiness of these units and individuals, many of whom have three times in one generation laid aside their civilian pursuits to bear arms in defense of our freedom.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. STENNIS. I am glad to yield to the Senator from Missouri.

Mr. SYMINGTON. I congratulate the able Senator from Mississippi for his intelligent and constructive comments on the Reserves and National Guard. He knows of this at least as well as anybody in the Senate. I especially commend him for calling attention to the heavy sacrifice many of these men have undergone as a result of their service. As the Senator has so well stated, many of them have three times in one generation laid aside their civilian pursuits. We all know what that can do to a man's future. He gets started, then goes in the service, comes back into civilian life again, gets started again, then goes into the service again. Then for the third time he does the same. With the obligations a man owes to his family, he is faced with the problem of starting up each time.

I believe the fact there have been so few complaints is based on two reasons. First, as the President pointed out, these men are really a part of our Military Establishment, just as much as those who were on active duty stationed abroad. Second, the men themselves have shown willingness and patriotism in handling the job, both in this country and foreign countries.

I wish to associate myself with the most admirable talk presented to the Senate this morning by one of the great authorities in this body on national defense. It is a fine address. I know each and every member of Reserve or National Guard units in Missouri, or Massachusetts, or Delaware, or any other State represented on the floor at this time, as well as Mississippi, will be grateful to the Senator for having pointed out this morning the truths with respect to our national defense needs.

Mr. STENNIS. I thank the Senator from Missouri for his remarks and for his continued splendid, knowledgeable support of this program in all its tribulations. The Senator has had a molding hand, as well as an encouraging voice, in the program of the Reserves and National Guard, all the way through, and there have been serious problems.

I do not think there is any doubt now that the program has established and proven itself and will move forward. I know the Senator from Missouri, in his very fine way, will have a heavy hand in the program, in keeping it on a sound foundation and moving it forward in a proper way.

May I emphasize again that we do not look with any sustained hope to reducing the cost of our military programs. The costs are going up. Missiles cost more. Complicated weapons cost more. But here is a case where we can at least continue to stabilize it on a manpower basis. In fact, I think the only avenue by which we can hope to make reductions over the years is to have a larger emphasis on our Reserve program.

Mr. BOGGS. Mr. President, will the Senator yield?

Mr. STENNIS. I yield to the Senator from Delaware.

Mr. BOGGS. I wish to commend the distinguished Senator from Mississippi for his extremely fine presentation this afternoon. I think it has been a great service to the country. It was a very splendid statement, indeed, and I thank him for calling the attention of the Senate to the successful mobilization of our National Guard and Reserve units in connection with the Berlin crisis.

I am glad the Senator has touched so ably on the readiness and willingness of the guardsmen and reservists to serve their country despite the hardships and personal family problems which arise from action of this type.

I am glad the Senator has pointed out that, although a great deal of publicity was given to some individuals or units where there have been these problems and congressional offices have received many letters from persons relating to their having to cope with hardships and family problems which necessarily resulted from a callup of this kind, in our State, as well as in all others, the great majority of guardsmen and reservists accepted the hardships as a part of their dedication to maintaining a strong America.

We in Delaware are extremely proud of the men and officers of the Headquarters and Headquarters Company of the 109th Ordnance Battalion from Middletown, Del., the 1049th Transportation Company from New Castle, the 805th Station Hospital Unit from Wilmington, and the 116th Mobile Surgical Hospital Unit from Delaware, as well as many individuals who were called to active duty by the President in his order of the 19th of September 1961.

These men, in the finest tradition of the National Guard and Reserve, have carried out their responsibilities as citizen-soldiers in this present emergency, and I concur wholeheartedly in the position of the Senator from Mississippi that their readiness and willingness and ability to serve contributed greatly to the lessening of the tension in the Berlin crisis.

I am happy to join with the Senator from Mississippi in commending all the National Guard and Reserve units and individuals who have given of their spare time and have kept themselves prepared for duty when they are needed and who have so willingly answered the call for service.

I urge, along with the Senator from Mississippi, continued support for a strong National Guard and an effective Reserve program.

I thank the Senator from Mississippi for yielding.

Mr. STENNIS. I thank the Senator from Delaware for a very fine statement. Certainly he has supported the Reserve and National Guard program before, and I know he will continue to do so in the future.

May I add an additional word? I want to commend the Regular services for the time and attention they have given to the Reserve programs over the years. With the greatest emphasis of which I am capable, I wish to say I think it is their duty to emphasize it even more in the future.

I commend the individual officers in the Regular services who are assigned to training and administration of all the Reserve units. Such a program carries with it many problems. Many of them have worked very diligently and deserve a great deal of credit. I think their song is seldom sung and that they should be given recognition and credit for their part in the program.

Mr. President, that concludes my remarks about the Reserves.

Mr. YARBOROUGH subsequently said: Mr. President, earlier today the distinguished Senator from Mississippi [Mr. STENNIS] made a very forceful statement about the need for continuing a strong military Reserve Forces program, and he pointed out certain unfortunate publicity that was received by the Reserves in the callup last fall.

I desire to commend the distinguished Senator from Mississippi for his very fine and forceful statement, and for the tribute he made to our organized Reserves. One of the divisions which was called up, the 49th Armored Division, was from my home State of Texas. I was present last fall at Dallas when the headquarters and other units were called up. The morale of that division was very high. The number of complaints was smaller than was the number of complaints in the infantry division with which I served in World War II. There was a minimum number of complaints when we consider that there was no shooting war and the men were free to write to the press. The complaints were minimal, and were not large in number, as has sometimes been represented.

In practically all the cases with which I am familiar, the complainants were not the regular members of the Reserve, who had been doing their training for months, but were men who had just been called up for service and then put in the Reserve. Those who complained did not give a true picture of the morale of the trained Reserve, because they were newly inducted men. I have heard numerous times from the 49th Armored Division to that effect. I feel that opinion from the division is representative of the Reserves all over the country. Their morale and dedication have been high.

I think the Senator from Mississippi has performed a valuable service. I think it would be tragic if the country cut down on the Reserve Forces. The Senator from Mississippi, who is on the Armed Services Committee, is very familiar with the program, and he has performed a service for the country in making his statement.

NEED FOR SCIENCE MINDEDNESS

Mr. STENNIS. Mr. President, Astronaut John Glenn has kindled the enthusiasm of America. His orbital flight should be an inspiration for the youth of America, and a cause toward which their effort and energy can be directed, with benefit to all mankind.

Colonel Glenn and the other American astronauts have blazed a pathway into outer space. It is up to the youth of America, those of this and future generations, to follow.

A new sea is to be charted. New worlds await discovery. The whole universe remains to be explored and developed. To do this, a new generation of scientists, engineers, and technicians are needed. I am confident our young people need only the leadership to guide them in preparing themselves. And I am confident our high schools, colleges, and universities of this great Nation will join hands to stimulate this necessary wider interest in science.

An editorial which appeared in the Jackson (Miss.) Daily News on February 27, 1962, treats this subject in a most creditable fashion. I am pleased to commend its reading to the Members of the Congress.

Mr. President, I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

NEEDED: SCIENCE MINDEDNESS

This country will need many John Glenns—with a full supporting cast of scientists, engineers, and technicians—for the great tasks of space exploration which have only now begun.

Today some 30,000 Americans in Government, industry, and the research field are said to be more or less directly engaged in our space effort.

Before this decade is out, it is estimated by U.S. space officials that more than 100,000 individuals will be involved.

In the words of Dr. M. H. Trytten, the National Academy of Sciences Director of Scientific Personnel, the job of finding and training these thousands of specialists "takes on the color of a mobilization effort."

He and many others concerned over the rising, unfulfilled demand for specialists believe the mobilizing must start among quite young Americans. The questions are how to stir their interest and search out their talents.

Recently Dr. Glenn Seaborg, Chairman of the Atomic Energy Commission, suggested some strides might be made by reminding youngsters they don't have to be geniuses to jump into space science or any other variety.

Some science educators caution, however, that the road to competence is sufficiently long so that young people with a scientific or technical bent ought to begin studying math, physics, and chemistry at a tender age.

Dr. John S. Richardson, expert in science education at Ohio State University, would go further and say that young Americans with possible goals in space and related fields should try quickly for the broadest possible scientific grounding.

His argument is that space activities compel specialists to break the traditional bounds of astronomy, chemistry, physics, biology, and the various divisions of engineering. They need mastery of all the standard disciplines so they can cross lines freely as demanded by their intricate and totally original problems.

Richardson adds that U.S. schools and colleges must of course do their part by altering the scientific curriculum to permit the free-flowing interplay the space age requires.

Yet with all their abundant concern, science educators confess they don't really know how to mobilize in mounting numbers the young technical talent the Nation needs.

Young men once longed for the adventure of the sea. President Kennedy says space is the "new ocean" and Americans must sail on it. He might gladly pin medals on those educators who can induce today's youth, by the tens of thousands, to "sail" as space mariners and man the vital shore stations in support.

PROPOSED PURCHASE OF UNITED NATIONS BONDS

Mr. AIKEN. Mr. President, in a few weeks the Senate will consider whether to authorize the President to purchase $100 million worth of United Nations bonds.

Our decision will be reached on the basis of information obtained during the hearings, by the Committee on Foreign Relations on the bond issue.

It will be influenced largely by the recommendations of the Committee on Foreign Relations, and our general inclination to support the President's recommendations in the field of foreign policy, unless his recommendations run counter to what we conceive to be our own good judgment, or that of our constituents.

Therefore, it seems to me that it might be helpful to my colleagues in the Senate to set forth in summary form some of the interesting items of information that have developed during hearings held over the past few weeks.

I hope Members will find this summary of critical views helpful to them in forming their own opinions.

Support for the views I express will be found in the hearings soon to be published.

First. Although the sole issue before the Congress is whether to authorize the purchase of $100 million of United Nations bonds, and although the President himself might have utilized Act for International Development authority to purchase such bonds—as he did so rely in the early days of support of the Congo operation—the administration decided to seek congressional support not on the narrow issue of finance but on the issue of support of the United Nations.

In other words, a vote for the bond issue is to be a vote of confidence in the United Nations; a vote against the bond issue is to be a vote against the United Nations.

As the President said in his message:

> Failure to act would serve the interests of the Soviet Union.

The administration asks Senators to decide whether they are with us, against us—"but for Heaven's sake, don't ask any questions about financial operations of the United Nations."

The testimony of the administration followed this pattern. For 2 days we heard the highest ranking witnesses tell us of the accomplishments of the United Nations, and talk of matters not in issue. Finally, on the third day, we got to the expert testimony.

But here again, we heard long testimony on the general state of the United Nations and how payments of the regular, annual assessments are up to date—a matter which no one had questioned anyway.

When I wanted to know the current status of collections on the Congo arrearages, the information could not be supplied except at a later date, for the record.

Second. Perhaps I can be easily confused. Some persons seemed to think so. But I must say that my colleagues will need many hours to review the testimony we have taken to get any clear understanding of the financial situation underlying this bond proposal.

Take, for example, the matter of for what the proceeds are to be used. Everyone must have thought the bonds were to be used to pay the United Nations debts.

At least, the President must have thought so as his message to the Congress spoke of the need "to relieve the present cash deficit by paying off current bills and debts" and "to cover anticipated expenses for the United Nations operation in the Congo and for the United Nations Emergency Force in the Middle East through the end of the present fiscal year"—that is, June 1962.

A few days later, Secretary Rusk thought the proceeds of the sale were to be used to meet "the currently estimated costs of peace and security operations from July 1, 1962, to December 31, 1963," with past debts to be paid out of arrearages it was hoped would be collected.

The next day, Ambassador Stevenson just did not seem to be too clear for what the $200 million was to be used; and then finally when we got to the experts, we ran into more confusion—the general conclusion being that the bond proceeds would be used for purposes that the working capital fund might be used for, which would encompass payment of debts as well as forward financing. Anyway, this thorough mixup ill serves the purposes of the proponents of the bond issue.

Third. I have serious doubt that the President was fully informed regarding the financial background of this proposal.

My reason for so believing is that on January 22 I asked the Department of State to give the committee information as to the debts of the United Nations, and for what. It seemed to me this was a basic item of information the President should have had before him. If the President did have that information on January 10, it took the Department of State until January 31 to get it to the Committee on Foreign Relations.

When we did get the figures, we were cautioned not to use them because they were subject to "negotiation," the inference being that some nations had charged the United Nations too much and an effort would be made to get them to reduce their bills.

But strangely, when by purest chance, the figure the United Nations allegedly owed Canada got into the press—$5.27 million—it turned out to be more than twice as much as the Canadians at that time felt was owed to them—$2.5 million.

A similar situation developed with respect to the amounts allegedly owed by the United Nations to the United States. The United Nations thought it owed the United States $32 million, whereas Department of Defense figures obtained independently put the figure at $19.8 million.

Ever since I began raising questions about these figures, there has been a vast scurrying around to reconcile them. One of the witnesses told how impossible it is to keep books for an on-going operation like the Congo.

But finally the Executive got a reconciliation of sorts, which will appear in the hearings.

Fourth. There are many other things upon which I could speak, Mr. President. I will comment on only one or two.

There is little evidence in the record to indicate that the administration has given careful consideration to the long-term implications of action on this bond issue and on its support for a request to the World Court for an advisory opinion.

The administration chooses to disregard the day when its chickens may come home to roost.

This bond issue is a 1-year palliative, although it would establish a precedent for future borrowings. Within 18 months it will be necessary to consider a new angle on the financing of the United Nations. I hope that when further financing is considered, there will be more candor in dealing with Congress, and more evidence of careful consideration of the long-term implications of any proposal that may be submitted.

I have been disturbed by attempts by the proponents of the bond issue to influence the Senate on this issue. We have been systematically and timely informed of bond pledges of other nations. We have been subjected to an influx of witnesses apparently urged to testify favorably on the bond proposal. And we have been barraged by public affairs programs on radio and television—programs which have presented only partial pictures of the scene.

In short, there has been an effort to promote the bond issue on the irrelevant ground of whether we support the United Nations or not.

It has been impossible to obtain accurate financial information. There have been times when, even if I were in favor of the bond issue, I would be tempted to vote against it simply because of the conflicting testimony presented to the committee, and the misleading tables of figures presented for our consideration.

Fifth. In an earlier statement, I suggested that the unwillingness of many United Nations members to contribute to the UNEF and the Congo operation was promoting a fiscal "double standard" and that such a standard on the fiscal side, as well as the political side, was in danger of destroying the United Nations. I still adhere to this view.

One of my main complaints against the position taken by representatives of the proponents of the bond issue is that their softness in dealing with the United Nations financial problems will have three most serious consequences.

First, the bond issue merely puts off the day of reckoning; and it does not put it off very far;

Second, the proposed U.S. purchase of 50 percent, and not less than 50 percent, of the bonds would encourage many other states to believe that Uncle Sam will carry the load, if they will not; and

Third, and most important, instead of strengthening the United Nations by this process, we are contributing to its decay by helping to destroy its multilateral character.

Secretary of State Rusk told the committee of the extent of United Nations support for the financial plans of the Organization, with particular emphasis on the bond issue.

He said:

> All three parts of the plan received the overwhelming support of the General Assembly by margins of about 5 to 1. Only the Soviet bloc, Cuba, and two other members voted against the bond issue.

Mr. Rusk's statement leaves an erroneous impression. What he failed to state was that while the vote was about 5 to 1, actually 13 states voted against the resolution and 33 states abstained or were absent. Thus, there were 58 states in favor of the bond issue, and 46 did not support it.

But this is only part of the story. The record shows that although 58 states voted for the bond issue only 32 states have paid their 1960 Congo assessments in full and only 19 have paid their 1961 assessments while 64 states have never paid a single dime toward the cost of the Congo operations.

Since the data to which I have referred were supplied, I believe four other states have paid up, now making 23 of the present 105 members of the U.N. that have paid their assessments for the Congo operations.

Incidentally, the General Assembly resolution of September 20, 1960, relating to action in the Congo was passed by a vote of 70 to 0. There were only 82 members of the United Nations at that time.

In other words, Mr. President, the facts are that only a bare majority of the United Nations membership voted for the bond issue as a way out of a financial dilemma created by the failure of 70 percent of the membership to pay the Congo assessments of 1960 and 80 percent failure thus far on the 1961 assessments.

The conclusion I draw from these figures is that a goodly number of the members of the United Nations are willing to vote for projects they are not willing to make even token payments to support.

Mr. President, I am convinced that the sickness of the United Nations is not caused solely by its enemies, but in part, at least, by its friends—the people and the nations who stand ready to bail the United Nations out of financial trouble instead of insisting that every member shoulder his share of principle—even by the financial sharing of only a token nature.

I know there are many who will throw up their hands in horror and ask, "But what can we do?" I have heard that statement a great many times: "What else can we do?"

There are several things that might have been done, and it is still not too late. For one, we might have suggested that only those states willing to contribute to the Congo operation should have a voice in determining policy toward the Congo. This will shock proponents of the universalist approach to the maintenance of peace, but I feel strongly that states that live under the law, must live by the law.

If this kind of arrangement cannot be worked out under the United Nations, then there certainly is a growing need for a concert of like-minded nations willing to support in action what they will vote in principle.

A second solution the United Nations might consider is whether it might not cut down on some of its other expenditures in order to support the Congo and the Gaza operations.

If the technical assistance program funds were to be reduced in order to meet the peacekeeping operations of the United Nations, there might be added inducements for recalcitrant nations to assume a share of the peacekeeping costs.

I would hope that such action would not have to be taken, but if we did tell member nations that if they refused to pay part of their just assessments, their benefits would be correspondingly reduced, I think we would find them more willing to pay their dues.

A final possibility, of course, is that the United Nations give up as a bad job its efforts to bring order to the Congo. They might call on the United States as they did in Korea. We all hope that that will not come to pass either, but it should be recognized that the United States and some of its allies would be perfectly willing and capable of assisting in the Congo if the United Nations, because of lack of support by considerably more than half its membership, were unwilling to give more than lip-service to the Congo operation.

Let me say again, Mr. President, that I strongly support the United Nations. I want to see it succeed.

I am willing to have the United States pay its share and, in some instances, I am willing to see that share amount to 50 percent or even more of certain costs.

But I will not be a party to actions which will little by little destroy the fiber of the Organization. This is what I fear would be the effect of this bonding proposal.

Now, Mr. President, the United Nations is in financial difficulties regardless of what put it there. The legality of special assessments to pay the cost of military forces in the Congo and the Holy Land have been challenged. The United Nations has requested the International Court of Justice at The Hague for an opinion in the matter. The great majority of the member states will withhold the payment of their assessments until such an opinion will have been rendered. Such an opinion is expected by late spring or summer.

If the assessments are found binding by the Court, then most members will pay up and the need for other means of financing will be abated. It is most important that we do not rush into a long-term bonding program until the Court has given its opinion.

In the meantime, if further promiscuous indebtedness is not to be incurred, it will be necessary to provide more funds for current costs of the United Nations operations.

Therefore, Mr. President, I am proposing that the United States and other willing nations provide temporary loans

to the United Nations to carry it through the present period of need.

On behalf of the Senator from Iowa [Mr. HICKENLOOPER] and myself, I now offer an amendment to S. 2768 and ask that it be printed.

The PRESIDING OFFICER. The amendment will be received and appropriately referred.

The amendment was referred to the Committee on Foreign Relations.

Mr. AIKEN. I also ask to have this amendment printed in the RECORD at this point.

There being no objection, the amendment was ordered to be printed in the RECORD, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That there is hereby authorized to be appropriated to the President, without fiscal-year limitation, out of any money in the Treasury not otherwise appropriated, a sum not to exceed $100,000,000 which shall be available for the making of a loan to the United Nations. Such loan shall be for a period not to exceed two years, and shall bear interest at a rate determined by the Secretary of the Treasury to be substantially equal to the average rate, as of the last day of the month preceding the making of the loan, on outstanding marketable public debt obligations of the United States of comparable maturities.

"SEC. 2. Amounts received from the repayment of principal and payment of interest due on such loan shall be deposited into the Treasury of the United States as miscellaneous receipts."

Amend the title so as to read: "A bill to promote the foreign policy of the United States by authorizing a loan to the United Nations and the appropriation of funds therefor."

Mr. AIKEN. This amendment would authorize the President to make a loan to the United Nations of not to exceed $100 million for a period of not over 2 years and at a rate of interest which will reflect the actual cost of the money to the United States. I doubt if even half the amount authorized by this amendment would be necessary, but I am willing to set the ceiling high enough so there can be no question of its sufficiency.

This proposal is extremely generous, Mr. President, and its acceptance by Congress would indicate beyond question the whole-hearted backing of the United States for the United Nations. At the same time, it will emphasize the determination of the United States that the United Nations must abandon its double standards and put its financial house in order if we are to continue our generous support in the future.

ADDRESS BY HARLAN CLEVELAND, ASSISTANT SECRETARY OF STATE FOR INTERNATIONAL ORGANIZATION AFFAIRS, ON THE UNITED NATIONS BOND ISSUE

Mr. SMITH of Massachusetts. Mr. President, the American people are coming to realize that the United Nations is a powerful instrument for peace. They are being convinced partly by events—which have a powerful logic of their own—and partly by the eloquence and persuasiveness of leaders of this Nation.

No man is working harder in this patient job of education than the Assistant Secretary of State for International Organization Affairs, Mr. Harlan Cleveland. Recently, he delivered in Rochester, N.Y., a speech entitled "Crisis and Clarity." This speech is the best statement I have seen of why the United States and the U.N. must move ahead together.

I hope the efforts of Mr. Cleveland and others will be rewarded by approval of the United Nation bond issue. This will be Congress's chance to vote confidence in this institution, our best hope for peace.

I ask unanimous consent that Mr. Cleveland's speech be printed at this point in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

CRISIS AND CLARITY

Address by the Honorable Harlan Cleveland, Assistant Secretary of State for International Organization Affairs, before the Rochester City Club luncheon, Wednesday, January 31, 1962, Rochester, N.Y.

In between your lunch and your back-to-work movement, you have asked me to say how the United Nations fits into U.S. foreign policy. It is a timely question. For the Nation is beginning to debate whether to loan the United Nations a sum that a major soap company might spend on TV advertising in a year—and thus no mean investment.

Somebody suggested last week that the U.N. required "surgery rather than poultice." What is proposed in the U.N. bond issue is, of course, not a poultice but a transfusion. As for surgery, we might better say of the United Nations organization, which works for us today in several of the world's crisis spots, what General Marshall once said in another context: "You don't operate on a man while he's carrying a piano upstairs."

To answer your question requires, first, a glance at our aims, then a quick look at the kinds of trouble these aims get us into, and then a thoughtful look at the place of the U.N. in this scheme of things.

Our aims can be readily, almost too automatically, put into verbal capsules:

We are helping to bind the "north" into a workable and prosperous community of free industrial nations.

We are helping to develop the world's "south" so it can be partners with the older industrial powers.

We are helping to build enduring bridges between north and south through aid, trade, and a shared sense of responsibility for rapid but peaceful change.

We are by these means helping to make the free world hum with the cheerful and contagious noises of success, and subvert oppression elsewhere by demonstrating that free choice works better, and feels better, than coercion.

II

The crises and opportunities we face from day to day in the Department of State fall generally into four kinds. Each is important; but some are more important to us and some are more important to others.

First are the immediate confrontations of the great powers—directly, Berlin, Korea, nuclear testing and, indirectly, Vietnam.

Second, there are latent confrontations of the great powers: situations which could lead to a toe-to-toe power rivalry if we don't do something to prevent it. Laos, Congo, and the Caribbean are the obvious current examples.

Third, there are other people's disputes. Perhaps West New Guinea is in our minds this afternoon; but it could as well be Kashmir, or the Arab-Israel war. We are in the middle on most of these kinds of disputes, and many more besides—because the middle is where power is plugged into world politics, and we cannot escape the consequences of our own power. Our interest in all such disputes has this in common: They all hold latent dangers of spreading into larger conflicts. We could not escape the later, larger conflicts, so we have to try to limit or help settle the earlier, smaller ones.

In a fourth category, we can line up the whole constructive task of building the kind of world community we want to live in. We help in many ways to build free institutions inside other peoples' societies, and we help to fashion an intricate web of relations between and among these societies—trade pacts, public and private exchange of persons, technical and scientific conferences, political dialog, and, where necessary, military arrangements.

III

Where does the United Nations fit in? From our point of view (and what other point of view is there for us?) the United Nations fits in as an important instrument of our foreign policy. What makes it complicated, of course, is that it serves also as an instrument of the foreign policies of 103 other nations.

As Adlai Stevenson said the other day, the U.N. was built for trouble and thrives on it. This year, the U.N. is doing such important and troublesome things that Americans have taken to arguing about it among themselves. Why does it suddenly seem so important? Simply because the United Nations has something significant to do with each of our four categories of foreign-policy trouble.

Even in the immediate and direct confrontations of great powers, the U.N. has a useful, if limited, role. It serves as a court of world judgment, not to be ignored merely because it is unenforceable in power terms. In this forum of world opinion we find it useful to state our case for the education of "nth countries" whose strength is the intangible power of a talkative kibitzer. The U.N. has also served as a diplomatic arena in which to explore solutions to great-power differences; the Jessup-Malik agreement to end the Berlin blockade was worked out in the U.N.'s corridors, and so was the recent agreement to get disarmament talks going again.

When it comes to the latent confrontations, the U.N. can become (as it is in the Congo) an operational "third party," to provide policing force and nation-building help where it would be too dangerous to world peace for the great powers to provide the needed police or aid in competition with each other.

What I have called "other people's disputes" find the United Nations working in its peacemaking role—factfinding, conciliating and mediating, and thus avoiding the need for the United States to take a direct hand as "third party." The Secretary General of the United Nations is trying this week to conciliate the Indonesians and the Dutch on West New Guinea.

Getting national leaders to play it cool—to talk out their differences and not to rumble—is a prime function of the world organization. For in a world of nuclear weapons the unleasing of force—at any level—is a dangerous matter. In the heavy water of international politics, every leader must act to avoid a chain reaction.

On every continent men and governments have inherited old quarrels, some embedded in the accidents of a colonial past, others deriving simply from the history of nations and regions. In a number of cases, it is unsafe to let the status quo persist. Explosive sentiments and political pressures build up on each side. The temptation grows to have it out, come what may.

The world in which we live thus places upon us all—individual citizens as well as those who bear political responsibility—the challenge of stretching the human capacity for conciliation and compromise and of removing systematically from the world scene these old festering quarrels—quarrels which not only threaten us all with war but divert the energy and attention of men from the constructive tasks which lie to hand.

We need on the world scene an interval of conciliation, a time when men—conscious that others are doing the same—seek to free themselves from painful memories and antagonisms and release their strength for the acts of creation which their situation demands. In such an interval a much greater effort should be made to alter, by negotiation and peaceful change, situations whose continuation is unsafe for us all.

That is why, as Adlai Stevenson made clear in the General Assembly debate on Angola last week, we hope all members of the U.N. will turn to this problem with renewed interest and attention—conscious that the very fate of their institution hinges on heightened restraint in the use of force and a heightened effort to solve international problems by negotiation.

Finally, in the broad task of community building, the United Nations is heavily engaged in technical, economic, scientific, financial, educational, and social welfare programs, on which close to 90 percent of all United Nations (and Specialized Agency) personnel are in fact engaged. Here again, the U.N. provides a useful if limited substitute for competitive aid from East and West, which can tear a young country apart (as the Soviets and other outside forces have tried to do in the Congo), rather than help build it as a viable nation.

IV

Because we happen to be talking about the United Nations, let us not fall into the doctrinal error which is too common among the U.N.'s friends as well as its foes. People keep talking about the U.N. as if it were the only international peace-making and community-building enterprise in which we are or should be involved. There are of course others, and they are crucially important too.

The Atlantic Community was born first as a concept. But the Marshall Plan, the North Atlantic Treaty, the Organization for European Cooperation and Development, have put institutional flesh on its bones. And the prospective partnership between the European Common Market and the great common market of North America, is for many of us, the most exciting single job of institution-building now in progress.

The Organization of American States is also engaged in building with new enthusiasm a very special community, based on the long tradition of hemispheric solidarity newly reinforced by the Alliance for Progress and the menace of a frankly Communist beachhead in the Caribbean.

Our problem is not to choose one or another of these interlocking concerts of nations—the regional, the Atlantic, and the almost global. Rather our task is to work through each grouping for such purposes, and at such times, as seems appropriate from the standpoint of our own national interest.

V

About the U.N., which is our focus today, we must ask ourselves: Is peace so certain; are we so secure; are our alliances so strong; can we escape so many disputes; do we have so many dependable bucket brigades; are we and our hundred-odd neighbors such paragons of righteousness; is our skin so thin, our conscience so dulled and our aspirations for our world so modest that we can afford to dispense with the peacekeeping and nation-building capacities of the United Nations?

Evidently not. But, in any event the U.N., like the mountain, is there. The United States cannot ignore it. The real question about the U.N. is this: Will its unique capacities be used or will they be wasted?

Whether we waste or use this imperfect world instrument, will be determined not so much by how valuable an instrument it is or why there are grumblings about it, but by what kind of people we are.

The ultimate source of U.S. policy lies in the consent of the people. Without this consent, the United States cannot join in a trading partnership with the 200 million customers of Western Europe or build the Atlantic alliance into a community, or bridge the great North-South division of the world, or meet the Sino-Soviet bloc on our own terms.

Where does consent come from? From leadership certainly, but ultimately from the kind of people we are.

In his state of the Union message President Kennedy said of the United Nations: "It should have in the future, as it has had in the past since its inception, no stronger or more faithful member than the United States of America." I believe there is strong public consent for this affirmation.

VI

People are stirred by the U.N. issue this year. For the first time in its short history, the present and future actions of the United Nations have become a major issue of American politics.

The Korean war was controversial enough. But that war, in which we fought under a U.N. flag as U.N. executive agent for nine prescribed in U.N. resolutions, was nevertheless viewed by most Americans as essentially an American show. But now, after several generations of sentimental talk about organizing world peace and enforcing the rule of law, 2 really significant peacekeeping forces of a truly international character have been placed and maintained in the field; 5,000 men, drawn from 7 countries, to keep watch over the Gaza strip and the Israeli-Egyptian border; and 16,000 men in the Congo, drawn from 21 countries and backed by a U.S. Air Force airlift.

The U.N. is thus a proper subject for political controversy because it is doing more things, on a larger scale, more vital to our national interest, than ever before—and because the going is getting rough.

We have discovered that international peacekeeping is practical and realistic—on a small scale to be sure, but big enough to restrain a small international war, as in the Middle East, and prevent a large civil war, as in the Congo.

What happened in the Congo was that we Americans helped put the U.N. in so as to avoid our having to enter Central Africa with our own power to counter an active Soviet thrust there.

The essential aim of our policy—invented by a Republican administration but supported and carried on by a Democratic administration was to enable a moderate central government to be established to govern the whole of the Congo. No moderate government could survive unless it prevented the secession of Tshombe's corner of Katanga and knocked the props from under the Communist-supported separatists led by Gizenga in the north. The government of Joseph Kasavubu and Cyrille Adoula is gradually making the grade. This is good news: It is quite directly a result of U.S. policy, the policy of the moderate Congolese leaders, and the policy of the United Nations.

In the Congo, moderation required bold actions, since the going was uphill all the way. It was bound, at best, to look rather messy. The U.N.'s role, while quite legal is without precedent. The names of the protagonists are still strange to most Americans, the geography is fuzzy in our minds, our own Government's policy the subject of considerable crossfire at home and abroad. But if the chronic Congo crisis seems a bit disorderly as you watch it develop from week to week, ask yourselves whether you really would have preferred the alternative of putting our own military forces into Central Africa.

Peacekeeping, then, turns out to be practical. But it also turns out to be hard on the nerves. It was more comfortable to think of peace as a cartoonist's image, a lovely fresh young maiden in a pure white gown, mouthing sweet nothings while clutching her olive branch and adjusting her halo. But when this ethereal creature had to whip out her sixshooter and use it to defend her right to walk a policeman's beat on the streets of Elisabethville, most Americans did a double take.

Perhaps we will need several months to decide—as I believe events are already helping us to decide—that what was wrong with this picture was not the U.N.'s actions (or U.S. support of them), but our own obsolescent image of what international peacekeeping would mean.

VII

Peacekeeping by the U.N.—in the Middle East and the Congo and potentially elsewhere—quite obviously matters to us. It engages and promotes our national interests, and therefore arouses our national concern. Is there a danger that this Girl of the Golden West might turn her sixshooter against us?

The answer is "No." But it is not a passive no—a complacent assurance that the world's troubles will pass us by. The answer is an activist no, the kind that says the U.N. will work for our kind of world rather than against it because we are willing to work hard to build just that kind of organization. In pursuing this aim, we have three major factors going for us:

First, the Charter of the United Nations is our kind of charter.

The charter is, indeed, an eloquent restatement for our time of the doctrines Jefferson and his colleagues wrote for their time in our Declaration of Independence and our Constitution. It does not say we have nothing to lose but our chains. It says we have everything to gain from building the institutions of freedom. That is why we can live with the charter; and why the Soviets, as they repeatedly show by their actions, cannot.

Second, the U.N.'s capacity to act depends crucially on our support.

The U.N. has developed an executive arm, to operate on behalf of this charter. The League of Nations was mostly a conference center; its Secretariat was organized primarily to set up meetings among its members. The United Nations Secretariat organizes meetings too—an appalling number of them. But the U.N. Secretariat also acts in its own right when the U.N.'s members tell it to do so.

What often goes unnoticed is this: the Soviets boycott nearly all the main executive operations of the United Nations. In the world of symbolism the U.N.'s actions are taken in the name of global universality. But in the real world, the U.N. in action is the non-Soviet world in action.

The United States, Britain, other Commonwealth countries, Nationalist China, Japan, France, and other European countries are assessed 69.6 percent of the U.N.'s regular budget. The same countries support 73.6 percent of the U.N. Emergency Force, and 97.8 percent of the Palestine refugee program. The same countries, minus France and Belgium, support 80.3 percent of the Congo operation. The Soviets quite

naturally do not want to pay for the U.N.'s peacekeeping operations, it would be a strange world in which the burglars cheerfully contributed to the upkeep of the police force.

Without the support of the Western powers, and particularly of the United States, the U.N. would quite suddenly lose its capacity to act and revert to being a conference center. Its executive arm could not be used against us because it would largely cease to exist.

Let those who complain about our paying a very sizable share of the U.N.'s cost ask themselves whether they really want it otherwise.

Third: In the General Assembly and the Security Council, the United States is nearly always in the majority, usually decisively so.

"One country, one vote" does present a potential danger, that leaders from many small countries will not measure up responsibly to the important responsibilities they vote on but do not have the physical and financial power to carry into action. It is true that the Africans and Asian delegates sometimes go overboard—by our standards—on a symbolic issue involving colonialism, racial discrimination, or nuclear issues. But it is also true that the Afro-Asians are seldom a cohesive bloc. The leaders of each nation feel strongly about their independence, and their independent spirit has frustrated every effort to mold the Afro-Asians into a homogeneous unit under extremist leadership. With the Europeans and Latin Americans and the others mixed in, it is a rare occasion indeed when a two-thirds majority of General Assembly votes can be mobilized against us.

On the record, when it comes to action by the U.N.—as contrasted to talking at the U.N.—the newly independent nations have turned out to be impressively sober.

The 15th General Assembly, in 1960, was supposed to be the low point—sure sign of the deterioration of the Assembly into swirling majorities—a noisy circus for shoepounding, heckling, and chicken feathers. In the end Chairman Khrushchev—after 6 wasted weeks away from the Kremlin for a wrecking foray on the bank of the East River—gave up and went home.

The 16th General Assembly convened against a dark backdrop—the Bizerte crisis, the wall in Berlin, the resumption of nuclear testing, the Belgrade Conference, fighting in Katanga, the death of Dag Hammarskjold, and aggressive Soviet pronouncements that now was the time for radical surgery in the U.N.—meaning the troika. Some of our own starker pundits solemnly prepared the last rites: The U.N. was ready once again for the grave.

But when the Assembly adjourned for Christmas (a quaint custom in which the non-Christian world has acquiesced without a murmur), the U.N. was still there—still holding its record as the most extravagantly lauded and most frequently buried institution of our time, still imperfect, but somehow a little bit stronger and a lot more durable than most people thought.

In the midst of the crisis of succession, the President of the United States addressed the General Assembly. He focused on the integrity of the Secretariat. He called for a fresh start on disarmament—for new efforts to preserve outer space for peaceful purposes—for economic and social progress in a U.N. decade of development. What happened?

A new Secretary General—not a three-headed troika—was appointed, and his office was maintained unimpaired.

Disarmament talks got underway again, with the important addition to the scenery of a major emphasis on building international peace-keeping machinery while dismantling national warmaking capacity.

The U.N. took on a whole new function, to develop and supervise an international outer space program.

The U.N. decade of development was proclaimed and some of the first actions—a new international food for peace program and a 1963 Conference on Science and Technology for the Less Developed Areas—were started.

And for good measure, the Assembly confounded the prophets of doom by decisively beating down a renewed effort by the Soviets to get an admission ticket for their boisterous allies in Peiping.

In spite of the successes of the season just past, it is becoming harder to get our way in the U.N.—as it is in the world as a whole. Our leadership in the U.N.—and in the world at large—requires more funds, more military strength, and more organized brainwork—and above all, more astute politics on our part than ever before.

It's rough, but we cannot quit. We could not let go if we wanted to. Besides, we are not made that way. "God Almighty hates a quitter," said a great Republican President half a century ago. The verb seems out of keeping with the Almighty, but the sentiment appeals to us as authentically American.

Some of our compatriots may seem to lack a lively interest in, or a deep knowledge of, the complex issues of world politics. A few of our compatriots may even lack that trust in their fellow Americans that holds a community together and produces these miracles of cooperation that make us the world's premier power.

But moments of crisis are moments of clarity, and in moments of clarity the Americans are never afraid of each other, nor yet of the unknown; they are only afraid of inaction. The cynical voices, and the fearful ones, share the distinction of having been forgotten in each of the grander moments of American history.

There is this year, some say, a crisis of confidence in the United Nations. If so, the central issue will, with your help, become crystal clear and the American reaction will once again be in character. The arguments you will be hearing about whether we should buy some U.N. bonds, will all boil down to a simple issue, clarified by the sense of crisis. The question before the house—both Houses—is whether during the next 18 months the United States is willing to lend, at 2-percent interest, $100 million to the United Nations, for peacekeeping and nation building.

You, the leaders of Rochester, and your fellow Americans in a hundred other centers of opinion making, will largely decide whether to loan the United Nations an amount nearly as large as the several States collect from the sale of hunting and fishing licenses. If the issue is whether the United States exercises its leadership in the United Nations or abandons the U.N.'s leadership to others, can there be any real doubt of the outcome?

Mr. KUCHEL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KUCHEL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ANTI-COMMUNIST FREEDOM DAY

Mr. KEATING. Mr. President, on January 23 the Assembly of Captive European Nations commemorated the eighth anniversary of the Anti-Communist Freedom Day. Eight years ago on January 23, 1954, over 22,000 Chinese and Korean prisoners, who were in the custody of United Nations forces in Korea, refused to return to Communist tyranny. Their decision reflects the fact that communism can only survive where it is upheld by force and brutality. It will never win under conditions of free choice.

Mr. President, I ask unanimous consent to include in the RECORD the text of the declaration introduced in New York, as well as an account of the comments made at that time.

There being no objection, the declaration was ordered to be printed in the RECORD, as follows:

THE EIGHTH ANNIVERSARY OF FREEDOM DAY

(Declaration introduced at the 96th extraordinary meeting of the plenary assembly, held in New York City on January 23, 1962, Aleksander Kutt, Estonia, rapporteur)

Eight years ago, on January 23, 1954, over 22,000 Chinese and Korean prisoners of war in the custody of the United Nations forces in Korea, refused to return to their Communist-enslaved homelands. Their decision to choose freedom, despite systematic attempts by Red agents to brainwash and to coerce them, was a major defeat for international communism and a victory for the forces of liberty everywhere.

To commemorate the valor of the 22,000, the Republic of China designated January 23, 1954, as "Anti-Communist Freedom Day." But the inspirational force of their courage was felt far beyond China's borders, and Freedom Day is now celebrated by many organizations all over the world. The Assembly of Captive European Nations takes pride in joining, as in the previous years, in the commemoration of this unique event.

The worldwide response to the Anti-Communist Freedom Day underscores the global character of today's struggle between the forces of liberty and tyranny. The peoples of Albania, Bulgaria, Czechoslovakia, Estonia, Hungary, Latvia, Lithuania, Poland, and Rumania have always been heartened by the achievements of their allies—the captive Asian people—in their liberation struggle. And, in turn, Communists themselves have acknowledged the lasting impact of such events as the Hungarian national revolution on the enslaved peoples of China, Korea, Tibet, and North Vietnam. Therefore, the captive peoples of Europe and Asia are especially aware that there is only one front in today's struggle; they are deeply convinced that fragmenting the issues and hoping to solve them one by one—be it Berlin, or Laos—will not yield results.

The Anti-Communist Freedom Day is also a most effective rebuttal of the tendencies in the non-Communist world to lend undeserved prestige to the Red Chinese regime by admitting it into the United Nations. The choice for freedom which the Chinese prisoners made 8 years ago is the choice of the population in mainland China, who are waiting for an opportunity to rise against their oppressors. Communist terror nor their tactical retreats, such as the slowdown in forming the communes, may postpone the day of the rising but will not be able to prevent it.

The eighth anniversary of Freedom Day takes place at a time of grave perils and great opportunities for the forces of liberty. The Communists are mounting belligerent attacks against the free world and are tightening repression within their empire. Yet at the same time the Communist empire is torn by doctrinal strife and sapped by the

unceasing resistance in the subjugated countries. The captive peoples of Europe and Asia are convinced that at this juncture it would be a fatal mistake for the West to attempt to improve international tensions by avoiding the so-called cold war issues. They strongly believe that, on the contrary, the solution lies in boldly facing them. The captive peoples also hold it to be their duty to warn the countries of Africa and Asia, especially the newly independent ones, against their tendency to disregard the Soviet brand of colonialism, whose maintenance and expansion threatens their own security and their very existence as independent nations.

On this eighth Freedom Day the captive peoples of Europe and Asia demand from the free nations that they show firmness and unity in repelling the Communist offensive, and that they mount a political, ideological, and economic offensive of their own, based on the right of the captive peoples to self-determination. In such an offensive and in the spirit of solidarity between the free and the captive peoples of Europe and Asia lies the main hope for the global victory of liberty.

ACEN PLENARY HONORS ANTI-COMMUNIST FREEDOM DAY

The Plenary of the Assembly of Captive European Nations held an extraordinary meeting this afternoon at Carnegie Endowment International Center in New York to commemorate the eighth Anniversary of Anti-Communist Freedom Day. This annual event is in memory of the heroic act of some 22,000 Chinese and Korean prisoners of war in the custody of U.N. forces in Korea, who 8 years ago today chose freedom despite strong Communist pressure to repatriate them.

Guest speakers included representatives of Korea, China, and Cuba. ACEN issued an anniversary declaration and sent telegrams to the Presidents of the United States, the Republic of China, and the Republic of Korea.

ADDRESSES

ACEN Chairman, Ferenc Nagy, in his speech emphasized the importance of the event because, as he put it, the choice of freedom of the Chinese and Korean prisoners "demonstrated with irrefutable clarity on whose side the oppressed Chinese and Koreans stand when they are given a free choice. As we all remember, the Hungarian people expressed the same truth in their revolution of 1956." The speaker called the recent blocking by the West of the Red Chinese bid to enter the U.N. purely defensive. Defensive strategy, he said, is of little use against the grand design of Communist imperialism for world domination. He concluded:

"The Communist empire is today in the throes of ideological strife. To cope with the de-Stalinization ferment, the Communist leaders are stepping up integration in the captive areas and making warlike postures abroad. Khrushchev is not only hoping that the West will fail to take advantage of the difficulties in the Soviet empire, but is also intimating that the West bolster him, as a lesser evil, by granting him concessions. Will the West remain inactive and bail out Khrushchev? Or will the free world seize the opportunities offered by the flux in the Soviet empire and go over into a political ideological and economic counteroffensive? If the free world choses the second course—as we fervently hope—it will have the full-hearted support of the European and Asian captive peoples. As for us, we shall best commemorate Freedom Day by rededicating ourselves to the cause of the liberty of our homelands and by further strengthening the bonds of unity between captive Europe and captive Asia."

Mr. Soo Young Lee, Ambassador, Permanent Observer of Korea to the U.N., said that "the Communist evil has been illustrated over and over and over again during these past several decades by barbarous acts of cruelty and monstrous instances of deception." He singled out the fact that the Communist leaders who on every occasion stress brotherhood and justice "are, in fact, the world's worst exemplars of special privilege, selfish aggrandizement, and exploitation." The Korean spokesman said that tyranny is not static, nor withering away, but is constantly and persistently expanding, and that imperialism "is today threatening to encompass the entire globe." He stressed that the fight for survival has now become the common cause of all free humanity. He concluded by urging that free peoples everywhere unite to insure the success of freedom for all.

Mr. Yu-chi Hsueh, Minister, Deputy Permanent Representative of China to the U.N., recalled in detail the events of 8 years ago when, despite Communist persuasion and coercion, the U.N. prisoners of war refused to return to communism.

The spokesman went on to describe in particular the economic disaster Communist tyranny has brought in the past year to the people under its yoke. He attributed this to the fact that their economy was built on slavery. He ridiculed official Chinese statements that in 1963 there would be "another leap forward" in Chinese agriculture. This optimism was totally unwarranted, he said, and he saw no end in grain shortages on the Mainland. He ended with these words "* * * Let us reaffirm our unity in purpose and solidarity in action; and let us work even harder and with greater vigor for our final victory."

Dr. Andres Valdespino, Representative of the Cuban Revolutionary Council, began by explaining that Mr. Miro Cardona could not come, as he was attending the OAS Conference in Uruguay. The Cuban speaker said that several years ago nobody would have believed that Cuba, so far from the Soviet orbit, would be under Communist domination. He regretted the fact that some Latin American countries are still reluctant to vote for sanctions against Cuba. But isolating the island is of no help, because communism's aims are worldwide. He attributed the Communist takeover in Cuba to Castro's betrayal of the revolution. Mr. Valdespino said that if Cuba should achieve its freedom before East Europe could his land would continue relentlessly its anti-Communist struggle.

Mr. Christopher Emmet, Chairman of the American Friends of Captive Nations, began by affirming that his organization is fighting for the freedom of all captive nations, including those in Asia. After recalling the event of 8 years ago and regretting that it did not get the publicity it deserved at the time, Mr. Emmet spoke of the tragedy of the many prisoners of war who were forced to return to Communist lands at the end of World War II.

FREEDOM DAY DECLARATION

Mr. Aleksander Kutt, Estonia, the Rapporteur, read the anniversary declaration which emphasized that "the captive peoples of Europe and Asia are especially aware that there is only one front in today's struggle; they are deeply convinced that fragmenting the issues and hoping to solve them one by one—be it Berlin or Laos—will not yield results." The ACEN Declaration registered the fact of Communist belligerency against the free world while tightening repression within their own empire. It also referred to the doctrinal strife in the Communist orbit which is "sapped by the unceasing resistance in the subjugated countries." Instead of committing the fatal mistake of attempting to improve international tensions by avoiding the so-called cold-war issues, the West should boldly face them.

In conclusion, the declaration appealed to the free nations to show firmness and unity in repelling the Communist offensive on the political, ideological, and economic levels, based on the right of the captive peoples to self-determination. "In such an offensive and in a spirit of solidarity between the free and the captive peoples of Europe and Asia lies the main hope for the global victory of liberty."

ACEN SPEAKERS

Dr. Stefan Osusky, Czechoslovakia, former Cabinet Minister, recalled in great detail the events that led to Hitlerism and the role played by Chamberlain resulting in the sell-out of his homeland. He wondered whether the victorious Western nations in dealing with their Communist foes, have learned their lesson from Mr. Neville Chamberlain's tragic example.

He emphasized that liberty, democracy, and peace are in fact endangered in the U.N. and outside the U.N., not only by the Soviet Union and Red China, but mainly by the absence of a deliberate and avowed moral purpose implying the call for common observance of the rule of law, of loyalty to the ideas and principles for the implementation of which the U.N. was created.

Prof. Augustin Popa emphasized that the cause of freedom has far more followers in the world than the Communist creed. The secret of Communist victories lies in the fact that they are organized for war and victory, while the West indulges in wishful thinking and refuses to acknowledge the fact that it is at war. The Rumanian spokesman advocated Freedom Day being made a worldwide event in the future.

TELEGRAMS

The ACEN chairman sent the following telegram to the President of the United States:

"The Assembly of Captive European Nations meeting in New York, in the presence of representatives of the Republics of China and Korea, and of the freedom forces in Cuba, to commemorate the historic choice by 22,000 Chinese and Korean prisoners of war in Korea 8 years ago, send you respectful greetings, Mr. President. We respectfully express our conviction that the present doctrinal strife and the popular ferment in the Soviet empire present the West with a new opportunity to reactivate the issue of the captive countries. We therefore trust that your recent call, Mr. President, on the United Nations to debate colonialism in full and apply the principle of free choice and the practice of free plebiscites in every part of the globe will soon be followed by concrete American initiatives. We are confident that the free nations will show firmness and unity in repelling the global Communist offensive, and that they will mount a political, ideological, and economic offensive of their own, based on the right of the captive peoples to self-determination. And we assure you, Mr. President, of the solidarity of the captive European peoples with the cause of the free world as long as the free world actively supports their inalienable right to self-determination."

Telegrams of greetings with assurances of solidarity between captive Europe and Asia were also sent to Generalissimo Chiang Kai-shek and Mr. Po Sun Yun, President of the Republic of Korea.

Senator KENNETH B. KEATING sent the following telegram:

"I regret exceedingly that my Senate duties prevent me from accepting your kind invitation to take part in the ceremonies of

this meaningful commemoration. All peoples who are free, and all who aspire to the return of their lost freedom, are deeply indebted to the Assembly of Captive European Nations for making this epochal day and making it live in the hearts and minds of men. The tragic story of freedom's denial to our brothers must be kept vivid in our memories, for Communist tyranny is the foe of all freemen, not solely of those who stand in the darkness of enslavement. Their agonizing captivity must be for us not only a source of sorrow, but a source of inspiration and challenge. As a part of the great brotherhood of freemen, we must be worthy of the courage and the hope of those valorous peoples manacled by the brutal forces of communism. Behind the dark curtains of oppression brave men and women keep the candle of hope ever burning. Let us, the free, keep the fire of our devotion to their cause ever burning as well. They are brothers to us. Let us be brothers to them."

DEFENSE PROCUREMENT FOR NEW YORK

Mr. KUCHEL. Mr. President, I wish the RECORD to show that I am compelled to leave the Chamber to attend a rather important function to which I was invited previously. I am most interested in the comments that will be made by the distinguished Senator from New York [Mr. KEATING]. I regret that I shall not be present on the floor to listen to them and to participate in the discussion of the subject matter which the Senator from New York intends to pursue. I merely wish to say on this occasion that I shall look forward to a very early date when I shall be able to make comment with respect to the subject matter which my able friend desires to discuss on this occasion.

Mr. KEATING. Mr. President, I shall be very much interested in the comments which the distinguished Senator from California will make. I assure him that I shall in no way attack his State or him personally in my remarks. I regret that he has another engagement and will not be able to stay on the floor. Having tried a good many lawsuits, I recognize that in some of the things that I am about to say I have a very distinguished adversary for whose ability I have the utmost respect.

Mr. KUCHEL. I thank my friend from New York. Let the RECORD clearly show that there is no more able Senator in the Senate than the Senator who is about to speak.

Mr. KEATING. Mr. President, Defense Department figures released last week show an increasing imbalance in defense work. California is now getting 23.9 percent, New York only 10.2 percent. More than one-third of Air Force money was spent in California over the last 6 months of 1961.

Nevertheless, I am pleased to note that Defense Department preliminary figures for the last 6 months of 1961 indicate an increase in New York's share from 8.1 percent to 10.2 percent of total dollar value of procurement.

Over the 3-month period from July to September 1961 New York only got 8.1 percent, but over the 6-month period of July to December, New York received 10.2 percent. This amounted to $1.134 billion. Although this gain is still well below New York's level for the last 3 fiscal years, and only about half of the percentage which New Yorkers pay in Federal taxes, it does show that perhaps the Defense Department is becoming aware of the need to channel more work into the East.

The basic imbalance remains, however, as California has gone up from 23.7 percent to 23.9 percent of the total over the same period. The next States after New York with 10.2 percent are Massachusetts with 5.1 percent and Texas with 5 percent. California's disproportionate share is, therefore, getting more and more disproportionate all the time.

The time has come for the Defense Department to make a specific study of the tendency that may exist in certain procurement stations to pay special attention to local businesses and give scant notice to firms that are more remote. There is a real need for more statistics and evidence as to how often the local firm, with personal contacts, gets the business, while those which are not right next door hardly get a hearing. I should particularly like to see a breakdown on the distribution of defense contracts awarded by the Air Force Space Systems Division, the Air Force Ballistic Systems Division, and the Army Corps of Engineers Ballistic Missile Construction Office, all in Los Angeles.

Frankly, Mr. President, a number of New York executives have spoken to me about the fly-by-night character of some of these establishments which mushroom around the military contracting stations in some areas. I think this matter should be investigated. If the figures document my suspicions, which I seriously believe they will do, then the Defense Department needs to take a good second look at its procurement methods. It is time to check carefully to find out what is going on.

I have heard many arguments about the favorable weather in the South and West. I am sure that after all the postponements of Colonel Glenn's flight, no one from NASA will boast about Cape Canaveral's weather again. Good weather may be necessary for space flights, but it is not necessary for the production and fabrication of parts and equipment. Experience, teamwork, and skilled employees are most important—and certainly no one State or area has a monopoly on these.

Mr. President, this persisting imbalance has been particularly apparent in the Air Force. Over the same 6-month period—that is, July through December 1961—California received 34 percent of Air Force procurement dollars while New York received only 10 percent. For that reason I am especially happy that Air Force Secretary Zuckert is personally aware of this problem and has promised to do what he can to rectify it.

Secretary Zuckert, in recent correspondence with me, has indicated that in some programs "it is important for New York firms to make their capabilities known to our procurement agencies." He also assures me that the agencies have now been "alerted to extend every opportunity to New York firms who wish to participate in this program." I know New York firms will be anxious to follow this up, especially if they know they will have fair consideration from all procurement officers on the west coast as well as on the east coast.

Two of the principal Air Force procurement stations, with heavy responsibilities in the missile and space field are the Air Force Ballistic Systems Division and the Air Force Space Systems Division, both located in Los Angeles. I am very grateful that Secretary Zuckert has alerted both these divisions to New York's interest in their procurements and I will be following the results with great interest.

Mr. President, only 2 weeks ago I received a letter from the Deputy Administrator of NASA indicating that not only does NASA expect to double its dollar procurement for New York State during the next fiscal year, but also that it is making a special effort to inform itself of the capability of firms all over the country. NASA, I understand, is seriously investigating with leading Eastern educational institutions and others how to provide better channels for information on its needs for every area and region of the country. NASA's deliberate efforts to spread the scope of procurement are to be commended and I certainly hope the Air Force and other Defense agencies will be ready to follow NASA's lead in deliberately undertaking the policies and methods designed to spread its procurement more fairly.

Mr. President, I ask unanimous consent that the text of my correspondence with Secretary Zuckert, as well as the text of my letter to Defense Secretary McNamara asking for an investigation of defense procurement figures and distribution, appear in the RECORD following my remarks.

The PRESIDING OFFICER (Mr. SMITH of Massachusetts in the chair.) Is there objection?

There being no objection, the correspondence was ordered to be printed in the RECORD, as follows:

JANUARY 23, 1962.

The Honorable EUGENE M. ZUCKERT,
Secretary of the Air Force,
Washington, D.C.

MY DEAR MR. SECRETARY: New Yorkers are very much concerned over the recent decline in New York defense procurement to only 8.1 percent of the national total for the period from July through September 1961. Figures for procurement by the Air Force only, however, are even lower than that, as, during this period, New York received less than 5.8 percent of Air Force procurement dollars.

A disproportionately high share of Air Force procurement, on the other hand, is concentrated on the west coast. I believe it would be very much in the National interest for this work to be distributed on a more equitable geographic basis.

One field of aerospace effort, for example, in which I believe the East can make a substantial contribution is the development of solid propellant boosters. Necessary steel and furnace facilities are concentrated in the East. I therefore strongly urge the Air Force to expand its efforts for a better distribution of procurement and even to undertake a specific program to inform itself of the industrial capability of the Northeast with special reference to the solid fuel rocket booster program. This program will have increasing importance, and it would seem to

me unnecessary to spend the taxpayers' money to duplicate on the west coast facilities already existing in the East.

Very sincerely yours,
KENNETH B. KEATING.

DEPARTMENT OF THE AIR FORCE,
Washington, D.C., February 28, 1962.

Hon. KENNETH B. KEATING,
U.S. Senate.

DEAR SENATOR KEATING: This is in response to your letter of January 23 in which you suggested that we place contracts with a larger number of firms in the State of New York. We made an interim reply on February 16.

The Assistant Secretary of Defense, Mr. Thomas D. Morris, wrote you on this matter in December 1961, pointing out that his office had made a special study of the matter. He emphasized that the Department of Defense is making a strenuous effort to strengthen the competitive factors in procurement, and to expand the use of incentive systems. Our procurement objectives are of course to obtain for the Government the best quality products at the least cost to the taxpayer. While awarding contracts on a strictly geographical basis is not consistent with these objectives, there are steps we can take to assist.

One of these steps is the Department of Defense program to place contracts in labor surplus areas, where this can be done without paying a price differential to firms in labor surplus areas. Another step is our active program to encourage prime contractors to broaden their base of subcontracting to include those companies which have capability useful to the prime contract and those firms in labor surplus areas. In pursuing this subcontracting policy every consideration is given to firms in labor surplus areas, including preferential award of negotiated procurement and partial set-aside.

In seeking Air Force contracts, it is important that firms give emphasis to being competitive both as to price and to product quality.

With regard to the development of solid propellant boosters, it is important for New York firms to make their capabilities known to our procurement agencies. It is suggested that the companies interested in this field get in touch with the Air Force Ballistic Systems Division and the Air Force Space Systems Division, both of whom can be addressed at Air Force Unit Post Office, Los Angeles, Calif. We have informed both agencies of your interest in this matter and have alerted them to extend every opportunity to New York firms who wish to participate in this program.

I am hopeful that New York firms will in the future be more successful in competition for contracts in our aerospace programs.

Sincerely,
EUGENE M. ZUCKERT,
Secretary of the Air Force.

MARCH 2, 1962.

The Honorable ROBERT S. MCNAMARA,
Secretary of Defense,
Washington, D.C.

MY DEAR MR. SECRETARY: In view of the increasing imbalance of defense contracts and the concentration of work on the west coast, I most respectfully urge you to undertake an investigation to determine whether all procurement divisions, and especially those on the west coast, are making a conscientious effort to solicit and review bids from all parts of the country, not just neighboring areas.

I would be especially interested in statistics from the Air Force Ballistic Systems Division, Air Force Space Systems Division, and the U.S. Army Corps of Engineers in Los Angeles, indicating what percentage of the work is awarded locally and what percentage is awarded to other areas. Any additional information as to the measures being taken to publicize upcoming procurements widely would also be appreciated.

Very sincerely yours,
KENNETH B. KEATING.

EDUCATION FOR GI AN URGENT MUST

Mr. YARBOROUGH. Mr. President, ours is a country that has traditionally and wisely concerned itself with the welfare and training of veterans of the Armed Forces, who have responded to the call of their country.

However, veterans who have served our country since the Korean war have not been accorded that justice to themselves and to the people to which the Nation is dedicated. A veterans' bill of rights to provide them an opportunity to make up for lost time in the field of education and thereby to be prepared for the economic battle of life is now a national necessity.

Those who have had their pursuit of education delayed, interrupted, or prevented altogether by a call to arms during the cold war are deserving of better treatment than this Government has given them.

The cold war GI bill would provide these forgotten men with an opportunity to advance their education in such a way as to provide a stronger basic national strength and a cash profit to the Government at the same time.

Because of the experience of the Government with the GI law as it pertained to World War II and Korean war veterans, it has been proved that such training has raised the earning capacity of the 50 percent of the veterans who took the GI training so as to more than pay for the cost of the education. Not only will such training have paid the bills for the education of World War II and Korean war veterans; it will have paid for itself completely by 1970.

The national security depends more and more every day upon what we have always referred to as American ingenuity, and American know-how. Nobody else is going to look out for the United States. We must do it ourselves and I am confident that in so doing we will remain aware that education is the mightiest weapon we possess.

The men who push all our sciences, including the development of nuclear power, are trained men. I am confident that the records will show that an impressive percentage of them were trained, at least in part, under the GI bill of World War II and the GI bill of the Korean conflict.

Mr. President, I digress to point out again what has often been said in the Senate, namely, the opinions of Dr. Teller and Admiral Rickover that but for the veterans trained under the GI bill of rights, the Russians would be ahead of us in science by now.

The National Science Foundation survey, that comprehensive, bulky volume filed within the past 60 days, shows that in 1959, 190,000 scientists, engineers, and other scientific personnel were graduated from universities and colleges in the Soviet Union, compared with 90,000 who were graduated in the United States in the same year in the same disciplines.

The report analyzes the types of courses given in the Russian universities and indicates that the training given in engineering and scientific subjects is not inferior to the courses given in the United States, and that the 190,000 persons who were graduated from Russian universities in 1 year in those disciplines, each graduate according to his training, have had training at least equivalent to that of the 90,000 graduates of universities in the United States.

The passage of a GI bill for cold war veterans has been too long delayed for the good of the country. Now it is out on the calendar of the Senate. It is time it became law.

Recently, I received a letter from the national commander of the AMVETS, Mr. Edwin P. Fifielski, who advised me that in the opinion of the AMVETS, this cold war group of veterans is deserving of special consideration with regard to education and rehabilitation. There is no question that the AMVETS are right.

It has been proved that World War II veterans who trained under the GI bill are more than repaying their country in actual cash value, through increased taxes paid from increased earning power.

Today, our unemployment situation is not good. What dangers of increased unemployment would we face if the veterans who attended school under a GI bill had not secured special training and education fitting them for jobs that now are available? I believe it quite possible that the bread lines and the soup lines would reach up and down the main streets of America if these 22 million veterans of World War II and the Korean conflict had not had assistance in furthering their education after these wars.

How many of our doctors and schoolteachers at work today were trained under the GI bills? We know that many of them were. Yet, do we have enough doctors and enough schoolteachers? We know the answer is that we do not.

Actually, Mr. President, up to 1955, 110,000 medical personnel in the United States had received training under these bills; and they include doctors, dentists, registered nurses, and other medical personnel. We know that, in addition, up to that time more than 140,000 schoolteachers, and also several hundred thousand scientists and engineers, were trained under the GI bills. But, despite that, we still do not have enough doctors, other medical personnel, teachers, engineers, and scientists.

What will the picture be a few years from now? Will the young men and the generation of today pay the price for the failure of an apathetic government to recognize that education is an absolute essential for the survival of this country as we know and love it? All of us are seeking higher goals than mere bare, raw survival. This is an opportunity bill—not just for the veterans, but for the Nation.

Mr. President, support for the cold-war GI bill has spread throughout the country. To illustrate this growth of support, I ask unanimous consent of the Senate to have printed in the RECORD a letter, dated February 20, 1962, from

National Commander Edwin P. Fifielski, of the AMVETS, who describes the cold war veteran as a "new breed," and points out that many of them served their country in more hazardous capacities than did many shooting war veterans.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

AMVETS NATIONAL HEADQUARTERS,
Washington, D.C., February 20, 1962.

The Honorable RALPH W. YARBOROUGH,
U.S. Senate, Washington, D.C.

DEAR SENATOR YARBOROUGH: I have been advised that S. 349 is now on the Senate Calendar and will be considered by the Senate during the period of February 20 to March 1. At our 1960 and 1961 national conventions, AMVETS adopted resolutions calling for an education and training program for cold war veterans along the same lines as for World War II and the Korean conflict veterans. S. 349 is, generally, in keeping with these resolutions.

The men who served since the end of the Korean conflict pose a peculiar problem not heretofore encountered by this Nation. Previously the peacetime ex-serviceman was not exposed to the same hazards of service as the wartime serviceman nor was he motivated in the same manner to enter service. Generally speaking, the peacetime veteran volunteered in the Armed Forces because it offered him the career of his choice. The distinction between wartime and peacetime service was therefore clear, and different benefits were granted to each group.

The status of this "new breed" of cold war servicemen is not so well defined. While they may not, strictly speaking, be called wartime veterans, neither can they be placed in a strict peacetime category. The majority of these men were either drafted or they are serving under compulsion of the draft. There can be little doubt that for most, their civilian pursuits were interrupted and for many, their service has been more hazardous than that experienced by some of our wartime veterans.

The benefits reaped by this Nation as a result of the education and rehabilitation program developed after the start of World War II has been tremendous. Men and women have been educated in a thousand skills and sciences which today serve the entire Nation. The injured in mind and body have been rehabilitated in useful fields and occupations. In all, past experience has shown the value of this type of program.

In the opinion of AMVETS, this cold war group of veterans is deserving of special consideration with regard to education and rehabilitation and we urge your support of S. 349.

Sincerely,

EDWIN P. FIFIELSKI,
National Commander

TRIBUTE TO SAM RAYBURN, OF TEXAS

Mr. YARBOROUGH. Mr. President, the Catholic War Veterans of the United States of America have written me a letter containing a resolution in tribute to Sam Rayburn, of Texas, Speaker of the House of Representatives, whose death was mourned nationally.

The tribute is a moving one; and knowing the respect and admiration felt for Speaker Rayburn in both Houses of Congress and throughout the United States, I believe the letter should be placed in the National Archives of our country.

Mr. President, nothing better illustrates the esteem in which Sam Rayburn was held and the broad sympathy and fairness to all parts of the country on the part of Mr. Sam, a member of the Baptist Church, than this wonderful tribute which he has received from the Catholic War Veterans of the United States. It indicates the unity of all our people in their desire for better government in our country.

In their tribute they state:

Whereas Mr. Sam, as called by his friends, was a friend of Catholic War Veterans, and an advocate of their cause, and friend of all veterans: Now, therefore, be it

Resolved, That the Catholic War Veterans pay tribute to Mr. Sam, and that a special prayer be said for the repose of his soul; and be it further

Resolved, That a copy of this resolution be sent to the House of Representatives of the United States, the Senate of the United States, and to the Sam Rayburn Memorial Library, of Bonham, Tex.

And to others.

In the resolution it is also stated that—

Whereas in the passing of Sam Rayburn, Speaker of the House of Representatives of the United States, our country has lost a great advocate on the American way of life; and

Whereas a loss to our country is a loss to the Catholic War Veterans.

Mr. President, I ask unanimous consent that the entire resolution be printed at this point in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

CATHOLIC WAR VETERANS,
UNITED STATES OF AMERICA,
Washington, D.C., February 27, 1962.

Senator RALPH W. YARBOROUGH,
U.S. Senate, Washington, D.C.

DEAR SENATOR YARBOROUGH: I am happy to forward to you the following resolution passed at a recent meeting of the national board of officers of the Catholic War Veterans of the United States of America:

"Whereas in the passing of Sam Rayburn, Speaker of the House of Representatives of the United States, our country lost a great advocate of the American way of life; and

"Whereas a loss to our country is a loss to the Catholic War Veterans; and

"Whereas Mr. Sam, as called by his friends, was a friend of Catholic War Veterans, and an advocate of their cause and friend of all veterans: Now, therefore, be it

"*Resolved*, That the Catholic War Veterans pay tribute to Mr. Sam and that a special prayer be said for the repose of his soul; and be it further

"*Resolved*, That the Catholic War Veterans be sent to the House of Representatives of the United States, the Senate and to the Sam Rayburn Memorial Library of Bonham, Tex., to the Texas delegation in our Congress, and to the Honorable LYNDON B. JOHNSON, Vice President of the United States, and that this meeting adjourn in his memory."

I know that sentiments expressed in this resolution are those of our entire membership throughout the country.

Respectfully yours,

JAMES W. HAFEY,
Executive Director.

WALTER LIPPMANN WRITES ON REPUBLICAN PROBLEM

Mr. YARBOROUGH. Mr. President, lately some rather irresponsible statements have been made in the country about the Government and about what the executive and judicial branches of the Government are doing, and particularly about the administration. Some persons claim the administration has been spending us into bankruptcy, and has had extravagant programs which the country cannot afford or cannot stand. It has been rather obvious that some of the irresponsible extremists who give noisy lipservice to patriotism, while trying to undermine the legislative, judicial, and executive branches of our United States, are not getting along too well together. This is not altogether surprising, since about all they ever say is "No," and since almost all their considerable talent is consumed in attempts to say "No" in new ways, worthy of bold new headlines.

It might also be noted that the principal success of the extremist advocates has been in getting headlines—thus justifying a suspicion that headlines are their principal goal.

The distinguished columnist, Walter Lippmann, dealt with one interesting aspect of the extremist view in his column—published on February 22, 1962, in the Corpus Christi Caller-Times—entitled "Republican Doctrine Clashes With Facts." The article is very informed and very informative. It points out that the programs which have been advocated by this administration are not "spending the country into bankruptcy," but that, on the contrary, even if we were to spend on social security and other services the amounts recommended by this administration, we still would not be spending as much on those services, in connection with public programs for the welfare of the people, as the amounts being spent today, in terms of percentage, by Belgium, Canada, France, the United Kingdom, Sweden, and West Germany. In the article Mr. Lippmann also points out that in the year 1959, the most recent year for which adequate comparative figures are available, the United States total spending—Federal, State, and local—was but 28.3 percent of the gross national product; and that the percentage of the gross national product which will be spent by our country, even if every program recommended by this administration is enacted into law, will still be smaller than the percentage spent by the other countries referred to.

Mr. President, I ask unanimous consent that the entire article written by Walter Lippmann be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Corpus Christi Caller-Times, Feb. 22, 1962]

REPUBLICAN DOCTRINE CLASHES WITH FACTS

(By Walter Lippmann)

The soul searching which went on among the Republican orators on Lincoln's Birthday did not bring forth that new image which they were all seeking. Somewhere there is a block. It prevents the Republican Party from getting to a position which is both conservative and popular.

The block, I venture to suggest, is that the Republican position has been moved so far to the right that the party has conceded to the Kennedy administration not only the left but the whole vast dominant center.

This has left the Republican leaders with no elbow room, and they are squeezed into a corner where they can only say no. This cannot make for popularity and for votes in a country where the population is growing prodigiously, where the way of life is changing rapidly, where the people, conscious of the huge productive capacity of our economy, are demanding that their crowded life in the cities be made more comfortable and more civilized.

The displacement of the Republican leaders from the center to the right has many causes. One of them, for example, is the control of the party organization by the old codgers, who have safe seats and keep on being reelected. There is another reason which is that in recent years Republican doctrine has been shaped by theorists who are out of touch with the modern world. Indeed, it would not be an exaggeration to say that it has been shaped by theorists who do not know what they are talking about.

These theorists have produced a formula which discombobulates Republican thinking. It is that liberalism and progressivism are the high road to socialism, and that socialism is the high road to communism.

The extremists use the formula to say that the United States started down the road to communism when the income tax was legalized in 1913. But even the moderates, General Eisenhower, for example, are deeply suspicious of social security and the welfare state and of aid to education, and above all of the modern conception of the compensatory economy.

The difficulty about making a new image is that the Republican theorists have created such a false image of the Kennedy Democratic Party that there is no effective way they can oppose it. Applied to the Kennedy administration the formula of the theorists of the right, that progressivism leads to socialism and socialism to communism, is absurd. It is silly. Though Kennedy is a progressive and a liberal, he is also a profound conservative, and only the befuddled theorists find that strange and hard to understand.

Their central theme, which is also a central illusion, is that this country is "spending" its way out of freedom into socialism and communism. But is it? I have some figures here which come from Prof. F. M. Bator, a leading authority on the problems of Government spending.

A big rich country spends more, of course, than a small poor country. The proper basis of comparison, therefore, is the volume of Government spending against the size of the economy. Professor Bator's figures show that Government spending in the United States is not out of line with spending in other advanced industrial nations.

Nineteen hundred and fifty-nine is the most recent year for which adequate comparative figures are available. In that year in the United States total public spending (Federal, State, local) was 28.3 percent of the gross national product. As this includes national defense, public education, highways, police, hospitals, and whatnot, can it really be said that spending less than 30 percent publicly puts us on the road to, or anywhere near the road to, socialism and communism? Can it really be said when of this 30 percent which is spent publicly over half goes to purchases from private firms producing for profit?

As a matter of fact, in public spending we are behind Belgium (29.3 percent), Canada (30 percent), France (33.5 percent), United Kingdom (34.9 percent), Sweden (35.7 percent). In West Germany the latest figures are for 1957. That was before the big rise of German defense spending and at that time the percentage of public spending was slightly bigger than ours (28.6 percent). Yet West Germany is regarded by many as the shining example of a free capitalistic economy.

But, it will be said, while defense spending is necessary, the real creeping socialism is the money spent for social security, veterans' benefits, Government interest, and cash subsidies. For the United States the ratio of such payments to gross national product was 7 percent in 1959.

The Canadian ratio was 8.7 percent. The United Kingdom's ratio was 11.2 percent. The West German (in 1957) was 12.1 percent, the Belgian 13.6 percent, the French 16.5 percent.

There are other comparative figures which could be cited. All of them point to the conclusion that as compared with the advanced industrial nations of the world the ratio of our public spending is conservative. There is no hard factual basis for the theory that we have turned our back on the free economy and are on the high road to socialism and communism.

The latter-day Republican propaganda does not work for the very simple reason that it is not true.

THE LAND-GRANT COLLEGES EXERT A POWERFUL THRUST OF DEMOCRACY

Mr. YARBOROUGH. Mr. President, this year we commemorate the 100th anniversary of the Morrill Land Grant College Act, which in 1862 was signed into law by President Abraham Lincoln. Under that act, many land-grant colleges of the country were founded. These colleges have proven their capability for remaining close to the people and to their needs; and that development has exerted a great forward thrust in public education in the United States.

Today, Mr. President, a century later, we need another forward thrust of that sort; and if it is to be obtained at this time, the power and the strength of the Federal Government must be exerted in that connection.

Mr. President, the Texas A. & M. College is a land-grant college created under the Morrill Land Grant College Act of 1862. It has contributed long and ably to the vigorous and dynamic growth of Texas and the Nation. It has produced leaders in times of peace and in times of war. In fact, in World War II there were in the U.S. Army more officers who were graduates of Texas Agricultural and Mechanical College than there were graduates of the U.S. Military Academy at West Point—simply because the enrollment at Texas A. & M. College was not restricted, and thus was large.

Furthermore, Mr. President, the Texas A. & M. College was the first tax-supported State college in Texas which opened its doors to students—thus demonstrating that this college stands as a symbol of proof that the concept of education as a national problem is neither new nor dangerous, as many opponents of Federal aid to education constantly and erroneously contend.

Recently, John T. Caldwell, chancellor of North Carolina State College, and president of the Association of State Universities and Land-Grant Colleges, wrote for the Christian Science Monitor an article in which he stated:

These institutions are living examples that Federal aid to education can serve the national interest without sacrifice of local self-government or institutional integrity. Indeed the United States today would be immeasurably poorer but for this imaginative Federal action one century ago and its continued support in partnership with the States.

Mr. President, I have never seen or heard of a "Texas Aggie," nor do I expect to meet one in my time, who felt other than the deepest pride in his school.

I ask unanimous consent to have printed in the RECORD an article from the Christian Science Monitor of Thursday, February 1, 1962, entitled "The Land-Grant Colleges: Powerful Thrust of Democracy."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Christian Science Monitor of Feb. 1, 1962]

THE LAND-GRANT COLLEGES: POWERFUL THRUST OF DEMOCRACY

(By John T. Caldwell, chancellor, North Carolina State College; president, Association of State Universities and Land-Grant Colleges)

The land-grant colleges and universities of the United States were born out of a high estimate of education as an instrument of individual and social progress. They were born with a broad concept of the many different kinds of abilities human beings possess and the value of cultivating them all to the utmost. They have been committed from their beginning in 1862 to the wide dissemination and use of knowledge. They were born from faith in the American people and their great destiny.

How magnificent a concept. No wonder newly developing nations of the world and even old nations undergoing self-appraisal now are scrutinizing higher education in the United States for useful hints to themselves.

The centennial year of the land-grant institutions occurs at a moment when the United States is taking a close look, even an anxious look, at the magnitude and urgency of its own educational task.

In 1862 a national population of 32 million boasted 203 colleges and perhaps 25,000 college graduates, three-fourths of 1 percent, such as they were. Today a rapidly increasing population of 180 million is served by more than 2,000 institutions of higher education enrolling 3,891,000 students and counting millions of alumni. One-fifth of the students are in land-grant colleges and universities. These colleges which were "born to grow" are doing it, dramatically.

IMPACT MEASURED

Today—100 years after the act of Congress creating them—there are 68 land-grant universities and colleges. Some are one with the State university (as in Minnesota), some are separate (as in Mississippi), some function as part of a private institution (as Cornell). Although they comprise in number fewer than one-twentieth of all colleges and universities in the United States, their enrollment is one-fifth of the total. They grant 22 percent of all the bachelor's degrees conferred, 25 percent of the master's degrees, and 38 percent of the doctorates. In engineering 40 percent of all degrees at the bachelor's level are granted by the land-grant institutions, 42 percent of all master's, and 53 percent of the Ph. D.'s. In the vitally important fields of mathematics and the physical sciences 35 percent and 42 percent, respectively, of the Ph. D.'s are earned in land-grant colleges. As would be expected, the graduates in agriculture are produced heavily by these institutions: 80 percent of the bachelors, 97 percent of the masters, and all of the doctorates. One-fourth of the

doctorates in the arts and languages, in business and commerce, and in professional education are conferred by the land-grant institutions.

Twenty-one of the thirty-six living American Nobel Prize winners who studied in this country earned land-grant degrees.

The enormously productive agriculture of the United States rests directly upon the research and educational effectiveness of the land-grant system. Today 1 American farmworker feeds 23 other people, a marvel in the world and a prerequisite to other advancement. The agricultural experiment stations (dating from the 1887 Hatch Act) and the Cooperative Extension Service in agriculture and home economics (dating from the Smith-Lever Act in 1914) are integral parts of the land-grant enterprise. The county agent is a man of distinction in American higher education and in rural life. He has also become a peacemaker in combining technical ability with skill in human relations to helping other developing economies of our world.

BASIS PUT TO TEST

Even now, however, the land-grant outlook and philosophy are being tested.

Will these institutions have the resources to grow and to maintain quality at the same time? This is a test of the public will and priority of public purpose.

Do they have the ability to use effectively the resources provided by the people and in a manner which will satisfy an intelligent taxpayer? This is mainly a test of management competence.

Can they provide maximum opportunity for the most brilliant minds while at the same time and often on the same campus provide for the student of lesser but solid ability who has much to gain from higher learning which will be returned in enlarged service to his fellow men? This is a test of educational skill.

Can these institutions meet the insistent demands for applied research and yet have time and money for the constant replenishment of our fundamental knowledge of the why and the wherefore of life and energy and behavior? This is a test of both academic character and public understanding.

Can the tremendous achievements of the land-grant colleges in agriculture be duplicated in facing up to the technological and social problems of an urban population? Will the effective skills typical of our extension philosophy be applied to urban living? This is a test of institutional adaptability and determination to face up to new educational needs and to obtain support for meeting them.

The land-grant colleges face the test of internationalism, meeting the manifold requirements of the Government for forging helpful relationships in depth with the people of the world and their problems—now ours. Not just can they but will they see the needs beyond the immediacy of local enterprise within the respective States and apply their skills and resources to a worldwide campus? This indeed is a test of public vision.

CONCEPT PLACED ON SCALES

All these tests are indeed being met—even brilliantly—in places. Another test, however, has not been resolved. It is a test of the whole concept of public higher education. It is a test more of the taxpaying public than of the institutions themselves. The United States is being tested on whether it wants its land-grant and other public institutions to continue to serve generously and deliberately the educational needs of all the people for the benefit of society. No student loan program or a student scholarship program yet proposed substitutes for low-cost public higher education.

Sometimes the public colleges are told to raise their charges to students for tuition to meet their budgetary requirements. The issue is complex. But surely it would be a subversion of the history and purposes and enormous achievements of the public institutions to force them now to remold their open character in imitation of the private and church-related institutions, many of whom desperately need to reduce their charges to students. The availability of low-cost, public higher education in the United States indeed is a measure of contemporary democracy, of political responsibility, and of commonsense.

The powerful thrust of democracy in American higher education so evident today is part and parcel with the forces which produced the land-grant movement.

Education in all ages and places has reflected the controlling notions of what the society itself ought to be or become. The older, stratified societies, aristocratically controlled, or colonially governed, built educational systems accordingly, systems which were restricted in outlook both for the nonprivileged individual and for the society's future.

OPPORTUNITY UNFOLDED

Education in this new land was sooner or later destined to reflect its generous concept of the place of the individual and its constantly expanding ambitions for economic and cultural growth, locally and nationally. In retrospect, however, the reflection seems to have been slow in coming. For during the colonial period and the immediately ensuing preoccupation with nationmaking, the aristocratic and classical character of education inherited from England and the Continent and which had prevailed for 200 years was dominant.

Then followed a combination of forces operating to open up educational opportunity. Jacksonian democracy, a general intellectual awakening, the step-up of science, industry, and invention, agricultural ferment, and even concern over the dissipation of Federal landholdings, combined to produce dissatisfaction with existing education and pressures for improvement. One of the outcomes was the Morrill Act of 1862. Vetoed earlier by President Buchanan, Justin Morrill's bill was signed into law by President Lincoln July 2, 1862.

This Land-Grant College Act brought into possibility, on the pattern of Michigan's new State Agricultural College (1855), a nationwide pattern of colleges, at least one in each State, "where the leading object shall be, without excluding other scientific and classic studies, and including military tactics, to teach such branches of learning as are related to agriculture and the mechanic arts in such manner as the legislatures of the States may respectively prescribe, in order to promote the liberal and practical education of the industrial classes in the several pursuits and professions of life."

The Government granted each State agreeing to the terms 30,000 acres of Federal land for each Senator and Representative in Congress, which acreage was to be sold to provide a capital fund on the investment of which the State would pay in perpetuity 5 percent annually to support the college.

DEMOCRATIC IN CHARACTER

Whether measured in student enrollment, off-campus instruction, and technical assistance, or research of fundamental value to human welfare, this group of institutions has made the Morrill Act probably the most significant single piece of social legislation in U.S. history. Their characteristics are clear.

These colleges are democratic in character. No one of them has ever assumed that it should limit the opportunities of its campus to a narrowly conceived aristocracy of position, intellect, or money. They have assumed on the other hand that as the Nation grew, as knowledge expanded, as the range of competencies required by the society was extended, it was their job to serve these expanded needs of the people. This view persists.

These colleges reflect the spirit of Francis Bacon, who had urged three centuries earlier, but with little success, that knowledge should be found and used to improve the lot of mankind.

The land-grant colleges have never been "ivory towers." They have never been far removed from the people they serve and the needs which have nurtured their growth.

The land-grant colleges and universities illustrate dramatically that the people, the public, through their constituted organs of government, hold the major responsibility for the advancement of knowledge and the education of citizens. These colleges are public, tax-supported institutions. Though their resources are supplemented in important respects by private grants and support, the basic responsibility for their support and the basic commitment of the colleges belong to the people exercised through public channels.

EXAMPLES FOR FEDERAL AID

These institutions are living examples that Federal aid to education can serve the national interest with enormously valuable results and without sacrifice of local self-government or institutional integrity. Indeed the United States today would be immeasurably poorer but for this imaginative Federal action one century ago and its continued support in partnership with the States.

They have assumed also the task of developing high standards as a necessary corollary to serving responsibly the special needs of our time. Counseled admissions and placement, honors programs, more demanding curriculums, strengthened facilities, and deepened research commitments characterize the contemporary public university.

Finally, they have not neglected to defend the great principles which universities have always had to defend, such as freedom for the mind. They know now, as intelligent men have always known and as freemen always must know, that the risks of freedom to think and write and learn and speak are fewer and less dangerous than the risks of suppression.

The centennial year of the land-grant colleges and universities of the United States finds them living more intimately than ever with the busy world they helped to create. Nuclear reactors, radio telescopes, mass spectrometers, experimental swine shelters, greenhouses, nursery schools, art studies, language laboratories, television stations, theaters, computers, filmed documents—the full range of human knowledge, curiosity, and endeavor, mark the contemporary mission of this educational system.

CONTRIBUTION TO NATION

Without these colleges, which were originally founded especially to teach "agriculture and the mechanic arts," American agriculture would have developed anyway to some extent; industry would have expanded; the defense establishment would have trained a fair number of officers for its reserve and active cadres. No doubt some American pure scientists would have teamed with other innovators and inventors to produce some applied results even useful to the farmer. But let us make no bones about it. The United States would not enjoy the culture nor have the productive capacity that it does today—in farm, forest, skyscraper, or factory—without the contributions of research and the wide dissemination of knowledge to which the resources of the land-grant educational system have been devoted.

The land-grant colleges and universities exist to help unfold the glories of man's possibilities and not to settle for less, to make it possible for all men to look out upon a universe better understood, more kind, more just, more abundant than when these colleges entered the scene 100 years ago.

To this end they are rededicated and beg the sustaining company of all the Nation in the journey ahead.

SOVIET FARM PROBLEMS

Mr. MILLER. Mr. President, today the Communist Party Central Committee is meeting in Moscow for the avowed purpose of adopting remedies for the shortcomings that have arisen in agricultural production and the objectives of the party.

Accordingly, I think the article that appeared in today's Wall Street Journal entitled "Soviet Farm Ills," written by Joe Western, is very timely. It traces the objectives and deficiencies that have occurred in Soviet agricultural production. The article points out some of the reasons why these deficiencies have occurred. Included in the reasons, I think it highly significant to point out, is one designated lack of adequate incentives for farmers to boost their production.

The Soviet farmers have lost their freedoms in all areas except one, and that one is in their little farm plots adjacent to their homes. In their little plots they have the benefit of their own production; they have the incentive to produce.

The Wall Street Journal article significantly points out that, although these little plots comprise 5 percent of all Soviet farmland, nevertheless they yield half of the nation's meat, milk, green vegetables, and most of its eggs and potatoes.

I think it is well to point out these facts in light of the so-called supply management program which the President and Secretary of Agriculture have asked Congress to pass, because under this program farmers are faced with a choice of loss of freedom on the one hand and, for all practical purposes, loss of their farms on the other.

I think it is time for us to recognize that one reason why American agriculture has been so productive is that our farmers have had freedom and have had the incentive to produce. I am afraid the program that has been requested for Congress would set us back considerably, would deprive our farmers of incentives, and that the day would come when we would find ourselves in the same situation in which the Soviets find themselves today.

Another point is that in the message on agriculture which the President sent to Congress, any proposed program of stepped-up research for agricultural production use in connection with industrial matters was noticeable by its absence.

The other day, in Omaha, Nebr., Mr. J. Leroy Welsh, of Omaha, a former member of the President's Commission on Increased Industrial Use of Agricultural Products, made a speech in which he pointed out that while he was Chairman of the Commission, he personally prepared an evaluation of farm research being done around the country, had it printed in pamphlet form, and personally gave it to many Members of the Congress. He said:

It is almost criminal the way Congress ignored that report and its recommendations. That was in 1957, and they haven't yet taken the first step toward solving the farm problem.

I echo Mr. Welsh's sentiment, because for a long time I have been pointing out that the opportunity to solve the farm surplus problem lies in the area of research and development of increased uses of agricultural products for industrial programs.

I think this administration should give more attention to that approach in solving the farm surplus problem, and yet we have not seen one recommendation made along those lines.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point in my remarks the article from the Wall Street Journal to which I have referred.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SOVIET FARM ILLS—KHRUSHCHEV'S BIG DRIVE TO EXPAND PRODUCTION SUFFERS MANY SETBACKS—MEAT, GRAIN TARGETS MISSED; DROUGHTS, INEFFICIENCY, AND FEUD OVER METHODS HURT—PROBLEMS FOR TODAY'S PARLEY

(By Joe Western)

WASHINGTON.—Even as Nikita Khrushchev's Communist Party Central Committee assembles in Moscow today with the avowed aim of remedying shortcomings in Soviet agriculture, the best-informed U.S. onlookers are becoming increasingly convinced that Red-grown food and fiber won't bury the free world any time in the foreseeable future.

Early harbingers are hinting that this could be the fourth straight year to bring a bumper crop of Kremlin disappointment. Latest weather reports are convincing free-world analysts that parts of the vital grain-producing Ukraine and of the Siberian new lands are very dry. Much more than normal rainfall, they believe, will be needed to put the soil in shape for adequate spring planting and crop production—even after the recent rainstorms that swept from Germany into Russia.

By the account of the Communist Party newspaper Pravda itself, many Russian farmers aren't prepared for spring planting, only a few weeks away. One reason, it's implied, is passive resistance to new farming methods proposed by Mr. Khrushchev, notably a plan to throw into annual crop production some marginal land normally kept in grass for soil-building purposes. The Moscow meeting starting today is expected to adopt such a plan.

WARNING FROM SCIENTISTS

Indeed, U.S. officials report, some of Mr. K's own scientists are warning him that he's bucking Mother Nature in trying to expand livestock feed production rather indiscriminately. Feed crops, he's been told, can deplete the soil quickly, especially in the arid "new lands" of Kazakhstan in southwestern Siberia, making the land vulnerable to dust storms. Furthermore, Soviet scientists have cautioned, shortages of moisture in such places make it hard to ripen feed grains successfully.

Basically, Washington experts report, Premier Khrushchev's 1959-born effort to expand and reshape Soviet agriculture is bumping into serious obstacles. Chronically unfavorable weather across large stretches of Russian farmland, limited acreages of truly fertile soil, lack of adequate incentives for farmers to boost production, blundering inefficiency in the Red bureaucracy and a tendency of Soviet officials to follow the party line blindly no matter how meager the results.

Some gains are expected, all right, sooner or later. U.S. Government analysts figure Russia may gradually succeed in its new emphasis on raising crop yields per acre rather than pushing plantings deeper into Siberia's virgin lands; more fertilizer and better use of machinery may help do the trick. And Washington officials expect Mr. K. will use the Moscow meeting to renew his farm production drive, probably trying to bully farmers into accepting tougher state controls.

DEPENDENCE ON PRIVATE PLOTS

But if Russia's ruler should meddle too deeply in the still-important private sector of Soviet agriculture, U.S. officials emphasize, he'd risk disaster. For Russia still depends heavily on the output of tiny farmer-owned private plots, worked on the side by members of collective farms; though making up less than 5 percent of all Soviet farmland, the private plots yield nearly half the nation's meat, milk, and green vegetables and most of its eggs and potatoes.

So far, American farm experts conclude, Russian agriculture has made only token advances toward the ambitious goals of the current 7-year plan, trumpeted so loudly by Mr. K. at its unfolding in 1959.

The reverberations have been manifold: Soviet farm output these past few years has lagged behind population increases; while there's nothing like Chinese-style starvation, the Russian diet remains heavy in bread and potatoes and rather light on meat and milk. Farm exports have been sluggish; the U.S.S.R. may find it hard to spare all the food and feed grains its satellites need, and trouble in earning free-world currency with farm-goods sales is hindering Moscow's efforts to buy West European machinery to spur industrialization. Finally, the uninspiring example set by Soviet agriculture in contrast with Western abundance may hamper export of the Red faith to newly developing nations. "Everything we see," notes a U.S. official, "indicates Khrushchev wants to prove that Communist-style agriculture is the best system for them to adopt."

TARNISHED VISION

The 7-year plan, aimed at outstripping U.S. farm abundance, brightly envisioned a total 1959-through-1965 production increase of 70 percent, with especially steep gains in meat and milk. But that vision seems somewhat tarnished now.

Assuming Soviet farm output just before World War II equaled an index figure of 100, the 1965 goal would be 200—and U.S. Agriculture Department specialists figure last year's performance was only 130. While that marked a gain from the 126 of the year before, it still fell short of record 1958, the year before the master plan was thrown into gear.

Total grain deliveries from Russian farms to the government did amount last year to 54 million metric tons, roughly 7 million more than in 1960. But they fell far short of the official 1961 goal of 63 million tons and trailed the 1958 record as well. Much of the lag was in livestock feed grains, the raw materials of the meat and milk Mr. Khrushchev is eyeing so eagerly. Last year's production of corn, oats and barley, Russia's major feed grains, totaled 34 million tons, 4 million less than the 1958 harvest.

For lack of more feed, Soviet production of meat is floundering along year after year at just under 14 billion pounds a year, less than half the goal for 1965. Even this low level is being bolstered by distress slaughter of feed-short livestock. Soviet officials admit livestock numbers did not increase during 1961, in contrast to other recent years. "If feed production cannot be greatly improved, meat production will really begin slumping

in a very few years," an analyst says. Because grain is short, Russia's livestock raisers have turned to other feed, including potatoes and pumpkins, that Americans consider less than ideal for meat-making.

LAGGING MILK FLOW

Russia's milk flow, too, lags behind schedule. Early estimates indicate 1961 production was little or no higher than the 112.5 billion pounds of the year before. That in turn marked a slip from the 113.3 billion pounds of 1959, the first year of the 7-year plan. The 1965 goal is over 200 billion pounds.

By contrast, the United States turned out far more meat and milk last year—30 billion pounds of meat and 125 billion pounds of milk—for a considerably smaller population; the United States has around 185 million mouths to feed, while the Russian population is approaching 220 million. Figured per capita, American farm production now stands more than 20 percent above the pre-World War II mark; Russia's corresponding gain is 13 percent.

Even more startling is the fact that since World War II Russia has increased its sown acreage by 50 percent, but has succeeded in lifting total farm production only 30 percent; the United States has decreased planted acres by 13 percent in the same space of time, yet has increased output 35 percent.

Soviet food supplies are suffering an extra blow from agriculture's setbacks elsewhere in the Red world. Last year, to no one's surprise, stricken China had to halt all exports of food and fiber to Russia.

Not only has Russia lost these imports, but farm failures within its empire—in East Germany, for instance—are stimulating export demand it may not be able to meet; ordinarily 75 percent of Soviet farm exports go to other Iron Curtain countries. Russia's total grain shipments abroad fell to 6.8 million metric tons in 1960 from more than 7 million in 1959—and may have slipped again last year. Most of the wheat the U.S.S.R. has been shipping out, U.S. experts report, came out of the leftover from the big 1958 harvest, not from any more recent crops.

EXASPERATING U.S. COMPARISONS

Kremlin exasperation over farm troubles is heightened by the realization that this country's far larger output comes from an agricultural plant that's operating at only about half its potential capacity, and that the U.S. food-and-fiber outpouring is attained through the efforts of only about 15 million farmworkers, as against more than 100 million toiling on the Russian land.

By the Communists' own account, of course, inefficiency, ignorance and mismanagement deserve much of the blame for farm failures. Mass firings of farm officials and reshuffling of responsibilities late in 1960 have plainly failed to solve these troubles.

In a Moscow speech to farm managers last November Premier Khrushchev complained they made ambitious production plans lightly and then explained failures by saying: "That year the wind blew that way and this year it blew this way." He declared: "We need less sweat and more brains. We have the machines and we have other material resources. We must learn how to use them."

Beyond this, Mr. Khrushchev's plans for boosting feed crops are meeting resistance from some of his own underlings. He wants especially to increase production of corn and sugarbeets, with their high feed value; he'd substitute them for lower-value oats or for soil-building grasses used in crop rotation plans, despite some scientists' fears of soil depletion.

HOW DOES DAISY VOTE?

Said he in a recent speech: "Give the cows a good silage of corn, sugarbeets, hay and straw and ask: 'Well now, Daisy, and what fodder do you vote for?' I am convinced, comrades, that the cow will immediately go up to the sugarbeets." Second choice, he contended, would be corn.

For oats, Mr. Khrushchev has nothing but scorn. He has told one group of farm officials: "I would say as a joke that if these officials will continue to be stubborn and keep land in oats, we will start feeding them oatmeal * * * the coarse stuff (that) you cannot tell, damn it, whether you are getting your ration or the horse's."

And the Soviet Premier has openly challenged changes that it was he and the Communist Party that actually first promoted the "ley" or grass rotation plan he now considers wasteful. P. A. Vlasyuk, president of the Ukrainian Academy of Agriculture, recently delivered such a charge in the Premier's presence. "To listen to you," Mr. Khrushchev replied, "the party elaborated the ley system while the scientists supported the party in this. No, the very opposite is true. Scientists proposed this system and pushed collective and state farms into applying it everywhere."

Whatever tactics Russia's masterminds apply, the U.S. officials foresee basic problems of geography persisting. For one thing, some Russian soils are thin and sandy; the Soviets have nothing to compare with the rich U.S. Corn and Cotton Belts. Weather is another problem. "A large area of the country has a low, highly variable precipitation and is subject to frequent droughts," says a U.S. Agriculture Department study. It was a pair of droughts—one last spring in the Siberian "new lands" and another last summer in the southern European U.S.S.R.—that damaged 1961 grain crops and undid Mr. Khrushchev's predictions of record farm output.

DRAWBACKS OF CLIMATE

As compared with American weather, Russia's climate is not moderated by warm, moisture-laden winds blowing off oceans or large lakes. Because the U.S.S.R. lies much farther north than the United States the average growing season is short; there are only about 130 frost-free days around Moscow, about the same as in central North Dakota. There isn't time to replant in late spring if an unseasonal hard freeze decimates young crops; to delay planting beyond any possibility of late cold snaps means a gamble that early fall frosts won't nip maturing plants.

Certainly U.S. farm specialists do expect that some of the changes now being made, notably the effort to wring more production from each acre of Soviet farmland, may pay off sooner or later. "Even a small increase in yield per acre," notes a U.S. official, "would significantly increase production because of the large acreages involved."

Already the big effort to lift harvest instead by expanding planted acreage has slowed considerably. Last year the U.S.S.R.'s total cropland rose only 2 million acres from the 503 million tilled in 1960; in that year planted acres had leaped 16 million from the year before. Since 1954, all told, some 90 million Soviet acres have been put under cultivation for the first time.

FIRING FARM BUREAUCRATS

However disappointing the results so far, the Red regime has apparently tried to meet some of its farm problems head on. Late in 1960 the Kremlin fired dozens of agricultural bureaucrats up to and including Minister of Agriculture V. V. Matskevitch, mostly for failing to meet output goals and for furnishing false production figures; some were actually tried and imprisoned.

Responsibilities for operations, supervision, and planning were taken away from the Ministry of Agriculture in Moscow and transferred to Gosplan, the state planning committee, and to the ministries of agriculture of the U.S.S.R.'s 15 constituent republics.

A new organization was created directly under the Council of Ministers, which is chairmanned by Mr. Khrushchev, to assume the function of supplying agriculture with machinery, fertilizer, spare parts, tractor fuel, and other production needs. A new state committee on procurement was established to direct Government acquisition of farm products for public distribution, and the U.S.S.R. shifted to a more flexible yardstick for required deliveries from collective and state-owned farms. Instead of demanding the same fixed quantity each year from every acre of land, whether in the fertile Ukraine or arid Kazakhstan, contracts with each farm are made on the basis of a capacity figure that recognizes differences in soil and climate.

New production incentives were established. As a concession to owners of private plots, 80 percent of income from sales of meat, livestock, poultry, eggs and dairy products was made tax free. Annual interest on state loans to collective farms was cut. Prices of trucks, machinery, gasoline, and spare parts were slashed 40 percent, according to a Kremlin announcement.

PROBLEMS IN BIPARTISANSHIP

Mr. MILLER. Mr. President, in today's Washington Evening Star there is an excellent article by William S. White, entitled "Problems in Bipartisanship," in which Mr. White points out that the members of the minority party, the Republicans, have thus far in this administration bent over backward and joined with their Democratic colleagues in a bipartisan approach to our foreign affairs problems. I might point out that has been done in other areas as well.

I hope members of the majority party, and particularly in the administration, will recognize this attitude on the part of the minority and recognize what the Republicans have done, and will cease and desist from the partisan political efforts that characterized such ill-fated programs as the late proposed Department of Urban Affairs, and some of the statements coming from departments urging civil service personnel to take an active part in helping develop proposed programs in public groups.

I ask unanimous consent that the article from today's Washington Evening Star to which I have referred be printed at this point in the RECORD as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PROBLEMS IN BIPARTISANSHIP—REPUBLICANS SHOWING SELF-DISCIPLINE IN EFFORTS TO BACK PRESIDENT

(By William S. White)

The congressional Republicans are stoutly walking a high and swaying wire over foreign policy, in a complex and very dangerous world.

Their twin difficulties are clear, but their rewards have been meager. Their sense of decent responsibility has been, to date, too little appreciated by the nonpolitical public. Little known, too, is that on the really tough foreign showdowns they have given President Kennedy at least as much vital support as has his own Democratic Party.

The Republicans are caught between an excessively nasty devil and an excessively deep blue sea. The devil they have thus far avoided, with great self-restraint, is the temptation to make politics by offering irresponsible criticism of the Kennedy administration in our marching series of foreign crises.

This kind of criticism, though unhappily not unknown before this in both parties

when one or the other has been in minority opposition, could put this country and all the free lands in grave and immediate peril.

Everywhere—over Berlin, over southeast Asia, over Cuba, over the disarmament question—the situation is filled with a sinister delicacy. Only the President has all the facts and only the President must be trusted to deal with it all in the end. This the congressional Republicans have wisely, and even bravely, recognized.

The deep blue sea which yawns beneath them is this: There is always the chance that in going along with the Democratic administration they may go along all too well, and so later have to share blame for policies which may be seen in the afterlight as bad for the national interest.

Life, of course, is always unfair to any minority party. For such a party can never take up all-out opposition in foreign affairs without endangering the whole country—and at the same time is always vulnerable if its generosity can be shown in retrospect to have been too uncritical.

The present situation, however, is especially difficult, simply because the present world itself is one of monumental difficulties. In the short time of Mr. Kennedy's Presidency, the Republicans have had all these fat and easy partisan targets: The tragic failure of the lost patriots' invasion of Cuba; our increasing—and right—involvement against the Communist aggressors in Vietnam; Mr. Kennedy's long hesitation before resuming nuclear testing in the air, even though the Russians had long since done so.

On all these occasions, the congressional Republicans have listened to the national interest rather than to party interest and have rightly declined to draw their guns against the President.

In ordinary justice these Republicans—and notably their chief spokesman, Senator EVERETT DIRKSEN, of Illinois—deserve a public salute for this. It can be fairly said of them (though not of such purely partisan instrumentalities as the Republican National Committee) that they have drawn the gun only when they have felt absolutely obliged to do so.

They have carried self-disciplined bipartisanship to the farthest limit than any set of politicians, being human, could be expected to carry it. When, therefore, they do draw the gun for a shot or two, as in Senator DIRKSEN's recent expression of concern at our harshness to our old European allies over colonial issues, they are entitled to be heard, and with respect.

WORLD'S TROUBLE SPOTS: UNITED NATIONS

Mr. MILLER. Mr. President, in today's issue of the Philadelphia Inquirer is an excellent article entitled "World's Trouble Spots: Part 1—U.N." A portion of this article relates to the limits on the power of the United Nations, which handicaps this agency in dealing with crises. There is also a graph showing the financial crisis facing the United Nations as the result of the failure of member nations to contribute adequately to the Congo and Middle East operations.

Mr. President, I ask unanimous consent that the portion of the article to which I have referred be printed in the RECORD, and that the graph be reduced to tabular form, in figures, and printed in the RECORD, to show the situation regarding the financial crisis facing the United Nations.

There being no objection, the excerpt and table were ordered to be printed in the RECORD, as follows:

LIMITS ON POWER HANDICAP AGENCY IN DEALING WITH CRISES

The United Nations is at that difficult age—the midteens. Troubles are built into its structure. Some of the worst, taken from a long catalog, are outlined below, as listed by the Foreign Policy Association.

First of all, without the cooperation of its own members it is helpless. The Soviet Union bowed to U.N. pressure to withdraw its forces from northern Iran in 1946. Ten years later, it crushed Hungary's rebellion with tanks, ignored U.N. protests and got away with it.

France denied the U.N. any right to discuss the Algerian rebellion, calling it an "internal affair." For different reasons, both the United States and Russia have refused to be bound by U.N. votes against nuclear tests. In the Congo, U.N. operations have been hampered by lack of cooperation from the central government, the provincial governments, Belgium, and the Soviet Union.

Second, like any organization, it needs money. Defaults and arrears of several members, especially for U.N. forces in the Congo and the Middle East, confront the agency with a deficit of nearly $200 million. U.S. Ambassador Adlai Stevenson summed up the situation:

"If members will not pay for the United Nations, they will not have it."

The "independence explosion" presents a third ailment. In its brief life, membership in the U.N. has more than doubled. In many cases, the new sovereign states were ill-prepared for self-government, suspicious of former rulers and fearful of foreign intervention of any sort. At the same time, they are extremely dependent on the rest of the world for markets, for exports, for manufactured goods, economic and military aid.

Some have sought help from their nearest neighbors. Others, such as Cuba, have turned to the Communists. Nations such as Pakistan depend upon the United States and its allies and some have appealed to both sides, playing one off against the other.

For the great powers in particular, a fourth source of irritation is that they no longer, singly or together, can dominate the Organization. Last year, 34 percent of the U.N. members were states that had not been independent at the start of the Second World War. African states accounted for 26 percent. In the General Assembly, where a two-thirds majority is required on substantial issues, the new nations may swing the balance, although they do not always vote as a bloc.

They did so in 1960, by supporting the U.N. Congo operation over bitter Soviet resistance, 70 to 0, in a ballot that reflected Afro-Asian determination to keep the East-West fight out of Africa. They also voted, 71 to 20, to end nuclear tests, defeating 10 Western nations (including the United States) and 10 members of the Soviet bloc.

A fifth difficulty highlights what many consider the U.N.'s most serious weakness. That is the tendency of great powers to bypass the Organization on major issues that it is equipped to handle. Outstanding examples are disarmament and the Berlin crisis.

Since the first meeting of the General Assembly in January 1946, disarmament has been on its agenda but, over the years of hope, deadlock and new starts, the subject has been argued most seriously outside the U.N.

In no case, however, has the Secretary General, as the U.N.'s chief executive, taken a major role in seeking solutions to what is probably the gravest single problem confronting the world.

Delegates to disarmament conferences have acted with the general approval of the U.N., but most of their talks have been at limited conferences, all of which, to date, have ended in failure. So have summit meetings, but optimists keep repeating that magic formula.

The Berlin crisis, clearly a threat to peace, has never been placed formally on the U.N. agenda. It has been discussed in the Assembly, but the Secretary General has not been asked to take the initiative. The U.N. offers one hope of breaking the stalemate.

Finally, most U.N. problems come back to the question: What do member states want the United Nations to do? The late Dag Hammarskjold, in his last annual report, outlined two alternatives. On the one hand, he said, the U.N. could provide static conference machinery for resolving conflicts. On the other, it could offer a dynamic instrument of governments through which they, jointly and for the same purpose, should seek reconciliation but through which they should also try to develop some form of executive action on behalf of all members.

The first concept, he said, was based on a system of sovereign states in armed competition. The second envisages the possibility of eventually developing an agency capable of constructive international action.

Hammarskjold died in pursuit of his ideal. The Soviet Union, for one, says it is unattainable. Only the United Nations can prove Moscow is wrong.

U.N. finances—Critical area balance sheets on emergency funds

CONGO

Budget:	*Millions*
United States	[1] $32.2
Soviet Union	[2] 15.3
Great Britain	[3] 7.7
France	[2] 6.3
Nationalist China	[3] 4.9
Canada	[1] 3.1
India	[1] 2.4
Italy	[2] 2.2
Japan	[1] 2.2
Australia	[1] 1.8
Sweden	[1] 1.4
Others	[4] 20.5
Total budget	100.00
Total amount paid	64.59
Balance due	35.41

MIDDLE EAST

Budget:	
United States	[1] $6.11
Soviet Union	[4] 3.07
Great Britain	[1] 1.46
France	[1] 1.20
Nationalist China	[3] .94
Canada	[1] .58
Japan	[3] .47
India	[3] .46
Italy	[1] .42
Australia	[3] .34
Sweden	[1] .26
Others	[3] 3.67
Total budget	18.98
Total amount paid	13.64
Balance due	5.34

[1] Total amount has been paid.
[2] Nothing has been paid.
[3] Substantial amount has been paid.
[4] Small fraction has been paid.

Mr. MILLER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. HRUSKA. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

FARMERS IN STORAGE

Mr. HRUSKA. Mr. President, at the heart of America's much-discussed farm problem are the tremendous surpluses filling the Nation's storage facilities.

The avowed purpose of the Kennedy-Freeman farm plan is to reduce these surpluses. A key feature of the bill calls for fines or imprisonment for those unhappy farmers whose bookkeeping is not tidy enough to suit Mr. Freeman.

When the Secretary testified before the House Agriculture Committee the other day, Representative BELCHER was moved to remark that "if it comes to that, we would all be in jail."

This comment prompted the Omaha World-Herald to wonder editorially whether the Freeman-Cochrane system of supply management might now include placing farmers in the pokey in order to hold down the agricultural surpluses.

Mr. President, our farmers have enough worries complying with agricultural regulations while they are growing America's crops. It ill behooves Mr. Freeman to add to their troubles by the threat that they will not be around to harvest them if they are not careful with his forms. I ask unanimous consent that the editorial be printed in the RECORD to air this idea before some planner at the Department takes it seriously.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

FARMERS IN STORAGE

A provision in the administration's farm bill which calls for imprisonment or fines or both as punishment of dairy farmers who fail to keep proper records was defended Monday by Agriculture Secretary Freeman.

He said that provision would strengthen the program. We imagine that it would indeed. Representative BELCHER, Republican, of Oklahoma, commented, "If it comes to that, we'd all be in jail."

Mr. Freeman is intent upon establishing a system of supply management which would preclude the production of any surpluses. We imagine that end could be accomplished by keeping a certain number of farmers in jail, but we doubt that very many Members of the Congress are going to view the situation in that light.

LOPSIDED ALLIANCE

Mr. HRUSKA. Madam President, one of the most publicized objectives of the Alliance for Progress program has been the institution of tax reforms in those Latin American countries which are scheduled to receive assistance.

In fact, in the Charter of Punta del Este the nations agreed to undertake these reforms. The specific language of the charter provides this goal:

To reform tax laws, demanding more from those who have most, to punish tax evasion severely, and to redistribute the national income in order to benefit those who are most in need, while, at the same time, promoting savings and investment and reinvestment of capital.

Thus, Madam President, it is most discouraging to read dispatches such as one which appeared in yesterday's New York Times, headlined, "Central America Wary of Aid Ties—Alliance Program's Call for Tax Reform Challenged."

This story quotes El Salvador's Provisional President Eusebio Rodolfo Cordón as welcoming Alliance for Progres aid, but objecting to the conditions of the program, such as tax reforms.

Similar views are reported from Guatemalan President Fuentes.

These developments are especially disheartening because the Governments of both countries had, at the time the Alliance was under discussion, indicated an acceptance of its charter's terms.

Yesterday's story, if based on fact, would seem to be a repudiation of their earlier pledges.

Madam President, I ask unanimous consent to have printed in the RECORD the article from the New York Times of Sunday, March 4.

The PRESIDING OFFICER (Mrs. NEUBERGER in the chair). Is there objection to the request of the Senator from Nebraska?

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CENTRAL AMERICA WARY OF AID TIES—ALLIANCE PROGRAM'S CALL FOR TAX REFORM CHALLENGED

SAN SALVADOR, February 26.—The President's office made public tonight a statement in which Provisional President Eusebio Rodolfo Cordón said that El Salvador welcomed any aid under the Alliance for Progress program.

But at the same time the statement added, this country objected to certain conditions that the program seems to impose, such as tax reforms.

Earlier, a newspaper, Diario Latino, quoted President Miguel Ydigoras Fuentes of Guatemala as likewise criticizing the imposing of conditions on countries wishing to receive U. S. economic and technical aid under the Alliance for Progress.

The Salvadoran and Guatemalan statements were said to be completely independent.

Dr. Cordón conferred yesterday at a mountain hotel near La Palma with President Ramón Villeda Morales of Honduras on Central American affairs. There was no indication that the two Presidents discussed the Alliance for Progress or that the matter might have come up at discussions at Ahuachapán last week between Dr. Cordón and President Ydigoras.

DR. CORDÓN'S COMMENT

The statement here said that Provisional President Cordón at a Sunday night news conference answered questions on general topics. Regarding President Kennedy's program, Dr. Cordón said:

"The Alliance for Progress, up to now, has not been more than a dream. We need the aid contemplated in the program of the Alliance, but without its being imposed on us in exchange for reforms of our institutions, and it should be granted in such a manner that it does not obligate us to limit ourselves."

As for the opinion of the Guatemalan President, Diario Latino quoted Colonel Ydigoras as having charged that aid under the Alliance for Progress program was being given to the large countries of Latin America to the slighting of the smaller countries.

The Guatemalan chief of state was also quoted as having lamented the conditions set out in the Alliance for Progress.

"It is desired," he was reported to have said, "that our countries, with national economies a bit disorganized, apply new tax laws, which may be prejudiced for the development of our newborn industries.

"In this way it is sought to guarantee that the economic aid derived from the program does not make the rich richer, nor the poor poorer, but at the same time the efforts we make to apply measures tending to improve the living conditions of the poorer classes are forgotten.

"In Guatemala we are increasing agrarian reform with legal provisions which give a greater field of action to the Agrarian Institute, which has been functioning for several years. Through this organism thousands of acres of land have been distributed for the peasants."

Guatemala does not have an income tax law, although late in 1961 the Congress approved such a law in principle. In previous years the Congress repeatedly rejected Presidential requests to enact an income tax law.

LATIN AMERICAN REFORMS

Mr. McGEE. Madam President, I wish to address myself to the same point referred to by the distinguished Senator from Nebraska, by inviting attention of the Members of this body to an article which was published in Friday's New York Times under the headline "Rusk Bids Latins Step Up Reforms."

This reminds us all that pressures are being applied. The article explains that in certain areas of Latin America the kind of pressure referred to is being resisted. I think the Senator from Nebraska is exactly correct in continuing to keep in focus how important it is that these regimes in certain parts of Latin America should not succeed in prevailing in the foot-dragging which has been going on in terms of basic tax reforms and the whole structure of the economics of the governments of Latin American countries.

I ask unanimous consent that the article from the New York Times may be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

RUSK BIDS LATINS STEP UP REFORMS—SAYS INTERNAL ISSUES DELAY AID FOR MANY REGIMES

(By Tad Szulc)

WASHINGTON, March 1.—Secretary of State Dean Rusk said today that "we are trying to get our friends" in Latin America to speed their activity in the Alliance for Progress.

Discussing the Alliance, which calls for the cooperative economic and social development of Latin America, Mr. Rusk noted that the hemisphere governments "have their problems because this is based on the fact that rapid growth and economic development can occur within free institutions."

"That means," he said in his news conference, "that many of them have their own legislation, their own laws to pass, their own administrative arrangements to devise, their own steps, and some of these are controversial in their countries. Similar steps were taken in our country as we moved on in our own development."

GOVERNMENTS CRITICIZED

Latin American governments have been criticized recently in congressional, press,

and other quarters here for not moving sufficiently fast with their basic reforms.

"I would not suppose," Mr. Rusk said, "that we are ever really going to be satisfied or contented, because this great problem of growth and development is insatiable at least as far into the future as we can see.

He borrowed a thought from Charles Kingsley, 19th century English poet and social reformer, to stress that the United States and Latin America should exercise "divine discontent" in never being satisfied with the achievements of the Alliance for Progress, which is the U.S. aid program for Latin America.

Mr Rusk ascribed the phrase—later identified as Dr. Warren Weaver, who served with him in the Rockefeller Foundation—but it is generally considered to have been composed by Kingsley, a canon of Westminister and chaplain to Queen Victoria.

UPGROWTH OF ALL VIRTUE

Kingsley wrote in "Health and Education" in 1874 that "to be discontented with the divine discontent, and to be ashamed with the noble shame, is the very germ of the first upgrowth of all virtue."

"So are we satisfied?" Mr. Rusk asked. "No. Do we expect to be satisfied? No. Are we working on it? Yes"

The Secretary said that there would be no problems in committing the funds promised Latin America during this fiscal year, but that "for years to come this will be unfinished business."

The administration is committed to spend about $1 billion this year in Latin American projects. About 800 million has already been authorized.

Mr. Rusk said that the problem of the Brazilian expropriation of an American-owned telephone company was being discussed with Brazilian federal and state authorities. The company, a subsidiary to the International Telephone & Telegraph Corp., was nationalized by the state of Rio Grand do Sul.

THE ATTORNEY GENERAL—A JET-AGE ENVOY

Mr. McGEE. Madam President, I ask unanimous consent that an editorial published in the Washington Evening Star for Saturday last be printed in the RECORD. The editorial is entitled "Jet-Age Envoy," and in very strong and laudatory terms endorses the efforts and the impact of the Attorney General of the United States in his recent "orbit" of the earth.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

JET-AGE ENVOY

There is good reason to conclude that jet-propelled Attorney General Robert F. Kennedy and his equally energetic and attractive wife, Ethel, really did a pretty fine job on their monthlong tour around the world. Theirs were fresh faces and refreshing personalities of a typically young American kind as they hustled from one country to more than a dozen others, meeting and talking with people in the streets and with heads of governments, and still finding time for play periods with children in many lands.

If this was not an exercise in diplomacy of a conventional fashion, it may be added that it was not so intended. And if one of its original purposes was to give Bobby some on-the-job training in foreign affairs, it may be added too that he distributed a considerable amount of education in return. Long before he became a Cabinet officer, this younger brother of the President had established his qualifications at home as a person possessed of courage, eloquence, and the intellect to match. He displayed all of these qualities at one time or another in his public appearances abroad—discomfiting some of those who faced him as critics and certainly cheering others who greeted him as a friend.

More time will be needed to measure the lasting impact of the Kennedy travels. It was indicated in news reports along the way that he did much to place the contemporary character of America in true perspective, to correct the distorted and outdated image that has prevailed in certain young and pseudointellectual circles in other countries. No doubt Mr. Kennedy learned as much as he taught. On this basis, the benefits are two way.

DIFFERENCE BETWEEN COMMUNIST AND AMERICAN IDEAS OF FOREIGN AID

Mr. McGEE. Madam President, I ask unanimous consent that an article published in the Washington Post and Times Herald yesterday, on the "Difference Between Communist Idea of Foreign Aid and Ours" may be printed in the RECORD. It is an extract from a speech which was delivered last week by Mr. Walt W. Rostow, a counselor of the State Department, who is Deputy Special Assistant to the President for National Security Affairs. Because it is a very illuminating contrast as between the Russian approach to the question and our own, I think it would be helpful to Members of this body to have a second look at it.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

DIFFERENCE BETWEEN COMMUNIST IDEA OF FOREIGN AID AND OURS

We look forward to the emergence of strong assertive nations which, out of their own traditions and aspirations, create their own forms of modern society. We take it as our duty to help maintain the integrity and the independence of the modernization process going forward in many parts of the world—insofar as our resources and our ability to influence the course of events permit.

That possibility is challenged by Communist objectives and Communist policy. The Communists also perceive that the process of modernization involves fundamental social, political, and economic change. These are bound to be turbulent times, and it is the Communist intent to exploit the turbulence of this transitional process in order to seize power and to mold the emerging world in their image and link it tightly to the Communist empire.

It is often said that what we can observe in the contemporary world is a struggle between two blocs. This is not the case. What is at stake is whether a new world order shall be created by the voluntary association and cooperation of independent nations—each having fashioned its own modern personality—or a world order, dominated from a single center, of nations forced into a single mold.

We in the United States can live comfortably in a pluralistic world, because our life at home is based on the principle of cooperation among dignified equals, but the Communists are driven, by their methods for organizing power, to violate equally the integrity of individuals and of nations. Thus, when seeking power, they aim to associate themselves with all manner of forward looking human and national aspirations. Once in power, they drag from the shelves their dreary archaic handbooks and impose a pattern of organization which runs against the grain of human and national character and personality. In the end, that is why the Communist offensive will fail.

THE LESSON OF KOREA

We have not forgotten the lesson of Korea. We cannot assume the Communists will not again overtly cross frontiers with military force, and our dispositions with respect to the CENTO area and elsewhere take that possibility into account; but it is also clear that for some years they have been relying heavily on the possibility of exploiting the turbulence which inevitably comes with the drive toward modernization, to seize power from within.

In defense of the independence of nations and the national integrity of the modernization process, we are, therefore, equally concerned with problems of defense and with the constructive tasks of development. * * *

As we move into the 1960's all of us in the free world are trying to consolidate and to build on the lessons we have learned about economic development since the end of the Second World War.

The first lesson is that aid from outside a country can only be helpful to its development to the extent that the government and people of a nation organize their own resources. Economic growth is primarily a national enterprise. As you have demonstrated by some of the CENTO regional projects, development cannot and should not be wholly viewed in national terms; and, certainly, external assistance is important; but the heart of economic development consists in national measures of self-help.

Second, national planning of the development process is required as a basis both for the domestic mobilization of resources and effective foreign aid. National plans are needed because, as Adam Smith noted long ago—when prescribing for underdeveloped Britain of the 18th century—governments must create the framework within which a modern economy can develop. It is the government which must organize and finance the educational system and shape it to the nation's needs. It is the government which must lay out and, in most cases, finance the fundamental social overhead projects—in transport, electric power, and other sectors—on which development depends.

NATIONAL PLANNING NEED

It may seem strange that we in the United States, who are so deeply attached to the virtues of private enterprise, should be the advocates of national planning in the underdeveloped areas. There is, in fact, no incompatibility between a belief that national planning is essential in the early stages of development and a belief in the wisdom of leaving to private enterprise a wide and expanding range of economic activities. How wide that range is each country will, of course, decide for itself in the light of its own problems and possibilities. But the framework within which a modern private enterprise system can develop must, in large part, be created initially by the effort and initiative of governments. It is this perception which has drained away much of the fervor from the argument about government versus private enterprise in the development process—an argument which, even a few years ago, seemed to be central to the whole business. As nations have acquired practical experience in economic development, it is becoming increasingly clear that each of the two sectors has a job to do and that their jobs are supplementary and mutually reinforcing. * * *

A third lesson of our postwar experience is that foreign aid is likely to be most effective if it is geared into national development programs on a long-term basis. In committing themselves and their peoples to ambitious development goals—and demanding the sacrifices and efforts which are necessary for their fulfillment—it is natural that governments should wish to know in advance

how much foreign aid they can count on over any planning period.

American foreign aid legislation has now taken this factor into account and we have been joined by our partners in Western Europe, Canada, and Japan. We are rapidly learning to weave together the national and international contributions to development in a systematic way and we look forward to extending this method as new national development programs come forward.

INDIVIDUAL INCENTIVE

A fourth lesson is this: Although we are still learning this job together—and have much to learn—we are confident that the methods of freemen will prove more effective than the apparently more efficient techniques of totalitarian regimes. Quite aside from the inhumanity of Communist methods, it appears to be a technical fact that the most powerful system of control is an inadequate substitute for the incentives and commitment of the individual citizen, once he can be engaged. Development is a process which requires that millions of human beings and many organized groups assume responsibility for moving things forward on their narrow part of the front. There are simply not enough Communist cadres or secret policemen available to substitute for the energy and commitment of men and women who understand what needs to be done and why it is in their interest to do it. This weakness of communism is most apparent in the field of agriculture. Communist methods have managed to shift one Communist country after another from food surplus to food deficit status, and in the Soviet Union itself they must maintain perhaps twice the working force in agriculture they would need if they were not committed to the method of control they feel necessary for the political safety of the regime. * * *

The difference between Communist planning and planning in the free world comes to this: Communist planning is a device for maximum political control over the individual—and it thereby burdens the state with functions it cannot efficiently carry and destroys individual incentives needed for a vital economy; planning for underdeveloped countries in the free world is a device for assuring balance in the growth process and for creating a framework within which individual incentives and individual initiative can be effective.

In short, the lesson of our experience thus far is that we should be confident that in going forward with economic development by the methods of pragmatic planning and individual consent which are natural to us, we are on the right track technically as well as morally.

THE DOLLAR DEFICIT

Mr. McGEE. Madam President, I ask unanimous consent to have printed in the RECORD, an article entitled "Dollar Deficit Is One That Mustn't Run Wild," published yesterday, written by Henry C. Wallich, professor of economics at Yale University. The article deals with the dollar deficit and the problems it connotes for us in managing sound fiscal policies on all counts.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

DOLLAR DEFICIT IS ONE THAT MUSTN'T RUN WILD

(By Henry C. Wallich)

There is a simple answer when someone begins to complain about the deficit: Ask him which deficit he means, the budget deficit or the balance-of-payments deficit. Require him to define his terms: "You name it, we have it."

The budget deficit this year is $7 billion; the balance-of-payments deficit, $2.4 billion. If the President is right (and lucky), there will be no budget deficit next year, but the President will be very lucky indeed if the next balance-of-payments deficit is not bigger than the last.

Though the balance-of-payments deficit is currently much the smaller, it is much the more insidious. What a string of budget deficits would do to the dollar is a question about which reasonable men may differ. It would probably depend on circumstances. There is very little difference of opinion on what a string of balance-of-payments deficits of any size would do to the dollar. It would mean collapse.

LIKE CHECKING ACCOUNT

The balance of payments sometimes is discussed as if it were a profit-and-loss account, with surplus signifying a profit; deficit, a loss. If that were the case, all countries would of course be seeking to have surpluses all the time. Fortunately, it is a wrong analogy.

The balance of payments is one of those rare terms in economics which mean—almost, not quite—what they say. It is the balance resulting from the international expenditures and receipts of the Nation. Its closest analogy is a checking account.

The United States spends money abroad by buying a long shopping list of goods; its citizens travel and obtain other services; it gives foreign aid, keeps troops, pays pensions and acquires profitable investments abroad. On the other hand, the United States gets money from abroad by selling goods, rendering various services and obtaining an income on its investments.

Expenditures are debited to the checking account; receipts are credited. The cash balance in the account is symbolized by U.S. gold holdings. When there is a balance-of-payments surplus, the gold goes up. When there is a deficit, it goes down. For some time now, the gold has been going down.

There is an important qualification. The United States pays for its deficit not only in gold; it also pays by issuing I O U's. The United States has covered some $5 billion of the deficit of the last 4 years by paying out that much gold, but it has covered the remaining $8 billion by going into debt.

In contrast to what happens in a store, where the salesclerk asks, "Cash or charge?" the decision to pay gold or issue I O U's is not up to the United States but to the foreigner. The United States pays interest on what it owes to foreign countries or individuals if they choose to leave their money here. Many countries therefore prefer not to take gold for their surplus with the United States, but to keep the dollars they receive in the United States.

In this way, the United States in the last 4 years has avoided paying $8 billion in gold. But it faces withdrawal of this and other foreign-owned money—and of the funds of Americans as well—if people should cease to trust the dollar.

The decline in the U.S. international cash balance has been very substantial by these figures. That does not necessarily mean that the United States has lived beyond its means. In fact, the country has acquired, through investment abroad, income earning assets that exceed substantially the loss of gold and increase in foreign dollar balances. But these investments are not liquid, and in an emergency the Nation could not count on being able to use them quickly.

BIG STEPS BLOCKED

Foreign countries have made it pretty clear to the U.S. Government that their confidence in the dollar has been stretched about as far as it will go. They are reluctant to have additional dollar I O U's unloaded on them as a result of further deficits. The United States, on the other hand, is reluctant to lose more gold because a reduction in the gold backing of the dollar would weaken confidence still further. Hence it is urgent to put an end to the deficit.

The first thing that comes to mind, naturally, is to cut some of the Nation's international expenditures. Unfortunately, it immediately appears that there is a hitch to almost everything big that could be done.

To cut imports by raising tariffs or through other restrictions would invite certain retaliation. Since the United States exports more than it imports, it has more to lose from reciprocal trade restrictions than to gain. To cut troop pay by pulling back the troops would fatally weaken the Nation's military posture.

Cutting foreign aid would not help much, quite aside from the damage to our international position, because most of the aid is given in the form of American products or is otherwise tied to purchase here. Foreign investments could be stopped, but they are already earning more each year than they cost and over the years the net gain from them will increase. Tourism could not be restrained without inventing an elaborate system of currency controls that would put an end to the use of the dollar as an international currency.

A great many minor means of saving dollars abroad or earning more from foreigners are, of course, open: some savings on troop pay and foreign aid can always be made; foreigners can be induced to travel and invest in the United States. It is easy to put together pages and pages of good ideas, but in dollar terms there is only one thing that really amounts to anything: to export more.

The United States must sell more abroad. There is no question that the foreigner has the money; he has been getting it through the American balance of payments deficit. The obstacle is inadequate competitiveness of American products. Competitive after a fashion we are; how else would American exports exceed imports? But the margin of competitiveness is not sufficient.

The United States needs some 2 to 3 billion dollars a year more exports, in relation to imports, than it now has. That would solve the problem. But the continuation of this small deficiency puts the dollar in jeopardy, prevents the administration from taking active measures to increase employment and slows down the whole economy.

To make American exports more competitive, prices must come down or at least must be held constant while prices abroad drift upward. There are other factors, such as improved design, credit, service, and selling, but price is the big one. The way to keep prices in line is to keep wages from advancing too fast.

Public pressure against price increases is necessary, too, to keep profits from advancing sharply if wages slow down. But since profits amount to only about 4.5 percent of the sales of manufacturing corporations, wages obviously are the key factor.

The President's Council of Economic Advisers has suggested that wage boosts remain within a limit that may be interpreted as 2.4 percent. If the Nation succeeds in doing that, it has a fair chance of working out of its balance of payments problem. If it doesn't, the dollar will be in jeopardy and our means of maintaining our international posture will be inadequate and efforts to increase employment at home will suffer.

ATMOSPHERIC TESTS OF THERMONUCLEAR WEAPONS

Mr. McGEE. Madam President, I ask unanimous consent to have printed in the RECORD an editorial published in the Washington Post and Times Herald Sunday, March 4, entitled "The Two Messages," referring to the two messages of the President. There was a message of stern and strong language on the resumption of above-ground nuclear tests, and, at the same time, a second message in the same address to the American people and to the world, in which the President very carefully spelled out the hope that commonsense might still prevail and that it would be possible to negotiate some kind of a suspension of nuclear tests.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE TWO MESSAGES

The President of the United States delivered not one but two solemn and eloquent messages on Friday night, in the address that disclosed that this country will conduct atmospheric tests of thermonuclear weapons in late April unless there is a test-ban agreement before then. It is to be hoped that the leaders of the Soviet Union and the people of the world heard both of them.

One was the message of a national leader charged inescapably with the burden of maintaining the military defenses of his own country and those of the free world alliance within the iron frame of circumstance that he did not create and cannot alter. The other was the message of a man of warm humanitarian impulse who shrinks from steps that might harm the health of even one individual, and who is still hoping against hope that those who have fixed the circumstances within which he must act still may be persuaded to alter them.

It will be a tragedy if the Soviet Union hears but one of these messages for there is still time, even though the 11th hour is at hand, to change the dreadful direction events now take. If the interlude is wasted in a dreary dialog between those who say there can be no test ban without inspections of the kind already proposed and those who say there can be no inspection whatever, it will be discouraging indeed. Surely human societies that have conducted the great discoveries and inventions that bid fair to transform the whole environment of man, if they devote themselves seriously to the purpose at hand, can discover some alternative to this monotonous and unproductive litany. There can be, there must be a way to loose manmade fetters that bind us firmly to policies that inevitably and inescapably carry us toward our doom.

The President of the United States has solemnly invited the Soviet Union to uncover new proposals for ending this stalemate. It is an invitation attended by enormous hazard and great danger and it deserves a response appropriate to its daring. This country, it is clear from the President's message, believes that it can gain, by a series of tests, disclosures as to weapons effects and capabilities that might be well-nigh decisive in the event of an attack upon it. Yet it is willing to forgo these discoveries and advantages, allowing the Soviet Union the benefit of the last round of tests, if "they will agree to an effective treaty."

The President's statement of the military necessity for the resumption of testing under existing circumstances was convincing and eloquent; so was his assertion of the desirability of changing those circumstances. It will be sad if the intellectual antenna in the Kremlin pick up the first and not the second message.

It would be at some risk that we now would enter into a test-ban treaty permitting Soviet scientists to utilize their recent tests for the perfection of their thermonuclear weaponry. The President, nonetheless, is right to run this risk. It is justified both by the threat of radioactive fallout from the tests themselves, and perhaps even more justified by the certainty that unrestricted competition in the development of thermonuclear weapons ultimately will end in disaster.

TRADE POLICY

Mr. McGEE. Madam President, I ask unanimous consent to have printed in the RECORD an article from the Washington Post and Times Herald of Saturday last, entitled "J.F.K.'s Economics and Trade Policy," an analysis prepared by Seymour Harris, a professor of political economy at Harvard University.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

J.F.K.'S ECONOMICS AND TRADE POLICY

(By Seymour Harris)

What is striking about the President's new, bold, and courageous trade program is that it goes way beyond the congressional postwar position. As a spokesman over many years for the New England Governors who were greatly concerned over the destruction of their textile industry, I observed the rising protectionism in Congress since the end of the war.

One may ask why the President hazarded the political risk of moving in front of Congress on trade policy, and yet was reluctant to move too far ahead of Congress on domestic policies. Apparently the President sensed the possibility of a victory on trade policy or at least important educational gains and had already experienced opposition by Congress on some of his essential welfare and growth policies.

Unlike many of the economists of liberal persuasion, I would defend the President's caution in fiscal policy. For years the economists have been preaching that deficits are the medicine in recession and surpluses in prosperity. They have not said, or, if they have, only in whispers, what some have recently learned, that a growing economy may require continued deficits even in prosperous times, for the rising income brings increased tax revenues and surpluses and hence less spending that slow up or stop a recovery.

The President has learned that the A B C's of modern fiscal theory, the Congress less so, and the general public, avid for debt financing in their private lives, assume a highly moral position on Government borrowing. If the President has not moved far or fast enough—and he has moved more courageously than any other President—it is not his, but the economists' fault.

The economists are right in their contention that a moderate rise of debt in prosperity and resultant costs, given the increases in GNP, is not going to be troublesome. But the inflationary effects (inclusive of balance-of-payment repercussions) need careful watching against the gains of output and employment.

But to return to trade policy, when the first rumblings of the new trade policy were heard early in November, I wondered whether the President would go along. Here were breaks with past policy that were revolutionary, for example, in the proposed extent of tariff cut, in the suggestion of across-the-board bargaining, and in the abandonment largely of the principle of no injury to industry through tariff cuts which has been the basis of the reciprocal trade policy since 1934.

But the President has made it clear that, like Adam Smith, he is not a doctrinaire free trader. He realizes that a government cannot overnight remove the protection upon which industries and jobs have been built. Hence he is wise not to heed the demands of those who would scrap the escape clause, the peril point, and the relevant national security clauses.

Here are a few aspects of this trade program which requires some emphasis here.

1. The attention given to the new trade policy by Ways and Means means less attention to other programs such as medicare. Perhaps, in pushing the trade policy, the President recognizes the difficulties of getting medicare through in 1962.

2. The new trade program is one for increasing both exports and imports and hence one for increasing income and growth. On the basis of past experience in negotiating, we shall be fortunate indeed to increase our exports as much as imports through these new trade policies.

3. What is required for raising the excess of exports over imports is rising productivity, reasonable price and wage policies, export drives, etc., all measures being taken or urged.

4. Another relevant factor is the continued growth of Western Europe and Japan. Both our penetration of these rich markets and the continued unshackling of trade barriers in the Common Market could seriously suffer from a slow rate of growth or depression.

5. The President quite rightly points out that increased trade with the Common Market would reduce our excessive exports of capital which contribute to deficits in the dollar account.

6. A strong case can be made for Europe reducing her trade barriers more than we do (and hence rise of U.S. exports vis-a-vis imports) in a period of dollar saturation and loss of reserves here—just as in the period of dollar shortages Europeans increased their restrictions while we reduced ours.

PUBLIC AFFAIRS PROGRAMING

Mr. McGEE. Madam President, I ask unanimous consent to have printed in the RECORD an extract from the TV column of the Washington Post and Times-Herald for Friday, March 2, 1962, the article written by Mr. Lawrence Laurent, the TV editor, in which he discusses, under the title "People and Programs," the extensiveness of the informal and quite unofficial network which Mr. Theodore Granik has managed to hook up in behalf of his new program "All America Wants To Know." In these times we have run into increasing difficulty in attracting network concerns to more and more public affairs and public information programs. I think it is important that the attention devoted to Ted Granik and to his new show be included in the RECORD, so I ask unanimous consent to have the excerpt printed in the RECORD at this point.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PEOPLE AND PROGRAMS

(By Lawrence Laurent)

Theodore Granik, who began dealing in public affairs programing back in 1928, has finally got his own network. It's for "All America Wants To Know," a panel-style show that is currently being broadcast on 1,025 radio stations and telecast on 150 TV stations.

Granik dropped by the other afternoon to show the results of a postal card survey. The Reader's Digest, which pays for production, filming and distribution of the programs, had mailed out the cards to all of the stations. "They didn't get one negative reply," Granik boasted.

"Some stations say they have run a single program six times," Granik continued.

"Some use our program with a local follow-up."

Granik's 1928 radio beginning was in New York. Out of those first programs came "The American Forum of the Air" and, later, "Youth Wants To Know." The newest, "All America Wants To Know," is scheduled for Sunday (5:30 p.m.) on WTTG. It is a discussion of "Are Wiretapping Laws Aiding Criminals?" Panelists include Senator Kenneth Keating, Republican, of New York, Senator John O. Carroll, Democrat, of Colorado, Virgil Peterson, of the Chicago Crime Commission, and Lawrence Speiser, of the American Civil Liberties Union.

Granik's impromptu American network is extended overseas by the U.S. Information Agency.

CATHOLIC BISHOPS ASSAIL RIGHTISTS

Mr. McGEE. Madam President, from the New York Times of Friday, March 2, 1962, I ask unanimous consent to have printed in the RECORD an article written by John D. Morris entitled "Catholic Bishops Assail Rightists."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CATHOLIC BISHOPS ASSAIL RIGHTISTS—CHURCH OPENS DRIVE AGAINST EXTREMISTS—BOOKLET ON ANTICOMMUNISM ISSUED

(By John D. Morris)

WASHINGTON, March 1.—The Roman Catholic Church began a national campaign today to discourage participation in extreme anti-Communist movements such as the John Birch Society.

The drive got underway with publication by the National Catholic Welfare Conference of an 80-page booklet attacking "extremists of the right" for fomenting "a virulent form of disunity that is dangerously weakening the Nation."

The National Catholic Welfare Conference is the central administrative organ of the country's Catholic bishops.

The Reverend John F. Cronin, author of the booklet, said at a news conference that its publication signaled the start of a campaign for sanity in meeting the Communist threat. Father Cronin, a nationally recognized expert on the Communist movement for 20 years, is assistant director of the Social Action Department of the National Catholic Welfare Conference.

For the citizen who asks, "What can I do to fight communism?" Father Cronin suggests in his booklet.

"Devote all your strength and energy, in concert with your fellow Americans, to building national unity and moral strength. Practice your religion, and make it a vital force in your community.

"Even in dealing with moral evils, concentrate less on denunciation and more on giving leadership and example. Be a man of integrity in your work. Make your family outstanding by the quality of parental love and discipline you show.

"Unite with your neighbors for racial justice and harmony. Do your part to make this a better and stronger Nation, and we shall not fear what the Communists plot and scheme against us.

"Above all, we must have a broader vision of world needs."

The conference is distributing 100,000 copies of the booklet to Catholic dioceses throughout the country for use by parish study clubs, parochial school teachers, and church publications. Issuance of the booklet was expected to be front-page news in most diocesan newspapers in their weekly editions today and tomorrow. Many of them are expected to serialize its text and base editorials on it. Pastors are expected to use it as a basis for sermons.

BOOKLET'S SIGNIFICANCE

Ultimately, Father Cronin said, from 500,000 to 1 million copies are to be printed and distributed by the conference and the booklet's copublisher, the Paulist Press of New York.

The campaign is regarded as particularly significant in view of the fact that some priests and nuns and many Catholic laymen have been identified with the militantly rightwing anti-Communist movement now brought under attack by their church.

Robert H. W. Welch, Jr., leader of the semi-secret John Birch Society, has said that about 40 percent of the members of his organization are Catholics. Father Cronin said that he believes this to be an exaggeration but he conceded that quite a few Catholics belonged to the society.

Altogether, about 50 sizable organizations constitute the extremist forces at which the booklet is aimed, Father Cronin told reporters.

The leadership and membership of most of the others that he named are predominantly non-Catholic. They include the Christian Anti-Communist Crusade, headed by Dr. Fred C. Schwartz of Los Angeles; the Christian Crusade, led by the Reverend Billy James Hargis of Tulsa; the Circuit Riders, Inc., of Cincinnati, and the American Council of Christian Churches, directed by Edgar C. Bundy.

None of the organizations is mentioned by name in the booklet, but it was clear that the John Birch Society was the main target.

The central theme of the Cronin booklet is that "the basic threat of communism is external, not internal" and that anti-Communist extremists are misdirecting their energies by concentrating on internal subversion.

MANY SEEN BEWILDERED

"Speakers and writers for such groups," Father Cronin writes, "are vigorously fighting problems that were mostly solved by 1950, and neglecting the far greater dangers of Communist subversion in Asia, Africa, and Latin America and the general world Communist offensive.

"In many parts of the country," he declares, "hysteria and suspicion are becoming increasingly evident. A virulent form of disunity is weakening us in the world struggle against communism and performing this disservice in the name of militant anticommunism. Many Americans are confused and bewildered by the whole trend."

Father Cronin accuses some anti-Communist extremists of identifying communism with whatever ideas they happen to dislike, inciting racial and religious prejudice under the guise of fighting subversion and seeking to discredit reputable individuals and institutions with the taint of communism.

He is emphatic in challenging Mr. Welch's contention that 7,000 Protestant clergymen are identified with the Communist movement. He says that Communist influence among the Protestant clergy is virtually nonexistent.

He attributes the spread of anti-Communist extremism largely to the frustration of impatient Americans who want to do something about communism, but who do not realize that the main threat to the United States no longer is subversion here.

He advises citizens to leave the task of combating subversion to experts in the Federal Government who have the training and authority to do the job.

MINERAL ROYALTIES FOR WESTERN STATES

Mr. McGEE. Madam President, I ask unanimous consent to have printed in the RECORD a prepared statement edited by the Wyoming Natural Resources Board of Cheyenne. The document states a very strong case, and in explicit language, on behalf of the Western States for the return of 90 percent of the mineral royalties to the State of origin of the income from those royalties.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

EQUALITY FOR THE WESTERN STATES: A CASE FOR THE RETURN OF 90 PERCENT OF MINERAL ROYALTIES TO THE STATE OF ORIGIN

INTRODUCTION

The people of the West are particularly conscious that the Federal Government owns so large a part of the surface of their respective States, and often an even larger part of the mineral rights of the States. The inequity of the situation in which the Western States find themselves is emphasized by these facts:

1. The original States of the Union and others east of the Rocky Mountains received State or individual title to the lands within their borders.

2. Alaska was admitted to the Union under a provision guaranteeing her 90 percent of the mineral royalties taken out by the Federal Government.

3. It appears that some States stand to directly benefit from ownership of minerals produced from offshore submerged lands.

For these reasons, and others to be elaborated upon later, perhaps no proposal is so important to the Western States as the one to return a larger share of the receipts under the terms of the Minerals Leasing Act of 1920. Such a proposal is embodied in S. 898, introduced by Wyoming's Senators in the 1st session of the 87th Congress in early 1961.

BACKGROUND

The original Colonies retained all their lands, and other States, east of the Rockies for the most part, were given admission on an equal footing with the original States.

Following the Louisiana Purchase in 1803, the public domain was expanded through: (a) Purchase of Florida from Spain in 1819; (b) annexation of Texas in 1845 (though there is no Federal land in Texas); (c) acquisition by treaty of the Oregon Territory in 1846; (d) Mexican cession of 1848; (e) the Texas Purchase from that State in 1850, and (f) the Gadsden Purchase from Mexico in 1853.

Treaties with France and Mexico made it clear that new States would be on an equal footing with all other States. Wyoming, to use it as an example, was forged out of the public domain acquired through the Louisiana, Texas, and Mexican Purchases, and the Oregon Treaty. At the time of admission to statehood, Wyoming disclaimed title to the public lands within the State, so that at present the U.S. Government owns the surface and minerals of some 32 million acres and owns the minerals under an additional 12 million acres, or 52 percent of the land area, and 70 percent of the minerals in the State.

These facts are not given to support a claim for the turning over of federally held land to the State, however desirable this may be. What is desired is equal treatment, and the first step toward equal treatment for the Western States could be the return of the mineral royalties to the State of origin.

THEORY OF SHARED-REVENUE PATMENTS

Two different philosophies may be identified which explain the revenue-sharing idea now in use. These may be called (1) the Federal custodial interest philosophy and (2) the tax equivalent payment philosophy.

Under the Federal custodial interest philosophy, the Federal Government would hold

and manage land for the benefit of the people of the State where the lands are located without any financial gain above the cost of stewardship. Many State and local officials entertain this view especially as it concerns public domain lands. There is no shared-revenue program which conforms perfectly to this philosophy, although payment plans for the O. & C. lands, the Taylor Grazing Act lands, and mineral leases reflect a good deal of it.

A modification of this philosophy would treat as beneficiaries of the Federal land holdings the people in a general region not limited to the particular State where the Federal lands are located. The Taylor Grazing and Mineral Leasing Acts seem to reflect this modified interpretation more than any other payment arrangement.

Then there are those who maintain that Federal lands are held for the benefit of all the citizens of the country, a view which challenges any revenue sharing with State or local citizens.

Where revenues from Federal lands are shared with States or local governments or utilized for the benefit of particular regions, it is arguable that the percentage distributions of revenue among the different levels of government reflect the varying degrees of beneficial interest on the part of these different levels of government in the Federal holdings as determined by Congress. Actually, as this paper testifies, there is diversity of opinion as to the proper percentage to be allocated to States or local governments even where revenue sharing is endorsed as an appropriate payment arrangement.

Considerable attention has been given in this respect to the appropriateness of the present 37½ percent distribution of mineral royalty receipts distributed to the States. Any justification for increasing the percentage is dependent upon the weight given to the concept that the Federal Government holds mineral leasing lands for the benefit of the people of the State where those lands are found. The present 37½ percent rate of distribution is adequate to replace whatever receipts the States would derive from taxation if the mineral lands were privately owned. But, this is an ex post facto rationalization, the legislative history of the Federal decision to establish that percentage indicates that the decision resulted from a compromise and is rather arbitrary. The fact that Congress determined to return to the States via the reclamation fund an added 52½ percent of the income receipts from mineral lands, reserving only 10 percent for administrative costs, lends some credence to the claim that Congress has recognized the custodial principle. Complete adoption of such a philosophy would suggest the propriety of returning to each State all Federal receipts from mineral lands within the State, minus Federal administration costs. This is the philosophy behind S. 898 and this paper.

The existing situation seems to be one of a modification of this philosophy, in that the group of States receiving the benefit of the 52½-percent contribution to the reclamation fund are generally the same States containing the mineral lands. However, the individual States do not share in the reclamation fund in direct proportion to contributions to that fund from mineral lease royalties within the individual States.[1] (See table A.)

THE SITUATION IN 1961

Before Congress can give proper attention to legislation to correct the present unfair situation, it will be necessary to create a favorable climate of opinion among the citizens of the Western States. Only after we have united the Western States in our drive for acceptance of the principles involved will Congress lend an ear. The reason that Wyoming is spearheading the action is that we have the most at stake. A glance at table A will show that in fiscal 1960, Wyoming contributed 41.1 percent of the moneys received by the reclamation fund.

I

The Minerals Leasing Act of 1920 was entitled as "An Act To Promote the Mining of Coal, Phosphate, Oil, Oil Shale, Gas and Sodium on the Public Domain." Under its terms, a royalty on mineral production on Federally owned land and other land on which the Federal Government has retained the mineral rights would be paid to the Federal Government. The royalty is usually 12½ percent, or on a sliding scale.

Table A shows the royalties paid by the States affected. It also shows the redistribution of those receipts to the States (37½ percent) and to the reclamation fund (52½ percent). In addition, it shows that the Bureau of Reclamation cost of plant, property, and equipment built and in progress, and the relationship of the mineral royalty payments as a percentage of the cost of those projects.

To use the example of Wyoming, in fiscal 1960 receipts totaled $33,165,394. Of this, 37½ percent was returned to Wyoming ($12,437,023) and 5½ percent went to the reclamation fund ($16,906,881). The difference ($3,821,490) went to the U.S. Treasury. Over the years Wyoming has paid 41.1 percent of the total mineral royalty funds to the reclamation fund. In return, Wyoming has received only 6.4 percent of the Bureau's expenditures on reclamation programs.

It will be noted, however, that from 1920 to 1960, Wyoming has contributed $176,775,622 to the reclamation fund and has received in plant, property, and equipment a total of $221,901,973. The implication is sometimes made that Wyoming is getting a good deal. It is not, as two very important considerations are ignored:

1. The relative comparison with other States.

2. The principle that reclamation projects are largely self-financing on a repayment basis.

As table A will show, mineral royalty receipts to the reclamation fund represent 79.9 percent of the cost of projects in Wyoming. The average for all States is 12.3 percent. And the fact is ignored that although $221 million in Bureau projects were appropriated for Wyoming, not all this money got into the State. The Washington siphon took its toll in administrative costs. But since this affects all States more or less equally, the relationship between 79.9 percent and 12.3 percent is generally valid.

The difference between the all-State average of 12.3 percent and 100 percent has been made up by:

1. General appropriations from the Treasury.

2. Reclamation fund revolving revenues such as repayment and profits.

3. Other smaller sources.

Therefore, the moneys, taken from the States for reclamation projects account for only 12.3 percent of total costs of the projects. It is evident that the reclamation program no longer depends upon the reclamation fund.

II

When the reclamation fund was established in 1902, it was the only means of financing the Federal reclamation projects of the arid west. It's most reliable sources of new funds was the contributions from the sale of public lands. After 1920, the accruals under the provision of the Minerals Leasing Act became an additional source of revenue.

Money appropriated out of the reclamation fund, is, in general, reimbursable to that fund. Repayments have, therefore, become an important contributor to the growth of the fund.

Reclamation projects can and do stand upon their own merits under the congressional appropriations methods. This is fully demonstrated by the financing in fiscal 1961 when $76 million was appropriated from the general fund. Approximately 90 percent is reimbursable and will be added to the reclamation fund when repaid from the power and water revenues. Thus, the lion's share of the funds appropriated find their way back into the reclamation fund.

The reclamation fund has served a very useful purpose, particularly in the seminal years, as it clearly earmarked money for the early endeavors in reclamation. The very existence of the fund in the early years acted as a guarantee of appropriations for reclamation projects.

However, moneys into the reclamation fund from mineral royalties have not kept pace with the needs and possibilities for reclamation, so that the financing has increasingly come to depend upon money appropriated from the general fund of the Treasury. In short, the reclamation fund is no longer as important in financing reclamation as it was in the early years.

We are not against the reclamation fund—we only think it unfair to put the mineral royalty receipts into this fund, as reclamation is largely carried on by appropriations from Congress, and from the reclamation fund revolving revenues mentioned above. The mineral royalties money is not essential to the welfare of either the reclamation fund or the reclamation program in the West.

It would, therefore, be far more rational public policy to handle reclamation matters by direct appropriation from the general fund of the Treasury, the reimbursable items of which will ultimately make their way into the reclamation fund.

The reclamation fund has served successfully for nearly 60 years. A look ahead at the next 60 years, however, casts doubt upon the wisdom of contributing income from depletable resources to expand a fund which will be receiving further expansion by the collection of reimbursable revenues.

III

In the meantime, if the Western States had the additional 52½ percent in royalty revenues, they could make direct and immediate use of these funds derived from the production of mineral wealth on the public lands within their respective borders. Among the uses to which this money could go would be a system of State parks adjoining the reservoirs created by the construction of reclamation dams. Table C shows the additional funds which would have been available to the State in 1960 under such a 90-percent plan.

In Wyoming, for example, the funds returned under the 37½-percent provision of the law go for specific purposes as determined by the State legislature. At the present time, the breakdown is as follows: 50 percent to schools, 35 percent to highways, 9 percent to the University of Wyoming, 3 percent to county road improvements, 3 percent to assistance for county highways.

Should Wyoming receive 90 percent of the mineral royalties, as desired, it would be necessary for the law to be amended on both the Federal and State level for other than road or educational use, as it is provided under title 30, United States Code Annotated, section 191, that the 37½-percent royalty return be used for roads and/or educational purposes. This statute was last amended to take Alaska into consideration. Under Wyoming law, section 9-577 of the

[1] Extracted from an Aug. 8, 1955, speech by Senator Barrett, of Wyoming, and based upon a report submitted to the President called The Report of the Study Committee on Payments in Lieu of Taxes and Shared Revenues.

1957 Wyoming Statutes, volume IV, page 298, the distribution is to be for roads and/or educational purposes.

We in Wyoming are not against reclamation. Far from it. It can be shown that reclamation pays. Arguments that reclamation contributes to the glut of farm commodities are for the most part unsound. The contribution of reclamation to the West cannot be measured in dollars and cents. But the individual States, with their individual problems, know best the projects in the future which will have to be built, but which will be too small for Bureau of Reclamation consideration. To finance these projects, the States will have to have the funds—perhaps by changes promulgated by State legislatures, or at least funds released from other uses. This is the problem of the future for the Western States—getting money for small water projects and other similar projects. It is necessary that we all unite to get to work for the fullest development of the West.

TABLE A.—*Mineral Leasing Act receipts*

	Total, fiscal 1960	1920 through fiscal 1960	37½ percent to States: Fiscal 1960	37½ percent to States: 1920–60	52½ percent to reclamation fund: Fiscal 1960	52½ percent to reclamation fund: 1920–60	Percent of total	Bureau of reclamation cost of plant, property, and equipment built and in progress	Percent	Mineral royalty to fund as percent of cost of projects
Alabama	$2,156	$245,553	$808	$92,082	$1,073	$216,397	0.05			
Alaska	3,064,989	14,426,525	2,787,939	12,137,093				$32,863,181	0.9	
Arizona	676,157	3,001,237	253,559	1,125,266	269,536	1,339,327	.3	347,267,541	10.0	0.4
Arkansas	61,878	253,183	23,204	94,941	38,507	110,922	.03			
California	6,498,875	164,402,392	2,755,388	62,380,982	3,473,883	82,177,936	19.1	880,143,000	25.3	9.3
Colorado	9,154,007	164,387,078	3,432,990	39,149,495	5,170,360	52,300,923	12.2	213,660,732	6.2	24.3
Florida	964	6,479	32	2,341	17	3,222				
Idaho	237,203	2,866,566	88,951	1,074,955	122,197	1,458,563	.3	174,336,158	5.0	.8
Illinois		142		113		73				
Indiana		100			84	84				
Iowa								3,397,903	1	
Kansas	322,317	1,659,808	120,869	622,310	145,717	773,224	.2	69,098,784	2.0	1.1
Louisiana	287,567	2,670,512	96,664	1,001,359	190,238	1,381,543	.3			
Michigan	1,388	68,953	596	24,734	1,218	34,030				
Minnesota								10,431,631	.3	
Mississippi	6,467	90,111	2,426	22,841	3,219	29,961				
Montana	4,586,482	39,733,777	1,761,994	14,975,419	2,480,394	19,605,126	4.6	239,530,626	6.9	8.9
Nebraska	17,696	180,238	6,636	69,840	8,317	90,597	.02	112,077,085	3.2	.08
Nevada	427,739	8,050,975	160,402	3,019,115	198,113	4,114,173	1.0	106,098,931	3.0	3.9
New Mexico	17,603,124	131,506,577	7,774,844	60,262,154	7,475,267	62,497,906	14.5	98,985,381	2.8	64.5
North Dakota	220,316	2,539,783	82,618	952,798	108,866	1,209,602	.3	52,380,004	1.5	2.4
Oklahoma	100,646	745,021	48,742	323,780	36,353	352,430	.08	31,388,021	.9	1.1
Oregon	144,708	797,814	54,266	298,501	22,203	356,528	.08	77,394,199	2.2	.5
South Dakota	272,010	2,194,340	102,004	822,203	108,730	1,077,212	.3	84,882,361	2.4	1.3
Texas								32,949,226	.9	
Utah	7,268,335	49,262,969	2,729,621	18,466,891	3,626,597	23,724,165	5.5	112,296,301	3.2	21.1
Washington	1,477	185,034	500	56,069	658	96,759	.02	600,305,828	17.2	.02
Wyoming	33,165,394	353,821,140	12,437,023	132,121,693	16,906,881	178,775,622	41.1	221,901,973	6.4	79.7
Nonproject property								1,584,223		
Total	84,091,454	883,308,918	34,722,100	349,431,635	49,368,520	429,787,530	100.0	3,483,543,173	100.0	12.3

Sources: Tables 120 and 126, 1960 Statistical Appendix to Annual Report of the Director, Bureau of Land Management; pp. 20 and 57–58, Report of the Commissioner of the Bureau of Reclamation, 1960.

TABLE B.—*Federal mineral royalties received by Wyoming* [1]

Calendar year	Total to Wyoming (1)	For schools (2)	Common school permanent fund (3)	University building improvement (4)	University permanent fund (5)	University excess royalty fund (6)	Highway commission (7)	Highway permanent maintenance fund (8)	Highway commission for counties (9)	Counties for roads (10)
1921	$748,446	$374,223		$74,845			$209,449		$14,969	$14,969
1922	1,748,953	871,938		174,388			627,798		34,878	34,878
1923	2,424,482	1,210,304		240,796			848,264		63,567	63,567
1924	4,223,366	2,000,000	$111,649	360,000	$20,097		1,400,000	$78,155	136,699	136,699
1925	2,988,537	1,490,268		298,248			1,043,188		89,416	89,416
1926	2,584,107	1,292,054		232,570			904,437		77,523	77,523
1927	1,911,800	955,947		172,070			669,161		57,357	57,357
1928	1,102,484	551,242		99,224			385,869		33,075	33,075
1929	996,591	498,296		89,693			348,907		29,898	29,898
1930	1,227,920	613,953		110,513			429,774		36,828	36,828
1931	813,474	406,737	20,000	73,213			264,716		24,404	24,404
1932	537,862	268,931		48,476			188,273		16,136	16,136
1933	453,990	226,780		40,858			158,746		13,607	13,607
1934	425,517	212,758		38,297			148,931		12,766	12,766
1935	521,963	260,831		46,956			182,562		15,646	15,646
1936	490,426	245,213		44,138			171,649		14,713	14,713
1937	513,693	257,847		46,412			180,493		15,471	15,471
1938	683,503	341,752		61,517			239,226		20,505	20,505
1939	643,237	321,619		57,891			225,133		19,297	19,297
1940	653,289	326,644		58,796			228,651		19,599	19,599
1941	778,819	389,410		70,084			272,587		23,365	23,365
1942	1,003,069	501,535		90,278			351,081		30,093	30,093
1943	872,022	436,011		78,482			305,208		26,161	26,161
1944	1,675,614	837,807		150,805			586,465		50,268	50,268
1945	1,438,805	719,402		129,492			503,582		43,164	43,164
1946	1,251,928	625,964		112,674			438,175		37,558	37,558
1947	1,060,582	530,266		167,448			651,180		55,816	55,816
1948	3,398,536	1,694,268		364,968			1,183,988		101,656	101,656
1949	4,047,542	2,000,000	23,771	360,000	4,279		1,400,000	16,640	121,426	121,426
1950	5,300,536	1,650,268		297,048			1,155,186		99,016	99,016
1951	6,866,721	2,000,000	433,360	360,000	78,005		1,400,000	303,352	146,002	146,002
1952	5,469,342	2,000,000	734,671	360,000	132,341		1,400,000	514,270	164,080	164,080
1953	5,726,097	2,000,000	863,048	360,000		$155,349	1,400,000	604,194	171,783	171,783
1954	7,302,940	2,000,000	1,651,470	360,000		297,365	1,400,000	1,156,029	219,088	219,088
1955	8,386,016	4,198,158		360,000		395,722	2,938,921		251,937	251,937
1956	9,357,725	4,678,863		360,000		492,195	3,275,204		280,732	280,732
1957	11,109,738	5,554,869		360,000		639,876	3,888,408		333,292	333,292
1958	11,604,958	5,837,478		360,000		692,546	4,093,234		350,849	350,849
1959	12,055,088	6,027,944		360,000		736,812	4,220,401		362,271	362,271
1960	12,651,566	6,325,783		360,000		778,641	4,428,048		379,547	379,547
Total	133,930,970	63,155,578	3,817,970	7,600,066	234,621	4,168,406	44,242,879	2,672,579	3,984,430	3,984,430

[1] Calendar year production but funds received on fiscal year basis.

NOTE.—Figures may not add due to rounding.

Source: State treasurer's office, Cheyenne, Wyo.

TABLE C.—*Mineral royalty distribution to Western States under present situation and under 90 percent proposal*

Western State (1)	Present situation [1]: Total royalties, fiscal 1960 (2)	Present situation: 37½ percent to States (3)	Present situation: 52½ percent to reclamation fund (4)	Under 90 percent return proposal [2]: 10 percent to Treasury (5)	90 percent to States (6)	Increase to State (col. 6 —col. 3) (7)
Alaska	$3,064,989	$2,787,939		$306,499	$2,787,939	
Arizona	676,157	253,559	$269,536	67,616	608,541	$354,982
California	6,498,875	2,755,388	3,473,883	649,888	5,848,987	3,093,599
Colorado	9,154,007	3,432,990	5,170,360	915,401	8,238,606	4,805,616
Idaho	237,203	88,951	122,197	23,720	213,483	124,532
Montana	4,586,482	1,761,994	2,480,394	458,648	4,127,834	2,365,840
Nevada	427,739	160,402	118,113	42,774	384,965	224,563
New Mexico	17,603,124	7,774,844	7,475,267	1,760,312	15,842,812	8,067,968
Oregon	144,708	54,266	22,203	14,471	130,237	75,971
Utah	7,268,335	2,729,621	3,626,597	726,834	6,541,501	3,811,880
Washington	1,477	500	658	148	1,329	829
Wyoming	33,165,394	12,437,023	16,906,881	3,316,539	29,848,855	17,411,832

[1] Not shown is 10 percent to U.S. Treasury.
[2] Based on 1960 figures in col. 2.

NOTE.—Hawaii has no public lands and is therefore not affected.
Source: Table A.

NATIONAL TRANSPORTATION

Mr. HART. Madam President, Mr. Harry A. Williams, managing director of the Automobile Manufacturers Association, Inc., addressed the Road Gang in Washington on January 19, 1962, on the national transportation issue, a matter on which there has been focused considerable attention throughout the country in recent years. Mr. Williams is an articulate spokesman on the subject of transportation and economic growth.

It gives me pleasure to ask unanimous consent to have printed at this point in the RECORD a portion of Mr. Williams' address, which is entitled "Just Who Is Trying To Ruin Our Cities," before the informal highway transportation discussion group.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

EXCERPTS OF ADDRESS BY MR. HARRY A. WILLIAMS

All of us, I am sure, are aware that the Nation's urban freeway program has come under attack these last few years from a variety of sources.

We hear increasingly the use of such terms as "urban sprawl," "social costs of transportation," "poolING of transportation user fees for efficient allocation of national resources," and "destruction of urban land values by highway and parking facilities."

Now I submit that these attacks on the nation's urban highway program are based on a shocking ignorance of the nature and objectives of the program itself. In short, the real trouble with these self-appointed allocators of our national resources is that they didn't bother to do their homework when they were studying urban transportation problems.

For their first brush-up assignment, I would recommend that they read the Interregional Highways report which was sent to Congress in 1944 by the late President Roosevelt. That report set forth very clearly the nature and objectives of the nation-wide roadbuilding program which today is being carried out on the Interstate Highway System.

Let me quote to you one sentence from that 1944 report—a sentence which, although it was written nearly two decades ago, would make a good lead sentence for an urban transportation article in tomorrow's newspapers. The sentence reads:

"Urban planning is really just now coming to grips with one of the basic urban problems—decentralization or dissipation of the urban area to an extent not economically justified."

In other words, the question of so-called urban sprawl was recognized by the Nation's highway officials long before it became a catch phrase for attacking the highway program.

Similarly, the need for revitalization of our downtown areas, for slum clearance, and for redevelopment of blighted neighborhoods within older urban communities, is covered in detail in that 1944 Federal highway report. In addition, the highway planning steps for promoting these objectives are all laid out clearly and concisely.

If our large cities want to promote urban sprawl, and steady economic deterioration of their downtown areas, and a continuing spread of neighborhood blight, and lowered property values, they have only to heed the advice of those who would curtail urban freeway programs.

Another excellent way to assure the bankruptcy of our metropolitan core cities is to adopt the suggestion of those who would impose special tolls on motorists who dare to try to drive and park downtown.

Fortunately, the vast majority of city planners in the United States, and of city officials and downtown merchants, are not being taken in.

Farsighted merchants, officials, and planners have read the statistics on the steady decline in mass transit riding, and the steady rise in urban motor trips—and they recognize that just as motor traffic built the suburbs, so now the central city's future depends primarily on adapting to motor transportation requirements.

And right here is where the urban highway plan laid out in that 1944 Interregional Highways report is going to become the basis for a revolution in city transportation during the next 10 years.

As most of you perhaps know, the freeway networks now being constructed in our larger urban areas include an inner belt freeway looping around the fringes of the downtown business center.

This inner belt freeway has the dual purpose of allowing traffic to bypass the downtown center if it has no business there, and of allowing motorists with downtown destinations to use the belt freeway to a point nearest their inner destination so they will make minimum use of downtown streets.

Traffic surveys in our large cities show that over 60 percent of peak-hour morning and evening traffic on downtown streets is merely passing through to other destinations. Most of this traffic, once it can, will use the downtown bypass freeways. In short, most American cities will largely if not completely eliminate the problem of downtown traffic congestion within the next 10 years.

In addition to the downtown loop route, freeway programs for our larger cities include a series of radial and crosstown routes. As these new freeway networks are developed over the coming decade, they will carry 50 percent of all urban traffic, at double today's average travel speeds, with an 80 percent decline in traffic accident rates—and will sharply reduce traffic volumes on existing city streets.

As one metropolitan traffic engineer put it recently, "Today's city freeway and expressway congestion is like the problem of a family that is trying to live in a new home only 15 percent finished. Living conditions are crowded today—but when the whole house is completed, the overcrowding will end."

With downtown accessibility restored by the new urban freeways, major investors in downtown land—including large insurance firms—anticipate a healthy revitalization of our downtown areas. A key element here, they inform us, will be large-scale investment in multideck parking garages.

From the standpoint of our downtown areas, one of the most encouraging trends of the last 5 years has been the tremendous success of new office buildings, retail stores, apartments and hotels in which parking is directly tied into the building.

Typical of the new trend is the ZCMI department store in Salt Lake City, which now has a 500-car parking garage adjacent to the store in the heart of the downtown area. Parkers can walk directly from their cars into the store at whatever level they stop. During the first year of operation, of the new parking facility, the store's retail sales increased 10 percent faster than the gains reported by the Federal Reserve Board for all department stores in the region.

Even in nightlife circles, where the sense of profit through change is notoriously acute, we have a recent example. Toots Shore has built his new Manhattan spot with seven of its nine floors designed specifically for parking.

Thanks to today's construction techniques, new retail, office or apartment structures can include multideck parking facilities at a cost that can be financed by some $150 to $200 in yearly income per car space. This means that a modest daily fee per parking space would cover the added expense.

What it all adds up to is this: The parking industry appears to be on the threshold of an era of unprecedented expansion within our downtown areas, as an adjunct of structural redevelopment of our central business districts. The new result can be a doubling or tripling of downtown parking spaces, or a substantially smaller land area

than that occupied by present downtown open-lot parking facilities.

This trend has a special significance for downtown areas such as that of New York City, whose colossal traffic jams are in part due to curb parking and inability of motorists to find parking spaces.

These traffic jams cannot be eliminated until more offstreet garages are developed. The interregional highways report pointed out in 1944 that offstreet parking facilities are basic to ending street congestion caused by traffic having downtown destinations.

Our industry research specialists have discussed these trends with downtown property investors and city planning officials in many cities—in Chicago, in Philadelphia, in Toronto, to name but a few. In every instance they found a recognition that urban freeway and downtown parking programs offer the only real assurance of continued growth of the central business district.

The story in Toronto is particularly significant. This progressive Canadian city has often been cited by antihighway groups as the model for a transit-oriented metropolitan area. Yet in spite of its modern subway system, Toronto has experienced a steady decline in mass transit patronage ever since 1945.

Where 80 percent of all Toronto passenger trips to and from the central business district were by transit in 1945, in the year 1962 it is expected that automobile trips will equal the transit total—and for the metropolitan area as a whole, transit service accounts today for only 30 percent of passenger trips.

As one Toronto city planning official puts it:

"Modern freeways and downtown parking garages are going to eliminate the disadvantages our central cities face today in competition with their suburban areas. While we will try to preserve and expand mass transit as much as possible, additional freeways are essential to the future growth of downtown Toronto."

Nor will the benefits of new urban freeways be limited to downtown areas. After all, urban redevelopment is severely hampered today by demands on the archaic checkerboard street pattern for both local and through-traffic movement.

Once the urban traffic which is moving on trips of more than a few miles in length is removed from surface streets and placed on the freeways systems, a basis for redevelopment is created—because only then does assurance exist that traffic congestion will no longer be able to change the character of a given neighborhood.

Let me make a final reference to that 1944 interregional highways report cited earlier:

"The plight of the cities is due to the most rapid urbanization ever known, without sufficient plan or control. The result is square mile after square mile of developed city that is functionally and structually obsolete, both as to buildings and neighborhood arrangements."

One of the Nation's great tasks of the coming decade is to rebuild those obsolete city neighborhoods. Most cities now are well equipped for the technical part of the job, with professional planning commissions and legal authority. But it must be understood that the prerequisite framework for urban redevelopment lies in the modern highway program. It can and will be the most powerful of all tools available to our cities for doing the job that lies ahead.

ESTONIA—44TH ANNIVERSARY OF DECLARATION OF INDEPENDENCE FROM CZARIST RUSSIA

Mr. HART. Madam President, on the Baltic Sea lives a small nation of people who undoubtedly today in bitter silence are commemorating the 44th anniversary of their declaration of independence from czarist Russia. Each year during the 20-odd years before 1940, the Estonian people throughout the world observed the 24th day of February with rejoicing for on that date in 1918, after several centuries of autocratic Romanov rule, the gallant Estonian people declared their independence and proceeded to establish a democratic country.

Madam President, the Estonian nation is small, but her people are among the oldest of Europe. They have their own language, their own music, their own literature, customs and culture. They have the right to be free and independent and to choose their own form of government.

From that joyous day in 1918 until 1940, the Estonian people sedulously built their country. Then out of Russia in 1940 came a new imperialism, a new tyranny, a new brutal master. Soviet Russian armies proclaiming freedom and equality under communism brought by force of arms death, deportation, repression, regimentation.

Today the people of Estonia suffer the miseries of subjugation, but they have not forgotten their dreams and aspirations of freedom and national independence. Nor has this country forgotten the legitimate aspirations of the Estonian people. We today join the Estonian people in reaffirming their desire for freedom from the foreign imperialism of Russia.

BULGARIA—84TH ANNIVERSARY OF LIBERATION FROM RULE OF THE OTTOMAN EMPIRE

Mr. HART. Madam President, on March 3, Americans of Bulgarian descent celebrated the 84th anniversary of the liberation of Bulgaria from subjugation to the rule of the Ottoman Empire.

The Bulgarian people are an ancient people with a long history of struggle for freedom and independence. For 500 years the Bulgarian people suffered the yoke of the Ottoman rulers, but never for a moment did they give up hope of freedom, never did they cease resistance to their oppressors. Their iron will and resolution was rewarded in March 3, 1878, with the reestablishment of the Bulgarian nation.

Today, the world once again sees the brave Bulgarian people suffering the imposition of another tyranny. At the end of the Second World War the independence of Bulgaria was snuffed out by the Soviet Army, and a complete Communist police state was imposed. But it is clear that the will and resolution of the Bulgarian people that they shall be free remains as strong today as it was in the period of trial under the Ottoman Empire.

Madam President, we receive reports today from Bulgaria that despite the worst efforts of the state, the young people of Bulgaria are turning to the ideas and ideals of the West, clear evidence that the Bulgarian people continue in their resistance to Communist domination.

It is proper that we today join Americans of Bulgarian descent in commemorating the liberation of Bulgaria 84 years ago if only as some small sign to those continuing the fight in Bulgaria that their valiant efforts have our hopes and prayers.

KALEWALA DAY—FEBRUARY 28—FINNISH HOLIDAY

Mr. HART. Madam President, every nation rightfully takes pride in its language and its history and its legends. And because this is so, every nation develops out of its history and its language an epic which embodies the virtues, the values, and the principles which have borne that nation through history and led it to greatness and which reflect the character and personality of that nation.

Madam President, the Finnish people have a long and glorious history. The heroic deeds of legendary and historic leaders of the Finnish nation had for centuries been handed down by spoken word from generation to generation in song and verse.

However, these songs, verses and legends which constitute the Finnish epic were collected and set down in writing, and on February 28, 1835, the first fairly complete collection in some 12,000 lines was published in Finland. This epic is called the "Kalewala."

Madam President, ever since, February 28 has been celebrated by the Finns throughout the world as a national holiday. I join my Finnish friends today in celebrating the 127th anniversary of the publication of the "Kalewala."

Mr. HART. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT TO THURSDAY

Mr. MANSFIELD. Madam President, if there is no further business to come before the Senate at this time, I move, pursuant to the order previously entered, that the Senate adjourn until 12 o'clock noon on Thursday next.

The motion was agreed to; and (at 2 o'clock and 34 minutes p.m.) the Senate adjourned, under the order previously entered, until Thursday, March 8, 1962, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate March 5, 1962:

U.S. DISTRICT JUDGES

John W. Oliver, of Missouri, to be U.S. district judge for the western district of Missouri, vice R. Jasper Smith, deceased.

John K. Regan, of Missouri, to be U.S. district judge for the eastern district of Missouri, vice Randolph H. Weber, deceased.

James H. Meredith, of Missouri, to be U.S. district judge for the eastern district of Missouri, vice George H. Moore, retired.

Ralph C. Body, of Pennsylvania, to be U.S. district judge for the eastern district of Pennsylvania, vice Allan K. Grim, retired.

STATE DEPARTMENT

Robert J. Manning, of New York, to be an Assistant Secretary of State.

DIPLOMATIC AND FOREIGN SERVICE

The following-named Foreign Service officers for promotion from the class of career minister to the class of career ambassador:

W. Walton Butterworth, of Louisiana.
Walter C. Dowling, of Georgia.
Miss Frances E. Willis, of California.

U.S. ARMS CONTROL AND DISARMAMENT AGENCY

The following-named persons to be members of the General Advisory Committee of the U.S. Arms Control and Disarmament Agency:

Roger M. Blough, of Pennsylvania.
The Reverend Edward A. Conway, of Nebraska.
John Cowles, of Minnesota.
Trevor Gardner, of California.
George B. Kistiakowsky, of Massachusetts.
Robert A. Lovett, of New York.
John J. McCloy, of New York.
Dean A. McGee, of Oklahoma.
Ralph E. McGill, of Georgia.
George Meany, of Maryland.
James A. Perkins, of New Jersey.
Herman Phleger, of California.
Isidor I. Rabi, of New York.
Thomas D. White, of the District of Columbia.
Herbert F. York, of California.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 5, 1962:

RAILROAD RETIREMENT BOARD

Arlon E. Lyon, of California, to be a member of the Railroad Retirement Board for the remainder of the term expiring August 28, 1964, vice Horace W. Harper, retiring.

COLLECTOR OF CUSTOMS

Gertrude M. Cwikla, of Connecticut, to be collector of customs for customs collection district No. 6, with headquarters at Bridgeport, Conn.

DIPLOMATIC AND FOREIGN SERVICE

The following-named persons for appointments and promotions as indicated:

John Calvin Hill, Jr., of South Carolina, a Foreign Service officer, for promotion from class 3 to class 2.

Philip J. Farley, of Virginia, to be a Foreign Service officer of class 1, a consul general, and a secretary in the diplomatic service of the United States of America.

Foreign Service officers of class 2 and secretaries in the diplomatic service, to be also consuls general of the United States of America

Lewis E. Gleeck, Jr., of California.
Joseph Godson, of New York.
Alfred le S. Jenkins, of Georgia.
Spencer M. King, of Maine.
Elias A. McQuaid, of New Hampshire.
Charles N. Manning, of Texas.
Julian L. Nugent, Jr., of New Mexico.
Philip P. Williams, of California.

Foreign Service officers of class 3 and secretaries in the diplomatic service, to be also consuls general of the United States of America

Samuel Owen Lane, of California.
Everett K. Melby, of Illinois.
Norman Armour, Jr., of New York, for reappointment in the Foreign Service as a Foreign Service officer of class 3, a consul, and a secretary in the diplomatic service of the United States of America, in accordance with the provisions of section 520(a) of the Foreign Service Act of 1946, as amended.

Charles H. Taquey, of the District of Columbia, for appointment as a Foreign Service officer of class 3, a consul, and a secretary in the diplomatic service of the United States of America.

To be Foreign Service officers of class 4, consuls, and secretaries in the diplomatic service of the United States of America

Charles C. Flowerree, of Virginia.
Colbert C. Held, of Nebraska.
Alvin T. Siemons, of Indiana.
Windsor W. Stroup, of Virginia.
Miss Dorthy E. Weihrauch, of Florida.

James F. Shea, of Maryland, to be a Foreign Service officer of class 5, a consul, and a secretary in the diplomatic service of the United States of America.

Joseph Basile, of New Jersey, now a Foreign Service officer of class 6 and a secretary in the diplomatic service, to be also a consul of the United States of America.

Joseph O. Eblan, of New Hampshire, to be a Foreign Service officer of class 6, a vice consul of career, and a secretary in the diplomatic service of the United States of America.

To be Foreign Service officers of class 7, vice consuls of career, and secretaries in the diplomatic service of the United States of America

Philip J. Adler, of Pennsylvania.
James R. Falzone, of Massachusetts.
J. Hal Lesh, of Indiana.
David Dysart Morse, of Illinois.
Peter Solmssen, of Pennsylvania.
George Peter Varros, of Connecticut.

To be Foreign Service officers of class 8, vice consuls of career, and secretaries in the diplomatic service of the United States of America

David L. Aaron, of California.
Miss Peggy Ann Antonides, of Illinois.
Edwin L. Barber III, of Virginia.
J. Peter Becker, of Pennsylvania.
John P. Becker, of Massachusetts.
Peter T. Beneville, of Colorado.
Robert B. Bentley, of California.
Alan D. Berlind, of Virginia.
F. James Bingley, Jr., of Pennsylvania.
Stephen M. Boyd, of Missouri.
Werner W. Brandt, of New York.
Philip E. Burnham, Jr., of New Hampshire.
F. Scott Bush, of Illinois.
James A. Carney, Jr., of Virginia.
Reed Cecil, of Texas.
James Richard Cheek, of Arkansas.
Timothy W. Childs, of Connecticut.
John H. Christensen, of Iowa.
Carl John Clement, of Minnesota.
John Albert Collins, of New York.
Edwin G. Corr, of Oklahoma.
David W. Cox, of Wisconsin.
Miss Patricia A. Dawson, of New York.
Richard J. Dols, of Minnesota.
Mark M. Easton, of New York.
Lloyd H. Ellis, Jr., of Nebraska.
Edward M. Featherstone, of Pennsylvania.
William A. Feldt, of Wisconsin.
Patrick E. FitzGerald, of Montana.
Robert A. Flaten, of Minnesota.
Jerry A. Fowler, of California.
Ralph P. Gallagher, Jr., of New Jersey.
Stephen R. Gibson, of California.
Philip C. Gill, of California.
Alexander G. Gilliam, Jr., of Virginia.
Robert F. Gillin, of Pennsylvania.
Robert Coleman Gratsch, of Michigan.
Olaf Grobel, of Tennessee.
David W. Guthrie, of Ohio.
Ralph E. Hamil, of New York.
Donald D. Haught, of California.
Charles Higginson, of Massachusetts.
Miss Elinor V. Hohman, of Illinois.
George R. Hoover, of California.
Alden H. Irons, of Massachusetts.
Miss Harriet W. Isom, of Oregon.
William Harding Jackson, Jr., of Virginia.
Philip K. Johnson, Jr., of Ohio.
William P. Kelly, of Pennsylvania.
Don Roland Kienzle, of Massachusetts.
Roland Karl Kuchel, of Massachusetts.
Walter J. Landry, of Louisiana.
James O. Langland, of Iowa.
Walter C. Lenahan, of Oregon.
Donald R. Lesh, of Massachusetts.
Howard C. Loper, of Pennsylvania.
Winston Lord, of New York.
Matthew T. Lorimer, of New Hampshire.
George E. Lowe, of Illinois.
James M. Lucas, of California.
John T. McCarthy, of New York.
Mark McCormack, of Pennsylvania.
William J. McDonough, of Illinois.
Thomas J. McGee, Jr., of New York.
Carroll R. McKibbin, of Iowa.
J. Philip McLean, of Washington.
Donald M. Maclay, of Pennsylvania.
John Linden Martin, of Oregon.
David P. Matthews, of Virginia.
Gary L. Matthews, of Missouri.
Robert Allan Mautino, of California.
William B. Milam, of California.
Robert Wesley Miller, of California.
Miss Carole A. Millikan, of Indiana.
Miss Marilyn H. Moninger, of Illinois.
Robert J. Montgomery, of Texas.
Lewis Roy Murray, Jr., of Tennessee.
William V. P. Newlin, of Pennsylvania.
David G. Newton, of Massachusetts.
Thomas J. O'Donnell, of Michigan.
Bradford C. Oelman, of Ohio.
Robert H. Pelletreau, Jr., of New York.
Charles R. Pogue, of Indiana.
Henry Precht, of Virginia.
Leo J. Reddy, of Maryland.
James W. Reeves, of California.
Davis R. Robinson, of Connecticut.
Fernando E. Rondon, of California.
Richard C. Schneck, of New York.
Carl W. Schmidt, of New Jersey.
Cornelius D. Scully III, of Virginia.
John W. Sewell, of New York.
Henry Jacob Silverman, of Pennsylvania.
Samuel Sloan, of New York.
Miss Edith Smith, of Illinois.
Murray C. Smith, of Virginia.
Richard J. Smith, of Connecticut.
Gerald E. Snyder, of Ohio.
Joel S. Spiro, of Pennsylvania.
John P. Steinmetz, of California.
Miss Joan L. Steves, of Ohio.
William Morgan Stewart, of Maryland.
Richard L. Storch, of Illinois.
Garett Gordon Sweany, of Washington.
Peter Tarnoff, of New York.
Clyde Donald Taylor, of the District of Columbia.
Rush W. Taylor, Jr., of Texas.
James F. Twaddell, of Rhode Island.
Lannon Walker, of the District of Columbia.
William Graham Walker, of California.
William J. Waller, of California.
Donald J. Walsh, of the District of Columbia.
Ralph Claiborne Walsh, of Texas.
Barclay Ward, of Connecticut.
Alexander F. Watson, of Massachusetts.
Martin A. Wenick, of New Jersey.
Frank G. Wisner II, of Maryland.
Miss Joanna W. Witzel, of California.
William R. Womack, of Virginia.
Murray David Zinoman, of New York.
Harris H. Huston, of Ohio, a Foreign Service Reserve officer, to be a consul general of the United States of America.

To be consuls of the United States of America

Stuart J. Bohacek, of Nebraska.
Alessandro Cagiati, of Massachusetts.
Harold C. Champeau, of Maryland.
Nelson Chipchin, of New York.
Miss Frances E. Coughlin, of California.
William F. DeMyer, of New York.
James R. Echols, of Washington.
Robert H. Feldmann, of California.
Charles T. Foo, Jr., of Florida.
Jack B. Geaslin, of Maryland.
Edward J. Killeen, of California.
Charles M. Levy, of New York.
Hugh J. McMillan, of Washington.

Howard L. McVitty, of the District of Columbia.
John L. Maddux, of California.
Jean M. Nater, of Connecticut.
Charles C. Penney, of Massachusetts.
W. Wolf Reade, of the District of Columbia.
Howard E. Stingle, of Maryland.
Gerald Stryker, of Virginia.
John W. Dixon, of Virginia, to be a consul and a secretary in the diplomatic service of the United States of America.
Rodney N. Landreth, of Pennsylvania, to be a consul and a secretary in the diplomatic service of the United States of America.

To be vice consuls of the United States of America

Charles L. Acree, Jr., of New Jersey.
Rexford L. Baer, of California.
Melvyn R. Brokenshire, Jr., of Georgia.
Allan W. Brown, of Virginia.
Fred A. Coffey, Jr., of Texas.
William E. Dietz, of Maryland.
Neal T. Donnelly, of New York.
Abol F. Fotouhi, of North Carolina.
David K. Grinwis, of New Jersey.
Pitti M. Heiskanen, of Maryland.
Donald C. Horan, of Maine.
Desmond L. Jackson, of Texas.
Joseph R. Johnson, of Virginia.
Louis P. Linfante, of Pennsylvania.
John F. McDonald, of Maine.
Joseph F. McManus, of Massachusetts.
Charles L. Medd, of New York.
James D. Montgomery, of Virginia.
John E. Palevich, of Pennsylvania.
Vincent Rotundo, of New Jersey.
I. L. Sablosky, of Indiana.
Chapman Stockford, of Maine.
Stanley E. Williams, of Hawaii.
Warren W. Williams, of Pennsylvania.
Douglas A. Zischke, of Wisconsin.
Charles H. Bibbings, of Virginia, a Foreign Service Reserve officer, to be a vice consul and a secretary in the diplomatic service of the United States of America.

To be secretarys in the diplomatic service of the United States of America

Thomas R. Blackshear, of California.
Alexander Bloomfield, of California.
Ernest P. Chase, of Virginia.
John P. Condon, of Oklahoma.
Thomas E. Drumm, Jr., of New Jersey.
Albert Harkness, Jr., of Rhode Island.
Peter K. Heimann, of the District of Columbia.
Arthur L. Jacobs, of the District of Columbia.
Andrew S. Kelsey, of Virginia.
Nathaniel Knowles, of Pennsylvania.
William A. Krauss, of California.
Carney G. Laslie, Jr., of the District of Columbia.
Harry T. Mahoney, of Illinois.
John W. Mowinckel, of the District of Columbia.
Lawrence E. Norrie, of Washington.
Rutherford T. Walsh, of California.
Ernest J. Colton, of Virginia, a Foreign Service staff officer, to be a consul of the United States of America.

HOUSE OF REPRESENTATIVES

MONDAY, MARCH 5, 1962

The House met at 12 o'clock noon.

Rabbi Jacob Hurwitz, Temple Israel, Binghamton, N.Y., offered the following prayer:

Our God and God of our fathers, in reverence and humility we turn our hearts to Thee as we ask Thy blessings upon us. Thou hast been our help in days gone by. Be Thou our guide in the days ahead.

Facing the uncharted vastness of a future unseen, we pray that we be ever mindful of our dependence on Thee. As we broaden our knowledge of the universe around us, so may we deepen our love for Thee and Thy children. Make us equal to the challenge of the new age that Thou hast opened up for us, and crown our hopes with peace.

Vouchsafe Thy blessings, we pray Thee, upon the constituted leaders of our beloved land, that they may ever guide the destiny of our Nation with wisdom and understanding, and help us to bring near the day when the hallowed ideals of our blessed land will become the cherished portion of all mankind. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, March 1, 1962, was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Ratchford, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills of the House of the following titles:

On March 2, 1962:

H.R. 258. An act to amend the District of Columbia Sales Tax Act to increase the rate of tax imposed on certain gross receipts, to amend the District of Columbia Motor Vehicle Parking Facility Act of 1942 to transfer certain parking fees and other moneys to the highway fund, and for other purposes.

On March 3, 1962:

H.R. 74. An act to reimburse the city of New York for expenditure of funds to rehabilitate slip 7 in the city of New York for use by the U.S. Army;

H.R. 1375. An act to provide for the conveyance of certain real property of the United States to the former owner thereof;

H.R. 4934. An act to authorize the Secretary of Agriculture to modify certain leases entered into for the provision of recreation facilities in reservoir areas;

H.R. 8625. An act for the relief of Dennis H. O'Grady; and

H.R. 8842. An act to amend subsection (h) of section 124 of the Agricultural Enabling Amendments Act of 1961.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 10050. An act to provide for a further temporary increase in the public debt limit set forth in the Second Liberty Bond Act.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 3788. An act to provide for the transfer of the U.S. vessel *Alaska* to the State of California for the use and benefit of the department of fish and game of such State.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 778. An act to amend the act entitled "An act to authorize the District of Columbia Government to establish an Office of Civil Defense, and for other purposes," approved August 11, 1950; and

S. 875. An act to authorize and direct the Secretary of Agriculture to convey to the State of Wyoming for agricultural purposes certain real property in Sweetwater County, Wyo.

The message also announced that the Senate disagrees to the amendment of the House to the bill (S. 1991) entitled "An act relating to manpower requirements, resources, development, and utilization, and for other purposes," and agrees to the conference requested by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. CLARK, Mr. RANDOLPH, Mr. MCNAMARA, Mr. PELL, Mr. PROUTY, and Mr. MURPHY to be the conferees on the part of the Senate.

The message also announced the appointment of the Senator from Rhode Island [Mr. PELL], a member of the Canada-United States Interparliamentary Group, now meeting in Ottawa, Canada, vice the Senator from Connecticut [Mr. DODD], resigned.

SPECIAL ORDER GRANTED ON LIFE AND SERVICES OF SPEAKER CHAMP CLARK

Mr. CANNON. Mr. Speaker, I ask unanimous consent that on Wednesday next, the 112th anniversary of his birth, I have 20 minutes at the close of the 1-minute period to address the House on the services of Champ Clark, the greatest Speaker in the history of the House.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

THE LATE HONORABLE WALL DOXEY

The SPEAKER. The Chair recognizes the gentleman from Mississippi [Mr. WHITTEN].

Mr. WHITTEN. Mr. Speaker, it is my sad duty to call to the attention of the membership the death of my predecessor in the Congress representing the Second Mississippi District, the Honorable Wall Doxey. Wall Doxey passed away the day before yesterday at the age of 69. Truly Mississippi and the Nation have lost a great citizen and a great friend.

Born in 1892, he was graduated from the University of Mississippi in 1913 and from the law department in 1914. In the period 1915 to 1923 he served as prosecuting attorney in Marshall County, Miss., and was district attorney for the third district from 1923 to 1925.

He was first elected to the Congress in the 71st Congress, was reelected to six succeeding Congresses until he was elected U.S. Senator on September 23, 1941, to succeed our beloved Pat Harrison.

In 1943 he was elected Sergeant at Arms of the U.S. Senate and served there

until January 3, 1947. Then he served as hearing examiner with the Department of Agriculture until November 1947, when he resumed the practice of law.

Wall Doxey's wife preceded him in death and he leaves Wall Doxey, Jr., his wife, and their children. His son is an outstanding lawyer in north Mississippi.

It was my privilege to know his late father, his late brother, and his brother's family.

We extend to them our sincerest and deepest sympathy in their loss.

Mr. Speaker, Wall Doxey was one of the most attractive people I ever knew. Possessed of a wonderful personality, he had friends from the time he first started school. It was my privilege to succeed him here in the Congress when he went to the Senate, and no man could have been better to his successor than Wall Doxey was to me. Ever courteous, he knew everyone and had time to speak to everyone. Everyone who knew him appreciated Wall Doxey, but his service was not limited merely to making friends here, though he made many. For many years he was the outstanding leader of the Committee on Agriculture.

Mr. Speaker, it is significant to me that on the day that Wall Doxey passed away, this notice came to me from the Department of Agriculture:

U.S. DEPARTMENT OF AGRICULTURE,
Washington, March 2, 1962.

COTTON GROWERS URGED TO PLAN FOR CLASSING AND MARKET NEWS SERVICES

Growers who wish to have their cotton classed by the U.S. Department of Agriculture under provisions of the Smith-Doxey Act should apply for these services as soon as their cotton is planted, USDA announced today.

The Smith-Doxey Act provides for one free classification for each eligible bale of cotton. Samples must be submitted by a bonded sampler or by a public warehouse which issues negotiable receipts.

Growers also are provided with rice quotations and other timely marketing information through the market news service.

These two services tell the grower the quality of his cotton and provide data for determining the approximate price.

About 13.5 million bales of cotton from the 1961 crop were classed for members of cotton improvement groups. This was 95 percent of the 1961 estimated production.

Each cotton improvement group must file an application with the cotton classing office serving its territory not later than August 1 for all cotton-producing areas except southern Texas. Those in the Texas counties of Dimmit, LaSalle, McMullen, Live Oak, Karnes, DeWitt, Jackson, Matagorda, and all counties south of them, must file an application by June 1.

Promptness in filing application is necessary as time is needed for each group to arrange for submitting samples by an approved sampling agent to the proper classing office. At least 15 days are required to process applications and deliver sampling supplies. These samplers must cut samples from both sides of each bale in accordance with Cotton Division instructions. Samples drawn by an approved automatic sampler may be submitted by a bonded sampler.

Application forms for Smith-Doxey services may be obtained from country agricultural agents, cotton classing offices of the Cotton Division of USDA's Agricultural Marketing Service, or from area offices of the Cotton Division at P.O. Box 7068, Station C, Atlanta 9, Ga.; Drawer C, White Station, Memphis 17, Tenn.; Room 404, 708 Jackson Street, Dallas 2, Tex.; and P.O. Box 2328, Phoenix 2, Ariz.

Mr. Speaker, I have called attention to this notice from the Department of Agriculture to point out the fact that many of the statutes we have on the lawbooks of this Nation, particularly with reference to our natural resources, to forestry and agriculture, bear the name of my illustrious predecessor, Hon. Wall Doxey. Surely, we have lost a great friend in Mississippi, a great citizen, and a great friend of the Nation whose works will live long from this day on.

Mr. ABERNETHY. Mr. Speaker, will the gentleman yield?

Mr. WHITTEN. I yield to my colleague.

Mr. ABERNETHY. I join with my colleague from Mississippi in mourning the loss of Wall Doxey. Like my colleague, I also followed Wall Doxey in an official capacity in that I followed him as district attorney of the third judicial district of Mississippi. As I moved about that district as a public official, I never met anyone who had other than the kindest things to say about Wall Doxey. He was an excellent district attorney. He was a fine Congressman and a good Senator. Wall Doxey was a man of tremendous personality. As our colleague has so well said, it was an easy matter for him to make friends. He was a fine public official. He rendered great service in the House of Representatives and, particularly, as a member of the Committee on Agriculture. I feel quite honored that I now occupy the seat he held on that committee.

I join with my colleague in extending sympathy to the members of his family. Indeed, our State has lost a good man, a man who lived a good life and rendered good service to his constituents, to his State, and to his country.

Mr. WINSTEAD. Mr. Speaker, will the gentleman yield?

Mr. WHITTEN. I yield to my colleague.

Mr. WINSTEAD. Mr. Speaker, I wish to join my colleagues in honoring the memory of a great Mississippian who served with distinction for many years in both the House and Senate. Prior to coming to Congress, he served the people of his area as county prosecutor and district attorney. Always keenly interested in the welfare of his State and Nation, Wall Doxey made many valuable contributions during his tenure of office. He was especially active and influential in the fields of agriculture and conservation and was the author of many measures which benefited the farmers. In addition to being a fine legislator, Wall Doxey was a loyal American and a gentleman of the highest type. In his passing, Mississippi has lost one of its most outstanding citizens.

I extend deepest sympathy to his son, Wall Doxey, Jr., and to other relatives.

Mr. COLMER. Mr. Speaker, for the second time in the past few weeks, the death messenger has knocked upon the door of former Members of this body from the State of Mississippi. Wall Doxey, who so ably represented the Second Congressional District of Mississippi for 14 years departed this life in a hospital at Memphis, Tenn., just across the line from his native Mississippi.

Wall Doxey was honored by the people of Mississippi in many official capacities. Graduating from the University of Mississippi Law School in 1914, he immediately launched a highly successful political career. The very next year after his graduation from law school, he was elected county prosecuting attorney of Marshall County, a position he held with honor and integrity for 8 years. He was then promoted to the office of district attorney for the third judicial district of Mississippi. In this capacity, he made an enviable record as a State's attorney. He resigned his position as district attorney to assume the office of Congressman from the Second Congressional District. Upon the death of the late and lamented Pat Harrison, the senior Senator from Mississippi, Congressman Wall Doxey was elected to fill the unexpired term of the Senator. Here again his service to his State and his country was outstanding. Upon his retirement from the Senate in 1947, he retired to his native Holly Springs, where he resumed the practice of law with his only son, Wall Doxey, Jr.

Mr. Speaker, Wall Doxey was possessed of a charming personality which endeared him to all with whom he came in contact. He was easily one of the most popular Members of this body during his service here. He was a friend of agriculture. He served on the Agriculture Committee of the House during his service in this body. He was in the forefront of all legislation aimed at benefiting the farmers of this Nation. A number of farm laws bear his name as author.

Wall Doxey was a devoted family man, happily married early in life to Miss Myrtle Johnson, an aunt of our esteemed and lovable Sergeant at Arms of the House, Zeake Johnson. He was a devoted husband and father.

Finally, Mr. Speaker, Wall Doxey was a forthright and courageous man, both in his personal as well as his political life. He feared no man or any issue. One always knew where he stood.

Mr. Speaker, it was a real privilege to have served in the Congress with this outstanding Mississippian. My sympathy goes out to his fine outstanding young son, Wall, Jr., and to the other members of his bereaved family.

Mr. WILLIAMS. Mr. Speaker, I wish to join with my colleagues from Mississippi in expressing sorrow at the passing of Hon. Wall Doxey, formerly a Member of the House of Representatives and later a U.S. Senator.

It was not my privilege to have served in Congress with Mr. Doxey; nor did I have the pleasure of knowing him personally. However, I came here soon enough to become friends with many who did serve with him, and I have found that he was well loved and highly respected among his colleagues here, as well as his constituency back home.

Mr. Doxey had a distinguished career of public service, leaving behind him an enviable record of accomplishment. He left on the statute books of the Nation much worthwhile legislation.

Mississippi has sent many great and outstanding Representatives to the Congress throughout her history as a State, and Wall Doxey ranked among the best. Mississippi has lost a distinguished son, and the Nation an outstanding citizen.

I join my colleagues in expressing our deepest sympathies to the members of the Doxey family.

Mr. SMITH of Mississippi. Mr. Speaker, I join with my colleagues in expressing sorrow for the passing of a distinguished son of Mississippi, Wall Doxey. Wall Doxey served his State and his Nation well during two of the most trying decades in this country's history.

His years in the Congress, first as a Member of this House, then as Senator from Mississippi, were marked with dedication and distinction. His great concern with the natural resources, forests, and agriculture of this country is reflected in the many laws that bear his name.

A stanch American and a devoted public servant throughout his long life, Wall Doxey's passing cost Mississippi and the Nation an outstanding citizen. I wish to express my deepest sympathy to his son, Wall Doxey, Jr., and to the other members of his family.

GENERAL LEAVE TO EXTEND

Mr. WHITTEN. Mr. Speaker, I ask unanimous consent that all Members desiring to do so may have 3 legislative days to extend their remarks on the life and service of the late Honorable Wall Doxey.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

SEVENTH SEMIANNUAL REPORT OF THE OFFICE OF MINERALS EXPLORATION—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States, which was read and referred to the Committee on Interior and Insular Affairs:

To the Congress of the United States:

I transmit herewith the Seventh Semiannual Report of the Office of Minerals Exploration from the Secretary of the Interior as prescribed by section 5 of the act of August 21, 1958, entitled "To provide a program for the discovery of the mineral reserves of the United States, its territories and possessions by encouraging exploration for minerals, and for other purposes."

JOHN F. KENNEDY.

THE WHITE HOUSE, *March 1, 1962.*

THIRD ANNUAL REPORT OF THE COMMISSION ON INTERNATIONAL RULES OF JUDICIAL PROCEDURE

The SPEAKER laid before the House the following message from the President of the United States, which was read by the Clerk and, together with the accompanying papers, referred to the Committee on the Judiciary:

To the Congress of the United States:

Pursuant to the provisions of Public Law 85-906, as amended, I transmit herewith for the information of the Congress the Third Annual Report of the Commission on International Rules of Judicial Procedure covering the period ending December 31, 1961.

JOHN F. KENNEDY.

THE WHITE HOUSE, *March 3, 1962.*

AMENDMENT TO SOCIAL SECURITY ACT

Mr. DORN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. DORN. Mr. Speaker, I have today introduced a bill to correct an unfair provision of the Social Security Act. Under the present act, it is possible for an employee to work for 30 years or more in a textile plant—or at some other trade—he totally disabled to perform the job he has been working on, and still not draw his social security disability benefits because of the provision of the law which states that a person must be unable to engage in any substantial gainful activity.

Mr. Speaker, the bill I have introduced today will change the law so that any person—textile employees and employees of other industries, or workers at any trade, as well as, self-employed people such as farmers—can draw his social security disability benefits when totally disabled to perform his present job which he has been working on for so many years.

Mr. Speaker, the vast majority of the industrial employees of my district are textile employees. I am familiar with their problems. I have visited in their homes. I have been in the textile plants. It is unfair, Mr. Speaker, when a person becomes disabled after having worked for 30 years on a specific job, to require that person to go out and try to learn another job or to make him do something which he is unfamiliar with.

I say, Mr. Speaker, that when an employee has worked for 30 years in a certain industry or trade and has been on one job for 15 continuous years at the time he becomes disabled to perform the duties for that job, then that person should not be denied the disability benefits which are rightly due him.

Again, Mr. Speaker, may I emphasize that my bill—which follows—will cover those people who have worked for 30 years in an industry or trade which includes the self-employed people such as farmers:

H.R. —

A bill to amend title II of the Social Security Act to provide, for individuals who have spent substantially all of their working lives in one trade or industry, a more realistic definition of "disability" for purposes of entitlement to disability insurance benefits and the disability freeze

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 216(i)(1) of the Social Security Act is amended by adding at the end thereof the following new sentence: "For purposes of clause (A) of the first sentence of this paragraph, an individual who for a total of at least thirty years prior to the onset of his physical or mental impairment has been engaged in employment or self-employment in one trade or industry, and who for a total of at least fifteen years has been performing within such trade or industry the particular type of employment or self-employment last performed by him on a regular basis before the onset of such impairment, shall be deemed unable to engage in any substantial gainful activity if he is unable, by reason of such impairment, to continue to perform that particular type of employment or self-employment."

SEC. 2. (a) Section 223(c)(2) of the Social Security Act is amended by adding at the end thereof the following new sentence: "For purposes of the first sentence of this paragraph, an individual who for a total of at least thirty years prior to the onset of his physical or mental impairment has been engaged in employment or self-employment in one trade or industry, and who for a total of at least fifteen years has been performing within such trade or industry the particular type of employment or self-employment last performed by him on a regular basis before the onset of such impairment, shall be deemed unable to engage in any substantial gainful activity if he is unable, by reason of such impairment, to continue to perform that particular type of employment or self-employment."

(b) The amendments made by subsection (a) shall apply only with respect to monthly insurance benefits under title II of the Social Security Act for months after the month in which this Act is enacted.

AMEND SOCIAL SECURITY ACT TO CONTINUE PAYMENTS TO DEPENDENT SCHOOLCHILDREN AFTER AGE 18

Mrs. BOLTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

Mrs. BOLTON. Mr. Speaker, I am introducing a bill today to amend title II of the Social Security Act to authorize the continuance of payments to children after they reach age 18 while unmarried and enrolled in an approved school. Legislation of this type is one of the major objectives of the American Legion's education and scholarship program. This fine organization is to be commended for its efforts in behalf of our youth.

As of November 30, 1961, there were 2,142,600 young people under the age of 18 receiving social security benefits because their wage-earner parent was either deceased, totally and permanently disabled, or over 62 years of age and no longer employed. The present law provides that social security payments terminate the month beneficiaries reach 18. All too often the student has not finished the high school years and is forced to drop out before graduation. Studies have shown that students who have to drop out before completing high school constitute the country's highest unemployment ratio and the incidence of juvenile delinquency is 10 times higher among this group than for those who stay in school.

It has been estimated that passage of a bill such as I am introducing would enable about 165,000 students in the 18 to 21 age group to continue in school next fall and complete their high school work. The cost involved would be infinitesimal when we compare the advantages to our country. Studies show that the additional knowledge acquired by these young people remaining in school could make possible all, or part of the following: First, provide our Nation with better qualified personnel; second, reduce the incidence of unemployment; third, improve living standards and strengthen our economy; and fourth, create a better qualified manpower reserve in case of a national emergency.

Mr. Speaker, it is my hope that the Committee on Ways and Means will give favorable consideration to this matter and that early action will follow in the House and Senate.

FEDERAL RESERVE BUYS $50 MILLION OF FRANCS

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, I came across a small news item in the Washington Star of last Friday evening which excites my curiosity. It reads as follows:

The Federal Reserve System announced yesterday it has purchased $50 million of French francs for possible future use in defending the dollar.

The transaction, arranged between the Federal Reserve Bank of New York and the Bank of France, was the first of its kind since World War II.

The Reserve System will use the francs to buy dollars in foreign exchange markets if the dollar weakens in relation to the franc. The effect would be to strengthen demand for the dollar and bolster its position.

This raises some very interesting questions. I did not have time this morning to talk as long as I wanted to with Chairman Martin of the Federal Reserve System, and I want to know, among other things, whether we bought heavy or light francs. The French have both.

I want to know, too, why we have to buy francs in order to support the American dollar? Is this dollar of ours so weak that we have to buy French francs, or is this by subterfuge getting $50 million into the hands of the French?

Mr. Martin has promised to send me an explanation and, perhaps, I will be able to enlighten the House further.

TO CONFER JURISDICTION UPON THE COURT OF CLAIMS TO DETERMINE THE CLAIM AGAINST THE UNITED STATES OF AMIS CONSTRUCTION CO. AND SAN ORE CONSTRUCTION CO.

Mr. LANE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 2990) to confer jurisdiction upon the Court of Claims to determine the claim against the United States of Amis Construction Co. and San Ore Construction Co., with Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Resolved, That the bill from the House of Representatives (H.R. 2990) entitled "An Act to confer jurisdiction upon the Court of Claims to determine the claim against the United States of Amis Construction Company and San Ore Construction Company" do pass with the following amendment: Page 2, line 16, strike out "to" and insert "the".

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

CONSENT CALENDAR

The SPEAKER. This is Consent Calendar day. The Clerk will call the first bill on the Consent Calendar.

PROVIDING FOR A SURVEY TO DETERMINE THE PRACTICABILITY OF ADOPTING THE METRIC SYSTEM OF WEIGHTS AND MEASURES

The Clerk called the bill (H.R. 2049) to provide that the National Bureau of Standards shall conduct a program of investigation, research, and survey to determine the practicability of the adoption by the United States of the metric system of weights and measures.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

NATIONAL BOTANIC GARDEN IN HAWAII

The Clerk called the bill (H.R. 5628) to provide for a study and investigation of the desirability and feasibility of establishing and maintaining a National Tropical Botanic Garden.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. FORD. Mr. Speaker, reserving the right to object, I would like to note that this proposal failed passage under suspension of the rules September 21, 1961. It would therefore on the surface appear to be a bill that should not be considered on the Consent Calendar. I therefore withdraw my reservation of objection.

Mr. FORD, Mr. WEAVER and Mr. GROSS objected; and, under the rule, the bill was stricken from the Consent Calendar.

PARTICIPATION IN 1961 FEED GRAIN PROGRAM

The Clerk called the bill (H.R. 8914) to amend subsection (d) of section 16 of the Soil Conservation and Domestic Allotment Act, as amended.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. FORD. Mr. Speaker, reserving the right to object, this bill failed passage under suspension of the rules September 18, 1961. Obviously it does not qualify for consideration on the Consent Calendar. I withdraw my reservation and object.

The SPEAKER. Objection is heard.

PRINCE GEORGES COUNTY SCHOOL BOARD, MARYLAND

The Clerk called the bill (H.R. 6759) for the relief of the Prince Georges County School Board, Maryland.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BOLAND. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

MINING CLAIM ON SOUTH RIM OF GRAND CANYON NATIONAL PARK

The Clerk called the bill (S. 383) to provide for the acquisition of a patented mining claim on the south rim of Grand Canyon National Park, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. FORD. Mr. Speaker, reserving the right to object, this bill failed of passage under suspension of the rules on February 5, 1962. Obviously it does not qualify for consideration on the Consent Calendar. I withdraw my reservation.

Mr. FORD, Mr. WEAVER, and Mr. GROSS objected; and, under the rule, the bill was stricken from the Consent Calendar.

CUYAHOGA COUNTY, OHIO

The Clerk called the bill (H.R. 9804) for the relief of Cuyahoga County, Ohio.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $44,707.74 to the county of Cuyahoga, Ohio, in accordance with the recommendations of the concurring opinion in congressional reference case numbered 7-59, Cuyahoga County, Ohio, against the United States, in the Court of Claims. The amount paid under the authority of this Act shall be in full settlement of all claims of Cuyahoga County, Ohio, against the United States for taxes, interest, assessments, and penalties due that county on parcels numbered 2 and 3 of property involved in a housing project in the city of Euclid, Ohio.

which was included in a condemnation proceeding instituted in the United States District Court for the Northern District of Ohio on April 22, 1942: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 8, strike out "$44,707.74" and insert "$22,353.87."

Page 1, line 7, strike "concurring."

Page 2, line 7, strike out "in excess of 10 percent thereof."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FILING REPORTS UNDER PUBLIC LAW 86-272

The Clerk called the bill (H.R. 10043) to amend Public Law 86-272, as amended, with respect to the reporting date.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 202 of Public Law 86-272 (73 Stat. 556), as amended, is amended to read as follows:

"SEC. 202. The committees shall report to their respective Houses the results of such studies, together with their proposals for legislation on or before July 1, 1963."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CLAY COUNTY HOSPITAL, BRAZIL, IND.

The Clerk called the bill (H.R. 4188) for the relief of the Clay County Hospital, Brazil, Ind.

Mr. BOLAND. Mr. Speaker, reserving the right to object, I would like to have the gentleman from Illinois explain the bill.

Mr. LIBONATI. Mr. Speaker, this bill is in conformity with statutory law relative to a contribution of 50 percent by the Government toward civil defense programs that are necessitous and approved. An increase in the generator at this hospital which was supported by public subscription was had and approved. The county officer spoke with the Federal authority and was informed that the bill should be put in for the subsequent year because of the fact that the Federal Government had not appropriated sufficient funds to meet its obligation. This was done.

We found that in the Department there was an objection because of the fact that it did not conform to the statute in that the bill should have been presented in the year in which it was installed. We found in our investigation many other centers have followed the same practice when advised by the Federal agency relative to the operation of funds beyond the amount pledged. Therefore we acted upon this bill and approved it. The city of Brazil lies between two very important centers, Terre Haute, Ind., and Indianapolis. We find in the matter of honesty of purpose that this bill corrects the shortcomings of the Government as to appropriations that we recommended.

Mr. BOLAND. Mr. Speaker, I withdraw my reservation of objection.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Clay County Hospital, of Brazil, Indiana, the sum of $7,057.50. The payment of such sum shall be in full settlement of all the claims of the Clay County Hospital against the United States for payment of civil defense matching funds for an emergency generator for an addition to such hospital which payment was not made in the fiscal year ending June 30, 1960, because funds were not available for such purpose, and cannot now be made because of regulations which prohibit the retroactive payment of such funds: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 2, lines 4 and 5, strike out "in excess of 10 per centum thereof".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WIND RIVER INDIAN IRRIGATION PROJECT, WYOMING

The Clerk called the bill (H.R. 3444) to approve an order of the Secretary of the Interior adjusting, deferring, and canceling certain irrigation charges against non-Indian-owned lands under the Wind River Indian irrigation project, Wyoming, and for other purposes.

Mr. FORD. Mr. Speaker, reserving the right to object, I would like to ask the chairman of the House Committee on Interior and Insular Affairs several questions. I wish to preface my questions, however, by saying that I do not intend to object to the bill, primarily because I do not want to penalize well-intentioned and strictly honest and honorable citizens for obvious failures on the part of the Bureau of Reclamation. To prevent enactment of this legislation would hurt individual citizens when in truth and in fact the problem is the failure of the Bureau of Reclamation.

May I also say this: Over the 9 years I have been on this "objectors' committee" we have run into altogether too many instances like this, where the Bureau of Reclamation has obviously miscalculated, where the Bureau of Reclamation has done a lousy job in constructing a project.

Unless Congress in this instance bails out the Bureau of Reclamation, the burden falls on the individual citizen who would be the victim. I am now going to ask the chairman, What precautions are being taken today to prevent in the future this kind of obvious bureaucratic mistake and error?

Mr. ASPINALL. If my colleague, the gentleman from Michigan, will yield to me, as far as this particular bill is concerned, the gentleman's question could be better directed to the gentleman from Wyoming [Mr. HARRISON].

As far as the general practice is concerned, I can assure my colleague that the Committee on Interior and Insular Affairs of the House, especially the subcommittee on irrigation and reclamation, at the present time and for several years past has been going into such matters as this very thoroughly. If my colleague will recall, most of these difficulties that we have now originated some 20 or 30 years ago.

Mr. FORD. I think that is true, to my best recollection, but some of the problems that are being generated today may not appear for 20 years in the future, and all I am saying is unless we crack down on the kind of management that has resulted in these instances today, we are going to have such claims or our successors will have these kinds of claims on their doorstep in the future.

Mr. ASPINALL. If my colleague will yield to me again, I can say this—that so far as this particular operation is concerned and anything that has to do with Indian affairs, and we are now talking about the condition they are living in more than anything else, we have been making very close scrutiny of these situations and we are very careful on anything that we bring before this body.

Mr. FORD. Knowing the attitude of the gentleman, having served with him for the past 13 or more years, I do appreciate and value his assurance, but it seems to me the more pressure we put on the Bureau of Reclamation and any other such agency, the better it will be for the public and for the taxpayers. I just want the Bureau of Reclamation to know that although in this case, certainly, the equities are for favorable action, we cannot tolerate the mismanagement and poor construction which results in this kind of situation coming before the House.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. FORD. I yield to the gentleman from Iowa.

Mr. GROSS. The gentleman does not mean to confine his remarks to the Consent Calendar, I am sure. I tried to point out a week or so ago that the last Private Calendar was loaded with bills

to provide adjustments on claims resulting from errors of omission and errors of commission on the part of officials and employees of the Federal Government. It is high time that the House of Representatives made it plain to officials in the Government that the day for making mistakes that are very expensive to the taxpayers must come to an end.

Mr. SAYLOR. Mr. Speaker, will the gentleman yield?

Mr. FORD. I yield to the gentleman from Pennsylvania.

Mr. SAYLOR. In behalf of the chairman of the Committee on Interior and Insular Affairs, I want to say that a number of these bills and claims, the cause of which will be prevented in this case, have grown out of blanket authorizations that have been passed by prior Congresses. The bureaus downtown have relied upon the action of the Congress in the past, and the only thing that the Committee on Interior and Insular Affairs can do is to bring these bills to correct the mistakes. There is no doubt about it, there have been mistakes and there are presently mistakes being made by these bureaus, but the fault lies with a lot of the authorization acts which the Congress in years past has enacted and which are now rising to haunt us and will rise to haunt us, as the gentleman has stated, for many years to come.

Mr. HALEY. Mr. Speaker, will the gentleman yield?

Mr. FORD. I yield.

Mr. HALEY. I just want to say to the gentleman that I agree in the statement made by the gentleman from Pennsylvania. We are trying to close these open-end affairs so that we will not have these loose areas any more. I want to assure the gentleman that insofar as the Subcommittee on Indian Affairs is concerned we are looking into these matters very thoroughly and telling the Department that we want to have firm positions and projects before this Congress.

Mr. HARRISON of Wyoming. Mr. Speaker, will the gentleman yield?

Mr. FORD. I yield.

Mr. HARRISON of Wyoming. I would like to join with the gentleman from Pennsylvania and the gentleman from Florida in saying that the Chairman of the House Committee on Interior and Insular Affairs has been very careful during the time I have been in Congress working with him and has watched over the interests of the Government in irrigation and reclamation matters. It is true that these and other difficulties have arisen under loosely drawn regulations, but I may assure you that under present leadership we are very careful to see that there are no loopholes.

It is certainly not the fault of the individuals who live on this Wind River project. They are being charged for water they did not receive, water which was poured on lands which were not irrigable. Unless these charges are removed these people will not be able to make a living on their land. They will be unable to pay these assessments. The assessments should not have been made against them in the first place.

I do hope that the House will see that this bill is passed to help these people.

Mr. FORD. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in accordance with the provisions of the Act of June 22, 1936 (49 Stat. 1803, 25 U.S.C. 389-389e), the order of the Secretary of the Interior canceling $36,439.70 of delinquent irrigation charges, plus accrued interest thereon, and providing for the deferred payment of $8,706.27, as shown on schedules A, B, and C, which are referred to in such order, is hereby approved: *Provided*, That the cancellation of $2,093.14 under schedule B shall not become effective until the landowners have executed contracts as provided in the Act of June 22, 1936, agreeing to pay the balance of such delinquent charges amounting to $1,556.40.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

DONATION OF LAND TO THE ZUNI TRIBE OF INDIANS

The Clerk called the bill (S. 201) to donate to the Zuni Tribe approximately 610 acres of federally owned land.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all of the right, title, and interest of the United States in approximately six hundred and ten and eighty-nine one-hundredths acres of land in section 22, township 10 north, range 20 west, New Mexico principal meridian, and any improvements thereon, that were excepted from the conveyance made by the Act of August 13, 1949 (63 Stat. 604), and retained as Federal land for administrative purposes, is hereby declared to be held in trust for the Zuni Tribe.

The bill was ordered to be read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

AMENDMENT OF ACT OF JUNE 4, 1953

The Clerk called the bill (S. 1299) to amend the act of June 4, 1953 (67 Stat. 41), entitled "An act to authorize the Secretary of the Interior, or his authorized representatives, to convey certain school properties to local school districts or public agencies."

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second proviso in the Act of June 4, 1953 (67 Stat. 41), as amended, is amended to read: "*Provided further*, That no more than fifty acres of land shall be transferred under the terms of this Act in connection with any single school property conveyed to State or local governmental agencies or to local school authorities."

The bill was ordered to be read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

COMMITTING JUVENILE DELINQUENTS FOR OBSERVATION AND STUDY

The Clerk called the bill (S. 1691) to provide that any juvenile who has been determined delinquent by a district court of the United States may be committed by the court to the custody of the Attorney General for observation and study.

Mr. FORD. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

ACCEPTANCE OF GIFT TO THE UNITED STATES BY THE WILL OF ESTHER CATTELL SCHMITT

The Clerk called the bill (H.R. 8941) to authorize acceptance of the gift made to the United States by the will of Esther Cattell Schmitt.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Attorney General is hereby authorized to accept on behalf of the United States of America the property given to it by the will of the late Esther Cattell Schmitt.

SEC. 2. The Attorney General is hereby authorized to appear in or to initiate on behalf of the United States any appropriate legal or equitable proceeding in the Orphans' Court of Philadelphia County, or any other appropriate tribunal in the Commonwealth of Pennsylvania or elsewhere, in connection with any matter relating to or arising under the said will, and to take such steps therein or in connection therewith as in his discretion may be desirable and appropriate in the interest of the United States. The duties imposed upon officers and agents of the United States by the succeeding provisions of this Act shall be performed in conformity with the orders of any court of competent jurisdiction entered in any such proceeding to which the United States shall be a party.

SEC. 3. Any moneys or securities which the United States shall receive under the said will, and the proceeds of the sale of any real property received by the United States thereunder, shall be receipted for by the Secretary of the Treasury, who is hereby authorized to sell, exchange, retain, invest, or reinvest such moneys or securities in such investments as he may from time to time determine.

SEC. 4. The income received by the United States from the property passing to it under the said will, or from the proceeds of such property, shall be paid by the Secretary of the Treasury to the beneficiaries named in paragraphs numbered 1, 2, 3, and 4 of said will in accordance with the terms thereof.

SEC. 5. The Board of Trustees of the National Gallery of Art shall, at the request of the Attorney General, nominate the beneficiary described in paragraph numbered 4

of the will, as translated, as "a young American painter, the most deserving."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING SECTION 104 OF THE IMMIGRATION AND NATIONALITY ACT.

The Clerk called the bill (H.R. 10079) to amend Section 104 of the Immigration and Nationality Act, and for other purposes.

Mr. GROSS. Mr. Speaker, reserving the right to object, I think this bill has considerable merit; but I regret that it is brought to the floor under unanimous consent procedure, because there are many questions that ought to be asked and answers provided. I would like to offer an amendment to one portion of the bill, that which delegates untrammeled authority to the President of the United States except with respect to the Renegotiation Act. I may say, Mr. Speaker, that I propose to take a reasonable amount of time and to ask some questions concerning this bill, if it is to be continued on the Consent Calendar.

Mr. WALTER. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield.

Mr. WALTER. I would like to say to the gentleman that the reason this bill—which appears to be of great importance, although it is very simple in form—is on the Consent Calendar, is the fact that it was reported unanimously by the Judiciary Committee, and under the proceedings of that committee when a bill is reported unanimously it is automatically placed on the Consent Calendar.

Mr. GROSS. I have no doubt that the bill was reported unanimously; but let me ask the gentleman a question or two. This would provide for the abolishment of the Bureau of Security and Consular Affairs in the State Department.

I wonder why it is necessary to set up in place of the present Director, or whatever he is, an appointee, with the status of Assistant Secretary and with the pay and compensation of an Assistant Secretary.

Mr. WALTER. If the gentleman will look at the scale of pay, he will find that it is comparable. The committee felt that consular affairs are of such importance that the man who is in charge of passports, visas, and immigration affairs in the State Department, bearing in mind the fact he is the overseer of all of the consular offices throughout the world, ought to occupy as high a position as is possible for him to have. We felt he should be immediately next to the Deputy Under Secretary for Administration. This is the reason we propose to give him that rank and make his appointment subject to confirmation by the Senate.

Mr. GROSS. Why is it necessary to abolish the Bureau of Security and Consular Affairs?

Mr. WALTER. It is necessary to repeal that section of the immigration law which established that office in order to create the two new offices. The second office, the security office, contemplates three different kinds of investigation: First, of the applicant for employment; second, for promotion; and third, on the question of personnel suitability and security, generally.

Mr. GROSS. Is this the office that is presently being administered by one Salvatore Bontempo, otherwise known as "Good time Sal"?

Mr. WALTER. No. I am happy to be able to report that that gentlemen is no longer in the service of the United States.

Mr. GROSS. Would this legislation be necessary in part, let me ask the gentleman, to prevent a recurrence of that kind of appointment, the appointment of a man who was mixed up in the purchase of 9,000 surplus parachutes, and court action was brought against him and only dismissed because the complainant had died? Is this one of the reasons why?

Mr. WALTER. No, it is not one of the reasons.

I would like to say to the gentleman very frankly that that person is not qualified under this bill, nor was he qualified under the law under which he was appointed.

Mr. GROSS. I want to commend the gentleman from Pennsylvania for his immediate and vigorous protest to the appointment of this man to the very important job as head of the Board of Security within the State Department. It is important, and I want to commend the gentleman for his protest. I would hope that the definition of the duties and the experience required of any future head of the Bureau of Security, or whatever it is to be designated, will prevent the appointment of any such character as that. Can the gentleman give us that assurance?

Mr. WALTER. No matter what we say, a bill certainly does not always produce what we hope it will produce.

Mr. GROSS. Do I understand that this bill presently before the House authorizes the spending of some $10 million?

Mr. WALTER. The President of the United States has the authority now under the contingency fund to earmark whatever moneys he thinks are necessary in emergency situations. The gentleman is now talking about the refugees in the United States, refugees from Cuba. This is the first time in the history of our great Republic that we have become a country of first asylum. It is a difficult problem for us to deal with. The President has dealt with it on an emergency basis by making available for Dade County, Fla., sufficient funds to reimburse that county for relief expenditures and for educational purposes. All this bill does is to write the same provision in the law, spell it out, so that in the event it is necessary in our judgment to cope with this sort of a problem, it can be dealt with openly and everybody knowing exactly what we are doing, pursuant to congressional authorization and appropriation of funds.

Mr. GROSS. Well, then, in the gentleman's opinion, with the enactment of this bill, we would have a man in the State Department, at the head of the security division, provided the President did not appoint another Bontempo; we would have a man there on whom we could rely, or have we made any change?

Mr. WALTER. Yes, I think we have made a very great change. One of the gentleman's questions is based on a false premise, that the President made the unfortunate appointment of this person who, in the judgment of most people, was not qualified.

Mr. GROSS. Well, now, just a minute. Who made the appointment if the President did not?

Mr. HAYS. Mr. Speaker, I object to the consideration of the bill on the Consent Calendar.

APPOINT SECRETARIES FOR GUAM AND VIRGIN ISLANDS

The Clerk called the bill (H.R. 10063) to amend section 8 of the Organic Act of Guam and section 15 of the Revised Organic Act of the Virgin Islands, to provide for appointment of acting secretaries for such territories under certain conditions.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 8 of the Organic Act of Guam (64 Stat. 384, 387; 48 U.S.C. 1422b) is amended by adding the following at the end thereof: "The Governor or Acting Governor may from time to time designate an officer or employee of the executive branch of the government of Guam to act as secretary of Guam in case of a vacancy in the office of secretary of Guam or the disability or temporary absence of the secretary of Guam or while the secretary is acting as Governor, and the person so designated shall have all the powers of the secretary so long as such condition continues, except for the power set forth in the first sentence of section 7 of this Act. No additional compensation shall be paid to any person acting as Governor or as secretary under this Act."

Sec. 2. Section 15 of the Revised Organic Act of the Virgin Islands (68 Stat. 497, 504; 48 U.S.C. 1596) is amended by adding the following at the end thereof: "The Governor or Acting Governor may from time to time designate an officer or employee of the executive department of the government of the Virgin Islands to act as government secretary for the Virgin Islands in case of a vacancy in the office of the government secretary or the disability or temporary absence of the government secretary or while said government secretary is acting as Governor, and the person so designated shall have all the powers of government secretary so long as such condition continues, except for the power set forth in section 14 of this Act. No additional compensation shall be paid to any person acting as Governor or as secretary under this Act."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PUBLICATION OF LISTS OF DEFENSE FACILITIES

The Clerk called the bill (H.R. 9753) to amend sections 3(7) and 5(b) of the Internal Security Act of 1950, relating

to employment of members of Communist organizations in certain defense facilities.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Internal Security Act of 1950 is amended—

(1) by amending the second sentence of section 3(7) (50 U.S.C. 782(7)) to read as follows: "The term 'defense facility' means any facility designated by the Secretary of Defense pursuant to section 5(b) of this title and which is in compliance with the provisions of such subsection respecting the posting of notice of such designation."; and

(2) by amending section 5(b) (50 U.S.C. 784(b)) to read as follows:

"The Secretary of Defense is authorized and directed to designate facilities, as defined in paragraph (7) of section 3 of this title, with respect to the operation of which he finds and determines that the security of the United States requires the application of the provisions of subsection (a) of this section. The Secretary shall promptly notify the management of any facility so designated, whereupon such management shall immediately post conspicuously, and thereafter while so designated keep posted, notice of such designation in such form and in such place or places as to give notice thereof to all employees of, and to all applicants for employment in, such facility. Such posting shall be sufficient to give notice of such designation to any person subject thereto or affected thereby. Upon the request of the Secretary, the management of any facility so designated shall require each employee of the facility, or any part thereof, to sign a statement that he knows that the facility has, for the purposes of this Act, been designated by the Secretary under this subsection."

With the following committee amendment:

Strike out all after the enacting clause and insert:

"That (a) the second sentence of paragraph (7) of section 3 of the Internal Security Act of 1950 (50 U.S.C. 782(7)) is amended to read as follows: "The term 'defense facility' means any facility designated by the Secretary of Defense pursuant to section 5(b) of this title and which is in compliance with the provisions of such subsection respecting the posting of notice of such designation."

"(b) Subsection (b) of section 5 of such Act (50 U.S.C. 784(b)) is amended to read as follows:

"'(b) The Secretary of Defense is authorized and directed to designate facilities, as defined in paragraph (7) of section 3 of this title, with respect to the operation of which he finds and determines that the security of the United States requires the application of the provisions of subsection (a) of this section. The Secretary shall promptly notify the management of any facility so designated, whereupon such management shall immediately post conspicuously notice of such designation in such form and in such place or places as to give notice thereof to all employees of, and to all applicants for employment in, such facility. Such posting shall be sufficient to give notice of such designation to any person subject thereto or affected thereby. Upon the request of the Secretary, the management of any facility so designated shall require each employee of the facility, or any part thereof, to sign a statement that he knows that the facility has, for the purposes of this title, been designated by the Secretary under this subsection.'"

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDMENTS TO NATIONAL SCHOOL LUNCH ACT

The Clerk called the bill (H.R. 8962) to revise the formula for apportioning cash assistance funds among the States under the National School Lunch Act, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. FORD. Mr. Speaker, reserving the right to object, it is my intention to ask that this bill be passed over for two reasons: One, the views of the departments that are interested and concerned are not indicated in the committee report; and specifically, the departmental reports are not included in the committee report itself.

The second basic reason for objecting is that this is very comprehensive legislation. If anyone would take the time to read a small portion of the committee report, it would be very obvious that such a proposal should not be on the Consent Calendar.

Mr. Speaker, I withdraw my reservation of objection and I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

RELATING TO MENOMINEE COUNTY, WIS.

The Clerk called the bill (H.R. 10184) to amend section 130(a) of title 28, United States Code, so as to reconstitute the Eastern Judicial District of Wisconsin to include Menominee County, Wis.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. FORD. Mr. Speaker, reserving the right to object, I would like to ask a member of the Committee on the Judiciary whether this proposed change is agreed to by the Members of the House and the Members of the Senate from Wisconsin. I am not so concerned about the Department of Justice; they will take care of themselves. I am more concerned about what the Members of the House and the Senate feel about this.

Mr. FORRESTER. Mr. Speaker, if the gentleman will yield, I cannot answer that question. Of course, the gentleman knows it is a very, very simple bill. All it does is put some territory under the laws of the United States where there are no courts at the present time because it is part of an Indian reservation.

Mr. FORD. I understand fully what is being sought, but I would like to have some assurance that the Members of the House from the State of Wisconsin and the Members of the Senate who are interested are in agreement.

Mr. FORRESTER. Well, of course, the presumption would be that they are, but I cannot answer that; I do not know.

Mr. FORD. Mr. Speaker, I withdraw my reservation of objection and ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

SETTLEMENT OF CLAIMS BY MEMBERS OF THE UNIFORMED SERVICES AND CIVILIAN EMPLOYEES OF THE UNITED STATES FOR DAMAGE TO, OR LOSS OF, PERSONAL PROPERTY INCIDENT TO THEIR SERVICE

The Clerk called the bill (H.R. 10357) to provide for the settlement of claims against the United States by members of the uniformed services and civilian officers and employees of the United States for damage to, or loss of, personal property incident to their service, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, reserving the right to object, if I correctly understand it, this bill would make standard throughout the Government payment of a maximum of $6,500 to those who sustain a loss of property—civilian employees of the Government—is that correct?

Mr. LANE. Mr. Speaker, if the gentleman will yield, yes, sir; that is the present law. The maximum is $6,500. The committee had before it one of the amendments offered by the military—offered by the Coast Guard, the Army, the Air Force, and the Marines—to increase the amount from $6,500 to $10,000. Your committee felt that that was a matter on which we should have hearings, and we have taken no action as far as that recommendation is concerned. But other recommendations offered by the military were more or less corrective legislation of our present claims law. This only seeks to extend the claims law to the other agencies of Government—a privilege now given to the military departments and to the Coast Guard.

Mr. GROSS. Let me ask the gentleman this question: This would cover losses by transportation? Say, for instance, a trucking firm was hauling a Government employee's property from Washington to St. Louis, Mo. This would cover a loss up to $6,500 sustained by the employee; is that correct?

Mr. LANE. That is very true.

Mr. GROSS. Well, then, this bill should provide, it seems to me, a perfect opportunity to insert a provision that the transportation companies have some responsibility in the matter of the loss of property.

Mr. LANE. As I understand it, under the present regulations of the various agencies of Government they are supposed to be properly covered by insurance.

Mr. GROSS. I will say to the gentleman that "supposed to be" is not quite good enough. Is there really a good answer? You had on the last Private Calendar—your committee—claims for property that was lost or destroyed in

transit—Government employees' property that was lost or destroyed—and the warehouse firm or the transportation firm had no responsibility whatever. The gentleman can go back to the bills on that calendar. There ought to be some language written into this bill to provide that those who transport or warehouse personal property—the personal effects of these people—have some responsibility in the matter. Does not the gentleman from Massachusetts agree with me?

Mr. LANE. I surely do, and as I repeat again, under the present regulations of all these agencies—this came to us, as an executive communication, an endorsement by every one of those agencies of government, and also the military. It was brought out at the hearings that they do now under regulations provide for what the gentleman is seeking to correct, and they do follow that procedure. It is only in these rare cases that have been brought to our Committee on Claims that we have these particular bills that the gentleman spoke about at the last call of the Private Calendar in the House. I said at that time and repeat again, your committee is aware of some of these abuses and we at all times are looking into them and trying to take care of them as best we can, and repeat over and over again that the departments should move ahead and make sure that these warehouse and transportation companies have proper security to take care of these claims against the United States Government, if called upon for payment.

Mr. GROSS. Is this bill of an emergency nature? Could passage be delayed in the House for 2 weeks without serious injury to someone?

Mr. LANE. I do not think there is any emergency connected with it, I might say to the gentleman.

Mr. GROSS. Let me ask the gentleman this: If it is not of an emergency nature, why does not the gentleman's committee or the gentleman provide an amendment to this bill—a simple amendment—that would say to these people that they have a responsibility? Apparently it is not in the law today. I will say to the gentleman that before I vote to make this $6,500 standard throughout the Government, I want to see some language inserted that will make transportation and warehouse companies responsible for losses of property in their sole custody.

Mr. LANE. If the gentleman will yield further, I know that the gentleman is aware that this is a similar bill that we passed in the House last year, but which failed of passage in the other body. But with reference to this bill your committee conducted hearings, and studied the wording most carefully. We had the appearances of all the military so we could iron out any flaws in the present law. There is no particular emergency with reference to the bill; if the gentleman feels we ought to delay it for a while that will be all right.

Mr. GROSS. I only want to delay it for the period of time necessary to prepare a proper amendment to the bill. I would hope that the gentleman would accept an amendment to provide for responsibility upon the part of those who are in custody of the property being transported.

Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

The SPEAKER. This concludes the call of the eligible bills on today's calendar.

WISCONSIN LOOKS AT THE DAIRY PRICE SUPPORT PROGRAM

Mr. SCHADEBERG. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. SCHADEBERG. Mr. Speaker, 2 weeks ago I had the privilege of speaking to many farmers in my own First District, as well as to farmers in the Second and Sixth Districts of Wisconsin and from northern Illinois. I must report that the dairy farmers are not only concerned but downright upset over the proposed farm program. Never have I found so many so disturbed over what we are doing here in Washington. I want to speak out in behalf of the Wisconsin dairy farmers.

The administration's proposed dairy price support program—H.R. 10010—would, if adopted, require Congress to delegate to the executive branch a degree of control and authoritarian power that would be unprecedented for the dairy industry.

During the last year and a half the powers granted to the executive branch were unchanged from those available under the dairy price support program for more than a decade prior to that time. And what has happened?

In September 1960, a Congress controlled by the Democratic Party increased the level of dairy price supports. In March 1961, the administration made another increase. And in July 1961, the administration effected a third increase, by means of raising the purchase prices of finished dairy products acquired under the program, on the completely illogical premise that actual market prices of manufacturing milk must be equal to or higher than the support price every month in order for the annual average market price to be equal to or higher than the annual support price. Any child who has been taught arithmetic in the elementary schools of Wisconsin could readily refute such an argument.

Aided by threats of production controls, these three untimely, unwise, and unjustifiable increases in price support levels have spurred production, discouraged consumption, and led to indefensible increases in Government purchases and expenditures for unwanted supplies of dairy foods.

In effect, the administration is saying, "Look what a mess we have been able to make with no more power than was available to the executive branch of the previous administration. Think what we could do if you give us a blank check."

We have been thinking about this in Wisconsin. We have been looking ahead—and we do not like what we see.

Here are some important considerations:

First. The bill provides that 1961 might be the base period for production controls or allotments. Wisconsin producers would be penalized with such a base period because their production was up only 1.6 percent from the previous year whereas production nationally was up 2.2 percent—a rate of increase 37½ percent higher than that in Wisconsin.

Second. The quota or allotment system might permit producers in areas of high prices to buy the allotments of Wisconsin producers and shift dairy production from its area of greatest natural advantage—Wisconsin—to the areas with higher prices. The system might also permit large corporations to buy allotments and dominate the production as well as the marketing of milk.

Third. The bill would permit exemption of small dairymen. It would be prohibitively expensive to administer a program under which every person who produced milk or farm-separated cream for any purpose at any time of the year at any place in the United States. Yet exemptions would penalize the farmers who are trying to make a living out of dairying. Such farms would have to bear the entire burden of the national surplus of milk.

Fourth. Political and personal favoritism in the administration of the program likely would become prevalent. It is highly unlikely that Wisconsin dairy farmers would be accorded equal treatment with those in some other States—despite any consideration of logic or equity.

Fifth. About 10 percent of the total milk solids in milk sold from farms in 1961 was purchased under the price support program. After exemptions of small producers and various other special adjustments that could be made under the program, the average producer in Wisconsin might receive an allotment that was 20 or 30 percent below the quantity he marketed in 1961. This would spell financial ruin for many dairy farmers and the end of dairying as a great industry in Wisconsin.

Sixth. A heavy tax of up to $2.75 per hundredweight would be placed on milk sold in excess of allotment. This tax would be levied and collected by the executive branch rather than by the Congress. Congress should not relinquish its tax authority.

Seventh. A separate section in the bill would provide for allotments under Federal milk marketing orders. In a market such as Chicago, with a large surplus and a rather narrow spread between the prices for fluid and surplus uses, a huge cut in supply would result in sharply reduced incomes for local dairymen. Pressure would mount to raise the class I price to farmers—and, as a result, the retail price to consumers—and to shut off entirely the milk from some producers. Most of the latter undoubtedly would be Wisconsin dairy farmers. They would be the victims of the program, and no doubt steps would be taken to prevent them from competing for any out-of-State fluid market in the future.

The highhanded and arbitrary request for authority to plunge the support level from $3.40 per hundredweight to $2.50 or $2.75 is a request for a club to beat dairy farmers into accepting production controls.

Consider that request in the light of the following facts:

First. As late as July 1961 the administration was vigorously asserting that "The farm price of milk is too low"—and it made a further increase in the prices at which finished dairy products could be purchased under the price-support program; and second, a few weeks later it completely reversed the tune and gloomily reported that consumers were indignant over high retail prices, mounting Government stocks, and multiplying costs for price-support purchases—"The price of milk is too high."

Only two conclusions are possible. First, the administration has grossly bungled the whole affair. Or, second, the administration deliberately led dairy farmers into their present morass of trouble in order to thrust production controls onto the dairy industry at a time when farmers were ready to grasp at any straw.

In either case, the situation is clear. Congress must not grant additional power to the administration regarding price controls for dairy products. Instead, it must insist that the administration acknowledge its mistakes and adopt a practical program—within the framework of the present law—to remedy the situation that developed in 1961.

KANSAS PANCAKE DAY AT THE CAPITOL

Mr. BREEDING. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. BREEDING. Mr. Speaker, I wish to remind my colleagues that Shrove Tuesday—March 6—will be Kansas Pancake Day at the Capitol. I urge all of my colleagues and their staffs to enjoy delicious pancakes made from Kansas high-protein wheat flour at either the House restaurant or the House Office Building cafeteria from 8 a.m. and for as long as they last, as the guests of the Liberal, Kans., Junior Chamber of Commerce.

Two years ago, Kansas pancakes were served and they did not last long. I urge you to come early for a delightful breakfast.

The serving of pancakes was arranged to dramatize the 13th running of the International Pancake Race tomorrow—Shrove Tuesday—between housewives of Liberal, Kans., and Olney, England.

This unusual race has developed into an outstanding international event, strengthening the bonds of historic friendship between the people of the United States and England.

The race had its beginning in England more than 500 years ago. Then, the thrifty housewives used up accumulated cooking fat by cooking pancakes on Shrove Tuesday, the day before the beginning of Lent.

One Olney housewife, busily engaged in cooking pancakes, lost track of time. Suddenly she was roused by the ringing of church bells calling her to shriving services at the church.

In her haste she ran to the church, a distance of 415 yards, still clad in her apron and with the skillet in her hand.

The following year more housewives answered the call to church in this manner and so the Olney pancake race started. The winner was awarded with the "kiss of peace" by the church rector.

Liberal got into the act in 1950 after a story about the unusual Olney race appeared in a national magazine. A group of housewives in Liberal issued a challenge to a timed race over a 415-yard course—a challenge immediately accepted by Olney.

Since then the race has been run on the morning of Shrove Tuesday, over the prescribed course, while flipping pancakes, with the time compared afterward by transatlantic telephone. If the winner is in Olney, she receives the traditional "kiss of peace" from her rector. The Liberal winner receives the kiss from the British consul.

I am proud of the Liberal Junior Chamber of Commerce for sponsoring this international good-will gesture.

As the representative of one of the great wheat-producing areas of the world, I am happy to have the opportunity to acquaint all of you with the fine quality of flour milled from Kansas wheat.

I would like to add, Mr. Speaker, that if every man, woman, and child over 7 years of age would also eat a stack of pancakes tomorrow morning we would consume 1½ to 2 million bushels of our wheat surplus.

And if we could prevail upon them to eat pancakes every morning for a year, we would come close to wiping out the entire wheat surplus.

So, Mr. Speaker, let me once more repeat my invitation for Members of the House and their staffs to enjoy pancakes made from the world's finest wheat—Kansas wheat, of course.

THE HONORABLE DONALD COMER

Mr. BOYKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. BOYKIN. Mr. Speaker, under leave to extend my remarks in the RECORD, I include therein a letter dated February 16, 1962, from my lifelong friend, Donald Comer of Avondale Mills in Birmingham, Ala., and Comer, Ala., with the main office in Sylacauga.

Mr. Speaker, I wish I knew words to use in describing this great American, Donald Comer. Not only Donald Comer but his great brother, who, like Donald, has worked for the good of our State and our Nation as long as I can remember. The founder of the Avondale Mills was Donald Comer's famous and fabulous father, Gov. B. B. Comer, who founded these mills, which have done so much good for our State, in the long ago of 1897.

After Gov. B. B. Comer had served all of the people of the State of Alabama so faithfully and so well, he went to the U.S. Senate, where he served not only his State and his Nation but had friends all over this earth that he worked with to try to keep some part of our way of life.

These people have offices in a third of all the States of this Nation and I have spent hours in talking to these great men about a matter that is close to our hearts not only in Alabama but all over the Nation. Mr. Comer, who is chairman of the board and of the executive committee of the Avondale Mills and who is a director in one of the country's greatest universities, the University of Alabama, together with his wonderful brother, has spent his whole life in manufacturing and building manufacturing plants to help men and women to have jobs at home where they are born and bred.

I am also inserting a letter from Mr. Comer to the President of the United States and the answer from my friend, the Honorable Myer Feldman, Deputy Special Counsel to the President, and a release from the Office of the White House Press Secretary of February 15, 1962, together with a copy of a memorandum on the long-term cotton textile arrangement.

Mr. Speaker, unless we get some help and some protection not only for Mr. Comer and his great mills but also for all the mills in Alabama and the Nation, we are going to lose them. We must not only protect all of our textile mills and the men and women who work for them, but if anything should happen to these textile mills, in my judgment, the same thing will happen to our steel mills and many, many other industries. I urge you, Mr. Speaker, and other Members of this House, on both sides of the aisle, who represent every human being in this Nation, to take definite action and give and keep protection for our textile people and all of our manufacturers, regardless of what they manufacture, because there is no earthly way our people can compete with many of the foreign people who pay their people starvation wages, and we want to and must keep our high standard of living and our way of life.

AVONDALE MILLS,
Birmingham, Ala., February 16, 1962.

Hon. FRANK BOYKIN,
Member of Congress, the House of Representatives, House Office Building, Washington, D.C.

DEAR FRANK: I was looking over some of my old files here and I ran into a letter I

wrote to the President on December 6, 1961. To refresh your memory, I am enclosing a copy. You might be interested to know that the White House answered my letter and I am enclosing you a copy. Also, we wrote another letter and a copy of this second letter is also enclosed. You mentioned that you were going to put this in the CONGRESSIONAL RECORD and I am writing again to urge that you do this.

While we are talking generally about imports from Japan, right now Avondale Mills is suffering from imports from Portugal. Also, in the letter postscript I quoted a statement by the late Secretary of State Christian Herter in which he said, "We face a test today no society has ever fully met: How to make competition the life, not the death, of nations."

As we all know, right now the President is launched on a program for increasing world trade.

Yours very truly,

DONALD COMER.

LONG-TERM COTTON TEXTILE ARRANGEMENT[1]

Recognizing the need to take cooperative and constructive action with a view to the development of world trade;

Recognizing further that such action should be designed to facilitate economic expansion and promote the development of less-developed countries possessing the necessary resources, such as raw materials and technical skills, by providing larger opportunities for increasing their exchange earnings from the sale in world markets of products which they can efficiently manufacture;

Noting, however, that in some countries situations have arisen which in the view of these countries, cause or threaten to cause "disruption" of the market for cotton textiles;

Desiring to deal with these problems in such a way as to provide growing opportunities for exports of these products, provided that the development of this trade proceeds in a reasonable and orderly manner so as to avoid disruptive effects in individual markets and on individual lines of production in both importing and exporting countries;

Determined, in carrying out these objectives, to have regard to the Declaration on Promotion of the Trade of Less-Developed Countries adopted by Ministers at the meeting during the nineteenth session of the contracting parties in November 1961;

The participating countries have agreed as follows:

ARTICLE 1

In order to assist in the solution of the problems referred to in the Preamble to this Arrangement, the participating countries are of the opinion that it may be desirable to apply, during the next few years, special practical measures of international cooperation which will assist in any adjustment that may be required by changes in the pattern of world trade in cotton textiles. They recognize, however, that the measures referred to above do not affect their rights and obligations under the General Agreement on Tariffs and Trade (hereinafter referred to as the GATT). They also recognize that, since these measures are intended to deal with the special problems of cotton textiles, they are not to be considered as lending themselves to application in other fields.

ARTICLE 2

1. Those participating countries still maintaining restrictions inconsistent with the provisions of the GATT on imports of cotton textiles from other participating countries agree to relax those restrictions progressively each year with a view to their elimination as soon as possible.

2. Without prejudice to the provisions of paragraphs 2 and 3 of Article 3, no participating country shall introduce new import restrictions, or intensify existing import restrictions, on cotton textiles, insofar as this would be inconsistent with its obligations under the GATT.

3. The participating countries at present applying import restrictions to cotton textiles imported from other participating countries undertake to expand access to their markets for such cotton textiles so as to reach, by the end of the period of validity of the present Arrangement, for the products remaining subject to restrictions at that date, taken as a whole, a level corresponding to the quotas opened in 1962, for such products, as increased by the percentage mentioned in Annex A.

Where bilateral arrangements exist, increases shall be determined within the framework of bilateral negotiations. It would, however, be desirable that each annual increase should correspond as closely as possible to one-fifth of the overall increase.

4. The participating countries concerned shall administer their remaining restrictions on imports of cotton textiles from participating countries in an equitable manner and with due regard to the special needs and situation of the less developed countries.

5. Notwithstanding the provisions of paragraph 3 above, if, during the licensing period preceding the entry into force of this Arrangement, a specific basic quota is nil or negligible, the quota for the succeeding licensing period will be established at a reasonable level by the participating importing country concerned in consultation with the participating exporting country or countries concerned. Such consultation would normally take place within the framework of the bilateral negotiations referred to in paragraph 3 above.

6. Participating countries shall, as far as possible, eliminate import restrictions on the importation, under a system of temporary importation for reexport after processing, of cotton textiles originating in other participating countries.

7. The participating countries shall notify the Cotton Textiles Committee as early as possible, and in any case not less than one month before the beginning of the licensing period, of the details of any quota or import restriction referred to in this Article.

ARTICLE 3

1. If imports from a participating country or countries into another participating country of certain cotton textile products not subject to import restrictions should cause or threaten to cause disruption in the market of the importing country, that country may request the participating country or countries whose exports of such products are, in the judgment of the importing country, causing or threatening to cause market disruption to consult with a view to removing or avoiding such disruption. In its request the importing country will, at its discretion, indicate the specific level at which it considers that exports of such products should be restrained, a level which shall not be lower than the one indicated in Annex B. The request shall be accompanied by a detailed, factual statement of the reasons and justification for the request; the requesting country shall communicate the same information to the Cotton Textiles Committee at the same time.

2. In critical circumstances, where an undue concentration of imports during the period specified in paragraph 3 below would cause damage difficult to repair, the requesting participating country may, until the end of the period, take the necessary temporary measures to limit the imports referred to in paragraph 1 above from the country or countries concerned.

3. If, within a period of sixty days after the request has been received by the participating exporting country or countries, there has been no agreement either on the request for export restraint or on any alternative solution, the requesting participating country may decline to accept imports for retention from the participating country or countries referred to in paragraph 1 above of the cotton textile products causing or threatening to cause market disruption, at a level higher than that specified in Annex B, in respect of the period starting on the day when the request was received by the participating exporting country.

4. In order to avoid administrative difficulties in enforcing a given level of restraint on cotton textiles subject to measures taken under this article, the participating countries agree that there should be a reasonable degree of flexibility in the administration of these measures. Where restraint is exercised for more than one product the participating countries agree that the agreed level for any one product may be exceeded by 5 percent provided that the total exports subject to restraint do not exceed the aggregate level for all products so restrained on the basis of a common unit of measurement to be determined by the participating countries concerned.

5. If participating countries have recourse to the measures envisaged in this Article, they shall, in introducing such measures, seek to avoid damage to the production and marketing of the exporting country and shall cooperate with a view to agreeing on suitable procedures, particularly as regards goods which have been, or which are about to be, shipped.

6. A participating country having recourse to the provisions of this Article shall keep under review the measures taken under this Article with a view to their relaxation and elimination as soon as possible. It will report from time to time, and in any case once a year, to the Cotton Textiles Committee on the progress made in the relaxation or elimination of such measures. Any participating country maintaining measures under this Article shall afford adequate opportunity for consultation to any participating country or countries affected by such measures.

7. Participating importing countries may report the groups or categories to be used for statistical purposes to the Cotton Textiles Committee. The participating countries agree that measures envisaged in this Article should only be resorted to sparingly, and should be limited to the precise products or precise groups or categories of products causing or threatening to cause market disruption, taking full account of the agreed objectives set out in the Preamble to this Arrangement. Participating countries shall seek to preserve a proper measure of equity where market disruption is caused or threatened by imports from more than one participating country and when resort to the measures envisaged in this Article is unavoidable.

ARTICLE 4

Nothing in this Arrangement shall prevent the application of mutually acceptable arrangements on other terms not inconsistent with the basic objectives of this Arrangement. The participating countries shall keep the Cotton Textiles Committee fully informed on such arrangements, or the parts thereof, which have a bearing on the operation of this Arrangement.

[1] The negotiation of this arrangement was concluded in Geneva on an ad referendum basis on Feb. 9, 1962, by representatives of the following governments: Australia, Austria, Canada, Denmark, India, Japan, Norway, Pakistan, Portugal, Spain, Sweden, United Kingdom (also representing Hong Kong), United States, and the member states of European Economic Community (Belgium, France, Federal Republic of Germany, Italy, Luxembourg, and Netherlands).

ARTICLE 5

The participating countries shall take steps to ensure, by the exchange of information, including statistics on imports and exports when requested, and by other practical means, the effective operation of this Arrangement.

ARTICLE 6

The participating countries agree to avoid circumvention of this Arrangement by transshipment or re-routing, substitution of directly competitive textiles and action by nonparticipants. In particular, they agree on the following measures:

(a) Transshipment

The participating importing and exporting countries agree to collaborate with a view to preventing circumvention of this Arrangement by transshipment or rerouting and to take appropriate administrative action to avoid such circumvention. In cases where a participating country has reason to believe that imports shipped to it from another participating country and purporting to have originated in that country did not originate there, it may request that country to consult with it with a view to assisting in the determination of the real origin of the goods.

(b) Substitution of directly competitive textiles

It is not the intention of the participating countries to broaden the scope of this Arrangement beyond cotton textiles but, when there exists a situation or threat of market disruption in an importing country in terms of Article 3, to prevent the circumvention of this Arrangement by the deliberate substitution for cotton of directly competitive fibers. Accordingly, if the importing participating country concerned has reason to believe that imports of products in which this substitution has taken place have increased abnormally, that is that this substitution has taken place solely in order to circumvent the provisions of this Arrangement, that country may request the exporting country concerned to investigate the matter and to consult with it with a view to reaching agreement upon measures designed to prevent such circumvention. Such request shall be accompanied by a detailed, factual statement of the reasons and justification for the request. Failing agreement in the consultation within 60 days of such request, the importing participating country may decline to accept imports of the products concerned as provided for in Article 3 and, at the same time, any of the participating countries concerned may refer the matter to the Cotton Textiles Committee which shall make such recommendations to the parties concerned as may be appropriate.

(c) Nonparticipants

The participating countries agree that, if it proves necessary to resort to the measures envisaged in Article 3 above, the participating importing country or countries concerned shall take steps to ensure that the participating country's exports against which such measures are taken shall not be restrained more severely than the exports of any country not participating in this Arrangement which are causing, or threatening to cause, market disruption. The participating importing country or countries concerned will give sympathetic consideration to any representations from participating exporting countries to the effect that this principle is not being adhered to or that the operation of this Arrangement is frustrated by trade with countries not party to this Arrangement. If such trade is frustrating the operation of this Arrangement, the participating countries shall consider taking such action as may be consistent with their law to prevent such frustration.

ARTICLE 7

1. In view of the safeguards provided for in this Arrangement the participating countries shall, as far as possible, refrain from taking measures which may have the effect of nullifying the objectives of this Arrangement.

2. If a participating country finds that its interests are being seriously affected by any such measure taken by another participating country, that country may request the country applying such measure to consult with a view to remedying the situation.

3. If the participating country so requested fails to take appropriate remedial action within a reasonable length of time, the requesting participating country may refer the matter to the Cotton Textiles Committee which shall promptly discuss such matter and make such comments to the participating countries as it considers appropriate. Such comments would be taken into account should the matter subsequently be brought before the contracting parties under the procedures of Article XXIII of the GATT.

ARTICLE 8

The Cotton Textiles Committee, as established by the contracting parties at their nineteenth session, shall be composed of representatives of the countries party to this Arrangement and shall fulfill the responsibilities provided for it in this Arrangement.

(a) The Committee shall meet from time to time to discharge its functions. It will undertake studies on trade in cotton textiles as the participating countries may decide. It will collect the statistical and other information necessary for the discharge of its functions and will be empowered to request the participating countries to furnish such information.

(b) Any case of divergence of view between the participating countries as to the interpretation or application of this Arrangement may be referred to the Committee for discussion.

(c) The Committee shall review the operation of this Arrangement once a year and report to the contracting parties. The review during the third year shall be a major review of the Arrangement in the light of its operation in the preceding years.

(d) The Committee shall meet not later than one year before the expiration of this Arrangement, in order to consider whether the Arrangement should be extended, modified, or discontinued.

ARTICLE 9

For purposes of this Arrangement the expression "cotton textiles" includes yarns, piece goods, madeup articles, garments, and other textile manufactured products, in which cotton represents more than 50 percent (by weight) of the fiber content, with the exception of handloom fabrics of the cotton industry.

ARTICLE 10

For the purposes of this Arrangement, the term "disruption" refers to situations of the kind described in the decision of the contracting parties of November 19, 1960, the relevant extract from which is reproduced in Annex C.

ARTICLE 11

1. This Arrangement is open for acceptance, by signature or otherwise, to governments parties to the GATT or having provisionally acceded to that agreement, provided that if any such government maintains restrictions on the import of cotton textiles from other participating countries, that government shall, prior to its accepting this Arrangement, agree with the Cotton Textiles Committee on the percentage by which it will undertake to increase the quotas other than those maintained under Article XII or Article XVIII of the GATT.

2. Any government which is not party to the GATT or has not acceded provisionally to the GATT may accede to this Arrangement on terms to be agreed between that government and the participating countries. These terms would include a provision that any government which is not a party to the GATT must undertake, on acceding to this Arrangement, not to introduce new import restrictions or intensify existing import restrictions, on cotton textiles, insofar as such action would, if that government had been a party to the GATT, be inconsistent with its obligations thereunder.

ARTICLE 12

1. This Arrangement shall enter into force on October 1, 1962 subject to the provisions of paragraph 2 below.

2. The countries which have accepted this Arrangement shall, upon the request of one or more of them, meet within one week prior to October 1, 1962 and, at that meeting, if a majority of these countries so decide, the provisions of paragraph 1 above may be modified.

ARTICLE 13

Any participating country may withdraw from this Arrangement upon the expiration of sixty days from the day on which written notice of such withdrawal is received by the Executive Secretary of GATT.

ARTICLE 14

This Arrangement shall remain in force for five years.

ARTICLE 15

The Annexes to this Arrangement constitute an integral part of this Arrangement.

ANNEX A

(The percentages in this Annex will be communicated in due course.)

ANNEX B

1. (a) The level below which imports or exports of cotton textile products causing or threatening to cause market disruption may not be restrained under the provisions of Article 3 shall be the level of actual imports or exports of such products during the twelve-month period terminating three months preceding the month in which the request for consultation is made.

(b) Where a bilateral agreement on the yearly level of restraint exists between participating countries concerned covering the twelve-month period referred to in paragraph (a), the level below which imports of cotton textile products causing or threatening to cause market disruption may not be restrained under the provisions of Article 3 shall be the level provided for in the bilateral agreement in lieu of the level of actual imports or exports during the twelve-month period referred to in paragraph (a).

Where the twelve-month period referred to in paragraph (a) overlaps in part with the period covered by the bilateral agreement, the level shall be:

(i) the level provided for in the bilateral agreement, or the level of actual imports or exports, whichever is higher for the months where the period covered by the bilateral agreement and the twelve-month period referred to in paragraph (a) overlap; and

(ii) the level of actual imports or exports for the months where no overlap occurs.

2. Should the restraint measures remain in force for another twelve-month period, the level for that period shall not be lower than the level specified for the preceding twelve-month period, increased by 5 percent. In exceptional cases, where it is extremely difficult to apply the level referred to above, a percentage between 5 and 0 may be applied

in the light of market conditions in the importing country and other relevant factors after consultation with the exporting country concerned.

3. Should the restraining measures remain in force for further periods, the level for each subsequent twelve-month period shall not be lower than the level specified for the preceding twelve-month period, increased by 5 percent.

ANNEX C

EXTRACT FROM THE CONTRACTING PARTIES' DECISION OF NOVEMBER 19, 1960

These situations (market disruption) generally contain the following elements in combination:

(i) a sharp and substantial increase or potential increase of imports of particular products from particular sources;

(ii) these products are offered at prices which are substantially below those prevailing for similar goods of comparable quality in the market of the importing country;

(iii) there is serious damage to domestic producers or threat thereof;

(iv) the price differentials referred to in paragraph (ii) above do not arise from governmental intervention in the fixing or formation of prices or from dumping practices.

In some situations other elements are also present and the enumeration above is not, therefore, intended as an exhaustive definition of market disruption.

ANNEX D

For the purposes of applying Article 9, the following list of the groups or subgroups of the SITC is suggested. This list is illustrative and should not be considered as being exhaustive.

	SITC Rev	BTN
I Cotton yarns and fabrics	651.3 .4 652	55.05 .06 .07 .08 .09 58.04A
II Cotton made up articles and special fabrics	ex 653.7 ex 654 ex 655 ex 656 ex 657	ex 46.02 ex 58.01-03 ex 58.05-10 ex 60.01-17 ex 60.01 ex 62.01-05 ex 65.01-02 ex 60.02-06 ex 61.01-11 ex 65.03-07
III Cotton clothing	ex 841	

ANNEX E

INTERPRETATIVE NOTES

1. Ad. Article 3, paragraph 3

In Canada, there is no legislation whereby imports may be limited in a precise quantitative manner as envisaged in this paragraph. The provision available for limiting imports in order to avoid injury or a threat of injury to a domestic industry is contained in Section 40A(7)(3) of the Customs Act which authorizes the application of special values for duty purposes. These special values cannot be used to achieve a precise level of imports. According, the participating countries recognize that, should Canada find it necessary to take action to limit imports pursuant to this Arrangement, it would not be in a position to insure that imports would not fall below the minimum level as defined in this paragraph.

2. Ad. Article 9

Notwithstanding the provisions of Article 9, any country which is applying a criterion based on value will be free to continue to use that criterion for the purposes of Article 9.

AVONDALE MILLS,
Birmingham, Ala., December 8, 1961.

THE PRESIDENT,
The White House,
Washington, D.C.

MY DEAR MR. PRESIDENT: The National Conference of Christians and Jews held their 33d annual meeting in Washington recently and I attended as one of the trustees. I was one of those who visited you in the White House on our last afternoon in Washington and had the pleasure of joining with the group with whom you shook hands.

Our family, together with our father's brother's family, H. M. Comer of Georgia, has been in the textile business now for three generations. The grandson of Mr. H. M. Comer, Mr. Robert Train, is now head of the Bibb Manufacturing Co. in Macon, Ga., and Mr. J. Craig Smith, my father's grandson, is now president of Avondale Mills of Alabama.

I realize that there was no opportunity during this visit to the White House to discuss our problems with you but I was encouraged with the thought that when I get home I could write you a letter. It has to be a rather long letter but I am just hoping that it will fall in the hands of someone who will take the time to read it and who will be sufficiently impressed with the need of reemphasizing your concern because of the increasing and unregulated imports of textiles into our market. I was doubly encouraged to write this letter because the New York Times that morning carried a front-page story: "Kennedy Orders Study on Cotton," "Tariff Commission Is Asked To Weigh 'Equalization' Duty on Import Goods—Industry Is Delighted."

Mr. President, these two Comer brothers, one in Alabama and one in Georgia, over 75 years ago staked their industrial future on textiles. Our company not only operated 14 units of our own but in addition to that we have an arrangement by which we sell the product of 9 other mills in Georgia, North and South Carolina. We all are in the same boat exactly when we have to compete with textile imports.

It might be of interest to you to know that when we were first startled by Japanese textile imports, I was selected as one of a committee of four to go with Dr. Claudius Murchison, chairman of our textile association, to Japan to work out a quota arrangement with Japan. We lived under that arrangement until the war came. After the war, General MacArthur asked our association to send a committee over to help him reestablish the Japanese textile industry because it had been bombed out during the war. I was on the committee of three with Dr. Jacobs who went to Japan at the request of General MacArthur. We did work out a helpful program and its financing was implemented by the U.S. Senate. You can't imagine how surprised I was when later on the Japanese again began their unrestricted imports into this country.

I would like to further say that when Congress voted NRA under Roosevelt I was one of the committee, representing industry, who gathered in Washington along with labor and the public and worked out wages and standards in the textile industry. These wages and working conditions became the law of the land. Later on when the Supreme Court declared NRA unconstitutional, the mill owners and labor agreed to maintain those same working conditions, and so, to that extent we are now operating under these same Government-approved and Government-controlled conditions.

I am quoting below from a statement which has been published by the Du Pont Co. showing the difference in textile labor rates over the world.

"Foreign wages are only a fraction of ours and living standards are correspondingly lower:

"Japan	$0.16
Italy	.27
France	.51
Germany	.46
England	.68
United States	1.58

"Foreign countries with new machines but low wages can undersell us, not only in world markets but in this country."

Even with these figures before our Government, we continue without any recognition of these differences and need for American textile protection. This matter really only forceably came to the attention of the administration because of our Government's decision to dispose of our surplus cotton to the rest of the world at the world price—8¾ cents a pound less than the parity price paid by the American mills. That created such an obvious handicap that it makes us feel sure that that particular difference will be duly cared for, but it still leaves the difference in wages unresolved.

Most of this complaint has been against imports from Japan and other Asian countries but you might be interested in knowing that we have a mill now running on short time because our customer in Brooklyn, N.Y., is supplying his yarn needs from a mill in Portugal at 10 cents a pound less than our price. The American standard of wages and other working conditions isolate us when any kind of free trade program is up for consideration. This is a matter of life and death to our industry.

It just happens that our president, Mr. J. Craig Smith, recently made a speech at Huntsville, Ala., in connection with his duties as chairman of the board of the National Cotton Council, and I am enclosing you a copy of his speech. It spells out our position in this whole matter wonderfully well and surely it spells our position in this whole matter wonderfully well and surely it spells our prompt necessity for our protection. We think the fact that we continue on as good a schedule as we are at present, even though curtailed, is because our danger comes from the increasing threat instead of the present hurt. This increase is not just a guess: it is a surety. It is not just Japan and Portugal today: it is all Asia and all Europe tomorrow.

The so-called reciprocal trade program was fathered by the late Secretary Hull and he was quoted as saying that the program meant "nations trading with each other—swapping what each had in overabundance that the other needed, with some three-way trading." This would mean Japan, for instance, would buy our cotton, sell her cotton goods to Indochina, taking her pay in rubber and tin and shipping those things to us, which we need. Or, selling her cotton goods to South America and taking her pay in coffee, bauxite, nitrate, etc., and shipping to us these things which we need.

The Comers, and other investors in the southeast, were encouraged and invited to invest their money and talent in textiles. Our neighbors were invited to come and learn the business of spinning and weaving. It has been our lifetime for three generations and I am writing you because I am so hopeful that you have waded into this situation with the determination to see that this great American industry is protected, and that we can certainly have our home market, based on our cost, and that our industry will not be expended to those prevailing in Asia or Europe.

Our industry is not afraid of competition. We welcome anything new in the way of color, style, or pattern. Our complaint is only against that competition where foreign

cheap wages is the controlling factor. We realize at present some of our distributors are across the ocean looking for these foreign bargains. Some may say that their competition requires this; but, on the contrary, we feel that purchasing power in this country comes from our American standard of living and wages and whatever disturbs that destroys the whole pattern. We have just got to remember that in America we have got to spend our money for what America makes. The whole purpose of this letter is because I feel that we have your support in this philosophy.

I do hope that whoever reads this letter will answer it and will assure me that this matter will be brought again and again to your attention.

Very respectfully yours,

Chairman, Executive Committee.

P.S.—There has just come to my attention a pamphlet, "This Is Du Pont—The Story of World Trade," published by E. I. du Pont de Nemours & Co., Wilmington, Del., 1960. On the first page they quote U.S. Secretary of State Christian Herter: "We face a test no society has ever fully met: how to make competition the life, not the death, of nation." Du Pont says: "This is a book about survival, and about some of the things America must do if it is to remain prosperous, strong, and free." I certainly recommend its reading.

P.P.S.—Since this matter requires early legislation, I am sure there will be no objection to my sending copies to each member of our Alabama delegation after this letter has had your attention.

DECEMBER 13, 1961.

MR. DONALD COMER,
Chairman, Executive Committee,
Avondale Mills, Birmingham, Ala.

DEAR MR. COMER: The President asked me to acknowledge your letter of December 6 calling attention to the serious problem the textile industry faces in its attempt to meet the competition from low wage textile exporting nations.

The plight of the textile industry has long been a matter of serious concern to the President. In Massachusetts, his home State, it was a basic industry. As you probably know, he appointed a Cabinet-level committee to look into the problem immediately after inauguration. Then, after receiving a report of this committee, he outlined a seven-point program which we believe will assist the industry to attain level of prosperity that will enable it to participate in our national growth.

We would categorically deny that the textile industry is "expendable," for it is our second largest employer.

We appreciate having the benefit of your thoughts.

Sincerely yours,

MYER FELDMAN,
Deputy Special Counsel
to the President.

JANUARY 5, 1962.

MR. MEYER FELDMAN,
Deputy Special Counsel to the President,
The White House,
Washington, D.C.

DEAR MR. FELDMAN: Thank you very much for your letter of December 13 and maybe I ought to close that file but my reason for writing you again is because of a news item in the December 28 issue of the America's Textile Reporter. This magazine is published in the President's home State and carries the headline: "Imports Close 98-Year-Old Mill."

Mr. D. W. Ellis, President of the A. D. Ellis Mills, Inc., Monson, Mass., is quoted as saying, "I blame it completely on imports." The article further states that the company was founded in 1863 by Mr. Ellis' great-grandfather and employed 300 people.

In the Southern Textile News of Charlotte, N.C., December 30 issue, Congressman JAMES C. DAVIS predicts that the American textile industry "is in grave danger of collapse" unless the administration's controversial plan to liberalize our so-called reciprocal trade program is blocked.

Again, from the Southern Textile News, Congressman A. I. SELDEN, JR., says "textiles are too important to allow foreigners to take over the market" and "should the unimpeded growth of foreign competition for the American clothing dollar be allowed to continue, it could lead to the serious crippling of the American textile industry."

The Cotton Trade Journal of Memphis, Tenn., on December 22, 1961, says that Japan's exports of cotton goods to the United States would be gravely affected should we impose higher import duties on her imports.

From these imports, we have one particular mill that is suffering especially because our customer in Brooklyn is buying his yarn from Portugal at 10 cents a pound less than our price.

Our industry, individually and collectively, is appreciative of the President's program which promises that our industry is not expendable. We are just more and more concerned each day for fear that his ambulance will get here before the President's promised doctor.

Sincerely yours,

Chairman, Executive Committee,
Avondale Mills.

OFFICE OF THE WHITE HOUSE
PRESS SECRETARY,
February 15, 1962.

The President today released the text of the long-term cotton textile arrangement concluded at a meeting of the Cotton Textile Committee of the General Agreement on Tariffs and Trade held in Geneva, Switzerland, January 29–February 9, 1962.

Nineteen nations, representing the principal cotton textile exporting and importing nations of the free world, participated in drafting the arrangements.

The arrangement is for a period of 5 years beginning October 1, 1962. It is similar to an earlier agreement covering a period between October 1, 1961, and October 1, 1962, which has enabled importing countries threatened by, or subjected to, market disruption in any of 64 categories of cotton textiles to restrain imports to the level of fiscal year 1961.

Under the terms of the new arrangement, an importing nation threatened by or subjected to market disruption on any item or category of cotton textiles, may freeze imports for 1 year to the level of the first 12 of the preceding 15 months. If this market condition persists, the freeze may be extended for yet another year. Following that, increases may be limited to 5 percent a year. In call cases the decision is made unilaterally by the importing nation.

Accompanying the agreement will be an undertaking by those nations which have maintained quantitative restraints on cotton textile imports to expand access to their markets in order to relieve pressures elsewhere.

The 6 years during which the current agreement and the proposed agreement will be in force will permit the American cotton textile industry to plan their production and to sharpen their competitive position with the confidence that foreign imports will not disrupt their activities. It marks the conclusion of another step in the seven-step program announced by the President on May 2, 1961, for assistance to the American textile industry.

Both industry and labor advisers to the U.S. delegation in Geneva expressed satisfaction with the terms of the agreement.

PRESENTATION OF "MINUTEMAN OF 1962" AWARD TO HON. CARL VINSON

Mr. SIKES. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks, and to include an address.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. SIKES. Mr. Speaker, the House produces outstanding leaders, for the House is a hard and exacting school. More talent is required for leadership here than anywhere else in government.

On Friday night, March 2, two great House leaders spoke at the National Council of the Reserve Officers Association of the United States. The Honorable JOHN W. MCCORMACK, Speaker of the House, presented the association's "Minuteman of 1962" award to the Honorable CARL VINSON, dean of the House of Representatives and the chairman of the Committee on Armed Services. The association's Minuteman Award is made annually to "the citizen who has contributed most to national security.

These two great Americans—great leaders in the Nation's Government—electrified the capacity crowd of 1,500 with their masterful and meaningful addresses. The gentleman from Massachusetts [Mr. MCCORMACK] spoke extemporaneously and his very fine statement therefore is not available for reproduction. It is my privilege, however, to present the gentleman from Georgia's [Mr. VINSON] message to the House through the medium of the CONGRESSIONAL RECORD. It is an outstanding contribution which spells out a challenging policy for a strong defense for America.

REMARKS OF CARL VINSON, CHAIRMAN, COMMITTEE ON ARMED SERVICES, HOUSE OF REPRESENTATIVES, BEFORE THE RESERVE OFFICERS ASSOCIATION, SHERATON-PARK HOTEL, WASHINGTON, D.C., MARCH 2, 1962

Mr. Speaker, Admiral Harlin, my distinguished colleagues of the Congress, distinguished guests, ladies and gentlemen, I feel very humble, but highly honored, to be singled out for the 1962 Minuteman Award of the Reserve Officers Association.

It is a distinction which I shall cherish and remember with pride for all the years ahead of me.

I am indeed very grateful to the Reserve Officers Association for this commendation.

During my service in the Congress of the United States my main responsibility has been with problems that have affected our national defense.

Every decision I have made with regard to our national security has been based upon my sincere belief that the only way to assure the survival of this Nation is to maintain our armed strength to the fullest extent possible—at all times.

Let me say to you that it is historically correct that each time our Armed Forces

have fallen below a level consistent with the maintenance of peace throughout the world, serious trouble follows.

In my years in the Congress of the United States I have seen tremendous changes in the science of warfare.

Mankind has now developed the art of mass destruction to the point where the full utilization of the latest nuclear weapons [illegible] assures world destruction. T[illegible] on earth is more than a half hour from obliteration.

[illegible] of all humanity is, for the [illegible] in history, a [illegible] and also for the first time in history, these United States of America are the No. 1 [illegible]

[illegible] as the leader of the free world, the free world will cease to exist.

This means that we must renew an all-out nuclear testing program of every type of nuclear weapon in our arsenal.

We are a mighty nation with overwhelming military power.

We do not claim to be invulnerable, but we do claim, and rightfully so, the ability to utterly destroy any nation who pushes us to the point of no return.

Let me assure you that we possess the delivery capability, through a variety of means, to eliminate any nation in the world, regardless of its size, if that is the final and ultimate decision.

If that day ever comes, we will be hit, and we will be damaged, but we will survive as a nation, and we will continue as a democracy.

Our spirit of freedom and our national determination is united and invincible—let no one make any mistake about that.

We are a nation which has no aggressive intentions.

Our defense structure is primarily based on our ability to promptly react to any type of aggression.

For that reason, our unified commands are ideally constructed—containing, as they do, individual service capability with collective versatility.

These commands are not committed to a single kind of warfare, instead they are ready for any type of aggression.

If my long association with the various organizational structures of the military services has taught me anything, it has taught me this significant truth, namely—that we must always maintain the separate identity of the four military services, and the three military departments, in order that each of the four services may continue to jointly perfect the broad roles and missions that are assigned to them by law.

We must guard against unilateral thinking.

The three military departments—with their departmental Secretaries and their separate services—assure us of collective wisdom.

They protect us against the adoption of a one-sided defense concept which might well be based on a then-prevailing parochial attitude.

When a sailor tries to act like a soldier, and a soldier seeks to emulate an airman, and a marine attempts to acquire the proficiency of a ship handler, then we convert our services into a jack-of-all-trades and a master of none.

I know of no surer threat to the security of our nation than to adopt the ill-considered proposal that the four services be merged into one service, or that the three military departments be fused into one conglomerate department, or that all military thinking be directed toward one strategic concept.

If we took such a step we would be left with a hodgepodge of confusion that would make us easy prey for any aggressor.

The existence of the separate services, the development of their capabilities, and the effectiveness of their training are all brought together for efficient utilization through the unified command system.

These unified commands function well and effectively because the component parts assigned to them from the separate services are masters of their individual trades. When master tradesmen work together on a project, the success of the project is assured.

And one of the main reasons why the [illegible] works so well [illegible] have a Joint Chiefs of Staff system where those who are [illegible] those who are [illegible] these plans [illegible]

[illegible] is a service leader [illegible] Chiefs [illegible] each is an expert in his own [illegible]

And, when a member of the Joint Chiefs of Staff knows that the plan he develops and approves is the plan that he will be responsible for executing, then that plan will make sense.

But place those same individuals in an isolation ward where they are required to conjure up ideas that must be executed by someone else, and where they no longer assume the responsibility for the failure of the execution of those ideas, and turmoil would result.

But no matter what the system, no matter what the command relationship is, one indispensable part is vital to all—the people who make up our Armed Forces.

We know we have outstanding military and civilian leaders, each of whom has his rightful place in the defense structure.

We have highly effective weapons.

Our military personnel are well fed and well clothed.

But on occasion there is a tendency to overlook the fact that no missile system, no ride, no submarine, no aircraft, no satellite—nothing functions unless there is a human being operating that system.

When all is said and done, the greatest asset we possess in this Nation is the wisdom, the dedication, the sincerity, the loyalty, the patriotism, the moral fiber, and the courage of the men and women who make up our Armed Forces.

That man in uniform, regardless of whether he is operating a radar, commanding a platoon, sailing a ship, flying an airplane, cooking a meal, or driving a truck—is part of an organization that is composed of more than 2,700,000 active parts—and 4 million Reserve parts—all of them geared to 1 ultimate objective—the maintenance of the security of the Nation.

And when I speak of our Armed Forces, I am not overlooking the tremendous contributions of our Reserve forces.

I need not remind this gathering that last August it became necessary for us to augment our regular forces by ordering to active duty National Guard and Reserve units—as well as individual reservists.

As the President so ably stated, these reservists were ordered to active duty to prevent a war, not to fight a war.

They were called in to meet the crisis in Berlin—and it is to their everlasting credit that they met that crisis head on.

The strength of our active forces was insufficient to meet that situation.

The action taken by the Congress last August was necessary, and the wisdom of the President's recommendation has since been well established.

Mr. Khrushchev learned that we meant business, and this is the kind of action Mr. Khrushchev understands.

But if we had adopted policies to increase our active force before last August, and if we had attained and maintained an active force—long before last August—capable of meeting the variegated challenges that come and go like the changing seasons—such as the Berlin crisis—the callup of these reserves could have been avoided.

We must anticipate the possibility that we shall continue to live in an era that will be faced with constant challenges to our survival.

Therefore, let us build an active military structure with sufficient strength to meet each reasonable and likely challenge—and then let us keep that force structure in being, regardless of the soothing words that emanate from the Kremlin when they are ready for us to engage in another demobilization.

Let us maintain an active Army of [illegible] less than 1,000,000 men; an Air Force of not less than 800,000; a Navy of not less than [illegible] and a Marine Corps of not less than [illegible]

We know what our present force strength can accomplish. The facts speak for themselves. It would be folly for us to reduce our force structure from its present level—a level that has kept the peace.

We need this force level and we must not allow it to be reduced simply because it has met a present crisis successfully.

If we reduce this force level, we can expect another crisis—if we maintain it, we may well avoid future crises.

It can be maintained at its present level by increasing our draft calls and redoubling our recruiting efforts.

If we do this, we may not again have to disrupt the lives of reservists who have already served their country for 2 or more years, unless an emergency arises that cannot be met by such a revised and strengthened active force.

At the same time, let us build a reserve force made up of trained, organized units—fully manned and fully equipped.

Let us emphasize the role of the volunteer reservist.

But let us also strengthen the 6-month training program and thereafter impose a single 5½-year Ready Reserve obligation that means what it says—full participation and full knowledge that for 5½ years following their training, these trainees will be immediately available to meet emergency conditions.

Let us explore the mandatory Ready Reserve obligation now imposed upon discharged service personnel who have served their full active duty requirement to see if it is possible to maintain an immediate Ready Reserve through volunteers, and 6-month trainees.

Let us pledge ourselves to a Ready Reserve force made up of trained and fully equipped personnel—who will be treated as their name implies—ready forces held in reserve—but capable of immediately filling the gap if the situation warrants such action.

In the implementation of these resolutions, we can no longer afford the luxury of compromise or equivocation.

If weaknesses exist in certain phases of our Reserve program, let us eliminate them forthwith despite any self-serving clamor that may ensue.

If such action is necessary, let us not hesitate to do away with any segments of our Reserve forces which in the harsh cold light of day may only represent a "paper reserve strength."

But let us not condemn any part of our Reserve program until the facts have been fully presented to the appropriate committees of the Congress.

Instead, let us give renewed support to the Ready Reserve program to insure that its strength in trained manpower and equipment will, in fact, be fully capable of meeting our emergency mobilization requirements.

Above all, we must insure that every member of the Ready Reserve acknowledges and accepts his role as the modern minuteman; that he will, in an emergency, respond to his

country's call without the slightest hesitation and without regard to his personal situation.

Admiral Harlin, I humbly accept the Minute Man Award of the Reserve Officers Association.

But I would like to state that in my [illegible] 4 million reservists in our [illegible] serve [illegible] also have [illegible] trained men in the Reserve force ready to respond [illegible]

[illegible] called last fall [illegible] answered the call [illegible] security of [illegible]

[illegible] valuable service to the Nation [illegible] have prevented more serious [illegible]

[illegible] every occasion [illegible] pay honor to [illegible] who emulated the spirit of the minutemen of 1776.

But that spirit must now be strengthened by a more determined effort to provide even better trained, better organized, and better equipped reservists. Some of our minutemen must be made ready to respond even more quickly than their ancestors.

They will welcome this responsibility—and this challenge—for the heritage of the minutemen flows in the blood of all Americans.

Thank you.

EXPROPRIATION OF AMERICAN PROPERTY IN BRAZIL

The SPEAKER. Under previous order of the House, the gentleman from Indiana [Mr. ADAIR] is recognized for 60 minutes.

Mr. ADAIR. Mr. Speaker, I ask unanimous consent to revise and extend my remarks; and that all Members who wish to do so have 5 days in which to extend their own remarks following mine in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. ADAIR. Mr. Speaker, on February 15, Gov. Leonel Brizola, of the Brazilian State of Rio Grande do Sul—with calculation and forethought—expropriated the Companhia Telefonica Nacional, a subsidiary of the International Telephone & Telegraph Corp., whose headquarters are in New York City. This calculation and forethought was demonstrated by the fact that the seizure of the U.S. property by Brizola was illegal even under provisions of Brazilian law. The Brazilian Constitution requires that notice of such impending action be given and that a court hearing be held. No notice was given. No hearing was held. The state government deposited in cruzieros the equivalent of $400,000 in a local bank which was supposed to be acceptable to company officials for the property which was valued 2 years ago—by local appraisers—at more than $7 million. How ridiculous. And this was not the first piece of American property expropriated by this local politician with well-known leftist leanings.

Swift & Co. lost its Brazilian plant, and in 1959, Brizola seized a power company belonging to the American & Foreign Power Co., Inc., at Porto Alegre. He took property—in this case valued at $14 million—and then declared that the company had earned excess profits thereby implying that the company was owed nothing. The company emphatically denied this. Today—almost 3 years later—the State of Rio Grande, which is running the power system, has let the service deteriorate so rapidly that the people are without power for a few hours every day. And what about American Foreign Power? They have not received a nickel for their property. It is problematical as to when and how much the company will get. Similar actions have remained in the Brazilian courts for many years.

Another American company, United Fruit, fearing expropriation is rushing to get rid of its banana-growing properties in Latin America. So far there have been few takers because labor unions, fearing lower wages and loss of fringe benefits are lobbying against local businessmen buying up the properties.

Mr. Speaker, how can we give billions of dollars of AID funds to Latin American countries with one hand, and condone expropriation of American property with the other? "How can those in charge of the Alliance for Progress program justify to the American taxpayer," a Brazilian newspaper asks, "the granting of long-term financing which, in the final analysis, will be used to pay for the expropriation of American investments in Brazil?" I do not know the answer to that question, but I do know that we in the Congress had better do something about the unwarranted seizure of U.S. investments abroad and do it fast.

I am sure the Members of Congress and the people they represent would be more interested in my taking the next few minutes to give you a blow-by-blow description of how a Latin American country, or one of its states—it really does not seem to matter—practices what, for want of a better name, we will call "creeping expropriation." The case I am about to document refers to the most recent seizure in Latin America, that of the American-owned telephone company in Rio Grande do Sul, Brazil. From what I have been able to learn, this case is rather typical. This case history will also point out to the members of this body the leftist tendencies of some of the people in power in Latin America.

For several years, the State of Rio Grande do Sul has fixed this telephone company's rates at a level which would not permit the recovery of depreciation, let alone a fair return on investment. The company tried on numerous occasions to work out a proper basis of rate regulation which would permit a fair return and give the company the ability to raise funds for the expansion of its service. This was never possible and the rate base permitted the company at the time of expropriation was less than one-sixth of replacement value. Does anyone wonder why the service could not keep up with the demand?

In 1960, the Governor, Leonel Brizola, proposed an appraisal of the property to determine its fair value in connection with his suggestion that the owners consider the formation of a mixed company. Two appraisers, one appointed by the company and one by the Governor, agreed on $7,300,000 as a fair value.

The Governor then, on June 12, 1961, proposed that the appraisal be accepted by both parties as a basis for the formation of a mixed company. He did not, however, indicate the basis on which the mixed company would be formed or who would control it. He did say, however, that the ITT subsidiary would have no more than a 25-percent interest in the mixed company he intended to form.

Nine days later, the company replied that it could neither agree nor disagree to formation of a mixed company until it knew the terms. It also offered five [illegible] solutions, including sale of [illegible] company at fair value to the State. No reply was ever received from Governor Brizola. And now the documentary [illegible]

On July 28, Governor Brizola, in radio broadcasts, announced a plan for a "pilot" company—mixed company with State control—stating:

> It is expected that equipment from Iron Curtain countries will be obtained and installed * * * the State no longer wants anything to do with the company or the holding company * * * the State is not going to expropriate the American-owned company, nor does it consider it convenient to buy it out with the State holding its obsolete materials.

Three weeks later the Governor, in a 2-hour conference with law students, declared that "if the United States is really interested in helping Latin Americans, I advise the U.S. Government to help Brazil expropriate and expel the foreign companies now exploiting its people." It was at this time that President Quadros' resignation brought on profound politico-military disturbances. Three military ministers in Quadros' cabinet opposed Joao Goulart as President because of his leftist leanings. The 3d Army in Rio Grande do Sul, Santa Catarina and Parana States, joined a movement led by Governor Brizola in support of his brother-in-law, Vice President Goulart.

On September 2, Goulart arrived in Porto Alegre in an atmosphere of near civil war. Frantic negotiations were being conducted in Brasilia, the nation's capital, negotiations which resulted in changing the powers of the President by a constitutional amendment from presidentialism to parliamentarianism. The memorandum was approved September 3 and Goulart accepted the new formula and went from Porto Alegre to Brasilia. Is there any doubt which way the wind was blowing?

Toward the end of September, still in 1961, Governor Brizola in radio and television broadcasts at Rio de Janeiro talked again to students and journalists with the theme song: "Without pretending to declare the Soviet Union innocent of what is accused, we must have the courage to affirm that the problem of our liberation is linked to the need for elimination of the spoliatory process exerted on our people by the capitalist world, with its polarizing center, today, in the United States." Another nail in the coffin of private enterprise.

On September 27, in the absence of Brizola, Acting Governor Helio Carlomagno told a group of U.S. consultants that their proposal for a mixed company

"would not be accepted as negotiations with countries of the Socialist bloc, especially East Germany, had more chance for a satisfactory conclusion, as we—the State government—do not hold anything against them, while we have grave reservations regarding the North American capitalists." Another nail.

Two weeks later, the Porto Alegre archbishop, Dom Vincente Scherer, in two letters to Brizola, denounced Communist infiltration in the State government and similarly denounced statewide distribution given to a pamphlet on guerrilla warfare prepared by the Cuban Communist leader "Che" Guevara. State Agriculture Secretary Alberto Hoffman publicly admitted the archbishop's denunciations were justified. It is getting unanimous.

Meantime, one of the largest communities which would be affected by the proposed "mixed company" proposal—the community of Novo Hamburgo—began expressing doubts as to the execution of the project. They began publishing weekly reminders of their telephone needs and talked of government apathy and evasiveness. On November 20, Brizola appointed an incorporator for his mixed company.

Early in December, four of our distinguished colleagues, Senators CLAIR ENGLE, STEPHEN YOUNG, FRANK MOSS, and GALE MCGEE, personally heard Governor Brizola make a bitter attack on the behavior of American companies operating public utilities in Brazil. The Governor assured them, however, there was no danger of communism in South America, only restlessness created by poverty and underdevelopment. I guess it depends to whom the leftist is talking.

Shortly afterward, Brizola signed a telegram to the Federal Senate expressing his full support of legislation controlling remittances of funds to foreign countries. This legislation requires nationals and foreigners to register all foreign holdings, requiring government authorization for all future transfers, and allowing banks to operate only if their respective governments give reciprocal privileges. This has now been approved by the Chamber of Deputies. Another nail.

Two weeks before Christmas, Luis Carlos Prestes, Brazilian chief of the Communist Party, was quoted in a Sao Paulo newspaper as declaring in Moscow that the "birth of the national front of liberation is a logical culmination of the integration of forces which arose recently in my country—the Communists were the ones who demanded that the Constitution be respected and that Goulart be appointed as Brazil's legitimate President—the creation of the FLN proposed by Brizola—and other progressive elements opened the way for a patriotic, democratic, ample and firm movement which will conduct us to a complete national liberation—the reestablishment of diplomatic relations with Hungary, Bulgaria, Rumaniafl and now with the Soviet Union, is an excellent omen." Can there now be any doubt that communism is in the southern part of Brazil to stay? I do not think so.

On December 22, Brizola made his move to solicit subscriptions for the mixed company. He hoped to complete the capitalization within 30 days. However, the citizens of Rio Grande do Sul did not buy the program. Early in February, despite heavy propaganda, only 27 percent of the shares offered were subscribed for. The Governor, with his back to the wall, then took over the American company and offered to pay the owners 5 percent of its value. This is hardly adequate compensation.

Gentlemen, this is the history of but one of the many crimes perpetrated on an American company by a foreign government. We cannot stand idly by and do nothing. If we do, you can rest assured that petty tyrants will be forever encouraged to grab American property and equipment with impunity. Are we forever to be plundered by little men who despise our private enterprise society while, at the same time, they stake out their insolent claims to our foreign aid? In the last 6 months many new aspects of American foreign aid to Brazil have been brought to light. At the very moment of the seizure of the American telephone company in Brazil, the U.S. Government was considering, I am informed, allocations to Brazil of more than $700 million.

Mr. Speaker, is there not a mockery in the high-sounding phrases we embodied in the policy enacted into law last year as a part of the aid bill? Did we really mean it when we said, in the preface to the Act for International Development of 1961: "It is the policy of the United States to strengthen friendly foreign countries by minimizing or eliminating barriers to the flow of private investment capital"?

Can anyone believe that Castroism on the rampage can be a spur to new private investment in Latin America? Can anyone deny that this new Marxist seizure will retard and stifle needed capital contributions to Latin American development?

I recognize that our Department of State has protested the seizure of the American property which took place in Brazil a few days ago. In their protest, the Department recognized that every government has an inherent right to acquire the ownership of private facilities upon the payment of adequate compensation. No doubt this is all proper and logical. But where will it all end? Are we prepared to espouse state ownership as the rule rather than the exception?

No doubt, our private enterprises have made mistakes. No doubt they have brought upon themselves some of the animosity now being felt against our firms there. Let us never forget, however, that it is the Communists who work night and day to disparage development and to bring about the seizure by governments of American owned properties and, indeed, of Latin American enterprises with which we have no connection.

All of these unhappy considerations are highlighted once again by the action taken in Brazil on February 15. They raise grave questions for the Congress of the United States. The ink is hardly dry on our aid declarations of last year. Yet, already it appears that the high hopes for the Alliance for Progress may be "whistled down the wind" unless we take action to make our laws more responsive to the needs of our time.

It is true, Mr. Speaker, that I have been directing my remarks toward Latin America and particularly Brazil this afternoon. That is because of the recent takeover there. But, who can say that this same method of unwarranted seizing of American property will not happen tomorrow and tomorrow and tomorrow in another part of the world.

It seems to me that our Government has no policy regarding seizure of American property abroad and—what is more important—no policy guaranteeing adequate compensation. If we do have a policy, then what is it? The Foreign Assistance Act of 1961 encourages the investment of private capital. What is our policy of protecting this investment? How can we expect American capital to be invested abroad without a definite plan for protection of this capital? We cannot; and American businessmen are not fools. Private capital flowing to Latin America has been reduced to a trickle.

We need a strong tool if we are to encourage American investment abroad by the withholding of aid funds to all countries that seize American property and do not pay its owners just compensation.

Legislation must, therefore, be passed to establish a policy which will protect existing American investment abroad and encourage such investment in the future. To do this, I am today introducing a bill which will amend section 620 of the Foreign Assistance Act of 1961 to prohibit assistance under that act to the government of any country which has not established equitable procedures for compensating U.S. citizens for loss of property by expropriation. We have got to talk turkey. That is the only language all of those governments who want our money seem to understand.

Mr. BRAY. Mr. Speaker, will the gentleman yield?

Mr. ADAIR. I yield to the gentleman from Indiana.

Mr. BRAY. I want to compliment the gentleman on the stand he has taken today. In my opinion, he has done a wonderful thing in bringing this matter to the attention of the Members of the House; and, by the same token, advising Government officials of the situation that exists. Whenever we stand up to aggression against Americans, we have succeeded, and this means standing up early in the matter of expropriating American property. There was one time that if we had stood up to Cuba the situation, I believe, would be very different today. Firmness will bring respect to America in other countries, and that is something we are entitled to and should demand.

Mr. ADAIR. I thank the gentleman.

Mr. CURTIS of Missouri. Mr. Speaker, will the gentleman yield?

Mr. ADAIR. I yield to the gentleman from Missouri.

Mr. CURTIS of Missouri. I want to compliment the gentleman for taking the time to call this matter to the attention of the House. I had occasion a week or so ago to make some comments on this same thing myself. I believe the gentleman's bill is a very good one, but what disturbs me, even beyond being sure that our people are compensated when there is expropriation, is the concept of these countries, not just south of the border in Latin America but all over the world. If they are going to have their government take over areas in which private enterprise has proved so successful in doing the job in our country, what are we trying to do? And this is the question I ask: Are we trying to promote socialism as a system of government and economics in these other countries, or are we trying to provide them a system that has proved to be so successful in our country, the private enterprise system?

Mr. ADAIR. The gentleman is well aware that I share his concern over that. If this sort of thing is permitted to go on, we are doing just what the gentleman fears; we would permit socialism to spread, and contribute to it by our own aid dollars going into those countries.

Mr. CURTIS of Missouri. Mr. Speaker, if the gentleman will yield further, I could not agree with the gentleman more. A subcommittee of the Joint Committee on Economics went to South America this last fall for a series of discussions that our staff had set up with various economists in these countries. One of the things I was particularly interested in was to note the inadequacy of communication, in the postal system, the telephone, the telegraph, and so forth. In was very obvious that the trouble all lay in the fact that these countries were trying to do it through the governmental segment and doing such an unfortunate job that in some instances American businessmen down there had to set up their own communication system because they could not rely on what existed in the society. And here in this program there is an attempt to go backward. Fortunately, I want to say to the gentleman that in Argentina, both government leaders as well as businessmen raised the question themselves. They said: "What is the United States trying to do; socialize us? Our trouble has been that under the Peron administration the government moved into these things and we are trying to get the government out. That it was the private enterprise system that advanced the United States, and what we want are hard loans, good economic loans, and we can do the job." And, I think they are eminently correct.

Mr. ADAIR. The gentleman will observe that in my remarks I quoted from a Brazilian newspaper which raised the question as to what our Government was trying to do and what burdens we were trying to lay upon the taxpayers of this country. I think it is significant that a newspaper in that country should question the action of the state government.

Mr. CURTIS of Missouri. I thank the gentleman again for a very fine presentation.

Mr. DOMINICK. Mr. Speaker, will the gentleman yield?

Mr. ADAIR. I yield to the gentleman from Colorado.

Mr. DOMINICK. I just want to congratulate the gentleman on an extremely fine statement which raises a question which we all ought to consider. Now, it strikes me—and I would like to have your viewpoint on this—that the Government, under the present administration, has shifted the time-honored policy that we have had on previous occasions whereby we were trying to encourage American investment in oversea areas. We have done this not only under the recent statement of the Secretary of State in which he said that any foreign government is entitled to take over foreign property, including American, provided adequate compensation is given for the property that is expropriated. We have also done it under the proposed provisions of our tax laws, which are intended to supply a real tax burden on companies that invest overseas.

It seems to me we are, perhaps, even going into it in the proposed tariff programs where we are saying in effect we have to do this through Government sources because if our own companies go over and try to develop any country or a business in another country, what we will be doing is to increase the outflow of dollars from this country and, therefore, we will keep private industry at home and do it through Government sources.

Does the gentleman see any pattern throughout this that would verify these fears?

Mr. ADAIR. I certainly share the gentleman's concern over the course we are taking, or rather, the lack of course—and that is the reason I am calling upon our Government to establish a firm policy and make it known—I feel unless we do this the situation which I have attempted to document here will be repeated over and over again. In spite of what we said in the aid law about wanting to stimulate foreign investment, we are moving in exactly the opposite direction unless we do take a firm position.

Mr. DOMINICK. I thank the gentleman.

Mr. ROUDEBUSH. Mr. Speaker, will the gentleman yield?

Mr. ADAIR. I yield to the gentleman.

Mr. ROUDEBUSH. I have listened with a great deal of interest to the very eloquent statement by the gentleman from Indiana. I certainly want to join with the other Members and congratulate him on this very timely message. I agree with the gentleman that it is unthinkable that the American taxpayers' money and their dollars will be used to subsidize a government that would seize the private property of American corporations. I certainly concur with the gentleman and assure him that his legislation will have my unqualified support.

Mr. SELDEN. Mr. Speaker, will the gentleman yield?

Mr. ADAIR. I yield to the gentleman from Alabama.

Mr. SELDEN. Mr. Speaker, the recent seizure of American property by the Governor of the Brazilian State of Rio Grande do Sul, which our distinguished colleague from Indiana has discussed, is certainly most distressing to those of us who are concerned with the efforts of the hemisphere to provide a better standard of living for its inhabitants. This expropriation, if allowed to stand without adequate compensation, can have very serious consequences not only to foreign investors, but to the host country as well.

Mr. Speaker, in the first place, there is evidence to indicate that the expropriation was in violation of both Brazilian law and of the Brazilian Constitution. To offer as compensation only 5 percent of the assessed value of the property adds insult to injury. It suggests that the Governor is looking for short-range personal political advantage and ignoring the long-range economic consequences to the public. If the central government allows a provincial politician to ignore due process of the Nation's laws, then it runs the risk of inviting chaos and its own downfall.

Of equal gravity, Mr. Speaker, is the damage it may do to the Alliance for Progress. Irresponsible acts of this sort can cripple or destroy the alliance—thereby ruining the hopes of many millions for improving their standard of living.

Mr. Speaker, it hardly seems necessary to point out that any country struggling to raise its standard of living and develop its natural resources must have capital. Nowhere is this more evident than it is in Latin America. Yet capital cannot be secured from thin air. It was with the idea of providing these nations—Brazil included—with the necessary funds and technical aid that the Alliance for Progress was formed. But under the terms of the Alliance the signing nations agreed that funds provided by governmental loans alone would not be enough. They would have to be supplemented by private investments.

Our concern in connection with developments in the State of Rio Grande do Sul does not remove from American firms doing business in other countries the duty to conduct that business in a manner which is fair and equitable to the host country. On the other hand, citizens of the United States cannot be expected to put vast sums of public and private capital into areas where there is a climate of distrust or hostility.

Mr. Speaker, I thank the gentleman for yielding.

Mr. ADAIR. I appreciate the gentleman's thoughtful remarks.

COMMENTS ON TESTIMONY OF AMERICAN MEDICAL ASSOCIATION

The SPEAKER pro tempore (Mr. LIBONATI). Under previous order of the House, the gentleman from California [Mr. KING] is recognized for 30 minutes.

Mr. KING of California. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include tables.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. KING of California. Mr. Speaker, no one is more aware than a Member of the Congress of the right enjoyed by all Americans to oppose legislation they

believe will be disadvantageous to their own interests or the best interests of our country; however, I believe we would also agree that opposition to any proposal should be based on fact or at least on reasonable assumption.

I am submitting today for inclusion in the RECORD my response to the American Medical Association's testimony before the Committee on Ways and Means on my bill, H.R. 4222, to provide health insurance for the aged under the social security insurance system. But first I would like to place the AMA's criticisms of the proposal in proper perspective—in the perspective of some of the many other humanitarian programs the AMA has bitterly criticized and vigorously opposed through the years, in order that each Member may determine for himself just how unenlightened and incompatible with the obvious need of the people of our country the AMA's opposition continues to be.

It is a revealing anomaly that the hierarchy of the American Medical Association, after having, through their powerfully effective tactics over the years, deprived the members they represent and their dependents of the privilege of being covered under social security, despite the desires of many, if not the majority, of their members for coverage, still has the effrontery to dictate from the sidelines the rules of the game for all others, and especially when one realizes that traditionally doctors and their families enjoy the professional courtesy of free medical services.

In opposing the health-insurance-for-the-aged bill, the AMA emphasizes its support of voluntary methods and grant-in-aid programs for the indigent and medically indigent. The AMA has in the past, however, strongly opposed such programs. It seems that the AMA supports voluntary and grant-in-aid programs only since these have become so widely accepted that opposition is obviously futile, and only when they can be offered as alternatives to a current proposal that the AMA opposes.

The American Medical Association has a long history of opposition to Government programs that advance public welfare, and it is apparent that it has not raised the level of its tactics in opposing the King-Anderson bill in spite of its resounding lack of success in opposing a number of such forward-looking measures over the years, such as:

First. The social security program: In 1939 it was denounced by the AMA as "a definite step toward either communism or totalitarianism," and in 1949 they continued to express their opposition stating "so-called social security is in fact a compulsory socialistic tax which has not provided satisfactory insurance protection for individuals where it has been tried but, instead, has served as the entering wedge for establishment of a socialistic form of government control over the lives and fortunes of the people."

Second. Opposition to extension of social security benefits to the permanently and totally disabled at age 50. The American Medical Association testified "To initiate a Federal disability program would represent another step toward wholesale nationalization of medical care and the socialization of the practice of medicine" and cited this program, which is in its sixth year of successful operation, as constituting "a serious threat to American medicine" and at "incalculable cost to the public." The incalculable cost to the public which the AMA foresaw has been so moderate that the Congress in 1960 found it possible to eliminate the eligibility limitation at age 50 and provide for those eligible at any age without an increase in social security taxes.

Third. Opposition to elimination of the means test in the crippled children's program, declaring it to be "a socialistic regulation."

Fourth. Early opposition to voluntary health insurance. In December 1949 the Journal of the American Hospital Association commented editorially that "it is a sad fact that through the 1930's and early 1940's, the American Medical Association did not believe in voluntary sickness insurance, did almost everything possible to prevent its development."

Fifth. Labeling of old-age and unemployment insurance as representing "a weakening of national caliber, a definite step toward either communism or totalitarianism."

Sixth. Opposition to Federal grants for maternal and child welfare programs.

There were even medical opponents to the Red Cross blood bank plan, stating:

> The allotment of blood and its products by the American Red Cross should ultimately lead to the effect of having the Red Cross practice medicine. The transition from this arrangement to State medicine could become an imminent danger.

The AMA now enthusiastically endorses Kerr-Mills legislation which authorizes Federal-State programs of medical assistance for the aged financed through grants-in-aid. However, it opposed Federal grants-in-aid in the health field when they were first established. The House of Delegates of the AMA on more than one occasion adopted resolutions which disapproved the Sheppard-Towner Act, the original grants-in-aid program granting Federal funds to State health agencies to reduce the death rate among mothers and children. AMA opposition was not against this act alone but against any such grant program. A 1930 resolution said in part:

> The House of Delegates of the American Medical Association condemns as unsound in policy, wasteful and extravagant, unproductive of results and tending to promote Communism, the Federal subsidy system established by the Sheppard-Towner Maternity and Infancy Act and protests against the revival of that system in any form (Digest of Official Actions, 1846–1958, American Medical Association, p. 92).

The house of delegates also denounced the Sheppard-Towner Act as:

> A form of bureaucratic interference with the sacred rights of the American home (CONGRESSIONAL RECORD, vol. 96, pt. 10, p. 13914).

In like manner, the AMA, which now sings the praises of voluntary health insurance, adopted a resolution in 1933 condemning voluntary and compulsory insurance or tax supported programs as equally bad. Their resolution said in part:

> The organization of groups around hospitals or otherwise, supported by a voluntary or compulsory insurance or taxation, as recommended by the majority report of the Committee on the Costs of Medical Care would be inimical to the best interests of all concerned. (Digest of Official Actions, p. 314.)

Moreover, the AMA has not only opposed voluntary prepaid health insurance plans, but has disciplined physicians who participated in now well-accepted plans it did not approve. An authoritative Yale Law Journal article published in 1954 carefully documents disciplinary measures that have been used against such physicians—including the withholding or withdrawing of medical society membership and the denial of hospital staff privileges—63 Yale Law Journal, 988–996, May 1934. Such actions have not ceased.

In 1934 the house of delegates of the AMA adopted a principle intended to prevent the public from organizing voluntary plans for health insurance. To be approved the voluntary plan—not just the practice of medical care under the plan—had to be controlled by the medical profession, and restraints were imposed on physicians affiliating with nonapproved plans. Such physicians were faced with expulsion from medical societies and with exclusion from hospital privileges. Group Health Association, a nonprofit prepaid medical plan in Washington, D.C., had to fight its case in the courts for 6 years before the U.S. Supreme Court unanimously upheld a lower court conviction of the AMA and its local medical society for violation of the antitrust laws because of such actions against physicians—317 U.S. 519. AMA opposition to voluntary prepaid medical plans also resulted in State legislation which barred the establishment of medical service prepayment plans except when approved by medical associations. In many States this has made the establishment of new group-practice prepayment arrangements impossible.

Mr. Speaker, while I am referring to the States, I would like to remind the House that a resolution was adopted by the Governors' conference on June 29, 1960, urging the enactment of legislation providing a health insurance plan for the aged under the framework of the old-age and survivors and disability insurance system. This resolution was endorsed by the Governors of 30 States—Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Florida, Kansas, Kentucky, Maine, Massachusetts, Michigan, Minnesota, Missouri, Montana, Nebraska, Nevada, New Jersey, New Mexico, New York, Ohio, Oklahoma, Rhode Island, South Dakota, Tennessee, Texas, Vermont, Washington, and Wisconsin. Hearings before the Committee on Finance, U.S. Senate, on H.R. 12580, 86th Congress, 2d session, page 161. The Governors of two additional States—Illinois and Indiana—indicated their support of this approach in 1961. See hearings before the Committee on Ways and Means, House of Representatives, on H.R. 4222, 87th Congress, 1st session, volume 4, page 1795.

The AMA's history of past opposition to voluntary health insurance and to grants-in-aid for health purposes is the proper setting in which to consider the association's present opposition to health insurance for the aged.

On August 2, 1961, representatives of the AMA testified before the Committee on Ways and Means in opposition to H.R. 4222, the bill which would provide health insurance for aged beneficiaries under the social security and railroad retirement programs. At that time the committee had no opportunity before the oral testimony was presented to examine the more than 100 pages of testimony that the AMA submitted for the record. I have since explored the contents of the material submitted for the record. Closer examination has borne out my earlier reaction to the AMA testimony—it is filled with gross misrepresentations. It is difficult to believe these documents are advanced in the name of American medicine. They substitute debating tricks for a serious discussion of serious issues. They are the exact opposite of what one has the right to expect of a scientifically oriented profession. And all of this is even more shocking when we realize that it is done in an effort to malign a proposal which would have virtually no effect on physicians or medical practices. I am impelled to reply in detail.

It is not my purpose in this response to detract in any way from the great achievements of American medicine in the area of health care. I have the greatest respect for the individual doctor who practices his great profession for the relief of human suffering. My purpose is to show that the AMA's interpretations of legislative language, statistics, the nature of social insurance, and many other aspects of the problem of financing health care for the aged are completely erroneous and designed to mislead. My purpose is to show that the AMA has not been objective or honest in its presentation. I am sure that the ordinary doctor who will follow this testimony and my comments through will turn with revulsion from this performance of the association which speaks in his name.

For these reasons I have prepared a section-by-section rebuttal of the statement submitted on behalf of the AMA by Dr. Leonard W. Larson, president. References are to pages in the original statement—in the printed hearings this statement appears on pages 1315–1404, with the original page numbers below the text.

COMMENTS ON THE STATEMENT SUBMITTED FOR THE RECORD BY THE AMERICAN MEDICAL ASSOCIATION

COMMENTS ON SECTION I—DESCRIPTION OF AMA AND ITS POSITION ON H.R. 4222, 87TH CONGRESS

The specific points mentioned by the AMA in this general presentation of its position are expanded in other sections of the statement and I will deal with each point in commenting on the following sections. The only item I will discuss here is the AMA's objection to levying social security taxes for health insurance for the aged on the ground that the aged, with few exceptions—Federal employees, wards of the governments, members of the uniformed services, and veterans disabled in service—have no special claim on the Federal Government unless they have satisfied a means test. (Page 2.)

This single statement presents a striking illustration of the basic difference between the AMA and most of the rest of us, for this statement indicates that in the view of the AMA, old-age, survivors, and disability insurance is undesirable. The AMA takes the position that Government should not act to promote the general welfare of the people of this country except in cases where the individual is subjected to a means test and can prove that he can no longer pay his own way. Following this theory, the AMA would oppose not only the old-age, survivors, and disability insurance program but virtually all other Government-established benefit programs that assist the people in this country without first subjecting them to a means test. Thus, such programs as unemployment compensation and workmen's compensation would be unjustifiable if the AMA theory of Government were followed. Similarly, the FHA home loan program, the Federal deposit insurance program, and many more would have to be abandoned, or modified beyond recognition. Our Nation would indeed be in a sorry plight if we were to accept the pronouncement of Dr. Annis, at the beginning of his testimony, that the AMA's position is representative of what Americans want, and if we were to wipe such legislation off the statute books.

COMMENTS ON SECTION II—SPECIFIC OBJECTIONS TO H.R. 4222

In section II of the statement, the American Medical Association alleges that the bill provides "blanket authorization for the Federal Government to control the providers of services." (Page 5.) The "proof" of the allegation is that the Secretary would be permitted to do what is "specifically provided" in the law. This exercise in logic—in which a statutory limitation to do only what is "specifically provided" becomes a "blanket authorization" to exercise power without limit—illustrates clearly the AMA's approach to the problem: the approach of a calculated attempt to distort the meaning of the bill. In an effort to support this distortion, reference is made to the provision in H.R. 4222 which states that the Secretary of Health, Education, and Welfare would be empowered to set "such other conditions of participation—as the Secretary may find necessary in the interest of health and safety of individuals who are furnished services by or in such institution." (Page 5.) This provision, the AMA says, "provides the means by which Federal officials can regiment and control all providers of the services covered." (Page 5.)

How strange this argument. I cannot believe that the individual doctors this association claims to represent have the same feelings about the conditions in the bill—the conditions that preclude participation by institutions that are firetraps or present other serious hazards to the safety or health of their patients. I cannot believe that the witnesses who testified here representing the American Medical Association are unfamiliar with the valuable and fully accepted activities of the Government in regard to the Food and Drug Act, water pollution safeguards, and the many other areas in which the health of our citizens is safeguarded. These witnesses do not cite a single instance of regimentation, or even an attempt at regimentation, of the health professions, in all of the Government's protection of the public health. What reason is there to assume that the Government would now quite suddenly adopt arbitrary methods? In attacking the eligibility conditions in the bill, I can only believe that the AMA is deliberately trying to frighten the uninitiated and the uninformed. My conviction is borne out by the testimony presented to this committee by the representatives of the American Hospital Association—the association of the very same providers of service about which the AMA expresses such grave concern.

Dr. Frank S. Groner, the president of the American Hospital Association, was questioned by me about this very same provision in the bill. My question, and Mr. Groner's response, is part of the record of these hearings. Because the AMA chooses to ignore facts and play on fears in order to gain its ends, I want to repeat that question and answer. I asked Mr. Groner the following: "Your organization in previous testimony before this committee has stated that reasonable criteria are necessary to determine the eligibility of hospitals to participate. Are the criteria in this bill reasonable?"

Mr. Groner's response—the response of the Amercan Hospital Association—was a clear and unequivocal "Yes, sir." Later, when I asked Mr. Groner if there were any changes that he would suggest in any of the provisions in the bill, he did not suggest one single change in the conditions that providers must meet in order to participate. This demonstrates beyond a shadow of a doubt what the conditions of eligibility really constitute, namely, a description of those components of institutional and home health care which are essential to the safety and well-being of our older people. These conditions have not only been thoroughly reviewed and approved by distinguished representatives of the American Hospital Association, but the association stands squarely behind the inclusion of these eligibility conditions in any legislation that may be enacted. The hospitals, which, unlike the doctors, are major providers of service under the bill, would hardly encourage the retention of these standards if, in fact, the standards could be used—as the AMA charges—as the means by which Federal officials can regiment and control all providers of the services covered.

Let me say where these conditions came from and why they are so easily accepted by the American Hospital Association. Every condition save two is part of the requirements an institution must meet even to be considered a hospital by the American Hospital Association.

The remaining two are: First, the health and safety requirement, which must be met for accreditation according to standards set jointly by representatives of the American Hospital Association, American Medical Association, American College of Surgeons, and the American College of Physicians; and second, the utilization committee requirement, which the American Hospital Association has proposed for inclusion as part of these accreditation requirements.

The AMA asserts that, "it is axiomatic that the Federal Government tends to control what it subsidizes." (Page 5.) It subsidizes the building of hospitals and nursing homes under the Hill-Burton program. Does it already control hospitals and nursing homes? Perhaps the AMA should have fought harder than it did against the Hill-Burton and similar programs if the axiom is an axiom, not a conundrum to test how many are smart enough to find the error of logic.

The AMA also bases its allegations that the program would result in regimentation and Federal control on the fact that payment for services would be on the basis of reasonable costs. (Page 9.) Yet, this is the basis which the American Hospital Association, in its "Principles of Reimbursement for Hospital Care," proposes and which has proved successful in application by Blue Cross and a multitude of State and Federal Government programs. Provision for reimbursement by Government on the basis of reasonable cost has never had any such effects as the AMA says it would have in this instance.

The AMA also attaches implications of Government control to the requirements that hospitals maintain "adequate medical records" and establish bylaws for their medical staff. (Page 10.) The AMA implies that the Secretary might misuse authority by requiring medical records to be too "adequate." The AMA knows that medical records are required for accreditation because a medical history is essential for proper treatment of the patient. The AMA also knows that clearcut guides have been developed for purposes of accreditation as to what constitute adequate medical records. The AMA knows that the Secretary would have authority under the bill to accept accreditation of an institution as evidence that the requirements are met and that Secretary Ribicoff has said, in his testimony before this committee, that he would do so. Instead of recognizing these facts, the AMA analogizes medical records to business records. (Page 11.) Either its experts are feigning ignorance in this matter to mislead, or the experts on medical care did not participate in writing this statement but some other kind of expert in some field foreign to medicine was employed for the purpose.

The existence of bylaws for the medical staff is a requirement the American Hospital Association uses to determine whether an institution is a hospital—it must have a medical staff which is organized under bylaws so that there is some expectation that the medical staff will participate in running the hospital. I presume that objection to this provision must have resulted from the fact that this section of the paper was written by someone ignorant of the background—not by a competent physician or hospital expert.

The AMA further suggests that it is wrong to require nursing homes to provide 24-hour nursing service because some nursing homes would be excluded from participation under the bill. (Page 12.) But this can hardly be regarded as a reasonable suggestion. After all, the point of the bill is protection against health costs and it is the provision of nursing services that distinguished nursing homes from domiciliary care. Housing is intended to be taken care of by the cash benefit. If every institution—including a hotel—could be considered a nursing home, the H.R. 4222 costs might be as high as the AMA says. The intention is to cover only health care costs when the care is provided by facilities able to render health care services. In some places such institutions are in short supply, but paying boarding home bills instead will not remedy the scarcity. Other administration proposals such as H.R. 4999, Health Professions Educational Act of 1961, and H.R. 4998, Community Health Services Act of 1961, will help to remedy this scarcity as will the payments under H.R. 4222 towards the operating costs of the needed facilities. The AMA by its very description of the scarcity of proper health facilities rebuts its own allegations that without this bill the aged are getting the care they need.

All this talk of arbitrary control by Government is just scare technique. The Government needs the willing agreement and cooperation of the hospitals in the plan. The Government is prepared to deal responsibly and fairly with them. It is nonsense to think that the Government could deal arbitrarily with the providers of services, ignore their just demands, and ignore the advice of the statutory advisory council provided in the bill.

Section II of the AMA statement also criticizes the assertion that only a relatively few physicians would be affected by the bill. To support their contention that this assertion is not correct, the AMA says that the bill "involves the services, and the provision of services of at least 50,000 physicians." (Page 6.)

This figure is grossly misleading. The AMA statement itself recognizes that the vast majority—almost 38,000—of the 50,000 "physicians" referred to are interns, few of whom are licensed as physicians, and residents-in-training. Interns are salaried employees of hospitals completing a necessary part of their professional education without which they are not fully prepared to assume the responsibilities of a physician. Residents-in-training are also salaried employees who are training for the practice of specialties and subspecialties, including general practice.

The practice that would be followed under the administration bill would be to pay the hospital, in which the intern is finishing his education, the reasonable cost of the services which the hospital undertakes to provide, including the services of the intern. This is fully in accord with the "Principles of Payment for Hospital Care," developed and approved by the American Hospital Association as a guide to hospitals and to agencies which contract to purchase hospital care. The pertinent principle reads as follows:

> In determining "full cost," a reasonable amount for medical, nursing and other education not reimbursed through tuition, scholarships, grants, or other community contributions is a legitimate inclusion in the interest of continuing to upgrade quality of service to the community. The community should assist ultimately in the support of such educational programs.

Under the bill, the cost incurred in providing services to aged beneficiaries would also include the cost of ancillary services such as diagnostic X-ray, laboratory tests and anesthesia, which to an extent involve the services of licensed physicians. These services are covered only if furnished through hospitals as part of the hospital services.

The AMA claims to be apprehensive about the consequences that might ensue if hospitals are paid on a "reasonable cost" basis. (Page 9.) Is it not strange, however, that the AMA is more worried than the organization representing those whose pocketbooks are affected by the method of payment? It is true that the American Hospital Association has expressed mild reservations about the shades of interpretation which might be placed on the word "reasonable." Unlike the AMA, however, in the course of testimony before this committee, they said they believe that this is something which can be worked out without difficulty to the mutual satisfaction of hospitals and Government.

This section of the AMA statement also indulges in an extraordinary exhibition of self-contradiction—all on the same page. It says in one paragraph that the provision in the bill which limits nursing home benefits to conditions for which people have been hospitalized and provides the benefits only after admission from a hospital "will result in a vastly increased demand for * * * hospital facilities. This portion of the bill is not a deterrent to overuse of hospitals, but an engraved invitation to overuse them. It is an invitation that would be accepted by large numbers of people whose health care does not require hospitalization." Only six paragraphs later, in criticizing the requirement that hospitals and nursing homes have the utilization committees which would provide a group review of experience by physicians in a given hospital in order to prevent overutilization, the statement says:

> The physician is best qualified to judge how ill his patient is, what treatment should be prescribed, whether or not he should be admitted to a hospital, when he is well enough to go home. Is it wise to subject his judgment to the critical review of a group? (Page 8.)

Thus, on the one hand, they say that physicians—who are the only ones who can get an individual into a hospital—would be unable to prevent unnecessary hospital admissions in order to qualify for nursing home benefits, and, on the other hand, they say there would be no need to review the physician's decision when he does admit patients to the hospital. I leave it to the AMA to choose the horn of the dilemma it prefers. If the AMA expects an increase in unnecessary hospital utilization it must subscribe to the view that physicians are either collaborating with their patients in unethical practices or are unable to make proper medical judgments. The AMA cannot gainsay the fact that hospital admissions are controlled by physicians. Indeed, the AMA insists that the right to admit patients remains, the prerogative of the physician. If, however, the AMA rejects the thesis that physicians are responsible for unnecessary utilization, on the grounds that physicians are subjected to pressure from their patients, it cannot reasonably object to a professional and impartial group of physicians established by the hospital, reviewing cases in order to determine whether patients are—for whatever reason—overutilizing services.

The AMA's criticism of hospital utilization committees—which, incidentally, have been recommended by two State medical associations and are operating without appearance of difficulty in many hospitals—appears at this time after we have been informed by the American Hospital Association that it has recommended the Joint Commission on Accreditation of Hospitals require a hospital to have a utilization committee in order to be accredited. (Page 8.) The AMA objects to the requirement of a utilization committee because it does not consider it wise to subject a doctor's judgment on use of services to the review of his peers; this, despite the fact that many services are already subject to review. The AMA seems to forget for the moment that it has long subscribed to the view that it is desirable for hospitals to have committees, such as medical records committees and tissue committees, to review the medical practices of physicians. In fact, as a member organization of the Joint Commission of Accreditation, the AMA supports the requirements for accreditation, one of which is that hospitals carry on, through medical staff committees, "constant analysis and review of the clinical work done in hospitals."

A similar illogic is applied to the deductible. The AMA considers the deductible as it applies, first, to the wealthy, and second, to the indigent—as though all the aged were in these two groups. (Page 7.) They forget that the great majority of the aged fall in neither group. The wealthy, who incidentally are very few in number, get tremendous help with hospital bills by reason of income tax treatment—favored by the AMA—of medical expenses. The indigent—a group continuously growing smaller in size, I hope—will get help from old-age assistance and medical assistance for the aged. It is the great middle group, that can afford to pay a $90 bill out of their limited resources but cannot afford hundreds or thousands of dollars to pay on huge hospital bills, for whom this bill is primarily intended. The bill would provide protection for these people against the possibility of having their savings wiped out and becoming dependent. The AMA keeps saying it wishes to help those who need help, but until the recent past the legislative provisions it has favored were aimed to help most the wealthiest through tax savings. For example, the AMA has endorsed proposals to allow tax exemption for all drugs and medicines purchased by persons aged 65 and over, and proposals to provide additional exemptions for aged persons who pay medical care expenses amounting to 25 percent or more of their gross income. Since, however, more than 80 percent of the aged do not now pay income tax, these proposals would benefit only those persons with considerably higher income than the average aged person. Are the wealthy the ones the AMA thinks need help?

The AMA seems very fond of the false dilemma. On the one hand you have this, on the other hand, that, and both are bad. Since they do not talk of other alternatives, the listener is supposed to feel that all paths lead to ruin. I have already said how they refer on the one hand to the wealthy and on the other to the indigent and ignore the great mass of ordinary persons in between. Another example is their statement that the Government has two choices: First, it will either be so budget conscious it will lower the quality of care; or second, the program will be faced with runaway costs. (Page 9.) They wish to avoid consideration of the possibility that the program will operate well—with an eye for assuring that high quality of care is encouraged and at the same time that money is not wasted. Utilization committees and payment made on a cost basis, as H.R. 4222 provides, will mean that costs are in keeping with the necessary services provided. Apparently the AMA can imagine no instance in which people—nonphysicians, that is, merely do what is reasonable; everything must be extreme.

COMMENTS ON SECTION III—PROPOSED LEGISLATION BASED ON FIVE FALSE PREMISES

The "five false premises" stated by the American Medical Association as the basis for the proposal for health insurance benefits for the aged under social security are indeed misstatements, but they are the AMA's misstatements. This is the old debating trick of the straw man—define your opponents' position falsely and then prove it is wrong. The first three premises in the American Medical Association's statement actually are false; but they have never been offered as either factual or philosophical reasons supporting the proposal for health insurance benefits. The last two premises which the AMA label false, I believe to be true. They actually reflect—although somewhat less than precisely—considerations in favor of the proposal. I shall give specific comments on each of the so-called "false premises" and on the discussion presented by the AMA on them.

The AMA statement offers as false premise No. 1: "The sociological problems of older people can be solved through legislation." (Page 14.)

I am not aware of suggestions by any proponents of my bill that the sociological problems of older people can in general be solved through legislation nor that the health insurance proposal is in any way intended to solve all problems of aged persons. The AMA discussion seems to argue that since it is not possible to solve all sociological problems of the aged through legislation, no legislation to relieve problems of aged persons is justified. Such an argument leads to no realistic conclusion; if its efficacy in solving all problems were a test of soundness of any specific course of action, one could not, of course, find any course of action that would meet the test of soundness. Such a test would even make a case against the practice of modern medicine, since it does not appear that, with all its almost miraculous advances, medical science has been able to solve all sociological problems of the aged. The proposed health insurance benefits under OASI have not been proposed as a total solution for even the financing of medical care of aged persons but have been advanced rather as a part of the solution to the problem of providing a method of financing needed health care of the aged. Many other problems will of course remain. This way of debating is hardly to be taken seriously. It is sheer demagoguery, and unworthy of the association which claims to speak for American medicine.

The AMA statement offers as false premise No. 2: "Most, if not all of the aged, are in poor health." (Page 16.)

Here again, the premise as stated by the AMA is of course not a valid statement of the position of the bill's proponents. There is no contention that all, or most, aged persons are in poor health. If that were the case, the costs of health care would hardly be insurable. Just as the need for fire insurance does not rest on the premise that all or most owners of properties experience fires, so does the need for protection against the costs of hospitalization not depend on universal and continued experience of hospitalized illness. Rather, it is based on the fact, accepted by the AMA, that "the aged receive approximately twice as much hospitalization as those under 65" (page 18), together with the contrast in incomes of younger and aged persons; these are what demonstrate a special need for such coverage as is provided under H.R. 4222.

Furthermore, the prevalence of all kinds of chronic illness is not a fact that one would use to demonstrate the need for the health insurance benefits. The bill is directed toward meeting the costs of only those chronic conditions which require the specific types of health care outlined in the bill. Statements that the aged are generally in good health or are "a great deal healthier than they are frequently pictured to be" (page 18) would seem to support the official cost estimates and the feasibility of financing health insurance benefits as proposed in my bill rather than the statements of others, including the AMA, that costs will be many times the estimates of the Department of Health, Education, and Welfare and that utilization of hospitals and

nursing homes will increase astronomically if the proposal is enacted.

On the other hand, even assuming that the overwhelming proportion of the aged were in excellent health, the inevitability of death at some age obviously suggests the likelihood of terminal illness unless aged persons were in all cases to die suddenly in the midst of good health. The high rate of hospitalization in the year of death, coupled with the overall high hospitalization rates for aged people—twice the rates of younger persons—seems adequate evidence that the great majority of the aged are not so fortunate as to escape serious illness and sizable health care costs during all of their later years. What kind of nonsense is this the AMA is trying to foist off on people?

The statement offers as the third false premise: Most, if not all of the aged, are verging on bankruptcy.

Contrary to the AMA's allegation, proponents of my bill have made no such statement, and the health insurance proposal does not rest on any such premise. It rests, rather, on the well-established fact that most of the aged are not in a position financially to meet the heavy costs that a long period of hospitalization usually entails. The AMA attempts to cover up this fact with vague statements that "some" of the aged are "comfortable" or "well-to-do" or "wealthy." (Page 19.) Of course, some of them are. The great majority, however, are in very modest circumstances and quite unable to meet a large hospital bill.

In attempting to cast doubt on the validity of data from the U.S. Bureau of the Census showing the low incomes of most aged people, the AMA argues that it is not meaningful to say that "60 percent of our aged have incomes of $1,000 a year or less" (page 19) because this 60 percent includes dependents, many of whom have no individual income of their own. This argument will not bear analysis. Let me note, by the way, that the AMA figure is an erroneous one; current data show 52 percent with incomes of $1,000 or less.

I agree with the AMA that "facts are of little significance until they are examined and interpreted by reason" (page 19) and I would therefore like to quote the analysis and interpretation of these income data from the report on "Health Insurance for Aged Persons," submitted to the Committee by the Department of Health, Education, and Welfare:

> Income statistics from the Bureau of the Census for aged persons, and for families with an aged head, are collected annually and are the most comprehensive. Data which have just become available for 1960 show 52 percent of the persons 65 and over not in institutions had cash incomes below $1,000 in that year.
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> Income data for persons have the limitation that they do not indicate how many persons depend on the income. In the case of the married, some may be under 65. Similarly, wives dependent on their husbands will be shown as having little or no income. However, less than one-fifth of all persons 65 and over are married women, and many older married couples have less than $2,000 between them. Therefore, even if the reported income data were adjusted to reflect an equal sharing by husband and wife, the proportion of persons 65 and over having less than $1,000, would be very little less than the 52 percent shown.

A national survey of aged beneficiaries under old-age and survivors insurance in 1957 showed that half the aged married couples had an annual income of less than $2,250—that is, less than $1,125 per person—half the nonmarried retired worker beneficiaries had incomes of less than $1,140, and half the aged widow beneficiaries had incomes of less than $880. It is accurate and not in any way misleading to say that half of these aged beneficiaries had per capita annual incomes of less than $1,100. This figure is consistent with the Census Bureau figures for the entire aged population—including of course those without income from old-age and survivors insurance benefits—which show that about half the aged have incomes of less than $1,000.

In the light of these figures showing the low incomes of the aged, it is hardly relevant for the AMA to stress the well-known fact that "the aged are not a homogeneous group from a financial standpoint." (Page 20.) Neither is it pertinent to a consideration of the proposed health insurance program merely to give, as the AMA does, the number of aged persons receiving income from various sources, rather than the amounts of such income. It is positively misleading for the AMA in giving figures purporting to show "the Nation's present tax support for the elderly" (page 20) to say that "about $650 million is paid out annually under the Railroad Retirement Act." Payments made under a contributory insurance program such as the railroad retirement system are certainly not a measure of "tax support." (Page 20.)

The AMA suggests that the aged who are unable to pay large medical bills should look to their children or relatives for help. The sons and sons-in-law, the daughters, the nephews, and nieces of old people do in fact often provide such help. Too often, however, this burden is borne at the expense of the education and welfare of the third generation. In many instances the relatives are themselves totally unable to meet the heavy costs involved. Few people would consider an appeal to relatives to be an acceptable alternative to a health insurance program.

The AMA quotes figures on the net worth and assets of beneficiary couples under old-age and survivors insurance as shown by a survey in 1957. (Page 21.) It fails to say that of all the aged beneficiaries surveyed, nonmarried as well as married, half had a net worth of less than $4,920, and that the chief asset of most beneficiaries was their equity in their home, an asset which old people very wisely hesitate to convert into cash. While most beneficiaries had some liquid assets, half of them had less than $610, an amount which would not go far in meeting the costs of a long illness.

For statistics to bolster its position against the health insurance program, the AMA resorts to a small study made in three lower middle income parishes located in three large cities. (Page 22.) It would have been more helpful to the committee if the AMA had referred to a national cross-section study of the aged sponsored by the Health Information Foundation: "Financial Resources of the Aged"—Health Information Foundation, Research Series 10. A report from that study states that one-fifth of all older people had no financial resources. Furthermore, when the aged without any resources were combined with those whose only assets were homes they owned, the cash value of their life insurance or the help of children, it was found that two-fifths of all older people would have no ready resources from which to meet a medical bill.

The data from the Health Information Foundation study are confirmed by the 1960 Survey of Consumer Finance, which showed that 30 percent of all spending units headed by aged persons have no liquid assets and that an additional 6 percent had less than $200 in liquid assets. These facts, based on national samples rather than a small local study, present a more reliable picture of the situation of the aged than that portrayed by the AMA.

As false premise No. 4 the AMA statement offers:

> The problem of the aged in financing their health costs will get worse before it gets better. A permanent program is essential to its solution. (Page 22.)

Here the premise they claim to be false is true—there is every reason to believe that the problem faced by the aged in financing health costs will, in the absence of Federal action, get worse. Although the costs of health care increasing more rapidly than costs of all consumer items and substantially more rapidly than the income of aged persons—cannot be predicted with precision into the distant future, it would seem highly unrealistic to assume any immediate sharp reversal of the upward trend in such costs that has continued over decades. The official cost estimates for my bill, incidentally, assume such substantial further increases in costs.

Unless income and resources increase in direct ratio to any increases in medical care costs, it is obvious that the aged will face an increase in the difficulty of financing needed health care. It is quite likely that the financial resources of aged persons will increase somewhat as time goes on. Allowing for increases in monthly OASI benefits, in earned income, and in the limited amounts paid by private health insurance, and assuming increases in all of these amounts in the future, we are still left with the question of how these resources could grow at a rate equal to or faster than the justifiable costs of health care we must expect as medical science continues its phenomenal progress toward improving health and increasing longevity for all of us.

The AMA statement, in discussing the future sources of income of the aged, quotes some current figures on income from these sources and suggests that they are already substantial. Of course, billions of dollars sounds like a great deal of money, but the present total income to the aged from private pension plans quoted by the AMA—$1 billion annually—does not sound so impressive when divided among total present aged

persons—a per capita figure of less than $60 per year. The same situation appears with regard to the $4.3 to $8.3 billion estimated as total annual income of the aged from private investments (page 23), which would provide a per capita figure of about $250 to $490. It would seem a mathematical certainty that not all our aged citizens can be receiving very substantial income from these sources.

The AMA statement offers as the fifth false premise: Voluntary health insurance and prepayment plans, private effort, and existing law will not do the job that needs doing. (Page 25.) Again, the statement they claim to be false is true; these mechanisms alone will not do the entire job. I shall comment in some detail in following sections on the effectiveness of the three mechanisms cited in meeting the problem.

COMMENTS ON SECTION IV—PHILOSOPHICAL ARGUMENTS AGAINST THE BILL

One had best ignore the title of this section of the AMA statement. The alleged arguments are not relevant to H.R. 4222. They are arguments against socialized medicine and against Federal encroachment on individual freedom. The whole philosophy of my bill and the implementing provisions are in direct opposition to these evils. And to label the AMA arguments "philosophical" completely ignores the noble root of this word.

It has already been shown that the assertions made in the previous section of the AMA statement are incorrect, except for the recognition that our aging population poses a very real problem. Even this one exception is developed by the AMA to the point of an incorrect conclusion. The AMA concludes that since some of the problems of the aged are not susceptible to legislative solution, legislation can be of no help in solving any of the problems. (Page 26.) This is a very strange conclusion indeed. Hardly anyone would deny that the Congress has already enacted legislation that makes significant inroads on the problems of the aged. And even the AMA apparently sees some merit in certain legislative approaches to the problem, for it now endorses medical care paid for by Federal funds granted through the assistance program.

The core of the principal "philosophical" argument that the AMA tries to make against H.R. 4222 is that this bill is a part of some master plan that somebody [unnamed] or some group or groups [unnamed] has devised with the aim of setting up a socialized system of medicine in the United States. (Page 27.) It little matters what villains the AMA has in mind, for this bill is no more a part of a plan to establish socialized medicine than were the disability benefit provisions of the law, which the Congress wisely enacted in spite of the cries of wolf that were heard far and wide from AMA representatives.

To charge that H.R. 4222 represents socialized medicine or is the forerunner of socialized medicine or that it is in any way like socialized medicine is not only ridiculous but also irresponsible. Here are the facts. Under socialized medicine, doctors work for the Government and the Government owns the medical facilities and furnishes the services. The proposed program would not furnish any medical services but would only help people finance the costs of their health care. There are specific guarantees that the Government would in no way control, regulate, or interfere with the practice of medicine.

In an apparent attempt to win some adherents the AMA professes not to oppose social security. (Page 27.) They say that "the medical profession has not and does not oppose the principle of social security." It is hard to see anything but opposition to the principle of social security in the many statements made over the years by AMA presidents, by other spokesmen, and in editorials in the Journal of the AMA. Thus, for instance, it is hard to see anything but opposition to the principle of social security in such a statement as that made in 1939 by Dr. Morris Fishbein, published in the Journal of the AMA and referred to by Dr. Fishbein as made at the request of the AMA's Board of Trustees. In this statement Dr. Fishbein said "all forms of security, compulsory security, even against old age and unemployment, represent a beginning invasion by the States into the personal life of the individual, represent a taking away of individual responsibility, a weakening of national caliber, a definite step toward either communism or totalitarianism." But the AMA has certainly made clear on many occasions that its attitude is: If we have to have a social security program, let us do our best to restrict it to the barest "floor of protection" possible.

In the present statement the AMA spokesman takes us back to 1917 for a quote from Samuel Gompers. (Page 30.) The AMA calls "a wise and timely warning" the quotation indicating Samuel Gompers was opposed to "compulsory social insurance." Our present social security system is a compulsory social insurance system; the medical profession, the AMA says, does not oppose the principle of our social security system. Now where does that leave the AMA—is it with Mr. Gompers or not with him? It is characteristic of much of the AMA testimony that we find—as here—that they favor something on one page and are against it several pages later.

A highly significant indication of how the AMA regards the social security program is a statement by Dr. Annis that appears on page 3 of his testimony. Speaking of the aged, Dr. Annis warns that H.R. 4222 would place them in a broad category labeled: "These are people who can't take care of themselves. These are people who must be cared for by the Federal Government at the expense of the rest of the population." This statement clearly shows the AMA's attitude toward the whole social security program. The rest of the population of course understands that there is no stigma attached to social security benefits. There is no means test. Rich and poor are treated the same. If social security beneficiaries are labeled at all they are labeled as people who have taken care of themselves by having worked and having contributed to the program.

With reference to the AMA charge (page 29) that the Federal Government is seeking, through H.R. 4222, to encroach on individual freedom, let me make clear that this bill preserves individual freedom not only for physicians but also for hospital administrators, for nursing home proprietors and managers, for the aged who would benefit from this bill, and for the individual members of what we call the public. Moreover, my bill would make individual freedom a reality for many who, because they don't have the means to meet the cost of needed health care, cannot now enjoy their freedom in old age.

There is nothing in the bill that would in any way interfere with the established practices of providing health care. Health care would remain—as it is now—a matter determined by the patient, his physician, and the hospital or other provider of services. The Government would provide no care and offer no services; it would establish only the means of paying for the health care of the aged.

The medical profession would continue to be responsible for the quality of the care available to the people of the United States; the providers of service would still be responsible for determining what services they would make available. The process by which they would be paid for the services furnished would be much the same as that now used by Blue Cross and other large insurers of health service costs. The program would follow practices already well established and accepted by the hospitals in their relationships with Blue Cross, the States, and other Federal programs.

I gladly give credit to the medical profession for its great contribution to improvements in medicine and health care that today help us to live longer and more comfortable lives than ever before. Even though I believe that other groups should be mentioned for their significant contributions to this process, I would take no credit from the physicians of this country; they have my highest respect and my deepest gratitude. It is preposterous, however, to suggest that provisions that would enable our people to prepay, through the accepted social security system, some of the costs of the health care that they will need in old age might impede, or in some way interfere with, the efficiency of the medical profession. The physician in this country is a well-trained, highly skilled, humane expert in medical care. He does not, I believe, profess to be an expert in economics or insurance, though the AMA representatives pose as such experts. He does not look upon himself as a Solomon whose business is to advise people how they should go about paying their medical bills, though the AMA does. He does not always share the views of the AMA; however, because he may fear AMA sanctions he sometimes is constrained to ask, when writing to his Representative in the Congress, that his position favoring H.R. 4222 not be made public. This bill, let me repeat, has nothing to do with the practice of medicine; it simply affords a means for helping people to pay for the cost of certain medical services in old age.

Furthermore, this bill is, contrary to the AMA's charges (page 29) in keeping with the purpose of the social security system and with the basic principles of this system. While the insurance provided by social security has been in the form of monthly cash benefits there is nothing in the nature of this system or in its history that would make the payments provided under my bill inconsistent or incompatible with the objectives, the principles, and the philosophy of social security in this country. H.R. 4222 would provide for payments to be made to hospitals and certain other medical facilities—but not to physicians—for specified and limited medical services received by social security beneficiaries. The bill would authorize neither the Federal Government nor any other level of government to furnish health services to anybody. No one would be required to accept health services by reason of this bill—and the AMA persists in spreading the contrary impression. The charge that this bill is contrary to the principles of the social security system is not only false but also strange coming from the AMA—strange because available evidence indicates that the AMA knows little about the principles of the social insurance system and cares less.

The charge is also made that my bill is paternalistic—that it implements a "Government knows best" kind of thinking. (Page 30.) Nonsense. I am convinced that the people are capable of deciding how to spend their money and know how to do it without AMA advice. That is why they are for this bill. I am confident that the people know that my bill would give them valuable protection, and the correspondence that I have received indicates that they know better than the AMA what is good for them.

If the AMA seeks to substantiate its charges of impending Federal encroachment, it should in all fairness approach this task, however impossible, by dealing with the provisions of my bill rather than talking about what could happen under some other plan that has not been proposed, and talking about that other imaginary plan as if it were that proposed in my bill. Under H.R. 4222 the Federal Government could not "regiment doctors, nurses, patients, hospitals, nursing homes, and any other element of our health care system" and the AMA knows the Government could not, even though the AMA statement deftly leads one to infer the opposite. (Page 30.)

COMMENTS ON SECTION V—EFFECT OF BILL IMMEDIATELY AND POTENTIALLY ON THE QUALITY OF MEDICAL CARE

In section V of the statement, the AMA has said repeatedly that a Federal health insurance program "would lower the quality of medical care available to older people." According to the AMA, the program would do this by substituting a concern with costs for a concern with quality. The Government, in its search for methods to reconcile the need for care with the need for cost controls would "decide for the patient what services should be provided and by whom." (Page 33.) As a result, the AMA says, the Federal insurance program would produce a series of catastrophes: "The disruption of the doctor-patient relationship, delays in admissions to hospitals, time wasted in the overcrowded offices of doctors, the regimentation of medical practice," and impairment of medical research. (Page 32.)

In vain do we look for any concrete evidence, beyond bald unsupported statements about medical care in other countries, to corroborate the AMA's assertions, or for any consistent logic which demonstrates that a Government plan must have results which its counterparts outside of Government—Blue Cross for example—have not produced.

The facts of the case are quite different, and when carefully examined they demonstrate that the charges of "regimentation" and "deterioration of quality" are baseless. Under this bill, there is no compulsion imposed on any provider of service to participate in the program. The conditions of participation which are provided in the bill are based upon requirements formulated and recommended by professional bodies concerned with the quality of care. Freedom of choice of physician and hospital by patients is guaranteed. There are provisions designed to assist the physician in resisting pressures which may be exercised to secure unnecessary care; for example, the utilization committee. And the bill provides, through the Advisory Council, for the effective expression of all shades of opinion on the administration and future development of the program.

The AMA's argument, as developed in section V, is largely incoherent. An attempt is made to sneak in certain false premises and to then present a series of conclusions as if they were derived from sound premises and factual data.

The AMA asserts, for example, that a high quality of care can be obtained only when the needs of the patient are placed first, "and financing is placed second." (Page 33.) This truism is followed by the statement that at present medical care is aimed at "treatment of the illness." We are then exhorted to contrast this with a system under which "Government pays for care directly," because under this system emphasis is "shifted from quality to cost." (Page 33.) This extraordinary set of assertions is supposed to prove something. Yet, all that has actually been said is that quality care can be furnished only if we treat the patient and he pays for it. But if the cost is paid for through insurance we presumably stop "treatment of the illness."

We are treated elsewhere in this document to similarly empty statements; "under H.R. 4222—the dollar approach instead of the medical care approach is stressed." (Page 34.) Is not an insurance program supposed to deal with the financial aspects of care? Moreover, is it not possible to couple concern for costs with a concern for standards, as in fact H.R. 4222 does? But the AMA is not really interested in looking at the merits of the case, nor in being logically consistent, for it later predicts with horror that "Government would be preoccupied with efforts to regulate quality." (Page 36.)

COMMENTS ON SECTION VI—COST ESTIMATES FOR H.R. 4222

After admitting its lack of statistical and actuarial competence, the AMA proceeds to demonstrate another of its lacks—its ignorance of the provisions of my bill. The AMA apparently does not know that the social security tax increases being proposed by the administration would cover, in addition to the health insurance costs, the costs of higher benefits for workers who earn over $4,800 a year that would be paid because of the proposed increase in the social security earnings base from $4,800 to $5,200. In effect, the employee contribution for health insurance protection alone would be $16.90 a year at the maximum—as opposed to the AMA statement indicating that the cost would be $25.

I have asked Robert J. Myers, Chief Actuary of the Social Security Administration, to prepare a brief statement on the AMA's attempt to diagnose the financing of my bill. His statement appears in the record of the hearings on H.R. 4222, beginning on page 1469.

Memorandum dated August 3, 1961, is included in the RECORD immediately following these comments.

COMMENTS ON SECTION VII—EFFECT OF H.R. 4222 ON THE SOCIAL SECURITY SYSTEM

I believe my 19 years of experience as a Member of the House of Representatives and my years as a member of the Committee on Ways and Means make me somewhat of an expert in detecting the misleading statements about our social insurance system that are included in section VII of the AMA statement. The old-age, survivors, and disability insurance program is far too important to allow the attempts of the AMA to discredit it, to go unchallenged. I intend to challenge some of the misleading and erroneous statements that the AMA has made about the program.

The AMA testimony implies that the financial soundness of the old-age, survivors, and disability insurance program is open to question. This of course is not true. The program has operated successfully for 26 years and has proved to be an effective method of protecting the families of America against the poverty that would otherwise be the common result of the old age, disability, or death of the breadwinner. The Congress under both political parties has been careful to assure the soundness of the program. Whenever liberalizations have been adopted by the Congress, the Congress has made sure that there were adequate provisions for meeting the cost of those liberalizations. It is because the public has confidence in the intention of the Congress to keep the program sound that increases in the tax rates provided for have been accepted.

The AMA has tried to give the impression that the old-age, and survivors insurance program is not financially sound because it is not fully funded. (Page 52.) This is a complete misrepresentation of the nature of a social insurance program. In a compulsory Government program of social insurance it is not necessary to accumulate the full reserves that are needed in a private insurance company.

Compulsory social insurance is assured of continuing income. Thus, a social insurance program is financially sound if future income will support future disbursements. On this basis the system is in actuarial balance since it is expected, on the basis of the best available estimates, to have enough income from contributions based on the tax schedule now in the law and from interest earned on investments to support it now and over the long-range future.

The AMA says that if the Government suspended social security taxation the system would collapse. This is like saying that if a workman is never paid any more wages, he will not be able to meet his obligations. In other words, in assessing the financial soundness of the system the AMA considers only its future obligations and ignores its future income. Considered on this basis, not only the social security system, but the U.S. Government itself and practically every American family are financially "busted."

The basic soundness of this program has been reaffirmed on several occasions by distinguished groups which have made a careful examination of the financing of the program. Such a study was made in 1958 by the Advisory Council on Social Security Financing, which included, among others, outstanding economists, representatives of the insurance industry, and leading employers. The Council stated in its major findings:

> The Council finds that the present method of financing the old-age, survivors, and disability insurance program is sound, practical, and appropriate for the program. It is our judgment, based on the best available cost estimates, that the contribution schedule enacted into law in the last session of Congress makes adequate provision for financing the program on a sound actuarial basis.

The AMA has also criticized the social security program because present beneficiaries have not contributed enough to pay for the benefits they are getting. (Page 53.) There is nothing irregular or unsound about this situation. As a matter of fact, it reflects a wise and practical decision by the Congress to make the program effective for people who were already old when their jobs were first covered by social security. In the future, of course, when all covered workers have had an opportunity to contribute substantially to the program, retirement benefits will be paid only to people who have contributed for at least 10 years and full-rate benefits will be paid only to those who have contributed over their working lifetime.

In a social insurance program it is proper to give full protection to those who retire before they had the opportunity to contribute more than a small part of the value of the benefits they will receive. It is proper to insure that no one who, by acquiring the specified number of social security credits through his past work, has demonstrated that he was part of the covered labor force will be denied social security benefits. Indeed, the only alternative is to leave the urgent problems of dependency untouched for decades. And of course, the method of giving full protection at once to meet an existing problem is not peculiar to social insurance. Similar treatment is usually given under private pension plans to workers who are already nearing retirement when the plans are set up. The costs of doing so are generally borne by employer contributions, just as under social security the cost of full protection for people nearing retirement age at the beginning of the program can be thought of as being met from the employer tax.

The AMA says that extending health insurance protection to people now receiving old-age and survivors insurance benefits would junk the contributory principle inherent in the social security system. (Page 54.) I am glad to see that the AMA does admit that there is at least one good principle inherent in our social insurance system, but I must take issue with their allegation that H.R. 4222 would violate that principle. By extending protection immediately to the 14¼ million aged who will be eligible when the major provisions of the program become effective, the new health insurance program would follow the precedent established in 1939 and reaffirmed time and again through subsequent legislation. As the program has been expanded and improved over the years, immediate protection has been provided for people who had worked under the program in the past. For example, in 1957 when cash disability benefits were made available to people age 50 and over, those who were already disabled and who had had substantial work in covered employment in the past were able to get benefits immediately. They were not required to make a contribution to the disability insurance trust fund.

The AMA would have us believe that the old-age, survivors, and disability insurance program has been expanded beyond the role that was originally intended for it. (Page 53.) They would have us believe that its role is to provide a floor of protection, which the AMA equates with subsistence-level benefits. Whether old-age, survivors, and disability insurance is a floor depends on your definition of the term, but it is quite clear that there was never any intention to keep benefits paid under the program at subsistence levels or below. If we go back to the original bill that created the program in 1935 we find that the Committee on Ways and Means spoke of benefits "in amounts which will insure not merely subsistence but some of the comforts of life," and the Committee on Finance of the Senate spoke of benefits "which will provide something more than merely reasonable subsistence." Personally, I do not believe that the program has yet reached these fine goals. Present benefit levels, in my opinion, are far too low, not too high.

The AMA contends that use of the term "insurance" to refer to old-age, survivors, and disability insurance has misled the public as to the real nature of the program. (Page 51.) They would even invoke the sanction of the Supreme Court to support their position by implying that the Court has denied that the program is insurance. (Page 52.) If we look at the Court's opinion in the case the AMA has referred to, we find that, far from supporting the AMA contention, the Court has said:

> The social security system may be accurately described as a form of social insurance, enacted pursuant to Congress' power to spend money in aid of the general welfare.

It is the use of the insurance principles of sharing the cost and spreading the risk rather than the fact that a contract exists that makes a particular program "insurance." The old-age, survivors, and disability insurance program is income insurance. The risk insured against is loss of family income occasioned by the disability, old age, or death of the family breadwinner. Thus, although the right to benefits under the program is based on the provisions of the Social Security Act rather than on a contract, it is clearly an insurance system. The fact that rights under the program are statutory, not contractual, has been used by some critics to infer that social insurance is somehow inferior to private insurance. In reality, the fact that Congress can change the law is an advantage rather than a disadvantage. As we all know, the protection offered the American people under the old-age, survivors, and disability insurance program has grown with the growth and expansion of the American economy, and will continue to be adjusted to changing conditions.

The AMA goes on to imply that enactment of H.R. 4222 would create a tax load that future generations of workers would be unwilling or unable to bear. (Page 54.) There is no reason whatever to expect that this will happen. In the first place, coverage of the group now on the beneficiary rolls will have very little cost impact since the cost will be spread over future generations of workers as well as those now in the labor force. In fact, to exclude from protection under the bill all those now on the beneficiary rolls and all those who did not have a significant amount of covered employment after the time the proposed plan went into effect would reduce costs by only about 0.06 percent of covered payroll.

Another support offered by the AMA for its prediction that future generations will not be willing to pay their social security taxes is the statement, currently being circulated both by the AMA and by some people in the insurance industry, that younger workers are "subsidizing" with their social security taxes the payment of benefits for people who are now retired, and that these younger workers will not get their money's worth in protection for themselves and their families. Such statements are not correct. Even workers who will be covered by the program over a whole working lifetime and who will be paying contributions at the maximum rate, that is, the rate scheduled to go into effect in 1968, will be getting insurance protection whose value is at least equal to the value of their contributions. The reason this is possible relates to the fact that the employer contributions paid under the program are not earmarked for any particular employees or groups of

employees. Because of the availability of these employer contributions, the value of the protection received by those who become beneficiaries in the early years of the program can exceed the value of the protection received by those and the equal amounts paid by their employers without there being any overcharge of workers who are now young.

COMMENTS ON SECTION VIII—EFFECT OF H.R. 4222 ON PRIVATE, VOLUNTARY EFFORTS

The AMA here advances the preposterous argument that H.R. 4222 will damage or destroy such varied activities as community meals-on-wheels programs, construction of hospitals through philanthropic grants, community chest activities, and voluntary efforts to build chronic disease centers, retirement villages, church homes for the aged, and nursing homes.

It is true of course that if the bill is enacted, individuals and voluntary organizations will be relieved, to a large extent, of one burden they now carry: If the bill is enacted, many thousands of older Americans will no longer have to seek charity from voluntary organizations when they become ill. I know that both the charitable organizations and the aged will look upon this as a blessing. It is as absurd to argue that narrowing this area of need will be disastrous to voluntary charitable organizations as it is to argue that the discovery of penicillin has damaged the medical profession because people with infectious diseases now require less medical care, or to argue that the patient has been disadvantaged because penicillin has robbed him of the need to undergo intensive medical care over an extended period of time.

Just as the efficiencies of modern medicine have enabled physicians to devote more time and energy to the field of chronic illness and other fields that heretofore received too little attention, the enactment of my bill would enable charity organizations to devote their energies and resources to meet more completely the varied needs of the community. For example, voluntary hospitals, or nursing homes that are constantly in financial difficulty because they must accept older people who cannot pay for the care they receive would be relieved of this problem. The funds that are released would be available for improving the services these hospitals and nursing homes give to their patients; or the funds would be available to reduce the rates that now have to be charged to paying patients.

If H.R. 4222 is enacted, community chests and other large and small voluntary organizations that contribute to support hospitals and nursing homes will of course benefit in the same way. These organizations will then be able to devote more of their resources and energies to building retirement villages, meals-on-wheels programs, and a myriad of other needed services.

COMMENTS ON SECTION IX—WHAT THE MEDICAL PROFESSION IS DOING

The AMA has described in detail the efforts that many American doctors and medical organizations are voluntarily making to meet the health problems of older Americans. I was impressed primarily with the wide range of activities that physicians carry on in order to advance science, promote better public understanding of the problems of aging, and encourage better medical, public health and rehabilitation services for aged people. I think it is also important to point out, however, that the bill would not alter or in any way affect these activities of physicians.

I would like to add that whatever progress has been made in improving the medical and vocational services available to older people has been due not only to the efforts of physicians but also to the efforts of Americans in many different occupations who have joined in bringing to bear their energies, their different skills, and their money to common purposes. Also, it is fair to point out that the Federal Government has played an important and active part in these achievements.

The AMA rightly emphasizes that there still remains a great need for additional hospitals, nursing homes and other community health facilities. Enactment of the community health services and facilities bill—H.R. 4998 and S. 1097—would supplement the Hill-Burton program to make possible Federal support for the development of a balanced network of services throughout the land, including hospital, nonprofit nursing home, home nursing, and organized home care programs. H.R. 4222 would assist in this effort by enabling the aged to pay for the health care they receive. It is common knowledge that providing free care and below-cost care for the aged has placed a considerable financial strain on hospitals that has impeded improvements in hospital care. Obviously, the inability of aged people to pay for needed health care has also hampered the development of facilities designed to meet the health needs of old age. The current low level of care in nursing homes is a good example of the quality of the health care the aged now get through present financing arrangements. When provision is made so that the aged are able to finance the care they need, facilities will be constructed to provide that care.

The recent exposé in Baltimore of the deplorable conditions in homes licensed by the State health department to provide care for the aged is a striking case in point. I want to insert for the record an article from the Baltimore Sun for July 15, 1961, which describes the situation in some detail. Suffice it for me to say that Baltimore is not a unique city in this respect, and that the existence in great numbers of overcrowded, dilapidated, unsanitary nursing homes throughout the United States is a matter that ought to concern and disturb us all.

Article from the Baltimore Sun, July 15, 1961:

FIFTEEN IN CARE HOME FOUND UNDER LOCK—23 OF 27 IN ROSLYN AVENUE PLACE TAKEN TO CITY HOSPITALS

State health authorities closed a northwest Baltimore care home late yesterday after discovering 15 elderly patients were being kept behind a padlocked door on the third floor.

Miss Esther Lazarus, director of the city's Department of Public Welfare, said 27 patients were found in the house in the 2300 block of Roslyn Avenue although it had originally been licensed for only 11 persons.

Twenty-two patients—all welfare recipients—were transferred to the city hospitals on an emergency basis by a fleet of municipal ambulances.

SAYS PERMIT HAD EXPIRED

Miss Lazarus said she was told the home, operated by Mrs. Ethel Camphor, had been unlicensed since her State permit had reportedly expired last month.

The welfare director said State officials reported that the home's operator had told them the third floor was being used as her living quarters.

The discoveries were made when officials of the State Department of Health inspected the house preliminary to relicensing the premises, she continued. The Health Department is charged with regulating care and nursing homes.

When the inspectors arrived at the Roslyn Avenue house yesterday morning, Miss Lazarus related, Mrs. Camphor was not at home.

VOICES HEARD OVERHEAD

They found 12 men and women on the first two floors of the racially integrated home—one above the legal limit, she continued.

The attention of the inspectors was attracted to the third floor when voices were heard coming from the area, Miss Lazarus said.

When they ascended the stairs to the third floor, they found the door at the head of the staircase padlocked, it was stated.

No key was available, according to reports reaching the welfare director.

It was later learned that the group of patients were being housed here.

Mrs. Camphor did not return until about 2 p.m., Miss Lazarus said, and during the entire period, the patients were not fed.

Health officials decided to close down the premises and the welfare department made arrangements for its 22 clients to be taken to the City Hospitals Infirmary.

RELATIVES CALLED

The other five were taken away by hastily summoned relatives.

While the patients were considered ambulatory, some of them had to be carried into the waiting ambulances on litters and in chairs. Others were helped by policemen and ambulance attendants.

Their belongings, packed into paper sacks and cardboard boxes, were placed in the ambulances too.

Mrs. Camphor declined to make a public statement about the incident.

COMMENTS ON SECTION X—WELFARE PROGRAMS—PUBLIC AND PRIVATE

The tenor of this section is that the programs now providing assistance to some of the needy people who cannot meet the costs of their medical care have been ignored by the advocates of the social insurance approach; (page 65) that these programs represent a satisfactory method of dealing with the problems the aged have in meeting these costs; (pages 65 through 67) that setting up a health insurance program under social security would conflict with, and perhaps even destroy these programs, substituting for them an inferior one; and that the public has a greater voice in other programs than in a Federal one. None of these things is the case. (Pages 67 and 68.)

The supporters of my bill have not ignored the existence of public and private welfare programs that now help to

meet the costs of medical care of some of the needy aged. In the absence of a social insurance program these programs serve an essential function; and even when health insurance is added to social security they will continue to exist and perform an important function.

There is no conflict between these programs and health insurance under social security, just as there is now no conflict between old-age assistance and old-age and survivors insurance. In fact the effectiveness of old-age and survivors insurance in preventing poverty among the aged has enabled public and private welfare programs to deal much more adequately with the declining residual need than would have been possible if the welfare programs were mistakenly relied upon to do the whole job. Similarly, when hospital insurance for the aged is added to the social insurance program, the Federal-State assistance programs and the other public and private welfare programs mentioned in the statement of the AMA (pages 65 and 66), will be able to meet the cost of residual medical needs much more adequately than they are able to meet these needs at present.

The AMA speaks of "fixing a master-pattern of health services for the aged throughout the entire Nation" as if this were a bad thing. (Page 68.) I do not believe that it is a bad thing to provide basic protection against hospital costs for the aged person no matter where he lives. This is what my bill would do. What we have at present is a situation where a person in Massachusetts or New York who needs hospital care for a given condition and for a given period of time can get assistance while a person in Kentucky, Tennessee, or Mississippi with exactly the same need cannot get assistance. This may seem a desirable situation to the AMA because it reflects the income and resources of the States but it does not seem so to the residents of Kentucky, Tennessee, and Mississippi who need the care but cannot pay for it. A Federal program can reflect fully the needs of local communities through local offices, consultation with the States, and use of State officials to perform appropriate parts of the administration of the program. Under H.R. 4222 all these things would be done. One of the advantages of the Federal program is that it would not be bound by the limited resources of the low-income States.

The AMA makes much of the idea that State and local assistance programs "represent the natural development and the natural implementation of the community's responsibility for its members." (Page 67.) The implication must be that in some way a national social insurance program like we have today is unnatural. How the AMA reaches this conclusion is beyond me. It is natural and highly desirable that the mind of man devise better solutions to his problems as time goes on. There is practically universal agreement that so far as income maintenance is concerned social insurance is the preferred approach over public assistance; surely it was natural, then, to turn to the insurance approach. So, too, it is quite natural for our people to prefer social insurance against the costs of medical care in old age to the inferior method of assistance, which requires people to exhaust their resources and declare themselves unable to meet their own needs before they can get help.

The AMA says it has no desire to "pauperize" the aged. (Page 65.) Of course it does not desire to do so and would not do so. Nevertheless, the end result of the program it advocates would be that many older people would be pauperized. Any program relying on a means test—any program that, as the AMA advocates, helps only those who establish inability to care for themselves—is by definition a program that requires older people to exhaust their resources before they can get help. If exhaustion of resources is not pauperizing people, what is it?

The AMA makes the preposterous suggestion that the only reason why people prefer insurance to assistance is "propaganda for the Federal approach." (Page 67.) I find it hard to deal with this suggestion seriously. Does the AMA really believe that the only reason why people do not want to subject themselves to an examination of their and their children's income, resources and other personal circumstances—that the only reason why they do not want to declare themselves incapable of meeting their own needs—is that they have been propagandized into this attitude? Of course the AMA does not believe this. The fact of the matter is that a means test approach to any problem requires the division of people into two groups—one labeled "successful" and the other "unsuccessful." It is innately distasteful to any man who has supported himself and his family throughout his entire working life to have to come, hat in hand, to the welfare agency in his old age and say: "I have failed. I cannot pay my bills. Please give me help." This is the reason why the American people overwhelmingly prefer the insurance approach, and why the present complex of assistance programs, helpful and necessary as it may be, is not a satisfactory approach to the problem.

The provision of health insurance benefits at age 65 is attacked by the AMA because it might encourage people to defer treatment until age 65. (Page 67.) Social insurance proponents do not argue that the protection provided under the program will cover all problems. Because it does not try to cover all problems, social insurance can concentrate on the problems of the aged, among whom the need for protection is most acute. But is the AMA concerned because medical assistance for the aged and old-age assistance are available only after 65, and is it concerned because such help as the States offer to persons below age 65, for whom there are no Federal grant-in-aid programs, is even more woefully inadequate than the help offered to the aged?

COMMENTS ON SECTION XI—ADVANCEMENTS OF PRIVATE INSURANCE AND PREPAYMENT MECHANISMS

In the AMA statement, the supporters of H.R. 4222 are accused of being opposed to the development of private health insurance for the aged. (Pages 73 and 74.) Nothing could be further from the truth. And the allegation—presumably attributed to me and to the supporters of my bill—that 49 million people cannot afford health insurance is something I never head of before. (Page 73.) I accept the AMA's proof that this allegation, which I presume was originated by the AMA, has no base. I have watched with interest the growth of health insurance for the younger population and hoped that their coverage would be paralleled by comparable coverage for the aged, which would have helped solve their health care cost problems. However, this has not occurred—less than 50 percent of the aged have any kind of insurance and much of it is completely inadequate for their health care needs.

Now, it should be made clear that I do not criticize the Blue Cross plans nor the insurance companies for this. On the other hand, I applaud their commendable efforts and ingenuity and I admire, along with the AMA, the noteworthy recent efforts of the Connecticut insurance companies and the Pennsylvania Medical Society to provide adequate insurance for the aged.

The AMA statement completely avoids any discussion of the underlying problems which have prevented the provision of adequate health protection to the aged. These problems were outlined by Dr. Basil C. MacLean, recently retired president of the Blue Cross Association—the organization which has, let me point out, done most to meet the insurance needs of the aged—who said:

> A lifetime's experience has led me at last to conclude that the costs of care of the aged cannot be met, unaided, by the mechanisms of insurance or prepayment as they exirt today. The aged simply cannot afford to buy from any of these the scope of care that is required, nor do the stern competitive realities permit any carrier, whether nonprofit or commercial, to provide benefits which are adequate at a price which is feasible for any but a small proportion of the aged.

The difficulties mentioned here are obvious when we realize that the total health care expenses of an average aged person amount to one-fourth or one-fifth of his income. Private and nonprofit health insurance carriers are struggling with the dilemma of providing adequate insurance for the aged without passing the heavy financial burden to their younger subscribers or charging higher rates for the aged than they can afford to pay. The dilemma has not been solved. It is certainly not solved by selling insurance with inadequate benefits.

The AMA, after "adjusting" the figure on aged people without health insurance to take out the people on public assistance, proudly announces that "We can safely conclude that 70 percent of the aged who are in the market for voluntary insurance now have it." (Page 70.) Since illness and high-health-care costs are major reasons for applying for assistance and many of these people would not be on assistance if they had health insurance, it is remarkable that the AMA chooses to count those on assistance as "not in the market." They, like all the

low-and-moderate-income aged, are "not in the market" for adequate commercial insurance in the same sense that they are not in the market for automobiles—they cannot afford them. This kind of measurement is appropriate for market research purposes but not for the purpose of determining the need for health insurance for the aged.

Furthermore, it is not enough to provide figures on how many aged persons are covered; it is important to note the characteristics of people who do not have insurance, a subject which the AMA statement avoids. According to the National Health Survey, in 1959 health insurance coverage was carried by only 33 percent of the aged in families with less than $2,000 yearly income, by only 42 percent of the retired aged, and by only 30 percent of the aged unable to work or keep house due to chronic conditions. Thus, extension of insurance coverage to the aged who are not insured becomes increasingly difficult to achieve because they are more likely to be persons in the low-income and poor health-risk groups who cannot afford insurance and are poor prospects from a commercial insurance point of view.

In view of these facts, I am not impressed with the AMA figures on the number of insurance plans offering health insurance to the aged or on the number of workers with insurance that could continue into retirement. (Page 71.) It would be more significant if the AMA would provide data on the premium costs of adequate insurance for the aged and the number of aged persons who could afford to pay these costs.

I have several times referred to the inadequacy of insurance for the aged, a subject on which the AMA statement does not provide the facts, and I would like to offer some specific information about this matter. The Department of Health, Education, and Welfare has provided me with the following information which is based on the Health Insurance Institute's 1960 report on "Health Insurance Plans and Policies of Insurance Companies Available to Americans 65 Years of Age and Older."

A. INDIVIDUAL AND FAMILY HOSPITAL-SURGICAL EXPENSE PLANS GUARANTEED RENEWABLE FOR LIFE

Many such policies are offered, all requiring applicant to be of normal health. Examples are:

Company	Daily room and board payments	Maximum days covered	Miscellaneous extras	Maximum surgical schedule	Annual premium at age 65 (men)
The Travelers Insurance Co.	$16	50	Up to $100 for 5-day stay or more	$200	$86.52
	15	50	Up to $150 for 5-day stay or more.	300	118.67
Aetna Life Insurance Co.	10	60	$100	100	92.96
Metropolitan Life Insurance Co.	10	31	$50	200	80.67
	15	31	$75	300	121.00
Prudential Insurance Co.	8	35	$60	250	73.92
	16	35	$120	250	122.66

B. SENIOR CITIZENS HOSPITAL-SURGICAL GROUP PLANS

These are open for membership on a statewide basis during periodic enrollment periods. All have a 6-month waiting period for preexisting conditions, but no limitations because of physical condition. They can be canceled and premiums can be adjusted only on a statewide basis.

	Daily room and board	Maximum days covered	Miscellaneous extras	Maximum surgical schedule	Annual premium at age 65
65-plus plan, Continental Casualty	Up to $10 a day	31	Up to $100	$200	[illegible]
65 plan, Fireman's Fund Insurance Group	do	31	do	$200	[illegible]
Senior security plan, Mutual of Omaha	do	60	80 percent of charges above $100 to $1,000 maximum.	$225	$102

It is instructive to compare the premiums of the policies with broader coverage—though all are quite limited—to the median income of an aged person, namely, about $1,000. Such policies do not provide payment for nursing home care, home health services, outpatient diagnostic procedures, physician home and office visits, drugs, dental care nor eyeglasses; the payments provided for hospital room and board are far below the usual charges to the patient, and those for miscellaneous extras would rarely cover all the charges for operating room, recovery room, laboratory, and special diagnostic services; but the premiums run as high as $122 for an individual, which would amount to over 12 percent of income for aged persons with average income.

Even Blue Cross often does not provide coverage for some of the aged subscribers equal to that which it offers to the younger members. Senior certificates typically provide for no more than 31 days of hospital benefits and many provide limited allowances—$7 to $10 a day—toward the cost of room and board, or provide for a deductible or for coinsurance. In most cases there is an exclusion or limitation on hospitalization coverage for preexisting conditions.

The AMA statement says that the passage of H.R. 4222 "would unquestionably undermine private health insurance." I think the AMA is unquestionably wrong on this point. The proposed health insurance benefits would not cover the younger group who number nine-tenths of the population; nor would they cover all the health care costs of the aged. Many aged persons will want to buy insurance protection against the costs of drugs, medical appliances, and physicians' services and will in fact be encouraged to do so by reason of having the basic coverage of health service costs under the bill.

In a speech before the last annual meeting of the Health Insurance Association, Frederic M. Peirce, president of General American Life, although opposed to the administration's bill, stated that such a program would not end private health insurance. He pointed to the growth of life insurance since enactment of the Social Security Act, and went on to say, "It is a record which provides a fitting analogy and a sound precedent upon which to base the expectation that the health insurance business will continue to grow and prosper despite the advent of Government-provided health insurance, if that unwelcome development should come to pass." Many other spokesmen for commercial health insurance agree with Mr. Peirce. Why should the allegations of the AMA then, that health insurance would be undermined, be given credence?

I was amused by the AMA's fumbling attempt to discredit a statement taken, out of context, from a report submitted to the Committee on Ways and Means by the Department of Health, Education, and Welfare in 1959. The statement excerpted from the report is:

> Relatively few—14 percent of the couples and 9 percent of the nonmarried beneficiaries—had any of their [total medical care] expenses covered by insurance. (Page 73.)

The AMA would have us believe that the small proportion of the aged with medical expenses covered by insurance is proof that the aged are healthy. This must be the case, they imply, since "one must use medical care to receive a health insurance benefit." (Page 74.) This is a fantastic extreme of misinterpretation. The part of the report from which the AMA lifted its quote had reference to "beneficiary groups incurring medical costs." The report brought out that of those incurring costs relatively few had any of their costs covered by insurance. Far from saying that few of the aged received medical care or had medical expenses, the report brought out that actually only 3 percent of the aged couple beneficiaries and only 8 percent of the nonmarried aged beneficiaries in the survey had no medical expenses during the survey year.

The AMA statement places much emphasis on the multiplicity of plans and "the wide variety of choice in the selection of a health plan." (Page 74.) Let me point out that, with the small incomes of aged people, choice is limited to what can be afforded. The services covered under the bill are basic ones. With the coverage of these basic costs, then aged people will really be able to choose among the additional benefits available under private health insurance.

COMMENTS ON SECTION XII—KERR-MILLS IMPLEMENTATION AND REASONS WHY WE PREFER THIS APPROACH

The AMA makes the point that doctors have given freely of themselves and of their skills to the needy without recompense. (Page 76.) The association also states that they have worked toward the provision of high quality care for the needy. I, for one, would not want to question these statements. I have no doubt that doctors have done both of these things, and done them to the very best of their capacities and abilities.

However, I do question that these worthy actions support the conclusion that the medical-assistance-for-the-aged program provides the most effective answer to the problem that exists. The problem is that so many of the aged cannot afford the expenses of proper medical care, and lacking the means, many do not seek the necessary care. As long as the method the AMA supports is that of giving help to those who must prove their financial need, there is going to be a strong deterrent to seeking timely medical care. I am not going to say that a pauperized person will be refused medical attention when he finally seeks it or that a doctor will intentionally give perfunctory treatment to such a person. But this is a far cry from a system of prepaid medical care where a person feels free to seek services at the time the need first shows itself; free of the strong deterrent of having to subject himself and his family to the scrutinies and personal investigations into the details of life—examinations into how and what they buy and how their children live and spend their money, and often even investigations at their homes to determine whether their statements should not be questioned.

Then, let us not overlook the fact that whether a person qualifies under medical assistance for the aged depends upon whether he meets the State definition of "need." In other words what a person can get under medical assistance for the aged depends upon what the State sets as the requirements of "'medical indigence," and what, even after the person meets these requirements, the State can afford to provide for him in the way of medical services. The whole point is that one does not know what, if anything, will be done. Some States will be in a position to do very little and then for only those who have very little. I do not see how this kind of program can match a system of prepayment for assured protection against the costs of specified types of services.

The AMA obviously fails to see the distinction in approach between an individual needs test and the provision of health benefits under the old-age, survivors, and disability insurance program. It claims that the old-age, survivors, and disability insurance approach automatically labels all those over age 65 as "medically indigent" and is therefore demeaning of the whole group. (Page 83.) By making this comparison I think the AMA has clearly demonstrated that it does not understand how requiring a person to seek assistance as one who cannot meet his expenses differs from claiming a benefit of a planned contributory program made available to all members of the group without loss of dignity to any member.

This point is not one that lends itself to parrying with words—it is a point where we are dealing with human feelings and we must accept the facts. The plain fact is that the old-age, survivors, and disability insurance program does result in people retaining their dignity—the means test does not have that strength. The plain fact is that old-age, survivors, and disability insurance has been accepted as the preferred approach.

The AMA admits that the medical-assistance-for-the-aged programs "have not yet been fully implemented," and offers as an explanation the "laudable fiscal caution" exercised by States that have established limited programs because of a lack of information on the cost of such programs. (Pages 79 and 80.) The misinformation of the AMA's hard-sell advertisement, published in a large number of newspapers on April 19, 1961, which said about the Kerr-Mills program of medical assistance for the aged, "it is now being put into operation in 46 States"—actually, even as of mid-August only 14 States had programs in effect—has now been replaced by a newer soft-sell approach—one presenting somewhat less in the way of outright misinformation. However, it is common knowledge that the reason that so many States have no programs is not because of some abstract laudable fiscal caution but because State and local taxes in many parts of the country have reached the outer limits of practicability and painful searches for new tax sources have met with frustration. It is not surprising that States, wishing to compete with their neighbors for new business, are unable—not that they are unwilling—to embark on a brand new welfare program when in State after State existing State and local services are starved for adequate support.

In explaining why States without any medical-assistance-for-the-aged program have not acted, the AMA statement refers to a "campaign of active disparagement of medical assistance for the aged, hampering its implementation. The very people who support H.R. 4222 have been most active in this campaign." (Page 80.) It is strange that laudable fiscal caution is used to explain the severe limitation found in some of the handful of existing medical-assistance-for-the-aged programs but not to explain why the majority of States have taken no action. In any case, I will take this opportunity to point out that I as well as the other advocates of H.R. 4222 have for many years worked hard to bring adequate public assistance to the needy aged. I might add that organized medicine did nothing to help to create the assistance programs, including the vendor payment program for medical care under old-age assistance. I also know the California Medical Association opposed the start of the vendor payment program under old-age assistance there, and called the program socialized medicine, until it seemed good tactics to support public assistance as part of an attempt to defeat what they feel is a greater evil—the King bill. I am delighted at the AMA's change of heart and their support of medical assistance for the aged, in spite of their motives. I am disgusted, however, at their allegations that people who have always supported public assistance have changed their minds. I believe that medical assistance for the aged and H.R. 4222 are both necessary, as do all the supporters of H.R. 4222 I am acquainted with. Thus, nothing could be farther from the truth than the impression given by the AMA that those recommending enactment of H.R. 4222 are in favor of destroying the medical-assistance-for-the-aged programs. (Page 79.) H.R. 4222 and medical assistance for the aged are not alternatives, as the AMA suggests, any more than the existing public assistance and social insurance programs are alternatives.

One of the most startling contradictions in the entire AMA testimony appears on page 79 of the statement. Previously, the AMA has declared that its official policy is to give full support to the Kerr-Mills program and the passage of State legislation to put that program into effect. (Page 77.) Now, two pages later, we are astonished to find the AMA saying: "Most important, it must be realized that in the opinion of some States the law is not required and thus they have wisely not implemented it." Is this the way that the AMA gives full support to the development of the Kerr-Mills program? Is the AMA now suggesting that in some of the States without such a program older persons should not even have help through the Kerr-Mills legislation? Or that in some States no aged persons outside of those receiving old-age assistance have a problem of meeting health care costs? One must wonder whether the AMA really is sincere in its professed support of the Kerr-Mills legislation or is merely using that legislation to attempt to confuse the issue and thus delay enactment of H.R. 4222.

One reason the AMA gives for the lack of State action to implement medical-assistance-for-the-aged programs is that:

> Some State legislatures * * * have been reluctant to devote State funds to medical assistance for the aged on the grounds that it might be superseded [by H.R. 4222.] (Page 80.)

It should be obvious that there is a need for medical assistance for the aged that is separate and apart from the need for H.R. 4222. If such were not the case, the States might be expected to abandon cash payments under their existing public assistance programs because of the existing OASDI program. On the contrary, at least one State, West Virginia, adopted a fuller medical-assistance-for-the-aged program—as a temporary expedient in anticipation of Federal health insurance legislation—than it really could afford to carry on a continuing basis, counting on passage of the insurance program to reduce the assistance program to manageable proportions. It

is not unlikely that the expectation that H.R. 4222 will be enacted has led some other States to go further than they will be able to finance if H.R. 4222 is not enacted. If H.R. 4222 is not enacted, these States may well have to cut back on medical assistance for the aged.

It is the AMA, not the sponsors of H.R. 4222, who are the Johnny-come-latelies in supporting medical assistance. The sponsors of H.R. 4222 recognize that the medical-assistance-for-the-aged plans will do a more effective job if they have the basic provisions of H.R. 4222 on which to build. Freed from the terrible financial burden of coping with the whole problem through public assistance, the States will be able to concentrate on supplementing the basic plan to take care of special needs where such are found to exist. While the AMA does not understand why State revenues are overburdened and why social security financing is practical, any of us who know of the practical limits to sources of State revenues understand the impossible choices faced by the States in allocating available funds which fall far short of meeting the total needs for education, mental hospitals, highways, assistance to the indigent aged, and now medical assistance to the medically indigent aged. (Page 81.) The full programs the medical-assistance-for-the-aged legislation is capable of producing would cost the State at least three times the $137 million the States paid toward vendor payments for medical care under old-age assistance in fiscal year 1960 even if they continue to exercise what the AMA calls laudable fiscal caution. Obviously, the hard-pressed States will be able to meet the needs of the medically indigent aged only after the biggest part of the job is done through social insurance. Even the present cautious steps taken by some States will prove too much for a great many States, particularly the ones with lowest income, to take. In evaluating the potential of the medical-assistance-for-the-aged programs, it should also be borne in mind that future new tax money that may become available in the States for welfare programs will not necesarily be channeled into medical assistance for the aged. Other unmet welfare needs may often have higher priority. Even the long-established cash old-age assistance programs of a number of States do not cover what the States themselves have determined to be the recipients' needs. In a survey of 49 States conducted for the 1960 Advisory Council on Public Assistance, it was found that the old-age assistance payments made by 36 States failed to meet the State's own standards of needs for the aged on the rolls, and these standards are in many cases very low. The assistance payments made under the State's aid-to-dependent-children programs were reported to fall much shorter of need than those for the aged.

The AMA speaks of past improvements in medical assistance for the aged and predicts further improvements. (Page 79.) Yet it does not tell of the experience of West Virginia, which I have mentioned above, where the State was not able to sustain its original program because a program such as H.R. 4222 was not enacted. To assure that with their limited resources States will provide truly adequate medical assistance to the aged who need it, the primary role in financing basic health care for the aged must be assigned to social security.

COMMENTS ON THE SUMMARY

The AMA concludes its statement with a reiteration of many of the irrelevancies and gross misrepresentations that I have already commented on—ranging from the untenable contention that the aged are in "reasonably" good financial circumstances to a statement that the problem the aged have in financing medical care can only be solved by some undefined "adjustment by society."

In appraising the accusations made by the AMA concerning the loss of freedom they predict will occur if H.R. 4222 is enacted, I believe we should also inquire into the view of life that produced their statements. The fact is that the representatives of organized medicine have become quite isolated from the general stream of American thinking and the desires and aspirations of the American people. Listen to Dr. Garland, who testified before this committee on behalf of the American College of Radiology, when he equates work as an employee with slavery: "Most radiologists," he says, "desire to be free, not employees of hospitals." I believe that the great majority of American workers would not accept this equation of slavery and work as an employee. I am certain that this and similar pronouncements lead Americans to rightfully feel that when organized medicine speaks from its lofty position on matters not related to health services, it does not speak for the American people. I believe—and I am sure that the American people will agree—that the AMA has a view alien to that of the majority when it tells us that everyone gets the health care he needs; that there is no humiliation or loss of dignity when an individual applies for charity; and that the aged are financially well off. Also, the AMA does not speak for the American people when it urges that a plan that would enable the American people to pay for their health care in old age should be dismissed because the aged can get charity. Such statements do not reflect the experiences of the American people or their desire to remain free and independent—free even if they have been wage earners. Americans want to be able to make provisions against the costs of the health care they will need when they become old. They do not want to rely on charity.

MEMORANDUM

AUGUST 3, 1961.

ROBERT J. MYERS

Subject: Comments on cost estimates section of statement of American Medical Association on H.R. 4222.

This memorandum will present certain factual comments on "Section VI: Cost Estimates for H.R. 4222," in the statement of the American Medical Association before the House Ways and Means Committee on H.R. 4222 on August 2.

In the fifth full paragraph on page 43, there is the criticism that, as late as July, we were still developing the cost estimates for each of the separate four types of benefits even though the total cost estimate had long ago been established. There is the implication that we decided in advance what the cost would be and then tried to figure out how to arrive at this figure by adjusting the cost estimates for each of the components. This is not the case. In actual fact, there was no change in the original estimate for the hospitalization benefits that was developed in early 1961. The only question was the early-year costs for the three minor benefits. Because of the limited facilities initially available to provide these minor benefits and therefore the resulting low-early-year costs, it was certain that any revisions of estimates therefor would have little effect on the total estimate. Thus, as shown on page 16 in Actuarial Study No. 52, the three minor benefits amount to less than 5 percent of the total first-year cost—as was also the case in the original estimates, although the distribution by type of benefit was considerably different.

In the last paragraph on page 44, it is pointed out that in the estimates of the first-year costs, the proportion of the total expenditures for the nursing-home benefit is relatively small, being only $25 million, or less than 2½ percent of total disbursements—all this being despite the argument that these nursing-home benefits are provided to promote the economical use of hospital facilities. The statement does not take into account the long-range cost estimates, under which the nursing-home benefits account for 12 percent of the total cost (since in these estimates it is assumed that there will be increasing availability of such nursing-home facilities).

In the third full paragraph on page 45, it is stated that we have estimated the cost of nursing-home benefits for the first year of operation as somewhere between $25 and $255 million. The source from which these figures were taken (namely, the Wall Street Journal article) did not adequately understand the significance of the upper figure, which, in essence, was developed under high-cost assumptions for what the situation would be currently if the program had been in effect for many years and if adequate acceptable facilities had been developed. As indicated previously, the higher potential costs that may result from the development of adequate facilities are recognized in the long-range cost estimates.

In the last paragraph on page 45, there are given figures (which are considerably higher than those quoted above) for general nursing-home benefits. It should be clearly recognized that the latter figures are for general custodial care and do not relate to the skilled-nursing-home-care benefits provided under the bill for persons transferred from a hospital for continued treatment of the conditions for which the individuals were hospitalized.

In the last paragraph on page 46, it is stated that our cost estimates allow for nursing-home benefits to be less than 3 percent of the total benefit cost. As I indicated previously, this is only for the first year of operation, and a much higher proportion of the cost is represented by the nursing-home benefits over the long run.

In the third full paragraph on page 47, there is presented an often-used argument that the actual cost of the British National Health Service in the first year of operation was nearly 3 times what it had been estimated to cost. The facts of the situation are as follows. The original estimate for the net cost to the Government was made in 1942 (£110 million). The actual experience for the first full fiscal year of operation (April 1949 to March 1950) was

£305 million. The latter figure, however, is not comparable with the original estimate for a number of reasons—changes in the size of the population protected; changes in the price level; and the inclusion of certain features in the final plan that were not contemplated initially (such as dental and ophthalmic services and the provision of a staff retirement plan). Also, it may be noted that although the cost of the national health service in terms of pounds rose by almost 70 percent in the first decade of operation, the real increase—after account is taken of rises in the price level and in the population—was only about 5 to 10 percent. Furthermore, if the costs are expressed in terms of gross national product, they have been stable over the entire decade (at a little less than 4 percent).

In the third paragraph on page 48, it is pointed out that the cost of the health benefits will rise over the years as the beneficiary roll grows. For one thing, partially offsetting this trend is the estimated growth in the covered population paying contributions to support the system. More important, however, is the fact that the financing arrangements of the bill recognize this trend in the number of beneficiaries, since the proposal is financed on a level basis that is considerably in excess of the anticipated early-year costs. As a minor point, this paragraph contains two factual errors. It is stated that the beneficiary roll increases by 300,000 aged persons per year, whereas the correct figure is about 700,000. Also, it is stated that in 1970 there will be 20 million persons aged 65 and over who will be entitled to the health benefits; actually, this figure represents the total aged population of the country at that time, whereas it is estimated that the total eligibles will number only 18 million.

In the last two paragraphs on page 48, general criticism of our cost estimates is made—namely, to the effect that they have generally been too low. I do not believe that this is the case since there are a number of instances when costs have been overestimated, as well as cases where they have been underestimated. This is particularly true when costs are considered relative to taxable payroll rather than in dollars; the former comparison is the more significant one since the financing of the program is based on a percentage tax rate. An example is given in the statement with the intention of proving the gross understatement in the cost estimates. This allegation is worthy of considerable analysis.

The statement points out that one of our studies, made in 1958, gives an intermediate-cost estimate for the disability insurance program of $548 million in benefit expenditures in 1965—as against actual 1960 disbursements of $568 million. It would indeed be a serious situation if the actual figure for 1960 were already larger than the intermediate estimate for 1965. Such is not the case, however, because the two figures cited are not comparable.

The 1965 estimate is taken from Actuarial Study No. 48 and relates to the 1956 act. On the other hand, the actual 1960 figure represents the resulting experience after the liberalizations in the 1958 act—provision of dependents benefits; liberalization of insured-status provisions; elimination of the provision providing for offsetting of other Federal disability benefits and State workmen's compensation benefits; and general 7-percent increase in the benefit level (and also for December 1960, the effect of eliminating the age-50 requirement). The effect of the addition of dependents benefits can readily be eliminated from the actual 1960 experience; $79 million was paid in such benefits, leaving $489 million payable in benefits to disabled workers. The combined effect of the 7 percent benefit increase, the liberalized insured-status provisions, and the elimination of the offset provision is a relative increase in cost of about 25 percent. Thus, the original estimate of $548 million for 1965 should be increased by 25 percent to $685 million, before it is compared with the 1960 figure of $489 million in benefits for disabled workers (i.e., exclusive of dependents benefits).

The original estimate for 1960 (shown in table 15 of Actuarial Study No. 48) was $350 million for the intermediate-cost estimate. When this figure is adjusted upward by 25 percent to reflect the liberalizations in the 1958 amendments, it becomes $438 million. Thus, the actual benefit experience of $489 million was about 10 percent above the original estimate. Even this does not take into account the fact that the original estimate was based on 1956 earnings levels, while the actual benefits paid resulted from the higher earnings that arose. These higher earnings also resulted in higher contribution income in 1960 than was originally estimated—namely, an actual figure of $1,010 million, as against the original estimate of about $925 million. In other words, about $85 million more in income was received than initially estimated, versus about $50 million more in actual benefit payments than originally estimated (after adjustment for changes in the law in 1958).

INCENTIVES OFFERED BY THE PATENT SYSTEM TO INDIVIDUAL INVENTORS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Indiana [Mr. ROUDEBUSH] is recognized for 30 minutes.

Mr. ROUDEBUSH. Mr. Speaker, in my previous remarks on the contributions of the American patent system, I have stressed the incentive which it provides to those creative individuals upon whom our industrial progress depends. I have also emphasized the contribution of the patent system to our store of scientific knowledge through the disclosure of new concepts that might otherwise be developed and kept secret for as long a time as possible.

Undoubtedly, in the absence of a patent system, many industries would conduct some research on a secret basis. In addition to slowing the pace of activity, this would impede the cross-fertilization between competing research efforts. The availability of published patents serves as a major stimulant to research activity.

In 1939, the Temporary National Economic Committee conducted hearings on the patent system. Dr. Frank B. Jewett, while president of the Bell Telephone Laboratories, appeared before this committee. Mr. Speaker, I wish to insert portions of Dr. Jewett's testimony at this point in my remarks:

Now just what was it that the English Parliament sought to do when they established the first British patent system, and what was the situation which they were trying to correct? The thing they were trying to correct was to break down the walls of secrecy, by which process new ideas were kept secret by those who thought of them, and operated in their own behalf, and the reason they wanted to break it down was because any scheme of secrecy as a means of control is necessarily a limited and small thing. You can't have things secret if you have too many people involved in them. You just can't keep it a secret. And Parliament felt in the interests of the nation as a whole, that anything that could be done to break down the walls of secrecy was a good thing.

The other thing that they were attempting to do was to act in behalf of the nation as a whole. They wanted to stimulate invention, they wanted to stimulate new ideas, new manufacture, new products, but they wanted to do it for the benefit of the nation. They weren't thinking particularly of the individual himself, but they could only do it through the individual, and what they did was to offer what was in effect a bribe to the individual by being willing to agree in advance and to pledge the faith of the nation to inventors unknown, even unborn, that if they would do certain things, the nation pledged itself to do certain other things. And that certain other thing which they did was this: What they demanded of the inventor was that he publish forthwith and fully his invention; in other words, that he break down the walls of secrecy and give all and sundry notice of what it was he had done, and in turn for that and on behalf of the interests of the state, the state agreed to constitute his new thing, his brain child, as real property endowed with all the attributes of real property, principal among which was the right to exclude others from its use for a limited period of time, after which it became public property.

The Bell System is a regulated monopoly, and it is not concerned with excluding others from participation in the telephone field. Yet its concern with patents is very great as was set forth by Dr. Jewett during his testimony. Mr. Speaker, I wish to insert additional excerpts from Dr. Jewett's statement at this point in my remarks:

I don't think that if you were to abolish the patent system tomorrow, or if you were to greatly circumscribe it by its fundamentals in some way—I am not talking about procedural methods—that it would make one iota of difference to the Bell System with regard to the work it did itself for the development of communication, because we do not do work for the sake of taking out patents.

Now, that isn't saying, however, that we and the public we serve would not suffer immeasurably by that, because what would happen? We would be deprived; we don't have to fear other people's using our stuff, we are a natural monopoly, we don't care, let them use it if they want to. But what we do want is to have the opportunity to get as many ideas as we can from the outside and pay for them, and anything which tended to dry up the flow of ideas from the outside, which we had the opportunity to buy or be licensed under, or what not, would tend to circumscribe and shrink down the kind of thing which we do.

In modern times, many inventions and developments are the product of group efforts by scientists and engineers employed in private industry, colleges and universities, research foundations, and of course by the Federal Government itself. Some individuals may believe that this concentrated effort has replaced the individual inventor and that his contribution today is of minimum importance. Nothing, however, could be further from the truth as already indicated by Dr. Jewett's statement.

Another witness appearing before the Temporary National Economic Committee during its consideration of patents in 1938 was one of America's outstanding

inventors, the late Charles F. Kettering. He was then vice president in charge of research for the General Motors Corp. Mr. Kettering was asked the following question:

There was some testimony yesterday to the effect that practically all of the valuable and worthwhile inventions came from the industrial laboratory and very few from the outside. Do you coincide with that?

Mr. Kettering replied:

Oh, no; there are a lot of very brilliant people outside of industry. We say we don't lock our laboratories up for the reason that we lock so much more out than we can in. We don't have any idea that that is so at all.

In spite of the research facilities which General Motors possessed, it established a new devices committee so that independent inventors might always have an opportunity to submit ideas that have been patented for the corporation's consideration. A statement issued in 1928 by Mr. Alfred P. Sloan, Jr., then president of General Motors and now honorary chairman, illustrates the role of the independent inventor. Mr. Speaker, I wish to insert portions of Mr. Sloan's statement in my remarks at this point:

No matter how able our own organization may be or how much money we may spend in our research and engineering activities, it must be admitted that many useful developments must, of necessity, emanate from the outside. In order to maintain the technical position of the corporation's products, proper consideration must be given to everything presented.

Since thousands of minds, the world over, are concentrating upon the automobile, its development and improvement; since devices and suggestions, the products of these minds, are frequently submitted to the corporation, the president of General Motors formed a new devices committee on September 1, 1925.

General Motors Corp. does not consider unprotected ideas or devices. The inventor's equity must be legally established. This ruling has been made by the new devices committee for the protection of the inventor and, also, for the elimination of any misunderstanding, frequently the result of any corporation's examining unprotected devices.

Mr. Kettering as a lone inventor invented the self-starter which was a major contribution to the universal use of the automobile. His subsequent experience in supervising and directing the cooperative research efforts of the General Motors Corp. gives great weight to his views. They completely dispel the thought that in modern times the contribution of inventors outside our large cooperative research organizations can be minimized. Mr. Speaker, I wish to insert excerpts from Mr. Kettering's testimony before the Temporary National Economic Committee at this point in my remarks:

[A patent] comes as a reward of merit and it is very highly prized, and of course patents are very valuable things in many different ways. It has been mentioned here that there are many different ways by which a patent can be valuable.

If the invention is going to be of any use, it has to be translated into a product and there is such an enormous step between the patent and the product. Mr. Knudsen (then president of General Motors) mentioned this morning the three steps, the idea step, the development step, and the production step. We call that second step the shirt-losing zone, the development zone. It is a very difficult zone to work in because, first of all, you haven't any market yet, and yet you have to put a product out that is good enough so that somebody buys it, that is where industry has got to take their chances, and you have got to spend a lot of money in there sometimes before you get a really satisfactory product.

It doesn't seem to me it makes any difference whether it is an individual or a corporation, when you start out to do a thing, you are an amateur at it; the first time you do anything you are an amateur at it. That patent is a very important thing because you have to spend some money to make tools and build a factory and to go into production. After you go into production, you find out from the experience you learned in the field, from the commercial operations, that if you had it to do over you wouldn't do it that way. If you don't have some protection a competitor can start out with that fresh information and he could bypass this thing, and so you have to have some protection while you are getting the thing straightened out.

I think the patent protection is just as good for the big organization in that development period as it is for the individual.

Mr. Kettering was asked the following question:

Do you think there is any particular magic in the 17-year monopoly? I am speaking from the point of time now. Would 8 or 9 or 10 years do just as well?

He replied as follows:

Again I think you would have to take the individual case, because if an inventor is very smart and alert, right up to the minute, 17 years isn't long enough, because he will be ahead of the times. If you are ahead of your times you have to have more than 17 years.

Recent industrial history records many instances where patent protection for individual inventors has played a crucial role. The development of the Polaroid Corp. by a young inventor, Edwin H. Land, is one of the more fascinating stories of modern industry. As most of my colleagues know, Mr. Land is the inventor of Polaroid film and the Land 1-minute camera. While a student at Harvard, Edwin Land conceived and developed a method of orienting tiny crystals in a sheet of plastic. In 1932, when he first experimented with polarized light, the total market for such optical products would not have supported even the most modest of industrial research programs. From this development came polarizing sunglasses, camera filters, and eventually 3-D movies. Mr. Land also attempted to develop polarized lenses and windshields for the automobile industry to eliminate headlight glare.

Some of his developments had immediate success, and others fell by the wayside. Today he is a leading industrialist; the president of his own successful company, the Polaroid Corp., and the director of a large research organization.

The camera development was a logical field for Mr. Land to investigate because it was so close to his principal interest, optics. In order to establish a position in a field that was already well covered by established manufacturers, it was necessary to have a new and unique feature. Mr. Land knew that he could break into the camera field only if he had something unusual to offer. It took 3 years for a coordinated team of chemists, opticians, and mechanical engineers to produce the 1-minute camera exactly as Land had invented it.

Mr. Land's persistence, coupled with the incentives provided by our patent system, have produced a successful enterprise which, in 1960, had net sales in excess of $98 million, provided employment for almost 3,000 people, and enabled more than 19,000 stockholders to participate in the success of this venture.

Contrary to many popular opinions, the history of invention indicates that many truly significant innovations are stimulated by outsiders who are far removed from the day-to-day problems of industry and thus provide a completely fresh approach. The late Mr. Kettering of General Motors often assigned an individual with no previous experience in a given field to a research project because he would be uninhibited by the knowledge of all past failures, and his approach would probably be along completely different lines.

While George Eastman, a bookkeeper, revolutionized photography with his earlier developments of films and cameras, two musicians—Leopold D. Mannes and Leopold Godowsky, Jr.—assisted Eastman in developing color photography.

Television, which today is accepted as a convenience of modern living, is a comparatively recent commercial development. During the course of the hearings before the Temporary National Economic Committee in 1939, one of the earliest pioneers in this art, Mr. Philo T. Farnsworth, described his experiences in early television developments and the contribution which the patent system provided for the financing of his efforts. Mr. Speaker, I wish to insert portions of Mr. Farnsworth's testimony at this point in my remarks.

In 1922 when I was a freshman in high school I made the first invention, my first big invention in television, and it consisted of a means for producing an electric counterpart of an optical image. At that time it was a daydream, a daydream only. I had no facilities for doing research, I had no money to buy equipment; all I had was access to a very modest school library, but my sum total of equipment which I had for forming any definite practical idea as to the problems in television consisted of a static generator of a physics laboratory and an old Braun tube.

Nevertheless, this daydream, as you might term it, had the basis for perhaps the most important invention and certainly the earliest invention in the electronic field; namely that of a tube for electrically transmitting a picture without employing any moving parts.

In the 2 years following 1922—that is, 1923 and 1924—I continued to do research in libraries and with any type of electrical equipment that I had to work with, with the idea of evolving a complete television system free from all mechanical inertia.

My family at that time moved from Idaho, where I was attending high school, to the town of Provo, Utah, where I had slightly more laboratory equipment at my disposal and continued to develop the previous notion of television without moving parts, so that in 1924 I had evolved what is essentially the present system of electronic television. Again I had no money and no suitable laboratory facilities to reduce this theory to practice. As a matter of fact, it has taken 15 to

17 years to make that a practical reality, but I didn't know how long it was going to take then, very fortunately.

In 1926 I was in Salt Lake City looking for anything I could do either to continue my schooling—my father had died and left the responsibility of the family to my mother and myself, and I was hunting for work, when I met two California businessmen to whom I disclosed my hopes and dreams of this television idea, who agreed to put up a sum of $8,000 to see if it was worth anything. I decided that was the proper time to get married, being 19 and quite old; so I got married and moved to Los Angeles, where we set up a laboratory, such as it was, to explore, at least as well as we could with $8,000, the possibility of this television idea.

It required about 1 year, then, to convert, to build a minimum amount of laboratory technique and to reduce an idea conceived in 1922 to a practical result in 1927. Incidentally, the first image transmitted was about a 60-line image of a dollar sign. That seemed to climax the work, when we could get real money and see the sign of real money, so at that time our company was incorporated and we continued to do work to perfect this idea and to perfect an organization and laboratory capable of eventually making something practical out of a laboratory toy.

About a year later, in 1928, we had a television transmitting tube as sensitive as then theoretically possible. I hate to say what that sensitivity was, and by sensitivity I mean the amount of light that it was necessary to project onto the tube in the image in order to get a useful result. The notion was obviously impractical for televising a subject because the amount of light on the subject would have caused it to blow up and burn up immediately, whether that was a subject or object.

But, also, to just gloss over the immediate years of the ensuing years, the sensitivity then, which was theoretically possible, was agreed by all the consultants that I consulted as approximately 100,000 times less than is available today with the same tube and with substantially no change in the tube other than improved methods of making it.

Since 1927 one of the major problems has always been to obtain sufficient money to continue the experiments. There has never been any substantial revenue, or almost no revenue, coming in, and it speaks well for the original backers of this invention that they have now spent greatly in excess of a million dollars without any revenue for a development which has taken 13 years. It will be 13 years in May since it started.

In 1928 and 1929 we began to get recognition for our work and other engineers and inventors agreed that it was a difficult problem to work out, but would be the ultimate way television would be accomplished, and in 1929 Philco, the Philadelphia Storage Battery Co., took a license under patents which we then had issued, and under the promise of what our future developments would be.

Mr. Benjamin F. Miessner, a successful independent inventor, developed 50 radio-circuit patents which he ultimately sold to RCA for $750,000.

None of these developments would have emerged unless the patent system had enabled these very gifted individuals to concentrate their efforts on the development of new concepts which have revolutionized our mode of living. Modern television represents the contributions of many independent inventors such as Edwin Armstrong and Lee DeForest. Color television is a vivid example of competition in scientific development. The Radio Corporation of America has invested many millions of dollars in color television research, but the other principal holder of patents in this field is Hazeltine. This organization has concentrated on color television research, and is but one of a number of companies looking to patent royalties for virtually all of their financial support. Without the protection to investors who support these research efforts, neither the individual inventor operating by himself nor the cooperative efforts of research groups could be supported, and American industry would lose its preeminence and instead attempt to copy the products of other countries. Such a course is one that no responsible citizen could advocate.

All major American companies today realize the importance of supporting forward research programs if they are to maintain their competitive position. Funds for research and development expended by private enterprise in 1960 totaled more than $4¼ billion. Such expenditures cannot be justified in the absence of patent protection. Competitive pressures force research laboratories to endeavor to create tomorrow's product before that produced today is rendered obsolete.

In 1956, the president of the Shell Chemical Co., Richard McCurdy, said, and I quote:

We try to invent all we can, but we can never be sure that someone else won't render the invention obsolete. It's a calculated risk.

In the 1930's, Dow Chemical Co. chemists saw potentialities in a chemical then existing and began research work on it. Out of this research, Dow today manufactures its product, Saran, for use as a film, a fiber, or as a plastic molding compound. With respect to the patent system and its place in this development, Dow states:

Patent encouragement has justified capital investment and continued vigorous research. And among the fruits of its research, Dow obtains an average of 120 patents each year.

The Thiokol Chemical Corp. provides an example of a smaller scale activity in the field of synthetics. This company was formed in 1929 to manufacture synthetic rubber. The patent rights to the product made it possible for Thiokol "despite its small size, to build on this new development and expand to its present stage." Competing with natural rubber prior to the war and with other synthetics today, the company has continued its research and development activity. In addition to its synthetic-rubber application, the product has become very important for another apparently unrelated use as a rocket propellant.

Mr. Speaker, the record abounds with examples of investment induced by the patent system which, in turn, provided the opportunity for inventors to secure the necessary financial support to develop their concepts. Clarence Birdseye had spent many years in Labrador and understood the principles and advantages of quick freezing.

Upon his return to the United States, he organized a company to engage in the sale of quick-frozen fish. This venture failed. With his remaining assets, he designed an automatic freezer and on the strength of anticipated patent protection on this item and other inventions, he was able to interest several individuals in the formation of a new company. Four years later, his efforts had proved successful, and the enterprise was sold to the General Foods Corp. for $22 million.

One of the most important contributions of our patent system has been the promotion of research in drugs and medications to ameliorate disease and enhance the health of our people. Mr. George E. Frost prepared a study on the patent system and the modern economy for the Subcommittee on Patent Trademarks and Copyrights of the Senate Committee on the Judiciary in 1957.

Mr. Speaker, I wish to insert excerpts from his study which are directly concerned with the contribution of the patent system to medical research in my remarks at this point:

Undoubtedly, in the absence of a patent system, industries such as the antibiotics and synthetic-chemicals industries would carry on some research on a secret basis. It would indeed be unfortunate if the industries were forced to this expedient, not only because the pace of activity would surely be slowed but—equally important—cross-fertilization between competing research efforts would be impeded. Publication of research results—in the form of patent documents or otherwise—serves as a major stimulant to research activity. Each new development plants the seeds of thought in the minds of others, thereby sparking new ideas and new lines of inquiry. It is for this reason that essentially all research workers avidly read the patent and other publications of their contemporaries.

An example of this stimulation is found in the use of Diamox for the treatment of glaucoma. In 1950, this drug, a sulfa derivative, was synthesized by Dr. R. O. Roblin, Jr., of American Cyanamid. He was seeking a drug for the treatment of congestive heart failure. Diamox turned out to be highly effective for this purpose as it served to eliminate the excess fluids that overburdened the heart. Dr. Bernard Becker, of Johns Hopkins University, read reports on this drug and noted the analogy between the action of the drug with respect to heart fluids and what was needed to relieve the buildup of fluid pressure in the eye causing glaucoma. He was stimulated to try the drug on glaucoma patients and found it highly effective for this purpose also. As a recent report states, "within 3 years' time a chemical designed to aid failing hearts is on the way to saving thousands from lifelong darkness." It might have added that freedom to publish in the beginning made possible this rapid development.

All of the profits derived through patents and inventions are insignificant in contrast with the enhancement of the well-being of all our citizens through the promotion of the creative efforts of talented individuals. Their inventions contribute to our standard of living, our health, and, most importantly, to our national security. There have been misguided attacks upon the patent system which stem from criticism of the exceptional earnings for a limited period of time of a few successful individuals and industrial organizations. These successes must always be related to the many failures and disappointments which characterize the work of all inventors and industrial pioneers. Let us

not forget that these few exceptional earnings are subject to high income taxes, and the net return after taxes for those who have risked their time and capital are a small payment for society to make in terms of the benefits each of us enjoys from continued creative efforts.

EFFECT OF FEDERAL INTERVENTION IN PROBLEMS OF STATE AND INDUSTRY

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Washington [Mr. WESTLAND] is recognized for 15 minutes.

Mr. WESTLAND. Mr. Speaker, there is being demonstrated in my district and the State of Washington the effect of Federal intervention in problems that concern the State and industry alone.

As you recall, the Congress passed a Federal Water Pollution Control Act last year which provided, among other things, that the Federal Government could intervene in pollution problems of a State if called in by the Governor of that State. So, under this provision, Gov. Albert Rosellini asked the Federal Government to intervene in the problems of pollution involving the rivers and salt water of my State. Washington State has a pollution control commission, which has been in existence for 25 years and is fully empowered to act, yet apparently Governor Rosellini felt he was incapable of solving a purely State matter and had to holler for help.

Well, the Federal Government sent some fellows out all right. One was Assistant Secretary of Health, Education, and Welfare James M. Quigley, who, as far as I know, did not know anything about the problem and had never even seen the Pacific Northwest. He arrived January 14 and the following day took a 90-minute trip by plane over Puget Sound and the Straits of Juan de Fuca. This is an area at least 150 miles from north to south and 100 miles from east to west.

After the flight, he reported to the press that he had seen clear cases of pollution and that the guilty parties would have to stop their polluting of the waters. This probably was the fastest determination of a problem in the annals of investigation, scientific or otherwise.

Another Federal representative was Mr. Murray Stein, chief enforcement officer of the U.S. Public Health Service. He told the press and industry that there would be a conference after which all concerned would have a week to submit further evidence or written testimony. This sounded reasonable enough. It sounded fair, but what happened?

The conference, Mr. Speaker, turned out to be a sham when Mr. Stein on the second day announced that the Federal Government would move to take concurrent action with the State to enforce control of water pollution under the Federal Water Pollution Control Act of 1961. Did he forget the week he had promised to allow for additional information? Or, was this a case of "Don't confuse me with the facts. My mind is made up."

The people of my district and Washington State recognize the seriousness of the situation. They know what they will lose in terms of jobs, payrolls, and values of raw material and services. The extent to which they are concerned is obvious when you read the list of intervenors published by the Washington State Pollution Control Commission. There are more than 660 intervenors on behalf of the industry and only 14 on behalf of the commission.

Mr. Speaker, this concurrent action of the Federal and State Governments threatens the closure of seven western Washington mills, because the pulp and paper industry cannot bear the financial burden that would be imposed if it were to meet the State requirement. The mills estimate it would cost $75 million to construct facilities, including impounding basins and long submarine pipelines. The three mills in my hometown of Everett would have to spend $35 million to meet the Government's demand.

The pulp and paper companies of the State have, I believe, complied with every requirement of the State pollution control commission with the exception of the last demand which requires that 85 percent of the sulfite liquor solids be removed. If this effluent is to be removed, there will be no pulp and paper operation and at least 8,000 directly employed in the industry may lose their jobs.

In my district alone, some 4,600 employed in the mills may find themselves drawing unemployment checks, which, I might add, would come from the State and Federal treasuries. These employees in 1960 received almost $29,407,000 for their services. It does not take much intelligence to understand what the loss of this payroll would mean to the cities, towns and villages along Puget Sound.

But, the loss would go further. What would happen to the farmers who sell the raw product—wood—to the mills? What happens to the gyppo logger and the lumber mill operator who sells chips as a byproduct? The following chart, I believe, shows their potential losses.

Value of wood consumed by pulp and paper industry[1] in 2d District during 1960

Area	Chips	Farmerwood	Logs	Total
Bellingham-Anacortes	$4,136,477	$1,205,249	$3,207,003	$8,548,729
Everett	8,797,136	3,174,075	6,021,557	19,992,768
Port Angeles	1,973,845	486,555	3,648,309	6,108,709
Total	14,907,458	6,865,879	12,876,929	34,650,266

[1] Based on figures compiled by Arthur Anderson & Co., Seattle, Wash.

Another example of how extensive the effect closure of these mills would have is reflected in the value of goods and services, except wood, which the pulp and paper industry purchased in 1960. The total for these seven mills was $64,476,388.

Value of goods and services other than wood[1] purchased by pulp and paper industry in 2d District, 1960

Area	Material and freight	Contractors	Utilities	Total
Bellingham-Anacortes	$13,783,473	$41,042	$2,235,023	$16,059,538
Everett	36,979,038	182,127	4,055,356	41,216,521
Port Angeles	6,516,899	292,304	391,126	7,200,329
Total	57,279,410	515,473	6,681,505	64,476,388

[1] Based on figures compiled by Arthur Anderson & Co., Seattle, Wash.

Mr. Speaker, there also is the potential tax loss. The pulp and paper industry in my district pays approximately $3.5 million annually in State and local taxes.

I cannot understand why the Federal Government is willing to spend a reportedly $200,000 a year indefinitely to push the people of my district and State around when it could use the money for better purposes, such as research to help solve the problem if one exists. Perhaps the Federal Government will spend more, according to one Federal spokesman who told the press that the United States has committed $200,000 a year indefinitely, or whatever it takes to do the job.

This sounds to me as if someone is building another bureaucratic empire and is using Washington State as a pilot project. I understand that Michigan has been assured Federal assistance under the 1961 act, and as one Federal official predicted, there is no question that in a few years "we'll have more requests than we can handle."

Yet, Mr. Speaker, neither the State nor the Federal Government has established that the wastes constitute a health problem, that the wastes are causing adverse harm to other water users, or to what extent, if any, the wastes are causing harm to sea life.

Mr. Speaker, I have received many letters from the people back home about this and they are hopping mad and amazed at this example of Federal interference. The people, industry, and unions are questioning the right of outsiders from Washington, D.C., to come in, make a hasty reconnaissance and jump with both feet into local matters. They want to know what right the Federal Government has to threaten to put people out of work by issuing orders which may lead to the closing of the mills.

Here is a typical letter. It is from Mr. John W. Lomis, Jr., of Port Angeles,

Wash., and I believe it will interest the Members of Congress:

JANUARY 22, 1962.

Hon. JACK WESTLAND,
House of Representatives,
Washington, D.C.

DEAR MR. WESTLAND: I am writing to you concerning the situation of the pulp and paper mills in Port Angeles.

I am wondering if you realize how desperate the need for some clear thinking on the part of the officials who have just completed a 2-day conference between the Washington State Pollution Control Commission and the officers of the U.S. Government.

The commission has prejudged and decided that the waters in and around Port Angeles and Puget Sound are polluted after a 10-minute huddle after the conference was ended.

In Port Angeles two mills are affected—Fibreboard and Rayonier. There are 190 people employed at Fibreboard and about 450 at Rayonier whose jobs are in danger.

The town of Port Angeles which depends on the mills will become a ghost town if the mills are driven out of Port Angeles.

The President says we should do all we can to improve the unemployment situation—yet a few men can say in 10 minutes that the Puget Sound is polluted and the mills will have to adhere to their demands or get out.

The Governor of the State of Washington says that we must bring more industry to the State of Washington, yet the State commission says adhere to these demands or go elsewhere.

Yes, I am a millworker, a taxpayer, and also a voter, but most of all I am an American and I believe that to make our system work we have to have people on these commissions who are openminded and not ones who have already made up their minds before all evidence is in.

Please look into this situation and do all you can for all of the people in the Puget Sound area.

I am enclosing a piece out of the Port Angeles Evening News.

Thank you very much.

JOHN W. LOOMIS, Jr.

The piece he refers to, Mr. Speaker, is an editorial that first appeared in the Aberdeen, Wash., World, and was reprinted in the Port Angeles Evening News:

WE AGREE

After a conference the other day on water pollution it seems the Washington State pulp industry charged "bias" and "prejudging" with good reason. The conference, in Olympia, was the first in which the Federal Government took part and was held to gather information on pollution of State waters and the extent to which pulpmills may be held responsible.

Now the Northwest Pulp & Paper Association calls the conference a sham, possibly with every justification. Lawrence Turcotte, president of the pulp association, says that the conference coordinator had announced the conference record would be open for an additional week so that more information could be submitted. Yet, after a 5-minute huddle when the conference ended, the Federal officials "read from a mimeographed statement a decision purportedly reflecting testimony during the 2-day conference."

That, under most any set of circumstances, is fast action. Obviously the Federal decision was made before the conference was concluded and before all the evidence was in. It is little wonder Turcotte found the conference a sham and the hearing the "most blatant example of prejudging we have ever witnessed."

In fairness it should be mentioned that State Pollution Control Commission Chairman Earl Coe today said: "As far as I know there was no mimeographed copy of any predecision whatsoever. At no time was there any predecision on the matter."

It is true that many Federal hearings are a mere formality. Officials go through the motions of giving the people a voice, listening to evidence, yet in a great many cases the decision is already made. This is a sop. It's dishonest.

In the case of the northwest pulp industry, Federal and State action has a massive bearing upon northwest economy. The least that could be done is to give the industry a fair hearing. The next thing is to do as the industry has suggested: "Study this highly complex subject in a rational and scientific manner, considering all the evidence on an objective basis."

That seems a fair request. In fact that should be the method of approach even without the industry request. How else can it be done?

Obviously if the pulp plants are polluting State waters something must be done about the problem, but it isn't a problem that can be settled emotionally, with bitter talk and off-the-cuff decisions. Water pollution is a physical act; it can be accumulated. Standards can be set up, regulations can be devised. The problem should be approached realistically and honestly.

The other day, Mr. Speaker, I picked up the January 23, 1962, issue of the Seattle, Wash., Post-Intelligencer and read its lead editorial, which I believe is pertinent to this issue:

LET'S BE FAIR

On this page today is a letter from a Port Angeles business leader who asks, "Why does the State pollution commission have to harass our Port Angeles pulp and paper mills without which we would have a town of less than one-fourth the present population?"

The answer to the question, of course, is that ostensibly the commission wants more assistance from these and other pulpmills in the problem of stream and water pollution.

But "harass" is the right word in this connection, and the so-called State-Federal "hearings" at Olympia last week made it abundantly clear that "harass" is the accurate word.

Leaving for later technical debate the questions involved, this conference was indeed a blatant, shameless use of bureaucratic power.

In fact, the so-called hearing was so clearly stacked against a major Washington industry that a reporter was heard to mutter to another reporter, "Why are we here? Why don't they hang the millmen and call it a day?"

Figuratively that is about what was attempted, and the State commission has never yet advised the pulpmills what it will consider a standard. This the industry should have before spending additional millions of dollars in efforts toward stream improvement.

That pollution of our streams and waters must be guarded against goes without saying. But the action toward the solution should be rational and scientific.

It should also be fair, not simply to the management of pulp and paper mills, but to the thousands of western Washington families who depend upon this major economic fabric for a livelihood.

This editorial was prompted by a letter to the editor from Mr. Benjamin N. Phillips of Port Angeles. Mr. Phillips states:

NO STANDARDS ARE SET

To the POST-INTELLIGENCER:

Why does the State pollution commission have to harass Port Angeles pulp and paper mills without which we would have a town of less than one-fourth its present population? No standards have been set by the commission as to the concentration of pulpmill waste which is safe for marine life.

Authorities differ as to whether or not this waste has any ill effects on the salmon and other food fish. I am no expert on this subject but after living here for 47 years I am convinced that the pulpmill liquor discharged into the bay or the Strait of Juan de Fuca has a negligible effect on fish.

In the winter blackmouth Chinook salmon are caught at the head of the bay adjacent to the discharge of effluent from one of our pulpmills. At that time of year the fishing is much better there than in the strait outside of the harbor. It is apparent that we have had and can continue to have, both the important fisheries and our essential 3 pulpmills, which in the plants and in the woods, give employment to 1,730 people and provide annual payrolls of $13,500,000.

BENJ. N. PHILLIPS,
Board Chairman, First National Bank,
Port Angeles.

Mr. Speaker, I am opposed to pollution. I do not want to see any of our waters polluted and I do not know of anyone who does. I believe the industry feels the same way and wants to sit down with the Washington State Pollution Control Commission or anyone else and discuss the problems and work out solutions. The pulp and paper industry asks only for an impartial, scientific study as a basis for determining the problems. This is a fair and reasonable request.

As the Bellingham, Wash., Herald on January 21, 1962, pointed out in an editorial, "the pulpmakers probably are the quickest to recognize and accept community obligations." The editorial follows in full:

SET REASONABLE STANDARDS BUT DON'T HARASS INDUSTRY

The fact that the economic health of Bellingham and other Puget Sound cities depends heavily on the manufacture of pulp and paper does not mean that this or any industry should be immune from public responsibility.

Nor do they ask or desire such immunity. On the contrary, if Puget Sound Pulp & Timber Co. is typical, the pulpmakers probably are among the quickest to recognize and accept community obligations.

But the pulp industry, like any other corporate or private individual in the State, does deserve to be free from unwarranted harassment by government, whether local, State or Federal. There seems to be evidence to indicate that a great deal of unscientific bias is involved in the arbitrary orders to the mills to embark on costly programs for disposing of wastes by different procedures. The State pollution control commission's call upon a Federal agency's support and the apparent prejudgment that followed a hasty hearing last week did nothing to dispel the suspicion that this issue has degenerated from the field of technology into the arena of politics and pressures.

If it were clearly demonstrated that unreasonable pollution detrimental to the fisheries resource or the public health is resulting from discharge into the waterways, a cleanup order would be justified. But there is no such proof that it is occurring. This is not to say that any discharge from whatever source—whether river silt, garbage, or treated sewage—does not pollute the water. Some pollution of the water occurs inevitably, just as industrial smoke or automobile exhaust pollutes the air around us, though not in significant degree such as in smog-ridden Los Angeles, of course.

But what constitutes excessive or unjustifiable pollution? What are the tolerance levels in Puget Sound, below which no hazard to marine life exists? What standards is the pulp industry expected to maintain? In the absence of accepted scientific data and specific checks to indicate violations of minimum standards, is it in the public interest to order industry to evolve cumbersome and expensive installations which some industry sources maintain would make continued operation impractical?

This newspaper fully supports legitimate objectives of State and other public agencies on behalf of the citizens. But we have no stomach for the type of crusade that, in attempting to gild a golden egg, could result in killing the goose.

Finally, Mr. Speaker, Federal intervention in the pollution problems of my State should be a warning to all. If the Federal Government continues to encroach upon the affairs of local governments, this Nation is heading for rule by bureaucrats.

I believe bureaucratic rule pollutes the mainstream of American life by neutralizing effective State and local government and by stagnating individual initiative.

AMERICA—LAST BASTION OF HOPE

Mr. SHORT. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. ROUSSELOT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Dakota?

There was no objection.

Mr. ROUSSELOT. Mr. Speaker, there was recently brought to my attention an essay by Mr. Charles C. Heath entitled "America—Last Bastion of Hope." Mr. Heath's purpose in writing the essay was to define the differences between collectivism and Americanism and to review the piecemeal capitulation of the latter to the former.

What is collectivism and what is Americanism? Collectivism is total Government control of the individual. Americanism is a way of life in which the individual is free from Government controls to pursue self-determined ends as long as he does not abridge the right of others to do the same. Mr. Heath's message is this: Collectivism and Americanism cannot coexist. If it is collectivism we want, we can get it by continuing in the direction in which we are now going. If it is Americanism we want, we must effect a rededication in this country to those principles of government laid down in the Declaration of Independence and Constitution.

The text of Mr. Heath's essay follows:

AMERICA—LAST BASTION OF HOPE

(By Charles C. Heath, Shelby, N.C.)

This is an age of progress and we have progressed to a point of material wealth never before achieved by any nation throughout the history of mankind.

This is an age of problems, too—problems which have resolved themselves into a pattern of failure because we have not and are not realistically facing these problems.

This is an age of softness when people are saying, "peace at any price." Let George do it, and George isn't big enough to do it alone. This is an age in which the Communists say their victory is certain because the average American is so intellectually lazy, intoxicated with entertainment and inherently selfish that he won't have the conviction or dedication to do what is necessary to stop them.

This is the age of big government, created by our attitude toward the bait of socialism—something for nothing; an era in which idleness has become profitable and the rewards for productivity are declining, where heavier taxes are imposed on earnings, and where subsidy many times is offered for failure.

This is an age of confusion. America's Future, Inc., made a survey of some 6,000 high school students. Fifty-six percent said that the Government should take away from the rich and give to the poor. Sixty percent believed that the profit motive can be eliminated and not hurt the American system. Sixty percent favored Government control of the press, television, and the radio. Over 50 percent thought that most people are incapable of deciding for themselves; therefore, the Government should decide for them.

This is an age of conflict. We are in a struggle to death with communism from without and from within. In the past 15 years, while we were sending our money abroad and keeping our courage to ourselves, communism has engulfed the world at the rate of nearly 1,000 square miles a day, and gained from 7 to 40 percent of the people of the world. We are confused about such words as "coexistence" and "containment." While we were coexisting they enslaved millions of people, and while we were containing they walked upon our backsteps in Cuba. Someone has said that coexistence is surrender on the installment plan, and it has recently become clear that we are paying the installments off of the same bolt of yarn that we seek to buy—the dignity of man. It is as simple as this—Russia has coexistence in Berlin and will not accept it for themselves.

This is also the age of fiscal insanity. Our national debt is now $295 billion, which is more than the combined debts of all other nations of the world—including those nations to whom we are giving foreign aid. Foreign aid for all the world and bankruptcy for America. Are we really bankrupt? Senator Byrd recently said that the fully assessed value of all the land, buildings, the mines, the machinery, the factories, the livestock, and everything of value in the United States only totals $275 billion—and this is $20 billion less than we owe.

If this is not enough fiscal insanity, add to it the fact that we have more commitments abroad, payable upon demand in gold, than we have gold to pay these commitments with in our U.S. Treasury.

We have financed our deficit spending by issuing additional money which has caused inflation and has decreased the value of everything you own. We have borrowed money to replace borrowed money which we are not paying back, and we have taxed our people with an unfair progressive income tax to the extent that we are losing initiative—an important ingredient in a free enterprise system.

Still we are going further in debt. This year the deficit is increasing at the rate of approximately $1 million per hour—24 hours a day, 365 days a year.

The Marx-Lenin philosophy of government is, "From each according to his ability, and to each according to his needs." When this idea is compared to our progressive income tax and our welfare programs, it makes one wonder why we have accepted, at least in part, the philosophy we hate the most.

In spite of all of our problems, the United States is now, and has been for many years, the greatest nation ever to appear on the face of this globe by anyone's standards. How do we account for this? Is it the people, the climate, our soil, our natural resources? I think not, for many other nations have the same opportunities and have not developed as well. What, then, accounts for our success? One can only conclude that, in the main, we, as a nation, are more successful because we have a superior system of government.

Our type of government was to be established by the Judean-Christian concept of the laws of God. God was supreme and ruled the universe. Man was created by God in His image. God made man sovereign and gave him freedom of choice as an individual. Man, realizing his need for protection, for himself and his property, established a government which was forbidden to trespass on the rights of the individual. Therefore, government was the tool of man and subordinate to man, or as the Declaration of Independence puts it, "Governments—deriving their powers from the consent of the governed." Further evidence of the supremacy of the individual came when our States would not ratify the Constitution without the Bill of Rights.

This type of government came out of much work—much prayer and much experience, and it was then a revolutionary idea. Before, the authority was vested in the government and the government allowed certain rights to man.

A contributing factor, I believe, and an almost forgotten lesson, is the experience which came out of the government of the Plymouth Colony established in 1620, under Gov. William Bradford. The Plymouth Colony established a communal or Socialist system and almost starved for lack of production. Let us learn again today the lesson the Plymouth Colony learned in those years. I quote you from the Governor's diary as recorded in the "History of Plymouth": The Governor reports, "This community was found to breed much confusion and discontent and retard much employment that would have been to their benefit and comfort. For the young men that were most able and fit for labor and service did repine that they should spend their time and strength to work for other men's wives and children without any recompense."

The Governor wanted the people to continue living together as a society of friends, but communal production was to be replaced by private free enterprise production. After 1 year the Governor was able to say: "This had very good success; for it made all hands very industrious, so that much more corn was planted than otherwise would have been."

This incident in history is a perfect example of the failure of socialism and communism for these reasons:

These people subscribed to it voluntarily.

They had no help or hindrance from within or without.

Their very lives depended upon their success or failure.

They were good men with a good purpose, and they abandoned the system voluntarily.

Someone asked Ben Franklin, toward the end of the Constitutional Congress, what kind of government he had for them, to which he replied, "A Republic, if you can keep it."

The preamble of our Constitution concludes with this pledge "and secure the Blessings of Liberty to ourselves and our Posterity."

Gentlemen, we did not create this government, we inherited it, and we are losing it for ourselves and our posterity.

Why are we losing what we hold most dear? A famous historian of Rome, Theodore Mommsen, was asked many years ago what he thought of our country. He said, "With 2,000 years of European experience before your eyes, you have repeated every one of Europe's mistakes."

I am opposed to a large central government and encroaching socialism for two reasons. This type of government is not efficient nor effective and secondly, because it is morally wrong and violates the very principles on which the Nation was founded and became great, and it is diametrically against human nature.

If we believe that God is supreme and that He has granted us individual freedom, then doesn't it conclude that He will hold us responsible as individuals for our actions and keeping these freedoms? How, then, can we shift these responsibilities to the Federal Government? If government sets out to rectify religious manners and morals by welfare laws, doesn't it then become some sort of God?

But wait—this isn't the type of government we sought to establish—but it is the type of government that failed throughout history and the Plymouth Colony.

I referred earlier to the threat of communism from within. This is a subject to which I have given much time and study. To combat this Communist conspiracy requires a thorough knowledge of the Communist tactics, strategy, and objectives; for a Communist is rarely a Communist at all, and he seldoms uses "Communist" in his programs, nor does he expound communism. I mean by this that the modern subversive Communist often poses as a respected citizen. He uses non-Communist, through thought control, to assist in achieving Communist intermediate goals. The immediate goals of the Communist, such as world disarmament, ban on nuclear testing, welfare legislation, etc., are used to make us more tolerant toward the Communist ultimate goals.

Time does not permit a thorough coverage of this subject today. I will, however, attempt to summarize some quotations from experts, which I have collected and will make available to you upon request.

The first summary will be made on quotations by J. Edgar Hoover, whom I believe will go down in history as one of our greatest Americans. His book, "Masters of Deceit," is available in paperback form for 50 cents at your local newsstand.

Mr. Hoover states that America is now the prime target of the Communists and they are thinking in terms of victory now, in your lifetime. Many Americans, he states, including high-ranking statesmen, public officials, educators, ministers, and professional men have been duped into helping communism. The Communist plan is to use non-Communists to subvert from within, to wield influence far in excess of its actual party members.

A more recent quote from Mr. Hoover came December 7, 1961, when he said, "Fear, apologies, defeatism, and cowardice are alien to the thinking of true Americans. As for me, I would rather be dead than Red." He went on, "We are at war with the Communist, and the sooner every red-blooded American realizes this, the safer we will be. We must continue to stiffen our national backbone in dealing with the Communists and their dupes, sympathizers, and apologists. If we relax our guard for one moment, we court national disaster."

Now I ask you, is this not a call for help in dealing with the Communist menace? Is it not a call for more and stronger patriots? It is most unfortunate that there are some men of high calling in America who have attempted to ridicule others with such terms as "superpatriots," as if it were a dirty word. I did not know it was possible to be too patriotic, and I am sure that Nathan Hale and Patrick Henry did not understand patriotism like this.

I am sure that only our enemy would gain if we in America must take care not to be too patriotic.

I, for one, would rather cast my lot with the superpatriots than to follow some of those so-called liberals who seek to liberate us from freedom into political slavery.

Mr. Edward Hunter is an expert on communism and psychological warfare. He is a consultant to the Senate Internal Security Subcommittee and the House Un-American Activities Committee. He has many years of personal experience with communism and is the author of many books on the subject. I will attempt to summarize parts of his sworn testimony to these congressional committees.

First, some direct quotes: "Communist psychological warfare is now winning such extensive victories in the United States that the Red bloc will not need to employ direct military force against us in order to win the total war which they are waging, with this country the principal target. The first battles in this total war have already been won by the forces of international communism in the United States. These victories are identical to those they have won in every country which they have ultimately taken over.

In July 1961, Mr. Hunter testified that the growing anti-Communist movement in the United States is now under heavy attack by the Communists. This action was openly initiated by the Red manifesto of December 5, 1960, which was made public at the conclusion of the strategy conference of 81 Communist parties. He calls our anti-Communist activities a grassroots movement composed of local groups who have come together out of a natural sense of there being something raw put over on our country on behalf of communism. He states that the Communist movement to crush our anti-Communist programs has all of the earmarks of staff planning, and that it is designed to, and I quote: "push this administration, the press, and public into a trap that would eliminate the anti-Communist program in the United States. The argument is simply that communism is no danger here in the United States, that it's abroad where the danger lies. They want us to stop paying attention to Communist activities here in America, to drop the alertness and training programs that would enable our public and our troops to avoid Red traps, and to recognize the face of communism."

Then Mr. Hunter talks about how the Reds manipulate channels of communications to make their programs seem like rising public opinion, and he compares their success to an American barn dance. Quote, "The Communist Party organs will set the key. Orchestration will gradually spread from one section of the orchestra to the other, until all will be playing the same music, in a rising crescendo. This is the Red technique, to make the pressure of what will appear as public opinion so relentless and so loud that everybody will begin to dance to the same tune, and those who don't want to dance will be grabbed by their friends and neighbors and brought onto the floor. By then, nobody will be thinking about who called the tune in the first place, and those few who do will appear as queers. This would be a hopeless situation except for one thing. If it is exposed in time, the whole Red psychological warware gambit can be defeated with comparatively little effort."

The last quote from Mr. Hunter is about our struggle with the Soviet Union and he said that "we are losing so fast that unless we put a very drastic end to it, the question of who is winning will be academic in a decade." This statement was made in 1958. (Both pieces of Mr. Hunter's testimony can be obtained from the U.S. Government Printing Office, Washington, D.C., for 40 cents.)

From Mr. Hoover again, in his speech to the 1957 National Convention of the American Legion, Mr. Hoover warned, "To dismiss lightly the existence of the subversive threat in the United States is to deliberately commit national suicide. In some quarters we are surely doing just that."

You say, "Hogwash, it can't happen here." Let us consider the Communist takeover in Cuba. Our press, our radio, our television, and even our Government took a pro-Castro stand. The sentiment of the American people was even with him. The orchestra was playing the tune that Castro was just a Robin Hood of the Caribbean—an agrarian reformer; this is all too similar to the China affair, isn't it? Some say that Castro was a good guy turned bad, or a turncoat to the revolution.

Not so, says Spruille Braden, former Ambassador to Cuba. Not so, says Robert Hill, former Ambassador to Mexico. Not so, says William Pawley, former ranking State Department official, and not so, said many others who testified under oath to the Senate Internal Security Subcommittee that they tried desperately, but in vain, to warn our Government that Castro's pro-Communist past was well known and a matter of record. Not so, said Nathaniel Weyl, a former Communist in the thirties, who wrote the book "Red Star Over Cuba" (a 50-cent paperback), and who states in this book, quote: "Had American officials and publicists made a diligent and serious study of the role of Fidel Castro in the Bogotá uprising, they could scarcely have escaped the conclusion that, as early as 1948, he was not merely an enemy of the United States, but a trusted Soviet agent as well.

The loss of Cuba was a bitter disappointment to the American people. As a matter of research, however, there was no real excuse for missing Fidel Castro's Communist connections. This could only have happened to a misinformed or an uninformed America.

You demand to know who is at fault for these situations, and I must tell you that you and I are the real culprits. You and I have slept while the forces of socialism and communism have marched up to the 11th hour of victory.

If I could only accomplish one thing today, I hope I have aroused your searching interest in these matters. For those who would dismiss this talk as sensationalism, I challenge you to look at the facts, read and study the problem. The facts are all about us if we will only learn.

There is a saying that some politicians lead public opinion, and some follow public opinion, but no politician overlooks public opinion.

Become really informed—do what you will—do what you must, and remember, for evil to prevail, it is necessary only for good men to do nothing.

I believe that if our people become intelligently aware of these situations, a rise of public opinion would produce an intelligent solution to these problems.

Isn't it a paradox that we who have the most to lose seem to care the least?

What a tragedy it would be if these lofty mountains and fertile green valleys around Rutherfordton should fall to those who seek to destroy God and the dignity of man.

We are the last bastion of hope—we must not fail.

HEALTH INSURANCE FOR OUR PEOPLE

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Missouri [Mr. CURTIS] is recognized for 15 minutes.

Mr. CURTIS of Missouri. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CURTIS of Missouri. Mr. Speaker, I am glad to see the gentleman from California [Mr. KING] is still in the Chamber, because I was hoping that he would take his allotted time to deliver orally the message that he put in the RECORD which obviously is very critical of the American Medical Association. I do not know what is contained in that statement. However, I shall read it in the CONGRESSIONAL RECORD, and if it is along the line of the remarks that the gentleman from California made for the record during the Ways and Means Committee hearings on the health care bill, I certainly intend to take the floor to rebut this statement, just as I did in the Committee on Ways and Means.

Now the interesting thing to me is the fact that the Committee on Ways and Means held about 10 days of public hearings in which this material was discussed and made available, and for over 4 months these hearings were not printed up and made available to the public. Several times I made public statements raising the question, Where are these public hearings on health care for the aged conducted by the Committee on Ways and Means? I did this because there is much data and much important information that the people of this country ought to know about in the hearings. It was not until after the White House regional conference to "inform" the people on this subject had been completed that these hearings were made available, and I can assure the Congress that had this material been available to the public, a great many of the statements made by the people who participated in this propaganda campaign would not have been made because these same statements had been made, contradicted and rebutted in open public hearings. It is about time, I might say, that these hit-and-run tactics of criticizing distinguished people because of disagreement with them, of attacking their motives by putting statements into the RECORD without delivering them on the floor of the House—so that those of us who might disagree might have an opportunity at the time to disagree—be stopped.

I might say that I am aware of the fact that the press has a press release on the statement by the gentleman from California. I have seen one or two of the sentences and again this is going to be one of these hit-and-run attacks attacking the integrity, as I suspect is in this statement I shall read tomorrow, of the people in the American Medical Association.

Mr. Speaker, I did not take the floor to deliver this kind of remarks. I took the floor in order to bring to the attention of the House some very important material on health insurance for our people.

In the Ways and Means Committee hearings on health services for the aged under the social security system there appears a report on guaranteed lifetime health insurance programs for persons over the age of 65 and for persons under age 65, pages 819 through 840.

Incidentally, these printed hearings finally became available to the Congress and the public about the second week of December 1961, over 4 months after the hearings were completed and after the White House Regional Conferences "to inform the public" were safely completed around the country without interference from the embarrassing and damaging facts which these hearings contain. I recommend to my colleagues in the Congress and to the reporting profession and to the general public to obtain copies of these four volumes and glean through them for the material presented in public hearings which bear on this important subject. Testimony presented by witnesses in public hearings before congressional committees are unlike press releases or press leaks by "unidentified, but informed spokesmen" in that they must run the gauntlet of rebuttal and contradiction by those who hold differing views. The data contained in these hearings are tested, bear the names of the witnesses who vouched for their accuracy. If one wants to get information rather than propaganda about the subject of health care for the aged, read these hearings, the prepared statements, the cross-examinations and the rebuttals.

Since these hearings were held much has happened in the dynamic field of health insurance. The field is growing so rapidly that one cannot rest with studies made even a few months back. In September the Connecticut 65 plan went into operation—see CONGRESSIONAL RECORD, volume 107, part 8, pages 10715–10717 for reports of its development. It has proved to be a startling success and is now being studied by States and groups throughout our country. I shall place in the RECORD in the next few days an up-to-date report of this plan.

However, I want to place in the RECORD at this time a letter I received from the Health Insurance Association of America giving an up-to-date list of guaranteed lifetime health insurance policies for persons over age 65 and for persons under age 65. I commented on the preparation of the first edition of this pamphlet last year—daily CONGRESSIONAL RECORD, August 31, 1961, pages A6900–A6901.

It is a tragedy that the Department of Health, Education, and Welfare does not help in disseminating the good news of the health insurance that is available in our society so that our people can avail themselves of it and, at the same time, be informed of the way our dynamic private enterprise system tackles a social problem when it begins to appear.

We should never forget that the health cost problem of our aged is the result of the success, not the failure, of our private health care system. People are living 10 to 15 years longer than anticipated at the time of their birth because of the amazing strides we have made in medicine, surgery, hospitalization, nursing, drugs, and other techniques that relate to health.

The quality of health care has improved greatly and, though we get much more health for our dollar today than we did before, the actual dollars we spend on health care is greater.

We have had to develop the necessary insurance techniques to meet this new cost problem that the success of our health care system produced. This we have been doing in a remarkable way. It is demonstrated by this new up-to-date chart I am putting in the RECORD.

Lest anyone believe the lame defense put up by those who seek to denigrate our great health insurance profession that the policies do not have broad coverage, or that the fine print robs the insured of the benefits paid for, let me give the amount of benefits paid by private health insurance companies in 1960: $5.7 billion—this is over four times the amount, $1.3 billion, paid out in 1950. It is almost one-third the entire amount our society spent on all health care in 1960, and it is over one-third the amount spent by the nongovernmental sector of our society—minus Armed Forces, veterans, and public assistance rolls.

Incidentally our society spends as much on recreation as it does on health and almost as much on liquor and tobacco. Certainly this indicates that if our people decided to spend more on their health care they would have the purchasing power to do so.

HEALTH INSURANCE ASSOCIATION OF AMERICA,
Washington, D.C., February 27, 1962.

DEAR CONGRESSMAN: In August 1961, Mr. H. Lewis Rietz, president of the Health Insurance Association of America, submitted to the Ways and Means Committee during its hearings on health services for the aged under the social security system a report on guaranteed lifetime health insurance for persons over age 65 and for persons under age 65.

It was indicated that the report was not all inclusive but was representative of policies then available.

Since that time more plans have been developed and additional insurance companies have offered policies of this type. As a result, a second edition of the report has been compiled as of January 1, 1962. While this report is more comprehensive than that previously made, it should be said that it undoubtedly does not cover all of the policies available but is more representative than those listed in the previous report.

Because of the public interest concerning the availability of means of financing health care for the senior citizens, I am enclosing a copy of this latest report for your information.

Most cordially,

ROBERT R. NEAL.

HEALTH INSURANCE INSTITUTE REPORT ON GUARANTEED LIFETIME HEALTH INSURANCE FOR PERSONS OVER 65—FOR PERSONS UNDER 65

Today Americans, 65 years of age and over, have available to them a variety of health insurance plans and policies provided by insurance companies which guarantee lifetime protection against health care costs.

These health insurance programs help policyholders meet the expenses of both serious and catastrophic illnesses and injuries. They offer a wide range of benefits which can be selected to meet the individual's budgetary situation and health care requirements.

This report, compiled from material published as of January 1, 1962, contains a broad selection of the many health insurance plans and policies now available which offer protection guaranteed to be renewed for the lifetime of the insured person. This listing, although lengthy, should not be considered all-inclusive.

The selected yearly premiums shown in each of the following sections refer to the cost ranges of the plans as listed. Benefits listed within each program show the minimum and maximum amounts available—along with the entrance ages required for application.

It does not take into consideration persons over 65 who are working and protected under employer group health insurance plans nor the growing trend in extending the benefits of such employer plans to retired employees. Rather, it outlines a representation of plans and policies from which noninsured 65-plus people can select their health insurance protection.

For those persons who have not as yet reached the senior citizen years, this report also contains many health insurance plans whose guaranteed protection can be carried into their older age. Some of these plans become fully paid up at 65 with their benefits continuing for life.

I. SENIOR CITIZEN HOSPITAL-SURGICAL GROUP AND GROUP APPROACH PLANS

Selected yearly premium range: $78–$108; 65 and over.

These plans, providing hospital and surgical expense benefits to those 65 and over, are offered by insurance companies under a mass enrollment technique. Enrollment can be either made during specified time periods on a statewide basis or "all-year-'round" by personal application on reaching age 65.

Offering hospital room-and-board benefits up to $10 a day, these plans pay benefits for as long as 31–140 days during hospital confinement. Additional benefits are paid to help meet other extra hospital expenses such as drugs, laboratory fees, surgical charges, and even the costs of care in nursing homes.

Applicants are eligible irrespective of their past medical histories and without medical examinations. Some plans, however, require the newly insured person with a preexisting health condition to wait 6 months before benefits are available for that particular condition.

Protection of these plans cannot be terminated for any individual policyholder—only for State residents as a group. Similarly, premium charges can only be adjusted for an entire State group—not on an individual policyholder basis.

An association group plan, sponsored by the American Association of Retired Persons, is available to persons 65 and over after first joining the association for a membership fee of $2. This plan provides benefits for hospital, surgical, and hospital outpatient treatment. It also has optional benefits covering doctor visits, nursing home care, and extended hospitalization periods.

The selected yearly premium range noted above for the plans listed is for all persons 65 and over, at a universal premium charge.

TABLE I.—*Senior citizen hospital-surgical group and group approach plans*

[No medical examination; no health requirement; group protection]

Name of plan	Daily room and board	Duration of stay (days)	Miscellaneous extras	Maximum surgical schedule	Entrance age up to—	Extra benefits
Group hospital-surgical plan: [1] American Association of Retired Persons, Washington, D.C.	$10	31	50 percent of charges to $125 maximum.	$200	65+	(1) Outpatient emergency accident.
Optional benefits: 50 doctor calls each year (hospital, home, office, nursing home) above $25 deductible, postoperative nursing home; 29 days' additional hospital room and board at $7.50 a day. 12-month waiting period on conditions hospitalized in 12 months preceding membership of plan.						
65 plus plan: [1] Continental Casualty Co., Chicago, Ill.	$10	31	$100	$200	65+	
6-month waiting period on preexisting conditions. (In addition to general enrollments, plan also open to persons applying within 30 days before or after 65th birthday.)						
Fund/65. [1] Fireman's Fund Insurance Group, San Francisco, Calif.	$10	31	$100	$200	65+	
6-month waiting period only on conditions with medical history.						
Senior health plan: Ministers Life & Casualty Union, Minneapolis, Minn.	To $10 [4]	140 (reduced to 70 days at age 70).	To $160 by assignment.	$150	60+	(1) Outpatient emergency accident; (2) home nursing; (3) poliomyelitis.
6-month waiting period on preexisting conditions. Open on enrollment to ministers, their wives or widows. (Program cannot be terminated or premium changed unless done for all policyholders.)						
Senior security plan: [1] Mutual of Omaha, Omaha Nebr.	$10	60	Above a $100 deductible 80 percent of charges to maximum of $1,000.	$225	65+	(1) Nursing or convalescent home: $5 a day up to 55 days following 5 days hospitalization.
6-month waiting period on preexisting conditions.						
In-hospital plan: [1] National Retired Teachers Association, Washington, D.C.:						
Plan A	To $15	31, plus $10 daily room and board next 90 days.	50 percent of charges to $120 maximum.	$200	(5)	(1) Outpatient hospital service; (2) postoperative nursing home; (3) in-hospital medical.
Plan B	$10	31, plus $7.50 daily room and board next 29 days.	do	$200	(5)	(1) Outpatient treatment; (2) postoperative nursing home.
Optional benefit: 50 doctor visits (home, office, and nursing home). 12-month waiting period on conditions hospitalized in 12 months preceding membership of plan. Program open during enrollment to retired teachers.						
Group hospital-surgical-medical health plan: New York State Retired Teachers Association, Leonard Davis & Co., Inc. (consultants to NYSRTA) Albany, N.Y.:						
Plan A	$12	31, plus $10 daily room and board next 90 days.	$120, plus 50 percent of next $180.	$200	(5)	(1) Outpatient treatment; (2) in-hospital medical; (3) postoperative nursing home care.
Plan B	$12	31	$120	$200	(5)	(1) Inhospital medical; (2) outpatient treatment; (3) postoperative nursing home care.
Plan C	$12	31, plus $10 daily room and board next 90 days.	$120, plus 50 percent of next $180.	$200	(5)	(1) Inhospital medical; (2) 50 doctor calls each calendar year—home, office, and nursing home; (3) outpatient treatment; (4) postoperative nursing home care.
12-month waiting period on prehospital conditions. Programs open during enrollment to New York State retired teachers.						

[1] See AARP out-of-hospital major medical plan, table IV, p. 13.
[2] See Continental Co.'s major hospital $5,000 reserve plan, table IV, p. 13.
[3] See Fireman's Fund Insurance Group's plus $10,000 plan, table IV, p. 13.
[4] Maximum $1,200 for hospital room and board, miscellaneous and nursing care in any one year; over age 70, $900 maximum.
[5] See Mutual of Omaha's $50 a week special security plan, table III, p. 11.
[6] No age limit.
[7] See National Retired Teachers Association's out-of-hospital major medical plan, table IV, p. 14.

II. SENIOR CITIZEN LIFETIME GUARANTEED RENEWABLE HOSPITAL-SURGICAL EXPENSE PLANS

Selected yearly premium range: $86.60–$244.75; male 65.

Americans, past 60, who desire hospital and/or surgical expense protection on a guaranteed renewable individual or family basis can choose from a multitude of insurance companies' policies.

These policies generally offer hospital room-and-board benefits from $5 to $25 a day with a wide selection of additional benefits for extra hospital expenses. Surgical allowances under these policies can range up to $500.

As with other guaranteed renewable lifetime policies, the insured person only can terminate the policy and the insurance company can only adjust premiums by policyholder class.

Benefits are paid for periods from 31 to 365 days. Entrance ages for applicants are 61 and over.

The selected yearly premium range noted above for the policies listed was calculated for a man of 65 at maximum policy benefits.

TABLE II.—*Senior citizen lifetime guaranteed renewable hospital-surgical expense plans*

Company	Daily room and board	Duration of stay (days)	Miscellaneous extras	Maximum surgical schedule	Entrance age up to—	Extra benefits
Aetna Life Insurance Co., Hartford, Conn. Optional $25, $50, or $100 deductible.	$5 $7.50 $10	21 30 60	$50 $75 $100	$150 $225 $300	80+	(1) Outpatient surgery.
American National Insurance Co., Galveston, Tex.	$5 to $25	365	$425 by assignment.	$300	75+	(1) Outpatient hospital; (2) medical, hospital, home, office; (3) nursing benefit.
Atlantic Life Insurance Co., Richmond, Va.	$5 to $18	90	1st day, $20 to $72; 7 days+ $50 to $180.	$200	75	(1) Emergency accident; (2) Poliomyelitis.
Bankers Life Co., Des Moines, Iowa	$5 to $25	50	$50 to $250	$250 to $450	75	(1) Poliomyelitis.
Business Men's Assurance Co. of America, Kansas City, Mo.	$7 to $24	45	80 percent of charges up to maximum $100	$200	80	(1) Emergency accident.
The Colonial Life Insurance Co. of America, East Orange, N.J. Optional $25, $50, or $100 deductible.	$5 to $20	60	$50 to $200	$400	75	(1) Outpatient surgery; (2) outpatient service; (3) emergency accident; (4) inhospital medical.
Columbian Mutual Life Insurance Co., Binghamton, N.Y.	$5 to $25	30	$75 to $375	$250	80	(1) Emergency accident.
Country Life Insurance Co., Bloomington, Ill. Optional $50 or $100 deductible.	$5 to $20	120	$50 to $200 [1]	$200 to $300	75	(1) Outpatient hospital emergency accident; (2) inhospital medical.
Empire State Mutual Life Insurance Co., Jamestown, N.Y.	$5 to $15	50	$30 to $90	$200	80	(1) Registered nurse in home; (2) home-office-hospital medical; (3) outpatient.
Farmers and Traders Life Insurance Co., Syracuse, N.Y.	$5 to $20	45	$50 to $200	To $200	79	(1) Inhospital medical; (2) hospital outpatient service.
General American Life Insurance Co., St. Louis, Mo. Optional $50 or $100 deductible.	$5 to $30	120	$100 to $300	$300 to $300	75	(1) Inhospital medical.
Guardian Insurance Co., Dallas, Tex.	$10 to $15	100	$30 to $100	$300	80	(1) Ambulance service; (2) emergency accident; (3) nursing expense up to 10 days.
Great American Reserve Insurance Co., Dallas, Tex.	$8 to $25	31	$250 [2]	$300 to $450	80	
The Guardian Life Insurance Co. of America, New York, N.Y. Mandatory $50 deductible.	$10, $15, $20	50 (in 12 consecutive months).	$100, $150, $200	$150, $225, $300	60+	(1) Guaranteed lifetime premium.
Illinois Mutual Life & Casualty Co., Peoria, Ill. Optional benefit: Accidental death and dismemberment.	$6 to $15	40	$100	$200 to $400	74	
Inter-Ocean Insurance Co., Cincinnati, Ohio	$5 to $15	60	$100 to $300	$200 to $400	80+	(1) Inhospital medical.
John Hancock Mutual Life Insurance Co., Boston, Mass. Mandatory $25 deductible.	$8 to $15	50	$64 to $120	$250	75	
Life Insurance Co. of Georgia, Atlanta, Ga. Optional $15 deductible.	$6 to $10	31	1st day, $30 to $50; 5 days+ $60 to $100.	$150 to $250	80	(1) Poliomyelitis.
Lincoln National Life Insurance Co., Fort Wayne, Ind.	$5 to $20 $25 [3]	120	$60 to $240 $625 to $1,250 [3]	$200 to $400	71+	(1) Emergency accident.
Lumbermens Mutual Casualty Co., Chicago, Ill. Mandatory $25 deductible.	$8 to $10	60	$80 to $100	$300 or $300	75	(1) Emergency hospital accident.
Metropolitan Life Insurance Co., New York, N.Y.	$7.50 to $20	42	$60 to $160	$250 to $500	80	(1) Poliomyelitis.
Monarch Life Insurance Co., Springfield, Mass. Optional $25 or $50 deductible; optional benefit: supplementary accident.	$5 to $30	180	$100 to $750	$300 to $900	61+	
Mutual Life Insurance Co. of New York, New York, N.Y. Optional $25 or $50 deductible.	$8 to $15	45	$80 to $150	$250	80	(1) Poliomyelitis.
Nationwide Mutual Insurance Co., Columbus, Ohio.	$10	30	100 percent of 1st $100, 80 percent of next $200.	$200	65+	(1) Inhospital medical; (2) home nursing; (3) outpatient expense; (4) nursing home.
New York Life Insurance Co., New York, N.Y. Mandatory $25 deductible.	$5 to $15	60	$50 to $150	$250	75	(1) Additional hospital allowance for major surgery; (2) poliomyelitis.
North American Life & Casualty Co., Minneapolis, Minn. Optional benefits: Supplementary accident; death and dismemberment; in-office-home-hospital medical.	To $20	40	To $300	$250	70	
Ohio State Life Insurance Co., Columbus, Ohio. Optional benefits: In hospital medical; accident expense treatment.	$5 to $30	120	$50 to $200 $125 to $500 [4]	$200 to $300	75	
Pacific Mutual Life Insurance Co., Los Angeles, Calif. Optional $30, $40, or $50 deductible.	$10 to $20	45	$100 to $200	$300 to $500	80	
Prudential Insurance Co. of America, Newark, N.J. Optional $50 deductible.	$8 to $16	35	$60 to $120	$250	75	(1) Poliomyelitis.
Reserve Life Insurance Co., Dallas, Tex. Optional benefit: $5,000 specified disease supplement.	$8, $10, $12 [5]	180 [6]	Customary charges for operating room; dressings, splints, casts; respiratory equipment plus additional allowances for other specified services.	$300	75+	(1) Inhospital private duty nurse for accident; (2) first aid treatment.
Medical-surgical	$200 surgical; yearly aggregate $300 medical in hospital, home, office with additional allowances for treatments; nurse benefit; accident.				75+	

See footnotes at end of table.

TABLE II.—*Senior citizen lifetime guaranteed renewable hospital-surgical expense plans*—Continued

Company	Daily room and board	Duration of stay (days)	Miscellaneous extras	Maximum surgical schedule	Entrance age up to—	Extra benefits
State Mutual Life Assurance Co. of America, Worcester, Mass. Optional $50 deductible.	$5 to $20	90	$50 to $200	$200 to $400	85	(1) Inhospital medical; (2) emergency accident.
Teachers Protective Mutual Life Insurance Co., Lancaster, Pa. Optional $25, $50 or $100 deductible.	$5 to $20 $5 to $15	120 120	$100 to $250 $100 to $250	$100 to $400 $100 to $200	60 85	(1) Outpatient hospital; (2) private nurse in home.
Travelers Insurance Co., Hartford, Conn.	$5 to $15	50	3 days, $25 to $75; 8 days+, $50 to $150.	$200 to $300	75+	(1) Emergency accident.
Union Mutual Life Insurance Co., Portland, Maine. Optional $50 deductible; optional benefit: Inhospital medical; diagnostic expense.	$5 to $25	31	$25 to $125 or $50 to $250.	$200, $300, $400	70	
Washington National Insurance Co., Evanston, Ill. Optional $25, $50 or $100 deductible.	$8 to $12	31	$80 to $120	$200 to $300	61+	(1) Emergency accident.
Wisconsin National Life Insurance Co., Oshkosh, Wis.	$10 to $25	35	1st day, $45 to $112.50 + $10 each day thereafter for remainder of benefit period; 7 days+ $140 to $350.	$400 to $500 [7]	75	
Woodmen Accident & Life Co., Woodmen Accident & Life Building, Lincoln, Nebr. Optional $25, $50 or $100 deductible; optional benefit: Inhospital medical.	$5 to $25	100	$100 to $200	$150 to $450	70+	
World Insurance Co., Omaha, Nebr.	$5 to $20	31	$50 to $200	$150 to $300	75	(1) Ambulance; (2) outpatient accident.

[1] With $50 deductible, $125 to $500; with $100 deductible, $250 to $1,000.
[2] Mandatory $25 deductible.
[3] With optional $50 or $100 deductible.
[4] With optional $50 deductible.
[5] Other plans available: $6 daily room and board, 180 days, $250 surgical; $4 daily room and board, 60 days, $200 surgical.
[6] 30 additional days each year policy in force to maximum 365 days.
[7] Surgical schedule determined by daily room and board.

III. WEEKLY OR DAILY BENEFIT SENIOR CITIZEN HOSPITAL EXPENSE PLANS—GROUP APPROACH AND GUARANTEED RENEWABLE FOR LIFE

Selected yearly premium range: $54–$168.50; male 65.

These policies pay a stated dollar allowance, ranging from $25 to $210, for a maximum number of weeks while the insured person is under hospital care. Benefits provided are designed to meet the added expenses of the policyholder's hospitalization.

Under a group approach plan, persons 65 and over can make application for this protection during specified enrollment periods. The plan is issued regardless of the applicant's present health condition and without medical examination.

Premiums can be modified only for the entire state group and protection cannot be terminated for an individual policyholder—only for the group as a whole. This particular group-type plan is issued as a supplement to a basic "Senior Security" health insurance plan. (See sec. I.)

Under guaranteed renewable policies which provide benefits for lifetime, the insured person has the sole right of policy termination. The insurance company can adjust premiums only on a policyholder class basis.

The selected yearly premium range noted above for the plans listed was calculated for a man 65 years of age at maximum weekly plan benefits.

TABLE III.—*Weekly or daily benefit senior citizen hospital expense plans—Group approach and guaranteed renewable for life*

Company	Maximum benefit	Duration	Entrance age up to—
American Casualty Co. of Reading, Reading, Pa. Duration of stay after 65—13 weeks' hospitalization each accident or illness.	$25 to $175	26 weeks' hospitalization each accident or illness.	59
Girardian Insurance Co., Dallas, Tex.:			
Under 60	$50 to $150	Up to 50 weeks [1]	60
Over 60	$50 to $100	do [1]	75
Insurance Co. of North America, Philadelphia, Pa.: Over 65. Same plan for under 65.	$70, $105, $125, $140, and $210, with $300 surgical.	5 weeks' hospitalization each accident or illness.	75
Mutual of Omaha, Omaha, Nebr.:			
Over 65	$25 or $50 a week to $150 a week	Up to 13 weeks hospitalization each accident or illness.	74
Under 65	$25 or $50 a week	Up to 50 weeks hospitalization each accident or illness, 4 weeks after 65.	69
Mutual of Omaha, Omaha, Nebr. Group approach: Issued in conjunction with senior security plan (see sec. I) regardless of medical history and without medical examination to all persons 65 and over.	$50 a week	Up to 50 weeks hospitalization	65+
Provident Life & Accident Insurance Co., Chattanooga, Tenn.: Over 65. Same plan for under 65.	$5 a day, $7 a day, and $10 a day, with optional $200 surgical.	365 days hospitalization each accident or illness.	75
World Insurance Co., Omaha, Nebr.: Over 65. Same plan for under 65.	$100 a month to $400 a month [2]	12 months	80

[1] After policy is in force for 1 year, 10 additional weeks will be added for each of the next 5 years making a total of 50 additional weeks.
[2] This plan pays monthly benefit.

IV. SENIOR CITIZEN CATASTROPHIC EXPENSE PLANS

Selected yearly premium range: $55–$211.75; male 65.

Under these policies, persons 65 and over can choose benefits toward the expenses of prolonged hospital and/or medical care. Each of these plans has a "deductible" feature which the insured person must satisfy before policy benefits commence. Some have a sharing of expenses (coinsurance) by the policyholder above the specified "deductible."

All the plans listed have a lifetime guarantee. Requirements for enrollment vary according to whether a group or individual insurance technique is used. Dependent upon the particular plan, there may or may not be a health requirement for application.

Benefits under these plans for hospital and/or medical catastrophic expenses can reach a maximum of $7,500–$10,000.

A recent innovation in Connecticut by insurance companies has made available to all residents 65 and over a statewide plan offering protection against catastrophic medical expenses and basic hospital charges.

The selected yearly premium range noted above for the plans listed was calculated for a man 65 years of age with full plan benefits.

TABLE IV.—*Senior citizen catastrophic expense plans*

Name of plan	Maximum benefit	Deductible	Coinsurance	Entrance age up to—	Renewability
Senior citizen major hospital plans:					
Continental Casualty Co., Chicago, Ill.	$5,000	$500	No coinsurance	[1] 65+	Group approach. (See sec. I.)
Plan covers hospital charges for room and board to limit of $25 a day together with hospital miscellaneous services.					
Fireman's Fund Insurance Group, San Francisco, Calif.	$10,000	$200	20 percent	65+	Do.
Plan covers hospital charges for room and board together with hospital miscellaneous services; 6 months waiting period only on conditions with medical history.					
Metropolitan Life Insurance Co., New York, N.Y.	$5,000 with $15 a day hospital room for 180 days with $250 surgical schedule.	$50 [2]	do [2]	65+	Guaranteed renewable for life.
Extra benefits—medical and private nurse in hospital; nursing home.	$10,000 with $25 a day hospital room for 240 days with $500 surgical schedule.	$50 [2]	do [2]	65+	Do.
Mutual of Omaha, Omaha, Nebr.	$5,000 with $25 a day hospital room.	$250 to $500	20 percent	65+	Do.
Extra benefit—in-hospital private duty nursing.					
Senior citizen major medical expense plans:					
American Association of Retired Persons, Washington, D.C.	$10,000 (lifetime),[3] $2,500 (yearly).[3]	$100 in calendar year for out-of-hospital expenses.	20 percent [4]	65+	Group contract noncancelable for individual.
6 months' waiting period only on conditions with medical history within 6 months prior to effective date of contract.					
Connecticut State plan: Associated Connecticut Health Insurance Co.	$10,000 (lifetime),[3] $5,000 (yearly).[3]	$100 in calendar year with basic hospital plan.	20 percent [5]	[7] 65+	Lifetime unless terminated for all residents of State.
Basic hospital plan available if desired.	$5,000	$50 [6]	25 percent	75+	Lifetime guarantee regardless of change in health.
Mutual of Omaha, Omaha, Nebr.	$7,500	$750 [6]			
	$10,000	$1,000			
National Retired Teachers Association, Washington, D.C.	$10,000 (lifetime),[3] $2,500 (yearly).[3]	$100 in calendar year for out-of-hospital expenses.	20 percent [5]	(10)	Group contract noncancelable for individual.
6 months' waiting period only on conditions with medical history within 6 months prior to effective date of contract. Open on enrollment only to retired teachers.					
Washington National Insurance Co., Evanston, Ill.					
Plan A	$1,000 [11] to $6,000 [11]	$50, $100, $250,[12] $500,[12] and $750.[12]	Internal limits on hospital room and board; convalescent home; surgery; physician and private nursing services; 20 percent coinsurance on miscellaneous hospital services; ambulance, X-rays, laboratory tests; drugs; medical supplies and rental of medical equipment; physician and private nursing services.	69	Guaranteed renewable for life.
Plan B	$1,000 [11] to $2,500 [11]	$100, $250,[12] $500,[12] and $750.[12]	do	70	Do.
Optional benefit—guarantee right to increase coverage in future without evidence of insurability.					

[1] Plan available only to people 65 and over regardless of medical history and without medical examination during enrollment periods.
[2] Available only to members of the Fund-60 plan.
[3] Deductible and coinsurance apply to charges for miscellaneous hospital services, medical and private duty nursing; plan pays 80 percent of such charges and 100 percent of other services up to the aggregate maximum benefit each accident or illness.
[4] With internal limits, plan pays 80 percent of specified medical expenses in hospital, home, or nursing home to annual maximum on out-of-hospital expenses.
[5] $5,000 lifetime plan also available.
[6] Plan pays 100 percent of the 1st $250 for hospital charges including miscellaneous services and room and board to $18 a day and 80 percent thereafter; 80 percent of surgical fees according to $400 schedule; 80 percent of physicians' fees up to $6 a day; 80 percent of private nurse up to $18 a day—all expenses not to exceed the $5,000 yearly maximum.
[7] Open only to residents of the State of Connecticut 65 years of age or older, Sept. 1, 1961.
[8] Choice of deductibles available with all maximum benefits.
[9] With internal limits, plan pays 80 percent of specified medical expenses out of hospital or in-nursing home up to annual maximum.
[10] No age limit.
[11] These plans are designed on a unit value schedule with units ranging from $2 to $6 (plan A), $2 to $5 (plan B). Maximum benefits listed are in dollar amounts of the minimum and maximum number of unit values available under the plans.
[12] Mandatory deductibles for family income over $30,000, with other hospital-surgical coverage, $500 and $750 deductible.

V. ADDITIONAL HOSPITAL-SURGICAL EXPENSE PLANS PROVIDING CONTINUATION OF PROTECTION REGARDLESS OF CHANGES IN HEALTH

Selected yearly premium ranges: $52.70–$83 (basic plans), male 59; $40–$83 (catastrophic hospital plan); $83–$91 (major medical plan).

These plans, covering both those over and under 65 years of age, will guarantee the continuation of their protection without regard to a change in the health of the policyholder. As outlined here, they cover basic hospital, surgical, and doctor charges as well as major or catastrophic hospital and medical expenses.

The range of benefits for basic policies is from $5–$25 toward daily hospital room-and-board charges with additional allowances for extra hospital services. Surgical benefits go as high as $500. Policies will provide benefits from 60 to 1,000 days for each illness or injury.

Catastrophic expense policies for hospital and or medical expenses of this type have maximum benefits from $5,000–$10,000. Deductible amounts vary from $250–$1,000.

Under catastrophic hospital and major medical expense policies, the insured person commonly pays 20–25 percent of expenses above the "deductible."

The selected yearly premium ranges noted above for the plans listed were calculated for for a man of 59 years of age at various benefit levels.

TABLE V.—*Additional hospital-surgical expense plans providing continuation of protection regardless of change in health*

I. Nondeterioration health plans—policies that cannot be canceled or terminated because of physical change in the insured

Company	Daily room and board	Duration of stay (days)	Miscellaneous extras	Maximum surgical schedule	Entrance age up to—	Extra benefits
American Casualty Co. of Reading, Reading, Pa.						
Lifetime	$5 to $25	Duration of confinement	$50 to $250 or $100 to $500	$100 to $500	59	(1) Nursing home; (2) emergency accident.
Optional benefit—In-hospital medical; outpatient service.						
Combined Insurance Co. of America, Chicago, Ill.						
Lifetime	$6 to $25	1,000 [1]	$100 for 1st 14 days; $300 for 44 days or more.	$250 to $500	59	(1) Emergency accident; (2) ambulance service; (3) accidental death; (4) poliomyelitis; (5) loss of life.
Optional benefits—In-hospital medical; maternity.						
Senior citizen	$6 to $10	100	$100 for 1st 14 days; $300 for 44 days or more.	$250 to $500	60+	Do.

See footnotes at end of table.

TABLE V.—*Additional hospital-surgical expense plans providing continuation of protection regardless of change in health*—Continued

Company	Daily room and board	Duration of stay (days)	Miscellaneous extras	Maximum surgical schedule	Entrance age up to—	Extra benefits
Connecticut General Life Insurance Co., Hartford, Conn.:						
Lifetime	$10 to $20.	120	$200 to $400	$200 to $400	60	(1) In-hospital medical.
Mandatory $50 deductible before 65.						
Senior citizen	$10 to $20.	60	$100 to $200	$200 to $400	75+	Do.
Mandatory $25 deductible.						
First National Casualty Co., Fond du Lac, Wis.:						
Lifetime	$6 to $25.	1,000 [1]	$100 for first 14 days; $300 for 44 days or more.	$250 to $500	59	(1) Emergency accident; (2) ambulance service; (3) poliomyelitis; (4) outpatient accident; (5) accidental death.
Optional benefits—in-hospital medical; maternity; additional accidental death.						
Senior citizen	$6 to $10.	100	$100 for first 14 days; $300 for 44 days or more.	$250 to $500	60+	Do.
Optional benefits—In-hospital medical; additional accidental death.						
Mutual of Omaha, Omaha, Nebr.:						
Lifetime	$5 to $25.	500 [2]	$240 allocated benefits or 80 percent of expenses above $100 deductible to $1,000 maximum.	$150 to $375	59	(1) Maternity.
Optional benefits—accidental death; in-hospital medical; accident expense; outpatient expense; dread disease coverage.						
Senior citizen	$5 to $20.	90	do	do	74	
Optional benefits—accidental death; in-hospital medical; accident expense; outpatient expense; dread disease coverage.						
Wisconsin National Life Ins. Co., Oshkosh, Wis.	$10 to $25.	120	50 percent of first $100; 100 percent thereafter.	$400 to 500 [3]	65	
Optional benefits—emergency hospital accident or sickness; in-hospital medical; private duty nursing.						

[1] 100 days after age 61. [2] 30 days after age 65. [3] Surgical schedule determined by daily room and board.

Company	Maximum benefit	Deductible	Coinsurance	Entrance age up to—
Catastrophic hospital plan: Mutual of Omaha, Omaha, Nebr.	$5,000 with $25 a day hospital room	$500 [1]	20 percent	75+
	$5,000;[2] $7,500;[2] $10,000 [2]	$500; $750; $1,000	25 percent	75+
Minor medical expense plan: $500 medical treatment after 3d visit before 65; after 6th visit after 65: $150 to $375 surgical schedule.				59
Major medical plan: Mutual of Omaha, Omaha, Nebr.	$5,000; $7,500, 10,000	$500 [3]	25 percent	75+

[1] $250 deductible also available at higher premium.
[2] This plan covers hospital and nurse, medical and surgical expense in hospital.
[3] $750 and $1,000 deductibles also available at lower premiums.

VI. GUARANTEED RENEWABLE LIFETIME HOSPITAL-SURGICAL EXPENSE PLANS—ISSUED TO PERSONS UNDER 65 YEARS OF AGE

Selected yearly premium range: $84.80–$233.60; male, 55.

These policies provide protection against hospital and surgical expenses for the lifetime of the persons insured under them. The protection of these policies can only be terminated by the insured person through nonpayment of the premium. The insurance company reserves the right to adjust the policy premium by policyholder class—not on an individual basis. Some of these plans are available with hospital benefits only and as a result have lower premium charges.

Extra benefits, as listed under these programs, are included in each plan for the same premium; optional benefits can be added for an additional premium.

Some guaranteed renewable lifetime hospital-surgical expense policies require the insured person to pay a small initial amount (called deductible amount) of his hospital-surgical expenses before policy benefits start. Many of these policies, however, require no deductible amount or make it an optional choice of the insured person—in such cases, premiums are calculated according to the method selected.

Some guaranteed policies continue the same benefits throughout the lifetime of the insured person; others reduce benefits at 65 years of age or provide a fixed amount of benefits above 65 for lifetime. Many policies provide dividends which help reduce their yearly premium charges.

Premium charges of health insurance policies are determined by many factors: the applicant's age, sex, commonly the number of family members included, and the amount of benefits chosen.

The selected yearly premium range noted above for the programs listed was calculated for a man of 55 years of age at maximum plan benefits.

TABLE VI.—*Guaranteed renewable lifetime hospital-surgical expense plans—Issued to persons under 65 years of age*

Company	Daily room and board	Duration of stay (days)	Miscellaneous extras	Maximum surgical schedule	Entrance age up to—	Extra benefits
Aetna Life Insurance Co., Hartford, Conn.	$5 to $20.	365	$100 to $400	$150 to $600	59	(1) Maternity; (2) emergency accident.
Optional $25, $50, $100 deductible. Duration of stay after 65, 90 days; $50 to $200 miscellaneous extras.						
All American Life & Casualty Co., Park Ridge, Ill.	$10 to $20.	120	$100 to $500	$200 to $300	64	(1) Maternity; (2) ambulance service.
Mandatory $50 deductible. Aggregate lifetime benefit $1,000 after 65.						
American National Insurance Co., Galveston, Tex.	$5 to $25.	365	$425 by assignment.	$300	[1] 64+	(1) Outpatient hospital; (2) medical-hospital, home, office; (3) nursing benefit; (4) maternity.
Atlantic Life Insurance Co., Richmond, Va.	$5 to $18.	90	1st day: $20 to $72; 7 days+: $50 to $180.	$200 to $200	[1] 65+	(1) Maternity; (2) emergency accident; (3) poliomyelitis; (4) accidental death and dismemberment before age 65.
Optional benefits: Additional hospital and surgical expense allowance at extra premium.						
Bankers Life Co., Des Moines, Iowa	$5 to $25.	365	$75 to $375	$250 to $450	55	(1) Poliomyelitis; (2) maternity (in family policy).
Duration of stay after 65, 50 days; $50 to $250 miscellaneous extras.						
Bankers National Life Insurance Co., Montclair, N.J.	$10 to $25.	365	$200 to $500	$250 to $500	60	(1) In-hospital physician (before 65); (2) supplementary accident medical (before 65); (3) maternity; (4) emergency accident.
Optional $50 deductible.						
Duration of stay after 65, 35 days; $100 to $250 miscellaneous extras.	$10 to $25.	35	$100 to $250	$200 to $500	65	Do.
Optional $50 deductible.						

See footnotes at end of table.

TABLE VI.—*Guaranteed renewable lifetime hospital-surgical expense plans—Issued to persons under 65 years of age*—Continued

Company	Daily room and board	Duration of stay (days)	Miscellaneous extras	Maximum surgical schedule	Entrance age up to—	Extra benefits
Berkshire Life Insurance Co., Pittsfield, Mass. Optional $50 deductible. Duration of stay after 65, 60 days; $50 to $200 miscellaneous extras 6 or more days.	$5 to $20	120	1st day: $25 to $100; 16 days+: $100 to $400.	$250 to $500	[1] 55	(1) Maternity; (2) ambulance service.
Business Men's Assurance Co. of America, Kansas City, Mo. Optional $25 deductible. Duration of stay after 65, 30 days; $100 miscellaneous extras.	$7 to $25	365	To $800	$300 to $400	60	(1) Maternity; (2) out-of-hospital nursing care.
Capitol Life Insurance Co., Denver, Colo. Optional benefits: In-hospital medical; private duty nursing.	$5 to $15; $20 [3]	120	$50 to $150; $125 [1] to $1,000 [3].	$200 to $400	60	(1) Maternity; (2) emergency accident.
Colonial Life Insurance Co. of America, East Orange, N.J. Optional $50 or $100 deductible; mandatory $25 deductible. Duration of stay after 65, 60 days; miscellaneous extras reduced 50 percent.	$5 to $20	365	$75 to $300	$400	59	(1) Maternity (in family policy); (2) in-hospital medical; (3) outpatient diagnostic.
Columbian Mutual Life Insurance Co., Binghamton, N.Y. Duration of stay after 65, 30 days.	$5 to $25	100	$75 to $375	$250 to $250	[1] 65+	(1) Maternity; (2) emergency accident.
Commercial Travelers Mutual Accident Association, Utica, N.Y. Plan written in conjunction with guaranteed renewable lifetime accident and 65 sickness weekly indemnity plan ($25, $50, $75) and death and dismemberment plan ($5,000, $10,000, $15,000).	$8 to $16	90		$265	60	
Continental Assurance Co., Chicago, Ill. Optional $50 or $100 deductible. Duration of stay after 65, 60 days.	$10 to $25.	365	$150 to $375	$200 to $400	60	(1) Maternity; (2) emergency accident.
Continental Casualty Co., Chicago, Ill. Duration of stay after 65, 90 days.	To $25	365	$150 to $250	$100 to $400	59	(1) Emergency accident; (2) maternity (in family policy).
Country Life Insurance Co., Bloomington, Ill. Optional $50 or $100 deductible.	$5 to $20	120	$50 [4] to $200 [4]	$200 to $300	[1] 65+	(1) Outpatient hospital emergency accident; (2) in-hospital medical; (3) complications of pregnancy.
Empire State Mutual Life Insurance Co., Jamestown, N.Y. Duration of stay after 65, 75 days.	$5 to $25	365	$100 to $200	$100 to $400	59	(1) Maternity (in family policy); (2) in-hospital medical.
Farmers & Traders Life Insurance Co., Syracuse, N.Y. Duration of stay after 65, 45 days.	$5 to $20	180	$50 to $300	$200 to $400	59	(1) In-hospital medical; (2) hospital outpatient service.
Federal Life Insurance Co., Chicago, Ill. Benefits after age 70 reduced 50 percent.	$7 to $20	90	1st day: $28 to $89; 90 days: $700 to $2,000.	$150 to $400	65	(1) Maternity; (2) emergency accident; (3) diagnostic.
General American Life Insurance Co., St. Louis, Mo. Optional $50 or $100 deductible; optional benefit, maternity.	$5 to $25	120	$100 to $300	$350 to $500	59	(1) In-hospital medical; (2) complications of pregnancy.
Guardian Insurance Co., Dallas, Tex.	$10 to $30.	120	$30 to $100	$300	[1] 65+	(1) Ambulance service; (2) emergency accident; (3) maternity (in family policy); (4) nurse expense up to 10 days.
Great American Reserve Insurance Co., Dallas, Tex. Benefits reduced at 65 to senior citizen plan.	$8 to $25	120	$2,500 [1]	$300 to $420	60	
Great Southern Life Insurance Co., Houston, Tex.	$8 to $20	365	$100 to $400	$250 or $400	60	(1) In-hospital medical; (2) emergency accident.
Duration of stay after 65, 45 days; $80 to $200 miscellaneous extras.	$8 to $20	45	$80 to $200	$250 or $400	65	(1) Emergency accident.
Great-West Life Assurance Co., Winnipeg, Manitoba, Canada. Mandatory $25, $50, or $100 deductible. Duration of stay after 65, 31 days; $56.25 to $187.50 miscellaneous extras; $75 to $250 maximum surgical schedule.	$7.50 to $25.	365	$112.50 to $375	$150 to $500	60	(1) Maternity.
Guardian Life Insurance Co., New York, N.Y. Mandatory $15 to $25 deductible. Guaranteed renewable to anniversary nearest 65th birthday with right of conversion without evidence of insurability to company's senior citizen lifetime plan.	$5 to $25.	365	$100 to $300	$200 to $300	60	(1) Maternity; (2) in-hospital medical.
Hanover Insurance Co., Boston, Mass. Optional $50 deductible. Duration of stay after 65, 60 days; 50 percent reduction in miscellaneous extras.	To $25	120	1st day: to $100; 17 days+: To $500.	$200 to $300	59	(1) Emergency accident.
Illinois Mutual Life & Casualty Co., Peoria, Ill. Optional benefit: Accidental death and dismemberment; maternity.	$6 to $20.	400	$250 or 80 percent of charges for first 100 days.	$200 to $400	54	
Reduction in both plans to 40 days' duration of stay after 65	$6 to $20.	100	$100	$200 to $400	[1] 59	
Indianapolis Life Insurance Co., Indianapolis, Ind. Mandatory $25 deductible.	$8 to $20	365	$120 to $300	$250	65	(1) Maternity (in family policy).
Inter-Ocean Insurance Co., Cincinnati, Ohio. Duration of stay after 65, 60 days.	$5 to $25	100 (increasing by 30 days to maximum 365 days each year policy is force).	$100 to $300	$200 to $400	[1] 65+	(1) Maternity; (2) in-hospital medical.
Inter-State Assurance Co., Des Moines, Iowa. Mandatory $25 deductible. Optional benefit: Maternity.	$8 to $15	100	$80 to $150	$300	59	(1) Emergency accident; (2) ambulance service.
John Hancock Mutual Life Insurance Co., Boston, Mass. Mandatory $25 deductible. After 65: $8 to $30 daily room and board; 60 days duration of stay; $80 to $200 miscellaneous extras.	$8 to $20.	180	$120 to $300	$250 to $400	60	(1) Maternity; (2) in-hospital medical.
Life Insurance Co. of Georgia, Atlanta, Ga. Optional $15 deductible. Duration of stay after 65, 31 days.	$6 to $10.	70	1st day: $30 to $90; 5 days+, $60 to $180.	$140 to $250	[1] 65+	(1) Poliomyelitis; (2) maternity (in family policy).
Liberty Life Insurance Co., Greenville, S.C. Benefits reduced ½ after 65.	$6 to $14	100	1st day, $6 to $14; 15 days+, $60 to $240.	$120 to $320	55	(1) Emergency accident; (2) maternity (in family policy).

See footnotes at end of table.

TABLE VI.—*Guaranteed renewable lifetime hospital-surgical expense plans—Issued to persons under 65 years of age*—Continued

Company	Daily room and board	Duration of stay (days)	Miscellaneous extras	Maximum surgical schedule	Entrance age up to—	Extra benefits
The Lincoln National Life Insurance Co., Fort Wayne, Ind. Optional benefits: In-hospital medical; private duty nursing; supplementary accident and medical.	$5 to $20. $25 [3]	120	$60 to $240. $125 [3] to $625 [3]; $250 [3] to $1,250 [3]	$200 to $400	[1] 65+	(1) Outpatient emergency accident.
Loyal Protective Life Insurance Co., Boston, Mass. Optional $25 deductible. Duration of stay after 65, 40 days; miscellaneous extras at 50 percent.	$8 to $25.	240	1st day, $40 to $250; 20 days+, $200 to $625.	$200 to $500	60	(1) Maternity; (2) outpatient accident; (3) doctor's expense up to 30 days.
Lumbermen's Mutual Casualty Co., Chicago, Ill. Optional $50 deductible.	$8 [4]; $10 [4]; $12 [4]; $15 [4]; $18 [4]; $20 [4]	365	$100; $100; $150; $200; $250; $300.	$200, $300, or $400	59	(1) Outpatient accident; (2) maternity.
Massachusetts Bonding & Insurance Co., Boston, Mass. Optional $50 deductible. Duration of stay after 65, 60 days; miscellaneous extras reduced 50 percent after 65.	To $25	120	$100 for 1 day; $500 for 17 days or more.	$200 to $300	59	(1) Maternity; (2) emergency accident.
The Massachusetts Protective Association, Inc., Worcester, Mass. Optional $50 or $100 deductible. Optional benefits: $7,000 catastrophy with coinsurance and $5,000 poliomyelitis expense with no coinsurance to 65th birthday. Duration of stay after 65, 35 days; $80 to $250 miscellaneous extras.	$8 to $25.	120	$80 to $375	$200 to $400	60	(1) In-hospital medical; (2) outpatient accident; (3) maternity (in family policy).
Metropolitan Life Insurance Co., New York, N.Y.	$7.50 to $20	42	$60 to $160	$250 to $500	[1] 65+	(1) Poliomyelitis; (2) maternity (in family policy).
The Midland Mutual Life Insurance Co., Columbus, Ohio.	$5 to $20	120	$50 to $200, and, $125 to $500.	$200 to $400	60	(1) Maternity; (2) ambulance service.
Monarch Life Insurance Co., Springfield, Mass. Optional $25 or $50 deductible. Optional benefits: Supplementary accident expense; maternity.	$5 to $30	180	$100 to $750	$300 to $600	[1] 61+	
The Mutual Life Insurance Co. of New York, New York, N.Y. Optional $25-$50-$100 deductible. Duration of stay after 65, 45 days; $80 to $250 miscellaneous extras.	$8 to $25	365	$160 to $500	$250 to $500	55	(1) In-hospital medical; (2) outpatient accident; (3) poliomyelitis; (4) maternity (in family policy).
New York Life Insurance Co., New York, N.Y. Mandatory $25-$50-$100 deductible dependent on plan.	$5 to $15; $20 to $25.	365	$75 to $225. $400 to $625	$250. $500 to $700	60	(1) Maternity; (2) poliomyelitis; (3) additional hospital benefit for major surgery.
North American Life & Casualty Co., Minneapolis, Minn. Optional benefits. Supplementary accident expense; accidental death and dismemberment; office, home, or hospital medical. Duration of stay after 65, 40 days.	To $20	120	To $200	$250	[1] 65+	(1) Maternity.
Northwestern Life Insurance Co., Seattle, Wash. 20 percent reduction after 65 days; 40 percent reduction after 75 days.	$8 to $24.	90	$80 to $240	$100 to $300	59	
Occidental Life Insurance Co. of California, Los Angeles, Calif. Mandatory $50 deductible. Duration of stay after 65, 60 days; $50 to $200 miscellaneous extras 6 or more days.	$5 to $20.	120	1st day: $25 to $100; 16 days+: $100 to $400.	$400 to $400	59	(1) Maternity; (2) in-hospital medical; (3) diagnostic expense; (4) private duty nursing.
Ohio State Life Insurance Co., Columbus, Ohio. Optional benefits: In-hospital medical; accident expense treatment.	$5 to $20.	120	$50 to $200; $125 [7] to $500.[7]	$200 to $300	[1] 65+	(1) Maternity.
Pacific Mutual Life Insurance Co., Los Angeles, Calif. Optional $30-$40-$50 deductible. Duration of stay after 65, 45 days; $100 to $200 miscellaneous extras.	$10 to $20.	90	$200 to $400	$300 to $500	64	(1) Maternity; (2) in-hospital medical.
The Paul Revere Life Insurance Co., Worcester, Mass. Optional $50-$100 deductible. Optional benefits. $7,000 catastrophe with coinsurance and poliomyelitis with no coinsurance to 65th birthday. Duration of stay after 65, 35 days; $80 to $250 miscellaneous extras.	$8 to $25.	120	$120 to $375	$200 to $400	60	(1) Maternity; (2) in-hospital medical; (3) outpatient accident.
Pioneer Mutual Life Insurance Co., Fargo, N. Dak. Optional $25-$50-$100-$200 deductible. Optional benefits: In-hospital, home, office medical.	$8 to $25	365	$80 to $250	$225	65	(1) Ambulance service; (2) X-ray in doctor's office for injury; (3) emergency accident; (4) maternity (in family policy).
Provident Mutual Life Insurance Co. of Philadelphia, Philadelphia, Pa. Optional $25-$50 deductible. Duration of stay after 65, 60 days; $80 to $200 miscellaneous extras.	$8 to $20	365	$120 to $300	$200 to $400	60	(1) Maternity; (2) in-hospital medical; (3) outpatient accident.
The Prudential Insurance Co. of America, Newark, N.J. Optional $50 deductible.	$8 to $16	35	$60 to $120	$250	[1] 65+	(1) Maternity; (2) poliomyelitis.
Reserve Life Insurance Co., Dallas, Tex. Optional benefit—$5,000 specified disease supplement.	$8,[4] $10,[4] $12.[4]	180 [4]	Customary charges for operating room; dressings, splints, casts; respiratory equipment plus additional allowances for other specified services.	$300	[1] 65+	(1) In-hospital private duty nurse for accident; (2) first-aid treatment; (3) maternity.
Medical-surgical $240 surgical; yearly aggregate $300 medical in hospital, office, home with additional allowances for treatments; nurse benefit; accident and maternity.					65+	

See footnotes at end of table.

TABLE VI.—*Guaranteed renewable lifetime hospital-surgical expense plans—Issued to persons under 65 years of age*—Continued

Company	Daily room and board	Duration of stay (days)	Miscellaneous extras	Maximum surgical schedule	Entrance age up to—	Extra benefits
Standard Accident Insurance Co., Detroit, Mich. Duration of stay after 65, 90 days; $75 or $300 miscellaneous extras.	$5 to $20	180	$150 or $400	$150 to $450	59	(1) Emergency accident; (2) maternity (in family policy).
State Mutual Life Assurance Co. of America, Worcester, Mass. Optional $50 deductible.	$5 to $20	90	$50 to $200	$300 to $400	[1] 65+	(1) Maternity; (2) in-hospital medical; (3) emergency accident.
Teachers Protective Mutual Life Insurance Co., Lancaster, Pa. Optional $25, $50, $100 deductible.	$5 to $20	120	$100 to $250	$100 to $400	[1] 65+	(1) Outpatient hospital; (2) registered nurse in home; (3) maternity (in family policy).
Time Insurance Co., Milwaukee, Wis. Duration of stay after 65, 45 days; $400 maximum allowance for miscellaneous extras.	$10 to $20	90	50 percent of 1st $100 of charges and 100 percent thereafter.	$270 to $300	59	(1) Maternity; (2) emergency accident; (3) outpatient service; (4) ambulance service.
The Travelers Insurance Co., Hartford, Conn. Duration of stay after 65, 50 days; miscellaneous extras: $25 to $100 1st 3 days, $50 to $200 18 days or more.	$5 to $25	100	3 days: $25 to $125; 18 days+: $100 to $500.	$200 to $400	59	(1) Maternity; (2) in-hospital medical prior to 65; (3) outpatient accident; (4) poliomyelitis.
Union Mutual Life Insurance Co., Portland, Maine. Optional $50 deductible. Duration of stay after 65, 31 days; 31 days in-hospital medical; 50-percent reduction of miscellaneous and optional benefits.	$5 to $25	120	$50 to $250 or $100 to $500.	$200, $300, or $400	[1] 65+	(1) Maternity.
Wisconsin National Life Insurance Co., Oshkosh, Wis. Optional $50 deductible. Optional benefits: Outpatient hospital accident or sickness.	$10 to $25.	90	1st day: $45 to $112.50; 7 days+: $140 to $350 (+$10 each day thereafter for remainder of benefit period).	$400 [10] to $500 [10]	[1] 65+	
Family policy only with flat premium for husband, wife, and children.	$10 to $25.	365	$150 to $375	$400 to $500	50	(1) Maternity.
Woodmen Accident & Life Co., Lincoln, Nebr. Optional $25, $50, $100 deductible. Optional benefits: In-office-home-hospital medical; accident expense; accidental death and dismemberment.	$5 to $25	365	$100 to $300 to $300 plus 80 percent of next $1,000.	$150 to $450	[11] 59	(1) Maternity (in family policy).
World Insurance Co., Omaha, Nebr. Duration of stay after 65, 31 days.	$5 to $20	365	$50 to $300 or $100 [12] to $400 [12]; $50 to $300 plus 75 percent up to $1,000. [13]	$150 to $300	60	(1) Outpatient accident; (2) ambulance service; (3) maternity (in family policy).

[1] See senior citizen lifetime guaranteed renewable hospital-surgical expense plans.
[2] Open to age 50 with $50 deductible, $400 surgical schedule, and reduced premium at 65.
[3] With optional $50 or $100 deductible.
[4] With $50 deductible, $125 to $500; with $100 deductible, $250 to $1,000.
[5] Mandatory $25 deductible.
[6] After 65 aggregate $930 to $980 for hospital room and miscellaneous services.
[7] With optional $50 deductible.
[8] Other plans available: $6 daily room and board, 180 days, $250 surgical; $4 daily room and board, 90 days, $300 surgical.
[9] 30 additional days each year policy in force to maximum 365 days.
[10] Surgical schedule determined by daily room and board.
[11] Guaranteed renewable to 65 with privilege to convert to senior citizen policy.
[12] Reduced to $62.50 to $250 after 65.
[13] Reduced to 25 percent up to $1,000 after 65.

VII. GUARANTEED RENEWABLE LIFETIME HOSPITAL-SURGICAL EXPENSE PLANS FULLY PAID UP AT 65

Selected yearly premium range: $80.64–$188.60; male 35.

The unique feature of these guaranteed renewable lifetime hospital and surgical expense policies is that they become fully paid up when the policyholder reaches 65 with their benefits continuing as formerly provided or on a reduced basis for the insured person's lifetime.

As with other guaranteed renewable policies, the insured person has the sole right of terminating the policy, with the insurance company reserving the right to adjust the policy's premium according to policyholder class.

These policies provide benefits, ranging from $4 to $25, toward hospital daily room-and-board charges with additional benefits for extra hospital expenses and surgical operations. Policy benefits are provided for as long as 365 days before 65, with reduced benefits and benefit periods after the policyholder reaches his 65th birthday.

Many of these fully paid up at 65 policies offer additional benefits for maternity, emergency accidents, and in-hospital doctor visits. Some of these policies have optional "deductible" amounts which can be selected by the applicant. The maximum age range for applicants is between 54 and 60 years.

The selected yearly premium range noted above for the programs listed was calculated for a man of 35 years of age at maximum benefits under each plan.

TABLE VII.—*Guaranteed renewable lifetime hospital-surgical expense plans fully paid up at 65*

Company	Daily room and board	Duration of stay (days)	Miscellaneous extras	Maximum surgical schedule	Entrance age up to—	Extra benefits
Aetna Life Insurance Co., Hartford, Conn. Optional $25, $50, $100 deductible. Duration of stay after 65: 90 days; $50 to $300 miscellaneous extras.	$5 to $20	365	$100 to $400	$150 to $600	59	(1) Maternity and (2) emergency accident.
Bankers Life & Casualty Co.	$4 to $15	100 [1] (reduced to 31 days when policy paid up).	$290 by assignment.	$175	54	
Continental Assurance Co., Chicago, Ill. Optional $50–$100 deductible. Duration of stay after 65: 60 days.	$10 to $25.	365	$150 to $375	$200 to $400	60	Do.
Continental Casualty Co., Chicago, Ill. Duration of stay after 65: 90 days.	To $25	365	$150 to $250	$100 to $400	59	(1) Maternity (in family plan) and (2) emergency accident.
Empire State Mutual Life Insurance Co., Jamestown, N.Y. Duration of stay after 65: 75 days.	To $25	365	To $200	$100 to $400	55	
Metropolitan Life Insurance Co., New York, N.Y. Duration of stay after 65: 42 days per contract year; $60 to $160 miscellaneous extras; lifetime maximum for same or related conditions, $5,000.	$7.50 to $20.	365	$75 to $200	$250 to $500	55	(1) Maternity (in family plan), (2) in-hospital medical, and (3) poliomyelitis.

[1] 10 additional days each year policy in force to maximum 200 days.

TABLE VII.—*Guaranteed renewable lifetime hospital-surgical expense plans fully paid up at 65*—Continued

Company	Daily room and board	Duration of stay (days)	Miscellaneous extras	Maximum surgical schedule	Entrance age up to—	Extra benefits
The Prudential Insurance Co. of America, Newark, N.J. Optional $50–$100 deductible. Duration of stay after 65: 35 days; $60 to $180 miscellaneous extras.	$8 to $24	365	$160 to $480	$250 to $500	55	(1) Maternity and (2) poliomyelitis.
The Surety Life Insurance Co., Greenville, S.C. Duration of stay after 65: 31 days, no in-hospital medical.	$6 to $12	120	$60 to $120	$120 to $240	55	(1) Poliomyelitis, (2) in-hospital medical, and (3) maternity (in family policy).

VIII. GUARANTEED RENEWABLE MAJOR MEDICAL PLANS WITH LIFETIME COVERAGE OR EXTENDED BENEFITS BEYOND 65

Selected year premium range: $40.45–$91.92; male 45.

These guaranteed renewable policies provide benefits toward all normal medical expenses, both in and out of the hospital, resulting from catastrophic or prolonged illness or injury. They all have deductible features which prescribe the amount of expenses that the insured person must first meet before policy benefits begin.

These policies usually provide benefits of 75 to 80 percent toward medical charges above the deductible amount and up to the maximum benefits provided—usually ranging from $5,000 to $25,000. Some of these policies have specified benefit amounts according to particular types of medical expenses.

Under these policies, too, the insured person has sole right of termination, with the insurance company reserving the right to adjust premiums by policyholder class.

Benefits under these policies may be continued after 65 as formerly provided by the policy, or on a reduced basis for the insured person's lifetime.

The selected yearly premium range noted above for the plans listed has been calculated for a man of 45, with a deductible amount of $500, and a maximum benefit amount of $7,500, $10,000 or more.

TABLE VIII.—*Guaranteed renewable major medical plans with lifetime coverage or extended benefits beyond 65*

Company	Maximum benefit	Deductible	Coinsurance	Entrance age up to—	Renewability
Aetna Life Insurance Co., Hartford, Conn.: Special. Alaska and California special deductible. 50-percent reduction after 65. Available only to persons with basic hospital and surgical insurance and excludes, in addition to deductible amount, the 1st 31 days of daily hospital benefits with the 1st $200 of miscellaneous hospital expense during each 2-year benefit period.	$8,000 [1] $10,000 [1] $12,000 [1]	$250 [2] $500 [2] $750 [2]	25 percent, with $30 daily room and board limit and 50 percent out-of-hospital private duty nursing.	59	Guaranteed renewable for life.
Standard. Not available in Alaska, California, and Texas.	$8,000 [1] $10,000 [1] $12,000 [1]	$500 [3] $750 [3] $1,000 [3]	do	59	Do.
Atlantic Life Insurance Co., Richmond, Va. 50-percent reduction after 65.	$5,000 $10,000	$300 $500	20 percent	60	Do.
Berkshire Life Insurance Co., Pittsfield, Mass.	$7,500 [2] $10,000 [2]	$100 $250 $500 $1,000	20 percent, with internal limits on hospital room and surgery allowances.	60	Guaranteed renewable to 75 with a paid-up benefit thereafter.
Beneficial Standard Life Insurance Co., Los Angeles, Calif.	$7,500	$250 and $500.	20 percent, with internal limits on hospital room and board, surgery, ambulance, private duty nurse, physician, or osteopath.	55	Guaranteed renewable to 75.
The Guardian Life Insurance Co. of America, New York, N.Y.: Centennial.	$10,000 [4]	$500, $750, and $1,000. [5]	No coinsurance, internal limits on surgery and hospital room with ⅔ of charges for registered nurse.	60	Guaranteed renewable for life.
Executive.	$15,000 [4]	$1,000	do	65	Do.
Illinois Mutual Life & Casualty Co., Peoria, Ill.	$6,000 [7] $12,000 [7]	$500 $1,000	15 percent, with an internal limit on hospital room and board.	59	Do.
Inter-Ocean Insurance Co., Cincinnati, Ohio.	$5,000 $7,500 $10,000	($300, $500, $500);	25 percent with internal limits	59	Do.[6]
The Lincoln National Life Insurance Co., Fort Wayne, Ind.	$5,000 $7,500 $10,000	$1,000. $250. [8] $500. [8] $750. [8]	25 percent, with internal limits on hospital room and board.	60	Guaranteed renewable to 70.
The Lincoln National Life Insurance Co. of New York, New York, N.Y.	$5,000 $7,500 $10,000	$250 $500 $750	25 percent, with internal limits on hospital room	60	Do.
Loyal Protective Life Insurance Co., Boston, Mass. After age 65: $5,000 aggregate.	$10,000	$500 and $1,000. [10]	20 percent	60	Guaranteed renewable for life.
Monarch Life Insurance Co., Springfield, Mass.	$7,500 $12,500 $15,000	$300 [11] $300 [11] $300 [11] $500 [11] $750 $300 [11] $500 [11] $1,000	25 percent [12]	65	Do.
Mutual of Omaha, Omaha, Nebr.	$5,000 $7,500 $10,000	$500 [13] $750 [13] $1,000 [13]	do	75+	Lifetime guarantee regardless of change in health.
Nationwide Mutual Insurance Co., Columbus, Ohio.	$5,000 $7,500 $10,000	$250 $500 $750	20 percent	60	Guaranteed renewable to 65.[14]
Occidental Life Insurance Co. of California, Los Angeles, Calif.	$7,500 [15]	$300, $500	20 percent internal limits on surgery, hospital room and other services.	55	Guaranteed renewable to 75.[16]
Ohio State Life Insurance Co., Columbus, Ohio.	$5,000 [17] $7,500 [17] $10,000 [17]	$300 $500 $1,000	20 percent with internal limits	60	Guaranteed renewable for life.

See footnotes at end of table.

TABLE VIII.—*Guaranteed renewable major medical plans with lifetime coverage or extended benefits beyond 65*—Continued

Company	Maximum benefit	Deductible	Coinsurance	Entrance age up to—	Renewability
Standard Security Life Insurance Co. of New York, New York, N.Y.	$25,000[1] with $10,000 limit any 1 year.	$1,000[2]	15 percent with internal limits on surgery, hospital room, and convalescent home.	65	Do.
Washington National Insurance Co., Evanston, Ill. Optional benefit: Guarantee right to increase coverage in future without evidence of insurability.	$1,000 to $24,000[3]	$50, $100, $250[4], $500[5] and $750[6]	Internal limits on hospital room and board, convalescent home, surgery, physician and private nursing services. 20 percent coinsurance on miscellaneous hospital services, ambulance, X-rays, laboratory tests, drugs, medical supplies and rental of medical equipment; physician and private nursing services.	59 (a)	Do.
Woodmen Accident & Life Co., Lincoln, Nebr.	$10,000	$100, $300, $500, and $750[8]	20 percent with hospital room limit	59	Guaranteed renewable to 65.[9]

[1] Restoration privilege—Automatic $500 restoration to reestablish original maximum each calendar year no benefits paid; restoration on satisfactory evidence of insurability of indemnity paid when maximum benefit is reduced to an amount less than 75 percent.
[2] All cause deductible for 2-year benefit period; deductible determined by income.
[3] Aggregate maximum benefit all accident and illness after 65. 75 and after, aggregate maximum benefit is $1,000 or the maximum benefit remaining at 75, whichever is the lesser.
[4] Aggregate maximum benefit for all illness after 65.
[5] Deductible determined by income.
[6] Aggregate maximum benefit for all illness after 65.
[7] $6,000 available to incomes $15,000 or less; $12,000 available to all income to $10,000; not issued to income $50,000 and over.
[8] Benefits change after 65.
[9] Deductible determined by income or other medical insurance.
[10] Zero accident deductible optionally available.
[11] Optional $50 deductible available if no other insurance in force.
[12] Premium paid on yearly basis 10-percent increase in maximum benefit with 20 percent coinsurance.
[13] Choice of deductibles available with all maximum benefits.
[14] Continuation of coverage beyond age 65 to maximum benefit paid.
[15] Aggregate maximum benefit for all accident and illness after 65.
[16] $1,000 fully paid up or the difference between maximum benefit and the benefits paid after 65, whichever is the lesser.
[17] Aggregate maximum benefit for all accident and illness after 65.
[18] Maximum benefit after 65 $15,000 with reduced premium.
[19] Deductible reduced to $500 by $100 a year after 1st full policy year.
[20] This plan is designed on a unit value schedule with units ranging from $2 to $8; maximum benefits listed are in dollar amounts of the minimum and maximum number of unit values available under the plan.
[21] Mandatory deductibles for family income over $30,000, with other hospital-surgical coverage. $500 and $750 deductible.
[22] See Washington National Insurance Co.'s senior citizen catastrophic expense plan, table IV.
[23] Dependent on income.
[24] Conversion at 65 to agreeable lifetime policy. $2,500 maximum benefit; $500 deductible.

Mr. KING of California. Mr. Speaker, will the gentleman yield?

Mr. CURTIS of Missouri. I yield to the gentleman from California.

Mr. KING of California. I did not hear the first part of the gentleman's remarks as I was called from the Chamber and did not understand precisely what he said. Was there anything unusual in my presenting the statement today?

Mr. CURTIS of Missouri. No. The point I was making, if the gentleman will bear with me, was that obviously from the beginning of the remarks and what little I know of the content, this was an attack on the American Medical Association. I felt the gentleman, in fairness, should have delivered those remarks orally so that I, or anyone else who would take issue with them, would have an opportunity of doing so. However, I will have the opportunity of reading these remarks in the RECORD, which I shall do, and if I have matters or material I take exception to, I will take the floor. I will notify the gentleman from California, I may say, as I always do when I take the floor to contest remarks that one of my colleagues has made. I will notify him of the time so that he can be present in case he thinks I am out of line.

Mr. KING of California. The gentleman should be aware, inasmuch as he stated an attack has already been made on the integrity of certain persons, that just 2 weeks ago the executive vice president of the American Medical Association at a meeting in my home city of Los Angeles stated that the enemies of the American Medical Association in this fight are cunning, are ruthless, and are dishonorable. So, if the gentleman will keep that statement in perspective when he answers the statement I made, I will be satisfied.

Mr. CURTIS of Missouri. I will say to the gentleman, and I am glad to say it to him, that I regard him as one of the most honorable men I know, a man who is dedicated, a gentleman who may be in complete disagreement with me, but I resent anyone impugning his motives, his abilities, and his sincerity in this matter. I think whoever indulges in that kind of debate detracts our attention from the important issues that confront us. These are difficult problems. They are not easy to solve. I do regret that the public has not been given the benefit of the information that our committee adduced in over 10 days of hearings. The gentleman sat with me in committee hearings sometimes until 7 o'clock in the evening, listening to people who were most informed on this subject, who came before our committee in the hearings to give us the benefit of their knowledge and of their point of view.

I regret to say that the press has done a very inadequate job of reporting the information and material that those hearings adduced. The hearings were not printed for over 4 months and still this information is not available to the public. The press obviously regards this as a very important issue, just as this administration does and just as I do. We badly need to get to the public what are the facts, as best we can—the conflicting facts, the conflicting arguments—so the public can follow this very serious debate.

Again I want to assure the gentleman, he knows I have said this many times, I do have a high regard for him and for his integrity, and I resent with him any remarks that would impugn him or anyone else on the opposite side, by indicating that they are motivated by anything other than a sincere desire to come to the best conclusion our society can in trying to meet this problem.

Mr. KING of California. My estimation of the gentleman is equal to the kind remarks he intended in my behalf. I agree with him that we can deal with these matters in a factual way and accomplish much more, rather than to go beyond the bounds usually followed by gentlemen.

RESUMPTION OF NUCLEAR TESTING

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to address the House.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, on Friday, March 2, President Kennedy announced in a nationally broadcast address that the United States will resume atmospheric nuclear testing late next month unless the Russians agree to an enforceable test ban.

The President's announcement was courageous and sound. His decision was vitally important to the national interests of the United States and to the interests of the free world.

It was the Soviet Union that broke the A-test moratorium in an effort to attain research and development advantages over this country. This action in the light of the world situation has left the United States with no alternative but to resume atmospheric testing. The American people in overwhelming numbers are behind the President of the

United States in his courageous decision. The text of his great address follows:

WE CAN'T STAND STILL, PRESIDENT SAYS

(Following is the text of President Kennedy's nationally broadcast address last Friday on nuclear testing and disarmament.)

Good evening. Seventeen years ago man unleashed the power of the atom. He thereby took into his mortal hands the power of self-extinction. Throughout the years that have followed, under three successive Presidents the United States has sought to banish this weapon from the arsenals of individual nations. For of all the awesome responsibilities entrusted to this office, none is more somber to contemplate than the special statutory authority to employ nuclear arms in the defense of our people and freedom.

But until mankind has banished both war and its instruments of destruction, the United States must maintain an effective quantity and quality of nuclear weapons, so deployed and protected as to be capable of surviving any surprise attack and devastating the attacker. Only through such strength can we be certain of deterring a nuclear strike, or an overwhelming ground attack, upon our forces and our allies.

We must be strong

Only through such strength can we in the free world—should that deterrent fail—face the tragedy of another war with any hope of survival. And that deterrent strength, if it is to be effective and credible when compared with that of any other nation, must embody the most modern, the most reliable and the most versatile nuclear weapons our research and development can produce.

The testing of new weapons and the effects is necessarily a part of that research and development process. Without tests—to experiment and verify—progress is limited. A nation which is refraining from tests obviously cannot match the gains of a nation conducting tests. And when all nuclear powers refrain from testing, the nuclear arms race is held in check.

That is why this Nation has long urged an effective worldwide end to nuclear tests. And that is why in 1958 we voluntarily subscribed, as did the Soviet Union, to a nuclear test moratorium, during which neither side would conduct new nuclear tests, and both East and West would seek concrete plans for their control.

SOVIET UNION BROKE A-TEST MORATORIUM

But on September 1 of last year, while the United States and the United Kingdom were negotiating in good faith at Geneva, the Soviet Union callously broke its moratorium with a 2-month series of tests of more than 40 nuclear weapons. Preparations for these tests had been secretly underway for many months. Accompanied by new threats and new tactics of terror, these tests—conducted mostly in the atmosphere—represented a major Soviet effort to put nuclear weapons back into the arms race.

Once it was apparent that new appeals and proposals were to no avail, I authorized on September 5 a resumption of U.S. nuclear tests underground, and I announced on November 2—before the close of the Soviet series—that preparations were being ordered for a resumption of atmospheric tests, and that we would make whatever tests our security required in the light of Soviet gains.

Reviews completed

This week, the National Security Council of the United States has completed its review of this subject. The scope of the Soviet tests has been carefully reviewed by the most competent scientists in the country. The scope and justification of proposed American tests have been carefully reviewed, determining which experiments can be safely deferred, which can be deleted, which can be combined or conducted underground, and which are essential to our military and scientific progress. Careful attention has been given to the limiting of radioactive fallout, to the future course of arms control diplomacy, and our obligations to other nations.

Every alternative was examined. Every avenue of obtaining Soviet agreement was explored. We were determined not to rush into imitating their tests. And we were equally determined to do only what our own security required us to do. Although the complex preparations have continued at full speed while these facts were being uncovered, no single decision of this administration has been more thoroughly or more thoughtfully weighted.

TESTS WILL START IN LATE APRIL

Having carefully considered these findings, having received the unanimous recommendations of the pertinent department and agency heads, and having observed the Soviet Union's refusal to accept any agreement which would inhibit its freedom to test extensively after preparing secretly, I have today authorized the Atomic Energy Commission and the Department of Defense to conduct a series of nuclear tests—beginning when our preparations are completed, in the latter part of April and to be concluded as quickly as possible (within 2 or 3 months)—such series, involving only those tests which cannot be held underground, to take place in the atmosphere over the Pacific Ocean.

These tests are to be conducted under conditions which restrict the radioactive fallout to an absolute minimum, far less than the contamination created by last fall's Soviet series. By paying careful attention to location, wind and weather conditions, and by holding these tests over the open sea, we intend to rule out any problem of fallout in the immediate area of testing.

Moreover, we will hold the increase in radiation in the Northern Hemisphere, where nearly all such fallout will occur to a very low level.

TO KEEP FALLOUT LOW

Natural radioactivity, as everyone knows, has always been part of the air around us, with certain long-range biological effects. By conservative estimate, the total effects from this test series will be roughly equal to only 1 percent of those due to this natural background. It has been estimated, in fact, that the exposure due to radioactivity from these tests will be less than 1–50 of the difference which can be experienced, due to variations in natural radioactivity, simply by living in different locations in our own country. This will obviously be well within the guides for general population health and safety, as set by the Federal Radiation Council; and considerably less than one-tenth of 1 percent of the exposure guides set for adults who work with industrial radioactivity.

Nevertheless, I find it deeply regrettable that any radioactive material must be added to the atmosphere—that even one additional individual's health may be risked in the foreseeable future. And however remote and infinitesimal those hazards are judged to be, I still exceedingly regret the necessity of balancing these hazards against the hazards to hundreds of millions of lives which would be created by any relative decline in our nuclear strength.

No other decision possible

In the absence of a major shift in Soviet policies, no American President—responsible for the freedom and safety of so many people—could in good faith make any other decision. But because our nuclear posture affects the security of all Americans and all free men—because this issue has aroused such widespread concern—I want to share with you and all the world, to the fullest extent our security permits, all of the facts and thoughts which have gone into this decision.

Many of these facts are hard to explain in simple terms—many are hard to face in a peaceful world—but these are facts which must be faced and must be understood.

SOVIET WEAPONRY ADVANCED BY TESTS—II

Had the Soviet tests of last fall merely reflected a new effort in intimidation and bluff, our security would not have been affected. But in fact they also reflected a highly sophisticated technology, the trail of novel designs and techniques and some substantial gains in weaponry. Many of their tests were aimed at improving their defenses against missiles—others were proof tests, trying out existing weapons systems—but over one-half emphasized the development of new weapons, particularly those of greater explosive power.

A primary purpose of these tests was the development of warheads which weigh very little compared to the destructive efficiency of their thermonuclear yield. One Soviet test weapon exploded with the force of 58 megatons—the equivalent of 58 million tons of TNT. This was a reduced-yield version of their much-publicized 100-megaton bomb. Today, Soviet missiles do not appear able to carry so heavy a warhead. But there is no avoiding the fact that other Soviet tests, in the 1- to 3-megaton range and up, were aimed at unleashing increased destructive power in warheads actually capable of delivery by existing missiles.

Antimissile test

Much also has been said about Soviet claims for an antimissile missile. Some of the Soviet tests which measured the effects of high altitude nuclear explosion—in one case over 100 miles high—were related to this problem. While apparently seeking information (on the effects of nuclear blasts on radar and communication) which is important in developing an antimissile defense system, these tests did not, in our judgment, reflect a developed system.

In short, last falls tests in and by themselves, did not give the Soviet Union superiority in nuclear power. They did, however, provide the Soviet laboratories with a mass of data and experience on which, over the next 2 or 3 years, they can base significant analyses, experiments, and extrapolations, preparing for the next test series which would confirm and advance their findings.

And I must report to you in all candor that further Soviet series in the absence of further Western progress, could well provide the Soviet Union with a nuclear attack and defense capability so powerful as to encourage offensive designs. Were we to stand still while the Soviets surpassed us—or even appeared to surpass us—the free world's ability to deter, to survive, and to respond to an all-out attack would be seriously weakened.

WHY AMERICA MUST TEST IN AIR—III

The fact of the matter is that we cannot make similar strides without testing in the atmosphere as well as underground. For, in many areas of nuclear weapons research, we have reached the point where our progress

is stifled without experiments in every environment. The information from our last series of atmospheric tests in 1958 has all been analyzed and reanalyzed. It cannot tell us more without new data. And it is in these very areas of research—missile penetration and missile defense, for example—that further major Soviet tests, in the absence of further Western tests, might endanger our deterrent.

In addition to proof tests of existing systems, two different types of tests have therefore been decided upon. The first and most important are called effect tests—determining what effect an enemy's nuclear explosions would have upon our ability to survive and respond. We are spending great sums of money on radar to alert our defense and to develop possible antimissile systems—on the communications which enable our command and control center to direct a response—on hardening our missiles sites shielding our missiles and their warheads from defensive action, and providing them with electronic guidance systems to find their targets. But we cannot be certain how much of this preparation will turn out to be useless; blacked out, paralyzed, or destroyed by the complex effects of a nuclear explosion.

Must have precise data

We know enough from earlier tests to be concerned about such phenomena. We know that the Soviets conducted such tests last fall. But until we measure the effects of actual explosions in the atmosphere under realistic conditions, we will not know precisely how to prepare our future defenses, how best to equip our missiles for penetration of an antimissile system or whether it is possible to achieve such a system for ourselves.

Secondly, we must test in the atmosphere to permit the development of those more advanced concepts and more effective, efficient weapons which, in light of Soviet tests, are deemed essential to our security. Nuclear weapons technology is still a constantly changing field. If our weapons are to be more secure, more flexible in their use and more selective in their impact—if we are to be alert to new breakthroughs, to experiment with new designs—if we are to maintain our scientific momentum and leadership—then our weapons progress must not be limited to theory or to the confines of laboratories and caves.

To bring many results

This series is designed to lead to many important, if not always dramatic, results. Improving the nuclear yield per pound of weight in our weapons will make them easier to move, protect and fire—more likely to survive a surprise attack—and more adequate for effective retaliation. It will also, even more importantly, enable us to add to our missiles certain penetration aids and decoys, and to make those missiles effective at higher altitude detonations, in order to render ineffective any antimissile or interceptors system an enemy might some day develop.

Whenever possible, these development tests will be held underground. But the larger explosions can only be tested in the atmosphere. And while our technology in small weapons is unmatched, we now know that the Soviets have made major gains in developing larger weapons of low weight and high-explosive content—of 1 to 5 megatons and upward. Fourteen of their tests last fall were in this category, for a total of 30 such tests over the years. The United States, on the other hand, had conducted, prior to the moratorium, a total of only 20 tests within this megaton range.

ASKS UNDERSTANDING FROM U.S. FRIENDS—IV

While we will be conducting far fewer tests than the Soviets, with far less fallout, there will still be those in other countries who will urge us to refrain from testing at all. Perhaps they forget that this country long refrained from testing, and sought to ban all tests, while the Soviets were secretly preparing new explosions. Perhaps they forget the Soviet threats of last autumn and their arbitrary rejection of all appeals and proposals, from both the United States and United Nations.

But those free peoples who value their freedom and security, and look to our relative strength to shield them from danger—those who know of our good faith in seeking an end to testing and an end to the arms race—will, I am confident, want the United States to do whatever it must do to deter the threat of aggression.

If they felt we could be swayed by threats or intimidation—if they thought we could permit a repetition of last summer's deception—then surely they would lose faith in our will and our wisdom as well as our weaponry. I have no doubt that most of our friends around the world have shared my hope that we would never find it necessary to test again—and my own belief, in the long run, the only real security in this age of nuclear peril rests not in armament but in disarmament.

But I am equally certain that they would insist on our testing once that is seemed necessary to protect free world security. They know we are not deciding to test for political or psychological reasons—and they also know that we cannot avoid testing for political or psychological reasons.

THE LESSON OF GENEVA TALKS—V

The leaders of the Soviet Union are also watching this decision. Should we fail to follow the dictates of our own security, they will chalk it up not to good will but to a failure of will—not to our confidence in Western superiority, but to our fear of world opinion, the very world opinion for which they showed such contempt.

They could well be encouraged by such signs of weakness to seek another period of no testing without controls—another opportunity for stifling our progress while secretly preparing, on the basis of last fall's experiments, for the new test series which might alter the balance of power.

With such a one-sided advantage, why would they change their strategy, or refrain from testing, merely because we refrained? Why would they want to halt their drive to surpass us in nuclear technology? And why would they ever consider accepting a true test ban or mutual disarmament?

Our reasons are clear

Our reasons for testing and our peaceful intentions are clear—so clear that even the Soviets could not objectively regard our resumption of tests, following their own resumption of tests, as provocative or preparatory for war. On the contrary, it is my hope that the prospects for peace may actually be strengthened by this decision—once the Soviet leaders realize that the West will no longer stand still, negotiating in good faith, while they reject inspection and are free to prepare for further tests.

As new disarmament talks approach, the basic lesson of some 3 years and 353 negotiating sessions at Geneva is this—that the Soviets will not agree to an effective ban on nuclear tests as long as a new series of offers and prolonged negotiations, or a new uninspected moratorium, or a new agreement without controls, would enable them once again to prevent the West from testing while they prepare in secret.

But inasmuch as this choice is now no longer open to them, let us hope that they will take a different attitude on banning nuclear tests—that they will prefer to see the nuclear arms race checked instead of intensified, with all the dangers that intensification is likely to bring: The spread of nuclear weapons to other nations; the constant increase in world tensions; the steady decrease in all prospects for disarmament; and, with it, a steady decrease in the security of us all.

UNITED STATES WILL OFFER DISARMAMENT PLAN—VI

If the Soviets should change their position, we will have an opportunity to learn it immediately. On the 14th of March, in Geneva, Switzerland, a new 18-power conference on disarmament will begin. A statement of agreed principles has been worked out with the Soviets and endorsed by the U.N. In the long run, it is the constructive possibilities of that conference—and not the testing of new destructive weapons—on which rest the hopes of all mankind. However dim these hopes may sometimes seem, they can never be abandoned. And however far off most steps toward disarmament appear, there are some that can be taken at once.

The United States will offer at the Geneva conference—not in the advance expectation they will be rejected, and not merely for purposes of propaganda—a series of concrete plans for a major breakthrough to peace. We hope and believe that they will appeal to all nations opposed to war.

They will include specific proposals for fair and enforcible agreements: To halt the production of fissionable materials and nuclear weapons and their transfer to other nations; to convert them from weapon stockpiles to peaceable uses; to destroy the warheads and the delivery systems that threaten man's existence; to check the dangers of surprise and accidental attack; to reserve outer space for peaceful use; and progressively to reduce all armed forces in such a way as ultimately to remove forever all threats and thoughts of war.

And of greatest importance to our discussion tonight, we shall, in association with the United Kingdom, present once again our proposals for a separate comprehensive treaty—with appropriate arrangements for detection and verification—to halt permanently the testing of all nuclear weapons, in every environment: in the air, in outer space, underground, and underwater. New modifications will also be offered in the light of new experience.

Recalls Soviet arguments

The essential arguments and facts relating to such a treaty are well known to the Soviet Union. There is no need for further repetition, propaganda, or delay. The fact that both sides have decided to resume testing only emphasizes the need for new agreement, not arguments. And before charging that this decision shatters all hopes for agreement, the Soviets should recall that we were willing to work out with them, for joint submission to the U.N., an agreed statement of disarmament principles at the very time their autumn tests were being conducted. And Mr. Khrushchev knows, as he said in 1960, that any nation which broke the moratorium could expect other nations to be "forced to take the same road."

Our negotiators will be ready to talk about this treaty even before the conference on March 14—and they will be ready to sign well before the date on which our tests are ready to begin. That date is still nearly 2 months away. If the Soviet Union should now be willing to accept such a treaty, sign

it before the latter part of April, and apply it immediately—if all testing can thus be actually halted—then the nuclear arms race would be slowed down at last—the security of the United States and its ability to meet its commitments would be safeguarded—and there would be no need for our tests to begin.

Treaty must be effective

But this must be a fully effective treaty. We know now enough about broken negotiations, secret preparations, and the advantages gained from a long test series never to offer again an uninspected moratorium. Some may urge us to try it again, keeping our preparations to test in a constant state of readiness.

But in actual practice, particularly in a society of free choice, we cannot keep top-flight scientists concentrating on the preparation of an experiment which may or may not take place on an uncertain date in the undefined future.

Nor can large technical laboratories be kept fully alert on a standby basis waiting for some other nation to break an agreement. This is not merely difficult or inconvenient—we have explored this alternative thoroughly, and found it impossible of execution.

In short, in the absence of a firm agreement that would halt nuclear tests by the latter part of April, we shall go ahead with our talks—striving for some new avenue of agreement—but we shall also go ahead with our tests. If, on the other hand, the Soviet Union should accept such a treaty in the opening month of talks, that single step would be a monumental step toward peace—and both Prime Minister Macmillan and I would think it fitting to meet Chairman Khrushchev at Geneva to sign the final pact.

RESPONSIBILITY IS SOVIET UNION'S—VII

For our ultimate objective is not to test for the sake of testing. Our real objective is to make our own tests unnecessary, to prevent others from testing, to prevent the nuclear arms race from mushrooming out of control, to take the first steps toward general and complete disarmament. And that is why, in the last analysis, it is the leaders of the Soviet Union who must bear the heavy responsibility of choosing, in the weeks that lie ahead, whether we proceed with these new steps—or proceed with new tests.

If they are convinced that their interests can no longer be served by the present course of events, then it is my fervent hope that they will agree to an effective treaty. But if they persist in rejecting all means of true inspection, then we shall be left with no choice but to keep our own defensive arsenal adequate for the security of all freemen.

It is our hope and prayer that these grim, unwelcome tests will never have to be made—that these deadly weapons will never have to be fired—and that our preparations for war will bring about the preservation of peace. Our foremost aim is the control of force, not the pursuit of force, in a world made safe for mankind. But whatever the future brings, I am sworn to uphold and defend the freedom of the American people—and I intend to do whatever must be done to fulfill that solemn obligation.

Thank you, and good night.

Mr. HALLECK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HALLECK. Mr. Speaker, I want to commend the majority leader, the gentleman from Oklahoma, for the statement he has just made, and to assure him that those of us on this side of the aisle stand with the President in the determination that has just been made to resume nuclear testing.

Without undertaking in any way to affect the sincerity of the statement I just made, I would like to point out that some 9 months ago, as a result of investigations and studies that were made by those of us on the Republican side of the aisle, the Republican leadership here, joined with the Republican leadership from the other body, to issue a statement pointing out that the discussions at Geneva had gone on for a long time, that it was our firm conviction that the Soviets had no real intention of doing anything, and that we thought a terminal date should be set on negotiations for a ban on nuclear testing.

Then, last August, we specifically urged the President to resume testing.

Just 2 weeks ago we again stated that we thought that for the security of our country testing needed to be resumed.

Certainly this is evidence of Republican desire to stand with the President in any of the things that are necessary to protect the security of our country.

We shall continue to support him in matters of this sort.

Mr. Speaker, for the record, I want to include in my remarks the statements issued on this subject by the Republican leadership to which I have referred.

A RECORD OF PRESS CONFERENCE STATEMENTS

THE A-BOMB BAN

May 11, 1961

By Senator DIRKSEN:

It is becoming plain that the United States must reexamine its position with respect to the interminable negotiations on nuclear testing which have been conducted at Geneva since October 31, 1958. There now have been 296 negotiating sessions hinging largely on the question of inspection if a ban on nuclear testing is reached.

With the installation of the Kennedy administration in January this Nation dispatched to Geneva an offer of seven substantial concessions to Russia. Even before these concessions could be announced, the Soviets announced they were retreating from two agreements which had been obtained in previous years. Then, having heard our concessions, the Russians accepted only two of them and balked at the rest. Negotiations since then have been uniformly described by the Western delegates as nothing less than depressing.

It is perfectly apparent that the Soviets are not negotiating: they are conducting a monumental stall. Because underground nuclear tests cannot be detected, this leaves the Russians free to continue this kind of testing if they wish while we have suspended our own efforts in this field.

On October 9, 1960, during the presidential campaign, Mr. Kennedy asserted that "when I am elected I will direct vigorous negotiation" in Geneva, and added significantly: "* * * I intend to prescribe a reasonable but definite time limit to determine whether significant progress is being made."

In view of the notable lack of progress to this date, we feel that in the interest of arriving at some discernible conclusion, President Kennedy should now fix a time limit and so notify the Russians. We feel that this is not only essential to American prestige but will make clear to the world the true intent of the Soviet Union.

June 8, 1961

By Representative HALLECK:

A month ago the joint Senate-House Republican leadership suggested that President Kennedy fix a time limit on the interminable negotiations on nuclear testing which have been conducted at Geneva since October 31, 1958. We stated we felt this was not only essential to American prestige but necessary so the world will realize the Soviet Union does not want to reach an agreement. Two nights ago President Kennedy in his report to the Nation on his European trip made it clear that he could not discover during his conversations with Khrushchev a single ray of hope for adoption of nuclear treaty.

There now have been 317 negotiating sessions at Geneva hinging largely on the issue of inspection if a ban on nuclear testing is reached. The question is: How much longer must America submit to this persistent Soviet stalling?

We know that we have conducted no nuclear testing in this country since 1958. But we have absolutely no evidence that the Russians are not conducting such tests because underground nuclear testing cannot be detected.

We insist that we can no longer take the chance that the Soviet Union will perfect its nuclear weapons while we forego improving ours during interminable meetings at Geneva.

It is now common knowledge that the Russians intend to seek transferral of the nuclear testing negotiations to the agenda of a general disarmament conference, thus junking the Geneva effort. If talks for 2½ years on a single phase of armaments are fruitless, how many more years will we have to live with the possibility the Soviet Union is secretly testing while we risk both our national security and world peace at another conference table?

We believe the United States has been extremely patient in view of the gravity of the issue and we respectfully urge the President to set a deadline on the negotiations and so notify the Soviet Union.

August 15, 1961

By Representative HALLECK:

For many months it has been evident that the nuclear test ban negotiations at Geneva have been a waste of time and that we have been jeopardizing our own national security by continuing our self-imposed suspension of testing.

Twice during these months the joint Senate-House Republican leadership has raised the question of whether the United States should set a terminal date because it has become increasingly obvious that the Soviet Union has not been negotiating, but stalling.

When these negotiations began 3 years ago there was little doubt we were ahead of the Soviets in nuclear weapons. We know the United States has done no testing during these 3 years. But how about the Soviet Union?

Because there is no present way to detect underground testing, how do we know the Russians have not been testing? How do we know they haven't been stalling to gain time to catch up with us or pass us in nuclear weapons? The answer to both questions is the same: We don't know.

But we do know this: While there is no absolute proof, there does exist enough information to indicate the Soviets have been testing during the negotiations. Further,

we can state that this information is known to our highest Government officials. We think action is indicated.

Last week, President Kennedy announced he was sending our negotiators back to Geneva for one more try with the Soviets. We have no objection to this attempt, but we believe it should not be allowed to sandbag the Nation's safety. We say the time has arrived for the United States to resume testing.

We have repeatedly stated that in any meeting with the Soviet Union we must negotiate from strength. In this instance we believe the United States would be in a far stronger position if we resumed testing and insisted that the Soviet Union come to the conference table with a real desire to negotiate instead of stall.

Let us not forget that 3 years of voluntary suspension of tests has produced no results at Geneva whatsoever. Perhaps testing while offering to negotiate might bring all parties closer to the desired objective—a true nuclear test ban.

February 20, 1962

By Senator DIRKSEN:

On three occasions last year (May 11, June 8 and August 15) the joint Senate-House Republican leadership urged President Kennedy to reexamine U.S. policy on the Geneva negotiations with the Soviet Union so that we might resume nuclear testing.

On September 1, 1961, the Soviet Union seized the initiative and began a series of 40 to 50 nuclear tests in the atmosphere. Three weeks later, the United States resumed testing, not in the atmosphere, but by the far less effective method of underground explosions.

When the negotiations began in 1958, the United States had unquestioned superiority over the Soviets in both atomic devices and a bomb stockpile. Now top officials of our Government are agreed that (1) the Russians were probably testing underground all along, as we asserted in an August 15 statement, and (2) the Russians have made definite gains on us by both their clandestine and public testing.

We now ask: How much longer does President Kennedy intend to wait to resume atmospheric testing? In the past 8 months there have been numerous stories in the newspapers that Mr. Kennedy was shortly going to order such testing resumed. In fact, there are similar stories in the papers now. But we still have not resumed atmospheric testing.

What kind of leadership is this? Where is the "direct vigorous" action on this problem that Mr. Kennedy promised in the 1960 presidential campaign? In its 13 months in office the Kennedy administration has done nothing but give ground to the Russians both at the negotiating table and on our own atomic weapons program.

The time for action is long overdue. President Kennedy should delay not 1 minute longer.

February 20, 1962

By REPRESENTATIVE HALLECK:

We cannot stress too much how serious we believe our nuclear weapons position to be. We believe the policy of the Kennedy administration in delaying testing has been wrong.

One of the first acts of the Kennedy administration was to weaken, in the eyes of the world, our military emphasis on massive nuclear retaliation, by a highly publicized buildup of our conventional forces.

Reserves were called up and national guard units mobilized and they patriotically responded, but even the Pentagon now concedes this course was a mistake. Concurrently, in the field of nuclear negotiations with the Russians at Geneva, the first act of the Kennedy administration was to offer the Russians seven major concessions. The Soviets countered as might be expected—they renounced two agreements that had already been reached under the Eisenhower administration.

Meantime, despite bipartisan demands in Congress for U.S. resumption of nuclear testing, and even predictions that the President would do this, he still delayed. President Kennedy still wanted to negotiate, even though 39 months at the conference table had only gained time for the Russians.

With the door wide open, with the United States adopting a new emphasis on ground warfare, was it any wonder that the Soviet Union openly resumed atmospheric tests last September?

And still we wait, and still we go on offering concessions, the latest being an offer to transfer the nuclear talks to the agenda of a disarmament conference—a proposal sponsored by the Soviets for many months.

If we are to maintain American prestige, if we are to stay ahead on the military front, we say the President must order whatever atmospheric nuclear testing is necessary to meet our national security requirements.

Mr. FORD. Mr. Speaker, will the gentleman yield?

Mr. HALLECK. I yield to the gentleman from Michigan.

Mr. FORD. I would like to endorse what the gentleman from Indiana has said. I think the President's speech on Friday night was excellent. That the decision was sound with this exception: I personally feel that the decision should have come sooner and the range of the tests should be greater. I do not feel that the tests we are going to conduct should be limited, and I specifically urge that the President push forward not in a limited but in a comprehensive way with what we call proof testing, or system testing of operational weapons now in our inventory.

This decision to conduct extensive proof or system tests would have a very favorable impact on the creditibility of our deterrent forces, and if such comprehensive tests are not included in our proposed testing program as approved by the President, then we in the legislative branch of the Government should make a maximum effort to push the administration to be sure that such tests are conducted. On this specific point the President's speech was not as strong as it should have been. The United States should promptly test in the atmosphere Atlas and Polaris ballistic missiles, with nuclear warheads, fired by operational crews.

Mr. HALLECK. I thank the gentleman.

Mr. HOLIFIELD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOLIFIELD. Mr. Speaker, I wish to commend the President for his decision on the resumption of the testing of nuclear weapons. In my opinion the President has indeed gone the last mile in his effort to obtain a genuine test ban agreement with the Soviet Union. It is now 6 months since the Soviets ruthlessly torpedoed the Geneva test ban negotiations and started a series of approximately 50 nuclear weapons tests in the atmosphere. During this 6-month period the President sent our negotiators back to Geneva in another attempt to obtain a genuine agreement with the Soviets. Of course, we know now this was fruitless.

As the President has made clear, the United States remains ready to conclude an effective test ban treaty which would bring an end to all testing. The responsibility for ending this nuclear race clearly rests with the Soviet Union.

We have analyzed the weapon debris from recent tests of the Soviets, and our scientific weapon experts tell us that they have made important advances in weapon technology. The President has now announced that it is necessary for the security of our country that we proceed with the development and proving of vital nuclear weapons. I would stress one important aspect of this decision: Our nuclear strength today is more than adequate for today. But, should the Soviets build upon their last series of tests with another series, the free world could be in grave danger. Lacking any assurance that they might not, even now, be making preparations for further testing, we must take the necessary action that will insure our future nuclear capability.

The Joint Committee on Atomic Energy has been assured that the amounts of radioactive fallout from any atmospheric tests which the United States may carry on will be substantially less than the amounts produced in the last Soviet series of tests, and will not constitute a significant population hazard.

I know that the President has made this decision after more than a year's consideration and with great reluctance. He has repeatedly stated that he would order a resumption of tests only on the basis of the necessities of our Nation's security.

The Joint Committee on Atomic Energy has followed the United States and foreign atomic weapons programs very closely for the last 16 years, and has been briefed in the last few weeks on the status and needs of our weapons program. As chairman of the Joint Committee, I believe that I voice the unanimous approval of the President's action by all of the 18 Members of the Senate and the House of Representatives on the Joint Committee.

In response to the gentleman from Michigan [Mr. FORD] may I say that he apparently has not read the second paragraph of section III of the President's speech in which he said: "In addition to proof tests of existing systems—." And then he went on to describe in general terms two additional types of tests under consideration.

Of course the President is not going to release the specific tests that he intends to direct, but I believe I can assure the gentleman from Michigan, and the House as well, that the tests which will be undertaken will be important tests and they will be necessary for the defense of the United States and the free world. They will be adequate to take care of the technological problems of our present time.

Mr. Speaker, I insert as an appendage to the remarks which I have made a chronology of the significant dates in the atomic weapons development field and subsequent negotiations. I believe this chronology with the dates and the delineation of the particular events will be very helpful to the Members of the House.

SIGNIFICANT DATES IN ATOMIC WEAPONS DEVELOPMENT AND SUBSEQUENT NEGOTIATIONS

DATES OF CERTAIN NUCLEAR WEAPONS EXPLOSIONS

July 16, 1945: First U.S. nuclear device test, Alamogordo, N. Mex.

August 6, 1945: First atomic bomb dropped on Hiroshima.

August 9, 1945: Second atomic bomb dropped on Nagasaki.

September 23, 1949: President Truman announced the first atomic explosion in the U.S.S.R.

October 1952: First nuclear bomb test by the United Kingdom in Australia.

November 1, 1952: Exploded hydrogen device fired at Bikini by United States.

August 21, 1953: First hydrogen device tested by U.S.S.R. detected by United States.

February 13, 1960: First French atomic test.

DATES OF NEGOTIATIONS ON DISCONTINUANCE OF NUCLEAR WEAPON TESTS

June 14, 1946: U.S. proposal for international control of atomic energy (Baruch plan).

June 19, 1946: U.S.S.R. proposed alternate plan including insistence on retention of Security Council veto power over any control system.

March 24, 1957: Bermuda Declaration—Joint declaration by United States and United Kingdom to conduct nuclear tests in such a manner as to keep world radiation from rising to more than a small fraction of the level that might be hazardous, to continue to announce test series, also expressed willingness to announce tests to the U.N. and permit international observation if the U.S.S.R. would do the same.

November 14, 1957: General Assembly Resolution 1148 (XII): Regulation, Limitation, and Balanced Reduction of All Armed Forces and All Armaments; Conclusion of an International Convention (Treaty) on the Reduction of Armaments and the Prohibition of Atomic, Hydrogen, and Other Weapons of Mass Destruction.

Among its provisions, this resolution urged the immediate suspension of testing of nuclear weapons with prompt installation of effective international control, including inspection posts equipped with appropriate scientific instruments located in the United States, the Soviet Union, and the United Kingdom, and at other points as required.

December 10, 1957: Soviet proposal that U.S.S.R., United States and United Kingdom discontinue all tests as of January 1, 1958.

March 31, 1958: Decree of the Supreme Soviet concerning the discontinuance of Soviet atomic and hydrogen weapons tests.

April 28, 1958: President Eisenhower by letter to Khrushchev proposed that both Nations have the technical experts start to work on the practical problems involved in disarmament, particularly working toward the suspension of nuclear testing. President Eisenhower stated "I reemphasize that these studies are without prejudice to our respective positions on the timing and interdependence of various aspects of disarmament."

May 9, 1958: Letter from Khrushchev accepting Eisenhower's proposal of April 28 to have experts study the problems involved in an agreement on the cessation of atomic and hydrogen weapons tests as far as inspection and control are concerned.

July 1, 1958: Conference of Experts from the West (United States, United Kingdom, Canada and France) and East (U.S.S.R. Czechoslovakia, Poland, and Rumania) met in Geneva.

August 21, 1958: Conference of Experts adopted a final report for consideration by Governments.

Conference of Experts recommended the so-called "Geneva System" of detecting nuclear explosions. This system recommended a network of 180 control points. It should be noted that the American representatives, during this conference, had taken the position that 650 control points would be necessary to have adequate protection down to 1 kiloton. Through compromise with the Soviets, they settled on the 180 stations, but then had to point out the weakness between the area of 1 kiloton and 5 kilotons.

August 22, 1958: President Eisenhower announced that based on the Conference of Experts' report, the United States was prepared to negotiate an agreement with other Nations which have tested nuclear weapons for suspension of nuclear weapons tests and the establishment of an international control system. The President also indicated that the United States would withhold further testing on its part of atomic and hydrogen weapons for a period of 1 year from the beginning of the negotiations unless testing is resumed by the Soviet Union.

October 31, 1958: First meeting in Geneva of the Conference on the Discontinuance of Nuclear Weapon Tests.

November 4, 1958: General Assembly Resolution 1252 (XIII): The Discontinuance of Atomic and Hydrogen Weapons Tests.

Among its provisions, this resolution urged the parties involved in the test ban negotiations not to undertake further testing of nuclear weapons while these negotiations are in progress. It expressed the hope that the Geneva test ban conference would be successful and lead to an agreement acceptable to all. It also requested the parties concerned to report to the General Assembly the agreement that might be the result of their negotiations, and requested the Secretary-General to render such assistance and provide such services as might be asked for by the conference commencing at Geneva on October 31, 1958.

November 7, 1958: President Eisenhower announced that the United States had detected additional tests by the Soviets subsequent to October 31, 1958.

December 28, 1958: The President appointed a panel on seismic improvement to review technical problems and to recommend methods of improving seismic detection.

January 5, 1959: United States released data showing many underground tests could not be detected by Geneva experts system recommended in 1958. Indicated Geneva system applicable at 20 kt rather than 5 kt threshold.

February 22, 1959: Macmillan meeting with Khrushchev.

March 2, 1959: During this meeting Macmillan and Khrushchev discussed the establishment of quotas for numbers of on-site inspections in countries where suspicious events have taken place.

April 13, 1959: United States proposed phased testing ban limited in first phase to atmospheric tests below 50 km., with simplified control system, if Soviet Union continued to insist on veto for on-site inspections.

April 23, 1959: Soviets reject U.S. proposal to stop only atmospheric tests and said numerous on-site inspections would not be necessary for complete ban.

June 22–July 10, 1959: Technical Working Group No. 1 met in Geneva to study high altitude detection problems. On July 10 Geneva Technical Working Group I proposed establishment of system of earth satellites and installation of additional equipment at control posts to detect high-altitude explosions.

August 26, 1959: United States extended unilateral suspension to end of 1959.

August 27, 1959: United Kingdom said it would not resume tests as long as Geneva negotiations showed prospect of success.

August 28, 1959: U.S.S.R. pledged not to resume testing unless Western Powers did so.

November 21, 1959: General Assembly Resolution 1402 (XIV): Suspension of Nuclear and Thermonuclear Tests:

Among its provisions this resolution expressed the hope that the countries involved in the test ban negotiations at Geneva would intensify their efforts to reach an agreement at an early date; it further urged the countries concerned in these negotiations to continue their voluntary ban on testing nuclear weapons; it also requested the countries concerned to report to the General Assembly the results of their negotiations.

November 25, 1959: Technical Working Group II met in Geneva with the Soviets and the British. This group met to consider data from the Hardtack series of nuclear explosions and the findings of the Berkner Panel. On December 18, 1959, at the conclusion of the meetings held by Technical Working Group II, U.S. members of Geneva Technical Working Group II reported that a large number of seismic events could not be identified without on-site inspection, even with improved techniques. The Soviet members of Geneva Technical Working Group II disagreed with United States finding.

December 29, 1959: United States said it was free to resume testing after end of 1959, but would not do so without giving advance notice.

February 11, 1960: United States proposed phased agreement, first phase to provide for cessation of tests in atmosphere, oceans, and outer space, to greatest height that could be effectively controlled; underground tests above 4.75 seismic magnitude (estimated by United States to equal explosion of about 20 kilotons) would also be covered; the 4.75 threshold would be lowered as capabilities of detection system were improved, 20 or 30 percent of unidentified seismic events above threshold should be inspected; U.S. experts estimated that this would mean about 20 inspections per year in U.S.S.R.

March 19, 1960: Soviets offered to conclude treaty on cessation of tests, together with moratorium on underground tests below magnitude 4.75, and to agree to join research program on understanding that weapons tests would be halted during program.

March 29, 1960: United States and United Kingdom said they would agree to voluntary moratorium on underground weapons tests below magnitude 4.75 after treaty was signed and arrangements were made for coordinated research program.

December 20, 1960: General Assembly Resolution 1577 (XV): Suspension of Nuclear and Thermonuclear Tests.

This resolution urges the countries involved in the Geneva test-ban negotiations to seek a solution for the few remaining questions so that a test-ban agreement could be achieved at an early date; it further urges the countries concerned in these negotiations to continue their present voluntary suspension of the testing of nuclear weapons; it also requests the countries concerned to report the results of their negotiations to the Disarmament Commission and the General Assembly.

March 21, 1961: First meeting under the new administration of the Geneva Conference on Discontinuance of Nuclear Weapons Tests. U.S. proposal presented by Ambassador Arthur H. Dean. Soviet Union introduced its troika proposal on this date.

April 18, 1961: United States and United Kingdom introduced draft treaty to the Geneva Conference.

May 5, 1961: Statement by President Kennedy on the Geneva test-ban negotiations made at his news conference. Mention is made of the new United States and United Kingdom proposals and the introduction of the troika proposal by Russia.

June 4, 1961: Khrushchev delivers Soviet aide-memoire concerning disarmament and nuclear weapons tests to President Kennedy at Vienna. Insists that the question of control hinges on Western Powers accepting proposal on general and complete disarmament.

June 6, 1961: Kennedy reports to American people on his Vienna talks with Khrushchev.

June 16, 1961: Khrushchev reports to Russian people on his talks with President Kennedy. (Tass report.) Topics covered: General and complete disarmament, banning of nuclear weapons, cessation of tests, question of control, Hammarskjold, the German question (peace treaty).

June 17, 1961: U.S. aide-memoire to Soviet Russia concerning Geneva test-ban negotiations. Repeated new proposals offered by the United States and the United Kingdom on March 21, 1961.

June 28, 1961: President Kennedy announces appointment of Committee of Scientific Experts to advise him on test-ban problem.

July 5, 1961: Soviet note replying to U.S. note of June 17, 1961, concerning suspension of nuclear weapon tests. Says Soviet proposals have been distorted. Brings up again supervision of inspection and control by equal representatives of three basic groups: Socialist states, capitalists states in Western military bloc, and neutral states (troika).

July 15, 1961: U.S. note to Soviet Union referring to the Soviet note of July 5, 1961, on the Geneva test-ban negotiations. Says Soviet note contains a multitude of irrelevant and unwarranted comments. Confines its reply to the central issue: Is the Soviet Union prepared to reach an accord which would halt nuclear tests under effective international control.

July 15, 1961: United States and United Kingdom request to U.N. to place on the agenda of the 16th General Assembly an item entitled: "The Urgent Need for a Treaty To Ban Nuclear Weapons Tests Under Effective International Control."

July 20, 1961: President announces membership of nuclear test study group.

August 10, 1961: President announces he has reviewed report of Scientific Committee and is sending Ambassador Dean back to Geneva.

August 30, 1961: Soviets announce plans to resume nuclear testing. Among the reasons cited by the Soviets for taking this step were the turndown of the "troika" proposal, the nuclear tests carried out by the French beginning February 13, 1960, and the Berlin situation.

August 30, 1961: White House statement on the Soviet's announcement that they planned to resume nuclear testing. This statement expressed concern and resentment in regard to the Soviet decision to resume nuclear testing. It added that the Soviet decision presented a threat to the entire world. It denounced the Soviet pretext for resumption of weapons testing by mentioning that the Berlin crisis was created by the Soviets themselves. It also mentioned that the Soviet Union bears heavy responsibility before all humanity for this decision which was made in complete disregard of the United Nations. It concluded by announcing that Ambassador Arthur Dean was being recalled immediately from his post as chief negotiator at the nuclear test ban meetings.

September 1, 1961: The White House reported that the Soviet Union had conducted a nuclear test in the atmosphere above central Asia. Authorities estimated that the device had a yield of 100–500 kilotons.

September 3, 1961: President Kennedy, in a joint statement with British Prime Minister Macmillan, proposed that the Soviet Union agree immediately to discontinuing testing nuclear weapons in the atmosphere. The note suggested that the United States, United Kingdom, and U.S.S.R. representatives meet in Geneva not later than September 9 to record the agreement to cease nuclear testing in the atmosphere and report it to the United Nations.

September 4, 1961: Soviet Union conducted its second nuclear test in the atmosphere over central Asia. This explosion was reported to be in the "low kiloton range."

September 5, 1961: Soviet Union detonated a third nuclear device. The yield of this detonation was in the low to intermediate range.

September 5, 1961: President Kennedy announced that the United States would resume nuclear testing. He ordered the tests carried out in the laboratory and underground "with no fallout." This decision was made after the Soviets set off their third nuclear test in the atmosphere in 5 days. President Kennedy, in referring to the Kennedy-Macmillan statement of September 3 on banning nuclear testing in the atmosphere, said the offer remains open until September 9, 1961.

September 15, 1961: The United States detonates its first underground nuclear device at the Nevada test site.

October 30, 1961: The Soviet Union detonated a 55–60 megaton device (per AEC release dated Dec. 9, 1961).

November 2, 1961: The President announces that the policy of the United States will be to proceed in developing nuclear weapons to maintain a superior capability for the defense of the free world against any aggressor. This statement indicated that the United States would make necessary preparations for testing in case it becomes necessary to test in the atmosphere.

December 22, 1961: A joint communique was issued by President Kennedy and Prime Minister Macmillan following a 3-day meeting in Bermuda. They agreed that it was necessary "as a matter of prudent planning for the future, that pending the final decision [to resume atmospheric testing] preparations should be made for atmospheric testing to maintain the effectiveness of the deterrent.

January 29, 1962: Geneva Conference on the Discontinuance of Nuclear Weapons Tests breaks up at 353d meeting. The United States proposed an adjournment, and Soviet negotiator Tsarapkin said, "This is the end."

March 2, 1962: President Kennedy announces U.S. resumption of atmospheric testing to begin in latter part of April unless Soviets accept enforceable test-ban treaty.

AMERICAN GROUP OF INTERPARLIAMENTARY UNION

Mr. HECHLER. Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina [Mr. COOLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. COOLEY. Mr. Speaker, I have been requested to announce that the American Group of the Interparliamentary Union will meet at 9 a.m. in room G-221 in the New Senate Office Building on Thursday, March 8, 1962, for the purpose of considering the selection of a successor to the late Dr. Franklin Dunham as secretary to the group and to consider other business of the interparliamentary group.

All Members of Congress are members of the American Group, and all interested Members are urged to attend the meeting on Thursday morning.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mrs. GRANAHAN (at the request of Mr. ALBERT), for 10 minutes, tomorrow.

Mr. ROUDEBUSH, for 30 minutes today, to revise and extend his remarks, and to include extraneous matter.

Mr. WESTLAND, for 15 minutes today, and to revise and extend his remarks.

Mr. CURTIS of Missouri, for 15 minutes, today.

Mr. SCHWENGEL (at the request of Mr. SHORT), for 60 minutes, on March 6.

Mr. BOW (at the request of Mr. SHORT), for 30 minutes, on March 6.

Mr. HECHLER, on Wednesday next, for 10 minutes.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. WHITTEN in two instances and to include newspaper articles and letters.

Mr. HALLECK to revise and extend his remarks made today and to include extraneous matter.

Mrs. BOLTON in two instances and to include extraneous matter.

Mr. HUDDLESTON.

Mr. FASCELL.

Mr. LINDSAY.

Mr. PUCINSKI.

(The following Members (at the request of Mr. SHORT) and to include extraneous matter:)

Mr. FINO in two instances.

Mr. BRAY.

Mr. SILER.

Mr. ALGER.

Mr. ROUSSELOT.

Mr. DERWINSKI.

(The following Members (at the request of Mr. HECHLER) and to include extraneous matter:)

Mr. SHELLEY.

Mr. RODINO.

Mr. ZELENKO in two instances.

Mr. RYAN of New York.

Mr. SANTANGELO and to include extraneous matter, notwithstanding the fact it exceeds the limit and is estimated by the Public Printer to cost $450.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 778. An act to amend the act entitled "An act to authorize the District of Columbia government to establish an Office of Civil Defense, and for other purposes," approved August 11, 1950; to the Committee on the District of Columbia.

ADJOURNMENT

Mr. HECHLER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 51 minutes p.m.) the House adjourned until tomorrow, Tuesday, March 6, 1962, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1758. A letter from the Acting Administrator, Foreign Agricultural Service, U.S. Department of Agriculture, transmitting a report on title I, Public Law 480, agreements concluded during January 1962, pursuant to Public Law 85-128; to the Committee on Agriculture.

1759. A letter from the Under Secretary of the Army, transmitting a report relating to all laws enacted by the legislative body of the Government of the Ryukyu Islands (GRI), pursuant to Executive Order 10713, dated June 5, 1957; to the Committee on Armed Services.

1760. A letter from the Administrator, Small Business Administration, transmitting certain reports relating to activities of the Small Business Administration for the period July 1 through December 31, 1961, pursuant to sections 10(b) and 8(d)(3) of Small Business Act, as amended; to the Committee on Banking and Currency.

1761. A letter from the Comptroller General of the United States, transmitting a report on the examination of aircraft maintenance practices for transport aircraft in the Military Air Transport Service (MATS), Department of the Air Force; to the Committee on Government Operations.

1762. A letter from the Secretary, National Trust for Historic Preservation, transmitting the report of the National Trust for Historic Preservation for the calendar year 1961, pursuant to Public Law 408, 81st Congress; to the Committee on Interior and Insular Affairs.

1763. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated July 31, 1961, submitted a report, together with accompanying papers and an illustration on Chelsea River, Mass., requested by a resolution of the Committee on Rivers and Harbors, House of Representatives, adopted February 1, 1946 (H. Doc. No. 350); to the Committee on Public Works and ordered to be printed with one illustration.

1764. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated August 14, 1961, submitting a report, together with accompanying papers and illustrations, on a feasibility report on Gering Valley, Nebr. This investigation was made in response to an item in Public Law 86-645, approved July 14, 1960, which authorizes modification of the previously authorized project for Gering and Mitchell Valleys, Nebr., to provide for such revisions in project scope and purpose due to changed conditions as may be found necessary by the Chief of Engineers (H. Doc. No. 351); to the Committee on Public Works and ordered to be printed with two illustrations.

1765. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated March 31, 1961, submitting a report, together with accompanying papers and illustrations, on a review of the reports on Village Creek, Jackson and Lawrence Counties, Ark., requested by a resolution of the Committee on Public Works, House of Representatives, adopted October 16, 1961 (H. Doc. No. 352); to the Committee on Public Works and ordered to be printed with two illustrations.

1766. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated March 31, 1961, submitting a report, together with accompanying papers and an illustration, on a review of the reports on the Oakland Harbor, Calif., requested by a resolution of the Committee on Public Works, House of Representatives, adopted March 30, 1955 (H. Doc. No. 353); to the Committee on Public Works and ordered to be printed with one illustration.

1767. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated October 6, 1961, submitting a report, together with accompanying papers and illustrations, on an interim hurricane survey of Norfolk, Va., authorized by Public Law 71, 84th Congress, approved June 15, 1955 (H. Doc. 354); to the Committee on Public Works and ordered to be printed with two illustrations.

1768. A letter from the executive vice president, National Fund for Medical Education, transmitting a report of an audit of the National Fund for Medical Education for the year ended December 31, 1961, pursuant to Public Law 685, 86th Congress; to the Committee on the Judiciary.

1769. A letter from the Secretary of State, transmitting a draft of a proposed bill entitled "A bill to amend the United Nations Participation Act, as amended, 63 Stat. 734–736"; to the Committee on Foreign Affairs.

1770. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders suspending deportation as well as a list of the persons involved, pursuant to the Immigration and Nationality Act of 1952; to the Committee on the Judiciary.

1771. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting a copy of an order entered under the authority contained in section 13(b) of the act as well as a list of the persons involved, pursuant to the act of September 11, 1957; to the Committee on the Judiciary.

1772. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting a copy of an order suspending the deportation of Den Bong Chan, A11047792, pursuant to the Immigration and Nationality Act of 1952; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. THOMPSON of New Jersey: Joint Committee on the Disposition of Executive Papers. House Report No. 1898. Report on the disposition of certain papers of sundry executive departments. Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ADAIR:

H.R. 10527. A bill to amend section 620 of the Foreign Assistance Act of 1961 so as to prohibit assistance under that act to the government of any country which has not established equitable procedures for compensating U.S. citizens for loss of property by expropriation; to the Committee on Foreign Affairs.

By Mr. ABERNETHY:

H.R. 10528. A bill to amend section 620 of the Foreign Assistance Act of 1961 so as to prohibit assistance under that act to the government of any country which has not established equitable procedures for compensating U.S. citizens for loss of property by expropriation; to the Committee on Foreign Affairs.

By Mr. BARING (by request):

H.R. 10529. A bill to amend section 3101 of title 38, United States Code, to prevent consideration of proceeds of, or transfer of proceeds of, U.S. Government life insurance, and national service life insurance for Federal estate tax purposes; to the Committee on Veterans' Affairs.

By Mr. BERRY:

H.R. 10530. A bill to declare that certain land of the United States is held by the United States in trust for the Oglala Sioux Indian Tribe of the Pine Ridge Reservation; to the Committee on Interior and Insular Affairs.

By Mrs. BOLTON:

H.R. 10531. A bill to amend title II of the Social Security Act to provide that the unmarried child of an insured individual, after attaining age 18, may continue to receive child's insurance benefits until he attains age 21 if he is a full-time student; to the Committee on Ways and Means.

By Mr. BRAY:

H.R. 10532. A bill to place certain limitations on the authority of the Federal Communications Commission to delete previously assigned very high frequency television channels, to give the Commission certain regulatory authority over television receiving apparatus, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. CORMAN:

H.R. 10633. A bill to amend section 220(h) of the National Housing Act to permit the insurance under that section or section 203(k) of a loan made to a homeowner for the purpose of paying the cost of public improvements for which (by assessment or otherwise) he is legally liable; to the Committee on Banking and Currency.

By Mr. CURTIN:

H.R. 10634. A bill to amend certain provisions of the Antidumping Act, 1921, to provide for greater certainty, speed, and efficiency in the enforcement thereof, and for other purposes; to the Committee on Ways and Means.

By Mr. DINGELL:

H.R. 10535. A bill to amend the Hospital Survey and Construction Act to prohibit discrimination in any respect whatsoever on account of race, creed, or color in hospital facilities; to the Committee on Interstate and Foreign Commerce.

H.R. 10536. A bill to amend the Clayton Act so as to permit civil actions for treble damages in the case of violations of section 3 of the Robinson-Patman Act; to the Committee on the Judiciary.

By Mr. DORN:

H.R. 10537. A bill to amend title II of the Social Security Act to provide, for individuals who have spent substantially all of their working lives in one trade or industry, a more realistic definition of "disability" for purposes of entitlement to disability insurance benefits and the disability freeze; to the Committee on Ways and Means.

By Mr. JAMES C. DAVIS:

H.R. 10538. A bill to amend the District of Columbia Police and Firemen's Salary Act of 1958, as amended, to adjust pay alinement and for other purposes; to the Committee on the District of Columbia.

H.R. 10539. A bill to amend the Federal Employees Health Benefits Act of 1959 to provide additional choice of health benefits plans, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. EDMONDSON (by request):

H.R. 10540. A bill to exclude deposits of petrified wood from appropriation under the U.S. mining laws; to the Committee on Interior and Insular Affairs.

By Mr. HARRIS:

H.R. 10541. A bill to assist States and communities to carry out intensive vaccination programs designed to protect their populations, especially all preschool children, against poliomyelitis, diphtheria, whooping cough, and tetanus, and against other diseases which may in the future become susceptible of practical elimination as a public health problem through such programs; to the Committee on Interstate and Foreign Commerce.

H.R. 10542. A bill to repeal the Inland Waterways Corporation Act; to the Committee on Interstate and Foreign Commerce.

By Mr. HIESTAND:

H.R. 10543. A bill to amend the Internal Revenue Code of 1954 to allow a taxpayer a deduction from gross income for tuition paid by him for his education, or the education of his spouse or a dependent, at an institution of higher education; to the Committee on Ways and Means.

By Mr. KUNKEL:

H.R. 10544. A bill to amend the Internal Revenue Code of 1954 to provide an exemption from the tax on the transportation of persons in the case of handicapped children travelling to and from special schools; to the Committee on Ways and Means.

By Mr. MINSHALL:

H.R. 10545. A bill to suspend for 3 years the duty on hexachlorethane; to the Committee on Ways and Means.

By Mr. RAINS:

H.R. 10546. A bill to amend section 620 of the Foreign Assistance Act of 1961 to prohibit assistance under that act to Yugoslavia or other Communist countries, and for other purposes; to the Committee on Foreign Affairs.

By Mr. RUTHERFORD:

H.R. 10547. A bill to amend section 109 of title 4 of the United States Code (commonly referred to as the Buck Act) to exempt certain persons from the application of that act; to the Committee on Ways and Means.

By Mr. SILER:

H.R. 10548. A bill to provide that railroad employees may retire on a full annuity at age 60 or after serving 30 years; to provide that such annuity for any month shall be not less than one-half of the individual's average monthly compensation for the 5 years of highest earnings; and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ZELENKO:

H.R. 10549. A bill to amend the act of September 7, 1957, in order to prohibit the rental or leasing of the District of Columbia Stadium to any person which discriminates on the basis of race, creed, color, and for other purposes; to the Committee on the District of Columbia.

By Mr. WALTER:

H.R. 10550. A bill to provide coverage under the Federal old-age, survivors, and disability insurance system for services performed outside of the United States by U.S. citizens in the employ of certain international organizations; to the Committee on Ways and Means.

By Mr. KASTENMEIER:

H.J. Res. 646. Joint resolution to continue for an additional year the current support price for milk and butterfat; to the Committee on Agriculture.

By Mr. KING of California:

H.J. Res. 647. Joint resolution to authorize the President to proclaim a week in each year as Community Health Week in the United States of America; to the Committee on the Judiciary.

By Mr. JAMES C. DAVIS:

H. Con. Res. 443. Concurrent resolution to prohibit training military personnel or aiding Communist nations; to the Committee on Foreign Affairs.

By Mr. McDONOUGH:

H. Con. Res. 444. Concurrent resolution requesting the President to initiate action leading to the adoption of a United Nations resolution calling for the withdrawal of Soviet troops from Lithuania, Latvia, and Estonia; the return of exiles from these nations from slave labor camps in the Soviet Union; and the conduct of free elections in these nations; to the Committee on Foreign Affairs.

H. Res. 555. Resolution establishing a Special Committee on the Captive Nations; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By Mr. MOORE: Memorial of the West Virginia Legislature requesting technical assistance funds from the Area Redevelopment Administration to conduct surveys regarding construction of a north-south highway in West Virginia, to create a special committee to assist in assembling facts relating to such a highway, and for other purposes, adopted by the West Virginia Legislature February 6, 1962; to the Committee on Banking and Currency.

Also, memorial of the West Virginia Legislature, requesting the Congress of the United States to approve the construction of the Allegheny Parkway, adopted by the West Virginia Legislature February 7, 1962; to the Committee on Interior and Insular Affairs.

Also, memorial of the West Virginia Legislature relating to National Weights and Measures Week, March 1–7, 1962, adopted by the West Virginia Legislature February 7, 1962; to the Committee on the Judiciary.

By the SPEAKER: Memorial of the Legislature of the State of Arizona, memorializing the President and the Congress of the United States relative to congratulating Lt. Col. John H. Glenn, Jr., for his successful flight around the world through space; to the Committee on Science and Astronautics.

Also, memorial of the Legislature of the State of Massachusetts, memorializing the President and the Congress of the United States in favor of the establishment of a Department of Urban Affairs in the President's Cabinet; to the Committee on Government Operations.

Also, memorial of the Legislature of the State of New York, memorializing the President and the Congress of the United States relative to congratulating Astronaut John H. Glenn on his orbital flight; to the Committee on Science and Astronautics.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BERRY:

H.R. 10551. A bill to authorize the Secretary of the Interior to make payments to certain Indians for damages suffered as the result of the establishment of the Pine Ridge aerial gunnery range; to the Committee on Interior and Insular Affairs.

By Mr. BROYHILL:

H.R. 10552. A bill for the relief of Athena Haluies (Athina Haloulis); to the Committee on the Judiciary.

H.R. 10553. A bill for the relief of Col. and Mrs. Harvey H. Hewitt; to the Committee on the Judiciary.

By Mr. DOMINICK:

H.R. 10554. A bill to provide for the free entry of a microcalorimeter for the use of the University of Colorado, Office of Research Services, Boulder, Colo.; to the Committee on Ways and Means.

By Mr. MARSHALL:

H.R. 10555. A bill to provide for the conveyance of certain lands of the Minnesota Chippewa Tribe of Indians to the Little Flower Mission of the St. Cloud Diocese; to the Committee on Interior and Insular Affairs.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

244. By the SPEAKER: Petition of Anthony J. Young, Lithuanian-American Council of Boston, Boston, Mass., relative to resolutions adopted by the Lithuanians of Greater Boston on the occasion of the 44th anniversary of the signing of the Declaration of Independence of the Republic of Lithuania; to the Committee on Foreign Affairs.

245. Also, petition of Stanley Molik, city clerk, Buffalo, N.Y., relative to a resolution adopted by the common council, requesting Congress to create a Department of Urban Affairs and Housing; to the Committee on Government Operations.

REGULATION OF LOBBYING ACT

In compliance with Public Law 601, 79th Congress, title III, Regulation of Lobbying Act, section 305(b), which provides as follows:

(b) All information required to be filed under the provisions of this section with the Clerk of the House of Representatives and the Secretary of the Senate shall be compiled by said Clerk and Secretary, acting jointly, as soon as practicable after the close of the calendar quarter with respect to which such information is filed and shall be printed in the CONGRESSIONAL RECORD.

The Clerk of the House of Representatives and the Secretary of the Senate jointly submit their report of the compilation required by said law and have included all registrations and quarterly reports received.

QUARTERLY REPORTS

The following reports for the third calendar quarter of 1961 were received too late to be included in the published reports for that quarter:

A. Active-Retired Lighthouse Service Employees Association, Post Office Box 2169, South Portland, Maine.
D. (6) $854. E. (9) $334.29.

A. Air Freight Forwarders Association, 802 Ring Building, Washington, D.C.

A. American Carpet Institute, Inc., 350 Fifth Avenue, New York, N.Y.

A. American Civil Liberties Union, Inc., 156 Fifth Avenue, New York, N.Y.
D. (6) $1,940.62. E. (9) $1,940.62.

A. American Council for Technical Products, Inc., 910 17th Street NW., Washington, D.C.

A. American Dental Association, 222 East Superior Street, Chicago, Ill.
D. (6) $13,968.08. E. (9) $13,968.08.

A. American Gas Association, Inc., 420 Lexington Avenue, New York, N.Y.

A. American Hospital Association, 840 North Lake Shore Drive, Chicago, Ill.
D. (6) $16,372.60. E. (9) $16,372.60.

A. American Library Association, 50 East Huron Street, Chicago, Ill.
D. (6) $115. E. (9) $8,855.68.

A. American Merchant Marine Institute, Inc., 11 Broadway, New York, N.Y.
E. (9) $2,570.56.

A. American Paper & Pulp Association, 122 East 42d Street, New York, N.Y.

A. American Short Line Railroad Association, 2000 Massachusetts Avenue NW., Washington, D.C.
D. (6) $1,207.37. E. (9) $1,207.37.

A. American Thrift Assembly, 1025 Connecticut Avenue NW., Washington, D.C.
D. (6) $1,061. E. (9) $11,583.82.

A. American Veterinary Medical Association, 600 South Michigan Avenue, Chicago, Ill.
E. (9) $678.88.

A. Robert E. Ansheles, 1025 Connecticut Avenue NW., Washington, D.C.
B. American Thrift Assembly, 1025 Connecticut Avenue NW., Washington, D.C.
D. (6) $1,500.

A. James Anton, 703 Maryland Avenue NE., Washington, D.C.
B. Keatinge & Older.
D. (6) $600. E. (9) $87.35.

A. Arkansas Railroad Committee, 1100 Boyle Building, Little Rock, Ark.
B. Class 1 railroads operating in the State of Arkansas.
D. (6) $192.20. E. (9) $1,220.35.

A. Arnold, Fortas & Porter, 1229 19th Street NW., Washington, D.C.
B. Apache Tribe of the Mescalero Reservation, Mescalero, N. Mex.
D. (6) $6,081.25. E. (9) $2.40.

A. Arnold, Fortas & Porter, 1229 19th Street NW., Washington, D.C.
B. California Wine Institute, 717 Market Street, San Francisco, Calif.
E. (9) $34.24.

A. Arnold, Fortas & Porter, 1229 19th Street NW., Washington, D.C.
B. National Retail Merchants Association, 100 West 31st Street, New York, N.Y.
D. (6) $4,890. E. (9) $3,394.36.

A. A. V. Atkinson, 1925 K Street NW., Washington, D.C.
B. Communications Workers of America, 1925 K Street NW., Washington, D.C.
E. (9) $2,911.47.

A. Atlantic, Gulf & Great Lakes Shipbuilding Association, 529 Tower Building, Washington, D.C.
D. (6) $13,608.64. E. (9) $13,608.64.

A. Frederic A. Baker, 296 Lexington Road, Berkeley, Calif.; and 1201 19th Street NW., Washington, D.C.
B. Federated Indians of California.

A. Richard E. Barton, 1000 Connecticut Avenue, Washington, D.C.
B. Los Angeles Chamber of Commerce, 404 South Bixel Street, Los Angeles, Calif.
D. (6) $3,500. E. (9) $3,500.

A. James D. Bearden, 400 First Street NW., Washington, D.C.
B. Brotherhood of Railway & Steamship Clerks, 1015 Vine Street, Cincinnati, Ohio.
D. (6) $1,093.74.

A. Becker & Greenwald, 839 17th Street NW., Washington, D.C.
B. American Foreign Steamship Corp., 80 Broad Street, New York, N.Y.
E. (9) $11.03.

A. Daniel S. Bedell, 1126 16th Street NW., Washington, D.C.
B. United Automobile, Aircraft, Agricultural Implement Workers of America Union.
D. (6) $2,202. E. (9) $837.81.

A. Carl H. Berglund, 607 South Pine Street, Tacoma, Wash.

A. Helen Berthelot, 1925 K Street NW., Washington, D.C.
B. Communications Workers of America, 1925 K Street NW., Washington, D.C.
E. (9) $2,974.19.

A. Bingham, Englar, Jones & Houston, 99 John Street, New York, N.Y., and 839 Shoreham Building, Washington, D.C.
B. American Institute of Marine Underwriters, etc.
E. (9) $183.21.

A. Robert J. Bird, Esq., 1000 Connecticut Avenue, Washington, D.C.
B. Hilton Hotels Corp., 720 South Michigan Avenue, Chicago, Ill.
E. (9) $179.71.

A. C. B. Blankenship, 1925 K Street NW., Washington, D.C.
B. Communications Workers of America, 1925 K Street NW., Washington, D.C.
E. (9) $2,744.74.

A. W. G. Blewett, 301 Olive Street, St. Louis, Mo.
B. Peabody Coal Co., 301 Olive Street, St. Louis, Mo.

A. Fred F. Bockmon, 405 Luhrs Building, Phoenix, Ariz.
B. Southern Pacific Co., 65 Market Street, San Francisco, Calif., and the Atchison, Topeka & Santa Fe Railway, 121 East Sixth Street, Los Angeles, Calif.
D. (6) $200. E. (9) $473.90.

A. Joseph Borkin, 802 Ring Building, Washington, D.C.
B. New York World's Fair 1964–1965 Corp., Flushing Meadow Park, Post Office Box 1964, Flushing, N.Y.

A. Joseph Borkin, 802 Ring Building, Washington, D.C.
B. Record Industry Association of America, Inc., 1 East 57th Street, New York, N.Y.

A. Roland Boyd, Post Office Drawer B, McKinney, Tex.
B. North Texas Municipal Water District, Wylie, Tex.
D. (6) $300.

A. Roland Boyd, Post Office Drawer B, McKinney, Tex.
B. Texas Aluminum Co., Inc., Rockwall, Tex.
D. (6) $1,764.47.

A. Roland Boyd, Post Office Drawer B, McKinney, Tex.
B. Wherry Housing Association, 1500 Massachusetts Avenue, Washington, D.C.
D. (6) $1,905.92.

A. Richard Breed, 10 Prince Street, Alexandria, Va.
B. American Council for Technical Products, Inc., 910 17th Street NW., Washington, D.C.

A. W. Kenneth Brew, 122 East 42d Street, New York, N.Y.
B. American Paper & Pulp Association, 122 East 42d Street, New York, N.Y.

A. Homer L. Brinkley, 1616 H Street NW., Washington, D.C.
B. National Council of Farmer Cooperatives, 1616 H Street NW., Washington, D.C.

A. Brotherhood of Locomotive Engineers, 1122 Engineers Building, Cleveland, Ohio.

A. James A. Campbell, 900 F Street NW., Washington, D.C.
B. American Federation of Government Employees, 900 F Street NW., Washington, D.C.
D. (6) $3,230.76. E. (9) $323.08.

A. Canal Zone Central Labor Union & Metal Trades Council, Post Office Box 471, Balboa Heights, C.Z.
D. (6) $1,392.94. E. (9) $1,171.59.

A. Clarence B. Carter, Post Office Box 798, New Haven, Conn.
B. Railroad Pension Conference, Post Office Box 798, New Haven, Conn.
E. (9) $1.10.

A. Justice M. Chambers, 2521 Connecticut Avenue NW., Washington, D.C.
B. Greg-Gary Corp., 7 Park Avenue, New York, N.Y.
D. (6) $7,500.

A. Hal M. Christensen, 808 17th Street NW., Washington, D.C.
B. American Dental Association, 808 17th Street NW., Washington, D.C.
D. (6) $3,250.

A. Citizens Committee for International Development, 1025 Connecticut Avenue NW., Washington, D.C.
E. (9) $34,375.98.

A. Charles Patrick Clark, 918 16th Street NW., Washington, D.C.
B. Rapaport & Son, Inc., Central Street, Post Office Box 169, Windsor, Conn.

A. Classroom Periodical Publishers Association, 38 West Fifth Street, Dayton, Ohio.

A. Cleary, Gottlieb & Steen, 224 Southern Building, Washington, D.C.
B. E. I. du Pont de Nemours & Co., Wilmington, Del.
E. (9) $389.75.

A. Joseph Coakley, 815 16th Street NW., Washington, D.C.
B. Building Service Employes International Union, 155 North Wacker Drive, Chicago, Ill.
D. (6) $3,000.

A. Coles & Goertner, 1000 Connecticut Avenue NW., Washington, D.C.
B. Committee of American Tankers Owners, Inc., 1411 K Street NW., Washington, D.C.
D. (6) $8,500.

A. Nicholas S. Collins, 1000 Connecticut Avenue, Washington, D.C.
B. Committee of American Steamship Lines, 1000 Connecticut Avenue, Washington, D.C.
D. (6) $117. E. (9) $19.80.

A. Paul G. Collins, 730 15th Street NW., Washington, D.C.
B. The American Bankers Association, 12 East 36th Street, New York, N.Y.
D. (6) $125.

A. Bernard J. Conway, 222 East Superior Street, Chicago, Ill.
B. American Dental Association, 222 East Superior Street, Chicago, Ill.
D. (6) $4,250.

A. Edward M. Corneaby, 25 Louisiana Avenue NW., Washington, D.C.
B. International Brotherhood of Teamsters, Chauffeurs, Warehousemen & Helpers.
D. (6) $3,008.35.

A. Council of State Chambers of Commerce, 1025 Connecticut Avenue, Washington, D.C.
D. (6) $344.80. E. (9) $344.80.

A. County Supervisors Association of California, 1100 Elks Building, Sacramento, Calif.
E. (9) $24.61.

A. Covington & Burling, 701 Union Trust Building, Washington, D.C.
B. Raleigh Industries of America, Inc., 1168 Commonwealth Avenue, Boston, Mass., and the British Cycle & Motor Cycle Industries Association, Ltd., Eaton Road, Coventry, England.

A. Mrs. Warren Cox, 2808 South Ives Street, Arlington, Va.
B. National Congress of Parents & Teachers, 700 Rush Street, North Chicago, Ill.
E. (9) $7.31.

A. Credit Union National Association, 1617 Sherman Avenue, Madison, Wis.
D. (6) $500.23. E. (9) $500.23.

A. John Curran, 815 16th Street NW., Washington, D.C.
B. American Federation of Labor & Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.
D. (6) $3,315. E. (9) $753.85.

A. Michael P. Daniels, 1000 Connecticut Avenue NW., Washington, D.C.
B. United States-Japan Trade Council, 1000 Connecticut Avenue NW., Washington, D.C.
D. (6) $150.

A. Abraham A. Dash, 740 11th Street NW., Washington, D.C.
B. Credit Union National Association, Inc., 1617 Sherman Avenue, Madison, Wis.
D. (6) $500.23. E. (9) $25.23.

A. Joffre C. David, 4401 East Colonial Drive, Orlando, Fla.
B. Florida Fruit & Vegetable Association, 4401 East Colonial Drive, Orlando, Fla.
D. (6) $110.10. E. (9) $98.55.

A. S. P. Deas, 520 National Bank of Commerce Building, New Orleans, La.
B. Southern Pine Industry Committee.

A. John M. Dickerman, 1625 L Street NW., Washington, D.C.
B. National Association of Home Builders of the United States, 1625 L Street NW., Washington, D.C.
D. (6) $1,211.50. E. (9) $45.65.

A. William C. Doherty, 100 Indiana Avenue NW., Washington, D.C.
B. National Association of Letter Carriers, 100 Indiana Avenue NW., Washington, D.C.
D. (6) $3,125.

A. James B. Dyess, 1411 K Street NW., Washington, D.C.
B. National Association of Wheat Growers, 1411 K Street NW., Washington, D.C.
D. (6) $1,210.50. E. (9) $1,210.50.

A. John W. Edelman, 704 17th Street NW., Washington, D.C.
B. Textile Workers Union of America, 99 University Place, New York, N.Y.
D. (6) $2,329.82. E. (9) $329.77.

A. John W. Emeigh, 1040 Warner Building, Washington, D.C.
B. The National Rural Letter Carriers' Association, 1040 Warner Building, Washington, D.C.
D. (6) $899.69. E. (9) $15.40.

A. Lawrence E. Ernst, 301 East Capitol Street, Washington, D.C.
B. National Star Route Mail Carriers Association, 301 East Capitol Street, Washington, D.C.
E. (9) $15.50.

A. Joseph C. Fagan, 1615 H Street NW., Washington, D.C.
B. Chamber of Commerce of the U.S.

A. Far East Group, Inc., 1000 Connecticut Avenue NW., Washington, D.C.

A. Brig. Gen. Bonner Fellers, 1001 Connecticut Avenue NW., Washington, D.C.
B. Citizens Foreign Aid Committee.

A. Donald G. Fletcher, 823 Midland Bank Building, Minneapolis, Minn.
B. Crop Quality Council, 823 Midland Bank Building, Minneapolis, Minn.
D. (6) $3,750. E. (9) $1,724.95.

A. Florida Fruit & Vegetable Association, 4401 East Colonial Drive, Orlando, Fla.
D. (6) $922.49. E. (9) $922.49.

A. Florida Inland Navigation District, Citizens Bank Building, Sunnell, Fla.
E. (9) $1,394.69.

A. Forest Farmers Association, Post Office Box 7284, Station C, Atlanta, Ga.

A. Robert W. Frase, 1820 Jefferson Place NW., Washington, D.C.
B. American Book Publishers Council, Inc., 58 West 40th Street, New York, N.Y.
D. (6) $2,459.37. E. (9) $1,790.95.

A. John A. Gosnell, 801 19th Street NW., Washington, D.C.
D. (6) $1,650.01.

A. Government Employes' Council, 100 Indiana Avenue NW., Washington, D.C.
D. (6) $6,582.99. E. (9) $6,299.46.

A. Charles A. Hamilton, 777 14th Street NW., Washington, D.C.
B. General Electric Co., 570 Lexington Avenue, New York, N.Y.
D. (6) $500. E. (9) $162.54.

A. Murray Hanson, 425 13th Street NW., Washington, D.C.
B. Investment Bankers Association of America, 425 13th Street NW., Washington, D.C.
D. (6) $600. E. (9) $412.33.

A. L. James Harmanson, Jr., 1616 H Street NW., Washington, D.C.
B. National Council of Farmer Cooperatives, 1616 H Street NW., Washington, D.C.
D. (6) $4,249.96. E. (9) $149.65.

A. Robert E. Harper, 1913 I Street NW., Washington, D.C.
B. National Business Publications, Inc., 1913 I Street NW., Washington, D.C.

A. Kit H. Haynes, 1616 H Street NW., Washington, D.C.
B. National Council of Farmer Cooperatives, 1616 H Street NW., Washington, D.C.

A. Robert B. Heiney, 1133 20th Street NW., Washington, D.C.
B. National Canners Association, 1133 20th Street NW., Washington, D.C.
D. (6) $875. E. (9) $948.93.

A. Noel Hemmendinger, 1000 Connecticut Avenue NW., Washington, D.C.
B. United States-Japan Trade Council, 1000 Connecticut Avenue NW., Washington, D.C.

A. Joseph D. Henderson, 431 Balter Building, New Orleans, La.
B. American Association of Small Business, Inc., 431 Balter Building, New Orleans, La.
D. (6) $1,875.

A. W. J. Hickey, 2000 Massachusetts Avenue NW., Washington, D.C.

B. The American Short Line Railroad Association, 2000 Massachusetts Avenue NW., Washington, D.C.
D. (6) $481.25.

A. Jake D. Hill, 1005 Security Federal Building, Columbia, S.C.
B. South Carolina Railroad Association, 1005 Security Federal Building, Columbia, S.C.
E. (9) $25.07.

A. L. S. Hitchner, 1145 19th Street NW., Washington, D.C.
B. National Agricultural Chemicals Association.

A. Home Town Free Television Association, 2925 East Lincolnway, Cheyenne, Wyo.

A. Harold K. Howe, Mills Building, Washington, D.C.
B. American Institute of Laundering, Joliet, Ill.
D. (6) $2,649.99.

A. Harold K. Howe, Mills Building, Washington, D.C.
B. National Automatic Merchandising Association, Mills Building, Washington, D.C.

A. Harold K. Howe, Mills Building, Washington, D.C.
B. The Outdoor Power Equipment Institute, Inc., Mills Building, Washington, D.C.

A. Joe Lester Howell, Jr., 4458 Kinder Drive, Jackson, Miss.
B. National Committee for Insurance Taxation, 1710 H Street NW., Washington, D.C.
E. (9) $383.82.

A. John M. Hurley, 302 Hoge Building, Seattle, Wash.
D. (6) $886.54.

A. Fred G. Hussey, 200 C Street SE., Washington, D.C.
B. Outdoor Advertising Association of America, Inc., 24 West Erie Street, Chicago, Ill.

A. International Association of Machinists.
E. (9) $2,017.16.

A. International Brotherhood of Teamsters, Chauffeurs, Warehousemen & Helpers, 25 Louisiana Avenue NW., Washington, D.C.
E. (9) $41,529.65.

A. Ray L. Jenkins, 1066 National Press Building, Washington, D.C.
B. Societe Internationale Pour Participations Industrialiee Et Commerciales, S.A., Peter Merianstr. 19, Basel, Switzerland.

A. Jeppesen & Co., 8025 East 40th Avenue, Denver, Colo.
E. (9) $3,760.15.

A. William T. Jobe, 1901 Pennsylvania Avenue NW., Washington, D.C.
B. National Ice Association, 1901 Pennsylvania Avenue NW., Washington, D.C.

A. Hugo E. Johnson, 600 Bulkley Building, Cleveland, Ohio.
B. American Iron Ore Association, 600 Bulkley Building, Cleveland, Ohio.

A. James E. Jones, 122 East 42d Street, New York, N.Y.
B. American Paper & Pulp Association, 122 East 42d Street, New York, N.Y.

A. Max H. Jordan, 1040 Warner Building, Washington, D.C.
B. The National Rural Letter Carriers' Association, 1040 Warner Building, Washington, D.C.
D. (6) $918.17. E. (9) $8.30.

A. Jerome J. Keating, 100 Indiana Avenue NW., Washington, D.C.
B. National Association of Letter Carriers, 100 Indiana Avenue NW., Washington, D.C.
D. (6) $2,150.76.

A. John T. Kelly, 1411 K Street NW., Washington, D.C.
B. Pharmaceutical Manufacturers Association.

A. William F. Kenney, New York, N.Y.
B. Shell Oil Co., 50 West 50th Street, New York, N.Y.

A. Franklin E. Kepner, Berwick Bank Building, Berwick, Pa.
B. Associated Railroads of Pennsylvania, 1022 Transportation Center, Philadelphia, Pa.

A. James F. King, 1825 Connecticut Avenue NW., Washington, D.C.
B. Manufacturing Chemists' Association, Inc., 1825 Connecticut Avenue NW., Washington, D.C.
D. (6) $1,250.

A. George W. Koch, 1612 K Street NW., Washington, D.C.
B. Sears, Roebuck & Co., 925 South Homan Avenue, Chicago, Ill.

A. Kominers & Fort, 529 Tower Building, Washington, D.C.
B. Atlantic, Gulf & Great Lakes Shipbuilding Association, 529 Tower Building, Washington, D.C.
D. (6) $11,040. E. (9) $1,376.37.

A. Herman C. Kruse, 245 Market Street, San Francisco, Calif.
B. Pacific Gas & Electric Co., 245 Market Street, San Francisco, Calif.
D. (6) $4,255. E. (9) $6,313.93.

A. Labor Bureau of Middle West, 1001 Connecticut Avenue, Washington, D.C., and 11 South LaSalle Street, Chicago, Ill.

A. James K. Langan, 100 Indiana Avenue NW., Washington, D.C.
B. Government Employees' Council/AFL–CIO, 100 Indiana Avenue NW., Washington, D.C.
D. (6) $3,126.

A. G. E. Leighty, 400 First Street NW., Washington, D.C.

A. Liberty Lobby, 825 Dupont Circle Building, Washington, D.C.
D. (6) $10,403.68. E. (9) $916.

A. Donald Linville, 205 West Wacker Drive, Chicago, Ill.
B. American Hardboard Association, 205 West Wacker Drive, Chicago, Ill.
D. (6) $725. E. (9) $236.20.

A. Charles B. Lipsen, 1741 De Sales Street NW., Washington, D.C.
B. Retail Clerks International Association & Labor Union Active Ballot Club, 1741 De Sales Street NW., Washington, D.C.
D. (6) $3,445. E. (9) $2,274.69.

A. Lord, Day & Lord, 25 Broadway, New York, N.Y.
B. The Metropolitan Museum of Art, Fifth Avenue and 82d Street, New York, N.Y.

A. Harold O. Lovre, 1616 P Street NW., Washington, D.C.
B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $3,000. E. (9) $441.95.

A. Otto Lowe, Cape Charles, Va.
B. National Canners Association, 1133 20th Street NW., Washington, D.C.
D. (6) $1,500.

A. LeRoy E. Lyon, Jr., 530 West Sixth Street, Los Angeles, Calif.
B. California Railroad Association, 215 Market Street, San Francisco, Calif.
D. (6) $2,833.33. E. (9) $1,626.85.

A. Robert J. McBride, 2220 20th Street, Washington, D.C.
B. Regular Common Carrier Conference of the American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $1,000. E. (9) $144.14.

A. J. A. McCallam, 1507 M Street NW., Washington, D.C.
E. (9) $678.88.

A. Albert L. McDermott, 745 Washington Building, Washington, D.C.
B. American Hotel Association, 777 14th Street NW., Washington, D.C.
D. (6) $220.

A. William J. McDonald, 3005 Fernside Boulevard, Alameda, Calif.
B. National Council of Naval Air Stations Employee Organizations, 3005 Fernside Boulevard, Alameda, Calif.

A. Joseph B. McGrath, 1625 L Street NW., Washington, D.C.
B. National Association of Home Builders of the United States, 1625 L Street NW., Washington, D.C.
D. (6) $2,307.70. E. (9) $223.80.

A. Harvey F. McPhail, 343 South State, Salt Lake City, Utah.
B. Colorado River Basin Consumers Power, Inc., 343 South State, Salt Lake City, Utah.
D. (6) $5,979.31. E. (9) $18,984.09.

A. John W. MacKay, 509 14th Street NW., Washington, D.C.
B. National Postal Union, 509 14th Street NW., Washington, D.C.
D. (6) $3,500. E. (9) $150.

A. Suzanne MacLean, 1000 Connecticut Avenue NW., Washington, D.C.
B. United States-Japan Trade Council, 1000 Connecticut Avenue NW., Washington, D.C.
D. (6) $150.

A. Julia L. Maletta, Congressional Hotel, Washington, D.C.
B. Amalgamated Clothing Workers of America, 15 Union Square, New York, N.Y.
D. (6) $2,030. E. (9) $3,232.88.

A. D. L. Manion, 2000 Massachusetts Avenue NW., Washington, D.C.
B. The American Short Line Railroad Association, 2000 Massachusetts Avenue NW., Washington, D.C.
D. (6) $487.49.

A. James D. Mann, 711 14th Street NW., Washington, D.C.
B. Private Truck Council of America, Inc., 711 14th Street NW., Washington, D.C.

A. Manufacturing Chemists' Association, Inc., 1825 Connecticut Avenue NW., Washington, D.C.
D. (6) $2,625. E. (9) $2,475.

A. Tommy M. Martin, 1040 Warner Building, Washington, D.C.
B. The National Rural Letter Carriers' Association, 1040 Warner Building, Washington, D.C.
D. (6) $967.44. E. (9) $11.60.

A. Walter J. Mason, 815 16th Street NW., Washington, D.C.
B. American Federation of Labor & Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.
D. (6) $3,315. E. (9) $1,288.95.

A. Albert E. May, 1000 Connecticut Avenue, Washington, D.C.
B. Committee of American Steamship Lines, 1000 Connecticut Avenue, Washington, D.C.
D. (6) $312. E. (9) $78.58.

A. Arnold Mayer, 100 Indiana Avenue NW., Washington, D.C.
B. Amalgamated Meat Cutters & Butcher Workmen of North America, 2800 North Sheridan Road, Chicago, Ill.
D. (6) $1,430. E. (9) $803.

A. Mrs. Vera Mayer.
B. National Consumers League, 1029 Vermont Avenue NW., Washington, D.C.
D. (6) $1,650.

A. William B. Merriam, 905 16th Street NW., Washington, D.C.
B. International Telephone & Telegraph Corp., 905 16th Street NW., Washington, D.C.
D. (6) $1,250. E. (9) $2,015.59.

A. Ross A. Messer, Post Office Box 1611, Washington, D.C.
B. National Association of Post Office & General Services Maintenance Employees, Post Office Box 1611, Washington, D.C.
D. (6) $1,500. E. (9) $88.25.

A. Joseph L. Miller, 1025 Connecticut Avenue NW., Washington, D.C.
B. Northern Textile Association, Quinebaug-French Rivers Manufacturers Association, and Thelsen-Clemens.
D. (6) $1,050. E. (9) $105.

A. John R. Minor, 1025 Connecticut Avenue, NW., Washington, D.C.
B. County Supervisors Association of California, 1100 Elks Building, Sacramento, Calif.
D. (6) $750.

A. Joseph E. Moody, 1000 16th Street NW., Washington, D.C.
B. National Coal Policy Conference, Inc., 1000 16th Street NW., Washington, D.C.
D. (6) $625.

A. Kenneth R. Morefield, 4401 East Colonial Drive, Orlando, Fla.
B. Florida Fruit & Vegetable Association, 4401 East Colonial Drive, Orlando, Fla.
D. (6) $222.95. E. (9) $243.54.

A. Curtis Morris, 1725 I Street NW., Washington, D.C.
B. American Gas Association, Inc., 420 Lexington Avenue, New York, N.Y.

A. Joseph J. Mulhern, 11 Pemberton Square, Boston, Mass.
E. (9) $2,792.49.

A. Mutual Insurance Committee on Federal Taxation, 20 North Wacker Drive, Chicago, Ill.
D. (6) $2,855. E. (9) $16,257.78.

A. J. Walter Myers, Jr., Post Office Box 7264, Station C, Atlanta, Ga.
B. Forest Farmers Association Cooperative, Post Office Box 7264, Station C, Atlanta, Ga.

A. Kenneth D. Naden, 1616 H Street NW., Washington, D.C.
B. National Council of Farmer Cooperatives, 1616 H Street NW., Washington, D.C.
D. (6) $4,624.98. E. (9) $377.90.

A. National Association for the Advancement of Colored People, 20 West 40th Street, New York, N.Y.

A. National Association of Home Builders of the United States, 1625 L Street NW., Washington, D.C.
D. (6) $32,084.75. E. (9) $16,234.92.

A. National Association of Letter Carriers, 100 Indiana Avenue NW., Washington, D.C.
D. (6) $613,199.50. E. (9) $19,795.58.

A. National Association of Post Office & General Services Maintenance Employees, Post Office Box 1611, Washington, D.C.
D. (6) $13,064.03. E. (9) $2,090.53.

A. National Association of Real Estate Boards, 36 South Wabash Avenue, Chicago, Ill., and 1300 Connecticut Avenue NW., Washington, D.C.
E. (9) $10,934.41.

A. National Association of Social Workers, Inc., 95 Madison Avenue, New York, N.Y., and 1346 Connecticut Avenue NW., Washington, D.C.
D. (6) $2,235.

A. National Association of Wheat Growers, 1411 K Street NW., Washington, D.C.
D. (6) $1,210.50. E. (9) $1,210.50.

A. National Audio-Visual Association, Inc., 1201 Spring Street, Fairfax, Va.
D. (6) $13,629. E. (9) $2,076.88.

A. National Business Publications, Inc., 1913 I Street NW., Washington, D.C.

A. National Canners Association, 1133 20th Street NW., Washington, D.C.
D. (6) $365,845.33. E. (9) $7,360.83.

A. National Coal Policy Conference, Inc., 1000 16th Street NW., Washington, D.C.
E. (9) $4,722.23.

A. National Conference for Repeal of Taxes on Transportation, 1710 H Street NW., Washington, D.C.

A. National Council of Farmer Cooperatives, 1616 H Street NW., Washington, D.C.
D. (6) $15,870. E. (9) $12,600.

A. National Council of Naval Air Stations Employee Organizations, 3005 Fernside Boulevard, Alameda, Calif.

A. National Federation of Business & Professional Women's Clubs, 2012 Massachusetts Avenue NW., Washington, D.C.
D. (6) $426,708.45. E. (9) $2,048.38.

A. National Federation of Independent Business, Inc., 740 Washington Building, Washington, D.C.
D. (6) $13,029.92. E. (9) $13,029.92.

A. National Postal Union, 509 14th Street NW., Washington, D.C.
D. (6) $17,915.95. E. (9) $11,850.

A. National Housing Conference, Inc., 1025 Connecticut Avenue NW., Washington, D.C.
D. (6) $18,435.90. E. (9) $20,879.37.

A. National Reclamation Association, 897 National Press Building, Washington, D.C.
E. (9) $12,690.36.

A. National Rehabilitation Association, Inc., 1025 Vermont Avene NW., Washington, D.C.
D. (6) $613. E. (9) $767.50.

A. National Retired Teachers Association, and American Association of Retired Persons, 1346 Connecticut Avenue NW., Washington, D.C.
E. (9) $25.66.

A. National Rural Letter Carriers' Association, 1040 Warner Building, Washington, D.C.
D. (6) $14,114.88. E. (9) $7,943.97.

A. National Tax Equality Association, 1000 Connecticut Avenue NW., Washington, D.C.
D. (6) $12,179.94. E. (9) $10,330.87.

A. National Turkey Federation, Post Office Box 69, Mt. Morris, Ill.
E. (9) $3,001.82.

A. National Woman's Christian Temperance Union, 1730 Chicago Avenue, Evanston, Ill.
D. (6) $1,021.68. E. (9) $1,135.48.

A. George R. Nelson, Machinists Building, Washington, D.C.
B. International Association of Machinists, Machinists Building, Washington, D.C.
D. (6) $1,500. E. (9) $517.16.

A. Henry C. Nelson, Jr., 1005 Security Federal Building, Columbia, S.C.
B. South Carolina Railroad Association, 1005 Security Federal Building, Columbia, S.C.
E. (9) $17.65.

A. Joseph A. Noone, 1145 19th Street NW., Washington, D.C.
B. National Agricultural Chemicals Association, 1145 19th Street NW., Washington, D.C.

A. Richard T. O'Connell, 1616 H Street NW., Washington, D.C.
B. National Council of Farmer Cooperatives, 1616 H Street NW., Washington, D.C.
D. (6) $3,375. E. (9) $196.06.

A. R. E. O'Connor, 122 East 42d Street, New York, N.Y.
B. American Paper & Pulp Association, 122 East 42d Street, New York, N.Y.

A. Charles T. O'Neill, Jr., 730 15th Street NW., Washington, D.C.
B. American Bankers Association, 12 East 36th Street, New York, N.Y.
D. (6) $875. E. (9) $13.60.

A. John A. Overholt, 10315 Kensington Parkway, Kensington, Md.
B. National Association of Retired Civil Employees, 1625 Connecticut Avenue, Washington, D.C.
D. (6) $920.70.

A. Geo. F. Parrish, Post Office Box 7, Charleston, W. Va.
B. West Virginia Railroad Association.
D. (6) $4,624.98.

A. Rufus W. Peckham, Jr., 1100 National Press Building, Washington, D.C.
B. Wine Institute, 717 Market Street, San Francisco, Calif.

A. Edmund E. Pendleton, Jr., 1025 Connecticut Avenue NW., Washington, D.C.
B. County Supervisors Association of California, 1100 Elks Building, Sacramento, Calif.
D. (6) $750.

A. George C. Pendleton, 1025 Connecticut Avenue NW., Washington, D.C.
B. County Supervisors Association of California, 1100 Elks Building, Sacramento, Calif.
D. (6) $750.

A. Sandford Z. Persons, 820 13th Street NW., Washington, D.C.
B. United World Federalists, Inc., 820 13th Street NW., Washington, D.C.
D. (6) $1,801.20. E. (9) $79.15.

A. Pharmaceutical Manufacturers Association, 1411 K Street NW., Washington, D.C.
D. (6) $3,853.47. E. (9) $3,655.92.

A. Sanford L. Platt, 223 Investment Building, Washington, D.C.
B. Hawaiian Sugar Planters' Association, Honolulu, Hawaii.
E. (9) $719.58.

A. Raymond E. Plummer, 220 Central Building, Anchorage, Alaska.
B. Association of American Railroads, Transportation Building, Washington, D.C.
D. (6) $101.67. E. (9) $710.93.

A. James K. Polk, 522 Fifth Avenue, New York, N.Y.
B. Consolidated Edison Co. of New York, Inc., 4 Irving Place, New York, N.Y.
E. (9) $38.

A. William I. Powell, 1110 Ring Building, Washington, D.C.
B. Independent Petroleum Association of America, 1110 Ring Building, Washington, D.C.
E. (9) $17.20.

A. Homer V. Prater, 900 F Street NW., Washington, D.C.
B. American Federation of Government Employees.
D. (6) $2,362.50. E. (9) $30.

A. William C. Prather, 221 North LaSalle Street, Chicago, Ill.
B. United States Savings & Loan League, 221 North LaSalle Street, Chicago, Ill.
D. (6) $322.50. E. (9) $18.26.

A. John H. Pratt, 905 American Security Building, Washington, D.C.
B. National Electrical Manufacturers Association, 155 East 44th Street, New York, N.Y.
D. (6) $3,333.32. E. (9) $30.18.

A. Public Information Committee of the Cotton Industries, 1211 South Brighton, Dallas, Tex.

A. William H. Quealy, 1612 K Street NW., Washington, D.C.
B. Smith-Corona Marchant, Inc., 410 Park Avenue, New York, N.Y.

A. William H. Quealy, 1612 K Street NW., Washington, D.C.
B. Standard Oil Co. of California, Standard Oil Building, San Francisco, Calif.

A. William A. Quinlan, 1317 F Street NW., Washington, D.C.
D. (6) $8,424. E. (9) $3,853.06.

A. Railroad Pension Conference, Post Office Box 798, New Haven, Conn.
D. (6) $43. E. (9) $53.02.

A. Robert E. Redding, 1710 H Street NW., Washington, D.C.
B. National Conference for Repeal of Taxes on Transportation, 1710 H Street NW., Washington, D.C.

A. William T. Reed, 5800 Connecticut Avenue, Chevy Chase, Md.
B. Standard Oil Co., 910 South Michigan Avenue, Chicago, Ill.
D. (6) $1,500. E. (9) $266.

A. Regular Common Carrier Conference of American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $2,784.69. E. (9) $2,784.69.

A. W. P. Reilly, 3636 16th Street NW., Washington, D.C.
B. Arizona Public Service Co.; Public Service Co. of Colorado; Public Service Co. of New Mexico; and Utah Power & Light Co.
D. (6) $1,500. E. (9) $1,087.27.

A. John Arthur Reynolds, 1008 Guarantee Savings Building, Fresno, Calif.
B. Western Cotton Growers Association, 1008 Guarantee Savings Building, Fresno, Calif.
D. (6) $1,150. E. (9) $3,840.75.

A. William E. Richards, Orleans, Nebr.
B. National Association of Soil Conservation Districts, League City, Tex.

A. George D. Riley, 815 16th Street NW., Washington, D.C.
B. American Federation of Labor & Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.
D. (6) $3,315. E. (9) $514.05.

A. John J. Riley, 1625 L Street NW., Washington, D.C.
B. National Association of Home Builders of the United States, 1625 L Street NW., Washington, D.C.
D. (6) $1,269.25. E. (9) $182.65.

A. Barbara Roads, 470 Palos Verdes Boulevard, Redondo Beach, Calif.
B. Air Line Stewards and Stewardesses Association, 316 West Randolph Street, Chicago, Ill.

A. Francis J. Ryley, 519 Title and Trust Building, Phoenix, Ariz.
B. Humble Oil & Refining Co., Los Angeles, Calif., et al.

A. John Forney Rudy, 902 Ring Building, Washington, D.C.
B. Goodyear Tire & Rubber Co., Akron, Ohio.

A. Robert A. Saltzstein, 508 Wyatt Building, Washington, D.C.
B. Associated Business Publications, 205 East 42d Street, New York, N.Y.
D. (6) $2,500. E. (9) $151.39.

A. L. R. Sanford, 1730 K Street NW., Washington, D.C.
B. Shipbuilders Council of America, 1730 K Street NW., Washington, D.C.

A. Fred J. Scanlan, 1303 New Hampshire Avenue NW., Washington, D.C.
B. Fleet Reserve Association, 1303 New Hampshire Avenue NW., Washington, D.C.
D. (6) $345.

A. Schoene and Kramer, 1625 K Street NW., Washington, D.C.
B. Railway Labor Executives' Association, 400 First Street NW., Washington, D.C.
E. (9) $41.39.

A. Sealy, Inc., 666 Lake Shore Drive, Chicago, Ill.
E. (9) $9,295.84.

A. Hollis M. Seavey, 1771 N Street NW., Washington, D.C.
B. National Association of Broadcasters, 1771 N Street NW., Washington, D.C.

A. Theodore A. Serrill, 1025 Connecticut Avenue NW., Washington, D.C.
B. National Editorial Association, 1025 Connecticut Avenue NW., Washington, D.C.
E. (9) $177.17.

A. John H. Sharon, 224 Southern Building, Washington, D.C.
B. Cleary, Gottlieb & Steen, 224 Southern Building, Washington, D.C.

A. Henry M. Shine, Jr., 1625 L Street NW., Washington, D.C.
B. National Association of Home Builders of the United States, 1625 L Street NW., Washington, D.C.
D. (6) $1,346.15. E. (9) $317.15.

A. David Silvergleid, 509 14th Street NW., Washington, D.C.
B. National Postal Union, 509 14th Street NW., Washington, D.C.
D. (6) $3,500. E. (9) $150.

A. Carstens Slack, 1625 I Street NW., Washington, D.C.
B. Phillips Petroleum Co., Bartlesville, Okla.
D. (6) $300. E. (9) $260.

A. M. C. Small, Post Office Box 69, Mt. Morris, Ill.
B. National Turkey Federation, Post Office Box 69, Mt. Morris, Ill.
D. (6) $400. E. (9) $164.42.

A. W. A. Smallwood, 1925 K Street NW., Washington, D.C.
B. Communications Workers of America, 1925 K Street NW., Washington, D.C.

A. Lloyd W. Smith, 416 Shoreham Building, Washington, D.C.
B. Chicago, Burlington & Quincy Railroad Co., 547 West Jackson Boulevard, Chicago, Ill., and Great Northern Railway Co., 175 East Fourth Street, St. Paul, Minn.
D. (6) $4,257.

A. Southern Pine Industry Committee, 520 National Bank of Commerce Building, New Orleans, La.
D. (6) $295.64. E. (9) $191.90.

A. Chester S. Stackpole, 420 Lexington Avenue, New York, N.Y.
B. American Gas Association, Inc., 420 Lexington Avenue, New York, N.Y.

A. Luther C. Steward, Jr., 1729 G Street NW., Washington, D.C.
B. National Federation of Federal Employees, 1729 G Street NW., Washington, D.C.
D. (6) $2,515.20. E. (9) $29.50.

A. Nelson A. Stitt, 1000 Connecticut Avenue NW., Washington, D.C.
B. United States-Japan Trade Council, 1000 Connecticut Avenue NW., Washington, D.C.

A. Noble J. Swearingen, 224 East Capitol Street, Washington, D.C.
B. National Tuberculosis Association, 1790 Broadway, New York, N.Y.
D. (6) $225. E. (9) $29.30.

A. J. Woodrow Thomas, 1000 16th Street NW., Washington, D.C.
B. Trans World Airlines, Inc., 10 Richards Road, Kansas City, Mo.
E. (9) $147.20.

A. Tobacco Associates, Inc., 1025 Connecticut Avenue NW., Washington, D.C.
E. (9) $732.

A. William H. Tolbert, Post Office Box 191, Santa Paula, Calif.
B. Ventura County Citrus Growers Committee, Post Office Box 191, Santa Paula, Calif.
E. (9) $5,077.62.

A. Townsend Plan, Inc., 808 North Capitol Street, Washington, D.C.
D. (6) $18,747.65. E. (9) $2,228.66.

A. Mrs. Hattie B. Trazenfeld, 2012 Massachusetts Avenue NW., Washington, D.C.
B. National Federation of Business and Professional Women's Clubs, Inc., 2012 Massachusetts Avenue NW., Washington, D.C.

A. Paul T. Truitt, 1700 K Street NW., Washington, D.C.
B. National Plant Food Institute, 1700 K Street NW., Washington, D.C.

A. J. T. Trullinger, National Bank of Commerce Building, Olympia, Wash.
B. Standard Oil Co. of California, 225 Bush Street, San Francisco, Calif., et al.

A. United States-Japan Trade Council, 1000 Connecticut Avenue, Washington, D.C.
D. (6) $360. E. (9) $360.

A. United World Federalists, Inc., 820 13th Street NW., Washington, D.C.
D. (6) $9,250. E. (9) $9,486.37.

A. Veterans, World War I, U.S.A., Inc., 40 G Street NE., Washington, D.C.

A. Harold S. Walker, Jr., 420 Lexington Avenue, New York, N.Y.
B. American Gas Association, Inc., 420 Lexington Avenue, New York, N.Y.
E. (9) $32.43.

A. William E. Welsh, 897 National Press Building, Washington, D.C.
B. National Reclamation Association, 897 National Press Building, Washington, D.C.
D. (6) $3,750. E. (9) $132.35.

A. Western Cotton Growers Association, 1008 Guarantee Savings Building, Fresno, Calif.
D. (6) $3,037.40. E. (9) $4,990.75.

A. Western States Meat Packers Association, Inc., 604 Mission Street, San Francisco, Calif.
D. (6) $11,670.24. E. (9) $12.95.

A. Don White, 1201 Spring Street, Fairfax, Va.
B. National Audio-Visual Association, Inc., 1201 Spring Street, Fairfax, Va.
D. (6) $4,500. E. (9) $2,085.82.

A. John J. Wicker, Jr., 706 Mutual Building, Richmond, Va.
B. Mutual Insurance Committee on Federal Taxation, 20 North Wacker Drive, Chicago, Ill.
D. (6) $6,483.89. E. (9) $6,483.89.

A. Myron Wiener, 1000 Connecticut Avenue NW., Washington, D.C.
B. Far East Group, Inc., 1000 Connecticut Avenue NW., Washington, D.C.

A. Claude C. Wild, Jr., 1120 Connecticut Avenue NW., Washington, D.C.
B. Gulf Oil Corporation, Pittsburgh, Pa.
D. (6) $700. E. (9) $200.

A. Laurens Williams, 602 Ring Building, Washington, D.C.
B. Pacific Mutual Life Insurance Co., Los Angeles, Calif.

A. Kenneth Williamson, Mills Building, Washington, D.C.
B. American Hospital Association, 840 North Lake Shore Drive, Chicago, Ill.
D. (6) $3,163.47. E. (9) $802.12.

A. Wilmer & Broun, 616 Transportation Building, Washington, D.C.
B. Columbia Gas System Service Corp., 120 East 41st Street, New York, N.Y.

A. C. C. Woodard, 775 Northeast 79th Street, Miami, Fla.
E. (9) $1.08.

A. Albert Young Woodward, 1625 I Street NW., Washington, D.C.
B. Signal Oil & Gas Co., 1010 Wilshire Boulevard, Los Angeles, Calif.
E. (9) $1,570.19.

A. Sidney Zagri, 25 Louisiana Avenue NW., Washington, D.C.
B. International Brotherhood of Teamsters, Chauffeurs, Warehousemen & Helpers.
D. (6) $3,600.

QUARTERLY REPORTS

The following quarterly reports were submitted for the fourth calendar quarter 1961:

(NOTE.—The form used for reports is reproduced below. In the interest of economy in the RECORD, questions are not repeated, only the essential answers are printed, and are indicated by their respective letter and number.)

FILE TWO COPIES WITH THE SECRETARY OF THE SENATE AND FILE THREE COPIES WITH THE CLERK OF THE HOUSE OF REPRESENTATIVES:

This page (page 1) is designed to supply identifying data; and page 2 (on the back of this page) deals with financial data.

PLACE AN "X" BELOW THE APPROPRIATE LETTER OR FIGURE IN THE BOX AT THE RIGHT OF THE "REPORT" HEADING BELOW:

"PRELIMINARY" REPORT ("Registration"): To "register," place an "X" below the letter "P" and fill out page 1 only.

"QUARTERLY" REPORT: To indicate which one of the four calendar quarters is covered by this Report, place an "X" below the appropriate figure. Fill out both page 1 and page 2 and as many additional pages as may be required. The first additional page should be numbered as page "3," and the rest of such pages should be "4," "5," "6," etc. Preparation and filing in accordance with instructions will accomplish compliance with all quarterly reporting requirements of the Act.

Year: 19_____ ◄

REPORT

PURSUANT TO FEDERAL REGULATION OF LOBBYING ACT

	QUARTER			
P	1st	2d	3d	4th
(Mark one square only)				

NOTE ON ITEM "A".—(a) IN GENERAL. This "Report" form may be used by either an organization or an individual, as follows:
(i) "Employee".—To file as an "employee", state (in Item "B") the name, address, and nature of business of the "employer". (If the "employee" is a firm [such as a law firm or public relations firm], partners and salaried staff members of such firm may join in filing a Report as an "employee".)
(ii) "Employer".—To file as an "employer", write "None" in answer to Item "B".
(b) SEPARATE REPORTS. An agent or employee should not attempt to combine his Report with the employer's Report:
(i) Employers subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their agents or employees.
(ii) Employees subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their employers.

A. ORGANIZATION OR INDIVIDUAL FILING:
1. State name, address, and nature of business.
2. If this Report is for an Employer, list names or agents or employees who will file Reports for this Quarter.

NOTE ON ITEM "B".—*Reports by Agents or Employees.* An employee is to file, each quarter, as many Reports as he has employers, except that: (*a*) If a particular undertaking is jointly financed by a group of employers, the group is to be considered as one employer, but all members of the group are to be named, and the contribution of each member is to be specified; (*b*) if the work is done in the interest of one person but payment therefor is made by another, a single Report—naming both persons as "employers"—is to be filed each quarter.

B. EMPLOYER.—State name, address, and nature of business. If there is no employer, write "None."

NOTE ON ITEM "C".—(*a*) The expression "in connection with legislative interests," as used in this Report, means "in connection with attempting, directly or indirectly, to influence the passage or defeat of legislation." "The term 'legislation' means bills, resolutions, amendments, nominations, and other matters pending or proposed in either House of Congress, and includes any other matter which may be the subject of action by either House"—§ 302(e).
(*b*) Before undertaking any activities in connection with legislative interests, organizations and individuals subject to the Lobbying Act are required to file a "Preliminary" Report (Registration).
(*c*) After beginning such activities, they must file a "Quarterly" Report at the end of each calendar quarter in which they have either received or expended anything of value in connection with legislative interests.

C. LEGISLATIVE INTERESTS, AND PUBLICATIONS in connection therewith:

1. State approximately how long legislative interests are to continue. If receipts and expenditures in connection with legislative interests have terminated, ☐ place an "X" in the box at the left, so that this Office will no longer expect to receive Reports.

2. State the general legislative interests of the person filing and set forth the *specific* legislative interests by reciting: (*a*) Short titles of statutes and bills; (*b*) House and Senate numbers of bills, where known; (*c*) citations of statutes, where known; (*d*) whether for or against such statutes and bills.

3. In the case of those publications which the person filing has caused to be issued or distributed in connection with legislative interests, set forth: (*a*) Description, (*b*) quantity distributed; (*c*) date of distribution, (*d*) name of printer or publisher (if publications were paid for by person filing) or name of donor (if publications were received as a gift).

(Answer items 1, 2, and 3 in the space below. Attach additional pages if more space is needed)

4. If this is a "Preliminary" Report (Registration) rather than a "Quarterly" Report, state below what the nature and amount of anticipated expenses will be; and if for an agent or employee, state also what the daily, monthly, or annual rate of compensation is to be. If this is a "Quarterly" Report, disregard this item "C4" and fill out item "D" and "E" on the back of this page. Do not attempt to combine a "Preliminary" Report (Registration) with a "Quarterly" Report.◄

AFFIDAVIT

[Omitted in printing]

PAGE 1◄

NOTE ON ITEM "D."—(a) *In General.* The term "contribution" includes *anything of value.* When an organization or individual uses printed or duplicated matter in a campaign attempting to influence legislation, money received by such organization or individual—for such printed or duplicated matter—is a "contribution." "The term 'contribution' includes a gift, subscription, loan, advance, or deposit of money, or anything of value, and includes a contract, promise, or agreement, whether or not legally enforceable, to make a contribution"—Section 302(a) of the Lobbying Act.

(b) IF THIS REPORT IS FOR AN EMPLOYEE.—(i) *In General.* Item "D" is designed for the reporting of all receipts from which expenditures are made, or will be made, in accordance with legislative interests.

(ii) *Receipts of Business Firms and Individuals.*—A business firm (or individual) which is subject to the Lobbying Act by reason of expenditures which it makes in attempting to influence legislation—but which has no funds to expend except those which are available in the ordinary course of operating a business not connected in any way with the influencing of legislation—will have no receipts to report, even though it does have expenditures to report.

(iii) *Receipts of Multipurpose Organizations.*—Some organizations do not receive any funds which are to be expended solely for the purpose of attempting to influence legislation. Such organizations make such expenditures out of a general fund raised by dues, assessments, or other contributions. The percentage of the general fund which is used for such expenditures indicates the percentage of dues, assessments, or other contributions which may be considered to have been paid for that purpose. Therefore, in reporting receipts, such organizations may specify what that percentage is, and report their dues, assessments, and other contributions on that basis. However, each contributor of $500 or more is to be listed, regardless of whether the contribution was made solely for legislative purposes.

(c) IF THIS REPORT IS FOR AN AGENT OR EMPLOYEE.—(i) *In General.* In the case of many employees, all receipts will come under Items "D 5" (received for services) and "D 12" (expense money and reimbursements). In the absence of a clear statement to the contrary, it will be presumed that your employer is to reimburse you for all expenditures which you make in connection with legislative interests.

(ii) *Employer as Contributor of $500 or More.*—When your contribution from your employer (in the form of salary, fee, etc.) amounts to $500 or more, it is not necessary to report such contribution under "D 13" and "D 14," since the amount has already been reported under "D 5," and the name of the "employer" has been given under Item "B" on page 1 of this report.

D. RECEIPTS (INCLUDING CONTRIBUTIONS AND LOANS):

Fill in every blank. If the answer to any numbered item is "None," write "None" in the space following the number.

Receipts (other than loans)

1. $_____Dues and assessments
2. $_____Gifts of money or anything of value
3. $_____Printed or duplicated matter received as a gift
4. $_____Receipts from sale of printed or duplicated matter

5. $_____Received for services (e.g., salary, fee, etc.)
6. $_____TOTAL for this Quarter (Add items "1" through "5")

7. $_____Received during previous Quarters of calendar year
8. $_____TOTAL from Jan. 1 through this Quarter (Add "6" and "7")

Loans Received

"The term 'contribution' includes a . . . *loan* . . ."—Sec. 302(a).

9. $_____TOTAL now owed to others on account of loans
10. $_____Borrowed from others during this Quarter
11. $_____Repaid to others during this Quarter

12. $_____"Expense money" and Reimbursements received this Quarter

Contributors of $500 or more
(from Jan. 1 through this Quarter)

13. Have there been such contributors?

Please answer "yes" or "no": _____

14. In the case of each contributor whose contributions (including loans) during the "period" from January 1 through the last days of this Quarter total $500 or more:

Attach hereto plain sheets of paper, approximately the size of this page, tabulate data under the headings "Amount" and "Name and Address of Contributor"; and indicate whether the last day of the period is March 31, June 30, September 30, or December 31. Prepare such tabulation in accordance with the following example:

Amount	*Name and Address of Contributor*
	("*Period*" from Jan. 1 through _____, 19____)
$1,500.00	John Doe, 1621 Blank Bldg., New York, N.Y.
$1,785.00	The Roe Corporation, 2511 Doe Bldg., Chicago, Ill.
$3,285.00	TOTAL

NOTE ON ITEM "E".—(a) *In General.* "The term 'expenditure' includes a payment, distribution, loan, advance, deposit, or gift of money or anything of value, and includes a contract, promise, or agreement, whether or not legally enforceable, to make an expenditure"—Section 302(b) of the Lobbying Act.

(b) IF THIS REPORT IS FOR AN AGENT OR EMPLOYEE. In the case of many employees, all expenditures will come under telephone and telegraph (Item "E 6") and travel, food, lodging, and entertainment (Item "E 7").

E. EXPENDITURES (INCLUDING LOANS) in connection with legislative interests:

Fill in every blank. If the answer to any numbered item is "None," write "None" in the spaces following the number.

Expenditures (other than loans)

1. $_____Public relations and advertising services
2. $_____Wages, salaries, fees, commissions (other than item "1")
3. $_____Gifts or contributions made during Quarter
4. $_____Printed or duplicated matter, including distribution cost
5. $_____Office overhead (rent, supplies, utilities, etc.)
6. $_____Telephone and telegraph
7. $_____Travel, food, lodging, and entertainment
8. $_____All other expenditures

9. $_____TOTAL for this Quarter (Add "1" through "8")
10. $_____Expended during previous Quarters of calendar year

11. $_____TOTAL from January 1 through this Quarter (Add "9" and "10")

Loans Made to Others

"The term 'expenditure' includes a . . . *loan* . . ."—Sec. 302(b).

12. $_____TOTAL now owed to person filing
13. $_____Lent to others during this Quarter
14. $_____Repayment received during this Quarter

15. Recipients of Expenditures of $10 or More

In the case of expenditures made during this Quarter by, or on behalf of the person filing: Attach plain sheets of paper approximately the size of this page and tabulate data as to expenditures under the following heading: "Amount," "Date or Dates," "Name and Address of Recipient," "Purpose." Prepare such tabulation in accordance with the following example:

Amount	*Date or Dates*	*Name and Address of Recipient—Purpose*
$1,750.00	7–11:	Roe Printing Co., 3214 Blank Ave., St. Louis, Mo.—Printing and mailing circulars on the "Marshbanks Bill."
$2,400.00	7–15, 8–15, 9–15:	Britten & Blaten, 3127 Gremlin Bldg., Washington, D.C.—Public relations service at $800.00 per month.
$4,150.00		TOTAL

A. Clarence G. Adamy, 1725 I Street NW., Washington, D.C.
B. National Association of Food Chains, 1725 I Street NW., Washington, D.C.
D. (6) $275. E. (9) $20.

A. V. J. Adduci, 610 Shoreham Building, Washington, D.C.
B. Aerospace Industries Association of America, Inc., 610 Shoreham Building, Washington, D.C.
D. (6) $3,684. E. (9) $866.95.

A. J. Carson Adkerson, 976 National Press Building, Washington, D.C.

A. Aerospace Industries Association of America, Inc., 610 Shoreham Building, Washington, D.C.
D. (6) $4,510.95. E. (9) $4,510.95.

A. Aircraft Owners and Pilots Association, 4650 East-West Highway, Bethesda, Md.

A. Air Freight Forwarders Association, 802 Ring Building, Washington, D.C.

A. Air Traffic Control Association, 528 Barr Building, Washington, D.C.
D. (6) $820. E. (9) $732.30.

A. Air Transport Association of America, 1000 Connecticut Avenue NW., Washington, D.C.
D. (6) $1,463.85. E. (9) $1,463.85.

A. George Venable Allen, 4730 Quebec Street NW., Washington, D.C.
B. Tobacco Institute, Inc., 808 17th Street NW., Washington, D.C.

A. Louis J. Allen, 1121 Nashville Trust Building, Nashville, Tenn.
B. Class I railroads in Tennessee.

A. W. L. Allen, 8605 Cameron Street, Silver Spring, Md.
B. Commercial Telegraphers' Union, 8605 Cameron Street, Silver Spring, Md.

A. Amalgamated Association of Street, Electric Railway and Motor Coach Employes of America, 5025 Wisconsin Avenue NW., Washington, D.C.

A. American Automobile Association, 1712 G Street NW., Washington, D.C.

A. American Carpet Institute, Inc., 350 Fifth Avenue, New York, N.Y.

A. American Committee for Flags of Necessity, 25 Broadway, New York, N.Y.

A. American Cotton Manufacturers Institute, Inc., 1501 Johnston Building, Charlotte, N.C.
D. (6) $9,231.27. E. (9) $9,231.27.

A. American Council For Technical Products, Inc., 910 17th Street NW., Washington, D.C.

A. American Farm Bureau Federation, Merchandise Mart Plaza, Chicago, Ill., and 425 13th Street NW., Washington, D.C.
D. (6) $27,833. E. (9) $27,833.

A. American Federation of Labor and Congress of Industrial Organizations.
E. (9) $33,234.95.

A. AFL-CIO Maritime Committee, 132 Third Street SE., Washington, D.C.
D. (6) $15,375. E. (9) $17,544.55.

A. American Federation of Musicians, 425 Park Avenue, New York, N.Y.
D. (6) $11,189.10. E. (9) $8,574.32.

A. American Hotel Association, 221 West 57th Street, New York, N.Y.

A. American Israel Public Affairs Committee, 1737 H Street NW., Washington, D.C.
D. (6) $3,106.40. E. (9) $2,030.99.

A. American Justice Association, Defense Highway, Gambrills, Md.

A. American Legion National Headquarters, 700 North Pennsylvania Street, Indianapolis, Ind.
D. (6) $225.49. E. (9) $20,323.41.

A. American Medical Association, 535 North Dearborn Street, Chicago, Ill.
E. (9) $13,227.32.

A. American National Cattlemen's Association, 801 East 17th Avenue, Denver, Colo.
D. (6) $25,213.92. E. (9) $4,000.12.

A. American Nurses' Association, Inc., 10 Columbus Circle, New York, N.Y.
D. (6) $4,907.41. E. (9) $4,907.41.

A. American Optometric Association, 21 Bank Street, Lebanon, N.H.
D. (6) $2,364.34. E. (9) $2,364.34.

A. American Osteopathic Association, 212 East Ohio Street, Chicago, Ill.
D. (6) $532.70. E. (9) $532.70.

A. American Paper & Pulp Association, 122 East 42d Street, New York, N.Y.

A. American Parents Committee, Inc., 20 E Street NW., Washington, D.C., and 52 Vanderbilt Avenue, New York, N.Y.
D. (6) $3,167.67. E. (9) $1,196.75.

A. American Petroleum Institute, 1271 Avenue of the Americas, New York, N.Y.
D. (6) $4,074. E. (9) $11,031.

A. American Pulpwood Association, 220 East 42d Street, New York, N.Y.

A. Arkansas Railroad Committee, 1100 Boyle Building, Little Rock, Ark.
B. Class I railroads operating in the State of Arkansas.

A. American Retail Federation, 1616 H Street NW., Washington, D.C.
D. (6) $100,408.42.

A. American Short Line Railroad Association, 2000 Massachusetts Avenue NW., Washington, D.C.
D. (6) $1,743.80. E. (9) $1,743.80.

A. American Stock Yards Association, 1028 Connecticut Avenue NW., Washington, D.C.
E. (9) $1,350.

A. American Sugar Beet Industry Policy Committee, 500 Sugar Building, Denver, Colo.

A. American Textile Machinery Association, 61 Temple Street, West Newton, Mass.

A. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $10,290.06. E. (9) $9,021.53.

A. American Vocation Association, Inc., 1010 Vermont Avenue NW., Washington, D.C.

A. American Warehousemen's Association, 222 West Adams Street, Chicago, Ill.

A. American Yugoslav Claims Committee, 42–57 Parsons Boulevard, Flushing, N.Y.
D. (6) $409. E. (9) $177.91.

A. America's Wage Earners' Protective Conference, 815 15th Street NW., Washington, D.C.
D. (6) $1,075. E. (9) $1,153.55.

A. Jerry L. Anderson, 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.

A. Walter M. Anderson, Jr., Montgomery, Ala.
B. Alabama Railroad Association, 1002 First National Bank Building, Montgomery, Ala.

A. W. B. Ardery, Washington, D.C.
B. General Motors Corp., 3044 West Grand Boulevard, Detroit, Mich.

A. Arkansas Railroad Committee, 1100 Boyle Building, Little Rock, Ark.
B. Class I railroads operating in the State of Arkansas.

A. Armored Carrier Corp., 222–17 Northern Boulevard, Bayside, N.Y.
E. (9) $2.

A. J. Sinclair Armstrong, 45 Wall Street, New York, N.Y.
B. United States Trust Co. of New York, 45 Wall Street, New York, N.Y.

A. Arnold, Fortas & Porter, 1229 19th Street NW., Washington, D.C.
B. Howard F. Knipp, 3401 South Hanover Street, Baltimore, Md.
E. (9) $4.55.

A. Associated General Contractors of America, Inc., 1957 E Street NW., Washington, D.C.

A. Associated Third-Class Mail Users, 100 Indiana Avenue NW., Washington, D.C.

A. Association of American Physicians and Surgeons, Inc., 185 North Wabash Avenue, Chicago, Ill.
D. (6) $375. E. (9) $375.

A. Association of American Railroads, 929 Transportation Building, Washington, D.C.
D. (6) $674.80. E. (9) $674.80.

A. Association of Casualty & Surety Cos., 60 John Street, New York, N.Y.
D. (6) $2,389.90. E. (9) $2,389.90.

A. Association of Oil Pipe Lines, 1725 K Street NW., Washington, D.C.
E. (9) $300.

A. Association of Western Railways, 224 Union Station Building, Chicago, Ill.

A. Edward Atkins, 51 East 42d Street, New York, N.Y.
B. National Association of Shoe Chain Stores, Inc., 51 East 42d Street, New York, N.Y.
D. (6) $25. E. (9) $25.

A. Atlantic Refining Co., 260 South Broad Street, Philadelphia, Pa.
E. (9) $500.

A. Richard W. Averill, 711 14th Street NW., Washington, D.C.
B. National Retail Merchants Association, 100 West 31st Street, New York, N.Y.
E. (9) $100.

A. Harry S. Baer, Jr., 1115 17th Street NW., Washington, D.C.
B. National Aeronautical Services Association, 1115 17th Street NW., Washington, D.C.
E. (9) $25.

A. Charles B. Bailey, Sr., 2035 South Avenue, Toledo, Ohio.
B. Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express and Station Employees.
D. (6) $303.60.

A. Z. Baker, 1028 Connecticut Avenue NW., Washington, D.C.
B. American Stock Yards Association, 1028 Connecticut Avenue, Washington, D.C.
D. (6) $400.

A. George P. Baker, Soldiers Field Post Office, Boston, Mass.
B. Transportation Association of America, 1710 H Street NW., Washington, D.C.

A. Donald Baldwin, 1619 Massachusetts Avenue NW., Washington, D.C.
B. National Lumber Manufacturers Association, 1619 Massachusetts Avenue NW., Washington, D.C.
E. (9) $138.53.

A. Joseph H. Ball, 90 Broad Street, New York, N.Y.
B. American Steamship Committee on Conference Studies, 919 18th Street NW., Washington, D.C.

A. J. H. Ballew, Nashville, Tenn.
B. Southern States Industrial Council, Nashville, Tenn.
D. (6) $2,600.

A. Richard B. Barker and Jay W. Glasmann, 306 Southern Building, Washington, D.C.
B. National Lime Association, 925 15th Street NW., Washington, D.C.

A. Arthur R. Barnett, 1200 18th Street NW., Washington, D.C.
B. National Association of Electric Companies, 1200 18th Street NW., Washington, D.C.
D. (6) $100. E. (9) $46.40.

A. Irvin L. Barney, 400 First Street NW., Washington, D.C.
B. Brotherhood Railway Carmen of America, 4929 Main Street, Kansas City, Mo.
D. (6) $3,600.

A. William G. Barr, 711 14th Street NW., Washington, D.C.
B. National Parking Association, Inc., 711 14th Street NW., Washington, D.C.

A. A. Wesley Barthelmas, 1701 K Street NW., Washington, D.C.
B. Insurance Co. of North America, and Life Insurance Co. of North America, 1600 Arch Street, Philadelphia, Pa.
D. (6) $112.20. E. (9) $18.80.

A. William B. Barton, 1615 H Street NW., Washington, D.C.
B. Chamber of Commerce of the U.S.A., 1615 H Street NW., Washington, D.C.

A. Laurie C. Battle, 918 16th Street NW., Washington, D.C.
B. National Association of Manufacturers.

A. Roy Battles, 532 Shoreham Building, Washington, D.C.
B. Clear Channel Broadcasting Service, 532 Shoreham Building, Washington, D.C.

A. Daniel S. Bedell, 1126 16th Street NW., Washington, D.C.
B. United Automobile, Aircraft, Agricultural Implement Workers of America.
D. (6) $2,202. E. (9) $1,016.85.

A. James F. Bell, 1001 Connecticut Avenue NW., Washington, D.C.
B. National Association of Supervisors of State Banks, Munsey Building, Washington, D.C.
D. (6) $500. E. (9) $38.14.

A. Mrs. Rachel S. Bell, 1025 Connecticut Avenue NW., Washington, D.C.
B. Legislative Committee of the Committee for a National Trade Policy, Inc., 1025 Connecticut Avenue NW., Washington, D.C.

A. Ernest H. Benson, 400 First Street NW., Washington, D.C.
B. Brotherhood of Maintenance of Way Employees, 12050 Woodward Avenue, Detroit, Mich.
D. (6) $4,500.

A. Bergson & Borkland, 918 16th Street NW., Washington, D.C.
B. Freeport Sulphur Co., 161 East 42d Street, New York, N.Y.
E. (9) $1.50.

A. Charles A. Betts, 1420 New York Avenue, Washington, D.C.
B. American Can Co., 100 Park Avenue, New York, N.Y.

A. Charles C. Bevis, Jr., 1735 DeSales Street NW., Washington, D.C.
D. (6) $17.83.

A. Andrew J. Biemiller, 815 16th Street NW., Washington, D.C.
B. American Federation of Labor & Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.
D. (6) $4,620. E. (9) $306.55.

A. Walter J. Bierwagen, 900 F Street NW., Washington, D.C.
B. Amalgamated Association of Street, Electric Railway & Motor Coach Employees of America, 900 F Street NW., Washington, D.C.

A. Hudson Biery, 4017 Carew Tower, Cincinnati, Ohio.
B. Ohio Valley Improvement Association, Inc., 4017 Carew Tower, Cincinnati, Ohio.

A. Bigham, Englar, Jones & Houston, 99 John Street, New York, N.Y., and 839 Shoreham Building, Washington, D.C.
B. American Institute of Marine Underwriters, and others.
E. (9) $11.28.

A. Robert J. Bird, 1000 Connecticut Avenue, Washington, D.C.
B. Hilton Hotels Corp., 720 South Michigan Avenue, Chicago, Ill.

A. John H. Bivins, 1271 Avenue of the Americas, New York, N.Y.
B. American Petroleum Institute, 1271 Avenue of the Americas, New York, N.Y.

A. James C. Black, 1625 K Street NW., Washington, D.C.
B. Republic Steel Corp., Republic Building, Cleveland, Ohio.
D. (6) $600. E. (9) $500.

A. Wm. Rhea Blake, 1918 North Parkway, Memphis, Tenn.
B. National Cotton Council of America, Post Office Box 9905, Memphis, Tenn.
D. (6) $1,111.04. E. (9) $220.85.

A. W. G. Blewett, 301 Olive Street, St. Louis, Mo.
B. Peabody Coal Co., 301 Olive Street, St. Louis, Mo.

A. William Blum, Jr., 1741 K Street NW., Washington, D.C.
B. Committee for the Study of Revenue Bond Financing, 149 Broadway, New York, N.Y.
D. (6) $70. E. (9) $8.60.

A. Joseph L. Borda, 918 16th Street NW., Washington, D.C.
B. National Association of Manufacturers, 918 16th Street NW., Washington D.C.

A. Lyle H. Boren, Seminole, Okla.
B. Association of Western Railways, 224 Union Station Building, Chicago, Ill.

A. Joseph Borkin, 802 Ring Building, Washington, D.C.
B. New York World's Fair 1964–1965 Corp., Post Office Box 6419, Flushing, N.Y.

A. Joseph Borkin, 802 Ring Building, Washington, D.C.
B. Record Industry Association of America, Inc., 1 East 57th Street, New York, N.Y.

A. Robert T. Borth, 777 14th Street NW., Washington D.C.
B. General Electric Co., 570 Lexington Avenue, New York, N.Y.
D. (6) $375. E. (9) $185.67.

A. G. Stewart Boswell, 1200 18th Street NW., Washington, D.C.
B. National Cotton Council of America, Post Office Box 9905, Memphis, Tenn.
D. (6) $255. E. (9) $3.89.

A. J. Wiley Rogers, Sixth & Cherry Streets, Chattanooga, Tenn.
B. Tennessee Valley Public Power Association, Sixth & Cherry Streets, Chattanooga, Tenn.

A. Charles M. Boyer, 2517 Connecticut Avenue NW., Washington, D.C.
B. Reserve Officers Association of the United States, 2517 Connecticut Avenue NW., Washington, D.C.

A. Boykin & De Francis, 1000 16th Street NW., Washington, D.C.
B. Mrs. Claire Hugo Stinnes, Grossenbaumerstrasse 253, Mulheim Ruhr, Germany.
E. (9) $175.

A. Boykin & De Francis, 1000 16th Street NW., Washington, D.C.
B. Studiengesellschaft fur Privatrechtliche Auslandsinteressen, e. v. Contrescarpe 46, Germany.
E. (9) $270.

A. Charles N. Brady, 1712 G Street NW., Washington, D.C.
B. American Automobile Association, 1712 G Street NW., Washington, D.C.

A. George L. Brady, 45 Monadnock Road, Newton, Mass.
B. Superior Oil Co., Los Angeles, Calif.
D. (6) $4,000. E. (9) $284.60.

A. Joseph E. Brady, 2347 Vine Street, Cincinnati, Ohio.
B. International Union of United Brewery, Flour, Cereal, Soft Drink and Distillery Workers of America, 2347 Vine Street, Cincinnati, Ohio.

A. Richard Breed, 10 Prince Street, Alexandria, Va.
B. American Council for Technical Products, Inc., 919 17th Street NW., Washington, D.C.

A. W. Kenneth Brew, 122 East 42d Street, New York, N.Y.
B. American Paper & Pulp Association, 122 East 42d Street, New York, N.Y.

A. Florence I. Broadwell, 1729 G Street NW., Washington, D.C.
B. National Federation of Federal Employees, 1729 G Street NW., Washington, D.C.
D. (6) $3,432.73. E. (9) $4.

A. W. S. Bromley, 220 East 42d Street, New York, N.Y.
B. American Pulpwood Association, 220 East 42d Street, New York, N.Y.

A. Wayne L. Bromley, 1000 16th Street NW., Washington, D.C.
B. National Coal Policy Conference, Inc., Solar Building, Washington, D.C.
D. (6) $3,500.

A. Milton E. Brooding, 215 Fremont Street, San Francisco, Calif.
B. California Packing Corp., 215 Fremont Street, San Francisco, Calif.
D. (6) $500. E. (9) $100.

A. Derek Brooks, 1028 Connecticut Avenue NW., Washington, D.C.
B. National Retail Furniture Association, 666 Lake Shore Drive, Chicago, Ill.
D. (6) $1,800. E. (9) $430.43.

A. Brotherhood of Railroad Trainmen, 400 First Street NW., Washington, D.C.
E. (9) $13.80.

A. J. Olney Brott, 730 15th Street NW., Washington, D.C.
B. American Bankers Association, 12 East 36th Street, New York, N.Y.
D. (6) $625.

A. Bryant C. Brown, 425 13th Street NW., Washington, D.C.
B. American Mutual Insurance Alliance.

A. Brown & Lund, 1625 I Street NW., Washington, D.C.
B. American & Foreign Power Co., Inc., 100 Church Street, New York, N.Y.
D. (6) $966.67. E. (9) $21.71.

A. Brown & Lund, 1625 I Street NW., Washington, D.C.
B. National Association of Electric Cos., 1200 18th Street NW., Washington, D.C.
D. (6) $375. E. (9) $437.64.

A. J. D. Brown, 919 18th Street NW., Washington, D.C.
B. American Public Power Association, 919 18th Street NW., Washington, D.C.
D. (6) $50.

A. Lyman L. Bryan, 2000 K Street NW., Washington, D.C.
B. American Institute of Certified Public Accountants, 270 Madison Avenue, New York, N.Y.

A. George S. Buck, Jr., Post Office Box 9905, Memphis, Tenn.
B. National Cotton Council of America, Post Office Box 9905, Memphis, Tenn.

A. Henry H. Buckman, 54 Buckman Building, Jacksonville, Fla.
B. Canal Authority of the State of Florida, 720 Florida Title Building, Jacksonville, Fla.
D. (6) $1,350.

A. Henry H. Buckman, 54 Buckman Building, Jacksonville, Fla.
B. Florida Inland Navigation District, Citizens Bank Building, Bunnell, Fla.
D. (6) $1,350. E. (9) $74.30.

A. George J. Burger, 250 West 57th Street, New York, N.Y., and 740 Washington Building, Washington, D.C.
B. Burger Tire Consultant Service, 250 West 57th Street, New York, N.Y., and 740 Washington Building, Washington, D.C.

A. Burley & Dark Leaf Tobacco Export Association, Post Office Box 860, Lexington, Ky.
D. (6) $16,819.40. E. (9) $225.

A. George B. Burnham, 132 Third Street SE., Washington, D.C.
B. Numerous stockholders of the Burnham Chemical Co., 132 Third Street SE., Washington, D.C.
D. (6) $85. E. (9) $85.

A. Robert M. Burr, 105 Mansfield Avenue, Darien, Conn.
B. National Electrical Manufacturers Association, 155 East 44th Street, New York, N.Y.
D. (6) $500. E. (9) $234.82.

A. Orrin A. Burrows, 1200 15th Street NW., Washington, D.C.
B. International Brotherhood of Electrical Workers, 1200 15th Street NW., Washington, D.C.
D. (6) $3,958.32.

A. C. G. Caffrey, 1120 Connecticut Avenue NW., Washington, D.C.
B. Cotton Manufacturers Institute, Inc., 1501 Johnston Building, Charlotte, N.C.
D. (6) $760.20. E. (9) $35.

A. Gordon L. Calvert, 425 13th Street NW., Washington, D.C.
B. Investment Bankers Association of America, 425 13th Street NW., Washington, D.C.
D. (6) $300. E. (9) $697.33.

A. Carl C. Campbell, 1200 18th Street NW., Washington, D.C.
B. National Cotton Council of America, Post Office Box 9905, Memphis, Tenn.
D. (6) $28.26.

A. John T. Carlton, 2517 Connecticut Avenue NW., Washington, D.C.
B. Reserve Officers Association of the United States, 2517 Connecticut Avenue NW., Washington, D.C.

A. Braxton B. Carr, 1025 Connecticut Avenue, Washington, D.C.
B. American Waterways Operators, Inc., 1025 Connecticut Avenue, Washington, D.C.
D. (6) $1,300. E. (9) $249.29.

A. Robert S. Carr, 1220 Pennsylvania Building, Washington, D.C.
B. Hiram Walker & Sons, Inc., 8325 Jefferson Avenue, Detroit, Mich.

A. Carretta & Counihan, 1000 Connecticut Avenue, Washington, D.C.
B. Bicycle Manufacturers Association of America, 122 East 42d Street, New York, N.Y.

A. H. Allen Carroll, 1730 K Street NW., Washington, D.C., and 195 Broadway, New York, N.Y.
B. American Telephone & Telegraph Company, 195 Broadway, New York, N.Y.
D. (6) $90.

A. Henderson H. Carson, 600 First National Bank Building, Canton, Ohio, and 744 Pennsylvania Building, Washington, D.C.
B. Hope Natural Gas Company, 445 West Main Street, Clarksburg, W. Va.
D. (6) $900. E. (9) $374.

A. Albert E. Carter, Mayflower Hotel, Washington, D.C.
B. Pacific Gas & Electric Company, 245 Market Street, San Francisco, Calif.
D. (6) $4,500. E. (9) $818.81.

A. Clarence B. Carter, Post Office Box 798, New Haven, Conn.
B. Railroad Pension Conference, Post Office Box 798, New Haven, Conn.

A. Eugene Carusi, 520 Union Trust Building, Washington, D.C.
B. American Committee for Flags of Necessity, 25 Broadway, New York, N.Y.
D. (6) $100. E. (9) $50.

A. Francis R. Cawley, 1101 Vermont Avenue NW., Washington, D.C.
B. Magazine Publishers Association, Inc., 444 Madison Avenue, New York, N.Y.
D. (6) $640. E. (9) $238.90.

A. Alger B. Chapman, Jr., 11 Wall Street, New York, N.Y.
B. New York Stock Exchange, 11 Wall Street, New York, N.Y.

A. Charitable Contributors Association, 100 Old York Road, Jenkintown, Pa.
E. (9) $17.47.

A. Christian Amendment Movement, 804 Penn Avenue, Pittsburgh, Pa.
D. (6) $3,349.33. E. (9) $4,245.29.

A. Citizens Committee on Natural Resources.
D. (6) $26,550.03. E. (9) $5,037.99.

A. Earl W. Clark, 132 3d Street SE., Washington, D.C.
B. Labor-Management Maritime Committee, 132 3d Street SE., Washington, D.C.
D. (6) $1,100.80. E. (9) $452.66.

A. Robert M. Clark, 1710 H Street NW., Washington, D.C.
B. Atchison, Topeka and Santa Fe Railway Co., 80 East Jackson Boulevard, Chicago, Ill.

A. Henry J. Clay, 120 Broadway, New York, N.Y.
B. S.C.O.T. Association, 660 Madison Avenue, New York, N.Y.

A. Clay Pipe Industry Depletion Committee, 1011 Woodward Building, Washington, D.C.
E. (9) $5,105.84.

A. Clear Channel Broadcasting Service, 532 Shoreham Building, Washington, D.C.

A. Cleary, Gottlieb & Steen, 224 Southern Building, Washington, D.C.
B. E. I. du Pont de Nemours & Co., Wilmington, Del.
E. (9) $389.75.

A. Earle C. Clements, 919 18th Street NW., Washington, D.C.
B. American Merchant Marine Institute, Inc., 919 18th Street NW., Washington D.C., and 11 Broadway, New York, N.Y.
D. (6) $250. E. (9) $63.81.

A. Washington I. Cleveland, 1712 G Street NW., Washington, D.C.
B. American Automobile Association, 1712 G Street NW., Washington, D.C.

A. Joseph Coakley, 815 16th Street NW., Washington, D.C.
B. Building Service Employees International Union, 155 North Wacker Drive, Chicago, Ill.
D. (6) $3,000.

A. Junius E. Cobean, Sr., 109 East Windsor Avenue, Alexandria, Va.
B. Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express and Station Employees.

A. A. C. Cocke, 821 Gravier Street, New Orleans, La.
B. American Steamship Committee on Conference Studies, 919 18th Street NW., Washington, D.C.

A. Edwin S. Cohen, 26 Broadway, New York, N.Y.
B. Investment Company Institute, 61 Broadway, New York, N.Y.
E. (9) $10.50.

A. Coles & Goertner, 1000 Connecticut Avenue NW., Washington, D.C.
B. American Tramp Shipowners Association, Inc., 11 Broadway, New York, N.Y.
D. (6) $2,500. E. (9) $219.95.

A. Coles & Goertner, 1000 Connecticut Avenue NW., Washington, D.C.
B. Committee of American Tankers Owners, Inc., 1411 K Street NW., Washington, D.C.
E. (9) $2.40.

A. Paul G. Collins, 730 15th Street NW., Washington, D.C.
B. American Bankers Association, 12 East 36th Street, New York, N.Y.
D. (6) $125.

A. Colorado Railroad Association, 845 Equitable Building, Denver, Colo.

A. Committee for Collective Security, 307 East 44th Street, New York, N.Y.
D. (6) $140. E. (9) $237.55.

A. Committee on Constructive Price, 570 Lexington Avenue, New York, N.Y.

A. Committee for Return of Confiscated German and Japanese Property, 926 National Press Building, Washington, D.C.
D. (6) $300. E. (9) $100.

A. Committee for Study of Revenue Bond Financing, 149 Broadway, New York, N.Y.
E. (9) $3,500.04.

A. Committee to Support U.S. Congress Bill Creating a Commission on Obscene Matters and Materials, Post Office Box 74, Old Bridge, N.J.
E. (9) $1.28.

A. R. T. Compton, 918 16th Street, NW., Washington, D.C.
B. National Association of Manufacturers.

A. John C. Cone, 155 15th Street NW., Washington, D.C.
B. Pan American World Airways, 815 15th Street NW., Washington, D.C.

A. John D. Conner, 1625 K Street NW., Washington, D.C.
B. Corn Starch Industry Committee, 1625 K Street NW., Washington, D.C.

A. Julian D. Conover, Ring Building, Washington, D.C.
B. American Mining Congress, Ring Building, Washington, D.C.
D. (6) $1,000. E. (9) $3.30.

A. Orval R. Cook, 610 Shoreham Building, Washington, D.C.
B. Aerospace Industries Association of America, Inc., 610 Shoreham Building, Washington, D.C.

A. J. Milton Cooper, 1100 Bowen Building, Washington, D.C.
B. New York Stock Exchange, 11 Wall Street, New York, N.Y.

A. J. Milton Cooper, 1100 Bowen Building, Washington, D.C.
B. R. J. Reynolds Tobacco Company, Winston-Salem, N.C.

A. Ben C. Corlett, 730 15th Street NW., Washington, D.C.
B. American Bankers Association, 12 East 36th Street, New York, N.Y.
D. (6) $1,250. E. (9) $31.55.

A. Corn Starch Industry Committee, 1625 K Street NW., Washington, D.C.
D. (6) $29.57. E. (9) $29.57.

A. Edward J. Coughlin, 900 F Street NW., Washington, D.C.
B. American Federation of Technical Engineers, 900 F Street NW., Washington, D.C.
D. (6) $195. E. (9) $20.

A. Council of Mechanical Specialty Contracting Industries, Inc., 610 Ring Building, Washington, D.C.

A. Donald M. Counihan, 1000 Connecticut Avenue, Washington, D.C.
B. American Corn Millers' Federation, 1000 Connecticut Avenue, Washington, D.C.

A. Donald M. Counihan, 1000 Connecticut Avenue, Washington, D.C.
B. Classroom Periodical Publishers Association, 38 West Fifth Street, Dayton, Ohio.

A. Covington & Burling, 701 Union Trust Building, Washington, D.C.
B. Association of Maximum Service Telecasters, Inc., 1735 DeSales Street NW., Washington, D.C.

A. Covington & Burling, 701 Union Trust Building, Washington, D.C.
E. (9) $3.74.

A. Covington & Burling, 701 Union Trust Building, Washington, D.C.
B. Committee on Joint Resolution 1965 Legislature, Post Office Box 3170, Honolulu, Hawaii.

A. Covington & Burling, 701 Union Trust Building, Washington, D.C.
B. Copper & Brass Research Association, 420 Lexington Avenue, New York, N.Y.

A. Covington & Burling, 701 Union Trust Building, Washington, D.C.
B. Cuban-American Sugar Co., 347 Madison Avenue, New York, N.Y.

A. Covington & Burling, 701 Union Trust Building, Washington, D.C.
B. International Business Machines Corp., 590 Madison Avenue, New York, N.Y.

A. Covington & Burling, 701 Union Trust Building, Washington, D.C.
B. National Association of Mutual Savings Banks, 60 East 42d Street, New York, N.Y.

A. Covington & Burling, 701 Union Trust Building, Washington, D.C.
B. National Machine Tool Builders' Association, 2139 Wisconsin Avenue NW., Washington, D.C.

A. Covington & Burling, 701 Union Trust Building, Washington, D.C.
B. Raleigh Industries of America, Inc., 1168 Commonwealth Avenue, Boston, Mass.

A. H. C. Crotty, 12050 Woodward Avenue, Detroit, Mich.

A. Leo J. Crowley, 840 Equitable Building, Denver, Colo.
B. Colorado Railroad Association, 845 Equitable Building, Denver, Colo.

A. C. B. Culpepper, Post Office Box 1736, Atlanta, Ga.
B. National Conference of Non-Profit Shipping Associations, Inc.

A. John Curran, 815 16th Street NW., Washington, D.C.
B. American Federation of Labor and Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.
D. (6) $3,570. E. (9) $686.94.

A. Bryce Curry, 907 Ring Building, Washington, D.C.
B. National League of Insured Savings Associations, 907 Ring Building, Washington, D.C.
D. (6) $750.

A. Bernard Cushman, 5025 Wisconsin Avenue NW., Washington, D.C.
B. Amalgamated Association of Street, Electric Railway & Motor Coach Employees of America, 5025 Wisconsin Avenue NW., Washington, D.C.

A. John R. Dalton, 1508 Merchants Bank Building, Indianapolis, Ind.
B. Associated Railways of Indiana, 1508 Merchants Bank Building, Indianapolis, Ind.

A. D. C. Daniel, 1627 K Street NW., Washington, D.C.
B. National Independent Dairies Association, 1627 K Street NW., Washington, D.C.

A. Danish Shipowners' Association, 33 Amaliegade, Copenhagen, Denmark.

A. Charles W. Davis, 1 North La Salle Street, Chicago, Ill.
B. Sears, Roebuck & Co., 925 South Homan Avenue, Chicago, Ill.
E. (9) $280.26.

A. Charles W. Davis, 1 North La Salle Street, Chicago, Ill.
B. Singer Manufacturing Co., 149 Broadway, New York, N.Y.
E. (9) $1.10.

A. Lowell Davis, 601 Ross Avenue, Mart, Tex.
D. (6) $92.61. E. (9) $92.61.

A. Donald S. Dawson, 731 Washington Building, Washington, D.C.
B. C.I.T. Financial Corp., 650 Madison Avenue, New York, N.Y.

A. Donald S. Dawson, 731 Washington Building, Washington, D.C.
B. D.C. Transit System, Inc., 36th and M Streets NW., Washington, D.C.

A. Donald S. Dawson, 731 Washington Building, Washington, D.C.
B. Hilton Hotels Corp., Chicago, Ill.

A. Dawson, Griffin, Pickens & Riddell, 731 Washington Building, Washington, D.C.
B. Air Transport Association of America, 1000 Connecticut Avenue NW., Washington, D.C.

A. Dawson, Griffin, Pickens & Riddell, 731 Washington Building, Washington, D.C.
B. C.I.T. Financial Corp., 650 Madison Avenue, New York, N.Y.

A. Dawson, Griffin, Pickens & Riddell, 731 Washington Building, Washington, D.C.
B. Equitable Life Insurance Co., 3900 Wisconsin Avenue NW., Washington, D.C.

A. Dawson, Griffin, Pickens & Riddell, 731 Washington Building, Washington, D.C.
B. Laundry-Dry Cleaning Association of D.C., 2400 16th Street NW., Washington, D.C.

A. Dawson, Griffin, Pickens & Riddell, 731 Washington Building, Washington, D.C.
B. Variable Annuity Life Insurance Co., Washington, D.C.

A. Michael B. Deane, 1411 K Street NW., Washington, D.C.
B. American Finance Conference, Inc., 1411 K Street NW., Washington, D.C.
D. (6) $2,000. E. (9) $557.97.

A. Michael B. Deane, 1411 K Street NW., Washington, D.C.
B. Comision de Defensa del Azucar y Fomento de la Cana, 1825 Connecticut Avenue NW., Washington, D.C.
D. (6) $5,500.

A. Tony T. Dechant.
B. Farmers' Educational & Co-Operative Union of America, 1575 Sherman Street, Denver, Colo., and 1404 New York Avenue NW., Washington, D.C.
D. (6) $150. E. (9) $297.44.

A. Frank L. Dennis, 1625 K Street NW., Washington, D.C.
B. American Petroleum Institute, 1271 Avenue of the Americas, New York, N.Y.
D. (6) $1,625. E. (9) $293.

A. Mary S. Deuel, 3026 Cambridge Place NW., Washington, D.C.
B. Washington Home Rule Committee, Inc., 924 14th Street NW., Washington, D.C.
D. (6) $1,187.30.

A. Joe T. Dickerson, 1625 K Street NW., Washington, D.C.
B. Mid-Continent Oil & Gas Association, 300 Tulsa Building, Tulsa, Okla.

A. Cecil B. Dickson, 1 Farragut Square South, Washington, D.C.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.
D. (6) $1,687.50. E. (9) $235.83.

A. Timothy V. A. Dillon, 1001 15th Street NW., Washington, D.C.
B. Sacramento Yolo Port District, 705 California Fruit Building, Sacramento, Calif.
D. (6) $2,733.20. E. (9) $108.20.

A. Timothy V. A. Dillon, 1001 15th Street NW., Washington, D.C.
B. Thurman & Wright, 1208 Latham Square Building, Oakland, Calif.

A. Timothy V. A. Dillon, 1001 15th Street NW., Washington, D.C.
B. Westlands Water District, Post Office Box 4006, Fresno, Calif.
D. (6) $1,307.75. E. (9) $107.75.

A. Disabled American Veterans, 5555 Ridge Avenue, Cincinnati, Ohio.
E. (9) $1,750.

A. Disabled Officers Association, 1612 K Street NW., Washington, D.C.
E. (9) $3,750.

A. District Lodge No. 44, International Association of Machinists, 400 First Street NW., Washington, D.C.
D. (6) $19,255.38. E. (9) $16,362.62.

A. Division 689, Amalgamated Association of Street, Electric Railway and Motor Coach Employees of America, 900 F Street NW., Washington, D.C.

A. Robert C. Dolan, 1200 18th Street NW., Washington, D.C.
B. National Association of Electric Companies, 1200 18th Street NW., Washington, D.C.
D. (6) $62.50. E. (9) $23.71.

A. Paul R. M. Donelan, 1 Farragut Square South, Washington, D.C.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.

A. James L. Donnelly, 200 South Michigan Avenue, Chicago, Ill.
B. Illinois Manufacturers' Association, 200 South Michigan Avenue, Chicago, Ill.
E. (9) $184.27.

A. Donoghue, Ragan & Mason, 239 Wyatt Building, Washington, D.C.
B. California Shipping Co., 320 Market Street, San Francisco, Calif.

A. Donoghue, Ragan & Mason, 239 Wyatt Building, Washington, D.C.
B. Sea-Land Service, Inc., Post Office Box 1050, Newark, N.J.
D. (6) $900. E. (9) $12.24.

A. Donoghue, Ragan & Mason, 239 Wyatt Building, Washington, D.C.
B. Seatrain Lines, Inc., 595 River Road, Edgewater, N.J.
D. (6) $900. E. (9) $12.25.

A. James G. Donovan, 120 Broadway, New York, N.Y.
B. Customs Brokers & Forwarders Association of America, Inc., 8-10 Bridge Street, New York, N.Y.
E. (9) $1,673.

A. J. Dewey Dorsett, 60 John Street, New York, N.Y.
D. (6) $137.50.

A. Jasper N. Dorsey, 1730 K Street NW., Washington, D.C., and 195 Broadway, New York, N.Y.

A. C. L. Dorson, 900 F Street NW., Washington, D.C.
B. Retirement Federation of Civil Service Employees of the U.S. Government, 900 F Street NW., Washington, D.C.
D. (6) $2,110.77.

A. Fred H. Dressler, Box 188, Gardnerville, Nev.
B. American National Cattlemen's Association, 801 East 17th Avenue, Denver, Colo.

A. Ben DuBois.
B. Independent Bankers Association, Sauk Centre, Minn.

A. Evelyn Dubrow, 1710 Broadway, New York, N.Y.
B. International Ladies' Garment Workers' Union, 1710 Broadway, New York, N.Y.

A. Read P. Dunn, Jr., 502 Ring Building, Washington, D.C.
B. National Cotton Council of America, Post Office Box 9905, Memphis, Tenn.
D. (6) $249.24.

A. William E. Dunn, 1957 E Street NW., Washington, D.C.
B. Associated General Contractors of America, Inc., 1957 E Street NW., Washington, D.C.

A. Henry I. Dworshak, 1102 Ring Building, Washington, D.C.
B. American Mining Congress, Ring Building, Washington, D.C.
D. (6) $675.

A. Eastern Meat Packers Association, Inc., 740 11th Street NW., Washington, D.C.
D. (6) $1.64. E. (9) $37.01.

A. Herman Edelsberg, 1640 Rhode Island Avenue NW., Washington, D.C.

B. Anti-Defamation League of B'nai B'rith, 515 Madison Avenue, New York, N.Y.
D. (6) $140. E. (9) $15.

A. Harold Edwards, 1012 14th Street NW., Washington, D.C.
B. National Health Federation, 709 Mission Street, San Francisco, Calif.
D. (6) $700.

A. Walter A. Edwards, 1700 K Street NW., Washington, D.C.
B. Chrysler Corp., 341 Massachusetts Avenue, Detroit, Mich.

A. J. C. B. Ehringhaus, Jr., Raleigh, N.C.
B. North Carolina Railroad Association, Box 2635, Raleigh, N.C.

A. James B. Ehrlich, 1000 Connecticut Avenue NW., Washington, D.C.
B. Air Transport Association of America, 1000 Connecticut Avenue NW., Washington, D.C.
D. (6) $206. E. (9) $21.60.

A. John M. Elliott, 5025 Wisconsin Avenue NW., Washington, D.C.
B. Amalgamated Association of Street, Electric Railway and Motor Coach Employees of America, 5025 Wisconsin Avenue NW., Washington, D.C.

A. Clyde T. Ellis, 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.

A. Otis H. Ellis, 1001 Connecticut Avenue NW., Washington, D.C.
B. National Oil Jobbers Council, 1001 Connecticut Avenue NW., Washington, D.C.
D. (6) $6,000.

A. Perry R. Ellsworth, 1145 19th Street NW., Washington, D.C.
B. Milk Industry Foundation, 1145 19th Street NW., Washington, D.C.

A. John H. Else, 302 Ring Building, Washington, D.C.
B. National Retail Lumber Dealers Association, 302 Ring Building, Washington, D.C.
D. (6) $4,050. E. (9) $241.62.

A. Ely, Duncan and Bennett, 1200 Tower Building, Washington, D.C.
B. American Public Power Association, 919 18th Street NW., Washington, D.C.
D. (6) $2,100.

A. Ely, Duncan & Bennett, 1200 Tower Building, Washington, D.C.
B. Department of Water & Power of the City of Los Angeles, 207 South Broadway, Los Angeles, Calif.
D. (6) $2,400.

A. Ely, Duncan & Bennett, 1200 Tower Building, Washington, D.C.
B. East Bay Municipal Utility District, 2130 Adeline Street, Oakland, Calif.
D. (6) $1,400. E. (9) $86.61.

A. Ely, Duncan & Bennett, 1200 Tower Building, Washington, D.C.
B. Imperial Irrigation District, El Centro, Calif.
D. (6) $2,100.

A. Ely, Duncan & Bennett, 1200 Tower Building, Washington, D.C.
B. Six Agency Committee & Colorado River Board of California, 909 South Broadway, Los Angeles, Calif.
D. (6) $3,090.

A. John W. Emeigh, 1040 Warner Building, Washington, D.C.
B. The National Rural Letter Carriers' Association, 1040 Warner Building, Washington, D.C.
D. (6) $669.52. E. (9) $20.

A. Myles W. English, 966 National Press Building, Washington, D.C.
B. National Highway Users Conference, Inc., 966 National Press Building, Washington, D.C.

A. Grover W. Ensley, 535 Lincoln Building, 60 East 42d Street, New York, N.Y.
B. National Association of Mutual Savings Banks, 60 East 42d Street, New York, N.Y.
D. (6) $55. E. (9) $74.78.

A. Lawrence E. Ernst, 301 East Capitol Street, Washington, D.C.
B. National Star Route Mail Carriers Association, 301 East Capitol Street, Washington, D.C.
E. (9) $60.

A. John D. Fagan, 200 Maryland Avenue NE., Washington, D.C.
B. Veterans of Foreign Wars of the United States.
D. (6) $1,750. E. (9) $22.20.

A. Family Tax Association, 2110 Girard Trust Building, Philadelphia, Pa.
E. (9) $26.77.

A. Farmers' Educational & Co-Operative Union of America, 1575 Sherman Street, Denver, Colo., and 1404 New York Avenue NW., Washington, D.C.
D. (6) $42,996.88. E. (9) $20,346.06.

A. Joseph G. Feeney, 1725 I Street NW., Washington, D.C.
B. REA Express, 219 East 42d Street, New York, N.Y.
D. (6) $3,500. E. (9) $500.

A. Brig. Gen. Bonner Fellers, 1001 Connecticut Avenue NW., Washington, D.C.
B. Citizens Foreign Aid Committee.

A. Joe G. Fender, 314 Melrose Building, Houston, Tex.
B. National Conference of Non-Profit Shipping Associations, Inc.
D. (6) $2,457.02.

A. John A. Ferguson, 918 16th Street NW., Washington, D.C.
B. Independent Natural Gas Association of America, 918 16th Street NW., Washington, D.C.

A. Josiah Ferris, 510 Union Trust Building, Washington, D.C.
B. American Sugar Cane League, New Orleans, La.; United States Sugar Corp, Clewiston, Fla.; and Okeelanta Sugar Refinery, Inc., South Bay, Fla.
D. (6) $6,250.

A. Maxwell Field, 210 Lincoln Street, Boston, Mass.
B. New England Shoe & Leather Association, 210 Lincoln Street, Boston, Mass.
D. (6) $200. E. (9) $15.85.

A. James Finucane, 926 National Press Building, Washington, D.C.
B. Committee for Return of Confiscated German & Japanese Property, 926 National Press Building, Washington, D.C.
D. (6) $100.

A. Norman A. Flaningam, 425 13th Street NW., Washington, D.C.
B. Consolidated Natural Gas Co., 30 Rockefeller Plaza, New York, N.Y.

A. Florida Citrus Mutual, Lakeland, Fla.
E. (9) $1,800.

A. Florida Inland Navigation District, Citizens Bank Building, Dunnell, Fla.
E. (9) $1,424.30.

A. James W. Foristel, 1 Farragut Square South, Washington, D.C.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.
D. (6) $1,312.50. E. (9) $197.22.

A. James F. Fort, 1616 P Street NW., Washington, D.C.
B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $300. E. (9) $155.10.

A. Ronald J. Foulis, 1730 K Street NW., Washington, D.C., and 195 Broadway, New York, N.Y.
B. American Telephone & Telegraph Co., 195 Broadway, New York, N.Y.

A. W. E. Fravel, 400 First Street NW., Washington, D.C.
B. Brotherhood of Railroad Trainmen.

A. James H. French, 1625 K Street NW., Washington, D.C.
B. Corn Starch Industry Committee, 1625 K Street NW., Washington, D.C.

A. Elmer M. Freudenberger, 1701 18th Street NW., Washington, D.C.
B. Disabled American Veterans, 5555 Ridge Avenue, Cincinnati, Ohio.
E. (9) $1,750.

A. Philip P. Friedlander, Jr., 1343 L Street NW., Washington, D.C.
B. The National Tire Dealers & Retreaders Association, Inc., 1343 L Street NW., Washington, D.C.
D. (6) $18. E. (9) $4.

A. Friends Committee on National Legislation, 245 Second Street NE., Washington, D.C.
D. (6) $21,244.49. E. (9) $5,963.74.

A. David C. Fullarton, 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.
D. (6) $35.

A. Garrett Fuller, 836 Wyatt Building, Washington, D.C.
B. West Coast Steamship Co., 801 Board of Trade Building, Portland, Oreg.

A. Wallace H. Fulton, 1707 H Street NW., Washington, D.C.
B. National Association of Securities Dealers, Inc.

A. E. P. Gaines, Jr., 1211 South Brighton Street, Dallas, Tex.
B. Public Information Committee of the Cotton Industries.

A. Lawrence H. Gall, 918 16th Street NW., Washington, D.C.
B. Independent Natural Gas Association of America, 918 16th Street NW., Washington, D.C.

A. M. J. Galvin, 207 Union Depot Building, St. Paul, Minn.
D. (6) $500.

A. A. Arthur Gardner, 1630 Jefferson Street, Hollywood, Fla.
E. (9) $8.

A. Gardner, Morrison & Rogers, 1126 Woodward Building, Washington, D.C.
B. Bigham, Englar, Jones & Houston, 99 John Street, New York, N.Y., and Shoreham Building, Washington, D.C.

A. Gardner, Morrison & Rogers, 1126 Woodward Building, Washington, D.C.
B. Mauritius Sugar Syndicate, Port Louis, Mauritius.
E. (9) $6.15.

A. Marion R. Garstang, 30 F Street NW., Washington, D.C.
B. National Milk Producers Federation, 30 F Street NW., Washington, D.C.
D. (6) $25. E. (9) $1.20.

A. Gas Appliance Manufacturers Association, Inc., 60 East 42d Street, New York, N.Y.

A. J. M. George, 165 Center Street, Winona, Minn.
B. The Inter-State Manufacturers Association, 163–165 Center Street, Winona, Minn.
D. (6) $1,500.

A. J. M. George.
B. National Association of Direct Selling Cos., 163–165 Center Street, Winona, Minn.
D. (6) $3,000.

A. Joseph S. Gill, 16 East Broad Street, Columbus, Ohio.
B. The Ohio Railroad Association, 16 East Broad Street, Columbus, Ohio.

A. Philip Goldstein, 1000 Woodward Building, Washington, D.C.
B. Clay Pipe Industry Depletion Committee, 1011 Woodward Building, Washington, D.C.

A. Lawrence L. Gourley, 1757 K Street NW., Washington, D.C.
B. American Osteopathic Association, 212 East Ohio Street, Chicago, Ill.
D. (6) $375.

A. Government Employees' Council, 100 Indiana Avenue NW., Washington, D.C.
D. (6) $7,525.27. E. (9) $6,931.95.

A. James W. Grady, Jr., 1730 K Street NW., Washington, D.C. and 195 Broadway, New York, N.Y.
B. American Telephone & Telegraph Co., 195 Broadway, New York, N.Y.

A. James L. Grahl, 919 18th Street NW., Washington, D.C.
B. American Public Power Association, 919 18th Street NW., Washington, D.C.

A. Grain & Feed Dealers National Association, 400 Folger Building, Washington, D.C.

A. Grand Lodge of the Brotherhood of Locomotive Firemen & Enginemen, 318–418 Keith Building, Cleveland, Ohio.
D. (6) $15,284.20. E. (9) $11,390.75.

A. Gravelle, Whitlock, Markey & Tait, 1032 Shoreham Building, Washington, D.C.
B. Structural Clay Products Industry Depletion Committee, 1032 Shoreham Building, Washington, D.C.
D. (6) $7,081.25.

A. Cornelius R. Gray, 1712 G Street NW., Washington, D.C.
B. American Automobile Association, 1712 G Street NW., Washington, D.C.

A. Mrs. Edward R. Gray, 3501 Williamsburg Lane N.W., Washington, D.C.
B. The National Congress of Parents & Teachers, 7009 North Rush Street, Chicago, Ill.
E. (9) $25.77.

A. Mrs. Virginia M. Gray, 3501 Williamsburg Lane NW., Washington, D.C.
B. Citizens Committee for UNICEF, 20 E Street NW., Washington, D.C.
E. (9) $1.30.

A. Jerry N. Griffin, 731 Washington Building, Washington, D.C.
B. C.I.T. Financial Corp., 650 Madison Avenue, New York, N.Y.

A. Jerry N. Griffin, 731 Washington Building, Washington, D.C.
B. Mutual Benefit Health & Accident Association, Omaha, Nebr.

A. Weston B. Grimes, 1001 Bowen Building, Washington, D.C.
B. Cargill, Inc., 200 Grain Exchange, Minneapolis, Minn.
D. (6) $7,135.

A. Group Health Association of America, Robert E. Van Goor, 704 17th Street NW. at Pennsylvania Avenue, Washington, D.C.
D. (6) $300. E. (9) $217.

A. Ben H. Guill, 2000 K Street NW., Washington, D.C.
B. American Smelting & Refining Co., New York, N.Y., etc.
D. (6) $6,865.88.

A. Terry Gunn, 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.

A. Violet M. Gunther, 1341 Connecticut Avenue NW., Washington, D.C.
B. Americans for Democratic Action, 1341 Connecticut Avenue NW., Washington, D.C.
D. (6) $2,230.04. E. (9) $70.25.

A. Frank E. Haas, 280 Union Station Building, Chicago, Ill.
B. The Association of Western Railways, 224 Union Station Building, Chicago, Ill.

A. Hoyt S. Haddock, 132 Third Street SE., Washington, D.C.
B. AFL–CIO Maritime Committee, 132 Third Street SE., Washington, D.C.
D. (6) $3,000. E. (9) $3,454.56.

A. Hoyt S. Haddock, 132 Third Street SE., Washington, D.C.
B. Labor-Management Maritime Committee, 132 Third Street SE., Washington, D.C.
D. (6) $1,100.80. E. (9) $92.37.

A. Louis P. Haffer, 802 Ring Building, Washington, D.C.
B. Air Freight Forwarders Association, 802 Ring Building, Washington, D.C.

A. Haight, Gardner, Poor & Havens, 80 Broad Street, New York, N.Y.
B. Danish Shipowners' Association, 33 Amaliegade, Copenhagen, Denmark.
E. (9) $929.29.

A. Hal H. Hale, 419 Transportation Building, Washington, D.C.
B. Association of American Railroads, Transportation Building, Washington, D.C.

A. Randolph M. Hale, 1957 E Street NW., Washington, D.C.
B. Associated General Contractors of America, Inc., 1957 E Street NW., Washington, D.C.

A. Harold T. Halfpenny, 111 West Washington Street, Chicago, Ill.

A. E. C. Hallbeck, 817 14th Street NW., Washington, D.C.
B. United Federation of Postal Clerks, 817 14th Street NW., Washington, D.C.
D. (6) $4,500.

A. Charles A. Hamilton, 777 14th Street NW., Washington, D.C.
B. General Electric Co., 570 Lexington Avenue, New York, N.Y.
D. (6) $125. E. (9) $95.45.

A. W. C. Hammerle, 220 East 42d Street, New York, N.Y.
B. American Pulpwood Association, 220 East 42d Street, New York, N.Y.

A. Harold F. Hammond, 1710 H Street NW., Washington, D.C.
B. Transportation Association of America.

A. C. L. Hancock, 420 Lexington Avenue, New York, N.Y.
B. Copper & Brass Research Association, 420 Lexington Avenue, New York, N.Y., and Covington & Burling, 701 Union Trust Building, Washington, D.C.
D. (6) $3,000.

A. Murray Hanson, 425 13th Street NW., Washington, D.C.
B. Investment Bankers Association of America, 425 13th Street NW., Washington, D.C.
D. (6) $600. E. (9) $494.73.

A. Eugene J. Hardy, 918 16th Street NW., Washington, D.C.
B. National Association of Manufacturers.

A. Edward Hart, 4111 Vacation Lane, Arlington, Va.

A. Merwin K. Hart, 156 Fifth Avenue, New York, N.Y.
B. National Economic Council, Inc., 156 Fifth Avenue, New York, N.Y.

A. Stephen H. Hart, 500 Equitable Building, Denver, Colo.
B. National Livestock Tax Committee, 801 East 17th Avenue, Denver, Colo.
D. (6) $1,678.50. E. (9) $105.54.

A. Walter A. Hasty, Jr. 210 H Street NW., Washington, D.C.
B. National Limestone Institute, Inc., 210 H Street NW., Washington, D.C.
E. (9) $1.25.

A. Paul M. Hawkins, 1701 K Street NW., Washington, D.C.
B. Health Insurance Association of America, 1701 K Street NW., Washington, D.C.
D. (6) $637. E. (9) $269.91.

A. Hays & Hays, 920 Warner Building, Washington, D.C.
B. Motor Commerce Association, Inc., 4004 Versailles Road, Lexington, Ky.
D. (6) $5,000. E. (9) $2,320.36.

A. Joseph H. Hays, 280 Union Station Building, Chicago, Ill.
B. Association of Western Railways, 224 Union Station Building, Chicago, Ill.

A. John C. Hazen, 711 14th Street NW., Washington, D.C.
B. National Retail Merchants Association, 100 West 31st Street, New York, N.Y.
E. (9) $35.55.

A. Health Insurance Association of America, 1701 K Street NW., Washington, D.C.
E. (9) $1,444.19.

A. Patrick B. Healy, 30 F Street NW., Washington, D.C.
B. National Milk Producers Federation, 30 F Street NW., Washington, D.C.
D. (6) $175.

A. George J. Hecht, 52 Vanderbilt Avenue, New York, N.Y.
B. American Parents Committee, Inc., 20 E Street NW., Washington, D.C.

A. Hedrick and Lane, 1001 Connecticut Avenue NW., Washington, D.C.
B. Comite de Productores de Azucar, Antonio Miro Quesada 376, Lima, Peru, S.A.
E. (9) $269.62.

A. Hedrick and Lane, 1001 Connecticut Avenue NW., Washington, D.C.
B. Committee on Constructive Price, 570 Lexington Avenue, New York, N.Y.
E. (9) $56.57.

A. Hedrick and Lane, 1001 Connecticut Avenue NW., Washington, D.C.
B. Reciprocal Inter-Insurers Federal Tax Committee, 400 United Artists Building, Detroit, Mich.
E. (9) $115.08.

A. Robert B. Heiney, 1133 20th Street NW., Washington, D.C.
B. National Canners Association, 1133 20th Street NW, Washington, D.C.
D. (6) $875. E. (9) $966.71.

A. Kenneth G. Heisler, 907 Ring Building, Washington, D.C.
B. National League of Insured Savings Associations, 907 Ring Building, Washington, D.C.
D. (6) $750.

A. Chas. H. Heltzel, 606 Commerce Building, 1700 K Street NW., Washington, D.C.
B. Pacific Power & Light Co., Public Service Building, Portland, Oreg.
D. (6) $1,220. E. (9) $698.53.

A. Edmund P. Hennelly, 150 East 42d Street, New York, N.Y.
B. Socony Mobil Oil Co., Inc., 150 East 42d Street, New York, N.Y.
D. (6) $368.74. E. (9) $118.74.

A. Maurice G. Herndon, 801 Warner Building, Washington, D.C.
B. National Association of Insurance Agents, 96 Fulton Street, New York, N.Y., and 801 Warner Building, Washington, D.C.
D. (6) $189.06. E. (9) $189.06.

A. Clinton M. Hester, 432 Shoreham Building, Washington, D.C.
B. Boston Wool Trade Association, 263 Summer Street, Boston, Mass.
D. (6) $600. E. (9) $42.83.

A. Clinton M. Hester, 432 Shoreham Building, Washington, D.C.
B. National Association of Wool Manufacturers, 386 Fourth Avenue, New York, N.Y.
D. (6) $1,000.

A. Clinton M. Hester, 432 Shoreham Building, Washington, D.C.
B. National Wool Growers Association, 414 Crandall Building, Salt Lake City, Utah.

A. Clinton M. Hester, 432 Shoreham Building, Washington, D.C.
B. National Wool Trade Association, 263 Summer Street, Boston, Mass.

A. Clinton M. Hester, 432 Shoreham Building, Washington, D.C.
B. New York Wool Trade Association, 155 East 44th Street, New York, N.Y.

A. Clinton M. Hester, 432 Shoreham Building, Washington, D.C.
B. Philadelphia Wool & Textile Association, Post Office Box 42, Philadelphia, Pa.

A. Clinton M. Hester, 432 Shoreham Building, Washington, D.C.
B. United States Brewers Association, 535 Fifth Avenue, New York, N.Y.
D. (6) $5,000. E. (9) $69.46.

A. W. J. Hickey, 2000 Massachusetts Avenue NW., Washington, D.C.
B. American Short Line Railroad Association, 2000 Massachusetts Avenue NW., Washington, D.C.
D. (6) $481.25.

A. Robert L. Higgins, 1200 18th Street NW., Washington, D.C.
B. National Electrical Contractors Association, 1200 18th Street NW., Washington, D.C.

A. John W. Hight, 1025 Connecticut Avenue NW., Washington, D.C.
B. Legislative Committee of the Committee for a National Trade Policy, Inc., 1025 Connecticut Avenue NW., Washington, D.C.

A. Dumond Peck Hill, 1116 Woodward Building, Washington, D.C.
B. National Coordinating Committee for Export Credit Guarantees, 1 Liberty Street, New York, N.Y.

A. L. S. Hitchner, 1145 19th Street NW., Washington, D.C.
B. National Agricultural Chemicals Association.

A. Brig. Gen. J. D. Hittle, USMC, retired, 200 Maryland Avenue NE., Washington, D.C.
B. Veterans of Foreign Wars of the United States.
D. (6) $1,166.67. E. (9) $67.55.

A. Lawrence S. Hobart, 919 18th Street NW., Washington, D.C.
B. American Public Power Association, 919 18th Street NW., Washington, D.C.

A. Ralph D. Hodges, Jr.
B. National Lumber Manufacturers Association, 1619 Massachusetts Avenue NW., Washington, D.C.

A. Fuller Holloway, 808 17th Street NW., Washington, D.C.
B. Toilet Goods Association, Inc., 1270 Avenue of the Americas, New York, N.Y.
D. (6) $5,775. E. (9) $529.95.

A. A. D. Holmes, Jr., Gallion, Ala.
B. National Association of Soil Conservation Districts, League City, Tex.

A. Home Manufacturers Association, 1117 Barr Building, Washington, D.C.
D. (6) $500. E. (9) $1,000.

A. Edwin M. Hood, 1730 K Street NW., Washington, D.C.
B. Shipbuilders Council of America, 1730 K Street NW., Washington, D.C.

A. Samuel H. Horne, Munsey Building, Washington, D.C.
B. Singer Manufacturing Co., 149 Broadway, New York, N.Y.
E. (9) $1.10.

A. Lawrence W. Horning, 1010 Pennsylvania Building, Washington, D.C.
B. New York Central Railroad Co., 230 Park Avenue, New York, N.Y.

A. Donald E. Horton, 222 West Adams Street, Chicago, Ill.
B. American Warehousemen's Association.

A. Harold A. Houser, 1616 I Street NW., Washington, D.C.
B. Retired Officers Association, 1616 I Street NW., Washington, D.C.
D. (6) $3,333.34.

A. W. C. Howard, Quanah, Tex.
B. National Association of Soil Conservation Districts, League City, Tex.

A. W. T. Huff, 918 16th Street NW., Washington, D.C.
B. Independent Natural Gas Association of America, 918 16th Street NW., Washington, D.C.

A. William J. Hull, 326 Cafritz Building, 1625 I Street NW., Washington, D.C.
B. Ashland Oil & Refining Co., 1409 Winchester Avenue, Ashland, Ky.

A. William J. Hull, 326 Cafritz Building, 1625 I Street NW., Washington, D.C.
B. Ohio Valley Improvement Association, Inc.

A. Robert L. Humphrey, 918 16th Street NW., Washington, D.C.
B. National Association of Manufacturers

A. Fred G. Hussey, 200 C Street SE., Washington, D.C.
B. Outdoor Advertising Association of America, Inc., 24 West Erie Street, Chicago, Ill.

A. Elmer P. Hutter, Post Office Box 2255, Washington, D.C.
B. Richard P. Bates, Sacramento, Calif., Edward S. Cohen, Washington, D.C., and J. I. Meltzer, Washington, D.C.
E. (9) $402.

A. Elmer P. Hutter, Post Office Box 2255, Washington, D.C.
D. (6) $10.

A. William J. Hynes, 611 Idaho Building, Boise, Idaho.
B. Union Pacific Railroad Co., 1416 Dodge Street, Omaha, Nebr.

A. Bernard J. Imming, 777 14th Street NW., Washington, D.C.
B. United Fresh Fruit & Vegetable Association, 777 14th Street NW., Washington, D.C.

A. Independent Natural Gas Association of America, 918 16th Street NW., Washington, D.C.

A. Industrial Union Department, AFL–CIO, 815 16th Street NW., Washington, D.C.
D. (6) $11,877.01. E. (9) $11,877.01.

A. International Association of Machinists, Machinists Building, Washington, D.C.
E. (9) $2,159.93.

A. International Union of Electrical, Radio & Machine Workers, 1126 16th Street NW., Washington, D.C.
E. (9) $1,425.

A. Inter-State Manufacturer's Association, 163–165 Center Street, Winona, Minn.
D. (6) $1,650. E. (9) $4.75.

A. Iron Ore Lessors Association, Inc., W–1481 First National Bank Building, St. Paul, Minn.
E. (9) $963.25.

A. Japanese-American Citizens League, 1634 Post Street, San Francisco, Calif.
E. (9) $150.

A. Daniel Jaspan, Post Office Box 1924, Washington, D.C.

B. National Association of Postal Supervisors, Post Office Box 1924, Washington, D.C.
D. (6) $3,391.23. E. (9) $35.10.

A. Mrs. Margaret E. Jenkins, 30 Deerpath, Norgate, Roslyn Heights, Long Island, N.Y.

A. Joe Jenness, 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.

A. Jeppesen & Co., 8025 East 40th Avenue, Denver, Colo.
E. (9) $1,365.03.

A. Robert G. Jeter, Dresden, Tenn.
B. H. C. Spinks Clay Co., Paris, Tenn., etc.
D. (6) $282.70.

A. William T. Jobe, 1901 Pennsylvania Avenue NW., Washington, D.C.
B. National Ice Association, 1901 Pennsylvania Avenue NW., Washington, D.C.

A. Peter D. Joers, 810 Whittington Avenue, Hot Springs, Ark.
B. Dierks Forests, Inc., 810 Whittington Avenue, Hot Springs, Ark.

A. Gilbert R. Johnson, 1208 Terminal Tower, Cleveland, Ohio.
B. Lake Carriers' Association, 305 Rockefeller Building, Cleveland, Ohio.

A. Hugo E. Johnson, 600 Bulkley Building, Cleveland, Ohio.
B. American Iron Ore Association, 600 Bulkley Building, Cleveland, Ohio.

A. Reuben L. Johnson.
B. The Farmers' Educational & Co-Operative Union of America, 1404 New York Avenue NW., Washington, D.C.
D. (6) $2,307.84. E. (9) $243.50.

A. W. D. Johnson, 400 First Street NW., Washington, D.C.
B. Order of Railway Conductors & Brakemen, O.R.C. & B. Building, Cedar Rapids, Iowa.

A. Ned Johnston, 4309 Saul Road, Kensington, Md.
B. The Tobacco Institute, Inc., 808 17th Street NW., Washington, D.C.

A. Geo. Bliss Jones, Montgomery, Ala.
B. Alabama Railroad Association, 1002 First National Bank Building, Montgomery, Ala.

A. James E. Jones, 122 East 42d Street, New York, N.Y.
B. American Paper & Pulp Association, 122 East 42d Street, New York, N.Y.

A. L. Dan Jones, 1110 Ring Building, Washington, D.C.
B. Independent Petroleum Association of America, 1110 Ring Building, Washington, D.C.
E. (9) $29.15.

A. Max H. Jordan, 1040 Warner Building, Washington, D.C.
B. The National Rural Letter Carriers' Association, 1040 Warner Building, Washington, D.C.
D. (6) $569.52. E. (9) $11.

A. Edwin W. Kaler, 1725 I Street NW., Washington, D.C.
B. Waterman Steamship Corp., 61 St. Joseph Street, Mobile, Ala.
D. (6) $8,750.

A. John E. Kane, 1625 K Street NW., Washington, D.C.
B. American Petroleum Institute, 1271 Avenue of the Americas, New York, N.Y.
D. (6) $3,780. E. (9) $815.

A. Sheldon Z. Kaplan, 817 Barr Building, Washington, D.C.
B. Guatemala Sugar Producers Association, Guatemala City, Guatemala.

A. Sheldon Z. Kaplan, 817 Barr Building, Washington, D.C.
B. Salvador Schape, Servidora Electrica, S.A., San Salvador, El Salvador.

A. Charles C. Keeble, 1730 K Street NW., Washington, D.C.
B. Humble Oil & Refining Co., Post Office Box 2180, Houston, Tex.

A. Francis V. Keesling, Jr., 605 Market Street, San Francisco, Calif.
B. West Coast Life Insurance Co., 605 Market Street, San Francisco, Calif.

A. James C. Kelley, 1500 Massachusetts Avenue NW., Washington, D.C.
B. American Machine Tool Distributors' Association, 1500 Massachusetts Avenue NW., Washington, D.C.

A. John T. Kelly, 1411 K Street NW., Washington, D.C.
B. Pharmaceutical Manufacturers Association.

A. David W. Kendall, 1625 K Street NW., Washington, D.C.
B. Zantop Air Transport, Inc., Detroit Metropolitan Airport, Inkster, Mich.

A. I. L. Kenen, 1737 H Street NW., Washington, D.C.
B. American Israel Public Affairs Committee, 1737 H Street NW., Washington, D.C.

A. Harold L. Kennedy, 420 Cafritz Building, Washington, D.C.
B. The Ohio Oil Co., Findlay, Ohio.
D. (6) $500. E. (9) $249.95.

A. Miles D. Kennedy, 1608 K Street NW., Washington, D.C.
B. The American Legion, 700 North Pennsylvania Street, Indianapolis, Ind.
D. (6) $3,750. E. (9) $70.

A. William F. Kenney, New York, N.Y.
B. Shell Oil Co., 50 West 50th Street, New York, N.Y.

A. Franklin E. Kepner, Berwick Bank Building, Berwick, Pa.
B. Associated Railroads of Pennsylvania, 1022 Transportation Center, Philadelphia, Pa.

A. Ronald M. Ketcham, Post Office Box 351, Los Angeles, Calif.
B. Southern California Edison Co., Post Office Box 351, Los Angeles, Calif.

A. Omar B. Ketchum, 200 Maryland Avenue NE., Washington, D.C.
B. Veterans of Foreign Wars of the United States.
D. (6) $4,062.50. E. (9) $194.10.

A. Jeff Kibre, 1341 G Street NW., Washington, D.C.
B. International Longshoremen's & Warehousemen's Union, 150 Golden Gate Avenue, San Francisco, Calif.
D. (6) $1,532.80. E. (9) $1,362.78.

A. John A. Killick, 740 11th Street NW., Washington, D.C.
B. Eastern Meat Packers Association, Inc., 740 11th Street NW., Washington, D.C.
D. (6) $12.50.

A. John A. Killick, 740 11th Street NW., Washington, D.C.
B. National Independent Meat Packers Association, 740 11th Street NW., Washington, D.C.
D. (6) $246.25.

A. Ludlow King, 2139 Wisconsin Avenue NW., Washington, D.C.
B. National Machine Tool Builders' Association, 2139 Wisconsin Avenue NW., Washington, D.C.

A. T. Bert King, 812 Pennsylvania Building, Washington, D.C.
B. United States Savings & Loan League, 221 North La Salle Street, Chicago, Ill.
D. (6) $675.

A. Mr. and Mrs. Harry L. Kingman.
D. (6) $255. E. (9) $255.

A. Clifton Kirkpatrick, 1918 North Parkway, Memphis, Tenn.
B. National Cotton Council of America, Post Office Box 9905, Memphis, Tenn.
D. (6) $255. E. (9) $28.86.

A. James F. Kmetz, 1435 K Street NW., Washington, D.C.
B. United Mine Workers of America, 900 15th Street NW., Washington, D.C.
D. (6) $3,552.

A. Robert M. Koch, 210 H Street NW., Washington, D.C.
B. National Limestone Institute, Inc., 210 H Street NW., Washington, D.C.
E. (9) $7.50.

A. William L. Kohler, 1616 P Street NW., Washington, D.C.
B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $600. E. (9) $322.69.

A. Germaine Krettek, 200 C Street SE., Washington, D.C.
B. American Library Association, 50 East Huron Street, Chicago, Ill.
E. (9) $3,081.82.

A. Labor Bureau of Middle West, 1001 Connecticut Avenue, Washington, D.C., and 11 South La Salle Street, Chicago, Ill.

A. Labor-Management Maritime Committee, 132 Third Street SE., Washington, D.C.
D. (6) $4,129.36. E. (9) $7,086.64.

A. Lake Carriers' Association, 305 Rockefeller Building, Cleveland, Ohio.

A. James K. Langan, 100 Indiana Avenue NW., Washington, D.C.
B. Government Employees' Council, Washington, D.C.
D. (6) $3,122.

A. Fritz G. Lanham, 2737 Devonshire Place NW., Washington, D.C.
B. National Patent Council, Inc., 1434 West 11th Avenue, Gary, Ind.
D. (6) $1,049.96.

A. Fritz G. Lanham, 2737 Devonshire Place NW., Washington, D.C.
B. Quality Brands Associates of America, Inc., 1001 Grant Street, Gary, Ind.
D. (6) $900.

A. Dillard B. Lasseter, 1616 P Street NW., Washington, D.C.
B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $1,200. E. (9) $375.

A. J. Austin Latimer, 1001 Connecticut Avenue NW., Washington, D.C.
D. (6) $750.

A. Thomas B. Lawrence, 917 15th Street NW., Washington, D.C.
B. National Licensed Beverage Association, 420 Seventh Street, Racine, Wis.
D. (6) $650.

A. Warren Lawrence, 1700 K Street NW., Washington, D.C.
B. Standard Oil Co. of California, 1700 K Street NW., Washington, D.C.
D. (6) $190. E. (9) $50.

A. Philip P. Leahy, 1343 L Street NW., Washington, D.C.
B. The National Tire Dealers & Retreaders Association, Inc., 1343 L Street NW., Washington, D.C.
D. (6) $214. E. (9) $1.

A. Robert F. Lederer, 835 Southern Building, Washington, D.C.
B. American Association of Nurserymen, Inc., 835 Southern Building, Washington, D.C.
D. (6) $26.25. E. (9) $105.68.

A. Daphne R. Leeds, Munsey Building, Washington, D.C.
B. Sealy, Inc., Serta Associates, Inc., and Restonic Corp., 666 Lake Shore Drive, Chicago, Ill.

A. Legislative Committee of the Committee for a National Trade Policy, Inc., 1025 Connecticut Avenue NW., Washington, D.C.
D. (6) $642.17. E. (9) $6.

A. G. E. Leighty, 400 First Street NW., Washington, D.C.

A. Richard T. Leonard, 815 16th Street NW., Washington, D.C.
B. Industrial Union Department, 815 16th Street NW., Washington, D.C.
E. (9) $366.29.

A. Roy T. Lester, M.D., 1 Farragut Square South, Washington, D.C.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.
D. (6) $550. E. (9) $23.75.

A. John R. Lewis, 1625 K Street NW., Washington, D.C.
B. Mid-Continent Oil & Gas Association, 300 Tulsa Building, Tulsa, Okla.

A. Hal Leyshon, 122 East 42d Street, New York, N.Y.
B. American Federation of Musicians, 425 Park Avenue, New York, N.Y.
D. (6) $4,999.98. E. (9) $3,958.25.

A. Liberty Lobby, 825 Dupont Circle Building, Washington, D.C.
D. (6) $9,936.90. E. (9) $1,052.

A. Liberty Under Law, Inc., Post Office Box 2013, Salt Lake City, Utah.
D. (6) $5. E. (9) $23.

A. Life Insurance Association of America, 488 Madison Avenue, New York, N.Y., and 1701 K Street NW., Washington, D.C.
D. (6) $3,688.71. E. (9) $3,688.71.

A. Lawrence J. Linck, 53 West Jackson Boulevard, Chicago, Ill.
B. National Association of Chain Drug Stores, Vanderbilt Hotel, New York, N.Y., and 1625 I Street NW., Washington, D.C.
E. (9) $500.

A. Lester W. Lindow, 1735 DeSales Street NW., Washington, D.C.
D. (6) $34.01. E. (9) $15.79.

A. Charles B. Lipsen, 1741 DeSales Street NW., Washington, D.C.

B. Retail Clerks International Association, 1741 DeSales Street NW., Washington, D.C.
D. (6) $3,445. E. (9) $1,165.06.

A. Robert G. Litschert, 1200 18th Street NW., Washington, D.C.
B. National Association of Electric Companies, 1200 18th Street NW., Washington, D.C.
D. (6) $127.50. E. (9) $5.45.

A. John J. Long, 711 14th Street NW., Washington, D.C.
B. International Printing Pressmen and Assistants' Union of North America, Pressmen's Home, Tenn.
D. (6) $875.

A. Leonard Lopes, 400 First Street NW., Washington, D.C.
B. District Lodge No. 44, International Association of Machinists, 400 First Street NW., Washington, D.C.
D. (6) $2,500.30. E. (9) $15.

A. Lord, Day & Lord, 25 Broadway, New York, N.Y.
B. Metropolitan Museum of Art, Fifth Avenue and 82d Street, New York, N.Y.

A. Harold O. Lovre, 1616 P Street NW., Washington, D.C.
B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $1,280. E. (9) $159.91.

A. Otto Lowe, Cape Charles, Va.
B. National Canners Association, 1133 20th Street NW., Washington, D.C.
D. (6) $1,500.

A. Scott W. Lucas, 1025 Connecticut Avenue NW., Washington, D.C.
B. American Finance Conference, 176 West Adams Street, Chicago, Ill.
D. (6) $1,250.

A. Scott W. Lucas, 1025 Connecticut Avenue NW., Washington, D.C.
B. Mobile Homes Manufacturers Association, 20 North Wacker Drive, Chicago, Ill.
D. (6) $1,000.

A. Scott W. Lucas, 1025 Connecticut Avenue NW., Washington, D.C.
B. National Association of Chain Drug Stores, 1625 I Street NW., Washington, D.C.
D. (6) $1,000.

A. Scott W. Lucas, 1025 Connecticut Avenue NW., Washington, D.C.
B. Outdoor Advertising Association of America, Inc., 24 West Erie Street, Chicago, Ill.
D. (6) $250.

A. Scott W. Lucas, 1025 Connecticut Avenue NW., Washington, D.C.
B. Roadside Business Association, 646 North Michigan Avenue, Chicago, Ill.
D. (6) $250.

A. Scott W. Lucas, 1025 Connecticut Avenue NW., Washington, D.C.
B. Adolph von Zedlitz, 60 Sutton Place South, New York, N.Y.

A. Scott W. Lucas, 1025 Connecticut Avenue NW., Washington, D.C.
B. Western Medical Corp., 415–423 West Pershing Road, Chicago, Ill.
D. (6) $1,000.

A. H. B. Luckett, 311 California Street, San Francisco, Calif.
B. American Steamship Committee on Conference Studies, 919 18th Street NW., Washington, D.C.

A. Milton F. Lunch, 2029 K Street NW., Washington, D.C.
B. National Society of Professional Engineers, 2029 K Street NW., Washington, D.C.
D. (6) $750.

A. A. E. Lyon, 400 First Street NW., Washington, D.C.
B. Railway Labor Executives' Association, 400 First Street NW., Washington, D.C.
D. (6) $1,050.

A. Breck P. McAllister, 25 Broadway, New York, N.Y.
B. American Committee for Flags of Necessity, 25 Broadway, New York, N.Y.

A. William C. McCamant, 1616 H Street NW., Washington, D.C.
B. American Retail Federation, 1616 H Street NW., Washington, D.C.

A. John A. McCart, 900 F Street NW., Washington, D.C.
B. American Federation of Government Employees.
D. (6) $2,935.10. E. (9) $15.60.

A. Angus H. McDonald.
B. Farmers' Educational & Co-Operative Union of America, 1404 New York Avenue NW., Washington, D.C.
D. (6) $2,215.29. E. (9) $233.80.

A. William J. McDonald, 3005 Fernside Boulevard, Alameda, Calif.
B. National Council of Naval Air Stations Employee Organizations, 3005 Fernside Boulevard, Alameda, Calif.

A. Joseph T. McDonnell, 425 13th Street NW., Washington, D.C.
B. National Association of Electric Companies, 1200 18th Street NW., Washington, D.C.

A. A. J. McFarland.
B. Christian Amendment Movement, Inc., 804 Penn Avenue, Pittsburgh, Pa.
D. (6) $1,149. E. (9) $225.

A. William F. McKenna, 908 Colorado Building, Washington, D.C.
B. National Association of Mutual Savings Banks, 60 East 42d Street, New York, N.Y.
D. (6) $92.46. E. (9) $53.62.

A. W. H. McMains, 1132 Pennsylvania Building, Washington, D.C.
B. Distilled Spirits Institute, 1132 Pennsylvania Building, Washington, D.C.

A. C. W. McMillan, 801 East 17th Avenue, Denver, Colo.
B. American National Cattlemen's Association, 801 East 17th Avenue, Denver, Colo.
D. (6) $4,000.12.

A. William P. MacCracken, Jr., 1000 Connecticut Avenue NW., Washington, D.C.
B. American Optometric Association, Inc., Development Fund, 21 Bank Street, Lebanon, N.H.
D. (6) $2,200. E. (9) $164.34.

A. William P. MacCracken, Jr., 1000 Connecticut Avenue NW., Washington, D.C.
B. Frankel Bros., 521 Fifth Avenue, New York, N.Y.
E. (9) $.75.

A. William P. MacCracken, Jr., 1000 Connecticut Avenue, Washington, D.C.
B. Mrs. Willi Zietz, Savoy Hilton Hotel, New York, N.Y.
D. (6) $200. E. (9) $.75.

A. John G. Macfarlan, 1725 I Street NW., Washington, D.C.

B. REA Express, 219 East 42d Street, New York, N.Y.
D. (6) $868.50. E. (9) $258.43.

A. Jerome J. Madigan, 1117 Barr Building, Washington, D.C.
B. Home Manufacturers Association, 1117 Barr Building, Washington, D.C.
D. (6) $500.

A. Don Mahon, Box 959, Ben Franklin Station, Washington, D.C.
E. (9) $395.35.

A. Walter E. Maloney, 99 John Street, New York, N.Y.
B. American Steamship Committee on Conference Studies, 919 18th Street NW., Washington, D.C.
D. (6) $5,220. E. (9) $1,218.19.

A. Ben J. Man, 815 16th Street NW., Washington, D.C.
B. Industrial Union Department, 815 16th Street NW., Washington, D.C.
D. (6) $3,500. E. (9) $1,185.10.

A. Carter Manasco, 4201 Chesterbrook Road, McLean, Va.
B. National Business Publications, Inc., 1913 I Street NW., Washington, D.C.

A. Carter Manasco, 4201 Chesterbrook Road, McLean, Va.
B. National Coal Association, Coal Building, Washington, D.C.
E. (9) $107.17.

A. D. L. Manion, 2000 Massachusetts Avenue NW., Washington, D.C.
B. American Short Line Railroad Association, 2000 Massachusetts Avenue NW., Washington, D.C.
D. (6) $537.50.

A. Manufacturing Chemists' Association, Inc., 1825 Connecticut Avenue NW., Washington, D.C.
D. (6) $2,625. E. (9) $2,475.

A. Mrs. Olya Margolin, 1637 Massachusetts Avenue NW., Washington, D.C.
B. National Council of Jewish Women, Inc., 1 West 47th Street, New York, N.Y.
D. (6) $2,118.27. E. (9) $93.60.

A. James Mark, Jr., 1435 K Street NW., Washington, D.C.
B. United Mine Workers of America, 900 15th Street NW., Washington, D.C.
D. (6) $4,052.

A. Rodney W. Markley, Jr., Wyatt Building, Washington, D.C.
B. Ford Motor Co., Dearborn, Mich.

A. Raymond E. Marks, 65 Market Street, San Francisco, Calif.
B. Southern Pacific Co., 65 Market Street, San Francisco, Calif.

A. David M. Marsh, 837 Washington Building, Washington, D.C.
B. Association of Casualty & Surety Companies, 60 John Street, New York, N.Y.
D. (6) $100.

A. Edwin E. Marsh, 414 Crandall Building, Salt Lake City, Utah.
B. National Wool Growers Association, 414 Crandall Building, Salt Lake City, Utah.
D. (6) $2,899.98.

A. Winston W. Marsh, 1343 L Street NW., Washington, D.C.
B. National Tire Dealers & Retreaders Association, 1343 L Street NW., Washington, D.C.

A. Fred T. Marshall, 1112 19th Street NW., Washington, D.C.
B. B. F. Goodrich Co., 500 South Main Street, Akron, Ohio.

A. J. Paull Marshall, Transportation Building, Washington, D.C.
B. Association of American Railroads, Transportation Building, Washington, D.C.
E. (9) $12.

A. Paul V. Martenson, 1730 K Street NW., Washington, D.C.
B. Shipbuilders Council of America, 1730 K Street NW., Washington, D.C.

A. Drew Martin, 777 14th Street NW., Washington, D.C.
B. American Hotel Association, 221 West 57th Street, New York, N.Y.
D. (6) $400. E. (9) $100.

A. Lawrence S. Martin, 919 18th Street NW., Washington, D.C.
B. National Association of Frozen Food Packers, 919 18th Street NW., Washington, D.C.

A. Tommy M. Martin, 1040 Warner Building, Washington, D.C.
B. The National Rural Letter Carriers' Association, 1040 Warner Building, Washington, D.C.
D. (6) $589.52. E. (9) $13.50.

A. Mike M. Masaoka, 919 18th Street NW., Washington, D.C.
B. Japanese-American Citizens League, 1634 Post Street, San Francisco, Calif.
D. (6) $150.

A. Walter J. Mason, 815 16th Street NW., Washington, D.C.
B. American Federation of Labor & Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.
D. (6) $3,570. E. (9) $520.01.

A. David Mathews, Jr., 345 Fourth Avenue, Pittsburgh, Pa.
B. The Pittsburgh Coal Exchange.

A. P. H. Mathews, 944 Transportation Building, Washington, D.C.
B. Association of American Railroads, Transportation Building, Washington, D.C.

A. Charles D. Matthews, 1200 18th Street NW., Washington, D.C.
B. National Association of Electric Cos., 1200 18th Street NW., Washington, D.C.
D. (6) $56.25. E. (9) $16.74.

A. Joe G. Matthews, 944 Transportation Building, Washington, D.C.
B. Association of American Railroads, Transportation Building, Washington, D.C.

A. C. V. & R. V. Maudlin, 1111 E Street NW., Washington, D.C.
B. National Association of Secondary Material Industries, Inc., 271 Madison Avenue, New York, N.Y.

A. Arnold Mayer, 100 Indiana Avenue NW., Washington, D.C.
B. Amalgamated Meat Cutters & Butcher Workmen of North America, 2800 North Sheridan Road, Chicago, Ill.
D. (6) $1,460. E. (9) $201.

A. Vera Waltman Mayer, 1029 Vermont Avenue NW., Washington, D.C.
B. National Consumers League, 1029 Vermont Avenue NW., Washington, D.C.
D. (6) $1,650.

A. John S. Mears, 1608 K Street NW., Washington, D.C.

B. The American Legion, 700 North Pennsylvania Street, Indianapolis, Ind.
D. (6) $2,130.

A. Medical Society of the District of Columbia, 1718 M Street NW., Washington, D.C.

A. Mehler, Goldsborough & Ives, 2000 K Street NW., Washington, D.C.
B. Ferro Corp., Glostex Chemicals, Inc., The O. Hommel Co., and Pemco Corp.
D. (6) $600.

A. Kenneth A. Meiklejohn, 815 16th Street NW., Washingon, D.C.
B. American Federation of Labor & Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.
D. (6) $3,315.

A. Metropolitan Washington Board of Trade, 1616 K Street NW., Washington, D.C.

A. M. Barry Meyer, 1616 P Street NW., Washington, D.C.
B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $250. E. (9) $153.91.

A. Midland Cooperative Dairy Association, Shawano, Wis., and 912 University Building, Syracuse, N.Y.

A. C. R. Miles, 1615 H Street NW., Washington, D.C.
B. Chamber of Commerce of the U.S.A.

A. John R. Miles, 1615 H Street NW., Washington, D.C.
B. Chamber of Commerce of the United States.

A. Milk Industry Foundation, 1145 19th Street NW., Washington, D.C.

A. Capt. A. Stanley Miller, 930 Barr Building, Washington, D.C.
B. American Committee for Flags of Necessity, 25 Broadway, New York, N.Y.
E. (9) $50.

A. Miller & Chevalier, 1001 Connecticut Avenue NW., Washington, D.C.
B. Jeppeson & Co., 8025 East 40th Avenue, Denver, Colo.
D. (6) $1,330. E. (9) $35.03.

A. Clarence L. Miller, 1028 Connecticut Avenue NW., Washington, D.C.
B. American Stock Yards Association, 1028 Connecticut Avenue, Washington, D.C.
D. (6) $400.

A. Dale Miller, 377 Mayflower Hotel, Washington, D.C.
B. Dallas (Tex.) Chamber of Commerce.
D. (6) $2,200.

A. Dale Miller, 377 Mayflower Hotel, Washington, D.C.
B. General Motors Corp., Detroit, Mich.
D. (6) $1,875.

A. Dale Miller, 377 Mayflower Hotel, Washington, D.C.
B. Intracoastal Canal Association of Louisiana and Texas, 2211 South Coast Building, Houston, Tex.
D. (6) $2,625.

A. Dale Miller, 377 Mayflower Hotel, Washington, D.C.
B. Texas Gulf Sulphur Co., Newgulf, Tex., and New York, N.Y.
D. (6) $2,250.

A. Edwin Reid Miller, 1004 Farnam Street, Omaha, Nebr.

B. Nebraska Railroads Legislative Committee, 1004 Farnam Street, Omaha, Nebr.
D. (6) $3,000.

A. Lloyd S. Miller, 1730 K Street NW., Washington, D.C., and 195 Broadway, New York, N.Y.
B. American Telephone & Telegraph Co., 195 Broadway, New York, N.Y.
D. (6) $334.

A. Claude Minard, 215 Market Street, San Francisco, Calif.
B. California Railroad Association, 215 Market Street, San Francisco, Calif.

A. John R. Minor, 1025 Connecticut Avenue NW., Washington, D.C.
B. County Supervisors Association of California, 1100 Elks Building, Sacramento, Calif.
D. (6) $450.

A. Clarence Mitchell, 100 Massachusetts Avenue NW., Washington, D.C.
B. National Association for the Advancement of Colored People, 20 West 40th Street, New York, N.Y.
D. (6) $1,875.

A. M. D. Mobley, 1010 Vermont Avenue NW., Washington, D.C.
B. American Vocational Association, 1010 Vermont Avenue NW., Washington, D.C.

A. Willis C. Moffatt, 536 First Security Building, Boise, Idaho.
D. (6) $100.

A. Harry L. Moffett, 1102 Ring Building, Washington, D.C.
B. American Mining Congress, Ring Building, Washington, D.C.
D. (6) $825.

A. Walter H. Moorman, 4650 East-West Highway, Bethesda, Md.
B. Maryland Railroad Association, 300 St. Paul Place, Baltimore, Md.
D. (6) $3,000. E. (9) $3.10.

A. Cecil Morgan, 30 Rockefeller Plaza, New York, N.Y.
B. Standard Oil Co. (New Jersey), 30 Rockefeller Plaza, New York, N.Y.
E. (9) $7.50.

A. Morison, Murphy, Clapp & Abrams, the Pennsylvania Building, Washington, D.C.
B. American Reciprocal Insurance Association, Kansas City, Mo.
D. (6) $1,554.61. E. (9) $186.71.

A. Morison, Murphy, Clapp & Abrams, the Pennsylvania Building, Washington, D.C.
B. Ford Motor Co., the American Road, Dearborn, Mich.

A. Morison, Murphy, Clapp & Abrams, the Pennsylvania Building, Washington, D.C.
B. The Sperry & Hutchinson Co., 114 Fifth Avenue, New York, N.Y.
D. (6) $1,600.

A. Bernard R. Mullady, 1200 15th Street NW., Washington, D.C.
B. International Brotherhood of Electrical Workers.
D. (6) $2,730.

A. Vincent S. Mullaney, 777 14th Street NW., Washington, D.C.
B. General Electric Co., 570 Lexington Avenue, New York, N.Y.
D. (6) $312.50. E. (9) $175.94.

A. T. H. Mullen, 711 14th Street NW., Washington, D.C.
B. American Paper & Pulp Association, 122 East 42d Street, New York, NY.

A. T. H. Mullen, 711 14th Street NW., Washington, D.C.
B. American Pulpwood Association, 220 East 42d Street, New York, N.Y.

A. Walter J. Munro, Hotel Washington, Washington, D.C.
B. Brotherhood of Railroad Trainmen.

A. Dr. Emmett J. Murphy, 5737 13th Street NW., Washington, D.C.
B. National Chiropractic Insurance Co., National Building, Webster City, Iowa.
D. (6) $1,800. E. (9) $600.

A. John Kevin Murphy, 222-17 Northern Boulevard, Bayside, N.Y.
B. Armored Carrier Corp., 222-17 Northern Boulevard, Bayside, N.Y.

A. Mutual Insurance Committee on Federal Taxation, 20 North Wacker Drive, Chicago, Ill.
D. (6) $665. E. (9) $15,154.17.

A. National Association of Direct Selling Cos., 163-165 Center Street, Winona, Minn.
D. (6) $13,750. E. (9) $17.75.

A. National Association of Electric Cos., 1200 18th Street NW., Washington, D.C.
D. (6) $475.70. E. (9) $4,581.55.

A. National Association of Food Chains, 1725 I Street NW., Washington, D.C.
D. (6) $350. E. (9) $350.

A. National Association of Frozen Food Packers, 919 18th Street NW., Washington, D.C.

A. National Association of Insurance Agents, Inc., 96 Fulton Street, New York, N.Y.
D. (6) $3,500. E. (9) $7,054.63.

A. National Association of Margarine Manufacturers, Munsey Building, Washington, D.C.
B. Association of Margarine Manufacturers.

A. National Association of Mutual Savings Banks, 60 East 42d Street, New York, N.Y.
D. (6) $756.76. E. (9) $756.76.

A. National Association of Plumbing Contractors, 1016 20th Street NW., Washington, D.C.

A. National Association of Postal Supervisors, Post Office Box 1924, Washington, D.C.
D. (6) $15,000. E. (9) $6,026.33.

A. National Association of Retired Civil Employees, 1625 Connecticut Avenue NW., Washington, D.C.

A. National Association of Social Workers, Inc., 95 Madison Avenue, New York, N.Y., and 1346 Connecticut Avenue NW., Washington, D.C.
D. (6) $2,235.

A. National Association of Soil Conservation Districts, League City, Tex.
D. (6) $479.14. E. (9) $214.98.

A. National Association of Travel Organizations, 1422 K Street NW., Washington, D.C.
D. (6) $24,266.71. E. (9) $682.50.

A. National Automobile Dealers Association, 2000 K Street NW., Washington, D.C.
D. (6) $9,818.68. E. (9) $9,818.68.

A. National Canners Association, 1133 20th Street NW., Washington, D.C.
D. (6) $579,710.98. E. (9) $6,674.95.

A. National Coal Association, Coal Building, Washington, D.C.

A. National Conference of Non-Profit Shipping Associations, Inc., 26 Auburn Avenue, Post Office Box 1736, Atlanta, Ga.
D. (6) $5,962.50.

A. National Conference for Repeal of Taxes on Transportation, 1710 H Street NW., Washington, D.C.

A. National Congress of Parents and Teachers, 700 North Rush Street, Chicago, Ill.

A. National Coordinating Committee for Export Credit Guarantees, 1 Liberty Street, New York, N.Y.
D. (6) $3,715. E. (9) $948.82.

A. National Cotton Compress & Cotton Warehouse Association, 1085 Shrine Building, Memphis, Tenn.

A. National Cotton Council of America, Post Office Box 9905, Memphis, Tenn.
D. (6) $3,117.44. E. (9) $3,117.44.

A. National Council on the Facts of Overpopulation, 1305 Key Drive, Alexandria, Va.
E. (9) $236.

A. National Council of Naval Air Stations, Employee Organizations, 3005 Fernside Boulevard, Alameda, Calif.

A. National Electrical Contractors Association, Inc., 1200 18th Street NW., Washington, D.C.

A. National Electrical Manufacturers Association, 155 East 44th Street, New York, N.Y.
D. (6) $1,488.22. E. (9) $1,488.22.

A. National Federation of Business and Professional Women's Clubs, Inc., 2012 Massachusetts Avenue NW., Washington, D.C.
D. (6) $58,590. E. (9) $2,705.10.

A. National Federation of Federal Employees, 1729 G Street NW., Washington, D.C.
D. (6) $80,910.09. E. (9) $14,127.36.

A. National Federation of Independent Businesses, Inc., 740 Washington Building, Washington, D.C.
D. (6) $14,364.68. E. (9) $14,364.68.

A. National Food Brokers Association, 1916 M Street NW., Washington, D.C.
D. (6) $1,526.05. E. (9) $1,526.05.

A. National Independent Dairies Association, 1627 K Street NW., Washington, D.C.

A. National Independent Meat Packers Association, 740 11th Street NW., Washington, D.C.
D. (6) $1,125. E. (9) $1,928.80.

A. National League of Insured Savings Associations, 907 Ring Building, Washington, D.C.
D. (6) $211.25. E. (9) $1,500.

A. National Limestone Institute, Inc., 210 H Street NW., Washington, D.C.
D. (6) $646.50. E. (9) $646.50.

A. National Livestock Tax Committee, 801 East 17th Avenue, Denver, Colo.
D. (6) $1,624.50. E. (9) $1,784.04.

A. National Lumber Manufacturers Association, 1619 Massachusetts Avenue NW., Washington, D.C.
D. (6) $10.32. E. (9) $14.30.

A. National Milk Producers Federation, 30 F Street NW., Washington, D.C.
D. (6) $1,116.46. E. (9) $1,116.46.

A. National Parking Association, Inc., 711 14th Street NW., Washington, D.C.

A. National Restaurant Association, 1012 14th Street NW., Washington, D.C., and 1530 North Lake Shore Drive, Chicago, Ill.
D. (6) $2,145.58. E. (9) $2,145.58.

A. National Retail Furniture Association, 666 Lake Shore Drive, Chicago, Ill.

A. National Retail Merchants Association, 100 West 31st Street, New York, N.Y.
D. (6) $16,244.37. E. (9) $22,432.45.

A. National Rivers and Harbors Congress, 1028 Connecticut Avenue NW., Washington, D.C.
D. (6) $973. E. (9) $7,473.74.

A. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.
E. (9) $456.06.

A. National Rural Letter Carriers' Association, 1040 Warner Building, Washington, D.C.
D. (6) $6,924.25. E. (9) $8,635.50.

A. National Society of Professional Engineers, 2029 K Street NW., Washington, D.C.
D. (6) $61,583.74. E. (9) $2,398.16.

A. National Tire Dealers and Retreaders Association, 1343 L Street NW., Washington, D.C.
D. (6) $35. E. (9) $35.

A. National Wool Growers Association, 414 Crandall Building, Salt Lake City, Utah.
D. (6) $44,083.50. E. (9) $6,399.98.

A. Nation-Wide Committee of Industry, Agriculture and Labor on Import-Export Policy, 815 15th Street NW., Washington, D.C.
D. (6) $21,975. E. (9) $11,001.53.

A. Robert R. Neal, 1701 K Street NW., Washington, D.C.
B. Health Insurance Association of America, 1701 K Street NW., Washington, D.C.
D. (6) $477.75. E. (9) $46.11.

A. William S. Neal, 918 16th Street NW., Washington, D.C.
B. National Association of Manufacturers.

A. Samuel E. Neel, 1001 15th Street NW., Washington, D.C.
B. Mortgage Bankers Association of America, 111 West Washington Street, Chicago, Ill.
D. (6) $4,750.02. E. (9) $3,805.94.

A. Samuel E. Neel, 1001 15th Street NW., Washington, D.C.
B. James W. Rouse & Co. Inc., Saratoga Street, Baltimore, Md., and others.

A. George R. Nelson, Machinists Building, Washington, D.C.
B. International Association of Machinists, Machinists Building, Washington, D.C.
D. (6) $1,500. E. (9) $659.93.

A. New England Shoe & Leather Association, 210 Lincoln Street, Boston, Mass.
D. (6) $211.30. E. (9) $215.85.

A. New York & New Jersey Dry Dock Association, 161 William Street, New York, N.Y.
D. (6) $2,067.10. E. (9) $2,235.59.

A. Charles M. Noone, 1209 Ring Building, Washington, D.C.
B. National Association of Small Business Investment Companies, 537 Washington Building, Washington, D.C.
E. (9) $70.

A. Joseph A. Noone, 1145 19th Street NW., Washington, D.C.
B. National Agricultural Chemicals Association, 1145 19th Street NW., Washington, D.C.

A. T. A. Nooner, Jr., 38 South Dearborn Street, Chicago, Ill.
B. Railway Progress Institute, 38 South Dearborn Street, Chicago, Ill.
D. (6) $3,000.

A. O. L. Norman, 1200 18th Street NW., Washington, D.C.
B. National Association of Electric Companies, 1200 18th Street NW., Washington, D.C.
D. (6) $125. E. (9) $7.37.

A. Harry E. Northam, 185 North Wabash Avenue, Chicago, Ill.
B. Association of American Physicians and Surgeons, Inc., 185 North Wabash Avenue, Chicago, Ill.

A. E. M. Norton, 30 F Street NW., Washington, D.C.
B. National Milk Producers Federation, 30 F Street NW., Washington, D.C.
D. (6) $200.

A. Brice O'Brien, 1102 Ring Building, Washington, D.C.
B. American Mining Congress, Ring Building, Washington, D.C.
D. (6) $675.

A. George J. O'Brien, 225 Bush Street, San Francisco, Calif.
B. Standard Oil Co. of California, 225 Bush Street, San Francisco, Calif.

A. John F. O'Connor, 817 14th Street NW., Washington, D.C.
B. United Federation of Postal Clerks, 817 14th Street NW., Washington, D.C.
D. (6) $4,374.96. E. (9) $340.26.

A. R. E. O'Connor, 122 East 42d Street, New York, N.Y.
B. American Paper & Pulp Association, 122 East 42d Street, New York, N.Y.

A. John A. O'Donnell, 1616 P Street NW., Washington, D.C.
B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $600. E. (9) $600.

A. Ohio Railroad Association, 16 East Broad Street, Columbus, Ohio.
E. (9) $67.71.

A. Alvin E. Oliver, 400 Folger Building, Washington, D.C.
B. Grain & Feed Dealers National Association, 400 Folger Building, Washington, D.C.

A. Oliver & Donnally, 110 East 42d Street, New York, N.Y.
B. National Association of Mutual Savings Banks, 60 East 42d Street, New York, N.Y.
D. (6) $144. E. (9) $21.90.

A. Clarence H. Olson, 1608 K Street NW., Washington, D.C.
B. American Legion, 700 North Pennsylvania Street, Indianapolis, Ind.
D. (6) $2,700. E. (9) $36.

A. Samuel Omasta, 210 H Street NW., Washington, D.C.
B. National Limestone Institute, Inc., 210 H Street NW., Washington, D.C.
E. (9) $1.50.

A. Charles T. O'Neill, Jr., 730 15th Street NW., Washington, D.C.
B. American Bankers Association, 12 East 36th Street, New York, N.Y.
D. (6) $875. E. (9) $14.35.

A. Order of Railway Conductors and Brakemen, O.R.C. & B. Building, Cedar Rapids, Iowa.
E. (9) $4,925.07.

A. Clayton L. Orn, 539 South Main Street, Findlay, Ohio.
B. Ohio Oil Co., Findlay, Ohio.

A. Morris E. Osburn, Central Trust Building, Jefferson City, Mo.
B. Missouri Railroad Committee.

A. Kermit Overby, 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.
D. (6) $175.

A. John A. Overholt, 10315 Kensington Parkway, Kensington, Md.
B. National Association of Retired Civil Employees, 1625 Connecticut Avenue, Washington, D.C.
D. (6) $1,076.95. E. (9) $112.80.

A. Wm. Edison Owen, 215 C Street NW., Washington, D.C.
B. Manning Clagett, Robert Smith, and John Underwood, Accokeek, Md.
D. (6) $250.

A. Edwin F. Padberg, 1223 Pennsylvania Building, Washington, D.C.
B. Pennsylvania Railroad Co., 6 Penn Center Plaza, Philadelphia, Pa.

A. Michael Padnos, 1341 Connecticut Avenue NW., Washington, D.C.
B. Americans for Democratic Action, 1341 Connecticut Avenue NW., Washington, D.C.
D. (6) $1,375. E. (9) $137.59.

A. Walter Page, 912 University Building, Syracuse, N.Y.

A. Everett L. Palmer, 901 Hamilton Street, Allentown, Pa.,
B. Pennsylvania Power & Light Co., 901 Hamilton Street, Allentown, Pa.

A. Lew M. Paramore, Town House Hotel, Post Office Box 1310, Kansas City, Kans.
B. Mississippi Valley Association, 1978 Railway Exchange Building, St. Louis, Mo.

A. J. D. Parel, 944 Transportation Building, Washington, D.C.
B. Association of American Railroads, Transportation Building, Washington, D.C.

A. Holcombe Parkes, 38 South Dearborn Street, Chicago, Ill.
B. Railway Progress Institute, 38 South Dearborn Street, Chicago, Ill.
D. (6) $9,750.

A. James D. Parriott, 539 South Main Street, Findlay, Ohio.
B. The Ohio Oil Co., Findlay, Ohio.

A. Robert D. Partridge, 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.
D. (6) $15.65.

A. James G. Patton.
B. The Farmers' Educational & Co-Operative Union of America, 1575 Sherman Street, Denver, Colo.; and 1404 New York Avenue NW., Washington, D.C.
D. (6) $1,250.

A. Paul, Weiss, Rifkind, Wharton & Garrison, 1625 I Street NW., Washington, D.C.
B. National Committee for Insurance Taxation, The Hay-Adams House, Washington, D.C.
D. (6) $3,100. E. (9) $253.07.

A. Rufus W. Peckham, Jr., 1100 National Press Building, Washington, D.C.
B. Wine Institute, 717 Market Street, San Francisco, Calif.

A. Edmund E. Pendleton, Jr., 1025 Connecticut Avenue NW., Washington, D.C.
B. County Supervisors Association of California, 1100 Elks Building, Sacramento, Calif.
D. (6) $450.

A. George C. Pendleton, 1025 Connecticut Avenue NW., Washington, D.C.
B. County Supervisors Association of California, 1100 Elks Building, Sacramento, Calif.
D. (6) $450.

A. Philip C. Pendleton, Second Street Pike, Bryn Athyn, Pa.
B. Charitable Contributors Association, 100 Old York Road, Jenkintown, Pa.

A. Philip C. Pendleton, Second Street Pike, Bryn Athyn, Pa.
B. Family Tax Association, 2110 Girard Trust Building, Philadelphia, Pa.

A. Philip C. Pendleton, Second Street Pike, Bryn Athyn, Pa.
B. Pitcairn Co., 100 West 10th Street, Wilmington, Del.

A. Ervin L. Peterson, 1145 19th Street NW., Washington, D.C.
B. Milk Industry Foundation, 1145 19th Street NW., Washington, D.C.

A. J. Hardin Peterson, Post Office Box 111, Lakeland, Fla.
B. Florida Citrus Mutual, Lakeland, Fla.
D. (6) $1,800. E. (9) $43.50.

A. J. Hardin Peterson, Post Office Box 111, Lakeland, Fla.
B. West Coast Inland Navigation District, Courthouse, Bradenton, Fla.
D. (6) $600. E. (9) $21.

A. J. Hardin Peterson, Post Office Box 111, Lakeland, Fla.
B. C. C. Woodard, 775 Northeast 79th Street, Miami, Fla.
D. (6) $500. E. (9) $10.

A. J. Hardin Peterson, Post Office Box 111, Lakeland, Fla.
B. C. C. Woodard, 775 Northeast 79th Street, Miami, Fla.
D. (6) $500.

A. Kenneth Peterson, 1126 16th Street NW., Washington, D.C.
B. International Union of Electrical, Radio & Machine Workers, 1126 16th Street NW., Washington, D.C.
D. (6) $1,250.

A. Pharmaceutical Manufacturers Association, 1411 K Street NW., Washington, D.C.
D. (6) $3,629.50. E. (9) $3,539.50.

A. Tom Pickett, 944 Transportation Building, Washington, D.C.

B. Association of American Railroads, Transportation Building, Washington, D.C.

A. Albert Pike, Jr., 488 Madison Avenue, New York, N.Y.
B. Life Insurance Association of America, 488 Madison Avenue, New York, N.Y.
D. (6) $76.25.

A. T. E. Pinkston, 101 East High Street, Lexington, Ky.

A. James H. Pipkin, 1001 Connecticut Avenue NW., Washington, D.C.
B. Texaco, Inc., 135 East 42d Street, New York, N.Y.

A. Pitcairn Co., 100 West 10th Street, Wilmington, Del.

A. Plains Cotton Growers, Inc., 1720 Avenue M., Lubbock, Tex.
D. (6) $73,297.44. E. (9) $1,350.

A. J. Francis Pohlhaus, 100 Massachusetts Avenue NW., Washington, D.C.
B. National Association for the Advancement of Colored People, 20 West 40th Street, New York, N.Y.
D. (6) $1,025.

A. James K. Polk, Esq., 522 Fifth Avenue, New York, N.Y.
B. Consolidated Edison Co. of New York, Inc., 4 Irving Place, New York, N.Y.

A. Frank M. Porter, 1271 Avenue of the Americas, New York, N.Y.
B. American Petroleum Institute, 1271 Avenue of the Americas, New York, N.Y.

A. William I. Powell, 1110 Ring Building, Washington, D.C.
B. Independent Petroleum Association of America, 1110 Ring Building, Washington, D.C.
E. (9) $1.50.

A. Thomas W. Power, 1012 14th Street NW., Washington, D.C.
B. National Restaurant Association, 1012 14th Street NW., Washington, D.C., and 1530 North Lake Shore Drive, Chicago, Ill.
D. (6) $1,000. E. (9) $150.

A. John H. Pratt, 905 American Security Building, Washington, D.C.
B. National Electrical Manufacturers Association, 155 East 44th Street, New York, N.Y.
D. (6) $750.

A. William H. Press, 1616 K Street NW., Washington, D.C.
B. Metropolitan Washington Board of Trade, 1616 K Street NW., Washington, D.C.
D. (6) $4,800.

A. C. J. Putt, 920 Jackson Street, Topeka, Kans.
B. The Atchison, Topeka & Santa Fe Railway Co., 920 Jackson Street, Topeka, Kans.

A. William H. Quealy, 1612 K Street NW., Washington, D.C.
B. Smith-Corona Marchant, Inc., 410 Park Avenue, New York, N.Y.

A. William H. Quealy, 1612 K Street NW., Washington, D.C.
B. Standard Oil Co. of California, Standard Oil Building, San Francisco, Calif.

A. William A. Quinlan, 1317 F Street NW., Washington, D.C.
D. (6) $7,165. E. (9) $3,886.02.

A. William A. Quinlan, 1317 F Street NW., Washington, D.C.
B. National Retail Bakers of America, 735 West Sheridan Road, Chicago, Ill., et al.
D. (6) $7,165. E. (9) $3,886.02.

A. Alex Radin, 919 18th Street NW., Washington, D.C.
B. American Public Power Association, 919 18th Street NW., Washington, D.C.

A. Edward F. Ragland, 6917 Marbury Road, Bethesda, Md.
B. The Tobacco Institute, Inc., 808 17th Street NW., Washington, D.C.

A. Railroad Pension Conference, Post Office Box 798, New Haven, Conn.
D. (6) $3. E. (9) $9.61.

A. Railway Labor Executives' Association, 400 First Street NW., Washington, D.C.

A. Railway Progress Institute, 38 South Dearborn Street, Chicago, Ill.

A. Alan T. Rains, 777 14th Street NW., Washington, D.C.
B. United Fresh Fruit & Vegetable Association, 777 14th Street NW., Washington, D.C.

A. Donald J. Ramsey, 1725 K Street NW., Washington, D.C.
B. Silver Users Association, 1725 K Street NW., Washington, D.C.
D. (6) $425. E. (9) $95.74.

A. J. A. Ranaford, 1317 F Street NW., Washington, D.C.
B. Tidewater Oil Co., Los Angeles, Calif.

A. Sydney C. Reagan, 3840 Greenbrier Drive, Dallas, Tex.
B. Southwestern Peanut Shellers Association, Box 48, Durant, Okla.
D. (6) $150.

A. Stanley Rector, 520 Hotel Washington, Washington, D.C.
B. Unemployment Benefit Advisors, Inc.
D. (6) $1,000.

A. Robert E. Redding, 1710 H Street NW., Washington, D.C.
B. National Conference for Repeal of Taxes on Transportation, 1710 H Street NW., Washington, D.C.

A. Otie M. Reed, 1107 19th Street NW., Washington, D.C.
B. National Creameries Association, 1107 19th Street NW., Washington, D.C.
D. (6) $1,875. E. (9) $4,112.16.

A. W. O. Reed, 6254 Woodland Drive, Dallas, Tex.
B. Texas railroads.

A. William T. Reed, 5800 Connecticut Avenue, Chevy Chase, Md.
B. Standard Oil Co., 910 South Michigan Avenue, Chicago, Ill.
D. (6) $1,500. E. (9) $215.43.

A. George L. Reid, Jr., 1616 P Street NW., Washington, D.C.
B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $800. E. (9) $224.47.

A. Herbert S. Reid, 466 Lexington Avenue, New York, N.Y.
B. New York State Association of Railroads, 466 Lexington Avenue, New York, N.Y.

A. James Francis Reilly, 1625 K Street NW., Washington, D.C.
B. Potomac Electric Power Co., 929 E Street NW., Washington, D.C.
D. (6) $5,000. E. (9) $232.48.

A. Louis H. Renfrow, 1000 16th Street NW., Washington, D.C.
B. National Coal Policy Conference, Inc., 1000 16th Street NW., Washington, D.C.
D. (6) $6,250.

A. Reserve Officers Association of the U.S., 2517 Connecticut Avenue NW., Washington, D.C.

A. Retired Officers Association, 1616 I Street NW., Washington, D.C.
D. (6) $58,183.26.

A. Retirement Federation of Civil Service Employees of the U.S. Government, 900 F Street NW., Washington, D.C.
D. (6) $1,053.50. E. (9) $8,130.79.

A. James W. Richards, 1000 16th Street NW., Washington, D.C.
B. Standard Oil Co. of Indiana, 910 South Michigan Avenue, Chicago, Ill.
D. (6) $1,500. E. (9) $525.66.

A. William E. Richards, Orleans, Nebr.
B. National Association of Soil Conservation Districts, League City, Tex.

A. Harry M. Richardson, 335 Austin Street, Bogalusa, La.
B. Louisana railroads.

A. James W. Riddell, 731 Washington Building, Washington, D.C.
B. Air Transport Association of America, 1000 Connecticut Avenue NW., Washington, D.C.

A. James W. Riddell, 731 Washington Building, Washington, D.C.
B. C.I.T. Financial Corp., 650 Madison Avenue, New York, N.Y.

A. James W. Riddell, 731 Washington Building, Washington, D.C.
B. Mutual Benefit Health and Accident Association, Omaha, Nebr.

A. James W. Riddell, 731 Washington Building, Washington, D.C.
B. State Farm Mutual Automobile Insurance Co., 112 East Washington Street, Bloomington, Ill.

A. Richard J. Riddick, 1012 14th Street NW., Washington, D.C.
B. Freight Forwarders Institute, 1012 14th Street NW., Washington, D.C.
D. (6) $2,499.99. E. (9) $190.71.

A. Siert F. Riepma, Munsey Building, Washington, D.C.
B. National Association of Margarine Manufacturers, Munsey Building, Washington, D.C.

A. C. E. Rightor, 3300 Rolling Road, Chevy Chase, Md.
B. Committee for Study of Revenue Bond Financing, 149 Broadway, New York, N.Y.
D. (6) $450. E. (9) $26.

A. George D. Riley, 815 16th Street NW., Washington, D.C.
B. American Federation of Labor & Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.
D. (6) $3,570. E. (9) $426.

A. James F. Rill, 1730 K Street NW., Washington, D.C.
B. Steadman, Collier & Shannon, 1730 K Street NW., Washington, D.C.
D. (6) $37. E. (9) $7.50.

A. William Neale Roach, 1616 P Street NW., Washington, D.C.
B. American Trucking Associations, Inc., 1616 P. Street NW., Washington, D.C.
D. (6) $1,300.

A. Paul H. Robbins, 2029 K Street NW., Washington, D.C.
B. National Society of Professional Engineers, 2029 K Street NW., Washington, D.C.
D. (6) $250.

A. Charles A. Robinson, Jr., 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue, NW., Washington, D.C.
D. (6) $173.88.

A. Donald L. Rogers, 730 15th Street NW., Washington, D.C.
B. Association of Registered Bank Holding Companies, 730 15th Street, NW., Washington, D.C.
D. (6) $375.

A. Frank W. Rogers, 1700 K Street NW., Washington, D.C.
B. Western Oil & Gas Association, 609 South Grand Avenue, Los Angeles, Calif.
D. (6) $5,260.

A. Watson Rogers, 1916 M Street NW., Washington, D.C.
B. National Food Brokers Association, 1916 M Street NW., Washington, D.C.
D. (6) $1,000.

A. T. J. Ross & Associates, Inc., 405 Lexington Avenue, New York, N.Y.
D. (6) $7,500. E. (9) $4,419.30.

A. John Forney Rudy, 902 Ring Building, Washington, D.C.
B. Goodyear Tire & Rubber Co., Akron, Ohio.

A. Albert R. Russell, 1918 North Parkway, Memphis, Tenn.
B. National Cotton Council of America, Post Office Box 9905, Memphis, Tenn.
D. (6) $98.90. E. (9) $30.

A. M. O. Ryan, 777 14th Street NW., Washington, D.C.
B. American Hotel Association, 221 West 57th Street, New York, N.Y.
D. (6) $500. E. (9) $299.58.

A. Oswald Ryan, 528 Barr Building, Washington, D.C.
B. Air Traffic Control Association, 528 Barr Building, Washington, D.C.
D. (6) $500. E. (9) $60.

A. William H. Ryan, 400 First Street NW., Washington, D.C.
B. District Lodge No. 44, I.A. of M., 400 First Street NW., Washington, D.C.
D. (6) $3,000.36. E. (9) $60.

A. Kermit B. Rykken, 1712 G Street NW., Washington, D.C.
B. American Automobile Association, 1712 G Street NW., Washington, D.C.

A. Robert A. Saltzstein, 508 Wyatt Building, Washington, D.C.
B. Associated Business Publications, 205 East 42d Street, New York, N.Y.
D. (6) $2,500. E. (9) $361.73.

A. Kimball Sanborn, 810 Pennsylvania Building, Washington, D.C.
B. Boston & Maine Railroad, 160 Causeway Street, Boston, Mass.

A. L. R. Sanford, 1730 K Street NW., Washington, D.C.
B. Shipbuilders Council of America, 1730 K Street NW., Washington, D.C.

A. O. H. Saunders, 1616 I Street NW., Washington, D.C.
B. Retired Officers Association, 1616 I Street NW., Washington, D.C.
D. (6) $2,600.

A. Fred J. Scanlan, 1303 New Hampshire Avenue NW., Washington, D.C.
B. Fleet Reserve Association, 1303 New Hampshire Avenue NW., Washington, D.C.
D. (6) $345.

A. Schoene & Kramer, 1625 K Street NW., Washington, D.C.
B. Railway Labor Executives Association, 400 First Street NW., Washington, D.C.

A. J. A. Schwab, 1223 Pennsylvania Building, Washington, D.C.
B. Pennsylvania Railroad Co., 6 Penn Center Plaza, Philadelphia, Pa.

A. S.C.O.T. Association, 660 Madison Avenue, New York, N.Y.

A. Durward Seals, 777 14th Street NW., Washington, D.C.
B. United Fresh Fruit and Vegetable Association, 777 14th Street NW., Washington, D.C.

A. Hollis M. Seavey, 1771 N Street NW., Washington, D.C.
B. National Association of Broadcasters, 1771 N Street NW., Washington, D.C.

A. James D. Secrest, 1721 DeSales Street NW., Washington, D.C.
B. Electronic Industries Association, 1721 DeSales Street NW., Washington, D.C.

A. Fred G. Seig, 944 Transportation Building, Washington, D.C.
B. Association of American Railroads, Transportation Building, Washington, D.C.

A. Serta Associates, Inc., 666 North Lake Shore Drive, Chicago, Ill.

A. Leo Seybold, 1000 Connecticut Avenue NW., Washington, D.C.
B. Air Transport Association of America, 1000 Connecticut Avenue NW., Washington, D.C.
D. (6) $480. E. (9) $29.05.

A. Alvin Shapiro, 919 18th Street NW., Washington, D.C.
B. American Merchant Marine Institute, Inc., 919 18th Street NW., Washington, D.C., and 11 Broadway, New York, N.Y.
D. (6) $187.50. E. (9) $25.22.

A. John H. Sharon, 224 Southern Building, Washington, D.C.
B. Cleary, Gottlieb & Steen, 224 Southern Building, Washington, D.C.

A. A. Manning Shaw, 1625 I Street NW., Washington, D.C.
B. Brown & Lund, 1625 I Street NW., Washington, D.C.
D. (6) $242.

A. Leander I. Shelley, 608 Fifth Avenue, New York, N.Y.
B. American Association of Port Authorities, Inc., Washington, D.C., and Airport Operators Council, Inc., Washington, D.C.
D. (6) $958.31. E. (9) $5.17.

A. David A. Shepard, 30 Rockefeller Plaza, New York, N.Y.
B. Standard Oil Co., 30 Rockefeller Plaza, New York, N.Y.

A. Bruce E. Shepherd, 488 Madison Avenue, New York, N.Y.
B. Life Insurance Association of America, 488 Madison Avenue, New York, N.Y.
D. (6) $150.

A. Laurence P. Sherfy, 1625 K Street NW., Washington, D.C.
B. Mid-Continent Oil & Gas Association, 300 Tulsa Building, Tulsa, Okla.

A. Richard C. Shipman.
B. Farmers' Educational & Co-Operative Union of America, 1404 New York Avenue NW., Washington, D.C.
D. (6) $1,107.84. E. (9) $43.70.

A. Robert L. Shortle, 801 International Building, New Orleans, La.
B. Mississippi Valley Association, 1978 Railway Exchange Building, St. Louis, Mo.

A. Ralph Showalter, 1126 16th Street NW., Washington, D.C.
B. International Union, United Automobile, Aircraft & Agricultural Implement Workers of America, 8000 East Jefferson Avenue, Detroit, Mich.
D. (6) $2,718.56. E. (9) $1,032.06.

A. Everett E. Shuey, Helena, Mont.
B. National Wool Growers Association, 414 Crandall Building, Salt Lake City, Utah.

A. Charles B. Shuman, Merchandise Mart Plaza, Chicago, Ill.
B. American Farm Bureau Federation, Merchandise Mart Plaza, Chicago, Ill.
D. (6) $700.

A. Silver Users Association, 1725 K Street NW., Washington, D.C.
D. (6) $60. E. (9) $982.76.

A. Six Agency Committee, 909 South Broadway, Los Angeles, Calif.
D. (6) $9,200. E. (9) $3,000.

A. Harold S. Skinner, Post Office Box 2197, Houston, Tex.
B. Continental Oil Co., Post Office Box 2197, Houston, Tex.

A. Carstens Slack, 1625 I Street NW., Washington, D.C.
B. Phillips Petroleum Co., Bartlesville, Okla.

A. Harold Slater, 1 Farragut Square South, Washington, D.C.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.
D. (6) $1,312.50. E. (9) $95.62.

A. Stephen Slipher, 812 Pennsylvania Building, Washington, D.C.
B. United States Savings and Loan League, 221 North La Salle Street, Chicago, Ill.
D. (6) $2,500. E. (9) $4.70.

A. Harold Arden Smith, 605 West Olympic Boulevard, Los Angeles, Calif.
B. Standard Oil Co. of California, 220 Bush Street, San Francisco, Calif.
D. (6) $200. E. (9) $70.

A. James R. Smith, 1060 Omaha National Bank Building, Omaha, Nebr.
B. Mississippi Valley Association, 1978 Railway Exchange Building, St. Louis, Mo.

A. Lloyd W. Smith, 416 Shoreham Building, Washington, D.C.
B. Chicago, Burlington & Quincy Railroad Co., 547 West Jackson Boulevard, Chicago, Ill., and Great Northern Railway Co., 175 East Fourth Street, St. Paul, Minn.
D. (6) $4,257.

A. Dr. Spencer M. Smith, Jr., 1709 North Glebe Road, Arlington, Va.
B. Citizens Committee on Natural Resources Conservation.
D. (6) $972.60. E. (9) $1,691.96.

A. Wallace M. Smith, 425 13th Street NW., Washington, D.C.
B. American Mutual Insurance Alliance.

A. Wayne H. Smithey, 1200 Wyatt Building, Washington, D.C.
B. Ford Motor Co., Dearborn, Mich.

A. Lyle O. Snader, 944 Transportation Building, Washington, D.C.
B. Association of American Railroads, Transportation Building, Washington, D.C.
D. (6) $378.76.

A. Frank B. Snodgrass, 1025 Connecticut Avenue NW., Washington, D.C.
B. Burley and Dark Leaf Tobacco Export Association, Post Office Box 860, Lexington, Ky.
D. (6) $225.

A. Edward F. Snyder, 245 Second Street NE., Washington, D.C.
B. Friends Committee on National Legislation, 245 Second Street NE., Washington, D.C.
D. (6) $1,577.78.

A. Society for Animal Protective Legislation, 745 Fifth Avenue, New York, N.Y.
D. (6) $724. E. (9) $413.52.

A. Charles B. Sonneborn, 210 H Street NW., Washington, D.C.
B. National Limestone Institute, Inc., 210 H Street NW., Washington, D.C.
E. (9) $1.25.

A. Marvin J. Sonosky, 1700 K Street NW., Washington, D.C.

A. Southern States Industrial Council, 1103 Stahlman Building, Nashville, Tenn.
D. (6) $29,612.48. E. (9) $9,335.06.

A. Southwestern Peanut Shellers' Association, Drawer 747, Durant, Okla.
E. (9) $150.

A. William W. Spear, 214 National Bank Building, Fremont, Nebr.
B. Standard Oil Co. (Indiana), 910 South Michigan Avenue, Chicago, Ill.
D. (6) $900. E. (9) $500.15.

A. Lyndon Spencer, 305 Rockefeller Building, Cleveland, Ohio.
B. Lake Carriers' Association, 305 Rockefeller Building, Cleveland, Ohio.

A. John M. Sprague, 1730 K Street NW., Washington, D.C.
B. Humble Oil & Refining Co. (a Delaware corporation), Post Office Box 2180, Houston, Tex.

A. Thomas G. Stack, 1104 West 104th Place, Chicago, Ill.
B. National Railroad Pension Forum, Inc., 1104 West 104th Place, Chicago, Ill.
D. (6) $1,800. E. (9) $3,330.

A. Howard M. Starling, 837 Washington Building, Washington, D.C.
B. Association of Casualty & Surety Cos., 60 John Street, New York, N.Y.
D. (6) $150.

A. Steadman, Collier & Shannon, 1630 K Street NW., Washington, D.C.
B. National Shoe Manufacturers Association, 342 Madison Avenue, New York, N.Y.
E. (9) $137.

A. Mrs. C. A. L. Stephens, Post Office Box 6234, Washington, D.C.

A. Russell M. Stephens, 900 F Street NW., Washington, D.C.
B. American Federation of Technical Engineers, 900 F Street NW., Washington, D.C.
D. (6) $240. E. (9) $20.

A. Mrs. Alexander Stewart, 120 Maryland Avenue NE., Washington, D.C.
B. Women's International League for Peace and Freedom, 120 Maryland Avenue NE., Washington, D.C.
D. (6) $21,622.59. E. (9) $5,488.55.

A. Sterling F. Stoudenmire, Jr., 61 St. Joseph Street, Mobile, Ala.
B. Waterman Steamship Corp., 61 St. Joseph Street, Mobile, Ala.
D. (6) $1,406.25.

A. Francis W. Stover, 200 Maryland Avenue NE., Washington, D.C.
B. Veterans of Foreign Wars of the United States.
D. (6) $2,500. E. (9) $227.05.

A. O. R. Strackbein, 815 15th Street NW., Washington, D.C.
B. America's Wage Earners' Protective Conference.
D. (6) $1,153.85.

A. O. R. Strackbein, 815 15th Street NW., Washington, D.C.
B. International Allied Printing Trades Association, Post Office Box 728, Indianapolis, Ind.
D. (6) $625.

A. O. R. Strackbein, 815 15th Street NW., Washington, D.C.
B. Nation-Wide Committee of Industry, Agriculture & Labor on Import-Export Policy.
D. (6) $6,250.

A. William A. Stringfellow, 6004 Roosevelt Street, Bethesda, Md.
B. National Association of Mutual Insurance Agents, 827 Investment Building, Washington, D.C.

A. Structural Clay Products Industry Depletion Committee, 1032 Shoreham Building, Washington, D.C.
D. (6) $15,498.20. E. (9) $8,939.89.

A. Norman Strunk, 221 North La Salle Street, Chicago, Ill.
B. United States Savings & Loan League, 221 North La Salle Street, Chicago, Ill.
D. (6) $625.

A. Walter B. Stults, 537 Washington Building, Washington, D.C.
B. National Association of Small Business Investment Cos., 537 Washington Building, Washington, D.C.
D. (6) $600.

A. Arthur Sturgis, Jr., 1616 H Street NW., Washington, D.C.
B. American Retail Federation, 1616 H Street NW., Washington, D.C.

A. Verne R. Sullivan, 1615 H Street NW., Washington, D.C.
B. Chamber of Commerce of the United States of America.

A. Frank L. Sundstrom, 350 Fifth Avenue, New York, N.Y.
B. Schenley Industries, Inc., 350 Fifth Avenue, New York, N.Y.

A. Surrey, Karasik, Gould & Greene, 1116 Woodward Building, Washington, D.C.
B. National Coordinating Committee for Export Credit Guarantees, 1 Liberty Street, New York, N.Y.

A. Surrey, Karasik, Gould & Greene, 1116 Woodward Building, Washington, D.C.
B. South Puerto Rico Sugar Co., 99 Wall Street, New York, N.Y.

A. Noble J. Swearingen, 224 East Capitol Street, Washington, D.C.
B. National Tuberculosis Association, 1790 Broadway, New York, N.Y.

A. Charles P. Taft, 1025 Connecticut Avenue NW., Washington, D.C.
B. Legislative Committee of the Committee for a National Trade Policy, Inc., 1025 Connecticut Avenue NW., Washington, D.C.

A. Glenn J. Talbott.
B. The Farmers' Educational & Co-Operative Union of America, 1575 Sherman Street, Denver, Colo., and 1404 New York Avenue NW., Washington, D.C.

A. Dwight D. Taylor, Jr., 918 16th Street NW., Washington, D.C.
B. American Airlines, Inc., 918 16th Street NW., Washington, D.C.
D. (6) $100. E. (9) $5.

A. Christy Thomas & Barry Sullivan, 536 Washington Building, Washington, D.C.
B. The National Association of River & Harbor Contractors, 15 Park Row, New York, N.Y.
D. (6) $750. E. (9) $73.47.

A. Oliver A. Thomas, 125 North Center Street, Reno, Nev.
B. Nevada Railroad Association, 125 North Center Street, Reno, Nev.

A. Julia C. Thompson, 711 14th Street NW., Washington, D.C.
B. American Nurses' Association, Inc., 10 Columbus Circle, New York, N.Y.
D. (6) $2,055.40.

A. Wm. B. Thompson, Jr., 944 Transportation Building, Washington, D.C.
B. Association of American Railroads, Transportation Building, Washington, D.C.

A. G. D. Tilghman, 1612 K Street NW., Washington, D.C.
D. (6) $3,750.

A. William H. Tinney, 1223 Pennsylvania Building, Washington, D.C.
B. Pennsylvania Railroad Co., 6 Penn Center Plaza, Philadelphia, Pa.

A. M. S. Tisdale, 4200 Cathedral Avenue, Washington, D.C.
B. Armed Services Committee, Chamber of Commerce, Vallejo, Calif.
D. (6) $295. E. (9) $219.34.

A. Tobacco Associates, Inc., 1025 Connecticut Avenue NW., Washington, D.C.
E. (9) $733.

A. H. Willis Tobler, 30 F Street NW., Washington, D.C.
B. National Milk Producers Federation, 30 F Street NW., Washington, D.C.
D. (6) $400. E. (9) $96.01.

A. John H. Todd, 1085 Shrine Building, Memphis, Tenn.
B. National Cotton Compress & Cotton Warehouse Association, 1085 Shrine Building, Memphis, Tenn.

A. Dwight D. Townsend, 1012 14th Street NW., Washington, D.C.
B. Cooperative League of U.S.A., 343 South Dearborn Street, Chicago, Ill.

A. F. Gerald Toye, 777 14th Street NW., Washington, D.C.
B. General Electric Co., 570 Lexington Avenue, New York, N.Y.
D. (6) $500. E. (9) $58.

A. Trade Relations Council of the U.S., 122 East 42d Street, New York, N.Y.

A. Transportation Association of America, 1710 H Street NW., Washington, D.C.

A. Mrs. Hattie B. Trazenfeld, 2012 Massachusetts Avenue NW., Washington, D.C.
B. National Federation of Business & Professional Women's Clubs, Inc., 2012 Massachusetts Avenue NW., Washington, D.C.

A. Richard S. Tribbe, 1508 Merchants Bank Building, Indianapolis, Ind.
B. Associated Railways of Indiana, 1508 Merchants Bank Building, Indianapolis, Ind.

A. Glenwood S. Troop, Jr., 812 Pennsylvania Building, Washington, D.C.
B. United States Savings & Loan League, 221 North La Salle Street, Chicago, Ill.
D. (6) $1,562.50.

A. Paul T. Truitt, 1700 K Street NW., Washington, D.C.
B. National Plant Food Institute, 1700 K Street NW., Washington, D.C.

A. John W. Turner, 814 Railway Labor Building, Washington, D.C.
B. Brotherhood of Locomotive Engineers, B. of L. E. Building, Cleveland, Ohio.

A. William S. Tyson, 821 15th Street NW., Washington, D.C.
B. Local No. 30, Canal Zone Pilots Association, I.O.M.M. & P., Post Office Box 601, Balboa, C.Z.
E. (9) $122.57.

A. William S. Tyson, 821 15th Street NW., Washington, D.C.
B. Western Range Association, 2438 Tulare Street, Fresno, Calif.
E. (9) $126.94.

A. Union Producing Co., 1525 Fairfield Avenue, Shreveport, La., and United Gas Pipe Line Co., 1525 Fairfield Avenue, Shreveport, La.

A. United Federation of Postal Clerks, 817 14th Street NW., Washington, D.C.
D. (6) $207,318.01. E. (9) $20,158.15.

A. United States Savings & Loan League, 221 North La Salle Street, Chicago, Ill.
E. (9) $16,846.29.

A. United States Trust Co. of New York, 45 Wall Street, New York, N.Y.

A. Henry A. S. van Daalen, Jr., 1616 P Street NW., Washington, D.C.
B. Common Carrier Conference—Irregular Route, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $25. E. (9) $1.

A. Thomas M. Venables, 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.

A. L. T. Vice, 1700 K Street NW., Washington, D.C.
B. Standard Oil Co. of California, 1700 K Street NW., Washington, D.C.

A. R. K. Vinson, 1346 Connecticut Avenue NW., Washington, D.C.
B. Machinery Dealers National Association, 1346 Connecticut Avenue NW., Washington, D.C.

A. Carl M. Walker, 30 F Street NW., Washington, D.C.
B. National Milk Producers Federation, 30 F Street NW., Washington, D.C.
D. (6) $50. E. (9) $19.25.

A. Stephen M. Walter, 1200 18th Street NW., Washington, D.C.
B. National Association of Electric Cos., 1200 18th Street NW., Washington, D.C.

A. Washington Home Rule Committee, Inc., 924 14th Street NW., Washington, D.C.
D. (6) $5,719.71. E. (9) $4,218.53.

A. Jeremiah C. Waterman, 205 Transportation Building, Washington, D.C.
B. Southern Pacific Co., 205 Transportation Building, Washington, D.C.
D. (6) $500. E. (9) $100.

A. Waterways Bulk Transportation Council, Inc., 21 West Street, New York, N.Y.
D. (6) $14,350.

A. J. R. Watson, I.C.R.R. Passenger Station, Jackson, Miss.
B. Mississippi Railroad Association, I.C.R.R. Passenger Station, Jackson, Miss.

A. Watters & Donovan, 161 William Street, New York, N.Y.
B. New York and New Jersey Dry Dock Association, 161 William Street, New York, N.Y.
D. (6) $1,675.

A. Weaver & Glassie, 1225 19th Street NW., Washington, D.C.
B. Atlantic Refining Co., 260 South Broad Street, Philadelphia, Pa.
D. (6) $500.

A. Weaver & Glassie, 1225 19th Street NW., Washington, D.C.
B. Eastern Meat Packers Association, Inc., 740 11th Street NW., Washington, D.C.
D. (6) $5. E. (9) $3.51.

A. Weaver & Glassie, 1225 19th Street NW., Washington, D.C.
B. National Independent Meat Packers Association, 740 11th Street NW., Washington, D.C.
D. (6) $225. E. (9) $45.95.

A. William H. Webb, LaSalle Building, Washington, D.C.
B. National Rivers and Harbors Congress, 1028 Connecticut Avenue, Washington, D.C.
D. (6) $2,490. E. (9) $325.

A. E. E. Webster, 400 First Street NW., Washington, D.C.
B. Brotherhood of Maintenance of Way Employees, 12050 Woodward Avenue, Detroit, Mich.

A. West Coast Inland Navigation District, Court House, Bradenton, Fla.
E. (9) $601.08.

A. Edwin M. Wheeler, 920 Jackson Street, Topeka, Kans.
B. Kansas Railroad Committee, 920 Jackson Street, Topeka, Kans.

A. Horace P. White, 1341 G Street NW., Washington, D.C.
B. International Union of Mine, Mill & Smelter Workers, 941 East 17th Avenue, Denver, Colo.
D. (6) $390. E. (9) $2,020.74.

A. Marc A. White, 1707 H Street NW., Washington, D.C.
B. National Association of Securities Dealers, Inc.

A. Richard P. White, 835 Southern Building, Washington, D.C.
B. American Association of Nurserymen, Inc., 835 Southern Building, Washington, D.C.
D. (6) $28.58. E. (9) $28.58.

A. H. Leigh Whitelaw, 734 15th Street NW., Washington, D.C.
B. Gas Appliance Manufacturers Association, Inc., 60 East 42d Street, New York, N.Y.

A. Scott C. Whitney, 918 16th Street NW., Washington, D.C.
B. American Airlines, Inc., 918 16th Street NW., Washington, D.C.
D. (6) $2,000. E. (9) $580.

A. Donald S. Whyte, 1102 Ring Building, Washington, D.C.
B. American Mining Congress, Ring Building, Washington, D.C.
D. (6) $450. E. (9) $15.25.

A. Louis E. Whyte, 918 16th Street NW., Washington, D.C.
B. Independent Natural Gas Association of America, 918 16th Street NW., Washington, D.C.

A. Claude C. Wild, Jr., 1120 Connecticut Avenue NW., Washington, D.C.
B. Gulf Oil Corp., Gulf Building, Pittsburgh, Pa.
D. (6) $700.

A. John Willard, Box 1172, Helena, Mont.
B. Montana Railroad Association.

A. Franz O. Willenbucher, 1616 I Street NW., Washington, D.C.
B. Retired Officers Association, 1616 I Street NW., Washington, D.C.
D. (6) $4,000.

A. Harding De C. Williams.
B. National Association of Real Estate Boards, 36 South Wabash Avenue, Chicago, Ill., and 1300 Connecticut Avenue, Washington, D.C.
D. (6) $1,666. E. (9) $6.

A. Robert E. Williams, 1000 Connecticut Avenue NW., Washington, D.C.
B. Air Transport Association of America, 1000 Connecticut Avenue NW., Washington, D.C.
D. (6) $400. E. (9) $27.20.

A. John C. Williamson, 1300 Connecticut Avenue NW., Washington, D.C.
B. National Association of Real Estate Boards, 36 South Wabash Avenue, Chicago, Ill., and 1300 Connecticut Avenue, Washington, D.C.
D. (6) $3,700. E. (9) $128.22.

A. Wilmer & Broun, 616 Transportation Building, Washington, D.C.
B. Columbia Gas System Service Corp., 120 East 41st Street, New York, N.Y.

A. Clark L. Wilson, 714 Associations Building, Washington, D.C.
B. Consultant to Emergency Lead-Zinc Committee.
D. (6) $400. E. (9) $580.25.

A. E. Raymond Wilson, 245 Second Street NE., Washington, D.C.
B. Friends Committee on National Legislation, 245 Second Street NE., Washington, D.C.
D. (6) $1,687.18.

A. Henry B. Wilson, 1612 K Street NW., Washington, D.C.
B. Standard Oil Co., 30 Rockefeller Plaza, New York, N.Y.

A. W. E. Wilson, 1525 Fairfield Avenue, Shreveport, La.
B. Union Producing Co. and United Gas Pipe Line Co., 1525 Fairfield Avenue, Shreveport, La.

A. W. F. Wimberly, Post Office Box 4147, Atlanta, Ga.
B. Pure Oil Co., 200 East Golf Road, Palatine, Ill.

A. Everett T. Winter, 1978 Railway Exchange Building, St. Louis, Mo.
B. Mississippi Valley Association, 1978 Railway Exchange Building, St. Louis, Mo.

A. Theodore Wiprud, 1718 M Street NW., Washington, D.C.

B. Medical Society of the District of Columbia, 1718 M Street NW., Washington, D.C.

A. Albert Y. Woodward, 1625 I Street NW., Washington D.C.

B. Flying Tiger Line, Inc., Lockheed Air Terminal, Burbank, Calif.

A. Albert Young Woodward, 1625 I Street NW., Washington, D.C.

B. Signal Oil & Gas Co., 1010 Wilshire Boulevard, Los Angeles, Calif.

A. Edward W. Wootton, 1100 National Press Building, Washington, D.C.

B. Wine Institute, 717 Market Street, San Francisco, Calif.

A. Alexander W. Wuerker, 1025 Connecticut Avenue, Washington, D.C.

B. American Waterways Operators, Inc., 1025 Connecticut Avenue, Washington, D.C.

D. (6) $542. E. (9) $95.08.

A. Donald A. Young, 1615 H Street NW., Washington, DC.

B. Chamber of Commerce of the United States of America.

A. J. Banks Young, 502 Ring Building, Washington, D.C.

B. National Cotton Council of America, Post Office Box 9905, Memphis, Tenn.

D. (6) $90.

A. John H. Young, 1411 Major Street, Salt Lake City, Utah.

B. Liberty Under Law, Inc., Post Office Box 2013, Salt Lake City, Utah.

E. (9) $1.

A. Zantop Air Transport, Inc., Inkster, Mich.

A. Gordon K. Zimmerman, Washington, D.C.

B. National Association of Soil Conservation Districts, League City, Tex.

A. Zimring, Gromfine & Sternstein, 1001 Connecticut Avenue, Washington D.C., and 11 South La Salle Street, Chicago, Ill.

REGISTRATIONS

The following registrations were submitted for the fourth calendar quarter 1961:

(NOTE.—The form used for registration is reproduced below. In the interest of economy in the RECORD, questions are not repeated, only the essential answers are printed, and are indicated by their respective letter and number.)

FILE TWO COPIES WITH THE SECRETARY OF THE SENATE AND FILE THREE COPIES WITH THE CLERK OF THE HOUSE OF REPRESENTATIVES:

This page (page 1) is designed to supply identifying data; and page 2 (on the back of this page) deals with financial data.

PLACE AN "X" BELOW THE APPROPRIATE LETTER OR FIGURE IN THE BOX AT THE RIGHT OF THE "REPORT" HEADING BELOW:

"PRELIMINARY" REPORT ("Registration"): To "register," place an "X" below the letter "P" and fill out page 1 only.

"QUARTERLY" REPORT: To indicate which one of the four calendar quarters is covered by this Report, place an "X" below the appropriate figure. Fill out both page 1 and page 2 and as many additional pages as may be required. The first additional page should be numbered as page "3," and the rest of such pages should be "4," "5," "6," etc. Preparation and filing in accordance with instructions will accomplish compliance with all quarterly reporting requirements of the Act.

Year: 19_____ ◄

REPORT

PURSUANT TO FEDERAL REGULATION OF LOBBYING ACT

P	QUARTER			
	1st	2d	3d	4th
(Mark one square only)				

NOTE ON ITEM "A".—(a) IN GENERAL. This "Report" form may be used by either an organization or an individual, as follows:

(i) "Employee".—To file as an "employee", state (in Item "B") the name, address, and nature of business of the "employer". (If the "employee" is a firm [such as a law firm or public relations firm], partners and salaried staff members of such firm may join in filing a Report as an "employee".)

(ii) "Employer".—To file as an "employer", write "None" in answer to Item "B".

(b) SEPARATE REPORTS. An agent or employee should not attempt to combine his Report with the employer's Report:

(i) Employers subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their agents or employees.

(ii) Employees subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their employers.

A. ORGANIZATION OR INDIVIDUAL FILING:

1. State name, address, and nature of business.

2. If this Report is for an Employer, list names or agents or employees who will file Reports for this Quarter.

NOTE ON ITEM "B".—*Reports by Agents or Employees.* An employee is to file, each quarter, as many Reports as he has employers, except that: (*a*) If a particular undertaking is jointly financed by a group of employers, the group is to be considered as one employer, but all members of the group are to be named, and the contribution of each member is to be specified; (*b*) if the work is done in the interest of one person but payment therefor is made by another, a single Report—naming both persons as "employers"—is to be filed each quarter.

B. EMPLOYER.—State name, address, and nature of business. If there is no employer, write "None."

NOTE ON ITEM "C".—(*a*) The expression "in connection with legislative interests," as used in this Report, means "in connection with attempting, directly or indirectly, to influence the passage or defeat of legislation." "The term 'legislation' means bills, resolutions, amendments, nominations, and other matters pending or proposed in either House of Congress, and includes any other matter which may be the subject of action by either House"—§ 302(*e*).

(*b*) Before undertaking any activities in connection with legislative interests, organizations and individuals subject to the Lobbying Act are required to file a "Preliminary" Report (Registration).

(*c*) After beginning such activities, they must file a "Quarterly" Report at the end of each calendar quarter in which they have either received or expended anything of value in connection with legislative interests.

C. LEGISLATIVE INTERESTS, AND PUBLICATIONS in connection therewith:

1. State approximately how long legislative interests are to continue. If receipts and expenditures in connection with legislative interests have terminated, ☐ place an "X" in the box at the left, so that this Office will no longer expect to receive Reports.

2. State the general legislative interests of the person filing and set forth the *specific* legislative interests by reciting: (*a*) Short titles of statutes and bills; (*b*) House and Senate numbers of bills, where known; (*c*) citations of statutes, where known; (*d*) whether for or against such statutes and bills.

3. In the case of those publications which the person filing has caused to be issued or distributed in connection with legislative interests, set forth: (*a*) Description, (*b*) quantity distributed; (*c*) date of distribution, (*d*) name of printer or publisher (if publications were paid for by person filing) or name of donor (if publications were received as a gift).

(Answer items 1, 2, and 3 in the space below. Attach additional pages if more space is needed)

4. If this is a "Preliminary" Report (Registration) rather than a "Quarterly" Report, state below what the nature and amount of anticipated expenses will be; and if for an agent or employee, state also what the daily, monthly, or annual rate of compensation is to be. If this is a "Quarterly" Report, disregard this item "C4" and fill out item "D" and "E" on the back of this page. Do not attempt to combine a "Preliminary" Report (Registration) with a "Quarterly" Report.◄

AFFIDAVIT

[Omitted in printing]

PAGE 1◄

A. William F. Ahlstrom, Box 7, Bemus Point, N.Y.

A. Air Traffic Control Association, 528 Barr Building, Washington, D.C.

A. Mrs. Donna Allen, 3306 Ross Place NW., Washington, D.C.
B. National Committee To Abolish the House Un-American Activities Committee, 189 West Madison Street, Chicago, Ill.

A. Association on Japanese Textile Imports, Inc., 551 Fifth Avenue, New York, N.Y.

A. John B. Babcock, 205 East 42d Street, New York, N.Y.
B. Associated Business Publications, 205 East 42d Street, New York, N.Y.

A. Raymond Maxfield Barnes, 305 Commonwealth Building, Washington, D.C.
B. Northern Natural Gas Co., 2223 Dodge Street, Omaha, Nebr.

A. Roy Battles, 532 Shoreham Building, Washington, D.C.
B. Clear Channel Broadcasting Service, 532 Shoreham Building, Washington, D.C.

A. John H. Beidler, 815 16th Street NW., Washington, D.C.
B. American Federation of Labor & Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.

A. Richard Blacklow, 6419 31st Street NW., Washington, D.C.

A. Samuel B. Bledsoe, 1625 I Street NW., Washington, D.C.
B. Magazine Publishers Association, 444 Madison Avenue, New York, N.Y.

A. Stephen A. Bloch, 6308 31st Place NW., Washington, D.C.

A. Norman D. Burch, 711 14th Street NW., Washington, D.C.
B. National Retail Merchants Association, 100 West 31st Street, New York, N.Y.

A. Leonard J. Calhoun, 411 Washington Building, Washington, D.C.

A. A. H. Chesser, 400 First Street NW., Washington, D.C.
B. Brotherhood of Railroad Trainmen.

A. Larry Chernikoff, 4526 Que Place NW., Washington, D.C.

A. Henry J. Clay, 120 Broadway, New York, N.Y.
B. Committee on Fair Federal Tax Incentives for Depreciable Personal Property, 120 Broadway, New York, N.Y.

A. Henry J. Clay, 120 Broadway, New York, N.Y.
B. S.C.O.T. Association, 660 Madison Avenue, New York, N.Y.

A. Committee on Fair Federal Tax Incentives for Depreciable Personal Property, 120 Broadway, New York, N.Y.

A. John D. Conner, 1625 K Street NW., Washington, D.C.
B. Corn Starch Industry Committee, 1625 K Street NW., Washington, D.C.

A. John Shepherd Cooper, 1730 K Street NW., Washington, D.C.
B. Pacific Gas & Electric Co., 245 Market Street, San Francisco, Calif.

A. Corn Starch Industry Committee, 1625 K Street NW., Washington, D.C.

A. Louis S. Damiani, Box 54, Gatun, C.Z.
B. Canal Zone Central Labor Union & Metal Trades Council, Post Office Box 471, Balboa Heights, C.Z.

A. C. A. Darnell, 1917 11th Avenue, Huntington, W. Va.
B. Sheet Metal Workers' International Union, 1000 Connecticut Avenue, Washington, D.C.

A. Duane G. Derrick, Jr., 1616 Kenyon Street NW., Washington, D.C.

A. George E. Diethelm.
B. American Sugar Refining Co., 120 Wall Street, New York, N.Y.

A. William V. Dunlap, 1610 Evans Avenue, Prospect Park, Pa.

A. Judith Ann Edelberg, 3031 Newark Street NW., Washington, D.C.

A. Martin Eichner, 3756 W Street NW., Washington, D.C.

A. Clinton M. Fair, 815 16th Street NW., Washington, D.C.
B. American Federation of Labor & Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.

A. John G. Fox, 1730 K Street NW., Washington, D.C., and 195 Broadway, New York, N.Y.
B. American Telephone & Telegraph Co., 195 Broadway, New York, N.Y.

A. James H. French, 1625 K Street NW., Washington, D.C.
B. Book Manufacturers' Institute, Inc., 25 West 43d Street, New York, N.Y.

A. James H. French, 1625 K Street NW., Washington, D.C.
B. Corn Starch Industry Committee, 1625 K Street NW., Washington, D.C.

A. Aldo J. Gallo, 6508 Grand Avenue, North Bergen, N.J.

A. Aubrey Gates, 535 North Dearborn Street, Chicago, Ill.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.

A. Hays & Hays, 920 Warner Building, Washington, D.C.
B. Motor Commerce Association, Inc., 4004 Versailles Road, Lexington, Ky.

A. John K. Herbert, 444 Madison Avenue, New York, N.Y.
B. Magazine Publishers Association, Inc., 444 Madison Avenue, New York, N.Y.

A. Robert L. Higgins, 610 Ring Building, Washington, D.C.
B. National Electrical Contractors Association, 610 Ring Building, Washington, D.C.

A. Irvin A. Hoff, 1001 Connecticut Avenue NW., Washington, D.C.
B. United States Cane Sugar Refiners' Association, 1001 Connecticut Avenue NW., Washington, D.C.

A. Harold K. Howe, Mills Building, Washington, D.C.
B. Outdoor Power Equipment Institute, Inc., Mills Building, Washington, D.C.

A. Joe Lester Howell, Jr., 4458 Kinder Drive, Jackson, Miss.

B. National Committee for Insurance Taxation, 1710 H Street NW., Washington, D.C.

A. Evan S. Ingels, Oakwood Lane, Greenwich, Conn.
B. Time, Inc., Time & Life Building, Rockefeller Center, New York, N.Y.

A. Walter K. Jaenicke, 1957 E Street NW., Washington, D.C.
B. Associated General Contractors of America, Inc., 1957 E Street NW., Washington, D.C.

A. Walter K. Jaenicke, 1957 E Street NW., Washington, D.C.
B. Book Manufacturers' Institute, Inc., 25 West 43d Street, New York, N.Y.

A. Elizabeth Ann Kopp, 2622 31st Street NW., Washington, D.C.

A. Philip S. Leahy, 1343 L Street NW., Washington, D.C.
B. National Tire Dealers and Retreaders Association, Inc., 1343 L Street NW., Washington, D.C.

A. Scott W. Lucas, 1025 Connecticut Avenue NW., Washington, D.C.
B. Illinois Bell Telephone Co., 212 West Washington Street, Chicago, Ill.

A. Nathan Fred Marks, 685 Northwest 8th, Gresham, Oreg.
B. Marks Mines, 685 Northwest 8th, Gresham, Oreg., and Ford Converse, 2885 Southwest Fairview Boulevard, Portland, Oreg.

A. Mike M. Masaoka, 919 18th Street NW., Washington, D.C.

A. Mike M. Masaoka, 919 18th Street NW., Washington, D.C.
B. Association on Japanese Textile Imports, Inc., 551 Fifth Avenue, New York, N.Y.

A. Motor Commerce Association, Inc., 4004 Versailles Road, Lexington, Ky.

A. National Electrical Contractors Association, Inc., 610 Ring Building, Washington, D.C.

A. Mrs. Sarah Newman.
B. National Consumers League, 1029 Vermont Avenue NW., Washington, D.C.

A. James F. Pinkney, 1616 P Street NW., Washington, D.C.
B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.

A. Philip Alexander Ray, International Building, San Francisco, Calif.
B. International Telephone & Telegraph Corp., 320 Park Avenue, New York, N.Y.

A. Oswald Ryan, 528-531 Barr Building, Washington, D.C.

A. Lois J. Schiffer, 3125 Patterson Street NW., Washington, D.C.

A. Hilliard Schulberg, 1346 Connecticut Avenue NW., Washington, D.C.
B. Washington D.C. Retail Liquor Dealers Association, Inc., 1346 Connecticut Avenue NW., Washington, D.C.

A. Max Shine, 900 F Street NW., Washington, D.C.
B. American Federation of Technical Engineers, 900 F Street NW., Washington, D.C.

A. W. A. Smallwood, 1925 K Street NW., Washington, D.C.
B. Communications Workers of America, 1925 K Street NW., Washington, D.C.

A. Christina Smith, 1906 N Street NW., Washington, D.C.

A. John N. Thurman, 1625 K Street NW., Washington, D.C.

B. Pacific American Steamship Association, 16 California Street, San Francisco, Calif.

A. Voice of the People in Action, Society of the People, Inc., 621 Sheridan Street, Chillum, Md.
B. Dr. Russel Forrest Egner.

A. Paul F. Wagner, 1625 I Street NW., Washington, D.C.

B. Samuel B. Bledsoe, 1625 I Street NW., Washington, D.C.

A. Gregg Watson, 1412 Columbia Road, Washington, D.C.

A. Donald Francis White, 1616 H Street NW., Washington, D.C.
B. American Retail Federation, 1616 H Street NW., Washington, D.C.

EXTENSIONS OF REMARKS

Television Broadcasting

EXTENSION OF REMARKS

OF

HON. WILLIAM G. BRAY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 5, 1962

Mr. BRAY. Mr. Speaker, I am introducing a bill today dealing with the very important subject of television broadcasting. This bill is a companion bill to H.R. 9267 and other bills introduced during the first session and earlier in this session.

The purpose of this bill is to make it possible for there to be a further development of commercial and educational television on the 70 UHF channels that are now allocated to television, at the same time making sure that the existing television service to the American public now provided by commercial and educational stations operating on the 12 VHF channels is not impaired.

This bill would achieve these two purposes in the following way: On the one hand, it would empower the Federal Communications Commission to require that any television receiver shipped in interstate and foreign commerce must be constructed so that it will be able to receive all of the present 12 VHF channels now allocated to television and all of the 70 UHF channels now allocated to television.

On the other hand, it would prohibit the Federal Communications Commission from deleting any VHF channel assignment from any community in the country, or from all communities in the country, when such action would serve the purpose of, or have the effect of, making all television stations in any community operate on UHF channels.

This bill would limit the FCC's power over television receivers to that necessary to assure the production of all-channel sets, would make it perfectly clear that the term "all-channel" means the present 12 VHF channels and the present 70 UHF channels, and most important of all, would prohibit the FCC from using all-channel receiver legislation as a means of shifting VHF television to UHF, either in individual areas or in a wholesale nationwide shift.

Last year, the FCC issued a notice in which it stressed the importance of all-channel receiver legislation in connection with its handling of television allocations matters. But the thrust of that notice was not toward providing for the further development of UHF television in connection with and alongside of VHF television. Rather, the notice contemplates doing away with VHF substantially, if not indeed completely. Thus, in the notice the Commission announced that it was starting proceedings that day to take VHF channels out of eight communities, that it was planning to start similar proceedings in an undisclosed number of other communities, and that ultimately it visualized a television system in which all stations, or almost all stations, would operate on UHF channels.

It is clear that the continuation of this policy by the FCC will lead to the complete elimination of VHF stations. UHF stations simply cannot do the job in providing the service to millions of viewers who are outside of heavily populated centers.

We do need to better utilize the UHF channels. If all television sets are built so they can receive both VHF and UHF stations, as my bill provides, the total television service can be increased rather than curtailed.

Although no VHF station in my State of Indiana is now threatened by any of the disclosed specific proposals of the FCC for shift to UHF, I am just as troubled by the FCC's proposal as if the situation were otherwise. Whether or not my State is directly affected by immediate proposals for shift to UHF, it is apparent that if this philosophy once gains a foothold it will not be long before all the States and all the people will be suffering from it.

Indiana is now served by television stations which operate on UHF channels. Both UHF stations and VHF stations provide a very valuable service to the public. But neither VHF channels alone nor UHF channels alone could possibly do the job that is being done, and in the future can only be done, not only in Indiana but across the Nation, by stations operating in both frequency bands. Although UHF stations can provide a worthwhile service within the limits of their inherent capabilities, they simply cannot cover the wide areas that can be covered by stations operating on VHF channels. If a VHF station is shifted to a UHF channel, a great number of people will lose an existing television service and many of these people will lose their only television service. For the most part, these people would be located in rural areas, on farms, in small and medium-size communities, and in outlying sections. They now get television service because VHF stations in larger but distant communities are able to bring the service to them. If this VHF service were taken away, the only way they could get service back would be to build local stations. We all know, however, that television stations take a lot more money to build and operate than do radio stations. It just does not make economic sense to assume that these small and remote and lightly populated areas are going to be able to support their own local stations in order to replace the lost VHF service. Therefore, if we are to make sure that the public does not suffer loss of television service, we must make sure that VHF stations are not shifted to UHF.

If viewers can choose freely between VHF and UHF stations, then it will be possible for such stations to operate in the sme areas. At the same time, those viewers in outlying areas will still be able to receive the stronger VHF programs and will not be denied service as the FCC policy would eventually bring about.

Because television is so very important to the people of this country, and because the FCC's proposals and contemplated action threaten to destroy and to impair this television service, I believe it is essential for the Congress to state clearly that the public interest would not be served by an all-UHF system, but would be served under which the present 12 VHF channels and the present 70 UHF channels operated alongside each other. This bill would make this clear, while at the same time opening the way toward further development of our television system in this direction.

Bulgarian Liberation Day

EXTENSION OF REMARKS

OF

HON. PAUL A. FINO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 5, 1962

Mr. FINO. Mr. Speaker, until 1878 Bulgarians had been suffering under the yoke of Ottoman Turkish sultans. For four centuries their historic homeland had been part of the Ottoman empire, and they were subjected to the detested

rule of their oppressive masters. During that long period they had tried to free themselves, but all their efforts were unsuccessful, and each revolt against their oppressors was ruthlessly suppressed. But during the Russo-Turkish war of 1877 to 1878 they were aided by the Russians, and as the result of that war they secured their freedom. In a treaty signed on March 3 of 1878 their freedom was recognized by the Ottoman sultan. That day marked their liberation, and to this day it remains as their national holiday.

Since that distant day of 84 years ago Bulgarians have had their ups and downs, but during the last two decades they have been suffering under Communist totalitarian tyranny. Just as their forefathers fought their Turkish oppressors, so today they are struggling for their freedom against their powerful oppressors. On the 84th anniversary of their liberation day let us hope that they will again regain their freedom and live in peace.

Alabama Peanut Week: March 4 Through 10

EXTENSION OF REMARKS

OF

HON. GEORGE HUDDLESTON, JR.

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 5, 1962

Mr. HUDDLESTON. Mr. Speaker, this week is Peanut Week in Alabama. All of our citizens are taking cognizance of this fact because the peanut industry has come to be one of the most important in the economy of our State.

In the southern part of Alabama, and particularly in the area known as the Wiregrass Section, the finest peanuts in the world are grown. I say this because of my personal inspection, by tasting, of peanuts from other parts of the United States and the world. It happens that I have always thought that there was nothing better than a good "goober"—as we in the South call them—and I have munched peanuts most of my life. Of course, aside from the great and direct pleasure Alabama peanuts increasingly provide our fellow Americans, who love raw, roasted or boiled goobers, peanuts are also used in a variety of food products.

For example, the peanut butter industry uses about 50 percent of all peanuts used for food purposes and about 20 percent of all peanuts picked and threshed. The U.S. Department of Agriculture reports that over 80 percent of our homemakers use peanut butter in their homes. Salted peanuts, sold in grocery stores and candy stores around the Nation, constitute the second largest usage of peanuts in America. Of course, good homemade fudge and other candy, with peanuts, is an alltime American favorite.

Aside from the usage of peanuts in food products for humans, the peanut, both nut and plant, is used in countless other ways. The peanut has, to repeat, become one of our most important agricultural products. It is therefore fitting that this week has been set aside to honor the peanut and all those who are engaged in producing peanuts and peanut products.

I am pleased to join in the celebration of Alabama Peanut Week.

The Opinion Poll Results, 22d Congressional District of Ohio

EXTENSION OF REMARKS

OF

HON. FRANCES P. BOLTON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, March 5, 1962

Mrs. BOLTON. Mr. Speaker, my constituents in the 22d Congressional District of Ohio have again given me their most generous cooperation in replying to my 1962 opinion poll on major issues facing the 2d session of the 87th Congress.

It is heartening to know that so many thousands of voters in the district are vitally interested and deeply concerned about Federal legislative matters. I would like to thank each person who replied to this questionnaire, and especially those who sent me detailed comments on their position on the various issues.

Over 15,000 replies were received within the 2-week period following the mailing of this poll. By far the largest number of replies contained comments of constituents who were greatly concerned over increased Federal spending, and the recent attempts to centralize additional powers in the Federal Government in Washington, D.C. This feeling was strongly indicated by the overwhelming disapproval on the question of creating a new Department of Urban Affairs. Even though the 22d Congressional District is a 100-percent urban area, containing five wards of the city of Cleveland, and adjacent suburban cities, 61 percent of the replies disapproved of this new Department, while only 30 percent approved, with 9 percent having no opinion. It is interesting to note that the tabulation on this question was made on the day the House of Representatives, by an equally overwhelming vote, rejected this proposal.

With the great divergence of opinion, and the wide discussion on the value of a national civil defense fallout shelter program, it was especially enlightening to know that 72 percent of the replies received disapproved of the Federal civil defense shelter incentive program, with 18 percent in favor of the program, and 10 percent having no opinion. The consensus of opinion appeared in favor maintaining the strongest possible military deterrent forces, with increased emphasis being placed on efforts to work toward controlled disarmament and a just peace.

In the highly diversified industrial area that is Greater Cleveland, the residents of the 22d Congressional District approved the liberalizing of American trade policy through negotiated reciprocal trade agreements by a majority of over 4 to 1, with a 68 percent favorable vote, 15 percent negative, and 17 percent no opinion. Although the short range effects on local employment by a reduction of tariffs on foreign imports is not known, the heavy favorable vote for a liberalized trade policy indicates that public opinion looks with expectation to the overall positive effects of increased trade with our free world allies.

The decided shift of opinion away from Federal assistance to our public schools is very clearly shown in the comparison of replies to a substantially similar question on this subject during the past 6 years:

Year	Percent		
	Yes	No	No opinion
1957	76.02	21.0	3.0
1958	63.7	30.9	5.4
1959	61.4	33.2	5.4
1960	54.9	38.5	6.6
1961	46.0	46.0	8.0
1962	39.9	55.3	4.8

The replies received this year seem to indicate that opposition to Federal aid to public schools falls primarily in three categories: First, those who believe education is a local and State responsibility, and fear Federal encroachment in this field; second, those who oppose Federal aid to public schools unless similar Federal aid is also given private schools; and third, those who are opposed to any further increase in nondefense Federal spending.

Every person is deeply interested in health care of our senior citizens. A 55.3 percent majority vote in favor of hospital care for the aged under the social security system was registered in this poll, with 40 percent opposing a Federal hospital insurance program, and 4.6 percent having no opinion. Again it is interesting to note the trend of public thought during the past 3 years on this much discussed question:

Year	Percent		
	Yes	No	No opinion
1960	60.3	32.0	7.7
1961	58.0	35.0	7.0
1962	55.3	40.1	4.6

The 8-percent increase during the past 2 years in opposition to hospital coverage under the social security system stems primarily from, first, our young citizens who object to paying increased social security taxes for a period up to 45 years for this program; second, individuals who are not covered by social security, and third, those who believe private insurance programs can be developed to meet the health needs of our aged.

A solution to the problem of rising hospital costs must be found to prevent retired persons on limited incomes from dissipating their entire savings when illness strikes. If a reasonable arrangement is not soon forthcoming through hospital and medical associations, and private insurance programs, it is possible that the Ways and Means Committee of the House of Representatives may approve pending legislation to bring to the floor of the Congress the question of hospital and nursing home coverage under the social security system.

The results of the poll follow:

	Percent		
	Yes	No	No opinion
Do you favor—			
1. Hospital care for the aged to be financed through an increase in social security taxes?	55.3	40.1	4.6
2. Federal aid to the States for a 3-year period at an estimated cost of $2,100,000,000, to be used by the States for public school construction and/or teachers' salaries?	39.9	55.3	4.8
3. The proposal for 212,500 4-year federally financed scholarships for college students?	48.3	43.9	7.8
4. Federal financial assistance at a cost of $240,000,000 for a 3-year period to train young people who drop out of school and lack the ability to obtain employment?	39.9	52.3	7.8
5. Creation of a U.S. Department of Urban Affairs and Housing to assist cities in the fields of housing, mass transportation, and other community problems?	29.9	61.4	8.7
Do you favor—Continued			
6. Withholding of income tax on dividends and interest?	33.9	56.6	9.5
7. Liberalizing American trade policy through tariff reductions negotiated by reciprocal trade agreements?	68.0	15.0	17.0
8. A federally financed program to retrain unemployed workers estimated to cost $100,000,000 annually?	45.9	45.0	9.1
9. Purchase by the United States of $100,000,000 of United Nations bonds for financing special U.N. operations for the next 18 months?	39.0	48.7	12.3
10. Appropriation of $460,000,000 for the administration's Federal civil defense shelter incentive program to assist States and communities in building public fallout shelters?	18.2	72.3	9.5

Immigration Questionnaire Helps in Private Legislation

EXTENSION OF REMARKS

OF

HON. JOHN F. SHELLEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 5, 1962

Mr. SHELLEY. Mr. Speaker, I respectfully submit the following sample questionnaire, which I feel may be of value to my colleagues and others having an interest in, or connection with, problems of immigration and naturalization. Because of the heavy volume of immigration cases handled by my office over many years, this form was developed to aid me in determining the merits of private legislation in immigration cases. Consultation with legislative and administrative authorities and by my own experience, in this area, indicates that such a form is of exceptional value. It is my hope, therefore, that my colleagues who share a similar legislative problem in their congressional duties may benefit from a review of this procedure.

The questionnaire is as follows:

QUESTIONNAIRE ON IMMIGRATION CASES

1. Full name_____
2. Other names by which alien may be or have been known_____
3. Present legal residence address_____
4. Country of citizenship_____
5. Names and addresses of husband or wife, and children, if any (state citizenship of each)_____
6. Date and place of last entry into United States_____
7. Means of entry (name of vessel, crossed border, or other)_____
8. Legal status at time of entry (immigrant for permanent residence; returning legal resident; visitor; student; seaman; transit visa; illegal entry; or other)_____
9. Present legal status in United States (state whether in same status as at entry; under orders to depart, either voluntary or order of deportation; whether Immigration Service or State Department proceedings are pending; and nature of proceedings (visa application; application for extension of visa; deportation proceedings; or appeal to Board of Immigration Appeals))_____
10. Where is file located? (Immigration Service, San Francisco or Washington; State Department; American consulate in foreign country; or other)_____
11. File or identification number_____
12. If under orders to depart United States, give departure date_____
13. Name and address of attorney, if any_____
14. Names and addresses of closest relatives in United States (give relationship and citizenship)_____
15. Occupation in United States (name and address of employer, type of work, how long employed)_____
16. Character references (give names and addresses and attach their signed statements)_____
17. Detail any Immigration Service charges (previous criminal record, or any charges of Communist or Nazi affiliations or activity)_____

Alien's signature_____

(If alien is not in United States, sponsor should sign in above space)

A National Lottery

EXTENSION OF REMARKS

OF

HON. PAUL A. FINO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 5, 1962

Mr. FINO. Mr. Speaker, while we in the United States continue to wear blinders and refuse to accept the obvious, most of the civilized countries throughout the world recognize the wisdom of a national lottery.

Most South American nations are not wealthy but find that lotteries are the most productive revenue raisers.

Argentina is a good example of a country utilizing a lottery for the best revenue raising device.

In 1961, the gross receipts of the Argentine national lottery came to over $39 million, an increase of $14 million over the year before. The government's profit was about $17 million which was spent for social programs and public and medical works.

Mr. Speaker, if we open our eyes and establish a national lottery in the United States we could, painlessly and voluntarily, pump into our Government Treasury over $10 billion a year in much needed additional revenue. This tremendous new income to our Government could be used for tax cuts and a reduction of our national debt. Why can we not profit from the financial know-how of our South American friends?

The Positive "No"

EXTENSION OF REMARKS

OF

HON. JOHN H. ROUSSELOT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 5, 1962

Mr. ROUSSELOT. Mr. Speaker, in a Lincoln Day speech delivered on February 13, 1962, in Bolivar, Mo., Representative DURWARD G. HALL made some timely remarks concerning the positive principles of conservatism. Conservatives in Congress are sometimes called "negativists" because they oppose many of the collectivist proposals of the Kennedy administration. This epithet is a misnomer. By opposing many of the collectivist proposals of the President, we conservatives are doing what we can to preserve the principles of individual freedom and private enterprise so eloquently expressed in our Declaration of Independence and Constitution.

I am a Republican, but I am first an American. I believe that collectivism is the antithesis of Americanism; hence, I am compelled to oppose every proposal of the President which would increase the dependence of the individual on the Federal Government.

I ask unanimous consent to have Representative HALL's remarks printed in the CONGRESSIONAL RECORD.

THE POSITIVE NO

I'm a little sick of hearing all the New Frontier talk that the Republican Party is opposed to everything, that it has no positive principles of its own. I'd like to give you my version of the positive no, and what it means to the preservation of our country and our way of life.

Republicans believe in freedom of the individual and so believing they must necessarily oppose everything that would take away that freedom.

Republicans believe in free enterprise. And so believing, they must necessarily oppose everything that would destroy free enterprise in favor of a socialistic form of government that concentrates power and authority in politicians, instead of free individuals.

Republicans believe in the freedom of the marketplace, and so believing they must necessarily oppose everything that would place absolute authority in the hands of the master planners instead of placing it in the hands of millions of consumers who express their wants in the open market.

Republicans believe in self-determination. And so believing, they must necessarily oppose everything that puts us in a compromising position with international communism.

Republicans believe in the rewards that go to freemen whose own initiative and zeal for work creates prosperity for the rest of society. And so believing, they must necessarily oppose Socialist schemes to redistribute the wealth or anything else that takes away individual incentive.

Republicans believe in local responsibility and local authority to meet local needs. And so they must necessarily oppose everything which would sap our reliance on local initiative and transfer responsibility to "the great white father in Washington."

Republicans believe in fiscal responsibility, and so believing, they must necessarily oppose everything which will plunge our Nation deeper and deeper into debt, and place the burden for our own irresponsibility on future generations on your children and mine.

Republicans believe in the American workingman, and so they must necessarily oppose liberal socialistic schemes that attack and weaken the private sector of our economy, which must provide jobs for our working men and women.

In short, Republicans believe in America, and they have little faith in those who have no faith.

Republicans believe that history must not necessarily be repeated, that the fall and decline of previous great civilizations such as Rome and Greece, were due in part to the decline of reliance on the individual. And so believing, they must necessarily oppose those things which will cause Americans to lose faith in themselves and look to Washington for solutions of local problems.

As Republicans and as Americans, we are plain sick and tired of the volumes of messages coming from the White House calling for greater and greater Federal expenditures, for bigger and bigger bureaucracy.

Republicans believe in a strong, dynamic, National Government and so believing they must necessarily oppose everything which will detract from our Federal Government's ability to meet national and international problems by diffusing our energies over a vast multitude of local problems.

The Little-People-To-Little-People Program

EXTENSION OF REMARKS

OF

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 5, 1962

Mr. FASCELL. Mr. Speaker, my esteemed colleague, the gentleman from New Jersey, PETER RODINO, on February 15 spoke to the Congress of a most outstanding example of the spirit that has made this Nation strong.

I refer to his remarks concerning the little-people-to-little-people program and the initiative shown by his 10-year-old son, Peter.

I wish to express my wholehearted approval and support of this program. When our "little people"—such as Peter Rodino—are able to articulate their beliefs and concepts of America in such a clear, concise, understandable manner to their fellow humans, we need never fear that democracy will give way to totalitarian systems of government.

With the effective support of America's adults—and my colleagues here—"out of the mouths of babes" truly can come "the battlecry of freedom."

Destruction—From Within

EXTENSION OF REMARKS

OF

HON. JAMIE L. WHITTEN

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Monday, March 5, 1962

Mr. WHITTEN. Mr. Speaker, I am serving my 21st year in this body and my 19th year on the Committee on Appropriations. I have more service here than either of our Senators and more than any House Member from our State except BILL COLMER. I have heard all the testimony and all evidence concerning our defense that any other Members of Congress, House or Senate, hear. I have been through the heart of Russia, Hungary, and Poland and in various trouble spots of the world.

Truly, Mr. Speaker, we are doing to ourselves what we say we are afraid Russia might do.

On February 22, once again, we heard George Washington's Farewell Address presented to the House. As that message was read, I could not help but think how far we have gone in throwing his advice to the winds.

Entangled in the internal affairs of nations throughout the world, committed to impossible commitments made when we had the atomic bomb and Russia didn't, now we find ourselves so deeply enmeshed that our leaders are unable to approve protection for American lives and property just off our doorstep in Cuba.

We find a Supreme Court unwilling to wait for the Constitution to be amended in the proper way.

Mr. Speaker, it is true that times have changed. But I remind you, human nature has not. George Washington's advice is just as sound today as it was the day he made his Farewell Address. Let me read several passages from that great great document:

It is important likewise, that the habits of thinking in a free country should inspire caution in those intrusted with its administration, to confine themselves within their respective constitutional spheres, avoiding in the exercise of the powers of one department, to encroach upon another. The spirit of encroachment tends to consolidate the powers of all the departments in one, and thus to create, whatever the form of government, a real despotism. A just estimate of that love of power and proneness to abuse it which predominate in the human heart, is sufficient to satisfy us of the truth of this position. The necessity of reciprocal checks in the exercise of political power, by dividing and distributing it into different depositories, and constituting each the guardian of the public weal against invasion of the others, has been evinced by experiments ancient and modern; some of them in our country and under our own eyes—To preserve them must be as necessary as to institute them. If in the opinion of the people, the distribution or modification of the constitutional powers be in any particular wrong, let it be corrected by an amendment in the way which the Constitution designates. But let there be no change by usurpation, for though this, in one instance, may be the instrument of good, it is the customary weapon by which free governments are destroyed. The precedent must always greatly overbalance in permanent evil, any partial or transient benefit which the use can at any time yield.

Mr. Speaker, under leave to extend my remarks I include excerpts from an address I made on Jefferson Davis' birthday. I hope these views will have the serious study of the entire membership and of the country:

ADDRESS OF CONGRESSMAN JAMIE L. WHITTEN, DEMOCRAT, OF MISSISSIPPI, ON THE OCCASION OF JEFFERSON DAVIS' BIRTHDAY

Members of the United Daughters of the Confederacy, ladies and gentlemen, it is a distinct honor to speak to you and to people of the United States here today on the occasion of Jefferson Davis' birthday. It has been my privilege to speak to you on similar occasions a number of times. I recall with particular pleasure General Howell, of Bristol, Va., who was with us when I first spoke here on June 3, 1946.

At that time he was 104 years of age, full of vim and vigor and fully convinced that when the people of any section of the United States used force of arms to require conformity upon people of another section it was destruction at its worst. Unfortunately, in the years since, he and all veterans of the Civil War have passed on to their reward. Today, however, we are indeed honored to have with us the grandson of General Pickett, who contributed so much to the southern cause. We express to him our sincere congratulations on his rich heritage.

Jefferson Davis was born June 3, 1808, a man destined to lead a lost cause with courage and honor. Long before the outbreak of the Civil War, however, Jeff Davis had served his country well as a U.S. Representative, as Senator, and as Secretary of War. With all his ties to the Union, when the States of the South called him to support their cause, to protect the right of local self-government, he did not hesitate. His service as President of the Confederacy during the tragic war was such as to make us all proud.

Jefferson Davis possessed the highest principles of integrity, honor, and duty. He faced his problems with determination and energy.

THE CIVIL WAR OR THE WAR BETWEEN THE STATES

One hundred years ago, in 1861, the Civil War, or War Between the States, began. This centennial year is being marked by ceremonies, memorials, holidays, and reenactments throughout the South, which except for commemorating the valor of our forefathers I personally believe could well be used to point out how very similar our situation today is to that tragic situation of 100 years ago. Present conditions are so similar we should pause to remember that heartbreaking conflict, which pitted brother against brother and father against son.

As we look back upon those troubled times we can see that sound leaders of both sides deplored any effort to settle the issue by armed conflict. Unfortunately, the radicals of that day prevented a peaceful solution. Then, as now, they were not satisfied to run their own local affairs, but insisted that all other sections conform to their pattern. A terrible war resulted.

The terrible days of reconstruction were very similar to those we see in the Congo now, where all experienced leadership has been forced out, just as happened in the South.

Instead of forcing integration upon the Southern States, truly it would be well for the rest of the country to learn from the States of the South that the way for peace and harmony is to provide for separate but equal facilities and protect each race in the enjoyment of its own way of life.

THE SUPREME COURT

We have a Supreme Court from whose decisions there is no appeal, which has taken unto itself the right to change the Constitution without constitutional amendment. In effect, the Court has said that even though, for the moment, certain statutes are constitutional, it reserves the right to declare them unconstitutional at a later time, unless they are carried out as the Court desires.

In the history of the world, those governments have stood which had something solid around which the tides of public opinion could ebb and flow. In our country it was the Constitution, the interpretations of which had become a part of it, had made it fixed and stable, a steadfast rock, around which statutes could be passed and decisions rendered. But when the Court sets aside all prior decisions as to what the Constitution meant, decisions on which the States of the South had relied, it means that from week to week you don't know what the law is. A short time ago, we saw France call General De Gaulle back into power, to a position approaching dictatorship. Why? Because the French constitution was being subjected to the day-to-day whims of the legislative body, which meant that the nation had no stability in law.

What does the Supreme Court's recent line of decisions mean? My friends, by way of homely illustration, the accuracy and soundness of the description of the land on which this Capitol is placed depends on the permanency of the marker from which the first survey started. The Supreme Court has moved the constitutional marker from its place. As a result everything which was tied to such post or marker has lost its meaning; and, further, the Court has reserved the right to keep wiggling such marker around to serve the whims of a majority of its members.

OUR GOVERNMENT'S TACTICS

You may well ask why the Supreme Court took such action. My friends, I have many reasons and much evidence to support the belief that the threat of a Russian victory was used to bring about the unanimous decision by the Supreme Court in the Brown integration case. It was probably argued that if we don't bring about integration with the colored people in the United States, we will lose the contest with Russia throughout the world; and if we don't do this, Russia will eventually conquer the world. It was said by the press, "If Russia takes over here, the first thing they will do is set up a dictatorship. If Russia takes over," they charged, "they will do away with the right to trial by jury." "Yes," they said, "if we do not integrate, Russia will force on us a system similar to Hitler's in Germany or Stalin's in Russia."

What did they do in Germany and Russia? What was the source of their absolute control of those nations? Why, they had the courts issue decrees, then they used troops and government officers to enforce the decrees.

Haven't we done that here? We have seen the Supreme Court, unwilling to wait for constitutional amendment in the regular process, change the Constitution. We have seen the President send troops and Federal officials to enforce such decrees. Our Government did, itself, what we feared Russia might do.

We are told we have to integrate all the races of the United States or we can't hold the friendship of the people of India, China, Japan, Africa, and all the rest. If that be true, why have China and Japan been at "daggers point" throughout history? Talk about India—in spite of what you read, we know in many areas people of the same color cannot even touch each other.

No, the agitation is right here at home. People are using the threat of Russia here in the United States to accomplish their personal desires and actually to impose the Russian system of required conformity upon us. My friends, if this were the real "McCoy," if the proponents of this destruction of our American way of life and the pride in our race were sincere, they would look at certain nations around us and wonder why those countries with the same great natural resources as we have, nevertheless, have such a low economic level. They would wonder why elections in those countries are often determined by violent revolutions. If John Marshall had held the same views as the present Chief Justice, and if Thomas Jefferson had been of the same opinion as our recent President, and had brought about integration in their day, perhaps by this time we would be on the same low economic level as some of our neighbors for whom Congress has provided hundreds of millions of dollars—without even a plan—all in the hope it might help our cause.

My friends, history clearly shows an individual must have pride or he makes no real progress. A family must have pride or it goes down the scale. So it is with countries. So it is with race. Any race, whatever it may be, which feels it must be intermixed with another acknowledges its own lack. Such a race will not serve itself well, nor that with which it wishes to intermix.

Don't believe my statement simply because I say it. Read history. It is replete with proof. In all history there is no exception.

Integration, where it has taken place, has only led to great turmoil. We all know that if you go into some sections of New York City at night you take your life in your hands; and you may be in danger there in the daytime. You can't go to certain areas of Chicago without danger to life and limb. The same is true of most of our major cities. Rape, murder, and robbery are commonplace in some areas of Washington.

THE FREEDOM BUSTERS

In recent weeks we have seen agitators deliberately go into areas of the South for the admitted purpose of violating laws of the States which have never been held to be beyond the power of such States, but rather have been held to be within the power; and then we have seen the Federal Government move its force in to protect such individuals in their avowed purpose of testing existing laws.

What if it were the law against murder they wished to test, or rape, or treason? Is there one rule in the Federal Government for laws the executive or the judiciary likes and another for the laws they don't like?

These so-called freedom riders, who might better be called freedom busters, could do what they wish in their own areas. They are out really to bust the laws which others have found best for themselves. Here we find them, with the support of Federal officers, attempting to force their views on people, black and white, who have different views and, therefore, different rules and laws for getting along peaceably and with mutual respect—and they do it on the basis of fighting intolerance. Could anything be more intolerant than to push their views on others?

Ladies and gentlemen, there are those who say if integration were forced into public places, the present controversy would end. Of course, it would not. Each step leads to the next one. Don't the people know that if every family were integrated, if every family were amalgamated, then there would be still a distinction based upon shades of color, upon purity of race. If you want proof, merely look at those countries where the white and black races have amalgamated.

My friends, power breeds desire for power. No dictator ever stopped short of taking it all. This concentration of supreme power in our Supreme Court, backed by the Executive, will not stop with school and public facility integration, nor with race. Once seized, this power will be used to control industry, to control agriculture; yes, and eventually even labor.

In Russia everyone is supposed to own everything. However, for all practical purposes everything may as well belong to the Communist leaders, who control according to their own desires. In our country, if the present trend continues, it won't simply be the Chief Justice, the President, or even the Attorney General who issues orders, it will be every little Tom, Dick, and Harry who speaks in the big chief's name. So it has been in history and so it will continue to be, for the basic traits of human nature do not change.

OUR FOREIGN POLICY SHOWS THE SAME WEAKNESS

I was at the opening session of the United Nations last fall. I saw Khrushchev as he virtually ran the length of the floor to embrace Castro, though they had been together all morning. Yes, and I saw the representatives of Africa, the African Congo, each with a vote, though many of them represented virtually only a small tribe, recognized and seated there at our instance, another group for whose vote we must bid, not once and for all but on every issue as it arises.

Today, a hundred years after the Civil War, the United States has moved into almost every country which would let us in. We have granted funds and goods to foreign governments, which in turn sold such goods to their own people for what the traffic would bear. We extended this foreign aid primarily on the promise, but many times merely in the hope, that incumbent governments would support our wishes. Through this means we have made a few persons rich here and abroad. In many of these nations we have forced them to take on our ways, to the point many countries are virtually defenseless, both from revolution within or from enemy attack from without.

In many of these nations we have lined ourselves up with the 3 or 4 percent which have almost all the wealth, and left ripe for the picking by Russia the other 96 or 97 percent. Not only does our Government seem unwilling to permit the people of any State of the United States to run their local affairs as suits them, but it has spent more than $60 billion in foreign countries, largely in an effort to keep "our crowd" in, whether the people of the area want that particular "crowd" or not.

In view of these foreign entanglements I flinch each year when Washington's Farewell Address, warning of the dangers of foreign entanglements, is read in the House of Representatives. I feel it is almost sacrilege.

My friends, my speech here today is not meant to be an attack upon any individual nor upon any political party. Both parties and many leaders have contributed to our situation, including some in our own Southland who have put economic gain ahead of

principle, comfortable position ahead of sound action.

We wish for our President the greatest success, not only on his present trip but throughout his tenure of office, for as he goes so goes the country. We are all in this boat. We had hoped, however, for a reassessment of all these matters which I have mentioned to you and, therefore, have been disappointed to see the request for more forced integration, not less, for more foreign aid, not less.

COURAGE IS REQUIRED TODAY

We do well to honor that great American, Jefferson Davis; we do well to remember the character and courage shown by him and the hundreds of thousands who stood by him 100 years ago today. I pray we may have the same courage today, not merely to save the South, but the Nation.

In this centennial year of the beginning of the Civil War, the American people would do well to review and recognize the great similarity between conditions which prevailed on June 3, 1861, and those which prevail today, June 3, 1961. They are so similar as to be frightening. Sometimes we, too, wish we could resolve the issue in some simple, clear-cut way. Such a course is not possible. Any solution will require helpful understanding on the part of many people. We must do our part.

Not since the Civil War have our people faced a more trying time. Our problems today call for the best within us. The attack on the Constitution and on our way of life is insidious. It comes under the guise of government. It is offered with an appeal to the natural tendency of Americans to be law abiding. It appeals to religion, is presented in the name of world peace, but creates strife, dissension and disturbance. It is said to be necessary to protect the rights of individuals, but is itself based on usurpation of power. We are told it is necessary in order to maintain our form of government; yet its starting point is the destruction by judicial decree of the rights of the States, of the Congress, and of the people. Yes, it begins with destruction of the Constitution itself. It can only lead to complete ruin.

History books are written one way for use in the Southern States, another way for the other States. However, one fact is inescapable. Might, for all practical purposes, has the same effect as if it were right.

It has taken us a hundred years to see just how far such a situation can go—today it is the Supreme Court and the executive department which take the place of the Union troops of a 100 years ago. Once again we see what might can do.

WE MUST CHANGE OUR COURSE

I sincerely hope that our Supreme Court, our President, and those who would control our newspapers, our radio and our television, will recognize, before it is too late, what the present course leads to. It was not merely the South which lost the Civil War, it was the Nation. It has taken a hundred years for us to fully see that might, when taken to be right, can destroy a Nation.

We must review our domestic and foreign policy and reverse our course. We must realize that any nation such as ours must permit local differences, reflected in local self-government.

We must realize that the people of other nations are not going to give up their right to change their government as they see fit. We must realize that friendship purchased with cash will fail when the cash is gone—not only that, but we must realize that in most countries those now out of control will, in the course of events, get into control; and then, the United States will be the subject of the greatest hatred. Thus it is that we are in such a precarious situation throughout much of the world.

In conclusion, may I say, we must permit local self-government in our own Nation to reflect local views and meet local needs. We must return to a foreign policy which permits the peoples of other nations to run their own affairs. If we don't approve such a course in foreign fields, the peoples of foreign countries are going to do it anyway, and we will continue to be the loser. If we do not return to such a commonsense course in our own Nation, dictatorship will be followed by dictatorship, and all we hold dear will be gone, for no dictator can force the American people into a common denominator, Russian style, each of an exact shade of brown, each conforming to the dictates of an all-powerful Federal Government. Our people are too independent for that. We must allow for differences. If not, differences will destroy us.

Bulgarian Liberation Day

EXTENSION OF REMARKS

OF

HON. WILLIAM FITTS RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 5, 1962

Mr. RYAN of New York. Mr. Speaker, March 3 was a historic day for Bulgaria. As we know, the 19th century saw the rebirth of many once free but long oppressed nationalities in Europe, particularly in the Balkan Peninsula. In the course of that century nearly all oppressed peoples in that troubled peninsula cast off the Ottoman yoke, asserted their freedom, and proclaimed their independence. The Bulgarian people did this in 1878, and this fact was proclaimed in an international treaty signed March 3 of that year.

Bulgarians had a grand and glorious history in the Middle Ages. For centuries theirs was the most powerful kingdom in the Balkans. But they could not resist the Ottoman Turks. As these newcomers advanced into the Balkans in the late 14th century, they overran the whole region. They conquered Bulgaria and made it a province of the Ottoman Empire. For 400 years they held sway over Bulgaria.

Throughout that time indomitable Bulgarians, who had not known foreign rule over them and who had up to then successfully repelled all attacks upon their free way of life, fought back their oppressors. Almost all the time their leaders were fomenting trouble for Ottoman rule, organizing rebellions and advocating revolutions. In all this Bulgarians were true to themselves; they simply refused to be reconciled with their lot, and wanted to free themselves. But the Turks, whenever there was any disturbance, punished the innocent masses with massacres. This went on for decades. Finally in the 1870's Bulgarians again rebelled against their overlords, and again the Turks meant to put an end to the recurrence of such uprisings by killing more Bulgarians. By this barbaric act the Turks went too far, and sympathizers for the Bulgarian cause were alarmed, though they could not agree among themselves as to the method of helping the Bulgarians. Then the czar of Russia declared war against the Turks, went to the aid of the harassed Bulgarians, and when the war came to an end early in 1878 Bulgaria attained its freedom. Her freedom was recognized in an international agreement on March 3, and that day has become a Bulgarian national holiday.

For 84 years Bulgarians have been freed from the Ottoman yoke, but it would be incorrect to say that since then they have enjoyed freedom and independence. Certainly they have not been masters of their own fate for the last two decades. Since then they have been suffering under the relentless tyranny of Communist totalitarianism. They are imprisoned in their historic homeland and denied freedom. At the time of the 84th anniversary of their Liberation Day, let us hope that they attain their dearly cherished and richly merited goal, freedom and liberty.

The Tractor Driver Case

EXTENSION OF REMARKS

OF

HON. JAMIE L. WHITTEN

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Monday, March 5, 1962

Mr. WHITTEN. Mr. Speaker, on Thursday, January 4, 1962, the U.S. Department of Labor issued news release No. 4967, in which Secretary Goldberg announced that $400,000 in Federal funds would be made available by the Department of Labor and the Department of Health, Education, and Welfare for training tractor drivers; that they would receive $24 per week and would have 160 hours detailed study in the classroom, and so forth, a copy of the order being included hereafter in my extension of remarks.

On January 4, I discussed this program with a representative of the Memphis, Tenn., Commercial Appeal, which has a wide circulation in all north Mississippi. The January 5, 1962, issue carried the following news story:

DELTA WILL GET TRAINING FUNDS: FEDERAL PROGRAM TO SPEND $435,000 FOR TEACHING TRACTOR DRIVERS

(By Morris Cunningham)

WASHINGTON, January 4.—A Federal area redevelopment program aimed at training 1,200 tractor drivers in 16 Mississippi Delta counties was announced Thursday.

Representative FRANK E. SMITH (Democrat, of Mississippi) hailed the new program but Representative JAMIE L. WHITTEN (Democrat, of Mississippi) expressed some misgivings.

A total of $435,000 in Federal funds will be allocated to 20 schools in the 16 counties to provide subsistence payments and 8 weeks of classroom and practical instruction and experience to the trainees.

BIG STEP FORWARD

Mr. SMITH called the project "a major step forward in meeting the goals of our agricultural leaders in improving the available supply of farm labor."

He said "this is a specific type of vocational training needed to improve the efficiency of agriculture in the Mississippi Delta."

Taking a different view, Mr. WHITTEN said, "I realize good tractor drivers or handlers of equipment will be an asset to much of Mississippi, including a part of my own district.

"I hope this does not mean, however, that this is the entering wedge into Labor Department supervision of wage rates and hours in agriculture which could upset the local economy. Anyone who checks the advisers to the Department in this area would wonder as to the wisdom of spending approximately $500,000 for this purpose."

Subsequently a number of people have taken issue with my stand. The New York Times quoted from a number of them in its issue of February 4, 1962, copy of that article being attached hereto.

Mr. Speaker, in addition to the cost to the Federal Government of almost a half million dollars, I believed this program might well lead to many undesirable results.

In all my public service I truly believe I have spoken my piece and made it clear where I stood. Seldom, if ever, have my motives or sincerity been questioned. For that I am thankful.

First elected to public office when 21 years of age, I have served continuously since, first as a member of the Mississippi Legislature, then as district attorney of the 17th District of Mississippi and now I am serving my 21st year in Congress. My only platform from the beginning has been to give to the job my very best.

At the beginning of the next session, less than 40 Members out of 435 will have had more continuous service in the U.S. House of Representatives than I. I am serving my 19th year on the Appropriations Committee, where I am chairman of the Agricultural Appropriations Subcommittee. I also serve on the Appropriations Subcommittees on National Defense and Public Works.

THE NEW YORK TIMES

The story in the Commercial Appeal of January 5, 1962, expresses my views with regard to a tractor driver training program which was set up for the Mississippi Delta. I am sorry that the article appearing in the New York Times of February 4, under a Greenville, Miss., dateline, questions my position when I raised serious doubts about the advisability of spending $435,000 for this program and expressed the fear that approval by Secretary of Labor Goldberg of such a program for agricultural workers might lead to bringing them under control of the Department of Labor, by the wage and hour law, and under the control of a few labor leaders.

Since then, according to the National Advisory Committee on Farm Labor Information Letter No. 18, from which I quote:

A much smaller ARA project has been inaugurated in New Jersey. There, 25 farmworkers are taking a 16-week course in the operation, maintenance, and repair of farm equipment. The New Jersey average regular wage in 1961 was $1.16. With the new skills trainees hope to find jobs in south Jersey paying about $2.50 per hour. Trainees spend about 4 hours a day in class and are paid weekly subsistence payments based on State unemployment payments.

I repeat, if I had thought the program to be to our best interest, as well as that of the Nation, I would have said so. However, I have traveled through Russia, Hungary, and Poland. I know that much of the time the chief means Communist leaders have used to dominate the people has been by control of the supply of food. I am strongly opposed to anything which might possibly lead to such a situation here. No doubt many will say it could not happen here. How about the Supreme Court, the right to jury trial, use of troops, and so forth?

AGRICULTURE

I have always supported agriculture, for I believe it basic to the welfare of all Americans. I am privileged to hold a national position as a member of the Appropriations Committee and as chairman of the Agricultural Appropriations Subcommittee. The annual farm appropriation bill, providing funds for rural electrification, soil conservation, extension, price supports, and all the rest has been initiated by my committee and passed in my name. Our committee, at my instance, set up the watershed and flood prevention pilot plants, which resulted in Public Law 566, which means so much to De Soto, Marshall, Panola, Yalobusha, Tate, Lafayette, Carroll, Benton, Montgomery, Union, Tippah, and practically all the rest of the counties in Mississippi.

It has been my pleasure, as the only member of the Appropriations Committee of the House of Representatives from Mississippi to help meet many problems. The Boll Weevil Laboratory and Poultry Laboratory at Mississippi State University, the Cotton Ginning Laboratory at Stoneville, and research at Clemson, N.C., and Lubbock, Tex., as well as the Forestry Research and Soils Sedimentation Laboratory at Oxford, have all been initiated by the bill of which I was the author. My membership on the Appropriations Subcommittee for Defense brought the Naval ROTC unit to "Ole Miss."

Mr. Speaker, our U.S. Senators are qualified to and do look after the diverse interests of the various groups and sections of our State. This is also true of Members of the U.S. House of Representatives. Each of us in the House is called on by the entire State in the area of our committee jurisdiction. My own assignment, as I said, is on the Appropriations Committee, where all programs must eventually be resolved.

FLOOD CONTROL

Before I came to Congress four reservoirs—one project—had been authorized and two reservoirs—Arkabutla and Sardis—had been built in my present district, taking water off the delta, including my own home county of Tallahatchie. When lands were taken for the construction of these reservoirs, landowners had been given no right to jury trial; no provision was made for recreation, and little attention was given to the tax loss to the counties affected. Releases were obtained by the Government for road damage and crossings destroyed, frequently with only very small payments made. Feeling was bitter.

When I came to Congress late in 1941, Grenada and Enid Reservoirs, the other two units provided by law, had not been built. After years of effort, by the use of my position on the Appropriations Committee, I got the Congress to provide for the right of jury trial as to the value of lands to be taken, and also for payment back to the counties of De Soto, Tate, Panola, Yalobusha, Lafayette, Marshall, Grenada, and Calhoun—which were above the dam and adversely affected—of 75 percent of land rentals for roads and schools. A total of $998,000 has been paid back to these counties, and the annual payment runs about $107,000 per year.

We persuaded the Corps of Engineers to include recreation facilities in the initial plans for the construction of these two reservoirs; and we insisted upon and got a high level crossing at Graysport as a part of the project, something so sadly lacking in connection with the reservoirs built before I began my service here. In these efforts, Senator EASTLAND fully cooperated and steered such measures through the Senate. This was before Senator STENNIS was elected to the Congress.

COOPERATION TODAY

Mr. Speaker, where there was bitterness and conflict before, today there is a greatly improved relationship with recreation and land rental returns offsetting tax and economic loss above the dams and the benefits of flood control going to the other. Unfortunately, a cash settlement was made by the Government, a release obtained, and no crossing provided in the plans for a crossing at Harmontown; but this I hope we can remedy.

Today we find watershed protection and flood prevention in the hill section merged with flood control; and under a provision of which I was the author, "where the Corps of Engineers 'lays down its shovel,' the jurisdiction and responsibility of the Soil Conservation Service begin."

Other facts which will surprise many people is the fact that the flood control projects below these reservoirs were all authorized before 1950, during the time Mr. Whittington, whom all will remember, was Congressman, and since then it has been our Committee on Appropriations which has initiated all new starts and funds for construction in addition to providing funds for watershed protection and flood prevention, all of which is shown by the records.

HEADQUARTERS,
DEPARTMENT OF THE ARMY,
OFFICE OF THE CHIEF OF ENGINEERS,
Washington, D.C., February 21, 1962.

Hon. JAMIE L. WHITTEN,
House of Representatives.

DEAR MR. WHITTEN: As per your request, I am pleased to furnish you five copies of the pamphlet entitled "Water Resources Development by the U.S. Army Corps of Engineers in Mississippi" with pertinent data on features of the Yazoo Basin project attached to the map.

The pertinent data attached to the map are as follows:

YAZOO BASIN, MISS.

Four headwater reservoirs authorized by the 1936 Flood Control Act as amended by the 1937 and 1941 Flood Control Acts.

Arkabutla Reservoir: total estimated cost, $12,820,000; completed June 1943.

Sardis Reservoir: total estimated cost, $11,960,000; completed October 1940.

Enid Reservoir: total estimated cost, $15,360,000; completed December 1951.

Grenada Reservoir: total estimated cost, $31,570,000; completed December 1953.

Local protection works authorized by the 1936 Flood Control Act as amended by the 1937 and 1941 Flood Control Acts.

Greenwood: total estimated cost, $5,140,000; appropriated to date, $2,623,000; description, 28 miles of levees and floodwalls with related drainage structures.

Belzoni: total estimated cost, $317,000; completed November 1959.

Yazoo City: total estimated cost, $2,210,000; completed in 1957.

Main stem: authorization, 1936 Flood Control Act as amended by the 1937 and 1941 Flood Control Acts. Total estimated cost, $21,800,000; appropriated to date, $9,768,000; description, 266 miles of levees and 272 miles of channel clearing with 44 channel cutoffs and related drainage structures.

Tributaries: authorization, 1946 Flood Control Act. Total estimated cost, $28,600,000; appropriated to date, $6,542,000; description, 360 miles of channel clearing with 126 miles of levees and related drainage structures including McKinney Bayou pumping plant.

Upper auxiliary channel: authorization, 1936 Flood Control Act as amended by the 1937 and 1941 Flood Control Acts. Total estimated cost, $14,253,000; appropriated to date, $27,000; description, 48 miles of new channel with levees.

Lower auxiliary channel: authorization, 1936 Flood Control Act as amended by the 1937 and 1941 Flood Control Acts. Total estimated cost: $10,930,000; completed January 1962.

Yazoo backwater: authorization, 1941 Flood Control Act as amended by the 1944 Flood Control Act. Total estimated cost, $32,600,000; appropriated to date, $1,152,000; description, 98 miles of levees and 26 miles of channel clearing with related drainage structures.

Big Sunflower River, etc.: authorization, 1944 Flood Control Act as amended by the 1946 Flood Control Act. Total estimated cost, $9,440,000; appropriated to date, $6,768,000; description, 619 miles of channel clearing on Big Sunflower River and Steele Bayou and their tributaries.

I trust that the enclosed data will serve your present needs.

Sincerely yours,

WILLIAM F. CASSIDY,
Major General, U.S. Army,
Director of Civil Works.

If there are any who doubt my deep interest in putting the protection of our own country first, I need only to point to the RECORD, where it was my motion which overrode President Eisenhower's veto of the public works appropriation bill of 1959, saving the Greenville Harbor project, the Pascagoula Harbor project, and about 60 others—CONGRESSIONAL RECORD, volume 105, part 14, pages 18597–18604. For this action I received much commendation.

[From Missouri Delta Farmer, Portageville, Mo., September 1959]

VETO BARRIER BROKEN

By a vote of 280 to 121 in the House of Representatives, and 72 to 23 in the Senate, the Congress overrode the President's veto of the public works appropriation bill. The action was a precedent breaker in two respects. It marked the first defeat of a veto during President Eisenhower's tenure and it was the first vetoed bill in the history of the Congress ever reported back to the House still carrying in full the material objected to in the veto message. All former vetoed bills have either been reported back to the House and passed without the interdicted matter or have not been reported back at all.

Congressman JAMIE L. WHITTEN of Mississippi (members of Missouri Cotton Producers Association will recall that he addressed our annual meeting at Kennett in 1958) offered the bill which passed over the Eisenhower veto. The entire Nation is indebted to Congressman WHITTEN for this action involved the retention of the right of the Congress to initiate needed public projects, a right which has proven so necessary in the preservation of our national strength and freedom.

Thanks, Congressman WHITTEN.

COMPETITIVE SALES FOR COTTON

Mr. Speaker, in 1955 when American cotton was being held off world markets and American acreage was being moved overseas, I used my position as chairman to break the line; and 32 million bales of cotton have been sold in world trade since.

STAPLE COTTON COOPERATIVE ASSN.,
Greenwood, Miss., July 12, 1955

Hon. JAMIE L. WHITTEN,
House Office Building,
Washington, D.C.

DEAR JAMIE: The transcript you sent me of the CONGRESSIONAL RECORD is most interesting. I personally think you have done the grandest job we have ever had any Congressman do for our section. I want you to know we are not only proud of you, but we are grateful to you for all that you have done and are doing for us.

You come nearer being right in your programs and what you propose than anyone I know. I sincerely hope that the program you are sponsoring will, in a large measure, be adopted. In fact, it must eventually be adopted. One cannot sell any commodity without making the price competitive.

I thought of you many times while I was in the Far East, and I want you to know I am one person who really appreciates your efforts.

Cordially yours,

W. M. GARRARD,
General Manager.

When the Department of Agriculture cut American cotton acreage 30 percent in 1 year, putting thousands of farm people out of business, I prepared a bill supporting the farmer's share of the domestic market at full parity and allowing the American farmers to recapture the tremendous world market they formerly held. The Department relented and we are back in business.

Mr. Speaker, I have opposed foreign aid and the Peace Corps. I actively opposed stacking the Rules Committee; and may I repeat, I do oppose having the Secretary of Labor get into the domestic agricultural labor field in any way, because I am afraid of where such a program would lead.

With this record, Mr. Speaker, I believe all will know I sincerely believe the tractor training deal would have been detrimental to the people of Mississippi and of the Nation, the 183 million American consumers who could be brought to their knees if food production were to ever get into the hands of a few persons.

I am conservative because I believe I am right. Times have changed, but human nature has not.

[From The New York Times, Feb 4, 1962]

MISSISSIPPI KILLS FARM PILOT PLAN: FACTIONS AND FEAR BAN MOVE TO TEACH NEW SKILLS

(By Claude Sitton)

GREENVILLE, MISS., February 3.—Factional politics and fear of Federal control have killed a pilot program to ease the southern farmer's transition from the mule to the machine.

The program, which would have provided training for farm equipment operators, was scheduled to begin on Thursday here in the Yazoo-Mississippi Delta.

Labor Department officials have ranked the project as the largest of its kind under the Area Redevelopment Act of 1961. They had expressed hope that it would set the pattern for similar undertakings in other Southern States.

But opposition from a powerful group of planters led by officials of the Farm Bureau Federation recently forced local advocates of the project to retreat, and there appeared to be no chance that it would be revived.

TWO FACTORS ARE SEEN

Persons on both sides of the issue were interviewed this week in a swing through the delta. Generally, they attributed the project's defeat to two factors.

The first stems from the likelihood that congressional redistricting will force Representatives FRANK E. SMITH and JAMIE WHITTEN into a Democratic primary battle this year.

Mr. SMITH issued the first announcement of the training program and gave it his endorsement. Mr. WHITTEN then declared his opposition. It thus became a political issue and a number of the strongest critics are WHITTEN partisans.

The second major factor is the widely expressed concern that the program might lead to a Federal minimum wage for agricultural workers in this area and to unionization. Those holding this view were vague in their explanations of how this would result.

The controversy also has racial overtones, and this seemingly accounted in large measure for the ease with which the plan's opponents obtained its rejection. One opposition leader said his supporters felt that the trainees, probably 80 percent of whom would have been Negroes, might attend integrated classes.

There was general agreement here and in Washington on the need for upgrading workers' skills.

Farming in this moist basin of sandy loam and buckshot clay is an industrial venture engaged in largely by corporations. The stockholders may be local farmers or absentee investors.

Considerable capital is required. Many plantations have 1,000 acres under cultivation. Good land, when it is available, brings $200 an acre.

Thousands of dollars are tied up in farming equipment. It is not uncommon for a plantation to have 20 or more tractors worth about $6,000 each. Elevating scrapers for drainage work run about $19,000, and a two-row cottonpicker sells for $20,000. Thousands more go into modern fertilizers, insecticides, and improved seed strains.

WAGES AT $8 A DAY

The prevailing wage for tractor drivers and other equipment operators, according to a number of planters, is about $8 a day. The traditional Christmas bonus raises this figure to approximately $10 a day. One farmer said his drivers averaged 200 workdays a year.

Farmhands also receive free housing, which is of relatively good quality on the larger plantations.

Because of his investment, the planter can ill afford poorly trained operators, who might

turn over a tractor or wreck a cottonpicker at the height of the season.

In discussing the proposed training program, Labor Secretary Arthur Goldberg noted that only half of the 40,000 drivers in the 16-county area had adequate training. The estimate was obtained from the Mississippi Employment Security Division.

He added that more than half the 50,000 rural males in the area between the ages of 20 and 49 were either unemployed or underemployed. Nevertheless, there is a shortage of equipment operators.

About 3,000 workers were expected to apply for training and an initial group of 1,200 was to be selected for 8 weeks of instruction in the classroom and the field.

The executive board of the Delta Council, an organization of planters and others dedicated to promoting economic and social development, drew up the plan. It was patterned after a smaller State program that had been in operation since 1953.

STATE UNITS BACKED PLAN

The plan was approved by the State's agricultural and industrial board, its employment security commission and its department of education. The vocational agriculture division of the latter department was to administer it.

When Labor Department officials in Washington received the plan last December, they were enthusiastic. One later described the project as a real glittering breakthrough in area redevelopment.

Secretary Goldberg approved a labor grant of $230,000 to finance the program, and the Department of Health, Education, and Welfare agreed to provide an additional $205,000.

Representative SMITH, whose district covers most of the delta, announced Federal approval of the plan January 4. He called it a major step forward in meeting the goals of our agricultural leaders in improving the available supply of farm labor.

Mr. WHITTEN, who represents some delta counties, was critical. "I hope this does not mean that this is the entering wedge into Labor Department supervision of wage rates and hours in agriculture, which could upset the local economy," he was quoted as having said.

Oscar C. Carr, Jr., president of the Delta Council, hailed the action and asserted that "this is not a giveaway or welfare program. Trainees who do not make satisfactory progress will be dropped," he said. "Training will be aimed at developing skills in the actual operation of farm machinery and preventive maintenance."

PLANTER OPPOSITION BUILDS UP

But a storm of opposition was building up among the planters, particularly those in Mr. WHITTEN's district and many of those belonging to the Farm Bureau Federation. That national organization of big farmers has opposed area redevelopment.

H. H. Huddleston, of Lamont, vice president of the bureau's delta district, recalled this week that his telephone had rung incessantly with calls of protests following announcement of the program.

He and other Farm Bureau leaders organized a meeting of 83 farmers from 17 counties at Cleveland, Miss., on January 8. Mr. Huddleston described the proceedings as very spirited and said "some of the strongest criticism of the plan came from WHITTEN's district."

The planter, who said he was speaking as an individual, noted that Mr. WHITTEN was a conservative with considerable seniority while Mr. SMITH was something of a freshman in Congress, a rather close friend of the President and a strong party line man.

The chief issue, according to Mr. Huddleston, was the belief that the progress might be "a preliminary to Federal takeover and control." He said it had never been made clear what the trainee's certificate would mean.

"Would that mean he was entitled to an 8-hour day?" asked Mr. Huddleston. "Would that mean a minimum wage? Would that mean minimum housing standards?"

It was observed that the training plan would have paralleled the one in existence. "When that program was inaugurated," Mr. Huddleston replied, "we didn't have the Warren court up there."

After a second reference to the "Warren court," he was asked if the racial issue were involved. "Absolutely," answered Mr. Huddleston. "Don't you think that (desegregation) is the next step?" He then asserted:

"We're in support of the idea to train tractor drivers and machine operators. But we are opposed to the acceptance of Federal grants, particularly from the Department of Labor. We can finance it ourselves if necessary."

A further objection expressed by Mr. Huddleston was that he and most other planters had not been consulted while the program was being planned. He noted that he was a member of the Delta Council's agricultural committee.

Another opponent, Whitney Smith of Webb, said "we didn't think that it would be right because of the type of people we would get" in the training course. The planter said he also disapproved of the fact that the State Employment Security Division would screen applicants.

As a result of the opposition, B. F. Smith, executive vice president of the Delta Council, announced on January 10 that the organization was reconsidering the program. In a letter dated January 15 to council members, President Carr said in part:

"Because of concern with regard to possible Federal controls and other implications of the program as voiced at a meeting in Cleveland the Delta Council executive committee does not feel that it would be in the best interest of the area for the proposed farm machinery training to be initiated at this time.

FEEL PLANTER MISUNDERSTOOD

A number of persons said the plan would have been difficult to defeat had the planters understood it clearly.

"I am not in favor of unionization of farm labor or the placing of farm labor under minimum wage laws, but I think possibly that the program itself has been misconstrued," declared Hal DeCell, editor of the Deer Creek Pilot, a weekly newspaper at Rolling Fork.

One of the State's most prominent delta planters, James Hand, Jr. of Rolling Fork, said he still favored the program. He is chairman of the board of directors of the Delta Implement Co. and a former president of the Delta Council.

"If we can train the worker to be more productive, we can pay him more," said Mr. Hand. "I think that where the program is wanted it ought to be available."

TWELVE HUNDRED TRACTOR OPERATORS TO BE TRAINED IN MISSISSIPPI

Twelve hundred farm tractor operators will be trained in the 16-county region of the Yazoo Delta of Mississippi under a plan approved today by Secretary of Labor Arthur J. Goldberg.

In what is the most comprehensive training program approved to date under the Area Redevelopment Act, more than $400,000 in Federal funds will be made available by the Department of Labor and the Department of Health, Education, and Welfare to launch the program on February 1.

Secretary Goldberg said the trainees will be split up into groups of 20, each undergoing an 8-week course with subsistence payments to the trainees based on the average weekly unemployment compensation payments in Mississippi, currently set at $24 a week.

The Secretary said the Mississippi Employment Service estimates that over half of the 50,000 rural males between the ages of 20 and 49 in the 16-county area are unemployed or underemployed, and that more than 3,000 are expected to apply for training. The employment service will conduct the screening of applicants.

A detailed course of study providing 160 hours of classroom and 160 hours of practice, under supervision of trained instructors, will be given.

Twenty schools in the 16-county area, all having approved programs in vocational education, will be utilized in the training program. The State supervisor of agricultural education will be responsible for overall supervision and administration, the Secretary said.

The 16 counties, all in the northwest and western portion of the State bordering on the Mississippi River and the Yazoo River are: Bolivar, De Soto, Holmes, Humphreys, Issaquena, Leflore, Panola, Quitman, Sharkey, Sunflower, Tallahatchie, Tate, Tunica, Warren, Washington, and Yazoo.

There is an estimated 30,700 farm tractors in the region, according to the Mississippi Employment Service. An estimated 40,000 workers are operating such farm machinery now, although not more than half are adequately trained.

The Secretary expressed the hope that this training will organize workers with year-round employment, with daywork provided for members of the operator's family to help achieve rural family stability in the years ahead.

Approval of the Yazoo Delta program is part of the overall economic development plan approved for the entire State of Mississippi by the ARA. The actual amount earmarked for the delta training program of $435,000, which excludes the Labor Department's administrative costs, is more than half of total funds already granted to other ARA training programs in four States.

West Virginia has 4 programs approved for 1,100 trainees; Pennsylvania has 6 programs for 400; Connecticut has 1 for 200 and Rhode Island has 1 for 180 trainees, all costing a total of slightly less than $800,000 to date.

Hope in the Hashemite Kingdom of Jordan

EXTENSION OF REMARKS

OF

HON. FRANCES P. BOLTON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, March 5, 1962

Mrs. BOLTON. Mr. Speaker, in these days when we hear so much criticism of all who try to do things rather than talk about them, it is good to learn something of the do-ers—men like Col. John Glenn in space, and the Honorable Musa bey Alami in Jordan.

Musa bey is one of the world's great intellectual and humanitarian leaders with the kind of courage and faith that, in very truth, have brought water to a

parched earth and made the desert blossom as the rose. Born a Palestinian under Turkish rule in 1897, he became a Jordanian citizen when what remains of Arab Palestine was incorporated into the Hashemite Kingdom of Jordan in 1949. Muslim by birth, his life has been motivated by the high ethical and moral standards of Islam. Scion of an ancient Jerusalem family, he grew up surrounded and deeply influenced by the holy places associated with Jesus—or Isa, as young Musa's Qur'anic teachers called him—and the prophets who came before him.

Musa's father, then mayor of Jerusalem, decided his 8-year-old son should attend St. George's, an English school. Some weeks later, fortified by friendly Muslim sheiks, the school officials visited the mayor to disclose the sad news that his son was not educable. They suggested he be apprenticed to a tradesman; and so he became a carpenter's helper at the American colony. Mrs. Anna Spafford, late mother of Jerusalem's beloved Bertha Spafford Vester, dissented from the educator's verdict and arranged for Musa to take some classes at the American colony school along with his work. Teachers reported him unusually apt. Thirteen years later he entered Cambridge University from which he graduated in 1922 with honors and the B.A. and LL.B. degrees. Long before, it had been discovered that the initial diagnosis had grown out of a registrar's conviction that it would never do to put the mayor's son in a lower class than others of his age group. So the Arabic-speaking boy of 8 had been started out as a third grader in an English-speaking school.

All that notwithstanding, Musa bey insists that the original verdict was a just one and that he has remained essentially uneducable. Looked at one way, most of his friends would agree he is right. He has never learned well the lessons he was supposed to have been taught. Any Arab knows the way to fame and fortune is through politics. Musa was too much the statesman and gave up politics for farming. But not until after he had failed to learn another lesson taught by top British and United Nations hydrologists. They said the Jordan Valley had no water resources, and that even if some water were found here and there, it would do no good. The soil was too salty even to support vegetation. Musa bey, still gloriously stubborn, just would not learn. He continued to reason that if the Jordan Valley had supported a large population millenia ago, there must have been water. The experts smiled benignly when he started digging with crude tools. Perhaps poor Musa would now learn the hard way. But for Musa, like another uneducable before him (a chap named Noah) the waters came. Only this time they came only up out of the ground and not down from heaven. From earth scorched by centuries of sun came water to wash away salt and give fertility to fields dried up since antiquity. Where once was only burning sand, today more than 40,000 acres are under cultivation, because one man would not accept the facts his mentors taught.

But between Cambridge and today's green lushness of the once dead Jordan Valley, Jordan water, enough to fill all Christendom's fonts and baptistries, had flowed under nearby Allenby Bridge. The young Musa had returned to take his place as a lawyer in post-World War I Palestine, now controlled by the British under a League of Nations mandate. His brilliant record at Cambridge brought him to the attention of the British officials who offered him employment in the legal department. From minor posts he rose by 1933 to government advocate, the only Arab to head a department in the mandatory government. In the meantime, his stature had grown throughout the Arab world. It was he who negotiated the agreement that secured Arab participation in the St. James Conference in London in 1938. He was the sole representative of Palestine at the preparatory conference for the Arab League in Alexandria in 1943. He had become the doyen of an increasing group of young Arab intellectuals in his own and neighboring countries. By war's end, he had emerged as the most progressive among the Arab statesmen of his generation. Almost any post was his for the asking. He appeared destined to emerge as the outstanding political leader of the newly freed Arab countries.

Then came tragedy. Musa bey and his young intellectuals came on the stage too late and with too many odds against them to save Palestine from the debacle of partition and war. When the holocaust was over, more than a million Palestinian Arabs were refugees, their homes gone, the lands from which their forebears had garnered a living for thousands of years turned over to other refugees about whose fate the world was more concerned. While America and Britain poured in dollars by the hundreds of millions to support and build new homes and a new life for those who supplanted them, the Arab refugees were, and remain in large part, kept alive by a 7-pennies-per-person-per-day United Nations relief fund. And they were the luckier ones, for tens of thousands of frontier villagers had lost their lands or businesses, yet could not qualify as refugees because they still dwelt in their old homes. Palestine, in many ways—educationally, culturally, economically—the flower of the Arab nation, had perished one fall afternoon in faraway Lake Success, and at the hands of its traditional friends, its land divided, the majority of its people homeless and destitute.

Musa bey Alami was among the homeless. But he was not destitute. While a large part of his fortune was now in other hands, he was still a wealthy man. He could have moved to Beirut or Cairo and lived in ease. He chose to share the lot of his dispersed kinsmen. And almost alone among those in a position to do so, he began to turn his face toward the future. While the politicians promised quick solutions and assured the refugees they would shortly return home, Musa bey remembered that the last incursion among the many Palestine has known in history, the Latin kingdom of Jerusalem in Crusader times, had lasted a hundred years. He left to the politicians the so-far fruitless negotiations that have followed. He left to United Nations to provide relief for emergent needs. He set himself to planning how his orphaned nation could be kept together in what of their homeland remained to them; to devising means to thwart frustration, despair, and hopelessness. This was, and is, a task far more difficult than fighting hunger and disease; and, in the long run, more important. He understood that a nation can die while its people survive.

Fortunately, he had the vehicle through which to work. Back in 1945 he had organized and registered the Arab Development Society—ADS—to improve the status of Arab villages by raising standards of agriculture, providing village industries, and setting up vocational schools. The Arab League approved the venture and called on all Arab governments to contribute to it. Only Iraq did but ceased when it found it was carrying the whole burden. The society had, however, continued to exist. Musa bey seized on it as the instrument through which to begin the struggle to save his people. No longer was the problem one of raising village standards—indeed, only some 200 out of more than 1,000 villages remained in Arab hands. Now he must deal with the human tragedy of a whole people in all its manifold aspects. He set to work to create the very conditions of ordered and happy living.

Musa bey Alami was never overly popular with many of the older generation of leaders. Now he was to find them aided and abetted by foreign interests that did not consider it desirable the refugees should remain in Arab Palestine. Clearly, the only way possible for the refugees to remain was to make cultivable the wastelands of the Jordan Valley. To do this, sweet water must be found and the soil desalted. After opposition and obstruction almost incredible to believe now, Musa bey succeeded in obtaining permission of the Jordanian Council of Ministers to launch a project in an area of 2,000 acres of dead and waste lands lying between the River Jordan and Jericho. Pledging himself and what wealth he had left, leaving behind any political ambitions he may have had, and, perhaps most difficult of all, giving up the life of ease and luxury to which he had been born, Musa bey began his search for water. Using improvised machinery and methods, he and his servants, assisted by other refugees, began drilling in August 1949. With each setback, the scoffers were emboldened to make louder their derision and opposition. He was denounced publicly and, more effectively, privately to the King. He was threatened and labeled an agent of the imperialists, and with what reasoning one can only guess. Add to that muscles sore from unaccustomed manual labor and it is little wonder his resolve sometimes weakened. No one likes to be laughed at, and that is truer of Arabs than of most people. And Musa bey is an Arab of the Arabs.

Then one day in January 1950 sweet water finally gushed from the dead and waste soil of the Jordan Valley. Soon

the soil was broken and cultivation begun. The Arab Development Society, thanks to Musa bey's persistence, could now get on with the job. Others followed and free enterprise farmers have developed more than 40,000 acres of rich cultivable land. Thousands of refugees have found employment.

The Arab Development Society, against odds unbelievable, including its planned razing by leftish elements in 1955, has continued to move ahead in its efforts to bring hope and economic security to the refugees. An experimental farm provides free information on the best methods of irrigation, farming, dairying, and poultry raising. A vocational training school has been established to give a home and training to orphan and destitute boys. Thousands of refugees have found employment at the Jericho center and more thousands have been trained and employed through the ADS frontier villages project in which whole villages have been guided into economic self-sufficiency through establishing village industries and home crafts.

As the significance of Musa bey Alami's work has become recognized, others have come to his aid. The Ford Foundation has provided more than $1 million of aid. The British World Refugee Year gave £50,000. Oil companies have helped. Point 4 and its successor agencies have assisted the vocational training program. Committees in Great Britain and the United States channel gifts from trusts, churches and individuals, and Musa bey continues to help from his diminishing personal resources. But the need continues great and the unimplemented projects are many. A prospective donor has indicated an interest in building a vocational training school for girls, but before any such offer could be accepted, funds for annual maintenance must be found. Even if sizable foundation or international agency assistance can be obtained, matching funds of not less than $500,000 will certainly be required.

The stakes are high and time is running out. For one thing Musa bey is getting older and his health beginning to show the years of moving from one crisis to another. Stability in the Middle East is in a large measure dependent on stability in Jordan. In Jordan, stability depends on the creation of hope and economic security. More than any other organization the Arab Development Society constitutes the best probability that the "unalienable" right of the "pursuit of happiness" will at long last replace the frustration, despair, and hopelessness that have characterized the area since partition and the creation of the refugee problem in 1948.

Musa bey Alami merits a hearing from all men of good will. He deserves the help of all who believe in helping those who help themselves.

HOW OTHERS SEE HIM

Kennett Love in the New York Times:

Musa bey al-Alami is the man whose vision has proved so practical that the United Nations Relief and Works Agency, until recently the backbone of his opposition, and the U.S. Technical Cooperation Administration have now accepted his proof that the valley is a fertile area for development.

New York Times editorial:

Musa bey al-Alami has produced a miracle in the wastelands of the lower Jordan River, not far above the Dead Sea. But there are many acres in the Middle East that have not yet been developed. The Jordan Valley as a whole may once have supported many times its present population. There is power there, as well as water and soil not fully utilized and Mr. Alami's little oasis might yet make its triumphs echo around the world.

Baltimore Sun editorial:

They told Mr. Alami that nobody could live there. They showed him maps marking that particular spot as dead and waste. They—the United Nations Relief and Works Agency and the U.S. Technical Cooperation Administration—said that they saw no point in drilling a test well. Mr. Alami's vision of bringing blossom to that spot of desert, they said, was the foolish vision of a stubborn man. Mr. Alami proved his stubbornness by drilling a well anyway. Mr. Alami has shown that the qualities that count most in human affairs are still the old and honorable qualities of vision, stubbornness, and self-reliance.

Time:

Musa bey al-Alami has spent a lifetime tilting at windmills for his people. After World War II he doggedly preached his doctrine of reclamation and education while most Arabs could think only of their quarrels with the Zionists. He irrigated thousands of acres of desert land that others had thought hopeless, gave jobs to hundreds of refugees.

Harry Ellis in Christian Science Monitor:

Musa bey al-Alami is proving that land classified dead and waste throughout history actually is rich enough to bear three crops of fruit and vegetables a year. Mr. Alami's project on the desert is another chapter in the story of men and women the world over who have risen to new heights of devotion when disaster of one kind or another has stripped them of their homes.

Hamilton A. Fisher in This Week, New York Herald Tribune:

Musa bey al-Alami is a man with the mind of a Wall Street lawyer, the heart of a Quaker, the dreams of a Boy Scout, the face and body of a Wisconsin farmer, and the soft voice of a Hollywood crooner * * * (we) talked about his plans for Arab refugees. "Being a refugee," he said, "is a misfortune—not an occupation. We have to make people again out of the refugees."

Edwin Muller in Reader's Digest:

Musa bey al-Alami got to be something of a joke as he went up and down the Middle East peddling his project. Then he made a decision: he would do the job himself * * *. (The refugees he has) made self-supporting and given new hope are not many compared to hordes still unaided. But to plant and harvest hope where none existed before—surely one man may be proud of this.

Newsweek:

Musa bey al-Alami's dream is to expand the agriculture and start affiliated industries. In a country torn by strife and hatred, Alami's faith and perseverance have brought fresh hope and courage.

Norman Vincent Peale:

Musa bey al-Alami (is) one of the world's great positive thinkers * * * he has made the desert blossom as the rose. I asked this amazing man what kept him going, kept him believing when everybody said it couldn't be done. "There was no alternative. It had to be done," he said and added, "God helped me."

Stewart Perowne in the London Times:

Musa bey al-Alami is now the brain, and equally the heart, of a practical paradise. Others have been quick to copy him. The whole plain, from Jericho to the Jordan, which only 10 years ago was a calcined desert, is now starred with farms and groves.

The London Observer:

Musa bey al-Alami has made many enemies. He is tolerant and sensitive, set apart from the narrow nationalisms that bedevil the Middle East. But for each of his enemies, he has a dozen friends who will remain with him forever, not only for his deep charm but because of his sheer pigheadedness in flying in the face of facts—and getting away with it so often.

(NOTE.—The American Sponsors of the Arab Development Society in Jordan—ASAD—was organized in September 1961 by Americans convinced that the most valuable assistance the United States can render abroad is to help those who help themselves. It is an ad hoc committee affiliated with the Continuing Committee on Muslim-Christian Cooperation, Inc., suite 500, 725 15th Street NW., Washington 5, D.C., and contributions—which should be made out to CCMCC-ASAD—are tax exempt.)

Washington Report

EXTENSION OF REMARKS

OF

HON. BRUCE ALGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 5, 1962

Mr. ALGER. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following newsletter of March 3, 1962:

WASHINGTON REPORT

(By Congressman BRUCE ALGER, Fifth District, Texas, March 3, 1962)

The Manpower Development and Training Act of 1962 passed handily (354–62) but, like the iceberg, its provisions and far-reaching consequences were more unseen than seen. Unemployment, for those unemployed and for Government representatives responding to the situation of insecurity and privation of those unemployed, has always been a troublesome issue. Political demagoguery has only heightened the dilemma and confused the issue. Government and politicians once into the situation can only expand their influence whether this effort serves to solve the problem or not. In 1946 the Federal Government used this language to describe government's role in the economy relating to jobs and joblessness (from the Full Employment Act of 1946): "The Congress declares that it is the continuing policy and responsibility of the Federal Government to use all practical means consistent with its needs and obligations and other essential considerations of national policy, with the assistance and cooperation of industry, labor, and State and local governments, to coordinate and utilize all its plans, functions, and resources for the purpose of creating and maintaining, in a manner calculated to foster and promote free competitive enterprise and general welfare, conditions under which there will be afforded useful employment, for those able, willing, and seeking to work, and to promote maximum employment, production, and purchasing power."

Here then, government could move in with complete authority, or do little. It is all a matter of interpretation and the language in the act sets no limits. Union leaders, primarily, and others, have stressed, and overstressed the detrimental effect of automation (machinery replacing people), sometimes losing all sight of fundamentals. Union officials, especially, consistently demand greater Federal participation in solving the problem.

Realizing this, a group of Republican Members of Congress analyzed the facts and then stated that automation is an example of a dynamic economy and that of our unemployment problems are the outgrowth of prosperity and an improved standard of living, not of a weakness of our economic system, therefore the need was for retraining. Any newspaper want ad section proves the large number of jobs going begging; qualified people are needed and many unemployed lack the proper skills for the new age. Here are some excerpts from this study: "Automation increases jobs, though many people believe the reverse to be true." "In our free economy, economic growth and the improvement of living standards depend not primarily on what Government does but mainly on what is done by individuals and groups acting in their private capacities."

The resolution, H.R. 10363, embodied the Federal Government's effort to provide the needed retraining. In my view it goes much too far with almost unlimited power placed in the hands of the Secretary of Labor. For example: Automation and occupational training. Under this broad heading the Secretary of Labor is to (1) survey the needs, (2) prescribe the programs needed, (3) test, counsel, and select the people to be retrained, (4) establish their pay and transportation costs, (5) provide placement in jobs, (6) continued counseling service, and other programs, and (7) use public relations media to inform the public. To me we have gone overboard. A worthy objective has caused us to lose all sense of perspective. As I see it, we should stimulate private, local and State agencies, not replace them or subordinate them, as most assuredly this bill will do. As the Republican report study said: "Government makes its basic economic contributions not through the volume of its own expenditures but by promoting conditions favorables to the exercise of individual enterprise and private effort. Accordingly, a dominant purpose of government at every level must be the preservation and invigoration of institutions that favor and support enterprise. In particular, the Federal Government should encroach no more than necessary on the province of private action. And within the area of public action, the Federal Government must avoid encroachment on the province of State and local units." Sixty-two of us opposed passage of the measure, yet, to a man we believe in the need for retraining, without Federal domination.

The annual Presidential prayer breakfast once again united in prayer and spiritual dedication the President, Vice President, Cabinet Members, House and Senate Members, Supreme Court, military leaders, Government workers, and Christian laymen of all denominations. It was a refreshing and heartwarming experience. Rev. Billy Graham and Gov. Price Daniel also addressed us. All present were conscious of our deep and abiding sharing of spiritual convictions, which, if practiced as professed, would force a strength no earthly power could challenge.

The appearance of Col. John Glenn before a joint meeting of Congress furnished one of the most thrilling experiences I have had, in this city. No person could live through this experience, feel the deep emotion of the jammed-packed House of Representatives and the galleries, listen to the simple, but sincere and stirring words of Colonel Glenn without being stirred with a new birth of patriotism and pride in the Nation and the system which made possible the achievement and embodied its success in this kind of man. This was America at its best and all Americans responded.

Conservatism represents a dynamic force, dedicated to the preservation of a way of life that has offered greater opportunity for man to attain the goal of happiness than any other system ever devised. Ours is a forward-looking philosophy, geared to this century and the next.

Use of District of Columbia Stadium by Groups Practicing Segregation Prohibited

EXTENSION OF REMARKS

OF

HON. HERBERT ZELENKO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 5, 1962

Mr. ZELENKO. Mr. Speaker, I have today introduced a bill to prohibit the rental or leasing of the District of Columbia Stadium to any person who discriminates on the basis of race, creed, color, and for other purposes.

The bill also provides that the stadium shall not be used by any group which in the course of its business is a party to a contract, express or implied, and which involves or results in segregation among its employees on the basis of race, creed, or color.

The legislation further provides that the District of Columbia Armory Board may in its discretion allow an organization, so contracting, to use the stadium where it is shown to the Board's satisfaction that the contract was entered into under circumstances beyond the control of the using group or organization.

This bill is a result of my protest to Secretary of the Interior Udall against the practice of segregation by the Washington Senators Baseball Club in its Florida quarters at Pompano Beach.

I wrote the Secretary of the Interior on three occasions for the purpose of arranging a meeting with General Quesada, president of the Washington Senators Baseball Club. In reply, the Secretary of the Interior noted that he thought such a conference would be helpful in resolving this matter.

On this basis, I invited General Quesada to meet with me to discuss this problem. General Quesada refused and declined the invitation; thus, making it necessary for me to introduce corrective legislation.

In view of the fact that President Kennedy has recently insisted that there be no discrimination in employment in industry in which there is contractual relationship with the Government, I request that the same theory be followed here.

It is clear that General Quesada treats the matter of segregation in a very cavalier fashion. Unfortunately, as president of the Washington ball club, he shows no desire to submit any suggestions or program for the future, but chooses rather to remain a willing party to practices of segregation.

I am advised that the contract for the housing of its players entered into by the Washington Baseball Club was so entered into in open and notorious disregard of the rights and feelings of its Negro players. Other clubs with big league management, training in Florida, in fact within several miles of the Washington training camp, have had the initiative, desire, and spirit that resulted in their finding quarters on a nonsegregated basis. General Quesada places the blame totally on the State of Florida, notwithstanding the fact that other clubs in that area were able to solve their housing problem. It is clear from his reply that General Quesada doffs his self-praised cloak of civil righteousness upon leaving the District and wears the mantle of separate but equal when in Pompano Beach, Fla.

It is shocking that the club is willing to avail itself of the talents of its Negro members and will not make any effort to afford them the rights guaranteed under the Constitution and reannounced by our Supreme Court. Quesada is obviously content with present conditions and refuses to discuss it further.

The Government, by reason of its percentage lease of the stadium, shares the profit and loss of the venture. The officials of the ball club accepted and became part of the pattern of discrimination in the town of Pompano Beach, Fla. This brazen action by the officials of the ball club to subvert civil rights to money profit or loss is reprehensible and gives rise to this legislation which I strongly urge my colleagues to support.

Bulgarian Liberation

EXTENSION OF REMARKS

OF

HON. JOHN V. LINDSAY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 5, 1962

Mr. LINDSAY. Mr. Speaker, on March 3 we set aside a day in honor of those who gave up their lives fighting for Bulgarian liberation. I extend my personal admiration for the courage which these people have demonstrated in their struggle for freedom dating back to the suppression by the Turks in 1396. However, the fight for freedom has not yet been completely won.

Today the Bulgarian people suffer under the brutal rule of a puppet government which gets its orders from the Soviet Union. It must be stated, to the credit of the Bulgarian citizens, that the Communist way of life has failed to extinguish many of the traditions which have lived on through the centuries.

Our friends in Bulgaria can look back to two great men for inspiration, Father Paissii and Bishop Sofronii.

The approximately 50,000 Bulgarians who have emigrated to the United States have contributed immeasurably to our economic and cultural way of life. Organizations such as this have proven to be effective instruments in our attempt to make it clear to the Soviet Union that we stand unalterably opposed to her ambitions for total world domination.

May the day be near when the Bulgarian nation will once again be free to pursue her goal of greatness.

Bulgarian Liberation Day

EXTENSION OF REMARKS

OF

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, March 5, 1962

Mr. RODINO. Mr. Speaker, the fate of the more than a score of captive nations now under the heel of international communism is an issue that concerns us every day in the Chambers of this building. I know my colleagues and I will never have peace of mind until all these nations are again free to select their own governments and take their places once more in the community of independent countries. Contemplation of their fate is even more distressing when the calendar date reminds us of a day of glory once celebrated openly in one of these countries. Saturday was such a day. And since we were not here assembled then, I speak today about its significance.

On the 3d of March 1878—84 years ago Saturday—the valiant five-century struggle of the Bulgarian people was ended. On that date, with the signing of the treaty of San Stefano, Bulgaria became again a free and independent nation. This was no new nation, artificially created at the treaty table. Twelve centuries before, the Bulgarian Empire flourished for 337 years. Here was the cradle of Slavic civilization. Here Saints Cyril and Methodius brought Christianity to full bloom. Here was developed the first Slavic alphabet, and stemming from it, the major Slavic literary tradition that spread to Russia, Serbia, the Ukraine, and Byelorussia.

The culture and heritage of these golden days prepared the Bulgarians for the cruel and oppressive treatment they were to receive at the hands of the Ottoman Turks. Occupied, ruled by these heartless invaders, Bulgarians still clung to their language, their institutions, their religion; and no amount of torture and reprisal could shake their faith that freedom would again live in their land.

It is ironic that it was the Imperial Russian Government that assisted restoring freedom to Bulgaria. But though it was the treaty between Russia and Ottoman Turkey that made possible this freedom, Bulgarians did not accept the rule of the reactionary czars. Freely electing a national assembly, they received from that assembly the Tirnovo Constitution, the most liberal and democratic document in Bulgarian history. And they continually refused to become a participant in Russia's pan-Slavic drive for domination of the Balkans.

The Balkans have never known a true peace since early in this century; but Bulgaria persisted in her efforts to live in peace and under freedom until she was caught up in the Nazi-Red power struggle of World War II. For 3¼ years, the Nazis occupied the nation. And in June 1944, the Reds moved in—where they remain today.

Even as they maintained their integrity and dignity and ideals during 500 years of cruel and inhuman treatment, so, too, the Bulgarians today live for the day of their new freedom. Let us here and now pause to respect their martyrs and to pray that their liberation from tyranny will come in our day, and that Bulgaria will again be a nation of freemen, living under laws enacted by their own chosen representatives.

Accident Prevention Research

EXTENSION OF REMARKS

OF

HON. JOHN A. CARROLL

OF COLORADO

IN THE SENATE OF THE UNITED STATES

Monday, March 5, 1962

Mr. CARROLL. Mr. President, recently I submitted a statement for presentation before the House Health and Safety Subcommittee, holding hearings on H.R. 133, to establish a National Accident Prevention Center. This center would perform and administer basic research into accident prevention.

The need for such research into accident cause and prevention is great. The payoff from such research in terms of lives and dollars saved promises to be important.

Senators will remember hearing Colonel Glenn say "exploration and the pursuit of knowledge have always paid dividends in the long run—usually far greater than anything expected at the outset."

I believe this would be the case in accident research.

Because I know Senators would be interested in considering the proposal to establish a center of accident prevention research, I ask unanimous consent that my statement be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR JOHN A. CARROLL IN REGARDS H.R. 133, TO ESTABLISH A NATIONAL ACCIDENT PREVENTION CENTER, FOR PRESENTATION TO HOUSE HEALTH AND SAFETY SUBCOMMITTEE ON FEBRUARY 21, 1962

Mr. Chairman and members of the Subcommittee of Health and Safety: On December 15, 1961, 10 days before Christmas, 20 schoolchildren were killed and 15 hospitalized when the school bus in which they were riding was sliced in two by a passenger train. This grim and horrible accident in Weld County, Colo., stirred the hearts and minds of the citizens of my State.

This accident served to point out the staggering number of fatal accidents on our Nation's highways. Over 38,000 people were killed in the year 1960; 1,100 of these deaths were caused by collisions with railroad trains. Nearly 1.5 million Americans received disabling injuries and an additional 2 million people received lesser injuries. In the last 20 years, more than 25 million American citizens have been killed or injured on our highways.

These figures of death and carnage on the highways are but a part of the toll taken by accidents each year. More than 90,000 people are killed and 46 million injured by accidents of all sorts every year. This means in terms of our national productivity at least 110 million workdays lost each year. This is a staggering cost, both in blood and money.

Accidents are the principal cause of death for all ages between 1 and 35. Sixty percent of all deaths of young men between the ages of 15 and 25 recorded are due to accidents.

Thousands of lives, millions of dollars, are lost each year, Mr. Chairman. It is about time that a concentrated and directed effort was made by our Nation and its citizens to reduce this frightful waste.

I am pleased therefore to discuss today the bill H.R. 133, introduced by you, Mr. Chairman, and currently under the study of your subcommittee, to establish a National Accident Prevention Center.

There are many divisions of government, at all levels, local, State and Federal, which have an active interest in accident prevention. There are many private foundations and councils which are doing much useful work in the use of safety devices and the mapping of safety campaigns. I do not in any way underrate the important work being done by these public spirited organizations.

It is however undeniably true that very little work is being done in the field of basic research into accident prevention.

A witness before your committee, Robert J. Schreiber, executive director of research of Public Service Research, Inc., has said:

"Accident research is not a very respectable professional discipline; there are no degrees granted in it, no scholarly journals of it. It is, at best, a sparetime occupation for all but a few. At professional society meetings, it is difficult to find even a half a dozen scientists interested in discussing it."

This is not a happy situation.

Basic research pays: yellow fever, smallpox, polio, diphtheria, tetanus, and whooping cough have been eliminated from the list of killers through the results of research and development.

In 1959, it was estimated by Dr. Alfred Moseley, Department of Legal Medicine, Harvard Medical School, that the amount of money going for polio research per polio death was $40,000; the amount for cancer research per cancer death was $360; the amount per heart death was $87. The amount for preventive research per death through aviation accidents was $500,000. And for automobile accident research we spend less than $5 per death.

That research can be of value in reducing accidents is clearly demonstrated in the field of aviation. The CAB, the FAA, the Air Force, and private industry have done extensive research into the prevention of aircraft accidents. Work has been done in pilot reaction and training, instrument developments, fuselage construction, etc.

The results can be seen in the rapidly falling air accident rate. From an average of 7.8 deaths for every 100 million passenger miles flown on American domestic scheduled airlines in the years 1933–37, the rate had dropped by 96 percent to 0.29, according to the CAB.

Our country—in both public and private efforts—is devoting many dollars each year to organized, directed research into the prevention and cure of cancer, tuberculosis, and mental illness. It is long past due that such an organized and directed attack be made upon the causes and prevention of accidents.

Accidents do not just happen. They are events which have causes—and scientists know very little about these causes. It has

been generally agreed by the witnesses appearing before your subcommittee that the most important need in the area of accident prevention is for basic research. It has been agreed that scientists and personnel must be trained, that research be encouraged, that research results be applied in accident prevention.

It appears to me that H.R. 133 takes a sound approach toward filling this need for an organized program on research for accident prevention and control.

I am not an expert, Mr. Chairman, in the field of accident prevention or public health. I cannot comment upon the technical questions as to what form such a research center should take, as to how it should divide its funds between intramural and extramural research, as to where within the framework of HEW it should be placed.

Such questions as these I leave to the wisdom of the subcommittee. I know how much study and thought, over several years, you have devoted to this matter, and I would only wish to emphasize to your subcommittee the importance of seeing that there is no unnecessary expenditure, no overlapping of responsibility or division of authority.

Funds are needed for basic research; they are not needed for the construction of yet another expensive building or for the formulation of yet another bureaucratic hierarchy.

The people's money will be involved in this undertaking and it is necessary that there be no duplication of work undertaken by others and that full provision be made for the active encouragement of private research.

I am especially pleased, Mr. Chairman, to see that provision is made in H.R. 133 for the acceptance of private endowments from individuals and foundations. Such a program as is here proposed will surely attract the gifts of the public spirited.

I would also point out to the subcommittee that this measure has already received the support of the Denver Junior Chamber of Commerce, and I understand a resolution of support will be considered at the next Jaycee national convention.

Mr. Chairman, I would close with a personal reference. For several years I have been concerned with the appalling tragedies which occur in accidents at railroad crossings in particular, and on our highways in general. I have given much time and thought to this problem. I have talked with many people. I have read much material. I have seen the perfection of warning signals and signs, crossbars and crosswalks, cloverleafs, and crossovers; and yet the killing and carnage continue.

Accidents will never be eliminated but the number and severity of accidents can be reduced. They must be reduced.

Wholesale murder must be stopped and this, Mr. Chairman, is why I support the intent of H.R. 133.

The 84th Anniversary of Bulgarian Independence

EXTENSION OF REMARKS

OF

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 5, 1962

Mr. DERWINSKI. Mr. Speaker, I am pleased to join my colleagues today in paying tribute to the 84th anniversary of Bulgarian independence which occurred on March 3, 1878. Just 84 years ago the act of San Stefano restored independence to the people of Bulgaria but since 1944 her people have been enslaved under Soviet Communist rule. But within the hearts of these people and of all the sons and daughters of Bulgaria all over the world burns the bright hope that the day will soon come when they will be free again and resume their rightful place among the peace-loving nations of the world.

It would be a most effective action by the House of Representatives if we could establish the long-delayed and much-needed special Committee on Captive Nations. This committee would be an effective House vehicle to expose Soviet colonialism in Eastern Europe, and to thoroughly reveal it for world consumption. Bulgaria and the other nations suffering under Communist domination must not be forgotten.

I extend my special congratulations to civic, patriotic Bulgarian-American organizations whose effective work in support of the principles of our American Constitution and maintenance of Bulgarian nationalistic traditions are sincerely appreciated.

Medical Care for the Aged

EXTENSION OF REMARKS

OF

HON. HERBERT ZELENKO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 5, 1962

Mr. ZELENKO. Mr. Speaker, with the receipt of the President's message of February 27, 1962, the Congress is once again reminded that the strength of a nation can be no greater than the health and vitality of its population.

I am in total agreement with this premise and am indeed proud to support the President's legislative recommendations, as outlined in his message. These include the training of health personnel, the need for a nationwide vaccination program to stamp out the remaining childhood diseases, aid for medical research, mental health and retardation, and increased health levels for domestic agricultural migrant workers. I have a very personal interest in this last item as author of H.R. 10227, providing migrant workers with health clinics, and as chairman of the Select Subcommittee on Labor, which subcommittee has held hearings and has recently reported out favorably a series of migratory labor bills.

I am this day concerned, particularly, with the lack of protection afforded our elder citizenry.

To be sure, most of us are protected against financial setbacks such as retirement, death, disability, and unemployment, but little has been done to protect our older citizens against the hardships of prolonged and expensive illness.

Therefore, I rise in support of H.R. 4222, a bill to provide health and medical care for the aged by means of a health insurance program for the elderly under the social security system.

The need for this legislation is made imperative by statistics indicating that our older citizens are hospitalized more often, for longer duration and thus at greater personal expense. Much argument is unnecessary as, of course, we are aware that the income of those, up in years, is by comparison very low.

This bill and the President's program would not interfere in any way with the freedom of choice of doctor, hospital, or nurse. It would not specify in any way the kind of medical or health care or treatment to be provided. But it would establish a means to pay for minimum levels of protection.

I have seen hundreds of letters urging Federal action and the social security approach. They contain pitiful statements as to suffering and hardship and inability to provide themselves with the medical care they desperately need. We should not allow their pleas to go unheeded. We cannot ignore that later years of millions of Americans are plagued anew by fear and insecurity, as a result of their inability to meet the mounting costs of medical care.

The high costs of medical care for the aged are going to be paid for in this country. The issue is not whether to pay these costs, but how to pay them. The alternatives to health insurance are not adequate and not fair to the elderly who need this care.

The social security program is the only practical mechanism which provides the aged with adequate health insurance paid by people during their working years, together with their employers.

We cannot continue to ignore the anxiety and suffering of elderly people who see their small savings, their homes and their security about to be swept away by the near certainty of expensive illness.

I trust we will meet this challenge and I, therefore, urge my collagues to support this legislation and join in earnestly requesting early and favorable consideration by Congress.

Release the Reserves

EXTENSION OF REMARKS

OF

HON. EUGENE SILER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, March 5, 1962

Mr. SILER. Mr. Speaker, as one of only two Members of the House of Representatives who voted against authorizing the President to call up the Ready Reserve of our Armed Forces to active duty for not more than 12 months, I would like right now to implore our President to release immediately the more than 100,000 men he sent from their homes to military camps a few months ago.

This was done during the so-called Berlin crisis, which no longer exists and which has certainly decreased from whatever former state of threat, if any, it once imposed.

The Berlin wall has long since been built, although we obviously should have torn it down when the first section was

constructed. And free access has long since been firmly established between East Berlin and West Berlin. But the added strength of 100,000 American men on active duty never made the slightest difference in that wall nor in that Berlin access we are right now observing each day at the present time over in Germany.

It has been most mystifying to me that we should ever have been so naive and so simple as to entertain any notion that wily old Khrushchev with his full knowledge of our strength and military potential would be affected in the least degree by this childish act of ours in sending another 100,000 men from their homes to a few training camps here in America. Why, Mr. K. already had trained and under arms twice as many as we had when we called the Reserves. And he already had access to five times as many marching men for war purposes as we had then or as we are likely to have in the future. Why are we so simple in dealing with Mr. K.? Why do we not treat him as the very shrewd man of the world that he surely is at all times? If force deters him, and I am sure it does, then why not put our feet on the ground and our thinking within the great school of commonsense and soberly consider that our missiles and our nuclear warheads and our worldwide bases, and only these, will ever retard Mr. K.? An additional 100,000 American men in Reserve camps would no more affect Mr. K. than a popgun would affect our nuclear submarine *Patrick Henry* while armed with its 16 Polaris missiles and plowing through the briny deep. When we were children we were justified in speaking as children and in understanding as children and in thinking as children, but now that we have become full grown men, why do we not put away childish things like the Apostle Paul admonished the Corinthians to do 2,000 years ago?

I can see all these reservists just now in my imagination. They must have been happy in their homes. Their families were all over the place. Their daily routine of vocation, trade or business was following its usual pattern. Life was not perfect or utopian, but just to be at home and free and unregimented—this in itself was somewhat of a Garden of Eden. Then one day this foolish call came and they were suddenly packing up to go and stand in line again for chow, stand in line for washing faces, stand in line for countoffs and so forth. Messhall took the place of that breakfast nook back home where that pretty little wife in a white apron asked if you wanted more coffee. A metal army cot took the place of the real bed you had somewhere in a place called home out on Main Street in Americana, Ky. But most of all, this meaningless and purposeless regimentation of military life took the place of that sweet and priceless freedom of private life you once had back there in the happy precincts of liberty before this call went out to deprive you of a precious 12 months of regular living in independent American citizenship.

Why not now admit our absurd mistake of the past and rectify it tomorrow by sending these men back to their happy homes on Main Street? I guarantee they and I will quickly and gladly get ready for war if war comes and if only commonsense will prevail again soon in the freedom's holy light of our country, undoubtedly the greatest under the shining sun.

Probably the most sensible and wisest vote, with whatever understanding God gave me, I ever cast in Congress was the one I cast on July 31, 1961, against calling up the Reserves.

The vote was 403 to 2. But I am certainly glad I was one of those two in opposition. I fervently hope this administration will now admit and correct its serious mistake, perhaps before breakfast tomorrow morning.

Symposium by the Federation of the Italian-American Democratic Organizations of the State of New York, Inc., on the Subjects of Medical Care for the Aged Under Social Security

EXTENSION OF REMARKS

OF

HON. ALFRED E. SANTANGELO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 5, 1962

Mr. SANTANGELO. Mr. Speaker, on January 14, 1962, the Federation of Italian-American Organizations of the State of New York, Inc., of which I am president, conducted a symposium in two sessions on two very vital subjects: "Medical Care for the Aged Under Social Security" and "Federal Aid to Education." The panelists on the topic of Medical Care for the Aged Under Social Security were: Congressman Eugene J. Keogh; Dr. Renato J. Azzari, past president and current member, board of trustees, Medical Society of the State of New York; Joseph B. O'Connor, New York regional director, Department of Health, Education, and Welfare; and Sidney Zagri, legislative counsel, International Brotherhood of Teamsters, Chauffeurs, Warehousemen & Helpers. After the discussion, a spirited question and answer program followed. My preliminary remarks in opening the symposium and the speeches of Dr. Renato J. Azzari and Mr. Joseph B. O'Connor follow:

REMARKS BY HON. ALFRED E. SANTANGELO, OF NEW YORK

On behalf of the members of the Federation of Italian-American Democratic Clubs, we welcome you to this afternoon's session of our annual legislative symposium. We believe an informed public can make intelligent decisions, and consequently, we have attempted to obtain men who are expert in the subject matter to be discussed.

We gather here to discuss the problem of medical care for the aged under social security. The ancient Roman and orator Cicero, in his essay "De Senectute," concerning old age called this period the finest stage of life. Today this period is regarded with trepidation and uncertainty. Today with the lifespan lengthened by reason of medical advances, our senior citizens, because of the mounting costs of medical care and the unavailability of facilities in time of need, face the future with insecurity.

Legislation has been introduced in Congress to provide a social health program for 16 million senior citizens. President John Kennedy supports such a program as do many other knowledgeable people and segments of our economy. As a cosponsor of the medical insurance bill under social security, I, of course, support the measure and its principle. Many important people and honest intentioned people oppose this program. As Oliver Wendell Holmes once said, "An idea which cannot gain currency in the marketplace of public opinion will soon disappear."

Today we are in the marketplace of public opinion to see which idea will prevail.

We have obtained panelists to discuss the pros and cons and then we shall have a period of questions and answers. The panelists will speak generally and specifically. They will discuss H.R. 4222, the King-Santangelo bill. They will touch upon the extent of the need for legislation on this subject and the character and nature of basic medical care requirements of persons age 65 and over, whether and to what degree such medical care requirements are now being met through existing governmental, nongovernmental, and individual programs, and the extent to which individuals 65 and over can now finance their medical care requirements. They will discuss further what the effect of the proposal will have on the utilization of hospitals by aged persons, the quality and availability of hospital care and facilities, the availability of nursing care and the effect which this program will have on the standards of medicine. Finally, they will touch upon a very important matter and that is what the cost will be in terms of dollars and standard of medical services and the regimentation of a profession as compared to the benefits to a large number of citizens in the twilight of their lives. Lastly, they will discuss the subject of how this cost will be met.

The major arguments in favor of this program are as follows:

1. The social insurance approach on a national basis will provide aid for the aged regardless of where they live and medical care will be granted regardless of the backwardness or progressiveness of the individual State.

2. The cost of this insurance is met when people are working and not when they are retired and their income has diminished.

3. The benefits are related to actual costs.

4. The system gives freedom of choice by removing financial barriers.

5. The program eliminates the means test and restores dignity and self-respect in the days of retirement.

Those who oppose the measure of medical care under a social security system contend:

1. That there is a great danger of the program leading to socialized medicine.

2. That as a consequence of socialized medicine, the quality of medical care would decrease.

3. That costs under a socialized system have risen and there would be a rise in the future.

4. That the program would lead to a limitation of the use of new drugs and biologicals and would not provide for improvement by general practitioners.

5. The program would lead to an overburdening of doctors with unnecessary paper work and reduce the earnings of medical men.

6. That free service would lead to overutilization of the facilities and thus patients would not receive proper medical care and would thereby suffer.

7. That the utilization of older persons would deny the use of hospitals and facilities to younger persons.

8. The program would encourage dependency and destroy incentive and self-reliance

9. The program would attempt to improve service for a minority group (senior citizens) and downgrade the services for the remainder of the population of 180 million people.

10. The program would lead to a waste in funds in order to use up the budget.

11. The program would lead to collusion between patients and pharmacists to use funds for drugs for nonessential purposes, such as cosmetics.

Our Nation shall be called upon to make a vital determination. A nation's moral fiber is judged by the regard the government has toward its people, especially toward its senior citizens. The problem is the care of over 16 million of our senior citizens. These people, because of improved standard of living and scientific and medical advances, are living longer than ever before and man's life expectancy is now 70 years of age. Older persons have larger than average medical care needs. In 1960, half of the people over 65 had incomes of $870 or less a year, and are in no position to afford medical costs when they are retired and not working. In my opinion, America's great need today is medical care for the aged. Whether it be under a social security insurance program or whether it be based upon a needs test, or mainly under private insurance plans is the problem confronted not only by you, but by your congressional representatives. We invite your questions after the speeches, and ask that those questions be critical, penetrating, and provocative.

REMARKS OF DR. RENATO J. AZZARI

Mr. Chairman, honored guests, distinguished members of this panel, ladies and gentlemen, first, I want to thank this fine organization for inviting me to participate in a discussion of this issue of whether we should finance medical care for the aged through social security.

If I may say so, the position of medicine in this question has been badly misconstrued. Indeed, I personally have been amazed at the great amount of misunderstanding that currently prevails regarding the views of the medical profession. One might almost say that there has been a deliberate, concerted campaign to tell the American people things that are simply not true, and to withhold from them important information that would give the public an accurate picture of the significance of the King-Anderson bill, the measure that is supported by the current administration and that would provide the funds for a medical care program for old people through our social security system.

Allow me to make one point crystal clear. The medical profession in this State and throughout the Nation is unequivocally in favor of the best and most complete medical care for our elderly citizens.

Please remember that the high quality of medical care has resulted in the present problem—longer life and continuing medical care for our senior citizens, regardless of ability to pay. The medical profession stands as it has always in the past, ready and willing to provide for our aged population, but under the American way—voluntarily, without direct Federal intervention.

I am, of course, fully aware that I am speaking before a group that is dedicated to the principles and ideals of the Democratic Party. But I wish to assure you that medicine's stand on the King-Anderson bill is nonpartisan. We are opposed to this measure not because of the party label attached to it, but because of what it would mean to the quality of medical care in this country.

The situation confronting me this afternoon reminds me of any number of stories—all of them ending with the scene in which the poor, hapless victim barely escapes with his life. My mind is also cluttered with the image of Daniel in the lion's den—well, I only hope that I succeed in taming my adversary; though, to be perfectly truthful, you all look friendly enough.

Seriously, I know from personal experience of the fine work done by the Federation of Italian-American Democratic Organizations of the State of New York, and of the fair and patriotic way you approach all your problems. Indeed, I have been aware for many years of the important role you play in the life of our State, and of your constant efforts to promote the great aims of this great country. Furthermore, your very invitation to me to appear and express the views of organized medicine on a highly controversial question is the best evidence of your generous and objective approach; and I, for one, have the greatest admiration for the federation.

To get to the matter before us:

Many of those who support the King-Anderson bill would make it appear that they are the only ones who favor medical care for the aged. If you oppose this legislation, they say, you are not only a reactionary of the rankest sort but are actually opposed to helping old people who need but cannot pay for medical care.

Nothing could be further from the truth.

Medicine is as concerned as ever with the medical care received by the American people. If we oppose the King-Anderson bill, it is not because we do not want to help the elderly, but because we feel that this measure represents a fraud and hoax on the Nation.

Let me spell this out a little more clearly.

If the King-Anderson bill were adopted, it would provide the following:

1. Old people would be entitled to hospitalization for a maximum of 90 days a year for each illness.

2. They would be entitled to 180 days a year in a nursing home.

3. They would be entitled to hospital outpatient diagnostic services.

4. They would be entitled to home health services, with a maximum of 240 visits a year.

This may seem like an excellent proposition to some of you, but I wish to assure you it isn't.

First of all, if you were unlucky enough to require hospitalization, you would have to pay $10 a day for the first 9 days you were in the hospital, with a minimum payment of $20.

Second, if you needed hospital out-patient diagnostic services, you would be required to pay a minimum of $20 for each diagnostic study before the Government began making its payments for the services rendered.

Third, 180 days a year in a nursing home seems very generous, but look at the consequences of such a provision. Under the King-Anderson bill, you would be unable to enter a nursing home directly. Instead you must first be admitted to a regular hospital. What this would mean is there would be a tremendous overuse of hospital facilities, thus causing the already high costs of this program to skyrocket even higher and, in addition, creating fantastic medical care problems.

Fourth, this bill—which some of its supporters seem to think is the answer to all our ills—would apply only to those people covered by the old-age and survivors insurance provisions of the Social Security Act—and that would leave out a good 3 million persons who are 65 or over.

Fifth, you would not be getting any of this free—not by a long shot. Under the provisions of this bill, every employee and employer would be required to pay an extra ¼ of 1 percent on their social-security tax, and the self-employed would have to pay an extra ⅜ of 1 percent. The taxable earnings base would be increased from $4,800 to $5,000—if not more.

I say "if not more" because Secretary Ribicoff testified last summer that the base would probably have to be increased to $5,200 to cover the cost of the program, thereby cutting even more sharply into take-home pay.

Sixth, the program would cost a minimum of $1½ billion a year, and if the testimony of Secretary Ribicoff and other administration leaders is any indication, this would eventually soar to even more inconceivable heights—wrecking the entire social security system as well as ruining the finest medical care setup ever seen on earth.

Medicine also opposes the King-Anderson bill because of what it would do to the quality of medical care in this great country.

For one thing, the measure contains certain phrases and clauses that would ultimately bring compulsion, regulation and control into our medical care structure, displacing the freedom and personal relationship that have made American medicine what it is today.

The King-Anderson bill places the emphasis on financial matters rather than on the quality of the medical services that should be rendered to elderly patients.

It would cause overuse of hospitals and nursing home facilities—and that would do no one any good, least of all those old people who really needed to get into a hospital or nursing home but could not because of overcrowded conditions.

The supporters of the King-Anderson bill say that it is needed because, among other things, most old people today are in poor health and poor financial condition. Now I do not know where these gentlemen obtained their statistics, but authoritative surveys in the last few years have shown: (a) that the great majority of elderly people are in no worse health than the rest of the population, and (b) they are fully capable of taking care of their own financial needs.

If I may quote from the testimony presented last summer before the House Ways and Means Committee by the Reverend Stanley Parry, C.S.C., chairman of the Department of Political Science of the University of Notre Dame:

"The statistic that three-fifths of all those over 65 receive less than $1,000 cash income per year is indeed an amazing one. It would seem from it that the aged in America are a poverty-stricken group. On the face of it, this is a misleading statistic. I do not say it is a false one, but obviously the aged as a group are not in the sorry financial condition this statistic suggests. There are not 9 million impoverished aged in America. There are only 2.5 million of them on the public assistance rolls in America. Moreover we learn from the report of the Department of Health, Education, and Welfare, that the median (that is average) total income of retired social security beneficiaries is $183 per month. We learn also that the average retired couple has a median net worth of $9,620, that 75 percent of OASDI (old-age, survivors, and disability insurance) beneficiaries own their own homes and 87 percent of these homes are mortgage free.

"Remember, there are only 15.6 million aged in America. Of these, 1.5 million receive pensions from corporations, 10.8 million receive some form of Government compensation, 1 million receive privately purchased annuities, 3.7 million are recipients of currently earned income. If we subtract the 2.5 million receiving welfare, and consider the overlap indicated in the figures above, signifying that many receive income from more than one source, it is difficult to perceive the shape of poverty here. To draw the picture in dollar terms, the aggregate income of persons over 65 is between $25 and $30 billion a year. Of this, $6.7 billion derives from OASDI assistance, $1.7 billion from employment, $7 billion from interest, dividends, rent, and so forth. Far from showing the existence of permanent causes of indigence in the aged, the statistics suggest a hopeful withering of the causes of the indigence that does exist."

Medicine also opposes this legislation because of what it portends for the future. Don't you good people realize that once the Federal Government begins something, it not only never relinquishes it, but expands it, enlarges it, magnifies it? In the case of medical care for the aged, if the King-Anderson bill were ever enacted into law, it would quickly be expanded from a limited program for the elderly to a national compulsory health plan for the entire population. Do we want this? Do we need this?

I quoted before from the testimony of Father Parry, of Notre Dame. With your permission, I shall now offer another quote from this learned authority's acute and perceptive presentation before the House Ways and Means Committee. Referring to the fact that, under the King-Anderson bill, everyone over 65 would be entitled to medical care benefits whether he could afford to pay for them himself or not, Father Parry declared:

"Under this bill, to put it at the most illuminating marginal case, a married adult earning $4,500 a year would have to contribute to the expense of a 9-day hospital sojourn followed by lengthy nursing home care even in the case of an elderly widower living in a $15,000 house and having $25,000 in the bank." (Unquote.)

What do we physicians offer as an alternative to the King-Anderson bill? I do not know how many of you are aware of it, but Congress passed, and the President signed, a law back in 1960 which, if it is allowed to develop normally, will not only provide more and better medical care for those old people who really need help in meeting their medical and hospital expenses, but will do so without wrecking our economy or American medicine.

This law is called the Kerr-Mills Medical Assistance to the Aged Act, and here's what it does.

1. It makes health care available to everyone over 65 who cannot afford such care—and this is regardless of whether the person is covered by social security or not.

2. It provides grants to the States on the basis of per capita income and the services which each State chooses to provide.

3. It supplements rather than supplants voluntary health insurance programs, which—as you know—are covering an even greater number of people in the 65 and over category.

4. This is a really important argument: It allows the States to provide for medical care rendered by physicians as well as services rendered by hospitals and nursing homes. So, if an old person is ill, he doesn't have to go to a hospital to be taken care of. Instead, he can visit his family physician.

Isn't this a much more flexible and realistic program than the King-Anderson bill?

In New York State, as many of you doubtless know, the legislature last year passed the Metcalf-McCloskey law to implement the Kerr-Mills Act. This legislation (despite the opposition and sabotage of many of our elected officials in our State and local government) has shown what can be done with a law that is adaptable to the particular needs of each State.

The Metcalf-McCloskey Act, of course, is not a perfect piece of legislation but, as a result of the hearings held some months ago by the Metcalf committee, it will be amended in the current session of the State legislature—thus meeting even more effectively the needs of our old people.

I should like to close with some remarks about socialized medicine as it is working out in Great Britain. If you will recall, when the English National Health Service Plan was first introduced, it was viewed as a kind of medical utopia, and anyone who criticized it was considered a horrible and heartless wretch who would not only take candy from children but deprive an entire nation of needed medical care.

Well, time has shown that the British system has even more kinks in it than many of us suspected, and it is now being criticized increasingly by some of the best minds in the British Isles.

For example, Prof. D. S. Lee, a prominent English economist, recently made these interesting points: he said that medical care in his country is now dominated by political considerations and that the only way to restore the high standards that once prevailed was to eliminate the national health service completely. He urged his countrymen to return to the practice of allowing tax concessions to those who could provide for themselves and of offering direct assistance to the few who could not—the very principle that underlies the Kerr-Mills Act.

Professor Lee added, and I quote: "To those in England who object that the clock is being put back, we must reply that it is desirable to put the clock back if it is telling the wrong time."

Isn't this a description of what would happen in America if the King-Anderson bill were passed? And isn't it true that the Kerr-Mills Act would solve whatever medical care problems confront our old people?

We here in the United States still have a chance to insure that the clock will tell the right time—at the right time—and that time is now.

MEDICAL CARE AND SOCIAL SECURITY

(By Joseph B. O'Connor)

I appreciate the opportunity to appear before your organization on the administration's proposals for health insurance for the aged under the social security program.

As of today there are approximately 16 million Americans over 65 years of age, many of whom are plagued anew by fear. With lifespan lengthened, with medical science breaking into undreamed realms of discovery, the Nation's aged now face another aspect of insecurity—how to meet the mounting costs of medical care.

Let me set forth the administration's position clearly:

1. The high costs of medical care for the aged are going to be paid for in this country. The issue is not whether to pay these costs. The only issue is how to pay them.

2. The alternatives to health insurance that have been suggested are not adequate, not fair to the elderly who need the care and not fair to the public who pays for it.

Private insurance plus public welfare cannot do the complete job. If the medical assistance for the aged program, enacted by Congress in 1960, is expanded to cover a major share of the costs, the drain on State treasuries will be fantastic. If the issue is left to collective bargaining, the pressures on employers to absorb the total cost will be overwhelming. If hospitals have to collect from those who can pay the costs for those who cannot, the burden on middle-income hospital patients will be unconscionable.

3. The facts will show that paying for hospital costs under the social security system is the conservative answer, the practical answer, and the fair answer.

THE NEED FOR ACTION

In his special message to the Congress on health and hospital care, the President described the need of the aged for insurance against health care costs. You may recall that he said: "Those among us who are over 65—16 million today in the United States—go to the hospital more often and stay longer than their younger neighbors. Their physical activity is limited by six times as much disability as the rest of the population. Their annual medical bill is twice that of persons under 65—but their annual income is only half as high."

The President went on to say: "26 years ago this Nation adopted the principle that every member of the labor force and his family should be insured against the haunting fear of loss of income caused by retirement, death, or unemployment. To that we have added insurance against the economic loss caused by disability. But there remains a significant gap that denies to all but those with the highest incomes a full measure of security—the high cost of ill health in old age."

A few facts that show the general situation of the aged are:

1. Nine out of ten of the people who live to be 65 go to the hospital at least once between age 65 and death.

2. Among couples, in about half of the cases the husband and the wife will each have at least two hospital stays between age 65 and death, and

3. At least four hospital stays for half of the couples after age 65.

When an aged person goes to the hospital he is likely to stay longer than a younger person because he is more likely to have serious and long-lasting disease. People over 65 are in hospitals, on the average, over 2½ times as much as younger people.

In recent years these problems have been aggravated by rising hospital costs. The costs have more than tripled in the last 15 years.

As indicated in a report of the American Hospital Association, the financial impact of repeated hospital stays becomes apparent when we consider that the median yearly income for a widow is about $1,000, and for an aged couple is less than $2,500. About one-third of the aged have no assets that can readily be turned into cash, and about half have less than $500. Much of the health insurance available to the aged provides very limited protection and that only at high cost to them, and less than half of the aged have any hospitalization insurance at all. This is not surprising, since it is impossible for most retired people to pay currently the high premiums that, considering the high incidence of illnesses among older people, would be necessary to provide adequate coverage.

THE PRESENT ROLE OF GOVERNMENT

In proposing that the Federal Government play a part, the administration is not suggesting anything new. The Government is already involved in meeting the cost of personal medical care for the aged, as well as other groups, and on a large scale. The administration is simply proposing a more logical, a more equitable, a more efficient, and a more fiscally responsible approach to medical-care problems with which the Government is already involved and has been for quite some time.

In 1959, total expenditures for personal health and medical care in this country amounted to $22.5 billion. Almost 22 percent of this total—about $4.9 billion—was paid from public funds. Federal expenditures amounted to almost $2 billion, or about 40 percent of the total public spending for personal health and medical care.

The 1960 legislation providing for increased Federal grants for direct payments to providers of medical care under old-age assistance and for medical assistance for the aged will, of course, increase public expenditures for health care. If all States were to put into effect medical assistance programs for the aged comparable with the average program now in effect or under study in the States, and if health insurance for the aged is not provided under social security, the annual cost, Federal and State, for this category alone would be more than $650 million. If the State programs were to provide better benefits in the future than the average now provided, the cost of medical assistance for the aged, in the absence of a health insurance program for the aged under social security, could run to as much as $1 billion a year or even more, with the Federal Government paying somewhat more than half a

billion dollars. The Federal Government is already in medical care, and on a large scale.

THE SOCIAL INSURANCE METHOD

Provisions for health insurance benefits for the aged are a necessary part of income protection in retirement. Without such benefits the social security program cannot adequately provide basic security for the aged. For most older people, old-age, survivors, and disability insurance cash benefits are barely large enough to keep them housed, clothed, and fed, and half of the beneficiaries do not have any significant additional regular income. The benefits are not large enough to meet the costs of expensive illnesses or to pay large health insurance premiums during retirement. The only way to remove the threat to the financial independence of older people posed by the high cost of illness is through providing the aged with basic health insurance protection in addition to their monthly cash benefits. And this can be assured only through the social insurance method.

The method of providing paid-up health insurance protection for retirement has not been followed on any large scale in private insurance, nor is it likely that it will be. The social insurance method, then, is the only practical way of enabling most people to pay during their working years toward meeting the health costs they will face in old age.

The social insurance approach, on a national basis, makes possible provision of basic protection for the aged regardless of where they may happen to live. As you know, the State programs of medical assistance for the aged can, depending on State action be very narrow, both in eligibility, and in benefits, or on the other hand can provide virtually comprehensive medical care to a substantial portion of the aged.

New York, for example, has enacted a comprehensive program providing a broad range of medical services and a relatively liberal definition of medical indigence. Unmarried aged people with annual incomes of $1,800 or less and couples with incomes totaling $2,800 or less are eligible. Kentucky's program, on the other hand, is limited to individuals with an annual income of $1,200 or less and couples with annual incomes of $1,800 or less, and it provides payments only for 6 days of hospital care for acute emergency and life-endangering illness.

Variations such as these and the fact that most States have no program at all raise the very serious question of whether this country can long tolerate a situation in which health care is available to many of its aged citizens in New York and Massachusetts but not to people similarly situated in Kentucky or North Carolina. There is nothing fair or equitable in a situation of this sort. The problem is nationwide, and it should be dealt with nationally.

The social insurance approach would provide health insurance protection for the aged without limiting the patient's choice of doctor or hospital. In fact it makes possible greater freedom of choice than now exists, since the most important limitation for those who have not been able to pay—the financial barrier—would be removed. The only limitations on the patient's choice, for any beneficiary, would be what they are today for those that are able to pay; namely, that a hospital may be unable or unwilling to accept a patient and that one's physician may not happen to have hospital privileges at the hospital of one's choice. Thus, contrary to the argument of those who say that the plan would limit the patient's freedom of choice of doctor or hospital, it would in fact broaden freedom of choice for many and limit it for none.

We have, then, in the social insurance approach these advantages: It is the only way in which people generally can pay during their working years toward meeting their health costs in retirement; it is sound and fiscally responsible; it makes possible provision of basic protection for the aged regardless of where they live; it preserves and increases freedom of choice of doctor and hospital; and it does all this in a way that is consistent with the dignity of the individual.

THE COST OF THE PRESIDENT'S PROPOSAL

The cost would be met by an increase in the tax rate of one-fourth of 1 percent each for employers and employees and by three-eighths of 1 percent for self-employed persons, effective in 1963, together with the net gain to the program from an increase in the taxable earnings base from $4,800 to $5,000 a year effective in 1962. This increase of tax of one-fourth of 1 percent by the employers and the employees on the $5,000 base would mean a contribution of only $12.50 a year for this protection or a little more than $1 a month.

HOW WOULD THE PRESIDENT'S PLAN WORK?

President Kennedy proposes a fiscally responsible method of financing hospital care and certain related health services for the aged in a way that protects the dignity of the individual. There are differences in the method of collecting the funds and in the population groups affected, but what the plan would do would be very much like what Blue Cross plans have been doing for many years: it would pay hospital bills without interfering with hospital operations.

About 95 percent of today's workers will have this protection when they reach age 65. The other 5 percent of present workers would be largely Federal employees who are already protected under their own system, self-employed physicians, and those State and local government employees who are not brought under social security.

THE BENEFITS PROVIDED

The proposed legislation would provide for the payment, through the social security program, of certain health costs for people who are aged 65 or older and entitled to old-age, survivors, and disability insurance or railroad retirement benefits. A person would have the health insurance protection at age 65 even though his monthly cash benefits are being withheld because of earnings from work. In general, the following health services would be paid for under the proposed program:

1. Inpatient hospital services, including bed, board, drugs, and other supplies and services of the kind customarily furnished by the hospital.

2. Followup skilled nursing-home services provided to a patient after his transfer from a hospital, including bed, board, nursing services, drugs, and other services and supplies which are customarily provided by skilled nursing homes.

3. Home health services furnished by or through a public or nonprofit agency under a plan prescribed by a physician, including nursing care, physical, occupational, and speech therapy, medical supplies (other than drugs) and appliances for temporary use, and certain part-time or intermittent homemaker services.

4. Outpatient hospital diagnostic services of the kind customarily furnished by or through the hospital to its outpatient for diagnostic study.

There are two reasons why the proposal focuses on hospital services. First, the hospital is the center of modern medical care, and hospitalization is required in a large proportion of major illnesses. Second, hospital care is very expensive; people who need hospital services generally face a heavy financial burden. Medical expenses for older people who are hospitalized are about five times as great as the medical bills of older people who are not hospitalized.

The chief reason why certain services other than hospital inpatient services are covered is to promote economical use of the latter. Thus, the efforts of the health professions to reserve hospital beds for the care of the acutely ill who need the intensive care that only a hospital can furnish would be reinforced by the proposal. The provision for payment of the cost of skilled nursing-home care after a hospital stay, for example, would relieve the hospitals of the problem of caring for patients in the post-acute stage of illness. Pressure for hospital care of such patients could be expected to develop if only hospital care were covered by the proposal. Similarly, because the plan would pay the costs of outpatient hospital diagnostic tests, there would be no incentive to get inpatient care where not required for diagnosis. In addition, of course, payment of the costs of outpatient diagnostic services would promote early detection of disease. Payment of the cost of home health services, too, would encourage the use of these less expensive services, where medically appropriate, rather than those of a hospital.

For both inpatient hospital service and nursing-home services, there is a limitation on the number of days of care that could be paid for in a period of illness—a maximum of 90 days for hospital care and a maximum of 180 days for skilled nursing-home care. (This 2-for-1 provision is designed to provide an incentive to use nursing-home facilities, where medically appropriate, rather than hospitals. In addition there is an overall limitation of 150 units of service which may be paid for in a single period of illness. A "unit of service" is defined as 1 day of inpatient hospital care or 2 days of skilled nursing-home care—again a 2-for-1 ratio. If someone eligible for benefits under the plan should go into the hospital and stay for 70 days, for example, and then require followup skilled nursing-home care, he would be eligible for payment for the cost of up to 160 days of such care.

A period of illness is so defined in the bill that a new period could not begin unless there had been a lapse of 90 days during which the individual was neither an inpatient in a hospital nor a patient in a skilled nursing home.

For home health services an annual maximum of 240 visits is provided. Home health services involve periodic visits to the patient's home by therapists, nurses, and other professional personnel. The limitation placed on the payment of the costs of home health services is written in terms of "visits" rather than "days" so that the amount of home health services covered would be unaffected by whether a variety of services is offered on the same day or different days. A larger amount of service is covered in this area than in hospital and nursing-home care because home health services are far lower in cost than are hospital and nursing-home services.

The proposed health insurance program would not provide first-dollar coverage. There is no coverage of a "deductible" amount of $10 for each of the first 9 days of inpatient hospital care in a benefit period, and the minimum deductible amount is $20. Also, there is a deductible amount of $20 for each hospital outpatient diagnostic study.

ADMINISTRATION OF THE PROGRAM

Overall responsibility for administration of the program for social security beneficiaries would rest with the Secretary of Health, Education, and Welfare. State agencies would be used, however, to carry out those services they are best equipped to perform. The bill, for example, authorizes the Secretary to enter into agreements with the States to have them conduct any activities that may be needed to determine whether a provider meets the conditions for participation in the plan. The States could also be reimbursed under such agreements for making available consultative services to help providers to meet these conditions. This help would be in the nature of technical advice on request and would make available to institutions desiring assistance the benefit of State and community professional experience.

SUMMARY AND CONCLUSION

To summarize: Older people have low incomes and high health costs. We believe that many refrain from seeking care they need because they cannot pay for it or are unwilling to ask for help. Others, who do seek care, are made destitute by the cost of the care they get.

With the cost of health care rising and the number of older persons increasing rapidly, the need for protection against the cost of health care for the aged is an urgent and pressing one. The only satisfactory way of providing the aged with adequate health insurance protection is through a system under which the cost of the health insurance will be paid by people during their working years, together with their employers. The social security program is the only practical mechanism which follows this approach and through which in the future practically everyone in every State in the United States can secure basic protection.

Many more facts and figures could be cited. But statistics cannot measure the anxiety and suffering of elderly people who see their small savings, their homes, their security, about to be swept away by the near certainty of expensive illness.

Behind the facts and figures are human beings—average Americans—facing retirement on low income, knowing that in the days ahead there are almost certain to be large hospital bills. Many can just make it day by day on social security supplemented by minimum income from other sources, barely meeting the costs of rent and food and shelter. What they worry about is what happens if they get sick? Will their children be able to help? Will they have to sell their homes, draw the last dollar from the bank, for the first time in their lives apply for relief and go through the humiliation of a test of need, ask help from friends?

Even if medical care on a means-test basis were adequate and available for all needy, it would not be the answer. They, just as you and I, want protection before disaster strikes—not relief after they have lost everything. Growing older has its inevitable sadness; must we add the cruelty of fear and insecurity?

A quarter of a century ago we faced a problem much like the one we face now. We chose, as our basic solution then, a system of social insurance, under which the people, with their employers, would build their own old-age security while working by paying social security contributions into special funds from which payments would be made to them when they were no longer working. Now, after 25 years, few would question the wisdom of that decision.

Bulgarian Liberation Day

EXTENSION OF REMARKS

OF

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 5, 1962

Mr. PUCINSKI. Mr. Speaker, I join with my distinguished colleagues today in tribute to the people of Bulgaria and to our own Americans of Bulgarian ancestry, to commemorate the 84th anniversary of Bulgarian independence.

Although on March 3, 1878, the Bulgarians won their independence from the tyrannical Ottoman Empire, the people of Bulgaria have enjoyed precious little freedom in the past 84 years. From 1878 until the start of World War II, this strategically valuable nation was a political battleground.

We are all aware of the Communist takeover in Bulgaria during the closing months of the war. Perhaps at that time, however, it was impossible to gage the treachery of the Soviet Union, which would ultimately stifle all freedom of thought in the countries under its suppression domination.

We Americans, secure in our traditions of human liberty and the dignity of freedom, join with free people everywhere in deploring the Soviet Union's enslavement of countless thousands behind the Iron Curtain.

In all justice, the day must inevitably come when the Bulgarians, as well as their brothers in other captive nations, will be truly free to determine their own course of government.

I congratulate the people of Bulgaria on this 84th anniversary of their moment of independence. I trust that the memory of this significant date in their history will give them hope and faith in a future which recognizes that all men must be free if we are ever to attain lasting peace.

HOUSE OF REPRESENTATIVES

TUESDAY, MARCH 6, 1962

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Romans 8: 6: *To be spiritually minded is life and peace.*

Eternal and ever-blessed God, inspire us to understand more clearly that each day we must cultivate the spiritual principles and cardinal virtues if the soul of humanity is to be kept alive and strong and have peace.

We penitently acknowledge that our eyes so frequently fail to focus accurately and we see life, its meaning and purpose, its dignity and wonder, in a false perspective.

Grant that the spirit of fraternity may prevail everywhere and may we realize that then only can we gain for one another that liberty which we long for and that equality which we all have before Thee.

Hear us in Christ's name. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H.R. 7666. An act to amend section 17(a) of the Revised Organic Act of the Virgin Islands pertaining to the salary of the government comptroller; and

H.R. 7855. An act granting the consent of Congress to an amendment to a compact ratified by the States of Louisiana and Texas and relating to the waters of the Sabine River.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 2774. An act to amend section 8 of the Organic Act of Guam and section 15 of the Revised Organic Act of the Virgin Islands, to provide for appointment of acting secretaries for such territories under certain conditions; and

S. 2775. An act to amend the act of June 30, 1954, providing for a continuance of civil government for the Trust Territory of the Pacific Islands.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

Mr. HEMPHILL. Mr. Speaker, I ask unanimous consent that the Committee on Interstate and Foreign Commerce be permitted to sit during general debate today.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

SUBCOMMITTEE ON ENROLLED BILLS AND LIBRARY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Subcommittee on Enrolled Bills and Library may be permitted to sit during general debate on Thursday, March 8, 1962.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

ENLARGEMENT OF MEMBERSHIP OF THE HOUSE OF REPRESENTATIVES

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, I take this time to advise the House that if a rule is granted we plan to program on Thursday next the bill, H.R. 10264, providing for an increase in the membership of the House of Representatives.

PRIVATE CALENDAR

The SPEAKER. This is Private Calendar day. The Clerk will call the first individual bill on the Private Calendar.

MRS. CHOW CHUI HA

The Clerk called the bill (S. 1934) for the relief of Mrs. Chow Chui Ha.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. ROBERTS of Alabama. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

FREE IMPORTATION OF CERTAIN STAINED GLASS

The Clerk called the bill (H.R. 7431) to allow the importation free of duty of certain stained glass windows for use in St. Joseph's Cathedral, Hartford, Conn.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby directed to admit free of duty any stained glass or any prefabricated panels consisting of stained glass set in reinforced concrete with fastening devices which may be imported during the twenty-four-month period commencing on July 1, 1960, for use in Saint Joseph's Cathedral, Hartford, Connecticut.

SEC. 2. If, after June 30, 1960, and before the date of enactment of this Act, any article subject to the provisions of the first section of this Act has been entered or withdrawn from warehouse for consumption and the liquidation of such entry or withdrawal has become final under section 514 of the Tariff Act of 1930, such entry or withdrawal may be reliquidated and the appropriate refund of duty may be made.

With the following committee amendments:

Page 1, beginning in line 6, strike out "twenty-four-month" and insert "thirty-month".

Page 1, strike out line 9 and all that follows through line 5 on page 2, and insert:

"SEC. 2. The Secretary of the Treasury is hereby directed to admit free of duty any stained glass or any prefabricated panels consisting of stained glass set in reinforced concrete with fastening devices which may have been imported before the date of the enactment of this Act for use in the construction of a new church and auxiliary buildings for the Church of Saint Francis Xavier of Phoenix, Arizona.

"SEC. 3. If the liquidation of the entry, or withdrawal from warehouse, for consumption, of any article subject to the provisions of the first section or section 2 of this Act has become final, such entry or withdrawal may be reliquidated and the appropriate refund of duty may be made."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time and passed.

The title was amended to read:

A bill to provide for the free entry of certain stained glass for Saint Joseph's Cathedral, Hartford, Connecticut, and for the Church of Saint Francis Xavier of Phoenix, Arizona.

A motion to reconsider was laid on the table.

ELECTIONS UNDER SECTION 333 OF THE INTERNAL REVENUE CODE OF 1954 BY THE SHAREHOLDERS OF THE G. L. BERNHARDT CO., INC., OF LENOIR, N.C.

The Clerk called the bill (H.R. 9612) relating to the elections under section 333 of the Internal Revenue Code of 1954 by the shareholders of the G. L. Bernhardt Co., Inc., of Lenoir, N.C.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the elections under the provisions of section 333 of the Internal Revenue Code of 1954 made by the shareholders of the G. L. Bernhardt Company, Incorporated (a North Carolina corporation liquidated during the month of August 1958), and delivered to the District Director of Internal Revenue, Greensboro, North Carolina, on February 13, 1959, shall be deemed to have been filed with such District Director on July 14, 1958.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SPENCER E. HEWITT

The Clerk called the bill (H.R. 1604) for the relief of Spencer E. Hewitt.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the limitations of time applicable to filing of claims for benefits under subsections (a) through (e) of section 6 of the War Claims Act of 1948, as amended, are hereby waived in favor of Spencer E. Hewitt, of El Cajon, California (Foreign Claims Settlement Commission claim numbered 107737), and his claim for benefits under such subsections is authorized and directed to be acted upon by the Foreign Claims Settlement Commission if such claim is filed with the Commission within six months after the date of enactment of this Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOHN D. MORTON

The Clerk called the bill (H.R. 1918) for the relief of John D. Morton.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That John D. Morton, of Highcoal, West Virginia, is hereby relieved of all liability to refund to the United States the sum of $810.45. Such sum represents the amount of certain salary payments made to John D. Morton as the result of an administrative error made by the Post Office Department. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, full credit shall be given for the amount for which liability is relieved by this Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BARBARA W. TROUSIL, EDWARD G. TROUSIL, AND ROBERT E. TROUSIL

The Clerk called the bill (H.R. 3372) for the relief of Barbara W. Trousil, Edward G. Trousil, and Robert E. Trousil.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of title IV of the International Claims Settlement Act of 1949, as amended, limiting the period within which claims may be filed thereunder, the Foreign Claims Settlement Commission of the United States shall have jurisdiction to determine the validity and amount of the claims of Barbara W. Trousil and her sons, Edward G. Trousil and Robert E. Trousil, filed under the provisions of such Act for property lost by them through its nationalization by the Government of Czechoslovakia, and shall certify to the Secretary of the Treasury for payment out of the Czechoslovakia Claims Fund any award made under such Act. The Secretary of the Treasury shall pay to said Barbara W. Trousil, Edward G. Trousil, and Robert E. Trousil out of such fund, in accordance with the provisions of section 413 of such Act, the amount of any such award so certified by the Commission.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ABRAHAM GELB

The Clerk called the bill (H.R. 4563) for the relief of Abraham Gelb.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the expiration of the periods prescribed for the filing of claims under subsections (a) through (d) of section 6 of the War Claims Act of 1948, as amended, the Foreign Claims Settlement Commission is authorized and directed to determine the validity and amount, in accordance with the provisions of that Act and the Commission's regulations previously in force with respect to claims under that section, of a claim for benefits under such subsection filed within ninety days after the date of enactment of this Act by Abraham Gelb, father of Daniel Gelb, deceased (Foreign Claims Settlement Commission claim numbered 149039; docket numbered 11,475). The Commission shall certify to the Secretary of the Treasury for payment out of the War Claims Fund any award made by the Commission in accordance with applicable provisions of the War Claims Act of 1948, as amended, in favor of Abraham Gelb.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. WILLIE MAE BROWN

The Clerk called the bill (H.R. 5686) for the relief of Mrs. Willie Mae Brown.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Willie Mae Brown of Lumber City, Georgia, the sum of $11,426.52, in full settlement of her claims against the United States for compensation for property damage and personal injuries sustained by her on June 17, 1960, as the result of a collision between an automobile operated by her and an ambulance (U.S.A. 758870) operated by the Tennessee Army National Guard, while such ambulance was en route to home station from annual field training of the 230th Medical Battalion, Tennessee Army National Guard. This claim is not cognizable under the Federal Tort Claims Act: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 6, strike out "$11,426.52" and insert "$5,000".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ANNA MARIA GEYER

The Clerk called the bill (H.R. 6076) for the relief of Anna Maria Geyer.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Attorney General shall return to Anna Maria Geyer the twenty-six adjusted service bonds of 1945, or the proceeds thereof, which bonds were payable to her husband, Fred Geyer, a veteran of thirty-two years' service in the United States Army, and were vested by Vesting Order 17491, dated March 8, 1951.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CARL D. SORESI

The Clerk called the bill (H.R. 6272) for the relief of Carl D. Soresi.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Carl D. Soresi, McLean, Virginia, the sum of $250, in full settlement of his claims against the United States for the replacement cost of a Mauser sportsman rifle (numbered 1899H-BCD-43) taken from his possession and receipted for by an official of the United States Customs Service at Newport News, Virginia, on November 14, 1943: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 2, line 1, strike "in excess of 10 per centum thereof".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LEWIS INVISIBLE MACHINE STITCH CO., INC., NOW KNOWN AS LEWIS SEWING MACHINE CO.

The Clerk called the bill (H.R. 7549) for the relief of the Lewis Invisible Machine Stitch Co., Inc., now known as Lewis Sewing Machine Co.

Mr. HEMPHILL. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

THELMA E. McCLENCH

The Clerk called the bill (H.R. 8886) for the relief of Thelma E. McClench.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of all laws administered by the Veterans' Administration, the marriage of Thelma E. McClench (widow of Frederick F. McClench, XC-19 247 491) to Everett M. Lowe, annulled ab initio by decree of the Circuit Court, Seventh Judicial Circuit, in and for Volusia County, Florida (March 11, 1959, chancery order book numbered 198, page 656), shall be held and considered to have been absolutely void.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MARY R. GALOTTA

The Clerk called the bill (H.R. 8946) for the relief of Mary R. Galotta.

Mr. ROBERTS of Alabama. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

MRS. IRIS ANN LANDRUM

The Clerk called the bill (H.R. 9409) for the relief of Mrs. Iris Ann Landrum.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Mrs. Iris Ann Landrum, of Rand, West Virginia, is hereby relieved of all liability to refund to the United States the sum of $399.70. Such sum represents the amount of certain payments made to Mrs. Iris A. Landrum as the result of an error made by the Department of the Army. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, full credit shall be given for the amount for which liability is relieved by this Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RELIEF OF CERTAIN ALIENS IN THE ARMED FORCES

The Clerk called the resolution (H.J. Res. 638) for the relief of certain aliens who are serving in the U.S. Armed Forces.

There being no objection, the Clerk read the resolution, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Adriano P. Principe, Ricardo V. De Los Reyes, Juanito Moreno, Orlando V. Jamandre, Arnulfo C. Imbat, Elias N. Guillermo, Geronimo R. Reyes, Herculano C. Mangente, Ireneo S. Mayo, Federico M. Periquet, Gerardo P. Magcanam, Pedro F. Bantillo, and Francisco F. Sarmiento shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fees. Upon the granting of permanent residence to such aliens as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct thirteen numbers from the appropriate quota for the first year that such quota is available.

The joint resolution was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

The SPEAKER. That concludes the call of the Private Calendar.

SUBCOMMITTEE ON NATIONAL PARKS

Mr. RUTHERFORD. Mr. Speaker, I ask unanimous consent that the Subcommittee on National Parks have permission to sit this afternoon during general debate.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

APPROPRIATIONS FOR TREASURY, POST OFFICE, EXECUTIVE OFFICE OF THE PRESIDENT, AND CERTAIN INDEPENDENT AGENCIES, FOR FISCAL YEAR 1963

Mr. GARY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 10526) making appropriations for the Treasury and Post Office Departments, the Executive Office of the

President, and certain independent agencies, for fiscal year 1963, and for other purposes; and, pending that motion, Mr. Speaker, I ask unanimous consent that general debate be limited not to exceed 3 hours, one-half of the time to be controlled by the gentleman from New York [Mr. PILLION] and one-half by myself.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The SPEAKER. The question is on the motion.

CALL OF THE HOUSE

Mr. GROSS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently, a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 27]

Andrews	Harrison, Va.	O'Konski
Ayres	Healey	Powell
Bailey	Hoffman, Mich.	Quie
Barry	Holifield	Rostenkowski
Bennett, Mich.	Jones, Ala.	St. Germain
Betts	Jones, Mo.	Santangelo
Blitch	Karth	Scherer
Brademas	Kearns	Schweiker
Breeding	Kee	Shelley
Buckley	King, Calif.	Smith, Miss.
Carey	Kyl	Spence
Celler	McDonough	Thomas
Chelf	McDowell	Ullman
Collier	McIntire	Van Zandt
Cramer	McMillan	Wilson, Calif.
Fulton	Macdonald	Wright
Granahan	Martin, Mass.	Yates
Gray	Moorehead, Ohio	
Green, Oreg.		
Green, Pa.	Nelsen	

The SPEAKER. On this rollcall 377 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

TREASURY, POST OFFICE, AND EXECUTIVE OFFICE APPROPRIATION BILL, 1963

The SPEAKER. The question is on the motion offered by the gentleman from Virginia [Mr. GARY].

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 10526, with Mr. THORNBERRY in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. GARY. Mr. Chairman, I yield myself such time as I may require.

Mr. Chairman, this is one of the most important appropriation bills that come before the House. It is one of the largest, as it carries a total appropriation of $14.9 billion. Included in that total, however, are permanent appropriations of $9.4 billion over which our committee has no control because they are permanent appropriations fixed by law.

I would emphasize that this is not a one-man bill. It is the product of an excellent committee. Our subcommittee consists of the gentleman from Louisiana, Mr. OTTO E. PASSMAN, who has long been a member of the committee; the gentleman from Oklahoma Mr. TOM STEED; and the gentleman from North Carolina, Mr. HUGH ALEXANDER.

On the other side of the aisle, we have Mr. JOHN R. PILLION, the able minority leader; Mr. SILVIO CONTE; Mr. WILLIAM MILLIKEN. The members of the committee have worked hard during the 2 months that we have been conducting hearings. Our very able staff assistant, Mr. Aubrey A. Gunnels, has also contributed immeasurably to the result.

Our committee has really gone thoroughly into the requests that have been made by the Departments this year, and I am happy to inform you that the committee was unanimous in its recommendations and its report received the unanimous approval of the full committee without a change.

We were mindful throughout the consideration of this bill of the facts we are facing today insofar as our fiscal situation is concerned. Our public debt as of February 27, 1962, was $297,613,611,457.06.

Our Federal budget has been balanced only six times in the last 31 years.

Our committee feels they are facts that should receive the very serious consideration of the Congress of the United States.

There is an estimated deficit for the current fiscal year of $7 billion and the budget for 1963, to say the least, is precariously balanced.

I spoke a few moments ago of the permanent assessments. The largest item in the permanent assessments is the interest on the Federal debt. That is estimated for fiscal year 1963 at $9,300 million. That is $400 million more than in 1962. The interest on the Federal debt alone for the fiscal year 1963 is greater than was the entire Federal budget in 1940. Every time the minute hand of the clock moves one notch throughout the 24-hour day, $17,690 of the taxpayers' money is being spent for interest alone.

The total regular appropriations recommended in this bill are $5,461,671,000, which represents an increase of $148,813,000 over 1962 and a cut in the budget requests of $113,715,000.

In the budget for fiscal year 1963, over 46,000 additional employees are requested and we had 20,696 of them in this bill. Our committee has recommended 11,213, which is a cut of 9,483.

Let me explain immediately that the greater part of that increase in personnel comes in the Post Office Department and in the Internal Revenue Service. The Post Office Department requested 15,448 new personnel. We reduced that to 9,249. The Internal Revenue Service requested 4,514 and we reduced that to 1,600.

I shall discuss those cuts in detail later when we consider the appropriations for those agencies.

For the Treasury Department our committee recommends $952,825,000. That is an increase over 1962 of $19,863,000. It is a reduction of $53,518,000. The budget requests for Treasury Department contemplated increases in employment of about 5,200 personnel which would raise civilian employment in the Treasury Department to nearly 90,000 people. Our bill recommends an increase of approximately 2,000.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. GARY. I yield.

Mr. YATES. Does this contemplate additional personnel for use in the event the proposed tax bill is passed?

Mr. GARY. No, sir; it does not.

In the Office of the Secretary we recommend $4,480,000, an increase of $380,000 over 1962, and a cut of $180,000. The Office of the Secretary requested an increase of personnel of 36 including 6 that had been transferred from the Bureau of the Mint over to the Office of Secretary. The policymaking powers have been transferred from the Bureau of the Mint to the Secretary's Office, which our committee feels is a very proper change; and as a result of that change the six employees have been transferred. They are new in the Secretary's budget, but are not new in the whole budget; they have simply been transferred.

In addition he requests six positions for the civil defense activities. As a matter of fact, each division is requesting certain civil defense employees. Our committee felt, and I understand it is to be the policy of the entire Appropriations Committee, that all of these civil defense activities will be stricken from the individual budgets and considered as a whole, which is as it should be. Then we will know exactly what we are spending for civil defense. Therefore, we eliminated those 6 requested positions and recommend 18 additional employees, including the 6 transferred from the Bureau of the Mint, which gives them an additional 12 employees for this office. We feel that these additional employees are needed because of the additional workload incident to the tax legislation and other items.

The next item is the Bureau of Accounts. We recommend $3,800,000, an increase for 1962 of $28,000. The cut we recommend is $38,000. The committee feels that the estimated increase in work volume in the Bureau of Accounts is too high. They are going to have some additional increase in workload, but we do not think it will run quite as high as they have estimated; therefore, we have recommended a cut accordingly.

The same applies to the Division of Disbursements: They are going to have to handle more checks, but we do not think they are going to have as many as they estimate.

Our committee recommended $26,500,000, which is an increase of $800,000 over 1962, but a reduction of $475,000 in the request.

The Division of Disbursements has done a grand job in reducing their personnel in proportion to their workload by the installation of automatic data-processing equipment. We feel that the data-processing equipment, particularly

the new high-speed type that is now available but has not been available until this year, will reduce the number of personnel necessary for the work volume and, therefore, we have taken that into consideration in making our recommendation.

The next is the Bureau of Customs. I know there are a great many here on the floor who are interested in that appropriation. We recommend for the Bureau of Customs $64,600,000, which is an increase over 1962 of $1,275,000. It is a cut of $1,400,000.

The Bureau of Customs requested 290 additional employees. We recognize that they do need some additional employees as they are accumulating a backlog of work. It is a great handicap to the importers of this country if a backlog builds up in the Bureau of Customs, because when goods are imported, if the importer cannot find out within a reasonable time what the customs duties are going to be, he cannot sell his goods. He must necessarily add the customs duties to his selling price. For this reason we feel the Bureau needs additional appraisers and assessors. We have had a substantial increase in our import trade and there is now a large backlog. We are hoping for an even greater trade increase in the future.

They requested 59 additional assessment and collection personnel. We recommend 45. They requested 21 additional appraisers. We recommend 20. They asked for 210 additional enforcement officers.

Throughout this budget we see requests for additional enforcement officers. The way these enforcement officers are increasing, if we do not look out, instead of having one Gestapo in the United States we will have a dozen or more harassing the people of the United States with their enforcement activities. We believe the people ought to pay the proper taxes, that they ought to pay the proper customs duties, but we do not believe we have to build up great empires in these enforcement agencies in order to accomplish that result.

They asked for 210 additional enforcement officers. They did point out to us that there are several ports that have no enforcement officers at the present time. Therefore, we recommended 25 enforcement officers to take care of these ports. That represented a cut of 185. We felt that 25 additional enforcement officers will be ample.

The Bureau of Printing and Engraving operates on a business budget. We no longer appropriate for that agency. They charge other agencies the cost of the work performed for them. I am proud to report that the committee was very gratified to learn that they have reduced the unit cost of printing our currency from 10 cents to 9 cents apiece. The Director of the Bureau stated in his testimony that had it not been for the management improvements that have been made in the Bureau of Printing and Engraving, as a result of the recommendations of our subcommittee, the cost instead of being 9 cents apiece to print the bills today would be 20 cents apiece, which means many millions of dollars in savings to the Government of the United States.

We were very gratified to hear that testimony. But they do require appropriations for their capital improvements.

They want to air-condition the building, and they have a double purpose in air conditioning. Air conditioning will not only provide more comfortable and efficient working conditions for the employees, but it will also control atmospheric conditions to provide the necessary control in the manufacture of currency and in the redemption of Government securities. Therefore we recommend a $300,000 appropriation looking toward that end. This will provide for a study and the drafting of plans for an air-conditioning system for the entire plant.

In the Bureau of the Mint we recommend $6,480,000, which is an increase of $230,000 over 1962 and a cut of $200,000 in the request. The committee reduced this because we felt that there was an overestimate in the number of coins for next year, but we gave them substantially what they asked for.

The next item is the Bureau of Narcotics, and there, in my judgment, we have one of the ablest bureaus of the entire Government. Dr. Anslinger is doing a magnificent job. We recommend for that Bureau $4,580,000, which is an increase of $118,000 over 1962. That increase is for three additional employees which will be placed abroad. What he is doing is trying to stop the importation of narcotics into this country. Let me say that, in my judgment, Dr. Anslinger has the proper idea for the administration of his Bureau. Instead of trying to build up a great enforcement bureau of his own, he works with the State and local enforcement officers. It would be impossible to build up a central enforcement unit in the U.S. Government to control narcotics. We are bound to work with the State and local officers, and that is the way Dr. Anslinger is working. We think that he needs all of the money that he has requested. These three additional employees abroad we consider are well worth while.

Next is the Bureau of the Public Debt. There we recommend $47,750,000, which is a decrease of $250,000 over 1962 and a cut of $250,000. We thought that the estimated increase in the issues and redemptions of savings bonds was high and that additional savings would be realized through the use of the new high-speed data processing equipment.

The next is the Coast Guard. We recommend for the operation of the Coast Guard $217.5 million. That is an increase of $5.5 million over 1962 and a reduction of $2.5 million in the request. The Coast Guard requested 264 additional personnel. The amount recommended by the committee would give them an increase of about 185, which the committee felt was sufficient to properly carry on their activities. Although here again I may say that I think the Coast Guard is one of the most efficient and economically operated agencies of our Government. Certainly, if the other defense agencies would operate half as economically as the Coast Guard does, we would save billions of dollars, in my judgment.

Now, they also have an item for acquisition, construction, and improvements. That is for their airplanes, their ships, and for shore installations. We recommend $25 million, which is a decrease of $14 million over 1962 and a cut in the request of $14 million.

Mr. CLEM MILLER. Mr. Chairman, will the gentleman yield?

Mr. GARY. I yield to the gentleman from California.

Mr. CLEM MILLER. I think that is a point worth emphasizing. As I understand, Mr. Chairman, this cut is not aimed at the moderate proposals of the Coast Guard but is really intended, as the feeling of this committee, that a plan is needed; is that correct, sir?

Mr. GARY. That is absolutely correct. Our committee has insisted that all of the agencies handling replacements work out a definite plan of replacement so that we can average the expenditures over a period of years, and not have them cove in and say, "We need an entirely new fleet of airplanes this year, and next year we will not need any."

The fleet of airplanes in the Coast Guard was in very bad condition several years ago, and our committee insisted that they work out a definite plan of replacement.

Mr. CLEM MILLER. Would the gentleman say that such a plan has not been forthcoming?

Mr. GARY. No; insofar as the airplanes are concerned, a definite plan has been worked out and we are proceeding according to that plan. But no such plan has been worked out for the ship and shore installations. We have requested the Department to work out a plan of orderly replacement for the ships and for the shore installations. Because this has not been done so far, although we did not want to cut off the appropriations entirely for that purpose this year, we did cut the appropriations down.

We said to them in the report, if the gentleman will read the report of the committee, that next year we wanted a definite plan of future replacements for both the ships and the shore installations.

Mr. CLEM MILLER. Mr. Chairman, will the gentleman yield further?

Mr. GARY. Yes, I am glad to yield further to the gentleman.

Mr. CLEM MILLER. This seems to me to be a very excellent course to pursue. Other agencies of our Federal Government have a well-ordered plan for the development of projects and that seems to be one that should be followed here.

The Treasury, I presume, in this instance, then, does not have an orderly plan wherein we may observe how these various projects fit into the total picture. Such a plan is essential if we are going to do this in a logical and coordinated way.

Certainly I heartily commend the committee for that action. From a previous interview the gentleman from Virginia is aware of a project in my district, but

I feel we would all like to know where it stands in relationship to all others. With a priority list I feel this is an excellent way to proceed so we know where we stand.

Mr. GARY. I thank the gentleman for his remarks, because I know he does have a needed project in his district and it is on the list for construction this year, and I hope that it still can be constructed under the appropriation that we have recommended. The action of the committee was not designed in any sense to cut out the necessary projects of the Coast Guard but, rather, to urge the Treasury to work out an orderly plan so that these improvements can be made in an orderly manner.

The next item is the Coast Guard retired pay. There we recommend $32 million, which is an increase of $650,000 over 1962, and represents a cut of $700,000. That is just an estimate because, of course, retired pay is fixed by law, and whatever the amount is will have to be paid. But we feel that our estimate is a good estimate.

For Reserve training in the Coast Guard Reserve we recommend $16.5 million, which is an increase of $500,000 over 1962.

The Coast Guard Reserve, like the Reserves of the other military services, is increasing its military readiness by additional active duty training and drills. Mobilization plans call for the Coast Guard to provide 39,600 trained officers and enlisted men available for active duty in an emergency. The 1963 program will provide 27,858 toward that goal, of whom 18,653 will be in training status and the remainder in active status pool or on active duty.

Now we come to one of the large and perhaps controversial items in this bill; I hope it is not going to be controversial when we give you the facts on it. That is the Internal Revenue Service.

For the Internal Revenue Service our committee recommended $480 million. This is an increase of $28 million over 1962, but a reduction of $33 million in the estimate.

The Internal Revenue Service is embarking upon one of the most ambitious and we think important steps in tax enforcement and administration in many years. That is the program under which they will install electronic equipment for the processing of tax returns throughout the entire United States. They plan automatic data processing installations in nine regions in the United States. This equipment will handle all of the taxpayers' returns in those regions. They are also installing a national computer center in Martinsburg, W. Va., and the information for each taxpayer in the United States will be sent to Martinsburg. Each taxpayer in the United States will have a number and under his number will be assembled all of the information that can be collected touching on his tax returns.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. GARY. I am glad to yield to the gentleman.

Mr. GROSS. By the way, why are so many installations going into West Virginia? Can the gentleman give us any idea?

Mr. GARY. This is the central computer installation. It was planned, if I am not mistaken, before the last election. I think the location was selected by the previous administration.

Mr. GROSS. The gentleman is not saying that politics has something to do with it?

Mr. GARY. No, sir; I am trying to say that politics has nothing whatever to do with it. It is not a question of politics. The selection was made by the administrative branch of the Government and our committee was not consulted on that question. We have questioned not where the stations are to be located but whether or not they need nine regional stations. We seriously questioned that. We feel that with these electronic machines it may be possible to handle the work load with a lesser number. We did not want to stop the work on this development during this next year and therefore we allowed them the money they requested for the installations they have planned for the next fiscal year. We did, however, recommend that before they go on further with the plans they make a study and see that they have the best locations and that they need all of the locations that they have selected.

Mr. GROSS. Mr. Chairman, will the gentleman yield further?

Mr. GARY. I yield to the gentleman.

Mr. GROSS. The gentleman may not be saying that politics has anything to do with it, but I want to say that politics must have something to do with it. And while it does not deal with this particular subject I would like to say here and now that I think politics had everything to do with the designation of West Virginia to get the bulk of 180 miles of reserve interstate highway not so long ago, when by no criteria could this be sustained.

Mr. GARY. Mr. Chairman, I will say to the gentleman that as far as our committee is concerned the question of politics has never entered into our deliberations. I think we have to leave certain questions to the administrative branch of the Government.

Mr. BALDWIN. Mr. Chairman, will the gentleman yield?

Mr. GARY. I yield to the gentleman.

Mr. BALDWIN. It is my understanding that the objective of this electronic procedure is to reach a point where if a corporation, for example, pays a dividend to an individual stockholder, the Treasury Department will have a cross-check on the corporation's records which will show the number of the individual stockholder.

So, if the stockholder does not declare the dividend on his income-tax return, the Treasury Department will be able to cross-check it through the corporation? How rapidly will that system go into effect countrywide and will that largely solve the estimate of the Treasury Department as to deficiencies because of failure to declare this kind of income?

Mr. GARY. This is a 9-year program. It started in 1961 and it is, therefore, due to be completed by the year 1970.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. GARY. I yield to the gentleman from Iowa.

Mr. GROSS. The gentleman is talking about all of this automation and the installation of data-processing equipment at terrific expense to the taxpayer. This kind of machinery has been installed all throughout the Government. A lot of it has already been installed; is that not correct?

Mr. GARY. That is correct.

Mr. GROSS. And much of it has been installed in the Bureau of Internal Revenue.

Mr. GARY. And it has saved millions of dollars.

Mr. GROSS. And yet we find personnel being increased throughout the Government. What is going on here?

Mr. GARY. If the gentleman will just give me a few moments, I will try to answer that.

I agree with the gentleman, your first impulse is, if we are going to have all of this additional electronic equipment, we can reduce personnel. I thought that would be the logical result. They tell us, however, that is not altogether correct. They say that what these machines will do is merely to point out the errors, but they will not correct them. They have to have the agents to go out and see the people whose errors have been pointed out and work out the proper taxes through consultations. But, in this 9-year plan, which they call the long-range plan, the Bureau contemplates a 96-percent increase in personnel. That is practically doubling the personnel over the 9-year period. Our committee thinks that is beyond all reason. They asked for 4,514 additional personnel for 1963. We felt that was excessive. We reduced that to 1,600 additional personnel. Several years ago they told our committee, "For every dollar you give us for enforcement, we will bring in $20."

That figure has been changed today. This year they told us, "For every dollar you give us, we will bring in $6." The figure has been reduced from $20 to $6. Now let us look at the actual facts. We have been giving them increased personnel over the years. For fiscal year 1961 we gave them 3,000 additional personnel, and what happened as a result of that increase? You will find a very interesting table on that on page 431a of the hearings. As a result of this increased personnel, they made 511,000 additional audits in 1961, bringing audits up to 5.2 percent of returns as contrasted with 4.4 percent for 1960. And how much additional revenue did they receive as a result? I will give anyone on the floor 10 guesses, and you will never guess—with 511,000 additional audits, they collected only $1 million additional taxes. What is more, we gave them 4,000 additional personnel for 1962. Thus far this year, a table on page 431a will show that the collections from assessments from audits during the first quarter of 1962 ran $37,655,000 behind 1961 and $81 million behind 1961 for the second quarter.

In other words, notwithstanding the additional personnel, their assessments from audits during the first half of fiscal

year 1962 was $119 million less than for the first half of fiscal 1961.

We have felt all along that sooner or later we were going to reach the point of diminishing returns. It looks as though the point has been reached. You ask, why then give them any additional employees? We were not unmindful of the fact that in our budget for 1963 we have an estimate of a $10,900 million increase in revenue. It is also estimated that the Internal Revenue Service will have 1,500,000 additional returns. We feel they will need some extra help to handle this heavier workload, and for that reason we have recommended a personnel increase of 1,600.

We have also cut some other requests; $10 million was requested for the numbering of the taxpayers. That is going to be done by Social Security Administration and they are going to reimburse Social Security for the cost. It developed in the hearings that they could probably get by with $5 million. We, therefore, cut that from $10 million to $5 million.

We reduced the travel cost $500,000 because we felt that with fewer men they would not need all of the travel funds requested.

We reduced the training program from $3 million to $1 million. Let me point out some of the facts in this situation. The attrition in the department—I have figures back to 1957, but I will just cite 1962—amounts to 4,820; in other words, they have that many leave the service every year. They have to recruit additional personnel to take their place. In 1962 they asked for 4,071 additional personnel. That would mean 8,890 additional personnel that they would have to recruit and train for the service for the year 1962. Harvard University is only training 11,000 people a year; Yale is only training 8,000; Princeton is only training 3,500; Notre Dame is only training 6,239; Georgetown is only training 6,000; George Washington is only training 9,400; yet here we would have a training program of 8,891. The Budget estimate for 1963 was 5,100 attritions. With 4,514 additional personnel that would give them 9,614. We have recommended that the 4,514 be reduced to 1,600. That will still leave them 6,700 new employees to recruit and train in 1963. We do not believe they can properly handle any greater number.

We also reduced their equipment improvement program $1,792,000.

We have cut their blue ribbon program. In 1957 our committee was told that they needed highly skilled men in the service—and it is a highly skilled work—and they wanted a blue ribbon promotion program so they could pay these men a little more and thereby get better men for the job. Our committee agreed to that because we thought they were going to use it as a merit system for promotions.

What has happened? From 1957, when they first proposed the program to 1962, they promoted 34,380 employees in grade promotions. This is in addition to the regular within-grade promotions that are allowed in the other departments. This year they requested money for 12,171 additional promotions. We thought that was too much. It will cost them $5,600,000 simply to take care of those promoted last year in additional pay this year. We allowed them $2,400,000 of the $5 million requested to take care of the new promotions for 1963.

Office of the Treasurer. There was very little cut there.

U.S. Secret Service. They requested 80 new positions. We allowed 30. There again you have additional enforcement personnel. They wanted these people not for the protection of the President, because that is one thing our committee has always been careful about. We never cut any of the funds requested by the Secret Service for the protection of the President and his family and the Vice President and the other officials, as required by law. This is to handle the counterfeiting problem. That problem is becoming serious. They have a tremendous job, but we thought that 30 new positions for the next year would be ample to take care of their increased activities.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. GARY. I yield to the gentleman from Iowa.

Mr. GROSS. Is there going to be an increase in the number of Secret Service operatives traveling with the Vice President or his family or the several families?

Mr. GARY. No, there is no increase in that. The 30 allowed was for the other purpose.

Mr. GROSS. Counterfeiting only?

Mr. GARY. Counterfeiting only. They said they had ample to take care of the President, that they did not need an additional force to take care of the President. We were very careful to look into that because we think that is important. If anything happens to the President of the United States, we do not want anyone to be able to truthfully say that the Congress is to blame because of its failure to appropriate sufficient funds for his safety.

White House Police. They asked for $68,000 additional. We allowed that. The guard force was $11,000 additional.

Here is one item I am sure will be gratifying to Members of the House. We have been trying for a long time to get rid of the setup liquidating the Reconstruction Finance Corporation. Each year they have asked for decreasing amounts, but still retained the organization. Last year we gave them an appropriation and warned them that it was the last. I am glad to say we are finally rid of that appropriation. There is nothing in the bill to take care of that item this year. What is left to be done will be handled by the Treasury Department.

For the Post Office Department we recommend $4,493,600,000, which is an increase of $125,100,000 over 1962. It is a cut of $60,094,000.

Frankly, this is largely a question of estimate of mail volume. During World War II the mail volume jumped by leaps and bounds. We all felt that after the war was over it would begin to decrease.

But, instead, it has been steadily rising each year. Naturally the post office cannot handle the tremendous increase in volume with the same personnel and with the same cost, so each year we have to estimate the increase in postal volume. The Post Office Department this year estimated it at 4.9 percent. We estimated it last year at 2.9 percent. It is now running at 2.1 percent, and we see no reason why it should jump to 4.9 percent. We estimated the increased volume for 1963 at 2.9 percent and made comparable cuts in the appropriation. Most of the cuts in the Post Office Department are based upon that consideration alone, upon the different estimates in the mail volume.

The personnel request was for 15,448. Our recommendations are 9,249, with a cut of 6,199.

The next item is payment for public services, over which we had considerable argument recently in the postal rate bill before the House. There is an estimate of $247.8 million in the bill for 1963 for that item. It is simply a bookkeeping item. But, it is inserted to get rid of the deficit by charging off that amount for public service. Personally I do not think that amount is justified, and I so stated when the postal rate bill was on the floor. It is, however, a matter of substantive law. The bill is now pending in the Senate, and until that is decided, we felt that the item should be stricken from the bill. If the bill pending in the Senate is passed, it will have to be reinserted, but it will not affect the totals because it only cuts down the postal deficit and does not change the budget.

For "Administration and regional operation" we recommend $75.6 million, an increase of $974,000 over 1962 and a cut of $479,000.

Mr. BALDWIN. Mr. Chairman, will the gentleman yield?

Mr. GARY. I yield to the gentleman from California.

Mr. BALDWIN. There was a news release that went out recently that carried the implication about the elimination of Saturday mail delivery. I trust that this is not seriously contemplated by the Post Office Department, and I would appreciate any comment the gentleman might make in that respect.

Mr. GARY. Well, the discussion was that there should be some study of the question, and the Postmaster General advised the committee that they had made a study and that they had determined from their study that the change should not be made.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. GARY. I yield to the gentleman from Iowa.

Mr. GROSS. I would like to go back to page 9 of the bill, to the $6,000 appropriation for what you are pleased to call representation expense; in other words, entertainment.

Mr. GARY. That is right.

Mr. GROSS. Is there any authority in law for this $6,000 to the Post Office Department for this purpose?

Mr. GARY. I think there is. All of the departments have these representation funds. The Bureau of the Budget has people visiting from all over the world, coming to look over our budget procedure, and for the Budget officers

to have to take them out at their own expenses to lunch or dinner is an imposition, in my judgment. The same thing is true of the Post Office Department. The gentleman will recall that just a short time ago the Minister of Communications of France, who corresponds to our Postmaster General, visited in Washington.

The Postmaster General had to entertain him, and I think the Government would want such visitors entertained, and it ought not to be done at the Postmaster General's expense. They are modest amounts. I think we have to watch these funds. I think in some instances probably they are too large, but certainly, insofar as this bill is concerned, the amounts are very modest and I think they are justified.

Mr. GROSS. The thing that intrigues me is the fact that you do not have anything for the Secretary of the Treasury.

Mr. GARY. The Secretary of the Treasury did not request it.

Mr. GROSS. No one visits him from foreign countries?

Mr. GARY. If the Secretary prefers to pay those expenses out of his own pocket, I do not think that the Congress should deprive him of that pleasure. But if he were to ask for a fund for that purpose I, for one, would certainly vote to give it to him. But we had no request of that kind, and we never go out of our way trying to find places to spend money.

Mr. GROSS. If it is to be continued, this sort of thing ought to be done on some kind of a standardized basis.

Mr. GARY. I agree with the gentleman.

Mr. GROSS. I am not saying I am for it.

Mr. GARY. I hope that some legislative committee will give the matter proper study and will adopt a uniform rule to be used in all departments. I am heartily for that. But we being an appropriations committee only consider the items that come before us. We had only two items in this bill, and we consider both of those items very reasonable. We, therefore, recommended them.

Mr. GROSS. If the gentleman will yield further, I would like for the gentleman to cite me to the public law which provides for $6,000 for entertainment, or the booze fund, for the Post Office Department.

Mr. GARY. I will be glad to look it up after I complete my remarks.

Mr. CUNNINGHAM. Mr. Chairman, will the gentleman yield?

Mr. GARY. I would be glad to yield to the gentleman from Nebraska.

Mr. CUNNINGHAM. Mr. Chairman, on page 76 of the hearings under the justification item of travel increase, there is the amount of $115,000. Item (d) carries $11,000 as "expenses of delegates attending international postal congresses. This increase is due to rescheduling the Universal Postal Union Congress to the spring of 1963 at New Delhi, India. This congress has been scheduled to meet during 1962 at Rio de Janeiro."

The question in my mind is this: Is the amount of $11,000 the entire amount for our delegation to attend the meeting in New Delhi, or is it a part of a carryover that was authorized last year for attending such a meeting in Rio de Janeiro? In other words, is the amount which was allotted to attend the meeting in Rio de Janeiro going to be added to this $11,000 for them to go to New Delhi, India?

Mr. GARY. I will say to the gentleman that there are no carryover funds in these appropriations, unless they are specifically provided in the particular appropriation. That is only done in cases of buildings where they have a project that goes over 1 or 2 years. In other cases the money lapses at the end of the year.

Mr. CUNNINGHAM. Mr. Chairman, will the gentleman yield further?

Mr. GARY. I yield to the gentleman.

Mr. CUNNINGHAM. I can be assured then that it is a fact that the $11,000 provided for in this bill will be the entire amount that will be used for the delegation to go to New Delhi, India?

Mr. GARY. It is the entire amount appropriated for that purpose.

Mr. CUNNINGHAM. Does the gentleman know how many people will be attending the meeting who will use this $11,000 to go to New Delhi, India?

Mr. GARY. No; I cannot answer that question offhand.

Mr. PASSMAN. Mr. Chairman, will the gentleman yield?

Mr. GARY. I will be glad to yield to the gentleman from Louisiana.

Mr. PASSMAN. It is my understanding that the bill now before the committee for the Post Office Department calls for the appropriation of approximately $4.5 billion to operate the postal services for the fiscal year 1963?

Mr. GARY. That is correct.

Mr. PASSMAN. There is a bill pending calling for a salary increase of some 14 percent for postal employees. If approved, that bill within itself, would increase the annual operating cost of the Post Office Department by approximately $455 million. Of course, I do not think that such a bill will be approved by the Congress; but if it should be, would it mean that a supplemental appropriation of $455 million would be needed for operation of the Post Office Department?

Mr. GARY. Unquestionably; there is no question about it.

Mr. PASSMAN. I thank the gentleman. I do not intend to support a salary increase on such scale as that proposal. I would, however, support a fair and reasonable salary increase for our postal workers, such as, for example, something similar to that which has been requested by the administration.

Mr. GARY. For "Research, development, and engineering" we recommended $10 million which is a cut of $5,115,000, but is still an increase of $2,626,000 over 1962.

I have explained the item of "Operations," and the reason for our cut there.

In the "Transportation division," we allowed the same amount as last year, even though we estimate an increased volume, because last year they were able to transfer from this "Transportation" item $8 million over to "Operations." They also estimated a balance of $2.5 million at the end of the year. In view of these facts we felt that they could get by with the same amount for 1963 that they had in 1962, notwithstanding the increased volume.

Under "Facilities" we made a modest cut, as well as under "Plant and equipment."

In addition, this year our committee has, for the first time, the Executive Office of the President, and there we recommended $11,587,000, which is an increase of $94,000 over 1962, but a cut of $77,000 from the estimate submitted.

Mr. CUNNINGHAM. Mr. Chairman, will the gentleman yield? I have a further question on the Post Office section of the bill.

Mr. GARY. I am very glad to yield to the gentleman.

Mr. CUNNINGHAM. Under "Transportation," the bill provides for payments for transportation of domestic and foreign mail by air, land, and water transportation facilities, including current and prior fiscal year settlements with foreign countries for handling the mail, $590 million. Does this include the cost of transporting the mail under the terms of the Universal Postal Union?

Mr. GARY. Yes, sir. It includes all costs of transporting mail.

Mr. CUNNINGHAM. I think in that connection I should like to call attention of the Committee to the fact that there have been figures used rather loosely relative to the interchange of mail between this country and others. One figure was that we sent 16 million pounds and received back 2 million, which is not according to the facts. That figure of 16 million includes 13½ million of parcels which is another category entirely; but that is beside the point.

I should like to call to the attention of the Committee that under our "international mail handling agreements," under the Universal Postal Union—so that no one will think we are making money on the deal—in the fiscal year 1960, on the international mail handling agreements we lost $12.1 million; in fiscal year 1961 we had a loss of $17.8 million. I wanted the Committee to know for future reference that if anybody says we are making money on our agreements for the interchange of international mail, that the cost ascertainment figures of the Post Office Department do not bear out such a statement.

I thank the gentleman for yielding.

Mr. GARY. Under "Executive Office of the President," as I said, we recommended $11,587,000 which is an increase of $94,000 over 1962 and a reduction of $77,000 from the estimate submitted, all of which is in the Bureau of the Budget. The committee allowed approximately one-half of the proposed increase of $160,000 in the Bureau of the Budget for 1962.

Mr. GROSS. Mr. Chairman, will the gentleman yield before he leaves the item for the White House?

Mr. GARY. I am very happy to yield to the gentleman.

Mr. GROSS. I notice that under "Special projects," one is entertainment

allowances, this time for $5,000, not $6,000 as in the case of the Post Office Department.

Mr. GARY. That is for the Bureau of the Budget.

Mr. GROSS. Under "Special projects"?

Mr. GARY. Yes.

The CHAIRMAN. The gentleman from Virginia [Mr. GARY] has consumed 60 minutes.

Mr. GARY. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. GROSS. Mr. Chairman, is this entertainment, or as the gentleman from New York [Mr. ROONEY] calls it, the tools of the trade, authorized by law?

Mr. GARY. It is my understanding that it is. As I said, this is one of the two I referred to a few moments ago, which we discussed. One is in connection with the Budget Bureau, and the other the Post Office.

Mr. GROSS. Do I understand that the President has a $50,000 tax-free expense allowance? Is it tax free?

Mr. GARY. Yes, sir.

Mr. GROSS. Do you mean to tell me they cannot find $5,000 there for entertainment purposes, in this tax-free allowance?

Mr. GARY. That is for the President's office alone. That has been the case for years. The President has had that money and it is not for use in the other bureaus. The personnel of the Bureau of the Budget have been defraying these expenses out of their own pockets.

Mr. GROSS. If I recall correctly, in reading the hearings with respect to this particular item, someone testified on behalf of the Bureau of the Budget, I do not know whether it was Mr. Staats or Mr. Bell who said that he had to be careful when he took people out to lunch. I wonder if they had this $5,000, with the taxpayers paying the bill, he would not be so careful about taking visitors out to dinner, or lunch, or night clubs.

Mr. GARY. I think we can trust our officials to be reasonable about these things.

Mr. GROSS. Well, I want to be reasonable, but again I say I think we ought to do something about this business of these entertainment funds throughout the entire Federal Government.

Mr. GARY. I have agreed with the gentleman wholeheartedly on that, and I will go along with him on a study of that kind which I think should be made.

Mr. GROSS. Can the gentleman give me any idea about the cost of the all-night parties at the White House?

Mr. GARY. I could not give the gentleman any idea because the Congress appropriates the money and we do not go into the cost of individual parties. We are leaving that to the President.

Mr. PASSMAN. Mr. Chairman, will the gentleman yield?

Mr. GARY. I am glad to yield to my colleague.

Mr. PASSMAN. Is it not a fact that, so far as the committee knows, all governments, regardless of the agency, supply a certain amount of money for entertainment, and is it not also rather generally understood that in America, we spend less money for representation allowance per capita than any other country, insofar as we are aware?

Mr. GARY. I think that is true.

Mr. PASSMAN. Is it not considered practically necessary to provide some representation allowance, keeping, of course, within the bounds of reason?

Mr. GARY. I think it is highly desirable.

If we invite other government officials to visit this country, we ought to entertain them to some extent—I am for it.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. GARY. I am glad to yield to my colleague.

Mr. GROSS. Does the gentleman know of any foreign country that is not broke? The gentleman, I think, will agree with me and his report so indicates that if we are not broke in this country, we are awfully badly bent.

Mr. GARY. I have given the gentleman the figures on that. He can draw his own conclusions.

Mr. GROSS. Well, will the gentleman agree that we are pretty badly bent?

Mr. GARY. I agree that our fiscal situation is very disturbing.

Mr. PASSMAN. Mr. Chairman, if the gentleman will yield, I should like to agree with my good friend, the gentleman from Iowa. We certainly are, as he expresses it, "pretty badly bent." But, I know a lot of foreign countries that are a long way from being broke and as long as "Uncle Sap" keeps pouring out money, they will not be broke.

Mr. GROSS. Of course, and as long as we keep pouring out the money, they will have the money to spend on this business of entertainment.

Mr. CEDERBERG. I do not think we are as badly bent as we are becoming badly twisted.

Mr. GARY. Mr. Chairman, this ends my résumé of this bill and I trust that it will be the pleasure of the House to pass it as recommended by our committee.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. PILLION. Mr. Chairman, I yield myself such time as I may require.

Mr. Chairman, the gentleman from Virginia [Mr. GARY] has accurately and comprehensively summarized the content of this bill.

I concur with him, and with the members of the committee, in recommending this appropriation to the House.

This bill reduces the budget requests by $113,715,000, a decrease of slightly more than 2 percent. The increase over the 1962 appropriations is slightly over 2½ percent.

POST OFFICE APPROPRIATIONS

The Post Office budget requested an increase of $185 million over 1962 appropriations. This request was predicated upon an expected rise in mail volume of 4.9 percent.

The committee arrived at a projected volume increase of 2.9 percent for fiscal 1963, instead of the Post Office estimate of 4.9 percent. The committee's estimate is based on the past experience and represents the best judgment of the committee members.

The Post Office budget requested an additional 15,330 new employees. This proposal was reduced to 9,200 new employees, corresponding to our reduction of volume increase estimates from 4.9 percent to 2.9 percent.

The subcommittee has been disturbed over the large number of new post offices being constructed under the build-lease program. The number of newly constructed buildings has jumped from about 1,200 in 1959 to 2,000 in 1961.

The 1963 funds for facilities will provide for about 1,000 new buildings. The committee has requested the Post Office Department to decrease the number of new build-lease projects as much as possible.

The plant and equipment item provides funds for mechanization and for the purchase of vehicles and other equipment; $116 million has been allotted for this purpose. With a decrease in the number of new build-lease projects, it is expected that this item will level off or be reduced in the near future.

I might add that the automation and mechanization programs have not lived up to Post Office expectations. They have not produced immediate large fiscal savings or large labor reductions. These programs have, however, given the Post Office increased volume-handling capacity that should result in substantial savings over the expected life of the equipment.

Your committee believes that the increase of $125 million over the 1962 Post Office appropriations is justified. It is necessary if we are to maintain present day postal services and keep pace with our population growth and volume increase.

Your committee is equally convinced that the $60 million reduction to postal requests is fair and reasonable. No essential service need be curtailed. Ample provision is made for expansions of routes and services where they may be required.

We should make clear that no salary increases are contained in this bill. Even a modest salary increase would wipe out the budget reductions reflected in this bill.

The gentleman from Oklahoma [Mr. STEED], and I, recently inspected post office operations and facilities in England, Holland, Belgium, and France. The long-haul deliveries in these countries are measured by the hundreds of miles. In the United States, long-haul deliveries are measured in thousands of miles.

Despite the long average distances of our mail deliveries, postal rates in the United States are only one-half to one-third of the rates in those countries, based on comparable wages and living costs. The problem in the Post Office, basically, is one of producing compensating revenues for its services, rather than a problem of appropriations.

I would suggest that continuing efforts be made by this Congress to adjust postal rates to fully meet postal costs.

Mr. WESTLAND. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN (Mr. JENNINGS). The Chair will count. [After counting.] Fifty-five Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 28]

Andrews	Gray	Nelsen
Auchincloss	Green, Oreg.	O'Konski
Ayers	Green, Pa.	Peterson
Bailey	Harrison, Va.	Quie
Barry	Harsha	Rivers, S C
Bennett, Mich.	Harvey, Ind.	St. Germain
Betts	Healey	Sabbatangelo
Blatnik	Hoffman, Mich	Scherer
Blitch	Jones, Ala.	Schweiker
Brewster	Jones, Mo.	Scranton
Buckley	Karth	Shelley
Celler	Kearns	Sheppard
Chelf	Kee	Short
Chiperfield	Kyl	Sikes
Collier	McIntire	Smith, Miss.
Cramer	McMillan	Ullman
Elsworth	Macdonald	Van Zandt
Fallon	Martin, Mass.	Whitten
Fulton	Moorehead, Ohio	Williams
Gonzalez	Moulder	Wilson, Calif
Granahan		Wright

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. THORNBERRY, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill, H.R. 10526, and finding itself without a quorum, he had directed the roll to be called, when 373 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the journal.

The Committee resumed its sitting.

The CHAIRMAN. The gentleman from New York [Mr. PILLION] will continue.

POST OFFICE AND TREASURY REVENUE PRODUCING

Mr. PILLION. Mr. Chairman, these Post Office and Treasury appropriations are somewhat unique. They differ from other appropriation bills in the fact that they are the two major revenue-producing agencies of our Government. The services performed by these departments are essential and vital to our Government.

The committee, in its deliberations, had to take into account not only the need for these appropriations, but also had to be careful that it did not reduce these departmental appropriations to a point where revenue collections would be adversely affected.

In the case of the Post Office Department, it is the only department that operates on a cost basis comparable with private business. It is one of the major communications systems of the Nation. It should and must provide the services required of it by an ever-growing population.

TREASURY DEPARTMENT

I might preface my remarks about the Treasury Department by stating that this Department is expected to collect a recordbreaking budget income of $93 billion for fiscal 1963. This is $10.9 billion more than the estimated 1962 revenues.

The Treasury collects income and corporate taxes. It is responsible for social security and other trust fund collections. It collects customs duties and excise taxes. The Treasury's minting operations produce a net seigniorage and operational profit of about $50 million a year.

Here again, the committee faced the delicate problem of how to reduce appropriations without spiting ourselves by causing a net revenue loss to the Treasury.

The principal area of contention centers around the appropriations for the Internal Revenue Service. The House, I am sure, is aware of the fact that this Bureau is under terrific pressure to produce more and more tax revenues to meet the ever-increasing expenditures of this Congress.

The Bureau requested 4,514 new employees.

This bill allows only 1,600 of this number.

In my judgment, this bill merits the approval of this House.

PUBLIC DEBT

This is the first appropriation bill for fiscal 1963. Congressional action upon the various appropriations will determine the Nation's fiscal solvency for the year.

The committee report contains this language on page 2:

> The committee continues to be profoundly concerned over the continuing increase in the size of the public debt.
>
> The budget for fiscal year 1963 is precariously balanced.

We have just increased the public debt limit to $300 billion. Congress is expected to further increase the debt limit to $308 billion, before this session ends.

So far in fiscal year 1962, our deficit is about $9 billion. If the fiscal picture does not improve, I expect that we will be asked to increase the debt limit to $310 billion or more, instead of the $308 billion figure.

THE 1963 BUDGET

The Budget Bureau has submitted a budget expenditure of $92.5 billion for fiscal 1963, and a budget income of $93 billion. A $0.5 billion surplus is anticipated.

The budget estimates for fiscal 1963 are predicated upon the business activity in the calendar year of 1962. It assumes a continuing month-by-month increase in business activity over all of the calendar year.

So far in this 1962 calendar year, the expected business increases have not materialized. In fact, the indexes of retail sales, housing, factory output, for the forepart of 1962, all show a decrease from the highs of 1961.

Senator BYRD has estimated that the 1963 budget will produce a deficit of somewhere between $1 and $5 billion. It is my judgment that the 1963 budget will produce a deficit of between $5 and $10 billion.

The present budget, as usual, overestimates revenues and underestimates expenditures. It lacks any safety or reserve factor.

It would be prudent for this House to reduce the total budget appropriations by at least $5 billion. Our present fiscal status is one of disorder and impending disaster.

I am deeply concerned about the continuing misleading and inaccurate fiscal estimates that are submitted by the executive department to Congress. The Budget Bureau over the last 10 years has submitted revenue and expenditure estimates that have often been inaccurate by as much as 10 or 15 percent.

The budget recommendations appear to be political rather than fiscal budgets. I am convinced that the executive branch of our Government has abandoned all serious intent to achieve a permanent balanced budget. It does not intend to ever reduce the national debt.

It has permanently abandoned the goal of stabilizing expenditures, taxes, wages, and living costs.

I urge both the membership and the leadership of this House to make its own comprehensive and coordinated decisions in the field of Federal finances to compile its own budget. The Constitution entrusted primary fiscal responsibility to the membership of this House. We cannot avoid this responsibility by delegating fiscal decisions to the executive branch.

The 1946 Reorganization Act directed this House to submit its own yearly fiscal budget for the Federal Government. It is high time this mandate be complied with.

INTERNATIONAL BALANCE OF PAYMENTS

Our continuing deficit of international payments is probably more critical, more dangerous than our national deficits.

The U.S. dollar is the reserve currency of the free world. As the world's banker, we have the responsibility of supporting the world's financial and trade structure. This Nation's currency, like any other, is accepted in the world market only to the degree that it can be redeemed in gold or other acceptable hard convertible currencies.

Our gold reserve has dwindled to $16.8 billion. Of this amount $11.8 billion is reserved by law as a 25-percent backing for Federal Reserve currencies and deposits of member banks.

This leaves only $5 billion available to redeem U.S. dollars and other short-term credits held by foreign nations.

The total short-term credits held by foreign nations today is more than $20 billion. Of this amount, $12 billion is held by governments and central banks. About $8 billion is held by foreign nationals.

If we were called upon to redeem these foreign credits in gold, we could not redeem them at more than 25 cents on the dollar.

We have failed to take the action needed to balance our international payments. Our efforts have been feeble and futile. We are running a chronic deficit of between $3 and $4 billion a year.

CURRENCY EROSION

Mr. Chairman, our Government has suspended the sale of silver, our secondary metal currency reserve. The danger signals of an eroding currency are clear.

At Executive request, legislation has been introduced in the Senate to demonetize silver. The $1 U.S. silver certificate will soon be replaced with Federal Reserve notes and will no longer be redeemable in silver.

Unless decisive steps are taken to reduce our foreign spending, I expect that Congress will be called upon before the end of this year to repeal the law that reserves $11.8 billion of gold to back our currency.

If we continue our fiscal philandering, and refuse to take drastic action to balance our international budget, a devaluation of the U.S. dollar could be forced upon us in the next 12 to 24 months. This would be a catastrophe.

It would create a staggering world financial crisis. It would have a shattering effect upon the political unity of the free world, upon world trade, upon the U.S. leadership of the world's anti-Communist defenses.

I am reminded of Karl Marx's advice to his followers:

> Debauch the currency, to destroy a nation's social order.

Mr. JENSEN. Mr. Chairman, will the gentleman yield?

Mr. PILLION. I yield to the gentleman from Iowa.

Mr. JENSEN. Mr. Chairman, I merely wanted to compliment the gentleman on a fine, scholarly presentation of our fiscal situation as we know it today.

Mr. PILLION. Well, it is most serious.

Mr. JENSEN. I only wish that not only the Members of Congress, but every American, could read the speech which the gentleman has just delivered, and then to consider the most dangerous situation in which we find ourselves in this day and age when we know that the dollar is losing its popularity all over the world, except as handouts.

Mr. PILLION. May I say to the gentleman that the confidence of the world is shaken in our dollar. There has been an awful lot of criticism by European fiscal officers and bankers about our fiscal situation, and the way we are handling both the international payments and our own budget. They are really distressed about our fiscal situation.

Mr. JENSEN. Mr. Chairman, if the gentleman will yield further, the best proof of the statement that the gentleman has just made is the fact that for a number of years past—and it is still going on—many nations of the world who sell goods to us have been and are yet demanding gold in payment for those goods instead of dollars, because they know that the evil day will surely come to America, as it has to every nation in the world that has followed this kind of a reckless spending program to the ultimate end that we have been traveling at breakneck speed for nigh onto 30 years.

Mr. PILLION. I agree with the gentleman wholeheartedly.

Mr. JENSEN. I thank the gentleman.

Mr. CURTIS of Missouri. Mr. Chairman, will the gentleman yield?

Mr. PILLION. I am glad to yield to the gentleman.

Mr. CURTIS of Missouri. Mr. Chairman, I want to join in the compliments paid on the gentleman's statement. There are two areas I would like to develop. One is in regard to the public debt. The committee report is quite limited in what it says on the public debt. It points out that at the end of this fiscal year the deficit will be nearly $7 billion; which, incidentally, is what I thought it would be, or closer to that, than were the original estimates.

Mr. PILLION. For this year?

Mr. CURTIS of Missouri. Yes, this fiscal year.

Mr. PILLION. As of now it is $9 billion, but, of course, we have a large income that is coming in.

Mr. CURTIS of Missouri. That is right; but the deficit will be around $7 billion. About $400 million is represented by the increase of interest over the previous year.

Mr. PILLION. Yes.

Mr. CURTIS of Missouri. Here is where I wish this had been brought out in the committee report. I tried to get at it in the committee hearings and I should like to say to the chairman of the subcommittee, the gentleman from Virginia [Mr. GARY], that I noticed his remarks in regard to the public debt. But, as I was saying, in the committee report there is not shown a breakdown of how much of this increased interest is for the increased debt and how much of that increased interest is the result of increased interest rates. I find nowhere in the committee hearings these points discussed.

Mr. PILLION. May I say that there is not a breakdown on those two items. But we find ourselves in this situation, that we now must increase our interest rates in this country in order to keep foreign funds here, keep them from being taken out in gold to Europe, which again would reduce our gold supply. So the Treasury has been under pressure to increase interest rates to compare favorably with interest rates in Europe. That is another evidence of lack of good fiscal management, I think.

Mr. CURTIS of Missouri. I thank the gentleman; that is what I wanted to point out. I have figured that roughly about $124 million is as a result of the increased amount of the debt and about $276 million is as the result of the increase in interest rates. I believe that is about right. What I am going to say is somewhat partisan from a political standpoint, but I think it deserves stating. This administration campaigned on the promise that they were going to lower interest rates and their fiscal advisers—and some of the good gentlemen on that side of the aisle, and I would include the gentleman from Virginia, I know, would not have advised and did not advise this administration that that was possible. So this presidential campaign was conducted with this demagoguery as one of the issues, that interest rates would be lowered. The first thing the Kennedy administration did, I might say—and I know this as a member of the Committee on Ways and Means—was to pass out bills increasing interest rates on savings bonds, as we had to do.

And here is the proof of it—and I wish this were spelled out in the committee report, because I hope we can conduct national campaigns on the basis of truth and not upon promises that are unsound.

Mr. CEDERBERG. Mr. Chairman, will the gentleman yield to me?

Mr. CURTIS of Missouri. Mr. Chairman, I have another point I wanted to touch on, but I shall be glad to yield back to the gentleman from New York, if he will yield to the gentleman from Michigan.

Mr. PILLION. Surely; I yield to the gentleman.

Mr. CEDERBERG. I want to state that later in this debate I intend to read back just a few of these campaign speeches that were of such interest in the fall of 1960 bearing out exactly what the gentleman from Missouri [Mr. CURTIS] has stated. I think it is time the record be made very clear on this, because the New Frontier has gone on a higher interest program.

Mr. PILLION. Our interest rates have gone up. Some of them now, I think, are up as high as 4½ percent for longer term money which is an awfully high rate. Of course, the more deficits we run, the greater the lack of confidence and the greater the interest rates.

Mr. CURTIS of Missouri. I want to make my remarks clear. I want to commend the administration for doing this. I think it had to be done. But, the point is you do not go and tell the people that you are going to have lower interest rates when you know the fiscal situation is as it is, and pretend that, therefore, you are a friend of the people because you are for lower interest rates and trying to create the impression that the Republican Party is not concerned about the welfare of the people and is a high interest rate party. These things are a matter of economics and fiscal policy. That is what I am trying to emphasize at this point.

Mr. PILLION. But, if we were to balance our budget and restore confidence in our dollar, then interest rates would go down. I would judge, if we reduce our public debt about $1½ billion a year, we would be able to reduce our interest rates by another $1½ billion a year, if there were some regular, systematic way of doing it.

Mr. CURTIS of Missouri. Yes, that is why those of us who are in the economy block are pleading so much with the rest of our colleagues here to get these appropriation bills down—why we have plead with the executive to get these appropriation requests down and to get this budget really balanced. This is a phony budget that has been presented as far as balancing it is concerned.

Mr. PILLION. I do not think there is a chance in hell of balancing this budget.

Mr. CURTIS of Missouri. I do not think it was ever intended to balance it.

Mr. PILLION. I do not think so either. I think it was entirely misleading.

Mr. CURTIS of Missouri. It was juggling figures.

If my colleague will yield further, there are one or two other points I would

like to develop through him while he has the floor.

The second one is in regard to the maturity of the debt.

Mr. GARY on page 148 of the hearings asked Mr. Merritt:

What success have you had in your attempts to stretch out the public debt?

Mr. Merritt never did answer that question. He pointed out areas where they were trying to stretch it out. But, the real answer to the question, and I would like to ask if it is not accurate, is that we did not stretch out the debt. Actually, the debt right now is shorter than it was before this administration started.

Mr. PILLION. That is right and the shorter it becomes, the more it becomes a demand obligation like money.

Mr. CURTIS of Missouri. That is right.

Mr. PILLION. The shorter it becomes, the more it becomes like money with immediate maturity. So that it takes the form of money rather than a long-term bond situation. But, if the gentleman will read the record, I think it will show that the subcommittee has asked, and has tried, to get the Treasury Department to embark upon programs that will enlarge or extend the great amount of short-term debt maturity we have. This is unhealthy. It is not wise. It is a critical situation and we are not doing enough about it.

Mr. CURTIS of Missouri. That is right. Now the reason this is important, the Eisenhower administration, which had embarked upon a program of trying to lengthen the maturity and which was doing a fairly good job against a real difficult situation, was consistently being chided by the leaders of the Democratic Party for not doing a more adequate job and, when we were doing it, indicating that because we were emphasizing longer maturity, that is longer term bonds, that somehow or other we were thereby interested in the big investor when, as a matter of fact, the issue involved is a question of good management of the debt.

Mr. GARY. Mr. Chairman, will the gentleman yield?

Mr. PILLION. I yield to my colleague.

Mr. GARY. I would like to point out on page 150 of the record where I asked the question:

Are any funds included in your current budget for advance refunding operations?

That is for operations looking to exactly what the gentleman has mentioned and Mr. Merritt said.

Mr. MERRITT. As I mentioned in my opening statement, I believe, we had $200,000 in there, which would be earmarked for that purpose and would not be used for any other purpose without first contacting you, Mr. Chairman.

In our report, the committee says:

The committee reaffirms its support of efforts to lengthen the maturity of the public debt. Refinancing operations, for which the committee has allowed the full budget estimate, and other programs to stretch out the debt consistent with sound fiscal policy should be vigorously pursued by the Treasury Department.

So our committee did take that situation into consideration.

Mr. CURTIS of Missouri. Mr. Chairman, will the gentleman yield further?

Mr. PILLION. I yield.

Mr. CURTIS of Missouri. I know that and I commend the committee for it and want to emphasize it. The point I was making is that it is a constant problem, because there is such a turnover of the debt that in spite of these efforts—and I commend these efforts to lengthen the maturity—in spite of those efforts to refinance, the net result is that today the maturity of the debt is generally shorter than it was year ago. In other words we have a much bigger problem and we still have not done enough.

Mr. PILLION. We are dangerously short.

Mr. CURTIS of Missouri. We are dangerously short, and the thing is this no place for demagogs to come—and demagogs have entered this area. It is very difficult for those of us who are trying to draw attention to the difficult problem today to have people mislead the public as to what the problems are. Some people are interested in little business, some in big business; of course, that is not the problem.

Mr. GARY. Mr. Chairman, will the gentleman yield to me?

Mr. PILLION. I am wondering a little about my time. I have several requests for time, but I will yield to the gentleman.

Mr. GARY. I would just like to say to the gentleman from Missouri I do not think any field is a field for demagoguery, but unfortunately demagoguery is not limited to any group, any political party or faction, or to any particular candidate.

Mr. CURTIS of Missouri. The gentleman is correct. Therefore, that is why I particularized my remarks about it to a specific case, a specific problem. I have been directing attention to what was said in the last campaign in regard to interest rates and what has been said in regard to maturity of the debt.

One final question, if the gentleman will bear with me. We have increased payrolls. In this bill I understand there are 9,600 new jobs in the Post Office, and I do not recall how many in the Internal Revenue Service——

Mr. PILLION. 1,600 in the Internal Revenue Service.

Mr. CURTIS of Missouri. Despite the fact that we had a considerable increase in automation and mechanization of the postal service. I thought the men were going to do more with the machines.

Mr. PILLION. No, it has been very slight. The increase has not been up to expectations despite the automation and mechanization, but they are hopeful that in the long run there will be some labor reduction.

Mr. CURTIS of Missouri. So the gentleman feels that the 9,600 increase in payroll is justified?

Mr. PILLION. We think it is, for this is a revenue-producing department. The mail service is a major communications system. We possibly could have cut another couple of hundred. I do not know, but we think it is fair. That is the way we look at it.

Mr. CURTIS of Missouri. I want to thank the gentleman for his courtesy.

Mr. PILLION. And I want to thank the gentleman from Missouri for the very fine contribution he has made to the very critical subject of fiscal solvency.

Mr. GARY. Mr. Chairman, I yield 5 minutes to the gentleman from North Carolina [Mr. ALEXANDER].

Mr. ALEXANDER. Mr. Chairman, first of all, I want to commend our distinguished chairman and our distinguished minority leader on this subcommittee for the excellent job they have done. I want also to commend all members of this committee. All of them have attended the meetings regularly and have worked hard on this bill.

Mr. Chairman, I shall take but just a few minutes to discuss this matter, since it has been covered very thoroughly by the chairman and also by our distinguished colleague from New York [Mr. PILLION].

I do have one or two things, though, I would like to discuss.

First of all, the cut in the Post Office, the Treasury Department, and the Executive Offices appropriation bill in 1961 was $102 million. In 1962 it was $90 million. This year the committee cut the budget request by $113 million. That is the highest it has been cut, as far as I can remember.

That in itself does not make this a good bill, but I do think that the departments that appeared before this subcommittee did an excellent job in presenting and in justifying the requests they set out. In addition to that, the subcommittee has tried to bring out all the facts. They have done a good job. The bill that the subcommittee has brought before you will merit your support.

Mr. Chairman, the question of the public debt has been discussed in great detail. But let me say it disturbs me a great deal that in times of great prosperity, such as we are having this year and had last year, we are not doing something about paying off some of our indebtedness.

In the fiscal year 1962, I believe, we went into the red to the extent of about $7 billion. In 1963 we have precariously balanced the budget. In times of war and in times of depression we cannot pay off a part of the indebtedness, which is now approximately $300 billion. Therefore, this committee feels we ought to make every effort possible in prosperous times to begin paying off the public debt and reducing it. I, for one, would like to see something done along this line.

One of the things that disturbs me to some extent is the continual growth and the addition of Federal employees. As of June 30, 1962, we had 2,492,345 civilian employees in the executive branch of our Government.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

Mr. GARY. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. ALEXANDER. Mr. Chairman, on June 30, 1963, it is estimated we will have 2,538,390 employees, or an increase of 46,000 in 1 year. If 46,000 employees is approved, the increase in Federal employees in 2 years will be 131,000 people. To break down the requests for additional Federal employees in this bill, the Post Office Department has requested an increase of some 15,000, but the committee allowed 9,000 of those requested.

Of the 46,000 additional employees requested, 42,000 of them come principally from 6 agencies: the Post Office Department, about 15,000; the Treasury Department—and particularly the big lump is in the Internal Revenue Service—about 7,000; Agriculture, 5,500; Forestry Service, scientific development in forestry and in marketing research; Interior, 5,400; Health, Education, and Welfare, 4,600; and the space agency, approximately 4,300.

I think that certainly in the field of our expanding economy we have got greater demand for more postal employees. We have more demand in the Internal Revenue Service. We have more demand in practically every department. But, we must put some brakes on the continual addition of Federal employees for any of these departments. Certainly, in this time of great change, we are spending more money for salaries of Federal employees today than it took just a few years ago to operate our entire Government.

In the Treasury Department they requested over 5,000 new employees. We allowed about 1,900, a cut of some 3,284. For the Post Office Department we allowed 9,000 out of the 15,500 requested.

There is another question that has come up that I would like to discuss just for a moment, and that is in regard to the leased and rented space for new post office buildings which have been requested. There was a discussion in the full committee the other day to the effect that many of the 1,000 new post offices that have been requested would go into large postal establishments. Let me tell you what was told to the committee in regard to this. About 50 large mechanized leased facilities are in the design or construction stage, of which 5 will probably be occupied in 1962 and 9 in 1963. Now, all of these 1,000 new post offices that will be built will be built in the usual manner that was carried on in the previous administration, by the lowest bidder, and as to the remainder of these new post offices, it would be up to the Post Office Department to choose and to put them where they are most needed.

Now, I would just like to bring to the attention of the committee the fact of the great increase in the rental cost in the last few years. For instance, since 1951 this cost for rented space to the Post Office Department has increased from $19,962,000 to an estimated cost in 1963, just for the rented building itself, of $77,405,000; in other words it has more than tripled in the last 12 years. It might be of interest to note that the percentage increase over the prior years, in 1960 over 1959, was 14.8 percent; in 1961 over 1960, 20.3 percent; in 1962 over 1961, estimated at 16 percent; and in 1963 over 1962, at 18 percent. Now, that is quite a sizable increase. I think the committee has gone into this with great care and has cut the amount such that the Post Office Department will be able to build between 700 and 800 new postal establishments with the money available in this bill.

Mr. Chairman, I would like to say this in commending the Post Office Department: They realized how the rents were doubling up year after year, and how they were increasing. They changed their policy and began to scrutinize the requests for new buildings, began to encourage changes and additions and extra space where possible, and to renovate the buildings that they have rather than in every case to build new post office buildings.

Mr. Chairman, I certainly want to commend the Post Office Department for that action.

Another thing that has concerned me a great deal in the last few years is the great increase in the number of Government-owned automobiles that have been requested. For instance, in 1961 we had 67,233 in the Government-owned auto fleet. Now, this is exclusive of the buses and the ambulances and also is exclusive of trucks, and so forth, that are operated under the Post Office Department.

In 1962 the figure had grown to 67,590, an increase of 357. From 1962 to 1963 there has been a request for an increase of 2,136.

Mr. Chairman, in our bill there has been a request by the Bureau of Customs for 25 new automobiles. The committee allowed 10. In the Secret Service they requested 41 new automobiles. The committee allowed 20.

The Post Office Department, which does not come under this fleet-owned automobile situation, requested $18 million for vehicles. The committee cut this request by $6 million, out of a request of $122 million in the total amount for plant and equipment.

Mr. Chairman, I want to say that the subcommittee has considered the overall picture in connection with these requests. It has considered them seriously and has gone into all angles of the requests. I think the committee has done a good job and merits the support of the Members of the House.

Mr. PILLION. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. TABER].

Mr. TABER. Mr. Chairman, there were some things in the budget that made me feel as if I ought to come out here and take the floor and call attention to them. For instance, on pages 34 and 35, as well as the earlier 15 pages, it appears that instead of the estimate of appropriations amounting to $93 billion that we had in the President's statement, the actual amount of requests for new obligational authority runs $99,303 million.

That means that instead of the budget being balanced we are going to be up against the same proposition until we run into wildcat inflation. It is about time that the people of America woke up and began to realize what we are up against financially. We cannot go on with an unfavorable trade balance against us and tell the people that we are going to have a balanced budget by $500 million with expenditures of $93 billion when, as a matter of fact, an expenditure total of $99 billion is staring us in the face.

I hope that as we get to these bills we will be able to make some cuts in them. But I am afraid that the situation is so bad it is going to take some major operation to pull us out of it. I hope that this Congress will face the situation and come to realize that we cannot continuously have an unbalanced budget.

I do not agree with the figures mentioned by the gentleman from New York [Mr. PILLION]. I feel that the budget will be unbalanced, this year, to the tune of approximately $10 billion. I do not think there is any question about that, and we are going to be up against a very serious proposition. I hope that the Members of the House will meet their responsibilities and do something to help put the country on its feet. I think as some of these bills come along that we have ahead of us we might be able to cut some of the appropriations more than we have in this particular bill. We have got to seize every opportunity if we are going to get the country out of the trouble it is in.

Mr. PILLION. Mr. Chairman, I yield 10 minutes to the gentleman from Michigan [Mr. CEDERBERG].

Mr. CEDERBERG. Mr. Chairman, this is the first appropriation bill this year and essentially it is the first appropriation bill that has been completely prepared from its beginning until its presentation by the new administration. Last year's budget was prepared by the old administration but, of course, revised by the new administration when it came into power. So I think it is appropriate that we make some kind of an assessment as to whether or not this administration is measuring up to its promises in the area of the fiscal affairs of our country.

As it has been so amply and ably pointed out today, the interest on our national debt under the Democrats is increasing and not decreasing. We are faced with a substantial deficit in this fiscal year of something around $7 billion, and although the budget says we will have a surplus of $500 million next year, it is almost a foregone conclusion that this will be a substantial deficit year also. Now how does this stack up with the campaign promises of this administration when it went to the American people and asked the American people for support in the last election. We have here the speeches of then Senator John F. Kennedy in the presidential campaign of 1960. This is an official document of the U.S. Government. I would like to read to you just a few statements from this. In a speech that was made at the Civic Center at Charleston, W. Va., on September 19, 1960. It is found on page 287 and I quote:

Secondly, we will stimulate private investment in a growing America by eliminating

the artificial restrictions which this administration's high interest rate, tight money policy has placed on the growth of our country. We spend $4 billion a year on interest on the debt more than we did 10 years ago and every family that buys a car or television set, an automobile or a house pays interest on that additional debt. I think we should unleash the economy rather than attempting to restrict it, if we are going to put our people back to work.

Then on page 889 in a speech given on November 4, 1960, at an airport rally in Roanoke, Va., Candidate Kennedy at that time said this:

They have added 106,000 new employees. I think it is about time the American people knew.

The facts are the Republicans cut the number of employees during their 8-year reign.

Well, this administration added 84,000 employees last year to the Federal payroll.

They have requested 46,000 employees in this budget for a total of 130,000 new employees for 2 years.

Then he states further:

The interest rate policy of this administration has added $3 billion a year to the tax bill of the American people. If you buy a house today—$10,000, 30-year mortgage, you pay $3,200 more for that house on interest rates alone than you would have paid in 1952.

Then he asks this question:

Who are the big spenders?

Well, I think it is time to give the answer. So let us go back to the budget for this answer. I have the budget for proof which indicates this. We can go back to the fiscal year 1960 when the actual Republican budget expenditures were $76,500 million. The 1961 Republican estimate was $78,900 million. The 1962 Republican estimate is $80,900 million which is actually going to be considerably higher than that because of the additions of this Democratic administration to the past budget.

But the 1963 Democratic budget is $92,500 million. An increase of over $11 billion in 1 year.

I think it is a very appropriate question to ask: Who are the big spenders? The obvious answer from the facts is the Democrats.

It just seems to me the time has come for us to recognize as representatives of the people of this country that we cannot continue year after year after year adding to our national debt, the interest of which is going up all the time, and we ought to call a halt in the requests for additional employees. In the request for 46,000 new employees in this budget, some of them are necessary, but the overwhelming number of them ought to be denied. If this administration is going to live up to its political promises in the campaign of 1960, I cannot think of any better time to start than right now.

In this record of Candidate Kennedy's speeches there are over 40 references made by Candidate Kennedy, now President of the United States, in which he condemned the high interest rates of the past administration stating that we were going to have balanced budgets. But, we have had very little indication that they are going to follow through with the promises made in the last presidential campaign. The budget and interest rates are both higher. I think these were false promises and it is about time the American people demanded a reckoning from this administration and got them back to the promises that were made at that time.

Mr. Chairman, I yield back the balance of my time.

Mr. PILLION. Mr. Chairman, I yield 10 minutes to the gentleman from Massachusetts [Mr. CONTE].

Mr. CONTE. Mr. Chairman, at the outset I want to compliment the chairman, the ranking minority member of the Post Office-Treasury Department Appropriations Subcommittee, and all the members of that committee for the conscientious job they have done this year and last year in handling this particular phase of appropriations to run the Government. We are very fortunate indeed to have one of the finest gentlemen in the Congress heading up this committee. He is most fair with all Members; he does his homework, and if one takes the time to read the hearings, he will see how thoroughly the gentleman goes into everything that comes before him. We also are very fortunate to have a topnotch staff man, Aubrey A. Gunnels, working with him.

Mr. Chairman, I sat during these hearings, asked many questions myself, and found that in many of these departments the presentations sounded like a broken record being played—they were all coming back for additional personnel and at the same time requesting additional funds for improving certain systems. However never was there mention of cutting down on personnel. It was discouraging.

I am not going to take much of the time of the House here today because I feel that the chairman and the ranking minority member have done an excellent job in presenting this bill to the House. There are several phases of the hearings that disturbed me. One was the program of the Customs and Immigration Service for building facilities along the northern border. It is costing $80,000 to construct the small facilities that are being constructed for members of the Customs and Immigration Service. We had pictures of these houses, very small homes with a little office. To me it seemed that they could be built at a much lower cost and that the present figure was exorbitant. I hope something will be done about this. The chairman expressed interest in it.

Mr. GARY. Mr. Chairman, will the gentleman yield?

Mr. CONTE. I yield to the gentleman from Virginia.

Mr. GARY. I would like to say that since our hearings were concluded I have received some additional information along that line. It will be taken up with the proper authorities and I will try to see that no more is spent than is necessary. That is the reason for the sentence we put in the report saying that we expected them to be built as economically as possible, and we are going to try to point out to heads of departments how savings can be effected.

Mr. CONTE. It is certainly very pleasing to receive that news today.

Another matter I would like to discuss very briefly is one in which I have been interested for the last 3 years. It is the sending of mail to our constituents by merely addressing the envelope "Occupant" without using any individual's name or address. About 2 years ago, in February of 1960, when approval for this was first sought, I took the floor of the House and spoke against that particular part of the Treasury-Post Office appropriation bill. We were able then to defeat that portion of the bill. Last year it was sought again. One of the last things Congress did on September 30, 1961, in passing the Supplemental Appropriation Act, 1962, was to insert this language which sounds very innocuous, but which nonetheless essentially gives Members of Congress this privilege. I quote the language:

Funds available for expenses as authorized and necessary under section 2 of Public Law 286, 83d Congress, shall be available for expenses as now authorized by law of delivery to postal patrons of mail matter under congressional frank.

That language gave us this right to send mail out merely by marking the envelope "Occupant." This practice could be abused. It is starting to be abused and will be greatly in the future.

I believe in frank mail. This is a wonderful privilege that we have, and I do not want to see it misused. I feel that if this is going to be maltreated, perhaps the franking privilege will be taken away from Members of Congress.

Let us look at what can happen here? A Member of Congress could send out a million pieces of mail to each of his constituents merely by marking it "Occupant" and the name of the city. It behooves the post office to deliver an envelope to each one of the houses. Previously, when the Congress had this privilege, Representative Samuel W. Yorty, of California, sent out 4,108,500 copies of a single speech made in 1954. It was as a result of such practices that the occupant mail privilege was taken away from Members of Congress.

The average individual, the ordinary taxpayer, unless he is a Member of Congress, does not have this right. As I have said on the floor of the House before, what is good enough for a Member of Congress should be good enough for the public at large.

Mr. SEELY-BROWN. Mr. Chairman, will the gentleman yield?

Mr. CONTE. I yield to the gentleman from Connecticut.

Mr. SEELY-BROWN. Mr. Chairman, I planned to offer an amendment to the pending bill which has a direct relationship to the appropriations which we are to make when we pass this bill. I have been advised the amendment would be subject to a point of order and therefore I must wait for later legislation.

The object of the amendment is to reduce costs substantially in one field in which the Post Office Department is engaged in the interest of Members of Congress. In so doing, it is my aim to terminate a serious abuse of the franking privilege.

A few weeks ago, the House passed the Postal Revision Act of 1962, the chief purpose of which is to abate or eliminate the recurring deficits in the operations of the Post Office Department.

In the hearings last year on this act, and in discussions off the floor, there has been a lot of discussion about "junk mail." This may be an inappropriate term, depending upon whether you are the sender or the receiver; but the term has come to be applied to all third class bulk mailings, and particularly to those which are sent to no addressee by name. In the bill which the House passed, the minimum bulk rate, as compared with what it was in 1950, has been increased by 150 percent.

The justification is that the Government needs the additional money to run the Post Office Department.

Under the circumstances, then, it seems particularly inappropriate, unwise and unjustifiable for us as Members of Congress to use the franking privilege in a way that is extravagant.

The amendment which I propose now would have the same effect as a bill which I introduced on February 15. It cancels the authority confirmed in the Supplemental Appropriations Act, 1962, which became a law on September 30, 1961, to send mail to "Occupant" at every address in every post office, on city carrier routes and on rural routes, and to send it under the congressional frank.

I never have used this type of mail. I believe that it is not used by a majority of the Members of this House. At a time when the postal deficit is a matter of such great concern to the Congress, it seems to me to be self-evident that it is up to us as Members to help eliminate it or to keep it within bounds by restricting the use of the frank to what has been customary and acceptable throughout our history.

If commercial firms want to send out tons of mail to "Occupants," let them pay for it; but, under the terms of the amendment which I now propose, the Members of Congress will not do it.

This amendment will clarify a situation which is unsound from every standpoint.

I plead that it is germane to the matter now under consideration, to the same extent that the section headed "Penalty mail costs," which was tacked on to the Supplemental Appropriations Act, 1962, was held to be germane. Obviously, what this House can do, it also can undo.

Mr. GARY. Mr. Chairman, will the gentleman yield?

Mr. CONTE. I yield to the gentleman from Virginia.

Mr. GARY. I would like to ask, is the gentleman going to extend that to the rural areas as well as to the urban areas?

Mr. SEELY-BROWN. Yes.

Mr. GARY. All we did was to give the urban Representatives the same privilege that the rural Representatives have enjoyed for a long time. Frankly, I think it should be uniform. If we are going to take it away from one, then it ought to be taken away from the other.

Mr. SEELY-BROWN. I agree with the gentleman 100 percent, it should be uniform to everyone; and, as far as I am concerned, we should strike the whole thing out.

Mr. CONTE. I want to state for the record that I intend to offer an amendment to the legislative branch appropriation bill when it comes to the House for consideration, and I hope that a point of order will not be raised against it. We should be allowed to work our will here on the House floor. No one raised a point of order last year when this amendment was inserted in the supplemental appropriation bill; therefore it should not be raised now. If that is defeated, I understand Senator WILLIAMS of Delaware intends to amend the postal rate bill to repeal this provision. If it is successful, I will support that amendment when it comes to the House. I hope my colleague will join me.

Mr. SEELY-BROWN. I have introduced a bill to do just that. It is my understanding the bill is being referred to the legislative committee of the House. I would hope that the legislative committee might come up with a legislative recommendation so that we will not have to ask the Appropriations Committee always to legislate on appropriation bills.

Mr. CONTE. I agree with the gentleman from Connecticut. I would like to see the Members of the House given the opportunity to work their will on this, to have debate here and a rollcall on this particular measure.

Mr. LINDSAY. Mr. Chairman, will the gentleman yield?

Mr. CONTE. I yield to the gentleman from New York.

Mr. LINDSAY. I should like to commend the committee for the work it has done on this bill, and I should particularly like to congratulate the distinguished gentleman from Massachusetts on the point he has just made. I am pleased to be a cosponsor along with the gentleman from Connecticut [Mr. SEELY-BROWN] to repeal this diabolical provision that crept into the law over a year ago. I come from an urban area, and I can assure the distinguished gentleman from Virginia I would be pleased to accept his suggestion on this and to limit it to urban areas if that would assure repeal of the measure that was slipped through the House over a year ago. In any event, it seems to me this occupant mail privilege is an abuse of the franking privilege. It does not perform a public service and the public has a right to be angry and exercised over its continued use.

I agree with the gentleman from Massachusetts that the use of the frank is an important and valuable right and the Members of Congress are expected to keep their constituents informed. Nevertheless, this massive attack upon the Post Office and upon the public, as if it was something that was equivalent to third-class junk mail, that we discussed quite frankly in the postal rate increase, is not appropriate at all in the House of Representatives or for the individual Members thereof.

Mr. GARY. Mr. Chairman, will the gentleman yield?

Mr. CONTE. I yield to the gentleman from Virginia.

Mr. GARY. I just want to say that instead of this having been slipped into the law last year, it has been in the law since 1799. Insofar as the Congressmen representing urban areas are concerned, it was changed by administrative fiat, and the only change that was made last year was to restore to the Representatives of urban areas the same right that the Representatives of rural areas have continued to enjoy.

Mr. CONTE. I say this was changed by administrative order, rule, or regulation by the administration because it had been abused, and that is what my whole argument is about. I agree with the chairman that we should not have it for rural areas and not urban areas. I think the whole thing ought to be taken off the books, not only for Congressmen but also for the general public. I have never received so much mail from people all over the United States as I have in regard to this issue. For instance, yesterday I received a letter from a lady in Oklahoma, who lived in the country, and she said:

There is nothing that burns me up more in the morning than to go down to the mail box and have all of this junk mail drop out on the ground. I cannot find a personal letter among all this junk mail.

She is 100 percent right. Anybody that does not have the time or the dignity to put a name and address on an envelope, deserves the filing of his letter in the circular file in my office.

Mr. PASSMAN. Mr. Chairman, will the gentleman yield?

Mr. CONTE. I yield to the gentleman from Louisiana.

Mr. PASSMAN. Is it not true that the officials of the Post Office Department stated before our committee several times, not only under this administration but the last administration, that mail so addressed could be delivered cheaper than if you addressed it individually? That is in the record.

Mr. CONTE. I do not recall that. It may be in the record.

Mr. PASSMAN. Would you yield so that I could ask the distinguished chairman if the administrations, both the present and the former, have said that mail so addressed could be delivered cheaper than you could if you addressed it individually? Is that true, Mr. Chairman?

Mr. GARY. That is absolutely correct.

Mr. CONTE. Well, let me say that two wrongs do not make a right. How could any Congressman send out a million and a half pieces of mail that he has to address individually? It is impossible. For one thing, he could not finance such a large project. When you merely mark the envelope with "Occupant" and the city or the town and send it out, you can easily flood your district. That is why I am opposed to it. It is being abused, and it may hurt our franking privilege, a longstanding privilege which I think is a good thing and serves a very useful purpose.

Mr. MEADER. Mr. Chairman, will the gentleman yield?

Mr. CONTE. I yield to the gentleman from Michigan.

Mr. MEADER. I would like to ask the gentleman what information there is about penalty mail. I have been getting complaints from constituents about receiving a lot of propaganda from bureaus and departments downtown through the mail that they regard as junk mail.

Can the gentleman give me any information as to whether or not the penalty mail privilege is being abused by the bureaucracy?

Mr. CONTE. It could be so. I do not have any evidence of this, but it could be so. I would be glad to look into that phase with the gentleman. I do not think anyone should abuse the mailing privilege.

Mr. PILLION. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania [Mr. MILLIKEN].

Mr. MILLIKEN. Mr. Chairman, and Members of the House, I would like to compliment the chairman of this committee, Mr. GARY, and the minority leader, Mr. PILLION. They have done an excellent job in paring this bill down to the bone. I wonder if the people realize that these are services which the Federal Government gives to the public and which are absolutely necessary? This includes the delivery of the mail, the operations of the Coast Guard, the operations of the Internal Revenue Service, and the operations of the Bureau of Narcotics and many others. These operations are vital to the American public.

Mr. Chairman, the chairman of this committee has gone over this bill, item by item, and I am sure that if there were any opportunity to cut it, he would have done it.

Mr. Chairman, I quite agree with some of the other Members here who have spoken about not balancing our budget and how much we will be in the red at the end of this year. But there are many other places in the Federal Government where we should start to pare and save money. It has just come to my attention in the last few days that we spend in this country $250 million a year to put agricultural lime on ground that is not being used. Now, there is a place where we should start to cut, and not in the Bureau of Narcotics, not in the Coast Guard, and not in the delivery of the mail which goes to the public. Everyone in this country benefits from those services.

Mr. Chairman, I want to compliment the committee and the chairman again on the wonderful job they have done. I hope that the Members of the House will support this bill. If they want to cut appropriations bills, they should look at some of the welfare programs such as this $250 million for agricultural lime.

Mr. PILLION. Mr. Chairman, I yield such time as she may consume to the gentlewoman from New Jersey [Mrs. DWYER].

Mrs. DWYER. Mr. Chairman, I should like to emphasize, and to express my support of the Post Office Department's proposed modernization program for fiscal year 1963. As the Postmaster General and other Department officials explained during their presentation to the Appropriations Subcommittee, the Department is shifting the emphasis of its program from building a large number of small offices to building a relatively small number of major offices.

This revised direction, it seems to me, makes a great deal of sense. During the last several years of the former administration and the first year of the present administration, an impressive number of new postal facilities have been constructed. According to the Department, the major portion of the backlog of needed facilities in smaller communities has now been eliminated. From our own experience in the Sixth Congressional District of New Jersey, this is largely true. We have been relatively successful in recent years in meeting the more urgent needs of our communities for new and improved postal facilities. Although there remain a few instances where new buildings are needed, I expect these needs can be handled without requiring a continuation of the crash program of the past.

On the other hand, Mr. Chairman, it seems undeniable that the area in which greatest progress can now be made in improving mail handling is in the larger cities where the heaviest volume of mail is concentrated. On the basis of volume alone, it would appear that increased efficiency and greater economies, in proportion to dollar investment in new facilities, can be realized in the larger post offices. In many cases, the physical plant is obsolete, facilities outmoded, and working space crowded beyond all reasonableness.

To refer again to my own experience, I would cite the Elizabeth, N.J., post office as a particularly bad example of obsolescence and overcrowding. Members of the subcommittee will recall the testimony they received on this post office during the hearings held on the pending bill, testimony which I can confirm from firsthand experience and from many conversations with our Elizabeth postmaster and with many postal employees.

Briefly, Mr. Chairman, the Elizabeth post office is so crowded that postal workers are compelled to utilize basement space intended and equipped only for storage purposes. Ventilation is totally inadequate, consisting of two small windows for a space of more than 30,000 square feet. The opening for a coal chute is located in this area and coal dust permeates the atmosphere and creates distinctly unhealthy working conditions. Throughout the building, people and equipment are so crammed together that it is impossible for anyone to work efficiently.

The carrier section, for example, is necessarily so small that the men are impeded by the mail sacks to the point where they find conditions actually hazardous. The building's elevator is undependable. Parking areas and loading platforms are entirely inadequate. Plumbing and electrical wiring are in bad shape.

In summary, the 52 years in which this building has served the postal needs of Elizabeth and its surrounding communities have taken their inevitable toll. With the volume of mail and parcel post increasing daily, it is all too evident that nothing less than a comprehensive renovation and expansion of existing facilities, or construction of an entirely new building, will enable the Elizabeth post office to provide the service which our people have a right to expect.

I feel certain that our Elizabeth post office situation is duplicated in other large cities. And I hope that, if Congress will provide the necessary funds and support, the Post Office Department will begin immediately to bring these facilities up to the level of operating efficiency which is required to meet the demands of the 1960's.

Mr. PILLION. Mr. Chairman, I yield 3 minutes to the gentleman from Michigan [Mr. MEADER].

Mr. MEADER. Mr. Chairman, this is the first appropriation bill for this fiscal year. For that reason I desire to make a few comments upon what I think is the failure of the Congress to discharge its responsibility over Federal expenditures in the appropriations process.

Here we are faced with a bill which carries $148 million more than we spent last year for the operations of the agencies covered in the bill. I appreciate the fact that the Treasury Department and the Post Office Department are revenue-producing agencies. I also appreciate the fact that probably a good deal of the increase is built in from other action that the Congress has taken. But my concern is not with this bill. Maybe that is the reason this bill was brought out first. I do not know about the strategy.

I must say that over the years I have been impressed with the inability of a Member of the House who is not a member of the committee to propose an intelligent reduction in proposed appropriations. Here we have 1,142 pages of hearings of this committee. I am not saying one thing critical of these members. I sympathize with their arduous work, sitting day after day, listening to the self-serving statements of those who are to spend the money. Here we have 1,142 pages of testimony of the bureaucrats who want to spend the money. They come down here to the Capitol with all of their witnesses, with all of their studies and fully armed by the result of many man-hours of study and work in the budget preparation process that has gone on over the weeks, months, and perhaps even years, and we are trying to deal with the representations and claims of a huge bureaucracy with our bare hands.

It is about time the Congress of the United States equipped itself to go into these subjects and see whether or not the requests for money are really justified. I am confident that not only in this agency but in all the other agencies of the Government there are vast quantities of fat which could be cut out if we had the tools, the instruments, through proper management studies and proper investigative assistance to go into their operations and their proposed expenditures. We could save the American people many times the cost of such an investigative instrumentality.

I think the Congress ought to meet this problem head on and discharge its responsibility to the American people to see that no more than is necessary is expended in these vast Federal programs.

Until we start cutting appropriations we cannot do anything about reducing taxes and we cannot do anything about preventing the public debt from going higher and higher and higher.

As long as those who want to expend the money are the only ones who are heard, and as long as their statements and their representations are not effectively screened and challenged, we will not be able to discharge our responsibility to the American people.

Mr. PILLION. Mr. Chairman, I yield myself 1 minute to respond to the gentleman from Michigan [Mr. MEADER].

Mr. Chairman, I should like to state that I agree with the gentleman completely. We do lack the tools, we do lack the personnel, we do lack the machinery properly to examine into the appropriations that come before us. We try to do the best we can but we are faced with an array of experts who come before the Committee on Appropriations and offer almost a theatrical production in their self-serving declarations and claims to the Congress. We find very often that their figures are completely inaccurate, and sometimes, we think, almost deliberately so.

I think the gentleman has made a very good point and that we should in this Congress better prepare ourselves properly to examine into the need for these appropriations. Mr. Chairman, the gentleman has made a very fine contribution to this subject.

Mr. Chairman, at this time I yield 2 minutes to the gentleman from Washington [Mr. HORAN].

Mr. HORAN. Mr. Chairman, I intend to offer some tables for the RECORD, permission to do which I have already obtained in the House.

Mr. Chairman, I take this time in order to point out to the Committee what I regard as a very dangerous trend. I refer to the inexorable increase in the power, controls, and dominance of the Federal role in this Union of sovereign States. Frankly, I do not regard what I have to say as a partisan matter. I do think it is a subject that the Appropriations Committee and the House must come to grips with. This is the first regular money bill this year and, while I have no particular quarrel with most of the items in the bill before us, I do think that we could wisely look at some of the facts, problems, and responsibilities before us.

From the Bureau of the Census we glean these interesting figures:

Date	Population (nearest round numbers)	Total civilian Federal employees
1920	106,000,000	645,608
1930	123,000,000	588,951
1940	131,000,000	1,022,853
1950	151,000,000	1,934,040
1963	185,000,000	2,538,390

And, here are some interesting figures dealing with the total taxes paid on a per capita basis. These are as near to the above dates as possible:

Total per capita tax burden

Date	State and local	Federal	Total
1922	$36.49	$30.63	$67.12
1932	49.88	14.52	64.40
1940	36.92	59.11	96.03
1952	123.06	380.45	503.51
1957	169.22	409.97	579.19

This table is not as complete as I would like, but it does indicate the trend.

A third of a century has seen the number of Federal employees increase by nearly 2 million from 589,000 to over 2½ million. Or, take the last 3 years: Actual total Federal employment for fiscal year 1961, which ended only last June 30, was 2,407,029. The estimate for fiscal 1962, which will close this coming June 30, is 2,492,345, an increase of 85,316 people. The estimate for next year, according to the summary table on page 41 of the unabridged budget report, as I have already pointed out—total civilian Federal employees, 1963—is 2,538,390. That is an increase of 131,361 employees between last June and estimated for June 1963.

At this point, I wish to insert the complete table:

Summary of civilian employment in the executive branch

Description	As of June 30			Estimated change, June 1963 compared with—	
	1961 actual	1962 estimate	1963 estimate	June 30, 1961	June 30, 1962
Executive Office of the President	2,767	1,661	1,584	−1,203	−97
Department of Agriculture	102,557	110,934	116,388	+13,831	+5,454
Department of Commerce	30,337	30,793	32,773	+2,436	+1,980
Department of Defense:					
Military [1]	1,012,375	1,037,018	1,029,069	+16,694	−7,949
Civil [2]	30,032	31,445	31,562	+1,530	+117
Department of Health, Education, and Welfare	70,335	78,028	82,669	+12,334	+4,641
Department of the Interior	59,458	64,762	70,157	+10,699	+5,395
Department of Justice	31,262	31,997	32,671	+1,409	+674
Department of Labor	7,491	8,642	8,956	+1,465	+314
Post Office Department	582,447	593,265	608,729	+26,282	+15,464
Department of State	23,814	24,038	24,221	+407	+183
Agency for International Development	14,906	16,219	16,059	+1,153	−160
Peace Corps	227	547	1,093	+866	+546
Treasury Department	79,970	82,995	89,876	+9,906	+6,881
Atomic Energy Commission	6,846	6,923	7,035	+189	+112
Federal Aviation Agency	42,838	45,118	48,959	+6,121	+3,841
General Services Administration	29,944	32,844	34,521	+4,577	+1,677
Housing and Home Finance Agency	11,507	13,607	14,981	+3,474	+1,374
National Aeronautics and Space Administration	17,471	22,000	26,300	+8,829	+4,300
Veterans Administration	174,110	177,860	178,975	+4,865	+1,115
Other agencies	76,335	81,649	81,832	+5,497	+183
Total	2,407,029	2,492,345	2,538,390	+131,361	+46,045

[1] Consists of civilian employment for military functions and military assistance.
[2] Employment for Panama Canal Zone Government, Panama Canal Company, and U.S. Soldiers' Home is included in "Other agencies" below.

NOTE.—Although most of the employees shown here are paid from budget funds, some are paid from trust funds; and in the case of some agencies, the table includes employees who are paid from other funds outside the scope of the budget document. In accordance with definitions of the Civil Service Commission, the figures cover both those employees who are working on June 30, and also part-time and intermittent employees who work at any time during the month of June.

Source: Figures taken from table 9, p. 41, the Budget for 1963.

This table shows the total civilian employment. The figures for 1961, please note, are actual; 1962 is close to actual; 1963 is estimated and the total is affected by House cuts in the bill before us. It is interesting for those of us who have served on the Appropriations Committee for the last two decades or so to ponder the modernization and the mechanization of all departments. When I first was assigned to this committee, the Post Office, for instance, was pretty much in the horse-and-buggy stage. Today we have made great strides in mechanization. Mailsters, live-belt carriers, the employment of electronic machinery and various other magic mechanisms have been designed and employed to speed up activities and reduce the workload.

This is not alone true in funds granted to the Post Office and the Treasury Departments, but to every department. Yet, total personnel continues to climb. I have heard justifications for this paradox—more people, more communities, more requests for Federal services, more programs passed by the Congress, et cetera, but I submit that it is a field that needs serious and understanding exploration. In my opinion, such a study could disclose a most disturbing trend directly affecting the Republic.

I am one who believes in article X of the Constitution:

> The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

Yet the trend of centralized government continues. Too often, as I observe, at least, the legislative proposals that come before us are subtle invasions of the powers and the responsibilities of State governments.

It is true that the Constitution in section 8 gives the Federal Government the specific powers to "borrow money on the credit of the United States" and to "coin money, regulate the value thereof and of foreign coin, and fix the standards of weights and measures." One might add

another power reserved for the Federal Government: "The power to bankrupt the United States if sound fiscal policies are not followed."

I subscribe wholeheartedly to President Kennedy's statement of May 25, 1961:

If we are to preserve our fiscal integrity and world confidence in the dollar, it will be necessary to hold tightly to prudent fiscal standards; and, I must request the cooperation of the Congress in this regard—to refrain from adding funds to programs, desirable as they may be, to the budget.

Wars and depressions have contributed to the growth of our Federal debt from some $25 billion in 1920 to $300 billion today, but they have done more than that. They have seen a subtle softening of the once jealous guarding of the sovereignty of the several States.

To me, that is a dangerous trend of the first water. Certainly if we are to follow prudent fiscal policies, we should recognize first whether a given program for progress should not be locally or State financed. The trend to ignore this potential and to have the Federal Government finance and dominate everything, in my opinion, is dangerous.

There is an item in this bill to fund an Advisory Commission on Intergovernmental Relations. Presumably this Commission could be effective in pointing out this trend and take the lead, in the name of sound balance, in correcting it. But I have seen no such counsel emanating from this source. Quite the contrary. I have had members of this Commission urge me to vote for steps that would further increase the dominance of the Federal Government and further becloud the powers, dignity, and responsibilities of State and local governments.

We need all we have in this age—a strong and solvent Federal Government solidly supported by virile States, as independent within their borders as good management by progressive local governments can provide. Anything that tends to weaken our States can give us but one form of Central Government, and that no thinking American should applaud.

Now let us turn to our Federal Government and see some of the proper challenges before it.

There is the challenge of space and I believe we are meeting it. There is the military challenge in a changing world of revolution. I believe we are meeting that. There is the economic challenge in a world fast recovering from the tragedies and destruction of World War II.

Specifically, there is the challenge of the European Common Market. It has been a good market for us. None of us wishes to lose it.

Again, this brings me back to President Kennedy's May 25 statement:

If we are to preserve our fiscal integrity and world confidence in the dollar, it will be necessary to hold tightly to prudent fiscal standards.

Here I would merely restate what I said at the beginning and to urge this Committee and the Congress to live within our means so that our progress is not throttled, our defense is not embarrassed, and our trade at home and abroad can remain competitive. We do need an actual increase of $2 to $3 billion in our exports, for instance, if we are to overcome our balance of payments deficit on an annual basis.

At this point I would like to insert a comprehensive article by Henry C. Wallich, professor of economics at Yale University, in which article he warns us that "the dollar deficit is one that must not run wild." This article, from last Sunday's Washington Post, is worth reading.

The article referred to is as follows:

DOLLAR DEFICIT IS ONE THAT MUSTN'T RUN WILD

There is a simple answer when someone begins to complain about the deficit: ask him which deficit he means, the budget deficit or the balance-of-payments deficit. Require him to define his terms: "You name it, we have it."

The budget deficit this year is $7 billion; the balance-of-payments deficit, $2.4 billion. If the President is right (and lucky), there will be no budget deficit next year, but the President will be very lucky indeed if the next balance-of-payments deficit is not bigger than the last.

Though the balance-of-payments deficit is currently much the smaller, it is much the more insidious. What a string of budget deficits would do to the dollar is a question about which reasonable men may differ. It would probably depend on circumstances. There is very little difference of opinion on what a string of balance-of-payments deficits of any size would do to the dollar. It would mean collapse.

LIKE CHECKING ACCOUNT

The balance of payments sometimes is discussed as if it were a profit and loss account, with surplus signifying a profit; deficit, a loss. If that were the case, all countries would of course be seeking to have surpluses all the time. Fortunately, it is a wrong analogy.

The balance of payments is one of those rare terms in economics which mean—almost, not quite—what they say. It is the balance resulting from the international expenditures and receipts of the Nation. Its closest analogy is a checking account.

The United States spends money abroad by buying a long shopping list of goods; its citizens travel and obtain other services; it gives foreign aid, keeps troops, pays pensions and acquires profitable investments abroad. On the other hand, the United States gets money from abroad by selling goods, rendering various services and obtaining an income on its investments.

Expenditures are debited to the checking account; receipts are credited. The cash balance in the account is symbolized by U.S. gold holdings. When there is a balance-of-payment surplus, the gold goes up. When there is a deficit, it goes down. For some time now, the gold has been going down.

There is an important qualification. The United States pays for its deficit not only in gold; it also pays by issuing I O U's. The United States has covered some $5 billion of the deficit of the last 4 years by paying out that much gold, but it has covered the remaining $8 billion by going into debt.

In contrast to what happens in a store, where the sales clerk asks, "Cash or charge?" the decision to pay gold or issue I O U's is not up to the United States but to the foreigner. The United States pays interest on what it owes to foreign countries or individuals if they choose to leave their money here. Many countries therefore prefer not to take gold for their surplus with the United States, but to keep the dollars they receive in the United States.

In this way, the United States in the last 4 years has avoided paying $8 billion in gold. But it faces withdrawal of this and other foreign-owned money—and of the funds of Americans as well—if people should cease to trust the dollar.

The decline in the U.S. international cash balance has been very substantial by these figures. That does not necessarily mean that the United States has lived beyond its means. In fact, the country has acquired, through investment abroad, income-earning assets that exceed substantially the loss of gold and increase in foreign dollar balances. But these investments are not liquid, and in an emergency the Nation could not count on being able to use them quickly.

BIG STEPS BLOCKED

Foreign countries have made it pretty clear to the U.S. Government that their confidence in the dollar has been stretched about as far as it will go. They are reluctant to have additional dollar-I O U's unloaded on them as a result of further deficits. The United States, on the other hand, is reluctant to lose more gold because a reduction in the gold backing of the dollar would weaken confidence still further. Hence it is urgent to put an end to the deficit.

The first thing that comes to mind, naturally, is to cut some of the Nation's international expenditures. Unfortunately, it immediately appears that there is a hitch to almost everything big that could be done.

To cut imports by raising tariffs or through other restrictions would invite certain retaliation. Since the United States exports more than it imports, it has more to lose from reciprocal trade restrictions than to gain. To cut troop pay by pulling back the troops would fatally weaken the Nation's military posture.

Cutting foreign aid would not help much, quite aside from the damage to our international position, because most of the aid is given in the form of American products or is otherwise tied to purchase here. Foreign investments could be stopped, but they are already earning more each year than they cost and over the years the net gain from them will increase. Tourism could not be restrained without inventing an elaborate system of currency controls that would put an end to the use of the dollar as an international currency.

A great many minor means of saving dollars abroad or earning more from foreigners are of course open: some savings on troop pay and foreign aid can always be made; foreigners can be induced to travel and invest in the United States. It is easy to put together pages and pages of good ideas, but in dollar terms there is only one thing that really amounts to anything: to export more.

The United States must sell more abroad. There is no question that the foreigner has the money; he has been getting it through the American balance-of-payments deficit. The obstacle is inadequate competitiveness of American products. Competitive after a fashion we are; how else would American exports exceed imports? But the margin of competitiveness is not sufficient.

The United States needs some $2 to $3 billion a year more exports, in relation to imports, than it now has. That would solve the problem. But the continuation of this small deficiency puts the dollar in jeopardy, prevents the administration from taking active measures to increase employment and slows down the whole economy.

To make American exports more competitive, prices must come down or at least must be held constant while prices abroad drift upward. There are other factors, such as improved design, credit, service, and selling, but price is the big one. The way to keep prices in line is to keep wages from advancing too fast.

Public pressure against price increases is necessary, too, to keep profits from advancing sharply if wages slow down. But since

profits amount to only about 4.5 percent of the sales of manufacturing corporations, wages obviously are the key factor.

The President's Council of Economic Advisers has suggested that wage boosts remain within a limit that may be interpreted as 2.4 percent. If the Nation succeeds in doing that, it has a fair chance of working out of its balance-of-payments problem. If it doesn't the dollar will be in jeopardy and our means of maintaining our international posture will be inadequate and efforts to increase employment at home will suffer.

Another field where the Federal Government has a vast responsibility is the position, the responsibilities, and the importance of American labor as we face the competitive future. There is a danger that we price ourselves out of markets or at least reduce our exports and increase our balance payments deficit by reason of ascending costs.

A little over a month ago President Kennedy said, "I regret it" when told of the 25-hour basic workweek just negotiated by the Electrical Workers in New York City. Now we have other great unions fishing in the same pond. The shorter workweek has become a common goal.

From the U.S. News & World Report of February 5, 1962, we read the following:

Following the President's lead, on January 25 Commerce Secretary Luther Hodges said: "I think we are going to have to produce and work harder, rather than working less and producing less." He stated that he was very definitely against a 5-hour day.

From the same article we read:

The same stand was taken, also on January 25, by Walter W. Heller, Chairman of the President's Council of Economic Advisers. In testimony before the Joint Economic Committee of Congress, he sounded warning that any broad trend toward a 25-hour week, such as that obtained by New York's Electrical Workers, would result in "very substantial pressure" on prices and could lead to inflation.

There is work to be done here by the Federal Government.

From last Sunday's "The Passing Scene," by William S. White, printed in the Washington Star, is an article entitled "Goldberg Is a Man in the Middle." When we consider the economic challenge facing our Nation, this too makes interesting reading.

The article referred to is as follows:

Big labor is discovering an unpleasant fact of life. This is that big labor's ex-private lawyer, Arthur Goldberg, has a different client now—the United States of America.

When Arthur Goldberg, onetime general counsel to the old CIO and then special counsel to the merged AFL-CIO, became President Kennedy's Secretary of Labor, hallelujahs were heard in what the old labor fellows called the temples of labor.

The assumption was that labor would now have a special "in" with this man who—in a phrase once used by old John L. Lewis in another connection—had so long "supped at labor's table."

The assumption never was a sound one to those outside labor who knew Mr. Goldberg simply as a professional man. These people were quite sure that while Labor Attorney Goldberg had been one thing, Public Official Goldberg would be another thing, altogether. In the old job he had been necessarily to a special advocate for one side in the economic struggles in this country.

In the new job, he has rightly reckoned that his new duty is to look after the legitimate interests of labor, but above and beyond all this, to have care for the total economic interest of the country.

JOB NOT ONE SIDED

The famous criminal lawyer who occasionally takes a brief as a special prosecutor can be quite as tough in that role as he used to be in the other. Mr. Goldberg is not, of course, prosecuting labor, or anything of the sort. He is simply saying that he has not become the President's minister on labor-management affairs in order to act as a kind of brother-in-law to one side—the labor side.

This has put him in growing difficulties with labor leaders and most particularly with the most powerful of them all, George Meany, president of the combined AFL-CIO. Mr. Meany is angry at Mr. Goldberg's recent public warning that Government mediation would be no mere exercise in letting some George decide it all—whether this George be either labor or management.

The Secretary, indeed, is saying that whatever persuasive power the Government has will be directed, in major industrial disputes, to asserting the public interests as a higher interest than that of either labor or management. This vast third party—the public—has a new lawyer here, too.

THE CORE OF HIS PLAN

What Mr. Goldberg is after is to help shape labor-management settlements in the basic industries, steel and autos, for examples, in such a way as to check inflation—but also foot dragging and clock watching by labor, itself. This latter is not a highly popular union doctrine. All the same, it is at the core of Mr. Goldberg's plan.

For he is not happy, and the President is not happy that American industry is clearly not as competitive as it ought to be with some types of foreign industry, sometimes because American labor scales are too high for the amount of goods turned out.

He is trying to assist the President's bipartisan world trade policy by making sure, wherever he can, that our forthcoming trade association with the European Common Market will not put American industry at competitive disadvantage.

He expects, and will get, no loud or early cheers from big management, which at the moment is not excessively fond of him, either. He is a man in the middle here. His hope can only be that at length enlightened labor and enlightened management will agree that all are better off if both sides show some restraint and get on with the job of improving American production—and so increasing jobs and buying power and total national strength.

As societies are counted, we are a young nation. Grand and favorable combinations of industry, morality, political freedoms and resources have nurtured our growth to world leadership. We must nurture, protect, and keep bright these qualities in New Concord, Ohio, in Salem and Wenatchee. They must command every consideration and respect in Albany and Springfield, in Richmond and Sacramento. They must be understood and shine upon the Nation's shield in Washington, D.C.

Our Nation is not an accident, and in any concert we share with other nations let us humbly recognize our position by our beginnings.

Let us pray for clear sight and insight as we face the future. Let us remember as we move forward that in Proverbs we are warned:

Pride goeth before destruction and an haughty spirit before a fall.

Mr. PILLION. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois [Mr. ARENDS].

Mr. ARENDS. Mr. Chairman, this is the first appropriation bill for the fiscal year 1963 to come before us. This is but 1 of 15 or more such bills that will be presented to us this session by the Committee on Appropriations. In terms of the dollar amounts that will be carried in subsequent measures, the bill presently under consideration is relatively minor.

But, however minor the pending bill, of major importance is our approach to it. Of major importance is whether we intend to scrutinize this bill and every such bill, large or small, with a view to saving every single dollar that can be saved. This is the test which will be made of us over and over again as economy amendments are offered and amendments to increase items are proposed.

A few days ago we were obliged to pass a bill to increase the debt ceiling by $2 billion. This was done so that we would or could be in the position of honoring our obligations. This increase in the public debt ceiling was made necessary because we failed to act wisely, prudently, and frugally on the appropriation bills we passed last year for fiscal 1962.

The action we take on this appropriation bill for the next fiscal year, and all the others to follow, will determine whether we will again be confronted with the debt ceiling problem. We all know that the so-called balanced budget submitted by the President at the opening of this session was a mere fiction. It was a political budget, wholly unrealistic, based on a hope and a prayer there would be an increase in revenue and no international crisis. The administration has already indicated that it will ask for a further increase of $8 billion in the debt ceiling.

Mr. Chairman, we must put first things first. Let us begin now—on this first appropriation bill—to eliminate items of expenditure unnecessary and to defer that which can readily be deferred.

Our country's future is at stake.

Mr. PILLION. Mr. Chairman, I have no further requests for time.

Mr. GARY. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. CLEM MILLER].

Mr. CLEM MILLER. Mr. Chairman, I have listened very carefully to the chairman of the committee with his views as expressed regarding the Coast Guard and the need for a plan on vessels and new installations. I share these feelings. This is a most excellent and necessary idea. Organization and planning are good business. It makes sense. I accept this as a principle.

Those of us who have various projects under the Coast Guard want to know where we stand. Many of us do have projects in our congressional districts. I have one, for example, at Bodega Bay, Calif., near which 15 lives were lost lately, 4 in the last 2 months. It involves 135 miles of inadequately protected coastline during storms. Its southwest channel is the only one with rescue access and includes the Golden

Gate at San Francisco. It is an excellent project. In fact, the local government share of $125,000 of a $279,000 Federal portion is forthcoming. This is a high percentage. It is a good project. The chairman of the committee has so indicated. But more than that I am here in support of the principle.

That principle is—the Treasury Department should have a good plan, then come down here and defend it so that we in Congress may know where we stand on these matters of vessels and navigation projects in the Coast Guard.

I want to commend the committee for taking this step. I shall support their insistance on a proper program because I know in the long run it is the best policy for all of us.

Mr. GARY. Mr. Chairman, I yield the remaining time on this side to the gentleman from Louisiana [Mr. PASSMAN].

Mr. PASSMAN. Mr. Chairman, I want to assure my friends on both sides of the aisle that before this congressional session is adjourned we will give them an excellent opportunity to reduce appropriations requests. But, this particular bill is a little different than the usual appropriation bill in that this is also a revenue-producing measure.

Four agencies that must produce revenue to help finance our Government are covered by this appropriation. They are the mint, which brings in revenue from the minting of coins; the Bureau of Customs, which brings in revenues exceeding costs; the Internal Revenue Service, and the postal service. So, if we expect these departments and agencies to operate effectively and to help produce the revenues necessary to operate a $93 billion Government, then we must provide them with adequate operating funds.

I want to commend the very able chairman for bringing in such a soundly developed bill. It has been my privilege to serve on this subcommittee, under the chairmanship of the gentleman from Virginia [Mr. GARY] for 14 years. He is exceptionally able and completely conscientious. He goes into the details of this bill very carefully, and it is rather difficult to find very much of significance to talk about after the gentleman from Virginia has finished his comprehensive presentation.

I want also to express my regard and high esteem for the gentleman from New York [Mr. PILLION]. I have never known a member of the committee to make a more conscientious and effective contribution to any bill than that which is made in this item by the distinguished and able senior minority member, the gentleman from New York.

So, I think that, overall, we have a sound and sensible bill here. I think the reductions which were made are just about as far as the chairman and the committee could reasonably go in the circumstances and under the conditions prevailing. Therefore, I ask support for and approval of the recommendations which have been presented.

The CHAIRMAN. All time has expired. The Clerk will read the bill for amendment.

The Clerk read as follows:

BUREAU OF NARCOTICS

Salaries and expenses

For necessary expenses of the Bureau of Narcotics, including services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a); and hire of passenger motor vehicles; $4,580,000

Mr. GROSS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, as others have said, this is the first regular appropriation bill to come before the House in this session. For that reason I would like to read briefly from a statement made by President Kennedy to his Cabinet officers and other heads of major Government agencies on October 26, 1961. Let me quote from that statement:

> The Congress has on many occasions made it clear that appropriations are only a ceiling, not a mandate to spend, and that department and agency heads are not required to spend every dollar appropriated. Accordingly, I have asked each of you to exercise the maximum care in scrutinizing all expenditures, tightening requirements, postponing the initiation of deferrable projects, and phasing out any acceleration of spending which was instituted as an antirecession measure.
>
> I am especially desirous that new programs or expansions of existing programs be undertaken with caution and deliberation, to make sure that sound criteria are used, careful plans are laid, and minimum funds are spent. I much prefer that obligational authority remain uncommitted where there is any doubt that expenditures would yield substantial returns to the national interest.
>
> I am also especially desirous that the number of Government employees be limited to the minimum consistent with getting the job done. There is no question that employment can be held substantially below the levels which would be possible under the funds authorized by the Congress, if strong efforts are made to achieve increases in productivity and efficiency, to use better techniques of management and production, and to staff each activity with only the minimum number of employees needed to carry out our objectives. I expect each of you to make such efforts.

Now, what do we have? The President sent to the Appropriations Committee of the House of Representatives, for these two departments and the White House a request for $5,575,386,000, which was $262,528,000 above the spending for last year. This is his idea of economy, apparently.

Mr. Chairman, let us turn to the "sound criteria" as evidenced by the committee report. Let us look first at page 10 of the report. What does the subcommittee say on page 10 with respect to employment promotions—the so-called blue-ribbon program?

> This is another program on which the committee desires a full and complete report prior to the hearings next year.

This clearly indicates dissatisfaction by the subcommittee with what has been going on. Let me say in passing that what you have done is increase spending. You have cut what the President asked for, but you increased the bill almost $148 million above spending for the same purposes last year.

Mr. Chairman, let us take a look at another page of the committee report, page 13, which states:

> The committee proposes a reduction of $5,115,000 in order to allow more time for the establishment of a sound organization and development of firm plans before embarking on a larger program.

Committee members did not like what was being done, and said so in plain language. I compliment you for doing it. But you turned right around and gave to these people $2,626,000 over and above what you gave them last year.

Now, Mr. Chairman, I reiterate that here is President Kennedy saying to his Bureau of the Budget and department heads "You have got to cut, you have got to hold down; you have got to produce sound criteria and planning to Congress," and then demanding $262 million more than for last year. I do not want to be unduly critical of the subcommittee, but you have not cut this bill to the extent that you should in view of the financial condition of the Government.

Mr. Chairman, the President is talking out of both sides of his mouth when he says to his own Cabinet heads "Cut your requests for spending, and predicate your requests on sound programs," and then sends a bloated budget to Congress.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. GROSS. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. PILLION. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from New York.

Mr. PILLION. May I say to the gentleman from Iowa that the gentleman from Michigan [Mr. MEADER] made a very good point, and I think it is very apropos here. I think the cuts and reductions that were made here were made in accordance with and in line with the evidence and the facts before us. We do not have the machinery, we do not have the manpower, we do not have the personnel to determine and go back of the statements that are made by the people who come before us. I recognize what the gentleman is saying, and I agree with him, but we passed upon the facts we had before us, and I think this is a good, reasonable bill. But I do contend that we could probably make much greater reductions if we had management studies and the personnel needed to go into these matters. But that is an executive responsibility, not a legislative responsibility.

Mr. GROSS. I appreciate the gentleman's statement; but let me say to him that this bill increases by several thousand the number of employees in the Federal Government; at the same time it provides for the hiring of consultants to determine policy and otherwise tell department heads how to manage their departments and agencies.

The CHAIRMAN. The time of the gentleman from Iowa [Mr. GROSS] has again expired.

Mr. PASSMAN. Mr. Chairman, I ask unanimous consent for the gentleman to proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. PASSMAN. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield.

Mr. PASSMAN. Mr. Chairman, I made the statement a few moments ago that the distinguished gentleman from Iowa [Mr. GROSS] is worth his weight in gold. I have not known a more dedicated Member of this House during my 16 years of service here. But I would say to the gentleman that with an increasing population in the United States, the estimated mail deliveries projected into the fiscal year 1963 are going to represent a larger percentage of increase than the increase in the amount of money provided. I think the gentleman will find that we are on the plus side in that the percentage of increase in money appropriated is less than the percentage of increase in the number of pieces of mail that will be delivered, the number of income tax returns filed that must be audited, and so forth. So analyzed on that realistic basis, this appropriation really represents a reduction from the bill last year.

Mr. GROSS. I appreciate the gentleman's statement, but I will say to him that this bill could have been cut at least to the level of last year. And I want to say again that it is impossible for me to understand why Congress spends millions upon automation in the Post Office Department, in the Internal Revenue Service, in the Treasury Department, as well as in many, many other agencies and departments of Government when it seems to result in only one thing—more employees on the payroll, more hiring by contract of people from outside to come in and tell those already on the payrolls how to run the Government.

Mr. GARY. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, our committee recommended for the Post Office Department this year a cut of $60,094,000. It is true we did approve $125 million more than we allowed last year; but $50 million of that is represented by automatic increases over which the Post Office Department and the Congress have no control, because they are fixed by law.

I well recall several years ago when we cut appropriations for the Post Office Department much less than this, on two different occasions the Postmaster General threatened to curtail the service of the Post Office Department. He made a definite threat to this Congress, if we insisted on the cut, that he would have to discontinue a part of the postal service. I am happy to say that no such threat of that kind has been made by the Postmaster General this year even though his cut is the largest that has ever been recommended to the Congress.

Mr. HALEY. Mr. Chairman, will the gentleman yield?

Mr. GARY. I am glad to yield to my colleague.

Mr. HALEY. When the Postmaster General of this Nation made that threat to the Congress of the United States, we ought to have impeached him.

Mr. GARY. I will say I did not vote with him, but the majority of the Congress did. I voted to stick by the committee, but some of the Members of the Congress felt that they did not want to take any chance. I do not think the Congress wants to take any chances now about having its mail service curtailed. I do not think they will under this cut, but if any further cuts are made, as I have stated, we have an annual increase in the volume of the postal service and in order to meet that increase, we have to employ additional personnel. The Post Office Department has estimated that increase for next year at 4.9 percent. We think that is too high. At this time the present rate of increase is 2.1 percent. We gave them the benefit of the doubt, and our figures are based on a 2.9-percent increase which is the same as we recommended for this year. I think it is sound and I trust that the House will accept our recommendation.

Mr. SISK. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I suppose it is somewhat presumptuous for me to get into this particular discussion. I am certainly not here to criticize the work of the committee. I think basically this committee has done an outstanding job. I think what we are hearing here today is illustrative of what we are going to hear day after day as these various appropriation bills come before us.

I will say this: I am of the opinion, as I look back and read some of the history, no party or administration holds any priority or monopoly on demagoguery or plain politics when it comes to things that have been said and some of the promises that have been made in previous campaigns. I was recently reading some very interesting statements that were made back in 1952 and 1956 about what was going to happen to personnel in Government and what was going to happen to the budget and so on and so forth. So I was reminded of that today, as I heard some recitations about more recent candidates. I think in this particular bill we are discussing today, which after all deals with the only two revenue producing departments of government, we may possibly be cutting out not only the fat, but the thing that concerns me is whether or not we may be cutting some muscle as well.

Unfortunately, I was unable to be on the floor at the time that the able gentleman from Virginia discussed the Internal Revenue Department. I am concerned about the personnel and the manpower situation in the Bureau of Internal Revenue, and I would like to ask the gentleman briefly to comment on the committee's feelings with reference to this so-called 9-year plan and the expansion of personnel in the Bureau of Internal Revenue because of my very grave concern that actually we do not have sufficient people at the present time to do the kind of job that is necessary. Of course, in line with what I understood to be the 9-year plan of buildup of people in this Bureau, they had asked for approximately 4,500 people and as a result the committee has cut that back to 1,600 people. It is the gentleman's idea that this 9-year program which the department is concerned with is, let us say, not a good one; or are you asking for additional information on it?

Mr. GARY. We think the 9-year program is too ambitious. We do not say it is not a good program, but we do think it is too ambitious and we do not think they will require the personnel that they have projected to accomplish that program. We feel that with the electronic data-processing machinery we have authorized them to purchase and to install, they will not need as many personnel as they think they will need.

If the gentleman will read my remarks, particularly with reference to the showing this year on the audits, it looks as though they are reaching the point of diminishing returns, or have already reached that point.

Mr. SISK. I would like to comment on that. I come from California. As the gentleman knows, we have a very rapidly increasing population out there. There is no question of the population pressure in my particular area of the State and that there has been a definite lack of manpower in the Internal Revenue Department. This is evidenced by statements by accountants and by the kind of people who are dealing with tax returns and the fact there is an insufficient number of agents and inspectors even to check to any extent at all the tax returns that are being filed.

Certainly, I am concerned, and I know the people in our area are concerned. I notice in reading the report some comment with reference to a change of ratio, that whereas at one time it apparently was 20 to 1, now it is down to 6 to 1. I am wondering if it is not true that that 20 to 1 did not represent accurately the amount the department as a whole produced. I think there is no question but what a $10,000-a-year man can produce up to $200,000, but to do it he has to have a lot of backup people to handle details, appeals, and so on.

Mr. GARY. The record shows that they made 511,000 additional audits last year and got only $1 million from those 511,000 additional audits.

Mr. SISK. Nevertheless, the fact remains that there is a definite shortage of revenue agents to do the kind of job that is needed, and it is my firm conviction that it is penny wise and pound foolish to cut the manpower in the one truly revenue-producing department of Government. I shall not offer any amendment but it is my hope that the Congress will reexamine its position on this subject and make it possible for the department to do its job.

The Clerk read as follows:

EXECUTIVE MANSION AND GROUNDS

For the care, maintenance, repair and alteration, refurnishing, improvement, heating and lighting, including electric power and fixtures, of the Executive Mansion and the Executive Mansion grounds, and traveling expenses, to be expended as the President may determine, notwithstanding the provisions of this or any other Act, $658,000

Mr. GROSS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I would like to ask a question concerning the Executive Mansion and grounds. I turn to page 696 of the hearings, Mr. Jett testifying, and he seems to say there was a supplemental appropriation of $165,000 last year for the refurbishing of the White House, including the obtaining of historic furniture.

I listened to the 1-hour program on television a short while ago and got the impression, and I am afraid most of the people of the country got the impression, that the only source of income for the refurbishing of the White House came from donations from private citizens. I did not get the impression at all that the Federal Government had appropriated any special money, nor do I recall that the taxpayers of this country and Congress got any credit for having appropriated $165,000 to refurbish the White House. Can the gentleman enlighten me?

Mr. GARY. I will be glad to enlighten the gentleman.

The articles to which the gentleman refers were given by people for refurbishing the White House. But there has been other work of refurbishing such as painting. There was a lot of painting on the inside of the building. Certain changes were made in the White House itself and in the grounds of the White House. That has been paid for out of appropriated funds. These items of antique furniture and other items were donated by private subscription.

Mr. GROSS. Mr. Jett says the program was of the First Lady to bring back historic furnishings to the White House. What does that mean? Does that mean for the transportation alone?

Mr. GARY. Some of them have had to be refurbished.

Mr. GROSS. I very definitely got the impression that this was all done by private citizens, that there had been little or no money provided by the Congress. I just want to get it straightened out.

Mr. GARY. The historic furnishings were donated by the public and no funds are being used from this bill for that purpose. We did not ask the public to contribute to the refurbishing of this Chamber when it was remodeled and a new ceiling was installed.

Mr. GROSS. I am not quarreling with the fact that Congress allowed $165,000 in a deficiency bill for this purpose. All I want is that the taxpayers get their fair share of credit for this refurbishing.

Mr. GARY. The gentleman can give all the credit to the taxpayer he wants to. We are giving the taxpayer credit for the $165,000 that we are appropriating in this bill.

Mr. GROSS. That is what I want to do here this afternoon.

Mr. GARY. Fine. It is in the bill and it is in the report.

Mr. GROSS. Now let me ask with respect to expenses of management improvements.

Mr. GARY. If the gentleman will yield, I will read from the minutes. Mr. Jett said: "Some have been donated but they were old and needed to be refurbished and redone. Some of the portraits had to be redone." They had a just basis for the supplemental requested. It was to make possible the carrying out of this program for restoring the historical aspects of the public rooms.

Mr. GROSS. I thank the gentleman for that contribution. I have read it. I will say to him and it still does not change my insistence that Mr. and Mrs. Average Citizen get credit for what they have contributed by way of their tax dollars.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

The Clerk concluded the reading of the bill.

Mr. GROSS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I would like to ask the gentleman from Virginia why the President's Advisory Committee on Labor-Management Policy is provided a per diem of $100, plus $30 a day per diem in lieu of subsistence, whereas in other departments it is $75 a day and some $15 for subsistence. Why, in this one category, is it $100 and $30?

Mr. GARY. Well, I will say to the gentleman that this is a commission that was set up by the President to advise him, and when we in the Congress set up our commissions here, the President never raises any question about what we pay or what we do about it. The executive branch is a separate and independent branch of the Government, and we felt that we could trust the President to set up a commission to advise him on the very important subject of management-labor relations, and that is what we did. We did not question those amounts.

Mr. GROSS. You would not have questioned it if he had asked for $200 a day; is that right?

Mr. GARY. Well, as a matter of fact, the Post Office Department in the past administration did pay consultants $400 a day; I think probably it was about 4 years ago, and we did question that. And, I think if the President had asked for $200, we might very well have questioned that. But, we did not question the amount that was in the bill this time.

Mr. GROSS. I thank the gentleman, but I cannot agree that a request of this nature by any President is sacred.

Mr. GARY. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with the recommendation that the bill do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the Chair, Mr. THORNBERRY, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 10526) making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies for the fiscal year ending June 30, 1963, and for other purposes, had directed him to report the bill back to the House with the recommendation that the bill do pass.

The SPEAKER. Without objection, the previous question is ordered.

There was no objection.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

MONMOUTH COUNTY'S NO. 1 CITIZEN

Mr. AUCHINCLOSS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include an editorial.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. AUCHINCLOSS. Mr. Speaker, in this world of change where men are circling the earth in space, where mankind is developing new scientific discoveries never before dreamed about, where there are hot and cold wars going on at the same time and where the citizens of our country are bewildered because of many changes in their daily lives, it is fitting and appropriate that we should pause for a moment and think about an American citizen who has devoted her long life to the cause of peace and good will, to promoting the spirit of love with tenderness and thoughtfulness for others and actually participating in a wholehearted way in developing this feeling of good will and fairplay.

I refer to a resident of Monmouth County, N.J.—in the Third Congressional District which I have the honor to represent—who has just celebrated her 90th birthday, Mrs. Lewis S. Thompson, and who commands the affectionate respect and gratitude of thousands of citizens who have been affected in one way or another by her long life of good works.

Geraldine Thompson is a woman of action and when she conceived a constructive idea of service, she put it into effect, worked hard at it and by her persistent ability, it became a reality, and her influence is still active today.

Back in 1912 with the aid of friends she organized a branch of the New Jersey State Charities Aid & Prison Reform Association which 6 years later became the Monmouth County Organization for Social Service, the largest voluntary public health nursing agency in New Jersey. She pioneered in the establishment of the Allenwood Hospital and served as its president for 40 years. During all this time she was active in

the county probation department, organizations for mental hygiene and child guidance clinics, well-baby clinics and rural health services. Recently, she purchased ponies and donated them to State institutions for the benefit of the young people who were in trouble and had been committed to them because as she said they "need something to care for, to love." She promoted swimming pools for State institutions and at the dedication of one of these pools a few of the boys jumped in during the ceremonies because, as they said, "Mrs. Thompson had dared them to do it." She understood young people and believed wholeheartedly that by a return to nature many of the problems of youth could be analyzed and solved. She is a good woman and very much beloved.

Many honors have been showered upon her. She is the first Beaver of the Monmouth Council of Boy Scouts. Rutgers University conferred an honorary degree of master of philanthropy on her in 1931 and in 1959 Monmouth College awarded her an honorary degree of doctor of letters. She is a president emeritus of the Monmouth County Organization for Social Service and a member of the board of managers and a trustee of the Monmouth Medical Center in Long Branch. She is a member and former chairman of the Monmouth Park Jockey Club Charity Fund, a life member of the Parent-Teacher Association of Monmouth County, advisory member of the Monmouth County Mental Health Association, advisory member of the Riverview Hospital in Red Bank, N.J., a member of the American Cancer Society executive committee, and served on the New Jersey Welfare Council, and State and national hospital associations. She is a member of the National League for Nursing and a member of the American Public Health Association and has served on the board of directors of the New Jersey Tuberculosis and Health Association.

Truly hers is a life of service, constructive in its activities and bringing a fuller and greater life to many unfortunate people who have become rehabilitated through her efforts. Her birthday was celebrated with greetings and good wishes from thousands who love her for what she has done and who are better citizens because of her example.

I conclude these brief and inadequate remarks with an editorial from the Asbury Park Press which truly expresses the feelings of the people about this great American woman.

OUR OWN FIRST LADY

Monmouth County's No. 1 citizen celebrated her 90th birthday yesterday. Mrs. Geraldine Thompson passed the fourscore-and-ten mark but that did not deter her from uttering some trenchant phrases about the contemporary scene. Her casual remark to an interviewer might well become the starting point for a world philosophy: "The whole world is changing and we've got to make it go in the right direction."

It is difficult to accurately assess the influence which Mrs. Thompson has exerted on Monmouth County and its residents. She has pioneered in every worthwhile social endeavor and has maintained a consistent interest in the welfare of her fellow human beings throughout a long life. Monmouth County owes its preeminence in social work largely to the devotion of Mrs. Thompson.

It is often said that a person has been a "good influence." The phrase has a vague, saccharine sound that seems almost inadequate to express the tribute due a person who truly merits the term. Mrs. Thompson is one of those persons richly deserving of the title in the best sense of the word. She has spent her life awakening her fellow citizens to their social obligations. She has played an active role in politics and the party of her choice owes much of its respectability to her refusal to compromise with principle. Conservation of natural resources has also engaged her attention and she has contributed mightily to this important work.

When one describes Mrs. Thompson as Monmouth County's first lady he summarizes the story of her life and influence. Only one thing remains to be added. That is the wish that another similar tribute may be published on her 100th anniversary.

IN 1963—300TH ANNIVERSARY OF THE CAROLINA CHARTER

Mr. WHITENER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. WHITENER. Mr. Speaker, on March 24, 1663, King Charles II of England granted to eight of his close friends, who had supported his efforts to regain the English throne, a vast tract of land in North America. These eight noblemen, the Lords Proprietors of Carolina, acquired a portion of the New World extending from Virginia to Florida and from the Atlantic Ocean to the Pacific Ocean.

Within this immense territory 13 States were subsequently created. The Carolina Charter, by which Charles II conferred the territory now comprising North Carolina to the Lords Proprietors, kept alive the freedoms granted Englishmen in Magna Carta.

The Lords Proprietors were required to make laws for Carolina "with the advice, assent, and approbation of the freemen of said province." The first fundamental law of North Carolina, therefore, proclaimed the principles of self-government by which North Carolina has been governed for the past 300 years.

The year 1963 marks the 300th anniversary of the Carolina Charter and the beginnings of self-government in North Carolina. To commemorate this great event in history the North Carolina General Assembly created the Carolina Charter Tercentenary Commission in 1959. This group, composed of distinguished North Carolinians, has been working to formulate plans and programs in celebration of the Carolina Charter of 1663 and the subsequent historical events in the colonization and estalishment of self-government in North Carolina.

In carrying out its important duties the Carolina Charter Tercentenary Commission will work in close contact with many Federal agencies. In addition, the commission will find it necessary to contact oversea governments inasmuch as the first settlements embraced in the grant of territory given to the lords proprietors were populated by peoples from several European countries.

To assist the Carolina Charter Tercentenary Commission in the discharge of its duties and to provide the proper cooperation on the part of Federal agencies I have introduced a joint resolution to establish the North Carolina Tercentenary Celebration Commission. The Commission will consist of 15 members, 4 of whom shall be Members of the Senate appointed by the President of the Senate.

There will be four members of the Commission who will be Members of the House of Representatives appointed by the Speaker of the House of Representatives. The other seven members of the Commission will be appointed by the President, who shall designate one of the members he appoints to be Chairman. The members of the Commission shall receive no salary.

Mr. Speaker, the United States is a young country in the family of nations. At this critical period in the life of our Nation we need to do everything possible to instill in our people an appreciation of their free institutions and a love of the history of their country. The program that has been planned by the Carolina Charter Tercentenary Commission will do much to encourage patriotism and an understanding of the part that North Carolina has had in the growth of our Nation.

It is my sincere hope, therefore, that my colleagues in the House will support my joint resolution creating on the part of the Federal Government a North Carolina Tercentenary Celebration Commission to assist the Carolina Charter Tercentenary Commission in making a success of the historic and patriotic programs it has planned to commemorate the establishment in 1663 of free government in North Carolina.

GENERAL LEAVE TO EXTEND

Mr. GARY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

SPACE COMMUNICATIONS

The SPEAKER. Under previous order of the House, the gentleman from New York [Mr. DOOLEY] is recognized for 30 minutes.

Mr. DOOLEY. Mr. Speaker, a short time ago, Col. John Glenn stood before us in this Chamber and related some of his experiences and observations of our space program. During that address Colonel Glenn related an appropriate anecdote in which Faraday likened the practical uses of his experiments to the growth of a baby. Colonel Glenn went on to say:

Any major effort such as this results in research by so many different specialties that it is hard to even envision the benefits that will accrue in many fields.

But being Americans, we have always had a tendency to look at new ventures with a balance sheet in mind. We want to be sure every investment, Government or private, results in a profit. Unfortunately, nothwithstanding our recent notable achievements, some of the more impatient among us criticize the extent of our space investments on the grounds that putting a man on the moon is a wasteful exercise in national pride.

Contrary to the impression current among many citizens, U.S. space activity is a sound investment in America's future. It is just as much an investment as that of industry for research and new plant facilities. The total expenditure by industry for these activities in 1961 was greater than the planned expenditures by the Government for the space program over the next 10 years.

What, one may well ask, are the practical dividends from this investment?

Let me say, first of all, they will be the direct practical applications of satellite technology. The two most important applications are in world communications and in weather observation and prediction.

In communications, the use of satellites may well solve a problem that apparently cannot be dealt with practically in any other way; namely, the explosive growth of demands for oversea transmission of voice, telegraph, and electronic data messages.

To give you a comprehensive idea of the proportion of the problem, let me cite some figures.

The number of oversea telephone messages to and from the United States has been growing at a rate of about 15 percent a year, so that it doubles every 5 years or so. The growth from 1959 to 1960 was 20 percent. The demand for service is growing far more rapidly than the industry can possibly lay cables under the sea.

As you know, only radio signals in those channels that are reflected by the ionosphere can be transmitted to great distances. As a result radio transmission facilities are quite limited.

Satellites, however, can serve as reflectors or retransmitters of electronic signals, thousands of miles high, and thus make possible transmission all around the globe in all channels. Ultimately, it will be possible to use communication satellites for global television transmissions. The National Aeronautics and Space Administration plans several satellite experiments during 1962 to test satellite communication techniques.

In weather observation, satellites can vastly expand the ability of meteorologists to know what is happening in the vast sea of atmosphere that surrounds the earth. At present, weather observing stations are restricted to land areas. Most of these stations are in heavily populated regions. Weather information from vast stretches of ocean and sparsely populated land areas is nonexistent.

From a satellite, cloud cover and temperatures can be recorded over wide areas. The three Tiros satellites have made it possible to follow the entire course of hurricanes. Tiros III, launched July 12, 1961, made observations of seven of the first eight hurricanes of the 1961 season.

In the far Pacific, spotter aircraft were observing a storm that seemed to be dying out September 22 and the spotter flights were canceled. Two days later, Tiros III reported that it had regenerated—it became Typhoon Sally.

Late in 1962 NASA plans to flight-test an advanced weather satellite, Nimbus, which will be a component in an operational satellite system. The operational system, which will be established by the middle of the 1960's, will make far more accurate short-term forecasts possible than today's methods permit. It also may enable meteorologists to make a beginning, at long-term forecasting and experiments, in the modification of weather.

Satellite networks will also be used for navigation at sea and for precise measurement of distances on earth. Then there will be the feedback of new materials, power sources, and techniques, developed to meet the requirements of space flight, into the American economic system. Some of this feedback has already appeared.

For example, in Project Mercury, NASA has developed miniature instruments that are attached to the astronauts' bodies for measuring heart action, brain waves, blood pressure, and breathing rates. The information was telemetered to stations on earth during the recent space flights of Alan Shepard, Virgil Grissom, and John Glenn.

The Roosevelt Hospital in New York City has installed equipment for applying instruments of this type to some of its patients on the critical list, so as to enable the head nurse to observe indications of their condition on a display board at a central point. A short time after the equipment was introduced, it gave a warning that an accident victim had lapsed into sudden shock and, as a result, saved a life.

Other medical applications are coming along. The system for measuring astronauts' blood pressure may prove useful in hospital surgical recovery rooms. Tiny "radio pills" implanted inside the body may make it possible to make accurate internal measurements without impeding normal activities with connecting wires.

A meter developed to test liquid viscosity for guidance gyroscopes is being employed in blood research.

Communication equipment designed for space flight requirements is proving useful in many ways. A worldwide tracking and ground-communications network has been established to maintain constant communications with the astronauts orbiting the earth in Project Mercury. Stations around the world receive data from the Mercury spacecraft and send it to teletype relays at the Goddard Space Flight Center in Greenbelt, Md. The relays feed the data into a master computer, which automatically calculates orbital information. The resulting calculations are then fed back through the relays and retransmitted to Cape Canaveral. The whole process takes a matter of seconds.

To make such speed possible, it was necessary to redesign the communication network so that the human operator would be eliminated. The relays rapidly and automatically distinguish between routine and priority messages and route each in proper sequence. Such a method will probably be adopted for the normal ground transmission of messages by our great commercial carriers.

Another area of feedback from Project Mercury is in the reliability of long-distance communication lines. The communication link between the Goddard Space Flight Center and the Control Center at Cape Canaveral is vital. Loss of communications during flight of an astronaut about the earth could interfere with the success of the mission and might increase the danger of catastrophe. To reduce the danger of communication failure, several advances have been made in the technique of checking out the lines.

For example, all the vital circuits have built-in alarm systems that warn of questionable performance or the impending loss of connection. In addition, there is a reliability test of all circuits on the network every hour on the hour—a far more elaborate procedure than any that had been developed previously. By analyzing the test results over a period of months, communication engineers have been able to determine periods when conditions of weather, solar activity, and traffic patterns would be best for the reliability of the circuits. From this information it is possible to predict favorable dates for Project Mercury launchings. Some day, telephone companies may use similar information to include in advertising of "best time to call Europe."

One of the severest technical problems of designing equipment for use in spacecraft is meeting the stringent weight limitations. Each component of a satellite must be far less massive than is allowed for earthbound equipment. For example, a tape recorder has been developed with the capacity to store 30 minutes of color television broadcasting in a package that weighs only 30 pounds. The machines now in general use in the television industry fill a small room and weigh almost a ton.

Similar progress is being made in reducing the weight of power generators. An experimental compact nuclear power system called Snap-8 will produce 30 kilowatts of power for a spacecraft continuously over a period of a year or more. Snap-8 weighs about 2,000 pounds. The output is equivalent to that of about 400,000 standard automobile batteries.

Miniaturization of electronic devices has already made possible the pocket transistor radios that are so popular with teenagers today. Much more progress in this area can be predicted. The true wristwatch radio of comic-book fame is just around the corner.

The day is not far off when pocket two-way radios will be available for use in organizations where it is important to keep in constant touch with people in the field—news agencies, for example. The reduction of weight of television equipment will make much more flexibility possible in live coverage of rapidly changing news situations.

Another special requirement of spacecraft equipment is reliability. Equipment for use aboard a satellite must have long life built into it. There is no way of calling on a repairman to replace a part in outer space.

One of the largest causes of failure in complicated electronic systems developed for use in space is in the soldered joints between wires. NASA has developed a technique for making welded connections, which are far more reliable than solder. The process is now being applied commercially.

The use of transistors instead of vacuum tubes in electronic equipment imposes unusual reliability requirements. When statistics on transistor failure were studied closely, it was learned that transistors needed a much longer test period than vacuum tubes to assure reliability. As a result, a special requirement for the Nimbus weather satellite is that all transistors be tested 1,000 hours before installation.

Satellites and space probes use a special metering technique, called telemetry, by which temperature, density radiation information, and other data are transformed into electronic signals and transmitted to ground stations. The technique is now being applied industrially.

In the Panama Canal Zone, the amount of rainfall is measured at 60 strategic points in the uplands from which streams and rivers flow into the canal. The information, telemetered to a central station, makes it possible for computers to figure just how much water should be let in through the locks to float ships. Such adjustments prevent heavy runoff from flooding the locks and causing delays to shipping and damage to canal equipment. Formerly, bush Indians were used to report rain and water information. Their information was not too accurate and often was too late to be of value. Canal officials believe the equipment, which cost less than $100,000, will return about $1 million in added revenues in 1961, its first full year of operation.

Telemetry is also being used to gather information from dangerous or unreachable locations. Bechtel Construction Corp., contractor for the traffic tunnel under the San Francisco Bay, planted telemetry units deep in the silt along the route. The units monitored earth movements and seismic data over a 2-month period to provide data needed for the final design of the 8-mile, $100 million tunnel between San Francisco and Treasure Island.

Telemetry is also useful in monitoring industrial processes. The Hammerlund Manufacturing Co., of New York City, is installing an automatic system for keeping tabs on gas flow at 100 points to a central fuel dispatcher at United States Steel's Ben Fairless Works. Frequently, the savings achieved by installing such equipment pay for it in a few years.

In conclusion, may I say that these are but a few examples of feedback already accomplished. As the activity in space grows, these beneficial byproducts will grow accordingly. Whole new industries are likely to develop. We are just at the beginning of an era of profound technological change, whose end no man can foresee.

Mr. ROGERS of Florida. Mr. Speaker, will the gentleman yield?

Mr. DOOLEY. I yield to the gentlemen from Florida.

EMPHASIS ON SPEED AND HORSEPOWER BY AUTO MANUFACTURERS—CAUSE FOR CONCERN

Mr. ROGERS of Florida. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include an article.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. ROGERS of Florida. Mr. Speaker, I have learned from an article which appeared in the Wall Street Journal of March 5, 1962, that the Nation's automobile manufacturers are beginning to once again emphasize speed and horsepower in their advertising. This same article, which I include herewith as part of my remarks, describes the agreement which auto makers adopted in 1957—an agreement to suspend the emphasis of automotive speed and horsepower capabilities in consumer advertising.

This agreement was made as part of the results which the House Subcommittee on Health and Safety, on which I am privileged to serve, brought about during investigations of traffic accidents. The need for such an agreement was reflected in the rising death toll on America's highways. At that time, each manufacturer based his claims on massive horsepower and high speed figures. Competition being what it is, the public was caught in a race of spiraling high performance figures and death statistics to match.

Investigations conducted by the subcommittee showed that the relationship between high-powered automobiles and accidents was openly apparent. With this determination by the committee in mind, the Nation's auto industry agreed through adoption of a resolution to suspend emphasis on power and speed performance in appealing to the Nation's consumers.

The resolution was, of course, a gentleman's agreement, and made in good faith. Yet there are increasing signs which show this good faith is being violated. The Wall Street Journal gives added weight to this suspicion. The recent Chicago Auto Show, preview exhibit for the auto industry, offered further evidence. One popular make car boasts a horsepower rating of 405 in its current model. In 1957, the year its makers agreed to suspend the horsepower race, this same make had a horsepower rating of 223.

Not only does the press offer proof that the horsepower ban has been violated, but members of the industry unofficially admit it. One source close to the Nation's auto makers states that the spirit if not the letter of the agreement has been well shattered. This same source mentions that the only corrective measure for the resumption of the horsepower race may be public outcry.

Mr. Speaker, the Health and Safety Subcommittee is currently working in the traffic safety field. The committee has learned that since 1900 well over 1,300,000 Americans have died on our highways, and that unless action is taken another 700,000 friends, relatives, and associates will meet death on the highways by 1975.

As a member of the committee, I am disturbed by this new trend among the Nation's automakers. Unless this trend is curbed in the immediate future, I feel certain that action by the Health and Safety Subcommittee of the Interstate and Foreign Commerce Committee, and by the Congress itself may become necessary.

The article from the Wall Street Journal follows:

AUTOMAKERS GINGERLY ACCELERATE PROMOTION OF SPEED, HORSEPOWER—FIRM'S 1957 PACT GIVES WAY TO URGE TO WOO MOTORISTS WITH NEW SOUPED-UP CARS

(By Jerry Flint)

DETROIT.—The auto industry once again is yielding to the urge to woo customers by bragging about the number of horses under the hood.

The five major auto company presidents agreed in 1957 to a ban on speed and horsepower promotion. This followed pressure from a congressional subcommittee investigating traffic safety; it also was partly due to the rising cost and the crash publicity risks of factory participation in stock car racing. But, to some in the industry, the appeal to a motorist of controlling a powerful engine has proved too potent a sales lure to leave unused.

Some of the returns to the speed theme are subtle. When General Motors Corp.'s Chevrolet division recently launched a supercharged version of its compact Corvair, the car was called the Corvair Monza Spyder, the two last names respectively suggesting an Italian race course and a West German racing sports car. The Spyder packs 88 percent more horsepower (150) than the earlier Monza. Chevrolet's ads have the Spyder skirting around curves, which in less obscure dictionary language means to fly hastily.

CHRYSLER'S 300-H MOVIE

Chrysler Corp. leaves little doubt what it is driving at with a new movie showing at one point a souped-up version of its Chrysler 300-H, tooling along a beach at 189 miles an hour. But the 60 copies of the film are meant to be shown only to luncheon groups, sports car clubs and the like, not to mass TV audiences, an official says.

Clear evidence of the returning stress on horsepower was seen at the recent Chicago Auto Show. In addition to Chevrolet's Spyder, other newly hopped-up passenger cars included a supercharged 215-horsepower version of the compact Oldsmobile F-85, which had a top horsepower of 185 previously; a Galaxie, Ford's full-sized car, with a 405-horsepower engine that far outstrips its previously most powerful 300-horsepower unit; an intermediate-sized Ford Fairlane with 164 horsepower compared with a former top of 143; a 410-horsepower Plymouth, which had only 305 horsepower in its previously most powerful 1962 model engine.

The auto company presidents, meeting under the auspices of the Automobile Manufacturers Association, pledged "to encourage owners and drivers to evaluate passenger cars in terms of useful power and ability to afford safe, reliable and comfortable transportation, rather than in terms of capacity for speed." Their resolution

specifically banned factory participation in autoracing and speed and acceleration tests or the advertising of race results, whether they participated or not.

Some observers thought the resolution would stick, despite a history in the industry of broken bans on speed promotions. Stock car racing activities, designed to prove cars fast and durable, had been costing the companies an estimated $6 million annually.

HOT CARS A GAMBIT

But even before the ink was dry on the pact, there was evidence that ad copywriters were figuring ways to convey to their readers that, even if the ads sounded more conservative, the cars had lost none of their zip. One gambit was to describe a car as "hot," which could conceivably mean that it was selling well, not that it was fast.

The Automobile Manufacturers Association has no official statement on the present trend, but a source close to the association agrees that the spirit, if not the letter, of the agreement has been well shattered. He notes, however, that it was a gentleman's type of agreement, and if the gentlemen have chucked their pledge, nothing will be done about it, at least not until there is a public outcry.

The extent to which automakers have returned to stock car racing is hard to determine, since participation usually is concealed. But reporters at the recent 500-mile stock car race at Daytona, Fla., noticed that engineers and officials of GM's Pontiac division were much in evidence in the pit area. Pontiacs placed one-two-three in the race.

Why are speed and power promotion so irresistible? Auto merchandisers concede that these considerations seldom are at the top of the list in surveys of why people buy cars. But a Chrysler advertising man says: "Some of the glory of the high speed cars rubs off. It's a thing in people's heads. They want that power."

CONFIDENTIALITY OF REPORTS FILED WITH THE BUREAU OF THE CENSUS

Mr. LIBONATI. Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina [Mr. HENDERSON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. HENDERSON. Mr. Speaker, as acting chairman of the Subcommittee on Census and Government Statistics, I have today introduced a bill to amend title 13, United States Code, to safeguard the confidentiality of copies of reports filed with the Bureau of the Census.

Along with several of my colleagues of the House Post Office and Civil Service Committee, I am concerned about the ramifications of the recent Supreme Court decision in the case of the *St. Regis Paper Company* v. *the United States*, decision No. 47 of October term, 1961, issued December 11, 1961. What concerns me about this decision is that it could have damaging effect on the reliability and accuracy of census reports. In fact, in the long run the decision could affect all Federal statistics.

In the decision, the Supreme Court ruled that file copies of business reports sent to the Bureau of the Census may be subpenaed by the Federal Trade Commission and the information thus obtained used in legal proceedings against the company. The decision in no way affects the confidentiality of the original report to the Census Bureau—this report is confidential under United States Code, title 13, section 9, and cannot be disclosed.

Mr. Speaker, the Supreme Court majority decision permits a law enforcement agency to accomplish indirectly what the law forbids it to do directly. I call to your attention that the minority dissent to Mr. Justice Black states:

> Our Government should not, by picayunish haggling over the scope of its promise, permit one of its arms to do that which, by any fair construction, the Government has given its word that no arm will do.

I want to associate myself with the minority dissent of Justice Black, as well as with my colleagues in the House who have introduced remedial legislation. I have three compelling reasons for doing so:

First. The majority decision results in the Government breaking faith with business firms who were promised that their census reports—and by implication, copies of those reports—would be held in confidence;

Second. It is essential that firms keep file copies of census reports in order that their reported information be consistent from period to period. To make the copies subject to legal process, therefore, is to jeopardize the accuracy of census data; and

Third. Business firms cooperate voluntarily with the Federal Government by supplying needed information on employment, payrolls, earnings, production, productivity, and many other subjects. Can the Government expect businessmen to cooperate voluntarily in supplying statistical information, when we deny them the protection of confidentiality for the business reports which they supply to the Government?

I should also like to place in the RECORD at this point a discussion of the St. Regis case as it appeared in the fourth quarter, 1961, Sponsors Report of the Advisory Council on Federal Reports. The Council, established by the Bureau of the Budget in 1942, is composed of representatives of business and industry who advise the Federal Government on statistical matters.

INDUSTRY'S ADVICE TO THE BUREAU ON THE ST. REGIS CASE

The recent Supreme Court's decision in the St. Regis Paper Co., case is likely to adversely affect some important Federal statistical programs. Planning of surveys by Government, and response to them by industry has been made more problematical. The possibility of new legislation is being considered both in Government and industry circles.

The Supreme Court decision means that, while the original copies of company reports sent to the U.S. Census Bureau remain confidential, duplicate copies kept in company files no longer are protected and may be subpenaed by the Federal Trade Commission and, presumably, by other Federal regulatory agencies possessing similar powers.

The Advisory Council on Federal Report as an adviser to the Bureau of the Budget has for many years been actively interested in maintaining the confidential status of company data submitted to the Census Bureau and to other Federal agencies. Business officials often have inquired concerning the protection afforded such data before filing reports to Federal agencies. They have been assured by the Bureau of the Census that there is ample legal protection against disclosure of company data in the possession of that agency under authority of title 13 United States Code. This law provides that only sworn Census employees may have access to information submitted on individual reports to the Census Bureau.

While this specific protection is not disturbed, the Court's decision now makes it possible for regulatory agencies to obtain the same data by subpenaing company file copies, where these exist.

Both the Advisory Council and the Bureau of the Budget are concerned with maintaining the accuracy and timeliness of the Government's statistics program. To this end, the Council, and particularly its committee on confidentiality, will continue to work with and advise the Bureau in its study of the nature and extent of confidentiality which should be accorded reports made by business to Government agencies for statistical purposes.

Here is the advice the Council gave the Bureau of the Budget on October 16, 1961:

"Since its establishment by the Bureau of the Budget in 1942, the Advisory Council on Federal Reports, composed of representatives of business, has been deeply interested in the matter of confidentiality of company data submitted to Federal agencies for statistical purposes. In recent years the Council has noted that this question has become a legal issue. It was litigated by the U.S. Court of Appeals for the Seventh Circuit in *Federal Trade Commission* v. *Walter L. Diiger, Secretary, Beatrice Foods Co.* and is involved in a pending case before the U.S. Supreme Court, *St. Regis Paper Co.* v. *United States* (Supreme Court docket No. 47 October term 1961).

"The basic issue is the same in both cases. In the Diiger case the U.S. Court of Appeals for the Seventh Circuit ruled that the respondent should not be required to comply with a subpena duces tecum issued by the FTC demanding the corporation's retained copies of census reports.

"The Bureau of the Budget, in October 1960, took the position that the Court's conclusion was correct and recommended to the Solicitor General against the filing in the Supreme Court of a petition for a writ of certiorari to review the decision. In the Buren's view, the significant factor in the Diiger case was that referred to in Chief Judge Hastings' opinion where he quoted from a statement of the Director of the Census as follows:

"'The sections of title 13 dealing with confidentiality of Census reports were enacted (by the Congress) for the purpose of protecting companies against any harm which might result from their complying with a Census reporting requirement. This privileged relationship enables the Census Bureau to require response to inquiries which are necessarily formulated on a uniform basis for all companies in a particular activity regardless of whether or not their books of record directly yield the requested information. For this and other reasons estimates and approximations are necessarily acceptable in statistical reporting to an extent that would not be acceptable for financial or certain other purposes. Furthermore, it is essential to the economical and speedy consummation of statistical programs that the rules governing reporting permit the companies to authorize subordinate officials to furnish information directly before formal clearance with comptrollers, auditors or company counsel, and that this information frequently be furnished before final figures have been developed in the company record system. In brief, the confidential relationship which is present in Census reporting is vital to its effectiveness.'

"The Advisory Council on Federal Reports is in complete agreement with the position of the Bureau in this matter and is of the view that this relationship applies in other Government questionnaires, it is not confined to the Bureau of the Census.

"The business community now cooperates with the Bureau of the Census and other agencies in furnishing information promptly on the basis of existing data, specially assembled data, or in some cases estimates. It should be apparent that special company tabulations and estimates prepared for governmental statistical purposes could be misleading and detrimental particularly if individual company reports were used for another purpose. A noteworthy disadvantage from the viewpoint of all users of Federal statistics would be the inevitable delay in rendering reports likely to be used in proceedings against the respondent by a regulatory agency.

"The Government has taken the position over a long period of time that information so furnished will not be used for other purposes. Any departure from this position would adversely affect the relationships between the business community and the Bureau of the Census and other agencies and would result in less timely and less useful statistical information for the Government, for private and public research and for the business executive.

"In addition, the Advisory Council on Federal Reports wishes to emphasize the following special considerations:

"1. Sanctity of the pledge of confidentiality: When reporting forms, mandatory or voluntary, are submitted to industry with an assurance that the information furnished will be kept confidential and used only by the agency collecting it for the designated purpose, as is usually the case not only in the Bureau of the Census but also other agencies such as Bureau of Labor Statistics, Department of Commerce, etc., two issues are involved: (1) This commitment on the part of the U.S. Government imposes an obligation to hold such information confidential and to restrict its use to the purpose for which collected; (2) this commitment creates a right to the private reporting party to receive the promised protection of the U.S. Government. Neither the commitment nor the right should be derogated in the case of Census responses or other similar Government programs.

"2. Need for full cooperation between Government and industry in the reporting field: In order that statistical programs involving the U.S. Government and private industry and other private institutions may be carried on with maximum success, there must be an environment and spirit of full cooperation. This is true even where information is sought on a mandatory basis, since any collection process must grant a certain amount of discretion on the part of respondents and depends on prompt, collaborative response and effective use of discretion, as distinguished from narrow and legalistic compliance. When an atmosphere of full cooperation between Government and industry does exist, the benefits from these statistical programs run to Government itself, industry, and other private institutions, including those in the educational and research fields.

"3. The public interest: The Council recognizes that the mandate to regulatory agencies should not be frustrated by unnecessary restrictions on the availability of information in the form of data or other documentation. It is the view of the Council, however, that in assessing the governmental and private interests here involved the considerations referred to above should prevail and pledges of confidentiality of statistical information furnished the Government should be fully carried out.

RECOGNITION TO MEMBERS OF THE TEACHING PROFESSION

Mr. LIBONATI. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. CAREY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. CAREY. Mr. Speaker, I have this day introduced legislation which would serve to accord the long-overdue recognition to members of the teaching profession. My bill would set up a commission to organize a national teachers hall of honor. It would not properly be called a hall of fame for in my experience few teachers desire or seek fame but richly deserve any honor which we can bestow. Those men and women who dedicate their lives to the most important task in our Nation, the education of our children, all labor long and are too soon forgotten. I am indebted for the idea embodied in this legislation to an outstanding educator in my district, Dr. William Hines, author and faculty member at Fordham University, who has himself given freely of his great talent and energy to interests of educators as well as those entrusted to his care in class and forum. While we ponder ways and means to increase the inadequate monetary compensation of our teachers we could at least move ahead to place them on the same plane as athletes, artists, and other men of letters in giving them recognition at the highest level in our Nation for their heroic contribution to our national excellence.

BULGARIAN LIBERATION DAY

Mr. HOFFMAN of Illinois. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. BARRY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. BARRY. Mr. Speaker, since 1878 March 3 has become a Bulgarian national holiday, and as such its anniversary is celebrated in all Bulgarian communities throughout the free world. On that historic day these gallant fighters for their freedom regained their liberty, after being subjected to the cruel rule of Ottoman sultans for more than 400 years. During that long and stormy period Bulgarians were never reconciled to their subservient lot, and this was no secret to their oppressive overlords. They fought the Turks, they rebelled against them, and they staged a long series of revolts, and all this for the sole purpose of regaining their freedom. Unfortunately they were not successful in their attempts until 1878, and even then they succeeded only with the aid of Czarist Russia's armed forces. When the Russo-Turkish War of 1877–78 was over, Bulgarians were freed from Ottoman subjugation, and this fact was made known to the world by a treaty signed on March 3 of that year.

Therein is the great significance of that memorable event to the people of Bulgaria, and to Bulgarians everywhere. They rightly felt then, just as their descendants feel today, that the events leading to March 3 ushered in a new era for them, a free and independent era which confirmed their inalienable right to be free, vesting them with the dignity of man. Unfortunately today Bulgarians do not have the freedom for which they fought so valiantly in the past and for which they are still struggling under Communist tyranny. But they still cherish their noble ideal of freedom, and have no doubt that in the end their righteous cause will win.

FOREIGN AID

Mr. HOFFMAN of Illinois. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. LIPSCOMB] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. LIPSCOMB. Mr. Speaker, I would like to bring to the attention of the House at this time the fact that 16 heavy-duty, 2-ton U.S.S.R. trucks capable of being used for military purposes have been procured for Communist Cuba with the assistance of American tax money.

Members of the House may recall that on September 5, 1961, in connection with the foreign aid appropriations bill, I discussed the fact that the U.S. taxpayers were helping to buy 32 Soviet 4-wheel-drive jeeps for shipment to Cuba.

It seems inconceivable that the taxpayers are required to help in this way toward building up a Communist war machine 90 miles off our coast, but that indeed appears to be the case.

The trucks and jeeps, as well as other items, have been supplied to Cuba through the operations of interrelated international organizations and programs to which the United States contributes heavily.

The major organizations involved in the supplying of jeeps and trucks to Cuba are the Pan-American Health Organization—PAHO—and its operating arm, the Pan-American Sanitary Bureau, and the World Health Organization—WHO. The Pan-American Health Organization serves as a regional organization of World Health Organization for the Americas.

The trucks and jeeps were furnished to Castro's Cuba under the PAHO–WHO malaria eradication program. The

United States supports PAHO to the extent of 66 percent of its assessed budget. For all practical purposes the United States provides more than 66 percent of the PAHO budget because most of the PAHO members, including Cuba, are delinquent in their contributions.

The United States also puts up over 90 percent of the World Health Organization's Malaria Eradication Special Account, which in turn is used to help support the PAHO malaria program.

The Soviet trucks to which I am referring have a designation of GAZ-63. The GAZ-63 is a 6-cylinder heavy-duty truck with a load rating of 2 tons. It has a loading platform, with sides and a gate. It is thus a general purpose, heavy-duty vehicle that can be used for the carriage of any number of items such as men, supplies, machines, and equipment. Clearly trucks such as these have a definite military potential.

The Russian jeeps bear a designation of GAZ-69. They are 8-passenger, 4-wheel-drive vehicles, designed for transporting freight or passengers. They are described as having a high ability to travel over all types of terrain such as canals, ditches, rocky, and roadless terrain. Obviously the vehicles have a military potential and capability.

As a point of interest, prior to the time the GAZ-69's offered by the U.S.S.R. were delivered, it became clear that they could not be used for spraying which was ostensibly the purpose for which they were to be used. It was decided somewhere along the line that the jeeps could be used for such tasks as supervising operations and transporting of evaluating personnel.

The Soviet jeeps and trucks were contributed to the WHO Malaria Eradication Special Fund as a contribution in kind. This means the vehicles themselves were contributed rather than funds. However, since the United States contributes over 90 percent of the total WHO Special Malaria Eradication fund, it is obviously supporting an equal proportion of the total activities undertaken with the fund, which in this particular case involves the furnishing of vehicles to Cuba.

According to information I have been able to gather, the U.S.S.R. made known to high ranking officers of PAHO-WHO that the U.S.S.R. would be willing to provide jeeps to the WHO special malaria eradication account provided they were allocated to Cuba. The Castro government was contacted regarding the possibility of the Cuban Government obtaining spare parts for Russian made vehicles should they be furnished, and the Subsecretary of Health of Cuba assured PAHO that this would be possible for his government to do.

It is interesting to note that at about the same time these arrangements were being made, the United States was tightening regulations against export to the Congo of four-wheel-drive vehicles which would have military use, and the State Department requested our allies to take similar action. The Department of Commerce issued regulations to ban shipment of such vehicles to the Congo, except to United Nations forces or in cases where they would not be used for military purposes.

The Department of State indicated last October that the Soviets had contributed 66 vehicles to the WHO Malaria Eradication Special Fund, which the Department said had gone to several countries. With 32 jeeps and 16 heavy-duty trucks channeled to Communist Cuba—a total of 48—certainly not many remain for use in other countries. As with everything else, Soviet effort in the malaria program is styled for political goals.

From all the information I have been able to obtain, PAHO and WHO made the decision to supply vehicles to Cuba not on the basis of their independent judgment as to the need for vehicles there in a malaria eradication program, but simply because of representations by the Castro government that it required such vehicles.

The furnishing of jeeps and heavy-duty trucks to Cuba presents a very questionable situation for we have no way of knowing with accuracy just what use is being made of the jeeps and trucks. Just the fact that they are there means they could be used for any purpose the Castro government decides.

A paper prepared by the Department of State on the Castro regime in Cuba has this to say about the Communist military buildup of Cuba:

> Bloc military hardware has made it possible for Cuba to arm a very high percentage of its population. Its ground forces are larger than those of any other American Republic, except the United States. These forces are at least 10 times larger than the ones maintained by previous Cuban governments. Estimates of the size of the Cuban armed forces—army, navy, air force, police, and militia—range from 250,000 to 400,000.
>
> The Castro regime took over a substantial quantity of military equipment from the Batista armed forces. To this stock were added considerable amounts of arms and ammunition purchased in Belgium and Italy during 1959 and 1960. Soviet bloc arms began to arrive in mid-1960. The amount runs into tens of thousands of tons with an estimated value from $60 to $100 million.
>
> During the first 2 weeks of January 1961 the Cuban Government displayed some of this military equipment in an 8-hour parade through Habana's streets and in military maneuvers and exercises along the north coast of Cuba. It included the following major units: 14 Soviet JS-2 51-ton tanks, 19 Soviet SU-100 assault guns, 15 Soviet T-34 35-ton tanks, 78 Soviet 76-millimeter field guns, 11 Soviet 85-millimeter field guns, 4 Soviet 122-millimeter field guns, and 108 Soviet 12.7 heavy machineguns. Each of the estimated 50,000 militia members who marched carried weapons, the majority of them, Czech-made submachine guns.

Certainly vehicles such as trucks and jeeps are a very necessary item in Cuba's military preparations.

Have we done anything to stop this flow of vehicles to Cuba? Certainly not. Knowing full well what was occurring in this case, the Department of State has stated:

> The Department does not consider it appropriate to take any measure to prevent the delivery of vehicles for use in the malaria eradication program.

The result is that not only is the United States standing by, instead of acting to help the flow of equipment to Cuba with a high military potential, but the U.S. taxpayer is at the same time contributing heavily toward footing the bill. This in my opinion is an intolerable, incomprehensible situation.

BULGARIAN LIBERATION DAY

Mr. HOFFMAN of Illinois. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. CONTE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. CONTE. Mr. Speaker, March 3 marked the 84th anniversary of Bulgarian Liberation Day, commemorated more openly and extensively here in the United States than in that captive Balkan nation. The hearts and minds of those brave people, still living under the Communist yoke in their homeland, must have turned quietly to the memory of the jubilation of this day.

The history of independence for Bulgaria has been a tragic story in the pages of world progress. Her great will to be free from foreign domination is a well-known fact, but in modern times her people have found themselves trapped between two world powers—Germany and Russia. Very simply, she has lacked only the sheer power to remain outside their spheres of influence.

In no way, however, is their present fate unalterable. Destiny has given Bulgarians the desire and ability to retain their unique national traits and characteristics. Holding dear these ramifications of difference from their conquering masters will prove to be a vital factor in assuring a future of self-determination. When nations lose the will to be free or allow their culture and traditions to be eradicated, the chances for one day regaining sovereignty are seriously jeopardized.

Here in the United States today, the Bulgarian National Front of America, Inc., performs a valuable service by keeping alive for those who would forget the picture of political, social, and economic despotism that exists in their beloved homeland. Their words fall on ears which are dedicated to eliminating this type of tyranny and, for that matter, all tyranny from the face of the earth.

As another step in this fight for freedom and self-determination for all peoples, I have urged that the House of Representatives establish a Special Committee on Captive Nations which will focus further national attention on the plight of the non-Russian peoples who live under Soviet dictation. I hope that all of us who are convinced that such a committee can lend new vigor to the battle will witness our convictions being confirmed yet this session of the Congress. For with the creation of a Special Committee on Captive Nations we will give immeasurable support to the dedicated organizations working in this country for the independence of their once native lands.

ADMINISTRATION MEDICAL PROPOSAL A "MIRAGE"

Mr. HOFFMAN of Illinois. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. HALL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. HALL. Mr. Speaker, a few days ago President Kennedy, once again in another special message, requested the Congress to adopt his or Secretary Abraham Ribicoff's proposals regarding medical care under social security. No new arguments were advanced. The Congress was treated to a repeat of the same old line of reasoning, which I understand has been largely discredited by the Committee on Ways and Means, and which has at least held extensive hearings on this issue, and indicated its collective judgment.

I believe it is clear that the administration is creating an image before the American people that is in fulfillment of campaign promises and hence as "sterile" as a Missouri mule, but much worse, is in complete disagreement with what it is actually proposing.

I say this because virtually every letter which I have seen in favor of the administration proposal indicates that the writer has no conception of what the administration bill actually contains—and indeed has been led to believe that the medical care bill will virtually solve all problems involving costs for medical care. Nothing could be further from the truth.

We have heard many arguments pro and con in respect to this legislation. I do not propose to go into those past arguments today although I believe previous objections to the program to be sound and justified. These previous objections were discussed in "Operation Survival," CONGRESSIONAL RECORD, volume 107, part 16, page 18618, and indicated how the administration, the Americans for Democratic Action, and the "social planners" were foisting socialized medicine on an unsuspecting public.

Instead, today, I would like to meet this legislation head on, to show that this bill will not do for the public what the present administration has led the public to believe it will do.

Millions of Americans have been led to believe that this bill will defray most medical expenses encountered by persons over age 65. And, based on this premise, many have indicated they would not object to the tremendous cost of the program. Let us look at the facts.

And the facts are that the King-Anderson bill would provide in most cases less than 25 percent of the care needed for an aged person. The authority for this statement is the Aetna Insurance Co.'s recent analysis of the bill based on testimony given to the Ways and Means Committee and largely substantiated by the Department of Health, Education, and Welfare in its testimony before the committee.

A typical medical case illustrating what the King-Anderson bill covers, and more important, what it does not cover, follows:

Type of service	Mean private expenditure	Reimbursable by King-Anderson
Physicians	$55	0
Hospital care	49	$36.80
Medicines	42	0
Dental	10	0
Other medical	21	6.00
Total	177	[1] 42.81

[1] 24.2 percent.

The above table does not include amounts spent by private individuals for medical care of the aged in nursing homes and other institutions. Note that the King-Anderson proposal would reimburse expenses only in the categories of "hospital care" and "other medical services."

The proponents of this legislation base its so-called need on the fact that this bill will solve financial problems of those faced with unusually large medical costs. Again, the facts:

In addition to the fact that the administration proposal would cover less than 25 percent of an average case, it must also be considered that the King-Anderson bill would cover none of the expenses of persons not under social security and this includes almost 4 million persons. In many cases this constitutes the group in the lowest economic brackets having the greatest need for financial assistance.

I submit that, given a choice between a bill which covers less than 25 percent of medical expenses for only those persons on social security, and a bill which covers all medical expenses for all persons in real need, the American people would much prefer the latter.

The Kerr-Mills bill enacted in the 86th Congress falls into the latter category and has already been implemented by several States with enabling legislation now pending in other States.

To a medically indigent person, it is just as impossible for him to pay for 75 percent of his medical expenses as it is to pay for 100 percent of them.

Certainly it makes better sense to provide all the medical care that is required by all indigent persons over 65 than to give a certain group only 25 percent of their medical needs, as proposed by the administration.

It occurs to me that instead of creating a false mirage for 15 million people over 65, the administration would be performing a much greater service to our aging citizens by urging States to participate in the Kerr-Mills program.

The Aetna insurance analysis follows:

MEDICAL CARE FOR THE AGED

The estimated proportion of mean gross private medical expense expenditures of persons over 65 payable by King-Anderson is 24.2 percent per covered person. A substantiation of this estimated proportion is presented in the following paragraphs, such substantiation being based for the most part on HEW testimony and reports as presented in "Health Services for the Aged Under the Social Security Insurance System," hearings before the Committee on Ways and Means, House of Representatives, volume I, henceforth referred to as the hearings. It should be pointed out that this paper in no way attempts to verify the validity of the facts and figures contained in the hearings. If these facts and figures are true, however, it leads to a rather startling conclusion regarding the effectiveness of the King-Anderson proposal.

Reproduced from page 94 of the hearings in the first column of figures below are the mean gross private expenditures in the United States per person age 65 and over for a 12-month period in 1957-58 for the various types of medical services. Also presented in the second column is the estimated proportion which would have been covered by the King-Anderson proposal were such proposal in effect during the 1957-58 period.

Type of service	Mean private expenditure	Reimbursable by King-Anderson
Physicians	$55	0
Hospital care	49	$36.80
Medicines	42	0
Dental	10	0
Other medical	21	6.00
Total	177	[1] 42.81

[1] 24.2 percent.

The above table does not include amounts spent by private individuals for medical care of the aged in nursing homes and other institutions. Note that the King-Anderson proposal would reimburse expenses only in the categories of "hospital care" and "other medical services."

On page 58 of the hearings it is stated the annual cost per capita will be about $7.50 for the outpatient hospital diagnostic services benefit. Adjusting this figure for medical care cost inflation in recent years it is assumed that $7 would be proper for 1957-58. Thus, of the total of $49 for hospital care, $7 will be considered to be for outpatient diagnostic services. Also on page 58 of the hearings it is stated that the $20 deductible provision will reduce the aggregate cost by an estimated 80 precent in view of the fact that most of the charges for these services will be relatively small amounts, such as $10 for an X-ray. Thus, of the $7 private expenditures for outpatient diagnostic services, only 20 percent or $1.40 would be covered by the administration plan.

The actual proportion of the $42 private expenditures for hospital care, other than outpatient diagnostic services, reimbursable by the King-Anderson proposal, or at least an estimate thereof, was determined using per diem hospital costs and the frequency distribution of days hospitalized found in the hearings. Thus, $29.60 is given on page 54 for the average hospital per diem cost for persons aged 65 and over and this figure was used in the following determination of the proportion of hospital inpatient expenses payable by King-Anderson.

Number of days hospitalized		Actual cost at $29.60 [1] per diem	Relative frequency [2]	Cost covered by King-Anderson
Class	Midpoint			
1	3.0	$29.60	0.038	$9.60
2 to 3	2.5	74.00	.137	49.00
4 to 5	4.5	133.20	.123	88.20
6 to 7	6.5	192.40	.114	127.40
8 to 9	8.5	251.60	.099	166.60
10	10.0	296.00	.049	206.00
11 to 14	12.5	370.00	.149	280.00
15 to 20	17.5	518.00	.106	428.00
21 to 30	25.5	754.80	.081	664.80
31 to 60	45.5	1,346.80	.054	1,256.80
61	75.0	2,220.00	.050	2,130.00

[1] The hearings, p. 54.
[2] The hearings, p. 53.

(1) Average total cost covered by King-Anderson	$374.34
(2) Average actual total cost	$443.06
Ratio (1) to (2)	0.843

From the above it can be concluded that of the total hospital care expenditures of $49—0.843 × $42—or $35.41, plus the $1.40 for outpatient diagnostic services, or $36.81, would have been reimbursable under the King-Anderson proposal.

On page 57 of the hearings, the per capita annual cost of the home health services is given as $6, making a total of $42.81 or 24.2 percent of mean private expenditures payable under the King-Anderson plan.

There are several comments which should be made concerning the derivation of the .843 factor applicable to mean private expenditures for hospital care, other than outpatient diagnostic services, to arrive at the $35.41 covered by the King-Anderson proposal. First, it would have been more proper to use a per diem cost of $24.50 rather than $29.60, since the former more nearly approximates 1957–58 per diem costs. This is substantiated on page 54 of the hearings. Second, in the frequency distribution of days hospitalized it is assumed that the average hospital stay for the 5 percent hospitalized for more than 60 days is 75 days. This underplays the relatively great number of aged persons hospitalized for substantial periods of time. On page 52 of the hearings it is stated that the effect on cost factors of increasing the maximum duration of benefits from 60 days to 90 and 360 days is 9 percent and 15 percent, respectively. This leads to the conclusion that the 0.05 person over 65 hospitalized more than 60 days would be more properly apportioned as follows:

Class 61–90: 91:

Midpoint	75
Relative frequency	.02
Midpoint	120
Relative frequency	.03

The effect of these two changes would be to decrease the 0.843 factor to 0.613 and the total covered hospital care expenses from $36.81 to $27.15. Making this adjustment, one finds the King-Anderson proposal would cover $33.15 or 18.7 percent of total medical expenses for the aged, a figure considerably below 24.2 percent.

The above substantiation excludes any reference to skilled nursing-home services because of the lack of any reliable figures representing the total dollar volume of nursing care expenditures in the United States. However, according to material found on page 56 of the hearings, the King-Anderson proposal would only involve an aggregate average cost of $2.50 per year per OASDI recipient over age 65 less an offset of 25-percent savings in hospitalization benefits or $1.88. In view of this latter figure, the effect of excluding skilled nursing-home services cannot be great, raising the 24.2-percent figure to about 24.7 percent if the liberal assumption is made that the King-Anderson proposal would cover 50 percent of the total volume of private expenditures for those services.

On page 57 of the hearings it is stated that if there are significant expenditures for home-health-service benefits, this would mean somewhat lower hospitalization and skilled nursing-home benefit costs. For administration cost estimates, therefore, an offset adjustment of 40 percent of the estimated $6 cost for home-health-service benefits was made. This offset was not taken in the derivation of the 24.2-percent figure. If it had been taken, the percentage covered by King-Anderson would have decreased to 22.8 percent.

The adjustments outlined in the previous three paragraphs undoubtedly reflect more accurately the true relationship of King-Anderson benefits to the corresponding total medical expenditures. If they had been made, the 24.2-percent figure would have been reduced to 18.1 percent.

BENEFITS UNDER HEALTH CARE PROGRAMS

Mr. HOFFMAN of Illinois. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. CURTIS of Missouri. Mr. Speaker, the President, in his special health message to the Congress of February 26, 1962, says:

> I, therefore, recommend again the enactment of a health insurance program for the elderly under the social security system. By this means the cost of health services in later years can be spread over the working years—and every worker can face the future with pride and confidence.

Thus, the President has joined those who seek to delude the American public into believing that the administration's compulsory health care program under social security would provide the aged with comprehensive and adequate health protection, thereby imbuing them with pride and confidence. The delusion of medical protection under social security finds its strength in confusion and misunderstanding of the benefits written into the administration's proposal and in the speeches of administration people and their supporters in misinterpreting these provisions to the public. It is evident from the letters being received by Members of Congress from their constituents that many people mistakenly believe that the passage of the King-Anderson legislation would completely remove all anxiety about future medical expenses.

A recent actuarial study, which I will include in the RECORD at the conclusion of my remarks, factually lays to rest such unwarranted expectations. The study establishes that less than 25 percent of the expenses of illness of persons eligible for social security benefits would be met by the King-Anderson provisions. This study makes clear that the pride and confidence promised oldsters by the administration would be less than a 25 percent pride and confidence.

A demonstration of the confusion which exists in the minds of the public appeared in a letter placed in the Appendix of the daily CONGRESSIONAL RECORD of February 8, 1962. A constituent of a Member of the other body had written urging support of the administration's bill so that she would be relieved of the burden of physician and prescription drug charges. These expenses—physicians and the cost of prescription drugs—along with expenses of nursing, prolonged hospitalization, and all other facets of health services and supplies, with the exception of 90 days of hospitalization and limited nursing home services—after a $110 deduction—are not included in the benefits offered by the King-Anderson proposal.

One of my distinguished and esteemed committee colleagues, the gentlewoman from Michigan [Mrs. GRIFFITHS], recently acted to factually inform her constituents as to the actual scope of benefits proposed by the administration's bill. She listed not only the proposed benefits, but also those areas of medical expense that would go unprovided for. I would, Mr. Speaker, commend the gentlewoman from Michigan for this public service in informing her constituents. I have my colleague's permission to include at this point in the RECORD a copy of her newsletter as it pertains to the health care legislation.

Mr. Speaker, we all are interested in being of assistance to our aged to the extent that individuals may be in need of such assistance. In this context, let me point out that the Mills-Kerr law, enacted by the Congress in August of 1960, with only 23 dissenting votes in the House, can, if the States will implement it—and many already have—provide total care to all persons who are in financial need of it. The proposed King-Anderson legislation, by contrast, would provide less than 25 percent of comprehensive medical care needed by all of those who would rely on it and, incidentally, this legislation omits nearly 4 million oldsters most in need of help because they are not covered by social security. What the public must be made to understand is that the administration's program, as embodied in the King-Anderson bill, would leave unpaid for those whom it would cover 75 percent of their medical expenses. It should be pointed out that a medically indigent person is no more able to pay 75 percent of his medical expenses than he is to pay 100 percent of such expenses.

Mr. Speaker, the conclusion is inescapable that the approach developed by the Congress in the Kerr-Mills Act is better designed to meet a medical care problem where the problem exists than is the administration's King-Anderson proposal. One of the glaring weaknesses of the administration's program is established in the following actuarial study, to which I previously referred in my remarks, and which shows that less than 25 percent of the medical expenditures of persons over age 65 would be covered under the King-Anderson program. I will include this actuarial study at this point.

MEDICAL CARE FOR THE AGED

The estimated proportion of mean gross private medical expense expenditures of persons over 65 payable by King-Anderson is 24.2 percent per covered person. A substantiation of this estimated proportion is presented in the following paragraphs, such substantiation being based for the most part on HEW testimony and reports as presented in Health Services for the Aged Under the Social Security Insurance System Hearings Before the Committee on Ways and Means, House of Representatives, volume I, henceforth referred to as the hearings. It should be pointed out that this paper in no way attempts to verify the validity of the facts and figures contained in the hearings. If these facts and figures are true, however, it leads to a rather startling conclusion regarding the effectiveness of the King-Anderson proposal.

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Type of service	Mean private expenditure	Reimbursable by King-Anderson
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Number of days hospitalized: Class	Number of days hospitalized: Midpoint	Actual cost at $29.60[1] per diem	Relative frequency[2]	Cost covered by King-Anderson
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10	10.0	296.00	.049	296.00
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Class	Midpoint	Relative frequency
61 to 90	75	0.02
91	120	.03

The effect of these two changes would be to decrease the .843 factor to .613 and the total covered hospital care expenses from $36.81 to $27.15. Making this adjustment, one finds the King-Anderson proposal would cover $33.15 or 18.7 percent of total medical expenses for the aged, a figure considerably below 24.2 percent.

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The adjustments outlined in the previous three paragraphs undoubtedly reflect more accurately the true relationship of King-Anderson benefits to the corresponding total medical expenditures. If they had been made, the 24.2 percent figure would have been reduced to 18.1 percent.

NEWS FROM WASHINGTON—CONGRESSWOMAN MARTHA W. GRIFFITHS, 17TH DISTRICT, MICHIGAN

HEALTH SERVICES FOR THE AGED UNDER SOCIAL SECURITY

Many people have written me regarding pending legislation to provide health care for our senior citizens under the social security insurance system. The King-Anderson bills are referred to most often. In the House this is H.R. 4222—the Health Insurance Benefits Act of 1961.

At this time I would like to discuss the major provisions of this bill.

Who would be covered? Persons who have reached the age of 65 and are entitled to monthly social security benefits.

Benefits

Inpatient hospital services up to 90 days. Includes bed, board, drugs, and other supplies and services customarily furnished by the hospital. The patient would pay a deductible amount of $10 a day for each of the first 9 days. The minimum deductible amount is $20, the maximum $90.

Skilled nursing home services up to 180 days. Provided to a patient after his transfer from a hospital, including bed, board, nursing services, drugs, and other services and supplies which are customarily provided by skilled nursing homes.

Home health services up to 240 visits a calendar year. Furnished by or through a public or nonprofit agency under a plan prescribed by a doctor, including nursing care, physical, occupational, and speech therapy, medical supplies (other than drugs) and appliances for temporary use, and certain part time or intermittent homemaker services.

Outpatient hospital diagnostic services: The kind customarily furnished by or through the hospital to its outpatients for diagnostic study. The patient would pay $20 for each hospital outpatient diagnostic study.

Services not covered

Doctor's services would not be covered unless they are provided as part of the hospital's services. For example, X-rays, laboratory tests, anesthesiology, etc., would be covered when they are provided as part of the hospital's service.

The services provided by the patient's private doctor would not be covered. The patient would pay his own doctor and his own surgeon if surgery is performed.

Calls to a doctor's office and house calls made by a doctor would be paid for by the patient.

Drugs: No drugs are paid for unless they are provided as a part of the hospital or nursing home service.

Mental or tuberculosis hospitals: There is no coverage for services provided by these hospitals.

In essence, what this program adds up to is payment of the cost of hospital care and economical substitutes for hospital care.

Financing: The social security contribution rates would be increased ¼ of 1 percent on employers and ¼ of 1 percent on employees and three-eighths of 1 percent for the self-employed. The taxable earnings base would be increased from $4,800 to $5,000 a year. In 1963, under the present social security law the maximum contribution of employer and employees will be $174 a year. If the health insurance benefits are added to social security, the contribution will be $193.75 for each year.

Recent visitors to Washington: Sue Bowser, Ray Springer, H. E. Blackford, Klaus Borkmann, Mona Bergran, Thomas McDonald, Morris Kane, Balfour Jeffrey, Mrs. W. T. Diehl, Mr. and Mrs. Stanley Harris, Mr. and Mrs. O. W. Faroback, Nelson Pole, Dave Elsila, S. Ankenbrandt, Kitty Denenfeld, D. H. Hudgins, Seymour Feiner, Jos. Botkin, Bob Miller, M. Benjamin and son, Paul.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the

legislative program and any special orders heretofore entered, was granted to:

Mr. BOW (at the request of Mr. HOFFMAN of Illinois), for 30 minutes tomorrow, March 7, 1962.

Mrs. DWYER (at the request of Mr. HOFFMAN of Illinois), for 10 minutes tomorrow, March 7, 1962.

Mr. CELLER (at the request of Mr. LIBONATI), for 2 hours on Monday, April 2, 1962.

Mrs. GRANAHAN (at the request of Mr. LIBONATI), for 10 minutes on Thursday next, March 8, 1962.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. MATTHEWS and to include extraneous matter.

Mr. HORAN during debate today on the Treasury and Post Office appropriation bill, and to include tables and other articles.

Mr. MOULDER and to include a statement.

(The following Members (at the request of Mr. HOFFMAN of Illinois) and to include extraneous matter:)

Mr. BARRY in two instances.

Mr. KEARNS.

Mr. HOSMER.

Mr. DOLE.

(The following Members (at the request of Mr. LIBONATI) and to include extraneous matter:)

Mr. RODINO.

Mr. FOGARTY in five instances.

Mr. ZABLOCKI.

Mr. CAREY.

Mr. LIBONATI.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 2775. An act to amend the act of June 30, 1954, providing for a continuance of civil government for the Trust Territory of the Pacific Islands; to the Committee on Interior and Insular Affairs.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 2990. An act to confer jurisdiction upon the Court of Claims to determine the claim against the United States of Anis Construction Co. and San Ore Construction Co.;

H.R. 7666. An act to amend section 17(a) of the Revised Organic Act of the Virgin Islands pertaining to the salary of the government comptroller;

H.R. 7855. An act granting the consent of Congress to an amendment to a compact ratified by the States of Louisiana and Texas and relating to the waters of the Sabine River; and

H.R. 10050. An act to provide for a further temporary increase in the public debt limit set forth in the Second Liberty Bond Act.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 201. An act to donate to the Zuni Tribe approximately 610 acres of federally owned land; and

S. 1299. An act to amend the act of June 4, 1958 (67 Stat. 41), entitled "An act to authorize the Secretary of the Interior, or his authorized representative, to convey certain school properties to local districts or public agencies."

ADJOURNMENT

Mr. LIBONATI. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 51 minutes p.m.) the House adjourned until tomorrow, Wednesday, March 7, 1962, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1773. A communication from the President of the United States, transmitting proposed supplemental appropriations for the fiscal year 1962 in the amount of $36,000 for the Architect of the Capitol (H. Doc. No. 355); to the Committee on Appropriations and ordered to be printed.

1774. A communication from the President of the United States, transmitting a draft of a proposed bill entitled "A bill to amend the Small Business Act"; to the Committee on Banking and Currency.

1775. A letter from the Comptroller General of the United States, transmitting the audit of the Public Housing Administration, Housing and Home Finance Agency, for the fiscal year ended June 30, 1961 (H. Doc. No. 356); to the Committee on Government Operations and ordered to be printed.

1776. A letter from the Secretary of Commerce, transmitting the 58th quarterly report covering the fourth quarter 1961, as required under the Export Control Act of 1949; to the Committee on Banking and Currency.

1777. A letter from the Comptroller General of the United States, transmitting the annual report on the activities of the U.S. General Accounting Office during the fiscal year ended June 30, 1961, pursuant to section 312(a) of the Budget and Accounting Act of June 10, 1921; to the Committee on Government Operations.

1778. A letter from the Acting Administrator, General Services Administration, transmitting the report of the Archivist of the United States on records proposed for disposal under the law; to the Committee on House Administration.

1779. A letter from the Administrator, National Aeronautics and Space Administration, transmitting a report to the Committee on Science and Astronautics of the House of Representatives pursuant to section 3 of the act of July 21, 1961 (75 Stat. 216, 217), and pursuant to rule XL of the Rules of the House of Representatives; to the Committee on Science and Astronautics.

1780. A letter from the President of the Board of Commissioners of the District of Columbia, transmitting a draft of a proposed bill entitled "A bill to amend the act of March 5, 1938, establishing a small claims and conciliation branch in the municipal court for the District of Columbia"; to the Committee on the District of Columbia.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. WILLIS: Committee on the Judiciary. H.R. 10431. A bill to revise, codify, and enact title 37 of the United States Code, entitled "Pay and Allowances of the Uniformed Services"; with amendment (Rept. No. 1399). Referred to the Committee of the Whole House on the State of the Union.

Mr. WILLIS: Committee on the Judiciary. H.R. 10432. A bill to amend title 39, United States Code, to codify certain recent public laws relating to the postal service and to improve the code; without amendment (Rept. No. 1400). Referred to the Committee of the Whole House on the State of the Union.

Mr. WILLIS: Committee on the Judiciary. H.R. 10433. A bill to amend title 10, United States Code, to codify recent military laws, and to improve the code; without amendment (Rept. No. 1401). Referred to the Committee of the Whole House on the State of the Union.

Mr. SELDEN: Committee on Foreign Affairs. H.R. 8982. A bill authorizing the Dow Chemical Co. to construct, maintain, and operate a bridge across the Rio Grande at or near Heath Crossing, Tex.; without amendment (Rept. No. 1402). Referred to the House Calendar.

Mr. SELDEN: Committee on Foreign Affairs. H.R. 9883. A bill to authorize the San Benito International Bridge Co. to construct, maintain, and operate a toll bridge across the Rio Grande near Los Indios, Tex.; without amendment (Rept. No. 1403). Referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MacGREGOR. Committee on the Judiciary. S. 2165. An act for the relief of Jean L. Dunlop; without amendment (Rept. No. 1404). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H.R. 10242. A bill to amend Private Law 86-339; with amendment (Rept. No. 1405). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CAREY:

H.R. 10556. A bill to establish a commission to study means of selecting and according recognition to outstanding American schoolteachers; to the Committee on Education and Labor.

H.R. 10557. A bill to amend the law relating to pay for postal employees; to the Committee on Post Office and Civil Service.

By Mr. DOOLEY:

H.R. 10558. A bill to amend the law relating to pay for postal employees; to the Committee on Post Office and Civil Service.

By Mr. HEALEY:

H.R. 10559. A bill to amend the law relating to pay for postal employees; to the Committee on Post Office and Civil Service.

By Mr. HOLIFIELD:

H.R. 10560. A bill to amend the Subversive Activities Control Act of 1950 to provide penalties for becoming or remaining a member of Communist-action organizations, and for other purposes; to the Committee on Un-American Activities.

By Mr. MATHIAS:

H.R. 10561. A bill to amend the law relating to pay for postal employees; to the Committee on Post Office and Civil Service.

By Mr. MOULDER:

H.R. 10562. A bill to amend the Communications Act of 1934 to provide for reports to be made to the Attorney General with respect to solicitations of funds broadcast by any radio or television station; to the Committee on Interstate and Foreign Commerce.

By Mr. OLSEN (by request):

H.R. 10563. A bill to amend the Small Business Act to provide that the program under which Government contracts are mandatorily set aside for smallbusiness concerns shall not apply in the case of construction contracts; to the Committee on Banking and Currency.

By Mr. SCHADEBERG:

H.R. 10564. A bill to amend the law relating to pay for postal employees; to the Committee on Post Office and Civil Service.

By Mr. SHELLEY:

H.R. 10565. A bill for the relief of civilian employees of the San Francisco Naval Shipyard and the New York Naval Shipyard erroneously in receipt of certain wages due to a misinterpretation of a Navy civilian personnel instruction; to the Committee on the Judiciary.

By Mr MORRIS K. UDALL:

H.R. 10566. A bill to provide for the withdrawal and orderly disposition of mineral interests in certain public lands in Pima County, Ariz.; to the Committee on Interior and Insular Affairs.

By Mr. FARBSTEIN:

H.R. 10567. A bill to amend the United States Housing Act of 1937 to provide that a tenant of a low-rent public housing project shall be permitted to continue to occupy such project (with appropriate rent adjustments) even though his income increases beyond the applicable limits; to the Committee on Banking and Currency.

By Mr. GREEN of Pennsylvania:

H.R. 10568. A bill to amend the law relating to pay for postal employees; to the Committee on Post Office and Civil Service.

By Mr. HENDERSON:

H.R. 10569. A bill to amend title 13, United States Code, to preserve the confidential nature of copies of information filed with the Bureau of the Census on a confidential basis; to the Committee on Post Office and Civil Service.

By Mr. SHORT:

H.J. Res. 648. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. WHITENER:

H.J. Res. 649. Joint resolution providing for the establishment of the North Carolina Tercentenary Celebration Commission to formulate and implement plans to commemorate the 300th anniversary of the State of North Carolina, and for other purposes; to the Committee on the Judiciary.

By Mr. BARRY:

H.J. Res. 650. Joint resolution authorizing the President of the United States of America to proclaim September 17 of each year General von Steuben Memorial Day for the observance and commemoration of the birth of Gen. Friedrich Wilhelm von Steuben; to the Committee on the Judiciary.

By Mr. NIX:

H.J. Res. 651. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. KITCHIN:

H. Con. Res. 445. Concurrent resolution commemorating the 25th anniversary of the establishment of soil conservation districts; to the Committee on the Judiciary.

By Mr. COOLEY:

H. Con. Res. 446. Concurrent resolution commemorating the 25th anniversary of the establishment of soil conservation districts; to the Committee on the Judiciary.

By Mr. KORNEGAY:

H. Con. Res. 447. Concurrent resolution commemorating the 25th anniversary of the establishment of soil conservation districts; to the Committee on the Judiciary.

By Mr. WHITENER:

H. Con. Res. 448. Concurrent resolution commemorating the 25th anniversary of the establishment of soil conservation districts; to the Committee on the Judiciary.

By Mr. UTT:

H. Con. Res. 449. Concurrent resolution to prohibit training enemy military personnel or aiding Communist nations; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Mississippi, memorializing the President and the Congress of the United States to provide for maintaining the current effectiveness of the National Guard of the United States by taking certain actions; to the Committee on Armed Services.

Also, memorial of the Legislature of the State of Mississippi, memorializing the President and the Congress of the United States relative to House Concurrent Resolution 35 of the Legislature of the State of Mississippi, relating to the proposal of a new amendment to the Constitution of the United States; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. HOLIFIELD:

H.R. 10570. A bill for the relief of Ngip Tor Yee (also known as Stanley Yee); to the Committee on the Judiciary.

By Mr. LANKFORD:

H.R. 10571. A bill to authorize the Administrator, General Services Administration, to convey by quitclaim deed a parcel of land to the Lexington Park Volunteer Fire Department, Inc.; to the Committee on Government Operations.

By Mr. McFALL:

H.R. 10572. A bill for the relief of Elizabeth A. Johnson; to the Committee on the Judiciary.

By Mr. MILLS:

H.R. 10573. A bill to grant the American Numismatic Association perpetual succession; to the Committee on the District of Columbia.

By Mr. MORRISON:

H.R. 10574. A bill for the relief of A. A. Lindley; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

246. The SPEAKER presented a petition of William Netschert, M.E., Daytona Beach, Fla., requesting an amendment to the Constitution of the United States which would correct the wrongs of the social security program, which was referred to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Thomas Garrigue Masaryk

EXTENSION OF REMARKS

OF

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 1962

Mr. RODINO. Mr. Speaker, on the 7th of March men of good will everywhere pause in their activity to remember and honor the birth of one of the great patriots of history, Thomas Masaryk, the father of Czechoslovakia.

One hundred and twelve years ago when he was born, his country was but a province of the decadent, oppressive Austro-Hungarian Empire. Throughout the life of the empire, Masaryk was the leader, the teacher, the spokesman in Vienna for his people, and the tireless champion of their burning, righteous cause for freedom.

With the disintegration of the empire during World War I, the Czech people were given their opportunity for self-determination. It was altogether natural and fitting that they elected as the first President of their new Republic the man who had inspired and led them to their victory, Thomas Garrigue Masaryk.

Under his direction, the government of the new nation took shape. Under his leadership for the next 17 years, the nation prospered and became one of the true democracies of the world. At the age of 85, President Masaryk stepped down from office; but for the 2 years remaining before his death, he was revered as George Washington was in our own country after he retired to private life. He was still the Father of his Country.

While death is never but sad, Thomas Masaryk's death was a blessing for the noble man. For hardly a year after his world-mourned passing, his nation was sacrificed to the monstrous greed of the Nazis. And with their defeat, rule was seized by the Reds, who have held it ever since.

The magnificent monument—a healthy, happy, thriving nation—that this great man had designed and erected no longer stands. But his spirit

burns in the breast of every Czech, and the venerated memory of his selfless service keeps alive their hopes that the Red terror will be driven out and liberty will return to their native land. I join in the prayer that this day shall be soon.

Cancer Progress Year

EXTENSION OF REMARKS

OF

HON. JOHN E. FOGARTY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 1962

Mr. FOGARTY. Mr. Speaker, under leave to extend my remarks I include an address which I delivered at the annual meeting of the American Cancer Society, Rhode Island Division, Butler Health Center, Providence, R.I., on October 4, 1961:

REMARKS OF HON. JOHN E. FOGARTY, U.S. REPRESENTATIVE, SECOND CONGRESSIONAL DISTRICT OF RHODE ISLAND, AT ANNUAL DINNER MEETING OF THE AMERICAN CANCER SOCIETY, RHODE ISLAND DIVISION, BUTLER HEALTH CENTER, PROVIDENCE, R.I., WEDNESDAY, OCTOBER 4, 1961

It is a real pleasure for me to be with you this evening at the annual meeting of the Rhode Island Division of the American Cancer Society and to hear the report of your activities. It is most gratifying to all of us to learn of the progress being made in the field of cancer research with the hope of greater encouragement in our conquest of cancer.

On September 14 of this year I introduced in the House of Representatives a resolution designating 1962 as Cancer Progress Year. This resolution passed the House by unanimous consent on September 15 and went on over to the Senate. Unfortunately, the 1st session of the 87th Congress adjourned on September 27 before the Senate could act on the measure, but I feel certain that as soon as the Congress reconvenes we can look forward to affirmative Senate consideration of the Fogarty resolution.

The year 1962 will mark the 25th anniversary of one of the most important pieces of legislation enacted by the Congress. I refer to the National Cancer Institute Act of 1937, signed into law by President Franklin D. Roosevelt on August 5 of that year. I believe that the Congress which established this Institute, and has since so liberally supported its great work, should now take formal recognition of this important anniversary and thus lend encouragement and support to the Institute and the American Cancer Society in their efforts for the control of cancer.

Several months ago I suggested in a public address that steps be taken both within and outside the Government, to observe this anniversary in an appropriate manner. I suggested that due note be taken of the progress made against cancer during this quarter century, and of the task remaining before us for the conquest of this dread disease. I urged that we rededicate ourselves to the furtherance of this unfinished task by all possible means.

I am happy to say that the National Cancer Institute and the American Cancer Society are cooperating in the arrangement of a number of activities by which 1962 will be observed as Cancer Progress Year. These activities are designed to note both cancer progress and needs, to encourage support of cancer research and related projects, and indicate how the individual can wage a personal battle against cancer.

My purpose in introducing this legislation in the House is twofold:

1. I want to take cognizance of the magnitude and importance of the contribution the Cancer Act of 1937 has made to medical research in this Nation and the world over. This legislation inaugurated the modern era of medical research. It is indeed a milestone on the highroad of human progress.

2. The urgency of the challenge still confronts us and the Congress, for its part, can offer no more convincing reaffirmation on its belief in the importance of health to the vitality of the Nation than to make certain that adequate funds are provided to continue this great and rewarding work.

As we approach the anniversary of this important act, the American people should be brought to full appreciation of the wisdom and foresight shown by the Congress in establishing the National Cancer Institute in the late thirties. At that time infectious diseases were being brought under better control and chronic and degenerative diseases were emerging as the big problem of the future. In 1937 heart and circulatory diseases were the leading cause of death in this country, and a year later cancer moved into second place ahead of both influenza and pneumonia. From then on, sulfa drugs and later the antibiotics, sharply curtailed deaths from infectious diseases, and the population increase of those liable to the threat of chronic disease was on the march.

The National Cancer Institute was the first specifically disease-oriented unit of our medical research center at the National Institutes of Health in Bethesda. This has now become the greatest such center in the world. The Cancer Institute became the nucleus of a whole new concept of Federal responsibility for the conduct and support of medical research on a scale beyond the resources of private philanthropy or commercial enterprise. It was the nucleus of an effort that was destined to be and has brought this Nation world leadership in medical research and related fields. This, I am glad to say, means that in this area of endeavor, the United States need not "catch up," or "close the gap." Instead, we have the assurance that the most thorough and comprehensive attack ever made on the disease that afflicts mankind is now in operation. At this point, though we may well take pride in what has been accomplished in the past, we must do so in light of the problems that lie ahead and the rich potential for dramatic new gains that are within our grasp. I would therefore like to mention a few of the accomplishments and problems and then look forward to some of the possibilities for exciting progress in cancer research in the very near future.

Through my committee assignments, and because of my keen personal interest in the need for sound and progressive medical research and health programs, I have been closely concerned for some years with these activities. I have become well acquainted with the people who do research and with those who plan and administer research programs. I have talked to scientists in their laboratories, and I have discussed their accomplishments and needs in hearings on their annual appropriation requests.

From these encounters I can tell you that those who are engaged in cancer research are ever mindful of these among a number of factors:

1. Cancer is not a single disease, rather it is a group of diseases.

2. Medical science must concern itself with a variety of approaches to new knowledge about cancer, the extent of which is proportional to both the need and the opportunity.

3. The progress clearly apparent to date is but a beginning.

We have made progress in defining the role of man's environment in the production of cancer. The first cancer-causing material was identified in the 18th century, but it was not until 1937 that modern cancer research began to identify a number of substances that produce cancer in laboratory animals, and some that cause cancer in man.

Past benefits in this area include:

Removal of the hazard of lung cancer in the chromate ore industry.

Removal of the hazard of bladder cancer in the dye industry from betanaphthylamine.

In the very near future we look to:

Clarification of the hazard to man of potential carcinogens of food additives, and

Economic poisons such as insecticides.

Clarification of the hazards due to radiation, air pollution, and water pollution.

An appreciation of these hazards will lead to definite control measures.

We have also made progress in cancer detection, even though no generally reliable test has been developed. Suitable use of one test can save the bulk of the 14,000 lives a year taken by cancer of the uterus in women. This is a cell examination by the so-called Papsmear technique named for Dr. George N. Papanicolaou of Cornell University Medical School. This simple test detects the presence of cancer months or even years before the disease becomes invasive or is likely to show any symptoms. Such early diagnosis permits early treatment and cure in most cases. In fact, I think it is safe to say that the course of action permitted by this one simple test accounts for a significant part of the 40-percent reduction in uterine cancer deaths noted over the past 25 years. Much of our current scientific activity is directed to the development of other equally simple and effective test procedures.

Tremendous gains have been made in improving cancer treatment.

Surgery and radiation have been radically improved individually.

They are now advantageously used in combined treatment.

The effectiveness of this combination is further enhanced by new drugs.

Hormone therapy is also generally effective and in dramatic use in a number of important cancers—prostate, breast, and uterus, to mention three. Such therapy in addition has been developed as a supplemental form of therapy.

A curative drug for one form of cancer is now available on prescription—methotrexate, for one of the uterine forms of cancer.

What is the significance of these and other findings in cancer research? In 1937, of every 100 people in this country who discovered that they had cancer, 75 died. Only 25 won their personal battle with cancer. Today that number has risen from 25 to 33. One may say that this is indeed a small increase, but it is a gigantic increase when applied to the thousands who fall victim to the disease in this country each year. And it is of even greater significance when viewed in the perspective of one individual.

The young mother who can return to her family.

The bright and cheerful youngster whose leukemia can now be successfully treated for months and even years.

The family whose chief breadwinner can return to his occupation and several more years of happy and productive life.

These are the chief reasons why I said earlier that we must not only continue and expand these research activities which have been so fruitful, we must approach with renewed vigor some of the avenues that are rich with potential for even greater success.

Although the discovery that viruses can cause tumors in animals was made in the first decade of this century, scientists today believe that it will shortly be demonstrated

that several important human cancers are likewise caused by viruses. They are strongly of the opinion that now is the time to advance research in this field with vigor, and many of our scientists have swung over to the study of human cancers with the methods already so successful in the work with animals.

I am told by those who plot and assess the course of cancer studies that the involvement of virology has been the most significant advance in the modern area of medical research. Cancer research has long made use of all the biological science and some of the physical sciences as well, but only in the last 3 or 4 years has virology assumed the prominent role which now identifies it unquestionably with the cancer field.

In this connection I can say with confidence that we are close to scientific proof that leukemia in human beings is a virus-caused disease. Very recently two investigators at the National Cancer Institute reported that they had extracted viruses from the blood of leukemic rats. When injected into other rats, these viruses caused leukemia sooner and in a higher percentage of animals than viruses recovered from other tissues. The scientists are now using the same technique in the search for viruses in the blood of human leukemia victims. It is not wishful thinking to believe their efforts will be crowned with early success.

I am equally confident that the further extension of these studies in virology will lead, and I trust not in the too distant future, to the identification of other specific viruses that are causally related to other and equally important cancers. It is not too odd a speculation to project beyond this certainty to the use of viral products in the early and specific diagnosis of cancer and hopefully to its prevention.

Along with these important and promising studies in surgery, radiation, chemotherapy, and virology, attention is also being given to the role of our body chemistry and genetic makeup in both cancer development and treatment.

The mechanisms by which the body resists both infection and cancer growth are under searching inquiry. We have all heard of those rare cases of cancer that disappear spontaneously. I am told that cancers do not always spread easily through the body but do encounter some kind of resistance. I understand that research on this phenomenon is already beginning to reveal small amounts of substances in healthy individuals that are active against tumor cells. One cannot predict how close the continued study of such happenings will bring to us an understanding of this disease.

A more complete understanding of why some people develop cancer and others do not suggests still another possibility. I am told that hereditary makeup determines an individual's resistance to cancer as well as many other characteristics, that a number of diseases are due to defects in the genetic makeup and that there is the possibility that chemical substances eventually can be utilized to modify the body's genetic apparatus and to correct genetic defects and enhance resistance to cancer.

From the standpoint, then, of where the past accomplishments of research are leading us, I believe we can confidently look forward to the following new milestones along the road of conquest over cancer. Some seem certain, among them being:

A number of drugs that will cure different forms of cancer.

Definite proof that certain forms of cancer in human beings are caused by viruses.

Chemicals that will kill cancer-causing viruses before they can begin their evil work.

Other prospects, further off, are reasonable expectations. Among these are:

A vaccine that will immunize human beings against cancer.

Drugs that will enhance the body's natural resistance to malignant disease.

Drugs that will overcome genetic defects that render a person liable to cancer.

The modern era of medical research inaugurated by the National Cancer Institute Act of 1937 requires a big investment. But the dividends already are good, and these will grow progressively. I am convinced we must do more if we are to capture for ourselves and at an early date the possibilities that are clearly before us. This means we must finance research itself, but also it means that we must provide the new laboratory and hospital buildings required, and we must extend the training of young people who will make possible these advances.

I am convinced, through my familiarity with the needs and potentialities of medical research, that this broad type of research support offers the only possibility of lifting the burden of cancer and other chronic diseases from the human race. The patterns of research programing have been established through experience and are rooted in the accomplishments of medical science in this modern research era. To ignore the requirements of the whole complex and become preoccupied with limited objectives would be to disavow the wisdom of the Congress in inaugurating and supporting the new era of medical research, and to disinherit the beneficiaries of the ultimate victory over cancer.

The Congress is gravely concerned about the international tensions that have developed out of the ambitions of world communism, particularly over the Berlin crisis and the resumption of nuclear testing by Russia. In this connection and at other times the President has emphasized the importance of keeping the Nation strong in its human as well as its material resources. To be strong the Nation must safeguard its health, and this depends on the conquest of disease.

I should like to close by expressing congratulations to the National Cancer Institute on its 25th anniversary which will be observed next year, and also to the Congress on its foresight and the support it has given the expanding programs of cancer and other medical research over the years. The research effort which the Congress recognized as a necessity in the thirties, which had its foundations laid in the forties and hit its stride in the fifties, is paying off in the sixties. How well it will continue to pay off depends upon its continued support.

The Late Ambassador Yturralde

EXTENSION OF REMARKS

OF

HON. CLEMENT J. ZABLOCKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 1962

Mr. ZABLOCKI. Mr. Speaker, I was deeply shocked to learn this morning of the untimely death of the Spanish Ambassador to the United States, Mariano de Yturralde y Orbegoso.

During his service in Washington, Ambassador Yturralde impressed many persons in the Government, in the diplomatic corps and in private circles, with his personal and professional qualities.

He was an able and experienced diplomat who represented his country in important posts around the globe.

During his service in Washington, he worked ably to advance friendly and constructive cooperation between his country and the United States, for the purpose of strengthening the security of the free world against the Communist menace.

I would like to express my sincere condolences to his widow in her deep grief, and to the Spanish Government upon the loss of such a distinguished and devoted servant.

Excise Tax on the Transportation of Passengers

EXTENSION OF REMARKS

OF

HON. ROBERT R. BARRY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 1962

Mr. BARRY. Mr. Speaker, the 10 percent Federal exise tax applicable to the transportation of passengers has for some time been recognized as detrimental and discriminatory to the transportation industry of the country. Moreover, it has proven to be an unwise policy that has been harmful to the national interest.

One unfortunate result of this unwise tax has been Government subsidization of certain segments of the transportation industry. Federal Government subsidy of the transportation industry, exclusive of the railroads, has in turn resulted in frequent financial instability of local and national railroads. A case in point is the New York, New Haven & Hartford Railroad, which has been forced into a receivership largely because of Government-subsidized competition. Should the transportation tax be repealed, and the New Haven allowed to retain the proceeds accruing from the repeal, an estimated $3 million yearly tax saving would be helpful in restoring financial health to the company.

It is interesting that the tax on the transportation of passengers was adopted during World War II for the purposes of discouraging travel and raising revenue. However, like so many "temporary" measures, it has over the years become an accepted part of our budget and the Government has come to rely on the revenue which it produces. Virtually the only argument for continuing the tax is that we would otherwise lose revenue necessary to support various Federal programs. In this regard, I have several suggestions to make.

First, that we are not contributing to the financial or economic strength of our country by continuing a tax which is not only unjustified but which is crippling a vital national industry.

Second, that some of the revenue lost by repealing the tax will be made up by elimination of a deductible expense and by a more profitable transportation industry.

Third, that a long, hard look at the curtailment of some of the Federal

spending programs would be more appropriate and more in the best interests of the country than continuing to penalize the transportation industry.

Finally, that the agencies of the Federal Government best acquainted with the needs of the rail, bus, and air travel industry, namely, the Interstate Commerce Commission and the Civil Aeronautics Board are unanimous in their support of the prompt repeal of this tax. In 1961 the Chairman of the Interstate Commerce Commission called the tax highly inimical to the best interest of the country, and the Chairman of the CAB stated that continuation of the 10-percent excise tax on passenger transportation will aggravate the critical financial situation facing the airline industry today.

In light of the foregoing, I have introduced a bill to repeal the 10-percent tax presently imposed on the transportation of passengers. I feel that its adoption would strengthen the economy of the country, and would correct an inequitable injustice with regards to the transportation industry.

Emotionally Disturbed Children

EXTENSION OF REMARKS

OF

HON. JOHN E. FOGARTY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 1962

Mr. FOGARTY. Mr. Speaker, under leave to extend my remarks, I include an address which I delivered at the first meeting of the advisory board and executive committee of the Rhode Island League for Emotionally Disturbed Children, at Johnson's Hummocks, Providence, R.I., on October 23, 1961:

I am very happy to be here with you this evening and to be given an opportunity to talk with you on this occasion.

I would like, first of all, to congratulate you on the vigor of your organization, and on the determination with which you are pursuing your goals. I find it hard to believe that the Rhode Island League for Emotionally Disturbed Children is less than 6 months old. I would say your growth and your accomplishments, since that May evening when the league was formally organized, have been almost incredible.

In the 6 months since then you have more than doubled in size from 75 persons to the 164 persons who now comprise your membership. Furthermore, these members, as I understand it, live in all parts of our State. You have, in addition, formed the advisory board, which, working with the executive committee, should greatly assist you in reaching your objectives.

In the past 6 months, bound together by your sure objectives, you have managed to accomplish a great deal.

First, you have made the community aware of your needs, the first step needed in planning for and obtaining community action. You have pointed out that there are 2,530 emotionally disturbed children in Rhode Island, badly in need of education, for whom almost no educational facilities are available. The exceptions are the relatively few who are being taught at the Bradley Hospital and in a single public classroom in Coventry.

You have pointed out that these children are of normal intelligence, and that their inability to profit from a normal classroom experience is due to emotional disturbance.

You have stated that not educating these children, and not treating them for their emotional ills, can only lead to further problems. Without proper educational and treatment facilities, it is sadly true that these children, many of them, will be incapacitated for normal living in their adult lives.

You have reminded the community that their stated intentions toward, and legal responsibilities for, these children are clear. These youngsters fall under the same 1950 law that requires special schooling for mentally retarded and physically handicapped children.

You have also—and I am sorry that this is so—had to remind your fellow citizens that they have not moved as quickly to meet the needs of the emotionally disturbed children as they have the mentally retarded and physically handicapped children. Although 21 school boards and communities have made provisions for the education of these children, Coventry is the only community with a special class for children of normal or above average intelligence who suffer emotional problems disqualifying them from regular classrooms—and this one special class has only been in existence for a year.

This endeavor on your part—to inform and to educate your fellow citizens concerning the needs of this group—has borne fruit. The Governor, alerted to your needs, sought to establish an 11-member commission to study the feasibility of such educational facilities, and a bill backing such a move was introduced in the general assembly.

You have moved ahead in other ways, too. Just last week the Providence YMCA started, with your help, a specialized physical education program for these children. Other steps to make available to them the recreational opportunities all children need have been taken. A Boy Scout troop and a Girl Scout troop have been—or are being—formed. The Providence Kiwanis Club is sponsoring a bowling team for them.

And, I suspect, you had something to do with insuring the establishment, this fall, of a special course of study for teachers of exceptional children at the University of Rhode Island.

For the future, your goals are both specific and far reaching. First, as I understand it, you seek to establish special classes for these children in the various communities of our State.

Second, you hope to bring into being a centrally located school and treatment center for residential and day pupils.

This is truly an impressive record of accomplishments for so young an organization and these are exciting goals. I have no doubt that you will reach them. In the 21 years I have served as your Congressman, in my lifetime spent here in Rhode Island, I have seen too much evidence of effective community action to doubt that a year from now—2 years from now—you will be well along the way toward reaching your major objectives.

But effective community action on the part of Rhode Islanders is only to be expected, if my reading of the history of our State is correct. This honorable tradition, of caring for our own, and caring for them as well as our fiscal resources and mental and physical energies will permit, was started in the early days of the Providence Plantations.

And, while other parts of the country were still a wilderness, the citizens of Providence, mindful of their responsibilities to that unlucky portion of our fellow beings who are by the visitation of providence, deprived of their reason, established Butler Hospital.

I can think of no greater tribute to the community action undertaken then than the community actions you are seeking to undertake now. Before Butler was established, citizens committees and advisory groups similar to this one met, talked, discussed, learned, and moved toward their objectives. With the concerted backing of the community, expressed in large and small donations of time and money, they succeeded in establishing an institution of which we are still proud.

I have the distinct feeling, these days, that we are, as one might say, "doing our ancestors proud." Last fall, at this time, I dedicated a recreation building at the Emma Pendleton Bradley Home. Last week I helped dedicate a central medical laboratory at the State hospital for mental diseases.

In the past few years, we have witnessed what has been the rebirth of Butler Hospital, and the renewal of the Joseph Ladd School for the Mentally Retarded. Nor are we finished with our task of providing health services for our fellow citizens. The next few years will witness the establishment—hopefully—of a new medical school at Brown University. And in the achievement of that goal, we will be helping not only our own people, but the entire Nation as well.

This brings to me a point I wish to emphasize. In establishing and developing the Rhode Island League for Emotionally Disturbed Children, you have addressed yourselves to a problem that not only exists in this community but is shared as well by communities and metropolitan areas all over the Nation. There is uniform agreement that a solution to the problems of the emotionally disturbed child will improve the lives of millions of young children and reduce the numbers of adults who constitute a national social and health problem.

In my duties as chairman of the House committee responsible for the appropriation levels of the Federal health and medical research programs, I have become quite familiar with programs which are aimed at solving these national problems and which might be useful to you in establishing and operating a central school and treatment center for emotionally disturbed children. Although the majority of the assistance is concentrated in the Department of Health, Education, and Welfare, there is no single program which operates across the board to provide special education programs or services.

The manner in which a school or center is planned and organized, its affiliations with public or private agencies or institutions of higher education, and the type of its total operation would determine its eligibility for assistance under various research and demonstration programs.

For example, a facility for emotionally disturbed children might receive support for research, experimentation, and demonstration provided in connection with diagnostic, therapeutic, and treatment services.

One such project that received Federal support until this past June was the special group program for acting-out children carried out by Dr. Laufer at the Bradley Hospital.

I want to emphasize at this point that the so-called demonstration is usually supported on a fairly short-term basis under a philosophy that the program once underway can be carried on effectively under local and State support. Other such projects that have recently received Federal assistance were two projects at Butler Hospital—one was concerned with treatment instead of hospitalization, and the other was concerned with the influences of personnel on chronic mental patients.

Another type of project, under a program administered by the Office of Education is cooperative research in education. Under this program, the Commissioner of Education is authorized to enter into cooperatively financed contractual agreements with universities, colleges, and State educational agencies for research and demonstrations in any aspect of education. The needs for research related to the education of emotionally disturbed children most certainly require emphasis in this program. One of the most meaningful ways to develop this emphasis is for groups such as this league to dramatically demonstrate the needs of the emotionally disturbed.

Third, the Office of Vocational Rehabilitation also provides research and demonstration grants. These grants support part of the cost of special facilities and services of State vocational rehabilitation programs. Projects are not limited to dealing with persons of employable age. For example of a project currently being supported is the day-care center providing psychiatric and vocational services for emotionally disturbed adolescents located at Butler Health Center.

Fourth, the Children's Bureau provides special project grants for demonstrations, studies, and professional training programs which may contribute to the advancement of crippled children's services. Under the program, a grant could be made to support demonstrations or studies of medical care and treatment for emotionally disturbed children. The only restriction would be that funds could not be used for teachers' salaries. An example of this type of project is the day-care center for brain-injured children with communication problems currently being supported at the Bradley Hospital.

Most of the programs and projects I have just mentioned are carefully designed to meet specialized needs and to investigate new approaches to old problems with the hope that such new knowledge will contribute to our national resources in this field. Being Federal in scope, they are designed to complement, rather than supplement, public and private, State and local efforts to meet community needs.

Now, what of the future?

I firmly believe that this next 12-month period is going to see some truly significant developments in this field at the national level.

I would suppose, for example, that many of you have noted the President's recent action in appointing a panel of distinguished persons to investigate the needs of the mentally retarded in our Nation, and to make recommendations for appropriate services in this specialized field.

It was most appropriate that President Kennedy take such action, for other recent developments on the national level have been primarily concerned with the needs of the children and adults who are mentally ill and emotionally disturbed.

I am thinking, first of all, of the recently issued final report of the Joint Commission on Mental Illness and Health. This study, as a result of an act of Congress, took 5 years and involved a series of the studies to evaluate how well we as a nation are caring for our mentally ill and promoting the mental health of our citizens.

The final report makes recommendations for a comprehensive approach to this problem, and calls for action at all levels of government. I have no doubt that, at the Federal level at least, actions will be taken to implement the report's recommendations.

Many of these recommendations bear directly or indirectly on the problems of the emotionally disturbed child. Recommendations concerning research call for accelerated programs in basic research designed to find the ultimate causes of the mental disorders and hence prevent their occurrence.

Recommendations for recruitment and training call for a vastly expanded effort to stimulate the interest of American youth in all categories of mental health work as a career.

Recommendations of the Joint Commission concerning treatment facilities emphasize the need for early treatment, for intensive treatment, for treatment in community facilities, for comprehensive treatment, with the goal in view that the emotionally disturbed child or adult will be given the help he needs, when he needs it, so that, in his future life, he can live as a self-respecting, self-sufficient, productive citizen.

The Joint Commission report also recommended that Federal, State, and local expenditures for emotionally disturbed and mentally ill children and adults be doubled in the next 5 years, and tripled in the next 10.

For my own part, I am vitally interested in seeing the joint commission report implemented for the benefit of the individual children with whom this league is concerned.

Another important and encouraging development at the national level occurred just a few days after John F. Kennedy was inaugurated as President of these United States. At his request, a Center for Research in Child Health was established on February 17, 1961. At the same time legislative proposals were undertaken to create a National Institute of Child Health and Human Development to encourage research and provide a focal point for solving human health problems from the earliest age to maturity.

The legislative proposals were introduced in both Houses of Congress and referred to the appropriate committees. I am hopeful that hearings on both the Senate and House bills will be held early in the coming session of Congress and that a Public Law will be enacted at the earliest possible moment.

I feel, in talking and visiting with you here in Rhode Island, and in participating in the momentous developments that are occurring in Washington, that truly our Nation and our community are of one mind concerning the needs of all our children.

I know you will achieve the goals you have set for yourselves.

I suspect, however, that when you achieve these goals, others will beckon to you, and that this league, established to care for a very special group of children, will not be content until every emotionally disturbed child in this State is given every possible opportunity to develop his fullest potential.

I feel certain the time, the intelligent effort, and the Federal, State, and local funds needed to achieve these goals will be forthcoming in good measure.

Thank you for letting me be with you this evening.

Is 10 Days' Glory All a Hero Is Allowed?

EXTENSION OF REMARKS

OF

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 1962

Mr. HOSMER. Mr. Speaker, during a period of some 10 days Lieutenant Colonel Glenn orbited the earth three times, became a national and international hero, was greeted by the President and Vice President, addressed a joint session of Congress, was the hero of a New York ticker-tape parade and a celebration in his Ohio hometown. Then he was sent back behind NASA's security gates.

Have we seen the last of Colonel Glenn?

Has he been sent to obscurity?

Is it the policy of this administration that the American people shall be allowed heroes who are not members of the administration's family only on a short-term loan?

Does Pierre Salinger feel his clients must be insulated from competition with the public's heroes?

Lieutenant Colonel Glenn's activities and whereabouts are controlled by the Government. How long he remains isolated from the public will provide the answers to the questions I have raised. I hope these answers are no and that they will be forthcoming promptly.

A Salute to the FFA

EXTENSION OF REMARKS

OF

HON. JOHN E. FOGARTY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 1962

Mr. FOGARTY. Mr. Speaker, recently I received a letter from Daniel Morris, a high school student of vocational agriculture in the town of Scituate, in my home State of Rhode Island. Dan is secretary of his local high school FFA chapter and in this capacity reminded me of National Future Farmers of America Week. He stated the 380,000 FFA members located in the 50 States, Puerto Rico, Guam, and the Virgin Islands were commemorating the 34th anniversary of their organization and invited me to join the 45 FFA members in his school in celebrating this national event. This I was pleased and privileged to do. Furthermore, I wish to have entered in the CONGRESSIONAL RECORD this statement as a reminder to all of us of the importance of vocational education and the Future Farmers of America organization to our country. Back in 1917 the Congress of the United States passed the Smith-Hughes Act which provided initial funds to establish vocational education including vocational agriculture courses in our public secondary schools. Since then we have expressed our interest and confidence in this type of instruction by the passage of other bills including the George-Barden Act, which authorizes the appropriation of additional funds for the further development of this type of education and youth organizations.

In 1950, a Federal charter was voted by Congress—Public Law 740, 81st Congress—to incorporate the Future Farmers of America. I have a very personal interest in the welfare of the FFA and take great pride in its achievements. This farm youth organization has as one of its specific purposes, the development of character, training for useful citizenship, and fostering patriotism. These and other purposes of this organization make it the kind of organization that merits our full support.

Agriculture is the Nation's largest and most basic industry, employing approximately one-third of the working population. Many of these members and former members are actually farming and others are engaged in part-time farming or occupations closely related to agriculture. These closely related

occupations are in agricultural business, agricultural industry, agricultural services, and agricultural professions.

This country needs thousands of new farmers every year to replace those who retire, or otherwise leave the occupation. Abundant agricultural production is the backbone of America's national strength. As our population increases, more people will be dependent upon fewer farmers for the production of nutritious food and other agriculture products needed to keep our people healthy and comfortable. The Future Farmers of today will be the farmers of tomorrow.

Agriculture in our Nation has progressed from the one-horse plow to a modern business operation. Well-trained farm boys who have studied vocational agriculture have contributed to this improvement. Many of these former FFA members have become our Nation's outstanding farmers and agricultural leaders.

Membership in the FFA is made up of youth who are students of vocational agriculture in approximately 9,000 high schools. Members of FFA believe in the future of farming.

The motto of the FFA is: "Learning to do; doing to learn; earning to live; living to serve."

The FFA practice of "learning to do by doing" not only is applied in the area of production and management but also by them in teaching the principles of democracy. The FFA is a truly democratic organization. They establish their own annual program of activities and learn to abide by the decision of the majority. These and similar democratic principles are demonstrated in meetings of the 9,000 FFA chapters.

I am sure each of you also has many youths like Daniel Morris in your respective States. Therefore, I hope you will honor them by joining me at this time in saluting the FFA on the 34th anniversary of this outstanding youth organization.

Annual Pancake Day Race

EXTENSION OF REMARKS

OF

HON. ROBERT DOLE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 1962

Mr. DOLE. Mr. Speaker, today is Shrove Tuesday, a day of special significance throughout the religious world since it marks the beginning of the lenten season, a time of religious meditation.

Shrove Tuesday has in recent years taken on added significance for England and the United States since on that day an international event, the annual International Pancake Day Race is held between housewives of Olney, England, and Liberal, Kans. This event has helped illustrate the good will between our two countries, and interest in the most unusual race has become widespread.

In the 12th annual race last year, Liberal tied up the score to make it 6 to 6. The English won the first two races, but the Liberal women attributed that to the experience of their English cousins, and were not discouraged. In 1952, a Liberal housewife put the United States in the winning column—the year a well-known Liberal businessman, Mr. Jim French, was general chairman. In 1953 Olney avenged the previous year's loss, but 1954, 1955, and 1956 were winning years for the Kansas ladies; 1957, 1958, and 1960 were winning years for the English, but in 1959 and 1961 the Liberal ladies gain tied the score.

This year, despite the presence of Gov. John Anderson, Jr., of Kansas, and Senators Frank Carlson and James Pearson, Olney, England, emerged the winner of the derby.

We extend our congratulations and best wishes to both winners. In this event victory is secondary as the race is symbolic of international friendship in the highest degree.

The Nation's Responsibility for Health Care in Changing Times

EXTENSION OF REMARKS

OF

HON. JOHN E. FOGARTY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 1962

Mr. FOGARTY. Mr. Speaker, under leave to extend my remarks, I include an address which I delivered to the Rhode Island Conference of Social Work, Sheraton Biltmore Hotel, Providence, R.I., on October 5, 1961:

REMARKS OF HON. JOHN E. FOGARTY, U.S. REPRESENTATIVE, SECOND CONGRESSIONAL DISTRICT OF RHODE ISLAND, AT RHODE ISLAND CONFERENCE OF SOCIAL WORK, SHERATON BILTMORE HOTEL, PROVIDENCE, ON THURSDAY, OCTOBER 5, 1961

It is a pleasure and a privilege to be here with you today. I appreciate this opportunity to join with you who are dedicated to the proposition that this Nation, this State, and we, as individuals and as members of families and larger groups, have a responsibility, which we must discharge, to assist those among us who need help.

Your forward-looking theme: "Changing Times—Changing Problems—Changing Programs in Health, Education, and Welfare" is a challenge to all of us who are in a position to contribute to the aims of your program.

The topic assigned to me, "The Nation's Responsibility for Health Care in Changing Times," is one about which I am happy to speak—one which is, as you know, close to my heart, and with which I have been closely involved for more than 20 years as your Representative in the Congress of the United States.

Almost everything about us reminds us of the rapidly changing times in which we live. Jetplanes scream from coast to coast almost as fast as the sun; old landmarks disappear in the city and are replaced with tall and shiny new buildings; rockets push satellites into space; and men calmly contemplate visiting the moon.

Yes, the pace at which so-called modern life propels us toward the future on the jittery toboggan we call civilization seems mighty fast to us; but if one pauses to reflect on it, we have adapted reasonably well to it all. Today, more people are living longer than ever before, thanks to the achievements of medical science.

One hundred and thirty years ago, when the pace of civilization had, as he termed it, "accelerated beyond a bearable state," an English doctor advised his patients to "take a vacation—and get away from it all." That advice still is given. This physician was Dr. James Johnson, fellow of the Royal College of Physicians, and physician extraordinary to the King of England. Nearly a century and a half ago this observant physician was among the first to diagnose and prescribe for the wear-and-tear syndrome of modern living. He recognized that the increasing pace of life in the London of 1831 was taking its toll and creating tensions, that the stress of life was responsible for illnesses and complaints otherwise unexplainable.

Facts about this particular Dr. Johnson of London have been recently revealed by a professor of medical history at the University of Chicago and published in a book entitled "Change of Air, or the Pursuit of Health." To Dr. Johnson, the London of 1831 was the scene of evermounting tensions compared to the good old days prior to the industrial revolution. He mistakenly concluded that the condition he described as "wear and tear on the living machine" was a disease peculiar to the English when he wrote, "In London, business is almost the only pleasure—in Paris, pleasure is almost the only business."

I mention this historical bit about Dr. Johnson primarily to bring home the fact that change is always with us, yet we can—we must—adapt ourselves and our activities to it to stay ahead of the game.

We, too, have a tendency to look back at the past through rose-colored glasses, as did the good doctor in 1831, bemoan our present-day situation, and yearn for the good old days which, really, weren't so good, when you come to think of it.

Concerned as I am, and have been for many years, with the health of our people in this great country of ours, I think it is most important today to plan for a better tomorrow, and to take what action we can to insure that in the many tomorrows to come we continue to work for that most basic of human values—health.

Without health we cannot be strong. Unless we as people are strong we cannot long survive. To improve health we must urgently seek knowledge of life—we must, on a large scale, conduct health research. We must train more research scientists and more physicians. I see this responsibility as a national responsibility.

I realize that health programs and research have particular meaning to persons in the welfare field who are uniquely aware of how much poor health is a primary factor in the need for assistance and welfare services. Good health enables all of us to surmount problems that might otherwise overwhelm us.

This country has assumed unequestioned world leadership in the scientific aspects of medicine. We have built, in the midst of a world seemingly bent upon self-destruction, the greatest potential for life extension this mortal coil has ever seen. Facing up to forces in the world which seemingly have little regard for the value of human life, this country has strongly demonstrated its adherence to the moral principle that human lives are inherently precious. The moral and nonpartisan support that the citizens of this country, through the Congress, have given to the development of our great, federally supported health research programs, is conclusive evidence that this country has high regard for the importance and dignity of human life, not only for American citizens, but for people all over the world who are suffering.

As chairman of the subcommittee of the House Appropriations Committee, which includes among its responsibilities the annual appropriations for the U.S. Public Health Services. I am proud of having played a role in the development of many Federal programs which cumulatively have had a far-reaching impact on the health and welfare of this Nation and of the world. I have strong feelings about the Nation's responsibility for the health of its people, and I am only too happy to dwell upon this subject for a while.

I would like to note that this Appropriations Committee also carries responsibilities for welfare programs of special interest to many of you. I need only refer to child welfare and health programs of the Children's Bureau and grants to the States for public assistance. May I remind you further of my own interest in the area of mentally retarded children which cuts across the welfare and health fields, and my sponsorship last year of the White House Conference on Aging, in which health and welfare interests were closely joined.

When I first became a member of the subcommittee, the research program of the National Institutes of Health, the research branch of the Public Health Service, was small and limited principally to its own epidemiological and laboratory study of communicable diseases. Funds available for research and training in non-Federal situations were relatively insignificant. About that time, however, important changes were taking place in the shape of our population and its environment, creating new health problems and, therefore, the need for new research efforts. The most significant of these changes were the emergence of the problems of chronic disease and environmental health. Thus, from the very beginning of my service with the subcommittee we have devoted more and more attention to the national research needs in these two areas.

To most people concerned with the problem—and who among us is not concerned with health?—the course seemed clear. If a nation's scientific resources could produce so well under the stress of war, surely, directed toward the objective of better health for millions of people, these same scientific resources could flourish and be productive in peace. It was a national problem that called for the application of national effort.

As a result of a consensus of opinion, both of laymen and scientists, the Congress in 1945 began to increase appropriations for Federal funds used by the Government to stimulate medical research, to capitalize on the opportunity to support man's effort to extend his horizons in the life sciences.

In concurrence with the advice and counsel of experts both in and out of Government, we in the Congress determined that a year-by-year buildup of the grants-in-aid mechanism developed at the National Institutes of Health was the method of choice. The National Institutes of Health was an organization with experience in the granting field and possessed a tradition of first-class medical and biological research.

Appropriations of Federal funds to be used for the stimulation and support of medical research in non-Federal institutions throughout the country were steadily increased. Universities, medical schools, hospital laboratories and other research centers began to develop and expand their activities. This is the research program in which I have been most deeply interested. My committee has had the responsibility for its appropriations, which have become a significant part of the Nation's total investment in medical research.

Appropriations for the National Institutes of Health, including its own operations and grants for research projects and awards for fellowships and training, amounted to less than $3½ million in fiscal year 1946. For 1962, the current fiscal year, that appropriation, recently authorized, stands at more than $738 million. Although this is, indeed, a substantial increase over a relatively short period of 15 years, it definitely is not a blind effort to buy new knowledge—rather it has been a carefully developed year-by-year program designed to take advantage of new opportunities to meet growing national needs. Let me tell you, briefly, about some of its major elements.

The first major expansion was in the area of research project grants. In 1945 this appropriation totaled $85,000; this year the comparable figure stands at more than $433 million—supporting about 12,000 research projects in virtually every nonprofit research center in the country. Let me assure you now that prior to each year's increase in funds for this purpose the Congress received convincing evidence of the accomplishments and potentialities of existing research projects as well as the existence of promising ideas and leads for new and necessary research projects or programs.

Those of us dealing with the total problem of medical research in the Congress were also aware of two more vital elements of the program—the availability of trained manpower to do the work and the necessary facilities in which the research must be conducted.

To keep these three elements of a large and rapidly developing program—research projects, research manpower and research facilities—in relative balance has been no easy task.

The needs and potentials of the stimulated research projects for trained manpower received attention early, and funds for research training, including fellowships, began their advance in 1947. In that year the appropriation for fellowships and training grants totaled $428,000 compared to $57,000 in 1945. But as each year passed and as it became more and more evident that scientific manpower was the most important single factor limiting further progress in the life sciences, the program was expanded until today the annual investment in tomorrow's health research manpower stands at more than $147 million.

The third vital element in the Public Health Services's pattern for research support—facilities—received only emergency attention during 1949 and 1950 for heart and cancer research facilities, totaling about $22 million. More recently, again responding to an evident need for nationwide expansion of health research facilities and equipment, the Congress passed legislation authorizing $30 million to be made available each year for construction and equipment of facilities in all of the health fields. As of the completion of this fiscal year—1962—about $105 million will have been awarded to more than 321 nonprofit institutions for the construction and equipment of research facilities in virtually every State in the Union. Through matching funds, initial investment will result in the creation of facilities having a value of more than a billion dollars. The great contributions of this program were recognized by Congress in the closing days of the current session, when it extended the authorization for one more year and increased the amount from $30 to $50 million.

The picture of meaningful growth in the Federal support of medical research amply demonstrates how seriously we regard the Nation's responsibility for the health of the Nation's people in these times. It is a fair assumption, I believe, that this great expansion of effort has played an important part in the progress that has taken place in the last decade.

At this point I would like to emphasize that I have been speaking only about Federal funds for research support made available through the mechanism of the National Institutes of Health. Much more modest amounts of Federal money are made available through other agencies for this purpose, but NIH is the primary and major source. As we have built up this mechanism, mounting the greatest medical research effort this world has ever seen, support for research from private sources has also increased remarkably. Although the percentage of Federal funds devoted to research has increased as the percentage of private funds for this purpose has decreased, the actual dollar amount of non-Federal assistance to medical research has increased from $42 million in 1940 to an estimated $335 million in 1960. It seems to me that this affords clear proof that the increasing availability of Federal funds for research and training has stimulated rather than discouraged private expenditures for these same purposes.

I have already noted that we in the Congress who have been responsible for determining levels of appropriations for medical research were not unacquainted with the great potentials which were inherent in this activity. Consequently, we have made it our business to be kept informed concerning the accomplishments made and the new developments worth pursuing before voting on the funds for appropriation each year. We have a high regard to the taxpayers' money and we certainly take a good hard look at every major proposal before we approve it. Under this kind of stewardship, we have become convinced that medical research pays off.

Let me mention just a few accomplishments of medical research, and let me emphasize that I see them not just as scientific achievements but more in the light of their meaning to the public as a whole. I am thinking, for example, of the discovery and development of synthetic hormones and related agents for rheumatic diseases such as arthritis; the widespread of availability of penicillin and the development of other antibiotics; the development of chemical agents used in the student and treatment of mental illnesses—agents which have helped to reduce the length of stay in mental hospitals the improved protection against rheumatic fever and resultant heart damage in children; new, effective tests for the detection of cancer; surgery of the heart; the discovery and application of new vaccines for polio; the use of radioactive isotopes in studies of body chemistry and the action of drugs; the development of new compounds providing effective treatment of tuberculosis; and many, many others.

Although I am a layman, I am also a Congressman dealing daily with medical research, and I hear a great deal of discussion of new and better chemical agents, new drugs, new treatments, and even the claim that 50 percent of today's prescriptions could not have been written 10 years ago simply because the materials incorporated in them did not then exist. These things may be so, but I believe that the real demonstration of the effectiveness of today's medical treatment, incorporating the findings of medical research applied to practice, lies in the statistics which graphically show our progress toward better health in broad terms.

The most significant single index of health progress may be a comparison of overall death rates. I am told that the decline in death rates since World War II for some of the major illnesses dramatically shows how over a million lives have been saved by modern medicine.

Influenza, for example, has been reduced by 90 percent in its death rate. Once great killers like rheumatic fever, tuberculosis, diseases that cause maternal deaths, and appendicitis have all been reduced in rank as killers by more than 70 percent. The death rate due to syphilis has been brought down by over 60 percent; pneumonia, over 40 percent; some kidney disorders, 60 percent; infant death rates, over 30 percent;

and paralytic polio, the disease about which much is still unknown, has been reduced most dramatically over the past 2 years. Even high blood pressure, one of the greatest medical problems in terms of numbers afflicted, has seen some improvements in treatment and reduction in death rates in the past few years.

Most of these tremendous advances, of course, have been made against the infectious or communicable diseases, and the removal of many of these from the listing of great killers has brought into focus our present problems, upon which we are spending most of our effort today—the chronic diseases, the disorders which face our aging population now that they are surviving to higher average age levels. The chronic diseases are forceful reminders that people who are now surviving or bypassing the acute infectious diseases and the rigors and hazards of infancy, childhood, and young adulthood, live longer only to face the rising incidence of these long-term crippling and killing disorders.

Of course, this dramatic progress carries with it problems for the welfare field in the very fact that handicapped children survive and old people live longer. Thus there is placed upon our States and communities heavy responsibilities for providing assistance and help to these individuals to whom medical science has given extended life. This is as it should be for together our health and welfare program offer to them not only a healthier life but also a more secure and happier one.

Great progress is being made, and research into the chronic diseases is producing great gains. For example—although we cannot yet cure or prevent diabetes, we can control it. First, the discovery of insulin made it possible to control it with injections and proper diet. In recent years, the need for using a hypodermic needle has been obviated in many cases by the development of totally new types of antidiabetic drugs which can be taken in tablet form. This development may save no more lives, but it makes living much more pleasant for the diabetic who can use the tablets.

And, we have had great developments in the field of the rheumatic diseases—rheumatoid arthritis, for instance. We still cannot cure this disease, but thousands and thousands of arthritics who, a few years ago, would probably have been bedridden, are now active, productive, and relatively healthy members of the working population, their pain dramatically reduced and their joints relatively free—there are many examples like these. Treatment of the various disorders of the heart and circulatory system have been markedly improved, saving lives and extending the useful and productive spans of many, many others.

Yes, great progress has been and still is being made. Research has been and is paying off, and the accumulation of basic knowledge of the life processes is building up. Heartening breakthroughs are being made with great regularity; momentum has been achieved and must be maintained.

The Nation has seen its responsibility and has acted. The potential of medicine as far as the future is concerned is bursting at the seams with possibilities, but there are still many problems. Research has progressed, knowledge has increased, but the application of that knowledge in the practice of medicine has in some cases lagged too far behind.

This, my friends, is one of the greatest challenges of our changing times. There is no alternative; if we are to capitalize on the great gains that have been emerging from the research laboratories; if we are to achieve the better health and fuller life that is desired and deserved in these changing times—then we must also have a change—a change in the rate at which we apply new health knowledge for the benefit of the people in this country and in every country of the world. This challenge, I am confident, will be met through the concerted efforts of organizations such as yours and through the individual effort of physicians, civic leaders, nurses, health educators, and enlightened citizens who are willing to make the effort to achieve the goal.

Together, we will bring about the changes to meet the needs of our changing times.

Communist Terrorism in East Germany—Walter Ulbricht, Chairman of Soviet Zone State Council, Intensifies Judicial Terrorism in East Germany—First Death Sentence for Diversion—So Far 107 Death Sentences in Political Trials

EXTENSION OF REMARKS

OF

HON. MORGAN M. MOULDER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 1962

Mr. MOULDER. Mr. Speaker, the following information has reached us from Berlin: According to a list drawn up by the West Berlin Investigation Committee of Jurists in the Cause of Freedom, the courts of justice in the Soviet Zone have, since the founding of the so-called German Democratic Republic on October 7, 1949, pronounced at least 107 death sentences in political trials against opponents of the Ulbricht regime. The most recent death sentence was pronounced in the Christmas week in 1961 by the District Court of Frankfort Oder on Walter Prädel, a 50-year-old worker of Dannenberg—in the district of Bad Freienwalde—for grave diversion. According to a report by the Soviet Zone news agency ADN, Prädel, on October 7 last year, that is to say exactly on the 12th anniversary of the founding of the German Democratic Republic, set fire to two granaries belonging to the Agricultural Producers' Cooperative Society in Dannenberg, thus causing damage to the extent of DM146,000. Prädel is said to have admitted in court that he was so angered by the blockade measures introduced on August 13 that he started the fires in order to cause supply difficulties and bring about a mutiny.

Prädel, who, in addition, was also reproached with his Fascist past, thus meets the facts stated in the charge of diversion. The paragraph of the supplementary criminal law of December 11, 1957, pertaining to this crime is worded as follows:

> Persons who attempt to destroy machines, technical plants, means of traffic and transport, or other objects of vital importance for economy or for defense, or to render them useless or to damage them, in order to undermine the economy or defense strength of the German Democratic Republic, are to be sentenced to not less than 3 years' imprisonment on account of diversion. Confiscation of property can also be imposed.

On the strength of the same paragraph, the accused can in serious cases of diversion be sentenced to imprisonment for life or to death. So far, the sentences passed on diversionists were for the most part long terms of imprisonment. The case of Walter Prädel is the first one known to have occurred in the Soviet Zone in which the death sentence was pronounced on account of grave diversion.

It could not, however, be ascertained whether the sentence on Prädel and the death sentences in the other cases have been carried out, since the Soviet zone judicial authorities do not allow any information in this respect to reach the public. According to the latest legislation, the state council, under the chairmanship of Ulbricht, has the right to grant a pardon; in most cases an opinion by the Politbureau of the SED is submitted to the latter as a recommendation. According to the Communist doctrine, political offenses, which are directed against "the Socialist state power and order of society," are regarded as more serious than even the vilest of crimes which have been committed as a result of the criminal tendencies of the accused. Hence the decree of January 30, 1961, by the state council, pertaining to the further development of the administration of justice, states:

> If citizens violate the law and thus the basic principles of social coexistence, our state and our society must use all their authority to assert justice and the law.

Accordingly, the state council decrees that "the laws shall be applied in all severity against enemies of the workers' and farmers' state and against persons who commit serious crimes at the instructions of or under the influence of imperialist aggressors."

Thus it is the fundamental attitude of the offender toward the Socialist state and the extent to which he is a "danger to society" which mainly determine the degree of punishment. According to the directives of the state council, severer punishments than hitherto must therefore be imposed on "persons who are a danger to the further social development, to the further unity of human society, to the further consolidation of the new relations between human beings, and to the socialist conditions which are assuming a more definite and permanent form to an ever-increasing degree." It is thus obvious that the administration of the criminal laws in the Soviet Zone is more than ever an instrument of power used by the Communist state to assert its political aims and liquidate its opponents; that is to say, in Ulbricht's regime there is no independent legal administrative body, a third force, as it were, in the state.

As stressed by the Investigation Committee of Jurists in the Cause of Freedom, the number of sentences in political trials which they have been able to ascertain, is by no means complete; for not all trials are made known publicly. Hence it can be assumed for certain that the number of sentences is actually much higher. Thus the figure of 405 political sentences with a total of 1249 years imprisonment or confinement in a penitentiary, given in the yearly report for 1960 published by the abovementioned committee, has meanwhile risen to 774 sentences with a total of 2070 years detention. The number of political prisoners in Soviet Zone prisons has meanwhile increased from about 10,000 to 12,000 again, after dropping to about 9,000 at the end of 1960 as the result of an amnesty.

In 1961, 629 political sentences with a total of 1,580 years imprisonment or confinement in a penitentiary were made known publicly; and in this connection we should like to point out that since August 13 the number of political trials has increased considerably. For instance, within 2 months of August 13, 1961, four sentences involving imprisonment for life were pronounced; five accused were sentenced to 15 years each, one to 14 years, two to 13 years and four to 12 years penitentiary. In this respect it must be stressed that sentences on political prisoners are extremely severe in the Soviet Zone, and that a long term in a penitentiary is in effect frequently equivalent to the death sentence in the case of persons whose health is poor and whose powers of resistance are low.

The persons sentenced to death for political reasons since the founding of the so-called German Democratic Republic include six women. In some cases execution of the death sentence was made known inasmuch as the legal authorities of the Soviet Zone sent bills for the cost of the execution to the families of the persons executed. Cases in which political prisoners—according to Stalinist example—"were liquidated by administrative means," have not been included in the statistics of death sentences. Nor have the 91 death sentences pronounced on Germans in the Soviet Zone by the Soviet military tribunals from 1950 to 1953, which were made known, been included in these statistics.

The Recommendations of the Washington Real Estate Board To Revise the Zoning Regulations of the District of Columbia Are Clearly in the Public Interest

EXTENSION OF REMARKS

OF

HON. CARROLL D. KEARNS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 1962

Mr. KEARNS. Mr. Speaker, the recommendations of the Washington Real Estate Board to revise the zoning regulations of the District of Columbia are clearly in the public interest and should have broad community support.

The Washington Real Estate Board is one of the outstanding organizations in the Nation's Capital, and is made up of many of its leading citizens. What they sought were changes that would make apartment buildings more economically feasible by allowing from two to three more stories than are permitted by present regulations.

The Washington Real Estate Board recommended the rezoning into R-5-D use of the area from Connecticut Avenue east to 14th Street and between Massachusetts Avenue and Florida Avenue, except for those portions presently zoned Special Purpose and Commercial. This proposal was made to, first, satisfy the desire of many people to live in the central portion of the city of Washington; second, to provide investment opportunity; third, to provide a larger tax base; and, fourth, prevent the necessity for costly urban renewal by Government action.

In support of its recommendation states that—

> In many cities throughout this country, a recentralization process is taking place, a large part of which involves large apartment projects. The attractions of central-city living are many—less traffic to fight, more cultural activities readily accessible, and so forth. The attractiveness of these qualities make properly located apartments sound investments, and, at the same time, gives a larger tax base. To realize this economic potential in Washington, D.C., it is necessary to have properly located land zoned for high-rise apartments. Also, this land should contain enough area to prevent monopoly prices, which prices discourage investment.
>
> The area we propose for rezoning is an intown, highly desirable area close to employment and borders the good areas of Massachusetts Avenue and Connecticut Avenue. It is also an area where investors would be willing to invest.

The Evening Star, Washington, D.C., March 2, 1962, reported on March 2, 1962, that the National Capital Planning Commission turned thumbs down on this Washington Real Estate Board rezoning plan to encourage intown high-rise apartment construction.

According to the Evening Star:

> A change in zoning for the area northeast of Dupont circle and Logan circle would be premature at this time, the Commission decided.
>
> It also would be harmful to proposals for apartment construction even closer to downtown, the Commission added.

I find it little short of astounding that a plan to "prevent the necessity for costly urban renewal by Government action" was so quickly rejected by the National Capital Planning Commission.

The National Capital Planning Commission has consistently favored only those plans which involve the expenditure of vast amounts of Federal funds.

The National Capital Planning Commission gives its wholehearted support only to such urban renewal plans as these:

First. The Southwest urban renewal project in Southwest Washington in which the Federal Government has an investment of more than $70 million.

This project is notable for its $325-a-month luxury apartments. Clearly, people who can afford such apartments do not need Federal aid, and, especially, from a program which is essentially a slum-clearance program.

Second. Parking lots requiring the destruction of houses which would cost up to $50,000 to $75,000 each to replace are planned in the Adams-Morgan urban renewal project. According to the Evening Star of November 24, 1960, the gross cost of this project is $24,811,000, and the net cost $17,751,000.

The Evening Star, February 28, 1962, reported that the plan being developed by the National Capital Planning Commission for the Adams-Morgan project will be submitted to two neighborhood organizations in the project area, and later to block groups there. No mention is made of any presentation of the plan to the Kalorama Citizens Association, or the Kalorama Triangle Restoration Society, the two major groups of citizens in the area.

The Kalorama Citizens Association and the Kalorama Triangle Restoration Society have both been critical of the Adams-Morgan urban renewal project plan being developed by the National Capital Planning Commission.

Like the members of the Washington Real Estate Board, the fine members of the Kalorama Citizens Association and the Kalorama Triangle Restoration Society believe in the ability of private industry to do the job of restoring the city without the necessity of vast expenditures of funds by the Federal Government.

One of the Nation's leading housing authorities, Harry A. Barbour, has developed for the Kalorama Citizens Association a parking plan, which would be fair to the merchants and citizens of the Adams-Morgan urban renewal project area, and which would save the taxpayers millions of dollars. The National Capital Planning Commission has shown no interest in this privately developed plan, and no concern for the money it would save.

There are a number of legislative proposals in the Congress which would help and encourage private industry to take a larger and more significant part in the renewal of the city of Washington. One of these measures is my H.R. 10364, to amend the Internal Revenue Code of 1954 to allow a depreciation deduction for the wear and tear of real property used as the taxpayer's principal residence. The National Association of Home Builders supports the depreciation approach embodied in H.R. 10364.

Under this bill each homeowner would be permitted to deduct an amount each year computed by taking into account the cost—or other basis of the property—the useful life, and the salvage value of the property.

But legislation is only part of the problem.

What is more important is the appointment of citizens to the National Capital Planning Commission who believe in private property, who believe in the rights of private citizens to be secure in their homes, and who believe that private industry should be given an all-out opportunity to rebuild, restore, and renovate the city of Washington.

I include the recommendation of the Washington Real Estate Board which I have been discussing, and I commend it to my colleagues as a better urban renewal plan than any plan which has been developed by the National Capital Planning Commission in recent years.

I particularly like that aspect of it which depends upon private investment rather than a vast infusion of Federal funds with the willful misuse of the rights of eminent domain for parking lot purposes as proposed by the National Capital Planning Commission in the Adams-Morgan urban renewal project.

RECOMMENDATION OF THE WASHINGTON REAL ESTATE BOARD TO REVISE THE D.C. ZONING REGULATIONS

RECOMMENDATION NO. 1

Rezone into R-5-D use the area from Connecticut Avenue east to 14th Street and between Massachusetts Avenue and Florida Avenue, except those portions presently zoned "Special purpose" and "Commercial."

This proposal is made to: 1. Satisfy the desire of many people to live in the central portion of this city; 2. To provide investment opportunity; 3. To provide a larger tax base; 4. Prevent the necessity for costly urban renewal by Government action.

In many cities throughout this country, a recentralization process is taking place, a large part of which involves large apartment projects. The attractions of centralcity living are many—less traffic to fight, more cultural activities readily accessible, et cetera. The attractiveness of these qualities make properly located apartments sound investments, and, at the same time, gives a larger tax base. To realize this economic potential in Washington, D.C., it is necessary to have properly located land zoned for high-rise apartments. Also, this land should contain enough area to prevent monopoly prices, which prices discourage investment.

The area we propose for rezoning is an intown, highly desirable area close to employment and borders the good areas of Massachusetts Avenue and Connecticut Avenue. It is also an area where investors would be willing to invest.

To document in a general way these opinions, we have taken a typical square, analyzed it, and then projected the major statistics to the area as a whole, making certain general conclusions.

The square that we selected as typical is square 153, which is bounded by S Street on the north, New Hampshire Avenue on the east, R Street on the south, and 18th Street on the west; and it is bisected by Riggs Place. The square is fairly centrally located, and it contains a variety of property types and boundary streets. It is presently zoned 59 percent R-5-B and 41 percent R-5-C.

Exhibit A shows the existing statistics. A summary of the pertinent information is as follows:

Area of square 153 (square feet)	135,973
Total assessed valuation	$1,082,449.00
Real estate taxes (including any tax-exempt property)	24,896.33

Exhibit B consists of a series of photographs of square 153.

Exhibit C shows the maximum possible potential use of square 153 if it were changed to R-5-D zoning. Here is the summary of the main points:

Total assessed valuation	$8,890,420.50
Total real estate taxes	204,479.67

These figures represent the theoretical maximum use, and we now subtract from these figures the present assessed valuation, and the present real estate taxes (including tax-exempt property) and we get:

Theoretical maximum increase in assessed valuation	$7,807,971
Theoretical maximum increase in real estate taxes	179,582

We realize that probably not more than 25 percent of the land area that we propose for change in zoning would be used for the high-rise apartments, but that in order to get this 25 percent, that the land value for a higher use would have to be as great as the existing use of land with existing structures. Low-density zoning would not make assemblages economically possible, whereas high-density apartment zoning would.

Exhibit D shows that the total area within the boundaries examined by this study is 7,055,000 square feet; and that square 153 comprises 1.9 percent of this total.

Exhibit E shows the estimated area in the total study area which would not be rezoned; i.e., property now zoned "R-5-D," "Commercial," or "Special purpose." This total comes to 2,221,000 square feet.

Subtracting this latter figure from the total area, we get 4,834,000 square feet to be rezoned, of which square 153 comprises 2.8 percent.

Using this 2.8-percent figure, we get for the total area, a total theoretical maximum increase in assessed valuation of $278,856,125 and a total practical (25 percent of this) increase of assessed valuation of $69,714,031. We also get a total theoretical maximum increase in real estate taxes of $6,413,667 and a total practical increase in real estate taxes of $1,603,417.

Besides this increase in real estate taxes, several other beneficial results would come from a change to R-5-D zoning: 1. An increase of investment of about $100 million (total construction cost of new construction for square 153 from exhibit C, multiplied by 25 percent, and this by 100/2.8); 2. An increase in employment through construction of new buildings; 3. The new structures would attract high-class occupants; 4. The remaining structures would attract high-class occupants, and their rehabilitation would follow.

Exhibit F shows photos of various properties located in the area suggested to be rezoned to R-5-D, along with several apartments built in the R-5-D zoning elsewhere.

Exhibit C—Maximum possible potential use of square 153, if zoning were changed to R-5-D

Total area of ground (square feet)	135,973
Floor-area-ratio of R-5-D	6
Total building gross floor area permitted (square feet)	815,838

Figuring on a land cost of $1,500 per apartment unit, we get a:

Total land cost of	$1,440,000.00
Add construction cost at $15 per square foot of buildings	12,237,570.00
Total potential true value	13,677,570
Total potential assessed value (65 percent of this)	8,890,420.50
Total potential taxes	204,479.67

Another interesting item: Total land value of $1,440,000 divided by the total ground area of 135,973 square feet will give a value of $10.59 per-square-foot true value; also, because of the present scarcity of R-5-D zoned property, prices for such zoned land have been over $15 per square foot and requiring high rents.

Exhibit D

The sample square selected, namely No. 153, contains 136,209 square feet. The entire area to be recommended for zoning R-5-D contains 7,054,803 square feet. Therefore, our sample is 1.9 percent of the total.

These figures were arrived at by an actual total of square No. 153 and of all the odd-shaped squares in the whole area. The rest were done by rule measurement on the platbook, with appropriate deductions made for intervening streets, alleys, etc. We can assure you that these approximates are reasonably accurate; we spot-checked several in each plan to be sure that the rule measurement was close to the actual totaling of each lot.

It is our suggestion that the taxable income on our example, namely square No. 153, be reduced to dollars. Then, convert this same square to the maximum allowed under R-5-D and the resulting taxable return produced. This will, we believe, demonstrate our point.

Exhibit E

Estimated approximate area of various zonings

	Square feet
Special purpose	853,000
Commercial:	
C-2	428,000
C-3-B	111,000
C-M-2	267,000
C-M-3	351,000
Total	1,157,000
Residential R-5-D	211,000
Total area not to be rezoned	2,221,000

(Calculations of area made by approximate rule measurements in platbook.)

National Defense Week

EXTENSION OF REMARKS

OF

HON. D. R. (BILLY) MATTHEWS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 1962

Mr. MATTHEWS. Mr. Speaker, during the period of February 12 to 22 each year, the Reserve Officers Association sponsors the observance throughout the country of National Defense Week. This period, falling as it does between the birth anniversaries of two of the Nation's great Presidents, offers a splendid opportunity, and obligation, to all of us to contemplate the importance of national defense, and the role each citizen has in preserving national security.

The President of the United States recently directed a message to the Reserve Officers Association upon the occasion of National Defense Week. This carries a message of some importance to all of us, and I am submitting it to the RECORD for the information of all concerned:

CITIZEN-RESERVIST HAS UNIQUE ROLE

With the observance of National Defense Week, February 12-22, President Kennedy, himself a member of ROA, sent the following letter:

"To the Reserve Officers Association:

"In your sponsorship of National Defense Week, you are helping our citizens to sharpen their awareness of our continuing need for a strong defense. As one who has served, along with many of you, I know how important citizen backing can be to the men and women of our Armed Forces. As the Commander in Chief, I appreciate your past service and support, and I anticipate a fervent continuation this year and in the future.

"The citizen-soldier, either on active duty or in his place in the community in time of peace, has a unique role in our country. Through many wars, from the American Revolution to World War II and Korea, the minuteman spirit has been a matter of pride and acclaim among our people. This spirit was a truly unselfish one in its broadest aspect, and I hope that unselfishness will persist and will be your guiding principle whenever the broad interests of national

security as considered, by your association, as well as by your individual members.

"On behalf of the men and women of the Armed Forces, I salute your observance of National Defense Week.

"JOHN F. KENNEDY."

Mr. Speaker, I also submit for the information of the Members of this House an article published in the current—March—issue of the Officer, the monthly magazine of the Reserve Officers Association, written especially for that fine publication by Gen. George H. Decker, Chief of Staff of the U.S. Army.

This article deals especially with the reservists of the Army, and of their performance in the recent callup, in which nearly 120,000 Army reservists are serving today during the buildup of the Active Army.

General Decker, who ranks with the most competent and most dedicated of the Army Chiefs of Staff in recent history, himself is a graduate of a civilian college and obtained his Army commission by the ROTC route. He therefore has the additional advantage of knowing and understanding the reserve officers of the Nation, most of whom are ROTC graduates.

There are many of us who are Members of this House who are now, or have been, Reserve officers. I am sure that the other officers, as do I, cherish their association with the Army, and appreciate the opportunity of reading General Decker's views on the reserves.

The article follows:

THE LATEST CHAPTER IN THE ARMY RESERVE'S SUCCESS STORY

(By Gen. George H. Decker)

(NOTE.—Gen. George H. Decker became Chief of Staff, U.S. Army, in October 1960 after serving as Vice Chief of Staff, and earlier as Commander in Chief, United Nations Command; commander, U.S. Forces, Korea, and commanding general, 8th U.S. Army, Seoul, Korea.

(General Decker was an ROTC graduate of Lafayette College in 1924, and his military career began June 15, 1924, when he was commissioned a second lieutenant of Infantry in the Regular Army. His first assignment was at Plattsburgh Barracks, N.Y., with the 26th Infantry. In August 1936, he was selected for attendance at the Command and General Staff School, Fort Leavenworth, and upon graduation served with the 10th Infantry at Fort Thomas, Ky., and Fort McClellan, Ala. Following the outbreak of World War II, General Decker was transferred to Fort Sam Houston, Tex., for duty with the 3d Army as Deputy Chief of Staff in August 1942. In February 1943, he was ordered to the southwest Pacific area to become Deputy Chief of Staff of 6th Army. In May 1944 he became Chief of Staff of 6th Army and served in this capacity throughout the New Guinea campaign, the operations to recapture Leyte, Mindoro and Luzon in the Philippine Islands, and during the early phases of the occupation of Japan. Upon inactivation of the 6th Army in January 1946, General Decker returned to Washington, D.C., for assignment to Headquarters, Army Ground Forces, and 2 months later was transferred to Army Service Forces Headquarters. In July 1946, he was appointed Deputy Commander and Chief of Staff of U.S. Army Forces, Middle Pacific, with station in Hawaii. In June 1948, he returned once again to the United States to assume command of the 5th Infantry Division at Fort Jackson, S.C. In March 1950 he was assigned to the Office of the Chief of Staff of the Army for duty with the Office of the Comptroller of the Army, and the following month was designated Chief of the Budget Division. General Decker was named Comptroller of the Army in May 1952. After almost 3 years as Comptroller of the Army, he assumed command of VII Corps, stationed at Stuttgart, Germany, in February 1955. On June 1, 1956 he was selected to become deputy commander in chief, U.S. European Command, stationed at Camp des Loges, near Paris, France, and on July 1, 1957, he became Commander in Chief, United Nations Command; commander, U.S. Forces, Korea; commanding general, 8th U.S. Army. General Decker's next assignment, on August 1, 1959, was as Vice Chief of Staff, U.S. Army, in which capacity he served until September 30, 1960. He assumed his present duty as Chief of Staff, U.S. Army on October 1, 1960.)

In time of war or national emergency, the Active Army looks to the Reserve components to provide efficiently organized and well-trained units ready for immediate mobilization, rapid expansion, and prompt deployment. In addition to these units, the U.S. Army Reserve provides selected personnel whose highly individualized and specialized skills are indispensable to the orderly expansion of the Army.

The recent successful buildup of Army combat power has once again demonstrated the unquestioned ability of the Army Reserve to successfully accomplish its increasingly demanding mission. The Army buildup added yet another striking chapter to the Army Reserve's story of service to the Nation. A review of that chapter is in order.

The year 1961 was one of increasing tensions. Berlin, Laos, Vietnam, the Congo, Cuba: everywhere one looked—it seemed—there was a crisis or potential crisis. In this highly charged atmosphere, then, the President announced that he was requesting the Congress to authorize an increase in active Army strength from 875,000 to approximately 1 million men. At the same time, the President requested authorization to order to active duty certain Ready Reserve units and individual reservists. This was the only way an immediate, meaningful increase in Army strength could be achieved.

By joint resolution, the Congress approved the urgent requests of the Commander in Chief. He was authorized to order to active duty for not more than 12 months any unit or individual member of the Ready Reserve. The Congress, however, limited the callup to not more than 250,000 ready reservists.

Some 75,000 members of the Army Reserve answered their Nation's call to the colors. Of these, approximately 36,000 were in the 444 mobilized company and detachment size USAR units. The remainder were requested individually as fillers for both Army Reserve and other mobilized Reserve component units.

At the outset of the emergency, and the partial mobilization that it necessitated, it was recognized that the U.S. Army Reserve would make a truly indispensable contribution to national security and to world peace. For the call of reservists to active duty would permit the Army to achieve quickly the improved posture that the dual pressure of events and free world commitments had made necessary.

Within a few months after the callup, more that 40,000 seasoned troops had been deployed to Europe. They are there now, guarding the frontiers of freedom with our gallant NATO allies, and evidencing to potential adversaries our unshakable resolve to stand by our pledge to the people of West Berlin.

Availability of a trained Ready Reserve force made feasible the rapid buildup of the combat-ready forces in strategic reserve in the continental United States, and facilitated the rapid expansion of the Army's training base.

As specific examples, the 301st Logistical Command (U.S. Army Reserve) now on active duty at Fort Bragg, N.C., assumed the vital missions of several Army units deployed to Europe; and the 100th U.S. Army Reserve Division (training), now at Fort Chaffee, Ark., took over a substantial share of the additional training load.

The U.S. Army Reserve can be justifiably proud of the significant contribution it has made to our present high state of military preparedness. Our strategic reserve has been strengthened. Our training program has been expanded. Our deployed forces have been reinforced. And all of these key steps were taken with the U.S. Army Reserves' timely assistance when it was sorely needed. In short, the investment which the American people have made in their Army Reserve program has paid a big dividend at exactly the right time.

In recognizing the splendid performance of the Army Reserve, however, one must not forget that it involved individual hardship and sacrifice. Those of us who are professional soldiers know full well and appreciate these sacrifices. They are not easy. But sacrifice has always been inseparable from the soldier's tradition, and there is no one of us who would not make any sacrifice to preserve the peace.

It is now clear that the partial mobilization of the Reserve components accomplished its intended purpose. It is equally clear that it was accomplished with precision and dispatch. As Secretary of the Army Stahr has pointed out: "The callup of Army National Guard and Army Reserve units and personnel has gone exceedingly well. It has been far superior to any previous mobilization in this country."

The partial mobilization has also had valuable secondary effects. First and foremost, it has provided today's Army with extremely valuable experience that can only be duplicated in time of crisis. As experienced officers, the members of ROA can appreciate that dry runs have merit, whether in weapons familiarization or high-level planning. But they can appreciate equally that the maximum benefits comes from "firing for record." The experience all of us have gained from the recent callup may well be a deciding factor in some future circumstance as yet unforeseen.

But the partial mobilization has also pointed up a few areas where improvements are necessary. Currently these problem areas are the subject of rigorous analysis by the Army staff, and I am sure that a sound solution will be forthcoming. Solution of these problems will guarantee an even more effective mobilization in the future if one should be necessary. This increased preparedness and effectiveness is the goal toward which all of us are working.

Discussion of problem areas, however, must never obscure the basic truth brought home to all of us so clearly in the recent callup. The U.S. Army Reserve can perform its mission, did perform it, and will continue to be depended upon to perform it in the future.

The callup, then, has not—as some have suggested—weakened the Army's fundamental belief in and commitment to a viable Reserve system. On the contrary, it has confirmed our belief that a strong Army Reserve program is essential to national security.

The high state of preparedness evidenced in the callup is, to be sure, primarily a tribute to the dedication and devotion of the reservists themselves as well as tribute to the hard work of Active Army personnel on duty with the Reserve components. But one must recognize that the splendid performance of the reservists is also a tribute to the work of professional organizations like ROA, which has so successfully sought to imbue its members with the loftiest of ideals. ROA can well be proud of the part it has played in encouraging reservists to

achieve the highest standard of professional military excellence.

From its beginning nearly 40 years ago, the Reserve Officers Association has worked tirelessly, ceaselessly, and selflessly to insure that the Nation has a dynamic Reserve program, a program with strength in depth but one still flexible enough to adapt itself successfully to unending innovations in military tactics, weaponry, and organizational concepts.

The days ahead will be days of tremendous change for the Army. But there will be, I am confident, no change in the fruitful relationship of trust and cooperation that has always existed—and must continue to exist—between the Army and the ROA.

In the future, as Army reservists return to their civilian pursuits, they will go not only with the good wishes of their comrades in arms in the Active Army but also with the heartfelt thanks of their fellow citizens throughout America. For a grateful Nation has learned once again that its citizen-soldiers are ready, willing, and able to do all that their country asks—and then some.

Erasmus Hall, Brooklyn, N.Y—We Lead the Nation in Science Scholars

EXTENSION OF REMARKS

OF

HON. HUGH L. CAREY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 1962

Mr. CAREY. Mr. Speaker, last week a group of 40 boys and girls selected from 23,768 high school seniors were invited to Washington for the 5-day science talent institute, March 1 through 5, during which they were judged for $34,250 in Westinghouse science scholarships and awards in the final phase of the science talent search conducted by Science Clubs of America, an activity of Science Service which also conducts the National Science Fair-International.

The achieving of honors in the science talent search, earned by the top 10 percent of those who complete entries in the science talent search, is an evidence of science ability and interest which can be taken into consideration by colleges and universities in admissions and granting of scholarships. For this reason this honor list is distributed to all the universities and colleges of the United States utilizing a list furnished by the American Council on Education.

The science talent search was the pioneering endeavor to discover at the senior high school year level those who have the potentialities to become the research scientists of the future.

All boys and girls awarded honors in the science talent search are considered so outstanding that any institution of higher learning will be justified in considering their abilities carefully.

It is my great privilege to record that 5 of the students out of the 40 selected are students of Erasmus Hall High School of Brooklyn, N.Y. It is the first time in the history of the Westinghouse national science talent search that any school has had five top winners. I wish to commend John F. McNeill, principal of Erasmus, and in particular the instructors in the science department without whose guidance and interest this would not have been possible.

The names of the winners of whom we, in Brooklyn, are all so proud are Carl Feit, 18 Maple Street, Brooklyn, N.Y.; Herbert I. Fried, 1792 East 22d Street, Brooklyn, N.Y.; Peter E. Grafstein, 921 Washington Avenue, Brooklyn, N.Y.; Miriam Herzfeld, 80 Woodruff Avenue, Brooklyn, N.Y.; and Ralph Zuckerman, 711 Ocean Avenue, Brooklyn, N.Y.

I am pleased that our President, John F. Kennedy, saw fit on the occasion of the visit of the science award winners to the White House to accord special recognition to the Erasmus students.

Byelorussian Independence

EXTENSION OF REMARKS

OF

HON. ROLAND V. LIBONATI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 1962

Mr. LIBONATI. Mr. Speaker, the sad fate of the Byelorussian independence declared on March 25, 1918—shortly after the disintegration of the Russian Empire—and its almost immediate absorption by the Union of Soviet Socialist Republics imposing upon it a fictitious statehood are well known to the nations of the free world. It is a dominated colony of the Russian nation. Their intellectuals have been oppressed and decimated in great numbers. Its peoples have been brainwashed and subjected to continuous Russification by communistic administrative personnel, including army, and by propagandistic action.

The granting of United Nations status by the Russians is nullified by the prescription that only a Russian can represent the Byelorussians abroad.

Byelorussian publications and literature are suppressed and Russian literature and publications on purely Russian subjects flood the land. Influenced pressure is used to force Byelorussian literature and publications to use Russian subjects such as Lenin, Russian military problems and accomplishments, economic and political problems of the U.S.S.R., and to atheistic actions.

Its religious life is dominated by Russian views, and expressed in the Russian language. There were in 1960 2,614 Greek Orthodox parishes; at present less than 200, the Roman Catholic reduced from 456 to less than 20. Similar conditions prevail as to the Jewish synagogues and Protestant churches and other denominations.

The Government newspapers give prominence to numerous atheistic articles. Atheistic books are printed en masse.

Political terror spreads its fanged seeing search even in the court trials of political personages. Wide publicity is given to these proceedings and the resulting death penalties.

Mass deportations of the youth to Siberian forests and virgin farm and mining areas of Russia.

In spite of all these pressures and oppressive measures, these formidable and independent freedom loving people have maintained their religious beliefs and are untouched in their love of democracy institutions and the will of the people to control in governmental affairs.

The Central Committee in Moscow has viewed with serious apprehension the failure and shortcomings of the methods used in propagandizing the Byelorussian people to change their viewpoints on ideology, religion, and nationalism.

The theory of coexistence has not worked. The tensions against the people of the U.S.S.R. and their philosophy of life are ever present.

These brave people are looking to us to roll over their military foes. They are ready to join up in any effort that will restore their country's freedom in government. The oppressed nations seek our support toward their ultimate liberation. The right of self-determination for all nations must not be limited to the Asian and African nations but to those also under the Soviet yoke. The nations of the West have voluntarily or under colony pressure given up control of their colonial lands. Russia has been vehement in her support of these issues on the side of the peoples seeking their independence. Now it is her turn to do likewise for these nations held captive under Soviet domination. The Byelorussian people are celebrating their 44th anniversary of their independence. How long must this unfortunate nation wait to be given her freedom as an independent nation?

The United States is blessed with a leadership that is personified by the epitome of courage. President John Kennedy in his every action has demonstrated a longing eye toward the realization of this goal, the freedom of all captive nations.

Historians in the near future will write down the realization of the hopes of mankind in strong language, descriptive of stern action. Let us pray that the future of mankind be written in an aura of peace. To think otherwise is to foretell the doom of mankind forever.

Advances in Medical Research and Hospital Care

EXTENSION OF REMARKS

OF

HON. JOHN E. FOGARTY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 1962

Mr. FOGARTY. Mr. Speaker, under leave to extend my remarks I include an address which I delivered at a meeting of the Rhode Island State Operating Room Nurses Association, Our Lady of Fatima Hospital Auditorium, North Providence, R.I., on November 21, 1961:

Coming here to speak to you this evening gives me pleasure in a number of ways. First of all, it was just a little over a year ago that I took part in the dedication ceremonies of the new surgical pavilion here.

Another gratification is the honor you have bestowed upon me in inviting me to be your speaker. My respect for the nursing profession is a very deep and sincere one, and I am honored when I am given an opportunity to speak to any group of nurses, but most especially to a relatively new, but very vital one, such as yours.

Then there is my continuing pleasure at being of help in any way I can to the health profession because I must admit just a trace of envy of all those who have an opportunity to work directly with the people who need health and medical services. Obviously, it is not possible for all of us who are interested in health and medical research to have such a personal and direct contact with suffering people. Personally, however, I have always derived a great deal of satisfaction in working for national programs that are enabling the health professions to do the greatest job in the history of this country.

In the 21 years that I have served the people of Rhode Island as Representative of the Second District, I have been especially mindful of the total responsibility and trust which has been given to me. For the majority of these 21 years, I have had a second—and equally important—responsibility as chairman of the Subcommittee of the House Committee on Appropriations for the Department of Labor and the Department of Health, Education, and Welfare. Each year, this committee—among other things—helps to determine the levels of the Federal medical research effort throughout the country. Now this may not strike you, on first hearing of it, as a very exciting assignment. But I can assure you that it is—exciting, demanding, and very satisfying. Here, the health needs of the Nation are studied in the greatest detail, and every effort is made to bring the country's health resources up to the levels wanted and needed by the people.

You and I are fortunate indeed to be working in the fast developing field of health and medical research. It is an exciting field. Our people are living longer. Thirty years ago life expectancy in this country was 59 years, and today it is 66½ years. Fifteen years ago, 5 percent of our people were 65 years old; today the proportion of people in that age group is 8.6 percent. Consequently, the field of geriatrics is relatively new, but it is developing rapidly to take care of this growing segment of our population. I am confident that within the next decade the average remaining lifetime at age 65 will be extended by about 2 years, and will continue to increase as we devote more of our resources to research and to application of the knowledge that emerges from it.

Remarkable progress in combating the killing and crippling diseases has been made in relatively few years, and we are on the brink of many new and thrilling medical discoveries.

Consider some of these recent advances—discoveries that would certainly astonish your predecessors of a generation ago:

Cortisone and other steroids have been developed for treatment of rheumatic disease.

We already have vaccines for the prevention of polio and influenza; and we are very close to similar controls for many upper class respiratory infections and for measles.

Radioisotopes have joined other radiation sources and surgery as a means of treating cancer, and a number of chemical compounds either arrest or ameliorate certain forms of cancer.

Just recently you may have heard of the early success of chemical therapy in conjunction with breast surgery for cancer.

We have seen the development and widespread use of an inexpensive public health measure that can cut tooth decay in half.

A wide array of chemical weapons have been discovered and are being tested in the mamagement of high blood pressure.

Dramatic improvement has been made in surgery for congenital heart malformations and hearts damaged by rheumatic fever.

A test for early diagnosis of a form of cancer in women, permitting treatment before it is too late, has been developed and given wide application.

A whole family of drugs permits startling advances in the management of mental illness.

Many of these advances have come about because of what has happened in this country in the past 15 or 20 years to meet the needs and take advantage of the opportunities for better health through medical research. Made aware of the situation, our citizens have clearly indicated a willingness to pay for research, for the expansion and improvement of health facilities—research laboratories and hospitals, for training more men and women to do research.

As an illustration of the growth of Federal support for biomedical research over the past few years, let me give you a few figures. In 1946, a little over $780,000 was appropriated by the Congress to support 50 research projects. Now, 15 years later, the budget contains almost $336 million for the support of about 12,000 research projects in nearly every nonprofit research center in the country. Take another example. Funds for training men and women in medical research have increased over the last 15 years from a meager $40,000 to almost $146 million in fiscal year 1962. These funds have provided training opportunities—fellowships, traineeships, training grants—for thousands of bright young people who are today making great contributions to our fund of health knowledge and who have the potential for even greater things in the months and years ahead.

With the current and anticipated growth of research manpower, and with the growing numbers of Americans needing varied types of medical care, the need has increased for medical research facilities—hospitals, laboratories, training centers. Consequently, an appropriation of $30 million has been made annually for the past 5 years for the health research facilities construction program. This program has been so successful and has stimulated private efforts to such an extent that the level has been increased to $50 million. As in the past, the allotted sums will be matched by the locally raised funds.

This represents true progress. We in Congress have been working hard to get these levels raised meaningfully. We have been grasping the opportunities, and we feel we have been meeting the needs—but now, today, there is a move on in Washington to cut these funds by $60 million. From what I can determine, this will mean that at least $25 million will be cut from research projects, and the program to develop clinical research centers will suffer to the extent of $15 million. Over $10 million will be held back from the training of research scientists for tomorrow, and more than $7 million will be cut from the National Institutes of Health's own direct operations. This is not progress.

I want the people of my home State to know that I vigorously protested this proposal when I spoke at the Second National Cancer Chemotherapy Conference in Washington recently. In addition, I sent telegrams of protest to the President and to the Secretary of the Department of Health, Education, and Welfare, Abraham Ribicoff.

I have been heartened by the President's personal interest in health and medical research, and I believe he is most serious in his efforts to increase the amount of work being done in biomedical research. I am confident that when the President has full knowledge of the facts, he will take steps to make sure that these funds—which were voted by the Congress only after the most critical appraisal of the needs—will be made available for the benefit of people throughout the Nation.

These are some of my reactions to any proposals for cuts in our outlays for research and related activities. Those of you who bring health services directly to the people have an opportunity to see firsthand the needs for more research, new knowledge, better facilities, and modern equipment. Many of our country's hospitals are over 50 years old, and many suffer from loss of efficiency because of inadequate physical plants. Two percent of our general hospital beds become obsolete each year, representing an annual loss of approximately 9,500 general hospital beds. Added to this, we need 30,000 new beds each year merely to keep pace with our annual population increase.

To bring all of our hospitals up to date at once would probably mean an all-out crash program, leaving behind for a time all of the other types of construction—schools, roads, and so forth—and reducing many other important Federal projects. This, of course, is not possible. But great progress, has been made, nevertheless, as a result of the Hospital Survey and Construction Act of 1946, better known as the Hill-Burton program. This program helps the States to supply their citizens with needed facilities for adequate hospital and medical services, and also assists the States to utilize their existing health services and facilities to better advantage. I would like to take a few moments to bring you up to date on this program. As you may know, all types of hospitals, public health centers, diagnostic and treatment centers, rehabilitation facilities, nursing homes, State health laboratories, and nurses' training facilities are eligible for assistance.

The hospital and medical facility program consists of two phases: the survey or planning stage, and the actual construction. Here in Rhode Island the Department of Health is the administrator. When it approves a project, based on a study of community need and development of a statewide plan for such facilities, the institution concerned may apply for Federal funds on a matching basis in support of its construction project. Federal funds may be given as an outright grant or as a long-term loan, depending upon the requirements of the institution requesting them.

By the end of last December 5,390 projects had been undertaken and the estimated cost of these new facilities, or improvements in existing structures, amounted to more than $4½ billion. The Federal share of these funds includes a little more than one-third of the total. These improvements and additions supplied 226,842 beds in 1,496 units. However, though there is a total of more than a million available hospital beds, this number is 1 million short of the need.

In Rhode Island alone, more than $943,000 was allocated for the construction of hospital and medical facilities in the fiscal year ending last June.

Over the past few years, our State has made tremendous progress in establishing itself as something of a health center. I could mention the recent addition here of Our Lady of Fatima, the new Hattie I. Chaffee Nursing Home in East Providence, the Butler Health Center, the rehabilitation facilities at the Rhode Island Hospital, and rehabilitation centers at the State Hospital in Cranston and at the Emma Pendleton Bradley Hospital at Riverside.

These, and more, are examples of how our people here in Rhode Island have been taking advantage of the opportunities to meet the needs for modern facilities to care for its ill and afflicted.

Our scientific investigators in their fight against disease and death are also attracting support for improvement of health research facilities. For example, Brown University won a grant to construct a psychology

research building and a biology research building; the University of Rhode Island received $14,000 for a biology research laboratory; and the Rhode Island Hospital received funds for its cancer research facility.

Rhode Island is in the lead in establishing and developing a most interesting and vital long-term research attack to seek out the causes of cerebral palsy, mental retardation, and other neurological and sensory disorders of infancy and childhood—disorders which afflict 1 in every 16 children born annually in the United States. The investigators hope that the knowledge they gain will make it possible to prevent such disorders, and eventually enable every child to lead a full and useful life.

Expectant mothers, eventually 50,000 of them, will voluntarily take part in this study. During the mother's pregnancy and the child's life from birth until school age, conditions surrounding the child will be recorded, and the children themselves will be observed, examined, and tested. Brown University is one of the 16 leading hospitals or medical centers in the country collaborating on this project. I am proud and happy to say that six Rhode Island hospitals and centers are cooperating with the Brown University staff to gather information—Providence Lying-In, Providence District Nursing Association, the Emma Pendleton Bradley Hospital, the Meeting Street School, the Miriam Hospital, and the Rhode Island Hospital. All of these institutions are working with medical centers throughout the country as well as with the National Institutes of Health. Not only our children here in Rhode Island, but children throughout the Nation will share in the benefits that are certain to emerge from this study. It is more than possible that some of you are contributing data to this vitally important investigation, and I am sure you are aware of the part you are playing in this great undertaking.

Yes, Rhode Island is definitely becoming a center for health and research activities. In fiscal year 1960 there were 43 grants awarded by the National Institutes of Health for research projects in such places as Brown University, the University of Rhode Island, the Emma Pendleton Bradley Hospital, Providence College, the State department of social welfare, and others. The total dollar figure for these grants amounted to almost $1,200,000. The range of investigations covered by these grants is broad—pharmacology, sanitary engineering, sensory diseases, behavioral sciences, cell biology, cancer chemotherapy, hematology, and more—a host of subjects revealing the breadth of interest and the scope of the abilities of our people and our institutions here in the State.

I think you can begin to see, now, why I told you earlier that I consider my committee assignment to be exciting, demanding, and satisfying. To me, there are few greater satisfactions than seeing my efforts translated into better hospitals, better health centers, more scientists studying the causes and treatments of the diseases that threaten us, and better health, strength, and vitality for our great Nation.

If these efforts are to be truly meaningful, I find that I must continually be aware of the needs of the people, of the present state of biomedical research, of hospital facilities and construction, of the opportunities and needs for training, and of many more areas. I find that meetings with groups such as yours are of great value in maintaining my awareness of the attitudes, hopes, and aspirations of those who provide care and comfort for the ill.

Through groups such as yours, I shall continue to search for the best means of meeting the health needs of the people and to carry on the fight to translate these needs into law.

You and I are indeed fortunate. In our individual ways, we have opportunities to improve the health of the people. I know that the progress that you as an organized group have made is only a start for what you can accomplish in the years ahead. In these years, I look forward to a continued association with you as individuals and as a group. I earnestly solicit your advice, your ideas, and your support as they relate to my job; and I can assure you that you have my wholehearted support in behalf of your efforts.

Franking Privilege Too Excessive

EXTENSION OF REMARKS

OF

HON. ROBERT R. BARRY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 1962

Mr. BARRY. Mr. Speaker, for years the Post Office has been operating at a sizable deficit. In order to eliminate this deficit and to enable the postal service to more nearly pay its own way, the House recently passed a bill to raise postal rates on several different classes of mail. While raising postal rates is neither pleasant nor popular, it was necessary, and the bill was passed.

During the debate, one class of mail came under especially heavy attack. I refer to third-class bulk mail, or the so-called "junk mail." Many members felt strongly that this class of mail was not paying its way, was placing a heavy burden upon the entire postal system, and should properly cost the sender more money. In the end, third-class rates were raised from 2½ cents to 3½ cents per piece and from 16 cents to 21 cents for bulk mail.

I find it difficult to approve of the action taken by the Congress when, in the waning hours of the last session, it voted itself the privilege of sending under frank mail addressed only to "Occupant." That this privilege is being and has been abused by Members is a matter of record. For example, the gentleman from Massachusetts [Mr. CONTE] has reminded us that when the Congress previously had this privilege one Member sent out over 4 million copies of a single speech. I favor the amendment offered by the gentleman from Massachusetts to repeal the franking authority granted Congressmen to send "Occupant" mail for the following reasons:

First, it defeats the purpose of the postal rate bill, and would add greatly to the expense of running the Post Office. Those who say it is cheaper to deliver mail with the simplified form of address do not realize that while this may be so in any given instance, the privilege invariably results in a much greater quantity of mail being sent. It is this increase in quantity which proves so costly in the long run.

Second, as the gentleman from Massachusetts has pointed out, the House folding room is simply not equipped to handle the greatly increased workload which is already being thrust upon it. Surely it does not make sense to bypass or delay mail addressed to constituents by name in order to handle a large batch of material destined for an unknown "occupant."

Third, I believe that most people would be offended to receive something from a Member of Congress who cannot even take the time to find out who they are or where they live.

Finally, I would call the attention of my colleagues to a privilege which is vital to proper representation—the right to send mail to constituents under frank. For the very reason that this privilege is so important, all necessary steps must be taken to insure that it is not abused. Use of this simplified form of address is an abuse, and will open the door to further abuses in the future.

FRANKING PRIVILEGE TOO EXCESSIVE

In this area of mailing privilege, as in all other areas, the Congress must lead and not follow. It must set an example for the country, and not seek to be an exception to rules which have been established for good and sufficient reasons. I strongly urge adoption of the amendment offered by the gentleman from Massachusetts.

HOUSE OF REPRESENTATIVES

WEDNESDAY, MARCH 7, 1962

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Psalms 51: 10: *Create in me a clean heart, O God; and renew a right spirit within me.*

Almighty God, on this Ash Wednesday of our ecclesiastical calendar, may we be lifted by the mighty tide of Thy Holy Spirit into a blessed experience of the free and abundant life which must always be coordinated with self-denial and self-discipline.

Grant that this Lenten season may be a time of cleansing of heart and consecration of purpose and may all of its days be made great and glorious by a finer degree of spiritual culture.

Show us how we may gain the mastery over every insurgent impulse and every unworthy and inordinate desire, for we penitently confess that there are frequently such discrepancies between our professions and our practices, between our creed and our conduct, and that they are often at variance with one another.

Hear us in His name who was meek and lowly in heart. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

AMENDING ORGANIC ACT OF GUAM AND REVISED ORGANIC ACT OF THE VIRGIN ISLANDS

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill S. 2774, to

amend section 8 of the Organic Act of Guam and section 15 of the Revised Organic Act of the Virgin Islands, to provide for appointment of acting secretaries for such territories under certain conditions.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 8 of the Organic Act of Guam (64 Stat. 384, 387; 48 U.S.C. 1422b) is amended by adding the following at the end thereof: "The Governor or Acting Governor may from time to time designate an officer or employee of the executive branch of the government of Guam to act as secretary of Guam in case of a vacancy in the office of secretary of Guam or the disability or temporary absence of the secretary of Guam or while the secretary is acting as Governor, and the person so designated shall have all the powers of the secretary so long as such condition continues, except for the power set forth in the first sentence of section 7 of this Act. No additional compensation shall be paid to any person acting as Governor or as secretary under this Act."

SEC. 2. Section 15 of the Revised Organic Act of the Virgin Islands (68 Stat. 497, 504; 48 U.S.C. 1596) is amended by adding the following at the end thereof: "The Governor or Acting Governor may from time to time designate an officer or employee of the executive department of the government of the Virgin Islands to act as government secretary for the Virgin Islands in case of a vacancy in the office of the government secretary or the disability or temporary absence of the government secretary or while said government secretary is acting as Governor, and the person so designated shall have all the powers of government secretary so long as such condition continues, except for the power set forth in section 14 of this Act. No additional compensation shall be paid to any person acting as Governor or as secretary under this Act."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. ASPINALL. Mr. Speaker, I move to vacate the proceedings whereby the House passed H.R. 10063 and to lay the bill on the table.

The motion was agreed to.

A motion to reconsider was laid on the table.

SPEAKER McCORMACK HONORED

Mr. BOLAND. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. BOLAND. Mr. Speaker, I am delighted to announce to the membership of the House another honor that will be added to the long list of honors enjoyed by our beloved Speaker of the House, the Honorable JOHN W. MCCORMACK.

In a fitting and moving tribute this morning, Speaker MCCORMACK was presented the Distinguished Service Award—1962, by the Massachusetts State Building & Construction Trades Council. It was presented to him by the national president of the council, Mr. C. J. Haggerty, and in the presence of Massachusetts delegates to the eighth annual council conference.

The Massachusetts congressional delegation, joined by Lawrence F. O'Brien, Jr., special assistant to the President for congressional affairs, gave eloquent oratorical testimony of the esteem and regard in which Speaker MCCORMACK is held by his colleagues from his home State.

The resolution, honoring the Speaker, intoned on a magnificent plaque in fine word and phrase the unanimous feelings of the Massachusetts State Building & Construction Trades Council.

I am pleased to include it as part of my remarks:

DISTINGUISHED SERVICE AWARD—1962

Whereas the Massachusetts Building & Construction Trades Council is desirous of recognizing the achievements of a distinguished son of Massachusetts, the Honorable JOHN W. MCCORMACK, Speaker of the National House of Representatives in Washington, D.C.; and

Whereas, the Honorable JOHN W. MCCORMACK, able lawyer-legislator, enjoys the profound respect and esteem of the Massachusetts Building & Construction Trades Council for the support and encouragement he has given to our legislative programs and to progressive labor legislation:

Now therefore, we the Massachusetts Building & Construction Trades Council cite and publicly commend you, Mr. Speaker, for your 100 percent labor record; for your more than 40 years of dedicated service to Massachusetts, the Nation, and the world; for your patriotic devotion to the cause of freedom; and for the integrity, high purpose, and humanitarian principles that have guided you in public and private life.

Presented at the Eighth Annual Legislative Conference of the National Building and Construction Trades by the Massachusetts Building & Construction Trades Council on March 7, 1962, at the Statler Hilton Hotel, Washington, D.C.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. BOLAND. I yield to the gentleman from Oklahoma.

Mr. ALBERT. Mr. Speaker, I am very happy that our distinguished colleague, the gentleman from Massachusetts [Mr. BOLAND], has brought this matter to the attention of the House. I would like to add that I know of no person in all the history of this country who has a greater record for progressive and dedicated service than our beloved Speaker of the House of Representatives. I am delighted that he has received this well-earned recognition.

Mr. BOLAND. I appreciate the remarks of the gentleman from Oklahoma.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. BOLAND. I yield to the distinguished minority leader.

Mr. HALLECK. Mr. Speaker, this announcement has caught me somewhat by surprise, which is probably understandable. But now that I know about it I want to join the gentleman from Massachusetts [Mr. BOLAND] in expessing, I am sure, the attitudes and the view of all of us over here that Speaker MCCORMACK is indeed a great and fine person.

Mr. BOLAND. Mr. Speaker, I appreciate the remarks of the gentleman from Indiana.

TRIBUTE TO PETER RODINO, JR.

Mr. ROGERS of Colorado. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. ROGERS of Colorado. Mr. Speaker, the leadership assumed by Peter Rodino, Jr., son of our colleague, the Honorable PETER RODINO, of New Jersey, should be an inspiration to all young people of this country.

It has been my pleasure to know Peter Rodino, Jr. I have learned from him of his enthusiasm to help carry out the people-to-people program that President Kennedy designated former President Eisenhower to head.

Understanding among people of nations throughout the world can start with children. That is the purpose of the little-people-to-people program inaugurated by Peter Rodino, Jr. This program has established personal contact and friendships among teenage Americans and many visiting foreign children. It has resulted in a hospitality operation and in exposing the views of the young people as to what America and the rest of the world may expect in the future.

It can result in better communications among school leaders and others. Naturally, this program is nongovernmental and nonpartisan.

It is promoting better understanding with every country of the world. It is demonstrating that the United States is a peace-loving country, that we are not aggressors, and that we desire to maintain the peace of the world.

DR. GEORGE N. PAPANICOLAOU

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Rhode Island [Mr. FOGARTY] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. FOGARTY. Mr. Speaker, I should like to pay tribute to Dr. George N. Papanicolaou who died February 19 at his home in Miami, Fla.

In his sudden death, medical science and society as a whole have suffered a tremendous loss. No one has made a greater individual contribution to cancer control than this eminent American scientist of Greek origin. The simple examination procedure he developed for the early detection of uterine cancer, which has become widely known as the Pap smear, has saved the lives of thousands of women and is a vital tool in the cancer control program of the Public Health Service. Those of us serving on the Appropriations Committee have heard experts from the National Cancer Institute testify that complete application of this case-finding technique could

literally wipe out uterine cervical cancer as a killer of women.

Dr. Papanicolaou came to this country in 1913 with his wife, the former Mary Mavroyeni, his lifelong assistant in his experiments. He went to work in the Department of Pathology of New York Hospital and until late last year was a member of the faculty of Cornell Medical College.

Since the early 1940's, Dr. Papanicolaou had devoted his entire time to research on early cancer diagnosis through recovery and identification of cancer cells shed into body cavities. Last year he moved to Miami to become director of the Papanicolaou Cancer Research Institute.

Dr. Papanicolaou will always be remembered for the place he earned as a physician and scientist, and for his personal attributes of kindliness and unselfish dedication.

SPEAKER CHAMP CLARK

The SPEAKER. Pursuant to the order of the House of Monday, March 5, 1962, the Chair recognizes the gentleman from Missouri [Mr. CANNON] for 20 minutes.

Mr. CANNON. Mr. Speaker, on March 7—112 years ago today—Daniel Webster closed an era in the Congress and the Nation with his notable "Seventh of March" speech.

On the same day, in a remote Kentucky community, there came to an obscure family, which at no time owned the roof above it, a son, James Beauchamp Clark, later to be known as Champ Clark, the 37th Speaker of the House.

In the brief time allotted here this afternoon we pass over the intervening years—years of absorbing interest and achievement—and consider for the time being only his unique and exceptional record as Speaker.

First. Of all the long and distinguished line of men who have presided over the House since the adoption of the Constitution, he is the only Speaker to be elected by a House controlled by the opposition party.

The 65th Congress consisted of 212 Democrats, 215 Republicans and 8 nonconformists, 7 of whom were ordinarily aligned with the Republicans and 1 with the Democrats. In that session the Republicans supported James R. Mann, of Illinois, one of the ablest men of all time in the annals of the American Congress, who was for 10 years minority leader. He and the newspapers and the country took for granted until after the rollcall started that his election was a matter of routine. But Clark was elected by a majority of 12 votes.

It had never happened before. It will probably not happen again in the next 500 years.

Champ Clark had been for 6 years Speaker of the House. He had been tested and tried. They knew him for what he was. They loved him and the country loved him. And a Republican House elected a Democratic Speaker.

The years passed by. A new generation arose "which knew not Jacob." But time cannot dim nor neglect obscure the wonder and significance of that remarkable day.

Second. His fourth election tied him with that of Speaker Joseph G. Cannon, of Illinois for the longest continuous service of any Speaker up to that time. The tenure of a Speaker is determined not so much by himself but by the predominance of his party in the House. If Speaker Garner had not accepted a place on the national ticket there is every likelihood that he would be Speaker of the House today. If the Democrats had retained control of a majority in the 66th Congress, Clark would without question have retained the speakership until his death.

Third. And in that respect also he established another record unique in the annals of the speakership. He was offered a seat in the Senate on the death of Senator Stone, a position "for which"—to use his own expression—"men pant as the hart panteth after the water brooks." He was offered a compromise at Baltimore under which he would have been Vice President of the United States—not merely a place on the national ticket but the positive assurance of election, as the Bull Moose candidacy of former President Theodore Roosevelt had hopelessly divided the Republican ranks. Each time he declined in order to remain in the House.

Fourth. He was the first and only Speaker to establish and maintain caucus rule. In January 1911—preliminary to the convening of the extra session, he issued a call for a Democratic caucus. It took the country by surprise. It was an innovation.

The newspapers uniformly derided the idea and called it Clark's crazy scheme. Their principle objection seemed to be that "It had never been done before." They predicted that no one would attend. But when he called the caucus to order, 2 days before the Congress convened, every Democratic Member of the House was in his seat except two who were ill. From that time on during the entire 8 years of his speakership, no important action was taken by the House until it had been officially submitted to the party as a whole and the party policy determined by a full and free discussion and vote in the caucus.

Fifth. With the single exception of Henry Clay, Clark is the only Speaker who himself developed the issue on which his party came to power. When he succeeded to the minority leadership of the House in 1908 the situation was desperate in the extreme. The crushing defeat of 1904 had left only one Democratic Governor outside the solid South. His party did not control a single branch of a single legislature north of the Mason & Dixon line. A scant two dozen Democratic Congressmen were returned to the House of Representatives from Northern and Western States following that disastrous campaign. To further complicate the difficulties of the situation, the Democratic Party in the House was torn and rent by internal schism and dissension. It was an extraordinary fact that for 16 years the Democratic minority had never voted as a unit on a single dominant question.

Confronted by this all but hopeless situation, Champ Clark rallied the shattered fragments of his party, placated the recalcitrants, fused hope into the discouraged, and disciplined his forces into a fighting minority which, in the spectacular battles of the 61st Congress, overthrew the autocracy of the Speaker, broke the iron ring that dominated the House, liberalized the rules, defeated the intrenched forces that had controlled legislation for more than a decade, and made possible the sweeping victories which gave his party a majority in the 62d Congress in 1910, and complete control of every branch of the Government in 1912.

The next morning after his election as Speaker, Senator John Sharp Williams, Clark's predecessor as minority leader met Senator Ollie James on the steps of the Capitol and said "Ollie, it is the irony of politics. If I had stayed in the House I would now be Speaker." "Oh, no you wouldn't, John," said "Ollie cheerfully "if you had stayed in the House we would still be in the minority."

Sixth. Again, Speaker Clark is the only Speaker in the last hundred years who has not sought to enlarge and enhance the power of the speakership. Originally the functions of the Speaker were limited to those of a presiding officer. Jefferson in interpreting the Constitution and establishing procedure in the legislative branch of the new Government, as set forth in Jefferson's Manual, based his conception of congressional procedure on that of the English House of Commons in which the Speaker is merely a presiding officer—as he remains to this day. Originally the Vice President in the Senate and the Speaker in the House followed the British prototype. They made no effort to dominate their respective Houses or control legislation or extend their power and influence or otherwise manipulate the rules or encroach on the rights and authority reserved under the rules to other Members of Congress. In the Senate this situation still obtains. But beginning with Speaker Reed the Speaker and those cooperating with him began to reach out and mold the rules of the House to concentrate in the speakership such arbitrary control as to render him a dictator, disenfranchising, to that extent, the membership of the House to a point where under Speaker Cannon the President of the United States himself had to come to the Speaker's room, hat in hand, and plead as a mendicant before he could secure even the consideration of a bill needed by his administration.

The Senators wisely refused to permit alienation of their authority by such rules and availed themselves of policy committees and conferences which assured equal and independent participation of all in legislative functions of the body.

But in the House self-centered men concentrated dictatorial powers in the speakership. The movement had its inception under Speaker Reed and flowered under Speaker Cannon. And from their time Speakers have sought to make

themselves masters of the House. Speaker Clark fought determinedly, consistently, successfully to make the Speaker the servant of the House. He sought to encourage and enhance the individuality, independence, and legislative entity of every Member of the House and the constituency of the district which he represented. No caucus was adjourned until every man there had been given an opportunity to be heard and to present amendments or suggestions which he wished to offer. Sessions of the caucus frequently lasted until past midnight. It was truly a government by the rank and file of the membership of the House and not by the Speaker or any circle about the Speaker. It was the essence of Jeffersonian democracy.

Speaker Clark divested himself of all authority outside that of presiding officer and worked constantly for liberalization of the rules and the curtailment of the arbitrary powers of the speakership emphasizing the supremacy of the caucus as the final authority on all party policies and national issues.

His insistence on this democratic course spread to the Nation and his battle against the domination of the Speaker and his coterie drew to his support an alliance of Republicans as well as Democratic colleagues. The press took it up. Magazines began to feature it. It spread like a prairie fire through the Nation and was the national campaign issue in the election of 1910.

Under the inspired leadership of Clark the rules were revised. The Speaker was deprived of all extraparliamentary power. Committees were elected by the House. Power of recognition was curtailed. The Speaker was made ineligible to membership on the Committee on Rules. The Calendar Wednesday rule and the Unanimous Consent Calendar were instituted and a Democratic caucus passed on all issues before consideration by the House. A united party presented a solid front and for the first time in 16 years swept to control of the House in that critical campaign and 2 years later took over every branch of the Government. No such rehabilitation of a helpless party; no such miraculous change in national sentiment is recorded in the political history of the Nation either before or since.

On this 7th day of March, on the 112th anniversary of his birth, we honor him in appreciation of those rare qualities which made him preeminently, incomparably the greatest of all Speakers, truly the servant of the House—never the master of the House.

Seventh. And let us not overlook the appeal of his statesmanship to the country. He came closer to the Presidency, without obtaining it than any man in American history. It was not a suddenly manipulated buildup. It was not an unforeseen stampede triggered by dramatic appeal to sentimentalism. It was the slow, steady growth through the years of the confidence and affection of the people for demonstrated capacity and integrity. Three men defeated him for the Presidency. No two of them could have accomplished it. It took all three—widely separated geographically for widely separated motives.

From the first ballot at Baltimore in the Democratic National Convention of 1912, he led the entire field for 29 ballots with a clear majority on 9 ballots. He was the spontaneous choice of the Nation. But from ambush—with no opportunity to be heard, no chance to submit his cause—he was disinherited.

He comes down to us today as an illustrious archetype. His career is the glory of our democratic form of government. What he accomplished our children may hope to accomplish. What he achieved the humblest boy who walks the meanest street of the smallest hamlet in the remotest corner of the land may, under our free American institutions, aspire to achieve.

It was his pride, often voiced from public platform and from the Speaker's rostrum, that within the brief span of his life the example of the American Government had destroyed despotisms and established republics in every quarter of the globe; that with every other American citizen he had helped to make the blessings of liberty and democracy the common and universal birthright of all mankind.

On this 7th of March, in a critical international situation which he would have avoided, we look back to him with gratitude and appreciation.

Mr. Speaker, I shall be glad to answer any questions which anyone desires to ask on this subject at this time.

COMMITTEE ON RULES

Mr. THORNBERRY. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file a report.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

EDUCATIONAL TELEVISION

Mr. ELLIOTT. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 502 and ask for its immediate consideration.

CALL OF THE HOUSE

Mr. BOW. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll and the following Members failed to answer to their names:

[Roll No. 29]

Andrews	Hagan, Ga.	Pilcher
Bennett, Mich.	Harrison, Va.	Powell
Buckley	Hoffman, Mich.	Rains
Cahill	Jones, Ala.	Scranton
Chelf	Kearns	Shelley
Curtis, Mass.	McDonough	Smith, Miss.
Davis, James C.	McIntire	Spence
	Macdonald	Steed
Dawson	Martin, Mass.	Thompson, N.J.
Dent	Moulder	Whitten
Forrester	Norrell	Wright
Gavin	O'Konski	Zelenko
Granahan	Osmers	

The SPEAKER. On this rollcall 394 Members have answered to their names, a quorum.

By unanimous consent further proceedings under the call were dispensed with.

PERMISSION TO WAYS AND MEANS COMMITTEE TO SIT DURING SESSIONS OF THE HOUSE

Mr. MILLS. Mr. Speaker, I ask unanimous consent that the Ways and Means Committee may be permitted during the remainder of this session to hold meetings while the House is in session.

Mr. MASON. Mr. Speaker, I join with my chairman in that request. It is the usual request and has been the custom for at least 28 years that I know of.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

COMMITTEE ON THE JUDICIARY

Mr. CELLER. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary may be privileged to sit during the legislative sessions on Monday, Wednesday, and Thursday of next week.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

EDUCATIONAL TELEVISION

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 132) to amend the Communications Act of 1934 to establish a program of Federal matching grants for the construction of television facilities to be used for educational purposes. After general debate, which shall be confined to the bill, and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. ELLIOTT. Mr. Speaker, I yield myself such time as I may require, after which I shall yield 30 minutes to the gentleman from Kansas [Mr. AVERY].

Mr. Speaker, House Resolution 552 calls up for debate and consideration House bill 132, the educational television bill. The open rule allows for 2 hours of debate.

At the outset I would like to commend the distinguished Committee on Interstate and Foreign Commerce for truly outstanding work on this bill. I

would also like to commend my distinguished colleague, the gentleman from Alabama [Mr. ROBERTS], who first introduced the bill in 1957, and who has patiently and diligently worked on it through the years. I congratulate him on his great effort which brings the bill before the House for decision today.

The purpose of this bill is to encourage the States—through a program of matching grants—to take advantage of enormous opportunity and challenge of educational television.

This bill is intelligently and carefully written and, for a moderate cost, offers the Congress an opportunity to make a sound investment in the minds and future of our country's children as well as its adults.

But before discussing the specifics of the bill, I would like to sketch some of the background which will show the need for this type of legislation.

Beginning in 1952, the Federal Communications Commission first began making allocations on the broadcast spectrum for educational television stations.

As of July 29, 1961, the FCC had set aside 273 television channels for educational television. But during the last 9½ years, only 57 educational television stations have gone on the air, although 77 stations have been authorized.

In other words, only about 20 percent of the educational television allocations have actually been put into operation.

As my colleagues know, the demand for television channels is strong. And once all the allocations are made, there is little that can be done. As a result of the comparatively small use of educational television channels available, there has been an increased demand to take these channels away from educational television and reallocate them to commercial enterprises.

As the committee report on this bill stated:

> There is a grave danger that unless the process of getting educational television stations on the air is speeded up, the demand to use these channels for commercial television purposes may become irresistible and thus they will be irretrievably lost to education.

I would like to point out that commercial stations have about 90 percent of the channel allocations. So this is not a question of depriving our valuable commercial media.

I should also like to quote one more paragraph of the committee report, with which I wholeheartedly agree:

> The failure of educators to use reserved educational channels is not the result of lack of interest, desire, or planning on their part. One of the largest problems which faces the educators is the lack of funds to pay for the installation of educational television facilities. Experience has demonstrated that once educational television stations are built, State legislatures, local school systems, and community organizations have raised the necessary operating funds.

I am proud to say that my example is the great and truly outstanding record made in educational television by my own State of Alabama.

Alabama pioneered with the first and, so far to my knowledge, still the largest State educational TV network.

The network covers about 78 percent of the State's TV homes. The coverage is through channel 2 in Andalusia, channel 7 in Cheha State Park and channel 10 in Birmingham. Channel 26 in Montgomery will be connected to the State network before this spring.

Educational television has studios at Auburn University, the University of Alabama and in Birmingham. They are linked to the network by microwave.

More than 550 schools in Alabama have already purchased receiving sets. Most of these schools have made educational television an integral part of their program. And since 1955, educational television has been used for teaching shut-in children in Alabama. In all, more than 230,000 Alabama students receive some form of in-school educational television.

In addition to in-school telecasts, there are also after school programs for children. Other programs are designed for parent education and stress child growth and development and the importance of cooperation between home and school.

Of equal importance is the way educational television has opened a new frontier in adult education. Subjects covered include music, art and drama for cultural enrichment; vocational and agricultural programs aimed at improving earning power of our city and farm families and civic programs aimed at upgrading the awareness of our electorate.

The State legislature appropriates approximately $225,000 a year for this program. With the help of this bill, Alabama is looking forward to expanding its educational television service to include the entire State.

Now, to discuss briefly the specific provisions of this bill.

The bill provides for two programs, both of them operated by matching grants.

First, a total of $520,000 is authorized for the States to survey the need for and to develop programs for the construction of educational television facilities.

Second, a total of $25 million is authorized for a program of constructing educational television facilities.

The maximum allowable to any State under the survey program is $10,000. The limit to each State under the facility construction provision is $1 million.

The survey grants would have to be matched dollar for dollar by the States. Construction grants are limited to 50 percent of the approved cost of the project.

The authorization for survey appropriations would be for 3 years, from July 1, 1962, to June 30, 1965. Funds for construction of facilities would be authorized for 4 years, from July 1, 1962, to June 30, 1966.

Those eligible for help under the bill are as follows:

First. An agency or officer responsible for the supervision of public education within that State or within a political subdivision thereof.

Second. The State educational television agency of a State.

Third. A college or university deriving its support in whole or in part from tax revenues.

Fourth. A nonprofit community educational television organization.

Applications for both survey and construction grants must be first approved by the State educational television agency or officer before they can be forwarded to the U.S. Commissioner of Education. The Commissioner administers the Federal portion of the program.

In closing, I need not remind my colleagues at great length about the importance of education in the great twilight struggle between Western civilization and Communist tyranny.

This bill gives us an opportunity, at moderate cost, of pushing forward in a field where the investment yield is certain and the goals are unanimously accepted by the American people.

This bill specifically provides that none of its provisions shall be deemed to authorize any department, agency, officer, or employees of the United States to exercise any direction, supervision, or control over educational television broadcasting or over the curriculum, program of instruction, or personnel of any educational institution, school system, or educational broadcasting station or system. In other words, the matter of the content of educational television programs of instruction is left in the hands of the States where it rightfully belongs.

I am happy that Alabama has forged ahead in making educational television programs available to its schoolchildren and to its adults. It is my hope that the growth of educational television in Alabama, and in the Nation, will be greatly quickened by this bill.

I urge adoption of House Resolution 552.

Mr. AVERY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the issue before the House this afternoon is not on the merits of educational television. I think anybody that has made an objective and a thorough study of educational television could only come to the conclusion that it is a very important medium; that it does serve a very helpful function in the field of education.

The issue this afternoon here, as I see it, is twofold. No. 1: Is this a rightful responsibility for the Federal Government to assume; in other words, should the Federal Government trespass further into the field of education or should this remain, as it has historically, the responsibility of the several States?

The other issue is more or less indirect. It reverts, I think, to a bill or an issue which we had before this same body a few weeks ago. We had a proposal which would authorize an increase of the national debt limit by the amount of $2 billion. We were advised simultaneously that there would subsequently be a further request to extend it an additional $8 billion.

Mr. Speaker, the most eloquent, the most persuasive and the most highly respected Member, the chairman of the

House Ways and Means Committee, the gentleman from Arkansas [Mr. MILLS], told the Committee on Rules that "a vote against raising the debt ceiling is not an economy vote; this is not the time to cast your economy votes. The time to cast an economy vote is when a new Federal authorization for additional Federal spending is being considered." That is a collateral issue here this afternoon.

With reference to this bill, this is not a new issue. It has been bouncing around the House of Representatives and before the Interstate and Foreign Commerce Committee and before the Rules Committee now for about 6 years. As you have already read in your report, and you were told by my colleague on the Rules Committee from Alabama [Mr. ELLIOTT] this proposal has passed the other body several times. It has passed the Interstate and Foreign Commerce Committee now on two separate occasions. It failed in the Rules Committee in the 86th Congress. It was passed out of both the Interstate and Foreign Commerce Committee this year, and also the Rules Committee.

Mr. Speaker, let us just look at this for a minute. Two years ago, in both the other body and in this body, we had a bill to authorize $50 million for educational TV. That was considered to be a modest amount, and not an undue burden upon the Federal Treasurer. That was considered to be the minimum amount that could be authorized to generate, to accelerate, to initiate a program of educational television. Now, since that bill failed—the $50 million bill failed—in the 86th Congress and we now have more budgetary concern, shall I say, by the majority party in the last year in view of the bookkeeping responsibilities downtown, we are back today with a $25 million bill that can only mean one thing in my opinion, and that is this: We did not get the $50 million bill passed; so we will start it out with $25 million and we can build on that in Congresses to follow.

Mr. Speaker, I think it is a reality that we had just as well face here this afternoon. If we authorize this program today, even though it is for $25 million, and it is limited under the bill strictly to the procurement of broadcasting apparatuses—this does not include brick and mortar and it does not include the cost of operation—but we had just as well face up to the fact if we commit the resources of the Federal Government for educational TV even to a limited extent this afternoon, at the expiration of the time provided for under this bill, which is 1967, somebody is going to be back on this floor or back before the Interstate and Foreign Commerce Committee, and they are going to say this: "Mr. Chairman, now in my State we have a facility that was just half constructed. We underestimated the cost of this facility. Now it is in the public interest that the Congress should appropriate more money so that this particular facility in my State and in my congressional district can be completed."

Mr. Speaker, we are also going to have this situation, if the bill passes: Although we are not committed to the cost of operation, Members will find in the hearings if they will read them—and I was on the Committee at the time the hearings were held—in some cases it costs as much as $250,000 a year just to operate a television station after it is built.

Mr. Speaker, I think it is only realistic to accept this afternoon that if we commit the Federal Government to the cost of construction, we are going to be asked in the not too distant future to also subsidize the cost of operations.

So, Mr. Speaker, I would say again—I repeat—we are not voting on the issue of educational television. The issue before the House today is what is the responsibility of the Federal Government in this field as opposed to the traditional and rightful responsibility of the several States in the field of education.

I shall make only one further observation, Mr. Speaker. I should hope that the Members of the House, and later, members of the Committee of the Whole, will observe on page 16 that there is a rather broad authority under the bill as to who may qualify to apply for a television license, for a broadcasting license, to participate under this grant program. I shall not spell it out in detail, but I do want to call to your attention that it is not limited, as you might think. Members may be under the illusion that under this bill this authority is limited to an institution of higher learning, a college or university in your respective States or respective congressional district, but that is not the case. There is very broad authority in this bill as to who may apply for a broadcasting license.

The argument has been made further that not very many of the channels that have been reserved for educational purposes were actually now broadcasting and therefore, the only way to preserve these channels for education would be to hurry up and pass this bill so they will have a Federal incentive to put the station on the air.

Mr. Speaker, without burdening you with too many figures I would like to cite four very short and understandable statistics. There are presently 1,954 commercial channels that have been identified, UHF and VHF. Of these channels only 740 have actually gone on the air. These are commercial channels; 1,954 identified on the spectrum and set aside for commercial broadcasting, and only 740 of those have gone on the air.

What is the story with respect to education? There have been reserved, VHF and UHF, 273 channels. How many of them have gone on the air without any Federal aid? There have been 57—maybe 59; the committee report says 57, but it is my understanding that 2 have gone on since then. So actually, Mr. Speaker, the percentages are not too different for educational channels that have actually gone on the air than for commercial channels that have gone on since the spectrum was divided and channels were assigned in 1952, just 10 years ago, by the Federal Communications Commission.

Do not labor under the illusion further that the broadcasters, under this bill, are going to be under the direct supervision of the Federal Communications Commission, because they are not. After their license has once been awarded generally they will only be subject to such supervision as they would be under this so-called Commissioner which is identified as an appointee of the Secretary of Health, Education, and Welfare.

On balance, therefore, I would say, Mr. Speaker, there is a lot of support for this bill. I would urge the Members of the House to consider the basic issue before us; whether the Federal Government is going to trespass further in the field of aid to education. I think that is what we must ask ourselves before we vote on this bill.

Mr. YOUNGER. Mr. Speaker, will the gentleman yield?

Mr. AVERY. Mr. Speaker, I yield to my friend from California who has been very active in the development of this legislation and is a ranking member of the Committee on Interstate and Foreign Commerce.

Mr. YOUNGER. Mr. Speaker, is there anything in this bill that deprives the Federal Communications Commission of any of their regulatory authority over all licensees?

Mr. AVERY. The gentleman is absolutely correct. The licensees, as many of the facilities as become licensed by virtue of the grants under this bill, would still be subject to all of the broad authority under the Federal Communications Act of 1934, as any other broadcasters. The gentleman is absolutely correct. But we are not in commercial broadcasting now. We are in a very critical field, a very sensitive field of educational broadcasting.

As much as I fear regulated broadcasting, I think there is also a calculated risk as to what is to be declared in the interest of education that might flow out over these facilities and what might flow out in the way of indoctrination.

Mr. YOUNGER. Is it not true that the FCC is charged in the regulatory authority with observing what is good and in the public interest? Is that not the criteria that they must use?

Mr. AVERY. Well, in a general sense, of course, it is, as the gentleman very well knows. There is no use going into this in detail. There are three or four prohibitions in the Federal Communications Act of 1934. Obscene language is not prohibited. There can be no lotteries, and as far as political broadcasts are concerned, facilities must be made available on an equal time basis. Censorship is forbidden. After the license has been granted the FCC, of course, has very little jurisdiction. I think that is the way it should be. In fact, there is a difference of opinion right now as to how far the Commission should project themselves into the field of program control. I am glad the gentleman is bringing this up because I think the House should realize the full ramifications in this proposal in which the Federal Government is providing part of the construction cost for a broadcasting facility and there is virtually going to be

no control over it. The question is going to rest almost entirely in the judgment of the licensee whether the program flowing out over the facility is going to be instructional or whether it is going to be indoctrinational. That is a hazard that we are facing, particularly, when the applicant is not limited to a college or a university facility.

Mr. Speaker, I reserve the balance of my time.

Mr. ELLIOTT. Mr. Speaker, I yield 6 minutes to the gentleman from Pennsylvania [Mr. WALTER].

Mr. WALTER. Mr. Speaker, this bill for matching grants to States for the construction of educational television facilities clearly prohibits the Federal Government from exercising any control over educational TV programs. This is as it should be. I never want to see the day when the Federal Government interferes with any phase of public or private education. That doesn't mean, however, that there should be no control over classroom TV.

State and local officials who inherit the task of selecting the content of educational television programs will have a very great responsibility to avoid one-sided indoctrination of a political nature which all too often commercial television networks feed their viewers under the guise of news. A blatant example of this reprehensible practice recently occurred on NBC-TV's popular "Today" program.

The moderator of this so-called news and entertainment show read a charge by the American Civil Liberties Union that "Operation Abolition," the Committee on Un-American Activities' film of the 1960 San Francisco riots, contains distortions. Although the ACLU represents strictly a very small minority viewpoint and has as a declared objective the abolition of the Committee on Un-American Activities, the moderator flatly endorsed the charge. Without any reference to reports by the House, the FBI or other sources which completely refute the ACLU's charge of "distortion" against the film, "Today's" moderator said:

> We—I—agree with the statement of the American Civil Liberties Union.

I found the one-sided presentation's endorsement by an NBC spokesman on a news and entertainment show neither newsy nor entertaining.

This is the kind of practice which State and local education officials must keep out of the classrooms of the schools of America, if educational television is to have a constructive, rather than destructive, influence on our Nation's young people.

Mr. ELLIOTT. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. HARRIS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 132) to amend the Communications Act of 1934 to establish a program of Federal matching grants for the construction of television facilities to be used for educational purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 132 with Mr. YATES in the chair.

The Clerk read the title of the bill.

By unanimous consent the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule the gentleman from Arkansas [Mr. HARRIS] will be recognized for 1 hour and the gentleman from Michigan [Mr. BENNETT] for 1 hour.

The Chair recognizes the gentleman from Arkansas.

Mr. HARRIS. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, in my judgment this is one of the most important bills that will come before this session of the Congress. It affects the future of our country, the development of our children and the opportunities which they may have. Let no one be mistaken about the importance of this legislation.

Here we have a great natural resource. Without it we would not have some of the important news media we have today; without it we would not have means of defense we have today. Believe me, much of the progress and many of the advances that have been made, I can assure my colleagues, are due primarily to the availability of adequate communications.

Many of you have heard me say that in my judgment one of the most valuable natural resources we have in this country is the spectrum, and it is also one of the most wasted resources. For many years I have been trying to convince my colleagues and those interested in broadcasting of the importance of the efficient utilization of the spectrum. Because of conflicting views relating to the management of the spectrum, it is very difficult to get all forces together in order that the spectrum can be more efficiently utilized.

Just 5 years ago we tried through our committee to bring about unity of effort in the proper utilization of the spectrum; but, try as we would, it has been very difficult.

Our committee recognized the value in this portion of the spectrum reserved for educational television, and we bring to you by an overwhelming majority of the committee a bill which we recommend to you as being invaluable to the future of this country.

This bill was reported by our committee toward the close of the first session. Similar legislation was reported by our committee during the 86th Congress, and somewhat broader legislation passed the other body during the 85th, 86th, and again during the 87th Congress.

Now, let me tell you as briefly as possible what this legislation is about, and why it is even more important legislation today than it was last year and the year before.

We have in the United States 2,227 television channels. Of these channels, 1,551 are in the UHF band and 676 are in the VHF band. Today, we have 458 commercial VHF stations operating on the 676 VHF channels, but we have only 85 commercial UHF stations operating on the 1,551 UHF channels. While most all VHF channels in the larger communities of our Nation have been taken up, many UHF channels in these same communities are still unused.

Now, a big drive is on at the present time to get new commercial UHF stations to operate on the 1,466 UHF channels which are still unoccupied. In order to accomplish this the FCC has proposed all-channel receiver legislation which will assure that all TV receivers shipped in interstate commerce are capable of receiving both UHF and VHF signals. Our committee has been conducting hearings on this legislation all this week.

Now, if the drive to get new UHF television stations on the air succeeds—and I personally have little doubt that it will in a very few years—then there will be a great demand that television channels which are now reserved for nonprofit educational purposes be made available for commercial purposes.

At present 92 VHF channels and 181 UHF channels are reserved for nonprofit educational broadcasting. But over the 9-year period during which these reservations have been in force, only 41 educational VHF stations and only 16 educational UHF stations have been established. If this process cannot be speeded up, there is good reason to fear that these channels will be reassigned for commercial television and thus be lost permanently for nonprofit educational purposes. The reason why the process of getting educational television stations on the air is so slow is lack of funds.

The bill before you attempts to address itself to this problem. First, the bill attempts to induce the States which have not already done so to make a survey of the need for educational television broadcasting facilities within these States, and to develop State programs for the construction of such facilities. The bill would make up to $10,000 available to each State which desires to make such a survey and develop a construction program. This grant would have to be matched on a dollar-for-dollar basis.

Next, the bill authorizes a maximum expenditure of $25 million for matching grants for the construction of educational television facilities. Not more than $1 million may be granted for facilities in any one State. Appropriations for the program would cease June 30, 1966.

Applications for construction grants would be made through State agencies in those States which have developed a State program. They would be forwarded to the U.S. Commissioner of Education. In those States which have not developed a State program, applications would be made directly to the Commissioner.

In order to qualify, an applicant must be a State or local agency, or a college or university which derives its support in whole or in part from State tax revenues, or it may be a local nonprofit community organization which is broadly representative of schools, colleges, and cultural institutions in the area.

Applicants must satisfy the Commissioner that they have a license from the FCC or are qualified to be licensed, and that they are financially responsible. This means not only that they have the necessary matching money but that they also will have the necessary funds to operate the station.

Before the committee reported the bill, I wrote on behalf of our committee a letter to the Governors of our 50 States, inquiring with respect to any plans their States might have for the utilization of educational television, and asking their view whether the cooperative Federal-State program contemplated by this legislation might be helpful in furthering any such plans. Forty-five Governors replied. Thirty-one endorsed the legislation. Eleven expressed no opinion, two preferred reliance on private financing, and one expressed doubt as to the availability of matching funds in his State.

In summing up, let me say to you that this is important legislation because experience in a number of States has shown that educational television can be used advantageously to supplement classroom instruction. Some States have found that educational television can save them money because educational television has made unnecessary the construction of additional classrooms. Florida, particularly, testified at length on this aspect.

Undoubtedly, the use of educational television will grow whether or not we pass this legislation. However, the question is, will it grow fast enough to justify keeping unused a considerable number of television channels in those communities in which all available channels have been taken up by commercial stations, and where there is an insistent demand that educational channels be released for commercial purposes. It is the expectation that this bill, by offering a very limited amount of Federal matching grants, will have the desired result.

Now, let us discuss briefly the principal provisions of the bill, as amended in committee. This bill is patterned after the Hospital Survey and Construction Act—commonly referred to as the Hill-Burton Act. This act has proven very successful in stimulating, with the aid of Federal matching grants, the construction of numerous State, county, municipal, and private nonprofit hospitals throughout the Nation.

I have already referred briefly to the provision of the bill dealing with State surveys. The bill seeks to stimulate the making by the several States of surveys of the need for and the utility of additional educational television broadcasting facilities. It is expected that on the basis of such surveys, the construction of additional facilities will be developed. For this purpose, the bill authorizes a Federal grant of not to exceed $10,000 to each State which desires to participate in the program. This grant must be matched on a dollar-for-dollar basis by the State.

The survey must be made, and the State program must be developed by the State educational television agency. The bill defines a State educational television agency in such a manner as to permit existing State agencies to conduct the required survey and prepare the program. A State educational television agency may be:

(1) A board or commission established by State law for the purpose of promoting educational television within a State; or

(2) A board or commission appointed by the Governor of a State for such purpose if such appointment is not inconsistent with State law; or

(3) A State officer or agency responsible for the supervision of public elementary or secondary education or public higher education within the State, designated by the Governor to assume responsibility for the promotion of educational television.

Next, we come to construction grant applicants. Applications for construction grants are made through the State educational television agency and are transmitted by that agency to the Commissioner of Education in the case of an application for a facility situated in a State for which a survey grant has been approved under this program. Otherwise, applications are submitted directly to the Commissioner of Education.

In order to qualify for a Federal matching grant, an applicant must provide assurances satisfactory to the Commissioner of Education:

(1) That the applicant is (A) an agency or officer responsible for the supervision of public education within that State, or within a political subdivision thereof, (B) the State educational television agency, (C) a college or university deriving its support in whole or in part from tax revenues, or (D) a nonprofit community educational television organization;

(2) That the operation of such educational television facilities will be under the control of the applicant or a person qualified to be an applicant;

(3) That necessary funds to construct, operate, and maintain the facilities will be available when needed; and

(4) That such television facilities will be used only for educational purposes.

The term "nonprofit community educational television organization" is defined for the purposes of this new part as meaning "a nonprofit foundation, corporation, or association which is broadly representative of schools, colleges, universities, and educational, scientific, civic, and cultural institutions and organizations, located in the area to be served by educational television facilities, and which was organized primarily to engage in or encourage educational television broadcasting."

In the case of any State with respect to which an application for a survey grant has been approved an application for the construction of a facility situated in such State may be approved by the Commissioner of Education only if such application has received the approval of the State educational television agency of such State. If a construction program for educational television facilities has been developed in such State, the application may be approved by the Commissioner only if the State educational television agency has certified that the facilities applied for are included in, or that construction thereof would be consistent with, such program.

Federal matching grants are limited to 50 percent of the amount determined by the Commissioner to be the reasonable and necessary cost of the project. However, if an applicant owns an existing educational television broadcasting facility and he desires a Federal matching grant for the construction of another educational television broadcasting facility or the enlargement or replacement of an existing facility, the Federal matching grant may be increased by adding to the 50 percent of the reasonable and necessary cost of the proposed project 25 percent of the reasonable and necessary cost, as determined by the Commissioner of all educational television broadcasting facilities owned by the applicant at the time of the filing of the application.

In computing the cost of a project there may be included the cost of acquisition and installation of transmission apparatus necessary for television broadcasting but there must be excluded the cost of constructing and repairing structures to house such apparatus. Thus, applicants must provide television studio buildings and other structures to house apparatus without any Federal aid.

Upon a determination by the Commissioner that an application for a construction grant meets the requirements set forth in this legislation, he may make a grant to the applicant.

As already mentioned, the total amount of construction grants for facilities situated in any State may not exceed $1 million.

In order to qualify for a grant under this legislation, an applicant—or the operator, if different—must either already be licensed by the Federal Communications Commission to operate an educational television station, or he must be qualified under the provisions of the Communications Act of 1934 and the Commission's rules to be so licensed.

The Commissioner is authorized to make such rules and regulations as may be necessary to carry out the provisions of this legislation.

The bill specifically provides that none of its provisions shall be deemed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over educational television broadcasting or over the curriculum, program of instruction, or personnel of any educational institution, school system, or educational broadcasting station or system. This prohibition also goes, of course, to the rulemaking powers of the Commissioner under section 397.

Finally, the bill authorizes the Federal Communications Commission to provide such assistance in carrying out the provisions of this legislation as may be requested by the Commissioner.

The principal differences between the Senate-passed bill, S. 205, and the bill reported favorably by the committee are as follows:

First, H.R. 132 provides an authorization of up to $25 million for up to 50 percent Federal grants with an overall

limitation of $1 million for facilities situated in any one State. S. 205 provides an authorization for such amounts as may be necessary for outright Federal construction grants requiring no matching by applicants but there is a ceiling on individual grants of $1 million for each State.

The committee believes that the requirement contained in this bill, that the Federal grant must be matched, should result in about the same number of facilities being constructed with approximately one-half the expenditure of Federal funds.

The committee also feels that without the matching requirement applicants for Federal grants might tend not to be as mindful as is necessary of the continuing financial responsibilities which they must assume in connection with the operation of educational television stations.

Second, H.R. 132 seeks to assist the States in the making of State surveys and the development of State plans for the construction of educational television facilities. No comparable provision is contained in S. 205.

The committee feels that the development of comprehensive State plans for the construction of educational television broadcasting facilities will help to bring into proper focus the need for, and the prospective use of, educational television. The responsibility for the making of such surveys and the preparation of such plans should be placed on the appropriate State agencies or officers. This approach paid tremendous dividends in the case of the Hill-Burton program and it is hoped that similarly beneficial results will be accomplished under this legislation. Some of the States have already assumed a definite responsibility with regard to educational television and it is anticipated that if this legislation is enacted the remaining States will have an incentive to follow suit.

Third, H.R. 132 provides that in the case of any State with respect to which an application for a survey grant has been approved under section 392, an application for the construction of a facility situated in such State may be approved by the Commissioner of Education only if such application has received the approval of the State educational television agency of such State; if a construction program for educational television broadcasting facilities has been developed in such State, the application may be approved by the Commissioner only if the State educational television agency certifies that the facilities applied for are included in, or that construction thereof would be consistent with, such program.

S. 205 does not provide for any State screening of applicants and would vest complete discretion in the Secretary of Health, Education, and Welfare with respect to the allocation of available Federal funds among competing applications within a State.

The committee feels that the maximum responsibility for screening applications under the program provided for in this legislation should be placed in the hands of the States rather than the Federal Government.

Fourth. The provisions of H.R. 132 relating to the qualifications of applicants for construction grants differ in some respects from those contained in S. 205.

For example, under H.R. 132 an agency or officer responsible for the supervision of public education within a political subdivision may qualify for a grant as well as an agency or officer responsible for the supervision of public education within a State. Under S. 205 it is not clear whether an agency or officer within a political subdivision of a State would qualify.

The committee feels that agencies or officers responsible for the supervision of public education within political subdivisions should clearly qualify for Federal matching grants since developments to date have demonstrated that several such agencies or officers are now operating or are actively planning to operate educational television broadcasting stations.

Under H.R. 132 a college or university deriving its support in whole or in part from tax revenues may qualify to file an application. Under S. 205 a college or university may qualify only if it is State controlled. The committee feels that colleges or universities receiving State support should qualify for grants under this legislation in addition to State-controlled colleges and universities.

Mr. Chairman, those are the fundamental requirements of the bill. The purpose of the bill is to bring about the utilization of this great natural resource—the spectrum. I would say that this is the kind of a proposal that we all should be able to support. The issues that always provoke controversy in the field of education—those issues are not present here at all. It seems to me that the Congress could do no less than to try to provide a program for the utilization of this particular resource.

Mr. KYL. Mr. Chairman, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from Iowa.

Mr. KYL. In regard to that last point, Mr. Chairman, on page 7, where you list the agencies that might qualify, under section (D) where reference is made to nonprofit community educational television organization, could the gentleman inform the Members of the House what types of agencies or organizations might be included in that section which would not otherwise be covered in sections (A), (B), or (C)?

Mr. HARRIS. If the gentleman has the bill and will refer to "definitions" on pages 15 and 16, the gentleman can immediately see just what the committee does in this respect. We define the term "nonprofit community educational television organization" as a nonprofit foundation, corporation, or an association which is broadly representative of schools, colleges, and universities, and educational, scientific, civic and cultural institutions, and organizations located in the area to be served by educational television broadcasting facilities, and which was organized primarily to engage in or encourage educational television broadcasting.

The gentleman from Kansas mentioned something that is vital in this field. I do not want anyone to get the wrong impression as to what the committee intended or what we did. The committee provided language as specific as it could. The language was offered, I think, by the gentleman from California [Mr. YOUNGER]. It is on page 17 and I should like to read this language.

SEC. 398. Nothing contained in this part shall be deemed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over educational television broadcasting or over the curriculum, program of instruction, or personnel of any educational institution, school system, or educational broadcasting station or system.

That, it seems to me, nails down this question and there certainly should not be any serious argument on it.

Mr. Chairman, I believe we have a good bill and I urge the members of this Committee of the Whole to give it their overwhelming support.

Mr. YOUNGER. Mr. Chairman, I ask unanimous consent that the gentleman from Michigan [Mr. BENNETT] may extend his remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BENNETT of Michigan. Mr. Chairman, I rise in support of this bill. I want to be very frank with the membership of this House. When our committee first held hearings on educational television bills, I felt that at that time the Federal Government could not afford the additional financial burden which such a program would impose on it. However, I have had occasion to change my mind in this respect and I want to share with the Members of the House the reasons why I now support this proposal.

After our committee held hearings during the 85th Congress, it was felt that the information presented by the witnesses was not sufficient to guide the committee in its decision with regard to this legislation. Therefore, the committee decided to make an on-the-spot study of educational television and I participated in this study. I learned in the course of the study the importance of educational television which has caused me to change my mind with regard to this bill.

In the first place, educational television affords an opportunity for utilizing the services of scarce teachers in the fields of languages and the sciences to teach many more students than is possible by traditional classroom instruction. Second, educational television can save large sums of money by making unnecessary the construction of some additional classrooms. This was exemplified particularly in Miami where you have a tremendous increase in student enrollment in the public schools and where the utilization of educational television made possible a cutting back of the building construction program which otherwise would have been necessary. Thus, the State of Florida and the communities involved saved many millions of dollars. Third, the bill which the committee has reported is much different than the bill originally considered. The original bill provided for an outright grant program without any matching requirements and it left large discretionary authority to the U.S. Commissioner of Education.

The bill which the committee has worked out provides for a matching grant program following the pattern of the Hill-Burton Act. It requires State plans and thus gives a large share of the responsibility and discretion for the administration of the program to the States rather than the Federal Government.

Finally, the bill as reported cuts back the amount authorized to slightly in excess of $25.5 million instead of the $52 million which was authorized by the Senate bill.

For all of these reasons, I feel that this legislation, which involves a modest expenditure of Federal funds, is beneficial to the Nation as a whole. Improved education and information, both for our children and our adult population is vital to the welfare of the Nation. Therefore, Mr. Chairman, I wholeheartedly support this legislation.

Mr. SPRINGER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I know there has been some doubt in the minds of those on my side of the aisle as to what the difference is between this bill and the Senate bill. I think chiefly it has to do with the amount of money that is allotted for this particular project. The Senate bill has $50 million with $1 million going to each State. In other words, that is the mandatory feature of the bill. There are no incentive provisions for local assistance to the States in the Senate bill. Our bill, we believe is an improvement over the bill passed on the Senate side, because of the incentive provisions.

Let me say to my colleagues that if this bill passes and we go to conference I hope our committee will stand firm on this particular incentive provision because I believe it is of considerable importance.

In this bill we have allotted $25 million to States for this kind of effort in the educational TV field with the provision that not more than $1 million may go to any State. That is the maximum. This, in turn, means that if you hand an average of $500,000 to each one of the States now, and each of them took advantage of this they would in turn have to produce or vote $500,000 out of their own pocket. In other words, if this $25 million is fully utilized under the provisions of the bill then the States themselves must match that $25 million. That is the kind of matching program that we have had in other types of matching legislation which has come from this committee; and I could go back over some of them through the years beginning with the Hill-Burton Act which originated in this committee.

I think this is a good provision and I think those States that are actually interested in promoting educational television have the incentive here, if they want to undertake it.

Mr. YOUNGER. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman from California.

Mr. YOUNGER. Just for the correction of the record, I believe that the matching funds can be furnished by the public rather than through the State if there is some educational institution that qualifies and they raise the funds by public subscription; is that not true?

Mr. SPRINGER. That is true. But whoever did it, I presume, there would have to be a division set out under the provisions under the bill.

A great many have asked—what is the need for this. It seems to me that the need for increasing the quality as well as the quantity of education available was never more evident than it is at the present time in this particular field. There is a constantly growing body of knowledge which can be disseminated by educational television. There is a constant increase in the interrelationship of our people with the rest of the world that necessitates a greater understanding than can be achieved only by the opportunities of learning at the university level.

We believe that the provisions of this bill will do much to fill this void. During the past few years, 65 educational television stations which are now on the air in various parts of the country have fully demonstrated to us the efficiencies in providing quantity instruction as well as the effectiveness of using educational television as a medium for the improvement of this kind of instruction.

The evidence that has been presented by all of the national educational television agencies to our committees as well as the U.S. Office of Education indicates that not only is this use of television for educational purposes effective, but it is an extremely economical way of achieving an objective that apparently in many areas of the country could be achieved in no other way. We have a limited number of qualified teachers in higher education, and one of the demonstrated economies effected by the use of educational television has been the sharing of exceptionally qualified teachers and professors in specific subject areas with great numbers of students who would otherwise be denied the privileges of these contacts.

But, in addition to this, there has been demonstrated collaterally an equal advantage from the proper and effective development of educational television. The Commission appointed by President Eisenhower on National Goals said in its report commenting on the needs of continuing education:

> If we really believe in individual fulfillment, our concern for education (in the television field) will reach far beyond the formal system. We shall expect people to continue to learn and grow, in and out of school, in every possible circumstance, and at every stage of their lives.

This simply means in addition to providing facilities for the increasing needs of formal education, we as a people must use every resource such as educational television to make available a process of continuing education that will enable our people to meet intelligently and successfully the problems and the pressures of present day life.

The evidence on every hand indicates that several States have made tremendous efforts to provide these educational facilities, and the fact that the majority of the States have provided some kind of central authority in the educational TV field or have made some kind of plan, depending on their financial ability to develop these plans, indicates the recognition of the need for educational television facilities at the local levels. It has been demonstrated that once facilities can be established and their use properly integrated into the educational processes of the localities that actual financial savings will accrue, but the problem seems to be in getting the initial investment underway and this is where this Congress can serve best. For a very small amount of money, seed money if you will, the ball can be started rolling in every State, and local and State and even private funds will be made available to match this initial Federal money to provide this Nation with the kind of auxiliary educational television facilities which can help greatly.

The very significant fact about such help is that these facilities are available in their use to all the people through this bill; to all citizens of all ages and for all areas of learning for the relatively small sum of money required to set this in operation. Congress cannot afford to withhold the initiative and encouragement which will make possible the development of one of the most significant tools of education, educational television, and of general public understanding that has been developed within our time.

The CHAIRMAN. Does the gentleman from Illinois desire to yield further time?

Mr. SPRINGER. Mr. Chairman, I yield such time as he may desire to the gentleman from Colorado [Mr. DOMINICK].

Mr. DOMINICK. Mr. Chairman, I rise in support of H.R. 132. The program to be authorized by this bill could be extremely beneficial to very large numbers of people in a great many areas, particularly in rural areas where population and distances tend to discourage supplemental educational and cultural activities. Furthermore, the program to be authorized by H.R. 132 is completely a voluntary program. I think this is an extremely important factor. There must be local interest and initiative demonstrated before any Federal funds would be expended.

In Colorado, we already have some excellent examples of both local interest and local initiative which have been dramatically demonstrated. One of the country's outstanding educational TV stations, KRMA, is located in Denver.

And, since 1956, it has served the schools of that area in addition to providing noncommercial programs for children and adults.

The University of Colorado, which is located in Boulder, currently is seeking funds with which to establish an educational television station in that area. Channel 12 already has been reserved for this station. In addition, channels have been reserved for educational television stations which are planned for the cities of Colorado Springs and Pueblo.

Two years ago, our State legislature passed a bill to enable our school districts to operate television facilities. Implementing this authorization, the University of Colorado offers courses in television production and has produced programs on commercial TV stations. Colorado State University, which is located at Fort Collins, also offers courses in television production, and likewise has produced programs on commercial television stations. Courses in television production also are offered by the University of Denver.

Currently available to the viewers of educational television in the Denver area are such elementary school courses as foreign languages, literature, science, social studies, mathematics, and geography. For older students and adults, the programs offered include typing, home economics, and college algebra in addition to public affairs and a variety of cultural programs which are produced locally.

Thus, in Colorado, much of the groundwork already has been done, and the enactment of H.R. 132 could stimulate the creation of a statewide system of educational television in our State.

Mr. SPRINGER. Mr. Chairman, I yield 10 minutes to the gentleman from Vermont [Mr. STAFFORD].

Mr. STAFFORD. Mr. Chairman, H.R. 132 represents a sound progressive advance in the national educational effort. It will permit the use of television for truly constructive purposes—enabling us to realize some of the great potential values of this medium for communication.

Furthermore, H.R. 132 meets the tests for action by the Federal Government. The House bill assists the States in making surveys and plans for the construction of educational television facilities.

The responsibility, however, remains with the States. The grants are made on a matching basis—thus stimulating State action in this important endeavor. The States will have the prerogative of screening applications for construction of educational television facilities—selection will not be made by the Federal Government.

Lastly, the construction of such facilities is a matter which the people in many parts of the country cannot accomplish for themselves. It therefore is appropriate for the Federal Government to help do the job.

In States such as my own, with relatively small populations and mountainous terrain, UHF television transmission facilities cost more than can be afforded locally. For instance, an appropriate facility for Vermont would cost about $1,700,000 according to a recent survey. Yet such facilities are vitally needed if the public's educational level is to be raised.

I am proud to say that Vermont's present lone television station has demonstrated the use of this medium for courses in mathematics, science, social studies, and other subjects with great effectiveness for the people of our State.

I hope this bill passes.

Mr. HARRIS. Mr. Chairman, I yield 10 minutes to the gentleman from Alabama [Mr. ROBERTS].

Mr. ROBERTS of Alabama. Mr. Chairman, first of all I would like to acknowledge the kind words from my distinguished colleague from Alabama [Mr. ELLIOTT], who handled the rule on this bill; and I would like to compliment our distinguished chairman, the gentleman from Arkansas, on the fine presentation he made on this bill.

The bill H.R. 132 I am happy to sponsor is the result of many years of hearings and studies and intensive investigations.

It has been before the Congress for many years and was first introduced in the other body by Senator Bricker of Ohio, and Senator MAGNUSON of Washington, and reintroduced and enthusiastically supported and sponsored by the late Senator Schoeppel of Kansas. It has twice passed the Senate, with little or no opposition in the form of direct grant legislation and has been considered by the House for several years.

The Committee on Interstate and Foreign Commerce, of which I am a member, favorably reported the bill on August 18, 1958, but because Congress adjourned shortly thereafter the House was unable to take action on the bill. During the 86th Congress the Senate again passed an educational television construction grant bill—S. 12. Our committee held extensive hearings on the Senate-passed bill, and on several bills in Washington, D.C.; Birmingham, Ala.; San Francisco, Calif.; Denver, Colo.; Tampa and Miami, Fla.; Atlanta, Ga.; Topeka, Kans.; New Orleans, La.; Raleigh, N.C.; and Seattle, Wash.

The bill before the House today is the result of long study and full hearings and many private investigations by Members of this body. I take no pride of authorship in the bill and I have no selfish personal interest in the bill, because my own State of Alabama has done a splendid job and we have one of the finest networks in the United States, with coverage of perhaps more than 85 percent of our population. But I do feel this is a very important activity and that the Congress has a responsibility.

We find today only about 20 percent of these allocations have been utilized. We need to exercise some Federal leadership in order that we may make this very fine educational tool available to our children and to their children. Certain it is in this day when we are trying to close not only the gap in the science of space, we are not only trying to do that, but we are trying to stay ahead of the Communist bloc in every aspect of our being, it seems to me it is inevitable and absolutely tragic if we would deny the full utilization of this most available educational tool.

I believe this bill is a very sensible, conservative approach to the problem. I believe it has every built-in protection this great committee is capable of writing into a piece of legislation to insure there will be no Federal interference and that the State will control at all times the use of this educational medium.

I will not try to convince anyone that educational television is a very useful and highly wonderful instrument, but I would like to recall, or at least tell the committee about a morning in September about 2 years ago. I visited one of the grammar schools in Birmingham, Ala., along with the gentleman from Illinois [Mr. COLLIER], and the gentleman from Illinois [Mr. ROSTENKOWSKI]. We visited this school where 9- and 10-year-olds were learning effectively the Spanish language.

I might also tell you that in my State of Alabama, so far as I know there is only one teacher of Russian available in our State. Yet that teacher's ability has spread throughout the more than 400 or 500 schools in the State of Alabama to more than 200,000 students. This means these students are getting advantages that were not to be found in many of the more sophisticated schools in the country.

Mr. PERKINS. Mr. Chairman, will the gentleman yield?

Mr. ROBERTS of Alabama. I yield to the gentleman from Kentucky.

Mr. PERKINS. First, I want to congratulate the distinguished gentleman from Alabama [Mr. ROBERTS] for bringing such an important piece of legislation as this to the floor, and likewise congratulate the Committee on Interstate and Foreign Commerce. He has worked long and diligently for this legislation and the Nation can be proud of his efforts.

There are a couple of questions that I would like to ask the gentleman from Alabama. It is my understanding that the Kentucky General Assembly recently enacted legislation authorizing the issuance of revenue bonds to assist in financing the construction of educational television stations in Kentucky. As I read H.R. 132, there is no provision which would prevent a State from utilizing the funds derived in this manner for the purpose of matching Federal funds, even though service charges to educational agencies using the facilities would be made and pledged for the retirement of the bonds.

Now, am I correct in assuming that the Federal grants under this program would be available for such purpose?

Mr. ROBERTS of Alabama. I know of no prohibition in this bill against using the funds you mentioned as credit, and in my humble opinion, under the reimbursable section of the bill, Kentucky could use these funds as part of its credit for Federal funds.

Mr. PERKINS. Now, there is one further question. I have contacted the Federal Communications Commission, and I notice reference to it in the hearings, and I have been advised, based on applications, Federal Communications Docket 14396, there is indication that

if and when approved by the Federal Communications Commission UHF channel reservations for educational purposes will be made for the following eastern Kentucky communities: Ashland, channel 59; Hazard, channel 19; Morehead, channel 24; Pikeville, channel 14.

Have these channels been set aside for educational television?

Mr. ROBERTS of Alabama. May I ask the gentleman if that came from the table of allocations by Chairman Minow in his statement before the Interstate Commerce Commission?

Mr. PERKINS. That is correct.

Mr. ROBERTS of Alabama. It is my understanding they have; that it would include the list of cities you have read.

Mr. PERKINS. I wish to again compliment the distinguished gentleman for sponsoring such a splendid piece of legislation and to congratulate the educational authorities in his home State, to be perhaps the first State of the Union to take advantage of the limited amount of funds made available under the National Defense Education Act for educational television. Of course, that act was sponsored by two distinguished Alabamians, Senator HILL, and a Member of this House, the Honorable CARL ELLIOTT.

Mr. ROBERTS of Alabama. I thank the gentleman from Kentucky.

I would like to add one or two other things. I go back to the inception of educational television in my State. I think it was due to the farsightedness of one of our Governors, Gov. Gordon Persons, who had a lot of training in communication, and to the commission which he established, particularly to Mr. Raymond Hurlburt, who is the director of our educational television commission. We have a staggered system of appointment; it is a nonpartisan body, and I think it has worked quite well in our State of Alabama. Especially do I appreciate the splendid work of our educational TV commission in Alabama who have worked so hard to make educational television work for the benefit of all our people—comprising this board are the following: Maynard Layman, president, Decatur, Ala.; Vincent Kilborne, Mobile, Ala.; Mrs. Bertha Roberts, Gadsen, Ala., Bob Harper, Montgomery, Ala., and Harold Purdy, Birmingham, Ala.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. ROSTENKOWSKI. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ROSTENKOWSKI. Mr. Chairman, the legislation before the House at this time, H.R. 132, to establish a program of Federal matching grants for the construction of television facilities to be used for educational purposes, merits my wholehearted support.

Communications are the arteries which bind society together. Radio and TV have, in many instances, proved themselves effective educational tools. Educational television has reached beyond the classroom curriculum, but it has not yet reached far enough beyond. Endless dimensions of opportunity invite imagination and planning for the development of its potential. President Kennedy in his education message of February 21, 1961 said:

> Our twin goals must be a new standard of excellence in education—and the availability of such excellence to all who are willing to pursue it.

Television can play a tremendous role in increasing the excellence of education and will provide availability to all in a manner that is unequaled by any other medium. This already has been demonstrated at all levels of education, from the primary grades through adult education, and in virtually all subjects in which it has been reasonably tried.

Since 1956, the Chicago Board of Education, through the Chicago City Junior College, has been utilizing broadcast television to bring a unique educational service to the residents of Chicagoland. It has provided college instruction to people living in a radius of 50 miles of Chicago. Although the average semester enrollment is nearly 5,000 students, an additional audience, which averages 5,000 to 35,000, is also viewing each telecourse broadcast.

Of the 5,000 enrollment, the average semester enrollment for credit was 1,261 students, who registered for a total of 2,321 courses, or nearly 2 courses per person. If all of these people were gathered into a conventional college, a campus costing several millions of dollars would be required.

In a 3-year experiment by the Chicago City Junior College, it proved that it was possible to present a complete junior college curriculum on open-circuit television, and with it reach an appreciative and highly motivated student body, many of whom would otherwise be unable to go on with their education; and that it is possible in this kind of teaching to maintain classroom levels of instruction and student performance.

In evaluating what can be learned through TV education, a 3-year research was made comparing home TV to classroom study. The results showed no significant difference in English, social science, political science, mathematics, accounting, while more learning from TV resulted in classes of biology, physical science, and humanities.

We, in Chicago, are proud of this accomplishment by the Chicago Board of Education.

But can the same be accomplished in the primary and secondary levels of education? In October of 1959, I was a member of a special subcommittee of the House Interstate and Foreign Commerce Committee, which conducted an educational TV study in the Southeast portion of our country. The committee visited the States of North Carolina, Georgia, Alabama, Louisiana, and Florida, where special hearings were conducted to determine the value of education using the medium of television.

Many educators, public officials, and civic-minded people, who were directly involved in experiments using television as a means of supplementing their present academic program, appeared at these hearings. The evidence they produced showed that television could increase the learning of boys and girls. They were most enthusiastic in accepting it as a part of their curriculum.

These communities have been able to finance these experiments with private support including that from great foundations, but to broaden the scope it requires large sums in order to make it available to every section of the United States where it is needed and can be useful.

Television will not replace teachers. However, it multiplies the effectiveness of the good teacher by enabling him to reach a great many more pupils, some of whom would otherwise have only mediocre instruction. It tends to equalize the educational opportunities of the children of an area, regardless of size or location of the school.

It can assist the "slower" student in grasping the meaning of a lesson because the camera can magnify small objects, present close-ups of a demonstration, a map or an object of interest, and give everyone "a front row seat." The visual impact at the moment of explanation sharpens the learning process. And with highly organized presentations, more subject matter can be covered in less time.

The States have shown their eagerness to participate in the program we are now considering. There are TV channels set aside for educational purposes. However, there is a grave danger that, unless the process of getting educational television stations on the air is speeded up, the demand to use these channels for commercial television may become irresistible and thus they will be irretrievably lost to education.

The legislation we are considering is to assist—through matching grants—the several States to survey the need to develop programs for the construction of educational television facilities; and to assist—through matching grants—in the construction of educational television facilities. It deserves the full support of this Congress. I urge that this bill be passed.

Mr. SPRINGER. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. COLLIER].

Mr. COLLIER. Mr. Chairman, as my colleague the gentleman from Alabama [Mr. ROBERTS] has just stated, our subcommittee had the opportunity two years ago to make quite an extensive study of educational television, particularly in watching ETV in operation in many of the high schools and grade schools in the Southern States. There is no question that this medium is a reservoir largely untapped today in the field of education. In almost every area where we conducted these hearings we did, however, find certain opposition to the Federal Government injecting itself into this program. We went into many schools where classes were being conducted via the television screen. In some cases in discussing the matter with the students themselves we found that they enjoyed learning on television more than they did in the usual classroom manner.

Mr. Chairman, it is my understanding also that statistics show that the final examinations taken by students who took various courses on educational television were equal to those who had personal classroom instruction. I do not think there is any question that we all agree that television today has a tremendous potential as a tool in the field of education; that notwithstanding the fact there are certain problems presented in legislation of this nature. I would hope that perhaps some of these questions could be clarified in the course of our discussion here this afternoon.

For example, I do not know, as a member of the committee, just how the equal time concept, as adopted and which is now written into the regulations of the FCC through legislation, would apply in this field of educational television. There are some other built-in problems in dealing with a subject of this nature that are not just as simple as the wording itself.

Mr. Chairman, I am also frank to make this further observation: In the course of the hearings that we conducted in schools, including the junior colleges and in those areas where in-school television is used as part of the regular teaching curriculum, we found no one representing the major educational association of this country officially testifying for or against this legislation, and I refer, of course, to the National Education Association. Time after time in the hearings that were held about the country I, personally, asked if there were representatives of the local State education association present to testify and to set forth their support or protest of this legislation. In no case did they appear to give such testimony. It, I might say, is quite surprising to me, that the major educational association in the country has not taken a stand on a bill or on legislation which is of such vital importance to the future of education in America. I hope, however, that the Members of the House, recognizing the great potential of the use of television in improving our school systems will not gather any idea that this is automation of the teaching profession, because it most certainly is not.

Mr. Chairman, I urge that the membership of the House support like legislation now pending before us.

Mr. SPRINGER. Mr. Chairman, I yield 3 minutes to the gentleman from Iowa [Mr. KYL].

Mr. KYL. Mr. Chairman, I should like to direct a couple of additional questions to the chairman of the committee. Is it likely that we can build anywhere in the United States an educational television broadcasting station for much less than half a million dollars?

Mr. HARRIS. Mr. Chairman, I would not want to appear in any way as an expert on the cost of broadcasting facilities. I do think that I have enough knowledge of the subject, however, that I may say that the cost of a station generally would depend largely on the extent of the broadcasting facility. In other words, I will say to the gentleman that if someone wanted to have a station, after they got a license, which has low power—a very small station of that kind—and then went out and obtained some used equipment that might be considered obsolete, they could very well construct a station for less than the figure the gentleman mentioned. But generally speaking, if we are going to have adequate facilities and modern facilities such as are required now we feel that anything like a station adequate to serve the public would cost in the neighborhood of half a million dollars.

Mr. KYL. And the cost of operation is considerable, too, is that not correct?

Mr. HARRIS. Yes.

Mr. KYL. In other words, what the gentleman from Iowa is trying to do at this time, Mr. Chairman, is to bring a note of practicality into this debate. Is it likely, Mr. Chairman, that any institutions other than universities or communities other than large ones would be able to establish these systems at this time?

Mr. HARRIS. Yes; I will say from the experience we already have that such facilities are operating in a few communities. As an example, the gentleman from Louisiana [Mr. PASSMAN] was here a few moments ago. His hometown of Monroe, La., which would be considered, generally speaking, a rather small municipality, does have very good educational television facilities. The same is true of other places that I could refer the gentleman to; Lowell Institute, WGDH, is a station of that kind in Detroit, and the University of Detroit is a member of a group operating WTVS.

Mr. KYL. But the gentleman would agree that this is simply a beginning in the amount of money necessary; is that correct?

Mr. HARRIS. Yes, I would say that.

Mr. KYL. I thank the gentleman.

Mr. HARRIS. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, maybe I did not fully understand a question asked by the gentleman from Iowa [Mr. KYL], the last question he propounded, and perhaps my answer was not correct.

Mr. KYL. I think the response was as you would desire. I did not think we should leave the impression with every community in the country that with the funds in this bill they would now be able to go out and establish a community television system.

Mr. HARRIS. I thoroughly agree with the gentleman. As a matter of fact that could not be done, because there are only relatively few assignments for this purpose at present. If additional assignments are made, and if and when UHF really gets underway, then I think it would make for a different situation and we would have many more stations and may have an opportunity for a truly national educational network.

Mr. KYL. I thank the gentleman.

Mr. HARRIS. Mr. Chairman, I yield 8 minutes to the gentleman from South Carolina [Mr. HEMPHILL].

Mr. HEMPHILL. Mr. Chairman, I take this time because of a peculiar situation which exists insofar as my native State is concerned. When this legislation was presented to the committee because of the success that the State of South Carolina had had in pioneering educational television, I supported the legislation.

Because of the peculiar circumstances and because of our ambitions to do the best job—which we have done—we did not try to utilize the four UHF allocations which the Federal Communications Commission had allocated for educational purposes in South Carolina. We recognized the fact that those particular stations would be unable to cover, if utilized to full capacity, over one-third of the territory of the State of South Carolina. For that reason, among others, we developed a closed circuit television system which is inferior to none. Now on a UHF station you can only present in any given hour one particular program. With the cooperation and assistance of the telephone companies and the ITT, we were able to develop a cable with which we are able to transmit at any one time a number of different programs into the same school over the same cable. So we have a system in which we can transmit from the educational television center in Columbia, S.C., into schools over the system algebra, French, Spanish, and various other subjects all at the same time.

What we are saying here today, unfortunately, and I am going to offer an amendment which I hope will be accepted, is that this is for the purpose of utilizing the UHF stations. That may be one of the purposes, but unless the purpose of this legislation is educational, then we have aborted the intent, and while I would use all the UHF allocations we might have, if you investigate you will find out, as is the case in my native State, in order to reach everybody you want to reach, you are not going to have enough stations. It would take us more than 40 stations, I believe, to cover the State of South Carolina.

We have another peculiarity, perhaps a blessing. The commercial stations give us time. They give us time, recognizing the fact that commercial stations, particularly the VHF stations, can reach not only into the schools where we are seeking to develop this process of education, but it also reaches the general public who may wish to be advised of the courses. If you will look at page 44 of the hearings, there is an explanation contained there of the advantages of the closed-circuit system for not only the dissemination of different programs, but the advantages of efficiency. Therefore, I am going to offer an amendment, because this has been proven to be so efficient and so beneficial to the States in using this particular program, that they be included. Otherwise, we say to those States which have developed this very efficient system, we recognize the need, perhaps, to develop the UHF allocation but we are going to make education the primary purpose of this legislation and we are not going to neglect the educational purpose which is the real purpose. We have found in our experimentation and in utilization as a practical matter we can develop the ability to learn and the ability to absorb in the students themselves. We

have taken the students who have had the benefit of educational television in our State and given them tests and examinations to make sure that this particular form of instruction has superior qualities, and it does have superior qualities.

It is not only taught in the classrooms, it is supplemented by the teacher who is trained for that particular purpose.

We have a Dr. Kalmbach who is in charge of our program, and with the Commissioner of Education, I visited the facilities at Columbia, S.C., and we watched them make some of the program tapes. We watched the instruction carefully. The results of that method of instruction are most encouraging, for not only do the children see a visual application of the principles, but it promotes their ability to use the language they study as it is spoken to them.

So I am going to offer this amendment, Mr. Chairman, in order to say to those people who have done such a good job that we recognize that what you need is to extend the effort. We also recognize that if we use a UHF station instead of a closed-circuit television it would cost my State more money, we would have less efficiency and poorer programs and a lesser possibility of getting the job done that we seek to do.

Mr. YOUNGER. Mr. Chairman, will the gentleman yield?

Mr. HEMPHILL. I yield.

Mr. YOUNGER. Do I understand the gentleman wants to include closed-circuit facilities?

Mr. HEMPHILL. I propose to include the apparatus used in connection with closed-circuit television. In my opinion the bill would include them all, but I want to make sure and clarify it.

Mr. YOUNGER. Insofar as the closed circuit is concerned they do not have to get a license from the FCC. The Federal Government has no control over their licensing or broadcasting through the use of closed-circuit television.

Mr. HEMPHILL. They do have the same control they have over the UHF stations, but they still would be using communications facilities over which the Federal Government does have control. The gentleman assisted in writing this legislation. I am happy to say. The Federal Government should not have the control—the States should have, and that is in this legislation. The States are in control insofar as programs and curriculums are concerned.

I include here an article on the South Carolina effort:

SOUTH CAROLINA POINTS WAY TO MULTI-CHANNEL TRANSMISSION

One of South Carolina's major contributions to the development of ETV has been in the use of closed-circuit distribution for wide geographic areas. Where closed-circuit television has been used in other States, it has been largely within the confines of a single school or college. South Carolina advocates saw at once that the open-circuit station may be forever limited to 1 channel, meaning that there could never be more than 12 half-hour subjects a day, or an average of only 1 subject for each class. Furthermore, only four open-circuit educational stations had been allocated to the State by the FCC, with an effective geographical coverage of only a third of the State.

With these limitations in mind, South Carolina investigated the possibility of closed circuits through existing and planned facilities of the telephone companies. It was known only that closed-circuit TV would allow as many channels with as many subjects as might be desired with excellent reception at every point.

The difficulty was that there were no closed-circuit educational television networks in the Nation, and no telephone company anywhere had cost figures for educational TV. In short, ETV advocates in South Carolina were seeking information that did not exist.

This problem, however, was to become an immediate challenge to Walter G. Edwards, general manager of Southern Bell Telephone Co. in South Carolina, and other top men both in the Bell System and among the independent companies of the State. A force of engineering and cost experts was assigned to a concentrated study, working day and night for many weeks pioneering in rates which had not been explored anywhere else in the world.

State Superintendent of Education Jesse T. Anderson and the late Dr. C. B. Seaborn of the State education department staff cooperated in the preparation of special maps of every county, precisely locating every public school in the State.

The result was that the legislature could be shown that every high school in the State, a total of 413, could be served with 3 channels of broadcasting, offering 36 daily half-hour subjects, at an average cost of $12.67 per pupil a year. This cost also included the studios and transmission lines for the 3 summer months as well as afternoon and evening hours whenever needed year round for a wide variety of educational services at all levels.

The legislature was so impressed that it appropriated all that was asked for the 1960–61 school year, when the South Carolina system went statewide. The $643,000 appropriation enabled the system to expand to 31 high schools in 11 counties using 1 channel via closed circuit. More than 60 schools volunteered to receive some of the subjects offered through cooperating commercial stations as a public service.

Thus began the first statewide closed-circuit system anywhere. In 1961–62, the legislature appropriated $800,000, doubling the number of counties, schools, and subjects offered. No funds other than State or county appropriations have been used in the South Carolina project.

Recently, the South Carolina closed-circuit concept was put to two long range tests. Upon invitation of the South Carolina Education Association, the ETV Center agreed to prepare an exhibit for the annual meeting of the National Education Association in Atlantic City, N.J.

The ETV staff decided to broadcast directly from the ETV Center in Columbia to the headquarters hotel in Atlantic City. It took some doing, but it was done. For 5 days, the closed-circuit system delivered 5 hours a day of programs from Columbia to the South Carolina NEA booth, plus taking over a vacant channel in the hotel's TV system, permitting the South Carolina programs to go into all of the hotel receiving sets in lobbies, meeting rooms, and bedrooms. A special talk-back system permitted viewers in Atlantic City to ask questions during the unique question and answer programs that were held daily. Not once during the 5 days was there the slightest interruption of service, and thousands of educators from every State had the opportunity to view ETV beamed with perfect clarity from South Carolina to New Jersey.

Lately, Gov. Ernest F. Hollings, of South Carolina, accepted an invitation from Govs. Price Daniel, of Texas, and Buford Ellington, of Tennessee, for the South Carolina ETV Center to broadcast directly from Columbia into the hotel meetingroom of the southern Governors' conference in Nashville, Tenn. Again there was a flawless 30-minute broadcast outlining the South Carolina ETV concept for the 18 southern Governors and their staffs.

At this Governors' conference, the receiving sets which had been installed for the South Carolina ETV broadcast also were to be used to tune in on a commercial station to bring to the Governors a speech by President Kennedy before the United Nations. Shortly before the President's address was scheduled to start, the Nashville commercial station suffered a power failure. Governor Ellington consulted with the South Carolina representatives, and within 5 minutes the telephone company had switched the Kennedy speech into the South Carolina ETV system. Thus, it was broadcast.

South Carolina's ETV progress has been substantially helped by forthright expressions of approval from leading educators in the State, including State Superintendent Anderson; President Robert L. Sumwalt, of the University of South Carolina; President Robert C. Edwards, of Clemson College, and others.

Gov. Ernest F. Hollings, speaking before an audience of more than 900 educators, legislators, businessmen, and farmers at the 1961 South Carolina Governors' conference on business, industry, education, and agriculture, said, "Across the Nation, South Carolina ranks first in television education."

Visitors to the State have added their accolades. Dr. Eurich has commended the closed circuit, teamwork teaching, direct instructional, and video-taped practices.

Dr. William L. Bowden, of the southern regional education board, which works closely with the southern Governors' conference, spent 2 days in Columbia studying the South Carolina program.

"You have overwhelmed me," Dr. Bowden said. "A miracle has been performed in South Carolina. My whole concept of the use of television will have to be substantially changed."

Mr. SPRINGER. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. LINDSAY].

Mr. LINDSAY. Mr. Chairman, I rise in support of H.R. 132, the educational television bill. The bill seeks to give proper launching to a new dimensional educational use that has enormous potential—far more than most of us can possibly realize. We know from past experience here in the Congress that the country has had difficulty in gearing itself to the future needs of education. Our educational processes in the United States should be our first concern, and yet it lags.

There is a shortage of classrooms, teachers are underpaid, insufficient numbers of students go on to higher education, there is too little incentive to go into the teaching profession, and there are demonstrated, severe weaknesses in language, mathematics, and the sciences.

Educational television, to the extent that it has been used in some of the States, has already proved its worth. My own State of New York, for example, is one of the chief pioneers in the field.

One reason that I argue in favor of this measure is that I am persuaded that in the absence of movement in this field,

there is grave danger that ultrahigh frequency and very high frequency channels will be lost to commercial television purposes. Commercial pressures that seek to invade these frequencies for commercial purposes are heavy. They will prove irresistible unless these frequencies can be occupied by the States and localities, through educational institutions, for nonprofit educational purposes. This is serious matter, sufficiently serious that, when coupled with the educational needs of the country, it warrants the expenditure by the U.S. Government of upward of $25 million for matching grants to the States for the construction of television facilities to be used for educational purposes.

I think it appropriate to point to the pioneering advances made in New York State in the field of educational television under the leadership of Governor Rockefeller. After an extensive period of experiment and research, the New York State Legislature, at the request of Governor Rockefeller, appropriated for educational television in the fiscal year that began April 1, 1961, $1 million. The New York program includes:

First. Pilot experimental television projects at a cost of approximately $600,000. The major pilot projects underway are the regents educational television project in New York City, an open broadcast experiment conducted over channel 11, under contract with WPIX, with day programs designed for use in elementary and secondary schools and made available to over 740,000 students last year; the Cortland School District pilot project, a closed-circuit experiment in which the schools of that city and certain outlying rural schools are connected by coaxial cable and talk-back features; and two smaller projects being carried out by the State university.

Second. Legislation, enacted at the request of the Governor, providing a system of State grants to local school systems for the installation and operation of educational television through open broadcast or closed-circuit facilities. An appropriation of $200,000 has been provided in fiscal years 1961–62 for local school system educational television projects approved by the Commissioner of Education. Under this plan, the State will pay 50 percent of the cost of acquisition and installation of equipment and will pay a decreasing proportion of operating expenses over a 5-year period.

Third. New grants for noncommercial educational television councils, chartered by the regents, for the expansion of open broadcast UHF and VHF television. New York State 1961–62 appropriations provide an additional $200,000 to aid these councils under provisions of the State education law.

Fourth. Newly allocated planning funds for the development of a statewide system of educational television, primarily at the college level. In Governor Rockefeller's special message to the legislature on higher education in 1961, he recommended that the board of regents, in cooperation with public and private institutions of higher education, develop such a plan, and $50,000 was appropriated for this purpose.

It seems to me that this Federal program should be available to educational television facilities already constructed, such as the WPIX program in New York City. Therefore, I wish to direct a question to the chairman of the committee or the subcommittee in order to determine whether the bill contemplates that funds will be available for completed projects such as the one I have just described. Before asking the question I want to add that I am worried that we in New York will find ourselves in the same box that we were in when the Federal highway bill was passed.

New York had pioneered in this area also, but New York was later prejudiced because the Federal program was not made retroactive. In effect, the State was hurt because it had moved ahead. So I have been curious of the exact meaning of the language in this bill in respect to educational television facilities that have already been built and planning programs that have already been undertaken.

I should like to ask the distinguished chairman of the subcommittee, and also any Member who cares to participate for a clarification of the language appearing in section 393, paragraph (e) of the bill. That language, as I read it, provides that in any existing facility the State, or the nonprofit institution operating under the auspices of the State, may be reimbursed to the extent of 25 percent of the cost of that facility, no matter when that facility happened to have been built. Is my thinking on that correct?

Mr. ROBERTS of Alabama. In answer to the gentleman's question, regardless of when the facilities were built, they can take advantage of the 25 percent credit feature.

Mr. LINDSAY. I thank the gentleman.

Do I understand also that regardless of when the original facility may have been built, any new additions or improvements that are made will be treated exactly like a new facility insofar as the State's participation in the program is concerned? In other words, should the existing educational TV facility in New York City, under contract with WPIX, be expanded by the addition of new equipment, would the cost of that expansion be reimbursable by the Federal Government up to 50 percent?

Mr. ROBERTS of Alabama. As I understand the provision, it would say that they could be credited for no more than 75 percent of the new facilities.

Mr. LINDSAY. The new facilities or the improvements, whichever you wish to call it, would qualify?

Mr. ROBERTS of Alabama. Yes. But under no situation would the Federal Government contribute more than $1 million to each State.

Mr. LINDSAY. I understand. Over the period of time specified in the bill?

Mr. ROBERTS of Alabama. That is correct.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. SPRINGER. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. LINDSAY. I yield to the gentleman from Arkansas.

Mr. HARRIS. So that we can have it clear as to what the actual provision is that the gentleman from Alabama explained a moment ago, if you will refer to page 12, paragraph (e) of the bill, it provides in this paragraph what the credit is. I think it should be referred to as a "credit" rather than a "reimbursable" provision. On page 13, line 4 the bill reads:

> Except that the total amount of any grant made under this section with respect to any project may not exceed 75 per centum of the amount determined by the Commissioner to be the reasonable and necessary cost of such project.

That is very clear. I take it.

Mr. LINDSAY. Yes, I understand it. The final and last question that I had goes to the question of planning money. Now, the bill provides for the allocation of a fixed sum of planning money to each State. Do I understand that this allocation would be available regardless of amounts already appropriated and/or spent by any State for planning purposes? In other words, if planning projects and programs have been completed by a State, in effect will there be a reimbursement up to $10,000?

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. LINDSAY. Yes, I will be glad to yield.

Mr. HARRIS. In the first place, there would not be any reimbursement. In the second place, it does not contemplate that a total of $10,000 will be arbitrarily and automatically provided for each State. It provides up to $10,000 if a State needs that much for a survey, then that amount can be approved. If that amount is not needed but a lesser amount, then that amount would be approved.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. SPRINGER. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan [Mr. GRIFFIN].

Mr. GRIFFIN. Mr. Chairman, I take this time to ask a question or two. I would like to direct them either to the distinguished chairman of the committee or to the author of the bill, the gentleman from Alabama, Mr. ROBERTS.

Earlier, the gentleman from Illinois [Mr. COLLIER] made reference to the equal time restriction that applies with respect to broadcasting. Section 398 of the bill, on page 17, reads:

> Nothing contained in this part shall be deemed to authorize any * * * agency * * * of the United States to exercise any * * * control over educational television broadcasting.

I appreciate what the purpose of that language is but, in view of that language I wonder what remains of the equal time requirement and how it would apply to educational television broadcasting?

Mr. HARRIS. Mr. Chairman, if the gentleman will yield, section 315 has to do with political broadcasts, as the gentleman knows, and therefore primarily that would not be applicable here unless

the particular educational station would determine to permit that facility to be used for such purpose. Now, in that case, if they permit them to use the facilities for such purpose, then they would be committed and obligated to meet the present requirements of law. But, I would like to remind the gentleman that on page 11 of the bill it provides that such television broadcasting facilities will be used only for educational purposes. So, therefore, I cannot conceive of any way that they could permit these facilities to be used for such purpose.

Mr. GRIFFIN. Of course, that particular provision of the bill has reference to the application for a grant which is made by the Commissioner of Education, and at the particular time of making the application, the Commissioner of Education must be satisfied that the station will be used only for educational purposes. Now, let us assume that the Commissioner has been satisfied at that point, and then a station is constructed and goes into operation. After it is in operation, suppose the station is then used for political purposes. I assume that the FCC would not be without any regulatory power, but I want to clear up the matter.

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. GRIFFIN. Yes, I yield.

Mr. HARRIS. Of course, if the applicant, just as it is today with all licensees, proposes to use the license for a different purpose and abuses the privilege, then the Federal Communications Commission would appropriately move in.

Mr. GRIFFIN. In other words, section 398 on page 17 referring to "control of educational television" has reference to educational curriculum?

Mr. HARRIS. Yes; that is true.

Mr. GRIFFIN. And it does not refer to the character of the broadcasting or the basis upon which the channel was awarded. If an educational station should depart from its purpose and transmit programs which are political in nature, this section would not prevent the FCC from exercising some authority?

Mr. HARRIS. Not at all. The paragraph which the gentleman refers to has to do with the educational programs, where they originate, and how they are given and presented to the public. It has nothing to do at all with the requirement for the licensee to live up to requirements of the Federal Communications Commission.

Mr. GRIFFIN. If the chairman will permit me to go back again to the equal time provision, I wonder if the chairman of the committee could elaborate further as to whether the equal time provision will or will not apply to educational television?

Mr. HARRIS. In my judgment, the licensee would be permitted to have a license for an educational television program on the basis that such broadcasting facility would be used only for that purpose. If the licensee proceeds to use that facility for different purposes than those for which he obtained a license, obviously the Federal Communications Commission would make some inquiry and could, in my judgment, and should, take some action. Now, should that facility go beyond its authority and permit political broadcasts, in my judgment the Federal Communications Commission in carrying out its duty insofar as the issuance of the license is concerned would require equal time and equal treatment.

Mr. GRIFFIN. I appreciate that explanation by the distinguished gentleman from Arkansas.

Now, I would like to call attention at page 16, to the definition of "nonprofit community educational television organization," which, according thereto, means a nonprofit foundation, corporation, or association which is broadly representative of schools, colleges, and universities, and so forth. Could the gentleman say categorically that neither the U.S. Chamber of Commerce nor the AFL–CIO would be qualified for funds under that definition?

Mr. HARRIS. Yes. I would say that is true because there is another provision in the bill that says it must be such an institution or an organization that was organized primarily to engage in or encourage educational television broadcasting. I cannot conceive of a situation where the U.S. Chamber of Commerce or the AFL–CIO admitted that they were organized for other purposes than most everybody knows.

Mr. GRIFFIN I thank the gentleman.

Mr. SPRINGER. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, following this, so that there will be no misunderstanding about what is done in these cases, I would like to point to the university in my own community, the University of Illinois, which has a rule, passed by the board of trustees, that once a statement of candidacy is filed for any political office, that person is not eligible to appear on either TV or radio in person. That is substantially the rule as I understand it that universities follow, for the simple reason of staying out of this one particular thing. Prior to that time it is my understanding that any public official, that is, prior to the time he filed a statement of candidacy for an election to come up, may appear on the stage if it is in the nature of education or if it is in the nature of supplying information, which they want to have on such a program. Of course, that appearance, naturally, would not be political.

Mr. GRIFFIN. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman from Michigan.

Mr. GRIFFIN. Of course, in that case it is a self-imposed restriction which the university has taken upon itself.

Mr. SPRINGER. Let us say they did not impose that restriction. Then they would be bound by the rules of the FCC and equal time would apply.

Mr. GRIFFIN. It is your understanding that equal time would apply? I think there is some question here, because as I understand the chairman of the Committee on Interstate and Foreign Commerce, the gentleman from Arkansas [Mr. HARRIS], I do not believe he said equal time would apply. He said there should be no political appearances at all.

Mr. SPRINGER. It is my understanding of the subject, and I believe I am right, this would apply to what we generally consider to release local communities from Federal control in the education bills which we have passed already.

The language here is quite simple along with other language we have had in educational fields.

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. I yield.

Mr. HARRIS. I would like to nail this down a little tighter, if we can. The gentleman referred to section 398 which says:

> Nothing contained in this part shall be deemed to authorize, et cetera.

In other words, this provision is applicable only to provisions in this part. Section 315 is in another part. It covers the entire scope of broadcasting. Therefore I would say categorically that it would be applicable.

Mr. SPRINGER. I am glad to hear that and I thank the chairman.

Mr. HARRIS. Mr. Chairman, will the gentleman yield further?

Mr. SPRINGER. I yield.

Mr. HARRIS. I would like to be as clear as I can about this. I am fearful there might be some wrong interpretation placed on the answer I gave the gentleman a moment ago about the U.S. Chamber of Commerce or the AFL–CIO. My own judgment is that what I said was correct, but I think it is only fair to the House for me to say that the U.S. Chamber of Commerce or the AFL–CIO under this language might attempt to promote some organization that would become a subsidiary or be in some way attached to it, which might be established for the sole purpose of this legislation.

Mr. GRIFFIN. Mr. Chairman, if the gentleman will yield, I would say that the chairman has not helped the situation at all as far as I am concerned, and perhaps points out the need for an amendment to that particular section.

Mr. SPRINGER. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio [Mr. ASHBROOK].

Mr. ASHBROOK. Mr. Chairman, the question here is not whether or not we are going to have educational television. That answer has already been given: we are going to have it. The question is more appropriately presented whether or not we are going to once more inject the Federal Government into an area where the States should be supreme—they are operating and progressing—and the Federal purpose would ultimately be to control.

The State of Ohio has made noteworthy progress in this field. From the Summary of Educational Television in the Separate States, prepared by the Joint Council on Educational Broadcasting, May 2, 1961, the following is taken:

OHIO

SUMMARY

The nine channels reserved for education in Ohio are UHF. Through the untiring efforts of the State's institutions of higher

learning, public schools, community groups, and the State legislature, four of these channels have been put into operation—at Columbus (WOSU-TV), Cincinnati (WCET), Oxford (WMUB-TV), and Toledo (WGTE-TV).

An educational television commission appointed by the Governor has embarked upon plans to develop a statewide network; $60,000 was initially provided by the legislature for this purpose.

Our detailed report describes the wealth of programing which is originated by the operating stations. While the emphasis is upon lessons for inschool audiences and formal courses for adults, the range of informal, informative programing is constantly being broadened and reaches ever-increasing audiences.

Leading educators from Ohio have presented formal testimony in Washington vigorously supporting the proposed ETV legislation.

LEGISLATURE

Year 1953: The legislature instructed the legislative service commission to study educational television.

Year 1955: On recommendation of that study, the legislature enacted a measure permitting boards of education to make contributions to educational television foundations for programs to be shown in schools.

Year 1959: The legislature created an Interim Educational TV Study Commission and appropriated $60,000 for its use during a 2-year period.

The study commission explored with other State agencies the feasibility of developing a statewide network of interconnected stations.

Year 1961: The study commission submitted its report to the legislature in February 1961. It recommended the creation of a nine-member Educational Television Network Commission composed of the State superintendent of public instruction and representatives from State universities and public schools. The proposed State plan envisioned an eventual 29 station UHF network across the State, with the first phase to be the construction of ETV stations for Akron-Kent, Athens, Bowling Green, Cleveland and Dayton-Zenia. Cost estimates based on an engineering study were included.

In March, bills were introduced to create the ETV Network Commission and appropriate administrative funds, and to authorize the ETV Commission to proceed with the actual establishment of the network as funds are made available.

UNIVERSITIES

ETV station WOSU-TV, Columbus, channel 34, began broadcasting programs on February 20, 1956, and was the second ETV station in Ohio to go on the air. It was established by Ohio State University.

WOSU-TV broadcasts 72 hours a week with a variety of programs for all ages, including NET programs. Inschool programing includes two French series, science for second, sixth, and ninth grades; two college credit courses; and two programs for preschool children.

The programs for elementary and secondary schools are produced in cooperation with the Columbus schools and are used in five counties in central Ohio (40,000 students).

Of special interest is a third college course, mathematics 400, which is received on campuses at Columbus, Newark, Mansfield and Marion. In connection with this telecourse, evaluations are being made as to the effectiveness of supplementing TV instruction by varying amounts and kinds of non-TV instruction.

Evaluation is also underway of several ways of using TV in teaching a course in personal health required of all students at Ohio State University. About 2,000 students are taking the course. TV sections of 320 are followed by small group discussions in the third phase of the project (spring 1961).

The university has several closed circuit TV systems, including one used to teach dentistry and one for classroom observation by teacher trainees and for occasional demonstrations in a number of subjects.

The university is cooperating in the Midwest project on Airborne Instructional Television.

ETV station WMUB-TV, Oxford, Channel 14, began broadcasting programs on October 13, 1959. The station is licensed to Miami University, Oxford.

In February 1956, Miami University began to use closed circuit TV to teach three college courses to about 500 students in each course. These courses are now broadcast in late morning hours.

Other morning programs include series for preschool children and news and general interest programing for the home. The station is on the air three evenings a week with general cultural programing, some produced by the university and some provided by NET.

Ohio University, Athens, has a closed circuit TV system and is planning to construct an ETV station. In February 1961, the university petitioned the FCC to reassign channel 20 to Athens and reserve it for education. In April, the FCC issued proposed rule-making looking toward the addition of this channel at Athens.

Other colleges and universities having closed circuit TV systems are the Case Institute of Technology, Cleveland; Marietta College, Marietta, the University of Akron, and the University of Dayton.

PUBLIC SCHOOLS

The ETV activities of the Columbus schools have been mentioned under universities, and the Cincinnati and Dayton school ETV activities are discussed below under community groups.

The Zanesville Board of Education has presented a high school biology program on Saturday mornings on a commercial TV station, which also carries some programs from ETV station WOSU-TV, Columbus.

The Newark, Ohio, public schools are planning to construct an ETV station and petitioned the FCC in October 1960 to reassign channel 28 to Newark and reserve it for education; the FCC has made the channel available for Newark ETV use.

South High School and Linmoor Junior High in Columbus have closed-circuit TV systems. At South High the students raised $6,000 to begin their closed-circuit system by devoting to that purpose the proceeds from the noon movies shown during the lunch hour.

COMMUNITY GROUPS

ETV station WCET, Cincinnati, channel 48, began broadcasting programs on July 26, 1954. Ohio's first ETV station, it was established by the Greater Cincinnati Television Educational Foundation.

Voting members of the foundation are 38 accredited educational institutions in Ohio and Kentucky, including 7 colleges or universities, 17 county or city boards of education in Ohio and 11 in Kentucky, 2 systems of parochial schools, and the public library of Cincinnati.

WCET is on the air 49 hours a week with NET programs for home and school and locally produced series. Inschool programing includes something for every grade from kindergarten through 12th, and two methods courses for teachers. Three years of French are offered for elementary students immediately after school certain days of the week; the teaching methods are carried after school on other days. The high school biology course is four times a week and is repeated at another hour.

Programs for the home are carried from 7 to 10 p.m. The general cultural programing of WCET is attracting an ever-increasing home audience. TV servicemen report a recent rush of order for converters, one stating that he has sold out and another that he is weeks behind with his installations.

ETV station WGTE-TV, Toledo, channel 30, began broadcasting programs on October 10, 1960, and is Ohio's newest ETV station. The licensee is the Greater Toledo Educational Television Foundation.

The member institutions of the foundation are eight public school systems, the parochial schools of the diocese, the Toledo Museum of Art, the public library, a private school, the Mary Manse College, and the University of Toledo.

The Miami Valley ETV Foundation, in the Dayton area, has produced science programs for grades 6 to 8 on a commercial TV station in Dayton, in cooperation with a local newspaper. The Miami Valley group is currently working toward establishing an ETV station on channel 16, reserved for Dayton.

The Greater Cleveland Television Education Association was incorporated in 1958 as an outcome of the ETV activities of the Adult Education Association and other groups.

The association is working to obtain financial support to construct an ETV station on reserved channel 25. It has secured a rental option on a former broadcasting property, is making an engineering study of available transmitter sites, and has the cooperation of three major school systems.

The Ohio Council on Educational Television is a statewide organization of educators and interested citizens that has been working toward the expansion of ETV service in the State. The council has voted to support the recommendations of the interim ETV study commission (described under legislature) for a State network of ETV stations.

In the months which have intervened since that report, further progress has been made. A State-by-State summary of activity indicates no pressing need for Federal trespass into this field.

In reading the hearings on this bill, it is significant to note that the National Education Association apparently avoided speaking out for or against this measure. In fact, no major educational organization has promoted this measure.

It is certainly conceivable that organizations other than academic could qualify under this bill. Under definitions on page 16 of the bill, the following appears:

(6) The term "nonprofit" as applied to any foundation, corporation, or association, means a foundation, corporation, or association, no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual.

It certainly is conceivable that the State educational television agency could approve nonprofit organizations other than academic. Without adequate safeguards, the chamber of commerce could qualify as a nonprofit community educational television organization as could the AFL-CIO. COPE now calls itself educational and qualifies as nonprofit.

ETV is already "the fastest growing mass media means of communications"—without Federal financing of ETV stations and facilities.

"If ETV does help solve the educational problem, if it enables the available teachers to give higher quality instruction to more students, then ETV should prove itself in and be able largely

to pay its own way," according to Caldwell Buck, staff engineer in the Business Relations Department, American Telephone & Telegraph Co.

ETV has opened the door to savings in school budgets. These savings can be used, among other things, to finance costs of ETV directly from present school budgets.

A survey at Penn State of four courses showed that "the cost per student-semester-hour was only $5.44 for televised instruction, compared with $9.48 for conventional methods." A study by the Southern Regional Education Board—covering some 300 colleges and universities in 16 States—showed that the cost of televised instruction would run about $2.80 per student-semester-hour, compared with the present cost of $12 to $18 for conventional instruction.

At Hagerstown, Md., 4 teachers now provide music and art lessons that would have required 34 teachers before television. In Dade County, Fla., the use of cafeterias and auditoriums for large TV classes has permitted 30 percent more pupils to use each school building, saving $3 million in capital construction costs alone.

Dr. Alexander J. Stoddard visited 72 communities throughout the United States for the fund for the advancement of education and set forth savings he could foresee—"approximately $500 million in teachers' salaries alone."

Last year at its national convention, members of the National School Boards Association expressed their opposition to Federal financing of ETV by rejecting a resolution that "the organization go on record in favor of Federal support for State surveys of educational television and for the construction of educational television facilities."

No need has been established today, nor was need established in 1959 when the Senate considered S. 12, an ETV bill. Former Secretary of Health, Education, and Welfare Arthur S. Flemming expressed his opposition to S. 12 in a letter to Senator WARREN G. MAGNUSON:

We have no information indicating that a Federal program, such as this bill would provide, is necessary to assure continuing development of educational television, or that there is an inability to finance the acquisition and installation of transmitting equipment.

Because no need is apparent, because other means of financing is available and being used, and because ETV is "the fastest growing mass media means of communication"—without direct Federal aid, I ask your support in rejecting this unnecessary additional burden to an already strained Federal budget.

Mr. SPRINGER. Mr. Chairman, I yield 1 minute to the gentleman from Illinois [Mr. COLLIER].

Mr. COLLIER. Mr. Chairman, I asked for this time to clarify a point which my colleague from Illinois made. If a candidate for public office is foreclosed from appearing on an educational television program once he has filed or announced his candidacy, what would be the situation in the case of a staff announcer who decided to run for public office and announced his candidacy? Would he then have to give up his position with the educational television station?

Mr. SPRINGER. I would say this, that so far as the University of Illinois is concerned it is my understanding that once a statement of candidacy has been filed, whether the person is an incumbent or not, he may not appear on that station in any capacity.

Mr. COLLIER. I think this is not too farfetched a matter, because one can obviously see that a person who had access to this tremendous exposure through the medium of an educational television station could very easily find it within his heart if he had any political ambitions to become a candidate for public office and through that means, of course, use this tool to enhance his position as a political candidate.

Mr. SPRINGER. May I say in this particular instance, the rule is that of the university. We do have at least two Members of the House who in the past have been announcers on radio stations, I understand, and I do not know what the rule was when they became candidates.

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman from Arkansas.

Mr. HARRIS. I think the gentleman from Illinois has raised a question that is rather pertinent. I think I can be helpful in informing the Members of the House as to section 315. For example, in the last campaign there was an announcer who had been working for a particular broadcasting company for many years, for 18 or 20 years, perhaps, in any event a long period of time. He decided to run for the State senate in his particular State. After he announced his intention and qualified as a candidate, he continued as a news announcer on the regular daily programs. That matter was brought to the attention of the Federal Communications Commission by his opponent.

The Commission held that since he became a candidate, the opposing candidate was entitled to equal time and therefore required the station to make available to him the time that had been consumed by this newscaster who had done his job on a daily basis of newscasting since that time.

Mr. YOUNGER. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman from California.

Mr. YOUNGER. I think the equal-time provision really goes beyond the political field. For instance, should one of these stations, like any other station, broadcast on a controversial subject that is not political, they would still have to give equal time. We have a case now, the Newburgh case, which was used as a news program of the NBC and the people of Newburgh have asked for equal time, and my information is that they have that right.

Also, the stations now are beginning to do quite a bit of editorializing and I have raised that point. I find wherever they editorialize on a very controversial subject, they must give equal time to the other side of the controversy.

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman from Arkansas.

Mr. HARRIS. The gentleman is correct. Section 315 that we have been referring to does apply to certain instances which the gentleman has brought up, but it does not require equal time. The language with reference to this particular problem that the gentleman raises provides that the stations shall "afford reasonable opportunity for the discussion of conflicting views on issues of public importance." There is that difference.

Mr. YOUNGER. That is, they shall afford time on the other side. They may not have exactly the same time, but they must afford the opposition time.

Mr. HARRIS. The station must afford a reasonable opportunity.

Mr. YOUNGER. That is right.

Mr. HARRIS. Mr. Chairman, I yield 5 minutes to the gentleman from Colorado [Mr. ROGERS].

Mr. TOLL. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Colorado. I yield to the gentleman from Pennsylvania.

Mr. TOLL. Mr. Chairman, I ask unanimous consent to revise and extend my remarks at this point.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. TOLL. Mr. Chairman, I strongly support H.R. 132, the bill which provides for educational television. This bill offers a most important opportunity in the development of educational television in the United States. Practically all of the testimony before the extensive hearings of the congressional committees has favored passage of this legislation. The members of the Joint Council on Educational Broadcasting (JCEB) and the council as a whole have consistently supported the legislation. Support has also come from many national and local leaders representing the interests of government, education, industry, and labor.

President Kennedy said on this subject "since education is a matter of national concern, the Federal Government should assist in expediting the use of television as a tested aid to education in the schools and colleges of the Nation, and as a means of meeting the needs of adult educators."

The bill at least accelerates the establishment of additional educational television stations by assisting the several States in the development of State programs for the construction of educational television broadcasting facilities, and by aiding government and private nonprofit agencies concerned with educational television through Federal matching grants in the construction of educational television broadcasting facilities.

Mr. ROGERS of Colorado. Mr. Chairman, I rise in support of H.R. 132. I feel it is a step in the right direction. I want to compliment the members of the committee, and particularly the members of the subcommittee for reporting this legislation, and to thank them for coming

to the city and county of Denver more than 3 years ago to inspect the educational television station that has been operated by school district No. 1, in the city and county of Denver.

The experience resulting from the operation by the school district shows the need of educational television. I am hopeful that when this legislation is adopted it can be extended and used not only in the city and county of Denver, but also throughout the State of Colorado. At the present time the school district has established a large facility which is supported by school district No. 1.

I would like to ask a few questions of the chairman of the committee or of the subcommittee about a situation that may develop. Under the grants, Mr. Chairman, directing attention to subsection 392 which provides for a matching grant for service to be made by the State and the Federal Government where educational television is now in existence, is it possible for the State through the operations as outlined in the bill to make an application and receive a grant for a further expansion of that particular educational television facility?

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Colorado. I yield.

Mr. HARRIS. It would.

Mr. ROGERS of Colorado. It would permit the State to make proper application and receive grants thereunder.

The other question is this: The school district having established a television station, as we have in the city and county of Denver, upon application by the school district to the Federal Government, is it possible to get reimbursement to school district No. 1 for that portion of construction they have already spent? That is to say we have spent several hundred thousand dollars in the construction of this station and we may want to expand it. Can we now make application and get, say, 25 percent of that back as provided in section 393(e)?

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Colorado. I yield.

Mr. HARRIS. As I said earlier in the afternoon it would be a credit; it would not be reimbursable, but on any expansion it could receive a credit.

Mr. ROGERS of Colorado. Then the only opportunity a station now in existence has to obtain any money under this provision would be by an expansion of its facilities.

Mr. HARRIS. The gentleman is correct.

Mr. ROGERS of Colorado. I thank the gentleman and yield back the balance of my time.

Mr. HARRIS. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania [Mr. MOORHEAD].

Mr. MOORHEAD of Pennsylvania. Mr. Chairman, we of the City of Pittsburgh know how valuable educational television can be.

The first community supported educational television station in the United States is located in the congressional district which I have the honor to represent here in Congress.

On April 1, 1954, WQED, channel 13, began telecasting as the world's first community sponsored educational television station.

Today, WQED, with VHF channel 13, and UHF channel 16 has an audience of over 1 million viewers in 10 western Pennsylvania counties.

At the end of the first semester of this school year, there were 2,715 public school and private school classrooms viewing basic school courses, such as fifth and sixth grade science, seventh and eighth grade developmental reading, physical sciences, world cultures, physics, French, and Spanish. In supplemental course participation there were 5,491 classrooms watching such subjects as current events, dance, music, Pennsylvania history, science, and speech improvement. WQED's enrollment for instruction extends now to more than 8,000 classrooms in 103 school districts, reaching 250,000 schoolchildren.

This development of educational television did not come about overnight. Many years of development work by the Pittsburgh Council of Parents and Teachers, charitable foundations, civic groups and commercial broadcasting companies, other business groups and then Mayor of Pittsburgh David L. Lawrence were required before WQED went on the air in 1954.

In the fall of 1955, WQED began "a world's first"—basic instructions through television for elementary school children. Fifth grade reading, arithmetic and French were taught in the 16 participating schools which included 20 classrooms. In 1956, television teaching expanded to high school physics and fifth grade history-geography. The number of participating schools increased to 34 with 39 regularly enrolled classrooms.

WQED inaugurated the "Adults School of the Air" to enable adults to earn their high school diplomas. During the first year, a total of 834 students enrolled in the courses. In the first graduating class were 11 prisoners in the Western Pennsylvania Penitentiary and the Allegheny County Workhouse.

For several years, WQED has conducted a "Summer School of the Air" which has served the community by offering makeup courses for academic failures at the high school level.

The allocation of a second channel—channel 16—UHF—made Pittsburgh one of the few cities in the United States with two educational television channels. This special-purpose channel is used for instructional and professional as well as management and industrial training. Channel 16, which began broadcasting in March 1959 has brought a new concept of training to business, industry, and labor. This may become one of our greatest assets in the job of retraining industrial workers in this time of rapid technological changes.

A few highlights from the WQED program schedule this year will suffice to show the cultural contributions that educational television can make to a community. WQED in January broadcast an art series from the Boston Museum of Fine Arts entitled "Invitation to Art"; a 15-week series of Shakespearean plays titled "An Age of Kings," which depicts more than 100 years of British history; "Intertel"; "Prospects of Mankind" with Eleanor Roosevelt; "Jazz Scene"; a homeviewer question-and-answer program, "Call Your Doctor"; "Open End" with David Susskind; "Play of the Week"; Boston Symphony Orchestra series; "Heritage" series, as well as informative series on law, music, travel, and roundtable controversies.

The school services division of WQED brings to the classroom the best of skills in teaching and the best of current practices in curriculum combined with the impact of the television techniques.

The philosophy of the school services division is to augment the effectiveness of classroom teaching by the advantages of television teaching. The television lesson is only part of every classroom teaching situation. The television teacher is responsible for extending, enriching, and bringing adequate visual aid to the lesson, plus the basic instruction in basic courses. The classroom teacher is responsible for continuing the teaching and meeting the individual needs of the class.

We have found that parents have followed the education of their children by watching their children's classes at home; students out of school because of illness have been able to continue their regular classes on television. Finally, for the classroom teacher, television instruction offers the opportunity to watch a colleague develop and teach a basic course and is, therefore, an excellent source of inservice education.

Of the 64 hours of television programing Monday through Friday at WQED, 36 of these hours are devoted to instructional programing for classroom use. Highlights for the present semester—1962–63—are: students who participated in beginning Spanish can continue in intermediate Spanish; world cultures is telecast three times weekly in the morning and afternoon for easier classroom scheduling; another three-credit college course, literature for today, is presented for inservice teacher training; two new elementary courses are offered: Primary concepts in science and primary concepts in mathematics.

Concerts for young people, planned for appreciation and understanding of the Pittsburgh Youth Symphony concerts are part of the school services programs of "Music for Young People."

Mr. Chairman, through the operation of WQED, we in Pittsburgh have found educational television to be an invaluable adjunct to education. We have made high caliber teaching skills available to many more students than would otherwise have been possible. We have been able to offer such courses as Spanish to students who would otherwise be unable to learn the language. In short, Mr. Chairman, WQED has broadened and strengthened our educational program at a time when the importance of education cannot be overstated.

But this is just the beginning. From a lone pioneer in educational television, WQED has now joined a family of 62 national educational stations. These stations should now join in a fourth national television network so as to be able to show a single program simultaneously in the major cities of the United States. The savings in money and the increase in talent which we have demonstrated in Pittsburgh could be multiplied 62 times. It will cost money to achieve these savings and these improvements in our education.

Under H.R. 132 the Federal Government will share in bringing this new dimension in education to our children. Mr. Chairman, I urge the enactment of H.R. 132.

Mr. HALPERN. Mr. Chairman, I rise in support of H.R. 132, legislation that would create a Federal-State cooperative matching fund program to encourage educational television. This bill will launch our country generally upon the path of bringing into our educational system the great advantage and opportunity afforded by the television medium. My interest in the development of educational television extends back to 1949 when as a New York State senator I sponsored the first legislation for support of State educational television in New York State. New York State has been a leader in the field of educational television. In New York City we have the National Educational Television and Radio Center and through its efforts the Metropolitan New York area has obtained Channel 13 which will provide full-scale educational television service for our great metropolitan area. Our New York experience, however, highlights the need for Federal and State assistance to communities in the establishment of educational television. Mr. Speaker, it is obvious that television has the capability to expand a massive upgrading in the quality of American education for a cost which we can easily afford, a cost in fact which we cannot afford not to pay. This bill will achieve that objective.

Mr. RYAN of New York. Mr. Chairman, I support H.R. 132, a bill which would amend the Communications Act of 1934 to provide for the construction of educational television broadcasting facilities.

The pending legislation would assist the States, through a program of Federal matching grants, in surveying the need and developing programs for the construction of educational television broadcasting facilities, as well as in constructing such facilities. H.R. 132 would authorize Federal grants, not to exceed $520,000 for the next 3 fiscal years, for the development of State surveys and programs for constructing educational television broadcasting facilities; and an additional grant, not to exceed $25 million for the next 4 fiscal years, for the construction of these facilities. The total amount for construction of facilities within any one State would be limited to $1 million.

Similar legislation, providing Federal assistance for educational television, has been before the Congress for several years. Let me attempt to point out the urgent need for final action on this measure.

In 1952 the Federal Communications Commission set aside television channels for the exclusive use of educational television broadcasting—to date over 270 have been reserved for noncommercial educational stations. There are at present, however, only 62 educational television stations on the air. Although the Commission has expressed its desire to cooperate with programs which assist the development of educational television, the demand to use these channels for commercial television purposes is great. Unless the process of getting educational television stations on the air is speeded up, these reserved channels may be lost to education.

One of the major problems in the development of educational television lies not in the lack of interest, desire, and planning among our States, local communities or educators. The distinguished chairman on the Committee on Interstate and Foreign Commerce, Mr. HARRIS, sent letters to the Governors of all the States last year to determine whether the States were ready to join with the Federal Government in a cooperative program of promoting construction of educational television facilities. The response was overwhelmingly in favor of a cooperative Federal-State program in the field of educational television. The drawback, however, lies in the lack of funds available.

In his statement before the subcommittee holding hearings on educational TV last year, William G. Harley, president of the National Association of Educational Broadcasters, reported that 45 States had actively participated in and supported the development of educational television; and 25 States had formed State educational television commissions by direction of their respective legislatures. Interest is widespread, then, in this new educational medium. Mr. Harley pointed out, however, that despite this fine record of progress "further development is now largely dependent on Federal assistance, and in many instances a prolonged delay would seriously retard program development and cooperative school utilization." In my own State of New York planning and activity since 1952 have resulted in an ETV station at Buffalo, three additional stations in the formative stage, and several large closed-circuit operations and production centers. New York and several other States, however, have now reached a critical point in their ETV development and without some assistance no effective progress can be made.

This Congress cannot neglect to consider favorably H.R. 132 which would serve to ease major problems in our education crisis.

Existing ETV programs give strong evidence of the advantages in the use of television as an effective tool in the educational process. Not only can it ease the teacher shortage, but it also extends the influence of superior teachers far beyond the reach of their own classrooms. Fifth graders in Pittsburgh, for example, heard and saw Robert Frost read some of his poems not long ago. Highly skilled teachers of mathematics, chemistry, and foreign languages are available to a wider range of students than is possible in the conventional classroom. And students are offered front row seats for involved science experiments and demonstrations which many schools do not offer and cannot afford.

The opportunities which educational television offer to the rural or less populous areas of our Nation cannot be overlooked. An expanded program of ETV would bring to these students the benefits of a diversified curriculum which in many cases is now economically impossible.

How does the student benefit from ETV? Studies have shown that the student accepts more responsibility for his own learning than is the case with conventional methods of instruction. In a report of the Ford Foundation and the Fund for the Advancement of Education it was revealed that students in television classes at the elementary and secondary level make more extensive use of the school library than students in regular classes. Television instruction also allows the student to progress at his own individual rate. This is of paramount significance in our efforts to fully develop the potentials of our young people. John Burns, president of RCA, stated the case aptly before the Senate committee last year:

> With television, language laboratories, and other electronic aids, each student can move ahead at a tempo best suited to his own development. The fast learner in a particular subject can be exposed to televised lectures that challenge him to his full capacity. The average learner can be encouraged to develop the particular gifts he possesses. The slow learner can be assured of the kind of attention that will prevent his falling hopelessly behind.

Television then can help bring to every student higher quality education.

But what will be the cost of an expanded ETV program. We are currently spending more than $300 per public school pupil. With increasing school enrollments and present instructional methods that figure will continue to rise. An expanded ETV program, however, can reduce the overall cost. A survey of four courses at Penn State showed that the cost per student-semester-hour was $9.48 for conventional methods, and $5.44 for televised instruction. And the Southern Regional Education Board in a survey of some 300 colleges and universities in 16 States reported that the present per student-semester-hour cost was $12 to $18 for conventional instruction and estimated at $2.80 for televised instruction. Testimony before the House Subcommittee on Communications and Power showed that savings in capital outlay for classrooms had amounted to $3 million in Miami and potential savings over the next 5 years at an estimated $12 million.

With these facts before the Congress, it seems imperative that we no longer delay in assisting the States in providing better educational broadcasting facilities.

President Kennedy in his education message last year said:

> Our twin goals must be a new standard of excellence in education—and the availability

of such excellence to all who are willing and able to pursue it.

Television, described as the most important new educational tool since the invention of movable type, offers great possibilities in increasing the excellence of our education and in broadening and enriching the learning process of American students. I urge passage of H.R. 132.

Mr. McDOWELL. Mr. Chairman, I rise in support of H.R. 132, a bill to amend the Communications Act of 1934 and to establish a program of Federal matching grants for the construction of television broadcasting facilities to be used for educational purposes.

I have long been interested in the basic principles incorporated in this bill which have today been accepted by and large for the planning and use of television in education. In the first session of this Congress, I introduced H.R. 5536, a bill which is similar to H.R. 132. The purpose of these bills is to speed up the establishment of additional educational television broadcasting facilities by aiding governmental and private nonprofit agencies concerned with educational television with Federal matching grants.

One hundred years ago, America's educational goals found expression in the Morrill Act which established the land-grant colleges throughout the United States. The fundamental significance of the Morrill Act was that for the first time our colleges were brought to the people. Teaching and research were not limited to the confines of campuses. The Morrill Act was described in the report of a National Manpower Council as "the most important single Government step in the training of scientific and professional personnel."

While significant strides have been made since 1862 in all levels of our educational systems, one problem in U.S. education is paramount. As of this moment, there are more students to be educated than we are prepared to handle effectively by current techniques of teaching and administration. It is clear that our standards of education must be raised and greatly improved. Both the procedures and the facilities of education must be reevaluated in the light of current and future demands. Almost 50 million persons are receiving some type of schooling in the United States today. Public elementary and secondary schools alone are carrying a load of more than 36 million enrolled pupils. An additional 6 million youngsters are in independent and church-related schools. By 1965, it is estimated that public school enrollment will top 41 million while the national population grows to more than 190 million. Hence, the pressure of sheer numbers will get greater in the years ahead.

One of the constants of our changing world is the passage of time—the moving hour hand of the clock. Student enrollments, teacher shortages, facilities are the inconstants, the invariables, as are the interrelationships of these three elements—teacher-student ratios, group sizes and the spaces for school learning and living activities.

Aside from the curricular requirements in the years ahead, it is necessary that thought be given to the redeployment of our students and teaching skills so that more effective advantages can be gained. Extension of the skills of our teachers to move students, greater use of existing and planned school buildings, enrichment of curricular offerings all demand increased use of audiovisual aids.

Of the audiovisual aids currently available, television appears to offer the greatest potential in the broadest areas. It has been said that for education, television is one of the most significant technological developments since the invention of printing. Although still in its infancy, television already has made a significant impact upon the collective mind of our society. While there is evidence that television has experienced erosion from a stream of mediocrity and abuse in commercial use, this in no way, however, impugns the potential value of television used properly and intelligently as an educational tool.

Television has no magic—it is not a self-contained educational entity; rather, it is simply another medium of communication, like a book or a human voice. Communication commences with intelligible transmission and ends with intelligent reception. Any medium of communication is but a middle link between two or more minds. The medium may be the gesture of a hand, sound waves from a human larynx, ink impressions from movable type arranged on the pages of a book, radio waves transmitted and gathered into a receiver, or electronic emanations and receptions involving television equipment.

Television does not modify the recognized goals of education; nor does it replace the classroom, even as the advent of the printed book did not mean the elimination of the teacher. Rather, it suggests alternative and possibly better techniques for reaching the same goals. Alert educators have always experimented with and learned to use new teaching methods and devices. There are numerous examples of existing practices which aim to increase reading speed and comprehension, to provide easier comprehension of the basic principles of mathematics and science, and to develop techniques for expanding our ability to communicate multilingually.

The past decade has seen the first serious experiments with the use of television as a "middle link" in our educational communication between teacher and student. After a few scattered starts in schools and colleges across the United States in 1953, the television experiments began to spread until, at the beginning of the 1960's, almost 600 school districts across the Nation are now making regular use of televised instruction; 117 colleges and universities are offering credit for television courses; 144 closed circuit television systems are operating in educational institutions and another 21 for the military, and 45 educational television—noncommercial—stations are in operation.

There is broad support in Delaware for educational television. This support stems from the interest and efforts of the Delaware Educational Television Association, Inc., which represents about 50 major organizations throughout the State of Delaware. These groups include the Delaware State Education Association, the Catholic Diocese of Wilmington, the American Association of University Women, the Delaware Congress of Parents and Teachers, and other organizations including an advisory council representing business and industry. Leading educators and churchmen in Delaware have recognized that television is a versatile, dynamic medium and that its use in education can provide new and better ways of relating the activities of pupils, teachers, and parents and making the community more aware of educational processes and needs. They are hopeful that this legislation will be adopted. Typical of this community interest is reflected in a letter I received recently from the Reverend Philip H. Dunning, director, Department of Christian Education, Council of Churches, Wilmington and New Castle County, Del.

Reverend Dunning writes:

> May I call to your attention, and I am sure you are already familiar with, the bill which has been introduced in the House to provide $51 million in Federal grants to States to help set up television stations for school broadcasts.
>
> We would appreciate it very much if you could continue to lend your strong support to any measure which will help aid the cause of educational TV in our State, as well as throughout the country.
>
> Many thanks to you for your help in the past and for your continued help in the future. There are many of us in Delaware who are sincerely and wholeheartedly hoping for the day when WHYY will be able to broadcast on channel 12.

In the capacity as president of the Delaware Educational Television Association, Inc., Reverend Dunning addressed, under date of February 15, 1962, a letter to each member of the Committee on Rules of the House of Representatives urging favorable action as to H.R. 132.

The text of Reverend Dunning's letter follows:

> We are writing to you in the interest of action on H.R. 132.
>
> The Delaware Educational Television Association has studied the various bills before the Congress relating to this medium and are convinced that H.R. 132 is of immediate import. We also like the bill (H.R. 5536) introduced by our Delaware Representative, Mr. HARRIS MCDOWELL, but understand that he accedes to Mr. ROBERTS' bill. We feel that H.R. 132 establishes an orderly procedure for careful utilization of the funds.
>
> We agree with the committee report as submitted by Mr. MOULDER. He certainly speaks of us when he says that the scarcity of educational stations on the air is an indication not of a lack of interest but rather a lack of funds. We especially agree with this report that, "There is grave danger that unless the process of getting educational stations on the air is speeded up * * * these channels * * * will be irretrievably lost to education."
>
> The passage of H.R. 132 will not only help education to meet a serious crisis; it will help a discerning minority group to see cultural and educational programs at a time that is convenient to them.

> We respectfully request that the Rules Committee report H.R. 132 out for action as soon as possible.

On March 6, 1962, I received the following telegram from Mrs. Bert F. Norling, president of the Delaware division of the American Association of University Women:

> The Delaware division of the American Association of University Women reaffirms its support of educational television by urging passage of bill H.R. 132. We appreciate your active interest in making available to all children and adults the broad educational and cultural opportunities presented through educational television.

This telegram also had the endorsement of Mrs. Kenneth C. Bass, Jr., chariman of the legislative program committee, and Mrs. Alfred C. Haven, Jr., chairman of the mass media committee of the Delaware division of the American Association of University Women.

In his inaugural message, Gov. Elbert N. Carvel, of the State of Delaware, on January 17, 1961, said:

> During recent years, Delaware has not had the advantage of a television station located within the borders of the State providing programs of local interest. There has been much discussion about channel 12. Over 5 years ago this band was assigned to a Delaware based station which sponsored numerous programs of local interest. This helped to bring the people of our State closer together.
>
> Unfortunately, the three major networks have TV stations near Philadelphia and apparently all believe it unprofitable to operate a duplicate facility in nearby Delaware. This does give us an opportunity to cooperate with our neighbors to the north and utilize channel 12 as an educational TV station. Such a station will provide outstanding education programs, which will be most helpful to our educational system; cultural programs for the benefit of all the people of the State; and features of State and local interest which will keep our citizens better informed about local and State industry, organiations and government. In addition, we will have the opportunity of becoming better acquainted with our local and State leaders.

Present knowledge and experience in using television as an educational medium indicates that television can become a basic educational tool for every educator, every pupil and every serious-minded adult in the United States. Wisely used, it can be as important in promoting learning as is the printed word. Educational television and the printed word are not mutually exclusive—they are complementary. I am confident that television can help bring about the best teaching of more pupils in an effective manner and at a reasonable cost. If television can alleviate school population pressures, make our best teachers available to more learners, save dollars in conventional school plant costs, make the process of learning more effective and satisfying, and provide a wider range of experiences than hitherto possible—and I have good reason to believe that when wisely used it will do all these things—then certainly it is incumbent upon all educators to move as rapidly as possible in their own planning and through their local boards of control and State legislatures to secure the benefits of this dynamic medium of communication. Certainly, the House must help make this possible by enacting H.R. 132.

The impact of television on Americans and foreign correspondents and observers—young and old alike, was clearly demonstrated by the recent orbital flight in space by Lt. Col. John Glenn. To the millions of Americans who followed the preparations, the successful launching, the orbital flight, and the recovery of Colonel Glenn and space capsule *Friendship 7*, the medium of television was able to provide both visual and audio observations of a significant achievement—an achievement which drew on the mature talents of our scientists and technicians. On February 20, 1962, and in previous suborbital flights by U.S. astronauts, many Americans were provided the unique opportunity to acquaint themselves with and to learn about the complexities of space exploration, rocket propulsion, and other important facets of our modern technology.

While the transmission of educational courses such as mathematics or foreign languages may not be as spectacular as our efforts in space exploration, the ability to communicate through TV at the educational level can create and promote the human talent and skills that are essential to the United States in sustaining and enlarging its position of leadership among nations.

It cannot be denied that all levels of government will have to make heavy expenditures and our citizens will have to make greater sacrifices to meet the educational challenges in the years ahead. But I feel inclined to believe these expenditures are more of an investment—an investment in our children and adults who are, in the long run, America's most valuable resources. Such an investment will not lead to fiscal bankruptcy but the danger in failing to make such an investment can lead to a more serious disaster for our country.

In appreciation of the values of television as an educational medium and as an important intermediate link in the total act of educational communication, I fully support the objectives and programs which H.R. 132 seeks to establish, and I intend to vote for the passage of this important legislation.

Mr. DONOHUE. Mr. Chairman, I hope and believe the great majority of the Members here, if not all, will promptly approve this measure—H.R. 132—before us, which provides for the establishment of a program of Federal matching grants for the construction of television facilities to be used for educational purposes.

It clearly appears, from the testimony revealed, that some 200 of the Nation's television channels reserved for educational use have not been activated primarily because of a lack of funds for construction of television transmission facilities.

At this time, particularly, when education in this country faces serious challenges, when the need is imperative for additional physical facilities and teachers for proper instruction of the increasing numbers of students, when subjects must be taught which only relatively few instructors are qualified and prepared to teach adequately, it seems unthinkable that this great promising medium of instruction through television should not be fully utilized as a modern and progressive teaching instrument.

We have, further, the authoritative convictions of the most highly regarded experts in this field that instruction by educational television promises to be greatly superior to conventional methods of classroom teaching in a number of subjects, particularly in science studies involving technical demonstrations for better understanding.

This bill is modeled after the Hill-Burton Act which has proven so successful in stimulating, with the aid of Federal matching grants, the construction of hospital facilities throughout the country.

This projection of instruction through television is completely in line with the recommendations of the President on this subject and there can be no doubt whatsoever that the expanded educational and cultural development objectives inherent in this legislative proposal would be in the national interest. I most earnestly urge the adoption of this measure.

Mr. CRAMER. Mr. Chairman, in connection with today's consideration of H.R. 132 by this House, to establish a program of Federal matching grants for the construction of television facilities to be used for educational purposes, I should like to include in the RECORD an important survey of transmission and use of so-called ETV that was sponsored by the ETV stations comprising the Florida Educational Television Network.

There are five such stations in Florida, located as follows: Channel 2—WTHS—in Miami, owned and operated by the Dade County Board of Public Instruction; channel 3—WEDU—in Tampa-St. Petersburg, with studios in both cities, owned and operated by Florida West Coast Educational Television, Inc., a nonprofit civic and educational corporation on whose board of directors are representatives of seven county school systems; channel 5—WUFT—in Gainesville, owned and operated by the State board of control and the University of Florida; channel 7—WJCT—in Jacksonville, owned and operated by Educational Television, Inc., a nonprofit civic and educational corporation, and the Duval County School Board; and channel 11—WFSU-TV—in Tallahassee, owned jointly by the State board of control, the Florida Educational Television Commission, and Florida State University, which operates it.

Channel 2 began operating in August 1955, and the others have been in operation for periods ranging from nearly 3 years to nearly 4 years. The general consensus of opinion is that all five have met with a good deal of success.

During the past year, a total of 5,702 classrooms—including 326 large ones—in 880 schools have been the recipients of ETV instruction. Involved have been 286,221 students, and this coverage has averaged 90.5 hours weekly. Of the 90.5

hours, roughly one-quarter has been allocated each to elementary, junior high school, senior high school, and college buildings.

The 23-hour telecast for elementary school students predominantly covered courses in social studies, Spanish, science and American history. The 19.5 hours telecast for junior high school students concentrated primarily on science and mathematics. Senior high school student coverage was mainly in English and biology, while the nearly 25 hours allocated for college students was split up among a variety of subjects, with particular emphasis on humanities, mathematics, biology, English, and the like.

All the above courses were offered for credit purposes. In addition several hours covering noncredit courses were available, mostly in the adult-education field and covering such diverse subjects as sewing, languages, shorthand, typing, writing, and the like. The estimated viewing audience in this noncredit field was 71,500 which, when added to the 286-221 viewers in courses for credit, means that 357,721 Floridians are gaining an education through the medium of television.

The really important thing about ETV, aside from its obvious value in purely instructional procedures, is its importance as a substitute for additional classroom outlays and needs. During the years since World War II, and even before, the taxpayers have been faced with an unrelenting and immediate need for additional classroom space. And, seemingly, as the need increases, so does the cost.

As an illustration, the experience of Dade County, Florida's largest, is of interest. Dade, which includes Miami, has resorted to an extended schoolday which, when incorporated with educational TV, provides the opportunity to telecast a variety of instruction to "staggered scheduled" classes at the height of the schoolday. More refined, it involves concentrating the instruction of certain classes in certain buildings on certain subjects at given hours.

For instance, under the extended schoolday or "staggered attendance" setup, seniors and ninth graders are due at school at a certain time, with juniors and eighth graders due at another time, and so forth, and with the same classes leaving the buildings at varying hours. Thus, when up to 600 students in junior high schools, for instance, are receiving telecast instruction in the auditoriums, the several senior high classroom teachers in teaching auditoriums in other schools can be reviewing previous lessons, making assignments, answering questions and preparing for the new lesson.

According to the assistant superintendent of public instruction for Dade County, "the 600 students we have assigned to the auditorium for television instruction opens up additional rooms for the 600 students enrolled beyond normal capacity."

This official, Mr. Wesley Matthews, has said that the extended day has sharply cut the amount of building necessary at the senior high and junior high level and has permitted more building at the elementary level, where large class instruction is less predominant. He has estimated that it costs $900 per student for construction.

He has also stated that when the capacity of a school is increased by 600 students by extending the day and through the use of TV lessons, "we have eliminated the need for 20 additional rooms at that school and have sidetracked a $540,000 addition to the school."

This same official estimates that the extended day and educational television have held back more than $10 million in building needs in the county.

Mr. Chairman, if further argument in behalf of the need for an expanded ETV program is needed, I can cite some excerpts from a Reader's Digest article entitled "They Go to School at Dawn," appearing in the January 1960 issue. The article points out that the combined audience for Dr. Harvey White's physics course and a course in modern chemistry by Dr. John Baxter, of the University of Florida, had, at that time, climbed over the million mark. Together, according to the article, Drs. White and Baxter had provided instruction that would otherwise have required 1,333 science professors in as many classrooms. Dr. Baxter also found that he can cover in 30 minutes on TV what would take 50 minutes in a classroom. The ability of the camera to produce extreme closeups and the absence of classroom noise, he contends, are additional reasons why ETV has a definite place in our educational system.

With the above arguments in behalf of ETV, coupled with the many letters in favor of ETV that Florida stations have received from enthusiastic viewers, Mr. Speaker, I have become convinced that ETV opens up a complete new educational vista, and I hope that a program of expanding and supporting the present system can be effected.

This must be done, however, without Federal control over such broadcasting or over the curriculum, program of instruction or personnel, and the bill, H.R. 132, is drafted to leave such control to State and local authorities and even as to grants for specific instruction the decisions are left to the State agencies. This is an incentive program as proposed and limited to 3 years.

I shall oppose any effort to inject any degree of control over ETV by the Federal Government, and serve notice to that effect.

Mr. STRATTON. Mr. Chairman, I rise in support of H.R. 132. As a former television news commentator, I know the important job that television can perform in the broad field of education. In view of the obvious need we now face across the Nation for expanded and improved educational facilities, it is imperative that the educational potentialities of television be utilized to the full.

The people of my home city of Schenectady, N.Y., and of the surrounding capital district, have had a chance to become familiar with the value of educational television because of efforts that have been made there over the past several years by the Mohawk-Hudson Council on Educational Television, in association with the General Electric television station WRGB in Schenectady.

Back in 1953, when television was still in its adolescence, the management of WRGB agreed to set aside time for educational television programing, a novel suggestion at the time. In fact they even proposed the establishment of the Mohawk-Hudson Council on Educational Television to take over the responsibility for operating this vital public service.

This council was created, and with the help of WRGB and WTEN-TV a regular series of educational programs have been carried on in our area. Now a new educational television has been licensed, WMHT, and a drive is under way for funds to put it into operation.

Many other areas in New York State, as well as in other parts of the country, are not even as well situated as we are. In New York the needs of educational television have been badly overlooked by the State authorities. In fact only the other day the State administration reduced funds for educational television to less than one-third of the amount originally proposed as essential to the development and expansion of educational television in our State.

At the present time there are 23 regular television stations in New York, covering every major city and serving the entire geographical area of the State. However, only 7 television channels have been set aside for educational purposes to serve the 17 million people of our State, with many major areas not being covered at all.

Of course the greatest need in making educational television a reality is money. In view of the failure in New York State to meet its full obligations in this regard, we must turn now to the Federal Government for help.

This of course is precisely what this legislation will do. It will fill the gap that now exists. It will begin to tap the vast resources of television for educational benefit. Here is one effective and immediate way in which we in this body can act to improve our Nation's educational standards.

I urge the adoption of this bill, so that station WMHT in Schenectady, and other educational television stations around the country, can continue to do the educational job that desperately needs to be done.

Mr. CAREY. Mr. Chairman, it is with reluctance that I cast my vote today in opposition to H.R. 132 as amended. This bill, as it came to the floor, was a worthwhile measure and I thoroughly supported its system of matching Federal grants for the construction of television facilities to be used for educational purposes. In the original version, under section 393, construction grants were available to public agencies in the elementary and secondary school category, to a State TV agency, to public colleges, and under paragraph (a), subparagraph (1)(D), to nonprofit community educational television organizations which could include private colleges and universities as well as other community groups which might be organized on a nonprofit basis to contribute to the excellence of television programing. The effect of the amendment which struck section D and substituted therefor language limiting participation of this program to public agencies only is discriminatory and unfair. Its effect is to deny participation in this very important field of educational television to well-qualified educators who are in a position to make a most valuable contribution in many fields of learning. For example, among others, great universities located in my district, such as Long Island and St. Johns Universities, St. Francis and St. Joseph Colleges would be barred from the program by this amendment. It does not make sense to initiate a broad system of educational benefits to the public at the same time narrowing its base by cutting off and silencing institutions of higher learning merely because they are supported by other than public funds. It is my hope in the House-Senate conference the original language in the bill will be restored and I will have an opportunity to cast my vote in favor of the conference report.

EDUCATIONAL TELEVISION REFRESHING AND ENLIGHTENING

Mr. BOLAND. Mr. Chairman, I rise in support of H.R. 132, to amend the Communications Act of 1934 to establish a program of Federal matching grants for the construction of television facilities to be used for educational purposes.

The purpose of the legislation is to speed up the establishment of additional educational television stations by assisting the States in the development of State programs for the construction of educational television broadcasting facilities, and by aiding governmental and private nonprofit agencies concerned with educational television through Federal matching grants in the construction of educational television broadcasting facilities.

Mr. Chairman, I think that this legislation is an absolute necessity if we are going to explore to the maximum the educational opportunities presented by this medium of communication. The Federal Government should, and with considerable justification, give financial support to foster this very worthwhile use of television.

As the report from the Committee on Interstate and Foreign Commerce states, the Federal Communications Commission has set aside for educational television broadcasting 273 television channels—92 VHF and 181 UHF—out of a total of 2,227 television channels—676 VHF and 1,551 UHF—as of July 29, 1961. During the 9-year period since 1952, when the first of these reservations were made, only 57 educational television stations—41 VHF and 16 UHF—went actually on the air while the Commission authorized 77 educational television stations—47 VHF and 30 UHF—to begin operations.

EDUCATIONAL TV HAS BEEN SUCCESSFUL IN NEW ENGLAND; EXPANSION NEEDED

Mr. Chairman, one of the first noncommercial educational television broadcasting stations in the country, and in 1958 the only one operating along the east coast, was WGBH-TV, channel 2, in Boston, operated by the Lowell Institute Cooperative Broadcasting Council. Jack Gould, the distinguished television critic for the New York Times, wrote on January 5, 1957, that Boston's channel 2 presents low-cost brain waves and that WGBH-TV gets the top minds for its telecasts. Unfortunately, WGBH-TV's studio was destroyed by fire last October. Let me read to you from Mr. Gould's article in the New York Times of January 13, 1957, concerning educational television:

> But it is equally apparent that Madison Avenue has scratched only one side of the medium; educational TV, despite its forbidding title, is one of the most hopeful remedies yet seen for what ails the electronic colossus. The lesson of WGBH-TV is that after a while a viewer can be entertained to death; there does come a time when it is refreshing to have the mind titillated with regularity and purpose.

A drive for funds is now underway to rebuild the WGBH-TV studio and the Ford Foundation has offered up to $500,000, on a matching fund basis, for a new home for this wonderful New England educational television outlet.

Other areas of the United States have not been as fortunate as we in New England with WGBH-TV. And there is grave danger that unless the process of getting educational television stations on the air is speeded up, the demand to use these channels for commercial television purposes may become irresistible and thus they will be irretrievably lost to education. I urge my colleagues to help prevent this by voting passage of this bill today.

Mr. DADDARIO. Mr. Chairman, I want to endorse this measure to authorize aid for educational television. In an age in which increasingly difficult scientific and technical skills are required to assure national growth, educational television offers a way to multiply our teaching resources through better utilization of skills. Experimental educational programs underway at Huntsville, Ala., for instance, in teaching Army men the intricacies of space and rocket guidance equipment, or at Fort Monmouth, N.J., where radar and communications maintenance personnel are taught, offer some idea of ways in which this television tool can be used.

Connecticut is moving to use this field as rapidly as possible, with channel 24 in Hartford as its operating base. An arrangement has been made for this educational channel to use the television towers of VHF channel 3 cooperatively, and will result in school, college, cultural, and educational programing being afforded to the Hartford area. The Connecticut Educational Television Corp. is a nonprofit organization formed to fulfill the responsibility of operating the State's three assigned educational television channels. It has vigorously sought financial aid from private individuals, business and industry, and other sources. The size of the task makes it imperative that all possible help be forthcoming to make this vital national program successful.

Direction and control of the Connecticut Educational Television Corp. are vested in a board of trustees representing the sponsors of educational programs, the participants, private associations and corporations, and other contributors. This is a broadly based State program and deserves full support.

I want to commend the committee for its study of this subject and its report and urge passage of the bill.

Mr. BARRY. Mr. Chairman, there is broad agreement among all of us that we must do more to meet the educational needs of our country. Those who have made studies of our schools agree with educators that we must expand and improve our programs at a time in history when we simply cannot settle for second place.

Unfortunately, the sea of education is not a placid one, nor is it free of the rocks and shoals which threaten to bring many Government programs to an unhappy end. Unless we are ever mindful of the dangers involved, we may find to our regret that what begins as Federal aid ends as Federal control. Thus, the problem is really twofold: How to increase and improve our buildings, facilities, and teachers while retaining control at the State and local level.

One answer which meets both elements of the problem is the educational television legislation now before us. Throughout the bill we find numerous safeguards which specifically reserve to the States authority to approve applications and plans before funds are allocated. Those on the local level will be responsible for the way in which educational television programs are used, just as they are now responsible for the use made of textbooks, films, and other educational aids. Conversely, section 398 specifically forbids any Federal department or employee to exercise control over educational television broadcasting or over the curriculum, program of instruction, or personnel of any educational broadcasting station.

The potential advantages are numerous and are readily apparent to those considering the proposal. We are well aware of the rapidly increasing costs of school construction and maintenance, and of the equally rapid increase in the need for school expansion in the decades ahead. When the cost of this construction is added to the projected cost of teachers' salaries, it is evident that widespread savings could be realized by the use of educational television. In rural areas where the population is scattered, television would permit a better utilization of teachers in order to present a more diversified curriculum and equalize educational opportunities.

It behooves us to act immediately. Today only 20 percent of the channels that are reserved for educational television broadcasting have been utilized, and there is grave danger that unless considerably more stations are soon activated, the demand for commercial purposes may be impossible to turn down. Since the number of channels set aside for educational purposes equals only about 10 percent of all stations, and since the demands made upon them will unquestionably multiply in the years ahead, they should not be lost from lack of use.

Most of the testimony before the Committee on Interstate and Foreign Commerce was in favor of the bill. Very

few witnesses opposed the legislation and those appearing on behalf of commercial television generally favored the educational television on the grounds that they were not able to adequately supply educational services within the framework of their own networks.

In the final analysis, however, it will be the citizens themselves, acting together at the school, district, and State levels who will determine the success of educational TV. Where civic leaders spend necessary time and energy, we can expect excellent results in the years to come. Already Alabama and Colorado can point with pride to their achievements in this area. I am convinced that with the safeguards written into this bill we can move ahead to obtain better education, with positive assurance that the Federal Government will not prescribe teaching methods or the curriculum. I urge the bill's adoption.

Mr. HARRIS. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. There being no further requests for time, the Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title III of the Communications Act of 1934 is amended by adding at the end thereof the following new part:

PART IV. EDUCATIONAL TELEVISION FACILITIES GRANTS

"DECLARATION OF PURPOSE

"SEC. 390. The purpose of this part is—

"(1) to assist (through matching grants) the several States to survey the need and to develop programs for the construction of educational television facilities, and

"(2) to assist (through matching grants) in the construction of educational television facilities.

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 391. (a) There is authorized to be appropriated such sums, not to exceed $520,000 in the aggregate, as may be necessary to carry out the purposes of paragraph (1) of section 390.

"(b) There is authorized to be appropriated such sums not to exceed $52,000,000 in the aggregate, as may be necessary to carry out the purposes of paragraph (2) of section 390.

"GRANTS FOR SURVEYS

"SEC. 392. (a) To be approved, an application for funds for carrying out the provisions of paragraph (1) of section 390—

"(1) must be made by a duly constituted State educational television agency;

"(2) must provide for the making of a survey and the development of a program by such State educational television agency in accordance with paragraph (1) of section 390; and

"(3) must provide assurances satisfactory to the Secretary that any grant made by the Federal Government under this section will be matched with an equal amount by the State.

"(b) The Secretary shall approve any application for funds which complies with subsection (a).

"(c) The total amount of the grant made to any State for the carrying out of paragraph (1) of section 390 shall not exceed $10,000.

"STATE PLANS FOR CONSTRUCTION OF FACILITIES

"SEC. 393. Grants under this part for the construction of educational television facilities in a State shall be made only if the State educational television agency has submitted to the Secretary a State plan embodying a program for such construction. Such State plan shall be so submitted within three years of the date of enactment of this part.

"GRANTS FOR CONSTRUCTION

"SEC. 394. (a) For each proposed project for the construction of educational television facilities there shall be submitted to the State educational television agency, for transmission to the Secretary, an application for a grant, and such application shall contain such information with respect to such project as the Secretary shall by regulation require, including the total cost of such project and the amount of the Federal grant requested for such project, and providing assurance satisfactory to the Secretary—

"(1) that necessary funds to construct, operate, and maintain the educational television facilities will be available;

"(2) that the operation of such educational television facilities will be under the control of (A) an agency or officer responsible for the supervision of public education within that State, or within a political subdivision thereof, (B) a duly constituted State educational television agency, (C) a college or university deriving its support in whole or in part from public revenues, or (D) a nonprofit community educational television organization; and

"(3) that such television facilities will be used only for educational purposes.

"(b) Upon receipt of such application the State educational television agency shall determine whether such project is in accordance with the State plan as originally submitted or as modified, and, if it makes such determination, shall transmit such application to the Secretary.

"(c) Whenever a State educational television agency receives applications for construction grants in an aggregate amount exceeding the amount of Federal funds available for the making of such grants in such State, the agency shall indicate the priority given by it to each of the several applications and the amount recommended by it in the case of each application.

"(d) Upon his determination that any application for a grant for a project for the construction of educational television facilities meets the requirements of subsection (a) of this section, the Secretary may make a grant to the applicant of an amount not exceeding (1) 50 per centum of the amount determined by the Secretary to be the reasonable and necessary cost of such project, plus (2) 25 per centum of the reasonable and necessary cost, as determined by the Secretary, of any educational television facilities owned by the applicant on the date on which it files such application; except that the total amount of any grant made under this part with respect to any project may not exceed 75 per centum of the amount determined by the Secretary to be the reasonable and necessary cost of such project.

"(e) The total amount of grants made to applicants from any one State for the carrying out of paragraph (2) of section 390 shall not exceed $1,000,000.

"(f) No grant shall be made under this part for any project for the construction of educational television facilities in any State after the expiration of the three-year period beginning on the date of submission of a State plan under section 393.

"DEFINITIONS

"SEC. 395. For the purposes of this part—

"(1) The term 'State' includes the District of Columbia and the Commonwealth of Puerto Rico.

"(2) The term 'construction of educational television facilities' means the acquisition and installation of transmission apparatus (including towers, microwave equipment, boosters, translators, repeaters, mobile equipment, and video recording equipment) necessary for television broadcasting (including closed circuit television) and does not include the construction or repair of structures to house such apparatus.

"(3) The term 'Secretary' means the Secretary of Health, Education, and Welfare.

"(4) The term 'duly constituted State educational television agency' means (a) a board or commission established by State law for the purpose of promoting educational television within a State, or (b) a board or commission appointed by the Governor of a State for such purpose if such appointment is not inconsistent with State law, or (c) a State officer or agency responsible for the supervision of public education or higher education within the State which has been designated by the Governor to assume responsibility for the promotion of educational television; and, in the case of the District of Columbia, the term 'Governor' means the Board of Commissioners of the District of Columbia.

"(5) The term 'nonprofit community educational television organization' means a nonprofit foundation, corporation, or association which is representative of elementary schools, colleges, universities, and educational, scientific, civic, and cultural institutions and organizations located in the area to be served by educational television facilities, and which was organized primarily to engage in or encourage educational television broadcasting.

"PROVISIONS OF ASSISTANCE BY COMMISSION

"SEC. 396. The Federal Communications Commission is authorized to provide such assistance in carrying out the provisions of this part as may be requested by the Secretary.

"RULES AND REGULATIONS

"SEC. 397. The Secretary is authorized to make such rules and regulations as may be necessary to carry out this part.

"NO CONTROL OVER TELEVISION BROADCASTING

"SEC. 398. Nothing in this part shall be deemed to give the Secretary any control over television broadcasting."

With the following committee amendment:

Strike out all after the enacting clause and insert: "That title III of the Communications Act of 1934 is amended by adding at the end thereof the following new part:

"'PART IV—GRANTS FOR EDUCATIONAL TELEVISION BROADCASTING FACILITIES

"'*Declaration of purpose*

"'SEC. 390. The purpose of this part is—

"'(1) to assist (through matching grants) the several States to survey the need and to develop programs for the construction of educational television broadcasting facilities, and

"'(2) to assist (through matching grants) in the construction of educational television broadcasting facilities.

"'*Authorization of appropriations*

"'SEC. 391. (a) There are authorized to be appropriated for the fiscal year ending June 30, 1963, and each of the two succeeding fiscal years such sums, not exceeding $520,000 in the aggregate, as may be necessary to carry out the purposes of paragraph (1) of section 390. Sums appropriated pursuant to this subsection shall remain available until July 1, 1967, for payment of grants with respect to which applications, approved under section 392, have been submitted under such section prior to July 1, 1966.

"'(b) There are authorized to be appropriated for the fiscal year ending June 30, 1963, and each of the three succeeding fiscal years such sums, not exceeding $25,000,000 in the aggregate, as may be necessary to carry out the purposes of paragraph (2) of section 390. Sums appropriated pursuant to

this subsection shall remain available for payment of grants for projects for which applications, approved under section 393, have been submitted under such section prior to July 1, 1967.

"'*Grants for surveys*

"'SEC. 392. (a) An application by the State educational television agency of a State for a grant for carrying out the purposes of paragraph (1) of section 390 shall be approved by the Commissioner if the Governor of such State, or the Legislature of such State by a duly adopted resolution, certifies to the Commissioner with respect to such application—

"'(1) that any grant made to such State by the United States for carrying out the purposes of paragraph (1) of section 390 will be matched by an equal amount of State funds; and

"'(2) that such grant and such State funds will be used exclusively for making a survey of the need for and utility of additional educational television broadcasting facilities, and for the development of a program by the State educational television agency, for the construction of such facilities, which is based on such survey.

"'(b) From the sums appropriated for any fiscal year under subsection (a) of section 391 the Commissioner shall pay to each State which has an application approved under this section an amount equal to one-half of its expenditures during such year in carrying out the purposes of paragraph (1) of section 390; except that the total paid to any State under this section may not exceed $10,000. Such payments shall be made in advance on the basis of estimates by the Commissioner, and with necessary adjustments on account of overpayments or underpayments previously made.

"'(c) The Commissioner shall encourage area or regional surveys, and development of appropriate construction programs, for areas including any part or parts of more than one State and for such purposes he shall modify the requirements of subsection (a) to the extent he deems necessary to permit and facilitate financial and other cooperation between the State educational television agencies of the States involved.

"'*Grants for construction*

"'SEC. 393. (a) For each project for the construction of educational television broadcasting facilities there shall be submitted to the Commissioner an application for a grant containing such information with respect to such project as the Commissioner may by regulation require, including the total cost of such project and the amount of the Federal grant requested for such project, and providing assurance satisfactory to the Commissioner—

"'(1) that the applicant is (A) an agency or officer responsible for the supervision of public elementary or secondary education or public higher education within that State, or within a political subdivision thereof, (B) the State educational television agency, (C) a college or university deriving its support in whole or in part from tax revenues, or (D) a nonprofit community educational television organization;

"'(2) that the operation of such educational television broadcasting facilities will be under the control of the applicant or a person qualified under paragraph (1) to be such an applicant;

"'(3) that necessary funds to construct, operate, and maintain such educational television broadcasting facilities will be available when needed; and

"'(4) that such television broadcasting facilities will be used only for educational purposes.

"'(b) The total amount of grants under this part for the construction of educational television broadcasting facilities to be situated in any State shall not exceed $1,000,000.

"'(c) In the case of any State with respect to which an application has been approved under section 392, an application for a grant under this section for a project for construction of educational television broadcasting facilities in such State shall be submitted through the State educational television agency of such State; and in such case the Commissioner shall not approve such application under this section unless such agency concurs in or approves such application and, if a State construction program has been developed as provided in subsection (a)(2) of section 392, certifies that such facilities are included in, or construction thereof would be consistent with, such program.

"'(d) The Commissioner shall base his determinations of whether to approve applications for grants under this section and the amount of such grants on criteria set forth in regulations and designed to achieve (1) prompt and effective use of all educational television channels remaining available, (2) equitable geographical distribution of educational television broadcasting facilities throughout the States, and (3) provision of educational television broadcasting facilities which will serve the greatest number of persons and serve them in as many areas as possible, and which are adaptable to the broadest educational uses.

"'(e) Upon approving any application under this section with respect to any project, the Commissioner shall make a grant to the applicant in the amount determined by him, but not exceeding (1) 50 per centum of the amount which he determines to be the reasonable and necessary cost of such project, plus (2) 25 per centum of the amount which he determines to be the reasonable and necessary cost of any educational television broadcasting facilities owned by the applicant on the date on which it files such application; except that the total amount of any grant made under this section with respect to any project may not exceed 75 per centum of the amount determined by the Commissioner to be the reasonable and necessary cost of such project. The Commissioner shall pay such amount, in advance or by way of reimbursement, and in such installments consistent with construction progress, as he may determine.

"'(f) If, within ten years after completion of any project for construction of educational television broadcasting facilities with respect to which a grant has been made under this section—

"'(1) the applicant or other owner of such facilities ceases to be an agency, officer, institution, or organization described in subsection (a)(1), or

"'(2) such facilities cease to be used for educational television purposes (unless the Commissioner determines, in accordance with regulations, that there is good cause for releasing the applicant or other owner from the obligation so to do),

the United States shall be entitled to recover from the applicant or other owner of such facilities the amount bearing the same ratio to the then value (as determined by agreement of the parties or by action brought in the United States district court for the district in which such facilities are situated) of such facilities, as the amount of the Federal participation bore to the cost of construction of such facilities.

"'*Records*

"'SEC. 394. (a) Each recipient of assistance under this part shall keep such records as may be reasonably necessary to enable the Commissioner to carry out his functions under this part, including records which fully disclose the amount and the disposition by such recipient of the proceeds of such assistance, the total cost of the project or undertaking in connection with which such assistance is given or used, and the amount and nature of that portion of the cost of the project or undertaking supplied by other sources, and such other records as will facilitate an effective audit.

"'(b) The Commissioner and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access for the purpose of audit and examination to any books, documents, papers, and records of the recipient that are pertinent to assistance received under this part.

"'*Definitions*

"'SEC. 395. For the purposes of this part—

"'(1) The term "State" includes the District of Columbia and the Commonwealth of Puerto Rico.

"'(2) The term "construction", as applied to educational television broadcasting facilities, means the acquisition and installation of transmission apparatus (including towers, microwave equipment, boosters, translators, repeaters, mobile equipment, and video-recording equipment) necessary for television broadcasting but does not include the construction or repair of structures to house such apparatus.

"'(3) The term "Commissioner" means the Commissioner of Education in the Department of Health, Education, and Welfare.

"'(4) The term "State educational television agency" means (A) a board or commission established by State law for the purpose of promoting educational television within a State, (B) a board or commission appointed by the Governor of a State for such purpose if such appointment is not inconsistent with State law, or (C) a State officer or agency responsible for the supervision of public elementary or secondary education or public higher education within the State which has been designated by the Governor to assume responsibility for the promotion of educational television; and, in the case of the District of Columbia, the term "Governor" means the Board of Commissioners of the District of Columbia.

"'(5) The term "nonprofit community educational television organization" means a nonprofit foundation, corporation, or association which is broadly representative of schools, colleges, and universities, and educational, scientific, civic, and cultural institutions and organizations, located in the area to be served by educational television broadcasting facilities, and which was organized primarily to engage in or encourage educational television broadcasting.

"'(6) The term "nonprofit" as applied to any foundation, corporation, or association, means a foundation, corporation, or association, no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual.

"'*Provision of assistance by Federal Communications Commission*

"'SEC. 396. The Federal Communications Commission is authorized to provide such assistance in carrying out the provisions of this part as may be requested by the Commissioner. The Commissioner shall provide for consultation and close cooperation with the Federal Communications Commission in the administration of his functions under this part which are of interest to or affect the functions of such Commission.

"'*Rules and regulations*

"'SEC. 397. The Commissioner is authorized to make such rules and regulations as may be necessary to carry out this part, including regulations relating to the order of priority in approving applications for projects under section 393 or to determining the amounts of grants for such projects.

"'*Federal interference or control prohibited*

"'SEC. 398. Nothing contained in this part shall be deemed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over educational television broadcasting or over the curriculum, program of instruction, or personnel of any

educational institution, school system, or educational broadcasting station or system'."

Mr. LAIRD. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I take this time to direct a question to the chairman of the committee. I would like to find out if under the provisions of this bill the investment which has already been made in my State of Wisconsin will qualify for reimbursement under this bill. I am proud of the progress being made in Wisconsin. We have not waited for Federal aid. Under this bill every dollar our State receives will cost Wisconsin taxpayers $1.36.

Mr. HARRIS. As I have indicated earlier this afternoon, under the provisions of (e), page 12, there will be no reimbursement as such to the station, but on any expansion necessary it may obtain a credit up to 75 percent of the total expansion cost.

Mr. LAIRD. Only on future expansions will they receive any credit under this bill?

Mr. HARRIS. Yes.

Mr. LAIRD. I thank the gentleman for his helpful explanation. Wisconsin certainly comes out on the short end under this bill.

Mr. GROSS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would like to ask the chairman of the committee a question with respect to the language on page 11, and see if we can obtain a better definition, under the provision for applicants, of what constitutes a nonprofit community educational television organization.

What specifically is a "nonprofit community educational television organization?" Can the gentleman tell us?

Mr. HARRIS. If the gentleman will turn to page 16 under section 395, "Definitions," he will find a definition of nonprofit community educational television organizations.

I could give an example, if the gentleman would permit.

Mr. GROSS. Yes, of course.

Mr. HARRIS. The Greater Washington Educational Television Association is an example of this definition.

Mr. GROSS. I take it that on page 16 you were referring to the language from line 6 through line 13; is that correct?

Mr. HARRIS. The gentleman is correct.

Mr. GROSS. That paragraph reads:

The term "nonprofit community educational television organization" means a nonprofit foundation, corporation, or association which is broadly representative of schools, colleges, and universities, and educational, scientific, civil, and cultural institutions and organizations, located in the area to be served by educational television broadcasting facilities, and which was organized primarily to engage in or encourage educational television broadcasting.

Now, this says "cultural institutions and organizations." That is not very well defined, it does not seem to me, "and organizations,"—that could be almost any nonprofit organization.

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. GROSS. Yes.

Mr. HARRIS. I thought the gentleman was asking me a question, and that is the reason I was hesitating; I was not sure. I used as an example right here in Washington the Greater Washington Educational Television Association operating UHF channel 26. Now, as a part of that organization there is the Folger Shakesperian Institute, the Corcoran Art Gallery, which is also a part of this. Museums may become interested and join in [illegible] organization. That is the kind of thing we have in mind.

Mr. GROSS. That is what you have in mind. You [illegible] a labor or a farm organization in mind, do you?

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. GROSS. Yes, of course.

Mr. HARRIS. Certainly we do not have, and as I stated earlier in the day, [illegible] only a subsidiary of a labor or[illegible] or the U.S. Chamber of Commerce could organize a subsidiary or set up some organization solely for the purpose of educational television and [illegible] within the provisions of this bill. However, I cannot imagine and simply could not conceive of the Federal Communications Commission approving a license for a subsidiary of the U.S. Chamber of Commerce or the AFL–CIO, as was mentioned here, or some such organization, and I do not believe that there would be any possibility at all for such to happen with this bill.

Mr. GROSS. I am glad to have the gentleman refer to the chamber of commerce, because I was going to ask him if that organization could qualify as well as a labor organization.

Mr. HARRIS. Those two examples were brought up earlier this afternoon.

Mr. GROSS. I am sorry I was not here. Unfortunately, I had to be off the House floor at that time.

Mr. YOUNGER. Mr. Chairman, will the gentleman yield?

Mr. GROSS. Yes, I yield to the gentleman.

Mr. YOUNGER. I think the word "organizations" has to be read in the light of the preceding words, because it says "schools, colleges, and universities, and educational, scientific, civic, and cultural institutions." They must qualify under one of those definitions either as an institution or an organization. I think the qualifying words are the preceding words.

Mr. GROSS. With all due respect, I will have to disagree with the gentleman. When one reads this language it refers to schools, colleges, universities, educational and scientific, civic and cultural institutions and organizations. I reemphasize "and organizations." I doubt there is the proper limitation.

Mr. YOUNGER. That includes all of them. I think those are the qualifying words.

Mr. HEMPHILL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HEMPHILL to the committee amendment: On page 15, line 10 after "broadcasting," insert the following: "including apparatus which may incidentally be used for transmitting closed circuit television programs,".

Mr. HEMPHILL. Mr. Chairman, this is the amendment that I spoke of a while ago which allows a closed circuit in connection with broadcasting to participate in this program under the same rules and regulations as outlined in the other parts of the bill. I remember the gentleman from California [Mr. YOUNGER] asked me a question about whether or not the FCC would still have some authority. I may have misunderstood the gentleman's question. They would still have authority over any broadcasting, as I understand it, from either a UHF or VHF station. I wanted to clarify that.

Mr. YOUNGER. Mr. Chairman, will the gentleman yield?

Mr. HEMPHILL. I yield to the gentleman from California.

Mr. YOUNGER. How does the closed circuit operate?

Mr. HEMPHILL. If a closed circuit, either UHF or VHF, used a station to get the program into the closed circuit or into the schools in any way which is contemplated, it would still be under the FCC to that extent.

Mr. YOUNGER. Mr. Chairman, if the gentleman will yield further, they would have only the transmitting license. There would be no other license insofar as the closed circuit is concerned?

Mr. HEMPHILL. That is correct.

Mr. HARRIS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I take this time in order that the record may be made clear on this bill. I do want it understood as to what the situation is, and the reason why I am agreeing to the amendment.

Mr. Chairman, when we had this particular problem before the committee an amendment was offered to prohibit the use of funds for the purpose of connecting any two facilities. In other words, providing for a cable or relay system or microwave, and so forth. Now, the reason for that amendment was that there were some who were interested in preventing any private ownership of interconnecting facilities. The telephone companies and so forth wanted to have their facilities utilized on a lease basis. The committee considered all of the potentials with reference to the amendment and decided—and I think wisely so—against such a prohibition.

Now, in doing so it was felt that relays and interconnecting systems could be utilized in order that a system of education may be developed within a State. As an example, North Carolina has a pretty good system set up in part of the State, but it does want connections, as I recall the record, with other facilities in other parts of the State.

Now, the committee felt that this legislation should permit that kind of a situation to develop.

Then, the question arose as to the use of the closed circuit educational facilities.

Mr. Chairman, as has been said earlier in the afternoon, to operate a closed circuit broadcasting system, you do not have to get a license from the Federal Communications Commission. You use

leased or privately owned facilities. You do not use the spectrum.

We tried to deal with this subject, and on page 27 of the report you will find the term "broadcasting."

The term "broadcasting," which is used in the definition of "construction" and elsewhere in the committee substitute, is defined in section 3(n) of the Communications Act of 1934 to mean the dissemination of radio communications intended to be received by the public, directly or by the intermediary of relay stations.

That is the language to carry out the intent I described concerning interconnection. Then we provide this language in the report:

Thus, under the committee substitute, grants for the construction of educational television broadcasting facilities could not be used to acquire or install transmission apparatus intended for use or to be used for transmitting closed circuit television programs.

What we meant there was transmission apparatus intended exclusively for use in closed circuit television programs. In other words, this is a broadcasting bill for broadcasting facilities—which use the spectrum. Closed circuit television does not use the spectrum. What we intended here was that these funds could not be used for facilities that would be used exclusively for closed circuits. It has got to be for broadcasting facilities. In view of the history made here it becomes necessary to clear up this language and to adopt the language offered by the gentleman from South Carolina which means that you cannot use this fund for the purpose of facilities that will be closed circuit television exclusively. It must be for broadcasting. But it does not prohibit these facilities from being used in connection with closed circuit operations. I want to make that explanation because I think it is important.

Mr. YOUNGER. Mr. Chairman, I move to strike out the requisite number of words.

I take this time to make sure that what the chairman means is only the closed circuit which is used in connection with a television transmitter; is that correct?

Mr. HARRIS. Where you have a facility set up under the provisions of this bill for broadcasting purposes and the institution finds it feasible to use some of these facilities in connection with their closed circuit television operations, it would be permitted.

Mr. YOUNGER. But the closed circuit must be used in connection with a licensed broadcasting station?

Mr. HARRIS. The gentleman is correct.

The CHAIRMAN. The question is on the amendment offered by the gentleman from South Carolina [Mr. HEMPHILL].

The amendment was agreed to.

Mr. GRIFFIN. Mr. Chairman, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. GRIFFIN: Page 11, line 9 after (D) strike out the words "a nonprofit community educational television organization" and insert in lieu thereof the following: "a nonprofit organization consisting solely of entities referred to in the preceding clauses of this paragraph and which is organized solely to engage in educational television broadcasting."

Mr. GRIFFIN. Mr. Chairman, I offer this amendment for several reasons. Earlier those who were on the floor heard me ask the distinguished chairman of the Committee on Interstate and Foreign Commerce whether under the definition of a "nonprofit community educational television organization" the U.S. Chamber of Commerce or the AFL–CIO would be qualified to receive matching funds under the bill to construct a television facility.

At first the chairman indicated that the answer to that question was definitely and categorically, no. But a few minutes later, he said he believed he should qualify his answer and indicated that, perhaps, the U.S. Chamber of Commerce or the AFL–CIO could qualify if either should organize some sort of a subsidiary organization for educational purposes. Now I am not concerned only about the U.S. Chamber of Commerce and the AFL–CIO, but I am concerned and wonder what is meant by the language "a nonprofit community educational television organization." The definition on page 16 says it means an "association which is broadly representative of schools, colleges and universities,"—and that is all right so far—but it goes on "and educational, scientific, civic, and cultural organizations." What is a civic organization within the meaning of this bill? A very limited amount of money will be made available by this bill. As the gentleman from Iowa [Mr. KYL] said earlier, a limited number of stations can be constructed with the total funds. Why do we not limit the application of the bill, then, to educational institutions at the elementary, secondary or college level—and we know there is not enough money in this bill to go even that far. But let us limit the bill at that point.

Mr. Chairman, my amendment would allow a combination of college, university, elementary or secondary educational agencies to go together and form a nonprofit association to qualify for funds under the bill. While the amendment would permit a combination of agencies to qualify, still they must be educational institutions.

Mr. Chairman, I believe the bill would be better legislation and I, for one, could give it more enthusiastic support if this amendment should be adopted.

Mr. MOSS. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I think this is a most mischievous amendment although I am quite confident it is not the purpose of the gentleman to wreak the havoc he would in some areas should this amendment prevail. I can give you two very concrete examples of the types of organizations which would be precluded from any operation of a television station under the terms of the proposed amendment.

In my home city of Sacramento, we have had for about 5 years an educational television station on the air, and about 90 miles to the south and west in San Francisco an educational television station has been on the air for more than 10 years. These stations are operated by nonprofit organizations broadly representative of educational, civic, and cultural groups in the community—yes, and broadly representative of all of the diverse interests of a community. These stations have been operating entirely on voluntary contributions. They have had a most difficult time. I doubt it would be possible in these two communities to continue to sustain the operation of these stations without the broadly based nonprofit type of support now available.

Mr. Chairman, as to the fears of the gentleman that some particular self-seeking group might gain control, I point out first that those controlling the educational television facilities must be licensed by the Federal Communications Commission. They must submit to the test of an applicant for one of the reserved educational television channels. At the time they apply, if they do not, in fact, speak for the community they seek to serve, that community is going to voice its opposition to the allocation of that channel to the applicant. There can be a comparative test of differing applicants for one of these stations just as there can be for the applicants for commercial television channels. I think we should undertake here to encourage the voluntary association in communities of those who are interested in building better educational facilities and who are willing to give unselfishly of their time and of their resources to support them. We have such stations in operation. There has been no indication in any instance of any one segment of the community attempting to become dominant. The boards of directors are balanced and they render a most worthwhile service to the communities they represent.

Mr. GRIFFIN. Mr. Chairman, will the gentleman yield?

Mr. MOSS. I shall be very pleased to yield.

Mr. GRIFFIN. First of all I think we can agree that any group now organized and operating an educational television station will not be limited in their operations or affected by this bill in any way. We are only talking about what organizations or groups will in the future receive a subsidy of Federal taxpayers' funds for the construction of television facilities.

Mr. MOSS. The gentleman has stated something I do not agree with, that those now in existence are not covered under this bill. I think it is contemplated that if present educational channels are to undertake the proper equipping of their facilities, they can qualify on a matching basis for the benefits of this legislation, and I do not want them to be denied that opportunity. They have shown more resourcefulness than that displayed in most of the communities of the Nation in making the progress they have made to date, and I do not want a penalty worked against them because they were resourceful and willing to stand on their own two feet and undertake a pioneering experiment.

Mr. GRIFFIN. If the gentleman will yield further?

Mr. MOSS. Certainly I yield further.

Mr. GRIFFIN. I should like to make it clear that the question here is not whether the FCC will grant a license or assign a channel to a particular organization or group, because, as the gentleman has pointed out, the FCC grants licenses and assigns channels apart from this legislation. But as a matter of policy we might wish to limit the use of Federal funds to subsidize the construction of facilities. In view of the earlier colloquy with the gentleman from Arkansas [Mr. HARRIS], apparently it is not beyond the realm of possibility, although it might be unlikely, that funds could be allocated under this bill to help construct educational television facilities for a labor organization or the U.S. Chamber of Commerce.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. MOSS. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MOSS. Mr. Chairman, I must decline to yield further to the gentleman at this point, for he is making a statement about something with which I cannot agree. I do not think we are in any danger under the criteria established for the utilization of reserved educational television channels that the FCC would grant these channels to persons or groups we would not regard as being perfectly proper in every sense to receive the benefits of this legislation. On the contrary, I think it is clearly contemplated here that having met that test those groups will be qualified to receive the benefits. The criteria imposed here are very little different from the basic criteria the Communications Commission would utilize in attempting to determine whether it was in truth or in fact an educational effort and whether the service contemplated for the community would be undertaken.

I do not think the gentleman's amendment would do anything but discourage sincere and interested persons from joining together in a community effort to solve their own problems and to meet their own needs.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. MOSS. Certainly I yield to the gentleman from Iowa.

Mr. GROSS. If you have a truly educational broadcasting setup in Sacramento or the area adjacent thereto, why would they not be able to qualify under the other provisions of the bill? Why would the elimination of subparagraph (d) disqualify them from further broadcasting?

Mr. MOSS. I think you are going here to the type of security in control or ownership of a station; and if you exclude the type of organization which we have in my community, you would exclude my community, and I do not want it excluded, particularly in view at the pioneering effort it has undertaken. I am very proud of the work my home community has done in the educational television field.

Mr. YOUNGER. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I think we ought to consider another section of this bill, and that is the definition of what "State educational television agency" means. That is definition No. 4. I think we are dealing with a lot of unnecessary fears here because I cannot conceive that either the FCC or the State agency the way it is to be organized would grant a license or make a grant of funds to such an organization as the gentleman fears might get one. I just cannot conceive that that will be done. I am very familiar with the station that operates in San Francisco, WQED. That station is a reserved educational station, channel 9, a VH station. It serves the community. It has educational, cultural, and art features about it. It is paid for by public subscription. It serves a very useful purpose in the city and in the community. It could not qualify under (A), (B), and (C), nor the definitions on page 11, if you strike out the definition (D).

Therefore I am opposed to the amendment.

Mr. HARRIS. Mr. Chairman, I ask unanimous consent that all debate on the pending amendment and the amendment to the amendment conclude in 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr DINGELL].

Mr. DINGELL. Mr. Chairman, I ask unanimous consent to yield my time to the chairman of the Committee on Interstate and Foreign Commerce.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan [Mr. DINGELL]?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr O'HARA].

Mr. O'HARA of Illinois. Mr. Chairman, I am taking time to call the committee's attention to the language on page 15 defining the term "State" to include the District of Columbia and the Commonwealth of Puerto Rico. This is certainly proper and right as far as it goes. The children of the District and of the Commonwealth should have the same educational advantages offered by television as other American children residing in the States of the Union. I regret, however, that the bill closes the door on American children in Guam, the Virgin Islands, and the Canal Zone. It may be that facilities in those areas are not available at the present time, but I trust that if they are available and Guam, the Virgin Islands, and the Canal Zone desire to participate in the program subsequent legislation will make that possible. Let us not forget that Guam, the Virgin Islands, and the Canal Zone are part of the United States.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. GRIFFIN].

Mr. GRIFFIN. Mr. Chairman, this is a 3-year bill. It is limited as to time, and it is limited as to funds. I suggest that the House would be wise to limit the allocation of the public's tax funds to educational institutions and educational agencies or combinations thereof. Later, if the great Committee on Interstate and Foreign Commerce should desire to go into this subject further and more carefully perhaps it could come up with a better and more meaningful definition upon which an expansion of this program could be based. But, on this basis of this record, I believe we should limit the bill as my amendment indicates.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. GRIFFIN. I yield to the gentleman from Indiana.

Mr. HALLECK. Mr. Chairman, I must say I have had very serious misgivings about this broad language contained in the bill. As I understand it, the whole matter will go to conference. As far as I am concerned, I am going to support the amendment because I agree with the gentleman from Michigan. I do not think in starting out with this sort of program we should get ourselves spread too far too fast.

The CHAIRMAN. The Chair recognizes the gentleman from Arkansas [Mr. HARRIS].

Mr. HARRIS. Mr. Chairman, I trust this amendment will not be agreed to. If I had the fear which the gentleman from Michigan and the gentleman from Indiana just mentioned a moment ago as to what it would do, I certainly would probably vote for an amendment of this kind. But, I do not have that fear.

Now, then, let me tell you what this will do. It will disqualify the Bay Area Educational TV Association, San Francisco; Educational Television, Inc., Jacksonville, Fla.; Florida West Coast Educational TV, Inc., St. Petersburg; Chicago Educational Television Association, Chicago; WGBH Educational Foundation, Boston; Detroit Educational TV Foundation; Twin City Area Educational TV Corp.; Greater Cincinnati TV Educational Foundation; Greater Toledo Educational TV Foundation; Metropolitan Pittsburgh Educational TV Station; Memphis Community TV Foundation; and Greater Washington Television Association here composed of various organizations organized for this purpose here in Washington, the very organizations that must be given the credit for the miserly progress that we have made in this field now would be the very ones that would be disqualified. And, I do not believe the gentleman would want to do that.

Now I can say that in my judgment the Committee has considered this thing to the fine point that there would be no possibility that the Federal Communications Commission or the Commissioner of Education or the State educational organizations could permit any abuse of this language here. I know the gentleman does not want to do these things and he just does not know how far-reaching his amendment is. And I hope that this bill will not be completely destroyed and the people who are responsible for this kind of progress are not going to be deprived of the benefits under this bill.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from Indiana.

Mr. HALLECK. Do I understand that the organizations to whom you have referred are now operating under FCC licenses?

Mr. HARRIS. Some of them are, and some are applying for licenses.

Mr. HALLECK. If this amendment were adopted, would it destroy their licenses?

Mr. HARRIS. No, it would not destroy their licenses, but it would prevent their participating with all the other stations in the benefits available under this bill.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. GRIFFIN] to the committee amendment.

The question was taken; and on a division (demanded by Mr. GRIFFIN) there were—ayes 57, noes 44.

Mr. HARRIS. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. ROBERTS of Alabama and Mr. GRIFFIN.

The Committee again divided, and the tellers reported that there were—ayes 69, noes 66.

So the amendment was agreed to.

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. YATES, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 132) to amend the Communications Act of 1934 to establish a program of Federal matching grants for the construction of television facilities to be used for educational purposes, pursuant to House Resolution 552, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

Mr. HARRIS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HARRIS. Mr. Speaker, is it not a fact that the amendment that was adopted in the Committee of the Whole was to an amendment of the committee amendment and therefore the amendment as amended is what we were voting on?

The SPEAKER. That is correct; and it was agreed to. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. HARRIS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 339, nays 68, not voting 29, as follows:

[Roll No. 30]

YEAS—339

Abbitt
Adair
Addonizio
Albert
Alexander
Alford
Andersen, Minn.
Anfuso
Arends
Ashley
Ashmore
Aspinall
Auchincloss
Ayres
Bailey
Baker
Baldwin
Barry
Bass, N.H.
Bass, Tenn.
Bates
Battin
Becker
Beckworth
Belcher
Bennett, Fla.
Blatnik
Bliteh
Boggs
Boland
Bolling
Bolton
Bonner
Boykin
Brademas
Breeding
Brewster
Bromwell
Brooks, Tex.
Broomfield
Brown
Broyhill
Burke, Ky.
Burke, Mass.
Byrne, Pa.
Cannon
Cederberg
Celler
Chamberlain
Chenoweth
Chiperfield
Clark
Coad
Cohelan
Collier
Conte
Cook
Cooley
Corbett
Corman
Cramer
Curtin
Curtis, Mass.
Curtis, Mo.
Daddario
Dague
Daniels
Davis, James C.
Davis, John W.
Davis, Tenn.
Dawson
Denton
Derounian
Diggs
Dingell
Dominick
Donohue
Dooley
Dowdy
Downing
Duiski
Durno
Dwyer
Edmondson
Elliott
Ellsworth
Everett
Evins
Farbstein
Feighan
Fenton
Finnegan
Fino
Flood
Flynt
Fogarty
Ford
Forrester
Frazier
Frelinghuysen
Friedel
Fulton
Gallagher
Garland
Garmatz
Gary
Gathings
Gavin
Giaimo
Gilbert
Glenn
Gonzalez
Goodell
Goodling
Grant
Gray
Green, Oreg.
Green, Pa.
Griffin
Griffiths
Gross
Gubser
Hagan, Ga.
Hagen, Calif.
Haley
Halleck
Halpern
Hansen
Harding
Hardy
Harris
Harrison, Wyo.
Harsha
Harvey, Ind.
Harvey, Mich.
Hays
Healey
Hebert
Hechler
Hemphill
Henderson
Herlong
Hoeven
Holifield
Holland
Huddleston
Hull
Ichord, Mo.
Inouye
Jarman
Jennings
Joelson
Johnson, Calif.
Johnson, Md.
Johnson, Wis.
Jonas
Jones, Mo.
Judd
Karsten
Karth
Kastenmeier
Kearns
Kee
Keith
Keogh
Kilgore
King, Calif.
King, Utah
Kirwan
Kitchin
Kluczynski
Knox
Kornegay
Kowalski
Kunkel
Landrum
Lane
Langen
Lankford
Latta
Lennon
Lesinski
Libonati
Lindsay
Loser
McCulloch
McDowell
McFall
Macdonald
MacGregor
Mack
Madden
Magnuson
Mahon
Mailliard
Martin, Mass.
Martin, Nebr.
Mason
Mathias
Matthews
May
Meader
Merrow
Miller, Clem
Miller, George P.
Miller, N.Y.
Milliken
Mills
Minshall
Monagan
Montoya
Moore
Moorehead, Ohio
Moorhead, Pa.
Morgan
Morris
Morse
Mosher
Moss
Moulder
Multer
Murphy
Murray
Natcher
Nedzi
Nix
Norblad
Nygaard
O'Brien, Ill.
O'Brien, N.Y.
O'Hara, Ill.
O'Hara, Mich.
Olsen
O'Neill
Osmers
Ostertag
Passman
Patman
Pelly
Perkins
Peterson
Pfost
Philbin
Pike
Pilcher
Pillion
Pirnie
Poff
Price
Pucinski
Purcell
Quie
Randall
Rains
Reece
Reifel
Reuss
Rhodes, Pa.
Riehlman
Rivers, Alaska
Rivers, S.C.
Roberts, Ala.
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Rogers, Tex.
Roosevelt
Rosenthal
Rostenkowski
Roush
Rutherford
Ryan, Mich.
Ryan, N.Y.
St. George
St. Germain
Santangelo
Saund
Saylor
Schenck
Schneebeli
Schwengel
Scott
Seely-Brown
Shelley
Sheppard
Shipley
Shriver
Sibal
Sikes
Siler
Sisk
Slack
Smith, Iowa
Smith, Va.
Spence
Springer
Stafford
Staggers
Steed
Stephens
Stratton
Stubblefield
Sullivan
Taylor
Thomas
Thompson, La.
Thompson, Tex.
Thomson, Wis.
Thornberry
Toll
Tollefson
Trimble
Tuck
Tupper
Udall, Morris K.
Ullman
Utt
Vanik
Van Zandt
Vinson
Wallhauser
Walter
Watts
Weaver
Wels
Westland
Whalley
Wharton
Whitener
Wickersham
Widnall
Willis
Wilson, Calif.
Wilson, Ind.
Yates
Young
Younger
Zablocki

NAYS—68

Abernethy
Addabbo
Alger
Anderson, Ill.
Ashbrook
Avery
Beermann
Bell
Berry
Betts
Bow
Bray
Bruce
Burleson
Byrnes, Wis.
Carey
Casey
Church
Clancy
Colmer
Cunningham
Delaney
Derwinski
Devine
Dole
Dorn
Fascell
Findley
Fisher
Fountain
Hall
Hiestand
Hoffman, Ill.
Horan
Hosmer
Jensen
Johansen
Kilburn
King, N.Y.
Kyl
Laird
Lipscomb
McDonough
McMillan
McSween
McVey
Marshall
Michel
Moeller
Nelsen
Norrell
Poage
Ray
Rhodes, Ariz.
Roberts, Tex.
Roudebush
Rousselot
Schadeberg
Scherer
Short
Smith, Calif.
Taber
Teague, Calif.
Teague, Tex.
Van Pelt
Waggonner
Williams
Winstead

NOT VOTING—29

Andrews
Baring
Barrett
Bennett, Mich.
Buckley
Cahill
Cheif
Dent
Doyle
Fallon
Granahan
Harrison, Va.
Hoffman, Mich.
Jones, Ala.
Kelly
McIntire
Morrison
O'Konski
Powell
Rooney
Schweiker
Scranton
Selden
Smith, Miss.
Thompson, N.J.
Whitten
Wright
Zelenko

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Fallon for, with Mr. Harrison of Virginia against.

Until further notice:

Mr. Powell with Mr. Bennett of Michigan.
Mr. Dent with Mr. Scranton.
Mr. Morrison with Mr. Hoffman of Michigan.
Mr. Zelenko with Mr. O'Konski.
Mr. Thompson of New Jersey with Mr. Cahill.
Mr. Rooney with Mr. McIntire.
Mrs. Kelly with Mr. Schweiker.

The result of the vote was announced as above recorded.

Mr. HARRIS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill S. 205, and to strike everything after the enacting clause and insert in lieu thereof the provisions of H.R. 132 as passed.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

Mr. AVERY. Mr. Speaker, reserving the right to object, may I inquire of the gentleman from Arkansas just what it is he proposes to do? I could not understand the gentleman's request.

Mr. HARRIS. Mr. Speaker, the other body passed a bill. It is pending before the Committee on Interstate and Foreign Commerce of the House of Representatives. The House has just passed a bill reported by the committee. I am merely taking from our committee the Senate bill, striking out all after the enacting clause, and inserting the language of the House bill just passed.

Mr. AVERY. Mr. Speaker, I withdraw my reservation.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk reads as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated such amounts as may be necessary to assist the States and certain organizations therein to establish or improve television broadcasting for educational purposes, in accordance with the provisions of this Act, by providing for the establishment and improvement of television broadcasting facilities.

SEC. 2. Any agency or officer, or organization in a State, described in clause (b)(2) of this section, which is establishing or improving television broadcasting facilities, may receive a grant as authorized in this Act to cover the cost of such establishment or improvement by—

(a) making application therefor in such form as is prescribed by the United States Commissioner of Education; and

(b) providing assurance satisfactory to the Commissioner of Education—

(1) that the necessary funds to operate and maintain such facilities will be available;

(2) that the operation of such facilities will be under the control of (a) the agency or officer primarily responsible for the State supervision of public elementary and secondary schools, (b) a duly constituted State educational television commission, or (c) a State controlled college or university, except that any such agency, officer, commission, college or university may for the purposes of this Act distribute funds received under this Act to nonprofit foundations, corporations, or associations in the same State which are organized primarily to engage in or encourage educational television broadcasting if the operation of the facilities which such funds are used to establish or improve will be under the control of such nonprofit organization; and

(3) that such facilities will be used only for educational purposes.

SEC. 3. Upon determining that an agency or officer of an organization has satisfied the requirements of section 2 of this Act, the Commissioner of Education is authorized to make a grant to such agency officer, or organization in such amount as is determined by the Commissioner to be reasonable and necessary to cover the cost of such establishment or improvement of facilities. An agency or officer or an organization may receive one or more grants under the provisions of this Act, but the total amount of such grants for television broadcasting facilities in any State shall not exceed $1,000,000. Such grants shall be made out of funds appropriated for the purposes of this Act, and may be made in such installments as the Commissioner deems appropriate.

SEC. 4. As used in this Act the term "establishing or improving television broadcasting facilities" means the acquisition and installation of transmission apparatus necessary for television (including closed-circuit television) broadcasting, and does not include the construction or repair of structures to house such apparatus, and the term "State" means the several States and the District of Columbia.

SEC. 5. The Federal Communications Commission is authorized to provide such assistance in carrying out the provisions of this Act as may be requested by the Commissioner of Education.

SEC. 6. Nothing in this Act shall be deemed (a) to give the Commissioner of Education any control over television broadcasting, or (b) to amend any provision of, or requirement under, the Federal Communications Act.

SEC. 7. No application for any grant under this Act may be accepted by the Commissioner of Education after the day which is five years after the date of enactment of this Act.

SEC. 8. (a) Each recipient of assistance under section 3 of this Act shall keep such records as the Commissioner shall prescribe, including records which fully disclose the amount and the disposition by such recipient of the proceeds of such assistance, the total cost of the project or undertaking in connection with which such assistance is given or used, and the amount and nature of that portion of the cost of the project or undertaking supplied by other sources, and such other records as will facilitate an effective audit.

(b) The Commissioner and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access for the purpose of audit and examination to any books, documents, papers, and records of the recipient that are pertinent to assistance received under section 3 of this Act.

Mr. HARRIS. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HARRIS: Strike out all after the enacting clause, and insert "That title III of the Communications Act of 1934 is amended by adding at the end thereof the following new part:

"PART IV—GRANTS FOR EDUCATIONAL TELEVISION BROADCASTING FACILITIES

"'Declaration of purpose

SEC. 390. The purpose of this part is—

"'(1) to assist (through matching grants) the several States to survey the need and to develop programs for the construction of educational television broadcasting facilities, and

"'(2) to assist (through matching grants) in the construction of educational television broadcasting facilities.

"'Authorization of appropriations

SEC. 391. (a) There are authorized to be appropriated for the fiscal year ending June 30, 1963, and each of the two succeeding fiscal years such sums, not exceeding $520,000 in the aggregate, as may be necessary to carry out the purposes of paragraph (1) of section 390. Sums appropriated pursuant to this subsection shall remain available until July 1, 1967, for payment of grants with respect to which applications, approved under section 392, have been submitted under such section prior to July 1, 1966.

"'(b) There are authorized to be appropriated for the fiscal year ending June 30, 1963, and each of the three succeeding fiscal years such sums, not exceeding $25,000,000 in the aggregate, as may be necessary to carry out the purposes of paragraph (2) of section 390. Sums appropriated pursuant to this subsection shall remain available for payment of grants for projects for which applications, approved under section 393, have been submitted under such section prior to July 1, 1967.

"'Grants for surveys

"'SEC. 392. (a) An application by the State educational television agency of a State for a grant for carrying out the purposes of paragraph (1) of section 390 shall be approved by the Commissioner if the Governor of such State, or the legislature of such State by a duly adopted resolution, certifies to the Commissioner with respect to such application—

"'(1) that any grant made to such State by the United States for carrying out the purposes of paragraph (1) of section 390 will be matched by an equal amount of State funds; and

"'(2) that such grant and such State funds will be used exclusively for making a survey of the need for and utility of additional educational television broadcasting facilities, and for the development of a program by the State educational television agency, for the construction of such facilities, which is based on such survey.

"'(b) From the sums appropriated for any fiscal year under subsection (a) of section 391 the Commissioner shall pay to each State which has an application approved under this section an amount equal to one-half of its expenditures during such year in carrying out the purposes of paragraph (1) of section 390; except that the total paid to any State under this section may not exceed $10,000. Such payments shall be made in advance on the basis of estimates by the Commissioner, and with necessary adjustments on account of overpayments or underpayments previously made.

"'(c) The Commissioner shall encourage area or regional surveys, and development of appropriate construction programs, for areas including any part or parts of more than one State and for such purposes he shall modify the requirements of subsection (a) to the extent he deems necessary to permit and facilitate financial and other cooperation between the State educational television agencies of the States involved.

"'Grants for construction

"'SEC. 393. (a) For each project for the construction of educational television broadcasting facilities there shall be submitted to the Commissioner an application for a grant containing such information with respect to such project as the Commissioner may by regulation require, including the total cost of such project and the amount of the Federal grant requested for such project, and providing assurance satisfactory to the Commissioner—

"'(1) that the applicant is (A) an agency or officer responsible for the supervision of public elementary or secondary education or public higher education within that State or within a political subdivision thereof, (B) the State educational television agency, (C) a college or university deriving its support in whole or in part from tax revenues, or (D) a nonprofit organization consisting solely of entities referred to in the preceding clauses of this paragraph and which is organized solely to engage in educational television broadcasting;

"'(2) that the operation of such educational television broadcasting facilities will be under the control of the applicant or a person qualified under paragraph (1) to be such an applicant;

"'(3) that necessary funds to construct, operate, and maintain such educational television broadcasting facilities will be available when needed; and

"'(4) that such television broadcasting facilities will be used only for educational purposes.

"'(b) The total amount of grants under this part for the construction of educational television broadcasting facilities to be situated in any State shall not exceed $1,000,000.

"'(c) In the case of any State with respect to which an application has been approved under section 392, an application for a grant under this section for a project for construction of educational television broadcasting facilities in such State shall be submitted through the State educational television agency of such State; and in such case the Commissioner shall not approve such application under this section unless such agency concurs in or approves such application and, if a State construction program has been developed as provided in subsection (a)(2) of section 392, certifies that such facilities are included in, or construction thereof would be consistent with, such program.

"'(d) The Commissioner shall base his determinations of whether to approve applications for grants under this section and the amount of such grants on criteria set forth in regulations and designed to achieve (1) prompt and effective use of all educational television channels remaining available, (2) equitable geographical distribution of educational television broadcasting facilities throughout the States, and (3) provision of educational television broadcasting facilities which will serve the greatest number of persons and serve them in as many areas as possible, and which are adaptable to the broadcast educational uses.

"'(e) Upon approving any application under this section with respect to any project, the Commissioner shall make a grant to the applicant in the amount determined by him, but not exceeding (1) 50 per centum of the amount which he determines to be the reasonable and necessary cost of such project, plus (2) 25 per centum of the amount which he determines to be the reasonable and necessary cost of any educational television broadcasting facilities owned by the applicant on the date on which it files such application; except that the total amount of any grant made under this section with respect to any project may not exceed 75 per centum of the amount determined by the Commissioner to be the reasonable and necessary cost of such project. The Commissioner shall pay such amount, in advance or by way of reimbursement, and in such installments consistent with construction progress, as he may determine.

"'(f) If, within ten years after completion of any project for construction of educational television broadcasting facilities with respect to which a grant has been made under this section—

"'(1) the applicant or other owner of such facilities ceases to be an agency, officer, institution, or organization described in subsection (a)(1), or

"'(2) such facilities cease to be used for educational television purposes (unless the Commissioner determines in accordance with regulations, that there is good cause for releasing the applicant or other owner from the obligation so to do),

the United States shall be entitled to recover from the applicant or other owner of such facilities the amount bearing the same ratio to the then value (as determined by agreement of the parties or by action brought in the United States district court for the district in which such facilities are situated) of such facilities, as the amount of the Federal participation bore to the cost of construction of such facilities.

"'Records

"'SEC. 394. (a) Each recipient of assistance under this part shall keep such records as may be reasonably necessary to enable the Commissioner to carry out his functions under this part, including records which fully disclose the amount and the disposition by such recipient of the proceeds of such assistance, the total cost of the project or undertaking in connection with which such assistance is given or used, and the amount and nature of that portion of the cost of the project or undertaking supplied by other sources, and such other records as will facilitate an effective audit.

"'(b) The Commissioner and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access for the purpose of audit and examination to any books, documents, papers, and records of the recipient that are pertinent to assistance received under this part.

"'Definitions

"'SEC. 395. For the purposes of this part—

"'(1) The term "State" includes the District of Columbia and the Commonwealth of Puerto Rico.

"'(2) The term "construction", as applied to educational television broadcasting facilities, means the acquisition and installation of transmission apparatus (including towers, microwave equipment, boosters, translators, repeaters, mobile equipment, and video-recording equipment) necessary for television broadcasting, including apparatus which may incidentally be used for transmitting closed circuit television programs, but does not include the construction or repair of structures to house such apparatus.

"'(3) The term "Commissioner" means the Commissioner of Education in the Department of Health, Education, and Welfare.

"'(4) The term "State educational television agency" means (A) a board or commission established by State law for the purpose of promoting educational television within a State, (B) a board or commission appointed by the Governor of a State for such purpose if such appointment is not inconsistent with State law, or (C) a State officer or agency responsible for the supervision of public elementary or secondary education or public higher education within the State which has been designated by the Governor to assume responsibility for the promotion of educational television; and, in the case of the District of Columbia, the term "Governor" means the Board of Commissioners of the District of Columbia.

"'(5) The term "nonprofit community educational television organization" means a nonprofit foundation, corporation, or association which is broadly representative of schools, colleges, and universities, and educational, scientific, civic, and cultural institutions and organizations, located in the area to be served by educational television broadcasting facilities, and which was organized primarily to engage in or encourage educational television broadcasting.

"'(6) The term "nonprofit" as applied to any foundation, corporation, or association, means a foundation, corporation, or association, no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual.

"'Provision of assistance by Federal Communications Commission

"'SEC. 396. The Federal Communications Commission is authorized to provide such assistance in carrying out the provisions of this part as may be requested by the Commissioner. The Commissioner shall provide for consultation and close cooperation with the Federal Communications Commission in the administration of his functions under this part which are of interest to or affect the functions of such Commission.

"'Rules and regulations

"'SEC. 397. The Commissioner is authorized to make such rules and regulations as may be necessary to carry out this part, including regulations relating to the order of priority in approving applications for projects under secton 393 or to determining the amounts of grants for such projects.

"'Federal interference or control prohibited

"'SEC. 398. Nothing contained in this part shall be deemed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over educational television broadcasting or over the curriculum, program of instruction, or personnel of any educational institution, school system, or educational broadcasting station or system.'

"Amend the title so as to read: 'An Act to amend the Communications Act of 1934 to establish a program of Federal matching grants for the construction of television broadcasting facilities to be used for educational purposes.'"

The amendment was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

The title was amended so as to read:

To amend the Communications Act of 1934 to establish a program of Federal matching grants for the construction of television facilities to be used for educational purposes.

A motion to reconsider was laid on the table.

A similar House bill (H.R. 132) was laid on the table.

Mr. HARRIS. Mr. Speaker, I ask unanimous consent that the House insist on its amendment and request a conference with the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Chair appointed the following conferees: Messrs. HARRIS, ROBERTS of Alabama, MOULDER, MOSS, SPRINGER, YOUNGER, and SCHENCK.

GENERAL LEAVE TO EXTEND

Mr. HARRIS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

MESSAGE FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Ratchford, one of his secretaries, who also informed the House that on March 6, 1962, the President approved and signed a bill of the House of the following title:

H.R. 9013. An act to provide for the transfer of rice acreage history where producer withdraws from the production of rice.

PROGRAM PRACTICES OF TELEVISION NETWORKS

Mrs. GREEN of Oregon. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentlewoman from Oregon?

There was no objection.

Mrs. GREEN of Oregon. Mr. Speaker, this month the Federal Communications Commission ended an investigation, spanning 3 years, into program practices of television networks. The compiled testimony covers about 12,000 pages.

Among the elements in the investigation are the displays of violence, program ratings, the role of affiliated

stations in selecting programs, and regulation of the industry by the Federal Government.

Several months from now, the FCC will forward its findings to the Congress with possible recommendations for legislation affecting both stations and networks. I am hopeful that the quality of programs, both public service and entertainment, will be improved. Many of us have watched with great expectations the arrival of Chairman Newton N. Minow to the FCC. He has succeeded, with all the frustrations, self-imposed and acquired, of the agency in provoking needed discussion among Americans about the state of both radio and television.

I hope, Mr. Speaker, that the hour is not too late; the situation need not have become what it is.

I think it instructive to delve into the fledgling years of broadcasting when radio had not quite grown out of toyhood into a social force. Interestingly, at about the same time, indeed almost in the same year, two men, one an American, the other a Briton, recognized the problem that arose with the general dissemination, as opposed to point-to-point transmission, of messages by wireless.

The Briton was Lord Reith, father of the British Broadcasting Corp.—BBC. He foresaw that "the temptation to exploit large numbers of people has grown as it has become abundantly clear that effective technical means lie at the disposal of would-be exploiters and that the profits of exploitation are huge." He saw radio—TV was then a laboratory infant—as Promethean fire that needed fire lanes.

The American was Herbert Hoover. Now, Mr. Speaker, I concede that I do not have frequent occasion to quote the former President. But I found it most interesting in this research to learn Mr. Hoover's views on the responsibility both of the Federal Government and of the private broadcaster. And I must say—to borrow a political term and with no disrespect due Mr. Hoover—that he stands somewhat to the "left" of both the prevailing view in radio and television circles and, unfortunately, the regulatory Federal Communications Commission itself.

Now, Mr. Speaker, eccentric as it may sound today, Mr. Hoover represented views of the many public-spirited citizens when he subscribed to a theory built upon an assumption that unrestrained commercial motivation pollutes the public air.

Remember that the Radio Broadcasting Act of 1927, a basic statute, was framed during the administration of Calvin Coolidge who once made the doleful statement that the chief business of Government is business.

And President Coolidge's Secretary of Commerce was Herbert Hoover. And what was Mr. Hoover's philosophy? It was this: That the Federal Government is entitled to compel an applicant for a broadcasting license "to prove there is something more than naked commercial selfishness in his purposes."

Testifying at a hearing on the 1927 legislation, Mr. Hoover told members of the House Merchant Marine and Fisheries Committee:

> It is inconceivable that the American people will allow the newborn system of communication to fall exclusively into the power of any individual group or combination.
>
> Radio communication is not to be considered as merely a business carried on for private gain, for private advertisement or for entertainment of the curious. It is a public concern impressed with the public trust and to be considered primarily from the standpoint of public interest to the same extent and upon the basis of the same general principles as our other public utilities.

Mr. Hoover at one point withdrew his support for the lengthy regulatory bill and suggested a short bill that vested control in the Secretary of Commerce. The preamble to this short bill stated:

> That it is hereby declared and reaffirmed that the ether within the limits of the United States, its territories and possessions, is the inalienable possession of the people.

His proposed draft was not accepted. And in a prophetic warning, Mr. Hoover said:

> It has been found possible by indirect advertising to turn broadcasting to highly profitable use. If this were misused we would be confronted with the fact that service more advantageous to the listeners would be crowded out for advertising purposes.

The 1927 act I referred to a moment ago specified that although a radio station may be operated as a commercial venture, the license holder's commercial privilege must be "subordinated to his paramount obligation for the community and must be incidental to his trusteeship."

And the following year the Federal Radio Commission stated:

> While it is true that broadcasting stations in this country are for the most part supported or partially supported by advertisers, broadcasting stations are not given these great privileges by the U.S. Government for the primary benefit of advertisers. Such benefit as is derived by advertisers must be incidental and entirely secondary to the interest of the public. Where a station is used for broadcasting of a considerable amount of what is called direct advertising, the advertising is usually offensive to the listening public. It should be incidental to some real service rendered to the public, and not the main object of a program.

Now, Mr. Speaker, note this philosophy and then judge how far astray we have come when we listen to the president of the Columbia Broadcasting System in 1960. He stated at an FCC hearing that a program "in which a large part of the audience is interested is, by that very fact, a program in the public interest." Not to be outdone, another network chieftain, Robert Sarnoff, president of the National Broadcasting Co., declared during his appearance:

> Permit me to clarify one point. A network is not under any legal compulsion to meet FCC requirements for a balanced program.

Now the speciousness of the first statement and the arrogance of the second pronouncement unfortunately are ingredients in the cake of custom that has been baked since Mr. Hoover and others tried unsuccessfully to set a guide for broadcasting.

In a recent article in the American Scholar, it was pointed out that the two basic statutes in this field, the acts of 1927 and 1934, provide, in effect, not that advertising agencies and sponsors and networks should be good but indeed that they should be in effect powerless. The FCC has said as recently as 1960 that—

> The selection, supervision, and control of all broadcast matter should remain the undivided and unshared responsibility of station licensees in local communities. Any responsibility placed on networks should not substitute for, but should serve and implement, the basic duty of licensees as trustees to provide broadcasting service in the public interest.

Now, of course, as can be judged from reading testimony before the FCC, networks and advertising agencies are in complete control of broadcasting matter.

There was fair warning that this dolorous state of affairs would come to pass. I have reached this conclusion upon the basis of a detailed reading of the debates on the 1927 and 1934 legislations.

Now it is instructive, Mr. Speaker, to go behind the Radio Broadcasting Act of 1927 and the Federal Communications Act of 1934, the two key statutes in the field, to read the record as these pieces of legislation were being discussed on the floor of both the House and the Senate.

Now no one can read the lengthy documentation, the legislative history of these measures, if you will, without feeling the vast uneasiness and the dissatisfaction of the Senators and Representatives with the final legislative product.

For example, a large part of the month of February in 1927, the Senate discussed proposed regulations in the field. There is evidence the radio industry conducted a pressure campaign among listeners in an effort to end the debate and pass the inadequate 1927 legislation. During the legislative discussion of both the 1927 and 1934 acts there emerged conference reports that represented a considerable dimunition of the original intent of the sponsors.

The 1927 legislation was passed amid frequent expressions that there was not being provided sufficient authority to the Federal Government to allocate wavelengths, determine power that stations should use and fix location of those stations. The bill, or more properly the conference report, seems to have been passed mainly because of the expressed fear that unless the report was adopted the radio station owners would at that time through pleas that through prior appropriation of wavelengths they have acquired rights which the courts would enforce. Better some attempt at regulation than none carried the legislative day.

On the House floor, the gentleman from Tennessee, Representative DAVIS, asked:

> If we are going to surrender the rights of the American people and take back our assertion that this great right, the use of the ether, should be for the public benefit and for all of the people; that it belongs to the American people and not to the American Telephone & Telegraph Co., the Radio Corp. of America or any other member of this monopoly.

Senators La Follette and Borah vigorously protested cropping in conference of a Senate provision that stated that both power to regulate as well as the ownership of the ether and the channels exist in the Government. The provision stated:

> The Federal Government intends forever to preserve and maintain the channels of radio transmission as perpetual medium under the control and for the people of the United States.

Senator Key Pittman, of Nevada, addressing the President of the Senate, said:

> I do not think, sir, that in the 14 years I have been here there has ever been a question before the Senate that in the very nature of the thing Senators can know so little about as this subject.

Senator Pittman expressed dismay at another watering down of the original Senate bill. He particularly wondered what happened to a Senate provision that no license shall be granted until an applicant, either for a license or for a renewal of a license, has signed under oath a waiver of any claim of right to any wavelength or to the use of the ether because of a previous use of the same whether by license or otherwise. The only service rendered by the conference report, said Senator Pittman dolefully, is "service to a future monopoly, that is all."

Now let us turn to discussion on the Senate floor of the legislation that became known as the Communications Act of 1934.

Senator Wagner, of New York, typified those who wanted stronger protections for radio listeners. He suggested that all licenses be picked up and that the newly proposed Federal Communications Commission shall reallocate all frequencies, power, and time assignments.

He further suggested an amendment that failed of passage. It would have made it mandatory that the FCC reserve and allocate only to educational, religious, agricultural, labor, cooperative and similar non-profit-making associations one-fourth—25 percent—of all the radio broadcasting facilities within its jurisdiction. Commercial stations enjoying free use of the air have captured 98 percent of the broadcasting, he said.

Senator Fess, of Ohio, declared:

> Everyone must be impressed with the pollution of the air for commercial purposes until it is actually nauseating.

And, interestingly, he pointed out that the invention of the Linotype did not turn policy and practice of journalism over to mechanics and machinery salesmen and yet radio is and always has been dominated absolutely by the close-knit industries of its technical manufacturing and production branches.

Senator White suggested the FCC be given the power, nay, the express duty of establishing priorities in the character of service.

The Senate bill did contain a provision, dropped in conference, that was a faint shadow of the LaFollette proposal. It said the FCC shall study the proposal that Congress by statute allocate fixed percentages of radio broadcasting facilities to particular types or kinds of nonprofit radio programs or to persons identified with particular types or kinds of nonprofit radio programs or to persons identified with particular types or kinds of nonprofit activities and shall report to Congress, not later than February 1, 1935, its recommendations with the reasons.

Well, effort after effort on the Senate floor was made unsuccessfully to lessen the commercialization of the airwaves.

And now today, 28 years later to the month, the huckster, in whose view the network audience is peopled by two categories of humans—highbrow and lowbrow—rules. His premise is that tastes are inborn or inherited rather than acquired. A sort of Ricardo iron law of tastes. Well, I suggest parenthetically there is at least a third category—the broadbrow.

Somewhere it has been written that we are a nation scarred by private luxury and public squalor. Small wonder when the principal formal avenue of information and entertainment, Mr. Speaker, is devoted to pandering to the greedy consumer that lurks inside each of us. Have we forgotten that basically salesmen, whether appearing with or without white coats on our television screens, are a bother; that businessmen are after all attempting principally to buy cheap and sell dear; and neither operates under the King's writ?

Let us be mindful of George Bernard Shaw's counsel:

> We must get what we want, or we shall come to want what we get.

The Senate subcommittee investigating juvenile delinquency has reported in its studies that during so-called prime viewing hours programs depicting crime and violence have risen from one-sixth of the total programing time to one-half. Add the commercial billingsgate which interlace these programs and we have a witch's opiate.

Now, Mr. Speaker, I turn to the operation in Great Britain. The comparison has been made before. I do not think that in all ways its methods are adaptable to this country. But I am impressed that on the average on the commercial television network, the Independent Television Authority, advertising is limited to 6 minutes each hour. Advertisers neither produce nor control programs. They cannot sponsor whole shows or buy time on a particular program. The station operator places the advertisement. The idea seems to be to please all the people some of the time—not some of the people all of the time.

There is, in other words, no cultural apartheid—no Sunday afternoon ghetto for the "better class" of people.

I think this is important to mention, because we should not be sobersides about this. We should not be esthetic prigs. I do not advocate turning broadcasting over to some monastic community having no contact with the administration of life. There has been some nonsense written and spoken about this.

On one hand, we should not have nightly on television a reading of both the CONGRESSIONAL RECORD and Hansard. Surely, this would weaken the Atlantic Alliance, cause political scientists to weep, and our constituents to laugh. On the other hand, there should be a lessening of glorification of violence, lawlessness, and passion without reason.

Programs can be popular and "good"—although the judgment is an esthetic not a moral one—and "good" but yet popular. Frequently the "mass" audience for one kind of program is not the "mass" audience for another.

Now there have been many proposals aimed at redressing the balance in programing. These have been advanced because the networks themselves have done little. One approach would touch directly on the programing itself. There is another approach—to assist financially and technically projects that will provide the facilities. H.R. 132 does this. It would amend the 1934 Communications Act by establishing a program of matching Federal grants for the construction of television facilities to be used for educational purposes. This has been thoroughly discussed.

As of last July, the FCC had set aside for educational television broadcasting 273 TV channels out of 2,227 channels. Only 57 educational television stations actually went on the air.

There is grave danger, as the House Committee on Interstate and Foreign Commerce has pointed out, that unless the process of getting educational TV stations on the air is speeded, the demand to use these channels for commercial television purposes may become irresistible and thus they will become irretrievably lost to education.

I suggest, too, that we might call upon the FCC to study the proposal I referred to a few minutes ago—this is the one that there be a fixed allocation of radio and television broadcasting facilities to educational, cultural, and other similar non-profit-making associations.

Is it an extravagant hope that we shall brake the merchants and panderers of the airwaves? I am hopeful that under the distinguished chairmanship of Mr. Minow, the FCC will finally assume its share of the responsibility for eliminating the disordered quality of our radio and television programs.

ELECTION OF MEMBER TO COMMITTEE

Mr. MILLS. Mr. Speaker, I offer a privileged resolution (H. Res. 556) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 556

Resolved, That Benjamin S. Rosenthal, of New York, be, and he is hereby, elected a member of the standing Committee of the House of Representatives on Veterans' Affairs.

The resolution was agreed to.

A motion to reconsider was laid on the table.

FOUNDERS DAY ADDRESS TO BE MADE BY VICE PRESIDENT JOHNSON

Mr. KORNEGAY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. KORNEGAY. Mr. Speaker, Vice President LYNDON B. JOHNSON is to make the Founders Day address and to receive a honorary degree tomorrow, March 8, at Elon College. Elon College, established and supported by the Congregational Christian denomination, is one of the old and fine church-related institutions of higher learning located in my congressional district. Dr. Earl Danieley, the president of Elon College, has invited me to attend and participate in this auspicious occasion. My plans are to accompany the Vice President to the Sixth District of North Carolina tomorrow. I understand that there will be some business conducted on the floor of the House tomorrow, but I feel that the occasion of the Vice President's visit to my district justifies my absence from tomorrow's session of the House. I will arrange to be paired in the event any record vote is taken.

CUT HOUSE OF REPRESENTATIVES TO 200 MEMBERS?

Mr. HOSMER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOSMER. Mr. Speaker, I am introducing a bill today to reduce the size of the House of Representatives to 200 Members. Present permanent membership is 435. Present temporary membership is 437. A bill is before the Committee on Rules to boost that figure to 438.

The history of legislation on the size of the House shows consideration has been given primarily to the issue of enlarging it. Bills have been taken up in the atmosphere of political crisis following a decennial census and the political urgencies of both States and Congressmen whose districts are being abolished. The House has grown to its present size largely because of these considerations. They may or may not have operated to fix the size of the House logically. The record is relatively barren of sober discussion and evaluation as to what, in reality, should be a proper size for the U.S. House of Representatives under present-day conditions.

In political theory the size of a legislative body should, in part, take into consideration the number of Members necessary and appropriate:

First. To get its work done efficiently. Too many or too few Members can result in an ineffective legislature.

Second. To provide adequate representation of the electorate. A body which is too large and unwieldy may defeat this end as certainly as one which is too small.

Third. For economical operation of the legislative body. More Members than necessary, plus their tax supported staffs, can be a waste of public money.

Fourth. For fixing legislative responsibility and leadership. In too large a body responsibility is so diffused that leadership in the nonpartisan sense becomes difficult to exercise. In too small a body responsibility becomes concentrated beyond a Member's capacity to discharge it leading to the exercise of improper governmental powers and authority by nonelected staff members in congressional offices and committees.

The number 200 arbitrarily was selected as a starting point for consideration, being twice the size of the other body and probably the smallest size anyone would wish to consider. It most probably is smaller than what would be determined to be the most satisfactory size for House membership. After hearings the bill could be amended by inserting what careful examination and study shows to be a proper size for the House. It might disclose the proper number to be 300, the present 435, the proposed 438, or even more. But no reasonable judgment can be made on the matter unless and until such a review is made under circumstances in which reapportionment pressures are absent. The only way to get one seems to be to have hearing on a bill of this nature. I am certain that should it show the size of the House should be reduced, no Member would permit consideration of his own political fortunes to influence his support of beneficial legislation.

PERSONAL EXPLANATION

Mr. SCHWEIKER. Mr. Speaker, I was unavoidably detained and just missed rollcall No. 30. Had I been present I would have voted "aye" on H.R. 132.

DEFENSE EXPENDITURES IN WEST VIRGINIA

Mr. HECHLER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. HECHLER. Mr. Speaker, on 18 occasions during 1959 and 1960, I took the floor to point out the different ways in which the State of West Virginia has been shortchanged in the past, in terms of Federal Government installations and spending.

For example, West Virginia in 1959 and 1960 had the highest rate of unemployment of any State in the Union, yet the lowest number of Department of Commerce employees per capita. During the Korean conflict West Virginia had the highest number of its young men per capita in the entire Nation who were killed or wounded in the Korean conflict, yet in 1959 and 1960 West Virginia ranked 50th among the States in defense expenditures and defense installations in proportion to population.

I am attempting to compile up-to-date figures which will indicate that even with the economic progress she has made in the past year, West Virginia still has a long way to go before anyone can claim that she gets better than average treatment so far as Federal facilities are concerned.

This is why I was very much interested yesterday, during the debate on the Treasury-Post Office appropriation bill, to hear the discussion on the placement of an Internal Revenue Service facility in Martinsburg, W. Va., and the assignment of additional interstate mileage to the State of West Virginia. During the discussion, there was some contention that these decisions may have been made for political considerations.

Mr. Speaker, although I am sure that these decisions were made for the good of the people of the Nation, I cannot resist making one more observation in view of the way in which West Virginia has been shortchanged for so many years.

I am proud that West Virginia has in effect rejoined the Union and is receiving her measure of recognition from the Kennedy administration. I am proud that West Virginia at last is receiving a fair break. For all too many years, West Virginia has been shoved to the bottom of the heap. Some may claim that this recognition of West Virginia is politics. If the current attention fairly given to the State of West Virginia be politics, then I say let us have some more of the same kind of politics.

JUNIUS SCALES

Mr. WALTER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. WALTER. Mr. Speaker, a bleeding-heart campaign has been launched to bring about Presidential clemency for Junius Scales, former leader of the Communist Party's Carolinas district. To date, Scales has served only 5 months of a 6-year prison sentence for violating the membership clause of the Smith Act. This clause makes it a felony for anyone knowingly to join or retain membership in an organization which advocates the overthrow of the Government of the United States by force and violence.

Clemency-for-Scales articles are appearing in leftwing publications, and that peculiar breed of American who simply cannot believe that anyone except an anti-Communist would do this Nation harm is shedding his tears for Scales in letters to the editors of leading newspapers. Editorials in the New York Times and the Washington Post, two Goliaths of the weeping willow world, have jumped on the Scales bandwagon. In addition, the Washington

Post ran a paid mercy-for-Scales plea entitled "Wanted: Presidential Clemency."

What are the reasons given by those who seek to have Junius Scales released from the Federal penitentiary? The most frequently appearing ones are as follows:

First. Scales is the only person to be convicted under the membership clause of the Smith Act.

Second. Scales renounced communism in 1957, nearly 4 years before he began serving his prison term.

Third. The Communist Party is having the last laugh because the U.S Government has jailed one of the party's defectors.

Fourth. It is wrong to have an ex-Communist in jail while some 10,000 active Communists remain free.

Fifth. Evidence against Scales was obtained from paid informers.

Sixth. Scales was imprisoned as punishment for not having informed on his former comrades after he broke with the Communist Party in 1957.

Well, at the risk of being charged by the bleeding hearts with having emotions of granite, I most strongly reject their arguments for freeing Scales so soon after he has gone to prison. When I think of the hundreds of thousands of Americans who have given their lives in battle to preserve this Nation, I cannot be convinced that at least 2 years—the minimum period Scales must serve to become eligible for parole—is too long an imprisonment for an unrepentant man who cast his lot with a foreign-directed conspiracy bent on destroying the United States. Even if Scales is not paroled at the end of 2 years, he could reduce considerably his time in jail by good conduct.

Who is Junius Scales? What are the facts about his Communist Party membership, his conviction, and his prison sentence?

Scales was not an entrapped dupe or a victim of circumstances when he joined the Communist Party in 1940. As a student at the University of North Carolina, as the son of a wealthy attorney, as the grand nephew of a Governor of North Carolina, and as a descendant of college presidents, a Confederate general, ministers, editors, Revolutionary War soldiers, and colonial judges reportedly dating back to 1623 in American history, Scales had far better reason than most U.S. Communists to know what he was betraying, for his was indeed a rich heritage.

It must be assumed, therefore, that he walked into the Communist Party with his eyes wide open. With his background, he probably gave the party more respectability than it dared hope to attain in the Carolinas. It is little wonder that the party made Scales the chairman of its North Carolina-South Carolina district in 1947. He held the post for 10 years.

The question before the courts in the Scales case, of course, was whether he knowingly had belonged to an organization which advocated the overthrow of the U.S. Government by use of force and violence. Although it is not my intention to retry the case here, I do think it important to point out the findings of the lower courts, upheld by the Supreme Court, that first, Communist doctrine does subscribe to the use of force and violence in its plan for overthrowing the Government of the United States; second, Scales was for years a high party functionary and a knowledgeable authority on Communist doctrine; and third, on at least one occasion at a secret Communist training school, of which Scales was a director and with Scales watching, an instructor taught and demonstrated how a person on a picket line could kill an opponent by stabbing a pencil point into his heart or throat. In view of these findings, it is inconceivable that Scales was unaware of what the Communist Party advocated. In any event, the issues of his knowledge and his intent were conclusively settled by the verdicts of the juries in two trials.

Now, I again invite your attention to those Communist-serving arguments about why Scales should be prematurely released from prison. The first one I mentioned was that Scales is the only person the Government has been able to prosecute successfully for violation of the Smith Act's membership clause. This, to me, is a meaningless argument. Just because Col. John Glenn is the only American to have orbited the earth does that mean his accomplishment should be discounted. Does it mean that if the next American who tries to orbit the earth is unsuccessful, Glenn's feat would be nullified? Any answer but "no" to these questions would be ridiculous. In short, if it were necessary to convict a second and a third person of a wrongdoing before a first person could be convicted for the same offense, then no one could ever be imprisoned for anything. And, as all of us realize, the Congress has yet to pass legislation for the purpose of not having it enforced.

Furthermore, the very fact that Scales was the first person—and so far the only person—sent to jail by the membership clause of the Smith Act indicates to me that he had to have been a most flagrant violator of that clause when I consider the words of Supreme Court Justice Harlan, who delivered the majority opinion in the Scales case. Justice Harlan said:

> Although this Court will often strain to contrue legislation so as to save it against constitutional attack, it must not and will not carry this to the point of perverting the purpose of a statute.

The second point the bleeding hearts are making is that Scales renounced communism in 1957, thereby removing the need for sending him to prison. This appeal cannot be dismissed lightly, because it is the most effective sympathy-winning gimmick they have. In a letter to the Greensboro Daily News, printed by that newspaper on December 18, 1957, Scales said that he had not paid party dues since the previous January and that he had stopped being a member after the party's February—1957—convention. Scales cited "the Hungarian thing" and the "Khrushchev secret report"—attacking Stalin—as factors contributing toward his decision to withdraw from the party.

So, in sum, we know that Scales has said that he broke with the party. But does this mean that he actually did so? I recall that Scales also insisted publicly back in the 1940's that the Communist Party of the United States is not dominated by the Soviet Union. The Congress, the executive branch and the Judiciary have all found that Scales was wrong—if not a calculated liar—on that score. After Scales was convicted in a Federal Court in Greensboro, N.C., in April 1955, he said that "my party has never advocated force and violence." On this claim, also, he has been found incorrect—if not purposely protecting the Communist Party with lies—by all three branches of the Federal Government. So I, for one, am not willing to accept so readily his word that he has broken with the party. I am not saying that it is not true; I am only saying that I am not convinced, and for the following additional reasons:

As recently as last fall, just before Scales began serving his prison sentence, he told an interviewer from the National Guardian newspaper that "I can't say that I regret any of it. We did a lot of good things." I would ask Mr. Scales if he includes among those "good things" the teaching of how to murder with a pencil point. Does a man who says he regrets nothing that he did as a Communist for an admitted 17 years sound like an ex-Communist or even an anti-Communist as some of the bleeding hearts are describing him today?

Furthermore, the December 18, 1961, edition of the Communist-serving National Guardian newspaper published a letter from the wife of Junius Scales urging that paper's readers to send Christmas messages to her husband. Would Mrs. Scales have made such an appeal to the readers of a Communist propaganda publication if her husband had defected from and turned against the Communist Party?

And, if Scales has really broken with the party, then why has he not been attacked by the Communist press which has so vilified Whittaker Chambers, Louis Budenz, Barbara Hartle, and many others who, without a doubt, did quit the Red conspiracy? Contrast the cases of Scales and Mrs. Hartle, a highly placed Communist official who was imprisoned for violating a provision of the Smith Act. Although a reformed Communist, Mrs. Hartle had already been one of the most valuable witnesses the Government ever had for revealing the Communist Party's true character, she insisted upon serving that minimum of her 5-year sentence required to become eligible for parole. She rejected all earlier offers of assistance because she felt that to obtain a premature release might taint the testimony she had given the Government. I must say, too, that the persons who wanted to help Mrs. Hartle did not include those who are now trying to win freedom for Scales.

I would ask those mixed-up Americans who use Scales' alleged resignation as a primary argument for his release this question: Even if it is true that he ceased being a member of the Communist Party in 1957, 2 years after a jury said he had committed a felony

in belonging to that organization while knowing it advocated the overthrow of the U.S. Government by use of force and violence, why should that be used as a reason against his serving a prison sentence? I cannot think of a more dangerous precedent than one that would say, in effect, "commit a felony if you must, but if you get arrested, then denounce the felonious activity at which you have been caught. In that way you can avoid being punished for it." To make such an assertion is to turn all principles of law upside down.

The third argument for Scales' release is that the Communist Party is having the last laugh because the U.S. Government has jailed one of the party's defectors. I need not repeat the doubts I have raised that Scales is truly a defector from the Communist Party, but I will say this: Nothing associated with the Smith Act is a laughing matter to the Commuunists. The party recognizes this act as one of the most effective measures ever taken against subversion in the United States. There have been numerous instances when witnesses before the Committee on Un-American Activities have testified that the shock of criminal proceedings under the Smith Act brought them to their senses and caused them to get out of the party. That is why, since June 5, 1961—the date on which the Supreme Court upheld the constitutionality of the membership clause of the Smith Act and the registration and disclosure provisions of the Internal Security Act of 1950—the Communist Party has sharply stepped up its efforts to turn public opinion against both of these antisubversion laws.

No matter whether Scales is a friend or foe of the Communist Party today, there is nothing the party would like to see more than the prestige of the Smith Act lowered by his premature release from prison.

My reply to the next ill-conceived claim—that it is wrong to have an ex-Communist in prison while 10,000 active Communists are free—is a simple one, which I shall preface with two illustrations, one real and one hypothetical:

In the real instance, we have a so-called ex-Communist in prison with 10,000 active Communists outside, knowing that they are tempting a similar fate by belonging to an organization which advocates overthrowing the U.S. Government by force and violence. In the hypothetical case, we have an ex-Communist, prematurely freed from prison, being used as a symbol of encouragement to 10,000 Communists that, even if they get caught at being traitors to their country, they can expect to be dealt with most gently by their Government. I stand by the first illustration as the better one for the welfare of this Nation.

In this connection, I must say that it strikes me as strange indeed to have some of the mixed-up clemency pleaders now referring to 10,000 Communist Party members as bad and even dangerous guys, whereas in the past they have been dismissed by the same voices as nonexistent entities of the nonexistent internal menace.

A fifth reason put forth by the free-Scales crusade is that the evidence against him was obtained from paid Government informers, as if "informers" were a dirty word. My answer is this: In my 13 years of association with the Committee on Un-American Activities, I have never seen any witness against the Communist Party whose testimony was acceptable to that peculiar breed of Americans I mentioned earlier.

If a repentant former Communist testifies against the conspiracy, the peculiar breed asks, "How can you trust him? He admits he was evil or a dupe before. Who is to say that he is reliable now?"

It is indeed paradoxical that many people who consider themselves "progressive" and who are constantly trying to bring the world up to date with their advanced ideas revert, whenever a reformed Communist is concerned, to the medieval attitude that "once untrustworthy, always untrustworthy." Equally as strange is the fact that these people seem to have real compassion for a Communist Party member, but none for a repentant former member. And when a former Communist becomes an outspoken anti-Communist, their compassion for him turns into contempt.

Ex-Communists are not the only people who incur the ire of the peculiar breed. If an alert, lifelong patriotic citizen testifies against the Communist Party, the peculiar breed looks upon him as a "stool pigeon." And, worse still, if he is employed by the Federal Bureau of Investigation, the peculiar breed attempts to smear him with the labels of "paid informer" and "professional stool pigeon."

In my judgment, informing in itself is no sin; as a matter of fact, informing when the security of this country is at stake is one of the most noble acts that a citizen can perform. Do we not look upon Paul Revere with gratitude for having informed the pioneers of this Nation that "the British are coming." Would not the United States have been fortunate if an informant—paid or not—had warned us in time to prevent the disaster that occurred at Pearl Harbor on December 7, 1941?

Motion Picture Director Edward Dmytryk was one of the Hollywood 10 who went to prison for contemptuous defiance of the Committee on Un-American Activities in 1947. After serving his prison sentence, he reappeared before the committee as a cooperative witness in 1953, and testified that in his opinion a test of the credibility of a person claiming to be an ex-Communist Party member would be his willingness to name people, places, and circumstances surrounding such membership. While on this subject, Dmytryk made the following interesting observations:

> I know there have been comments—I don't mean by the Communists but even among certain progressives and liberals—that people who talk are in effect informers. I heard that so much that I went to the dictionary and looked up the word. An informer, roughly speaking, is a man who informs against colleagues or former colleagues, who are engaged in criminal activity. I think the Communists, by using this word against people, are in effect admitting they are engaged in criminal activity. I never heard of anybody informing on the Boy Scouts.

Many other former Communists have told the committee that if an allegedly ex-Communist has made a genuine break with the party, he will be willing to testify freely and completely about his activities and associations while he was a member.

Another characteristic of the peculiar breed is to twist every act of antisubversion into an attack upon civil liberties. I can only stress that the surest way for us to lose civil liberties is to renege on our obligation to defend ourselves against an enemy whose blueprint for the United States is total enslavement. I can think of nothing more pathetic than it would be to have Uncle Sam, helplessly shackled by a Communist ball and chain, saying, "But I defended our civil liberties until the very end."

Now in no way do I want to make light of civil liberties. I bow to no man when it comes to fighting for true civil liberties when they are exercised in good faith by loyal Americans. But again I must warn the peculiar breed, as I have in the past, that there are people who use civil liberties as a facade behind which they carry on the dirty work of a foreign-directed conspiracy dedicated to the proposition that the United States must be destroyed. These people make a travesty of our civil liberties when they use them as a cold war weapon for our enemies. In the final analysis, if the free world is to survive, the United States must survive. The United States cannot do so without the ability and the willingness to defend itself against all enemies, including the scoundrels of subversion.

Government witnesses in the Scales case were informants, thank God, against the most evil assault upon human dignity the world has ever known. We cannot turn back the threat of communism by accommodating or ignoring it; we must meet it head on whenever and wherever it challenges the American way of life. We should, therefore, be deeply grateful to those patriotic citizens who are willing to go into the back alleys and gutters of the Communist conspiracy to obtain and tell us what we need to know to defeat it. And we should be appreciative of those former Communists who, having seen the light, inform us of their unhappy experiences and associations so that the rest of us are better able to avoid the mistakes they made. We should particularly be grateful to these former Communists in view of the smear campaigns that are directed at them both by the Reds and that peculiar, misguided breed of Americans.

The last of the frequently heard arguments for clemency for Scales is that he was given a prison sentence as punishment for refusing to cooperate with the FBI by informing on his ex-comrades. This is perhaps the most brazen insult that could be leveled at this Congress and the Department of Justice. To me, the charge implies either that the Congress has passed legislation for the purpose of coercion or that the Justice Department, rather than using legislation as a test of whether a person abides by the law, uses it as a weapon to make him talk. I resent the implication, regardless of against whom it may be directed.

I can only conclude from the great volume of nonsense that is being circulated by the clemency-for-Scales crusade that the peculiar breed of Americans is not so much on a mission of mercy as it is just plain galled that an anti-Communist law of the land has been upheld by the Supreme Court. Not too long ago many of these same people were upbraiding everyone who didn't subscribe completely to the law of the land in another issue. Is there no limit to the double standard employed by the peculiar breed of bleeding-heart Americans?

TRADE EXPANSION BY NEGOTIATION

Mr. SEELY-BROWN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. SEELY-BROWN. Mr. Speaker, as the Representative in Congress of an important textile-producing district, I have been participating as a member of the informal textile conference group, composed of Representatives whose constituencies are vitally concerned by the ruinous competition which our cotton textile producers have been facing for several years from imports.

This group was organized for united action last year. On May 2, 1961, the President responded to our urging by launching a program which involved several steps, the objective of which was to save the American textile industry.

One of these steps, which was launched in connection with the continuing conferences at Geneva on the General Agreement on Tariffs and Trade—GATT—was to conduct negotiations with 18 other textile-producing countries, in an effort to stabilize textile imports to the United States.

After months of painstaking negotiations, an agreement was concluded on February 9, 1962, which still requires the ratification of all countries participating. Two days afterward, the U.S. delegates to the negotiations at Geneva appeared before the House textile conference group and disclosed to us the substance of the successful negotiations.

The most important feature of this, so far as cotton textiles and apparel are concerned, is that for a period of 5 years from October 1, 1962, the American cotton textile industry can have the assurance that all cotton textile and apparel imports will be no greater in any year than the level last year, which was about 6 percent of the domestic consumption of such goods.

We and our constituents to whom we reported the intended agreement were pleased with this achievement. We requested our chairman, the gentleman from Georgia [Mr. VINSON] to write to the President, expressing the hope that its effect would not be modified or diluted by administrative judgment or action, and also that the administration would now move on wool and other textile fibers.

The President replied that the rights of the United States under the Geneva arrangement will be exercised in such a manner that their force will not be modified or diluted by administrative judgment or action. He also assured us that he has requested the departments involved to implement this program for the wool, manmade fiber and silk divisions of the industry, and that nearly all of the points in the program announced May 2, 1961, apply equally to each of these.

On March 21, 1961, Mr. Speaker, I wrote to the President respectfully urging that he act under the authority vested in him by the Trade Agreements Act to establish import quotas for imports of textile mill products, garments and apparel, manmade fiber staple, filaments and filament yarn. I said in my letter to the President:

> Let us have quotas on imports that are both flexible and reciprocal. Let us have import quotas without losing the concept of reciprocity in our foreign trade.

Mr. Speaker, I believe in the arrangement negotiated at Geneva, we have achieved this, for the next 5 years at least, by agreement with all of the participating countries. We will share our market with them, with injury to no one, as it now appears.

It seems to me that what now has been achieved, or is about to be achieved for the cotton textile industry at the bargaining table with the representatives of many other nations, can be achieved in a similar manner for all industries which are affected or likely to be affected under any new trade program by a flood of imports.

This procedure well can be the nucleus of trade expansion programs for us and for our friends in other lands.

THE 1962 U.S. WORLD TRADE FAIR

Mr. RYAN of New York. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN of New York. Mr. Speaker, today I have introduced a joint resolution which would authorize the President to invite the States of the Union and foreign countries to participate in the 1962 U.S. World Trade Fair, which will be held in the New York City Coliseum from May 11 to May 22, 1962. This annual fair is especially important at a time when there is an ever-increasing awareness of the need for expanding markets abroad for U.S. products.

The Sixth Annual World Trade Fair will open on May 11, 1962. Sponsored by the New York City Department of Commerce and Public Events, the fair is the largest in the Western Hemisphere and brings together peoples and ideas from more than 70 countries throughout the world.

During times of international tension, trade fairs not only provide an opportunity for business and industry to exhibit their wares but also assist in bridging the gaps between nations. Smoother and more harmonious economic relations among all areas of the globe cannot help but be a major factor in achieving permanent peace.

President Kennedy has said:

> I strongly believe that trade fairs, where new products are on view and where technical experience can be exchanged, are a positive force for greater international understanding and for betterment of our lives.

For the first time the fair will have an export section devoted to goods and services of American manufacturers who wish to sell in foreign markets.

Thousands of businessmen from abroad attend and participate in this U.S. World Trade Fair each year. Thus the 1962 fair will display to these international visitors many American products designed for sale abroad.

Expansion in our export trade is of especial importance to the United States today. To quote from the President's Economic Report to Congress on January 22, 1962:

> Persistent international payments deficits and gold outflows have made the balance of payments a critical problem of economic policy. We must attain a balance in our international transactions which permits us to meet heavy obligations abroad for the security and development of the free world, without continued depletion of our gold reserves or excessive accumulation of short-term dollar liabilities to foreigners. To increase our exports is a task of highest priority.

Expansion in our export trade, upon which at least 6 million U.S. jobs depend, is also vital from the standpoint of economic growth. And economic growth is necessary for the health of our domestic economy and for the fulfillment of our international commitments as leader of the free world.

The World Trade Fair is important likewise in promoting tourism in the United States. With New York City as the focal point, there are in addition many other places of interest in this part of the New World, which our international guests will undoubtedly wish to visit.

I am pleased that New York City is contributing to the implementation of our international trade policy through sponsorship of the U.S. World Trade Fair.

Mr. Speaker, I urge my colleagues to support this joint resolution. An invitation from the President of the United States to other nations to participate will contribute greatly to the exchange of ideas, the development of our export trade, and greater international understanding.

AMENDMENT TO SMALL BUSINESS ADMINISTRATION ACT

Mr. ST. GERMAIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. ST. GERMAIN. Mr. Speaker, I have today introduced a bill to amend the Small Business Act in such a manner that will improve the awarding and servicing of Federal contracts for Federal construction, maintenance and repair.

I feel confident that the provisions of my bill will go a long way toward strengthening the public interest in the awarding of Government construction contracts. At the same time, I feel very strongly that the principle of protecting the small businessman, to which we are all devoted, will be safeguarded.

My bill in effect would require that all contracts for construction of new Government buildings, as well as maintenance and repair of Government buildings, be awarded on the basis of competitive bidding. The historic tradition of Government contracts going to the lowest qualified bidder is as old as this Republic. I do not believe that we can afford to depart from this principle, even though other considerations might be compelling.

In recent years in our efforts to aid the small businessman, we have developed what is called a small business set-aside in Government construction. This, in my judgment, has resulted in many abuses.

In numerous instances bids for construction and repair have not gone to the lowest bidder. Also there is serious question as to the advisability of these small business set-asides because of the impact that they have had on collective bargaining in the building and construction industry. Mr. Speaker, as Members of the House know, the building construction industry has a unique character in matters of labor-management relations. Because of the highly fluctuating conditions that exist in building construction, collective bargaining cannot be maintained on the basis of individual job projects. Stable labor relations are possible in this industry only because contractors and associations of contractors have been enabled by Federal statute to enter into labor agreements with the building trades unions to cover jobs that are now in progress as well as jobs that might take place in the future. In this respect, this industry is unique and the statutes which regulate it are unique. It seems to me that the small business set-aside creates exactly the same problem in its application to Government construction. It is to correct this problem that I have introduced this legislation. The nature of the building construction industry is such that the overwhelming majority of it is already performed by small businessmen who bid on and are awarded subcontracts from prime contractors. When adequate figures are provided, I am certain that they will demonstrate that a large percentage of all Government construction has always been performed by small firms with a few employees.

As well as protecting the interests of small business in Government construction, my bill, as I have said, will require that the Government will have the advantage of the lowest dollar bid on every construction job. There cannot be a monopoly in the construction industry so long as competitive bidding is insisted upon. As a matter of fact, the only protection that the public has against monopoly in construction is competitive bidding. The very nature of monopoly is fixed prices and any departure from competitive bidding in Government contracts for construction is a long step in the direction of monopoly.

TRADE AGREEMENTS WITH EUROPEAN ECONOMIC COMMUNITY—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 358)

The SPEAKER laid before the House the following message from the President of the United States which was read and, together with the accompanying papers, referred to the Committee on Ways and Means and ordered to be printed:

To the Congress of the United States:

I transmit herewith to the Congress copies of trade agreements with the European Economic Community, the United Kingdom, Norway, and Sweden, including schedules which my duly appointed representatives signed on behalf of the United States on March 5 and March 7, 1962.

Section 4(a) of the Trade Agreements Extension Act of 1951 requires that I report to the Congress on those instances in which I have departed from the peril point findings of the Tariff Commission. Annex A, attached to this message, lists and gives the reasons for the instances in which I decided, in the interest of concluding trade agreements advantageous to the United States during the Geneva Tariff Conference, to accord tariff concessions going below the levels found by the Tariff Commission.

At this time, when the Congress is considering a major new trade law, I wish to provide a detailed account of the circumstances in which I instructed our negotiators to make such concessions.

Most of these concessions were negotiated with the European Economic Community. When the so-called Dillon round, or, the phase for new reciprocal concessions, of the Geneva Conference opened on May 29, 1961, the EEC offered concessions following along the lines of its decision of a year earlier to reduce industrial tariffs across the board by 20 percent, a decision that was conditional on reciprocal concessions from other nations, and especially the United States. The EEC offers involved concessions affecting American exports to the EEC countries amounting, on the basis of 1958 figures, to $846 million. Of this total, $422 million represented exports on which the United States had asked for concessions, $337 million being offered in the name of the United States as the principal supplier, and the remaining $85 million in the name of third countries from which the United States would also receive substantial benefits.

It was the American negotiating objective to take advantage of the initial EEC offers and also to seek additional concessions. We were being offered tariff reductions having large potential value to our export trade. Furthermore, the emerging European community was proposing to take a first long step toward making its trade policy an outward looking one. Our interest was to assure that we obtain these new opportunities for our exporters and, in the process, that we help to mold the EEC's external trade policy along liberal lines.

Our negotiators, however, were grievously short of bargaining power. The instructions under which they were authorized to proceed fell well short of matching even the initial offers of the EEC. The EEC offer to reduce industrial common tariff rates by 20 percent directly affected U.S. trade of $846 million (1958) and was responsive to about 60 percent of our requests to the EEC for tariff concessions. In contrast, our offers consisted of:

(a) $41 million of offers to bind rates of duty at present levels;

(b) $90 million of offers of duty reductions requested by the EEC (about 20 percent of total EEC requests); and

(c) $396 million of offers involving duty reductions not requested by the EEC.

The manner in which the United States came to this negotiating position is important for an understanding of the trade agreements just concluded and for its bearing upon the new trade legislation that I have recommended to the Congress.

Prior to the Geneva Conference, the EEC had filed requests with the United States for concessions accounting for a trade volume in 1958 of $451 million. Our interagency screening process eliminated from the original "public list" a number of articles, concessions on which would have been responsive to requests from the EEC. The trade volume involved was $128 million. These articles were those on which tariff concessions, in the judgment of the interagency committee, might give rise to serious competitive problems for American industries.

Under section 3(a) of the Trade Agreements Act, the Tariff Commission was then required to study further the list of potential concessions approved by the interagency committee and to establish "peril points" for each article included.

The Commission found that of the concessions asked by the EEC, articles having a trade volume of $220 million could not be made the subjects of downward tariff adjustments without causing or threatening to cause serious injury to the domestic industries concerned. Coverage of the EEC request list was thus reduced to $103 million, less than one-fourth of the list. The Commission made the same finding on articles having a trade volume of $113 million among items not on the EEC request list but which the interagency committee had selected in order to strengthen the U.S. negotiating position.

I believe that we must recognize that under the law the Tariff Commission was required to make hasty predictions as to future market conditions for thousands of individual articles. These predictions were necessarily superficial. Even if there had been available, and there was not, a full range of data for production, trade and prices on all these articles, the Commission's task was a highly speculative one. This was particularly true with regard to items exported from the Common Market countries. These countries are going through revolutionary changes in their trade patterns, attendant upon the development of a new internal market of unprecedented proportions. In some cases, products which were previously available for export to other countries will find their future markets within the area. In other cases, products which had not previously been exported will appear as new export specialities.

In this situation, given the tenor of the provisions under which it operated, the Commission understandably resolved any doubts by establishing peril points on the products concerned at the existing tariff level. Peril points were found at the existing rate of duty on a range of articles, for a large number of which the maintenance of existing tariffs clearly was unimportant. In many instances tariff reductions of even a few percentage points were precluded. In others peril points were found at existing duty levels for specialty commodities not competitive with domestic production. Similarly, peril points at the existing duty level were set for basket categories of many items even though the situation as between items in the category might differ markedly. Tariff reductions were precluded in cases where imports represented only a minor fraction of domestic consumption. The result was to give our delegation at Geneva a very limited bargaining package and minimum room for negotiating maneuver.

It was with many misgivings, therefore, that I had authorized our delegation in Geneva to make a counteroffer to the EEC along the lines of the outstanding instruction. This original instruction scrupulously avoided any offers of reductions below peril point findings of the Tariff Commission.

The response of the EEC was to announce a withdrawal and reconsideration of its offer. The six EEC nations indicated they were not prepared to conclude an agreement on the basis we had proposed and that they would have to withdraw the concessions that had been offered because of the gross disparity between our offers and theirs. It was clear that we were faced with a potentially irretrievable situation. If the EEC had decided to abandon its across-the-board proposal, it would have been necessary to obtain unanimity among the six member nations to maintain on an item-by-item basis some of the elements of the original offer. This was not possible. To adhere to our original position would have been to reject the EEC proposal.

The loss to our export trade from such a sequence of events would have been substantial, for we stood to gain most from the EEC offer. Far more important would have been the long-term consequences of our action. The EEC necessarily looked to the United States, the world's greatest trading Nation, for a sufficient measure of reciprocity to enable it to carry through its provisional decision to reduce the common external tariff of the Community. If that decision had been withdrawn, the road would have been opened wide to the formation of a number of trading blocs in the free world set off from one another by high barriers to trade.

We could not permit this to happen.

Accordingly, after months of negotiation and when no other recourse was available to save the situation, I authorized our Geneva delegation to offer new concessions on a number of items at rates below peril point findings. In selecting these articles, two criteria were used: their potential value in obtaining or maintaining concessions from our negotiating partners, principally the EEC, and the extent of the competitive adjustment likely to be place on American industry by tariff concessions.

In taking this step, we avoided the collapse of the Geneva talks and we held open the way to a future of economic cooperation, not separation, between the two common markets, the one in Western Europe, the other the United States.

Our action salvaged and revived the Geneva Conference. It did not involve serious competitive risks for American industry. We granted concessions to the EEC at rates below peril points on articles having a 1958 trade value of $76 million. Apart from such concessions to the EEC, we also made concessions of this character to the United Kingdom on items having a trade volume of $7 million. (Co-offers of concessions on four items, contingent upon confirmation of the same concessions to the EEC, were made to Norway and/or Sweden. These were in the amount of $437,000.)

The total of our concessions, indeed, would not in itself have been sufficient to recover our position. The EEC, however, was acutely aware of the limitations under which the United States was negotiating. Within the Community, the forces favoring a liberal trading policy were greatly strengthened by the evidence that we were serious about bargaining down trade barriers. Once we had made our move, this phase of the negotiations proceeded expeditiously to a conclusion. That conclusion was highly advantageous to the United States.

The EEC maintained most of its across-the-board offers on industrial products. The only significant exception was in the field of chemicals, an area where, because the offers by the United States represented only $24 million of trade, the EEC cut back its offers to the United States from $172 million to $93 million;

The EEC added to its initial offers concessions involving trade of $100 million in the previously excepted agricultural chapters and another $33 million of formerly reserved automobile parts, and on miscellaneous commodities accounting for another $5 million of trade;

Finally, the successful conclusion of the United States-EEC negotiations opened the way for negotiations between third countries and the EEC, which had been marking time awaiting their outcome. From the resulting negotiations of others with the EEC, U.S. exports stand to receive substantial additional benefits because of our right to such concessions.

The United States thus can take satisfaction from the outcome of the Geneva negotiations. We advanced our trading interests and we maintained progress toward economic cooperation within the Western World. But these accomplishments were made, in large part, in spite of hampering features of the trade agreements law. And we had the sufferance of our major trading partners.

We cannot be expected to bargain effectively in the future under the limitations of the present law. If we are to lead, as we must, we must have the means for the exercise of leadership. The Trade Expansion Act which I have recommended to the Congress will provide these means.

In an accompanying message, I am reporting to the Congress under section 4(a) of the Trade Agreements Extension Act of 1951 on the disposition of the cases in which the Tariff Commission in 1960 found peril points higher than the existing rate of duty.

JOHN F. KENNEDY.

THE WHITE HOUSE, *March 7, 1962.*

REPORT ON REDUCTIONS MADE AT THE 1960–62 TARIFF CONFERENCE—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 357)

The SPEAKER laid before the House the following message from the President of the United States, which was read and, together with the accompanying papers, referred to the Committee on Ways and Means and ordered to be printed:

To the Congress of the United States:

This report, supplementing my report on reductions made at the 1960–62 Tariff Conference in excess of peril-point findings, is further in compliance with section 4(a) of the Trade Agreements Extension Act of 1951.

During the usual peril-point investigation of the items included in the public notice issued in connection with the negotiations, the Tariff Commission found that the peril point was higher than the present rate on nine widely varied products. The Trade Agreements Extension Act of 1958 provides that in such instances the Tariff Commission must institute an immediate escape-clause investigation with respect to the articles involved. Accordingly, the Commission undertook the required investigations with the following results:

(1) On baseball and softball gloves, ceramic mosaic tile, and sheet glass, the Commission recommended to me that existing duties be increased.

(2) On tennis rackets and creeping red fescue seed, the Commission terminated the investigations without recommendation.

(3) On ultramarine blue, rolled glass, plastic raincoats, and cellulose filaments, the Commission found that increases in the duties were not necessary.

The law provides that, if the President does not negotiate the increase of duty indicated by the Commission's peril-point findings, he shall report his reasons therefore to the Congress.

This is to advise that no such increases in duty were negotiated at the 1960–62 Conference. The recitation of the Tariff Commission's further investigation of these nine cases, as above given, suggests why the negotiation of higher rates was not undertaken. In six of the nine cases the Tariff Commission, upon a fuller study of the facts than had been possible during its peril-point investigation, did not recommend an increase in duty. In the other three, I was not satisfied that all of the applicable facts had been fully canvassed in the Commission's subsequent investigations; consideration of the appropriate rate of duty was consequently still pending as of the time our negotiations at the 1960–61 Conference were being completed. I now have supplementary reports of the Tariff Commission before me. My decision on the three cases is pending.

I append a list defining more precisely the nine commodities mentioned above.

JOHN F. KENNEDY.

THE WHITE HOUSE, *March 7, 1962.*

SPOTLIGHT ON MOSCOW'S IMPERIO-COLONIALISM: A SPECIAL COMMITTEE ON CAPTIVE NATIONS

The SPEAKER. Under previous order of the House, the gentleman from Pennsylvania [Mr. FLOOD] is recognized for 60 minutes.

Mr. FLOOD. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include certain inserts, editorials, letters, and statements.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. FLOOD. Mr. Speaker, precisely a year ago this week I submitted the original measure, H. Res. 211, calling for a Special Committee on the Captive Nations. As you are well aware, in the past year there has been a growing demand in this country for the creation of such a Special House Committee on the Captive Nations. Taken alone, the CONGRESSIONAL RECORD of 1961 is replete with supporting letters, addresses, and documented material substantiating the broad base of this popular demand. This has continued for the past 2 months. In the interval between the sessions of the 87th Congress the support for such a committee was persistent and unabated. It is now on the increase again, seeking an early favorable consideration by the Rules Committee.

It has been difficult for many of us here to explain to people back home why this vital measure was not given favorable consideration last year. A whole array of persuasive arguments and reasons has been offered to justify the formation of such a sorely needed committee. We have still to hear any solid arguments against it. Regrettably, much time has been unnecessarily wasted in our striving to achieve that very objective which Ambassador Stevenson called for in the United Nations last November. And that is fixing a spotlight on Moscow's colonial empire.

STEVENSON'S U.N. LETTER ON THE CAPTIVE NATIONS

The communication sent last August by Secretary of State Rusk to the distinguished chairman of the Rules Committee was a most unfortunate one. Among other things it served to delay a favorable consideration of the many resolutions submitted to establish a Special House Committee on Captive Nations. However, the position described in the letter to which the Secretary affixed his signature has been more than adequately redressed by the text of the letter circulated by our U.N. Ambassador in the United Nations on November 25, 1961. The Ambassador's call for spotlighting world attention on Moscow's imperio-colonialism can best be answered by a continuous day-to-day operation which only a Special House Committee on the Captive Nations can satisfactorily perform. If we are serious in producing this necessary spotlight on Moscow's colonial empire, then obviously sporadic statements and disclosures will not do.

Mr. Speaker, in reconsidering this basically important proposal, I respectfully urge every Member to read carefully the unprecedented statement issued by Ambassador Stevenson. It provides the essential outlines of the detailed work that a special committee would undertake for the benefit of our people and our evolving foreign policy toward the Soviet Union. What we have been developing in addresses and writings for the past year receives substantial confirmation and blessing in this unique statement. Because of its enormous value for our wise determination of the Captive Nations Committee proposal, I request that the text of the Stevenson letter be appended at the conclusion of my remarks.

HOUSE RESOLUTION 211

To satisfy the persistent inquiries made on our proposal, I should like to resubmit here the complete text of my resolution, House Resolution 211, designed to establish a Special Committee on the Captive Nations:

H. RES. 211

Whereas on the issue of colonialism the blatant hypocrisy of imperialist Moscow has not been adequately exposed by us in the United Nations and elsewhere; and

Whereas two Presidential proclamations designating Captive Nations Week summon the American people "to study the plight of the Soviet-dominated nations and to recommit themselves to the support of the just aspirations of the people of those captive nations"; and

Whereas the nationwide observances in the first anniversary of Captive Nations Week clearly demonstrated the enthusiastic response of major sections of our society to this Presidential call; and

Whereas following the passage of the Captive Nations Week resolution in 1959 by the Congress of the United States and again during the observance of Captive Nations Week in 1960, Moscow displayed to the world its profound fear of growing free world knowledge of and interest in all of the captive nations, and particularly the occupied non-Russian colonies within the Soviet Union; and

Whereas the indispensable advancement of such basic knowledge and interest alone can serve to explode current myths on Soviet unity, Soviet national economy, and monolithic military prowess and openly to expose the depths of imperialist totalitarianism and economic colonialism throughout the Red Russian empire, especially inside the so-called Union of Soviet Socialist Republics; and

Whereas for example, it was not generally recognized, and thus not advantageously made use of, that in point of geography, history, and demography, the now famous U-2 plane flew mostly over captive non-Russian territories in the Soviet Union; and

Whereas in the fundamental conviction that the central issue of our times is imperialist totalitarian slavery versus democratic national freedom, we commence to win the psychopolitical cold war by assembling and forthrightly utilizing all the truths and facts pertaining to the enslaved condition of the peoples of Poland, Hungary, Lithuania, Ukraine, Czechoslovakia, Latvia, Estonia, White Ruthenia, Rumania, East Germany, Bulgaria, mainland China, Armenia, Azerbaijan, Georgia, North Korea, Albania, Idel-Ural, Tibet, Cossackia, Turkestan, North Vietnam, and other subjugated nations; and

Whereas the enlightening forces generated by such knowledge and understanding of the fate of these occupied and captive non-Russian nations would also give encouragement to latent liberal elements in the Russian Soviet Federative Socialist Republic—which contains Russia itself—and would help bring to the oppressed Russian people their overdue independence from centuries-long authoritarian rule and tyranny; and

Whereas these weapons of truth, fact, and ideas would counter effectively and overwhelm and defeat Moscow's worldwide propaganda campaign in Asia, Africa, the Middle East, Latin America, and specifically among the newly independent and underdeveloped nations and states; and

Whereas it is incumbent upon us as free citizens to appreciatively recognize that the captive nations in the aggregate constitute not only a primary deterrent against a hot global war and further overt aggression by Moscow's totalitarian imperialism, but also a prime positive means for the advance of world freedom in a struggle which in totalistic form is psychopolitical; and

Whereas in pursuit of a diplomacy of truth we cannot for long avoid bringing into question Moscow's legalistic pretensions of "non-interference in the internal affairs of states" and other contrivances which are acutely subject to examination under the light of morally founded legal principles and political, economic, and historical evidence; and

Whereas in the implementing spirit of our own congressional Captive Nations Week resolution and the two Presidential proclamations it is in our own strategic interest and that of the nontotalitarian free world to undertake a continuous and unremitting study of all the captive nations for the purpose of developing new approaches and fresh ideas for victory in the psychopolitical cold war: Now, therefore, be it

Resolved, That there is hereby established a committee which shall be known as the Special Committee on the Captive Nations. The committee shall be composed of ten Members of the House, of whom not more than six shall be members of the same political party and of whom five shall be members of the Committee on Foreign Affairs, to

be appointed by the Speaker of the House of Representatives.

SEC. 2. (a) Vacancies in the membership of the committee shall not affect the power of the remaining members to execute the functions of the committee, and shall be filled in the same manner as in the case of the original selection.

(b) The committee shall select a chairman and a vice chairman from among its members. In the absence of the chairman, the vice chairman shall act as chairman.

(c) A majority of the committee shall constitute a quorum except that a lesser number, to be fixed by the committee, shall constitute a quorum for the purpose of administering oaths and taking sworn testimony.

SEC. 3. (a) The committee shall conduct an inquiry into and a study of all the captive non-Russian nations, which includes those in the Soviet Union and Asia, and also of the Russian people, with particular reference to the moral and legal status of Red totalitarian control over them, facts concerning conditions existing in these nations, and means by which the United States can assist them by peaceful processes in their present plight and in their aspiration to regain their national and individual freedoms.

(b) The committee shall make such interim reports to the House of Representatives as it deems proper, and shall make its first comprehensive report of the results of its inquiry and study, together with its recommendations, not later than January 31, 1962.

SEC. 4. The committee, or any duly authorized subcommittee thereof, is authorized to sit and act at such places and times within or outside the United States to hold such hearings, to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, and to take such testimony as it deems advisable.

SEC. 5. The committee may employ and fix the compensation of such experts, consultants, and other employees as it deems necessary in the performance of its duties.

SOME SALIENT REASONS FOR PASSAGE OF HOUSE RESOLUTION 211

Mr. Speaker, as indicated, many factually based arguments have been advanced in favor of the passage of House Resolution 211. In order to refresh our memories, I should like to review some of the more salient reasons here:

First. As to the pressing need for spotlighting Moscow's colonial empire, President Eisenhower, in two proclamations on Captive Nations Week, summoned the American people "to study the plight of the Soviet-dominated nations and to recommit themselves to the support of the just aspirations of the people of those captive nations."

Second. Reinforcing this early expression, President Kennedy, in answer to a question raised on this subject during the presidential campaign, said:

> I am, of course, in agreement with the Presidential proclamations. The captive nations should be studied intensively. If a Joint Congressional Committee on the Captive Nations is the best way to insure such popular study, I would naturally not be opposed to it.

We are modestly seeking a Special House Committee on the Captive Nations.

Third. There is a hazardous gap in our official and private facilities as concerns this necessary task of studying systematically, objectively, and continuously all of the captive nations, especially those in the U.S.S.R. Nowhere is there any agency, public or private, performing this essential task. Again, intermittent official statements and occasional studies on some captive nations fall desperately short of what is urgently needed.

Fourth. Passage of House Resolution 211 would be the first concrete implementation of the Captive Nations Week resolution, passed by Congress in 1959. The fearful reaction of Moscow to this resolution shall never be forgotten. We can show now that we meant what we resolved then. As shown at the recent 22d Communist Party Congress, Khrushchev still nurtures a profound fear of the Captive Nations Week resolution.

Fifth. House Resolution 211 is realistically based on the aggregative concept of the captive nations—meaning those inside the U.S.S.R. as well as outside, in Asia as well as in Eastern Eprope. It emphasizes the strategic importance—indeed, the primary strategic value—of all these nations for peace and also for cold and hot war purposes. Significantly, the Stevenson statement is founded on the same concept. The positive side of this concept is indivisible freedom.

Sixth. As advocates of freedom everywhere, we must always realize that the cold war is not just between Moscow's totalitarian empire and the free world, but also and essentially between the captive peoples and the imposed puppet governments. House Resolution 211 is based on this realization, and its passage would provide the necessary and prudent leverage for the captive nations in their cold war against colonial Russian domination.

Seventh. The studies, facts, and truths educed by a special committee would give the constant lie to the propagandized and overblown Russian image, particularly in the underdeveloped areas of Africa, Asia, and Latin America. They would bring into proper perspective the bluff and inflatedness of competing Red Chinese imperialism.

Eighth. Such a committee, engaged in continuous work based on the aggregative captive nations concept, would become a rich reservoir of new dimensions of thought, of new and fresh ideas, of solid and grounded recommendations for positive and constructive action against the traditional imperialism and colonialism of Moscow. Its meticulous studies would be the necessary fill-in for the outlines depicted in the remarkable Stevenson statement.

Ninth. The existence of such a committee would be a permanent reminder to Khrushchev that we do not now nor shall we ever write off the captive nations. This committee would give concrete evidence to the position expressed by the President in his state of the Union message:

> We must never forget our hopes for the ultimate freedom and welfare of the Eastern European peoples.
>
> And to this I would add the captive peoples of Asia.

Tenth. With the third anniversary of Captive Nations Week observance already under preparation, the House can take the lead in making this year's observance a still more successful one by creating this Special Committee on Captive Nations. The vital and basic subject of the captive nations in the aggregate perhaps deserves the resources of a joint committee and also the steadfast attention of a Cabinet officer, but we can take this first step to insure that the subject will receive adequate and continuous attention in the troublesome days ahead.

Mr. Speaker, as we scan the captive world from the Danube to the Pacific, it is quite evident that the problems of Moscow and its puppets are on the increase. The problems of Red China are the worst ever. The growth and magnitude of these problems signalize our opportunity to magnify them further by concentrating on all of the captive nations and people. This Congress has the chance to seize this opportunity in the interests of our national security, in the interest of freedom throughout the entire Red totalitarian empire.

Time, indeed, is on our side, on the side of freedom. But if we are to win, we cannot afford to waste this time. We must use it to our advantage. And one of the most beneficial uses of this time, now, is to launch a Special Committee on the Captive Nations.

Mr. Speaker, in further support of the ideas underlying the proposal on a Special Committee of the Captive Nations, I ask that the following material be published in the RECORD at this point: The full text of Ambassador Stevenson's letter in the United Nations on November 25, 1961; the New York Herald Tribune report of November 28, 1961, on "United States Calls Reds' Empire Barbaric"; a congratulatory letter dated December 5, 1961, and addressed to Ambassador Stevenson by Dr. Lev E. Dobriansky, chairman of the National Captive Nations Committee and also the Ukrainian Congress Committee of America; an editorial on "Let's Liquidate Biggest Colonial Empire" in the October 17, 1961, issue of the Buffalo Courier Express; and an address on "A History of Communist Aggression" in the September 15, 1961, issue of Vital Speeches of the Day.

COMMENTS BY THE U.S. DELEGATION ON THE SOVIET MEMORANDUM CIRCULATED AS DOCUMENT A/4889

The U.S. delegation regrets that the Soviet Union has been unable to resist utilizing the United Nations forum to attack a number of member states in the most outrageous and misleading terms. Under the circumstances, however, the United States now has no choice but to reply, even though we had hoped to be able to continue to keep the cold war out of the colonialism debates during the current session.

ROLE OF THE UNITED NATIONS

The United Nations was created to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small. Anything which derogates from the inherent rights of mankind and of nations is a proper—and even essential—subject for study and discussion by the General Assembly. The relationship between peoples and nations which we have come to call colonialism or by its variants—neocolonialism or imperialism—can constitute a denial of the rights of the individual, and of the

principle of self-determination and as such has frequently been the subject of our deliberations.

Since the formation of our Organization the world community has devoted much of its time, talent, and energy to the search for a solution to the more pressing colonial problems in the world. The Fourth Committee of the General Assembly, the Trusteeship Council, and the Committee on Information From Non-Self-Governing Territories have debated and made useful recommendations on a multitude of specific and general colonial problems. Other problems have arisen and have been discussed by other committees and United Nations organs.

Only a hostile propagandist could maintain that the United Nations has not done useful work in this field. Through careful, detailed study and sound recommendations on specific issues, the General Assembly and other United Nations organs have facilitated the movement of one people after another to full and untrammeled independence.

We have seen the evidence of this development in the most concrete and meaningful terms: in the form of our membership, which has now more than doubled in the short lifetime of our Organization.

This hopeful evolution should not be cited to disguise the fact that much remains to be done in the colonial and related human rights fields. There are some cases where repeated admonitions by the General Assembly have proved unavailing. A number of items in this general area have remained on our agenda from year to year to serve as a concrete indication of our failure to find solutions.

But we should not despair of our ability to find the answers to those problems. There are many difficult items on the agenda of the 16th session of the General Assembly; others will be inscribed in years to come. With patience, good will, and skill we will be able to solve them all in good time.

U.S. POSITION ON COLONIALISM

The United States is against colonialism—wherever and whenever it occurs.

As a nation, we believe that man—a physical, intellectual, and spiritual being, not an economic animal—has individual rights, divinely bestowed, limited only by the obligation to avoid infringement upon the equal rights of others.

We do not claim perfection in our own society and in our own lives, only that we seek it honestly and that the direction we take is always that of greater liberty.

We believe that justice, decency, and liberty, in an orderly society, are concepts which have raised man above the beasts of the field; to deny any person the opportunity to live under their shelter is a crime against all humanity.

Our Republic is the product of the first successful revolution against colonialism in modern times. Our people, drawn from all the nations of the world, have come to these shores in the search for freedom and opportunity in a progressive society. We have never forgotten either our origins or the nature of the world we live in.

As President Kennedy said in his inaugural address:

"We dare not forget today that we are the heirs of that first Revolution. Let the word go forth from this time and place, to friend and foe alike, that the torch has been passed to a new generation of Americans—born in this century, tempered by war, disciplined by a hard and bitter peace, proud of our ancient heritage—and unwilling to witness or permit the slow undoing of those human rights to which this Nation has always been committed, and to which we are committed today at home and around the world.

"Let every nation know, whether it wishes us well or ill, that we shall pay any price, bear any burden, meet any hardship, support any friend, oppose any foe to assure the survival and success of liberty."

SOVIET ALLEGATIONS AGAINST THE UNITED STATES

In its frenetic effort to cover up its own dismal record in the field of colonialism and human rights, the Soviet Union has leveled two principal charges against the United States: (1) The United States is allied with colonialists and finances colonialist wars; and (2) the United States is itself a colonial power. The answer to both charges, for those willing to see the truth, is simple.

The United States is unalterably opposed to all wars, including of course colonialist wars. We are not now and we shall never become allied with any nation for the purpose of planning, financing or waging colonial wars. The military alliances we have formed with others serve no aggressive aims; they are defensive alliances created in fact as a shield and a deterrent to those who would not shrink from the use of force to impose their new brand of colonialist rule on other peoples and territories.

Secondly, we would hold no people against its will. We are prepared to take the necessary measures to consult any or all of the approximately 100,000 people whose destinies are still associated with ours any time they request it. The people of Puerto Rico are fully self-governing, as the General Assembly has found after careful examination, enjoy the status of American citizens, and are free to request a change of status at any time. The remaining territories for which the United States exercises sovereignty are in the process of becoming self-governing.

The U.S. position is that "the subjection of peoples to alien subjugation, domination and exploitation constitutes a denial of fundamental human rights, is contrary to the Charter of the United Nations and is an impediment to the promotion of world peace and cooperation." This is the language of Bandung; it is also the language of the General Assembly in resolution 1514(XV) on the granting of independence to colonial countries and peoples. But there is a higher authority and a more definitive formulation.

The Charter declares in effect that on every nation in possession of foreign territories, there rests the responsibility to assist the peoples of these areas "in the progressive development of their free political institutions" so that ultimately they can validly choose for themselves their permanent political status.

We have and we will continue to abide by the Charter.

THE SOVIET RECORD OF IMPERIALISM

But the question remains why the Soviet Union decided to launch such a reckless attack on those countries which oppose its drive for world conquest at this time. Every outstanding colonial question of real substance is to be found on the agenda of this session of the General Assembly. There are two major items on the agenda of the plenary alone which will make it possible to discuss all aspects of the general problem.

Why has the Soviet Union twice in the last 2 years attempted to seize the initiative on the colonial issue from the new states of Africa and Asia? Why has the Soviet Union attempted to inject East-West differences into the complicated and difficult north-south problems, thereby making it less likely that we will be able to find realistic and meaningful solutions? Why has the Soviet Union sought to distract the General Assembly from the tried and true procedures it has followed for 15 years with such marked success, substituting a war of words for detailed discussion and specific recommendations of individual territories and problems?

There are at least two answers:

First, the Soviet Union does not wish the United Nations to operate successfully in this or any other field. The Soviet Union is fearful that the solution of outstanding colonial problems involving the West will impel the United Nations to focus attention on the situation in the vast Soviet empire.

Moreover, in the past 15 years, as the process of self-determination in the ex-colonial areas of Asia and Africa was rapidly expanding the world community of free and independent nations, the contrary process was taking place within the periphery of the Soviet Union. Wherever the influence of the Soviet armed forces could be brought to bear, independent countries, many of which had just been liberated from Hitler's terror, were absorbed and their national aspirations savagely repressed by a state bent on the eradication of the national identity of all peoples within the Soviet domain.

This indicates the second wellspring of Soviet interest in the colonial question in the United Nations. The Soviet memorandum and initiative is a diversionary move, an attempt to prevent the world organization from focusing on the serious deprivations of human rights in the Soviet world.

Many criteria have been developed over the years to determine whether or not a particular situation falls into the colonial category. Surely the key, however, is the absence of self-determination for the dependent peoples concerned.

Because the world cannot long remain half slave and half free, the United States expects the United Nations will focus its attention as carefully on the colonialism of the Soviet Union as it does on that of Portugal or any other nation. For if the Soviet Union comes to believe it can enforce a double standard in the world with complete impunity, no country in the world will be safe.

The record speaks for itself.

SELF-DETERMINATION IN THE SOVIET EMPIRE

We are told that the peoples of the Soviet Union enjoy the right of self-determination. Indeed, the Soviet regime at its inception issued a declaration of rights which proclaimed "the right of the nations of Russia to free self-determination, including the right to secede and form independent states."

How did this "right" work in practice? An independent Ukrainian Republic was recognized by the Bolsheviks in 1917, but in 1917 they established a rival Republic in Kharkov. In July 1923, with the help of the Red army, a Ukrainian Soviet Socialist Republic was established and incorporated into the U.S.S.R. In 1920, the independent Republic of Azerbaidzhan was invaded by the Red army and a Soviet Socialist Republic was proclaimed. In the same year, the Khanate of Khiva was invaded by the Red army and a puppet Soviet People's Republic of Khorezm was established. With the conquest of Khiva, the approaches to its neighbor, the Emirate of Bokhara, were opened to the Soviet forces which invaded it in September 1920. In 1918, Armenia declared its independence from Russia and a mandate offered to the U.S. Government was refused by President Wilson. In 1920, the Soviet Army invaded, and Armenian independence, so long awaited, was snuffed out. In 1921, the Red army came to the aid of Communists rebelling against the independent state of Georgia and installed a Soviet regime.

This process inexorably continued. Characteristically, the Soviets took advantage of the turmoil and upheaval of the Second World War to continue the process of colonial subjugation at the expense of its neighbors. The Soviets' territorial aggrandizement included the Karelian Province and other parts of Finland and the eastern provinces of Poland, the Rumanian provinces of Bessarabia and Bukovina, the independent states of Estonia, Latvia, and Lithuania, the

Koenigsberg area, slices of Czechoslovakia, South Sakhalin, the Kurile Islands, and Tanna Tuva.

These are outright annexations of territories whose peoples are as enamored of freedom and as fully entitled to their rights as are the people of Africa, Asia and the Americas. But there is another category of Soviet colonial territory, where neocolonialism in a form never dreamed of in other parts of the world is practiced.

SOVIET COLONIAL PRACTICES

The Soviet system of coping with disaffected populations in Soviet colonies is simple and effective, but shocking in the 20th century. During the war, the Soviets deported entire ethnic groups to the East, fearful that they would use the occasion to fight for their independence. These groups included the Volga Germans (405,000), the Crimean Tatars (259,000), the Kalmucks of the northwestern Caspian area (130,000), the Ingush (74,000). These deportations were admitted by Chairman Khrushchev in his secret speech before the Congress of the Communist Party of the Soviet Union. In 1957, the Supreme Soviet, apparently in recognition of the crime committed against humanity, belatedly decreed the rehabilitation and eventual return of the remnants of some of these ethnic groups.

Even more shocking was the series of deportations undertaken by the Soviets following their ruthless subjugation of the independent nations of Estonia, Latvia and Lithuania. In June of 1941, more than 200,000 persons were deported from the Baltic States, and the total now approaches 700,000.

As another indication of the fate of annexed ethnic groups in the Soviet Union, the case of the Kazakhs is instructive. The Moslem Kazakhs are the largest Asian nation subject to the colonial rule of Soviet Russia. In 1920, the Soviet census listed 3,968,289 Kazakhs. In 1939, their numbers had dwindled to 3,098,164. They comprised less than 30 percent of the population in what Mr. Khrushchev describes as their national republic. This suggests the human costs—to national groups—of the material advances which he claims.

Following the Second World War, whole nations and peoples were swallowed up behind the Iron Curtain in violation of agreements and without a free vote of the peoples concerned. These included Poland, Hungary, Rumania, Bulgaria, Albania, and then Czechoslovakia in coups d'etat. The German and Korean people, divided as the result of the war, were held from unity by the failure of the Soviet Union to live up to the agreements it had signed and to permit the self-determination of these peoples through free elections. Vietnam was divided as the result of later expansionism by Communist subversion and military expansion.

THE CONSEQUENCES OF SOVIET IMPERIALISM

The disgrace, barbarity, and savagery—to cite the words used by Chairman Khrushchev—of Soviet imperialist rule is indicated by the never-ending flow of refugees from the countries made colonies by the Soviet Union. More than 12 million persons have escaped since the Second World War from the Soviet Union, Communist China, and the areas they control: Albania, Rumania, Estonia, Latvia, Lithuania, North Korea, North Vietnam, and Tibet.

The greatest sustained movement of refugees in modern history continues for the 14th year out of Soviet East Germany. Since the end of the Second World War, more than 3 million Germans have fled from their homes and businesses in the Soviet-controlled zone and East Berlin in order to live and work in the free world. Despite the wall erected to hold the East German people from the freedoms they earnestly desire, East Berliners risk their lives daily to reach freedom in West Berlin.

When the Soviet imperialist regime in North Korea was established north of the 38th parallel in May 1948, another mass exodus began. Within 2 years, 1.8 million residents of the Communist zone, out of an estimated population of 9 million, migrated southward to the Republic of Korea. Within 7 months after the Communist armies of North Korea invaded the Republic of Korea, an additional 800,000 North Korean prisoners of war refused repatriation to North Korea and 25,000 Chinese soldiers also refused to go home.

Within 10 months after the partition of Vietnam, nearly a million Vietnamese had fled the Soviet-controlled north. This displacement of persons took place despite the most strenuous efforts, in violation of the Geneva Armistice Agreement, to stem the flow.

Perhaps the most dramatic instance was the flight of nearly 200,000 Hungarians after the revolt of October 1956 was crushed by Soviet troops. Since the first Communist takeover of Hungary in 1947, an additional 200,000 persons fled their homes to live and work in the West.

We are at present living through the most recent example of this general pattern. With the Chinese Communist subjugation of Tibet, more than 20,000 refugees were forced to leave their homes behind them and flee to other countries.

The right to self-determination has never been accepted for its own dependent areas by the Soviet Government. Stalin in 1923 explained that "there are instances when the right of self-determination comes into conflict with another, higher right; the right of the working class to fortify its own power. In such cases, the right of self-determination cannot be and must not serve as an obstacle to the realization of the right of the working class to its own dictatorship. The former must give way to the latter." In short, self-determination is a right which can only be upheld when the peoples concerned have not fallen under Communist domination.

On the contrary, rather than assisting the development toward greater independence and self-determination of the nations under their domination, the announced Soviet design is to eradicate all national (including linguistic) differences that exist between these diverse nationalities and the great Russian model. The Soviet Communist Party program states: "The obliteration of frontiers between the classes and development of Communist Socialist relations strengthens the Socialist uniformity of the nations and favors the development of common Communist features." The program laments, however, that "the obliteration of national features, particularly of the language differences, is a considerably longer process than the obliteration of class differences." Khrushchev, in his October 18, 1961, speech to the 22d Congress of the Soviet Communist Party left no question as to his design toward peoples dominated by the Soviet Union when he said: "It is essential that we stress the education of the masses in the spirit of proletarian internationalism and Soviet patriotism. Even the slightest vestiges of nationalism should be eradicated with uncompromising Bolshevik determination." This is the unique aspect of Soviet "colonialism"—an aspect that differentiates it from all other historical examples of one state's suppression of another's freedom. Through the total state controls of mass culture, propaganda, education and movement, the Soviets seek to wipe out forever the national characteristics that differentiate the Turk from Ukrainian, the Kazakh from the Armenian, the non-Russian from the Russian. They not only seek the eradication of differences and the suppression of freedom, but the eradication of the desire for freedom.

THE SOVIET PLAN

In view of the Soviet Union's own dark record of imperialist oppression and exploitation, Soviet professions of devotion to the welfare of the peoples of colonial or former colonial areas outside the Soviet empire are hypocritical. But more t' an mere hypocrisy is involved. These professions mask a sinister design insofar as the future of the colonial and newly independent peoples themselves are concerned.

Communist doctrine pretends to provide an all-embracing explanation of historical processes. It therefore discloses to those who study it the real intentions of Soviet policy.

It is Soviet doctrine that the political development of newly independent states is to proceed in two distinct phases. The first stage—as Academician Y. E. Zhukov puts it in Pravda of August 26, 1960—is one in which "the majority of the new Asian and African national states are headed by bourgeois politicians under the banner of nationalism."

At the same time, however, local Communists are instructed to prepare for the future day of direct action. In this initial period, Communists are to concentrate their efforts on infiltrating and obtaining key positions in political and social groups, especially trade-union and student movements, as well as organizing and participating in Communist-front organizations of all types.

The Soviets regard the present state of political orientation within the newly developing countries as merely a phase, one clearly undesirable and unacceptable from the long-range point of view. As Academician Zhukov phrases it: "One cannot, therefore, term Socialist those general democratic measures which to some degree are implemented in India, Indonesia, the United Arab Republic, Iraq and other independent countries of Asia and Africa." The policies and politics of these countries, Zhukov states, are "of a democratic and not a Socialist character." At the appropriate stage, therefore, the Communist parties must come forth frankly and openly with their bid for power.

Soviet statements on colonialism are in themselves typical of the semantic perversion in Communist philosophy, by which "freedom" becomes "slavery" and "slavery" becomes "freedom." By means of this distortion of words, the Soviet Union hopes to distract attention from the real issues. But the peoples of the world can forget four fundamental facts only at their own peril:

First, the Sino-Soviet bloc today embraces the largest colonial empire which has ever existed in all history.

Second, the Communist empire is the only imperial system which is not liquidating itself, as other empires have done, but is still trying energetically to expand in all directions. With the growth of Soviet and Chinese Communist power, these expansionist efforts have now become more blatant and are now being attempted in areas outside the periphery of the bloc.

Third, the Soviet colonial system is one of the most cruel and oppressive ever devised. By the ruthless and brutal use of techniques of police control, and by the erection of artificial barriers to communication, the regimes of the Sino-Soviet bloc have harshly suppressed all movements in the direction of freedom, have instituted programs to eradicate all national identity in the people, and have held their peoples in virtual isolation from the outside world.

Finally, the Soviet colonial empire is the only modern empire in which no subject people has ever been offered any choice concerning their future and their destiny.

President Kennedy summarized it in the following words in his general debate statement at this session of the General Assembly:

"I do not ignore the remaining problems of traditional colonialism which still confront this body. Those problems will be solved, with patience, good will and determination. Within the limits of our responsibility in such matters, my country intends to be a participant, and not merely an observer, in the peaceful, expeditious movement of nations from the status of colonies to the partnership of equals. That continuing tide of self-determination, which runs so strong, has our sympathy and our support.

"But colonialism in its harshest forms is not only the exploitation of new nations by old, of dark skies by light—or the subjugation of the poor by the rich. My nation was once a colony—and we know what colonialism means; the exploration and subjugation of the weak by the powerful, of the many by the few, of the governed who have given no consent to be governed, whatever their continent, their class or their color.

"And that is why there is no ignoring the fact that the tide of self-determination has not yet reached the Communist empire where a population far larger than that officially termed 'dependent' lives under governments installed by foreign troops instead of free institutions—under a system which knows only one party and one belief—which suppresses free debate, free elections, free newspapers, free books and free trade unions—and which builds a wall to keep truth a stranger and its own citizens prisoners. Let us debate colonialism in full—and apply the principle of free choice and the practice of free plebiscites in every corner of the globe."

[From the New York Herald Tribune, Nov. 28, 1961]

STEVENSON SPEAKS IN U.N.—UNITED STATES CALLS REDS' EMPIRE BARBARIC

UNITED NATIONS, N.Y.—The U.N. General Assembly last night overwhelmingly approved an Asian-African resolution setting up a 17-nation committee to recommend steps for a speedy end to colonialism.

It did so after rejecting Soviet amendments that would have had the Assembly proclaim 1962 as "the year of the elimination of colonialism."

The resolution sponsored by 38 Asian-African nations and supported by the United States was approved by a vote of 97 to 4 with 4 abstentions—Britain, France, South Africa, and Spain. Portugal was listed as not participating.

The vote on the Soviet amendment was 19 in favor, 46 opposed, and 36 abstentions.

REDS' EMPIRE ASSAILED

UNITED NATIONS, N.Y.—The United States yesterday denounced the Chinese-Russian combine as history's largest colonial empire, "one of the most cruel and oppressive ever devised."

The denunciation, contained in a statement issued by U.S. Ambassador Adlai E. Stevenson, came as the General Assembly approached the end of a 3-week debate on colonialism.

The debate was touched off mainly by Russia's insistence on implementing a propaganda-laden declaration calling for freedom for all colonial territories. The declaration was forced through the U.N. last year.

Mr. Stevenson said in his statement that more than 12 million persons had fled "the disgrace, barbarity and savagery of Soviet imperialist rule * * * indicated by the never-ending flow of refugees from the countries made colonies by the Soviet Union."

Mr. Stevenson said Russia seized the initiative on the colonial issue in the last 2 years from countries of Africa and Asia for two reasons.

"First," he said, "the Soviet Union does not wish the United Nations to operate successfully in this or any other field. The Soviet Union is fearful that the solution of outstanding colonial problems involving the West will impel the U.N. to focus attention on the situation in the vast Soviet empire.

"Moreover, in the last 15 years, as the process of self-determination in the ex-colonial areas of Asia and Africa was rapidly expanding the world community of free and independent nations, the contrary process was taking place within the periphery of the Soviet Union.

"Despite a Bolshevik declaration of the right of self-determination for nations, including the right to secede from the Soviet Union," Mr. Stevenson said, "Russia crushed Azerbaijan, Khiva, Bokhra, and Armenia in 1920, Georgia in 1921, and the Ukraine in 1923.

"This inexorable process continued," he said.

"Characteristically, the Soviets took advantage of the turmoil and upheaval of the Second World War to continue the process of colonial subjugation at the expense of its neighbors.

"The Soviets' territorial aggrandizement included the Karelian Province and other parts of Finland and the eastern provinces of Poland, the Rumanian provinces of Bessarabia and Bukovine, the independent states of Estonia, Latvia, and Lithuania, the Koenigsberg area, slices of Czechoslovakia, South Sakhalin, the Kurile Islands, and Tanna Tuva.

"Following the Second World War, whole nations and peoples were swallowed up behind the Iron Curtain in violation of agreements and without a free vote of the peoples concerned. These included Poland, Hungary, Rumania, Bulgaria, Albania, and then Czechoslovakia in coups d'etat.

"The peoples of the world can forget four fundamental facts only at their own peril:

"First, the Sino-Soviet bloc today embraces the largest colonial empire which has ever existed in all history.

"Second, the Communist empire is the only imperial system which is not liquidating itself, as other empires have done, but is still trying energetically to expand in all directions.

"Third, the Soviet colonial system is one of the most cruel and oppressive ever devised.

"Finally, the Soviet colonial empire is the only modern empire in which no subject people has ever been offered any choice concerning their future and their destiny."

DECEMBER 5, 1961.

The Honorable ADLAI STEVENSON,
U.S. Representative to the United Nations, U.S. Delegation to the U.N., New York, N.Y.

DEAR MR. AMBASSADOR: Your letter of November 25, addressed to the President of the General Assembly and containing the comments of the U.S. delegation on the Soviet memorandum regarding colonialism, deserves the highest praise of every American who is responsibly concerned with the basic issues of the cold war. In behalf of this committee and its nationwide membership I take particular pride in expressing our sincerest congratulations and gratitude for your excellent exposure of Soviet Russian imperialism and colonialism in Eastern Europe and Asia.

With all objectivity and on the basis of our intimate knowledge in this most vital area I can truthfully state that your stand on the fundamental issue of Moscow's imperio-colonial system is the best yet in terms of our official declarations in the United Nations. Your superbly written letter accurately depicts the first wave of Soviet Russian imperialism and colonialism in the 1918 23 period and forcefully presents some of the most heinous crimes of the modern Russian totalitarians. The due emphasis you courageously place on the captive non-Russian nations in the U.S.S.R. and on their invincible drive toward national independence and freedom is a decisive step in the progression of our diplomacy of truth by which we can defeat Moscow's totalitarians in the cold war. We heartily agree with you on the necessity for throwing the spotlight of world attention on Soviet Russia's imperio-colonialism. The responses which we have already received from circles here and abroad leave no doubts in our mind as to the renewed hopes and reinforced spirit that your remarkable letter inspired in behalf of the eventual liberation of all the captive nations.

In the confidence that we bespeak the thoughts and feelings of countless other Americans and with best wishes for your continued leadership in the expression of these fundamental ideas, I am,

Sincerely yours,

LEV E. DOBRIANSKY,
Chairman.

[From the Buffalo Courier Express, Oct. 17, 1961]

LET'S LIQUIDATE BIGGEST COLONIAL EMPIRE

In a resolution submitted to the United Nations General Assembly, the Soviet Union has proposed that the U.N. set the end of next year as a deadline for the "final and unconditional liquidation of colonialism."

Now, if that resolution means what it says, it comes under the head of perfectly ducky international news. Just think of the happiness that will come to millions if the last remaining huge colonial empire, the Soviet Union, finally follows the fine example set by such enlightened great powers as Britain and France.

Such an act of repentance and reparation by Russia's ruthless imperialists and exploiters of subject peoples would represent one of the greatest reversals of bad policy in world history. It would mean a return to freedom for subjugated millions in East Germany, Poland, Hungary, Czechoslovakia, Rumania, Bulgaria, Albania, Latvia, Estonia, Lithuania, Moldavia, and the so-called Karelo-Finnish Soviet Republic.

Important as would be the liberation of these formerly independent nations conquered and reduced to colonial status by Russia in recent years, liquidation of colonial empires under U.N. auspices would be woefully incomplete unless it included the colonial possessions which the Soviet Union inherited when it was set up in 1917. Certainly, if the Britain of Elizabeth II follows the just policy of setting up as free nations the colonies acquired by imperial expansion under 18th and 19th century monarchs, the Russia of Nikita S. Khrushchev should feel obliged to apply the same rule to the colonies acquired by far more ruthless imperial expansion under the czars.

This would mean setting up the Ukraine as the free, strong, and proud European nation which it ought to be—and similar granting of liberty and sovereignty to Byelorussia, Georgia, and Armenia, all ancient lands, and Azerbaijan, old home of the Tartars, too. Turning to Soviet Central Asia, we find colonial possessions not so well identified historically to the Western World, but certainly with a clearer title to national sovereignty than many—if not most—of the new Asian and African nations.

These Asian possessions of the Soviet Union include Turkmenistan (better known as Turkestan), Kazakhstan, Uzbekistan (whose Uzbeks were the ruling race of central Asia from the fall of Tamerlane's empire in the 15th century to the time of Russian conquest in the 18th century), Tadzhikistan (land of the Tadzhiks, reputed descendants of the original Aryans of Turkestan, who

speak a language little different from Persian), and Kirghizia.

Their masters in the Kremlin call these colonies by the nice name of "Soviet Republics"; but their ancient peoples are under far more rigid colonial rule than the more primitive people emerging from colonial rule in the Congo and those seeking thus to emerge in other parts of Africa.

So, if the United Nations General Assembly not only adopts the Soviet Union resolution but actually tries to make it work, there will be merely a speeding up of liberation of the comparatively few Asian and African colonies still under Western rule—but there must be a breaking up of the Soviet Empire and reduction of Russia to its proper status as a sizable European nation, strong enough to defend itself but no longer able to terrorize and subjugate its neighbors.

[From Vital Speeches of the Day, Sept. 15, 1961]

A HISTORY OF COMMUNIST AGGRESSION—LESSONS TO BE LEARNED

(By Dr. Lev E. Dobriansky, Georgetown University, Washington, D.C.)

"History is bunk"—so observed one of America's foremost industrialists and a prominent maker of history.[1] Instinctively, of course, we would brush this statement aside as, indeed, many in the past have. But, actually, this extreme observation cannot be written off entirely because, in fact, there is much bunk in the written histories of Eastern Europe and central Asia which constitute primary and basic parts of the composite history of Communist aggression. In our schools and in the public forum much of this bunk is being uncritically transmitted, and the results become clearly and appallingly evident in the bleak record of our struggle with communism.

For some quite intellectually vulnerable critics of these indispensable seminars this may be the introduction to an "extremist speech." However, it cannot be too strongly emphasized that the contents of this lecture are open to any honest criticism by popular deliberation rather than by secret memorandums. Many scholars, writers, and leaders with a keen sense of history have pointed to this grave defect in the fundamental history of Communist aggression. Among them, even President Truman has said: "I have several histories of Russia, not one of which has been satisfactory. Most of them are based on ideas that were formed before the man started his book and are not based on facts."[1] In short, if our historical accounts of Russia, the base of the world Communist conspiracy, are inaccurate and even fictitious, then what can be expected of our higher formulations of thought, concept, policy, and operation regarding this global menace?

LESSONS FROM THE HISTORY OF COMMUNIST AGGRESSION

"Human history," said H. G. Wells, "is in essence a history of ideas." The history of Communist aggression is undoubtedly a major episode of human history and in basic essence sharpens the contrast between the ideas of national and personal freedom and those of imperialist domination and totalitarian control. History, one can say, is philosophy teaching by examples, and the examples we shall consider here are not, as Khrushchev would have it, evidence of any spurious contest between communism and capitalism but, instead, growing examples of Soviet Russian imperialism and colonialism versus national self-determination and personal liberty. Needless to say, those who do not know or remember the history of Communist aggression are condemned to repeat it.

What, then, can we learn from this history? What are the general lessons to be gained from the history of Communist aggression? For one, this history provides an indispensable background for our understanding of the motives, aims, and actions of the last formidable imperialist power on earth. If, more than anything else, empirically and concretely answers the essential question, "How did this menace come to be what it is?" In effect, it answers the further crucial question, "What is the nature of the threat?" Second, the history of Communist aggression portrays a genetic development of conquest, predation, and exploitation without which pure analysis remains sterile. In this respect, our short understanding of this history explains in largest measure our persistent misconception of the Soviet Union, our gullibility for skillful Russian propaganda, and our constant reactionism to the cold war ventures of the adversary.

The third important product of a complete history of Communist aggression is a vivid appreciation of what the aggressed, the conquered, think and feel about the nature of the disease rather than what we, at a remote distance in time, place, or experience, think it to be or what the conqueror pretends it to be. For example, in 1956 the Hungarian patriot shouted, "Russkie, go home," instead of wasting his breath on the myth of communism, and earlier in the same year the Georgian patriot scrawled on the public buildings of Tiflis the positive slogan "Long live an independent Georgia," instead of the negative one "Down with communism." These and endless more teachings by example lead to the fourth benefit derived from the history of Communist aggression, namely, the insights obtained for opportunities of action, of the positive offensive, against the calculating and increasingly confident enemy.

Thus a complete and factually grounded history of Communist aggression is indispensable to our thoughts and actions in the permanent cold war staked by Moscow. It is no more necessary for our behavior and operations in any hot global war. The history of Communist aggression is the very basis of justification and confirmation of the sound warning given by the renowned Russian philosopher, Nicholas Berdyaev: "It is particularly important for Western minds to understand the national roots of Russian communism and the fact that it was Russian history which determined its limits and shaped its character. A knowledge of Marxism will not help in this."[2] As one views the history of Communist aggression over the years—including even the form of spiritual aggression against certain non-Russian nations prior to 1917—this sober warning sounded by one of Russia's greats in this century cannot be repeated too often.

THE BACKGROUND OF THE WHITE RUSSIAN EMPIRE

It is an open secret that we Americans are not exactly conspicuous in the areas of historical research, interpretation, and analysis. In fact, until recently, in our schools and in our daily existence we have even shown a disdain for historical inquiry and historical understanding. With regard to the reality of Communist aggression some of us woke up only when colonial Moscow took to overt means of threat and bluff against the interests of the United States following World War II. Of little concern was it to most of us that we, by private or official agency, helped substantially to build up this monster from 1917 to the present, either by commission or omission of various deeds and works. Without the indispensable aid of history we were content to form our illusions, some of which thrive this very day, such as the illusion that the cold war began in 1947, or the illusion that Communist aggression commenced with the Russian invasion of Poland in September 1939, or the illusion that if Marx hadn't existed, we would not be threatened from the Russian source today. These and other illusions can only be permanently dissolved by grasping the major forces and patterns in the history of Communist aggression.

As Berdyaev, Struve and others solidly teach, it is impossible to arrive at such a grasp without an intensive analysis of the real, empirical background to the series of Communist aggressions in our time. The roots of these aggressions by Soviet Russia rest deep in the background presented by the White Russian Empire of the czars. Every conceivable Communist technique today has an able institutional precedent in the empire-building enterprise started by Ivan the Terrible in the 16th century: divide and conquer, conspiratorial networks, genocide, Russification, two steps forward and one backward, broken treaties, a self-assuring mystical messianism, smokescreens of totalistic ideologies, political partitionism, the police state, inventions and distortions of history, incitement of class struggles, slave labor, anti-Semitic programs, Potemkin village tactics, peaceful coexistence—in brief, the fashioned implements of cold war gaming aimed at eventual conquest.

Lest we deceive ourselves, we are bucking up against 500 years of cumulative empire-building experience from which Lenin primarily drew on and Von Clausewitz distilled his classic cold war formulations. It is an experience based on the institutional nexus of internal totalitarian rule and external imperialism and colonialism. It is an experience masked by a succession of deceptive ideologies: the Third Rome doctrine of orthodox supremacy, racist Pan-Slavism, and materialistic communism.[3] Where it serves Moscow's purposes, each of these is put into use today. For example, the Morros testimony which led to the Soble spy case in New York brought out the fact that, as Morros put it, the "Russian plot goes beyond communism. They are for Pan-Slavism on a scale more ambitious than Hitler's fanatical dreams of world conquest."[4] And Morros operated with functionaries on the highest levels of the Kremlin conspiratorial setup.

But more immediate to the first phase in the history of Communist aggression is the period from the end of the 19th century to the downfall of the White Russian Empire. We cannot intelligibly comprehend the first wave of Soviet Russian aggression unless we come to know and appreciate the powerful force of nationalism which manifested and expressed itself in the empire during this period. Regrettably our studies of this subject are virtually nil, and as a consequence we are ill prepared today to exploit in behalf of world freedom this same force operating within the Soviet Union.

The White Russian Empire suffered from the same rebellious upsurge of patriotic nationalism that the Austro-Hungarian and Ottoman Empires did. We know of the Polish resistance and fight for national freedom in the spirit of Mickiewicz, Kosiuszko, and Pulaski, but do you know of the freedom fighters and the resistance against Russian domination elsewhere within the empire: the White Ruthenians Kalinovsky and Hrynievetski who assassinated Alexander II in 1881; the Ukrainian Shevchenko and the pervasive spirit of Mazepa in subjugated Ukraine; the jealous independence of the Don and Kuban Cossacks in the spirit of Razin and Pugachov; Chamyl, the freedom star of the Caucasus and the innumerable

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[1] Hillman, William, "Mr. President," New York, 1952, p. 232.

[2] Berdyaev, Nicholas, "The Origin of Russian Communism," London, 1948, p. 7.

[3] Radzinski, John M., "Masks of Moscow," Illinois, 1960, p. 268.

[4] The New York Times, Aug. 13, 1957.

revolts of the North Caucasian peoples throughout the 19th century; the Muslim Congresses of 1905–06 through which Turkestani and Azerbaijani formed a religious common front against Russian colonialism?

This is only a small fraction of the history for freedom in Eastern Europe and central Asia—a history that assumes increasing meaning, value and significance in the light of current developments in Turkestan, Georgia, Idel-Ural, Ukraine and other non-Russian nations in the U.S.S.R. In marked measure the Russian defeat in the Russo-Japanese War was attributable to the rumblings and disaension of the subjugated non-Russian peoples, and the revolution of 1905 was in part the explosion of this force of nationalism. A decade later, in World War I, mass desertions of these non-Russian nationals crippled the so-called military steamroller of the Russian Empire; and over two decades later—after a long period of ostensible Communist indoctrination—millions of these non-Russians deserted again, practically placing the platter of victory before the Germans. Even the Socialist movement in the White Russian Empire was split along national lines, such as the Armenian Socialist Party, the Tartarian Socialist Revolutionary Party, the Ukrainian Socialist Democratic Party and others.

Although we still have to uncover and make use of these facts, in the field of experience the Bolsheviks led by Lenin knew them well and used them well for their own ends. Today, this account would be condemned by Moscow as "the provocations of bourgeois nationalism"; before the collapse of the White Russian Empire it was accepted by the forthcoming heirs of the empire in the name of national self-determination. "If Finland, if Poland, if the Ukraine break away from Russia," wrote Lenin, "there is nothing bad about it. Anyone who says there is, is a chauvinist. No nation can be free if it oppresses other nations."[8] As today in Africa and Asia, this record on national self-determination was played over and over again until the overwhelming force of non-Russian nationalism contributed heavily to the breakup of the White Russian Empire in 1917. But it wasn't too long before Lenin and the heirs of the empire proved themselves as outright chauvinists. By the established techniques of lies and deception they committed a spiritual aggression even before 1917.

You and I know of the two Russian revolutions in 1917, but how many of us are aware of the widespread non-Russian revolutions for national freedom and independence at that time? Yet the significance of these non-Russian wars of independence cannot but have profound meaning for us today. Independent national republics were established in area after area: Idel-Ural, November 12, 1917; Finland, December 6, 1917; Ukraine, January 22, 1918; Kuban Cossackia, February 16, 1918; Lithuania, February 16, 1918, followed in that year by Estonia, White Ruthenia, Don Cossackia, North Caucasia, Georgia, Azerbaijan, Armenia, Poland and Latvia. In Siberia on April 4, 1920, the Democratic Republic of the Far East was founded, and in central Asia a republic was proclaimed by Turkestan on April 15, 1922. With some of these such as Georgia, Poland, and Ukraine, formal recognition was tendered by Soviet Russia by treaty or official declaration. Yet in short time, only a few of these independent nations and states survived the first wave of Soviet Russian imperialism.

THE FIRST WAVE OF COMMUNIST AGGRESSION

As shown in part by the former Select House Committee on Communist Aggression, the history of Communist aggression commenced with the onslaught by Trotsky's Red Russian Army against most of these non-Russian republics.[9] States like Ukraine and Georgia were subverted, conquered, and made to appear as independent Soviet republics by the end of 1920. Familiar techniques of intensive revolution, infiltration, propaganda distortion, espionage, conspiracy and planted governments were in full use before the military blow struck. One republic was picked off after another on the traditional basis of divide and conquer. By 1922 the first wars between non-Russian nations and Soviet Russia were over, and on January 31, 1924, the forcible incorporation of these many nations into the new prison house of nations was formally declared with the establishment of the Union of Soviet Socialist Republics. A new Red Russian Empire was now in being.

This eventful period gives us much cause for serious and sober reflection, and the fruits of this reflection may have considerable bearing on our own future and destiny. The "ifs" of history are just as much parts of reality as the "whens." If the leaders of the victorious West had understood the nationalist forces at work throughout the Russian Empire and fully suported them on the principle of national self-determination, it is reasonable to assume that communism would have only been a short echo in the arena of human history. If the Russians desired to apply its philosophy on the legitimate terrain of Russia, then, as in the similar case of Germany, nazism and non-Germans, non-Russians wouldn't go to war over it. If these newly independent non-Russian republics had formed a common front against Soviet Russian imperialism, the outcome of world developments would surely have been different. Little is it appreciated that the first smashing defeat of the imperialist forces of Soviet Russia was registered in 1920 by the Polish-Ukrainian alliance between Pilsudsky and Petlura. If their combined forces had crossed the proper borders of Russia and completely wiped out the Red Russian Army, Europe and the rest of the world would certainly have benefited from far more than a 20-year breathing period. As reflections of historical reality many of these "ifs" have pointed meaning for us today.

Foolish, indeed, is the notion that Soviet Russian aggression starts and finishes with a military war. After the conquest of any non-Russian country the aggression continues—in fact is intensified—against the institutions, the historical past, and the future hopes and aspirations of the conquered people. Finland, Poland, Lithuania, Latvia, and Estonia escaped the ravages of this aggression in the 1920's and 1930's. The other non-Russian nations, now parts of the Red Russian Empire under the guise of the Soviet Union, were not this fortunate. The two decades are historically replete with deportations, slave labor, a horrible manmade famine in 1931–32, severe Russification, the Vinnitsa genocide, and extensive economic colonialism. It is in this period that Khrushchev first soaked his hands in the blood of these early and first captive peoples.[7] It is also in this period that so-called Soviet history is punctuated with recurring uprisings, passive resistance, and the moral danger of bourgeois nationalism, as witness the uprisings of 1929–30, and the purges of 1935 and 1937 in Georgia, the revolt of the young Turkestani in the Basmachi underground during 1935–41, the armed revolts of the Azerbaijani in 1925, 1929–30, and 1933, and the persistent opposition of the Ukrainians which caused a Russian satrap, Kossior, to blurt out in 1933 that, "Ukrainian nationalism is our chief danger." Aside from revisionism, the greatest and most enduring of crimes in the Soviet Union today is so-called bourgeois nationalism, which for us is plain national patriotism.

Most important in this first stage of Soviet Russian aggression is the dominant fact that the imperiocolonial foundation was laid for the subsequent waves of Moscow's aggressions, whether direct or indirect. History was indeed repeating itself. The cycle of Russian conquests in the 18th and 19th centuries was again in motion. Without these conquered non-Russian areas, Russia and its 100 million people in itself could only be a second or third-rate power. Ukraine by itself stands as the largest non-Russian nation both in the Soviet Union and behind the Iron Curtain. It should be noted, too, that the major economic resources in the U.S.S.R. are largely concentrated in the non-Russian nations. Turkestan, which Moscow deliberately partitioned into five artificial Central Asiatic republics and exploits ruthlessly, literally abounds in diverse natural resources. Over 110 million non-Russian captives under the alien yoke of Moscow live in the Soviet Union today. About 24 million were added in the second wave of Soviet Russian aggression in World War II.

THE SECOND WAVE OF SOVIET RUSSIAN AGGRESSION

This second wave of Soviet Russian aggression was really triggered off by Moscow signing a 10-year nonaggression treaty with Berlin on August 24, 1939. The treaty paved the way to the Nazi invasion of Poland, the outbreak of World War II followed, and the opportunity for Russian colonial expansion presented itself in Poland, Finland, and the Baltic States. The paramount feature of this massive aggression was, of course, the forced incorporation of Estonia, Latvia and Lithuania into Moscow's prison house of nations. The fate met by other non-Russian nations in 1924 now, inevitably, befell these. Dependent on the fortunes of World War II, it was only a matter of time before others would meet a similar fate.

The struggle for national freedom in Eastern Europe and central Asia in the very course of World War II is a saga of invincible will and heroism still to be written for the benefit of the free world. While the war gave Soviet Russia the opportunity to extend its colonialism, it also gave the non-Russian captives an equal opportunity to strike for national freedom. Even some freedom-loving Russians saw this opportunity, too. As in World War I, mass desertions from the polyglot multinational armed forces of the U.S.S.R. were the order of the time. White Ruthenians, Cossacks, Bashkirs, Georgians, Tartars, Chechens, Ukrainians and others who were supposed to be hopelessly indoctrinated by communism deserted in the millions in the hope of fighting for the freedom of their lands. For example, let's listen to the words of a German journalist on the eastern front: "The steady flow of Ukrainian volunteers for the German forces we ignored. The millions of Ukrainians, who by themselves could have turned the scales in the east, were not only left unused, but were actually being repulsed and disillusioned."[8]

Here, in a nutshell, is the explanation of the unsurpassed political blunder in this century. The German Nazis attempted to foist their type of imperialist totalitarianism upon these non-Russian nations and in reality, fortunately for us, it cost them the war and victory. Throughout this period and, as a matter of fact, up to 1950 the national underground systems of Lithuania, Ukraine, White Ruthenia, Turkestan and others engaged in guerrilla warfare against both the Russian and German totalitarians and later against the Russians and their colonial puppets. Our interest in guerrilla warfare today can be well satisfied by a study of the warfare waged by the Ukrainian Insurgent Army in that period.[9] To project this further, there is abundant evidence to show that throughout the last decade this resistance and opposition of so-called bourgeois nationalism has by no means diminished in the Soviet Union. Arrests for this crime of crimes continue under Khrushchev.

As we now turn to the third wave of Soviet Russian aggression, the tragedy of having won the war but lost the peace should awaken us to some grave defects and failures of our thinking and policymaking regarding aggressive Soviet Russia. Imagine, twice in this century we have suffered this tragedy. The colossal naivete of our leaders was displayed in the Yalta agreements and other unnecessary concessions made to the greatest imperialist power on earth. Up to that time hundreds of agreements, treaties and promises had been callously broken by colonial Moscow but, for a variety of reasons, our leaders felt it could not happen to us. The roots of today's Berlin crisis go back to this period, and so does the captivity of many additional non-Russian nations. The casual reasons of ignorance and even degrees of Russophilism, then, are still at work today.[10]

THE THIRD WAVE OF SOVIET RUSSIAN AGGRESSION

In short, by these reasons, we, the victors of World War II and the advocates of national independence and personal freedom, literally accommodated the third wave of Soviet Russian aggression. The list of victims is as long as that of the first wave in 1920–23: In 1945, Poland, Moldavia, East Germany, multinational Yugoslavia, Outer Mongolia; 1946, Albania, Bulgaria; 1947, Hungary; 1948, Czechoslovakia, North Korea, Rumania; 1949, mainland China, where, we were told, an "agrarian revolution" was underway.

Whether by military occupation or by indirect means of the traditional Russian borderlands policy or intensive revolution, the process of aggression and the end result of conquest and domination of a people are the same. Satraps in most of these areas are Moscow bred, and although differences have arisen, as in the cases of captive Poland, satellite Yugoslavia, the junior partner, Red China, or rascal Albania, who logically can deny that the permanence of the unrepresentative regimes in any of these areas is inseparably bound up with the strength and future of their originator, Soviet Russia? Aggression by indirection was shown in Korea in 1950.

With the inner colonial ring in the Soviet Union and now the outer colonial ring in central Europe and Asia, Moscow had placed itself in position to penetrate, directly or indirectly—through its captives, junior partner, satellite or quisling Communist groups in the world at large—any area of the free world, including ours. The world's masters in empire building continued to reap successes of indirect aggression despite the alliances, the United Nations, the horrendous presence of nuclear weapons, the maginot line of containment. By the use of Moscow's traditional argument of no interference in internal affairs, by skillful propaganda inducing fears of war, and by gaining sanctuary from us in the consolidation of their vast empire, they have a free field for subversion, infiltration, and indirect aggression in the nontotalitarian free world.

FREE AGGRESSIVE PLAY IN THE FREE WORLD

By our basic policy of containment we accommodate colonial Moscow in a free aggressive play in the nontotalitarian free world. Tibet in 1951, North Vietnam in 1954, and Cuba in 1959 are further results of this play. What new nations will be listed into capitivity in this decade: Laos, Cambodia, Iran, Iraq? These and others are real possibilities for which economic aid, military assistance, the United Nations, singly or in combination, are not the adequate answer.

To approach the adequate answer, it is necessary to keep firmly in mind this outline of the history of Communist aggression. Within the framework of this outline many other detailed acts of aggression can be included, as, for example, in Spain, Greece, Iran, Guatemala, and elsewhere. But whatever additional facts are assembled, it should be clear that as the permanent instigator of the cold war, Moscow is a constant aggressor. In less speedy times and with less advanced technology the Princes of Muscovy were also on the permanent aggressive, and with patience, skill, fraud, and deception, built an enormous and unique empire. The inheritors of that empire may use different specious arguments but employ substantially the same techniques and, above all, have the same patience and propaganda skills. As before, so now, what falls under the Iron Curtain becomes an internal affair, and what lies outside the curtain of the empire is the field for free aggressive play. What, then, can we do? Or, in other words, what profits us to know the history of Communist aggression?

THE LESSONS AND GUIDELINES OF THIS HISTORY

The "ifs" of history, as I said, are parts of our reality, for they continually haunt us into wiser and more intelligent action in the present and for the future. If, for example, our Western leaders had a vivid appreciation of the first wave of Soviet Russian aggression and the already long record of Moscow's broken agreements, with proper action in 1945 we would not today be confronted by any Berlin crisis. These "ifs" sharpen the lessons of history and contribute to its guidelines for our action in the present.

These lessons and guidelines of the history of Soviet Russian aggression are as follows:

1. The nature of the threat, or the disease, or the cancer—characterized however you will—is the imperiocolonialism system of Soviet Russia. This system has historical roots in 500 years of empire building. By virtue of its materialistic basis and character, the ideology of communism—in essence a millenarian ideology of economic myth—is only a weapon of deception but more powerful than the preceding ideological weapons of orthodox supremacy and pan-Slavism. It is hardly encouraging to know that we are fighting against an ideological myth. In posing the spurious conflict between communism and capitalism Khrushchev would want us to fight the myth rather than the blood-and-flesh reality of totalitarian Russian domination. Philosophically and economically, Marxism bears as much relationship to the Red totalitarian empire as mercantilism does to our society. As one writer aptly puts it, "Like a bull in the arena, we have been concentrating on the red cloth rather than the matador behind it."[11]

2. The paramount challenge is not in the area of comparative military power and buildup but in the determining area of propaganda, political psychology, and psychological warfare. It is in this latter area that images are built up, minds are moved, and loyalties shifted. Bred on Pushkin, Dostoyevsky, Tolstoy, and 500 years of empire building, the present Russian totalitarians are masters of the art and experts in Potemkin Village tactics, stretching from space to athletics. On the basis of all available evidence, the Gagarin story may well turn out to be the gangrene story of history, and I am convinced that Moscow cannot possibly, with any hope of victory, commit its multinational armed forces in any serious military engagement. We saw what happened in Hungary; we saw what happened in the two World Wars and the Russo-Japanese War. In comparison with these political psychological experts, we've been but puny amateurs, despite the ace cards available to us. It requires little imagination to call men to arms; it requires much in imagination and vision to exploit the weaknesses of the enemy to eventually strangulate him without the horrible costs of a hot war.

3. The policy of liberation, accurately construed, is inescapable for our country if we are determined to survive as an independent nation.[12] In addition to the given quantity of armed protection, the greatest weapon we have is the captive nations of Europe and Asia. The case of Hungary proved our failure to implement this policy, not the inefficacy of the policy itself. With good reason there is nothing more frightening to Moscow than a developing concentration by us on the numerous captive non-Russian nations within the U.S.S.R. itself.[13] In the U.N. debate on colonialism and imperialism last year the Canadian Prime Minister had the courage to bring up the colonialism and imperialism rampant in the Soviet Union, and Moscow went into convulsions.[14] The image of Russian power could be changed overnight with this concentration on Russian colonialism and imperialism within the U.S.S.R., and with enormous impact on Asia, Africa, and Latin America.[15] Many of us still haven't pondered over the question, "Why was it that Khrushchev, sitting on a pile of missiles and nuclear bombs and boasting about economic progress and the victory of communism, almost suffered apoplexy when Congress passed the Captive Nations Week resolution in 1959?"[16] The answer was the call for this concentration. Today a proposal is before the House Rules Committee to establish a Special Committee on Captive Nations for the purpose of achieving this concentration. But there is no question that Russophilic and other elements in our Department of State resist and oppose endeavors in this area.

4. Based on the salient features of the history of Communist aggression and also the unique development of our Nation, our course of policy and action must be in the explicit and frank terms of a universalized declaration of independence. A declaration aimed primarily at all the captive non-Russian nations in the Red totalitarian empire and also at the freedom-loving rather than just the peace-loving masses of the Russian nation.

Paradoxically enough, Marx recognized a century ago the same problem that faces us today: "They will have learned before that the idea of Russian diplomatic supremacy

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[8] Lenin, V. I., "The Right of Nations to Self-Determination," New York, 1951, p. 123.

[9] "Investigation of Communist Takeover and Occupation of the Non-Russian Nations of the U.S.S.R.," House of Representatives, 1954.

[7] "The Crimes of Khrushchev," pt. 2, Committee on Un-American Activities, House of Representatives, Washington, 1959.

[8] Kern, Erich, "The Dance of Death," New York, 1951, pp. 103–104.

[9] Codo, Enrique M., "Guerrilla Warfare in the Ukraine," Military Review, Fort Leavenworth, Kans., November 1960.

[10] Crocker, George N., "Roosevelt's Road to Russia," Chicago, 1939, p. 248.

[11] Radzinski, John M., "Masks of Moscow," p. xiii.

[12] Dobriansky, Lev E., "A Policy of Emancipation and Liberation of Khrushchev's Captives, CONGRESSIONAL RECORD, vol. 107, pt. 10, pp. 13120–13121.

[13] Smal-Stockl, Roman, "The Captive Nations," New York, 1960, pp. 98–101.

[14] "Colonialism in the Soviet Empire," Neve Zuercher Zeitung, Switzerland, Nov. 20, 1960.

[15] Barton, Paul, "Imperialism in the Soviet Union," NATO letter, June 1961 CONGRESSIONAL RECORD, vol. 107, pt. 10, pp. 13189–13191.

[16] Dobriansky, Lev E., "The Captive Nations Week Resolution," CONGRESSIONAL RECORD, vol. 106, pt. 1, pp. 1032–1037.

owes its efficiency to the imbecility and the timidity of the Western nations, and that the belief in Russia's superior military power is hardly less a delusion. There is only one way to deal with a power like Russia, and that is the fearless way."

Mr. Speaker, the gentleman from Ohio [Mr. PEIGHAN] has served on these committees with me with great distinction, and I am happy to yield to him at this time.

Mr. PEIGHAN. I thank the gentleman. I appreciate very much the very kind sentiments expressed by my very able and distinguished colleague, the gentleman from Pennsylvania [Mr. FLOOD], to whom I believe the entire Congress and the people of the United States as well as all those freedom-loving people throughout the world owe a debt of gratitude for his introduction of this captive nations resolution. I think it is of utmost importance that a constant study of the situation behind the Iron Curtain be made and brought to the attention of the free world, and the enslaved part of the world, wherever possible.

Mr. Speaker, in recent years we have heard much about the evils of colonialism and imperialism. To all Americans these terms are repugnant because they symbolize the tyranny of one nation over the affairs of other nations. But the talk we have heard has been altogether too one sided. It has leveled its fire at the old colonialism, the old imperialism. This talk has demonstrated a dangerous disregard for the real danger to the peace of the world which is the new colonialism, the new imperialism of Moscow.

Turning to the new colonialism, one immediately sees under the yoke of this new imperialism a long array of politically mature and well-established nations which today are non-self-governing, which have been deprived of their free political institutions and whose representative parliamentary bodies have been destroyed. These ancient and proud nations, surely no less than the newly awakened nations of Asia and Africa, are worthy of considerate and continuing interest.

During the past 40 years this new colonialism, this new imperialism, has forcibly incorporated no less than 20 once free, democratic, and independent nations into its empire. This new imperialism seeks to accommodate the rising tide of nationalism by spuriously proclaiming that these nations are independent. However, by its own definition, the new imperialism limits this independence to hollow form while the substance of the state, that is, the very life of the state and its people, is completely controlled by an alien, unwanted, and predatory power. Clearly, no nation or territory can be self-governing unless the people therein exercise complete control over the internal affairs of the nation and are undisturbed masters of their destiny. The record of the past 40 years demonstrates that the people of these non-self-governing nations will never be satisfied with national independence which is limited to meaningless forms. So long as they are deprived of the essential substance of national independence, which is the right to govern their own affairs free from alien control or direction, they will continue to exercise the only opportunities open to them to dissent, that is, by internal revolts and freedom revolutions.

Within the past 9 years we have witnessed three outstanding expressions of violent dissent by the people of these non-self-governing nations.

In 1953 there was the mass uprising in East Germany in which the workers and peasants sought to throw off alien rule. This was followed in 1956 by the popular revolts in Poland in which all the people of Poland were in sympathy. Then, in October of 1956, the entire Hungarian nation—workers, peasants, soldiers, intellectuals, and even some of the new ruling class—rose up in a bloody revolution which resulted in the restoration for 5 historic days of national independence in substance as well as in form. All the people of the world know that it took a major military campaign by the Red army to return Hungary to the status of a non-self-governing nation. Time does not permit a full recount of the many popular uprisings which have taken place over a period of many years in Ukraine, Georgia, Turkestan, the Baltic States, and in other non-Russian nations which clearly are non-self-governing. However, the implicit warning carried by these events urges us to find an honorable remedy to end the human strife and dangerous international tensions which they create.

It is time that our Government announced a policy extending our support for the right of self-determination to the captive, non-Russian nations of the present-day Russian empire. We have announced our support of the peoples of Africa in their fight for self-government, as we should by right have done. It is time that we did the same toward the ancient and honored non-Russian nations of the Russian empire, all of which have sent so many of their sons and daughters to our shores for the building of our great Nation.

It has always appeared to me to be grossly unjust that in any consideration of the colonial or dependent territory problem the burden is placed only upon the old colonialism, which has largely reconciled itself to the inevitable changes taking place in the world. The new colonialism, the new imperialism carries with it a far greater threat to the winning of the peace. Surely the non-Communist world in and of itself cannot expect to eliminate the dangerous international tensions which give rise to war. These tensions can be eliminated only by an equal amount of good will and desire for changes on the part of the ruling class of the new colonialism. That is, changes which accord with the freely expressed will of the people. The cause of peace and amity among nations requires that this burden be borne by all forms of colonialism and imperialism.

I believe that the principle of self-determination must be applied without exception to all the peoples and nations of the world. The peoples of Africa, no less than any other peoples, must be included within the meaning of this principle. I suggest that since our Government has already pronounced our support for the application of the principle of self-determination to the peoples of Africa—the urgent need now exists to extend this principle to the captive nations held within the Russian Communist empire.

I personally favor a policy of Russia for the Russians. Such a policy would explain clearly to the peoples of the world our policy of Africa for the Africans. In this case a policy of Russia for the Russians would express to all the peoples behind the Iron Curtain in the most simple terms the meaning of our intention of self-determination for the non-Russian nations within the Russian Empire. We thereby would state that we defend the right of the Russian people to have any form of government they may desire and that their choice in the matter is their business, and the business of no one else. We would also thereby express our firm support for all the non-Russian nations within the Russian empire to, in like manner, determine their own internal systems and to govern themselves in a completely independent setting. But we must object to the Russians imposing their historic form of despotism upon other nations.

Mr. Speaker, I strongly urge the Committee on Rules to bring to the floor the captive nations resolution introduced by the very able gentleman from Pennsylvania [Mr. FLOOD], so that we may have an opportunity to vote and create this committee which, under the able leadership of the gentleman from Pennsylvania [Mr. FLOOD], would do a tremendous good on behalf of the cause of justice and peace in the world.

Mr. FLOOD. Mr. Speaker, I am very grateful to the gentleman from Ohio. As always, during these debates, he is in the forefront and he speaks with great knowledge and vast experience on this important subject to our national welfare and to world peace.

I am glad to yield to the gentleman from Illinois [Mr. PUCINSKI], who, from his first day in this House, has engaged in every debate on this subject dealing with this very important problem, with a background which clearly indicates that he is a learned expert.

Mr. PUCINSKI. Mr. Speaker, I am grateful to the gentleman from Pennsylvania for yielding to me. I should like to join in commending the gentleman for again calling this matter to the attention of the House and for his persistent effort in getting through this Congress the resolution which would set up a special committee to deal with the problem of the captive nations. I have every reason to believe that sooner or later reason will prevail and this resolution will be adopted and the committee will be permitted to carry on this very important work.

It is a source of great disappointment to me that there should be any opposition at all to the creation of such a committee. We are recognizing throughout the world today the great dynamics of nationalism. We have adopted various programs here in this Congress to encourage the expression of nationalism in these newly emerging countries. We have denounced colonialism and our

whole foreign policy over the years has been built on the concept that we want to encourage people to be free, to find expression in their national pride and to be able to select of their own free will the type of government they want to be ruled by. And yet it would seem to me that those people who so fervently believe in the great strength of, and the great surge of nationalism in, these newly emerging countries of the world should not be so completely oblivious to the fact that we have today in these captive nations behind the Iron Curtain some 180 million people who are just as proud of their national and cultural background today as they were 15 years ago, before the Communists took over their countries.

I feel strongly that there is a tremendous potential for resolving many of the problems of the world in these nations which today are suppressed by international communism.

I think it is important for a committee of the type suggested by the gentleman from Pennsylvania [Mr. FLOOD] that these concepts be given greater expression and that the people of the free world who know so much about these captive nations be given the opportunity to tell their story to the world. There is no question in my mind—and I have said it so many times and have heard the gentleman in the well of the House say this so many times, that the one single reason why Khrushchev and the Kremlin have not dared to disturb the peace of the world on any major scale is because they know that they cannot count on these 180 million people who today live in these captive nations. They know better than anyone else that at the first opportunity they would be marching against Moscow and the Kremlin and the Communist rulers, because the people have had a long history of dedication to democratic principles and the dignity of freemen.

Therefore, if we are going to recognize the great surge of nationalism throughout the world we cannot ignore the fact that right here in these captive nations behind the Iron Curtain we have the greatest potential for allies of the Western democracies in these people.

It seems to me that the gentleman's proposal which I was indeed proud to cosponsor in a resolution of my own, following his example and lead, should be brought to the House so that the House will have the opportunity to vote on it and to establish this committee to bring out the full details of the tremendous potential that now exists in these countries behind the Iron Curtain.

There are those in certain agencies of the Government who have some reservations about a committee like this. They are afraid that this committee might create false hopes among the people behind the Iron Curtain, that a committee like this might inspire these people to an untimely and ill-fated uprising. That is not the purpose of the committee at all and I do not think any sound-thinking American or any person in the free world today would encourage another blood bath in any one of these captive nations such as we saw in Hungary.

We know that the Soviet tanks and power are there and are ready to choke off any expression of freedom that these people might want to manifest at this time.

I think it is a tribute to the great wisdom and the maturity of these people behind the Iron Curtain that they are not dissipating their strength and dedication by ill-fated uprisings. There are other ways of showing the fallacy and the bankruptcy of the Communist system. The wall in East Berlin, separating East Berlin from West Berlin, certainly is the greatest indictment against the Communist ideology. I think if this committee could in a dignified manner bring forth many of the arguments that the world should know, particularly understanding the great difficulties and in the realization of the great hope that these people have, who today must by the very nature of things submit themselves to the tyranny of communism, the committee would be performing a great service to humanity. I congratulate the gentleman for calling this subject to our attention again today, and I certainly wish to assure him of my continued support to get this resolution to the floor of the House so that we can have it enacted by the Congress.

Mr. FLOOD. The gentleman from Illinois has made very fine statements on this subject on previous occasions, but none to equal or exceed the statement he has just made.

Mr. Speaker, there is no intelligent doubt that this is a major and a serious problem. There is no doubt in my mind whatsoever that if the problem is as serious as we in the House who know the problem and who have worked with it for years know and realize that it is, and from our long experience here, if this can only get the barest lipservice from an ad hoc committee or from a standing committee, if the intention is bona fide and if the purpose to be served and if the goal and the object to be attained is what it should be, if we are to turn against Soviet Russia, this charge of colonialism and imperialism which is its Achilles Heel, then it can only be done by the creation of a special committee of this House. There are many Members on both sides of the aisle with the ability, the experience, and the knowledge of this subject to make it one of the greatest weapons, the right hand of the President and of this Nation.

Mr. CONTE. Mr. Speaker, once again the attention of the great House is brought to a subject of great concern to all of us who believe that we should be experiencing greater success in counteracting the aggressive colonialism of Soviet Russia. The step which we advocate will allow this very body to play a greater role in securing a long established, uncontroversial goal of American foreign policy—the independence of our fellow sovereign nations to determine their own course in the world today. That independence is being threatened in 1962 as never before. The policy and tactics of the Soviet Union clearly indicate that their goal is to bring increasing numbers of nations under the influence of communism domestically and within the bloc of nations whose foreign policy is dictated in the Kremlin. As they succeed in this policy, the danger to the United States becomes greater than just a setback for our long-range foreign policy aims. It becomes a mortal challenge to the existence of this Nation itself.

The great scholars of the history of international affairs tell us that nations should not establish long-range goals which they are not prepared to back up with enforcing actions. They should not make international committments which they are unwilling to fulfill. They should not overextend themselves. The lessons of history are filled with examples of nations which have fallen into this pit and have lost their position in the world.

Our country has assumed heavy responsibilities and has made far-reaching commitments in this world. We are now expected to live up to them or we shall surely suffer serious consequences in the not too distant future. One of our most demanding problems is to find methods of fulfilling our commitments and of accomplishing our goals, We have before this House a proposal which I believe could be an excellent instrument for this purpose. A Special Committee on the Captive Nations within the framework and realm of the U.S. House of Representatives could serve to advance American foreign policy on several fronts.

With immediate and continuing impact, we will, by establishing such a committee, focus a worldwide spotlight on the captive nations, their plight, the history of their domination and the conditions under which they exist today. This publicity will not only draw the attention of the American people, but will give all peoples of the world, especially those of the newly independent nations, a view of what they can anticipate if they fall into the Communist camp. Had the people of Cuba been exposed to such a view, perhaps they would not find themselves powerless to change their direction as they are today. Americans, evidence tells us, are somewhat hazy, not about the danger to the world of any extension of this type of domination, but about the more intricate nature of the domination. As we have seen so close to home, in Cuba, it is colonialism, pure and simple, and a direct result of the expressed imperialistic goals of Soviet Russia. Neither America, nor any other nation, can afford to forget this.

I think that we can expect, after these initial and valuable results of the work of such a committee, a further and continuing focus which will serve to clarify world opinion and enhance knowledge of the true nature of how the Soviet Union carries out its capture of a nation, installs its puppets, and destroys the power of the people. Too often it is not realized that this process is completely planned, that the vast majority of the people of a nation are not directly involved and that there is total disregard for the basic rights of the citizens of a prospective satellite country. To use an old proverb, usually a nation undergoing the initial stages of Soviet captivity

is unable to see the forest for the trees. Its people see only the promises made; they do not see the conditions which evolve after a short period of time.

Essentially, then, this measure represents a point of real beginning for action on the original Captive Nation Week resolution of 1959 and responds to the call for study by the people of the United States of the plight of the captive nations. The value of the proposal to all the world is great. I urge that it be brought to the floor of this House for an expression of the will of all of us in the immediate future.

Mr. HALPERN. Mr. Speaker, I would like to take this opportunity to compliment my distinguished colleague from Pennsylvania for his continuing determined and vigorous fight to win appropriate and effective recognition by this Congress of the captive nations of the world.

I am pleased to have joined with the gentleman from Pennsylvania as a cosponsor in both the 86th and 87th Congresses of the resolution to establish a Special Committee on the Captive Nations—my current resolution being House Resolution 215. I am delighted with the national attention being given to the objectives of these resolutions.

A highlight of my own interest in this subject was the privilege afforded me in addressing the plenary meeting of the Assembly of Captive European Nations at the Carnegie Endowment International Center in New York City, on December 11 of last year. In my remarks I told the participants of the status of the proposed resolutions. The overwhelming enthusiasm for the proposal was evidenced by the response of the delegates in attendance.

At no time in our daily pursuits should we indulge in the luxury of forgetting the plight of millions of people in Europe, Asia, and Africa whose day-to-day life is a series of futile efforts to avoid the moral strangulation of a tyrannical force.

As Americans, we tend to give little thought to such words as "freedom" or "human rights" or "liberty." These, we consider our birthrights. It is a way of life with us—like some sort of habit we have learned to accept through almost two centuries of democracy in the United States as an automatic part of our being free citizens in a free country. Too often, we are guilty of taking these cherished freedoms for granted.

Not so with people living in captive nations. To them, liberty, freedom and human rights are as real as the clothes on their backs. It is as tangible as food on the table. Yet it is a dream. It is a hope, a desire, a wish not likely to be granted by their oppressors—and understandably more valuable because it is denied to them.

It is our job, Mr. Speaker, as representatives of the greatest democracy in the world, as spokesmen of the people who have taught the meaning of the word "liberty" to the rest of the nations of the world, that we offer these captive peoples encouragement and support in their yearning for freedom.

What, indeed, are our human rights? They are, basically, the right of choice, the right of liberty not license, the right to exist as a human being with the dignity every human expects and demands.

These are rights that cannot be selfishly hoarded. They cannot be hidden in a cool place to be stored until that time we take them out, brush them off and use them arbitrarily at our convenience. If this were the case, they would become meaningless. It does no good for us to revel in the freedoms implicit in the Constitution—if day by day the menacing shadow of communism creeps over the world, blocking the light of freedom from warming the minds and thoughts of men. We cannot condone the condemnation of our fellow men who are forced to live the dull, drab, useless life of conformity and subjugation.

In other words, Mr. Speaker, freedom—like anything else worth cherishing—must be shared to be valid. If anyone on this wide, wide earth is denied freedom, we all loose a little of our own freedom. Liberty is a manmade item—it is not God given. It lasts only as long as we pay careful, diligent attention to the problems of those who are denied freedom.

Every time we see the tragic violation of human rights, every time we see human dignity and pride crushed before the ironclad weapons of totalitarianism, wickedness, and oppression we cry out in indignation. Our hearts brim with sadness at the shameful sight of any being, who professes to be human, yet displays such a callous disregard for humanity.

And we have seen it too often. We have seen it in the clash between freedom and oppression in Hungary. We saw it when the heroic people of that tiny captive nation rose up in fierce revolt in 1956. It was the most bloodthirsty, tragic episode in contemporary times and yet one of the most inspiring events in the world. Bare hands against steel may seem an effort without hope, but it will be a sign for the world to mark well. It was a sign which attested to the nature of man—a freeborn animal who will always resist unjust captivity. Mankind will always fight for freedom.

Mr. Speaker, again I wish to say it is my privilege to have joined with Mr. Flood in the sponsorship of the resolution creating a Special Captive Nations Committee. By establishing such a committee we can give heart to the captive peoples and demonstrate to them that they have not been forgotten. That is why the resolution to create a Committee on Captive Nations has so much significance. To captive peoples, submerged nationalities, oppressed minorities behind the Iron Curtain, the resolution conveys the message that their deeply felt aspirations for freedom are known to the people of the United States and are a matter of concern to the Congress of the United States.

At the same time, the resolution does something practical toward dealing with those aspirations. One of the prime functions of the committee is to make the closest and most careful study of conditions in captive nations, with particular responsibility for recommending policies by which the United States can assist these peoples, by peaceful means, to regain their freedom and independence.

Such a committee also could serve as a clearinghouse to inform the American people of the state of affairs within the Communist world and to assist the National Government in the general formulation of policy.

The consideration being given these measures by Congress is highly commendable, and I cannot urge their enactment strongly enough. The gentleman from Pennsylvania's resolution—House Resolution 211—is now before the House Rules Committee. The captive nations of the world look to us for hope and we cannot afford to let them down. For this reason I fervently urge approval of the resolution.

Mr. ZABLOCKI. Mr. Speaker, I would like to commend my distinguished friend from Pennsylvania [Mr. FLOOD] for reserving time to address the House on the subject of the captive European nations.

I know that Congressman FLOOD has been keenly interested in the plight of the people of those countries. Their tragic state, their constant aspiration for freedom and national independence, deserve our utmost consideration.

There is no better example, in my opinion, of the ruthless colonial policies of the Communist conspiracy than Soviet oppression and exploitation of the captive European nations. This Communist colonialism must end—and it should end in the restoration of freedom, national identity, and independence to Lativa, Lithuania, and Estonia; Poland and Czechoslovakia; Hungary and Rumania; Bulgaria and Albania.

Mr. Speaker, I am certain the membership of the House is cognizant of the fact that developments in the captive European countries are of deep interest to the Committee on Foreign Affairs. A subcommittee of the Committee on Foreign Affairs, under the able chairmanship of our good friend, the gentlewoman from New York [Mrs. KELLY], is attentively studying those developments. In addition, through a series of hearings which were initiated recently, Congresswoman KELLY's subcommittee has endeavored to focus world attention on the plight of the captive nations, and to foster better understanding of the problems confronting those people.

I believe that the work of the Kelly subcommittee—which is in harmony with the objectives sought by Members taking the floor of the House today—is very important.

It is important, first of all, because the people of the captive nations want to be free, and they want us to remember that.

The bulk of those people are strongly anti-Communist. They want to work out their destinies in the framework of freedom, and of individual national identities. They do not want to be absorbed into the oppressive, totalitarian system of international communism.

Furthermore, the aspirations of the people of the captive nations are ultimately going to play an important part

in the outcome of the global struggle between communism and freedom. I am certain of this. At present, the captive nations constitute, in a sense, the Achilles' heel of the Communist monolith. Tomorrow, they may prove to be the stumbling block which will trip and bring down the entire Communist empire.

For these reasons, I applaud my distinguished friend from Pennsylvania [Mr. FLOOD] for his interest in the captive nations. I also applaud the Foreign Affairs European Subcommittee for the fine work they are doing. As a member of the Committee on Foreign Affairs, I will continue to support and encourage those studies and hearings. They play an important part in our efforts to advance the cause of peace with justice and freedom in the world.

Mr. MOORHEAD of Pennsylvania. Mr. Speaker, one of the major political realities of our era is that there are complete nations under the political and economic control of alien peoples. This fact, unjustifiable in the eyes of all enlightened freedom-loving nations, is made particularly reprehensible by the ruthless exploitation of these captive nations by their imperialistic master, the Soviet Union.

The Communists indeed become the new exploiters, far worse in their effect upon their proletariat than even the most ranted-about and decadent capitalist, for instead of controlling only the economic side of man, the Communists control his totality, his economic condition, his religion, his politics, and all the other aspects of his life. They have become the feudal lords of millions of people who are no better than serfs under their rule. Moreover, they hold their empire together through a brutal suppression of rights and, when necessary, the use of their ruthless armies.

Against their will the captive nations have become part of this system. Too small to protect themselves against the colossus which attacked them after World War II, they were drawn into the web. However, it is clear from the examples of the East German riots, the Hungarian rebellion, and the Polish demonstrations that the desire for freedom is not dead behind the Iron Curtain, and that not even Soviet tyranny has been able to put out that righteous name of revolution which dwells in the heart of all oppressed peoples. For these reasons it is necessary that we in the United States help the countries of Eastern Europe in any way possible, even if it be only in giving them moral aid.

The United States has tried to be a stanch friend of freedom throughout her history. Let us hope that in this time of crisis we may do all we can to advance the cause of freedom and justice in every part of the globe.

Mr. DONOHUE. Mr. Speaker, I wish to join with, and concur in, the appeal being so eloquently made here by my distinguished colleague from Pennsylvania, that House Resolution 211, to establish a special committee on the captive nations, be presented to the House by the esteemed Members of the Rules Committee.

The fundamental purpose of the resolution in question is the creation of a special committee to devote its full time and resources to the revelation of facts and truth which we hope will ultimately and effectively influence the restoration of the God-given rights and basic freedoms of all the subjugated peoples now existing in Communist captive nations.

As we all know, in numerous and repetitive documents and agreements, the great powers of the world, including Soviet Russia, have pledged and promised the persecuted peoples of these nations, the return of their national freedom and personal liberties. The United States has consistently attempted to have these promises carried out but Russia still denies these countries the right of free elections and independent sovereignty.

If and when this House may consider and approve the subject resolution it is reasonable to feel that the rest of the free world will be more concretely convinced this Nation will never abandon her traditional principles of free government for all peoples and the captive nations themselves will be further inspired to remain adamant in their determination to reject any Communist entreaties for cooperative existence under the Soviet system.

It is reasonable to feel further that by such approving action the Communist rulers would again and emphatically be reminded that it is the sense of this Congress that no firm and lasting agreements for peace can be made while the world remains practically half free and half slave.

The fact and the truth is that the Russian Kremlin is solely responsible for the inhuman slavery being imposed upon the brave peoples of Poland, Czechoslovakia, Lithuania, Estonia, Latvia, Bulgaria, Hungary, Rumania, and all the other captive countries.

I most earnestly believe it is reasonable to expect that a special committee, by official action and reports, would focus free world attention upon the lack of sincerity, thus far, by the Kremlin leaders by their proclaiming the desire for peace and freedom in the world while they continue to hold millions of unfortunate peoples in their dictatorial hands. It would also, to my mind, be an effective counteragent to the skillful, but deceitful, propaganda of the Soviet Union.

I therefore most sincerely request the distinguished chairman and dedicated members of the House Rules Committee, in their wisdom and judgment, to permit House Resolution 211 to be debated and decided, upon its merits, by this House in accord with our established traditions and I hope that the opportunity to do so will soon be granted.

Mr. SCHNEEBELI. Mr. Chairman, the House of Representatives has on innumerable occasions raised its voice in behalf of freedom and has gone on record in condemning all regimes which deny freedom to their subject peoples. Specifically this House has censored in no uncertain terms the Soviet Union's oppressive policy in East European countries by resolving to summon the American people to observe the Captive Nations Week annually until the liberation of these nations from Communist tyranny imposed upon them by the Soviet Union. In this connection I would like to lend my wholehearted support to House Resolution 211.

This resolution, so eloquently sponsored by my honorable colleague from Pennsylvania and so widely supported by various anti-Communist organizations throughout the country, calls for the establishment of a Special Committee on the Captive Nations, consisting of 10 Members of this House for the purpose of undertaking "a continuous and unremitting study of all the captive nations for the purpose of developing new approaches and fresh ideas for victory in the psychopolitical cold war." I can conceive no better way of informing ourselves of the actual conditions prevailing in these countries, and then devising ways of aiding these peoples in their relentless struggle for freedom. I respectfully urge the adoption of House Resolution 211.

Mr. FLOOD. Mr. Speaker, I yield back the balance of my time.

GENERAL LEAVE TO EXTEND REMARKS

Mr. FLOOD. Mr. Speaker, I ask unanimous consent that all Members may have 5 days in which to extend their remarks in connection with this matter, following the conclusion of my remarks and the remarks of any other Member today.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

SEVENTEENTH ANNIVERSARY OF CAPTURE OF REMAGEN BRIDGE

The SPEAKER pro tempore (Mr. FEIGHAN). Under previous order of the House, the gentleman from West Virginia [Mr. HECHLER] is recognized for 10 minutes.

Mr. HECHLER. Mr. Speaker, on March 7, 1945, 17 years ago today, a small band of American armored infantry, tankers, and combat engineers came upon a bridge over the Rhine River at the little resort town of Remagen, Germany. By all rules of military warfare, the German defenders should have blown up that bridge in the face of the attacking Americans. Yet, through an incredible combination of individual human courage, teamwork and initiative, the small American spearhead captured the Remagen Bridge, thereby saving thousands of American lives and shortening the war in Europe.

Just as Lt. Col. John H. Glenn modestly shared the credit of his first orbital flight with his fellow astronauts and the scientists, technicians, and many others who helped to make this historic flight successful, so the glory of the Remagen Bridge exploit was shared among many men from many States. It was a victory for Minnesota, for Iowa, for Oklahoma, for Idaho, for Kansas, Illinois, and Michigan. It was a victory for men in

many States. In fact, when the news came into the House of Representatives of the capture of the Remagen Bridge in March of 1945, many Members from many States rose to claim glory for their State. The man who was holding the floor at the time, a beloved former colleague of ours, Brooks Hays of Arkansas, stated philosophically "I am sure there will be glory enough for all."

So today we honor the men who captured Remagen Bridge, on this the 17th anniversary of that great event.

Mr. SMITH of Iowa. Mr. Speaker, will the gentleman yield?

Mr. HECHLER. I yield to the gentleman from Iowa.

Mr. SMITH of Iowa. I congratulate the gentleman who is the distinguished author of the book, "The Bridge at Remagen," and I appreciate the fact that he has taken the time to talk on this matter today.

As the gentleman knows, I had a constituent in my congressional district who was also a great hero at that time, and I am glad to take this opportunity to pay honor to all the heroic men at Remagen Bridge. As the gentleman from West Virginia has so ably pointed out in his book, what happened at Remagen Bridge probably could not have happened in any army in the world but the American Army, where our men had the courage and initiative to seize the opportunity which presented itself.

Mr. HECHLER. The gentleman, of course, was referring to Capt. George Soumas, of Perry, Iowa, who commanded the first tank company across the bridge.

Mr. MARSHALL. Mr. Speaker, will the gentleman yield?

Mr. HECHLER. I yield to the gentleman from Minnesota.

Mr. MARSHALL. I would like to join with my colleague from Iowa in expressing my gratification to the gentleman from West Virginia for calling this event to our attention today, and also for the fine piece of work he did in writing the book about the Remagen Bridge. It is a soul-stirring story, and I wish it could be put on the bookshelf of every school library in this country. I think it is a remarkable example of American heroism. I thank the gentleman sincerely for bringing this anniversary to our attention.

Mr. HECHLER. I appreciate the gentleman's fine remarks.

Mr. O'HARA of Illinois. Mr. Speaker, will the gentleman yield?

Mr. HECHLER. I yield to the gentleman from Illinois.

Mr. O'HARA of Illinois. I join in commending my distinguished colleague from West Virginia not only for bringing to our attention this task of heroism, but also for writing a book that should be read by every child and every adult in the United States of America.

The gentleman from West Virginia is performing a great and dedicated service here in the House, but he never will perform a service greater than that he performed when he gave to the world that great book of his, that classic of heroism.

I might say that I think that this remembering of anniversary occasions, such as today, makes a great contribution to our country. We are a great people because of our traditions, because we have respect for those who have performed deeds of heroism and made great sacrifices that become a part and parcel of our traditions. I feel that what the gentleman from West Virginia is doing today is really a continuance of the service to his country that is characteristic of his entire life.

Mr. HECHLER. I thank the gentleman from Illinois for his kind remarks.

Mr. HARDING. Mr. Speaker, will the gentleman yield?

Mr. HECHLER. I yield to the gentleman from Idaho.

Mr. HARDING. Mr. Speaker, I want to join my colleagues in paying tribute to the book that was written by our colleague, the gentleman from West Virginia [Mr. HECHLER]. I believe his book, "The Bridge at Remagen," stands alongside that great book of Ernie Pyle's, "Brave Men," in paying tribute to the American fighting forces during the Second World War. I also want to compliment the gentleman from West Virginia on his interest in a strong national defense and on his participation in the Army Reserves. He is rendering a great service to his country not only as an author and a Member of Congress but also as a Reserve officer in the U.S. Army.

Mr. HECHLER. I thank my friend from Idaho.

Mr. ASHLEY. Mr. Speaker, I cannot let this occasion pass without calling attention to the fact that the very first soldier to dash across the Remagen Bridge on that fateful day of March 7, 1945, was Sgt. Alexander Drabik, of Toledo. Along with his fellow soldiers, he covered himself with glory. It was truly an amazing episode which will always brighten the pages of American history.

Mr. HECHLER. Mr. Speaker, I want to thank the gentleman from Ohio and all others who have helped to recall on this anniversary the great events which took place at Remagen Bridge. As long as our Nation rededicates itself to those sterling qualities displayed at Remagen, we will continue to be the greatest bastion of freedom in the world. I now yield back the balance of my time.

SPACE PROGRAM

The SPEAKER pro tempore (Mr. FEIGHAN). Under previous order of the House, the gentleman from Georgia [Mr. JAMES C. DAVIS] is recognized for 10 minutes.

Mr. JAMES C. DAVIS. Mr. Speaker, as I have said before, I seldom pay any attention to the distortions, half-truths, untruths, and deceptions that constantly appear in the news columns and on the editorial pages of the absentee-owned Atlanta Constitution.

Correcting the Atlanta Constitution would be a job unto itself, one requiring many hours more than should be devoted to something so unimportant. Occasionally, however, I find it worthwhile to point out some of the falsehoods that this newspaper tells.

On March 6, 1962, the Atlanta Constitution willfully, deliberately, and maliciously published an editorial stating that I had "voted against a big space appropriation on May 20, 1959."

The editorial was accompanied by a cartoon that implied that I was attempting to scuttle our space program.

The editorial also contained a personal attack on me. I have long since learned to ignore personal attacks aimed at me by the poison-pen artists who work for the Atlanta newspapers. They are about as ineffectual as a poodle dog yapping through a slat fence.

However, I think it worthwhile to correct the express and implied falsehood contained in the Atlanta Constitution editorial relating to my voting record in connection with the National Aeronautics and Space Administration.

I did not on May 20, 1959—or at any other time—vote against an appropriation bill for the space agency. I have voted for each appropriation bill brought to the House of Representatives for the National Aeronautics and Space Administration. I shall continue to give this program my unqualified support.

I am proud of my legislative record in the field of space exploration. I had the privilege on June 2, 1958, of voting for the very first bill—H.R. 12575—that ever came before the House to provide for research into problems of flight within and outside the earth's atmosphere.

This was the legislation that created the National Aeronautics and Space Administration and made possible the magnificent flights into space by Colonel Glenn, Commander Shepard, and Captain Grissom.

I voted for this legislation in the full knowledge that the program would cost this Nation many billions of dollars—and also in the knowledge that we had no guarantee that man even could master the infinite regions of outer space.

It is no exaggeration that many thoughful Americans doubted the wisdom of Congress in approving the investment of many billions of dollars and incalculable man-hours in what sometimes was referred to as merely a project to "put a man on the moon."

However, the wisdom of Congress—and the men behind our space program—has been dramatically vindicated in the last year.

Now, the bill I voted against on May 20, 1959, was an authorization bill—not an appropriation bill. I—and more than 125 other Members of the House—had good reason to oppose this particular authorization bill because of the unusual way it was brought to the floor.

More than $480 million was involved in the legislation; it was also the first authorization bill for the new space agency ever presented to Congress. We were "pioneering" in a new field with no precedent to help guide us. Members of the House, except the relative few who helped draft the legislation, had little knowledge of what we were being asked to consider.

It was imperative, then, that the authorization bill be open for careful and adequate debate and possible amendment. Yet, the legislation was not called up under normal procedure. It was called up under suspension-of-the-rules

procedure. This procedure limits debate to only 40 minutes—20 minutes to the side.

When Members protested the method by which the authorization bill was called up, they were told that they could get the details by reading the CONGRESSIONAL RECORD the following morning.

So the House was being asked to authorize legislation involving outer space and the eventual expenditure of billions of dollars without knowing what was involved or what was being contemplated for such a complicated and complex agency.

A bill which authorizes the Congress to appropriate $480 million at one crack, and, in effect, puts a brandnew agency into business, cannot be debated and explained in a mere 40 minutes. I need to know what is in a bill before voting to authorize the spending of the taxpayers' money.

I voted against the authorization bill for the reasons that I have cited here. I would vote against it again under the same circumstances. I am glad to say that I have never been stampeded into voting for any legislation. Among the 129 Members who voted against the bill were the chairman of the Appropriations Committee and 3 other committee chairmen.

Now, I did vote for the appropriation bill itself when it came before the House on June 29, 1959. We were given ample time to debate this bill, and consider amendments.

The Atlanta Constitution must have known that I did not vote against "A big space appropriation" as it falsely and maliciously claimed in its editorial of March 6, 1962. The evidence indicates that this "newspaper" carefully searched my voting record before the editorial was written. They knew, I am sure, of all my votes in support of the space agency in 1958, 1959, 1960, and 1961.

But nothing was said by the Atlanta Constitution of the fact that I voted for the bill creating the National Aeronautics and Space Administration on June 2, 1958, that I voted for the appropriation bill of June 29, 1959, that on February 23, 1960, I voted for a supplemental appropriation of $23 million for the space agency, that on April 20, 1961, I voted for an appropriation of $873 million for the agency, and that I have repeatedly voiced my unqualified support of our space program.

For example, in a newsletter sent to the Atlanta Constitution, and other papers in my district on April 23, 1961, I called upon the United States to put aside partisan politics and concentrate on attaining space supremacy. I said this:

> Soviet space achievement * * * does prove that the United States has been dragging its feet in space exploration for far too many years. * * * We are today paying dearly for the misguided emphasis that we placed upon the unimportant while Russia was devoting her energies to attaining space superiority. The space race, of course, is not one that addresses itself to partisan politics. For the nation that controls space may well control earth also. I have supported every important defense measure that has come before the Congress during my more than 14 years in the House of Representatives. I have supported our space program just as vigorously because, inescapably, it is becoming more and more tied to our military objectives.
>
> Our national safety may depend upon it.

I have voiced similar support of our space program on many other occasions. The Atlanta newspapers know this. Since I cannot receive a fair and honest hearing in the monopolistic, left-wing Atlanta newspapers I must use this method to set the record straight in this instance—although as I said at the outset, if I undertook to refute every false statement appearing in these papers, I would have little time to attend to legislative affairs.

NEED FOR CONTINUED DAIRY SUBSIDIES

The SPEAKER pro tempore. Under the previous order of the House, the gentleman from Idaho [Mr. HARDING] is recognized for 20 minutes.

Mr. HARDING. Mr. Speaker, it was a sad event for the American dairy farmer when the House Agriculture Committee voted today against reporting the resolution to maintain the present level of diary price supports at $3.40 per hundredweight for manufacturing milk and 60.4 cents a pound for butterfat through the end of this year.

Chairman HAROLD COOLEY and Congressman LESTER JOHNSON had introduced this resolution in the House when they learned that the Secretary of Agriculture has no choice under existing law but to lower dairy price supports to 75 percent of parity on April 1, due to the excessive stocks of dairy surpluses in Government storage.

Both President Kennedy and Agriculture Secretary Freeman had appealed to Congress to take action which would prevent this serious reduction in dairy farmers' income. It is estimated if this resolution is not enacted into law it is going to cost the dairy farmers of America $250 million in farm income between April 1 and December 1. I sincerely hope that the Senate Agriculture Committee will act on this resolution, and that it will be again brought to the House of Representatives and passed, so that our dairy farmers who are already in a desperate condition will not be subjected to a drop of 10 percent in their income starting April 1.

I might mention that this is a stopgap measure. This is just a request to attempt to maintain their income at its present level until the Congress can take action on a permanent dairy piece of legislation that is included in H.R. 10010.

Mr. Speaker, I sincerely hope it will be unnecessary for our dairy farmers to suffer this loss of income. I hope that the Senate Agriculture Committee will act wisely and that here in the House of Representatives we will have some support on the other side of the aisle in getting this stopgap piece of legislation passed.

Mr. MARSHALL. Mr. Speaker, will the gentleman yield?

Mr. HARDING. I yield to the gentleman from Minnesota.

Mr. MARSHALL. I thank the gentleman for calling this to the attention of the Members of the House. I have been informed that this will cost the dairymen of Minnesota alone, approximately $20 million in loss of income during the next year. And our dairy industry cannot afford the loss.

May I also join with the gentleman in expressing the hope this House in its wisdom will find some way of rectifying this situation.

Mr. HARDING. I appreciate the remarks of the gentleman from Minnesota. I am sure the farmers of Minnesota cannot any more stand this loss of income than can the farmers of Idaho.

Mr. SMITH of Iowa. Mr. Speaker, will the gentleman yield?

Mr. HARDING. I yield to the gentleman from Iowa.

Mr. SMITH of Iowa. I would like to associate myself with the gentleman's remarks. I am one who realizes there has to be some kind of change in the whole dairy program. The fact of the matter is, whether we like it or not, our citizens are consuming more and more of the vegetable oils. On the other hand, we have an increase in population and some adjustments are in order. As the gentleman has said, we do have under consideration some important dairy legislation. It seems to me it is only reasonable to give a few months extension to the existing price supports while we are working out a better program. As I understand it, all of the Members on the other side of the aisle voted against the dairy farmer this morning. I am sorry to have this become a partisan issue, because at this time we need a lot of bipartisanship in trying to work out something that is good for all the dairy farmers, whether they be Democrats or Republicans.

Mr. BREEDING. Mr. Speaker, will the gentleman yield?

Mr. HARDING. I yield to the gentleman from Kansas.

Mr. BREEDING. Mr. Speaker, I wish to join the gentleman and to say that I am very disappointed as a member of this committee at the one-sided action taken this morning.

I want to ask a few questions. How much income will be lost to the American dairymen by the defeat of this resolution in the committee this morning? Did the gentleman state it would be approximately $250 million?

Mr. HARDING. That is correct. Under the law, the Secretary is compelled to reduce the price support from an estimated 83 percent of parity to 75 percent of parity. I asked the Department of Agriculture to furnish me with a figure, and as near as they could tell me, it would result in a loss of $250 million in dairy income.

Mr. BREEDING. As I understand it, the Secretary of Agriculture now must revert the price back to 75 percent of parity?

Mr. HARDING. Effective on April 1 he must.

Mr. BREEDING. Or about $3.10 a hundred pounds for milk?

Mr. HARDING. That is correct.

Mr. BREEDING. I want to say I have a lot of respect for the dairy farmers of America. I used to be one myself. Presently my interest in agriculture lies mainly with wheat and feed grains, but I have run a dairy and I know a drop of 30 cents a hundred pounds in the price of milk is a serious drop to the dairymen of our country.

I regret the action taken by our committee this morning.

I want to compliment the gentleman from Idaho for taking this time and yielding to me on this occasion.

Mr. HARDING. I wish to thank the gentleman from Kansas for his remarks. I am sure that none of us want to see these price supports kept at this level permanently. We just want to extend them temporarily until the committee has time to act on permanent legislation.

Mr. O'HARA of Michigan. Mr. Speaker, will the gentleman yield?

Mr. HARDING. I yield to the gentleman from Michigan.

Mr. O'HARA of Michigan. Mr. Speaker, I am somewhat taken aback by the information conveyed to the House by the gentleman from Idaho, and I thank him for bringing it to the attention of the House. I do not believe that any problem area in agriculture today is facing more serious difficulty than the dairy industry. We have been faced with a decline in the consumption of dairy products for various reasons. At the same time, the dairy farmer is among those farmers having the most difficult time financially, and his burden has been further increased by the continuing decrease in the per capita consumption of dairy products. I had hoped that this Congress would be able to work out during the present session a new program for the dairy industry. But, certainly we will not be assisted, and the dairy farmer will not be assisted, by having to suffer a drop in his income during the period following April 1 when presumably we will still be attempting to find a solution and an active formula for a new milk program. I would hope that the gentleman from Idaho plans to try to get the committee to reconsider this matter, if it is within his power to do so. I certainly hope that the dairy farmer of America will note the interest of the gentleman from Idaho in his problems and perhaps call to the attention of the members of the committee who do not seem to have such sympathy with the dairy farmers' problems just what the needs of the dairy industry are today.

Mr. HARDING. I thank the gentleman for his remarks, and I can assure him that we will do everything possible to see that this resolution that has been requested by our President and the Secretary of Agriculture is enacted so that we might keep the level of dairy income at its present level until we are able to work out a permanent program here in the House of Representatives.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. HARDING. I yield to the gentleman from Oklahoma.

Mr. ALBERT. Does the gentleman know whether anyone offered a substitute for this resolution that would have prevented this sharp decrease in the support price of dairy products on April 1?

Mr. HARDING. In answer to the question of the gentleman from Oklahoma, there were two amendments offered. In my opinion neither of them would have been satisfactory. I feel that the resolution that was requested by the Secretary of Agriculture and introduced by the gentleman from North Carolina and the gentleman from Wisconsin was the only thing that would have maintained the present price support level until the committee was able to take permanent action.

Mr. ALBERT. And this resolution was voted down?

Mr. HARDING. Unfortunately, it was.

Mr. ALBERT. I thank the gentleman.

HEALTH INSURANCE DATA

Mr. HOFFMAN of Illinois. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. CURTIS of Missouri. Mr. Speaker, I should like to call to the attention of my colleagues a most valuable compilation of data on private health insurance plans. The Health Insurance Institute has recently published its 1961 Source Book of Health Insurance Data—a digest of statistical and other factual material on the financing of health care and the allied field of medical economics.

Mr. Speaker, as I have pointed out in the public hearings on H.R. 4222, there are two general approaches we can take toward financing health care: Through the private sector or through the governmental sector. I think there are times when we have to use the Government function in order to accomplish a result. But I only want to do that when I see that progress in the private sector to meet the social need or problem is not moving forward. In some cases the Government may actually impede progress in the private sector. That, as far as I am concerned, is the basic issue involved in medical care.

The data provided by the Health Insurance Institute underlines the rapid progress in the private sector. In fact, the growth of private health insurance coverage is nothing short of phenomenal. By the end of 1960 nearly 132 million Americans had some form of protection against the costs of health care—73 percent of the total civilian population. But this is not a static figure. When we look at the five major types of health insurance protection: hospital expense, surgical expense, regular medical expense, major medical expense, and loss-of-income protection, we see that there has been a tremendous growth in both total coverage and the base of protection. In the 5 year period from 1955 to 1960 the number of persons with hospital expense protection grew 23 percent, the number with surgical expense protection increased 32 percent, the number with regular medical expense protection increased 58 percent, the number protected against loss of income—7 percent major medical expense coverage which was virtually nonexistent in 1950 grew 26 percent during the single year, 1960. These figures indicate that the American public is continuing to secure more adequate protection for itself against health care costs by broadening the base of its health insurance. For example, by the end of 1960, 92 percent of those insured against hospital expense were also insured against surgical expense, 66 percent insured against regular medical expense. Comparable percentages for 1950 were 71 percent with additional insurance for surgical expense, 28 percent regular medical expense.

TABLE I.—*Number of people with health insurance protection in the United States, by type of coverage,*[1] *1940–60*

[In thousands]

End of year	Type of coverage[2]				
	Hospital expense	Surgical expense	Regular medical expense	Major medical expense	Loss of income
1940	12,312	5,300	3,000	.....	(3)
1945	32,068	12,800	4,713	.....	(3)
1950	76,030	54,150	21,586	.....	27,793
1951	85,348	64,802	27,723	108	30,035
1952	90,965	72,459	35,070	889	28,373
1953	97,303	80,262	42,564	1,220	30,571
1954	101,466	85,960	47,248	2,108	30,307
1955	107,092	91,927	55,595	5,241	30,513
1956	115,949	103,825	64,891	8,876	41,098
1957	121,432	108,931	71,813	13,202	42,939
1958	125,038	111,436	75,806	17,375	41,870
1959	127,806	116,044	82,615	21,850	42,665
1960	131,962	121,045	87,541	27,448	42,430

[1] Net total of people protected—eliminates duplication among persons protected by more than one kind of insuring organization or more than one insurance company policy providing the same type of coverage.

[2] For hospital, surgical, and regular medical expense includes coverage provided by insurance companies, Blue Cross, Blue Shield, and Medical Society-approved plans, and independent plans. For major medical expense, includes insurance companies only. For loss of income includes insurance companies, formal paid sick leave plans, and coverage through employee organizations.

[3] Not available.

Source: Health Insurance Council.

The Source Book of Health Insurance Data also illustrates the growth of voluntary insuring organizations in terms of health insurance premiums received and benefit payments. In 1960 total premiums received reached a new high of $7.5 billion. Benefit payments were at a record peak of $5.7 billion. The 1960 benefit total represented an 82 percent increase over 1955 and more than four times the amount of benefits paid a decade earlier.

These figures represent a significant percentage of the American public's total expenses for medical care in 1960—$19.6 billion. In fact, voluntary health insuring organizations are now paying a greater share of the public's hospital and medical bills than they did 5 years ago. Hospital expense benefits under voluntary plans accounted for 45 percent of the total hospital care bill in 1955, 57 percent in 1960. Similarly health insurance benefits covered 23 percent of physicians' expenses in 1955, 30 percent in 1960.

TABLE II.—*Health insurance benefit payments in the United States by type of coverage, 1948–60*

[In millions of dollars]

Year	Total, all insurers	Hospital expenses[1]	Surgical and medical expenses[1]	Loss of income[2]
1948	772	(3)	(3)	246
1949	967	(3)	(3)	266
1950	1,299	(3)	(3)	383
1951	1,601	(3)	(3)	467
1952	2,063	1,072	537	474
1953	2,448	1,275	655	515
1954	2,720	1,445	735	540
1955	3,125	1,690	840	595
1956	3,640	1,990	955	695
1957	4,247	2,326	1,178	740
1958	4,665	2,589	1,294	782
1959	5,166	2,889	1,439	838
1960	5,688	3,250	1,599	839

[1] Includes major medical expense payments.

[2] Excludes accidental death and dismemberment payments.

[3] Not available.

Source: Health Insurance Council and Health Insurance Association of America.

The conclusion that one draws from this data is not that we can afford to be complacent but that we are making remarkable strides in the voluntary insurance field. This is a clear record of progress that cannot be overlooked or minimized by the propagandists for the social security approach. The fact is that the public has more than doubled the percentage of its disposable personal income spent for the purchase of health insurance protection in the past decade.

I would be the first to deny that our medical care needs are being adequately met—that there is no room for further progress. In 1959 a total of 216.2 million days were lost from work by employees due to acute disability. Our Nation's productivity is seriously hampered when on an average day the number of workers off the job totals 875,000 men and women. Nor can we afford to be complacent in the face of mounting medical costs. In the past decade medical care costs have increased at a faster rate than any kind of personal expense recorded in the Consumer Price Index—56 percent from the base period of 1947–49 to 1960. Hospital room rates have shown the greatest increase with a rise of 123 percent. Hospital costs per day have risen 106 percent but increased productivity measured in terms of a reduction in the average length of a hospital stay has reduced this increase to 94 percent per hospital stay. There is much room for an expansion of medical care programs. My point, however, is that we should encourage the growth of the private sector which has already filled a major percentage of the gap, not that we should scrap this approach for the centralized governmental social security mechanism.

Mr. Speaker, I commend this booklet to my fellow Members and trust that the data it presents will contribute to an intelligent debate on the real issues involved in the financing of medical care.

SENATE INVESTIGATION OF MILITARY MUZZLING

Mr. HOFFMAN of Illinois. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. ROUSSELOT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ROUSSELOT. Mr. Speaker, Senator STROM THURMOND has been a major participant in the Senate investigation of the Defense Department policy of disallowing military personnel to freely express their views concerning the Communist threat to our country. Senator THURMOND has written an excellent article entitled, "What's Behind the Gag?" The article appeared in the January 27, 1962, issue of Human Events. I think every Member of Congress should have the opportunity to read it.

The text of the article follows:

MUZZLING OF THE MILITARY—WHAT'S BEHIND THE GAG?

(By Senator STROM THURMOND, Democrat, of South Carolina)

(EDITOR'S NOTE.—A special subcommittee of the Senate Armed Services Committee is investigating military preparedness and muzzling of military personnel. This article is an abridgement of an eight-part series of background articles prepared by Senator THURMOND.)

The purpose of the investigation is not to promote sensationalism, spotlight Communists, or persecute individuals. Rather, it is to go to the source of the policy which authorizes or is responsible for:

1. Soft-pedaling statements on communism in speeches and articles;

2. Shelving or deemphasizing troop training programs designed to acquaint military personnel with our insidious cold war enemy and his brainwashing techniques, which worked so well in the Korean war because our troops were ill prepared; and

3. Discouragement of utilization of military personnel and facilities in cold war seminars designed to give the public a better appreciation of the enemy, as authorized in a 1958 National Security Council directive.

Americans should have a full examination of these policies so they can decide whether they want present policies continued or modified. The study I have made thus far of these policies convinces me that they have a deep, underlying purpose which has not been readily apparent to the American public. This purpose is to combat the enemy in the cold war with a strategy which can be best defined as a no-win policy.

We don't propose to win the cold war because we abhor only the aggressive, totalitarian aspects of communism. In fact, we seem to be determined to join their professed revolution by adopting for ourselves and many of our allies the same social and economic measures which the Communists use as bait to attain their goal of world domination.

Arthur Schlesinger, Jr., administrative assistant to the President, has described experimentation in these social and economic proposals as "democratic socialism."

If the American people desire a no-win foreign policy and a domestic policy of democratic socialism, then they should have full information on such policies. Above all, they should have complete information on the enemy we face in the cold war so they can determine, as they have a right to do, whether these policies best fit the most effective prescription for maintaining our constitutional Republic and the many blessings of liberty it has been able to preserve for us through the years.

If, however, our military leaders are suppressed in their anti-Communist statements and seminars and everyone who speaks up against communism or the hidden policy changes in this country is to be labeled a "fanatic," "extremist," or "super-patriot," then the American people will be robbed of their right to make the choice with full facts necessary to make such an important determination.

J. Edgar Hoover, FBI Director and author of "Masters of Deceit," has stated: "We cannot hope to successfully meet the Communist menace unless there is a wide knowledge and understanding of its aims and designs."

Implicit in Mr. Hoover's statement is the realization that there is no wide knowledge and understanding of Communist aims and designs.

The events of recent years provide unimpeachable proof that we do not understand the nature or methods of Communists and communism. Had we understood and appreciated the menace of communism, we would not today be suffering from the losses of our blind negotiations at Yalta and Potsdam. We would never have been bamboozled into characterizing the Red Chinese as agrarian reformers. Castro, now a self-admitted Communist of some years and a sympathizer since schooldays, would not have had our support in establishing a Communist dictatorship over the Cuban people 90 miles from our shores.

If we as a people had understood communism we would never have fallen prey to subversion at the hands of Alger Hiss, the Rosenbergs, Greenglass, Fuchs, or Harry Dexter White, and the many other Communist agents who were caught—not to mention those who remain undetected and unapprehended. The postwar years in America prove beyond doubt that Americans, by and large, do not fully understand communism and its tactics in trying to achieve world domination.

The National Security Council directive of 1958 authorizing military participation in cold-war seminars was designed to help meet the need for public information on communism and its tactics. This directive has in the past year been modified by a series of Defense Department actions which give the appearance of stifling rather than advancing public information on the enemy.

In December 1960, representatives of Communist parties of 81 countries, meeting in Moscow, issued a manifesto which not only acknowledged the existence of efforts to inform the American public about communism, but directed the implementation of immediate countermeasures. Here is one quote from the manifesto:

"To effectively defend the interests of the working people, maintain peace, and realize the Socialist ideals of the working class, it is indispensable to wage a resolute struggle against anticommunism—that poisoned weapon which the bourgeoisie uses to fence off the masses from socialism."

The nature of the countermeasures was subsequently revealed in the writings of Gus Hall, secretary general of the Communist Party, U.S.A. Since the military services were, by virtue of the 1958 National Security Council directive, supporting the anti-Communist educational movements, the focus of the attack was to be on our military establishments. Indeed, Hall stated that the primary target is the military and its anti-Communist statements and seminars.

This attack was camouflaged behind a fabricated controversy over civilian versus military control of policy. Simultaneously, all groups emerging in anti-Communist educational activities, of whatever shade of responsibility, along with the military, were to be smeared as ultraright, neo-Fascists, or Birchites. The attack was launched.

In fact, articles in the Worker, official publication of the Communist Party, U.S.A., have stated that an alliance, into which even the Kennedy administration must be brought, must be forged against anti-Communists

An editorial in the December 1961 issue of Political Affairs, another party publication, refers back to Gus Hall's suggested alliance and gloats over the success attained in pressuring the administration into the attack on the ultrarightists.

The same publications in this country which picked up the Worker-originated line against anti-Communists last summer have continued to blast away with innuendos and invectives which imply—some state directly—that anti-Communists constitute a graver threat to our country than do Communists.

Some of the publications following this line have been the New York Times, the Washington Post (and lately its subsidiary, Newsweek), the Nation, the Reporter, and the Bulletin of Atomic Scientists.

On the morning of July 21, 1961, I read articles in the Washington Post and the New York Times which reported that a secret memorandum had been sent from the Senate Foreign Relations Committee to the President and the Secretary of Defense on the subject of military anti-Communist statements and seminars.

A flood of mail protesting the memorandum and other actions then began descending on Capitol Hill.

The mail continued to come by the thousands. In fact, in a 2-month period a few hundred thousand communications—mine running almost 1,000 to 1 for an investigation—were received on Capitol Hill. The tenor of the communications indicated without question that the vast majority of these people were writing spontaneously and out of a deep sense of concern. These communications from so many Americans in every State and from every segment of society constituted an effective expression of American grassroots sentiment and played an important part in finally winning approval of the investigation.

The Fulbright memorandum expressed the alarming view that rather than needing to be alerted to the cold war menace, the American people needed to be restrained in their desire "to 'hit the Communists with everything we've got,' particularly if there are more Cubas and Laos." The memorandum gave the general impression that the people could not be trusted to determine properly their country's course in the cold war.

This memorandum should be studied by every American, particularly any who still have the misapprehension that this fight is merely one of civilian control over the military. Military leaders are subject to civilian control. In fact, a recent check shows that civilians outnumber the military almost 3 to 1 in the Pentagon and related control agencies in Washington. There has never been an attempt by an officer or group of officers to seize control of this Government. I know of no officer even remotely interested in such a fantastic idea. In fact, the only place I have seen mention of this has been in the Worker and publications parroting the line against anticommunism.

Many indications of determination to muzzle military personnel and encumber their effectiveness against communism have been manifested in Department of Defense actions during 1961.

The sum total of all actions taken against anti-Communist statements and seminars strikes at the very heart of what should be our principal strength in the war against the godless ideology of communism. This strength is the morale of both the armed services personnel and the American civilian public. Without good morale, the will to win, and the belief in our ability to win, the protracted conflict with communism cannot be resolved in our favor.

No one gets any pleasure out of recalling successes scored by the Communists in Korea by brainwashing POW's and promoting "bug-outs" by GI's who had not been sufficiently impressed with the nature of the enemy, American ideals, or why it was necessary to fight in that far-off, rough and cold terrain.

There is no indication that any serious effort has been made to impress commanders at all levels with either the necessity for maintaining T.I. & E. programs, or with the needs of service personnel for training in our system of government and the nature of the Communist menace. There has been little, if any, emphasis on the most imperative need—a strong sense of individual responsibility.

My studies have revealed only slight efforts to acquaint troop commanders with the materials and devices available for use in conducting T.I. & E. programs. From a review of T.I. & E. materials made available, one cannot escape the conclusion that the Defense Department has been reticent to facing up to the problems of brainwashing techniques. In fact, it is easy to conclude that the word "brainwashing" is consciously avoided.

In a recent speech, Vice Adm. Robert B. Pirie gave good evidence of the job that needs to be done on T.I. & E. programs with these remarks:

"Here are some statistics about the present day enlisted recruits revealed by a recent Marine Corps survey, a survey of the highly motivated type of young American who volunteers for the rigors of Marine Corps recruit training. Only half of the boys recruited can make a rational explanation of the meaning of the Fourth of July. Only a pitiful small number of them can make an intelligent discrimination among the Constitution, the Bill of Rights, the Declaration of Independence. In fact, only one out of three knows which came first, the Declaration of Independence or the Constitution. Only 1 in 10 can give a reasonable comparison between the basic characteristics of communism and the opposite concepts of our free system of government."

With Defense Department leadership giving the impression of discouraging efforts to alert the American public and troops on the many facets of the Communist threat it is easy to understand why our T.I. & E. programs are mostly impotent and are rarely pursued by commanders with vigor and effectiveness.

It is essential that foreign policy not be so broadly interpreted in applying censorship as to prevent statements being made on any subject which, regardless of by whom made, might conceivably influence a person in his thinking on foreign peoples or nations or our relations with them. Such an interpretation leads to a complete gag.

During the past year there has developed an increasingly strict pattern of censorship of all statements of military personnel. The following are examples of the type statement deleted from proposed speeches:

"Communist conspiracy directed toward absolute domination of the world."

"Soviet aggression threatening this Nation and extending throughout far corners of the globe."

"The steady advance of communism."

"The Communist challenge."

"Insidious ideology of world communism."

"Nothing has happened to indicate that the goals of international communism have changed."

This pattern of censoring out penetrating phrases on communism is relatively consistent, wherever such material is submitted and is performed usually by State Department personnel. There appears to be complete consistency in the deletion of any use of the words "victory" or "war."

The Defense Department's answer to criticism of such censorship is that extra care is needed during periods of "sensitive negotiations." In a speech on September 18, I analyzed censored items and dates and refuted this contention by showing that such items were deleted fairly consistently during the year, particularly when we were not negotiating with the Communists.

Such a policy should be exposed and changed. It reflects an abysmal ignorance of communism and Communist methods. Communist tactics do not change or react according to the words spoken by our own people or leaders.

If it suits the Communist purpose to negotiate—and they have been much more successful in this area than we have—they will negotiate even if we spit in their faces. If they do not intend to negotiate, no sweet words from Western officialdom will induce them to negotiate. The Communists react only to raw power, never to words.

The instances of censorship of speeches and service journals, inadequacies of troop information and education programs, and discouragements of cold war seminars, if examined in the context of the single, specific instance, might in many cases appear to have no far-reaching consequences. The sum total of all these, however, builds up to a definite pattern. When considered in its entirety, this matter goes to the heart of our ability to survive as a nation against the threat of international communism.

Make no mistake, it is communism which is our enemy. Its aim is domination of the world under a totalitarian rule which will seek to reduce all people to one level, pegged to the lowest common denominator.

In less than half a century a small band of dedicated Communists has extended its control from Petrograd to many parts of the world. They now control 26 percent of the world's land mass and 36 percent of the world's population. Since World War II, 15 countries and 900,000 people have gone behind the Iron Curtain. This enemy is in dead earnest. How much more proof do we need?

If Mr. Khrushchev were asked what has helped the Communists most in their thus far successful drive to communize the world, no doubt he would answer: "American apathy, lack of knowledge of our operations and goals, and—above all—refusal to believe that we mean what we have said and written for years."

World communism has made its biggest gains through use of the powerful art of psychological warfare and propaganda. Unfortunately, many Americans have bought the Soviet line that since we can't beat them we should join their world revolution. Too many times we have fallen for the Red line and later translated it into our own national policies.

In a recent appearance on "Meet the Press," former CIA Director Allen Dulles warned that too often the Soviet line had been picked up and parroted by various of the news media in this country. Mr. Dulles, by the way, is no conservative, no extreme right-winger or fanatic.

Censorship and suppression behind a smokescreen of civilian control shield policies on which the American people have too few facts. If these policies—among them the no-win strategy and "democratic socialism"—cannot stand the spotlight of public attention and discussion, then they should be rejected.

The investigation into muzzling our military leaders will be a good one which will serve the best interests of the American people. As the assigned advocate on the subcommittee in this investigation, I shall be fair, factual but unrelenting. I hope every American will follow these hearings with interest and objectivity.

(EDITOR'S NOTE.—This montage of newspaper and magazine headlines was prepared by Senator THURMOND to show the transfer of Red ideas from the Communist press to non-Communist publications. The large headline from the Worker was used over an article by Gus Hall, secretary general of the Communist Party, U.S.A., in which he urged an alliance against what he called the threat of the ultraright and the military-big business complex. The articles in the top and bottom right—from the Washington Post and New York Times, respectively—attracted Senator THURMOND's attention to the Fulbright memorandum.)

From the Worker, July 16, 1961: "For People's Unity Against Big Business Reaction and War Danger—The Ultraright, Kennedy, and Role of the Progressives."

From the Washington Post, July 21, 1961: "Study Asserts Military Rightists Raise Obstacles to Kennedy Program."

From the Nation Juggernaut: "The Welfare State," by Fred J. Cook.

From the Reporter: "Revivalism on the Far Right," by Philip Norton.

From the Worker, August 13, 1961: "The Kennedy Forces and the Ultraright Threat," by William Weinstone.

"Birchites Finding Allies in Military," by Marquis Childs.

"Rightwing Officers Worrying Pentagon," by Cabell Phillips.

From Political Affairs, December 1961: "The President and the Rightists."

STATE PROVES THE NECESSITY OF A SPECIAL COMMITTEE ON THE CAPTIVE NATIONS

Mr. HOFFMAN of Illinois. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. DERWINSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, for the past year members of my party have joined with their colleagues of the majority party to advocate and advance the formation of a Special Committee on the Captive Nations. In this bipartisan effort we have assembled all the compelling arguments and reasons justifying such a committee. I am happy to note that early in this constructive campaign the Republican congressional policy committee went on record favoring the establishment of this committee.

In urging at this time that the Rules Committee take decisive action on this necessary measure, it is not my intention to review all the arguments and reasons which have been given in support of a special committee. However, I do wish to use this occasion for the purpose of offering further evidence substantiating our position. Indeed, the Department of State has furnished us with this interesting evidence. As a matter of fact, the evidence constitutes empirical proof of one of our outstanding reasons for a Special Committee on the Captive Nations; namely, that among other things such a committee would be of invaluable service to our own executive departments. By this evidence State proves the necessity of a Special Committee on the Captive Nations.

THE FIRST RUSK LETTER

Mr. Speaker, since this evidence has circulated among interested groups in this country, I should like to offer them here to be printed in the RECORD for public reading and examination. I believe countless Americans will be stunned by the contents of the Secretary of State's first letter to the House Rules Committee, opposing action last August on the special committee proposal. Dated August 22, 1961, the letter shows all the marks of deficient knowledge and understanding of the Soviet Union, not to mention our interest in cold war victory.

I request that this letter be printed at this point of my remarks and followed by my statement regarding it last October and by the analysis made of it over the "Manion Forum" in its weekly broadcast No. 372 last November 12. A careful reading of this material by our colleagues and by our citizens will be enough to convince them of the necessity for a Special Committee on the Captive Nations:

AUGUST 22, 1961.

Hon. HOWARD W. SMITH,
Chairman, Committee on Rules,
House of Representatives.

DEAR MR. CHAIRMAN: I appreciate the opportunity offered in your letter of August 9 to comment upon the proposed establishment of a Special Committee on the Captive Nations as called for in House Resolution 211.

I have carefully considered the possible role of such a committee in our continuing efforts to deal with the major foreign policy problem represented by the Soviet dominated areas. I have reluctantly concluded that the formation of such a committee would not be helpful.

As the U.S. Government seeks to deal with the threat posed by recent Soviet actions concerning Berlin, it is of utmost importance that we approach any consultations with our allies or negotiations with the Soviet Union in an atmosphere which best lends itself to an acceptable settlement. In this context, I believe the establishment of such a committee at this time would likely be a source of contention and might be taken as a pretext for actions by the Soviet Union which would interfere with the resolution of the present crisis concerning Berlin.

The position of the U.S. Government in refusing to accept the status quo of Soviet domination over other countries within the Soviet bloc as a permanent condition remains clear and firm. This Government has consistently recognized and upheld the right of these peoples to national independence, to governments of their own free choosing, and to the enjoyment of fundamental human rights and freedoms. The interest of the U.S. Government in their cause is deep and abiding and the Department of State has given constant attention over the years to policies and courses of action designed to convey this interest to the peoples of these areas.

The study of the problem of these peoples has long been a major preoccupation of both governmental and nongovernmental experts, and of the regularly constituted and other committees of the Congress.

The President and I have both expressed the conviction that a final settlement of the problem of Berlin, of Germany and of central Europe must take account of the right of self-determination of the peoples concerned. However, the U.S. Government's position is weakened by any action which confuses the rights of formerly independent peoples or nations with the status of areas, such as the Ukraine, Armenia or Georgia, which are traditional parts of the Soviet Union. Reference to these latter areas places the U.S. Government in the undesirable position of seeming to advocate the dismemberment of a historical state.

Let me emphasize that our judgment concerning House Resolution 211 all is based upon thoughtful consideration in the light of the complex situation which we face and will continue to face in the coming months.

I hope that you will let me know if I can be of further help to you.

Sincerely yours,

DEAN RUSK

STATEMENT OF EDWARD J. DERWINSKI, REPUBLICAN, OF ILLINOIS, OCTOBER 1, 1961

Today I charged the State Department with obvious indifference to the internal problems within the Soviet Union, coupled with a complete lack of imagination in the conduct of foreign affairs in the present cold war crisis.

I issued this statement of disappointment at the failure of the House Rules Committee to clear a resolution creating a Special House Committee on Captive Nations.

By way of explanation, this special committee would have been a bipartisan House activity since resolutions in almost equal numbers had been introduced by members of both parties. As early as May 23, 1961, the House Republican policy committee had endorsed the creation of this committee, the Republican members on the Rules Committee had urged its adoption, but the proposed establishment was impeded as a direct result of a letter from Secretary of State Dean Rusk to Chairman HOWARD SMITH of the Rules Committee.

May I refer to the Rules Committee struggle early in the year which supposedly would permit resolutions of this nature to reach the floor of the House for consideration by the Members. I believe the House would have overwhelmingly approved the creation of a Special Captive Nations Committee. The public demand for activity in this field was evidenced by the nationwide observances of Captive Nations Week last July.

As the United Nations enters its most controversial session and the Soviet Union, their Red Chinese allies, Castro's Cuba, and other Red nations continue their offensive to keep the West off balance, it is almost unbelievable that our State Department should be so lacking in perception as to be blind to the tremendous virtues and potential of this House committee. I have urged on numerous occasions that the creation of this Special House Committee on Captive Nations would be of extreme value to the State Department and to our United Nations representative in dealing with Red propaganda concerning Western imperialism, pointing out the true facts that imperialism and colonialism as practiced by the Soviet Union in Eastern Europe far exceed any abuses which could be charged to Western nations.

Now, more than ever we need an imaginative, vigorous, long-range foreign policy, and the facts are obvious that the satellite nations of Eastern Europe and the captive peoples in previously free countries now enslaved by the Soviet Union, represent a tremendous source of weakness that should be effectively generated by the West.

All peoples previously free—the satellite nations, the non-Russian peoples in the Soviet Union, and the Russian people themselves—are no exception. The nationalistic spirit of self-determination, culture, and heritage of these peoples must be continually marshaled and encouraged if we are ever to have a world of peace and freedom.

[From the Manion Forum, Nov. 12, 1961]

CAPTIVE NATIONS—MOSCOW'S ACHILLES HEEL

(By Dr. Lev E. Dobriansky)

Dean MANION. Time and again, over this microphone you have heard me and others repeat a simple statement of fact; namely, that our best allies in our war against the Soviet Communist conquest are the people of the captive nations now enslaved by Moscow.

The hatred of these people for the slavemasters of the Kremlin and their burning desire to be free from Communist tyranny is the best weapon in our arsenal, but our leaders continue to refuse to use it.

Rather than employ this weapon, which could give us complete and final victory without the hot, worldwide atomic holocaust that the pacifists are always warning us about, we steadily retreat and bankrupt ourselves in senseless, self-defeating efforts to buy off the Kremlin's Communist lieutenants in the Congo, Yugoslavia, and Indonesia. Nevertheless, our State Department to the contrary, Congress by unanimous resolution has made our interests in the freedom of the captive nations a matter of official concern. And, responsive to Congress, the President has proclaimed an official Captive Nations Week in this country every year since 1959. Why doesn't our State Department enforce our captive nations resolution?

The chief author of that resolution, Dr Lev E. Dobriansky, is here to discuss this vitally important question. My guest is neither a Congressman nor a politician. He is a scholar, a professor at Georgetown University, and the chairman of a group of prominent patriots known as the National Captive Nations Committee, 1000 16th Street NW., Washington, D.C.

Dr. Dobriansky, tell us why you believe so sincerely that the full implementation of the captive nations resolution could help us win the war with communism.

Dr. DOBRIANSKY. Dean Manion, let me stress at the outset that, for me, this is not just a matter of sincere belief based on good emotional sentiment or humanitarian inclination. Primarily, it is one of deep intellectual conviction and certitude supported by overwhelming evidence, by facts, figures and tested principles.

The complete and documented story behind this resolution and how it became Public Law 86-90 was published in the CONGRESSIONAL RECORD, volume 106, part 1, pages 1032-1037. The story goes back to August 1958, and relates how we first failed with it under the sponsorship of Congressman Cretella of Connecticut.

But then, as now, I was convinced that the captive nations—and I mean all 22 and more—are Khrushchev's permanent nightmare and, at the same time, our 1,000-megaton political weapon. Then, as now, I felt we were allowing this weapon to rust and corrode under a heap of political cliches about simply remembering the captive peoples. We tried again and, as you know, Congress passed the resolution in July 1959. The events that followed furnish incontestable proof of the resolution's multimegatonic potency in the cold war.

To appreciate the significance of Public Law 86-90 and to grasp the new dimensions and directions for its full implementation, it is necessary to recall these events briefly. What many of us are perhaps unaware of is the fact that the succession of these events started in July 1959 and has continued into the present. The resolution precipitated a series of explosions in Moscow, then and since.

We all recall how Khrushchev exploded when the resolution became law. Vice President Nixon himself was stunned and baffled by Khrushchev's violent reaction. But how many of us realize that since then—in articles, speeches, over the air, and in the U.N.—Khrushchev and his puppets have repeatedly condemned the resolution?

Only this past summer President Kennedy was severely criticized for proclaiming Captive Nations Week. And our nationwide observances of the week have proven to be anathema to Moscow's propaganda and pretensions.

Now, have you ever asked yourself: "How is it that Moscow, with all its vaunted power, its missiles and bombs, its historical Messianism and also Hitlerian methods of terrorism, should itself be terrified by a simple resolution of our Congress?" In thinking about this you will doubtless wonder about the fact that this wasn't the first time our leaders and Congress spoke in behalf of the captive nations. Perplexing, isn't it? And yet, not mystifying at all.

In the cold war Khrushchev perceives the full import of this resolution, if many of our leaders still don't. He is sensitively aware of the decisive damage that a full, imaginative and skillful implementation of the resolution would wreak upon his colonial empire. He knows that in the eyes of the world it would destroy the projected image of the Soviet Union as a powerful, confident, monolithic state, capable of even competing with the United States.

Khrushchev also knows the tremendous leverage such implementation would provide the 115 million people of the captive non-Russian nations within the Soviet Union to assert their rights to national freedom, independence, and direct concourse with free world nations and peoples.

Khrushchev knows, too, that the resolution is aimed at all freedom-loving Russians who understand that their nation of 100 million can never be free so long as 22 and more non-Russian nations are held captive under the foreign yoke of Moscow. In short, Khrushchev fears it because it spells trouble, pressure, resistance, insecurity, and ultimate rebellion and disaster within the Soviet Union itself.

CAPTIVE NATIONS: MECHANISM FOR COLD WAR BY WESTERN POWERS

The determining fact here is this: By this resolution our Government recognized for the first time the existence of over a dozen captive non-Russian nations in the U.S.S.R. itself. There is no question but that these nations—White Ruthenia, Ukraine, Georgia, Turkestan, and others—are strategically more important than those we are familiar with in central Europe.

Make no mistake about it, many cold war [illegible] are open to tap the boundless reservoir of patriotic nationalism and historical drives for independence in these occupied nations. All that Khrushchev fears in this respect can in time come to pass without [illegible]. In fact, his mounting [illegible] this subempire would definitely work against it.

Dean MANION. Doctor, this captive nations resolution passed Congress without a dissenting vote. Why has so little been done about it by the executive branch of our Government?

Dr. DOBRIANSKY. The reason for this anomalous and self-defeating situation rests on a combination of circumstances. These are: faulty knowledge and basic misconceptions [illegible] contradictions [illegible] a [illegible] of specious reasoning. [illegible] said up to [illegible], in launching [illegible] opportunities for the expansion of freedom.

Let me cite a few concrete examples. This past summer the Secretary of State wrote a letter to Chairman HOWARD W. SMITH, of the House Rules Committee, opposing the creation of a Special House Committee on Captive Nations "at this time." In it he expresses concern that Moscow would not like it, particularly in the Berlin crisis. He also says [illegible] sources [illegible] anyway. On [illegible] Secretary Rusk [illegible] study dealing with [illegible] Russian economy [illegible] Soviet Union [illegible], let me quote [illegible] the report:

"The U.S. Government position is weakened by any action which [illegible] the rights of [illegible] peoples or nations with the status of areas, such as the Ukraine, Armenia, or Georgia, which are traditional parts of the Soviet Union. Reference to these latter areas places the U.S. Government in the undesirable position of seeming to advocate the dismemberment of a historical state."

Ponder this statement carefully. It will be a classic on how to lose the cold war. The poor state of knowledge, interpretation, and vision reflected by it is well nigh appalling at this perilous juncture of our history. Each of the countries mentioned was independent in the post-World War I period, was recognized by Soviet Russia and numerous other countries, and has fought valiantly to this day to regain its independence, but the Secretary says, in effect, so what, they are "traditional parts of the Soviet Union."

The Soviet Union has scarcely been in existence for 40 years, but Mr. Rusk deems this traditional enough to seal the fate of the first victims of Soviet Russian imperialism. If he tries to wiggle out of this by interpreting the Soviet Union as a successor to the historical state of the czarist Russian Empire, he is even worse off. Armenia was not a traditional part of this historical state and since when has our State Department become the sanctifier of the Russian Empire, whether white or red?

The President has declared that we support "the just aspirations of all people for national independence and freedom." The Congress did the same in the captive nations resolution, which lists, among others, Armenia, Georgia, and Ukraine. Khrushchev, deeply stung by these declarations, grows hoarse telling these captives that they are independent. But some in the State Department obtusely brush all this aside and, in effect say—don't bother about them, don't even study their plight, for they are traditional parts of the Russian Empire.

One may ask: "What has happend to the heirs of the American Revolution about whom President Kennedy spoke in his inaugural address?" Can you imagine what would have been the course of our history if the revolutionaries of 1776 had swallowed similar talk about traditional parts of the British Empire—not for 40 years, not for a century, but almost for two centuries?

FULL-SCALE CONGRESSIONAL INQUIRY INTO STATE DEPARTMENT BADLY NEEDED

We antagonize our ally Portugal by joining Moscow in a U.N. inquiry into Angola, a traditional part of the Portuguese Empire for 300 years, but we spare the enemy the embarrassment and even defeat in the cold war by suppressing official inquiries into his closest colonies. In my judgment, these and other contradictions warrant a full-scale congressional inquiry into State Department policy regarding the Soviet Union.

To appreciate why we're plagued by such contradictions, let me cite another example, one among many. The State Department has a research medium titled "Soviet Affairs Notes." In the issue numbered 158, on the very first page, the reader is told the following:

"The term 'Ukraine' is itself a modern political rather than a historical term. It was invented in the 19th century by nationalists seeking to detach the southwestern borderlands of Russia from the tsarist empire."

Tomes have been written by French, German, English, and other writers of the 16th, 17th, and 18th centuries, using the term "Ukraine." In previous centuries, and as far back as the 12th century, this so-called borderland of Russia was widely referred to as Ukraine. But, for our State Department experts, it is only a 19th century invention. You can draw your own conclusions from this.

Dean MANION. Doctor, tell us about Congressman FLOOD's resolution, House Resolution 211. What would it accomplish and what can our listeners do to get it passed?

Dr. DOBRIANSKY. Congressman DANIEL J. FLOOD, of Pennsylvania, is the original sponsor of the resolution to establish a Special House Committee on Captive Nations. I have been informed that there are about 39 similar resolutions. The Republican congressional policy committee is on record favoring such a committee.

Because of the mentioned State Department letter, action on the measure was postponed to the next session. Congressman MADDEN, of Indiana, insisted that a State Department representative appear before the Rules Committee in person, thereby giving all interested Members an opportunity for questioning, but a letter was sent instead.

It should be obvious that methodic and continuous studies by such a committee would be of great service to the State Department and other executive agencies. They would continually inform the public of developments in all the captive nations. The committee would steadily focus the spotlight of free world attention on Moscow's colonial empire and, I can assure you, given the chance, it would produce recommendations of the greatest value to our national interest.

Write to the members of the House Rules Committee and also to your own Congressman, urging them to pass this measure. Copies to Congressman FLOOD will be put to good use.

Dean MANION. Dr. Dobriansky, in your opinion, would it be helpful to the resurrection of freedom and national independence in the captive nations if we would break off diplomatic relations with these puppet Communist governments that the Kremlin has put in charge of the captive peoples?

Dr. DOBRIANSKY. As one who strongly opposes the recognition of Peiping and also Outer Mongolia, I say yes, but at the right time. Diplomatic recognition is a powerful weapon if used prudently. At the time of the Hungarian revolution the breaking off of diplomatic relations with the U.S.S.R. and its puppets, in coordination with other moves, could have liberated Hungary.

Pursuing then as now a costly policy of patched-up containment whereby we only react, are continually on the defensive, anticipate little, plan haphazardly, we ourselves reduce the power of such action.

Dean MANION. Thank you, Dr. Lev E. Dobriansky, chairman, National Captive Nations Committee, 1000 16th Street NW., Washington, D.C.

My friends, the place to begin the use of our best weapon against the Communists and the Kremlin is with the passage of Congressman FLOOD's House Resolution 211 (see Manion Forum broadcast No. 355). Your Congressman is at home now. See him about the Flood resolution.

THE SECOND RUSK LETTER

Mr. Speaker, as though to make matters worse, a second letter from the Department of State was sent on December 27, 1961, to the House Rules Committee. The irrelevancy of this letter to the criticisms made of the first letter is almost patently clear from further reading of this material. A rejoinder to the second Rusk letter by Dr. Lev E. Dobriansky of Georgetown University shows also the rather poor state of thought and fact revealed by the State Department.

Because of the crucial importance of this whole issue on a special committee I wish to insert the December 27 letter and the rejoinder to it at this point in the RECORD:

THE SECRETARY OF STATE,
Washington, D.C., December 27, 1961.

Hon. HOWARD W. SMITH,
Chairman, Committee on Rules,
House of Representatives.

DEAR MR. CHAIRMAN: It has come to my attention that certain passages in my letter to you of August 22, 1961, concerning the proposed establishment of a Special Committee on the Captive Nations have been cited as evidence that this Government is reducing its support for the national aspirations of the minority peoples of the U.S.S.R.

There is no change in the U.S. Government's long-established policy toward the peoples of the U.S.S.R. As in the past, the U.S. Government continues to support the just aspirations of all the peoples of the U.S.S.R., without attempting to prejudge the political arrangements which might be preferred by those peoples if they were free to choose them.

My letter of August 22, 1961, did not signify any change in this policy, and the present letter is designed to reaffirm our continuing policy as set forth above. The Department plans to respond to any further inquiries about the matter by stating that the committee has been informed to this effect.

Sincerely yours,

DEAN RUSK.

FEBRUARY 14, 1962.

Hon. HOWARD W. SMITH,
Chairman, Committee on Rules, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: Upon my return a few days ago from an extensive tour of Taiwan and its offshore islands I was apprised of the letter sent to you last December 27 by Secretary of State Dean Rusk. The Secretary's letter is supposed to pertain to House Resolution 211 and the 39 other resolutions proposing a Special Committee on the Captive Nations.

It may seem presumptuous of me to offer this rejoinder to the Secretary's attempt at covering up the basic factual mistakes committed in his earlier letter of August 22, 1961. But inasmuch as I am unaware of any other public disclosure of these fundamental mistakes, I presume the Secretary's letter refers to my radio broadcast of November 12 over the Manion Forum network. For your committee's further consideration of House Resolution 211, I wish to submit a copy of that broadcast and respectfully request that you carefully compare the substantive material shown on pages 2-3 with the contents of the Secretary's December 27 communication.

I don't know who prepares the Secretary's letters, but it is evident that each communication on the subject of captive nations furnishes us additional evidence for the necessity of a special committee. In this last letter the Secretary evinces a conception of the U.S.S.R. which is at total variance with known facts and, incidentally, also with the well-founded conception described by our U.N. Ambassador in an official letter-memo to U.N. delegations, dated November 25, 1961. The Secretary's false notion that the captive non-Russian nations in the U.S.S.R. are merely "minority peoples of the U.S.S.R." is objectionable on both scholarly and pragmatic political grounds. By his logic, if Poland were to be forcibly incorporated into the U.S.S.R.—as had been Lithuania, Ukraine, Georgia and others—the Polish nation would be transformed simply into a "minority people."

Again, it amazes one to find our Secretary of State denying the nationhood, not to mention the nominal statehood, of Lithuania, Latvia, Ukraine, and others, while Moscow, forced by multinationalist pressures within the U.S.S.R. fully recognizes both their nationhood and statehood, and even propagandizes the independence of the latter. Rarely, if at all, does Moscow refer to these nations as "minority peoples." It knows history, it knows the forces at work within its basic empire. The January 1962 issue of U.S.S.R., in which the non-Russian republics are enumerated and described, is a good handy example of my point.

Moreover, it is mystifying to me, as I am sure it is to you, that the Secretary should have addressed himself to the Rules Committee on the subject of "the U.S. Government's long-established policy toward the peoples of the U.S.S.R." What this has to do with the factfinding aims and objectives of the proposed special committee is beyond me. From a reading of the enclosed broadcast text it will be quite obvious to you that in his letter the Secretary sidesteps completely my substantive factual strictures and, instead, confuses the issue of a proposed special committee by concentrating on a policy issue wthich properly belongs to the Foreign Affairs Committee. It would appear from all this that perhaps the Secretary fears the prospect of a special committee's factual investigations which would cast a public light on the possible limitations of this "long-established policy." His own conceptions and the vague statement of this policy in his letter of the 27th would support this inference.

As you know, there have been many maneuvers to sidetrack the proposal for a Special Committee on the Captive Nations. The current one of suddenly holding hearings on some of the captive nations before a subcommittee of the Foreign Affairs Committee in no way can match the aims, objectives and envisioned work of a special committee. Popular support for such a committee continues strong, and I feel sure that in response to this support, as well as by desire to see a serious job done in behalf of our national interest, you will soon bring the proposal to a favorable consideration by the committee.

With kindest regards and best wishes from one Virginian to another, I am,

Sincerely,

LEV E. DOBRIANSKY.

Mr. Speaker, with this detailed information now available, I feel that additional remarks on my part would be superfluous. I reiterate my plea that the House move to create this Special Committee on Captive Nations despite the State Department's unwillingness to develop an effective position on the subject or the State Department's present-day ignorance of conditions in Eastern Europe.

THE DUTIES OF THE SPEAKER

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, from time to time Members receive inquiries about the duties of the Speaker. In a representative democracy, where the top leadership posts in the National Legislature are among the most powerful in the land, citizens have a legitimate interest in the functions and duties of these positions. Let me take this means, therefore, of describing in some detail

the duties of the Speaker of the U.S. House of Representatives as they have developed in our parliamentary practice

ADMINISTRATION OF OATH

Under the Constitution, the Members of Congress and of the State legislatures, as well as all executive and judicial officers, must take an oath or make an affirmation to support the Constitution. Customarily, this oath is first administered to the Speaker at the opening of a new Congress by the oldest Member of the House in point of continuous service, and then by the Speaker to the other Members and to the Clerk of the House. That practice is not always followed, however. Thus, on May 19, 1919, the oath of office was administered to Speaker Frederick H. Gillett, himself the "Father of the House," by Representative Joseph G. Cannon, of Illinois, who, though the Member of longest service, was one of the younger Members of the House in consecutive service.

Formerly it was the custom to administer the oath by State delegations, but beginning with the 71st Congress Members-elect have been sworn in en masse. The Speaker has frequently declined to administer the oath in cases where the House has, by its action, indicated that he should not do so; and in case of doubt he has waited the instruction of the House. The right of a Member-elect to take the oath is sometimes challenged, and in such cases the Speaker may direct the Member to stand aside temporarily. For example, on December 5, 1927, Speaker Longworth directed Mr. James M. Beck to stand aside temporarily because his right to take the oath had been challenged on the ground that he was not an inhabitant of Pennsylvania.

CALLING THE HOUSE TO ORDER

From the beginning of the First Congress the House has formulated rules to govern its procedure. At the present time the House rulebook contains some 42 rules. The first of these rules sets forth the duties of the Speaker in seven sections. Section 1 states:

> The Speaker shall take the chair on every legislative day precisely at the hour to which the House shall have adjourned at the last sitting, immediately call the Members to order, and on the appearance of a quorum, cause the Journal of the proceedings of the last day's sitting to be read, having previously examined and approved the same.

This rule dates from 1789 and the House usually meets at 12 o'clock noon. In practice, immediately after the Members are called to order, prayer is offered by the House Chaplain.

PRESERVES ORDER AND DECORUM

Section 2 of rule I states that the Speaker "shall preserve order and decorum, and, in case of disturbance or disorderly conduct in the galleries, or in the lobby, may cause the same to be cleared." This rule also dates from 1789. The Speaker may name a Member who is disorderly, but may not, of his own authority, censure or punish him. In an early instance the Speaker ordered the arrest of a person in the gallery; but this exercise of power was questioned.

CONTROLS HALL OF THE HOUSE

Section 3, which was adopted in 1811, provides that the Speaker "shall have general control of the Hall of the House, and of the corridors and passages and the disposal of the unappropriated rooms in that part of the Capitol assigned to the use of the House."

The Hall of the House, a large chamber on the second floor of the House wing of the Capitol, is the place where the House has met since 1857.

SIGNS ACTS AND DECIDES QUESTIONS OF ORDER

Section 4, which was adopted in 1789 and 1794, states that the Speaker "shall sign all acts, addresses, joint resolutions, writs, warrants, and subpenas of, or issued by order of, the House, and decide all questions of order, subject to an appeal by any Member, on which appeal no Member shall speak more than once, unless by permission of the House."

In accordance with this rule, the Speaker signs enrolled bills, articles of impeachment, warrants, and subpenas, and certifies cases of contumacious witnesses for action by the courts. As regard points of order, the Speaker may require them to be presented in writing; but he is not required to decide a question not directly presented by the proceedings or hypothetical questions. In rare instances the Speaker has declined to rule on a question of order until he has had time to study it; and on occasion the Chair has reversed as erroneous decisions previously made. The right of appeal protects the House against the arbitrary control of the Speaker and the House cannot be deprived of it.

PUTS THE QUESTION

The Speaker's fifth duty under rule I is to put questions under the proper form by saying:

> "As many as are in favor, say 'aye'; and then "as many as are opposed, say 'no'." If he doubts, or a division is called for, the House shall divide; those in the affirmative of the question shall first rise from their seats, and then those in the negative; if he still doubts, or a count is required by at least one-fifth of a quorum, he shall name one from each side of the question to tell the Members in the affirmative and negative; which being reported, he shall rise and state the decision.

This rule was adopted in 1789 and amended in 1860 and 1880. Parliamentary law is based upon the assumption that the Speaker will not betray his duty to make an honest count on a division; and the integrity of the Chair in counting a vote has never been questioned in the House. When the House votes by tellers, the Members pass between them to vote, the tellers standing on either side of the center aisle to count the Representatives as they file by, the ayes passing through first and then the nays.

THE SPEAKER'S VOTE

Section 6 states that the Speaker "shall not be required to vote in ordinary legislative proceedings, except where his vote would be decisive, or where the House is engaged in voting by ballot; and in cases of a tie vote the question shall be lost." This rule was adopted in 1789 and amended in 1850. The Speaker's name is not on the roll from which the yeas and nays are called unless at his request, in which case the Clerk calls him by name at the end of the roll. The Chair may vote to make a tie and so decide a question in the negative, as he may vote to break a tie and decide a question in the affirmative. The Speaker has the same right as other Members to vote, but rarely exercises it. A recent example of such an exercise occurred on August 14, 1957, when Speaker Rayburn broke a tie by voting for the passage of a bill amending the Interstate Commerce Act.

APPOINTS SPEAKER PRO TEMPORE

Finally, section 7 of rule I provides that the Speaker—"shall have the right to name any Member to perform the duties of the Chair, but such substitution shall not extend beyond 3 legislative days: *Provided, however,* That in case of his illness, he may make such appointment for a period not exceeding 10 days, with the approval of the House at the time the same is made; and in his absence and omission to make such appointment, the House shall proceed to elect a Speaker pro tempore to act during his absence."

You will recall that it was in accordance with this rule that I was appointed and elected Speaker pro tempore last September when Mr. Rayburn was forced by illness to lay down his gavel.

COUNTING A QUORUM

Another important duty of the Speaker is to determine the presence of a quorum which the Constitution requires for the conduct of business by the House. The quorum consists of a majority of those Members chosen, sworn, and living whose membership has not been terminated by resignation or by the action of the House. The Chair counts all Members in sight, whether they are in the cloakrooms or on the floor of the House. When a quorum fails on a yea-and-nay vote, it is the duty of the Speaker to take note of that fact and to direct the roll to be called. Prior to 1890 the business of the House was often obstructed by the failure of present Members to respond to a rollcall to make a quorum. But in 1890, after a sensational fight, Speaker Reed decided to count both those voting and those present but not voting to make a quorum of record on a rollcall. His decision was adopted as a rule of the House at that time, and continues in effect.

ADMISSION TO THE GALLERIES

Various galleries in the Hall of the House are reserved for the use of the families of Members, the President of the United States, the members of his Cabinet, Justices of the Supreme Court, foreign ministers and their families, and for representatives of the press. Admission to these galleries is subject to the direction and control of the Speaker, who is assisted in the case of the press galleries by a standing committee of correspondents. Representatives of the press associations may also be admitted to the House floor under conditions prescribed by the Speaker.

APPOINTMENT OF COMMITTEES

Under rule X the Speaker appoints all select and conference committees which shall be ordered by the House from time to time. A select committee is a temporary committee, composed of Members of the House, established for a particular purpose; for example, to investigate campaign expenditures. A conference committee is a joint committee, composed of Members of both the House and the Senate, established to reconcile the differences between bills on the same subjects that have passed the two Houses. Prior to 1880 the Member moving a select committee was appointed its chairman, and prior to 1910 the chairmen of the standing committees of the House were appointed by the Speaker. It is within the discretion of the Chair as to whom he appoints as conferees. Conference committees are set up in every session of Congress on many legislative proposals.

APPOINTMENT OF HOUSE OFFICERS

Another function of the Speaker is to make temporary appointments, in case of vacancies in House offices, of persons to perform their duties, until the House chooses their successors or until the incapacity or inability of the incumbent is terminated. The elective officers of the House include a Clerk, Sergeant at Arms, Doorkeeper, Postmaster, and Chaplain who are elected by the House at the beginning of each new Congress. Under this authority the Speaker, in the 83d Congress, appointed a temporary Sergeant at Arms.

DUTIES AS TO REFERENCE OF BILLS, PETITIONS, MEMORIALS

Another group of the Speaker's duties relates to the reference of bills, petitions, and memorials. Under rule XXII he refers all bills, memorials, and resolutions that have been introduced by Members to the appropriate committee of the House; and under rule XXIV messages from the President, reports and communications from department heads, and bills, resolutions, and messages from the Senate are referred by the Speaker to the appropriate committees. From the earliest days the rules of the House have given its standing committees jurisdiction over the various subjects of legislation. The entire legislative domain has been divided into distinct categories defined by the rules, and jurisdiction over each category has been allocated to a particular standing committee. In making these referrals the Speaker is assisted by the Parliamentarian of the House. Under rule XIII the Speaker directs the Clerk to call bills on the Consent Calendar on the first and third Mondays of each month; and under rule XXII the Speaker may bar the reference of petitions, memorials, and private bills which, in his judgment, are of an obscene or insulting character.

POWER AND DUTIES AS TO RECOGNITION

In the House of Representatives recognition by the Chair is governed by rule XIV, clause 2, and the practice thereunder. There has been no appeal from a decision by the Speaker on a question of recognition since 1881 and in the later practice no appeal is permitted. Clause 2 of rule XIV, as adopted in 1789, states that—

> When two or more Members rise at once, the Speaker shall name the Member who is first to speak.

In the early history of the House, when business proceeded on presentation by individual Members, the Speaker recognized the Member who arose first; and in case of doubt there was an appeal from his recognition. But as the membership and business of the House increased, it became necessary to establish and adhere to a fixed order of business, and recognitions, instead of pertaining to the individual Member, necessarily came to pertain to the bill or other business which would be before the House under the rule regulating the order of business. Hence the necessity that the Speaker should not be compelled to heed the claims of Members as individuals was expressed in 1879 in a report from the Committee on Rules, which declared that "in the nature of the case discretion must be lodged with the presiding officer." And in 1881 the Speaker declined to entertain an appeal from his decision on a question of recognition, establishing thereby a practice which has continued down to date.

Although there is no appeal from the Speaker's recognition, he is not a free agent in determining who is to have the floor. The practice of the House establishes rules from which he may not depart. It is because the Speaker is governed by usages that he often asks, when a Member seeks recognition, "For what purpose does the gentleman rise?" By this question he determines whether the Member proposes business or a motion which is entitled to precedence; he may deny recognition and from such denial there is no appeal.

In debate the members of the committee in charge of the bill—except the Committee of the Whole—are entitled to priority of recognition for debate. In recognizing for general debate the Chair alternates between those favoring and those opposing the pending matter, preferring members of the committee reporting the bill. When a member of the committee has occupied the floor in favor of a measure, a Member opposing should be recognized next even though he be not a member of the committee. The principle of alternation is not insisted on rigidly where a limited time is controlled by Members, as in the "40 minutes" of debate on motions for suspension of the rules and the previous question.

As to motions to suspend the rules, which are in order on 2 days each month, the Speaker exercises a discretion to decline to recognize. He also may decline to recognize a Member who desires to ask unanimous consent to set aside the rules in order to consider a bill not otherwise in order, this being the way of signifying his objection to the request.

DUTIES IN RELATION TO DEBATE

The Speaker also has three duties in relation to debate on the House floor: First, to suppress the arraignment of the motives of Members; second, not to permit expressions offensive to the Senate; and, third, to call to order Members who transgress the rules of the House. When a Member is called to order under this rule—rule XIV, clause 4—it is the practice to test the opinion of the House by a motion "that the gentleman be allowed to proceed in order." A Member called to order and held to be out of order loses the floor and may not proceed.

If a point of order is made against words spoken in debate without a demand that they be taken down, the Chair ordinarily admonishes the offender and, if he continues to transgress the rules, stops him.

An interesting instance in which the House censured a Member for disorderly words occurred 40 years ago. On October 27, 1921, the House by a unanimous vote censured Representative Thomas L. Blanton, of Texas, for inserting in the CONGRESSIONAL RECORD a speech containing foul and obscene matter. The censure was administered by Speaker Gillett to Mr. Blanton at the bar of the House.

AS TO VOTING

Under the Constitution, the yeas and nays of the Members of the House on any question shall, at the desire of one-fifth of those present, be entered on the Journal. In passing on a demand for the yeas and nays the Speaker need determine only whether one-fifth of those present sustain the demand; in making this determination he counts the entire number present, including those in the lobbies and cloakrooms, and not merely those who rise to be counted.

An interesting example of this procedure occurred on June 10, 1921, when Mr. Oscar E. Bland, of Indiana, moved to recommit a bill to establish a Veterans' Bureau in the Treasury Department to the Committee on Interstate and Foreign Commerce with instructions. The question being taken, Mr. Bland demanded the yeas and nays. The demand being put, the Speaker pro tempore announced that 44 Members had arisen, not a sufficient number, and the yeas and nays were refused. Mr. Bland submitted that 44 constituted one-fifth of the Members present, and asked that those present be counted. The Speaker pro tempore proceeded to count when Mr. Sam Rayburn, of Texas, asked that Members retiring from the Hall be counted. The Speaker pro tempore then said:

> Under the precedents the House is not considered as limited merely to the Hall of the House, but also includes the cloakrooms and the lobby adjacent to the Chamber. The Chair included in his count 193 Members on the floor of the Chamber, 11 who had left the Chamber after the demand for the other side had been made—a sufficient number, and the Clerk will call the roll.

RELATIONS TO COMMITTEE OF THE WHOLE

From earliest days the House has had a procedure called going into Committee of the Whole. This is a procedure for expediting business in which a quorum is 100 Members and bills are debated under a 5-minute rule. When the House goes into Committee of the Whole, the Speaker leaves the chair after appointing a Chairman to preside and takes a seat elsewhere, as any other Member.

The Chairman of the Committee of the Whole seats himself in the Speaker's chair and the mace is placed beneath the table. When the Committee of the Whole rises, the Speaker resumes the Chair and recognizes only reports from the Committee of the Whole made by the Chairman thereof. On several occasions when quarrels have taken place in Committee of the Whole, the Speaker has taken the chair in order to suppress the disorder and the mace, as the symbol of authority, has been laid on the table.

For example, on September 9, 1841, while the House was in Committee of the Whole on the State of the Union, an encounter took place between two Members, Henry A. Wise, of Virginia, and Edward Stanly, of North Carolina. Great heat and confusion arising and the Committee being in disorder, the Speaker took the chair and brought the House to order. Both Members made explanations and Mr. Wise apologized to the House.

DUTIES AS TO CONFERENCES

From the earliest years the Speaker has appointed the House managers of conference committees. He selects them within his discretion so as to represent the attitude of the majority and the minority of the House on the disagreements in issue with the Senate. While it is usual to represent the party divisions of the House, the representation of opinions as to the pending differences is rather the more important consideration. In appointing managers the Speaker usually consults the Member in charge of the bill, and selects the managers from the committee which reported the bill; but where the committee which has charge holds to an attitude to which the House disagrees, the managers have been appointed to reflect the views of the House.

When the House managers report to the House after a conference, the Speaker may rule out their report if it be shown that the managers have exceeded their authority. This happened, for example, on June 22, 1926, when Speaker Longworth held that the conferees on a bill to provide for the consolidation of national banking associations had gone beyond the differences committed to them.

DUTIES AS TO JOURNAL AND RECORD

As I pointed out at the beginning of these remarks, the Speaker takes the chair at the opening of each daily sitting and causes the Journal of the proceedings of the last day's sitting to be read, having previously examined and approved the same. Under rule 34, the appointment and removal, for cause, of the official reporters of the House, including committee stenographers, and the manner of the execution of their duties, are vested in the Speaker. The reporters of debates have borne an important part in the evolution by which the House has built up the system of a daily verbatim report of its proceedings, made by its own corps of reporters. In general, the Speaker has no control over the CONGRESSIONAL RECORD, but words spoken by a Member after he has been called to order may be excluded by direction of the Speaker. House precedents reveal instances in which the Speaker has ordered remarks made by Members who have not been recognized, as well as flagrantly disorderly words, to be stricken from the RECORD.

ADVISORY COMMITTEES IN THE FEDERAL GOVERNMENT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. FASCELL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. FASCELL. Mr. Speaker, I would like to call to the attention of the House the fact that President Kennedy has issued Executive Order No. 11007 prescribing regulations for the formation and use of advisory committees in the Federal Government. The order carries out to a considerable degree the recommendations made by the Committee on Government Operations to the President last spring, and substantially adopts the standards set forth in H.R. 7390, which I introduced, that was passed by the House in 1957 but which failed of enactment by the Senate. Our understanding then was that the Senate failed to act on the bill in a belief that administrative action was possible and that legislation could be avoided.

Prior to that, as some will recall, an extended study had been made by our committee into the utilization of advisory committees by the Government as a whole. We found, among other things, that there was a great number of these committees in use involving thousands of individuals and that there were no uniform standards which were being followed in the organization and functioning of these committees. Some of them were not always under the direct control of the agency to which they were giving advice and many meetings were held in secrecy with no record kept of their proceedings. There was obvious danger to the Government in this type of operation and we called this to the attention of the Congress.

In my bill, we required the advance reporting to the Congress of the formation and membership of advisory committees and an annual report by the President on the use of advisory committees Government-wide. We set up certain minimum standards such as that meetings shall be at the call of and under the chairmanship of a full-time salaried officer of the Government and the agenda for the meeting should be formulated or approved by such an officer; that full and complete minutes of each meeting should be kept and that the functions of the committee should be purely advisory.

Now, 4½ years later, I am happy to say, President Kennedy has seen the wisdom of adopting definite standards and controls along these lines and has issued this order. The Executive order decrees that no advisory committee shall be formed or utilized unless specifically authorized by law or specifically found as a matter of formal record by the head of the department or agency concerned to be in the public interest in connection with the performance of duties imposed on that department or agency by law. In other words, no advisory committees will be formed unless the Congress has enacted a statute specifically authorizing such committee or the Secretary or Administrator determines in a formal recorded manner that such committee is in the public interest under duties imposed on his department or agency by law. The order states that unless specifically authorized by law, no committee shall be utilized for functions not solely advisory and further that determinations of action to be taken on advice will in all cases be made solely by officers or employees of the Government. In my judgment this puts the responsibility for decision and action where it belongs.

Industry committees will henceforth be reasonably representative and an effort will be made to achieve a cross section of interests and viewpoints, rather than be weighted toward any segment in a given industry.

Meetings of the advisory committees shall be held only at the call of, or with the advance approval of, a full-time salaried officer of the Government with an agenda formulated or approved by such officer. The meetings shall be under the chairmanship or conducted in the presence of a full-time salaried officer or employee of the Government who shall have the authority and be required to adjourn any meeting whenever he considers it to be in the public interest.

Minutes will be kept of each meeting which shall contain as a minimum the names of those present, a description of matters discussed and conclusions reached, and copies of all reports received, issued or approved by the committee. The accuracy of such minutes will be certified by a Government officer actually present during the meeting. For industry advisory committees, a verbatim transcript will be kept of all proceedings at each meeting, including the names of all persons present, their affiliation and the capacity in which they attend. There is a proviso here, however, that where the head of the department or agency concerned determines that a verbatim transcript would interfere with the proper functioning of the committee or would be impracticable, he may authorize the keeping of minutes such as for all other types of committees.

The President's order will not permit industry advisory committees to receive, compile or discuss data or reports showing the current or projected commercial operations of identified business enterprises. This, of course, is to prevent one industry from having an advantage over another because of its representation on a committee.

The department or agency head is given discretion and may waive compliance with these standards if he deems it to be in the public interest and they may interfere with the proper functioning of such committee. But in all cases a formal determination by the department or agency head must be made.

The order terminates all advisory committees, unless their terminal date is fixed by law, in 2 years from the date of their formalization, unless the department or agency head determines in writing that they should be extended.

All of these standards and controls are reasonable and, I believe, necessary. Certainly no one can contend that major governmental decisions should be made by private citizens, nor that important advice must necessarily be given to the Government in secrecy unless there is some overriding necessity for such secrecy. Furthermore, these committees should not be laws unto themselves but under the direct control of the department or agency to which they are giving advice.

There is no antibusiness flavor nor any effort that I see to impugn the motives of any business, professional or scientific adviser. The purpose of these standards is to avoid even the appearance of conflict of interest. Government is, and properly should be, a goldfish bowl unless questions of national security are involved.

President Kennedy's action in resolving this long-lasting and highly troublesome problem is indicative of his personal attention and desire to improve administration and is a significant step forward in freedom of information necessary to the public and other Government agencies in eliminating and reducing possible conflicts of interest inimical to the public.

"OUR HERO"

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. MURPHY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. MURPHY. Mr. Speaker, Lt. Col. John H. Glenn, Jr., received formal tribute not only by our great Nation but from nations throughout the world.

An excellent poem by Mrs. Jessie M. Williams, of Chicago, Ill., entitled "Our Hero" is very deserving and appropriate in recongition of this momentous event.

Under unanimous consent, I include this poem in the RECORD so America can read it:

OUR HERO

It was done again
Success to hear and see
Where else, but in America
Could you watch it on TV
A space man into orbit
Three times he traveled round
A speed that seems impossible
He's still with us, well and sound
Where else but in our country
Can they boast of such as this
America the beautiful
A Hero in our midst
As we watched the count down
The lift off from the pad
A silent prayer was said by all
For this Heroic lad
His mission was accomplished
A smile upon his face
He makes Americans very proud
"Our Hero" man in space.

EUROPEAN JEWISH COMMUNITY

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. FARBSTEIN] is recognized for 10 minutes.

Mr. FARBSTEIN. Mr. Speaker, A new terror stalks Europe.

For a segment of the remains of the European Jewish Community which survived the Hitlerian holocaust, the almost 17 years since the smashing of the Nazi war machine means little more today than it is the victim of a new oppressor. That all is not well with Soviet citizens of Jewish faith has now become alarmingly clear.

This is not to suggest that Soviet Jewry is the target of government-sanctioned programs, organized mass murder or wholesale deportation. The persecution is far more subtle. It aims at a "deculturization" of Russia's Jews—the destruction of all things Jewish. Thus, although Soviet Jews do not perish in gas chambers and concentration camps, Kremlin authorities have given evidence, by word and by deed, that the objective of its anti-Jewish campaign is the same as that of Nazi Germany more than two decades ago—the extinction of Jewish life.

It is no exaggeration to say that whatever limitations the Soviet Government may have placed upon itself in its current anti-Jewish programs stem directly from fear of adverse world opinion. Indeed, one shudders to think what fate might lie in store for Russian Jewry if the leaders of the Government of the Soviet Union believed that the world were to "little remember, nor long note" its actions.

And it is for this reason—to remind again the Soviet leaders that the world is aware of its mistreatment of its Jewish population—that I introduced on February 28 two resolutions; first, House Concurrent Resolution 440 expressing the sense of the Congress that the U.S. Mission to the U.N. should seek the adoption by the U.N. of a resolution condemning the recent manifestation of anti-Semitism in the Soviet Union; and second, House Concurrent Resolution 441, expressing the sense of the Congress that the U.N. Human Rights Commission should increase its activities and give greater publicity to instances of discrimination and persecution in order to focus world opinion upon these practices and nations engaged therein.

This great Nation, which serves not only as a symbol of religious freedom, but as the leader of the entire free world, has an abiding obligation to speak out on behalf of oppressed peoples everywhere in the world.

It has been argued that Russian mistreatment of its Jewish population is purely an internal matter. With this, I take vigorous exception. In my view, the practiced persecution of religious minority anywhere in the world is a blow to freedom for all people. Indeed, this is the very essence of the existence of the United Nations.

The preamble to the Charter of the United Nations—of which the United States is one of the most important signatories—provides that:

We the people of the United Nations determined * * * to reaffirm faith in fundamental human rights, in the dignity and worth of the human person * * * to practice tolerance and live together in peace with one another as good neighbors * * * have resolved to combine our efforts to accomplish these aims.

The charter states further that it shall be the purpose of the United Nations—

to achieve international cooperation * * * in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction to race, sex, language, or religion.

I submit that Soviet actions against its Jewish population are violations of these principles. I cite such actions as the arrest of numerous Jewish religious leaders on patently trumped-up charges, the closing of many synagogues, and the continued travel restrictions being placed upon persons entering or leaving the Soviet Union, a situation which prevents separated Jewish families from being reunited.

As responsible members of the United Nations, as recognized leaders of the free world, as a nation whose proudest achievement is a concern for the liberty and freedom of all people, I propose that this Government take the leadership in bringing to the world attention the matter of Soviet mistreatment of its Jewish population.

Because the Soviet Union's actions are contrary to the principles of the United Nations Charter, the United Nations has a direct and legitimate interest in the welfare and safety of the Jewish community of Russia.

To help bring these facts to world attention, to the end that the world organization can bring pressure to bear upon Soviet authorities for a cessation of its anti-Jewish program, I now, therefore, call upon the House of Representatives to express the sense of the Congress that the U.S. mission to the United Nations should seek the early adoption by the United Nations General Assembly of a resolution condemning these recent manifestations of anti-Semitism in the Soviet Union, and calling upon the Soviet Union to adopt such measures as may be necessary to guarantee human rights, including the right of persons separated from their families to be reunited with them.

I further propose that the House of Representatives express the sense of Congress that the U.S. mission to the United Nations should seek to obtain by appropriate means an increase in the activities of the Human Rights Commission of the United Nations, in such fashion as to provide greater publicity to instances where nations practice discrimination against minorities, or persecution of minorities, and to provide for direct representation to be made by the Commission to such nations in instances where such persecutions exist, to the end that such activities shall cease.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. THOMPSON of New Jersey (at the request of Mr. DANIELS), for today, March 7, on account of official business.

Mr. INOUYE, for the period beginning March 22, 1962, to and including March 29, 1962, on account of official business

in the State of Hawaii at the invitation of the Senate Committee on Public Works.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. JAMES C. DAVIS, for 10 minutes, today.

Mr. BOW, for 30 minutes, on Monday next, vacating his special order for today.

Mr. HARDING, for 20 minutes, today.

Mrs. DWYER (at the request of Mr. HOFFMAN of Illinois), for 10 minutes on Thursday, March 8, 1962.

Mr. FARBSTEIN (at the request of Mr. ALBERT), for 10 minutes today, to revise and extend his remarks, and include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. ROOSEVELT in two instances and to include extraneous matter.

Mr. STRATTON.

(The following Member (at the request of Mr. HOFFMAN of Illinois) and to include extraneous matter:)

Mr. HOSMER.

(The following Members (at the request of Mr. ALBERT) and to include extraneous matter:)

Mr. ROSENTHAL.

Mr. MONTOYA in two instances.

Mr. COOLEY.

Mr. McDOWELL to include extraneous matter in his remarks made during the Committee on the Whole on H.R. 132.

ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 7 minutes p.m.) the House adjourned until tomorrow, Thursday, March 8, 1962, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1781. A letter from the Assistant Secretary of the Navy (Installations and Logistics), relative to a proposal by the Department of the Navy to tranafer two surplus boats to the city of San Leandro, Calif., pursuant to title 10, United States Code, section 7308; to the Committee on Armed Services.

1782. A letter from the Acting Administrator, General Services Administration, relative to a proposed disposition of approximately 10 million pounds of contained nickel plus cobalt in nickel oxide powder now held in the national stockpile, pursuant to the Strategic and Critical Materials Stock Piling Act, 50 U.S.C., 98b(e); to the Committee on Armed Services.

1783. A letter from the Secretary of the Interior, transmitting regulations specifying standards for approval by the Secretary of the Interior of zoning bylaws, pursuant to section 5 of the act of August 7, 1961 (75 Stat. 284); to the Committee on Interior and Insular Affairs.

1784. A letter from the Administrator, Veterans' Administration, transmitting a draft of a proposed bill entitled "A bill to liberalize the provisions of title 38, United States Code, relating to the management of national service life insurance"; to the Committee on Veterans' Affairs.

1785. A letter from the Assistant Secretary of Defense, transmitting the second report by the Office of Civil Defense, Department of Defense, on property acquisitions for stockpile purposes for the quarter ending December 31, 1961, pursuant to the Federal Civil Defense Act of 1950, as amended, and Executive Order 10952, effective August 1, 1961; to the Committee on Armed Services.

1786. A letter from the Chairman, Securities and Exchange Commission, transmitting the 27th Annual Report of the Securities and Exchange Commission for fiscal year ended June 30, 1961, pursuant to section 23(b) of the Securities Exchange Act of 1934, approved June 6, 1934; to the Committee on Interstate and Foreign Commerce.

1787. A letter from the Chairman, U.S. Civil Service Commission, transmitting estimates of the costs of the proposed Federal salary reform transmitted with the President's special message on Federal pay reform of February 20, 1962, pursuant to Public Law 801, 84th Congress; to the Committee on Post Office and Civil Service.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. VINSON: Committee on Armed Services. H.R. 9751. A bill to authorize appropriations during fiscal year 1963 for aircraft, missiles, and naval vessels for the Armed Forces, and for other purposes; with amendment (Rept. No. 1406). Referred to the Committee of the Whole House on the State of the Union.

Mr. THOMPSON of New Jersey: Joint Committee on the Disposition of Executive Papers. House Report No. 1407. Report on the disposition of certain papers of sundry executive departments. Ordered to be printed.

Mr. MILLS: Committee on Ways and Means. H.R. 9778. A bill to provide for the free entry of certain steel and steel products donated for an addition to the Chippewa County War Memorial Hospital, Sault Sainte Marie, Mich.; without amendment (Rept. No. 1408). Referred to the Committee of the Whole House on the State of the Union.

Mr. O'NEILL: Committee on Rules. House Resolution 557. Resolution for consideration of H.R. 10264, a bill to provide that the House of Representatives shall be composed of 438 Members beginning with the 88th Congress; without amendment (Rept. No. 1409). Referred to the House Calendar.

Mr. PATMAN: Joint Economic Committee. Annual report on the January 1962 Economic Report of the President (Rept. No. 1410). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mrs. DWYER:

H.R. 10575. A bill to prohibit discrimination on account of sex in the payment of wages by employers engaged in commerce or in the production of goods for commerce and to provide for the restitution of wages lost by employees by reason of any such discrimination; to the Committee on Education and Labor.

By Mr. FINO:

H.R. 10576. A bill to amend the Davis-Bacon Act, as amended; the Federal Airport Act, as amended; and the National Housing Act, as amended; and for other purposes; to the Committee on Education and Labor.

H.R. 10577. A bill to establish standards for hours of work and overtime pay of laborers and mechanics employed on work done under contract for, or with the financial aid of, the United States, for any territory, or for the District of Columbia, and for other purposes; to the Committee on Education and Labor.

By Mr. HOSMER:

H.R. 10578. A bill to provide that the House of Representatives shall be composed of 200 Members beginning with the 89th Congress; to the Committee on the Judiciary.

By Mr. KARTH:

H.R. 10579. A bill to amend section 9(b)(3) of the National Labor Relations Act in order to permit labor organizations representing guards to be admitted to certain affiliations of labor organizations; to the Committee on Education and Labor.

By Mr. ROSENTHAL:

H.R. 10580. A bill to amend the law relating to pay for postal employees; to the Committee on Post Office and Civil Service.

By Mr. ST. GERMAIN:

H.R. 10581. A bill to amend the Small Business Act to provide that the program under which Government contracts are set aside for small-business concerns shall not apply in the case of contracts for maintenance, repair, or construction; to the Committee on Banking and Currency.

By Mr. SAYLOR:

H.R. 10582. A bill to amend the Natural Gas Act, as amended; to the Committee on Interstate and Foreign Commerce.

By Mr. SLACK:

H.R. 10583. A bill to amend the law relating to pay for postal employees; to the Committee on Post Office and Civil Service.

By Mr. TOLLEFSON:

H.R. 10584. A bill to amend the Davis-Bacon Act, as amended; the Federal Airport Act, as amended; and the National Housing Act, as amended, and for other purposes; to the Committee on Education and Labor.

By Mr. TOLLEFSON (by request):

H.R. 10585. A bill to amend section 501 of the Merchant Marine Act, 1936, as amended; to the Committee on Merchant Marine and Fisheries.

By Mr. ANFUSO:

H.R. 10586. A bill to amend the National Aeronautics and Space Act of 1958, as amended, with respect to space communications facilities, and for other purposes; to the Committee on Science and Astronautics.

By Mr. BATES:

H.R. 10587. A bill to amend clause (3) of section 402(a) of the Federal Food, Drug, and Cosmetic Act; to the Committee on Interstate and Foreign Commerce.

By Mr. EVERETT:

H.R. 10588. A bill to provide for the conveyance to the city of Milan, Tenn., of certain interests reserved by the United States in and to certain property heretofore conveyed to such city; to the Committee on Armed Services.

By Mr. FARBSTEIN:

H.R. 10589. A bill to amend the law relating to pay for postal employees; to the Committee on Post Office and Civil Service.

By Mr. JAMES C. DAVIS:

H.R. 10590. A bill to amend section 2 of the Civil Service Retirement Act, with respect to coverage of former Members of Congress employed by the Government without compensation or with nominal compensation; to the Committee on Post Office and Civil Service.

By Mr. DERWINSKI:

H.R. 10591. A bill to amend section 620 of the Foreign Assistance Act of 1961 so as to prohibit assistance under that act to the government of any country which has not established equitable procedures for compensating U.S. citizens for loss of property by expropriation; to the Committee on Foreign Affairs.

By Mr. HEALEY:

H.R. 10592. A bill making unlawful the requirement for the payment of a poll tax as a prerequisite to voting in a primary or other election for national officers; to the Committee on House Administration.

By Mr. KORNEGAY:

H.R. 10593. A bill to preserve wheat acreage history; to the Committee on Agriculture.

By Mr. POAGE:

H.R. 10594. A bill to amend section 372 of the Agricultural Adjustment Act of 1938, as amended, with respect to privately owned nonprofit agricultural research and experiment stations or foundations; to the Committee on Agriculture.

By Mr. RUTHERFORD:

H.R. 10595. A bill to facilitate the sale and disposal of Government stocks of extra long staple cotton; to the Committee on Armed Services.

By Mr. WHARTON:

H.R. 10596. A bill to amend the Internal Revenue Code of 1954 to provide an additional $5,000 exemption from income tax for amounts received as retirement annuities or pensions; to the Committee on Ways and Means.

By Mr. DAGUE:

H.J. Res. 652. Joint resolution requesting the President to proclaim the week of July 15 to 21, 1962, as National Drum Corps Week; to the Committee on the Judiciary.

By Mr. RYAN of New York:

H.J. Res. 653. Joint resolution authorizing the President to invite the States of the Union and foreign countries to participate in the U.S. World Trade Fair to be held in New York City, N.Y., from May 11 through May 22, 1962; to the Committee on Foreign Affairs.

By Mr. LANE:

H.J. Res. 654. Joint resolution designating the week of July 15 to July 21, 1962, as National Drum Corps Week; to the Committee on the Judiciary.

By Mr. HEALEY:

H.J. Res. 655. Joint resolution proposing an amendment to the Constitution of the United States to abolish tax and property qualifications for electors in Federal elections; to the Committee on the Judiciary.

By Mr. COOLEY:

H. Con. Res. 450. Concurrent resolution requesting the President of the United States to issue a proclamation designating the week of March 25, 1962, as Voluntary Overseas Aid Week; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BOYKIN:

H.R. 10597. A bill for the relief of Preston H. Haskell, Jr., and Ellis Taylor; to the Committee on the Judiciary.

By Mr. ELLIOTT:

H.R. 10598. A bill for the relief of Preston H. Haskell, Jr., and Ellis Taylor; to the Committee on the Judiciary.

By Mr. GRANT:

H.R. 10599. A bill for the relief of Preston H. Haskell, Jr., and Ellis Taylor; to the Committee on the Judiciary.

By Mr. HUDDLESTON:

H.R. 10600. A bill for the relief of Preston H. Haskell, Jr., and Ellis Taylor; to the Committee on the Judiciary.

By Mrs. KEE:

H.R. 10601. A bill for the relief of Mrs. Katina Nanouri Kokinas; to the Committee on the Judiciary.

By Mr. MACDONALD:

H.R. 10602. A bill for the relief of Maria DaGloria Mello Pacheco, Fernanda Pacheco Mendonca, Paulo Mendonca, and Maria DaC. Mendonca; to the Committee on the Judiciary.

By Mr. GEORGE P. MILLER:

H.R. 10603. A bill for the relief of Norman McLeod Riach; to the Committee on the Judiciary.

By Mr. PILCHER:

H.R. 10604. A bill for the relief of Mr. and Mrs. Gordon C. Bryant; to the Committee on the Judiciary.

By Mr. WHARTON:

H.R. 10605. A bill for the relief of Joan Rosa Orr; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

The Little-People-to-Little-People Program

EXTENSION OF REMARKS

OF

HON. JAMES ROOSEVELT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 7, 1962

Mr. ROOSEVELT. Mr. Speaker, there are committees in the House and Senate which have spent many hours, in and out of session, on the subject of juvenile delinquency. Millions of dollars are being spent every year, and will continue to be spent in the future in an attempt to turn the tide against the alarming rate of increase in crime among the members of our younger generation.

How doubly refreshing it is, therefore, to learn of the little-people-to-little-people project of Peter Rodino III, the 10-year-old son of our distinguished colleague from New Jersey.

Young Peter's approach to the problem of securing a peaceful world for himself, his children and the generations to follow will prove to be effective, without doubt. But of primary importance is Peter's awareness that a problem does exist, of his desire to seek a solution, and of his initiative, not only in commencing a most commendable program, but in enlisting the aid and support of his immediate friends until the plan has expanded to national scope.

How proud we must be of such youngsters who are willing—yes, eager—to assume the responsibilities of citizenship at such an early age. We are pleased with the effect the little-people-to-little-people letters will have in the children's crusade for world education. We are proud of our young citizens who are playing an active role in statesmanship and world diplomacy.

And particularly as parents, we must not forget what heartwarming satisfaction young Peter's efforts must give to his father, our colleague, PETER W. RODINO, JR., of New Jersey.

Lithuanian Independence

EXTENSION OF REMARKS

OF

HON. SAMUEL S. STRATTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 7, 1962

Mr. STRATTON. Mr. Speaker, February 16 marked the 44th anniversary of Lithuanian independence.

On February 16, 1918, the people of Lithuania declared their independence from the czarist regime in Russia, and for 22 short years were citizens of a free and independent state. During that 22-year period from 1918 to 1940, the people of Lithuania proved themselves to be peace loving, energetic, industrious, and determined in the cause of free government, and the republic, admitted to the League of Nations on September 22, 1921, became a welcome and respected member of the world community.

In 1940 Lithuania was overrun and annexed by the Soviets, and the Iron Curtain was placed between this small Baltic state and the rest of the free world. Since that time the people of Lithuania have been subject to the oppressive rule of the Communist regime.

We all know that the same spirit which inspired independence in 1918, and which made Lithuania a respected member of the world community for 22 years thereafter, is still present among the more than 3 million people of that land.

We are also aware of the substantial contributions made to this country's strength and freedom by Americans of Lithuanian descent who, unlike their relatives and friends behind the Iron Curtain, are free to celebrate this important occasion today.

Our faith in the ultimate victory of freedom and self-determination for all

people is inspired by the spirit of the Lithuanian people, and, as leaders of the free world, we Americans must pledge, on this occasion, all our efforts and energies to this end. And the free world would do well to remember that what has twice happened to Lithuania could happen to any other nation that fails to keep itself strong enough to defend its liberty against aggression.

Statement by the Honorable Joseph M. Montoya, of New Mexico, Praising Air Reservists and Air National Guardsmen Since Recall to Active Duty

EXTENSION OF REMARKS

OF

HON. JOSEPH M. MONTOYA

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 7, 1962

Mr. MONTOYA. Mr. Speaker, the Nation has indeed the right to be proud and happy over our recent accomplishment in achieving orbital flight of an astronaut. And it was with pride that I stood here this past Monday with all Members of the Congress applauding Col. John H. Glenn, Jr., for his magnificent achievement. Yet, this wonderful American refused to accept our good wishes for himself personally, and went out of his way to speak of all others involved in the Mercury program, and to acknowledge their significant accomplishments.

The selflessness of this man, Mr. Speaker, reminded me that we might tend at times to fail to acknowledge adequately the deeds of men behind the news, the men who do so much, but about whom we know and hear so little. At this time, I refer specifically to the Air Force Reserve and Air National Guard units who readily answered the Nation's call in time of crises and who today continue their duties and patrols with supreme devotion to duty. They continue to perform their assigned tasks with cheerful determination in spite of personal and family difficulties, inconveniences, and disruptions of civilian pursuits. Secretary of Defense McNamara has written the families of recalled reservists and guardsmen, has appropriately acknowledged the Nation's debt, and has rendered the thanks of a grateful country.

I think we should make it clear in this chamber, Mr. Speaker, that the sacrifices of air reservists and guardsmen and their families have been for a vital purpose and that the Nation does appreciate their continued service. It is not of small significance to note that this is a continued willingess to serve since Air Reserve units are made up entirely of volunteers who have embraced their call to duty in the finest traditions of our Armed Forces and who lost no time in making their presence known.

Air guardsmen flew more than 200 jet fighters over the Atlantic within a month after recall, providing much needed fighter strength for Air Force combat units in Europe. Secretary of the Air Force Zuckert was most complimentary about these units and their accomplishments and Gen. Curtis E. LeMay, Air Force Chief of Staff, wrote these air guardsmen as follows:

The movement of the newly federalized ANG units to Europe was executed in an orderly, efficient, and professional way. This required the utmost in leadership, planning, and cooperation on the part of all units and personnel involved. All obstacles were overcome by ingenuity and determination in spite of the extremely short preparation time available. The end result of the safe and expeditious arrival of the fighters should be a source of great pride to all who had a part in the operation. I wish to offer my congratulations for the outstanding manner in which this difficult and vitally important task was successfully accomplished.

In addition to the flight of these fighters, Air Force Reserve and Air National Guard squadrons entered on duty with four-engine transport aircraft, the first to be assigned to these components. In 3 months of active duty, the crews of these units flew almost 4 million miles on troop carrier and cargo missions. Also, there are many Air Guard tactical fighter and reconnaissance squadrons which are on combat-ready active duty and poised for deployment wherever national security may require.

Mr. Speaker, these are only a few of the accomplishments of our dedicated Air Reserve and Air National Guard units and I think all of us should be aware of the magnificent job they have done and are doing. In rising to the call in time of crisis, the record shows convincingly that these air reservists and guardsmen are a valuable component of our defense structure and deserving of our high regard and prayerful thanks.

Resolution Calling Upon the President To Issue a Proclamation Declaring the Week of March 25, 1962, as Voluntary Overseas Aid Week

EXTENSION OF REMARKS

OF

HON. HAROLD D. COOLEY

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 7, 1962

Mr. COOLEY. Mr. Speaker, I have today introduced Concurrent Resolution 450. This resolution calls upon the President to issue a proclamation declaring the week of March 25, 1962, as Voluntary Overseas Aid Week.

The record of accomplishments of the nonprofit voluntary agencies is a tribute not only to their prudence and ability, to their partnership with our Government, but also to the American people whose generous support of these agencies has made this splendid record possible.

At the present time 58 voluntary agencies are actively engaged in people-to-people programs in some 100 countries and areas. In 1961, these agencies distributed $12.4 million of self-help, educational, and medical supplies, $37 million in clothing, and $25.3 million in cash to over 100 million people.

In addition, agricultural commodities, with a Commodity Credit Corporation value of $147.4 million were made available under Public Law 480 to the agencies.

The Liberal Papers

EXTENSION OF REMARKS

OF

HON. JAMES ROOSEVELT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 7, 1962

Mr. ROOSEVELT. Mr. Speaker, the criticisms of some of my colleagues on the publication of a group of essays by admittedly distinguished authors, based upon the fear that an expression of views will corrupt American thought and bring about a new "Munich" is perhaps illustrative of the basic thing that is wrong with the Republican Party. They are afraid to trust their fellow Americans. They believe their fellow Americans must only have available one side of a story, and that the right side from the Republican point of view, or the country will rush toward disaster and a "Munich."

Personally, I have faith in the American people. I believe they are better able to make a judgment when they read all views, from the far right, or Birch Society position, to the far left, as well as those views of the so-called middle.

I doubt whether my Republican friends have read the various articles in "The Liberal Papers." It would make them better Americans to do so, even though such articles might not change their rigid opinions. As an individual, I do not agree with many of the views expressed by the authors of "The Liberal Papers." But I am glad to have read them, as I am glad to have listened and read the speeches of such men as Messrs. Buckley, Schwarz, and the distinguished Member of the other body from Arizona.

America has made progress because we have had a free expression of any and all views. From these have come sound decisions, and I am sorry to see my Republican colleagues try to impugn or be uncomplimentary to those who still believe that this method is the best way to preserve our basic American way of life.

In this spirit, I would like to quote from an American who might not be labeled "liberal," but certainly would be considered a good American. An article by John Edgar Hoover, Director of the Federal Bureau of Investigation, from the American Bar Association Journal of February 1962, entitled "Shall It Be Law or Tyranny?" reads, in part, as follows:

Our fight against communism must be a sane, rational understanding of the facts. Emotional outbursts, extravagant name-calling, gross exaggerations hinder our efforts. We must remember that many non-Communists may legitimately on their own oppose the same laws or take positions on issues of the day which are also held by the

Communists. Their opinions—though temporarily coinciding with the party line—do not make them Communists. Not at all. We must be very careful with our facts and not brand as a Communist any individual whose opinion may be different from our own. Freedom of dissent is a great heritage of America which we must treasure.

With such sentiments perhaps not only the Republican leadership, but most good Americans will agree.

Western Electronics Orders Go National

EXTENSION OF REMARKS

OF

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 7, 1962

Mr. HOSMER. Mr. Speaker, this year, the West will account for more than one-fourth of all electronic manufacturing in the United States. In so doing, it will continue to provide the technological leadership that has enabled this Nation to far surpass all others in the development and application of electronic science to modern living.

Many large and significant military contracts are being fulfilled by electronic companies in the Western States. The number of military awards that have been made in this region are evidence of the West's technological capabilities and of the western firms' outstanding performance in quality, price, and delivery dependability.

An estimated 215,000 people were directly employed in electronics in the Western States at the beginning of this year. Many thousands more have jobs in allied industries that are dependent upon electronics.

But the significance of electronic activity in such States as California, Oregon, Washington, and Arizona is felt by factories and business firms clear across the continent. For western companies buy materials, components, and equipment for production of military end-use items in the West from 49 States. Moreover, the buying throughout the United States is done not just by one or a few western companies, but by many.

For example, more than 90 percent of electronic companies in the West buy materials in the State of New York. More than 80 percent do procurement in Illinois, Massachusetts, and New Jersey. Well over half of the western firms buy in such States as Pennsylvania and Michigan, which have widely publicized depressed areas.

Evidence of widespread procurement by western companies was obtained in a special survey conducted in March 1962, by the Western Electronic Manufacturers Association—WEMA. All WEMA member companies, some 325 in number, received questionnaires requesting them to specify the States in which they purchase materials, components, or equipment for the production of military end-use items. A total of 156 companies—mostly in California—responded. The survey participants ranged from very small companies to the largest electronic complexes in the West.

It is highly significant that 6 out of every 7 participating companies are small business firms—fewer than 500 employees—by Government definition. Thus, the survey results are not distorted by the widespread buying of a few large companies. Rather, the results show that States across the Nation benefit from the procurement practices of many western companies.

Shown below, by State, is the percentage of western electronic companies purchasing materials, supplies, and equipment for military end-use items in each individual State:

Percent of companies purchasing in each State

Rank of State:	
New York	92.31
Illinois	85.26
Massachusetts	82.05
New Jersey	82.05
Pennsylvania	77.56
Connecticut	69.87
Ohio	66.67
Indiana	61.54
Michigan	55.77
Texas	53.85
Arizona	42.95
Wisconsin	39.74
Oregon	39.74
Minnesota	38.46
New Hampshire	35.26
Washington	35.26
Colorado	33.33
Maryland	31.41
Rhode Island	29.49
Missouri	28.85
North Carolina	25.00
Florida	23.72
Delaware	22.44
Nebraska	22.44
Kentucky	21.15
Kansas	19.87
Vermont	19.87
Tennessee	19.23
Virginia	18.59
Iowa	17.95
Maine	16.03
South Carolina	14.74
Oklahoma	12.82
West Virginia	12.18
Utah	10.90
Georgia	8.97
Alabama	8.33
Mississippi	7.69
Louisiana	7.05
Wyoming	7.05
New Mexico	7.05
Nevada	5.13
Arkansas	2.56
North Dakota	2.56
Idaho	2.56
South Dakota	1.92
Hawaii	1.28
Alaska	.64
Montana	-----

On a regional basis WEMA's figures show 52 percent of its firms place orders in the west north-central region, 58 percent in the west south-central region, 94 percent in the east-north-central region, 34 percent in the east south-central region, 56 percent in the south Atlantic region, 97 percent in the middle Atlantic region and 88 percent in the New England region.

Often overlooked in the maze of industry statistics is the real reason for the West's leadership in electronics—the technology capability that has been developed by western firms. Since 1957, total employment in electronics in the West has increased 75 percent—from 123,200 to 215,000. In this same 5-year period, the number of graduate engineers in electronics in the West has gone up 100 percent—from 17,000 to 34,000. Nearly one of every six employees in electronic manufacturing firms in the West today has at least one degree in engineering.

A recent survey of WEMA member companies has shown that western electronic companies invest from each sales dollar five times as much in research and development as the average manufacturing firm in the United States. Electronic manufacturers in the West reported that in 1961 they invested 8.5 percent of sales in research and development. This compares to only 1.7 percent for all U.S. manufacturing industries.

In summary, the West has been pacing electronic growth in the United States and will continue to do so because the companies in the Western States have built up a tremendous technological capability that is unequaled anywhere. By investing heavily in research and development—and by exercising sound technical management—they expect to increase their share of the steadily expanding U.S. electronic market.

Increased Compensation for Postal Workers

EXTENSION OF REMARKS

OF

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 7, 1962

Mr. ROSENTHAL. Mr. Speaker, although I am the most recently elected Member of the House of Representatives, and as such would certainly not presume to tell the membership what to do, I would like to take the liberty of making a recommendation on behalf of our postal employees.

There has been a bill introduced by the ranking member of the House Committee on Post Office and Civil Service—H.R. 9531—which would provide the postal workers with a well-deserved increase in compensation and a liberalization of the step and longevity increases. Because I feel that this legislation is highly desirable and long overdue, I am today introducing a companion bill and would urge my colleagues to support this legislation.

The question of increased compensation for the postal employees has been before the Congress on previous occasions and action has been taken to somewhat alleviate the situation. However, with the devaluation of the dollar and the continued spiral of living costs, further assistance and consideration must be given our Federal employees. During the past years the salaries of these employees have not kept pace with the increases granted those in private industry. Many workers have been forced to work at additional employment, and in many instances it has been necessary for

the wives to leave the home and seek work in order to supplement the family income in an effort to provide the bare essentials.

This group of employees has served the American public well and faithfully over the years and I earnestly believe that their hard work and diligent efforts should be rewarded. I therefore urge that this legislation be enacted as quickly as possible.

Television Transcript of February 28, 1962, "Today" Program on Conservation

EXTENSION OF REMARKS

OF

HON. JOSEPH M. MONTOYA

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 7, 1962

Mr. MONTOYA. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following television transcript of "Today," which appeared on February 28, 1962:

Mr. CHANCELLOR. Well, tomorrow is the day that President Kennedy is scheduled to send to Congress his message on conservation. Now almost everybody in this country is willing to go on record in favor of conservation, but there is a division of opinion as to just what should be done about it. Beginning with Theodore Roosevelt the conservationists have put up a thin but vociferous line of champions who have given battle to preserve our natural resources. They have deplored the destruction of land, timber, minerals, water resources, and wildlife. They have not been shy in accusing business interests of exploiting the land without giving a thought to the future.

Private enterprise has countered these arguments by claiming that the conservationists are stirring the ashes of old crimes. They say that modern miners, ranchers, lumbermen, and other businessmen recognize conservation as something which is in their own interest. They say they can best practice conservation with a minimum of Government direction. Some claim that conservation is the smokescreen which conceals another Federal grab for power. But above this rather ancient quarrel there looms a relatively new danger—that is, the threat that our wilderness will be smothered by those who love it most. An expanding population with increased leisure time is being attracted more and more to outdoor recreation, and thus we now face the problem of how to re-create ourselves without laying waste to the countryside.

Well, beginning with this half hour on "Today," we are going to present a series of studies on the subject of conservation. We hope to present all sides of the question, and that's kind of a big order. It embraces a lot of territory, but we will do our best to be objective about this issue because we realize it is sensitive to a number of people. Today we will begin with an examination of the various conservation measures which are before Congress, or which are in the offing.

Our guest will be Senator CLINTON P. ANDERSON, the Democratic Senator from New Mexico, and we'll be talking with him in just a few moments.

Washington will be next, where Martin Agronsky is sitting with Senator CLINTON ANDERSON.

Senator ANDERSON is a prime mover in conservation legislation, a cosponsor of the wilderness bill which is now before the House. He is chairman of the Senate Interior and Insular Affairs Committee. He is also a member of the commission which prepared a report for the President and the Congress—the report on outdoor recreation for America. With such credentials, Senator ANDERSON, we feel you are well equipped to be our first guest, and we're very happy to have you and Martin Agronsky, that noted walker who is standing there with you. Good morning, gentlemen. Martin, would you like to begin?

Mr. AGRONSKY. One more credential, by the way, for Senator ANDERSON—former Secretary of Agriculture in Mr. Truman's Cabinet?

Mr. CHANCELLOR. That's right.

Mr. AGRONSKY. Senator, can you tell us what the President is going to recommend in his message on conservation? I know you have been talking to him about this.

Senator ANDERSON. I think he'll do his own announcing, but I would be greatly surprised if he doesn't deal with the question of water pollution, and air pollution, if he doesn't deal with some of the recommendations in the Outdoor Recreation Resources Review Commission's report. I would be surprised if he doesn't suggest some things about maybe a Federal Conservation Corps, similar to the old Civilian Conservation Corps.

Mr. CHANCELLOR. Oh, really?

Senator ANDERSON. I would also be surprised if he doesn't deal with seashore saving a little bit, because I know that's dear to his heart. He's lived along the coast enough so that he's very interested. And what we do to preserve the amount of seashore that now is available and still can be obtained for the public—in fact I think the President's message on conservation is going to take place along with Theodore Roosevelt's great message a long time ago. He is, in my opinion, going to be a great leader in that field, and I believe his message will be a very, very strong one.

Mr. AGRONSKY. Well, leaders need followers. What is Congress going to do about his recommendation?

Senator ANDERSON. I'm going to be one of the followers, and speak to others. But we have already done more I think than many Congresses have done. We have helped establish the Cape Cod seashore area; we're working on other areas like Point Reyes in California; we had a hearing yesterday on Padre Island, and reported that bill out, or will today—and so it goes. We're trying our very best to make sure that things like the wilderness bill pass. The President gave us tremendous help on the wilderness bill, and I believe he delighted the hearts of all those who are tremendously interested in this great subject of trying to make sure that we don't lose all the things that tell us what this continent was like when the white man first settled it.

Mr. AGRONSKY. Senator, I do want to hear from you something that interested me—this Conservation Corps—what is that?

Senator ANDERSON. Well, it's Senator HUMPHREY's idea. He has suggested that the Civilian Conservation Corps did fine work, back in the depression, and as a man who was one of Harry Hopkins' relief administrators, I agree with him. I think—the boys went into the areas and created parks, and trailways, and roads—there's a great deal of unemployment among the young now. I don't know what the President's going to say, but I would be surprised if he doesn't give Senator HUMPHREY's bill a little pat on the back, because this offers some possibilities for doing the work that we want done at very low cost, because it will be really work for young men who do not find other opportunities for employment.

Mr. AGRONSKY. John?

Mr. CHANCELLOR. Well, the wilderness bill has passed the Senate. Is that correct, sir?

Senator ANDERSON. Yes, it has, and gone to the House.

Mr. CHANCELLOR. And from your vantage point, there on the Hill, I know Senators don't often like to comment officially on what's going to happen in the House, but what do you think?

Senator ANDERSON. Well, we have a great ally in the House in JOHN SAYLOR, Republican, of Pennsylvania—I say that to show that this is bipartisan. I talked to JOHN a short time ago, and he said that he hoped it would pass the House—he believed it would. The chairman of the committee, the House Interior Committee, Congressman ASPINALL, is also a very fine man and a very loyal supporter of the wilderness idea. GRACIE PFOST is another, and I think with these fine leaders we can expect favorable action in the House. It's a little harder there, because you have the Rules Committee to worry with and other things of that nature, but I think that prospects are extremely good for its passage.

Mr. CHANCELLOR. Well, Senator, one of the groups that is opposing the wilderness bill is the National Lumber Manufacturing Association. We've had word from them that 65 million acres of Federal land will be denied future development and general recreational use, if the wilderness bill goes through. What do you say about that?

Senator ANDERSON. Well, I only wish they'd take a look at the wilderness areas and decide how much timber is on them. At the present time we're not cutting all the timber we could cut. And the use of lumber is going down a little bit—aluminum siding comes in—various other things are developed. But beyond that the timberlands that we have could be better utilized, there's not too much commercial timber in these wilderness areas. There may be some in the primitive areas—there's a difference between them. In the early thirties, the Secretary of Agriculture set up primitive areas, which were neither fish nor fowl; they didn't declare them to be wilderness, but they took them out of the ordinary forest, and these areas are going to be reappraised under the wilderness bill—many of them I think will be put back into ordinary forests, and I think the lumbermen should be interested in that. But beyond that I have ridden horseback over some of these wilderness areas, and I think that the opportunities for keeping them as they are are far more favorable to the general cause of conservation than opening them up for exploitation. The Gila wilderness in my State, the very first one, and the largest one, is a sample of a fine tract of land that's useful for people to study how things were originally. But nobody in his right mind would cut very much timber from it.

I just hope the lumber people are wrong, and I believe they are.

Mr. CHANCELLOR. Well, if I could pursue this, sir, why do you think they've taken this attitude about the bill?

Senator ANDERSON. For the same reason that the oil people are worried about it. They hate to see anything put out of the possibility they could reach out and take it if they want it. The oil people are worried about the area, and I said to a very prominent oil man: "Suppose you come in and offer us a dollar an acre, as you do for any rough land, and we'll give you the whole wilderness area and let you explore it—it will be so many million dollars a year." He said, "I wouldn't want it"—but he wants it left open so he could take it, and I just think that he worries too much about it.

Mr. CHANCELLOR. Sir, are there any cities under the wilderness bill that would have unemployment problems if you were to take over and make wildernesses out of areas that are now being commercially utilized near these towns?

Senator ANDERSON. We're not proposing that these areas that are involved in the wilderness bill are areas that already are either in wilderness or in primitive status as far as the Forest Service is concerned, or they're parts of national parks under Federal domain. Nobody in the city would be worried about the passage of this bill. But on the contrary people in the cities would have a chance to get out into the open country and show their children something about what this country was like originally. I think that's of great value to the country.

Mr. AGRONSKY. Senator, I had yesterday from your colleague, PAUL DOUGLAS, both a telephone call and a very full envelope on the Indiana Sand Dunes bill. We're going to move from the forest to the seashore for a moment. What about our seashores—what's happening there—is it covered to any extent in the bill?

Senator ANDERSON. Well, yes, there is a special bill on the acquisition of seashores, which has passed the Senate and gone to the House, and I was very happy to sponsor it. We suggest that the Government should put up about $25 million a year to match the money that the States might put up, and counties might put up, municipalities, in order to acquire seashore areas. Had we done this 20 years ago, we could have acquired all we wanted for a few million dollars. Now the price is going up very, very rapidly, and that's what PAUL DOUGLAS is worried about, about the dunes—he wants to save them now, while it's financially possible. I agree with him, it ought to be done. We ought not to chop away the industrial chances of Indiana, but we ought to take these remaining stretches of land and try to preserve them. If we do it now, the people of Chicago, for example, and the people of northern Indiana will have a perfectly wonderful recreational area. Most of the national parks are where the people aren't. They're out in my State, they're in Colorado, they're around various other areas, and the population is limited in those areas. We need to be able to attract people from all over the country.

Now the Outdoor Recreation Resources Review Commission found that people going out for recreation don't want to go too far from home. They enjoy walking, they enjoy bicycle riding, they enjoy canoeing, but they don't want to go too far, and if the people in Chicago could have this great weekend opportunity in the Indiana Dunes, I think they would enjoy it, and I think that as the population builds up in the cities, because you're building up in the cities very rapidly, we need to have places where future generations can go. You don't want to get to the point where you have to have priority in order to get to the Yellowstone National Park, and you're almost there now. If you want to go to Yellowstone Park in your automobile, you'd better be real sure you're not going on a day when somebody else has planned to go there. That's too bad. We ought to develop these areas, and I believe the Park Service will. But we ought also to have areas close to the great cities.

Mr. AGRONSKY. Standing room only in the wilderness.

Senator ANDERSON. Well, it isn't that bad, but it's pretty rough to try to find a spot when you go to Yellowstone now because there are so many cars, and so few trails. I'd advocate opening up more areas of Yellowstone—I believe that will be done. But along with it, you need to provide for the average person close to home a spot for recreation. That's what we're trying to do with Indiana, that's what we tried to do with Cape Cod—we had all the problems you could imagine in Cape Cod, and a very prominent Massachusetts young Senator tried to get a bill through, and he didn't succeed. But when he got to living on Pennsylvania Avenue, we all pitched in and tried to save the area that he and Senator Saltonstall had worked to save. And it's a fine thing for those people, and will be. There are other areas, like the Point Reyes area in California, that's going to be a very remarkably fine establishment, and those people with all the recreational opportunities that California has, can still stand just a little bit of seashore for the commonfolk. The rich have no trouble finding a place to go.

Mr. CHANCELLOR. Senator, you have sponsored a bill in Congress involving water resources. Does that tie in with the overall wilderness bill in any way?

Senator ANDERSON. No. That's more to take care of the general situation that arises when we try to tell you what's going to happen to water. We're going to be awfully short of water, in cities and elsewhere in a short time—even in great areas like Los Angeles they have problems of water supply, and more and more our cities are going to be deficit areas as far as water is concerned. We have to find something we can do, and the water resources bill says let's pool all the engineering knowledge we have and try to find out what we can do to save the cities from facing a great water shortage in years to come. I think it's a fine bill.

Mr. CHANCELLOR. Martin, one of the things I'm sure we'd both like to talk about is this whole business of a Federal takeover that has been charged against this kind of legislation. Would you care to frame a short question on that?

Mr. AGRONSKY. Well, I think it's framed, really—do you feel, as many of the critics of the conservation bill contend, that it is really a way of the Federal Government moving in and taking over what really private industry should develop?

Mr. ANDERSON. Not at all. Not at all. The average State can't afford to do it for itself. For instance, why should New Mexico provide a park—we've got all the parks we want for ourselves. It becomes a national problem, and therefore the Nation has to take charge of trying to find these places, without regard to State lines.

Mr. AGRONSKY. John.

Mr. CHANCELLOR. I just want to say thank you, Senator, for spending this time with us this morning, and all good luck to you in your work, and every time we go for a walk in the wilderness we'll begin thinking of you—not that we hadn't thought of you before. And Martin, thanks to you. I went walking with Agronsky last weekend in Washington in Rock Creek Park, which is a great example of a park, in a great American city. I think that just about brings us to the conclusion of this hour.

SENATE

THURSDAY, MARCH 8, 1962

The Senate met at 12 o'clock meridian, and was called to order by the Honorable J. J. HICKEY, a Senator from the State of Wyoming.

Rev. Elmore Brown, minister, St. John's Methodist Church, Staunton, Va., offered the following prayer:

O Thou who art the Eternal God, and whose purposes are not disturbed by the accidents of time, we appear before Thee this day in full assurance that this universe is in Thy control.

Across the many centuries Thou hast called men to be cosharers with Thee and with one another in the task of perfecting Thy creation.

We most humbly thank Thee for the place Thou hast permitted us to take in the affairs of the world as we have sought to make our great Nation a symbol of righteousness, of good will, and of peace.

We earnestly pray for Thy divine blessing to be upon those within these Halls who are called to render mighty decisions calculated to affect the destiny of millions of Thy children at home and throughout the world. Imbue them with wisdom, and give to them sound insights and understandings, so that their judgments, like Thine own, may be true and righteous altogether.

Guide Thou our footsteps, that we may ever walk in Thy holy ways; and in so doing, may we fulfill the stewardship of responsibility and service we have pledged to Thee.

Hear this, our prayer, Most Holy Lord God, for to Thee we ascribe all majesty, dominion, and power, forever and ever. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., March 8, 1962.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. J. J. HICKEY, a Senator from the State of Wyoming, to perform the duties of the Chair during my absence.

CARL HAYDEN,
President pro tempore.

Mr. HICKEY thereupon took the chair as Acting President pro tempore.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Monday, March 5, 1962, was dispensed with.

REPORTS OF A COMMITTEE SUBMITTED DURING ADJOURNMENT

Pursuant to the order of the Senate of March 5, 1962, the following reports of a committee was submitted on March 6, 1962:

By Mr. BIBLE, from the Committee on Interior and Insular Affairs, with amendments:

S. 4. A bill to provide for the establishment of the Padre Island National Seashore (Rept. No. 1226); and

S.J. Res. 29. Joint resolution providing for the establishing of the former dwelling house of Alexander Hamilton as a national monument (Rept. No. 1227).

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The ACTING PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

TRADE AGREEMENTS WITH EUROPEAN ECONOMIC COMMUNITY, UNITED KINGDOM, NORWAY, AND SWEDEN—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 358)

Mr. MANSFIELD. Mr. President, on yesterday the President of the United States transmitted to the Congress a message relating to certain trade agreements. I understand the message has been read in the House of Representatives. I ask that the message be printed in the RECORD, and appropriately referred, without reading.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The message was referred to the Committee on Finance, as follows:

To the Congress of the United States:

I transmit herewith to the Congress copies of trade agreements with the European Economic Community, the United Kingdom, Norway, and Sweden, including schedules which my duly appointed representatives signed on behalf of the United States on March 5 and March 7, 1962.

Section 4(a) of the Trade Agreements Extension Act of 1951 require that I report to the Congress on those instances in which I have departed from the peril point findings of the Tariff Commission. Annex A, attached to this message, lists and gives the reasons for the instances in which I decided, in the interest of concluding trade agreements advantageous to the United States during the Geneva Tariff Conference, to accord tariff concessions going below the levels found by the Tariff Commission.

At this time, when the Congress is considering a major new trade law, I wish to provide a detailed account of the circumstances in which I instructed our negotiators to make such concessions.

Most of these concessions were negotiated with the European Economic Community. When the so-called Dillon round, or, the phase for new reciprocal concessions, of the Geneva Conference opened on May 29, 1961, the EEC offered concessions following along the lines of its decision of a year earlier to reduce industrial tariffs across the board by 20 percent, a decision that was conditional on reciprocal concessions from other nations, and especially the United States. The EEC offers involved concessions affecting American exports to the EEC countries amounting, on the basis of 1958 figures, to $846 million. Of this total, $422 million represented exports on which the United States had asked for concessions, $337 million being offered in the name of the United States as the principal supplier, and the remaining $85 million in the name of third countries from which the United States would also receive substantial benefits.

It was the American negotiating objective to take advantage of the initial EEC offers and also to seek additional concessions. We were being offered tariff reductions having large potential value to our export trade. Furthermore, the emerging European Community was proposing to take a first long step toward making its trade policy an outward looking one. Our interest was to assure that we obtain these new opportunities for our exporters and, in the process, that we help to mold the EEC's external trade policy along liberal lines.

Our negotiators, however, were grievously short of bargaining power. The instructions under which they were authorized to proceed fell well short of matching even the initial offers of the EEC. The EEC offer to reduce industrial common tariff rates by 20 percent directly affected U.S. trade of $846 million (1958) and was responsive to about 60 percent of our requests to the EEC for tariff concessions. In contrast, our offers consisted of—

(a) $41 million of offers to bind rates of duty at present levels;

(b) $90 million of offers of duty reductions requested by the EEC (about 20 percent of total EEC requests); and

(c) $396 million of offers involving duty reductions not requested by the EEC.

The manner in which the United States came to this negotiating position is important for an understanding of the trade agreements just concluded and for its bearing upon the new trade legislation that I have recommended to the Congress.

Prior to the Geneva Conference, the EEC had filed requests with the United States for concessions accounting for a trade volume in 1958 of $451 million. Our interagency screening process eliminated from the original "Public List" a number of articles, concessions on which would have been responsive to requests from the EEC. The trade volume involved was $128 million. These articles were those on which tariff concessions, in the judgment of the interagency committee, might give rise to serious competitive problems for American industries.

Under section 3(a) of the Trade Agreements Act, the Tariff Commission was then required to study further the list of potential concessions approved by the Interagency Committee and to establish peril points for each article included.

The Commission found that of the concessions asked by the EEC, articles having a trade volume of $220 million could not be made the subjects of downward tariff adjustments without causing or threatening to cause serious injury to the domestic industries concerned. Coverage of the EEC request list was thus reduced to $103 million, less than one-fourth of the list. The Commission made the same finding on articles having a trade volume of $113 million among items not on the EEC request list but which the interagency committee had selected in order to strengthen the U.S. negotiating position.

I believe that we must recognize that under the law the Tariff Commission was required to make hasty predictions as to future market conditions for thousands of individual articles. These predictions were necessarily superficial. Even if there had been available, and there was not, a full range of data for production, trade and prices on all these articles, the Commission's task was a highly speculative one. This was particularly true with regard to items exported from the Common Market countries. These countries are going through revolutionary changes in their trade patterns, attendant upon the development of a new internal market of unprecedented proportions. In some cases, products which were previously available for export to other countries will find their future markets within the area. In other cases, products which had not previously been exported will appear as new export specialties.

In this situation, given the tenor of the provisions under which it operated, the Commission understandably resolved any doubts by establishing peril points on the products concerned at the existing tariff level. Peril points were found at the existing rate of duty on a range of articles, for a large number of which the maintenance of existing tariffs clearly was unimportant. In many instances tariff reductions of even a few percentage points were precluded. In others, peril points were found at existing duty levels for specialty commodities not competitive with domestic production. Similarly, peril points at the existing duty level were set for basket categories of many items even though the situation as between items in the category might differ markedly. Tariff reductions were precluded in cases where imports represented only a minor fraction of domestic consumption. The result was to give our delegation at Geneva a very limited bargaining package and minimum room for negotiating maneuver.

It was with many misgivings, therefore, that I had authorized our delegation in Geneva to make a counter offer to the EEC along the lines of the outstanding instruction. This original instruction scrupulously avoided any offers of reductions below peril-point findings of the Tariff Commission.

The response of the EEC was to announce a withdrawal and reconsideration of its offer. The six EEC nations indicated they were not prepared to conclude an agreement on the basis we had proposed and that they would have to withdraw the concessions that had been offered because of the gross disparity between our offers and theirs. It was clear that we were faced with a potentially irretrievable situation. If the EEC had decided to abandon its across-the-board proposal, it would have been necessary to obtain unanimity among the

six member nations to maintain on an item-by-item basis some of the elements of the original offer. This was not possible. To adhere to our original position would have been to reject the EEC proposal.

The loss to our export trade from such a sequence of events would have been substantial, for we stood to gain most from the EEC offer. Far more important would have been the long-term consequences of our action. The EEC necessarily looked to the United States, the world's greatest trading Nation, for a sufficient measure of reciprocity to enable it to carry through its provisional decision to reduce the common external tariff of the Community. If that decision had been withdrawn, the road would been opened wide to the formation of a number of trading blocs in the free world set off from one another by high barriers to trade.

We could not permit this to happen.

Accordingly, after months of negotiation and when no other recourse was available to save the situation, I authorized our Geneva delegation to offer new concessions on a number of items at rates below peril point findings. In selecting these articles, two criteria were used: their potential value in obtaining or maintaining concessions from our negotiating partners, principally the EEC, and the extent of the competitive adjustment likely to be placed on American industry by tariff concessions.

In taking this step, we avoided the collapse of the Geneva talks and we held open the way to a future of economic cooperation, not separation, between the two common markets, the one in Western Europe, the other the United States.

Our action salvaged and revived the Geneva Conference. It did not involve serious competitive risks for American industry. We granted concessions to the EEC at rates below peril points on articles having a 1958 trade value of $76 million. Apart from such concessions to the EEC, we also made concessions of this character to the United Kingdom on items having a trade volume of $7 million. Co-offers of concessions on four items, contingent upon confirmation of the same concessions to the EEC, were made to Norway and/or Sweden. These were in the amount of $437,000.

The total of our concessions, indeed, would not in itself have been sufficient to recover our position. The EEC, however, was acutely aware of the limitations under which the United States was negotiating. Within the Community, the forces favoring a liberal trading policy were greatly strengthened by the evidence that we were serious about bargaining down trade barriers. Once we had made our move, this phase of the negotiations proceeded expeditiously to a conclusion. That conclusion was highly advantageous to the United States.

The EEC maintained most of its across-the-board offers on industrial products. The only significant exception was in the field of chemicals, an area where, because the offers by the United States represented only $24 million of trade, the EEC cut back its offers to the United States from $172 million to $93 million;

The EEC added to its initial offers concessions involving trade of $100 million in the previously excepted agricultural chapters and another $33 million of formerly reserved automobile parts, and on miscellaneous commodities accounting for another $5 million of trade;

Finally, the successful conclusion of the U.S.-EEC negotiations opened the way for negotiations between third countries and the EEC, which had been marking time awaiting their outcome. From the resulting negotiations of others with the EEC, U.S. exports stand to receive substantial additional benefits because of our right to such concessions.

The United States thus can take satisfaction from the outcome of the Geneva negotiations. We advanced our trading interests and we maintained progress toward economic cooperation within the Western World. But these accomplishments were made, in large part, in spite of hampering features of the trade agreements law. And we had the sufferance of our major trading partners.

We cannot be expected to bargain effectively in the future under the limitations of the present law. If we are to lead, as we must, we must have the means for the exercise of leadership. The Trade Expansion Act which I have recommended to the Congress will provide these means.

In an accompanying message, I am reporting to the Congress under section 4(a) of the Trade Agreements Extension Act of 1951 on the disposition of the cases in which the Tariff Commission in 1960 found peril points higher than the existing rate of duty.

JOHN F. KENNEDY.

THE WHITE HOUSE, *March 7, 1962.*

REPORT ON REDUCTIONS MADE AT 1960–62 TARIFF CONFERENCE—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 357)

Mr. MANSFIELD. Mr. President, also on yesterday the President transmitted a message relating to reductions made at the 1960–62 Tariff Conference in excess of peril-point findings. As this message has been read in the House of Representatives, I ask unanimous consent that the message be printed in the RECORD, without reading, and referred to the appropriate committee.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The message was referred to the Committee on Finance, as follows:

To the Congress of the United States:

This report, supplementing my report on reductions made at the 1960–62 Tariff Conference in excess of peril-point findings, is further in compliance with section 4(a) of the Trade Agreements Extension Act of 1951.

During the usual peril-point investigation of the items included in the public notice issued in connection with the negotiations, the Tariff Commission found that the peril point was higher than the present rate on nine widely varied products. The Trade Agreements Extension Act of 1958 provides that in such instances the Tariff Commission must institute an immediate escape-clause investigation with respect to the articles involved. Accordingly, the Commission undertook the required investigations with the following results:

1. On baseball and softball gloves, ceramic mosaic tile, and sheet glass, the Commission recommended to me that existing duties be increased.

2. On tennis rackets and creeping red fescue seed, the Commission terminated the investigations without recommendation.

3. On ultramarine blue, rolled glass, plastic raincoats, and cellulose filaments, the Commission found that increases in the duties were not necessary.

The law provides that, if the President does not negotiate the increase of duty indicated by the Commission's peril-point findings, he shall report his reasons therefore to the Congress.

This is to advise that no such increases in duty were negotiated at the 1960–62 Conference. The recitation of the Tariff Commission's further investigation of these nine cases, as above given, suggests why the negotiation of higher rates was not undertaken. In six of the nine cases the Tariff Commission, upon a fuller study of the facts than had been possible during its peril-point investigation, did not recommend an increase in duty. In the other three, I was not satisfied that all of the applicable facts had been fully canvassed in the Commission's subsequent investigations; consideration of the appropriate rate of duty was consequently still pending as of the time our negotiations at the 1960–61 Conference were being completed. I now have supplementary reports of the Tariff Commission before me. My decision on the three cases is pending.

I append a list defining more precisely the nine commodities mentioned above.

JOHN F. KENNEDY.

THE WHITE HOUSE, *March 7, 1962.*

REPORT OF COMMODITY CREDIT CORPORATION—MESSAGE FROM THE PRESIDENT

The ACTING PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Agriculture and Forestry:

To the Congress of the United States:

In accordance with the provisions of section 13, Public Law 806, 80th Congress, I transmit herewith for the information of the Congress the report of the Commodity Credit Corporation for the fiscal year ended June 30, 1961.

JOHN F. KENNEDY.

THE WHITE HOUSE, *March 8, 1962.*

CHARLES J. UTTERBACK—VETO MESSAGE—LETTER FROM SECRETARY OF SENATE (S. DOC. NO. 78)

The ACTING PRESIDENT pro tempore. The Chair lays before the Senate a letter from the Secretary of the Senate, which the clerk will read.

The legislative clerk read as follows:

U.S. SENATE,
OFFICE OF THE SECRETARY,
March 7, 1962

To the PRESIDENT OF THE SENATE: Attached hereto is a sealed envelope from the President of the United States addressed to the President of the Senate of the United States, said to contain a veto message on the bill (S. 521) for the relief of Charles J. Utterback.

In view of the fact that, as shown by the official records of my office, the 10-day period during which the President, under the Constitution, had to act upon the bill will expire at midnight tonight, and the Senate having adjourned on Monday last until tomorrow, Thursday, March 8, 1962, I received the veto message today at 3:05 p.m., under authority of law and in accordance with the precedents of the Senate.

Respectfully,
FELTON M. JOHNSTON,
Secretary of the Senate.

The Chair laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying bill, referred to the Committee on the Judiciary, and ordered to be printed:

To the Senate:

I am returning, without my approval, S. 521, for the relief of Charles J. Utterback.

The claimant, after two periods of military service and apparently 23 years of Federal civilian service, retired September 30, 1959. He chose this date on advice from his employer that his required 30 years of service would have been completed by that date. Subsequent verification of military service dates revealed that Mr. Utterback actually would not have completed his 30 years of service for optional retirement until October 12, 1959. In view of the administrative error corrective action was taken, as has been done in other cases, to enable him to meet the minimum requirements of optional retirement; Mr. Utterback was granted leave without pay for the period September 30 through October 31, 1959, and his retirement was made effective as of the latter date.

This bill would go beyond this administrative action to give Mr. Utterback approximately $262, a sum of money equal to the amount he would have received as compensation, had he continued in his employment for the 12 days necessary to make him eligible for retirement, apparently on the assumption that he would have wished to remain in pay status until the date of eligibility for optional retirement had he been correctly advised.

I do not believe that the particular circumstances of this case warrant a departure from the general rule that salary should be paid only for periods during which services are performed. The administrative action granting him an extra 30 days of retirement credit seems to me to be adequate recognition of and recompense for the Government's error in this case. This action enabled him to achieve his original objective—an immediate annuity instead of a deferred annuity at age 62—and gave him gratuitous credit for the additional month of service, increasing his annuity by $1 per month for life. To give the claimant pay for service never rendered under these circumstances would grant him a special benefit denied to other similarly situated persons, and would serve as a precedent for other similar proposals.

JOHN F. KENNEDY.

THE WHITE HOUSE, *March 7, 1962.*

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed without amendment the bill (S. 2774) to amend section 8 of the Organic Act of Guam and section 15 of the Revised Organic Act of the Virgin Islands, to provide for appointment of acting secretaries for such territories under certain conditions.

The message also announced that the House had passed the bill (S. 265) to expedite the utilization of television transmission facilities in our public schools and colleges, and in adult training programs, with amendments, in which it requested the concurrence of the Senate; that the House insisted upon its amendments to the bill asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. HARRIS, Mr. ROBERTS of Alabama, Mr. MOULDER, Mr. MOSS, Mr. SPRINGER, Mr. YOUNGER, and Mr. SCHENCK were appointed managers on the part of the House at the conference.

The message further announced that the House had passed the following bills and joint resolution, in which it requested the concurrence of the Senate:

H.R. 1604. An act for the relief of Spencer E. Hewitt;

H.R. 1918. An act for the relief of John D. Morton;

H.R. 3372. An act for the relief of Barbara W. Trousil, Edward G. Trousil, and Robert E. Trousil;

H.R. 3444. An act to approve an order of the Secretary of the Interior adjusting, deferring, and canceling certain irrigation charges against non-Indian-owned lands under the Wind River Indian irrigation project, Wyoming, and for other purposes;

H.R. 4188. An act for the relief of the Clay County Hospital, Brazil, Ind.;

H.R. 4563. An act for the relief of Abraham Gelb;

H.R. 5686. An act for the relief of Mrs. Willie Mae Brown;

H.R. 6076. An act for the relief of Anna Maria Geyer;

H.R. 6272. An act for the relief of Carl D. Soresi;

H.R. 7431. An act to provide for the free entry of certain stained glass for St. Joseph's Cathedral, Hartford, Conn., and for the Church of St. Francis Xavier, of Phoenix, Ariz.;

H.R. 8886. An act for the relief of Thelma E. McClench;

H.R. 8941. An act to authorize acceptance of the gift made to the United States by the will of Esther Cattell Schmitt;

H.R. 9409. An act for the relief of Mrs. Iris Ann Landrum;

H.R. 9612. An act relating to the elections under section 333 of the Internal Revenue Code of 1954 by the shareholders of the G. L. Bernhardt Co., Inc., of Lenoir, N.C.;

H.R. 9753. An act to amend sections 3(7) and 5(b) of the Internal Security Act of 1950, relating to employment of members of Communist organizations in certain defense facilities;

H.R. 9804. An act for the relief of Cuyahoga County, Ohio;

H.R. 10043. An act to amend Public Law 86-272, as amended, with respect to the reporting date;

H.R. 10526. An act making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies for the fiscal year ending June 30, 1963, and for other purposes; and

H.J. Res. 638. Joint resolution for the relief of certain aliens who are serving in the U.S. Armed Forces.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Acting President pro tempore:

S. 201. An act to donate to the Zuni Tribe approximately 610 acres of federally owned land;

S. 1299. An act to amend the act of June 4, 1958 (67 Stat. 41), entitled "An act to authorize the Secretary of the Interior, or his authorized representative, to convey certain school properties to local districts or public agencies";

S. 2774. An act to amend section 8 of the Organic Act of Guam and section 15 of the Revised Organic Act of the Virgin Islands, to provide for appointment of acting secretaries for such territories under certain conditions;

H.R. 2990. An act to confer jurisdiction upon the Court of Claims to determine the claim against the United States of Amis Construction Co. and San Ore Construction Co.;

H.R. 7666. An act to amend section 17(a) of the Revised Organic Act of the Virgin Islands pertaining to the salary of the government comptroller;

H.R. 7855. An act granting the consent of Congress to an amendment to a compact ratified by the States of Louisiana and Texas and relating to the waters of the Sabine River; and

H.R. 10050. An act to provide for a further temporary increase in the public debt limit set forth in the Second Liberty Bond Act.

HOUSE BILLS AND JOINT RESOLUTION REFERRED

The following bills and joint resolution were severally read twice by their titles and referred as indicated:

H.R. 1604. An act for the relief of Spencer E. Hewitt;

H.R. 1918. An act for the relief of John D. Morton;

H.R. 3372. An act for the relief of Barbara W. Trousil, Edward G. Trousil, and Robert E. Trousil;

H.R. 4188. An act for the relief of the Clay County Hospital, Brazil, Ind.;

H.R. 4563. An act for the relief of Abraham Gelb;

H.R. 5686. An act for the relief of Mrs. Willie Mae Brown;

H.R. 6076. An act for the relief of Anna Maria Geyer;

H.R. 6272. An act for the relief of Carl D. Soresi;

H.R. 8886. An act for the relief of Thelma E. McClench;

H.R. 8941. An act to authorize acceptance of the gift made to the United States by the will of Esther Cattell Schmitt;

H.R. 9409. An act for the relief of Mrs. Iris Ann Landrum;

H.R. 9612. An act relating to the elections under section 333 of the Internal Revenue Code of 1954 by the shareholders of the G.L. Bernhardt Co., Inc., of Lenoir, N.C.;

H.R. 9753. An act to amend sections 3(7) and 5(b) of the Internal Security Act of 1950, relating to employment of members of Communist organizations in certain defense facilities;

H.R. 9804. An act for the relief of Cuyahoga County, Ohio; and

H.J. Res. 638. Joint resolution for the relief of certain aliens who are serving in the U.S. Armed Forces; to the Committee on the Judiciary.

H.R. 3444. An act to approve an order of the Secretary of the Interior adjusting, deferring, and canceling certain irrigation charges against non-Indian-owned lands under the Wind River Indian irrigation project, Wyoming, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 7431. An act to provide for the free entry of certain stained glass for St Joseph's Cathedral, Hartford, Conn., and for the Church of St Francis Xavier of Phoenix, Ariz.; and

H.R. 10043. An act to amend Public Law 86-272, as amended, with respect to the reporting date; to the Committee on Finance.

H.R. 10526. An act making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies for the fiscal year ending J—une 30, 1963, and for other purposes; to the Committee on Appropriations.

LIMITATION OF DEBATE DURING MORNING HOUR

On request of Mr. MANSFIELD, and by unanimous consent, it was ordered that statements in connection with the morning hour be limited to 3 minutes.

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Foreign Relations Committee was authorized to meet during the session of the Senate today.

CHANGE IN TIME FOR CONSIDERATION OF D.C. CAPITAL PUNISHMENT BILL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unanimous-consent agreement relative to House bill 5143, the District of Columbia capital punishment bill, for Monday, March 12, be set aside and that, instead, the identical agreement go into effect on Tuesday, March 13, at the conclusion of eulogies for the late Andrew Schoeppel.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE SERVICE

Mr. DIRKSEN. Mr. President, I submit a resolution for which I request immediate consideration.

The ACTING PRESIDENT pro tempore. The resolution will be read.

The resolution (S. Res. 305) was read and, by unanimous consent, was considered and agreed to, as follows:

Resolved, that the Senator from New Hampshire, Mr. COTTON, be and he is hereby assigned to service on the Select Committee on Small Business.

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following communication and letters, which were referred as indicated:

AMENDMENT OF SMALL BUSINESS ACT

A communication from the President of the United States, transmitting a draft of proposed legislation to amend the Small Business Act (with accompanying papers); to the Committee on Banking and Currency.

PROPOSED TRANSFER OF BOATS TO CITY OF SAN LEANDRO, CALIF.

A letter from the Assistant Secretary of the Navy, reporting, pursuant to law, that the Department of the Navy proposes to transfer two surplus boats to the city of San Leandro, Calif.; to the Committee on Armed Services.

PUBLICATION OF NOTICE OF PROPOSED DISPOSITION OF CERTAIN NICKEL

A letter from the Acting Administrator, General Services Administration, transmitting, pursuant to law, a copy of a notice to be published in the Federal Register of a proposed disposition of approximately 10 million pounds of contained nickel plus cobalt in nickel oxide powder now held in the national stockpile (with an accompanying paper); to the Committee on Armed Services.

REPORT ON EXPORT CONTROL

A letter from the Secretary of Commerce, transmitting, pursuant to law, a report on export control, for the fourth quarter of 1961 (with an accompanying report); to the Committee on Banking and Currency.

REPORT OF BOARD OF GOVERNORS OF FEDERAL RESERVE SYSTEM

A letter from the Chairman, Board of Governors of the Federal Reserve System, Washington, D.C., transmitting, pursuant to law, a report of that Board, for the year 1961 (with an accompanying report); to the Committee on Banking and Currency.

AMENDMENT OF ACT RELATING TO SMALL CLAIMS AND CONCILIATION BRANCH IN THE MUNICIPAL COURT FOR THE DISTRICT OF COLUMBIA

A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to amend the act of March 5, 1938, establishing a small claims and conciliation branch in the municipal court for the District of Columbia (with an accompanying paper); to the Committee on the District of Columbia.

REPORT ON OPERATION OF THE TRADE AGREEMENTS PROGRAM

A letter from the Chairman, U.S. Tariff Commission, Washington, D.C., transmitting, pursuant to law, a report on operation of the trade agreements program, for the period July 1959 to June 1960 (with an accompanying report); to the Committee on Finance.

LIBERALIZATION OF LAW RELATING TO ASSIGNMENT OF NATIONAL SERVICE LIFE INSURANCE

A letter from the Administrator of Veterans' Affairs, Veterans' Administration, Washington, D.C., transmitting a draft of proposed legislation to liberalize the provisions of title 38, United States Code, relating to the assignment of national service life insurance (with an accompanying paper); to the Committee on Finance.

AMENDMENT OF UNITED NATIONS PARTICIPATION ACT, AS AMENDED

A letter from the Secretary of State, transmitting a draft of proposed legislation to amend the United Nations Participation Act, as amended, 63 Stat. 734–736 (with an accompanying paper); to the Committee on Foreign Relations.

REPORT OF U.S. GENERAL ACCOUNTING OFFICE

A letter from the Comptroller General of the United States, transmitting, pursuant to law, his report on the activities of the U.S. General Accounting Office, for the fiscal year ended June 30, 1961 (with an accompanying report); to the Committee on Government Operations.

PROPOSED REGULATIONS RELATING TO CAPE COD NATIONAL SEASHORE

A letter from the Secretary of the Interior, transmitting, pursuant to law, proposed regulations relating to Cape Cod National Seashore (with accompanying papers); to the Committee on Interior and Insular Affairs.

RELIEF OF CERTAIN OIL AND GAS LESSEES

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to provide for the relief of certain oil and gas lessees under the Mineral Leasing Act (with an accompanying paper); to the Committee on Interior and Insular Affairs.

ESTIMATES OF COSTS OF PROPOSED FEDERAL SALARY REFORM

A letter from the Chairman, U.S. Civil Service Commission, Washington, D.C., reporting, pursuant to law, on the estimates of costs of the proposed Federal salary reform transmitted with the President's message on February 20, 1962; to the Committee on Post Office and Civil Service.

DISPOSITION OF EXECUTIVE PAPERS

A letter from the Acting Administrator, General Services Administration, Washington, D.C., transmitting, pursuant to law, a report of the Archivist of the United States on a list of papers and documents on the files of several departments and agencies of the Government which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The ACTING PRESIDENT pro tempore appointed Mr. JOHNSTON and Mr. CARLSON members of the committee on the part of the Senate.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the ACTING PRESIDENT pro tempore:

A concurrent resolution of the Legislature of the State of Mississippi; to the Committee on Armed Services:

"SENATE CONCURRENT RESOLUTION 125

"Concurrent resolution of the Legislature of the State of Mississippi memorializing the Congress of the United States to keep the existing 27 armored and infantry divisions and other organizations of the Army National Guard intact and to maintain a National Guard strength ceiling of at least 400,000 officers and men, and to continue to authorize a minimum of 48 armory drills annually

"Whereas in colonial days to the present, the National Guard of the United States, composed of patriotic citizens and soldiers from every State, have performed vital services to the Nation and its people in thousands of emergency situations, including natural disaster in peacetime and the defense of our Nation in time of war and international tension; and

"Whereas a number of National Guardsmen have recently been ordered to active duty in the buildup of the Nation's defense forces; and

"Whereas it is essential to our national welfare and the defense of the Nation that the strength of the National Guard must be maintained in order to provide trained military units to be used with other forces in times of war and international tension and also as a dispersed force in 2,500 communities which can be used immediately as a recovery force should there be nuclear attack; and

"Whereas the Department of Defense has announced a proposed realinement of the Army Reserve troop unit basis which could result in a reduction in the number of organized and trained Army National Guard divisions and reduction of the present strength ceiling of the National Guard; and

"Whereas the Legislature of the State of Missisippi is deeply concerned at the proposals now being made that would reduce the number of National Guard combat divisions and reduce the strength of the National Guard at a time when international tension has necessitated a buildup of our Nation's defenses, and is desirous of expressing its unqualified opposition to such proposals and desires to register the strong support of a realistic program which will retain the existing National Guard combat divisions and strength ceiling: Now, therefore, be it

"*Resolved by the Mississippi State Senate (the House of Representatives concurring therein)*, That the Congress of the United States of America be and is hereby requested to provide for maintaining the current effectiveness of the National Guard of the United States by taking the following actions:

"1. Provide by law for maintaining the National Guard strength at a level of at least 400,000 officers and men, and to appropriate the necessary funds therefor, in order that it may maintain the state of effectiveness consistent with the policies advocated by the Department of Defense.

"2. To make provision for retention of the existing 27 armored and infantry divisions and other organizations of the Army National Guard in the troop allotment, and that any reorganization of the Army National Guard divisions be confined to conversion and augmentation according to the tables of organization for the new division.

"3. To continue to authorize all National Guard organizations to conduct a minimum of 48 armory drills annually; and be it further

"*Resolved*, That the secretary of state be, and is hereby directed to send a duly certified copy of this resolution to the Senate of the United States and another copy to the House of Representatives in the Congress of the United States.

"Adopted by the senate February 19, 1962.

"PAUL B. JOHNSON,
"*President of the Senate.*

"Adopted by the house of representatives, February 21, 1962.

"WALTER SILLERS,
"*Speaker of the House of Representatives.*"

A concurrent resolution of the Legislature of the State of Mississippi; to the Committee on the Judiciary:

"HOUSE CONCURRENT RESOLUTION 35

"Concurrent resolution memorializing Congress to propose a new amendment to the United States Constitution to provide that constitutional amendments rewritten or interpreted by the U.S. Supreme Court in abrogation of the established law of judicial precedents may be nullified by more than 25 percent of the once sovereign States

"Whereas the preamble to the Constitution of the United States expressly provides that 'We, the people of the United States * * * do ordain and establish this Constitution'; and

"Whereas the authors of this great instrument of writing likewise provided for a clear separation of the powers of Government—the executive, judicial, and legislative branches, and that no officer of one branch shall hold an office in the other; and

"Whereas the writers of our basic laws further provided that only the Congress elected by the people would be authorized to enact the laws and to propose all amendments to the Constitution whereby three-fourths of the States shall ratify and approve same before such amendments are inserted in the Constitution; and

"Whereas within the past decade the U.S. Supreme Court has, by judicial decree or fiat, cast aside and nullified many decades of judicial interpretations of our Constitution and laws by some of the most learned, experienced, qualified, and nonpolitical jurists our Nation has ever known; and

"Whereas some of these latter decisions of the U.S. Supreme Court have had the effect of establishing such unprecedented things as Federal electors, Federal school boards, Federal voter registrars, and related usurpations of rights clearly reserved by the people unto the respective States by the 10th amendment to the Constitution, while only giving the Federal Government only such powers necessary for the union of States; and

"Whereas such decisions have 'amended' the Constitution in flagrant violation of article V thereof where three-fourths of the States by their legislatures or conventions called for such purpose; and

"Whereas it appears only fair, equitable, and reasonable that if three-fourths of the States can insert an amendment into the Constitution, then one-fourth plus one of the States should be authorized and empowered through their legislatures elected by the people to prohibit the U.S. Supreme Court or the Congress from inserting such amendments until in full compliance with said article V: Now, therefore, be it

"*Resolved by the House of Representative of the State of Mississippi (the Senate concurring)*, That we do hereby memorialize the Congress of the United States to propose the hereinafter amendment to the Constitution in the form, manner, and time provided by the Constitution and Federal statutes:

"'Article—

"'SECTION 1. Where the legislatures of over one-fourth of the several States conclude that a U.S. Supreme Court decision has transferred powers not authorized by the Constitution of the United States and where said decision transfers powers from the several States to the Federal Government, said decision shall, upon the application and request of the legislatures of over one-fourth of the several States, be invalid until subsequently approved by the legislatures of three-fourths of the several States: *Provided, however*, That said application and request shall be made within 3 years after the date of said decision.

"'SEC. 2. All provisions of article V of the Constitution of the United States that conflict with this amendment are hereby repealed'; and be it further

"*Resolved*, That copies of this resolution shall be sent by the secretary of state to the Governors and presiding officers of the legislatures of the several States, the President of the United States, the President of the U.S. Senate, the Speaker of the U.S House of Representatives, and to each Member of the U.S. Congress from the State of Mississippi.

"Adopted by the house of representatives February 21, 1962.

"WALTER SILLERS,
"*Speaker of the House of Representatives.*

"Adopted by the Senate February 22, 1962

"PAUL B. JOHNSON,
"*President of the Senate.*"

ESTABLISHMENT OF A DEPARTMENT OF URBAN AFFAIRS

The ACTING PRESIDENT pro tempore laid before the Senate resolutions of the House of Representatives of the Commonwealth of Massachusetts favoring the establishment of a Department of Urban Affairs, which was referred to the Committee on Government Operations.

(See the above resolutions printed in full when presented by Mr. SALTONSTALL (for himself and Mr. SMITH of Massachusetts) on March 5, 1962, p. 3323 CONGRESSIONAL RECORD.)

PROPOSED DEPARTMENT OF URBAN AFFAIRS—RESOLUTION

The ACTING PRESIDENT pro tempore laid before the Senate a resolution of the Common Council of the City of Buffalo, N.Y., favoring the creation of a Department of Urban Affairs and Housing, which was referred to the Committee on Government Operations, and ordered to be printed in the RECORD, as follows:

Whereas, President Kennedy has submitted to Congress Reorganization Plan No. 1 of 1962 which includes the creation of a Cabinet post to deal with urban affairs and housing; and

Whereas more than two-thirds of our population reside in the cities and their suburbs and the urban population is rapidly increasing by approximately 3 million annually; and

Whereas the present and future problems of our cities are manifold, complex, and greatly specialized; and

Whereas it is most desirable that decent homes and proper environment be provided for all families; and

Whereas the cost of rebuilding and rehabilitating our cities is beyond the limited facilities which our cities are able to provide; and

Whereas strong, vigorous, vibrant, and progressive cities reflect a strong, united America in the eyes of the world; and

Whereas cities such as Buffalo are vitally concerned with their future as well as the future of America; and

Whereas the future of urban America would be greatly advanced by the creation of a Cabinet position dealing with urban affairs and housing which could adequately cope with the ever-growing problems confronting cities and assist the cities in the elimination of blight and deterioration: Now be it

Resolved, That the Congress of the United States be and it is hereby memorialized by the Common Council of the City of Buffalo to enact the necessary legislation required for the creation of a Cabinet post pertaining to urban affairs and housing; and be it further

Resolved, That the city clerk, the clerk of the common council, forward a certified copy of this memorialization to the Vice President, the Speaker of the House of Representatives, Senators KEATING and JAVITS and Congressmen DULSKI, PILLION, and MILLER of New York.

RESOLUTION OF RHODE ISLAND GENERAL ASSEMBLY

Mr. PASTORE. Mr. President, on behalf of my colleague, the junior Senator from Rhode Island [Mr. PELL], and myself, I present a resolution recently adopted by the General Assembly of the State of Rhode Island and ask that it be appropriately referred.

This resolution memorializes the Senate of the United States to expedite the passage of the northeastern water and related land resources compact.

There being no objection, the resolution was referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

SENATE RESOLUTION 288

Resolution memorializing the Senate of the United States to expedite the passage of the northeastern water and related land resources compact

Whereas joint Federal-State action in the planning of water resources development is highly desirable, as Congress has recognized in approving the Delaware River Basin compact; and

Whereas the northeastern water and related land resources compact, which has been enacted by Connecticut, Massachusetts, New Hampshire, and Rhode Island, and approved by the House of Representatives, would permit such joint planning for development of the water resources of New England: Now, therefore, be it

Resolved, That the General Assembly of the State of Rhode Island expresses its strong support for the northeastern water and related land resources compact and urges prompt action by the U.S. Senate to complete passage of the consent legislation for this compact by enacting either H.R. 30 or S. 374; and, be it further

Resolved, That copies of this resolution be sent to the Senators from Rhode Island urging that they give every effort to effect the early passage of this consent legislation so important to the New England States.

CONCURRENT RESOLUTION OF SOUTH CAROLINA HOUSE OF REPRESENTATIVES

Mr. JOHNSTON. Mr. President, I present a concurrent resolution of the General Assembly of South Carolina on behalf of my colleague, the junior Senator from South Carolina [Mr. THURMOND] and myself, urging the U.S. Weather Bureau of the U.S. Department of Commerce to extend its weather reporting service in South Carolina; especially where such weather information will benefit agriculture of the State.

I ask unanimous consent that the concurrent resolution be printed in the RECORD.

There being no objection, the concurrent resolution was referred to the Committee on Commerce, as follows:

RESOLUTION URGING THE U.S. WEATHER BUREAU OF THE U.S. DEPARTMENT OF COMMERCE TO EXTEND ITS WEATHER REPORTING SERVICE IN SOUTH CAROLINA; ESPECIALLY WHERE SUCH WEATHER INFORMATION WILL BENEFIT AGRICULTURE OF THE STATE

Whereas South Carolina, with a long growing season, suitable soils, and adequate rainfall, produces a number of both food and fiber crops; and

Whereas some of these crops and especially vegetable and fruit crops are often adversely affected by unexpected sudden changes in weather; and

Whereas the U.S. Weather Bureau has initiated a pilot program of agricultural weather reporting in the Mississippi Delta area which meets with decided approval of the farmers of that State; and

Whereas such a program in South Carolina would be of immeasurable benefit to the agriculture of this State; and

Whereas the pilot project in Mississippi is supported by funds appropriated to the Weather Bureau service; and

Whereas, Clemson College, the State department of agriculture, the State law enforcement division, the Farm Bureau, and the Grange have had an opportunity to discuss and review, with local Weather Bureau services, the beneficial possibility to South Carolina's agriculture; and

Whereas subsequent studies by the mentioned State agencies and organizations have had favorable recognition by the U.S. Weather Bureau service; and

Whereas there is indication that South Carolina could be fortunate in obtaining this special weather service for the farmers of the State: Now, therefore, be it

Resolved by the House of Representatives of the State of South Carolina, That the House of Representatives of South Carolina does herewith urge the U.S. Weather Bureau, U.S. Department of Commerce, to conduct studies with South Carolina State agencies and organizations, toward initiating an agricultural statewide weather reporting system similar to the pilot system now in operation in the Mississippi Delta area; and be it further

Resolved, That copies of this resolution be sent to the U.S. Weather Bureau, U.S. Department of Commerce, the South Carolina Members of the Congress of the United States, Clemson Agricultural College, and the Commissioner of Agriculture.

MEDICAL AID FOR THE AGED—RESOLUTION

Mr. JAVITS. Mr. President, I ask unanimous consent to have printed in the RECORD a resolution adopted by the Common Council of the City of Buffalo, N.Y., relating to medical care for the aged.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Whereas the life expectancy of our people has increased over the years; and

Whereas an increasing proportion of our population is in the age bracket of upward of 60; and

Whereas many of our senior citizens have had their incomes curtailed by reason of their advancing age; and

Whereas many are required to maintain themselves on pensions, social security payments and other limited income sources and thereby are not in a position to obtain adequate and proper medical care which they require because of their advancing age and as a result of their limited income are obliged to endure unnecessary suffering and the hastening of their demise; and

Whereas a serious illness may require them to pay all of their life's earnings and savings and thus place them in a position where public assistance would be required to maintain them for their remaining days; and

Whereas the elderly have earned and are deserving of a program which would provide for low-cost medical and hospital attention and such program may be best provided by a Government-supported medical insurance plan: Now, therefore, be it

Resolved, that the Common Council of the City of Buffalo express its approval of such legislation and request the House of Representatives Ways and Means Committee and the Senate Finance Committee to permit President Kennedy's plan for medical care for the aged under social security to be brought to the floor of the Senate and House of Representatives for a vote; and be it further

Resolved, that a certified copy of this resolution be sent to the city clerk, the clerk of the common council, to the chairman of the Senate Finance Committee and the chairman of the House Ways and Means Committee, as well as to Senators JAVITS and KEATING and Congressman DULSKI, PILLION, and MILLER of New York.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. EASTLAND, from the Committee on the Judiciary, without amendment:

S. 508. A bill for the relief of John E. Beaman and Adelaide K. Beaman (Rept. No. 1259);

S. 1180. A bill for the relief of Carlos Teodoro Trevino Sanchez (Rept. No. 1228);

S. 1962. A bill for the relief of Kenneth David Wooden (Rept. No. 1229);

S. 2003. A bill for the relief of Domenico Martino (Rept. No. 1230);

S. 2099. A bill for the relief of Tina Jane Beland (Rept. No. 1231);

S. 2147. A bill for the relief of Felipe O. Pagdilao (Rept. No. 1232);

S. 2151. A bill for the relief of Harvey Burstein (Rept. No. 1260);

S. 2186. A bill for the relief of Manuel Arranz Rodriguez (Rept. No. 1233);

S. 2232. A bill for the relief of Wong Gee Wong (Rept. No. 1234);

S. 2243. A bill for the relief of Lee R. Garcia, also known as Lino Rios Garcia (Rept. No. 1235);

S. 2284. A bill for the relief of Robert Rabin (Kazuo Inoue) (Rept. No. 1236);

S. 2300. A bill for the relief of Byron Wong (Rept. No. 1237);

S. 2736. A bill for the relief of Arie Abramovich (Rept. No. 1238);

H.R. 1361. An act for the relief of James M. Norman (Rept. No. 1264);

H.R. 1492. An act for the relief of Ernest John Large (Rept. No. 1265);

H.R. 2180. An act for the relief of Eugene C. Harter (Rept. No. 1266);

H.R. 3376. An act for the relief of George A. McDermott (Rept. No. 1267);

H.R. 6216. An act for the relief of Theodore T. Reilmann (Rept. No. 1268);

H.R. 7676. An act for the relief of George W. Ross, Jr. (Rept. No. 1269);

H.R. 8780. An act for the relief of Dr. Carl F. Romney (Rept. No. 1270);

H.R. 8781. An act for the relief of Walter Singlevich (Rept. No. 1271); and

H.R. 8947. An act for the relief of Harry A. Sebert (Rept. No. 1272).

By Mr. EASTLAND, from the Committee on the Judiciary, with an amendment:

S. 273. A bill for the relief of Hratch Samuel Arukian (Rept. No. 1254);

S. 315. A bill for the relief of Dr. Ting-Wa Wong (Rept. No. 1239);

S. 317. A bill for the relief of Marija Gruskovnjak (Rept. No. 1240);

S. 732. A bill for the relief of Yick Yuen Lee (Rept. No. 1241);

S. 1630. A bill for the relief of Rudolph Ambra (Rept. No. 1242);

S. 1915. A bill for the relief of Orsolina Cianfione Iallonardo (Rept. No. 1243);

S. 1937. A bill for the relief of Michele Emilio Maffeo (Rept. No. 1244);

S. 1943. A bill for the relief of Hajime Sumitani (Rept. No. 1245);

S. 2167. A bill for the relief of Aniela Wojtowicz (Rept. No. 1246);

S. 2184. A bill for the relief of Mrs. Heghine Tomassian (Rept. No. 1247);

S. 2203. A bill for the relief of Jozef Budny (Rept. No. 1248);

S. 2276. A bill for the relief of James Takeo Migo (Rept. No. 1249);

S. 2339. A bill for the relief of George Ross Hutchins (Rept. No. 1250);

S. 2340. A bill for the relief of Shunichi Aikawa (Rept. No. 1251);

S. 2389. A bill for the relief of Maria Carmine Conti (Rept. No. 1292);

S. 2418. A bill for the relief of Elaine Rozin Recanati (Rept. No. 1253);

S. 2549. A bill for the relief of Edward L. Wertheim (Rept. No. 1261); and

H.R. 3008. An act for the relief of Hom Hong Hing, also known as Tommy Joe (Rept. No. 1258).

By Mr. EASTLAND, from the Committee on the Judiciary, with amendments:

S. 17. A bill conferring jurisdiction on the Court of Claims to make findings with respect to the amount of compensation to which certain individuals are entitled as reimbursement for damages sustained by them as a result of the cancellation of their grazing permits by the U.S. Air Force, and to provide for payments of amounts so determined to such individuals (Rept. No. 1262);

S. 704. A bill for the relief of Marlys E. Tedin (Rept. No. 1263);

S. 2011. A bill for the relief of Nina Longfield-Smith (Rept. No. 1255);

S. 2461. A bill for the relief of Wahidi Romanos Jarlash (also known as Waheeda Bachus Romanos) (Rept. No. 1256); and

S. 2562. A bill for the relief of Sally Ann Barnette (Rept. No. 1257).

By Mr. HRUSKA, from the Committee on the Judiciary, without amendment:

H.R. 1961. An act to amend sections 1, 17a, 57j, 64a (5), 67b, 67c, and 70c of the Bankruptcy Act, and for other purposes (Rept. No. 1273); and

H.R. 4473. An act to amend the Bankruptcy Act with respect to limiting the priority and nondischargeability of taxes in bankruptcy (Rept. No. 1274).

By Mr. KEATING, from the Committee on the Judiciary, without amendment:

S. 505. A bill for the relief of Seymour Robertson (Rept. No. 1275).

By Mr. ERVIN, from the Committee on the Judiciary, without amendment:

S.J. Res. 147. Joint resolution providing for the establishment of the North Carolina Tercentenary Celebration Commission to formulate and implement plans to commemorate the 300th anniversary of the State of North Carolina, and for other purposes (Rept. No. 1276).

TESTIMONY BY CHIEF COUNSEL OF SENATE SUBCOMMITTEE ON INTERNAL SECURITY—UNITED STATES AGAINST HOFFA—REPORT OF A COMMITTEE

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 306) to authorize Jullen G. Sourwine, chief counsel of the Subcommittee on Internal Security of the Committee on the Judiciary to testify and produce certain papers in the Federal court in the case of United States against James R. Hoffa and Robert E. McCarthy, Jr., which was considered and agreed to, as follows:

Whereas, in the case of United States of America, plaintiff, versus James R. Hoffa and Robert E. McCarthy, Jr., defendants, Criminal Action Numbered 1282-61, pending in the District Court of the United States for the Southern District of Florida, Orlando Division, a subpoena ad testificandum and duces tecum was issued upon the application of the Defendant, James R. Hoffa, and addressed to Jullen G. Sourwine, who is chief counsel of the Senate Internal Security Subcommittee of the Committee on the Judiciary, directing him to appear as a witness before the said court on the 12th day of March 1962 at 10 o'clock antemeridian and to give testimony in the above entitled cause, and to bring with him copies of the subpoenas to James R. Hoffa and transcript of testimony of James R. Hoffa before the Senate Internal Security Subcommittee, said papers being in the possession of and under the control of the Senate of the United States: Therefore be it

Resolved, That by the privileges of the Senate of the United States no evidence under the control and in the possession of the Senate of the United States can, by the mandate of process of the ordinary courts of justice, be taken from such control or possession, but by its permission; be it further

Resolved, That when it appears by the order of the court or of the judge thereof, or of any legal officer charged with the administration of the orders of such court or judge, that testimony of an employee of the Senate of the United States is needful for use in any court of justice or before any judge or such legal officer for the promotion of justice and, further, such testimony may involve documents, communications, conversations, and matters related thereto under the control of or in the possession of the Senate of the United States, the Senate of the United States will take such order thereon as will promote the ends of justice consistently with the privileges and rights of the Senate; be it further

Resolved, That Jullen G. Sourwine, chief counsel, Senate Internal Security Subcommittee of the Committee on the Judiciary, be authorized to appear at the place and before the court named in the subpoena duces tecum before mentioned, but shall not take with him any papers or documents on file in his office or under his control or in his possession as chief counsel of the Senate Internal Security Subcommittee of the Committee on the Judiciary; be it further

Resolved, That when said court determines that any of the documents, papers, communications, and memoranda called for in the subpoena duces tecum have become part of the official transcripts of public proceedings of the Senate by virtue of their inclusion in the official minutes and official transcripts of such proceedings for dissemination to the public upon order of the Senate or pursuant to the Rules of the Senate, and, further, that such documents, papers, communications, and memoranda are material and relevant to the issues pending before said court, then the said court, through any of its officers or agents, have full permission to attend with all proper parties to the proceeding, and then always at any place under the orders and control of the Senate, and take copies of such documents, papers, communications, and memoranda in possession or control of said Jullen G. Sourwine which the court has found to be part of the official transcripts of public proceedings of the Senate by virtue of their inclusion in the official minutes and official transcripts of such proceedings for dissemination to the public upon order of the Senate or pursuant to the Rules of the Senate, and which the court has found are material and relevant to the issues pending before said court, excepting any other documents, papers, communications, and memoranda (including, but not limited to, minutes and transcripts of executive sessions and any evidence of witnesses in respect thereto) which the court or other proper officer thereof shall desire as such matters are within the privileges of the Senate; be it further

Resolved, That Jullen G. Sourwine, chief counsel of the United States Senate Internal Security Subcommittee of the Committee on the Judiciary, in response to the aforementioned subpoena, shall testify to any matter determined by the court to be material and relevant for the purposes of identification of any document or documents provided said document or documents have previously been made available to the general public; but said Jullen G. Sourwine shall respectfully decline to testify concerning any and all other matters that may be based on knowledge acquired by him in his official capacity, either by reason of documents and papers appearing in the files of said subcommittee or by virtue of conversations or communications with any person or persons, and he shall respectfully decline to testify respecting any matter or matters falling within the privilege of the attorney-client relationship existing between said Jullen G. Sourwine and the said Subcommittee or any of its members; and be it further

Resolved, That a copy of this resolution be transmitted to the said court as a respectful answer to the subpoena aforementioned.

WITNESSES IN CERTAIN COURT PROCEEDINGS—REPORT OF A COMMITTEE

Mr. McCLELLAN, from the Committee on Government Operations, reported an original resolution (S. Res. 307) relative to the appearance of Senator McCLELLAN, of Arkansas, and certain other Senate employees to appear as witnesses in certain court proceedings, which was considered and agreed to.

(See the above resolution printed in full when reported by Mr. McCLELLAN, which appears under a separate heading.)

REPORTS OF COMMITTEES CONCERNING UTILIZATION OF FOREIGN CURRENCIES AND U.S. DOLLARS

Mr. HAYDEN. Mr. President, in accordance with the Mutual Security Act of 1954, as amended, I ask unanimous consent to have printed in the RECORD the reports of the Committee on Banking and Currency and the Committee on Rules and Administration concerning the foreign currencies and U.S. dollars utilized by those committees in 1961 in connection with foreign travel.

There being no objection, the reports were ordered to be printed in the RECORD, as follows:

Report of expenditure of foreign currencies and appropriated funds, Committee on Banking and Currency, U.S. Senate, expended between Jan. 1 and Dec. 31, 1961

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Edward V. Long:											
Germany	Mark	1,044.60	261.15	642.50	160.62	8,387.99	2,102.05	278.76	69.69	2,291.26	2,593.51
Austria	Shilling	6,022.64	231.64	4,268.20	165.20	156.00	60.00	1,388.72	53.22	13,261.56	510.06
Greece	Drachma	2,645.00	88.16	2,700.00	90.00	750.00	25.00	1,010.00	33.65	7,105.00	236.81
Turkey	Lire	655.50	72.21	689.00	76.51	200.00	22.20	330.00	16.60	1,874.50	187.52
Iran	Rial	3,300.00	43.42	2,936.00	38.63	1,520.00	20.00	1,672.00	22.00	9,428.00	124.05
India	Rupee	592.83	126.13	274.82	58.33	370.00	79.37	171.73	36.27	1,415.47	300.10
Thailand	Baht	1,320.00	63.32	1,085.00	52.04			150.00	7.18	2,555.00	122.54
Hong Kong	Dollar	720.00	126.30	644.00	113.00	401.50	70.44	425.00	74.56	2,190.50	384.30
Japan	Yen	764.98	212.50	658.08	182.80	270.00	114.00	108.00	62.23	1,801.06	571.53
Italy	Lire	596.16	96.00	621.00	100.00	248.40	40.00	155.25	25.00	1,620.81	261.00
France	New franc	1,044.19	213.10	309.68	63.20	98.00	20.00	98.00	20.00	1,549.87	316.30
Spain	Peseta	2,430.00	40.50	3,600.00	60.00	2,700.00	45.00	1,500.00	25.00	10,230.00	170.50
Subtotal			1,574.43		1,160.33		2,598.06		445.40		5,778.22
Senator Joseph S. Clark:											
Austria	Schilling	1419.40	55.18							1,419.40	55.18
Germany	Deutsche mark					2,531.31	589.30			2,531.31	589.30
Subtotal			55.18				589.30				644.48
Grand total			1,629.61		1,160.33		3,187.36		445.40		6,422.70

*If foreign currency is used, enter U.S. $ equivalent; if U.S. currency is used, enter amount expended.

RECAPITULATION

	Amount
Foreign currency (U.S. dollar equivalent)	$6,422.70

A. WILLIS ROBERTSON,
Chairman, Committee on Banking and Currency.

MAR. 2, 1962.

Report of expenditure of foreign currencies and appropriated funds, Committee on Rules and Administration, U.S. Senate, expended between Jan. 1 and Dec. 31, 1961

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Francis R. Valeo:											
Hong Kong	Hong Kong dollar			65.00	11.28					65.00	11.28
India	Rupee			92.50	19.47					92.50	19.47
Mexico	Peso			604.00	47.35	274.50	22.98	219.00	17.58	1,098.00	87.91
Pakistan	Rupee			44.00	9.32					44.00	9.32
Thailand	Baht			492.25	23.44					492.25	23.44
Vietnam	Vietnam dollar			1,300.00	7.57					1,300.00	7.57
Brazil	Cruzeiro	20,520.00	57.00	60,400.00	167.70	226,775.00	630.00	13,080.00	36.30	320,775.00	891.00
Total			57.00		286.43		652.98		53.88		1,050.29

RECAPITULATION

	Amount
Foreign currency (U.S. dollar equivalent)	$1,050.29

MIKE MANSFIELD,
Chairman, Committee on Rules and Administration.

FEB. 28, 1962.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. EASTLAND, from the Committee on the Judiciary:

Cornelius J. McQuade, of West Virginia, to be U.S. marshal for the southern district of West Virginia;

Antonio C. Baza, of Guam, to be U.S. marshal for the district of Guam;

Vance W. Collins, of Kansas, to be U.S. marshal for the district of Kansas;

Leo A. Mault, of New Jersey, to be U.S. marshal for the district of New Jersey;

Edward L. Shaheen, of Louisiana, to be U.S. attorney for the western district of Louisiana; and

Alvin Grossman, of New York, to be U.S. marshal for the western district of New York.

By Mr. HILL, from the Committee on Labor and Public Welfare:

Carleton R. Dean, and sundry other candidates, for personnel action in Regular Corps of the Public Health Service; and

William Y. Chen, and sundry other candidates, for personnel action in the Regular Corps of the Public Health Service.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. DIRKSEN:

S. 2942. A bill for the relief of Ralph E. Westerman; to the Committee on the Judiciary.

By Mr. CURTIS:

S. 2943. A bill to amend section 309(a)(1)(B) of the Tariff Act of 1930, as amended; to the Committee on Finance.

By Mr SMATHERS:

S. 2944. A bill to authorize the disposal of surplus equipment, materials, books, and supplies under section 203(j) of the Federal Property and Administrative Services Act of 1949 to the Florida Sheriffs Boys' Ranch; to the Committee on Government Operations.

By Mr. SMATHERS (for himself and Mr. HOLLAND):

S. 2945. A bill to amend the National Aeronautics and Space Act of 1958, as amended, and for other purposes; to the Committee on Aeronautical and Space Sciences.

By Mr. WILLIAMS of New Jersey:

S. 2946. A bill to increase the open-space grant authority under title VII of the Housing Act of 1961; to the Committee on Banking and Currency.

(See the remarks of Mr. WILLIAMS of New Jersey, when he introduced the above bill, which appear under a separate heading.)

By Mr. EASTLAND:

S. 2947. A bill to repeal subsection (d) of section 2388 of title 18 of the United States Code;

S. 2948. A bill to provide for the disbursing of judiciary funds; and

S. 2949. A bill to amend sections 1821 and 1825 of title 28, United States Code, to increase the per diem, mileage, and subsistence allowances of witnesses, and for other purposes; to the Committee on the Judiciary.

By Mr. BEALL:

S. 2950. A bill for the relief of Dwijendra Kumar Misra; and

S. 2951. A bill for the relief of Wah Lee; to the Committee on the Judiciary.

By Mr. BIBLE (for himself and Mr. SYMINGTON):

S. 2952. A bill to authorize the coinage of 50-cent pieces in commemoration of the first U.S.-manned vehicle orbital flight around the earth; to the Committee on Banking and Currency.

(See the remarks of Mr. BIBLE when he introduced the above bill, which appear under a separate heading.)

By Mr. KEATING:

S. 2953. A bill relating to the tax exempt status of the pension plan of Local Union No. 435 of the International Hod Carriers' Building and Common Laborers' Union of America; to the Committee on the Judiciary.

By Mr. TOWER (by request):

S. 2954. A bill to incorporate the Federal Dental Services Officer's Association; to the Committee on the Judiciary.

By Mr. HAYDEN (for himself, Mr. GOLDWATER, Mr. CHAVEZ, Mr. ANDERSON, Mr. YARBOROUGH, and Mr. TOWER):

S. 2955. A bill to facilitate the sale and disposal of Government stocks of extra long staple cotton; to the Committee on Agriculture and Forestry.

By Mr. JAVITS:

S. 2956. A bill to provide for the admission of certain aliens; to the Committee on the Judiciary.

(See the remarks of Mr. JAVITS when he introduced the above bill, which appear under a separate heading.)

By Mr. JAVITS (for himself and Mr. KEATING):

S. 2957. A bill to provide for the acquisition and preservation of the real property known as the Ansley Wilcox House in Buffalo, N.Y., as a national historic site; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. JAVITS when he introduced the above bill, which appear under a separate heading.)

By Mr. SMITH of Massachusetts:

S. 2958. A bill for the relief of Emanuel Stassinos; and

S. 2959. A bill for the relief of Dr. Catello Tilio Scarano; to the Committee on the Judiciary.

By Mr. CAPEHART:

S. 2960. A bill to incorporate the National Society of the Union, 1861–65; to the Committee on the Judiciary.

(See the remarks of Mr. CAPEHART when he introduced the above bill, which appear under a separate heading.)

By Mr. ALLOTT (for himself and Mr. CARROLL):

S. 2961. A bill to provide for the free entry of a microcalorimeter for the use of the University of Colorado, Office of Research Services, Boulder, Colo.; to the Committee on Finance.

By Mr. CARROLL:

S. 2963. A bill for the relief of Byung Yong Cho (Alan Cho Gardner) and Moonee Chol (Charlie Gardner); to the Committee on the Judiciary.

By Mr. MAGNUSON (by request):

S. 2963. A bill to amend the Interstate Commerce Act, with respect to recovery of a reasonable attorney's fee in case of successful maintenance of an action for recovery of damages sustained in transportation of property; and

S. 2964. A bill to amend paragraph (4) of section 15 of the Interstate Commerce Act; to the Committee on Commerce.

(See the remarks of Mr. MAGNUSON when he introduced the above bills, which appear under separate headings.)

By Mr CLARK:

S. 2965. A bill to provide standby authority to accelerate public works programs of the Federal Government and State and local public bodies; to the Committee on Public Works.

(See the remarks of Mr. CLARK when he introduced the above bill, which appear under a separate heading.)

By Mr. HICKEY (for himself and Mr. MCGEE):

S.J. Res. 168. Joint resolution to cancel any unpaid reimbursable construction costs of the Wind River irrigation project, Wyoming, chargeable against certain non-Indian lands; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. HICKEY when he introduced the above joint resolution, which appear under a separate heading.)

CONCURRENT RESOLUTIONS

COMMEMORATION OF 25TH ANNIVERSARY OF ESTABLISHMENT OF SOIL CONSERVATION DISTRICTS

Mr. FULBRIGHT (for himself, Mr. MCCLELLAN, Mr. ERVIN, and Mr. JORDAN) submitted the following concurrent resolution (S. Con. Res. 62); which was referred to the Committee on the Judiciary:

Whereas the strength of a community and of a nation lies largely in its agricultural base; and

Whereas in the twenty-five years since the first State soil conservation district law was passed in Arkansas and the first soil conservation district was chartered in Anson County, North Carolina, on August 4, 1937 (known then, and still known, as the Brown Creek Soil Conservation District), the soil conservation districts, local units of State government, have worked and will continue to work steadily to improve and safeguard the productive croplands, the waters available for agriculture, and the grasslands, woodlands, and wildlife; and

Whereas State conservation districts in all States (now numbering two thousand nine hundred and encompassing 96 per centum of all the agricultural land) by providing a means for concerted effort to control soil erosion, save water, and husband soil fertility, have been instrumental in increasing the efficiency of farming and permitting land-use changes much needed for a permanently safe and productive agriculture: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress hereby acknowledges the debt owed the soil conservation districts, expresses its appreciation of, its gratitude to, and its pride in these districts which are the custodians of the Nation's agricultural lands, and extends its congratulations to the fifteen thousand nonsalaried supervisors, commissioners, and directors of soil conservation districts and the thousands of their predecessors who pioneered in this remarkable demonstration of self-government and grassroots democracy.

SUPPRESSION OF FREEDOM IN THE BALTIC STATES

Mr. LAUSCHE submitted the following concurrent resolution (S. Con. Res. 63); which was referred to the Committee on Foreign Relations:

Whereas the Soviet Union has occupied, by force of arms, the countries of Lithuania, Latvia, and Estonia, and deprived such countries of their independence; and

Whereas an unparalleled system of political oppression and tyranny has been established in such countries; and

Whereas, by deportations and dispersion of the native population to the wastes of Siberia, and by mass colonization, the Soviet Union threatens complete extermination of these peoples; and

Whereas, despite such treatment, the spirit of the citizens of such countries is not broken and they remain overwhelmingly anti-Communist; and

Whereas the desire of the citizens of such countries for national freedom remains unabated; and

Whereas the United States of America has never recognized the occupation of the Baltic States and their incorporation into the Union of Soviet Socialist Republics and continues to maintain diplomatic relations with representatives of the former free governments of these countries; and

Whereas there exists a strong and undivided world opinion to eliminate all remnants of imperialism and colonialism: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the President is hereby requested to take such action as may be necessary to bring before the United Nations for its consideration the question of the suppression of freedom in the Baltic States, and a resolution declaring that—

(a) the Soviet Union shall withdraw all Soviet troops, agents, colonists, and controls from the Baltic States;

(b) the Soviet Union shall return all citizens of the Baltic States to their homelands from places of deportation in Siberia, and dispersion in prisons and slave labor camps;

(c) persons guilty of crimes against the peoples of the Baltic States be punished; and

(d) the United Nations should conduct free elections in Lithuania, Latvia, and Estonia under the direct supervision of the United Nations to establish as quickly as possible legal democratic government for those countries.

RESOLUTIONS

COMMITTEE SERVICE

Mr. DIRKSEN submitted an original resolution (S. Res. 305) relating to committee service of the Senator from New Hampshire [Mr. COTTON] which was considered and agreed to.

(See the above resolution printed in full when submitted by Mr. DIRKSEN, which appears under a separate heading.)

TESTIMONY BY CHIEF COUNSEL OF SENATE SUBCOMMITTEE ON INTERNAL SECURITY—UNITED STATES AGAINST HOFFA

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 306) to authorize Julien G. Sourwine, chief counsel of the Subcommittee on Internal Security of the Committee on the Judiciary to testify and produce certain papers in the Federal court in the case of United States against James R. Hoffa and Robert E. McCarthy, Jr., which was considered and agreed to.

(See the above resolution printed in full when reported by Mr. EASTLAND, which appears under a separate heading.)

WITNESSES IN CERTAIN COURT PROCEEDINGS

Mr. MCCLELLAN, from the Committee on Government Operations, reported an original resolution (S. Res. 307) relative to the appearance of Senator MCCLELLAN of Arkansas, and certain other Senate employees to appear as witnesses in certain court proceedings, which was considered and agreed to.

(See the above resolution printed in full when reported by Mr. MCCLELLAN, which appears under a separate heading.)

TO PRINT A SURVEY OF TRADE RELATIONS BETWEEN THE UNITED STATES AND THE COMMON MARKET

Mr. KEATING submitted the following resolution (S. Res. 308); which was referred to the Committee on Rules and Administration:

Resolved, That there be printed as a Senate document a survey of trade relations between the United States and the Common Market compiled by Senator KENNETH B. KEATING.

MINORITY RIGHTS

Mr. PROUTY submitted a resolution (S. Res. 309) providing for minority rights, which was referred to the Committee on Rules and Administration.

See the above resolution printed in full when submitted by Mr. PROUTY, which appears under a separate heading.)

PRINTING OF ADDITIONAL COPIES OF PART 1 OF HEARINGS ENTITLED "RETIREMENT INCOME OF THE AGING"

Mr. MCNAMARA submitted the following resolution (S. Res. 310); which was referred to the Committee on Rules and Administration:

Resolved, That there be printed for the use of the Special Committee on Aging two thousand five hundred additional copies of part 1 of its hearings entitled "Retirement Income of the Aging," held by the special committee during the Eighty-seventh Congress, first session.

OPEN SPACE AND URBAN DEVELOPMENT

Mr. WILLIAMS of New Jersey. Mr. President, I introduce, for appropriate reference, a bill to increase by $50 million the open-space grant authority under title VII of the Housing Act of 1961. This increase is in accord with the President's budget request for the open-space program this year.

When the President took office last year, he stated to Congress in his housing message:

> Land is the most precious resource of the metropolitan area. The present patterns of haphazard suburban development are contributing to a tragic waste in the use of a vital resource now being consumed at an alarming rate. Open space must be reserved to provide parks and recreation, conserve water and other natural resources, prevent building in undesirable locations, prevent erosion and floods, and avoid the wasteful extension of public services.

In response, Congress enacted as title VII of the Housing Act of 1961 an open-space program providing $50 million in grants to share 20 and in some cases 30 percent of the cost of acquiring and preserving open-space land in and around urban areas by State and local governments. I was pleased to have sponsored the original legislation last year.

The purpose of the program, as the declaration of purpose indicates, is varied:

> To help curb urban sprawl and prevent the spread of urban blight and deterioration, to encourage more economic and desirable urban development, and to help provide necessary recreational, conservation, and scenic areas essential to the proper long-range development and welfare of the Nation's urban areas.

Since the enactment of the program, the response has been dramatic. The Housing and Home Finance Agency has received inquiries and requests from 12 States and some 200 urban areas of all sizes throughout the country. After careful staffing and planning preparations, the Agency has made two commitments, one to Madison, Wis., and the other in the State of Massachusetts, and the program is now ready to begin moving into high gear. There is no question in my mind that the Agency will have exhausted its available funds by the middle of this year, and certainly long before Congress could act on the program next year. Therefore, action this year is essential if this most valuable and worthwhile program is to continue.

I ask unanimous consent that there be included in the RECORD at the end of my remarks a table of the State and local governments which have made inquiries or requests for assistance on the open space program, and also a speech delivered last October by Mr. William Slayton, Commissioner of the Urban Renewal Administration, outlining some principles and purposes of the open space program.

Mr. President, from time to time I have been asked why we need an open space program for the urban areas when you can enjoy all the open space you want by simply taking a 40- or 50-minute drive on the new highways out into the countryside.

The answer, of course, is that open space serves many other functions than providing us with a picnic or recreation area for a weekend outing. For example, what do our children do for open space during the weekday? Most of our children will never know a rural life, and they certainly will not find any substitute in their backyards or school playgrounds.

Another important function of urban open space is the protection and enhancement of property values, thus helping prevent the spread of urban blight and deterioration. It seems to me that when one looks at the huge so-called gray areas that surround most of our metropolitan core areas, they are conspicuous for their lack of the amenities of open space. Mile after mile of dreary housing and bad zoning, with nothing like a park or open space to serve as an incentive for maintaining property values. It is more than possible that many of our now relatively new suburban subdivisions will suffer the same fate as our gray areas for the same reason.

In other words, it seems to me that it is of highest importance that we plan and provide for a sufficient amount of open space as an integral part of urban development, just as we provide for schools, roads, and all the other necessary community services.

We must recognize that open space is no mere luxury, but a necessity as important as any other public facility in any well-balanced urban community.

Not only do we need it to enhance property values, improve community appearance, serve recreational needs, and afford some relief from the concrete and steel of urban living, we also need it for a variety of conservation purposes.

Each year we seem to hear more and more about the problems of floods. I doubt very much that nature is acting up any more than usual. I do strongly suspect that we are failing to preserve our flood plains as open space, thus keeping people from building where they should not have built in the first place.

An effective open-space program could do much, I am sure, to reduce the expenditures we are making and will have to make to correct the problems arising from the misuse of our land around the urban areas—problems of sedimentation that arise from the reckless denuding of land of its vegetation, storm drainage problems that arise from the careless bulldozing of long-established natural drainage patterns, problems of water pollution that arise from the improper preservation of our stream valleys.

In addition, of course, we need to preserve sufficient open space for the sheer scenic beauty of it, to provide relief from the pressures of urban living, to enable people occasionally to regain contact with nature. We may be interested in bird watching, in the preservation of wildlife, the study of trees and plants, or merely in the opportunity to achieve a moment of solitude away from the concrete and asphalt of our daily lives.

These needs must be met if we are genuinely committed to the goal of achieving a livable, healthy, and attractive urban environment.

But it is going to take a lot of doing.

Under the pressures of a rapidly expanding population growth, higher wages, greater mobility, and uncoordinated governmental action, we have been pushing the urban fringe out from the central city at an unprecedented rate. And as we have laid out these seas of subdivisions, we have pushed nature's horizon farther and farther away from more and more people.

In fact, in the last 10 years, we have put more than half as much new and unspoiled land to urban use as we did in all the previous years since this country was founded.

In an excellent report prepared for the Regional Plan Association of New York, entitled "Nature in the Metropolis," Dr. William Niering wrote that while only 25 percent of the New York metropolitan region is presently urbanized, by 1985 the region "will add 8 million to its present population of 16 million and, unless there is a reversal of current trends, this new population will consume land at an unprecedented rate. With the steady rise in the size of house lots, the estimates are that the region's developed land will at least double and may triple in the next 25 years."

More recently the Regional Plan Association predicted that by 1985, if present trends continue, all the land within a 50-mile radius of Manhattan will be totally urbanized in one continuous, low-density layer of development, with precious little open space surviving the outward sprawl.

The association put its finger on the heart of the issue when it noted that of all the vacant land left in the 7,000 square mile region, two-thirds is zoned to require single-family houses on half-acre lots or larger. Nearly half of the land is zoned for acre lots or larger.

Taking just New Jersey, the State has a total of 4,800 square miles of land. Up to 1930, about 800 square miles had been put to urban use. Since then more than 600 square miles have been added, an increase of 77 percent in those 30 years, and the rate of urbanization is accelerating all the time. Thus, there is a distinct possibility that by the end of the century almost every square mile of land in the Garden State will have been urbanized or on the brink of being so.

But even these trends do not tell the whole story. An area is usually characterized as urbanized according to certain criteria. If it falls below the specified population or population density, it remains nonurbanized. But it is clear that it does not take much urban development to completely change the open-space quality of the countryside. A few misplaced porcelain gas stations, a string of hotdog and custard stands along the road, and a junkyard scattered here and there can give the impression that the urban cyclone has already hit and moved on to greener pastures.

Mr. President, it might appear, from what I have said about the New York metropolitan region, that the open-space problem is pretty much limited to the large metropolitan areas on the eastern seaboard. Indeed, it is critical there, as evidenced by the fact that both New York and New Jersey have initiated large open-space land acquisition programs with overwhelming voter approval. But we will be lucky if we can preserve just some of the few remaining patches of green from the onrush of urbanization which has already spread far and wide.

It seems to me that the real opportunity for effective use of the open space program lies in the smaller but rapidly growing urban areas all across the country, which still have time to work a program of open space preservation into the whole fabric of urban development and expansion that lies ahead.

If they do not preserve the open space now while there is still time and prices are still reasonable, they will never be able to. Once the subdivisions are built, they will not be torn down to provide open space. And, of course, the suburbs advance outward from the city core on a tide of rapidly rising land prices, which makes it almost financially impossible to save much open space within range of future development.

But the smaller, rapidly growing cities still have a chance, and there are a great many of them.

According to the Bureau of the Census, at least 83 towns with a population of over 25,000 people grew more than 100 percent in the last 10 years.

The population of Huntsville, Ala., increased 337 percent, from a town of 16,000 to one of 71,000. Irving, Tex., grew from a sleepy little town of 2,000 in 1950 to a city of 45,000 in 1960—an increase of 1,632 percent. Tucson, Ariz., sprang from 45,000 to 209,000 in a decade, an increase of 360 percent. Skokie, Ill., grew from 14,000 to 59,000, an increase of 300 percent, and so on.

It may be that the growth rates I have cited here or in a few of the other 83 cities may be due to annexation or incorporation. But in the overwhelming number of cases, the population increase is genuine and real. And such growth of course means rapid expansion in the physical size of these cities.

In addition to these 83 cities, many added a lot of people to their population and plowed under a lot of open space to house them, but because the population was fairly large to begin with, the percentage of increase may not be very startling.

For example, Topeka, Kans., grew only 50 percent in the last 10 years, but it represents an increase of 40,000 people, who can cover up a great deal of land with our present pattern of haphazard suburban sprawl. There are undoubtedly hundreds of urban areas experiencing the same growth as Topeka.

Speaking of urban growth, I think it is important to emphasize the point made in the recent report by the Outdoor Recreation Review Commission that how we use land for other purposes will largely determine how much open space will be left for the bulk of the people in our urban areas.

As the Commission stated:

> It is not the growth itself that is the problem, but the pattern of growth.

And it seems clear to me that we cannot talk about saving open space and ignore the impact on open space of our rigid and antiquated zoning codes and the indiscriminant leapfrogging of suburban sprawl all over the countryside.

It seems to me that we must develop policies and programs to reduce the incredible waste in the ways we use land for residential and other urban purposes. It is a question of developing new and more imaginative land use policies that will meet residential and commercial land consumption demands of a growing population without leapfrogging all over the countryside and absorbing every available acre of land in the process.

This is a difficult task—to house all our people and still keep America green—but the effort is one for which both present and future generations will be grateful. The open-space program, based on sound comprehensive areawide planning, is essential to the attainment of that goal.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the table and speech will be printed in the RECORD.

The bill (S. 2946) to increase the open-space grant authority under title VII of the Housing Act of 1961, introduced by Mr. WILLIAMS of New Jersey, was received, read twice by its title, and referred to the Committee on Banking and Currency.

The table and speech presented by Mr. WILLIAMS of New Jersey are as follows:

OPEN-SPACE LAND APPLICATIONS

Fifty-four letter applications have been received as of March 7, 1962, 49 from urban areas and 5 from States, involving approximately $11 million of Federal funds and a total program of $38 million. A list of applicants by States follows:

California: Corte Madera, Fresno Metro Flood Control District, Sacramento County, San Jose, San Leandro, Santa Clara County Park & Recreation Department, Department of Parks & Recreation, State of California, and Los Angeles County.

Connecticut: State of Connecticut.

Colorado: Metro Recreation District No. 50.

Delaware: New Castle County.

Florida: St. Petersburg Beach.

Illinois: Village of Lake Bluff, Quincy Park District.

Indiana: Marion County.

Iowa: Polk County Conservation Board.

Louisiana: Natchitoches.

Maryland: National Capital Park & Planning Commission, Somerset.

Massachusetts: Department of Natural Resources, City of Danvers.

Michigan: Huron-Clinton Metropolitan Authority, Saginaw.

Minnesota: State of Minnesota, Hennepin County Park Reserve District, Ramsey County.

New Jersey: Berkeley Heights Township, Morris County Park Commission, State of New Jersey Department of Conservation, Westfield.

New Mexico: Ruidoso.

Nebraska: Lincoln.

New York: Long Island State Park Commission, Mina, Tonawanda, Poughkeepsie, Palisades Interstate Park Commission.

Ohio: Columbus—Metro Park District, Toledo.

Oregon: Eugene, Lane County, Medford, Regional Park & Recreational Agency of Mid Willamette Valley.

Pennsylvania: Allegheny County, Bucks County Park Board, Philadelphia.

South Carolina: Columbia.

Tennessee: Johnson City.

Utah: Ogden.

Vermont: South Birlington.

Washington: Skagit County, Everett.

West Virginia: Moundsville.

Wisconsin: Madison.

In addition to the applications listed above, over 300 expressions of interest in applying for assistance have been received from urban areas in 37 States.

THE OPEN-SPACE LAND PROGRAM OF THE NEW FRONTIER

(By William L. Slayton, Commissioner, Urban Renewal Administration, Housing and Home Finance Agency)

I am sure you did not ask me up here to relate to you my knowledge of open space which I have gleaned in the larger part from participants in this conference. Rather, I am proceeding on the assumption that you are interested in the policies of the Urban Renewal Administration concerning the Federal open-space land program and the attitudes which lie behind our administration of that program.

Let me say this first—the primary mission of the Urban Renewal Administration is the achievement of the optimum physical environment for the efficient social and economic functioning of our American urban society. I regard the open-space land program as one more important tool for the achievement of this goal.

The general recognition of the open-space problem—which led to the enactment of Federal legislation—developed and spread with the speed of a brush fire. Two years ago, the phrase "open space" had not even entered the political lexicon. Today, we have not only the new Federal grant program, but also major State programs of assistance either enacted or pending in New York, New Jersey, Wisconsin, and California.

The Federal open-space land program was enacted by the Congress and approved by the President after one of the shortest gestation periods of any major Federal program. It began with a pledge by Candidate John F. Kennedy last October at Pittsburgh for Federal assistance for the preservation of open spaces, particularly in major population centers. Mr. Kennedy succinctly identified the need:

"In every plan for redevelopment, parks and recreation must have their proper place. We must act to protect open spaces along our rivers, lakes, and seashores and on the edges of our expanding metropolitan areas. And we must act quickly—for with every passing day, the available open spaces shrink and their cost increases."

A few young and able public servants in the executive branch and in the Congress had translated the Kennedy pledge into a program proposal before the new administration took office on January 20. A new and vigorous top leadership was willing to experiment and legislation was proposed to the Congress in April. It was enacted and approved by President Kennedy at the end of June, as part of the Housing Act of 1961.

This brief and remarkable history has, in my opinion, two lessons for the administration of the new program. First, we can proceed with some confidence that the program is responding to a real and felt need. Second, we have not had time to learn as much about aid for open space as we need to know. This is an experimental program and we will be working out the wrinkles in it—and learning as we do it—for at least a year.

The President's willingness to go forward at this early stage was wise, farsighted, and courageous. As with most new programs—however pressing the issue—there are always those who counsel the need for further study. With some, this is an honest enough reluctance to act without—what they consider—sufficient knowledge. Often enough though, I am afraid that for such people there is never enough knowledge. This is fatal in the face of our booming urban growth and zooming technological advance.

The Kennedy approach admitted the fact that our ignorance about the positive uses of open-space preservation perhaps outweighed our knowledge. Consequently, the President proposed a joint study by the administration of the HHFA and the Secretary of Interior aiming at the development of a long-range policy for dealing with open space and orderly urban land development. At the same time, the President noted the need for action now—and proposed a program to begin to meet our need.

Very briefly, however, the law as it now stands provides grants to local public bodies for acquisition of open-space land in urban areas. The land to be acquired must be in accord with a comprehensive open-space plan, and there must be a program of comprehensive planning being carried on for the urban area. The grants are 20 percent—except in the case of a public body exercising responsibilities for activities of this sort for the urban area as a whole, in which case it is 30 percent.

Fifty million dollars was authorized to get the program underway. No land acquired with this assistance may be converted to other uses unless equivalent open-space land is acquired as a substitute. The Administrator must also satisfy himself that the locality is using other means as well to protect its open spaces. The law suggests such means as zoning, special tax provisions, and the acquisition of partial interests in privately owned land in order to maintain it in open-space use. Finally, the Administrator is authorized to give technical assistance to public bodies and to make studies of open-space problems—again, a recognition of the need for study and experimentation.

This attitude toward experimentation, I should like to note, runs through all of the legislative proposals for urban programs put forth by the present administration. The mass transportation demonstration program, the FHA experimental design program, the low-income housing demonstration program and the pilot rehabilitation program of our own agency—all, and others, reflect the intense desire of my chief, Robert C. Weaver, the HHFA Administrator, to find new and better ways to cope with present and emerging problems of our changing urban environment. In the administration of the open-space program, we want to be as receptive as possible to new ideas and experimental approaches to control of open space and development.

At any rate—we are moving ahead with an assistance program for the preservation of open space while, in the meantime, we are studying the ways through which more approaches may be developed. In effect, we may regard the present limited program as a laboratory experiment in itself which may make its own contribution to a long-range program.

But before I get into the broader implications of this program, I would like to take issue with some erroneous concepts. In the great enthusiasm for the new Federal and State interest in open space, four basic and interrelated fallacies have risen.

The first is that open space urban land is an end in itself. This fallacy springs from an emotional antipathy to development and a nostalgic sentimentalism for the lost countryside of our youth. This point of view is understandable and finds some response in all of us. But it is wrong and misleading. It overlooks the uncompromising fact that every day 3,000 acres of farmland are being urbanized—developed for residential and nonresidential urban uses.

From the standpoint of the planner and the student of the city, open space and development are but the two sides of a single coin, or, better still, ground and foreground to a picture. It is open space that gives definition to development, be it a building or a community. This seems fairly obvious, and it is surprising that control of open space as a means of directing urban growth and development has not been seized upon as a primary planning tool until fairly recently. There have only been a few people, Charles Eliot for one, who have consistently looked on open space in this light—as opposed to, or in addition to, its significance for recreation, or for conservation of natural resources.

There is, however, no inherent conflict between using open space as a positive planning tool for controlling urban growth and its use for other functions such as recreation and conservation.

William Whyte has suggested that frequently the very areas that might strategically be retained as open space for guiding urban development along desired lines are the same areas that would logically be selected for open space uses such as conservation or recreation. For instance, there can be little disagreement that development should be directed away from flood plains. To the extent that this is done, there may be recreational and scenic benefits as well.

The second fallacy is the common belief that it is almost impossible to make an irrevocable error in the preservation of open space. It is true that the acquisition and preservation of open land, unlike the building of a skyscraper, a shopping center, an expressway, or a subdivision complete with streets, utilities and community facilities, does not stamp the land with an impress designed to endure for decades. If it is later discovered that real and long range benefits will accrue to the community through the development of reserved open land, the costs of meeting this change are minimal.

All of this is true but it ignores the impact of permanent open land on adjacent and nearby tracts. Open land is of tremendous advantage to adjacent development. People like to live near parks and open spaces, and as a consequence, open-space land attracts and stimulates development. The reservation of large tracts of open space land forces development into other areas. Hence, well beyond their immediate environs, major open land tracts will exert as pervasive and important effect on development as certain natural topographical features. The subsequent release of the reserved land for development may be cheap and easy—but it cannot reverse the effects upon nearby properties. As a result, a community can tackle the problem of planning for open land only as part of a soundly conceived approach to development.

The third fallacy is the belief that open land, unlike the construction of buildings, does not involve site design problems. After all, even as open space gives definition to development, the reciprocal is equally valid. Open space is meaningless without reference to the activities of men. This is why

open spaces may, in some cases, have negative impacts. I think, for instance, of certain points that Jane Jacobs has made with reference to some urban parks. She has noted that some parks are not well located or designed with reference to surrounding developments and neighborhood activities. Consequently they act as barriers or obstacles to normal social interaction and become breeding grounds for crime and juvenile delinquency or at best bleak and dreary collectors of windblown paper and trash.

The fourth fallacy is that the new programs of assistance for the acquisition of land or development easements have made obsolete and unnecessary the use of other means of land use control to preserve open space. The open space problem in our major urban areas is, in fact, so great with the huge expansion in population now in prospect that no feasible allocation of revenues to this purpose could conceivably meet all needs.

Few communities can meet this need without a total open-space strategy embracing a wide variety of tools. For instance, Professor Eliot's conception of the "O-zone"—that is zoning for open space—has received too little consideration among planners, I believe. Yet certainly it makes at least as much sense to zone an area for no development as it does to zone for 2-acre lots.

The experiments in California and other States with agricultural zoning represent another important approach that has not yet received adequate attention. Requirements for provision of internal open space in new subdivisions, the introduction of alternate zoning techniques that permit the use of the cluster principle, and soundly conceived tax measures are other illustrations of approaches that might be part of an overall strategy. I want to emphasize that such an approach is actually contemplated by the open-space statute, which requires the Housing Administrator to "assure that the local government bodies are preserving a maximum of open-space land, with a minimum of cost, through the use of public land; the use of special tax, zoning, and subdivision control provisions; and through other available means such as the acquisition of restrictive easements."

We venture here into areas that are new to most of us and to the communities that will be administering local open-space programs. With vigorous and imaginative local programs, we have the opportunity both to do much now for open-space preservation and to learn much which will help us in the future.

But, as we venture, let us make sure that our paths are in the direction of practical solutions to longstanding vexatious problems.

In the central city we commence with everything given. Land for any new use, be it parks, highways, new residential or industrial areas is dearly bought. We are always restructuring the city, little by little—it is little by little, even with our big highway and urban renewal programs. We have too little open land within our cities to give us flexibility in creating quickly the kind of urban structure we believe to be necessary. So we must plan very carefully in terms of these land-use relationships—in time as well as in space—so that we can deploy our limited resources in a manner that each improvement has maximum impact.

Outside of the central cities, where development has not yet become so dense that the structure has crystallized, our opportunities for using open space constructively are much greater. I am not saying that we do not need more open space in the central cities, but the impact of what we can get there upon the overall structure of the community is more limited than what is possible now in suburbia and exurbia. But to make the most of these opportunities, it will be necessary to treat open space comprehensively as one element in an integrated planning process. It is for this reason that the law requires that there be an open spaces plan and that there be in existence in urban area a comprehensive planning process.

In many cases a single jurisdiction may be able to have an open-space plan that has an internal validity and does not impinge upon the development plans of other jurisdictions.

But watersheds and stream valleys are no respecters of political boundaries, so it may often happen that open space plans have an internal validity, but at the same time be destructive of the plans of a neighboring jurisdiction.

In the first policy statement issued by the Urban Renewal Administration concerning administration of the Federal open space program, we recognized this and reinforced the comprehensive planning provision of the law by requiring in addition that local plans be squared with plans of agencies covering larger areas of which the locality is a part.

Obviously, this opportunity for maximizing the impact of open space programs in the less densely developed parts of our urban regions depends upon strong metropolitan planning programs.

Happily, pressure is building up for such programs—both officially as in the requirements of title VII of the Housing Act of 1961, and in the development of groups such as Pendjerdel, which discern the organic nature of metropolitan regions and the needs to guide other growth into salutary channels.

On the Federal side, the broadening of the section 701 Urban Planning Assistance Program provides the financial means for the development of official metropolitan planning and development mechanisms. Grants have been raised to two-thirds of planning costs and the dollar amount of the authorization has been nearly quadrupled, going from $20 million to $75 million. The activities included in comprehensive planning in this program go beyond the physical planning into the development of means, mechanisms, and strategy for plan implementation.

But all this is not enough. I think that participation of the States is crucial. The States have a vital role to play in the promotion of planning at the metropolitan and regional levels—and the 701 program gives assistance and encouragement to State planning activities also. However, the States can do certain things which either only they can do or which they can do better than the Federal Government in stimulating and facilitating metropolitan planning.

Since we do not have metropolitan government, and since many metropolitan areas do not have planning commissions—or if they do, the planning process is not firmly tied to the decision making process—it is my firm conviction that we are going to have to rely more and more on the State governments to provide leadership in planning metropolitan development. It is the level of government that is close to the local scene and it exercises political sovereignty over local units of government. As such, it can play an extremely vital role in facilitating sound metropolitan planning and development.

It can make State development policy and create statewide comprehensive plans which can serve as a guide to localities.

It can pass enabling legislation which will permit a higher level of cooperative local interjurisdictional action than is now possible in many States.

It can act as arbiter in interjurisdictional development conflicts, and—more important—as catalyst for informal and formal cooperation among localities.

It can provide technical and financial assistance to metropolitan planning and development bodies.

It can provide enabling legislation for new local authority for open space land preservation.

If the States do take the leadership in facilitating and encouraging metropolitan planning, even as some States, such as New Jersey, New York, Wisconsin, and California, have taken leadership in the open space program, we shall be a long way down the road to successful coordinated metropolitan development.

I suppose it is in the nature of our democratic society that we seem to react only to crisis situations. Logically, the development of a process for coordinated metropolitan planning should precede the development of programs for plan implementation. But, we keep concocting specialized programs to meet specialized functional problems. When these converge in lawful conflict—and the whole problem becomes worse than the sum of its parts—finally we come, under the pressure of crisis, to see the need for looking at and treating the problem as a whole.

Today, the very pressure of events has forced us to take hold of the metropolitan problem as a whole. To the extent that we do, the preservation of open spaces for whatever purposes: recreation, conservation, or other amenity—will be done in a manner that will make a maximum contribution to the achievement of its particular goals and to sound community development.

COINAGE OF SILVER 50-CENT PIECES COMMEMORATING FIRST U.S.-MANNED VEHICLE ORBITAL FLIGHT AROUND THE EARTH

Mr. BIBLE. Mr. President, I send to the desk for appropriate reference a bill to authorize the coinage of one-half million silver 50-cent pieces in commemoration of the first U.S.-manned vehicle orbital flight around the earth—a moving saga unfolded on the pages of American history on February 20, 1962, by Lt. Col. John H. Glenn, Jr., of the U.S. Marine Corps.

I believe that such a commemorative coin would serve as a lasting reminder of the personal courage of Colonel Glenn, whose stirring adventure into the unknown bore with it the spirit of pioneer Americans before him who met the challenges of their times.

I believe, also, that such a coin would be an enduring tribute to the ingenuity, dedication and teamwork of the scientific, technological, and industrial craftsmen whose efforts created the *Friendship* 7 space capsule, setting the stage for the epochal flight that followed.

I want the Senate to know that I have discussed this proposal with the distinguished former Secretary of the U.S. Treasury, the Honorable John W. Snyder, and it is our mutual hope that at the time this bill is considered by the appropriate committee of the Senate, consideration will be given to a proposal that will achieve even greater interest in this remarkable American accomplishment.

I refer to the possibility of staging a national contest to select the most appropriate designs for both sides of this commemorative coin. In my opinion, such a contest would generate widespread interest and could be sponsored by a commission that would be established to handle the sales of the coins, under the direction of the Secretary of the Treasury and the Director of the Mint. The bill could appropriately be amended at that time.

It is true that in recent years the policy of both Democratic and Republican administrations has been opposed to the minting of commemorative coins for public sale. It is my judgment that Colonel Glenn's great achievement is sufficient reason to break the chains of this official policy.

I believe the last commemorative coin was struck for the outstanding Negro educator, Booker T. Washington, with 1,700,000 50-cent pieces coined in 1946 and 1,300,000 during the succeeding years. Coins of this type have been authorized down through the years.

The distinguished senior Senator from Missouri [Mr. SYMINGTON] has already joined on this bill as a cosponsor and because of his past efforts, not only in the field of space pioneering through his committee assignments, but his keen interest in aviation attested by his service as Secretary of the Air Force some years ago, I welcome his cosponsorship.

Both he and I believe that this is an all-American effort for an all-American cause, to honor our country in its never-ending quest for peace and freedom, not only throughout the world but now in the vast expanse of the universe wherever man may travel.

Mr. President, I ask unanimous consent that our bill lie on the desk for a period of 5 days from this date in order that other Senators who desire to join as cosponsors may have the opportunity to do so.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred and, without objection, the bill will lie on the desk as requested by the Senator from Nevada.

The bill (S. 2952) to authorize the coinage of 50-cent pieces in commemoration of the first U.S. manned vehicle orbital flight around the earth, introduced by Mr. BIBLE (for himself and Mr. SYMINGTON), was received, read twice by its title, and referred to the Committee on Banking and Currency.

NONQUOTA IMMIGRANT STATUS TO CERTAIN ALIENS

Mr. JAVITS. Mr. President, I am today introducing for appropriate reference a bill designed to help satisfy in part the immediate demands of our industrial and Military Establishments for highly trained and critically needed specialists, particularly in scientific fields, whose first preference petitions have been approved but whose skills cannot be utilized because under our antiquated immigration system their quota areas are oversubscribed.

The first preference quota, which constitutes 50 percent of each area's quota, is allocated to immigrants who possess high education, technical training, specialized experience, or exceptional ability which is determined to be substantially beneficial prospectively to the national economy, cultural interest, or welfare of the United States and their immediate families. Many applicants who have been certified as meeting these stringent requirements are nonetheless unavailable to our Defense Establishment because the quotas allocated to their areas of origin are so outmoded and unrealistic that it will take many years for their quota numbers to be reached.

I am informed that as of November 1, 1961, there were some 6,951 first preference applicants outside the United States and an additional 3,800 already here, all of whom have been approved as qualified first preference quota immigrants and all of whom are unavailable to us because their national quotas are vastly oversubscribed. This means that even those who have been admitted to the United States cannot fully use their skills since almost all such activity requires that they have at least permanent residence status, and, short of private bills, this status is dependent upon reaching the requisite quota number.

The Department of Defense now has working here approximately 200 highly specialized scientists and engineers, most with postdoctoral training and experience, who cannot be used as effectively as possible because they cannot receive security clearances until they have attained permanent residence status. My office, like those of many of my colleagues, I am sure, receives a great number of requests of this nature. There are cases of heart surgeons who cannot perform operations because without permanent residence status they cannot take State examinations, while the great need for physicians is voiced every day. Typical is the case of a Formosan obstetrical and gynecological pathologist who is being sought to do research and teach at one of the finest medical schools in the country, which happens to be in my State. Members of the faculty there have written that there are not more than a dozen fully qualified men in this field in this country and that there is a great need for this man's services. It should be noted that in all cases of approved petitions, a prospective employer must certify his need for the applicant and the U.S. Employment Service must certify that there is no one else available for the position.

With numbers of applicants such as are involved here, the private bill technique is clearly inadequate. Thus this bill is designed to relieve the immediate problem until it becomes acute again. This was done once before with first-preference applicants in 1958, when 7,366 applicants and their families were granted nonquota immigrant status under Public Law 85-700, which was introduced in the Senate by then Senator Kennedy. Last session the same relief was provided for second- and third-preference applicants by Public Law 87-301. Neither of these accomplished the general immigration revision which is so urgently needed to remedy the injustices of the present law and its failure to reflect our national policy.

The logical method for dealing with immigration is a complete revision of our quota system, and I have introduced legislation to this end and urged this course countless times. Even Chairman WALTER of the House Immigration Subcommittee has recognized the inadequacy of the existing law by introducing legislation providing for a modest pooling of unused quota numbers.

Last September, when the conference report on Public Law 87-301 was before this body, I argued that until the Senate insists on broad revision and refuses to accede to piecemeal relief, we can expect nothing better. My words were not heeded and partial relief was again accepted. I maintain that the Senate's insistence upon a broad approach is the proper method for general immigration reform. The problem here is one of national security and a multiplicity of private bills—hence I feel justified in the introduction of this measure. But the need for such a measure emphasizes again that Congress must face up to its responsibility to completely revise our outmoded and unrealistic immigration quota system.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 2956) to provide for the admission of certain aliens, introduced by Mr. JAVITS, was received, read twice by its title, and referred to the Committee on the Judiciary.

ESTABLISHMENT OF THE ANSLEY WILCOX HOUSE IN BUFFALO, N.Y., AS A NATIONAL HISTORIC SITE

Mr. JAVITS. Mr. President, I am introducing today a bill to have the Ansley Wilcox House in Buffalo established as a national historic site. My colleague, the junior Senator from New York [Mr. KEATING] is cosponsoring the bill, which was also introduced in the House earlier by Representative THADDEUS J. DULSKI, Democrat, of New York.

The Ansley Wilcox House, located at 641 Delaware Avenue, Buffalo, is nationally known as the place in which Theodore Roosevelt took the oath of office as President of the United States on September 14, 1901, following the assassination of President McKinley. It is one of only four sites outside Washington, D.C., where the Presidential oath has been administered, and it is also a most valuable example of post-colonial architecture.

There is a danger that the Wilcox House will be demolished. It would be tragic indeed if action were not taken to preserve it. Not only the citizens of Buffalo, but also many State and National organizations are supporting this movement to save the Wilcox House. I urge Congress to take action to make it a national historic site.

The American Institute of Architects has recommended preservation of the Wilcox House. Support has also been pledged by the New York State Historical Association, the American Association for State and Local History, the Sons of the American Revolution, the Daughters of the American Revolution, the Society of Colonial Wars, the Mayflower Society, the Daughters of American Colonists, the Society of New England Women, the Society of Colonial

Dames, the Buffalo and Erie County Historical Society, and many other organizations.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 2957) to provide for the acquisition and preservation of the real property known as the Ansley Wilcox House, in Buffalo, N.Y., as a national historic site, introduced by Mr. JAVITS (for himself and Mr. KEATING), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

INCORPORATION OF NATIONAL SOCIETY OF THE UNION, 1861–65

Mr. CAPEHART. Mr. President, it is my distinct privilege to offer my personal congratulations on the golden anniversary of the founding of the National Society Daughters of the Union.

This society was founded October 9, 1912, by Mrs. Frank Crowell to honor the memory of the men and women who contributed toward the preservation of the Union during the Civil War, which extended over the years 1861–65.

It is particularly significant in view of the fact that 1962 is a centennial year of the Civil War, and considering the patriotic objects of this society that a bill be introduced to incorporate the National Society, Daughters of the Union, 1861–65. I take great pleasure in doing so at this time.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 2960) to incorporate the National Society of the Union, 1861–65, introduced by Mr. CAPEHART, was received, read twice by its title, and referred to the Committee on the Judiciary.

AMENDMENT OF PARAGRAPH 11 OF SECTION 20 OF INTERSTATE COMMERCE ACT

Mr. MAGNUSON. Mr. President, at the request of the American National Cattlemen's Association and the National Woolgrowers' Association, I introduce, for appropriate reference, a bill to amend the Interstate Commerce Act, with respect to recovery of a reasonable attorney's fee in case of successful maintenance of an action for recovery of damages sustained in transportation of property. I ask unanimous consent to have printed in the RECORD a brief in support of the bill by those two associations.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the brief will be printed in the RECORD.

The bill (S. 2963) to amend the Interstate Commerce Act, with respect to recovery of a reasonable attorney's fee in case of successful maintenance of an action for recovery of damages sustained in transportation of property, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, and referred to the Committee on Commerce.

The brief presented by Mr. MAGNUSON is as follows:

BRIEF IN SUPPORT OF PROPOSED BILL TO AMEND PARAGRAPH 11 OF SECTION 20 OF THE INTERSTATE COMMERCE ACT

That the proposed amendment is required by the farmers, producers, shippers and consignees of fruits, livestock, vegetables, and other perishable commodities to insure the payment of the full actual loss, damage, or injury to property in transportation caused by any common carrier, railroad, or transportation company as provided in paragraph (11) of section 20 of the Interstate Commerce Act, hereinafter termed the "act." In support of such amendment we respectfully say:

I. That paragraph (11) of section 20 constitutes the Carmack amendment, enacted as part of the Hepburn Act of June 29, 1906, as amended by the first Cummins amendment of March 4, 1915, the second Cummins amendment of August 9, 1916, the transportation act, 1920, the act of July 3, 1926, the Newton amendment of March 4, 1927, the act of April 23, 1930, United States Code, August 9, 1935; 34 Stat. 595; 38 Stat. 1197; 39 Stat. 441; 44 Stat. 835; 44 Stat. 1448; 46 Stat. 251; 49 Stat. 543, and 54 Stat. 919.

(a) That while paragraph (11) of section 20 definitely provides the liability of any common carrier, railroad, or transportation company " " " shall be the full actual loss, damage, or injury to the property caused by it or them, and further provides time for filing claims and instituting suits, it is silent as to reasonable attorney's fees in such suits.

II. (a) That section 8, and paragraph (2) of section 16 of the act, each contains provision respecting reasonable attorney's fee, substantially the same as here proposed to be added to paragraph (11) of section 20.

1. That, however, the U.S. Supreme Court in *Atlantic Coast Line R. Co. v. Riverside Mills* (219 U.S. 186 (1911)), held:

"Section 8 of the act, providing for the taxing of an attorney's fee as part of the costs, applies to cases where the cause of action is the doing of something made unlawful by some provision of the act, or the omission to do something required by the act, and there is a recovery of damages sustained in consequence of such violation of the act, but does not apply to cases where, as here, the loss or damage is in no way traceable to the violation of any provision of the act."

2. That the Court in *Meeker v. Lehigh Valley R. Co.* (236 U.S. 412 (1915)) further ruled, in substance:

"The services for which an attorney's fee is to be taxed and collected, as provided in sections 8 and 16 are those in court action, involving violation of some provision of the act, in which the recovery is had and not those in the proceeding before the Interstate Commerce Commission, hereinafter termed the 'Commission'."

3. That as loss, damage, or injury to property in transportation is not traceable to the violation of any provision of the act, as stated by the Court in Atlantic Coast Line R. Co., supra, the shipping public, under the present act, cannot recover reasonable attorney's fee as a part of the costs of the suit.

III. That the anomalous situation confronting the shipping interests is illustrated, using the same shipment, by the following:

1. That the rates and charges thereon are assailed before the Commission as unreasonable under section 1 of the act, and reparation is sought. After an investigation by the Commission, it finds for complainant and awards reparation. Complainant brings suit, and the court, as is usual in such case, enters judgment for the plaintiff, and under section 16(2) of the act, reasonable attorney's fee is taxed and collected from defendant as a part of the costs of the suit.

2. That the same shipment was partly lost, damaged or injured in transit. The owner files a claim, which the carrier refuses to pay, and the owner seasonably institutes suit, and sustains the burden of proof on the trial of the case. The Court enters judgment in favor of the owner for the full actual loss to the shipment. However, the owner must pay and bear the reasonable fee of his attorney as the present law governing such loss and damage suits estops the court from including such fee as part of the costs of the suit. The owner is "out" the amount of the attorney's fee.

IV. That common carriers, railroads, or transportation companies have been and are fully cognizant of the foregoing facts, and proceed accordingly. Rarely do they pay more than 50 percent of the full actual loss, if anything, account loss, damage, or injury to perishable traffic, including livestock. Consequently, the owners of such traffic have been and are being deprived of millions of dollars annually to which they are rightfully and lawfully entitled. Thousands of such transactions could be cited, of which the following are representative:

1. Amount claim $406.50: "The additional investigation conducted has developed time of loading origin, equipment was inspected and found to be mechanically okay and cars were freshly bedded. The shipment was handled in accordance with the contemplated schedule and was stopped for the normal times for P.W. & R. while en route. You, of course, can appreciate the natural droppings from calves after being confined to cars for approximately 8 days would of course contribute considerably to condition of bedding at time of arrival destination. Also, we have been advised that this condition was not reported to the carrier until approximately 2 days after arrival at which time it was noted that calves were developing 'shipping fever'. As you know, shipping fever is a disease which increases in virulence and is a condition over which the carriers would have no control nor be responsible for due to the inherent weakness or natural propensity of the animals. " " " Therefore, have no alternative than to confirm disallowance of claim."

2. Amount claim $2,402.16: "Shipment was handled in accordance with the contemplated schedule, being stopped at " " " and " " " for feed, water, and rest. Stock was unloaded at " " " with one dead being noted that point. Upon arrival at destination, at time of unloading four head dead, seven down, five sick. Veterinarian was called, diagnosed sickness as being hemorrhagic septicemia, basing diagnosis on autopsy. Mr. " " " was notified and local veterinarian was authorized to treat the animals on the approval of Mr. " " " delivering carrier's agent.

"This being a clear record case, have no choice than to advise you claim for 11 dead " " " from hemorrhagic septicemia is respectfully disallowed. However, and so as to concede all possible doubt in favor of the claimant, I do offer to adjust for 50 percent the average value of one head dead " " " plus $45 salvage realized from sale of one animal at, " " " or $145.09, and would like to have your permission to so adjust. Other than amount offered claim being respectfully disallowed."

3. Amount claim $375.58: "Now find that this shipment was loaded at, " " " received by the " " " from the " " " and arrived at stockyards, " " ", and unloaded. Reloaded at " " " unloaded " " " reloaded at " " " and unloaded " " ", reloaded and arrived destination same date, and unloaded.

"In view of the detailed service record, and in accordance with the uniform and consistent practice, and so as to concede all possible doubt in your favor, offer is made

to adjust for 50 percent the average value of two head, or $187.79, and would like your permission to do so. Other than the foregoing offer, balance of claim is respectfully disallowed."

That the following is a rare exception to the prevailing policy of the carriers to either deny any payment or to pay only 50 percent of the full actual loss, damage, or injury:

4. Amount claim $250.80: "Investigation has also developed there was no carrier negligence, or mishandling, per copy of the movement attached. It is apparent the animals died of natural causes, or from getting down in the car and suffocating. " " " This would make the average value of the lambs to be $21.24 each, or a total of $233.64. In line with the uniform and consistent practice, am willing to adjust this claim on a basis of 75 percent of the $233.64, or $175.23. " " " I am therefore willing to adjust this claim for 75 percent of $233.64, the value of the 11 head of sheep, plus $18.20 refund on the feed at " " " or a total of $193.43, and request your permission to do so. Any amount over the proposed offer of settlement is respectfully disallowed."

V. That claimants under the existing law are forced, generally, to pay and bear their attorneys' fees in suits for loss, damage, or injury to perishable shipments, including livestock, is the proximate cause for the chiseling tactics of the carriers hereinbefore outlined respecting such claims, is clear. In some instances where claimants have refused to accept less than the amount of the full actual loss, damage, or injury, and signified their intention to bring suit, the carriers have reluctantly increased their offers to as much as 75 percent of such loss; in other cases, the carriers have pointed out to claimants that the latter would have to pay their attorneys' fees, and the carriers have offered to and did pay on such claims the amount of the full loss, damage, or injury, less the estimated amount of the attorneys' fees. Therefore, the farmers, producers, shippers, and consignees of fruits, livestock, vegetables, and other perishable commodities, are subjected to unjust discrimination, undue prejudice and preference at the hands of the carriers in the settlement of legitimate claims for loss, damage, or injury. Consequently the proposed amendment to paragraph (11) of section 20 should be enacted into law.

Respectfully submitted.

AMERICAN NATIONAL CATTLEMEN'S ASSOCIATION,
Denver, Colo.

NATIONAL WOOL GROWERS ASSOCIATION,
Salt Lake City, Utah.

AMENDMENT OF PARAGRAPH 4 OF SECTION 15 OF INTERSTATE COMMERCE ACT

Mr. MAGNUSON. Mr. President, at the request of the American National Cattlemen's Association and the National Wool Growers Association, I introduce, for appropriate reference, a bill to amend paragraph (4) of section 15 of the Interstate Commerce Act. I ask unanimous consent to have printed in the RECORD a brief in support of the bill by those two associations.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the brief will be printed in the RECORD.

The bill (S. 2964) to amend paragraph (4) of section 15 of the Interstate Commerce Act, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, and referred to the Committee on Commerce.

The brief presented by Mr. MAGNUSON is as follows:

BRIEF IN SUPPORT OF PROPOSED BILL TO AMEND PARAGRAPH 4 OF SECTION 15 OF THE INTERSTATE COMMERCE ACT

That paragraph 4 of section 15 of the Interstate Commerce Act, hereinafter termed the act, contains limitations on the power of the Interstate Commerce Commission, hereinafter termed the Commission, to prescribe through routes, and is commonly known and hereinafter referred to as the short-haul provision of the act, and provides:

"In establishing any such through route the Commission shall not (except as provided in section 3, and except where one of the carriers is a water line) require any carrier by railroad, without its consent, to embrace in such route substantially less than the entire length of its railroad and of any intermediate railroad operated in conjunction and under a common management or control therewith, which lies between the termini of such proposed through route, (a) unless such inclusion of lines would make the through route unreasonably long as compared with another practicable through route which could otherwise be established, or (b) unless the Commission finds that the through route proposed to be established is needed in order to provide adequate, and more efficient or more economic, transportation: *Provided, however*, That in prescribing through routes the Commission shall, so far as is consistent with the public interest, and subject to the foregoing limitations in clauses (a) and (b), give reasonable preference to the carrier by railroad which originates the traffic. No through route and joint rates applicable thereto shall be established by the Commission for the purpose of assisting any carrier that would participate therein to meet its financial needs."

That the short-haul provision of the act, which the proposed bill would repeal, is repugnant to the public interest, and the national transportation policy as declared by the Congress in 1940 to promote safe, adequate, economical and efficient service and to foster sound economic conditions in rail transportation. The short-haul provision results in inefficient, uneconomical, substantial and needless wasteful transportation by the railways, and greatly increased operating expenses which are saddled upon and borne by the shipping public. In support of the foregoing we respectfully say:

I. That since February 27, 1920, under the act, the railways of the Nation, in theory at least, are supposed to constitute a national railway transportation system. However, on October 31, 1954, in actual practice, there were a total of 444 separate and distinct railways (126 class I and 318 class II and III) reporting to the Commission, not including 135 switching and terminal companies, of joint terminal companies, and 41 electric lines (Commission's 68th annual report (1954), p. 68). Consequently, instead of a national railway transportation system there were, at least, 444 separate and independent railways each of which takes the position that it has a private or proprietary right with respect to the traffic which it originates, and juggles the freight tariffs and traffic accordingly.

II. That, therefore, in actual practice, it rests within the power of the individual railways by insistence on their long hauls to place localities and shippers on the lines of other railways or not on their direct lines at severe rate and competitive disadvantages and to deprive shippers of relatively equal opportunities in markets served only by them. However, because of the short-haul provision of the act, the Commission cannot make any general order which will correct this situation, but must apply its mandatory process to particular cases, which must be presented and considered upon their individual merits. *Investigation of Alleged Unreasonable Rates on Meats* (28 I.C.C. 656 (May 13, 1912)). As hereinafter shown, in some detail, such procedure places an unwarranted, costly, and unbearable burden upon the shipping public.

III. That it has been and is well understood that the carriers' operating costs for moving traffic increase as the distance increases. Therefore, for many years it has been the practice of the Commission to prescribe maximum reasonable class and commodity rates on mileage basis. In such cases the Commission since June 6, 1922, has said that "the rate between any two points shall be determined by the shortest route over which carload traffic can be moved without transfer of lading." *Southern Class Rate Investigation* (100 I.C.C. 513), *Consolidated Southwestern Cases* (123 I.C.C. 203; 269 I.C.C. 214), *Western Trunk-Line Class Rates* (164 I.C.C. 1), *Eastern Class-Rate Investigation* (164 I.C.C. 314), *Livestock—Western District Rates* (176 I.C.C. 1), hereinafter termed the Western Livestock case, and later cases too numerous to mention. In *National Forge and Ordnance Co. v. Pennsylvania R. Co.* (256 I.C.C. 744), the Commission, at page 745, stated:

"However, in fixing the mileage which is to govern a rate between any two points, it is customary to use the distance over the shortest line or route over which carload traffic can be moved without transfer of lading, and not the distance over a longer route which may be more satisfactory for operating purposes."

Hence, circuitous hauling of freight should be discontinued whenever possible.

IV. (a) That in the Western Livestock case the Commission in 1931 prescribed maximum reasonable mileage rates, which were the same for both single-line or joint-line application, for the future on edible livestock for distances of 2,500 miles and less throughout the western district of the United States. Therein the Commission, at page 83, said:

"That rates in excess of those so determined are, and for the future will be, unreasonable; that the rate between any two points shall be determined by the shortest route over which carload traffic can be moved without transfer of lading, except that in making the rate for an interterritorial haul the rate shall be determined by the route which, when the arbitrary is considered, will result in the lowest rate; but that where said shortest route would, within the meaning of section 15(4) of the act, short haul a carrier, " " " the carrier be not required to maintain over said shortest route the rate determined as above indicated."

(b) That the prescribed rates became effective January 25, 1932. However, while the rates between any two points were based on the short-line distance between said points, their joint-line application, generally, was not authorized by the railways over the short-line route, or over many other slightly longer routes, but was purposely restricted by the railways to substantially greater distance routes, in order to preserve to the origin or destination lines their long haul. Consequently, where shippers or consignees route their livestock over the short-line or slightly longer routes not authorized by the governing tariffs, in order to avoid additional stops for feed, water, and rest under the Federal 28- to 36-hour law, the higher cost thereof, and excess shrink to their livestock resulting from moving such perishable traffic over the greater distant routes authorized by the railways, such shippers have been and are charged materially higher combination of the full local rates. Numerous illustrations can be cited but the following should suffice:

1. That between representative origin in New Mexico and destination in Nevada, from

and to which there has been an annual movement of livestock, the short-line and ratemaking distance via a practical route was only 1,059 miles compared with distance of 2,139 miles via the only authorized tariff route, which was 201.93 percent of the short-line distance route. However, in order to secure its long haul the origin line for 22 years only authorized routing via its unduly circuitous route; it held itself out to move the livestock 2,139 miles over its line at the prescribed rate for only 1,059 miles. The experienced livestock shippers and receivers would not allow their shipments to move via the circuitous route for the reasons hereinbefore stated, and directed that their livestock move via the shorter and direct route via which combination of the local rates of $1.2995 per 100 pounds prior to January 15, 1954, was assessed and collected by the railways and paid by the consignees, compared with prescribed rate of $1.0868 had the livestock moved via the unreasonably longer authorized route. In other words, the consignees were penalized 21.27 cents per 100 pounds to move their livestock but 1,059 miles while the railways would have moved it 2,139 miles at the lower rate prescribed for 1,059 miles.

2. That between representative origin in North Dakota and destination in California the short-line distance was 1,960 miles. However, the distance via the shortest authorized tariff route was 2,433 miles, or 473 miles greater than the short-line and ratemaking distance. On shipments which moved via the shorter route the consignees were forced to pay higher charges than would have accrued had the railways performed 473 more car-miles of service.

3. That between representative points in New Mexico, Arizona and California the distance via the only authorized routes exceed by as much as 119 miles those via the short-line and ratemaking route. However, shippers and consignees are penalized approximately 29 percent when they route their livestock via the short-line route.

4. That the same principle is further illustrated by many reports of the Commission, of which the following are representative:

Crouch v. *Nevada N. Ry. Co.* (208 I.C.C. 586); *Los Angeles Union Stock Yards Co.* v. *C., M., St. P. & P.R.R. Co.* (222 I.C.C. 23); *Cuneo Bros.* v *Northern Pac. Ry. Co.* (229 I.C.C. 429); *Anker Meat Co.* v. *Great Northern Ry. Co.* (281 I.C.C. 179); *American National Live Stock Assn.* v. *A., T. & S.F. Ry. Co.* (284 I.C.C. 531, reopened), and *Kern Valley Packing Co.* v. *Atchison, T. & S.F. Ry. Co.* (292 I.C.C. 729). *Corn Fed Cattle Co.* v. *Southern Pacific Co.* (296 I.C.C. 423). *Same* v. *Same* (299 I.C.C. 73), and *Chicago, M., St. P. & P.R. Co.* v. *Spokane, P. & S. Ry. Co.* (300 I.C.C. 453, 492).

V. (a) That the inefficient, uneconomical and wasteful transportation performed by the railways is not limited to the livestock traffic but applies to all railroad traffic even to a greater degree than to livestock.

(b) That the distance rail traffic is hauled over the actual route of movement generally exceeds the corresponding distance over the shortest route, or the short-line distance route. This important fact is due to a number of causes, the more important of which are the general practices of each of the 126 class I railways, which operate approximately 95 percent of the total railway mileage of the United States, and obtain about 97 percent of the total revenues, and some of the 318 class II and III railways, to (a) secure its long haul on all traffic originated or terminated by it irrespective of the circuity of its line or route, (b) circuitous lines, under relief from the fourth section of the act, handling substantial volume of traffic in competition with the direct or short-line route carriers, and (c) some consignors or consignees routing their traffic via circuitous routes for various reasons one of which is that representatives of railways constituting such circuitous routes have solicited the traffic.

(c) There has been and is substantial movement of freight traffic via circuitous routes under relief from the fourth section of the act. Moreover, each week the railways file and the Commission processes additional applications for such relief. For example, the Traffic Bulletin for the representative week ending April 2, 1955, part I, pages 12, 13 and 14, lists 40 fourth-section applications Nos. 30394 to 30433, inclusive, of which 34 are based upon circuitous lines or routes desire to meet the competition of the direct lines or routes.

(d) That the ratio of the average of the distances via the actual route of movement, the shortest route, or the short-line distance route, expressed as a percentage of circuity has been of considerable interest in traffic studies. The following table shows the average circuity of traffic in terms of specified average lengths of haul (short-line) and major commodity groups based on a representative 1-percent sample of the Commission's waybill sample of carload traffic for the year 1947, as reported in monthly comment on transportation statistics of the Commission's Bureau of Transport Economics and Statistics dated January 11, 1952:

Average circuity by major commodity groups and short-line length of haul

[In percent]

Mileage blocks	All commodities	Products, agriculture	Animals and products	Products, mines	Products, forests	Manufactures and miscellaneous
1 to 49	14	30		6	6	19
50 to 99	16	19	0	13	16	19
100 to 199	16	20	4	16	12	18
200 to 299	15	16	10	13	11	18
400 to 599	14	18	6	12	10	17
600 to 999	13	12	8	15	13	16
1,000 to 1,399	13	11	8	14	13	15
1,400 and over	12	12	5	21	10	12
Total	14	13	8	14	11	15

(e) Obviously, the required or authorized movements of freight via circuitous routes are wasteful transportation. They result in increased operating expense and decreased net operating revenue of the railways as a whole, and are violative of the national transportation policy. Moreover, the circuitous hauling of commerce cannot be reconciled with paragraph 2 of section 15a of the act respecting honest, economical, and efficient management of the railways as a whole.

VI. (a) That there can be no sound argument that circuitous hauling of traffic by the rail lines does not increase their operating expenses. The Commission has prepared and made available to the public numerous studies of railroad carload costs. Thereunder such costs increase as the distance increases. Moreover, such cost scales, generally, include or require an allowance for 14-percent circuity in each territory (i.e., the amount by which the actual miles of haul exceed the short-line or ratemaking miles), based upon the report for 1947 hereinbefore cited (I.C.C. statement No. 2-54, May 1954, p. 7). Therefore, scales of rates prescribed by the Commission, or voluntarily established by the rail carriers, based upon such studies, apparently are 14 percent higher than they would be if circuitous transportation was nonexistent. Thus, the shipping public is unduly burdened thereby, and the rail lines have no incentive to, and therefore, they see no necessity for, curtailing or eliminating their uneconomical and wasteful transportation.

(b) Likewise the decreased net operating revenue of the railways resulting from circuitous and wasteful transportation appears to be of no great concern to them. They merely seek further general increases, and there have been eight such permanent proceedings since 1946, in all their rates and charges to recoup their losses due to such wasteful transportation, and other factors. In *Increased Freight Rates, 1951* (284 I.C.C. 589), the Commission, at page 612, said:

"Neither the strongest nor the weakest lines can control the rate adjustment; and as has been shown, the great body of the rail carriers are in the middle class, with aggregate earnings that for the immediate future must be considered as substandard, and inadequate."

1. Therefore, the middle class or average rail carriers are the yardstick. Consequently, transportation should be conducted so as to improve their conditions, as distinguished from that of particular carrier or carriers. Eliminating circuitous hauling of freight, by the repeal of the short-haul provision of the act, will result in decreased operating expense and material increase in the net operating income of the railways, all of which is in the public interest, as contemplated by the national transportation policy.

VII. While generally the originating railway zealously retains its long haul, the fact that there are important exceptions thereto strongly establishes that the "long haul" is used in some instances as a bargaining or trading factor between the originating and other lines. For example, the Union Pacific to retain its long haul refused to establish through routes and joint rates with the Denver and Rio Grande Western Railroad Co., on traffic between points in the northwest, on the one hand, and points Denver and east thereof, on the other hand. *Denver & R. G. W. R. Co.* v. *Union Pac. R. Co.* (287 ICC 611). However, on traffic originating on the Union Pacific in Colorado, Iowa, Kansas, Missouri, and Nebraska and destined to points in California, the Union Pacific does not retain its long haul but delivers such traffic to the Atchison, Topeka & Santa Fe Railway Co. and other carriers at Denver or east thereof although it could handle the traffic through to Barstow, Calif., via its own line and thus secure its long haul. The Union Pacific and its connections defended the latter practice before the Commission in *Kern Valley Packing Co.* v. *Atchinson, T. & S. F. Ry. Co., supra.*

VIII. The railways, in support of their position and practices, hereinbefore outlined, rely upon the short-haul provision of the act. In order for a shipper or consignee to secure relief thereunder he must file formal complaint with the Commission and adduce evidence upon the trial to establish either or both of the propositions, (a) that present through route is unreasonably long as compared with another practicable through route which could otherwise be established, or (b) that the through route proposed to be established is needed in order to provide adequate, and more efficient or more economic, transportation. Moreover, in the majority of such cases where the Commission finds in favor of complainants, the railways

appeal to the courts and after substantial cost, effort and time to all concerned the Supreme Court of the United States ultimately decides the controversy. Therefore, stronger degree of proof is first required before the Commission than otherwise if complainant is to prevail and second, long drawn-out court proceedings generally follow before relief is obtained. *D. A. Stickell & Sons, Inc.* v. *Alton R. Co.* (255 I.C.C. 333); *Pennsylvania R. Co.* v. *United States* (323 U.S. 588); *Omaha Grain Exc. of Omaha, Nebr.* v. *Missouri Pac. R. Co.* (278 I.C.C. 519); *Thompson* v. *United States* (343 U.S. 549); *Valier Community Club* v. *Montana Western Ry. Co.* (275 I.C.C. 512); *United States* v. *Great Northern R. Co.* (343 U.S. 562); *Chicago, M., St. P. & P. R. Co.* v. *United States* (366 U.S. 745), and many others cited in annual reports of the Commission to the Congress. Consequently, in a large number of instances the shipping public suffers in silence rather than to become involved in such costly litigation, and the railways continue to further dissipate their net earnings through inefficient, uneconomic, and wasteful circuitous transportation, contrary to the public interest and the national transportation policy.

In the Chicago, M., St. P. & P. R. Co. case, supra, the Supreme Court in a 6 to 2 decision recently ruled that the protection against short hauling in section 15(4) of the act, although "framed in the singular," applies where two railroads own a third railroad as well as when only a single railroad and a subsidiary are involved, and affirmed the judgment of the Federal district court sustaining the decision of the Commission.

However, Justice Douglas wrote a dissenting opinion, in which he was joined by Justice Black. Therein he said that the question presented concerned the meaning of the words "common management or control" as they were used in section 15(4) of the act. He declared that "if the Great Northern and the Northern Pacific, which own the Spokane, Portland, and Seattle Line, are to be granted the special monopolistic protection now extended, section 15(4) should be rewritten."

Proponents of the proposed bill to cancel the short-haul provision of section 15(4) of the act agree with Justices Douglas and Black that said provision is monopolistic and should be rewritten; however, reducing the two spears of grass to one would not go far enough. It would still leave the monopolistic provision in the act, contrary to the public interest and the national transportation policy.

IX. (a) The short-haul provision was enacted in 1910. The Commission was opposed to the provision at that time. Difficulties were encountered in administering it, which are well illustrated in various decisions of the Commission and the courts, and in a number of annual reports to the Congress between 1930 and 1940 the repeal of the provision was recommended.

(b) In 1937 the then Federal Coordinator of Transportation, the late Joseph B. Eastman, made a similar recommendation in which the Commission concurred (S. Doc. No. 152, 73d Cong., 2d sess., p. 94) saying:

"Upon consideration, however, it appears that the Commission was right in 1910 when it opposed the proviso in its entirety. Railroads have no private or proprietary rights with respect to the traffic which they originate, and railroad lines are built to furnish transportation service to the public. These lines ought to be used to the best public advantage, in the public interest, and the Commission ought to have full power to require their joint use with that end in view. It follows that the proviso should be entirely eliminated, as it already has been, in effect, where one of the participating carriers is a water line."

(c) In 1940 when the Transportation Act of 1940 was under consideration, Commissioner Eastman, as Chairman of the Commission's Legislative Committee, repeated this recommendation in a joint letter to Chairmen Wheeler and Lea, dated January 29, 1940 (House committee print, 76th Cong., 3d sess., p. 47). The Congress did not see fit to follow that recommendation, and since then section 15(4) has continued to be a perennial center of controversy before the Commission and the courts.

(d) The Commission in its report on S. 438 to Hon. Edwin C. Johnson, chairman, Senate Committee on Interstate and Foreign Commerce, dated February 1, 1949, suggested the repeal of section 15(4) and in its further report to Mr. Johnson on S. 792, dated February 10, 1949, the Commission recommended the repeal of the first two sentences and the retention of the third sentence of section 15(4), and submitted proposed bill identical to the instant proposed bill, in lieu of S. 792. Moreover, the Commission in its report on S. 2782 to Hon. Edwin C. Johnson, dated April 21, 1952, reiterated its prior and repeated opposition to the short-haul provision here concerned (Senate committee print, 82d Cong., 2d sess., p. 1681). However, the Congress did not adopt the Commission's recommendations and the controversy has continued before the Commission and the courts.

(e) During 1954, the National Association of Railroad and Utilities Commissioners, which organization like the Commission represents the public interest, and the American Short-Line Railroad Association, American National Cattlemen's Association, National Wool Growers Association, and others, went on record in support of the repeal of the short-haul provision of paragraph 4 of section 15 of the act. Hence, it is clear, we think, that the public interest requires such repeal, and we respectfully but urgently ask the Congress to enact the bill here proposed.

SHOSHONE AND ARAPAHOE INDIANS—APPLICATION OF SUBSTANTIAL PORTIONS OF PROCEEDS OF SALE OF LAND FOR BENEFIT OF INDIANS

Mr. HICKEY. Mr. President, on behalf of my colleague, the senior Senator from Wyoming [Mr. MCGEE] and myself, I introduce, for appropriate reference, a joint resolution. I ask unanimous consent to have the joint resolution printed at this point in the RECORD together with an historical explanation of the reason for the joint resolution and a legal brief which propounds the question that we hope to resolve by the resolution.

The PRESIDING OFFICER (Mr. METCALF in the chair). The joint resolution will be received and appropriately referred and, without objection, the joint resolution, historical explanation, and legal brief will be printed, as requested by the Senator from Wyoming.

The joint resolution (S.J. Res. 168) to cancel any unpaid reimbursable construction costs of the Wind River irrigation project, Wyoming, chargeable against certain non-Indian lands, introduced by Mr. HICKEY (for himself and Mr. MCGEE), was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, except as otherwise provided in section 2 of this Act, any unpaid reimbursable construction costs of the Wind River Indian irrigation project, Wyoming, chargeable against non-Indian lands of such irrigation project are hereby canceled and no such charges shall hereafter accrue against such lands.

SEC. 2. The provisions of the first section of this Act shall not be applicable in the case of any such non-Indian land with respect to which the patent issued by the United States conveying such land specifically (1) authorizes the Secretary of the Interior to charge such reimbursable construction costs against such land, and (2) provides that such charges so authorized shall constitute a lien against such land so conveyed.

The explanation and brief submitted by Senator HICKEY, is as follows:

STATEMENT BY SENATOR HICKEY

The Shoshone and Arapahoe Indians, prior to 1904, were the owners by possessory title of about 2½ million acres in the north-central part of Wyoming, etc. In 1904 a treaty was arrived at between the tribes and the United States, which treaty was ratified by Congress, and various implementing legislation enacted, in the act of March 3, 1905 (33 Stat. 1016, et seq.). By this treaty the Indians ceded approximately 1,400,000 acres of their reservation to the United States, leaving what is called the diminished reservation, comprising some 800,000 acres. The act provided for the sale of the ceded portion of the land by the United States and the application of substantial portions of the proceeds of said sale for the benefit of the Indians.

Article II of the treaty provides, after providing for the sale of the ceded lands and the United States agrees to pay to said Indians the proceeds derived from the sales of said lands and also agrees to pay said Indians the sum of $1.25 per acre for sections 16 and 36, or an equivalent of two sections in each township of the said lands. The amounts so realized to be paid to and expended for said Indians in the manner hereinafter provided for.

Article III provides that out of any sums left after the payment of $50 to each Indian any balance remaining in said fund of $85,000 shall at once become available and shall be devoted to surveying, platting, making of maps, payment of the fees and the performance of such acts as are required by the statutes of the State of Wyoming in securing water rights from said State for the irrigation of such lands as shall remain the property of the Indians whether located within the territory intended to be ceded by this agreement or within the diminished reserve.

This House report (No. 3700, 58th Cong., 3d sess.), also contains the recommending letters of the Department of the Interior containing this statement: "According to the statement furnished by the chairman of the House Committee on Indian Affairs embracing estimates made by the General Land Office, the reservation now contains 2,888,500 acres. The proposed section contains 1,480,000 acres leaving the diminished reservation 808,500 acres." The Department further says, "The greater portion of the diminished reservation is particularly well adapted to agriculture and when irrigated as now contemplated will make a very valuable farming district." It also appears that there were at that time 650 Indians belonging on the reservation which would allow them 490 acres each. There is in this House report, including the letters from the Indian Bureau, not one word regarding reimbursement except, through the sale of this land, of the amounts that the Government expended.

Senate Report No. 4623, 58th Congress, is very short and does not in any manner discuss the quoted items from the House report.

This matter was discussed on the floor of the House, CONGRESSIONAL RECORD, February

4, 1905, pages 1901 and 1940 and following, but only one item is discussed on the floor and that is the possible recognition of a certain mineral lease on part of the territory owned by one Amasa Boisen.

On February 16, 1905, the matter was further discussed. Congressional Record, page 2727 and March 1, 1905, page 3756.

Act of March 3, 1905, section 4 provides: "That of the moneys derived from the sale of said lands the sum of $150,000, or so much thereof as may be necessary, shall be expended under the direction of the Secretary of the Interior for the construction and extension of an irrigation system within the Diminished Reservation for the irrigation of the lands of the Indians."

The appropriation in connection therewith provides: "and the sum of $25,000 is hereby appropriated out of any money in the Treasury of the United States not otherwise appropriated, same to be reimbursed from the proceeds of the sale of said lands to be used in the construction and extension of an irrigation system on the Diminished Reservation, as provided in article 4 of the agreement."

From these citations it is clear that this system was to be built and paid for by the United States from the proceeds of lands ceded to the United States by the Indians, and at that time neither the committee reports nor the discussions in Congress indicate any other conception but that the Indians were paying for their own irrigation system out of lands which they ceded to the United States.

The act of May 8, 1906 (34 Stat. 182, et seq.), provided "At the expiration of the trust period and when the lands have been conveyed to the Indians by a patent in fee, as provided in section 5 of this act, then each and every allottee shall have the benefit of and be subject to the laws, both civil and criminal, of the State or Territory in which they may reside.

"*Provided*, That the Secretary of the Interior may in his discretion, and he is hereby authorized whenever he shall be satisfied that any Indian allottee is competent and capable of managing his own affairs, at any time to cause to be issued to such allottee a patent in fee simple, and thereafter all restrictions as to sale, encumbrance, or taxation of said land shall be removed and said land shall not be liable to the satisfaction of any debt contracted prior to the issuing of said patent."

In the act of June 21, 1906 (34 Stat. 327 at 384) the Congress appropriated "$100,000 of the amount specified by said fourth article to be immediately available and to be reimbursed from the proceeds derived from the sale of surplus land as provided in said act" (of March 3, 1905).

The Indian appropriation bill of 1908 was agreed to without argument and provided that the sum of $125,000 then appropriated should "be reimbursed to the Treasurer of the United States from the sale of lands made under the provisions of the act of March 3, 1905."

Thereafter, up to and including 1920 (with the apparent exception of 1911, which contained no provision for reimbursement) additional appropriations were made from the Treasury of the United States for continuing the irrigation construction work, and each of these appropriations was likewise expressly made reimbursable from the proceeds of the sale of the ceded lands.

Therefore, it seems clear that unless there are other statutes relating to the subject which alter this pattern, that neither the individual Indians nor their subsequent devisees are liable for any of such construction costs. It should be noted that these appropriations were not a gratuity but were paid for by the Indians when they ceded 1½ million acres of land to the United States.

The act of August 1, 1914 (38 Stat. 582), was enacted because only a portion of the lands allotted to various Indians was irrigable and it was deemed unfair that tribal funds belonging to all of the tribe should be used to confer irrigation benefits on only a portion of the tribe.

In Senate Report No. 519, 63d Congress, Senator Ashurst reporting for the committee said: "There is further provision directing the Secretary of the Interior to portion the cost of any irrigation project constructed for Indians and made reimbursable out of tribal funds of said Indians in accordance with the benefits received by each individual so far as practicable from said irrigation project. Said cost to be apportioned against each individual Indian under such rules, regulations, conditions as the Secretary of the Interior may prescribe. This legislative authority is necessary where the Government has expended large amounts of tribal funds and where only a part of the Indians of the reservations receive any benefit from the use of the funds."

The act of 1914 therefore contained this language: "*provided further*, That all moneys expended heretofore or hereafter under this provision shall be reimbursable where the Indians have adequate funds to repay the Government, such reimbursements to be made under such rules and regulations as the Secretary of the Interior may prescribe. The Secretary of the Interior is hereby authorized and directed to apportion the cost of any irrigation project constructed for Indians and made reimbursable out of tribal funds of said Indians in accordance with the benefits received by each individual Indian so far as practicable from said irrigation project. Said cost to be apportioned against such individual Indian under such rules, regulations and conditions as the Secretary of the Interior may prescribe."

It will be noted that this was a mere bookkeeping transaction as between tribal funds and the accounts of individual allottees. There is nothing that even implies that the charges against individual allottees should be liens against their allotted lands.

In fact, Senator Jones on the floor of the Senate in connection with this bill suggested an amendment that the individual shares should be liens against the allottees' land, but this idea was brushed aside by the committee.

The act of February 14, 1920 (41 Stat. 408, 409) provided: "The Secretary is hereby authorized and directed to require the owners of irrigable land under any irrigation system heretofore or hereafter constructed for the benefit of Indians, and to which water for irrigation purposes can be delivered, to begin partial reimbursement of the construction charges where reimbursement is required by law, at such times and in such amounts as he may deem best, all payments hereunder to be credited on a per-acre basis in favor of the land in behalf of which such payments shall have been made and to be deducted from the total per-acre charge assessable against said land."

In the same statute, however, on page 608, Congress continued to appropriate "$25,000, reimbursable in accordance with the provisions of the Act of March 3, 1905, and to remain available until expended."

From the foregoing it must be clear that even as late as 1920 at no stage of any discussion of this problem in the Congress was there any firm provision made for the reimbursement of construction costs from individuals, Indian or otherwise. Furthermore, in view of the treaty by which the United States acquired these lands and agreed to construct this system from the proceeds of the ceded land, it would appear to be not only a breach of faith but an actual violation of treaty rights to undertake to impose construction charges against these lands, whether in Indian ownership or otherwise, for it must be remembered that under the acts above quoted the Indians were at perfect liberty to dispose of their lands if they had received a patent in fee, and it must be presumed that the sale price received by the Indians was based upon the Indian right of participation in the irrigation project.

These statements are all verified by debate on the floor of the Senate on June 24, 1914, CONGRESSIONAL RECORD, page 11029. This whole matter of the distribution of costs by the Indians and white settlers was raised but no action was taken.

Senator Jones: "This matter of appropriating money out of the Indian tribal funds instead of from Treasury was expressed thus. This method avoids taking money out of the Treasury."

Senator Myers: "The Indians get the benefit of it by getting water on their land."

Senator Jones: "It is all right to burden the Indians with the cost of their own land. If I had my way about it, I would put in a provision here. Simply appropriate this money and require that whatever part ought to be put against Indian land should be reimbursed out of the Indian fund and require a white owner to pay the other half."

Senator Myers: "You cannot do that now. I do not believe we could do it this year."

Later in the RECORD, page 11031:

Senator Sutherland: (later Mr. Justice Sutherland) "In the first place, the U.S. Government advances the money. Then it looks first of all to the Indians to reimburse the Government for the funds it has advanced.

"Then in turn to the extent the water is used by the white settlers, the Indian fund looks to the white settlers for reimbursement. So ultimately, the white settlers will pay for the water they get and the Indians for the water they get. These lands are being sold at from $4 to $7 an acre and I assume they will not be sold for as much if it were not for the fact that the lands have a prospective water right. That being so, Indians do get a benefit and a very great benefit for their advancements. The benefit which the Indians get for the advancements which is ultimately repaid to them is that they can obtain a bigger price for the land they sell."

This should make it very clear that there was no intention by the Congress to do other than deal with tribal funds and that the lands sold by the Indians to white settlers carried with them the water rights and the paid-up construction costs.

It was not until 1928 that any actual lien against Indian lands even purports to be authorized by law.

The act of March 27, 1928 (45 Stat. 210) provides that:

"The costs of irrigation projects and of operating and maintaining such project, where reimbursement thereof is required by laws, shall be apportioned on a per-acre basis against the lands under the respective projects and shall be collected by the Secretary of the Interior as required by such laws, and any unpaid charges outstanding against such lands shall constitute a first lien thereon which shall be recited in any patent or instrument issued for such lands."

The opinion is ventured that even this statute does not impose any liens on the Wind River Reservation. The language quoted says the liens shall only apply "where reimbursement thereof is required by laws." There were no laws requiring reimbursement of the lands on the Wind River Reservation except out of the sale of lands. Furthermore, most of the lands under discussion have no restrictions whatever in the patents issued to the Indians, or to their devisees. At all stages of the legislative history from 1905 to this date the only reimbursements required in the case of the Wind River Reservation are those "according to the act of March 3, 1905," and that act specifically provided for reimbursement out

of ceded land and not by individual land owners, Indian or otherwise.

Confirmation of the views herein expressed are set forth in an opinion of the Attorney General of the United States directed to the Secretary of the Interior, dated September 2, 1921 (33 Opinions Attorney General, p. 25). In that opinion the Attorney General arrived at the conclusion:

"It is notable that the provision of the act of 1914 merely directs an apportionment. It does not purport to create a lien nor does it give any directions as to how or when the apportioned costs shall be collected, or indeed that they shall be collected at all."

This opinion was occasioned by an inquiry from the Secretary of the Interior as to whether or not non-Indian purchasers might be liable for construction costs. The Attorney General concluded:

"I conclude, therefore, that the sales made both before and after the act of 1914 were valid, that the white purchasers having paid estimated construction costs as part of the purchase price are not liable for further payments under the plan of apportionment. This may result in some loss to the tribal fund because the entire proceeds have been turned over to the heirs of the deceased allottees, but the disposition actually made of the money realized cannot, I think, affect the construction of the statute conferring authority to make the sale."

This opinion was further confirmed by an opinion of the Solicitor of the Interior Department, dated December 15, 1922, in which the Solicitor said:

"In the absence of contractual obligations therefore between the United States and the purchasers of these allotted Indian lands, which I understand are not extant, I am unable to see how the purchasers of such lands, or their assignees, can be held liable for repayment of the costs of constructing the irrigation system at Wind River. The act of August 1, 1914, which places the obligation to repay against the individual Indian benefited but not necessarily against the lands allotted to such Indian by way of a lien or otherwise."

This opinion is further confirmed in substance by the recent opinion of the Solicitor of the Department of the Interior, dated November 26, 1958. That opinion does not even purport to say that there was any lien on these lands until the passage of the act of March 7, 1928, and for the reasons heretofore indicated it is doubtful if even that act creates any lien with reference to the Wind River Reservation where reimbursement was provided by treaty, as well as by statute, to be made out of lands ceded to the Government.

There are several dozen tracts of land owned by non-Indians which are within the reservation and affected by this problem.

On August 24, 1961, the Bureau of Indian Affairs sent similar letters to all landowners within the reservation that "the per-acre construction cost on the upper Wind River unit in which your above described land is located in $69.57 as of June 30, 1961"; that the Bureau expected to mail a bill for one-fortieth of this amount which would be due and payable November 1, 1961.

For purposes of illustration, I will point out four pieces of land now owned by Mr. Max Miller of Omaha, Nebr., as examples of the grave injustice being done by these letters which purport to charge various non-Indian landowners with liens on their land.

Mr. Miller is the holder of four pieces of land in clear chains of title originating as follows:

1. Allotment No. 724, originating in a fee simple patent to Paul LaRose, an Indian, dated June 21, 1909. In view of the statutory history, how can it possibly be concluded that there is any lien for construction charges against land which became non-Indian as early as 1909?

2. Allotment No. 788, originating in a fee simple patent to R. L. Hays, a non-Indian, dated November 3, 1919.

3. Allotment No. 789, originating in a fee simple patent to R. L. Hays, dated November 3, 1919.

4. Allotment No. 849, originating in a fee simple patent to L. G. Hoffner, a non-Indian dated March 30, 1917.

All of the patents issued by the Government on the lands above referred to are in standard form without restriction and contain this language:

"That the United States of America, in consideration of the premises, has given and granted, and by these presents does give and grant, unto the said ——— and to his heirs, the lands above described; to have and to hold the same, together with all the rights, privileges, immunities, and appurtenances of whatsoever nature thereunto belong, unto the said ———.

"And there is reserved a right-of-way thereon for ditches or canals constructed by the authority of the United States."

Is it to be construed that the United States issued patents in this language while at the same moment, as the Bureau contends, there were thousands of dollars of Government liens encumbering the land?

In view of the opinion of the Attorney General, and the record of these statutes as set forth herein, there would seem to be no possible doubt that these four pieces of land are not liable for any construction costs on the Wind River project. The same is true of literally dozens of other pieces of land acquired at various dates by various owners, but certainly as to all of them acquired from the Government prior to 1920 there is no justification for this assertion of a lien.

I need hardly point out the practical consequences of these departmental letters. Not to mention the fact that they have frightened to death a lot of people who have owned land supposedly unencumbered for more than 40 years; in addition thereto, nobody can now make a sale or execute a mortgage without reservations regarding these threatened Government claims. All holders of mortgages are disturbed that their mortgages may be second instead of first liens. These include numerous insurance companies as well as Federal Land Banks who have relied upon the record of clear title from the date of the recording of the patent in the register of deeds' office in the appropriate county in Wyoming.

The Bureau says that there might be "agreements for reimbursement" by predecessors in title, as referred to in the Attorney General's letter, but no such agreements have been produced and it is substantially admitted by the Bureau that no such agreements were ever made. Then it is said, by some process of reasoning unknown to me, that non-Indian owners may be liable for construction costs incurred after the land passed out of Indian ownership, but the Act of 1906 above quoted, makes it clear that once the patent was issued to the Indian or to his devisee it is subject to the ordinary rules of law within the State where located.

There is no law, State or Federal, imposing liens for these construction costs no matter who owned the land prior to 1928.

It is suggested that the Department make a complete review of its position; that it analyze each individual piece of land regarding which these foreboding letters were sent and where appropriate, promptly advise the owners thereof that they are not liable for these construction costs. Apparently by sending such letters to all of the land owners within the Reservation, the Bureau has attempted to shift the burden of proof, and rather than by submitting some evidence or reason that there is a charge payable for construction costs, it is endeavoring to make each land owner assume the burden of proving that his land is not subject to such assessment. This, it is submitted, is very unfair since all of the records are in the possession of the Indian Bureau and the individual land owner is helpless to disprove the claims unless he employs counsel who must spend days, if not weeks, in the regional office at Billings, Mont., searching for records—reimbursement agreements—that the Bureau unofficially admits are probably not in existence.

It is suggested that if the Bureau would assign one or two competent men to make an investigation of these various lands, piece by piece, that within a few weeks or a few months the situation might be clarified.

ORDER FOR ADJOURNMENT TO MONDAY, AT NOON

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate concludes its session today, it adjourn to meet at 12 o'clock noon, on Monday next.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORIZATION TO SIGN BILLS AND JOINT RESOLUTIONS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Vice President or the President pro tempore be given authority to sign bills and joint resolutions during the period of the adjournment following today's session of the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

INCLUSION OF JUDGES ON JUDICIAL COUNCIL—BILL RECOMMITTED TO COMMITTEE ON THE JUDICIARY

Mr. JOHNSTON. Mr. President, I ask unanimous consent that Calendar No. 871, House bill 6690, to amend section 332 of title 28, United States Code, in order to provide for the inclusion of a district judge or judges on the judicial council of each circuit, be re-referred to the Committee on the Judiciary.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. JOHNSTON. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a statement in regard to this matter.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR JOHNSTON

There is presently pending in the Senate, H.R. 6690, which appears on the calendar as Order No. 871.

The bill—H.R. 6690—would provide district judge representation on the judicial councils of the circuits. It was overwhelmingly approved by the Judicial Conference of the United States at its September 1961 session, upon the recommendation of two separate committees of the Conference, the committee on court administration composed of both appellate and trial judges, and the committee on multiple judge courts composed of the chief judges of the district courts having five or more judges.

H.R. 6690 is also endorsed by the Attorney General and the Department of Justice.

Moreover, in addition to unanimous approval by the Committee on the Judiciary of

the House of Representatives, the bill was approved by the House of Representatives without a single dissenting vote.

Thereafter, in the Senate, it was approved by the Subcommittee on Improvements in Judicial Machinery, and unanimously reported by the full Committee on the Judiciary.

Nevertheless, when H.R. 6690 was reached on the calendar, there was an objection, and the bill was passed over. It now appears that the objection was made to accommodate Judge J. Edward Lumbard of the court of appeals for the second circuit, and Judge Richard H. Chambers of the court of appeals for the ninth circuit, who claimed that the proposal did not receive adequate consideration in the judiciary.

These judges are mistaken in their view.

Moreover, this is very disturbing to me and I believe it will be to other Senators who have been proud of the long and completely harmonious relationship which has existed between the Congress and the Judicial Conference of the United States.

Here we have a situation where the bill, H.R. 6690, was overwhelmingly approved by the members of the Judicial Conference and, the moment the Conference adjourned, these two appellate judges—who have never served on the district court bench—rush over to Congress to undermine and undercut the Conference action.

In the Congress, we abide by the majority vote—in our committees and in the House and Senate—and I think that the other members of the Judicial Conference should be concerned that two of its members, far from being willing to abide by the majority decision, have taken it upon themselves to wage a major campaign in the Congress against the action taken by the Conference.

I do not mean to say that, once the Judicial Conference has taken a position on a matter, a judge cannot make his individual and personal views known to the Congress. In fact, he may very well contact the Senators from his own State, or his Representatives—or even the chairman of the committee. Speaking for myself, I welcome such communications. But, when a judge goes beyond that and wages an active campaign at random among the Members of the Congress, including an organized effort of letters and telephone calls from other judges, it is going too far.

The dangers are obvious. Then, Federal judges unwittingly become involved in politics and, particularly, in the politics between the two parties in the Congress. Moreover, their actions raise the most serious questions of propriety, especially in view of the statutes regulating such activities.

Again, I emphasize that a judge, in his personal capacity, is perfectly free always to contact his own Representative or his Senators, and to express his views fully. But once that is done, the matter should take the usual course in Congress. And this should apply, it seems to me, whether the judge is for or against any particular bill.

Because I am concerned lest the good working relationships between the Judicial Conference and the Congress be disturbed, I have expressed my views frankly.

My interest at this point is that individual judges not be allowed to come to Congress and to frustrate and undermine the announced policies of the Judicial Conference. If we permit this to happen, no action taken by the Judicial Conference will ever be secure.

Nevertheless, I wanted to be certain that every possible opportunity was given for these judges to express their point of view. For this reason yesterday I addressed a letter to the Chief Justice of the United States, in his capacity as Chairman of the Judicial Conference, and I asked if he would again place the matter before the Judicial Conference for discussion and for an expression of the current views of the Conference.

I do not know what the Judicial Conference will do with this matter but I am hopeful that its action will be definite and that it will help us to clarify the situation and the confusion which has been caused by the activities of these judges in the Congress. The Senate can be assured that, whenever I receive a response to my letter, I will place it in the RECORD also.

Mr. JOHNSTON. Mr. President, Senator HAYDEN, Senator ERVIN, Senator KEATING, and others have suggested that, because of the opposition of Judge Chambers, Judge Hall, and Judge Lumbard, we should recommit the bill for the purpose of hearings. I very much respect the views of my distinguished colleagues, and I have given careful consideration to the suggestion which they have made. Therefore, I shall ask, and do ask, that the bill, H.R. 6690, be recommitted for the purpose of hearings which are scheduled at 10:30 a.m., Friday, March 9, 1962.

REPORT ON DISPOSITION OF EXECUTIVE PAPERS

Mr. JOHNSTON, from the Joint Select Committee on the Disposition of Papers in the Executive Departments, to which was referred for examination and recommendation a list of records transmitted to the Senate by the Archivist of the United States, dated February 20, 1962, that appeared to have no permanent value or historical interest, submitted a report thereon, pursuant to law.

AIRCRAFT LOAN GUARANTEES—AMENDMENT

Mr. SMATHERS. Mr. President, I submit, for appropriate reference, an amendment to the bill (S. 2815) to amend the act of September 7, 1957 (71 Stat. 629) relating to aircraft loan guaranties. The purpose of the amendment would be to render scheduled all-cargo carriers eligible to participate in the aircraft equipment loan guaranty program. This is the one way I know to develop U.S. airlift, for civil and military use, without cost to the taxpayers.

The principle of loan guaranty has been proved over the past 5 years by the 1957 law covering 32 airlines engaged in local transport and helicopter services. CAB has approved, for 90-percent guaranty, a total of nearly $37 million, of which $14 million already is repaid. Many of the antiquated DC-3's have been replaced by bigger, faster planes. Traffic has doubled. CAB wants the expiring law renewed.

Inclusion of the certificated cargo airlines, which would add four companies, was recommended last year by the President's Task Force on National Aviation Goals, more frequently referred to as Project Horizon.

The cargo carriers are the survivors of the companies formed after World War II which pioneered in the new and difficult field of cargo lift. Their job is to render scheduled cargo service on the routes for which they are certificated by CAB. Flying for the most part in secondhand aircraft designed for passengers, they have not yet been able to break even on their route service.

To stay in business, the cargo airlines have developed worldwide military and civilian charter service, important experience for emergency readiness. Even so, this branch of air transport has incurred net losses in recent years. This unfavorable earnings record makes it difficult to secure new aircraft which is the key to future earnings. Clearly recognizing these facts, the Horizon report urges that the cargo airlines be made eligible for equipment loan guaranty. The expiring law authorizes CAB guaranty up to $5 million per airline. As predicted, there have been no losses to the Government.

The cargo lines now have about 130 aircraft with a total payload capacity of 2,000 tons. Nearly half are military surplus from World War II—C-46's and a few DC-4's. Most of the others are postwar transports; piston aircraft bought from passenger airlines that went to turboprops and jets. Many are passenger-convertible for flexibility in alternating between passengers and cargo.

Only about 20 real cargo planes, end-loading rather than side-loading, are flown by these carriers. They are all foreign models—the British CW-650 Argosy turboprop and the Canadian CL-44-D4 Swingtail. Loan guaranty will enable the cargo airlines to modernize their aircraft fleets with faster and more efficient planes, including jets. Not one jet is currently flown or on order by these carriers. Every modern plane they buy will be an addition to U.S. airlift reserve, ready with the crews, experience, and back-up resources for service anywhere in the world.

In passenger flying, the cargo airlines have a 9-year record of only 0.13 passenger fatalities per 100 million revenue passenger miles compared with 0.47 for scheduled service of the passenger airlines. They have had no passenger fatalities since 1958. Of all the airlines that attempted all-cargo service, 6 certificated companies remain as legal entities. But CAB is reassigning the routes of one and has a merger agreement pending for another. This would leave only 4 airlines to be added by the proposed amendment to the 32 now eligible for loan guaranty: The Flying Tiger Line, with east-west routes; Riddle Airlines, with north-south routes in the East and Midwest and to Puerto Rico, plus part interchange service into Latin America; Seaboard World Airlines, trans-Atlantic; and Slick Airways, not currently on scheduled cargo flights.

These carriers participate extensively in flying passengers and cargo over both the Atlantic and Pacific for the Military Air Transport Service and in scheduled military freight on routes between U.S. bases under Logair and Quicktrans contracts. Many civilian charter passenger groups are flown across the Atlantic.

The principle of loan guaranty was established under the previous administration. Inclusion of the all-cargo carriers is the stated policy of the present administration. This amendment can

expedite plans of these airlines to add to their already substantial contribution to the Nation's airlift capability for peace or war.

I ask that the amendment be printed in the RECORD.

The PRESIDING OFFICER. The amendment will be received, printed, printed in the RECORD, and appropriately referred.

The amendment was referred to the Committee on Commerce, as follows:

At the end thereof add the following new sections:

"SEC. 2. Section 1 of the Act of September 7, 1957 (71 Stat. 629) is amended by adding immediately after the words 'development of' in the first sentence the following: 'scheduled all-cargo and'.

"SEC. 3. Section 3 of the Act of September 7, 1957 (71 Stat. 629) is amended by striking the period immediately following the word 'service' at the end of the first sentence and adding the following: 'or (g) for scheduled all-cargo service.'"

STABILIZATION OF FARM WORK FORCE—ADDITIONAL COSPONSOR OF BILL

Mr. WILLIAMS of New Jersey. Mr. President, I ask unanimous consent that the name of the junior Senator from Colorado [Mr. CARROLL] be added as a cosponsor of Senate bill 1129, for the stabilization of the farm work force.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT OF FOREIGN ASSISTANCE ACT OF 1961—ADDITIONAL COSPONSOR OF BILL

Under authority of the order of the Senate of March 1, 1962, the name of Mr. SMATHERS was added as an additional cosponsor of the bill (S. 2926) to amend section 620 of the Foreign Assistance Act of 1961 so as to prohibit assistance under that act to the government of any country which has not established equitable procedures for compensating U.S. citizens for loss of property by expropriation, introduced by Mr. LONG of Louisiana on March 1, 1962.

INCREASE IN ANNUITIES FOR CIVIL SERVICE EMPLOYEES—ADDITIONAL COSPONSOR OF BILL

Under authority of the order of the Senate of March 5, 1962, the name of Mr. LONG of Missouri was added as an additional cosponsor of the bill (S. 2937) to amend the Civil Service Retirement Act so as to provide for increases in annuities, eliminate the option with respect to certain survivor annuities, and provide for interchange of credits between the civil service retirement system and the insurance system established by title II of the Social Security Act, introduced by Mr. CLARK on March 5, 1962.

NOTICE OF RECEIPT OF NOMINATION BY COMMITTEE ON FOREIGN RELATIONS

Mr. SPARKMAN. Mr. President, as acting chairman of the Committee on Foreign Relations, I desire to announce that today the Senate received the nomination of Dr. Franklin A. Long, of New York, to be an Assistant Director of the U.S. Arms Control and Disarmament Agency.

In accordance with the committee rule, this pending nomination may not be considered prior to the expiration of 6 days of its receipt in the Senate.

NOTICE OF HEARING ON NOMINATION OF IRVING BEN COOPER TO BE U.S. DISTRICT JUDGE, SOUTHERN DISTRICT OF NEW YORK

Mr. EASTLAND. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Monday, March 19, 1962, at 10:30 A.M., in room 2228 New Senate Office Building, on the nomination of Irving Ben Cooper, of New York, to be U.S. district judge, for the southern district of New York.

At the indicated time and place persons interested in the hearing may make such representations as may be pertinent.

The subcommittee consists of the Senator from South Carolina [Mr. JOHNSTON], the Senator from Arkansas [Mr. MCCLELLAN], the Senator from Nebraska [Mr. HRUSKA], the Senator from New York [Mr. KEATING], and myself, as chairman.

NOTICE OF HEARING ON NOMINATION OF JAMES H. MEREDITH TO BE U.S. DISTRICT JUDGE FOR THE EASTERN DISTRICT OF MISSOURI

Mr. LONG of Missouri. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Thursday, March 15, 1962, at 10:30 a.m., in room 2300 New Senate Office Building, on the nomination of James H. Meredith, of Missouri, to be U.S. district judge for the eastern district of Missouri, vice George H. Moore, retired.

At the indicated time and place persons interested in the hearings may make such representations as may be pertinent.

The subcommittee consists of the Senator from South Carolina [Mr. JOHNSTON], the Senator from Nebraska [Mr. HRUSKA], and myself, as chairman.

NOTICE OF HEARINGS ON NOMINATIONS OF JOHN K. REGAN TO BE U.S. DISTRICT JUDGE, EASTERN DISTRICT OF MISSOURI, AND JOHN W. OLIVER TO BE U.S. DISTRICT JUDGE, WESTERN DISTRICT OF MISSOURI

Mr. LONG of Missouri. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that public hearings have been scheduled for Wednesday, March 21, 1962, at 10:30 a.m., in room 2300 New Senate Office Building, on the following nominations:

John K. Regan, of Missouri, to be U.S. district judge, for the eastern district of Missouri, vice Randolph H. Weber, deceased.

John W. Oliver, of Missouri, to be U.S. district judge, for the western district of Missouri, vice R. Jasper Smith, deceased.

At the indicated time and place persons interested in the hearings may make such representations as may be pertinent.

The subcommittee consists of the Senator from South Carolina [Mr. JOHNSTON], the Senator from Nebraska [Mr. HRUSKA], and myself, as chairman.

HEARINGS ON DOMESTIC PRODUCTION OF GOLD AND SILVER

Mr. CARROLL. Mr. President, President Kennedy and all Americans are increasingly concerned about the balance of payments. A major factor in this problem is the outflow of gold from the United States with the consequent diminishment of our own gold supply.

In fact, the situation with respect to our own domestic gold reserves is reported to be so serious that rumors now are being heard of possible devaluation of our currency.

I am stating a trite truism when I say that the monetary problem is complex and many faceted, involving far-reaching issues of high international and national policy. However, one of the ways of dealing with our immediate problem of diminishing gold reserves is to increase the supply of domestic gold, gold produced within our own country by our own miners and flowing into our own Treasury. Silver is of course intimately tied in with gold as a monetary metal, and the silver supply is likewise of grave concern. That is, we need more silver as well as more gold.

Accordingly, Mr. President, as chairman of the Subcommittee on Minerals, Materials, and Fuels of the Committee on Interior and Insular Affairs, I announce that the subcommittee will hold hearings on Thursday, March 15, to explore and consider ways and means of stimulating domestic production of gold and silver. There is before the subcommittee a specific measure, Senate Joint Resolution 44, introduced by the distinguished junior Senator from California [Mr. ENGLE] which would provide subsidy payments of up to $35 an ounce for newly mined domestic gold.

Unfortunately, Senate Joint Resolution 44 has received adverse reports from the Departments of the Treasury, State, Interior, and from the Bureau of the Budget. These excutive agencies, while opposing incentive payments, have not come up with any affirmative or constructive suggestions to help our domestic miners or to increase our reserves of gold.

I ask, Mr. President, that the text of Senate Joint Resolution 44 be printed at this point in the RECORD for the information of the Senate and of the public concerned with the vital issue of domestic gold and silver production.

There being no objection, the Senate joint resolution was ordered to be printed in the RECORD, as follows:

Whereas, during World War II, mining operations in many gold mines throughout the United States were discontinued pursuant to Government order; and

Whereas, during World War II and subsequent thereto, the cost of mining operations has greatly increased; and

Whereas the price of gold in the United States was fixed during the period of low operation cost at the rate of $35 per ounce by the Federal Government and that price has continued until the present time; and

Whereas as a result of the foregoing conditions more than 95 per centum of the gold mines scattered throughout the United States have been forced to close; and

Whereas the gold reserves of the United States Government have been depleted by approximately $5,000,000,000 during the past three years bringing such reserves to a dangerous level; and

Whereas action should be taken without further delay to stimulate the production of domestic gold and to rebuild the gold reserves of the Government to a safer level: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to encourage the discovery, development, and increase production of domestic gold, the Secretary of the Interior (hereinafter referred to as the "Secretary") shall, under rules and regulations prescribed by him, make incentive payments to producers of gold mined, after the date of approval of this joint resolution, in the United States, its territorial possessions, or the Commonwealth of Puerto Rico, upon evidence satisfactory to the Secretary of a sale by any such producer of such gold to the United States. The amount of any such payment shall be determined by the Secretary, but in no case shall such amount exceed $35 an ounce.

SEC. 2. No payments shall be made under this joint resolution during any period in which the gold reserves of the United States Government equal or exceed $23,000,000,000.

SEC. 3. Nothing contained herein shall be construed to repeal, supersede, or modify existing provisions of law relating to the monetary system of the United States.

SEC. 4. This joint resolution, and the authority conferred thereunder, shall terminate five years after the date of its approval.

SEC. 5. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this joint resolution.

Mr. CARROLL. Mr. President, I should announce that, since the views of the executive agencies are already known and a matter of record, the subcommittee has decided it would be desirable to obtain the views of gold and silver producers and industry spokesmen before hearing further from the administration.

Therefore, the witnesses to be heard on the 15th of March will be spokesmen for the gold and silver miners, and outside experts on the two metals. The administrative agencies are invited to send observers to this hearing, and at a later date the subcommittee will hear them on the facts, views, and recommendations put forward by industry spokesmen.

On behalf of the subcommittee, I wish to extend an invitation to all Senators interested in increasing domestic gold and silver production to be present at the hearings on March 15 in the hearing room of the Senate Interior Committee, room 3110, New Senate Office Building, at 10:00.

I ask unanimous consent to have printed at this point in the RECORD letters from the Secretary of State, the Department of the Interior, the Treasury Department, and the Bureau of the Budget.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

MAY 11, 1961.

The Honorable CLINTON P. ANDERSON,
Chairman, Committee on Interior and Insular Affairs, U.S. Senate.

DEAR MR. CHAIRMAN: Your letter of February 7, 1961, requested a report from the Department on Senate Joint Resolution 44, "To encourage the discovery, development, and production of domestic gold." The resolution would provide for incentive payments during a 5-year period of not exceeding $35 an ounce to domestic gold producers on conditions determined by the Secretary of the Interior except that no payments could be made during any period that the gold reserves of the United States equaled or exceeded $23 billion. The resolution states that it shall not be construed to repeal, supersede, or modify existing provisions of law relating to the monetary system of the United States.

While the Department has some doubts about the economic desirability of U.S. Government subsidies for gold production, its comment is limited to the international aspects of the proposal. The Department believes that the enactment of this resolution would be likely to be misunderstood in foreign countries where it might be regarded as a modification of the existing U.S. monetary system. The President and other Government spokesmen have made clear the intention of the United States to maintain the value of the dollar. An action interpreted abroad as a modification of this firmly stated policy could lead to renewed uncertainty about U.S. intentions with consequent speculation against the dollar and conversion of dollar assets into gold, resulting in an increased drain on U.S. gold reserves. The Department does not believe that incentive payments to domestic gold producers would be a desirable method of trying to solve the balance-of-payments problem.

The Bureau of the Budget advises that, from the standpoint of the administration's program, there is no objection to the presentation of this report for the consideration of the committee.

Sincerely yours,

BROOKS HAYS,
Assistant Secretary
(For the Secretary of State).

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., May 11, 1961.

Hon. CLINTON P. ANDERSON,
Chairman, Committee on Interior and Insular Affairs, U.S. Senate, Washington, D.C.

DEAR SENATOR ANDERSON: Your committee has requested a report on Senate Joint Resolution 44, to encourage the discovery, development, and production of domestic gold.

This joint resolution directs the Secretary of the Interior to make incentive payments up to $35 an ounce to domestic producers of gold. The amount of the incentive payments would be determined by the Secretary. The authority to make the payments would terminate in 5 years, or earlier if the gold reserves of the U.S. Government equal $23 billion.

The executive branch is opposed to the enactment of any legislation that would establish or imply a second price for gold, different from the $35-per-ounce price now in effect.

As a technical matter, the Department of the Interior recognizes that enactment of the joint resolution would provide an incentive for reopening many mines which cannot now operate profitably and might assist in keeping in production some mines now on the margin. It would provide additional revenues to the profitable mines and for the producers of gold as a byproduct in the mining of base metals, the principal sources of our present gold production.

With an incentive of $35 an ounce, gold production might be doubled, but at this doubled rate it would take about 42 years to replace from domestic sources the monetary gold reserve loss since 1957. It can be seen, therefore, that one of the objectives of this resolution, to augment the gold reserves of the United States, would not be accomplished in an appreciable way.

The payment of incentives of the sort proposed by the resolution would result in a situation that gold costing the Government $70 an ounce would be offered at $35 an ounce to foreign monetary authorities and American industrial users of gold. Enactment of legislation providing for payment of a subsidy of this sort could lead to uncertainty about the U.S. price of gold and the stability of the dollar in world markets, and so could result in an increased drain on U.S. gold reserves.

Although the Department of the Interior recognizes that the resolution would be beneficial to gold miners, the executive branch has concluded, in view of the paramount national interest in the monetary function of gold, that the enactment of this legislation would not be desirable.

The Bureau of the Budget has advised that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely yours,

JOHN M. KELLY,
Assistant Secretary of the Interior.

TREASURY DEPARTMENT,
Washington, D.C., May 8, 1961.

Hon. CLINTON P. ANDERSON,
Chairman, Committee on Interior and Insular Affairs, U.S. Senate, Washington, D.C.

MY DEAR MR. CHAIRMAN: Reference is made to your letter of February 7, 1961, asking for the views of this Department on Senate Joint Resolution 44, to encourage the discovery, development, and production of domestic gold.

The proposed legislation would provide for incentive payments to domestic gold producers in amounts not exceeding $35 per fine troy ounce. The amounts and terms of such payments would be determined by the Secretary of the Interior. The authority would terminate after 5 years and no payments could be made during any period that U.S. gold reserves equaled or exceeded $23 billion.

The Treasury Department does not believe that the institution of a system of incentive payments to gold producers would represent a desirable approach to the basic problem of our balance of payments. The enactment of a measure providing for such payments would be definitely harmful by encouraging uncertainty and speculation with regard to furture gold prices.

Accordingly, the Treasury is opposed to the enactment of Senate Joint Resoluiton 44.

The Department has been advised by the Bureau of the Budget that there is no objection from the standpoint of the administration's program to the submission of this report to your committee.

Very truly yours,

JOHN M. LEDDY.

EXECUTIVE OFFICE
OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D.C., May 8, 1961.

Hon. CLINTON P. ANDERSON,
Chairman, Committee on Interior and Insular Affairs, U.S. Senate, Washington, D.C.

MY DEAR MR. CHAIRMAN: This is in reply to your letter of February 7, 1961, inviting the Bureau of the Budget to comment on Senate Joint Resolution 44, to encourage the discovery, development, and production of domestic gold.

The resolution provides for incentive payments over a 5-year period of up to $35 per ounce on sales to the United States of domestically mined gold so long as the gold reserves of the U.S. Government are less than $23 billion.

The Treasury and State Departments, in separate reports they are making to your committee, recommend against the enactment of Senate Joint Resolution 44 because of the uncertainty and speculation with regard to future gold prices which would result in foreign countries, where the legislation might be regarded as leading toward a modification of the U.S. monetary system. The bill is regarded as an undesirable approach to the basic problem of our balance of payments.

The Department of the Interior, in the report it is making to your committee, indicates that domestic production could not be sufficiently expanded in the next few years to appreciably affect our reserve position in gold.

In these circumstances, the Bureau of the Budget recommends that this measure not be enacted.

Sincerely yours,

PHILLIP S. HUGHES,
Assistant Director for Legislative Reference.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, March 8, 1962, he presented to the President of the United States the following enrolled bills:

S. 201. An act to donate to the Zuni Tribe approximately 610 acres of federally owned land;

S. 1299. An act to amend the act of June 4, 1953 (67 Stat. 41), entitled "An act to authorize the Secretary of the Interior, or his authorized representative, to convey certain school properties in local districts or public agencies"; and

S. 2774. An act to amend section 8 of the Organic Act of Guam and section 15 of the Revised Organic Act of the Virgin Islands, to provide for appointment of acting secretaries for such territories under certain conditions.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. WILEY:

Excerpts from statement by him on arms control and reduction.

By Mr. CARROLL:

Correspondence conducted by himself with the Secretary of the Interior, together with sundry news articles, an editorial from the Greeley (Colo.) Tribune, a recent resolution by the Sterling (Colo.) Rotary Club, and an article entitled "The Great Out of Doors," published in the Washington Post of March 3, 1962, relating to the proposal to make Pawnee Buttes, Colo., the site of a new national park.

By Mr. DOUGLAS:

Letter dated February 24, 1962, from Senator DOUGLAS to Beryl McCullar, Department of Health, Education, and Welfare, on the subject of fish flour.

TRADE NEGOTIATIONS WITH THE EUROPEAN ECONOMIC COMMUNITY, THE UNITED KINGDOM, AND 24 OTHER COUNTRIES

Mr. BUSH. Mr. President, the State Department and the White House have announced the results of trade negotiations with the European Economic Community—Common Market, with the United Kingdom, and with 24 other countries.

In contrast to the administration's optimism over the outcome, I find no cause for rejoicing in the fact that in order to induce the Common Market to make concessions, the President ordered U.S. negotiators to disregard peril-point findings made by the Tariff Commission, and thus exposed American workers and industries in which they now hold jobs to the threat of serious injury.

Mr. President, it is too early to appraise the full consequences of this surrender by the administration, but that the consequences will be unfortunate may be predicted from the fact that the Tariff Commission establishes a peril point only when it has concluded that duties may not be reduced without risking serious competitive injury to American producers.

In my judgment, the results of the Geneva negotiations illustrate the dangers to the national interest which arise from conferences between the United States and her European allies which are limited to the narrow field of trade matters.

On January 7 of this year, following hearings conducted by the Subcommittee on Foreign Economic Policy, I was joined by Representative THOMAS B. CURTIS, of Missouri, in a statement in which we pointed out that the nations of Western Europe owe the rest of the free world a unilateral reduction in trade barriers. We expressed grave doubt that the President's proposed trade legislation would solve our dangerous balance-of-payments problem.

We recommended that the President call a conference of Western nations, for discussions aimed at elimination of conflict in their international economic policies. In such a forum, we said, tariff matters could be placed in proper focus, alongside the enormous contributions America has made and is making to the peace and security of the world, and to Western Europe in particular.

Mr. President, I am pleased that the full Joint Economic Committee has now unanimously endorsed the major suggestions made at that time by Representative CURTIS and myself.

In its annual report, published today on the President's Economic Report, the full committee reached these conclusions:

The proposed new trade legislation will not solve our immediate and pressing balance-of-payments problem. This will take vigorous and immediate steps to obtain fair concessions from the countries of Western Europe. These countries should meet a larger share of the cost of our mutual defense, and those now enjoying a surplus of payments should assume a larger share of the burden of aiding the underdeveloped countries. There must be a prompt reduction of approximately $2 billion to $3 billion in our payments deficit. Furthermore, the major industrial nations should work out improved international monetary arrangements whereby they may better utilize their monetary reserves. We believe that:

1. The Common Market countries of Western Europe owe the rest of the free world a substantial unilateral reduction in their tariffs, to offset the growing discriminations against the rest of the free world which are inherent in the emerging tariffs of the Common Market countries.

2. Those countries of Western Europe which are now enjoying a surplus payments position should increase their aid to underdeveloped countries generally—not just extend aid to colonies or associated territories.

3. Those NATO countries now making disproportionately small contributions to our mutual defense should increase their contributions; contributions should be available for base operating expenses, whether for civilian personnel, construction, land, or supplies.

Specifically, what is needed is for the major industrial nations to sit down in conference and agree on a set of recommendations for balancing out the hard-core $2 billion to $3 billion in U.S. payments deficits and their corresponding European payments surpluses. We would hope that the recommendations for balancing would be achieved by European action with respect to unilateral tariff reductions, greater development aid, and larger defense contributions, rather than by recommendations for U.S. import restrictions, curtailment of U.S. tourist travel, restrictions on capital movements, and other undesirable measures.

Mr. President, I earnestly hope the administration will take advantage of this expression of bipartisan congressional opinion, to call immediately a conference of the Atlantic nations, to consider not only a more equitable sharing of the free world's burdens, but also other problems which create major barriers to the greater free-world unity which must be achieved in order to win victory in the cold war. These include, first, policy toward trade with the Sino-Soviet bloc; and, second, the role of Japan, Latin America, Africa, and other non-Atlantic nations in the struggle against Communist imperialism.

Such a conference could be held under the auspices of the Organization for Economic Cooperation and Development—OECD—or by having the administration invoke article 2 of the NATO Treaty, which provides that members "will seek to eliminate conflict in their international economic policies and will encourage economic collaboration between any and all of them."

The administration has failed to act with sufficient energy and vigor to meet the balance-of-payments problem. Instead, it has sought to persuade the public that the proposed trade program

alone will solve it by expanding U.S. exports more rapidly than imports.

In the long run, a mutual lowering of trade barriers by the United States and the Common Market should have the effect of improving our favorable balance of trade. However, such an improvement will be slow in coming, and may not be fully felt until 5 years from now. In the meantime, our balance-of-payments deficit creates an urgent problem which must be solved now—not 5 years hence. The way to start, as the committee has unanimously concluded, is for the administration "to take vigorous and immediate steps to obtain fair concessions from the countries of Western Europe."

Mr. President, the new Geneva agreements will have to be carefully studied before the effects can be fully appraised.

However, a preliminary examination reinforces my belief that before broad new trade powers are granted to the President the administration should immediately call the major industrial nations into conference, for discussions of a fairer sharing of the free world's burdens, and that in such a conference the nations of Western Europe should be pressed to grant unilateral reductions in their trade barriers.

Mr. President, in this connection, I note in the Wall Street Journal for today some comments published under the headline "U.S. Firms Weigh Impact." The article refers to the impact of the international tariff adjustments concerning which I have just now been speaking. I ask unanimous consent that the article from the Wall Street Journal be printed at this point in the RECORD in connection with my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

U.S. FIRMS WEIGH IMPACT

The reactions of U.S. companies to the international tariff adjustments disclosed yesterday took several tacks. But most companies in fields where details of the tariff cuts could quickly be appraised figured the agreement would have little impact on them.

Other companies withheld comment until they could study the exact changes agreed to by the United States and 31 other nations.

Among concerns seeing little impact, some companies noted that while most of the affected tariffs were lowered, some duties were raised. Other concerns said many of the cuts were far too shallow to let their products compete effectively abroad. Reductions made in U.S. levies were generally considered so slight that they would not greatly alter the domestic sales pattern, although some companies cautioned that further reductions in U.S. barriers could hurt them.

IMPORTANCE PLAYED DOWN

One major industry affected, the automobile business, tended to play down the importance of the agreements. "Tariff cuts in themselves aren't going to mean a great deal to a U.S. carmaker," says a spokesman for Ford Motor Co.'s International Division. The cuts mean reductions of up to $200 in the price of an American car in the Common Market nations, and even more in the United Kingdom. But these cuts are so slight a percentage of the cost of the car that most makers don't expect to add many sales. To illustrate: In France, an American compact such as Ford Motor Co.'s Comet sells for $4,789; a typical French small car costs about $1,200.

And in some nations the cost of a U.S. automobile will rise because of the tariff agreement. In Germany, for example, a Comet sells for $3,859 against $1,100 for a German-made small car. But in Germany the current duty on a U.S. compact is less than the new rate of 22 percent, so the car's price will rise as the levy goes up. Added to this is the fact that Europe hasn't been much of a market for U.S.-built cars for a long time; in 1960, only $31 million of autos were shipped to Common Market nations, and shipments in the first 9 months of 1961 were 17.3 percent below the 1960 pace.

DON'T SEE INCREASED FOREIGN SALES

Officials of U.S. automakers say they don't expect the cut in U.S. duties to boost sales of foreign makes in the United States, "although it won't hurt them any," says a General Motors Corp. executive. "The foreign car buyer wants a foreign car, and a $30 cut isn't going to win many converts who don't want one anyhow," adds another auto industry official.

Drug makers generally see little significance in the agreement. "It will have practically no impact on us," says an official of Merck & Co.'s international division. And the chemical industry concurs: The cut in the tariffs on polyvinyl acetate are "academic," says Air Reduction Co. That product is widely used in adhesives and paints.

Some companies were more enthusiastic. The changes "help us in every respect," says Edward Gilbert, president of E. L. Bruce Co., a maker of hardwood flooring. A cut in Canadian import levies will "open new markets" for oak in Canada while the cuts in U.S. import duties will help our company "because we try to buy birch veneer."

U.S. distillers generally feel the cut in U.S. tariffs on Scotch whisky won't affect sales of domestic liquors because the reduction amounts to less than 5 cents a fifth. But the distillers attacked the change: "We object to the direction the tariff changes are taking, not the amount," one industry official states.

LEGISLATIVE OUTLOOK FOR PRESIDENT'S PROGRAM

Mr. WILEY. Mr. President, at this time the outlook for the President's legislative program appears, at best, to be problematical.

Earlier this week, I was privileged to review recommendations in major fields.

I request unanimous consent to have excerpts from my observations printed at this point in the RECORD.

There being no objection, the excerpts from the statement were ordered to be printed in the RECORD, as follows:

WILEY SEES PRESIDENT'S LEGISLATIVE PROGRAM IN TROUBLE

Senator ALEXANDER WILEY, Republican, of Wisconsin, today evaluated the President's legislative program as in trouble in Congress.

"The outlook for the President's legislative program appears at best to be problematical at this time," said Senator WILEY, senior Republican of the Senate.

"Despite on-the-surface impressions that all is rosy, the facts of legislative life show that many of the President's major recommendations may, instead, be in deep trouble.

"Let me cite some examples:

"1. On taxes: The President's recommendation—despite hearings initiated last year—have bogged down in the Ways and Means Committee. Now, it is doubtful that the recommendations will come out of committee in recognizable form; in fact, some say these may be scrapped. This, then, would leave legislative time only for congressional consideration of outstandingly crucial needs for revision and reform of our tax laws.

"2. On reciprocal trade: There is considerable doubt that the President will get what he recommended to Congress. Realistically, the Legislature will—or should—write in adequate safeguards to protect domestic economy. Recognizing that trade must be a two-way street, we must, nevertheless, be careful not to sacrifice essential U.S. enterprises upon the altar of international trade.

"3. On the farm front: There is widespread skepticism that the President's recommendation—particularly in dairying—will ever get out of the Agriculture Committee. Why? Because so far there is a lack of evidence to convince enough legislators that the program (a) would provide an equitable solution for problems in agriculture, or (b) that it would be acceptable to farmers. In the light of the situation, Congress has the alternative—in fact, the responsibility—of creating its own dairy farm program.

"4. On medical care for aging folks: The proposed transfer of the medicare program to social security has moved at a snail's pace. Why? Until now, the administration and supporters have failed to stimulate support by demonstrating how and why the program—by a changeover—would better serve the older people—and would be equitably financed.

"5. Space: The administration's recommendations on space—as things look now—may also undergo considerable surgery—at least in the Senate Space Committee. Although it is yet not possible to predict the final version of the measure, the committee appears to be of a mind to look analytically and critically—though judiciously—at the recommendations of the administration.

"Traditionally, there is a political habit of blaming the opposing political party when an administration's program gets into trouble. In this case, however, this simply is not justifiable. Why? For the following reasons:

"1. The administration has a 263-to-174 majority in the House of Representatives; and a 64-to-36 majority in the Senate.

"2. The Republican vote—even though a minority—often splits over the whole range of liberal to conservative.

"3. The oft-alleged collusion between Republicans and southern Democrats is far more fiction than fact.

"The conclusion, then, is that the President's recommendations either have missed the mark, or there have been inadequate, or ineffective, efforts to accrue support for such a legislative program," Senator WILEY said.

MIGRATORY LABOR

Mr. WILLIAMS of New Jersey. Mr. President, the American agricultural system has long been the most productive in the world. The agricultural abundance we enjoy is attributable, in no small measure, to migratory farmworkers and their families who, year in and year out, help to plant, cultivate, and harvest our crops. Yet despite the essential nature of the tasks they perform, they themselves live and work under conditions characterized by poverty, illiteracy, and disease.

Over the years there have been a few religious, charitable, and social organizations which, together with interested individuals, have made commendable efforts to bring to the attention of the public the problems of the migratory farmworker and his family. Among them is Father James L. Vizzard, director

of the Washington office of the National Catholic Rural Life Conference.

Father Vizzard is the author of an informative article entitled "Badge of Infamy," which appeared in the January 1962 issue of Country Beautiful.

In discussing the economic and social status of the migratory farmworker, Father Vizzard points out that—

In fact, no significant improvement of any kind can be expected until the American consumers express revulsion over the misery involved in getting food to our tables.

Because Father Vizzard's article is indicative of a growing national interest in, and concern for, our migratory farmworkers and their families, I ask unanimous consent that the article appear in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

BADGE OF INFAMY

(By James L. Vizzard)

Patterned fields stretching endlessly over former desert land; refrigerated trains racing across country with fresh, crisp cargoes; iceberg letture mounded high in supermarket bins—these are hardy symbols of an American abundance.

They are also elements of an American tragedy.

The chain of events that brings color, taste, and variety to our tables includes one harsh link forged with human misery. Despite the mechanization and superefficiency used to produce our fruits and vegetables, there are still agricultural jobs that can be done only by human hands. Those hands belong to the poorest of America's poor—the migrant farmworkers.

Most of us know little of this migrant. We might remember a few dark impressions or disturbing episodes from John Steinbeck's "The Grapes of Wrath," when, in the 1930's, Dust-Bowl Oakies and Arkies flooded the fields and highways of California in a desperate search for jobs, any jobs, and a place to settle that would not blow away. But that was years ago, during days of depression, and there has been no new Steinbeck to tell us of the hoards of American citizens of the sixties who, each spring, hit the road in search of field jobs, or any jobs, pressed on by misery of a different kind—but of no lesser degree—then were the dust bowlers.

Today, most of the migrants are from Texas and Florida, and almost all of them are members of two minority groups: the Negro and the Mexican-American. They leave their city and rural slums each year to seek something better than the 40 to 70 cents an hour that is offered in the fields at home (when work is available).

Reliable statistics on migrants are hard to find. But, according to the best-informed estimates, each year a half-million migrant laborers, with wives and children swelling their numbers to a million or more, spread up the Atlantic seaboard or follow the sun and crops through the Midwest or move up the Pacific coast from lettuce to tomatoes to peaches. From 5 to 9 months a year they live in make-do housing—a few days or weeks here, a month or so there—on the fruit, vegetable, sugarbeet, and cotton farms that help feed and clothe the Nation.

Actually, only a small percentage of American farms depend on migrant laborers, and those mostly during the harvest season. Although many of these farms are small or medium sized, a relative handful of large corporation farms dominate in the use of migratory labor as they do in production. These are often multimillion-dollar enterprises spread through several States, owned by investors and run by business managers. They are a far cry from the traditional family farm whose mantle of dignity and respectability they try to wrap around themselves.

Secretary of Labor Arthur Goldberg cites migrant farmworkers as the most underprivileged economic group in the Nation. His predecessor, James Mitchell, called the migrant's plight "the shame of America"; and Archbishop Robert E. Lucey of San Antonio characterized it as "America's badge of infamy." This writer, in testimony before congressional committees, has charged that the system is "a substitute for slavery." A fruitgrower, referring to the supplementary Mexican farmworker importation program, even commented: "We used to own slaves; now we rent them from the Government."

Harsh charges, these, and bitterly resented by most farm employers who believe they are falsely and unfairly held responsible for conditions not of their own making. These employers grant that the migrants' living and working conditions are not ideal, but they insist that the conditions are better than most critics are willing to admit. Moreover, they assert that while farm income has been declining for years, farm wages have been moving consistently up. Instead of condemnation, they feel they deserve praise for performing an important public service, for offering at least some kind of job and income to people who otherwise would be "unemployables" and perpetually on relief.

Wages for migrant laborers range from the almost unimaginable low of 30 cents an hour in the Arkansas cottonfields to an occasional high in California, Oregon, and Washington of $1.50 an hour with the most common level averaging between 65 and 80 cents in other parts of the country. At these rates, even long hours of continuous work will yield a meager income. But the very nature of this employment makes continuous work impossible—literally. The crops and jobs are scattered over the countryside; when one job is finished, the next field to be worked may be in the adjoining county or several hundred miles away.

In 1959 migrant farmworkers averaged only 119 days of farmwork for an annual income of $710. Adding their pay for the 24 days of off-farm work that they also averaged, their total annual income was about $910—in a year when our economy was otherwise booming.

It is not surprising, then, that it is sometimes necessary for the migratory children, as well as the women, to work in the fields beside the breadwinner of the family. Child labor was outlawed long ago in most other industries, but among migrant families the child's wages are needed to supplement the father's inadequate earnings. The future effect of this kind of life on these migratory children is easy to fortell. Living in hovels, clad in castoffs, underfed, subject to diseases and injuries at rates at least five times that of other children, regarded at best with suspicion and at worst with outright hostility, they are confronted by social and economic prospects probably worse than those of their parents.

But these details, however grim, do not reveal the whole story. Despite evident and urgent needs, the migrant farmworkers have been systematically excluded from almost every piece of protective and welfare legislation, both State and Federal, that has been passed during the past 30 years. They are expressly exempt from the minimum wage law and the unemployment insurance system. Only a handful are covered by workmen's compensation or social security. And, perhaps even more harmful, they are excluded from legislation that protects and facilitates the right to organize into unions and bargain collectively with employers.

The picture is completed by the most improbable detail of all: Hundreds of thousands of migrant workers—braceros—are brought from Mexico each year to compete directly in the labor market here that is already characterized by mass unemployment and underemployment. When the wages and working conditions offered by agriculture fail to attract enough United States workers, employers are not obliged, as in all other industries, to improve their offers. They simply call upon the U.S. Government to arrange for the importation of the necessary number of braceros. More poverty stricken than our own workers, the braceros welcome the opportunity to earn a few dollars, even if it means leaving their families for many months and working in a foreign land under conditions similar to indentured servitude.

Despite this, the migratory Mexicans have it better than the migratory American citizens. The Mexicans come into this country under a signed contract that guarantees a minimum wage—50 cents an hour—and employment for at least 75 percent of the working days during the contract period. Moreover, their food, housing, and transportation must satisfy minimum requirements established by a treaty between the United States and Mexico. Our own citizens have no such guarantees.

Growers prefer braceros over U.S. citizens because the Mexicans can be transported and housed as gangs of single men without the encumbrances of wives and children. They are also docile; otherwise, they will be bundled off to the border and blacklisted from future U.S. employment. Their vast numbers and ready availability also relieve the growers of the necessity of improving wages and working conditions to a level where they might successfully compete with other parts of our economy for competent American workers.

The growers assert that Mexicans are needed because U.S. citizens usually decline to do stoop labor. This is a strange assertion, indeed, when a majority of the American citizens displaced by the braceros are Mexican-Americans of similar origin. It is also strange in view of the fact that much of the work involves not back bending but arm stretching in the citrus, peach, apple, prune, and cherry orchards of the country.

The employers also insist they are unable to improve wages and working conditions. They point out that they have no control over other costs of their operations, the price of credit, irrigation, machinery, fertilizer, seed, and other necessities. Neither, they say, can they affect the price received for their commodities, due to the law of supply and demand.

For practical purposes, then, the grower considers the price of labor as the only cost that he can control, and the one that may spell the difference between profit and loss. He is unable to pay more, he feels, without running the risk of financially ruining himself. Even at the present level of labor costs, he claims, it is difficult to continue operating. He may offer a look at his books that shows years when, because of natural disasters or depressed market conditions, he was confronted with bankruptcy.

Everyone knows that farming is, in a sense, a gamble, particularly in perishable crops like fruit and vegetables. As with every high-stake risk, there is always the twist of luck that might pay off big. A bonanza awaits the grower who brings in a crop when his competitors are unable, or who beats them to an early, rich market by even a day. But the employers never ask the workers to share the risk, their wages to fluctuate with the profits. And better wages or bonuses are not offered to the workers when the employers hit the jackpot.

Moreover, the growers' assertion that they are unable to control either the costs of production or the prices received is worthy of analysis. Many of the growers making

this claim are huge operators with enough leverage to secure the most favored prices on what they buy, whether it is machinery, credit, or supplies. Moreover, most smaller farmers have found that they can often achieve mutually what they are unable to achieve individually. And cooperatives that supply everything from oil to fertilizer cut costs by tens of millions of dollars annually for farmer-members.

It is in the area of prices received, however, that growers have the greatest potential—but unused—power. They seem to be in a poor position to bargain with canneries, processors, and chainstores, or to withhold their products from the market to force prices up. (Crops that are highly perishable must often be marketed at any price before they decay. This, however, is not true of cotton and sugarbeets, crops that are among the heaviest users of migratory labor.)

But the growers might well follow the example of the independent fishing boat operators who deal in a product at least as perishable as fruit and vegetables. When a fisherman docks with a load of cod or tuna, he is in a position similar, in many respects, to that of the individual fruitgrower. His catch is not going to keep fresh for more than a few hours. In such a situation, it would appear that the fish canners and wholesalers have all the leverage. But, in fact, they have not—because the small fishing operators have their own bargaining organizations. Previously when a single fisherman threatened to withhold his catch, the canneries could afford to laugh at him. But when all fishermen joined and agreed to withhold their catches unless a reasonable price was offered, the canneries were willing to bargain.

When a similar proposal is made to growers, they voice two objections: (1) Farmers are too independent and competitive to get together in this way, and if they should do so, (2) a price that would allow a reasonable profit, as well as better wages, would bring about a consumer revolt. The growers contend that they would price themselves out of the market.

The first objection sounds more petulant than realistic. In fact, growers of several important specialty crops have already organized, at least to the degree of being able to protect their own interests. Nor has there been any consumer revolt at the new prices. The growers' fear of such a revolt is based on two false assumptions: that a large increase in the consumer price would be necessary, and that the consumer is indifferent to injustice if it is the price of putting a product on the dinner table.

If the growers passed along the burden of an increased wage to the consumers, how would it affect store prices? U.S. Department of Labor statistics show that a 10-cent-an-hour pay raise to migrant laborers would increase the cost of:

Cotton only 50 cents a year for the average family.

Sugarbeets only one-tenth of a cent a pound.

Tomatoes only one-tenth of a cent a can.

Lettuce only one-tenth of a cent a head.

The wages of migrant workers would have to be more than doubled before a price increase for these commodities would be perceptible to housewives.

But suppose the growers' worst fears were realized—and consumers' prices were elevated enough to be noticeable. It is here that spokesmen for the fruit, vegetable, and cotton industries seem to underestimate the basic decency of the American housewife. They assume that she would balk at paying the extra penny or two required to assure a just return to all.

As former Secretary of Labor Mitchell said, "In this country, we do not choose to keep down our bills, including our food bills, at the cost of overworking and underpaying human beings. We choose to pay the price necessary to support an adequate wage."

In testimony before congressional committees, consumer groups have stated unanimously that they would be willing to pay the extra cost—if any—that would be necessary to eliminate substandard labor conditions in American agriculture.

But, perhaps, there is little hope that improvements in the working and living conditions of migrant laborers will come from growers' actions. Their tradition of indifference to any change may be too deeply ingrained. Hope for the future, then, probably lies in action from two other sources: Government legislation and union organization.

The first—and most important—thing reasonably expected of Government is the removal of legal discrimination. If there ever was any justification for excluding migrants from the minimum wage, unemployment insurance, workmen's compensation, and other health and welfare legislation, there seems to be none now.

Of almost equal importance would be the termination of the bracero program. The wartime manpower shortage that justified the use of prisoners of war and alien workmen has been succeeded by unemployment and underemployment, most notably among the very U.S. citizens whose jobs are being preempted by the braceros. At a time when U.S. unemployment continues in the millions and underemployment of rural people is estimated as the equivalent of 1,400,000 fully unemployed workers, it is unreasonable to continue importing hundreds of thousands of additional workers.

Even should Government do all it can, there still remains the necessity for farmworkers to gain some control over their own wages and working conditions. This is possible, of course, only if they form strong, responsible unions. Like all other groups with common interests and needs, farmworkers possess the natural right of association. Up to now, however, protection of that right has been denied them by law—and every effort to exercise it has been effectively opposed by the growers.

Even without present legal discrimination and employer opposition, the job of organizing the migrant laborers presents extraordinary difficulties. Constantly on the move over the vast reaches of rural America, docile and disorganized through years of poverty and hopelessness, discouraged by the abject failure of previous feeble attempts at organizing, sometimes with the additional burden of racial discrimination, migrant farmworkers are incapable of organizing without outside help.

In fact, no significant improvement of any kind can be expected until the American consumers express revulsion over the misery involved in getting food to our tables. Only then will Congress and the State legislatures, and the fruit, vegetable, and cotton industries, restore dignity and establish justice in one of the traditionally most honorable—and surely the most necessary of life's occupations—farm labor.

THE B-70 PROGRAM

Mr. GOLDWATER. Mr. President, those of us who have long advocated and argued for an expanded B-70 program as a primary element of our defense system believe that this Nation has no alternative but to remain the world's undisputed leader in the development of manned aircraft. However, from press reports of the President's latest news conference it would seem that this administration does not agree with this view. In fact, Mr. Kennedy spoke out against any expansion at all in the B-70 program.

Now, Mr. President, I find this a strange attitude on the part of the President of the United States. I find it particularly strange in light of the strong support he gave to the B-70 program while campaigning for the office he now holds.

For example, in a speech on November 2, 1960, at the Horton Plaza in San Diego, Calif., Mr. Kennedy said:

> This year, as the result of the efforts of Senator ENGLE and others, the Congress of the United States appropriated $300 million for the B-70's. I endorse wholeheartedly the B-70 manned aircraft.

Then, in a speech at Wichita Falls, Tex., on November 3, 1960, Mr. Kennedy told his audience:

> We have been trying for 2 years to get the B-70 in California $300 million the Congress appropriated.

About the same time, Mr. President, the Democratic candidate for President issued a special statement—this was on November 2, 1960—in which he vigorously criticized the Republican Eisenhower administration for holding up funds appropriated by Congress for the B-70 program. Here is what he said:

> Back in 1959, in the appropriations bill for fiscal 1960, the Democratic Congress voted $345 million for development of the B-70. The administration impounded from that appropriation $195 million, and allowed the Air Force to spend only $150 million.

Now, Mr. President, in light of these statements by President Kennedy in the recent past, I feel we are entitled to ask what changed his mind about the advisability of expanding the B-70 program. I believe we also are entitled to ask whether the present administration expects to impound funds approved by the Congress for this purpose. If such action was deplorable when practiced by the Republican administration, why is it any different when the Kennedy administration does it? President Kennedy criticized the Republicans for—as he put it—"doing less than Congress has stipulated in building the Nation's defense."

Is he now going to do "less than Congress stipulates in building the Nation's defense"? I believe we have the right—and the duty—to ask this question.

Are we now, through the thwarting of congressional action by the administration, to be left without a manned bomber on the drawing boards? Are we going to live through another sputnik experience? Are we going to wait until a Russian mach 3 airplane crosses the Atlantic in 2 hours before this administration wakes up to the fact that we must lead in manned aircraft as well as in space?

FISCAL PLIGHT OF GREAT BRITAIN

Mr. GOLDWATER. Mr. President, I invite the attention of my colleagues to an article appearing in the February 26, 1962, issue of the Christian Science Monitor. It was written by Mr. John Allen May, its European economic correspondent. The article reports on the fiscal plight of Great Britain.

The British have been making a shambles out of their national economy for several years, as this article demonstrates. But, Mr. President, look at the programs that are bringing about the economic destruction of the individual Briton by taxation that would take away any person's incentive to get ahead—the loss in running the railroads and, I might add, the other utility systems not enumerated here; the loss in the agriculture support program; the high cost of the national health program; the high cost of the new national hospital program; the cost of housing and educational programs. The cost of all of these programs is going up every year and so are taxes.

These national programs are destroying the economic structure of Britain, Mr. President. The British have been practicing these socialistic ventures for several years and found the cost far in excess of what war contemplated. They are forcing taxes higher and higher each year.

Just look at these ruinous programs, Mr. President. Does it surprise you that we have become involved in every one of them except running the railroads? One would think that we would have enough commonsense to pass up proven failures. But it seems the British start some socialistic venture and get into trouble with it and in a few years later we come along and mimic them. It would seem that if we have to mimic something, we could at least pick some proven success—not proven failures.

Our own system has proven to be the most successful the world has ever known so why do we have to experiment in things that will destroy it?

I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TAX TANTALIZER TEASES BRITONS

(By John Allan May)

LONDON.—Is there no way ever to get taxes down?

The question that tantalizes almost every taxpayer in the world preoccupies the British today perhaps as never before.

Many Britons got quite a shock at the weekend. They were told that their local taxes—the rates that are charged on property valuations and paid by all householders whether owners or tenants—were about to take off to new heights.

They learned also that property tax paid on top of this by owner-occupiers also is quite likely to go up with a bump.

A LLOYD FAILURE?

And they heard that Selwyn Lloyd, Chancellor of the Exchequer, is about to admit his failure to fulfill the pledge to keep the inevitable increase in Central Government expenditures down in the current year to but 2½ percent.

If the April budget is to be balanced, national taxes may have to be increased again. (There was a special "little budget" only 3 months after last April's which increased a wide range of taxes.)

Many a suburban Briton is paying 40 percent or more of his income in taxes now. On average, even Government spending equals 37 percent of gross national product.

At £2,000 a family may pay £400 in income tax, £70 in local taxes, £30 in property tax and an incalculable amount in purchase tax. (Tax on the purchase of a small medium-price car may be £350 or more.)

PROBLEM APPARENT

The Government's main problem is that the cost of improving on the rules of free enterprise is increasingly astronomical.

The railways are losing money at the rate of £150 million a year.

Agricultural support, making good to farmers the income they lose by selling at ordinary market prices, has a minimum these years of £350 million. This past year support has cost £78 million more than expected.

The national health service costs about £500 million a year, the new hospital program calls for a further £500 million and grants of local authorities for housing and education another £560 million. Then there are higher salaries to be paid this year to teachers in state schools and a new roads program to be carried through and, if possible, expanded.

NEW VALUATIONS DUE

Some of the schools and roads expenditure come out of local "rates." Down my way the rates are being put up 2s.8d. in the pound (13 percent). This takes them over 100 percent, so that one pays more than one's property is valued at (which fortunately is a mythical figure based on the rents of long ago).

In a week or so, a new system of valuation closer to actual modern fact is to be propounded. This will reduce the percentage but increase the tax still further.

The new valuation could be used also to raise the Schedule A property tax.

ONE ANSWER APPARENT

While there is a school of thought among economists that teaches that taxes simply must be reduced if economic growth is to be generated, here in Britain (or elsewhere) not many taxpayers can see that happening in practice.

How, they ask, can taxes ever be reduced?

One answer of course might be: They could if individuals were willing to pay more out of their own pockets for welfare. But are they?

Another answer might be: Taxes could go down if output surged up (for the cost of government would then be a smaller proportion of the nation's wealth).

But—and this is the big question—which does come first, the goose or the golden egg?

SECRECY IN WASHINGTON

Mr. GOLDWATER. Mr. President, I ask unanimous consent that an article in the Atlantic Monthly for July 1959, written by Clark R. Mollenhoff, entitled "Secrecy in Washington," be printed in the body of the RECORD at this point. I urgently ask my colleagues to read it, because it bears on the President's use of executive privilege.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SECRECY IN WASHINGTON

(By Clark R. Mollenhoff)

Five years ago a precedent was established that constitutes one of the greatest threats to freedom of the press in our time. This precedent has created an atmosphere in which influence peddling can flourish, in which errors or crimes by government officials can be concealed. It weakens the power of Congress to investigate how our Government agencies operate and to inform us of these operations.

The executive privilege doctrine as proclaimed by the Eisenhower administration is simply this: Officials of the executive branch of the Government can refuse to produce government records or testify before a congressional committee if they believe the information sought is confidential executive business.

President Eisenhower has said that executive privilege could never be used to cover up crimes or mismanagement in government. It was only to allow persons in the executive branch to consult with each other in a frank manner and not have to worry about their views being put on the record of a congressional committee, the President said naively. As he explained it, the executive privilege seemed innocent enough. But, in practice, officials of his administration have used this blanket of secrecy to cover up crimes, mismanagement, imprudence, conflicts of interests, and a wide variety of embarrassing activities.

The International Cooperation Administration (ICA), for example, has used Executive privilege to conceal corruption and mismanagement in the spending of foreign aid. In the case of Laos and a half-dozen other countries, the ICA claimed executive privilege in refusing to give the General Accounting Office (GAO) auditors copies of evaluation reports and internal communications in the agency.

The waste in Laos ran into the millions, and the corruption included admitted payoffs. Until the House government operations subcommittee, headed by Representative PORTER HARDY, of Virginia, subpenaed the records of two private business firms, the ICA used executive privilege to conceal the fact that subordinates had warned against the possibility of fraud, profiteering, and mismanagement if top ICA officials in Laos insisted on signing certain contracts.

Several congressional committees have condemned the doctrine of executive privilege as having no foundation in law, and the Moss subcommittee on government information policy has repeatedly asked the Department of Justice for legal justification for this doctrine of secrecy.

Attorney General William P. Rogers has cited no law and no court cases to support this doctrine, but has claimed that an "inherent power" gives the executive branch this right. Instead of modifying executive privilege, Rogers has sought to expand it. In March 1958 he told a Senate judiciary subcommittee that executive privilege could also be claimed by the so-called independent regulatory agencies: the Federal Communications Commission, the Federal Trade Commission, the Interstate Commerce Commission, the Federal Power Commission, the Securities Exchange Commission, and the Civil Aeronautics Board. These regulatory agencies were set up as arms of Congress, and to many Members of Congress it was inconceivable that such agencies were not subject to a full scrutiny by Congress at any time.

Administrations have always tried to avoid making embarrassing admissions before committees of Congress, but for the most part it has been a matter of dodging congressional investigators. In the past there has been no serious claim of a right to refuse to testify or produce records.

It was on May 17, 1954, that the doctrine of executive privilege was dramatically broadened. This took place during the Army-McCarthy hearings, and it was justified on the premise that it was a blow at Senator Joseph McCarthy. President Eisenhower, in a letter to Defense Secretary Charles E. Wilson, approved the idea of having Army counsel John Adams refuse to testify on some conversations with William P. Rogers, then the Deputy Attorney General, and with Sherman Adams, the President's chief assistant.

The President took this stand "because it is essential to efficient and effective administration that employees of the executive branch be in a position to be completely candid in advising with each other on official matters, and because it is not in

the public interest that any of their conversations and communications, or any documents or reproductions, concerning such advice be disclosed."

That was an emotion-charged era with little cool thinking on either side. The President's position was accepted for what he said it was: a new statement on the constitutional separation of powers between the three branches of government. It was popular to oppose McCarthy and support the Eisenhower administration on all points. It was easier merely to follow the administration line than it was to study the problem and see where it would lead.

By the end of 1958, the curtains of executive secrecy were closing around more than 20 agencies of Government. Rogers, now Attorney General, did not claim that defense secrets were involved. There were specific laws that covered defense secrets, which have to be protected in the national interest, and no responsible group contested the right to reasonable security in the defense and diplomatic areas. Rogers was asserting an arbitrary right of Government officials to refuse to testify or produce records dealing with nondefense matters—how the Dixon-Yates contract was let, what conversations Sherman Adams had with the members of the Federal Communications Commission and other regulatory agencies, and questionable settlements of a wide variety of Government contract matters.

The Teapot Dome scandals of the Harding administration could have been covered up if Government officials had then applied even the mildest form of executive privilege as laid down by President Eisenhower in his letter of May 17, 1954. Under the executive privilege theory Secretary of Navy Edwin Denby and Secretary of Interior Albert B. Fall could have refused to give testimony or produce records on events leading up to the leasing of the Teapot Dome oil reserves. Fall's crimes might never have been uncovered.

The tax scandals of the Truman administration could have been concealed by a claim that all papers except final decisions were confidential executive communications. Attorney General J. Howard McGrath could have maintained that his conversations with T. Lamar Caudle, the Assistant Attorney General in charge of the tax division, were confidential executive business. Caudle and White House Aid Mathew Connelly could have contended that their communications were confidential executive business. Instead, those communications were actually used as the basis of the criminal charges on which Caudle and Connelly were convicted.

The ducking and evasion of the Truman administration naturally enraged Republicans. But President Truman made no assertion of a constitutional right under which all officials in the executive branch could claim executive privilege. He issued an Executive order placing certain personnel files under a secrecy blanket, and on some occasions he had files delivered to the White House to his personal custody so that they could not be subpenaed.

Senator Homer Ferguson, Republican, of Michigan, was chairman of a committee that investigated the Truman administration at that time. Ironically, his chief counsel was William Rogers. Rogers' persistent and hard-hitting inquiries had the Truman administration so frantic in 1948 and 1949 that the Justice Department prepared a memorandum of the occasions when earlier Presidents had withheld information from Congress.

This memorandum defended the theory of executive privilege and cited a scattering of cases in which various Chief Executives back to George Washington had withheld information from Congress. Actually, Washington only temporarily withheld some papers in a military matter and then produced everything. Andrew Jackson had withheld arbitrarily some records dealing with scandals in the sale of Indian lands, which Congress should have been allowed to see.

The memorandum on executive privilege was examined by the Truman administration and was found to be unsupported in law or by court cases. Most of the precedents were not historically accurate, and many had little application to the congressional efforts to obtain information of nondefense agencies. It was discarded as of no value. Yet that discarded memorandum of law—historically inaccurate and legally unsound—was dredged out of the Justice Department files by Attorney General Herbert Brownell in 1954 and was attached to President Eisenhower's May 17, 1954, letter in support of the enlarged doctrine of executive privilege. It seems curious that a practice which was condemned by Republicans in the Truman administration should be revived, broadened, and sanctioned for Eisenhower.

Republican officials were quick to recognize what a convenient umbrella of secrecy was provided by President Eisenhower's letter. Sherman Adams, chief assistant at the White House, was one of the first to clothe himself with almost total immunity from the power of congressional investigations. He refused to testify before the Senate Judiciary Subcommittee that was investigating the controversial Dixon-Yates power contract. Instead he submitted brief and vague letters about his activities to the congressional investigators and declared that of course he acted for President Eisenhower in all of his contracts with Federal agencies and his communications were confidential executive business.

The full use that would be made of executive privilege became clear in the investigations of the Dixon-Yates contract, when Rowland Hughes, the former Budget director, refused to allow certain witnesses to be questioned and certain papers to be produced on the ground that papers and conversations involved in the formulating of policy were confidential.

Senator ESTES KEFAUVER, Democrat, of Tennessee, and Senator WILLIAM LANGER, Republican, of North Dakota, were furious. They pointed out that President Eisenhower, in August 1954, had ordered that all facts in the Dixon-Yates contract be made public.

"I have checked on this matter, and I am authorized by the President to state that his general instructions stand," Hughes said in reply.

Hughes, the White House, and Atomic Energy Commission had plenty to cover up in the Dixon-Yates investigation. Although they had been told to make public a complete chronology of events leading up to the contract, they eliminated the name of Adolphe Wenzell from the reports on the discussions and meetings that set the stage for the multimillion-dollar contract with the Dixon-Yates power group.

The First Boston Corp., a New York banking house, was serving as financial agent for the Dixon-Yates power group in its negotiations with the Bureau of the Budget and the Atomic Energy Commission. Wenzell, an officer and director of the First Boston Corp., was also a consultant to the Bureau of the Budget on financing dealing with the Dixon-Yates contract. Wenzell was therefore in a conflict-of-interest role.

"Hughes deliberately attempted to conceal Wenzell's name and activity from public view," the report of the Senate Judiciary Subcommittee stated.

It was pointed out that Hughes declined to testify on his conversations with Sherman Adams and others in the White House on the Dixon-Yates contract. He claimed executive privilege. Adm. Lewis Strauss, Chairman of the Atomic Energy Commission, also declined to give testimony on his communications with Sherman Adams and President Eisenhower on grounds that the executive privilege covered all of these communications.

Subsequent developments showed that President Eisenhower had not been given full information on how his subordinates were running the Government. Ten months after the President had ordered a full public disclosure of the events leading up to the contract, he was still ignorant of the conflict-of-interest role Wenzell played in the negotiations. At a press conference on June 28, 1955, the President stated that his advisers had informed him that Wenzell "was not called in or asked a single thing about the Dixon-Yates contract." The President insisted that Wenzell was only a technical adviser on some matters dealing with the Tennessee Valley Authority and nothing else.

As the facts about the Wenzell role came to light a year too late, President Eisenhower saved face in about the only way possible at that stage. He canceled the Dixon-Yates contract, and the Comptroller General made a finding that a conflict of interest existed.

The investigation of the East-West trade and revision of the list of strategic materials barred from sale to Iron Curtain countries revealed a similar story. Again executive privilege was used to hide the disputes that had taken place within the Goverment on the revision of the strategic materials list.

Over the objections of the Defense Department, the Joint Operating Committee (JOC)—an interdepartmental committee of the U.S. Government—changed the strategic materials list to permit shipment to Iron Curtain countries of copper, aluminum, precision boring machines, and horizontal boring, drilling, and milling machines.

Information came to the Senate permanent investigating subcommittee indicating that revision made the so-called strategic materials list a complete farce. Simple jig boring machines were retained on the list as being prohibited from shipment to a potential enemy. Yet the revised list allowed the shipment of more modern precision boring machines of much higher strategic value. There were many similar contradictions.

The subcommittee's requests for information ran into a stone wall of opposition from the executive agencies involved: the State Department, Defense Department, Commerce Department, and the Foreign Operations Administration. There was no claim that defense secrets were involved. The executive branch merely took the arbitrary stand that it could withhold records or testimony. All the executive agencies joined together in directing employees not to answer questions or produce documents for congressional investigators in connection with the probe of East-West trade and the strategic materials list revision.

Their attitude was best demonstrated in a letter from Secretary of Commerce Sinclair Weeks to Commerce Department employees. He wrote: "You are instructed not to testify either in public or executive closed session with respect to any advice, recommendations, discussions, and communications within the executive branch respecting any course of action in regard to East-West trade controls or as to any information regarding international negotiations with the countries cooperating in East-West trade controls."

The departments tried to give some color of law to the claim by citing three Federal court cases, but the Senate subcommittee declared that none of the cases cited involved the right to withhold information from congressional committees. Some of the information they sought was obtained over the following months from foreign countries, where revised lists of strategic materials were openly published.

The arrogant withholding of information from Congress and the press by the Federal executive and independent agencies resulted in establishment of a special Government Operations Subcommittee to study information policies. On June 9, 1955, Representative WILLIAM L. DAWSON, Democrat, of Illinois, chairman of the Government Operations Subcommittee, named Representative JOHN MOSS, Democrat, of California, to head the new Government Operations Subcommittee.

Establishment of the Moss subcommittee started the first systematic study of just how far the executive privilege had gone in covering up the activities of the executive agencies. The subcommittee also engaged in a thorough study of the court decisions and the law.

In a report dated May 3, 1956, the Moss subcommittee stated that already more than 20 agencies had made the claim of executive privilege to withhold information from Congress. "The claim has never been upheld by the courts," Representative DAWSON said. "It has been a mere Executive ipse dixit" (say-so).

"Refusals by the President and heads of departments to furnish information to the Congress are not constitutional law," the subcommittee reported. "They represent a mere naked claim of privilege. There is no inherent right on the part of heads of departments or other Federal agencies to withhold information from the judiciary."

Following publication of this Moss subcommittee report, in the summer of 1956, the Justice Department tried to hide behind executive privilege in an investigation of a settlement made of the American Telephone and Telegraph (A.T. & T.) antitrust suit. This time Representative EMANUEL CELLER's antimonopoly subcommittee was doing the investigating. Chief counsel Herbert Maletz was instructed by CELLER to obtain the Justice Department files to determine the facts leading up to the settlement of the A.T. & T. antitrust suit.

The suit had been initiated in 1949 for the purpose of forcing a divorcement of A.T. & T. and its subsidiary, Western Electric. The separation was urged to break the near monopoly that Western Electric had in the production of telephone equipment.

The suit had been hailed by Attorney General Herbert Brownell as a great victory for the Government, but he and Deputy Attorney General William P. Rogers claimed executive privilege and refused to make the files available. They tried to cover up the fact that the settlement allowing A.T. & T. to continue the ties with Western Electric was made over the opposition of staff members in the Justice Department.

Although Herbert Maletz was blocked from examining the files of the Justice Department, he managed to obtain much of the information he sought from the files of A.T. & T. and from some records in the Defense Department. This outside probe showed some interesting things that Justice Department secrecy had hidden. It showed that a high official of the A.T. & T. had written a letter which Defense Secretary Charles E. Wilson sent to the Justice Department urging settlement of the antitrust suit on terms favorable to A.T. & T. The investigation also revealed the conversations between Attorney General Brownell and a lawyer for A.T. & T. that paved the way to settlement.

Because executive privilege blocked the Celler subcommittee from questioning Justice Department employees, it was necessary to subpena a former official of the Justice Department to establish that Brownell's settlement was actually opposed by the working staff in the Antitrust Division.

At a press conference in September 1956, President Eisenhower was asked if executive privilege meant that "all employees of the Federal Government, at their own discretion, can determine whether they will testify or will not testify before congressional committees even where there is no security problem involved."

The President avoided answering and turned the problem over to White House legal counsel Gerald Morgan. Morgan's letter to me dated October 26, 1956, stated that Eisenhower's May 17, 1954, letter was a blanket instruction for "all employees in the executive department" not to give testimony or produce documents on advice or communications within the executive department.

It was an amazing answer, particularly from Morgan, a former assistant legislative counsel to the House of Representatives, who had written forceful articles in the past in support of the power of Congress to compel testimony and production of records.

With such encouragement at the top it was inevitable that the policy of secrecy would spread. In August 1957, the newly created House Legislative Oversight Subcommittee hired Bernard Schwartz, a young law professor from New York, as counsel in an investigation of the various regulatory agencies. The committee, headed by Representative MORGAN MOULDER, Democrat, of Missouri, had been established "to go into the administration of the laws (creating the regulatory agencies) and see whether or not the laws * * * were being carried out or whether they were being repealed or revamped by those who administer them."

Schwartz, an expert in the field of administrative law, sought the files of the various regulatory agencies and in speeches and letters made it clear he intended to dig deeply into any evidence of frauds or improper activities. The chairmen of the various regulatory agencies met at the University Club in Washington in late September to discuss ways of blocking the young lawyer and the pesky Oversight Committee.

Schwartz was allowed to examine the public files, but his efforts to obtain files of correspondence with the White House and with other agencies ran into the claim of executive privilege. Even in the first months, Schwartz became aware that Sherman Adams had been extremely active in reaching various regulatory agencies. He was also aware that others on the White House staff had made similar contacts with the so-called independent regulatory agencies.

Although Schwartz was successful in getting some half promises from the regulatory agencies to cooperate, they engaged in a foot-dragging operation. Richard A. Mack, a member of the FCC, wouldn't show investigators many of his records, including the office diary that provided links later for his indictment on charges of having conspired to violate the Federal law. The lack of cooperation by Commissioner Mack was matched by the resistance in the CAB, where Schwartz was trying to pin down evidence of contacts by Sherman Adams.

In January 1958 Schwartz insisted that the members of the Legislative Oversight Committee get tough and demand full cooperation in the production of records. Some members of the investigating committee did not want to force the issue. Several of the Republicans came out flatly in support of the Eisenhower administration's obstructionist tactics. Schwartz was irritable when he did not receive support from the committee. Tempers flared after he leaked a staff memorandum on improper activities in the FCC, and the young counsel was fired. Chairman MOULDER, who had supported Schwartz, resigned in protest over his firing.

It took the Adams-Goldfine case to dramatize the full evil of secret government. The problems of Adams were a direct result of the failure of the White House to recognize the dangers involved. It is not necessary to read evil intent into the origin of the blanket secrecy. There was an equally insidious attitude present: the self-satisfaction that things were being handled efficiently and properly and that the press and the Congress were better off in the dark so they couldn't stir up trouble.

Executive privilege had meant that Sherman Adams could decline all invitations to appear before committees of Congress. He took the view that all of his acts were the acts of President Eisenhower. This placed Adams in the position of a man with much of the authority of the Presidency, although he took none of the responsibility to the Congress or the public. He wasn't even available for press conferences. Congress was lax in not challenging the use of executive privilege sooner. It was only after the Adams-Goldfine incident that there was much recognition of the problem inherent in allowing a Presidential assistant and numerous other individuals with undefined or ill-defined authority to prowl through the agencies. They were the untouchables under the executive privilege theory.

In the fall of 1958, the Eisenhower administration carried the use of executive privilege to the ultimate in absurdity. Apparently the administration had not learned that the blanket secrecy of executive privilege was as damaging to the administration as it was to the cause of good government.

The Air Force used the claim of executive privilege in refusing to make an inspector general's report available to the auditors of the General Accounting Office—the congressional watchdog on Government waste and inefficiency. The refusal came in the face of the Budgeting and Accounting Act, which stated specifically that the GAO auditors were entitled to access to all books and records of all departments.

No security was involved in this case, because the GAO auditors had the same clearance as key Air Force personnel to examine secret and top-secret documents. The Air Force simply took the position that as an executive agency it had a right to invoke the so-called executive privilege and hide the management survey reports on the ballistic missile program from the GAO auditors.

Comptroller General Joseph Campbell, head of the GAO, was furious at the Air Force refusal to produce records. If the Air Force could refuse to give the GAO records, then any division of the Defense Department could claim executive privilege against the GAO auditors at any time. In fact, if the Air Force position was allowed to stand, the Defense Establishment could arbitrarily block the only outside audit of the $40 billion a year defense budget.

Even with the GAO conducting a postaudit, there had been plenty of scandals in military spending; the case of Brig. Gen. Bennett Myers, the multi-million-dollar frauds in clothing procurement operations in the New York Quartermaster Depot, and the hundreds of bungles revealed by the Hébert subcommittee of the House Armed Services Committee. Certainly the record wasn't such that the Congress or the American people could feel safe in letting the military brass at the Pentagon spend half of the national budget and hide the records that might be embarrassing to those in power.

Chairman Moss took up the GAO problem for Comptroller General Campbell. He charged that the law clearly gives the GAO access to all records and stated that President Eisenhower had a duty under article II, section 3, of the U.S. Constitution to take care that the laws be faithfully executed.

President Eisenhower exhibited a haziness and a variation of position on the issue that indicated he had no conception of the real issue. In a press conference on November 5, 1958, he was asked about the problem involved in the Air Force refusal to give records to the GAO. "I believe that every investigation committee of Congress, every * * * auditing office like the GAO, should always have an opportunity to see official records if the security of our country is not involved," the President replied, taking what seemed like a forthright view.

But, a week later, the President backed the Air Force and declared that under executive privilege the GAO could be arbitrarily barred from examining records. "In my judgment, the public interest is not necessarily served by divulging the advice, suggestions, or recommendations which subordinate employees periodically make to their superiors," the President wrote, in what seemed a complete switch of position.

The basic question now is this: Can the President or his department heads arbitrarily override a specific law of the Congress which requires the production of records of financial transactions and methods of business in all agencies? It is a vital problem of government, and it is certain to emerge periodically in the 86th Congress as investigating committees try to carry out their function. By mid-1959, it was obvious that President Eisenhower would not take steps to correct the situation voluntarily. He is standing behind the members of his team who are responsible for this mushrooming evil.

Comptroller General Campbell and the leadership in the Congress have the responsibility to find a solution. Although the Comptroller General and some committees of Congress are trying to force the issue, they are receiving little help from the majority of the Members of Congress and the leadership. So far, secrecy has not become enough of a personal inconvenience to Senate Leader LYNDON JOHNSON or House Leader Sam Rayburn for the two Texans to raise any fuss about it.

TENNESSEE MIDSHIPMEN RATE FIRST IN CONDUCT

Mr. GORE. Mr. President, in pursuance of my well-known reluctance to take credit for a fortuitous development, a trait that is about equally exemplified by my colleagues, I wish to bring to the attention of the Senate an unusual event and, with due modesty, to indicate pride therein.

Few are the midshipmen at the strict U.S. Naval Academy who manage to go through a semester with perfect deportment records. When three such midshipmen have such a record, it is a noteworthy event, particularly when each of them was nominated by the junior senator from Tennessee.

A trio of Tennessee midshipmen—William C. Bond of Memphis, class of 1962; James M. Shull, Jr., of Elizabethton, class of 1963; and E. C. Holloway III of Murfreesboro, class of 1964—have completed the semester with perfect scores on deportment, receiving no demerits.

Mr. President, I salute these midshipmen from Tennessee.

AUTHORITY FOR SENATOR AND SENATE EMPLOYEES TO APPEAR AND TESTIFY IN U.S. DISTRICT COURT FOR SOUTHERN DISTRICT OF FLORIDA

Mr. McCLELLAN. Mr. President, I submit a resolution, which I send to the desk, and I ask unanimous consent for its immediate consideration.

The PRESIDING OFFICER. The resolution will be read for the information of the Senate.

The legislative clerk read as follows:

Whereas in the case of *United States of America, plaintiff, v. James R. Hoffa and Robert E. McCarthy, Jr., defendants*, Criminal Action Numbered 1282-61, pending in the United States District Court for the Southern District of Florida, Orlando Division, subpoenas ad testificandum and duces tecum were issued upon the application of the defendant, James R. Hoffa, and addressed as follows:

To United States Senator John L. McClellan, who is chairman of the Senate Permanent Subcommittee on Investigations of the Committee on Government Operations, directing him to appear as a witness before the said court on the 12th day of March 1962 at 10 o'clock antemeridian and to give testimony in the above entitled cause, and to bring with him all recordings, refreshers and information and leads to information, obtained directly or indirectly, as a result of wiretapping or listening in on telephone conversations or electronic bugging and "mail watch" of James R. Hoffa or his employees, agents and his attorneys between the years 1954 and to the present, and names of members of the committee and its counsel, investigators, et cetera, and all information received from Edward Jones and John P. Constandy, said material being in the possession of and under the control of the Senate of the United States;

To Jerome S. Adlerman, who is general counsel of the Senate Permanent Subcommittee on Investigations of the Committee on Government Operations, directing him to appear as a witness before the said court on the 12th day of March 1962 at 10 o'clock antemeridian and to give testimony in the above entitled cause and to bring with him dates of all subpoenas to James R. Hoffa and the dates of all appearances by James R. Hoffa before the United States Senate Select Committee on Improper Activities in the Labor and Management Field, Senate Office Building, Washington, D.C., said material being in the possession and under the control of the Senate of the United States;

To Edward Jones, who is a former investigator of the Senate Select Committee on Improper Activities in the Labor or Management Field, directing him to appear as a witness before the said court on the 13th day of March 1962 at 10 o'clock antemeridian, and to give testimony in the above entitled cause and to bring with him all telephone, electronic and other type recordings and all typewritten or written transcripts in your possession or control of all recordings between James R. Hoffa and all other persons, said material being in the possession and under the control of the Senate of the United States;

To John P. Constandy, who is a former assistant counsel of the Senate Select Committee on Improper Activities in the Labor or Management Field, directing him to appear as a witness before the said court on the 12th day of March 1962 at 10 o'clock antemeridian, and to give testimony in the above entitled cause: Therefore be it

Resolved, That by the privileges of the Senate of the United States no evidence under the control and in the possession of the Senate of the United States can, by the mandate of process of the ordinary courts of justice, be taken from such control or possession, but by its permission; be it further

Resolved, That under the Standing Rules of the Senate no Senator may absent himself from the service of the Senate without leave of the Senate; be it further

Resolved, That by the privilege of the Senate and by rule XXX thereof, no Member or Senate employee is authorized to produce Senate documents but by order of the Senate; and information secured by Senate staff employees pursuant to their official duties as employees of the Senate may not be revealed without the consent of the Senate; be it further

Resolved, That when it appears by the order of the court or of the judge thereof, or of any legal officer charged with the administration of the orders of such court or judge, that testimony of an employee of the Senate of the United States is needful for use in any court of justice or before any judge or such legal officer for the promotion of justice and, further, such testimony may involve documents, communications, conversations, and matters related thereto under the control of or in the possession of the Senate of the United States, the Senate of the United States will take such order thereon as will promote the ends of justice consistently with the privileges and rights of the Senate; be it further

Resolved, That United States Senator John L. McClellan is granted leave in his discretion to appear at the place and before the court named in the subpoena duces tecum before mentioned, but shall not take with him any papers or documents on file in his office or under his control or in his possession as chairman of the Senate Permanent Subcommittee on Investigations of the Committee on Government Operations; be it further

Resolved, That Jerome S. Adlerman, general counsel of the Senate Permanent Subcommittee on Investigations of the Committee on Government Operations, be authorized to appear at the place and before the court named in the subpena duces tecum before mentioned, but shall not take with him any papers or documents on file in his office or under his control or in his possession as general counsel of the Senate Permanent Subcommittee on Investigations of the Committee on Government Operations; be it further

Resolved, That Edward Jones, former investigator of the Senate Select Committee on Improper Activities in the Labor or Management Field, be authorized to appear at the place and before the court named in the subpena duces tecum before mentioned, but shall not take with him any papers, documents or evidence in the custody and control of the Senate Permanent Subcommittee on Investigations of the Committee on Government Operations; bt it further

Resolved, That John P. Constandy, former assistant counsel of the Senate Select Committee on Improper Activities in the Labor or Management Field, be authorized to appear at the place and before the court named in the subpena duces tecum before mentioned, but shall not take with him any papers, documents or evidence in the custody and control of the Senate Permanent Subcommittee on Investigations of the Committee on Government Operations; be it further

Resolved, That when said court determines that any of the documents, papers, communications, and memoranda called for in the subpoena duces tecum have become part of the official transcripts of public proceedings of the Senate by virtue of their inclusion in the official minutes and official transcripts of such proceedings for dissemination to the public upon order of the Senate or pursuant to the Rules of the Senate, and, further, that such documents, papers, communications, and memoranda are material and relevant to the issues pending before said court, then the said court, through any of its officers or agents, have full permission to attend with all proper parties to the proceeding, and then always at any place under the orders and control of the Senate, and take copies of such documents, papers, communications, and memoranda in possession or control of the aforementioned Senator John L. McClellan, or Jerome S. Adlerman, or Edward Jones, or John P. Constandy, which the court has found to be part of the official transcripts of public proceedings of the Senate by virtue of their inclusion in the official minutes and official transcripts of such proceedings for dissemination to the public upon order of the Senate or pursuant to the Rules of the Senate, and which the

court has found are material and relevant to the issues pending before said court, excepting any other documents, papers, communications and memoranda (including, but not limited to, minutes and transcripts of executive sessions and any evidence of witnesses in respect thereto) which the court or other proper officer thereof shall desire as such matters are within the privileges of the Senate; be it further

Resolved, That United States Senator John L. McClellan is granted leave in his discretion to respond to the aforementioned subpoena to testify to any matter determined by the court to be material and relevant for the purposes of identification of any document or documents provided said document or documents have previously been made available to the general public; but without prejudice to his right, based on the privilege of the United States Senate to respectfully decline to testify concerning any or all matters acquired by him in his official capacity either by reason of documents and papers appearing in the files of said subcommittee or by virtue of conversations or communications with any person or persons; be it further

Resolved, That Jerome S. Adlerman, general counsel to the Senate Permanent Subcommittee on Investigations of the Committee on Government Operations, in response to the aforementioned subpoena shall testify to any matter determined by the court to be material and relevant for the purposes of identification of any document or documents provided said document or documents have previously been made available to the general public, but said Jerome S. Adlerman shall respectfully decline to testify concerning any and all other matters that may be based on his knowledge acquired by him in his official capacity either by reason of documents and papers appearing in the files of said subcommittee or by virtue of conversations or communications with any person or persons and he shall respectfully decline to testify concerning any matter or matters within the privilege of the attorney-client relationship existing between said Jerome S. Adlerman and the said subcommittee or any of its members; bt it further

Resolved, That Edward Jones, former investigator of the Senate Select Committee on Improper Activities in the Labor or Management Field, in response to the aforementioned subpoena shall testify to any matter determined by the court to be material and relevant for the purposes of identification of any document or documents provided said document or documents have previously been made available to the general public, but said Edward Jones shall respectfully decline to testify concerning any and all matters that may be based on knowledge acquired by him in his official capacity either by reason of documents and papers appearing in the files of said committee or by virtue of conversations or communications with any person or persons; be it further

Resolved, That John P. Constandy, former assistant counsel to the Senate Select Committee on Improper Activities in the Labor or Management Field, in response to the aforementioned subpoena shall testify to any matter determined by the court to be material and relevant for the purposes of identification of any document or documents provided said document or documents have previously been made available to the general public but said John P. Constandy shall respectfully decline to testify concerning any and all other matters that may be based on his knowledge acquired by him in his official capacity either by reason of documents and papers appearing in the files of said committee or by virtue of conversations or communications with any person or persons and he shall respectfully decline to testify concerning any matter or matters within the privilege of the attorney-client relationship existing between said John P. Constandy and the said committee or any of its members; and be it further

Resolved, That a copy of this resolution be transmitted to said court as a respectful answer to the aforementioned subpoenas.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Arkansas?

There being no objection, the Senate proceeded to consider the resolution.

Mr. McCLELLAN. Mr. President, the resolution is presented on behalf of the Senate Committee on Government Operations, the parent committee of the Senate Permanent Subcommittee on Investigations, to which were transferred all of the records, authority, and power invested in the former Senate Select Committee To Investigate Improper Activities in Labor-Management Relations.

A few days ago the general counsel of the Senate Permanent Subcommittee on Investigations, along with two other former employees, former staff members of the committee, received a subpena to appear in Federal court in Orlando, Fla., next Monday, March 12, to testify on behalf of the defendants in the case of the United States of America, plaintiff, against James R. Hoffa and Robert E. McCarthy, Jr., defendants.

As chairman of the committee, Mr. President, I also was subpenaed to appear for the same purpose.

The subpenas were subpenas duces tecum to each of us. We were directed to appear and to bring certain records of the Senate, of the committee, for the hearing.

Mr. President, the resolution conforms to the traditional procedure of the Senate, and would authorize employees of the Senate or officers of the Senate to appear and to testify in such case. In this instance, the Senate would be authorizing the two former staff members of the Senate select committee and the present general counsel of the Permanent Subcommittee on Investigations to appear, but would withhold from them any authority to take any documents or records belonging to the Senate, now in the custody of the committee as an arm of the Senate. It would also prohibit them from testifying to information that they gained while in such employ.

With respect to the Senator from Arkansas, the chairman of the committee, the resolution would authorize me to appear and to testify, at my discretion, but would prohibit me from taking documents called for by the subpena.

Mr. President, it is not the intention of the chairman of the committee or of the committee to withhold any evidence or any documents which actually would be pertinent at the trial, if the court so finds. The provisions of the resolution would permit the making available of such documents if and when the court should find that certain documents, material, or records of the committee has, as an arm of the Senate, are pertinent to the issues of the case. If the court orders or directs or requests that such records be made available, the matter can come back before the Senate at that time for further appropriate action by the Senate.

The Senate recognizes it has certain privileges as a separate and distinct branch of the Government, which it wishes to protect.

Another employee of another committee of the Senate, a subcommittee of the Committee on the Judiciary, also has been subpenaed to appear at the same time. I understand a similar resolution from the Judiciary Committee, with respect to its employee or staff member, is to be presented.

Mr. President, I think the resolution is in keeping with the traditions of the Senate. Its provisions are in accord with previous resolutions the Senate has agreed to, in respect to Senators and members of the committee staffs who have been subpenaed to testify in other court cases. I ask that the resolution be agreed to.

The PRESIDING OFFICER. The resolution is open to amendment. If there be no amendment to be proposed, the question is on agreeing to the resolution.

The resolution (S. Res. 307) was agreed to.

The preamble was agreed to.

LAND AND WATER DEVELOPMENT

Mr. ANDERSON. Mr. President, for the past two or three decades there has been criticism over Federal investment in irrigation projects in face of agricultural surpluses.

It is difficult for citizens not intimately familiar with agriculture and with agricultural land requirements to understand why we should be bringing in new lands when warehouses are bulging with wheat, feed grains, butter, cheese, and dried milk.

The Department of Agriculture recently held a Conference on Land and People, at which responsible officials indicated that in 1980 we would produce our food requirements on about 50 million acres less land than is being farmed today. The President of the United States repeated this figure in his agricultural message to Congress in urging passage of title I of the administration's farm bill, which is intended to expedite the diversion of agricultural lands to nonfarm uses, and particularly to recreation.

A great many people have assumed that if the Department of Agriculture and the President are correct there is no need to irrigate any additional land in the United States, at least until well after the year 1980.

This is a misapprehension, as a little closer study of the details of the land situation reviewed by the Department of Agriculture reveals.

The fact is that we have in cultivation a great many millions of acres of submarginal land which should be used as pasture or returned to forest. If it continues in cultivation it is in danger of eroding until it is robbed of even its pasture and forest land values. Additionally, we are each year diverting about 2 million acres of agricultural land to nonfarm uses, including highway rights-of-way, airports, urban developments, defense and industrial installations, recreation, and similar uses. The Department of Agriculture foresees the diversion of 68 million acres from agriculture between now and 1980. This means that

between 17 and 18 million acres of new farmland will have to be provided during the period, even if we are able to produce our food requirements on 50 million fewer acres.

Meeting our food needs in 1980 on the fewer acres means that the productivity—the food yields per acre—from lands remaining in farm use will have to increase by 56 percent. The Department of Agriculture believes better production practices and techniques will make possible this increase in productivity. One of the major factors in achieving it will be irrigation—the assurance and application of water to growing crops in quantities and at times that will be most useful.

The need for continuation of investment in irrigation, not just to stimulate regional economies, but to provide the acreage and assure the productivity which will be required has never been more clear.

In order to help clear up the misunderstanding of this situation I recently wrote Secretary of Agriculture Freeman giving him my understanding of the situation as stated in a preliminary report of the Department's Land and Water Policy Committee. On March 1, Secretary of Agriculture Freeman replied confirming my interpretation of the report and affirming that the Department's projections anticipate an increase in irrigation acreage between now and 1980 of 9.4 million acres.

His letter states:

It is the view of this Department that resource policy should provide for the orderly improvement of cropland through carefully selected irrigation, drainage, flood protection, watershed and other conservation measures along with adjustment activities as needed for reducing the total acreage devoted to crop production.

Mr. President, I ask unanimous consent to include in the RECORD the text of my letter of February 5, 1962, to Secretary Freeman, and his reply of March 1, 1962.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

FEBRUARY 5, 1962.

Hon. ORVILLE L. FREEMAN,
Secretary of Agriculture,
Department of Agriculture,
Washington, D.C.

DEAR MR. SECRETARY: Statements made recently in connection with your Conference on Land and People and in connection with the President's farm message to the effect that there will be a net reduction of 50 to 51 million acres in land required to meet our food and fiber needs in 1980 are being misinterpreted in some quarters to mean that there is no need for further irrigation of land in the United States, at least until some time after the year 1980.

I say "misinterpreted" because my reading of the preliminary report of your Land and Water Policy Committee and the other documents on which the figure is based indicate that the irrigation of additional lands will be very important in making it possible to meet our food and fiber requirements in 1980 with a smaller total acreage of cropland.

I observe that on page 205 of the preliminary report your Committee anticipates that there will be an increase of 4.7 million acres of irrigation in the West and 2.5 million acres for the East, increasing to 11.2 for the West and 4.7 million for the East by the year 2000 in response to population pressures.

On page 106 of the preliminary report, in table 28 on "Shifts in land use," I observe that the net change of 51 million acres in cropland in 1980 is expected to result from the shift of 68 million acres of cropland and the shift of 17 million acres, presumably including some irrigation acreage, from other uses to cropland.

As the preliminary report states on page 95, increases in crop yields resulting from many improved technologies and production practices will make it possible to meet our domestic and foreign food and fiber requirements in the years just ahead. Obviously some people fail to appreciate the fact that one of the great factors of improvement in our production techniques and practices is the application of water in quantities and at times which assure maximum production.

Because of the potential injury to the Nation's irrigation and reclamation program which might be caused by misinterpretation of the Department's land requirement estimates for 1980, I would appreciate a letter from you setting out the facts.

Sincerely yours,
CLINTON P. ANDERSON

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, D.C. March 1, 1962.

Hon. CLINTON P. ANDERSON,
Chairman, Committee on Interior and Insular Affairs, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: The interpretations made in your letter of February 5 of statements presented at the Conference on Land and People, and the material contained in the preliminary report prepared by the Department's Land and Water Policy Committee are substantially correct. It is the view of this Department that resource policy should provide for the orderly improvement of cropland through carefully selected irrigation, drainage, flood protection, watershed, and other conservation measures along with adjustment activities as needed for reducing the total acreage devoted to crop production.

As observed in your letter, the preliminary report envisions the development of 17 million acres of new cropland by 1980 through private efforts and under public programs. The acreage under irrigation is expected to increase by 9.4 million acres over the same period. Although irrigation development would bring in some new cropland, most such development would involve the provision of water to existing cropland. Based upon current rates of use of water per acre, the total amount of water withdrawn for irrigation would be up by 28 percent by 1980. This increase in use could largely be offset by improvements in efficiency of water use if we intensified our efforts to get farmers to adopt better irrigation practices.

The expected continuation of land and water development and improvement is reflected in the yield estimates contained in the preliminary report. The projected yield per harvested acre for 1980 is 56 percent above 1959. In the absence of such improvements, expected yields would have been lower and projected acreage requirements correspondingly higher.

Throughout the preliminary report on land and water policy, emphasis is placed on the need for programs to encourage the conservation, development, and management of land and water resources in order to realize continuing maximum benefits from the use of these resources. Both resource development and resource adjustment are needed to achieve the various objectives of a comprehensive land and water resource program.

The objectives of land and water development include reduction in the risk of flood and drought hazards, provision of opportunities for establishing efficient family farms, promotion of rural area development and regional economic growth, an increase in the output, variety and flexibility of crop and livestock enterprises and the reduction of production costs.

In arriving at a decision as to how much development we should have at a given time, the need for additional farm products is only one of the factors to be considered. River basins and watersheds are best developed as whole entities, with the water and related land resources developed so as to serve most effectively a variety of purposes—including flood prevention, domestic and industrial water supply, power, navigation, irrigation, recreation, fish and wildlife and others. For such purposes as flood prevention, there is almost bound to be some land enhancement even though the primary objective was flood damage reduction. If the economically justifiable irrigation potential of a river is not provided for when the water resources are being developed, future irrigation use may be precluded or made more expensive.

To meet our ever-increasing needs for the varied products of land and water we need a continuing program of land and water development, but we should maintain a balance between programs that enhance production of farm products and programs of land-use adjustment.

I trust that this statement will serve to clarify the Department's position on a balanced program of land and water resource development, improvement and adjustment.

Sincerely yours,
ORVILLE L. FREEMAN,
Secretary.

NATIONAL FOREST TIMBER POLICY

Mrs. NEUBERGER. Mr. President, on March 5 the Senators from Montana [Mr. MANSFIELD and Mr. METCALF], the junior Senator from Idaho [Mr. CHURCH], the Senators from Washington [Mr. MAGNUSON and Mr. JACKSON], the Senators from California [Mr. KUCHEL and Mr. ENGLE], my colleague the senior Senator from Oregon [Mr. MORSE], and I wrote to Secretary of Agriculture Orville Freeman setting forth in detail our views on possible improvements in national forest timber policies.

During the week of February 21 we met with individual contingents of lumbermen from our region and on February 21 the entire group assembled for a 2-hour meeting with Secretary of Agriculture Orville Freeman, and two of his assistants.

For some time western Senators have been concerned over whether the Department of Agriculture, concerned as it is with farm problems, has given enough attention to the management of the vast 180 million-acre national forest system. The increased demands which are being placed upon these lands to serve a variety of uses calls for continued vigilance to improve the level of management. The western Senators promised the Secretary that they would present to him their detailed views on the timber program. This we have done. I ask unanimous consent to have printed in the RECORD with my remarks a copy of the letter to Secretary Freeman.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

MARCH 3, 1962.

Hon. ORVILLE FREEMAN,
Secretary of Agriculture,
Department of Agriculture,
Washington, D.C.

DEAR MR. SECRETARY: In your February 21 conference with Members of Congress and representatives of the lumber industry, several aspects of the timber policies of the U.S. Forest Service were discussed.

The purpose of this letter is to place before you our views on several key aspects.

ALLOWABLE CUTS

There is an urgent need for immediate policy review to determine whether the allowable cuts accurately reflect the full potential for harvesting national forest timber. Certainly special attention should be given to those working circles located in areas where there is today a substantial demand for national forest timber and heavy mill capacity. It should be possible to set forth the ultimate or optimum allowable cut and to show clearly the extent to which lack of access, species, or tree utilization and unfilled reforestation and stand improvement needs hinder placing on the market the optimum amount of timber consistent with sustained yield. There should also be a clear understanding of the reason for selecting various rotation ages and other scientific factors which go into the computation of the allowable cut. There are many suggestions to increase allowable cuts, some of which may overlook basic conservation responsibilities. The policy announcements on allowable cuts should also reveal why alternative suggestions may not be feasible.

We desire that this matter be given a top priority and request that you submit appropriate information to the Senate Committee on Appropriations, including a statement as to whether or not the proposed budget for 1963 will permit timely action.

TIMBER SALES

There has been concern, as you know, over whether the Forset Service timber sale program is running as efficiently as it should. A distinct need exists to make absolutely certain that timber sales plans are carefully prepared and that they are offered on schedule. It should become policy to announce a general plan giving the size, the expected date of sale, location, and general information about sales scheduled for the forthcoming year. This plan should be given wide public notice and the Forest Service should subsequently offer either the sales announced or proper substitutes on the dates originally announced with what should become almost clocklike regularity.

There is a good reason to believe that the two major factors which have compounded some of the spirited bidding that has characterized Forest Service timber sales over the last decade are failures to realistically set and describe the allowable cut and erratic performance on planned timber sale offerings.

TIMBER APPRAISALS

The Forest Service has an obligation, we believe, to set a fair price upon the timber it is offering for sale. The large Government holdings of timber are becoming increasingly important, not only to the forest products industry, but also to the consuming public. In its position as a major purveyor of stumpage the Government's interest should consider the maintenance of wood markets. If this is to be done, the price of stumpage must be kept within a competitive range that enables domestically produced products to compete with imports and with competing materials. While the first two steps we outline can have an appreciable effect on helping wood's competitive position, we would urge that a special review be made of existing pricing policies and the attendant factors which may affect sales bidding. There have been a variety of recommendations made to the Forest Service and each of these deserves a careful reevaluation. The procedures used by other Federal and State agencies deserve to be studied so as to determine whether some revisions in sales procedure could prove beneficial. We would urge in any significant change in policy that careful consideration be given to the use of limited trials before embarking on wholesale changes. In view of the contentions made about forward pricing we particularly urge that attention be given to this question at the earliest opportunity.

ACCESS TO THE NATIONAL FORESTS

This was not a matter raised by the lumberman at the February 21 meeting, but it is one which has received more than passing attention. Two aspects are of prime importance. The first is fully covered in the Attorney General's opinion of February 1, 1962, raised by the questions you submitted to him last August 2. The Department should proceed at once to implement a reciprocal access policy.

The guiding concepts are well stated in the similar policy developed 12 years ago by the Department of the Interior for the Oregon and California revested lands. We urge that you set up a task force in your office under instructions to proceed expeditiously to prepare and publish for comment by a certain date the necessary policy and regulations. Here is an area where it would be extremely desirable for the Department of the Interior and Agriculture to work in close cooperation, and to make full and proper use of a special advisory group which represents not only the public interest but also with a direct interest.

The second aspect is adequate authorizations which will assure that the goals of the developmental program for the national forests are met. We urge that in transmitting reports in connection with the Highway Act, this matter be given a thorough review. We will be glad to meet with you, the President and the Director of the Bureau of the Budget should this be desirable to achieve a meeting of the minds.

In addition to enabling the national forests to meet their broad conservation role, the prompt construction of the needed roads will measurably assist the forest products industry in obtaining timber at reasonable prices. One of the most risky aspects of timber sale purchase is the cost of road construction. The changes in marked structure between the time of the timber purchase and the date upon which the roads are constructed so that logging can commence has been a factor in intensifying the current hardship that many in the industry feel. These, and other equally compelling reasons, necessitate special attention to setting forest development road authorization at substantially higher levels than now prevail.

APPEALS PROCEDURE AND REVISION OF FOREST SERVICE CONTRACTS

These matters deserve proper and careful review by both legal and technical experts. However, as we suggested in the meeting, many problems can be averted by better on-the-ground contact and administration.

One thread which ran through the presentations by the lumbermen was that many issues have been under discussion for some time without resolution. As a matter of policy there should be a high priority attached to the development of a mechanism which will enable all groups to place before you their detailed recommendations on policy and program revisions on the several points where concern has been expressed. Those suggesting revisions should be asked to give a priority designation to their suggestion. The Department should then proceed, using to the extent desirable such counsel as various groups wish to extend, to dispose of each issue with a clear statement of policy as the facts are developed. In the formulation of policy we believe it would be well to include in your announcement a recognition of the contending suggestions and a clear statement on why those that were not adopted, either in full or in part, were not, along with the reasons for the policy revisions being made.

We respectfully submit these two suggestions:

1. The Forest Service has long made use of advisory boards. There should be a concerted effort made to expand their use and to critically examine whether they are broadly representative of those with an interest in national forest affairs. Starting at the local level a strong effort should be made to assure that these boards can function in a fully advisory capacity in a meaningful way.

2. Within the last few years the Department has created in all of its agencies independent internal audit staffs in accord with the concepts set forth in the 1950 revision of the Budget and Accounting Act. We urge that you explore the practicality of equipping the internal audit staff to serve also on a troubleshooting basis in those situations where there is a difference over contract interpretation or requirements between a timber purchaser and a local sale officer when this cannot be resolved by the forest supervisor. In such a situation the troubleshooter's services could be requested by the contractor or supervisor and he would then come out on the ground with the contractor and go over the entire situation. Following this, he would meet with the local officer and then he would take both parties out on the ground to see if the situation could not be resolved then and there. In the process he would be authorized to accept written statements and he would be expected to report his views to both the local supervisor and the contractor in writing. Through the use of fully experienced independent personnel on the internal audit staff there could be developed men with broad backgrounds and specialized capabilities for the solving of problems right on the ground—which is where most of these so-called problems really should be settled. We would urge that the approach be given a fair trial to see if it produces the results that are sought. Placing such a program into operation on a trial basis might also aid in ascertaining the precise changes that might be needed both in the present appeals procedure as well as in the contracts.

PERFORMANCE EVALUATION

Several of the criticisms made strongly suggest that the performance of certain assigned functions may be below expectations.

We therefore urge that you review performance and give careful consideration to publication at local, regional and national levels of an annual factual statement, perhaps in the annual reports, which relates plans to accomplishments. This would not only assure a better understanding on the part of the public but also would make available to those charged with operating responsibilities better information to how effectively financed program goals are being met.

Some of the suggestions made in this letter may require funding. For such items we ask that you furnish us with your views and have the Forest Service prepared to advise the Senate Committee on Appropriations when it appears to testify on the 1963 budget.

For those items which involve legislation, such as the pending highway bill, we ask

that a timely report be furnished to us. For those aspects which involve policy revisions that are within your discretion as Secretary of Agriculture, we ask that you give us your views at the earliest feasible date and consult with us on a timely basis.

We wish to assure you that we desire to work with you cooperatively and constructively to effect in an orderly and beneficial manner any changes that may be necessary in national forest policies.

Sincerely yours,

WAYNE MORSE, WARREN MAGNUSON, MIKE MANSFIELD, FRANK CHURCH, THOMAS KUCHEL, MAURINE NEUBERGER, HENRY JACKSON, LEE METCALF, CLAIR ENGLE.

AUTHORITY FOR SENATE EMPLOYEE TO APPPEAR AND TESTIFY IN U.S. DISTRICT COURT FOR SOUTHERN DISTRICT OF FLORIDA

Mr. EASTLAND. Mr. President, I call up Senate Resolution 306, reported earlier today, and ask for its immediate consideration.

The PRESIDING OFFICER. The resolution will be read for the information of the Senate.

The legislative clerk read the resolution (S. Res. 306), as follows:

Whereas, in the case of United States of America, plaintiff, versus James R. Hoffa and Robert E. McCarthy, Junior, defendants, Criminal Action Numbered 1282-61, pending in the District Court of the United States for the Southern District of Florida, Orlando Division, a subpena ad testificandum and duces tecum was issued upon the application of the Defendant, James R. Hoffa, and addressed to Julien G. Sourwine, who is chief counsel of the Senate Internal Security Subcommittee of the Committee on the Judiciary, directing him to appear as a witness before the said court on the 12th day of March 1962 at 10 o'clock antemeridian and to give testimony in the above entitled cause, and to bring with him copies of the subpenas to James R. Hoffa and transcript of testimony of James R. Hoffa before the Senate Internal Security Subcommittee, said papers being in the possession of and under the control of the Senate of the United States: Therefore be it

Resolved, That by the privileges of the Senate of the United States no evidence under the control and in the possession of Senate of the United States can, by the mandate of process of the ordinary courts of justice, be taken from such control or possession, but by its permission; be it further

Resolved, That when it appears by the order of the court or of the judge thereof, or of any legal officer charged with the administration of the orders of such court or judge, that testimony of an employee of the Senate of the United States is needful for use in any court of justice or before any judge or such legal officer for the promotion of justice and, further, such testimony may involve documents, communications, conversations, and matters related thereto under the control of or in the possession of the Senate of the United States, the Senate of the United States will take such order thereon as will promote the ends of justice consistently with the privileges and rights of the Senate; be it further

Resolved, That Julien G. Sourwine, chief counsel, Senate Internal Security Subcommittee of the Committee on the Judiciary, be authorized to appear at the place and before the court named in the subpena duces tecum before mentioned, but shall not take with him any papers or documents on file in his office or under his control or in his possession as chief counsel of the Senate Internal Security Subcommittee of the Committee on the Judiciary; be it further

Resolved, That when said court determines that any of the documents, papers, communications, and memoranda called for in the subpena duces tecum have become part of the official transcripts of public proceedings of the Senate by virtue of their inclusion in the official minutes and official transcripts of such proceedings for dissemination to the public upon order of the Senate or pursuant to the Rules of the Senate, and, further, that such documents, papers, communications, and memoranda are material and relevant to the issues pending before said court, then the said court, through any of its officers or agents, have full permission to attend with all proper parties to the proceeding, and then always at any place under the orders and control of the Senate, and take copies of such documents, papers, communications, and memoranda in possession or control of said Julien G. Sourwine which the court has found to be part of the official transcripts of public proceedings of the Senate by virtue of their inclusion in the official minutes and official transcripts of such proceedings for dissemination to the public upon order of the Senate or pursuant to the Rules of the Senate, and which the court has found are material and relevant to the issues pending before said court, excepting any other documents, papers, communications, and memoranda (including, but not limited to, minutes and transcripts of executive sessions and any evidence of witnesses in respect thereto) which the court or other proper officer thereof shall desire as such matters are within the privileges of the Senate; be it further

Resolved, That Julien G. Sourwine, chief counsel to the United States Senate Internal Security Subcommittee of the Committee on the Judiciary, in response to the aforementioned subpena, shall testify to any matter determined by the court to be material and relevant for the purposes of identification of any document or documents provided said document or documents have previously been made available to the general public; but said Julien G. Sourwine shall respectfully decline to testify concerning any and all other matters that may be based on knowledge acquired by him in his official capacity, either by reason of documents and papers appearing in the files of said subcommittee or by virtue of conversations or communications with any person or persons, and he shall respectfully decline to testify respecting any matter or matters fully within the privilege of the attorney-client relationship existing between said Julien G. Sourwine and the said subcommittee or any of its members;

Resolved, That a copy of this resolution be transmitted to the said court as a respectful answer to the subpena aforementioned.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. EASTLAND. Mr. President, the resolution is similar to one that was reported from the Committee on Government Operations a few minutes ago. Mr. James R. Hoffa, a defendant in a criminal case at Orlando, Fla., has subpenaed Mr. Julien G. Sourwine, chief counsel of the Senate Internal Security Subcommittee of the Committee on the Judiciary, to appear as a witness. The resolution would authorize him as an employee of the Senate to appear and testify, but not to bring any documents or to give information that he has received as an employee of the Senate.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution was agreed to.

The preamble was agreed to.

DISASTER AREA ON LONG ISLAND

Mr. KEATING. Mr. President, less than 3 weeks ago man showed his mastery of nature by the orbital flight of Colonel Glenn three times around the earth. Yesterday, nature showed its mastery of man by a devastating windstorm, blizzard, and tidal wave combination that wreaked havoc along the northeastern coast of America from North Carolina to New York. Even the Space Administration had to give up this time and evacuate the Wallops Island launching site.

Mr. President, the damage in New York State, in Suffolk County, on Fire Island, and along the south shore of Long Island as far west as the Rockaway Peninsula, has been extensive. Homes and businesses have been virtually turned into lumber yards and many are desolate.

Governor Rockefeller has already ordered an on-the-spot inspection of the damage and is expected to declare the area a disaster area and seek Federal aid immediately. At present an inspection team is out there, including the Governor's secretary and representatives from the department of public works, civil defense and disaster programs, and budget bureau. To be eligible for Federal assistance, the State and municipal agencies must be prepared to spend at least $3 million of their own funds. The plan for aid will be drawn up immediately after the inspection and I have been assured that the Governor is prepared to take all necessary steps to assist repair and rehabilitation through the area.

The State government has also been in touch with the Small Business Administration to insure that reconstruction finance loans are made available to homeowners, businesses, large and small, and nonprofit organizations. I have also contacted the regional office in New York, where an on-the-spot inspection is now being made today and a favorable decision expected in the near future.

Mr. President, New York's Governor Rockefeller has moved promptly and efficiently to set the wheels in motion for aid to the disaster area. I hope the Federal Government will be equally prompt and sympathetic to make Federal help available through all existing channels to these unfortunate communities which have felt at first hand the crushing power of natural disaster.

TRADE VETO MAKES SENSE

Mr KEATING. Mr. President, in light of the new trade agreement with the Common Market which the administration has just announced, I should like to take just a minute today to reiterate my thinking that Congress should have something to say on these matters. I

have not had sufficient opportunity to study all of the details of this new agreement, and generally speaking I must point out that I am anxious for our Nation to work out a suitable trade relationship with the European Common Market.

As many Members are aware, I have proposed that the Congress be given a veto authority, by a two-thirds vote, on new trade agreements within 60 days after their submission to the Congress. I think the agreement announced yesterday emphasizes the importance of this approach.

The President has negotiated a very detailed and complicated new trade agreemeent. It includes many commodities which are of importance to New York State and, of course, commodities which are of importance to every other State of the Union. This agreement was negotiated under authority granted to the President by the Congress. I feel it is entirely appropriate that the Congress now indicate whether or not this particular agreement is within the intent of the Congress in granting this authority to the President.

The Ways and Means Committee of the House and the Finance Committee of the Senate are fully capable of examining and holding constructive and substantive hearings on the provisions of this agreement. I do not go along for a minute with the thinking which says that trade agreements are too technical and too complicated for the Congress. What is the Congress for if it cannot examine and understand technical matters of great importance to our country? This trade agreement contains many policy changes and tariff revisions that deserve further consideration. A congressional veto such as I have proposed would accomplish this purpose. I fully believe that the scope and importance of this trade agreement indicates the need for giving the Congress a veto power in the new Trade Agreements Act which must be extended this year.

Mr. President, these negotiations began 18 months ago. Time is not the real problem. It seems to me that we can now afford to give the Congress 60 days to think things over.

COMMENDATION OF FULBRIGHT SCHOLARSHIP PROGRAM

Mr. SALTONSTALL. Mr. President, we receive many words of criticism but not too many words of commendation. But as one who has always supported in the Appropriations Committee the scholarship program abroad known as the Fulbright scholarship program, I ask unanimous consent to have printed in the RECORD at this point a brief letter from the mother of one of the boys who has been a Fulbright scholar and who has certainly appreciated the opportunities we afforded to him.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEDHAM, MASS., *February 16, 1962*.

DEAR SENATOR SALTONSTALL: I wish to write a few words as the mother of a Fulbright scholar who spent 1960–61 at Oxford University.

My son, Michael E. Hager, was awarded a Fulbright scholarship in February 1960, for study the following year at Corpus Christi College, Oxford. At that time you most generously sent him a letter of congratulations. Mr. Hager, Michael, and I appreciated your letter very much.

I want you as our Senator to know that the year was a most wonderful one for him in every way possible. Scholastically, of course, it was advantageous, and he was most enthusiastic about his professors, his courses, and the college. But of all the many benefits this Fulbright scholarship afforded him, I believe the greatest was his utter love and friendship for the English people. I think you would have considered him an excellent ambassador. His weekly letters to us were exciting and detailed accounts of his visits to the homes of these newly made friends. He seemed to fall into the life there very easily and took every opportunity offered him to get better acquainted with the people, the country, and the customs.

I doubt if any other Fulbrighter could have profited more from his year abroad than did our son. So we are all grateful to our Government for the Fulbright program and for having selected Michael as one to have the opportunity of studying at Oxford.

From the number of Christmas cards and the mail which arrives from England, I know our son made lifelong friendships and did his share in selling America. He is now studying very hard at Harvard Law School.

My best wishes to you.

Sincerely,

KATHERINE G. HAGER
Mrs. Richard H. Hager.

THE MYTH OF FREE COLLECTIVE BARGAINING

Mr. GOLDWATER. Mr. President, the extent of governmental intervention into both the procedural and substantive aspects of collective bargaining is something over which all advocates of free collective bargaining, including Members of Congress and the representatives of both labor and management, should be deeply concerned. Bureaucratic decisions rendered under the aegis of the "refusal to bargain" prohibition of the National Labor Relations Act are having the gradual effect of substituting government-dictated codes for voluntary collective bargaining agreements. The step to governmental regulation of all conditions of employment and particularly to wage and price controls has become increasingly short.

In an effort to promote some discussion of this subject in legal circles and, at the same time, to make available a writing which attempts to explain the need for legislation in this area, I ask unanimous consent that an article entitled "The Myth of Free Collective Bargaining," by Denison Kitchel, of Phoenix, Ariz., and printed by the Tulane University School of Law, be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE MYTH OF "FREE" COLLECTIVE BARGAINING

(By Denison Kitchel, attorney, Phoenix, Ariz.)

In referring to the system of collective bargaining which exists in this country it is customary to characterize it as being "free."[1] It is the purpose of this article to consider:

1. The extent to which this characterization is, or ever could have been, accurate;

2. The decision of the U.S. Supreme Court relating to "free" collective bargaining; and, finally,

3. The possibilities, through legislative action, of making collective bargaining genuinely "free" without jeopardizing its basic efficacy.

The word "free" has many connotations and many definitions. Inherent in it is the element of degree, for the absolute is obviously unattainable. It connotes such things as lack of governmental interference and control, availability of individual choice, and absence of compulsion. In the instant context the following definition of "free" is perhaps appropriate:[2]

"Not determined by anything beyond its own nature or being; not necessitated by an external cause or agency; as a free agent; free will; free choice."

Even more definitive for the purpose of this discussion is the use of the word by Senator Wagner during the course of the debates which preceded the enactment of the Wagner Act:[3] "The very essence of collective bargaining is that either party shall be free to withdraw if its conditions are not met."[4]

I. IS COLLECTIVE BARGAINING "FREE"?

A simple but unsatisfactory answer to this question could be given solely on the basis of the provisions of both the Wagner Act and the Taft-Hartley Act making it an unfair labor practice for an employer to refuse to bargain[5] and that of the Taft-Hartley Act making it an unfair labor practice for a union to refuse to bargain.[6] It could be asserted, obviously, that the mere imposition of an obligation to bargain prevents collective bargaining from being "free." This is, of course, true, but it does not supply a substantial answer to the question.

If two poker players, armed with the equipment essential to their pastime, were taken to the door of a cardroom and told authoritatively that they must go inside and play poker, but how long they played and what rules, if any, they observed while playing were matters over which no one but themselves had any control, it probably could be said that their poker playing was free, at least after the first hand was dealt.[7] But if the person who led them to the door also went into the cardroom, observed the play and had the authority to penalize a player who, in his judgment, was not really playing, it is doubtful that the game could be characterized as free.

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[1] "Federal labor-management legislation at best can provide only the framework in which free collective bargaining may be conducted." (President Eisenhower's message to Congress, Jan. 11, 1954, 33 L.R.R.M. 87, 88); "Free and responsible collective bargaining." (President Kennedy's Executive order of Feb. 16, 1961, establishing Presidential Advisory Committee on Labor-Management Policy, 47 Lab. Rel. Rep. 263); "Free collective bargaining can be preserved" (Cox, "Some aspects of the Labor-Management Relations Act, 1947, Pt. 2," 61 Harv. Law. Rev. 274, 281 (1948)).

[2] Webster's International New Dictionary (2d ed. 1943).

[3] 49 Stat. 449 (1935).

[4] 79 CONGRESSIONAL RECORD 7571 (1935).

[5] Sec. 8(5), Wagner Act, and sec. 8(a)(5), Taft-Hartley Act.

[6] Sec. 8(b)(3), Taft-Hartley Act.

[7] The writer recognizes the fact that two-handed poker is not much of a game. The similarity, however, between the tactics employed in poker and collective bargaining perhaps licenses the use of this awkward analogy.

And this, substantially, is the situation which arises, not by virtue of the imposition under our Federal labor relations law of the obligation to bargain, but because of the procedures essential to determining its fulfillment. The National Labor Relations Board, charged with the responsibility of making that determination, has necessarily been faced from the outset with the problem of developing the rules and standards which it will apply in making the determination in appropriate cases and which, at the same time, will serve to guide those whose conduct in this regard may come under Board scrutiny. This has always been one of the most difficult problems faced by the Board.

The obligation imposed by the law, formerly only upon employers,[8] but since the Taft-Hartley Act, on unions as well,[9] is to bargain "in respect to rates of pay, wages, hours of employment, or other conditions of employment."[10] The cases coming before the Board on charges of failure to comply with this requirement have necessarily caused the Board to develop rules and standards dealing with both the procedures, that is, the mechanics, of collective bargaining and the subjects of collective bargaining. It is not essential to the purpose of this article to review the history of the developments in these two areas. Suffice it, in order to evaluate the applicability of the word "free" to our system of collective bargaining, to note the more important results. What has happened under the ageis of the Board's responsibility to determine whether or not the obligation to bargain collectively has been fulfilled?

The following are some of the procedural rules which have been developed by the Board:

"1. Anything agreed upon as a result of collective bargaining must, at the request of either party, be reduced to writing and signed.[11]

"2. Neither party may refuse to negotiate with respect to any mandatory subject of collective bargaining.[12]

"3. No unilateral action with respect to a mandatory subject of collective bargaining may be taken by either party without the consent of the other.[13]

"4. Upon request by one party, the other must furnish information relevant to any mandatory subject of collective bargaining which is in its possession, is not otherwise readily available to the requesting party, and is essential to the latter's ability to bargain intelligently on the subject.[14]

"5. If a party predicates its refusal to agree to a proposal with respect to a mandatory subject of collective bargaining on its inability to do so, it must furnish proof of that inability.[15]

"6. A party may not insist on agreement by the other with respect to a matter which, although pertinent to their relationship, is not a mandatory subject of collective bargaining.[16]

"7. An employer may not, if a union represents his employees, negotiate with individual employees concerning mandatory subjects of collective bargaining.[17]

"8. A union may not, through the instigation of unprotected concerted activity, exert economic pressure on an employer to force him to agree to its terms (this rule has been rendered invalid by the U.S. Supreme Court).[18]

"9. An employer may not exert any economic pressure on a union to force it to agree to his terms."[19]

These are what may be termed some of the per se procedural rules for collective bargaining, although the use of the phrase "per se" in this context has become technically incorrect as a result of repeated admonitions directed to the Board by the Supreme Court.[20] Nevertheless, as a practical matter the breach of any one of these rules will, in and of itself, form the basis for a finding of a failure to bargain.

In addition, there are many other forms and courses of conduct which, standing either alone or in combination with one another and occurring under varying but somewhat homogeneous circumstances, can be regularly expected to evoke a finding by the Board that there has been a failure to bargain. Among these, for example, are insisting on holding bargaining sessions at places not mutually convenient,[21] failing to make counterproposals,[22] delaying the bargaining timetable,[23] requiring a verbatim transcript of the bargaining proceedings,[24] demanding a performance bond,[25] failing to give negotiators authority to make binding commitments,[26] and insisting on provisions which would be unlawful if embodied in the final agreement.[27]

In the face of these many procedural rules developed by the Board for the purpose of determining whether the obligation to bargain has been fulfilled, it is inaccurate to apply the word "free" to the system of collective bargaining which has thus been established. Its application becomes even more inaccurate when these procedural rules are combined with the number of subjects which have been determined by the Board, with the concurrence of the courts, to be mandatory so far as the obligation to bargain is concerned. The list of mandatory subjects which has been derived from the seemingly unimaginative phrase "rates of pay, wages, hours of employment, or other conditions of employment"[28] would certainly astonish a labor relations Rip van Winkle who fell asleep at the time the Wagner Act was passed and awoke for the first time today. In addition to the many matters which are obviously encompassed by the phrase, the following are some of the subjects which by the interpretive process have been determined to be mandatory: Pensions,[29] bonuses,[30] profit sharing,[31] merit increases,[32] vacations,[33] holidays,[34] health and welfare benefits,[35] rest periods,[36] work loads,[37] work standards,[38] work schedules,[39] plant rules,[40] subcontracting,[41] discharges,[42] union security,[43] management rights,[44] no-strike commitment,[45] union disciplinary action.[46]

Regardless of the efforts by the Supreme Court to eliminate the per se approach in determining whether or not the obligation to bargain has been fulfilled,[47] it is almost certain that if an employer or a union, while negotiating in all sincerity to arrive at a collective bargaining agreement, should flatly refuse to discuss with the other any one of the myriad of subjects now considered to be mandatory, it would be ruled, as a matter of law, that there had been a failure to bargain.[48]

A system of collective bargaining in which both the rules of procedure and the subjects for discussion are either fixed or substantially influenced by a governmental agency is certainly not one which is "not determined by anything beyond its own nature or being" and, therefore, is not one which is "free."[49] Since it is a system in which a participant is not necessarily "free to withdraw if its conditions are not met" it does not even coincide with the concept of freedom which, in this regard, was of prime significance to the sponsor of the original law.[50]

Could collective bargaining ever have been "free" under our law?

The answer to this question is both simple and satisfactory. The moment that "to refuse to bargain" was made by law one of the unfair labor practices to be prevented by the NLRB, any possibility of collective bargaining's being "free" was eliminated. If the question of whether or not a party to the collective bargaining process in a given set of circumstances had, in fact, bargained was

[8] Note 5, supra.

[9] Note 6, supra.

[10] Sec. 9(a), Wagner and Taft-Hartley Acts.

[11] H. J. Heinz Co., 10 N.L.R.B. 963, aff'd, 311 U.S. 514 (1941).

[12] Andrew Jergens Co., 76 N.L.R.B. 363 (1948), enf. granted, 175 F. 2d 130 (9th Cir. 1949).

[13] Crompton-Highland Mills, 70 N.L.R.B. 206 (1946), aff'd, 337 U.S. (1949).

[14] F. W. Woolworth Co., 109 N.L.R.B. 196 (1954), aff'd, 352 U.S. 938 (1956).

[15] Truitt Mfg. Co., 110 N.L.R.B. 856 (1954), aff'd, 351 U.S. 149 (1956).

[16] Wooster Division of Borg-Warner Corp., 113 N.L.R.B. 1208 (1955), aff'd, 356 U.S. 342 (1958).

[17] J. I. Case Co., 42 N.L.R.B. 85 (1942), aff'd, 321 U.S. 332 (1944).

[18] Insurance Agents' Int'l Union, 119 N.L.R.B. 768 (1957), rev'd, 361 U.S. 477 (1960).

[19] Quaker State Oil Ref. Corp., 121 N.L.R.B. 334 (1958), enf'd, 270 F. 2d 40 (3d Cir. 1959), cert. denied, 361 U.S. 917 (1959).

[20] NLRB v. American Ins. Co., 343 U.S. 395 (1952); NLRB v. Truitt Mfg. Co., 351 U.S. 149 (1956); NLRB v. Insurance Agents' Int'l Union, 361 U.S. 477 (1960). Cf. NLRB v. Wooster Division of Borg-Warner Corp., 356 U.S. 342 (1958).

[21] Westinghouse Pacific Coast Brake Co., 89 N.L.R.B. 145 (1950).

[22] Reed & Prince Mfg. Co., 96 N.L.R.B. 850 (1951).

[23] Stanislaus Implement & Hardware Co., 101 NLRB 394 (1952).

[24] Reed & Prince Mfg. Co., supra note 22.

[25] Int'l Union of Teamsters, 87 N.L.R.B. 872 (1949); Standard Generator Service Co., 90 N.L.R.B. 790 (1950).

[26] J. B. Cook Auto Machinery Co., 84 N.L.R.B. 688 (1949).

[27] National Maritime Union, 78 N.L.R.B. 971 (1948).

[28] Note 10 supra.

[29] Inland Steel Co., 77 N.L.R.B. 1 (1948), enf'd. 170 F. 2d 574 (7th Cir. 1948), cert. denied, 336 U.S. 960 (1949).

[30] Union Mfg. Co., 76 N.L.R.B. 322 (1948).

[31] Ibid.

[32] Aluminum Ore Co., 39 N.L.R.B. 1286 (1942), enf'd, 131 F. 2d 485 (7th Cir. 1942).

[33] Singer Mfg. Co., 24 N.L.R.B. 444 (1940).

[34] Athens Mfg. Co., 69 N.L.R.B. 605 (1946).

[35] W. W. Cross & Co., 77 N.L.R.B. 1162 (1948), enf'd, 174 F. 2d 875 (1st Cir. 1949); General Motors Corp., 81 N.L.R.B. 779 (1949).

[36] National Grinding Wheel Co., 75 N.L.R.B. 905 (1948).

[37] Woodside Cotton Mills Co., 21 N.L.R.B. 42 (1940).

[38] Ibid.

[39] Inter-City Advertising Co., 61 N.L.R.B. 1377 (1945); Wilson and Co., 19 N.L.R.B. 990 (1940), enf'd, 115 F. 2d 759 (8th Cir. 1940); Woodside Cotton Mills Co., supra.

[40] Timken Roller Bearing Co., 70 N.L.R.B. 500 (1946).

[41] Ibid.

[42] Bachelder Co., 21 N.L.R.B. 907 (1940), enf'd, 120 Fed. 574 (7th Cir. 1940).

[43] Winona Textile Mills, Inc., 66 N.L.R.B. 702 (1946), enf'd, 160 F. 2d 201 (8th Cir. 1947); Andrew Jergens Co., note 12 supra.

[44] NLRB v. American National Ins. Co., note 20 supra.

[45] Wooster Division of Borg-Warner Corp., note 16 supra.

[46] Allen Bradley Co. v. NLRB, 286 F. 2d 442 (7th Cir. 1961).

[47] National Maritime Union, 78 N.L.R.B. 971 (1948).

[48] E.g., Inland Steel Co., note 29 supra.

[49] Note 2 supra.

[50] Note 2 supra.

to be decided by a governmental agency armed with punitive power, the nature of the system of collective bargaining to be developed under such a law was bound to be determined, not by the "nature or being"[51] of the institution itself or of its component parts—the employers and the unions—but by the views of that agency as to what did, or did not, under the particular circumstances, constitute bargaining. Whether the conclusion reached by Congress to prohibit refusals to bargain was witting or unwitting in this regard, or whether it was good or bad, is here beside the point. That it fordoomed the development of a system of "free" collective bargaining cannot, at least as a matter of hindsight, be gainsaid.

Why was this so? Why, in the face of Senator Walsh's oft-quoted assertion that the law went no further than the office door,[52] was it inevitable that the procedures and subjects of collective bargaining would be dictated by an external cause or agency[53] and, hence, that collective bargaining itself could never be free?

It was inevitable because the first step on the road to administrative determinations of questions of refusal to bargain under the Wagner Act was bound to involve the adoption of the good faith standard. Had it not been for the legislative, administrative, and judicial background of the statutory obligation to bargain which preceded the enactment of the Wagner Act,[54] it is remotely possible that the prohibition it contained might have been construed as requiring no more than that an employer recognize the union chosen by a majority of his employees and refrain from recognizing any other. Certainly the statements of Senators Wagner[55] and Walsh[56] and of others would have supported such a limited interpretation, but earlier experience under the Railway Labor Act[57] and the National Industrial Recovery Act[58] and the very language in which the prohibition was couched; namely, to refuse to bargain,[59] made these statements mere empty phrases. The good faith standard as applied to the duty to bargain was both a known and a logical criterion. For the Members of Congress to be deluded, if they were, into thinking that it would not be adopted by the new agency created to administer the Wagner Act was myopic in the extreme.

Be that as it may, for the purpose of determining whether collective bargaining under the Federal labor relations law could ever have been free, it is sufficient to point out that the good faith test was adopted by the Board at an early stage in the law's development[60] and that it has been used ever since in deciding whether or not the obligation to bargain has been fulfilled.

Obviously, if the presence or absence of good faith were to be determinative of whether or not the statutory duty to bargain had been performed, the Board had to evaluate, on the basis of the expertise of its members, the subjective states of mind of the parties to the bargaining process. This it proceeded to do to the point where, after 12 years of administrative experience under the Wagner Act, Members of Congress expressed concern over the extent to which, in their opinion, the Board was dictating the substantive terms of collective bargaining agreements.[61] But rather than eliminate the good faith test and affirmatively implement even further the concept of free collective bargaining, Congress specifically incorporated the test into the statute, albeit with some rather minor restrictions on its application.[62] As a result, the only contribution of the Taft-Hartley Act toward liberating collective bargaining from governmental direction was to afford a touchstone for some resounding judicial imprecations against governmental interference,[63] which, as a practical matter, have not changed the situation in the least.

That section 8(d) of Taft-Hartley has not operated to diminish the extent of Board intervention is borne out by judicial comment made with reference to several Board findings of refusal to bargain since 8(d) was included in the statute. One court has had occasion to accuse the Board of an "attempt to bestow upon the * * * employees the benefits which it believes the union should have obtained but failed to obtain for them as a result of its collective bargaining with the respondent on their behalf."[64] Another concluded that the Board's finding of a refusal to bargain was predicated upon the unlawful premise that "if a company fails to concede anything substantial, then this is too much, and such failure amounts to bad faith."[65] The Board has even been charged point-blank with proceeding on the theory that it "may determine what agreements employers ought to make and may then find that if they will not make them they are refusing to bargain."[66] And one court has expressed the view that the degree to which the Board has intervened "in conflicts between management and labor concerning their respective functions and responsibility" and involved itself "in highly emotional controversies," if judicially approved, "in the end would result in compulsory arbitration."[67]

The U.S. Supreme Court has had one occasion to tell the Board that it "may not, either directly or indirectly, compel concessions or otherwise sit in judgment upon the substantive terms of collective bargaining agreements,"[68] and another to express the belief that the Board's finding of a refusal to bargain "amounts to the Board's entrance into the substantive aspects of the bargaining process."[69]

This sampling of judicial comment is not designed to marshall criticism of the Board, but rather to point up the fallacy of characterizing our system of collective bargaining as being free and of assuming that the enactment of section 8(d) did anything to ameliorate the situation. If the system is really to be made free, the means are not to be found in flagellating the Board. They must stem from a realization that the law itself is at fault. This fact was adverted to by the Supreme Court when in Insurance Agents International Union[70] it stated that the Board had intervened into the substantive aspects of the bargaining process "to an extent Congress has not countenanced".[71] In the same case the Court referred to Senator Walsh's office door restriction and commented that "the limitation implied * * * has not been in practice maintained—practically, it could hardly have been."[72] Here, in and of itself, is judicial recognition of the fact that collective bargaining never could have been "free."

II. THE SUPREME COURT AND FREE COLLECTIVE BARGAINING

To analyze all of the U.S. Court of Appeals' decisions dealing with refusal to bargain findings by the Board and to attempt to derive from such a review an evaluation of the judicial status of free collective bargaining would be a task both Herculean and unnecessary, for from the 11 cases[73] which the Supreme Court has reviewed and decided on this issue a fairly clear picture has emerged. Here, again, no effort at criticism as such is intended. The purpose of the following comment on the Court's decisions is rather to highlight the incompatability between free collective bargaining and the functions foisted upon the Board and the courts, including the United States Supreme Court, by the refusal to bargain provisions of the law.

The first five cases decided by the Court arose under section 8(5) of the Wagner Act and dealt primarily with the mechanics of collective bargaining.[74] In all five the Board's findings of refusal to bargain were upheld. Only in the first case were there any comments by the Court which related significantly to the nature of the obligations to bargain. Those comments included an immediate recognition of the fact that the freedom of the employer under section 8(5) of the Wagner Act was limited.

[51] Note 2 supra.

[52] "The bill indicates the method and manner in which employees may organize, the method and manner of selecting their representatives or spokesmen, and leads them to the office door of their employer with the legal authority to negotiate for their fellow employees. The bill does not go beyond the office door. It leaves the discussion between the employer and the employee, and the agreements which they may or may not make, voluntary and with that sacredness and solemnity to a voluntary agreement with which both parties to an agreement should be enshrouded." Senator Walsh, chairman, Senate Committee on Education and Labor, 79 CONGRESSIONAL RECORD 7659 (1935).

[53] Note 2 supra.

[54] For a thorough presentation of the background of the obligation to bargain and of the standard of good faith, see Smith, "The Evolution of the Duty To Bargain Concept in American Law," 39 Mich. L. Rev. 1065 (1941).

[55] 79 CONGRESSIONAL RECORD 7571 (1935).

[56] 79 CONGRESSIONAL RECORD 7659 (1935).

[57] 44 Stat. 577 (1926).

[58] 48 Stat. 198 (1933).

[59] Sec. 8(5), Wagner Act.

[60] See Atlantic Refining Co., 1 N.L.R.B. 359, 368 (1936).

[61] H.R. Rept. No. 245, 80th Cong., 1st sess., 19 (1947).

[62] "For the purposes of this section, to bargain collectively is the performance of the mutual obligation of the employer and the representative of the employees to meet at reasonable times and to confer in good faith with respect to wages, hours, and other terms and conditions of employment, or the negotiation of an agreement, or any question arising thereunder, and the execution of a written contract incorporating any agreement reached if requested by either party, but such obligation does not compel either party to agree to a proposal or require the making of a concession" (sec. 8(d), Taft-Hartley Act).

[63] E.g., *NLRB* v. *American National Ins. Co.*, note 20 supra; *NLRB* v. *Insurance Agents' Int'l Union*, id.

[64] *NLRB* v. *Nash-Finch Co.*, 211 F. 2d 622, 627 (8th Cir. 1954).

[65] *White* v. *NLRB*, 255 F. 2d, 564, 568 (5th Cir. 1958).

[66] *NLRB* v. *I.B.S. Mfg. Co.*, 210 F. 2d 634, 638 (5th Cir. 1954).

[67] *NLRB* v. *Lewin-Mathes Co.*, 47 L.R.R.M. 2288, 2290 (7th Cir. 1960).

[68] *NLRB* v. *American Nat'l Ins. Co.*, 343 U.S. 395, 404 (1952).

[69] *NLRB* v. *Insurance Agents Int'l Union*, 361 U.S. 477, 498 (1960).

[70] Note 20 supra.

[71] 361 U.S. 477, 498.

[72] 361 U.S. 477, 484.

[73] This total does not include Local 24, *Teamsters* v. *Oliver*, 358 U.S. 283 (1959), which deals primarily with the issue of preemption.

[74] *H. J. Heinz Co.* v. *NLRB*, 311 U.S. 514 (1941); *J. I. Case Co.* v. *NLRB*, 321 U.S. 332 (1944); *Medo Photo Supply Corp.* v. *NLRB*, 321 U.S. 768 (1944); *Frank Bros. Co.* v. *NLRB*, 321 U.S. 702 (1944); *NLRB* v. *Crompton-Highland Mills*, 337 U.S. 217 (1949).

In *H. J. Heinz Co.* v. *NLRB*,[75] the employer, having bargained with the union and reached an agreement, refused to sign it. It is perhaps unfortunate that such a dog in the manger case should have been the first vehicle for the Court's consideration of the refusal to bargain issue. It is not unlikely that the Court subconsciously strained to support the Board in the face of such a blatant resort to a technicality. Nevertheless, how simple and logical it would have been for the Court to have decided that, since the employer had, in fact, not only engaged in collective bargaining but as a result reached an enforceable agreement, there was no refusal to bargain. The refusal to sign was clearly an effort to interfere with, restrain, or coerce employees in the exercise of the rights guaranteed in section 7[76] of the act by undermining the union and its collective bargaining accomplishment. As such it was a violation of section 8(1) which could have been effectively remedied by an order to sign the agreement. But, instead, the Court sustained the Board's finding and order based on section 8(5). Rank effrontery toward the national policy of union support was thus rebuffed, but, unfortunately for the cause of free collective bargaining, the Court missed a great opportunity to bolster that cause at the outset.

With Heinz there commenced the meaningless lipservice to "free" collective bargaining which has pervaded almost all subsequent decisions. "The freedom of the employer to refuse to make an agreement relates to its terms in matters of substance," said the Court. It had the candor, however, in this initial foray into the field, to recognize and point out that at least to the extent that the law required an employer to bargain collectively, "his freedom is restricted."[77]

The succeeding four decisions were more or less routine. In *J. I. Case Co.* v. *NLRB*,[78] the Court sustained the Board's finding that an employer's refusal to bargain with a union because of unexpired, individual contracts with a majority of its employees constituted a violation of section 8(5). In *Medo Photo Supply Corp.* v. *NLRB*,[79] after the employer had recognized the union and had received its demands, including one for a wage increase, a majority of the employees solicited the employer directly for wage increases. These were granted and the employees then signified their rejection of the union as their bargaining representative. Thereafter, and prior to the commencement of any negotiations, the employer refused to bargain with the union. The Board's finding of a violation of section 8(5) was upheld. On the same day the Court, in *Frank Bros. Co.* v. *NLRB*,[80] went along with the Board's finding that a refusal to bargain with a union which did not represent a majority of the employees at the time the complaint was issued but which had lost its majority status as the result of a refusal to bargain prior to that time, constituted a violation of 8(5). In the last of the Wagner Act decisions, the Court in *NLRB* v. *Crompton-Highland Mills*,[81] upheld the Board in finding against an employer who, after protracted negotiations and the reaching of an impasse, unilaterally granted wage increases in excess of those it had offered at the bargaining table.

These five decisions, as pointed out earlier, all involved the mechanics of bargaining. Interestingly enough, all of them involved situations in which the employer's conduct justified a finding that, either directly or indirectly, the union had been "run around." Accordingly, they all could have been decided, and an effective remedy afforded, solely on the basis of section 8(1). Except, therefore, for Heinz in which an all-productive record of bargaining was labeled a "refusal to bargain," these cases have little or no significance with respect to the question under discussion.

The next decision of the Court was the first involving the Taft-Hartley amendments and particularly the new section 8(d). The case, *NLRB* v. *American National Insurance Co.*,[82] involved the adamancy of the employer in regard to the inclusion of a management function clause in the collective agreement under negotiation. The union's contract proposals had included provisions for the handling of grievances and for final and binding disposition of them by arbitration. With respect to these provisions the employer offered a counterproposal which, in effect, accepted the proposed grievance and arbitration procedures but, by means of a management function clause, excluded from their operation certain matters of management responsibility. The employer tentatively agreed to many other contract provisions but insisted on the inclusion of the management function clause as a condition of reaching an overall agreement. The Board held the insistence on such a clause to be a per se violation of section 8(a)(5). The Supreme Court affirmed the action of the Court of Appeals for the Fifth Circuit in refusing to enforce the Board's order against the employer.[83]

The remarks of the Court, if read without reference to Heinz or to some of the subsequent decisions of the Court, sound like a Magna Carta for free collective bargaining in the United States. Read in proper perspective, however, they might be more appropriately likened to a eulogy for a great, but lost, cause. On only one occasion since has the Court scaled such heights of articulate support for the principle of freedom in collective bargaining. This is no fault of the Court—the vehicle is apparently good for only spasmodic trips to the top.[84]

The opinion in American National starts out with the unequivocal assertion that the act does not "regulate the substantive terms governing wages, hours, and working conditions which are incorporated in an agreement."[85] In the very next paragraph, however, the Court, in a statement which is not supported by legislative history, inadvertently demonstrates why that assertion is incapable of being correct. When it is stated that "[e]nforcement of the obligation to bargain is crucial to the statutory scheme,"[86] it becomes quite apparent that the avoidance of the very regulation which is asserted not to exist was never a possibility. Nevertheless, the Court proceeds from this perhaps permissible fallacy to the business of tracing the history of the good-faith standard and then of painting a picture of free collective bargaining which is almost ideal. The summit is reached with the resounding declaration, already quoted, "that the Board may not, either directly or indirectly, compel concessions or otherwise sit in judgment upon the substantive terms of collective-bargaining agreements."[87] Requiescat in pace.

American National was followed, chronologically, by *Brooks* v. *NLRB*[88] in which, as in case,[89] Medo Photo[90] and Frank Bros.,[91] the employer had flatly refused to bargain, in this instance on the ground that, between the time of the union's winning of an election and the issuance by the Board of the resultant certification, the employees had indicated their withdrawal of representation rights from the union. Although there was no finding that the union's loss of representative status was caused by unlawful conduct on the part of the employer, the Board held the employer to be in violation of section 8(a)(5). The Supreme Court sustained the Board. Even though the Brooks case dealt with bargaining mechanics and, in effect, gave judicial sanction to another per se Board rule, it has greater significance than the previous decisions in that category, except perhaps Heinz, in that in Brooks it is doubtful that absent 8(a)(5) any effective action could have been taken against the employer.

The next two decisions, *NLRB* v. *Truitt*[92] and *NLRB* v. *F. W. Woolworth Co.*,[93] though seemingly routine because in each instance they, in effect, confirmed Board per se rules of long standing, were, in fact, of extreme importance. They both affirmed the obligation to furnish information as a corollary to the obligation to bargain and thus operated to move the Government's chair back up to the bargaining table after the gallant withdrawal of American National. As mentioned later, in the light of current developments in the field of collective bargaining, it may well be that the Woolworth decision, although clothed in the humility of a per curiam, will turn out to be the greatest Trojan horse of them all.

In Truitt, in response to the union's demand for a wage increase, the employer pleaded inability to pay. The union demanded information substantiating that plea and the employer refused to furnish it. The Board found this refusal to be a violation of section 8(a)(5) and the Court sustained the Board. The entire Court held that a refusal to furnish information substantiating a plea of inability to meet a wage demand could, under certain circumstances, furnish the basis for a finding of a refusal to bargain. A majority held that it did under the circumstances presented by the case before it and, therefore, affirmed the Board's action. A minority felt that the Board's finding had been made on a per se basis and favored remanding the case to the Board for reconsideration on the basis of good or bad faith in order to avoid the establishment of a per se rule. Although the majority protested its innocence in this regard,[94] the subsequent per curiam decision in Woolworth gives considerable weight to the fears of the minority.

Truitt indicates quite clearly the tendency of the Court, throughout many of its decisions involving the issue of refusal to bargain, to express grave concern over the per se aspects of a case while relegating to a secondary position the more vital question of governmental dictation. This, unfortunately, is a natural tendency because the legislative prohibition, enforced by application of the good faith standard, leaves little else for judicial consideration. Nevertheless, a more genuine concern along the lines expressed by the Court in American National could have developed, even under the law as presently written, some salutary judicial restraints against Government-enforced fishing expeditions. In fact, with regard to the Truitt-type situation, which, in effect, is one where the Government requires a person who says "no" under certain circumstances to

[75] Note 74 supra.
[76] Sec. 8(1), Wagner Act.
[77] 311 U.S. 514, 525–6.
[78] Note 74 supra.
[79] Ibid.
[80] Ibid.
[81] Ibid.

[82] Note 20 supra.
[83] 187 F. 2d 307.
[84] The most recent was in *NLRB* v. *Insurance Agents' International Union*; note 20, supra.
[85] 343 U.S. 395, 401–402.
[86] Ibid.
[87] See note 68, supra.
[88] 348 U.S. 96 (1954).

[89] Note 74 supra.
[90] Ibid.
[91] Ibid.
[92] 351 U.S. 149 (1956).
[93] 352 U.S. 938 (1956).
[94] 351 U.S. 149, 153.

prove that he means "no," it would perhaps have been more consistent with what recorded intent of Congress there is for the Court to have rejected in toto the rationale of the Board's rule. To be sure, there is some logic to the argument that furnishing proof of one's good faith when pleading poverty may develop a more charitable attitude on the other side of the bargaining table and thus enhance the possibility of reaching an agreement. But it might well have been concluded that the public interest in free collective bargaining far outweighed any such flimsy justification for governmental interference.

With Truitt behind it, the Court moved on to the Woolworth Co.[95] case with little or no apparent concern. In Woolworth, during the course of negotiations which were being carried on under a wage reopener and also after the contract again became closed to further negotiation, the union requested of the employer information as to the occupational classifications, hours worked, and wage rates of each employee. The employer refused to supply the information. The Board made no finding of bad faith on the part of the employer, but nevertheless held the refusal to be a violation of section 8(a)(5). The Court of Appeals for the Ninth Circuit refused to enforce the Board's order.[96] In a per curiam decision the Supreme Court reversed, citing Truitt.[97]

So far as the merits of the case are concerned the rule confirmed by the Woolworth decision is far less vulnerable to attack than that upheld in Truitt. As long as "[e]nforcement of the obligation to bargain is crucial to the statutory scheme," as the Court gratuitously observed in American National,[98] the requirement that one party furnish to the other relevant information which is in the exclusive possession of the former and is essential to the latter's ability to bargain intelligently on an appropriate subject, is not surprising. The surprising thing about the Woolworth decision is that the members of the Court who had theretofore fought consistently against any possible implication that the Court was approving a per se rule,[99] were apparently no longer concerned with that possibility where a refusal to furnish information was concerned. And the unfortunate thing about the Woolworth decision is that a matter of such great import was decided without explanation and without furnishing some judicial guideposts to minimize abuses of the rule confirmed.

The consequences which can stem from Woolworth justify some additional comment, and here again, except as they may develop on a per se basis, it is the statute, not the Board or the Court, which will be fundamentally to blame. There is a growing tendency in current collective bargaining for unions to seek a codeterminative status with respect to many matters which have heretofore, at least from the standpoint of administration, been deemed to be exclusively the responsibility of management, e.g., retirement plans, the scheduling of work, the modification of work rules, and safety programs. Likewise, there is a current interest on the part of unions, particularly in the automobile manufacturing industry,[1] in the negotiation of profit-sharing plans, which have long since been determined to be mandatory subjects of collective bargaining.[2] The combination of codetermination and profit sharing, operating under the compulsion of Woolworth, is one which can extend the participation of government at the bargaining tables of this country to a point where free collective bargaining, even as a possibility, will be irretrievably lost. If the rule of Woolworth stands, the detailed information concerning every factor which enters into the making of a profit must, under penalty of a finding of a refusal to bargain, be placed on the table for analysis and discussion, e.g., costs of supplies and materials, advertising expenditures, management salaries, competitive practices, sales techniques, pricing, production plans, and capital investment, to mention a few. And any refusal to agree to codetermination with respect to any of these factors, in the light of the information supplied, will be subject to the expertise of the Board in determining the presence or absence of good faith. The step from there to price and wage controls could be a short one.

If the hopes for some degree of free collective bargaining engendered by American National were dimmed by Truitt and Woolworth, they disappeared with the Court's decision in *NLRB* v. *Wooster Division of Borg-Warner Corporation*[3] which followed. In American National the Court had indicated quite clearly that from then on good faith was to be determined on the basis of the record as a whole, not on a per se basis, and, in effect, that unless a party were found affirmatively to be acting in bad faith, it could not be found guilty of a refusal to bargain. Within 2 years of this significant declaration, however, the Court was faced with two situations in which, in order to sustain the Board's findings of guilt, it had, in each instance, to substitute for the Board's failure to find bad faith its own determination that such a finding could have been made. The first of these was Truitt in which the Court said as much; the second was Woolworth wherein it was left to inference. Then with Borg-Warner the roof fell in.

In the Borg-Warner case the employer, during the course of bargaining with the union, insisted to the point of impasse on the inclusion in any final agreement (1) of a provision whereby no strike could be instituted without a prior secret ballot among the employees and (2) of a recognition clause designating the local union, rather than the international, as the bargaining agent although the latter, not the former, had been certified by the Board. The Board held that since neither of the provisions on which the employer had insisted was a mandatory subject of bargaining, the insistence with respect to each of them constituted, per se, a violation of section 8(a)(5) and while so holding specifically stated that the employer's culpability did not turn upon its good faith.[4] The Court upheld the Board.

By the decision in Borg-Warner, the majority of the Court seemed to have concluded, as the Board had from the very outset, that the statutory prohibition against refusals to bargain, operating under the good faith standard, was in a great many instances unenforceable except on a per se basis. At any rate, the majority specifically concurred in a line of reasoning on the part of the Board which was disingenuous to say the least, namely, that insisting on the inclusion in an agreement of a provision which, though lawful, is not a mandatory subject of bargaining "is, in substance, a refusal to bargain about the subjects that are within the scope of mandatory bargaining."[5] Since the employer had, in fact, bargained on all mandatory subjects raised by the union, this decision was on a par with that of Heinz to the effect that bargaining which had resulted in the reaching of an enforceable agreement was, nevertheless, a refusal to bargain.

Aside from the vital question of what is or is not a mandatory subject of collective bargaining, which in and of itself renders Borg-Warner of the utmost significance, the Court's affirmance of the Board in this case operated to eliminate the good faith test so far as nonmandatory subjects of bargaining are concerned. The approval of a per se rule in this regard amounted, for all practical purposes and as a dissenting justice observed, to empowering "the Board to prohibit bargaining in good faith as to lawful matters"[6] which are not mandatory. The Government was thus undeniably placed in a position of regulating the substantive terms of collective-bargaining agreements. With the power of prohibiting bargaining on lawful but nonmandatory subjects and the power to determine what those subjects are, the Board is now firmly seated at the bargaining table. If the Board concludes that a subject is mandatory, it will judge a party's refusal of it or insistence upon it, as the case may be, on what it concludes, on the basis of its expertise, to be a proper bargaining posture. If, on the other hand, it decides that the subject, no matter how pertinent to the relationship between the parties, is nonmandatory, it will automatically penalize the party who, however politely, insists upon it and look favorably upon the party who, however rudely, refuses even to discuss it.

As far as the basis for determining what is and what is not a mandatory subject of bargaining is concerned, the Court in Borg-Warner did not lay down a very clear course to be followed by the Board. In this regard the only important clause before it was that pertaining to the strike vote, because obviously the employer's insistence on recognizing the uncertified local rather than the certified international could have been disposed of by the Board on a per se procedural basis without startling anyone familiar with Heinz, Brooks and Truitt.[7] In upholding the Board's determination that the strike vote was nonmandatory, the Court explained its action by comparing a no-strike clause with the strike vote clause in question and stating that the former "regulates the relations between the employer and the employees" and is, therefore, mandatory, while the latter "deals only with relations between the employees and the union," and is, therefore, nonmandatory.[8] To those engaged in the day-to-day practicalities of labor-management relations this is a distinction quite difficult to grasp. If what the Court was dealing with was the question of whether or not the clauses in question came within the purview of the phrase "other terms and conditions of employment,"[9] which must have been the case, there seems to be little difference in that context between a clause under which a union undertakes not to institute a strike during the term of the contract and one in which the same obligation, avoidable, however, by taking a strike vote, is assumed. That the distinction is less than clear was recently evidenced by a decision of the Court of Appeals for the Seventh Circuit reversing the Board's finding that an employer's proposal to limit the union's authority to discipline or fine its members for exercising their statutory right to refrain from engaging in strikes or other concerted activity was nonmandatory.[10]

It can be reasonably anticipated that the issue of mandatory versus nonmandatory as regards management's insistence on inclusions will now be as thoroughly litigated as it was with regard to management's earlier insistence on exclusions. Whatever the outcome with respect to the various subjects

[95] Note 93 supra.
[96] 235 F. 2d 319.
[97] Note 92 supra.
[98] Note 85 supra.
[99] Cf. Truitt, note 92 supra.
[1] 47 Lab. Rel. Rep. 64.
[2] *Richfield Oil Corp.* v. *NLRB*, 231 F. 2d 717 (C.A.D.C. 1956), cert. denied, 351 U.S. 909.

[3] Note 20 supra.
[4] 113 N.L.R.B. 1288, 1291.
[5] 356 U.S. 342, 349.

[6] Ibid.
[7] Notes 74, 87, 92 supra.
[8] 356 U.S. 342, 349–50.
[9] Sec. 8(d), Taft-Hartley Act.
[10] *Allen Bradley Co.* v. *NLRB*, 286 F. 2d 442 (7th Cir. 1961).

which can be conjured up, the sum total of such litigation is bound to increase the extent of "intrusion by the Board into the substantive aspects of the bargaining process beyond anything contemplated by the National Labor Relations Act or suggested in th[e] * * * Court's prior decisions under it."[11] This should be of primary concern at this juncture to unions. Particularly where unions have obtained, or are striving to obtain, codeterminative status with respect to matters formerly deemed the sole responsibility of management, they may be haunted frequently by the specter of Borg-Warner. If representatives of unions are going to participate jointly with representatives of management in determining such matters, it is not illogical to assume that many management proposals affecting the internal affairs of unions will be considered as "regulat[ing] * * * the relations between the employers and the employees" rather than as "deal-[ing] * * * only with relations between the employees and the union."[12]

In the face of Borg-Warner and the earlier decisions, exclusive of American National, one might readily have assumed that the bars were now down so far as the Board's power to regulate both the mechanics and the subjects of barganing, and thus the substantive terms of collective bargaining agreements, was concerned. But apparently it was time for the commencement of another cycle such as that begun with American National and concluded with Borg-Warner, for the latest decision[13] in this field finds the Court once again worrying the bone of free collective bargaining. In *NLRB v. Insurance Agents International Union*[14] the majority of the Court appears to have forgotten Borg-Warner, or at least to have forgotten its significance, because it is cited at only one point in the majority's opinion and there only as evidence that "[t]he same problems as to whether positions taken at the bargaining table violate the good-faith test continue to arise under the act as amended."[15] That is indeed a weird reference to a decision in which the good-faith test was, in one regard at least, eliminated.

In the Insurance Agents case, the union, during the course of negotiations, engaged in harassing tactics for the purpose of forcing the employer to capitulate to its terms. The employees involved were insurance salesmen. The harassing tactics consisted of such activities as temporary failures to solicit new business, failures to comply with the employer's reporting procedures, engaging in sit-in mornings and failing to attend special business conferences scheduled by the employer. These tactics were admittedly unprotected, i.e., activities for which the employer could have disciplined the employees without violating the act. Likewise, it was conceded that there was no evidence of bad faith on the part of the union so far as its intentions to reach an agreement were concerned. The sole question was whether or not the harassing tactics, in and of themselves, could support a finding of a refusal to bargain. The Board held that they could. The Court said emphatically that they could not.

As it did so thoroughly in American National, in Insurance Agents the Court explored the legislative history of section 8(5) of the Wagner Act and of sections 8(a)(5), 8(b)(3), and 8(d) of Taft-Hartley and, again as it did in American National, painted an ideal picture of at least a modified form of free collective bargaining. But the reader of the opinion has that "this is where I came in" feeling. When the majority of the Court states that "Congress intended that the parties should have wide latitude in their negotiations, unrestricted by any governmental power to regulate the substantive solution of their differences"[16] and that "[o]ur labor policy is not presently erected on a foundation of government control of the results of negotiations."[17] the inclination to applaud is stifled by the recollection of Borg-Warner, Truitt, Brooks, and Heinz.

It is impossible to reconcile, for example, the holding of Insurance Agents that bargaining tactics on the part of a union such as a sit-down or a slow-down cannot, per se, support a finding of refusal to bargain with the holding of Borg-Warner that bargaining tactics on the part of an employer such as insisting on a lawful but nonmandatory subject can, per se, support such a finding. The decision in Insurance Agents in this regard is amply supported by both the language and the legislative history of the statute, but it can find no support in Borg-Warner. At least the unions now know where they stand if while bargaining in good faith they exert economic pressure by means of unprotected activities. It will be interesting for employers eventually to find out from the Supreme Court where they stand if while bargaining in good faith they exert economic pressure on unions to force acceptance of their terms.[18]

To sum up so far as the U.S. Supreme Court and free collective bargaining is concerned, it can fairly be said on the basis of the Court's decisions that the subjects of collective bargaining are subject to regulation by the Board, that the tactics of collective bargaining which reflect a party's substantive position at the table are subject to regulation by the Board, that the tactics of collective bargaining which may reflect a union's substantive position at the table but also involve the exertion by it of economic pressure on the employer are not subject to regulation by the Board, and that in all situations the Board sits at the bargaining table and passes judgment on the states of mind of the parties either on a per se basis or otherwise. This cannot be considered free collective bargaining in any sense of the word "free."

III. THE POSSIBILITIES THROUGH LEGISLATIVE ACTION OF MAKING COLLECTIVE BARGAINING FREE WITHOUT JEOPARDIZING ITS BASIC EFFICACY

"Promotion of unionism by the Wagner Act, with the resulting progress of rational collective bargaining, has been gathering momentum for a quarter of a century. In view of the economic and political strength which has thereby come to unions, interpretations of the act ought not to proceed on the assumption that it actively throws its weight on the side of unionism in order to redress an assumed inequality of bargaining power. For the Court to fashion the rules governing collective bargaining on the assumption that the power and position of labor unions and their solidarity are what they were 25 years ago, is to fashion law on the basis of unreality."[19]

These words of Justice Frankfurter, dissenting in the Insurance Agents case, are as applicable to the Congress as they are to the Court. If collective bargaining is to survive at all, much less be made free, the law should not remain such as to support an assumption that it actively throws its weight on the side of either party to the collective bargaining process. Whether or not it should have been initially fashioned for the [p]romotion of unionism is now beside the point. With the enactment of Taft-Hartley it began to cut two ways. The point is that collective bargaining is being increasingly subjected to governmental regulation and, unless the trend in this direction is halted, it could disappear as the modus operandi of our labor-management relations structure. It is becoming increasingly apparent that collective bargaining, like many other institutions in our national society, cannot survive if it remains less than free—that, at least so far as collective bargaining is concerned, there can be no such thing as a little dictation of the substantive aspects of the process.

In the light of all that has transpired under the law's "simple" prohibition against refusals to bargain and with recognition of the changed status adverted to in the foregoing quotation, Congress might well conclude that the time has come to set collective bargaining free. The obvious way of doing this would be to repeal sections 8(a)(5), 8(b)(3), and 8(d) of the present law. What would be the result? One way of answering that question is to determine how the conduct found culpable in the cases involving refusals to bargain which have reached the Supreme Court to date would have fared in the absence of the sections just mentioned.

As pointed out earlier, in each instance the employer's conduct in Heinz, Case, Medo Photo, Frank Bros., and Crompton-Highland Mills could have been effectively remedied as a violation of section 8(a)(1). Thus, the repeal of the sections in question would not permit an employer to refuse to sign a collective bargaining agreement reached with a union, to refuse to recognize a union because of the existence of individual contracts, to refuse to recognize a union whose majority status had been lost because of the employer's misconduct, or to grant wage increases unilaterally in excess of those offered during negotiations with a union, where such conduct was determined by the Board to have the effect of undermining the union involved and thereby of depriving the employees of their right to bargain collectively through representatives of their own choosing. On the other hand the situation in Brooks, where the employer refused to bargain with a union which had lost its majority status through no fault of the employer, would probably not be subject to Board action. It is certainly arguable that such a result would better protect the rights of the employees than does the government-dictated representation imposed under the Brooks rule.

It is likely that with the repeal of the refusal to bargain sections of the law the Truitt requirement of proof of inability to grant a demand would be eliminated. It is doubtful that many would mourn its loss. On the other hand, the Woolworth requirement of furnishing information, while removed entirely from any possible per se operation, would continue to exist where its fulfillment was necessary to prevent an intentional frustration of employees rights under the act.

That leaves us with American National, Borg-Warner, and Insurance Agents. What greater contribution to free collective bargaining could be made than for Congress to confirm the results of American National and Insurance Agents and to eliminate those of Borg-Warner?

In sum, at least on the basis of the cases which have to date reached the Supreme Court, the elimination from the law of sections 8(a)(5), 8(b)(3) and 8(d), would not appreciably affect the procedural rules laid down by the Board with regard to collective bargaining where the operation of those rules was required in individual cases to protect the rights of employees from intentional interference on the part of employers. On the other hand, it would take from the Board any power to regulate the subjects of collective bargaining. Without per se procedural rules to hamper the normal mechanics of bargaining, and without limitations upon the subjects of bargaining, collective bargaining in the United States could be correctly characterized as being free.

There remains, of course, the question of whether or not collective bargaining, freed in this manner, would continue to function as the basis for resolving the differences between employers and unions. Some will say that with the elimination of the legal compulsion to bargain, employers would refuse with impunity to deal with any but the strongest and most firmly established unions and that the trade union movement would thus receive a mortal blow. Such an assertion ignores the industrial realities mentioned by Justice Frankfurter in Insurance Agents and fails to recognize that the future of trade unionism is in greater jeopardy under a system of Government-controlled collective bargaining which can lead to the elimination of any need for unions than it would be under a free system. Likewise, it overlooks the fact that all the other protections against hostile action by employers which presently exist in the law would remain. Be that as it may, the Congress might well consider in conjunction with the repeal of the sections in question the insertion in the law of a prohibition against an employer's refusing to recognize a union possessing majority representation status and, where such a union is present, against recognizing or dealing with any other union. Such a prohibition, if properly worded, would tend to get the employees' bargaining representative through the employer's office door and into the conference room without permitting the Government to participate in the subsequent proceedings.

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[11] 356 U.S. 342, 351-2.

[12] 356 U.S. 342, 350.

[13] See note 73 supra, concerning the Oliver case which followed Borg-Warner chronologically. Insofar as it dealt with the issue here under discussion, Oliver was a logical sequel to Borg-Warner.

[14] 361 U.S. 477 (1960).

[15] 361 U.S. 477, 488.

[16] Ibid.

[17] 361 U.S. 477, 490.

[18] *Cf. NLRB v. Truck Drivers Union No. 49*, 353 U.S. 87 (1957; see *Quaker State Oil Ref. Corp. v. NLRB*, note 19 supra.

[19] 361 U.S. 477, 507.

COUNTY PLANNING AND DEVELOPMENT PROGRAMS

Mr. GOLDWATER. Mr. President, the National Association of County Officials recently held a regional development workshop in Phoenix, Ariz. County officials from the 16 Western States attended the sessions, which explored all phases of community development and the role of county government in encouraging and providing leadership for the economic development of their communities.

Two of the outstanding papers were delivered by residents of Maricopa County. The presentations on "Establishing a Plan and Perfecting Planning Machinery," by Wesley G. Mohr, vice president for planning and research, Del Webb Corp., and "Establishment of an Active Development Organization," by Charles W. Miller, county manager of Maricopa County, were the most outstanding presentations made during these sessions.

I ask unanimous consent that both of these papers may be printed in the RECORD at this point in my remarks.

There being no objection, the papers were ordered to be printed in the RECORD, as follows:

ADDRESS BY WESLEY G. MOHR AT NATIONAL ASSOCIATION OF COUNTY OFFICIALS COMMUNITY DEVELOPMENT WORKSHOP, PHOENIX, ARIZ., JANUARY 26, 1962

ESTABLISHING A PLAN AND PERFECTING PLANNING MACHINERY

Good morning, ladies and gentlemen.

The topic assigned to me for this morning's session is "Establishing a Plan and Perfecting Planning Machinery." To most of us familiar with the planning processes, we immediately think of the details of general development plans, master street plans, major highway development plans, land use studies, zoning studies, and so forth. In view of the fact that I have but 25 minutes to stress the importance of planning, I should like to deviate from a technical discussion and take this opportunity to discuss with you, on a broad and general basis, our planning failures and possible planning remedies. Summed up in a nutshell, our greatest planning failure is urban sprawl.

The Urban Land Institute, in a recent editorial, stated, "The old-fashioned city which was a densely populated district surrounded by farms belongs to the period of Grandma Moses' antique American landscapes." Unfortunately, it has been displaced by the metropolitan area which, in its simplest form, is a compact, vertical, antiquated central city swaddled in depth by miles of horizontal subdivision development. On both the east coast and the west coast, whole chains of metropolitan areas now have been or are being fused so that a person may travel from the heart of one city to the heart of another without ever emerging from a congealed mass of suburbs. While individual subdivisions may be skillfully planned, any semblance of coordination in the total assembly of metropolitan development is likely to be purely accidental, if it exists at all.

Transportation is throttled except where rail lines were built decades ago, or where express highways recently have been constructed at fantastic costs.

Now, it is precisely within the choked and cluttered space of metropolitan areas that population increase in America concentrates its pressure. We are predominantly an urban rather than a rural people.

The twin trends toward more people and less open space in metropolitan areas compounds congestion, skyrockets public budgets, and exhausts the patience of the average citizen who must circulate to live.

In very large measure, the present congestion of metropolitan space is due to the fact that just when our population explosion really went into high gear, the current fad for horizontal suburban living reached peak level.

The present sequence of community growth defies logic. Space is available in superabundant quantity before urban sprawl sets in. At that stage, space is not especially valuable and no one thinks very highly of it. Then, when subdivision development has become widespread and space for circulation is needed, it seems to have disappeared. This is, of course, the reverse of what should be true for community health. Under the present system of horizontal suburban growth, the space elimination process goes on about 10 times faster than it did under the old-fashioned system of vertical city growth.

I don't think the American public is aware of how rapidly the disappearance of space has accelerated in recent years. I don't think people are aware of what that disappearance means in terms of efforts to introduce some sense of order into schemes of community growth and public circulation in the formative stages before it is too late. They know they spend more dollars for less results but I don't think they know that more and more of those dollars are simply going down the drain to pay for buildings that later are blasted out of the way so land can be recovered on which roads may be built, parks may be planted, airports be expanded, etc. Counties need space saving accounts just as people need ordinary money savings accounts to tide them over when things get rough. Counties will have to start putting land in space banks just as citizens put money in savings banks. The county which lacks a sense of thrift in this respect may be compared to the shiftless individual who spends today without thought of tomorrow.

Local and State governments fail to place enough emphasis on long-range general development planning. The State of California, for example, annually spends tens of millions of dollars on State buildings, hundreds of millions of dollars on State highway programs, yet spends only $165,000 for a State planning agency to provide direction on a statewide basis to the complex urban and intercounty planning problems.

It seemingly has become the job and everlasting pride of too many engineering and public works departments to solve the impossible, even though the impossible could be avoided entirely with ordinary horsesense.

There is a need in our society for a type of preventive planning-engineering which could do for the metropolitan landscape what preventive medicine does to avoid the spread of epidemic diseases. We have had enough of civic surgery by engineers who specialize in the technique of the scalpel. It is time we encourage a different breed who could plan development so as to avoid trouble in the first place. It is a function of the human mind to anticipate trouble and to warn the body of danger. The engineer should perform a similar function for the well-being of the modern urban areas.

I presume at this time that you ladies and gentlemen are saying to yourself, "The speaker continues to talk about metropolitan areas and urban communities; his talk should be directed to municipal governments, not county governments." In answer to such a query, may I hasten to add that in most cases the areas now involved in metropolitan complexes and our vast suburbias still are under county control or have been annexed to municipalities within the last 10 years.

What then is needed to perfect our planning machinery? First, in many areas of the country, there isn't even any machinery to perfect. Therefore, in those areas, regardless of how seemingly remote, effective planning departments must be established and maintained.

Think how simple county government would be if there were no people living in the county. This is not the case, however. Consequently, regardless of the size of counties, all are in the evolution of the modern age and cannot escape transition. With the population explosion now in full force, nearly all areas of this country will see doubling and tripling of population in the next 10 to 20 years. The planning done now for this expansion will determine the environmental standards of the future as well as determining the financial burden placed upon you, your children, and your children's children.

Secondly, in areas where a county government is faced with urban growth, regardless of size or complexity, steps must be taken to streamline your county planning agencies.

Present county ordinances involving zoning and subdivision control have placed tremendous burdens on your planning agencies to a point where comprehensive master planning has had to take a back seat to the pressures of the day in policing and administering these ordinances. Today, unfortunately, most of your outstanding governmental planners find themselves mired in the swamp of zone variances, special use permits, rezoning hearings, etc. They are not given the time or the manpower to perform remedial long-range planning.

Current county planning budget trends are ridiculously low when compared with trends in private business for comparable planning and comparable expenditures.

County officials should take careful stock now of the quality and comprehensiveness of your county planning. Of all the substances that go to make up a county environment, the square miles it occupies are

its most vital possession. How that space is used will affect the lives of generations. It will influence the vitality of commerce, the cultural level of the people, the tax rate, and the general quality of daily living. What a county does with this one ingredient of its existence will affect its vigor, utility, communications, and beauty for all human time.

Thirdly, for those counties which contain complex incorporated and unincorporated urban areas, I would urge that consideration be given to the establishment of a metropolitan area planning agency. This agency would be countywide in scope and would be comprised of technical planning representatives from each municipality and the county planning department. Good planning knows no political boundary. Metropolitan problems are common to the entire area and can be adequately solved only through mutual understanding and cooperation.

The specific functions of such an agency should, of course, be tailored to meet the needs of the specific urban area. There are innumerable benefits to be derived from such an agency. Included among these benefits are:

1. The establishment of direct lines of technical planning communications between communities.

2. Such an agency can study and define common urban problems.

3. Such an agency can establish recommendations for uniform design standards and ordinances.

4. Such an agency can make studies and recommendations for space requirements of schools, parks, libraries, fire protection districts, etc.

5. Such an agency can study and make recommendations to prevent overlapping or duplication of public services.

6. Such an agency can study and make recommendations for the establishment of metropolitan area utility systems.

7. Such an agency can coordinate and recommend major street and highway system alinements.

8. Such an agency may advise and recommend the securing of additional planning legislation when and where required.

9. Such an agency can coordinate and recommend uniform subdivision regulations.

As I explained to you at the beginning of my talk, it was my intention to keep this discussion on a broad and general basis. I hope that I have not been so general in my statements that they have not been of benefit to you. I sincerely hope that those of you who are concerned and interested in the planning process will meet with us in the planning machinery workshop this afternoon where we can talk specifically. In conclusion, may I say that as I see it, the challenge that lies before us—those of us engaged in the problems of urban development and those charged with the public responsibility of guiding our urban affairs—is to provide a plan and perfect our planning machinery into a more sensible form than has been evidenced to date.

Thank you.

THE ESTABLISHMENT OF AN ACTIVE DEVELOPMENT PROGRAM

(Address by Charles W. Miller, January 26, 1962, before the western division of National Association of County Officials)

Possibly one of the reasons that I have been asked to talk to you today regarding the establishment of an industrial development program for a community is because of the success that Phoenix and Maricopa County have attained with their program which started in March 1948.

Prior to 1950, very little was accomplished in the field of industrial development, and some of you are wondering why the Phoenix area embarked on this program as it did. Well, it was primarily because World War II had been over several years and we had lost the payrolls brought into the area during the preparation and the support of the war. The people realized by this time what industrial development had meant to the community; particularly after the payrolls were gone.

The Maricopa County Board of Supervisors, city officials, the Phoenix Chamber of Commerce, and other Maricopa business leaders met together to see what could be done about enhancing the economic conditions, by attracting industry to the area.

Industrial development is something that is not easily accomplished when one realizes that there are over 3,000 communities in the United States trying to attract industry. To start an industrial development program, it was not sufficient for the supervisors, city officials, and the chamber of commerce to merely want to bring about industrial development. First, we had to acquire the services of a person who was thoroughly familiar with what industry required for successful operation. This individual also needed to know something about management, government, and business policies so that he could work with local leaders in seeing that things were done without disrupting the community's economic balance and the efficient operation of the local governments.

Thirty-eight or more States were active in the field of industrial development and were featuring some form of a giveaway program. Some of these States offered free land; others offered free taxes. Still others offered land, free taxes, buildings and even equipment. It is easy to see how the economic conditions of the community could have been affected if someone came in advocating a complete giveaway program not knowing how it might affect the manufacturers and businessmen already in the community; to say nothing of the burden that it would place on the local governments.

At the outset of our industrial development program, we acquired the services of an industrial engineer. This man received the help of many of the top business and governmental leaders of the community who were thoroughly familiar with industrial requirements and we were able to start a program from that point.

Although the program for industrial development started in 1948, it was not possible to attract any important industries until some time in 1950. We were busy for approximately 2 years studying economic conditions in our area, appraising the tax structure, the manpower situation and the local business climate.

Local business climate is something in which industry is vitally interested when considering a community for one of their branch plants. By local business climate, I mean the following:

1. The attitude of the citizens and officials of the community toward industry. Are they willing to cooperate? (By being willing to cooperate, I do not mean a giveaway program.) Are they willing to stand firm each year to see that attempts to deny expansion to industry are overruled?

2. Local business climate includes other items, such as adequate educational, church, housing, cultural, and service facilities.

One of the most important ingredients of an industrial development program is the tax structure. Revamping our structure caused a 2-year delay in the Arizona program.

In studying our tax structure, we found that the State, county, and local tax system was nearly confiscatory as far as industry was concerned. I think you would be interested in knowing some of the conditions which we found at that time. The Governor's statewide committee found that machinery and equipment was assessed for tax purposes at 80 percent of its cash value the first year, 70 percent of its cash value the second year, 60 percent of its cash value the third year, and 50 percent of its cost from there on, regardless of how long this piece of machinery or equipment might be used. It also found that industry was being faced with a terrific inventory tax. All of the inventory carried by a manufacturer, both raw materials and finished products, was assessed for tax purposes at 60 percent of cost. Imagine the effect this had on a manufacturer when you consider the total dollar value of raw materials plus finished products on which he had to pay taxes. In January 1950, a new system, designed to make Arizona more attractive to industry, was presented to the Governor and the State legislature. The recommendations of the Governor's committee were as follows:

1. That the manufacturer's inventory tax be eliminated; which meant that if this was approved, the manufacturer would not have to pay a tax on raw materials or finished products.

2. That a new method be established for assessing machinery and equipment. This new method provided for machinery and equipment to be assessed at 50 percent of book value, with a reasonable depreciation allowed each year until it reaches a floor of 10 percent of cost. It was determined that this 10 percent minimum of the original cost would be reached about the sixth year after purchase.

3. That a free-port law be established for warehousing and distribution. This free-port law was patterned somewhat after the law which had been in effect in our sister State, Nevada, for many years. Passing the law would mean that wholesalers and distributors could come into the area and warehouse products for ultimate distribution to other States without having to pay any tax.

It was further recommended that the sales tax which manufacturers were paying on sales made to the Federal Government also be eliminated.

I am happy to tell you that all of these recommendations were approved by the State legislature. The no-inventory tax had to go the road of a constitutional amendment, but was passed and approved by the people with a ratio of about 5 to 2.

Since the program started, over 325 new manufacturers have come to Phoenix, providing employment for 32,000 people and an annual payroll of around $145 million per year. Today, Phoenix is known as one of the fastest-growing centers in the United States. We have been able to attract the type of industry that we wanted, keeping smoke and smog at a minimum, so as not to adversely affect other types of economy in the area.

Some of you are probably wondering how we financed such an industrial development program. Certainly it costs money to try to attract industry to a given community.

The Arizona Constitution provides for a county immigration officer, whose duty it is to carry on a program to attract industry, new business, and tourists to the area. To be sure that such a program was carried on in depth without building an additional governmental agency, the county immigration officer's duties were embodied in those of the executive secretary of the chamber of commerce.

In the early stages, the amount of money allocated for this important project was only about $13,000.

Today, through the growth of the county, largely as a result of this industrial development program, the county is able to allocate $80,000 under our enabling legislation; and the city of Phoenix also contributes to the program. This year's Phoenix allotment was $85,000.

While the scale of our expansion does not compare with some other metropolitan areas, we are, nevertheless, very proud of our record. We hope to guide city-county progress even better during the next 10 years.

PROTECTION OF RANK-AND-FILE UNION MEMBERS FROM ABUSES BY UNION LEADERS

Mr. GOLDWATER. Mr. President, in 1959 we passed the Landrum-Griffin Act, the primary purpose of which was to protect the rank-and-file union member against abuses by his union leaders. The legislation, although a desirable first step, is far from sufficient to reach the root of the evil. Mr. Jameson Campaigne, the well-known editor of the Indianapolis Star, has carefully examined the soil in which this evil blossom has flourished and embodied his findings in a compassionate book entitled "Check-Off," recently published by the Henry Regnery Co., of Chicago.

Using the phrase "the forgotten man" as it was used by the late Professor William Graham Sumner rather than in the distorted sense given to it by the late F.D.R., Mr. Campaigne paints a shocking picture of the helplessness of the union member caught in the toils of a powerful and tyrannical union leadership.

Who is the forgotten man? Among others, he is the labor union member who supports his family, attends his church, works hard at his job, seeks no special favors and asks no special privilege except the right to work, vote, think, and speak as a freeman. But he cannot do these things because he is a subject of the kingdom of the union boss who can deny him the right to work, nullify his right to vote, discipline him when he speaks out of turn. He is the forgotten man. He has been checked off.

Mr. President, the history of labor is the story of the underdog. It is the story of the workingman's fight to be free from exploitation by his employer, to be protected from unsafe and inhuman working conditions that often existed after the industrial revolution. It is the history of his attempt to organize and unify workingmen to protect their rights and insure just treatment by both the law and his employers.

But today the workingman faces another type of exploitation and tyranny. It is the power of monopoly unionism. In the process of winning his fight against exploitation by employers he has surrendered, in too many cases, his freedom to work and vote and speak out to the union boss who controls his union domain as firmly and as autocratically as the feudal lords of old.

The forgotten man, the checked-off man is the victim of a struggle for power—economic and political—that has seen the rise of a new class of overlords who are best exemplified by Jimmy Hoffa, czar of the Teamsters Union, and Walter Reuther, of the United Automobile Workers. Because these union leaders can compel workingmen to join and pay dues to their unions they have been able to become virtual dictators over hundreds of thousands of union members. They have immense power based on vast treasuries wrung from the compulsory dues of their members, on the inability of the average union member to protest successfully against misuse of power and money, on their political influence and their educational programs which propagandize both union member and the general public.

Mr. President, in the Kohler strike we saw the vigorous application of both money and force, by the UAW under Reuther's command, to seize control of the workingmen and bludgeon the employer into agreeing to compel his workers to join and support the union. Under the guise of helping the workingman, the UAW precipitated one of the bitterest struggles in the history of American labor. They succeeded only in creating hatred, violence, destruction of property, and turned neighbor against neighbor. While attacking the company for robbing its workers of independence and dignity, the union organizers did exactly what they accused the company of doing. They defied police and courts and law, ruthlessly seeking to force a majority of the Kohler workers into compulsory membership. The rights of the men working at Kohler were simply ignored. The UAW spent millions of its members' dollars to try to force Kohler and its workers into submission. In this case they failed—so far—to achieve their objective. But they succeeded in nearly ruining the company and destroying the rights of the workers.

The checked-off man in Joey Glimco's taxi drivers' union in Chicago suffered the same exploitation which union bosses have accused employers of inflicting on workingmen. Their own dues money was paid by Glimco to employers to guarantee a union shop which compelled the taxi drivers to pay tribute to their union boss. And even when the drivers finally succeeded by a narrow vote in displacing Glimco from his throne, it may take years before their new choice can take power. For the National Labor Relations Board's notoriously slow machinery has to process the results and Glimco may be able to keep his power indefinitely. Meanwhile, the drivers are prisoners of the union shop. They cannot run their own union in their own way.

Mr. President, the rise of Jimmy Hoffa to control of his huge Teamsters' Union was made possible by the legality of compulsory unionism and majority rule. Hoffa rides high in the saddle and cannot be displaced by the union members who support his expensive excursions into high finance and luxurious living. They cannot leave the union and hold their jobs. They dare not, in most cases, even protest the iron control he exerts over their lives and their jobs and their wages. As the prounion magazine Commonweal has put it:

The union still has the power to deprive a man of his rights as a member * * * the power over a man's job is the power over his life * * * and it so happens that in one of the freest countries in the world you run into these pockets of tyranny, dictatorship, ruthless and violent absolutism, where men, American men, live and work in a state of fear that can only be compared to life under communism and fascism.

Where Hoffa uses his vast treasury and his absolute control over the Teamsters to enrich himself and his henchmen and to fasten his grip on the whole transportation system of the United States, Walter Reuther uses his own absolute power for different purposes. But the checked-off man, the man in the middle, the union man, is just as rigidly controlled and just as much a prisoner of the compulsory union under Reuther as under Hoffa. These union monopolists are virtually outside the law. They operate their empires as monarchs ruling within what is supposed to be a free nation of freemen.

Mr. President, Reuther is the most brilliant labor tactician of our age. He has consolidated his power over millions of workers by a series of adroit and ruthless alliances and strikes. He has won, through his influence in the educational arm of the AFL–CIO, the most powerful political instrument in the Nation. He can use the dues of his captive members for any political purpose he wishes by calling it education.

Reuther's UAW is a relatively clean union. For Walter Reuther does not seek affluence, he seeks power—political power. His political views, strongly influenced by his German Socialist forebears, incline him toward the left—toward welfare statism and the centralization of political power in the hands of the Federal Government. Of course, Reuther himself aims to be able to influence and control whoever sits in the seat of power in Washington. There is no question of his vast political influence in the present administration. And it seems unlikely that he will make the mistake that John L. Lewis made when he broke with the Roosevelt administration. Without the aid of Reuther, John Kennedy would never have been able to secure the Democratic nomination for President. Kennedy is not unaware of his obligation to Reuther and the legislation he has proposed since becoming President is in almost every case quite satisfactory to Walter Reuther. The committee on political education, which is the political arm of the AFL–CIO, is the most efficiently organized political force in the Nation. It has millions of dollars to spend and thousands of workers to support or oppose political candidates in every part of the Nation. With COPE, Walter Reuther can reward or punish hundreds of Congressmen and Senators whose elections can be won or lost by its influence.

Mr. President, it is strange but true that the forgotten man has become the victim of the union boss instead of his beneficiary. In most cases, he has surrendered his freedom willingly in return for Reuther's and Hoffa's ability to win economic advantages. But now he is trapped and cannot get out of that trap without help from government. In some States, right-to-work laws outlawing compulsory union membership have given union members a power they did not have before—the power to resign from a union that does not represent them or seeks to dominate them. But, largely, the monopoly unions of Hoffa and Reuther have been untouched by national legislation or by State legislation. Their economic and political power keeps growing unchecked.

William Graham Sumner wrote:

Every step which we win in liberty will set the forgotten man free from some of his burdens and allow him to use his powers for himself and for the commonwealth.

The first step that must be taken to free the checked-off union member is to abolish the checkoff and stop forcing workers to join unions whose policies and principles they oppose. He continues:

Only when the individual workingman is free to decide for himself whether to support union policies, support union political candidates, support a strike or oppose it, and work to change his union leadership if he wishes—only when his human rights to these actions are protected by law will he be a freeman again. The end of the check-off and of compulsory union membership are the key to the liberation of the American worker * * *. The United States is one of the few free countries in the world that even permits unions to compel workers to join.

Mr. President, once Congress outlaws forced membership in unions, and union leaders can bargain only for those workers who voluntarily join, there will no longer be any need for a National Labor Relations Board. The narrow majority will no longer be able to coerce and collect from the narrow minority. As labor law professor, Sylvester Petro, says:

With the abolition of the NLRB, full jurisdiction in labor disputes will revert to State and Federal courts scattered around the country. These genuine courts have no ideological ax to grind * * * their function is to find the facts truly and well and to develop the law, and to develop the law on the basis of standards evolved over the centuries.

Thomas Jefferson wrote:

In questions of power let no more be heard of confidence in man, but bind him down by the chains of the Constitution.

The forgotten man's constitutional rights to work and vote and speak as a freeman must be returned to him. Only when this is done can we still call America "the land of the free and the home of the brave."

Mr. President, I ask unanimous consent to have printed in the RECORD at this point a review of Mr. Campaigne's book written by the Reverend Father John E. Coogan, S.J., which appeared in the Catholic magazine, the Priest, for February 1962.

There being no objection, the review was ordered to be printed in the RECORD, as follows:

BOOKS IN REVIEW

(Review of "Check-Off: Labor Bosses and Working Men," written by Jameson G. Campaigne)

Jameson G. Campaigne, editor of the Indianapolis Star and author of "American Might and Soviet Myth," is a fighter. Lean and alert, he has an instinct for the jugular and moves in to the kill. In this volume on the American union he is for the workingman at all times, but—unlike some of our clerical labor champions—he distinguishes between the worker and the union. He is well aware that employer abuses made and still make unionism inevitable and essential. But for him exploitation is exploitation, no matter what its source. He will not trade one sort for the other.

With Max Eastman he agrees that "No man with his eyes open can fail to see that, in the United States, the power of the captains of organized labor is growing to a point where it should be regarded as a potential threat to freedom." How imminent is the danger he illustrates from the interminable and violent Kohler strike, where 2,000 men locked arms and paraded before the gates of the plant prepared to use—and using—whatever violence was necessary to prevent nonstrikers from going to their jobs.

The author pictures deputy sheriffs who refuse to enforce the law, taking lunch and fraternizing with the conspirators to violence. He tells us, too, of the wreckage made of the equipment of a small operator when he attempted to fulfill his contract to remove a shipload of ceramic clay through the midst of a rioting mob and the loiling police. The author is not content to leave the tragic scene until he has placed the blame for it all at the door of Walter Reuther, president of the striking union, whose lieutenants were fomenters of violence in a strike (primarily for compulsory unionism) into which the union poured more than $10 million.

Campaigne has a comprehensive picture of the power and irresponsibility of Jimmy Hoffa and thinks him a national menace. But he thinks Jimmy a pushover in comparison with Walter Reuther. This hard, disciplined, ascetic, ruthless boss of the CIO is shown as driving with might and main to build up a machine that will carry him to dominance in labor both at home and abroad. Reuther he sees as still the Socialist of his college days but he now is seeking his objectives through the Democratic Party. It is Reuther who dominates COPE, the political action committee of AFL–CIO. It is Reuther who has major determination of the educational ends to be achieved through drafts drawn upon the hundreds of millions of dollars in annual dues paid to the affiliated unions. It is Reuther who gives the marching orders to incomparably the largest and most skilled single political task force that our country knows.

Campaigne contrasts the clean-as-a-hound's-tooth image Reuther has achieved with what seem the realities as made evident, for example, through the McClellan committee investigations. Because the then Senator Kennedy, already a presidential candidate, was a member of that committee and had succeeded in placing his then informal but active campaign manager, brother Robert, as its chief counsel, Reuther for obvious political reasons escaped serious committee investigation. Even Arthur Krock, star reporter of the New York Times and writer of the foreword to Robert Kennedy's volume on the investigations, "The Enemy Within," was forced to dissent from Robert's brushoff of the gross evidence of Reuther's devotion to violence as a union tactic.

But Campaigne would spoil the Reuther image also for honesty in the use of union funds. The evidence of such misuse amounting to millions—for building the Reuther union machine and reaching out for power—is had from partial investigation grudgingly permitted to the Republican members of the McClellan committee. The Democratic members refused to cooperate. Robert Kennedy's own contribution was—as the report shows—a contemptuous browbeating of the investigating Senators that they declared altogether without parallel from any committee functionary in all their legislative experience.

A SLANTED PRESS

Campaigne as editor perhaps felt it unsporting to remark that Reuther is aided in maintaining his hound's-tooth reputation by the fact that the mass of the more influential newsmen are members of his CIO union, the American Newspaper Guild, already seriously charged with slanting their reporting accordingly. Perhaps the same wish to avoid local personalities caused the author to leave unmentioned that newspaper union strikes for the most trivial reasons have caused more massive interference with the freedom of the American press than has anything else in all our history.

The single immediate expedient the author would advocate in an effort to limit the power of the union boss over the life and conduct of the individual worker is the right-to-work principle: "Americans must have the right but not be compelled to join labor unions." Other measures might have to be added to this, but voluntary union comes first. Campaigne has a cold contempt for a work condition which permits union bosses to limit production and consequently piecework wages, then fine and suspend workers both for producing too much and for betraying to the press the kangaroo-court proceedings through which union bosses act as judge, jury, prosecuting attorney, and lord high executioner, as has just now happened in a Reuther union in Elyria, Ohio.

"Check-Off" is a book of fact and balance. The friends of social justice in unions and out will thoroughly appreciate it. But it will be bitterly resented by those offended at the simple truth. The liberal, C. Wright Mills, has remarked that, "In many liberal minds there seems to be an undercurrent that whispers: 'I will not criticize the unions and their leaders. There I draw the line.' * * * This keeps them (the liberals) leftward and socially pure." Campaigne is very likely a part of their unfinished business.—John E. Coogan, S.J.

THE MIGRATORY FARMWORKER PROBLEM

Mr. DOUGLAS. Mr. President, one of the gravest anomalies in our society today is the substandard economic and social conditions of our migratory farmworkers and their families—an anomaly which, for many years, has been viewed with indifference and complacency by the majority of our citizenry. This public attitude results in branding the migratory farmworker and his family as social outcasts. They are known as the excluded, the forgotten, and America's stepchildren.

Within the last few years, however, there has been a growing and responsive interest in and concern for the plight of our migratory farmworkers and their families. There has also been a recognition of the need for Federal legislative solutions to the most serious aspects of the migratory farm labor situation. The generation of public awareness to the pressing needs of our migratory farmworkers has been, in large part, the result of the initiative and leadership of the Subcommittee on Migratory Labor under the able chairmanship of Senator HARRISON A. WILLIAMS, JR., of New Jersey.

In his work with the Subcommittee on Migratory Labor, one of Senator WILLIAMS' most significant contributions is a comprehensive and objective examination of the subject at hand entitled "The Migratory Farmworker Problem," which appeared in the November 27, 1961, issue of Christianity and Crisis. Senator WILLIAMS' article is particularly deserving of our attention, I believe, because in probing for the causes of the migratory farmworker anomaly, it presents an indictment against our society which is deeply disturbing and shamefully true.

Senator WILLIAMS points out:

The migratory farmworker problem has resulted from a failure of one of the most fundamental principles of American democracy—equality of opportunity—which has never really been available to the Nation's migratory farmworkers. Indeed, the denial of this principle to these citizens might be regarded as an actual repudiation by some Americans of the idea of equal opportunity.

The article clearly indicates our society's responsibility for the creation of the plight of the migratory farmworker and his family. At the same time, there is an equally clear indication of each American citizen's social responsibility and moral obligation for the improvement of the conditions under which migratory farmworkers and their families live and work. I therefore ask unanimous consent that Senator WILLIAMS' article appear in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE MIGRATORY FARMWORKER PROBLEM

(By Senator HARRISON A. WILLIAMS, JR.)

Each year, beginning in the spring, the migratory farmworker and his family travel northward helping to plant, cultivate, and harvest our crops. Together they migrate from Florida to New York, from Texas through the Midwest and from California to Washington performing essential field tasks for which no complete substitute for the human hand and eye has yet been devised. When they end their migration in the fall, the migratory farmworker and his family have reaped a harvest that has long made us the best fed, most productive nation in the world. But for themselves, they have reaped a harvest of poverty, illiteracy, and disease.

Other groups of workers have long enjoyed basic standards of minimum security initiated by the New Deal legislation of the 1930's. But today, almost 30 years later, because they were excluded from the legislation of the New Deal era, our farmworkers still live with the uncertainties, whim, and chance of the last century. They have no guaranteed minimum wage, no guarantees of minimum hours and overtime in their workweek and no Federal right to bargain collectively. Their children are not adequately protected by child labor laws. Farmworkers do not receive unemployment compensation; too few of them are protected by workmen's compensation laws.

There are, in fact, only two instances in which farmworkers have been touched by beneficial Federal legislation. Within the last few years, the old age survivors disability insurance provisions of the Social Security Act have been extended to farmworkers, and the motor carrier safety and comfort provisions of the Interstate Commerce Act have been made applicable to their interstate transportation. Even in these cases, though, farmworkers' rights and protections seem to be more theoretical than actual.

These problems, contrary to popular belief, began to develop before the great depression. Even prior to the immigration laws of 1917, American farmers relied heavily upon newly arrived European immigrants for temporary and seasonal farmwork. Some employers in the West erroneously viewed Chinese, Japanese, and Hindu immigrants as a permanent migratory farm labor force. These immigrants, however, found permanent employment or began farming on their own as soon as possible.

Perhaps the most famous element of the migratory labor force emerged during the 1930's when freakish climatic conditions drove farmers from their lands in the Dust Bowl area (Oklahoma, Arkansas, Missouri, and Texas). These were the "Okies," so movingly portrayed in John Steinbeck's "The Grapes of Wrath." At one time, the Okies comprised the largest segment of the migratory labor force, but they, too, resettled as soon as the opportunity presented itself.

The present day migratory farm labor force originated during the 1930's along with the rapidly changing character of our agricultural economy. During this period, the effects of the depression and mechanization caused the merger of many small family farms into larger units. Coincidentally with these events came the development of modern transportation, refrigeration and frozen food preservatives, which enabled specialization in those crops best suited to the soil and weather conditions of particular areas. Although mechanization and the accompanying technological advance in other related areas have produced the agricultural abundance we have today, specialization in crops having a short but high seasonal labor demand has produced a permanent need for migratory farm workers.

During World War II, many farmers, particularly those operating large, corporate-type farms, began employing Mexican nationals to supplement their labor force. Since 1951, these Mexicans—or braceros, as they are called—have been brought into the country for farmwork under the authority of Public Law 78 and related agreements between our Government and Mexico. The use of braceros has become so extensive (over 400,000 each year from 1956–59) that in many areas they constitute the primary source of farm labor. American farmers have also begun to use workers recruited from the British West Indies, Japan, Canada and the Philippines, although they have not been imported as extensively as braceros.

SOCIAL OUTCASTS ON THE TREADMILL

In the United States today, apart from these foreign workers, there is a domestic migratory labor force comprised of about 500,000 American citizens. Including dependents, approximately 2 million of our citizens are involved in the treadmill of poverty, illiteracy and insecurity that dominates the life of the domestic agricultural migrant.

An arresting irony enters the picture here: the foreign workers generally have better protections and benefits than have our own domestic workers. This holds true whether the foreign workers are imported under Government authority or private contract. Mexican nationals, for example, receive these assurances: Workmen's compensation, free housing while at employment centers, free transportation from Mexican migrant stations to reception centers in the United States, guarantees of minimum work periods and of wages of not less than 50 cents an hour. Other foreign workers have similar rights and guarantees.

None of these protections exist under Federal law for the domestic farmworker, which leads to a wide range of problems usually associated with the underprivileged. The migratory farmworker's income is the lowest in the Nation. In 1959, his average income for both farm and nonfarm work was a mere $911, and his average length of employment was under 150 days. It is not surprising, therefore, that migratory farm families live in a state of poverty and illiteracy, which brands them as social outcasts.

The educational problem of migratory children and adults is partially a product of this social stigma. Because migratory children are "outsiders," burgeoning the school enrollment for short periods of time, disrupting study plans, and requiring special attention, there is oftentimes an understandably negative attitude in communities to which they migrate. This resistance and resentment frequently manifests itself through badly formulated and poorly administered public school policies. For example, compulsory school attendance laws in some States are not always enforced as energetically respecting migratory children as in cases involving local children.

The local communities are, of course, greatly concerned about the financial burden on school systems having to accommodate a large seasonal influx of children. This concern is altogether justifiable in view of the fact that these conditions occur in rural communities, which are already faced with the most serious financial problems in our entire educational system. Furthermore, the migrant parent contributes little or nothing to the cost of educating his child.

The overriding consideration, nonetheless, is that the most educationally deprived group in the Nation today are the migratory farmworkers and their children. It is, therefore, essential that better education be afforded these children. This is one of the first steps, perhaps the most important single step, in resolving the wide range of problems in this area.

In and out of several different schools each year, sometimes subjected to social discrimination, the migratory child falls further and further behind his normal grade level. The logical consequences of these conditions are emotional disturbances and retardation, which grow progressively worse as he matures. It is indeed the rare migratory farmworker who sees himself and his children escaping through education the fate that lack of education has thrust upon them.

A serious problem exists also in regard to the migrant worker's housing, which rarely meets minimal standards of sanitation and comfort. Disease, sometimes reaching epidemic proportions, invades the migrant population to a degree almost unknown among the general population.

Seldom living in one place long enough to meet local residency requirements, migratory farm families do not qualify for welfare services generally available to other citizens. During the depressed migration of the 1930's, some States, fearing the mass arrival of indigents, enacted more stringent residency laws. Although there has been a tendency to modify and eliminate residency requirements, these barriers remain on most statute books today.

Legal residence is also a primary qualification for the voting franchise. Hence, the very nature of his work makes it difficult for the migratory farmworker to qualify. Moreover, those who do enjoy voting privileges have not prevented their interests from being slighted in law. Substandard income, inadequate education, and political impotence are weak weapons, indeed, vis-a-vis the firmly established, highly persuasive voice of farm organizations.

Historically, the plight of the migratory farm family has not gone entirely unnoticed. Unfortunately, most attempts at Federal action have met with limited success. During a short-lived upheaval of public opinion in 1936, several migratory farmworker bills, not unlike the migratory bills pending before this Congress, were introduced in the Senate. This attempt to enact remedial legislation, though it attracted widespread attention, did not result in any positive action.

In 1952, Senator HUBERT H. HUMPHREY revived interest and aspirations for legislative solutions. As chairman of the Senate Subcommittee on Labor and Labor Management Relations, Senator HUMPHREY formulated important migratory labor legislation. Regrettably, however, the spirit of the times militated against successful action.

The current effort to enact remedial migratory labor legislation has been initiated by the Senate Subcommittee on Migratory Labor, established in August of 1959 by the Senate Committee on Labor and Public Welfare. With the help and cooperation of the Kennedy administration, the subcommittee has formulated a series of pragmatic legislative proposals to ameliorate the most crucial problems of migratory farmworkers and their families.

Among these proposals, 11 in number, are bills providing an agricultural minimum wage, collective bargaining rights, prohibition of agricultural child labor outside school hours, and a more efficient and stable farm labor force. Other legislative subjects include better housing, Federal registration of the crew leader (the middleman between the worker and grower) and the establishment of a National Advisory Council on Migratory Labor.

The unique welfare problems of the migratory farm family are also covered by the legislation. One of the bills would help States and local communities establish day-care facilities for migratory children. Other proposals would provide educational opportunities and better health services for migrant children and adults.

Legislation on five key parts of the migratory labor problem was passed by the Senate in August and September of this year and now awaits action by the House of Representatives during the next session of Congress. This legislation covers education, child, and adult; crew leader registration; child labor; health; and the establishment of a National Advisory Council. Thus, for the first time in history, there is tangible evidence that this problem may have touched the national conscience.

IS THE FARMER THE VILLAIN?

The future of the current legislative program cannot, of course, now be perceived. Consequently, every citizen should reflect deeply on why such a serious, but clearly unnecessary, problem has persisted to this day.

The villain concept is, of course, the easiest explanation. Under this explanation, the farm employer is the obvious leading candidate for the villain's role. Moreover, many persons seem willing to elect him by acclamation. There are, however, some cogent considerations that disqualify him.

The farmer's opposition to remedial legislation in this field reflects a reaction of limited outlook oriented to the preservation of self-interest. Almost every businessman engaged in marketing a product recognizes the value of high consumer purchasing power as well as the desirability of having retirement pensions, unemployment compensation and workmen's compensation to cushion the economy. But many employers find it difficult to realize that these advantages are as great and desirable for their own employees as for the general work force. It is, therefore, not uncommon for the employer to oppose innovations which, in his view, lower his economic standing in order to raise that of his employees. In this respect, the farmer's opposition to remedial migratory labor legislation is no different from the once violent opposition of the industrial magnate to such extreme innovations as industrial minimum wage, the 40-hour week, overtime, and collective bargaining rights.

The corollary between the farmer and the industrialist ends at this point, however. Although there was, amidst outcries of ruination, no precedent clearly indicating the beneficial effects of these innovations upon the industrial economy, self-interest was ultimately subordinated to the national interest. Minimum security provisions, though once regarded as extreme, are generally recognized today as indispensable to an expanding industrial economy.

To the impartial, objective observer, the achievement of a dignified, reliable farm labor force could be greatly facilitated by extending to farmworkers the opportunities and protections now afforded industrial workers. But any legislative program designed to raise wages and otherwise improve the working conditions of farmworkers threatens the agricultural economy's firmly entrenched tradition of cheap labor and, in consequence, is opposed by almost all farmers. Since it is only natural for individuals to oppose programs apparently adverse to their own interests, the farmer's opposition should not be thought of as villainous.

THE PUBLIC AS VILLAIN

If the villain we must have, there are less obvious but persuasive reasons for casting the public, rather than the farmer, in this role.

The plight of the migratory farmworker is, in actual fact, the product of an indifferent, complacent society whose attitude, unlike the farmer's, can be neither condoned nor justified. To many Americans, it would seem, the migratory farmworker and his family represent an undesirable element of our society to be shunned and ignored as much as possible. This societal attitude, coupled with the farm employer's natural tendency to obtain his labor at the lowest possible cost and to oppose Government or other efforts that interfere with this objective, have worked hand in hand to keep our migratory workers in a deplorable state of poverty.

In short, the migratory labor problem is, in many respects, the creation of a society that has tended to become hardened and cynical to the notion of human compassion. As unsophisticated and old fashioned as this notion may be, it is, nevertheless, vital to the real purpose and true meaning of democratic government.

Public insensitivity and indifference to this problem need not be accepted as a permanent condition, however. Over the years, religious, charitable and social welfare organizations, usually the most sensitive and responsive to the needs of the underprivileged, have demonstrated that conscientious work can improve the lot of migratory farm families. Unfortunately, though they have made real progress in some areas, the overall problem is too great for these groups to handle alone.

The greatest value of these groups may well lie in the example they provide the general public; namely, that sincere concern can be translated into meaningful action. Their influence in this regard may, in fact, have already taken effect; for, in the past year, there has been a marked increase in public awareness of the plight of the migratory farmworker. This is a sign, perhaps, that the public is becoming embarrassed by its earlier indifference and that new public concern will continue to develop until it produces a truly national compassion.

In a philosophical sense, these pragmatic considerations mean clearly and unmistakably that there has been a failure of one of the most fundamental principles of American democracy—equality of opportunity—which has never really been available to the Nation's migratory farmworkers. Indeed, the denial of this principle to these citizens might be regarded as an actual repudiation by some Americans of the idea of equal opportunity.

Although the problem has other contributing factors—such as the low educational attainment of the migratory farmworker, from which stems his inability to help himself as other workers have done—the important tools for remedial action may be found in these pragmatic and philosophical considerations. Curative measures should, therefore, have as their philosophical base—as their guiding spirit—the need to bring democracy to this part of our society. The positive acts to bring needed measures into effect will depend upon each of us as individuals. Only by our creation of positive public opinion can we influence the forces opposing change.

THE ADMINISTRATION'S LEADERSHIP

Mr. JAVITS. Mr. President, I have noted with some interest the President's answer to question No. 16 at yesterday's press conference, with regard to the slow pace of the congressional session.

I hasten to say to the majority leader that I am not in favor of the Senate being in session when the Senate does not have anything to do. I am not complaining about that. In fact, this being my own campaign year, there probably will be occasions when I may not be able to be in attendance at some sessions of the Senate.

However, I do believe that, since Congress is the lawmaking body for the United States, which has an enormous responsibility as the peace leader of the free world, we have a right to appraise the President's answer in terms of leadership as it reflects upon his own party.

In my opinion, we should be debating right now, during these lean days of the session, some civil rights legislation. Instead, the administration has not asked for any legislation in that field, notwithstanding the 27 recommendations for legislation which were made last fall by the U.S. Civil Rights Commission, except for one measure, which has been sent to committee, where it will now undergo hearings. I have every assurance, because I rely completely on the word of the majority leader, that we will debate that measure. But when will we debate it? Probably late in April, when we will already be very, very busy with other matters. Hence, in my opinion, that one civil rights measure will be materially prejudiced by poor timing, as always seems to happen with this kind of legislation.

In my view the President is appeasing southern members of his own party who are in powerful committee positions, by his attitude on civil rights legislation, and as a result many parts of the administration's own program are getting absolutely nowhere.

Department of Urban Affairs legislation got nowhere. Federal aid to education is now languishing. Even aid to higher education, passed by both Houses, has not been sent to conference, due to the fact that the bills are being held in the other body.

In addition, medical care for the aged is completely bogged down and eventually may have to be tacked onto another bill in the Senate.

These are some of the things that have not been done.

In addition, I have in my office evidence of the fact that in the executive department reports are not being sent up to Congress, as in my opinion they should be, on such elementary matters as civil rights legislation. I have had a matter pending with the Department of Justice, on which I wrote to the Department on November 9, concerning a report on part III of the Civil Rights Act, which is very

important, in view of the developments which occurred last fall and which have continued to occur. The Attorney General said he was preparing his views. That was on December 14, 1961. I ask unanimous consent that the exchange of correspondence on this subject be included in my remarks at this point.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

NOVEMBER 9, 1961.

DEAR MR. ATTORNEY GENERAL: As you know, I have long advocated passage of the so-called part III civil rights provision which would authorize the Attorney General both to institute civil injunction suits to redress denial of equal protection under the laws and to intervene in private suits brought for that purpose. At the outset of the session of Congress just ended, I introduced S. 481, which restores such a provision to the Civil Rights Act of 1957, from which it had been deleted before passage.

I would appreciate your comment on two aspects of this matter which have recently come into sharp focus. First, it is apparent that although the Justice Department has instituted a number of suits to enjoin discrimination in interstate commerce and in voting, it has commenced no suits to enjoin school desegregation and has made only one, unsuccessful, attempt to intervene in a privately brought school suit, the Prince Edward County case.

In my view, these facts confirm the premise behind the part III proposal, that without such specific authorization the Attorney General has no power to institute or intervene in school desegregation cases.

Second, the pressing need for the part III proposal arises from the lack of adequate private resources on the part of individuals complaining of the denial of equal protection. This lack has long been a matter of public record, but it was dramatically restated in a survey which the New York Times published on October 30, 1961. Executives of numerous groups involved in the fight for civil rights were interviewed and reported as saying that complainants have great difficulty in obtaining adequate legal counsel in the South and in many cases are either very poorly represented or not represented by counsel at all. It was also reported that officials of the Justice Department had expressed concern that such a situation existed.

These developments to my mind constitute material proof that part III must be enacted into law at the first opportunity. May I have your views at your earliest convenience.

Sincerely,

JACOB K. JAVITS,
U.S. Senator.

DECEMBER 14, 1961.

DEAR SENATOR: I am sorry that I have been delayed in answering in detail your letter regarding the so-called part III civil rights legislation which has been introduced in Congress for the past few years.

The Department is preparing views on this legislation, as well as other civil rights legislation pending before the Congress. These views will be communicated to the appropriate congressional committees, as the work done on them is completed. I will see to it that you get a copy of the Department's statement with respect to the part III proposals.

By way of preliminary comment on the school problems, I would like to point out that the Prince Edward County School case is not the only pending school case in which the Department has taken action. We have, for example, initiated a number of proceedings designed to protect the integrity of the order of the court in New Orleans, and to insure the due administration of justice in that area. One of these proceedings asked the court to require the desegregation of a school in an adjoining parish which was set up for the purpose of making possible the boycott of the first two schools which were ordered to be desegregated in Orleans Parish. We have also successfully taken the initiative to enter some other school cases in Louisiana on a basis which permits us to ask for whatever injunctive relief is necessary to make the court orders effective.

In addition, we have done a great deal of work in efforts to be quietly helpful to the communities which are desegregating their schools.

I should add, that, in my judgment, the legislative situation with respect to this school problem is complicated this year by the fact that legislation other than the so-called part III proposal has been introduced by Senator CLARK and others to set up administrative machinery requiring local officials to make plans, without prior lawsuits, for the desegregation of their schools.

In spite of the great obstacles, including those that you refer to, I think that the Nation and the South as a whole are making very substantial progress in this difficult area, and that we should all be thankful for the responsible and dignified way in which many communities met their obligations under the law this fall.

Very truly yours,

ROBERT F. KENNEDY,
Attorney General.

DECEMBER 23, 1961.

DEAR MR. ATTORNEY GENERAL: Thank you for your reply of December 14, 1961, to my letter of November 9, 1961, regarding the so-called part III civil rights legislation.

In the first instance, although I agree with you that there are communities which are making progress in this difficult area, I cannot in the least agree that civil rights legislation, such as part III, need not be enacted into law at this time. The current crises in Albany, Ga., in Birmingham, Ala., and in New Orleans fully rebut such a conclusion. These incidents, which have grown in frequency and severity, are the natural expression of the demands of freemen to equal opportunity—demands which are clearly unsatisfied by action which the Federal Government, through the executive department, can take and has taken under existing law. The fact that your Department has not dealt with these cases, although your Department has shown its willingness to act to protect civil rights in other cases, underlines the contention, which you have not answered, that without further legislation the Attorney General has no power to deal with them.

Furthermore, my letter to you also emphasized that the need for part III was also based upon the financial inability of individuals to litigate the denial of equal opportunity for a public education. Again, your reply does not meet this contention. The proceedings of your Department to which you allude all appear to have been attempts to intervene in privately brought suits only after they had successfully resulted in court orders which had then been flouted. Thus your intervention, while certainly desirable, presupposed the initiative and financial resources of private individuals to prosecute a case through the court system to the point of obtaining an enforceable order and also presupposed the deliberate disregard by local authorities of that order.

The part III provision would not require any such conditions before your Department could help obtain compliance with the law of the land. Indeed, the greatest usefulness of the part III procedures is to give a means for using the courts—not extralegal means—to obtain redress of grievances. Much of the sit-in and freedom ride movements and other passive resistance activity, as well as protests and demonstrations from which mass arrests have resulted, are due to the frustration and despair of those trying to obtain justice with whole communities and even State governments, with all the instruments of governmental authority being marshalled against individual civil rights litigants. Part III authority in the U.S. Attorney General is an essential means to head off even more extralegal protest and resulting tension and difficulty.

Accordingly, I sincerely hope that your Department will prepare its views on this legislation in the light of these factors and in time to help prevent the recurrence of other outbreaks.

Sincerely,

JACOB K. JAVITS,
U.S. Senator.

Mr. JAVITS. To date we have not had this opinion from the Attorney General or heard anything further about it from him.

In short, a President who is really on the move, as the President so often said in 1960, can get behind his own party in a much more effective way than he has up to now.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. JAVITS. Mr. President, I ask unanimous consent that I may proceed for 2 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. The President is complaining about himself, as I see it. He has as much an obligation to examine his own performance, both in the executive department and in his leadership of his party, as he has a right to examine the performance of Congress, particularly in view of the fact that this is not the first session of the Congress, but the second session, when we shall be leaving earlier this year than we did in the first session, and when things should be humming right now.

Finally, I call attention to the fact that even that famous stroke-of-the-pen order to eliminate discrimination in housing has not been issued by the President of the United States.

In short, I ask the President to take a good look at his own establishment, his own leadership, his own party which preponderates in both Houses of Congress, and then to account to the country as to whether he is moving with "all deliberate speed," to use the Supreme Court's phrase, on the various questions which are crying for decision in our Nation.

STORM DAMAGE ALONG ATLANTIC SEABOARD

Mr. JAVITS. Mr. President, I call the attention of the Senate to the very serious situation which exists today all along the Atlantic seaboard. Reports coming to me this morning indicate that Long Island has been hit very hard by the storm, a breach having occurred in the inlet in the Hampton area. A very large part of that shoreline has been endangered by the storm.

We are awaiting word from the Governor of New York as to whether he will seek to have this section made a distressed area. I call the attention of the Senate to this situation because it may very well become necessary to have the

Federal Government move into that area in a firm and vigorous way, in view of the occurrence of widespread distress and destruction of homes, which may place in grave jeopardy an extremely important area of the State of New York.

PROTEST AGAINST LOADING ORDERS TO COMMERCIAL WAREHOUSEMEN—RESOLUTIONS

Mr. ALLOTT. Mr. President, I have received a communication from the Colorado Grain and Feed Dealers Association transmitting, first, a resolution strongly protesting the issuance of loading orders to commercial warehousemen in preference to loading out Commodity Credit Corporation binsites; and second, a resolution opposing Government competition in the grain marketing industry.

Mr. President, I ask unanimous consent that the resolutions be printed at this point in the RECORD.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

RESOLUTION OF COLORADO GRAIN AND FEED DEALERS ASSOCIATION—I

Be it resolved, That we, the directors of the Colorado Grain and Feed Dealers Association, strongly protest the issuance of loading orders to commercial warehousemen in preference to loading out CCC binsites, for the following reasons:

1. CCC storage is supposed to be only temporary and a supplement to commercial storage as provided in the CCC charter, and should therefore be unloaded first.

2. Grain in warehouse storage is better kept in condition because of more competent and constant supervision.

3. Grain in warehouse storage is more quickly and more cheaply available in case of emergencies.

RESOLUTION OF COLORADO GRAIN AND FEED DEALERS ASSOCIATION—II

Whereas the members of this association are part of the competitive grain marketing industry which daily furnishes a ready market for grain farmers; and

Whereas the members of this association also distribute feed, fertilizer, and other farm supplies to producers and often provide for credit when it is needed; and

Whereas a margin over cost must be made if these firms are to continue in business and continue to serve the needs of the producers in their territory; and

Whereas the policy of the ASCS was changed September 1, 1961, on sales of Government grain so that now ASCS will sell to our customers at the same price they will sell to us, thus putting them into direct competition with us; and

Whereas, in some instances, ASCS has restricted sales of such grain to producers, thereby completely excluding the country elevators while ASCS sells grain to the customers of those elevators; and

Whereas the CCC charter specifically states that in making sales of grain the "usual and customary channels, facilities and arrangements of trade" shall be used; and

Whereas the legislative history of the CCC charter act and other agricultural legislation makes the intent of Congress clear that Government agencies shall not compete with the grain trade: Now, therefore, be it

Resolved, That this association go on record opposing Government competition and that the Secretary of Agriculture be requested to immediately affect a change of policy to eliminate this competition from agencies of the USDA; and be it further

Resolved, That copies of this resolution be forwarded to all the Congressmen and Senators from Colorado.

DENVER MINING CLUB RESOLUTION ON SILVER

Mr. ALLOTT. Mr. President, I have recently received from Mr. Guy L. V. Emerson, president of the Denver Mining Club, a copy of a resolution passed by the club on January 24, 1962. The resolution was prompted by the request of the President to Congress to remove silver as the backing for U.S. currency, to take the Government out of silver trading, and eventually to demonetize silver except for its use in coins. The resolution states the club's opposition to any legislation which would curtail the present legal requirement of silver backing for our currency. In order that Senators may know of this opposition on the part of the producers, I ask unanimous consent that the resolution be printed at this point in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION OF THE DENVER MINING CLUB

Whereas the President of the United States has requested Congress to remove silver as the backing for the U.S. currency and to take the Government out of silver trading and that silver eventually demonetized except for its use in coins

Resolved, That the Denver Mining Club is on record in opposing any legislation curtailing the present necessary legal requirement of the backing by "hard metal" in support of our U.S. paper currency.

Resolved, That the Denver Mining Club, through its officers, write to all the Colorado Members of Congress and advise them of our position, and ask them to support our stand.

ELIZABETH, COLO., RECREATIONAL CENTER

Mr. ALLOTT. Mr. President, on numerous occasions during the 87th Congress it has been my obligation to take to task this administration for its excesses. The road to deficit spending has been paved with unnecessary spending for domestic programs. We are running contrary to the plea which the President made in his inaugural address. At this very moment, the debt limit has had to be raised another $2 billion, and I feel certain that an additional increase will be mandatory before the session is over.

Under these circumstances, it is with pleasure and pride that I read an article in the Rocky Mountain News describing what Elizabeth, Colo., is doing these days. Elizabeth is 40 miles southeast of Denver and comprises only 400 people.

The town needed recreation facilities for its young people, so in a singular display of rugged individualism it set about providing a combination ice-and-roller rink and tennis court with funds raised within the community itself. As the article explains, funds were raised by dances, variety shows, carnivals, and suppers. All told, it is estimated that $2,000, exclusive of labor costs, was necessary to do the job, and these funds have been raised. I applaud the spirit of Elizabeth residents and can only say that what we need in these difficult times is a great deal more of such independence and self-reliance. Mayor Emil Bostrom put it very succinctly when he said:

If we can't pay for it ourselves, we don't want it.

We would all do well to follow Mayor Bostrom's advice.

Mr. President, I ask unanimous consent to have the article printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

GRASSROOTS INDEPENDENCE GROWING IN FERTILE SOIL

(By Dan Thomasson)

ELIZABETH, COLO., February 24.—The 400 citizens of this community 40 miles southeast of Denver have one basic philosophy:

"If we can't pay for it ourselves, we don't want it."

This grassroots independence is explained by Mayor Emil Bostrom, a lifelong resident of the area, as "the intangible thing which made America what it is.

"Call it rugged individualism or what have you, when we want something we don't have to depend on the Government to get it."

PROVE PHILOSOPHY

And to prove the philosophy works, Elizabeth residents recently decided it was time to give their young people a place to relax.

By spring, the 160 or so children and teenagers in and around Elizabeth will have a combination ice-roller rink and tennis court on which to expend their energies.

The project will cost the community from $1,500 to $2,000, not counting donated labor.

But the money won't be raised through taxes or be donated by Uncle Sam. It will come from community spirit.

"We've planned dances, variety shows, carnivals, and suppers to get the funds," Homer Schutte, a member of the building committee, said proudly.

NESTLED IN HILLS

"It doesn't sound like a lot of money, but in this community it is," he added.

Elizabeth, nestled among pine hills in rolling cattle country in Elbert County, is the center of a consolidated school district covering a 15-square-mile area.

"We've never had much of a juvenile delinquency problem here," the mayor said. "Our kids keep pretty busy at home, but when they do have some spare time they don't have much to do."

To remedy this, citizens got together recently and with little or no opposition planned the play area.

Schutte, Mayor Bostrom, and people like the H. S. Hundleys, who operate the local locker plant, spend most of their spare moments planning ways to get the money.

DO IT YOURSELF

"When you do it yourself it makes people think they have a real part in it," Bostrom said.

"I've been mayor 5 years and was on the city council for 20. And all that time I've never seen our citizens go crying for help. Even in the lean years we didn't have much Government aid."

Standing behind the old counter in the farm implement store he has operated 34 years, Bostrom proudly recalled the old days when Elizabeth was a cow town, with the Colorado Southern Railroad wood and coal burners stopping here five or six times a day.

"We're small and our problems might seem small, but they're problems just the same.

"We do a nice volume here and we grow a little each year. As for juvenile delinquency, we don't have the problems the real cities do, but we aren't going to have, either."

Asked how the community keeps existing, Bostrom said, "The answer seems obvious—by the same rugged independence that's going to build our playground."

RESOLUTION BY ARKANSAS VALLEY STOCK FEEDERS ASSOCIATION

Mr. ALLOTT. Mr. President, at the 50th Annual Convention of the Arkansas Valley Stock Feeders Association, held on February 14, 1962, a resolution was adopted which concerns the activities of packers and chainstores in the lamb-feeding field. I ask unanimous consent that the resolution be printed at this point in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION OF THE ARKANSAS STOCK FEEDERS ASSOCIATION

Whereas many of the chainstores and meatpacking companies are in the business of feeding lambs and owning lambs prior to marketing time, and thereby in direct competition to bona fide lamb feeders and producers: Therefore be it

Resolved, That in order to provide complete and open competition, all of the chainstores and meatpackers confine their operations to processing and merchandizing of their product and leave all of the animal production to the bona fide producers and feeders.

PIKES PEAK CATTLEMEN'S ASSOCIATION RESOLUTIONS

Mr. ALLOTT. Mr. President, at the annual meeting of the Pikes Peak Cattlemen's Association in Colorado Springs on February 24, 1962, the membership unanimously passed a series of resolutions. Mr. Robert C. Norris, president of the association, has furnished me with copies, and I ask unanimous consent that they be printed in full at this point in the RECORD.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

RESOLUTIONS OF PIKES PEAK CATTLEMEN'S ASSOCIATION—1962

"Tax more, spend more" seems to be the central theme of both our Federal and State Governments. Rule by executive threat and edict, and by bureaucracy, is on the increase. We deplore these trends, and urge our legislative bodies to reassert their legislative authority—and to help bring some sanity and stability in all governmental activities.

We firmly oppose any marketing agreements, price supports, or other controls, as far as they apply to the cattle business.

Foreign meats are continuing to be shipped to the United States in burdensome quantities at the same time that domestic cattle numbers are increasing. It appears that these foreign imports are likely to continue and probably increase in volume, causing an adverse price impact on domestic production. Therefore we request Congress to enact equitable and realistic legislation that will protect our industry against excessive imports of foreign meats and livestock.

We feel that permanent soil conservation practices implemented through past programs have benefited the entire Nation. We believe that soil conservation is still a prime need on our farms and ranches, and therefore, recommend that no cuts be made in the funds necessary to carry out this program for the coming year.

NATIONAL PARK OR MONUMENT IN WELD COUNTY, COLO.

Mr. ALLOTT. Mr. President, I have just received from the Sterling Rotary Club, Sterling, Colo., a resolution expressing the membership's interest in the creation of a national park or monument to be located in northeast Weld County, Colo. The object in creating the park or monument is the preservation of geological, botanical, and wildlife specimens native to the Great Plains. Copies of the resolution have been furnished to Secretary Udall and Director Wirth, and I feel certain that it will have their attention and consideration. I ask unanimous consent that the resolution be printed at this point in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION OF THE STERLING ROTARY CLUB, STERLING, COLO.

Whereas there has not been any portion of the Great Plains area of the United States set aside to be preserved in its natural condition; and

Whereas if much longer delayed, additional difficulties will be encountered in obtaining suitable area with sufficient acreage; and

Whereas there is in northeastern Weld County, Colo., a logical site containing most of the geological, botanical and wildlife specimens native to the Great Plains: Now, therefore, be it

Resolved, That the Rotary Club of Sterling, Colo., go on record urging proper authorities to proceed with due process for the establishing of a Great Plains national monument or park to include the Pawnee Buttes and surrounding area of about 10,000 acres or so much as may be deemed adequate for the purpose above mentioned.

That a certified copy of this resolution be sent to the Governor of Colorado; to each of Colorado's Senators and Congressmen; to the Secretary of the Interior and to the Director of National Parks.

END OF DISCRIMINATION IN FREIGHT RATES AGAINST PORT OF NEW YORK

Mr. JAVITS. Mr. President, I call the attention of the Senate to a very important decision handed down by a Federal court in Boston on February 16. This decision overturned an ICC ruling which presently prevents railroads serving the ports of New York and Boston from fixing rates on freight from midwestern points on a par with those charged for Baltimore, Philadelphia, and Virginia ports. These rate differentials were established back in the 19th century, when New York and Boston had special ocean freight rate advantages over the southern Atlantic coast ports. The ocean freight differential was abolished about 25 years ago, but the freight rate differential remained. By this important court decision the ports of New York and Boston are now placed on equal competitive footing with their sister Atlantic ports.

Mr. President, I ask unanimous consent to have printed in the RECORD the article from the New York Herald Tribune of February 17 which reports this decision.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PORT WINS EQUALITY ON RAIL RATES

(By Walter Hamshar)

The ports of New York and Boston scored a major court victory yesterday in their 6-year fight to eliminate rail rate differentials that have diverted thousands of tons of export and import cargos to competing ports such as Philadelphia, Baltimore and Norfolk.

A three-judge Federal statutory court ruled in Boston that all ports on the Atlantic coast from Virginia to Maine are entitled to the same railroad freight rates on export and import cargoes. Each of the ports has had the same ship freight rates since 1935.

The unanimous ruling upset a 9 to 1 decision last year by the Interstate Commerce Commission upholding the rate differentials that have existed for 80 years. District Judge George C. Sweeney, who wrote yesterday's opinion, called the ICC decision "clearly erroneous." Concurring were Judge Peter Woodbury of the U.S. court of appeals, and Judge Francis J. W. Ford, of the U.S. district court.

The court also granted a permanent injunction to the New York Central and the Boston & Maine Railroads barring the ICC from discriminating against them in export-import rates. This will mean that the two railroads can charge the same rates on such cargoes between New York and Boston and Midwest points as are charged to Baltimore, Philadelphia, and Hampton Roads, Va.

The ruling is expected to be appealed to the U.S. Supreme Court.

RATE DIFFERENTIALS

Under the differentials, Midwest shippers pay 3 cents a hundred pounds more to send their export or import freight through New York than through Baltimore or Norfolk and 2 cents a hundred pounds to ship through Philadelphia.

The fight to equalize the rates got under way in 1956 with the Central and the Boston & Maine spearheading the attack. The Port of New York Authority and the Massachusetts port authorities played leading supporting roles, backed by other port trade associations.

Arraigned against them were the Pennsylvania and the Baltimore & Ohio Railroads, supported by port interests in Philadelphia, Baltimore and Virginia.

Austin J. Tobin, executive director of the Port of New York Authority, has repeatedly credited New York's diminishing leadership in port commerce throughout the Nation to the discriminatory rail rates.

OCEAN RATE ADVANTAGES

The rate differentials were established in the 1880's to equalize the ocean freight rate advantages enjoyed by Boston and New York, which have ports immediately accessible from the ocean instead of 100 miles inland, as are Baltimore and Philadelphia. The ocean rate differentials were abolished by the old Maritime Commission 25 years ago.

BULGARIAN INDEPENDENCE DAY

Mr. JAVITS. Mr. President, the liberation of Bulgaria from the Ottoman Empire 84 years ago was celebrated on March 3. Occupying a key position in the Balkans, the people of Bulgaria have paid a high price for their independence. In 1941 during World War II their country was occupied by the Nazis and in 1944 by the Soviet Union. A Communist regime was set up and the country has been held in its grip since then. The Bulgarian people, however, have never

lost their hope to regain freedom and independence, and Bulgarian exiles in countries all over the world have helped to maintain this spark of hope.

The United States has a natural sympathy with other peoples who are going through hardships and persecution in order to throw off the yoke of an oppressor and win their liberty. It is my hope that the Bulgarian people will have made substantial gains toward that goal in the days to come.

Mr. WILLIAMS of New Jersey. Mr. President, March 3 marked the 84th anniversary of Bulgarian Liberation Day and it is altogether fitting that this important event in the history of a brave nation be celebrated. On March 3, 1878, after 500 years of foreign rule, Bulgaria gained her freedom. Many brave Bulgarians gave their lives in the struggle for liberation. It is that victory which was celebrated on March 3, and it is one that the Bulgarian people will always remember.

This long-sought independence came to an end on September 8, 1944, when the Soviet Russian Armies invaded Bulgaria. The Government was overthrown and in its place the Soviets installed a puppet Communist regime that has been run from Moscow. The Communists soon began a wave of arrests and assassinations that terrorized the population. According to the Communists' own statistics the first 6 months of their rule in 1945 resulted in the trial of 11,667 persons, with over 2,800 of these shot to death. And in the 1946 elections a wave of terror swept the nation a few days before the voting was to take place. Thirty-four opposition candidates and fifty-eight representatives of the opposition in the election committees were either killed or imprisoned. This is what the Soviet's term "peoples democracy" means in practice.

Some people may ask why we continue to celebrate Bulgarian Liberation Day here in the U.S. Senate. They may point to the power of the Soviet Union and to the fact that Red troops have occupied Bulgaria for almost 20 years. They may ask what hope there is that Bulgaria will ever again be independent. This, however, is a defeatist attitude that never won the freedom of any nation. The great patriots of Bulgarian history, Christo Botev and Vasil Levski, recognized the powerful forces that blocked the path of independence during past centuries. But they did not therefore resign themselves to eternal subjugation by Russia; they did not give up hope. The Bulgarian people of today also have not given up hope and we must continue to help them keep alive their hope that the brave Bulgarian nation will once again become a sovereign unit of this world.

But there is another reason for honoring Bulgarian Liberation Day here in the U.S. Senate. If we truly believe that man ought to be free and that totalitarianism is evil then we cannot cease to proclaim these convictions. If we forget our fellow men who live under the heavy yoke of Russian imperialism then we will have betrayed our own faith. We must not permit the truth that man was created in the image of God and that he has a right to justice and freedom to be obscured by the actions of the Soviet dictator. Let us continue, therefore, to celebrate Bulgarian Liberation Day to speed the day when Bulgaria will again be independent and to affirm our belief that man was created for freedom.

HUMAN RIGHTS

Mr. JAVITS. Mr. President, New York claims the credit of being the first State to adopt a law against discrimination in employment. Signed by Gov. Thomas E. Dewey on March 12, 1945, this law served as the prototype for similar legislation in 15 other States. Under it there was set up the New York State Commission Against Discrimination, of which former Ambassador to Israel, Ogden Reid, is chairman. Today the jurisdiction of the commission goes far beyond the subject of employment and includes many positive achievements in meeting the challenge of equal opportunity. It is fitting, therefore, that this broadened scope of activity be recognized, and one of the recommendations made by Gov. Nelson A. Rockefeller has been to change its name to State Commission for Human Rights.

I ask unanimous consent that there be printed in the RECORD excerpts from comments on this subject by Governor Rockefeller in New York, January 28, 1962.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

EXCERPTS OF REMARKS BY GOV. NELSON A. ROCKEFELLER, PREPARED FOR DELIVERY AT OPENING OF THE NEW OFFICE OF THE STATE COMMISSION AGAINST DISCRIMINATION

The opening of this upper-Manhattan office of the State Commission Against Discrimination marks a vigorous step forward in the continuing efforts of New York State to assure that all Americans shall enjoy their inherent rights as human beings and as Americans. This office is here as your friend. It is here to serve you, the people—all the people.

And the opening of this office is, it seems to me, an appropriate occasion to announce my plans for further strengthening the cause of human rights in New York State this year. Specifically, my recommendations to the legislature are as follows:

1. To expand the membership of the commission from five to seven members, to strengthen the administrative powers of the chairman, appoint for the first time a vice chairman, increase the budget, and add to staff personnel. All this is proposed for the accomplishment of one objective—to give the people better service by preventing any undue delays in action.

2. To amend the law to make explicit the ban on discrimination by labor unions, employers, employment agencies or their representatives in admission of individuals to apprentice training programs, on-the-job training programs, or other occupational training or retraining programs. Passage of this amendment will be a highly significant step forward in assuring equality of employment opportunity.

3. To close gaps in the section of the law banning discrimination in places of public accommodation by specifically adding to the list of such places in which discrimination is barred.

4. To change the name of the State Commission Against Discrimination to the State Commission for Human Rights.

This is a highly significant step, far more than a mere change of name. For it reflects an evolution in attitude and the affirmative determination of my administration to see to it that all New Yorkers fully enjoy their rights as individuals and as Americans.

This evolution of attitude is suggested by the thought that a citizen of this State does not merely have the right to ask the State to help him because he has been discriminated against; rather, he has affirmative rights inherent to all Americans.

When he comes to this office, or to any office of the commission, he comes with head held high, as an American—and it is up to the commission to do its job of protecting these rights.

The assurance of human rights is a function of prime significance which goes to the very spiritual heritage of this Nation. This office is a symbol of my administration's affirmative determination to carry out this heritage as well as my deep personal dedication to this cause.

OFFICIAL VISITORS OFFICE

Mr. JAVITS. Mr. President, as one of the great cities of the world, New York City has long been a focal point for visiting officials, dignitaries, and other distinguished men and women from all parts of the globe. New York State has a severe responsibility in this respect for our whole Nation. Governor Rockefeller has therefore set up a New York State International Official Visitors Office which will be charged with the duty of greeting visiting officials and expressing to them the State's interest in making their stay happy and successful. Under the chairmanship of Commissioner Ogden Reid, the new agency will be located at 270 Broadway, New York City.

I ask unanimous consent that there be printed in the RECORD the statement released by Governor Rockefeller on January 20, 1962.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT FROM THE STATE OF NEW YORK EXECUTIVE CHAMBER, ALBANY, N.Y.

Governor Rockefeller announced today formation of the New York State International Official Visitors Office, which is to be charged with responsibility for expressing the State's interest, concern, and hospitality for official visitors.

Noting that New York State is the host State for the United Nations and that the number of diplomatic visitors is constantly on the increase, Governor Rockefeller said that it is important that the State establish a focal point for their interests while here.

Commissioner Ogden Reid, formerly U.S. Ambassador to Israel and now chairman of the State commission against discrimination, was named by Governor Rockefeller as chairman of the new office and of a policy committee which includes Secretary of State Caroline K. Simon, Commissioner of Commerce Keith S. McHugh, Commissioner of Education James E. Allen, Dr. William J. Ronan, secretary to the Governor, and Mr. Berent Friele, personal assistant to the Governor.

Mr. Friele will serve as vice chairman of the committee. Mr. Henry Wheatley, former administrative assistant to the Governor, has been appointed as assistant to the chairman in charge of the office which will be located

in the State office building at 270 Broadway, New York City.

Mr. Wheatley has been in consultation with U.S. State Department officials, at the direction of the Governor, in the course of planning the office.

"The purpose of this office is to welcome official visitors from all the countries of the world," the Governor said. "We wish to help them to see and know our State and its people, to enjoy their stay with us and to make known to them the State's facilities.

"We have large numbers of United Nations delegates, foreign embassy officials, members of the consular corps and members of the United Nations' Secretariat, who live and work in New York State," Governor Rockefeller said.

"It is also a focal point for visiting foreign government officials, including chiefs of state and heads of government traveling under the auspices of the U.S. Government and other distinguished guests.

"In keeping with New York's tradition of welcome to those from all parts of the globe, we can as a State help assure that all who come here have a warm and friendly feeling toward the people of New York State.

INDEPENDENCE OF ESTONIA

Mr. JAVITS. Mr. President, the people of Estonia commemorated the 44th anniversary of the Declaration of Independence of the Republic of Estonia on February 24. Like the other Baltic States, Estonia's enjoyment of self-government was brief, for in 1940 the armies of Soviet Russia ruthlessly took over the country.

In spite of the years of Communist oppression, the people of Estonia have kept alive their hopes for freedom and eventual independence. The United States cannot accept the enslavement of these once free peoples. The Soviet action has no basis in international law and is in violation of understandings given by the Soviet Union to the Allied Powers of World War II. The right of self-determination is a principle of international justice and the United States has emphasized over and over again that it will never become reconciled to Communist domination of the Estonian and other non-Russian captive peoples. I deeply believe that we will continue to fight Communist aggression until the captive peoples in the dominated Baltic countries and those of Eastern Europe are freed from the grip of the Kremlin.

AVIATION: NUISANCE OR NECESSITY

Mr. KEATING. Mr. President, I have just received a copy of the recommendations of the Federal Aviation Agency with regard to Mitchel Field in Nassau County, Long Island. Despite a most vigorous and vociferous grassroots campaign to prevent the use of this area, which is surrounded by homes, shopping centers, and busy thoroughfares, from being used as an airport, the Federal Aviation Agency continues to assert its preference for an airfield in that spot. Fortunately, for the inhabitants in the neighborhood and for the community planners, the FAA recommendation has been overruled. The General Services Administration is preparing to dispose of the property in a manner at least partially in accord with community sentiments.

Mr. President, the inhabitants of Long Island have great appreciation for the importance of aviation. They are not trying to abolish airplanes or airfields, as the FAA seems to suggest. Far too much of Long Island depends upon the aviation and space industry for its livelihood for any responsible Long Island group to oppose reasonable and convenient facilities for aviation.

But as the tragic accident last week revealed, there are still unpredictable and uncontrollable hazards in aviation, and there is a community and Federal responsibility to make every possible effort to keep communities, homes, and business safely separated from the necessary operations of airports.

Just a short time ago, in fact, I was notified that the FAA eastern region opposed the location of schools in the vicinity of La Guardia Airport runways for this very reason.

Mr. President, the latest development in the continuing problem of providing necessary facilities for aviation without injuring or endangering our community was the Supreme Court decision to permit local property owners to bring suit against the operator of an airport if flights to and from the airport injured the property. The full implications of the decision are not clear. Whether a homeowner can sue because of the nuisance, the noise created, damage to his nerves, or a lowering of the market price of his property is not clear. But it is apparent that airport operators will be inundated with suits to test the limit of this decision and to seek equitable restitution for damages they may have suffered.

Mr. President, undoubtedly the decision will serve the very useful effect of hastening research by airlines as well as by airport authorities on the problem of aircraft noise, especially jet noise, and its abatement. It is, frankly, hard for me to believe that the United States can send a man into orbit three times around the world but still cannot devise some means to quiet aircraft operations.

Mr. President, if the FAA would concentrate more of its time on the abatement of aircraft noise and other nuisance and hazard problems, and less time trying to force communities to operate aviation facilities under present conditions, the hostility that is now developing might be abated, and a smoother course would be set for the future.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the text of FAA Administrator Halaby's letter to the General Services Administration.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

FEDERAL AVIATION AGENCY,
Washington, D.C., February 27, 1962.

Mr. BERNARD L. BOUTIN,
Administrator,
General Services Administration,
Washington, D.C.

DEAR MR. BOUTIN: The Federal Airport Act, section 3, directs the Administrator of the Federal Aviation Agency to develop a national plan for the development of public airports, "projects considered by the Administrator to be necessary to provide a system to anticipate and meet the needs of civil aeronautics." There is in this national airport plan a stated requirement for a general aviation airport at Hempstead, N.Y., to serve Nassau County.

The opportunity to fulfill that need for Nassau County and the national airport system arose when Mitchel Air Force Base was declared surplus to military need last spring. As Administrator, in keeping with the Federal Airport Act and the Federal Aviation Act of 1958, sections 103 and 305, which direct me to promote and foster civil aviation in the national interest, I undertook to retain Mitchel Field as an airport for light and executive aircraft. This property, which has been not only a net for the Nation's aviators but has been almost continuously in use as an airfield for years, belongs to all the citizens of the United States. They own it and as national taxpayers have supported it all these years and nurtured the neighborhood as well.

Aside from the law, which made my responsibility to try to preserve this national asset clear, I viewed the acquisition of Mitchel Field for general aviation as an opportunity to draw smaller aircraft away from the busy air carrier terminals at La Guardia and Idlewild and improve those operations, quite in addition to the advantages there would be to the community itself in having this business-generating facility. The Congress explicitly endorsed this policy of safety in the Federal Airport Act Amendments of 1961 and we are dutifully and vigorously carrying out this mandate.

It appears now, however, that the great value of this facility to the growth and future of the community as an airport is not fully recognized. In fact, there is widespread sentiment against further use as an airport and no suitable public sponsor has come forward. I urge you as a first choice, from my point of view, in disposing of this property, therefore, to retain a portion of it so a general aviation airport can be established for Nassau County when the community itself recognizes the need. Our position has been right along that only about half the area be turned over to general aviation. The other half would be available for expansion of educational and cultural facilities which we have heartily endorsed throughout the first year of the new administration.

If you find you cannot hold some of the land for this need, I hope it will be possible for an educational institution to operate the field as part of an aerospace program with incidental use by the public on a limited basis. Several universities do operate airfields in connection with their educational programs and it is my hope one of the schools in the area will find this a profitable opportunity to develop an aerospace educational capability and earn a profit as well.

If neither of these plans is feasible, I urge at the very least you require as a condition of transfer that the local receiving authority provide a substitute field for general aviation in an acceptable area; that is, in a location which would serve Nassau County.

Believing as I do that the air age has just begun, that the usefulness of the airplane has barely been tapped, and being responsible to the President for stimulating the vigor and endurance of American aviation, I urge you again to accept one of these suggestions in the order of preference I have indicated. It is disturbing to the aviation community of the United States to watch Nassau County, which is already dependent in a most important way upon the aviation

and electronics industry, give up its one airport just as aviation moves into an era of greater popular acceptance.

We in the Federal Aviation Agency, perhaps because we are aware of how increasingly important air transportation will be to any community, including Nassau County, are particularly disturbed by this episode. We feel we have failed to establish in the minds of enough of the citizens what this step will mean to them in the 1960's and 1970's. We feel our argument for the future, when air travel is no longer an experience for the privileged few as it is today, but a part of everyone's life, has not been fully understood.

In the interests of a national aviation system which must depend more and more on good, safe general aviation fields and in what will be in the best long-term interest of this region I urge you to follow one of the FAA's suggestions in disposing of Mitchel Field.

Sincerely,

N. E. HALABY,
Administrator.

CITIZENS ASSOCIATION POLL

Mr. KEATING. Mr. President, the Citizens Association of Greater Utica has conducted a community survey on international affairs under the technical guidance of Prof. Raymond Simon, of Utica College. The results are most interesting. The poll indicates a 90-percent support for the United Nations as an organization of peace. It shows that 57 percent of those polled believe in the resumption of nuclear testing in the atmosphere, more than half of the community's population believe that Red China should not be admitted to the United Nations, half believe that fallout shelters are needed to increase the chances of survival, and slightly more than half believe that the armaments race increases our national security.

Mr. President, I think this survey should be of considerable interest to the Senate. Therefore, I ask unanimous consent that it be printed at this point in the RECORD.

There being no objection, the survey was ordered to be printed in the RECORD, as follows:

COMMUNITY SURVEY ON INTERNATIONAL AFFAIRS, CONDUCTED BY THE CITIZENS ASSOCIATION OF GREATER UTICA, FEBRUARY 17–18, 1962

The public-opinion poll was conducted in the city of Utica on Saturday and Sunday afternoons, February 17 and 18, 1962.

The city was divided into 33 geographical areas, and the interviewers were assigned a specific area of the city in which to make their calls. A door to door canvass was made by 40 students from Hamilton College, Mohawk Valley Technical Institute, Utica College, and the young adults of the Council of Churches of Utica and Oneida Counties. Three hundred and seventy survey interviews were completed in the 33 assigned areas of the city.

The interviews were completed in every area of the city, and the results represent the opinions of the residents of the entire city.

1. I can personally do something to influence war or peace in the world.

Whereas 80 percent of the community believes that peace is possible, a little less than one-half—49 percent—believe that they personally can do something to bring about peace in the world. Of the remaining, 30 percent are uncertain whether they can be effective in their personal influence for war or peace, and 21 percent think they can do nothing.

2. Peace is possible.

Fifteen percent of our community's population believe that it is impossible to achieve peace in our world, 5 percent are uncertain, and 80 percent are optimistically convinced that peace is possible.

3. The United States should test nuclear weapons in the atmosphere again.

Over one-half of the population of Utica (57 percent) believes that our Nation should resume the testing of nuclear weapons in the atmosphere, while one-fourth of our city's residents (27 percent) would have our Nation refrain from atmospheric testing at the present time. The balance of the people (16 percent) are uncertain.

4. Fallout shelters are needed to insure survival.

Exactly one-half of the people of Utica (50 percent) believe that fallout shelters are needed to insure survival. One-third of the community's residents (33 percent) are convinced that fallout shelters are not needed, and the remaining 17 percent are unsure.

5. The U.S. economy can prosper without large military expenditures.

The relationship of our economy to the military is seen by the fact that almost one-half (46 percent) believe that the U.S. economy cannot prosper without large military expenditures. More than one-third (37 percent) believe that we can and the remainder (17 percent) are uncertain.

6. The United Nations is an important organization for peace.

The most positive assertion of the community was in favor of the United Nations. Only 10 percent disagreed or are uncertain about the importance of the United Nations as an organization for peace, while 90 percent registered an affirmative answer.

7. There will be a nuclear war in the next 10 years.

The uncertainty of the community about nuclear war in the near future is reflected in the fact that only one-half of the community (48 percent) feel certain that there will be no nuclear war, 38 percent are unsure, and the remaining 14 percent pessimistically predict war in the next 10 years.

8. World peace requires Red China's admission to the United Nations.

One out of every five people (19 percent) believe that Red China should be admitted to the United Nations in the interest of peace. More than one-half of our community's population (55 percent) disagree on Red China's admission. The remaining 26 percent are not sure.

9. The armaments race increases our security.

Whereas 52 percent of our community's residents believe that the armaments race increases our security, 27 percent disagree with this opinion, and 21 percent are uncertain.

10. U.S. policy should take more initiative toward peace.

The desire for peace is seen in the fact that almost three-fourths of our community's population (72 percent) believe that the United States should take more initiative toward peace, 18 percent think that we have done enough, and the remaining 10 percent are uncertain.

In response to the question as to how many people in our community have written to a newspaper or public office holder expressing their personal opinion, only 1 in 10 (13 percent) have ever done so. The vast majority (87 percent) have kept their views to themselves.

PERSONAL COMMENTS

While the majority of those interviewed did not respond to the statement:

"I think that the following things can be done to help the cause of peace."

Those who did, 16 percent, expressed a wide range of opinion. No "new ideas" were put forth.

There were some who expressed a desire for a firmer U.S. policy, with a return to the "big stick" diplomacy, and a desire for withdrawal from foreign affairs.

The majority of expressed opinion, however, was more positive in outlook, desiring better education of people, better government communication on America's position in the world, and more foreign aid. There was also strong feeling for a greater religious expression, and an exportation of the best that America has to offer. This would include more student exchanges, as well as America's participation in the Common Market.

TRIBUTE TO DAVID B. SMITH AND THE 4-H CLUB PROGRAM

Mr. STENNIS. Mr. President, six young persons from various sections of the United States have been especially selected from the Nation's 2,300,000 4-H Club members and sent to Washington this week to make a special report to the President of the United States.

Their report to the President highlights National 4-H Club Week being observed March 3 to 10.

One of those six persons is an outstanding young man from Mississippi. He is 19-year-old David B. Smith, son of Mr. and Mrs. Ross Smith, of Rankin County, Route 6, Jackson, Miss.

I believe the most effective recognition we can give to National 4-H Club Week is to acknowledge the accomplishments of this special group of six young leaders.

My comments shall be centered principally around the activities of the young man from my home State.

Young David Smith has been an active 4-H Club member for 10 years and is continuing that activity even while he is a student at Mississippi State University.

He has completed 71 of 86 4-H projects in which he enrolled. He netted an income of $10,267 out of $48,806 grossed from all his 4-H Club work on an 870-acre farm with his parents.

He has been honored as "Mississippi's Most Outstanding Junior Hog Producer," and has achieved remarkable records in raising beef cattle, improving pasture lands, and boosting corn yield on his farm.

David is as much a leader in his school and community as he is on the farm. He was chosen the best all-around student of his high school class in 1959 and also named "the most valuable football player."

He has participated in more than 80 leadership and citizenship 4-H projects in his community in the past 5 years.

Part of the credit of David's outstanding 4-H record goes to his parents who inspired and encouraged him, part to his 4-H Club leaders and advisers who counseled with him and helped him, and still another part to his 4-H friends who, like all the 108,000 Mississippi 4-H Club members, offer their support and suggestions to a fellow member.

One person in particular who has singled himself out as a true master at helping young people is David's 4-H adviser and county leader, my longtime personal friend, Mr. Joe Walter Terry.

It was my happy privilege to have dinner with these young people here Sunday night. Their records of achievement in 4-H are the best testimonials to the soundness and dedication of American youth.

The work of David Smith and the other 2,300,000 members of 4-H Clubs represents the finest example of American citizenship I know of anywhere, and I congratulate each member for a job well done.

EAST-WEST CENTER

Mr. LONG of Hawaii. Mr. President, the Congress of the United States has created in Honolulu, Hawaii, a unique institution—the Center for Cultural and Technical Interchange Between East and West. Because this center is a truly national undertaking, it is fitting that information on its activities should be available to the Congress.

The center has recently completed its first year of operations, and has published an informative and inspirational report. The publication of this document almost coincides with a letter from Chancellor Alexander Spoehr to all Senators in which he solicited help in finding suitable students for the valuable scholarships available at the center.

Among the more exciting statistics in the annual report is the statement that 5,672 applications have been received for the 65 scholarships that will be available to Japan, India, Pakistan, and Philippine Republic in 1962–63. I think that this fact is exciting not only in that it illustrates the great interest in the center among our Asian neighbors, but also that it permits the center to be most discriminating in its selections. Whenever 90 educated people believe they are qualified for a single post, there is a presumption that the one selected will be of the highest caliber. That is how it should be, and I think the Congress can take great pride in knowing that the real cream of many Asian communities is going to be in residence at the East-West Center next year.

This raises, however, a small problem, for the solution of which I join Dr. Spoehr in appealing to the Senate. There will be 100 American scholarships for the next academic year, and I hope that we will be able to be as selective for these as for the Asian grants. Perhaps a 90 to 1 ratio is unrealistic, but I would hope that we will get enough applications from qualified Americans that the grantees will in every way measure up to the standards that will be attained with respect to Asians. Let us not forget that this is a center for interchange between East and West, and that participation by the best available American students is fundamental to its success.

For the further information of the Senate, Mr. President, I ask unanimous consent that Dr. Spoehr's letter and selected parts of the first annual report of the East-West Center be printed in the RECORD following my remarks.

There being no objection, the letter and report were ordered to be printed in the RECORD, as follows:

UNIVERSITY OF HAWAII,
Honolulu, Hawaii.

DEAR SENATOR LONG: As you are aware, the Congress has authorized and supported an East-West Center in Hawaii, where 245 scholarship students from the United States and 24 countries in Asia and the Pacific are now living and studying together for purposes of mutual understanding and cultural and technical interchange.

Next September 300 more students are to arrive, 200 from Asia and 100 from the United States. Every country and area in Asia and the Pacific covered by our contract is now represented at the center. We would like to have equally complete representation from each of our States.

You have helped us build the center. Now we hope you will help us find the best students from your State—students with high academic ability, leadership potential, and belief in the aims of the center, who are interested in Asian languages, history, and culture, and would like to study in our uniquely cosmopolitan atmosphere for 2 years. Included in the scholarship is a semester of study and travel in the Asian area or countries of their choice.

Specifically, may we suggest a press release or story from your office to the newspapers, radio stations, colleges and universities of your State or constituency, to help us reach the most promising young representatives of our country and culture? I enclose an East-West Center scholarship announcement for your information.

Respectfully yours,

ALEXANDER SPOEHR,
Chancellor.

EXCERPT FROM FIRST ANNUAL REPORT, EAST-WEST CENTER, HONOLULU, 1961

THE INTENTION

Of all the natural resources upon which the world depends for its survival and its sustenance, none is so important as its people. Of all the means for making possible the fullest use and wisest realization of the potentialities of this basic resource, none offers such promise as the free interchange of information and ideas which will encourage mutual understanding between peoples. Wherever men can face one another as peers and exchange their considered views on the vital issues of their lives, the constructive possibilities for cooperative peace increase dramatically. Whenever people can share knowledge and information basic to these issues, they establish sound foundations upon which such understanding can develop and at the same time provide the means for effective thought and action.

The East-West Center has been conceived and established not to erase differences between people, but to make possible respect for the ways in which we are unlike and the recognition and acknowledgement of our similarities, that we may join in the construction of a dynamic and fruitful but peaceful life for all.

We wish not to make one like the other, but to learn one of the other what each is, through knowledge, insight, and understanding, that we may create a community among men in which our dissimilarities enrich their opposites without losing their own identities.

What we give we shall hope to receive, and what we offer to the men and women of Asia and the Pacific is but what we seek—recognition as colleagues in the human enterprise.

OBJECTIVES AND PRINCIPLES

1. The center has as its primary objective the increase and development of mutual understanding between the peoples of the countries of Asia, the Pacific area, and the United States. The term "interchange" in the title of the center carries the greatest possible weight and is of the utmost significance in the formulation and carrying out of basic policies and operations.

2. The center has as a parallel objective the betterment of American relationships with foreign peoples. This objective is understood as consistent with and in fact dependent upon the first objective.

3. The center encourages and solicits, indeed makes paramount, the fullest mutual cooperation and participation of foreign countries and institutions as well as others of the United States in fulfilling its objectives.

4. Plans for the organization, operation, and development of the center are flexible enough to be adaptable to multiple, diverse, and changing needs of the countries, students, trainees, and senior scholars and leaders involved.

5. The center actively seeks, at home and abroad, foundation and private financial support for its programs and enterprises, along with assistance from existing governmental agencies and legislation.

6. All awards, grants, and expenditures made through, for, or on behalf of the center shall be devised to acknowledge and develop the highest standards of intellectual achievement and community service in the cause of human welfare.

7. The center seeks to fulfill its objectives through two different kinds of people: First, young men and women with promising careers in their own communities; and second, men and women of established reputation and achievement.

8. Grants to individuals are made to men and women of promise and ability who may be expected to make or are making significant contributions to life in their own countries. Such people from abroad are selected on the understanding that they will return to their own countries upon completion of studies or other assignments pertaining to the operations of the center.

9. Expenditures for conferences, research, and other special programs of the center are planned to promote and facilitate the free passage of information and ideas, and are based on the acknowledgment of the mutual capacity and potential of participating individuals and countries.

STUDENT PROGRAMS

One of the principal functions of the center is to provide educational opportunities for carefully selected young men and women of great promise, and to create conditions under which they can learn together and gain knowledge and understanding of one another.

The office of student programs administers scholarship grants for students from the Pacific area and the countries of Asia and the United States to undertake studies in the regular academic programs of the university for which they are prepared, and in related programs in other institutions where necessary and during the special study tours. In addition to the curriculums of the university available to center scholarship students, special services and programs have been developed or augmented for their support.

These include special language training, area studies, and student welfare services.

At the present time there are 230 students on scholarships, of whom 32 have come from 17 of the United States, 5 from Burma, 4 from Cambodia, 2 from Ceylon, 4 from Hong Kong, 22 from India, 19 from Indonesia, 36 from Japan, 10 from Korea, 8 from Laos, 1 from Malaya, 5 from Nepal, 1 from New Zealand, 2 from the Ryukyus, 4 from Pacific Islands, 6 from Pakistan, 24 from the Philippines, 1 from Singapore, 27 from Taiwan, 14 from Thailand, 2 from the Trust Territories, and 1 from Vietnam.

Of these, 78 percent are graduate students, 71 percent are men, and 72 percent are unmarried. They are enrolled in a variety of fields of study, with the largest single groups in tropical agriculture, the teaching of English as a second language, government, education, and in various Asia studies programs. These are distributed as follows: 5, academic year institute in science and mathematics; 7, agricultural economics; 1, agriculture (general program); 1, agronomy; 4 animal science; 2, anthropology; 2, Asian art; 8, Asian studies; 2, biochemistry; 7, botany; 6, business administration; 4, chemistry; 3, drama and theater; 7, economics; 15, education; 3, engineering; 12, English; 2, entomology; 3, European languages; 4, east Asian studies; 1, food science; 2, genetics; 1, geology; 21, government; 9, history; 1, home economics; 2, horticulture; 2, meteorology; 3, microbiology; 2, music; 10, oversea operations; 5, philosophy; 3, physics; 2, plant pathology; 2, plant physiology; 3, poultry science; 1, premedical; 3, psychology; 6, social work; 6, sociology; 14, soil science; 1, speech; 28, teaching of English as a second language; 5, zoology.

These students were selected through an extensive and complex screening system beginning in their own countries with the excellent cooperation and assistance of American Embassy and foundation people abroad. Binational commissions, special committees, and select individuals in institutions abroad have undertaken preliminary field screening and assisted in the preparation of records and applications.

Upon completion of field screening, health records are examined by the university health service and academic records by academic departments, which make evaluations and recommendations. One final screening is made by an all-university committee before the center makes its selections. Some indication of the magnitude of this task may be indicated by noting that for 65 grants to be made in India, Japan, Pakistan and the Philippines for 1962–63, 5,672 applications have been made to date.

In addition to responsibilities for screening and selection, the office of student programs provides academic counsel for students, and maintains liaison with academic deans and instructional officers in this and other institutions.

The center through this office also administers study tour programs on the U.S. mainland for Asian and Pacific students and in Asia for American students. These are parts of the scholarship grants and are devised to supplement and complement academic programs in Hawaii. At the present time eight students from India, the Philippines, Japan, and Ceylon are on the mainland of the United States for such a study, and one American student is in Asia. These include students in guidance and counseling, school administration, sociology, linguistics, economics, labor and industrial relations, philosophy, agronomy and middle management. A larger number of students will undertake such studies next summer and fall, and a small staff is being developed to facilitate such travel programs.

The director of student programs has under preparation plans for a series of grants to two selected teachers from each of the 50 American States for study at the university's summer institute of Asian studies in 1962. Through study and supplemental academic programs of this kind the center is beginning to establish cooperative relationships with other universities, and initial relationships which will make it possible for the center to utilize resources beyond its base in Hawaii.

COLD WAR GI BILL PASSAGE VITAL TO OFFSET SHORTAGE OF PHYSICIANS, DENTISTS

Mr. YARBOROUGH. Mr. President, there is a growing shortage of physicians, dentists, and health workers in the United States. If our citizens are to receive adequate medical care in the years ahead the Nation must greatly accelerate its efforts in the training of medical personnel.

According to the Surgeon General's Consultant Group on Medical Education, we must, by 1975, increase by approximately 50 percent the number of annual graduates of medical schools to maintain even the present inadequate ratio of physicians to population.

The present shortage of medical manpower would be even more acute if Congress had not enacted the GI bills for veterans of World War II and the Korean conflict. As a recent article in the Army Times points out, more than 276,000 veterans have received training in medicine and related fields under GI bills. Included in this total are 87,457 trained in medicine and surgery; 31,532 in dentistry; 16,415 in nursing; 32,836 in pharmacy; and 10,009 in optometry.

The GI bills have made a great contribution toward providing the Nation with a high standard of medical care, but this is only a part of the national benefits accruing from these measures. In addition, the GI bills have furnished America with more than 150,000 physicists, chemists, and other scientists; 450,000 engineers; and 230,000 teachers.

Despite these gains, we still do not have enough doctors, teachers, engineers, and scientists. The United States cannot afford to remain complacent about the shortage of manpower in critical occupations.

A GI bill for veterans of the cold war is vitally needed today to furnish the Nation with adequate numbers of trained personnel. The cold war GI bill, S. 349, would provide educational opportunities and readjustment assistance for more than 4 million post-Korean veterans.

A National Science Foundation survey reveals that the Soviet Union is leading the United States in the number of medical doctors graduated each year. In 1959, the U.S.S.R. graduated almost four times as many physicians as the United States. In the same year, 190,000 scientists, engineers, and other scientific personnel were graduated from universities and colleges in the Soviet Union, compared with 90,000 who were graduated in the United States in these fields. The cold war GI bill is the only proposal before Congress which would afford education to sufficient numbers of our citizens to overcome this lag in training of technological personnel.

Mr. President I ask unanimous consent to have printed at this point in the RECORD the article from the Army Times to which I have referred. The article appeared in the March 3, 1962, issue of the Army Times under the title "GI Bills Help Many Train in Medicine."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

GI BILLS HELP MANY TRAIN IN MEDICINE

WASHINGTON.—More than 276,000 veterans have received training in medicine and related fields under GI bills, the Veterans Administration has announced.

The total includes 87,457 trained in medicine and surgery; 31,532 in dentistry; 16,415 in nursing; 16,660 who received premedical education, and 7,588 who received predental education.

The amount of training varies greatly with the individual. In medicine and surgery, for example, it includes all 4 years of medical school for some and only brief postgraduate training for others.

Additional categories, with the number trained, are:

Osteopathy, 2,689; pharmacy, 32,836; veterinary medicine, 7,489; preveterinary education, 1,786; chiropody, 2,502; physical therapy, 2,546; laboratory technique, 26,351; dental hygiene, 474; dental mechanics, 11,727; medical service, 3,115; public health, 2,910; optometry, 10,009; and chiropractic, 12,016.

There is little or no overlap in the VA figures, the agency said, since all of those counted as receiving premedical, predental or preveterinary education did so under the war II or Korea GI bills.

The total includes 15,791 service-disabled veterans trained under the war II vocational rehabilitation program; 1,683 trained under the Korea vocational rehabilitation program; 198,205 trained under the war II GI bill and 60,423 trained under the Korea GI bill.

Of the 87,457 trained in medicine and surgery, 69,256 were war II veterans and 18,201 were Korea veterans. Receiving training in dentistry were 23,627 war II and 7,905 Korea eligibles. The total trained in nursing includes 12,966 from war II and 3,449 from the Korean conflict.

With a few exceptions, training under the GI bill has now ended for veterans of war II; however, Korea veterans are still eligible if they had at least 90 days of active service between June 27, 1950, and January 31, 1955, unless discharged sooner for a service-incurred disability and if their discharge was under other than dishonorable conditions.

TIME FOR PADRE ISLAND ACTION IS NOW

Mr. YARBOROUGH. Mr. President, the lead editorial in the Houston Chronicle for Tuesday, March 6, 1962, carries a caption that best describes the governmental situation of the Padre Island National Seashore Recreational Area. The Houston Chronicle states for its headline: "Time's Running Out at Padre Island."

For 4 years a bill has been pending in the U.S. Senate for the creation of Padre Island National Seashore Recreational Area. Prior to the introduction of the first bill in the summer of 1958, to create the national seashore recreational area, Padre Island had lain undeveloped, dormant, unnoticed by people, virtually as it was when seen by the first European,

the Spanish explorer DePineda who mapped the Texas coastline in 1519.

Since the introduction of the first Padre Island National Seashore Recreation Area bill by me in 1958, great activity has been engaged in by promoters, other developers, and traders in the undeveloped land of Padre Island followed by a double page color ad in a national magazine advertising acreage on Padre Island.

Through these past 4 years, we have had three full and complete hearings by the Interior and Insular Affairs Committee and its subcommittee, the Public Lands Subcommittee.

The Padre Island material has been thoroughly explored and debated by the committee.

A minimum 88.5-mile Padre Island National Seashore Recreational Area has been unanimously endorsed by the National Parks Board and has been recommended by Conrad Wirth, Director of the National Park Service, and the project has been endorsed by both the Eisenhower and Kennedy administrations.

Both the Eisenhower and Kennedy administrations have urged acquisition of this land before useless delays have increased the costs.

The time for extended hearings is over; they have been held. This matter has been fully debated by the Interior and Insular Affairs Committee; it has been reported to the Senate by the committee; it is time for the Senate to act.

As the Houston Chronicle has so forcefully stated:

There comes a time when fruit is ripe. It has to be picked. Later is too late.

We've come to that ripe time as a nation with our crop of land that must be preserved for public use and enjoyment. Particularly with Padre Island.

Mr. President, the Houston Chronicle has stated the case for the people of Texas and, indeed, for the people of the whole Nation.

I ask my colleagues to take advantage of this opportunity for the American people before it has been lost forever.

I ask unanimous consent to have the editorial from the Houston Chronicle of March 6, 1962, entitled "Time's Running Out at Padre Island" printed in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

TIME'S RUNNING OUT AT PADRE ISLAND

There comes a time when fruit is ripe. It has to be picked. Later is too late.

We've come to that ripe time as a Nation with our crop of land that must be preserved for public use and enjoyment. Particularly with Padre Island.

Padre Island—a wild and wonderful strip of seashore that curls along the gulf coast from Corpus Christi, 117 miles south to Port Isabel—must be made part of the national park system.

Generally, most people agree. Differences come over how.

Senator RALPH YARBOROUGH has a bill in the Senate authorizing purchase of 57,000 acres of Padre Island. Estimated cost: $4 million. The National Park Service would survey, then develop this 85.5-mile sector as a national seashore. Its credentials are excellent.

They include Cape Hatteras National Seashore off the North Carolina coast.

Hatteras has something for everybody: Clean beaches, wildlife refuges, prime fishing grounds, camping facilities, and trained park rangers who run the whole thing. We'll be in clover if the same type of development comes to Padre Island.

But there is more to the Padre Island situation than meets the eye. Another bill—introduced into the House of Representatives by Representative JOHN YOUNG, of Corpus Christi, and Representative JOE KILGORE, of McAllen, calls for a much smaller park, about 65 miles long. It also spells out something the Park Service would have to do: Build a road the length of the island (not just the park).

A smaller park leaves more land in private hands at either end. The Young-Kilgore bill would leave about 52 miles; the Yarborough bill about 28. Naturally, value of this adjacent land skyrockets.

The Park Service wants some land left for private development. It has no ambition to put up hotels, motels, grocery stores, marinas, and other facilities. But 28 miles, it points out means an area larger than Miami Beach—surely ample.

The Park Service also objects to being required to build a road. Its surveys might show the need for one. But its wants to make up its own mind.

Some of the pressure for a road comes from the southern tip of the island. People there reason, rightly, that most visitors would come to Padre Island from Corpus and never get to the southern end at all unless there was a through road.

These are the main pros and cons about Padre Island. As far as the Chronicle is concerned, they lead to an obvious conclusion:

Congress should pass Senator YARBOROUGH's bill, the President should sign it and the Park Service should get busy.

When it has finished, there will be a magnificent park close to Houston—a treasure that can slip away if we fiddle.

Not only Texans; people from all over the country will enjoy it. Some will stop in Houston on their way. We could profit well by such a tourist attraction.

Most important of all, Padre Island is a national treasure. No point in sterilizing America into one monster roadside development.

We must keep some of the remote and rugged lands that are like the continent once was. And will never be again.

DEATH OF COL. GEORGE THOMPSON VAN DER HOEF

Mr. PELL. Mr. President, in the death of Col. George Thompson Van der Hoef on February 24, 1962, the United States has lost a fine man, a devoted public servant, and a marine of many years standing.

George Van der Hoef was an old and close friend of mine. He possessed to an abundant degree the qualities of warmth, intelligence, and daring thought. In his death his friends have lost a trusted companion, adviser, and confidant and his mother a loving son.

I ask unanimous consent to insert in the CONGRESSIONAL RECORD Colonel Van der Hoef's obituary which appeared in the Washington Post on February 26, 1962.

There being no objection, the obituary was ordered to be printed in the RECORD, as follows:

COLONEL VAN DER HOEF, OF COMMERCE DEPARTMENT

Col. George Thompson Van der Hoef, 52, Director of Industrial Defense Activities for the Commerce Department's Business and Defense Services Administration, died Saturday at George Washington Hospital.

In World War II, Colonel Van der Hoef served as a Marine Corps public relations official. His news network comprised a group of Marine Corps "combat correspondents" which he organized in 1944.

Colonel Van der Hoef was a native of New Jersey. He was graduated from the University of Chicago in 1932 and came to Washington 2 years later as Assistant Chief of the Federal Housing Administration's Speaker and Radio Section. He moved up to Chief of the Section and Chief of the Radio and Motion Picture Section in 1939.

He was called to active service in 1941 and until 1944 was executive officer and assistant public relations director of the Marine Corps. After a year of service overseas, he returned to the FHA in 1946 as Administrator of the Finance and Industry Division. He was named Acting Director of the Division of Programing in the Office of Publications in 1947 and Division Director in 1948.

Colonel Van der Hoef served as adviser to the U.S. delegation to the Mediterranean Regional Air Navigation Conference in Paris in 1948, and accompanied Secretary of Commerce Charles W. Sawyer on a national economic factfinding survey the following year.

In 1952, Colonel Van der Hoef was named Acting Director of Information for the Commerce Department and became Director of Industrial Defense Activities for the Business and Defense Services Administration in 1957.

He was a member of the University Club and the Fort McNair officers club.

Colonel Van der Hoef is survived by his mother, Harriet B. of the home address, 1911 R Street NW.

THE 100TH ANNIVERSARY OF SOKOL

Mr. PELL. Mr. President, February 16th marked the 100th anniversary of the Sokol organization. This world renowned organization was formed by a group of Czechoslovakian leaders in Prague on February 16, 1862, under the leadership of Prof. Miroslav Tyrs. From the very beginning, the driving force behind the Sokol movement has been the concept that spiritual and moral well-being are closely interlocked with physical well-being.

Throughout Czechoslovakian history, the Sokol organization has exerted a profound democratic influence. Conversely, the Sokol organization in Czechoslovakia was persecuted during the Nazi occupation and today, it is denounced by the Communist satellite regime.

Nevertheless, Mr. President, the basic principles which motivated the founding of the Sokol organization live on in the spirit of the Czech and Slovak people, and Sokol organizations continue to flourish in countries outside the Iron Curtain. Indeed, shortly after the first Sokol organization was established in Prague, the first American Sokol chapter was incorporated in St. Louis, Mo., in 1865. Today, thousands of Americans

are affiliated with the Sokol organization—whose members have contributed greatly to the growth and democratic development of our country.

Mr. President, one of the great benefits which immigration has brought to the United States is fresh ideas. The establishment of the Sokol organization in the United States is an excellent case in point. Moreover, through the President's youth fitness program, we have today an additional opportunity to apply the sound principles underlying the Sokol organization.

Mr. President, I know that all my colleagues join me in paying warm tribute to the 100th anniversary of the Sokol groups which can justly be proud of a glorious tradition.

The PRESIDING OFFICER. If there is no further morning business, morning business is closed.

CONVEYANCE OF CERTAIN REAL PROPERTY TO THE STATE OF WYOMING

Mr. MANSFIELD. Mr. President, at the request of the distinguished Senators from Wyoming—the senior Senator [Mr. McGEE] and the junior Senator [Mr. HICKEY]—I should like, with the concurrence of all my colleagues, to call up Calendar No. 889, House bill 3879.

Before the Chair passes on this request and before the clerk reads the title of the bill, I should like to call to the attention of the Senate the fact that some days previously, as a result of the very effective work done by the two Senators from Wyoming, a similar bill was passed.

The PRESIDING OFFICER. The bill will be stated by title, for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H.R. 3879) to authorize and direct the Secretary of Agriculture to convey to the State of Wyoming for agricultural purposes certain real property in Sweetwater County, Wyo.

The PRESIDING OFFICER. Is there objection to the request for the present consideration of the bill?

There being no objection, the bill (H.R. 3879) was considered, ordered to a third reading, read the third time, and passed.

ROGUE RIVER BASIN RECLAMATION PROJECT, OREGON

Mr. MANSFIELD. Mr. President, at this time I should like to call up Calendar No. 1191, Senate bill 1023.

Mr. LAUSCHE. Let me ask what the bill is.

Mr. MANSFIELD. It relates to the talent division of the Rogue River Basin reclamation project, Oregon, which was authorized as a Federal reclamation project by Public Law 606, 83d Congress. The bill was reported unanimously from the Committee on Interior and Insular Affairs; and, so far as I know, there is no objection to the bill.

The PRESIDING OFFICER. The bill will be stated by title, for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 1023) to amend the Act of August 20, 1954 (68 Stat. 752), in order to provide for the construction, operation, and maintenance of additional features of the Talent division of the Rogue River Basin reclamation project, Oregon.

The PRESIDING OFFICER. Is there objection to the request for the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. MANSFIELD. Mr. President, before the bill is acted on by the Senate, I ask unanimous consent to have printed in the RECORD relevant information covering the purpose of the bill.

There being no objection, the excerpt from the report (No. 1220) was ordered to be printed in the RECORD, as follows:

The Talent division, Rogue River Basin project, was authorized as a Federal reclamation project by Public Law 606, 83d Congress, approved on August 20, 1954.

The Agate Dam and Reservoir called for in the legislation would be an addition to the existing irrigation works of the Rogue River Valley Irrigation District. The primary purpose of the new facilities would be to provide an adequate irrigation water supply to 1,810 acres of dry land scattered throughout the district, and a supplemental water supply to 4,280 acres presently irrigated within the district which suffer infrequent but significant shortages. Pear production and dairy farming are the most prevalent types of full-time farming now served in the area and it is anticipated that most of the land will be placed in orchard and seed production.

The Agate Dam, would be a rolled earthfill structure with a maximum height of 73 feet above streambed. The reservoir would have a total capacity of 4,600 acre-feet, of which 4,500 would be for irrigation storage and 100 acre-feet would be dead storage.

The total cost of the project is $1,802,000 of which $47,100 is charged to recreation and fish and wildlife. The balance of $1,754,900 will be repaid to the Government in 50 years following a 10-year development period. The irrigator will repay $993,000 and the balance of $761,900 will be paid from revenues from the existing Green Springs powerplant which is a feature of the Talent division.

The benefit-cost ratio, based on direct benefits only for a 50-year period of analysis is 1.6 to 1, indicates that the project is economically justified.

EXECUTIVE COMMUNICATIONS

The Department of the Interior submitted a report on S. 1023 recommending the enactment of the bill. The Bureau of the Budget stated that it had no objection to its enactment.

The PRESIDING OFFICER. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 1023) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in addition to the works described in section 1 of the Act of August 20, 1954 (68 Stat. 752), the Secretary of the Interior, acting pursuant to the Federal reclamation laws (Act of June 17, 1902, 32 Stat. 388, and Acts amendatory thereof or supplementary thereto), is authorized to construct, operate, and maintain as a part of the Talent division of the Rogue River Basin project, Oregon, the following works: Agate Dam and Reservoir, a diversion dam, feeder canals, and related facilities.

SEC. 2. (a) The Secretary of the Interior is authorized, in connection with the works authorized by this Act, to construct minimum basic public recreation facilities and to arrange for the operation and maintenance of the same by an appropriate State or local agency or organization. The cost of constructing such facilities shall be nonreimbursable and nonreturnable under the reclamation laws.

(b) The Secretary may make such reasonable provision in the works authorized by this Act as he finds to be required for the conservation and development of fish and wildlife in accordance with the provisions of the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C., sec. 661, and the following), and the portion of the construction costs allocated to these purposes together with an appropriate share of the operation, maintenance, and replacement costs therefor, shall be nonreimbursable and nonreturnable.

SEC. 3. (a) Section 3 of the Act of August 20, 1954, supra, is amended by inserting after the figure "$22,900,000" the following: ", and for the construction of Agate Dam and Reservoir the sum of $1,802,000 (January 1960 costs), in each case".

(b) Section 2, subsection (c) of said Act, is amended by deleting the final period and adding to the last sentence "from the date when each irrigation repayment contract becomes effective."

MEDICAL CARE FOR THE AGED

Mr. MANSFIELD. Mr. President, recently I received from a citizen of Montana, a professional man with deep convictions and a sincere concern over certain trends in the Nation, a letter dealing in particular with the possibility that social security may be extended to cover medical care for older citizens. Mr. President, this citizen has never voted for me, and is quite frank to say in his letter that probably he never will. That is immaterial. It is his constitutional right to vote for me or against me as, in his wisdom, he sees fit. Notwithstanding his opposition, I deeply appreciate his writing to me.

I call his letter, which is critical of my position, to the attention of the Senate, because it sets forth, it seems to me, in a very vivid way the concern of many well-meaning citizens who are opposed to the President's proposals on medical aid to the aged. And I call the attention of the Senate to my reply to his letter, because it sets forth my own position on this question. In these two letters, Mr. President, are reflected most of the issues and attitudes which are in conflict with respect to medical care for the aged. It is on the basis of issues such as these that the question should be frankly and honestly debated, the doubts resolved, and action taken. Let me add that I hope the Senate will have an opportunity, sometime during the current session, to meet this question in precisely that fashion.

Mr. President, I ask unanimous consent that the letters to which I have referred be printed in the RECORD, except that the identity of my correspondent be omitted.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

MARCH 2, 1962.

Hon. Senator MIKE MANSFIELD,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MANSFIELD: I am a dentist, a son of a Dutch immigrant, and one who has worked hard for many years. I am 42 years of age and the father of two sons and a daughter. I have never voted for you in my life and doubt that I ever will, for to me you represent everything that is socialistic in nature, as opposed to that which stresses individual initiative. Yet I am writing to you, Mr. MANSFIELD, for I am concerned about the kind of country we shall leave our children. I would like for you to give this letter to President Kennedy, for he, too, seems to be of the opinion that the Government can and must do more and more for the people. I would like one of you to explain to me just where the money is coming from to pay for all these Government services. I am not a Goldwater Republican, but I am a Republican by necessity, for that party does commit itself in principle to lower Federal expenditures and less Government control. Our country did not become the land of opportunity through forces of big Government, I'm sure.

I know you are in favor of the President's medical care through social security. Personally, I am opposed to that method though I do believe the problem exists. I feel the solution could be found in private insurance—you know, where there is a will there is a way. Or, if the Government insists on being paternalistic why not follow a program similar to national service life insurance, only designed to fill the health needs? There is more money spent on cigarettes and liquor annually in the United States than on all combined health services—why do you people who advocate Government giveaway programs not advocate free liquor and cigarettes for everyone over 21 years of age? That would put millions of dollars into other channels.

You advocates of this social security type of medical care program speak of the rising costs of medical care. All right, let's be basic and honest. What is causing the rising costs? Inflation. What causes inflation? I'm no economics major, but I had a year of it at the University of Minnesota, and I would say that the major cause of inflation is deficit financing on the part of the Federal Government. Every time, Mr. MANSFIELD, that you vote to increase the Federal debt, you are adding to the inflationary spiral. If I'm wrong, please, Mr. MANSFIELD, enlighten me. Tell me it just isn't so, and the reasons why it isn't so.

But if it is correct, please don't vote for a program that will increase this inflationary force. In my opinion, this bill will put our social security tax completely out of reach. You know, when the originators of this whole social security scheme conceived the idea, the maximum tax was to be 6 percent on a base of $3,000. Already the tax is at 6¼ percent on a base of $4,800, and of course, it's scheduled to go to much higher than that. And in spite of the increased rates being charged the employee and the employer, the fund has not had adequate receipts the last 3 years to meet its disbursements. Don't tell me that one-half of 1 percent tax will take care of the medical problems of the aging, and that is all that will ever be required.

Mr. MANSFIELD, you have influence and respect in the Senate of the United States. Please, for the sake of our generations to come, don't let the Kennedy charm turn this great country into a shallow mass of people dependent upon Government subsidies and handouts. Don't vote for a program so that you can perpetuate yourself and the Kennedy machine in office—have the courage to vote for what is best for the future generations. Jack may not like you for it, but thousands of us out home would love you for it.

Your's very truly,

——— ———.

MARCH 7, 1962.

DEAR ———: This will acknowledge your good letter of March 2. I appreciate the sincerity and frankness of your comments more than I can say. That you have never voted for me and probably never will is immaterial. My responsibility as a Senator is to represent all the citizens of our State—those who in their wisdom see fit not to vote for me as well as those who do support me. I can assure you that I give the most careful consideration to the expressed views of all our citizens before I discharge the constitutional responsibility of my office which is to make up my mind on any given issue and then vote the position which I believe to be in the best interests of the State and the Nation.

Let me say that I write to an American son of a Dutch immigrant as an American son of Irish immigrant parents. I write to you, too, as one who like yourself has done his share of hard work—in my case as mucker in the mines among other things. I write to you, too, as one who shares your personal concern as to the kind of country which we shall leave to our children. Finally, may I say that I write you as one who has no particular fondness for bigness in government or in anything else and no fondness for unnecessary Government spending or Government controls, even though you may have already decided that I represent everything that is socialistic in nature.

Having said that, I think I can write to you on common ground, just as frankly and just as honestly as you have written to me with respect to the question of medical insurance for older citizens. My view in this connection is not colored by what the President may or may not desire. I am delighted that I am in agreement with him on this issue but the agreement, I can assure you, stems from my own convictions. My views in this instance are based on what I believe to be the realities of American life in this second half of the 20th century.

American freedom and dignity is a blend and has always been a blend between individual responsibility and community responsibility. The early settlers built their own homes but not infrequently neighbors banded together to help one another to build and they also built forts and stockades in common for their common protection. Americans, today, protect their homes individually but they also act in common to protect these homes and the towns and cities in which they are located through community, State, and even national police. In short, individual responsibility and community responsibility are not, in my opinion, mutually exclusive but rather mutually essential for the preservation of freedom and decency.

In a world which is constantly changing, the problem is one of adjusting this blend between individual and community responsibility to ever-changing realities.

A quarter of a century ago, the question before us was how to make this blend as against the vicissitudes of old age. There were people, then, who said let it be done by private insurance or let the families take care of their old people or anything, except socialistic social security. But the truth of the matter was that millions of families and a great deal of private insurance could not do the job if a decent existence was to be preserved for millions of older citizens—an existence in which freedom would have a dignified meaning for them. Nor was social security—old-age insurance—a giveaway, a charity. It was the hard-earned right of these older citizens, paid for in their productive years out of their earnings and out of their general contribution to the Nation's progress and welfare.

Does the fact that older persons in their millions now have a limited measure of financial independence in their less-productive years under social security increase or decrease the totality of freedom in the Nation? Would we have more or less individual initiative in the Nation if these millions of older citizens were dependent on charity, handouts, relatives, or other giveaways as they were before social security?

The proposed medical insurance for older citizens can hardly be considered a giveaway any more than old-age social security. On the contrary, I regard both as insurance, in the same sense that workmen's compensation is insurance except that in this instance, the workmen also pay part of the costs of the insurance.

You point out the rise in the cost of the social security tax rate of ¼ of 1 percent over earlier estimates and the increase in the earnings-base against which the tax is applied. I do not regard this difference as enormous in view of the great changes in this country and the expansion of the benefits which social security now confers, such as earlier retirement for women and payments to those permanently disabled. I cannot tell you absolutely that the ¼ percent social security tax increase will take care of the medical requirements of older people for all time into the future. Circumstances change, times change. There are no absolutes in insurance, social security or otherwise. Private rates are constantly changing for all kinds of insurance. We cannot foreclose the possibilities of change in medical insurance. But I can tell you that the best available actuarial estimates indicate that what the President has requested in the way of a social security tax-increase will be adequate for what he is proposing for medical benefits for older citizens.

I have seen my share of suffering among older people who have not had adequate means for reasonable medical care in their later years. I am sure you have seen the same, undoubtedly even more, and I'm sure that you have done your share in trying to help in your profession. It is honest to recognize this problem, as you do in your letter. But it is not enough for the dignity of this Nation to recognize the problem and then ignore it or to resort to anything less than adequate remedies. On the basis of past experience with social security, I am persuaded that this approach offers the best prospects for adequate action.

We have a nation whose freedom is unimpaired, which is not lacking in individual initiative, which is not on its economic back as it was in the depression days of 25 years ago because there were those then who were prepared to look the facts of those times in the face and to act with courage on them. We can do no less, today, if we would leave to our children a nation where there is a place for individual freedom, individual initiative and human dignity.

I regret the length of this letter and the imposition on your time which it represents. But, as a concerned citizen of Montana, it seemed to me that you are entitled to a full expression of my views on this matter even though we may disagree and I fully respect your right to disagree.

Must close now, but with best personal wishes, I am,

Sincerely yours,

MIKE MANSFIELD.

WORK STOPPAGES HAMPERING THE MISSILE PROGRAM

Mr. McCLELLAN. Mr. President, I wish to alert the Senate and the country to an apparent resurgence of the work stoppages which have hampered our missile program since it began. It is becoming increasingly clear that legislative action by the Congress probably will be necessary in order to remedy this disgraceful condition.

More than a year ago the Permanent Subcommittee on Investigations of the Government Operations Committee began receiving reports to the effect that our missile program was being hampered and seriously delayed by capricious strikes for trivial reasons at our missile bases. About 10 months ago, following a preliminary inquiry, the subcommittee held hearings, and the original allegations were documented fully. Every schoolchild knows that rapid and unimpeded progress in missile development is a condition of our national survival. Our continued existence as a nation has never been more seriously challenged than it is today. In the United States, each individual citizen not only enjoys the blessings of liberty, but also has a responsibility to defend and to help maintain it.

It was, therefore, incredible and alarming to hear, as we did, that in 22 missile installations in a 5-year period up to 1 year ago now, there were 327 work stoppages, resulting in a total loss of 162,872 man-days of labor. This work time is now irrevocably lost.

The subcommittee examined into the reasons for these work stoppages. More than half of that time was lost because of organizational efforts and strikes for the negotiation of new collective bargaining agreements. The second most important cause of such work stoppages, which amounted to more than a quarter of the total, was jurisdictional disputes. The remaining quarter was distributed among several types of disputes.

Under a totalitarian system of government the luxury of engaging in such strike activities would not be available to these men who strike; and sometimes I find it difficult to believe that they realize what they do.

The subcommittee inquired into other facets of the problem, notably the exorbitant pay scale attained by some of the employees—more than double the salary of Lt. Col. John Glenn, who a few days ago orbited the earth. Such unjustified extravagance is, of course, indefensible; but the most injurious and devastating deficiency is in the vital and irrevocable time loss.

Industry and the Government representative were not blameless. Since the Government paid all costs, industry makes little or no effort to keep expenses down. The Government, both civil an and military, was grossly careless and inefficient in terms of providing adequate direction and effective supervision of the program.

The recent status report of the Air Force concerning developments and actions taken since the subcommittee hearings states, among other things:

> As a result of the hearings, the Air Force was provided with much needed impetus.

During the period from July, 1956, to March, 1961, 1 man-day was lost for every 73.2 man-days worked. After the hearings held by this subcommittee, during the period from June, 1961, through December, 1961, there was 1 man-day lost for every 1,250 man-days worked. Thus, the improvement made is apparent—a very substantial decrease. The ratio is 17 times less man-days lost after those hearings were held, as compared with the number lost prior to that time.

The same Air Force status report records progress in the reduction of unnecessary overtime. It states:

> The percent of overtime hours to straight time hours for subcontractors on construction work, the area in which most of the excessive labor costs had occurred, dropped from 26.8 percent in the above 1960 period to 2.95 percent in the last quarter 1961. Combined prime and subcontractor overtime versus straight time hours were reduced from 11.1 percent in the same 1960 period to 6 percent in comparable months of 1961.

Following those hearings, in which we focused attention on this problem, the President of the United States established the Missile Sites Labor Commission in an effort to reduce work stoppage. It became the task of this Missile Sites Labor Commission to do everything possible to reconcile differences between contractors and labor groups and between various labor organizations. A pledge of cooperation, a no-strike pledge, was given by almost all labor groups involved. During the last half of 1961 the loss of man-days became a fraction of what it had been before our hearings.

Had this tremendous improvement not occurred and had previous trends and practices continued, it is highly unlikely that we would have been able successfully to have a manned orbital flight, as we did a few days ago. Conversely, had these work stoppages during the years 1956 through 1961 not occurred, it is reasonably certain that we would have been able to have a manned orbital flight much earlier than we did. The Air Force status report, which deals primarily with the last half of 1961, states:

> We are well aware that any lessening in enforcement of controls would rapidly destroy the effectiveness of achievements to date.

Expert witnesses have told us that time lost at the missile sites is only the cap of the iceberg. Until experiments can be made on scientific developments and tests made under actual flight conditions, production must wait. No man can say with certainty what the time losses have cost us or may yet cost us.

With these factors in mind, I am deeply disturbed to note a rise during the months of January and February of this year, not only in man-days lost, but also in types of disputes, including jurisdictional disputes. A framework has been established for the settlement of such disputes—the Missile Sites Labor Commission, which I mentioned earlier. Certainly, this Commission should be able to resolve jurisdictional differences and bring about settlements short of work stoppages, and if it cannot do so, then there is no alternative short of effective laws to prevent such harmful practices and injury to our defense programs.

I must confess that at the outset I had grave reservations about the lasting success of this commission depending, as it must, on voluntary compliance. I believe it should have been crystal clear to anyone, even before these hearings were held, that our missile program is vital and that it was not making satisfactory progress. Had anyone remained in doubt at that time, then certainly the overwhelming testimony at those hearings should have convinced even the most skeptical. Now, in the face of all of these facts, we find an increase in these trivial disputes. Despite the miserable record of work stoppage on missile sites from 1956 through April of 1961 and despite the impressive improvement during the last half of 1961, we find an alarming tendency now, as reflected by the record for January and February of this year, to revert to the tactics and practices of unwarranted strikes, delays, hinderances, and stoppages that all good citizens must certainly condemn. During the last half of 1961 the work stoppages at missile bases were at a rate of about one-third of the national industrial 1960 average. That was a good record. In January and February of 1962, however, the work stoppages at missile bases increased so that they were slightly in excess of the national average. That is a very bad condition. This condition must not be lightly considered or condoned. It must not be tolerated. It is the responsibility of Congress to act.

These work stoppages are not necessary. They are well within the control of the labor organizations, the contractors, the civilian and military government employees. I think they can prevent these stoppages, if they will. If these groups cannot settle their problems short of placing this Nation in peril, then I believe the Congress should not any longer shirk its responsibility. It should promptly enact laws to prohibit these acts that tend to sabotage our vital defense efforts and which definitely weaken national security.

Mr. President, I assure you that I intend to follow closely the progress of the work at our missile sites. In the light of what I have related to you with respect to the record of increasing work stoppages during January and February of this year, it appears unlikely that those who have the responsibilities for these decisions in labor and management will perform any better in the future than they have in the past. All the factors that are present now have been well known to everyone for years, but some irresponsible elements still have not learned their lesson. I believe that the only solution to this problem is legislation which will make striking at our defense establishments illegal. If the present arrangement continues to be impotent and ineffective, as evidenced by the record for the past 2 months, I shall insist that a bill dealing with this problem be considered and acted upon before this session of Congress adjourns.

Mr. President, Mr. Arthur J. Goldberg, Secretary of Labor, has made available charts and statistics relating to the problem of work stoppages at missile sites. If it were possible to reproduce the charts, the situation could be demonstrated graphically. I shall attempt to describe the chart which shows the existing conditions. For the period July 1956, through March 1961, the man-days lost amounted to 218,698. This amounted to 1.37 percent of the days worked. In other words, it was a ratio of 1 day lost to 73.2 days worked.

Out of that period, the period June through December 1960, there were 54,014 man-days lost, which was 1.01 percent of the man-days worked. This is a ratio of 1 day lost to 99.3 days worked.

The next portion of the chart shows the period recorded subsequent to the hearings of our subcommittee on this subject. It shows that the man-days lost were reduced to 5,513, which is 0.066 percent of the man-days worked and which is a ratio of 1 day lost to 1,250 to 1,518 days worked.

That illustrates the great improvement which was made in the problem immediately after the Senate committee held hearings and showed what conditions prevailed.

This can be compared with the national average in all industries in 1960 of man-days lost, which is 19,100,000—throughout the United States in all industries—a percentage of 0.17 of man-days worked or 1 man-day lost to 588 man-days worked.

A comparison of the missile site work during the June through December period with the national average is favorable. However, in January 1962 the missile sites work stoppage record had a sharp rise. It shows man-days lost amounted to 2,210, which is a percentage of 0.184, or 1 man-day lost to every 543 man-days worked.

Mr. President, I state this with regret, but since the figures to which I referred were compiled there has been a work stoppage at the missile site in the area of Little Rock, Ark., a stoppage over a jurisdictional dispute as to which union had the right to do certain work. The work was shut down in this area on March 5 and 6. A picket line was set up by the sheet-metal workers because of their belief that they should be the ones to install the acoustical lining on the ventilating ducts on the launching equipment of Titan II missiles. The work in every similar case—and, in fact, also in this case—had been assigned to the carpenters' union. The picket lines which were put up in the minor strike substantially halted work on most, if not all, of the 18 sites.

Court injunctions were obtained. Orders were served upon the Sheet Metal Workers Union, which caused the removal of the picket lines, and work was resumed on the morning of March 7. Mr. President, the best estimate is that during that period of time 2,297 man-days of labor in our missile program were lost.

Mr. President, I repeat: This condition cannot be permitted to get out of control. If the Commission which has been set up by the President by Executive order, with voluntary pledges of cooperation, does not work, then I say that the Congress of the United States has a responsibility to step in and to legislate to remedy the condition.

Mr. President, I ask unanimous consent that the status report of the Air Force, comparing the missile program of operations for the last 6 months of 1961 with respect to labor problems with the previous experience in this area, be printed in the RECORD at this point, with the exception of the graphs, which cannot be reproduced in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

STATUS REPORT OF AIR FORCE ACTIONS ON UNECONOMICAL PRACTICES IN THE MISSILE PROGRAM

INTRODUCTION

The Senate Subcommittee on Investigations (McClellan committee), during the April 1961 hearings on labor problems and work stoppages affecting the ballistic missile activation program, disclosed uneconomical and unreasonable labor-management practices at certain missile bases. In essence, the subcommittee alleged that the Air Force, due to the urgency of its missile program, had bought labor peace and had permitted excessive costs in the accomplishment of its mission.

PURPOSE OF THE REPORT

This status report has been prepared to reflect the Air Force actions and accomplishments toward the correction of the unwarranted labor-management practices and the minimization of work stoppages at missile sites. It concludes with a review of current and potential problem areas, continuing objectives, and future required actions.

WORK STOPPAGES

The Air Force has made comprehensive efforts to correct the undesirable labor-management situations at missile sites which were so prominently highlighted during the subcommittee hearings. Inherent in these actions has been the Air Force role at all echelons toward minimization of work stoppages concurrent with the reduction of other uneconomical and unwarranted labor-management practices.

These efforts have resulted in earlier detection of possible problem areas and the expedient focusing of required actions to all parties and agencies concerned, with the singular contribution of greater effectiveness in reducing incidences of strikes and resulting time lost on missile programs.

These tangible improvements could not be achieved without the positive combined support of the Department of Labor, Missile Sites Labor Commission, and the Federal Mediation and Conciliation Service in seeking to identify potential problem areas before their eventuality and aggressively working out their resolution.

A review of the overall work stoppage situation reveals the following:

The Air Force has experienced 447 strikes by organized industrial and building trades unions with 191,023 man-days of work lost since 1956 when construction of missile operation and test sites commenced.

The 7-month period immediately following the subcommittee hearings showed a noticeable overall reduction in the frequency and duration of work stoppages at operational and test sites. There were 91 strikes with 5,545 lost man-days from June 1 through December 31, 1961, as compared with 143 work stoppages with 53,956 man-days lost during the corresponding period in 1960. Labor-management contract negotiations in the aircraft industry in the midyear of 1960 accounted for some 32,000 of the man-days lost in that period. Even while eliminating the latter total from consideration, man-days lost in the final 7 months of 1961 totaled approximately 16,000 below the comparable period for 1960.

Although the Air Force is concerned over the increased frequency of work stoppages with consequent upward trend of man-days lost in recent months, it is to be noted that percentages of man-days lost to man-days worked, are well within recognized national averages.

Although they have had their effect on our planned production programs, their consequence has not been damaging to the currently on-time missile program. This attests to the success of our team efforts to minimize losses to the greatest extent possible. Without these efforts time losses proportionate to those of periods prior to the hearings could well occur.

The grouping of strikes by cause shows rather significant changes in distribution, although the three ranking areas continue to be jurisdictional work problems, management practices and complaints regarding working conditions. Those resulting from concurrent work by union and nonunion employees at sites are no less of a problem than before. Following is a comparison of work stoppages by cause for comparable periods preceding and subsequent to the hearings:

Work stoppages, by cause (all sites)

	June 1 to Dec. 31, 1960		June 1 to Dec. 31, 1961	
	Number	Percent	Number	Percent
Management practices	39	27.3	21	23.1
Jurisdictional	29	20.3	27	29.6
Working conditions	22	15.4	15	16.5
Nonunion workers	17	11.9	11	12.1
Miscellaneous causes	15	10.5	6	6.6
Contract negotiations	14	9.8	4	4.4
Working hours and overtime	7	4.8	7	7.7
Total	143	100.0	91	100.0

It is to be noted that management practices problems are now secondary to jurisdictional disputes, reflecting to some extent the assumption of responsibility for the defense effort by management of industry and the international unions. Incidences due to working hours and overtime are up with some indication of the emphasis being placed by the Air Force on these conditions.

While it is recognized that there has been an overall improvement in the stabilization of union-management work continuity at sites, the events of recent months, resulting in an upward trend of quickie strikes over earlier months, and the potentially troublesome period ahead with the reopening in the spring of 1962 of major aircraft companies' labor-management agreements, will require the concerted efforts of the Air Force as well as of all agencies toward minimizing losses to the production effort.

It is also recognized that while we have been able to contain the strike situation to

a relatively low record, it may be noted that this has been done concurrently with our program to reduce costs and unwarranted practices presenting a potentially explosive situation which could result in an upswing in labor-management discord and prolonged strikes.

UNECONOMICAL LABOR-MANAGEMENT PRACTICES

As a result of the hearings, the Air Force was provided with a much needed impetus. The allegations of the subcommittee quickly focused public opinion and administrative attention on the flagrant examples of excessive costs and labor-management practices at missile sites. The Air Force acted promptly to utilize to the fullest degree the climate created by the subcommittee's work. A positive continuing course of action on control of costs has resulted.

On May 5, 1961, instruction was issued by the Secretary of Defense informing all contracting officers that they would not "under any circumstances accept costs for anything other than the most efficient method of production without specific prior written approval of the Secretary of the Air Force." This action was a significant deterrent to costly featherbedding or "make work" arrangements.

Upon promulgation of Executive Order No. 10946 on May 26, 1961, the Air Force initiated immediate measures, commensurate with positive team actions regarding missile site work stoppages, uneconomical practices, overall labor accord, and ontime missile program progress, to utilize and cooperate fully with the 11-man tripartite Missile Sites Labor Commission.

Concurrent with establishment of the Commission, Headquarters USAF initiated examination of all provisions of labor-management agreements which involved questionable practices and unwarranted costs, at each missile operational and test site. This exhaustive survey ultimately developed 81 cases of questionable practices.

Headquarters USAF, on July 12, 1961, transmitted all of these cases to the Commission for resolution or dismissal. These were grouped in 13 types of questionable practices with 80 percent of them falling into 5 categories as follows: (a) Payment for travel and subsistence allowances; (b) payment of off-site differentials; (c) relocation pay for employees and family members; (d) inconsistent practices regarding reporting time pay, and (e) premium pay for hazardous work. Unwarranted overtime hours, pyramiding of overtime, shift differential pay, and other fringe benefits were also included in the submission. To date, the Missile Sites Labor Commission, applying its recently established industrial and construction policies and recognized labor and industry practices, has rendered formal decisions on the following cases:

1. Vandenberg AFB: Hazard pay; reasonable.

2. Vandenberg AFB: 8-hour reporting time; reasonable.

3. Forbes AFB: Unwarranted wage increase; unreasonable.

4. Patrick AFB: Hazard pay, bricklayers; reasonable.

5. Patrick AFB: Hazard pay, carpenters; reasonable.

6. Patrick AFB: Hazard pay, millwrights; reasonable.

7. Patrick AFB: Hazard pay, sheet-metal workers; reasonable.

8. Patrick AFB: Pyramiding hazard pay, painters; reasonable.

9. Plattsburgh AFB: High time, electrical workers; reasonable.

10. Mountain Home AFB: Premium pay, painters; reasonable.

A currently pending case is the off-site pay differential problem, the single most costly questionable labor-management practice in Air Force contracts. This pay factor, which has been of continuing concern to the Air Force, results in an approximate annual cost of $10.7 million to Air Force programs with five major contractors on missile work.

On November 30, 1961, the Office of the Secretary of Defense forwarded to the Commission a comprehensive Air Force staff study relative to the reasonableness of off-site pay at missile sites. It is the Air Force position that off-site payments are not justified for workers in settled communities in which test sites are located, nor to local hires or to skill classifications that are available in local areas, and should be limited to the payment for the experience and skills required for the accomplishment of the contractor's mission. Discontinuance of these payments at test sites would result in an annual saving of approximately $5 million. Air Force representatives, while urging prompt disposition on this case, have met with the industrial panel of the Missile Sites Labor Commission to review this problem, provide supporting data, and expedite resolution.

There remain approximately 71 Air Force cases as yet unresolved. In further effort to expedite resolution of these matters, an Air Force recommended priority listing has been established and submitted to the Commission.

In addition to the above submissions the Air Force has independently reviewed and taken action in various other cases through the application of established criteria and precedents. A specific instance in this regard was the decision of the Department of Defense, in August 1961, that the $5 daily subsistence payment to IBEW workers at Patrick Air Force Base would not be an allowable charge under Air Force contracts. This payment was originally instituted through amendment of the labor-management agreement when the 9-hour workday for electricians was eliminated at that installation. Typical instances of other Air Force actions on unreasonable items were disallowances of unwarranted costs relative to contractor's leasing of housing facilities for workers at Cape Canaveral, payments for employees' daily travel to missile complexes, and improper utilization of leased vehicles. All these actions have resulted in significant savings in our procurement program.

The fact that problems of the above type are being openly considered by the parties concerned and the criteria and positions are available to aid in appropriate resolution is considered a major step forward in the control of questionable practices.

CONTROL OF OVERTIME HOURS

The Air Force review of the utilization of overtime at test sites and for activation of our operational sites has revealed significant progress toward the elimination of its unwarranted use. Air Force action has also confirmed the propriety and net effectiveness of extensive overtime use irrespective of a seemingly large amount in proportion to total workload and to the standards associated with programs other than missile activation and test site programs. Effective utilization and control have been achieved through:

(a) Decentralization of approval authority to administrative contracting officer on site where the verification of its application and on site progress related to the necessity, is best known.

(b) Development of stringent criteria against which approvals or disapprovals are measured.

(c) Prompt and effective disallowance authority through both local and higher echelons.

(d) Concerted preplanning considerations at higher echelons on all phases of projected site activation and test programs which relate to workload distribution and related requirements affecting overtime.

Prior to the subcommittee hearing the Department of Defense recognized excessive utilization of overtime work on the missile and space program. Consequently, on February 27, 1961, Deputy Secretary of Defense Roswell L. Gilpatric issued a policy directive to the Secretaries of the armed services outlining principles in relation to overtime work at all sites as follows:

(a) Overtime should be approved only when necessary to keep high priority and essential programs on schedule.

(b) Use of multishifts at reasonable shift premium rates, where practicable, in place of excessive overtime work.

(c) Overtime of 20 hours in any one week by an employee shall be the maximum approvable except under compelling exigencies involving the national interest.

(d) Any amounts regularly paid by contractors for overtime, at overtime rates, and without regard to Government's requirement for such overtime, are to be considered unreasonable within the meaning of the cost principles set forth in the Armed Services Procurement Regulations.

The effectiveness of the overtime controls at missile sites is portrayed on attachments 4, 5, and 6 [not printed in RECORD]. These charts reflect the percentages of overtime to straight time hours worked during the fourth quarter 1960 and fourth quarter 1961. These represent the latest calendar year period immediately preceding the OSD memorandum relative to overtime control (February 27, 1961) and the latest quarter of 1961 for which statistics are available. Cross hatching on chart 4 depicts the overtime used in the fourth quarter of 1961 in terms of preplanned or programed overtime, approved as a package. The packaged overtime accounted for 64 percent of the overtime worked. The balance, random or spot overtime (as distinguished from packaged overtime) accounted for the remaining 36 percent.

Chart 5 illustrates that the overtime worked at the operational sites increased from 7.5 to 11 percent. However, 88 percent of the overtime worked during the fourth quarter 1961 represents authorized packaged or programed overtime. Random or spot overtime accounts for 12 percent of the overtime worked.

The test sites achieved the greatest reduction in the use of overtime as a result of the application of the OSD control memorandum. Overtime for the test sites is portrayed in charts 6, 7, and 8 [not printed in RECORD]. The percentage of overtime at all test sites decreased from 14.8 to 10 percent or a reduction of 32 percent during the comparative quarters studies.

Patrick decreased the use of overtime from 11.1 to 6 percent or a reduction of 46 percent as shown on chart 7. Vandenberg reduced overtime use from 18.8 to 13 percent or approximately 30 percent. Vandenberg utilizes more overtime than Patrick due to the diversification of tasks which includes training of SAC crews in addition to testing, research, and development.

The progress in reduction of excessive overtime hours and resultant savings through effective controls at Cape Canaveral Test Center, which facility was severely criticized during the subcommittee's sessions due to abnormally high overtime utilization, is cited as an example of the Air Force effectiveness in the management of overtime utilization. The percent of overtime to straight time hours used by prime missile contractors there, in the fourth quarter 1961 was 6.07 percent as compared with 10 percent in the last quarter 1960. The percent of overtime hours to straight time hours for subcontractors on construction work, the area in which most of the excessive labor costs had occurred, dropped from 26.8 percent in the above 1960 period to 2.95 percent in the last quarter 1961. Combined prime and subcontractor overtime versus straight time hours were reduced from 11.1 percent in the same 1960 period to 6 percent in comparable months of 1961.

While we are greatly encouraged by the progress made in control of unnecessary overtime, we realize that continual surveillance will, of necessity, be required in this area to show increased accomplishments in the future.

SAVINGS RESULTING FROM IMPROVED AIR FORCE MANAGEMENT CONTROLS

The Air Force, through improved management controls and closer scrutinization of day-to-day costs by contract administrators, has been able to effect definitely encouraging savings since conclusion of the subcommittee hearings. We view this program as an initial step toward future annual savings of many millions of dollars.

Air Force action to eliminate excessive overtime has resulted in known savings of close to $2 million, of which $771,000 is accountable through the adoption of multiple shifts in place of unnecessary overtime hours.

Following are examples of actual savings accomplished since the subcommittee's hearings:

	Operational sites	Test sites
Overtime	$1,159,069	$93,075
Multishift in lieu of overtime	21,033	750,000
Safety methods in lieu of premium pay	11,000	
Travel pay eliminated	71,280	
Standby time eliminated	3,600	
Pay differential eliminated		2,300
Enforcement labor contract	4,800	
Payment hospitalization insurance denied	10,108	
Subsistence payments eliminated disallowed (9th hour)		3,060
Housing expenses disallowed		409,000
Vehicle rentals disallowed	25,237	

These savings, together with additional amounts realized through other disallowances of questionable costs, should not be construed as all conclusive. More importantly, they give positive evidence that we have established effective procedures to eliminate current and future abuses at the sites.

OTHER AGENCIES' EFFORTS

Certain concerted actions have been undertaken with other governmental agencies, contractors, and unions to prevent the hitherto piecemeal approach to labor-management relations. The collective interests of these parties have been directed toward methods and procedures that would effectively reduce union-contractor problems in the missile program.

An example of this positive approach is the proposed project agreement presently under discussion at Patrick Air Force Base. The Missile Sites Labor Commission, of the firm opinion that prompt steps were necessary "to stabilize labor-management relations in construction activity at Canaveral, to resolve the uncertainty regarding cost reimbursements, and to effectuate the purposes set forth in Executive Order No. 10946 for efficient and peaceful construction activity," recommended negotiation of a project agreement between labor and contractors. This would set forth standard conditions of employment which would apply to construction activity at the cape. While this agreement has not as yet been consummated, its intent is to eliminate difficulties resulting from a diversity of working conditions and terms at that installation.

Martin and Boeing have undertaken plans prior to the initiation of work under their respective contracts which are likewise worthy of attention. Martin, in an effort to minimize jurisdictional disputes, strikes, and other work delays in the installation and checkout phase of the company's Titan missile contract, negotiated a joint agreement with the building trades unions covering specific work assignments which would be performed by the craft unions. This action was a deterrent to the potential labor problems that were imminent due to concurrent performance between industrial and building trades unions in the course of compressed time schedules on the project.

Boeing approached the installation and checkout phase on the Minuteman project faced with identical inherent union problems as those on Titan. The company analyzed phase I, the Corps of Engineers so-called brick and mortar phase, and phase II, installation and checkout of ground support equipment. Boeing refined to a large degree the complicated support and control equipment over that of other missile systems. Support equipment was designed to allow installation as a single integrated unit, and work such as equipment foundations and communications cabling was transferred from the above-mentioned phase II to phase I. As a result, the end division of work minimizes both concurrent performance of work by industrial and building trades unions, and the possibility of union friction with resultant work stoppages and loss of production time.

AIR FORCE AUDITOR GENERAL REPORT

The Air Force, in order to assure itself of positive effective results at all lower echelons from its corrective actions in areas of uneconomical and unreasonable costs, requested the Air Force auditor general to conduct a survey of the situation at the various sites. This survey included individual reviews performed by auditor general personnel stationed at the sites, and was supplemented by an examination of certain actions taken at departmental and command levels.

On October 19, 1961, the Auditor General reported results of his department's survey. Therein he credited the Air Force with having determined and acted upon the existing costly union-management problems and with having provided and implemented criteria to all levels by which to determine the reasonableness of AF procurement costs pertaining thereto. He further credited the Air Force with having alerted contractors to their responsibilities in the missile and space program, and with effective control of heretofore excessive overtime utilization.

CONCLUSION

The special attention directed to labor-management problems at missile sites commencing with the actions of the Secretary of Defense in establishing overtime controls, the subcommittee hearings which followed, and subsequent establishment and efforts of the Missile Sites Labor Commission has resulted in a considerably improved overall labor-management situation. The focus placed on labor problems at the ballistic missile sites has in itself, really served as a greater influence on the correction of questionable labor-management practices than any specific action which has been undertaken to improve the problems so vividly related during the subcommittee's investigation. We are well aware that any lessening in enforcement of controls would rapidly destroy the effectiveness of achievements to date.

There remain many unresolved and potential labor-management problems in the missile and aerospace programs. The approaching renegotiations of aircraft industry's and basic metal industry's labor agreements within a few months could create a troublesome period. Major areas of interpretation and application of the Davis-Bacon Act continue to plague the Air Force and Government agencies' efforts. The frequency of work stoppages as a result of inter- and intra-union jurisdictional problems together with union versus nonunion worker disputes create an additional threat to the on-time completion of missile projects. Air Force objectives toward lower costs are currently clouded by union-management agreements being reached on shorter workweek arrangements and higher take-home pay, in addition to spiraling fringe benefit costs.

We will continue to direct every effort toward minimizing the impact of union-management problems on the defense program. We shall also work closely with the Missile Sites Labor Commission to reduce the incidence of strikes and labor disputes at the sites, and to gain prompt decisions on questionable labor-management practices. Emphasis on labor practices and costs will be maintained. The Air Force will seek, within its limitations, additional means to reduce intra- and inter-union jurisdictional work assignment disputes and will endeavor to find new approaches to the union versus nonunion worker problems at the sites. Lastly, we will frequently examine and evaluate our progress and rededicate positive support to improvement and resolution of problem areas.

Mr. McCLELLAN. In conclusion, Mr. President, I wish to express my thanks to Secretary Goldberg for his efforts to rectify the situation. I believe he is doing everything within his power to make the voluntary system, the Executive Commission appointed by the President, work. I have discussed the problem with him. I also appreciate his cooperation in furnishing much of the material on which these remarks I have made have been based.

THE GRANGE—A MEMORIAL TO ALEXANDER HAMILTON

Mr. ROBERTSON. Mr. President, the Senate will soon have an opportunity to create a national memorial for Alexander Hamilton, one of the leading founders of this Nation and the first and greatest Secretary of the Treasury. The Committee on Interior and Insular Affairs has recently concluded hearings on a proposal (S.J. Res. 29) to move the Hamilton Grange to an appropriate site in New York City and to make it a national memorial, and I understand, has ordered the resolution reported. The House of Representatives, I understand, has had hearings on similar resolutions. I trust that this proposal will soon become law.

We should preserve the memory of the men who founded this country. They were a truly remarkable group—Washington, Jefferson, Madison, Franklin, the Adamses and many others—and Hamilton was in the very first rank. These men, and their successors, have made the country what it is. To know them is to understand our origin and our growth. Our young men and young women, our boys and girls, can draw

understanding and inspiration from their lives.

The preservation of living memorials to these men can do much to keep their memory alive. This is particularly true of their houses. Washington at Mount Vernon, Jefferson at Monticello, the Adamses at their house in Quincy, Robert E. Lee at Arlington, colonial and revolutionary Virginians at Williamsburg—we can understand these men and their times far better when we see the surroundings in which they lived.

There is now no suitable memorial to Alexander Hamilton. The Grange is the only house Hamilton ever owned. He built it in 1801 in the outskirts of New York City. It is still standing, but crowded between other buildings and in very poor condition. The city of New York has offered to provide an appropriate location to which the building can be moved and reconstructed as it was when Hamilton lived in it. Under the resolution, The Grange can become an inspiring and informative memorial to Alexander Hamilton.

Hamilton's principal contributions to the Nation were his participation in the adoption of the Constitution and his services as the first Secretary of the Treasury from 1789 to 1795.

Hamilton had observed the weakness and incapacity of the Government under the Articles of Confederation as a delegate to the Continental Congress. He participated in the vain effort of the Annapolis Convention of 1786 to strengthen the Central Government. As a result of these experiences he was one of the leaders in the calling of the Philadelphia Constitutional Convention in 1787. Though Hamilton did not take a major part in the drafting of the Constitution at Philadelphia, he was instrumental in bringing about its ratification in New York, both through his participation in the publication of the Federalist Papers and his leadership in the debate at the New York ratifying convention.

As the first Secretary of the Treasury, Hamilton had the task of establishing the financial basis of the country. In accordance with the request of Congress, he prepared a series of reports on financial matters—the public credit, the raising, management, and collection of the revenue, the regulation of the currency, the establishment of the mint, and his report on manufactures which established the basis for the protectionist system. The fact that we may not agree with individual items in Hamilton's programs does not detract from the importance of his task or the effect which it had upon the American Government.

One of the most important of Hamilton's reports, and one of particular interest to me as chairman of the Banking and Currency Committee, is his report on a national bank. Hamilton was, of course, familiar with banking. He was a delegate to the Continental Congress in 1782, the year it granted a charter to the Bank of North America; he was one of the organizers of the Bank of New York in 1784; and he knew of the Bank of Massachusetts which was chartered in 1784. These were the only three banks in the country at the time of Hamilton's report. Hamilton was also aware of the history of finance in America. He was familiar with the scarcities of gold and silver coins which had resulted at times in making wampum, beaver skins, tobacco, and rice legal tender. He was familiar, too, with the colonial paper money which had been issued by the Colonies from time to time, and with the fact that the British prohibition in 1764 against colonial issuance of legal tender paper money was one of the instances which gave rise to the complaint in the Declaration of Independence that the King has refused his assent to laws, the most wholesome and necessary for the public good.

Hamilton was aware of this history, and his recommendations for a National Bank show how carefully he had analyzed the problems and the proposals for their solution. Our banking history, ever since the time of Hamilton's report, has reflected an effort to achieve the benefits he sought. We have seen the stormy lives of the National Bank he proposed and its successor, the Second Bank of the United States, the era of free banking, the banking system under the National Bank Acts of 1863 and 1864, the dual banking system, the Federal Reserve System and its modifications, and the Federal Deposit Insurance Corporation. Our present commercial banking system has grown from the three small banks he knew in 1790. By June 30, 1961, it consisted of 4,524 national banks and 8,950 State banks, with total assets of more than $254 billion.

It is interesting to read Hamilton's report of 1790 in the light of the development of our banking system since that time. While we have not always followed the methods and devices he proposed, we have, I think, sought the same objectives. I ask unanimous consent that his report be printed in the RECORD at the end of my remarks.

The PRESIDING OFFICER (Mr. SMITH of Massachusetts in the chair). Without objection, it is so ordered.

(See exhibit 1.)

Mr. ROBERTSON. Hamilton was a New Yorker, active in law and in politics in that State, and it is fitting that there should be a memorial to him in New York City. But Hamilton also had many close ties with Virginia, and all Virginians can be glad to remember them in supporting a memorial to Hamilton.

First and foremost, we think of Hamilton's long and close association with George Washington. When President Washington chose Hamilton as his Secretary of the Treasury in 1789, he was not choosing an unknown. Hamilton had already served General Washington as aide-de-camp from 1777—a lieutenant colonel at the age of 20—to 1781, when he left to take an active part and a most glorious one in the siege of Yorktown, where he personally led the attacking party which stormed the first British redoubt to be taken.

Another close tie between Hamilton and Virginia is his association with James Madison in the preparation of the Federalist Papers. It was indeed a high compliment for Hamilton to be asked to join with the father of the Constitution and with John Jay in this series of papers which was so important in the ratification of the Constitution and in the interpretation of the Constitution in later years.

A third link between Hamilton and Virginia—a more personal one which is not generally known—is his association with the Pendleton family of Virginia. Hamilton's second at his fatal duel with Aaron Burr, and also one of his executors, was Nathaniel Pendleton, a nephew of the great Edmund Pendleton who was successively Governor of Virginia, speaker of the Virginia House of Delegates, and presiding judge of the Virginia Court of Appeals; he was also president of the Virginia constitutional convention which ratified the Constitution. The fine biography of Edmund Pendleton by David John Mays has given us much new information about Judge Pendleton and the early history of Virginia. Nathaniel Pendleton, who joined the Revolutionary Army at 19 and served under Washington at Boston and New York, received the thanks of the Congress for his conduct as an aide to Gen. Nathaniel Greene at the Battle of Eutaw Springs, S.C.

He was elected to the Continental Congress and to the Constitutional Convention as a delegate from Georgia, and he was appointed the first U.S. district judge for the district of Georgia. In 1796 he moved to New York, where he practiced law for many years and, as I said, served as Hamilton's second and as one of his executors. Hamilton and Pendleton were also closely connected through their interest and leadership in the Society of the Cincinnati, composed of former officers in the Continental Army, of which Washington was the first president general and Hamilton the second. Pendleton was an original member of the Virginia society. He was president of the Georgia society in 1793 and 1794. On moving to New York, he became active, as a member of its standing committee, in the New York society, of which Hamilton had been vice president from 1788 to 1793. The Pendleton family has given us six Members of Congress, and it is still represented in the Virginia General Assembly by the Honorable Nathaniel Willis Pendleton, a delegate from Wythe County.

Virginia is proud to join in saluting Alexander Hamilton as one of the greatest of the founders of this Nation. The proposal to make the Grange into a national memorial to him deserves the support of the entire country.

EXHIBIT 1

[No. 18., 1st Congress, 3d session]

NATIONAL BANK

(COMMUNICATED TO THE HOUSE OF REPRESENTATIVES DEC. 14, 1790)

TREASURY DEPARTMENT,
December 13th, 1790.

In obedience to the order of the House of Representatives, of the ninth day of August last, requiring the Secretary of the Treasury to prepare and report, on this day, such further provision as may, in his opinion, be necessary for establishing the public credit, the said Secretary further respectfully reports:

That, from a conviction (as suggested in his report herewith presented*) that a National Bank is an institution of primary importance to the prosperous administration

of the finances, and would be of the greatest utility in the operations connected with the support of the public credit, his attention has been drawn to devising the plan of such an institution, upon a scale which will entitle it to the confidence, and be likely to render it equal to the exigencies of the public.

Previously to entering upon the detail of this plan, he entreats the indulgence of the House towards some preliminary reflections naturally arising out of the subject, which he hopes will be deemed neither useless nor out of place. Public opinion being the ultimate arbiter of every measure of government, it can scarcely appear improper, in deference to that, to accompany the origination of any new proposition with explanations, which the superior information of those to whom it is immediately addressed, would render superfluous.

It is a fact, well understood, that public banks have found admission and patronage among the principal and most enlightened commercial nations. They have successively obtained in Italy, Germany, Holland, England, and France, as well as in the United States. And it is a circumstance which cannot but have considerable weight, in a candid estimate of their tendency, that, after an experience of centuries, there exists not a question about their utility in the countries in which they have been so long established. Theorists and men of business unite in the acknowledgement of it.

Trade and industry, wherever they have been tried, have been indebted to them for important aid. And government has been repeatedly under the greatest obligations to them in dangerous and distressing emergencies. That of the United States, as well in some of the most critical conjunctures of the late war, as since the peace, has received assistance from those established among us, with which it could not have dispensed.

With this twofold evidence before us, it might be expected that there would be a perfect union of opinions in their favor. Yet doubts have been entertained; jealousies and prejudices have circulated; and, though the experiment is every day dissipating them, within the spheres in which effects are best known, yet there are still persons by whom they have not been entirely renounced. To give a full and accurate view of the subject, would be to make a treatise of a report; but there are certain aspects in which it may be cursorily exhibited, which may perhaps conduce to a just impression of its merits. These will involve a comparison of the advantages, with the disadvantages, real or supposed, of such institutions.

The following are among the principal advantages of a bank:

First. The augmentation of the active or productive capital of a country. Gold and silver, when they are employed merely as the instruments of exchange and alienation, have been not improperly denominated dead stock; but when deposited in banks, to become the basis of a paper circulation, which takes their character and place, as the signs or representatives of value, they then acquire life, or, in other words, an active and productive quality. This idea, which appears rather subtile and abstract, in a general form, may be made obvious and palpable, by entering into a few particulars. It is evident, for instance, that the money which a merchant keeps in his chest, waiting for a favorable opportunity to employ it, produces nothing till that opportunity arrives. But it, instead of locking it up in this manner, he either deposites it in a bank, or invests it in the stock of a bank, it yields a profit during the interval, in which he partakes, or not, according to the choice he may have made of being a depositor or a proprietor; and when any advantageous speculation offers, in order to be able to embrace it, he has only to withdraw his money, if a depositor, or, if a proprietor, to obtain a loan from the bank, or to dispose of his stock—an alternative seldom or never attended with difficulty, when the affairs of the institution are in a prosperous train. His money, thus deposited or invested, is a fund upon which himself and others can borrow to a much larger amount. It is a well established fact, that banks in good credit, can circulate a far greater sum than the actual quantum of their capital in gold and silver. The extent of the possible excess seems indeterminate; though it has been conjecturally stated at the proportions of two and three to one. This faculty is produced in various ways. 1st. A great proportion of the notes which are issued, and pass current as cash, are indefinitely suspended in circulation, from the confidence which each holder has, that he can, at any moment, turn them into gold and silver. 2dly. Every loan which a bank makes, is, in its first shape, a credit given to the borrower on its books, the amount of which it stands ready to pay, either in its own notes, or in gold or silver, at his option. But, in a great number of cases, no actual payment is made in either. The borrower frequently, by a check or order, transfers his credit to some other person, to whom he has a payment to make; who, in his turn, is as often content with a similar credit, because he is satisfied that he can, whenever he pleases, either convert it into cash, or pass it to some other hand, as an equivalent for it. And in this manner the credit keeps circulating, performing in every stage the office of money, till it is extinguished by a discount with some person who has a payment to make to the bank, to an equal or greater amount. Thus large sums are lent and paid, frequently through a variety of hands, without the intervention of a single piece of coin. 3dly. There is always a large quantity of gold and silver in the repositories of the bank, besides its own stock, which is placed there, with a view partly to its safe keeping, and partly to the accommodation of an institution, which is itself a source of general accommodation. These deposites are of immense consequence in the operations of a bank. Though liable to be redrawn at any moment, experience proves, that the money so much oftener changes proprietors than place, and that what is drawn out is generally so speedily replaced, as to authorize the counting upon the sums deposited, as an effective fund, which, concurring with the stock of the bank, enables it to extend its loans, and to answer all the demands for coin, whether in consequence of those loans, or arising from the occasional return of its notes.

These different circumstances explain the manner in which the ability of a bank to circulate a greater sum than its actual capital in coin is acquired. This, however, must be gradual, and must be preceded by a firm establishment of confidence—a confidence which may be bestowed on the most rational grounds, since the excess in question will always be bottomed on good security of one kind or another. This, every well conducted bank carefully requires, before it will consent to advance either its money or its credit, and where there is an auxiliary capital, (as will be the case in the plan hereafter submitted) which, together with the capital in coin, define the boundary that shall not be exceeded by the engagements of the bank, the security may, consistently with all the maxims of a reasonable circumspection, be regarded as complete.

The same circumstances illustrate the truth of the position, that it is one of the properties of banks to increase the active capital of a country. This, in other words, is the sum of them: the money of one individual, while he is waiting for an opportunity to employ it, by being either deposited in the bank for safe keeping, or invested in its stock, is in a condition to administer to the wants of others, without being put out of his own reach when occasion presents. This yields an extra profit, arising from what is paid for the use of his money by others, when he could not himself make use of it, and keeps the money, itself in a state of incessant activity. In the almost infinite vicissitudes and competitions of mercantile enterprise, there never can be danger of an intermission of demand, or that the money will remain for a moment idle in the vaults of the bank. This additional employment given to money, and the faculty of a bank to lend and circulate a greater sum than the amount of its stock in coin, are, to all the purposes of trade and industry, an absolute increase of capital. Purchases and undertakings, in general, can be carried on by any given sum of bank paper or credit, as effectually as by an equal sum of gold and silver. And thus, by contributing to enlarge the mass of industrious and commercial enterprise, banks become nurseries of national wealth—a consequence as satisfactorily verified by experience, as it is clearly deducible in theory.

Secondly. Greater facility to the Government, in obtaining pecuniary aids, especially in sudden emergencies. This is another, and an undisputed advantage of public banks—one which, as already remarked, has been realized in signal instances among ourselves. The reason is obvious; the capitals of a great number of individuals are, by this operation, collected to a point, and placed under one direction. The mass formed by this union, is, in a certain sense, magnified by the credit attached to it; and while this mass is always ready, and can at once be put in motion, in aid of the Government, the interest of the bank to afford that aid, independent of regard to the public safety and welfare, is a sure pledge for its disposition to go as far in its compliances as can in prudence be desired. There is, in the nature of things, as will be more particularly noticed in another place, an intimate connexion of interest between the Government and the bank of a nation.

Thirdly. The facilitating of the payment of taxes. This advantage is produced in two ways. Those who are in a situation to have access to the bank, can have the assistance of loans, to answer, with punctuality, the public calls upon them. This accommodation has been sensibly felt in the payment of the duties heretofore laid by those who reside where establishments of this nature exist. This, however, though an extensive, is not an universal benefit. The other way in which the effect here contemplated is produced, and in which the benefit is general, is the increasing of the quantity of circulating medium, and the quickening of circulation. The manner in which the first happens, has already been traced. The last may require some illustration. When payments are to be made between different places, having an intercourse of business with each other, if there happen to be no private bills at market, and there are no bank notes which have a currency in both, the consequence is, that coin must be remitted. This is attended with trouble, delay, expense, and risk. If, on the contrary, there are bank notes current in both places, the transmission of these by the post, or any other speedy or convenient conveyance, answers the purpose; and these again, in the alternations of demand, are frequently returned, very soon after, to the place from whence they were first sent: whence the transportation and retransportation of the metals are obviated, and a more convenient and more expeditious medium of payment is substituted. Nor is this all; the metals, instead of being suspended from their usual functions during this process of vibration from place to place, continue in activity, and administer still to the ordinary circulation, which, of course, is prevented from suffering either diminution

or stagnation. These circumstances are additional causes of what, in a practical sense, or to the purposes of business, may be called greater plenty of money. And it is evident, that whatever enhances the quantity of circulating money, adds to the ease with which every industrious member of the community may acquire that portion of it of which he stands in need, and enables him the better to pay his taxes, as well as to supply his other wants. Even where the circulation of the bank paper is not general, it must still have the same effect, though in a less degree. For, whatever furnishes additional supplies to the channels of circulation, in one quarter, naturally contributes to keep the streams fuller elsewhere. This last view of the subject serves both to illustrate the position that banks tend to facilitate the payment of taxes, and to exemplify their utility to business of every kind in which money is an agent.

It would be to intrude too much on the patience of the House, to prolong the details of the advantages of banks; especially, as all those which might still be particularized, are readily to be inferred as consequences from those which have been enumerated. Their disadvantages, real or supposed, are now to be reviewed. The most serious of the charges which have been brought against them, are,

That they serve to increase usury;

That they tend to prevent other kinds of lending;

That they furnish temptations to overtrading;

That they afford aid to ignorant adventurers, who disturb the natural and beneficial course of trade;

That they give to bankrupt and fraudulent traders, a fictitious credit, which enables them to maintain false appearances, and to extend their impositions; and, lastly,

That they have a tendency to banish gold and silver from the country.

There is great reason to believe, that, on a close and candid survey, it will be discovered that these charges are either destitute of foundation, or that, as far as the evils they suggest have been found to exist, they have proceeded from other, or partial, or temporary causes, are not inherent in the nature and permanent tendency of such institutions, or are more than counterbalanced by opposite advantages. This survey shall be had, in the order in which the charges have been stated. The first of them, is—

That banks serve to increase usury.

It is a truth, which ought not to be denied, that the method of conducting business, which is essential to bank operations, has, among us, in particular instances, given occasion to usurious transactions. The punctuality in payments, which they necessarily exact, has sometimes obliged those who have adventured beyond both their capital and their credit, to procure money at any price, and, consequently, to resort to usurers for aid.

But experience and practice gradually bring a cure to this evil. A general habit of punctuality among traders, is the natural consequence of the necessity of observing it with the bank—a circumstance which, itself, more than compensates for any occasional ill which may have sprung from that necessity, in the particular under consideration. As far, therefore, as traders depend on each other for pecuniary supplies, they can calculate their expectations with greater certainty; and are in proportionably less danger of disappointments, which might compel them to have recourse to so pernicious an expedient as that of borrowing at usury; the mischiefs of which, after a few examples, naturally inspire great care, in all but men of desperate circumstances, to avoid the possibility of being subjected to them. One, and not the least of these evils, incident to the use of that expedient, if the fact be known, or even strongly suspected, is loss of credit with the bank itself.

The directors of a bank, too, though, in order to extend its business and its popularity, in the infancy of an institution, they may be tempted to go further in accommodation than the strict rules of prudence will warrant, grow more circumspect, of course, as its affairs become better established, and as evils of too great facility are experimentally demonstrated. They become more attentive to the situation and conduct of those with whom they deal; they observe more narrowly their operations and pursuits; they economise the credit they give to those of suspicious solidity; they refuse it to those whose career is more manifestly hazardous. In a word, in the course of practice, from the very nature of things, the interest will make it the policy of a bank to succor the wary and industrious; to discredit the rash and unthrifty; to discountenance both usurious lenders and usurious borrowers.

There is a leading view, in which the tendency of banks will be seen to be to abridge, rather than to promote usury. This relates to their property of increasing the quantity and quickening the circulation of money. If it be evident, that usury will prevail or diminish, according to the proportion which the demand for borrowing bears to the quantity of money at market to be lent; whatever has the property just mentioned, whether it be in the shape of paper or coin, by contributing to render the supply more equal to the demand, must tend to counteract the progress of usury.

But bank lending, it is pretended, is an impediment to other kinds of lending; which, by confining the resource of borrowing to a particular class, leaves the rest of the community more destitute, and, therefore, more exposed to the extortions of usurers. As the profits of bank stock exceed the legal rate of interest, the possessors of money, it is urged, prefer investing it in that article, to lending it at this rate; to which, there are the additional motives of a more prompt command of the capital, and of more frequent and exact returns, without trouble or perplexity in the collection. This constitutes the second charge which has been enumerated.

The fact on which this charge rests, is not to be admitted without several qualifications; particularly in reference to the state of things in this country.

First. The great bulk of the stock of a bank will consist of the funds of men in trade, among ourselves, and moneyed foreigners; the former of whom could not spare their capitals out of their reach, to be invested in loans for long periods, on mortgages or personal security; and the latter of whom would not be willing to be subjected to the casualties, delays, and embarrassments, of such a disposition of their money in a distant country.

Secondly. There will always be a considerable proportion of those who are properly the money lenders of a country, who, from that spirit of caution which usually characterises this description of men, will incline rather to vest their funds in mortgages on real estate, than in the stock of a bank, which they are apt to consider as a more precarious security.

These considerations serve, in a material degree, to narrow the foundation of the objection, as to the point of fact. But there is a more satisfactory answer to it. The effect supposed, as far as it has existence, is temporary. The reverse of it takes place in the general and permanent operation of the thing.

The capital of every public bank will, of course, be restricted within a certain defined limit. It is the province of legislative prudence so to adjust this limit, that, while it will not be too contracted for the demand which the course of business may create, and for the security which the public ought to have for the solidity of the paper which may be issued by the bank, it will still be within the compass of the pecuniary resources of the community; so that there may be an easy practicability of completing the subscriptions to it. When this is once done, the supposed effect, of necessity, ceases. There is then no longer room for the investment of any additional capital. Stock may, indeed, change hands, by one person selling and another buying; but the money which the buyer takes out of the common mass to purchase the stock, the seller receives and restores to it. Hence, the future surpluses which may accumulate must take their natural course, and lending at interest must go on as if there were no such institution.

It must, indeed, flow in a more copious stream. The bank furnishes an extraordinary supply for borrowers, within its immediate sphere. A larger supply consequently remains for borrowers elsewhere. In proportion as the circulation of the bank is extended, there is an augmentation of the aggregate mass of money for answering the aggregate mass of demand. Hence greater facility in obtaining it for every purpose.

It ought not to escape without a remark, that, as far as the citizens of other countries become adventurers in the bank, there is a positive increase of the gold and silver of the country. It is true, that, from this, a half yearly rent is drawn back, accruing from the dividends upon the stock. But as this rent arises from the employment of the capital by our own citizens, it is probable that it is more than replaced by the profits of that employment. It is also likely that a part of it is, in the course of trade, converted into the products of our country; and it may even prove an incentive, in some cases, to emigration to a country in which the character of citizen is as easy to be acquired as it is estimable and important. This view of the subject furnishes an answer to an objection which has been deduced from the circumstance here taken notice of, namely, the income resulting to foreigners from the part of the stock owned by them, which has been represented as tending to drain the country of its specie. In this objection, the original investment of the capital, and the constant use of it afterwards, seem both to have been overlooked.

That banks furnish temptations to overtrading, is the third of the enumerated objections. This must mean, that, by affording additional aids to mercantile enterprise, they induce the merchant sometimes to adventure beyond the prudent or salutary point. But the very statement of the thing shows that the subject of the charge is an occasional ill, incident to a general good. Credit of every kind, (as a species of which only, can bank lending have the effect supposed) must be, in different degrees, chargeable with the same inconvenience. It is even applicable to gold and silver, when they abound in circulation. But would it be wise, on this account, to decry the precious metals, to root out credit, or to prescribe the means of that enterprise which is the main spring of trade, and a principal source of national wealth, because it now and then runs into excesses, of which overtrading is one?

If the abuses of a beneficial thing are to determine its condemnation, there is scarcely a source of public prosperity which will not speedily be closed. In every case, the evil is to be compared with the good; and in the present case, such a comparison will issue in this, that the new and increased energies derived to commercial enterprise, from the aid of banks, are a source of general profit and

advantage, which greatly outweigh the partial ills the overtrading of a few individuals, at particular times, or of numbers in particular conjunctures.

The fourth and fifth charges may be considered together. These relate to the aid which is sometimes afforded by banks to unskillful adventurers and fraudulent traders. These charges, also, have some degree of foundation, though far less than has been pretended; and they add to the instance of partial ills, connected with more extensive and overbalancing benefits.

The practice of giving fictitious credit to improper persons, is one of those evils which experience, guided by interests, speedily corrects. The bank itself is in so much jeopardy of being a sufferer by it, that it has the strongest of all inducements to be on its guard. It may not only be injured immediately, by the delinquencies of the persons to whom such credit is given, but eventually by the incapacities of others, whom their impositions or failures may have ruined.

Nor is there much danger of a bank's being betrayed into this error from want of information. The directors themselves, being, for the most part, selected from the class of traders, are to be expected to possess, individually, an accurate knowledge of the characters and situations of those who come within that description. And they have, in addition to this, the course of dealing of the persons themselves with the bank, to assist their judgment, which is, in most cases, a good index of the state in which those persons are. The artifices and shifts, which those in desperate or declining circumstances are obliged to employ, to keep up the countenance which the rules of the bank require, and the train of their connexions, are so many prognostics, not difficult to be interpreted, of the fate which awaits them. Hence, it not unfrequently happens, that banks are the first to discover the unsoundness of such characters, and, by withholding credit, to announce to the public that they are not entitled to it.

If banks, in spite of every precaution, are sometimes betrayed into giving a false credit to the persons described, they more frequently enable honest and industrious men, of small, or, perhaps, of no capital, to undertake and prosecute business with advantage to themselves and to the community; and assist merchants, of both capital and credit, who meet with fortuitous and unforeseen shocks, which might, without such helps, prove fatal to them and to others, to make head against their misfortunes, and finally to retrieve their affairs—circumstances which form no inconsiderable encomium on the utility of banks.

But the last and heaviest charge is still to be examined: this is, that banks tend to banish the gold and silver of the country.

The force of this objection rests upon their being an engine of paper credit, which, by furnishing a substitute for the metals, is supposed to promote their exportation. It is an objection, which, if it has any foundation, lies not against banks peculiarly, but against every species of paper credit.

The most common answer given to it is, that the thing supposed is of little or no consequence; that it is immaterial what serves the purpose of money, whether paper, or gold and silver; that the effect of both upon industry is the same; and that the intrinsic wealth of a nation is to be measured, not by the abundance of the precious metals contained in it, but by the quantity of the productions of its labor and industry.

This answer is not destitute of solidity, though not entirely satisfactory. It is certain, that the vivification of industry, by a full circulation, with the aid of a proper and well regulated paper credit, may more than compensate for the loss of a part of the gold and silver of a nation, if the consequence of avoiding that loss should be a scanty or defective circulation.

But the positive and permanent increase or decrease of the precious metals in a country, can hardly ever be a matter of indifference. As the commodity taken in lieu of every other, it is a species of the most effective wealth; and as the money of the world, it is of great concern to the State, that it possess a sufficiency of it to face any demands which the protection of its external interests may create.

The objection seems to admit of another and a more conclusive answer, which controverts the fact itself. A nation that has no mines of its own, must derive the precious metals from others; generally speaking, in exchange for the products of its labor and industry. The quantity it will possess, will, therefore, in the ordinary course of things, be regulated by the favorable or unfavorable balance of its trade; that is, by the proportion between its abilities to supply foreigners, and its wants of them; between the amount of its exportations and that of its importations. Hence, the state of its agriculture and manufactures, the quantity and quality of its labor and industry, must, in the main, influence and determine the increase or decrease of its gold and silver.

If this be true, the inference seems to be, that well constituted banks favor the increase of the precious metals. It has been shewn that they augment, in different ways, the active capital of a country. This it is which generates employment; which animates and expands labor and industry. Every addition which is made to it, by contributing to put in motion a greater quantity of both, tends to create a greater quantity of the products of both; and, by furnishing more materials for exportation, conduces to a favorable balance of trade, and, consequently, to the introduction and increase of gold and silver.

This conclusion appears to be drawn from solid premises. There are, however, objections to be made to it.

It may be said, that, as bank paper affords a substitute for specie, it serves to counteract that rigorous necessity for the metals, as a medium of circulation, which, in the case of a wrong balance, might restrain, in some degree, their exportation; and it may be added, that, from the same cause, in the same case, it would retard those economical and parsimonious reforms in the manner of living, which the scarcity of money is calculated to produce, and which might be necessary to rectify such wrong balance.

There is, perhaps, some truth in both these observations; but they appear to be of a nature rather to form exceptions to the generality of the conclusion, than to overthrow it. The state of things in which the absolute exigencies of circulation can be supposed to resist, with any effect, the urgent demands for specie which a wrong balance of trade may occasion, present an extreme case. And a situation in which a too expensive manner of living of a community, compared with its means, can stand in need of a corrective, from distress or necessity, is one which, perhaps, rarely results but from extraordinary and adventitious causes; such, for example, as a national revolution; which unsettles all the established habits of the people, and inflames the appetite for extravagance, by the illusions of an ideal wealth, engendered by the continual multiplication of a depreciating currency, or some similar cause. There is a good reason to believe, that, where the laws are wise and well executed, and the inviolability of property and contracts maintained, the economy of a people will, in the general course of things, correspond with its means.

The support of industry is, probably, in every case, of more consequence towards correcting a wrong balance of trade, than any practicable retrenchments in the expenses of families or individuals; and the stagnation of it would be likely to have more effect in prolonging, than any such savings in shortening, its continuance. That stagnation is a natural consequence of an inadequate medium, which, without the aid of bank circulation, would, in the cases supposed, be severely felt.

It also deserves notice, that, as the circulation is always in a compound ratio to the fund upon which it depends, and to the demand for it, and as that fund is itself affected by the exportation of the metals, there is no danger of its being overstocked, as in the case of paper issued at the pleasure of the Government, or of its preventing the consequences of any unfavorable balance from being sufficiently felt to produce the reforms alluded to, as far as circumstances may require and admit.

Nothing can be more fallible than the comparisons which have been made between different countries, to illustrate the truth of the position under consideration. The comparative quantity of gold and silver in different countries, depends upon an infinite variety of facts and combinations, all of which ought to be known, in order to judge whether the existence or non-existence of paper currencies has any share in the relative proportions they contain. The mass and value of the productions of the labor and industry of each, compared with its wants; the nature of its establishments abroad; the kind of wars in which it is usually engaged; the relations it bears to the countries which are the original possessors of those metals; the privileges it enjoys in their trade; these, and a number of other circumstances, are all to be taken into the account, and render the investigation too complex to justify any reliance on the vague and general surmises which have been hitherto hazarded on the point.

In the foregoing discussion, the objection has been considered as applying to the permanent expulsion and diminution of the metals. Their temporary exportation, for particular purposes, has not been contemplated. This, it must be confessed, is facilitated by banks, from the faculty they possess of supplying their place. But their utility is in nothing more conspicuous than in these very cases. They enable the Government to pay its foreign debts, and to answer any exigencies which the external concerns of the community may have produced. They enable the merchant to support his credit (on which the prosperity of trade depends), when special circumstances prevent remittances in other modes. They enable him also to prosecute enterprises which ultimately tend to an argumentation of the species of wealth in question. It is evident that gold and silver may often be employed in procuring commodities abroad, which, in a circuitous commerce, replace the original fund, with considerable addition. But it is not to be inferred, from this facility given to temporary exportation, that banks, which are so friendly to trade and industry, are, in their general tendency, inimical to the increase of the precious metals.

These several views of the subject appear sufficient to impress a full conviction of the utility of banks, and to demonstrate that they are of great importance, not only in relation to the administration of the finances, but in the general system of the political economy.

The judgment of many concerning them, has, no doubt, been perplexed, by the misinterpretation of appearances which were to

be ascribed to other causes. The general devastation of personal property, occasioned by the late war, naturally produced, on the one hand, a great demand for money, and, on the other, a great deficiency of it to answer the demand. Some injudicious laws, which grew out of the public distresses, by impairing confidence, and causing a part of the inadequate sum in the country to be locked up, aggravated the evil. The dissipated habits contracted by many individuals during the war, which, after the peace, plunged them into expenses beyond their incomes; the number of adventures without capital, and, in many instances, without information, who at that epoch rushed into trade, and were obliged to make any sacrifices to support a transient credit; the employment of considerable sums in speculations upon the public debt, which, from its unsettled state, was incapable of becoming itself a substitute; all these circumstances concurring, necessarily led to usurious borrowing, produced most of the inconveniences, and were the true causes of most of the appearances, which, where banks were established, have been by some erroneously placed to their account—a mistake which they might easily have avoided by turning their eyes towards places where there were none, and where, nevertheless, the same evils would have been perceived to exist, even in a greater degree than where those institutions had obtained.

These evils have either ceased, or been greatly mitigated. Their more complete extinction may be looked for from that additional security to property which the constitution of the United States happily gives; (a circumstance of prodigious moment in the scale, both of public and private prosperity) from the attraction of foreign capital, under the auspices of that security, to be employed upon objects, and in enterprises, for which the state of this country opens a wide and inviting field; from the consistency and stability which the public debt is fast acquiring, as well in the public opinion at home and abroad, as, in fact, from the augmentation of capital which that circumstance and the quarter-yearly payment of interest will afford; and from the more copious circulation which will be likely to be created by a well constituted national bank.

The establishment of banks in this country seems to be recommended by reasons of a peculiar nature. Previously to the Revolution, circulation was in a great measure carried on by paper emitted by the several local governments. In Pennsylvania alone, the quantity of it was near a million and a half of dollars. This auxiliary may be said to be now at an end. And it is generally supposed that there has been, for some time past, a deficiency of circulating medium. How far that deficiency is to be considered as real or imaginary, is not susceptible of demonstration; but there are circumstances and appearances, which, in relation to the country at large countenance the supposition of its reality.

The circumstances are, besides the fact just mentioned respecting paper emissions, the vast tracts of waste land, and the little advanced state of manufactures. The progressive settlement of the former, while it promises ample retribution, in the generation of future resources, diminishes or obstructs, in the meantime, the active wealth of the country. It not only draws off a part of the circulating money, and places it in a more passive state, but it diverts, into its own channels, a portion of that species of labor and industry which would otherwise be employed in furnishing materials for foreign trade, and which, by contributing to a favorable balance, would assist the introduction of specie. In the early periods of new settlements, the settlers not only furnish no surplus for exportation, but they consume a part of that which is produced by the labor of others. The same thing is a cause that manufactures do not advance, or advance slowly. And notwithstanding some hypotheses to the contrary, there are many things to induce a suspicion, that the precious metals will not abound in any country which has not mines, or variety of manufactures. They have been sometimes acquired by the sword; but the modern system of war has expelled this resource, and it is one upon which it is to be hoped the United States will never be inclined to rely.

The appearances alluded to, are, greater prevalency of direct barter, in the more interior districts of the country, which, however, has been for some time past gradually lessening; and greater difficulty, generally, in the advantageous alienation of improved real estate; which, also, has of late diminished, but is still seriously felt in different parts of the Union. The difficulty of getting money, which has been a general complaint, is not added to the number; because it is the complaint of all times, and one in which imagination must ever have too great scope to permit an appeal to it.

If the supposition of such a deficiency be in any degree founded, and some aid to circulation be desirable, it remains to inquire what ought to be the nature of that aid.

The emitting of paper money by the authority of Government is wisely prohibited to the individual States, by the national constitution; and the spirit of that prohibition ought not to be disregarded by the Government of the United States. Though paper emissions, under a general authority, might have some advantages not applicable, and be free from some disadvantages which are applicable to the like emissions by the States, separately, yet they are of a nature so liable to abuse—and, it may even be affirmed, so certain of being abused—that the wisdom of the Government will be shown in never trusting itself with the use of so seducing and dangerous an expedient. In times of tranquillity, it might have no ill consequence; it might even perhaps be managed in a way to be productive of good; but, in great and trying emergencies, there is almost a moral certainty of its becoming mischievous. The stamping of paper is an operation so much easier than the laying of taxes, that a government, in the practice of paper emissions, would rarely fail, in any such emergency, to indulge itself too far in the employment of that resource, to avoid, as much as possible, one less auspicious to present popularity. If it should not even be carried so far as to be rendered an absolute bubble, it would at least be likely to be extended to a degree which would occasion an inflated and artificial state of things, incompatible with the regular and prosperous course of the political economy.

Among other material differences between a paper currency, issued by the mere authority of Government, and one issued by a bank, payable in coin, is this: That, in the first case, there is no standard to which an appeal can be made, as to the quantity which will only satisfy, or which will surcharge the circulation: in the last, that standard results from the demand. If more should be issued than is necessary, it will return upon the bank. Its emissions, as elsewhere intimated, must always be in a compound ratio to the fund and the demand; whence it is evident, that there is a limitation in the nature of the thing: while the discretion of the Government is the only measure of the extent of the emissions, by its own authority.

This consideration further illustrates the danger of emissions of that sort, and the preference which is due to bank paper.

The payment of the interest of the public debt, at thirteen different places, is a weighty reason, peculiar to our immediate situation, for desiring a bank circulation. Without a paper, in general currency, equivalent to gold and silver, a considerable proportion of the specie of the country must always be suspended from circulation, and left to accumulate, preparatory to each day of payments; and as often as one approaches, there must in several cases be an actual transportation of the metals, at both expense and risk, from their natural and proper reservoirs, to distant places. This necessity will be felt very injuriously to the trade of some of the States; and will embarrass, not a little, the operations of the treasury in those States. It will also obstruct those negotiations, between different parts of the Union, by the instrumentality of treasury bills, which have already afforded valuable accommodations to trade in general.

Assuming it, then, as a consequence, from what has been said, that a National Bank is a desirable institution, two inquiries emerge: Is there no such institution, already in being, which has a claim to that character, and which supersedes the propriety or necessity of another? If there be none, what are the principles upon which one ought to be established?

There are at present three banks in the United States: that of North America, established in the city of Philadelphia; that of New York, established in the city of New York; that of Massachusetts, established in the town of Boston. Of these three, the first is the only one which has at any time had a direct relation to the Government of the United States.

The Bank of North America originated in a resolution of Congress of the 26th of May, 1781, founded upon a proposition of the Superintendent of Finance, which was afterwards carried into execution by an ordinance of the 31st of December following, entitled "An ordinance to incorporate the subscribers to the Bank of North America."

The aid afforded to the United States by this institution, during the remaining period of the war, was of essential consequence; and its conduct towards them since the peace, has not weakened its title to their patronage and favor. So far, its pretensions to the character in question are respectable; but there are circumstances which militate against them, and considerations which indicate the propriety of an establishment on different principles.

The directors of this bank, on behalf of their constituents, have since accepted, and acted under, a new charter, from the State of Pennsylvania, materially variant from their original one, and which so narrows the foundation of the institution, as to render it an incompetent basis for the extensive purposes of a national bank.

The limit assigned by the ordinance of Congress to the stock of the bank, is ten millions of dollars. The last charter of Pennsylvania confines it to two millions. Questions naturally arise, whether there be not a direct repugnancy between two charters so differently circumstanced? and whether the acceptance of the one, is not to be deemed a virtual surrender of the other? But, perhaps it is neither advisable nor necessary to attempt a solution of them.

There is nothing in the acts of Congress which imply an exclusive right in the institution to which they relate, except during the term of the war. There is, therefore, nothing, if the public good require it, which prevents the establishment of another. It may, however, be incidentally remarked, that, in the general opinion of the citizens of the United States, the Bank of North America has taken the station of a bank of Pennsylvania only. This is a strong argument for a new institution, or for a renovation of the old, to restore it to the situation in which it originally stood in the view of the United States.

But, though the ordinance of Congress contains no grant of exclusive privileges, there may be room to allege, that the Government of the United States ought not, in point of candor and equity, to establish any rival or interfering institution, in prejudice of the one already established; especially as this has, from services rendered, well founded claims to protection and regard.

The justice of such an observation ought, within proper bounds, to be admitted. A new establishment of the sort ought not to be made without cogent and sincere reasons of public good. And, in the manner of doing it, every facility should be given to a consolidation of the old with the new, upon terms not injurious to the parties concerned. But there is no ground to maintain that, in a case in which the Government has made no condition restricting its authority, it ought voluntarily to restrict it, through regard to the interests of a particular institution, when those of the State dictate a different course; especially, too, after such circumstances have intervened, as characterized the actual situation of the Bank of North America.

The inducements to a new disposition of the thing are now to be considered. The first of them which occurs is, the, at least, ambiguous situation in which the Bank of North America has placed itself, by the acceptance of its last charter. If this has rendered it the mere bank of a particular State, liable to dissolution at the expiration of fourteen years, to which term the act of that State has restricted its duration, it would be neither fit nor expedient to accept it as an equivalent for a bank of the United States.

The restriction of its capital, also, which, according to the same supposition, cannot be extended beyond two millions of dollars, is a conclusive reason for a different establishment. So small a capital promises neither the requisite aid to Government, nor the requisite security to the community. It may answer very well the purposes of local accommodation, but is an inadequate foundation for a circulation co-extensive with the United States, embracing the whole of their revenues, and affecting every individual into whose hands the paper may come.

And, inadequate as such a capital would be to the essential ends of a National Bank, it is liable to being rendered still more so, by that principle of the constitution of the Bank of North America, contained equally in its old and in its new charter, which leaves the increase of the actual capital at any time (now far short of the allowed extent) to the discretion of the directors or stockholders. It is naturally to be expected, that the allurements of an advanced price of stock, and of large dividends, may disincline those who are interested to an extension of capital, from which they will be apt to fear a diminution of profits. And for this circumstance, the interest and accommodation of the public, as well individually as collectively, are made more subordinate to the interest, real or imagined, of the stockholders, than they ought to be. It is true, that, unless the latter be consulted, there can be no bank. (in the sense at least in which institutions of this kind, worthy of confidence, can be established in this country.) But, it does not follow that this is alone to be consulted, or that it even ought to be paramount. Public utility is more truly the object of public banks than private profit. And it is the business of Government to constitute them on such principles, that, while the latter will result in a sufficient degree to afford competent motives to engage in them, the former be not made subservient to it. To effect this, a principal object of attention ought to be to give free scope to the creation of an ample capital, and with this view, fixing the bounds which are deemed safe and convenient, to leave no discretion either to stop short of them, or to overpass them. The want of this precaution in the establishment of the Bank of North America, is a further and an important reason for desiring one differently constituted.

There may be room at first sight for a supposition, that, as the profits of a bank will bear a proportion to the extent of its operations, and as for this reason the interest of the stockholders will not be disadvantageously affected by any necessary augmentations of capital, there is no cause to apprehend that they will be indisposed to such augmentations. But most men, in matters of this nature, prefer the certainties they enjoy, to probabilities depending on untried experiments, especially, when these promise rather that they will not be injured, than that they will be benefited.

From the influence of this principle, and a desire of enhancing its profits, the directors of a bank will be more apt to overstrain its faculties, in an attempt to face the additional demands which the course of business may create, than to set on foot new subscriptions, which may hazard a diminution of the profits, and even a temporary reduction of the price of stock.

Banks are among the best expedients for lowering the rate of interest in a country; but, to have this effect, their capitals must be completely equal to all the demands of business, and such as will tend to remove the idea, that the accommodations they afford are in any degree favors—an idea very apt to accompany the parsimonious dispensation of contracted funds. In this, as in every other case, the plenty of the commodity ought to beget a moderation of the price.

The want of a principle of rotation in the constitution of the Bank of North America is another argument for a variation of the establishment. Scarcely one of the reasons which militate against this principle in the constitution of a country, is applicable to that of a bank; while there are strong reasons in favor of it, in relation to the one, which do not apply to the other. The knowledge to be derived from experience is the only circumstance common to both, which pleads against rotation in the directing officers of a bank.

But the objects of the Government of a nation, and those of the government of a bank, are so widely different, as greatly to weaken the force of that consideration in reference to the latter. Almost every important case of legislation requires, towards a right decision, a general and accurate acquaintance with the affairs of the State, and habits of thinking seldom acquired but from a familiarity with public concerns. The administration of a bank, on the contrary, is regulated by a few simple fixed maxims, the application of which is not difficult to any man of judgment, especially if instructed in the principles of trade. It is, in general, a constant succession of the same details.

But, though this be the case, the idea of the advantages of experience is not to be slighted. Room ought to be left for the regular transmission of official information; and, for this purpose, the head of the direction ought to be excepted from the principle of rotation. With this exception, and with the aid of the information of the subordinate officers, there can be no danger of any ill effects from want of experience or knowledge; especially as the periodical exclusion ought not to reach the whole of the directors at one time.

The argument in favor of the principle of rotation is this: that, by lessening the danger of combinations among the directors, to make the institution subservient to party views, or to the accommodation, preferably, of any particular set of men, it will render the public confidence more firm, stable, and unqualified.

When it is considered that the directors of a bank are not elected by the great body of the community, in which a diversity of views will naturally prevail at different conjunctures, but by a small and select class of men, among whom it is far more easy to cultivate a steady adherence to the same persons and objects, and that those directors have it in their power so immediately to conciliate, by obliging the most influential of this class, it is easy to perceive that, without the principle of rotation, changes in that body can rarely happen, but as a concession which they may themselves think it expedient to make to public opinion.

The continual administration of an institution of this kind, by the same persons, will never fail, with or without cause, from their conduct, to excite distrust and discontent. The necessary secrecy of their transactions gives unlimited scope to imagination to infer that something is or may be wrong. And this inevitable mystery is a solid reason for inserting in the constitution of a bank the necessity of a change of men. As neither the mass of the parties interested, nor the public in general, can be permitted to be witnesses of the interior management of the directors, it is reasonable that both should have that check upon their conduct, and that security against the prevalency of a partial or pernicious system, which will be produced by the certainty of periodical changes. Such, too, is the delicacy of the credit of a bank, that every thing which can fortify confidence and repel suspicion, without injuring its operations, ought carefully to be sought after in its formation.

A further consideration in favor of a change, is the improper rule by which the right of voting for directors is regulated in the plan upon which the Bank of North America was originally constituted, namely, a vote for each share, and the want of a rule in the last charter; unless the silence of it, on that point, may signify that every stockholder is to have an equal and a single vote; which would be a rule in a different extreme, not less erroneous. It is of importance that a rule should be established on this head, as it is one of those things which ought not to be left to discretion; and it is, consequently, of equal importance that the rule should be a proper one.

A vote for each share renders a combination between a few principal stockholders, to monopolize the power and benefits of the bank, too easy. An equal vote to each stockholder, however great or small his interest in the institution, allows not that degree of weight to large stockholders which it is reasonable they should have, and which, perhaps, their security and that of the bank require. A prudent mean is to be preferred. A conviction of this has produced a by-law of the corporation of the Bank of North America, which evidently aims at such a mean. But a reflection arises here, that a like majority with that which enacted this law, may, at any moment, repeal it.

The last inducement which shall be mentioned, is the want of precautions to guard against a foreign influence insituating itself into the direction of the bank. It seems scarcely reconcileable with a due caution, to permit that any but citizens should be eligible, as directors of a national bank, or that non-resident foreigners should be able to influence the appointment of directors by the votes of their proxies. In the event, however, of an incorporation of the Bank of North America in the plan, it may be necessary to qualify that principle, so as to leave the right of foreigners, who now hold shares of its stock, unimpaired; but without the power of transmitting the privilege in question to foreign alliances.

It is to be considered that such a bank is not a mere matter of private property, but a political machine, of the greatest importance to the State.

There are other variations from the constitution of the Bank of North America, not of inconsiderable moment, which appear desirable, but which are not of magnitude enough to claim a preliminary discussion. These will be seen in the plan which will be submitted in the sequel.

If the objections which have been stated to the constitution of the Bank of North America are admitted to be well founded, they will, nevertheless, not derogate from the merit of the main design, or of the services which that bank has rendered, or of the benefits which it has produced. The creation of such an institution, at the time it took place, was a measure dictated by wisdom. Its utility has been amply evinced by its fruits; American independence owes much to it. And it is very conceivable, that reasons of the moment may have rendered those features in it inexpedient, which a revision, with a permanent view, suggests as desirable.

The order of the subject leads next to an inquiry into the principles upon which a national bank ought to be organized.

The situation of the United States naturally inspires a wish that the form of the institution could admit of a plurality of branches. But various considerations discourage from pursuing this idea. The complexity of such a plan would be apt to inspire doubts, which might deter from adventuring in it. And the practicability of a safe and orderly administration, though not to be abandoned as desperate, cannot be made so manifest in perspective, as to promise the removal of those doubts, or to justify the Government in adopting the idea as an original experiment. The most that would seem advisable, on this point, is to insert a provision, which may lead to it hereafter, if experience shall more clearly demonstrate its utility, and satisfy those who may have the direction, that it may be adopted with safety. It is certain that it would have some advantages, both peculiar and important. Besides more general accommodation, it would lessen the danger of a run upon the bank.

The argument against it is, that each branch must be under a distinct, though subordinate direction, to which a considerable latitude of discretion must, of necessity, be intrusted. And, as the property of the whole institution would be liable for the engagements of each part, that and its credit would be at stake, upon the prudence of the directors of every part. The mismanagement of either branch might hazard serious disorder in the whole.

Another wish, dictated by the particular situation of the country, is, that the bank could be so constituted as to be made an immediate instrument of loans to the proprietors of land; but this wish also yields to the difficulty of accomplishing it. Land is, alone, an unfit fund for a bank circulation. If the notes issued upon it were not to be payable in coin, on demand, or at a short date, this would amount to nothing more than a repetition of the paper emissions, which are now exploded by the general voice. If the notes are to be payable in coin, the land must first be converted into it by sale, or mortgage. The difficulty of effecting the latter, is the very thing which begets the desire of finding another resource; and the former would not be practicable on a sudden emergency, but with sacrifices which would make the cure worse than the disease. Neither is the idea of constituting the fund partly of coin and partly of land, free from impediments. These two species of property do not, for the most part, unite in the same hands. Will the moneyed man consent to enter into a partnership with the landholder, by which the latter will share in the profits which will be made by the money of the former? The money, it is evident, will be the agent or efficient cause of the profits—the land can only be regarded as an additional security. It is not difficult to foresee, that an union, on such terms, will not readily be formed. If the landholders are to procure the money by sale or mortgage of a part of their lands, this they can as well do when the stock consists wholly of money, as if it were to be compounded of money and land.

To procure for the landholders the assistance of loans, is the great desideratum. Supposing other difficulties surmounted, and a fund created, composed partly of coin and partly of land, yet the benefit contemplated could only then be obtained by the bank's advancing them its notes for the whole, or part, of the value of the lands they had subscribed to the stock. If this advance was small, the relief aimed at would not be given; if it was large, the quantity of notes issued would be a cause of distrust; and, if received at all, they would be likely to return speedily upon the bank for payment; which, after exhausting its coin, might be under a necessity of turning its lands into money, at any price that could be obtained for them, to the irreparable prejudice of the proprietors.

Considerations of public advantage suggest a further wish, which is—that the bank could be established upon principles, that would cause the profits of it to redound to the immediate benefit of the State. This is contemplated by many who speak of a national bank, but the idea seems liable to insuperable objections. To attach full confidence to an institution of this nature, it appears to be an essential ingredient in its structure, that it shall be under a private not a public direction—under the guidance of individual interest, not of public policy; which would be supposed to be, and, in certain emergencies, under a feeble or too sanguine administration, would really be, liable to being too much influenced by public necessity. The suspicion of this would, most probably, be a canker that would continually corrode the vitals of the credit of the bank, and would be most likely to prove fatal in those situations in which the public good would require that they should be most sound and vigorous. It would, indeed, be little less than a miracle, should the credit of the bank be at the disposal of the Government, if, in a long series of time, there was not experienced a calamitous abuse of it. It is true, that it would be the real interest of the Government not to abuse it; its genuine policy to husband and cherish it with the most guarded circumspection, as an inestimable treasure. But what government ever uniformly consulted its true interests in opposition to the temptations of momentary exigencies? What nation was ever blessed with a constant succession of upright and wise administrators?

The keen, steady, and, as it were, magnetic sense of their own interest as proprietors, in the directors of a bank, pointing invariably to its true pole—the prosperity of the institution—is the only security that can always be relied upon for a careful and prudent administration. It is, therefore, the only basis on which an enlightened, unqualified, and permanent confidence can be expected to be erected and maintained.

The precedents of the banks established in several cities of Europe, Amsterdam, Hamburgh, and others, may seem to militate against this position. Without a precise knowledge of all the peculiarities of their respective constitutions it is difficult to pronounce how far this may be the case. That of Amsterdam, however, which we best know, is rather under a municipal than a governmental direction. Particular magistrates of the city, not officers of the republic, have the management of it. It is also a bank of deposite, not of loan, or circulation; consequently, less liable to abuse, as well as less useful. Its general business consists in receiving money for safe keeping, which, if not called for within a certain time, becomes a part of its stock, and irreclaimable. But a credit is given for it on the books of the bank, which, being transferable, answers all the purposes of money.

The directors being magistrates of the city, and the stockholders in general its most influential citizens, it is evident that the principle of private interest must be prevalent in the management of the bank. And it is equally evident, that, from the nature of its operations, that principle is less essential to it than to an institution constituted with a view to the accommodation of the public and individuals, by direct loans and a paper circulation.

As far as may concern the aid of the bank, within the proper limits, a good government has nothing more to wish for than it will always possess, though the management be in the hands of private individuals. As the institution, if rightly constituted, must depend for its renovation, from time to time, on the pleasure of the Government, it will not be likely to feel a disposition to render itself, by its conduct, unworthy of public patronage. The Government, too, in the administration of its finances, has it in its power to reciprocate benefits to the bank, of not less importance than those which the bank affords to the Government, and which, besides, are never unattended with an immediate and adequate compensation. Independent of these more particular considerations, the natural weight and influence of a good government will always go far towards procuring a compliance with its desires; and, as the directors will usually be composed of some of the most discreet, respectable, and well informed citizens, it can hardly ever be difficult to make them sensible of the force of the inducements which ought to stimulate their exertions.

It will not follow, from what has been said, that the State may not be the holder of a part of the stock of a bank, and consequently a sharer in the profits of it. It will only follow that it ought not to desire any participation in the direction of it, and, therefore, ought not to own the whole or a principal part of the stock; for, if the mass of the property should belong to the public, and if the direction of it should be in private hands, this would be to commit the interests of the State to persons not interested, or not enough interested in their proper management.

There is one thing, however, which the Government owes it itself and to the community—at least, to all that part of it who are not stockholders—which is, to reserve to itself a right of ascertaining, as often as may be necessary, the state of the bank; excluding, however, all pretension to control. This right forms an article in the primitive constitution of the Bank of North America; and its propriety stands upon the clearest reasons. If the paper of a bank is to be permitted to insinuate itself into all the revenues and receipts of a country; if it is even to be tolerated as the substitute for gold and silver in all the transactions of business; it becomes, in either view, a national concern of the first magnitude. As such, the ordinary rules of prudence require that the Government should possess the means of ascertaining, whenever it thinks fit, that so delicate a trust is executed with fidelity and care. A right of this nature is not only desirable, as it respects the Government, but it ought to be equally so to all those concerned in the institution, as an additional title to public and private confidence, and as a thing which can only be formidable to practices that imply mismanagement. The presumption must always be, that the characters who would be intrusted with the exercise of this

right, on behalf of the Government, will not be deficient in the discretion which it may require; at least, the admitting of this presumption cannot be deemed too great a return of confidence for that very large portion of it which the Government is required to place in the bank.

Abandoning, therefore, ideas which, however agreeable or desirable, are neither practicable nor safe, the following plan, for the constitution of a National Bank, is respectfully submitted to the consideration of the House.

1. The capital stock of the bank shall not exceed ten millions of dollars, divided into twenty-five thousand shares, each share being four hundred dollars; to raise which sum, subscriptions shall be opened on the first Monday of April next, and shall continue open until the whole shall be subscribed. Bodies politic as well as individuals may subscribe.

2. The amount of each share shall be payable, one-fourth in gold and silver coin, and three-fourths in that part of the public debt, which, according to the loan proposed by the act making provision for the debt of the United States, shall bear an accruing interest, at the time of payment, of six per centum per annum.

3. The respective sums subscribed shall be payable in four equal parts, as well specie as debt, in succession, and at the distance of six calendar months from each other; the first payment to be made at the time of subscription. If there shall be a failure in any subsequent payment, the party failing shall lose the benefit of any dividend which may have accrued prior to the time for making such payment, and during the delay of the same.

4. The subscribers to the bank, and their successors, shall be incorporated, and shall so continue until the final redemption of that part of its stock which shall consist of the public debt.

5. The capacity of the corporation to hold real and personal estate, shall be limited to fifteen millions of dollars, including the amount of its capital, or original stock. The lands and tenements which it shall be permitted to hold, shall be only such as shall be requisite for the immediate accommodation of the institution, and such as shall have been bona fide mortgaged to it by way of security, or conveyed to it in satisfaction of debts previously contracted, in the usual course of its dealings, or purchased at sales upon judgments which shall have been obtained for such debts.

6. The totality of the debts of the company, whether by bond, bill, note, or other contract, (credits for deposits excepted) shall never exceed the amount of its capital stock. In case of excess, the directors, under whose administration it shall happen, shall be liable for it in their private or separate capacities. Those who may have dissented may excuse themselves from this responsibility, by immediately giving notice of the fact, and their dissent, to the President of the United States, and to the stockholders, at a general meeting, to be called by the President of the bank, at their request.

7. The company may sell or demise its lands and tenements, or may sell the whole, or any part of the public debt, whereof its stock shall consist; but shall trade in nothing except bills of exchange, gold and silver bullion, or in the sale of goods pledged for money lent; nor shall take more than at the rate of six per centum per annum, upon its loans or discounts.

8. No loan shall be made by the bank for the use, or on account, of the Government of the United States, or of either of them, to an amount exceeding fifty thousand dollars, or of any foreign prince or State, unless previously authorized by a law of the United States.

9. The stock of the bank shall be transferable, according to such rules as shall be instituted by the company in that behalf.

10. The affairs of the bank shall be under the management of twenty-five directors, one of whom shall be the President; and there shall be, on the first Monday of January, in each year, a choice of directors, by a plurality of suffrages of the stockholders, to serve for a year. The directors, at their first meeting after each election, shall choose one of their number as President.

11. The number of votes to which each stockholder shall be entitled, shall be according to the number of shares he shall hold, in the proportions following, that is to say: For one share, and not more than two shares, one vote; for every two shares above two, and not exceeding ten, one vote; for every four shares above ten, and not exceeding thirty, one vote; for every six shares above thirty, and not exceeding sixty, one vote; for every eight shares above sixty, and not exceeding one hundred, one vote; and for every ten shares above one hundred, one vote; but no person, co-partnership, or body politic, shall be entitled to a greater number than thirty votes. And, after the first election, no share or shares shall confer a right of suffrage, which shall not have been holden three calendar months previous to the day of election. Stockholders actually resident within the United States, and none other, may vote in the elections by proxy.

12. Not more than three-fourths of the directors in office, exclusive of the President, shall be eligible for the next succeeding year. But the director who shall be President at the time of an election, may always be re-elected.

13. None but a stockholder, being a citizen of the United States, shall be eligible as a director.

14. Any number of stockholders, not less than sixty, who, together, shall be proprietors of two hundred shares, or upwards, shall have power, at any time, to call a general meeting of the stockholders, for purposes relative to the institution; giving at least six weeks notice, in two public gazettes, of the place where the bank is kept, and specifying, in such notice, the object of the meeting.

15. In case of the death, resignation, absence from the United States, or removal, of a director, by the stockholders, his place may be filled by a new choice for the remainder of the year.

16. No director shall be entitled to any emolument, unless the same shall have been allowed by the stockholders at a general meeting. The stockholders shall make such compensation to the President, for his extraordinary attendance at the bank, as shall appear to them reasonable.

17. Not less than seven directors shall constitute a board for the transaction of business.

18. Every cashier or treasurer, before he enters on the duties of his office, shall be required to give bond, with two or more sureties, to the satisfaction of the directors, in a sum not less than twenty thousand dollars, with condition for his good behavior.

19. Half-yearly dividends shall be made of so much of the profits of the bank, as shall appear to the directors advisable. And, once in every three years, the directors shall lay before the stockholders, at a general meeting, for their information, an exact and particular statement of the debts which shall have remained unpaid, after the expiration of the original credit, for a period of treble the term of that credit, and of the surplus of profit, if any, after deducting losses and dividends.

20. The bills and notes of the bank, originally made payable, or which shall have become payable, on demand, in gold and silver coin, shall be receivable in all payments to the United States.

21. The officer at the head of the Treasury Department of the United States shall be furnished, from time to time, as often as he may require, not exceeding once a week, with statements of the amount of the capital stock of the bank, and of the debts due to the same, of the moneys deposited therein, of the notes in circulation, and of the cash in hand; and shall have a right to inspect such general accounts in the books of the bank as shall relate to the said statements; provided that this shall not be construed to imply a right of inspecting the account of any private individual or individuals, with the bank.

22. No similar institution shall be established by any future act of the United States, during the continuance of the one hereby proposed to be established.

23. It shall be lawful for the directors of the bank to establish offices wheresoever they shall think fit, within the United States, for the purposes of discount and deposite, only, and upon the same terms, and in the same manner, as shall be practiced at the bank, and to commit the management of the said offices, and the making of the said discounts, either to agents specially appointed by them, or to such persons as may be chosen by the stockholders residing at the place where any such office shall be, under such agreements, and subject to such regulations, as they shall deem proper, not being contrary to law, or to the constitution of the bank.

24. And lastly, the President of the United States shall be authorized to cause a subscription to be made to the stock of the said company, on behalf of the United States, to an amount not exceeding two millions of dollars, to be paid out of the moneys which shall be borrowed by virtue of either of the acts, the one, entitled "An act making provision for the debt of the United States;" and the other, "entitled "An Act making provision for the reduction of the public debt;" borrowing of the bank an equal sum, to be applied to the purposes for which the said moneys shall have been procured, reimbursable in ten years, by equal annual instalments; or at any time sooner, or in any greater proportions, that the Government may think fit.

The reasons for the several provisions contained in the foregoing plan, have been so far anticipated, and will, for the most part, be so readily suggested by the nature of those provisions, that any comments which need further be made, will be both few and concise.

The combination of a portion of the public debt, in the formation of the capital, is the principal thing of which an explanation is requisite. The chief object of this is to enable the creation of a capital sufficiently large to be the basis of an extensive circulation, and an adequate security for it. As has been elsewhere remarked, the original plan of the Bank of North America contemplated a capital of ten millions of dollars, which is certainly not too broad a foundation for the extensive operations to which a national bank is destined. But to collect such a sum in this country, in gold and silver, into one depository, may, without hesitation, be pronounced impracticable. Hence the necessity of an auxiliary, which the public debt at once presents.

This part of the fund will be always ready to come in aid of the specie; it will more and more command a ready sale; and can, therefore, expeditiously be turned into coin, if an exigency of the bank should at any time require it. This quality of prompt convertibility into coin, renders it an equivalent for that necessary agent of bank circulation, and distinguishes it from a fund in land, of which the sale would generally be far less compendious, and at great disadvantage. The quarter-yearly receipts of interest will also be an actual addition to the specie fund, during the intervals between

them and the half-yearly dividends of profits. The objection to combining land with specie, resulting from their not being generally in possession of the same persons, does not apply to the debt, which will always be found in considerable quantity among the moneyed and trading people.

The debt composing part of the capital, besides its collateral effect in enabling the bank to extend its operations, and consequently to enlarge its profits, will produce a direct annual revenue of six per centum from the Government, which will enter into the half-yearly dividends received by the stockholders.

When the present price of the public debt is considered, and the effect which its conversion into bank stock, incorporated with a specie fund, would, in all probability, have to accelerate its rise to the proper point, it will easily be discovered that the operation presents, in its outset, a very considerable advantage to those who may become subscribers; and from the influence which that rise would have on the general mass of the debt, a proportional benefit to all the public creditors, and, in a sense which has been more than once adverted to, to the community at large.

There is an important fact, which exemplifies the fitness of the public debt for a bank fund, and which may serve to remove doubts in some minds on this point; it is this, that the Bank of England, in its first erection, reated wholly on that foundation. The subscribers to a loan to Government of one million two hundred thousand pounds sterling, were incorporated as a bank, of which the debt, created by the loan and the interest upon it, were the sole fund. The subsequent augmentations of its capital, which now amounts to between eleven and twelve millions of pounds sterling, have been of the same nature.

The confining of the right of the bank to contract debts to the amount of its capital, is an important precaution, which is not to be found in the constitution of the Bank of North America, and which, while the fund consists wholly of coin, would be a restriction attended with inconveniences, but would be free from any, if the composition of it should be such as is now proposed. The restriction exists in the establishment of the Bank of England, and, as a source of security, is worthy of imitation. The consequence of exceeding the limit, there, is that each stockholder is liable for the excess, in proportion to his interest in the bank. When it is considered that the directors owe their appointments to the choice of the stockholders, a responsibility of this kind, on the part of the latter, does not appear unreasonable; but, on the other hand, it may be deemed a hardship upon those who may have dissented from the choice. And there are many among us, whom it might perhaps discourage from becoming concerned in the institution. These reasons have induced the placing of the responsibility upon the directors by whom the limit prescribed should be transgressed.

The interdiction of loans on account of the United States, or of any particular State, beyond the moderate sum specified, or of any foreign Power, will serve as a barrier to Executive encroachments, and to combinations inauspicious to the safety, or contrary to the policy of the Union.

The limitation of the rate of interest is dictated by the consideration, that different rates prevail in different parts of the Union; and as the operations of the bank may extend through the whole, some rule seems to be necessary. There is room for a question, whether the limitation ought not rather to be to five than to six per cent., as proposed. It may, with safety, be taken for granted, that the former rate would yield an ample dividend, perhaps as much as the latter, by the extension which it would give to business. The natural effect of low interest is to increase trade and industry; because undertakings of every kind can be prosecuted with greater advantage. This is a truth generally admitted; but it is requisite to have analysed the subject in all its relations, to be able to form a just conception of the extent of that effect. Such an analysis cannot but satisfy an intelligent mind, that the difference of one per cent. in the rate at which money may be had, is often capable of making an essential change for the better in the situation of any country or place.

Every thing, therefore, which tends to lower the rate of interest, is peculiarly worthy of the cares of legislators. And though laws, which violently sink the legal rate of interest greatly below the market level, are not to be commended, because they are not calculated to answer their aim, yet, whatever has a tendency to effect a reduction, without violence to the natural course of things, ought to be attended to and pursued. Banks are among the means most proper to accomplish this end; and the moderation of the rate at which their discounts are made, is a material ingredient towards it; with which their own interest, viewed on an enlarged and permanent scale, does not appear to clash.

But, as the most obvious ideas are apt to have greater force than those which depend on complex and remote combinations, there would be danger that the persons whose funds must constitute the stock of the bank, would be diffident of the sufficiency of the profits to be expected, if the rate of loans and discounts were to be placed below the point to which they have been accustomed, and might, on this account, be indisposed to embarking in the plan. There is, it is true, one reflection, which, in regard to men, actively engaged in trade, ought to be a security against this danger; it is this: That the accommodations which they might derive in the way of their business, at a low rate, would more than indemnify them for any difference in the dividend, supposing even that some diminution of it were to be the consequence. But, upon the whole, the hazard of contrary reasoning among the mass of moneyed men, is a powerful argument against the experiment. The institutions of the kind already existing, add to the difficulty of making it. Mature reflection and a large capital, may, of themselves, lead to the desired end.

The last thing which requires any explanatory remark, is, the authority proposed to be given to the President, to subscribe the amount of two millions of dollars on account of the public. The main design of this is, to enlarge the specie fund of the bank, and to enable it to give a more early extension to its operations. Though it is proposed to borrow with one hand what is lent with the other, yet the disbursement of what is borrowed, will be progressive, and bank notes may be thrown into circulation, instead of the gold and silver. Besides, there is to be an annual reimbursement of a part of the sum borrowed, which will finally operate as an actual investment of so much specie. In addition to the inducements to this measure, which results from the general interest of the Government to enlarge the sphere of the utility of the bank, there is this more particular consideration, to wit: That, as far as the dividend on the stock shall exceed the interest paid on the loan, there is a positive profit.

The Secretary begs leave to conclude with this general observation: That, if the Bank of North America shall come forward with any propositions which have for their objects, the engrafting upon that institution, the characteristics which shall appear to the Legislature necessary to the due extent and safety of a National Bank, there are, in his judgment, weighty inducements to giving every reasonable facility to the measure. Not only the pretensions of that institution, from its original relation to the Government of the United States, and from the services it has rendered, are such as to claim a disposition favorable to it, if those who are interested in it are willing, on their part, to place it on a footing satisfactory to the Government, and equal to the purposes of a bank of the United States, but its co-operation would materially accelerate the accomplishment of the great object, and the collision, which might otherwise arise, might, in a variety of ways, prove equally disagreeable and injurious. The incorporation or union here contemplated, may be effected in different modes, under the auspices of an act of the United States, if it shall be desired by the Bank of North America, upon terms which shall appear expedient to the Government.

All which is humbly submitted.

ALEXANDER HAMILTON,
Secretary of the Treasury.

Mr. JAVITS. Mr. President, will the Senator be kind enough to yield to me?

Mr. ROBERTSON. I yield to my colleague from New York.

Mr. JAVITS. Mr. President, I wish to comment on the Senator's speech, which I have had the great honor of reading in its entirety.

First, the address is typically thoughtful of my own committee chairman, of the Committee on Banking and Currency.

Secondly, it will be of invaluable help to the State of New York, to the City of New York, and to the people of New York, as well as to the people of the Nation, who are deeply interested in having Hamilton Grange, which was Alexander Hamilton's last home, established as a national monument.

My colleague, the Senator from New York [Mr. KEATING], and I have joined in sponsorship of the joint resolution, Senate Joint Resolution 29. I have been working on it very hard. It has been reported to the Senate and is Calendar No. 1196.

The very learned and indeed moving analysis of Hamilton's meaning to our Nation by the Senator from Virginia is not only a great document in itself, historically and patriotically, but also, I believe—and for this I express gratitude to the Senator—it will help us materially in bringing Hamilton Grange into being as a national monument.

As I say, the joint resolution is on the calendar as Calendar No. 1196. I hope it will be favorably acted on in this body, as well as in the other body.

Mr. ROBERTSON. Mr. President, I greatly appreciate the high compliments my friend has paid to me.

Alexander Hamilton was one of our truly great men. No adequate memorial to his memory has ever been erected. I hope very much Senate Joint Resolution 29, introduced by the two distinguished Senators from New York, will soon be passed by the Senate and by the House, and enacted into law.

Mr. KEATING. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield to the junior Senator from New York.

Mr. KEATING. Mr. President, I wish to express my appreciation to the distinguished Senator from Virginia for his learned and historical statement. I wish to impress upon all Senators the desirability of reading the speech, if they were unable to hear it.

We have worked hard in respect to the joint resolution, and I think nothing could help more in the effort to have the joint resolution enacted than the very persuasive remarks of our colleague from Virginia. The Senator lends weight to the resolution by making his brilliant remarks today.

Mr. President, Nicholas Murray Butler once selected five great Americans who stand out above all others in the long and arduous process of building the American Nation. They were Washington, Hamilton, Marshall, Webster and Lincoln. Others have served the people of the United States and served them well; but to these five must be accorded the foremost place. It is to them, he felt, more than to any others, that we owe our Republic as we know it.

Alexander Hamilton was in some respects perhaps the most remarkable of these five nation builders. Talleyrand placed him on a par with the greatest European statesmen of his time, including Pitt and Fox. Chief Judge Ambrose Spencer, of the State of New York, had this to say of him:

> Alexander Hamilton was the greatest man this country ever produced. I knew him well. I was in situations often to observe and study him. In power of reasoning Hamilton was the equal of Webster; and more than this can be said of no man. In creative power Hamilton was infinitely Webster's superior. It was he, more than any other man, who thought out the Constitution of the United States and the details of the Government of the Union; and, out of the chaos that existed after the Revolution, raised a fabric every part of which is instinct with his thought. He, more than any other man, did the thinking of the time.

Thomas Jefferson, Hamilton's archrival, said of him: "He is really a colossus. Without numbers, he is a host within himself."

Mr. President, in a brief space, one cannot adequately describe all of Alexander Hamilton's contributions to our Nation. His genius was amazingly precocious. The political pamphlets of his boyhood and the military reports of his youth would do credit to a man of experienced age. His contributions to the Federalist, that series of outstanding commentaries on the Constitution, were made at the age of 31. His first report on the public credit and his report on manufacturers, two of the great state papers in the English language, were the work of a young man of only 33 or 34. Before his death, at the age of 47, Hamilton had lived the life of generations of ordinary men.

As Secretary of the Treasury in Washington's administration, Hamilton had three ends in view. He wished to develop a financial policy that would bind the Union inseparably; an industrial policy that would make it rich and, as far as possible, self-sufficient; and a foreign policy that would strengthen its political and economic independence. He accomplished all three and made them a part of our Nation's heritage. This is the measure of his statesmanship. He built not for the day but for the young Nation's future. The concepts of fiscal stability and fiscal responsibility which he established and encouraged are keystones in the arch of free enterprise and economic prosperity in the United States.

We cannot escape the conclusion that Hamilton has never been given his historic due. Lord Bryce in his work, "The American Commonwealth," wrote:

> One cannot note the disappearance of this brilliant figure, the most interesting in the earlier history of the Republic, without the remark that his countrymen seem to have never, either in his lifetime or afterward, duly recognized his splendid gifts; equally apt for war and civil government, he stood in the forefront of a generation never surpassed in history.

The Grange, the former dwelling of Alexander Hamilton and the only house he ever owned, is one of the few remaining houses of the Federal period in New York City. It has been designated as eligible for registered national historic landmark status by the Advisory Board on National Parks, Historic Sites, Buildings and Monuments, of the Department of the Interior. To make at least a partial payment on our debt of gratitude to the youngest of the Founding Fathers, I urge the adoption of Senate Joint Resolution 29, to provide for the establishment of the Grange as a national monument.

Mr. President, the Grange was built by Alexander Hamilton in 1802. It is the only house Hamilton ever owned. It was to the Grange that Hamilton retired after outstanding service to his country, and then commuted to his law office on Wall Street. The Grange was the home from which Hamilton set out on that fatal morning in 1804 for his duel with Aaron Burr. It is a simple and dignified design, representative of late 18th and early 19th century Federal architectural style.

Mr. President, the Grange and its site are now owned by the American Scenic and Historic Preservation Society, which has attempted for a number of years to raise the funds necessary for restoration and preservation of the building. The Grange today is squeezed between a church and an apartment building on 144th Street. It does not provide adequate space for proper preservation of the building or for recognition of its charm. The Department of the Interior has indicated its willingness to relocate the building in a more suitable area on the campus of the College of the City of New York, which has been offered for the purpose.

Both Columbia University and Hamilton College in Clinton, N.Y., have expressed their readiness to provide a site for the Grange, should the city be unable to do so. Hamilton College, perhaps, has a special claim, because Alexander Hamilton served as a member of the board of trustees when that institution was known as the Hamilton-Oneida Academy. Hamilton College, in fact, was named for him, and has a great interest in any relics and mementos of his life achievements.

But the most suitable and convenient site is probably on the grounds of the City College of the City of New York, which has requested its selection as the site.

Mr. President, Virginia is rightly proud of the contribution of her sons to the American Revolution and to the founding of our Government. New York is also proud of the great and lasting work of its son, Alexander Hamilton. He was a great man in an era of great men. In memory of Alexander Hamilton and of the era of struggle and achievement in which he lived, I urge the Senate to give favorable consideration to Senate Joint Resolution 29 when it comes before this body for a vote.

Certainly it is very helpful, in the effort we are making, to have this assistance from the distinguished Senator from Virginia, who represents also a State which has strong ties with Alexander Hamilton.

Mr. ROBERTSON. Mr. President, I appreciate very much the statement of the junior Senator from New York. In my opinion the immortal George Washington was the greatest man our country has ever produced, and Alexander Hamilton had the most brilliant mind of anyone who served under George Washington during the Revolutionary War.

Mr. BIBLE. Mr. President, will the Senator from Virginia yield to me at that point?

Mr. ROBERTSON. I yield.

Mr. BIBLE. I have not heard all of the Senator's speech on Alexander Hamilton. I happen to be the chairman of the Subcommittee on Public Lands, which has been handling this particular bit of proposed national memorial legislation. I am happy to report to the Senator from Virginia, if he has not already been so informed, that the bill was reported unanimously by the Committee on Interior and Insular Affairs. It will be on the calendar, I believe, tomorrow morning. I hope it will be scheduled for action by the Senate at a very early date.

Mr. ROBERTSON. I thank the Senator from Nevada.

The Senator from Virginia is pleased to get that report. He had heard that the committee had favorably acted on the bill, but he did not know that it was to be taken up tomorrow.

Mr. BIBLE. I am not sure that it will come up tomorrow.

Mr. ROBERTSON. It will be on the calendar tomorrow, as I understand.

Mr. BIBLE. It will be on the calendar tomorrow, with the hope that it will be called up at the next regular call of the calendar.

Mr. ROBERTSON. It is very pleasing that we should honor the truly great founders of our Nation, of whom Hamilton was one. This is a very modest way to do it. We would merely take his home—and he had only one home—and move it to a suitable location to be donated by the city of New York, and then reconstruct it and set it up for perpetual care.

Mr. President, I yield the floor.

AN ILLUSTRATION OF HOW NO-WIN FOREIGN POLICIES AFFECT CENSORSHIP OF MILITARY ANTI-COMMUNIST STATEMENTS

Mr. THURMOND. Mr. President, under the Constitution of the United States, ultimate sovereignty rests in the

people of the States. It is the people, therefore, who have the right to determine what their national policies shall be at any given time. This right of the people to determine national policies includes the right of the people to determine foreign policies, castigations of the wisdom of that right notwithstanding. The principal means by which the people can exercise this right is through change of personnel by elections and by forceful expression of their desires by the innumerable means available to them.

The American people can be deprived of their right to determine national policy, however, if the fact of the existence of alternative courses of action is withheld from them. If by some device or devices, all or all but one of the alternative courses our policy can pursue are withheld from the public awareness, the people have no choice and lose their right to participate in the formulation of the policies.

Mr. President, the offensive which the international Communist movement has waged and is waging against freemen cannot be fitted into the framework of traditional conflicts of interest between nation-states which existed in pre-Communist times. The Communist offensive is total, waged through a combination of means—political, diplomatic, military, economic, psychological, as well as many others. Our foreign policy—which is nothing more than our plan for meeting this offensive—must necessarily include elements of all these aspects. No longer can our foreign policy be based solely on diplomatic considerations.

Among the personnel of those departments of the National Government who bear major responsibilities for dealing with the Communist movement and the cold war, there exists a fundamental difference of view and approach. While it is difficult to generalize in this area, it can safely be said that the predominant view of the nature of the Communist movement among professionals in the military services differs basically with the predominant view of those in the State Department. It is theoretically upon the advice of both, and others, that our foreign policy is formulated.

There is a natural resentment on the part of State Department personnel at having to surrender portions of their traditionally exclusive domain in advising on foreign policy, despite their begrudging recognition that diplomatic considerations are no longer the only elements which affect foreign policy. This resentment undoubtedly heightens the tenacity with which the State Department personnel fend off and resist the contributions to our foreign policy by anyone not a member of the State Department fraternity, particularly where such contributions are proffered by those whose attitude and understanding of the nature of the Communist movement do not coincide with that predominating in the State Department.

This, Mr. President, brings us to the real importance of the censorship by the State Department of statements and speeches of personnel in other executive departments, especially Defense.

Since policies are merely plans by which to operate toward a solution of a problem, any given policy is necessarily colored, if not altogether controlled, by the definition of the problem, itself, adopted by the policy formulators.

The speeches of military personnel which have been censored reveal clearly that there was rarely, if ever, any intention by Defense Department speakers to controvert established foreign policies. The speeches do, however, in many instances, clearly reflect the nature of the problem, itself, as the speaker views it. It is at this point that the deletions and alterations appear; and since the deletions and alterations reveal the opposing views as to the nature of the problem, they also reveal the policies based on a particular view of the problem, which is, in most cases, that view which predominates in the State Department.

By censoring, and thereby removing, from the statements of Defense personnel descriptions of the problem, the international Communist movement, which do not coincide with that which predominates in the State Department, they conceal from the people the fact that there are alternative, and in many respects, completely contradictory views as to the nature of the problem which foreign policy is designed to solve. This contributes to the maintenance of the State Department's monopoly in advising on foreign policy in two ways:

First, it avoids a public demand for a reexamination of existing policies which might result from the public being alerted to a different picture of the problem than that on which existing policies are based. This public demand, if acceded to, might well result in a change in policy to one which relies less exclusively on the predominant State Department view.

Second, it deprives the public of clear and understandable explanations of the problem, itself, in the absence of which the State Department can continue to shield the subject behind fabricated complexities; by which can be fostered in the public a degree of apathy that assures the continuation of the State Department's monopoly on the shaping of foreign policy.

These reasons also explain why the State Department has so desperately attempted to confuse and complicate any understanding by the Congress of the alterations and deletions being investigated by the Senate's Special Preparedness Subcommittee. When all the garbage of excuses and evasions which has been advanced is brushed aside, the censorship actions clearly reveal two things:

First. That the predominant view of officers in the military services as to the nature of the threat of communism, differs materially from the State Department view on which most policy is based;

Second. Reflections of basic foreign policies, themselves, as well as the estimates of the problem on which the policies are based.

The State Department obviously sees much more danger to their monopolistic efforts from public understanding of the deletions and alterations than would have been the danger had the original statements been made as proposed. Now they are faced not only with a revelation that there is more than one estimate of the problem, but also revelation of the policies themselves and revelation, and thereby a comparison, of the conflicting estimates of the nature of the Communist movement.

The witnesses, both from the Defense Department and the State Department, who have been in a position to know, have admitted that the deletions and changes reflect policy. Among those who, in their testimony, stated that the changes and deletions do reflect policy are the Assistant Secretary of Defense for Public Affairs, the former Chief of the Army Section in the Directorate of Security Review, the Assistant Secretary of State for Public Affairs, and the Under Secretary of State, Mr. George Ball. After a series of questions and answers on this specific point, I asked Mr. Ball, in summary—and I quote from page 1255 of the transcript of the hearings:

> Senator THURMOND. Mr. Secretary, I just want to say it is gratifying for you to confirm what I have been convinced of since I first studied the speech deletions and changes
>
> That is, that the speech deletions and changes are the result of a knowledgeable application of our foreign policy to the speeches to insure conformity with our foreign policy.
>
> Mr BALL. That is right.

Despite this candid admission, however, Mr. Ball evaded any discussion of the fundamental aspects of policy which lay at the root of specific deletions and alterations. Instead, he attempted to confuse the matter by confining his discussion to phases of the implementation of policies, on which he sought, always in generalities, to explain away all the deletions and alterations while studiously avoiding any application of a specific excuse to a specific deletion or alteration.

One of the phases of implementation of policy which Mr. Ball, as had other witnesses, tendered as a "factor" which influenced the changes and deletions in speeches is the attitude that extreme reticence of speech is a necessity during periods of negotiations with other powers. This obviously is an avoidance of the root cause of the deletion, which is the specific policy which describes the goals sought through particular negotiations, and the specific definition of the Communist movement which would support and dictate reticence of speech—and to be consistent, actions—during the periods of such negotiations.

Another aspect of policy implementation raised, rather belatedly, as an excuse for the general censorship activity is the specter of having the words of military men twisted out of context and used by the Communist propaganda machine. Again, the practice of suppressing words which might be twisted and used by the Communist propaganda machine is but an implementation of a specific defensive, rather than offensive, policy in the propaganda field of the cold war, which policy in turn is based on some particular specification included in our official estimate of the nature of the Communist movement.

Mr. President, such evasions must not be allowed to succeed. The American people have the right to require that American foreign policy reflect their own judgment. They must not be deprived of information which is essential to forming such a judgment, for this, from a practical viewpoint, deprives them of the right, itself. The American people must be told what our basic policies are, and they must also be told what definition of the Communist menace is the basis for those policies. Nothing else can explain why the deletions and alterations in speeches were made. The excuses of "sensitive negotiations" and fear of propaganda use are nothing more than contrived evasions, as I shall illustrate.

In the latter part of 1955, the National Security Council planners concluded that a new phase of the cold war had commenced. A new approach was thought desirable. The outcome was a policy paper—NSC-5501. The new approach, devised to suit the new phase of the cold war, consisted of a conclusion that we should rely primarily on the "weapons" of aid and information. It was thought that in this new phase, time was on our side, so we could afford to rely on foreign aid and information which were considered to be gradual or "evolutionary" means to combat the Communist menace.

This was the beginning of the policy which determined that we should seek to terminate the cold war by awaiting the evolution of the Soviet system and other Communist systems rather than by attempting to win the cold war by more direct pressures and approaches.

In April of 1960, a military speaker proposed to state with reference to the cold war, as follows:

> Either we can remain the champion in this vicious race by exerting our full strength and rise to great heights for the benefit of all mankind, or we can skulk and sulk like fearful and frustrated people and go down in the ignominy of defeat.

To this, the State Department censor commented with a note in the margin of the speech, as follows:

> This section might well be tempered since it largely rules out any chance of an evolution of the Soviet system.
>
> It is a little too militant on the eve of the summit. Eliminate either-or concept to allow possibility of evolution of Soviet system.

It may well be that the forthcoming negotiations then scheduled between the heads of the Governments of the United States, France, Great Britain, and the Soviet Union in Paris was an influencing factor in the proposed change. It is rather difficult to find too much militancy in this statement. In any event, there can be no doubt that the fundamental or basic policy which caused the change was the policy of evolution, which had its genesis in NSC-5501.

Is this policy still in effect? Again, the speech deletions and alterations are the key.

The either-or concept was contained in a speech submitted for review in April 1961 and again in May 1961. In the latter reference it was stated in these words:

> In fact, the big question of our day is just simply this: Will the future world, that is, the emerging world order, be in our image, the image of the Western World, or will it be in the image of world communism?

In both instances, the either-or concept was deleted. We know from this that at least as late as May 1961, the evolutionary policy which was inaugurated under NSC-5501 was still applicable.

The American people cannot exercise their right to participate in the formulation of policy if they do not know that there is any alternative to awaiting the evolution of the Soviet society. They can form no judgment at all if they are kept in the darkness as to the existence of the evolutionary policy.

The deletions and changes in the speeches of military personnel do reflect policy—specific policy. The American people have the right to know what policy caused each deletion and change. With this information, they can decide for themselves whether we have no-win policies, and whether they should be changed. One way or the other, they will know the policies.

Mr. President, I ask unanimous consent to have printed in the RECORD at the conclusion of these remarks my weekly newsletters dated March 5 and March 12, 1962, which supplement the remarks I have made here today.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

WHAT "NO WIN" MEANS

We have a no-win foreign policy.

The phrase may be new, but the policy is not. When the Communists took over in China, we had a no-win policy; only then it was called a policy of letting the dust settle. At various times since, it has been given many names: containment, accommodation, and somewhere I even heard it called the policy of the ostrich.

All of these titles are more or less descriptive, but "no win" is the most descriptive. China, Korea, Hungary, Tibet, the Congo, Laos, Vietnam, Cuba, the Berlin wall—they all spell no win.

We have a no-win policy; this does not mean that it is our policy to lose. It means that we dare not try to win, for fear we may lose.

Two basic ingredients of such a policy are fear and naivete.

Fear tends to obscure the perspective. Nothing could obscure the horribly destructive power of a nuclear war; for the facts of such destructive potential are too awesome to be exaggerated even by the most advanced form of fear—panic, itself. Fear, however, can and does cause an exaggeration of the likelihood that a nuclear war will occur. Our policymakers—who admittedly bear an awesome responsibility—allowed the gruesome potentialities of the weapons, themselves, to magnify out of proportion the danger that such weapons will be resorted to by the Communists.

No sane man wants a nuclear war. The Communists want to dominate the world, but a world filled with people to perform slave labor, not a world of nuclear-burned ashes. They will threaten nuclear war, and often do, in the hope that we are paralyzed with fear while they expand their empire by the nonnuclear means of subversion, infiltration, espionage, propaganda and any other foul means short of nuclear war itself.

Naivete is nothing more than wishful thinking and ignoring facts. No one wants to admit, even to himself, that his plans are based on fear and are without hope of success. Our policymakers have, therefore, pieced together a rationalization that we will not lose even with a "no-win" or "do-nothing" policy.

This rationalization is arrived at by the theory of "evolution." Simply stated, it is the belief that, given time, the Communists will evolve, or gradually change into a more civilized and nonaggressive society with whom we can peacefully coexist. We don't necessarily have to lose, because "the leopard may change his spots."

We have been sitting on our hands waiting for the Communists to evolve since shortly after World War II. In that time, they have become a nuclear power, and exploded a 58-megaton bomb; they have leapfrogged our missile program and developed rocket engines with greater thrust and missiles with advanced guidance systems; they have brought under their domination about 15 countries and 900 million people. Their industrial capacity has evolved, but not their morals; their weapons have evolved, but their intentions and efforts are still to dominate and enslave the people of the world.

There is obviously no shortcut to victory for freemen. While we must carefully reckon with the possibilities of a nuclear war, we must also stop ignoring the probabilities of piecemeal slaughter and enslavement of the remaining free world, if we continue to passively await the evolution of Communists into civilized neighbors who operate by some moral code. There is some small possibility the Communists will evolve; but there is great probability that unless we abandon the no-win policy, only the Communists and their slaves will witness it.

We must have a win policy. The first step is to set a goal of victory over communism in the cold war. Concrete long-range and short-range objectives should be established for every arena of the cold war. Strategy and tactics should be employed which will utilize our every resource for the accomplishment of those goals.

Sincerely,

STROM THURMOND.

FIRST STEP OF A WIN POLICY

Any effective policy for dealing with communism must be based on an estimate of the nature of the Communist movement. The very first step toward a "win" policy, therefore, is to reorient our estimate of the Communist movement toward realism.

The Communist movement is international. This means that the cold war—or, in Communist language, the class struggle—is not a conflict between nations, nor a conflict between two groups of nations. It is, rather, a fight by all Communists, whatever their pre-Communist nationality or ethnic origin, to dominate all other people.

In practice, this means we cannot judge the affinity of any government for communism solely by its apparent relations with the Government of Soviet Russia or Red China. The true test is the government's measure of cooperation with the international Communist movement.

Tito's government in Yugoslavia exhibits an apparent coolness and formality to Soviet Russia. Nevertheless, Tito wholeheartedly supports the international Communist movement. Evidence: Tito's treaties with and financial credits to Castro to help export Castro's Communist "revolution" to Latin America; Tito's own foreign "aid" program, designed to advance communism; Tito's support of Ulbricht's "concrete wall" policy of captivity for East Germans; Tito's silence at Soviet nuclear testing, which was done in the interest of international communism, not Russia.

The realistic test also explains Tito's U.N. voting record, naively used by some as evidence of Tito's independence. Tito can vote differently from Soviet Russia on issues involving only national interests, but where international communism is involved, he is glued to the line.

One result of a realistic estimate—no more U.S. aid to Tito.

Aid to Poland would also cease. The non-Communist people of Poland are friendly to Americans, as American travelers can testify. For that matter, so are non-Communist Russians. But their governments are Communist, and under a realistic test could not be classified as friendly to us as the Polish Government is now so classified. Our surplus food aid to Poland's Communist government nullifies the strain on that government and on international communism deliberately created in many cases by non-Communist Poles at great personal sacrifice.

A realistic estimate would also reveal the futility of most negotiations with Communist governments. Treaties with Communist governments do not bind the international Communist movement, which is a separate entity altogether.

Only power—and it can be economic, military, or political power—can alter the course or turn the tide of the ruthless supernational movement of world communism.

The first step to a win policy is a realistic estimate of the nature of the enemy.

Sincerely,

STROM THURMOND.

UTILIZATION OF MANPOWER—CONFERENCE REPORT

Mr. CLARK. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1991) relating to manpower requirements, resources, development, and utilization, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1991) relating to manpower requirements, resources, development, and utilization, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment, insert the following: "That this Act may be cited as the 'Manpower Development and Training Act of 1962'."

"TITLE I—MANPOWER REQUIREMENTS, DEVELOPMENT, AND UTILIZATION

"Statement of findings and purpose

"SEC. 101. The Congress finds that there is critical need for more and better trained personnel in many vital occupational categories, including professional, scientific, technical, and apprenticeable categories; that even in periods of high unemployment, many employment opportunities remain unfilled because of the shortages of qualified personnel; and that it is in the national interest that current and prospective manpower shortages be identified and that persons who can be qualified for these positions through education and training be sought out and trained; in order that the Nation may meet the staffing requirements of the struggle for freedom. The Congress further finds that the skills of many persons have been rendered obsolete by dislocations in the economy arising from automation or other technological developments, foreign competition, relocation of industry, shifts in market demands, and other changes in the structure of the economy; that Government leadership is necessary to insure that the benefits of automation do not become burdens of widespread unemployment; that the problem of assuring sufficient employment opportunities will be compounded by the extraordinarily rapid growth of the labor force in the next decade, particularly by the entrance of young people into the labor force, that improved planning and expanded efforts will be required to assure that men, women, and young people will be trained and available to meet shifting employment needs; that many persons now unemployed or underemployed, in order to become qualified for reemployment or full employment must be assisted in providing themselves with skills which are or will be in demand in the labor market; that the skills of many persons now employed are inadequate to enable them to make their maximum contribution to the Nation's economy; and that it is in the national interest that the opportunity to acquire new skills be afforded to these people in order to alleviate the hardships of unemployment, reduce the costs of unemployment compensation and public assistance, and to increase the Nation's productivity and its capacity to meet the requirements of the space age. It is therefore the purpose of this Act to require the Federal Government to appraise the manpower requirements and resources of the Nation, and to develop and apply the information and methods needed to deal with the problems of unemployment resulting from automation and technological changes and other types of persistent unemployment.

"Evaluation, information, and research

"SEC. 102. To assist the Nation in accomplishing the objectives of technological progress while avoiding or minimizing individual hardship and widespread unemployment, the Secretary of Labor shall—

"(1) evaluate the impact of, and benefits and problems created by automation, technological progress, and other changes in the structure of production and demand on the use of the Nation's human resources; establish techniques and methods for detecting in advance the potential impact of such developments; develop solutions to these problems, and publish findings pertaining thereto;

"(2) establish a program of factual studies of practices of employers and unions which tend to impede the mobility of workers or which facilitate mobility, including but not limited to early retirement and vesting provisions and practices under private compensation plans; the extension of health, welfare, and insurance benefits to laid-off workers; the operation of severance pay plans; and the use of extended leave plans for education and training purposes. A report on these studies shall be included as a part of the Secretary's report required under section 104.

"(3) appraise the adequacy of the Nation's manpower development efforts to meet foreseeable manpower needs and recommend needed adjustments, including methods for promoting the most effective occupational utilization of and providing useful work experience and training opportunities for untrained and inexperienced youth;

"(4) promote, encourage, or directly engage in programs of information and communication concerning manpower requirements, development, and utilization, including prevention and amelioration of undesirable manpower effects from automation and other technological developments and improvement of the mobility of workers; and

"(5) arrange for the conduct of such research and investigations as give promise of furthering the objectives of this Act.

"Skill and training requirements

"SEC. 103. The Secretary of Labor shall develop, compile, and make available, in such manner as he deems appropriate, information regarding skill requirements, occupational outlook, job opportunities, labor supply in various skills, and employment trends on a National, State, area, or other appropriate basis which shall be used in the educational, training, counseling, and placement activities performed under this Act.

"Manpower report

"SEC. 104. The Secretary of Labor shall make such reports and recommendations to the President as he deems appropriate pertaining to manpower requirements, resources, use, and training; and the President shall transmit to the Congress within sixty days after the beginning of each regular session (commencing with the year 1963) a report pertaining to manpower requirements, resources, utilization, and training.

"TITLE II—TRAINING AND SKILL DEVELOPMENT PROGRAMS

"Part A—Duties of the Secretary of Labor

"General Responsibility

"SEC. 201. In carrying out the purposes of this Act, the Secretary of Labor shall determine the skill requirements of the economy, develop policies for the adequate occupational development and maximum utilization of the skills of the Nation's workers, promote and encourage the development of broad and diversified training programs, including on-the-job training, designed to qualify for employment the many persons who cannot reasonably be expected to secure full-time employment without such training, and to equip the Nation's workers with the new and improved skills that are or will be required.

"Selection of Trainees

"SEC. 202. (a) The Secretary of Labor shall provide a program for testing, counseling, and selecting for occupational training under this Act those unemployed or underemployed persons who cannot reasonably be expected to secure appropriate full-time employment without training. Whenever appropriate the Secretary shall provide a special program for the testing, counseling, and selection of youths, sixteen years of age or older, for occupational training and further schooling. Workers in farm families with less than $1,200 annual net family income shall be considered unemployed for the purpose of this Act.

"(b) Although priority in referral for training shall be extended to unemployed persons, the Secretary of Labor shall, to the maximum extent possible, also refer other persons qualified for training programs which will enable them to acquire needed skills. Priority in referral for training shall also be extended to persons to be trained for skills needed within, first, the labor market area in which they reside and, second, within the State of their residence.

"(c) The Secretary of Labor shall determine the occupational training needs of referred persons, provide for their orderly selection and referral for training under this Act, and provide counseling and placement services to persons who have completed their training, as well as follow-up studies to determine whether the programs provided meet the occupational training needs of the persons referred.

"(d) Before selecting a person for training, the Secretary shall determine that there is a reasonable expectation of employment in the occupation for which the person is to be trained. If such employment is not available in the area in which the person resides, the Secretary shall obtain reasonable assurance of such person's willingness to accept employment outside his area of residence.

"(e) The Secretary shall not refer persons for training in an occupation which requires less than two weeks training, unless there are immediate employment opportunities in such occupation.

"(f) The duration of any training program to which a person is referred shall be reasonable and consistent with the occupation for which the person is being trained.

"(g) Upon certification by the responsible training agency that a person who has been referred for training does not have a satisfactory attendance record or is not making satisfactory progress in such training absent good cause, the Secretary shall forthwith terminate his training and subsistence allowances, and his transportation allowances except such as may be necessary to enable him to return to his regular place of residence after termination of training, and withdraw his referral. Such person shall not be eligible for such allowances for one year thereafter.

"Training Allowances

"SEC. 203. (a) The Secretary of Labor may, on behalf of the United States, enter into agreements with States under which the Secretary of Labor shall make payments to such States either in advance or by way of reimbursement for the purpose of enabling such States, as agents for the United States, to make payment of weekly training allowances to unemployed persons selected for training pursuant to the provisions of section 202 and undergoing such training in a program operated pursuant to the provisions of this Act. Such payments shall be made for a period not exceeding fifty-two weeks, and the amount of any such payment in any week for persons undergoing training, including uncompensated employer-provided training, shall not exceed the amount of the average weekly unemployment compensation payment (including allowances for dependents) for a week of total unemployment in the State making such payments during the most recent quarter for which such data are available: *Provided however*, That in any week an individual who, but for his training, would be entitled to unemployment compensation in excess of such allowance shall receive an allowance increased by the amount of such excess. With respect to Guam and the Virgin Islands the Secretary shall by regulation determine the amount of the training allowance to be paid any eligible person taking training under this Act.

"With respect to any week for which a person receives unemployment compensation under title XV of the Social Security Act or any other Federal or State unemployment compensation law which is less than the average weekly unemployment compensation payment (including allowances for dependents) for a week of total unemployment in the State making such payment during the most recent quarter for which such data are available, a supplemental training allowance may be paid to a person eligible for a training allowance under this Act. This supplemental training allowance shall not exceed the difference between his unemployment compensation and the average weekly unemployment compensation payment referred to above.

"For persons undergoing on-the-job training, the amount of any payment which would otherwise be made by the Secretary of Labor under this section shall be reduced by an amount which bears the same ratio to that payment as the number of compensated hours per week bears to forty hours.

"(b) The Secretary of Labor is authorized to pay to any person engaged in training under this title, including compensated full-time on-the-job training, such sums as he may determine to be necessary to defray transportation and subsistence expenses for separate maintenance of such persons when such training is provided in facilities which are not within commuting distance of their regular place of residence: *Provided*, That the Secretary in defraying such subsistence expenses shall not afford any individual an allowance exceeding $35 per week, at the rate of $5 per day; nor shall the Secretary authorize any transportation expenditure exceeding the rate of 10 cents per mile.

"(c) The Secretary of Labor shall pay training allowances only to unemployed persons who have had not less than three years of experience in gainful employment and are either heads of families, or heads of households as defined in the Internal Revenue Code of 1954, except that he may pay training allowances at a rate not exceeding $20 a week to youths over nineteen but under twenty-two years of age where such allowances are necessary to provide them occupational training, but not more than 5 per centum of the estimated total training allowances paid annually under this section may be paid to such youths.

"(d) After June 30, 1964, any amount paid to a State for training allowances under this section, or as reimbursement for unemployment compensation under subsection (h), shall be paid on condition that such State shall bear 50 per centum of the amount of such payments.

"(e) No training allowance shall be made to any person otherwise eligible who, with respect to the week for which such payment would be made, has received or is seeking unemployment compensation under title XV of the Social Security Act or any other Federal or State unemployment compensation law, but if the appropriate State or Federal agency finally determines that a person denied training allowances for any week because of this subsection was not entitled to unemployment compensation until title XV of the Social Security Act or such Federal or State law with respect to such week, this subsection shall not apply with respect to such week.

"(f) A person who refuses, without good cause, to accept training under this Act shall not, for one year thereafter, be entitled to training allowances.

"(g) Any agreement under this section may contain such provisions (including, as far as may be appropriate, provisions authorized or made applicable with respect to agreements concluded by the Secretary of Labor pursuant to title XV of the Social Security Act) as will promote effective administration, protect the United States against loss and insure the proper application of payments made to the State under such agreement. Except as may be provided in such agreements, or in regulations hereinafter authorized, determinations by any duly designated officer or agency as to the eligibility of persons for weekly training allowances under this section shall be final and conclusive for any purposes and not subject to review by any court or any other officer.

"(h) If State unemployment compensation payments are paid to a person taking training under this Act and eligible for a training allowance, the State making such payments shall be reimbursed from funds herein appropriated. The amount of such reimbursement shall be determined by the Secretary of Labor on the basis of reports furnished to him by the States and such amount shall then be placed in the State's unemployment trust fund account.

"(i) A person who, in connection with an occupational training program, has received a training allowance or whose unemployment compensation payments were reimbursed under the provisions of this Act or any other Federal Act shall not be entitled to training allowances under this Act for one year after the completion or other termination (for other than good cause) of the training with respect to which such allowance or payment was made.

"(j) No training allowance shall be paid to any person who is receiving training for an occupation which requires a training period of less than six days.

"On-the-Job Training

"SEC. 204. (a) The Secretary of Labor shall encourage, develop, and secure the adoption of programs for on-the-job training needed to equip persons selected for training with the appropriate skills. The Secretary shall, to the maximum extent possible, secure the adoption by the States and by private and public agencies, employers, trade associations, labor organizations and other industrial and community groups which he determines are qualified to conduct effective training programs under this title of such programs as he approves, and for this purpose he is authorized to enter into appropriate agreements with them.

"(b) In adopting or approving any training program under this part, and as a condition to the expenditure of funds for any such program, the Secretary shall make such arrangements as he deems necessary to insure adherence to appropriate training standards, including assurances—

"(1) that the training content of the program is adequate, involves reasonable progression, and will result in the qualification of trainees for suitable employment;

"(2) that the training period is reasonable and consistent with periods customarily required for comparable training;

"(3) that adequate and safe facilities, and adequate personnel and records of attendance and progress are provided; and

"(4) that the trainees are compensated by the employer at such rates, including periodic increases, as may be deemed reasonable under regulations hereinafter authorized, considering such factors as industry, geographical region, and trainee proficiency.

"(c) Where on-the-job training programs under this part require supplementary classroom instruction, appropriate arrangements for such instruction shall be agreed to by the Secretary of Health, Education, and Welfare and the Secretary of Labor.

"National Advisory Committee

"SEC. 205. (a) The Secretary shall appoint a National Advisory Committee which shall consist of ten members and shall be composed of representatives of labor, management, agriculture, education, and training, and the public in general. From the members appointed to such Committee the Secretary shall designate a Chairman. Such Committee, or any duly established subcommittee thereof, shall from time to time make recommendations to the Secretary relative to the carrying out of his duties under this Act. Such Committee shall hold not less than two meetings during each calendar year.

"(b) The National Advisory Committee shall encourage and assist in the organization on a plant, community, regional, or industry basis of labor-management-public committees and similar groups designed to further the purposes of this Act and may provide assistance to such groups, as well as existing groups organized for similar purposes, in effectuating such purposes.

"(c) The National Advisory Committee may accept gifts or bequests, either for carrying out specific programs or for its general activities or for its responsibilities under subsection (b) of this section.

"(d) Appointed members of the Committee shall be paid compensation at the rate of $50 per diem when engaged in the work of the Committee, including travel time, and shall be allowed travel expenses and per diem in lieu of subsistence as authorized by law (5 U.S.C. 73b–2) for persons in the Government service employed intermittently and receiving compensation on a per diem, when actually employed, basis.

"(e)(1) Any member of the Committee is hereby exempted, with respect to such appointment, from the operation of sections 281, 283, and 1914 of title 18 of the United States Code, and section 190 of the Revised Statutes (5 U.S.C. 99), except as otherwise specified in paragraph (2) of this subsection.

"(2) The exemption granted by paragraph (1) of this subsection shall not extend—

"(A) to the receipt or payment of salary in connection with the appointee's Government service from any source other than the private employer of the appointee at the time of his appointment, or

"(B) during the period of such appointment, to the prosecution or participation in the prosecution, by any person so appointed, of any claim against the Government involving any matter with which such person, during such period, is or was directly connected by reason of such appointment.

"State Agreements

"SEC. 206. (a) The Secretary of Labor is authorized to enter into an agreement with each State, or with the appropriate agency of each State, pursuant to which the Secretary of Labor may, for the purpose of carrying out his functions and duties under this title, utilize the services of the appropriate State agency and, notwithstanding any other provision of law, may make payments to such State or appropriate agency for expenses incurred for such purposes.

"(b) Any agreement under this section may contain such provisions as will promote effective administration, protect the United States against loss and insure that the functions and duties to be carried out by the appropriate State agency are performed in a manner satisfactory to the Secretary.

"Rules and Regulations

"SEC. 207. The Secretary of Labor shall prescribe such rules and regulations as he may deem necessary and appropriate to carry out the provisions of this part.

"Part B—Duties of the Secretary of Health, Education, and Welfare

"General Responsibility

"SEC. 231. The Secretary of Health, Education, and Welfare shall, pursuant to the provisions of this title, enter into agreements with States under which the appropriate State vocational education agencies will undertake to provide training needed to equip persons referred to the Secretary of Health, Education, and Welfare by the Secretary of Labor pursuant to section 202, for the occupations specified in the referrals. Such State agencies shall provide for such training through public education agencies or institutions or, if facilities or services of such agencies or institutions are not adequate for the purpose, through arrangements with private educational or training institutions. The State agency shall be paid 50 per centum of the cost to the State of carrying out the agreement, except that for the period ending June 30, 1964 the State agency shall be paid 100 per centum of the cost to the State of carrying out the agreement with respect to unemployed persons. Such agreements shall contain such other provisions as will promote effective administration (including provision (1) for reports on the attendance and performance of trainees, (2) for immediate certification to the Secretary of Labor by the responsible training agency with respect to each person referred for training who does not have a satisfactory attendance record or is not making satisfactory progress in such training absent good cause, and (3) for continuous supervision of the training programs conducted under the agreement to insure the quality and adequacy of the training provided), protect the United States against loss, and assure that the functions and duties to be carried out by such State agency are performed in such fashion as will carry out the purposes of this title. In the case of any State which does not enter into an agreement under this section, and in the case of any training which the State agency does not provide under such an agreement, the Secretary of Health, Education, and Welfare may provide the needed training by agreement or contract with public or private educational or training institutions.

"Rules and regulations

"SEC. 232. The Secretary of Health, Education, and Welfare may prescribe such rules and regulations as he may deem necessary and appropriate to carry out the provisions of this part.

"TITLE III—MISCELLANEOUS

"Apportionment of benefits

"SEC. 301. For the purpose of effecting an equitable apportionment of Federal expenditures among the States in carrying out the programs authorized under title II of this Act, the Secretary of Labor and the Secretary of Health, Education, and Welfare, shall make such apportionment in accordance with uniform standards and in arriving at such standards shall consider only the following factors: (1) the proportion which the labor force of a State bears to the total labor force of the United States, (2) the proportion which the unemployed in a State during the preceding calendar year bears to the total number of unemployed in the United States in the preceding calendar year, (3) the lack of appropriate full-time employment in the State, (4) the proportion which the insured unemployed within a State bears to the total number of insured employed within such State, and (5) the average weekly unemployment compensation benefits paid by the State. The Secretary of Labor and the Secretary of Health, Education, and Welfare are authorized to make reapportionments from time to time where the total amounts apportioned under this section have not been fully obligated in a particular State, or where the State or appropriate agencies in the State have not entered into the necessary agreements, and the Secretaries find that any other State is in need of additional funds to carry out the programs authorized by this Act.

"Maintenance of State effort

"SEC. 302. No training program which is financed in whole or in part by the Federal Government under this Act shall be approved unless the Secretary of Labor, if the program is authorized under part A of title II, or the Secretary of Health, Education, and Welfare, if the program is authorized under part B of title II, satisfies himself that neither the State nor the locality in which the training is carried out has reduced or is reducing its own level of expenditures for vocational education and training, including program operation under provisions of the Smith-Hughes Vocational Education Act and titles I, II, and III of the Vocational Education Act of 1946, except for reductions unrelated to the provisions or purposes of this Act.

"Other agencies and departments

"SEC. 303. (a) In the performance of their functions under this Act, the Secretary of Labor and the Secretary of Health, Education, and Welfare, in order to avoid unnecessary expense and duplication of functions among Government agencies, shall use the available services or facilities of other agencies and instrumentalities of the Federal Government, under conditions specified in section 306(a). Each department, agency, or establishment of the United States is authorized and directed to cooperate with the Secretary of Labor and the Secretary of Health, Education, and Welfare and, to the extent permitted by law, to provide such services and facilities as either may request for his assistance in the performance of his functions under this Act.

"(b) The Secretary of Labor and the Secretary of Health, Education, and Welfare, shall carry out their responsibilities under this Act through the maximum utilization of all possible resources for skill development available in industry, labor, public and private educational and training institutions, State, Federal, and local agencies, and other appropriate public and private organizations and facilities.

"Appropriations authorized

"SEC. 304. (a) There are hereby authorized to be appropriated $2,000,000 for the fiscal year ending June 30, 1963, $3,000,000 for the fiscal year ending June 30, 1964, and a like amount for the fiscal year ending June 30, 1965, for the purpose of carrying out title I.

"(b) There are hereby authorized to be appropriated $97,000,000 for the fiscal year ending June 30, 1963, $161,000,000 for the fiscal year ending June 30, 1964, and a like amount for the fiscal year ending June 30, 1965, for the purpose of carrying out title II.

"(c) There are hereby authorized to be appropriated $1,000,000 for the fiscal year ending June 30, 1963, $1,000,000 for the fiscal year ending June 30, 1964, and a like amount for the fiscal year ending June 30, 1965, for the purpose of carrying out title III.

"(d) There are hereby authorized to be appropriated $5,000,000 for the fiscal year ending June 30, 1962, for planning and starting programs under this Act.

"Limitations on use of appropriated funds

"SEC. 305. (a) Funds appropriated under the authorization of this Act may be transferred, with the approval of the Director of the Bureau of the Budget, between departments and agencies of the Government, if such funds are used for the purposes for which they are specifically authorized and appropriated.

"(b) Any equipment and teaching aids purchased by a State or local vocational education agency with funds appropriated to carry out the provisions of part B shall become the property of the State.

"(c) No portion of the funds to be used under part B of this Act shall be appropriated directly or indirectly to the purchase, erection, or repair of any building except for minor remodeling of a public building necessary to make it suitable for use in training under part B.

"(d) Funds appropriated under this Act shall remain available for one fiscal year beyond that in which appropriated.

"Authority to contract

"SEC. 306. (a) The Secretary of Labor and the Secretary of Health, Education, and Welfare may make such contracts or agreements, establish such procedures, and make such payments, either in advance or by way of reimbursement, or otherwise allocate or expend funds made available under this Act, as they deem necessary to carry out the provisions of this Act.

"(b) The Secretary of Labor and the Secretary of Health, Education, and Welfare shall not use any authority conferred by this Act to assist in relocating establishments from one area to another. Such limitation shall not prohibit assistance to a business entity in the establishment of a new branch, affiliate, or subsidiary of such entity if the Secretary of Labor finds that assistance will not result in an increase in unemployment in the area of original location or in any other area where such entity conducts business operations, unless he has reason to believe that such branch, affiliate, or subsidiary is being established with the intention of closing down the operations of the existing business entity in the area of its original location or in any other area where it conducts such operations.

"Selection and referral

"SEC. 307. The selection of persons for training under this Act and for placement of such persons shall not be contingent upon such person's membership or nonmembership in a labor organization.

"Definition

"SEC. 308. For the purpose of this Act, the term 'State' includes the District of Columbia, Puerto Rico, the Virgin Islands, and Guam.

"Secretaries' reports

"SEC. 309. (a) Prior to March 1, 1963, and again prior to March 1, 1964, the Secretary of Labor shall make a report to Congress. Such report shall contain an evaluation of the programs under title I and part A of title II, including the number of persons trained and the number and types of training activities under this Act, the number of unemployed or underemployed persons who have secured full-time employment as a result of such training, and the nature of such employment, the need for continuing such programs, and recommendations for improvement.

"(b) Prior to March 1, 1963, and again prior to March 1, 1964, the Secretary of Health, Education, and Welfare shall also make a report to Congress. Such report shall contain an evaluation of the programs under part B of title II, the need for continuing such programs, and recommendations for improvement. The first such report shall also contain the results of the vocational training survey which is presently being conducted under the supervision of the Secretary.

"Termination of authority

"SEC. 310. (a) All authority conferred under title II of this Act shall terminate at the close of June 30, 1965.

"(b) Notwithstanding the foregoing, the termination of title II shall not affect the disbursement of funds under, or the carrying out of, any contract, commitment or other obligation entered into prior to the date of such termination: *Provided*, That no disbursement of funds shall be made pursuant to the authority conferred under title II of this Act after December 30, 1965."

And the House agree to the same.

JOSEPH S. CLARK,
JENNINGS RANDOLPH,
PAT MCNAMARA,
CLAIBORNE PELL,
WINSTON L. PROUTY,
MAURICE J. MURPHY, Jr.,
Managers on the Part of the Senate.

ADAM C. POWELL,
ELMER J. HOLLAND,
JAMES G. O'HARA,
NEAL SMITH,
CHARLES S. JOELSON,
CARROLL D. KEARNS,
CHARLES E. GOODELL,
PETER A. GARLAND,
Managers on the Part of the House.

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. BUSH. Mr. President, the Senator from Pennsylvania [Mr. CLARK] has called up the conference report on the manpower training and development bill. He asked that following the remarks of the Senator from South Carolina [Mr. THURMOND] the conference report be taken up. Its consideration is not expected to require more than a few minutes.

At this time, in that connection, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CLARK. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CLARK. Mr. President, I believe the RECORD shows that I have brought up by motion the conference report on the manpower bill.

The PRESIDING OFFICER. That is correct; and the conference report is now pending.

Mr. CLARK. Mr. President, the conference report was signed by all the conferees of both parties, on both sides of the Capitol.

The differences between the House version and the Senate version of the bill were not particularly significant; but I shall briefly mention a few of the more important ones and the disposition of them made by the conferees.

First, the duration of the training program. The Senate version proposed a 4-year program; the House version, a 2-year program. The conferees compromised on a 3-year program, ending June 30, 1965. Both versions provided that the States shall assume 50 percent of the cost after a certain amount of time, which differed as between the two versions. The conferees agreed that the States will assume half of the cost after the second year; in other words, during the last year of the program.

Second, the amount of authorization. The conferees agreed on authorizations for appropriations as follows: For the current fiscal year, $5 million; for the first full year, beginning July 1, $100 million; and for each succeeding year, $165 million—totaling $435 million for the 3 years. The original Senate bill had provided $655 million for 4 years; the House version, $262 million for 2 years.

Third, training allowances for youth. Both versions provided training allowances equivalent to a State's weekly unemployment compensation benefit. The House version limited these allowances to persons who have had at least 3 years of gainful employment and who are heads of families or heads of households. The Senate version included the same limitation, except that youths aged 16 through 21, even though unmarried and without work experience, could receive training allowances up to 5 percent of the total authorization. The Senate provision was an effort to do something in regard to the overwhelming problem of school dropouts, with which those of us who come from metropolitan areas are so familiar. The conferees compromised by accepting training allowances for youths, with the 5-percent limitation of the Senate version, but with the minimum age raised from 16 to 19, and a ceiling set at $20 a week.

Fourth, subsistence and transportation expenses. The versions of both Houses authorized payment of subsistence and transportation expenses for workers who take their training at locations beyond commuting distance from their homes, limited to $35 a week and 10 cents a mile. The Senate version contained a provision authorizing these limits to be exceeded in "unusual circumstances", but, regretfully from my point of view, the conferees eliminated this provision because of the House insistence.

Fifth, the National Advisory Committee. The conferees accepted a Senate provision calling for appointment of a National Advisory Committee representing labor, management, agriculture, education and training, and the general public. There was no similar provision in the House version; but the House receded, and accepted the Senate version.

Sixth, nondiscrimination because of union membership. A provision in the House version stated that the selection of workers for training and their subsequent placement in jobs should not be contingent upon membership or nonmembership in a labor organization. The Senate conferees accepted the House provision.

Both the House and the Senate versions contained provisions, not in dispute, authorizing the Secretary of Labor to develop information on the Nation's needs for trained manpower, to distribute such information for use in planning training programs, and to conduct research on such matters as the effects of automation and the mobility of labor; and requiring an annual manpower report by the President. I am particularly pleased with provisions in these sections of the bill which authorize the Secretary of Labor to make extensive investigations into the future manpower needs of our country, ranging all the way from the top need for nuclear scientists to the need for persons to fill jobs at the bottom of the scale. I believe this action today to recognize manpower planning as an element of national policy is one to which we shall look back upon in the years to come with merited pride.

I believe this function of manpower planning, which appropriately belongs in the Department of Labor, will make an enormous contribution toward overcoming unemployment in the days ahead and will better enable us to staff freedom in the constant cold-war struggle with our Communist opponents.

This act will provide long overdue leadership at the national level in promoting and assisting the States as well as local groups, private and public, in the training and retraining of workers, unemployed, underemployed, and otherwise, so that they can return to productive and useful occupations in our society and can contribute to the fullest extent to the national product. Our responsibility, as a nation, to our own people, and our position and responsibilities as the leader of the free world, require the fullest development and utilization of all our manpower resources.

The conference bill will provide new and imaginative methods for dealing with problems that have been allowed to exist to long. We cannot tolerate the economic waste involved in unused human resources. Nor should we as a nation tolerate the hardship, misery, and loss of dignity that are the consequences of prolonged unemployment. Enactment of this proposal—which was the first bill urged upon us by President

Kennedy in his state of the Union message—will help us to move forward in developing a more efficient and better utilized labor force. It will pay large dividends by providing the unemployed with the opportunity to become productive citizens, once again bearing their part of the Nation's responsibilities, as well as participating more fully in the benefits of a prosperous economy.

Mr. President, this bill is our first real effort in this Congress to measure up to the challenge which the President of the United States laid before the country, both during the campaign and more recently from the White House at one of his press conferences—the challenge of finding 25,000 new jobs a week for the foreseeable future, in order to prevent massive unemployment and provide an opportunity for remunerative employment to everyone who wants to work. It is this great constructive effort that we support in this proposal.

I yield now to the Senator from New York.

Mr. JAVITS. Does the Senator agree with the view I have seen published, that the bill will allow us to train or retrain as many as 1 million applicants?

Mr. CLARK. Yes. I believe that is a conservative estimate, if we include both on-the-job and classroom training.

Mr. JAVITS. I think the country should be alerted to the fact that this is a very large-sized operation.

Mr. CLARK. I am glad the Senator has made that point.

Mr. JAVITS. I join the Senator in the hope that the Senate will adopt the conference report, in spite of all the inadequacies in the bill and I shall in a moment speak about them independently, if the Senator will permit me to do so.

Mr. CLARK. I wish to commend the able Senator for his assistance in bringing this bill to the Senate from the Committee on Labor and Public Welfare last year, and also acknowledge that he is the author of the section creating a national advisory council.

Mr. JAVITS. I am pleased to hear that statement from the Senator. I am pleased that the conferees have done about as well as could be done in any conference, notwithstanding the unhappiness of the Senator from Pennsylvania and myself about certain of these matters.

There is another thing that can be said in asking the Senate's approval of the conference report. There may be some argument about the figure of 25,000 new jobs a week. We have had that argument before the Joint Economic Committee. There are questions of substantial difference. Certainly, the answer is that the training afforded in the bill will provide needed training for persons who will be added to the work force.

Will the Senator not agree with me that at least another very major objective of the bill is how to alert American labor to the coming automation and the fact that we must produce more, and produce more efficiently? How are we going to do it unless we find techniques which will enable us to go forward in the direction of giving to the worker some concept of the needs and the help he will require in making the adjustments which we ask him, on economic and patriotic grounds, to make?

Mr. CLARK. I would agree completely with what the Senator from New York has said. I should like to point out, however, that this bill is not only to accommodate American labor to the employment opportunities of the future, but also to accommodate American education, because, under the bill, the Secretary of Labor is directed to make studies to determine where workers will be needed in all occupations. This will include physicists as well as workers in the domestic services or other fields where workers will not need higher levels of education.

My hope is that processes will be developed whereby, under freedom and without compulsion, the Nation's manpower will be divided and directed so that the brains and abilities in our society will be most fully utilized for the advancement of our country and of Western civilization.

Mr. JAVITS. Will the Senator agree with me that, as we are facing a trade program which may require certain efforts of workers and business, just as we are facing an automation program, which is essential to the country, of the same character, just as we are facing a new tax law which will encourage reequipment of American industry, which is becoming obsolescent in terms of equipment, we cannot consider this bill as the final one on the subject, and that nothing the Senate conferees have done will foreclose us, as the situation develops, from perhaps taking other steps in the direction of training and retraining workers in the national interest?

Mr. CLARK. The Senator is quite correct. This is only the beginning. We still have on the calendar, and I hope we do something about it, the youth employment opportunities bill. I hope we can do something about the bill which will authorize employment on public works projects on a standby basis to be utilized if and when we have a new recession, and find unemployment increasing to a significant extent. This is only one step to help increase the growth rate of our economy. This is only a step in a long series of legislative efforts that will be necessary to provide full employment during the days ahead, in accordance with the important objectives of the Employment Act of 1946.

Mr. JAVITS. Mr. President, in this connection, I ask unanimous consent that I may address myself to the conference report independently, though briefly, and that my remarks may follow the remarks of the Senator from Pennsylvania.

Mr. CLARK. Mr. President, if the Senator will withhold his request for a moment, I should like to say a word of praise for my fellow conferees on both sides in this Chamber. The Senator from Vermont [Mr. PROUTY] and the Senator from New Hampshire [Mr. MURPHY] were most helpful in working out the difficulties which confronted us. The Senator from Michigan [Mr. McNAMARA] and the Senator from Rhode Island [Mr. PELL] were most helpful. Although the Senator from West Virginia [Mr. RANDOLPH] was not able to be present, he gave me his proxy and his views before he left.

On the House side also, there was bipartisan effort to come out with a constructive bill. I should like to pay tribute to Representative ADAM CLAYTON POWELL, chairman of the House conferees; Representative ELMER J. HOLLAND, of Pennsylvania, the sponsor of the House bill; Representative JAMES O'HARA, of Michigan, who took a significant part in the proceedings; and also Representative CHARLES GOODELL, of New York, who made significant contributions in shaping our bipartisan bill.

Mr. PELL. Mr. President, will the Senator yield?

Mr. CLARK. I am happy to yield to the Senator from Rhode Island with the understanding that thereafter I shall accede to the request of the Senator from New York.

Mr. PELL. I earnestly desire to support the bill which the Senator from Pennsylvania [Mr. CLARK] has so ably handled in the conference, and I commend the Senator for the way he defended the interests of the Senate and got all the essential ideas of the Senate-passed bill into the bill reported by the conference committee. It will be really a milestone, in its own way, in the history of the United States.

Our country, while technologically advanced, has lagged behind many of the other countries of the world in the sociological fields. This is a field in which we have, so far, lagged greatly. By passing the bill and making it law we shall at least catch up with most of the countries of the world which have already acted in this area.

Speaking from the viewpoint of my own specific area, the State of Rhode Island, the bill could be of great help in solving our own problems.

Mr. CLARK. I thank the Senator for his kind comments.

I wish to add that the Senator from Rhode Island has worked most actively on the subcommittee during the past year, when we took extensive testimony before bringing the bill to the Senate. The Senator has been of great assistance in the entire progress of the proposed legislation.

I also wish to invite the attention of my colleagues to the work of the very able and distinguished chairman of the Committee on Labor and Public Welfare, the Senator from Alabama [Mr. HILL]. I wish to pay particular tribute to him. The Senator from Alabama permitted the members of the Subcommittee on Employment and Manpower, of which I have the honor to be the chairman, to be the Senate conferees. I think the Senate conferees have less seniority than the Senate members of any other conference committee in my knowledge. I wish to thank the Senator from Alabama [Mr. HILL] for his graciousness in handling the problem in that way.

Mr. JAVITS. Mr. President, I ask unanimous consent that I may proceed

independently, without asking questions, but that the Senator from Pennsylvania may nevertheless not lose his right to the floor.

The PRESIDING OFFICER. Is there objection to the request of the Senator from New York? The Chair hears none, and it is so ordered.

Mr. JAVITS. Mr. President, I shall be brief, but there are a number of things which need to be specially noted. I think the prime one, to me, is how the proposed legislation developed in the other body.

Mr. President, I have been in the Congress now for 14 years. I have served in both bodies. I have been pursuing, during every year of this time, a struggle in my own party to see that my party was responsible for affirmative proposals to the American people on the major issues of our times, proposals completely consistent with what I consider to be the twin pillars of my party—the private economic system, and equal opportunity without regard to race, creed, color, or national origin.

Mr. President, we have here a splendid example of how that policy pays enormous dividends both to the Nation and, I say with respect—I know my colleagues will understand this—in party terms as well, for by proposing the constructive and affirmative alternative in the other body, Representative CHARLES GOODELL of my own State has made it possible for the proposed legislation to be enacted, though it might otherwise be just bogged down as is the education bill and as are other bills in the other body.

We are now in the final stages of passage of the proposed legislation, with pride in its authorship, and with an ability for members of each party to compliment the Senator from Pennsylvania [Mr. CLARK], as chairman of the Senate conferees, in return for his own graciousness in complimenting the conferees of both parties for a job well and constructively done.

Mr. President, to me this is a prime vindication for the fight which has been fought within my own party all these years. It is the constructive alternative which, in terms of the party's activities, represents one of the greatest services we can bring to the Nation. I am delighted that a Representative from the State of New York, Mr. GOODELL, took the opportunity to carry the ball and to demonstrate the validity of this thesis.

In a sense, it is even better that he did so than I, Mr. President, because I have stood for this principle so long it is very valuable to have it proved from a source not particularly identified, perhaps, with me, but by an upstate New York Republican Representative.

It is the constructive alternative authored by Representative GOODELL which has strongly influenced what we are acting on now—a version containing strict and realistic administrative provisions. Such provisions are the result of hard and long and detailed work. Within this framework I am glad to see that my distinguished colleague in the House steered through the conference a proposal based on the experience of the Honorable Martin P. Catherwood, industrial commissioner of New York, who found in his work with the retraining provisions of the Area Redevelopment Act that State facilities could be utilized more effectively if the Federal program worked directly through them. Thus, new language was substituted for section 304(a) of this bill to assure such utilization of appropriate State agencies by the Secretary of Labor.

Second, Mr. President, the creation of a National Advisory Committee, and the encouragement of local and industry-wide labor-management-public committees for which I am deeply indebted to my colleague from Pennsylvania [Mr. CLARK], without whose cooperation this could not have been done, can be turned to an enormous advantage for our country. This is a practice which we pursued in World War II. We had 5,000 such committees in World War II on the plant and local level. The estimate is that about one-third of those, or roughly 1,500, did a really vital and important job in dealing with problems of absenteeism; in easing the shift to automation and other efficiency-making projects, which materially improved our productivity; in easing management-labor relations relating to grievance procedures and other problems; and in solving the transportation problem, which is a material one in many of these plants.

Mr. President, this is an opportunity on the local level which, to my mind, can be extremely important both in regard to productivity, which is so critical an element in whether we shall win or not win the cold war, and also in terms of the relationships between management and labor, which dominate not only productivity but also the climate of social justice in our own country.

I hope very much that the administration gaze will be attracted to this opportunity, and that so will the ideas and the leadership of labor and management, which is equally as important, and that all will seize the opportunity presented by this proposed legislation and really use it.

It seems to me, Mr. President, that this proposal can answer a tremendous number of problems. On the one hand, the trade unions fear bills like those to apply the antitrust laws to trade unions; and, on the other hand, management fears totalitarian ideas and attitudes on the part of certain elements of labor leadership. This is an opportunity, in the typically American way, by working together on the local level, to avoid many of those excesses and to wrestle with and to solve problems in a very effective way, as we demonstrated during the war we could do.

Finally, Mr. President, I think it is most unfortunate that the compensation to youth who will study under the terms of the proposal, who will be learning or training under the terms of the bill, has been reduced, and that the age limit has been raised. I have talked in very recent days with most distinguished leaders in our community, with people like Helen Hall Harris, one of our great settlement workers in New York, and one of the greatest in the world. These people feel very strongly that we should encourage those who are from 16 to 19 years of age to study under the terms of the bill, and that there is a tremendous area in which we could help to deal with problems of juvenile delinquency, of youth crime, and of school dropouts.

I hope very much that our committee—and I say this to the chairman of our subcommittee—will require from the Labor Department a rather close report on how the proposal works out. We are now making the first step, as the Senator has so properly said. I am hopeful that we shall be able to demonstrate, on the basis of facts, that to raise the age limit and to cut the figure for maintenance for those who study was improvident. Having oriented the thinking in the minds of our own colleagues, I hope we may be able to take other steps which will really make this work as it should.

Mr. CLARK. I share the view of my friend from New York, and I recall to him the brilliant study of this subject made by the former president of Harvard University, Dr. James B. Conant, which impressed us all with the problem of school dropouts in the great metropolitan areas of our country, a critical problem about which we must do something.

Mr. JAVITS. I thank my colleague.

Mr. CLARK. Mr. President, I ask that the Chair put the conference report to a vote.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

AMENDMENT OF ACT ESTABLISHING CODE OF LAW FOR THE DISTRICT OF COLUMBIA

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business, which will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 5143) to amend section 801 of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901.

The Senate resumed the consideration of the bill (H.R. 5143) to amend section 801 of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901.

PENNSYLVANIA WELFARE BOARD ENDORSES PRESIDENT'S PROGRAM

Mr. CLARK. Mr. President, the Pennsylvania State Board of Public Welfare has adopted a resolution strongly supporting the principles and objectives of H.R. 10032, which embodies the recommendations of President Kennedy and Secretary of Health, Education, and Welfare Ribicoff for improvements in the public assistance program.

The Commonwealth of Pennsylvania, whose welfare programs directly or indirectly affect some 2 million persons

each year, has been placing its emphasis upon prevention and rehabilitation services to restore relief clients to self-support, which is the objective of the President's proposals.

I ask unanimous consent that the text of the resolution adopted by the Pennsylvania Board of Public Welfare, which is headed by Mr. Harry Boyer, be printed in the RECORD at this point.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Whereas the Pennsylvania Board of Public Welfare recognizes that the basic purpose of public assistance is to help those in financial need through circumstances beyond their control; and

Whereas after many years of public welfare services which consisted largely of money payments, President Kennedy and Secretary of Health, Education, and Welfare Abraham Ribicoff, have proposed a new approach stressing social, health, preventative, and rehabilitative services instead of support alone; and

Whereas the Pennsylvania State Board of Public Welfare recognizes the vital impact and the overwhelming importance of the general objectives of this approach as a major turning point in the humanitarian public welfare program as a means of helping the needy toward rehabilitation instead of merely giving them the money which they need; and

Whereas many of the principles of the Kennedy-Ribicoff program have long been recognized in Pennsylvania, and in fact put into experimental operation with such projects as the family rehabilitation program; and

Whereas legislation in the form of House bill 10032 has been introduced in Congress to enable early action to assure that the public welfare program, while recognizing day-to-day needs, will also emphasize the return of individuals to the highest degree of self-sufficiency of which they are capable: Now, therefore, be it

Resolved, That the Pennsylvania Board of Public Welfare go on record in support of the principles and objective purposes of House bill 10032; and be it further

Resolved, That copies of this resolution be forwarded to Pennsylvania's Representatives and Senators in the Congress and to other interested parties.

LET THE AMERICAN PEOPLE BEWARE

Mr. METCALF. Mr. President, a basic maxim of law is "falsus in uno, falsus in omnibus." A witness' testimony, if false as to any material part, generally should be discarded as a whole and cannot be relied on for any purpose, unless strongly corroborated.

One of the statements thrown at Members of Congress many times in recent months reads as follows:

We cannot expect the Americans to jump from capitalism to communism, but we can assist their elected leaders in giving Americans small doses of socialism, until they suddenly awake to find they have communism.

The quotation is attributed to Nikita Khrushchev, and is said, by the people who use it, to have been made some 3½ months before his visit to the United States in September 1959.

I have seen this statement in letters to editors. It is sometimes attached to letters I receive. Sometimes it is printed, against a red background, on post cards distributed as a public service by Coast Federal Savings of Los Angeles, which has circulated thousands of copies of literature endorsing the John Birch Society.

Sometimes it appears on post cards bearing the imprint of Poor Richard's Book Shop of Los Angeles, which disseminates rightwing material. Sometimes, in mail I receive, this quotation is followed by statements like the following:

Your socialistic voting record leads me to believe that you are one of the elected leaders upon whom Nikita Khrushchev depends to carry out his plan.

I asked the Library of Congress to find the origin of the statement. I received the following reply:

We have searched the Legislative Reference Service files, checked all the standard reference works on quotations by Khrushchev, and consulted with the Slavic Division of the Library of Congress, the Department of State, and the U.S. Information Agency, in an attempt to determine the authenticity of this quotation. From none of these sources were we able to produce evidence that Khrushchev actually made such a statement.

I asked the Senate Internal Security Subcommittee if its files showed any documentation for the quotation. Chairman JAMES O. EASTLAND, on February 26, advised me that:

Inquiry to the Slavic Division of the Library of Congress discloses no authentic source for the quotation.

A similar inquiry to the House Committee on Un-American Activities brought the following response, dated March 3, from Chairman FRANCIS E. WALTER:

The research section of our committee as well as the Legislative Reference Service of the Library of Congress have been unable to find the origin of the quotation referred to above.

I queried Director J. Edgar Hoover of the Federal Bureau of Investigation. On March 1 he advised me that:

I have had the files and reference material available to us reviewed; however, it has not been possible to verify the authenticity of the statement.

I asked the Central Intelligence Agency. On February 13, 1962, Director John A. McCone advised me as follows:

The quotation * * * does not appear in any of Khrushchev's speeches, interviews, articles, or off-the-cuff remarks which have come to our attention. To the best of our knowledge, we believe the quotation to be spurious.

Mr. President this fabrication, attributed to the leader of the Communist Party, arouses Americans against their elected officials. Readers and listeners are led, by the mischievous persons who authored and use the false quotation, to believe that their President, their Senators, their Representatives, their judges and local officials are Communist stooges. Thus a lie is used to perpetrate a greater lie.

I say, Mr. President, that whoever created this quotation, and those who, knowing it to be spurious, nevertheless disseminate it, are cut from the same cloth as Communists and Fascists. Totalitarian movements always strive to belittle and subvert democratic or republican government. Let the American people beware.

Mrs. NEUBERGER. Mr. President, will the Senator yield?

Mr. METCALF. I am glad to yield.

Mrs. NEUBERGER. I was interested in the Senator's comment that the letter talked about his socialistic voting record. I should like to know whether there is a comment as to what particular votes the Senator cast which give him a socialistic voting record.

Mr. METCALF. They comment on such votes as votes for conservation; for President Kennedy's legislative program, the New Frontier program; for support of social security programs; and for whatever they feel to be socialistic. It covers the whole spectrum.

Mrs. NEUBERGER. That is very interesting. I find myself very often in accord with the junior Senator from Montana. I was interested to know what makes them consider us socialistic.

Mr. METCALF. I thank the Senator from Oregon.

TOBACCO SMOKING

Mrs. NEUBERGER. Mr. President, a headline in today's issue of the New York Times must have had the same magnetic appeal or effect on hundreds of thousands of readers that it did on me. The headline is "War on Smoking Asked in Britain." That is, the headline would have the same magnetic effect on the users of tobacco and smokers. Having at one time been a smoker, I know how one's eye is attracted to such a story as that, because in each of us there is a subconsciousness that perhaps what we are doing is detrimental to our own health.

Our own National Cancer Institute has been saying about the same thing that is stated in the report from the Royal College of Physicians in England. The results of their findings are always countered by a barrage of advertising and counterattack from the tobacco companies of America. Once more they step up their advertising. They plant stories in national magazines to try to refute the statistics presented by the national studies. Warnings of the American Cancer Society against this danger are submerged somewhat like the seashores have been submerged by the waves that have been rolling in on the eastern shore in the past few days. We in the Congress continue to vote to keep tobacco as one of our basic crops, along with wheat, corn, and so forth, while, on the other hand, we Members of Congress support the National Cancer Institute. Crops basic to what, I ask? We seem to obtain some kind of satisfaction in justifying the support of tobacco as a basic crop so long as we warn against the harm it may cause. I sometimes wonder why we do not do the same thing with respect to opium poppies. At least opium has some medicinal value.

"Why is there such a reluctance to believe the facts?" is the question Sir Robert of the Royal College of Physicians asked in presenting his report.

He answered his own question by saying, "Because we never like accepting unpleasant facts."

Then he went on to make a very important statement. It is obviously as true in Britain as it is in America:

Very big financial interests are involved.

Why do we Americans believe the results and findings of other institutes out at NIH in Bethesda, and accept what they tell us about mental retardation and heart disease, but tend to gloss over the fact that tobacco is harmful to many people? What is required to convince us that cigarettes are poisoning and killing a substantial segment of our population?

Yesterday, in London, a committee of Royal College of Surgeons added its venerable voice to the already vast body of medical testimony on the direct cause of lung cancer by cigarette smoking. In stark and unflinching terms the society reported at the conclusion of a 3-year study that the total risk of dying of lung cancer for a smoker of 25 or more cigarettes a day—that is a little over 1 pack a day—is 1 in 9 if he is between the ages of 35 and 84.

The television advertising of tobacco companies that I have seen has a great appeal to people even younger than 35; and watching it, one would think that in order to be an expert water skier he should smoke a given kind of cigarette.

As if lung cancer were not enough, the committee also found that cigarette smoking probably contributes to death from coronary heart disease, tuberculosis, and peptic ulcers; that cigarette smoking may be a contributory factor in cancer of the mouth, pharynx, esophagus, and bladder; and that cigarette smoking is an important predisposing cause in the development of chronic bronchitis.

Today, Dr. Kenneth Endicott, Director of the National Cancer Institute, issued the following statement:

The National Cancer Institute and the U.S. Public Health Service for several years have considered that the evidence that excessive cigarette smoking seriously increases the risk of lung cancer is very strong. We are pleased that our position is supported by such a distinguished scientific body as the Royal College of Surgeons.

Mr. President, the evidence is in. No jury of 12 men and women could possibly escape the conclusion that tobacco, in the form of cigarettes, is a poison more lethal than the deadliest narcotic.

The public has been told the facts. But the facts have been obfuscated by an expensively financed smokescreen—a smokescreen of quibble, distorted fact, and half-truth.

The committee of the Royal College has called upon governments to act to inform and protect their citizens. In this country, the Federal Government can no more permit the continued unchecked poisoning of our population than it could permit the unrestricted sale of narcotics in drugstores, supermarkets, restaurants, newsstands, and in the halls of every commercial and residential building in our country.

Some action must be taken. The committee suggested, among other solutions, that cigarette manufacturers be required to print the tar and nicotine contents on the pack.

The committee also suggested the Government might investigate the value of antismoking clinics for those who find it difficult to give up smoking.

Perhaps the most provocative suggestion by the committee was for a sharp increase in cigarette taxes. The proceeds from such a tax might profitably and rightly be used to finance cancer research, to finance the Food and Drug Administration's program of policing the consumption of poisonous substances and for the relief of families left destitute through the death of the head of the family from lung cancer. Within the next few days, I shall expect to introduce legislation to deal with this tragic problem.

MISSILE SITES LABOR COMMISSION

Mr. MUNDT. Mr. President, there is no question that the informed people of the world have been greatly impressed by the outstanding success of the recent orbital space flight of Lt. Col. John Glenn, to whom the Congress a few days ago gave tribute. At the same time, however, and without attempting to minimize the importance of Colonel Glenn's flight one scintilla, it should be remembered that this is really only the beginning of our orbital space program. In fact, Colonel Glenn, in addressing the joint meeting of the two Houses of Congress on February 26, stated:

Friendship 7 is just a beginning, a successful experiment. It is another plateau in our step-by-step program of increasingly ambitious flights.

Later, Colonel Glenn added:

Our efforts today and what we have done so far are but small building blocks in a huge pyramid to come.

Some of our future plans were mentioned in the Washington Post of February 21, 1962, in an article written by Mr. Howard Simmons where it was stated that American astronauts will rocket into earth orbit atop Atlas missiles at least six more times during the next year. NASA has also indicated, according to the article, that between this month and the end of next year there are plans to launch 78 manned and unmanned space probes, satellites, and manned orbital flights. In late 1963 or early 1964, the two-manned Gemini capsule, powered by the Titan II missile to establish the practicality of the orbital rendezvous technique, is planned, and, thereafter, the Apollo spacecraft and the Saturn rocket, as well as the Nova vehicle, are being planned by NASA to get the first American astronauts to the moon by 1966 or 1967, so states the article.

Although this is comparatively long-range programing, it appears to me that every moment is of vital concern to us in this "race-to-the-moon" effort. As such, therefore, I am constantly reminded of the sworn testimony of Mr. B. G. MacNabb, operations manager for Convair's General Dynamics Division—maker of the Atlas missile—at Cape Canaveral, Fla., on May 5, 1961, while appearing as a witness, before our Senate Permanent Subcommittee on Investigations of the Committee on Government Operations during the course of our inquiry into the work stoppages at our various missile bases. Mr. MacNabb, in referring to the Project Mercury program, said that if Convair had not lost approximately 30,000 man-days due to work stoppages, "we certainly, at this point, would be 6 months ahead in our program." Mr. MacNabb said the same thing in another way. He stated that when the Russians put their man into space on April 17, 1961, "if within 6 months of that date we (had) put a man into orbit around the earth, had we not had this (the work stoppages), then we would have had our man into orbit before the Russians did."

This, then, is a patent explanation as to what work stoppages have done to our missile program. To attempt to limit the stoppages, which our investigations subcommittee found to be a total of 327 involving the loss of 162,872 man-days at our various missile bases as of March 31, 1961, the President, by Executive Order 10946, dated May 26, 1961, established a Missile Sites Labor Commission for "the purpose of developing policies, procedures and methods of adjustment for labor problems at missile and space sites" in "uninterrupted and economical operations at (such) missile and space sites"—section 1 of the Executive order. Secretary of Labor Arthur J. Goldberg was designated as Chairman of the Commission pursuant to the terms of the Executive order.

While, in all fairness it should be pointed out that there was a considerable curtailment of time lost shortly after the Commission was created—especially as compared with the approximate loss of 86,000 man-days because of walkouts in 1960—I am disturbed by the mounting loss of time that resulted from a reoccurrence of these work stoppages in December of 1961 and in January of this year. According to information furnished our Permanent Subcommittee on Investigations monthly, 953 man-days were lost in 11 separate work stoppages in the month of December, while 2,500 man-days were lost in January in 22 separate work stoppages. This information, supplied by the Missile Sites Labor Commission, should be compared with the number of work stoppages and jurisdictional disputes in areas other than the missile field. Thus, the Commission reports that—

The January lost time rate will approximate 0.184 percent, which will be the highest rate for any month since April 1961. It is higher than the rate for 16 of the 24 months during 1960 and 1961. It is higher than the 1960 all-industry rate of 0.17 percent.

Thus, in January, approximately 57.3 percent of the man-days lost were attributed to jurisdictional disputes. The figure during July 1960 through April 1961 was 49 percent at all missile bases.

Both figures are much out of proportion compared with the percentage of total time lost due to jurisdictional disputes in all-industry and in all-contract construction in the United States. For example, in 1960 the all-industry rate was 0.1 percent, while the contract construction rate was 2.5 percent.

During the January period, the report indicates that five unions were responsible for approximately 97 percent of the total man-days lost. These were the millwrights, pipefitters, ironworkers, electricians, and the operating engineers. Many of these are familiar sounding names found during the course of our subcommittee hearings last year. Most of the disputes were centered at Larson Air Force Base, Wash., and Lincoln Air Force Base, Nebr. All of these unions are in the building trades and most of the January disputes were among the building trades members. It should be recalled that the building and construction trades department, on February 17, 1961—right at the time that our subcommittee's field investigation was proceeding in deadly earnest—issued a statement of policy which amounted to a no-strike pledge so far as the activities of the member unions engaged in work in the missile program were concerned. While the February figures have not yet been put into report form, I have been informally advised that they will approximate those of the month of January. Some 19 work stoppages, the majority of them being in the form of jurisdictional disputes, resulted in the loss of approximately 2,400 man-days. These were centered principally at Larson Air Force Base, Wash.; Davis-Monthan Air Force Base, Ariz.; and Mountain Home Air Force Base, Idaho. In addition, I understand that approximately 1,300 man-days were lost on Monday, March 5, at the Little Rock Air Force Base, Ark. The complete information on this work stoppage would not be available until the time of the March report, published in April.

It is apparent, therefore, that a continuation of such work stoppages by the unions will not only be a further breach of their no-strike pledge, but will seriously question the ability of the Missile Sites Labor Commission itself to cope with such exigent circumstances. In that regard, I am mindful of a statement made here on the floor of the Senate on May 11, 1961, by our distinguished committee chairman, Senator JOHN L. MCCLELLAN, when bringing the matter to the attention of the Congress. He said:

> Mr. President, with respect to the no-strike pledges and administrative action, I entertain serious doubt that whatever administrative action is taken will be sufficient to provide a complete remedy. Nothing short of a law with teeth in it, one that can be enforced, will, in my judgment, meet the exigencies and dangers of this situation.

And as I stated in my closing statement which I inserted into the record of our subcommittee's hearings on work stoppages at missile bases last year:

> The effectiveness of the Commission appears to be based on the voluntariness of the opposing groups to submit their disputes before it. The Chairman has indicated that he favors the enactment of legislation to curb strikes at missile installations. I am inclined to agree that Congress should find a way to outlaw strikes and work stoppages on Government defense contracts, especially as they concern the vital missile program. I also feel that the new Commission will serve very little purpose because it just adds one more unit to a remedy which can be invoked by the proper use of the Taft-Hartley Act and by amending the Davis-Bacon Act.

In that regard, I am mindful of an excellent article commencing on page 121 of the February 1962 edition of the American Bar Association Journal entitled "The Missile Sites Labor Commission and the Derogation of the Taft-Hartley Act." The article was written by Harry L. Browne, who is practicing law in Kansas City, Mo., and who was an attorney with the National Labor Relations Board from 1938 to 1949, with the exception of 3 years spent in the military service. I commend this to the attention of each Member of the Senate, and I ask unanimous consent that the article be inserted at this point in the RECORD.

The PRESIDING OFFICER (Mrs. NEUBERGER in the chair). Is there objection?

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE MISSILE SITES LABOR COMMISSION AND THE DEROGATION OF THE TAFT-HARTLEY ACT

(By Harry L. Browne, of the Missouri Bar (Kansas City))

On July 22, 1961, the Missile Sites Labor Commission issued a directive on the first missile site labor dispute it accepted since it was created under terms of an Executive order.[1] The dispute involved a jurisdictional controversy between the International Union of Operating Engineers (IUOE) and the International Brotherhood of Electrical Workers (IBEW), both affiliated with the AFL-CIO, concerning work assignments for the installation of underground cable at the Walker Air Force Base in Roswell, N. Mex. On August 29, 1961, the Commission issued an identical directive at the Dyess Air Force Base, Abilene, Tex., involving the same type of jurisdictional dispute and the same factual situation that existed at Walker Air Force Base.

The work in question had been assigned to the IBEW; the IUOE disputed the assignment; the matter was brought before and heard by the Commission, and upon failure of the parties to reach a voluntary agreement, the Commission issued a directive dividing the work between the two unions. The directive impinged upon the provisions of a contract between the employer and the IBEW, and was contrary to the assignment made by the employer. No finding was made by the Commission in issuing the directive that the Commission relied in the first instance on established governmental procedures, including the National Labor Relations Act, as amended, in resolving the dispute. Indeed it could not, since the Commission did not do so.[2]

[1] 48 L.R.R. 403.

[2] The findings made by the Commission in both cases upon which its directives were based, were as follows:

"1. The aforementioned dispute between the International Union of Operating Engineers and the International Brotherhood of Electrical Workers involves operations vital to the missile program.

"2. Established voluntary procedures have not served to produce a settlement of the dispute. The action of the Commission shall not prejudice in any way the contentions of the parties before any private voluntary machinery.

"3. All parties to the dispute are subject to the commitments made to the President for uninterrupted operations at missile sites, as recited in Executive Order No. 10946, which authorizes the Commission to establish necessary and appropriate procedures for the settlement of such disputes and to provide for the issuance of directives and the taking of other action in connection therewith, and pursuant to such commitments and assurances of cooperation with the Commission, have participated in and complied with the procedures established by the Commission.

"4. The steps heretofore taken pursuant to the procedures established by the Commission in the dispute have not resulted in settlement through the processes of mediation or an agreement for arbitration.

"5. Alternative dispositions of the dispute will have little or no effect upon cost or economy of operation."

[3] Labor Management Relations Act, 1947, 61 Stat. 136, 29 U.S.C.A., sec. 141.

SHARP DEPARTURE FROM EXISTING LAW

The resolution of these jurisdictional controversies by direction of the Commission, where the assent of the parties was not obtained, not only marked the first case heard by the Commission under the Executive order but also marked a sharp departure from existing law governing jurisdictional labor disputes, since exclusive and primary power to determine the dispute was asserted by the Commission as against existing law and procedures.

It is not the purpose of this article to debate the merits of any particular labor problem or to question the bona fides of Commission action. The latter may be accepted and the former is of no consequence here. It is to call attention to the fact, and to the danger, that to the degree that jurisdiction was exercised by the Commission which affected property rights without regard to applicable law, there was an unwarranted encroachment on legislative functions by the Commission.

"In the framework of our Constitution, the President's power to see that the laws are faithfully executed refutes the idea that he is to be a lawmaker. The Constitution limits his functions in the lawmaking process to the recommending of laws he thinks wise and the vetoing of laws he thinks bad. And the Constitution is neither silent nor equivocal about who shall make laws which the President is to execute. The first section of the first article says that 'All legislative powers herein granted shall be vested in a Congress of the United States.'"

This was the opinion of the U.S. Supreme Court in *Youngstown Sheet & Tube Co.* v. *Sawyer*, 343 U.S. 579, 588, 72 S. Ct. 863, 867 (1952), where the Supreme Court held unlawful the seizure by the President of steel companies involved in a labor dispute under the terms of an Executive order finding that a continuance of the dispute would endanger the well-being and safety of the Nation in a time of crisis.

POWER SO EXERCISED "MUST BE SCRUTINIZED WITH CAUTION"

We submit that the directives issued by the Commission, insofar as jurisdictional disputes are concerned, disregard applicable provisions of the National Labor Relations Act, as amended, and without authority of law, override the functions and power entrusted by Congress to the National Labor Relations Board and to the courts.[4] We submit further that no compelling reason exists which justifies the subordination of legal authority to the exercise of extra-legal

authority wielded by the Commission under color of Executive order. However slight an initial step into forbidden jurisdiction, whatever may be done in the name of "expediency," power so exercised "must be scrutinized with caution, for what is at stake is the equilibrium established by our constitutional system."[4]

The Commission was established by Executive Order No. 10946, dated May 26, 1961. The responsibilities and powers of the Commission are as set forth and limited by the terms of this order.

The Commission was established for "the purpose of developing policies, procedures, and methods of adjustment for labor problems at missile and space sites" in keeping with the national interest in "uninterrupted and economical operations at missile and space sites."[5]

In furtherance thereof, the Commission is required by the order to "arrange for the establishment at each missile or space site of appropriate missile site labor relations committees" whose primary functions it is "to anticipate impending problems and to arrange for proper disposition of them prior to the time that such problems become acute."[6] The Commission is further to "establish procedures whereby it will be advised of any labor relations problems at any missile or space site which it appears cannot be settled by the voluntary settlement procedures already in existence or by action instituted by the local Missile Site Labor Relations Committee."[7] In the event the Commission is so advised, it "shall establish such procedures as appear to it necessary and appropriate to produce a satisfactory settlement of such problem, relying in the first instance on presently established private or governmental procedures, including available legal proceedings, so far as these will be effective." Absent such effective presently established procedures, special panels of the Commission are authorized "to hold hearings in disputed matters over which the Commission has jurisdiction, to make findings of fact, to make recommendations for the settlement of such disputes, to obtain agreement for final and binding arbitration of such disputes, to mediate such disputes * * * to issue such directives and to take such action as the Commission may direct."[8]

Having established the purpose, responsibilities, and powers of the Commission, section 8 of the order then makes clear the relationship of the National Labor Relations Board to the Commission, specifically acknowledging that the terms of the order "shall not affect the authority of the Board under the National Labor Relations Act, as amended." Section 8 of the order reads as follows:

"SEC. 8. The National Labor Relations Board and the General Counsel of the Board are requested to establish accelerated procedures for dealing with matters at missile and space sites within the Board's jurisdiction, in accordance with law, and to make such assignment of personnel as is necessary to this end; provided that voluntary procedures for the adjustment of such matters shall continue to be used wherever available, appropriate, and effective, but the provisions of this order shall not affect the authority of the Board under the National Labor Relations Act, as amended."

The Commission's purpose is largely to assist in achieving voluntary settlements, to make findings, recommendations, to mediate, and to obtain agreements for final and binding arbitration. This is the limit of the Commission's authority. While the Commission, under section 3 of the Executive order, may also issue directives, and "take such action as the Commission may direct," the Commission by such directives or action may not, absent agreement by the parties, exercise power to change contracts, or affect private property rights of the parties. This is confirmed by Youngstown. If the Executive order were construed to imply such broad power, it would be of doubtful constitutionality. If the Commission sought to wield it under aegis of the Executive order, it would be an unlawful usurpation of power.

A REMEDY WAS AVAILABLE UNDER THE NLRA

It is to be noted that the cases heard by the Commission did not involve a situation where, but for the exercise of power by the Commission, no remedy would have been available, for there was effective Federal legislation governing the jurisdictional dispute. Section 8(b)(4)(D) of the National Labor Relations Act, as amended, provides in effect that it shall be an unfair labor practice for a labor organization or its agents to engage in, or to induce or to encourage, an actual work stoppage or refusal to work; or to threaten, coerce, or restrain any person engaged in a business covered by the act where an object of such action is forcing or requiring any employer to assign particular work to employees in a particular labor organization or in a particular trade, craft, or class rather than to employees in another labor organization or in another trade, craft, or class, unless such employer is failing to conform to an order or certification of the Board determining the bargaining representative for employees performing such work.

Section 10(k) of the National Labor Relations Act, as amended, authorizes and directs the National Labor Relations Board to hear and determine the dispute whenever a charge of a violation of section 8(b)(4)(D) is made, unless the parties have shown within prescribed time limits that they have established an effective settlement procedure.

Section 10(l) of the National Labor Relations Act, as amended, gives to the National Labor Relations Board the power to seek an injunction against a strike, picketing, or other coercion which reasonably appears to be in violation of section 8(b)(4)(D).

Finally, section 1 of the National Labor Relations Act, as amended, declares the policy of the United States to be, in part, "encouraging the practice and procedure of collective bargaining" by prescribed means.

The NLRB is given the statutory authority to find a labor organization guilty of an unfair labor practice for engaging in specified activity such as strikes, work stoppages, and threats for the purpose of "forcing or requiring any employer to assign particular work to employees in a particular labor organization or in a particular trade, craft, or class rather than to employees in another labor organization or in another trade, craft, or class."[9]

The NLRB is authorized and directed by the National Labor Relations Act, as amended, to hear and determine disputes when such a charge is made and may seek to enjoin any strike, picketing, or other coercion which reasonably appears to be for the purpose set forth above at any time after it has been decided that there is reasonable cause to believe that a charge of a section 8(b)(4)(D) violation is true.[10] Furthermore, such injunctive relief may be, and often has been, granted on the same day a petition for injunctive relief is filed.[11] Moreover, in accordance with the request contained in section 8 of the Executive order, effective August 15, the National Labor Relations Board amended its rules to expedite handling of jurisdictional disputes involving national defense.[12]

Thus an analysis of the established NLRA proceedings available for the settlement of a jurisdictional dispute which works to interrupt operation at a missile or space site, reveals a provision for the voluntary settlement of the dispute, and failing this, a means of determination of the dispute by the NLRB backed up by the statutory power of enforcement and availability of immediate injunctive relief.

In addressing labor problems at missile and space sites, the Commission is specifically directed by Executive order to rely "in the first instance on presently established private or governmental procedures, including available legal proceedings, so far as these will be effective." While in the dispute at Walker, as at Dyess, no private procedures were available,[13] there are, as outlined above, established governmental procedures, including legal proceedings, for the effective settlement of such a dispute interrupting operations at a missile or space site.

THE COMMISSION ENGAGED IN A LEGISLATIVE FUNCTION

In the cited cases, the Commission did not "in the first instance," rely on "established governmental procedures," although, as shown, appropriate governmental procedures were available. Instead, the Commission, when unable to obtain an agreement by the parties, issued a directive on work assignments which affected existing contract and private property rights. In the absence of agreement and under compulsion of the Commission's ruling, the parties adversely affected complied with the directive under protest.[14] Thus the Commission completed a legislative, not an executive function.

The Executive order authorizes the Commission to issue directives and take action consistent with the policy proclaimed and needed to carry that policy into execution but it has no power to invade the province of Congress. The power of Congress to

[4] Justice Jackson's concurring opinion in *Youngstown Sheet & Tube Co.* v. *Sawyer*, at p. 871.

[5] Executive Order No. 10946, sec. 1.

[6] Executive Order No. 10946, sec. 2.

[7] Executive Order No. 10946, sec. 3.

[8] Executive Order No. 10946, sec. 3.

[9] Sec. 8(b)(4)(D) of the NLRA, as amended.

[10] Secs. 10(k) and 10(l) of the NLRA, as amended.

[11] See table 20, "Record of Injunctions Petitioned for or Acted Upon, Fiscal Year 1960," 25th Annual Report of the National Labor Relations Board.

[12] National Labor Relations Board Rules and Regulations, secs. 102.89, 102.90, 101.31, 101.33, 101.35. In announcing the changes, the Board said that its new policy will enable it to "arrive at a determination of the dispute with greater dispatch and at the same time will not deprive the parties of their rights in such disputes." 48 L.R.R. 478. It is significant that even under the expedited procedures, the NLRB was still concerned with the "rights" of the parties.

[13] Neither the IBEW nor the employers were bound by decisions of the National Joint Board for Settlement of Jurisdictional Disputes in the Building and Construction Industry covering the type of work in question. This was a plan for settling jurisdictional disputes in the building and construction industry nationally and locally. C.C.H. ¶5230.971. Awards are binding only on the parties signatory thereto and can be judicially enforced. *United Textile Workers of America, AFL-CIO* v. *Textile Workers Union of America, No. 12323*, 258 F. 2d 743 (7th Cir. 1958).

[14] In the Youngstown decision, the parties also obeyed the Secretary of Commerce, acting pursuant to the Executive order, under protest.

adopt such public policies as those proclaimed by the directive is beyond question.[10] It can authorize the taking of private property for public use. It can make laws regulating the relationships between employers and employees, prescribing rules designed to settle labor disputes, and fixing wages and working conditions in certain fields of our economy. But the Constitution did not subject this lawmaking power of Congress to Presidential supervision or control.

It would seem that a proper regard for the constitutional balance of power would have required that this jurisdictional dispute be resolved by the National Labor Relations Board. Not only does the solution of the problem through NLRB procedures have the force of law but it also clearly better serves the purposes of uninterrupted operation of missile and space sites than reliance on directives, unenforceable in law where the Commission is unsuccessful in obtaining voluntary compliance.

The willingness of the Commission to abide by existing governmental procedures and to respect the jurisdiction of the NLRB when the controversy falls within the prohibition of section 8(b)(4)(D) would in no way undermine the salutary purpose of the Executive order. In all preliminary stages of a potential jurisdictional dispute, where the dispute has not ripened into a violation of existing law, the labor problem is still susceptible to agreement through the good offices of the Commission. Indeed, this would seem to be the full scope of the Executive order. The proper balance between Executive and congressional power would be retained, and moreover it would reconcile the objectives of the Executive order with the national labor policy of the National Labor Relations Act by "encouraging the practice and procedure of collective bargaining." The Commission, we submit, would do well to accommodate its procedures with those of the NLRB—in fact as well as in theory. Both can work in accommodation with each other and yet maintain the basic objectives of uninterrupted operation at missile site bases and free collective bargaining.

"OURS IS A GOVERNMENT OF LAWS, NOT OF MEN"

Principles of great moment must not be discarded in the name of expediency. The continued existence of liberty under law is a right not assured without a corresponding duty—the exercise of eternal vigilance. Even slight or limited encroachment on our constitutional freedoms must be resisted, for it would breed a disrespect for all rights and a gradual diminishing of freedom under law. Often these encroachments are so tenuous that we are unaware of their presence. But to be aware and yet to do nothing is to permit the triumph of evil. We must question critically any program which would impose on men a rule of men rather than a rule of law. The U.S. Supreme Court in the Youngstown Sheet & Tube Co. case spoke eloquently of this vital constitutional principle. The Court said the President under our Constitution must faithfully execute the laws, but "That authority must be matched against words of the 5th amendment that 'No person shall be * * * deprived of life, liberty, or property, without due process of law.' One gives a governmental authority that reaches so far as there is law, the other gives a private right that authority shall go no further. These signify about all there is of the principle that ours is a government of laws, not of men, and that we submit ourselves to rulers only if under rules."[11]

[10] Indeed, shortly after the Executive order was handed down and while the same Congress was in session, a bill was introduced to this effect by Senator CASE, S. 2401.

[11] *Youngstown Sheet & Tube Co.* v. *Sawyer*, supra, at p. 875.

The founders of this Nation entrusted the lawmaking powers to the Congress alone, in both good times and bad. Justice Jackson concluded his opinion in the Youngstown case:

"The essence of our free Government is 'leave to live by no man's leave, underneath the law'—to be governed by those impersonal forces which we call law. Our Government is fashioned to fulfill this concept so far as humanly possible. The Executive, except for recommendation and veto, has no legislative power. * * * With all its defects, delays and inconveniences, men have discovered no technique for long preserving free government except that the Executive be under the law, and that the law be made by parliamentary deliberations.

"Such institutions may be destined to pass away. But it is the duty of the Court to be last, not first, to give them up."[12]

Lawyers as officers of the Court likewise have the responsibility to see that we be the "last," not the "first" to give up free institutions.

Mr. MUNDT. Madam President, in the article, Mr. Browne points out that the Missile Sites Labor Commission issued a directive on July 22, 1961, on the first missile site labor dispute it accepted since it was created. The dispute had hinged on a jurisdictional controversy between the International Union of Operating Engineers and the International Brotherhood of Electrical Workers, both affiliated with the AFL-CIO, as to work assignments at Walker Air Force Base, Roswell, N. Mex. After the matter was heard by the Commission and upon failure of the parties to reach a voluntary agreement, the Commission issued a directive dividing the work between the two unions. On August 29, 1961, an identical directive was issued by the Commission at Dyess Air Force Base, Abilene, Tex. The aforementioned directive, according to Mr. Browne, impinged upon the terms of a contract between the employer and the IBEW and was contrary to the work assignment made by the employer. Mr. Browne contends that this action affecting property rights without regard to applicable law, was an unwarranted encroachment on legislative functions by the Commission. Section 3 of the Executive order, in referring to the establishment of procedures by the Commission whereby it will be advised of any labor relations problems which cannot be settled by the voluntary settlement procedures already in existence or by action instituted by the local Missile Sites Labor Relations Committee, says:

In such event the Commission shall establish such procedures as appear to it necessary and appropriate to produce a satisfactory settlement of such problem, relying in the first instance on presently established private or governmental procedures, including available legal proceedings, so far as these will be effective.

Mr. Browne contends that the Commission's directives, "insofar as jurisdictional disputes are concerned, disregard applicable provisions of the National Labor Relations Act, as amended, and without authority of law, override the functions and power entrusted by Congress to the National Labor Relations Board and to the Courts."

Instead, Mr. Browne would prefer that the Commission confine itself to instances where, "in all preliminary stages of a potential jurisdictional dispute, where the dispute has not ripened into a violation of existing law, the labor problem is still susceptible to agreement through the good offices of the Commission." Mr. Browne goes on to say:

Indeed, this would seem to be the full scope of the Executive order. The proper balance between executive and congressional power would be retained, and moreover it would reconcile the objectives of the Executive order with the national labor policy of the National Labor Relations Act by encouraging the practice and procedure of collective bargaining.

Indeed, Mr. Browne's observations contain a great deal of merit.

On July 25, 1961, in further discussing slowdowns in our missile program on the floor of the Senate, I stated:

Mr. President, there is only one remedy to prevent a reoccurrence of these walkouts and slowdowns and that is to adopt legislation carrying severe penalties for those who cast aside the national security for their own personal gain.

As such, I am mindful of S. 2631, which would prohibit strikes by employees who are employed in certain strategic defense facilities. Missiles and space vehicles would be included within the strategic defense classification. This bill was introduced in the 1st session of the 87th Congress by our distinguished committee chairman, Senator JOHN L. MCCLELLAN, and is one which I cosponsored as the ranking minority Member. I am also mindful of S. 2453 which would amend the National Labor Relations Act by adding a new subsection to section 8 so as to provide that the discharge of employees who engage in a strike not authorized by the collective bargaining representative shall not be considered an unfair labor practice. This bill was also introduced in the 1st session of the 87th Congress by the distinguished Senator from Nebraska [Mr. CURTIS], who is also a member of the Investigations Subcommittee. Third, S. 2134, a bill which I introduced, also in the 1st session of the 87th Congress, of which Senator MCCLELLAN is a cosponsor, would make strikes or concerted refusals to work unlawful for those labor organizations whose employees were covered by a collective bargaining agreement in an industry affecting commerce unless they had been authorized by the affirmative approval of a majority of the employees affected and who had expressed themselves through orderly voting procedures involving the use of the secret ballot.

This is known as the proposed secret ballot strike legislation. I am happy to say it has the support of many individual union members, and of some of the enlightened labor leaders of America.

These are three possibilities of remedying the reoccurrences of these walkouts and slowdowns which so vitally affect our space and tactical military-missile programs. In the national interest, in the interest of our own survival, and in the interest of the survival of the free world, it is up to Congress to act without further delay.

It is in the interest of the survival of all of us. I sincerely hope that this session of Congress will not adjourn before

[12] Ibid., at p. 880.

we complete constructive, salutary action in this field, a field which holds so much peril as well as so many possibilities for the entire free world.

HIGHER FARM INCOME A MUST FOR ANY FARM PROGRAM

Mr. PROXMIRE. Madam President, Congress at this session will have to make a decision on the most perplexing and difficult economic problem which faces the country; namely, the farm problem. The Senate Committee on Agriculture and Forestry and the House Committee on Agriculture are both considering the administration's farm bill.

I feel that one test which any farm program or farm bill must pass, if it passes no other, is: Does it increase farm income? The fact is that farm income is too low—far too low—and any program which will not increase farm income, under all circumstances will not pass that test.

The primary economic injustice in America is that the farmer suffers from an income which is far, far too low. The fact is that the income of people on the farm is less than half the income of persons off the farm, and the situation is getting worse. For example, the American farmer participated not at all in the vast increase in income which has occurred since 1953. Since that time, wages and salaries have increased 50 percent. Business income is up 20 percent. Dividends are up 50 percent. Interest is up 120 percent. In less than 10 years, the interest which the farmer has to pay and which other debtors in America have to pay has more than doubled.

Statistics published in Economic Indicators, issued by the Joint Economic Committee, are so devastating on this point that I ask unanimous consent to have printed at this point in the RECORD the table shown on page 3 of Economic Indicators for February 1962.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

SOURCES OF PERSONAL INCOME

Personal income declined $1.5 billion (seasonally adjusted annual rate) in January to $430.3 billion. Dividends, which had been bolstered in December by special year-end payments, and labor income each accounted for one-third of the drop.

[Billions of dollars]

Period	Total personal income	Labor income (wage and salary disbursements and other labor income)[1]	Proprietors' income		Rental income of persons	Dividends	Personal interest income	Transfer payments	Less personal contributions for social insurance	Nonagricultural personal income[2]
			Farm	Business and professional						
1953	288.3	204.1	18.3	27.4	10.5	9.2	13.4	14.3	3.9	271.5
1954	285.8	202.5	12.7	27.8	10.9	9.8	14.6	16.2	4.6	273.8
1955	310.2	218.0	11.8	30.4	10.7	11.2	15.8	17.5	5.2	295.0
1956	332.9	233.7	11.6	32.1	10.9	12.1	17.5	18.8	5.8	317.0
1957	351.4	247.7	11.8	32.7	11.9	12.6	19.6	21.9	6.7	336.1
1958	360.3	249.2	13.5	32.5	12.2	12.4	21.0	25.3	6.0	343.0
1959	383.3	266.8	11.3	35.0	11.9	13.4	23.6	27.2	7.9	368.1
1960	402.2	282.2	12.0	36.2	11.7	14.1	26.2	29.1	8.3	386.2
1961	415.7	290.8	13.1	36.5	11.5	14.4	27.3	32.9	9.7	399.4
	Seasonally adjusted annual rates									
1960—December	404.0	280.9	12.8	36.0	11.6	14.1	26.7	31.0	8.2	387.2
1961—January	408.6	280.6	12.8	36.0	11.6	14.2	26.8	31.1	8.6	390.5
February	403.1	280.2	12.9	35.8	11.5	14.2	26.8	31.1	9.4	388.2
March	[3] 407.3	281.7	13.0	36.0	11.4	14.2	26.8	[3] 32.7	8.6	[3] 388.4
April	409.8	285.3	12.9	36.1	11.5	14.2	26.8	32.5	9.6	392.9
May	413.2	288.0	12.9	36.3	11.5	14.2	27.0	33.0	9.7	395.4
June	417.8	291.7	13.0	36.4	11.5	14.3	27.1	33.0	9.8	400.2
July	[3] 421.2	293.4	12.9	36.5	11.5	14.3	27.2	[3] 36.2	9.8	[3] 404.0
August	419.4	294.0	12.8	36.6	11.5	14.3	27.4	32.5	9.8	402.4
September	421.1	295.2	12.7	36.8	11.5	14.4	27.5	32.7	9.8	404.1
October	425.2	297.8	13.5	37.0	11.5	14.5	27.7	33.1	10.0	407.2
November	428.3	300.9	13.8	37.3	11.5	14.8	27.9	33.2	10.1	410.9
December	431.8	302.4	13.5	37.4	11.5	15.5	28.2	33.4	10.1	413.8
1962—January[4]	430.3	301.9	13.3	37.4	11.5	14.9	28.5	33.1	10.2	412.8

[1] Compensation of employees excluding employee contributions for social insurance and the excess of wage accruals over disbursements.

[2] Personal income exclusive of net income of unincorporated farm enterprises, farm wages, agricultural net interest, and net dividends paid by agricultural corporations.

[3] Includes stepped-up payment of national service life insurance dividends of $110,000,000 ($1,800,000,000 at annual rate) in March and $215,000,000 ($2,600,000,000 at annual rate) in July.

[4] Preliminary.

NOTE.—Data for Alaska and Hawaii included beginning 1960.

Source: Department of Commerce.

Mr. PROXMIRE. Madam President, the table shows that farm income in January 1962 was exactly the same as farm income in 1953. Labor income—that is, wage and salary disbursements—has increased from $204 billion to $301 billion. Dividends have increased from $9.2 billion to $14.9 billion. Interest has risen from $13.4 billion to $28.5 billion. In other words, in 1953, the net income of farmers was almost precisely the same as the personal interest income. Today, however, personal interest income is far more than twice as great as the income received by farmers.

It seems to me that this is a striking fact, because we know that farm income is, to a considerable extent, within the determination of the Government. It is a fact that interest income is wholly within the determination of the Government. It is a function of the supply of money which is, of course, wholly a Government function under article I section 8 of the Constitution; and on the basis of the delegation of power by Congress to the Federal Reserve Board, the interest rate is determined by an agency of the Federal Government.

On the basis of any standard, not simply the standard of comparing the income of people on the farm and off the farm, but on the basis of the most conservative standard of economic justice, the most free enterprise standard of economic justice, farmers have suffered, and suffered very severely.

To deserve a good income people should be expected to work hard.

The fact is that farmers work longer hours than do people off the farm. The Department of Agriculture has published statistics which show that the Wisconsin farmer works an average of 11½ hours a day, 7 days a week. Of course, he gets no vacation. To merit a high income a man might be expected to make an investment and take a risk. The Wisconsin farmer has an investment which varies from $30,000 to $45,000 a farm. He takes an immense risk; in fact, I doubt if there is anybody in our economy, or any significant group in our economy, which takes as big a risk as does the farmer. It is a risk which is subject to weather, price fluctuations, and crop failure.

If there is any basis for increased reimbursement, if it cannot be on the basis of hours or investment or risk, it should be on the basis of efficiency and of how intelligently the farmer has applied his labor and his investment. Has the farmer done this? The farmer has increased his efficiency more rapidly, by far, than any other group in our economy.

Madam President, the President's economic report of 2 years ago showed that at that time farmers had increased their efficiency over the past decade by 81 percent, whereas people off the farm had

increased their efficiency by 27 percent. The most recent statistics show exactly the same thing. The most efficient operator in the American economy is the farmer. He has had a rapid increase in his efficiency, but has received no benefit from the increase in his efficiency.

EARNINGS OF DAIRY FARMERS

This afternoon, I should like to consider in detail the dairy farm operations. The dairy farmer is supposed to be among the most prosperous of the farmers in our society. I should like to take a look at farm areas of the country which have a reputation for being prosperous—the dairy farmers of New York, Vermont, northern Pennsylvania, Wisconsin, Minnesota, and Iowa.

I have before me a recent publication of the Department of Agriculture entitled "Farm Costs and Returns." This publication shows the return to dairy farmers in various parts of the States to which I have referred.

VERMONT, NEW YORK, PENNSYLVANIA DAIRY FARMERS

The first table to which I shall refer, table 12, shows the returns for the dairy farmers in the Central Northeast, which includes New York, Vermont, and northern Pennsylvania. It shows that over the past decade the farmers, on the average, have increased their land on the farm from 189 acres to 226 acres. They have increased their cropland substantially—from 69 acres to 84 acres. They have increased their crops harvested—their corn, small grains, and hay. There has been increase in every category. They have increased their livestock on the farms significantly.

On the average, these farms, which are big farms by any standard, had a 1947–49 average of 32.9 head of cattle. By 1960, they had 42.9 head, an increase of about one-third.

They have increased their milk production per cow from 6,600 to 8,160. This is a clear mark of efficiency.

Also, the farmers on the Northeastern farms have substantially increased their investment. In the 1947–49 period, they had an average of less than one tractor per farm—.89 tractors for every single farm. In 1960, the average was 1.95 tractors, or almost 2 tractors per farm. That is twice as many tractors; and, of course, tractors are an index of the general investment in machinery.

The average total farm capital for 1947–49 was $21,930; last year it was $40,600, almost twice as big an investment.

The dairy farmers of the northeastern part of the country have almost doubled their investment in land and buildings—from $11,000 to $21,200.

They have increased their investment in machinery and equipment from $2,760 to more than $3,000 in 1960.

Their livestock investment has increased. Their investment in crops has increased.

It is true that the total cash receipts have risen; but the total cash expenditures have likewise gone up almost as much. So although these farmers have a substantially greater investment in land and a much bigger investment in machinery and equipment, and far more capital involved, their net cash farm income has increased from only $2,609 in 1947–49 to $2,977 in 1960.

Incidentally the Northeast dairy farmers received 95 percent of their income from dairy products and from the byproduct, cattle and calves.

FARMERS MAKE $30–$50 PER WEEK

Madam President, if we include the value of perquisites on the farm—the value of the food produced and consumed on the farm, the value of the farmhouse used as a home, and the value of living on that land—we find that the total gross farm income in 1960 amounted to approximately $12,341. But operating expenses were $8,280, and the net farm income was only $4,061.

If we allow a 4-percent return on invested capital, the net income for the farmers was $2,436, or approximately $50 a week. If we allow a 6 percent on invested capital, the return is less, of course; it is $1,665, or $32 a week. Madam President, I submit that this is a disgracefully low income for a farmer who has an investment of $40,000, but whose return is only between $30 and $50 a week.

FARM EARNINGS LESS THAN HALF MINIMUM WAGE

On the basis of the number of hours the farmer works—and these are in the prosperous dairy farms in New York, Vermont, and northern Pennsylvania—the hourly income varies from 46 cents an hour to 67 cents an hour. On the other hand, Congress has only recently taken final action on a minimum wage bill which increases the minimum wage to $1.25 an hour.

So, Madam President, I should like to point out that since 1947–49, although the farmer's income has so greatly been increased, and although he has enormously increased his investment in land, buildings, and so forth, his hourly income has dropped steadily—from 72 cents an hour in 1947–49 to between 45 and 60 cents an hour in 1960.

Madam President, I ask unanimous consent to have printed, at this point in the RECORD, table 12 of the publication to which I have referred.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE 12.—*Dairy farms, Central Northeast: Organization, production, costs, and returns, 1960, with comparisons* [1]

Item	Unit	Average, 1947–49	1957	1958	1959	1960 [2]
Land in farm	Acre	189	212	217	221	226
Cropland harvested	do	69	79	81	82	84
Open pasture	do	70	80	81	82	83
Crops harvested:						
Corn	do	7.9	10.6	10.7	10.8	11.0
Small grains	do	14.5	14.0	14.2	14.1	13.8
Hay	do	46.0	54.2	55.9	56.9	59.0
Crop yields per harvested acre:						
Corn for silage	Ton	9.8	10.5	10.0	10.5	10.3
Oats	Bushel	32.2	53.0	52.0	54.0	52.0
Hay	Ton	1.5	1.7	1.9	1.8	2.0
Livestock on farm, Jan. 1:						
All cattle	Number	32.9	39.6	40.3	41.3	42.9
Cows and heifers, 2 years old and over	do	21.9	26.6	27.3	27.8	28.8
Chickens	do	81	71	65	55	47
Milk production per cow	Pound	6,600	7,480	7,800	7,900	8,160
Tractors on farm	Number	0.89	1.69	1.79	1.83	1.95
Total labor used	Hour	5,240	4,350	4,370	4,320	4,400
Operator and family	do	4,040	3,650	3,540	3,500	3,560
Hired	do	1,200	700	830	820	840
Total farm capital, Jan. 1	Dollar	21,930	32,400	35,200	38,800	40,600
Land and buildings	do	11,000	17,800	18,700	20,400	21,200
Machinery and equipment	do	2,760	6,200	6,500	6,900	7,200
Livestock	do	6,400	5,900	7,300	9,100	9,700
Crops	do	1,770	2,500	2,700	2,400	2,500
Total cash receipts	do	7,864	9,771	10,560	10,853	11,284
Cattle and calves	do	895	872	1,220	1,243	1,266
Dairy products	do	6,139	8,398	8,877	9,283	9,691
Poultry and eggs	do	650	406	384	299	253
Total cash receipts—Con.						
Forest products	Dollar	61	69	51	36	38
Other, including Government payments	do	119	36	28	32	36
Total cash expenditures	do	5,255	6,748	7,498	8,000	8,307
Feed purchased	do	2,113	2,154	2,241	2,340	2,559
Livestock purchased	do	163	219	281	189	126
Other livestock expense	do	93	174	215	347	359
Fertilizer and lime	do	225	297	328	367	378
Other crop expense	do	252	276	284	311	321
Machinery	do	1,106	2,142	2,413	2,538	2,550
Farm buildings and fences	do	361	360	360	403	421
Labor hired	do	564	494	655	728	738
Taxes	do	296	475	525	568	631
Other	do	107	157	196	212	224
Net cash farm income	do	2,609	3,023	3,062	2,853	2,977
Value of perquisites	do	950	943	919	955	943
Change in inventory:						
Crops and livestock	do	−2	286	201	302	114
Machinery and buildings	do	258	68	157	126	27
Gross farm income	do	8,812	11,000	11,680	12,110	12,341
Operating expenses	do	4,997	6,680	7,341	7,874	8,280
Net farm income	do	3,815	4,320	4,339	4,236	4,061
Purchasing power in 1947–49 dollars	do	3,815	3,724	3,677	3,590	3,413
Charge for capital [3]	do	918	1,620	2,112	2,134	2,436
Return per hour to operator and family labor	do	0.72	0.74	0.63	0.60	0.46
Charge for capital [3]	do	899	1,328	1,443	1,591	1,665
Return per hour to operator and family labor	do	0.72	0.82	0.82	0.76	0.67

[1] Revised. [2] Preliminary. [3] See preface.

EASTERN WISCONSIN DAIRY FARMS

Mr. PROXMIRE. Madam President, the dairy farms of eastern Wisconsin—and I believe the country should know that we are proud of Wisconsin as the Nation's dairyland—are also analyzed in this publication; and here we find that the land in farm has increased since 1947–49 from 125 acres, on the average, to 146 acres; the cropland harvested has increased from 67 acres to 86 acres; the farmers have substantially increased their crops harvested—7.9 acres of corn were harvested, on the average in 1947–49; and 12.9 acres, today. The small grains harvested increased from 23 acres to 25 acres.

Incidentally, if the present farm bill were to be enacted, these statistics show that not only would the dairy farmer be limited in his production of dairy products, but also the average dairy farmer would necessarily be required to come under the feed-grain section of the bill, and would be limited also in his production of feed grains; so he would be the only farmer in the United States who would be subject to a double control.

PRODUCTIVITY WAY UP

At any rate, the dairy farmers of eastern Wisconsin have, as I have said, over the years substantially increased their production of small grains and corn; and the amount harvested per acre—which, of course, is an index of his productivity—has also increased substantially—from 52.1 bushels to 63.5 bushels during this period; and his production of other grains has also increased very substantially.

The eastern Wisconsin dairy farmer has increased the size of his herd—from 26.3 head in 1947–49 to 33.9 head in 1960. He has substantially increased the milk production per cow—from 7,130 pounds per cow in 1947–49 to 8,740 pounds in 1960—a clear index of productivity.

Madam President, back in 1947–49 the average Wisconsin dairy farmer in eastern Wisconsin had a little more than one tractor per farm—the figure is 1.1. Of course at that time some farmers operated with horses, instead of with tractors. Today, there are 2.1 tractors for each farm—meaning, of course, that the average dairy farmer in eastern Wisconsin has 2 tractors—which, of course, represents a substantial increase in investment and also in productivity and efficiency.

PER FARM CAPITAL ALMOST DOUBLED

The total farm capital on the average Wisconsin farm has increased from $26,160 to $45,350—a very substantial increase or almost twice as much.

The investment in land and buildings has increased from $14,850 to $28,200.

The investment in machinery and equipment has increased from $3,910 to $7,360.

The total cash receipts of the Wisconsin farmer have increased, but still are far less than those of the Eastern farmers—from $6,427 to $8,353.

NET INCOME HAS DROPPED SHARPLY

And the Wisconsin farmer's total cash expenditures have increased substantially more, and absolutely more, than his receipts have increased. His expenditures have increased from $4,752 to $7,108. That means that today the net cash farm income on eastern Wisconsin dairy farms has dropped from $1,675 in 1947–1949 to $1,245 as of today—a sharp drop at a time when wages and interest are rising and all other indications of income have increased substantially.

The value of perquisites on the farm, according to the Department of Agriculture, have increased some. So the gross farm income has gone up some. At the same time, because operating expenses have increased, net farm income is about the same today—including the value of food produced and consumed and all the other values on the farm. Whereas in 1947–49 it was $2,929 in 1960 it was $3,090.

HOURLY PAY OF EASTERN WISCONSIN DAIRY FARMERS IS 10 TO 33 CENTS

After a charge is allowed for capital, if a 6 percent return is allowed for invested capital, then the farmer is earning approximately 10 cents an hour, or approximately $300 a year, or about $6 a week, according to the Department of Agriculture. But if we allow a 4 percent return on invested capital, the farmer's income increases somewhat—up to 33 cents an hour, or approximately $18 a week.

Madam President, once again the dairy of eastern Wisconsin has found his income dropping. Back in 1947–49 he was not a millionaire, he was earning a modest 45 cents an hour, on the average. But in 1960 he earned between 10 cents an hour and 33 cents an hour, on the average. The 1961 report has not been turned in; but I doubt that there has been much change. Prices are a little higher, but costs are substantially higher.

Madam President, I ask unanimous consent to have printed at this point in the RECORD table 14, to be found in the publication entitled "Dairy Farmers, Eastern Wisconsin."

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE 14.—*Dairy farms, eastern Wisconsin: Organization, production, costs, and returns, 1960, with comparisons*

Item	Unit	Average, 1947–49	1957	1958	1959	1960 [1]
Land in farm	Acre	125	138	140	142	146
Cropland harvested	do	67	80	81	84	86
Crops harvested:						
Corn for grain	do	7.9	9.9	8.8	14.0	12.9
Corn for silage	do	10.1	11.7	13.3	10.9	13.4
Small grains	do	23.0	27.5	28.0	25.9	25.0
Hay	do	23.4	28.2	28.8	31.2	33.2
Crop yields per harvested acre:						
Corn for grain	Bushel	52.1	59.3	56.6	72.1	63.5
Corn for silage	Ton	9.0	9.5	8.4	11.8	10.2
Oats	Bushel	49.5	55.8	64.1	52.5	49.7
Hay	Ton	1.8	2.6	2.0	2.9	3.0
Livestock on farm, Jan. 1:						
All cattle	Number	26.3	34.3	33.0	33.2	33.9
Cows and heifers, 2 years old and over	do	17.6	21.6	21.6	21.7	21.9
Chickens	do	107	107	103	106	93
Milk production per cow	Pound	7,130	8,090	8,540	8,690	8,740
Pigs raised	Number	16	26	28	29	28
Tractors on farm	do	1.10	1.96	2.09	2.10	2.10
Total labor used	Hour	4,670	4,170	4,140	4,120	4,150
Operator and family	do	4,180	3,800	3,760	3,750	3,770
Hired	do	490	370	380	370	380
Total farm capital, Jan. 1	Dollar	26,160	34,980	39,830	43,990	45,350
Land and buildings	do	14,850	22,730	24,560	26,840	28,200
Machinery and equipment	do	3,910	6,670	6,910	7,180	7,360
Livestock	do	5,000	5,050	5,860	7,220	6,600
Crops	do	2,400	2,530	2,500	2,740	3,130
Total cash receipts	do	6,427	7,743	8,282	7,996	8,353
Crops	do	264	212	165	153	269
Cattle and calves	do	983	1,186	1,340	1,204	1,076
Total cash receipts—Con.						
Hogs	Dollar	669	866	1,088	803	825
Dairy products	do	3,900	4,928	5,100	5,281	5,736
Poultry and eggs	do	631	526	573	430	432
Other, including Government payments	do	30	43	16	17	15
Total cash expenditures	do	4,752	6,240	6,535	6,901	7,108
Feed purchased	do	730	890	930	870	813
Livestock purchased	do	33	39	45	39	29
Other livestock expense	do	196	337	374	422	434
Fertilizer and lime	do	123	200	220	243	245
Other crop expense	do	298	426	382	425	461
Machinery	do	2,033	2,362	2,505	2,704	2,794
Farm buildings and fences	do	690	923	988	994	1,000
Labor hired	do	355	356	362	373	387
Taxes	do	302	459	622	662	767
Other	do	52	146	157	167	178
Net cash farm income	do	1,675	1,503	1,747	1,094	1,245
Value of perquisites	do	799	888	934	985	1,024
Change in inventory:						
Crops and livestock	do	57	83	−251	797	573
Machinery and buildings	do	438	228	197	243	248
Gross farm income	do	7,243	8,714	8,966	9,777	9,980
Operating expenses	do	4,314	6,012	6,338	6,658	6,860
Net farm income	do	2,929	2,702	2,627	3,119	3,090
Purchasing power in 1947–49 dollars	do	2,929	2,329	2,226	2,643	2,597
Charge for capital [2]	do	1,046	1,684	2,101	2,200	2,721
Return per hour to operator and family labor	do	0.45	0.27	0.12	0.25	0.10
Charge for capital [2]	do	1,073	1,516	1,633	1,804	1,850
Return per hour to operator and family labor	do	0.44	0.31	0.26	0.36	0.33

[1] Preliminary. [2] See preface.

WESTERN WISCONSIN DAIRY FARMS

Mr. PROXMIRE. Madam President, I come now to dairy farms in western Wisconsin. Western Wisconsin farmers increased their investment in land between 1947–49 and 1960 from 152 acres per farm to 176 acres per farm on the average.

With respect to cropland harvested, corn has increased very substantially, from 9.9 to 15.8 acres. Small grains, from 20.1 to 22.2.

Crop yields have also gone up. The yield per acre of corn was 46.6 bushels in 1947–49. It went up to 56.4 bushels in 1960.

The same is true of the yield for oats and hay.

The western Wisconsin dairy farmer, who typically had 27.9 head of cattle in 1949, had 39 head in 1960.

Milk production went from 6,250 pounds per cow to 8,040 pounds per cow. There was a very significant, laudatory increase in production.

WESTERN WISCONSIN FARMERS INCREASE INVESTMENT

The farmer also greatly increased his investment in machinery. As a matter of fact, in 1947–49 there was less than one tractor per farm—in fact, about 0.80 tractor for each farm. In other words, about 80 percent of the farms had one tractor, on an average. In 1960 there were 1.8 tractors per farm.

Total farm capital in western Wisconsin increased from an average of a little less than $19,800 to $31,260. Total cash receipts went from $5,280 to $7,516.

Total cash expenditures went up from $3,500 in 1947–49 to $5,000 in 1960.

The result was that there was a modest increase, in net cash farm income, which went from $1,757 to $2,490.

At the same time, because of the far greater investment in machinery, land, and equipment, if we impute to the farmer a 6-percent return on his invested capital, his actual earnings declined between 1947–49 and 1960. They dropped from 48 cents an hour to 40 cents.

Once again I want to express the shame of the situation. These farmers are the most efficient people in our society. They have very substantial investments in their farms. They take a big risk. Yet they are earning far less than half the minimum wage. There is no excuse for it.

On every score, from any objective basis of judgment, these farmers deserve a better break.

Madam President, at this point I ask unanimous consent that table 16, "Dairy farms, western Wisconsin," be printed at this point in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE 16.—*Dairy farms, western Wisconsin: Organization, production, costs and returns, 1960, with comparisons*

Item	Unit	Average 1947–49	1957	1958	1959	1960 [1]
Land in farm	Acre	152	166	168	172	176
Cropland harvested	do	64	77	79	82	83
Crops harvested:						
Corn for grain	do	9.9	15.0	13.3	17.9	15.8
Corn for silage	do	7.7	8.8	10.4	8.0	10.6
Small grains	do	20.1	21.3	21.4	22.6	22.2
Hay	do	28.5	31.1	32.8	32.3	34.1
Crop yields per harvested acre:						
Corn for grain	Bushel	46.6	65.8	57.4	67.3	56.4
Corn for silage	Ton	9.0	10.7	10.0	10.9	8.5
Oats	Bushel	36.4	50.6	54.2	51.5	51.7
Hay	Ton	1.5	2.2	2.4	2.5	2.9
Livestock on farm, Jan. 1:						
All cattle	Number	27.9	37.2	38.0	38.5	39.2
Cows and heifers, 2 years old and over	do	16.9	20.9	21.0	20.9	21.0
Chickens	do	106	110	105	108	95
Milk production per cow	Pound	6,250	7,430	7,800	7,980	8,040
Pigs raised	Number	14	22	22	21	20
Tractors on farm	do	0.80	1.62	1.71	1.80	1.80
Total labor used	Hour	4,670	4,190	4,210	4,190	4,180
Operator and family	do	4,230	3,840	3,860	3,840	3,830
Hired	do	440	340	350	350	350
Total farm capital, Jan. 1	Dollar	19,800	25,140	27,030	30,960	31,260
Land and buildings	do	10,570	13,600	14,360	16,440	17,460
Machinery and equipment	do	2,260	3,850	3,860	3,880	3,910
Livestock	do	5,060	5,190	5,260	7,740	7,060
Crops	do	1,910	2,500	2,550	2,900	2,830
Total cash receipts	do	5,280	6,663	7,452	7,234	7,516
Crops	do	42	126	139	94	371
Cattle and calves	do	955	1,155	1,673	1,548	1,468
Hogs	do	557	806	820	659	548
Total cash receipts—Con.						
Dairy products	Dollar	3,111	4,134	4,244	4,384	4,676
Poultry and eggs	do	574	488	542	408	415
Other, including Government payments	do	31	64	34	43	38
Total cash expenditures	do	3,523	4,317	4,505	4,894	5,026
Feed purchased	do	795	683	724	726	683
Livestock purchased	do	33	40	46	40	29
Other livestock expense	do	162	293	318	329	340
Fertilizer and lime	do	123	189	210	229	232
Other crop expense	do	220	333	306	339	376
Machinery	do	1,324	1,574	1,558	1,635	1,915
Farm buildings and fences	do	305	366	371	395	430
Labor hired	do	290	297	309	311	323
Taxes	do	225	378	410	436	525
Other	do	46	142	153	164	173
Net cash farm income	do	1,757	2,346	2,947	2,420	2,490
Value of perquisites	do	733	730	750	767	817
Change in inventory:						
Crops and livestock	do	151	367	241	372	143
Machinery and buildings	do	169	−163	−160	−85	−32
Gross farm income	do	6,164	7,760	8,443	8,303	8,476
Operating expenses	do	3,354	4,460	4,665	4,889	5,058
Net farm income	do	2,810	3,280	3,778	3,414	3,418
Purchasing power in 1947–49 dollars	do	2,810	2,828	3,202	2,893	2,872
Charge for capital [2]	do	792	1,131	1,487	1,548	1,876
Return per hour to operator and family labor	do	0.48	0.56	0.59	0.49	0.40
Charge for capital [2]	do	812	1,031	1,108	1,269	1,282
Return per hour to operator and family labor	do	0.47	0.59	0.69	0.58	0.56

[1] Preliminary.

[2] See preface.

Mr. PROXMIRE. Madam President, incidentally, the dairy farmers in eastern Wisconsin received 85 percent of their income from dairy production and from cattle and calves; and in western Wisconsin, the dairy farmers received about 80 percent of their income from dairy production and cattle and calves.

MINNESOTA DAIRY FARMERS

I come now to the dairy-hog farms in southeastern Minnesota, which is another great dairy State. Here we find that 75 percent of their income comes from dairy products and cattle and calves.

In this case Minnesota farmers have increased their investment in land in farm from 142 acres per farm back in 1947–49 to 163 acres in 1960.

The harvesting of corn has gone up from 20.7 acres of corn to 32.6 acres—a very sharp increase.

The crop yield per acre has gone up very sharply.

The same applies to corn and oats.

Those farmers have heavily increased their investment in cattle. The average farm has not only increased in terms of acres; it is bigger in terms of the amount of stock. The farmer has increased his head of cattle from 25 per farm to 33 head per farm.

Milk production per cow has gone up from 6,000 pounds per farm in 1957–59 to 8,260 pounds per farm in 1960.

The number of tractors has increased. Whereas in 1947–49 there was one tractor, approximately, per farm—1.03—in 1960 there were almost two tractors per farm—1.9 tractors for each farm, to be exact.

INVESTMENT, $50,000—WEEKLY EARNINGS, $17

The total amount of farm capital in southeastern Minnesota increased between 1947–49 and 1960 from $24,780 to $49,960. In other words, the Minnesota farmer had invested in his farm about $25,000 back in 1947–49, and about $50,000 in 1960.

We are not talking about people who have no investment in their job. These

farmers have an investment of about $50,000 in their farms on an average.

The total cash receipts for 1947–49 were $6,639. They increased to $8,837 in 1960.

Total cash expenditures, however, increased from $3,900 to nearly $6,000—to be exact, $5,988.

So that the net cash income on Minnesota farms, in spite of more land, more yield per acre, more milk per cow, and more cows, in spite of very greatly increased productivity, remained almost exactly the same in 1960 as compared with 1947–49.

If we include the value of purchases, the house the farmer lived in, and the food he grew on his farm, we still have a situation in which his net farm income had declined from $3,934 to $3,858.

If we allow a 6-percent return on invested capital, we find his earnings had declined to 23 cents per hour, or about $850 a year, or about $17 a week.

As I have said, these are not foreigners. These are Americans, who have their own investment in their farms, who work very long hours, who have greatly increased their efficiency. On this basis of calculation, which the Department of Agriculture has very painstakingly arrived at, they are earning $17 a week.

Madam President, at this point I ask unanimous consent that table 18 in this publication, entitled "Dairy Hog Farmers, Southeast Minnesota," be printed in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE 18.—*Dairy-hog farms, southeastern Minnesota: Organization, production, costs, and returns, 1960, with comparisons*

Item	Unit	Average, 1947–49	1957	1958	1959	1960 [1]
Land in farm	Acre	142	155	156	159	163
Cropland harvested	do	88	93	94	100	103
Open pasture	do	25	29	29	26	27
Crops harvested:						
Corn for grain	do	20.7	28.3	28.9	34.8	32.6
Corn for silage	do	9.1	8.3	10.4	10.6	12.3
Small grains	do	34.4	29.5	28.5	28.6	29.2
Hay	do	23.4	26.4	25.8	26.3	28.8
Crop yields per harvested acre:						
Corn for grain	Bushel	46.2	58.4	57.8	56.0	54.9
Corn for silage	Ton	8.1	10.5	9.4	9.9	8.8
Oats	Bushel	40.4	44.2	54.1	52.5	47.8
Hay	Ton	1.90	2.62	2.50	2.63	2.85
Livestock on farm, Jan. 1:						
All cattle	Number	25.2	32.3	32.6	32.7	33.0
Cows and heifers, 2 years old and over	do	16.0	19.7	19.7	19.8	19.9
Chickens	do	166	155	141	129	128
Milk production per cow	Pound	6,000	7,240	7,600	8,080	8,250
Pigs raised	Number	34	41	45	48	46
Tractors on farm	do	1.03	1.76	1.81	1.86	1.90
Total labor used	Hour	4,650	3,910	3,920	3,960	3,990
Operator and family	do	4,210	3,620	3,620	3,630	3,660
Hired	do	440	290	310	330	330
Total farm capital, Jan. 1	Dollar	24,780	41,570	44,910	48,840	49,960
Land and buildings	do	14,020	27,270	29,780	31,660	33,430
Machinery and equipment	do	3,280	6,410	6,660	6,970	7,060
Livestock	do	5,070	4,710	5,830	7,170	6,190
Crops	do	2,410	3,180	2,660	3,040	3,250
Total cash receipts	do	6,639	7,910	8,541	8,559	8,837
Crops	do	324	560	546	598	658
Total cash receipts—Con.						
Cattle and calves	Dollar	888	960	1,292	1,318	1,111
Hogs	do	1,543	1,502	1,750	1,477	1,488
Dairy products	do	2,990	4,182	4,296	4,661	5,026
Poultry and eggs	do	866	628	620	474	522
Other, including Government payments	do	28	78	37	31	32
Total cash expenditures	do	3,903	4,890	5,224	5,714	5,988
Feed purchased	do	576	647	679	739	739
Livestock purchased	do	53	51	61	52	44
Other livestock expense	do	156	249	261	279	290
Fertilizer and lime	do	58	150	162	194	206
Other crop expense	do	224	250	229	290	348
Machinery	do	1,759	2,142	2,271	2,507	2,579
Farm buildings and fences	do	400	479	525	538	555
Labor hired	do	314	267	296	319	325
Taxes	do	285	518	574	633	726
Other	do	78	137	156	163	176
Net cash farm income	do	2,736	3,020	3,317	2,845	2,849
Value of prerequisites	do	657	721	761	735	768
Change in inventory:						
Crops and livestock	do	54	146	274	23	234
Machinery and buildings	do	487	−3	10	29	7
Gross farm income	do	7,350	8,777	9,576	9,317	9,839
Operating expenses	do	3,416	4,893	5,214	5,685	5,981
Net farm income	do	3,934	3,884	4,362	3,622	3,858
Purchasing power in 1947–49 dollars	do	3,934	3,348	3,697	3,078	3,242
Charge for capital [2]	do	991	1,871	2,470	2,442	2,098
Return per hour to operator and family labor	do	0.70	0.56	0.52	0.33	0.23
Charge for capital [2]	do	1,016	1,704	1,841	2,002	2,048
Return per hour to operator and family labor	do	0.69	0.60	0.70	0.45	0.49

[1] Preliminary.

[2] See preface.

IOWA, ILLINOIS DAIRY FARMERS

Mr. PROXMIRE. Madam President, the next table covers northeastern Iowa, southwestern Wisconsin, and northwestern Illinois hog-dairy farms.

On these farms 50 percent of the income comes from dairy products and their byproducts, cattle and cows. On these farms, the land per farm has increased from 158 acres in 1947–49 to 178 acres in 1960.

These farmers have substantially increased, by about 50 percent, the amount of corn harvested. They have generally increased the amount of crops harvested. They have greatly increased crop yield per harvested acre. In addition, they have increased milk production per cow from 5,750 pounds per cow in 1947–49 to 7,430 pounds per cow in 1960.

A $22,000 INCREASE IN INVESTMENT NET INCOME DOWN FROM $1.10 TO 31 CENTS PER HOUR

Once again, that is a wonderful showing, a showing of a great increase in efficiency and productivity. The farmers in the area of Iowa, southwest Wisconsin and northwest Illinois have increased their investment in farms from $33,700 in 1947–49 to $56,240 in 1960. $56,240, of course, is a big investment for any man in his business. It is a particularly sad situation when people invest $56,240, on the average, in a business, and then have such an unfortunate, miserable return. As I say, these farmers increased their investment by some $22,540 on the average during that period.

Cash receipts went from $9,324 on the average to $11,050, but cash expenditures increased from $4,792 to $7,391. The result was that net cash farm income in this area, in a dairy rich area, in which the farmers supplement their income substantially through the sale of hogs, poultry, eggs, and other crops, dropped from $4,532 per farm down to $3,659 per farm. If we add in the value of the perquisites, we still note a drop in net farm income, and a substantial drop.

Madam President, if we add in the value of food produced and consumed on the farm, using the farm home as a residence, and so forth, and if we subtract 6 percent interest for the amount of capital which the farmer has tied up in the farm, we find that whereas in 1947–49 the Illinois-Iowa dairy farmers were earning $1.10 per hour, today they are earning 31 cents per hour. They are earning about $25 a week, a pitifully inadequate income on the basis of any standard. It is certainly particularly inadequate and shameful in view of the investment which these men have—which these families have, I should say, because the wives and children work hard, too—in view of the great increase in efficiency, and in view of the large number of hours these men and their families have to work.

Madam President, I ask unanimous consent that the table numbered 20, relating to hog-dairy farms, Corn Belt, be printed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD,

TABLE 20.—*Hog-dairy farms, Corn Belt: Organization, production, costs, and returns, 1960, with comparisons* [1]

Item	Unit	Average, 1947–49	1957	1958	1959	1960 [2]
Land in farm	Acre	158	167	176	174	178
Crop land harvested	do	96	103	103	107	109
Crops harvested:						
Corn for grain	do	33.3	41.7	42.1	44.5	47.0
Corn for silage	do	4.0	2.8	3.7	3.4	4.0
Small grains	do	29.2	27.0	26.3	27.2	24.7
Hay	do	28.1	31.2	30.9	31.9	33.3
Crop yields per harvested acre:						
Corn for grain	Bushel	54.6	76.0	73.4	77.1	70.6
Corn for silage	Ton	9.9	13.0	12.5	13.5	11.9
Oats	Bushel	46.9	51.6	57.2	60.8	64.7
Hay	Ton	2.0	2.4	2.3	2.4	2.7
Livestock on farm, Jan. 1:						
All cattle	Number	26.9	31.9	32.1	32.3	32.9
Cows and heifers, 2 years old and over	do	15.4	17.6	17.7	17.9	18.0
Chickens	do	158	151	133	122	102
Pigs raised	do	89	123	129	130	123
Milk production per cow	Pound	5,700	6,930	7,190	7,240	7,430
Tractors on farm	Number	1.09	2.06	2.16	2.26	2.38
Total labor used	Hour	4,550	4,430	4,350	4,410	4,420
Operator and family	do	3,680	3,900	3,910	3,970	3,980
Hired	do	870	530	440	440	440
Total farm capital, Jan. 1	Dollar	33,700	47,950	49,920	56,250	56,240
Land and buildings	do	19,340	31,730	32,810	37,410	38,800
Machinery and equipment	do	3,650	6,270	6,570	6,930	7,140
Livestock	do	6,090	5,410	6,580	7,850	6,360
Crops	do	4,620	4,540	3,960	4,050	3,940
Total cash receipts	do	9,324	11,047	12,402	11,110	11,050
Crops	do	227	977	1,107	1,248	1,116
Cattle and calves	do	1,136	1,236	1,654	1,621	1,481
Hogs	do	4,322	4,519	5,084	3,929	3,906
Dairy products	do	2,716	3,406	3,726	3,740	4,027
Poultry and eggs	do	858	663	648	444	430
Other, including Government payments	do	65	156	184	99	90
Total cash expenditures	do	4,792	6,347	6,570	7,347	7,391
Feed purchased	do	891	1,112	1,113	1,373	1,282
Livestock purchased	do	78	94	88	53	42
Other livestock expense	do	158	215	223	296	283
Fertilizer and lime	do	160	302	331	353	349
Other crop expense	do	264	349	342	407	443
Machinery	do	1,738	2,506	2,642	2,846	2,859
Farm buildings and fences	do	465	565	675	753	775
Labor hired	do	644	510	437	476	482
Taxes	do	290	508	560	615	672
Other	do	112	177	179	206	224
Net cash farm income	do	4,532	4,700	5,832	3,763	3,659
Value of perquisites	do	661	742	804	823	895
Change in inventory						
Crops and livestock	do	−49	233	181	71	21
Machinery and buildings	do	222	−5	102	157	66
Gross farm income	do	9,956	12,022	13,387	12,604	11,999
Operating expenses	do	4,570	6,352	6,468	7,190	7,353
Net farm income	do	5,386	5,670	6,919	5,414	4,616
Purchasing power in 1947–49 dollars	do	5,395	4,988	5,864	4,080	3,879
Charge for capital [3]	do	1,346	2,306	2,746	2,812	3,274
Return per hour to operator and family labor	do	1.10	0.89	1.07	0.50	0.31
Charge for capital [3]	do	1,382	1,966	2,047	2,208	2,300
Return per hour to operator and family labor	do	1.00	0.95	1.25	0.63	0.38

[1] Revised.
[2] Preliminary.
[3] See preface.

RETURN PER $100 INVESTMENT IN FARMS

Mr. PROXMIRE. Madam President, this Department of Agriculture publication also shows the return per $100 invested with operator and family labor at wage rates paid for hired labor on these dairy farms. If the farmer should pay himself what he has to pay a hired hand who comes to work for him, the table shows what the farmer would be earning on the investment he makes. The table shows that in the Central Northeast—New York, Vermont, northern Pennsylvania—the farmer would be earning a return of about $2.88 on each $100 of investment, or a little less than 3 percent, if he paid himself what the hired hand earns. Of course, hired hands in farming are notoriously low paid.

However, in eastern Wisconsin, Madam President, a farmer would be making nothing. In fact, he would be losing $1.58 for each $100 of investment. In other words, if he paid himself the amount he has to pay a hired hand, he would actually lose part of his investment, $1.58 per $100 each year.

In western Wisconsin the farmer would be losing about 28 cents for each $100 invested.

In southeastern Minnesota the farmer would be earning some 62 cents for each $100 investment. That is less than 1 percent on his invested capital. If the farmer paid himself the pitifully low wage farmers can afford to pay hired hands, he would earn 62 cents on each $100 invested.

On the hog-dairy farms in Iowa, Illinois and southwestern Wisconsin, the farmer is earning about 49 cents for each $100 of invested capital.

Madam President, I ask unanimous consent that the entire table covering the first 5 items in table 10 may be printed in the RECORD at this point.

There being no objection, the information was ordered to be printed in the RECORD, as follows:

TABLE 10.—*Return per $100 invested with operator and family labor at wage rates paid for hired labor, specified types of commercial farms, 1960, with comparisons*

Type and location of farm	Average 1947–49	Average 1950–59	1958	1959	1960 [1]
Dairy farms:					
Central Northeast	$0.81	$3.83	$5.17	$3.78	$2.88
Eastern Wisconsin	−.35	−1.60	−2.37	−1.35	−1.58
Western Wisconsin	.18	0	1.41	−.16	−.28
Dairy-hog farms: Southeastern Minnesota	3.82	2.21	2.14	.23	.62
Corn Belt farms: Hog-dairy	7.90	3.97	6.07	.94	.49

[1] Preliminary.

AMERICAN FARMERS GIVE U.S. PRIME ADVANTAGE OVER RUSSIA

Mr. PROXMIRE. Madam President, this morning's New York Times carried an editorial entitled "Khrushchev's Farm Troubles," in which the writer derided Khrushchev for the utter failure of collective farming in the Soviet Union.

This is a fine editorial—an editorial with which I agree. It points out how much more productive is the American farmer, how much more efficient is the American farmer, than the Soviet farmer.

Madam President, there is no contrast more sharp, no difference which is greater, in economic efficiency and productivity, between the American system and the Soviet system, than that between our farmers and their farmers. Our farmers are the marvel of the world. The No. 1 economic success story in America is on our farms.

The editorial points that out, but somehow the editorial writers, who feel so strongly about the failure of the Soviet collective approach, disagree wholeheartedly with any attempt to increase farm income in America and to preserve the family farm, which is the very heart of our productivity.

The real danger, Madam President, if we continue in this way, is that the family farmers will not be able to survive, and that the corporate farmers, who have far more capital and are able to take losses for a few years, will move in, even though with a much less efficient operation, and take over.

Madam President, I ask unanimous consent that the editorial from the New York Times of this morning be printed in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

KHRUSHCHEV'S FARM TROUBLES

An affluent society, by definition, provides its citizens with plenty of steaks and chops for their dinner tables. Premier Khrushchev, who has promised he will make the Soviet Union so rich that we will see the error of our ways and voluntarily embrace communism, finds it understandably awkward these days that he cannot even give his people enough hamburger. Adding to his embarrassment is the fact that 5 years ago he promised his countrymen that by 1960 they would be eating as well as we Americans do. They were not and are not. This is the background for the current Moscow meeting discussing Soviet food shortages and agricultural failures.

Premier Khrushchev has come out with so many unsuccessful panaceas for Soviet farm problems that skepticism about his latest proposals must be widespread, inside and outside of Russia. As long ago as 1950 he amalgamated collective farms into super-collectives and promised in vain that this step would produce food in plenty. In the mid-1950's he went all out for corn as the magic crop, and extolled the virtues of plowing up tens of millions of acres of semiarid virgin lands as the sure cure for Soviet food shortages. None of these worked.

If Premier Khrushchev were to take off his ideological blinders he would see the root of his failures, and really be able to take effective action. The simple truth is that socialized agriculture, such as the Soviet Union has, does not give the peasant the incentive and the stimulus to produce abundantly. To see this, Premier Khrushchev merely has to compare the lean harvests of his collectivized fields with the rich fruits of the small garden plots which Soviet peasants tend for themselves with loving and rewarding care. A simple Soviet worker recently had a letter published in a Soviet newspaper suggesting that the meat shortage could be ended by ending the restrictions which block Soviet peasants and workers from raising more livestock. Premier Khrushchev ought to be able to see that point, too. But Marxist dogma still blinds his vision.

FARMER GREATLY BENEFITS AMERICAN CONSUMER

Mr. PROXMIRE. Madam President, the saddest and most unjust development in economic experience in America today is that all this increased efficiency which the American farmer is demonstrating is nothing but a burden on the taxpayer. It has become a curse, and the American taxpayer has criticized the Government and, by implication or very directly, has criticized the farmer because he has caused this enormous surplus. Actually, what the American farmer has always done, which is most often overlooked, is to provide the lowest cost food in terms of income that Americans have ever enjoyed. Only 10 years ago the typical American had to pay 26 percent of his income for food. Today he pays 20 percent of his income for food. Why is this? It is entirely because of the great increase in efficiency of our farmers.

The fact is that in no other country of the world do people pay as little for their food as they pay in this country. In the Soviet Union, according to my understanding, the typical consumer has to pay 80 percent of his income for food and clothing, whereas in this country, because of the efficiency of the farmers, he pays far, far less.

FARM PROGRAM MUST INCREASE FARM INCOME

Madam President, this is the point I tried to emphasize at the beginning of my remarks today, and I emphasize it now, at their conclusion. Any farm program to be accepted by the Senate of the United States should, above all, insist on increasing farm income. This must be the No. 1 criterion.

Of course, I suppose to get a farm program through it will be necessary to decrease surpluses or to reduce the cost of farm programs. I think that can be done. But above all, no farm program should be considered by the Congress unless it will increase farm income. This not only is important from the standpoint of economic justice, which I have stressed so far, but also is sensible from the standpoint of economic welfare of our economy.

The farmer is an extremely important consumer. Who is the most important consumer of steel in America? Not the automobile industry; but in every year, with the single exception of 1955, the farmer has been the most important consumer of steel. Who is the most important consumer of oil? In that field the farmer is more important than any one of the armed services. The farmer is a very important customer, and so long as his income is depressed—and unless it improves and increases—we shall continue to have unemployment and very difficult economic conditions.

Madam President, I ask unanimous consent that I may yield to the Senator from Minnesota without my losing my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

THREAT TO FARM INCOME

Mr. HUMPHREY. Madam President, I have been deeply concerned over what has been happening to total agricultural income over the years. I am pleased, of course, to see the rise in income during the past year because of the effective measures taken by Congress and the administration. However, I believe all of us have been deeply concerned over the consistent drop in net agricultural income since 1952. That was reversed, as I said, in 1961.

Now we have before us the problem of sustaining and increasing the income level and making sure that there is no further drop.

Yesterday, in the other body, a vote was taken in the Committee on Agriculture of the House. That vote revealed that the entire Republican membership of the House Committee on Agriculture voted against the resolution which would have sustained—I repeat, which would have only sustained—dairy prices and dairy income for the period of time that we are attempting to work out a new program in Congress which will meet the needs of our agricultural producers.

I could not help but feel that we are witnessing again the kind of economic thinking on legislative policy which has cost the American farmers and the total national economy a terrific loss.

For example, the estimated total loss in gross income to the dairy farmers from April 1 to December 31, at the $3.11 per hundredweight support price for manufacturing milk, as compared to the sustaining price of $3.40 per hundredweight, which has been the level up to date, would be $225 million. On April 1, under current law, it will be necessary for the Secretary to reduce the support levels, unless legislation is passed quickly, as we have tried to do, to relieve that situation.

In the State of Minnesota, we would suffer a loss of cash income of $20 million. In the State of Wisconsin, the estimate is $30 million to $35 million. In the State of Michigan, it is $5 million to $6 million; in Iowa, about $12 million; in Vermont, $1 million to $1½ million; in North Dakota, $4 million; in Missouri, about $8 million.

That is a list of only a few States, picked at random.

As I have indicated, in the United States the estimated loss of income would be $225 million.

I wish to make it clear that the purpose of the Humphrey-Proxmire resolution—and a similar resolution in the House was voted on in the Committee on Agriculture—merely sustains the present price level on dairy products until the respective committees of Congress and the Congress itself can modify the existing law relating to dairy prices and dairy supports.

The 14 Republican members of the House Committee on Agriculture yesterday voted "No." The 13 Democratic members of that committee voted "Yes," in other words, to sustain dairy income.

Ours is quite a dairy producing State—one of the larger ones, I believe. Wisconsin is the leading State in dairy production. I was telephoned by people back home in Minnesota to give some explanation of what had happened. I telegraphed some of our farm creameries, the cooperative creameries, and the Minnesota press, as follows:

> It is regrettable that the House Agriculture Committee today defeated the House version of my resolution to sustain present dairy price supports through this year. America's dairy farmers are once again the victims of Republican votes. Every Republican member of the House Committee on Agriculture voted against the provisions of my resolution to sustain dairy income and prices at current levels. These Republican votes will cost Minnesota dairy farmers an estimated $20 million of income between April 1 and December 31 this year. This is the high cost of Republican politics.
>
> Senator HUBERT H. HUMPHREY.

Madam President, the purpose of the resolution was as a holding action, until something could be done in the legislative process to rectify the inadequacies of existing law. We have been denied that opportunity unless there can be some expeditious action, which apparently will not be available due to the obstructionist tactics employed by those who resist price support policies.

I notice that the report of the U.S. Department of Agriculture on food and agriculture program for the sixties, relating to the importance of the dairy program, states:

> Today's dairy market is in a tightening squeeze—between rising production and declining consumption. At present, the Government is bearing the brunt of that squeeze.
>
> The law provides for mandatory support of milk prices at levels between 75 and 90 percent of parity, as the Secretary of Agriculture determines necessary in order to insure

an adequate supply. Because fluid milk is highly perishable, prices are supported through the purchase of manufactured dairy products—butter, cheddar cheese and nonfat dry milk.

* * * * *

In the current supply situation, it will be necessary under the present law to reduce dairy price supports to 75 percent of parity. However, dairy program costs—approximately $440 million for the next year—would continue to be excessive. And this would reduce farm income substantially.

A satisfactory long-range dairy program must prevent this reduction in milk prices and provide for progressive improvement in dairy farm income, while reducing program costs.

There is presently no authority for such a program. In order to achieve both of these objectives, new legislation is essential to authorize a program through which supplies of milk can be kept in reasonable balance with demand. Such a program would provide the following:

I notice that in the debate in the other body yesterday Representative HARDING, of Idaho, had something to say on this subject. For example, he said, concerning the resolution which had been defeated in committee:

Mr. Speaker, it was a sad event for the American dairy farmer when the House Agriculture Committee voted today against reporting the resolution to maintain the present level of dairy price supports at $3.40 per hundredweight for manufacturing milk and 60.4 cents a pound for butterfat through the end of this year.

Chairman HAROLD COOLEY and Congressman LESTER JOHNSON had introduced this resolution in the House when they learned that the Secretary of Agriculture has no choice under existing law but to lower dairy price supports to 75 percent of parity on April 1, due to the excessive stocks of dairy surpluses in Government storage.

Both President Kennedy and Agriculture Secretary Freeman had appealed to Congress to take action which would prevent this serious reduction in dairy farmers' income. It is estimated if this resolution is not enacted into law it is going to cost the dairy farmers of America $250 million in farm income between April 1 and December 1.

Madam President, I digress to say that I think a more conservative figure would be about $225 million. Representative HARDING continued:

I sincerely hope that the Senate Agriculture Committee will act on this resolution, and that it will be again brought to the House of Representatives and passed, so that our dairy farmers who are already in a desperate condition will not be subjected to a drop of 10 percent in their income starting April 1.

I might mention that this is a stopgap measure. This is just a request to attempt to maintain their income at its present level until the Congress can take action on a permanent dairy piece of legislation that is included in H.R. 10010.

Madam President, that is exactly what we have been discussing in the Senate. I understand that some difficult opposition has been encountered in the Senate Committee on Agriculture and Forestry, as well. I deeply regret this, because until a better farm program can be devised, severe economic difficulties will be experienced in Dairyland America because of the drop in prices.

Mr. PROXMIRE. Madam President, I am still hopeful—perhaps I should not be—that the Senate committee will act favorably on the joint resolution. The fact is that the joint resolution is still pending in a subcommittee of the Agriculture Committee. A number of members of the subcommittee support it enthusiastically.

HOUSE ACTION DISAPPOINTING

The action taken in the House is certainly no help. In fact, it hurts. Nevertheless, I think there is a chance that the joint resolution can be approved. We have not given up hope. A few days still remain before April 1. We shall fight for the joint resolution.

It is important to emphasize the broader aspects of this situation, as the Senator from Minnesota has done, namely, that failure to pass the joint resolution, and the drop in price supports to 70 percent of parity, will accomplish nothing. The problem of large surpluses will still remain. The Federal Government will continue to spend $440 million to acquire dairy products. Thus there will be high costs to the taxpayer, as well as disastrously low dairy farm income.

The economic situation in Minnesota, Wisconsin, and many other States will be bad, in that every village crossroads area, in which the farmer is the primary customer, will be hit hard.

When 10 percent is taken out of the milk check, out of the gross income, the net income is reduced about one-third. That is a particularly punishing blow in view of the grim details I have just placed in the RECORD.

Unless the joint resolution can be acted upon, a really serious economic injustice will be done.

Mr. HUMPHREY. Madam President, as has been noted on both sides of the aisle, the dairy farmer represents one of the finest types of agriculture in the Nation. In the first place, dairy farming is sound conservation. It requires a substantial investment, which, apparently, some persons ignore when they discuss modern agricultural economics.

The dairy farmer maintains a high standard of production and quality of product. Billions of dollars have been invested in the cattle industry of the Nation, particularly in the dairy industry. Any sudden blow such as is required by existing law, unless it is modified, could wreak havoc in many areas of the United States.

It would not only affect the dairy farmer—and the Senator from Wisconsin is eminently correct when he says that this situation involves daily, weekly, and monthly cash income—but would also affect every small town, every city, and every factory in the United States. Dairy income is what we call expendable cash income. It is income which is used. It takes care of the immediate needs of the farmer and the farm family. I think the Senator from Wisconsin puts the issue very well. When we start taking out not merely 10 percent of the gross income, but 30 percent of the net income, we are striking a body blow at the economy which may very well cause serious effects immediately as well as in the future.

I thank the Senator from Wisconsin for his kindness in yielding to me.

Mr. PROXMIRE. I thank the Senator from Minnesota.

Mr. McCARTHY. Madam President, will the Senator from Wisconsin yield?

Mr. PROXMIRE. I yield.

Mr. McCARTHY. Madam President, I commend the Senator from Wisconsin for discussing this problem on the floor of the Senate today. The problem with reference to dairy farmers is even more acute than the problem with regard to wheat, corn, and feed producers, in that they operate with high fixed capital costs.

We have had some experience with the program with respect to which it was declared that if prices were lowered, production would be reduced. We were told that this would have three or four good effects. It was said that it would increase farm income and reduce the cost of the program to the taxpayers, and would have the effect of eliminating surpluses. We know this is not true with reference to feed grains, wheat, and other agricultural commodities.

Unless something is done about the price support for dairy products, the same thing will be demonstrated with reference to that segment of the agricultural economy.

The Senator from Wisconsin has pointed out quite correctly that if the price support were dropped to 75 percent, undoubtedly the volume of production would increase, as dairy farmers in desperation tried to make up—by producing more—what they would be bound to lose if the price support were dropped to that level.

There is no indication that consumption would increase. So the cost to the Government would undoubtedly increase. Furthermore, dairy product surpluses are truly manageable surpluses.

It is my hope that the Senate will take action—first in the committee, and subsequently on the floor of the Senate—to correct this situation. It is a rather interesting sort of contradiction that the very Senators who most often state on the floor of the Senate that no authority should be transferred to the administration, but that Congress itself should act on these difficult questions, now are saying that we should let the Secretary of Agriculture act on this matter. However, this is a responsibility which rests very squarely upon the Members of both Houses of Congress; and we should not try to avoid that responsibility by saying that the Secretary of Agriculture should get an opinion from the Solicitor of the Department, or by saying that the responsibility should be handled elsewhere. In short, the Members of Congress themselves should promptly deal with this matter.

Furthermore, the dairy farmers have not had a chance to respond to the proposals which have been made in the newly-proposed farm program; and, certainly, until they have had an opportunity in 1962 to make their choice in regard to the proposed new farm program, we should wait until we hear from them.

So, Madam President, in the Committee on Agriculture and Forestry, I hope to join in the position the Senator from

Wisconsin takes; and I hope that we obtain favorable action from that body.

LOW SUPPORTS DO NOT DECREASE OUTPUT

Mr. PROXMIRE. I thank the Senator from Minnesota. In my view it is established as a fact that reducing price supports for dairy products does not decrease production. The Senator from Minnesota gave a very good reason why that is so: As the dairy farmer sees the price of his product decline, if he is to maintain his income he has no choice but to produce more, so that his gross income can be maintained. This is not only correct in theory. It is also a statistically established fact.

Examination of farm statistics from 1949 to the present shows the relationship between price supports and production. We find that, with only two exceptions, in the years when price supports dropped, production increased. As a matter of fact, the largest price support drop was between 1953 and 1954, when price supports decreased from $3.54 to approximately $3.15; but production that year increased 2 billion pounds.

DAIRY FARM MISERY NOT THE ANSWER

So the answer is not to have more misery on the part of the dairy farmers, in the hope they will not produce as much. There is a particular reason why they will produce more this year: They have no alternative, for they are "locked in." The feed-grain program, adopted last year, will be effective during 1962. So the dairy farmer cannot begin to grow feed grains for hogs or for the feed program, because he is locked out of that shift, because of his record as a dairy farmer. So if he is to sustain his income, he must produce more milk.

It may be said by some that some dairy farmers may be driven off their farms. However, if that happens, the dairy farmer will sell his herd and his equipment and land; and the result will be that all the productive factors will remain in production. That is why this problem cannot be solved by driving prices down.

PROXMIRE INDIVIDUAL DISSENT FROM REPORT OF THE JOINT ECONOMIC COMMITTEE

Mr. PROXMIRE. Madam President, today the annual report of the Joint Economic Committee on the January 1962 Economic Report of the President was made public. I ask unanimous consent that my own individual views, which are printed on pages 113 through 118, be printed in the RECORD at this point.

There being no objection, the views were ordered to be printed in the RECORD, as follows:

INDIVIDUAL VIEWS OF SENATOR WILLIAM PROXMIRE TO THE MAJORITY REPORT OF THE JOINT ECONOMIC COMMITTEE

While I find much to applaud both in the President's Economic Report and the report of the majority of the Joint Economic Committee to which these views are attached, I find it necessary to write these individual views for three main reasons.

OPPOSE MAJORITY CRITICISM OF BUDGET AS TOO RESTRICTIVE

First I must express vigorous disagreement with the shocking conclusion of the majority that the proposed budget may be too restrictive, that the relatively small surplus projected by the Treasury for the coming fiscal year on highly optimistic assumptions may be too large for the good of the economy.

The majority conclusion is an extreme reliance on what has become the new economic orthodoxy, the now predominantly accepted economic theory that the Nation must run a deficit as long as there are substantial unused economic resources.

Relying on this theory, the majority by implication counsels our Government—in the coming fiscal year—to run a deficit in the administrative budget, a deficit that would increase the national debt even if the coming fiscal year turns out to be a record-smashing boom year. If this advice had been followed in the past, this Nation would have run deficits in virtually every peacetime year of this century. Since deficits are all but certain in wartime—such a course would have given this country a truly astronomical national debt by today. Service costs on the national debt, already the second heaviest cost of the Federal Government, would have rivaled the immense defense costs as a burden on the taxpayer.

The position of the majority in objecting to the administration's small surplus as "too restrictive" is also wrong because it overlooks the fact that the principal economic impact of a budget is in the swing from deficit to surplus. The swing in the coming fiscal year is moderate.

All this is not to say that there is not a solid and proper case for compensatory fiscal policy. Certainly in the event of a serious depression or even a prolonged recession, a very strong case can be made against a surplus, and for following an expansionary fiscal policy in Government taxing and spending.

But the policy of deliberately planning a deficit in a predicted boom year in our economy is unconscionable.

This policy is not only wrong because of the immense national debt burden it would assure. It is also wrong because it would destroy whatever basis there now is for discipline and efficiency in Federal spending. Under this doctrine proponents of additional Government spending cannot only contend for the benefits of the service their spending would provide, they can almost always argue that the spending should involve no taxing because the resulting deficit will be a healthy thing for the economy and put idle resources to work.

The policy is also wrong because there is little evidence that it will work. There is no empirical evidence that the heavy spending and the immense and steady deficits—in relation to gross national product—in the thirties were a significant factor in pulling the Nation out of that depression.

The policy is wrong because its proponents assume that a relatively moderate shift on the order of $2 or $3 billion in the balance between Government spending and taxing can have a major effect on a $550 billion economy.

The policy is wrong because it overlooks other more promising alternatives.

MAJORITY REPORT FAILS TO CONSIDER GOVERNMENT POLICY IMPACT ON SUPPLY OF LABOR

Alternatives to compensatory fiscal policy bring us to our second reason for these individual views.

There is almost no recognition expressed in the majority report of the possibility of approaching the unemployment problem from the supply side of the equation. The number entering the labor force and the number staying in the labor force are apparently regarded as beyond the pale of governmental policy although perhaps the biggest contribution to the reduction of unemployment in this country and in free enterprise economies abroad has been in raising the age at which young people enter the labor force and especially reducing the age at which old people retire from it. Just during the past year a significant though generally overlooked contribution of a change in the social security system to reduction of the labor supply was in the reduction of the male retirement age to 62.

The contribution of the development of the social security system alone to the reduction of both the labor force and unemployment dwarfs the role that compensatory fiscal policy has played. What is more, substantial improvement—as through social security—in the opportunity for workers to retire earlier makes a longrun, secular contribution to unemployment. Compensatory fiscal policy can at best only iron out the valleys and peaks. Since present unemployment is viewed as a secular rather than cyclical problem, compensatory fiscal policy is peculiarly unsuited while improvement and expansion of social security is especially suited to meet the problem.

Complementing the social security approach should be emphasis on a systematic study of entrance to the labor market. For example, the simple act of increasing the age at which children leave school to enter the work force by 1 or 2 years, could at one stroke immensely reduce the unemployment problem. Because of dropouts before high school graduation and the poor preparation for employment of many high school graduates, unemployment is extremely heavy among the young. Of course, this is an action that could not and should not be taken by Federal fiat. On the other hand, Congress and especially the President of the United States could have significant influence in persuading State and local authorities to increase the school-leaving age.

An extra year or two in school combined with heavy emphasis on vocational education during that year for those who intended to enter the labor force immediately upon the conclusion of their high school education could reduce unemployment in two ways. With more young people in school there would perforce be fewer young people seeking work. With young people out of high school better prepared for available jobs, there would be a dimunution both in unfilled skilled jobs and youthful unemployment.

DISAGREEMENT WITH PRESIDENTIAL RECOMMENDATIONS

My third reason for these individual views is to express my disagreement with the report's support of several of the President's legislative recommendations to this session of Congress.

Temporary income tax cut

The President has recommended that Congress delegate to him the authority to reduce the personal income tax temporarily. I emphatically oppose this request. While the majority report does not wholeheartedly support this Presidential request, it does not directly oppose it. I do.

In the event of a serious economic setback, a tax cut might be desirable. Under such circumstances I am confident that the Congress would promptly respond to a Presidential request to reduce taxes. Indeed, no witness at the Joint Economic Committee's hearings was able to adduce a single instance when a Presidential requested tax cut was not granted.

It might be good public policy for the Congress to agree with the administration on the type of tax cut that would be most useful to combat a serious economic setback. It might be desirable for Congress

to agree to give congressional priority to any such request.

But for the Congress to surrender even part of this prime congressional power over taxes on such scanty justification would be very unwise. The balance of power between the Legislature and the Executive has shifted significantly and perhaps necessarily in recent years to the advantage of the Executive. For Congress to surrender its good right arm—its taxing power—would mark a very harmful and unnecessary weakening of congressional power.

Presidential public works discretion

For many similar reasons I am opposed to the President's request to the Congress to grant him authority to initiate $2 billion of public works spending whenever unemployment has been rising for 3 out of 4 or 4 out of 6 months, and has risen by more than 1 percent above its level 4 or 6 months earlier.

Such a formula, of course, provides immense discretion for the President to spend money without specific congressional approval.

It appears to be based on the theory that there is some spending that ordinarily cannot be justified on its merits; but might be justified in a period of economic adversity as a method of recovery. I disagree that spending which cannot be justified on its merits is likely to be justified in terms of good public policy except in times of very serious economic adversity. While the argument for such spending might have solid merit in the event of a depression, once again—on the record—it is doubtful if any President would have difficulty under these circumstances persuading the Congress to support a constructive program.

What is more this proposal has the serious demerit of authorizing grants-in-aid to State and local governments for projects which are peculiarly local in their nature—police and fire stations are an example—and should—if any expenditure should—be left to local discretion and local responsibility.

Investment credit

Finally, I am vigorously opposed to the investment credit proposal of the administration.

The investment credit proposal is wrong for three reasons: (a) it is inequitable; (b) it would aggravate the business cycle, increasing investment in the upswing of the cycle, reducing investment during the downswing; (c) it would not significantly increase investment.

Equity Considerations

The proposed investment credit will, in effect, allow a business investor to obtain tax benefit equal to more than 100 percent of the cost of purchase of an asset. For a corporation in the 52-percent bracket, the investment credit will mean roughly the same as obtaining depreciation equal to 116 percent of the cost of newly acquired assets. The only other case in the tax law where this type of treatment occurs is in the case of percentage depletion.

The credit will, therefore, constitute a new tax loophole. It is a hidden subsidy designed to stimulate investment. However, it is important to recognize that the credit, in its present form, will be given to all taxpayers for almost all purchases of equipment. Therefore, a taxpayer may do only what he would do in any case in order to maximize profits and still receive the benefits of the investment credit. In other words, the investment credit is given even if the taxpayer does nothing unusual in order to receive the benefit.

As a new loophole, the investment credit will be either precedent setting or precedent confirming. Hence, it will make the job of closing other loopholes more difficult.

Cyclical Effects

The proposed credit will tend to accentuate business fluctuations. This will be true even if the credit has no effect on investment decisions. The reason for the procyclical characteristics of the credit is that investment tends to be higher in booms than in recession periods. Since the credit is associated with amounts of investment, this means that Federal revenues will be going down relatively exactly at the times when Government revenues should be rising and Federal revenues will be relatively higher in recession periods. Consequently, the effectiveness of our automatic stabilizers would be watered down by the investment credit.

Accentuation of cyclical fluctuations tends to reduce rates of growth because of the losses of production during periods of under full employment. Therefore, the investment credit will definitely serve to slow growth rates through its cyclical impact. A similar example of this occurred after the adoption in 1954 of the accelerated depreciation methods. There was a boom in investment which led rapidly into a recession period and the average rate of growth after 1954 has actually been less than in the period prior to 1954.

The same types of economic effects hoped for from the credit could be obtained simply through an easier money policy. Both the credit and interest rates affect only the cost considerations in investment decisions.

Economic Effectiveness

It is hoped that the investment credit will encourage modernization and expansion of capital equipment and therefore stimulate economic growth. However, it seems doubtful that the credit will, in fact, stimulate much investment that would not otherwise occur. The credit, of course, can only be justified to the extent that it encourages new investment over and above that which would be made without the credit.

There are several reasons for doubting that the credit will have much influence on investment decisions.

First, there are the comments which are made by the business community itself. A recent Wall Street Journal survey of 68 substantial firms showed that only one (Radio Corp. of America) planned to step up investment significantly because of the credit. Most firms viewed the credit as a welcome windfall in profits but of little or no significance in determining investment policy.

Second, there is considerable excess capacity which exists in manufacturing concerns and it would seem unrealistic for businessmen to expand capacity when they already have more than they can effectively use.

Third, it has been argued that the business community needs more funds in order to invest more fully, but the evidence points the other way. Corporate profits, as a proportion of that part of GNP arising in the corporate sector, have actually been increasing. Furthermore, retained earnings, plus depreciation allowances, now actually are greater than new investment being undertaken by firms. Hence, cash flows are adequate for additional investment, even ignoring the possibilities for new borrowings and new capital flotations.

Fourth, in order for the economy to reap benefits from the new investment, it will be necessary for price reductions to occur in order to have expanded markets. The history of price reductions in the last few years is not promising in this respect. It seems far more likely that, as in the case of accelerated depreciation deductions, firms will simply increase their target rates and thereby retain more profits for dividend payments and other purposes rather than expanding investment.

There are many alternatives to the investment credit and more consideration should probably be given to these alternatives before accepting the credit. The investment credit will involve a revenue loss of at least $1.8 billion in the first year and increasing amounts as investment rises. A major alternative, if tax reduction is to be used, is a reduction of personal income taxes. Such a reduction can stimulate aggregate demand for the goods which capital equipment can produce and thereby lead to an expansion of investment, as well as consumption. Considerable personal tax reduction could be obtained in lieu of the investment credit. Another major alternative is a reduction in the excessively high corporate income tax rate.

Revenue Loss

Proponents have argued that it is necessary to accept the investment credit in order to obtain the loophole closing features of the present bill. Some of these loophole closing features are being lost from the bill. With their loss the Treasury loses the revenues necessary to balance the revenue loss involved in the investment credit.

REDUCTION OF DEFENSE SPENDING BY STREAMLINING PROCUREMENT

Mr. PROXMIRE. Madam President, last October 17, after Congress had adjourned, I had printed in the RECORD a copy of an article published in the Wall Street Journal which discussed the efforts of the Defense Department to reduce defense spending. It was a constructive and stimulating article, purporting to show the job Secretary McNamara is trying to do to reduce expenses in the one department which must reduce expenses if we are to have more economy in Government. The Department of Defense is an exceedingly important part of our total budgetary picture.

At that time I wrote a letter to the Honorable Thomas D. Morris, who is Assistant Secretary of Defense for Installations and Logistics, asking a series of questions about the article which appeared in the Wall Street Journal, and requesting information as to precisely how the Department was going about the cost-cutting procedure, how it was increasing competitive bidding, how it was reducing the cost-plus-fixed-fee contract, how it was saving, as the article claimed, $50 million in buying spare parts for airplanes.

I received a very interesting and responsive letter from the Secretary of Defense, unfortunately too late to include in the RECORD at that time, but because of the great amount of interest that has been stimulated lately in the new supply agency, I ask unanimous consent that the letter from the Assistant Secretary of Defense be printed in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

ASSISTANT SECRETARY OF DEFENSE,
Washington, D.C., October 30, 1961.

Hon. WILLIAM PROXMIRE,
U.S. Senate.

DEAR SENATOR PROXMIRE: The following information is submitted in further response to your October 9 letter on the subject of our efforts to cut costs in defense procurement.

Question 1: "Specifically what steps are being taken to 'expand competition among suppliers of military hardware?'" Mr. Kraar suggests that the saving in the current fiscal year resulting from this more vigorous competition 'may reach $100 million.' Is this figure correct? Have you looked into the possibility of renegotiating existing contracts to inject a similar money-saving element of competition?

The following specific steps have been and are being taken:

1. Revised statistical reporting requirements have been established to give summary figures monthly on trends of sole source procurements to include how many are being made, what classes of products are being bought and what procuring agencies are doing the buying. This will give us the basic data necessary to find out why these noncompetitive procurements are being made and what can be done to introduce competition at the present time or in future procurements.

2. We have introduced more stringent and higher level review and approvals on noncompetitive procurement plans as well as proposed contracts. These reviews require specific advance planning to avoid such noncompetitive procurements in the future.

3. We are reemphasizing the need for strict compliance with contractual provisions requiring early delivery of complete and accurate technical data packages.

4. We are requiring that detailed planning be instituted in the early development stage of all new items to provide for competition at the earliest practical stage of production.

5. We are stressing limitation of essential initial sole source production contract quantities to the minimum consistent with military necessity in order to acquire production data needed to compete for subsequent procurements.

Our estimate of potential savings is based on savings we have achieved on items subjected to competition after having procured them noncompetitively. We are estimating savings we can achieve on new procurements only since we have concluded that reopening of existing contracts would cost more than we could gain in the process.

Question 2: "What exactly are the plans to revise buying regulations to provide stronger incentives for cutting costs? The Journal article suggests that you may use the 'powerful incentive of the profit motive' to achieve this. Is this correct? And if so, how would this be accomplished?"

Mr. Kraar's article is correct when he states that we are introducing programs to provide stronger incentives for cutting costs. Secretary McNamara has stated that we must try to improve the efficiency and economy of our contractors by conducting our procurement programs so as to reward efficiency and penalize waste; by a greater utilization of the profit motive; by allowing appropriate profit ratios for truly effective and efficient performance by contractors; and by imposing greater pricing risks upon contractors.

To accomplish this, we are revising the Armed Services Procurement Regulation section dealing with types of contracts. Our objective is to provide more specifically for identification of risks and to stress the need for more risk taking by our contractors. Obviously this means that their rewards will be larger if their performance is good. Correspondingly they will be penalized for bad performance. We propose to expand the use of firm-fixed-price and fixed-price-incentive contracts. Additionally, we propose a far greater usage in weapons development contracts of performance incentives, whereby contractors get greater rewards for exceeding specified performance targets or penalties for not meeting such targets.

It should be noted that wherever we provide an opportunity for increased earnings there will be an offsetting risk of greatly reduced earnings or losses.

Since the cost-plus-fixed-fee contract offers the least incentive, we are limiting the normal use of these contracts to research and to cases where no other type contract will suitably serve. This, in itself, will constitute a very significant trend reversal.

Question 3: The article states that cost-plus contracts may be deemphasized. Specifically, what steps are being taken to accomplish this? What share of defense procurement is now cost-plus? How much do you think this share can be reduced?

The steps taken to deemphasize cost-plus contracts were discussed above. During fiscal year 1961 30.6 percent of the Defense procurement funds were obligated by use of cost-plus-fixed-fee contracts and only 3.2 percent were by use of cost-plus-incentive-fee contracts. We cannot accurately estimate at this time the extent of the reduction we can achieve in cost-plus-fixed-fee type contracting but we expect a major change in these percentages.

Question 4: The article also quotes you as saying that savings of $50 million per year can be achieved in the purchase of airplane spare parts, and that the percentage of such parts bought competitively can be increased from 15 to 30 percent. What specific steps are being taken to achieve this revision? Are similar changes being adopted for all spare parts procurement?

Many of the steps mentioned previously in answer to question 1 are being applied to the procurement of aeronautical spare parts. In addition, we have just completed a specific study of the policies, methods, and procedures employed by the military services to reprocure aeronautical spare parts.

At present we purchase about $1.2 billion worth of aeronautical spare parts each year, involving approximately 300,000 different line items. The study disclosed that about 7,500 items account for 70 to 75 percent of all procurement dollars spent for replenishment spares. Within the next 2 weeks we intend to have the military departments begin to concentrate their efforts in the spares area on identification and detailed screening of these items. The procedure, established as a result of the study, will require:

(i) Assembly of available data to include basic supply and procurement information as well as technical data.

(ii) Initial data evaluation, concerned with both the Government's and the contractor's rights in data as revealed by the present package and with the adequacy of the available data package to produce a reliable item. This initial evaluation is designed, first, to identify those items for which successful competitive breakout can reasonably be expected, and, second, to permit maximum concurrency in subsequent processing.

(iii) Data completion, involving full contractual or legal determination of rights in data and engineering work to obtain or develop missing data elements.

(iv) Technical evaluation, to determine the developmental status and design stability of the item.

(v) Economic evaluation, to identify and estimate direct cost offsets to competitive procurement in four areas:

(a) requirements for qualification or other approval testing,

(b) requirements for quality control and inspection,

(c) requirements for tooling or other special production equipment,

(d) costs involved in purchase of rights in data or in licensing agreements.

Economic evaluations will also measure total cost offsets against anticipated savings from competitive procurement, and will determine whether competition appears justified.

(vi) Supply feedback, if the item is coded competitive, to insure that generation of a purchase request will allow enough time for competitive procurement.

We hope to have this effort in full operation for aeronautical spare parts by January 1, and will apply it to all other areas of our spares and end item procurements where it appears economically attractive. By concentrating our efforts on those items purchased in large dollar volume we think we will be able to achieve the maximum return for the resources we apply to the program.

Question 5: I would also like to have more information on the proposed sliding scale of award fees tied to total performance described in the final paragraph of the article.

In our answer to questions Nos. 2 and 3 we explained the revised emphasis toward assumption of pricing risks by contractors, and the incentives and methods being developed to effectuate this emphasis. The cost-plus-award-fee technique is being studied as an additional method for accomplishing this end.

While this technique seems to offer promise, we have much more work to do before we will be in a position to use it. Consequently, it should be considered as still in the idea stage.

I proposed the idea of the cost-plus-award-fee technique on June 15, 1961, at a Joint Industry-Defense Department Symposium of the National Security Industrial Association. The following paragraphs from my proposal will further explain some of our thinking in this area:

"The last point I will cover concerns our desire to find still other techniques of incentive contracting, especially suited for development and early production contracts. I emphasize that this is an approach we are exploring from an experimental point of view and that much remains to be done before we can adopt a specific contract technique. We would like, however, to illustrate one approach to you today and solicit your reactions and suggestions as to how we might further develop the idea.

"In brief, the idea is to use a cost-plus-award-fee contract in cost reimbursement situations. After agreement between the parties as to the target costs and definition of the areas of risk, the range of fees would be established. This could range from, say, minus 5 percent to plus 15 percent of the then-estimated cost, with the exact amount to be determined after contract completion—but, not according to a preset formula. The award fee might be determined by a board of qualified 'judges' made up of carefully selected professional people who would be appointed by the Secretary concerned. The Board members would keep themselves informed on the progress of the contract during its entire life.

"After completion of the contract, this Board would determine the amount of fee to be allowed, based on the total overall performance of the contractor, as well as the quality and reliability of the product against our operational requirements. This would entail an assessment of the contractor's general performance; efficiency; economy; ingenuity displayed in meeting contract requirements; changes in contractual requirements; assumption of technical, production and financial risks; breakthroughs achieved; the amount of Government assistance required, etc. These assessments would be made on the basis of demonstrated results, not merely by the application of predetermined mathematical formulas.

"This, in brief, is one idea we are considering to develop a broader spectrum of incentives.

Obviously we would have to develop contractual clauses and secure acceptance for the procedures we would utilize. Detailed contract administration systems would have to be established so that the Board members could keep themselves fully informed (1) on the progress of the contract; (2) on the positive measures the contractor is taking to reduce his costs and meet contract requirements; and (3) on those areas in which the contractor fails to employ acceptable management controls.

"We have had some initial favorable reactions to this technique from industrial executives. We feel this would offer a challenge to industry leaders to demonstrate the abilities of their companies to do a quality job—and to demonstrate this ability in such a manner that a Board, not involved in the contract, is convinced that a quality job was done. It would, of course, place a heavy responsibility on the Board members to render equitable decisions. I feel we could select men who would accept this responsibility and deliver the fairness and objectivity demanded.

"In pursuing the various observations cited above, we will have to have an understanding with the Renegotiation Board with respect to the treatment of profits earned under incentive contracts."

We realize that we will be unable to adopt the above technique until we are in a position to make very thorough, objective, and authoritative evaluations of contractors' performance in the scientific, technical, and business phases of their operations. At the moment we are concentrating our efforts on trying to establish effective systems and standards to accomplish these evaluations in development-contract situations where we are so early in a new program that it has been impossible to set specific performance goals in the contract.

I hope you will find that the above comments provide you the information you need. Mr. Bannerman will be able to supplement these answers if you wish fuller explanation in any of the areas covered.

It is a pleasure to provide you with this information, and we are very appreciative of your continued interest in our procurement program.

Sincerely yours,

THOMAS D. MORRIS,
Assistant Secretary of Defense, Installations and Logistics.

Mr. CLARK. Madam President, will the Senator yield?

Mr. PROXMIRE. I ask unanimous consent that I may yield to the Senator from Pennsylvania without losing my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

ACCELERATION OF PUBLIC WORKS PROGRAMS

Mr. CLARK. Madam President, I send to the desk a bill to provide standby authority to accelerate the public works programs of the Federal Government and State and local public bodies. I ask unanimous consent that the bill may be referred to the Committee on Public Works, and that the text of the bill be printed at this point in my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2965) to provide standby authority to accelerate public works programs of the Federal Government and State and local public bodies, introduced by Mr. CLARK, was received, read twice by its title, referred to the Committee on Public Works, and ordered to be printed in the RECORD, as follows:

FINDINGS AND PURPOSE

SEC. 2. The continuing policy and responsibility of the Federal Government is to use all practicable means, consistent with other essential considerations of national policy, to promote maximum employment, production, and purchasing power. The Congress finds that there have been periodic intervals when severe unemployment and loss of production and purchasing power have occurred and that repetition of these periods of severe unemployment and loss of production and purchasing power can be avoided, or their impact lessened, by prompt remedial action by the Federal Government as authorized in this Act. The Congress also finds that virtually every community in the Nation has a backlog of needed public works projects, and that an acceleration of these projects, during such intervals will not only increase employment and expenditures at a time when such action is most urgently required, but will also meet long-standing public needs, improve community services, and enhance the health and welfare of the citizens of the Nation.

It is the purpose of this Act to provide standby authority which will enable the President to take quick and effective action to stimulate the economy by inaugurating a program of needed public works when unemployment indicators and other economic data clearly reveal that extraordinary action is needed to assure achievement of the objectives stated above, and to provide the President in such periods with authority (1) to immediately increase expenditures for direct Federal programs of public works previously authorized by law, and (2) to furnish an incentive to State and local governmental bodies to accelerate their public works programs through the initiation of projects which can be begun promptly and completed over a reasonably short period of time. It is the further intent and purpose of the Congress that departments and agencies of the Federal Government shall make advance plans for public works projects that will enable them to act promptly when the President initiates the program authorized by this Act, and that the Federal Government shall assist and encourage the States and local governmental bodies, under the provisions of existing law, to make advance plans for public works projects.

PUBLIC WORKS ACCELERATION PERIODS

SEC. 3. (a) The President is authorized to proclaim public works acceleration periods and exercise during such periods the powers conferred upon him by this Act. A public works acceleration period may be proclaimed:

(1) within 60 days after the date when data compiled and published by the Department of Labor reveal that the national unemployment rate adjusted for seasonal variations and stated to the nearest $\frac{1}{10}$ of a percent of the civilian labor force, (i) has risen in three of the four, or in four of the six, most recent consecutive months for which such data are available, and (ii) has risen by not less than 1.0 percentage point measured from the month immediately preceding such four or six month period to the last month of the period, and

(2) after the President has determined that existing employment and unemployment indicators and other available economic data clearly reveal that extraordinary action is needed to assure achievement of the objectives of this Act.

A public works acceleration period shall begin on the day specified in the President's proclamation hereunder and shall terminate whenever the President finds and declares that the need for the programs authorized by this Act no longer exists. Any public works acceleration period proclaimed by the President shall automatically terminate 12 months after initiated unless extended by joint resolution of the Congress. No funds provided under section 9(b) shall be obligated after termination of such public works acceleration period.

(b) No new public works acceleration period shall be proclaimed within the six-month period immediately following the date of termination of a prior public works acceleration period.

ACCELERATION OF FEDERAL PROJECTS

SEC. 4. In addition to the authority otherwise available to him, the President, during the existence of a public works acceleration period, may for the purpose of this Act, direct the departments and agencies of the executive branch, under such rules and regulations as he may prescribe, to accelerate existing Federal public works projects and programs or to initiate new projects and programs already authorized by law. Any such department or agency may use for such projects and programs funds made available pursuant to section 9 of this Act, in amounts prescribed from time to time by the President: *Provided*, That the aggregate of all funds prescribed by the President for the purposes of this section shall not exceed the applicable limitation in section 9(b).

ACCELERATION OF EXISTING FEDERAL GRANT PROGRAMS

SEC. 5. During the existence of a public works acceleration period, the President may direct the departments and agencies of the executive branch to make grants, upon application and under such rules and regulations as they may prescribe, to States, municipalities, local public bodies, and nonprofit organizations, to finance the initiation or acceleration of public works projects and programs for which Federal grants to such bodies and organizations are authorized by the Congress and under the terms and conditions prescribed by the Congress: *Provided*, That no grant under this section shall be subject to any limitation in other laws with respect to the apportionment of funds, the time in which grants may be made, or the aggregate dollar amounts of grants for any prescribed purpose, project, or program: *And provided further*, That notwithstanding any limitation in other laws requiring a grant to be less than 50 percent of the cost of undertaking or completing a project or program, grants may be made under the authority of this section which bring the total of Federal grants available for such projects or programs up to 50 percent of the cost of undertaking or completing such project or program. Any department or agency may use for projects and programs authorized under this section funds made available pursuant to section 9 of this Act, in amounts prescribed from time to time by the President: *Provided*, That the aggregate of all funds prescribed by the President for the purpose of this section shall not exceed the applicable limitation in section 9(b).

GRANTS FOR PUBLIC WORKS PROJECTS NOT ELIGIBLE UNDER EXISTING PROGRAMS

SEC. 6. (a) During the existence of a public works acceleration period, the Housing and Home Finance Administrator, or such agency or officer of the Federal Government as he may designate, is authorized, upon application and under such rules and regulations as he shall prescribe, to make grants to States, municipalities, and local public bodies to finance the initiation or acceleration of public works projects and programs which are not eligible for grants under other Acts of Congress.

(b) The Administrator may use for grants authorized under this section funds made available pursuant to section 9 of this Act, in amounts prescribed from time to time by the President: *Provided*, That the aggregate of all funds prescribed by the President for the purposes of this section shall not exceed the applicable limitation in section 9(b).

(c) The amount of any grant made under the authority of this section shall not exceed 50 percent of the cost of undertaking and completing the project or program for which the grant is made.

FEDERAL LOANS

SEC. 7. (a) During the existence of a public works acceleration period, the Housing and Home Finance Administrator, or such agency or officer of the Federal Government as he may designate, is authorized, upon application and under such rules and regulations as he shall prescribe, to purchase the securities and obligations of, or make loans to, States, municipalities, local public bodies, and nonprofit organizations which otherwise would be unable to meet their share of the cost of projects and programs for which grants have been authorized pursuant to sections 5 and 6 of this Act.

(b) All securities and obligations purchased and all loans made under this section shall be of such sound value or so secured as reasonably to assure retirement or repayment, and such loans may be made either directly or in cooperation with banks or other financial institutions through agreements to participate or by the purchase of participations or otherwise.

(c) No securities or obligations shall be purchased and no loans shall be made including renewals or extensions thereof which have maturity dates in excess of forty years.

(d) Financial assistance extended under this section shall bear interest at a rate determined by the Administrator which shall be not more than the higher of (A) 3 per centum per annum, or (B) the total of one-half of 1 per centum per annum added to the rate of interest required to be paid on funds obtained for the purposes of this section as determined by the Secretary of the Treasury as provided under subsection (e) of this section.

(e) The Administrator may use for loans authorized under this section funds made available pursuant to section 9 of this Act, in amounts prescribed from time to time by the President: *Provided*, That the aggregate of all funds prescribed by the President for the purposes of this section shall not exceed the applicable limitation in section 9(b): *And provided further*, That funds obtained by the Administrator for the purposes of this section shall bear interest at a rate determined by the Secretary of the Treasury which shall be not more than the higher of (1) $2\frac{1}{2}$ per centum per annum, or (2) the average annual interest rate on all interest-bearing obligations of the United States then forming a part of the public debt as computed at the end of the preceding fiscal year and adjusted to the nearest one-eighth of 1 per centum.

RESTRICTIONS AND LIMITATIONS

SEC. 8. The authority conferred by this Act shall be subject to the following restrictions and limitations—

(a) No financial assistance shall be made with respect to any project or program unless the project or segment of work, to be assisted under this Act—

(1) can be initiated or accelerated within a reasonably short period of time;

(2) will meet an essential public need;

(3) if initiated hereunder, can be completed within 12 months after initiation;

(4) will contribute significantly to the reduction of unemployment; and

(5) is not inconsistent with locally approved comprehensive plans for the jurisdictions affected, wherever such plans exist.

(b) Not more than $12\frac{1}{2}$ per centum of the funds provided for in the form of grants pursuant to sections 5 and 6 of this Act shall be made available within any one State.

(c) Each department or agency administering financial assistance authorized by this Act shall adopt such rules, regulations and procedures as will assure that no such assistance shall be made available to any State, municipality, local public body or nonprofit organization unless such project or program for which the assistance is granted produces a net increase in the expenditures of the State, municipality, local public body or nonprofit organization for public works projects approximately equal to the non-Federal contribution to the project or program.

APPROPRIATIONS AND FINANCING

SEC. 9. (a) There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

(b) In order to expedite financing activities under this Act, the President may, during the existence of any public works acceleration period, cause the unobligated balances of appropriations, contract authorizations, revolving funds and other authorizations to expend from public or corporate debt receipts available to the departments and agencies of the executive branch to be transferred to the appropriate accounts of such other departments and agencies in such amounts and at such times as he may deem appropriate and, notwithstanding the provisions of any other law, such transferred balances may be used for the purposes of this Act: *Provided*, That there are hereby authorized to be appropriated such amounts as may be required to restore such transferred balances not otherwise restored to the sources of funds from which they were derived: *And provided further*, That the aggregate amount of such unobligated balances transferred during any capital improvement period shall not exceed (i) $750 million for the purpose of financing projects authorized to be assisted under section 4 of this Act, (ii) $750 million for the purpose of financing projects authorized to be assisted under sections 5 and 6 of this Act, as allocated between said sections by the President, (iii) $250 million for the purpose of financing projects authorized to be assisted under section 7 of this Act, and (iv) $250 million to supplement funds available for sections 4, 5, 6, and 7 of this Act, as allocated among said sections by the President.

ADVANCES FOR PUBLIC WORKS PLANNING

SEC. 10. Section 702 of the Housing Act of 1954 is amended by striking out in subsection (e) "July 1, 1961;" and the remainder of the subsection, and inserting in lieu thereof, "July 1, 1961; and such additional sums which may be made available from year to year thereafter."

LABOR STANDARDS

SEC. 11. All laborers and mechanics employed by contractors or subcontractors on projects and programs assisted under section 6 of this Act shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a–276a–5), and every such employee shall receive compensation at a rate not less than one and one-half times his basic rate of pay for all hours worked in any workweek in excess of eight hours in any workday or forty hours in the workweek, as the case may be. No such project or program shall be approved without first obtaining adequate assurance that these labor standards will be maintained upon the construction work. The Secretary of Labor shall have, with respect to the labor standards specified in this provision, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176, 64 Stat. 1267, 5 U.S.C. 133z–15), and section 2 of the Act of June 13, 1934, as amended (48 Stat. 948, as amended; 40 U.S.C. 276c).

DELEGATION OF POWERS

SEC. 12. The President may exercise any functions conferred upon him by this Act through such agency or officer of the United States Government as he shall specify. The head of any such agency or such officer may from time to time promulgate such rules and regulations as may be necessary to carry out such functions, and may delegate authority to perform any such functions, including, if he shall so specify, the authority successively to redelegate any of such functions. Nothing contained in this section shall authorize the President to delegate the power to proclaim or terminate a public works acceleration period.

DEFINITIONS

SEC. 13. As used in this Act—

(a) The term "State" means the several States, the District of Columbia, the Commonwealth of Puerto Rico, and the territories and possessions of the United States.

(b) The term "local public body" includes public corporate bodies or political subdivisions; public agencies or instrumentalities of one or more States, municipalities or political subdivisions of States; Indian tribes, and boards or commissions established under the laws of any State to finance specific public works projects.

(c) The term "public works" includes the construction, repair, and improvement of: public streets, sidewalks, highways, parkways, bridges, parking lots, airports, and other public transportation facilities; public parks and other public recreational facilities; public hospitals, rehabilitation and health centers and other public health facilities; public refuse and garbage disposal facilities, water, sewage, sanitary facilities, and other public utility facilities; civil defense facilities; public police and fire protection facilities; public educational facilities, libraries, museums, offices, laboratories, employee housing, and other public buildings; and public land, water, timber, fish and wildlife and other conservation facilities and measures.

(d) The term "project" includes a separable, usable feature of a larger project or development.

(e) The term "segment of work" means a part of a program on which the work performed can be separately identified by location and will provide usable benefits or services.

Mr. CLARK. Madam President, on February 19, 1962, President Kennedy sent to Congress a message in support of his standby Capital Improvements Act. The message was referred to the Banking and Currency Committee at that time. The accompanying bill, however, has not yet been introduced because some question was raised as to committee jurisdiction. That question has now been resolved to the satisfaction of all concerned. With the assistance of the able majority leader, the Senator from Montana [Mr. MANSFIELD], the title of the bill has been rewritten and minor changes have been made in the nomenclature; and I think it is now clear that the bill was appropriately referred and should have been sent to the Committee on Public Works.

Mr. MANSFIELD. Madam President, will the Senator yield?

Mr. CLARK. I am happy to yield to the Senator from Montana.

Mr. MANSFIELD. Madam President, I commend most highly the action just

taken by the distinguished senior Senator from Pennsylvania. I commend him for introducing the bill, which is in accord with the President's message. I call to his attention the fact that on a number of occasions—I believe about three times—the President has referred to a proposal of this nature as "the Clark measure," "the Clark proposal," and "the Clark bill." I am happy that the differences between the various committees, as to which should have jurisdiction, have been ameliorated to the extent that the Committee on Public Works has had the measure unanimously referred to it.

However, I hope that the distinguished Senator from Pennsylvania, as chairman of the Subcommittee on Employment and Manpower of the Committee on Labor and Public Welfare, in view of his unyielding interest in this particular proposal down through the years, will see fit, if he thinks it advisable, to carry on into the future his activities in this respect, to the end that it may be possible to find out what the bill would mean in terms of employment if it were passed.

A wide field is involved. It is important. I am happy that the differences have been adjusted. I commend most highly the attitude, understanding, and cooperation of my distinguished colleague from Pennsylvania.

Mr. CLARK. I thank the Senator from Montana very much, indeed, for his kind words. I shall be happy to follow his advice and accede to his request to pursue the general subject matter of the bill further in the Subcommittee on Employment and Manpower, of the Committee on Labor and Public Welfare, over which I have the honor to preside.

The bill, with several significant changes, follows the concept of the Emergency Employment Act of 1961, which I introduced in the first session of the present Congress. That bill was referred to the Subcommittee on Employment and Manpower in the Labor Committee and extensive hearings were held on it last year. Those hearings demonstrated, at least to my satisfaction, the very great need for a program of State and local public works, aided by a Federal matching grant, to enable local and State governments to increase employment within their areas by putting under contract needed public works, plans for which have been approved by their governing bodies, which should be completed within a period of 18 months. It was felt then—and I feel now—that such a program would vastly decrease unemployment, which is particularly high, persistent, and chronic, in my Commonwealth and in a number of other States.

For good and sufficient reasons the administration felt that the bill should be rewritten so as to make it a standby bill instead of a bill which would become effective as soon as it was enacted into law. The standby provision which was treated fully in the President's message, to which I have earlier referred, would come into effect if, but only if, unemployment increased significantly over a measurable period of time in the future.

Accordingly, the appropriations which would be authorized under the bill would not come into existence unless and until such a condition should occur, and we were in fact in the throes of another recession. The administration bill differs from my earlier bill in that the matching grant provision is 50 percent instead of 45 percent, as we originally had provided, and, more significantly, in that it calls for the acceleration of Federal public works as well as for the acceleration of State and local public works. The purpose of the bill is to provide standby authority which will enable the President to take quick and effective action to stimulate the economy by inaugurating a program of needed public works when unemployment indicators and other economic data clearly reveal that extraordinary action is needed to assure achievement of the objectives stated in the Employment Act of 1946. As my colleagues know, those objectives are maximum employment, maximum purchasing power, and maximum production, all consistent with reasonable price stability.

I believe most modern economists agree that such a program of public works, if initiated and put under contract promptly, can have a major effect in minimizing the economic consequences of a recession.

For this reason I hope very much that the present bill—and I am sure my hope will prove to be justified—will receive prompt hearings before the Committee on Public Works. I hope it will be reported and passed during this session of Congress.

This is a controversial measure, because it involves the delegation of some authority to the President of the United States. My own view, however, is that in these times, and in the light of the present procedures of Congress, it is far better to delegate this authority to the President of the United States than to hope that Congress itself, operating through our sometimes delaying procedures, would be able to deal effectively with the next recession when the need for a public works program would be acute.

I am grateful indeed to the President of the United States and to the majority leader for the honor they have conferred upon me in permitting me to be the principal sponsor of the bill.

Madam President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. CLARK. Will the Chair advise me whether, in view of the fact that unanimous consent has been given to refer the bill to the Public Works Committee, it would be in order to hold up the reference for a few days in order to permit additional cosponsors to add their names to the bill?

The PRESIDING OFFICER. Unanimous consent may be asked for that purpose.

Mr. CLARK. Therefore I ask unanimous consent that the bill may lie at the desk until Tuesday of next week, in order that other Senators may have an opportunity to cosponsor this administration bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HUMPHREY. Madam President, will the Senator yield?

Mr. CLARK. I am glad to yield to the Senator from Minnesota, who has been so helpful in this whole area over so many years.

Mr. HUMPHREY. I wish to commend the Senator from Pennsylvania for his perseverance and for encouraging the administration to take action on the legislation which he is now proposing; namely, standby authority in the field of public works.

Our people are entitled to receive the tools and means they need to strengthen the economy when strengthening is needed.

I sat with the Senator from Pennsylvania in a conference at the White House a year ago when the Senator was asking for this very type of legislative proposal, urging that the administration give it open support. I am confident that one of the reasons why the President has made this recommendation—a recommendation to which I fully subscribe—is found in the work the Senator from Pennsylvania has done in this field.

I want the Senator to know that I would be honored to be permitted to join as one of the cosponsors. My colleague from Minnesota and I have introduced a bill of a somewhat similar nature, because of the serious problems which affect some of the people in our State, as well as in other States. I for one feel that we should join together behind the Clark bill and give it every possible support we can, to see that the bill is promptly reported to the Senate. This is good, constructive legislation. I thank the Senator from Pennsylvania.

Mr. CLARK. I thank my friend, the Senator from Minnesota, for his kind words. He was a worker in this particular vineyard long before I joined the labor force of this particular employer. I am grateful for his support and cosponsorship of the measure.

THE UNDERGROUND GARAGE AT THE CAPITOL

Mr. LAUSCHE. Mr. President——

The PRESIDING OFFICER (Mr. PELL in the chair). The Senator from Ohio is recognized.

Mr. LAUSCHE. Mr. President, on the floor of the Senate there has been some discussion about the proposed underground garage suggested for the east front of the Capitol.

In 1957, a report was made by the Architect of the Capitol on the plan and estimates of the cost of the various pieces of construction to take place at the Capitol, in the construction of the four-level underground garage. In connection with the estimates which were made in regard to the east front construction, there has already been expended approximately $2 million for underpinnings and part of the structure of the underground garage. The estimated cost—as fixed in 1957—for this underground garage, which would accommodate 1,900 automobiles, was $41,970,000. That would entail a cost of $22,089 per automobile.

It has been pointed out that in the city of Chicago there was built in 1954 an underground garage accommodating 2,359 automobiles—at a per-car cost of $3,349.

Thus, the estimated cost of the garage to be built on the east front of the Capitol Building in Washington would be $22,089 per automobile, whereas the cost per car of the garage built in Chicago was $3,349. The disparity between those figures is so great that one cannot ignore it.

Mr. President, in the State of Ohio, in 1957 the legislature passed a law authorizing the construction of an underground garage on the grounds of the capitol building in Columbus. The estimated cost of that underground garage, which was intended to accommodate 1,046 automobiles, was $4,053,812, or a per automobile cost of $3,875.

So we have the following very interesting figures: A cost of $22,089 per automobile for the underground garage on the Capitol Grounds in Washington, D.C.; a per automobile cost of $3,349 for the Chicago garage, and a per automobile cost of $3,875 for the garage at Columbus, Ohio. The difference between the per car cost of the proposed garage in Washington and the per car cost of the garage in Chicago and the per automobile cost of the garage in Columbus, Ohio, is $19,000 more per car.

The Washington garage will have four underground levels and, I suppose, the cost is greater; but I canot bring myself to agree with what seems to be a most inordinate cost for the building of the garage.

We cannot justify centralizing the garage on four levels when the cost per car is practically $19,000 more than garages can be built for anywhere in the country on a one-level basis.

The Ohio findings have a still further interesting aspect. The architect in Ohio has stated to me that, in accordance with the latest overall figures available for the cost of constructing parking areas, the per car cost of the underground operation is $4,000 in 1962. The per car cost for overhead areas is $1,500. By overhead area garage, I mean those that have open sidewalls.

I suggest to the Senate and to the House that, before we proceed with this expenditure, we had better take a long look at the situation. I am shocked by the disparity in the cost figures. I cannot understand the disparity. It seems to me that there must be a more economical method of approaching the problem than one which would involve an inordinate cost of $22,000 per car, as estimated in 1957, and I suppose the cost per car now would be $23,000.

MINORITY RIGHTS

Mr. PROUTY. Mr. President, what is the role of a responsible opposition in a republic?

Is it, as Senator Taft used to say, simply the duty to oppose?

Or is it, as Adlai Stevenson would have it, the "duty to expose—to shed light on what has been obscured by incumbents"?

Such counsel is helpful, but it does not quite reach the mark. To show only the wrong side of the political tapestry neither educates nor elevates and places in shadow the fundamental precept of fairplay which our Constitution enshrines.

Certainly, a minority party must oppose. Assuredly, it must expose the public business which has been swept under the rug. But a minority evades its responsibility when it seeks merely to destroy, and not to fulfill.

A responsible opposition creates and advocates. It carries to the political garden and lays before an indifferent or hostile majority the seeds of its hopes, its ideas, and its programs until that one day when they find a more friendly soil.

What more can be asked of an opposition party? Only that it be nurtured by a spirit of moderation. The late Judge Learned Hand tells us what that spirit is:

> It is the temper which does not press a partisan advantage to its bitter end, which can understand and will respect the other side, which feels a unity between all citizens—real and not the factitious product of propaganda—which recognizes their common fate and their common aspirations—in a word, which has faith in the sacredness of the individual.

A prominent Democratic leader has rather cynically suggested that Lord Acton's famous dictum be rephrased to read: "all power corrupts; being out of power corrupts absolutely." I cannot accept this negative appraisal of a free society. To me the loss of power should not signify the advent of a shriveling of the spirit and a moral emptiness, but, rather, a reexamination of old truths and a search for new and better ways to conduct the public business.

Yet, the very conduct of that business will wither and decay if by pure numbers the majority binds the arms and shackles the legs of the minority.

Today, in the Senate, the challenges are greater, the decisions more momentous than ever before. If ever there was a time when the majority should honor the rights of the minority, it is now.

Why has it happened, then, that on some committees and subcommittees the minority has little or no professional and clerical staff representation?

It was a rather comic tragedy when the majority marshaled its forces and steamrollered the Curtis amendment that would have guaranteed the appointment of 1 Republican staff expert for every 10 in the hands of the controlling party.

How could any libertarian who professes to believe in the two-party system justify such an imbalance from any moral point of view? The question deserves an answer.

I say to my friends of the majority, and they are my friends, that equity is a thing you cannot have long for yourselves unless you are willing to give it to others.

On the truly great issues, we would have to concede that too often we must look at the choices through a veil, and we see, not blacks and whites, but a series of rather shadowy grays.

How then can any man, or any party for that matter, be certain that he or it is on the right path?

The great late Judge Learned Hand gave us a memorable article of his own faith when he cautioned:

> The spirit of liberty is the spirit which is not too sure that it is right. The spirit of liberty is the spirit which seeks to understand the minds of other men and women. The spirit of liberty is the spirit which weighs their interests alongside its own without bias.

The public may have a longer memory than the majority. It is beginning to recall that things were not thus when the Republicans had control of the House and Senate.

I do not mean to suggest that my party has a corner on virtue; and if party positions one day become reversed, I hope we will be reminded whenever we ignore the principle of fair play.

We are all familiar with the operation of Congress, but once in a while it is helpful when a student of government brings into focus for us the nature of that operation.

Long before he thought about becoming President, Woodrow Wilson pointed to the vitals of our system when he said:

> Congress in session is Congress on public exhibition, whilst Congress in its committee rooms is Congress at work.

He knew, as we know, that the real work of Congress is processing and altering the bills which have been introduced, discovering the need for new laws, and keeping an eye on the administration of old ones.

If, then, the committee system—the backbone of our operation—is to have ribs on only one side, do we not abuse the greatest body in the world?

No one can deny that fair changes may cause the majority to run a small political risk. But are there not more serious consequences attached to unlimited power?

DeTocqueville once said:

> If ever the free institutions of America are destroyed, that event may be attributed to the unlimited authority of the majority.

There is not a man in this Chamber who would wish to endanger these institutions. Let the Senate then act anew to reaffirm its oldest tradition. Let it send out the word to the country that it is the sense of this body that no individual should ever be deprived of equal opportunity to serve as an employee of any committee or subcommittee because of his race, creed, color, or national origin; and that it is also the sense of the Senate that the staff of each committee and subcommittee should include such number of individuals designated by the members thereof who are members of the minority party as may be required to accord full and equitable recognition of the minority rights of those members.

Mr. President, I now submit for appropriate reference a resolution to accomplish these purposes, and I ask unanimous consent that this resolution may lie at the desk for 1 week to receive additional cosponsors. I ask unanimous

consent also that the text of the resolution may be printed in full at this point in my remarks.

Further, I ask unanimous consent that an article entitled "Committee Staffs" by Roscoe Drummond which appeared in the Washington Post be printed in my remarks immediately following the printing of this resolution.

Mr. President, a great writer once said that the test by which we determine that a nation is truly free is the amount of security enjoyed by minorities. I believe this most sincerely.

We of the minority are not asking that we be spared a single blow.

Our cry is the cry of Themistocles:

Strike, but hear me!

The PRESIDING OFFICER. The resolution will be received and appropriately referred; and, without objection, will lie on the desk as requested, and the resolution and article will be printed in the RECORD.

The resolution (S. Res. 309) was referred to the Committee on Rules and Administration, as follows:

Resolved, That it is the sense of the Senate that—

(a) No individual should be deprived of equal opportunity to serve as an employee of any committee or subcommittee of the Senate because of his race, creed, color, or national origin; and

(b) The staff of each committee and subcommittee of the Senate should include such number of individuals designated by the members thereof who are members of the minority party as may be required to accord full and equitable recognition of the minority rights of those members.

The article presented by Mr. PROUTY, is as follows:

WILL THE GOP ACT?

(By Roscoe Drummond)

The heavy ice of Democratic resistance to anything more than a token representation of the Republican Party on the powerful professional staffs of congressional committees is beginning to break a little bit.

Not much—but enough to show that when individual senior Republicans insist upon some of their rights as a minority party, it is not going to be easy for the Democratic chairman to stand forever against reform.

Senator PRESCOTT BUSH, of Connecticut, ranking Republican member of the Joint Economic Committee, which is responsible for studying the administration's new trade bill, has finally pressured the Democrats to allow the minority to employ the services of one expert and a secretary. The same for Representative JOHN W. BYRNES, of Wisconsin, minority member of the House Ways and Means Committee, chairman of the Republican policy committee in the House.

But because the top Republican leadership in Congress has not yet been willing to make the crucial, if unpleasant, fight for adequate, competently paid professional staffing on all the committees, the minority representation remains so sparse it can hardly be seen with the naked eye. At present any little bare bone tossed to the minority is due largely to the character and whim of the Democratic chairman.

Thus Representative CARROLL D. KEARNS, of Pennsylvania, senior Republican on the House Committee on Education and Labor, himself a good scrapper, has run up against a "Berlin wall" in the form of Democratic Chairman ADAM CLAYTON POWELL, of New York.

Here is Chairman POWELL's record on staffing: When he became chairman last year his committee had a professional staff of 20; now it has about 48. Mr. POWELL assured Mr. KEARNS that if the committee received sufficient funds, he would authorize a minority professional staff of four, two professionals and two secretaries. With Mr. KEARNS' assistance, the committee received the largest investigative appropriation in its history, $633,000. Now Chairman POWELL has cut the minority staff to two, one professional, one secretary. Thus on the vital House Education and Labor Committee the proportion of majority to minority staff is 24 to 1.

It needs to be understood that adequate and competent professional staffs for both the majority and minority parties are not a routine housekeeping matter. It is crucial to the effective functioning of the committees and to the functioning of our two-party system of government. One of the surest ways to cripple the minority is to deprive it of professional staffs on the congressional committees. There is no reason to doubt that the Democrats know exactly what they are doing in holding the minority staffs to somewhere between puny and zero.

These professional staffs draft practically everything which emerges from the congressional committees—every report, every finding, every recommendation, nearly every proposal for investigation.

What do you think the minority party staff can do when it is outnumbered 24 to 1? It can't even keep track of what is going on.

With such egregious imbalance as now prevails, the Republican teams of these committees are usually left on the bleacher seats in center field with the majority at bat all the time.

Many Republican Congressmen are becoming restive under the inaction of their own leadership. Representative BRUCE ALGER, of Texas, for example, has just written every colleague in the House demanding a Republican conference to deal with this matter. Representative THOMAS B. CURTIS, of Missouri, and Senator CARL CURTIS, of Nebraska, whose campaign to end this crippling inequity have been lonely ones, are gaining new supporters.

What surprises me is that the leadership of the Republican Party has been willing to let this go on so long. If the Republican leadership does not get up out of its rocking-chair soon—something is going to bust.

AMENDMENT OF FEDERAL AVIATION ACT OF 1958, TO PROVIDE FOR SUPPLEMENTAL AIR CARRIERS

Mr. MONRONEY. Mr. President, I ask the Presiding Officer to lay before the Senate the amendment of the House of Representatives to S. 1969, the bill to amend the Federal Aviation Act of 1958, as amended, to provide for supplemental air carriers, and for other purposes.

The Presiding Officer laid before the Senate the amendment of the House of Representatives to the bill (S. 1969) to amend the Federal Aviation Act of 1958, as amended, to provide for supplemental air carriers, and for other purposes, which was to strike out all after the enacting clause and insert:

That section 101 of the Federal Aviation Act of 1958 (49 U.S.C. 1301) is amended by redesignating paragraphs (32) and (33) as (34) and (35), respectively, and by inserting immediately after paragraph (31) the following new paragraphs:

"(32) 'Supplemental air carrier' means an air carrier holding a certificate of public convenience and necessity authorizing it to engage in supplemental air transportation.

"(33) 'Supplemental air transportation' means charter trips in air transportation, other than the transportation of mail by aircraft, rendered pursuant to a certificate of public convenience and necessity issued pursuant to section 401(d)(3) of this Act to supplement the scheduled service authorized by certificates of public convenience and necessity issued pursuant to sections 401(d)(1) and (2) of this Act."

SEC. 2. Subsection (d) of section 401 of the Federal Aviation Act of 1958 (49 U.S.C. 1371(d)) is amended by adding at the end thereof the following new paragraph:

"(3) In the case of an application for a certificate to engage in supplemental air transportation, the Board may issue a certificate, to any applicant not holding a certificate under paragraph (1) or (2) of this subsection, authorizing the whole or any part thereof for such periods as may be required by the public convenience and necessity, if it finds that the applicant is fit, willing, and able properly to perform the transportation covered by the application and to conform to the provisions of this Act and the rules, regulations, and requirements of the Board hereunder. Any certificate issued pursuant to this paragraph shall contain such limitations as the Board shall find necessary to assure that the service rendered pursuant thereto will be limited to supplemental air transportation as defined in this Act."

SEC. 3. Subsection (e) of section 401 of the Federal Aviation Act of 1958 (49 U.S.C. 1371(e)) is amended to read as follows:

"Terms and conditions of certificate

"(e)(1) Each certificate issued under this section shall specify the terminal points and intermediate points, if any, between which the air carrier is authorized to engage in air transportation and the service to be rendered; and there shall be attached to the exercise of the privileges granted by the certificate, or amendment thereto, such reasonable terms, conditions, and limitations as the public interest may require.

"(2) A certificate issued under this section to engage in foreign air transportation shall, insofar as the operation is to take place without the United States, designate the terminal and intermediate points only insofar as the Board shall deem practicable, and otherwise shall designate only the general route or routes to be followed. Any air carrier holding a certificate for foreign air transportation shall be authorized to handle and transport mail of countries other than the United States.

"(3) A certificate issued under this section to engage in supplemental air transportation shall designate the terminal and intermediate points only insofar as the Board shall deem practicable and otherwise shall designate only the geographical area or areas within or between which service may be rendered.

"(4) No term, condition, or limitation of a certificate shall restrict the right of an air carrier to add to or change schedules, equipment, accommodations, and facilities for performing the authorized transportation and service as the development of the business and the demands of the public shall require; except that the Board may impose such terms, conditions, or limitations in a certificate for supplemental air transportation when required by subsection (d)(3) of this section.

"(5) No air carrier shall be deemed to have violated any term, condition, or limitation of its certificate by landing or taking off during an emergency at a point not named in its certificate or by operating in an emergency, under regulations which may be prescribed by the Board, between terminal and intermediate points other than those specified in its certificate.

"(6) Any air carrier, other than a supplemental air carrier, may perform charter trips

or any other special service, without regard to the points named in its certificate, under regulations prescribed by the Board."

SEC. 4. Title IV of the Federal Aviation Act of 1958 is amended by adding at the end thereof the following new section:

"SPECIAL OPERATING AUTHORIZATIONS

"Authority of Board to issue

"SEC. 417. (a) If the Board finds upon an investigation conducted on its own initiative or upon request of an air carrier—

"(1) that the capacity for air transportation being offered by the holder of a certificate of public convenience and necessity between particular points in the United States is, or will be, temporarily insufficient to meet the requirements of the public or the postal service; or

"(2) that there is a temporary requirement for air transportation between two points, one or both of which is not regularly served by any air carrier; and

"(3) that any supplemental air carrier can provide the additional service temporarily required in the public interest;

the Board may issue to such supplemental air carrier a special operating authorization to engage in air transportation between such points.

"Terms of authorization

"(b) A special operating authorization issued under this section—

"(1) shall contain such limitations or requirements as to frequency of service, size or type of equipment, or otherwise, as will assure that the service so authorized will alleviate the insufficiency which otherwise would exist, without significant diversion of traffic from the holders of certificates for the route;

"(2) shall be valid for not more than thirty days and may be extended for additional periods aggregating not more than sixty days; and

"(3) shall not be deemed a license within the meaning of section 9(b) of the Administrative Procedure Act (5 U.S.C. 1008(b)).

"Procedure

"(c) The Board shall by regulation establish procedures for the expeditious investigation and determination of requests for such special operating authorization. Such procedures shall include written notice to air carriers certificated to provide service between the points involved, and shall provide for such opportunity to protest the application in writing, and at the Board's discretion to be heard orally in support of such protest, as will not unduly delay issuance of such special operating authorization, taking into account the degree of emergency involved."

SEC. 5. (a) If any applicant who makes application under section 401(d)(3) of the Federal Aviation Act of 1958 for a certificate for supplemental air transportation within thirty days after the date of enactment of this Act shall show—

(1) that it, or its predecessor in interest, was an air carrier authorized to furnish service between places within the United States under a certificate of public convenience and necessity issued by the Civil Aeronautics Board pursuant to order E-13436, adopted January 28, 1959, or order E-14196, adopted July 8, 1959, or that it was given interim authority to operate in interstate air transportation as a supplemental air carrier under Board order E-9744 of November 15, 1955, and has pending before the Board an application for certification as a supplemental air carrier which was filed prior to July 14, 1960;

(2) that, during the period beginning on the date such certificate was issued or such interim operating authority was conferred by the Board and ending on the date of enactment of this Act, such applicant or his predecessor in interest lawfully performed (A) a substantial portion of the transportation authorized by such certificate or interim operating authority, (B) substantial operations in overseas or foreign air transportation, as a supplemental or large irregular air carrier, authorized by the Board, or (C) substantial operations for the Military Establishment of the United States authorized by the Board;

(3) that such certificate or interim operating authority had not been revoked or otherwise terminated by the Board or had not otherwise expired prior to the enactment of this Act: *Provided*, That for the purposes of this section such certificate or operating authority shall be considered to have been revoked or terminated if the Board has issued a final order to that effect on or before the date of enactment of this Act, notwithstanding a pending judicial review of such order; and

(4) that such certificate or interim operating authority is held by the original grantee or has been transferred to the applicant with Board approval pursuant to section 401(h) of the Federal Aviation Act of 1958: *Provided*, That application under this section may also be made by a person who on the date of enactment of this Act had on file with the Board an application for the approval of transfer to him of a certificate for supplemental air transportation or interim operating authority, in which case the Board shall issue to such person a new interim certificate or new interim operating authority under this section if it approves the transfer pursuant to section 401(h) of the Federal Aviation Act of 1958;

the Board, upon proof of such facts, shall issue a new interim certificate or new interim authority to such applicant to engage in supplemental air transportation to the same extent authorized in the applicant's certificate or interim authority, or both, and subject to the terms, conditions, and limitations attached thereto, pending issuance or denial of a certificate pursuant to section 401(d)(3) of the Federal Aviation Act of 1958 authorizing the whole or any part of the transportation covered by the application.

(b) If any applicant who makes application under section 401(d)(3) of the Federal Aviation Act of 1958 for a certificate for supplemental air transportation within thirty days after the date of enactment of this Act shall show that it or its predecessor has received interim operating authority from the Civil Aeronautics Board pursuant to paragraph (2) of the first section of Public Law 86-661 of July 14, 1960 (74 Stat. 527), the Board, upon proof of such facts, shall issue new interim authority to such applicant to engage in supplemental air transportation to the same extent authorized in the applicant's interim authority, and subject to the terms, conditions, and limitations attached thereto, pending issuance or denial of a certificate pursuant to section 401(d)(3) of the Federal Aviation Act of 1958 authorizing the whole or any part of the transportation covered by the application.

(c) A new interim certificate or new interim authority issued under this section shall not be deemed a license within the meaning of section 9(b) of the Administrative Procedure Act (5 U.S.C. 1008(b)).

SEC. 6 (a) If any air carrier, or its predecessor in interest, was an air carrier authorized to furnish service between places within the United States by a certificate of public convenience and necessity issued by the Civil Aeronautics Board pursuant to order E-13436, adopted January 28, 1959, or order E-14196, adopted July 8, 1959, or it or its predecessor received interim operating authority from the Board pursuant to paragraph (2) of the first section of Public Law 86-661 of July 14, 1960 (74 Stat. 527), it may perform operations under its existing authority for thirty days from the date of enactment of this Act, and if it has filed application pursuant to section 401(d)(3) of the Federal Aviation Act of 1958 within said thirty days, until the Board has granted or denied a new interim certificate or new interim authority under section 5 of this Act. Any air carrier whose application for certification as a supplemental air carrier is pending before the Board and which (A) has operated in interstate air transportation as a supplemental air carrier pursuant to authority granted under Board order E-9744 of November 15, 1955, and (B) has such application for a certificate as a supplemental air carrier pending before the Board on July 14, 1960, may continue to operate in interstate air transportation under its existing authority for thirty days from the date of enactment of this Act, and if it has filed application pursuant to section 401(d)(3) of the Federal Aviation Act of 1958 within said thirty days, until the Board has granted or denied a new interim certificate or new interim authority under section 5 of this Act.

(b) The certificates of public convenience and necessity issued by the Board pursuant to order E-13436 adopted January 28, 1959, and order E-14196, adopted July 8, 1959, and the interim operating authority issued by the Board pursuant to paragraph (2) of the first section of Public Law 86-661 of July 14, 1960 (74 Stat. 527), and the exemption authority issued by the Board under order E-9744 of November 15, 1955, and prior authority under individual exemptions or Letters of Registration reinstated by the Board under order E-10161 of April 3, 1956, shall terminate on the date of an order of the Board granting or denying a new interim certificate or new interim authority under section 5 of this Act, or if the carrier files no application under section 401(d)(3) of the Federal Aviation Act of 1958 within thirty days from the date of enactment of this Act, at the end of said thirty-day period.

(c) Any air carrier whose operating authority in interstate air transportation under Board order E-9744 is continuing solely by virtue of a judicial stay of a Board order which otherwise would terminate such operating authority, is hereby authorized to continue to operate, subject to the conditions and limitations contained in order E-9744 or imposed by the court, until the court shall lift such stay or until the final disposition of the judicial review proceeding of such Board order, whichever shall first occur.

SEC. 7. The provisions of this Act shall in no way affect the authority of the Board—

(1) to maintain any enforcement or compliance proceeding or action against the holder of a certificate of public convenience and necessity issued pursuant to Board order E-13436 of January 28, 1959, or Board order E-14196 of July 8, 1959, or against the holder of any interim operating authority conferred by the Board under paragraph (2) of the first section of Public Law 86-661 or under Board order E-9744 of November 15, 1955, which proceeding or action is pending before the Board on the date of enactment of this Act; or

(2) to institute, on or after the date of enactment of this Act, any enforcement or compliance proceeding or action against the holder of any certificate or interim operating authority referred to in paragraph (1) of this section with respect to any violation of—

(A) the Federal Aviation Act of 1958,

(B) the provisions of such certificate,

(C) the terms of such operating authority, or

(D) the regulations of the Board,

without regard to when such violation occurred.

Any sanction which the Board lawfully could have imposed on the operating authority of the holder of any certificate or interim operating authority referred to in

paragraph (1) of this section for any violation referred to in paragraph (2) of this section, which violation occurred prior to the issuance to such holder of a new interim certificate or new interim authority under section 5 of this Act or the issuance to such holder of a certificate of public convenience and necessity to engage in supplemental air transportation under paragraph (3) of section 401(d) of the Federal Aviation Act of 1958, may be imposed on the certificate or other operating authority issued to such holder under section 5 of this Act or under paragraph (3) of section 401(d) of the Federal Aviation Act of 1958.

SEC. 8. Any application of an air carrier heretofore consolidated into the Board proceeding known as the Large Irregular Air Carrier Investigation, Docket Numbered 5132 and others, shall be deemed to have been finally disposed of upon the date of enactment of this Act.

SEC. 9. Section 901(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1471(a)) is amended to read as follows:

"Safety, economic, and postal offenses

"SEC. 901. (a)(1) Any person who violates (A) any provision of title III, IV, V, VI, VII, or XII of this Act, or any rule, regulation, or order issued thereunder, or under section 1002(i), or any term, condition, or limitation of any permit or certificate issued under title IV, or (B) any rule or regulation issued by the Postmaster General under this Act, shall be subject to a civil penalty of not to exceed $1,000 for each such violation. In the case of a violation of a provision of title IV or VII or any rule, regulation, or order issued thereunder, or under section 1002(i), or any term, condition, or limitation of any permit or certificate issued under title IV, if such violation is a continuing one, each day of such violation shall constitute a separate offense: *Provided*, That this subsection shall not apply to members of the Armed Forces of the United States, or those civilian employees of the Department of Defense who are subject to the provisions of the Uniform Code of Military Justice, while engaged in the performance of their official duties; and the appropriate military authorities shall be responsible for taking any necessary disciplinary action with respect thereto and for making to the Administrator or Board, as appropriate, a timely report of any such action taken.

"(2) Any such civil penalty may be compromised by the Administrator in the case of violations of titles III, V, VI, or XII, or any rule, regulation, or order issued thereunder, or by the Board in the case of violations of title IV or VII, or any rule, regulation, or order issued thereunder, or under section 1002(i), or any term, condition, or limitation of any permit or certificate issued under title IV, or by the Postmaster General in the case of regulations issued by him. The amount of such penalty, when finally determined, or the amount agreed upon in compromise, may be deducted from any sums owing by the United States to the person charged."

SEC. 10. Section 902(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1472(a)) is amended to read as follows:

"General

"SEC. 902. (a) Any person who knowingly and willfully violates any provision of this Act (except titles III, V, VI, VII, and XII), or any order, rule, or regulation issued under any such provision or any term, condition, or limitation of any certificate or permit issued under title IV, for which no penalty is otherwise provided in this section, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be subject for the first offense to a fine of not more than $500, and for any subsequent offense to a fine of not more than $2,000. If such violation is a continuing one, each day of such violation shall constitute a separate offense."

SEC. 11. (a) That portion of the table of contents contained in the first section of the Federal Aviation Act of 1958 which appears under the heading "TITLE IV—AIR CARRIER ECONOMIC REGULATION" is amended by adding at the end thereof the following:

"SEC. 417. Special operating authorizations.
"(a) Authority of Board to issue.
"(b) Terms of authorization.
"(c) Procedure."

(b) That portion of such table of contents which appears under the heading "SEC. 901. CIVIL PENALTIES." is amended by striking out "(a) SAFETY AND POSTAL OFFENSES." and inserting in lieu thereof "(a) SAFETY, ECONOMIC, AND POSTAL OFFENSES.".

Mr. MONRONEY. Mr. President, the bill was passed by the House with an amendment in the nature of a substitute to the bill as passed by the Senate.

Mr. President, I offer amendments to the House amendment, as passed by the Subcommittee on Aviation of the Committee on Commerce of the Senate.

The PRESIDING OFFICER. The amendments will be stated for the information of the Senate.

The LEGISLATIVE CLERK. Strike out all after the enacting clause and insert:

That (a) section 101 of the Federal Aviation Act of 1958 (49 U.S.C. 1301) is amended by redesignating paragraphs (13) through (31) as (14) through (32) and inserting therein a new paragraph to read as follows:

"(13) 'Charter service' means air transportation performed by an air carrier holding a certificate of public convenience and necessity where the entire capacity of one or more aircraft has been engaged for the movement of persons and their baggage or for the movement of property on a time, mileage, or trip basis, but shall not include transportation services offered by an air carrier to individual members of the general public or performed by an air carrier under an arrangement by which any person provides or offers to provide transportation services to individual members of the general public, other than as a member of a group on an all-expense-paid tour."

(b) Section 101 of the Federal Aviation Act, as amended, is further amended by redesignating paragraphs (32) and (33) as (35) and (36), respectively, and by inserting immediately after paragraph (31) the following new paragraphs:

"(32) 'Supplemental air carrier' means an air carrier holding a certificate of public convenience and necessity authorizing it to engage in supplemental air transportation.

"(33) 'Supplemental air transportation' means charter service and other air transportation rendered pursuant to a certificate of public convenience and necessity issued pursuant to section 401(d)(3) of this Act to supplement the service authorized by certificates of public convenience and necessity issued pursuant to sections 401(d)(1) and (2) of this Act."

SEC. 2. Subsection (d) of section 401 of the Federal Aviation Act of 1958 (49 U.S.C. 1371(d)) is amended by adding at the end thereof the following new paragraph:

"(3) In the case of an application for a certificate to engage in supplemental air transportation, the Board may issue a certificate, to any applicant not holding a certificate under paragraph (1) or (2) of this subsection, authorizing the whole or any part thereof, and for such periods, as may be required by the public convenience and necessity, if it finds that the applicant is fit, willing, and able properly to perform the transportation covered by the application and to conform to the provisions of this Act and the rules, regulations, and requirements of the Board hereunder. Any certificate issued pursuant to this paragraph authorizing individually ticketed or waybilled service shall contain such limitations, including the term thereof, as the Board finds are required to insure that such service will not result in significant diversion of traffic from any air carrier authorized to render service between the same points by a certificate or certificates of public convenience and necessity issued pursuant to paragraphs (1) and (2) of this subsection."

SEC. 3. Subsection (e) of section 401 of the Federal Aviation Act of 1958 (49 U.S.C. 1371(e)) is amended to read as follows:

"Terms and conditions of certificate

"(e)(1) Each certificate issued under this section shall specify the terminal points and intermediate points, if any, between which the air carrier is authorized to engage in air transportation and the service to be rendered; and there shall be attached to the exercise of the privileges granted by the certificate, or amendment thereto, such reasonable terms, conditions, and limitations as the public interest may require.

"(2) A certificate issued under this section to engage in foreign air transportation shall, insofar as the operation is to take place without the United States, designate the terminal and intermediate points only insofar as the Board shall deem practicable, and otherwise shall designate only the general route or routes to be followed. Any air carrier holding a certificate for foreign air transportation shall be authorized to handle and transport mail of countries other than the United States.

"(3) A certificate issued under this section to engage in supplemental air transportation shall designate the terminal and intermediate points only insofar as the Board shall deem practicable and otherwise shall designate only the geographical area or areas within or between which service may be rendered. The Board may by order or regulation attach to the exercise of any privilege or privileges granted by certificates for supplemental air transportation or amendments thereto, or to special operating authorizations granted under section 417 of this title, the conditions that the carrier shall furnish performance bonds or shall carry liability insurance, or both, in the minimum amounts and upon the minimum terms prescribed by the Board, or shall demonstrate arrangements equivalent thereto.

"(4) No term, condition, or limitation of a certificate shall restrict the right of an air carrier to add to or change schedules, equipment, accommodations, and facilities for performing the authorized transportation and service as the development of the business and the demands of the public shall require; except that the Board may impose such terms, conditions, or limitations in a certificate for supplemental air transportation when required by subsection (d)(3) of this section.

"(5) No air carrier shall be deemed to have violated any term, condition, or limitation of its certificate by landing or taking off during an emergency at a point not named in its certificate or by operating in an emergency, under regulations which may be prescribed by the Board, between terminal and intermediate points other than those specified in its certificate.

"(6) Any air carrier, other than a supplemental air carrier, may perform charter service or any other special service, without regard to the points named in its certificate, or the type of service provided therein, under regulations prescribed by the Board."

SEC. 4. (a) Subsection (f) of section 401 of the Federal Aviation Act of 1958 (49 U.S.C. 1371(f)) is amended by adding at the end of thereof the following: "If any service authorized by a certificate to engage in

supplemental air transportion is not performed to the minimum extent prescribed for such service in regulations or orders issued by the Board, the Board may suspend such certificate to the extent of such service, and may, by order, entered after notice and hearing, direct that such certificate shall thereupon cease to be effective to the extent of such service."

(b) Subsection (g) of section 401 of the Federal Aviation Act of 1958 (49 U.S.C. 1371(g)) is amended by inserting, preceding the last sentence, a new sentence to read: "If a supplemental air carrier fails to file such reports as the Board requires to ascertain the carrier's continuing compliance with the minimum standards of financial fitness, or if the Board finds that the carrier's financial condition is not in compliance with such standards, the Board shall suspend such carrier's certificate, and where the carrier does not demonstrate compliance with such standards within a reasonable period fixed by the Board, it may, after notice and hearing, revoke such carrier's certificate."

SEC. 5. Clause (3) of section 406(b) of the Federal Aviation Act of 1958 (49 U.S.C. 1376(b)) is amended by inserting after "each such air carrier" the words "(other than a supplemental air carrier)".

SEC. 6. Title IV of the Federal Aviation Act of 1958 is amended by adding at the end thereof the following new section:

"SPECIAL OPERATING AUTHORIZATIONS

"Authority of Board to issue

"SEC. 417. (a) If the Board finds upon an investigation conducted on its own initiative or upon request of an air carrier—

"(1) that the capacity of air transportation being offered by the holder of a certificate of public convenience and necessity between particular points in the United States is, or will be, temporarily insufficient to meet the requirements of the public or the postal service; or

"(2) that there is a temporary requirement for air transportation between two points, one or both of which is not regularly served by an air carrier; and

"(3) that any supplemental air carrier can provide the additional service temporarily required in the public interest;

the Board may issue to such supplemental air carrier a special operating authorization to engage in air transportation between such points.

"Terms of authorization

"(b) A special operating authorization issued under this section—

"(1) shall contain such limitations or requirements as to frequency of service, size or type of equipment, or otherwise, as will assure that the service so authorized will alleviate the insufficiency which otherwise would exist, without significant diversion of traffic from the holders of certificates for the route;

"(2) shall be valid for not more than thirty days and may be extended for additional periods aggregating not more than sixty days; and

"(3) shall not be deemed a license within the meaning of section 9(b) of the Administrative Procedure Act (5 U.S.C. 1008(b)).

"Procedure

"(c) The Board shall by regulation establish procedures for the expeditious investigation and determination of requests for such special operating authorizations. Such procedures shall include written notice to air carriers certificated to provide service between the points involved, and shall provide for such opportunity to protest the application in writing, and at the Board's discretion to be heard orally in support of such protest, as will not unduly delay issuance of such special operating authorization, taking into account the degree of emergency involved."

SEC. 7. (a) If any applicant who makes application under section 401(d)(3) of the Federal Aviation Act of 1958 for a certificate for supplemental air transportation within thirty days after the date of enactment of this Act shall show—

(1) that it, or its predecessor in interest, was an air carrier authorized to furnish service between places within the United States under a certificate of public convenience and necessity issued by the Civil Aeronautics Board pursuant to order E-13436, adopted January 28, 1959, or order E-14196, adopted July 8, 1959, or that it was given interim authority to operate in interstate air transportation as a supplemental air carrier under Board order E-9744 of November 15, 1955, and has pending before the Board an application for certification as a supplemental air carrier which was filed prior to July 14, 1960;

(2) that, during the period beginning on the date such certificate was issued or such interim operating authority was conferred by the Board and ending on the date of enactment of this Act, such applicant or his predecessor in interest lawfully performed (A) a substantial portion of the transportation authorized by such certificate or interim operating authority, (B) substantial operations in overseas or foreign air transportation, as a supplemental or large irregular air carrier, authorized by the Board, or (C) substantial operations for the Military Establishment of the United States authorized by the Board;

(3) that such certificate or interim operating authority had not been revoked or otherwise terminated by the Board or had not otherwise expired prior to the enactment of this Act: *Provided*, That for the purposes of this section such certificate or operating authority shall be considered to have been revoked or terminated if the Board has issued a final order to that effect on or before the date of enactment of this Act, notwithstanding a pending judicial review of such order; and

(4) that such certificate or interim operating authority is held by the original grantee or has been transferred to the applicant with Board approval pursuant to section 401(h) of the Federal Aviation Act of 1958: *Provided*, That a person who on the date of enactment of this Act had on file with the Board an application for the approval of transfer to him of a certificate for supplemental air transportation or interim operating authority, may be issued a new interim certificate or new interim operating authority under this section if the Board approves the transfer pursuant to section 401(h) of the Federal Aviation Act of 1958;

the Board, may issue a new interim certificate or new interim authority to such applicant to engage in supplemental air transportation subject to such terms, conditions, and limitations as the Board deems proper, pending issuance or denial of a certificate pursuant to section 401(d)(3) of the Federal Aviation Act of 1958 if it determines that the applicant is fit, willing, and able properly to perform such transportation and to conform to the provisions of this Act and the rules, regulations, and requirements of the Board and the Administrator hereunder.

(b) If any applicant who makes application under section 401(d)(3) of the Federal Aviation Act for a certificate for supplemental air transportation within thirty days from the date of enactment of this Act shall show that it or its predecessor in interest has received interim operating authority from the Civil Aeronautics Board pursuant to paragraph (2) of the first section of Public Law 86-661 of July 14, 1960 (74 Stat. 527), the Board may issue new interim authority to such applicant to engage in supplemental air transportation subject to such terms, conditions, and limitations as the Board deems proper, pending issuance or denial of a certificate pursuant to section 401(d)(3) of the Federal Aviation Act of 1958 if it determines that the applicant is fit, willing, and able properly to perform such transportation and to conform to the provisions of this Act and the rules, regulations, and requirements of the Board and the Administrator hereunder.

(c) If an applicant who makes application under section 401(d)(3) of the Federal Aviation Act for a certificate for supplemental air transportation shall show—

(1) that it, or its predecessor in interest, was a carrier authorized to furnish all-cargo service between places within the United States by a certificate of public convenience and necessity issued by the Civil Aeronautics Board pursuant to order numbered E-3085, adopted July 29, 1949, order numbered E-9760, adopted November 21, 1956, or order numbered E-10084, adopted March 12, 1956;

(2) that within thirty days prior to such application there has become final an order of the Civil Aeronautics Board in the domestic cargo-mail service case, docket numbered 10,067 and others, denying applicant's, or its predecessor's, application for renewal of such certificate; and

(3) that immediately prior to the effective date of such denial the applicant, or its predecessor in interest, lawfully performed either (A) any portion of the service authorized by the certificate or (B) any operations for the Military Establishment of the United States authorized by the Board;

the Board may issue a new interim certificate to such applicant to engage in supplemental air transportation, subject to such terms, conditions, and limitations as the Board deems proper, pending issuance or denial of a certificate pursuant to section 401(d)(3) of the Federal Aviation Act of 1958, if it determines that the applicant is fit, willing and able properly to perform such transportation and to conform to the provisions of this Act and the rules, regulations, and requirements of the Board and the Administrator hereunder.

(d) A new interim certificate or new interim authority issued under this section shall not be deemed a license within the meaning of section 9(b) of the Administrative Procedure Act (5 U.S.C. 1008(b)).

SEC. 8. (a) If any carrier, or its predecessor in interest, was an air carrier authorized to furnish service between places within the United States by a certificate of public convenience and necessity issued by the Civil Aeronautics Board pursuant to order E-13436, adopted January 28, 1959, or order E-14196, adopted July 8, 1959, or it or its predecessor received interim operating authority from the Board pursuant to paragraph (2) of the first section of Public Law 86-661 of July 14, 1960 (74 Stat. 527), it may perform operations under its existing authority for thirty days from the date of enactment of this Act, and if it has filed application pursuant to section 401(d)(3) of the Federal Aviation Act of 1958 within said thirty days, until the Board has granted or denied a new interim certificate or new interim authority under section 7 of this Act. Any air carrier whose application for certification as a supplemental air carrier is pending before the Board and which (A) has operated in interstate air transportation as a supplemental air carrier pursuant to authority granted under Board order E-9744 of November 15, 1955, and (B) had such application for a certificate as a supplemental air carrier pending before the Board on July 14, 1960, may continue to operate in interstate air transportation under its existing authority for thirty days from the date of enactment of this Act, and if it has filed application pursuant to section 401(d)(3) of the Federal Aviation Act of 1958 within said thirty days, until the Board has

granted or denied a new interim certificate or new interim authority under section 7 of this Act.

(b) The certificates of public convenience and necessity issued by the Board pursuant to order E-13436 adopted January 28, 1959, and order E-14196, adopted July 8, 1959, and the interim operating authority issued by the Board pursuant to paragraph (2) of the first section of Public Law 86-661 of July 14, 1960 (74 Stat. 327), and the exemption authority issued by the Board under order E-9744 of November 15, 1955, and prior authority under individual exemptions or Letters of Registration reinstated by the Board under order E-10161 of April 3, 1956, shall terminate sixty days from the date of enactment of this Act.

SEC. 9. The provisions of this Act shall in no way affect the authority of the Board—

(1) to maintain any enforcement or compliance proceeding or action against the holder of a certificate of public convenience and necessity issued pursuant to Board order E-13436 of January 28, 1959, or Board order E-14196 of July 8, 1959, or against the holder of any interim operating authority conferred by the Board under paragraph (2) of the first section of Public Law 86-661 or under Board order E-9744 of November 15, 1955, which proceeding or action is pending before the Board on the date of enactment of this Act; or

(2) to institute, on or after the date of enactment of this Act, any enforcement or compliance proceeding or action against the holder of any certificate or interim operating authority referred to in paragraph (1) of this section with respect to any violation of—

(A) the Federal Aviation Act of 1958,

(B) the provisions of such certificate,

(C) the terms of such operating authority, or

(D) the regulations of the Board,

without regard to when such violation occurred. Any sanction which the Board lawfully could have imposed on the operating authority of the holder of any certificate or interim operating authority referred to in paragraph (1) of this section for any violation referred to in paragraph (2) of this section, which violation occurred prior to the issuance to such holder of a new interim certificate or new interim authority under section 5 of this Act or the issuance to such holder of a certificate of public convenience and necessity to engage in supplemental air transportation under paragraph (3) of section 401(d) of the Federal Aviation Act of 1958, may be imposed on the certificate or other operating authority issued to such holder under section 5 of this Act or under paragraph (3) of section 401(d) of the Federal Aviation Act of 1958.

SEC. 10. Any application of an air carrier heretofore consolidated into the Board proceeding known as the Large Irregular Air Carrier Investigation, Docket Numbered 5132 and others, shall be deemed to have been finally disposed of upon the date of enactment of this Act.

SEC. 11. Section 901(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1471(a)) is amended to read as follows:

"*Safety, economic, and postal offenses*

"SEC. 901. (a)(1) Any person who violates (A) any provision of title III, IV, V, VI, VII, or XII of this Act, or any rule, regulation, or order issued thereunder, or under section 1002 (i), or any term, condition, or limitation of any permit or certificate issued under title IV, or (B) any rule or regulation issued by the Postmaster General under this Act, shall be subject to a civil penalty of not to exceed $1,000 for each such violation. If such violation is a continuing one, each day of such violation shall constitute a separate offense: *Provided*, That this subsection shall not apply to members of the Armed Forces of the United States, or those civilian employees of the Department of Defense who are subject to the provisions of the Uniform Code of Military Justice, while engaged in the performance of their official duties; and the appropriate military authorities shall be responsible for taking any necessary disciplinary action with respect thereto and for making to the Administrator or Board, as appropriate, a timely report of any such action taken.

"(2) Any such civil penalty may be compromised by the Administrator in the case of violations of titles III, V, VI, or XII, or any rule, regulation, or order issued thereunder, or by the Board in the case of violations of titles IV or VII, or any rule, regulation, or order issued thereunder, or under section 1002(i), or any term, condition, or limitation of any permit or certificate issued under title IV, or by the Postmaster General in the case of regulations issued by him. The amount of such penalty, when finally determined, or the amount agreed upon in compromise, may be deducted from any sums owing by the United States to the person charged."

SEC. 12. (a) That portion of the table of contents contained in the first section of the Federal Aviation Act of 1958 which appears under the heading "TITLE IV—AIR CARRIER ECONOMIC REGULATION" is amended by adding at the end thereof the following:

"Sec. 417. Special operating authorizations.
"(a) Authority of Board to issue.
"(b) Terms of authorization.
"(c) Procedure."

(b) That portion of such table of contents which appears under the heading "Sec. 901. Civil penalties." is amended by striking out "(a) Safety and postal offenses." and inserting in lieu thereof "(a) Safety, economic, and postal offenses.".

Mr. MONRONEY. Mr. President, I suggest the absence of a quorum.

The PRESIDIING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MONRONEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SMITH of Massachusetts in the chair). Without objection, it is so ordered.

PEACE CORPS—A GREAT VOLUNTARY MOVEMENT

Mr. HUMPHREY. Mr. President, I ask unanimous consent that there be printed in the RECORD an article by Alec Dickson entitled "A Great Voluntary Movement," which appeared in the Manchester Guardian of January 29, 1962. Mr. Dickson is the Director of Voluntary Services Overseas.

This is an excellent evaluation of our Peace Corps by an Englishman who himself has had many years of experience in operating a program that is quite similar to the Peace Corps. Anyone reading this Englishman's observations cannot help but take great pride in our country and in these dedicated volunteers that are making the Peace Corps such a great success.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A GREAT VOLUNTARY MOVEMENT

(By Alec Dickson)

Ten months ago the Peace Corps was an aspiration. Today some 700 volunteers are at work in 15 countries and by July their strength will be 2,000. Surviving the smirk that greeted the dropped postcard incident at Ibadan last September, the Peace Corps has confounded those skeptics who never thought that requests from overseas might exceed even America's ability to provide volunteers.

Emotionally the Corps represents to the young and not so young an entirely sincere desire to expunge the image of the "Ugly American," to engage in William James' moral equivalent of war, to do—rather than to act as advisers. Organizationally their crusading spirit has to contend with the fact that the Corps is emphatically a Government agency, concerned not so much with individual projects as with programs—staffing the new University of Nigeria, underpinning community development in Colombia, teaching English throughout the secondary schools of the Philippines, surveying feeder roads in Tanganyika. The cost of training dictates that volunteers be sent in batches of not less than 25 (preferably double that number). This is Marshall aid expressed in human form.

Certainly it is a far cry from recruitment by the Crown agents or the gentlemanly acquaintance with law and anthropology that prepared cadets for the colonial service. There is the pervasive presence of psychologists, the witch doctors of the Western World, preoccupied with motivation, maturity, and what is termed culture shock; pooh-poohing, as invalidated and fuddy-duddy, selection methods based on interviewing ("Was there ever an officer who didn't regard himself as expert at interviewing?"); and eager to get volunteers in training to supply "peer-ratings" on each other (defiantly refused by the first group that went to Ghana). One senses a slightly nannyish spirit in the supervision: "We can't even make a dental appointment without going through the local representative." And although up to 15 confidential references are taken up on volunteers, their reasons for applying are evaluated by an IBM computer.

It would be easy to smile—and most unwise, for there is so much to admire, quite apart from the gigantic scale of operations. The ingenious methods that turn, within weeks, liberal arts B.A.'s into rural welfare workers—since farm boys, in high demand, have joined the glorious figures of America's past. The two brilliant manuals, analysing critical incidents likely to befall volunteers, which distill the art (or craft?) of overseamanship. The magnificent contribution of the universities, many of them with most valuable traditions of association with particular oversea countries, responding in all probability to a late-night telephone call from the director, in assembling special facilities to conduct concentrated courses. The imaginative inclusion of Americans of Asian and Negro stock, some of them as leaders. The shrewd involvement of oversea students in the United States of America to help with the incredibly intensive language instruction (when the contingent reaches Thailand a few days hence it will be the first time in history that 45 Ferengi have disembarked in Bangkok, able to converse in Siamese).

If preparation is rigorous (capped by a month's outward-bound training in Puerto Rico), the pace at headquarters in Washington is no less fierce. A dedicated staff of 250, mostly young men—professionally most able and ruthlessly determined that this, the first major endeavor of the new administration, shall not fail—work in a wartime atmosphere of high tension and recurrent crisis, from 8:30 a.m. until 8:30 p.m. and often far later. It is as though Standard Oil had moved in on the Quakers.

How comes it that Americans in their middle 20's and beyond, the overwhelming majority possessing graduate status, can wrench themselves out of jobs to offer 2 years

of sacrificial service overseas, even submitting to the suspense of not knowing until virtually the last day of training whether or not they have been finally selected?

A typical curriculum vitae might read: aged 26, received B.A. degree in political science at college—worked as yard manager in coal business—obtained M.A. in government at State university—edited small newspaper—served as YMCA camp counselor. To this the reaction of Whitehall can be imagined. Washington's reaction is "variety of experience, initiative, adaptability." It is this astonishing social mobility and career flexibility that makes the Peace Corps possible and America dynamic.

The planners have been slow possibly to grasp that danger lies neither in the remote jungle, where villagers are quick to forgive foreign eccentricities, nor yet in the so-called tension areas, where a frontier situation heightens morale. It lurks rather in the apparently placid projects, where volunteers may feel themselves completely superfluous, or on a university campus, where they are exposed to the hypercritical questioning of a sophisticated intelligentsia.

Defense is not to be found in reliance on group interdependence—for in this kind of work there is safety in solitude rather than in numbers; and still less in further study of American history, institutions and policy—though to understand this emphasis one must realise how painful to national pride was the defection of some POW's in Chinese hands during the Korean war. To one observer at least it would seem that immunity is best offered by the wonderful social laboratory contained within America itself, by plunging trainees into welfare work in Harlem or East Side, in Navajo Indian Reservations, or amongst migrant fruit labor in southern California.

Meanwhile Mr. Sargent Shriver the vigorous Director, quick to learn from experience and to explore new possibilities, is already thinking of extending operations to Southern Europe, whilst the questing mind of his wife, President Kennedy's sister, is turned to the potential implications of a domestic Peace Corps to tackle urgent problems on the home front.

What thoughts must possess an Englishman on hearing that Jamaica and North Borneo are now amongst those supplicating for the services of the Peace Corps? Surely that, governmentally, our conventional methods of recruitment for overseas service are, by any standards, inadequate, and that our characteristic assumption that efficiency is always an acceptable substitute for energy and a sense of urgency can blind us to what can be achieved by an appeal, at national level, to idealism.

For those concerned that some at least of our young should have this experience—in a twofold belief in the special contribution that their spontaneity and companionship can mean to their contemporaries overseas, and in the truth of Whitman's words, "The gift is to the giver and comes back most to him"—the conclusion must be that circumstances compel us now to be still more adventurous, not less, in our pioneering. Vis-à-vis the massive Pentagon scale of the Peace Corps, theirs must be the self-reliance of the Lone Ranger, the solitary courage of Lord Jim, pushing their frontiers of service still further into the forests and higher into the hills. The danger is that fearful of involvement and seeking safeguards at every turn, we settle for the second rate, falling alike to stir the imagination of the young or to meet the really challenging opportunities.

Mr. HUMPHREY. Mr. President, on my visit to Colombia, South America, I had an opportunity to talk to and confer with members of the U.S. Peace Corps team in that country. One of the members of the Peace Corps in Colombia is Mr. Charles Akin, of Minneapolis, Minn. The people of Minnesota are justly proud of him. He is a very able, intelligent, and mature young man.

The activities of the Peace Corps in Colombia have been underscored and appropriately praised by two articles of recent date from Bogotá, Associated Press dispatches. I shall ask unanimous consent that these two articles be printed in the RECORD at the conclusion of my remarks.

The success of the Peace Corps in Colombia and other countries can be attributed in a large measure to the advance training and preparation of the Peace Corps volunteers. These volunteers exemplify sincerity, patience, toil, understanding and cooperation. They are America at its best—a vital, youthful, responsible and friendly America. It makes every one of us feel better when we read that "Colombia's peasants love Peace Corps men." How wonderful it is to hear some good news about our oversea activities and to know that the work of our young people is making a profound impression upon the people with whom they are associated.

I ask unanimous consent that the two articles and also a column by Roscoe Drummond, entitled "Idealism in Action," which appeared in the Washington Post of February 10, 1962, be printed in the RECORD.

There being no objection, the articles and column were ordered to be printed in the RECORD, as follows:

COLOMBIA'S PEASANTS LOVE PEACE CORPS MEN

(By James Dewey)

BOGOTÁ, COLOMBIA.—The Peace Corps volunteer was showing the work he and his partner had been doing since their arrival in the Andes' Tenjo Valley 2½ months ago.

"We've got an awfully long row to hoe, and sometimes it gets discouraging," he said. Then he quickly added: "But you've got to remember that down here a little bit goes a long way."

He motioned toward the crushed stone that filled the ruts of a narrow twisting road and said that was the result of weeks of dawn-to-dusk work in a quarry. But well worth it, he said. The stone had turned a mud trail into a usable market road for the area's farmers. And the volunteers' ability to get the Government to lend a dump truck for the work had impressed the campesinos (peasants).

At another project he was working on, at a country school, the sun was filling the lovely mountain-rimmed valley. The young Peace Corps men, one of the 62 enthusiastic, get-things-done young Americans who arrived in Colombia 4 months ago in an experiment in American idealism, did a double take at the four peasants shoveling sand and rock over a marked-out quadrangle.

"My God," the Peace Corps man said. "I didn't expect anything like this. I had no idea that they would come out on their own and work if I wasn't here."

He and his partner were building a basketball court for the children in the school.

"And this is the first time I've seen anyone come out on their own and work when I'm not here," he said with a feeling of splendid accomplishment. "It makes me feel good."

So Michael Owen Willson, 23-year-old U.S. Peace Corps man from Chicago, forgot for the moment the many frustrations a volunteer can encounter working in the hinterland of Colombia.

Assuredly it is a long row the Peace Corps has to hoe here in a country in which $500 million in foreign aid in the past 30 years hasn't made a noticeable dent in the social system.

Sometimes the Corps is misunderstood by the campesinos, who think the operation is a financial arm of President Kennedy's Alliance for Progress program. Sometimes it is derided by leftists as State Department whistling in the dark past a graveyard of dead policies. But the Peace Corps program here is trying with sincerity, patience, and understanding to get the Colombian peasant to discover how to go about solving his problems and induce his community to take charge of its own affairs and make things work.

And it appears to be making progress.

From Chitaraque, where Dave Downing, of Los Gatos, Calif., is credited with saving the life of a woman by stopping heavy bleeding after she had suffered a severe head injury, to Zipicon, where a good will day was proclaimed in honor of Corpsmen Dennis Grubb, of Westport, Conn., and Thomas Whalen, of Detroit, the volunteers are gaining the confidence of the campesino.

"We're learning a lot from the boys," a grizzled peasant said. "They're hard workers and they're always ready to help. We like them."

But while the volunteers are giving object lessons in grassroots democracy, can they hold out against disease, poverty, illiteracy, and isolation?

"We got good training but it's still pretty jarring when you run up against something like this," a volunteer said, pointing to a pair of begging lepers.

"Worst of all," another said, "is the terrible poverty of some of the people and the general indifference to pain and suffering."

From the outset when the volunteers arrived here last September they were hit with dysentery. The food was strange and to most unpalatable. Most of them lost weight.

One confided he felt that at one time or another it would have taken little convincing to get every one of them to shunk the whole operation and go home.

But now they appear accustomed to the life and like it.

In general they are working with Colombian counterparts teaching the nation's peasants more efficient farm methods, how to build market roads, drill wells, lay sewage pipelines, plant gardens, and develop health programs.

"Basically," Mike Willson said, "we're working on small projects to get the feel of the situation. We are trying to gain the confidence of the campesino and produce something tangible to show for our effort. But we're all looking to bigger things."

Their problems vary.

In Coachi, where Frederick McClusky, of Ann Arbor, Mich., and Charles Akin, of Minneapolis, are stationed, the volunteers have to be careful not to show partiality to either of two political factions in the town, both of which claim credit for the corpsmen being stationed there.

In Minca, Lyle Smith, of Grain Valley, Mo., and Gerald McMahon, of Daly City, Calif., have no running water or electricity. They bathe in a river—the one from which they draw their drinking water.

At Chitaraque, Downing and his partner, Kent Oldenburg, of Salem, Oreg., had difficulty with their food which consisted mostly of a poor quality of rice, yuca, potatoes, and a bit of meat. They solved the problem by hiring their own cook.

On the other hand, some volunteers have their own homes and maids.

In Tenjo, for example, Willson and his partner, John Montoya, of Orem, Utah, have a three-room house of their own with a kitchen, a bathroom with flush toilet and hot running water for the shower.

They pay about $17 a month for the house and another $11 a month for a maid

to do the cooking and cleaning. They figure food costs them $6 a week and that they save money by having the maid do the shopping and save time by having her do the housework.

Most of the volunteers live in rented facilities. They get $150 a month, out of which they must provide everything except clothing, medical care and on-the-job transportation.

The Peace Corps furnishes the volunteers with work clothing including a ruana—the wool poncho worn by the campesino.

The Peace Corps also provides a bicycle, a mule, or a horse for transportation.

Entertainment generally is limited to the local fiestas and outdoor dancing. Occasionally the volunteer manages to utilize a business trip to Bogotá for some diversion.

[From the Minneapolis (Minn.) Tribune, Feb. 11, 1962]

PEACE CORPS MEN PUSH BRAVELY AHEAD IN COLOMBIA

BOGOTÁ, COLOMBIA.—Lowering clouds rolling in over the Andes cut off the mountain peaks and cast shadows over the green fields, turning the once sunny valley into a patchwork of polished light and dark checks like the suit of an old minstrel.

The sudden gloom appeared to affect the Peace Corps volunteer showing the work he and his partner had been doing since their arrival in the Tenjo Valley 2½ months ago.

"We've got an awfully long row to hoe and sometimes it gets discouraging," he said. Then he quickly added: "But you've got to remember that down here a little bit goes a long way."

He motioned toward the crushed stone that filled the ruts of a narrow twisting road and said that was the result of weeks of dawn-to-dusk work in a quarry.

But well worth it, he said. The stone had turned a mud trail into a usable market road for the area's farmers. And the volunteers' ability to get the Government to loan a dump truck for the work had impressed the campesinos (peasants).

By the time he got to another project he was working on, at a country school, the clouds had rolled by. The sun was filling the lovely mountain-rimmed valley, and the young Peace Corps man was looking again like 1 of the 62 enthusiastic, get-things-done young Americans who arrived in Colombia 4 months ago in an experiment in American idealism.

Four peasants at the school site were shoveling sand and rock over a marked-out quadrangle.

He and his partner were building a basketball court for the children.

"This is the first time I've seen anyone come out on their own and work when I'm not here," he said. "It makes me feel good."

So Michael Owen Willson, 23-year-old Peace Corps man from Chicago, Ill., forgot for the moment the many frustrations a volunteer can encounter working in the hinterlands of Colombia.

Assuredly it is a long row the Peace Corps has to hoe here in a country where $500 million in foreign aid in the last 30 years hasn't made a noticeable dent in the social system.

Sometimes the Corps is misunderstood by the peasants, who think the operation is a financial arm of President Kennedy's Alliance for Progress program. Sometimes it is derided by leftists as State Department whistling in the dark past a graveyard of dead policies.

But the Peace Corps program is trying with sincerity, patience and understanding to get the Colombian peasant to discover how to go about solving his problems and induce his community to take charge of its own affairs and make things work.

And it appears to be making progress.

But while the volunteers are giving object lessons in grassroots democracy, can they hold out in the Colombian boondocks where they are up against disease, poverty, illiteracy and isolation?

"We got good training but it's still pretty jarring when you run up against something like this," said one volunteer pointing to a pair of begging lepers.

"Worst of all," said another, "is the terrible poverty of some of the people and the general indifference to pain and suffering."

From the outset when the volunteers arrived last September they were hit with dysentery. The food was strange and to most unpalatable. Most of them lost weight.

One confided he felt that at one time or another it would have taken little convincing to get each and every one of them to chuck the whole operation and go home.

But now they appear accustomed to the life and like it.

In general they are working with Colombian counterparts teaching the nation's peasants more efficient farm methods, how to build market roads, drill wells, lay sewage pipelines, plant gardens, and develop health programs.

In Coachi where Frederick McClusky, of Ann Arbor, Mich., and Charles Akin, of Minneapolis, are stationed, the volunteers have to be careful not to show any partiality to either of two political factions in the town—both of which claim credit for the corpsmen being stationed there.

Most of the volunteers live in rented facilities of one type or another. They get $150 a month and out of this must provide everything except clothing, medical care, and on-the-job transportation.

The largest overall problem is language. There are 13 fluent Spanish speakers among the volunteers; 26 are classed as intermediate and the remainder range anywhere from poor to hopeful

As one volunteer pointed out, the good Spanish speakers have far fewer problems than the less qualified.

Most of the volunteers feel they are rapidly improving.

Peace Corps officials say they are delighted with the results so far.

The Colombian Government also is satisfied and has asked for another 60 volunteers who are due this spring.

[From the Washington Post, Feb. 10, 1962]

IDEALISM IN ACTION—PEACE CORPS SUCCEEDS

(By Roscoe Drummond)

If you thought that the Peace Corps was going to be a political boondoggle, a joyride for the volunteers and likely to alienate foreign friends—the facts are proving to be quite different.

I certainly had my own reservations at the beginning. I thought the Peace Corps was a good idea likely to go wrong in operation. It has gone right.

When its 1962–63 budget comes before Congress for approval, the Peace Corps will find that it has won many new supporters in both parties.

On the basis of its efficient management and first-year achievements, the Peace Corps clearly deserves the increasing—even enthusiastic—acceptance it is getting on Capitol Hill.

Director Sargent Shriver, Jr., is giving the Peace Corps a drive and dedication which are reflected throughout its operation.

Thus far there are 802 Peace Corps volunteers working in 14 countries in Africa, the Near East and south Asia, the Far East and Latin America.

These young, well-motivated and college-trained volunteers are working about 18 hours a day teaching students and teaching teachers, mapping roads, improving health and sanitation, improving methods of farming. The Peace Corps men received tourist travel and living expenses (some of it paid by the host countries) and $75 a month deposited to their credit in the United States.

The only practical basis for judging the Peace Corps at this time is whether the countries in which it is serving are satisfied. On this point the facts are these:

Every one of the 14 countries wants the work continued.

But this might be a wish not to offend. It is more than that because every one of these governments—from Ghana to Thailand, from Tanganyika to Chile—is asking for more Peace Corps help.

Furthermore, 13 other countries are asking the Peace Corps for volunteers. How have the Peace Corps volunteers themselves shown up under stressful conditions? Out of 802 volunteers working in remote parts of relatively underdeveloped countries, only 1 has quit and another has been ordered home.

At headquarters, Mr. Shriver has attracted—and the Peace Corps ideal itself attracted—outstanding, able people from business, from academic life, and from other Government agencies. The Peace Corps is a Spartan operation in the field and it is being Spartanly but firmly managed in Washington.

What is life and work like for the Peace Corps? Here is a typical report from a volunteer in Ghana:

"Real privations have been at a minimum. My house, a 2-mile walk from the school, is without electricity, refrigeration, and transportation; but it is compensatingly located on the beautiful, grassy, warm, windswept plains of Winneba and faces the distant and lovely Mount Mankoadse.

"In order to reach school for the morning service and the first class at 7, I rise each day at 5:30. Classes are completed at 2, at which time I return home for lunch except when I remain on duty until 9, or for student meetings which last the afternoon. My teaching, 28 hours a week of English language, French language, English literature and British history, demands many extra hours of preparation.

"I usually cannot retire before 10 or 10:30. Extra activities include additional classes for the upper forms in English and history (often for students not officially in my classes), and being a form master, the entertainments master, and the debating union master. When we move to our new location, I hope to do some coaching of wrestling, tennis, and basketball.

"It has been interesting to give a few Saturday night lectures to the school. I was pleased to discover how much an objective, unbiased American point of view (on Berlin) can be appreciated by one uninformed but eagerly curious group of students."

The Peace Corps hopes to expand its volunteers working abroad from 800 to about 6,700 in the next 18 months.

Here is a New Frontier enterprise which is really creating a new frontier for practical American idealism in action.

CITIZEN SUPPORT FOR UNITED NATIONS

Mr. HUMPHREY. Mr. President, I invite the attention of Senators to a recent Gallup public opinion poll which reveals that an estimated 90 percent of our citizens feel that the United States should stay in the United Nations. This is but further evidence of the solid public support that the U.N. commands in the United States. I ask unanimous consent to have the poll printed in the RECORD.

I also ask unanimous consent to have an article summarizing some of the victories of the United States at the recent session of the U.N. printed in the RECORD.

There being no objection, the poll and article were ordered to be printed in the RECORD, as follows:

[From the Minneapolis Tribune, Feb. 9, 1962]

NINETY PERCENT SAY UNITED STATES SHOULD STAY IN U.N.

PRINCETON, N.J.—The campaign to "get the United States out of the United Nations" has attracted little support from the American public.

As of today, only five persons out of every hundred advocate the United States giving up its membership in the world body—a move suggested in recent months by critics of the United Nations effectiveness.

Nine out of ten persons interviewed in the latest nationwide Gallup poll reject such a proposal—with comments ranging from "that would destroy the U.N." to "it would be just plain stupid."

For the United States to leave the United Nations now would mean the collapse and death of an organization which, to most Americans, is seen as the best hope—if not the only hope—for world peace.

For many people, a U.N. without the United States—one of the founding countries—would be a body in which Russia would quickly move to direct its action along lines desired by the Communist world.

Gallup poll reporters put this question to a representative cross section of U.S. adults:

"Do you think the United States should give up its membership in the United Nations, or not?"

	Percent
Should not	90
Should	5
No opinion	5

The minority who believe that we should pull out of the United Nations now tend to cite two major reasons for supporting such a move: (1) the United States is often hamstrung by U.N. decisions and we could accomplish more if we didn't have to abide by their mandates; and (2) the United States is now footing most of the bill for an organization that is ineffective.

[From the Minneapolis Star, Jan. 29, 1962]

U.N. IS STILL HOME FOR HOPE—ADLAI COUNTS UP GAINS

Despite some serious misgivings about setbacks to U.N. principles as originally understood, the prospect is that the United States will remain strongly committed to the U.N. in the foreseeable future.

Adlai Stevenson, upon full reflection, found that "in the United Nations history for 1961, after accounting for all the faults and mistakes * * * much will be found that was magnificent and perhaps decisive for the peace of the world."

He found, in fact, somewhat better results than might have been anticipated from "life and death" issues faced in 1961:

"First, the choice of a new Secretary General and the preservation of the dignity of his office." This was a reference to agreement upon U Thant of Burma as Acting Secretary General after the death of Dag Hammarskjold in a plane accident in Africa.

"Second, the pressure to expel Nationalist China and seat Communist China." This was met when the United States rallied a slightly larger vote against seating the Red regime than in the previous year—even though the outcome was, in fact, only a postponement of final decision.

"Third, the danger of financial ruin of the United Nations." This was averted for the time being with Assembly approval of a bond issue of $200 million; President Kennedy will ask Congress for $100 million to buy half of this issue.

"Fourth, secession and fighting in Katanga, which could have resulted in chaos, Balkanization and communism in the Congo." Here, Stevenson cited success in bringing Tshombe and the Central Congo Government together to attempt to come to terms.

Among other achievements in which the United States was deeply involved, Stevenson cited Assembly action toward new negotiations on general disarmament: Formation of a committee representing five eastern nations, five western and eight neutrals to tackle the question.

Another step was approval of a committee of 17 nations to help guide decolonization; this committee would study what was being done to help colonial areas toward self-determination.

PRESIDENT BETANCOURT OF VENEZUELA

Mr. HUMPHREY. Mr. President, I invite the attention of Senators to an editorial entitled "Betancourt Under Fire," which appeared in the Minneapolis Tribune of Monday, January 29. This editorial refers to President Romulo Betancourt of Venezuela and the political program that he has inaugurated for the revival of democratic institutions in Venezuela and the improvement of the Venezuelan economy.

President Betancourt is under bitter attack from both the extreme left and the extreme right. That is a habit creeping over a good part of the earth these days. He is steering a steady course of democracy. He deserves the support of the people of the United States and all persons who believe in freedom. He enjoys the support of President Kennedy and recently was host to our President during the visit of President Kennedy to Venezuela and Colombia.

Fidel Castro pours out his bitter denunciation upon Betancourt because the Venezuelan President represents democratic progressivism while Castro represents totalitarian reaction. The Castroites have plagued Venezuela with violence and disorder. President Betancourt bravely fights on for a better standard of living and a better and more orderly society.

I believe that the editorial reveals in succinct and concise terms the struggle that is going on in this important Latin American country, and I bring it to the attention of my colleagues.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From Minneapolis Morning Tribune, Jan. 29, 1962]

BETANCOURT UNDER FIRE

Some Americans, unedified by the results of relying on men like Batista and Trujillo to resist the Red assault on this hemisphere, have now launched a campaign to destroy the reputation of President Romulo Betancourt of Venezuela.

Betancourt once was a Communist. He makes no secret of the fact, once alluding to it as "a youthful attack of smallpox that left me immune to the disease."

Of course once having been a Communist, a man needn't be considered lost forever. Indeed, some of the world's bitterest and most effective anti-Communists were once party members themselves. Among the bitter anti-Reds one recalls such names as Whittaker Chambers and Louis Budenz.

In any case, Betancourt's political career in Venezuela since 1936 has been one of unremitting hostility toward Fascist dictators and power-hungry Communists. He has banned Communists from Government positions and has fought them in the streets.

His detractors in this country allege this is all an act, that Betancourt is a secret Communist. If so, he has gone to unprecedented lengths to maintain the disguise, and he has had fantastic assistance from Communists, Castroists, and their ilk.

Betancourt has long been at the top of Castro's list of people to be gotten rid of; he shares top honors with such fellow anti-Communists as Muñoz-Marin of Puerto Rico and Jose Ferrer Figueros of Costa Rica. He has been denounced in the vilest terms in Cuba. And, to cap the climax last week, what Betancourt's government labeled "Castro extremists" launched a wave of bloody violence that took 11 lives in Caracas.

Men, especially political leaders, can often be gaged better by their enemies than by their friends. In this case, the violent actions resorted to by the Castroists and Communists in Venezuela in their deadly opposition to Betancourt can hardly fail to be convincing.

LOWERING OF TARIFFS TO STIMULATE U.S. TRADE WITH OTHER COUNTRIES

Mr. HUMPHREY. Mr. President, I bring to the attention of the Senate a recent Minnesota poll relating to the President's trade and foreign trade program. The poll was published in the February 11 issue of the Minneapolis Tribune, and reveals that 64 percent of the State's adult residents are in favor of lowering tariffs in order to stimulate U.S. trade with other countries. Only 19 percent are opposed.

The State of Minnesota has a great interest and stake in the expansion of export trade. The poll indicates strong support for President Kennedy's foreign trade program. It is one of the many indications of the sensible public attitude about a very important item of public business, namely, the expansion and the extension of our foreign trade.

I ask unanimous consent that the article showing the results of the poll be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Minneapolis Tribune, Feb. 11, 1962]

SIXTY-FOUR PERCENT BACK LOWER U.S. TARIFFS—NINETEEN PERCENT IN STATE OPPOSE FREER U.S. TRADE

Minnesotans show a general readiness to accept a freer world trade program of the kind advocated by President Kennedy, the Minneapolis Tribune's Minnesota poll finds.

In a statewide survey, 64 percent of the State's adult residents are in favor of lowering tariffs (taxes on imports) in order to stimulate U.S. trade with other countries.

Nineteen percent are against the idea. The remaining 17 percent have no opinion or offer qualified answers.

(Last Sunday, the Minnesota poll reported two out of three Minnesotans believe foreign trade is necessary for "real" prosperity in the United States

This is the way the issue was explained in the survey by poll field reporters to a representative cross section of voting-age Minnesotans:

"There's talk in Washington of working out a program to make it easier for us to carry on trade with other countries, and easier for them to trade with us, by cutting

down on tariffs, or taxes, on goods coming into the United States and into the other countries. We would expect to sell more U.S.-made goods to them, and they would be able to send more of their goods to the United States for sale."

Then people were asked:

"In general, are you in favor of, or against, having the United States adopt that kind of foreign trade policy?"

The answers:

[In percent]

	Total	Men	Women
In favor	64	66	62
Against	19	20	18
Other answers	1	3	(1)
No opinion	16	11	20
Total	100	100	100

[1] Less than 1 percent.

The merits of a freer trade policy, as viewed by those who are in favor of it, are mainly these:

1. It would help stimulate trade, improve business in general.

2. It would improve our relations with other nations; we would get along better by doing business together.

3. Prices would be balanced, competition would encourage efficiency, and lower prices.

Fear of unfair competition to U.S. industry, lowered wage scales and greater unemployment are the main reasons why 19 percent are against a free-trade policy.

People also were asked:

"When it comes to America's selling its goods in different parts of the world, which countries do you think are our biggest competitors these days?"

THE BUSINESS COUNCIL FOR INTERNATIONAL UNDERSTANDING

Mr. HUMPHREY. Mr. President, our responsibility in the Congress for international relations is linked to Government programs, policies, and appropriations. We utilize the machinery of our Nation's government to strengthen freedom and advance the progress of peoples throughout the world.

But today's efforts for international progress are not limited to governmental action. They should not be. As a free society, the United States offers its skills and help to others through the efforts of individual citizens and private groups.

I believe we should pause frequently to encourage nongovernmental programs for international progress and understanding, and to commend the success of such programs.

Today, I commend the work and success of one private group—the Business Council for International Understanding.

The Business Council is relatively young. It was organized in 1958 at a meeting of 50 leaders of American industrial and business firms. The council was encouraged by both former President Eisenhower and Vice President Nixon.

The purpose of the council is expressed in a brief paragraph from one of its publications, which says:

American prosperity cannot survive in a vacuum. To expand foreign business for economic growth, and to improve U.S. relations overseas, American industry is finding ways to extend to its international operations the educational and community relations principles it has applied so effectively at home.

I wish to quote another statement from the same publication which helps explain the basis for the council's activities:

Business is expected to have a reason for everything it does. Its reason for working with people abroad must be based forthrightly on its own recognition that people are important to it, that as their skills improve they are better able to help in the growth of business itself. As minimum personal needs abroad widen with increased productive and earning capacity, nations will achieve growing prosperity.

Mr. President, I was impressed by the frankness of both statements. And I have been tremendously impressed by the council's practical programs of international understanding which have been brought to my attention by one of the council's leaders, Mr. Samuel F. Pryor, Jr., vice president of Pan American World Airways, and Mr. John Habberton, managing director of the council.

One of the most enlightened and effective programs of the council is a training program for international business executives conducted at our own American University in Washington, D.C.

This training program, sponsored and financed by the council and its member firms, seeks continually to prepare oversea-bound and home-based executives for more effective service for the countries to which they are assigned. The executives are given detailed and expert training for a better knowledge of the customs, values, history, and languages of other nations. Officials of the State Department and the U.S. Information Agency cooperate in this program to help train the executives to interpret effectively the values and policies of the United States to people abroad.

The Business Council for International Understanding also works with the Voice of America to broadcast interviews with leading American businessmen to people abroad.

Perhaps the most impressive work of the council has been in Mexico, through APEI—Association for International Understanding—which is composed of an equal number of Mexican and North American businessmen.

This association has worked closely with CARE to bring material aid to thousands of people in Mexico. It emphasizes self-help projects.

One project, launched jointly by the association and CARE, was the development of rural youth clubs, the Mexican equivalent of our own 4-H Clubs. More than 150 of these clubs have been organized and equipped to bring new and modern knowledge and techniques for effective farming to young Mexicans.

The Mexican Association for International Understanding has also helped stimulate development of low-cost rural housing by introducing a building-block press known as "Cinva-Ram" and invented by a Chilean engineer. This inexpensive tool produces durable building blocks with native soil and a minimum of cement, and has led to better housing for many rural families in Mexico.

The council and its Mexican counterpart have sponsored many other effective programs to help spur the progress of the Mexican people and to increase understanding between the two nations.

I am pleased that the council is now moving to launch similar programs in other countries. Recently, several of the council's leaders traveled to the Dominican Republic to begin plans for a program in that nation. As was the pattern in Mexico, no program or activity will be conducted without the approval and participation of local citizens.

Mr. President, my statement and report on the work of the Business Council is all too brief. I have offered it as a form of recognition and tribute to the enlightened efforts of some American business and industrial leaders to help the people of other nations to help themselves to progress.

I have seen that kind of activity in several countries. I have seen it in Peru; I have witnessed it in Colombia; I have found it in Brazil and Argentina; I have also found it in Ecuador and Chile. I am happy to see that American business executives are taking community leadership and responsibility with their neighbors, particularly in the Latin American countries, to try to better interpret what we are doing in the United States and how we can be of better help to our friends and neighbors in the Western Hemisphere.

Business has an important role in the world community. It can make a major contribution to the progress of people everywhere. I wish the Business Council for International Understanding continued success, and I hope that its example will stimulate additional enlightened efforts by more of our Nation's great business firms, because in that way American business can fortify, strengthen, and expand the accomplishments of American foreign policy.

AMENDMENT OF FEDERAL AVIATION ACT OF 1958, TO PROVIDE FOR SUPPLEMENTAL AIR CARRIERS

The Senate resumed the consideration of the amendment of the House of Representatives to the bill (S. 1969) to amend the Federal Aviation Act of 1958, as amended, to provide for supplemental air carriers, and for other purposes.

Mr. MONRONEY. Mr. President, the measure now before the Senate is one which was passed unanimously in the first session of Congress last year. The bill was passed by the House of Representatives with an amendment in the nature of a substitute. We now have the bill back before us. On behalf of the Subcommittee on Aviation of the Committee on Commerce I submit certain amendments to the House amendment, in the nature of a substitute for the House amendment.

The PRESIDING OFFICER. The question, which has not yet been stated, is on concurring in the House amendment with an amendment in the nature of a substitute for the House amendment.

Mr. LAUSCHE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. LAUSCHE. Does consideration of the subcommittee proposal require unanimous consent?

The PRESIDING OFFICER. It is proposed that the subcommittee amendments be offered as a substitute for the House amendment.

Mr. MONRONEY. The action is as though the bill were before the Senate and open to amendment, requiring a majority vote.

Mr. President, for the convenience of Senators the House amendment has been printed with the changes proposed to be made by the committee amendments shown in appropriate type, and a copy of this print is available to each Senator. The proposed amendments were printed in the RECORD, together with a brief explanation, on February 26, 1962. Hearings on the proposed amendments were held by the subcommittee on Monday, March 5. The amendments being offered by the subcommittee today are those previously set out in the CONGRESSIONAL RECORD, with some technical changes which are being recommended as a result of the hearings and which I will discuss in detail.

The changes being made in the bill by the proposed amendments fall logically into three groups: First, those relating to the membership of this class of carriers and their operating rights prior to certification; second, those designed to permit more effective regulation of supplemental carriers to insure the safety and reliability of their services; and, third, those relating to the nature of the operating authority which the Board is authorized to grant to supplemental carriers.

These amendments represent a departure from some of the concepts reflected in the bill as originally reported by the committee and discussed in the committee report. I think it is important that the Senate understand these changes and that the committee's intention be made absolutely clear in order that there will be a completely unambiguous legislative history as to the congressional intention with respect to this class of carriers. It is the purpose of these amendments to terminate the class of supplemental air carriers which the Board has attempted to create by its previous orders, and to extinguish all existing authority for supplemental air carriers, whether that authority may be derived from an exemption, a certificate, or other order of the Board. There is no provision in the bill as proposed to be amended which gives any grandfather rights to any existing carrier. Rather, it is the intention of the committee that the Congress should by the enactment of this bill finally and irrevocably end the conglomeration of authority, the litigation, and the confusion which have attended the Board's attempt to create a class of supplemental carriers under the present provisions of the Federal Aviation Act. Most of the manifestations of this effort have already been held by the courts to be in excess of the Board's authority.

The Congress by this enactment confirms the validity of the court's action. The proposed amendments first make clear that 30 days from the date of the enactment of this act the certificates of public convenience and necessity, the interim operating authority, the exemption authority, and the letters of registration previously issued by the Board shall terminate, and that as of that date section 9(b) of the Administrative Procedure Act shall not be applicable to any of the foregoing types of operating authority or to any application for renewal thereof.

The bill then proceeds to provide for a new class of supplemental air carriers, and it is the intention of the committee that the authority of such carriers derive wholly from the provisions of the bill now before the Senate. The bill contains new authorization, which the the Civil Aeronautics Board has not heretofore had, to create a class of supplemental air carriers according to the procedures and with the operating authority specified in this bill.

Therefore, for the first time this bill proposes to include in the Federal Aviation Act a definition of a supplemental air carrier and of supplemental air transportation, and to specifically provide for the issuance of a certificate to engage in supplemental air transportation and to specify the terms and conditions to be attached to such certificate. In keeping with the philosophy of the Federal Aviation Act, it is the intention of the committee that no carrier shall engage in supplemental air transportation except as it is defined in this bill, and that no carrier shall engage in supplemental air transportation except pursuant to a certificate issued under these provisions.

Provision is made in the bill as proposed to be amended for the Civil Aeronautics Board to provide an interim certificate to carriers which apply for a supplemental certificate within 30 days of the date of the enactment of this act. This is not done in the interest of preserving any existing rights or operating authority. Rather, all existing rights and authority are extinguished by this legislation. It is done in order that the Civil Aeronautics Board may provide for supplemental air transportation on a temporary basis prior to the time that the Board could reasonably be expected to act on an application for a certificate because such air transportation is utilized by, and is essential to, the Military Establishment of the United States, and because it is contrary to the public interest that the availability of such supplemental air transportation be postponed pending the completion of what may be a long proceeding on an application for a permanent certificate to engage in supplemental air transportation.

In order to give the Civil Aeronautics Board a reasonable opportunity to determine whether a carrier which applies for a new certificate shall be given this interim authority, the bill authorizes any carrier which was a member of the former group of supplemental air carriers which the Board attempted to create and which within 30 days applies for a certificate as a supplemental air carrier, to perform the operations described in its prior authority for a period of 90 days from the date of enactment of the bill. It should be made clear that this authority to operate for 90 days rests solely on the legislative grant contained in section 8(a) of the bill, and not on any prior authorization by the Board, such authorizations having been specifically extinguished in the bill. Any applicant for a certificate which has not been issued an interim operating certificate or authority by the Board within 90 days after enactment of this act will have no authority to furnish air transportation and will be required to cease any operations which have been conducted during this 90-day period. In effect, the Congress is therefore permitting these carriers to operate for a period of 60 days after the old authority is extinguished by statute. It is permitting them to do nothing more. It is conferring upon them no different or additional rights, and it is intentionally withholding from the Board or the courts any statutory basis upon which to extend this period.

The bill provides very specific standards of eligibility for the grant of an interim certificate from the Board. The carriers must have applied for a certificate of supplemental air transportation within 30 days after the date of enactment of this act. It must have been previously authorized by the Board to engage in air transportation. It must have lawfully performed a substantial portion of the transportation authorized by the Board or substantial operations for the Military Establishment of the United States. It must be a carrier whose certificate or operating authority has not been revoked by the Board, and if such authority has been transferred, it must have been transferred with the Board's approval. If the applicant for a certificate meets these minimum standards, whether an interim operating certificate should be issued is a matter committed to the discretion of the Board in the light of its informed judgment. The bill therefore would provide that the Board may issue such certificate if it determines that the applicant is fit, willing, and able properly to perform such transportation and to conform to the provisions of this act and the rules, regulations, and requirements of the Board and the Administrator hereunder.

This authority should therefore be viewed as a statutory permission to the Board to permit an applicant to operate as a supplemental air carrier in advance of a grant or denial of a permanent certificate, but only if the Board is satisfied that the applicant is fit, willing, and able to perform such air transportation in a safe and legal manner. Because this is an extraordinary privilege, the decision to grant it is left to the Board's discretion. The committee does not consider that any applicant is entitled to such interim certificate as a matter of right.

With reference to the regulatory authority of the Board and the Administrator, the proposed amendments would

make important improvements in the original bill. They would authorize the Board to attach to the exercise of any privileges granted by certificates for supplemental air transportation the condition that the carrier shall furnish performance bonds, or carry liability insurance on terms prescribed by the Board, or both. The amendments would permit the Board to specify the minimum service to be rendered under a certificate to engage in supplemental air transportation and to revoke or revise such certificate if it is not provided. This provision should put an end to the problem of dormant and unused certificates, which has plagued the industry in the past.

The amendments would authorize the Board to require supplemental air carriers to file such reports as are required to permit the Board to determine whether the carrier is continuing to comply with minimum standards of financial fitness, and to revoke or suspend a certificate of a carrier which is not financially sound.

The original bill as passed by the Senate imposed civil penalties for violations of the economic provisions of the act or the regulations of the Board, and provided that if such violation is a continuing one, each day of the violation shall constitute a separate offense. The proposed amendment would change this provision so that each day of a continuing safety violation would also constitute a separate offense. The criminal penalties provided in the House bill are retained by the proposed amendment, rather than deleted as originally proposed.

Finally, the provisions of the original Senate bill relating to the scope of the operating authority which the Board could include in a supplemental certificate are restored unchanged by the proposed amendment in order that these provisions will be in conference between the two Houses.

These amendments, which deal primarily with safety, would provide for issuance of a certificate only to those who have proved their fitness. They would incorporate, in the Federal Aviation Act of 1958, as amended, provisions authorizing and otherwise clarifying the authority of the responsible Government agencies to effectively regulate the supplemental air carrier industry so as to insure maximum degree of safety and financial integrity. Among them are provisions on performance bonds, liability insurance, filing of reports, penalties for failure to comply with regulations.

The Subcommittee on Aviation has had many conferences with members of the House Committee on Interstate and Foreign Commerce. I believe these amendments, meet all the requirements found necessary as a result of the investigations of the supplemental air carriers following the tragic accident in Virginia. These include the exhaustive investigations conducted by the CAB and the FAA, at the request of the Senate Commerce Committee.

Because of the technical parliamentary situation, unless the Senate adopts these amendments it will not be possible to strengthen the safety provisions of the bill in conference.

Unfortunately, neither House had this evidence before it when the bill was passed. As both Houses passed the bill, it provided a "grandfather" clause with respect to all the supplemental carriers on an interim operating basis.

It was only when they came to their permanent operating certificate, that the test of fit, willing, and able, and similar standards would have been applied.

I think we are offering to the Senate a bill which will create a responsible, safe, and viable segment of aviation, marked by the participation of small business in this field, to render a service that meets exactly what the title of the bill provides—Supplemental, which means in addition to or supplemental to the services of the great complex of scheduled airlines, both trunk and feeder, which are certificated to fly on a regularly scheduled basis.

Mr. COTTON. Mr. President, will the Senator from Oklahoma yield?

Mr. MONRONEY. I am happy to yield to the ranking Republican member of the subcommittee, who has been so helpful in the conferences on drafting the amendment to further strengthen the bill.

Mr. COTTON. I thank the chairman. As the senior minority member of the Subcommittee on Aviation, may I say that the very well drafted statement of the chairman of the subcommittee, the distinguished junior Senator from Oklahoma, sets up in detail and ably the legislative history and necessary background of the action today and will be a firm foundation for the conference which we assume will take place between the conferees of the Senate and the House.

It was my privilege to work with the Senator from Oklahoma during the latter part of the last session, when the bill was originally passed, and to work with him during the hearings and to receive the testimony this week. I am thoroughly and completely in accord with the position taken by the distinguished Senator from Oklahoma and in the necessity for the step we are taking and the amendments which are being offered as a substitute.

We heard evidence at length from the chairman of the CAB and from the FAA Administrator. Their suggestions, carefully considered, are largely incorporated in this substitute amendment.

As I said last year when the Senate passed the bill, some of us had some qualms about whether we were adequately providing complete enough standards for the supplemental airlines. However, the Nation had not been shocked into a realization of the necessity for further safeguards until these accidents took place.

As the Senator from Oklahoma has also said so well, there are other points in the bill which will be taken care of in the conference to follow with the representatives of the other body, upon which there may well be disagreements, even among ourselves. I am glad we shall have an opportunity to have a full and free conference to weigh those points, to have a meeting of the minds, and to wrestle with every provision in the bill.

This particularly important task of safeguarding the public in the operation of the supplemental airlines can take place only if we adopt the amendments which are now before us. Otherwise, there will be nothing upon which the two bodies can confer, because there will be no difference between the House and Senate bills. Adoption of this substitute will give the conferees the power to report safeguards which they agree are required.

In my opinion, these amendments are absolutely necessary. The committee has worked long, carefully, and diligently. We have recognized and, indeed, have met the challenge of immediately making certain that no dormant certificates are in force, and that the Civil Aeronautics Board will have full and complete power to make certain that those who are carrying passengers in the air—as are the supplemental airlines—demonstrate that they are fit, able, and willing to do so, and, of course, we wish to give the skillful and well prepared operator a reasonable chance to perform his service.

I join with the Senator from Oklahoma in the hope that the Senate will adopt the amendments and send the bill, as amended, to conference.

Mr. MONRONEY. I thank the Senator from New Hampshire.

Mr. MORTON. Mr. President, I take this opportunity to commend the junior Senator from Oklahoma [Mr. MONRONEY] for his outstanding work in connection with the proposed legislation. As a result of recent subcommittee hearings, several amendments are being added to this legislation to cope with serious problems concerning these supplemental airline operators.

The bill as amended requires proof of fitness to conduct even an interim supplemental operation during the period the CAB is considering whether to award a permanent license. The CAB would be empowered to weed out dormant and unfit supplemental operators without delay and time-consuming redtape. In addition, the bill authorizes the CAB to require these operators to post performance bonds which would contribute to a more reliable service for the public.

Moreover, the bill empowers the CAB to conduct periodic reviews of the operations of those supplemental carriers who qualify for a license to make sure that they continue to be fit, willing, and able to serve the public.

These are important reforms—reforms that are long overdue—to straighten out conditions in the supplemental industry, and the junior Senator from Oklahoma [Mr. MONRONEY] has shown great wisdom and good judgment in advancing these amendments.

There is one area in the proposed legislation, however, that raises grave doubts in my mind. This is the grant of power to the CAB to permit the supplemental carriers to carry individually ticketed traffic and all-expense-paid-tour traffic.

Over the past decade the CAB has been embroiled in lengthy, costly and futile litigation seeking to compel various members of the supplemental industry to conform to the legal limitations on individually ticketed operations. The Chairman of the CAB recently testified before a subcommittee in the House that the CAB has been at the mercy of these violators and has been unable to cope with these illegal combine operations.

The subcommittee hearings on Monday did not undertake to reevaluate what economic authority Congress should empower the CAB to grant the supplemental air carriers because it was recognized that this would be a time-consuming matter and the existing legislation under which the supplemental air carriers operate expires on March 14 of this year. I do not intend to raise this serious question at this time. The House sent a bill to the Senate which would confine the supplemental air carriers to charter operations and, in the case of emergencies when the scheduled carriers are unable to provide adequate service, 30-day supplemental permits for individually ticketed services. I, personally, believe that this is the sound approach. In the event that a supplemental airline exceeds the rights granted to them under the House individually ticketed authority, the violations can be terminated within 30 days, whereas under the Senate bill, protracted litigation can result and no effective curb can be exercised over violators. In the event that the bill goes to conference—and I feel certain that it will—I believe we should give serious thought to reconsidering the position we have taken on this individually ticketed authority.

I heartily endorse the other purposes of the amendments offered by the Senator from Oklahoma on behalf of the subcommittee.

Mr. LAUSCHE. Mr. President, will the Senator from Kentucky yield for a question?

Mr. MORTON. I yield.

Mr. LAUSCHE. I understand the Senator from Kentucky is in doubt about the soundness of the provision which will allow supplemental carriers to get individuals into a group and then provide what is called chartered service.

Mr. MORTON. Yes. I have misgivings about the individually ticketed authority for groups. I think we all recognize that there have been abuses in that past.

Suppose the Senator's wife, daughter, or son-in-law goes to a travel agent and says, "I should like to travel to Europe this summer." The travel agent may reply, "If you will go on August 13, I think I can arrange a $50 or a $100 discount, because I am getting a group together to charter a plane on that day."

If we expect to maintain a regular service, and the scheduled airlines must fly it, whether they carry 5, 50, or 100 passengers, then I think that sort of competition should be controlled. I do not believe that under present law it is sufficiently controlled. I think the House bill is more definitive in that respect than is the Senate bill.

I know this question will be considered seriously by the conferees. I, for one, want to see the scheduled airlines protected against the subterfuges which permit the sale of individual tickets, whether in a group or not. The provision with respect to the individual situation is circumvented by the travel agent getting up a group. I think that is something which we must examine into with great care, because the airlines are losing money.

Mr. LAUSCHE. The Government is now subsidizing the regular carriers if they maintain a scheduled service.

Mr. MORTON. It is not subsidizing all of them.

Mr. LAUSCHE. Well, in the main.

Mr. MORTON. I have a bill—and I hope the Senator from Ohio will support it—to take the subsidy away forever from the trunkline carriers.

Mr. LAUSCHE. Am I correct in making the following interpretation of the Senator's position: that in the maintenance of a scheduled service, regardless of whether they have or do not have passengers, the planes must be flown.

Mr. MORTON. That is correct.

Mr. LAUSCHE. And that therefore we ought to be cautious about allowing a variation in the service by the sale of tickets to individuals and by grouping them into what is supposed to be a charter accommodation by a supplemental air carrier?

Mr. MORTON. That is exactly my point; the Senator from Ohio has stated it more succinctly than I did.

Mr. LAUSCHE. Is it the position of the Senator from Kentucky that inasmuch as the rights of these supplemental carriers are to expire on March 14 unless we pass such a bill, the Senator from Kentucky is now subscribing to the bill as it came from the Senate last September?

Mr. MORTON. No. I subscribe to the amendments offered by the Senator from Oklahoma [Mr. MONRONEY] and I also hope that in conference the House language as regards policing operations which get around the individually ticketed restriction is included in the final measure.

Mr. LAUSCHE. But the date March 14 was mentioned by the Senator from Kentucky.

Mr. MORTON. Yes. I believe that is when this expires.

Mr. LAUSCHE. I thank the Senator for the explanation.

The PRESIDING OFFICER (Mr. METCALF in the chair). The question is on agreeing to the motion of the Senator from Oklahoma.

Mr. LAUSCHE. Mr. President, last September, after this bill was passed by the Senate and was amended by the House, I asked that no further action be taken on it, because word came to me that in many instances the supplemental carriers were totally irresponsible fiscally, and in many instances were flying with motors which had been discarded by commercial certificated carriers. Word also came to me that, in connection with the Toledo crash, in which a group of football players from California were killed, the supplemental carrier went into bankruptcy on the day after the accident; it was then totally without assets, and it had no insurance; or if it did have insurance, the insurance provided that it was to be applicable only in the event the plane went into the air in an airworthy condition.

I asked the junior Senator from Oklahoma not to press for the taking of action on the Senate version of the bill until an opportunity was had to examine into these issues of fiscal irresponsibility and also into the issue as to whether adequate insurance was carried.

Last September 20, the junior Senator from Oklahoma [Mr. MONRONEY], in explaining why he was not pressing for a consummation of action upon the bill, said:

> Furthermore, the Senator from Ohio [Mr. LAUSCHE] has asked for an opportunity to satisfy himself with respect to one aspect of the supplemental carrier problem which has only recently been called to his attention.

That one aspect dealt with the adequacy of the law requiring a showing on the part of supplemental air carriers that they were fiscally responsible, or, in the place of showing fiscal responsibility through assets, carried adequate insurance to protect the public and to protect the passengers they desired to carry.

After the Richmond crash, I wrote several letters to the Civil Aeronautics Board and to the Federal Aviation Administration.

At this time I should like to take up with the Senator from Oklahoma some of those questions.

In my letter of December 18, 1961, addressed to the Civil Aeronautics Board, I asked a number of questions. Question No. 4 was:

> What, if any, provisions are there in the law or in any congressionally authorized regulations requiring the showing by the supplemental carrier of a fiscal responsibility to meet claims for damages.

The answer to question No. 4 was:

> There is no provision in the law or regulations specifically requiring supplemental air carriers to make a showing of fiscal responsibility in order to meet claims for damages.

The letter further proceeds in a lengthy manner to point out:

> The question of imposing more specific and stringent requirements in regard to the financial responsibility of air carriers has been under consideration by the Congress for some time. In 1950 Representative John A. McGuire, of Connecticut, a member of the House Committee on Interstate and Foreign Commerce, stated that he was surprised to learn that owners of airplanes were not required by law to show financial responsibility in case of accident, and for that reason he introduced H.R. 8126, "A bill to amend the Civil Aeronautics Act of 1938, as amended, to require the owners of civil aircraft to be financially responsible for damages arising out of the operation of such aircraft."

Mr. President, I ask unanimous consent that the remainder of the answer given in that paragraph be printed at this point in the RECORD.

There being no objection, the excerpt from the letter was ordered to be printed in the RECORD, as follows:

CIVIL AERONAUTICS BOARD,
Washington, D.C., December 18, 1961.

Hon. FRANK J. LAUSCHE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR LAUSCHE: In further reply to your letter of November 14, 1961, we submit herewith our replies to questions 4, 5, 6, 7, 8, and 9.

4. What, if any, provisions are there in the law or in any congressionally authorized regulations requiring the showing by the supplemental carrier of a fiscal responsibility to meet claims for damages?

Answer to question 4:

There is no provision in the law or regulations specifically requiring supplemental air carriers to make a showing of fiscal responsibility in order to meet claims for damages.

The question of imposing more specific and stringent requirements in regard to the financial responsibility of air carriers has been under consideration by the Congress for some time. In 1950, Representative John A. McGuire, of Connecticut, a member of the House Committee on Interstate and Foreign Commerce, stated that he was surprised to learn that owners of airplanes were not required by law to show financial responsibility in case of accident, and for that reason he introduced H.R. 8126, a bill to amend the Civil Aeronautics Act of 1938, as amended, to require the owners of civil aircraft to be financially responsible for damages arising out of the operation of such aircraft. This bill provided that the Civil Aeronautics Board should make regulations requiring that no civil aircraft should be operated in air commerce unless the owner had given proof of his ability to respond in damages for death or injuries resulting from operation of the plane, in such amounts as the Board should prescribe. The Board submitted a report on the bill on June 15, 1950, to the House Committee on Interstate and Foreign Commerce, favoring the legislation, and recommending the enactment of H.R. 8126 subject to minor amendment as to certain details. Among other things the Board stated: "H.R. 8126 directs itself to a subject which we believe should be recognized and acknowledged as falling within the area of obligations and responsibilities attributable to civil aviation; namely, the obligation of the owners of aircraft to honor judgments lawfully rendered against them for death or injuries to persons or damage to property." Hearings were held on H.R. 8126 on June 16, 1950, before a subcommittee of the Committee on Interstate and Foreign Commerce, House of Representatives. The Board testified in support of the legislation at the hearing and discussed the various provisions of the bill in detail. The Department of Commerce submitted a report recommending favorable consideration of the bill, subject to certain suggestions for amendment. Congressman PETER F. MACK, Jr., of Illinois, testified in support of the bill. Testimony opposing the legislation was given to the subcommittee by the Air Transport Association of America, the National Association of State Aviation Officials, the Association of Casualty & Surety Cos., and the National Aviation Trades Association. No action was taken on the legislation. Bills similar to H.R. 8126 have been introduced in subsequent sessions of Congress, but have not been acted upon; viz:

Eighty-second Congress, H.R. 7270, introduced by Mr. Clemente, March 27, 1952.

Eighty-fourth Congress, H.R. 10449, introduced by Mr. ZELENKO, April 11, 1956.

Eighty-fifth Congress, H.R. 1037, introduced by Mr. ZELENKO, January 3, 1957.

Eighty-sixth Congress, H.R. 1086, introduced by Mr. ZELENKO, January 7, 1959.

Eighty-seventh Congress, H.R. 1259, introduced by Mr. ZELENKO, January 3, 1961, and now pending in the Committee on Interstate and Foreign Commerce.

There is a requirement in section 401(d) of the Federal Aviation Act that an applicant for certificate authority shall be fit, willing, and able to perform the transportation to be authorized. This statutory provision has been interpreted by the Board to warrant an examination of the financial situation of the applicant to assure that the carrier has sufficient financial resources to enable it to conduct its operations. Accordingly, in certificating the supplemental air carriers the Board has examined the carriers' financial positions as an element to be considered in determining whether the carriers met the statutory standard of fitness, willingness, and ability to perform the transportation.

The standards pursuant to which the Board certificated 25 supplemental air carriers are found in Board Order E-13436 of January 28, 1959, in the "Large Irregular Air Carrier Investigation," docket 5132.

Mr. LAUSCHE. Now I wish to ask the Senator from Oklahoma what action, if any, is to be taken specifically—and I wish he would point out to me the specific provision of this bill—to remedy the total insufficiency of such provision for the protection of the public.

Mr. MONRONEY. I appreciate very much the question asked by the distinguished Senator from Ohio, and I also appreciate the care with which he followed up his original questions relative to financial stability and the protection to be afforded the passengers.

At the time when the bill was passed by both Houses—and this is what makes this amendment necessary—there had been no recent crashes in the supplemental air carrier service, and there had not been reported at that time anything to give us the benefit of the very thoroughgoing inspection which the Federal Aviation Agency, the Civil Aeronautics Board have made regarding the supplemental air carriers.

Therefore, the original bill did not contain the provision about which the Senator from Ohio has raised this very important question. As a result of the recommendations arising from the various investigations referred to previously, and to large extent as a result of the interest of the Senator from Ohio—these amendments are being added at this time to the bill. I believe they will accomplish the Senator's purpose.

If the Senator from Ohio will examine the committee print which is on his desk, he will find set forth in bold italic on page 5—it is set forth in bold italic since it represents added language—the following:

The Board may by order or regulation attach to the exercise of any privilege or privileges granted by certificates for supplemental air transportation or amendments thereto, or to special operating authorizations granted under section 417 of this title, the conditions that the carrier shall furnish performance bonds or shall carry liability insurance, or both, in the minimum amounts and upon the minimum terms prescribed by the Board, or shall demonstrate arrangements equivalent thereto.

This amendment, in my view, is a very important provision of the bill, and one which I believe is approved of strongly not only by the Senate committee, but also by the House committee, with whose members we have conferred at length.

Mr. LAUSCHE. May I ask the Senator from Oklahoma why the bill makes discretionary in the Board the requirement for fiscal responsibility or that adequate insurance be carried?

Mr. MONRONEY. It is the customary language. We have an independent arm of the Congress in the Civil Aeronautics Board. This language is also their recommendation. They recommend that they be clearly permitted to insist upon the requirement.

There was some doubt, in the welter of conflicting laws, court orders, and exemptions, and all the hodgepodge methods from which the previous operating authority of these supplemental airlines stems as to whether the Board had such authority. We were asked to grant it this authority. It is desirous of having it. We are more than confident, since it is the recommendation of the Board, that this authority will be used.

Mr. LAUSCHE. As I previously stated, after the Richmond accident it was disclosed that the insurance policies carried the provision that, unless the plane was worthy when it went into the air, there was no coverage. That provision, of course, was ridiculous. If an unworthy plane left the ground, the insurance company was said not to be liable, under the policies that were issued.

I asked the Civil Aeronautics Board questions Nos. 5, 8, and 9 in my letter, and I should like to read them and give the answers to those questions:

Question No. 5 reads:

Under the law and regulations are these supplemental carriers required to carry any specific amount of liability insurance?

Question No. 8 reads:

If a supplemental carrier is required to carry liability insurance, of what value is that liability insurance if the insurer in the terms of the contract can exempt himself from liability in the event the aircraft, when going into flight, is not in an airworthy condition?

Question No. 9 reads:

If the insurer can exempt himself from liability under the circumstances mentioned in the immediate preceding question what protection does the passenger have under such circumstances?

These answers were given:

There is no present requirement that supplemental air carriers carry liability insurance. Therefore, where carriers do carry insurance they may do so on any terms they choose, and they are not required to report such arrangements to the Board.

We agree with you that, where under applicable law air carriers would be liable to the passengers for injuries resulting from certain kinds of accidents, liability insurance which does not provide coverage for accidents of that kind because of an exclusionary provision in the insurance contract leaves without adequate protection the passengers of those air carriers which do not have other assets from which to satisfy the passengers' claims. Such partial insurance coverage, standing alone, would be inadequate to establish the financial responsibility of the carrier. This matter is presently under consideration by the Board.

The Board is currently engaged in a comprehensive review of the supplemental air carrier industry, including, but not limited to, the question of financial responsibility.

My question is, Did the subject of these exclusionary provisions in the insurance policies become an item of discussion in the hearings that were conducted last Monday by the subcommittee?

Mr. MONRONEY. I am very happy that the senior Senator from Ohio has asked the question. The matter of requiring that the carriers carry an adequate amount of liability insurance was discussed at considerable length by the Chairman of the Civil Aeronautics Board, Mr. Boyd, and was one of the high points of his testimony.

I quote, in part, from his testimony:

With respect to liability insurance, we have been thinking in terms of a regulation patterned after the insurance requirements presently applied by the Department of Defense. These coverages are (1) $50,000 per passenger with a total per accident involving any one aircraft equivalent to at least $50,000 multiplied by 75 percent of the seats of the aircraft; (2) liability insurance for persons other than passengers of $50,000 for each person in any one accident with a minimum of $500,000 per accident; and (3) property damage liability of at least $500,000 per accident.

I am confident that, in an examination of this requirement, no insurance policy which incorporated a stipulation rendering it inoperative if it was determined the aircraft was not airworthy would ever be approved by the Board.

Mr. LAUSCHE. Will the Senator give me the preface of that statement?

Mr. MONRONEY. I have an extra copy of the hearing record before me. It will be found on page 13 of the galley proof. We regret that, although the original transcript was sent to the Government Printing Office several days ago, it is not available yet in final form. Because of the urgency of the date, we do, however, have a small supply of galley proofs available.

Mr. LAUSCHE. The Board says it has been thinking of that type of program. In the face of the discretionary language contained in the bill on the subject of liability insurance, does the Senator from Oklahoma feel satisfied that it will carry into effect substantially what it is talking about?

Mr. MONRONEY. I would certainly expect the Board to do so. It is highly unlikely that a responsible Government agency would recommend that the bill be amended to include such a provision, if it did not intend to implement it.

Mr. LAUSCHE. Is it the intention of the sponsors of the bill to have the Board adopt regulations and requirements that will adequately protect the public?

Mr. MONRONEY. That is the clear intent of the bill. The bill is replete with provisions to accomplish this end.

We anticipate that adequate regulations and requirements will be adopted by the Board. I assume the answer is "yes." The Senator has already answered.

In my letter of December 20—and this is not the same letter as the one from which I have been reading—I asked the question:

Whether the action was taken officially or unofficially, did the participant members of the Board know at that time that the liability insurance covering the plane that fell at Toledo contained a clause exempting the insurer from liability if the plane went into the air in a condition of unworthiness?

Were the Board members examined about the fact that they have never suggested to the committee the need for amending the law so that liability insurance would be provided?

At this point it might be well to point out that the Board took affirmative action to revoke the operating authority, or color of operating authority of a number of carriers. However, by virtue of court appeals, court stays and similar action, these carriers were allowed to continue to operate. In one instance, for example, as a result of protracted litigation and court challenges, the Board was, for 7 years, until the final court mandate was handed down, unable to prevent a carrier from operating. My point is, that in many cases, the Board has been powerless to act.

This is the type of situation we are trying to prevent in the proposed legislation. This is the thrust of the speech we carefully worked out with counsel—to make it crystal clear that no one has a vested right to continue to fly, even though he has flown in the past, unless the Board affirmatively gives him the right to fly de novo.

Mr. LAUSCHE. I assume that the Senator from Oklahoma and other members of the subcommittee feel that the proposed legislation ought to be acted upon, even though the entire committee did not consider it, because March 14 is fast approaching.

Mr. MONRONEY. The Senator is correct. We would have preferred to bring it before the full committee. However, every member we were able to contact on the subcommittee or on the full committee, was fully apprised of the situation and we were confident that every effort was being made to strengthen the bill to the maximum extent. The members know that we wished to go to conference with a bill incorporating provisions which would reflect the recommendations of the FAA and the CAB as a result of their investigations.

However, we concluded that we should continue the Senate's position as to the economic role of the supplemental air carrier industry as we would have done had we been able to go to conference last year. The House provision permits no ticketing authority. The Senate provision permits a limited amount of ticketing authority. This is a question for the conferees to resolve.

When we were frozen in with respect to the safety provisions, both Houses having taken the same position, we could not have added anything to the bill, and we felt that the urgency and acceptability of these particular amendments were so apparent that we could not afford to delay longer, because the House must also consider this subject. The House may wish to send the measure to a committee, or may wish to amend it on the floor of the House, or may accept our invitation to go to conference. I am certain that the House will take issue with some of the Senate provisions as to the scope of operating authority to be granted these carriers.

Mr. LAUSCHE. Yes.

Mr. MONRONEY. I am reasonably certain the House will accept the safety provisions.

Mr. LAUSCHE. In the hearings last Monday was any inquiry made about the adequacy of supervision by the Federal agency on servicing of planes?

Mr. MONRONEY. We had testimony before us from the distinguished Administrator of the Federal Aviation Agency. He testified in favor of the proposed legislation and described in detail the improved and greatly accelerated effort to maintain a more constant inspection of this type of carrier.

I think there will be very strong and effective enforcement under the newly-developed system. I presume there would not be nearly as many supplementals flying, because the bill will extinguish all prior authority under which these carriers are operating—including those who continue to operate by virtue of court orders. Undoubtedly the past records of some of those who are constant violators will result in extinguishing their right to fly. Therefore, there will not be as many carriers to inspect.

It is not easy, with 24 or more supplemental carriers, each with two or three planes scattered from Maine to California or from Washington State to Miami, Fla., for the inspectors to appear at the 24 or 28 overhaul stations to inspect two or three planes. It is far easier to inspect the overhaul processes of fewer carriers and to know that their systems of performance and their regular routines of overhaul and inspection are being carefully observed.

Mr. LAUSCHE. I thank the Senator very much.

Mr. President, I think great progress has been made in improving the bill since it was before this body last September. I wish the whole committee could have had an opportunity to discuss it, but I recognize that March 14 is practically at hand, and I do not believe we ought to allow this service to die completely and to be stopped so abruptly.

I do not favor the ticketing provision, as the Senator from Oklahoma knows. For that reason I shall not support the bill. However, I feel that great progress has been made in regard to provisions for protection of the public.

In the face of the fact that we do not allow a person to drive an automobile on the highways in most of the States unless he carries insurance, I cannot understand how we allowed the supplemental carriers to operate for years without fiscal reponsibility and without adequate insurance. It is a most difficult thing to understand.

There was a crash at Richmond, and one at Toledo, but there have been other crashes. It has now dawned upon us clearly that there is need for adequate protection.

Will the Senator yield for another question?

Mr. MONRONEY. I yield.

Mr. LAUSCHE. Do we require of the regular carriers a showing of fiscal

responsibility and adequate insurance coverage?

Mr. MONRONEY. I read one of the fundamental parts of the Federal Aviation Act:

> The Board shall issue a certificate authorizing the whole or any part of the transportation covered by the application, if it finds that the applicant is fit, willing, and able to perform such transportation properly, and to conform to the provisions of this Act and the rules, regulations, and requirements of the Board hereunder, and that such transportation is required by the public convenience and necessity; otherwise such application shall be denied.

We have felt that they always had authority to require liability insurance. In fact, in instances in which the companies were operating under court exemptions, the authority of the Board was nil, because its order had been superseded by a court order. The right to fly was ordered by the court itself. The bill will correct this type of situation.

Mr. LAUSCHE. That is because the Administrative Procedure Act would be eliminated from the picture.

Mr. MONRONEY. Yes.

Mr. LAUSCHE. I thank the Senator.

Mr. MONRONEY. I appreciate the contribution of the Senator from Ohio in the interest of safety, and the fact that he asked for a postponement has led, I think, to increasing very greatly the strength of the bill. The temporary certification under the grandfather clause in the original bill would have continued some carriers that were operating under court order until such time as the Board was able to take action on their application for permanent certification. But, as I have explained previously, this would no longer be the case.

Mr. LAUSCHE. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a letter which I received from the Board in response to questions which I asked that are pertinent to the issue.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

CIVIL AERONAUTICS BOARD,
Washington, D.C., December 20, 1961.

Hon. FRANK J. LAUSCHE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR LAUSCHE: In further reply to your letter of November 17, 1961, we submit herewith answers to the seven questions asked in your letter.

Question 1: "Did the Civil Aeronautics Board take official action in requesting the introduction and passage of S. 1969?"

Answer: Yes. The Board on May 3, 1961, approved draft legislation which was subsequently introduced as S. 1969.

Question 2: "If official action was taken were there any dissenting votes cast and, if so, by whom?"

Answer: Yes. Member Gurney dissented.

Question 3: "If the Board did take such action, what were the reasons that motivated it?"

Answer: The Board found that the supplemental air carriers have performed a useful public service and have a definite place and role in meeting this Nation's air transportation needs. It concluded that the continued existence of the irregular air carrier fleet would be of real value in terms of national defense, and that the future ability of the irregular air carriers to serve the military depends upon their ability to operate their planes in commercial activities when not engaged in service for the military.

The action of the Board in issuing certificates of public convenience and necessity to the supplemental air carriers in 1959, and pursuant to which these air carriers were operating, was appealed to the court by a number of air carriers certificated to render route-type service.

On April 7, 1960, the Court rendered its decision in *United Air Lines et al. v. Civil Aeronautics Board* (278 F. 2d 446), in which it found that the Board's action in certificating supplemental air carrier operations was legally deficient in certain respects. The Board thereupon submitted a legislative proposal to meet these deficiencies and to assure the continuation of the supplemental air carrier industry.

* * * * *

Question 5: "Whether the action was taken officially or unofficially, did the participant members of the Board know at that time that the liability insurance covering the plane that fell at Toledo contained a clause exempting the insurer from liability if the plane went into the air in a condition of unworthiness?"

Answer: No.

Question 6: "Was it the purpose of the Board in suggesting that these supplemental air carriers be allowed in a limited degree to carry passengers as distinguished from chartered service, thus to enable the supplemental carriers to qualify for subsidies?"

Answer: No. The Board, in issuing certificates for supplemental air service specifically stated that these carriers were not eligible for a Federal subsidy.

Question 7: "Having in mind the Toledo crash, why didn't the CAB knowing of the efforts of the Lloyd Insurance, Inc., to disclaim liability, include in the bill provisions that would require complete liability insurance?"

Answer: As indicated in the answer to question 5, the Board members were not aware of such efforts to disclaim liability.

Sincerely yours,

ALAN S. BOYD,
Chairman.

Mr. SCOTT. Mr. President, will the Senator from Oklahoma yield?

Mr. MONRONEY. I am happy to yield to the distinguished Senator from Pennsylvania, who is one of the most experienced and respected members of the Committee on Commerce.

Mr. SCOTT. I thank the Senator from Oklahoma very much indeed. I wish it had been my privilege to be a member of the Subcommittee on Aviation earlier, because most of the hearings were held before I became a member of the subcommittee. I have some familiarity with them. I congratulate the distinguished Senator from Oklahoma [Mr. MONRONEY] and the distinguished Senator from New Hampshire [Mr. COTTON] for the careful, excellent, and painstaking way in which they have prepared and presented the measure. I hope that the amendments proposed by the Senator from Oklahoma will be agreed to so that we can move ahead and go to conference.

I also would like to feel that the conferees from both Houses will give very careful consideration to the House approach on individually ticketed authority that can be given to the supplemental airlines.

Mr. MONRONEY. I thank the Senator.

The PRESIDING OFFICER (Mr. METCALF in the chair). The question is on agreeing to the motion of the Senator from Oklahoma.

The motion was agreed to.

Mr. MONRONEY. Mr. President, I move that the Senate insist on its amendments and request a conference with the House on the disagreeing votes of the two Houses thereon, and that the Chair appoint the conferees on the part of the Senate.

The PRESIDING OFFICER. The question is on the motion of the Senator from Oklahoma.

The motion was agreed to; and the Presiding Officer appointed Mr. MONRONEY, Mr. SMATHERS, Mr. THURMOND, Mr. COTTON, and Mr. MORTON conferees on the part of the Senate.

ROBERT R. GILRUTH, DIRECTOR OF PROJECT MERCURY—CONTRIBUTOR TO FIRST AMERICAN MANNED ORBITAL FLIGHT

Mr. McCARTHY. Mr. President, Americans everywhere rejoiced at the successful completion of the first American manned orbital flight a week or so ago. Many individuals worked long and hard to make this flight a success.

One of those who contributed to this historic event is Robert R. Gilruth, Director of Project Mercury. He is also Director of the Manned Spacecraft Center at Houston, Tex. He was first named head of the NASA Space Task Group on November 5, 1958.

Mr. Gilruth is a native of Minnesota. The people of his State can be justly proud of his achievements. The University of Minnesota has graduated a number of distinguished individuals, including scientists. Mr. Gilruth was particularly distinguished when he was awarded the NASA Distinguished Service Medal by President Kennedy at Cape Canaveral recently.

I ask unanimous consent that his record in the field of science be printed at this point in the RECORD.

There being no objection, the record was ordered to be printed in the RECORD, as follows:

Before his Space Task Group appointment, Gilruth was Assistant Director of the Langley Aeronautical Laboratory, National Advisory Committee for Aeronautics. On October 1, 1958, the NACA became the National Aeronautics and Space Administration, and the Langley Laboratory was renamed the Langley Research Center. The center is located in Hampton, Va., and is headquarters for the Space Task Group.

Mr. Gilruth was born October 8, 1913, in Nashwauk, Minn., near Duluth. He was graduated from the University of Minnesota with a B.S. degree in aeronautical engineering in 1935 and was awarded a master's degree in this field the following year.

He joined the staff of the NACA in January 1937, and in his more than two decades of service he has emerged as one of America's foremost research scientists.

During the early years of his career, Gilruth conducted a series of aerodynamic studies which became the basis for the first set of quantitative specifications ever compiled to describe airplane stability and control. This work served as a guide for American designers during World War II and

remains in use as a basic reference both in this country and in England.

In the early 1940's, Gilruth developed the wing-flow method of research, a system which uses the high-speed flow of air above the wing of a diving airplane to investigate high-speed phenomena on small research models. This concept provided information in the transonic speed regime for new aircraft and missiles, and it effectively filled the gap before transonic wind tunnels and free flight techniques were developed.

The transonic gap led to another concept by Gilruth: use of expendable free flight rocket models which were instruments to give a wealth of information. This concept was translated into the Pilotless Aircraft Research Division at Wallops Station, Va. Gilruth is credited with the organization, design and development of this launching site, where more than 4,500 research models have been rocketed since it was established in 1945.

For his efforts in the establishment of Wallops Island, Gilruth received the Sylvanus Albert Reed Award for 1950. This award is one of aviation's highest honors and is given annually by the Institute of the Aeronautical Sciences, of which he is a fellow, for notable contributions to aeronautical research.

His work in establishing the Wallops Island facility also brought the Federal Government's Superior Accomplishment Award in 1951 and the University of Minnesota Outstanding Achievement Award in 1954. The latter honor is reserved for students who have attained high eminence and distinction.

In 1951, Gilruth was appointed assistant director of the Langley Laboratory.

For the past 10 years, he has served on committees advising the Department of Defense on high temperature problems in missile and aircraft flight. He also was a member of the NACA's first Space Technology Committee.

On January 23, 1962, the Institute of the Aerospace Sciences awarded Robert R. Gilruth the Louis W. Hill Space Transportation Award, "for his outstanding leadership in technical development of spacecraft for manned space flight."

On February 23, 1962, Gilruth was awarded the NASA Distinguished Service Medal by President Kennedy at Cape Canaveral ceremony "for his distinguished leadership of the team of scientists and engineers that carried Project Mercury, the U.S. initial manned space flight program, from its inception to the successful accomplishment of man's orbit about the earth."

Minnesotans can be justly proud of Robert Gilruth and his achievements. The University of Minnesota has graduated a number of distinguished individuals. The decoration of Mr. Gilruth by President Kennedy reflects great credit on the University of Minnesota, the faculty, and particularly upon the School of Aeronautical Engineering.

UNEMPLOYMENT

Mr. McCARTHY. Mr. President, the American economy, in a kind of relative judgment, is booming today. The gross national product, personal income, and most indicators are good and improving. All systems are not "go," however, and we do not have a "green board." One danger light has been flashing persistently and for long intervals ever since the end of World War II. This warning light is the high rate of chronic and persistent unemployment. For the past 16 months unemployment, seasonally adjusted, in the United States has been 6 percent or more. Only in January of this year did the rate drop below 6 percent and then only to 5.8 percent.

After each of the post-World War II recessions, the rate of unemployment remained higher than it had been before those recessions began.

After the 1948–50 recession, unemployment remained at 3 percent, a level higher than it had been before the recession began. Even though business had recovered, unemployment failed to return to prerecession levels. After the 1953–55 recession, during which unemployment rose to 6.8 percent, the rate settled back to a 4-percent plateau and did not drop to the prerecession 3-percent level. Unemployment rose to 8 percent during the 1957–59 recession, but held at 5 percent during the subsequent period of prosperity. In the most recent 1960–62 economic decline, unemployment rose to 7 percent, and now, after recovery, seems to be holding at about 6 percent. This rate has been higher after each recession.

Even more disturbing than these figures are the following facts:

For each of the four postwar business cycles, the Labor Department counted the gain in wage and salary jobs outside of farming 11 months after recovery had gotten underway. In other words the last slump hit bottom in February 1961 and the Department counted the number of nonfarm payroll jobs that had been added by January 1962; the previous slump hit bottom in April 1958 and the Department counted the jobs in March 1959 and so on.

I ask unanimous consent to have printed at this point in the RECORD tables which show what those comparisons indicate.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

Increase in nonfarm jobs 11 months after cycle trough

1948–50	3,462,000
1953–55	2,170,000
1957–59	1,942,000
1960–62	949,000

The weakness of the latest recovery shows up more graphically if this comparison is made:

Increase in nonfarm jobs between 5th and 11th month after cycle trough

1948–50	2,405,000
1953–55	1,427,000
1957–59	1,306,000
1960–62	99,000

Mr. McCARTHY. The causes of unemployment are varied and complex. The remedies are many and must be designed to meet the changing problems. Just as yesterday's skills cannot run today's factories, so yesterday's legislation is proving inadequate to eliminate the hard-core persistent unemployment of the sixties.

The economy despite its outward appearance has not recovered fully after each of these recessions. The rate of economic growth is not what it should be. Pockets of unemployment remain. The rate of unemployment today exceeds 10 percent in Washington, Montana, North Dakota, and Arkansas, and exceeds 9 percent in West Virginia and Idaho.

In 1959–60 the Special Senate Committee on Unemployment Problems made an intensive study of unemployment and published a report, No. 1206, filed with the Senate on March 30, 1960. The committee conducted hearings in 25 cities located in 11 States and in the District of Columbia. Its publications are still used as original source material by many studying today's unemployment.

After the unemployment committee hearings nearly 2 years ago, the committee expressed the opinion that even with the rising economy there would continue to be a serious problem of unemployment. The developments over the last year and a half seem to have sustained that opinion.

The committee, as a result of its study, made a number of recommendations.

I ask unanimous consent to have printed at this point in the RECORD the conclusions and recommendations of the Special Senate Committee on Unemployment Problems.

There being no objection, the conclusions and recommendations were ordered to be printed in the RECORD, as follows:

MAJOR CONCLUSIONS AND RECOMMENDATIONS

The Committee on Unemployment Problems was directed by the Senate to study unemployment conditions in the United States and to recommend ways of reducing unemployment and alleviating its effects.

CONCLUSIONS

The committee concludes:

1. Unemployment is a serious and continuing problem. Five percent or more of the labor force has been unemployed in 26 of the past 28 months. In some areas of chronic unemployment, the rate has exceeded 25 percent. Underemployment and "hidden" unemployment, which are not measured in current unemployment statistics, would increase the total.

2. The greatest cost of unemployment is in the suffering of individuals and their families. Present systems of unemployment insurance and general assistance are inadequate to relieve this suffering.

3. Unemployment is costly also in the loss of potential production. If 1 million additional persons had been employed annually in the past decade, the gross national product would have been increased by an estimated $70 billion. The need to make full use of our manpower resources becomes more urgent as a consequence of the economic challenge of the Soviet Union.

4. The problem of unemployment will assume far greater proportions in the next 10 years unless decisive action is taken. After each of the last three recessions the rate of unemployment was higher than it had been before the recession. In the next decade the number of youths entering the labor market will increase by 46 percent. Dislocations caused by automation and technological change will increase. A sharp increase in unemployment will take place unless private and public measures are taken to absorb the increased manpower.

5. Unemployment is a national problem resulting from complex forces, most of them national in origin. Every section of the country has suffered from the effects of unemployment and the decreased purchasing power of the unemployed. Local communities with the highest rates are often those with the fewest tax resources. The unemployed are anxious to find work, and local communities have made extraordinary efforts to create jobs, but community leaders

in the distressed areas are in agreement on the need for national assistance.

6. Unemployment has no single cause nor single remedy. Unemployment may be cyclical, structural, or frictional. The extent of cyclical unemployment varies with the state of the economy. Structural unemployment is largely a problem of distressed urban areas and rural areas with large numbers of underemployed workers. Some frictional unemployment, or unemployment between jobs, appears inevitable but can be reduced by administrative measures.

7. "Class" rather than "mass" unemployment has characterized the past decade. Unemployment is highest for young people, older workers, nonwhites, women, the unskilled, and the least educated. Improved vocational training and retraining programs are needed to help these groups.

8. High rates of unemployment are not a necessary part of the private enterprise system. Unemployment can be reduced by reasonable private and public policies, as demonstrated by the experience of Great Britain, Sweden, Norway, Finland, the Netherlands, Switzerland, and France. The unemployment rates in these countries are considerably lower than those in the United States.

9. The reduction of unemployment and underemployment requires an increase in the rate of national economic growth. Fiscal, budgetary, and monetary policies are important elements in the achievement of a higher growth rate.

RECOMMENDATIONS

Since the committee is not empowered to report legislation, its recommendations have been made in general terms. The committee has attempted to point out areas needing attention and to suggest attainable standards. The members are not necessarily committed to all details of the specific proposals.

1. Increased rate of growth and maximum employment

The committee recommends:

(a) Increased emphasis on the objective of "maximum employment" set forth in the Employment Act of 1946 in the formation of national policy.

(b) Policies to attain a rate of national economic growth high enough to provide employment opportunities for the nearly 4 million men and women now unemployed and the 26 million young people who will enter the labor force in the next decade. Recommendations for promoting this economic growth were made by the Joint Economic Committee in its report on "Employment, Growth, and Price Levels," published earlier this year. Among those recommendations were the following: (1) Monetary policies to permit the money supply to expand in line with the growth in total output, (2) measures to reduce fluctuations in defense orders, (3) Federal aid to education in order to improve the quantity and quality of education required for a more productive labor force, (4) reform of the Federal tax system, and (5) improvement of our foreign trade position.

2. Assistance to distressed areas

The committee recommends that:

(a) Highest priority be given to the enactment of an effective area redevelopment program.

(b) A coal research and development agency be established as a step toward restoration of a strong economy in the coal regions of the Nation.

(c) A tax program be developed to provide concessions to plants locating or expanding in distressed areas.

(d) Federal agencies concerned with programs affecting forests, water resources, roads, and community facilities give special attention to the needs of distressed areas to help restore their capacity for achieving economic health.

3. Establishment of national standards for unemployment insurance

The committee recomemnds the establishment of minimum national standards for unemployment insurance systems. The committee believes that revision of the program should include the following provisions:

(a) Removal of restrictions on coverage based on size of firm and type of employment.

(b) Maximum benefit formulas high enough to assure the great majority of covered employees in each State at least 50 percent of their regular weekly earnings.

(c) Benefits for 39 weeks in all States for all eligible persons.

(d) A permanent federally financed, State-administered system for 13 weeks of supplementary insurance benefits for the long-term unemployed who have exhausted benefits under State coverage.

(e) Revision of methods of financing the program:

(1) The taxable wage base should be increased from the present $3,000 to the $4,800 figure currently used in the old-age and survivors insurance system.

(2) States whose reserves fall below a determined level in relation to past benefit costs should be required to suspend experience rating or otherwise to assure a sufficient statewide yield.

(3) Present Federal law should be amended to permit States to modify employer tax rates on a statewide basis as well as on the present individual-employer basis, as the States find best suited to their needs.

(4) A nationwide reinsurance fund should be established to make grants to States with prolonged duration and high rates of unemployment.

4. Extension of Federal grants to cover public assistance to the unemployed

The committee recommends that the Federal public assistance program be amended to include the following provisions:

(a) Extension of Federal grants-in-aid to the States for financial assistance to all needy persons including the unemployed and underemployed.

(b) Broadening of eligibility for aid to dependent children to cover children deprived of support or care because of the unemployment of their parents.

(c) Limitation of Federal grants-in-aid to those States which impose no residence requirements denying any needy person help to which he otherwise would be entitled.

(d) Raising of assistance payments to a level adequate for health and well-being.

5. Increased educational services, especially for vocational education, and assistance to special groups

The committee recommends cooperation by all levels of government to provide greatly expanded facilities for preparing young people to enter the employment market and for assisting older workers whose skills have become unmarketable to obtain retraining. The committee recommends:

(a) Institution of a nationwide vocational training program through Federal grants-in-aid to the States, including specialized courses for youth who have dropped out of school and for older workers who require retraining.

(b) The enactment of a Youth Conservation Corps bill.

(c) Increased appropriations for the expansion of services to youth now provided by the Employment Security System.

(d) Improved and expanded counseling programs for youth, including the distribution to appropriate institutions of the "Occupational Outlook Handbook" and other labor-market information.

(e) A report by the Bureau of Apprenticeship and Training to the Senate on measures necessary to encourage a higher rate of completions in apprenticeship training courses.

(f) Provision for extended unemployment insurance or special loans during the retraining period of adult workers who have a demonstrated capacity for job performance and who have become unemployed by reason of technological change.

6. Attention to employment dislocations caused by defense and trade policies

The committee recommends:

(a) Study by an appropriate committee of the impact of military procurement and deployment policies upon employment stability and unemployment, and consideration of measures to ease resulting dislocations.

(b) Enactment of adjustment legislation to relieve the impact of international trade policies on employees, businesses, and communities adversely affected.

7. Elimination of discrimination in employment

The committee recommends that all levels of government, as well as unions and employers, extend their efforts to end discriminatory practices in hiring workers.

(a) The Bureau of Employment Security should expand its programs to reduce discrimination in employment against young people, older workers, nonwhites, women, the handicapped, and other groups.

(b) Increased opportunities for participation in vocational training and the apprenticeship training program promoted by the Bureau of Apprenticeship and Training should be assured.

(c) An agency of the Federal Government should be established by legislation to combat discrimination and promote fair employment practices. Legislation such as that recommended by the Subcommittee on the Aged and the Aging should be enacted to require contractors and subcontractors of the Government to eliminate employment discrimination based on age.

8. Extension of unemployment benefits to domestic migratory farm laborers

Since domestic migratory farm laborers have special problems arising from the unstable nature of their employment and from the dependence of certain areas upon seasonally imported migratory labor, the committee recommends that:

(a) The Senate take steps to assure domestic migratory farm laborers unemployment benefits as nearly comparable as possible to those received by other segments of the labor force.

(b) The Senate determine the effect of the importation of foreign farm laborers upon the employment opportunities of domestic workers before acting to extend Public Law 78 in 1961.

9. Strengthening the employment services

The committee recommends:

(a) A substantial increase in appropriations for the Bureau of Employment Security, particularly to enable the Bureau to strengthen its services. The national office of the U.S. Employment Service should be given adequate funds and personnel.

(b) The development of new and effective techniques for the interstate exchange of information on employment opportunities.

(c) A sharper line of distinction at the local level between the functions of the Employment Service and the administration of unemployment insurance benefits. The local organization of the Employment Service should be adjusted to provide the maximum separation between the administration of unemployment insurance benefits and the counseling and employment services. This shift of emphasis should be directed toward improving the public image of the Employment Service and to encourage employers to consult it when they are seeking employees.

10. Standby antirecession legislation

In order that the Federal Government may act promptly to stimulate employment at the beginning of a recession, the committee recommends adoption of a series of standby measures which would take effect automatically when rising unemployment indicated the onset of a recession. These standby measures should include:

(a) Advance authorization for Federal public works of a type which permit rapid acceleration during periods of high unemployment.

(b) A program of loans for community facilities.

(c) An emergency housing program.

11. Improved measurements

The committee recommends increased appropriations to enable the Bureau of Labor Statistics and other agencies to supply additional data and measurements necessary to guide the Congress in the development of programs. More information is needed on:

(a) The total number of the unemployed, including those who are involuntarily working parttime and those who have withdrawn from the labor force because they have been unable to find work.

(b) Family responsibilities of the unemployed and the impact of unemployment on their living standards.

(c) The estimated number of persons unemployed from frictional, structural, and cyclical causes.

(d) The rural labor force, and unemployment and underemployment in rural areas.

(e) The composition of the labor force, conditions under which youth enter the labor force and workers leave it.

(f) The role of women in the labor force and the adjustments necessary because of their changing role.

(g) The work history of the unemployed and data on those who suffer frequent periods of unemployment.

12. Continuing attention to manpower resources and utilization

As a result of its study the committee believes that the Federal Government should maintain a continuing concern for the Nation's overall manpower resources, requirements, and utilization, including the problem of underemployment. Both the legislative and executive branches should be concerned with prospective manpower dislocations resulting from automation and technological change and with the manpower needs which must be determined as a basis for training and counseling programs. The committee therefore recommends that:

(a) A permanent subcommittee within the appropriate standing committee of the Senate be established with responsibility for consideration of manpower requirements, resources, and utilization at all levels of employment, and for legislation related to these areas.

(b) A National Manpower Planning Commission be established in the Executive Office of the President with corresponding responsibility; or, alternatively, that an existing agency of the Government be assigned such responsibility.

13. Financing the committee's recommendations

Insofar as this committee recommends increases in budget expenditures, we believe that revenues to offset these expenditures can and should be obtained. The committee believes that its recommendations are realistic. The cost of these proposals will be much less than the cost of continuing high levels of unemployment, and will represent a small fraction of the gains in production in gross national product and in tax yield.

Mr. McCARTHY. The first recommendation of the committee was that our economic growth rate should be increased.

The committee recommended passage of a distressed areas bill.

The committee recommended national standards of unemployment insurance, extension of Federal grants to cover public assistance to the unemployed, increased education services—especially for vocational education—and assistance to special groups.

The committee recommended that attention be given to employment dislocations caused by defense and trade policies, elimination of discrimination in employment, extension of unemployment benefits to domestic migratory farm laborers, strengthening the employment services, standby antirecession legislation, improved measurements of facts and trends in our economy, and continuing attention to manpower resources and utilization.

It was the judgment of the Senators on the Unemployment Committee that we are going to have to face in this Nation a period in which the number of people who would be unemployed would, over a relatively long period of time, be quite high, and that, therefore, improvement of the general unemployment compensation program was needed. The committee held that this was defensible in terms of the welfare of the people themselves, but also that it had significant bearing upon the operation of our economy as it would provide residual purchasing power.

The committee published facts that the average benefit in some States was as low as $26 a week. The duration of benefits varied widely. It was from as low as 13 weeks in Florida and Iowa to a maximum of 26 weeks in such States as New York and Kentucky. It was the opinion of the committee that there is a need for national standards for unemployment compensation.

What has been done since the publication of the report? There has been some improvement in some of the States, but overall the picture with regard to unemployment compensation shows that employment compensation standards are not as high as they were when the original programs were initiated. What has been done by Congress and by the Federal Government since the publication of the report? Certainly there has been some improvement in the rate of growth of the national economy. A distressed areas bill has been passed and the administration of it has been set up, but the effort has fallen somewhat short of expectations.

In the State of Minnesota not a single project is underway in the area suffering the greatest economic distress, in the depressed iron mining area. A grant of $65,000 was received to send Minnesota iron ore to Germany for study. It seems that redtape and complex administrative procedures have prevented or delayed the approval of numerous applications. The requirements set up by the agency are so stringent that a business has to be more successful to gain approval than it would have to be to exist on its own.

Another recommendation of the Unemployment Committee which has become law provides public assistance for the dependent children of the unemployed. This bill authorized a 14-month program permitting the State to aid the children of the needy unemployed who were not previously eligible for assistance under the federally supported program.

This recommendation has now become part of the administration's 10-point program to widen the scope of the Social Security Act.

It should be made a permanent part of the program for the welfare of this country.

Another committee recommendation enacted into law authorized Federal advances to permit States to extend unemployment benefits up to an additional 13 weeks for workers who had exhausted their benefits. This was, of course, a temporary program.

The Area Redevelopment Administration has a limited retraining program. The President's trade bill provides for the retraining of workers displaced by the effects of reduced tariffs.

Last year the Senate passed a Manpower Development and Retraining Act, and the House passed a measure of its own last week. The bills were agreed to in conference yesterday and passed by the Senate today. Effective administration of this program should be helpful in attempting to solve the problem of unemployment, and should also help to make the necessary adjustments called for by the economy of the United States.

Much, however, remains to be done. Automation is replacing men with machines; 25,000 young people enter the labor force every week and jobs must be found for them. In the next 10 years, 26 million young people will enter the labor market for the first time. It is expected that 7½ million of them will be persons who failed to finish school; they will be untrained for anything at a time when the demand for skilled workers is greater than ever.

The growth of the Common Market and foreign competition cause dislocation in the labor force.

In order to respond to these needs and to changing conditions, we must continue our efforts to accelerate the growth of the general economy of the United States. It is important that the manpower retraining bill, which has been approved by Congress, and which, I am sure, will be signed by the President, be administered most effectively, and that action be taken to see to it that the administration of it becomes effective in the immediate future.

There is need also for legislation to authorize acceleration of public works when necessary to avoid serious nationwide unemployment. That certainly is essential. The legislation introduced by the Senator from Pennsylvania [Mr. CLARK] should receive immediate attention by Congress.

There are large numbers of public works projects now on the shelf which are desperately needed in various communities throughout the country. There is no reason why these projects should not be started in times of high unemployment.

Legislation to establish national standards for unemployment compensation

should be passed. I have introduced such a bill, S. 2084, which is cosponsored by Senators CASE of New Jersey, GRUENING, HUMPHREY, CLARK, METCALF, MCGEE, HART, BARTLETT, YOUNG of Ohio, ENGLE, JAVITS, PELL, and WILLIAMS of New Jersey.

Mr. President, I ask unanimous consent that a description of the provisions of this bill be printed in the RECORD at this point in my remarks.

There being no objection, the description was ordered to be printed in the RECORD, as follows:

S. 2084 would extend the benefit period by as much as 13 weeks for workers who have exhausted their benefit rights under State systems and who had coverage for an adequate time. It would provide incentives to the States to increase the amount of the benefits so that the great majority of covered workers would be eligible for weekly benefits equal to at least half of what their average weekly wage had been. The bill would not fix absolute standards, but allow for some differences among the States. It would also expand coverage to more than 3 million workers who do not have protection under the existing system. It would establish a realistic tax base by increasing the wage base or the payroll tax from $3,000 to $4,800. In addition to that, it proposes some help to the States which are experiencing high unemployment insurance rates because of temporary problems or because of a concentration of industries in which there is relatively great fluctuation in terms of employment and unemployment. The program would be financed through a payroll tax which would meet the demands of the system in somewhat the same way as the social security fund or the revenue raised for social security meet the demands on that system.

Mr. MCCARTHY. Mr. President, it is important that this whole problem be considered in a somewhat broader context of ideas. One challenge to capitalism and the free enterprise system posed by the Marxists is that whereas the capitalistic system is able to produce in great quantities, it does not have within itself the potential for working out the problems of distribution of its produce. This, I think, in part, is a proper analysis because certainly the problem of distribution is a complicated and difficult one. I am inclined to think that the more serious problem developing now is not that of distribution of production, but rather the problem of the distribution of participation in production effort and productive work. This is of more fundamental and really primary consideration. We have been challenged to work out devices and procedures under which every person can have a part and a claim and a share in the productive effort of our economy and, on the basis of that participation, a claim to a share of that which is produced.

The distinguished writer for the Washington Post, Mr. Bernard Nossiter, in an article published in the March 15 issue of the Reporter magazine, discusses the problem of unemployment in times of high prosperity.

Mr. Nossiter makes reference to the seeming contradiction in the analysis of the problem by some Government officials.

The contradictions in the current unemployment picture are ably described by Mr. Nossiter in this article, which I commend to the attention of my colleagues.

I ask unanimous consent to have inserted in the RECORD at this point the article entitled "The Paradoxes of Unemployment," by Bernard D. Nossiter, published in the Reporter magazine of March 15, 1962.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE PARADOXES OF UNEMPLOYMENT

(By Bernard D. Nossiter)

While President Kennedy's first report on the Nation's economy lacked some of the euphoria invariably dispensed by his predecessor, it still emitted rosy puffs of optimism. Under his aegis, Mr. Kennedy said, "the economy has regained its momentum." Through June, we may "expect vigorous expansion in production and incomes." For the rest of 1962, a pickup in business investment will "help maintain the momentum of progress toward full employment."

To be sure, unemployment now is far too high (intolerably high, according to Walter Heller, the able chairman of the Council of Economic Advisers). But increasing output should provide enough jobs to reduce the unemployment rate—now around 6 percent—to the administration's interim target of 4 percent by mid-1963. This was the President's theme.

A prompt dissent came from Mr. Kennedy's otherwise loyal supporter, President George Meany of the AFL-CIO. He complained, with some reluctance, that the administration lacked a sense of urgency over the jobless. Meany's plaints are often dismissed as ritual because labor must paint the economy black to support the wage and Federal spending programs that are its bread and butter. But this time Meany had based his protest in some startling evidence turned up by an AFL-CIO economist, Nathaniel Goldfinger.

Goldfinger compared the current advance with recoveries at similar stages in the three earlier postwar cycles. In terms of output or gross national product (the dollar sum of all goods and services), there was nothing unusual about the 1961 recovery. Nine months after the first quarter of 1961, when the last slump hit bottom, total output had risen 7.4 percent. This was much like the 6.8-percent and 7.6-percent gains at the same point in the two previous recoveries; it was not far off from the 11.1-percent advance of the 1950 recovery when allowance is made for the added stimulus from the Korean war spending.

The picture for jobs, however, was very different. In the other three recoveries, each billion-dollar rise in output created between 45,000 and 65,000 more jobs; this time, each billion-dollar advance had added less than 3,700 jobs. Put another way, it took from $15,000 to $22,000 additional output to make one extra job in the first 9 months of the three earlier recoveries; this time, it required more than 10 times as much—$273,500.

In unemployment, the results are just as staggering. Nine months after the earlier three slumps hit bottom, 20 to 30 percent had been lopped off the jobless rolls; this time, it was only 7.3 percent.

As alarming as these statistics are, they would have been even grimmer except for two peculiar occurrences—an inexplicable slowdown at the end of 1961 in the growth of the labor force and the fall callup of 300,000 reservists. These two partially related factors helped reduce the officially reported level of unemployment. If the labor force—the number at work and seeking work—had been expanding in line with the gains in population, both the total and the percentage of unemployed would be considerably higher. In January, the rate of unemployment slipped below 6 percent for the first time in more than a year, to loud huzzas from Labor Secretary Arthur J. Goldberg. Largely overlooked was the fact that somehow the labor force was smaller by 100,000 than it had been a year earlier. Apparently, high unemployment was discouraging large numbers of persons from even bothering to look for a job.

All these figures point one way: this is a unique type of recovery, with some gloomy implications for the jobless. The traditional link between expanding output and increasing jobs may have been severely wrenched.

IDENTIFYING THE VILLAIN

For some, the explanation is simple: The automation age is upon us. The new revolution in technology is liberating man from work and freeing him for the dubious joys of unpaid leisure. Officials not normally given to wide-eyed flights of fancy, such as William McChesney Martin, Chairman of the Federal Reserve Board, have endorsed a much less colorful version of this theory. Martin and other attribute much of the slow rise in unemployment to structural changes in the economy.

They have focused on the hard-core unemployed those made jobless by new machines, the decline of industries (like coal mining), and the disappearance of plants from depressed areas (like New England's textile towns). In effect, the hard-core theorists argue, there is no increasing shortage of jobs but rather a growing lack of skills and mobility among the the jobless.

This theory is not supported by the most sophisticated analyses. Studies by Robert Solow of Heller's staff and by James Knowles and Edward Kalachek for the Joint Economic Committee of Congress conclude that the rise in unemployment is not due to increased joblessness in the hard-core areas.

Knowles and Kalachek have pointed out that unemployment has been 5 percent or higher for more than 4 years, the longest period of such high unemployment rates since the 1930's. But like Solow, they found no unusual increase in the rate of unemployment where automation has presumably made the greatest inroads. Solow also measured the recent joblessness in declining industries and depressed areas; he concluded that it had not advanced faster than unemployment elsewhere. And the congressional economists discovered that there had been no noticeable increase in unfilled job openings.

This doesn't mean that there aren't relatively more coal miners out of work as a result of automation than engineers, who are among its prime beneficiaries. Nor does it mean that there are not relatively more jobless Negroes than whites, and more jobless unskilled than skilled workers. It does mean that in recent years, the rise in the percentage of unemployed in these groups has been no faster than the rise in the economy as a whole. In sum, the two studies agree that unemployment has been climbing throughout the economy but that no new factors were responsible. Both reports blame higher unemployment on a familiar source, a weakening of demand or spending by consumers, business, and government.

President Kennedy reflects this view when he suggests that demand will rise enough to shrink unemployment to a tolerable 4 percent by the middle of next year. He said as much at a recent press conference, where he called the achievement of full employment in an automation age the major domestic challenge of the 1960's. "But," the President said, "if our economy is progressing as we hope it will, then we can absorb a good many of these men and women * * * even though in particular industries we might get special structural unemployment."

THE PULL OF THE BRAKE

If weak demand is the central difficulty, it might be expected that Mr. Kennedy has designed his spending and tax policies to strengthen it. Nothing of the sort is planned. Despite uninformed cries about record peacetime spending, the administration intends that the Federal Government shall actually put a gentle brake on demand, withdrawing more from the spending stream than it puts in.

The conventional budget, the one newspapers headline, calls for a mere $500-million surplus. But this understates the pull of the Federal brake. The best measure of the Government's impact on the economy is the little-known national income accounts budget. It differs from the conventional budget in two important ways: It includes the income and spending of the huge trust funds like those for social security and highways, and it counts tax obligations and Government spending when they are actually incurred. The conventional budget doesn't count them until cash actually changes hands between citizens and the Government, months later. In the income budget, the surplus is not $500 million but $4.4 billion. In other words, the administration plans to pull out $4.4 billion more in total taxes from the economy than it will put in by spending. In contrast, during the recession two fiscal years earlier the Government added to demand by spending $2.2 billion more than it taxed.

Why, if unemployment is largely the creature of weak demand, should the administration hold back the Government's contribution? Mr. Kennedy does not regard himself as a free agent. He and his advisers are keenly sensitive (oversensitive in some views) to the Nation's deficit in its international accounts. By restraining Government demand, the administration expects to impress foreign bankers and dampen price rises. This would make American goods more attractive overseas and help close the balance-of-payments gap. Moreover, Mr. Kennedy is touchy about his relations with the business community and conservative sentiment generally. Businessmen and conservatives have no hesitation about expanding their own companies through debt, but they cling to the myth that there is something inherently evil about a government deficit.

How then does Mr. Kennedy expect to get unemployment down to 4 percent by the middle of next year? Largely by increased demand or spending from consumers, business and local governments. To give a fillip to business investment, the President proposes to cut corporation taxes by about $3 billion and make some of this up with stiffer levies elsewhere.

To be sure, there is a fallback polstion in all this. If the private economy doesn't perform as buoyantly as the administration hopes, the Government's tax take will automatically drop. Then a deficit, making up for some of the missing private demand, will replace the restraining surplus.

The administration's reliance on increased private spending to keep the economy climbing and to cut into unemployment is even greater than the bare budget figures suggest. Typically, recoveries make their fastest strides in the first four or five quarters after a slump has hit bottom. They then advance at a slower rate. If the past is any guide, the greatest gains will have been made by June. But it is precisely at this point that total government spending is scheduled to level off.

Despite the statistical evidence of the experts, the unemployment malady is so deep that no politician or economist is willing to put all his faith in one remedy. Believers in hard-core unemployment like Martin of the Federal Reserve also worry about weak demand; the labor movement favors measures both to bolster demand and to treat structural unemployment; the administration, for all its commitment in theory to enlarge demand, has shaped its legislative program almost exclusively around the relief of hard-core unemployment.

The White House is vigorously supporting one measure aimed squarely at making labor more mobile, another at taking idle youths off the streets, and a third providing more pay for people who are not working. The administration plans to spend $120 million on the first two programs this year and increased amounts later. The enlarged jobless benefits would be financed chiefly from increased payroll taxes paid by employers.

Since some portion of the jobless have clearly been cast adrift because they lack needed skills, the administration is backing a bill to retrain several hundred thousand workers a year. The Federal Government will pay their tuition costs at vocational training schools, encourage on-the-job training programs, provide living allowances equal to unemployment compensation for up to 52 weeks, and offer special payments to those who must move to find training.

Apart from the far right, virtually all shades of opinion support this approach. The bill, approved by the Senate last year, is one of those rated most likely to pass in this session. This near-unanimous support, however, does not mean that the usefulness of retraining is unlimited. Most vocational training schools are out of touch with the new technology. They are strongest in subjects such as blueprint reading or real estate salesmanship. Moreover, several test programs have indicated that only a small percentage of the jobless are equipped to profit from retraining. Finally, and most important, any workers who are successfully retrained may be frustrated unless the total number of jobs increases at a faster pace.

Administration officials, not unnaturally, take a more cheerful view. Before any worker is retrained, they say, he will be tested to insure that he is trainable. And he will not be led into any training course unless there is a job open to match his future new skill. On the basis of their surveys of unfilled job openings and their experience with the modest retraining programs already begun under the Depressed Areas Act (about 4,000 have been enrolled so far), Labor Department experts are convinced that there will be no shortage of eligible candidates or a lack of future employment for them. They readily say that this approach is no panacea for national unemployment but does offer hope for those whom enlarged demand might not reach.

The second administration bill designed to alleviate hard-core joblessness is the Youth Employment Opportunities Act. Clearly labeled a pilot program, it reflects the anxiety over young people expected to flood the labor force during this decade, when the work force is expected to expand by 1,350,000 a year.

This measure would provide three outlets for a limited number of jobless youths between 16 and 22 who have left school. Some would be encouraged to take on-the-job training in private industry; others would be placed in local government jobs, in museums, hospitals, libraries, and the like, with the Federal Government footing half their pay up to $20 a week; a third group would enter a Youth Conservation Corps, the New Frontier's CCC, living in Government-built camps, clearing trails, building camp sites, and engaging in other useful public projects on public land. These youths would get $65 or $70 a month plus board.

The House Labor Committee's version of this bill would provide for 200,000 youths over 3 years. The more ambitious measure reported to the Senate would take care of up to 150,000 in the Conservation Corps alone by 1965. But these totals appear much less impressive alongside the dimensions of what is coming. From 1962 through 1964, about 8.4 million will reach their eighteenth birthday. In the 3 years after that, the number will rise to a whopping 11 million. The youth bill may drain off some pressure from the labor market, but it does little to enlarge the total of job opportunities.

The third Kennedy bill would relieve some of the misery of the jobless by lengthening and increasing their unemployment compensation. The extra income they would receive could make some marginal contribution to lifting total demand. But on the whole, the administration package is designed primarily to treat hard-core unemployment.

BIG LABOR'S BIG DILEMMA

Now consider the frustrations of the trade unions. They cannot drive for full employment and for increased power through increased membership without running counter to demands from their rank and file for job security. Many labor leaders have tried to cope with the problem in bargaining. But even the most venturesome have been driven back to erecting defenses around those at work rather than aiding jobless card holders. Meanwhile, union power erodes as unemployment shrinks union membership and the drive for higher wages is weakened by slack job markets.

The boldest experiment was tried by Ralph Helstein's Packinghouse Workers and Chairman William Prince of Armour & Co. In 1959, Armour agreed to put up $500,000 for a study of measures to cope with the technological changes that were shrinking jobs in the meatpacking industry. Part of the fund financed a retraining program for workers laid off when Armour closed its Oklahoma City plant. Of the 170 workers who showed up to take vocational aptitude tests, only 60 gave promise of benefiting from training. The other 110 were told that their best hope would be in casual manual labor. And of the 60 retrained, only 8 are employed in their new specialty.

In their latest contract, signed last fall, the company and the union in effect acknowledged that the retraining approach was beyond their competence. They turned to the conventional route of providing a cushion for the unemployed. The company must give 3 months' notice of layoffs and pay $65 a week up to 39 weeks to a man who is cut loose. It is hoped that this will give a veteran worker 1 bearable year to find a new job.

On the west coast, Harry Bridges has put up a job security wall around 15,000 longshoremen. They are guaranteed pay for 35 hours a week until they retire; in return, their employers were given a free hand to use, without make-work restraints, the new machines and methods that are revolutionizing cargo handling. The Bridges plan covers only the regular dockworkers. It contemplates a steady shrinkage in their numbers from retirement, resignations, and the like. As the union itself says, "We have nailed down job security for the entire fully registered work force."

In similar fashion, the Railroad Telegraphers erected a screen around their 921 jobs on the Southern Pacific. After 621 jobs had vanished in 6 years, the line agreed not to lay off any more telegraphers and to let normal attrition reduce the work force.

When Walter Reuther began charting contract demands for his Auto Workers last April, union pickets marched outside his meeting, demanding spread-the-work provisions. Reuther is sympathetic to this approach. He has publicly and repeatedly advocated reducing the standard 40-hour week to successively lower levels as unemployment mounts, then restoring the 40 hours as jobs expand. But Reuther is a realist. He tested the climate and found it unpropitious for any such plan. Instead, he sought and won increased layoff pay and a

guarantee that employed workers called in for less than 40 hours a week shall receive 65 percent of their pay for the hours not worked. Ironically, both provisions discourage spreading the available work among the jobless. The first provision encourages the companies to hire fewer new workers; the second is an incentive to schedule more work for the existing work force.

In the same vein, David McDonald of the Steelworkers had been insisting that his prime demand this year would be a 32-hour week. But on the eve of negotiation early in February, he retreated. His union's published bargaining goals speak of the shorter week as an eventual solution; the immediate proposals call for provisions like those Reuther won.

It is hardly surprising that many unions are making louder noises about spreading the work through shorter hours. But so far, they have run into a solid wall of employer and Government opposition. (The 35-hour week negotiated by the Electrical Workers in New York City should not be confused with a genuine spread-the-work effort. This was little more than a disguise for an enormous pay increase in a rigidly controlled labor market with a shortage of workers.) Employer opposition is simply a matter of costs. If a worker's week is cut from 40 to 36 hours and his weekly pay remains the same, hourly wage costs rise 11 percent. This is three times as costly as typical current settlements. The administration's opposition is rooted in the competition with the Soviet Union. The White House fears that a shorter workweek will become frozen into the economy, thereby shrinking the potential output of the labor force. A new pioneering study by Edward F. Dennison of the Committee for Economic Development concludes that among the most potent ways to speed the Nation's economic growth is to increase hours of work. This is likely to reinforce the administration's resistance to the shorter workweek, although Dennison emphasizes that his recipes for faster growth will be invalid unless high employment is reached.

Moreover, if full employment isn't achieved, arguments about potential output will carry less and less weight. The pressure for shorter workweeks may become irresistible. Up to now, though, unions generally have been unable to provide more than safeguards for their working members or a softer cushion for those who will be laid off.

Like the rest of the labor movement, Meany calls for a shorter workweek, too. But he has also said that unions and management can only minimize the burdens of technological advance. "Solutions to the broad national problems related to rapid and radical technology chance," he says, "are beyond the best possible efforts of collective bargaining."

Weakened demand or technological breakthrough, or both? Whatever the cause, the problem of jobs is one of the most paradoxical and obstinate of our times.

To sum up, the economy not only must provide jobs for those displaced by machines; it will have to make room for an increasing number of new jobseekers. The best economic analyses all conclude that strengthened demand for goods and services will make the deepest cuts into the jobless rolls. But though the first 9 months of the current recovery have been marked by strong increases in demand and output, the jobless rolls remain clogged. The Kennedy administration agrees in theory with the inadequate-demand approach; in practice, it plans to restrain demand slightly and focus its modest programs on easing hard-core unemployment. The unions are frustrated at the bargaining table and at best only build shelters for those now at work.

Beyond all this, a great unknown is the pace of technological change. Despite the findings of the economists that automation has not been responsible so far for the overall rise in unemployment, some suspect that the recent past is a poor guide to the future. They believe that automation will drastically reorganize the ways in which goods and services are produced and will demand equally drastic changes in the nature of work and new methods of distributing the growing abundance. The historical link between work and pay will be shattered. Some visionaries predict that men will labor for the sheer pleasure of expression, not out of need, and that creative leisure will replace cruel unemployment.

But this is scant comfort for those who are jobless now and those confronted with the threat of unemployment. With the prospect of a massive increase in the working force during the next few years, existing unemployment threatens to become worse, and contradiction and inconsistency continue to bedevil all attempts to grapple with it. From all present evidence it appears that unemployment will remain a massive and enigmatic problem that will engage the best efforts of Government, labor, and management for some time to come.

AN ACTION PROGRAM TO MEET THE CRISIS IN MEDICAL INFORMATION

Mr. HUMPHREY. Mr. President, once again, Senate and House Subcommittees on Appropriations are earnestly studying how to strengthen the Nation's health.

They are making their usual intensive study of the budget presentation of the Department of Health, Education, and Welfare and, in particular, the request of the U.S. Public Health Service and its National Institutes of Health.

The Nation has strong reason for confidence in the outstanding work performed by the Senate and House subcommittees, headed respectively by the dean of the Congress in health legislation, the senior Senator from Alabama [Mr. HILL] and by Congressman JOHN FOGARTY, of Rhode Island.

INFORMATION CRISIS INVOLVES EVERY AMERICAN

As in the past, it has been my pleasure to submit a few observations for consideration—initially by the House subcommittee.

The topic on which I have concentrated this year is one which I have studied since August 1958—the crisis in scientific and technical information.

This information crisis involves the well-being of every man, woman, and child in this country. At stake is the yield from the Nation's vast medical research effort.

In the 1963 fiscal year, a billion dollars is being asked by the executive branch for support of medical and health-related research. I wholeheartedly support this request.

But just as strongly, I am concerned that much of the value of this dedicated research may be lost because science's information "arteries" are choked. The sheer mass of research findings is clogging the arteries—the journals, the medical congresses, the abstracting and indexing services. Knowledge is not getting through to those who need it and can use it.

To meet this crisis, I urge a dynamic program by the U.S. Government in cooperation with the medical profession. Time is of the essence in launching this program. Each passing day represents a priceless loss of time. Knowledge is being lost which could save human lives and reduce human suffering.

THREE SPECIFIC ACTIONS RECOMMENDED

Among the specific actions which I am recommending are the following:

First. The renovation and reorganization of information operations within the U.S. Public Health Service.

These operations are proceeding along comparatively conventional lines; they may have been adequate 20 years ago, but they are relatively inadequate and archaic in the face of the information crisis.

An example of what a modernized, coordinated agency information program can do is provided by the U.S. Atomic Energy Commission. It has one of the most aggressive, broadest, speediest, most effective information systems in the Federal Government, serving the needs of the Nation's nuclear scientists. Is medical science in any less need of up-to-the-minute information than nuclear science?

USE DOLLARS AND FOREIGN CURRENCIES FOR INFORMATION SYSTEMS

Second. The provision of expanded statutory authority to the National Library of Medicine. Such new authority would enable it to conduct a long-needed extramural program. The program could provide support for, first, existing medical information systems and research and development which could lead to bold innovations in those systems; second, review articles to digest findings—through the use of dollars in the United States and through the use abroad of currencies owned or controlled by the United States; and, third, for modernizing the Nation's medical libraries which are today desperately striving to serve medical science despite inadequate funds, facilities, equipment, and supply of trained manpower.

It is to be regretted that Public Health Service proposals for new authority of this nature for the National Library of Medicine have been bottled up at higher levels in the HEW Department for the last year and a half.

MEDICAL PROFESSION TO ADVISE

Third. Establishment of groups to advise on particular areas of information responsibility in the National Library of Medicine, the National Institute of Health, and the Bureau of State Services. These advisory groups—study sections on information—would represent the cream of the Nation's professional community—in biology and medicine. They would help the Public Health Service join with medical organizations, voluntary health agencies, foundations, and other interested sources in better managing both recorded and nonprinted knowledge, that is, oral communication and audiovisuals.

QUOTATIONS FROM FUTURE SUBCOMMITTEE REPORT

I submit two items elaborating these views. The first is a brief statement which I issued to the press on Sunday, February 18.

The second is a series of quotations from a forthcoming report to be issued by the Senate Government Operations

Subcommittee on Reorganization and International Organizations, of which I am privileged to be chairman. These quotations are but a few out of dozens of statements from distinguished authorities, pointing out the absolute necessity of a counterattack against the information crisis.

Mr. President, we are the victims of a strange paradox. On the one hand, we have a most fabulous, incredible amount of scientific research taking place in the field of medicine, medical care, pharmaceuticals, and the many biotics, antibiotics, and serums which are used for the care of people and the treatment of disease. This great body of information and this research are not being properly coordinated in terms of indexing, abstracting, and translation for the availability of the doctors who take care of the patients.

It is the purpose of the study which has been conducted, now, for more than 3 years to get the Government off dead center on information activities. We seem to have much trouble with our information activities, both abroad and at home. The field of research and scientific endeavor involves the question of life or death itself. It is surely a matter of good economics that the practical information be made available to those who need it and can use it, rather than to have it lie around in a rather uncoordinated, unassembled mass of materials which ought to be made available to the public and the profession.

Mr. President, I ask unanimous consent that the two items to which I have referred may be printed at this point in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

SENATOR HUMPHREY SAYS MEDICAL SCIENCE FACES "INFORMATION CRISIS"—URGES DRASTIC OVERHAUL OF ARCHAIC FEDERAL INFORMATION ACTIVITIES

Senator HUBERT H. HUMPHREY, Democrat, of Minnesota, stated today that "a crisis in medical information threatens scientific progress."

"The crisis involves the well-being of every man, woman, and child in the country," he added.

The Minnesota Senator issued a statement in advance of a report to be issued late next month by a Senate Government Operations Subcommittee, of which he is chairman. "The report shows," said HUMPHREY, "that medical knowledge is growing so rapidly, is being published in so many journals, discussed in so many meetings, that it is almost impossible for any scientist to find, much less to digest what has already been discovered in his own, much less in related fields."

HUMPHREY praised the "dedication of American medical science in seeking to unlock the mysteries of disease and to fulfill the highest standards of service to patients." "The tragedy," he said, "is that the magnificent effort to discover knowledge is not accompanied by a similar effort to make sure that the knowledge is effectively and promptly communicated."

HUMPHREY indicated that he will urge the Senate and House Committees on Appropriations to require a "drastic overhaul of archaic Federal policies in medical information."

"The U.S. Public Health Service has taken some important steps to help deal with the information crisis," he said. "But its information policy, organization and procedure are hopelessly out-of-date and inadequate. As a result, the Federal Government is not doing its share to help medical science come to grips with today's and tomorrow's information needs."

HUMPHREY observed that the National Institutes of Health has devoted "only a small" fraction of its resources toward finding how best to communicate research knowledge. In the 1962 fiscal year, it is spending $587,000 to find out how to transmit findings which are generated by $410 million of intramural and extramural research. "This means," he said, "that .0012 or 1/698th of the amount used to finance research is set aside to learn how to place research results in the hands of users."

On the "credit side of the ledger," HUMPHREY pointed out a "fine example" of public-private cooperation: the publication each year by the American Medical Association of an "increasingly valuable" cumulated index of medical articles which are listed each month by the National Library of Medicine.

"Infinitely more needs to be done, however, to speed up and improve the quality in storage, retrieval and dissemination of medical knowledge," he stated.

"The private professions—in medicine, biology and related sciences—should inaugurate in cooperation with Federal Agencies, a series of conferences to bring information under effective control in every discipline."

HUMPHREY stated that there are four phases of the crisis, involving communications: between researchers; between researchers and medical educators; between researchers and practitioners, and between medical scientists and laymen.

The report concentrates on the problem of improving communications between researchers. "Unless laboratory and clinical researchers can first improve their communications to one another, there will be far less verified knowledge available which can be put to use in clinical medicine."

On the three other phases, he noted:

"There are 86 medical schools in the country, but not one is served by a modern-type technical information center such as the Federal Government now pays for in many space and military laboratories;

"The heaviest single information burden falls on the practicing physician, especially the general practitioner. No one in all of science is called upon more continuously for speedier life and death decisions, based upon recall of knowledge as to past findings and current procedure;

"Health education of the public fails to use the most modern media. The layman is confused by a bewildering number of reports of so-called new 'breakthroughs.' Often, he cannot locate information which he needs and which has been published by reputable medical authorities in his behalf."

The forthcoming Senate report on "Medical Research Information" has been prepared by the staff of the Subcommittee on Reorganization and International Organizations.

It quotes leading medical authorities who have characterized the multiplication of medical journals and articles as a "blight," a "flood," a "deluge," and an "avalanche."

The report recalls a statement in 1956 by the then Senator John F. Kennedy on the need for coordination of medical research information, so as to avoid "wasteful duplication."

These facts and observations are presented in the report: 4,000 medical journals throughout the world publish over a quarter million articles in over 30,000 issues yearly; over 188 abstracting and indexing services vainly attempt to keep up with the "torrents" of literature; over 38,500 research projects currently underway, are registered with the science information exchange; since 1946, the leading abstract service, Excerpta Medica, has published over 1 million abstracts, but there is no master index for ready access; a medical researcher today may have to rely on an abstract journal which summarizes an article published, perhaps, 2 years ago, based upon research which was completed 3 years ago, but which may have first been discussed in a seminar 5 years ago.

"Time is of the essence," HUMPHREY stated. "Each passing day involves loss of precious time—which means added pain, suffering, and premature death."

Cancer researchers, the report notes, have stated that already science may possess clues to the conquest of one or more types of cancer, but the information may be buried so deep in the literature that it cannot be found.

"This," said HUMPHREY, "is sad news to the 800,000 Americans now under treatment for cancer, to the 500,000 Americans who will learn for the first time this year that they are victims of one or another type of cancer, and to the 250,000 who will die from cancer in the next 12 months."

The Senate Subcommittee on Reorganization and International Organizations has been studying problems of science information since August 1958. The March report will concentrate on problems of medical information but will also point up information needs in the physical, mathematical, engineering, social, and behavioral sciences.

SELECTED QUOTATIONS

[Senator] John F. Kennedy:[1] "It is apparent that the total efforts and funds expanded for medical research in this country—and particularly those of the Federal Government—should be coordinated so that the most beneficial results will be achieved. Medical research leaders have expressed concern over the fact that in many instances the absence of satisfactory bibliographic materials has resulted in wasteful duplication of efforts by medical researchers. Certainly there is enough to be done in the important fields of medical research without the repetition of experiments successfully undertaken. A National Library of Medicine is essential to the efficiency and coordination of effort necessary in medical research."

Harvey Cushing, M.D.,[2] professor of surgery, Harvard University: "This, then, is the true function of the library, to quicken the dormant book so that it may speak again; and with those who treat it lovingly and compassionately its spirit enters eagerly into communion. To these a library becomes a laboratory for the crystallization of ideas perhaps long expressed, out of which process new ideas have their birth."

Conway Zirkle, Ph. D.,[3] professor of botany, University of Pennsylvania: "Innumerable scientific discoveries are buried in our libraries, and many will be exhumed, but only after they have been discovered anew, and discovered independently. Many of our scientific discoveries now might just as well not be made.

"For some years now I have been investigating the history of biology. In every field in which I have done any research, I have always found a number of precursors, that is, men who did the work earlier but who were ignored. Over and over again I have found forgotten work that could have advanced our science by many years—perhaps by many generations.

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[1] CONGRESSIONAL RECORD, vol. 102, pt. 4, p. 4539.

[2] Cited in Bulletin Cleveland Municipal Library, 1: 74, July 1954.

[3] Symposium on Biological Communication, held under the auspices of Biological Abstracts, Philadelphia, October 1960, reprinted in Public Health Reports, vol. 76, No. 11, November 1961, p. 1035.

"Today approximately 1 million scientific papers are published each year. When placed end to end they will reach to utter confusion."

National Science Foundation,[4] "The annals of science include many cases of 'lost' data, significant papers which did not come to the attention of investigators for years or decades after publication. The result of such cases in the past has been unnecessary duplication of effort, the waste of investigators' time and funds, and delays in the progress of research. The situation continues to be a source of considerable concern, perhaps more so today than ever before, as the volume of published information increases throughout the world."

Hans H. Hecht, M.D.,[5] professor of clinical medicine, University of Utah: "It is clear that the ever-increasing volume of scientific medical production in this country, primed, fostered, forced, and bought by millions of dollars lavished on institutions and individuals carries within itself the lethal seed of oblivion. To be of permanent value, research needs to record, publish, and publicise its results. Yet the tidal wave of overproduction in the biological sciences has made it almost impossible (a) to provide a forum for early presentation in the conventional framework of scientific journals, and (b) for the individual investigator to know and assess the activities of others even in his own limited field."

Stanford Warren, M.D.,[6] dean, School of Medicine, University of California at Los Angeles: "More medical research has been published since World War II than in all prior history."

Alan Gregg, M.D.,[7] vice president, the Rockefeller Foundation: "The medical literature of today exemplifies all too fully the biological adage that life is choked by its own secretions."

Homer B. Fell, Ph. D.,[8] director, Strangeways Research Laboratory, Cambridge, England: "Our scientific world is becoming like a crowded cocktail party, in which everyone shouts a little louder in the hope of making himself heard, until at last the volume of speech is such that almost nothing can be distinguished.

"I foresee a time when (the scientific historian) alone will be able to save research from progressing like a stage army, with the same old investigations coming round over and over again—briefly fashionable, and then forgotten until next time."

L. B. Heilprin,[9] Council on Library Resources: The proliferation of messages is beginning to get in the way of itself. This in some respects resembles what occurs in too-rapid biologic growth. In such growth metabolism becomes disorderly. New cells multiply 'madly' between old ones, without regard to the overall development of the whole organism of which new and old form part. Through the choking off of regular processes, draining of resources and constant injection of new confusion in unexpected areas, the increase in stored messages is threatening to become a kind of malignant growth."

David E. Price, M.D.,[10] Deputy Director, National Institutes of Health: "It is said that it is easier to repeat research than to dig it out of the literature. It is said that, if a scientist properly searches the literature in preparing for his research or in connection with the different steps of his work, he will not have time to carry out the research project itself. If these charges are true, then we seem to be strangling ourselves to death, or to be traveling in circles."

Luther L. Terry, M.D.,[11] Surgeon General, U.S. Public Health Service: "Back in the late thirties, H. G. Wells predicted that some worldwide system would have to be adopted for the classification, storage, retrieval, and dissemination of scientific data. We don't have such a system yet; but if Wells had lived through our post-World War II scientific explosion, he would have been gratified that electronics and cybernetics are providing new means for coping with the continuous avalanche.

"In the medical sciences, we have given too little attention to these techniques of communication."

Boisfeuillet Jones,[12] Special Assistant for Health and Medical Affairs to the Secretary of Health, Education, and Welfare: "In an era when man can send a satellite around the moon or bring color television into the living room, the health professions continue to rely primarily on the methods used by Harvey and Lister and Pasteur for evaluating and distributing the knowledge gained through clinical and laboratory research.

"Is it too fantastic to forecast a national medical clearinghouse that, using a blend of electronic computation and communication techniques, would serve as a central repository for all the latest medical information with the major medical centers of the country tied into such a clearinghouse?

"It is not a question of whether modern communications techniques can be utilized in the fight on disease; rather, it is a national necessity that they be promptly enlisted in the forces for health."

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[4] "Basic Research—A National Resource," Oct. 15, 1957, pp. 52–53.

[5] "The Blight of Medical Science," American Heart Journal, vol. 61, No. 2, February 1961, p. 282.

[6] Time, July 7, 1961, p. 56.

[7] "Language and the Practice of Medicine," the Diplomate 15: 115, 1943.

[8] "Fashion in Cell Biology," Science, December 1960, p. 1626.

[9] "On the Information Problem Ahead," paper delivered to the American Documentation Institute, annual meeting, Berkeley, Calif., Oct. 26–27, 1960.

[10] Statement at preconference workshop, 1961 National Health Forum, Bethesda, Md.

[11] "The Substance of Communication for Better Health," 1961 National Health Forum, New York, N.Y., Mar. 16, 1961.

[12] "Organizing Medical Research Programs To Meet the Health Needs of Americans," Annals of the American Academy of Political and Social Science, September 1961, pp. 27–28.

INTERNATIONAL COOPERATION IN CANCER RESEARCH

Mr. HUMPHREY. Mr. President, I call the attention of the Senate to the results of some international cooperation in cancer research which it was my privilege to publish in an article printed in Pageant magazine for March 14, 1962.

On March 14, United States, Soviet, British, and other foreign ministers will convene in Geneva for an historic Disarmament Conference.

In July 1962, there will assemble in Moscow a different type of Congress. The Eighth International Cancer Congress will convene at that time under the auspices of the International Union Against Cancer.

The Cancer Congress involves a war in which all mankind is on the same side. There is little doubt that the Cancer Congress will be marked by far greater unanimity than the Geneva Conference, over which East and West are divided.

It is, however, my hope that what will undoubtedly be the warm and enthusiastic spirit in the Moscow Congress will help ease tension in the international atmosphere in the months and years which follow.

Insofar as cancer, itself, is concerned, I believe that the Moscow Congress will constitute one of the foremost milestones in man's long struggle against this deadly scourge.

This was a theme of observations which I submitted in the March 1962 issue of the magazine Pageant. In my contact with the award-winning writer, James C. G. Conniff, I had commented in detail on increasing United States-Soviet scientific cooperation, on expanded U.S. use of foreign currencies to support cancer research abroad, on the vital role of nongovernmental organizations like the American Cancer Society and on related topics.

I bring this subject to the attention of the Senate because in 1958, under the auspices of this subcommittee, I traveled in Western and Eastern Europe to look into the medical research facilities of some 10 countries. I visited with the top medical officials, the top technicians, and the top professional men and women of 10 countries, one of them being the Soviet Union. The purpose of my journey and of my inquiry was to learn whether there was not a better way to promote international cooperation in the field of medical care and medical research. Upon my return from that trip, I made certain recommendations to our Government. Some of those recommendations were embodied in law by the action of Congress. Some of them were carried out by Executive order or administrative action.

I also shared my observations with officials of the countries I visited. One of those countries, as I said, was the Soviet Union. In my quite-well-known visit with Premier Khrushchev, I suggested five different areas of cooperative activity in which our two countries might engage, activity which was nonpolitical, but which, nevertheless, was vital to humanity. I am happy to say that all five of those areas were subsequently acted upon in such a way that the two governments and the two countries cooperated for mutual assistance, so to speak, or cooperated in a manner which was helpful to their respective peoples.

PROGRESS AGAINST CANCER

The article to which I have referred covers those recommendations and notes much encouraging progress.

In the United States, 1,100,000 individuals who had cancer 5 or more years ago are alive today, free of the disease for that period.

THE TOLL OF CANCER

But on the other side of the story is the hard fact that, if the present rates continue, cancer will strike two out of every three American families. I wish every Member of the Senate would ponder that statement: Cancer will strike two out of every three American families. Some members of those families

will be the victims of cancer. Forty-five million Americans who are alive today will develop cancer.

Meanwhile, cancer is killing more than one-quarter of a million Russians every year. It is exacting its grim toll in every other nation of the world as well.

THE TASK AHEAD

A challenge of this magnitude requires, as the scientists so well know, an immense, coordinated research, education, and training effort in the four corners of the globe, not a mere piecemeal effort, along limited, conventional lines.

Thus, the task of policymakers at the highest levels of government is to give to the scientists the resources necessary to do the job—the salaries, the tenure, the laboratories, the equipment, the travel funds, the amounts for other media of communication, together with everything else needed to unravel the mysteries of malignant growths.

I said that five requests were made of the Soviet Union to promote better cooperation in the field of medical information and medical research on an international basis. I have heard many Senators say that it is not possible to rely upon the Soviet Union ever to fulfill an agreement. I can report that those five requests were honored. I can report that the information which was requested was made available, even though much of it had been, so to speak, blocked for many months before. I think the reason why it was made available is that someone cut through the bureaucracy and redtape and reached the source of power, so that directives and orders could be given to expedite the program which had been agreed upon.

It seems to me that we need to join in a mighty war against one of the common enemies of mankind—namely, disease. In that war we can have some allies; and the purpose of international medical research and international medical cooperation is to wage that war—in this instance, against one of the greatest killers of all time, cancer.

In the article published in Pageant magazine, I pointed how it has actually happened that research findings and research activities of doctors and scientists from behind the Iron Curtain have in the past, and can in the future, make distinct contributions in this war against disease, just as we in the United States have made great contributions in the war against disease—in this instance, in the war against cancer. We are the leading nation in the world in the field of medical research, and we have a great deal more to offer, if proper emphasis is placed upon it.

SENATE HEALTH STUDY

Mr. President, I point out that my observations on the cancer problem are based in large part on information which I have gathered in the course of the Senate's international health study. Since August 1958, this study has been conducted by a Senate Government Operations subcommittee of which I am chairman.

As Pageant's introduction to the article states:

> Part of Senator HUMPHREY's project was an unprecedented inquiry, by letter, into the attitudes and availability for cooperation of doctors in every country, including our own. The affirmative response was overwhelmingly enthusiastic, even when it dealt with the many serious obstacles.
>
> Later, Senator HUMPHREY traveled widely on several occasions to see for himself and to ask pointed questions of everybody he met, including Nikita Khrushchev.

LETTER FROM A BULGARIAN SCIENTIST

Symbolic of the many letters which our subcommittee received from abroad during the study is one from a distinguished Bulgarian physician. Writing from Sofia, on November 16, 1961, Dr. Raiko Raichev, secretary of the Committee on Cancer Control of the International Union Against Cancer, stated:

> Many thanks for your memorandum concerning the International Union Against Cancer and the Eighth International Cancer Congress, which it gave me great pleasure to receive, as I am deeply convinced that all organizations, practical and research measures should be coordinated, so that better results may be obtained in the campaign against cancer.
>
> Regardless of our own achievements in the sphere, our scientists and I myself gladly avail ourselves of your kind offer to receive publications and reprints from you.
>
> We should be most grateful to you if you could send us all the publications on cancer of the American Cancer Society, as well as your subcommittee publications, those that have already appeared as well as those under press.

Needless to say, within a few days of the receipt of his letter, there were on the way to him packets containing the Senate's publications on cancer, as well as National Cancer Institute and American Cancer Society publications.

Mr. President, I point out that someone had to get busy in order to get that information to that country behind the Iron Curtain. It seems to me that politics has a way of even blocking man's desire to sustain life itself. Because of the bitter political conflict between the West and the East, between the non-Communist nations and the Communist nations, the lines of communication based on research relating to our very lives have almost been severed. But when 45 million American families suffer the reality of cancer—because, Mr. President, two out of every three families in American will have cancer in their midst—this matter is one to which we should give priority attention, and regarding which we should enlist the support and assistance of anyone, anywhere, in fighting against cancer.

FELLOWSHIPS BY ELEANOR ROOSEVELT CANCER FOUNDATION

I should like to note, too, that on February 7, a great step forward was made in international nongovernmental efforts. The Eleanor Roosevelt Cancer Foundation, now affiliated with the American Cancer Society, announced that the fellowship committee of the International Union Against Cancer has selected 22 additional fellows, from 12 countries, for cancer research in 7 countries. This brought to 29 the number of Eleanor Roosevelt international cancer research fellowships.

Fellows from Poland, Czechoslovakia, Hungary, Yugoslavia, Brazil, the Netherlands, Japan, Mexico, Switzerland, Free China, England, and the United States are included.

This is a superb contribution; one which should be emulated and supplemented by similar governmental and private efforts throughout the world.

SIGNIFICANCE OF 1962

This year is a good year in which to do so, Mr. President.

The American Cancer Society and the National Cancer Institute have jointly designated 1962 as Cancer Progress Year, to mark the 25th anniversary of their combined efforts toward cancer control. The year will observe two significant events of 1937 which have led to the greatest research assault ever mounted against any unsolved disease: First, establishment, by act of Congress, of the National Cancer Institute; and second, launching, by the American Cancer Society, of its first nationwide public education campaign—both then contributing to the year of greatest advance in the long experience of humanity's campaign against this menace. The purpose of the Cancer Progress Year is to report to the public on where science now stands in cancer research, to intensify the efforts being made to persuade the public to act against cancer for its own protection, to improve the care of the cancer patient, and to step up all programs, including research, to speed the final victory over this disease.

A congressional resolution on Cancer Progress Year, House Joint Resolution 276, sponsored by that great battler for health, Representative JOHN FOGARTY, has already been passed by the House of Representatives. I believe it will be reported within the near future by the Senate Judiciary Committee. We shall be hearing about it, I am sure, from the distinguished dean of congressional health action, the senior Senator from Alabama [Mr. HILL], who has played so great a role in the history of the National Cancer Institute.

A DECADE AGAINST DISEASE

It is my hope that 1962 will serve as the first year of a decade against disease and against this terrible scourge in particular.

IMPORTANCE OF HEALTH PROFESSIONS EDUCATIONAL ASSISTANCE ACT

I should like to note one additional very specific point on what Congress can do and should do in the struggle against cancer and other diseases. One action which we should take is to enact the Health Professions Educational Assistance Act, H.R. 4999.

On January 30, 1962, a warm personal friend, Dr. Harold S. Diehl, for 23 years dean of the medical sciences at the University of Minnesota, and now senior vice president for research and medical affairs, and deputy executive vice president of the American Cancer Society, testified before the House Interstate and

Foreign Commerce Committee in favor of this proposed legislation.

I ask unanimous consent that the text of my article in Pageant magazine be printed at this point in the RECORD, and that it be followed by Dr. Diehl's remarks, as an illustration of important action which we must take on the home-front—not only against cancer, but also against all the other maladies and disabilities which confront our citizens.

There being no objection, the article and statement were ordered to be printed in the RECORD, as follows:

HOW THE REDS CAN HELP US BEAT CANCER

(By Senator HUBERT H. HUMPHREY, with James C. G. Conniff)

Now is the time, says this authority, to take the one step that will speed victory over an enemy common to all.

A memorable and fascinating experience for me was an 8-hour-and-25-minute conversation I had with Nikita Khrushchev. But the face I remember best from my trip to Russia in 1958 is not that of the Soviet Premier but of an 11-year-old boy. Let's call him Aloysha.

I met Aloysha in a Moscow hospital. He was a victim of bone cancer. A husky lad despite his illness, Aloysha still had the healthy bronze look of his Uzbek forebears. He was a brave lad, too, for he hid his pain behind the ready grin of 11-year-old boys the world over.

Almost certainly, the boy and the grin are gone now. I am saddened—and angry—to think so. Why angry? Because for me Aloysha symbolizes the children and adults who continue to die from cancer unnecessarily on both sides of the Iron Curtain.

I say "unnecessarily" with reason. In the years since I saw Aloysha, my talks and correspondence with medical experts from all over the world have convinced me that lack of international cooperation is critically slowing the conquest of cancer. We have crushed polio. Doctors agree that by stepping up the exchange of cancer-progress information among all nations, including Russia, we also can crush cancer.

This was one nonpolitical area of possible teamwork that Khrushchev and I verbally agreed on.

Agreement is one thing. Action is another. Traffic across that ideal bridge between nations—medical science—still is infuriatingly slow. True, under our Lacy-Zarubin agreement with the Russians, which provides for exchange of medical personnel, small groups of U.S. cancer specialists have been visiting the Soviet Union's research facilities, and their doctors have been coming to this country. True, improved electronic translators promise to speed the exchange of medical literature. True, last summer the Russians hesitantly asked us for—and received at once—enough of a new cancer drug to treat 12 patients.

That particular drug, 5-fluorouracil, which came to public attention during the last stages of House Speaker Sam Rayburn's illness, has been known to shrink tumors from the size of a man's fist to that of a walnut. A discovery of the pharmaceutical company of Hoffman-La Roche, 5-FU must be administered with the utmost medical skill to prevent dangerous side effects. Even in the hands of experienced doctors, it has reversed cancerous growth in only about 1 in 20 cases.

Nonetheless, the Soviet request for it was a good sign. It revealed a recognition of the hope all mankind has in the research being carried on at American pharmaceutical houses, medical centers, and our National Cancer Institute in Bethesda, Md. From these laboratories, where U.S. scientists carefully study some 100,000 new compounds each year, eventually there will come a knockout drug for cancer as reliable as the Salk and Sabin vaccines for polio.

What will happen then? You might think from the way the Russians have exploited cancer detection methods like the famed "Papanicolaou smear" that they would be right on top of such a development. They report using the Pap smear, for example, on over 8 million Soviet women. Although a Greek-born American gave the world this clue to early detection of cancer of the uterus, his adopted country has used the simple test on only about 3 million women.

Yet in spite of Russian alertness, my own guess is that, at the present slow information-exchange rate, it will take far too long for them to apply the good news of a cancer cure—and longer still for the rest of the world.

This works two ways. The other side of the chemotherapy coin is equally important, and widely overlooked. I mean the chance of a major Russian or other non-American breakthrough on cancer. Let's take the Russians. Despite some slight headway in exchanging information with them, word on what Soviet scientists are doing filters through to us all too slowly. Faced with a war we can win only together, the two greatest scientific nations have barely begun to combine their resources.

What could Soviet research contribute? Potentially, plenty. Don't let talk about the Russians' being 20 to 30 years behind us in the biological sciences fool you. They have proved their ability to concentrate their best brains and resources and make dramatic breakthroughs in science. And so have we. Together we could make progress, not twice as fast, but perhaps three or even four times as fast, in the struggle against cancer.

Historically, Russian medical achievement is more robust than people realize. Take Pavlov in the realm of behavior and digestive function; Metchnikoff, Nobel Prize winner for his work on blood coagulation and immunology; Tswett, whose discovery of chromatography for cell analysis is said to be the greatest advance in laboratory technique since the invention of the balance (half a century later, in 1952, two British scientists won the Nobel Prize for taking Tswett's idea seriously and making use of it).

Nina Krotkina, director of the Experimental Oncology (tumor) Laboratory in Leningrad, is world famous for her studies on bone cancer. So is Aleksandr Timofeevsky, who, with his wife, has cultivated leukemia cells, shown how to differentiate tumorous cells, and done basic work on the part hydrocarbons play in connective-tissue cancers. Lev Zilber, head of the Virology Lab at the Herzen State Institute of Oncology and a top Soviet microbiologist, is the author of a standard reference book for doctors on cancer immunology.

Lidsky has pioneered techniques for surgery in cancer of the prostate gland. Berezov and Levit in stomach cancer. Shanin is one of the world's foremost skin cancer experts. Savinykh has designed special instruments for cancer surgery on the esophagus. Among the biggest names working in the field of chemotheraphy for female cancers are Novikova, Astrakhan, and Terevodchikova.

Not long ago world medicine welcomed several useful Soviet innovations. One was a color camera for viewing the internal organs of the body. Another was a precision-tooled pistol-grip staple gun for automatic stitching of threadlike arteries. Both are vital to cancer work. The camera is an aid to early diagnosis without exploratory surgery. The stapler helps considerably in delicate cancer surgery.

The blood-vessel stitcher enabled the Russians to create a two-headed dog a while back. Many mistakenly felt this was medical exhibitionism. Actually, it appears to have made possible reattachment of severed human limbs. With further work, it may eventually permit doctors to make permanent surgical replacements of cancerous kidneys, lungs, and other diseased organs from deep-freeze parts banks or directly from the newly deceased. Use of fresh cadaver blood, skin, and bones already is routine in Soviet medicine.

Sound as if they might have something to offer? Sure they do. So do other nations.

But I think Russia, especially, ought to cooperate in a global war on this universal killer. Fallout from their multimegaton bombs is sure to increase leukemia and bone cancer among children and adults throughout the world.

The least those responsible for it can do, it seems to me, is to lend a hand in attempting to offset the lethal effects of atmospheric testing.

The Russians will get their chance this July, when the Eighth International Cancer Congress meets, appropriately enough, in Moscow. An outstanding Soviet researcher, Prof. Nikolai N. Blokhin, director of the Moscow Institute of Experimental and Clinical Oncology, will be the chairman. Medical representatives from 55 member nations of the International Union Against Cancer, and as many more nonmember nations, will attend. Dr. John R. Heller, president of the Memorial Sloan-Kettering Cancer Center, New York City, who is in charge of the Union's Commission on Cancer Control and also program director for the Congress, has arranged for a record 5,000 visitors.

At this meeting, the world's best cancer brains will share what they have learned since the last Congress (London, 1958) about diagnosis, causes, and treatment (surgery, radiation, and chemotherapy), and the possibility of prevention and cure. More than that, they will attempt to go on sharing such knowledge by setting up a massive, well coordinated international program of cancer education and research.

Under this plan the scientists will continue to remain in touch with one another's progress through a central clearinghouse—which has just been set up at Geneva, Switzerland. Aside from the problems of training more researchers, building more laboratories, and buying scientific equipment as fast as qualified people are available to use it, the "pushbutton" clearinghouse will be one of the prime goals of the Congress.

Who picks up the bill for all this? At the moment, we pay for most of whatever international teamwork exists as part of our relatively modest cancer research outlay of $35 million a year. The American Cancer Society's Committee To Advance the Worldwide Fight Against Cancer, for instance, maintains contact with cancer workers in 105 countries. Its Foreign Desk sends abroad, gratis, a flood of literature and movies translated for laymen and doctors alike. The Sloan-Kettering Institute and the National Cancer Institute supply money for travel when medical personnel go abroad under the Lacy-Zarubin agreement.

There is a global program, in other words, but compared with the need for expansion, it is a drop in the bucket. Compared with what the Soviets contribute to it, on the other hand, it is the whole bucket. Several buckets, in fact. Apart from dues to the International Union Against Cancer, Russia has yet to spend a bent kopeck on cancer work outside her own borders.

Where does that leave us, financially? For one thing, I believe that vocal world opinion, of which this article is an example, can do much to improve the odds on prying out of the Kremlin at the July Congress some of the humanitarian cash—as well as information—the Soviets owe the rest of the world. For another, we know that better coordination at the international level will cut down the cost of overhead and duplication of effort.

But there is another bright money note for the American taxpayer, which we should exploit for all its worth.

We Americans own a vast treasury of soft currencies throughout the world—funds received in exchange for American wheat and dried milk—but the money must be spent within others' frontiers. Using such funds, the United States has started construction in Poland of a children's hospital, to be complete with cancer research facilities. Congress passed legislation to build it with blocked Polish zlotys.

But Congress must expedite matters in this area by cutting the red tape that requires the users of such money to go through regular appropriation channels. However, if Congress does not ease the requirement, Federal agencies should continue to press for appropriations. Soft currencies have been allocated to speed other programs, but too rarely for the medical research needed to save human lives.

Once money is lined up, global cancer teamwork should be run on a scientist-to-scientist basis—by our National Institutes of Health, for example, not by State Department diplomats. In that way—and only that way—can we keep politics out of it.

And if the Russians start to propagandize? Let them. If the Russians find the answer to cancer, there is little doubt they will share it with the rest of us. But at the same time we have a right to let the world know through our U.S. Information Agency that this country alone has been carrying the financial burden for international cancer research work to date.

To what extent has this plan for cooperation between great scientists and researchers on both sides of the Iron Curtain been carried out? The surface has barely been scratched.

The information-exchange bottleneck alone has hardly been broken. Transmission of reports on work in progress now takes months and even years.

Meanwhile, the cancer death rate continues to rise steadily. Forty-five million Americans now living can expect to contract the disease. Probably three times that number throughout the world will die of it in the next decade or so. And the steps that could halve these fatalities, and in time eliminate them, have not been taken.

Can the ordinary American citizen do anything positive to speed global cancer research?

He can give generously to the American Cancer Society and other nongovernmental groups for the support of cancer research.

He can urge his Congressman to provide increased support for the National Cancer Institute and the other Federal agencies which are committed to pure and applied cancer research.

He can insist that the Congress aid our worldwide cancer program by expediting requests to put soft currencies to work in medical research.

The cure for cancer, when it comes—and it will come—may spring from the electron microscopes and cultures of some gleaming U.S. laboratory. Or from a modestly equipped biochemist's workbench on the Nile. Or from the mind of some obscure investigator of cell growth and the aging process high in the Caucasus.

You and I have only one concern: that it does come. From where does not matter.

If there is a good cancer scientist working in India or Brazil or New Zealand, and he needs help, the two greatest scientific nations on earth should set the pace by joining forces to see that he gets it—with no strings attached.

A giant step in that direction can and must be taken at Moscow in July. Not just for the sake of your children and mine and the Russians', but for the children of all men, everywhere.

STATEMENT IN SUPPORT OF HEALTH PROFESSIONS EDUCATIONAL ASSISTANCE ACT

Mr. Chairman and members of the committee, I am Dr. Harold S. Diehl, senior vice president for research and medical affairs and deputy executive vice president of the American Cancer Society, Inc. Prior to the assumption of my present position, I served for 23 years as dean of the medical sciences of the University of Minnesota.

The privilege of my appearance before you this morning was requested by the American Cancer Society for two reasons: First, that I might convey to you the society's earnest and strong support of bill H.R. 4999, known as the Health Professions Educational Assistance Act of 1961; and, second, that I might express to you my own opinion based on many years of experience in medical education relative to certain aspects of this bill.

The American Cancer Society is convinced that the purposes of this bill; namely, the expansion and improvement of medical research and the education and training of more physicians are essential for the control of cancer and for the prevention of suffering and deaths from this dread disease.

Part A, section 3, of this bill provides for the extension and expansion of research facilities grants. The need for more and better facilities for medical research is so well recognized and has been so ably discussed by others who have appeared before you that I will not speak of this except to say that physicians are helpless and will continue to be helpless to prevent fully half of the 275,000 deaths from cancer which occur each year in this country until scientific research gives us more complete understanding of the causes and the nature of cancer and provides us with new tools and procedures for its early diagnosis, for its better treatment, and ultimately we hope for its prevention.

The Congress has given great impetus and assistance in recent years to the expansion and improvement of facilities for medical research. However, there is still a great need by many universities and medical research centers for additional research facilities. The American Cancer Society hopes that you will assist in meeting this need by the passage of this section of H.R. 4999.

Part B of this bill provides grants (on a matching basis) for construction of medical, dental, osteopathic and public health teaching facilities. The need of more physicians to provide adequate medical care for the increasing population of our country is too well accepted to require argument or documentation. Yet, the urgency of this need is particularly impressive to those of us who are devoting ourselves and our efforts to the control of cancer. The reason is that we already have the scientific knowledge necessary to save fully half of the 450,000 persons in this country who each year develop cancer. We are, however, saving only approximately one-third of these. In other words, we have the medical and scientific know-how to save an additional 75,000 persons who each year die from cancer. To accomplish this we need not only the understanding and cooperation of the public, but also more physicians to conduct the regular thorough physical examinations upon which the early diagnosis of cancer so largely depends. The American Cancer Society therefore, has a very special interest in having available an adequate number of well-trained and cancer-conscious physicians.

In order to educate the physicians which our country needs, the teaching facilities of existing medical schools must be expanded and improved and new medical schools must be developed. This need has been so well documented and convincingly presented to you by the president of the Association of American Medical Colleges, Dr. Donald Anderson, that I will merely say that I thoroughly subscribe to and endorse everything that Dr. Anderson has presented and that I hope that you will pass favorably upon this section of the Health Professions Educational Assistance Act of 1961.

Part C of this bill provides for scholarship grants for students of medicine, osteopathy and dentistry. It is to this section of the bill that I particularly wish to address my remarks.

It is obvious that if we are to have more physicians and more medical investigators we must have more high-quality medical students. It is the purpose of the scholarship section of this bill to help provide more such students for the health professions.

To justify enactment of this section of the bill, you doubtless need to be satisfied upon several points; such as, is there a need for scholarship aid for medical students; will scholarships result in more high-quality applicants for medical schools; and are scholarships preferable to other types of financial assistance such as loan funds?

Had I been talking with you about these questions prior to World War II, my comments would have been quite different from what they are today. To a very large extent I "worked my way" through medical school. I envied my classmates who did not need to spend the time and effort that I did on all sorts of jobs and activities. Yet I and many others got our medical educations by so doing. In my early years as a medical school dean, I felt that most medical students, if they had sufficient ability, energy and desire, could do likewise.

On this point, however, my thinking was vastly changed by my experience with the students who were in medical school during World War II under the Army ASTP and the Navy V-12 programs and after World War II under the GI bill. As you doubtless remember, the students under these military and veterans programs were provided with tuition, books and essential living expenses. The result was that a large proportion of our medical students were able and dedicated young men who without financial assistance would not have felt that they could even dream of undertaking the long, expensive years of education required for the practice of medicine or for service in the other health professions.

And that was 15 or 20 years ago. Today the expenses of attending medical school are vastly greater and the possibilities of earning money while so doing are distinctly less. Furthermore, today a large percentage of potential medical students are married before they are ready to enter medical school.

In fact, of last year's medical graduates, 24 percent had been married before entering medical school and 36 percent were married while in school. Many wives of married students work to help support their husbands in school but the arrival of children usually puts an end to this at the same time that it increases financial obligations. We may not look with favor upon these early marriages; nevertheless, they are among the facts of life which we must face realistically.

Another disturbing fact is that more than half of our medical students come from the 10 percent of families with incomes of $10,000 or more per year. In other words, about half of our medical students come from 10 percent of our upper income families. Incidentally, as I am sure many of you realize from personal experience, it is not easy today, even with a family income considerably in excess of $10,000 a year, to finance the college education of one's children even though they do not aspire to the long expensive education required for medicine or medical research.

Since World War II and the termination of benefits under the GI bill, the University of Minnesota Medical School, with which I was associated, has made a great effort to raise funds for scholarships from alumni and from interested citizens, private foundations

and corporations within the State. The amount of these funds has gradually increased but the number of scholarships and the stipends which they carry are still, and from these sources always will be, woefully inadequate. For example, during the current school year, the University of Minnesota Medical School has $30,250 available for scholarships. This amount was used for the support of 70 scholarships with stipends ranging from $100 to $750 but averaging only $432. Yet 213 students applied for these 70 very modest scholarship awards.

Loan funds, such as provided by the National Defense Education Act, are very valuable in helping students meet emergency and unanticipated expenses but few students are willing or able to borrow the basic funds required to finance the years of education and training required of physicians.

Business, industry, and intellectual activities of all types are competing for the best young candidates. Yet, recruitment for medicine and the other health professions is handicapped by the length and the costs of training and the inadequacy of financial aid. To maintain quality in our future physicians, we must be able to recruit a fair share of America's finest minds for the medical profession. And the recruits for a profession which serves all of our citizens should come from all walks of American life, without financial roadblocks diverting them to other vocations or occupations.

Superior ability and the desire to be of service to others are not limited to the children of parents in the upper income brackets. If scholarship aid as provided in this bill becomes available, I am convinced that many more able and dedicated young men and young women will prepare themselves for careers in the health professions.

Paragraph 2(d) under section C provides for educational grants to medical schools. On the basis of long experience as a medical school dean, I can assure you that the medical schools need more funds than their parent universities can provide if they are to assemble and retain the faculties required for the instruction of the large number of students whom we need for the health professions.

I, therefore, urge support also for the operating budgets of our medical schools.

In conclusion, I wish to express my appreciation for the privilege of speaking with you concerning this bill which the American Cancer Society and I personally feel is of basic importance to the medical services which our people need and deserve.

I thank you.

Mr. HUMPHREY. Mr. President, the purpose of the report is to demonstrate that we can put our scientists to work on an international front, on a cooperative basis, and also to show what can be done by the use of vast amounts of so-called soft currencies resulting from the sale in other countries of our agricultural commodities. Those soft currencies have been put to work in country after country in promoting publications and abstracting research articles, and also in laboratories for scientific exploration.

In fact, let me say to the distinguished junior Senator from Montana [Mr. METCALF], who now is presiding over the Senate, that wheat from Montana has been converted into research programs against cancer, heart disease, and many other diseases, all over the world. We have been able to feed the people with our wheat; and we have also been able to utilize the funds generated from the sale of that wheat under Public Law 480, for purposes of education, research, scientific endeavor, conferences, and publications in scientific and medical journals. That has happened because a few of us became interested in that work; and after returning from the 1958 trip, I sponsored in this body proposed legislation to put to work the proceeds from such sales under Public Law 480, the currencies we received from the sale in other countries of our surplus agricultural commodities—in other words, to put those currencies to work in healing the sick, in addition to feeding those who are hungry, and also in improving medical science and in upgrading the level of international cooperation. This work is continuing today, and it is yielding results.

Mr. President, the day will come when we shall witness doctors from the Soviet Union—to mention only one country—and also doctors from the United States and doctors from Great Britain, and possibly doctors from the countries of Latin America or Africa, standing side by side, receiving great awards from grateful governments and peoples, for their combined, cooperative efforts in finding the answer to mankind's greatest killer—cancer—which has no regard for geographical limitations or national jurisdictions or sovereignty or race or color or creed. It is my purpose, in what time I may have for public service, to promote greater cooperation in these worthwhile endeavors.

FOOD PROBLEMS IN SOVIET RUSSIA

Mr. HUMPHREY. Mr. President, it is with a note of gratitude to our American farmers that I mention this subject. I wonder how many persons have been reading of late the editorials and articles that have appeared about Khrushchev's farm troubles. I am sure other Senators have commented about it.

Year after year in the Senate, the senior Senator from Minnesota, along with many other Senators, has said that our agricultural abundance was a great opportunity for strengthening the cause of freedom and for strengthening our national security and forwarding the objectives of our foreign policy.

The Senator from Minnesota has said that our agricultural abundance was an asset, and not a liability. I have said that our agricultural abundance was an additional margin of strength in our overall power.

When I returned from a trip to Western Europe this summer, I reported to the Congress and to the American people in a press conference that there were serious food problems inside the Soviet Union. I said there were food shortages. I reported that Khrushchev's farm program was a colossal failure. I reported that there were food shortages in East Germany; and I reported, from observation of export orders that I was able to see in Geneva, Switzerland, that there were far greater troubles in Communist China than even had been reported in the press.

It was my privilege to come in contact with men who knew the facts, men or business firms that were engaged in the marketing of agricultural commodities on an international basis. Those men need to know what the crop conditions are, what the supplies are, how much is available, what the future may hold.

I returned and, in a press conference in the New Senate Office Building, which was well attended by members of the press, I said I did not believe Khrushchev would go to war over Berlin, because of the food shortages in his own country and because of the food shortages in his satellites.

I repeat that Khrushchev's problems of agriculture have more to do with deterring Khrushchev from any aggressive design than do our own nuclear weapons. He has nuclear weapons, and big ones, and he is building as much as or more than we have. There is nothing to indicate that he cannot build them as well as we can. He has a powerful military armada. He has a powerful army. He has powerful nuclear weapons. He represents a powerful country, except for the lack of food.

The senior Senator from Minnesota has been saying this year in and year out, and he has been correct. Yet in this country there has been more criticism of our most powerful weapon, namely, food and fiber, than there has been of defects in our defense structure or foreign policy. I notice now some of the columnists and writers are catching up with the news.

I have in my hand an article from the New York Times of today with the headline "Moscow Problem: Food Versus Weapons."

What does the article say? It is written by Mr. Seymour Topping, one of the most competent analysts of the Soviet situation. The article points out that Mr. Khrushchev is at the point where he must make a decision as to whether or not he is to maintain his position in the arms race at the expense of greater sacrifices on the part of the Soviet people or cut back on his arms race in order to improve agricultural production in his country. Agriculture is the Achilles' heel of the Communist system.

Nowhere in the world has collective agriculture worked. It is a failure in China. It was a failure in Yugoslavia, so Tito abandoned it. The Poles have too much sense to try it. When the East Germans tried it, they found it did not work. But they are stubborn—that is, the Communist leadership is—and they continue to try it. Now Mr. Khrushchev finds it will not work, and he blames it on Stalin.

Mr. Khrushchev says he is going to do something about it, and offers incentives—the more a Soviet citizen produces, the more he will get for it. He is giving the young people incentives to go into new land by offering them higher wages and better conditions of housing and many of the comforts of life.

What I am trying to point out is that we see in the newspapers now what

really is not news. This has been going on a long time. When I visited the Soviet Union in 1958, I reported to the Government, to the Senate, and to the American people that one of the major problems in the Soviet Union then, as it is now, was the inefficiency and inadequacy of Soviet agriculture. This has been a restraint on Soviet power all along the line.

After all, the power of a nation is not determined by the fine cutting edge of its military establishment, but by the body of the blade, the substance deep down in the economy. The Soviet system has the external appearance of massive power, the power of its military, the power of its science, but deep back in its body it shows weaknesses—bureaucracy, redtape, incompetence, corruption, and a failure in agriculture.

I ask unanimous consent that an editorial from the New York Times, entitled "Khrushchev's Farm Troubles," which is only one of hundreds of such editorials that have appeared recently in the American press, be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

KHRUSHCHEV'S FARM TROUBLES

An affluent society, by definition, provides its citizens with plenty of steaks and chops for their dinner tables. Premier Khrushchev, who has promised he will make the Soviet Union so rich that we will see the error of our ways and voluntarily embrace communism, finds it understandably awkward these days that he cannot even give his people enough hamburger. Adding to his embarrassment is the fact that 5 years ago he promised his countrymen that by 1960 they would be eating as well as we Americans do. They were not and are not. This is the background for the current Moscow meeting discussing Soviet food shortages and agricultural failures.

Premier Khrushchev has come out with so many unsuccessful panaceas for Soviet farm problems that skepticism about his latest proposals must be widespread, inside and outside of Russia. As long ago as 1950 he amalgamated collective farms into supercollectives and promised in vain that his step would produce food in plenty. In the mid-1950's he went all out for corn as the magic crop, and extolled the virtues of plowing up tens of millions of acres of semiarid virgin lands as the sure cure for Soviet food shortages. None of these worked.

If Premier Khrushchev were to take off his ideological blinders he would see the root of his failures, and really be able to take effective action. The simple truth is that socialized agriculture, such as the Soviet Union has, does not give the peasant the incentive and the stimulus to produce abundantly. To see this, Premier Khrushchev merely has to compare the lean harvests of his collectivized fields with the rich fruits of the small garden plots which Soviet peasants tend for themselves with loving and rewarding care. A simple Soviet worker recently had a letter published in a Soviet newspaper suggesting that the meat shortage could be ended by ending the restrictions which block Soviet peasants and workers from raising more livestock. Premier Khrushchev ought to be able to see that point, too. But Marxist dogma still blinds his vision.

Mr. HUMPHREY. I ask unanimous consent that the article to which I referred a moment ago, with the headline "Moscow Problem: Food Versus Weapons," be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MOSCOW PROBLEM: FOOD VERSUS WEAPONS—KREMLIN IS BELIEVED FACING DECISION ON SHIFTING SOME ARMS FUNDS TO FARMS

(By Seymour Topping)

Moscow, March 6.—Western observers take two recent statements by Premier Khrushchev to mean that the Kremlin must now decide whether the Soviet Union is to have more arms or more food. One statement was Premier Khrushchev's agreement in his letter to President Kennedy Sunday for the participation of Foreign Minister Andrei A. Gromyko in the disarmament talks opening in Geneva next week. The other was Mr. Khrushchev's speech yesterday before the Soviet Communist Party's Central Committee, in which the Soviet leader said the 7-year plan for agriculture was in "serious danger" unless more farm machinery and chemical fertilizer were produced.

With Soviet economic resources already strained, the question before the Soviet leadership is where to obtain the additional investment required for agriculture.

In Stalin's day the problem would have been a simple one: squeeze the consumer harder. In the Khrushchev era, this is more difficult. For one thing, the Soviet state now relies far less on coercion and more on persuasion.

In his speech, Mr. Khrushchev emphasized the "exceptional significance" to be attached to material incentive to make the people work harder. In terms of this philosophy, to divert investment from the consumer industries would be self-defeating. The Soviet farmer, already backward as regards productivity, would lose incentive if his money bought less.

Unless cuts are made in the high-priority space effort or Moscow's program of aiding the underdeveloped countries, Mr. Khrushchev must borrow his required investment resources from heavy industry. The sector that can be constricted with the least damage to the industrial goals of the 7-year plan is that devoted to the production of armaments.

In the view of experienced Western diplomats here, this would indicate that the Kremlin was interested in obtaining a limited disarmament agreement with the West.

Speaking before the Central Committee, Mr. Khrushchev seemed to justify such a course ideologically. He spoke of winning the battle against capitalism by means of attracting the peoples of the nonalined countries to a superior Soviet standard of living. Taken at its face value, this would imply that Mr. Khrushchev sees butter as a more effective weapon than guns.

However, there was nothing in Soviet propaganda, as Foreign Minister Gromyko was assigned to go to Geneva, to suggest that Moscow was ready to make substantial compromises to achieve a disarmament accord.

In economic terms, the United States can afford to carry on the nuclear weapons development race far better than the Soviet Union.

Nevertheless, Pravda, the Soviet Communist Party newspaper, continued yesterday to attack the Kennedy plan for a nuclear test ban enforced through international inspection. "Legalized espionage" was the term applied by Pravda to international inspection.

The Soviet propaganda apparatus seemed to be directed solely at convincing public opinion at home and abroad that the United States was determined to wreck the disarmament talks. As regards the Soviet people, the propaganda campaign might be intended to brace them for another failure in disarmament talks and sacrifices in their standard of living.

There was speculation here among Western diplomats that Mr. Gromyko may be going to Geneva with instructions to employ delaying tactics in the initial stage of the disarmament negotiations.

Mr. HUMPHREY. Mr. President, I call attention to the subheading, "Kremlin Is Believed Facing Decision on Shifting Some Arms Funds to Farms."

At the bottom of that story, the following should be noted:

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And yet in this country we are worried about having too much butter. It sometimes appalls me how we can literally throw away our greatest asset. Surely Mr. Khrushchev has reason to know its value, because every new country on the face of the earth, the nonalined countries, are watching the United States, the Soviet Union, Communist China, and other Communist countries.

The leaders of these new African and Asian countries—yes, and those in Latin America—are looking to see which system produces results.

Mr. Khrushchev and his crowd have the propaganda. I confess they have us bested when it comes to propaganda. Why, I do not know. We can sell the American people things they do not need, should not buy, and cannot afford, but we cannot sell the best product the world has, mainly, freedom, and cannot get the message across to the world. We stumble all over ourselves, we are all thumbs, when it comes to the field of education, propaganda, and information. If our information services were doing their job, they would stop talking about the great success story of American finance and American industry, even though they are something to note and be proud of.

Other countries have big industry. Hitler had big industry. Russia has big industry. China has big industry. But none of them has the family farm, and none of them has a working agriculture.

This may be news to many of the great thinkers in this Government, now and in the past, but most people are not really as interested in a steel plant as they are in some food on the table.

More people are interested in a little plot of ground which is their own—which they can till, which they can manage, which they can cultivate, from which they enjoy the fruits—than they are in some superduper industrial establishment about which they know little and the benefits of which never reach them.

We have been trying to compete with the Soviet Union in the field of information and propaganda on their terms. We have been going around hanging our heads low, in ashes and sackcloth, complaining and griping about our agriculture as if it were a monstrous failure, when it is the most phenomenal success of the 20th century. We have failed to tell the story of our agriculture to the people of the world, until recently. Now we are beginning to catch on. We are beginning to show some commonsense. We are beginning to talk to farm people around the world about farm cooperatives.

The Department of State now has someone who knows something about cooperatives.

A year ago a representative of the Department of State testified that until January of 1961 there was no one in the Department of State engaged in promoting the development of cooperatives overseas. We knew there were many big financiers who were ready to establish huge financial institutions, which did not have any money—unless it was our own—but there was no one to teach farm cooperatives. All too few people were interested in land reform. All too few people were interested in supervised credit, so that farm people and peasant people in the underdeveloped countries could have something of their own.

We have the greatest success story any people ever had in the history of the world, right at our feet. As that great writer, Mr. Bellamy, once said, "Acres of diamonds at our feet."

Mr. Khrushchev has a monument to doctrine, to dogma, to false ideology, to false economics, to Marxist economic failure in his agriculture.

I do not know why we have not talked about this a little more at the United Nations, and why we do not talk a little more about one of our great achievements today, and why we do not tell people we are ready to export it. Not only are we ready to export the fruit of our agricultural production—the ability to feed the hungry, to clothe the naked, to heal the sick—but also we are ready to export the technology, the know-how. We have the people who can take the message to the world.

Mr. Khrushchev is facing a crisis, a financial crisis at home, a political crisis in his country. He is facing a crisis in his agricultural production, a crisis in his foreign aid program, a crisis in his propaganda, because everyone is looking to see why Mr. Khrushchev has to admit the failure of Soviet agriculture 45 years after the revolution.

These ought to be happy days for people who believe in freedom. I am not one of those who are pessimists. I think we have the formula for victory, and I think we know how to win, if we will look around and take to ourselves the natural assets which are ours.

I hope that many Americans will ponder long and seriously, as they read the stories which have appeared all week long in every newspaper in America, and hear the news reports over every radio and television station, about Khrushchev's farm troubles.

I say to my good friend the Secretary of Agriculture, Orville Freeman, "You have no problems, Mr. Secretary."

Mr. Khrushchev has the problem. The only problem we have is the problem of abundance, and I do not call that much of a problem. To call that a problem would be something like saying there would be a problem in having too much gold in Fort Knox, Ky. We have a problem there. The gold is running out. That is what causes concern.

We must beware lest we be too hasty in our desire to cut back production, lest we be too anxious to please the boys in the editorial rooms who have not been on a farm for 40 years, or too anxious to please the critics of our farms and of our farmers. Let us be careful, because if we try to please all those commentators we shall wreck the system of agriculture which has made America the wonder of the world and which has been a source of our strength industrially, economically, and in many ways morally and spiritually.

ADJOURNMENT TO MONDAY

Mr. HUMPHREY. Mr. President, if there is no further business to come before the Senate, I move, pursuant to the order previously entered, that the Senate stand in adjournment until 12 o'clock noon on Monday next.

The motion was agreed to; and (at 6 o'clock and 26 minutes p.m.) the Senate adjourned, pursuant to the order previously entered, until Monday, March 12, 1962, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate March 8, 1962:

U.S. MARSHAL

Robert A. O'Neal, of Indiana, to be U.S. marshal for the southern district of Indiana for the term of 4 years, vice Richard J. Jarboe, resigned.

U.S. ATTORNEYS

Robert E. Hauberg, of Mississippi, to be U.S. attorney for the southern district of Mississippi for the term of 4 years. He is now serving in this office under an appointment which expires May 1, 1962.

Alfred W. Moellering, of Indiana, to be U.S. attorney for the northern district of Indiana for the term of 4 years, vice Kenneth C. Raub, resigned.

U.S. DISTRICT JUDGES

Wesley E. Brown, of Kansas, to be U.S. district judge for the district of Kansas, vice Delmas C. Hill, elevated.

George N. Beamer, of Indiana, to be U.S. district judge for the northern district of Indiana. (A new position.)

U.S. ARMS CONTROL AND DISARMAMENT AGENCY

Dr. Franklin A. Long, of New York, to be an Assistant Director of the U.S. Arms Control and Disarmament Agency.

RENEGOTIATION BOARD

William M. Burkhalter, of Tennessee, to be a member of the Renegotiation Board, vice Thomas Coggeshall.

DISTRICT OF COLUMBIA REDEVELOPMENT LAND AGENCY

John Joseph Gunther, of the District of Columbia, to be a member of the District of Columbia Redevelopment Land Agency for the term expiring March 3, 1967. (Reappointment.)

IN THE NAVY

Capt. George G. Burkley, Medical Corps, U.S. Navy, assistant physician to the President for temporary promotion to the grade of rear admiral while serving at the White House.

IN THE AIR FORCE

The following-named officers for appointment in the Air Force Reserve to the grades indicated, under the provisions of chapter 35 and section 8373, title 10 of the United States Code:

To be major generals

Brig. Gen. Philip P. Ardery, AO325990, Air Force Reserve.

Brig. Gen. Kenneth Stiles, AO900928, Air Force Reserve.

Brig. Gen. Barry M. Goldwater, AO270164, Air Force Reserve.

Brig. Gen. John B. Montgomery, AO304671, Air Force Reserve.

Brig. Gen. Roy T. Sessums, AO913943, Air Force Reserve.

To be brigadier generals

Col. Earl Sneed, AO314667, Air Force Reserve.

Col. Howard E. Payne, Jr., AO421987, Air Force Reserve.

Col. Walter L. Hurd, Jr., AO427544, Air Force Reserve.

Col. J. Clarence Davies, Jr., AO904230, Air Force Reserve.

Col. Donald S. Dawson, AO582705, Air Force Reserve.

Col. Robert F. Goldsworthy, AO398709, Air Force Reserve.

Col. George H. Yeager, AO300572, Air Force Reserve.

Col. George H. Wilson, AO424322, Air Force Reserve.

Col. Arthur R. DeBolt, AO373889, Air Force Reserve.

Col. Alfred L. Wolf, AO907086, Air Force Reserve.

Col. Oliver G. Haywood, Jr., AO2255064, Air Force Reserve.

Col. Richard C. Hagan, AO307796, Air Force Reserve.

Col. Frank J. Puerta, AO401051, Air Force Reserve.

Col. John S. Patton, AO1851377, Air Force Reserve.

Col. William D. Price, AO286176, Air Force Reserve.

IN THE ARMY

Lt. Gen. Garrison Holt Davidson, O16755, Army of the United States (major general, U.S. Army), for appointment as senior U.S. Army member of the Military Staff Committee of the United Nations, under the provisions of title 10, United States Code, section 711.

The following-named officers under the provisions of title 10, United States Code, section 3066, to be assigned to positions of importance and responsibility designated by the President under subsection (a) of section 3066, in rank as follows:

Maj. Gen. Thomas Weldon Dunn, O18157, Army of the United States (brigadier general, U.S. Army), in the rank of lieutenant general.

Maj. Gen. John Southworth Upham, Jr., O17178, U.S. Army, in the rank of lieutenant general.

HOUSE OF REPRESENTATIVES

THURSDAY, MARCH 8, 1962

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Micah 6: 8: *He hath showed thee, O man, what is good, and what doth the Lord, thy God, require of thee, but to do justly, and to love mercy, and to walk humbly with thy God?*

Eternal and ever-gracious God, we have entered upon this Lenten season, earnestly beseeching Thee that every thought of our mind may be brought into captivity to the mind of Christ.

Grant that in this time of self-denial and self-examination we may resolve to surrender ourselves more completely to Thy divine will and serve humanity more eagerly.

We penitently confess that we often are disobedient to what Thou dost require of us and that there is still so much selfishness in our hearts, for we live and labor as if our own success and security are the blessings and achievements of supreme worth and enduring value.

Help us to hasten the dawning of that glorious day of prediction when every knee shall bow before Thee and every tongue confess that the Christ is the Lord to the glory of God.

Hear us in His name. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Ratchford, one of his secretaries.

THE GRIFFIN AMENDMENT TO THE EDUCATIONAL TELEVISION BILL WILL PREVENT MUCH REAL HELP TO EDUCATIONAL TV STATIONS AND SHOULD BE DEFEATED IN CONFERENCE

Mr. STRATTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. STRATTON. Mr. Speaker, yesterday when the educational television bill—H.R. 132—was adopted, we had an amendment offered by the gentleman from Michigan [Mr. GRIFFIN]. At the time the gentleman from Michigan said that his amendment would not eliminate from the provisions of the bill any organization which was presently operating an educational television station.

Mr. Speaker, I have studied the matter carefully since yesterday, and have checked its direct effect in my own community of Schenectady where we have one of the real pioneers in educational television, the Mohawk Hudson Council on Educational Television. Under the amendment offered by the gentleman from Michigan, no agency may get any assistance from the Federal Government unless it is composed exclusively of bona fide educational institutions. This great council which has been a pioneer in educational television in upstate New York is composed of 125 agencies, most of them bona fide schools. But also included in this council are such civic organizations as the American Association of University Women, the local chapter of the American Cancer Institute, and the Capital District Association for Nose and Throat Health.

Thus under the provisions of the amendment offered by the gentleman from Michigan, the Mohawk Hudson Council would not qualify for help. I know a similar situation prevails in almost every other educational television council in New York State.

What a mockery, Mr. Speaker, to pass a bill designed to help educational television agencies and then exclude from its provisions those very agencies which are most genuinely interested in promoting it, and which have worked hardest for it. Therefore I urge the House and Senate conferees to strike from the bill this unfortunate amendment, which can do so much harm to New York State, especially at a time when the State administration itself is cutting back on its own support for educational television and when Federal help is thus even more essential.

REPORT OF COMMODITY CREDIT CORPORATION FOR FISCAL YEAR ENDED JUNE 30, 1961—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States, which was read and, together with the accompanying papers, referred to the Committee on Banking and Currency:

To the Congress of the United States:

In accordance with the provisions of section 13, Public Law 806, 80th Congress, I transmit herewith for the information of the Congress the report of the Commodity Credit Corporation for the fiscal year ended June 30, 1961.

JOHN F. KENNEDY.

THE WHITE HOUSE, *March 8, 1962.*

CALL OF THE HOUSE

Mr. PRICE. Mr. Speaker, I make a point of order that a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll and the following Members failed to answer to their names:

[Roll No. 31]

Addonizio	Barry	Colmer
Andrews	Bennett, Mich.	Cooley
Avery	Cheif	Dent
Bailey	Coad	Garland
Glenn	McIntire	Sheppard
Gray	Meader	Smith, Miss.
Harrison, Va.	Moeller	Steed
Hoffman, Mich.	Powell	Ullman
Holifield	Rains	Whitten
Hosmer	Rousselot	Wright
Kornegay	Selden	Younger

The SPEAKER pro tempore (Mr. ALBERT). On this rollcall, 400 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

COMMITTEE ON RULES

Mr. SMITH of Virginia. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain privileged reports.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

COMMITTEE ON THE DISTRICT OF COLUMBIA

Mr. O'NEILL. Mr. Speaker, on behalf of the gentleman from South Carolina [Mr. MCMILLAN], I ask unanimous consent that the Committee on the District of Columbia may have until midnight Saturday to file a report on H.R. 8916.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

INCREASING THE MEMBERSHIP OF THE HOUSE OF REPRESENTATIVES AND REDISTRICTING CONGRESSIONAL DISTRICTS

Mr. O'NEILL. Mr. Speaker, by direction of the Committee on Rules, I call up the resolution—House Resolution 557—providing for the consideration of H.R. 10264, a bill to provide that the House of Representatives shall be composed of 438 Members beginning with the 88th Congress, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 10264) to provide that the House of Representatives shall be composed of four hundred and thirty-eight Members beginning with the Eighty-eighth Congress. After general debate, which shall be confined to the bill, and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary, the bill shall be read for amendment under the the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. O'NEILL. Mr. Speaker, I yield myself such time as I may use, and at the

conclusion of my remarks I yield one-half hour to the gentlewoman from New York [Mrs. ST. GEORGE].

Mr. Speaker, this resolution provides for an open rule providing 1 hour of general debate and amendment of the bill under the 5-minute rule. I know the Members are all aware of the nature of this legislation and what it means to many Members of Congress. As I stand here I know that I am personally affected as a Member from the Commonwealth of Massachusetts, because under the new apportionment resulting from the 1960 census we were cut from 14 Members of Congress to 12. I am also aware, as I know you are, that we are affected because of the fact that we have one party in control of the legislature with a Governor of the opposite party. You may ask: Why do you not go back to your State and clean up your own problem? We are not asking on the basis of the fact that you have an opportunity to help some of your fellow Congressmen; you are always helping your constituents or asking Members of Congress to help you along with legislation. Now you have an opportunity to help a group of Members who are here and need your assistance.

We are asking for this bill purely on the history of such legislation in this Congress.

In the year 1840 there were 31 States in the Union and there were 232 Members of the House of Representatives, and the membership was increased in 1850 to 237. In the next decade new States came into the Union and the membership was increased in 1860 to 243.

In 1870 there were 38 States in the Union. The membership was increased to 293.

By 1880 the membership of Congress was increased to 332, due to the admittance of several States.

In 1890 the membership was increased to 357, due to the admittance of several more States having come into the Union.

In 1900 the number was increased to 391, here again was the admittance of new States.

In 1910 there were 48 States which had been admitted into the Union, the membership was increased to 435.

So for 120 years it has always been the custom of this Congress when new States were admitted to statehood to increase the membership of the House of Representatives.

There are those who say it is unwieldy. Let me ask, is it unwieldy to have more Members of Congress because for the past 2 years we have had seated in this House 437 Congressmen, including 1 from Hawaii and 1 from Alaska. Under the 1960 census Hawaii will be entitled to two Congressmen.

When this legislation was passed through the years, it was never the intent of the fathers who sat in the Congress in those days to deny the right of the seating Congressmen. They always made the recommendation and they always increased the number.

Referring to the Senate of the United States, that body automatically by the Constitution has increased its membership four Senators. There are Members who say that they do not think the number should be increased beyond 435. For 60 of the 170 years of this august body there was an even number of Members in the Congress, and I never heard in that history of anything ever happening differently.

I believe that this is a good bill. The purpose of the bill is stated in the report, as follows:

> The purpose of the bill is to prevent the recent admission to the Union of the States of Alaska and Hawaii from having the effect of reducing the number of Representatives in Congress shared by the original 48 States below the number to which those States have been entitled over the past half century.

I have explained to you the situation as it exists in Massachusetts. Under this bill there are three States that would benefit. Massachusetts would lose one seat instead of two. Pennsylvania would gain one seat, Missouri would gain one seat.

I feel sorry for those two States that are just over the line that are losing seats.

When our late beloved and dear Speaker, Sam Rayburn, became sick, he had intended and he told the Members of Congress he was going to increase the membership by three or increase it by four, and he wanted the level to stop there.

I have spoken to Members and I have asked them on a personal basis to go along with this legislation. One fellow asked, "What does it do for my State?" Actually it does nothing for his State, and I feel sorry that it does nothing for his State, but in his State he would have to increase the number by 25 Members in order to help. Now, because nothing is going to be done for his State, is he going to disregard the pattern that the Congress has followed throughout all the years? Because he cannot get an increase himself, is he going to sacrifice the other Congressmen from these three States.

Mr. Speaker, I hope the rule will be adopted, and trust the bill will pass.

Mrs. ST. GEORGE. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, the purpose of this legislation has been very ably explained. The rule that comes to us today is an open rule, which I think is extremely advisable, and provides 1 hour general debate.

Mr. Speaker, what has been said about the admission of Alaska and Hawaii is indisputable, it is absolutely true. When new States came into the Union it has been customary, at least it was customary for many years, to increase the size of the House of Representatives. However, it is my understanding that in 1912, when the last apportionments were made, it was considered necessary to make the statement that that was going to be the total for many years to come; that more than 435 Members would be unwieldy. Now, a great many people throughout the country—and I say this is not said in a spirit of merriment—believe it would be better to decrease the House of Representatives rather than to increase it. So, there are two schools of thought in this whole matter. Personally, I can see a great deal of justification in saying that you should increase the size when you increase the number of States, but I would like to remind you before you go too far with this legislation that you are probably opening a Pandora's box that may well come back to plague us all. We are going to have a good many more States that I can foresee in the future. Puerto Rico is knocking at the door and will soon gain admission; I have no doubt of that. The Virgin Islands also will be admitted as a State. There are rumors that Guam is also likely to want statehood, and there may be others. For that reason the House will grow and grow if this formula is adopted.

Now, another thing I would like to point out—and, of course, this may be human nature that we deplore—why should certain States be singled out for those seats and others have to give up seats? Take my own State of New York; take 21 States on this list that are all losing. And, why are they losing? Because they did their homework, because their State legislatures met, and because they reapportioned according to population. Now, we are the ones that are left, so to speak, and these three States who did not quite do all their homework and who feel that they are aggrieved—and who, I must say, have justification, Mr. Speaker; I am not denying that—come in and get these added seats. I think we should look into this very, very carefully while we consider this legislation, while we look over the list of the affected States, and what it means to our own districts. I have every confidence that the decision of the House will be a wise one; I am not speaking against the bill in speaking on this bill. I am merely trying to point out some of the pitfalls that I can see ahead. It is so easy to give, especially to our friends—and we have many very dear friends in the House—that we do not want to see adversely affected. Nevertheless, this has deeper implications than personal friendship.

Mr. CURTIS of Massachusetts. Mr. Speaker, will the gentlewoman yield?

Mrs. ST. GEORGE. I yield to the gentleman from Massachusetts.

Mr. CURTIS of Massachusetts. Would the gentlewoman have objected to this increase if it had been made at the time when the two new States were admitted to the Union?

Mrs. ST. GEORGE. I will say to my colleague that I would not, because I think at that time we would all have had plenty of time to look ahead, and all the State legislatures would have taken measures accordingly. As it is now, some are left, more or less, in left field.

Mr. CURTIS of Massachusetts. Is it not fair to say, then, that the gentlewoman bases her objection solely on the ground of lapse of time?

Mrs. ST. GEORGE. Well, I base it on the way this bill is presented to us. I do not think it is a matter of lapse of time, but I think it is coming in here at the last minute, when all of these other States have taken the necessary measures and when we have had apportionment and when we are losing very valuable and dear Members. I think that is the unfortunate part.

Mr. CURTIS of Massachusetts. When the gentlewoman says that certain States have been singled out for preference, will she not admit that that is merely a matter of mathematics?

Mrs. ST. GEORGE. No, I do not admit that it is a matter of mathematics. In some of these States the State legislatures have not taken the necessary measures.

Mr. CURTIS of Massachusetts. I respectfully submit that has nothing to do with the case. Is it not a fact that the question is of three new Members, and that under the mathematics of the reapportionment provisions there happened to be three States that would be affected? It is a matter of mathematics.

Mrs. ST. GEORGE. I think you would have to argue that out with a good many people who are losing Members who would object to that, but I personally am not one of those involved.

Mr. JOHANSEN. Mr. Speaker, will the gentlewoman yield?

Mrs. ST. GEORGE. I yield to the gentleman from Michigan.

Mr. JOHANSEN. Mr. Speaker, I want to preface my question by saying I am very much seeking information. Is it my understanding that had this action been taken timely, had it been taken earlier, would it have still been these three same States that would be benefited?

Mrs. ST. GEORGE. Yes; I understand that they would have been benefited.

Mr. JOHANSEN. But at the same time they would have been benefited in a perfectly orderly way?

Mrs. ST. GEORGE. If I may say so, an understandable way. I think now it has caused a great deal of hard feeling and I am very much afraid that we may see that when we come to the general debate on this bill. I think it is unfortunate. I do not think there should be any feelings on this subject. I think it should go through in an orderly manner.

Mr. SANTANGELO. Mr. Speaker, will the gentlewoman yield?

Mrs. ST. GEORGE. I yield to the gentleman from New York.

Mr. SANTANGELO. My colleague from New York [Mrs. ST. GEORGE] has taken pride in the fact that the State of New York has done its homework. I would like to advise the gentlewoman from New York that on the basis of what they deserve as a grade for doing their homework she deserves a State legislature dominated by a Republican Party—deserves a "U" for unsatisfactory service, and a job very poorly done. There is a great deal of dissatisfaction. If the other States did as poorly in their homework as the State of New York, I feel sorry for those States.

Mrs. ST. GEORGE. I am sorry, but I cannot quite agree with the gentleman. I can see his point of view, but my point of view is totally different. I am very proud of the Empire State of New York. I am sorry that my friend has to apologize for it.

Mr. GUBSER. Mr. Speaker, will the gentlewoman yield?

Mrs. ST. GEORGE. I am delighted to yield to the gentleman from California.

Mr. GUBSER. Mr. Speaker, just so that the scales of justice may be kept in entire balance, I would like to point out that the State of California has a Democratic legislature, and if one ever saw a first-class job of gerrymandering, that legislature did it.

Mrs. ST. GEORGE. I thank my colleague for his contribution.

Mr. O'NEILL. Mr. Speaker, I yield such time as he may consume to the gentleman from New York [Mr. O'BRIEN] who was the father and author of statehood for Hawaii and Alaska, and was chairman of the subcommittee at that time.

Mr. O'BRIEN of New York. Mr. Speaker, I thank the gentleman from Massachusetts for giving me this time even though I have an uneasy feeling that at the moment some of my colleagues may look upon me as a man returning to the scene of the crime. It is true that I was one of the advocates of statehood for Alaska and Hawaii, and that the bill before you would increase the membership of the House by the number of seats to which the two new States are entitled under the 1960 Federal census.

Mr. Speaker, I have requested this brief time to explain why the Committee on Interior and Insular Affairs did not meet this problem when we drafted the Alaska and Hawaii statehood bills. I might say, before giving that answer, that if we had done so at that time we would then, as now, have affected exactly the same three States which are affected now. It would have had nothing whatsoever to do with the ebb and flow of the population which caused so much difficulty in so many other States. But, Mr. Speaker, to return to the answer as to why we did not propose an increase in the membership—semipermanent increase—it was not our prerogative. It was the prerogative of the Judiciary Committee to consider the overall question of increasing or reducing the size of the House on a semipermanent basis. So, we acted within our jurisdiction, and did not go beyond it. We had a tactical reason to do so, if you will, because if we had been tempted to seize a jurisdiction which was not ours, we would have refrained from doing so because we would have raised an additional controversy over a bill which was already highly controversial.

Mr. Speaker, I have read that this bill was to be rammed through the House to take care of selfish interests of Members from the three States which would be directly affected. Now, I would be very naive if I said there is no personal interest here. I am happy that the bill may help friends of mine in both parties who reside in Massachusetts, Pennsylvania, and Missouri. I also would be happy if the direct impact was on any other State or States in which my friends reside, and from which they are elected. But those who criticize this move are putting the cart before the horse. They are confusing the pleasant byproduct of helping some friends with the fact that they just happen to be the beneficiaries of carrying out a historical tradition.

We are not here attempting to swell the membership of the House to meet the ebb and flow of population among the States. What we are doing very simply is what has been done repeatedly and consistently since 1840, increasing the membership of the House because of the admission of new States.

Mr. Speaker, I would support this bill if the direct beneficiaries were New York, Arkansas, and Alabama; or Illinois, Montana, and California; or any combination you might mention. Why then should we turn our backs on tradition because Massachusetts, Pennsylvania, and Missouri are to reap the benefits?

Finally, Mr. Speaker, the argument that this House would become unwieldy if we admitted one more voting Member than we have now and have had during the last 3 years falls of its own weight. I would not like to see an unwieldy House; but may I suggest that we might come to a point in this country where our system would become unwieldy and Members representing too large districts would begin to think as Senators properly think and no longer represent districts as we have considered them since the beginning of the Republic.

Mr. Speaker, I hope very sincerely that this House will not turn its back on a tradition it has followed scrupulously for 120 years.

Mr. HARRIS. Mr. Speaker, will the gentleman yield?

Mr. O'BRIEN of New York. Yes.

Mr. HARRIS. The gentleman had a great deal to do with the legislation that admitted the States of Hawaii and Alaska to the Union and he should be complimented, as he was at that time, for the tremendous fight that he made for the admission of those States. The gentleman will recall that at least a couple of times during the course of the consideration of the admission of those States—either at one time or both together, on one occasion—it was suggested, and I think an amendment was considered, to increase the membership of the House to take care of the States about to be admitted. The gentleman will recall that there was opposition to increasing the membership of the House, even to providing a Member each for those two States; is that not right?

Mr. O'BRIEN of New York. That is correct. There was opposition, I may say to the gentleman, if my recollection is clear, to practically everything we had in the bill from those who intended to vote against it, no matter what its ultimate form.

Mr. HARRIS. Even the leadership, those who were supporting the admission, generally speaking were opposed to any increase in the membership of the House, even with the admission of those States. The gentleman will recall, and I would like to remind the House that during one of the debates I took the floor of the House and called attention to the fact that somebody was going to lose. I explained the problem we had with the method of apportionment at that time, calling attention to the methods that were available and the ones that were used. I think the House had changed from the method

of apportionment to the present method that is being used. So it would seem to me that if the attitude at that time was for the purpose of opposing any increase, it comes very late just to increase the membership at this time on that basis. For that reason it seems to me the argument to increase the membership to take care of some 12 or more States would be the more proper course for this House to take at this time.

Mr. O'BRIEN of New York. May I say to the distinguished gentleman that I should hesitate, of course, to include myself, even by the furthest stretch of the imagination, under the word "leaders." But for a few difficult days back there during the statehood fight, I assumed I was one of the leaders in the fight to bring in the two new States. I have reexamined everything that was said on the Alaska statehood bill during the last few days, and at no time during that debate did I, as the floor manager of that bill, say that I was opposed to increasing the membership of the House.

The only reference was in response to a question from a gentleman who wanted information, and he asked what the bill would do in that respect. I stated what the bill would do in that respect. I felt then and I said so, to many of my colleagues, as I feel now, that the initiation for a semipermanent increase in the House should come from the Committee on the Judiciary and not from the Committee on Interior and Insular Affairs.

Mr. JUDD. Mr. Speaker, will the gentleman yield?

Mr. O'BRIEN of New York. I yield to the gentleman from Minnesota.

Mr. JUDD. Mr. Speaker, I want to associate myself wholeheartedly with what I think is the unanswerable argument presented in favor of this bill by the gentleman from New York. The House of Representatives initiated legislation which brought the two additional States into the Union, and thereby made certain that there would be three additional Members from areas not previously represented in the House. It is only plain equity that we increase the size of the House to take care of those three additional Members without depriving the original 48 States of the number of Representatives they had. My State does not gain from this bill, and the gentleman's State does not gain from it. It is a matter of principle that is involved. It is not a question of any three States being made special beneficiaries. It is not to help any particular State that I vote for it. It is to prevent the entire Congress and the country as a whole being penalized, as they would be if this bill is not passed to take care of Members from the two additional States which we have welcomed into the Union.

Mr. O'BRIEN of New York. I thank the gentleman. I might say that if the three States affected today were the States of Iowa, New York, and Alabama, then those States or the Representatives from those States would be accused of having selfish motives.

Mr. JUDD. I agree with the gentleman that it is not to help particular States, but to do the right and fair thing for all.

Mr. SAYLOR. Mr. Speaker, will the gentleman yield?

Mr. O'BRIEN of New York. I yield to the gentleman from Pennsylvania.

Mr. SAYLOR. I, too, would like to associate myself with the remarks made by the gentleman from New York. I was his counterpart in the handling of the two statehood bills, and I think he will recall that even though Hawaii was entitled to two Representatives in the Congress at the time of its admission, so that our committee would not be accused of partisan politics, we insisted that Hawaii come in with only one Representative.

Mr. O'BRIEN of New York. I might say to the gentleman that, in deferring the additional seat to which Hawaii was entitled, we left the matter of the acquisition of an extra seat open for further developments and further action.

Mr. WAGGONNER. Mr. Speaker, will the gentleman yield?

Mr. O'BRIEN of New York. I yield to the gentleman from Louisiana.

Mr. WAGGONNER. In view of the statement that was just made that Hawaii was entitled to two Members, but will have only one Member in the House until the next census and reapportionment occurs, it is assumed that they will continue to operate with just one Member instead of three, if we increase the size of the House to allow seats for the two new States, we would increase it by two seats rather than three; is that not a correct statement?

Mr. O'BRIEN of New York. No, we will increase it by three Members. The bill that was passed granting statehood to Hawaii gave Hawaii only one seat even though we knew that Hawaii was entitled to two seats in the House of Representatives. But, the bill also provided that Hawaii should be entitled to their regular number after the next apportionment which was in 1960—and that number is two. So we still come back to the three seats.

Mr. Speaker, may I say just one final word. The old story of suggesting that this House as the result of the tradition of this situation may burgeon one day to the point where we have 500 or 600 or 700 Members—it is very easy to go around the Pacific and elsewhere and pick out pieces of land and say, "They will be here practically tomorrow asking for statehood." Well, I do not know how long the good Lord will permit me to live and I do not know how long my constituents will permit me to serve here in the House of Representatives, but I do not expect that in my time, and I do not expect in the time of the youngest Member in this House of Representatives, that we are going to see any additional States admitted to the Union. And if 50 years or 100 years from now the question arises, should we as the result of admitting another State increase the membership of the House of Representatives by one or two seats, I hope that the membership of the House at that time will have the same reverence and respect for tradition that I hope we will show we have today.

Mr. BOLAND. Mr. Speaker, will the gentleman yield?

Mr. O'BRIEN of New York. I yield to the gentleman from Massachusetts.

Mr. BOLAND. Mr. Speaker, I want to compliment the gentleman from New York on the very sound, the very logical, and the very commonsense argument he has made. It seems to me that the gentleman from New York and the gentleman from Minnesota [Mr. JUDD], have pinpointed the nub of this thing. The question is one of fairness and equity, fairness and equity to the States involved, and the fairness and equity of the argument presented. The gentleman from New York suggests that there will be rank discrimination against the three States involved if we fail to pass this legislation.

Mr. O'BRIEN of New York. I say that if we fail to pass it we would ignore the fact that those three States are just victims of reapportionment. We will be saying we were not going to follow the pattern and custom of what historically happens when States were admitted to the Union.

Mr. BOLAND. And on the basis of historical precedent in every instance where a new State has been admitted to the Union the membership of the House has been increased. Is not that so?

Mr. O'BRIEN of New York. That is my answer. I think we will be remiss in our duty if we fail to increase the membership of the House.

Mrs. ST. GEORGE. Mr. Speaker, I yield 5 minutes to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Speaker, every Member, of course, has his own opinion of this legislation. I have my personal conviction, and it is this: It would not be before us today if it were not for special privilege being accorded the State of Massachusetts.

The gentleman from Massachusetts [Mr. O'NEILL], said that somebody would probably ask: "Why do you not clean up the mess in Massachusetts?" Well, why is the mess in Massachusetts not cleaned up? I will yield him a minute of my time or three or four—I can probably get more time—if he wants to answer why the political mess in Massachusetts is not cleaned up.

Mr. O'NEILL. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield.

Mr. O'NEILL. The fact is we have had a committee on redistricting in the legislature that formulated plans which were passed by the legislature but there was sufficient influence in higher offices of the State that the Governor did not sign the bill into law. We happen to have that situation up home, but that has nothing to do with the bill. I would still be here advocating the bill and carrying the rule if Massachusetts were not in the bill at all, if it were New York or some other State. As a matter of fact, it follows the historical pattern throughout the years.

The gentleman follows the usual line of always swimming against the stream and throwing darts into things. We know that the present Speaker comes from Massachusetts, and that a former

Speaker came from Massachusetts. I do not think there is any need to throw darts around.

Mr. GROSS. So the gentleman's answer is that if the Massachusetts Legislature had passed a congressional redistricting bill it would have been vetoed by the Governor. If all legislatures and Governors operated on that basis and the Congress of the United States then bailed out the States that could not settle their political differences we would have quite a time here in Washington, would we not?

Mr. WALTER. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Pennsylvania.

Mr. WALTER. I would like to call the gentleman's attention to the fact it was not anybody from the State of Massachusetts who attemped to do something to correct the oversight that occurred when Alaska and Hawaii were admitted. But I introduced a bill. The Committee on the Judiciary held extensive hearings on the bill, and immediately after the admission of Hawaii a bill was introduced by myself.

The gentleman from Massachusetts says he feels sorry for those States such as Iowa that have lost Members through redistricting. If this bill had come in at least a year ago as it should, and if the State of Massachusetts had redistricted as it should, there would have been the opportunity to have given consideration to all States, including the State of Iowa.

The SPEAKER pro tempore (Mr. ALBERT). The time of the gentleman from Iowa has expired.

Mrs. ST. GEORGE. Mr. Speaker, I yield the gentleman 5 additional minutes.

Mr. JOHANSEN. Mr. Speaker, will the gentleman yield?

Mr. GROSS. Yes, but I do not want the sympathy of the gentleman as on the basis that it was offered by the gentleman from Massachusetts. We need something more than sympathy.

Mr. JOHANSEN. It is very difficult for me not to extend sympathy to the gentleman from Iowa, but that was not my purpose in rising. I am still trying to seek information. Is it my understanding that the gentleman is arguing that if this matter had been brought before the House at an earlier date the mathematics of the situation would have been different and in consequence there might have been three other seats that would have benefited?

Mr. GROSS. That could be the case, but there is nothing to prevent the Congress of the United States from adding 50 Members, if it wants to.

Mr. JOHANSEN. My question did not go as to what Congress could do. My question goes to the proposition if this is a matter of following the mathematical formula whether it would a year ago have been a different three seats.

Mr. GROSS. I do not know as to that. There will be amendments offered today, and I hope they meet a better reception than they did in the committee.

Mr. CRAMER. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Florida.

Mr. CRAMER. I think the correct answer for the gentleman would be no. If three are added under the equal proportion method, it would be three as a result of the census, and the number could be changed. If it is three, it would be these three; if two, it would be just Massachusetts and Pennsylvania.

Mr. GROSS. That is what I am saying as to limitations on all States other than these three. But we do have sympathy from Massachusetts, the land of the bean and the cod, where the Lodges speak only to Cabots, and the Cabots speak only to God.

The gentleman from New York [Mr. O'BRIEN], was the manager of the Alaska statehood bill when it was on the floor of the House for consideration on May 21, 1958. Let me read from his statement, to be found in the CONGRESSIONAL RECORD, volume 104, part 7, page 9222, in connection with admission of Alaska to the Union:

> The bill provides that until after the next census, the membership of the House would be increased by one; and after the next census the figure would go back to 435.

Continuing, he said:

> I have had people suggest, "Well, maybe that might be my seat." With the changes that are going to take place around the country after the next census, I think it is straining at a gnat if we are worrying about what seat will go out as a result of admitting Alaska to the Union.

I have read the RECORD and I found at no point—and I wish someone would correct me if I am wrong—I found at no point that any Member of the Massachusetts delegation at that time rose and demonstrated a single objection to the provision that the membership of the House would go back to 435 following the 1960 census. If any Member of the Massachusetts delegation protested, it having been clearly stated in the debate that the membership of the House would go back to 435, I wish they would tell me where in the RECORD it can be found.

Mrs. ST. GEORGE. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentlewoman from New York.

Mrs. ST. GEORGE. Would the gentleman not also say that it is not straining at a gnat to foresee other States being admitted to the Union?

Mr. GROSS. Exactly. I thank the gentlewoman for her contribution.

This is special privilege legislation. It is designed primarily to take care of the State of Massachusetts. Of course, Missouri and Pennsylvania are included, but they are tails to the kite; they are taken along on the shirttail for the ride, so to speak.

Mr. Speaker, I scarcely need to say that I am opposed to this bill.

Mrs. ST. GEORGE. Mr. Speaker, I have no further requests for time.

Mr. O'NEILL. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The resolution was agreed to.

Mr. CELLER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill—H.R. 10264—to provide that the House of Representatives shall be composed of 438 Members beginning with the 88th Congress.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 10264, with Mr. FLYNT in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. CELLER].

Mr. CELLER. Mr. Chairman, the argument of the Members of the House that we should increase the membership to 438 because of the admission of 2 States, Hawaii and Alaska, to my mind is unanswerable. Whenever a State is admitted to the Union we always increase the membership of the House. It is only fortuitous that the three States appear to enjoy a preference; namely, Massachusetts, Missouri, and Pennsylvania.

Mr. Chairman, as is stated in the committee report, the bill would add one Representative each to the delegations from Massachusetts, Missouri, and Pennsylvania, in accordance with the table of priorities applicable under the 1960 census, using the equal proportions method currently in effect.

Mr. Chairman, if we had increased it to any other number beyond 438, those States would still have preference under the table of priorities. That objective table is the only reason why those three particular States appear to have an advantage.

Mr. Chairman, there was an editorial this morning in the New York Herald Tribune which I would like to read, in part:

> The addition of three seats can be justified; the admission of new States is both a fair enough excuse and a safe enough precedent. But there is no excuse for adding more.
>
> The chief danger as the House takes it up is that the amendment floodgates will burst open, with everyone who faces loss of his seat through population shifts trying to up the ante to save it. The result could be a House 20 or more Members larger than it is now—and it is too big already.

Mr. Chairman, I am for this bill increasing the membership to 438, regardless of which States may benefit. I hope that the House will remain impervious to amendments increasing the House membership beyond 438. I say that because of the experience of overpopulated assemblies in Europe. For example, the French National Assembly has 452 members. The Bundestag in Germany has 516. The House of Commons of Great Britain has 630. The Italian Chamber of Deputies has 596. In assemblies of such size the power of the individual member is diluted until it becomes almost minuscule; gives bodies of such size rise to a spate of splinter parties. In the Italian Chamber of Deputies for example, there are seven, eight, or nine different parties. I would not like to see anything like that in this country.

I do not want a Member to be a mere cipher or a nobody. I do not want a particular party or splinter party head to control me and to hold the reins over me. That is what will happen if the House gets too large.

Mr. Chairman, what are we doing in this situation? We have 437 Members today. We are simply increasing the membership by one in order to take care of the admission of these two States. I see nothing dangerous in that. I see nothing wrong in that. I think it would be very worth while to do justice to the States involved and to do justice to this Chamber and to do justice to the Nation.

Mr. Chairman, in my opinion, in order to get a more effective Congress, there are other remedies than unlimited increase in membership that should be adopted. These are to strengthen our personal staffs; to give us an executive assistant to take care of the large amount of work that overwhelms almost all of us; to allow more administrative expenses to each Member; and better travel allowances. Then we will be able to serve our constituents better. But I do not think we should in any way, shape or means, enlarge this Chamber beyond 438. In order to do justice, we do enlarge the House by one, and I think that is a fair arrangement.

Mr. McCULLOCH. Mr. Chairman, I yield such time as he may consume to the gentleman from Pennsylvania [Mr. FENTON].

Mr. FENTON. Mr. Chairman, I rise in support of H.R. 10264, a bill introduced by Mr. WALTER, the dean of the Pennsylvania delegation to Congress.

The purpose of the bill, as expressed by House Report No. 1367 on the Walter bill, by the chairman of the Subcommittee on the Judiciary is very plain and forthright.

To quote it specifically:

> The purpose of the bill is to prevent the recent admission to the Union of the States of Alaska and Hawaii from having the effect of reducing the number of Representatives in Congress shared by the original 48 States, below the number to which those States have been entitled over the past half century.

In other words since the Apportionment Act of 1911, and the admission of Arizona and New Mexico in 1912, and until the admission of Alaska and Hawaii, the number of Representatives in Congress remained fixed at 435. Since that time the population of the United States has almost doubled, and the average number of persons per congressional district has increased from 212,000 to 410,000.

Since Pennsylvania, Massachusetts, and Missouri would regain a seat under an apportionment to bring the membership of the House to 436, I am convinced that it is a fair and equitable bill.

Certainly the formula advanced for three additional seats to those three States, as priorities, is the same formula used for the additional seats to other States by the Bureau of the Census and a decrease in other instances.

Pennsylvania, Massachusetts, and Missouri had nothing to say as to the method or formula used, but I wish to point out that the increase in the population of Pennsylvania was 821,354 according to the 1960 census, or almost as much as the total population of Hawaii and Alaska of 858,939, combined.

I trust that the House will go along with the suggested increase, particularly since the formula used was that adopted by the Congress itself in 1929.

Mr. WILLIS. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania [Mr. WALTER].

Mr. WALTER. Mr. Chairman, I think it is extremely important that we get back on the track. After all, this measure is not designed to give Members to any particular State or States. The purpose of this legislation is to provide the Members that should have been provided at the time of admission of Alaska and Hawaii, and no other. I am not personally interested; the State of Pennsylvania has already acted, and no matter what happens to this legislation I will not be affected. I am sure that everybody here can consistently take the position that numbers are immaterial. The sole question is, are we going to do what the committee neglected to do for the first time, if you please, when Alaska and Hawaii were admitted? I know the reason for it.

The Committee on the Judiciary has jurisdiction over the question of the size of the House. This is a very delicate question. My bill, which I introduced several years ago, immediately after the admission of Hawaii, received very careful consideration. Many witnesses testified; hearings were carried on over a period of many months. So the committee cannot be charged with being derelict in its duty. We have just got around to action. When this bill providing for the addition of three Members was reported, everybody felt that the real purpose of the bill was to prevent the admission to the Union of the States of Alaska and Hawaii from having the effect of reducing the representation of the other 48 States in the House of Representatives. I have heard it argued that the facilities are inadequate. Now I just cannot conceive of a more ridiculous argument. After all, we have only to provide facilities for one more Member, and I do not think that that is any argument. Nobody knows better than I do how difficult it is to maintain order in this body. I have had the privilege and honor of presiding over the debates in this House for a number of years, and I concede how easy it is for an unwieldy body to get out of control. I share with the distinguished chairman of the Committee on the Judiciary the feeling that this membership is too large and ought to be reduced. But, so long as we are concerned only with an equitable proposition, it seems to me that we ought to do the equitable thing at this time.

Mr. JOHANSEN. Mr. Chairman, will the gentleman yield?

Mr. WALTER. I yield to the gentleman from Michigan.

Mr. JOHANSEN. Is it not true, if the gentleman's proposal had been enacted forthwith or if it had been enacted a year ago, it would have been the same three States that would have benefited from these provisions as are going to benefit through the adoption of this bill?

Mr. WALTER. Yes, that is so and that was the case at the time the measure was introduced, but we did have some feeling in our committee by people who were interested that if we attempted to do the equitable thing that we are doing in this bill, we might provide a vehicle under which the membership could be increased to a number far in excess of the number that the members on the Committee on the Judiciary feel it ought to be.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. CELLER. Mr. Chairman, I yield 3 additional minutes to the gentleman from Pennsylvania.

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. WALTER. I yield to the gentleman from Arkansas.

Mr. HARRIS. The gentleman is well aware of the fact that during the 10 years or so of the consideration of the admission of Alaska and Hawaii, there was general opposition to increasing the membership of the House by even one Member; is that not true?

Mr. WALTER. Yes, that is correct.

Mr. HARRIS. Does the gentleman know of any serious effort to bring about an increase in the membership of the House prior to 1960, when the results of the census of 1960 became known?

Mr. WALTER. Well, an attempt to increase the membership was made as soon as it was learned that the representation would be diluted through the admission of these two States.

Mr. HARRIS. The gentleman is well aware of the fact that there has been no attempt to increase the membership of the House by even one, two, three, four or any number until after the census of 1960 was reported. I am not arguing the question involving the three States, but I am raising the question about the other States, within a reasonable limit; it seems to me that at this time to argue for three now is not as it should be and there is argument now I think that we ought to increase the membership by at least 17 or 18 Members. This would be more equitable and more nearly meet the existing situation without an unreasonable increase in the House of Representatives.

Mr. WALTER. I might say to the gentleman that his entire position, in my humble judgment, is based on a false premise. After all, we are not concerned today with a byproduct of what this action may produce; we are not considering in the least that Pennsylvania will only lose two Members instead of three, or that Massachusetts will only lose one instead of two. That is not our concern; our concern here is solely with doing that which the Congress has always done when new States were admitted to the Union.

Mr. ALBERT. Mr. Chairman, will the gentleman yield?

Mr. WALTER. I yield to the gentleman from Oklahoma.

Mr. ALBERT. I think it should be pointed out here—if I am not correct I should like to be corrected—that bills were introduced after Hawaii was admitted as a State before the decennial

census was taken and before it could possibly have been known whether or not any particular State would be affected.

Mr. WALTER. Yes, I understand that is the fact. I understand bills were introduced in 1959.

Mr. LANE. Mr. Chairman, will the gentleman yield?

Mr. WALTER. I yield to the gentleman from Massachusetts.

Mr. LANE. May I advise the gentleman that a bill was introduced before the announcement of the decennial census introduced by a member of our committee, the gentleman from North Carolina [Mr. WHITENER]. His was the first bill, in fact, to take care of the loss of membership by the admission of Alaska and Hawaii.

Mr. McCULLOCH. Mr. Chairman, I yield 5 minutes to the gentleman from Florida [Mr. CRAMER].

Mr. CRAMER. Mr. Chairman, the reason I was recognized, I believe, is because I had the not too enviable duty and responsibility as the ranking Republican on Subcommittee No. 3 that had the responsibility of looking for a solution to and trying to make a decision with regard to additional House seats last year.

I do not think there has been an issue before this body in which there were more Members interested, or I might say, a greater amount of interest shown—I will not use the word "pressure," but interest shown—on the part of the membership, and understandably so. But I think the debate is properly taking the focus it should, and it also justifies our inaction last year and our action this year.

Our inaction last year was based on the fact that it was believed by I think a majority of the members of the Judiciary Committee—and rightly so—that simply because some States were going to lose membership and others gain due to census, that fact should not open the door to the creation of an inordinately large House. On the basis of some of the arguments presented to us the result would have been to increase the House membership to 547, if Arkansas were to be taken care of. It is obvious that an increase of this degree could not properly be considered.

Therefore, the issue had to be on the basis of a meritorious consideration, and I think the Judiciary Committee wisely decided that the only meritorious basis that would avoid this too large House, which I think all Members are opposed to, would be to grant three additional seats as a result of the admission of Hawaii and Alaska. A further reason is, as has been stated, that the addition in membership will only be from 437 to 438 instead of from 435, because the House is now composed of 437 Members on a temporary basis. But the proper justification is to take care of those States that are being penalized by the admission of Hawaii and Alaska. Their representation is being reduced by the mathematical effect of the new census which had to take account of the three additional seats due to the admission of Hawaii and Alaska. This bill does not name the States but is based on the established census figures. It is a general formula, and no effort is made to name a specific State. Under the general formula after these States are added, Hawaii and Alaska, then the three States that lose seats would be allowed to retain them. It just happens to figure out that the States are Massachusetts, Missouri, and Pennsylvania.

Those prevented from being penalized are the States of Massachusetts, Missouri, and Pennsylvania.

This has been one of the most difficult problems that ever faced a Member of the House, particularly a Member with as little seniority as I have.

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from Arkansas.

Mr. HARRIS. The gentleman was here on the admission of Alaska and Hawaii. Does it not seem unusually strange at that time there was a refusal to consider an increase in the House membership, but now, for some strange reason, there seems to be a very great feeling that the Congress made a terrific mistake at that time and that we had better go back and correct it? Can the gentleman explain that action of the Congress?

Mr. CRAMER. I think the Congress itself has the right to take such action as it sees fit at any time, and if the Congress wishes to make an adjustment on the basis of Hawaii and Alaska being admitted to the Union, it has full authority, and in the exercise of its perogative can add three additional seats. I do not think the Congress forecloses itself on that matter.

I may say to the gentleman also, and I want this clearly understood, I do not consider this as a precedent when it comes to the consideration of the admission of any additional States to the Union. I think the House can judge what it wants to do. If I thought this was setting a precedent, and that this would be committing future Congresses by the action we take today, I would be opposed to it. I do not think it is, and I think on its merits it is justified.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from Iowa.

Mr. GROSS. Was it not explicit in the statement of the gentleman from New York [Mr. O'BRIEN], when he presented the bill providing for the admission of Alaska to statehood, that the intention of Congress was the membership of the House would revert to 435 after the 1960 census?

Mr. CRAMER. The Congress has a right to make a decision at any time which it sees fit to make. I do not feel that I am bound now by any statement the gentleman from New York [Mr. O'BRIEN, might have made at that time or by any action taken at that time. If the gentleman wishes to oppose the bill on that basis, the gentleman can exercise his prerogative, and I would be the first to fight for his right to do so.

Mr. FRELINGHUYSEN. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. I want to understand the gentleman's point, whether this would establish a precedent if we did take this action today because of the admission of two new States. How could we avoid establishing a precedent with respect to new States that may hereafter be admitted?

Mr. CRAMER. I may say to the gentleman that as far as I am concerned, if Puerto Rico or any other Territory becomes a State, I would not consider myself bound because of what we do today. I think the House Members can decide at that time on the merits of the issue what should be done and, therefore, I do not think it is a question that is before us today.

Mr. McCULLOCH. Mr. Chairman, I yield 5 minutes to the gentleman from Massachusetts [Mr. MARTIN].

Mr. MARTIN of Massachusetts. Mr. Chairman, it is with considerable trepidation that I arise to speak this afternoon in view of the assaults that have been made on my home State and the questioning of our motives. Believe me, I would not rise today in support of this legislation if my motives were selfish. Far from it.

I have reached that stage in life, with not too many expected years ahead, that I would be guilty of advocating the enactment of a law because some personal benefit would accrue to me. I arise today to support this measure because I believe it is equitable and just.

The States which will benefit by this bill did not jockey for position, to grab an extra seat, as has been stated by some. These three States were next in line for an additional seat on the basis of official Census Bureau statistics and the reapportionment formula. So, I do not think there is any selfishness on the part of Massachusetts; I do not think it is selfishness on the part of Pennsylvania or Missouri that they should press for the addition of these seats in accordance with a century old tradition which provides for additional members when new States are admitted to the Union.

Now, I have been here a long while. I was here when an effort was made in 1930 to increase the size of the House. The size was not increased at that time, but this was no binding precedent. Each Congress is a precedent unto itself.

I shall try to sweep away the fog that seems to be developing. In some quarters, the reason for the presence here of this bill has been attributed to selfish motives on the part of our beloved Speaker. Nothing could be further from the truth. To question Speaker McCORMACK's motives in this matter is unfair, unjust and unworthy of those who do so. He does not need this legislation to be reelected to this House from the State of Massachusetts. He can be reelected either in a single district or at large. He is supporting the legislation because he believes it is right and proper. He believes in fairness and equity and that the bill is justified.

May I say a word in passing? I have been here a long time. I have served with a good many Speakers of this House, and I never saw a man, when he went behind the rostrum to become

Speaker, ever exercise any degree of selfishness or ever attempt to win any personal gain. There is something in the atmosphere of this House of ours which imbues the man who takes over the office of Speaker with a deep sense of fairness and justice. His one purpose is to uphold the honor and the integrity of a great office and the dignity of the House.

Now, it has been stated rather broadly by some of the newspapers that Speaker McCormack is doing something that Mr. Rayburn would not have done. I know that is not true. It was my privilege to enjoy a close friendship with Mr. Rayburn, and I honor him for the great and outstanding service he rendered our country. I know he would have agreed to this bill, because I had a long talk with him about it. He said he believed that it was right in equity and justice and that he would approve of it.

If he were alive today, he would have taken the same position that Mr. McCormack has. I say this because I do not want to see a Speaker unfairly blamed or his motives assailed. This is not a partisan bill. It is a nonpartisan measure, as much as anything can be nonpartisan. It helps some group and fails to help others, but that is true of any bill that is passed.

Mr. Chairman, I think we should pass this bill, as I said in the beginning, because I believe it is just. I do not believe that adding three more Members to the House, because of the admission of Alaska and Hawaii, is of any great significance. This bill merely makes permanent the temporary increase of two which was granted with the admission of the new States, plus the one additional seat to which Hawaii will be entitled after 1962.

This bill is of far less importance to the men and women who are in the Congress than it is to the people of America who look to us for full and effective representation.

The people need adequate representation today more than ever before. The processes of the Federal Government in this age affect every business enterprise, every community—yes, every household in America.

The millions of our people today need Congressmen for their most direct contact with Government, which affects all their lives and activities. Everyone knows that actual attendance at the sessions of the House is only one part of the work we are called upon to perform if we are properly to do our jobs.

So, Mr. Chairman, in conclusion, I hope we will support this bill because it is right and just, and because I sincerely believe it is in the best interests of the country and the people we represent.

Mr. CELLER. Mr. Chairman, I yield such time as he may consume to the gentleman from Massachusetts [Mr. LANE].

Mr. LANE. Mr. Chairman, the question as to whether we should increase the permanent membership of the House—and if so, by how much—has been patiently and thoroughly explored.

A subcommittee of the Committee on the Judiciary conducted hearings on approximately 20 bills proposing to increase the size of the House by a number ranging from 2 to 34 Members.

More than a year ago, I introduced a bill proposing that we raise the ceiling on membership from 435 to 453; an increase of 18 seats. As we took the problem of reapportionment under consideration, I sought a reasonable compromise that would be helpful to a majority of the 16 States that were scheduled to lose 21 seats, due to the increase and shift in our national population as revealed by the 1960 Decennial Census.

Last year, the committee was unable to make a choice among these various proposals. It was difficult to determine an increase that would be as fair as possible to the affected States, without making the House so large as to become unwieldy.

On the other hand, a "do nothing" policy would violate precedent, ignore a new and important fact that has a bearing upon the problem; and would reduce the number of Representatives shared by the original 48 States.

Under the 1960 census, Hawaii becomes entitled to two seats and Alaska to one. Unless we add 3 seats, to accommodate the Members from the new States, we would have to absorb them within the present 435 limit. This in effect would reduce the 435 membership apportioned to the 48 States for the past 50 years to 432.

The Senate has already increased its membership to provide for the Senators duly elected from the States of Hawaii and Alaska. If the House should fail to make a corresponding upward adjustment in its size to make room for the Representatives from these new States, we would find ourselves in a contradictory position for which there would be no justification.

It is the sound and established custom of this House to add new Members whenever new States are admitted to the Union. In fact, we recognized this on a provisional basis in the statehood enactment that admitted Hawaii and Alaska to the Federal family. We provided for a temporary increase in the membership until apportionment based on the 1960 census could be determined, at which time the total of 435 was to be restored.

Now that the census has verified Hawaii's entitlement to two seats—and Alaska to one—I believe that the only logical conclusion is to increase the permanent membership by three.

It is plain to see that the statehood enactments of Alaska and Hawaii failed to follow through by anticipating and providing for the impact of their admission, upon the size of the House. As a result, there was a reduction in the number of Representatives to which the original 48 States were entitled. A due consideration of precedent would have prevented this error.

The Apportionment Act of 1911 established the permanent membership at 433, with the specific provision that this would be increased by 1 seat each for New Mexico and Arizona when they attained statehood, which they did in 1912, raising the membership to the present level of 435.

The report on H.R. 10264, dated February 20, 1962, clarifies the issue in this reasonable manner:

> The committee is of the opinion that an increase of 3 seats, which will exactly restore the number of seats to which the original 48 States have been entitled, at the same time accommodating the admission of Alaska and Hawaii, is the proper solution of this problem.

In my opinion, the committee, after weighing all the factors, has arrived at a just and practical conclusion, based on solid precedent.

I ask every Member to consider whether the rejection of H.R. 10264, or any amendment of it, can do anything else but weaken the guiding rule that the size of the House of Representatives should be increased consistent with the admission of new States and their populations, to the Union.

Mr. CELLER. Mr. Chairman, I yield 5 minutes to the gentleman from Louisiana [Mr. WILLIS].

Mr. WILLIS. Mr. Chairman, as has been said before, when we admitted Alaska and Hawaii into the Union we provided for a temporary increase in the membership from 435 to 437. But those bills provided that following the apportionment, based upon the 1960 census, the number would go back to 435. That is exactly what is going to happen at the end of this year unless something is done.

Mr. Chairman, based upon the 1960 census, Alaska is entitled to one Member, and Hawaii is entitled to two Members. Therefore this bill would increase the membership next year from 435 to 438, just 1 more than we have at this time. As the report clearly points out, the purpose of this bill is to prevent the admission of these 2 States from having the effect of reducing the representation of the original 48 States below what they have enjoyed since 1911.

So, the net result is that unless we do increase or enlarge the membership from 435 to 438, these 48 States of the Union which were there before these 2 new States, would have to absorb a loss of 3 Members.

Mr. Chairman, as has been pointed out, there has been an unbroken precedent for this kind of action. Over the last 120 years each and every time we have admitted new States into the Union we have at the same time provided for membership required by the additional States. I say to the membership of the House that in my opinion insufficient consideration was given to this matter when we passed the two acts of admission for Alaska and Hawaii. I say "insufficient" and stress that word because some Members—I remember, I think, that the gentleman from Georgia [Mr. FORRESTER], called attention of the House to the fact that we would be diluting the original membership unless we did something about it. But that argument fell on deaf ears, or at least the prevailing action at that time was to admit the two new States without sufficient consideration of the impact on the other 48 States.

Mr. Chairman, we hear it said that the effect of the bill is to take care of Massachusetts, Pennsylvania, and Missouri. That, I will say to the Members

of the House, is not so. We are just doing through this bill what should have been done when we admitted the two new States. It so happens that according to the rule which has been on the books for a long, long time, the rule of the equal proportions method of representation, if you enlarge this House by one, Massachusetts would get that one. If you enlarge it by two, Missouri gets the next one. If you enlarge it by three, Pennsylvania gets the next. If you enlarge it by four, Illinois would get the fourth seat. If you enlarge it by five, California, now gaining eight, would get another one.

Mr. Chairman, we cannot avoid that rule of priority.

I say to you that it is just a coincidence that these three States are beneficiaries of this bill. And do you know why they are beneficiaries? Because they are the victims of the admission of these two States. If "victim" is an ugly word so is "beneficiary." If you had not admitted Hawaii and Alaska, what would have happened? Massachusetts would have lost only one instead of two seats. If you had not admitted those two States, Missouri would have remained even. As it turned out they lose one. If you had not admitted those two States Pennsylvania would have lost two instead of three. So I say to you that it is just a coincidence of population under the rule that has been on the books over the years that accounts for the three States that each gain a seat. By providing what we should have provided when we admitted these two States, Massachusetts, Pennsylvania, and Missouri became the beneficiaries for the reason that they have become the victim of our not taking care of the situation when we admitted those two States.

Mr. ICHORD of Missouri. Mr. Chairman, will the gentleman yield?

Mr. WILLIS. I yield.

Mr. ICHORD of Missouri. The gentleman knows that the State of Missouri has already redistricted into 10 congressional districts. Section 3(a) of the bill states that the original certification after the 1960 census shall be of no force and effect and the Attorney General of Missouri has ruled that that provision will have the effect of making Missouri go back to the original 11 districts without the necessity of a special session. It is my understanding that the Governor of Missouri met with the committee and with the Committee on Rules and that the gentleman from Pennsylvania will introduce an amendment for the committee deleting all after the word "Act" on page 3 so that the State law will control the effect upon the State of Missouri, and Missouri will revert to the original 11 districts as ruled by the attorney general.

Mr. WILLIS. My understanding is that the gentleman from Pennsylvania, is to offer an amendment, but I am not familiar with it.

Mr. ICHORD of Missouri. I thank the gentleman.

Mr. CRAMER. Mr. Chairman, I yield 5 minutes to the gentleman from Montana [Mr. BATTIN].

Mr. BATTIN. Mr. Chairman, there is no one in this House who has less interest personally in the increase of the size of this House than I do. I have tried to compute it mathematically and I find that before Montana would get another House Member we would have to increase the House by approximately 400. So I think I can approach this on the basis of what I think at least is going to be in the best interests of the country, and certainly what would be in the best interests of every Member of this House.

There are more Members on the floor today than there has been since the debate on the resolution to increase the Committee on Rules. There are more people in the press gallery than when the President of the United States speaks. So there is no question in my mind that there is a great deal of interest in this body in what is going to take place here this afternoon.

A question was raised as to whether or not we would be setting a precedent if the bill introduced by the gentleman from Pennsylvania were to pass. I say it is not precedent setting. All we are doing is following the precedent set in the past. If we do not follow this precedent I would be inclined to think that we would be setting a new precedent of not allowing fair representation for the States that have been in the Union for a good, long time.

I do not condone the action of any legislature in failing to do what they perhaps should have done.

Mr. Chairman, I think it is not a question of what some State does or does not do. It is a question of what we do. I do not think an editorial in the newspaper, in any newspaper, should make up our minds as to what we are going to do here on the floor. I think this is a question of your individual responsibility. If amendments are introduced here this afternoon, to amend this from 3 to 4 or to 400, I will oppose any such amendments. If we are going to follow the proper precedent, and if we are going to accept the proper premise, it is a question of whether or not the House of Representatives is going to allow Members to be removed from this Chamber because of the admission of a State, or in this case two States. I personally feel it would be a great injustice to the States that are involved here, and I think I can reiterate, I have no personal interest. I was on the subcommittee that listened to the Members plead their case for 2 to 18 new Members, and the subcommittee refused to take any action. We are here now to make a decision based on equity and justice, considering what should be done in this Chamber so far as the representation of the various States are concerned. I would certainly urge support for this bill and for the defeat of any amendments that might be offered.

Mr. CRAMER. Mr. Chairman, will the gentleman yield?

Mr. BATTIN. I yield to the gentleman from Florida.

Mr. CRAMER. Just to make sure that the closing remarks of the gentleman are not misunderstood, the gentleman agrees does he not as do the other minority members of the committee that the amendment to be offered by the gentleman from Pennsylvania is agreed to by the minority as well?

Mr. BATTIN. Yes, I am speaking of any amendment that would affect the numbers.

Mr. CRAMER. I thank the gentleman.

Secondly, I ask the gentleman, does he not agree that if the justification for this bill were that it was being done because some States such as Massachusetts was delinquent in failing to redistrict, and I think Massachusetts has been delinquent in that respect, the gentleman would oppose the bill on that basis as it has nothing to do with the question. The question is—the increase in the number of States as the result of Alaska and Hawaii.

Mr. BATTIN. Absolutely. I do not think there should be any concern here as to what some State has failed to do in its legislature. It is a question of what we should do here as a legislative body to provide for the membership in the House of Representatives.

Mr. McCULLOCH. Mr. Chairman, will the gentleman yield?

Mr. BATTIN. I yield to the gentleman from Ohio.

Mr. McCULLOCH. May I point out to my colleagues that we have heard a very able presentation of the equities of this case from the gentleman from Montana. I want to be associated with his statement. In addition, I want to say that this is not a partisan proposal. This is a matter that was thoroughly discussed by the leadership on both sides of the aisle. There was an understanding of the equities involved. There was an understanding that there would be opposition to any proposal which would increase the membership by more than three. The bill should pass.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CELLER. Mr. Chairman, I yield 5 minutes to the gentleman from North Carolina [Mr. WHITENER].

Mr. WHITENER. Mr. Chairman, I think it may be well to set the record straight on some of the history of this legislation. We have had the comments here about oversight being responsible for the lateness of the legislation getting to the Congress. I can tell you that that is an incorrect statement. On March 12, 1959, the House passed the Hawaiian statehood bill. On August 21, 1959, the President signed the necessary document decreeing that Hawaii was entitled to statehood.

In order that the record may be straight, on August 18, 1959, I introduced a bill H.R. 8715, in the first session of the 86th Congress. At that time I made a statement on the floor of the House in support of my bill. There are many Members of this body from Massachusetts from Arkansas, and from other States who promptly evidenced their support of the bill. They wrote letters to me and in some cases by letters to the chairman of the Committee on the Judiciary.

It seemed to me then that we should deal with this problem at that time rather than to wait until today; the things have happened which we then knew would happen. We were not able to get a hearing on my proposal at that

time. It is interesting that some of those who today so loudly proclaim that the bill should pass were at that time unwilling even to discuss it with some of us who proposed it.

I might point out that on January 12, 1961, I again introduced a bill which was given the number H.R. 2531. It is identical to the bill introduced by me in the 86th Congress. By its terms the House membership would be increased to 438 to take care of the very situation we are talking about today.

I have in my hand newspaper stories written by one reporter published in several papers which he represented. These stories appeared in January 1960 throughout the Nation, saying that at that time we were having difficulty getting any consideration of the legislation by the Judiciary Committee.

Mr. Chairman, there are some people today who are being unfairly accused of having selfish interests. Some of these persons were alined with those of us who thought that this should have been done before the 1960 census was taken. But some of those men are today properly urging the enactment of this legislation and they are doing it, I am sure, with the same high purpose they had when they were advocating it before the population count was made by the Census Bureau.

I am frank to tell you that I am not pleased with the legislation because of these things that have happened. I think that I am compelled to support it because I took this position before the contest and the controversy arose. I would hope that we could take care of other States since I am sure that no one can deny what has happened.

This Congress cannot escape the accusation that we are taking care of three States. It is indisputable that we are doing this because of our tardiness in doing that which we should have done before the issue had reached the point it has now reached.

I must again correct those who say it was an oversight. If it was an oversight, it was an oversight on the part of those who at that time were not affected and who were not willing to look at the facts as they were. I hope that all of you will look upon this legislation without being too quick to criticize some of these gentlemen from Massachusetts—and I am not here to defend Massachusetts—because I can say to you and I can show you in my files letters from gentlemen from Massachusetts on the Republican side of the aisle and letters from gentlemen from Massachusetts on our side of the aisle supporting this legislation back in 1959.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

Mr. McCULLOCH. Mr. Chairman, I yield such time as he may desire to the gentleman from Pennsylvania [Mr. CURTIN].

Mr. CURTIN. Mr. Chairman, I rise in favor of H.R. 10264, which, if enacted into law, will increase the membership of this House from 435 to 438 Members.

This bill is justified. Probably the strongest of the reasons which are advanced for this legislation is the fact of the three Members who are added to the House by virtue of the admission of Alaska and Hawaii to the sisterhood of States in this great Union, and for whom we temporarily increased the membership when they were admitted.

The present permanent membership of 435 was set long before statehood was considered for either of our newest States. Therefore, since their admission gives us three new Members, as determined by the 1960 census, it is only fair that such permanent increase in membership be recognized and provided for by this proposed legislation. This was done in former years where States were admitted. In this case, it should have been done when Alaska and Hawaii were admitted, but since it was not done, it is only fair to do it now.

I hope this bill is passed.

Mr. McCULLOCH. Mr. Chairman, I yield 5 minutes to the gentleman from Massachusetts [Mr. BATES].

Mr. BATES. Mr. Chairman, I rise in support of this measure which is bipartisan in nature, just in application and consistent with all the precedents on this subject since the founding of the Republic.

There has never been the time since 1789, when the first apportionment act was formulated, that new States supplanted the seats of existing States. This bill, by merely accommodating the three seats to be occupied by Hawaii and Alaska, falls in line completely with these precedents.

I would suggest that the House of Representatives would be a strange institution, as indeed would any family or community, if in welcoming in new Members it would dispossess those who are already Members. That is why it has never been done before and I trust will not be done today. Whatever action is taken on this measure will have its impact on other States 10 years hence—and we do not know now what States might be affected at that time.

As long as new States were brought into the Union, the membership was enharged. This was specifically provided in 1872, 1882, 1891, 1901, and 1912. The last increase was subsequent to the 13th census of 1910. The Apportionment Act of 1911 fixed the membership of the House at 433 Members with the provision that if Arizona and New Mexico entered the Union before the next apportionment they each should have 1 Representative. Both became States in 1912 and the membership was thus increased to 435, which has continued to the present time.

The only rights we have in this body is a reflection of our rules and the precedents established throughout the years. While a single incident would not establish a precedent under the rules of the House, repeated action since the time of our Founding Fathers does firmly entrench these precedents. If we abrogate custom which has been repeatedly and uninterruptedly confirmed, then our rights have been undermined. If these guarantees, born of tradition, are now overruled by a majority, then hereafter we can expect that the minority on any issue or point of order can well be the victim of the caprice and machinations of those who have the votes to do whatever they desire. I do not believe, and pray, that that day will never come to pass. In Jefferson's Manual it very wisely states:

> The Speaker feels constrained in his rulings to give precedent its proper influence since the advantages of such a course are undeniable.

This we should not forget today.

I have read with great care the debate which took place on this floor on April 27, 1911, when the House was last increased. The vote in favor of the measure was overwhelming. Even the arguments used then against that proposal carry no weight today.

It was said then that an increase in the membership would require considerable construction costs to accommodate new Members. Certainly an increase of only one Member over the present size of the House does not pose this problem.

It was said that the House would become too large and unwieldy. Certainly one more Member could not have that effect.

Those who favored the bill indicated that the representation of the people was becoming diluted. Then, each Member served an average of only 211,000 constituents. Today, it is more than double that number, and considerable more, by a factor of four or five, than exists today in many countries abroad. I would have been amenable to a somewhat larger increase but I realize that that view is not widely shared.

In the 1911 debate, the distinguished chairman of the Committee on the Census who handled the bill, Congressman Houston, of Tennessee, stated:

> It is quite likely that in the future there will be a demand for an increase of Members and I think it more than probable that there will be an increase. It is, I grant you, well to keep that increase as small as possible.

I would suggest that an increase of only one over the present number fulfills that suggestion.

Hence, I believe this bill should pass. It is fair, just, and meritorious. It follows the clear-cut precedents of time. It is bipartisan and has received the clearance of the leadership on both sides of the aisle. I trust it will receive your support.

Mr. McCULLOCH. Mr. Chairman, I yield 3 minutes to the gentleman from Ohio [Mr. HOEVEN].

Mr. HOEVEN. Mr. Chairman, this is a bad bill and should be defeated. This is a political expediency bill. It is a seat grab bill and a special privilege bill. It is a bill which rewards civic irresponsibility and it sets a dangerous precedent.

Ever since 1912 the membership of the House of Representatives has stood at 435. Repeated attempts to increase the membership have failed. Now there is a proposal to add three additional seats to bail out the politicians in certain States by awarding such States one new seat. Such procedure is not a popular move with the 13 States, including Iowa, which have reapportioned in good faith. Certainly this is a sterling example of rewarding civic irresponsibility.

Nine States rightfully gained seats as the result of the 1960 census. It is difficult for me to see how Members of Congress from any of these nine States can vote extra seats for three States not entitled to them. Twenty-five States neither gain nor lose seats. Certainly, these States have nothing to gain by voting a seat to the three States who are not satisfied with the results of a fair apportionment.

Sixteen States losing seats should have the keenest interest in this flagrant act of favoritism. They should rise up against this gross discrimination.

How can anyone from Iowa, Illinois, Kansas, Arkansas, Mississippi, California, and the rest of the 13 States of this country which are losing congressional seats, possibly vote for the bill?

Does this legislation mean that every time we have a census we are going to add new seats to the House of Representatives under some guise or another and then justify such action because some States did not do their redistricting job right? If this procedure continues in further years, whereby we add new congressional seats on some flimsy excuse or another, we will finally wind up with an unwieldy legislative body that simply cannot operate properly. I suggest you give heed to the establishment of such a dangerous precedent by voting against the resolution.

Mr. McCULLOCH. Mr. Chairman, I yield such time as he may desire to the gentleman from New Hampshire [Mr. BASS].

Mr. BASS of New Hampshire. Mr. Chairman, I am opposed to the enlargement of the House of Representatives because I believe this proposal goes counter to efforts for better government.

The proposal to increase House membership by three or more must be considered a seat grab which would dilute the representation from States like my own.

New Hampshire now has 2 Representatives in a Congress of 435 Members. It had not always been thus. A century and a half ago New Hampshire had 6 Representatives in a House of Representatives of 186.

As the population of New Hampshire failed to increase in the same proportion as the increase in population for the whole Nation, we accepted the necessary reduction in our Members in Congress.

The problem today is that some States are unwilling to accept that reduction. The net result will be that although New Hampshire—and 46 other States—are not supposed to suffer a reduction, our representation will in fact be reduced because as the total number of Representatives will increase, ours will remain the same.

Moreover, we are setting a precedent for future enlargements of this House. Most students of good government argue that the present membership of the House is too large for efficient government. Recent studies, one of which is cited in the report of the Judiciary Committee, suggests that ideally this House should have 300 Members—not 435 as at present.

Every enlargement tends to make legislative procedures more unwieldy. We are faced with the prospect that the House of Representatives will become a formless mass of people, hampered in its constitutional role to enact laws for this Nation.

Since 1912 there have been steady increases in our population, but no change in the total Members of the House. Now each time there is an increase in population, or each time a new State is added to the Union, there will be strong arguments for increasing the total membership of the House.

In the interest of good government I am opposed to this proposal.

Mr. CELLER. Mr. Chairman, I yield 2 minutes to the gentleman from New York [Mr. SANTANGELO.].

Mr. SANTANGELO. Mr. Chairman, I am one of those Congressmen whose district has been gerrymandered or rockymandered out by sordid New York State Republican politics. While misery generally loves company I do not share such feeling. Injustice to one does not mean that injustice must be done unto others.

I have always been against injustice to my fellow man or political enemy. I support this measure, H.R. 10264.

When I voted for the admission of Alaska into the Union on July 7, 1958, I did not intend that one of my colleagues from Massachusetts should be eliminated because of my vote. When I voted for the admission of Hawaii in March 1959, I did not intend that two of my colleagues in Pennsylvania and Maryland should be eliminated. When I voted for the admission of those States, my intention was to add two States to our Union, to add two stars to our flag, to make our Nation a greater nation to spread democracy and not to deprive three colleagues of their seats or the opportunity to return and serve their State and country. This measure is nonpartisan. I trust that this measure will pass.

This body is a great institution, with a sense of innate justice. I have witnessed it for the 6 years I have been here. Mr. Chairman, this bill is an opportunity and a great chance for this body to demonstrate its sense of justice, especially to the Members of its own family.

Mr. Chairman, despite the obstacles which have been thrown before my path, I shall try to return in the next Congress. I hope and trust that the membership of this body will support this measure and render justice to those colleagues of ours who will be affected.

Mr. CELLER. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. There being no further requests for time, the Clerk will read the bill for amendment.

The Clerk read as follows:

> *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in the Eighty-eighth Congress and in each Congress thereafter, the House of Representatives shall be composed of four hundred and thirty-eight Members.

Mr. TRIMBLE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. TRIMBLE: On page 1, line 5, strike out the words "thirty-eight" and insert the words "sixty-seven".

Mr. TRIMBLE. Mr. Chairman and Members of the House, I live up in the northwestern corner of Arkansas where the hills are steep and the flint rocks are sharp. When I was a boy and wanted to go opposum hunting, if the leaves were still, I would have to lick my fingers and hold them up to see just which way the wind was blowing.

As of this moment, it is not hard to discern how you feel, but I hope you will change your mind because, after all, this is a fair body, a just body. I think it was 1911, as someone said a while ago, when this House was enlarged the last time. I am not a bit sore at Massachusetts. I love everyone there. I do not think this is a trumped-up scheme. I am not mad at anybody in Pennsylvania. I am not mad at anybody in Missouri, and I surely do not want anyone mad at me in Arkansas. But, seriously, this amendment that I offer increases the House by 32.

Mr. Chairman, in the last 25 or 30 years the population of this great country has increased, about doubled. I remember when I was sworn in here in 1945 I sat down by a man I did not know. He asked me where I lived. I told him. He said "I know that district. I have been there many times. The fact is I spend my summers at Bella Vista." He said "Did you ever have any legislative service?" I said "No." He said "Do you think you want to get reelected?" I said "I do."

"Do you think you will like it here?"

I said, "I hope so."

Finally he got around and said, "Well, if you want to get reelected—" I cannot use the exact language because it would be outside the rules of the House; but anyway he said, "Work hard and keep your mouth shut." And maybe I ought to do that today. But he said, "When I came to this Congress 32 years ago I brought along a lovely little daughter of one of my dearest friends. I did not need her. We sent home some garden seed, and I just brought her along because I loved her folks and she was sweet." And he said, "In 1945 I will have 10 daughters of dear friends and 2 sons of daughters of friends, and all of us cannot keep up with the work."

So, the load of the Congress has increased. It is heavy now, so what I am striving for is for this amendment to be passed so there will be more Members and the population will be divided and that the load of legislation will be held down to where we can handle it. Some of the rest of my colleagues may find themselves in the same situation.

But this amendment is offered without the slightest malice. I do not blame Massachusetts. I know what the speakers who have preceded me have said, and what they have said is true. It is not just for the 3 States of Massachusetts, Pennsylvania, and Missouri. But the rest of us need some help and I surely hope that you folks just this one time will vote with me. And I thank you very much.

Mr. WILLIS. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, I rise in the same spirit as that of my dear and good friend from Arkansas. I want to add a little explanation to his proposal for the consideration of the House. I said awhile ago that I view this bill as one to restore to Massachusetts, Missouri, and Pennsylvania what they had lost as a result of the admission of Alaska and Hawaii. There is a great temptation to go beyond that. An argument can be made for it and I respect all my colleagues who are involved in this situation.

But in order to take care of Arkansas here is what we would be voting for. California, for example, gains eight Representatives as a result of the 1960 census. If we adopted the amendment of my dear friend, California would get those eight and three more. And so on down the line. If we adopt this amendment, in order to take care of Arkansas we would have to increase the total membership by 32, including increases to States that are already gaining, and 13 more seats before we can make up one of Arkansas' loss. That is the unfortunate thing about this situation.

That is why I prefer as chairman of the subcommittee that handled this legislation to stick by the precedents and to recommend to the House that we follow what was done throughout our history and to do what should have been done when we admitted Alaska and Hawaii to the Union; namely, to provide for the requisite number of Members and not to penalize and take away from the representation of the 48 States that were members of the Union before the admission of the two new States.

Mr. TUPPER. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, through reapportionment and subsequent redistricting, the Maine congressional district which I have had the high honor of representing in this House of Representatives has been consigned to the casualty list.

I immediately hasten to assure my colleagues, however, that I rise in support of the amendment—providing for a House membership of 467—by the gentleman from Arkansas [Mr. TRIMBLE] not out of self-interest. More fundamentally, it is because of a serious concern for something far more significant and deserving of consideration—the interests of every individual citizen which each of us here today are privileged to represent in the Congress of the United States.

In short, the basic question today is this: To what extent shall we, against the background of reapportionment, permit the voice of each and every one of our American citizens to be heard?

The problem for us to resolve here today becomes eminently clear when it is realized that as our American population increases, the influence of each element of the population decreases or increases in proportion to the size of the U.S. Congress. As the size of the Congress increases, so does the representation of each individual in the American society. Conversely, as the size decreases, so diminishes the individual's control over the affairs of his Government.

It is not, of course, a very easy thing to determine what number of citizens one Congressman is capable of representing in an efficient manner. And still, in a large sense, that is what we are here today to resolve. And it should be remembered that this House was, by our Founding Forefathers, constituted to be infinitely responsive to the will of each of the elements of our population.

It is highly questionable that a mere increase of three in the membership of the House of Representatives would act to preserve the potency of the individual in his control over his Government, or that such a minute increase would serve to provide each and every American with viable representation.

I am not possessed of sufficient wisdom to certify the precise number of representatives that would satisfy the very reason for this House's being. I feel confident, however, in suggesting that a House membership of at least 467 would perform to give each citizen of the United States a voice of substance in Government and that this number would not provide a base for confusion in the House of Representatives.

I plead with my colleagues to give this vital proposition their most serious deliberation, thereby endeavoring to determine in what degree their constituents should be represented in this House of Representatives.

The will of this House will, in due course prevail, in the instant matter. I remind my colleagues, however, that this bill before us does not provide our citizens with a significantly louder voice in the affairs of Government.

In this respect, I commend this amendment to the attention of my colleagues, for I ardently believe it would serve to provide each American with substantial representation in the House of Representatives, and it would do this without making this great deliberative body unwieldy.

My colleagues from Maine, Congressman MCINTIRE and Congressman GARLAND would like to associate themselves with my remarks. Both gentlemen have commitments in the State of Maine today. I request that Congressman GARLAND be permitted to insert a statement in the RECORD following my remarks.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. GARLAND. Mr. Chairman, I wish to speak in support of the amendment offered by the gentleman from Arkansas, Congressman TRIMBLE.

If, 51 years ago 100 million people justified 435 Members in the House, certainly the 83 million additional people in the United States today are entitled to this modest increase.

Historically, the House of Representatives was created as the body which is closest to the people. If we keep increasing the population of each Member's district, we will someday reach a point where, because of the paperwork involved alone, we will no longer be able to legislate properly and still maintain personal contact with our people.

Since Maine became a State in 1820, we have seen our membership in the House of Representatives decline from a total of eight down to three. Unless the amendment offered to increase the size of the House is passed, Maine stands to lose another seat next year as a result of the 1960 census.

Mr. Chairman, Maine is a State approximately 30,000 square miles in area and with a population approaching 1 million people. Surely, these people can be better represented here in Washington with three congressional seats rather than two.

I strongly urge my colleagues to vote favorably to increase the House membership to 467.

Mr. JOELSON. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I have often heard it said that nobody's mind was ever changed in this body by listening to the debate. Well, if that be the case, this may possibly become a red letter day because I must confess that I learned a great deal today by listening to the debate, and that at this point I am considering the question carefully.

I came in here having read newspaper editorials which predisposed me against the enlargement of the House by three Members because I had read that this was a device to pull somebody's political chestnuts out of the fire, that it was a political grab, and I saw something sordid about it.

But in listening to the debate I heard it argued that really this is not a bill to enlarge the size of the House in that respect; it is said to be merely designed to compensate for the three additional seats required by the admission—and by the fortunate admission, I might add—of Hawaii and Alaska. Frankly, I am puzzled by the varying claims.

However, if we go beyond these 3, whether it is 4, 14, or 62, or whatever you add in that numbers game, then we are surely playing politics. There may possibly be justification for the three to compensate for the additional seats of Hawaii and Alaska, but if you go one step beyond three, you are surely engaging in partisan politics and you are saying to the American people that what you are really interested in is to preserve political jobs.

I urge you to defeat this amendment. If this amendment passes, it will be impossible for me and for many others even to consider the entire bill.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The Chair recognizes the gentleman from New York.

Mr. BARRY. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, certainly we would be establishing a precedent were we to enlarge the House of Representatives to the extent suggested in the amendment. However, I believe a good historical case has been laid down for the increase of the membership by three.

I wish to pay recognition to the gentleman from New York [Mr. CELLER], who said that he would like to look into greater effectiveness of the House of Representatives insofar as committee staffing is concerned, and also the argument of the gentleman from Pennsylvania [Mr. WALTER], who said that he hoped the size of this body could be cut

down. I think these are two proposals to which we should give our attention and I believe if the majority party will put their minds to it we could think in these terms for the future. I would like to suggest that when they do so they consider the rights of the minority so that when establishing committee staffs that the minority be far better represented than it is today.

I believe, Mr. Chairman, that in the coming of the space age we will have a problem for there may be many present nations, provinces or islands that could apply for statehood. It seems not too farfetched to think that in the years ahead we might be able to go to the top of this building, take off in a spacecraft, have lunch in London and be back the same day. The point I am trying to make is that we should at some future time go thoroughly into the organization of the House, the number of Members, and consider a deliberate plan of improving the effectiveness of this body through administrative changes and committee procedures rather than simply adding additional Members every time a new State is admitted, for it is not hard to visualize that someday there might be far more than 50 States in the Union.

Mr. Chairman, I yield back the balance of my time.

Mr. CELLER. Mr. Chairman, I ask unanimous consent that all debate on the pending amendment and all amendments thereto now cease.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

Mr. COLLIER. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

Mr. COLLIER. Mr. Chairman, I rise in opposition to the pending amendment, and I am not going to take the 5 minutes allotted me. I take the floor only because I think we have overlooked one approach that might come in for some consideration. That is the approach to establishing membership of this House on the basis of the volume of services which the Federal Government renders. You know, when the figure of 435 Members in this House was established, this was 1 Member of Congress for approximately each 500 Federal employees. Today there are 5,000 Federal employees for every 1 Member of the House. I am not suggesting a formula to equalize the differential in this comparative ratio. However, we may assume as a result of this increase in the number of Federal employees that there are 10 times the amount of Federal services being rendered. I assume further that the work of every congressional office is in proportion to the services rendered by the Federal Government. While it is too late to do anything about it in the bill this year, and because I may not be around the next time a reapportionment bill comes up, I suggest to the House this might be food for thought as a formula for future action of this body as far as establishing the number of Members of the House is concerned. Perhaps at that time Congress can reassume certain of its constitutional power and authority which in the last 25 years it has turned over to the executive branch of the Government.

Mr. GROSS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, the amendment offered by the gentleman from Arkansas [Mr. TRIMBLE] is timely. It is timely for the reason, among others, that the new $80 million House Office Building is not yet completed. Coming at this time, if there are additional Members, it offers an opportunity to use the space that would be dedicated to a swimming pool to provide offices for some new Members.

If the amendment is adopted and the membership substantially increased, there are other features of the construction across the way that could well be altered.

Mr. WINSTEAD. Mr. Chairman, in the debate on this bill a very important matter has been overlooked. It might very well be that nothing can be done about it in the way of amendment to the bill. However, it certainly ought to be considered by the Judiciary Committee at the appropriate time in separate legislation.

Mr. Chairman, I called the Immigration and Naturalization Service and found that 3,038,304 aliens were registered in 1961; that in Hawaii alone there were 50,101. If these aliens had not been counted in the apportionment, we would have the equivalent of 7 or 8 more Members of Congress representing American citizens.

I was surprised when I learned what the problem really was. However, I found that a number of Members of Congress did not realize that aliens were counted in this apportionment. I do not see how we are justified in taking care of just three States, due to the fact that the Congress brought in two additional States, without giving consideration to taking care of other States who lost representation due to the counting of aliens. Aliens have no right to representation in the U.S. Congress. Yet they do have, inasmuch as they are credited to the States in which they reside for apportionment purposes of the House of Representatives. I just want to point out to the House that even though it is too late to do anything about it in this bill, I hope before the next census comes around some legislation can be had in the House of Representatives to deal with this particular problem.

Mr. Chairman, with due deference to everyone, I do not think this bill is fair or good for the country.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arkansas [Mr. TRIMBLE].

The question was taken; and on a division (demanded by Mr. HARRIS) there were—ayes 51, noes 142.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 2. Subsection (a) of section 22 of the Act entitled "An Act to provide for the fifteenth and subsequent decennial censuses and to provide for apportionment of Representatives in Congress", approved June 18, 1929, as amended (2 U.S.C. 2a) is amended by striking out "the then existing number of Representatives" and inserting in lieu thereof "four hundred and thirty-eight Members of the House of Representatives".

SEC. 3. (a) The statement transmitted to the Congress within the first week of the first regular session of the Eighty-seventh Congress by the President in accordance with subsection (a) of section 22 of the Act of June 18, 1929, as amended, and the certificates sent to the executives of the States in accordance with subsection (b) of such section 22 shall be of no force and effect for the purpose of effecting a reapportionment under such section 22 of such Act of June 18, 1929.

(b) Within thirty days of the date of enactment of this Act, the President shall transmit to the Congress a statement prepared in accordance with the provisions of such Act of June 18, 1929, as amended by this Act, and such statement shall, for the purposes of such Act of June 18, 1929, be held and considered to be the statement submitted in accordance with the requirements of such Act for the apportionment of the Eighty-eighth and the four subsequent Congresses.

(c) Where a State has redistricted after the 1960 apportionment but before the effective date of this Act, such redistricting shall not be invalidated by this Act if the number of Representatives to which such State is entitled has not been affected by the provisions of this Act: *Provided*, That a State which has redistricted after the 1960 apportionment and which becomes entitled to an additional Representative by this Act may either redistrict after the effective date of this Act or shall elect the additional Representative at large.

Mr. WALTER. Mr. Chairman, I offer a committee amendment.

The Clerk read as follows:

Committee amendment offered by Mr. WALTER: On page 3, line 1, strike out all after the colon and insert a period.

Mr. WALTER. Mr. Chairman, the committee intends under this amendment that Massachusetts, which has not redistricted, and Pennsylvania, which redistricted under the 1960 apportionment, shall redistrict if the committee amendment is adopted, or elect their respective delegations at large, and that the redistricting action taken by the State of Missouri, pursuant to the 1960 Apportionment Act, shall be of no effect.

Mr. CRAMER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in support of the amendment. The amendment is agreed to by the minority as well as the majority. It also assists the situation with respect to the State of Missouri, and permits them to return to their previous districts in existence prior to the elimination by recent legislation which was requested by the Governor. Therefore I think it is agreed to—there is no question about it—by the Missouri delegation and it is on their specific request as well that this amendment is being considered.

Mr. Chairman, I would like to say that I think this amendment will accomplish the objective of the legislation of limiting the increase in Members of the House to three. I therefore rise in support of the amendment.

Mr. GROSS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GROSS to the committee amendment offered by Mr. WALTER: On page 3, line 2, after the comma, strike the remainder of that line and all

of lines 3, 4, 5, and 6 and insert the following:

"That a State which becomes entitled to an additional Representative by this Act shall redistrict within 30 days after the effective date of this Act or forfeit the additional Representative."

Mr. GROSS. Mr. Chairman, the amendment very well speaks for itself. I think these States ought to redistrict, and redistrict immediately, if they are to be the beneficiaries of this action this afternoon.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from New York.

Mr. CELLER. Will the gentleman explain the constitutionality of such a provision of forfeiture?

Mr. GROSS. Perhaps I should say I am glad I am not a lawyer, but what is unconstitutional about it?

Mr. CELLER. Mr. Chairman, if the gentleman will yield further, I asked the gentleman whether he could support his amendment with any constitutional precedent. It proposes a forfeiture, and you do not want a State to forfeit a Member in this House, do you? Where is substance or authority for any such action as that?

Mr. GROSS. Mr. Chairman, I yield back the balance of my time.

Mr. CORBETT. Mr. Chairman, I rise to strike out the last word.

Mr. Chairman, I wanted to ask the gentleman if he would repeat so that we may understand what the effect of this amendment would be in a State like Pennsylvania.

Mr. WALTER. The effect would be that the redistricting provided for by recent action of the legislature would be nullified and it would be necessary for the State to redistrict again. And if it did not, then under title II of the code, 2a(c) enacted in 1929 all of the Members would have to run at large.

Mr. CORBETT. Does not the present law provide that in the event a State secures an additional Representative and fails to redistrict only one Member will run at large?

Mr. WALTER. Let me read the applicable section of the statute:

Until a State is redistricted in the manner provided by the law thereof after any apportionment, the Representatives to which such State is entitled under such apportionment shall be elected in the following manner: * * * (5) If there is a decrease in the number of Representatives and the number of districts in such State exceeds such decreased number of Representatives, they shall be elected from the State at large.

Mr. CORBETT. In view of the State's action—and I am just asking for clarification—when a State has already passed a redistricting bill, if this amendment prevails it would have the effect of declaring that law null and void, would it not?

Mr. WALTER. It would supersede that law. This would then be the law.

Mr. CORBETT. The present redistricting law?

Mr. WALTER. That would be the effect; that is right.

Mr. CORBETT. Mr. Chairman, in view of that I do not believe that we should compel the government of the Commonwealth of Pennsylvania to proceed on a certain activity, and that is what the effect of this amendment would be.

Mr. GREEN of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. CORBETT. I yield to the gentleman.

Mr. GREEN of Pennsylvania. Do I understand that the effect of this amendment, with respect to the situation in Pennsylvania where we had a special session of the legislature and reapportioned congressional districts into 27 seats, would be that we would have to have another special session?

Mr. CORBETT. That is what the gentleman tells me.

Mr. GREEN of Pennsylvania. Or else everyone in the State runs at large?

Mr. CORBETT. That is what he is saying.

Mr. FULTON. Mr. Chairman, will the gentleman yield?

Mr. CORBETT. I yield.

Mr. FULTON. The question arises as to what time the amendment speaks of. That is what I would like to ask the gentleman from Pennsylvania. When does it go into effect? That is the real question here, because then what the gentleman's amendment says is that those States receiving extra Members must redistrict again from the time that the statute goes into effect with the gentleman's amendment in it.

Mr. WALTER. The statute goes into effect when it is signed, of course.

Mr. FULTON. In Pennsylvania you would have to have another redistricting after signature by the President, even though we have redistricted already and might want to run one Member at large.

Mr. WALTER. That is exactly the situation.

Mr. CORBETT. And the last date to file in Pennsylvania is next Monday, March 12.

Mr. WALTER. The attorney general of Pennsylvania and the Governor of Pennsylvania are aware of this situation and they have advised me that a careful perusal of the law discloses that the new Reapportionment Act may be enacted at any time within 60 days of election.

Mr. FULTON. Mr. Chairman, in Pennsylvania people have already filed for Congress in the districts which now exist. I talked to the bureau of elections this afternoon at Harrisburg and there is some doubt as to the constitutionality of any further act of redistricting in Pennsylvania, because people have already filed for Congress under the present districts. How about that?

Mr. WALTER. I do not know what provision of the constitution the gentleman is talking about, but what this proposes to do is entirely legal and proper.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CRAMER. Mr. Chairman, I rise to speak in opposition to the amendment.

The CHAIRMAN. The gentleman is recognized.

Mr. CRAMER. Mr. Chairman, I obviously do not want to cut off any discussion by the distinguished gentleman, and I will be glad to yield to him in just a moment. The objective of this amendment, I might say to the Members of this House, is to make sure that it will accomplish what the gentleman from Iowa desires; namely, that the State of Pennsylvania must redistrict, if it is going to get this additional Member. There has been considerable discussion with regard to the proposed amendment to the amendment, and I will say this—in my opinion, the amendment to the amendment is totally out of order in that the total concept of adding three House Members has not been one of reward or because a given State has lost its representation.

If we were going to do that, we would increase the total membership to 547 to take care of all States losing membership. This we obviously cannot support. Concerning the amendment to the amendment it was considered, I will say to the gentleman from Iowa, as another means of accomplishing what we intended to accomplish and it could not be supported on the merits. If it were, you could end up with a situation where Massachusetts, because it goes ahead and redistricts, gets this additional seat, but the State of Pennsylvania or the State of Missouri would be denied their seats, and particularly the State of Pennsylvania because it did not redistrict. That would not be consistent with the formula that has been used, the equal proportionate method, and that would not be consistent with the objective of doing equity, namely, providing three additional seats because of the admission of the two new States. This amendment offered by the gentleman from Iowa was given serious consideration by the minority, in particular at the time we were attempting to tie down this agreement. We understand there is agreement with the Governor. We understand there is agreement with the attorney general that the State is, in fact, going to consider areas where there are problems in Pennsylvania, and I will say to the gentleman from Pennsylvania in order to accomplish this, the legislature is going to have to reconsider the present districting if they are going to accomplish that in areas where they have serious problems. If they agree to do this, it is our position that the legislation involved should require it, and that is why the amendment being offered by the gentleman from Pennsylvania was proposed and that is why the minority accepted it. If there are going to be new seats, we do not want the States to receive them on the basis of a bonus. Rather it is being done in the interest of equity both to the three States and the members presently seated in those States.

This agreement has been made and if it is going to be lived up to, and if it is lived up to consistent with the Governor's and the attorney general's amendment, then there will be no harm done to any other seated Member in the Pennsylvania delegation.

Mr. SAYLOR. Mr. Chairman, I rise in opposition to the amendment and the amendment to the amendment.

Mr. Chairman, under the bill reported by the Judiciary Committee, the State

of Missouri that will get the first Member will now go back to its original membership under the 1950 census. The State of Pennsylvania that under the 1960 census lost three Members will under the proposed law get one Member who will run at large unless the Governor of Pennsylvania calls another special session of the legislature and they can agree to redistrict. The State of Massachusetts, not having redistricted, can go ahead with its redistricting plans.

In the State of Pennsylvania the last date to file petitions under the law as it is on the statute books today will be Monday, March 12, 1962. This bill we are now considering cannot be passed and signed by the President by Monday. There are 27 seats in Pennsylvania. The effect of the Walter amendment will be to throw out all of the petitions that are filed and declare all those petitions null and void. Then the 28 Members of the next Congress from Pennsylvania will all have to run at large unless the Governor of Pennsylvania calls another special session of the Pennsylvania Legislature and they can agree on a new redistricting plan. For myself and the other Members from Pennsylvania who now represent a district, we have no desire to run at large in our State.

I urge that the amendment to the amendment and the amendment itself both be defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa to the committee amendment offered by the gentleman from Pennsylvania.

The amendment to the amendment was rejected.

The CHAIRMAN. The question recurs on the committee amendment offered by the gentleman from Pennsylvania.

The question was taken, and on a division (demanded by Mr. CRAMER) there were—ayes 117, noes 94.

Mr. CORBETT. Mr. Chairman, I demand tellers.

Tellers were ordered and the Chair appointed as tellers Mr. WALTER and Mr. SAYLOR.

The Committee again divided, and the tellers reported there were—ayes 121, noes 65.

So the committee amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. ALBERT) having assumed the chair, Mr. FLYNT, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 10264) to provide that the House of Representatives shall be composed of 438 Members beginning with the 88th Congress, pursuant to House Resolution 555, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the amendment.

The question was taken; and on a division (demanded by Mr. GREEN of Pennsylvania) there were—ayes 128, noes 54.

So the amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time.

Mr. SAYLOR. Mr. Speaker, I demand a reading of the engrossed copy of the bill.

IMPACT OF COLONEL GLENN'S ORBITAL FLIGHT

Mr. GEORGE P. MILLER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. GEORGE P. MILLER. Mr. Speaker, I received a letter from Gen. Robert W. Porter, our representative at the Permanent Military Deputies Group, Central Treaty Organization, Ankara, Turkey, which I would like to share with my colleagues.

FEBRUARY 28, 1962.

DEAR GEORGE: This brief note is to transmit to you letters of congratulation which I have received from my Pakistani and Iranian colleagues here in Ankara. Truly, the Turks, Iranians, and Pakistanis were much excited by this successful exploration into space. It is having quite an impact on their thinking.

USIS received a 16-millimeter film of the Glenn flight this morning. A CENTO study group composed of 40 officers from the 5 countries was in session here. The film was shown to them at noon. The film is a fine one and they were all much impressed and pleased to see it. USIS did a fine job in getting the short film here so soon.

Regards.

Sincerely,

R. W. PORTER, Jr.
Lieutenant General, U.S. Army.

One of the letters is from the Iranian representative, Permanent Military Deputies Group, Central Treaty Organization, Ankara, Turkey, and reads:

FEBRUARY 21, 1962.

DEAR GENERAL PORTER: Last night, owing to a faulty telephone line in my house, I was unable to express my joy and delight at the success of your first orbital space flight, which is not only a success for America, but indeed for the whole free world.

Believe me in saying that the entire free world rejoices in the success of that brave pioneer of space flight, Astronaut John Glenn, who orbited the earth three times.

I will now avail myself of this opportunity to express my heartfelt and most sincere congratulations on this brilliant and magnificent accomplishment, and wish NASA, under the watchful eyes of your young and determined President and the freedom-loving people of America, all the success for their future projects.

Please accept yourself, and be good enough to convey, if you are in correspondence with our mutual friend General Rogers, the best wishes of Mrs. Batmanglidj, myself and the Iranian officers in Ankara, who are all striving for a common and noble goal, for this wonderful achievement.

N. BATMANGLIDJ.

Mr. Speaker, the following is a letter from Lt. Gen. Sarfaraz Khan MC, Pakistan's permanent military deputy to CENTO:

FEBRUARY 23, 1962.

Lt. Gen. ROBERT W. PORTER, Jr.,
U.S. Representative, Permanent Military Deputies Group, Central Treaty Organization, Ankara.

MY DEAR PORTER: I offer you and through you to all our American friends my own and wife's heartiest congratulations on the successful completion of John H. Glenn's epic voyage into space and his safe return.

This historic event has thrilled the hearts of all mankind to which your friends and well-wishers claim the major share. As a result of this outstanding achievement every American can justifiably hold his head up with pride and dignity and we who are closer to you feel highly elated and share your well deserved joy and happiness.

With the kindest personal regards.

Yours sincerely,

SARFARAZ KHAN.

PERSONAL STATEMENT

Mr. DOYLE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DOYLE. Mr. Speaker, on yesterday, March 7, when there was voting on rollcall No. 30, my name appears as one of the 31 "not voting." The occasion of my not voting, Mr. Speaker, was caused by the fact that, while I had been in attendance on the floor of the House at all times until a few minutes before this roll was called, my secretary notified me there was sudden illness on the part of one of my immediate relatives at my home in Arlington, and I was wanted there at once; that no one was with person ill. Therefore, Mr. Speaker, before I left the floor I left a message that I was called from the floor for the reason above set forth, and asked for active pair "aye" for bill number H.R. 132 to amend the Communications Act of 1934 to establish Federal matching grants for construction of television facilities for educational purposes. I would have voted "aye" if present. Because there was no active pair available to me I must needs bear the record of not voting as shown on page 3555 of the RECORD.

Mr. Speaker, I naturally regret my absence even though it was absolutely necessary for the reason stated. Up until this first "not voting" record I believe I have 100-percent voting record for all "yea" and "nay" rollcall votes from the opening day of this 87th Congress.

STATEMENT BY HON. KENNETH E. BELIEU, ASSISTANT SECRETARY OF THE NAVY FOR INSTALLATION AND LOGISTICS

Mr. DOYLE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DOYLE. Mr. Speaker, I am pleased to inform you and all the other Members of this distinguished legislative body that at the open meeting of the House Armed Services Committee this morning, the statement by the Assistant Secretary of the Navy for Installations and Logistics, Hon. Kenneth E. BeLieu, in support of naval fiscal 1963 military construction authorization program was as follows:

There is a $9,196,000 project for the construction of a 500-bed hospital at Long Beach, Calif. This project is a result of long-term studies by the Navy, Department of Defense, and the Bureau of the Budget. It will provide beds for Army, Navy, Marine Corps, and Air Force personnel, including dependents.

Mr. Speaker, I am pleased to be able to state that I am very certain that this naval project for the construction of this 500-bed hospital at Long Beach, Los Angeles County, Calif., is known to me personally to be a result of long and diligent studies by the Navy, the Department of Defense and the Bureau of the Budget. I am able to do this because over 2 years ago, at the request of the distinguished chairman of the House Armed Services Committee, Hon. CARL VINSON, I made a field survey of naval hospital facilities in the Los Angeles County area and also including the Riverside County area. This study and survey took me not only to the Corona Hospital in Riverside County, a former naval hospital facility, but to El Toro, Riverside, March Field, San Pedro, and the naval hospital ship at Long Beach harbor. It also gave me the benefit of hearing the analytical statements made during that survey by representatives of the Navy, by representatives of the Department of Defense, and by representatives of the Bureau of the Budget. Much of my survey was in company, presence and participation of these distinguished gentlemen.

I will not at this time say anything further, Mr. Speaker, but when the occasion arises and the matter of authorization and appropriation of this $9,196,000 is before this legislative tribunal I will ask further opportunity to give this House the benefit of further factual knowledge of the situation which entirely justifies the Navy in recommending this 500-bed hospital project at Long Beach to commence at as early a date as possible. Not least of all I am pleased to have the presentation made before the Armed Services Committee on yesterday that "It will provide beds for Army, Navy, Marine Corps, and Air Force personnel, including dependents." I believe it is true to fact that there is no area in our beloved Nation that has been and is more in need at this time, and which area is much justified as it will be to authorize and construct this hospital which is to be used by those entitled thereto in the Army, Navy, Marine Corps, and Air Force, including their worthy and legally entitled dependents.

SURPLUS MACHINE TOOLS FOR EDUCATION

Mr. MONAGAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the body of the RECORD and to include extraneous material in the form of a table.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. MONAGAN. Mr. Speaker, under leave to extend my remarks, I place in the CONGRESSIONAL RECORD herewith a report made by the Department of Health, Education, and Welfare which shows that 5,191 machine tools of various kinds were made available for educational institutions during the period July through December 1961.

The acquisition cost of the machine tools is shown as $8,854,118, however the machines are of incalculable value since they are placed in trade schools, industrial schools, and engineering schools across the Nation. Many of the tools are placed in institutions in redevelopment areas thereby aiding in the training of skilled workers and the formation of a base for defense contracts and other industrial enterprises.

It should be observed, Mr. Speaker, that this public use of the public's property has proved to be of much greater long-term value than sales of surplus property which bring but a few cents on the dollar to the Treasury and often adversely affect the Nation's economy.

I want to emphasize at this time the fact that suggestions are now being made which would result in the substantial elimination of this valuable and productive program of donating property to public and charitable institutions in favor of sales of property which would amount to distress sales and would bring very little monetary return. From the history of the pertinent legislation, I am confident that Congress would view such a departure with alarm and I trust no steps will be taken to disturb the present functioning of the donable program. The full report follows:

Machine tools allocated for donation during the 1st half of fiscal year 1962 (includes both Government-owned tools and contractor termination inventory tools)

FS classification	Types of machine tools	1st quarter, July through September 1961		2d quarter, October through December 1961		Total, July through December 1961	
		Number of tools	Acquisition cost	Number of tools	Acquisition cost	Number of tools	Acquisition cost
3411	Boring machines	4	$14,916	13	$40,826	17	$55,742
3412	Broaching machines			1	8,843	1	8,843
3413	Drilling machines	472	503,466	245	280,440	717	783,906
3414	Gear cutting and finishing machines			2	4,746	2	4,746
3415	Grinding machines	428	649,955	329	430,251	757	1,080,206
3416	Lathes and screw machines	408	1,355,474	285	1,086,056	693	2,441,530
3417	Milling machines	234	1,797,563	155	814,743	389	2,612,306
3418	Planers	3	11,875	4	6,191	7	18,066
3419	Miscellaneous machines (such as shapers)	693	457,844	296	241,652	989	699,496
3441	Bending and forming machines	247	173,806	106	73,359	353	247,165
3442	Presses, hydraulic and pneumatic (power driven)	27	31,787	19	12,899	46	44,686
3443	Presses, mechanical (power driven)	29	27,787	27	10,253	56	38,040
3444	Presses, manual	118	49,786	64	25,475	182	75,261
3445	Punching and shearing machines	162	142,196	80	62,725	242	204,921
3446	Forging machines and hammers	2	375	1	1325	3	1,700
3447	Wire and metal ribbon forming machines	1	193			1	193
3448	Riveting machines	2	1,000	1	3,174	3	4,174
3449	Miscellaneous secondary metal forming and cutting machines	26	20,798	18	11,323	43	32,121
3422 through 3439	Miscellaneous tools, other items in group 34 not specified above	434	269,962	226	231,074	660	501,036
	Total	3,289	5,508,753	1,902	3,345,365	5,191	8,854,118

CRUSADE FOR FREEDOM

Mr. LANE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LANE. Mr. Speaker, time and again we have called for more imagination and initiative on the part of the free world to win mankind to our side in the struggle that will determine whether freedom or communism shall prevail.

So far we have failed to utilize the great potential of people-to-people communication, to expose the Communist record of betrayal and cruelty; and by contrast, educate the victims and the dupes of communism to the fact that freedom is the only way in which they can live their lives as human beings, and not as the pawns of despotism.

Our colleague, Representative PETER W. RODINO, JR., of New Jersey, has revealed one way in which we can overcome our inertia, and stir the minds of men again with the constructive revolutionary faith in progress through freedom.

In the February 15 issue of the CONGRESSIONAL RECORD, he told us of the little-people-to-little-people program that began when his young son decided to write to Premier Khrushchev with the thought that if he gets a fallout of letters, he might stop the fallout of bombs.

He spoke to his chums about it; the idea spread rapidly, and it was not long before hundreds of children were writing to Khrushchev. The non-Communist world understands and is touched by this spontaneous plea on the part of youngsters. But older people who have witnessed the aggressions and the treacheries of communism are certain that any appeal based on reason or mercy will be interpreted by the Communists as a sign of weakness, and will only whet their appetite for world domination.

As Representative RODINO says:

The project that we feel will be most effective is a massive worldwide effort, started here in the United States, to discredit and destroy the myth of communism in the minds of men throughout the world. We believe that an important task in this project is to enlist the youngsters of our Nation into this political warfare which we didn't start, but which we do have to fight.

Congratulations to Representative RODINO for pointing to the road ahead.

As the struggle against the tyranny of communism will continue for decades to come, our young people must be given the best preparation to overcome the threat.

The best protection against communism is to know the nature of the enemy.

Our children must be taught to recognize the symptoms of this disease, what it feeds upon, and what is required to prevent infection or to cure it.

They will learn of communism's contempt for religion and human values; the devious tactics it employs to confuse and subvert; and how it enslaved its present victims before they realized it. To grow up to the healthy life of freemen, our youngsters will need to know and honor the Declaration of Independence and the Constitution of the United States; the way our representative form of government has developed to meet every challenge in a changing world; our system of equal justice under law; the rights and responsibilities of freemen; the great achievements of an open society, as well as its greater potential.

So that—armed with truth—they may bring hope and help to those who want to live as independent men and not as creatures of the state.

The average person does not speak the mystifying language of diplomacy that is employed in the dialog between governments.

Thousands of miles—and other artificial barriers—separate Ivan and Sonya in Moscow from John and Mary in New York, but they have far more in common than governments that are concerned with mass issues and impersonal programs can comprehend.

Homes, children, food, jobs, family budgets, friendship, individual problems and hopes; these are the main interests and the daily language of Russians in Kiev, and Americans in Kalamazoo.

This is the area of understanding we have neglected.

Only people-to-people communication can dispel fear and encourage confidence and cooperation.

The diplomats call it a modus vivendi between nations; the people call it getting along with one another or live and let live.

Even under communism, public opinion cannot be ignored.

Through all the crosscurrents of international tension and the awesome instruments of destruction that dwarf the individual, and his ability in concert with others to control them, Representative RODINO has reminded us of the latent power of the people—East and West—to reassert human and spiritual values.

People-to-people communication will develop the practical wisdom to solve the problems that threaten the family of man.

EMBARGO ON TRADE WITH CUBA

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

Mr. SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. KITCHIN. Mr. Speaker, when the President issued his proclamation on February 3, 1962, declaring an almost total embargo on trade with Cuba to prevent the flow of American dollars to that country, our Communist-dominated neighbor only 90 miles off our shore, I am sure his action met with the complete approval of my colleagues and the freedom-loving peoples of this and other nations.

However, I, as Chairman of the Select Committee on Export Control established by House Resolution 403, recently learned that on the advice of the Treasury Department the embargo does not include articles manufactured in third countries from raw materials produced in Cuba such as cigars manufactured by third countries from tobacco of Cuban origin.

In an effort to clarify this matter, I directed the following letter to the Honorable Robert H. Knight, General Counsel, Department of the Treasury, under date of February 28, 1962, and received a reply from him under date of March 7, 1962, which I also quote:

FEBRUARY 28, 1962.

Hon. ROBERT H. KNIGHT,
General Counsel
Department of the Treasury,
Washington, D.C.

DEAR MR. KNIGHT: In the proclamation of the President on February 3, 1962, dealing with an embargo on trade with Cuba, it is stated in part:

"Hereby prohibit, effective 12:01 a.m., eastern standard time, February 7, 1962, the importation into the United States of all goods of Cuban origin and all goods imported from or through Cuba; and I hereby authorize and direct the Secretary of the Treasury to carry out such prohibition, to make such exceptions thereto, by license or otherwise, as he determines to be consistent with the effective operation of the embargo hereby proclaimed, and to promulgate such rules and regulations as may be necessary to perform such functions."

Information has come to the attention of this Committee that the Foreign Assets Control Division of your Department recently ruled that goods, including cigars made from imports from Cuba, may be imported into the United States from countries considered friendly.

It is requested that you supply this committee with the following information:

1. Has the Foreign Assets Control Division of your Department made such a ruling?

2. Furnish the date such a ruling was made.

3. Supply any information available as to the volume of any goods of Cuban origin being imported into the United States at the present time from other countries.

4. Is there existent any legal authority to preclude such imports into the United States?

5. Under what authority was the ruling made?

6. Any other specific details you may be able to furnish to fully clarify this ruling.

Your prompt attention to this request will be appreciated.

Sincerely,

A. PAUL KITCHIN, *Chairman.*

THE GENERAL COUNSEL
OF THE TREASURY,
Washington, March 7, 1962.

Hon. A. PAUL KITCHIN,
Chairman, Select Committee on Export Control, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: In your letter of February 28, 1962, you requested me to supply information to your committee in answer to a number of questions relating to the proclamation of the President on February 3, 1962, dealing with an embargo on trade with Cuba. The questions are answered below in the order in which they were asked in your letter:

1. The Foreign Assets Control of the Treasury Department has not issued a ruling, but in answering inquiries has pointed out that the proclamation of the President, and the statute under which it was issued, do not prohibit the importation of goods, including cigars, manufactured in third countries from raw materials produced in Cuba.

2. The above answer was given in reply to a number of inquiries, commencing shortly after the issuance of the President's proclamation.

3. In accordance with instructions to collectors of customs, no goods of Cuban origin, within the meaning of the proclamation, have been or are being imported into the United States with the exception of a few shipments specifically licensed by the Foreign Assets Control because payment for them to Cuba had already been made prior to the proclamation of the President.

4. The Presidential proclamation prohibits the importation, except pursuant to license, of goods of Cuban origin. Authority exists under section 5(b) of the act of October 6, 1917, as amended, 50 U.S.C. App. 5(b), to prohibit the importation of goods manufactured in third countries from raw materials produced in Cuba. (See answer to question 6.)

5. See answer to 1 and 2 above.

6. In accordance with judicially established principles of customs law, the term "goods of Cuban origin" does not include articles manufactured in third countries from raw materials produced in Cuba. An article is determined to be manufactured if it undergoes a substantial transformation. Thus, for example, cigars produced in a third country in whole or in part from Cuban tobacco are considered to be manufactured in that third country and would not be considered, under the court decisions mentioned above, to be of Cuban origin.

The objective of the Presidential proclamation was to deprive the Castro Communist regime of foreign-exchange earnings in the United States which might be used to finance subversive activities. We are carefully watching import statistics for any changes in the pattern of the U.S. trade with other countries which may result from the embargo. So far it does not appear that there has been any significant increase in importations of cigars manufactured abroad from Cuban tobacco. If it appears from this or other sources that the objectives of the embargo are being frustrated by the importation of goods manufactured in other countries which contain Cuban raw materials, then appropriate action will be taken to fulfill the objectives of the embargo.

I am enclosing herewith for the information of your committee copies of the Treasury Department regulations issued on February 7, 1962, implementing the Presidential proclamation. I trust that the information given above will fill the needs of your committee. If not, we will be happy to furnish any additional information that may be desired.

Sincerely yours,

ROBERT H. KNIGHT,
General Counsel.

To me this is a back-door approach, enabling Cuba to obtain a supply of hard cash, and thus further assisting that Communist-dominated country to continue her aggressive subversive campaign throughout Latin America. This represents a cloudy situation that probably cannot be understood by our freedom-loving peoples of the world who have a sincere desire to halt the continued spread of international communism. Further, I am sure that our domestic tobacco manufacturers cannot understand it.

I will seek further facts relative to this back-door approach to determine whether anything can be done about it.

PRESIDENT'S REASONING ON EXPROPRIATION OF AMERICAN PROPERTY IS UNSOUND

Mr. ALGER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to include a newspaper article.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ALGER. Mr. Speaker, yesterday in his press conference the President assailed those of us who dared to challenge the action of a governor in one of the states of Brazil in seizing an $8 million property belonging to the International Telephone & Telegraph Co. The President claims we should not be critical of the Government of Brazil because of the actions of one of its governors. I am confounded by such naivete on the part of our Chief Executive. Perhaps his attitude explains the failure of our foreign policy. Evidently he has no intention of pursuing policies which will protect American lives and property anywhere in the world. Evidently he believes that any illegal or immoral action against the United States or its people should be ignored because it may offend some part of the Government responsible for such action.

Every Latin American expert has been warning us that Brazil is very close to going over completely into the Soviet camp. This expropriation was accomplished by the brother-in-law of the President of Brazil, a man whose muscle put the present head of Brazil in power and yet our President asks us to believe that the leader of that country has no control of and no responsibility for the action.

I believe the time has come, Mr. Speaker, for Congress and the American people to let our President know that we are no longer in a mood to sacrifice honor and prestige, the only real guarantees for peace, for sniveling acquiescence in Communist takeover of country after country.

As a part of these remarks I would like to include the article from this morning's Washington Post explaining the President's position.

KENNEDY ASSAILS IDEA OF BARRING AID TO BRAZIL OVER PHONE EXPROPRIATION

President Kennedy said yesterday that he could think of nothing more unwise than a proposed congressional resolution barring aid to Brazil because the unfriendly governor of one of its states has expropriated a U.S.-owned phone company without full compensation.

At his press conference Mr. Kennedy said the issue—involving an International Telephone and Telegraph Co. subsidiary and Gov. Leonel Brizola, Governor of Rio Grande do Sul—was under negotiation between the United States and Brazilian Governments.

He went on to term unwise a resolution "which puts us in the position, not of disagreement with a governor of a state, who is not particularly our friend, but, instead, really, with the whole Brazilian nation, which is vital and which is key" to U.S. relations in Latin America.

The company involved contends the compensation offered is far less than the value of the phone concern. Mr. Kennedy said there is no dispute over expropriation, "providing the compensation is fair."

He stressed the importance of Brazil, by far the biggest Latin American nation, and noted that its President will visit here in April. He said that the United States should "keep a sense of proportion" about this case, adding that "we don't want to make (the work of) those who dislike us * * * easier by reacting to things which happen in a way which strengthens them and weakens the influence of the United States."

ANSLEY WILCOX HOUSE, BUFFALO, N.Y.

Mr. DULSKI. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DULSKI. Mr. Speaker, early in this session I introduced a bill for the acquisition and preservation of the Ansley Wilcox House in Buffalo, N.Y., as a national historic site.

This is one of the oldest houses in Buffalo, and it is one of only four sites outside of Washington, D.C., where the presidential oath has been administered. The people of the city of Buffalo have expressed a genuine desire to cooperate on a nonpartisan basis in bringing about the preservation of this landmark as a national shrine.

Under leave to extend my remarks, I wish to include an excerpt from a brochure prepared by an interested group of citizens in Buffalo, emphasizing the importance of this dwelling and its preservation as a historical site which should be of equal interest to the city of Buffalo and to the Nation as a whole:

TO PRESERVE A NATIONAL LANDMARK IN BUFFALO—PRESIDENT THEODORE ROOSEVELT'S INAUGURAL SITE AND A DISTINGUISHED ARCHITECTURAL MONUMENT

The Ansley Wilcox House, located on Delaware Avenue in Buffalo, is nationally renowned as the place in which Theodore Roosevelt took the oath of office as President of the United States, September 14, 1901, following the tragic assassination of President McKinley. It is one of only four sites outside Washington, D.C., where the Presidential oath has been administered, the others being the old Subtreasury Building in New York City, where George Washington was inaugurated for his first term; Philadelphia's Congress Hall, the scene of Washington's second and John Adams' inauguration; and the homestead in Plymouth, Vt., where Calvin Coolidge was sworn in. The house is thus a national historic landmark of utmost significance.

Vital as is the preservation of this shrine for the history of the Nation, its preservation is equally vital for the history of Buffalo. The Wilcox House was originally one of the officers' houses of the Poinsett Barracks, which were established in Buffalo in 1838, following the Patriot War or Upper Canada Rebellion, when feelings were still running high. The Poinsett Barracks were maintained by the U.S. Government as a military post until the Mexican War. They occupied the area bounded by Delaware Avenue, North, Main, and Allen Streets. As constructed, the post consisted of a central parade, with the company barracks on the north and south, the stables near Allen Street, the guardhouse and main gate at Main Street. The officers' quarters which faced on the parade, were built along Delaware Avenue. Of these structures the Wilcox House alone, in greatly modified form, has survived. Originally a double house, it was occupied by the post surgeon, Dr. Wood, whose wife was the daughter of Zachary Taylor, later President. Gen. Bennet Riley was commandant of the post at one period, later to distinguish himself in the Mexican War and as provisional Governor of California.

The house is thus now in part nearly a century and a quarter old, and is one of the oldest dwellings in Buffalo. Architects and architectural historians, concerned at the loss to our national culture heritage of so many buildings in recent years, value the house as an important example of postcolonial architecture, a building that should be preserved. The National Trust for Historic Preservation and the American Institute of Architects are supporting the imperative matter of preserving this house.

After the U.S. Government relinquished the Poinsett Barracks, the Wilcox House was occupied successively by a number of prominent Buffalonians, including Joseph G. Masten, Albert P. Laning, and Frederick A. Bell. It was the residence of Ansley Wilcox at the time his friend, Theodore Roosevelt, took the Presidential oath in 1901. Ansley Wilcox was a Buffalo attorney and civic leader of national reputation, distinguished for his contributions to the developing field of social work and to the movement for civil service reform at all levels of government. He was a leader of the Charity Organization Society of Buffalo (a pioneer among such organizations in the United States), active in obtaining lands for the New York State Reservation at Niagara Falls, in the movement for jury reform, in State ballot reform, in sponsoring the plan to separate municipal from State and National elections to the end of removing city affairs from the influence of State and National politics, and in the review of public health laws. His influence, expressing itself directly in local activities and in his membership in the councils of national organizations, had national effect in stimulating the movement for comparable reforms and causes in many places.

WKCR COMES OF AGE

Mr. RYAN of New York. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN of New York. Mr. Speaker, this week one of New York City's great radio stations is celebrating its 21st birthday. WKCR, the radio station of Columbia University, has been in the forefront of educational radio. Beginning in a dormitory room with 14 students broadcasting, the station now has seven studios, three control rooms, a news room, a record library, and serves the entire New York metropolitan area. WKCR plans to apply to the FCC for a construction permit and authorization to increase its power to 21,000 watts. If approved, the station in October 1962 will be the most powerful FM station in the northeast.

Besides the valuable experience and training Columbia University students have gained by operating the station, which is done without faculty supervision, WKCR has performed an invaluable service to the community by the high quality of its programing. It is the only FM station in New York City to broadcast the complete proceedings of the U.N. General Assembly during 1960, 1961, and 1962. WKCR exclusively recorded and broadcast the 1959 Radner lectures delivered at Columbia University by former President Harry S. Truman. Interviews of President Kennedy, Speaker McCormack, Senator Humphrey, and many other national leaders with Columbia University students have been presented.

Presently WKCR is presenting a series of programs which examine current issues on civil liberties and the Bill of Rights. On March 1 WKCR began a series of lectures by the controversial philosopher, Ayn Rand. During this session WKCR initiated a series of great artists recitals broadcast live from the Columbia campus with such noted artists as Claudio Arrau, Garry Graffman and Leonard Rose. Every Thursday evening the station broadcasts a series called Capitol Hill Report in which the activities of the Congress during the past week are reviewed.

In recognition of the public service role of the station WKCR has received a $500 grant from the Louis M. Rabinowitz Foundation to be used next fall for a series of programs examining the issues of disarmament.

The radio station of Columbia University is a fine example of the benefits to the public of educational radio. By bringing important issues, events, and personalities into the homes of many, it has increased the education and awareness of our citizens. WKCR and similar stations are serving democracy well. Yesterday we passed a measure to provide Federal aid to educational television. The role of educational radio should not be overlooked.

Mr. Speaker, WKCR deserves our encouragement and congratulations for enriching the lives of its listeners and for contributing so much to the cultural understanding of New Yorkers.

NEW TARIFF AND TRADE POLICY

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Georgia [Mr. JAMES C. DAVIS] is recognized for 2 hours.

Is the gentleman from Pennsylvania [Mr. SAYLOR] seeking recognition?

Mr. SAYLOR. Mr. Speaker, does it take unanimous consent to withdraw the request for engrossment of the bill?

The SPEAKER pro tempore. If the gentleman withdraws his request, we can proceed with the bill.

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent to withdraw my request for an engrossed copy of the bill H.R. 10264.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

Mr. GROSS. Mr. Speaker, I object.

The SPEAKER pro tempore. Objection is heard.

Mr. CELLER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. Will the gentleman from Georgia [Mr. JAMES C. DAVIS] yield for a parliamentary inquiry?

Mr. JAMES C. DAVIS. I yield, Mr. Speaker, for that purpose.

The SPEAKER pro tempore. The gentleman from New York [Mr. CELLER] will state his parliamentary inquiry.

Mr. CELLER. Mr. Speaker, was it necessary to get unanimous consent to withdraw a request for an engrossed copy?

The SPEAKER pro tempore. It was not, but the objection was tantamount to a demand for the reading of the engrossed bill, which any Member can make.

Mr. CELLER. Mr. Speaker, a further parliamentary inquiry?

The SPEAKER pro tempore. The gentleman will state it.

Mr. CELLER. Mr. Speaker, is the House in session tomorrow, or was there agreement to go over until Monday?

The SPEAKER pro tempore. The Chair will state to the gentleman from New York that there has been no agreement on that subject.

Mr. JAMES C. DAVIS. Mr. Speaker, I ask unanimous consent that the gentleman from Alabama [Mr. HUDDLESTON] may revise and extend his remarks following my own remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. JAMES C. DAVIS. Mr. Speaker, I further ask unanimous consent that following the remarks of the gentleman from Alabama [Mr. HUDDLESTON] the gentleman from Texas [Mr. FISHER] may revise and extend his remarks; and that following that, the gentleman from Ohio [Mr. MOORHEAD] and the gentleman from South Carolina [Mr. DORN] may revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

PARLIAMENTARY INQUIRY

Mr. CELLER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore (Mr. ALBERT). Does the gentleman from Georgia yield for a parliamentary inquiry?

Mr. JAMES C. DAVIS. I yield, Mr. Speaker.

Mr. CELLER. Mr. Speaker, is it possible to get an engrossed copy back with expedition, say in an hour or 2 hours?

The SPEAKER pro tempore. The Chair would advise that it would take longer than that.

Mr. JAMES C. DAVIS. Mr. Speaker, I ask unanimous consent that following the remarks arranged for by the gentleman from South Carolina [Mr. DORN], the gentleman from California [Mr. UTT] may extend his remarks; and that the gentleman from West Virginia [Mr. MOORE] may extend his remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

THE NEW TARIFF AND TRADE BILL

Mr. JAMES C. DAVIS. Mr. Speaker, we have been deluged in the past several months with incessant propaganda favoring the new tariff and trade bill. It is about time that those who have some questions about it enter the discussion.

One aspect of the new bill that is given a great deal of attention is the proposed negotiations with the Common Market of Europe.

The whole bill, H.R. 9900, represents a drastic departure from previous trade agreements legislation. But the proposal relating to the Common Market is probably the most drastic of all, because it would in a few years lead to complete elimination of import duty on some important foreign-made products to the injury of American products, without any offsetting relief.

I think it is imperative that we learn the various possibilities, and what is implied in this projected relationship with Europe. There are really two aspects. One relates to trade. The other is political and could produce far-reaching consequences, such as unrestricted immigration after a few years.

The Treaty of Rome which is the basic agreement on which the Common Market rests, provides for the free movement of workers from country to country, and a common social security. U.S. alinement could extend this to the United States.

Whatever denials may be made now, we may be sure that the present tariff proposal represents no more than the thin edge of the blade to make an opening. After that the wider opening of the door will be regarded as easier.

What we face is a proposal that in 10 years' time would down-level the United States, in order to meet Europe on her way up. However, this would not be all. The next step would be more down-leveling to meet the underdeveloped countries on their way up.

A reading of the literature of the State Department and allied agencies such as

AID, the Peace Corps, and so forth, leaves no doubt that this is the grand design of our evolving national policy. The relative well-being of this country is regarded with discomfort and an apologetic stance, other people may envy us, and unless we share our progress with them, they will combine with Russia and take our leadership and well-being away from us.

There are those who make the bald assertion that this country could not survive any other course. First, of course, we must aline ourselves with the Common Market. If we do not do so, we will suffocate in the world alone. If we do so, we will be able to stand off Russia.

However, we know from numerous statements that this is not the final goal. This goal would be the same as it is even if Russia evaporated and vanished from the scene. Russia merely offers a very handy excuse.

We have already witnessed how certain distant goals are approached. We have a perfect example in the Trade Agreements Act itself.

For years it was the avowed and widely declared policy, reaching from President Roosevelt to President Eisenhower, that it was not the purpose of the trade agreements program to injure or jeopardize domestic industry. This no-injury policy was openly and expressly supported by Secretary of State Hull and all his successors and assistants, as they testified successively over the years before the committees of Congress, namely, the House Ways and Means Committee and the Senate Finance Committee.

In recent years the failure of these many promises has become clear beyond further concealment. The escape clause that was provided by Congress to assure proper machinery through which the solemn avowals could be kept, became in effect the burial ground. Only 10 percent of the more than 100 complaints brought before the Tariff Commission during the past 12 or 13 years succeeded in obtaining a remedy against injury, in the form of tariff increases.

Even the paltry number of these cases that succeeded caused gnashing of teeth among the one-world element who never did sympathize with the purposes of the escape clause. They deplored the very existence of both the peril point provision of the act and the escape clause.

As I was saying, the Members of Congress were becoming aware of the failure of the escape clause and a large number of them, possibly a majority, have been ready to do something about it legislatively.

Now, instead of honoring the promises of the preceding Presidents, we find a change of direction.

No extension of the Trade Agreements Act as we know it is proposed. It is abandoned; and with it the no-injury policy.

Thus does the one-world free-trade element propose to run out on Congress now that Congress has caught up with their maneuvering. This is the group that is behind the new bill and making all the billowing noise.

Now, let us get this point. We cannot understand the maneuver and the hollowness of the new promises unless we trace the continuity of the policy of these promoters of the new trade program. They have not changed position at all. They have been trying to destroy Congress' constitutional jurisdiction over tariffs and import duties, and they have been against congressional strings on the State Department powers all along. They were merely singing their chorus in the wilderness.

Now, without being elected, they are in power.

When they say that they seek merely an alinement or an association with the Common Market they are peddling sleeping pills. This is not their goal; possibly not even a way station.

Let us assume that Congress gave them the power they have prevailed on the President to ask for. There is a good prospect that in a few years' time they would be capable and ready to do what they are now doing; that is, unabashedly repudiating past promises. They would think, and probably rightly so, that if Congress was simple enough to grant them unlimited powers in the face of the record under the escape clause, Congress would get what we deserve, namely, exclusion from the exercise of power over foreign commerce. The provision of the Constitution that vests the Congress with power to make the tariffs and to regulate foreign commerce has been treated with contempt and would now be brushed aside if H.R. 9900 were passed as written.

Only a shadow of the peril point would remain and the escape clause would be pushed back to the 1-yard line and might as well be forgotten. The proposal to substitute adjustment assistance for the preventive and remedial measures, that is, the peril point and the escape clause, would be to substitute Federal subsidies or handouts and support from the Treasury for the system provided by Congress. It would drive both industry and labor that are overcome by low-wage import competition into the arms of the Government. Dependence on Federal assistance would, of course, carry with it Federal control and direction.

During the past decade Congress has legislated with the intent of strengthening, rather than weakening or eliminating the escape clause. The new proposal flies in the face of this position and seeks with one fell swoop to reverse it. In this sense and in this sense alone the proposal may be described as "bold." I should say that it is presumptuous rather than bold or imaginary.

Association with the Common Market would not stand alone, as I have already said. Every tariff reduction that we would make to the six Common Market countries would be extended automatically to all the other non-Communist countries including Japan and Hong Kong, India, and so forth. It would also include Yugoslavia, Czechoslovakia, and Poland.

The power to reduce tariffs another 50 percent would mean virtually dismantling what is left of the tariff. Its protective effect has already been reduced about 80 percent since 1934. In many instances it is already too low. On a number of important items complete elimination of the tariff is proposed. All items on which the tariff is now only 5 percent or less would be subject to this; also tropical woods of several varieties and an unknown number of products that have until now been largely traded between this country and the Common Market. Chemicals and machinery and automobiles are thought to be in this category.

What seems to be overlooked is that free trade in these products must inevitably also be extended to the other countries mentioned. Before long Japan would be challenging the European countries in this market and would probably drive them out.

Contrast this proposal with the refusal of a number of the European countries to extend even the GATT-reduced tariff rates to Japan.

This is why I say that H.R. 9900, the tariff bill, as now written, is a blueprint for the down-leveling of the United States, with our commerce regulated not by the Congress, and not even by the State Department, but by an international organization that is already in existence, namely, the OECD or Organization for Economic Cooperation and Development. The way was paved for this last year when the other body ratified U.S. membership in that international organization.

The intent must be obvious. It is not trade with Europe that is sought. That is a smokescreen. It is free trade, with the sacrifice of a number of American industries, and the removal, relocation and retraining of thousands of victimized workers.

Our imports from Europe increased by 300 percent from 1950 to 1960. Our exports rose by 112 percent. This does not look like a restricted trade.

Meantime employment in a number of important industries in this country has declined. Industrial employment has fallen behind our population growth. How will our industries grow as they must, in order to put our fast-growing labor force to work, if our industries are to be confronted with the prospects of sharpening import competition as this bill would invite?

Mr. Speaker, when imports have increased 300 percent in 10 years from the Common Market, further tariff reduction, with extension of these reductions to other countries, would represent slaughter of our industries. The question is: To what end? For what purpose? What is behind the proposal? Where did it come from? On what philosophic base does it rest?

I think some of these questions have already been answered; and the answers are not reassuring to those of us who wish to maintain both our industrial system and our constitutional system. These are strong words but strong words are called for. The President has been subjected to a propaganda squeeze the like of which is seldom seen. Instead of legislation to weaken and destroy American industry, we need legislation

under which our industries could face the future with confidence. Instead they are offered an outlook of discouragement and a bleak future.

This was bad enough already, and hundreds of our industries have gone overseas for insurance against what they not only see coming, but for what in many cases is already here; namely, rising competition from abroad that enjoys many advantages that are not available to domestic industries.

Whatever may be done in respect to reducing tariffs, there still remains a great obstacle to impede and hinder our trading with the Common Market countries—and for that matter all other countries. That obstacle is our inability to compete price-wise with manufacturers in Europe, Japan, and other foreign manufacturing countries.

Their cost of production is considerably lower than ours.

They not only are taking our foreign markets because of lower prices—they are also taking over our domestic market here at home. Look at the European automobiles on the streets and highways.

Look at the textiles in the stores and shops.

In this connection I call your attention to the following comment from the March 8 edition of the Wall Street Journal:

IMPORTANCE PLAYED DOWN

One major industry affected, the automobile business, tended to play down the importance of the agreements. "Tariff cuts in themselves aren't going to mean a great deal to a U.S. car maker," says a spokesman for Ford Motor Co.'s international division. The cuts mean reductions of up to $200 in the price of an American car in the Common Market nations, and even more in the United Kingdom. But these cuts are so slight a percentage of the cost of the car that most makers don't expect to add many sales. To illustrate: In France, an American compact such as Ford Motor Co.'s Comet sells for $4,780; a typical French small car costs about $1,200.

And in some nations the cost of a U.S. automobile will rise because of the tariff agreement. In Germany, for example, a Comet sells for $3,859 against $1,100 for a German-made small car. But in Germany the current duty on a U.S. compact is less than the new rate of 22 percent, so the car's price will rise as the levy goes up. Added to this is the fact that Europe hasn't been much of a market for U.S.-built cars for a long time; in 1960, only $31 million of autos were shipped to Common Market nations, and shipments in the first 9 months of 1961 were 17.3 percent below the 1960 pace.

I have received a letter written to me on March 1 by the president of the Atlantic Steel Co. in Atlanta presenting facts which call for serious consideration as we try to solve these problems. The letter is as follows:

ATLANTIC STEEL CO.,
Atlanta, Ga., March 1, 1962.

Hon. JAMES C. DAVIS,
House Office Building,
Washington, D.C.

DEAR JUDGE DAVIS: I realize there are many aspects to the import competition problem which you must consider to properly represent your constituents and give full consideration to the problem of what is best for the American economy. I would be unfair to my company's 1,600 employees and 2,200 stockholders, however, if I did not again call your attention to the seriousness of this situation. To cooperate fully with our friends abroad will inevitably lead to business failures in the United States and a general deterioration of our economy.

I am sure you agree that the American steel industry, as well as individual companies such as ours, should not be dismissed as expendable and of no consequence in our American economy or our national security. I am therefore taking the liberty of giving your some figures recently available on our 1961 experience with foreign competition:

In 1961 imports of barbed wire into the United States amounted to 82,446 tons. Domestic shipments, from all U.S. mills, were only 73,981 tons. Imports therefore accounted for 52.7 percent of the total barbed wire market.

We imported 245,211 tons of wire nails last year. American mills shipped 331,619 tons, making imports 42.5 percent of the nail market. (Over 20,000 tons were imported from pro-Communist Yugoslavia.)

The administration's proposal to cut tariffs in half, including the already negligible levy on steel, can hardly be expected to help our steel industry. Our experience last year with the European Common Market was:

[In tons]

Country	Imports from	Exports to
Netherlands	51,282	18,465
Belgium-Luxembourg	1,076,819	12,833
France	332,034	7,243
West Germany	522,800	82,266
Italy	47,726	78,587
Total	2,030,721	199,394

Total imports last year of all steel products were 3,322,526 tons. Exports were 2,228,559, with about 20 percent going to Canada and almost 10 percent to Pakistan.

I hope you will find these figures of some interest and perhaps be of help to you in considering this vital problem.

Cordially,

HOWARD B. JOHNSON,
President.

We will have to reduce our costs if we are to compete, or other countries will have to bring their costs up to ours. We have no control over the latter. We must exercise our powers at home in this country.

Let us look at the difference in costs in different lines of merchandise in this country as compared with foreign costs and prices.

In 1960 we imported $14 million worth of shirts, mostly from the Far East. In this country the factory cost of a shirt would be from $1.50 to $2. On this basis the $14 million of imports would have meant from 7 to 10 million shirts. Actually the number was 24 million imported shirts, or 58 cents per shirt.

Now suppose that we undertook to export shirts at our prices. The results have not been very favorable. Against imports of $14 million we exported a little below $7 million of cotton shirts in 1960.

Sewing machines offer us another example. In 1960 we imported $28 million worth. We exported 37,000 machines valued at $2,236,000 or $60 per machine. The imports amounted to a million machines and were valued at $28 compared to our export value of $60 per machine.

Yet another example is found in portable typewriters. Imports in 1960 were $16 million. This was 436,000 typewriters or $34 per machine. This was equal to 40 percent of our own factory shipments. Compared with the import price of $34 per machine the domestic portable was shipped at an average price of about $70. We exported 8,575 portable typewriters compared with imports of 50 times as many.

A final example is the portable radio. We imported $56 million worth in 1960. How many radios was that? It was 6 million, at a cost of $9 each. The wholesale U.S. price by the manufacturer was about $25 per set. We exported less than a hundred thousand while we imported 6 million.

The list could be continued to include a large number of products.

What can we expect with the disparity in costs?

It will do little good to induce other countries to reduce their tariffs, especially since the reductions granted to us will also be extended to many of our foreign competitors.

Mr. Speaker, I believe that this tariff bill as written would not help our exports because it would make us no more competitive abroad than we are, while it would greatly increase imports by opening wider our market.

Mr. HUDDLESTON. Mr. Speaker, I am glad to have this opportunity to join with the gentleman from Georgia [Mr. JAMES C. DAVIS] and to say that I agree with his position.

This is no time to plunge headlong into more tariff reductions, with all caution and nearly all safeguards thrown to the wind. On the contrary. The employment problem, not merely just now, but in the years ahead, with more than a million new workers joining the labor force each year is entirely too serious to justify a wider opening of the doors to competitive imports.

We know that today, with our reduced tariff rates, imports are already the cause of much unemployment. Scores of industries from coal, glass, pottery, and bicycles to textiles, athletic goods, carpets, wool, tile, fish, and many others, have been badly hurt by imports; and we must not make the mistake of thinking that the direct displacement of workers by imports represents the only damage to employment caused by imports.

Many an industry has not expanded as it would otherwise have done and has therefore not hired additional workers because rising import competition killed the market prospects. It is a well-recorded fact that in industry after industry in the past 10 or 12 years imports rapidly captured increasing shares of the market, sometimes reaching as high as 50 percent, and even more. Under these circumstances any industry would have been foolhardy or irresponsible to expand by adding plant capacity or building new plants.

The turning down of the damper on expansion has not been confined to a few small, inefficient industries. I have only to ask, how much has the steel industry expanded in the past 10 years? How much has the automobile industry expanded? The fact is that instead of expanding in this country the automobile

industry has expanded abroad. The Ford Motor Co. preferred the prospects in England for capital investment over the outlook in the United States and in 1960 sent $365 million into the automobile industry there rather than investing it in this country.

So far as employment is concerned the trend has been downward in both the automobile and the steel industry. This meant that these giant industries were not only not absorbing their share of the million and several hundred thousand oncoming new workers each year but were actually adding to the number of unemployed.

If these two giant industries that are noted for their advanced technology, mass production and industrial leadership have been unable to contribute to the solution of the unemployment problem how could we expect the import-vulnerable smaller industries to do so?

One of the retarding influences has been import competition. Rising imports, beyond discouraging domestic expansion, also compel automation and the installation of laborsaving devices as a means of reducing costs.

The destructive effects on employment inflicted by competitive imports have been most clearly demonstrated in the textile industry. In that industry, battered by rapidly rising imports from Japan, Hong Kong, and Europe, employment fell sharply. Again, not all of this decline was caused by imports but more of it than is generally acknowledged. Had the automobile and steel industries been divided into as many individual firms, ranging from small to medium to large, with many of them specializing in particular products that were particularly hard hit by imports, as was the case in the textile industry, they too would have suffered more than they did. This is not a plea for bigness. It is merely an observation of the destructive effects produced by rising import competition ranging over a broad line of goods, as happened in the textile industry.

This is also not to say that the textile industry suffered because of inefficiency. The very fact that import competition caused company consolidations and mergers to improve the competitive position merely demonstrates how this competition led to action that resulted in throwing people out of work. Automation and cost-saving steps can come too fast for the absorptive power of the economy, especially if the same pressure exists in many areas simultaneously. Each community and industries have employment problems of their own. They do well to pick up their share of the new additions to the work force, let alone hiring the unemployed.

Mr. Speaker, it should be obvious that one cannot simply look to greater productivity per man-hour as a means of solving our employment problems. We may indeed achieve growth in this manner; but this growth may go hand in hand with less employment. There is much evidence of this. Industry after industry in the past 10 years has increased its output while employment either declined, stood still, or grew less rapidly than the output.

The bituminous coal industry provides one of the best examples of what a great leap in productivity may do. The output per man-hour from 1950 to 1960 was increased from 6.7 tons per man per day to 12.2 tons. This was an increase of nearly 85 percent.

Unfortunately this phenomenal increase in productivity did not lead to more consumption. It merely prevented the demise of the coal industry. Production dropped from over 500 million tons in 1950 to 412 million tons in 1960, or about 20 percent. This was bad enough, but employment hit a toboggan slide, falling from 415,000 in 1950 to 170,000 in 1960, for a drop of 59 percent.

This shows how wrong we can be when we simply assume that all we need to do in order to meet the import problem is to become more efficient. This might work except for one thing, and that is employment. In the case of bituminous coal the rise in productivity was so great that we were even able to export coal to Europe to the point where they put on restrictions; but oil and gas development held down the domestic market. The result was a drastic drop in employment.

In other instances, instead of competing products preventing a growth of the market, imports produce the same effect. When a domestic industry installs laborsaving devices in a desperate effort to avoid being driven out of its own market by imports and succeeds in holding its own because it has reduced its costs, it will inevitably throw people out of work. It will help swell the unemployment rolls, rather than absorbing its share of the new workers looking for jobs each year. It will contribute to the hard core of unemployment rather than helping to relieve it.

Mr. Speaker, we should get over the faulty notion, so often expressed even by leading businessmen, that all that we need do to meet our import problem and to avoid being pushed back in our export markets by our foreign competitors is to become more efficient, to sell harder, and so forth. Again, this would be fine except for the employment angle. Greater efficiency helps only when it leads to greater consumption of the product. Unfortunately even when greater consumption takes place, which is not always true, it will not add to the number of workers employed in this country if imports are gaining in their share of the market, as is so often the case.

Net unemployment then results. The workers displaced by machinery are not replaced because fewer workers can now produce the total output.

There is a completely false notion that discouragement of industrial expansion by imports is limited to the smaller and less efficient industries. This is not true.

We have only to ask once more how much the steel industry has grown in recent years, or the automobile industry. Both have lost employment. Employment in blast furnaces, rolling mills and steelworks actually dropped from 611,000 workers in 1950 to 569,000 in 1960, for a decline of 42,000 workers. What did this mean? It meant that unless unemployment was to grow, some other industry or commercial activity would have to pick up not only these 42,000 but another 104,000, if the new workers resulting from population growth were to be absorbed. The growth in population in the 10-year period was 18.4 percent.

The steel industry until 1959 was a considerable net exporter of steel. In the past 2 years the imported tonnage has exceeded exports by a considerable margin. Steel production in the remainder of the world has expanded much faster than in this country. Our share of world production has dropped to 26 percent from a level of 46 percent in the past 10 years.

Does this situation give much hope of the expansion of the steel industry to a point where it will no longer drop workers but add some from year to year?

The motor vehicle and equipment industry lost 44,000 workers in the same 10-year period. Yet it has to be said that this industry represented the very essence of mass production in this country. It, too, has moved from a net export position to a net import position.

It is also a common habit to say that only the smaller and less efficient industries need tariff protection. A report of the so-called Boggs subcommittee of the Joint Economic Committee, which held hearings on foreign economic policy in 1961 said:

> These industries (i.e., those that are vulnerable to import competition) are not apt to prosper even if protected. There is, in fact, every evidence that they are stagnant or declining—the victims of changing fashions or technology, or of resource exhaustion. Even an increase of tariffs with respect to these industries would do nothing to arrest their decline.

Mr. Speaker, I think this is a libel on many of our industries and shows a shocking lack of sympathy for our industries that are not only in the throes of technological change and shifts in consumer demand but also afflicted by import competition.

The diagnosis is false, as the difficulties of the automobile and steel industries illustrate. The implications of the attitude expressed are callous and totally without concern for the difficulties in which scores of our industries find themselves. The answer is then supposed to be greater efficiency.

This view is totally devoid of any sense or understanding of the problem. Increased efficiency, under some circumstances, as we have seen, will only compound the economic problem. Perhaps that is what the report wants to emphasize. The fact is that greater efficiency by itself will under certain conditions only represent the dog chasing its own tail. The greater the efficiency, so long as important competition is not only at the door but on the inside, the greater the displacement of workers without meeting the problem. Then more efficiency is called for because we need to export more in order to expand and grow; but this greater efficiency only throws yet more people out of work because imports capture any expanding market that may result from a relative lowering of the cost of the product.

Mr. Speaker, all but a half dozen of our industries, such as aircraft, electronics, synthetics, et cetera, are facing a very difficult future, besieged as they are by sharp and growing import competition. It helps very little indeed for professors and report writers to sit on the sidelines and applaud import competition while belittling the efforts of our own industries to remain alive and accusing them of inefficiency, backwardness, and stagnatioin.

One would think there would be some comprehension of the struggle of these industries and compassion for them and their workers. One looks in vain for a spark of real concern over these tribulations. Oh, if they were foreign concerns and workers in a foreign country we would be running to them with basketsful of money and aid, no doubt; but since they are merely Americans and taxpayers there seems to be a readiness to take them for granted.

This is a strange attitude indeed. When we take into account the fact that it is the burdens placed on our producers by law that in great part has made it difficult to compete with imports, it becomes particularly difficult to understand those who have neither a kind word for, nor appreciation of, the great work of our industries. I do not say that these burdens are wrong; but they are a fact. No other country has minimum wages that are within shouting distance of ours. Hours of work are longer. Our tax laws are tougher in many respects. No one can doubt that our industries could compete handily if they paid wages as low as those that prevail abroad; yet no one suggests that we try this, and I, for one, would not be for it. It would be self-defeating.

Nevertheless, facts are facts and we do have higher costs of production and there is not much outside of displacing workers by machines that can be done about it. Yet if we resort to that we are faced with increasing unemployment. We should not be surprised at the movement of billions of dollars of our capital overseas under these circumstances. This, however, does not help the situation. In some respects it aggravates it.

What is needed is not a tariff bill that will only make matters worse, by exposing more industries to the bite of import competition or to a sharper bite if they are already exposed.

Exports are fine but they cannot begin to solve the unemployment problem, especially since they cannot be greatly increased without increasing competitive imports at the same time.

It would make much better sense to assure our industries of fair market competition through suitable tariffs and quotas, so that they could expand with confidence, knowing that their market would not be taken away by low-wage-based competition. With a brighter market outlook more industries would blossom rather than wither and employment would expand here rather than being shifted overseas.

Unless we do this our chronic unemployment will increase as the years go by and the professors will wonder why.

Mr. Speaker, I join wholeheartedly with the gentleman from Georgia in his objection to H.R. 9900. I feel that we should provide the proper safeguards, which we do not have even now, rather than taking away what little there is.

Mr. FISHER. Mr. Speaker, as the House moves closer to the debate on the Trade Expansion Act of 1962 some Members find that they are being labeled "provincial" or "parochial" in their thinking about foreign trade merely because they are raising questions about provisions of the proposed act. Epithets will not deter the Members from doing their duty. There is not a Member of this body who does not take his responsibilities to his district, his State, and the Nation with the utmost seriousness. People who lose their tempers in the heat of debate often confuse fact and fancy. H.R. 9900 is an unprecedented measure. It goes far beyond anything the Congress has ever done before in the field of foreign trade policy. For this reason, if for no other, it behooves the Members to give it earnest attention. This House has a great and heavy responsibility and Members will not shirk it; but they are not going to be stampeded into action without long and careful consideration.

The Assistant Secretary of Commerce for Domestic Affairs, Mr. Hickman Price, Jr., in a speech before the American Textile Machinery Association in Boston on February 27, told the textile industry that it has a 5-year umbrella protecting it against foreign imports and in that time it must become modern and efficient, prepared for the time when the Nation embarks upon an era of free trade. Members should take note of the last few words—an era of free trade. This Nation since it embarked on industrialization has never been guided by the policy of free trade. The United States cannot be charged with being a protectionist nation. Over the years this country has supported the doctrine of reciprocal trade and we have gone far in reducing our tariff schedules, often without receiving the reciprocity we thought we were entitled to receive in return. Now the Congress is asked to go further. We are asked to authorize the President to eliminate some tariffs altogether without knowing which tariffs will be eliminated, which industries are to be considered expendable, and how many workers will be thrown out of jobs, what the short- and long-range effects will be.

To raise such questions is not "provincial"; it is commonsense. In my area of the country we have a word for anyone who buys a "pig in a poke," and it is not "provincial," I assure you. There is nothing unique in a Member keeping the interests of his district foremost in his mind. President Kennedy did when a Member of this body and also when he was in the Senate. In "John Kennedy, a Political Profile" by James MacGregor Burns, it is reported that when the President was in Congress his "general position" was for liberalized trade policies, but "when it came to specific tariff problems, few Senators surpassed him in his zeal for guarding local interests." In 1949 when the President was a Member of the House, he voted against extension of the Reciprocal Trade Act; but after the effort to kill the bill failed, Kennedy reversed himself and voted for final passage. In 1955, as a Senator, he voted to extend the Trade Act, but he vigorously opposed amendments which would have eliminated the peril point and escape clauses of the act. In 1958 he voted for extension but was most active in helping to establish laws that would help protect the Massachusetts fishing, textile, and watch industries. This is not said in criticism of the President; it is stated only as an example of how a Member of Congress looks out for the interests of his own district or his own State.

Mr. Speaker, I should like to know something of the genesis of this proposed Trade Expansion Act of 1962. We know from the press that a task force under the chairmanship of the present Under Secretary of State, Mr. George W. Ball, made a recommendation to the President-elect on foreign trade policy. Our colleague, the gentleman from North Carolina [Mr. KITCHIN], recently sought to secure the full text of the report from Mr. Ball and was refused. Mr. Ball's refusal was based, in part, on the fact that he made the report as a private citizen to the President. Since the House apparently is not to have the opportunity to read the full text of the report, the Members are forced to rely on the press for an account of what the report recommends. One section of the report is interesting reading, and I call it to the attention of the Members. I quote from the New York Times of January 8, 1962:

> A complete alteration of United States policy on trade with the Soviet bloc countries was recommended by the task force. It held this to be imperative not only because the present policy was outmoded but also because it had begun to affect our relations with other industrialized countries as well as with the under-developed areas. The problem will not go away because Americans consider trade with Communist countries to be immoral, dangerous, and of doubtful economic benefit, said the group. It said such trade would become vastly more important in this decade than in the last because other Western countries had found such trade to be advantageous. As a result, said the report, our allies have refused to follow docilely the tariff discriminations and export limitations on Communist trade imposed by U.S. law. Meanwhile, because the United States has refused to face the issue, trade between the Soviet bloc and Western Europe has been developing largely on Soviet terms, the group said. It said that the time has come for the United States to give direction to this inevitable development.

This is, in effect, a recommendation that the United States reverse its trade policy toward Russia and the Russian satellites.

Careful reading of H.R. 9900 allows for such a reversal, not directly but indirectly. Members should study that section of the proposed act that applies to the reduction or elimination of all duties on those commodities which the United States and the EEC nations combined export 80 percent of a given commodity. Members will find that the EEC countries are permitted to add to their share all the trade they conduct with the Soviet bloc and any goods they supply to Cuba to fill the gap due to the

United States embargo on trade with that unhappy island. Mr. Speaker, I doubt that this policy will meet with the approval of the majority of the Members.

The Ways and Means Committee will soon open hearings on H.R. 9900, and I am sure that the committee will probe deeply into all phases of the bill. There are, to me, some startling notions in the bill. Members interested in agriculture will be surprised at some of the proposals affecting agricultural commodities.

The bill also seems to be aimed at wrecking many small businesses in this country for the benefit of big business. Most big manufacturers are multiple producers; if there is no profit in one item or if there is a flood of imports which makes production of a given item unprofitable, the multiple producer can shift to another product. This is not true of the small manufacturer. Small business usually makes a single product or a few products in a limited area. The small producer cannot easily shift from one product to another. He seldom has the capital required for the necessary retooling, searching out of new markets, retraining his employees. If the small businessman is hit by unregulated imports, he is usually forced out of business. Most Members have seen this happen in their districts, and the prospects are that there will be more such casualties as a result of this proposed expansion of imports.

None of us is so naive that we do not know that an expansion of imports will follow an expansion of exports. H.R. 9900 has provisions for lending money to businesses that can prove their difficulties are the result of increased imports, but these provisions are inadequate; and judging from earlier experiences, it will be a tough job to prove that imports are the cause of a business shutdown. By the time such proof was compiled, the outlook is that the small businessman would already be out of business.

The peril point and escape clauses put into previous extensions of the Reciprocal Trade Agreements Act are further relaxed—in fact, relaxed to the point where it is doubtful if they will work at all. Past experience with these provisions which were voted as a method to prevent undue hardship due to excessive imports indicates they have not worked too well, and now it is proposed to strike them out for all practical purposes.

Mr. Speaker, this bill requires careful analysis and detailed answers must be given by the administration to the questions the Members will ask.

Mr. Speaker, I will now read the story from the New York Times from which I quoted a moment ago.

PRESIDENT IS TOLD TARIFF BARRIERS THREATEN WEST—LONG-SECRET REPORT WARNS OF ECONOMIC DISINTEGRATION WITHOUT 50-PERCENT REDUCTION

(By Felix Belair, Jr.)

WASHINGTON, January 7.—If Congress refuses to authorize 50-percent cuts across the board in tariff rates, "disintegration of the free world economy into separate trading systems" may result, according to a long-secret task force report to President Kennedy on foreign economic policy.

The report says the resulting default in U.S. leadership in trade liberalization would have "political consequences of a most serious order." These, it said, would be in addition to "a formidable competitive disadvantage" to American exporters implicit in the growing European Common Market.

The report also proposed a virtual scrapping of the existing embargo on exports of strategic materials to nations of the bloc. It favored a new policy that would acknowledge the mutual advantages of expanding East-West trade and that would invite the Soviet Union to join in a "code of fair practices" for international trade.

BASIS OF PROGRAM

Although it was submitted to Mr Kennedy as President-elect just before his inauguration, the report remains the basic rationale for the liberalized trade program he plans to ask Congress to approve at this session. The program would replace the expiring Trade Agreements Act.

The task force was headed by George W. Ball, who later became Under Secretary of State for Economic Affairs. Other members of the group included college professors and private consultants, many now holding high administration posts.

Apparently reluctant to risk rejection of the new trade program during the first congressional session of his administration, the President did nothing, except in the field of foreign aid, about the report's many urgent and sweeping recommendations. Most of the aid proposals have since been carried out, but without adopting the scope of expenditures proposed.

Britain's decision to seek membership in the European Common Market and a continuation of the United States' balance-of-payments deficit last year, as well as the expiration of the trade agreements legislation next June, decided the President on an immediate course of action on the new program. The balance of payments is the measure of payments into and out of the country by individuals, business and governments.

The task force proposed Presidential authority to negotiate mutual trade concessions by cutting present tariff rates up to 50 percent. The cuts would be made in annual steps through 1966. The task force also proposed these further legislative authorizations:

"Assistance to labor and industry in adjusting to tariff reductions to replace the 'no serious injury' principle."

"Revision of the existing peril point provision so that it (A) is a device for determining what individual tariff rate adjustments should be made within a given category, and (B) goes into operation only after negotiations are completed on average reductions for each category." A peril point, determined by the Tariff Commission, is the level below which the tariffs cannot be cut without causing serious injury to domestic industry.

"Revision of escape clause standards (under the Reciprocal Trade Agreements Act) so that clause applies only when (A) injury occurs to an industry as a whole, and (B) adjustment to the increased imports cannot readily be made.

"Trade adjustment assistance that would come into effect after a finding by the Tariff Commission of injury under the escape clause.

"Authority for the President to reduce or remove duties, import taxes and quotas on articles produced principally by the less developed countries.

"Authority to make or receive types of reciprocal concessions other than tariff reductions in trade negotiations.

"Revision of the national security provisions of trade agreements legislation to permit reduction of duties and an increase in quotas; use of measures other than tariffs to protect national security interests; relaxation of import restrictions, in concert with other members of the organization for economic cooperation and development, to accommodate trade with a country under Soviet economic pressure.

"Amendment of the Battle Act to safeguard normal trade against the disruptive practices of the Communist bloc.

"Authority for the President to suspend the embargo on furs and to suspend discriminatory tariff treatment for Soviet bloc imports."

CONCEPT MODIFIED

Because of the operation of a modified concept of existing peril point and escape clause provisions, the report recognized that it would be possible to make uniform 50-percent cuts in all negotiable categories of tariff rates.

For that reason it proposed that "the new legislation should provide authority to make greater than 50-percent reductions on certain items on which there is now a high level of tariff protection."

At the time the report was submitted, its authors considered it unlikely that Britain and the six other countries in the Free Trade Association would seek membership in the European Common Market. Britain's decision to do so presumably underscores the arguments for broad Presidential tariff powers.

"This tariff-cutting authority is necessary," said the report, "if we are to match the reductions to be made in the internal tariffs of the European Common Market and the Free Trade Association. In that way we could receive the benefits of the generalization of these reductions on a most-favored-nation basis." All nations having most-favored-nation provisions in agreements with the United States will get and receive concessions on a basis of equality with any other nation.

"Since those two trading groups will have reduced their tariffs by 50 percent across the board by 1966," the report said, "the United States, armed with the authority we propose, would be able to prevent divisions of the industrial countries of the free world by widespread trade discrimination."

As explained in the report, "the peril point mechanism serves as a limitation on the tariff-cutting authority of American negotiators in trade agreement negotiations." Under the Trade Agreements Act the President must explain to Congress any cuts below a peril point.

The escape clause mechanism, on the other hand, comes into play after tariffs have been reduced if the Tariff Commission determines that increased imports following a reduction cause serious injury.

"The task force is of the strong opinion that the no serious injury doctrine should be substantially abandoned," said the report. "The United States should recognize frankly that the liberalization of trade essential to a prosperous free world will require that tariffs be reduced to the point where it will be necessary to accept some temporary and local injury to certain American firms, industries, and communities."

To mitigate such possible hardships, the group proposed the inclusion of "trade adjustment provisions" in any authorizing legislation. But it suggested that this relief take the form of higher tariff rates only in extreme cases, such as when producers and workers in an industry are being displaced by competitive imports faster than they can be absorbed into alternative employment.

Such tariff relief could be applied by the President even where displaced workers were already receiving relief compensation, but it was recommended that such relief be of limited duration and progressively reduced.

FEDERAL LOANS BACKED

A trade adjustment program should rely in the main on Federal loans to finance industry relocation, accelerated tax writeoffs, and related procedures, the report said.

These would include retraining of workers, additional unemployment compensation, early retirement benefits and the like. Such benefits would be available without regard to whether or not the affected industries or workers are located in areas of substantial labor surplus.

The study group suggested that unilateral tariff concessions to underdeveloped areas be conditioned on parallel concessions to such areas by other industrialized countries. Such concessions could take the form of reduction or removal of consumption taxes or other restrictions on imports of tropical products, raw materials, or materials in the early stages of processing and certain light manufactures.

Such concessions would not only promote export earnings of underdeveloped areas, according to the report, but would tend to remove discriminations implicit in preferential trading systems maintained by Britain and the Common Market countries for their former oversea possessions.

To further the purpose of trade liberalization, the report urged abolition of the following provisions of the Tariff Act of 1930:

"The provision relating to cost-of-production criteria in fixing and raising of duties.

"The provisions requiring the use of American selling price in fixing the valuation of certain products.

"The provision directing customs officers to apply the highest rate of duty when alternatives exist."

COMMODITY PLAN SUGGESTED

Without committing itself to any particular method of approach, the task force said the time had come for the United States to consider ways of stabilizing the export income of underdeveloped areas producing a single raw material. Commodity stabilization agreements as well as loans to offset income fluctuation were suggested as worthy of exploration.

The report warned in this connection against "commodity agreement techniques that support prices at artificially high levels." It went on:

"The task force feels that much greater consideration should be given to the possibilities of using the resources of the International Monetary Fund for short-term loans to cushion income fluctuations resulting from cyclical variations in production conditions or on the terms of trade of raw material producing countries."

A complete alteration of U.S. policy on trade with Soviet bloc countries was recommended by the task force. It held this to be imperative not only because the present policy was outmoded and negative but also because it had begun to affect our relations with other industrialized countries as well as with the underdeveloped areas.

The problem will not go away because Americans consider trade with Communist countries to be "immoral, dangerous and of doubtful economic benefit," said the group. It said such trade would become vastly more important in this decade than in the last because other Western countries had found such trade to be advantageous.

"As a result," said the report, "our allies have refused to follow docilely the tariff discriminations and export limitations on Communist trade imposed by U.S. law."

EUROPEAN TRADE CITED

Meanwhile, because the United States has refused to face the issue, trade between the Soviet bloc and Western Europe has been developing largely on Soviet terms, the group said. It said the time had come for the United States to give direction to this inevitable development.

It called for "a positive response to Khrushchev's high-sounding trade overtures" and said "the Soviet should be invited to trade with free world countries on the basis of a code of fair practices designed to remove the distortion and disruptions arising from monopolistic state commerce."

"The code should serve as a model for industrialized and underdeveloped countries in the negotiation of bilateral treaties or multilateral trade arrangements with the bloc," said the report.

"For example, detailed ground rules, coupled with an effective complaint procedure, would seek to regulate disruptive price undercutting and dumping by reference to comparative world price and cost criteria, rather than to the totally unrelated and unascertainable conditions prevalent in the Communist home market; to provide meaningful reciprocity in conditions governing access to Communist markets; to obtain Soviet commitments to purchase specified quotas of goods in lieu of an otherwise futile most-favored-nation treatment undertaking; to end the wholesale pirating of Western patents, know-how, and technology; and, in general, to insure that trade and competition are conducted on the basis of commercial considerations."

SEES ECONOMIC ADVANTAGE

The report reasoned that "failing East-West agreement, the United States and its industrialized allies would still possess the economic advantage needed to secure observance of the rules, assuming that a uniform and coordinated policy toward Soviet bloc trade is established through consultation with OECD (Organization for Economic Cooperation and Development) and the GATT (General Agreement on Tariffs and Trade)."

The report observed that present voluntary machinery for controlling strategic export to the Soviet bloc from North Atlantic Treaty Organization countries and Japan had all but broken down. Much more than a desire for profits among Western European countries had been responsible for this, it said.

"The Soviet Union's demonstrated technological capacity to wage a nuclear war has led most Western countries to reject the proposition that the bloc's military potential can be affected by the type of export controls maintained by the United States."

Notwithstanding this consideration, the report proposed that any future trade with Communist China and Cuba should be determined by political rather than commercial factors. It should be permitted, prohibited, or banned, said the group, depending on what policy moves were contemplated by the United States in those areas.

On the general question of East-West trade the report continued:

"To blunt the dangers and exploit the opportunities inherent in the bloc's expanding economic commitments, we must persuade other free enterprise countries to take constructive and coordinated action.

"What is needed first of all is some measure of conviction on their part that we are genuinely prepared to recognize the potential economic advantages of expanded East-West trade.

"Only then will we be in a position to assert positive leadership in the formulation and enforcement of safeguards necessary for the protection of the common interest in stable world trade."

The group proposed "as a step in establishing a constructive policy image," that the United States should confine export control act prohibitions "to exceptional producers likely to contribute to the Soviet military potential in an important, direct, and immediate way."

Mr. MOOREHEAD of Ohio. Mr. Speaker, there are times when it is necessary to get down to earth on the big overriding international problems. This is one of those times. I think we have to start untangling the propaganda and the oversimplifications that we see today in support of H.R. 9900, the so-called Trade Expansion Act of 1962.

The first point I would like to mention is the title of the bill. I am afraid that Trade Expansion Act of 1962 may be a masterpiece of deception.

One of the great concerns of this administration and of the country is the rate of growth of the national economy. I am sure that the Members of the House and all Americans share that concern. We are most interested in the reports that other countries, especially Western Europe, are demonstrating greater economic growth than the United States. We know steps must be taken to address ourselves to the entire issue. This will not be done by the supporters of H.R. 9900 holding up that bill as the answer to the problem. Nor is public understanding helped by the campaign of jibes at opponents of H.R. 9900 in the press.

The image of the so-called protectionists by our political cartoonists today shows opponents of H.R. 9900 as greedy, fat cats luxuriating atop towering tariff walls that bar the entry of foreign products and victimize the American consumer. I happen to represent an area in Ohio that has suffered seriously from the effects of import competition for many years. I have never seen a "fat cat" in my district. I have known many lean ones who are out of business today because foreign products have come over the low tariff walls that still exist.

Frankly, I am glad that this discussion has occurred today and that Members are stating their sincere convictions that H.R. 9900 may actually retard the Nation's economic growth. It is admitted by those favoring the bill that industries and employees will be "displaced" by this legislation. "Displaced" is a polite word for unemployed. So the bill provides for retraining and relocation of those forced out of employment as a result of further tariff cuts. But, these are palliatives and nothing more. Let us take a hard look at this problem.

In fact, the industries to be hurt are those that the State Department considers inefficient. These will be industries that find they cannot compete with low foreign wage rates, foreign government subsidies for exports, and lack of statutory rules abroad on hours of work and working conditions.

By following the administration's lead on this issue, we may, inadvertently, not only slow down the economic growth of this country. We would most likely create hard-core unemployment problems that would make those we have now seem simple by comparison.

Some workers forced out of their jobs through the elimination of today's tariffs may be eligible for retraining. They may be willing and able to leave their homes for retraining and new jobs. But, how about the worker who has his roots in his hometown. He has a family, he has a substantial equity in his home, his children are attached to the community, there are family ties. This man is reluctant to pull up stakes and try his luck in a new job for which he has only minimum training and, perhaps, ability.

Those of us who represent the chronically distressed areas are familiar with this problem. We must realize the limitations of any such program. Only last week, we passed manpower retraining legislation. The bill had overwhelming support on both sides of the aisle. But few of us believed that it was more than a partial answer to the structural unemployment problem we have already. I think it was important legislation but there will be many unemployed persons who will not be eligible for these retraining programs. Some will be too old. Others will lack sufficient education or adaptability for training. Still others will hope that things will get better and they can get their old jobs back. Many employers are unwilling to hire older workers because the insurance and pension costs rise with the age of the worker. What is the unemployed worker of 40-plus to do? Hang on until he is 62 to collect a minimum old-age pension? There is a serious relationship of this and many other such problems to H.R. 9900. We wish it were not so, but the facts are there for anyone who will look. I feel that for years our trade policies have been motivated more by wishful thinking, academic theorizing, and plain fantasy than they have by facts and reality.

Let us take the issue of wages as a factor in rising imports. In the Orient, wages average less than 30 cents an hour, including fringe benefits. The average in Western Europe is about $1 also including fringes. In the United States, the average wage is $2.36 an hour, excluding fringe benefits. We have statutory laws on minimum wages and maximum hours. The workweek in the Orient is 54 to 60 hours. In Western Europe it runs from 48 to 54 hours. It takes no economic genius to understand the advantage this gives producers in the Orient and Western Europe over United States in wage costs alone. We have somewhat halfheartedly dealt with parts of the problem this creates and we have rather grotesque results.

Consider the two-price system in raw cotton. The textile industry abroad can buy U.S. cotton 8½ cents a pound cheaper than our domestic textile industry can buy the same cotton. We know this issue is before the Tariff Commission now, but the prospects are that it will be months before the Commission completes its study. In the meantime, this additional advantage stands. Foreign nations are actually subsidizing exporters through tax benefits. It seems that, except for cotton farmers, the United States works in the opposite direction.

We hear a great deal about U.S. producers needing to modernize their plants and put themselves in a stronger competitive position in the domestic and world markets. Modernizing would be more possible if our Government were not so busy penalizing initiative with punitive tax rates. So long as Washington needs such a big bite out of every productive dollar to pay for the management of the lives of the American people, lecturing industry about expansion while the means are drained off is doubletalk. Competition we want, but the rules of the game need to be even.

The foreign aid program has seen to it that our industrial competitors in Japan and Western Europe have obtained the most efficient machinery available. After making the machinery available via foreign aid, our Government has sent skilled technicians abroad to teach plant managers and workers how to use the equipment. American merchandising and advertising techniques were included in the training. We have also contributed to the opening of markets for our former enemies. This was surely a manifestation of the good will of the United States and we need not apologize for it. The job has been done well. But this is no reason why we should continue to allow such an outpouring of generosity to come back to haunt us now.

Due to the prodding of the President, an international agreement on cotton textile imports has been negotiated. There are some serious reservations in some quarters about that 5-year pact. However, the fact remains that this administration found it useful, and perhaps even imperative, to seek such an agreement. I think it is regrettable that other manmade fibers such as wool were not included in the agreement. I understand that this was at the behest of the State Department. If the administration found that the best way to handle cotton textile imports was through an international agreement, then it seems to me that it is fair to ask why other commodities could not be handled the same way.

Basically, the international cotton textile agreement is a form of quota system designed, within the limits of the pact, to protect the U.S. industry and jobs. If this method is good for cotton textile imports, why should it not apply to other industries in the same predicament? Is this a bid to quiet the concern about imports in textile-producing areas and, thereby, win support for H.R. 9900? Looking at this situation on the basis of the pragmatic politics that this administration knows so well, is this the minimum price the President has to pay to pick up support for his program?

Mr. Speaker, I am appalled, and so are other Members I have talked with, at the pressure spokesmen for H.R. 9900 are applying to various groups to win support for this legislation. If this proposal is so good for the country, then it should be able to stand on its own merits. Special meetings with segments of certain industries, urging them to whip other members of their industries into line, should not be necessary.

This legislation is certainly not self-recommending. It deserves careful study and we need to expose to public view the boobytraps that it contains. I urge that every Member here weigh this legislation carefully in terms of the national interest and their own districts.

I include as part of my remarks an article from the Wall Street Journal of February 14, pertaining to the campaign to push H.R. 9900 through Congress.

TARIFF TUSSLE: WHITE HOUSE, FEARING BITTER BATTLE, STEPS UP CAMPAIGN TO WIN CUTS—IT ADDS LOBBYISTS, PR MEN, PREPARES TO USE PRESSURE ON RELUCTANT LAWMAKERS—SPECIAL KENNEDY TV APPEAL?

(By Alan L. Otten)

WASHINGTON.—President Kennedy's legislative strategists are calling out the reserves in their battle for sweeping new powers to cut U.S. tariffs.

Extra public relations men and lobbyists are being mobilized at the White House. Regional selling "seminars" are being organized by friendly Governors. The President himself may take to the air with a special televised appeal. And juicy bait is being dangled before possible holdouts against the administration's wishes.

These are just a few of the steps being taken or contemplated by the Kennedy regime in the top-priority fight for freer trade. The President's request to Congress for new tariff-cutting powers has the avowed aim of meeting the trade challenge raised by Europe's expanding Common Market and of knitting the non-Communist world into a tighter economic grouping. The Common Market countries are eliminating tariffs among themselves and erecting a common tariff wall against imports from other nations; the President wants to swap U.S. tariff cuts for similar concessions from the Common Market so U.S. exporters will have continued access to the European member countries.

White House insiders concede the fight will be tough and bitter, with strong, vocal protectionist sentiment coming from every State and almost every congressional district. But officials insist the President and every member of his team are just as deeply committed to winning this battle.

WOOING RELUCTANT LAWMAKERS

One key operation in the administration campaign got started yesterday, as part of a special effort to win over a crucial bloc of reluctant lawmakers from southern and northeastern textile manufacturing areas. The Tariff Commission began hearings on a Presidential request to study the need for a higher tariff on cotton textile imports, to eliminate the competitive advantage that foreign producers gain through buying American-grown raw fiber cheaper than U.S. manufacturers can; price props keep cotton prices high in the United States while subsidies enable it to be sold for less in export markets. It's true that doubts have lately sprouted about the President's willingness to approve a textile tariff boost. But if this particular brand of relief does not finally materialize, some other form of help may well be granted to textile makers.

Even among friends of the general freer trade goal, there are worriers and doubters, to be sure. "The administration's public relations men are falling all over each other," says one trade bill backer outside the Government. "They may work together sometimes, but it seems unlikely." A free-trading Democratic Senator declares: "The White House talks endlessly about the bill but has never bothered to take a complete nose-count of votes in Congress. It's fantastic." Says a Democratic Congressman friendly to the President's plan: "I've seen plans for big White House selling efforts before, and they never materialize. I'm afraid this may peter out the same way."

But the administration side does appear better unified than the opposition forces. So far, at least, the protectionists have spoken mostly in individual voices representing single industries or areas. Anyway, White House men in charge of the trade fight insist their machine will be rolling smoothly by the time the House Ways and Means Committee starts hearings on the issue early next month, and will be in high gear by the time the House itself votes, probably sometime in May.

"FAR AHEAD OF 1958 EFFORT"

"We're already far ahead of the 1958 effort at the comparable time," claims a veteran free-trade advocate recalling the last congressional action on Presidential tariff-cutting requests. "And in another month, we'll be far ahead of any effort ever made before for a trade bill."

The administration has not, to be sure, worked out detailed legislative tactics for piloting its trade plan past congressional shoals. But the first objective is to get the best possible bill out of the Ways and Means Committee; Kennedy aids fear Chairman MILLS, who's sometimes said to follow a policy of anticipatory surrender, may compromise more than necessary to win protectionist votes. Then it's hoped to bull this measure through the House itself pretty much as is, and to limit expected toning down in the Senate as far as possible.

In large part, the administration is approaching congressional opinion by way of public opinion. President Kennedy, who has already plugged his trade plan at press conferences and in major speeches, will personally make several more attempts to build public support. One or more already accepted Presidential speaking engagements will probably be converted into trade-selling attempts. Under study is a Presidential TV program devoted to the trade problem, complete with maps and charts. At the President's suggestion aids are preparing, for wide public distribution on trade policy—and the answers.

Mr. Kennedy also is prepared, aids vow, to use every pressure device available—promises, rewards, threats, arm twisting—to line up individual Congressmen for the trade bill. On the receiving end may be Members of the protection-minded oil and metal-mining blocs in Congress, as well as some lawmakers from textile-producing areas. It's considered possible that somewhat tighter oil import curbs may be announced shortly before voting time in the House. If western mining-State lawmakers appear to hold the balance of power on the trade issue, officials hint, some help could be extended to the troubled lead and zinc industries.

To keep the State Department, so suspect to many conservative lawmakers, in the background, the President has assigned command of the trade battle to a special White House staff section headed by Philadelphia banker Howard Petersen. And Mr. Petersen's staff is undergoing a major buildup at the moment. Two men on loan from private industry—Carl Levin of Schenley Industries and John Hoving of the Air Transport Association—head a public relations group that ultimately will have six or seven full-time and part-time operatives loaned by business organizations and Government agencies. They work closely with an interdepartmental public relations committee headed by Assistant Commerce Secretary William Ruder.

To head a "legislative liaison" or lobbying section in Mr. Petersen's shop, the White House has borrowed the administrative assistant of Democratic Senator Monroney of Oklahoma, Thomas D. Finney, Jr. He's in the process of recruiting one or two aids from outside Washington, and will work closely with the regular White House lobbying team headed by Presidential Assistant Lawrence O'Brien. Lobbyists from other agencies will help, of course.

From the top down, Mr. Kennedy's teammates are doing their part in the sales drive. Vice President JOHNSON plugs the trade plan in almost every speech he makes. Special Presidential Assistant Brooks Hays, former Democratic Congressman from Arkansas, is practically a full-time trade evangelist, speaking particularly in textile-oriented southern areas.

CABINET MEN LINE UP SUPPORT

Individual Cabinet members are lining up support among their special "clients." Labor Secretary Goldberg endeavors to minimize union worries over mounting imports and to get union lobbyists working for the trade bill. Agriculture Secretary Freeman urges farm organizations to remind farm State lawmakers of the importance of export markets for American agricultural commodities. Commerce Secretary Hodges attempts to get businessmen in line.

The administration has also been staging special trade policy briefings in Washington for friendly groups of business, labor, farm, and civic leaders. Late last month, leaders of about 100 such groups from all parts of the Nation got an all-day sales pitch at the State Department from top administration experts. The Department is making available to Congressmen and interested private organizations two pamphlets on the trade issue: a 61-page effort entitled "Together We Are Strong," and a 33-page brochure on "The A B C's of Foreign Trade."

When congressional hearings open next month, the administration will wheel out its big guns almost en masse. At least seven Cabinet members will testify: Secretary of State Rusk, Treasury Secretary Dillon, Defense Secretary McNamara, and Interior Secretary Udall as well as Messrs. Goldberg, Freeman, and Hodges. Some are already "testifying" in private conversations with lawmakers. Thus Mr. Hodges, a former Governor of North Carolina, recently ran through the administration's case with his State's congressional delegation.

To help clinch the argument for doubtful legislators, the Commerce, Agriculture, and Interior Departments are working to have ready in about 2 weeks detailed figures showing the amount of exports from each congressional district. Compared with similar figures produced in the 1955 and 1958 trade law fights, "these will be far more detailed and useful," an administration official promises. In the next few weeks, teams of Commerce and State Department officials will begin followup talks that eventually, it's hoped, will drive the administration arguments home to each Member of Congress personally.

To mobilize local support for its trade program, the administration is counting on considerable outside help. Democratic Gov. Matthew Welsh of Indiana has invited some 400 businessmen, farm leaders, union officials, newspaper editors, and broadcasters to Indianapolis March 6 and 7. Federal, State, and industry officials will discuss the Hoosier stake in foreign trade. Democratic Gov. Otto Kerner of Illinois has set up a similar meeting in Chicago late this month and hopes to have a half dozen later sessions in different parts of the State.

Governors Welsh and Kerner also are planning to cohost a Midwest Governors' Conference on Export Expansion; they hope to enlist the support of Governors Nelson of Wisconsin, Swainson of Michigan, Andersen of Minnesota, and possibly others, and bring opinion-leaders from all these States to Chicago in late March or April to hear Government and industry officials preach the tariff-cutting gospel. Similar sessions are being considered in several other States.

To ease the task of building public support, the administration is seeking bipartisan backing. Mr. Petersen himself is a prominent Republican. Former Presidents Eisenhower and Hoover have endorsed the Kennedy trade approach in general terms; former Vice President Nixon, New York Governor Rockefeller, former Secretary of State Herter, 1960 Vice Presidential Candidate Henry Cabot Lodge, one time Presidential Candidate Alfred Landon and other Republicans are looked to for possible testimony on behalf of the Kennedy trade bill.

The major private propaganda push for the bill will come from the Committee for a National Trade Policy, a predominantly business organization headed by Gillette Co. Chairman Carl Gilbert. In addition, regional business groups, such as the World Trade Center of New England, will run "seminars" at which administration officials will speak, publicize the export trade figures worked up by the administration, seek support from local newspapers and broadcasters, and otherwise influence Members of Congress. The officials will use the trade figures to support their argument that U.S. industry would be helped more by increasing exports than by curbing import competition.

The outcome of the trade fight may largely hinge on the administration's success in winning over lawmakers from areas complaining of import injury. The surest bet, however distasteful to the Kennedy regime, appears to lie in extra protection for their industries.

WANTED: "LITTLE SWEETENING"

"Most of the Congressmen with oil in their districts also have many other industries," one Texas Democrat observes, "and they'll manage to go along with the administration if they get just a little sweetening."

"We have made overture after overture," complains a Democratic Senator from a western mining State, "asking that the administration give us just a little something so that we can go along on the trade bill. But there's no sign of anything yet."

The most ambitious administration efforts are aimed at winning textile votes. Lawmakers from southern textile areas began swinging against free trade in 1955; now Kennedy strategists figure added assistance for the industry might pick up 15 to 25 votes in the closely divided House.

Last May the administration announced a seven-point program to help domestic textile manufacturers. Some of the promised steps already have been taken: Liberalized tax depreciation allowances on textile machinery; a 1-year agreement, that took effect last October, under which Far Eastern suppliers had to hold down cotton textile shipments to this country under threat of unilaterally imposed U.S. quotas; a 5-year agreement, just negotiated in Geneva and still not made public, along similar import-curbing lines.

Even more could hang, though, on congressional reaction to administration promises of some relief for U.S. textile makers from their cotton-cost disadvantage. This might be accomplished through some sort of reduction in cotton price supports if not through the Tariff Commission proceedings just begun.

Textile Congressmen, however, are arguing they want to see the actual Tariff Commission recommendations before they give the administration their votes on the trade bill. "We've accepted promises before," says one southern Senator, "and then the State Department finds a loophole. This time we want action first."

Mr. DORN. Mr. Speaker, I commend the gentleman from Georgia for his very timely discussion of our trade policy. I include in the RECORD at this point, an exceptionally splendid speech by Hon. A. Lee Parsons, formerly with the Banking Committee of the U.S. Senate, on the subject of trade. I commend this speech to the attention of every single Member of the House and Senate before we write any new trade legislation.

A. LEE PARSONS, DIRECTOR, NEW YORK OFFICE, AMERICAN COTTON MANUFACTURERS INSTITUTE BEFORE LEAGUE OF WOMEN VOTERS OF THE CITY OF NEW YORK, BROOKLYN HEIGHTS BRANCH, MARCH 7, 1962

In order to cast my comments in a realistic setting let me, at the outset, assure you of a very practical interest in a revitalization

of international trade policy; practical as opposed to academic or economic theory. My principals are businessmen who represent billions of dollars of captial investment. They buy the bulk of their raw materials in a Government-controlled market and sell in the toughest—and yet the most sensitive—market in the world. They supply one of the three most essential needs of mankind. They represent a major section of the domestic economy and their goods and services are absolutely basic to our Nation's defense effort—second only to steel. They pay an enormous tax bill and in hundreds of localities in this country are the major or even sole support of the community. Because of the very nature of the industry, it represents the last stronghold of a pure, free enterprise system.

The giant complex of the textile industry employs more than 2 million Americans. Simply stated, that figure means that one of every eight manufacturing employees in the United States works in the textile industry. For these, and many other, reasons we approach the subject of trade from a very practical standpoint. It is as practical to these more than 2 million people as the source of tomorrow's bread. It is a source of concern to 15 million people who derive income, either directly or indirectly, from this industry.

To bring it a little closer home look at the economic importance of textile to New York. If the industry were removed, for one reason or another, acceptable economic yardsticks indicate that 3½ million people would lose their current source of income.

Yes, to us, the subject of trade, and its importance to our industry, is not academic. It is not economic theory. It is a hard-nosed fact of survival. And survival does not mean status quo stagnation. It means progress through product and market research. It mean growth.

You ask a fair question: "How should the United States revitalize its trade policy?" You deserve, and you shall have, a fair answer. We shall have a revitalized, flexible, and responsible trade policy when the basic trade legislation reflects these points:

1. The maintenance of a growing American economy and expanding job opportunities for Americans.

2. Safeguards of American industrial and military strength as keystones to the defense security of this Nation and of the free world.

3. Encouragement of the orderly expansion of world trade to achieve rational economic growth and rising standards of living in emerging nations, and to foster continued growth in the economies of advanced nations without growth impairment or distortions from excessive concentration of imports in specific sectors of their economies.

4. The quest of a realistic balance between concern for the industrial development of other nations and the continued economic growth of this Nation, avoiding the extremes of free trade and economic isolationism. World trade objectives are self-defeating when pursued at the expense of the U.S. economy or of specific American industries.

5. A requirement that trade concessions granted by the United States be reciprocated truly by other nations.

6. Provide for the administration of our trade policy in such a way as to prevent the depletion of U.S. gold reserves, and preserve the prestige of the U.S. dollar throughout the world.

7. Provide for the distribution of the burden of imports as equitably as possible throughout the American economy, avoiding concentrations of imports on segments of the economy in such quantity as to curtail domestic industrial expansion and force U.S. capital abroad with the resultant loss of American job opportunities and revenue.

8. Provide, within the framework of an orderly trade program, efficient machinery for the control of excessive imports as such controls become necessary to achieve the above-stated objectives.

In the preface of your book "The Politics of Trade" your President took note of these points after committing you "to support liberal trade and world economic development." Let us see what happens when you translate this theory into one-sided trade agreements.

Between 1934 and 1945 import duties of the United States were reduced 50 percent. In 1945 another 50-percent reduction was authorized. In 1955 and again in 1958 the Congress authorized the President to negotiate additional reduction of 15 and 20 percent respectively. These authorizations total a neat 82-percent reduction in U.S. duties since the enactment of the Trade Agreements Act. Of that amount, the average of cuts probably exceed 60 percent. Many categories of goods have been bargained away at a rate of 75 percent and even higher.

These concessions in duties have been made, on a multilateral, most-favored nation basis, by teams of negotiators representing you and me; management, labor, and consumer. The bargaining sessions have been conducted in the much-maligned name of reciprocity. So let's have a look at the magnanimity of the reciprocal concessions from the benefactors of our good will and generosity.

In 1956, despite the announcement of our State Department that only negligible cuts had been made in a few carefully selected textile products, we found, in fact, that the entire broad range of the industry's product had been pared and that the very bread-and-butter items of the industry had been reduced up to 50 percent. Knowing that these concessions were made bilaterally to Japan, and of course extended to all other parties to GATT, we looked to see what munificent reciprocal concessions our negotiators had wrested from the Japanese team. These were the offerings in exchange for the heart of an industry:

(1) Raw cotton could enter Japan duty free.

(2) Milk donated for school lunches by the United States could enter duty free.

(3) Olive oil for canned sardines, for re-export, could enter duty free.

(4) Japan would not build any four-engine airplanes.

But what of the other nations and their reaction to our good faith concessions to the stimulation of international trade?

Fifty-two countries have raised insurmountable barriers against imports of American textiles. Many of these countries are prime suppliers of textiles to the United States and are among the largest recipients of our aid programs.

Twenty-two countries impose substantial restrictions on our textiles and, accordingly, our shipments to them are diminishing to nothing.

Now it is our turn, in all fairness, to ask: "What barriers would you remove?" Look, for a moment, at this rather average example.

A fully equipped standard size Ford costs $6,917 in France. A typical American compact costs $4,785 in France; more than twice its price in the United States. A typical small French car costs $1,200 in France. Calculate the optimum, drastic reduction in French duty and surcharges and you will find the price of the American car still well above that of the French car. So, the American automobile manufacturer will build his cars in France, turn his product in the French market at a nice profit, enjoy the extraordinary tax advantages on a foreign investment, contribute further to a labor shortage in France and add to the unemployment relief doles in Detroit.

This will increase the tax moneys expenditures of the welfare agencies, reduce the sales to one of the domestic textile industry's best customers and cut off wages needed for the purchase of clothes, cameras, transistor radios, and all the other consumer items the foreign manufacturers are now pouring into this market.

Lest you forget, we are talking about revitalizing our trade policies and I am suggesting that the further reduction of our duties on imports has no bearing whatsoever on the subject. We need negotiators who can induce other countries to reduce or remove their barriers against trade.

Any textile manufacturer in the world can buy American cotton at a price 8½ cents per pound under the cost to an American mill, transport it to a foreign country, spin and weave it into a common, unfinished piece of cloth, ship it back to the United States, pay transportation and duties, and sell it at a profit, at a price below the cost of manufacture in an efficient American mill. Don't tell us that our tariffs are a hindrance to foreign trade.

American textile manufacturers give no quarter to any industry in patriotism or competitiveness. In 1948 we were instrumental in the establishment of a $100 million revolving fund for the use of the Japanese cotton textile industry. We supported other aid measures and contributed technical and management services to help rebuild war-torn industries. Our financial aid and technical know-how helped build textile mills in countries with pressing needs for cloth for the backs of their naked people.

But what happened? The backs are either still naked or are partially covered with the imported product of other low-wage producers and the products of their own mills are being exported to the United States and Canada.

Look at the record. Traditionally an exporter of textiles, the United States has been, since 1958, a net importer of textile manufactures. Principal exporters to the United States of countable cotton cloth, in order of their importance, are Japan, Hong Kong, France, Formosa, India, Portugal, Pakistan, Spain, West Germany, and Korea. With the exception of Hong Kong, which is a free port, and France, which has recently liberalized some of its restrictions (West Germany to a lesser extent), all of these countries have virtually embargoed imports of American cotton goods through the manipulation of intricate controls.

India imposes a 65-percent ad valorem duty on cottons and 100 percent on synthetics. Pakistan imposes a 100-percent duty on cottons and 250 percent on synthetics. Even with these exorbitant tariff restrictions, a license is necessary—and impossible for an American exporter to obtain.

This leads me to take a few moments of this time which is all too short for this subject to mention the fallacious figures concerning balance of trade with which the public is being propagandized.

The Congress and the American public are being asked to believe that the United States sells approximately $5 billion more in exports than it pays for imports. The mildest characterization of this claim is to brand it a myth.

Innumerable news stories, articles, pamphlets, radio and TV broadcasts and speeches repeat and repeat such claims as the following excerpt from an "official" speech: "Last year we sold to other countries almost $20 billion worth of American goods" while "our purchases from abroad were in the order of $15 billion." The emphasis is always on "we sold" or "we sell" and "our purchases."

The fact is that we do not sell exports amounting to $5 billion more than we pay for imports. We do not receive $20 billion for the American goods we export, although we undoubtedly pay $15 billion for the foreign goods we import.

The public are being misled to believe that the figures cited by the propagandists relate to commercial transactions in international trade.

The total of $5 billion of "export sales" over import purchases is attained only by the fantastic and fictitious method of counting gifts as "sales."

We export the goods. We just don't get the dollars.

Although Government statistical reports on exports, imports, foreign aid, subsidized "sales" and other pertinent factors are not specifically designed to reveal the facts which rebut the myth of the $5 billion export trade surplus, the true facts can be gleaned from such statistics and the result is startling. Even allowing for a margin of error, the basic fact remains that in terms of international trade, in commercial transactions, we have not even approached any such $5 billion export trade surplus.

It is possible to identify shipments of goods under various programs of grants or foreign aid credits amounting to about $2 billion. Other so-called "sales"—credits, loans or other forms of subsidy—amount to another $1½ billion. (This would include the "sale" of raw cotton at a $42.50 per bale discount.) In fact, it is easy to determine that commercial transactions in international trade account for a trade balance of less than 30 percent of the mythical $5 billion export trade surplus.

It becomes fairly obvious that in dealing with countries receiving this kind of treatment such has been accorded Yugoslavia, India, Poland and many others, the United States does not need to reduce duties on imports in order to induce these nations to continue to accept gifts of exports from the United States.

So it is that both you and we advocate a revitalization of our trade policies. From that point we begin to differ. You attack the problem, we often suppose, from the Utopian precept that a beautiful theory of free trade can be spread like the gossamer wings of Queen Mab's fairy midwife. We on the other hand, trade—buy and sell—under the conditions which actually exist in the world market.

Any proposals leading to drastic changes in our foreign trade policy should be subjected to searching analysis. The very existence of the conditions on which we have touched cautions against becoming engulfed in a tide of emotional slogans. In no other country on this globe is there any manifest desire to adopt free trade policies or even reduce any restrictions except ours.

We must continue to deal with the world as it is, knowing full well that even our closest allies are governed by what they consider to be their best interests. Any other course could well lead to economic chaos.

Mr. MOORE. Mr. Speaker, let us take a look at the so-called adjustment assistance proposal contained in the tariff bill, H.R. 9900.

I believe that this is one of the worst features of the bill, and there are several bad features.

It seems like a very strange procedure to go about creating unemployment and business failure as a conscious act and then setting up first-aid stations and clinics to undo the damage.

The question arises, Why should we grant to imports the right of eminent domain in the first place? Why indeed should we place imports on such a high pedestal that domestic industries, often the backbone of local communities and the livelihood of hundreds of thousands of workers, must make way for them? What is the great virtue of imports that they should be entitled to such treatment?

Of course, the answer is that without imports we cannot expect to export. Therefore what we really seek is enlarged exports. The question then is what are the great virtues of exports that we should sacrifice domestic industries in order to gain greater exports?

Surely there is no particular virtue in exports that cannot be found also in production for the domestic market. Why should we destroy employment in some industries through creation of greater import competition for the sake of gaining employment in other industries? Not only does this represent favoritism and discrimination but the effects, on balance, are of most doubtful benefit and more probably negative and harmful.

Before we jump into this new sharp departure offered by H.R. 9900 we would do well to do a little exploring to find out where we are and where we would be headed if the bill were to pass.

One of the compelling considerations behind the bill is the problem of unemployment. At least it is in the name of economic improvement, including greater employment, that the legislation is offered and so strenuously and inordinately propagated in official statements.

One becomes outright suspicious when a bill must have behind it all the massed artillery, missiles and warheads from the executive arsenal such as has been massed behind this one. I do not recall anything like it. Evidently it needs a lot of defense and a lot of force to move it along. I wonder why? Does it have so little merit that it cannot make its way in any other manner? Evidently the bill's content does not naturally recommend it.

I have mentioned the adjustment assistance provision of the bill. It is said that labor is for the bill principally because it has this provision; and that if it did not have it, labor would be against it.

It is not quite right to say that labor is for this provision. Let me quote from several national union presidents who spoke in the AFL–CIO convention in Miami last December when a resolution on the trade agreements program was being debated.

E. L. Wheatley, president of the International Brotherhood of Operative Potters, said:

> You can talk of giving money to distressed people and train them into new industries. We do not think that program will get there in time to do any good in the way of offering relief to our people.

George Fecteau, president of the United Shoe Workers of America, was somewhat more emphatic. He said:

> As one who has been in the field and has seen factory after factory go down, and has seen the efforts of our union and these workers to place themselves in industry, I know that such talk is a lot of damned foolishness. It is not practicable or just.

William Pollock, president of the Textile Workers of America, also had something to say:

> When you get an individual that has spent 20 or 30 years learning a skill * * * only to find his job shipped to some other nation and he is to be trained to go, maybe, into the electronics industry, where they are barely paying a minimum wage, it is pretty hard to convince him that this is a sacrifice he must make in the interest of world peace.

These were expressions from the heads of unions where membership would be most likely to become eligible for "adjustment assistance" and they did not take kindly to it. Oh, the unions that are in services or trades not directly hit by imports might think the retraining and relocation features of the bill would be acceptable; but they are not the ones involved and have had no experience with displacement by imports.

Those who are in the direct line of fire are not favorably impressed, as these quotations show. Why, after all, should a worker in the pottery, glass, shoe, or textile industry be asked to lose his job and go onto the ash heap for retraining and possibly relocation, so that someone working in another industry could hold on to his job or so that another industry could hire someone else while the shoe or textile or pottery or glass worker made way for imports?

In the first place, the shoe, pottery, or glass worker who already has a job is working at it. If imports take the job away from him how can anyone be sure that someone somewhere else, probably in another State, will in fact hire him? This would require quite an act of faith. We may be sure that the company in which the worker was employed would not rehire him if he lost his job to imports. In fact, he would be one of a number who were displaced and there would no longer be a spot for him. It is not likely that another pottery, textile, or glass plant would pick him up unless they let someone else go, because these other plants would also be under pressure from imports. Under these circumstances there would be no new plants opened or additions made to existing ones. The displaced worker then must go elsewhere.

The question is, Where would he go and what skill would he offer? He would find his past skill out of place and he would either need retraining or would have to go to work as an unskilled worker. This would greatly reduce his pay and would be an economic waste. It would also damage his self-respect.

The whole theory on which the adjustment assistance proposal is based takes it for granted that new jobs can be found. That this is a doubtful assumption becomes clear when we think of the distress areas that are already in existence and how difficult it has been to solve that problem. The areas surrounding those in which employment is down seldom have a demand for workers beyond those currently employed. Therefore it would be necessary to find a labor-shortage area. These, to say the least, are not plentiful. In fact, we would be hard put to it to mention one, not to mention a dozen or two.

Labor shortage areas do not usually last very long. They go hand in hand with some local boom or a general boom that affects some particular areas with more activity than others. By the time the displaced workers were retrained any labor shortage that had existed might be gone.

The general effect of retraining would be to create dependence on the Government. Perhaps the Government would soon be in a position of having to find

the necessary jobs or having to create them and thus causing chronic dependence.

These difficulties would also apply to adjustment assistance extended to manufacturers. According to H.R. 9900 these would first have to suffer "prolonged and persistent inability to operate at a profit" as a result of import competition. There would have to be "significant idling" of the production facilities.

Translated into everyday language, the company must have to lose money persistently and for a prolonged period of time because of imports and this must have resulted in shutdowns significant enough to impress the President or his agent, before eligibility for technical assistance, low-interest loans, and so forth, could be established.

The whole effect of this provision would be to kill the present escape clause. Hardly a shadow of it would remain. The hope of getting relief in the form of a tariff increase would be almost nil and it would be a rare case indeed that could qualify for such relief, considering the lack of feeling for domestic industry reflected in the very spirit of the bill.

To create wards of the Government in the fashion contemplated in H.R. 9900 would indeed indicate that industry had no friend in the Government, for the proposed treatment could hardly be advanced if real concern existed. The extent of dependence on the Government implied in the bill may be judged by irreversibility of the President's action; for there would be no appeal, not even judicial review.

I for one do not believe that there is not some much better solution or that we should turn our backs on the escape clause. While this clause has not been properly administered, or administered in a most negative manner, it should not be discarded. On the contrary, it should be amended in such a manner that it would do what it was supposed to do.

The gentleman from Georgia [Mr. JAMES C. DAVIS] hit the nail on the head. The State Department is aware that the negative administration of the escape clause has run its course. The record has caught up with it. It is due for a review. Now, instead of a review, we are served with this bill, which would pull our attention away from the main business and thus avert our efforts.

What is needed is a better escape clause, not a caricature of it in the form of a bill that would undo all that the Congress has done in its various amendments of the clause since 1951 to assure that the legislative intent was clear. This bill, H.R. 9900, would wipe away the actions of every Congress since 1951 that sought to strengthen the clause.

I think we should do some legislating on our own instead of leaving the initiative to the State Department on a take it or leave it basis.

Mr. Speaker, we have had more than enough encroachment from the State Department on our constitutional jurisdiction. It is Congress and not the State Department that is under obligation under our organic law to regulate our foreign commerce. Now the State Department presumes to tell us through the President what sort of legislation we should consider. This maneuver should be rejected for what it is: namely, a debasement of Congress and the enthronement of the State Department in a field that belongs to Congress.

The gentleman from Georgia is to be commended for taking the lead today in this crucial battle. I thank him for allowing this expression of strong support.

Mr. UTT. Mr. Speaker, in all the explanations and interpretations of the Trade Expansion Act of 1962 there are admissions that some domestic industries will be hurt by the proposed reduction in tariffs. Consequently, some thousands of workers will lose their jobs. Nowhere that I know about is there any definite information on which industries will be hurt, which areas of the country will suffer most, which employees will lose their jobs. Are we not entitled to this information? Can the State Department or the Departments of Commerce or Labor furnish the Congress with substantial estimates? Surely the Congress must have answers to these questions before it can vote intelligently on this far-reaching proposal.

The President would be granted vast powers over business and labor under this proposal. In essence the President may eliminate all duties of 5 percent or less and transfer those products to the free list. Other duties are to be reduced 50 percent over a 5-year period. In agreement with the European Economic Community—the Common Market—the President would be empowered to eliminate all duties on tropical agricultural and forestry commodities; eliminate all duties on agricultural commodities; eliminate all duties on commodities where the United States and EEC together account for 80 percent of world export value. Furthermore, the determinations by the terms of the bill "shall be final and conclusive and shall not be subject to review by any court." The authority requested is sweeping, and should errors or oversights occur that might prove dangerous to the economy, there is no recourse. For this reason, if for no other, the Congress must exercise great care in its analysis of this proposed act. This is no ordinary extension of the Reciprocal Trade Agreements Act. It is a whole new concept of foreign trade.

It should be noted that in his message to Congress on January 25, 1962, the President talked about world trade but in the proposed act the references are to export value. The act includes no definition of world export values. It is obvious that the term "world trade" as used by the President will be understood in its usual sense; namely, as referring to buying and selling.

The term "export value," as used in Government statistics, includes the value of merchandise exported by the United States for which no dollars are received. In hearings on H.R. 6611 before the Senate Finance Committee, Senator HARRY F. BYRD characterized this method as deceitful. The trouble with this sort of statistic is that export value includes aid as well as trade.

No reductions in duties on imports are required to persuade other nations to accept gifts. No international trade agreement is required to reduce the amount of gifts. Gifts by our Government should not be considered trade. Neither gifts nor increases in gifts should be counted in determining a concentration in the United States and the European Economic Community of 80 percent of the world export value in any category of commodities.

I also have a deep concern about the effects of the act on our policies toward Cuba. As I read section 211 of the Trade Expansion Act, exports from the Common Market countries to Cuba in replacement of the goods the United States now declines to sell to Cuba may also be included in calculating the 80 percent of the aggregate world export value. But this section does not apply only to Cuba. Exports to Red China, the Soviet Union, and other Communist countries from the six present nations that make up the Common Market and from any additional members or affiliates at the time of the calculation are included. There is a large amount of exports from the free world to Communist nations. A recent estimate of these exports shows that it is about $4.4 billion a year.

Thus, in some category the export value of United States trade with all the world may amount to only 20 percent and the Common Market exports to the Communist bloc may bring its total to 60 percent. The act would authorize the President, under such circumstances, to reduce or eliminate U.S. duties on any or all articles in such category. If this standard of the act becomes law, the Common Market nations could demand the reduction or elimination of such U.S. duties. The President, we hope, would resist such demands but at the risk of creating friction or worse with our major trading partners. This is an example of the looseness with which many sections of this act are drawn.

Mr. Speaker, I have no desire to be overly technical about these matters, but this is a highly technical proposal. H.R. 9900 is not an easy bill to digest. Section after section is qualified or nullified by other sections. As a result of propaganda in support of H.R. 9900 it appears that many segments of the public, some of the press, and possibly some Members of Congress have accepted the fallacy that the present tariffs on imports into the United States may not be reduced more drastically and more rapidly than by 50 percent in five equal annual installments. There is no such limitation on all the reductions in duties authorized in the act. Section 201(b) of the act does provide for reductions in duties not to exceed 50 percent of the rates existing on July 1, 1962, and section 243 does make some provision for reductions in five equal annual installments. But these portions of the act are extensively qualified by important exceptions in the act. Let me cite a few examples: If the rate of duty is 5 percent ad valorem or less, the duty may be completely eliminated in the first year under section 202. Section 243(b)(1) states that where the total reduction is not more than 25 percent of the July 1, 1962, rate,

such reduction may be made in 1 year. There is no 50 percent or other percentage limitation on the amount of reductions in rates of duties on agricultural commodities or the products thereof. Section 212. Technical perhaps, but vital to many domestic industries.

This leads me, Mr. Speaker, to another question I believe the Congress needs answered. What will the duties on imports to the United States be on July 1, 1962? GATT recently concluded extensive tariff negotiations and the United States took part in these sessions. The results have not yet been announced. Will the new rates be made public before we are asked to vote on H.R. 9900? It seems to me that the Congress is entitled to this information. Before we authorize a further 50 percent reduction in tariff rates, the Congress should know what is involved. Fifty percent below what duties? I, for one, Mr. Speaker, want some answers.

Some Members of Congress have serious qualms about this proposal. They spring from the administration of the act, should it become law. The President cannot watch all the details. The authority must be delegated and, as in the past, it will be delegated to the State Department. I think that most Members who come from States and Districts with industries sensitive to unregulated imports are concerned about this. The State Department is not noted for its devotion to domestic industries. It has shown little patience over the years with complaints that imports were flooding U.S. markets despite the fact that mills and factories were going out of business or on sharply curtailed employment. The textile industry is a case in point. The same is true of apparel plants. Lead and zinc, pottery, glassware, boots, and shoes, gloves, the list is long. The State Department, in the past, often took the position that these lines were obsolete, inefficient, or both. There is a dearth of men and women in the State Department who understand the intricacies of industry. Without detailed knowledge it is impossible to know the effects of tariff cuts on many industries. Generalities simply will not do. In the United States we have many one-industry communities. They are the economic lifeblood of these areas, and the effects on these communities must be measured before the Congress rushes into authorizing tariff cuts.

Another phase of this program is, I am sure, of great importance to all Members. This is the effect on our national defense. Will the Military Establishment be consulted before the State Department takes any action that might result in the elimination of some domestic industry? There is now pending, as the Members know, a petition before the OEP filed by all sections of the textile industry for a determination of the essentiality of the industry to the national defense. When the OEP will report to the President I do not know, but I, for one, would like to see this report before the Congress votes on H.R. 9900.

Once again I urge the Members to beware of statistics, generalities, and oversimplification in evaluating the effects of H.R. 9900.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. JAMES C. DAVIS. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, I commend the gentleman for the statement he is making and for his long and untiring fight against this free-trade proposal.

Mr. Speaker, countless Americans among the millions affected, directly or indirectly, by President Kennedy's almost unprecedented new 1962 requests for vast powers to shape a brandnew international trade and tariffs program are wondering if he is actually talking about the fundamental American economics studied by every schoolboy in this country.

In his message to Congress on January 25, 1962, President Kennedy said in part:

> Several hundred times as many workers owe their jobs directly or indirectly to exports as are in the small group * * * who might be adversely affected by a sharp increase in imports.

Let us look at an official figure of the U.S. Department of Labor released on January 25. It stated that about 3,100,000 workers in the United States owed their jobs to the Nation's export trade. It is generally accepted that the 1960 working force totaled 70 million, which leaves a balance of about 67 million Americans who, for all practical purposes, owed their jobs to domestic operations.

Now let us take a look at some of the U.S. industries vulnerable to imports, industries which would be importantly and immediately susceptible to dislocations, possibly even mortally injured, if the Congress abdicates its major responsibilities and grants the sweeping powers asked by President Kennedy. Remember that the President is not asking for a few simple changes in the Nation's pattern of trade and tariffs. He is pressuring Congress for a gigantic package on a 5-year arrangement.

If enacted, this legislation would "permit the gradual elimination" of tariffs here and in Europe on "those items in which we together supply 80 percent of the world's trade—mostly items in which our own ability to compete is demonstrated by the fact that we sell abroad substantially more than we import."

On other goods, and this would open a second Pandora's box, the act will permit a gradual reduction of duties up to 50 percent.

What would the elimination of tariffs and wide-open free trade do for those innumerable products, made in countless cities and towns around the country, that fall within the category of 80 percent of the world's trade? And how many thousands, and even tens of thousands, of workers and their families, would be directly left without means of support, and on public relief rolls, if the President cut in half the tariffs now shoring up the last remaining ramparts against the low-labor-content wages of many alien competitive products?

With respect to the hard-pressed textile and allied industries, the President himself has expressed public concern, thus contradicting his own statement. The textile mill products industry has about 891,000 workers, and the apparel and related products industries represents about 1,225,300 workers.

But what about the ghost towns and breadlines arising from other U.S. industries vulnerable to imports? According to the U.S. Department of Labor, "Employment and Earnings," January 1962, chemicals and allied products account for 834,000 workers; leather and leather products, 362,900; rubber and miscellaneous plastic products—other than tires—278,400; rolling, drawing, extruding of nonferrous metals, 176,800; electrical industrial apparatus, 172,600; scientific instruments, optical goods, and surgical and dental equipment, 161,800; electronic components, 160,600; fabricated structural steel, and metal doors, sashes, frame and trim, 156,000, et cetera.

Any American schoolboy can do his own addition on these figures of these numerous industries jeopardized by wide-open, free trade, or duty reductions aggregating 50 percent, and judge for himself whether the total of Americans affected will be small.

President Kennedy and the tremendous lobby pressuring Congress for this legislation, in toto—a veritable blank check for 5 full years—conveniently neglect to mention the unemployment situation prevailing in this country. Unemployment is a perennial problem. For 32 years, except for wartime and relatively brief periods of boom, unemployment has fluctuated between 4 and 25 percent of the labor force. In the Wheeling, W. Va. area—an area, where President Kennedy personally made unfilled promises when that State was a springboard to his nomination—unemployment is officially about 16 to 17 percent. It is generally agreed that the Nation's unemployment is in the neighborhood of 4.2 million. Meanwhile boom conditions prevail in Japan, Italy, West Germany, and other areas poised to flood the United States with cheaper competitive products made with low-wage labor and, in many instances, produced on post-World War II machines furnished in full or in part by the American taxpayer through the continuing giveaway programs.

Mr. JAMES C. DAVIS. Mr. Speaker, I ask unanimous consent that the gentleman from South Carolina [Mr. HEMPHILL] may revise and extend his remarks immediately following the remarks of the gentleman from Iowa [Mr. GROSS].

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. HEMPHILL. Mr. Speaker, I have listened with great interest to the gentleman from Georgia [Mr. JAMES C. DAVIS] and I am happy to have before me the sentiments expressed by him.

The legislation proposed in H.R. 9900 represents a sharp departure indeed from the existing law. From the experience that we have had with the administration of the present law, particularly the escape clause, the expected legislation should have been something designed to correct the weaknesses of the law, that is, it should have strengthened the escape clause so that industry, the workers, and the farmers would have had greater assurance that when they faced

destructive import competition the supposed remedy would have come to their support.

Unsatisfactory as the administration of the escape clause was—and it was only about 10 percent effective—at first blush it appears that the present bill would not only do nothing to improve it but would emasculate it. I find it very difficult to understand. I feel sure that the sentiment in this body was that what was needed to make it possible to live with the trade agreements program was a tightening up of the escape clause to make it more responsive to its intent. Instead of that we are offered a bill of the opposite character.

It is hard to avoid the conclusion that this legislation is offered as an offense to forestall the kind of legislation that is really needed. In other words, a strong offense is the best defense. Other than that I can find no justification for the new proposal. It is intended to head off fulfillment of all the promises made by past Presidents and Secretaries of State.

The very spirit of H.R. 9900 is alien to these promises and in fact repudiates them. One wonders where the mandate comes from. This bill brings no comfort to the many industries and producers who are struggling against the toughest kind of import competition. It seems to say that if these industries cannot compete they are ipso facto inefficient and that they may as well prepare to succumb. The indictment is wholly unjustified and the treatment proposed is in the nature of punitive exposure for failure to compete when much of the inability to do so is directly attributable to burdens imposed by law.

Our domestic industries bear cost burdens to which their foreign competitors are not subject at all. After imposing many competitive handicaps on our producers we would now penalize them for inability to compete. This is too much like tying a man's hands behind his back and then condemning him for his poor fighting performance. That our industries and their workers and our farmers, to whom we look for increasing production and expanding employment, should be treated in this fashion seems unbelievable.

Above all, it seems like an odd approach to the economic growth that is called for if we are to meet the challenge of employment in this country. How can we expect the many industries that are battered by import competition to expand their plants or to build new ones in this country when the market outlook for expanded sales is gloomy? And if they fail to do this, the workers who otherwise would be employed will find no openings.

Many firms have been driven to oversea investment for this very reason, and let no one minimize the negative effect that this pressure to expand abroad rather than in this country has had on employment. It stands to reason that when hundreds of companies expand outside of this country rather than inside of it, the drag on employment is serious. One company alone, namely the Ford Motor Co., invested some $365 million in England rather than in the United States. This was merely the most dramatic example. Many others did the same and others are following suit.

Now, to say that this trend has played no part in creation of the so-called hard core of unemployment is to ignore what has been going on at a rapid pace. This has been in response to the competitive outlook both here and abroad.

To try to correct this trend by increasing import competition through yet deeper tariff cuts passes my comprehension. The very idea that you can stop the bleeding of a wound by cutting deeper into it, is nonsense of the first order.

It is said that we must export more in order to put people to work. In order to expand our exports we must buy more; and in order to do this we must cut down what is left of our tariffs. In other words, if we want to enjoy the growing Common Market in Europe we must bring about a reduction of the outer tariff that is to ring the Inner Six. To do this we must offer reciprocal concessions in this country.

The supposed effect would be to halt the outward movement of our capital to Europe because we could ship directly from the United States. Mr. Speaker, this would be a forlorn hope for the simple reason that the advantage would still lie in manufacturing in the Common Market. Moreover, those of our companies that had already established themselves inside of the outer tariff wall would participate in supplying the expanding market within. They would not ship from this country but take advantage of the lower costs over there. This advantage would continue, and would still confront all American exporters who had not invested within the market with the need of doing so since that would be the best if not the only way of selling within it.

The European countries themselves would not look with such great favor on our further tariff reductions on products that now come predominantly from Europe, once they realized what it would mean. It would be an open invitation to Japan to come in and give the Europeans a run for their money in this market. In other words, if we removed our tariff on certain imports from the Common Market Japan could also ship in here without paying duty.

We should not be stampeded by visions of vast sales in a fast-growing market in Europe. Principally we will be on the outside looking in, except to the extent of our investment within the market.

Japan has grown more rapidly than Europe in point of gross national product; but in physical volume of goods we are buying more in Japan than we sell there. Our imports from Japan are about 95 percent manufactured products, usually labor-intensive goods, whereas raw products predominate in our exports to Japan. In terms of employment we are getting from Japan easily twice as many man-hours of work as are involved in the production of the goods we sell to Japan. Given time Japan will build additional industries, many of them with the help of our own manufacturers. We may not look to Japan as a vast market for our manufactured goods; and yet it is in the field of manufacturing that our heaviest productive employment exists, rather than in the production of raw materials. While in terms of value we export to Japan more than we import we run a deficit in terms of employment in our trade with her.

The proposed legislation is somewhat unrealistic because it fails to face the facts of competition and the source of employment and unemployment. The best inducement to industrial expansion in this country will be found in assuring a better investment climate. This does not involve cutting off imports or reducing trade. All that is involved is proper regulation of import competition so that it will not stand as an obstacle to market development and sales promotion.

This country is a strong believer in competition. In that respect we have pioneered and led the world. At the same time we have striven to assure the fairness of competition and have placed many laws on the statute books to that end. Witness the Sherman Antitrust Act of 1890, the Clayton Act, the Federal Trade Commission Act and the Robinson-Patman Act. These acts were all enacted to prevent monopoly and to prevent unfair trade practices.

We went beyond that. We undertook to prevent sweatshop wages and employment of child labor from bestowing competitive cost advantages on the practitioners of such employment practices. We passed the minimum wage and maximum hour laws and made collective bargaining obligatory. All of this was done to prevent unfair practices from giving a competitive advantage.

These laws necessarily stop at our national boundaries. We cannot legislate for other countries. We cannot offset their competitive cost advantages that arise from practices that would be illegal in this country except by regulating the condition of importation. The recognized means of doing this are the tariff and the import quota or a combination of the two.

We should not deprive ourselves of these proper and appropriate defenses against the effects of practices in foreign countries that would not be tolerated in this country.

Mr. SEELY-BROWN. Mr. Speaker, will the gentleman yield?

Mr. JAMES C. DAVIS. I yield to my colleague from Connecticut.

Mr. SEELY-BROWN. The question I would like to ask the gentleman involves a real effort on the part of those of us who represent the textile industry to work out a serious program that would be helpful to the textile industry. It is our understanding that our representatives in Congress did work out a program, a 5-year program which applied to a large segment of one of our industries,

textiles—at least it is acceptable in part. The question I have is this: If we are able to negotiate for the textile industry, the President advises us he will do something for wool and other fibers, why does that not set a pattern for all industry?

Mr. JAMES C. DAVIS. I would say in reply to the gentleman's statement that it may set a pattern, but would the pattern be followed? The gentleman has spoken of only one particular industry. There are many industries which will be affected by this so-called trade extension and trade agreements bill in addition to those which the gentleman has named. I can name a dozen.

Mr. SEELY-BROWN. So can I.

Mr. JAMES C. DAVIS. Steel, plywood, sewing machines, watches, bicycles, chemicals, glass, paint—the list is as long as your arm.

Mr. SEELY-BROWN. My point was that if we were able to negotiate effectively in setting up a 5-year program which was suggested why could not other 5-year programs be set up following this pattern? We would suggest that the same general pattern be followed, and that we set up 5-year programs for all of the industries that may well be affected seriously by this flood of imports.

Mr. JAMES C. DAVIS. If we could be assured that the U.S. Government on its part would negotiate in keeping with this pattern, if we could be assured that the governments of the Common Market and the governments of Europe and Japan and the others involved in this problem would negotiate on their part, if we could be assured that those negotiations would result in an agreement satisfactory, that would give the proper consideration and relief to our industries, then we could. Such assurance we do not have even under the kind of negotiations which our Government would carry on, let alone negotiations other governments would carry on, so there is nothing we can rely upon so far as they are concerned.

I want to say this to the gentleman, if that is going to be the pattern, why does this bill H.R. 9900 carry all of these provisions for subsidizing American industries which would be injured by the so-called agreements? Why does it carry the agreements that workers will be subsidized, that workers will be retrained? If there were any intention of doing what the gentleman suggests there would be no point whatsoever in having these provisions in the bill.

Mr. SEELY-BROWN. I agree with the gentleman and that is why I think that having made a good case in one industry we could move forward on that basis.

Mr. JAMES C. DAVIS. We may have established a pattern, but there is no assurance that the pattern will be carried out.

Mr. SEELEY-BROWN. If we have been successful in one industry why could we not be successful in many others?

Mr. JAMES C. DAVIS. Well, I think this bill is far from being a unanimous bill as it now stands.

Mr. BERRY. Mr. Speaker, will the gentleman yield?

Mr. JAMES C. DAVIS. I yield to the gentleman from South Dakota.

BRAVE NEW WORLD

Mr. BERRY. Mr. Speaker, the new trade bill, H.R. 9900, that has been presented to Congress represents what is called a bold new foreign economic policy.

Widely touted by State Department officials in Washington and the big city newspapers of the East, the program is designed to open our gates to more and more imports from abroad by lower tariffs. Any injury to a community or to an individual business establishment would be compensated through Federal Government handouts, or "readjustment assistance". This means that loans would be given to businessmen injured by imports to go into new businesses; and employees would get extended unemployment compensation and be retrained for new jobs. No provision is made for farmers or ranchmen, or farm workers who are driven out by imports, for reasons not disclosed.

Now, no American is against foreign trade. Obviously we need it. Many products are not produced here in sufficient quantity to supply our vast American market. For simple examples, there are coffee, bananas and many minerals such as tin and asbestos.

Nor can anybody be against foreign trade in manufactured goods where the ground rules of competition are relatively fair—where the foreign goods are not underpriced because of sweatshop labor and are not attempting to devour the entire American market.

But, and this is a big but, the real problem is just that. In many agricultural products such as lamb, cattle, barley, and rye, and industrial products such as pottery, hardwood plywood, glass, athletic goods, carpets, tile, and many others, the imports have swamped our markets. They have curtailed farm output and caused plant closings and have thrown hard-working American citizens out of their jobs.

Now it is said by the State Department that we must have imports if other countries are to buy the products which we manufacture for export. Other countries must have dollars to buy our exports. Yes, this is the case but the matter must be kept within reason. In our import policy, emphasis should be given to those products which we cannot readily supply ourselves.

Again, it is said by the State Department that imports keep our prices in line and avoid inflation. This argument is phony. Under our antitrust laws, we have the most vigorous competition in the world between domestic manufacturers. Where imports come in, way below the competitive domestic prices, it means that the American producer or manufacturer eventually has to sell below cost or go out of business—with resultant job losses.

It is an easily verifiable fact that from 1950 to 1960 employment on our farms dropped by 2.8 million. This was a 28-percent decline.

Yet we continued to allow imports of many competing farm products to grow from year to year.

These farm workers are thrown on industry. Not all of them soon find employment. Where do they fit in this bill, H.R. 9900?

Agricultural unemployment did not come from inefficiency. Quite the contrary. It was caused by rapidly rising farm productivity. Why then let imports aggravate the situation? They claim imports of some industrial products are justified on the grounds that our industries are inefficient. That is just as false an indictment as it would be if it were aimed at the farmers.

We do not know what happens to the farmworker who loses his job. Let us look at what the loss of a factory job means.

What does the loss of a manufacturing job mean not only to the man, but to his community? That, of course, is a little hard to compute with precision. However, the average wage earner, city or rural, has a wife and at least two children. Thus, loss of his job—and at the time of high national unemployment—means that not one but four people in a community are deprived of a livelihood. In other words, if a plant with 100 workers closes down, that means that 400 people are placed in dire financial straits.

But we are not just talking about the jobs in the plant itself, and the employee's family. We are talking about every job in the community. Dollars paid to a factory worker are spent and respent several times in a community. For example, dollars spent at the grocery store may be used to pay the wages of grocery employees who, in turn, may buy other goods or place the money in the bank.

It is authoritatively estimated that, for every 100 jobs permanently lost, a community is deprived of at least $360,000 in annual retail sales; $270,000 in bank deposits; 107 automobile registrations; 112 households; 74 jobs in other enterprises; and 4 retail establishments.

In addition to this, other significant cutbacks must occur, such as reduced Federal, State, and local tax revenues; greater outlays for unemployment compensation; declining school budgets; less income for charitable purposes.

These figures give an idea of the chain reaction effect of a job lost to a community through imports.

And yet, the State Department is demanding we cut our present low tariffs to let in more foreign imports—and our tariffs are much lower than those in almost every other country—and still the State Department wants to cut our tariffs by 50 percent. Cutting the tariffs in half will mean increased floods of imports, and not just in those industries already hard hit but in many others, for which there remains some moderate American tariff protection, including some farm products.

On top of that, the tariff on farm products could be removed completely in negotiations with the Common Market under section 212 of the bill, provided only that the President determined that it would assure the maintenance of expansion of U.S. exports of the commodity, or products made of it. This could have untold ramifications and cause uneasiness in almost any farming operation.

This would bestow entirely too much power on any President, and I would oppose it regardless of who might occupy the White House.

Today, growth seems to be the favorite word here in Washington. Our rate of national economic growth is inadequate, we are told. We are told we are slipping, and we are not keeping pace with other nations. If we do not grow faster, the Russians will get us and so on. Yet how can we have growth when imports stunt or destroy industry's ability to create the growth? If Congress enacts the program being propagandized by the State Department, it will hurt our national economic growth, not help it. Who will expand his plant when he sees nothing ahead but more and more imports?

We are told this: Yes, the imports are necessary and if the working people are injured by them, Government money will be available to help out.

This helping hand is not extended to farmers and farmworkers and I do not say that it should be. It has no place in any tariff bill. Nevertheless, let us look at the facts here. If a manufacturer is forced to close down, he is to be given Federal help to help him go into another business. First of all, what is the other business? If it is there, why is somebody else not in it? The answer is that somebody else is in this business and presumably getting along or he still would not be in it. Now to take a man who is manufacturing plywood or pottery and give him some Federal money and Federal technical help to go into the missile or electronics business does not make any sense at all. First, the plywood or pottery man does not know anything about the missile business, and he certainly is not going to grasp the know-how overnight in anything so complicated in this space age. Then if the Government gives him tax money to help him get started in the new business, all that means is that the Government is in effect taking the money from the people who already are in going businesses, and giving it to somebody new.

Then take the worker. Let us take a plywood worker. The skilled operator of a complicated saw is out of a job. Let us say Washington wants to retrain him into an electronics worker. First, can Washington really do this? Second, does he have to move a thousand miles to get a new job in a new field?—even if one is available?

And the problem is even more complicated in the case of a worker who is, let us say, in his fifties. Washington can train him to be the best electronics mechanic in the world and ship him off to San Diego, but he would still find it almost impossible to get a job at his age.

Now let us examine this matter as one might one's own conscience.

Let us each look at our own situation here in his own community.

When the manufacturing jobs go, the retailer loses sales and ends up with more bad debts.

Bank deposits will go down; newspaper advertising will fall off; taxes will fall off and the community will need to borrow money and interest rates go up.

Congress should reject this State Department program. It should substitute a program which would encourage reasonable quantities of imports but would prevent any domestic farm operation or industry from being mortally wounded by import competition. Our Government should give every industry adequate tariff protection to keep operating, to save jobs, and to spend money for more growth.

American businessmen and workers do not want Federal handouts. They want their present businesses and jobs. They do not want to be treated like retreaded tires. They want prevention, not surgery. All they want is to compete with foreign products under ground rules which create fair and equitable terms of competition.

Mr. MATHIAS. Mr. Speaker, will the gentleman yield?

Mr. JAMES C. DAVIS. I yield to the gentleman from Maryland.

Mr. MATHIAS. Mr. Speaker, I am concerned at some of the implications of the publicity program which is going on to promote the foreign trade legislation.

Personally, I am in favor of doing whatever we can to stimulate the export business of this country and I understand that imports are the natural concomitants of exports. I want to give the bill fair and objective consideration. But this House and the Nation at large can only give the trade program fair consideration if we have certain factual information upon which to base our judgment.

Mr. Speaker, I have in my hand a news release issued by the Office of the Secretary of Commerce, dated January 29, 1962, which states:

> Secretary of Commerce Luther H. Hodges today disclosed results of nationwide survey by the Bureau of the Census pinpointing for the first time the value of manufactured products exported from each of the 50 States during 1960.

The release goes on further to say:

> This new survey reveals for the first time the specific stake each of our 50 States has in reaching rapidly expanding free world markets. I think these figures provide all of us with graphic proof of that vital stake, and will help us to do even better in the future.

The statistical tables accompanying the release set out some figures which are clearly not supported by my own investigation in the District of Columbia. This is a discrepancy which I think must be explained. I am bringing this matter to the attention of the House at this time so that the Members may have the benefit of any comment, correction, or revision the Secretary of Commerce wishes to make.

The item to which I have reference is alleged export of printed matter from the District of Columbia in the year 1960 to the total dollar volume of $4,600,000. This seemed to me to be an unusually large amount, and so I made some personal inquiries.

The result of a necessarily brief investigation was to learn that in the District of Columbia there are only seven printing houses that employ more than 100 employees. The Secretary's release purports to be based on information solicited from companies in that category.

> The survey, based on questionnaires returned by companies employing more than 100 workers for each plant exporting more than $25,000 in 1960, also provides State-by-State estimates of exports by major product group.

Yet a spokesman for these printers has advised me that they did not advise the Department of Commerce that they had exports of $4,600,000 in 1960. On the contrary, I was informed that they had actually notified the Department of Commerce that they had no exports in the year 1960.

Mr. Speaker, for the Secretary of Commerce to make an estimate of the value of a certain kind of export is one thing. For the Secretary to publish certain figures as facts resulting from a survey is another thing. For the Secretary to publish as facts certain figures actually contradicted by the subjects of the survey is a third and very different thing indeed.

As I have stated, I bring this matter to the attention of the House that the truth can be established before action on the trade policy proposals is commenced. I intend to ask the Secretary of Commerce to comment on this discrepancy between his survey and my own. Perhaps there is a valid explanation, and if there is, I shall, of course, advise the House of it.

Even if there is no reasonable explanation forthcoming, I hope that this inquiry will serve a useful purpose.

I, for one, am truly concerned by the problems of trade policy that confront the Nation, by the adverse balance of payments, by the fate of many American wage earners which depends to a greater or less degree on exports. I welcome the opportunity to make an objective and comprehensive survey of the problem and the proposed solutions, and to take constructive action suited to our circumstances.

But if the Members of this House are to do these things successfully, they must have facts. They must have information which is accurate and in which they have confidence. I hope that the Secretary of Commerce can restore my confidence in the figures he published on January 29, or at the very least, will give us such assurance as may be necessary to give us confidence in figures that may issue from his office in the future.

Mr. JAMES C. DAVIS. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. BOW] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. BOW. Mr. Speaker, I wish to applaud those who are not overwhelmed by the torrents of propaganda that have been loosed over the land by the Government departments and agencies and the various private groups that have been shouting for the new tariff proposals of the President. I do not recall ever before witnessing anything quite so blatant and filled with exaggerations and distortions as this campaign.

As someone else has remarked, they must have a very doubtful production to sell if they have to rely on ballyhoo to this extent.

And that exactly is their trouble. They do have a doubtful product to unload; and in trying to unload it on the public they are using worse than dubious methods. They are using false statistics, unsubstantiated claims and bald guesses and are generally relying on exaggerations and suppressions to sustain their message.

It is an unseemingly thing to do. The amount of executive lobbying has been appalling. A vast amount of literature, paid for by the taxpayers, has been disseminated and continues to fill the mail bags; and it has had one thing in common: it is all in support of the proposed drastic tariff-cutting program. This means that money is taken from the opponents no less than from the supporters of the bill, to conduct propaganda that in the opinion of a great many people is not in the national interest.

There is a natural human revulsion against asking a man to pay for the digging of his own grave. The taxpayer should not be asked to contribute to Government propaganda that he regards as being against his best interests and indeed detrimental in a very concrete way. Yet the Government, because of its powerful position and with access to all means of communication, sees nothing wrong with saturation of the propaganda media in this fashion.

You will find false statements continuously disseminated and perpetuated because no editor seemingly bothers to check the original guess or estimate. So long as the substance of it sounds good and supports the Government's position it is repeated, both by the Government and the outside supporters.

For example, it is said that only 30 percent of our imports compete with domestic production. Yet, dutiable imports represent slightly over 60 percent of total imports. If they are not competitive why was a tariff levied on them? Also, of our total imports finished manufactures, semimanufactures—that is, material processed to some degree—plus manufactured foodstuffs now account for two-thirds. Moreover, some duty-free imports are themselves directly competitive with domestic products. Fresh and frozen tuna provide a good example; and also newsprint, of which we import a great volume. Iron ore is also duty-free but it competes with our Minnesota and Michigan iron ore. Crude rubber is another competitive item on which we levy no duty. Imports are quite heavy.

No doubt the purpose of this kind of irresponsible if not premeditated distortion is to convey the idea that further drastic duty reductions would do little damage because competitive imports are made out to be such a small part of the total.

It has not occurred to these minimizers and shrinkers of unwelcome facts that if they carry their argument too far they will kill their own contention that further tariff reduction would be helpful to this country and to the world. Why bother so much over a proposal that would affect only a small part of our trade if it were adopted? If import competition is of little moment anything that we might do with it would produce only miniscule consequences.

The facts, of course, are different. Beyond the industries that are now exposed to import competition, additional ones that have thus far been relatively immune, will come into competitive range as the other industrial countries expand the variety of their products, develop new industries and saturate their home markets. Even today a number of industries that previously were little affected by imports are feeling the rising impact. Tile, steel products, radios, typewriters, binoculars, automobiles, chains, nuts and bolts, cantaloupes, strawberries, grass seeds, baseball gloves, flat glass, carpets, golf balls, wire rope, plumbing hardware, tennis rackets, and so forth, are examples of products that have in recent years become awakened to import competition; in some cases of a very sharp and distressing variety.

Another common assertion is that we had a $5 billion surplus in merchandise exports over imports in 1960 and a little more in 1961.

This is not a false assertion but conveys a wholly false impression. Those who give utterance to this bald fact are taking advantage of the woeful and culpable lack of information available to the public on the seamy side of the trade program. Nothing but the good news gets to the public. The adverse part is suppressed, smothered or greatly muted.

It is not that attention has not been called to the makeup of this so-called $5 billion surplus. It has been done time and again but the facts do not reach the public. By and large the newspapers are in support of the freer trade program and have acted as willing and even eager purveyors of the official handouts. They have done little or nothing to establish the accuracy or inaccuracy of the propaganda statements.

The most misleading use commonly made of the $5 billion surplus in exports resides in the claim that this surplus demonstrates that we are competitive in world markets. Otherwise we could not run up a surplus. No mention is made of the fact that the total export figures that include the surplus also include foreign aid exports, as well as exports of goods sold for foreign currencies; of cotton, wheat, and wheat flour, which in 1960 amounted to $2 billion but which were subsidized to the extent of some $550 to $600 million in order to move them.

Nothing is said of the outright gifts that are counted as part of the export total. Little mention is made of the low-interest loans that have been extended in recent years to foreign countries. These give rise to exports that would not otherwise come about.

The maneuver, involving suppression of unwelcome facts, exaggerations of favorable trends, and so forth, is one that would fail completely if the reading or listening public were more fully informed. The cynical statecraft thus indulged in feeds on ignorance, and for its success depends on ignorance. This ignorance, however, may not be the fault of the public. It arises from the failure of newspapers and other media to fulfill their obligation to a public that is too trusting and too readily accepts what is printed or said by presumably public-spirited persons.

The fact is that our imports of nearly $15 billion represent the expenditure of more man-hours of work and therefore would mean more employment in other countries than was necessary to produce the $20 billion worth of goods that we exported.

The fact of our greater exports in terms of value does not mean that we are exporting more than we are importing; nor does it mean that we are universally competitive in oversea markets. It does mean that the $5 billion export surplus is artificial and spurious in terms of physical volume of goods and as evidence of a healthy competitive standing.

Yet another fallacy which the free-trade promoters feed to the public is that foreign wages that are much lower than our own do not confer a competitive advantage on foreign producers. We are so much more productive, it is said, than foreign manufacturers, miners, farmers, fisheries, lumberers, and so forth, that we can afford to pay much higher wages and still come out with lower cost of production per unit of output.

At one time there was some truth in this view, since other countries generally were far below our level of productivity. Today this is very much changed; and as other countries install more and more modern machinery and equipment and modernize their production methods, their productivity per man-hour will continue to rise. Already, especially in the past 5 years, productivity has been rising rapidly in a number of the European countries and in Japan. Yet the wages continue to lag far behind those prevailing in this country. In order for them to catch up, even in 10 or 20 years, it would be necessary that our wages stood still.

To build a foreign trade policy on the notion that our wage levels will be frozen

until wages in other industrial countries come abreast of ours would be to condemn our industry, our agriculture and our labor to stagnation and our economy to a sure collapse. The further drastic reduction of the tariff, as proposed in H.R. 9900, would under these circumstances spread ruin throughout the land. Our industry would emigrate at a rising pace and in time would leave behind a mere shell into which foreign goods would pour for awhile; but the import boom itself would not last long. It would dry up because our economy and its purchasing power are based on employment of our workers in productive pursuits, not in mere trades and services.

Nevertheless the discredited and outdated assertion that low foreign wages do not offer a competitive disadvantage to us continues to be uttered and repeated in quarters that must know it no longer reflects the true state of affairs.

If we but reflect on the movement of the textile, particularly the cotton textile industry, from New England to the South we should be able to draw some useful lessons from movements in response to lower wages. This migration was slow, covering more than 40 years, and is now about 90 percent complete. Nevertheless, despite this slow pace it created great industrial havoc and much human distress in many New England areas.

If we keep in mind that the difference in wages between New England and the South was not as great as it is between this country and foreign countries, particularly those of Japan, we can guess how much more disruptive would be the exposure of our industries to free trade.

H.R. 9900 proposed 50-percent tariff reductions in 5 years and free trade in what appears to be a considerable segment of the total import volume in a similar period of time.

Mr. Speaker, in view of the rapidly rising productivity abroad, I say this would spell inevitable disaster to many of our industries. Let me add that I cannot bring myself to understand how the new tariff proposal can be put forward seriously. To my mind it can represent no more than a strong offense that has been launched as offering the best defense. I cannot believe that the proposal is serious. If it is, then it is indeed a serious matter.

Beside the distortions and exaggerations that I have mentioned many others are current. One of them is the claim that 4½ million workers are employed in foreign trade. That would be about 7 percent of our total employment; but our exports are about 3.7 percent of our total national product. The two figures are nearly 100 percent apart.

These are only some of the examples. There are many others. I hope that before we finish with this subject it will be possible to present to the public the facts as they are rather than the fare served by governmental and other propagandists. The executive lobbying in this legislative effort is appalling and should be curbed.

When the executive begins to lobby the legislative branch it should become subject to the Lobbying Act and the expenditures on this activity should be made public along with those of all private lobbyists.

I am happy to associate myself with the position of the gentleman from Georgia and thank him for yielding to me.

Mr. TOLLEFSON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. TOLLEFSON. Mr. Speaker, I am glad that the outpouring of official propaganda on the new trade program from the executive branch, including the State and Commerce Departments, no less than the Departments of Agriculture and Labor, is beginning to arouse an echo in the Congress.

One would think from reading the newspapers and magazines or listening to commentators of radio and TV that there is barely more than one side to this issue. Certainly the vast bulk of the news and information contained in this flood of words is on the side of the administration's proposal. The official propaganda is usually treated as gospel while very niggardly treatment is given to the responses made by the opposition.

It is, of course, a disservice to the people of this country to serve them with such one-sided news and opinion. No issue lies above proper airing, especially when it is before Congress for legislation. The trade issue should be no exception. Yet, because the predominant press opinion is in support of the trade proposal the issue is not being aired as it should be.

It has been virtually impossible, for example, to get any light on the Common Market other than the glowing accounts that emanate from its sponsors and promoters.

I believe that my colleagues would be much surprised to learn, for example, that the highly touted trade expansion within the Common Market was much more impressive in percentage terms than in absolute terms. It may sound very impressive to say that trade expanded "by just over 50 percent both in volume and value" among the six Common Market countries from 1958 to 1960; 1958 being the first year of the effectiveness of the Treaty of Rome on which the Common Market rests.

The statement is designed to show how beneficial the Common Market has been to its members.

Now get ready for the facts that will explode the bubble. This will hurt a bit because the facts make us feel that somehow we have been taken in by the Madison Avenue type of publicity. I quote now from the "Information Memo" of the European Economic Community dated January 1962 and marked P-221, page 7:

> Though trade within the Community (*i.e.*, the Common Market) is constantly expanding, it still represents no more than a small part of total production; between 3 and 4 percent in Italy, 4 and 5 percent in France, 6 and 7 percent in the Federal Republic of Germany, 13 and 14 percent in the Belgo-Luxembourg Economic Union, and 18 to 20 percent in the Netherlands.

In other words, with the exception of the Benelux countries, the intra-Community trade has been of slight importance and a 50-percent increase still does not make it important.

We have also been told how prosperous the EEC—Common Market—countries have been within the past few years. This fact is supposed to impress us with the value of the 30-percent tariff reduction that has been made internally.

This interpretation overlooks the equally prosperous condition of the other European countries, including Norway and Sweden, Denmark and even Austria. Japan, which is far removed from the Common Market, has enjoyed the most amazing growth of all.

There is a great deal of good to be expected from the Common Market, but we do little to enhance our own reputation for sound judgment if we accept the superficial and promotional statements at their face value. After all, the Common Market is but a mark of the awakening of Europe to the enjoyment of a mass market such as this country has enjoyed for many generations.

The Market is therefore to be applauded for what it will do for the participating countries. It was not set up with the idea of helping the United States; rather with the idea of making up for lost time in catching up with us.

We on our part are not called upon either to try to get into the Market or to associate ourselves with it. Unquestionably we should look after our interests, but this does not mean that we are bound to offer further concessions to the EEC. Even to suggest this is revolting, considering what we have already given without much in return. It is now generally admitted that our concessions, that is, tariff cuts since 1934, so far as Europe was concerned, were not reciprocated, and were in the nature of trading horses for rabbits, with the United States providing the horses and receiving rabbits in return.

Having given away four-fifths of our tariff we are now to slice the remainder in half and in some cases to cut it to zero as an inducement for better tariff or other custom treatment for our goods exported to the Common Market.

The curious logic behind such a proposal is made stranger yet when we reflect that our imports from the Common Market countries increased 300 percent from 1950 to 1960 while our exports to them increased only 112 percent. This fact should be enough to demonstrate that the Inner Six already have ready access to our market and that if we make further slashes in our tariff we will be overrun by imports. These will not be confined to the Common Market countries, for Japan and all other non-Communist countries would receive the benefit of all our tariff reductions. We cannot be selective in our tariff cuts because of the most-favored-nation clause.

It was with this fact in view that the proposal is made that we work toward free trade with the Common Market countries on products with respect to which our trade with them is 80 percent or more of the total. The loophole was evidently overlooked and we can rest assured that Japan would seize the opportunity. It would take her only a short time even if she had not yet developed either her exports or her industry in the particular products on which we had granted free entry before she would challenge the Europeans in our market. She would have free access the same as the EEC countries and could readily outcompete them in our market. The United States would become a competitive battleground between Japan and Europe and it needs no second guess to select the winner.

Europe will not, I am sure, enter into any such arrangement with us; and almost certainly would not offer us any inducement by way of tariff reductions on our goods. The European countries will know that they cannot compete with Japan, and many of them for this very reason have not extended most-favored-nation treatment to Japan. This is to say they have not extended to Japan the concessions negotiated with the members of GATT, whereas we have done so since 1955. We have, indeed, undertaken to prevail on them to recognize Japan as entitled to most-favored-nation treatment with respect to duty and other trade barrier liberalization, but have thus far had no success. The European countries are not nearly as anxious as our State Department to visit ruin on their own industries. No such ruin has so far been involved in the establishment of a customs union within the Common Market as some feared. The process is not yet half completed; but the labor and living standards are not nearly as wide apart among these countries as between them and Japan. Therefore no disruption of consequence has so far resulted. Nor are the standards as far apart as between this country and the Common Market. This makes a great difference.

The terms of H.R. 9900 suggests a complete misreading of the competitive realities. The European countries on the other hand are realistic. In putting forward the present trade proposal we are leading from a base of romantic notions that will be fractured on first exposure to reality.

The EEC countries are prosperous today. They are cautiously removing import restrictions among themselves as they can afford to do so. This is also true to a lesser extent with the seven EFTA countries. When it was to their interest all these European countries after the war were highly protectionist, and used devices that were more stringent than mere tariffs to protect themselves, such as import licenses, exchange controls, import quotas or even complete embargoes.

Were protectionism as ruinous and crippling as our free-trade philosophers would have us believe, it is strange that the extreme practice of it in Europe did not sink them economically forever. Instead it helped them immeasurably to get back on their feet, with our aid. Without protectionism they could easily have dissipated our aid with nothing to show for it. With protectionism they pulled themselves out of a deep hole.

Now it is we who are in a position of needing some protection and we should not shrink from it. Our overexposure to import competition is at odds with our efforts to overcome the unemployment problem. It is therefore astounding that we should be offered a bill that would vastly increase this exposure. The very proposal must proceed from an abject failure to read the competitive status of this country as it faces the other industrial nations of the world.

Let us consider the fact that of our total imports a growing share consists of competitive manufactured goods while the trend in our exports is in the opposite direction. More and more of our exports are falling into the category of raw materials or merely processed articles. A smaller percentage consists of manufactured products.

When we consider what this means in terms of employment we should think twice about the magic of foreign trade. We are increasingly importing products that have more man-hours of labor incorporated in them because they are fully or semimanufactured while exporting increasingly those that have fewer man-hours incorporated in them because they are raw materials or processed products.

This is not a winning process for us. If we had no concern for unemployment we could look with equanimity on this trend; but compounded with mechanization and automation we are forced to give it serious thought, and we should refuse to give further impetus to the already mounting trend toward labor displacement. Certainly an ounce of prevention is worth a pound of cure. Already we have our hands full with retraining of manpower. It would be an inexcusable step to add to it deliberately by enacting a bill such as H.R. 9900. We are in trouble deep enough as it is without deepening the hole by an act of senseless self-mutilation.

There are those whose pulse quickens when they think of the great increase in consumer goods that will be needed to meet the prospective demand in Europe and they want to be inside. Well, they are getting inside as fast as they can through investment by the hundreds and that will be the extent of American participation. We cannot pry the market open far enough to make us competitive; and in any case our own investors who have gone in over there will not be eager for relaxation of import restrictions.

Mr. Speaker, I feel very strongly that out of a sense of wanting to do something, or wanting to get into motion, any kind of motion, we have H.R. 9900. I am afraid that we could be committing this country to a course of action that would have to be reversed in a few short years, with very unpleasant if not explosive consequences. That is what I see ahead if we go along with H.R. 9900.

I agree that we need a remedy to the damage that has already been done rather than heaping more damage and discouragement on our industries that are struggling with unfair import competition without a remedy.

I want to thank the gentleman from Georgia for opening this discussion and leading the way.

MAILINGS OF OBSCENE MATTER

The SPEAKER pro tempore. Under previous order of the House, the gentlewoman from Pennsylvania [Mrs. GRANAHAN] is recognized for 10 minutes.

Mrs. GRANAHAN. Mr. Speaker, I know that a great many Members of the House have been shocked and distressed, as I have been, by the rising volume of vicious and horrid advertisements being sent through the U.S. mails by unscrupulous merchandisers of obscenity and pornography. Indeed, my deep concern is tinged with a sense of shame, also—as well as anger—that our great postal service is being made the unwitting tool of these "pornographers for profit."

I have here just a few samples of the hundreds of complaints sent just recently to Members of Congress demanding that their children and their homes be protected from a campaign of filth being waged by a smut merchant going under the name of "EROS" that is spawning its advertising solicitations through the mails from New York City. This material consists of photographic and printed material obviously intended to incite immoral interest. Much of it has been sent indiscriminately to schoolchildren and adolescents, but adults by no means have been overlooked.

We have found numerous instances of the entire student bodies of schools being circularized with invitations to open their young minds to this kind of evil and suggestive material, and some of the complaints from parents express opinion that mailing lists are even being used to invade such fine and worthwhile endeavors as the Boy Scout and Girl Scout movements.

Mr. Speaker, this condition is intolerable and I believe it is high time that we carry out our responsibility here in the Congress to restrain the muck mongers who are trying to destroy the moral fiber of our younger generation. I call attention to the bill which I sponsored for the purpose last year, H.R. 2425—referred to the Committee on the Judiciary. This bill will lay down a firm, effective, and workable congressional policy by providing clear standards for determination as to obscene content of mailings to persons under 19 years of age or enrolled as students in elementary or secondary schools. It will provide the machinery, also, for swift and sure punishment of any smut peddler who uses the U.S. mails to solicit these young people or send obscenity to them.

I am sure the membership will agree that this is a nonpartisan responsibility. The distinguished gentleman from Nebraska [Mr. CUNNINGHAM], ranking minority member of the Postal Operations Subcommittee, and the gentleman from

New Jersey [Mr. WALLHAUSER] also sponsored legislation for the purpose and joined me in appearing before the Judiciary Committee last year urging action on corrective legislation. I will take this opportunity again to appeal to the distinguished chairman and the members of the Committee on the Judiciary to give this urgently needed legislation favorable consideration so that the penal statutes to rid the mails of obscenity and pornography may be strengthened in the interest of our young people.

With respect to the samples of the nationwide mailing campaign by the EROS, as chairman of the Postal Operations Subcommittee—and by unanimous agreement of the subcommittee—I referred some of the early complaints to the Post Office Department and requested prosecution. The Department, in two special reports dated February 2 and February 5, 1962, advised me, in effect, that upon review of the material and consultation with the Department's General Counsel and representatives of the Department of Justice; it had been determined that prosecution would not be instituted because, in the light of the Court decision in the "Lady Chatterley's Lover" case several years ago, the EROS mailings were not deemed in violation of the postal obscenity criminal statutes.

Confronted with material such as the samples I have shown here today, I for one cannot rest with this conclusion and at the same time discharge the moral and legal responsibilities imposed on me when I took the oath of office as a Member of the Congress of the United States.

I sharply disagree—and the Postal Operations Subcommittee disagrees—with any judicial or other attitude of thought by which this kind of unmitigated vileness can be viewed as not obscene. It is worse than suggestive. To borrow a well-worn phrase from judicial decisions—and to apply that phrase correctly—this stuff plainly is calculated to appeal to "prurient interests."

Accordingly, I will today send to the Postmaster General of the United States and to the Attorney General of the United States letters expressing the strong views of our subcommittee—and, I believe, of the membership of this House—that the U.S. mails no longer can be permitted to serve as go-between in this firm's "pornography for profit" plans, and urging reconsideration of the Post Office Department's reports to me, to be followed by prompt and effective action to close up this dirty business once and for all. I include the texts of these two letters in the RECORD, as a part of my remarks:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES, SUBCOMMITTEE ON POSTAL OPERATIONS OF THE COMMITTEE ON POST OFFICE AND CIVIL SERVICE,
Washington, D.C., March 6, 1962.

Hon. J. EDWARD DAY,
Postmaster General,
Washington, D. C.

DEAR GENERAL DAY: Since receiving Chief Postal Inspector Henry B. Montague's reports of February 2 and February 5, in response to my inquiries of January 29 and 30 concerning objectionable advertising literature being sent through the mails by EROS of New York City, our subcommittee has continued to receive complaints against EROS from all over the United States—many of them directed to individual Members of Congress, who have forwarded them to the subcommittee.

We certainly recognize the existence of obstructions to successful prosecutions that have been posed by judicial decision, such as that in the "Lady Chatterley's Lover," but at the same time feel that neither that decision nor the various other impediments and difficulties in any way justify an overly cautious attitude on the part of Federal authorities who are responsible for enforcing antiobscenity postal and penal statutes. We are aware, also, of the excellent record of progress made by the Post Office Department in its enforcement activities during the past year and heartily commend you and your staff for this record—while urging still greater efforts in the public interest.

Personally, I am in sharp disagreement—a disagreement in which members of my subcommittee unanimously concur—with any judicial or related attitude of thought that material such as is flooding the mails from EROS can be viewed as not obscene and contrary to American standards of public dignity and morals. It is worse than suggestive; it is, to borrow a phrase in which various tribunals have placed much reliance, plainly a detailed and calculated appeal to "prurient" interests. Worst of all, the pattern of mailings confirms our subcommittee findings that a great part of these solicitation campaigns by EROS and its fellow travelers is being directed at the children and adolescents who are entitled to every protection of our laws and our society.

I do hope, therefore, that the Post Office Department will again review its position with respect to the mailings by EROS and find grounds for legal proceedings to keep this firm's filth out of the U.S. mails. I am directing a similar request, with a copy of this letter attached, to the Attorney General of the United States to enlist his full cooperation and assistance. A copy of my letter to the Attorney General is enclosed.

Meanwhile, in view of the widespread interest in the Congress and of the special concern of our Postal Operations Subcommittee, it is requested that the subcommittee be furnished a complete and documented report comprising copies of all opinions and decisions relating to mailings by EROS (and others under the same management) and samples of such of their mailings as have been or are being considered by the Department in the course of the performance of the Department's responsibilities under the postal and criminal antiobscenity statutes. The subcommittee plans to thoroughly review the entire matter at a special meeting during the early part of April of this year.

With best wishes and kindest personal regards, I am,

Sincerely yours,
KATHRYN E. GRANAHAN,
Chairman.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES, SUBCOMMITTEE ON POSTAL OPERATIONS OF THE COMMITTEE ON POST OFFICE AND CIVIL SERVICE,
Washington, D.C., March 6, 1962.

Hon. ROBERT F. KENNEDY,
Attorney General of the United States,
Washington, D.C.

DEAR MR. ATTORNEY GENERAL: I am enclosing copies of my letter of today to Postmaster General J. Edward Day and of earlier correspondence with the Post Office Department concerning the use of the U.S. mails by EROS of New York to send advertising solicitations which, in the judgment of this subcommittee and many Members of Congress, are obscene or are directed toward an obscene purpose. This matter is brought to your personal attention because of the responsibilities of the Department of Justice under the criminal statutes relating to unlawful use of the mails, and the reference made to Department of Justice officials in the Chief Postal Inspector's letter of February 5, 1962, submitted in response to my inquiry of January 30, 1962.

Our subcommittee is most deeply concerned at the continuance of a condition which permits the filthy products of EROS (and others under the same management) to move through our great American postal system. It is particularly obnoxious to find such damaging and destructive matter carried by public servants at preferential postage rates which are subsidized in considerable part out of the taxpayers' pockets. This is an unwarranted and unacceptable drain on the public treasury—in aid to one of the most insidious and dangerous enemies of public dignity and morality—at a time when every dollar and every ounce of our Nation's strength is needed in our vital defense effort and in combating the threat of international communism.

Both personally and on behalf of our subcommittee and the mothers and fathers and children of America, therefore, I earnestly solicit your most vigorous efforts to remedy this intolerable situation and remove our postal facilities from their position of being unwilling participants in the "pornography for profit" dealings of EROS and its fellow travelers.

With best wishes, I am,

Sincerely yours,
KATHRYN E. GRANAHAM,
Chairman.

Mrs. CHURCH. Mr. Speaker, will the gentlewoman yield?

Mrs. GRANAHAN. I yield to the gentlewoman from Illinois.

Mrs. CHURCH. I would like to say to the gentlewoman from Pennsylvania that the important subject which she is discussing is in no way a partisan problem, nor is there any lack of interest on our side of the aisle in her efforts to obtain an adequate remedy. I would like to congratulate her on the long fight that she has made against obscene literature and against its transmission in the mails. I would like also to give her signal credit for her service in the House. She has been an honorable asset to the women Members, and certainly an asset to her party. In the meantime, I assure her that I join her in support of her legislation under discussion, and hope that the Committee on the Judiciary will take the necessary action to bring the measure to the floor for action.

Mrs. GRANAHAN. I thank the gentlewoman from Illinois.

Mr. CUNNINGHAM. Mr. Speaker, will the gentlewoman yield?

Mrs. GRANAHAN. I yield to the gentleman from Nebraska.

Mr. CUNNINGHAM. Mr. Speaker, I compliment the gentlewoman from Pennsylvania [Mrs. GRANAHAN], the chairman of our Postal Operations Subcommittee of which I am ranking minority member. We have worked long and hard on this matter of pornographic material. We have given it exhaustive

study over the last 3 or 4 years, probably more than has been given to it for a long time. We have been able to produce some legislation but not legislation that really is effective enough. The gentlewoman from Pennsylvania and I and other members of the committee realize that we have to have legislation that will divorce the adult mind from the juvenile mind so that when prosecution is brought in connection with pornographic matter, the jury will determine or the court will determine whether it is obscene in the mind of the adult or is obscene in the mind of the minor only. There is a difference.

There is a difference. I may be able to view a piece of obscenity and it would have no effect on me or other adult persons. My teenagers might receive this material which might have an adverse material effect upon them.

Mr. Speaker, we have appeared before the Judiciary Committee in an effort to try and work out some type of legislation to make this distinction, as the gentlewoman from Pennsylvania [Mrs. GRANAHAN] so well knows, and has pointed out, we have not been able to get that type of action. But we are working on it, and I congratulate again the chairman of our Postal Operations Subcommittee, Mrs. GRANAHAN, whom I worked with on this matter for the past several years.

Mrs. GRANAHAN. I thank the gentleman from Nebraska for his very fine support.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include letters.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Pennsylvania?

There was no objection.

OBSCENE MATERIAL IN THE FORM OF GREETING CARDS

Mr. HOFFMAN of Illinois. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. BARRY] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. BARRY. Mr. Speaker, I would like to mention one way in which obscenity is being sent through the mails. Recently some young teenagers walked into a greeting card store, innocently looking for birthday greeting cards. There on the counter in full view were other cards which were quite obscene, and quite unfit for public display even to adults. Certainly we are painfully aware of the problems of juvenile delinquency and are bending every effort to eliminate those conditions in our society which contribute to the corruption of our young people. However, if we permit the display and mailing of obscene material in the form of greeting cards, we thereby undermine all of our efforts in the areas of education and religion, as well as those made by parents in the home.

Although such greeting cards do not come within the purview of statutes prohibiting the sending of obscenity through the mails until they are actually mailed, it is obvious that material sold in the form of greeting cards will eventually be put into the mails. Second, it might be possible for the District of Columbia Committee to look into this matter which bears directly on the morals and well-being of the District's children. Since it is obvious that the question of free speech is not at issue here, there is no need for the display and mailing of obscene greeting cards to be continued any longer.

VOTE ON H.R. 10264

Mr. BOGGS. Mr. Speaker, I take this opportunity to announce to the House that there is a strong possibility that we will vote on the bill, H.R. 10264, which we have had under discussion today, at about 5 o'clock, and not prior thereto.

EQUAL PAY FOR EQUAL WORK FOR WOMEN

The SPEAKER pro tempore. Under previous order of the House, the gentlewoman from New Jersey [Mrs. DWYER] is recognized for 10 minutes.

Mrs. DWYER. Mr. Speaker, for the third consecutive Congress, I have introduced legislation to provide for equal pay for equal work for women. For many years, this has been a major concern for me and for many of our colleagues in Congress. The issue is one of fundamental justice, fairplay and equality. It has been a long time since anyone seriously tried to justify the practice of paying women less than their male fellow workers receive for the very same kind and quality of work. Yet, for reasons which surpass logic, the discrimination has continued to exist.

During my service in the New Jersey State Assembly, it was my privilege in 1952 to sponsor equal pay legislation and lead the successful fight for its passage. Our experience in New Jersey, and similar experience in many other States, should provide an overwhelming amount of evidence to demonstrate the usefulness of the legislation on a national scale.

It has been my observation that the more people know about this legislation, the more they understand the conditions it is designed to correct, the greater their support of our efforts becomes.

The need for national legislation is, I believe, very evident. The existence in interstate commerce of wage differentials based on sex has depressed wages and living standards, prevented maximum utilization of labor resources, caused labor disputes, burdened commerce, and constituted an unfair method of competition.

The benefits of such equal pay legislation are equally apparent. Passage of the bill would benefit the entire economy. Women today are an important part of our total labor force. Their earnings contribute significantly to the well-being of their families and help to increase our national wealth. Equal pay would stimulate economic activity by helping to maintain consumer purchasing power to a high level. It would also reduce the unfair competition of those who attempt to undercut wage standards by employing women at lower wage rates than men. Conversely, it would help protect the fair employer.

Men workers, themselves, would benefit from passage of the bill. Equal pay would help to stabilize wage rates and increase job security by discouraging the replacement of men with women at lower rates.

But the basic issue is a matter of principle, Mr. Speaker. Comparable work should be paid for at the same rate, whether the work is done by men or by women. The rate of pay should depend on the job, not the sex or size or shape or color of hair of the worker. To discriminate on such shallow and essentially irrelevant bases is completely unjustifiable. We have waged and are continuing to wage a national fight against discrimination of all kinds. It is appropriate and important that we eliminate at the earliest opportunity the discrimination against women in the matter of compensation for their work—one of the oldest and most pernicious forms of discrimination on record.

Fortunately, Mr. Speaker, support for this position has been growing steadily over the years. Between 1919 and 1959, 20 States enacted laws requiring equal pay for equal work for women. Both the Eisenhower and the Kennedy administrations have supported this objective on a national basis. Women's organizations, civic organizations, labor unions, and employer's associations all support the principle of equal pay. The U.S. Chamber of Commerce last year urged employers to adopt voluntarily pay practices which accurately reflect the value of services performed by women. The National Association of Manufacturers termed the principle of equal pay soundly based, and the AFL–CIO Executive Council has endorsed Federal legislation to provide equal pay for equal work for women.

A representative list of other supporting organizations indicates impressively the broad backing this principle and this legislation have earned: the American Association of University Women, the General Federation of Women's Clubs, the League of Women Voters, the National Consumers League, the National Council of Catholic Women, the National Council of Jewish Women, the United Church Women, the National Council of Negro Women, the National Education Association, and the National Federation of Business and Professional Women's Clubs, among many others.

I join many of our colleagues, Mr. Speaker, when I express the hope that the hearings scheduled on this legislation for later this month before a subcommittee of the Education and Labor Committee will be the first in a series of concrete steps toward enactment of Federal equal pay legislation.

AIRPORT OWNER'S LIABILITY FOR NOISE DAMAGE

Mrs. DWYER. Mr. Speaker, it is readily apparent that the decision of the U.S. Supreme Court on Monday in the case of Griggs versus the county of Allegheny will have the most widespread ramifications in the field of commercial aviation. How extensive those ramifications will be, no one can say, since the Court ruled on the basis of a single and unique factual situation.

But this much is clear: As a matter of principle, the Supreme Court has extended its landmark decision of 1946, involving liability for damage caused by military flights, to the field of commercial aviation. Whereas in United States against Causby, the Court held that the Federal Government must compensate property owners near military airports for the taking of the property as a result of damage caused by military flights, so the Court on Monday extended the principle to protect property owners in the vicinity of civil airports.

Although the Court divided, 6 to 2, on assigning liability in the most recent case to the operator of the airport, it is especially significant, it seems to me, that the Court was unanimous in deciding that the noise and vibration caused by low flights can make property so useless as to constitute a taking of the property for public use. And, of course, the Constitution requires that "just compensation" be paid for any property taken for such public use.

Furthermore, Mr. Speaker, even though liability has been established at the airport operator level, civil aviation in the United States is such a completely integrated industry that all other phases are intimately involved, including the airlines, aircraft manufacturers, and the Federal Government. No part of the civil aviation industry can any longer escape responsibility for the effects of aircraft noise on public airport neighbors. This, I believe, is the major significance of the Supreme Court's decision.

As many of our colleagues know only too well, especially Members who represent areas in which commercial airports are located, the question of aircraft noise has never received the serious attention it deserves. Airport neighbors who have complained about excessive noise levels have usually been dismissed as nuisances. "Passing the buck" has been a favorite pastime, with airlines, manufacturers, airports and the Government each insisting it is not solely responsible for the problems created by noise and each suggesting that someone else should take action. As a result, such efforts as there have been to control noise have frequently been halfhearted, haphazard, tentative and generally inadequate. No well-coordinated, national attack has ever been waged on aircraft noise, despite the fact that the advent of jet aircraft into scheduled airline operations has made it more apparent than ever that nothing less than such a comprehensive effort will be effective.

As recently as last fall, this conclusion was strikingly substantiated in the Report of the Task Force on National Aviation Goals, "Project Horizon," which was submitted to the President and the Administrator of the Federal Aviation Agency. The report stated in part, and I quote:

> Another field of air terminal operation in which the Federal Government must expend great effort is aircraft noise. The head-on conflict between aviation interests and communities and property owners adjacent to airports is too important and basic to progress and the Nation's commerce to permit indifferent treatment of the problem by our Federal authorities. The need for the air traveler and air shipper to have available aviation facilities close to his points of origin and destination, and the right of the property owner to the peaceful use of his property without unwarranted interference from aircraft noise and flight, are both in the Nation's interest. The situation calls for a massive technical attack by the National Aeronautics and Space Administration, the Federal Aviation Agency, and private industry on the problem of engine noise, with particular emphasis on turbine powerplants.

I do not minimize, Mr. Speaker, the extreme complexity of the noise problem. Nor do I wish to underestimate the attempts of individual groups who are presently engaged in the detailed research and experimentation necessary to reach a thorough technical understanding and control of noise. As I have indicated, however, complexity is not an excuse for inaction, and the research and other efforts to control noise have to date been scattered and insufficiently supported. While no responsible person would recommend closing airports or grounding aircraft in order to prevent noise, I do not believe that excessive noise can be justified simply by talking about the importance of aviation progress and stressing the great contributions which aviation has made to the national strength and well-being.

If aviation is as significant as people in the industry claim it is—and I, for one, am in complete agreement—then it becomes equally important in their own self-interest to see that the noise hazard is brought under control.

A major part of the impact of the Supreme Court decision in Griggs versus County of Allegheny, I suspect, will be to delineate more clearly than ever the nature of the aviation industry's self-interest in noise abatement. The convenience, health, and safety of persons living in the vicinity of airports has not been a sufficiently compelling factor, it would seem, to obtain top priority industry attention. But now, with the Court's decision and the possibility of additional and successful litigation it suggests, the factor of economic interest has entered the picture. No one likes to lose money, fortunately, and if the threat of losses due to noise damage will be a greater incentive than humanitarian concerns, then I suppose we should be grateful.

Obviously, Mr. Speaker, I do not suggest that people who have been annoyed by aircraft noise should rush out, retain a lawyer, and file suit for damages. Not only would this be highly irresponsible, but under the very strict standards stated and implied in the Court's decision, such suits would seem to have very little chance of success. For the time being, it seems to me, it is enough that those persons who have suffered demonstrable damage from the excessive noise and vibration caused by low-flying aircraft in the vicinity of airports should be afforded an opportunity to recover real and provable damages from the responsible agency, in this case the airport operator.

Beyond that, Mr. Speaker, it becomes a matter of protecting airport neighbors as a whole from the ill effects of noise by mobilizing the available resources of industry and Government in order to find effective ways of reducing noise levels. This is the constructive approach which I hope will result from the Supreme Court's decision.

There are a number of things that can be done:

As the Project Horizon task force pointed out, it is essential from an operating standpoint that the Federal Aviation Agency establish and enforce standards of aircraft noise exposure and noise abatement rules applying to aircraft operations in and out of airports. This will require legislation, and shortly after the report was issued I requested the assistance of the FAA in drafting appropriate bills. After more than 2 months, the Agency is still considering its interim reply—which fact may, in a small way, indicate rather strikingly the less than urgent attitude that prevails in the FAA with regard to the noise problem.

This is not an isolated instance. Last summer, for another example, the Washington Post published a copy of a noise map prepared by FAA to show the extent of noise to be expected at the Dulles International Airport when jet aircraft begin operations there. When I inquired about the relevance of such noise statistics for Newark Airport—where, at that time, jet operations were being considered—the FAA replied that the Dulles noise map was based on the performance of a Boeing 707-120 aircraft, loaded at maximum gross weight of 247,500 pounds, and was therefore inapplicable to Newark Airport since such an aircraft could not operate from Newark due to insufficient runway length. The Agency pointed out, however, that it had negotiated a contract to obtain accurate noise levels emanating from 16 various types of commercial aircraft. They said the contract would be completed in mid-November of 1961.

As of yesterday, Mr. Speaker, nearly 4 months after the scheduled completion date for a noise study of vital importance, the FAA reported they were hopeful the study would be completed this summer though it was evident they were not too hopeful.

These illustrations lead me to my second recommendation: that the Federal Aviation Agency abandon its business as usual attitude toward noise control and undertake a vigorous, concentrated drive to harness the resources of industry and

government and bring the noise hazard under control.

Two other recommendations of the Project Horizon task force should receive priority attention. First, the FAA should be given authority to establish standards for the design and manufacture of commercial aircraft, especially aircraft powerplants, reflecting maximum limits for noise output. Since this is the point at which noise originates, this may well be the only point at which noise can be controlled effectively. This will also require legislation and I have requested FAA assistance in drafting a bill. Second, local communities should make whatever changes are necessary in their zoning ordinances so as to reclassify land in the critical areas close to airports from residential use to industrial or recreational use. Noise, of course, works in both directions. It is just as objectionable for private housing to encroach on airports as it is for airports to overwhelm housing. Better overall planning by local communities or, preferably, by cooperative regional planning agencies, could be very helpful.

In a related area, a great deal of improvement in the noise situation could result from closer coordination between Federal agencies having responsibilities related to airport planning. Airports don't exist in a vacuum. They need highways, public utility services, transportation facilities, and the like. They are also surrounded by industrial, residential, commercial and other neighborhoods. Consequently, the Federal Aviation Agency is not the only governmental body involved. The Housing and Home Finance Agency and its several constituent units also has a role to play, as does the Bureau of Public Roads. All such agencies should be following a common policy with regard to airport location and noise control. This is the kind of responsibility, incidentally, for which an Office of Urban Affairs should be established in the Executive Office of the President, as I have heretofore proposed.

Before coordination can do much good, however, there must be a basic policy to be coordinated. Unfortunately, from extensive past experience, it is quite clear that the Federal Government has no comprehensive airport location policy. Despite the fact that commercial aviation is a business that covers the globe, essentially local decisions are still determining the location of giant jet airports designed to serve the entire Nation and a good part of the globe. Clearly, the Federal Government has some measure of responsibility for establishing appropriate standards, standards which would deal with noise control, access to population centers, transportation, and similar considerations. A national policy could help eliminate the often wasteful and time-consuming local squabbles by assuring local communities that their legitimate interests were being protected.

I had hoped, Mr. Speaker, that the Project Horizon and Project Beacon reports last year would deal in greater detail with this matter and advance a proposed national airport location policy. While both reports contain valuable observations and recommendations which would be a part of such a comprehensive policy, no detailed or systematic policy was suggested. Likewise, the FAA and Civil Aeronautics Board have agreed on individual statements of policy on matters relating to airport planning, development, and location, but these have been limited in scope. What is now called for, I believe, is creation of a national commission by Congress or the President to be charged with the responsibility of developing as soon as possible an overall airport policy which will put order and system and advance planning into the location of the Nation's great jet airports.

Mr. Speaker, last year the House approved a resolution directing its Committee on Interstate and Foreign Commerce to conduct a comprehensive study of the effects of aircraft noise on persons and property on the ground. I understand this study has been assigned to the Special Subcommittee on Regulatory Agencies, and the subcommittee is currently engaged in the investigation. The Supreme Court's decision in Griggs against County of Allegheny has given this congressional study new importance and urgency, and I am sure our colleagues join with me in expressing the hope that the committee will pursue the study with the sense of immediate purpose which is called for. Despite the complexity of the technical questions that remain unanswered, a great deal of information is now or will soon become available. Even though final answers or ideal solutions may be unobtainable in the near future, the available information ought to provide a basis for sound recommendations for action that can be taken now, at least on an interim basis, to help give us needed relief from excessive aircraft noise.

I should like to make one final observation, Mr. Speaker, about the noise problem which concerns local airport authorities exclusively. Over the years, I have found that one of the principal causes of public dissatisfaction with aircraft noise is not only the noise itself but the attitude toward the problem displayed by the airport operators. If airport operators would take the public into their confidence and deal frankly with public concern about noise, much misunderstanding and fear and frustration could be avoided.

I have in mind, by way of evidence, the entirely unsatisfactory way in which the Port of New York Authority has handled the matter of jet operations at Newark Airport. For several years, the authority continually denied any intention of permitting jet service at Newark. At the very time of these denials, however, the authority was making plans for lengthening runways at Newark and otherwise equipping the airport for such jet operations. When these plans were revealed through publication of the FAA's annual national airport plan, the resulting public uproar led the authority to withdraw its application for Federal assistance. Then, last year, when the port authority finally determined to initiate jet operations at Newark, it announced that flights would be limited both as to number of jet takeoffs and departures and it indicated that such flights would be restricted to short- and medium-range distances with so-called medium jet aircraft, such as the French Caravelle. The Governor of New Jersey specifically based his approval of the plans on these limitations. Within a matter of weeks, however, these limitations were discarded, without public explanation and without public approval by the Governor. Today, coast-to-coast jet flights in numbers far exceeding the original plans are common. Is it any wonder, therefore, that the people who live in the vicinity of the Newark Airport should be severely distrustful of the Port of New York Authority?

Most people, Mr. Speaker, do not oppose aviation progress. But they do expect a certain amount of candor from aviation authorities, a certain amount of necessary preparation for the advent of jet operations, and a reasonable degree of assurance that everything is being done to protect them from the dangers and disruptions of excessive noise.

Mr. Speaker, the decision of the Supreme Court has placed all these considerations in a new and more immediate perspective. I hope that Congress, the administration, the aviation industry and all concerned with aviation progress will now make renewed and determined efforts to bring aircraft noise under control.

HELPING COMMUNISM SUCCEED

The SPEAKER pro tempore (Mr. BASS of Tennessee). Under previous order of the House, the gentleman from Washington [Mr. PELLY] is recognized for 25 minutes.

Mr. PELLY. Mr. Speaker, last September in enacting Public Law 87-195—the foreign aid bill—the Congress plainly prohibited the furnishing of assistance by the United States to Communist-bloc nations. In section 620(B), language was inserted which stated:

> No assistance shall be furnished under this act to the government of any country unless the President determines that such country is not dominated or controlled by the international Communist movement.

That this provision of law applies to Poland is clear. Indeed, in testifying before the House Select Committee on Export Policy, Secretary Rusk has stated that in developing U.S. policies toward Poland it would be erroneous and dangerous to base such policies on the illusion that Poland is not tied to the Soviets within the bloc.

Quoting Dean Rusk's own words, he said:

> It [Poland] is clearly a member of the Soviet bloc. It is bound to the U.S.S.R. not only through such formal instrumentalities as the Warsaw Pact, but also because

of its exposed geographic position and its heavy economic dependence upon the Soviet Union.

That Polish position on international issues is rarely distinguishable from that of the Soviet bloc was cited by Secretary Rusk as further evidence of Poland's membership in the bloc as was the presence of Soviet troops on Polish soil.

On the other hand, the policy of the United States under the Export Control Act is not so specific. It provides authority to the President to use export controls for the exercise of vigilance over exports from the standpoint of national security plus the furtherance of our foreign policy. This act makes policy a matter of Executive discretion and wisdom, and in this latter connection our policy has been to embargo all exports to Communist China, North Korea, North Vietnam and Cuba, whereas exports to the U.S.S.R. and other Soviet-bloc countries have been only restricted to so-called nonstrategic exports. Poland, however, has been accorded special treatment and, indeed, recently Secretary of Commerce Hodges testified that our Government has been prepared to permit exports of even strategic goods when determination is made that such goods are necessary to the Polish economy.

Mr. Speaker, under our Export Act the determination and policy has been that nonsubsidized agricultural commodities were nonstrategic and as such no restrictions under our Export Control Act were placed on their export to European Soviet-bloc countries. Subsidized farm commodities, on the other hand, were classified as strategic. But on June 22, 1961, the Department of Commerce announced an easing of licensing regulations covering such surplus subsidized agricultural products so that now food under existing regulations is not considered related to our national security. With this determination, I strongly differ and later on in these remarks I will explain why. But right now let me emphasize that we have an inconsistent policy covering export of food. If it is aid, it is banned to the Soviet bloc; if it is under a program of trade, it is permissible under general license.

This lack of a firm policy, which actually amounts to no policy at all, was pointed up last week when a little band of patriotic American citizens exercising their constitutional right of free speech picketed the *Titan*, a tanker being loaded at Seattle with grain for Communist Poland. The group carried placards saying, "Grain Is Ammunition," "U.S. Subsidizes International Communism," "Planes; Wheat; What Next?" "90 million Loaves of Bread for Communism," and so forth.

These protests were lodged on the natural assumption that when Congress prohibited assistance to Communist-dominated countries, it made illegal this cargo of 26,800 tons of grain and 10,900 tons of barley.

Actually, the shipment was under an agreement consummated between the Polish and United States Governments on December 15, 1961, under provisions of Public Law 480, title I. Under this agreement the United States allowed a credit of $25 million estimated to cover 400,000 metric tons of wheat; $5.7 million estimated to cover 100,000 metric tons of barley; $7.7 million estimated to cover 24,000 tons of vegetable oil and $1.8 million for an estimated 10,000 metric tons of tallow, with $3.9 million for transportation costs.

Under this arrangement, the U.S. Government pays the U.S. supplier with dollars, while Polish currency is credited in a Polish bank to our Government based on 24 zlotys to an American dollar. Under this plan, as I understand it, the United States can eventually obtain dollars for zlotys if we wait for 30 years, and so while this transaction does not come under the foreign aid law and as such is legal, it nevertheless represents substantial assistance to Poland and is contrary to the spirit of the law and the intent of Congress.

I applaud the action of the U.S. citizens in expressing indignation but, as I have said before, the protest would be more correctly directed if it were to the President whose decision in the final analysis legalized the shipment under the Foreign Export Act.

Many times I have publicly expressed strong opposition to the shipment of grain to Poland or to any destination in the Soviet bloc, and let me reiterate my reasons why.

A shipment to one Communist-bloc nation is the same in my judgment as to any of the others. For example, Poland can help fill the grain gap in other bloc nations with her own products and consume the ones she receives from us to make up the difference. Thus, she does not have to resort to transshipping our exports for this purpose, although she could very well transship U.S. cargoes if necessary. Secretary of State Dean Rusk has admitted the calculated risk involved by permitting these shipments, stating that there is no effective check or means of preventing transshipments under the present regulations.

But, Mr. Speaker, here I must interpose that the policy issue with us really involves the question of whether grain, subsidized or unsubsidized, is strategic or not. That is the basis of the restriction in our export law. In other words, it is a matter of our national security.

So, Mr. Speaker, addressing myself to the policy of permitting grain shipments to the Soviet bloc, let me remind my colleagues of a news item earlier this week. I refer to the speech before the Central Committee of the Communist Party by Premier Nikita S. Khrushchev warning that if current farm problems in the U.S.S.R. were not solved communism would be "seriously damaged." Khrushchev said if the Communists fail to solve this task they will confront the Soviet Union with great difficulties and the cause of building communism—so he frankly stated—would be seriously damaged.

This admission of failure of agricultural collectivism ties in with recent free world predictions that Russia's economy is in serious trouble and the significant aspect of the problem is the comparison of collectivization with the system of privately owned farms so clearly pointed up in the Soviet bloc. The only European Communist country not collectivized, Poland, was the only member of the bloc to fulfill its agricultural plan; in fact it doubled its planned increase. Elsewhere in East Germany, Bulgaria, Czechoslovakia, Rumania, Hungary, where collectivization is rampant, the programs were not successful.

Indeed, Edward Crankshaw of the London Observer News Service was quoted in last Sunday's Washington Post as saying:

> In food production, the Soviet Union, which should be the greatest agricultural country in the world, has a record which can only be called disastrous. With half the population on the land, it still cannot reliably feed the urban half. Whereas in the West agricultural production has grown at a rate far in excess of industrial production, where ever-diminishing numbers of field workers produce ever-increasing harvests, in the Soviet Union a monstrously swollen agricultural population can barely keep the country fed.

This article concluded that sooner or later the Soviet Union will have to abandon collectivization and in consequence much more besides. I suggest that those words "much more besides" are highly significant.

Mr. Speaker, when Secretary of Commerce Luther Hodges testified recently before the House Select Committee on foreign export policy that the United States is prepared to permit export of even strategic goods to Poland, I suggest that to be more accurate he should have stated that the United States is presently permitting strategic goods to go to Poland. For food is just that as far as the Soviet bloc is concerned.

Shipment of grain, such as the grain shipment protested by the pickets in Seattle, is legal under a policy which in my opinion serves to prevent an economic and philosophical breakdown in the Communist bloc. Agriculture in Russia is throwing the Kremlin plan out of balance and causing discontent of Soviet citizens which could affect the outcome of the cold war.

Official Soviet reports on agricultural production lead Western authorities to the opinion that Kremlin planning and control are a failure so as to make it impossible for communism to win the battle of competitive coexistence with the outside world.

Our export policy, Mr. Speaker, ignores this situation. Last June, the Secretary of Commerce opened the door for shipments of surplus subsidized farm commodities to be shipped to the U.S.S.R. and this with shipments that have been going to Yugoslavia and Poland could solve the Communist problem and bolster their sagging collectivist system which is the heart and core of the Communist philosophy. If and when collectivism is destroyed, the entire structure of Marxist communism will inevitably collapse.

I have taken the position, Mr. Speaker, that the people under the yoke of communism must earn their freedom by hunger, hardship, and harsh sacrifice.

And, as for us, I hold that only if the United States reverses its policies of appeasement, compromise, and opportunism can we hope to win the cold war and thereby retain our free way of life.

Mr. Speaker, the Export Control Act expires in June. I have heard our Department of State favors a freer basis of exports to the Communist bloc. I hope that the Congress instead will remove the inconsistencies in the law and also I hope the law will be strengthened and that Congress will not only ban shipments of grain, but also will place an embargo on all trade with Communist countries.

Mr. Speaker, as an article in the March issue of Nation's Business points out, Russia's economy is headed for serious trouble, and industrial and agricultural disorders building up in the Soviet Union and most of its satellites constitute potentially the greatest threat to international communism to arise since Hitler's armies stood in sight of Moscow.

Why should U.S. policy be such as to help the Communists solve their chronic inability to stabilize food production? Why, when the record indicates ultimate victory could lie in a decision to let the Soviets stew in the collectivist juices of their own making?

Let us set an example to our allies and the free world. Let us show leadership and stiffen our foreign policy.

In short, let us set a course to win this cold war.

That is what the pickets for freedom in Seattle sought. As their banners read: "Food Is Ammunition."

Mr. Speaker, under our weak policy of expediency and softness we are burying ourselves. We are setting a stage for our children to be raised under communism.

We can win this struggle. We can earn anew our heritage of freedom.

Let us stop this policy of helping communism succeed.

Let us ban all aid to the Soviet bloc and watch the enemies of a free way of life engulf themselves in discontent and abdication.

Mr. TOLLEFSON. Mr. Speaker, will the gentleman yield?

Mr. PELLY. I am happy to yield to my colleague.

Mr. TOLLEFSON. I have asked the gentleman to yield simply to express my commendation of the speech that he is making. I commend the gentleman also for the strong stand and the firm actions he has consistently taken throughout the years he has been a Member of the Congress in bringing to the attention of the American public and the Congress the threat of international communism to the peace and well-being not only of our own Nation but of the nations of the world. I know of no Member of the Congress on either side of the Capitol Building who has more vigorously opposed Communist aggression here and abroad.

I am pleased to know of the reaction that has taken place in my own State with respect to the gentleman's activities. More and more people have been writing to me this last year than ever before, expressing their concern over the threat of communism. I think this is one of the reasons for the tremendous number of letters that have been coming to me, and many from the gentleman's own district, but also, many from my own. Many of the writers comment on the fact they have read articles in the press concerning statements and actions taken by the gentleman from Washington who now has the floor, endeavoring to get congressional action of one sort or another to combat Communist aggression.

I would like to ask the gentleman a question if I may. He has just made reference to the sale and export of surplus grain products to Poland, and he cites an instance that took place in the city of Seattle, as I understand. I gather from what the gentleman said that he regards surplus agricultural products as strategic products as much in many cases as would be the normally considered strategic materials such as armaments of war.

Mr. PELLY. Mr. Speaker, first let me thank my colleague for his very kind words of support and state specifically in answer to his question with regard to the strategic nature of food that I intend following this point to dwell on that one subject, the very definite strategic nature under the conditions now existing in the Soviet bloc.

Mr. TOLLEFSON. Mr. Speaker, will the gentleman yield further?

Mr. PELLY. I yield.

Mr. TOLLEFSON. I want the gentleman to know that I join with him in many of his activities and actions, and I want him to know that I have also introduced bills in the House to prohibit the sale or transfer of surplus agricultural products to known Communist or pro-Communist nations.

Mr. PELLY. I thank the gentleman.

CALL OF THE HOUSE

Mr. GROSS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

Mr. BOGGS. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 32]

Addonizio	Chiperfield	Harding
Andrews	Coad	Harrison, Va.
Anfuso	Cooley	Hoffman, Mich.
Ashmore	Davis, James C.	Holifield
Avery	Davis, Tenn.	Hosmer
Baker	Dent	Johnson, Calif.
Bennett, Mich.	Derwinski	McIntire
Blitch	Elliott	Mason
Bow	Garland	Meader
Broomfield	Glenn	Miller, N.Y.
Chelf	Rogers, Colo.	Moulder
Pfost	Saund	Ullman
Powell	Smith, Miss.	Wickersham
Roberts, Ala.	Udall, Morris K.	Wright
Roberts, Tex.		Zelenko

The SPEAKER pro tempore. On this rollcall, 391 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 3879. An act to authorize and direct the Secretary of Agriculture to convey to the State of Wyoming for agricultural purposes certain real property in Sweetwater County, Wyo.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1991) entitled "An act relating to manpower requirements, resources, development, and utilization, and for other purposes."

INCREASING THE SIZE OF THE HOUSE OF REPRESENTATIVES

The SPEAKER pro tempore (Mr. ALBERT). The Clerk will read the engrossed copy of the bill H.R. 10264.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the Eighty-eighth Congress and in each Congress thereafter, the House of Representatives shall be composed of four hundred and thirty-eight Members.

SEC. 2. Subsection (a) of section 22 of the Act entitled "An Act to provide for the fifteenth and subsequent decennial censuses and to provide for apportionment of Representatives in Congress", approved June 18, 1929, as amended (2 U.S.C. 2a) is amended by striking out "the then existing number of Representatives" and inserting in lieu thereof "four hundred and thirty-eight Members of the House of Representatives".

SEC. 3. (a) The statement transmitted to the Congress within the first week of the first regular session of the Eighty-seventh Congress by the President in accordance with subsection (a) of section 22 of the Act of June 18, 1929, as amended, and the certificates sent to the executives of the States in accordance with subsection (b) of such section 22 shall be of no force and effect for the purpose of effecting a reapportionment under such section 22 of such Act of June 18, 1929.

(b) Within thirty days of the date of enactment of this Act, the President shall transmit to the Congress a statement prepared in accordance with the provisions of such Act of June 18, 1929, as amended by this Act, and such statement shall, for the purposes of such Act of June 18, 1929, be held and considered to be the statement submitted in accordance with the requirements of such Act for the apportionment of the Eighty-eighth and the four subsequent Congresses.

(c) Where a State has redistricted after the 1960 apportionment but before the effective date of this Act, such redistricting shall

not be invalidated by this Act if the number of Representatives to which such State is entitled has not been affected by the provisions of this Act.

Mr. MOORE. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. MOORE. I am, Mr. Speaker.

The SPEAKER pro tempore. The gentleman qualifies.

The Clerk read as follows:

Mr. MOORE moves to recommit the bill H.R. 10264 to the Committee on the Judiciary.

The SPEAKER pro tempore. Without objection, the previous question is ordered.

The question is on the motion to recommit.

The motion was agreed to.

Mr. GROSS. Mr. Speaker, on that I ask for the yeas and nays.

The yeas and nays were refused.

A motion to reconsider was laid on the table.

LEGISLATIVE PROGRAM

Mr. HALLECK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HALLECK. Mr. Speaker, I have asked for this time to inquire of the majority leader, the gentleman from Oklahoma [Mr. ALBERT], as to the legislative program for the balance of this week and for next week.

Mr. ALBERT. Mr. Speaker, if the gentleman will yield, in response to the gentleman's inquiry, I would like to advise the membership first that this completes the business for this week.

Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet on Monday next.

Mr. HALLECK. Mr. Speaker, reserving the right to object, I would like at this time to inform the House that I have discussed this matter with the majority leader and with the Speaker and as far as I am concerned, it is perfectly all right to adjourn over until Monday.

Mr. GROSS. Mr. Speaker, further reserving the right to object, I would like to have the legislative program for next week before the gentleman from Oklahoma pursues his unanimous consent request to adjourn over.

Mr. ALBERT. Mr. Speaker, I am glad to comply with the suggestion of my colleague and withdraw the request at this time.

Mr. Speaker, in response to the inquiry of the gentleman from Indiana, the minority leader, may I advise the House as to the legislative program for next week.

Monday is District Day. There are two bills that will be taken up on that day.

First. H.R. 9699 having to do with the sale of property.

Second. H.R. 8916 having to do with the George Washington Hospital Center.

Tuesday, the bill, S. 167, for the enforcement of antitrust laws will be taken up, and H.R. 10079, a bill to amend section 104 of the Immigration and Nationality Act.

Wednesday and the balance of the week, the bill H.R. 10606 relating to the public welfare amendments of 1962 will be taken up, if a rule is reported, also H.R. 10607—the Tariff Classification Act of 1962 will be taken up, if a rule is reported.

The conference report on the bill, S. 1991, relating to the Manpower Training and Development Act of 1961 will be taken up. That conference report may be called before Wednesday, I will advise the gentleman.

Thursday, the conference report on the bill, H.R. 8723, the Welfare and Pension Plans Disclosure Act will come up.

Mr. Speaker, the above program is announced, of course, with the usual reservation that conference reports may be brought up at any time and, of course, any further legislative program may be announced at a later time.

Mr. HALLECK. Mr. Speaker, if the gentleman will permit me, I have had inquiries on this side as to whether or not either of these conference reports may be called on Monday. The gentleman has indicated they might be called up earlier. I think it would probably be desirable if we could have the information as to the earliest day that they might be called.

Mr. ALBERT. May I advise the gentleman that the conference report on the bill, H.R. 8723, Welfare and Pension Plans Disclosure Act, will not be called before Thursday. The conference report on that bill will be called up on Thursday.

Mr. HALLECK. Would it be possible to have an understanding as to the conference report on S. 1991, Manpower Training and Development Act of 1961, that it will be called up not earlier than Tuesday?

Mr. ALBERT. I will agree with the gentleman from Indiana. That will be called up on Tuesday.

Mr. GAVIN. Mr. Speaker, further reserving the right to object, would the gentleman explain what the conference report deals with?

Mr. HALLECK. I was inquiring with reference to the conference report on the bill, S. 1991, the Manpower Training and Development Act of 1961.

Mr. GAVIN. I thank my colleague.

ADJOURNMENT OVER

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet on Monday next.

The SPEAKER pro tempore. (Mr. ROOSEVELT). Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON MARCH 14 AND MARCH 21

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule next week on March 14 and the following week March 21 may be dispensed with.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

COMMITTEE ON WAYS AND MEANS

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the Committee on Ways and Means may have until midnight Saturday night to file reports on the bill H.R. 10606, the public welfare amendment of 1962, and H.R. 10607, the Tariff Classification Act of 1962.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

JOEY ADAMS: A GREAT AMERICAN AND AMBASSADOR OF GOOD WILL

The SPEAKER pro tempore. Under the previous order of the House, the gentleman from New York [Mr. HALPERN] is recognized for 40 minutes.

Mr. HALPERN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HALPERN. Mr. Speaker, it has been said that when man loses the ability to laugh, he has lost the world. There are parts of the world, however, where laughter is a luxury—where the harsh problems of everyday life would seem to preclude joy. Perhaps the greatest gift ever given to these people by our country was the chance to laugh—it was worth the equivalent of millions of dollars of foreign aid funds and, according to first-hand reports, those people will remember our Ambassador of Joy longer than they will remember our gifts of tools or arms.

That ambassador was Joey Adams, an entertainer, author, and I should add, diplomat and psychologist—a man of rare ability and great warmth. He has recently returned from a 4½-month tour of the Middle and Far East during which time he visited 11 countries and left behind him the smiles and gratitude of countless thousands of people.

Joey Adams and his 24-member troupe, which included his exceptionally talented and charming wife, Cindy, are to be commended by this House and by the American people for the successful completion of their mission. It was a mission first suggested to President Kennedy by Mr. Adams early last year. The

President and our State Department agreed with the wisdom of this suggestion and their opinion has been justified by the unqualified success of the tour.

It has been my extreme pleasure to know and work with Joey Adams, both in his capacity as president of the American Guild of Variety Artists and in many charitable functions in New York and throughout the country. He is more than an entertainer. He is gifted with charm, dedication, and a seemingly endless storehouse of energy.

This good-will tour has brought accolades from news media throughout the world. The mission has been heralded by representatives of our Government and by officials and other representatives of the countries covered by our diplomat entertainers.

Typical of the American press comments are those expressed by Lee Mortimer, the noted, widely read correspondent for the New York Daily Mirror, and by feature writer Leonard Harris in his full-page story in the New York World-Telegram.

Mr. Speaker, I commend these two articles as excellent summaries of the Adams tour. They give a capsule wrap-up of the Adams mission:

[From the New York Sunday Mirror, Jan. 7, 1962]

COMEDIAN OR DIPLOMAT? BOTH—JOEY ADAMS WINS UNITED STATES FRIENDS OVERSEAS

(By Lee Mortimer)

A clown—in a diplomat's role? Yes, and there's nothing funny about it—except the quips comedian Joey Adams dropped before audiences roaring with laughter in far places of the world.

Joey, who graduated to the big-time from the borscht circuit after a boyhood on the Lower East Side, headed a troupe of 23 introducing American humor and cementing international relations with smiles in some Far Eastern trouble spots. The trip was part of President Kennedy's special international program for cultural relations.

The troupe won rounds of enthusiastic applause—and columns of favorable newspaper comment—in friendly countries such as Thailand, Vietnam, and Iran, and in neutralists such as India, Nepal, and Indonesia. The results in good will for America exceeded all expectations.

Joey returned on Christmas Day from the 5-month tour which covered 12 countries. Yesterday—his 51st birthday—he spent in his Fifth Avenue apartment reading the pile of congratulatory messages from the crowned heads and cabinet ministers he had entertained.

From the little people in the audiences, he had already heard—with the sound of their appreciative laughter.

One of the plaudits he treasures most was the comment of the Prime Minister of Indonesia to American Ambassador Howard Jones:

"If the price of rice goes up the people of Indonesia will revolt, but if the price of Joey Adams' show goes up the people will pay it gladly."

Actually, where admission prices were charged at all, they were in most cases turned over to local charities. The U.S. Government paid the troupe's expenses.

Another tribute was from American Ambassador Nolting, in Saigon, who wired the State Department that his office was "highly pleased with Joey Adams' contribution to Vietnamese-American relations * * * Adams' personal gifts in cementing U.S. Vietnamese relations most impressive."

Wherever the troupe appeared, Adams' pretty, witty wife Cindy introduced the acts in the native tongue—a gesture much appreciated by the people. The places visited included Afghanistan, Nepal, Thailand, Cambodia, Laos, Indonesia, Singapore, Hong Kong, South Vietnam, India, Pakistan, and Iran. The Queen of Cambodia decorated Joey. The rulers of Thailand and Afghanistan pressed gifts on him. The Empress of Iran, the Nepalese royal family and a Lao prince all honored him.

But the impressive honors haven't turned the head of the funnyman who can also be serious, as president of the America Guild of Variety Artists. To all the praise and adulation for his accomplishment on the trip, he replies with a quip "I'm very glad to have had this opportunity to serve my country—but I feel a bit self-conscious that the best way I can serve my country is to leave it."

[From the New York World-Telegram, Jan. 20, 1962]

STRIPED PANTS TROUPERS WIN RAVES FOR UNITED STATES

(By Leonard Harris)

Joey Adams can't count how many times he's stood in front of an audience and introduced a purely fictional joke with:

"This actually happened."

But, says the comic, who's just returned after heading a 4½-month, State Department-sponsored entertainment tour of the Middle and Far East, this actually happened:

"One morning in Saigon—at an orphanage—600 'kids' got up when our show was over and sang 'God Bless America' in English.

"People in hospitals—what did they have to be happy about?—beamed at us, laughed at us, reached out to us. Everywhere we put out a hand to people, they took it and shook it. There were no 'Yankee, Go Home,' signs, not one."

Joey first suggested the trip to President Kennedy about 8 months ago. The troupe played Afghanistan, India, Nepal, Thailand, Laos, Cambodia, South Vietnam, Hong Kong, Indonesia, Singapore, and Iran.

Joey and his pretty wife, Cindy, and others in the 24-member troupe took turns giving English lessons. But they hurdled the language barrier mainly by emphasizing visual things, broad comedy, music, dancing, magic.

Like any performers on tour, they savor their memories of the things that "actually happened."

What they'll remember most is the faces—of the hospital patients in Thailand, the street full of Red Chinese refugees in Hong Hong, the lepers in a beggars' home in India. Especially the faces of the "kids" everywhere.

But like all performers, they'll remember the SRO audiences and the raves. Joey was proud to show some of the reviews, particularly the orchids from American officials who noted the effects on the local people. Here are a few:

"Comments from all sources regarding the show have been highly laudatory"—American Embassy in Katmandu, Nepal.

"Wonderful * * * Iranians feel most cordially toward the President and all Americans."—M. Ghaffari, Governor of Abadan.

"Your week's stay here has helped to bring cheer to a hard-pressed people and to give them a real feeling of America's sincerity and warmhearted support."—Frederick E. Nolting, Jr., U.S. Ambassador to South Vietnam.

"Joey Adams' show delights"; "90 minutes of sheer delight."—Two papers in New Delhi, India.

"A packed house at Annamalai Manram last night roared with laughter witnessing the Joey Adams Variety Show."—The Madras (India) Mail.

Variety, writing under a Washington dateline, said: "State Department officials here point to a pile of reports from embassies and consulates throughout south Asia and proclaim that Uncle Sam's use of vaudeville as a good-will ambassador is a 'smash success.' The Joey Adams group * * * has drawn raves from American diplomats where they have performed."

Recently a veteran woman gossip columnist called the Adams tour a flop. This was contradicted by Heath Bowman, Chief of the State Department's Cultural Presentations Division.

"I must disagree with her," he said. "From reports from all our posts, from officials of the Asian countries, from numbers of people who saw it, we learned the tour was extremely good. It did a great deal for us.

"It played hospitals, orphanages, and charities. It played provincial cities. In Thailand, it went into the bushes; it played military camps and entertained wounded soldiers.

"We've never seen anything like this. In Kabul, Afghanistan, it played a fair. The Russians had a group at the fair, too. The Adams company completely eclipsed the Russians. We got a special wire from the Ambassador there thanking us."

Joey and Cindy Adams are proud that they worked a "24-hour day," giving shows at hospitals, orphanages, in the streets, in addition to scheduled performances. Mostly they entertained what Cindy called the plain "turban tops" of Asia.

"Many times we had no water, no electricity," she said. "We tramped through mud in evening gowns to get to our stages; we slept under mosquito netting with the temperature up to 110. We went 5 and 6 days at a time without baths—covered with layers and layers of gummy mosquito repellent. With five layers of that stuff on, we began to repel each other."

The mud and the mosquito repellent washed off, but the anecdotes came home with them—including a few awkward moments.

After a show in New Delhi, India, the troupe released hundreds of red, white, and blue peace and friendship balloons.

The peace balloons caused a brawl in the second row. An Indian belted the American next to him and shouted: "He took my balloon." Joey took them both backstage and gave each his own balloon.

The performers had been warned it was not good manners to touch royalty unless the royal person extended his hand first. In Afghanistan, a dancer was introduced to the crown prince. "It's a pleasure," said the hoofer. "I hope we get to play your country some day."

"This is his country," whispered Joey.

The dancer was effusively apologetic. He slapped the prince on the back vigorously—and repeatedly. "Aw, princie boy, I'm sorry," he said. The prince, well, he was a prince about the whole thing.

This actually happened, too:

In Jakarta, Indonesia, the musicians' instruments arrived 4 hours late. Joey drew liberally from his years in show business for a challenge round of jokes which filled the time.

His comic opponent—who also chipped in by singing Negro spirituals—was Indonesian President Sukarno.

The Adams troupe included Buddy Rich and his Jazz Sextet, the Four Step Brothers, a dance team; fire-eater and clown Chaz Chase, magician Celeste Evans, John Shirley, and Bonnie Dale, who make animals out of balloons; the Sylte Sisters, a singing trio, and Jerry Bell, stage manager.

Joey Adams calls them "entertainers in striped pants." He'd like to see many other teams of entertainers follow, and, as president of the American Guild of Variety Artists, he's going to work for it.

The trip might be compared to one of the many "industrials" that perform in this country. But here the sponsor was the United States, and the commercial: "Let's be friends." Joey thinks the customers in Asia went for it in a big way.

IT'S A GOING U.S. BUSINESS

The Joey Adams tour is just one example of the State Department's recognition that there's no business like show business for helping to thaw the cold war and representing this country overseas.

The Government's program of letting audiences on both sides of the Iron Curtain—and some in countries straddling it—see American dramatic, musical, variety, and athletic entertainment has been in operation for 8 years now.

Its budget runs to about $9 million a year and covers international trade fair exhibits and labor missions abroad, as well as artistic and athletic presentations. Last year about $3 million was allocated for the latter phase, consisting of 43 projects.

Despite this modest budget, the program of cultural presentations has run into some tough times at hearings from congressional critics.

Edward R. Murrow, Director of the U.S. Information Agency, thinks the program is important and should be expanded. While our presentation program has been constant, Mr. Murrow said, Communist countries in the past 2 years have stepped up theirs.

"We have the talent to match their achievements," said the head of the USIA, "whether it be in the field of athletics, ballet, opera or acrobats. But we must send our talent abroad where it can be seen and heard."

Cultural exchange is even seen as valuable with our cold war opponents, the Soviets. Under the recently concluded agreement with the Russians, the Leningrad Philharmonic Orchestra will perform at the Lincoln Center in October, and then in many other cities, while the Robert Shaw Chorale and Orchestra will go to the Soviet Union.

Among others who will perform in the Soviet Union under the cultural exchange agreement are opera singer Dorothy Kirsten and pianist Grant Johannesen.

The 1962 worldwide trek of American entertainers has already started with four shows on the road and six more scheduled. The Baird Marionettes are in southeast Asia; the Eastman Philharmonia is in Germany and will go to Poland and Russia; the Tappa Dance Company is in Africa; and soprano Camilla Williams is en route to the Far East.

Others set to go include the Alley Dance Theater, a 17-member modern dance group, headed for the Far East and Australia; the Paul Winter Sextet, a jazz outfit, South and Central America; the Asten String Quartet, classical music, southern Europe and Iran; the University of Maine Theater Group, India and Pakistan; the Chad Mitchell Trio, Central America; and the Berea College Dancers, Latin America.

Mr. Speaker, other leading American newspapers gave wide coverage to the tour. Typical is the following article which appeared in the New York Times on September 8:

[From the New York Times, Sept. 8, 1961]

JOEY ADAMS TROUPE BRINGS JOY TO NEPAL ON A 3-DAY VISIT

KATMANDU, NEPAL, September 8.—The 3-day visit here of Joey Adams and his troupe as part of President Kennedy's special international program for Cultural relations has been a great success. Such was the demand for the tickets that an extra performance was arranged.

The party brought something new to Nepal, and the large audiences at the four scheduled shows reacted with full-throated approval.

But the show that touched the people's hearts was on the roadside, in the suburbs of Katamandu. Here crowds gathered and children gaped in wide-eyed joy.

They saw tap dancers, a woman magician who brought beauty and color to her show, a man and a woman with balloons and a comedian.

At schools where the troupe performed children laughed with glee and stampeded to catch hold of the balloons. Among the schools visited were St. Xavier's, run by the Reverend Marshall D. Moran, of Chicago and St. Mary's Convent.

In Bir Hospital here, members of the troupe went through the wards to entertain the patients.

Impressions of the show varied. "I liked the drumbeats," a tax driver said.

"I bet I could do it," a schoolboy said after seeing the tap dancers.

"We also have magicians, but not such lovely ones," said a farmer.

This international experiment to create good will between nations can be considered a success. While the Nepalese were impressed, the troupe was no less impressed by the local people. "We had an intelligent audience. The children are cute," they said.

Representatives of our Government abroad hailed Adams and his company for their invaluable contribution to good will and the bettering of our international relations. Typical of the many complimentary letters Adams received are:

THE FOREIGN SERVICE OF THE UNITED STATES OF AMERICA,
AMERICAN EMBASSY,
Kabul, Afghanistan, September 30, 1961

Mr. JOEY ADAMS,
Joey Adams Variety Group, c/o U.S. Information Service, American Consulate General, Singapore, Malaya.

DEAR JOEY: Nearly a month has passed since you and your variety group were in Kabul, a month that has been filled for you with travel to several other countries far from home. I am sure that you must find these visits a rewarding experience, for you all give so generously of your talents and friendship that you must in return feel the warm appreciation that your audiences and hosts extend to you.

The visit of your group to Kabul was memorable, both for us in the American community and for the approximately 90,000 people of Afghanistan who came and came again to enjoy your show at the Jeshyn Fair. As you know, appearances of American artists and entertainers in Afghanistan are few and far between. Kabul is a long way from the Orpheum-Pantages circuit, and only a few Afghans have had any opportunity to see our really good American artists perform. That they like American entertainment is beyond question. That so many could see such fine and varied American entertainment here in Kabul will provide a topic of local conversation for a long time to come. There is no doubt that the Joey Adams Variety Show was the outstanding single attraction at the 1961 Jeshyn Fair.

Beyond entertaining your audiences in Kabul, you and the members of your group went out of your way to meet people on the streets and in the bazaars, generating good will by your gestures of friendliness. I particularly appreciated your willingness to perform, and perform often, under conditions that were unfamiliar and probably sometimes distracting.

The American community will not soon forget your group. During the nearly 2 weeks that you were here you literally changed our way of life, which was no small accomplishment in itself. That you also left many friends among your countrymen in Kabul, friends who will long remember you and what you did here, is equally apparent and more important.

On behalf of all of my staff as well as myself and Mrs. Byroade, I want to thank you all again for a job well done. I hope you will see that each member of your group knows of my feelings as expressed herein—for it applies to every member of the troupe.

With all good wishes for the remainder of your tour—and always.

Sincerely,

HENRY A. BYROADE,
Ambassador.

AMERICAN EMBASSY,
Vientiane, Laos, October 11, 1961

Mr. JOEY ADAMS,
Hotel Settha Palace,
Vientine.

DEAR JOEY ADAMS: I wish to thank you very warmly on behalf of all of us here for the fine work which you and your troupe have done in Laos.

We and the Lao have very much appreciated your willingness to give so many extra performances in addition to those regularly scheduled. Your visits to hospitals, schools, and other places have brought much pleasure and satisfaction. You have all certainly worked very hard here and deserve much credit for the good results.

You would be pleased to hear the nice things that have been said about you by the Lao, including the Prime Minister.

Please express my appreciation and thanks to all of your troupe.

Very sincerely yours,

WINTHROP G. BROWN,
American Ambassador.

[Telegram]

THE FOREIGN SERVICE OF THE UNITED STATES OF AMERICA,
October 18, 1961.

Joey Adams show breaking all records here with complete sellout sports hall for 4 nights: total attendance 40,000 people.

Near crisis developed night after arrival when instruments and equipment failed to arrive from Bangkok in time for scheduled show before President Sukarno at Bogor Palace to which entire cabinet, members diplomatic corps and other top-drawer guests had been invited. Group was kept waiting from 7 to 9 p.m. Plane with equipment touched down at Kemajoran Airport at 7:30 p.m. where USIS had truck and driver waiting. With palace cooperation, truck was given motorcycle escort 40 miles to Bogor, certainly first time in history jazz orchestra has been so honored in Indonesia where rock and roll taboo.

Sukarno played the gracious host, displaying no impatience at delay and Adams skillfully exploited incident so that show was outstanding success.

Opening night at sports hall excited spectators began to arrive at 6 o'clock for 8 o'clock show. By the time I reached hall, shortly before 8, everyone was in his seat. First Minister Leimena, sitting next to me said, "if price of rice goes up, we're likely to have riots in Djakarta. But if the price of tickets to Joey Adams goes up, everybody would pay without complaint." Performers gave all they had and show was received with high enthusiasm.

HOWARD P. JONES,
Ambassador to Indonesia.

THE FOREIGN SERVICE OF THE UNITED STATES OF AMERICA,
November 13, 1961.

Mr. JOEY ADAMS,
Oceanic Hotel,
Madras.

DEAR JOEY AND CINDY: (I hope the billing is right.) I thought you might like to know that the "Joey Adams Show" was the biggest financial success we have had in Bangalore in my more than 4 years here. It was more than merely a financial success, however. Among the people we really wanted to reach it was also a thumping artistic success. Had we been able to get the hall for another night we could easily have filled it again.

You realize of course that while the show is the thing, there is also a total image which a group of prominent visiting Americans creates when traveling abroad. They are observed carefully, and their behavior is discussed over coffee for months afterward. In this department, too, your group scored very high, certainly higher than any large group I've had in Bangalore.

Bami called me a few minutes ago and remarked that "These are the kind of Americans we like to meet, warm and genuine." Having met her you understand why I have so high a regard for her opinion.

Elsie and I want to thank you for everything you've done for us. You will be remembered long and affectionately not only by us but by thousands of my fellow citizens of Bangalore.

Sincerely yours,

JOSEPH A. NORMA,
Public Affairs Officer.

P.S.—Enclosed are a couple of clippings: more later.

AMERICAN CONSULATE GENERAL,
Singapore, October 25, 1961.

JOEY ADAMS, Esq.,
Joey Adams All Star Show.

DEAR JOEY: On behalf of all members of the Consulate General may I express warm and heartfelt thanks to you and the members of your troupe for doing such a splendid job in promoting good will for our country in the State of Singapore. Moreover, I am sure that members of the American community share this view.

Your philosophy of love and laughter was exemplified by your activities and contacts here. It is difficult to imagine how any individual or any group of individuals could do more to carry out these qualities so much needed in the world today.

Please convey our grateful appreciation to all members of the Joey Adams All Star Show. May I also take this opportunity to say how much personally my wife and I enjoyed meeting and talking with all of you.

The very best of luck to you in your coming travels, and every good wish for continued success.

Sincerely yours,

ROBERT DOMBAUSER,
Counsel in Charge.

THE FOREIGN SERVICE OF THE UNITED STATES OF AMERICA,
AMERICAN EMBASSY,
Saigon, Vietnam, November 8, 1961.

Mr. JOEY ADAMS,
Director, Joey Adams Variety Show,
Hotel Caravelle, Saigon.

DEAR MR. ADAMS: Before your departure, I want to send you in writing what I have had the opportunity to say to you personally on several occasions—that I appreciate most sincerely the contribution which you and the members of the variety show have made, not only to the food relief fund, but even more importantly to the cause of United States-Vietnamese relations. From all reports I have, and from personal observation, your week's stay here has helped to bring cheer to a hard-pressed people and to give them a real feeling of America's sincerity and warmhearted support.

Frankly, as I told you, I was skeptical at first as to whether the variety show would fit the situation in Vietnam at the present time, which is one of national emergency bordering on wartime conditions. You were quick to appreciate this, and by your performances in hospitals, orphanages, and other informal appearances you created the right atmosphere and reactions.

I would like, through you, to extend both my personal and official thanks to all the members of your troupe, and to wish you all continued success in this good enterprise.

I shall send a copy of this letter to the Director of the President's Entertainment Fund in Washington.

My wife joins me in best regards to you and to Mrs. Adams—and thanks again for your book, which has already made us chuckle.

Sincerely yours,

FREDERICK E. NOLTING, Jr.,
American Ambassador.

THE FOREIGN SERVICE OF THE UNITED STATES OF AMERICA,
AMERICAN CONSULATE GENERAL,
Bombay, India, December 5, 1961.

Mr. JOEY ADAMS,
Care of U.S. Information Service,
New Delhi, India.

DEAR JOEY: May I offer my congratulations to you and to the members of your troupe for the successful performances which were staged in Bombay. As we know, there was standing room only the last few days, attesting to the popularity of the show with the people of Bombay.

I was especially impressed by the performances which members of your group gave at hospitals, children's homes and at the beggars' home here. This was most commendable and greatly appreciated.

Both my wife and I were happy to have the opportunity of becoming acquainted with you and Cindy, as well as Jed Hornen, and of meeting the other members of your group.

Sincerely yours,

ROBERT M. CARR,
American Consul General.

GENERAL REACTIONS OF AMERICAN FOREIGN SERVICE POSTS TO THE JOEY ADAMS VARIETY SHOW

From Bombay, India: "Adams show still smash sellout and gone to standing room only. Charity performances, publicity, going very well. Joey, Cindy and group quite cooperative."

From Djakarta, Indonesia: "Joey Adams breaking all records here with complete sellout sports hall for 4 night: Total attendance, 40,000 people."

From Kabul, Afghanistan: "Embassy in Kabul reports that Jeshyn Fair formally opened morning of August 24. Variety show performed evening August 23. Americans tremendous success and stole show."

From Katmandu, Nepal: "Comments from all sources regarding Joey Adams show regard it highly laudatory, and there have been expressions of regret on part of Nepalis who were unable to purchase tickets."

From Saigon, Vietnam: "Embassy highly pleased with success of Joey Adams Variety Show as contribution to Vietnamese-American relations. Show itself and Adams' personal gift of cementing United States-Vietnam relations most impressive. In addition to eight capacity performances for flood relief which widely publicized all media, Adams troupe generated widespread community good will by additional performances for war-wounded Vietnamese soldiers, orphans, Scout jamboree."

From Singapore: "Joey Adams show Singapore visit highly successful every angle. Adams, wife Cindy, Buddy Rich, cast, enthusiastically feted by sponsoring Jaycees, Singapore musicians, alumni group, local citizens schooled in U.S. American community. Two public performances completely sold out 3 days before play date. Additional charity children's show packed. All appearances helpful promoting American friendship. Press, radio coverage outstanding, effective, from airport reception throughout stay. Joey, Cindy both did excellent radio programs, made hit on air, stage, using Malay appropriately. Shows received good notices: 'fun-loving, spirited, wholesome, nonstop laughter and cheering, America's salesmen had done a good job.' 'Joey, Shirleys, Chase visit to orthopedic hospital hit front page southeast Asia's largest English language newspaper with five column human interest picture Joey, one of the children. Joey, singers, visited School for Blind. Company cooperative with CG staff, Jaycees, appreciative efficient programing job. Management, crews tackled job intelligently, worked smoothly with sponsors. Adams earned kudos from Jaycees, public.'"

From Vientiane, Laos: "Joey Adams show extremely well received Vientiane in four major performances plus special appearances hospitals, schools. Prime Minister invited troupe buffet supper with Lao entertainment."

Beyond this, Mr. Adams and his colleagues were hailed by official representatives of the countries in which his troupe entertained. They were extremely vocal in their praise and thanks. Just a few of these letters, Mr. Speaker, are offered here:

UDORNTHANI CHANGWAD HOSPITAL,
October 4, 1961.

Hon. Mr. KENNETH TODD YOUNG,
The American Ambassador,
Bangkok, Thailand.

SIR: As director of the Udorn Hospital and as a doctor, I want to express my appreciation for the good will which was brought to Udorn and the financial assistance given to the hospital as a result of the Joey Adams Variety Show's visit to Udornthani.

The first show given by the variety group on September 19, 1961, was a charity performance for the benefit of the hospital. The total proceeds were presented to the acting governor for the hospital that evening, amounting to $20,354. This money will be used for the purchase of new operating equipment to be placed in the new wing of the hospital.

Mr. Adams, accompanied by Mrs. Murchie, wife of our USIS Director, personally visited the hospital and toured the various wards

of adult and children patients. Mr. Adams stopped at each bed to give a smile and a "wai" to the patient. His personal touch was greatly appreciated by everyone. Although but few patients could understand Mr. Adams' words, they all could understand his entertaining personality and friendly smile.

It is my intention to place a metal plaque in the new wing of the hospital, when it is completed, which will carry the following inscription: "The Joey Adams Variety Show, as a sign of Thai-American friendship, donated to the Udorn Changwad Hospital $20,354, September 19, 1961."

Again let me thank Your Excellency, USIS Udorn and the Joey Adams Variety Show for aiding our Changwad Hospital and for displaying a spirit of Thai and American friendship which will long be remembered by the people of Udorn.

Sincerely yours,

KASEM CHIATAYASOTHORN,
Director.

REPUBLIC OF VIETNAM,
ARMY OF THE REPUBLIC OF VIETNAM,
CONG-HOA GENERAL HOSPITAL

Mr. JOEY ADAMS,
Majestic Hotel,
Saigon, Vietnam.

DEAR MR. ADAMS: On November 3, 1961, you and your troop of entertainers performed a series of acts for the patients of this hospital. These acts were done so well and show the great amount of time, effort and affection for the audience which all of you placed on this show.

You have brought into the hearts of these Vietnamese fighters for freedom, a measure of cheer and that they are remembered by the people of the free world.

The patients and staff of this hospital want to thank you and your troop for this fine show of humaneness.

We wish you and your troop will have always good success everywhere in the world.

Lt. Col. VU NGOC HOAN, MC,
Cong-Hoa General Hospital Commander.

SINGAPORE JUNIOR
CHAMBER OF COMMERCE,
November 10, 1961.

DEAR MR. ADAMS: I would like to take this opportunity to thank you and all the members of your all-star variety show for the tremendous success of your recent visit to Singapore. I can assure you that it has been by far the most successful of all the shows which we have had the pleasure of sponsoring.

Quite apart from the two public performances, which were completely sold out and enabled us to raise a considerable sum for our scholarship and welfare funds, we have had letters of appreciation from many of the groups of underprivileged children, who attended the special children's matinee, as well as letters of thanks from the Singapore School for the Blind and the St. Andrew's Mission Hospital for the visits by yourself and members of your troupe.

Last but not least, we would like to place on record our gratitude for your ready cooperation throughout your brief stay here and the very happy and cordial relationship which existed during that time between the members of your troupe and the members of our organization.

Your visit was a perfect example of international harmony and good will. We wish you every success for the remainder of your tour and we hope that many of you will visit Singapore again some day so that we can renew our friendship.

Please convey the very best wishes of all the members of the Singapore Junior Chamber of Commerce to Buddy Rich and his band, Celeste Evans, the Sylvia Sisters, the Step Brothers, John Shirley and Bonnie, Chaz Chase, and to your charming wife Cindy and yourself.

Yours sincerely,

RONALD CHANG,
Acting President.

REMARKS OF THE HEAD OF NATIONAL ORPHANAGE IN SAIGON

Ladies, gentlemen, how glad we have been in enjoying your very good performances. Coming from a distant country, you have kindness to get here, our national orphanage, in order to give us, the miserable orphan children, many minutes of entertainments.

We can say that you have brought a bright light of the culture of your country and a new movement of stimulating the desire of arts and sciences to the Vietnamese people and specially to the Vietnamese children.

Being compared to you, famous artists, famous actors and actresses, we are only the unexperienced players, making first steps in arts. But in order to answer to your benevolence, let us perform some national folk-dances. We hope they will be able to say you some Vietnamese characteristics and to offer you some ideas of Vietnamese culture.

REMARKS OF A YOUNG VIETNAMESE THANKING THE ADAMS' TROUPE

Ladies, gentlemen, on the occasion of your friendship trip to Vietnam, you have reserved a nice show to our national orphanage. It is a great benefit, a precious gift that comforts us very much.

In this free world, the United States of America have given a good example on equality and friendship to many countries. Living in a distant country, you have had to cross ocean and pass thousands of miles to reach our country. After many difficulties, you have come to our dear country to share her joy as well as her sorrow. In this occasion, we think that you, the artists of "The Joey Adams Variety Show," have been able to accomplish an important task in strengthening the ties between the United States of America and Vietnam.

And today, you pay attention to these orphan children, visiting us and giving us a show to amuse us and make us joyful, to stimulate us and encourage us. How happy we are. We are now anxious to enjoy your performance.

What can we say to thank you of what you'll do for us today? We feel very happy in front of our dear benefactors. Let us have pleasure to present you our warmest feelings of thanks, and, please transfer our respectful gratitude to the Government and to the people of the United States of America. We wish the amity and cultural relations between the two peoples get more and more tied.

At last, we wish you good success in your friendship traveling in order to be able to develop arts, culture, and civilization of your fatherland to all countries in the whole world.

The press in these countries, too, noted the fine objectives of the tour and the tremendous good will it fostered. It lavished praise on the mission. I call just a few of these accounts to the attention of this House and the American people, for they are positive proof of the inestimable value of such a tour and point up to the need for our Government to sponsor additional similar missions.

[News story which appeared in a Saigon newspaper]

ADAMS TROUPE ENTERTAINS WOUNDED SOLDIERS

Vietnamese Republican Army soldiers recovering from wounds suffered in recent combat with the Viet Cong, including some who had participated in Wednesday's major battle in Phuoc Thanh Province, were enthusiastic in their reception of the Joey Adams Variety Show put on for their special benefit at the Cong Hoa General Hospital in Go Vap near Saigon on Friday afternoon.

The Adams troupe, on tour in Asia under sponsorship of the U.S. State Department's President's Fund, are currently presenting eight shows at the Hung Dao Theater in Saigon the proceeds of which will be donated to the relief of victims of the flood disaster in the Makong Delta.

The show opened Thursday night before an overflowing audience of some 1,700 who were delighted with the vibrant, fast moving show. A few tickets are still available at the Hung Dao Theater for the remaining performances.

Friday Joey Adams told the Vietnamese fighters for freedom that Americans have fought for years for the same great purpose to which the Vietnamese Republic Forces are dedicated—independence and human dignity.

"We are here," America's good-will entertainer told the soldiers and their families visiting them, "to show the friendship and love of the American people for the people of Vietnam. Since you could not come to the theater to see the show, we have brought it to you." The smiles, laughter, and cheers which followed the performances in the wards and the hospital's theater by Adams and his group gave ample evidence of the soldiers' appreciation of the entertainers' efforts.

The Joey Adams troupe was virtually every minute of their spare time in Saigon solidly booked for appearances in hospitals and orphanages. The show will leave Saigon next Wednesday for India.

[Article from New Delhi newspaper]

GOOD AMERICAN ENTERTAINMENT

(By Our Drama Critic)

It is difficult to beat the Americans in the show business. Mr. Joey Adams' all-star show, which opened on Monday night at the Industries Fair theater, is slick, entertaining, amusing, clever and charming. It gives 2 hours of very good variety, and never a dull moment.

Mr. Adams is the compere or master of ceremonies, and he keeps up a patter most of the time he is on the stage. Occasionally he joins in the dance to prove that he was the teacher of all his dancers.

The band is a lively lot of musicians, playing with obvious gusto, and their hot jazz is going to give heart throbs to the jazz crazy. One of their interesting items is a number played on a vibraphone, a pleasant sounding instrument of metal plates with resonance tubes suspended from the table. It is played somewhat like a gypsy cymbalom.

Probably the most outstanding in her own class is Miss Celeste Evans, a Canadian girl magician, whose tricks are excellent: handkerchiefs turn into pigeons at a flick of a finger, and cards pop up at her command. And there is a pretty finale to her act, when against a dark stage, her kerchiefs and pigeons turn luminescent and fly about in weird colors. This number alone would make a visit to this show worth while.

Deanna, Deanda, and Joan, the Sylte Sisters, sing prettily and are clever at imitating other singing groups such as the Anderson Sisters.

The Four Step Brothers are tap dancers (their names are Williams, Macdonald, Spencer and Anderson) and offer a great variety of tap dancing, in a large number of rhythms. Their agility is remarkable and in India, where rhythm is so important an element of music, their tapping will please

many. They can also sing ("When saints go marchin' in") and crack jokes.

All this is great fun, but it is difficult to beat the dumb comedian, Mr. Chaz Chase, who never says a word and keeps you spellbound with his hilarious mime. He eats burning cigars, cigarettes, packets of flaming matches, his own shirt front, flowers and all, and is just about to eat Mr. Adams well salted, when he is chased off the stage.

Mr. John Shirley and his wife, Bonnie, do wonders with balloons, hundreds of them. A delightful and original number, this would delight all children from 8 to 80.

Altogether, very good entertainment. Every night at 8:30 p.m. up to Sunday, December 10, at the Industries Fair theater.

[From the Times of Vietnam, Nov. 3, 1961]

JOEY ADAMS VARIETY SHOW OPENING NIGHT PERFORMANCE

SAIGON, November 3.—"Wonderful" was among the words of praise from spectators who attended the gala opening performance of Joey Adams' variety show at the Hung Dao Theater here last night.

The show was the first of a series of 8 the 21-member troupe of American entertainers is scheduled to present for the benefit of Vietnamese flood victims. The troupe arrived Wednesday, under the sponsorship of the President's Fund for Cultural Exchange.

Presiding at the first night gala was Mrs. Truong Vinh Le, wife of the National Assembly chairman.

The troupe opened before a large and enthusiastic audience with a program featuring American songs, jazz music and many variety numbers. Buddy Rich, world famous drummer, dominated the show with his skill, the equal of which has never been seen here before, as one spectator put it.

The singing Sylte Sisters, the four acrobatic-dancing Step Brothers, the balloon artists, Mr. Shirley and Bonnie, the slender blond magician, Celeste Evans, and Chaz Chase, the clown, all brought repeated and deafening cheers from the audience.

To the obvious delight of everyone, noted Vietnamese crooner Tran Van Trach also appeared on the show, alone and with troupe leader Joey Adams. Adams added fun to the atmosphere and made it truly friendly with his jokes and, particularly his quickly learned Vietnamese—"toi la thay" (I am the teacher).

Mr. Adams and his wife, Cindy, earlier introduced their troupe in Vietnamese.

[Article from New Delhi newspaper]

NINETY MINUTES OF SHEER FUN—ALL-STAR SHOW OF JOEY ADAMS

(By Our Music Critic)

NEW DELHI, December 4.—Joey Adams' "All-Star Show" which opened this evening at the Industries Fair theater for a week-long run, is an hour and a half of rollicking entertainment—the best, perhaps, to come this way since quite some time. Here are no pretensions to purpose and meanings; Adams with the others in his show have a go at the blues with hammer, tongs, pick and shovel, and by the time they are through, the hall is all in shambles, splitting and spilling over with laughter and gaiety.

Adams can surely count on the cheering and applause as long as he is here performing.

The bill of Adams' All-Star Show is made up of popular songs by one of America's top singing teams, the youthful Style Sisters trio; some absolutely fabulous tap dancing by the renowned Step Brothers; moving clowning by Chaz Chase; neat magic by the glamorous Celeste Evans; a balloon (hundreds of them) act by John Shirley and Bonnie in which the audience also join in. All this against a backdrop of delightful jazz by Mike Manieri and his band. Joe Adams himself acts as master of ceremonies, a role in which he not only joins with each of his stars in his or her act, but also has the audience splitting with laughter at his clever gags.

FUN FOR ALL

There is something for everyone in the show. For jazz fans there is both traditional dixieland as well as progressive jazz. The Step Brothers more than prove their virtuosity tapping and clicking their soles through half a dozen or so numbers. Celeste Evans is remarkably neat at her magic and clown (pantomimist, really), Chaz Chase manages to elicit more than just laughter.

There are some very moving undertones in his speechless act in which the feigned indifference he munches his way through the proverbial daisies to his own collar and another's hat. It is difficult to know whether Adams has intended it so, but his gags do strike one as being some sort of a mirror to a cliche ridden cliche tied way of life. One can even imagine Mr. Adams' revolving around the all powerful cliche.

[From the Times of Vietnam, November 1961]

JOEY ADAMS PLEDGES SUPPORT FOR FLOOD RELIEF

Joey Adams and his troupe of American entertainers arrived Tuesday at Tan Son Nhut Airport and expressed their sincere desire to contribute in any way they can as good will emissaries to Vietnam.

The group has already agreed to appear at hospitals and orphanages in their spare time.

Under sponsorship of the U.S. State Department's President's Fund, Adams and his troupe of 21 artists will present 8 shows at the Hung Dao Theater. A gala formal opening took place last night.

Proceeds of all performances will be donated to disaster victims in the Mekong Delta.

"We are aware of President Diem's recent emergency declaration and want to express our eagerness to help in any way we can," said Adams upon his arrival from Hong Kong yesterday.

Fresh from successes in Djakarta, Bangkok, Singapore, Vientiane, Phnom Penh, and other points in the Far East, Adams expressed enthusiasm over the warmth of Asian audiences everywhere.

Accompanying Adams was his comedienne wife, Cindy; the singing Sylte Sisters; the acrobatic-dancing Step Brothers; Celeste Evans, magician; Chaz Chase, pantomimist; and the balloon artists, Bonnie and Shirley.

Members of Vietnamese theater circles, including Star Comedian Tran Van Trach, who will appear on the show, made their acquaintance with Adams and his troupers Tuesday night at a reception held at the Vietnamese-American Association villa.

Tickets for all performances will be sold at the Hung Dao Theater.

The American Guild of Variety Artists is indeed fortunate to have Mr. Adams as their president. This organization's publication gave a full and detailed accounting of the tour. The following two articles graphically bear out that this is a man who literally carries out his words by his deeds.

A STUDY IN LAUGHTER

American Showman Joey Adams entered the St. Andrew's Orthopaedic Hospital in Bedok here today "all ready to jazz 'em up" with his wisecracks and tricks.

But before he could get started, the little boys and girls greeted him with a cheerful chorus of: "Good morning, Uncle Adams. Welcome to our home." They were all smiling too—despite their infirmities.

And for the next hour, there was nonstop laughter in the home for crippled children as Adams told his funny stories, and Chaz Chase swallowed matches, cigarettes, and anything he could lay his hands on, and John and Bonnie Shirley, the husband and wife team, gave a dazzling balloon show.

At the end of it all, Mr. Adams said: "I have been to a good many hospitals all over the world, but they all seemed to give me a depressed feeling, except this one. There they are all so full of joy. Before I could cheer them up, they had already cheered me up. These kids are physically handicapped, all of them. Yet they have found happiness. How many people in the world are plagued with unhappiness although they are physically fit."

Mr. Adams said his one regret was that he did not bring his whole troupe to the hospital today.

But he made this promise as he went from bed to bed: "We'll send you gifts when we return to America."

Later Mr. Adams and his entertainers visited the Home for the Blind in Thomson Road to cheer up the inmates there. The Joey Adams All-Star Variety Show will give a matinee show for more than 800 underprivileged children at the Victoria Theater tomorrow.

VAUDEVILLE TROUPE RETURNS FROM STATE DEPARTMENT ASIAN TOUR

The Joey Adams Variety Show has returned to the United States from a State Department tour of the Far East which showed that variety performers are among the best ambassadors of good will to people of other nations.

The troupe consisted of Joey and Cindy Adams, Chaz Chase, the Sylte Sisters, the Four Step Brothers, John Shirley and Bonnie, Celeste Evans, and the Buddy Rich Combo. They were received by heads of state in every country they visited, but more important were the shows given to the general public, many for local charities. In addition, members of the troupe visited hospitals and other institutions to bring happiness to children and to the sick.

JOEY ADAMS GOOD WILL SHOW HAILED IN SOUTHEAST ASIA

The Joey Adams Variety Show, under the sponsorship of the U.S. State Department, has been entertaining audiences throughout southern and southeast Asia to critical acclaim, and the gratitude of those who have seen American variety artists for the first time.

The troupe has played in such countries as Afghanistan, Nepal, Cambodia, Thailand, Laos, and the State of Hong Kong. Audiences have ranged from groups of youngsters in small, out-of-the-way villages, to command performances before royalty.

In addition to Joey Adams, and wife Cindy, the troupe consists of the well-known pantomimist Chaz Chase, the singing Sylte Sisters, the dancing Step Brothers, John Shirley and Bonnie's balloon act, and Magician Celeste Evans; together with Drummer Buddy Rich and his combo consisting of Mike Manieri, Rolf Ericson, Sam Most, Wyatt Ruther and John Morris.

In a letter quoted by Columnist Robert Coleman in the New York News, Joey writes: "Our stages are often put up in the forest or on steps of temples. We sometimes make up with insect repellant, and do without baths because the water and electricity are

off. We have waded knee-high through morasses to get to impromptu stages, but our reward has been robust applause from those we have reached with such difficulty. And the enjoyment of our audiences seems to tell us that we are gaining friends for America and building a worldwide following for vaudeville."

Joey is quoted by Columnist Nick Kenny in the same publication as saying, in part, "Down through the years, whenever there was tension, court jesters or the minstrels were called in to relieve the fever. I hope we've done that on this trip. We've played hospitals and schools, taught the children the crafts of show business, played for the armies, entertained the people and appeared at command performances for kings and queens of half a dozen countries. Every friend that we have won for our country has brought us nearer to peace and further away from the martial music and Khrushchev and his band. The password has been love. I've heard about the signs saying, 'Americans Go Home'; I can only tell you they have welcomed us with open arms and hearts."

Members of the troupe turned to teaching in Laos, to help in areas where the American wives, who had been teaching, were evacuated. Paul Johnson, director of the Lao-American Association wrote Joey, "Thanks from all of us for a fine all-round and greatly appreciated show, the likes of which has never been seen here in Laos before. It had something for everybody, the Lao especially, and including the 'League of Nations' stationed here in the various embassy and government positions. Let's not forget the ICC too. The Lao Army and public show that was extra was a big hit and Colonel Boonkhong is still talking of its success.

"For my part, please give special thanks to Cindy, your charming pedagogic wife, Mrs. Chase, and Mr. Prince Spencer for their fine, helpful teaching chores at the Lao-American Association. The local students greatly enjoyed their teaching and send their respectful and gracious regards. With the teaching situation being a bit tenuous, due to American wives not being available due to evacuation 14 months ago, their stints before the classes were much more valuable than ordinarily would be the case. Give them all our lasting thanks."

Howard P. Jones, U.S. Ambassador to Indonesia, writes: "This is to thank you both and the fine people who were with you for the contribution you made during your week's stay in Djakarta. Since your departure, I have heard many Indonesians say with real regret that you not only should have stayed longer but that people in other parts of the country should also have had an opportunity to see your show. This is the sincerest compliment an Indonesian can pay you—to want the rest of his people to enjoy the experience he himself had had.

"I hope you will pass on to the rest of your group too my appreciation for their patience and understanding, as well as for their superb performance. I know full well that they were not too comfortable at the hotel—I have stayed at hotels all over this country and know something about them—but I heard no word of complaint, even from the three lovely Syite Sisters who I understand had to sleep in two single beds. Had there been a way to provide better accommodations for so large a group, you would have had them. I trust it will give all of your company satisfaction far exceeding the memory of any discomfort involved to know that they won the hearts of Indonesia and made a real contribution to American-Indonesian relations and to the understanding between our people that is so fundamental to progress in the right direction. I can only wish for you both and the rest of the troupe what I am certain is assured: continuation of the outstanding success that your show was here during the remainder of your travels."

Robert Donhauser, U.S. consul in Singapore, wrote: "On behalf of all members of the consulate general may I express warm and heartfelt thanks to you and the members of your troupe for doing such a splendid job in promoting good will for our country in the State of Singapore. Moreover, I am sure that members of the American community share this view.

"Your philosophy of love and laughter was exemplified by your activities and contacts here. It is difficult to imagine how any individual or any group of individuals could do more to carry out these qualities so much needed in the world today.

"Please convey our grateful appreciation to all members of the Joey Adams All Star Show. May I also take this opportunity to say how much personally my wife and I enjoyed meeting and talking with all of you.

"The very best of luck to you in your coming travels, and every good wish for continued success."

Mr. Speaker, I cite the above articles and documents as but typical of those written about and to Joey Adams and his good will mission. They clearly illustrate the success of the project and reflect due tribute to the man who made it possible.

Yes, Mr. Speaker, Joey Adams is a great American. His contribution to our foreign prestige is inimitable and invaluable. I know I speak for this Congress and the American people when I say "Hats off to Joey Adams and his Ambassadors of Good Will."

THE DOUBTING PUBLIC

Mr. HOFFMAN of Illinois. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. HOSMER] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. HOSMER. Mr. Speaker, the record high volume of mail being received by Members of the Congress from anxious citizens is only one of many indications the American public increasingly questions the adequacy of current U.S. policies in dealing with Khrushchev and the Communist menace in general. When people lack confidence in one branch of our Government, the pattern is for them to turn to another for strength and protection of their heritage. These public doubts have mounted with such events as Cuba, Berlin, Laos, Soviet test resumption and the President's delayed, equivocable and agonized response to it.

Both the President and the Vice President have implied from time to time that such public doubts play into Communist hands; that they spring from two primary sources: the Communists who inspire them deliberately and from internal extremists of the right who they claim make irresponsible charges that disturb the public. In a Florida speech last fall Mr. JOHNSON argued that if the American public would look at the situation through Communist eyes it would see that the Communists cannot win militarily or economically and that they must, therefore, conceive their most effective tactic as one of sowing doubts among the American people about national leaders and institutions for the purpose of weakening our strength at a crucial time. The Johnson-Kennedy thesis appears to be that American citizens are the most vulnerable element of American strength, therefore they are the primary Soviet target because doubts by the American public weaken America. Further, that Americans who make charges against the administration, responsible or irresponsible, are playing the Soviet game.

One may challenge both these conclusions.

Take first the effect of public doubts about national leaders and institutions. The American people have doubted their leaders and institutions many times in the past. One of the first such doubts caused the American Revolution. Historically, since then, recurring doubts have brought positive corrective action. They have not sapped the national strength. In the case of big business and questionable business ethics, public doubts brought antitrust laws, insurance and stock market regulations. Recent labor legislation is a product of public loss of confidence in certain labor leaders and institutions. Judicial agencies have changed in response to public questioning. Political leaders often have changed their ways or disappeared from the scene for similar reasons. Perhaps the Vice President has forgotten all this. He says the American public is the most vulnerable element of national strength. Could it be the national leadership which is vulnerable rather than the people?

Surely Soviet planners know that American leadership is a concentrated target, relatively small in number and very powerful, drawing heavily from intellectual and scientific groups for its membership. They also know that because of naivete or other factors many such people have been particularly susceptible to socialistic and disguised communistic theories and have played a major, if usually unwitting, part in the subjugation of almost every country now ruled by the Communists.

Soviet planners must also see that Americans have tended increasingly to elect their leaders on the basis of popularity and conformity which offends the fewest voters, rather than for individual qualities of courage, intelligence, forthrightness, or principle. They also must know that leaders so elected are, by their very nature, particularly susceptible to opinion pressures, much more so than is the average American who holds no elective office. The Soviets know their skills and tactics are particularly effective in generating opinion pressures throughout the world. They have watched American leaders demonstrate their sensitivity to such pressures on

many occasions and many issues. They also witness the avid intensity with which American political leaders follow and comment upon the Gallup poll's recurrent assessment of Presidential popularity.

Therefore, it seems logical and probable that Soviet planners regard our Government leadership rather than our people as the most vulnerable as well as important target.

There is indication that this, indeed, is the Soviet view; that consequently Soviet tactics are designed to force that leadership into foolishly trusting or appeasing by threats of violence or the pressures of world opinion. There also are some indications they may have been successful on various occasions; hence, perhaps spawning the public doubts which the President and Vice President seek to allay.

The Vice President has belittled the idea that the executive branch might harbor deliberate traitors or that illustrious Americans who have served the President could be duped.

Both logic and history deny these theories.

The Soviets undoubtedly have made intensive efforts to infiltrate the executive branch in view of its importance and vulnerability. The same may well be true for other branches of Government. They succeeded with Alger Hiss and several others. What has happened in the meantime to make Soviet efforts of this sort any less effective? No significant change is apparent. The FBI, though excellent, still is only human and therefore can still fail to detect all infiltrators as it has failed, on occasion, before. Other security apparatus of the Government makes no claims to absolute perfection. The Government can still fail to act on information furnished by the FBI or others, as it has before. Unwitting associates of deliberate infiltrators are probably no more alert than they ever were to the presence of such hidden enemies. It is therefore only logical to assume there are some deliberate infiltrators in high places, as there were before. In fact, the present administration climate is, in some ways, more in tune with socialistic and compromising tolerance than many of its predecessors, and therefore less likely to recognize an infiltrator who may press such views. Even should this not necessarily result, it does seem this administration should be acting more vigorously to assure the people that it does not.

In any event past experience indicates a cavalier, offhand attitude is not in order either regarding the dangers of infiltration, the problem of dupes or even the likelihood of serious miscalculations regarding Soviet intentions and tactics. Even the greatest men are not immune from mistakes. President Roosevelt called Stalin good old Joe. President Truman lost China to agrarian reformers and called anti-Communist sentiment a red herring. President Eisenhower imposed a 3-year moratorium on nuclear testing with no significant knowledge about relative nuclear capabilities or probable Soviet cheating on the test ban. President Kennedy has already admitted publicly that the Soviets fooled him on nuclear testing.

The President and Vice President have said or implied that American extremists of the right are spreading doubts that weaken America. One might argue that positive, courageous, and intelligent national leadership or institutions need have no fear of whispering or extremist attacks. But when facts develop to support the charges, then leadership does need to worry.

One fact which might be used to judge such issues is whether or not past or existing national policies have stopped the Communist's advance. Most Americans do not think so. Study of the daily newspapers and the maps supports this negative conclusion. This, rather than extremist charges, well may be causing the growing doubts by the American public. Little will or can be done to erase those doubts until the President somehow satisfies the American people he has wrested the initiative from the Soviets.

In summary then, one can argue that public doubts amongst Americans are healthy rather than harmful; the primary Communist psychological target is the American Government, not the American people; serious doubts among the people arise from facts, not from the charges of extremists, though the latter may raise some of the issues and therefore serve a useful rather than a divisive purpose.

The temper of the American people is slowly changing from one of apathy and indifference to one of deep concern. This is healthy, not divisive.

Perhaps, in time, the President and the Vice President will recognize and do something about the basic elements of the problem, rather than pointing to side issues in an unsuccessful attempt to allay the public concern.

DAIRY PRICE SUPPORTS

Mr. HOFFMAN of Illinois. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. HOEVEN] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. HOEVEN. Mr. Speaker, I think it is about time that we set the record straight on the dairy price support program.

On March 7, 1962, a bipartisan coalition in the House Committee on Agriculture voted not to report House Joint Resolution 613 to the House. This legislation would have fixed the price support for manufacturing milk and butterfat for the 9-month period from April 1, 1962, to December 31, 1962, at $3.40 per hundredweight—or 83 percent of parity, and 60.4 cents per pound, or 81 percent of parity, respectively. These levels of support were originally set by Secretary Freeman approximately 1 year ago under the authority of the Agricultural Act of 1949. This act provides that the Secretary may set dairy price supports at any level from 75 to 90 percent of parity as he finds necessary in order to assure an adequate supply.

At the end of 1960, the Commodity Credit Corporation had in its inventory 66.3 million pounds of butter, 279.8 million pounds of dried milk, and no cheese. A year later on December 31, 1961, CCC had in its inventory 205.7 million pounds of butter, 354.9 million pounds of dried milk, and 59.7 million pounds of cheese.

Secretary Freeman's action in raising dairy price supports last March was taken in the face of rising national production of milk as was fully documented by the gentleman from Connecticut [Mr. SEELY-BROWN] on page 2698 of the RECORD of February 21, 1962. In March 1961 Mr. Freeman did not seem the least bit concerned with the words "in order to assure an adequate supply."

I think it is fair to say that this bill was introduced by the chairman of the committee, the gentleman from North Carolina [Mr. COOLEY] in response to the President's message on agriculture of January 31, 1962, in which Mr. Kennedy stated:

> Under the present law, the Secretary of Agriculture is not authorized to set the price-support rate for milk above 75 percent of parity unless necessary in order to assure an adequate supply. Under this law, in the present supply situation, the reduced support price must be announced for the marketing year beginning next April 1.

Therefore the administration contended that legislation was needed to prevent the current price supports from going back to the statutory minimum of 75 percent of parity.

The situation then boiled down to this: The Secretary tried to "pass the buck" to Congress by pushing for the adoption of House Joint Resolution 613, thus attempting to avoid his responsibility for his own self-imposed mistakes and problems. Rather than shoulder his rightful burden and exercise the authority he possessed under the law, Secretary Freeman asked Congress to rigidly fix dairy supports for three-quarters of the marketing year.

If nothing else, I submit that this is out of character for Mr. Freeman who last year asked for the virtual surrender of the legislative prerogatives of Congress in agricultural legislation, and who this year in the administration farm bill is asking for complete discretion to set dairy price supports from zero to 90 percent of parity under a permanent supply management production control plan.

I realize, Mr. Speaker, that the political masterminds of the New Frontier are now trying to castigate those who opposed this bill as being against the dairy farmer. In an obvious oversimplification of the issue, they are trying to equate a "no" vote on House Joint Resolution 613 as antifarmer, and a "yes" vote as profarmer. The fact is that such reasoning is simply not true and the American dairy farmer knows it.

In the first place, House Joint Resolution 613 did not exist in a vacuum. It was a vital part of the administration's long range dairy program set forth in H.R. 10010. It could not possibly be considered independently on its own merits because following closely on its heels is Mr. Freeman's plan to control the American dairy industry. Enactment of House Joint Resolution 613 would have led to increasing dairy purchases and soaring Government costs resulting in increased pressure for the control plan. Mr. Kennedy himself said in his agricultural message that the present level of support would result in Government expenditures of approximately $500 million to support the prices of dairy products. In that same message, Mr. Kennedy stated that Government costs at the 75 percent of parity support level would be some $440 million. Other informed observers in the Department of Agriculture have been quoted by the Wall Street Journal as estimating Government costs at the level established by House Joint Resolution 613 to be in excess of $640 million in fiscal year 1963. In the Secretary's presentation before the committee, he submitted a cost estimate in the booklet "Food and Agriculture—A Program for the 1960's" on page 108 of the printed hearings as follows:

> CCC expenditures in the current fiscal year will total approximately $500 million and at present price-support levels would mount to more than $600 million next year, in addition to about $100 million each year for the special children's milk program. These heavy CCC costs subject the dairy price support program to serious jeopardy

Thus, it can be seen that the enactment of House Joint Resolution 613 would have led to additional expenditures of some $160 million (based on Mr. Freeman's own conservative estimates) over and above the tremendous sums now being spent.

I think it can also be fairly assumed that such fantastic expenditures would build up a terrific pressure for the Freeman control plan.

This is the plan, Mr. Speaker, that one of our leading farm organizations describes as follows:

> The proposal to permit the sale or rental of milk bases means that these rights to produce milk would soon acquire a substantial cash value. As the milk bases changed hands over time, the cost of acquiring them would largely eliminate any temporary benefits that might be achieved under the program. It would no longer be possible for a young man to work into the dairy business by acquiring heifer calves and growing them to maturity. In addition to acquiring cows, he would have to find both the means of financing the purchase of a production base and someone willing to sell production rights.

It is the plan about which the National Milk Producers Federation says:

> Surely it would be the height of folly to require American producers to submit to rigid production controls to reduce total supply and then permit imports to come in and replace our own production. Without effective import controls domestic production could be rolled back without in any way reducing the surplus problem.

It is the plan which the Metropolitan Cooperative Milk Producers Bargaining Agency of Syracuse, N.Y., says:

> We feel that this section as written allows the Secretary of Agriculture to virtually dictate what producers must do and that a referendum vote granted them would be as meaningless as a Russian election.

It is the plan that the junior Senator from Wisconsin [Mr. PROXMIRE] described on page 2554 of the RECORD of February 20, 1962, after a recent trip to his State as in serious trouble and the most revolutionary dairy proposal in many years.

It is the plan that calls for the imprisonment in a Federal penitentiary for up to 1 year or a $2,000 fine, or both, for a dairy farmer who fails to keep proper books and records as determined by the Secretary. This is really the plan that the Committee on Agriculture rejected in part when it turned down House Joint Resolution 613.

In conclusion, Mr. Speaker, I would like to point out the most shabby political gimmick in House Joint Resolution 613. The bill provides for only a 9-month freeze of dairy supports even though the marketing year for dairy products runs for a full 12 months to March 31, 1963. This clearly shows Mr. Freeman's intent to drop supports after the fall congressional elections. It was a crude political trick, to say the least. I commend my colleagues on the committee from both parties for their courage and statesmanship on this legislation for without a bipartisan effort, a great deal of unwise and unsound legislation would have been foisted on the American dairy farmer.

ATTACKS ON THE HOUSE UN-AMERICAN ACTIVITIES COMMITTEE

Mr. HOFFMAN of Illinois. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD, and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. CURTIS of Missouri. Mr. Speaker, I believe all of us are aware of the attacks that have been launched against the Un-American Activities Committee since its origin. These attacks vary in their nature and their intensity, but over the years they have never ceased.

I think it is important to deal seriously with these attacks for two reasons. We can always improve the techniques of the Congress and its committees and from time to time serious and constructive criticism lies in the attacks. By analyzing criticism to glean out the constructive features of it, though it be couched in the most virulent and unfair manner, to move to corrective action we defeat the basic purpose of those who may be attacking not to improve but to destroy.

I have often observed that the Communists unwittingly have performed a service in our society through their technique of trying to exploit the social ills in our society. By calling attention to the social ill, albeit their purpose is to exploit it, they at the same time call our loyal peoples' attention to it. We then go ahead to correct it. I have thought this must be very frustrating to the Communists. I trust that our society will always preserve the mechanisms whereby we can correct social ills when attention is directed to them, by whomever directs our attention.

On November 20, 1961, I received a letter from the Missouri Council of Churches signed by Stanley I. Stuber, executive director, enclosing a copy of a resolution entitled "House Committee on Un-American Activities." I felt that this resolution was a vicious and unfair attack on both the House Un-American Activities Committee and the Congress itself. Accordingly, I wrote to Reverend Stuber telling him so and my reasons for reaching this conclusion. Reverend Stuber replied and out of this grew some correspondence. I am placing all of this correspondence in the RECORD along with the enclosure contained in Reverend Stuber's letters because I believe this exchange reflects a number of important issues which face our society today. The primary issue is that of encouraging public debate with an emphasis on the employment of proper and fair debating techniques. The material follows:

MISSOURI COUNCIL OF CHURCHES,
Jefferson City, Mo., November 20, 1961

Congressman THOMAS B. CURTIS,
Webster Groves, Mo.

DEAR CONGRESSMAN CURTIS: I hope you will take the enclosed resolution seriously.

It is certainly un-American to use the "unproved and unevaluated" material (lists) of the House Committee on Un-American Activities to call certain Protestant religious leaders Communist fronters.

This matter is getting increasingly serious in the Midwest.

Please do not lend your high office to this kind of character assassination.

Sincerely yours,

STANLEY I. STUBER,
Executive Director.

RESOLUTION OF THE GENERAL COUNCIL OF THE AMERICAN BAPTIST CONVENTION AT CHICAGO, ILL.

Resolved, That the General Council of the American Baptist Convention deeply regrets and protests the release by Congressmen, for general distribution, of unproved and unevaluated material secured from the House Committee on Un-American Activities. This material gives the false impression that certain of our outstanding American religious leaders are associated with communism.

We further call the attention of Congress to the statement of J. Edgar Hoover in Senate Document No. 59, September 23, 1961, for the subcommittee to investigate the administration of the Internal Security Act and other internal security laws of the Committee on the Judiciary, U.S. Senate:

"The danger of indiscriminately alleging that someone is a Communist merely because his views on a particular issue happen

to parallel the official party position is obvious. The confusion which is thereby created helps the Communists by diffusing the forces of their opponents."

We reaffirm our opposition to communism and protest guilt by association and the un-American practice of holding a man guilty until proved innocent. We hereby instruct the Division of Christian Social Concern to implement this protest in any and all ways open to it.

CLAYTON, MO., *November 28, 1961.*

Mr. STANLEY I. STUBER,
Executive Director, Missouri Council of Churches, Jefferson City, Mo.

DEAR MR. STUBER: Thank you for your letter of November 20, enclosing a resolution of the general council of the American Baptist denomination in respect to the House Committee on Un-American Activities.

I appreciate having called to my attention any instance of any person or any group using the unproved and unevaluated material of the House Committee on Un-American Activities to call any Protestant religious leader, or any other person, leader or otherwise, Communist fronters. Certainly, this is improper and to be condemned. When any matter of this nature is called to my attention I take prompt action, I can assure you. Regrettably, you have given me no details.

It is equally improper and to be condemned for any person or group to issue general statements, using no material at all, that this is being done.

Your resolution constitutes an attack against the integrity of the Congress of the United States, using the very techniques your resolution deplores. I have no brief for any improper actions of my colleagues in the Congress. I will take the floor of the House condemning the impropriety, as I have done on several occasions, after notifying the other party or parties that I was going to do so, if I feel the case is serious enough and it is warranted. Therefore, I cannot stand idly by when general and unproven charges are made against my colleague, as your resolution does, leaving me no opportunity either of disproving the charges or correcting the actions if the charges prove to be true.

The resolution makes this statement:

"We reaffirm our opposition to communism and protest guilt by association and the un-American practice of holding a man guilty until proved innocent."

I am in complete accord with these sentiments, and so are the overwhelming majority of the representatives the people have elected in free elections to the U.S. Congress to represent them in public matters involving the Federal Government.

The question now comes, Why does your group indulge in the very action it condemns? You have insinuated by innuendo and through guilt by association that the Congress as a whole has been guilty of using guilt by association and of holding a man guilty until proven innocent.

This is false. The Congress and Congressmen are innocent until proven guilty. Now, please supply your bill of particulars or retract your resolution. If the matter is getting increasingly serious in the Midwest, it should not be difficult for you to supply a bill of particulars.

Sincerely,

THOMAS B. CURTIS.

MISSOURI COUNCIL OF CHURCHES,
Jefferson City, Mo., November 30, 1961.

Congressman THOMAS B. CURTIS,
Clayton, Mo.

DEAR CONGRESSMAN CURTIS: Thank you for your letter of November 28.

It will interest you to know that the resolution of the American Baptist Convention was created out of a specific situation. The enclosed article from the official paper Crusader (of the American Baptist Convention) will give the particulars, as will also the marked editorial from the Missouri American Baptist. Since Dr. Dahlberg is of St. Louis this will be of particular concern to you.

During the past month letters have appeared in the Jefferson City Tribune attacking Dr. Dahlberg and the National Council of Churches of Christ in the U.S.A.

In Kansas City, for over a year, the Kansas City News-Press and the "Nite Beat" program of WHB, waged a campaign against the NCC and Protestant pastors connected with it.

You must know that the so-called lists which these papers, radio stations, and individuals use come from the House Committee on Un-American Activities.

How the resolution "constitutes an attack against the integrity of the Congress of the United States" is impossible to see. It was not intended as such, and, of course, is no such thing.

I am pleased that you agree with the substance of the resolution.

Sincerely yours,

STANLEY I. STUBER,
Executive Director.

[From the Missouri American Baptist, November 1961]

A LETTER FROM THE EDITOR

Last month's letter attempted to deal with the matter of irresponsible statements regarding matters about which adequate information is lacking. The editor deeply regrets that it appears necessary to continue the discussion.

The November issue of Crusader carries, on page 7, a further illustration of this reprehensible practice. A Member of the Congress of the United States provided an organization known as the Circuit Riders, Inc., with a mass of unevaluated material which had been accumulated by the House Committee on Un-American Activities purporting to brand Dr. Edwin T. Dahlberg, beloved pastor of the Delmar Baptist Church in St. Louis, as a Communist fellow traveler. This material was circulated among the members of the Linden Avenue Baptist Church, Columbus, Ohio, many of whom accepted it as truth and, as a result, the church withdrew its invitation to host the Ohio Baptist Convention's annual sessions. Dr. Dahlberg had been scheduled as one of the principal speakers.

On Sunday, November 5, and again on the following Sunday, the Jefferson City (Mo.) News and Tribune published a letter from a Herman Otten, New Haven, Mo., making the same false charges, supported with the same source of information, i.e., the Circuit Riders. The good faith and genuine concern of Mr. Otten is no more questioned than is the good faith of the members of the Linden Avenue Baptist Church in Columbus, Ohio. What a pity it is that these good people have not been more careful to verify their information.

Although Dr. Dahlberg needs to make no explanations to American Baptists in Missouri, for records, the editor quotes below Dr. Dahlberg's answer to these charges as printed in the November issue of Crusader.

"I can conscientiously say that I have no communistic sympathies, have never had any connection with the Communist Party, and have never signed a petition which I knew to be sponsored by a Communist-front group. Like many other clergymen I have received dozens of them and have rejected them. I would not knowingly lend my support to any group which was an agency of the Communist Party, since I am fully aware of the fact that communism has as its ultimate aim the crushing of all our liberties."

[From Crusader, November 1961]

CONTROVERSY IN OHIO—ACTING IN THE SPIRIT OF BAPTIST FREEDOM, OHIO BAPTISTS RESIST PRESSURES AND GIVE FAIR HEARING TO PASTOR DAHLBERG

(By Grace Goodman)

The only tinge of red visible in Columbus, Ohio, the second week in October was in the autumn leaves. And about the only person getting hot under the collar was the shirt-sleeved policeman directing traffic in front of First Baptist Church, where the 136th annual meeting of the Ohio Baptist Convention drew its largest crowd in history.

Some 1,000 persons turned out to hear speaker Edwin T. Dahlberg, an American Baptist pastor for 43 years who was twice president of the American Baptist Convention and who is the immediate past president of the National Council of Churches.

The situation hadn't always looked so serene. Less than a month before, the Linden Avenue Church (which had planned since last November to host the sessions) withdrew its invitation to the convention. First Church then volunteered to fill the gap.

Linden Avenue's objections centered around Dr. Dahlberg, officially invited to be the main speaker by the program committee, on which the host church had two representatives. But by May, the committee was told that Linden Avenue members were receiving literature indicating that Dr. Dahlberg was at worst a "fellow traveler," and at best, "soft on communism." They requested that the speaking invitation be withdrawn.

When First Church Pastor Livingston Lomas and his board agreed to take over the host job, they discovered some opposition within their fellowship too. But after a full discussion at a special meeting October 4, they voted (86-53) to reaffirm their invitation.

Dr. Chapman, in a letter to Ohio pastors about the change, pointed out that the charges against Dr. Dahlberg have never been upheld by any Government agency; that he has often visited top-secret military bases on invitation of the U.S. Defense Department; that his loyalty has never been questioned by the congregations he has served as pastor; and that "it is unfortunate that * * * one has only to be charged with some misdoing to be judged guilty."

Why not avoid the fuss by quietly withdrawing the invitation to Dr. Dahlberg? Dr. Chapman defined the issue at the open forum which was Dr. Dahlberg's first appearance at the convention. Besides the fact that to ask him not to come would seem to condone the charges, Chapman said: "Baptists are a noncreedal church and hold that each individual must be free to think, to believe, and to speak as he feels led by God's Holy Spirit. It is unthinkable that any believer be refused the right to speak in God's house because his opinions may not in all points be the same as those of other equally sincere believers."

Questions to Dr. Dahlberg at the forum centered around a list of 25 charges against him which had been circulated by the Circuit Riders, Inc. In substance, he replied:

Nine of the twenty-five citations concerned his signing petitions against provisions of the McCarran-Walter Immigration Act. This bill was vetoed by President Truman; 10 of its clauses were pointed out for modification by President Eisenhower. "Though it has been helpful in keeping out various Communists and subversives, it has worked

great harm by favoring north European immigration at the expense of south Europeans."

Some charges had to do with Dr. Dahlberg's being a pacifist (a conviction he has held since 1915) and a member of the Fellowship of Reconciliation, which he termed "purely a peace group, working for world peace and disarmament. Not by the remotest stretch of the imagination has it ever had any connection with communism. In fact, such an organization could not be tolerated in Russia, because it's against their doctrine of violence."

He was charged with helping sponsor a dinner for Methodist Bishop G. Bromley Oxnam, who has been widely criticized for such actions as attending a dinner of the Society for Soviet-American Friendship in 1943. Not mentioned by critics is the fact that others at that dinner (given when Russia was a wartime ally) were John Foster Dulles, Mrs. Eleanor Roosevelt, and other top leaders of military, political, and religious circles.

He was among signers of a protest against the Atlantic Pact, because he is a pacifist. "I'm doubtful about the way to peace being through armaments."

He endorsed study of a report by seven clergymen who visited Yugoslavia, because "I'm interested in keeping open all possible avenues of communication. We shouldn't be afraid to hear facts whether they're from a land we approve or not."

"Charges of a more serious nature" included the fact that Dr. Dahlberg signed two petitions and letters in 1942–43 to free Earl Browder and block deportation of Harry Bridges. "I wish now that I had not signed them. But remember, this was in the middle of the last World War when we were not so aware of subversive activity on the part of our wartime allies. I would not sign these petitions today."

A final charge was that he interceded on behalf of Morton Sobell, a convicted Communist now in Alcatraz. "This action was purely on the pastoral level, with no political or ideological intentions. Mrs. Sobell, whom I had never known any more than I had known her husband, came to my office in tears for her children asking my support for a review of his case. In a spirit of Christian compassion I agreed. I would do the same for an alcoholic, a murderer or any other offender. They are in different brackets, but a review is always in order. New facts may come to light."

In a concluding statement, Dr. Dahlberg said he had wondered how he, a peaceable man, could become so controversial. "I'm convinced it's because God is shaping up a struggle between two views of religion. One of these limits the message of Jesus Christ to a small restricted area, such as the life of the Sunday school, the family, the prayer meeting, and a Christian's personal life. The other concept, a far bigger one, recognizes that Jesus Christ is Lord of all life and that everything in human experience is therefore of concern to the Saviour, whether it be personal, political, economic, or international."

In an interview, Dr. Dahlberg elaborated: "Many charges are made by people who are not so interested in me as a person as in discrediting the National Council of Churches and its member denominations, because they fear penetration of these larger areas by the gospel. Many fine people who are earnest and sincere Christians have become dupes of these rightwing groups in the same way as others have been dupes of leftwing groups.

"Our battle as American patriots today should be against the divisive elements of both of the extreme left and the extreme right. Both of these seemingly opposite groups are sowing the seeds of fear and distrust, at the very time when as a nation we need to be united in loyalty to God and the highest concepts of our American freedom."

A standing ovation ended Dr. Dahlberg's first appearance. Many who had opposed his coming apparently were not present to hear his explanations, though one woman passed out literature after the forum.

The convention proceeded with Bible study by the Reverend Clarence Jordan, of Koinonia Farms, Ga.; more talks on evangelism and social action by Dr. Dahlberg; reelection of the Reverend Hugh Chittenden (Granville) as president, passage of resolutions including one opposing communism; and a final family banquet at the State fairgrounds, addressed by Baptist World Alliance executive, Dr. Josef Nordenhaug.

JANUARY 8, 1962

Mr. STANLEY I. STUBER,
Executive Director,
Missouri Council of Churches,
Jefferson City, Mo.

DEAR MR. STUBER: Thank you for your letter of November 1, 1961. I am happy to carry our discussion further in hopes of getting to the rest of our differences.

First, I perhaps should emphasize the part I have played over a period of the last 11 years I have served in the U.S. House of Representatives in trying to improve the House rules of procedure. I had a great deal to do with the basic reform of rules of procedure for House investigating committees back in 1956, mainly because I felt there had been flagrant and unnecessary abuses of the rights of our citizens.

I am still deeply concerned about correct rules of procedures and fair public debate. I am anxious that public debate be kept fair, not only on the floor of the House and in House committees, but in all public forums and media in the country.

Since the new rules of the House were adopted, I have seen little or no abuse of the rules of the House by the House Un-American Activities Committee. I have asked the critics of this committee, particularly those who criticized the committee for its alleged part in producing and disseminating the film "Operation Abolition," an alleged documentary film of the committee's hearings held in San Francisco, for a bill of particulars.

I have had a great deal of correspondence, but no bill of particulars, only unproven general statements of the most derogatory nature.

The resolution you sent to me comes at a time when there is a very obvious propaganda campaign being conducted to degrade the HUAC, and so the Congress itself.

This campaign is widespread. Whenever I seek to pin down the charges, those making them flee in the wake of more unproven charges, as I regret to state you have done.

I reiterate, I am anxious to take the HUAC or any Congressman, including myself if I have offended, to task for any violation of our rules of procedure or a violation of what are the rules of fair debate.

You state that it is impossible for you to see how your resolution constitutes an attack against the integrity of the Congress. I am glad to receive your statement that this was not the intention.

However, I asked you to read it over calmly and objectively to see if my charges are not fair.

The second line reads "regrets and protests the release by Congressmen, for general distribution." It is Congressmen, the resolution states, who are guilty of, to quote the last line of the resolution, "the un-American practice of holding a man guilty until proved innocent."

This is a serious charge against Congressmen and, therefore, against the Congress. I have asked you for a bill of particulars. You have supplied me with none. In fact, the letter from the editor of the Word for the World, which you sent to me, substantiates my point that your charges are unproven generalities. This letter states: "A Member of the Congress of the United States provided an organization known as the Circuit Riders, Inc., with a mass of unevaluated material which had been accumulated by the HUAC." Now what Member of Congress did this? This is a violation of the rules of the House. If the HUAC let this material out of their files, there is a violation on the part of some member of that committee or some clerk. We have had violations in the past and, regrettably, we probably will have some in the future, but I can assure you when there are violations there are a number of Congressmen who stand ready and able to do something about it.

I submit, however, your organization has no right, particularly in the name of fairplay and Americanism, to air unspecified charges against a single Congressman, let alone Congressmen, which go to the root of their Americanism. I quote your resolution again, "the un-American practice."

The second paragraph of the resolution begins, "We particularly call the attention of Congress to the statement of J. Edgar Hoover." Now, what is the point of calling J. Edgar Hoover's statement to the attention of the Congress, other than to carry forward the basic theme of the resolution that Congressmen * * * and, now the Congress, have been guilty of "the un-American practice of holding a man guilty until proved innocent."

No, I believe you are not being fair when you state that the resolution was not intended as an attack upon the integrity of the Congress. Indeed, that is exactly what the resolution was doing. What I wanted is a documentation of the charges that Congressmen, a congressional committee, or an individual Congressman have done certain things which justified making such a heinous charge.

I shall place this resolution in the CONGRESSIONAL RECORD along with my comments upon it, and your comments upon my comments, for the public at large to evaluate.

There is a basic rule in the courts of equity, a good rule, that he who would seek equity must first do equity. I do not go this far in considering complaints from the public about the operation of the Congress. However, I do go that far when it comes to public debate. Anyone who resorts to the technique of attacking the integrity of those people or institutions with whom or with which they find themselves in disagreement, instead of attacking the arguments and facts of their antagonists, has been guilty of violating the basic rule of fair debate, i.e., avoiding ad hominem argument.

When the churches of this country through their councils or other official organizations, employ what many people have dubbed McCarthyism (the very coining of this word is ad hominem argument), then indeed the moral fiber of our country is in serious danger.

I trust that the Missouri Council of Churches will review its resolution to see if the charges I have leveled against it are not well founded. Certainly, I understand how we all, at times, in a wave of emotion go off base, but surely we can be big enough to correct the damage done when we realize we have gone off base. I say this as one

who has sinned himself, in ignorance and in passion, from time to time.

Sincerely,

THOMAS B. CURTIS.

MISSOURI COUNCIL OF CHURCHES,
Jefferson City, Mo., January 10, 1962.

Congressman THOMAS B. CURTIS,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN CURTIS: Your letter of January 8 is appreciated, although it contains several false statements.

In the first place, the resolution under question did not originate in, nor does it have any connection with the Missouri Council of Churches. It was adopted on November 5, 1961, by the General Council of the American Baptist Convention (denomination) of which I am a member. Therefore, if anyone is to be condemned it is not the Missouri Council of Churches, but the American Baptist Convention. I hope you will get this point clear.

In the second place, we were asked by the General Council of the American Baptist Convention to place this resolution before certain key Congressmen. Is it a crime to make the views of a denominational body known?

I suppose you are now aware of the fact that the House Committee on Un-American Activities has just issued a statement admitting certain errors in its film "Operation Abolition."

As far as I know no one is condemning the House of Representatives as a body. What we are doing, in this instance, is to say that listings compiled by the HUAC should not be released by Congressmen at the request of any citizen who happens to write in. As you must know, these "listings" are being used over the Nation as a form of public blackmail.

Your concern in this matter is greatly appreciated, but I feel that you are not willing to face up to the real issue expressed in the enclosed resolution.

Sincerely yours,

STANLEY I. STUBER.

MARCH 5, 1962.

STANLEY I. STUBER, Th. M., D.D.,
Executive Director and Minister, Missouri Council of Churches, Jefferson City, Mo.

DEAR REVEREND STUBER: I have delayed answering your January 10, 1962, letter because I wanted to be temperate in my reply.

It comes as a shock to find ministers of the Gospel calling statements of disagreement false statements. I hardly think my attribution of the resolution of the Council of the American Baptist Convention to the Missouri Council of Churches was false, even though it might be in error. Certainly you promulgated this resolution with the letterhead of the Missouri Council for Churches and signed the letter "Executive Director." Nowhere in the body of the forwarding letter is the reader's attention called to the fact that this resolution you ask be considered seriously was made by a different organization. As a matter of fact one can properly conclude that the purpose of disseminating this resolution on the stationery of the Missouri Council of Churches with the signature of the executive director was an act of approval and endorsement of the Missouri Council of Churches.

If you had desired to forward this resolution as a member of the General Council of the American Baptist Convention you could have done so and there would have been no misunderstanding. This you did not choose to do.

I shall try to clarify this point as you ask me to, by writing to the members of the Missouri Council of Churches to find out if you had authority to use its letterhead and to sign the letter of dissemination of executive director. If you had such authority, then I am not in error in attributing the resolution to the Missouri Council of Churches although it was originally promulgated by another organization. If you had no such authority, another point is in order to be raised.

If you would care to clarify this point yourself, I would be happy, because after all you are the one in the best position to clarify it.

To move on. Indeed it is no crime to make the views of a denominational body known to key Congressmen. Quite the contrary, it is more of an offense in representative government when our citizens or groups of our citizens fail to make their views known on the issues of the day. I commend both the General Council of American Baptist Convention and the Missouri Council of Churches for this phase of their actions.

Let me ask in return: Don't you believe it is proper and responsive for a Representative to reply to such expressed views pointing out areas of agreement or disagreement if such exist? I believe it is through this kind of exchange that government by the people really begins to operate.

Our exchange of views can be quite healthy and move the debate forward if we will confine our attention to the issues raised and lay off smearing the motives of those with whom we are in disagreement. Indeed, that was the tenor of my first reply.

I have long been aware of the fact that the HUAC has admitted errors occurred in the film "Operation Abolition" which was compiled and edited by a private organization. This is not news. However, the HUAC has pointed out that these were not errors of consequence and occurred as the result of the job of editing and compiling which by its very nature is difficult. The HUAC has emphatically pointed out that the film is a fair presentation of the issues brought to a head in San Francisco at the time of the HUAC hearings. Having gone into this matter in some depth I am inclined to agree with the committee.

We are in agreement about one thing, and it is an important point. "Listings compiled by the HUAC should not be released by Congressmen at the request of any citizen who happens to write in." I go even further and so do the Rules of the House of Representatives which govern the action of the HUAC and other committees. Any information of a derogatory nature cannot be made public, in any manner, without a vote of the committee involved after executive session.

You state, "As you must know, these listings are being used over the Nation as a form of blackmail." This is reiterating your general charge. I do not know this to be a fact. I have pointed out in my letters that we need a bill of particulars which back up these generalities. You provide none. If any Congressman or the committee in an unauthorized manner has released material upon which such listings are based, then we have a specific violation about which we can do something. Or if there are listings which falsely say they are based upon such released material there is something we can do about these listings. I suspect the listings you refer to are the official listings of the committee or of the Attorney General setting forth the various Communist organizations operating in our society. These listings, however, are official and there are correct procedures established for listing such organizations and these procedures provide methods whereby the organizations accused or members thereof can set forth their case as to why the organization should not be so listed.

We come back to the basic point. The resolution makes some very general and very derogatory charges against the Congress of the United States, intentionally or otherwise. I have asked for a bill of particulars to substantiate these charges. You have declined to present such a bill of particulars. Under these circumstances fairness requires that you do what you can through the two organizations of which you are a member to correct the damage you have contributed to by disseminating derogatory and unsubstantiated charges against the integrity of many individuals and the public institutions of our society.

I think we have now reached a point where this material, your letters, and enclosures, my replies should be a matter of public record. This is an important public issue which you have raised initially and publicly. I shall be pleased to place in the CONGRESSIONAL RECORD any additional comments you may wish to make.

With best wishes.

Sincerely,

THOMAS B. CURTIS.

NAVAL HOMES FOR TREATMENT IN THE FIELD OF GERIATRICS

Mr. WILSON of California. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include a statement.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. WILSON of California. Mr. Speaker, I have today introduced legislation that will establish two naval homes for treatment in the field of geriatrics, one to be located on the east coast and one to be located on the west coast.

To date, a very serious problem exists due to the inadequacies of existing facilities to meet the needs of the active and retired members of the Navy.

In my own congressional district, the naval hospital is experiencing serious difficulties in meeting the medical needs of active and retired personnel.

We cannot afford to jeopardize the whole naval career system by failure to meet the needs of these career men when they reach retirement. This is the situation we are faced with today.

The following statement by Vice Adm. William R. Smedberg III, prepared for the retired naval personnel newsletter, succinctly sets forth the critical nature of this problem.

I urge immediate attention be given to this legislation.

GREETINGS FROM THE CHIEF OF NAVAL PERSONNEL

The 6 years that the retired activities section has been in operation have seen an increase in the number of personnel transferred to the Fleet Reserve or retired, so that presently over 119,000 are in a retired pay status. This growth has affected and will continue to affect other areas of retirement living—retirement pay, benefits, and privileges.

As a matter of information almost 39,000 of these retirees live in California and nearly 10,000 in Florida. Large groups live in New York and around the Washington, Virginia, and Maryland area. Apparently, climate, recreation facilities, and accessibility to

uniformed services hospitals, commissaries, and exchanges plus other advantages influence the choice of retirement homes.

These large concentrations of Navy retirees from the other services are causing serious overloading of some of the very service facilities which make many areas desirable for retirement homes. Hospitals and commissaries in California, Florida, Washington, D.C., and many other areas are operating well beyond their designated capacities. Since there is great difficulty in obtaining funds from the military budget to be earmarked specifically to increased hospital capabilities for retired persons and their dependents, this condition will worsen rather than improve as the numbers of retirees multiply.

As a consequence, your equity in retirement benefits which you expected at the completion of your military career is being diluted. As Chief of Navy Personnel, I can assure you all that the Navy as well as the Department of Defense is well aware of the seriousness of this problem and will continue to support and promote the interests of our retired military personnel.

W. R. SMEDBERG III

INCREASING THE SIZE OF THE HOUSE OF REPRESENTATIVES

Mr. HOFFMAN of Illinois. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. DERWINSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, regardless of statements by proponents of this measure, it is so politically motivated that the public throughout the country is aware of the purely political and expedient nature of this bill. With the House being naturally unwieldy by its size an increase is impossible to justify.

It would be much more practical for us to devote our energies to streamlining House procedures to achieve more effective operation.

However, the political motivation of this measure is really the point since, if an increase in the size of the House is at all justifiable, it should have been planned early in 1961 rather than now, to solve the political problems of reapportionment in Massachusetts and Pennsylvania. All the other States that were faced with reapportionment problems as a result of the 1960 census met their obligation through proper action by their State general assemblies. The failure of Massachusetts and Pennsylvania to solve their reapportionment in an acceptable fashion to a few individuals results in the sorry spectacle of the House increasing its size merely to accommodate a handful of individual Congressmen. This is bad legislation and bad politics.

In Illinois we were faced with a difficult reapportionment task and after a lengthy and certainly controversial debate, the State legislature met its obligation. As I have indicated, the very same circumstances prevailed in numerous other States.

I am opposed to this bill but if I were attempting to perfect it I would introduce an amendment calling it a bill for the personal benefit of certain Massachusetts and Pennsylvania Members of the U.S. House of Representatives. At least then, the title would fit the intent of the bill.

A SALUTE TO THE 4-H CLUBS OF AMERICA

Mr. HOFFMAN of Michigan. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. HARVEY] may extend his remarks at this point in the record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HARVEY of Indiana. Mr. Speaker, I would like to take this opportunity to recognize the more than 2 million young Americans who are presently members of 4-H Clubs. They are demonstrating every day their devotion to good citizenship by participating in various civic activities all across the Nation.

I am particularly proud of Miss Linda Markins, a resident of Delaware County, in my district. She was one of the six outstanding 4-H Club members in the Nation to come to Washington this week. She and the other five so chosen admirably represented their fellow 4-H'ers. They certainly represented the highest type of 4-H Club work and leadership.

It is a pleasure to salute all present and past members of 4-H for their valuable contributions to progress in our agricultural community at large.

RETRAINING OF INDIVIDUALS SUFFERING SPEECH OR HEARING IMPAIRMENT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Rhode Island [Mr. FOGARTY] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. FOGARTY. Mr. Speaker, disordered speech or impaired hearing, the most common disabilities of children in this country, may seriously handicap individuals of all ages in their efforts to profit from the educational opportunities offered by our schools, or to become self-sufficient and self-supporting members of their communities. More than 8 million Americans of all ages suffer from speech or hearing impairments. The consequences of a serious disability of communication may retard or frustrate completely a child's efforts to advance in school or may leave social or emotional scars on both the individual and his family.

Children and adults with speech and hearing impairments require the services of speech and hearing specialists who have acquired a high degree of clinical competence through study and experience. These noninstructional clinical specialists provide their services in a variety of environments including our elementary and secondary schools, hospitals and community centers. There is a desperate shortage of qualified personnel in the speech and hearing field to provide needed services. At the present time, there are only some 2,000 certified speech and hearing specialists and 5,000 noncertified specialists in this field. A minimum of 20,000 speech and hearing specialists are urgently needed to properly diagnose, train and rehabilitate these 8 million handicapped individuals.

In order to relieve this situation resulting from the critical deficit of adequately trained personnel, our universities should be graduating at least 1,500 properly trained speech and hearing specialists each year. Only 400 such specialists are currently being graduated each year.

The need for speech and hearing personnel is not peculiar to any area. Speech and hearing specialists are needed in all States. For each State to provide the faculties and facilities needed to train these speech and hearing specialists would be a wasteful duplication.

The bill I have introduced today provides for a grants-in-aid program to assist our colleges and universities in the training of a supply of speech and hearing specialists needed to diagnose, train and rehabilitate our 8 million speech and hearing handicapped Americans.

TWENTY YEARS OF THE VOICE OF AMERICA

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. BOGGS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. BOGGS. Mr. Speaker, the Voice of America last month celebrated its 20th birthday. Henry Loomis, director of the Voice of America, delivered a most interesting, fact-filled speech before the National Press Club, outlining the work which the Voice of America is doing in the cold war. All those who heard and read this speech received a much clearer picture of the complicated task which this Agency is undertaking. His speech gives us a clear picture of the revolution in communications which is knitting the whole world together.

ADDRESS BY HENRY LOOMIS, DIRECTOR, VOICE OF AMERICA, BEFORE THE NATIONAL PRESS CLUB, WASHINGTON, D.C., WEDNESDAY, FEBRUARY 21, 1962

The Voice of America will be 20 years old next week.

For 20 years, the Voice, representing the U.S. Government and the American people, has talked directly to the people of the world—often over the objections of their

governments. The Voice of America is the only mechanism available to the U.S. Government capable of such direct, universal, personal, and immediate communication.

Even though the Voice is 20 years old, it is little known and less understood by the American public—especially the fundamental and controversial issues involved.

Let's examine some of these issues as they affect the problems of what we should say on our direct shortwave programs.

What results can be expected from broadcasting—or any informational activity? Some seem to believe that when things are not going well all that is needed is more money and better people working on propaganda. This belief has the advantage of not requiring the development of new policy or the taking of direct action.

Others seem to believe that all propaganda is ineffectual, a waste of money, and should be dispensed with.

I believe the truth lies in between. Propaganda cannot supersede the facts of life. However, good propaganda can increase the impact and effect of favorable events and decrease the impact of unfavorable events. The mechanical act of broadcasting, in itself, will not affect people's actions. However, the facts described in the broadcasts and the interpretation and analysis of those facts can and do have an impact—if they are believed. The first requirement of any radio is to earn the audiences' trust—to be credible.

In my judgment, radio is primarily a strategic or long range tool. If you have a faithful and believing audience, you can provide them with much information and much food for thought on which they will rely, when, in a crisis, they must decide their course of action quickly and instinctively.

Another basic choice facing the Voice is what do its initials VOA stand for; the voice of the administration or the Voice of America. The problem arises in our coverage of all controversial issues when significant and responsible groups or individuals disagree vociferously with the administration's policy. The issue also arises whenever there is significant debate in the Congress or by the public on sensitive issues on which the administration has been silent.

The Voice has long aspired to be the Voice of America—a far more difficult job. This role was formally assigned to the Voice in a directive of several years ago. Our job is to try to make U.S. policy understandable everywhere—and palatable where possible. But, at the same time, we must reflect a balanced projection of significant and responsible American thought. We must try to show that the United States derives strength from its diversity and is not in a state of anarchy. This requires us to judge who and what is "responsible" and "significant," and to determine what is a "fair" balance.

We meet this issue hourly in the preparation of our newscasts. Some urge us to include only "positive" news, to ignore the unpleasant or the failures. As one critic put it, "Ivory soap commercials speak about being 99 and 44/100 percent pure—you don't hear any discussion of the 56/100 percent impurities." Other critics believe that common people, particularly those in the underdeveloped areas, are uncritical, believing everything they hear. These critics conclude that the audiences believe all they hear from the Communists and that our carrying unfavorable facts merely tends to confirm Moscow's accusations. Radio Moscow, Radio Peiping, and many others follow this principle.

The Voice does not. Not only do we believe such a policy to be ineffective since all people—irrespective of education, race, or status—have a long nose for the detection—in time—of the phony, but in our country such a course is impossible. The more controversial, the more negative the news, the faster and more detailed the coverage by the great international wire services, the foreign and domestic newspapers and magazines—and by our competitors, the other broadcasters. No matter how negative the facts really are, Moscow can make them appear worse. To be believed by our audience we must carry all the important facts—good and bad. To be most effective, we try to reach the audience before our competitors—to assure that negative information, when first heard, is backgrounded with all the positive aspects we can find.

While this problem is difficult when the negative event occurs within the United States, it is particularly difficult when it occurs in a foreign, friendly country and the local government tries to suppress it. A student riot clearly directed against a friendly government, which the local papers and radio have not been allowed to mention, is a frequent case in point.

Obviously the Voice seizes every opportunity to present the failures and weaknesses of the Communists, but in a sober and factual manner.

The Voice attempts above all else to be sure that its news is accurate. When necessary we sacrifice speed for accuracy. We do not carry speculation. Normally we require that a news item be available on at least two responsible news sources before we use it. We clearly separate our news from the commentaries in which we argue the American position as persuasively as possible.

Another fundamental decision, interwoven with the above, involves what type of audience the Voice should aim at. Should we seek primarily to speak to people dominated by communism, to the uncommitted, or to our allies? Should we aspire to mass audiences or aim primarily at leadership groups?

In analyzing this question we draw a sharp line between our shortwave broadcasts, direct to the audience, and the very large program we have of placing material on local radios around the world.

We broadcast 730 hours per week on shortwave in 37 languages—an average of 4 programs at any one time and more radio volume than CBS, NBC, and ABC produce all together.

In these direct, shortwave broadcasts we aspire to an audience of all those who are curious. If a man merely wishes entertainment he will listen to local radios. We seek the man or woman who wishes information, information about America, information about the world, information about his own country in those cases where the local radios and newspapers cannot be trusted. We try to reach the person who seeks information about factual events, who wishes to listen to diverse explanations of the importance and effect of the events. We aim at an audience that wants to know more about the American political system, the American economic system, American science, American culture, American views on communism, on neutralism—on all aspects of the world and mankind; an audience more interested in information than entertainment.

Obviously we can reach an audience only among those who have access to radios capable of hearing our broadcasts.

The advent of cheap transistorized radio receivers is revolutionizing the size, composition, and distribution of the potential audience. Many of us believe that the transistor radio will, in its own way, have as profound an effect on the widening of men's horizons as the inventions of the printing press and the airplane.

There are now 200 million radio receivers outside of the United States and Canada. Twenty years ago, when the Voice started, the war had destroyed many radios but there probably were no more than 10 to 20 million. In just the last year, radio receivers increased by 13 million sets.

The potential audience in Africa, Asia, and parts of Latin America is increasing rapidly while the old radio audience in Europe and Japan is being cut into by TV. However at times of crisis, many turn to radio because of its speed and the opportunity it gives to hear conflicting views from different countries. During normal times, many of the more curious, rather than staying with the entertainment programs on TV, still listen to the informational programs available on radio. We, therefore, are faced in our direct broadcasts with a new unsophisticated audience at the same time that our old audiences require more erudite material.

Another facet of the problem, interwoven with our choice of audience, is the choice of types of programs. How much news, how much music, how much "freighted" material arguing our case, how much entertainment; do we give the audience what they want or do we give them what we want them to hear.

In trying to balance all the conflicting demands, we always remember that shortwave radio is competitive. If the audience gets bored or cannot understand, a twist of the dial will bring in a new station. The audience can and will leave you at any moment.

International broadcasting is fiercely competitive and becoming more so every day. At last count there were 14,000 program hours per week of international broadcasts by all nations.

Moscow is the dominant broadcaster with over 1,000 hours per week. Peiping is in second place with 734 hours per week, but during the last year the Voice has pulled up until we are nearly tied with them.

In choosing our short-wave programs we must not only think of the other major broadcasters but must also take into account regional broadcasters, many of whom are dominant in their areas, such as Cairo in the Arab world and Africa.

The Voice does not try to be entertaining on its shortwave broadcasts; the local or regional broadcasters can always excel in entertainment. The Voice tries to provide unique information or unique services not available elsewhere. We stress information about the United States and the U.N.; we broadcast jazz to those areas—such as Russia—where the state frowns on it; we attempt to provide accurate and balanced news to areas flooded with the distortions of others. We provided continuous coverage of the Glenn orbital shot in English and also featured it in all our 36 other language programs.

In addition to direct shortwave broadcasts of the Voice, we prepare a massive amount of material for tailoring and placement on local radios by the oversea USIS posts. We place 10 times more material than we broadcast direct—about one-half of it in Latin America. Much is unattributed to VOA. Since this material appears on local radios, we can reach a much broader audience. We provide American music and radio dramas to attract listeners. Our programs are accurate, the style tailored to the individual country and the subject matter is selected to present U.S. policy, and America in general, in as favorable a light as possible.

However, placement of radio programs requires the approval of both the local radio station and the local government. We place the least material in those countries where we need to place the most—where the local

government either censors heavily or is antagonistic to the United States.

Local placement is an invaluable adjunct to direct shortwave broadcasts, but only the direct broadcasts can relay events to an audience when the local government disapproves, and only direct broadcasts can bring immediate reportage of an event such as the Glenn space shot.

No matter how well our shortwave programs are done, they are useless if they cannot be heard by the audience. Here too the Voice faces fierce problems.

It must always be borne in mind that the Voice is broadcasting and not communicating in the technical sense. In communications, such as the normal commercial or military circuits, there is a professional at each end of the circuit; each end is equipped with special equipment permitting the use of many fancy techniques. Often communications can be scheduled for the time of day when the electrical characteristics are best. In communications all that is required is a signal strong enough and clear enough to be understood.

All is different in broadcasting. We must broadcast not to one professional but to many laymen. Broadcasters must work into the listener's receiver—a receiver he cannot modify—a receiver often out of repair—a receiver operated by an amateur—who may or may not be interested. The broadcaster must broadcast at the time of day most convenient to the audience—frequently the early evening which is one of the worst times of day electrically. But most important of all, a broadcaster must not only be heard, he must be as loud and clear as his competitors. Relative, rather than absolute, quality is what counts. The Voice can now be heard everywhere in the world—on a good receiver—but usually our competitors come in with a louder and clearer signal.

The United States is faced with a most difficult technical problem. We are thousands of miles from our nearest audience; in all areas except Latin America, we are farther away than our competitors. It is therefore impossible to provide a competitive signal directly from the United States. We must rely on oversea relay stations, the rights for which must be negotiated with sovereign countries. This is difficult since such agreements often are used by neutralist or hostile groups within the country to embarrass the host government. The Congress has provided funds whenever we have been able to obtain an agreement; our bottleneck has been the difficulty of obtaining and retaining agreements.

The agency is now operating 87 transmitters, located in 8 domestic and 9 foreign locations. While we have three massive million-watt medium-wave transmitters in Europe and the Far East, we have no shortwave transmitters which are powerful by modern standards. Many are 25 years old; the newest is 10 years old.

However, in the last 4 years, we have received $50 million from the Congress (all we have requested) with which we are constructing (1) the largest transmitter complex in the free world, and probably in the entire world, in North Carolina; (2) a major new station in Liberia which will be the most powerful on the African Continent; (3) more powerful transmitters in Great Britain which will boost our power there fivefold; (4) a land-based facility at Rhodes, Greece, to replace the ship *Courier*, which will increase the strength of the Voice's signal fourfold in Cairo; and (5) a unique complex of four mobile 50-kilowatt transmitters to be truck mounted and air transportable. This totals over 8.5 million watts under construction—approximately doubling our present shortwave power. We have outlined a program for three more massive shortwave facilities overseas, required to give the Voice competitive coverage everywhere. When we obtain the agreements, we will ask the Congress for funds.

Another major problem faced by all broadcasters is the difficulty of finding—and keeping—clear frequencies. This problem is very rapidly getting worse as the number of broadcasters increases and the number of electrically usable frequencies decreases as a result of the present phase of the sunspot cycle.

Today the world's broadcasters are utilizing over 14,000 transmitter-hours per day, an average of over 500 frequencies being used simultaneously. While the U.N., through the ITU, tries to assure orderly use of the radio spectrum, some interference is inevitable. Interference is increasing as the hours of broadcasting increase. Each of the large broadcasters is increasing both power and broadcasting hours in order to remain competitive, and most newly independent countries rush into international broadcasting so that their views may be heard. Twenty years ago when the Voice started, there were only one-fifth as many broadcasters on the air.

Nature is compounding the difficulty. The degree of sunspot activity determines the degree of ionization in the atmosphere which in turn determines how many frequencies can be used effectively for broadcasting. The more sunspots, the more frequencies. During the 1950's the sunspots were increasing, expanding the spectrum at about the rate new broadcasters were starting to broadcast. The peak of the sunspot cycle—in 1958—was the highest ever recorded. But now it is rapidly decreasing and is predicted to reach a very low level by the mid-sixties. It is not expected to rise as high as the last peak for the rest of this century.

The only recourse open to the Voice is to have more power than competitors on the same frequency, to be able to predict the best frequency ahead of our competitors, and to be more flexible in the use of frequencies. This is jungle warfare—victory goes to the strong, the smart, and the quick.

In addition to the increasing competition and the shrinking frequency spectrum, the Voice must also meet—and overcome—deliberate jamming of our programs by Communist governments. A jammer is just a normal transmitter, transmitting noises on your frequency. Jamming—like the Berlin wall—is an admission of bankruptcy. The Communists now employ something like 2,500 jammers against the Voice and other free world broadcasts. We estimate that it would cost us over $150 million per year to operate a similar network. This is three or four times the amount spent by all free world radios broadcasting to the Communist bloc. The size and skill of the Communist jamming network has been steadily increasing. Cuba has been jamming for about 6 months.

However, in spite of all the Communists can do, most of our programs get through behind the Iron Curtain—especially outside the major cities. We record over a million observations a year from peripheral monitoring posts in order to gage our penetration and follow Communist jamming tactics. We estimate that one-fourth of our programs can be heard in most major cities where the jammers are concentrated, and that three-fourths of our programs can can be heard outside the major cities.

Since Khrushchev's visit to this country over 2 years ago, a new twist has been added—intermittent, content jamming. The Russians no longer attempt to jam certain news items and not others. The percentage of attempted jamming varies from day to day and from subject to subject, providing us with an unorthodox measure of the temperature of the cold war and an index of the subjects to which they are most sensitive. This week the percentage of attempted jamming has been running about 50 percent.

While the jamming system is good, it is not infallible. This was proven last fall when the Voice mounted a special operation to inform the Russian people about the nuclear tests conducted by their Government and world reaction thereto. We concentrated all of the 52 transmitters capable of reaching the Soviet Union on this program, canceling or postponing programs in many other languages to do so. Even though we had announced this special program for a week in order to alert our audience, the jammers failed in their task—in fact, their control system came apart at the seams. Our program could be clearly heard everywhere in the Soviet Union—even in Moscow. Two days later Khrushchev announced the tests to his own people.

How well is the Voice meeting the challenge? Is all this effort, hardware, and money worth it? How many people do we influence?

One way to answer these questions would be to examine our audience and its reaction to our programs. Unfortunately, precise research or even access is impossible in many areas. However, certain broad conclusions can be drawn from the myriad of detailed bits of information which the Agency's research office collects and analyzes.

Both the Voice and BBC have significantly larger audiences than either Moscow or Peiping—even though both Communist countries broadcast longer hours on more powerful transmitters.

The Voice's direct audience on an average day is numbered in the tens of millions, of whom the majority are living under communism.

We know our audience is not an exclusive one, that most who listen to us also listen to others—frequently many others.

We know that most who listen to us discuss with others the facts and opinions heard on the Voice so that our programs affect a far larger group than our direct audience.

At times of international crisis our audience increases markedly, especially in the geographic area affected by the crisis where many people wish to know what is happening, and specifically what U.S. policy may be. Likewise, during great human stories, like the Glenn space voyage, our audience pyramids.

The audience to our music programs—especially jazz programs—is significantly larger than the audience to our substantive programs. Our program "Music U.S.A."—a daily hour and a half of music interspersed with news in special, slow English—has probably the largest audience of any single radio program in the world. We estimate that in Russia alone, the audience is in the order of magnitude of 10 million on an average day.

Our news programs have more audience than our feature materials. We know our average audience is young, and better educated than the average in most countries.

In assessing effectiveness, however, individuals more than numbers are important. We know of heads of state who listen to us daily; we know of foreign ministers, defense ministers, and many other officials who listen to us. We know we have a wide audience among foreign embassy personnel living in third countries.

We know our programs are monitored by many governments, then summarized and distributed among the ruling elite. That is one audience which we can count on.

We know our programs—especially the news—are monitored by many foreign radios and newspapers and used as a source for their output.

We are certain that we successfully challenge the Communist monopoly of information to their own people. We have frequently seen cases where the regime has been forced to admit or discuss a subject they would have preferred to leave alone.

Many foreign stations relay portions of our direct shortwave programs, thus increasing our potential audience as well as endorsing our product. Many universities, newspapers, and educators use our scripts and tapes. Publishers have brought out many printed versions of our scripts in book form.

One measure of our effectiveness is the quick response we get whenever we make a mistake.

And of course we have letters—several hundred thousand a year. Letters which discuss specific programs; letters which give views on our programs in general; letters which ask help; letters which criticize the Voice and the United States. An increasing number of letters speak of our objective news, of the scope of our coverage, or trust in our objectivity.

Many of the letters give a warm intimate picture of the audience, like a recent one from Sante Diourbel in the interior of Senegal: "5 days out of 7 days of the week, after evening prayer, some 20 of my friends listen with me to your broadcasts because they do not want to miss the program and the mosque where we pray together is only 20 meters from my radio."

Let me close with a personal experience. I was in interior Tanganyika a few years ago. We came to a river with only a hand-drawn barge as a ferry. It took some time to get all the trucks across, so I joined a group of men asleep in the shade of a mango tree. One rolled over and said something in Swahili. I said I was sorry but I only spoke English. He said that was quite all right, he spoke English. He did—halting, broken English but understandable. He had had 6 years of schooling. He asked me about a news event I had heard that morning on the Voice. I asked him where he had learned the fact—he said he listened to the Voice every day. I asked if he ever listened to other radios. Oh yes—he listened to BBC, Moscow, Cairo, and Peiping every day. Naturally he listened to his local station, Dares-Salaam, but he also listened to Nairobi and Salisbury. He frequently listened to Brazzaville for music. He regretted that he had heard Ghana only infrequently.

We discussed world affairs for several hours until all our trucks were across the river and then we gave him a lift to his house a couple of miles down the road.

His House was the typical wattle-and-mud hut—with an antenna wire coming out of the door and up a tree.

He wore no shoes but he was the secretary of the local chapter of TANU, the leading political party in Tanganyika.

Radio was his window on the world—a window for information, for ideas, for entertainment. He listened to all the radios he could hear. He knew to whom he was listening. He compared. He drew his own conclusions.

He was typical of the tough, intellectually curious audience we face in international broadcasting. He was the challenge the Voice faces. The Voice is meeting the challenge.

FOOD MACHINERY CORP.

Mr. VANIK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. VANIK. Mr. Speaker, I was deeply chagrined to learn today that the Department of the Army announced the award of two supply contracts valued at $64,369,241.34 for the procurement of a quantity of armored personnel carriers, M-113, to the Food Machinery Corp., of San Jose, Calif. This is the same FMC which 2 years ago received contracts for the production of the M-113 personnel carrier under regulations which I termed as "rigged bidding" procedures. It seems as though this corporation has developed techniques which work in all situations.

Something new has been added this time. The corporation very cleverly arranged for production in Charleston, W. Va., a persistent labor surplus area, as well as in its San Jose, Calif., plant.

On May 24, 1961, the FMC acquired the old Navy depot in Charleston, W. Va., for the sum of $4,320,000. This plant was acquired as surplus property through the General Services Administration. At the time the FMC acquired this plant, they announced that it would be used for the manufacture of chemicals and would provide employment in the West Virginia labor surplus area. Apparently this was never their intention. They bought this Government-owned plant because they had inside information of the Government's intention to produce the M-113 personnel carrier at a location geographically separate from the principal FMC plant in San Jose, Calif.

At this time I am not convinced that the Army Ordnance Corps has met the requirements of the procurement regulations or the requirements of the General Accounting Office in this procurement. If a second source is required for military procurement, it seems to me that the second source should be separate and distinct from the primary source. The same corporation should be barred from bidding as a second-source supplier so that the Government may profit from competitive methods of production which would lower the unit cost of the end product.

In the spring of 1960 the Hébert Investigating Subcommittee of the Armed Services Committee investigated these charges of "rigged bidding" in the M-113 contract and found that they were substantiated. Thereafter, the Comptroller General of the United States on July 6, 1961, severely criticized the award of the contract to the FMC Corp. On a later occasion, I expect to take the floor and further discuss the many irregularities in procurement which were identified by the Comptroller General.

It is difficult for me to believe that this procurement is in accord with either the procurement regulations or the recommendations of the General Accounting Office.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. PELLY, for 25 minutes, today, and include extraneous matter.

Mr. BASS of Tennessee, for 60 minutes, today.

Mr. HALPERN (at the request of Mr. HOFFMAN of Illinois), for 40 minutes, today.

Mr. SCHWENGEL (at the request of Mr. HOFFMAN of Illinois), for 60 minutes, on March 12, 1962.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. MAGNUSON and to include an editorial.

Mr. DOYLE and to include extraneous matter.

Mr. LANE and to include extraneous matter.

Mr. FINO.

Mr. MCINTIRE.

Mr. COHELAN.

(The following Members (at the request of Mr. HOFFMAN of Illinois) were granted permission to revise and extend their remarks in the RECORD and to include extraneous matter:)

Mr. AUCHINCLOSS.

Mr. LAIRD.

Mr. DOOLEY.

Mr. BYRNES of Wisconsin.

Mr. MINSHALL.

Mr. SAYLOR.

(The following Member (at the request of Mr. ALBERT) was granted permission to revise and extend his remarks in the RECORD and to include extraneous matter:)

Mr. BAILEY.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 2774. An act to amend section 8 of the Organic Act of Guam and section 15 of the Revised Organic Act of the Virgin Islands, to provide for appointment of acting secretaries for such territories under certain conditions.

BILLS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H.R. 2990. An act to confer jurisdiction upon the Court of Claims to determine the claim against the United States of Amis Construction Co. and San Ore Construction Co.;

H.R. 7666. An act to amend section 17(a) of the Revised Organic Act of the Virgin

Islands pertaining to the salary of the government comptroller;

H.R. 7855. An act granting the consent of Congress to an amendment to a compact ratified by the States of Louisiana and Texas and relating to the waters of the Sabine River; and

H.R. 10050. An act to provide for a further temporary increase in the public debt limit set forth in the Second Liberty Bond Act.

ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 12 minutes p.m.), under its previous order, the House adjourned until Monday, March 12, 1962, at 12 o'clock noon.

REPORT OF EXPENDITURES OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS INCURRED IN TRAVEL OUTSIDE THE UNITED STATES

Mr. BURLESON. Mr. Speaker, section 502(b) of the Mutual Security Act of 1954, as amended by section 401(a) of Public Law 86-472, approved May 14, 1960, and section 105 of Public Law 86-628, approved July 12, 1960, require the reporting of expenses incurred in connection with travel outside the United States, including both foreign currencies expended and dollar expenditures made from appropriated funds by Members, employees, and committees of the Congress.

The law requires the chairman of each committee to prepare a consolidated report of foreign currency and dollar expenditures from appropriated funds within the first 60 days that Congress is in session in each calendar year covering expenditures from the previous calendar year. The consolidated report is to be forwarded to the Committee on House Administration which, in turn, shall print such report in the CONGRESSIONAL RECORD within 10 legislative days after receipt.

Accordingly, there are submitted herewith, within the prescribed time limit, the consolidated reports of the following House committees: Appropriations, Armed Services, Rules, and Veterans' Affairs:

Report of expenditure of foreign currencies and appropriated funds by the Committee on Appropriations, U.S. House of Representatives, expended between Jan. 1 and Dec. 31, 1961

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Subcommittees:											
Agriculture	U.S. dollar		1,651.00		1,508.25		7,151.74		451.45		10,762.44
Defense	do		1,438.53		1,070.60		5,704.52		645.60		8,859.25
Foreign Operations	do		3,683.25		2,198.30		16,638.45		1,904.56		22,344.55
General Government Matters and Commerce	do		466.63		281.33		1,595.49		157.34		2,441.79
Interior	do		627.08		537.10		6,210.79		324.25		7,679.22
Military Construction	do		248.59		189.92		1,298.96		82.75		1,767.32
State, Justice, Judiciary	do		2,130.33		1,498.19		10,193.17		549.75		14,371.44
Treasury-Post Office	do		423.56		301.97		3,028.67		72.48		3,828.70
Total			10,023.01		7,482.66		51,460.09		3,288.24		72,254.60

FEB. 26, 1962.

CLARENCE CANNON,
Chairman, Committee on Appropriations.

Report of expenditure of foreign currencies and appropriated funds by the Committee on Appropriations, Subcommittee on Agriculture, U.S. House of Representatives, expended between Jan. 1 and Dec. 31, 1961

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Hon. A. E. Santangelo:											
Italy	U.S. dollar		167.50		145.25		31.00		36.75		380.50
Germany	do		56.00		55.00		8.00		7.30		127.00
France	do		42.00		39.50		10.50		8.05		100.05
United States	do						6.00		3.50		9.50
Transportation (2 trips)	do						2,550.20				2,550.20
Subtotal			265.50		239.75		2,606.50		55.50		3,167.25
Hon. Robert H. Michel:											
Morocco	U.S. dollar		58.00		61.00		9.00		16.00		144.00
Liberia	do		90.00		57.50		5.00		14.25		166.75
Nigeria	do		84.00		53.00		6.00		7.50		148.50
Congo	do				32.50		8.50		14.00		55.00
South Africa	do		70.50		57.50		10.00		15.25		153.25
Rhodesia	do		28.20		24.00		5.50		7.50		65.20
Kenya	do		46.30		36.50		8.50		12.50		103.80
Ethiopia	do		41.00		58.50		9.50		10.25		119.25
Italy	do		104.00		80.50		13.50		20.25		218.25
Germany	do		56.00		57.00		7.50		12.00		132.50
France	do		42.00		38.00		10.75		8.75		99.50
England	do		36.00		45.00		6.25		8.50		95.75
United States	do		33.25		31.50		13.75		35.75		114.25
Transportation	do						2,191.00				2,191.00
Subtotal			699.25		632.50		2,304.75		180.50		3,817.00
Rose Pope:											
Morocco	U.S. dollar		58.00		64.00		9.50		15.00		146.50
Liberia	do		90.00		48.00		4.50		19.05		161.55
Nigeria	do		84.00		52.50		6.00		7.00		149.50
Congo	do				36.00		6.25		12.50		54.25
South Africa	do		70.50		46.00		9.50		16.25		142.25
Rhodesia	do		28.20		21.00		5.00		7.50		61.70
Kenya	do		46.30		35.25		12.00		19.70		113.15
Ethiopia	do		41.00		44.50		8.00		11.50		105.00
Egypt	do		30.25		28.50		4.00		4.50		67.25
Italy	do		55.50		70.50		7.00		16.60		149.60
Germany	do		56.00		56.00		8.50		9.50		130.00

Report of expenditure of foreign currencies and appropriated funds by the Committee on Appropriations, Subcommittee on Agriculture, U.S. House of Representatives, expended between Jan. 1 and Dec. 31, 1961—Continued

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Rose Pope—Continued											
France	U.S. dollar		42.00		34.50		11.50		8.05		96.05
England	do		24.50		30.25		6.25		6.50		67.50
United States	do		70.00		68.00		8.75		61.80		208.55
Transportation	do						2,129.54				2,129.54
Subtotal			606.25		636.00		2,240.49		215.45		3,788.19
Grand total			1,651.00		1,508.25		7,151.74		451.45		10,762.44

RECAPITULATION

	Amount
Appropriated funds: Department of Agriculture	$10,762.44
Total	10,762.44

JAMIE L. WHITTEN,
Chairman, Subcommittee on Agriculture.

Report of expenditure of foreign currencies and appropriated funds by the Committee on Appropriations, Subcommittee on Defense, U.S. House of Representatives, expended between Jan. 1, and Dec. 31, 1961

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Hon. Daniel J. Flood:											
United States	U.S. dollar		234.72		15.79		310.15		15.00		575.65
Jamaica	do				21.06		18.00		7.50		46.55
Honduras	do				4.28		8.00		31.00		43.25
Guatemala	do		138.50		64.24		33.00		68.12		303.85
Nicaragua	do		73.75		10.77		19.00		10.24		113.75
Costa Rica	do		31.80		47.55		5.00		12.83		97.15
Subtotal			478.77		163.69		393.15		144.69		1,180.30
Hon. Melvin R. Laird:											
The Bahamas	U.S. dollar		36.00		58.92				8.40		103.32
United States	do		25.50		50.69		263.25		23.79		363.23
Subtotal			61.50		109.61		263.25		32.19		466.55
Hon. Phil Weaver:											
United States	U.S. dollar						1,092.35				1,092.35
Germany	do		63.30		138.68		44.60		96.56		343.14
Italy	do		66.80		19.99		9.00		10.46		106.25
Spain	do		62.03		27.74		13.25		13.62		116.64
France	do		18.61		29.75		9.25		63.09		120.70
Subtotal			210.74		216.16		1,168.45		183.73		1,779.08
Hon. William E. Minshall:											
United States	U.S. dollar		22.75		9.13		1,940.70		14.50		1,987.08
Germany	do		22.89		38.78				7.80		69.47
France	do		78.95		22.04				20.20		121.19
Egypt	do		26.91		13.88		8.00		6.25		55.04
Lebanon	do				11.41		8.00		10.75		30.16
Iran	do		10.00		7.35				9.57		26.92
Pakistan	do		31.66		17.90		28.10		8.50		86.16
India	do		35.87		12.60		31.35		5.91		85.73
Thailand	do		39.00		24.04		15.00		7.28		85.32
Vietnam	do		33.15		41.88		9.00		6.00		90.03
Taiwan	do		10.00				33.00		3.50		48.50
Japan	do		44.44		34.39		5.00		13.50		97.33
Okinawa	do		1.50		.80		84.00		2.00		88.30
Korea	do		1.50		.50		86.80		6.50		95.30
Subtotal			358.62		234.70		2,250.95		122.26		2,966.58
Samuel R. Preston:											
United States	U.S. dollar		25.50		58.83		1,567.77		77.48		1,729.58
The Bahamas	do		36.00		58.91				8.40		103.31
Germany	do		23.50		52.25		5.00		6.25		87.00
France	do		82.00		54.35		8.15		18.00		162.50
Egypt	do		23.70		29.75		7.00		9.35		69.80
Lebanon	do		15.00		16.50				6.50		38.00
Jordan	do		36.00		21.75		24.00		3.50		85.25
Israel	do		20.70		7.75		3.00		2.00		33.45
Italy	do		40.00		27.40		9.80		17.75		94.95
Spain	do		26.50		18.95		4.00		13.50		62.95
Subtotal			328.90		346.44		1,628.72		162.73		2,466.79
Grand total			1,438.53		1,070.60		5,704.52		645.60		8,859.25

RECAPITULATION

	Amount
Appropriated funds:	
Department of the Army	$7,975.88
Department of Navy	883.37
Total	8,859.25

GEORGE H. MAHON,
Chairman, Subcommittee on Defense.

Report of expenditure of foreign currencies and appropriated funds by the Committee on Appropriations, Subcommittee on Foreign Operations, U.S. House of Representatives, expended between Jan. 1 and Dec. 31, 1961

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Hon. Otto E. Passman (includes 1 trip around the world, and 1 trip to Western Europe):											
France	U.S. dollar		54.00		27.15		4.30		25.10		110.55
Spain	do		104.00		76.60		14.00		52.65		247.25
Switzerland	do		87.00		52.80		8.25		32.65		185.70
Italy	do		54.00		32.75		4.80		29.80		121.35
Lebanon	do		42.00		27.00		5.30		11.40		85.70
Syria	do				14.75		7.25		8.40		30.40
Thailand	do		54.00		40.20		6.95		17.15		118.30
Hong Kong	do		84.00		48.65		10.05		46.50		189.20
Japan	do		54.00		57.50		6.25		29.85		127.60
United States	do		50.00		41.75		7.00		3.50		102.25
Transportation	do						3,170.70				3,170.70
Subtotal			563.00		843.55		3,245.75		292.00		4,494.70
Hon. Hugh Q. Alexander:											
Spain	U.S. dollar		48.00		35.65		4.75		13.40		101.80
Switzerland	do		60.00		34.15		5.40		11.25		110.80
Italy	do		48.00		23.50		4.10		14.50		90.10
Lebanon	do		39.00		26.20		5.25		12.40		82.85
Syria	do				8.50		10.00		5.25		23.75
Thailand	do		48.00		32.65		6.50		12.10		99.25
Hong Kong	do		84.00		45.50		8.25		14.25		152.00
Japan	do		48.00		27.50		6.85		9.95		92.80
United States	do		54.00		29.00		12.25		13.40		108.65
Transportation	do						2,123.30				2,123.30
Subtotal			459.00		262.85		2,186.15		105.50		3,013.30
Hon. Joseph M. Montoya (includes 1 trip around the world, and 1 trip to Western Europe):											
France	U.S. dollar		50.00		26.20		3.00		20.50		100.00
Spain	do		103.00		76.05		10.60		41.60		231.35
Switzerland	do		21.00		19.70		4.10		16.35		61.05
Italy	do		48.00		34.65		5.70		18.05		106.40
Lebanon	do		42.00		24.60		5.75		14.80		91.95
Jordan	do				8.50		1.00		8.75		22.15
Thailand	do		54.00		39.70		6.25		15.60		115.55
Hong Kong	do		84.00		57.80		9.65		18.70		170.15
Japan	do		54.00		46.00		7.10		17.20		124.30
United States	do		50.00		44.55		16.75		19.40		130.70
Transportation	do						3,421.35				3,421.35
Subtotal			542.00		372.65		3,492.50		191.20		4,598.35
Hon. John J. Rhodes:											
France	U.S. dollar		50.00		24.80		4.50		20.85		100.15
Switzerland	do		21.00		17.20		3.20		14.40		55.80
Spain	do		49.00		36.15		4.00		19.70		108.85
Transportation							993.50				993.50
Subtotal			120.00		78.15		1,005.20		54.85		1,258.20
Hon. Silvio O. Conte:											
Morocco	U.S. dollars		58.00		64.50		9.50		16.25		148.25
Liberia	do		90.00		56.00		7.50		14.75		168.25
Nigeria	do		84.00		51.00		7.50		8.50		151.00
Congo	do				26.50		7.50		14.25		52.25
South Africa	do		70.50		58.00		16.25		16.50		159.25
Rhodesia	do		28.20		23.50		7.00		6.50		65.20
Kenya	do		46.50		36.00		9.00		11.25		102.75
Ethiopia	do		41.50		37.50		10.25		9.40		117.65
Italy	do		104.00		82.00		24.25		9.50		219.75
Germany	do		56.00		58.00		8.50		10.25		132.75
France	do		42.00		39.50		9.75		9.75		101.00
Finland	do		48.00		61.00		12.00		7.50		128.50
United States	do		33.25		28.50		14.00		34.00		110.25
Transportation	do						2,129.45				2,129.45
Subtotal			701.25		620.00		2,260.85		168.00		3,780.10
Kenneth Sprankle:											
France	U.S. dollar		48.00		26.25		2.45		18.20		94.90
Switzerland	do		27.00		21.50		2.70		14.40		65.60
Spain	do		42.00		32.15		3.40		19.20		96.75
Transportation							1,010.40				1,010.40
Subtotal			117.00		79.90		1,018.95		51.80		1,267.65
Frances G. Merrill (includes 1 trip around the world, and 1 trip to Western Europe):											
France	U.S. dollar		48.00		25.10		3.25		19.35		95.70
Switzerland	do		81.00		51.00		7.05		33.65		172.70
Spain	do		96.00		79.15		12.25		38.75		226.65
Italy	do		39.00		18.80		5.20		11.75		74.25
Lebanon	do		36.00		23.00		11.50		10.75		82.30
Jordan	do				7.80		8.00		3.50		19.30
Thailand	do		39.00		26.15		4.70		12.05		81.90
Hong Kong	do		72.00		52.10		11.75		14.00		149.85
Japan	do		42.00		23.00		5.50		11.00		81.50
United States	do		56.00		24.50		25.00		16.40		118.90
Transportation	do						3,034.80				3,034.80
Subtotal			503.00		331.60		3,126.45		171.20		4,132.15
Grand total			3,035.25		2,168.30		16,336.35		1,004.45		22,544.55

RECAPITULATION

	Amount
Appropriated funds: International Cooperation Administration	$22,544.55

JANUARY 1962.

OTTO E. PASSMAN,
Chairman, Subcommittee on Foreign Operations.

Report of expenditure of foreign currencies and appropriated funds by the Committee on Appropriations, Subcommittee on General Government Matters, Commerce, and Related Agencies, U.S. House of Representatives, expended between Jan. 1, and Dec. 31, 1961

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Hon. Sidney R. Yates:											
Republic of Panama	U.S. dollar		57.00		45.40				47.97		150.37
Transportation	do						[1] 173.24				173.24
Subtotal			57.00		45.40		173.24		47.97		323.61
Hon. John F. Shelley:											
England	U.S. dollar		95.00		72.08		4.00		8.50		180.48
France	do		80.50		58.60		4.50		53.22		196.82
Ireland	do		66.80		42.95		30.00		10.50		150.25
Transportation	do						970.00				970.00
Subtotal			242.30		174.53		1,008.50		72.22		1,497.55
Hon. George E. Shipley:											
Canal Zone	U.S. dollar		125.33		44.50						169.83
Transportation	do						[2] 313.85				313.85
Subtotal			125.33		44.50		313.85				483.68
Earl C. Sibby:											
Republic of Panama	U.S. dollar		42.00		16.90				37.15		96.05
Transportation	do						[2] 40.90				40.90
Subtotal			42.00		16.90		40.90		37.15		136.95
Grand total			466.63		281.33		1,536.49		157.34		2,441.79

RECAPITULATION

	Amount
Appropriated funds:	
Panama Canal Company	$944.24
Department of Commerce	1,497.55
Total	2,441.79

[1] Excludes meals and transportation on Government-owned ship valued at $240.
[2] Does not include meals and transportation on Government-owned ship valued at $140.
[3] Does not include meals and transportation on Government-owned ship valued at $310.

GEORGE W. ANDREWS,
Chairman, Subcommittee on General Government Matters, Commerce and Related Agencies.

Report of expenditure of foreign currencies and appropriated funds by the Committee on Appropriations, Subcommittee on Interior and Related Agencies, U.S. House of Representatives, expended between Jan. 1 and Dec. 31, 1961

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Hon. Michael J. Kirwan:											
United States	U.S. dollar		140.68		116.85				107.15		364.68
Territories	do		3.50		18.50				7.25		29.25
Japan	do		49.50		42.25				6.00		97.75
Transportation	do						2,092.70				2,092.70
Subtotal			193.68		177.60		2,092.70		120.40		2,584.38
Kenneth Sprankle:											
United States	U.S. dollar		147.25		117.50				82.25		347.00
Territories	do		18.50		19.75				6.00		44.25
Japan	do		49.50		42.25				6.00		97.75
Transportation	do						2,077.78				2,077.78
Subtotal			215.25		179.50		2,077.78		94.25		2,566.78
Eugene B. Wilhelm:											
United States	U.S. dollar		150.15		98.25				98.75		347.15
Territories	do		18.50		19.50				4.85		42.85
Japan	do		49.50		42.25				6.00		97.75
Transportation	do						2,040.31				2,040.31
Subtotal			218.15		160.00		2,040.31		109.60		2,528.06
Grand total			627.08		517.10		6,210.79		324.25		7,679.22

RECAPITULATION

	Amount
Appropriated funds: Department of the Interior	$7,679.22
Total	7,679.22

MICHAEL J. KIRWAN,
Chairman, Subcommittee on Interior and Related Agencies.

Report of expenditure of foreign currencies and appropriated funds by the Committee on Appropriations, Subcommittee on Military Construction, U.S. House of Representatives, expended between Jan. 1 and Dec. 31, 1961

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Hon. Charles R. Jonas:											
Morocco	U.S. dollar		31.49		8.25		[illegible]		[illegible]		45.34
Spain	do		57.50		28.19		1.98		14.27		101.92
Italy	do		30.52		24.97		53.37		7.15		115.61
Switzerland	do				7.35		26.14				33.49
Germany	do		12.16		6.77		26.42				45.35
France	do		39.91		18.87		25.09				83.87
Great Britain	do		56.61		25.26		7.91		1.38		91.16
United States	do		20.50		17.84		1,158.04		54.45		1,250.83
Subtotal			248.59		130.45		1,298.98		82.75		1,767.32
Grand total			248.59		130.45		1,298.98		82.75		1,767.32

RECAPITULATION

	Amount
Appropriated funds: Department of Defense	$1,767.32
Total	1,767.32

HARRY SHEPPARD,
Chairman, Subcommittee on Military Construction

Report of expenditure of foreign currencies and appropriated funds by the Committee on Appropriations, Subcommittee on State, Justice, Judiciary, U.S. House of Representatives, expended between Jan. 1 and Dec. 31, 1961

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Hon. John J. Rooney:											
Japan	U.S. dollar		75.00		61.25		6.00		22.50		164.75
Philippines	do		90.00		26.00		3.50		[illegible]		119.50
Hong Kong	do		55.00		48.25		5.75		18.00		127.00
United States	do		285.00		191.00		16.00		56.50		548.50
Transportation	do						2,656.25				2,656.25
Subtotal			451.00		326.50		2,687.50		192.80		3,657.80
Hon. Frank T. Bow:											
Philippines	U.S. dollar		96.00		40.25				3.50		139.75
Germany	do		70.00		48.00		[illegible]		13.25		137.75
Turkey	do		45.00		[illegible]		[illegible]		11.50		97.25
Greece	do		39.00		[illegible]		8.75		[illegible]		81.00
Italy	do		39.45		[illegible]		6.75		12.75		70.70
United States	do		112.50		30.50		13.00		13.00		169.00
Transportation	do						3,091.00				3,091.00
Subtotal			363.95		166.75		3,[illegible]		63.75		3,780.44
Hon. Gerhard P. Lipscomb:											
France	U.S. dollar		68.00		[illegible]				22.00		150.00
Denmark	do		30.00		20.00				20.00		70.00
Belgium	do		6.00		3.00				2.00		11.00
Germany	do		38.00		45.00		15.00		36.00		134.00
Austria	do		23.00		15.00				25.00		63.00
Italy	do		86.00		40.00		13.00		25.00		164.00
Greece	do		24.00		10.00				10.00		44.00
Lebanon	do		24.00		15.00				10.00		49.00
Syria	do		7.00		8.00				4.00		19.00
Jordan	do				2.00				10.00		12.00
Egypt	do		10.00		10.00				5.00		25.00
Spain	do		48.00		40.00				25.00		113.00
Transportation	do						926.20				926.20
Subtotal			366.00		208.00		954.20		188.00		1,800.20
Hon. E. A. Cederberg:											
France	U.S. dollar		99.30		83.00		20.00		8.00		210.00
Switzerland	do		57.00		51.89		48.24		12.50		170.63
Italy	do		69.72		72.29		30.00		11.00		183.01
Spain	do		88.00		67.00		20.00		9.50		184.50
Mexico	do		169.37		135.66				58.95		363.98
Transportation	do						1,254.39				1,254.39
Subtotal			478.39		410.44		1,362.63		99.95		2,351.41
Jay B. Howe:											
Japan	U.S. dollar		60.00		54.00		11.00		18.50		141.50
Philippines	do		29.50		18.50		2.50		7.60		58.10
Hong Kong	do		65.00		51.25		7.50		19.65		143.40
United States	do		253.50		166.75		38.65		49.50		508.40
Transportation	do						1,998.19				1,998.19
Subtotal			408.00		293.50		2,057.84		95.27		2,854.59
Grand total			2,130.33		1,498.19		10,193.17		499.77		14,371.44

RECAPITULATION

	Amount
Department of State	$14,371.44

JOHN J. ROONEY,
Chairman, Subcommittee on State, Justice, Judiciary.

Report of expenditure of foreign currencies and appropriated funds by the Committee on Appropriations, Subcommittee on Treasury-Post Office, expended between Jan. 1 and Dec. 31, 1961

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Hon. Tom Steed:											
United States	U.S. dollar		15.00		11.75		986.40		5.40		1,018.55
England	do		65.00		32.30		4.00		5.60		106.90
Holland	do		15.00		10.50				3.40		28.90
Belgium	do		17.00		15.75		2.00		3.50		38.25
France	do		36.50		40.50		8.00		7.00		92.00
Subtotal			148.50		110.80		1,000.40		24.90		1,284.60
Hon. John R. Pillion:											
United States	U.S. dollar		15.00		11.75		1,021.86		5.40		1,054.01
England	do		66.00		32.30		2.00		5.60		105.90
Holland	do		15.00		10.50				3.50		29.00
Belgium	do		17.00		15.75		2.00		3.50		38.25
France	do		15.50		10.07		4.00		4.50		34.07
Subtotal			128.50		80.37		1,029.86		22.50		1,261.23
A. A. Gunnels:											
United States	U.S. dollar		15.00		11.75		980.41		5.45		1,012.61
England	do		65.00		32.30		4.00		5.60		106.90
Holland	do		15.00		10.50				3.50		29.00
Belgium	do		17.00		15.75		4.00		3.50		40.25
France	do		36.50		40.50		10.00		7.00		94.00
Subtotal			148.50		110.80		998.41		25.05		1,282.76
Grand total			425.50		301.97		3,028.67		72.45		3,828.59

RECAPITULATION

	Amount
Government Department: Post Office Dept	$3,828.59

J. VAUGHAN GARY,
Chairman, Subcommittee on Treasury-Post Office.

Report of expenditure of foreign currencies and appropriated funds by the Committee on Armed Services, expended between Jan. 1 and Dec. 31, 1961

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Frank J. Becker:											
England	Pound	38-5-6	107.18	34-12-0	96.88	9-5-0	25.90	14-2-6	39.54	96-5-0	269.50
Germany	Deutsche mark	357.48	85.12	656.53	156.32	5,134.84	1,222.59	366.08	87.14	6,514.93	1,551.17
Austria	Schilling	2,731.20	105.65	1,769.00	68.04	807.15	31.04	926.35	35.63	6,233.70	239.76
France	Franc	275	56.12	271	55.31	128	26.12	142	28.98	816	166.53
Total, counterpart funds			353.47		376.55		1,305.65		191.29		2,226.96
John R. Blandford (committee counsel):											
Counterpart funds:											
Australia	Pound	24-18-0	74.66	22-8-0	67.18	25-6-0	76.00	27-8-0	82.16	100-0-0	300.00
Thailand	Baht	156.62	60.24	27.82	10.70			10.56	4.06	195	75.00
Singapore	Dollar	598.78	25.95	237.73	10.30	128.15	5.55	535.35	23.20	1,500	65.00
Hong Kong	do	275.14	52.25	305.64	58.05	163.88	31.10	1,255.34	238.60	2,000	380.00
Taipei	do	642.00	16.05	1,296.00	32.40			62.00	1.55	2,000	50.00
Japan	Yen	2,453.6	69.93	2,747.8	78.32	923.8	26.32	1,874.8	53.43	8,000	228.00
Total, counterpart funds			299.08		256.95		138.97		403.00		1,098.00
Appropriated funds (Air Force), United States	U.S. dollar		135.30		76.61		1,489.93		139.85		1,841.69
Total funds expended by Mr. Blandford			434.38		333.56		1,628.90		542.85		2,939.69
William G. Bray: United States	Dollar						510.07				510.07
Total, appropriated funds (Army)							510.07				510.07
James A. Byrne:											
Counterpart funds:											
England	Pound	9-10-0	26.60	9-6-1	26.05	2-0-0	5.60	3-2-10	8.80	23-18-11	67.05
Ireland	do	5-9-0	15.26	5-2-2	14.30			5-10-11	15.53	16-2-1	45.09
France	Franc	329.99	66.80	291.11	58.93	485.45	98.27	104.58	21.17	1,211.14	245.17
Germany	Deutsche mark			14.70	3.50	83.92	19.98	25.20	6.00	123.82	29.48
Italy	Lire	36,856.25	58.49	38,637.50	61.82	56,037.50	89.66	79,937.50	127.90	211,168.75	337.87
Total, counterpart funds			167.15		164.60		231.51		179.40		724.66
Appropriated funds:											
United States	Dollar						1,082.22		40		1,082.62
England	do		57.20		29.34		12.70		9.50		108.74
Germany	do		46.00		64.00		32.00		13.80		155.80
Spain	do				59.09		17.00		16.24		92.33
Total, appropriated funds (Army)			103.20		152.43		1,143.92		39.94		1,439.49
Total funds expended by Mr. Byrne			270.35		317.03		1,357.43		219.34		2,164.15

Report of expenditure of foreign currencies and appropriated funds by the Committee on Armed Services, expended between Jan. 1 and Dec. 31, 1961—Continued

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Charles E. Chamberlain:											
Counterpart funds:											
Italy	Lire	124,669	201.14	148,900	240.15	43,200	69.68	140,731	226.76	457,400	737.73
Switzerland	Swiss franc	214.70	49.59	196	45.65	100	43.66	111.20	25.71	710	164.61
Germany	Deutsche mark	307.35	91.84	300	89.60	26	66.50	71.65	17.91	1,035	258.75
England	Pound	42-8-9	118.82	46-9-3	130.10			11 2-0	31.08	100 0-0	280.00
France	Franc	925	187.24	776	157.07			258	60.53	2,000	404.84
Total, counterpart funds			648.63		684.8		179.84		361.99		1,845.33
Appropriated funds:											
United States	Dollar				1.00						1.00
France	do		38.58		5		3.00		13.40		63.73
Germany	do		5.00		10.00				1.30		16.00
Total, appropriated funds (Army).			43.58		29.60		3.00		14.70		81.33
Total, funds expended by Mr. Chamberlain.			692.21		674.92		182.84		376.69		1,926.66
Jeffery Cohelan:											
Counterpart funds:											
Taiwan	New Taiwan dollar.	800	39.22	543	26.61	100	4.90	1,946.30	95.41	3,389.30	166.14
Hong Kong	Hong Kong dollar.	280	51.76	432.87	80.00	62	11.46	827.50	152.97	1,602.37	296.19
Japan	Yen	5,060	14.11	3,160	8.81	666	1.84	21,120	58.91	30,000	83.67
Total, counterpart funds			105.09		115.42		18.20		307.29		546.00
Appropriated funds:											
United States	Dollar						1,571.35				1,571.35
Alaska	do		9.00		56.57				.46		66.03
Hawaii	do		74.52		53.50		2.50				130.61
Japan	do		19.02		23.29		1.87		1.54		45.72
Korea	do		6.00		7.75						13.75
Okinawa	do		3.00		2.20						5.20
Total, appropriated funds (Army).			111.54		143.40		1,575.72		2.00		1,832.66
Total, funds expended by Mr. Cohelan.			216.63		258.82		1,593.92		309.29		2,378.66
Clyde Doyle: United States	Dollar		68.10		103.28		663.00		68.82		843.20
Total, appropriated funds Navy			68.10		103.28		663.00		68.82		843.20
Porter Hardy, Jr.:											
England	Pound	20-0-0	56.00	11-0-0	30.80	24-0-0	67.20			55-0-0	154.00
Denmark	Kroner	417.45	60.50	140.55	20.38	145	21.01			703	101.87
Germany	Deutsche mark	306	63.30	197	37.58	158	32.96	224	53.33	785	186.87
Austria	Schilling	4,190.50	161.17	886	33.85	1,040	40.00			6,116.50	235.02
Italy	Lire	147,658	237.77	53,300	85.83	61,400	98.87	24,870	40.04	287,228	462.51
Greece	Drachma	580	19.63	300	10.10	100	3.33	830	27.67	1,912	63.73
Egypt	Pound	12.075	27.17	3.250	7.31	4.275	9.62			19.600	44.10
Lebanon	do	60-0-0	18.86	38-0-0	11.95	16-0-0	5.03			114-0-0	35.84
Jordan	Dinar					11.5	32.20			11.5	32.20
Israel	Pound	44.47	22.43	39.53	13.21	29.00	13.42			117.00	49.06
France	Franc	785.25	160.26	429.30	87.61	993	61.84	204.95	41.83	1,722.50	351.54
Total, counterpart funds			827.09		341.40		385.38		162.87		1,716.74
Philip W. Kelleher (committee counsel											
Counterpart funds:											
Norway	Kroner			200	28.00	100	14.00	35	4.90	335	46.90
Denmark	do			150	21.00	80	11.20			230	32.20
Italy	Lire	32,000	51.20	30,000	48.00	60,000	96.00	7,000	11.20	129,000	206.40
England	Pound	10-0-0	28.10	11-0-0	30.80	12-0-0	33.72	7-0-0	19.67	40-0-0	112.40
France	Franc	600	121.80	300	60.90	100	20.30	15	3.05	1,015	206.05
Netherlands	Guilder	50	13.80	40	11.20			10	2.80	100	27.80
Total, counterpart funds			214.90		200.01		175.22		41.62		631.75
Appropriated funds:											
Norway	Dollar		45.60		18.15		66.27		12.37		142.27
Denmark	do		36.43		14.52		57.96		11.06		120.04
Italy	do		155.04		61.74		289.82		55.42		561.99
England	do		54.72		21.78		82.81		15.84		175.15
France	do		136.80		54.45		273.39		52.66		517.17
Netherlands	do		27.35		10.89		57.97		11.08		107.29
Total, appropriated funds (Air Force).			455.99		181.59		828.07		158.35		1,623.91
Total, funds expended by Mr. Kelleher.			670.89		381.51		1,003.29		199.97		2,255.66
Durward G. Hall:											
United States	Dollar				1.00						1.00
Italy	do		48.00		29.70		14.18		21.82		113.68
France	do		32.39		23.61		3.00		12.14		71.14
Germany	do		38.31		26.00		10.00		.30		74.61
Total, appropriated funds (Army).			118.70		80.31		27.16		34.26		260.43

Report of expenditure of foreign currencies and appropriated funds by the Committee on Armed Services, expended between Jan. 1 and Dec. 31, 1961—Continued

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Frank Kowalski:											
Counterpart funds:											
France	Franc	576.80	117.95	53.00	10.84	10.00	2.04	9.20	1.88	649.00	132.71
Norway	Kroner	78.20	10.95	5.00	.70			5.00	.70	88.20	12.35
Total, counterpart funds			128.90		11.54		2.04		2.58		145.06
Appropriated funds:											
United States	Dollar				3.50		186.00				189.50
England	do		19.80		3.35				.70		23.85
Germany	do		37.45		19.80		2.75		14.60		74.60
Total, appropriated funds (Army).			57.25		26.65		188.75		15.30		287.95
Total, funds expended by Mr. Kowalski.			186.15		38.19		190.79		17.88		433.01
Richard E. Lankford:											
Counterpart funds:											
Japan	Yen	15,105.60	41.96	5,000	13.89	1,100	3.06	18,943.40	52.61	40,149.00	11.52
Taiwan	New Taiwan dollar.	600	15.00	700	17.50	300	7.50	1,000	25.00	2,600	65.00
Hong Kong	Hong Kong dollar.	357.61	62.74	645.32	113.21	229.07	40.19	1,688	292.63	2,900	508.77
Vietnam	Piaster	4,107.67	56.44	2,785.00	38.27			2,108	28.97	9,000	123.68
Thailand	Baht	511.87	24.55	1,450.98	69.59	469.13	22.50	2,174.27	104.28	4,606.25	220.92
Pakistan	Rupee	88.74	18.80	248.27	52.60	446.04	94.50	412.95	87.49	1,196.00	253.39
Italy	Lire	57,504	92.60	53,430	86.04	50,116	80.70	199,589	321.40	360,636	580.74
Austria	Shilling	1,335.00	51.91	3,312.50	128.79	1,150.00	44.71	4,202.50	163.39	10,000	388.80
Great Britain	Pound	13-10-11	37.93	67-15-0	189.70	25-0-0	70.00	93-14-1	262.37	200-0-0	560.00
Total, counterpart funds			401.93		709.59		363.16		1,338.14		2,812.82
Appropriated funds:											
United States	Dollar		108.00		64.15		2,011.34		4.31		2,187.80
Japan	do		1.00		42.37		10.70		3.69		57.76
Korea	do		13.00		11.85				2.60		27.45
Taiwan	do		29.41		9.91				2.00		41.32
Hong Kong	do		63.04		53.90		5.00		5.41		127.35
Vietnam	do		13.03		23.27				2.00		38.30
Thailand	do		36.08		28.48				2.60		67.16
Pakistan	do		62.50		15.46		5.00		2.53		85.49
Italy	do		50.00		74.46		7.00		3.95		135.41
Austria	do		21.26		23.47		14.85		2.79		62.37
Germany	do		25.71		20.67				3.40		49.98
France	do		17.53		10.71		6.00		1.86		36.10
Great Britain	do		160.26		53.98		11.20		2.53		227.97
Scotland	do		62.06		10.00		51.52		1.19		125.67
Total, appropriated funds (Army).			663.78		442.68		2,122.61		41.06		3,270.13
Total, funds expended by Mr. Lankford.			1,065.71		1,152.27		2,485.77		1,379.20		6,082.95
Walter Norblad:											
Counterpart funds:											
Germany	Deutsche mark	384	97.50	378	94.50	39	9.75	101	25.25	908	227.00
Italy	Lira	84,375	135.00	79,375	127.00	17,500	28.00	18,750	30.00	194,000	320.00
Greece	Drachma	1,190	39.75	910	30.25	180	6.00	195	6.50	2,475	82.50
Egypt	Pound	.40	90.25	.38	84.75	6.2	13.75	8.8	19.00	93	207.75
Turkey	Lira	750	83.50	635	70.75	95	10.50	126	14.00	1,606	178.75
Iran	Rial	180	24.00	131	17.50	37	4.75	27	3.75	375	50.00
India	Rupee	320	64.00	264	52.80	53	10.60	93	18.60	730	146.00
Thailand	Baht	2,924	139.25	2,600	119.80	189	9.00	520	24.75	6,233	292.80
Vietnam	Piaster	4,310	59.00	3,630	49.75	340	4.50	750	10.25	8,980	123.50
Hong Kong	Hong Kong dollar.	552	96.80	504	88.25	90	15.80	172	30.00	1,318	230.85
Japan	Yen	11,340	44.50	19,350	40.75	2,880	8.00	2,210	6.30	35,780	99.55
Total, counterpart funds			873.55		776.10		120.65		188.40		1,958.70
Appropriated funds:											
Spain	Dollar		26.05		13.56				8.48		48.09
Germany	do		21.67		53.16		11.70		22.60		109.13
France	do		62.13		56.60		6.70		23.16		148.59
Iceland	do		1.75		3.00						4.75
Total, appropriated funds (Army).			111.60		126.32		18.40		74.24		310.56
Total, funds expended by Mr. Norblad.			985.15		902.42		139.05		242.64		2,269.26
Frank C. Osmers:											
United States	Dollar						1,275.53		6.00		1,281.53
England	do		12.88		26.22		2.24		13.65		54.99
France	do		70.00		63.02		36.38		105.24		274.64
Germany	do		12.40		18.06		34.97		266.68		332.11
Italy	do		77.26		96.09		35.60		249.87		458.82
Israel	do		28.52		2.97		2.31		2.78		36.58
Spain	do		19.51		17.34		2.01		238.47		277.33
Morocco	do				1.61						1.61
Total, appropriated funds (Army).			220.57		225.31		1,389.04		882.69		2,717.61

Report of expenditure of foreign currencies and appropriated funds by the Committee on Armed Services, expended between Jan. 1 and Dec. 31, 1961—Continued

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Otis G. Pike:											
Appropriated funds (Navy), Puerto Rico.	Dollar		400.00		214.00		156.00		20.00		790.00
Appropriated funds (Army):											
Spain	do		28.78		42.26		3.27		11.21		85.60
Switzerland	do				4.42				7.01		11.43
Germany	do		18.28		50.80		12.00		30.04		111.12
France	do		50.21		41.43		6.70		12.00		110.35
Iceland	do		1.75		1.00						4.75
Total, appropriated funds (Army).			99.02		141.92		21.97		61.46		323.95
Total, funds expended by Mr. Pike.			499.02		355.92		177.97		81.46		1,113.95
L. Mendel Rivers:											
Counterpart funds:											
Italy	Lire	56,270	90.00	75,000	120.00	9,375	15.00	46,875	75.00	187,500	300.00
Spain	Pesetas	10,200	170.00	14,600	226.67	1,200	20.33	8,400	140.67	34,400	566.67
France	Francs	422	84.40	562	112.40	70	14.00	351	70.20	1,405	281.00
Germany	Deutsche mark	700	187.50	850	212.50	50	12.50	550	137.50	2,200	550.00
Total, counterpart funds			531.90		671.57		69.83		424.37		1,697.67
Appropriated funds:											
United States	Dollar								3.00		3.00
Italy	do		24.00		29.00		14.16		20.32		88.48
France	do		92.93		74.44		6.70		26.45		200.40
Germany	do		66.33		86.26		20.79		36.00		209.38
Spain	do		68.47		86.42		9.09		14.91		178.89
Switzerland	do				5.25				7.20		12.45
Iceland	do		1.75		3.00						4.75
Total, appropriated funds (Army).			257.08		284.89		50.70		121.88		714.53
Total, funds expended by Mr. Rivers.			788.98		956.46		120.53		546.25		2,412.20
Samuel S. Stratton:											
Counterpart funds:											
England	Pound	4.0.0	11.20	5.0.0	14.00	1.0.0	2.80			10.0.0	28.00
France	Franc	49.50	10.13	40.00	8.19	20.00	4.10			114.60	23.39
Germany	Deutsche mark	103.00	25.97	35.00	8.75	11.00	2.75			149.00	37.47
Total, counterpart funds			47.30		30.94		10.65				88.86
Appropriated funds:											
England	Dollar								.85		.85
France	do				6.35				1.50		7.85
Germany	do		4.45		15.05		1.00		11.30		31.80
Total, appropriated funds (Air Force).			4.45		21.40		1.00		13.65		40.50
Total, funds expended by Mr. Stratton.			51.75		52.34		11.65		13.65		129.36
Victor Wickersham:											
Counterpart funds:											
France	France	1,500	306.15	600	122.46			400	81.64	2,500	510.25
Germany	Deutsche mark	428	108.86	300	75.95	5,771.40	1,442.85	272	68.86	6,771.40	1,696.52
Switzerland	Swiss franc	586	136.24	200	47.00			204	48.23	1,000	235.53
Greece	Drachma	660	22.00	1,050	35.00			840	29.67	2,600	86.67
Turkey	Lira	495	55.00	270	30.00			135	15.00	900	100.00
Italy	Lire	70,000	113.27	50,000	80.91	161,988	260.82	37,500	61.68	319,488	516.68
Spain	Pesetas	3,000	50.25	2,500	42.33			1,000	16.75	6,500	109.33
United Kingdom	Pound	54.0.0	151.20	20.0.0	56.00			7.0.0	19.60	81.0.0	226.80
Total, counterpart funds			946.47		490.71		1,703.67		341.43		3,481.28
Appropriated funds:											
France	Dollar				3.53				5.47		9.00
Germany	do		193.00		29.32				1.68		224.00
Switzerland	do		17.93		7.72				1.35		27.00
Turkey	do		18.10		8.00				1.90		28.00
Italy	do				14.82				6.28		19.90
United Kingdom	do				14.08				1.92		16.00
Total, appropriated funds (Air Force).			229.03		76.27				18.60		323.90
Total, funds expended by Mr. Wickersham.			1,175.50		566.98		1,703.67		360.03		3,805.18
Total			8,624.60		7,115.81		14,816.09				36,185.74

RECAPITULATION

	Amount
Foreign currency (U.S. dollar equivalent)	$18,973.83
Appropriated funds:	
Department of the Army	11,748.71
Department of the Navy	1,633.20
Department of the Air Force	3,830.00
Total	36,185.74

MAR. 2, 1962.

CARL VINSON,
Chairman, Committee on Armed Services.

Report of expenditure of foreign currencies and appropriated funds by the Committee on Rules, U.S. House of Representatives, expended between Jan. 1 and Dec. 31, 1961

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
H. Allen Smith:											
Denmark	Kroner	200	29.23	165	24.00	173	25.00	62	8.98	600	87.21
Switzerland	Francs	358	83.50	862	200.78	160	36.25	120	27.50	1,500	348.03
Italy	Lire	42,265	67.96	122,735	197.50	20,000	32.40	16,000	24.20	200,000	322.06
Do	do					62,049	99.92			62,049	99.92
Total			180.69		422.28		193.57		60.68		857.22

NOTE.—Additional report will be filed when additional information received from Department of State.

RECAPITULATION

	Amount
Foreign currency (U.S. dollar equivalent)	$857.22

FEB. 26, 1962.

HOWARD W. SMITH,
Chairman, Committee on Rules.

Report of expenditure of foreign currencies and appropriated funds by the Committee on Veterans' Affairs, U.S. House of Representatives, expended between Jan. 1 and Dec. 31, 1961

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Harris B. McDowell:											
United Kingdom	Pound	53-0-0	148.40	68-0-0	190.40	22-8-0	62.72	36-10-0	102.20	179-18-0	503.72
Germany [1]	Deutsche mark					3,711.16	934.80			3,711.16	934.80
Total			148.40		190.40		997.52		102.20		1,438.52
Adin M. Downer:											
United Kingdom	Pound	25-0-0	70.00	76-8-9	214.49	10-14-7	30.87	22-13-9	62.18	134-16-11	377.54
Germany [1]	Deutsche mark					3,711.16	934.80			3,711.16	934.80
Total			70.00		214.49		965.67		62.18		1,312.34
Horace R. Kornegay:											
United Kingdom	Pound	23-17-3	67.18	36-0-0	100.80	5-0-0	14.00	6-1-8	16.50	70-18-11	198.48
Germany [1]	Deutsche mark					3,711.16	934.80			3,711.16	934.80
Total			67.18		100.80		948.80		16.50		1,133.28
Jean Johnson:											
United Kingdom	Pound	25-19-6	72.72	43-15-8	122.58	3-0-0	8.40	6-5-0	17.50	79-0-0	221.20
Germany [1]	Deutsche mark					3,711.16	934.80			3,711.16	934.80
Total			72.72		122.58		943.20		17.50		1,156.00
W.O. Cooper: France	New franc	470.40	96.00	1,852.20	378.00	1,274.00	260.00	2,403.40	490.48	6,000.00	1,224.48
Total			454.30		1,006.27		4,115.19		688.86		6,264.62

[1] Currency expended for purchase of transportation only.

RECAPITULATION

	Amount
Foreign currency (U.S. dollar equivalent)	$6,264.62

FEB. 15, 1962.

OLIN E. TEAGUE,
Chairman, Committee on Veterans' Affairs.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1788. A letter from the Assistant Secretary of the Interior, transmitting a draft of a proposed bill entitled "A bill to provide for the relief of certain oil and gas lessees under the Mineral Leasing Act"; to the Committee on Interior and Insular Affairs.

1789. A letter from the Chairman, U.S. Tariff Commission, transmitting the 13th annual report of the U.S. Tariff Commission on the operation of the trade agreements program, pursuant to section 350(e)(2) of the Tariff Act of 1930, as amended; to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SISK: Committee on Rules. House Resolution 558. Resolution for consideration of S. 167, an act to authorize the Attorney General to compel the production of documentary evidence required in civil investigations for the enforcement of the antitrust laws, and for other purposes; without amendment (Rept. No. 1411). Referred to the House Calendar.

Mr. COLMER: Committee on Rules. House Resolution 559. Resolution for consideration of H.R. 10079, a bill to amend section 104 of the Immigration and Nationality Act, and for other purposes; without amendment (Rept. No. 1412). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. MILLS:

H.R. 10606. A bill to extend and improve the public assistance and child welfare services programs of the Social Security Act, and for other purposes; to the Committee on Ways and Means.

H.R. 10607. A bill to amend the Tariff Act of 1930 and certain related laws to provide for the restatement of the tariff classification provisions, and for other purposes; to the Committee on Ways and Means.

By Mr. BYRNES of Wisconsin:

H.R. 10608. A bill to amend the Internal Revenue Code of 1954 to provide for additional depreciation deductions and to eliminate certain inequities in the valuation of inventories; to the Committee on Ways and Means.

By Mr. BAILEY:

H.R. 10609. A bill to amend the law relating to pay for postal employees; to the Committee on Post Office and Civil Service.

H.R. 10610. A bill to adjust the rates of basic compensation of certain officers and employees of the Federal Government, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. BETTS:

H.R. 10611. A bill to permit certain employees of a State or political subdivision thereof to elect coverage under the Federal old-age, survivors insurance system, as self-employed individuals; to the Committee on Ways and Means.

By Mr. CORMAN:

H.R. 10612. A bill to amend the provisions of section 1001(f) of the National Defense Education Act of 1958 which require the filing of certain statements; to the Committee on Education and Labor.

By Mr. DAWSON:

H.R. 10613. A bill to eliminate the requirements for certain detailed estimates in the annual budgets; to the Committee on Government Operations.

By Mr. POGARTY:

H.R. 10614. A bill to make available to individuals suffering speech and hearing impairments the trained speech and hearing specialists (variously called speech pathologists, audiologists, speech and hearing clinicians, speech correctionists, etc.) needed to help them overcome their handicaps; to the Committee on Education and Labor.

By Mr. HALPERN:

H.R. 10615. A bill to extend and strengthen the Federal air pollution control program; to the Committee on Interstate and Foreign Commerce.

H.R. 10616. A bill to protect the right to vote in Federal elections free from arbitrary discrimination by literacy tests or other means; to the Committee on the Judiciary.

By Mr. HARRIS:

H.R. 10617. A bill providing that the U.S. district courts shall have jurisdiction of certain cases involving pollution of interstate river systems, and providing for the venue thereof; to the Committee on the Judiciary.

By Mr. MILLS:

H.R. 10618. A bill granting the consent of Congress to the Southern Interstate Nuclear Compact, and for related purposes; to the Committee on the Judiciary.

By Mr. ULLMAN:

H.R. 10619. A bill to amend chapter 2 of title 23, United States Code, to provide for the system of forest development roads and trails needed for the utilization and protection of lands administered by the Forest Service, and for other purposes; to the Committee on Public Works.

By Mr. BOGGS:

H.R. 10620. A bill to amend subsection (c) of section 213 of the International Revenue Code of 1954 to modify the maximum limitations on the amount allowable as a deduction for medical, dental, etc., expenses; to the Committee on Ways and Means.

By Mr. GILBERT:

H.R. 10621. A bill to amend title III of the Public Health Service Act to authorize grants for family clinics for domestic agricultural migratory workers, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 10622. A bill to provide that tips received by an employee in the course of his employment shall be included as part of his wages for old-age, survivors, and disability insurance purposes; to the Committee on Ways and Means.

H.R. 10623. A bill to amend the Internal Revenue Code of 1954 by adding thereto a new section imposing a tax in respect of tips and gratuities whenever election is made to have them included in the basis for benefits under the insurance system established by title II of the Social Security Act; to the Committee on Ways and Means.

By Mr. KING of New York:

H.R. 10624. A bill to provide that until the national debt is retired, not less than 10 percent of the net budget receipts of the United States for each fiscal year shall be utilized solely for reduction of the national debt; to the Committee on Government Operations.

By Mr. McVEY:

H.R. 10625. A bill to stabilize the mining of lead and zinc in the United States; to the Committee on Ways and Means.

By Mr. PHILBIN:

H.R. 10626. A bill to amend certain provisions of the Antidumping Act, 1921, to provide for greater certainty, speed, and efficiency in the enforcement thereof, and for other purposes; to the Committee on Ways and Means.

By Mr. WILSON of California:

H.R. 10627. A bill to provide for two naval homes for treatment in the field of geriatrics, one to be located on the east coast and one on the west coast; to the Committee on Armed Services.

By Mr. JOHNSON of Maryland:

H.R. 10628. A bill to amend the Peace Corps Act; to the Committee on Foreign Affairs.

By Mr. KOWALSKI:

H.R. 10629. A bill to establish a Communications Satellite Authority to provide for the development of a global communication system, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. SAYLOR:

H.R. 10630. A bill to provide for the application of power revenues from reclamation projects to the reduction of the public debt; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BRADEMAS:

H.R. 10631. A bill for the relief of Dimitrios Dimakopoulos; to the Committee on the Judiciary.

H.R. 10632. A bill for the relief of Vlasios G. Dimakopoulos; to the Committee on the Judiciary.

By Mr. BRAY:

H.R. 10633. A bill for the relief of Mui Chuck Hoo, also known as Chang Pon Lon; to the Committee on the Judiciary.

H.R. 10634. A bill for the relief of Mui Kwok Kwong, also known as Fong Yat Chotg; to the Committee on the Judiciary.

H.R. 10635. A bill for the relief of Mui Yin Lam, also known as Ching Ken Yin; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 10636. A bill for the relief of Elio Vecchiarelli; to the Committee on the Judiciary.

By Mr. MONAGAN:

H.R. 10637. A bill for the relief of Carmela Calabrese DiVito; to the Committee on the Judiciary.

By Mr. MORRISON:

H.R. 10638. A bill for the relief of Mrs. Esther Aboud and her children, Samuel, Eliahou, and Rahamin Aboud; to the Committee on the Judiciary.

By Mr. PUCINSKI:

H.R. 10639. A bill for the relief of Estela Castro Dionisio; to the Committee on the Judiciary.

By Mr. ROBISON:

H.R. 10640. A bill for the relief of Our Lady of Lourdes Memorial Hospital, Binghamton, N.Y.; to the Committee on the Judiciary.

By Mr. ST. GERMAIN:

H.R. 10641. A bill for the relief of Chan Wing Cheung (also known as Bill Woo); to the Committee on the Judiciary.

By Mr. SAUND:

H.R. 10642. A bill for the relief of Tze Yao Chung; to the Committee on the Judiciary.

By Mr. WALTER:

H.R. 10643. A bill for the relief of Gail Hohlweg Atabay and her daughter; to the Committee on the Judiciary.

By Mr. WRIGHT:

H.R. 10644. A bill for the relief of Alexander Kleinlerer; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

247. Mr. McDOWELL presented a petition of the mayor and council of Wilmington, Del., endorsing approval of the President's request for an appropriation for the operation of the Peace Corps, which was referred to the Committee on Foreign Affairs.

EXTENSIONS OF REMARKS

Educational Television

EXTENSION OF REMARKS

OF

HON. CLIFFORD G. McINTIRE

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 8, 1962

Mr. McINTIRE. Mr. Speaker, on March 7 the House of Representatives passed H.R. 132, a bill designed to set up a program of Federal matching grants for the construction of television facilities to be used for educational purposes.

Although commitments in Maine prompted me to be absent when a vote was taken on this legislation, I would like to state for the record that were I present, I would have voted in favor of this bill.

During the last session of Congress, I introduced legislation—H.R. 2910—which had the same intent as H.R. 132, my bill differing from H.R. 132 only in the means by which the desired end was to be attained.

The instant legislation makes provision for $25 million in Federal grants, with no State to receive more than $1 million and each State matching the Federal extension on a 50–50 basis. My bill provided $1 million for each of the States and was minus any provision for State matching.

The Senate last year passed legislation providing assistance to the States in the construction of television facilities, this legislation differing in some respects from the bill recently passed by the House. I feel confident that, in due

course, the differences in these bills will be reconciled and that ultimately in the course of this congressional session a law will emerge that will serve the interests of each of our States in the area of educational TV.

There can be no doubting that a program such as this promises to produce a great harvest of benefits, for it will bring to both students and adults alike an opportunity to deepen and broaden their educational opportunities. The fact that educational TV is today in its infancy should never cloud our vision to the great promise it holds as a supplement to regular classroom education.

I would like to state that we in Maine are already getting off the ground with educational TV, and the University of Maine, Colby, Bates, and Bowdoin are particularly active in this regard.

The legislation recently approved by the House will give an impetus to these and other educational institutions in Maine, enabling them to proceed at a faster rate in the direction of a comprehensive and effective system of educational TV, a system that will bring enhanced educational benefits to the citizens of Maine and all the other States of our Union.

Postal Pay

EXTENSION OF REMARKS

OF

HON. CLEVELAND M. BAILEY

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 8, 1962

Mr. BAILEY. Mr. Speaker, I am submitting this bill as a companion bill to H.R. 9531, to be known as the postal pay bill.

The year 1962 is now in its third month, and the postal clerks and carriers are still as full of optimism and hope as they were when the new year dawned. The postal employees have looked forward to a new year that would, at last, bring with it the closing of a salary gap that keeps them on a treadmill, a treadmill which permits them never to catch up with their industrial counterparts nor the cost of living.

In introducing my bill, I am trying to insure salary adjustments, long owed, frequently promised, but never yet delivered.

Man can exist rather inadequately upon promises and faith, but to live he needs demonstrations of the same in performance. With his ever-shrinking purchasing power very much in evidence, the clerk and carrier need a dramatic demonstration. This bill is one of the ways we, in the Congress, can show our determination to help; I am doing just that.

In support of this well-deserved raise in pay, it is only necessary to point out that in 1947–49 the postal employee was 16 percent behind the cost-of-living index at that time, compared to his 1939 standard. From 1949 to 1962 the cost-of-living index rose from 101.4 to 128.2 as shown by Bureau of Labor's consumer index figures. This increase of almost 27 points plus the 16 percent minus at the start of this period comes to 43 percent. The postal employees received approximately 20 percent in salary increases in this same period. Thus, they are still 23 percent behind the consumers index or cost of living.

While this bill does not grant an amount that large it does approach a decent comparable living wage for one of the most faithful servants of the Government.

Well-paid postal workers, along with other adequately compensated Federal employees makes for a proud Government service which manifests itself on a high level of morale. Pride in one's work raises productivity, eases tensions, and makes recruitment easy rather than difficult.

The salary adjustment is needed this year, 1962, and should be allocated now, not over a period of 3 years, or any other stretch of time.

The space age requires careful research and quick decisions. The cause of the postal employee is just; the problem of pay adjustment has already been thoroughly studied, so, accordingly, I look forward to a speedy remedy for the most faithful of our civil servants.

Point Reyes National Seashore

EXTENSION OF REMARKS

OF

HON. JEFFERY COHELAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 8, 1962

Mr. COHELAN. Mr. Speaker, I would like to call our colleagues' attention to a bill which I believe to be of the greatest importance—the measure which the National Parks Subcommittee of the Committee on Interior and Insular Affairs today approved by a unanimous vote, to establish a national seashore on the Point Reyes Peninsula, Marin County, Calif.

The close proximity of the Point Reyes Peninsula, with all its outstanding natural attributes, to one of our Nation's most heavily populated and fastest growing regions—the San Francisco Bay area—is unique. The National Park Service, in fact, has said that the Point Reyes Peninsula provides a combination of scenic, recreation, and scientific interests which can be found nowhere else in this country so near a large center of population.

Mr. Speaker, the Seventh California District which I represent is a part of the metropolitan San Francisco Bay area, and I have been receiving a steady stream of correspondence from my constituents urging that this Point Reyes National Seashore be established. One of the latest groups to voice its support is the Association of Bay Area Governments—an association representing 6 counties and 58 cities. This endorsement is particularly important, for it is a definite indication of the solid community support for this bill.

Mr. Speaker, I urge the members of the Committee on Interior and Insular Affairs and the Members of the House to approve the Point Reyes National Seashore at this session of the Congress. I urge, furthermore, that this action be taken without delay, for delay in acquiring these shores so vital to an adequate public recreation system will not only result in increased costs, but, even more important, in lost opportunities.

World Protest to Soviet Nuclear Policy

EXTENSION OF REMARKS

OF

HON. ALEXANDER WILEY

OF WISCONSIN

IN THE SENATE OF THE UNITED STATES

Thursday, March 8, 1962

Mr. WILEY. Mr. President, the world finds itself—unless a new globally acceptable formula for disarmament can be discovered—on the way to a more costly and deadly arms race of the future.

If this is allowed to happen, it will enhance the risk of nuclear war, increase the dangers to humanity from radioactive fallout, and heighten tensions in an already high tension world.

Yesterday, I was privileged to review some factors which I believe could make a constructive contribution to progress in arms control and reduction.

I ask unanimous consent to have excerpts from my statement printed in the RECORD.

There being no objection, the excerpts from the statement were ordered to be printed in the RECORD, as follows:

EXCERPTS FROM STATEMENT BY SENATOR WILEY, OF WISCONSIN

Around the globe 3 billion people have a great stake—survival, itself—in the nuclear arms race into which Mr. Khrushchev is now propelling the world.

As in the past, the United States has clearly stated its willingness—yes, eagerness—to ban nuclear tests, if the Soviets would agree on realistic steps for arms control.

Unfortunately, the Soviet Premier, dedicated not to peace, but to world conquest, will endorse no such goal. Instead the Kremlin leader now threatens to step up the arms race; for example, by possible further nuclear bomb tests in the atmosphere in addition to the series exploded last fall.

As a policy, this flagrant disregard for peace and the safety of humanity enhances the risk of a nuclear war; increases the dangers to humanity from radioactive fallout; and heightens tensions in an already high-tension world.

The No. 1 concern, of course, is the survival and safety of humanity. Secondarily, however, there is a universal responsibility for discontinuing the immoral dissipation of human and natural resources through expanding quickly obsolescent arms programs.

The people of the world have a right—in fact, a responsibility—to cry out in protest against Khrushchev's devil's advocate policy leading toward ever greater waste of God-given resources, and perhaps extinction.

Reportedly, Mr. Khrushchev may now be willing to agree to minister-level talks on disarmament. During the more than 350 previous sessions on arms control, however,

there has been lots of talk, talk, talk, but very little positive action. Regrettably, the willingness again to talk has not been accompanied by a compromising attitude that holds out promise for reaching realistic agreements.

Recently, I recommended that the U.N. hold a special session, if necessary, to create a workable formula for control and reduction of arms. Recognizing the great stake in the arms race, I believe that such a special session of the U.N., concentrated upon making a realistic progress toward halting the arms race, would be well justified. The specific steps would include the following:

1. The U.N. Disarmament Commission would be given the responsibility—and a deadline—for crystallizing and presenting major alternative proposals to the General Assembly; and

2. The General Assembly would, then, meet in a special session to "hammer out" a workable program.

In accordance with reason and logic, the U.N. would, I believe, find it not only desirable but essential to endorse safeguarded inspection for any realistic program—the principal roadblock to East-West agreement. Acceptance of this principle by a majority of nations would pull the rug out from under the Soviet position.

The establishment of universally recognized standards of disarmament, of course, would not assure automatic compliance by all nations. Nevertheless, the adoption of a fundamentally sound program would: (1) Give direction and guidance to—and set goals for—arms reduction and control; (2) clearly and distinctly point a finger at Communist—or other—nations that attempt to roadblock progress; and (3) provide encouragement for greater dedication of manpower and resources by nations—individually, and collectively—to disarmament.

Recognizing that the wheels of the U.N. grind exceedingly slow, however, I believe the people of the world—individually and nationally—should also now raise their voices in protest to Soviet policy. If this were done, it would help to: focus blame—where blame is due—for lack of fruitful negotiations on disarmament; on the Soviet Union; exert great moral pressures of the world on the Soviet Union; and forge a stronger bond between peoples dedicated to real progress toward disarmament and peace.

The National Lottery of Belgium

EXTENSION OF REMARKS

OF

HON. PAUL A. FINO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 8, 1962

Mr. FINO. Mr. Speaker, earlier this week, I brought to the attention of this Congress the popular and profitable Argentine national lottery in South America. Today, I would like to tell the Members of this House about the Belgian Government lottery. This small nation, like so many others, derives no small benefit from its national lottery.

In 1961 the national lottery of Belgium gross receipts came to almost $15 million. The net income of $5 million was used for the Congo Social Welfare Fund and various other charitable works.

Mr. Speaker, Belgium has realized that a lottery can be of great worth in obtaining funds for deserving causes. We certainly would do well to come to the same realization.

A national lottery in the United States would raise $10 billion a year in additional revenue which certainly can help bring tax relief to our wage earners and reduce our ever-growing national debt. What are we waiting for?

Foreign Hospital Care for U.S. Veterans

EXTENSION OF REMARKS

OF

HON. THOMAS J. LANE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 8, 1962

Mr. LANE. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following:

STATEMENT OF HON. THOMAS J. LANE

Mr. Chairman and members of the committee, the burdens of your work on this committee would be lightened considerably if all the proposals that come to you for study and decision could correct a manifest injustice, in the manner that H.R. 8144 does, which I introduced on July 13, 1961.

Its objective is to fill in an omission in the original law providing for the hospitalization and treatment of eligible veterans. At present, only veterans with service-connected disabilities who are temporarily traveling or living abroad, and who are U.S. citizens are entitled to hospital care in foreign countries, from funds furnished by the Veterans' Administration.

H.R. 8144 will extend those hospital benefits to U.S. veterans who have not relinquished their citizenship, but have chosen to make their permanent homes in other countries. There is precedent for this under veterans legislation governing other benefits for those who suffered disability as a result of their service in the Armed Forces of the United States.

In fact, the law does not restrict disability compensation to those residing in the United States. It is payable to eligible veterans who reside, temporarily or permanently, in a foreign country, regardless of citizenship status, or whether the disability was incurred in war or peace. No distinction is made between temporary and permanent residence abroad in the payment of such benefits as disability compensation and pension, but a discrimination does prevail for hospitalization and medical purposes.

H.R. 8144 seeks to eliminate that contradiction, by making care and treatment in public or private hospitals abroad, available to eligible veterans, even when they have taken up permanent residence outside the United States.

When this amendment was first proposed, some people anticipated administrative difficulties. But, in view of the fact that the hospital and medical program for veterans is already operative in foreign countries for some veterans who are residing there temporarily, there is no administrative problem involved by the moderate extension of these benefits to veterans who are residing there permanently.

American veteran organizations have chartered a number of posts, barracks, or chapters in other nations, to perpetuate the comradeship of those who once served in our Armed Forces, but have decided to make their permanent homes in other lands.

When they are stricken, there is no way under the present law to provide them with medical care comparable to that which is available in Veterans' Administration hospitals to veterans who live in the United States. Veterans traveling in, or temporarily residing in a foreign country are eligible for these equivalent hospital benefits but those living permanently in such countries are excluded.

I respectfully suggest that they, too, should be entitled to these benefits with the help of this committee and its favorable report on H.R. 8144.

Fish Flour

EXTENSION OF REMARKS

OF

HON. PAUL H. DOUGLAS

OF ILLINOIS

IN THE SENATE OF THE UNITED STATES

Thursday, March 8, 1962

Mr. DOUGLAS. Mr. President, I was very much encouraged to read last week in the Washington Post that Secretary of the Interior Stewart L. Udall served cookies made from fish flour to a number of congressional and Interior Department staff members. The occasion was a briefing by the Department of Interior to outline its programs to the staff members and congressional aids in attendance. I laud Secretary Udall for his forthright stand of approval for this product.

The Food and Drug Administration informed my office this morning that my appeal was one of the three successful appeals filed in opposition to the proposed order for a standard of identity on fish flour. The other successful appeals were filed by Mr. Harold Putman on behalf of Vio-Bin Corp., and by Mr. Kleinfeld on behalf of Menhaden Fisheries. Food and Drug Administration further informed my office that a public hearing will be held when an impartial, competent hearing examiner is obtained.

Because of the importance of this product to the problem of hunger in the world, I wish to place my appeal in the CONGRESSIONAL RECORD. I also want to let the many individuals and State and Federal agencies supporting this product know that a public hearing will be held in an attempt to obtain Food and Drug Administration approval of fish flour.

Mr. President, I ask unanimous consent that my letter of February 24, 1962, to Mr. Beryl McCullar, of the Department of Health, Education, and Welfare, be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

FEBRUARY 24, 1962

MR. BERYL MCCULLAR
Hearing Clerk, Department of Health, Education, and Welfare, Washington, D.C.

DEAR MR. MCCULLAR: I am writing to object to the Standard of Identity for Fish Flour as set forth in the Federal Register, January 25, 1962, issue. The order is Title 21, Chapter I, Subchapter B, Part 37. Writing as a U.S. citizen and as a U.S. Senator, I object to this standard of identity. I object to the requirements that the fish, before processing, must have its head, fins, tail, viscera, and intestinal contents removed. I further object to processed whole fish not being approved for sale as a food product within the United States, while it is approved for sale abroad.

The order would require an unreasonable increase in cost in the processing of the food. The product made from whole fish flour has been tested by private and Federal Agency laboratories and found to be clean and safe for human consumption. After testing the whole fish product, Food and Drug Administration has never challenged its purity. Its only objection is that some consumers in America would object to it. Such an objection, in the face of expert laboratory reports affirming the products cleanliness and safety, is insufficient to justify the removal of various parts of the fish and the resulting increase in cost.

The Food and Drug Administration is not empowered to bar a clean food product from consumption in the United States using as the sole basis of its position that some consumers would object to the product. These esthetic objections attributed to parts of the consuming public are overruled by the wealth of medical and sociological evidence available and supporting the approval and use of the product made from the whole fish. These esthetic objections are further overruled by the fact that the Food and Drug Administration has seen fit from the evidence before it to approve the manufacture and export of whole fish flour.

The Food and Drug Administration may not properly bar this product on a unilateral interpretation of the unsupported views of a small minority of the consuming public.

I insist on a public hearing being held to consider the objections filed to the Standard of Identity mentioned above. The issues which should be covered are (1) the cleanliness and safety of the whole fish flour, (2) the authority of Food and Drug Administration to bar a clean and safe food product without reasonable justification, (3) the right of American citizens to insist upon and obtain the use of a safe food product at the lowest reasonable cost.

With best wishes.

Faithfully yours,

PAUL H. DOUGLAS.

Power Revenues From Reclamation Projects

EXTENSION OF REMARKS

OF

HON. JOHN P. SAYLOR

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 8, 1962

Mr. SAYLOR. Mr. Speaker, I am today introducing a bill designed to restore commonsense to the reclamation program and much-needed relief to the taxpayers of the United States.

The Bureau of Reclamation has become the largest marketer of hydroelectric power in this country. Each year new efforts are made to extend this Federal power empire still further as new projects come before the Interior Committee for consideration. The time has come to recognize that this is big business and no longer a mere incident of the irrigation of land. The Federal taxpayer, wherever he may live, is entitled to expect the Congress to apply business principles to the Bureau's power operations.

In 1906 the Congress first allowed the use of power revenues to assist in the repayment of project costs for other than power purposes. But power was an unimportant incidental of project operations until comparatively recent times.

Two leading Democratic Senators were among the first to recognize the fact that electric power was becoming a major element to which business methods should be applied, and both of these men were from reclamation States. I refer, of course, to the Hayden-O'Mahoney amendment of 1938—52 Stat. 291, 318—which reads as follows:

All moneys received by the United States in connection with any irrigation projects, including the incidental power features thereof, constructed by the Secretary of the Interior through the Bureau of Reclamation, and financed in whole or in part with moneys heretofore or hereafter appropriated or allocated therefor by the Federal Government, shall be covered into the reclamation fund, except in cases where provision has been made by law or contract for the use of such revenues for the benefit of users of water from such project: *Provided*, That after the net revenues derived from the sale of power developed in connection with any of said projects shall have repaid those construction costs of such project allocated to power to be repaid by power revenues therefrom and shall no longer be required to meet the contractual obligations of the United States, then said net revenues derived from the sale of power developed in connection with such project shall, after the close of each fiscal year, be transferred to and covered into the General Treasury as "miscellaneous receipts":

Provided further, That nothing in this section shall be construed to amend the Boulder Canyon Project Act (45 Stat. 1057), as amended, or to apply to irrigation projects of the Office of Indian Affairs. (C.L. 2421.)

Since these two Senators certainly have never been regarded as anything but supporters of the Federal reclamation program, I can only assume that their amendment was designed to give the taxpayer a break. They knew that tying up power revenues in perpetuity for the benefit of remote irrigation projects would some day cause the rest of the country to lose confidence in the program as a national program. These projects are the property of all the people and not the exclusive bounty of a few in some State or region. When project costs have been repaid, these revenues should provide relief to the overburdened Federal taxpayers of Pennsylvania and Idaho alike, just as Senators O'MAHONEY and HAYDEN provided almost 25 years ago.

The House Interior Committee is departing further and further from these sound principles. When the direct and indirect beneficiaries of a reclamation project cannot repay its costs, the pressure is on to use so-called surplus power revenues from installations hundreds of miles away to make up the difference. It seems to make no difference whether there is any economic relationship between the project assisted and the source of power revenue. This is the boldest kind of subsidy, yet these facts are hidden under the rug so the public will not realize the true situation. My bill is designed to stop these abuses. It is time we in the Congress told the Bureau of Reclamation in its project planning that we mean business.

My bill goes one step further than the Hayden-O'Mahoney amendment. That provision requires these power revenues to go into the Treasury's "miscellaneous receipts" accounts, thus allowing them to be used for general expenses of the Federal Government. I propose that they be used exclusively for the reduction of the public debt. The taxpayer at least should have one revenue source earmarked for this purpose in this area of free-spending profligate Government.

My bill is as follows:

H.R. —

A bill to provide for the application of power revenues from reclamation projects to the reduction of the public debt

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the revenues derived from the sale of power developed in connection with any project, heretofore or hereafter constructed by the Secretary of the Interior pursuant to the Federal reclamation laws as defined in the Act of August 4, 1939 (53 Stat. 1187), shall be used only for the repayment of the costs of such projects until such costs shall have been repaid; and after such costs shall have been repaid, such revenues, after the close of each fiscal year, shall be transferred to and covered into the General Treasury as "miscellaneous receipts" and shall be applied only for the reduction of the public debt of the United States.

Additional Depreciation Deductions

EXTENSION OF REMARKS

OF

HON. JOHN W. BYRNES

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 8, 1962

Mr. BYRNES of Wisconsin. Mr. Speaker, I have today introduced H.R. 10608.

This bill proposes to amend the Internal Revenue Code to provide for additional depreciation deductions and to eliminate certain inequities in the valuation of inventories, as follows:

First. An elective provision whereby taxpayers will be permitted to take additional depreciation each year in a graduated amount. For assets having a useful life of 4 years and under 6 years, the additional depreciation would be 7 percent of the depreciation otherwise allowable. For assets having a useful life of 6 years and under 8 years, the additional depreciation would be 14 percent of the depreciation otherwise allowable. For assets having a useful life of 8 years or more, the additional depreciation would be 20 percent of the depreciation otherwise allowable.

Second. An elective provision whereby taxpayers will be permitted in valuing inventories to set up a reserve up to 20 percent of the first $100,000 of finished goods purchased and held for resale.

Both amendments would be effective with respect to taxable years beginning after December 31, 1962.

The provision with respect to depreciation, when coupled with the revision of

Bulletin F by the Treasury, should provide industry with the latitude in accounting for depreciation which has been overwhelmingly supported in the testimony before the Ways and Means Committee. As a corollary to the relief to industry, the Congress should grant relief to the small businessman who must reinvest his funds in inventory. Unless the wholesale and retail trades are willing and able to stock the goods produced by industry, any increased capacity to produce will remain idle.

The Secretary of the Treasury has stated that the provisions with respect to depreciation allowances for productive facilities, as supplemented by Bulletin F and the Treasury rulings, failed to recognize fully the economic obsolescence of such assets. The Secretary has also publicly stated that the useful lives prescribed in Bulletin F will be consolidated and reduced by between 20 and 30 percent. However, he advised the Ways and Means Committee that even after those revisions, American industry still will not be permitted to amortize the cost of productive equipment as rapidly as its foreign competition. Therefore, the first part of the bill provides for an election whereby the taxpayer can accelerate the depreciation of equipment to a greater extent than the revised Bulletin F. This amendment should meet the needs of the manufacturing or productive segment of the economy in which there must be a relatively large investment in depreciable personal property such as machinery and equipment.

In addition, it should be recognized that the products of industry must be sold to the consumer if the additional productive facilities are to be fully utilized. The distribution and retailing segment of the economy must also be in a position to grow with the growth of industry. There are more than 1½ million small merchants who must stock the increased output of industry if the goods are to be sold. This amendment is intended to facilitate the carrying of that stock by deferring the tax on a part of their income which is reinvested in inventory.

The small merchant frequently is unable to set aside after taxes, sufficient income to carry the necessary increases in his inventory which may be required either because of inflation, the introduction of new products, or normal growth. If these merchants are to compete with the large merchandising chains, some form of "reinvestment" tax relief will be necessary. The second part of the bill will permit the small distributor and retailer to defer the tax on an amount equivalent to 20 percent of the taxpayer's reinvestment in inventory.

ADDITIONAL DEPRECIATION DEDUCTIONS

This part of the bill provides that the taxpayer will be permitted to take additional depreciation each year in a graduated additional amount:

First. For assets having a useful life of 4 years and under 6 years, the additional depreciation would be 7 percent of the depreciation otherwise allowable.

Second. For assets having a useful life of 6 years and under 8 years, the additional depreciation would be 14 percent of the depreciation otherwise allowable.

Third. For assets having a useful life of 8 years or more, the additional depreciation would be 20 percent of the depreciation otherwise allowable.

For example, if a taxpayer installs some equipment having a useful life of 4 years on account of which the taxpayer would be entitled under existing law to an annual depreciation deduction of $100, this amendment would increase the annual deduction to $107. If the property had a useful life of 7 years, this amendment would increase the annual deduction to $114. If the property had a useful life of 10 years, this amendment would increase the annual deduction to $120.

The additional depreciation provided for in the attached amendment is based upon a percent of the depreciation otherwise allowed and would automatically reflect any increase in depreciation which might be allowed as a result of the pending Treasury study.

Under existing law, a taxpayer is permitted to compute depreciation under either (a) the straight line method; (b) the sum of the years digits, of (c) the double declining balance. The additional depreciation which would be allowed by this bill is always applied to reduce the taxpayer's basis or cost for depreciation purposes. However, the additional depreciation allowed is not charged to the declining balance under the double declining balance method in order to reflect more nearly the same proportionate increase as in the case of the other methods.

A comparison of the depreciation allowable under existing law for an asset having a useful life of 10 years and the depreciation which would be allowable if this bill is adopted, is shown on the following schedule:

Depreciation deductions—Comparison, 10-year asset, cost $1,000 (assuming no salvage value)

Year	Straight line		Sum of years digits		Double declining balance	
	Existing law	Proposed amendment	Existing law	Proposed amendment	Existing law	Proposed amendment
1	100	120	182	218	200	240
2	100	120	164	197	160	192
3	100	120	145	174	128	154
4	100	120	127	152	102	122
5	100	120	109	131	82	98
6	100	120	91	109	66	79
7	100	120	73	19	[1] 52	62
8	100	120	55	.....	42	50
9	100	40	36	.....	34	3
10	100	.....	18	.....	27	(2)

[1] Taxpayer may elect to change to straight-line depreciation for this year and subsequent years.

Mr. Speaker, a taxpayer may elect to claim the increased depreciation deductions with respect to all or any part of his eligible assets. He may elect to take the additional deduction in one year, fail to elect it for the next year, and then elect it again later on for subsequent years with respect to the same eligible assets. The additional depreciation deductions need not be elected by the taxpayer for the first year in which depreciation is claimed with respect to an eligible asset. The bill will not increase a taxpayer's total depreciation deductions with respect to an asset over the asset's useful life. When an asset's tax basis is exhausted, the depreciation deductions will cease. If the salvage value of the asset exceeds 10 percent or if the taxpayer has failed to elect to disregard salvage up to 10 percent, total depreciation deductions, as increased by the election provided in this amendment, may not reduce the basis below the salvage value which would otherwise have to be taken into account in computing depreciation deductions.

INVENTORY ADJUSTMENT

In providing accelerated depreciation, the first part of the bill is intended to meet the needs of the manufacturing or productive segment of the economy in which there must be a relatively large investment in depreciable personal property such as machinery and equipment. However, the products of those industries cannot be sold to the consumer without the distributing and retailing segment of the economy. There are more than 1½ million "small merchants" who must stock the increased output of industry if the goods are to be sold. This second part of the bill is intended to facilitate the carrying of that stock by deferring the tax on a part of their income which is reinvested in inventory. The small merchant frequently is unable to set aside after taxes, sufficient income to carry the necessary increases in his inventory which may be required either because of inflation, the introduction of new products, or normal growth. If these merchants are to compete with the large merchandising chains, some form of additional tax relief will be necessary.

Section 2 of the bill recognizes the need, created in part by inflation, for additional investments in inventory by allowing the taxpayer to reduce his taxable income for the year by an amount equal to 20 percent of his closing inventory of finished goods purchased and on hand for resale. This reduction of taxable income, however, is limited to $20,000 or, if lower, to 50 percent of the net income from the business for the year computed without such reduction.

Since the reduction of the closing inventory value will have the effect of deferring—not exempting—from tax the amount by which the taxable income is so reduced, the inventory adjustment is at the election of the taxpayer. If he

elects to reduce the closing inventory value, the amount of reduction will automatically be reflected in the opening inventory of the following year, and to continue the deferral of tax the closing inventory of subsequent years—first computed as if the election had never been made—will be similarly reduced unless the taxpayer elects to terminate the election. If the taxpayer terminates his election, the closing inventory for that year is computed as if the election had never been made, with the result that the amounts previously deferred through the inventory reductions are included in taxable income.

The provision for the inventory adjustment was limited to $20,000, or 20 percent of the first $100,000 in inventory, because it is estimated that numerically more than 95 percent of taxpayers in the distribution and retail businesses have sales with less than $1 million per year. Such taxpayers would not normally have inventory in excess of $100,000. The effect of the amendment is to place the small businessman on a more nearly equal basis with the large chain merchandisers. The latter will be more likely to adopt LIFO or other more sophisticated methods of inventory valuations. Actually, such taxpayers could readjust inventory without this amendment.

The amendment will not apply in the case of a taxpayer who uses the LIFO method in valuing inventories since that method by itself grants some relief against the effects of inflation.

Mr. Speaker, in order that the legislation language may be more readily available I include here the text of bill H.R. 10608:

H.R. 10608

A bill to amend the Internal Revenue Code of 1954 to provide for additional depreciation deductions and to eliminate certain inequities in the valuation of inventories

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Internal Revenue Code of 1954 is hereby amended, as follows:

SEC. 1. INCREASE IN DEPRECIATION DEDUCTIONS.

(a) ADDITIONAL DEPRECIATION DEDUCTIONS.—Part VI of subchapter B of chapter 1 (relating to itemized deductions for individuals and corporations) is amended by adding at the end thereof the following new section:

"SEC. 181. ADDITIONAL DEPRECIATION DEDUCTIONS.

"(a) GENERAL RULE.—Under regulations prescribed by the Secretary or his delegate, a taxpayer may elect, for any year, with respect to such section 181 property as he shall designate, to increase the portions of the deductions allowed under section 167 and section 178 which are attributable to such designated section 181 property by the following percentages:

"(1) In the case of section 181 property having a useful life of eight years or more, 20 percent;

"(2) In the case of section 181 property having a useful life of at least six years but less than eight years, 14 percent; and

"(3) In the case of section 181 property having a useful life of at least four years and less than six years, 7 percent.

"(b) Definition of section 181 property.—For purposes of this section—

"(1) IN GENERAL.—Except as provided in this subsection, the term 'section 181 property' means—

"(A) tangible personal property, or

"(B) other tangible property (not including a building and its structural components) but only if such property—

"(i) is used as an integral part of manufacturing, production, or extraction, or of furnishing transportation, communications, electrical energy, gas, water, or sewage disposal services, or

"(ii) constitutes a research or storage facility used in connection with any of the activities referred to in clause (i).

"(2) PROPERTY USED FOR LODGING.—Property which is used predominantly to furnish lodging or in connection with the furnishing of lodging shall not be treated as section 181 property.

"(3) PROPERTY USED BY GOVERNMENTAL UNITS.—Property used by the United States, any State or political subdivision thereof, any international organization, the government of any foreign country, or any agency or instrumentality of any of the foregoing shall not be treated as section 181 property.

"(4) LIMITATION.—No property shall be considered section 181 property unless—

"(A) It is used section 181 property, as defined in subsection (c), or

"(B) It is property—

"(i) the construction, reconstruction, or erection of which is completed by the taxpayer after December 31, 1961, or

"(ii) acquired after December 31, 1961, if the original use of such property commences with the taxpayer and commences after such date.

In applying this section in the case of property described in clause (i) there shall be taken into account only that portion of the basis which is properly attributable to construction, reconstruction or erection after December 31, 1961.

"(5) PROPERTY WITH CARRIED-OVER BASIS.—If property is acquired from a transferor in whose hands such property was section 181 property, and if the basis of such property in the hands of the taxpayer is determined in whole or in part by its basis in the hands of the transferor, such property, if otherwise eligible, will be section 181 property with respect to the taxpayer notwithstanding the provisions of paragraph (4).

"(c) DEFINITION OF USED SECTION 181 PROPERTY.—

"(1) IN GENERAL.—For purposes of this section, the term 'used section 181 property' means property acquired by purchase after December 31, 1961, which otherwise meets the definition of section 181 property but which does not meet the requirements in subparagraph (B) of paragraph (4) of subsection (b). Property shall not be treated as 'used section 181 property' if, after its acquisition by the taxpayer, it is used by a person who used such property before such acquisition (or by a person who bears a relationship described in section 179(d)(2)(A) or (B) to a person who used such property before such acquisition).

"(2) DOLLAR LIMITATION.—

"(A) IN GENERAL.—The cost of used section 181 property acquired during any taxable year which may be taken into account under this section shall not exceed $50,000. If such cost exceeds $50,000, the taxpayer shall select (at such time and in such manner as the Secretary or his delegate shall by regulations prescribe) the items to be taken into account, but only to the extent of an aggregate cost of $50,000. Such a selection, once made, may be changed only in the manner, and to the extent, provided by such regulations.

"(B) MARRIED COUPLES.—In the case of a husband and wife who file separate returns for the taxable year, the limitation under subparagraph (A) shall be a total of $50,000 for both taxpayers, allocated between them as they shall elect under regulations prescribed by the Secretary or his delegate, or, in the absence of such election, $25,000 for each return.

"(C) AFFILIATED GROUPS.—In the case of an affiliated group the $50,000 amount specified under subparagraph (A) shall be reduced for each member of the group by apportioning $50,000 among the members of such group in accordance with their respective amounts of used section 38 property which may be taken into account.

"(D) PARTNERSHIP.—In the case of a partnership, the limitation contained in subparagraph (A) shall apply with respect to the partnership and with respect to each partner.

"(d) OTHER DEFINITIONS.—For purposes of this section—

"(1) PURCHASE.—The term 'purchase' has the meaning assigned to such term by section 179(d)(2).

"(2) COST.—The term 'cost' has the meaning assigned to such term by section 179(d)(3).

"(3) AFFILIATED GROUP.—The term 'affiliated group' has the meaning assigned to such term by section 1504(a), except that—

"(A) The phrase 'more than 50 percent' shall be substituted for the phrase 'at least 80 percent' each place it appears in section 1504(a); and

"(B) The term 'includible corporation' as used in section 1504 shall mean any corporation (without any exclusion under section 1504(b)) which has deductions allowed or allowable under section 167 or section 178.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply with respect to taxable years beginning after December 31, 1962.

SEC. 2. ADJUSTMENT OF INVENTORY VALUATION.

(a) ELECTION TO REDUCE INVENTORY VALUATION.—Part II of subchapter E of chapter 1 is amended by adding at the end of subpart D (relating to inventories) the following new section:

"SEC. 473. ELECTION TO ADJUST INVENTORY VALUATIONS

"(a) GENERAL RULE.—Under regulations prescribed by the Secretary or his delegate, a taxpayer may elect to reduce the inventory value of finished goods purchased and held for resale in the closing inventory for the first taxable year for which the benefits of this section are elected by an amount equal to whichever of the following is the lesser:

"(1) 20 percent of the inventory value of such finished goods;

"(2) $20,000.00; or

"(3) 50 percent of the net income from the business for the year computed without such reduction of the closing inventory value.

"(b) SUBSEQUENT INVENTORIES.—If the taxpayer elects the benefits of this section for a taxable year, then for each subsequent year until the election is terminated the value of the closing inventory, determined as if this section had not been applicable to any year, shall be reduced by an amount equal to whichever of the following is the lesser:

"(1) 20 percent of the inventory value (determined without regard to this section) of the finished goods purchased and held for resale in the closing inventory;

"(2) $20,000.00; or

"(3) the higher of (A) 50 percent of the net income from the business for the year computed without any reduction of the closing inventory value under this section, or (B) the amount by which the closing inventory for the preceding taxable year was reduced under this section.

Under regulations prescribed by the Secretary or his delegate, a taxpayer may elect to terminate the election under this section, in which case the inventory value of the closing inventory for the year of termination

shall be computed as if this section had not been applicable to any year.

"(c) SPECIAL RULES.

"(1) LAST-IN FIRST-OUT INVENTORY.—This section shall not apply to taxpayers using the method of valuing inventory prescribed in section 472.

"(2) MARRIED INDIVIDUALS.—In the case of a husband or wife who files a separate return, the amount specified in paragraph (2) of subsections (a) and (b) shall be $10,000 in lieu of $20,000. This paragraph shall not apply if the spouse of the taxpayer does not use, and is not required to use, inventories.

"(3) AFFILIATED GROUPS.—In the case of an affiliated group, the $20,000 amount specified in paragraph (2) of subsections (a) and (b) shall be reduced for each member of the group by apportioning $20,000 among the members of such group in such manner as the Secretary or his delegate shall by regulations prescribe. For purposes of the preceding sentence, the term 'affiliated group' has the meaning assigned to such term by section 1504(a), except that all corporations other than foreign corporations not engaged in trade or business in the United States shall be treated as includible corporations.

"(4) PARTNERSHIPS.—In the case of a partnership, the $20,000 amount specified in paragraph (2) of subsections (a) and (b) shall apply with respect to the partnership and with respect to each partner.

"(5) ESTATES AND TRUSTS.—This section shall not apply to estates or trusts."

(b) EFFECTIVE DATE.—The amendment made by this section shall apply with respect to taxable years beginning after December 31, 1962.

Accomplishments of Our Air Reserve Forces

EXTENSION OF REMARKS

OF

HON. EDWIN B. DOOLEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 8, 1962

Mr. DOOLEY. Mr. Speaker, due to a number of involved and rather complex factors, the public seems largely unaware of the magnificent job done by members of the Air Force Reserve during the current period of the Berlin crisis.

The Air Reserve units, which are made up of volunteers, have made many sacrifices for a vital purpose and I think it is only right that our Nation show its appreciation for the demonstrated willingness of the members of the Air Reserve to continue to serve on an active basis. The purpose of these remarks is to remove any cloud of doubt or suspicion that may hang over this fine organization.

In order to set the record straight, the Air Force Association has undertaken a project to enlighten all Americans as to the work and accomplishments of our Air Reserve Forces.

First, it has been specifically demonstrated, according to people who know the military, that the Air Force Reserve record shows convincingly that the Reserve forces are a valuable component of our defense structure.

The patriotic response of the Air Reserve forces, plus the sacrifices the men and their families have borne willingly, merit the Nation's gratitude.

Appropriate recognition of the Reservists should be given them to assure their continued strength and usefulness when they are released from active duty.

Here are some specific accomplishments of the Air Reserve Forces:

First. Air Guardsmen flew 218 single-engine jetplanes over the Atlantic within a month after being recalled to active service, providing much-needed conventional fighter strength for Air Force combat units in Europe. In a recent letter to President Kennedy, Chancellor Adenauer of Germany wrote that, in his opinion, the buildup to which these units contributed was the prime factor influencing Khrushchev to back down on Berlin.

Second. The number of complaints from Air Force recallees was nearly zero—no greater under the circumstances than would have been experienced with career personnel.

Third. Five Air Force Reserve and six Air National Guard squadrons entered on duty with four-engine transport aircraft, the first to be assigned to their respective components. In 3 months of active duty, their crews flew almost 4 million miles on troop carrier and cargo missions.

Fourth. The remaining 13 Air Guard tactical fighter and reconnaissance squadrons on active duty in the United States are combat ready, poised for immediate deployment wherever national security may be threatened.

The Secretaries of Defense and Air Force and the Air Force Chief of Staff have publicly expressed their high regard for the mission capability of Reserve forces personnel and appreciation for the spirit in which reservists' wives and families have accepted the recall. Their pertinent statements are as follows:

THE SECRETARY OF DEFENSE,
Washington.

DEAR FELLOW AMERICAN: During the last several months more than 150,000 men in the Reserve forces of the United States have been called back to active duty. This has been brought home to you in a very personal way, I know, because a relative of yours is among the reservists now in uniform, and it is for that reason I am writing you.

Every reservist called back to active duty is making a special contribution to his country's security, but I recognize—and the President recognizes—that this has meant difficulty, inconvenience, and the disruption of civilian pursuits for thousands upon thousands of Americans, including the families who were left behind when the reservists reported for duty. The necessity for such sacrifice is not always understood. That's why your service has been using its internal information program to explain the callup and to answer many of the questions which I know have been raised.

As we enter a new year the United States continues to face a strong and determined adversary who is pushing and probing at freedom in many parts of the world. The United States is the chief defender of freedom in this world, and we can fill this role and maintain the peace only so long as we ourselves are strong and determined. The 150,000 recalled reservists have helped to keep us strong, and their recall has surely evidenced our determination.

We are taking other steps, of course, to convince the Soviet bloc we mean business, and as we build our strength in these other ways it will become possible to release the reservists from active duty. But in the meantime their country owes them a very great debt, and you who are sharing in the sacrifices they have made are equally entitled to the thanks of a grateful nation.

Sincerely,

ROBERT S. MCNAMARA.

DEPARTMENT OF DEFENSE,
OFFICE OF PUBLIC AFFAIRS,
Washington, D.C.

Secretary of the Air Force Eugene M. Zuckert dispatched congratulatory messages today to the Commander of the Tactical Air Command, Gen. Walter C. Sweeney, Jr., and to the commanders of the former Air National Guard units now in Europe. The messages are as follows:

TO COMMANDER TAC

"My congratulations to TAC on the professional manner in which you conducted the operational deployment of units from the Air National Guard. The success of the deployment reflects the cooperation between our active duty and Reserve forces and underscores the high degree of proficiency of both. Please extend my congratulations to all TAC units and personnel participating in this successful operation."

TO COMMANDER USAFE FOR INDIVIDUAL UNIT COMMANDERS

"My warmest salute to the men of your command on their highly successful deployment to Europe. The manner in which the deployment was conducted so soon after recall could only be the result of sustained superior performance. It is my desire that every man in your organization knows of the pride the whole Air Force feels in this accomplishment, which reflects the high standards set and maintained in the Air National Guard training."

DEPARTMENT OF DEFENSE,
OFFICE OF PUBLIC AFFAIRS,
Washington, D.C.

Gen. Curtis E. LeMay has congratulated the Tactical Air Command and the Air National Guard on the outstanding manner in which the recent movement of more than 200 jet fighters to Europe was accomplished.

The Air Force Chief of Staff, who has just returned from a visit to Europe to inspect the recalled units of the Air National Guard, sent the following message to Gen. Walter C. Sweeney, Commander of the Tactical Air Command, and Maj. Gen. Winston P. Wilson, Assistant Chief of the National Guard Bureau for Air:

"The movement of the newly federalized ANG units to Europe was executed in an orderly, efficient, and professional way. This required the utmost in leadership, planning, and cooperation on the part of all units and personnel involved. All obstacles were overcome by ingenuity and determination in spite of the extremely short preparation time available. The end result of the safe and expeditious arrival of the fighters should be a source of great pride to all who had a part in the operation. I wish to offer my congratulations for the outstanding manner in which this difficult and vitally important task was successfully accomplished. Please pass the above on to your people who were responsible for this."

Tactical fighter units included in the deployment to Europe were elements of the 142 Tactical Fighter Wing, Fort Wayne, Ind.; the 131 Tactical Fighter Wing, St. Louis, Mo.; the 121 Tactical Fighter Wing, Columbus, Ohio; the 102 Tactical Fighter Wing, Boston, Mass.; the 108 Tactical Fighter Wing, McGuire Air Force Base, N.J.; and the 117 Tactical Reconnaissance Wing, Birmingham, Ala. They are equipped with F-84F, RF-84F, and F-86H aircraft.

Organizations which assisted in the deployment included the Military Air Transport Service, the Strategic Air Command, the Air Force Logistics Command, the U.S. Air Forces in Europe, the Air Defense Command, the Navy, and the Coast Guard.

Campus Conservatism

EXTENSION OF REMARKS

OF

HON. MELVIN R. LAIRD

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 8, 1962

Mr. LAIRD. Mr Speaker, on June 13, 1961, the gentleman from Indiana, JOHN BRADEMAS, inserted into the CONGRESSIONAL RECORD an article which appeared in the May 27, 1961, issue of Ave Maria, a magazine published at Notre Dame, Ind. The article was an interview with the Reverend Laurence Murphy, M.M., then a student pursuing his doctorate in philosophy at the University of Notre Dame.

The interview was concerned with the "new surge of conservatism" on the college campuses across the Nation. Certain of Father Murphy's statements struck me as particularly harsh indictments of conservation in general.

In an attempt to obtain a scholarly and informed critique of those statements which were most disturbing to me I sent a letter to the chairman of the political science department at that same University of Notre Dame where Father Murphy was pursuing his doctorate.

Mr. Speaker, under unanimous consent I insert into the CONGRESSIONAL RECORD the letter I sent to the Reverend Stanley Parry, C.S.C., regarding this matter and his most interesting and informative reply:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., July 18, 1961.

The Reverend STANLEY PARRY,
Department of Political Science, University of Notre Dame, Notre Dame, Ind.

DEAR FATHER PARRY: I have read with great interest the interview with Father Murphy which Representative BRADEMAS placed in the CONGRESSIONAL RECORD of June 13 and which is enclosed.

As you know, I have followed closely the development of college campus conservatism. I strongly believe that this wave of conservative thought, despite Father Murphy's assertion that the wave is a mirage, needs direction and depth. I think many conservatives have failed to think through and articulate their conservatism to its spiritual foundations. If this were not so, Father Murphy would not have the opening to assert that conservatism is "a mood of selfishness, of complacency, of fear." The gist of Father Murphy's presentation is that conservatism is materialism, and I fear that with some conservatives it is.

I plan to do some writing for publication on creative conservatism. My thoughts would be helped immeasurably if you, in your very busy schedule, could give me a critique of the Father Murphy interview. This might include how you, as a conservative (contrasted with a libertarian) would answer these charges:

"The conservative sees the danger, the liberal sees the opportunities."

Conservatives overemphasize "the evils of communism to the exclusion of a positive effort to attack those evils which spawn communism: racial discrimination, human misery, social injustice, and the like."

"They emphasize freedom without its responsibility. Now the effort to engage responsibility for the common good is very difficult, and it is easier to be extremist."

The conservatives "tend to withdraw, to be defensive, to look back to the good old days when things weren't so bad."

The conservative has "an inadequately formed social conscience."

Father Murphy talks about the role of the liberal in helping the less fortunate. How would you articulate the role of the conservative in helping the less fortunate?

Father Murphy admits that even he, on a theological level, is a conservative. How would you articulate the way to move logically from conservative theology to conservative social outlook and action?

The Father Murphy interview is simply expressed and well-prepared. It seems to me that our answers have to be even more compelling and understandable to the everyday college student. Therefore, I would be greatly indebted to you for any help you can afford my thinking.

With best wishes and kindest personal regards, I am,

Sincerely yours,

MELVIN R. LAIRD,
Member of Congress.

UNIVERSITY OF NOTRE DAME,
Notre Dame, Ind., October 17, 1961.

Hon. MELVIN R. LAIRD,
House of Representatives,
Washington, D.C.

DEAR MR. LAIRD: Although I spoke at some length to your assistant about the problems raised by Father Murphy's article, I think I ought to send you a letter concerning the issues of Camp Conservatives.

Let me observe first that there is an odd phenomenon that can be observed in colleges and universities. In the 1930's the college life was controlled and dominated by conservatives; they held all the positions of power. Nevertheless, one can observe during the 1920's and 1930's the gradual growth of a student movement with liberal orientations. I cannot explain in any adequate fashion why this happened, but it happened. There were enough liberals on the faculty to encourage and direct this movement. Now in the 1950's and 1960's something similar to the earlier development is happening again. Only this time the academic world is dominated by liberals. And in this context there is an emerging conservative movement among students. The same mysterious development occurs, only this time toward conservatism rather than liberalism. And here again, there are a few conservative academicians around who foster and guide the development. The most interesting aspect of the new conservative movement among students is the extent to which the students themselves spread it and organize it. Conservative faculty members for the most part observe it and by their lectures give it direction and content.

This type of development is by no means an emotional thing. I think it is rooted in the experiences of the inadequacy of the prevailing orthodoxy. Earlier the simple businessman's philosophy was inadequate for the problems of the day. And today the liberal cliches no longer solve problems. The student, therefore, in the first instance, thinks out of a simple experience rather than from the developed idea. He gradually formulates his ideas. Father Murphy, however, assumes that the conservative student is simply emotionally disturbed. These observations are a kind of introduction to the comments I will make on the specific items you have mentioned.

The first generalization is that the conservative sees the danger, the liberal sees the opportunities. I would think that the exact opposite is true. Liberal thought is obviously dominated by a preoccupation with the problem of security whether it be social security or bomb shelters. He is afraid of war, population, unemployment, and for each of these he proposes a paternalistic control of life in order to avoid the dangers. It is true that he would also use the state for positive things in international welfare programs, but this is because he is afraid of individuals and will not trust them to act alone. The conservative on the other hand is the risk seeker. He is confident in our economy. He is sure America would survive a war. Basically he wants to open the doors of the political tomb the liberal is constructing. In view of this I simply cannot see any truth in the liberal myth concerning the fearful conservative and the courageous liberal.

Now it is true that the liberal proposes certain grandiose schemes for America and the world which the conservative rejects. For instance, the conservative could never accept as realistic policy the idea of removing all hunger and disease from the world. This is sometimes used as evidence that the conservative lacks confidence and buoyancy, but it seems to me that it shows only that the conservative is aware of the limitations on human life. And such awareness is the mark of maturity rather than the sign of fear.

With regard to the second charge concerning the conservative and communism, it is rooted in a materialistic fallacy characteristic of liberal thought. The simple fact is that communism is not spawned by racial discrimination, social injustice, and the like. It is true that these social evils give Communists a chance to disrupt the society but they seldom produce any notable members of the party. Communists become Communists because of a spiritual disease, not because of material want. And it is the more highly educated and more fortunate members of the community who become Communists. The liberal anti-anti-Communist policy is rooted in what has been called the openness of the left to communism, and I fundamentally think that without knowing it they share one common position with the Communists; namely, that the material is the primary basis of life.

With regard to the third proposition, what is said here is in effect that there is no responsibility where there is no law enforcing it. The general idea is that all activity insofar as it is private is bad and it becomes good insofar as it is politically controlled. This liberal mentality automatically views any demand for an area free from political control as a demand for a license to commit acts of private interest. Further, this charge rejects the Burkean view that society itself even apart from the political order is a partnership in all the things of life, living a life of its own and depending on political regulation only for the preservation of certain aspects of its order. The conservative believes that freemen are the best servants of the common good and that regulated men find ways to live on and exploit the society as a whole.

The fourth generalization is simply stupid. It is one of those strawmen liberals constantly build. It is true that there are reactionaries in the society who do want to go back but one cannot label conservative everything that is not liberal.

The fifth generalization is extremely characteristic of the liberal mind. At the root of it lies a vast inability to grasp the technical elements in social problems. The liberal is fundamentally a "do-gooder" who constantly imposes his own conscience on the community through the mechanisms of law and administration. In this he acts with the ruthlessness of a man who knows that

God is on his side. We speak of "Blue Laws" as though they were something that happened in the 19th century. But in my book there have been more blue laws passed since 1948 than ever were passed by the Puritan colonists. It is true that these laws do not make the citizens go to some church on Sunday, but they do make the citizen live according to the liberal religion, which is a religion of security looking forward to the coming kingdom of comfort. As against this the conservative thinks that social justice will best be served by leaving the institutions of the community work in their normal and regular manner. The conservative knows that there are injustices in the community. He also knows that in all probability there never will be a time when the community will be free of all injustice. The problem as he visualizes it is to decide whether the community is organized so as to foster improvement rather than decay. He knows for instance, that you cannot improve the condition of Negroes by forced integration. He knows that you cannot increase the income of unskilled workers by legislated salaries.

There is a great deal of talk about helping the less fortunate, and any decent man knows that they should be helped. The issue is by what mechanism. It has become evident from both domestic and foreign giveaway programs that the less fortunate are not helped by them. Moreover, the conservatives have a serious objection to having the state engage in the business of Christian charity. The state's job is with justice, not charity. And private groups, especially in areas where the issue is one of charity, do a much better job.

Finally, I am enclosing your letter to me in case you have forgotten what you said way back in July. If you want me to extend any of my observations let me know.

Sincerely,

REV. STANLEY PARRY, C.S.C.,
Head, Political Science Department

Minshall Opinion Poll

EXTENSION OF REMARKS
OF
HON. WILLIAM E. MINSHALL
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Thursday, March 8, 1962

Mr. MINSHALL. Mr. Speaker, as has been my custom during the past years, my annual opinion poll will be sent to all of the registered voters in the 23d District within the next few days. Because of the consistently high percentage of returns, I have always found this sampling of public opinion on current issues extremely helpful. Under leave to extend my remarks, I include the Minshall poll for the 2d session of the 87th Congress in the RECORD:

Minshall opinion poll

	Yes	No	No opinion
Do you favor—			
1. Federal aid to education to provide for			
(a) Public-school construction?			
(b) Teachers' salaries?			
(c) Aid to private and parochial schools?			
(d) Aid to colleges and universities only?			
2. A mandatory program of medical care for the aged under social security?			
3. Continuation of the foreign aid program?			
4. The President's program to lower U.S. tariffs to compete with the European Common Market?			
5. Formation of a Department of Urban Affairs and Housing?			
6. Purchase of $100 million of U.N. bonds for financing special U.N. operations?			
7. Continuation of the Peace Corps?			
8. The Federal fallout shelter program?			
9. Granting the President the power to adjust income tax rates?			
10. Tighter Federal controls over TV programing?			
11. The administration proposal to increase the national debt limit to $308 billion?			
12. Entering into a cooperative space program with Russia?			
13. The intervention of U.S. combat forces in Vietnam if present measures prove inadequate?			
14. The use of U.S. combat forces to defend Berlin?			

When the responses to the poll have been tabulated I shall insert the results in the RECORD.

The President Needs Support

EXTENSION OF REMARKS
OF
HON. DON MAGNUSON
OF WASHINGTON
IN THE HOUSE OF REPRESENTATIVES
Thursday, March 8, 1962

Mr. MAGNUSON. Mr. Speaker, there was an article in yesterday's Evening Star by William S. White, giving eloquent support to President Kennedy's decision to resume atmospheric nuclear testing. I think every American should read it.

By coincidence, I had expressed much the same sentiments, though less skillfully, in my weekly news column, written just a few hours before I read Mr. White's column.

The two articles follow:

THE PRESIDENT NEEDS SUPPORT

(By William S. White)

The great crisis of his administration to date faces President Kennedy in his determination to resume nuclear tests in the air by April's end unless the Russians meantime sign an honest and enforceable pact ending all such testing.

Neither inside this country nor among our allies is he receiving that truly massive support to which he is so entitled in the wake of this lonely and terrible—and right and unavoidable—decision.

Never has an American leader had to take alone a more dreadful responsibility. Never has an American leader more patiently sought to summon up a stout courage among his own people and among the allied leaders. And, sadly, rarely has an American President, in circumstances so fateful as these, seemed to have been so let down by so many.

What is wrong with this country when the first thousand telegrams to the White House after the President's speech announcing his intentions show an even division between those citizens backing and those opposing his course? Was there such a division after Pearl Harbor? And is this present issue of national survival less starkly demanding? Whatever the subsequent flow of wires, this initial response can reflect no credit upon this country.

If it is true that these 1,000 telegrams were weighed by "aginners" and so did not reflect true national sentiment, then what is wrong with those who support the President but do not say so? Do they decline because he is something called a Democrat and they are something called Republicans? Does it matter in the smallest way, in such a moment in history, who is a Democrat and who a Republican?

Do not the silent ones realize that once a President, of whatever name and whatever party, commits himself to so fateful a policy it is not that man or party but rather all the United States of America which is in that instant so committed?

Are they unaware that nearly every responsible Republican officeholder and ex-officeholder—indeed, almost every man of whatever politics who faces the facts of life about American security—is standing with the President here?

Do the silent ones not realize that this decision was not gladly taken; that no one is really in favor of nuclear fallout? Do they not know that no man under solemn oath to care for the security of all the people could possibly have made any other decision?

Are they not aware that months of incredibly patient search for alternatives—of waiting and appealing even after the Russians had broken the old testing armistice and sent twoscore atomic blasts aloft—went into that decision?

Do they suppose Mr. Kennedy is happy to open himself now to the honest but deluded moanings of the pacifists, the half-pacifists, the peace-at-any-pricers? Should the President have waited and waited while the Russians tested when and as they pleased and so at length developed an atomic power capable of the total destruction of the United States?

And what of the Allied leaders? This columnist has never gone snooping about to find and eagerly proclaim Allied "divisions." But it is no longer possible to avoid saying that Prime Minister Macmillan of Britain is being much less than a tower of strength to the United States—and the West in general. The same goes for President de Gaulle of France.

Mr. Macmillan thinks us too "tough," but is in plain fact playing to domestic soft-liners in England. General de Gaulle still thinks us too "soft," but is in plain fact playing to an honorable old man's dreams of a French "grandeur" that will come no more.

When are all concerned—here and abroad—going to pull up their socks? To accept the fact that the decision has been made? To accept the fact that there is no salvation in national or international self-delusion?

PRESIDENT CHOSE ONLY REALISTIC PATH

(By DON MAGNUSON, U.S. Congressman, Seventh District, Washington)

WASHINGTON.—Russian Premier Khrushchev's charge that the U.S. decision to resume atmospheric nuclear testing is "a new expression of an aggressive course in international affairs" should fall on deaf ears all around the world.

This is the man who last year suddenly ended the moratorium on tests with some 50 atmospheric tests in rapid-fire succession. The fact that the tests followed so quickly the abrogation of the agreement proved that there had been long preparation for the work before the Russian leader let his intentions be known.

If that action was cynical, his recent comments on President Kennedy's decision are more so. He would deny to the United States the same course which he took in extremely bad faith.

Mr. Kennedy's decision was an agonizing one. He made it in the face of almost unprecedented pressure from many of his fellow Americans. I have seen them streaming through Washington the past few months by the thousands, picketing the White House and carrying signs demanding that no new tests be undertaken. Many of them have visited my office to try to persuade me that their course is the only proper one.

The thought of nuclear warfare is horrible beyond description, and the possible effects of fallout from atmospheric testing are a corollary danger which thus far has defied accurate definition.

But the alternative is to wait supinely, doing nothing, while an unprincipled and uninhibited enemy catches up and passes us in nuclear capability—remember that.

It seems to me that President Kennedy chose the only realistic path, painful though it is. What we must understand is that his motivation is not preparation for nuclear war, but its prevention. If we yielded superiority, we certainly would be in grave danger of attack. If we maintain superiority—or at least equality—we have a good chance of averting war.

Now for the business of hammering out a workable test ban for everyone concerned—effectively policed.

Pawnee Buttes, Colo., as Site for New National Park

EXTENSION OF REMARKS
OF
HON. JOHN A. CARROLL
OF COLORADO
IN THE SENATE OF THE UNITED STATES
Thursday, March 8, 1962

Mr. CARROLL. Mr. President, this administration has shown a commendable interest in the expansion of outdoor recreational opportunities for the Nation's rapidly growing population. Visits to national parks have increased in recent years at a rate far more rapid than the increase in our numbers as a people.

Among the splendid national parks, however, there are none at this time which preserve for posterity the natural majesty of the Great Plains. There is now an effort being made to create a national park in the tall grass region of eastern Kansas, to be sure. But in the true Great Plains area—the region west of the 100th meridian, where climate and natural environment are distinctly different from other parts of the United States—there is need for a national park, or at the very least, a national monument.

This is the region of short grass and low rainfall, where the buffalo and later the longhorned cattle once grazed. It has a stark grandeur and a balance of nature peculiarly its own. Future generations of Americans should be given the opportunity to experience and enjoy the wonders of this region.

An ideal site for a Great Plains National Park, it has been pointed out, is the Pawnee Buttes area of my State of Colorado. Unlike most of the region, its natural condition has not been much disturbed by the plow, the barbed wire fence and other encroachments of human habitation. Key areas of Pawnee Buttes are already in public ownership—administered by the Forest Service as a part of the National Grasslands. Local ranchers need not be dispossessed and moved out in order to create a new national park on the site.

I called this matter to the attention of the Secretary of the Interior last summer, and we have been in contact about it ever since then. An excellent report on Pawnee Buttes has been prepared and submitted to the Secretary by a distinguished citizen of my State, Dr. Robert L. Stearns, who is a former president of the University of Colorado and of the Boettcher Foundation, and is a member of the National Parks Advisory Board.

Regional interest in the subject has been growing steadily. The Greeley Tribune, a conservative and respected daily newspaper in the area, has given editorial support for a Pawnee Buttes National Park. The Rotary Club of Sterling, another nearby city, has heartily endorsed the idea. Unlike the situation at certain other prospective national park sites, there has been no objection by local residents or by business interests—in fact, quite the contrary.

Mr. President, I ask unanimous consent that there be printed in the CONGRESSIONAL RECORD my correspondence with the Secretary of the Interior on the subject of Pawnee Buttes, together with news articles from the Denver Post and the Greeley Tribune, an editorial from the Greeley Tribune, a recent resolution by the Sterling Rotary Club and an article from the Washington Post of March 3, entitled, "The Great Out of Doors."

There being no objection, the items were ordered to be printed in the RECORD, as follows:

AUGUST 25, 1961.

Hon. STEWART UDALL,
Secretary of the Interior,
Washington, D.C.

DEAR STEW: For years people in the Great Plains region have talked of the creation of a Great Plains National Monument.

Recently the tempo of this talk has accelerated. More interest is being shown.

The people of the High Plains have been thinking in terms of setting aside some Federal land to preserve the natural charm and beauty of typical plants, animals, birds and sunlit land in the semiarid plains that have played such a historical part in the colonization of the western half of the United States.

In connection with this, an article appeared in the Empire magazine section of the Denver Post on August 13, recommending that an area in northeastern Colorado called Pawnee Buttes be declared a national monument to the Great Plains.

Without necessarily endorsing Pawnee Buttes as the only likely site in Colorado for a Great Plains National Monument, may I suggest that you have the Interior Department staff study the proposal made by Mr. J. V. K. Wagar in his Denver Post article.

With warmest personal regards.

Sincerely,

JOHN A. CARROLL.

U.S. DEPARTMENT OF THE INTERIOR,
Washington, D.C., October 6, 1961.

DEAR SENATOR CARROLL: Your letter of August 25 suggested that someone from the Department of the Interior study the national monument possibilities of the Pawnee Buttes area in northeastern Colorado.

Although National Park Service officials have studied this area in the past, I have asked them to reevaluate the site as soon as they can. As you perhaps know, they have undertaken a study of the whole mixed prairie in order to identify those sites which are of national significance and are also suitable for addition to the national park system. Progress has not been as rapid on the overall investigation as they had hoped because of other study commitments, but they now contemplate its completion during 1962. Pawnee Buttes was scheduled for consideration in conjunction with this study. However, a specific area study of the Pawnee Buttes grassland will now be moved up.

Dr. Robert Stearns, who is a member of the Advisory Board on National Parks, Historic Sites, Buildings and Monuments, will be invited to participate in this investigation. Also I hope to be in Colorado soon and plan to see the Pawnee Buttes area if at all possible.

We appreciate your interest in the national park system and will let you know just as soon as we know the dates of the study.

Sincerely yours,

STEWART UDALL,
Secretary of the Interior.

THE SECRETARY OF THE INTERIOR,
Washington, November 22, 1961.

DEAR JOHN: I thought you would be interested in perusing the enclosed preliminary report which was submitted to me by our mutual friend, Bob Stearns, of Denver, who, as you know, is a member of my Advisory Board on National Parks.

Please return the report and enclosures when you are finished.

Sincerely,

STEWART UDALL,
Secretary of the Interior.

DENVER, COLO.,
December 6, 1961.

Hon. STEWART UDALL,
Secretary of the Interior,
Washington, D.C.

DEAR "STEW": Many thanks for letting me see the interesting and excellent report which Bob Stearns submitted to you about the Pawnee Buttes area. I will undoubtedly be in touch with you later on this proposed Great Plains National Monument, and I am pleased to have the benefit of Bob's reaction to it.

The material is returned herewith as you requested.

Warm personal regards.

Sincerely,

JOHN A. CARROLL.

U.S. DEPARTMENT OF THE INTERIOR,
NATIONAL PARK SERVICE,
Washington, D.C.

Hon. JOHN A. CARROLL,
U.S. Senate, Washington, D.C.

DEAR SENATOR CARROLL: Secretary Udall has referred to us your letter of December 6, 1961, and Dr. Robert Stearns' report of November 15, 1961, covering his visit to the Pawnee Buttes area with representatives of the National Park Service.

We are hoping to increase our efforts this summer to locate the most outstanding remaining areas of mixed prairie from which we might propose one as an addition to the

national park system. We will keep the Pawnee Buttes area very much in mind during this investigation. The excellent analysis of Dr. Stearns will assist us in our evaluation.

We shall, of course, keep you informed as to the progress and results of our studies.

Sincerely yours,

ROBERT W. LUDDEN,
Acting Assistant Director.

[From the Greeley Tribune, Sept. 30, 1961]

STUDY TO BE MADE OF PAWNEE BUTTES AS NATIONAL PARK

WASHINGTON.—The Pawnee Buttes area in Colorado will be studied as a potential national park, Senator JOHN A. CARROLL, Democrat, of Colorado, said Saturday.

CARROLL said the Park Service will study the area in northeastern Weld County at the order of Secretary of the Interior Stewart L. Udall.

CARROLL asked that the study be made after Udall suggested last spring that a third park in Colorado may be justified. The State now has Rocky Mountain and Mesa Verde National Parks.

The Senator's interest was stimulated by an article by J. V. K. Wagar, Colorado State University professor, who described the buttes as "towering like two great rocky ships rising above a sea of gramma and buffalo grasses, capped by waves of yucca."

[From the Denver Post, Oct. 1, 1961]

PAWNEE BUTTES MAY BE PARK

WASHINGTON.—The Pawnee Buttes area in northeastern Weld County, Colo., is soon to be looked into by the National Park Service as a possible national park, Senator JOHN A. CARROLL, Democrat, of Colorado, has been informed.

This site, Interior Secretary Stewart L. Udall told CARROLL, offers interesting possibilities as a potential Great Plains National Park.

Pawnee Buttes had been called to Udall's attention by CARROLL in a letter he wrote the Secretary August 25 following the appearance of an article in the Denver Post's Empire magazine by J. V. K. Wagar, professor at Colorado State University at Fort Collins.

In his letter to Udall, CARROLL emphasized that other areas might be equally or more suitable but suggested that a careful study be made of Pawnee Buttes.

The area in question is south and slightly east of the point where the borders of Wyoming and Nebraska meet with the northern Colorado line.

Most of it is little used shortgrass country now part of the national grasslands administered by the U.S. Forest Service.

[From the Greeley (Colo.) Tribune, Oct. 2, 1961]

GOOD NEWS ABOUT PAWNEE BUTTES

Persons interested in conserving and promoting the scenery and the natural and historic objects of Weld County were no doubt pleased with the anouncement by Senator JOHN A. CARROLL that Pawnee Buttes will be studied as a potential national park.

As pointed out in the Associated Press story from Washington, CARROLL's interest in the buttes, located in northeast Weld, was stimulated by a recent article in the Empire section of the Denver Post. That article, written by J. V. K. Wagar, Colorado State University professor, was discussed in this column.

CARROLL requested the study of Pawnee Buttes after Secretary of the Interior Stewart L. Udall suggested last spring that a third park in Colorado might be justified.

Considered one of the scenic and geologic wonders of the Great Plains, Pawnee Buttes certainly deserve consideration if Colorado is to have another national park in addition to Mesa Verde and Rocky Mountain National Parks.

One of the world's richest fossil areas, the gigantic natural monuments were visited as early as 1873 by scientific expeditions. It was there that much work was done on the evolution of the camel and the horse.

This scientific background, along with the geologic wonders of Pawnee Buttes, no doubt would fascinate many a traveler.

RESOLUTION OF THE STERLING ROTARY CLUB, STERLING, COLO., FEBRUARY 22, 1962

Whereas there has not been any portion of the Great Plains area of the United States set aside to be preserved in its natural condition;

Whereas, if much longer delayed, additional difficulties will be encountered in obtaining suitable area with sufficient acreage;

Whereas there is in northeastern Weld County, Colo., a logical site containing most of the geological, botanical, and wildlife specimens native to the Great Plains: Now therefore, be it

Resolved, That the Rotary Club of Sterling, Colo., go on record urging proper authorities to proceed with due process for the establishing of a Great Plains national monument or park to include the Pawnee Buttes and surrounding area of about 10,000 acres or so much as may be deemed adequate for the purpose above mentioned.

That a certified copy of this resolution be sent to the Governor of Colorado; to each of Colorado's Senators and Congressmen; to the Secretary of the Interior, and to the Director of National Parks.

[From the Washington Post, Mar. 3, 1962]

THE GREAT OUT OF DOORS

President Kennedy's message on conservation is an impressive outline of policy in a very important field. Interest will doubtless be centered in his proposals for broadening the Nation's recreation facilities. The chief thrust of the message comes from its appeal for new national parks to be financed by a self-liquidating arrangement.

Taking note of increased leisure and greater demands for open-air recreation, the administration is moving to provide the facilities before it is too late. The 341 million visits to Federal land and water areas in 1960 are expected to double by 1970 and to increase fivefold by the year 2000. To meet this vast demand, the President would authorize advances from the Treasury up to $500 million as a land conservation fund. Part of the fund would be used to purchase land for the Point Reyes National Seashore in California, the Great Basin National Park in Nevada, the Ozark Rivers National Monument in Missouri, Sagamore Hill National Historic Site in New York, Canyonlands National Park in Utah, Sleeping Bear Dunes National Lakeshore in Michigan, Prairie National Park in Kansas, Padre Island National Seashore in Texas, and the National Lakeshore Area in northern Indiana.

The President offers a practical method of replenishing the land conservation fund through admission and user fees, sale of surplus Federal nonmilitary lands, and so forth. It is reasonable to ask the people who take advantage of the national parks system to pay the cost of its maintenance and extension. But the Government cannot wait until capital accumulates from these sources to finance its acquisition of new park lands. In many instances delay would greatly increase the cost of the land or render it unsuitable for recreation purposes. By creating the proposed fund Congress can serve the interests both of economy and of conservation.

Suggested also is a program of matching grants to encourage the States to provide more outdoor recreation. Surplus Federal lands would be turned over to the States for recreational use, where desirable, under a proposed amendment to the Federal Surplus Property Disposal Act. The President also asks once more for a study of the country's ocean, lake, and river shorelines and for enactment of the wilderness bill.

In line with the recent report of the Outdoor Recreation Resources Review Commission, the President will create an Outdoor Recreation Advisory Council and a Bureau of Outdoor Recreation. Viewed as a whole, these projects are a formidable undertaking. It is a pity, however, that the White House did not include another recreational project of great importance to this area—the Chesapeake & Ohio Canal Historical Park.

"Respect for Law," an Address by Attorney General Robert F. Kennedy at the University of Georgia School of Law, May 6, 1961, at Athens, Ga.

EXTENSION OF REMARKS

OF

HON. CLYDE DOYLE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 8, 1962

Mr. DOYLE. Mr. Speaker, by reason of unanimous consent heretofore granted me so to do, I am pleased to insert to the attention of all who read, an address by the Attorney General of the United States, Hon. Robert F. Kennedy, delivered at the Law Day exercises of the University of Georgia School of Law, held at Athens, Ga., on May 6, 1961.

This significant and timely address by the top law enforcement officer of the United States of America appeared in the American Bar Association Journal for the month of January 1962.

RESPECT FOR LAW

(By Robert F. Kennedy)

In his proclamation urging us to observe Law Day, the President emphasized two thoughts. He pointed out that to remain free the people must "cherish their freedoms, understand the responsibilities they entail, and nurture the will to preserve them." He then went on to point out that "law is the strongest link between man and freedom."

I wonder in how many countries of the world people think of law as the "link between man and freedom." We know that in many, law is the instrument of tyranny, and people think of law as little more than the will of the state, or the party—not of the people.

We know, too, that throughout the long history of mankind, man has had to struggle to create a system of law and of government in which fundamental freedoms would be linked with the enforcement of justice. We know that we cannot live together without rules which tell us what is right and what is wrong, what is permitted and what is prohibited. We know that it is law which enables men to live together, that creates order out of chaos. We know that law is the glue that holds civilization together.

We know that if one man's rights are denied, the rights of all are endangered. In our country the courts have a most important role in safeguarding these rights. The decisions of the courts, however much we might disagree with them, in the final analysis must be followed and respected. If we disagree with a court decision and, thereafter, irresponsibly assail the court and defy its rulings, we challenge the foundations of our society.

The Supreme Court of Georgia set forth this proposition quite clearly in 1949 in the case of *Crumb v. State* (205 Ga. 547–552). The court, referring to the U.S. Supreme Court decisions, said there:

"And whatever may be the individual opinion of the members of this court as to the correctness, soundness, or wisdom of these decisions, it becomes our duty to yield thereto, just as the other courts of this State must accept and be controlled by the decisions and mandates of this court. This being a government by law and not by men, the jury commissioners in their official conduct are bound by the foregoing rulings of the Supreme Court of the United States, notwithstanding any personal opinion, hereditary instinct, natural impulse, or geographical tradition to the contrary."

EVERY DAY MUST BE LAW DAY

Respect for the law—in essence that is the meaning of Law Day—and every day must be Law Day or else our society will collapse.

The challenge which international communism hurls against the rule of law is very great. For the past 2 weeks I have been engaged, for a good part of my time, in working with General Taylor, Admiral Burke and Mr. Dulles, to assess the recent events in Cuba and determine what lessons we can learn for the future.

It already has become crystal clear in our study that as the President has stated so graphically, we must reexamine and reorient our forces of every kind—not just our military forces, but all our techniques and outlook here in the United States. We must come forward with the answer of how a nation, devoted to freedom and individual rights and respect for the law, can stand effectively against an implacable enemy who plays by different rules and knows only the law of the jungle. With the answer to this rests our future—our destiny—as a nation and as a people.

The events of the last few weeks have demonstrated that the time has long since passed when the people of the United States can be apathetic about their belief and respect for the law and about the necessity of placing our own house in order. As we turn to meet our enemy, to look him full in the face, we cannot afford feet of clay or an arm of glass.

Let me speak to you about three major areas of difficulty within the purview of my responsibilities that sap our national strength, that weaken our people, that require our immediate attention.

ORGANIZED CRIME IS A PROBLEM FOR ALL AMERICA

In too many major communities of our country, organized crime has become big business. It knows no State lines. It drains off millions of dollars of our national wealth, infecting legitimate businesses, labor unions and even sports. Tolerating organized crime promotes the cheap philosophy that everything is a racket. It promotes cynicism among adults. It contributes to the confusion of the young and to the increase of juvenile delinquency.

It is not the gangster himself who is of concern. It is what he is doing to our cities, our communities, our moral fiber. Ninety percent of the major racketeers would be out of business by the end of this year if the ordinary citizen, the businessman, the union official and the public authority stood up to be counted and refused to be corrupted.

This is a problem for all America, not just the FBI or the Department of Justice. Unless the basic attitude changes here in this country, the rackets will prosper and grow. Of this I am convinced.

The racketeers, after all, are professional criminals. But, there are the amateurs—men who have law-abiding backgrounds and respectable positions, who, nevertheless, break the law of the land. We have been particularly concerned lately in the Department of Justice about the spread of illegal price-fixing. I would say to you, however, it is merely symptomatic of many other practices commonly accepted in business life.

Our investigations show that in an alarming number of areas of the country businessmen have conspired in secret to fix prices, made collusive deals with union officials, defrauded their customers and even in some instances cheated their own Government.

Our enemies assert that capitalism enslaves the worker and will destroy itself. It is our national faith that the system of competitive enterprise offers the best hope for individual freedom, social development and economic growth.

Thus, every businessman who cheats on his taxes, fixes prices or underpays his labor, every union official who makes a collusive deal, misuses union funds, damages the free enterprise system in the eyes of the world and does a disservice to the millions of honest Americans in all walks of life.

Where we have evidence of violation of laws by the "respectables," we will take action against the individuals involved, as well as against their companies. But in the end, this also is not a situation which can be cured by the Department of Justice. It can only be cured by business and unions themselves.

THE THIRD AREA—CIVIL RIGHTS

The third area is the one that affects us all the most directly—civil rights.

The hardest problems of all in law enforcement are those involving a conflict of law and local customers. History has recorded many occasions when the moral sense of a nation produced judicial decisions, such as the 1954 decision in *Brown v. Board of Education*, which required difficult local adjustments.

I have many friends in the U.S. Senate who are southerners. Many of these friendships stem from my work as counsel for the Senate Rackets Committee, headed by Senator JOHN MCCLELLAN, of Arkansas, for whom I have the greatest admiration and affection.

If these southern friends of mine are representative southerners—and I believe they are—I do not pretend that they believe with me on everything or that I agree with them on everything. But, knowing them as I do, I am convinced of this: southerners have a special respect for candor and plain talk. They certainly don't like hypocrisy. So, in discussing this third major problem, I must tell you candidly what our polices are going to be in the field of civil rights and why.

First, let me say this: The time has long since arrived when loyal Americans must measure the impact of their actions beyond the limits of their own towns or States. For instance, we must be quite aware of the fact that 50 percent of the countries in the United Nations are not white; that around the world, in Africa, South America, and Asia, people whose skins are a different color from ours are on the move to gain their measure of freedom and liberty.

From the Congo to Cuba, from South Vietnam to Algiers, in India, Brazil and Iran, men and women and children are straightening their backs and listening—to the evil promises of Communist tyranny and the honorable promises of Anglo-American liberty. And those people will decide not only their future but how the cause of freedom fares in the world.

In the United Nations we are striving to establish a rule of law instead of a rule of force. In that forum and elsewhere around the world our deeds will speak for us.

In the worldwide struggle, the graduation at this University of Charleyne Hunter and Hamilton Holmes will, without question, aid and assist the fight against Communist political infiltration and guerrilla warfare.

When parents send their children to school this fall in Atlanta, peaceably and in accordance with the rule of law, barefoot Burmese and Congolese will see before their eyes Americans living by the rule of law.

The conflict of views over the original decision in 1954 and our recent move in Prince Edward County is understandable. The decision in 1954 required action of the most difficult, delicate and complex nature, going to the heart of southern institutions. I know a little of this. I live in Virginia. I studied law at the University of Virginia. I have been privileged to know many able southern soldiers, scholars, lawyers, jurists, journalists, and political leaders who have enriched our national life. From them I have drawn some understanding of the South, but my knowledge is nothing to yours.

It is now being said that the Department of Justice is attempting to close all public schools in Virginia because of the Prince Edward situation. This is not true, nor is the Prince Edward suit a threat against local control.

We are maintaining the orders of the courts. We are doing nothing more nor less. If any one of you were in my position you would do likewise for it would be required by your oath of office. You might not want to do it, you might not like to do it, but you would do it.

I cannot believe that anyone can support a principle which prevents more than a thousand of our children in one county from attending public school—especially when this step was taken to circumvent the orders of the court.

Our position is quite clear. We are upholding the law. Our action does not threaten local control. The Federal Government would not be running the schools in Prince Edward County any more than it is running the University of Georgia or the schools in the State of Massachusetts.

In this case—in all cases—if the orders of the court are circumvented, the Department of Justice will act. We will not stand by or be aloof. We will move.

I happen to believe that the 1954 decision was right. But my belief does not matter—it is the law. Some of you may believe the decision was wrong. That does not matter. It is the law. And we both respect the law. By facing this problem honorably, you have shown to all the world that we Americans are moving forward together—solving this problem—under the rule of law.

An integral part of this is that we make a total effort to guarantee the ballot to every American of voting age—in the North as well as in the South. The right to vote is the easiest of all rights to grant. The spirit of our democracy, the letter of our Constitution and our laws require that there be no further delay in the achievement of full freedom to vote for all. Our system depends upon the fullest participation of all its citizens.

The problem between the white and colored people is a problem for all sections of the United States. As I have said, I believe there has been a great deal of hypocrisy in dealing with it. In fact, I found when I came to the Department of Justice that I need look no further to find evidence of this.

DISCRIMINATION IN THE FEDERAL GOVERNMENT

I found that very few Negroes were employed above a custodial level. There were 950 lawyers working in the Department of Justice in Washington and only 10 of them were Negroes. At the same moment the lawyers of the Department of Justice were bringing legal action to end discrimination, that same discrimination was being practiced within the Department itself.

At a recent review for the visiting leader of a new African state, there was only one Negro in the guard of honor. At the Bureau

of the Budget, Negroes were used only for custodial work.

The Federal Government is taking steps to correct this.

Financial leaders from the East who deplore discrimination in the South belong to institutions where no Negroes or Jews are allowed and their children attend private schools where no Negro students are enrolled. Union officials criticize southern leaders and yet practice discrimination with their unions. Government officials belong to private clubs in Washington where Negroes including ambassadors are not welcomed even at mealtime.

My firm belief is that if we are to make progress in this area—if we are to be truly great as a Nation—then we must make sure that nobody is denied an opportunity because of race, creed or color. We pledge, by example, to take action in our own backyard—the Department of Justice. We pledge to move to protect the integrity of the courts in the administration of justice. In all this, we ask your help—we need your assistance.

I come to you today and I shall come to you in the years ahead to advocate reason and the rule of law.

It is in this spirit that since taking office I have conferred many times with responsible public officials and civic leaders in the South on specific situations. I shall continue to do so. I don't expect them always to agree with my view of what the law requires, but I believe they share my respect for the law. We are trying to achieve amicable, voluntary solutions without going to court. These discussions have ranged from voting and school cases to incidents of arrest which might lead to violence.

We have sought to be helpful to avert violence and to get voluntary compliance. When our investigations indicate there has been a violation of law, we have asked responsible officials to take steps themselves to correct the situation. In some instances this has happened. When it has not, we have had to take legal actions.

These conversations have been devoid of bitterness or hate. They have been carried on with mutual respect, understanding, and good will. National unity is essential and before taking any legal action, we will where appropriate invite the southern leaders to make their views known in these cases.

WE MUST AVOID ANOTHER LITTLE ROCK OR NEW ORLEANS

We, the American people, must avoid another Little Rock or another New Orleans. We cannot afford them. It is not only that such incidents do incalculable harm to the children involved but to the relations among people. It is not only that such convulsions seriously undermine respect for law and order, and cause serious economic and moral damage. Such incidents hurt our country in the eyes of the world. We just can't afford another Little Rock or another New Orleans.

On this generation of Americans falls the full burden of proving to the world that we really mean it when we say all men are created free and are equal before the law. All of us might wish at times that we lived in a more tranquil world, but we don't. And if our times are difficult and perplexing, so are they challenging and filled with opportunity.

To the South, perhaps more than to any other section of the country, has been given the opportunity and the challenge and the responsibility of demonstrating America at its greatest—at its full potential of liberty under law. You may ask, Will we enforce the civil rights statutes? The answer is: "Yes, we will."

We also will enforce the antitrust laws, the antiracketeering laws, the laws against kidnaping, and robbing Federal banks, and transporting stolen automobiles across State lines, the illicit traffic in narcotics and all the rest. We can and will do no less.

I hold a constitutional office of the U.S. Government, and I shall perform the duty I have sworn to undertake—to enforce the law, in every field of law and every region.

We will not threaten, we will try to help. We will not persecute, we will prosecute. We will not make or interpret the laws. We shall enforce them—vigorously, without regional bias or political slant.

All this we intend to do. But all the high rhetoric on Law Day about the noble mansions of the law and all the high-sounding speeches about liberty and justice, are meaningless unless people—you and I—breathe meaning and force into it. Our liberties depend upon our respect for the law.

On December 13, 1889, Henry W. Grady, of Georgia, said these words to an audience in my home State of Massachusetts:

"This hour little needs the loyalty that is loyal to one section and yet holds the other in enduring suspicion and estrangement. Give us the broad and perfect loyalty that loves and trusts Georgia alike with Massachusetts—that knows no South, no North, no East, no West, but endears with equal and patriotic love every foot of our soil, every State of our Union.

A mighty duty, sir, and a mighty inspiration impels every one of us tonight to lose in patriotic consecration whatever estranges, whatever divides. We, sir, are Americans—and we stand for human liberty."

Ten days later Mr. Grady was dead but his words live today. We stand for human liberty.

The road ahead is full of difficulties and discomforts. But as for me, I welcome the challenge, I welcome the opportunity and I pledge my best effort—all I have in material things and physical strength and spirit—to see that freedom shall advance and that our children will grow old under the rule of law.

Address by Hon. Gordon H. Scherer, Member of Congress, Ohio, Annual Meeting of the American Road Builders Association, San Francisco, Calif., March 5, 1962

EXTENSION OF REMARKS

OF

HON. JAMES C. AUCHINCLOSS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 8, 1962

Mr. AUCHINCLOSS. Mr. Speaker, I am pleased to have permission to insert with my brief remarks an excellent address made by our colleague, the gentleman from Ohio, GORDON H. SCHERER, at the annual meeting of the American Road Builders Association in San Francisco, Calif., on March 5, 1962. It is unnecessary to say that the gentleman from Ohio [Mr. SCHERER] is an authority on the highway problem and the part the Federal Government plays in its construction and maintenance. His opinions are highly respected all over the country by those connected in any way with this important project.

The address follows:

WE GOT IT—LET'S KEEP IT

(Address by Hon. GORDON H. SCHERER)

When we passed the 1956 Highway Act after 3 years of intensive study and debate, I thought, as far as the Congress was concerned, we had the highway program all wrapped up and in the bag; that we could hand this bag to the engineers and you contractors and in due course, 40,000 miles of Interstate System would be available to the well-pleased highway users of this country. I and others envisioned a lot of happy, satisfied, and grateful road contractors and supply people for the biggest public-works program in the history of the world.

I soon found out how mistaken I was. The 1956 act was a good piece of legislation but not that good. It was based on some false assumptions. Some people had completely missed the boat on the total cost and a number of other things. In the past we have discussed rather fully the reasons for these mistakes. We are not going to talk about them again today. Suffice it to say that the net result was a 60-percent increase over the original estimated cost.

The trust fund, which for the first time was corralling highway user taxes for road-building, was $14 billion short. That's a whale of a lot of money even in New Frontier dollars. In fact, it's inflated dollars that are partially responsible for the cost increase. And let me say here and now that no one can blame this increased cost on the contractors. Calculated on 1954 dollar values on which the original cost estimates were based, contractors' prices remained rather stable and in some instances in the last few years declined slightly.

When the trust fund went busted because of cost and other miscalculations and the program almost came to a grinding halt, Congress had the whole ball of wax tossed back in its lap. I need not remind you that contractors, their suppliers, and equipment people who had expanded their organizations to meet the challenge laid down by this mammoth construction program began to hurt badly.

Eisenhower did not want to see the program which he started in 1953 bog down. He, therefore, recommended to the Congress additional financing which would complete the program on schedule and keep it at the construction level contemplated by the 1956 act. The democratically controlled Congress balked.

For months while construction slowed down to a snail's pace, politics stymied the providing of additional needed funds. When Congress finally acted in late September of 1958, it did only a piecemeal temporary job. However, when Mr. Kennedy took over in January of last year, he was smart enough to see that the new highways had been opening new frontiers in every nook and cranny of the United States as early as 1956 when the White House was only a gleam in his eye. He was not going to let a new frontier disappear simply because it has a Republican label. Kennedy promptly and properly dusted off the Eisenhower financing program which I had introduced, polished it up a little bit, and sent it up to Capitol Hill.

By this time the Democratic majority in Congress had more respect for the boss at 1600 Pennsylvania Avenue—some say it was fear of his patronage whip. Congress then rather quickly with bipartisan support provided the money to complete the entire program on schedule.

In the meantime a number of other pesky bugs in the program were eliminated. Today I feel, as I did in 1956; namely, that Congress' legislative job is complete, done, finished. Under the law as it now is, the money for the program will be available. In other words, "we have got it." Now let's not throw it away. Do I hear someone ask: "SCHERER, if we got it, how can we throw it away?"

Well, let me tell you a few ways it can be done.

First, this program needs continued public confidence and support. While, as I have

said, the method of financing is provided, the remaining sum of $38 billion needed to complete it is not in the bag, waiting to pay contractors' bills.

This highway trust fund money is being extracted from the taxpayer daily through the entire life of this construction program. Public opinion and pressures have a unique and peculiar way of influencing your Congressman's vote. Any day of the week this or any future Congress can upset the entire financing scheme. It can abolish the trust fund. In fact, it can abolish the program. It can stretch it out to reduce the tax load. Remember, there are a lot of people who advocated and still advocate stretching it out. This is the last thing you and I want.

If this trust fund is ever abolished and we are compelled to look to the general fund for highway money, you are going to have to compete for dollars with a long list of socialistic, welfare-state programs. Let me tell you that the pressures from some of these starry-eyed planners and special-interest groups for Federal handouts are no powder puffs.

Now what causes a loss of public confidence more quickly than anything else? You know, it's waste, inefficiency, fraud, and corruption.

Immediately after the passage of the 1956 act, in a speech to the American Association of State Highway Officials at Atlantic City, I said:

"Whenever you have a public works program of this magnitude, whenever you have as much money to spend as will be spent before this job is done, money for buying the huge quantities of material I have referred to, money for acquiring rights-of-way which may be harmful to some but helpful to others, you are bound to have pressures exerted that you would never dream could exist."

I pointed out at Atlantic City:

"It is bad enough when a section of a pavement goes bad because of an oversight on the part of an inspector, or a bridge falls as the result of defective steel, or when through carelessness or ignorance we pay too much for a parcel of land. However, when these things happen because of bad faith or fraud, we then lose the public's confidence in the whole program * * *."

In concluding, I said:

"If there ever was a program which needs universal public support and confidence, it is this one which you gentlemen are about to carry out. Before we are through, traffic may increase to such an extent that the program will have to be expanded, or unfortunately we may have further inflation. These and other occurrences which we cannot foresee may require that we ask the people of this country for more money, more taxes, to do this job." These things have happened since 1956. We had to ask for $14 million more.

Now, as I have said many, many times, in a program of this size, involving the expenditure of billions of dollars—involving millions of people both in and out of government—you are bound to have some mistakes and some fraud. I have also said a number of times that, while we have had some shortcomings in this program, the mistakes, deficiencies, and derelictions have been relatively few compared to the many fine accomplishments.

However, gentlemen, as time goes on—as our Highway Investigating Committee continues its work there are just too many sharp and questionable practices being brought to light. Frankly, I am more than concerned.

Now, as I have said, while I am convinced that the inefficient, the chiselers, and the grafters are small compared to the total number of capable, conscientious, honest, and dedicated highway contractors and suppliers, these few give the vast majority and the whole program a bad image—as they call it—in the public mind. It gives the enemies of the program an effective club—a golden opportunity—to clobber it.

People like to read about controversy, failures, mistakes, fraud, and corruption much more than they do about honesty, success, and accomplishment. Some writers, magazines, and newspapers, for purely merchandising advantage, overemphasize, distort, and sensationalize because of reader interest. Some investigators of the highway program, even though they do a good job, are carried away with their findings and do not keep the failures and shortcomings in proper perspective with the tremendous fine accomplishments of the total program.

Let me give you just one example. Many major newspapers include a magazine section called Parade. On Sunday, February 4, this magazine carried an article entitled "The Great Highway Robbery" with a subheading saying, "Graft in the New Road Program Is Stealing Your Money."

Now I am not saying that some of the incidents mentioned in this article did not happen. As I said a few minutes ago, I warned against these very things in 1956. What I am saying is that this article gives the public the impression that the entire program is riddled with fraud and corruption; that most of those connected with it are out-and-out crooks.

Let me give you a few quotes from the Parade article:

"Chief counsel of the Highway Investigating Committee says, 'Throw a dart at a map of the United States. Wherever it sticks, we can find something wrong with the new highways.'"

The next sentence in the article reads: "A House investigator claims: 'Half of the country's State highway officials ought to be in jail. They have pocketed bribes, winked at shoddy work, and thumbed their noses at the taxpayer in appalling fashion.'" A small minority have done these things, but to say that half of our highway officials ought to be in jail is just plain unadulterated libel. It's inexcusable to permit staff members to make public statements of any kind.

When I turned to the last page of the Parade article, I saw the picture of a bridge which had collapsed. Under the picture was this caption: "Horrible example. New bridge on U.S. 50, West Union, W. Va., collapsed during high water. Luckily, a dynamite truck had crossed minutes before. Investigators blame faulty standards," the article concluded.

This picture, together with the statements I have just read from this article, gives every highway engineer, every contractor, in fact, the whole program, a black eye.

Having been on the Roads Committee for 9 years and having looked at and observed miles of new roads and bridges, I knew what, of course, the general public did not know—that this was an old highway and a very old bridge. The fact is that this bridge was originally planned and designed in 1927. It was actually constructed more than 30 years ago. Furthermore, no Federal-aid highway funds were involved, although that is beside the point. The bridge was washed out in a flash flood 2 years ago. Even at that time there was nothing to show that it had been constructed to faulty standards when it was built more than a quarter of a century ago.

Now you contractors have some bad apples in your barrel. So do the engineers. But also other businesses—doctors, lawyers, government employees, politicians, and, in fact, every walk of life has its share of bad apples.

Currently the Blatnik committee is investigating highway scandals in Massachusetts.

So far in Massachusetts the wrongdoing has not involved contractors. It has involved politicians, State employees, real estate men, and shyster lawyers. Now the trouble is that this small minority of "fast buck" artists gives all of these industries and professions a bad name. These bad apples give the bad apples in the field of journalism, namely, careless, unscrupulous and sensation-seeking reporters an opportunity to discredit the whole highway program.

There is another serious and often unforeseen consequence resulting from these bad apples. We all know that the Federal-State partnership in this highway program over the years has been highly successful. While it has been a partnership, the States always have been the senior partners.

Both you and I want to see this partnership continued. I want to see the States remain the senior partner because for one reason it fits into my basic philosophy of government, and I believe it does yours. I am opposed to expanding the vast bureaucracy on the Potomac.

I certainly don't want to see this bureaucracy to grow and grow and arrogate unto itself more and more control and greater and greater power.

There are those, of course, who don't agree with you and me in this respect. They oppose the Federal-State highway partnership. They want to see Washington become the senior or controlling partner in this highway enterprise so that eventually there will be no partnership at all. Washington will be the sole boss and the State highway departments merely errand boys.

What I am trying to say is that some of these sharp practices and misuse of highway funds place in the hands of our opponents the most effective weapon for destroying the Federal-State highway partnership, and for centralizing complete control in Washington. This is the direction in which we are and have been heading with practically all governmental activities.

Because of the disclosure of irregularities similar to those I have discussed, my extremely capable colleague on the Public Works Committee, BILL CRAMER, who is a States rights man if there ever was one, felt the need for the enactment of a Federal-aid highway reform act. He introduced legislation accordingly. This bill follows Federal highway money into the States and makes the use of it subject to further Federal regulation. It makes the improper use of it subject to Federal criminal prosecution and penalties. You can see the trend.

There is a strong movement on foot by those who advocate an all-powerful centralized government to eliminate the private consulting engineer and to have all work done by Government engineering departments. Where does this eventually lead? Can anyone say that, if this trend continues, Government will not some day be building highways; that civil service employees will not eventually be operating bulldozers and laying concrete.

You say, "It can't happen here." Government agencies and Federal employees as of this moment are gradually producing more and more electric power in this country, and civil service employees are laying conduits for power distribution.

Why do you think the administration proposed a Department of Urban Affairs and Housing? This legislation was defeated but the President warned that it will eventually become law. If it does then for the first time the Federal Government will be bypassing the States and, as sure as night follows day, this Department with Cabinet status, will gradually absorb and control more and more functions of local government. The proponents of this Department are those very same people who want to hold up and delay the building of highways within urban centers until the professional planners can conduct studies for mass transportation facilities. Some of these planners advocate the use of highway trust funds not only for mass transportation studies but also for the actual construction of transit systems.

In the District of Columbia today, interstate highway construction has been stopped until mass transportation studies are completed. You know how long these studies take. How much redtape is involved. The cities are now being strangled by traffic bottlenecks. With the movement of population to urban centers, if highway construction is stopped until these mass transit systems are developed, you are going to have chaos in our cities.

Think of the tremendous economic loss, in accidents, in time loss, in vehicle operating costs, while we attempt to get agreement on the type, location, and financing of a new mass transit system. With the tremendous increase in urban population, you are going to need not only presently planned highways but additional highways, as well as mass transit systems.

It took us years of fighting to get highway taxes put aside for road construction. These user taxes are being held in trust (for those who pay them) to be spent on highways. It would be morally wrong now to divert them to build other transportation systems. Let the users of those systems pay for them.

The congressional highway investigating committee, as I have said, is pointing its finger at State highway officials, contractors, consulting engineers, realtors, lawyers, etc., who are not toeing the line. The question is, will this committee have the courage to unmask wrongdoing and political chicanery at the Federal level?

In my remarks to the American Association of State Highway Officials at Denver last October I said:

"Although I cannot prove it at this time, I am reliably informed that the White House is ready to add some 150 miles to the Interstate System in West Virginia. Of all places where this valuable mileage is not needed and not justified is the State of West Virginia."

Lo and behold, in less than a week after the October American Association of State Highway Officials meeting, this mileage by order of the White House, was given to West Virginia.

I then immediately addressed a memorandum to the chairman of the investigating committee. This memorandum tells the full story. Here it is:

"The Department of Commerce, after consultation with the White House, has allocated 150 miles for a new interstate highway between Washington, Pa., and Charleston, W. Va. This 150 miles has been taken from the remaining 285 unallocated miles of the Interstate System.

"As we all know, these 285 miles have been held in reserve for vitally needed final mileage adjustments required to complete the Interstate System. This mileage, like money in the bank, was to be used to connect segments of the Interstate System and to provide bypasses around population centers where traffic density is great and accident rates high. Almost every State in the Union has made a request for an allocation of some mileage from this road-bank to relieve critical traffic needs. The Bureau of Public Roads has consistently turned down all applications because this 285 mile reserve is needed for final adjustments.

My memorandum continued:

"As an example, Texas asked for a 6-mile addition to an interstate route to close a gap over the Houston ship canal. This 6 miles will carry about 96,000 vehicles a day by 1975. The only presently approved route will have to carry more than 200,000 vehicles a day. This application for 6 miles was rejected. Yet, it is admitted that the new West Virginia route in 1975 will not carry in excess of 5,000 vehicles a day and possibly less.

"Knoxville, Tenn., requested a 10-mile segment to take heavy through traffic around the city. It was denied. There are dozens of other examples.

"There is already under construction a designated interstate route between Charleston, W. Va., and Washington, Pa., which is only about 7 miles longer than the new interstate route between these two cities, to be built over costly mountainous terrain. Talk about waste. Some which the committee is now looking at is peanuts compared to this.

"If an improved road is needed between Washington, Pa., and Charleston, W. Va., the existing Federal aid primary highway could be improved or rebuilt and no one would be hurt.

"If this were done, West Virginia, of course, would have to pay 50 percent of the cost. As you know, West Virginia will only be required to contribute 10 percent of the cost of this new interstate highway. It's obvious that the Kennedy administration wants to pay 90 percent of an expensive superhighway that is not needed as a reward for what the West Virginia politicians did in the presidential primary.

"If the administration wants to help West Virginia, it shouldn't loot this precious reserve of vitally needed mileage and engage in an unconscionable waste of money on a superhighway that's not needed. In fact, of all the places where this valuable mileage is not needed is in the State of West Virginia, especially when compared to the critical requirements of the other States.

"This unwarranted allocation violates one of the basic concepts of the new highway program. In this program we abandon the old pork barrel formula of dispensing highway funds. We sold it to the people of this country on the promise that we would build these expensive highways where the traffic was and not necessarily where the votes were. By this blatant, callous, political maneuver we have destroyed this fundamental principle of the 1956 act.

"The dedicated experts in the Bureau of Public Roads, whose job it is to build adequate highways where needed, vigorously opposed the allocation of this valuable mileage to West Virginia. The politically inspired and often inept in the Department of Commerce steamrollered the Bureau of Public Roads. In fact, I am reliably informed that the Department of Commerce is letting political considerations control many decisions on highway locations, etc."

My memorandum concluded:

"Our highway investigating committee should make its first order of business when it returns in January to condemn this misuse and abuse of power by the Department of Commerce, and attempt to find a means to reverse this action of the administration.

"If we don't face up to this challenge, I don't see how our investigating committee can in fairness and in all good conscience continue to point its finger at shortcomings of State highway departments contractors, engineers, and others throughout the country—shortcomings and derelictions which have a far less adverse and costly effect on the highway construction program than this recent action of the Department of Commerce."

This memorandum was sent October 30, 1961. It is now March 5, 1962, and to date I have not so much as received an acknowledgment of same.

We got this highway program. Let's keep it and not throw it away by permitting some of the things I have mentioned here today.

HOUSE OF REPRESENTATIVES

MONDAY, MARCH 12, 1962

The House met at 12 o'clock noon.

Rabbi Max M. Landman, Temple Beth El, West Palm Beach, Fla., offered the following prayer:

Eternal Father, Creator and destiny of all flesh, from the depth of my heart I thank Thee, and bless Thee for this spiritual honor accorded me, to stand in this citadel of justice, to invoke Thy blessing upon this healthy, strong, intelligent body called the House of Representatives.

This body makes up an impregnable fortress from where comes justice, faith, liberty, equality to the highest degree. Through Thy grace, O Lord, we have men and women who, like the prophets of old, lead the people on the right path.

May the hearts, minds, and souls of these leaders always remain healthy, normal, and like a strong chain, never to be broken, so that they may think, feel, and act justly and harmoniously for the benefit of all citizens of our blessed country, America, and for all men in Thy beautiful universe.

Bless the President of our great Republic, the Vice President, and members of the Cabinet. Bless the Speaker of this assembly, and also the Members of the Senate and the Justices of the Supreme Court. Give them wisdom equal to their physical strength, and courage equal to their responsibilities, so that they, too, will close their link of leadership in this great insoluble chain of liberty, justice, and freedom.

United we shall never permit our enemies from without and from within to destroy our faith and our democratic way of life. May Thy divine light flood the world with true brotherhood, and the sound of the Liberty Bell echo to the four corners of the earth, calling all men to walk side by side to the mountain of the Lord, and there build the temple of love, of faith, and of true peace.

Blessed be Thy name from this time forth and forevermore. And let us say, "Amen."

THE JOURNAL

The Journal of the proceedings of Thursday, March 8, 1962, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 1023. An act to amend the act of August 20, 1954 (68 Stat. 752), in order to provide for the construction, operation, and maintenance of additional features of the Talent division of the Rogue River Basin reclamation project, Oregon.

The message also announced that the Senate agrees to the amendment of the House, with an amendment, to the bill

(S. 1969) entitled "An act to amend the Federal Aviation Act of 1958, as amended, to provide for supplemental air carriers, and for other purposes."

The message also announced that the Senate insists upon its amendment to the amendment of the House to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. MONRONEY, Mr. SMATHERS, Mr. THURMOND, Mr. COTTON, and Mr. MORTON to be the conferees on the part of the Senate.

The message also announced that the Vice President has appointed Mr. JOHNSTON of South Carolina and Mr. CARLSON members of the Joint Select Committee on the part of the Senate, as provided for in the act of August 5, 1939, entitled "An act to provide for the disposition of certain records of the United States Government," for the disposition of executive papers referred to in the reports of the Archivist of the United States numbered 62–14.

MANPOWER TRAINING AND DEVELOPMENT ACT

Mr. HOLLAND submitted a conference report and statement on the bill (S. 1991) relating to manpower requirements, resources, development, and utilization, and for other purposes.

WELFARE AND PENSION PLANS DISCLOSURE ACT

Mr. HOLLAND (at the request of Mr. POWELL) submitted a conference report and statement on the bill (H.R. 8723) Welfare and Pension Plans Disclosure Act.

COMMITTEE ON WAYS AND MEANS

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the Committee on Ways and Means may have until midnight Friday, March 16, to file a report on the bill (H.R. 10650).

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

RESERVISTS DESERVE ADDITIONAL PAY

Mr. DORN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. DORN. Mr. Speaker, I am today introducing a bill which would provide for an additional $100 per month for enlisted reservists called to active duty during the Berlin crisis. This extra $100 per month will be retroactive from the date of recall of each reservist.

The passage of this bill is necessary to help alleviate the many hardships of the 150,000 reservists recalled to active duty. A large majority of the personnel recalled have previously served 2 or more years in the Armed Forces. They have been trying to get established in civilian life. Many of them have gone in debt to pay for automobiles, furniture, homes, and in many cases, to establish small businesses.

Mr. Speaker, this involves financial losses which cannot be recovered. The average reservist is enduring personal hardships suffered by his family, separation of families, and loss of job opportunities and promotions. Regular Army personnel know that they may be moved at any time. Therefore, they do not become permanently settled in any one location like a reservist. They also know what their income will be from month to month and live accordingly. Many reservists that were recalled had to adjust from monthly incomes of $400 to $1,000 to only $155 to $250. This resulted in their families moving in with relatives or to lower priced rentals. Those who had small businesses had to close them up since it was difficult to secure a qualified manager with only a 15-day notice. Doctors in the Regular Army are granted extra pay each month to compensate for their expensive education and loss of pay from private practice.

Mr. Speaker, this bill is fair; it is just and timely. This bill will create a feeling among reservists that the Government recognizes their hardships. It will help promote higher morale among the reservists and above all, it is an obligation we owe these men for preserving the peace.

SUBCOMMITTEE ON MINES AND MINING

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the Subcommittee on Mines and Mining of the House Committee on Interior and Insular Affairs may sit during general debate this afternoon.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

CUBAN TOBACCO STILL FINDING ITS WAY INTO THE UNITED STATES

Mr. HARSHA. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. HARSHA. Mr. Speaker, Cuban tobacco is still finding its way into the United States.

The Foreign Assets Control Division of the Treasury Department has ruled that cigars made of Cuban tobacco may be imported into the United States if made in a foreign country other than Cuba and Cuban leaf may be imported if "substantially transformed" in such foreign country.

Unless such a ruling is reversed and the embargo made total the desired effect of the President's proclamation will be nullified, the embargo in its present form will permit back-door transactions with Cuba contrary to the spirit and intent of the embargo and Castro will continue to obtain U.S. dollars to finance his unholy operations.

Moreover, this ruling is an open invitation to unscrupulous speculators to profit at the expense of the American consumer, the U.S. cigar industry and its employees.

I am today urging the President to take the necessary steps to prohibit the importation of Cuban tobacco products in whole or part irrespective of where they are manufactured or transformed and to make his embargo total.

RURAL ELECTRIFICATION ADMINISTRATION

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include a letter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, on May 20, 1936, President Roosevelt signed into law the bill that was popularly known as the Norris-Rayburn bill, thus creating the Rural Electrification Administration.

Our late Speaker, friend, and colleague, Mr. Sam, loved the REA and greatly valued the benefits it brought to the American farmer and our farm communities. The REA has enabled our farm families to share on a more equal basis the fruits of our democracy.

I need not tell you that the REA battle was not over when President Roosevelt signed the Norris-Rayburn bill. Each year the Congress is asked to vote on matters materially affecting the rural electric program.

A few days ago it was my pleasure to read a letter from Mr. Clyde T. Ellis, who is general manager of the National Rural Electric Cooperative Association, concerning the actions in behalf of the REA by one of my colleagues from Oklahoma, Congressman VICTOR WICKERSHAM.

I should like to read to the House of Representatives Mr. Ellis' letter because I feel that the gentleman from Oklahoma, Congressman WICKERSHAM, can be proud of his record, and this letter illustrates the feeling we in Oklahoma have for the program begun so many years ago by Speaker Rayburn.

NATIONAL RURAL ELECTRIC COOPERATIVE ASSOCIATION,
Washington, D.C., February 7, 1962.

Hon. VICTOR WICKERSHAM,
U.S. House of Representatives,
Washington, D.C.

DEAR VICTOR: This will confirm my wire to you today regarding your voting record in the House of Representatives on rural electrification and related issues.

The CONGRESSIONAL RECORD shows that you have voted on 25 rural electrification and related issues during the time you have been in the House. The RECORD also shows that you voted favorably to the rural electrics' position on all 25 issues.

I congratulate you on your 100-percent support of the rural electrification program reflected by your voting record and by your efforts in behalf of rural electrification on other issues for which there is no recorded vote.

Sincerely,

CLYDE T. ELLIS,
General Manager.

AMENDING FEDERAL AVIATION ACT OF 1958

Mr. HARRIS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 1969) to amend the Federal Aviation Act of 1958, as amended, to provide for supplemental air carriers, and for other purposes, disagree to the Senate amendment to the House amendment, and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

Mr. ROUSSELOT. I object, Mr. Speaker.

INDIAN FISHING RIGHTS

Mr. WESTLAND. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. WESTLAND. Mr. Speaker, I am introducing a resolution today I believe will solve a situation which, at least in my district, has grown almost intolerable.

This situation has to do with Indians, either treaty or nontreaty, fishing off the reservation in violation of State regulations.

There are many cases on this subject and I have personally reviewed all those believed to be pertinent. I have also had the Library of Congress make a report on the subject, as well as receiving opinions from various lawyers and the attorney general of the State of Washington. These opinions vary from one extreme to the other—with the attorney general stating that the State has no right to regulate despite the opinion rendered by the Supreme Court of the United States in Tullee against Washington and more recently, in the case of the Village of Kahe et al. against Egan.

Since the State enforcement agencies refuse to enforce what I believe to be the law and since these same agencies have appealed to the Congress to solve this problem, I have introduced the resolution today. I trust that the Department of the Interior will expedite its report on this measure so that hearings may be scheduled in this session.

DISTRICT OF COLUMBIA BUSINESS

The SPEAKER. This is District of Columbia day. The Chair recognizes the gentleman from South Carolina [Mr. MCMILLAN], chairman of the Committee on the District of Columbia.

AUTHORIZE DISTRICT OF COLUMBIA TO SELL PROPERTY IN PRINCE WILLIAM COUNTY, VA.

Mr. MCMILLAN. Mr. Speaker, I call up the bill (H.R. 9699) to authorize the Commissioners of the District of Columbia to sell certain property owned by the District of Columbia located in Prince William County, Va., and for other purposes and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

Mr. GROSS. Mr. Speaker, reserving the right to object, I have no desire to object to the consideration of the bill in the House as in Committee of the Whole, but I want to say to the gentleman that, unless there is assurance that there will be ample time to ask questions and discuss the bill, I will object. I do not intend to forfeit general debate on a bill of this kind without the assurance that there will be no effort to unduly restrict debate.

Mr. MCMILLAN. As far as I am concerned, you can have as much time as you desire by striking out the last word.

Mr. GROSS. I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Commissioners of the District of Columbia are hereby authorized and empowered, in their discretion, to sell and convey, in whole or in part, under the provisions of a contract to be negotiated by them, real estate now owned in fee simple by the District of Columbia consisting of approximately four hundred and fifty-five acres of land located in Prince William County, Virginia, and described in a deed conveying said land to the District of Columbia recorded on June 17, 1927, in liber 83, as follos 311 and 312, in the clerk's office of the circuit court of Prince William County, Commonwealth of Virginia.

SEC. 2. The said Commissioners are further authorized to pay the reasonable and necessary expenses of sale of each parcel of land sold pursuant to the provisions of this Act. They shall deposit the net proceeds of the sale in the Treasury of the United States to the credit of the District of Columbia.

With the following committee amendment:

Page 1, line 5, strike out "under the provisions of a contract to be negotiated by them" and insert "for its reasonable market value".

Mr. MCMILLAN. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, the Commissioners sent to the Speaker a request for this legislation. It seems that several years ago the District of Columbia purchased this property in Virginia for a location for a garbage disposal. At the present time it is not required for that purpose. Now, Prince William County, Va., would like to purchase this property with certain restrictions. The Commissioners, of course, will see that the present market price is paid for this property, and that is why this proposed legislation is necessary.

Mr. GROSS. Mr. Speaker, I move to strike the requisite number of words.

Mr. Speaker, it is my understanding that this bill would permit the District of Columbia to sell 455 acres of land in Prince William County, Va., the land having been obtained in part in 1918, and another parcel in 1927.

Mr. MCMILLAN. If the gentleman will yield, that is correct.

Mr. GROSS. Mr. Speaker, it is my understanding the District of Columbia paid for this land approximately $75,000. My further understanding is, according to the report, that the District of Columbia would now get only $85,000, this being the so-called fair market value of the land.

Mr. MCMILLAN. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from South Carolina.

Mr. MCMILLAN. That seems to be the agreement between the District officials and the Virginia officials. I do not know if that is correct.

Mr. GROSS. Mr. Speaker, the question I want to ask the gentleman from South Carolina [Mr. MCMILLAN] is this: Has this 455 acres of land in Virginia enhanced only $15 an acre in value over this period of time, from 1918 and 1927 until the present time?

Mr. MCMILLAN. If the gentleman will yield, I understand this is marsh, swampland, and never will increase in value. I do not know what use they can make of the property. However, our committee certainly placed safeguards around this legislation to prevent any unusual speculations.

Mr. GROSS. Does the gentleman from South Carolina mean to say that farmland in Virginia enhanced only $15 an acre in this period of time?

Mr. MCMILLAN. That is the information they gave our committee. I do not know the value of property in that area. I am not an expert on land value in Virginia, or any other place. The District officials and District of Columbia Commissioners agreed on the price with certain safeguards. The gentleman from Iowa has a Virginian standing beside him. Perhaps he can answer the gentleman's question.

Mr. KEARNS. Mr. Speaker, will the gentleman yield?

Mr. GROSS. If it will help the gentleman from Pennsylvania I will yield to him.

Mr. KEARNS. It certainly would, and I thank the gentleman.

Mr. Speaker, this is a matter that we worked out amicably in the committee. I think the gentleman from Iowa [Mr. GROSS] would be very honest in going along with this bill. We had no fight in the committee. The distinguished chairman, the gentleman from South Carolina [Mr. MCMILLAN], and the gentleman from Virginia [Mr. BROYHILL], and all of us were for it. My distinguished minority leader on the committee, the gentleman from New Jersey [Mr. AUCHINCLOSS], was for it.

The gentleman from Iowa can, of course, debate the matter on the floor of the House, but I think it was all done in the committee.

Mr. BROYHILL. Mr. Speaker, will the gentleman yield?

Mr. GROSS. Yes, I yield to the gentleman from Virginia.

Mr. BROYHILL. Mr. Speaker, the purchase price of $75,000 to which the gentleman referred includes the cost of the garbage reduction plant, and not

just the cost of the land alone. The garbage reduction plant has since been demolished, and is no longer being used. The $75,000 was not just for the cost of the land alone.

Mr. Speaker, the committee also amended the bill to provide that the District of Columbia would be paid the reasonable market value of the land. I do not think the gentleman from Iowa [Mr. GROSS] would expect the county of Prince William or anyone else to pay more than the reasonable market value for the property. The cost of the land to the District government of $75,000 included the garbage reduction plant.

Mr. GROSS. Mr. Speaker, it is hard for me to believe, I will say to the gentleman from Virginia [Mr. BROYHILL], that this land increased in value only $15 an acre over such a period of time. As I understand it, the county wants it in order to set up what is known as an industrial park. In other words, they want to locate industry down there; is that correct?

What does the board of supervisors of the county want to do with the land?

Mr. KEARNS. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman.

Mr. KEARNS. Mr. Speaker, I would like to say to the gentleman from Iowa and to all of our colleagues that we ironed this out in the committee and with the very distinguished chairman of the committee, Mr. MCMILLAN. We like the bill. If anyone wants to make an issue out of it, he can.

The SPEAKER. The time of the gentleman from Iowa [Mr. GROSS] has expired.

Mr. GROSS. Mr. Speaker, I ask unanimous consent to proceed for 5 additional minutes.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. BROYHILL. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Virginia.

Mr. BROYHILL. In answer to the gentleman's question, and I believe it is the same question he asked before, why there has been no greater increase in the value of the property since it was first purchased, the first 10 acres cost $50,000, but that included the cost of the garbage reduction plant that has since then been demolished. The cost of the land itself at that time was not $50,000. The total cost of the land was probably $35,000. The reasonable market value today is apparently more than double what it was at that time. No one expects the county of Prince William or anyone else to buy that land for anything less than the reasonable market value, but no one can expect anyone else to pay more than the reasonable market value.

Mr. GROSS. Mr. Speaker, I will say to the gentleman that the question arose in the minds of the committee as to the possibility of speculation in this land, is that not correct? The report indicates it. But there is nothing in the bill in the way of a restrictive clause providing that if the Prince William Board of Supervisors gets this 455-acre tract that it must use it for the purpose for which the District of Columbia sells it to them.

Mr. BROYHILL. That is the reason we amended the bill so that instead of providing for a contract to be negotiated we provided for the land to be conveyed for its reasonable market value.

Mr. GROSS. The report indicates that the reasonable market value is $85,000.

Mr. BROYHILL. What is wrong with that?

Mr. GROSS. That does not seem to me to represent a reasonable increase in value over such a long period of years.

Mr. BROYHILL. The language of the bill prohibits the land from being sold under negotiated contract for less than the reasonable market value.

Mr. GROSS. Mr. Speaker, I have every respect for the Committee on the District of Columbia, but I do recall that the District of Columbia Committee came out with a bill to build a bridge across the Potomac River costing some $15 million, and connecting the States of Virginia and Maryland. The committee has had no hesitancy in coming out with bills under which the taxpayers of the country take care of the facilities which are of great benefit to the States of Virginia and Maryland. The District of Columbia claims to be in need of revenue. I want to see the District get all of the money to which it is entitled in a deal of this kind. I do not think it is getting all that it is entitled to out of this deal.

Mr. SMITH of Virginia. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, I think this needs some clarification. As to the cost of this property, it was bought many years ago, it is true. It was bought in two parcels. One parcel, consisting of 10 acres, cost $50,000, upon which parcel was situated a rendering plant. The real purpose then was to have a rendering plant to render the garbage that came from the city of Washington.

They then bought for $25,000 all of this 400 and some acres. They stopped using the rendering plant. It has been taken away and torn down.

There is nothing there but bare land. Much of it is very rough and mountains and other parts of it are swampland. The only thing that the District of Columbia uses it for now is as a fill in this swampland to get rid of the refuse from the District of Columbia. Under the contract which is to be negotiated between Prince William County and the District of Columbia, the District will continue to use the part they are now using for as long as they want to use it. That is a part of the agreement.

There was some discussion in the committee, and we were just as careful as the gentleman from Iowa always is to see that there was no opportunity for speculation in this land. This is a deal between a governing body in Virginia and the governing body in the District of Columbia.

It has the unanimous approval of the District Commissioners in a letter to the Speaker and is approved by the Bureau of Budget. The purpose of it is to take this land and organize a nonprofit governmental corporation for the purpose of developing this property as an industrial park under the auspices and control of the county. Every safeguard has been put around it to see that any speculation by private persons in this situation shall not occur. As a matter of fact, there are private people who have been trying to get hold of this property for speculative purposes. I want to say to the gentleman from Iowa, I appreciate his diligence in looking after the proper interests of the Government and to see that we do not throw away any money and that we do not permit private people to make money by speculation in Government property. But, I think the gentleman knows, I am very sypathetic to that situation, and I raised some questions on the bill myself although I introduced the bill, and tightened it up with an amendment.

With reference to the price, it is not going to be $85,000; there is going to be a reappraisal by the District Commissioners to ascertain what is the present fair value of that property with authority for the Commissioners to act.

If the gentleman from Iowa can suggest any further safeguards that we can put on this situation, I would be glad to hear them and consider them. But, certainly, the gentleman's fears about this being a speculative thing and that some private person is going to be able to make a profit in this situation are unfounded, I can assure him. I would be very happy to answer any question about this.

Mr. GROSS. Mr. Speaker, with that assurance, I shall not object further to the passage of the bill.

Mr. SMITH of Virginia. I thank my colleague.

Mr. BROYHILL. Mr. Speaker, this bill will afford the District of Columbia Board of Commissioners the rather unique opportunity of aiding in the industrial development of a nearby county and at the same time benefiting the District of Columbia. This will be accomplished by authorizing the sale of a tract of some 455 acres of land now owned by the District and located near Quantico in Prince William County, Va.

Prior to 1918, the District of Columbia contracted with private companies for the disposal of the city's garbage. The largest of these companies owned and operated a garbage reduction plant on a tract known as Cherry Hill, on the Potomac River in Virginia. When the District decided in 1918 to operate its own garbage disposal system, the city purchased this plant, with about ten acres of land. Then in 1927, an additional 445 acres were acquired. The total purchase price for the entire tract was approximately $75,000. The city operated the reduction plant until 1946. At that time, the operation was proving no longer economically practical, and so the plant was dismantled. Since that time, the only use the District of Columbia has made of this tract has been the dumping of a small amount of its garbage as a land-fill on some 25 acres of swampy land.

I am informed that the Prince William County Board of Supervisors has become interested in this land being purchased

from the District of Columbia and developed as an industrial park. They envision this project as a tremendous boost to the economy of Prince William County. Also, they have expressed their willingness to permit the District of Columbia to continue its present limited use of the property for an indefinite period of time.

The property has recently been appraised at $85,000, which figure would represent a profit to the District.

I feel that the authorization to sell this land is entirely logical, and I welcome the opportunity to support a measure which will be mutually beneficial to both the District of Columbia and nearby Virginia.

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXPANSION AND IMPROVEMENT OF GEORGE WASHINGTON UNIVERSITY HOSPITAL, DISTRICT OF COLUMBIA

Mr. McMILLAN. Mr. Speaker, I call up the bill (H.R. 8916) to authorize grants for planning and carrying out a project of construction for the expansion and improvement of the facilities of George Washington University Hospital in the District of Columbia.

The Clerk read the title of the bill.

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there are hereby authorized to be appropriated from time to time such sums, not exceeding $2,500,000 in the aggregate, as may be necessary to enable the Surgeon General of the Public Health Service (hereafter in this Act referred to as the Surgeon General) to make a grant or grants in order to assist the George Washington University in defraying the cost of planning and carrying out a project of construction to expand and improve the facilities of George Washington University Hospital in the District of Columbia. Sums appropriated pursuant to this section shall remain available for such purpose until expended.

SEC. 2. Grants made pursuant to this Act shall not exceed, in the aggregate, an amount found by the Surgeon General to be equal to 50 per centum of the cost of construction of the project covered by an application of the university submitted to the Surgeon General and approved by him pursuant to section 3.

SEC. 3. (a) The Surgeon General is authorized to approve the application of the university if—

(1) the application is in such form as may be prescribed by him and contains or is supported by such information as he deems necessary in order to carry out his functions under this Act;

(2) he finds that—

(A) the program of construction covered by the application provides for the facilities and services necessary (i) to provide adequate care for the patients expected to be served by the hospital and (ii) to constitute the hospital an adequate teaching hospital for the university's school of medicine;

(B) such program does not appear incompatible with any comprehensive plan for health facilities for the metropolitan area of Washington that has been or is likely to be developed by a body found by the Surgeon General to be a responsible areawide planning group; and

(C) the plans and specifications for the project meet the minimum standards of construction and equipment prescribed for hospitals by regulation pursuant to section 622(e) of the Public Health Service Act; and

(3) he finds that the application contains or is supported by satisfactory assurances—

(A) that adequate funds will be available for payment of the non-Federal share of the cost of construction of the project, and that adequate financial support for the maintenance and operation of the project when completed will be available;

(B) that the construction contract for the project will be awarded in accordance with such requirements, including requirements as to competitive bidding, as the Surgeon General may prescribe, and will contain such provisions for performance and other bonds and undertakings to be furnished by the contractor as the Surgeon General deems necessary;

(C) that the construction contract will provide that the Surgeon General and his representatives will at all times have access to the work in preparation or progress and that the contractor will provide proper facilities for such access and for inspection of the work;

(D) that the university will provide and maintain competent and adequate architectural or engineering supervision and inspection of the project to insure that the completed work conforms with the approved plans and specifications;

(E) that the labor standards set forth in section 5 will be observed; and

(F) such other assurances as the Surgeon General finds necessary in order to carry out the purposes of this Act.

(b) Amendment of an approved application shall be subject to approval in the same manner as an original application.

(c) After approval of the application, the Surgeon General shall pay the Federal share of the cost of construction (as determined under section 2) at such time or times, in advance or by way of reimbursement, and in such installments and subject to such reasonable conditions (with respect to performance of work, purchase of materials, and other matters), as he may deem appropriate in order to safeguard the Federal interest and assure completion of the work in accordance with the approved plans and specifications.

(d) Funds paid under this section for construction shall be used solely for carrying out the project as approved by the Surgeon General, including any amendment approved by him.

SEC. 4. (a) For the purposes of this Act the terms "construction" and "cost of construction" shall have the meanings assigned to such terms in section 631 of the Public Health Service Act, and regulations issued pursuant thereto, and shall include architect's and consultant's fees incurred in the planning of the project prior to enactment of this Act.

(b) For the purpose of administering this Act, the Surgeon General may delegate to any officer or employee of the Department of Health, Education, and Welfare any of his functions or powers under this Act, except the issuance of regulations.

SEC. 5. All laborers and mechanics employed by contractors or subcontractors in the performance of construction work financed in whole or in part under this Act shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276c-5), and every such employee shall receive compensation at a rate not less than one and one-half times his basic rate of pay for all hours worked in excess of eight hours in any workday or forty hours in the workweek, as the case may be. The Secretary of Labor shall have with respect to the labor standards specified in this section the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 5 U.S.C. 133Z-15) and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c).

SEC. 6. (a) There are hereby authorized to be appropriated, for each fiscal year, such sums as may be necessary for administrative expenses incurred in carrying out this Act.

(b) Nothing in this Act shall be construed as limiting or superseding any authority of the Surgeon General or the Secretary of Health, Education, and Welfare under title VI of the Public Health Service Act or any other law.

With the following committee amendments:

On page 4, after line 4, insert the following:

"(D) that the university shall keep such records as the Surgeon General shall prescribe, including records which fully disclose the amount and the disposition by it of the proceeds of assistance received under this Act, the total cost of the project or undertaking in connection with which such assistance is given or used, and the amount and nature of that portion of the cost of the project or undertaking supplied by other sources, and such other records as will facilitate an effective audit.

"The Surgeon General and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access for the purpose of audit and examination to any books, documents, papers, and records of the university that are pertinent to assistance received under this Act."

On page 4, line 5, change "(D)" to "(E)".

On page 4, line 10, change "(E)" to "(F)".

On page 4, line 12, change "(F)" to "(G)".

On page 3, line 8, strike "622(c)" and insert "622(e)".

On page 3, line 9, after the words "Service Act" insert the words "as amended, 42 U.S.C. 291e".

On page 5, line 10, after the words "Health Service Act" insert "as amended, 42 U.S.C. 291i".

Page 5, line 24, strike "(40 U.S.C. 276a—276c-5)" and insert "(40 U.S.C. 276a—276a-5)".

Mr. GROSS. Mr. Speaker, I move to strike out the last word.

I thought perhaps we would have an explanation of the bill, but if it is going to passage without an explanation, I am compelled to ask some questions.

Mr. Speaker, I would like to ask the gentleman from South Carolina, chairman of the committee, how much the taxpayers of the Nation have spent on hospitals in the District of Columbia in recent years. Can the gentleman give me any idea of this? I understand this particular appropriation would authorize the direct appropriation of $2,500,000 for the construction and expansion of hospital facilities at the George Washington University.

Mr. McMILLAN. The purpose of the bill is to provide matching funds in the amount of $2,500,000 to George Washington University to construct 100 additional beds and certain research facilities and teaching facilities.

Mr. GROSS. Can the gentleman give me any idea how much we have provided for hospitals in the District of Columbia?

Mr. BROYHILL. Mr. Speaker, will the gentleman yield?

Mr. GROSS. Yes, I shall be happy to yield.

Mr. BROYHILL. The total Federal grants amount to $40,455,453. That is for eight hospitals here in the District of Columbia. Incidentally, under the District of Columbia Hospital Center Act the Federal Government makes a grant of 70 percent. In this particular bill we provide for only a 50 percent matching grant, provided the other 50 percent is raised by private subscription.

Mr. GROSS. Why are not the hospitals in the District of Columbia built under the provisions of the Hill-Burton Act?

Mr. BROYHILL. In the first place, as the gentleman knows, the District of Columbia is the Nation's Capital. It is different than any other section of the country.

Mr. GROSS. How does that make it different from the standpoint of taking care of the ill, the infirm, and so on and so forth? Why does it make any difference?

Mr. BROYHILL. The Congress of the United States has legislative responsibility in the District of Columbia. The Federal Government owns approximately 50 percent of the property in the District of Columbia, on which we do not pay taxes; instead, we make a contribution of approximately $30 million a year to the operation of the District of Columbia. I would say to the gentleman that the Federal Government, as a property owner, is faring very well here in the Nation's Capital.

Mr. WALTER. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield.

Mr. WALTER. I think it is important in the consideration of this legislation to bear in mind the fact that the hospital which will benefit through the enactment of this legislation is the only downtown institution remaining. I think four hospitals were moved into outlying districts with the result that the accident load in this hospital is much larger than would ordinarily be the case; and I repeat, it is the only remaining downtown hospital, and it is a public hospital even though it happens to be connected with the George Washington University.

Mr. GROSS. I wonder if we will have enough hospital facilities to take care of the situation in the District if we continue to have a need for emergency services rendered by this hospital, and for that matter, other hospitals in the District, to take care of emergencies such as that was mentioned in today's paper where a public transportation bus was invaded by a group of young hoodlums, a bus with 30 passengers on board. These hoodlums attacked the driver, severely beat him, and stole his money. The passengers were unloaded and put aboard another bus but not one of the 30 passengers would give his or her name as a witness except a 17-year-old boy. I wonder if Congress can appropriate enough money to take care of the victims of all this lawlessness in the District of Columbia.

Mr. KEARNS. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield.

Mr. KEARNS. Do you know what I would like to do? This hospital we are speaking about is more or less a tribute to our Speaker of the House of Representatives. CARROLL KEARNS from Pennsylvania would like to be a factor in trying to get this bill passed.

The SPEAKER. The time of the gentleman from Iowa has expired.

(By unanimous consent (at the request of Mr. GROSS) he was allowed to proceed for 5 additional minutes.)

Mr. McMILLAN. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from South Carolina.

Mr. McMILLAN. I would like to say to the gentleman that we took into consideration the fact that the District of Columbia does not fare as well as the various States under the provisions of the Hill-Burton Act for one reason that 200,000 Government people are not counted in the census of the District of Columbia. They were counted in their individual States. That reduces the per capita number of beds under the Hill-Burton Act. The average for the States is four, while for the District it is six beds per thousand.

Mr. GROSS. If I understand the gentleman correctly, and under the Hill-Burton Act, the District of Columbia could not qualify because of the fact that it far exceeds the national criteria for beds per 1,000 patients?

Mr. McMILLAN. That is correct. And the reason for that is there are about 200,000 Government employees, in addition to approximately 100 embassies with thousands of personnel. Outside the census, members of the Armed Forces, for instance, and others, who are located here. They have to be hospitalized but are not counted in the census and does not reflect properly in connection with beds available per capita.

Mr. GROSS. The District of Columbia already exceeds the number of hospital beds by about 2 percent of the national average; is that right?

Mr. McMILLAN. Yes. According to the census but not actual count of floating population.

Mr. GROSS. But you want the taxpayers of all the country to provide $2½ million through the process of this bill to expand hospital facilities in the District. In view of the fact that the District is already far above the national average in beds per 1,000 patients, the only excuse you can give for the bill is that you want to expand the medical facilities, medical training and care facilities, at this hospital. Are you prepared to accept an amendment that would provide that each State get $2½ million to expand their medical training facilities?

Mr. McMILLAN. I certainly would approve an amendment of that nature if it were germane to this bill. In fact, there is a bill coming out of the Committee on Interstate Commerce which will assist other medical schools. I know that we have a great shortage of doctors in my district. We have towns of 1,500 people without a doctor.

Mr. GROSS. It is my understanding that the District of Columbia has the highest per capita income of any comparable city in the United States, I suppose.

Mr. McMILLAN. I have no particular reason to have any special love for the District, but I want to see the people working for the District of Columbia and the U.S. Government have sufficient hospital beds in our Nation's Capital in addition to the residence shown in last census.

Mr. GROSS. They already have them.

Mr. McMILLAN. They say they do not.

Mr. GROSS. Hospital beds here are available far above the national average.

Mr. McMILLAN. Yes, but it is very difficult to get a bed in a hospital here at times.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Oklahoma.

Mr. ALBERT. Is it not true you have a little bit different situation? The District of Columbia is limited in its population to the District. It is different from the average metropolitan area, in that the metropolitan area here is not within the District of Columbia but is a burden upon the hospitals within the District of Columbia.

Mr. GROSS. Why do not these contiguous areas then build hospitals to take care of the people who work here yet do not pay any taxes in the District of Columbia?

Mr. ALBERT. That question is not before us.

Mr. GROSS. Why should the taxpayers of the country be saddled with this?

Mr. ALBERT. For the reason, first of all, we have it already with respect to all the other hospitals in the District of Columbia.

Mr. GROSS. I understand that, but as the old saying goes, two wrongs do not make a right.

Mr. ALBERT. But I do not think this is a wrong.

Mr. GROSS. Well, I do.

Mr. ALBERT. I do not admit that. But, the need has been demonstrated, if the gentleman will read the report. It seems to me that is the principal criterion, and if the Hill-Burton Act should be changed, we should change it and not take it out on the hospitals in the District of Columbia.

Mr. GROSS. I do not get that from the report. The report says in one place that legislation is needed because of the need for more hospital beds, and the report then goes on to say—I believe it is the Secretary of Health, Education, and Welfare, Mr. Ribicoff—that it is needed for medical training facilities.

Mr. ALBERT. It is needed for both. I think that the report makes it clear that it is needed for both.

Mr. GROSS. They already have 6.2 beds per 1,000 as compared with the national average of 4.5 per 1,000.

The SPEAKER. The time of the gentleman from Iowa has again expired.

Mr. HARRIS. Mr. Speaker, I ask unanimous consent that the gentleman be permitted to proceed for 3 additional minutes.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. HARRIS. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman.

Mr. HARRIS. I think it is in order to try to resolve what I think is a very appropriate discussion which the gentleman has brought to the attention of the House. Since we are all quite familiar with the Hill-Burton program coming from our Committee on Interstate and Foreign Commerce, I would like to say to the gentleman that in addition to what the distinguished chairman of the committee and our distinguished majority leader have said, within the District of Columbia there are only a few acres of land actually available and, as you know, the formula includes not only population but area. Now, because of the fact that there is such a small area within the District of Columbia, about the only part of the formula that amounts to anything in the District is the population itself. For that reason the Nation's Capital, Washington, with a population estimated, I think, at around 800,000, does not benefit under this formula on the same equality or equitable proportion as do the States of the Nation. Now, that was recognized, I will say to the gentleman, in connection with the Washington Hospital Center. And, it might be recalled that the total amount for the Washington Hospital Center, which this Congress provided, was, I believe, something like $23,410,000. Now, the share of that of the District of Columbia was $10,500,000. And, the same is true of other hospitals here in the District, I believe, in the use of Hill-Burton funds. There had to be special recognition given to them, and possibly the same consideration is being asked here for George Washington Hospital.

Mr. GROSS. But the District is supposed to have the highest income in the Nation, is that not true?

Mr. HARRIS. I think that is generally true. But, under the Hill-Burton formula you do not consider per capita income insofar as it relates to entitlement of the various States. You consider population and area.

Mr. GROSS. What I do not understand and never have is why, with this tremendous per capita income in the District of Columbia, the taxpayers cannot build some of the bridges, stadiums, and so on and so forth. Why do they have to go to the taxpayers of Iowa and Florida and everywhere else to get the money to do all these things for the District of Columbia?

Mr. HARRIS. I think that is a very good question. I have been seeking the answer for a long time myself.

Mr. ADAIR. Mr. Speaker, I move to strike the requisite number of words.

Mr. Speaker, I would like to put a question to the gentleman from South Carolina [Mr. McMILLAN]:

It is my understanding, based upon the report and what has been said here today, that if this legislation is favorably acted upon we will be doing for the George Washington University Hospital only what we have done for other hospitals in the District of Columbia? Can the gentleman give us some assurance upon that point?

Mr. McMILLAN. That is my understanding, and that is what the testimony showed at the hearings.

Mr. ADAIR. So, by acting favorably on this matter we are simply acting in equity and good conscience?

Mr. McMILLAN. In fact, we did more for the Washington Methodist Center than we are doing for the George Washington University.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. ADAIR. I yield to the gentleman from Iowa.

Mr. GROSS. Which ought to be an object lesson to the House of Representatives and to the Congress that once we initiate these programs there apparently is no stopping.

Mr. ADAIR. I think we would all have to agree that the gentleman is correct.

Mr. GROSS. This is the kind of a program that never should have been initiated in the first place. They should have been made to carry more of the responsibility than they are presently doing.

Mr. ADAIR. But once initiated—once the program is established, it is only proper and right that all hospital institutions be treated in the same way.

Mr. McMILLAN. Mr. Speaker, my committee reported H.R. 8916 to the floor of the House for your consideration and it is my opinion that the House should take favorable action on same. The only argument against this bill was the statement that we are doing more for the hospitals in the city of Washington than we are for the hospitals in the individual States.

However, if you will read the letter we received from the Secretary of Health, Education, and Welfare, you will note that he states that the District of Columbia is not treated on an equal basis with the individual States in sharing the funds we appropriate to carry out the provisions of the Hill-Burton Act. I realize that we have approximately 200,000 Government employees and their families residing in the District of Columbia in addition to thousands of members of the Armed Forces and their families who are not counted in the census as being residents of the District of Columbia. All these people must be provided with hospitalization in case of illness and the figures indicated in the testimony from the office of the Secretary of Health, Education, and Welfare during the hearings on this bill show that Washington has more hospital beds per capita than any State in the United States. However, it does not take into consideration the fact that we have a large floating population which must be hospitalized in case of illness.

I personally have never voted against an appropriation for extending hospital facilities in the States or in the District of Columbia. I have also never voted against any funds for cancer and heart research and I am advised that George Washington University Hospital is extending its research laboratories in addition to adding approximately 100 beds. George Washington University Hospital, at the present time, has one of the outstanding cancer clinics in the Nation and it seems to me that if we are financially able to spend $7 billion in trying to send a man to the moon, we should be able to spend a few million dollars in trying to take care of the health of the people of this Nation.

I hope that the House will take favorable action on this bill since George Washington University, I understand, has already collected matching funds so that work can begin immediately in expanding the facilities at the George Washington University Hospital.

Mr. BROYHILL. Mr. Speaker, this bill will authorize the Federal Government to appropriate $2,500,000 toward the expansion and improvement of the George Washington University Hospital. These funds are to be matched by an equal amount from the university, which I understand has already been pledged or contributed by private sources.

There can be no question as to the need for this expansion of the hospital's facilities. The hospital was constructed during World War II, and wartime restrictions on materials necessitated a certain amount of compromise on the part of the university, both as to quality of construction and the amount of facilities obtained.

The George Washington University Hospital serves in two vital capacities as a highly essential part of the medical facilities of the Nation's Capital—for the treatment and care of the sick and as a training facility for medical students and interns—and its present plant is no longer adequate for either of these roles.

The present 427-bed capacity of the hospital does not accommodate the demand for admissions. Consequently, there is always a waiting list of patients seeking admission. In addition, other facilities of the hospital, such as operating rooms, X-ray and laboratory space, pharmacy, laundry, and dietary service, are not adequate for the present or future demand for patient care. In 1960, for example, the number of patients cared for in this hospital exceeded the maximum number which it was originally planned to accommodate by nearly 85 percent.

Concomitant with the crowding and inadequacy of the hospital's facilities for the treatment of patients, of course, is the detrimental effect of this situation upon the hospital's equally important role as a training facility for the university's medical students and interns. Improvement in the facilities of the hospital, such as H.R. 8916 will make possible, will very materially increase its effectiveness as a training ground for future physicians.

At present, approximately 35 percent of the patients cared for in the George Washington University Hospital are not

residents of the District of Columbia. This situation exists, of course, because the preponderance of the population of the Washington metropolitan area reside in the suburbs of Virginia and Maryland, and these suburbs do not provide sufficient hospital facilities to accommodate the needs of their own citizens. In view of this fact, and also because of the large floating population which Washington attracts because of its status as the Nation's Capital, I feel strongly that the Federal Government should share in the cost of this project. While it is true that the present George Washington University Hospital was built by a Federal grant under the Lanham Act, the university paid the very considerable costs of the land and the equipment. Also, George Washington University Hospital is the only voluntary hospital in the District which has not received Federal funds for construction under the Hospital Center Act.

If this $5 million project were authorized under the Hospital Center Act, the Federal Government's share of the cost would be $3,500,000, and the District of Columbia government would be obliged to pay $1,500,000. Under the terms of H.R. 8916, however, the Federal Government will pay only $2,500,000 and there will be no cost whatever to the District of Columbia. Thus, this bill represents a saving of $1 million to the Federal Government and $1,500,000 to the government of the District of Columbia, as compared to financing under the Hospital Center Act.

I recognize that this expansion of the facilities of the George Washington University Hospital is imperative as a major step toward meeting the increasing need for medical services and medical education in the Washington metropolitan area, and I take pleasure in endorsing H.R. 8916 as providing the best and soundest means of financing this vital project.

The SPEAKER. The question is on the amendment.

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HEALTH CARE FOR THE AGED

Mr. CURTIS of Missouri. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CURTIS of Missouri. Mr. Speaker, I desire to inform the House that I have a special order for 1½ hours this coming Thursday in the hope that we will finish our regular business so that I can utilize that time to answer the gentleman from California's [Mr. KING] special order of last week in which he discussed some of the issues involved in this problem of health care for the aged, and in which he made some attack on the American Medical Association.

Mr. Speaker, I have no brief for the American Medical Association, or any other group, but I am deeply concerned about fair debate and fair procedures in this issue of health care for the aged.

Mr. Speaker, I hope any other Members who would like to be present on Thursday and who would like to defend the use of the social security system for health care for the aged be present, because I certainly intend to present the arguments as to why this is a dangerous procedure for the health of all of us, and certainly would be damaging to health care for the older people.

THE 50TH ANNIVERSARY OF THE FOUNDING OF THE GIRL SCOUTS OF THE UNITED STATES

Mr. KEITH. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. CONTE] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. CONTE. Mr. Speaker, "If it isn't right, the girls won't take to it, and it won't last." Such was the byword of Juliette Gordon Low, first national president and founder of the Girl Scouts of the United States.

Mr. Speaker, today marks the 50th anniversary of this great American institution, and I feel it especially appropriate on this occasion to call the attention of the Congress to the outstanding record of this organization. For indeed over these past 50 years, the girls have "taken to the movement," it has "lasted," and "it is right."

For a half century, the Girl Scouts of the United States have offered informal education and training in the art and science of citizenship to literally millions of Amercan youth. Our Nation owes a substantial debt to their heritage, and it is fitting and proper that we here in the Congress honor their efforts today.

Since its inception in 1912, this organization and its great leadership have always recognized the desirability of preparing young girls in the rudiments of house and home. As well, or perhaps even with increased fervor, they have also concentrated on the preparation of America's young girls for their role in our society. This, I think, is their outstanding contribution to our national character. The lists of prominent women in our country today, who had their first training in leadership as Girl Scouts, is lengthy and gratifying.

Likewise, over these first 50 years, innovation in programing has not been lacking in their movement. At every turn, Girl Scouts the world over were revolutionizing their status in what was predominantly a man's world. First to mind, of course, always comes the fact that it was the Girl Scouts who first introduced camping for girls. In camping, the Girl Scouts has led the way, not only in feminine circles, but they have established many trends in camping later adopted quite successfully by boys' institutions as well. They have proved in the past half century that the enjoyment and enrichment of one's person through healthful outdoor living is not exclusively for boys.

The Girl Scouts of the United States have also developed warm and meaningful relationships with girls overseas and in many farflung parts of the world through their membership in the World Association of Girl Guides and Scouts. In more than 50 countries the free and wholesome, friendly exchange of ideas and cultures between international Girl Scouts has greatly fostered the mutual causes of world peace and understanding. Such exchanges are possible within the Girl Scout movement through such programs as the Juliette Low World Friendship Fund which provides the means for exchanges on an international level.

Of course, the Girl Scout program could not be the success that it is without the devoted and tireless guidance and leadership of the many well-trained, voluntary, and skillful adult leaders. The training program of the Girl Scouts of the United States has set an enviable pattern for similar organizations for years, and it has been a primary factor in the value of the movement.

Service to other people has always been a major objective of the Girl Scouts the world over. Built into their promise and law, by which every Girl Scout strives to live, service to their fellow man has been the heart of the Scout movement for 50 years. Who of us has never seen a Girl Scout assisting in a hospital, on a library project, with an oversea aid program, or in some civic function? I daresay, none of us. Girl Scouts are everywhere and always seeking out new and evermore useful ways in which they may expend their energies in behalf of others.

This is certainly a memorable occasion for this wonderful organization. One on which they prefer to look ahead toward the coming 50 years rather than back on the past 50 successful years. Through their various programs, the Girl Scouts of the United States have directly affected the lives of more than 2½ million American girls and 773,000 adult volunteers. Indirectly, they have given much to us all. As a Member of Congress, the husband of a den mother, and the father of three Girl Scouts, I am proud to recognize and congratulate the accomplishments of the last 50 years, not as 50 years completed, but rather as the first 50 years of a long and successful existence.

UNNECESSARY AIR FORCE EXPENDITURES

Mr. KASTENMEIER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. KASTENMEIER. Mr. Speaker, I would like to direct the attention of the House to three recent reports of the Comptroller General disclosing, in the area investigated, more than $25 million worth of unnecessary Air Force expenditures. These reports reviewed Air Force practice in maintaining aircraft for the

Military Air Transport Service, in operating the SAGE system and in procurement and storage policies.

Let me cite a few examples of the exceedingly poor business practices that have led to the aggregate sum wasted:

From the Comptroller General's report to Congress, February 1962, "Examination of Aircraft Maintenance Practices for Transport Aircraft in the Military Air Transport Service, Department of the Air Force" I found that in 1960 the Military Air Transport Service spent far more on maintenance and labor costs than private airlines with comparable practices and similar aircraft. Dollar loss: $13 million.

The Comptroller General's "Review of Programing and Procurement of Selected Operational Equipment and Communication Services and the Utilization of Certain Technical Personnel by the Department of the Air Force in the Semiautomatic Ground Environment System" indicates that in administering SAGE, radar warning and weapons control system, the Air Force failed to reduce equipment to actual needs as indicated by operational experience. They also failed to cancel contracts for equipment which experience showed to be unnecessary. Dollar loss: $10.8 million.

In addition, that report shows that the Air Force improperly calculated service charges for canceled services released to other users, generously underestimating actual costs. Dollar loss, $1.5 million plus.

Another report in "Review of Procurement and Storage of General-Use Hand Tools for the Air Force by General Services Administration" finds that as of 1960 GSA considered that 27 percent of its total Air Force hand tool inventory represented an oversupply. Dollar cost, $1.7 million. Annual cost of carrying the oversupply, $170,000.

These samples from 1 month of auditing reports show that the Air Force is by no means the most efficient business operation. Their recurrent demands for increased appropriations should be judged in the light of their record for sloppy administration and estimation of needs.

It is true that the Air Force has already instituted some corrective measures and should be commended for this; however, it is incomprehensible to me how the Air Force has managed its affairs with so little regard to efficiency and good commonsense business practices. Without the report by the Comptroller General, it appears that the Air Force would have continued compounding inefficiency with inefficiency.

I strongly urge the Air Force and the Department of Defense to respond immediately to the specific recommendations of the Comptroller General. I urge them in continuing their maintenance studies for the Military Air Transport Service to seek "the assistance of qualified representatives of the airline industry and the Federal Aviation Agency," and to "seriously consider the possibility of effecting greater economies by replacing, wherever militarily feasible, military mechanics in the MATS organization with civilian mechanics," as the report proposes. I highly recommend that the Air Force see that GSA receive sufficient information of its plans and needs in the future so that GSA can "effectively adjust procurement actions to realistic requirements."

In addition I strongly suggest that the Air Force take the initiative for further self-investigation and eliminate additional unwise business procedures.

CUBAN EMBARGO FULL OF LOOPHOLES AS RESULT OF ADMINISTRATIVE RULING—PRESIDENT REFUSES TO CLOSE LOOPHOLES

The SPEAKER pro tempore (Mr. BURKE of Kentucky). Under previous order of the House, the gentleman from Florida [Mr. CRAMER] is recognized for 15 minutes.

Mr. CRAMER. Mr. Speaker, I have today introduced a bill, the object of which is to plug the glaring and gaping loophole in the administration's embargo against the importation of goods from Cuba, as announced February 3 by the President. I feel compelled to bring this loophole to the attention of the House again, because the true object of the embargo is now being circumvented by the administration itself.

Mr. Speaker, as I understand it, the object of the embargo was to halt the flow of dollars to the Communist Castro Government of Cuba. The philosophy was to cut off the dollars by cessation of imports of Cuban goods and materials. I have no quarrel with this objective, and I am sure that the American people are in favor of the argument that we need to rid this hemisphere of Castro and his ilk.

And no group is more sympathetic to the objective of getting rid of Castro and communism than the good people of my district, including the 6,000 cigar workers of the city of Tampa, and this group, through its spokesmen, has often declared its willingness to make every reasonable sacrifice necessary in order to get rid of Castro, providing these sacrifices are backed up by other effective actions to get the job done.

But unfortunately, Mr. Speaker, it is now apparent that while the embargo on imports was ordered by the President, another executive agency was opening a gaping loophole I have referred to, and thus the administration, through its spokesmen in the Foreign Assets Control Division of the Treasury Department, has ruled that cigars made from tobacco imports from Cuba may be imported into the United States from foreign countries.

And, as a result, the people in my district lose their jobs, people in the Canary Islands and possibly Canada, Britain, West Germany, and other European Cuban tobacco importers get new jobs, and Castro still gets his dollars or other spendable currency to finance his hemispheric Communist efforts.

I think this, compounded by indifference to protests received, including my own, amounts to a cold-blooded and unconcerned attitude by the administration toward the plight of the 6,000 Tampa cigar workers, 10 percent of whom are already out of work as a result of the embargo. I say this further, because a Presidential White House assistant named Feldman was recently quoted in the newspapers as having said that the loophole could be plugged in 10 minutes, if necessary. And now I am wondering if the remaining 5,400 cigar workers in Tampa must be thrown out of work before the administration deems such a necessity to exist.

To repeat, Mr. Speaker, I am in favor of the purpose of the embargo, which is to drive the present Communist Government of Cuba from this hemisphere, but I must protest when that embargo opens up a loophole that allows Havana tobacco, either as a finished or semifinished product, to come into this country at the expense of 6,000 cigar workers in my district, and many others in other areas of the country, who, in the main, are skilled in no other trade and who will experience great difficulty in obtaining other employment.

Many of these cigar workers are older citizens and are following what has long been a family trade, that of making largely handmade cigars.

My bill, Mr. Speaker, provides criminal penalties in the form of fines or imprisonment for the importation from any country into the United States of any article that is made of products grown, produced, processed, or manufactured in Cuba.

It also prohibits under the same penalties the export of further articles from this country to Cuba. The only exceptions to such imports and exports are those connected with the operation of any military or naval base of the United States situated in Cuba.

NEED FOR BILL CLOSING EMBARGO LOOPHOLES

I had hoped that the administration would immediately take action to close the gaping loophole by Executive order or administrative ruling preventing the importation of any goods from any country that contained Cuban exports, at least Cuban tobacco, but a deaf ear has been turned to our pleas.

The following articles by Leslie Gould, financial editor of the New York Journal-American, explain the plight of the Tampa cigar workers and the asininity of the administration's program, whereby one hand issues the embargo order while the other hand undercuts it, yet the administration refuses to acknowledge it:

[From the New York Journal-American, Feb. 22, 1962]

NEW RULING SENDS EMBARGO ON CUBAN TOBACCO UP IN SMOKE

(By Leslie Gould)

Relax and light up that all-Havana corona or panatela

There is going to be no shortage of Cuban imports, regardless of the widely publicized embargo ordered by President Kennedy on products from the Communist-controlled island off our shores.

The Foreign Assets Control Division of the U.S. Treasury has just ruled:

"Goods, including cigars, made from imports from Cuba may be imported into the United States from the Canary Islands."

The ruling was made by Mrs. Margaret W. Schwartz, Acting Chief of the Division.

COUNSEL AFFIRMS RULING

At Mrs. Schwartz's side when she handed down the decision was Stanley Sommerfield,

General Counsel of the Division. The pair further affirmed:

"Any and all goods processed or manufactured from Cuban imports in a country considered friendly (or at least neutral) may be imported into this country."

This makes a joke of the President's proclamation of February 3 ordering an embargo on trade between the United States and Cuba.

ORDER CLEARLY BANS IMPORTS

The Presidential order stated:

"Hereby prohibit, effective 12:01 a.m., eastern standard time, February 7, 1962, the importation into the United States of all goods of Cuban origin and all goods imported from or through Cuba; and hereby authorize and direct the Secretary of the Treasury to carry out such prohibition, to make such exceptions thereto, by license or otherwise, as he determines to be consistent with the effective operation of the embargo hereby proclaimed, and to promulgate such rules and regulations as may be necessary to perform such functions."

The order clearly prohibits all goods of Cuban orgin and all goods imported from and through Cuba, but the rulings of the Foreign Assets Control Division nullify the embargo. Cigars made outside Cuba from Cuban tobacco, as well as leaf processed may now be imported.

Leaf before it is made into cigars is stripped—that is, the stem is removed—and the leaf is cut up. If either of these processes is done outside Cuba, then the Cuban tobacco can be imported.

CANADA-MADE CIGARS EXEMPT

Before issuing this latest ruling, the Customs Service announced the embargo did not apply to Canadian-made cigars of Cuban tobacco. Now, this exception is extended to the Canary Islands or any friendly country, or at least neutral.

This now becomes no embargo at all, except to the large American companies now making all-Havana cigars at Trenton, N.J., and Tampa, Fla.—the two biggest such cigarmaking centers in the United States. They may, though, import processed leaf. Their other option is to move their factories to friendly countries such as Canada. This would cost American jobs.

When the embargo was announced it was stated Cuba would be shut off from $35 million in exports to the United States. This would cut off that many needed American dollars.

TWO MILLION DOLLARS A YEAR IMPORTS

Cuban cigar imports amount to around $2 million a year, plus imports of leaf.

For most cigarmakers—embargo or no embargo—this means very little. Havana-made cigars accounted for less than half of 1 percent of domestic cigar sales. Many of the other cigars, which are blends, do use Cuban tobacco. For blending, tobacco is obtained from the Dominican Republic, Jamaica, Puerto Rico and from U.S. growers.

In addition to Canada, Cuban tobacco is imported by Britain, West Germany and other Western European countries. Japan and Mexico also do business with Cuba.

The aim of the embargo on goods of Cuban origin was to bar dollars for Castro's use in carrying on his subversion in Latin America. The front door may be closed, but a back door has now been opened, and Castro will get his dollars.

[From the New York Journal-American, Mar. 5, 1962]

CUBAN CIGARS, SI, TWO HONG KONG SHIRTS, NO—THAT'S OFFICIAL

(By Leslie Gould)

This is a tale—or maybe tail—of two shirts from Hong Kong versus cigars from Castro's Cuba.

The shirts—$9 worth—can't come into the United States, but the cigars and tobacco—$35 million worth—can.

Who says?

The Acting Director of the Foreign Assets Control Section of the U.S. Treasury—Mrs. Margaret W. Schwartz.

Mrs. Schwartz, acting under orders from the Secretary of the Treasury, is afraid the aforesaid two Hong Kong shirts may have a little silk originating in Red China. They haven't, but she isn't sure because the gift shipment failed to include one of those certificates of origin.

"NO TICKEE, NO SHIRTEE"

So, the two shirts, costing about $4.50 each, are about to make the long return journey to Hong Kong.

That's the law, she says.

No tickee—that is, no certificate—no shirtee.

This is the law, so there is no point in quarreling with the bureaucratic mind.

But the same Mrs. Schwartz—also on orders from the Secretary of the Treasury—says it is OK to bring Cuban cigars and tobacco into the United States, as long as they first touch base in some other land. There is no question of origin, as in the case of the Hong Kong shirts—although both Red China and Cuba are Communist-run.

J.F.K. EMBARGOED CUBAN CIGARS

The Foreign Assets Control order permitting Cuban cigars and tobacco to come in through the backdoor is contrary to the spirit, if not the letter of a proclamation by President Kennedy to embargo trade with the Communist-dominated island off our shores.

The President's order stated:

"I * * * hereby prohibit, effective 12:01 a.m., eastern standard time, February 7, 1962, the importation into the United States of all goods of Cuban origin and all goods imported from or through Cuba."

There was a loophole in the order, giving the Secretary of the Treasury the power to make "such exceptions thereto, by license or otherwise, as he determines to be consistent with the effective operation of the embargo hereby proclaimed."

Under the apparent direction of the Secretary of the Treasury, Mrs. Schwartz has ruled:

"Goods, including cigars, made from imports from Cuba may be imported into the United States from the Canary Islands."

PLENTY OF CIGARS PROMISED

At the same time, Mrs. Schwartz and the Foreign Assets Control general counsel—Stanley Sommerfield—affirmed:

"Any and all goods processed or manufactured from Cuban imports in a country considered friendly (or at least neutral) may be imported into this country."

As a result of this ruling by Foreign Assets Control, one of the leading importers of Havana cigars has sent the good word out to its customers—

Stop worrying about the supply of Cuban cigars. There will be plenty for years to come. The market will be supplied by England.

CASTRO GETTING DOLLARS

The object of the embargo on cigars and tobacco from Cuba was to shut off dollars flowing into the pockets of the Red Premier of Cuba—Castro—who in turn was using the funds to finance Communist subversion in Latin America.

The only trouble is that Foreign Assets Control is allowing the dollars to flow indirectly into Cuba, but it is very stuffy about anything from Hong Kong—such as $9 worth of shirts.

What Mrs. Schwartz, the Acting Director of Foreign Assets Control, is in effect saying:

"It's OK to smoke Cuban cigars and tobacco, but not in Hong Kong shirts."

Mr. Speaker, I also received a mealy-mouthed, say-nothing, do-nothing reply to my request to the White House—not from the White House, but from the Department of State. In my letter of February 17, which follows, I requested that this loophole be closed:

FEBRUARY 17, 1962.

The Honorable JOHN F. KENNEDY,
President of the United States,
The White House, Washington, D.C.

DEAR MR. PRESIDENT: Reliable sources indicate that despite your Presidential embargo on imports from Cuba, specifically including Havana tobacco, this embargo does not include the importation of cigars made from Havana tobacco, which obviously leaves a substantial loophole that could negate the effect of the embargo order so far as tobacco is concerned. It is my understanding that other nations can export to this country cigars containing Havana tobacco and there is no restrictions against such importation, which obviously not only negates the embargo order but also works an undue hardship on the cigar industry and is patently discriminatory against the 6,000 cigar workers in Tampa, Fla., who have indicated their willingness to make necessary sacrifices in order to get rid of Fidel Castro and Communists in this country, provided you back them up and make the embargo fully effective.

It is obvious that Havana tobacco can be used for the manufacture of cigars in other countries to be shipped to the United States without restriction, that a gaping loophole does exist and that Castro can obviously acquire American dollars to aid in promotion of his Communist regime.

Therefore, I am requesting that you investigate this matter immediately and that the necessary Executive orders be issued to plug up this loophole so to thus deny Castro much needed financial backing for his communistic efforts, to combat this discrimination against the Tampa cigar industry, and that you at the same time consider other effective means to get rid of communistic strongholds and military threats to the peace of this hemisphere.

I call your attention to my wire of February 3 addressed to you, in which I made certain recommendations and to which I have not received a reply; to wit,

1. Recognition of and support for a free anti-Communist government in exile.

2. An announcement that the United States will not permit the in-shipment from Russia, Red China and Communist satellite nations of additional heavy war materiel which is being used to make Cuba a Communist stronghold and military threat to the peace of this hemisphere;

3. To shut off the $5 million drain from the payroll at Guantanamo, pay which is being stolen by Castro right outside the gates by forcing the exchange of dollars for pesos;

4. Establishing a firm policy relating to alliance-for-progress aid dollars that they will be available only to countries that back up the Punta del Este expulsion of Cuba by necessary sanctions in order to get rid of Castro;

5. That aid and assistance to Communist satellite nations and Communist sympathetic nations that will openly aid Castro, such as Poland, will be denied;

6. Prevention of further fiascos that aid Castro, such as permitting one of the ships carrying the jet fighters to Yugoslavia to stop in Havana in a cloud of secrecy and heavy guard;

7. To give relief to the Tampa cigar industry and its employees, inasmuch as this will become a substantial unemployment area as soon as the present stockpiles are exhausted;

8. To give tax relief to the industry for the loss that results, in that the industry has been unable to find an effective substitute

for Havana tobacco. Certainly if our foreign policy dictates the need for millions of dollars overseas to help win our fight for freedom, financial support and tax writeoffs to this industry at home, which will be hit hard by this ban, is likewise justified.

I would appreciate hearing from you.

With best wishes, I am,

Sincerely,

WILLIAM C. CRAMER,
Member of Congress.

Mr. Speaker, the reply which was to the effect that the administration intended to do nothing now, follows:

DEPARTMENT OF STATE,
Washington, March 10, 1962.

Hon. WILLIAM C. CRAMER,
House of Representatives.

DEAR MR. CRAMER: The Department of State has been asked to reply to your letter of February 17, 1962, addressed to the President concerning the embargo on the importation of Cuban goods. I am transmitting a separate reply to the matters which you raised in your telegram of February 3, 1962, to the President and to which you again refer in your letter.

The Department shares your concern over the possible circumvention of the embargo by the sale in the United States of cigars manufactured in other countries from tobacco grown in Cuba. The objective of the recent U.S. embargo on trade with Cuba, as you know, is to deprive the Castro regime of its dollar earnings in the United States and thus reduce the capacity of the Castro-Communists to engage in activities endangering the security of the hemisphere. The embargo does not apply to goods manufactured in another country containing Cuban components.

There is no indication of any significant increase since the effective date of the embargo in the importation of cigars manufactured abroad from Cuban tobacco. The Department, in cooperation with other agencies of the Government, is watching for any changes in the pattern of U.S. trade with other countries which may result from the embargo. If future developments indicate that the objective of the embargo is not being realized, we will take appropriate action under existing law or under such legislation as might be enacted.

Please call on us if we can be of any further assistance to you.

Sincerely yours,

FREDERICK G. DUTTON,
Assistant Secretary.

Mr. Speaker, it is obvious from the letter that only when the horse has been stolen—the $55 million Havana cigar market in the United States—by foreign countries will the barn door—the gaping loophole containing Cuban tobacco permitting foreign countries to ship into the United States, cigars, and even perhaps processed Cuban tobacco—be closed—and then maybe. It is obvious that it will take some time before an increase in Havana cigar imports from foreign countries will substantially increase, but I understand that foreign manufacturers are beginning to tool up to take advantage of this windfall. It thus becomes imperative that they be put on notice now that their trading with Cuba for export to the United States will not be permitted.

The following editorial from the Tampa Times of Friday, March 9, 1962, adequately answers the indifference of the administration to this problem:

CIGAR WORKERS HAVE A POINT

Tampa's cigar workers are frightened and angry.

They see in the Federal embargo on importation of Cuban leaf a threat to their credit and their livelihood. They ask themselves and each other, "What is to become of us?" They meet in stormy protest sessions and pledge a march on city hall. They condemn in bitter terms those who supported the embargo and plead for a word from the administration—a word of comfort, reassurance, explanation. And there is no answer.

The embargo challenges credulity. The Government says that no U.S. manufacturer may import the vital tobacco which goes into the making of the favored Havana cigar. But it does not say that Havana cigars made in other countries cannot be imported. Already there are signs that Cuban leaf barred from the United States will be purchased by Canadian, West German, Spanish, and other foreign cigar companies with an eye on the lucrative U.S. market.

Add it all up and there is but a single, discouraging answer. The embargo will not materially damage the economy of Communist Cuba. It is cutting the heart out of the cigar industry in Tampa and sending skilled workers into the streets in search of other jobs for which they have no training. It is paring the purchasing power of an important segment of our people with a demand for sacrifice that has no perceptible meaning.

And the effect is not just for today, tomorrow or the day after Castroism falls. There is danger of a permanent displacement and an end to the tradition of fine cigarmaking in Tampa.

No evidence has come from other parts of the United States that Havana cigars will be boycotted because tobacco in them was grown in Red-tilled ground. A cartoonist might picture an affluent character puffing on an imported Havana and shaking his head in concern over headlines listing the latest excesses of Castroism. That would adequately depict the element of irony which pervades the entire issue. And this point is inescapable: until the Government takes that Havana out of the cartoon figure's mouth by prohibiting imports of cigars containing Cuban tobacco, its embargo on bulk tobacco imports is meaningless.

When the Havana cigar market in the United States is destroyed, then—and then only—will there be firm basis for talk of marketing a substitute premium cigar.

In the meanwhile, what will happen to our people here?

There has been some talk at both the State and local level of aid to displaced cigar workers. But so far these individuals have seen no evidence of action to support promises.

We have heard, too, of pleas of faith in the administration's planning and suggestions that everything will work for the best. We would like to believe this. Perhaps if the several responsible Federal agencies in charge of ordering and enforcing the embargo would take Tampans into their confidence, there would be less tension and a broader attitude of cooperation with governmental planning.

Unfortunately, there are disturbing signs that planning lags behind reality. We hear reports that investors in several foreign countries have placed heavy orders for cigarmaking equipment and that New York distributors are telling their customers plenty of pure Havana cigars will be imported.

Against this background the Treasury Department has issued a vague statement that "it does not appear there has been any significant increase in the importation of cigars manufactured abroad from Cuban tobacco." (Of course not, the supply of Havana leaf in this country has not yet been exhausted.) And the Treasury spokesman adds: "If it appears * * * that the objectives of the embargo are being frustrated * * * appropriate action will be taken to fulfill (them).

But will the appropriate action be taken in time to save the jobs of several thousand Tampa cigar workers?

That is the question in search of an immediate answer.

Mr. Speaker, these circumstances leave me no alternative but to introduce legislation to plug this gaping loophole and to make the Cuban embargo truly effective in view of the refusal of the Kennedy administration to take the 10 minutes which its own White House spokesman, Mr. Meyer Feldman, admits is all it will take for the administration to act.

I have also requested that as soon as the Manpower Retraining Act is passed by Congress, which seems imminent, and is signed into law that the cigar workers of Tampa be given priority consideration and the full authority under the act be brought to bear to lighten the unemployment load already being felt in the Tampa cigar industry. I was assured by the chairman of the Education and Labor Committee and the ranking Republican when the House turned down my amendment to the bill that would have required such priority treatment, that it would be forthcoming so far as their recommendations were concerned without the amendment. I trust that the administration will implement this assurance made to me as representative of the Tampa cigar workers.

I intend to follow up my appeal on the House floor, and my requests to the President, with further requests to the Secretaries of Labor, and Health, Education, and Welfare who have the authority under the Manpower Retraining Act.

I also include hereafter a letter and resolution protesting this loophole from the Cigar Manufacturers Association of America, Inc.:

CIGAR MANUFACTURERS ASSOCIATION OF AMERICA, INC.,
New York, N.Y., March 8, 1962.

Hon. WILLIAM C. CRAMER,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN CRAMER: More than a month ago, the President proclaimed an embargo prohibiting the importation of all goods of Cuban origin. When the embargo was proclaimed, the cigar manufacturing industry assumed that it would be total in effect. The industry was and still is ready and willing to accept that pronouncement as the declared policy of our Government.

Now it appears that loopholes exist. The Foreign Assets Control Division of the Treasury Department has ruled that (1) cigars made of Cuban tobacco may be imported into the United States if made in a foreign country other than Cuba, and (2) Cuban leaf tobacco may also be imported if "substantially transformed" in such foreign country. The effects of these loopholes are more fully described in the enclosures.

This ruling has caused great consternation in the industry. The backdoor trading with Cuba permits Castro to continue to receive U.S. dollars indirectly. Moreover, the loopholes are an open invitation to unscrupulous speculators to profit at the expense of the American consumer, the U.S. cigar industry, and its employees. The cigar industry is and will be adversely affected by the embargo in its present form, particularly if merchandise comparable to that which it customarily produces or uses in production is made available in the U.S. market while the scrupulous manufacturer is denied access to Cuban raw materials through normal channels.

To avoid such back-door trading, our board of directors unanimously urged the President to make the Cuban embargo total in all its aspects. The enclosed resolution was sent to the President and certain members of his Cabinet.

We believe that the time has come for Congress to close all avenues of direct and indirect trading with Cuba. We respectfully request your assistance, through legislative means if necessary, to make the Cuban embargo total in effect.

We await your favorable action.

Respectfully yours,

CARL J. CARLSON,
President.

RESOLUTION OF THE BOARD OF DIRECTORS, CIGAR MANUFACTURERS ASSOCIATION OF AMERICA, INC., REGARDING THE CUBAN EMBARGO

Whereas the President of the United States by Proclamation No. 3447, dated February 3, 1962, proclaimed an embargo upon trade between the United States and Cuba and thereby prohibited the importation, effective 12:01 a.m., e.s.t., February 7, 1962, into the United States of all goods of Cuban origin and all goods imported from or through Cuba; and

Whereas it was stated by the President that the embargo "will deprive the Government of Cuba of the dollar exchange it has been deriving from sales of its products in the United States" and that "the loss of this income will reduce the capacity of the Castro regime, intimately linked with the Sino-Soviet bloc, to engage in acts of aggression, subversion, or other activities endangering the security of the United States and other nations of the hemisphere"; and

Whereas despite the avowed intention of the President in proclaiming such embargo, the Foreign Assets Control Division of the Treasury Department has ruled that cigars containing Cuban tobacco in whole or in part, manufactured in countries other than Cuba, may nevertheless be imported into the United States; and

Whereas it appears that such embargo, as provided for in said proclamation, does not affect Cuban tobacco if it is substantially transformed in a foreign country other than Cuba and is then imported into the United States; and

Whereas unless such embargo be total in effect, (1) the desired effects of the President's embargo proclamation will be nullified, (2) said embargo in its present form will permit back-door transactions with Cuba contrary to the spirit and intent of said proclamation, (3) the Cuban Government will continue to obtain foreign exchange; and

Whereas the Cigar Manufacturers Association of America, Inc., is a trade association composed of cigar manufacturers located throughout the United States whose production, in dollars and units, collectively represents in excess of 80 percent of the nearly 7 billion cigars sold in the United States: Now, therefore,

The Board of Directors of the Cigar Manufacturers Association of America, Inc., in meeting assembled this day, do hereby unanimously resolve, That we urge the President of the United States immediately to take such steps as may be necessary to prohibit the importation into the United States of all tobaccos grown in Cuba and tobacco products containing Cuban tobacco in whole or in part, regardless of where such tobacco products may have been manufactured or where such tobacco may have been transformed after the effective date of the embargo as aforesaid; and be it further

Resolved, That the executive committee of the Cigar Manufacturers Association of America, Inc., be and they hereby are empowered to publish these preambles and resolutions and to take such steps as they may deem desirable or necessary to effectuate the intent and purposes of these resolutions including but not limited to bringing them to the attention of Congress, if congressional action be required.

Mr. CRAMER. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

ARAB OIL OFFICIAL THREATENS TO CUT OFF MIDEAST SUPPLY

Mr. STEED. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. STEED. Mr. Speaker, the most powerful oil official in the oil-soaked Middle East is Sheik Abdullah Tariki, of Saudi Arabia. He is general director of petroleum and mineral affairs for that vast Middle East monarchy. He also is a director of Aramco, the combination of American companies which hold the Saudi Arabian oil-producing concession.

Mr. Tariki was educated at the University of Texas, but his sentiments and actions qualify him as a radical Arab nationalist. In an article on "The Oil of the Arab World," in the February 17 issue of the Saturday Evening Post, he reveals his contempt for the oil companies holding Middle East oil concessions and the Western nations which have bought more than $2.5 billion worth of his oil.

According to the Post article, Tariki "preaches a doctrine of integration" of the Arab world. He argues for ever-greater Arab control over Middle East oil. To achieve this control, he contends these Arab countries must act in concert.

Post writer Harold Martin attributes to Mr. Tariki this shocking statement:

> Some day we will unite. Once we are strong enough to shut down all the wells, and close the Suez Canal, and shut off the pipelines—even if only for a few days—the (oil) companies will suddenly see a great light. The world cannot live without the Mideast's oil.

Twice since World War II, Mr. Speaker, Arab nationalism has brought on frightening disruptions in the flow of Middle East oil. The first occasion came when the eccentric Premier Mossadegh nationalized the Iranian oil industry. The other was when the Egyptian dictator Nasser closed the Suez Canal and his Arab neighbors—out of a weird sense of sympathy—sabotaged the Middle East oil pipelines.

I need not remind my colleagues to whom our free world allies looked to fill the breach in these instances. They looked to the same source which provided most of the oil for World War I, for World War II, and to the source which must provide our first line of defense for world war III, should such a calamity ever be visited upon this worried planet. They looked to the domestic petroleum industry in the United States of America.

Our European allies, since the Suez crisis, have been worried and concerned. They indeed have cause for worry and concern. The NATO countries, through the Organization for Economic Cooperation and Development, have frantically sought, through compulsory stockpiling, to prepare themselves for the next impulsive denial of oil for their factories, their transportation systems and their homes.

We need no longer indulge in conjecture as to whether another Middle East incident will deny essential oil supplies to the free world. We need only speculate as to when this might occur. The most influential oil spokesman in the Middle East, Sheik Tariki, has served notice in language plain and blunt as to his desires and intent.

That intent, Mr. Speaker, is to bring the Western World to its knees for want of oil, and to make the oil companies operating in the Middle East see a great light.

I hope that my colleagues in the Congress of the United States do not have to wait for Mr. Tariki's impulsive and threatened oil crisis to see the light. I submit that the light already is plain enough. Laid bare in the glare of Mr. Tariki's vindictive warning is the fact that this Nation cannot afford and cannot indulge in dependence for its security, and for the security of its allies, on any oil except its own.

Those of us so long concerned with the problem of oil imports, which are undermining our oil security and our entire energy mobilization base, see here dramatic proof of our worst fears. We have been served notice, not in Arabic, but in plain English, by the American-educated Mr. Tariki, that when the time is right, and by his whim, the free world will be denied access to Middle East oil.

For whatever obscure purpose may possess him, Sheik Tariki is saying blandly that his grand design is to turn off the Middle East oil valve. Mr. Speaker, this is an awesome and frightening threat. It places the West in a fearfully uncertain and insecure position. Such action could indeed be devastating to the European nations now almost entirely dependent on the Middle East for oil.

The Saturday Evening Post depicts this European dependence on the Middle East as follows:

> Every day tankers from the Mideast deliver 2,500,000 barrels of oil to the refineries of Western Europe. These are our allies, the NATO countries. If this oil were cut off, their factories would shut down, the booming economy which supports their armies would collapse, and our defense against the land armies of Mr. Khrushchev would crumble.

This is the grim specter contained in the threat by Mr. Tariki to "shut down all the wells, and close the Suez Canal and shut off the pipelines."

I do not need to paint for my colleagues a picture of the implications of this threat. Mr. Tariki's words are so forthright and so vivid as to speak for themselves.

However, his warning strikes to the very heart of an issue now before this Congress and before the administration. That is the important question of whether or not we deal effectively with the crucial problem of oil imports, or whether by default we follow the alternative of becoming further and further dependent for essential energy supplies on the Tariki's and other equally emotional custodians of remote and insecure petroleum resources.

We need not submit to fear and radicalism. Fortunately for our country and for our allies, we have a choice in the matter. If we become dependent on Middle East or other foreign oil it will be as a matter of choice, not as a matter of necessity.

We are now at the point of decision. The awesome potential of the atomic bomb has so shocked the world that we may now hope it will not be used to trigger a world conflagration. But if we become dependent on Middle East oil then the closing of a valve by Tariki or the Suez by Nasser would force us into war. A strong domestic oil industry is insurance for peace. If we had not been able to give assurance that U.S. oil was available to Europe during the Suez crisis in 1956 war would have been inevitable. We must keep the domestic oil-producing industry strong during these perilous times.

I call to the attention of my colleagues that 375,000 barrels daily of Middle East crude oil and petroleum products were imported into the United States in 1961. This is a new record of imports from this turbulent and restless area. This record was established in spite of an import control program which was designed to stabilize imports and to reduce our dependence for oil on resources beyond our control.

Total imports from all sources into the United States also established a new record of 1,890,000 barrels daily. This is an increase of more than 450,000 barrels a day since 1956. In this same period, crude oil production in the United States has remained virtually static despite our capability to produce an additional 3,000,000 barrels daily now shut in for lack of market. In other words, in this 5-year period, the domestic petroleum industry has surrendered practically all of the increase in demand for crude oil and its products to foreign oil.

Is it any wonder that essential oil exploration, discovery, drilling, and development have dropped steadily in this period? Is it any wonder that the search for new domestic petroleum supplies has dropped by almost one-third in 5 years, reflected in a 30-percent decline in wildcat well drilling?

While the domestic oil-producing industry has suffered continuous deterioration during the past 6 years, all of the principal foreign oil-producing areas have enjoyed a substantial increase in production. For example, Middle East production increased 63 percent; Venezuela, 18 percent; Canada, 31 percent; and Russia, 100 percent.

We are by default and by sheer folly pursuing a course of almost certain dependence on foreign oil. We are not doing so by lack of places to drill. We are doing so by artificially and unnecessarily placing our dependence more and more on foreign oil, and thereby killing off incentives to drill.

We have no choice but to reverse this drift to dependence on foreign oil. It will require no dramatic or drastic actions. It does require that we stabilize oil imports in relation to domestic crude oil production, as the mandatory import program was intended but failed to do.

Independent domestic oil producers, who historically have found and developed 80 percent of domestic petroleum supplies, have requested only that imports be reduced by 250,000 barrels daily and that thereafter imports be permitted to increase or decrease in relation to domestic crude production. This would assure foreign oil a portion of any increase in petroleum demand. It would likewise, for the first time in 5 years, assure domestic producers a portion of the increase in their own market.

The reduction of oil imports by 250,000 barrels daily would constitute mild action. The bulk of imports today originates in Venezuela and the Middle East. Last year alone production in the Middle East increased 357,000 barrels daily and in Venezuela 60,000 barrels daily. Such a small reduction in imports could not have any substantial adverse effect upon the economies of those countries. Such action, however, would provide a very definite encouragement to the domestic industry. In my opinion it is essential that such action be taken if we are to revive the domestic industry.

The administration, through the Office of Emergency Planning, now has the oil import program under study. In the interest of maintaining a strong petroleum industry and our security as to oil, they can do no less than adopt the measures I have just described.

To do less is to risk placing this Nation further and further at the mercy of Mr. Tariki and his threat to close the wells, close the Suez and shut down the pipelines of the Middle East.

Petroleum is so vital to us that the threat of excessive imports should be removed by law. For this reason I expect to support action by Congress so as to provide these essential safeguards against growing dependence for ourselves and our allies on oil which, in peace, can be denied us through the capricious mischief of an emotional sheik, or, in war, could be effectively removed from use by the Soviet Union within a matter of hours.

THE IMPORTANCE AND THE INFLUENCE OF CONGRESS SINCE THE INCEPTION OF OUR GOVERNMENT

The SPEAKER pro tempore (Mr. BURKE of Kentucky). Under previous order of the House, the gentleman from Iowa [Mr. SCHWENGEL] is recognized for 1 hour.

Mr. SCHWENGEL. Mr. Speaker, I take the floor today for the purpose of discussing the work, the importance and the influence of the Congress since the inception of our Government.

These comments are inspired by and are a reflection on some books that have been written—published about this body recently. They are "An American in Washington," by Russell Baker; "History of the House of Representatives," by the Committee on House Administration, which is House Document No. 246 of the 87th Congress; and "The Wit and Wisdom of Congress" by Ed Boykin. I want to comment in some detail on Mr. Ed Boykin's book, "The Wit and Wisdom of Congress," today.

Several years ago, when Mr. Boykin wrote his enlightening and inspiring book "Congress and the Civil War," I took the floor and pointed out that this was a very fine contribution to American historical literature. In addition I suggested that the reading, studying, and seeking to understand history both as a citizen and as a legislator is more important now than ever before.

Also, at that time, I placed in the CONGRESSIONAL RECORD a brief outline of some things that I thought were highlights of this excellent book and a brief biographical sketch of this distinguished author which included the following:

Edward Boykin, whose ancestry dates back to 1678, and who has two relatives, FRANK BOYKIN and DAN FLOOD who are Members of this Congress, was born in historic Petersburg, Va. He attended Hampden-Sydney College, Virginia, and spent 3 years as a cadet at the U.S. Military Academy. After West Point, his first job was as a reporter on the famous New York Evening Journal where within 2 years he was promoted to the job of city editor.

After 6 years on the New York Journal, Mr. Boykin became impatient with the newspaper business and, though he loved it, decided to set new goals for himself. He had attracted the attention of the great inventor, Thomas A. Edison, during his editorial career and, eventually, accepted a position with Mr. Edison's company as public relations manager in charge of sales promotion. He moved up to sales manager and then director for one of the large divisions of the inventor's varied interests.

After his years with Mr. Edison's organization, Mr. Boykin joined the staff of one of the leading advertising agencies in New York where he soon was rated as a capable, successful advertising man.

His years as writer, editor, and advertising man cultivated Mr. Boykin's interest in American history. He found time, along with his many other activities, to write and have published six books on American historical subjects. At the same time he wrote two historical plays, "Lee of Virginia" and "Gentleman Unafraid." His Lee play was presented before sell-out audiences in the famous Barter Theater at Abingdon, Va. "Gentleman Unafraid" was a musical about West Point in Civil War time, written in collaboration with Oscar Hammerstein II, Jerome Kern, and Otto Harbach. Mr. Boykin's books include Congress and the Civil War, Living Letters From American History, the Wisdom of Thomas Jefferson, the Autobiography of George Washington, First American History Quiz Book, Second American

History Quiz Book, Famous American Documents and Letters, Shrines of the Republic.

Mr. Boykin is at the moment completing two new books, one to be published in January by Rinehart & Co., New York; the other to appear in the spring and published by Funk & Wagnalls.

As a radio personality he has conducted various successful national programs based on American history. He originated and conducted for 10 years the celebrated Americana Quiz. It was through this program he earned the title "Radio Professor of American History." He also originated and conducted the successful Your Washington program based on the history of the National Capital. At the same time he acted as master of ceremonies for the National Radio Forum formerly aired on the old Blue Network.

Mr. Boykin's permanent home is at Charlottesville, Va., though he spends considerable time between Jefferson's hometown and Washington, D.C.

In 1943 Mr. Boykin was selected to head the Thomas Jefferson Bicentennial Commission in Washington and more recently to hold the directorship of the National Capital Sesquicentennial Commission.

Since that time, he has authored and had published "The Ghost Ship of the Confederacy," which was also an excellent contribution to Civil War literature.

Now he has a book featuring an interesting and an unusual but valuable characteristic of the Congress, entitled "The Wit and Wisdom of Congress."

Before I comment further on the book itself, Mr. Speaker, I should like to further establish Mr. Boykin as a real authority on the work of the Congress.

He has read more from the CONGRESSIONAL RECORD throughout history, I believe, than any other living American. This experience and his study of this field has led him to say of Congress, on one occasion:

> If ever you have sat in the gallery of the Senate or House of Representatives at Washington, you may well say to yourself that you have been a spectator at the finest, the most far-reaching performance in world history. There is nothing else like it. The world has been the infinite gainer through the labors of the American Congress. Like the mills of the gods Congress grinds slowly, sometimes exasperatingly, yet out of its grinding have emerged the measures and laws by which this Nation has risen to world supremacy.

Those who have served the Congress can attest to the truth of this eloquent statement on the work of this legislative body.

On another occasion, Mr. Ed Boykin said:

> Ever since the day in 1774 when the First Constitutional Congress met at Philadelphia, the proceedings of our National Legislature have been watched by the world with intense self-interest. Starting with the Declaration of Independence in 1776 the acts of the American Congress have shaped the course of world destiny * * * and freedom. Today the eyes of mankind are even more closely fixed on Capitol Hill than at any time in our history. The repercussions of what Congress says and does are today felt almost instantly throughout the civilized and even the half-civilized world.

These, Mr. Speaker, say in a few words how this distinguished gentleman and author feels and indicates what he believes deeply about the Congress.

One time when I was visiting with him about this subject, he said to me:

> If only we could somehow instill such a belief in the body politic of America.

I agree completely with the intent and the impact he wished this to have by adding:

> We have a magnificent heritage, FRED. What appals me is how little the average man in the street realizes this fact.

Because I believe so sincerely that all Americans need to not only know more American history but to understand it better, I take this opportunity to call these important publications to your attention.

The book, "Wit and Wisdom of Congress," by Ed Boykin, is a treasury of anecdotes and epigrams, of quips and puns, nuggets of historic debate and gems of eloquence which have been unearthed from their entombment in the annals of Congress.

Mr. Boykin is a friend of mine and a cousin of the gentleman from Alabama by the same name. His book is a tour de force in which the author has plumbed the depths of the CONGRESSIONAL RECORD and its predecessors and, after much sifting and selecting, culled a delightful collection of wit and humor, puns and yarns, and amusing anecdotes. Digging out a bookful of wit and wisdom from the annals of Congress involved an immense amount of painstaking research, the results of which are most rewarding to the reader. The records of the House are full of heated debates and partisan encounters, of droll stories and delicious diatribes, and this book includes a fair sample of them all.

Whatever the subject—a mail route from Missouri to the west coast in 1829; a proposal to establish a fish hatchery at Tupelo, Miss., in 1901; a congressional investigation of immorality in current literature in 1952; or civil rights legislation in 1960—Congressmen never seem to be at a loss for words. In the course of debate, such subjects as draw poker, how to fry oysters, the mentality of Abraham Lincoln, and what Democrats and Republicans think of each other have been known to arise. Edward Boykin has undertaken the tremendous task of excavating, sifting and sorting out many examples of humor and malice, horsesense and purple oratory from the mountains of legislative verbiage. His anthology of the humor and eloquence of our forebears and colleagues down through the decades is indeed a unique achievement.

It might be well to point out what will be noted when you read the book, and everyone interested in Congress should read "The Wit and Wisdom of Congress."

A rich and varied vein of humor runs through the recorded debates of the U.S. Congress. Edward Boykin has assiduously mined that vein in this book.

One of the most striking aspects of this compilation is that it is not merely a collection of wisecracks and witty, sometimes vitriolic, retorts. Much of the cited humor cloaks serious aspects of Congress' work, illustrating by analagous anecdote or via that peculiar American genius for hilarious exaggeration the wisdom that so often underlies apparently superficial remarks.

The following anecdote, for example, might be entitled "Parliamentary Surgery":

> It may be remembered that Horace Greeley once wrote a book entitled "What I Know About Farming." Subsequently it became fashionable to perplex him with all sorts of queries about agriculture. One man wrote him inquiring the best way to cure a dog of killing sheep. Greeley promptly answered, "Cut off his tail just behind his ears." It seems to me, Mr. President, that the proper way to cure the Wilson bill which proposes to kill all the sheep in this country and rely upon other countries for wool, is to amputate this bill just below the enacting clause. (Senator Shelby M. Collum, of Illinois, 1894.)

Another anecdote illustrates Congress' faith in the basic commonsense of the American people:

> In 1869, when Senator George F. Hoar was a freshman in the House, Ben Butler, of Massachusetts, was the most quarrelsome buffoon in the Lower Chamber. Observed Senator Hoar to General Nathaniel Banks one day, "Don't you think it quite likely that Butler will be the next President of the United States?"
>
> "Never," replied Banks flatly.
>
> "Why, the papers are full of him every day," interposed Hoar. "People seem to be reading about nobody else. Wherever he goes crowds throng about him. Nobody else gets such applause, not even General Grant."
>
> "Mr. Hoar," said Banks, "when I came down to the House this morning there was a fight between two monkeys on Pennsylvania Avenue. There was an enormous crowd, shouting, laughing, cheering. They would have paid very little attention to you and me. But when they come to elect a President of the United States they won't take either monkey."

The relationship between Congress and the President was once the subject of an apt bon mot by former Speaker of the House "Uncle" Joe Cannon:

> A President without both Houses of Congress back of him doesn't amount to much more than a cat without claws in that place that burneth with fire and brimstone. (Representative Joseph G. Cannon, of Illinois.)

Finally we have a detailed description of the duties of a Congressman that is only slightly exaggerated:

> A Congressman has become an expanded messenger boy, an employment agency; getter-out of the Navy, Army, Marines; ward heeler, wound healer, troubleshooter, law explainer, bill finder, issue translator, resolution interpreter, controversary oil-pourer, glad-hand extender, business promoter, civic ills skirmisher, veterans' affairs adjuster, ex-serviceman's champion, watchdog for the underdog, sympathizer with the upperdog, namer of babies, recoverer of lost baggage, soberer of delegates; adjuster for traffic violators, voters straying into Washington and into the toils of the law, binder up of broken hearts, financial wet nurse, good samaritan, contributor to good causes—there are so many good causes—cornerstone layer, public building and bridge dedicator, ship christener. To be sure, he does get in a little flag waving and a little constitutional hoisting and spread-eagle work, but it is getting

harder every day to find time to properly study legislation—the very business we are primarily here to discharge and that must be done above all things. (Representative Luther Patrick, of Alabama, 1940.)

These few examples of comments by Congressmen that are humorous, drive home a serious point, and reflect a characteristic that is interesting, entertaining, and constructive most certainly should be read by Congressmen who are seeking to serve their constituency, their State, and their Nation in this difficult time.

Reading from these pages will help to give them perspective, understanding, and assurance as they contend with these challenges.

Therefore, I urge every Member of the Congress to have a copy on his desk for ready reference.

To those who are serious students of the Congress, the history of our country, and of the legislative processes, I recommend its reading.

To all who are interested in understanding the philosophies which we try to represent as compared with the study of other systems that legislate for the people, I urge its study.

And, to those who are responsible for providing the library shelves with worthwhile reading I recommend that you buy it and put it on the shelves where the people of your community who cannot afford to buy books may have it made available to them through the principal public and private libraries all over this country.

From this it can be seen that I am enthusiastic about this book and it is my hope that it will get wide circulation and will be widely and thoughtfully read.

I would like, in addition, to call special attention to another book. This book is written by Russell Baker and entitled "An American in Washington."

"AN AMERICAN IN WASHINGTON," BY RUSSELL BAKER, KNOPF, 1961

This book is dedicated, perhaps facetiously, to easing the tensions between the United States of America and the District of Columbia. According to the jacket, it is a guide for unwary innocents and a primer for rogues and the socially insecure, for freshman Senators and aspiring Presidents, for bureaucrats still unskilled at bamboozling the citizenry, and for their future victims.

Russell Baker, author of the book, is a member of the Washington bureau of the New York Times whose present assignment is the Senate. Of the book's ten chapters, only two deal with the Congress and they focus largely on the Senate. The book is a gentle and witty satire on Washington mores, institutions, and people—from hostesses to investigators.

In his chapter on "The Hill," the author gives a humorous description of relations between the President and Congress, the internal organization and duties of Congress, and the physical layout and facilities of the Capitol. He writes about Senate filibusters, minority rule in the Senate, and how to be a successful Senator. In a section on the "not so lower House" the author describes the differences between Senators and Representatives and portrays those "veteran lords of the House," those "titans of the citadel," with a laudatory vignette of Representative CARL VINSON.

In the quiet of its committee rooms—

Writes Mr. Baker—

the House usually seems to do a more competent job on legislation than the Senate, where committee operations are much more loudly publicized.

And he concludes that "not only is the House, in its unobtrusive fashion, a worthy peer of the Senate but it also contains a nucleus of Members just as powerful as the Senate's most celebrated overlords."

There follows a chapter entitled "In Toga and Gumshoe" in which the author sketches the "typical pattern" of congressional investigations and offers advice to prospective witnesses on "how to be investigated."

This book does not purport to be a serious treatise on government in Washington and should not be taken seriously. It points the finger of fun at the ways of Washington and helps us to laugh at ourselves.

Also, I should like to say that the Committee on House Administration is to be congratulated for bringing out House Document No. 246 of the 87th Congress, entitled "History of the House of Representatives."

Strangely enough, nothing resembling a comprehensive history of the House had been published since nearly half a century ago. This document, prepared in the Legislative Reference Service at the committee's request, therefore fills a very real need. The author of the history is Dr. George B. Galloway, senior specialist in American government and public administration in the service.

I am a firm, yes, a passionate believer in the study of the history of our institutions. The more we learn of the beginnings and the growth of our system of government, the more profound will be our understanding of its present nature and purposes and our vision of its future.

For me, therefore, reading this history of the House was not just a matter of satisfying my curiosity about great leaders long since departed and great events long since transpired. Rather, I was inspired, to borrow the words in the chairman's preface, to—I quote—"appreciation of the vitality and genius of our legislative institution."

The history of the House mirrors the history of the grandest and most successful venture of all time to find a satisfactory solution to the toughest of all problems—the government of mankind. The debates concerning the House in the Constitutional Convention of 1787 reveal not only the high level of the deliberations of the Founding Fathers, but also their genius for arriving at sound and politically acceptable decisions. Of almost equal interest and value is the record of the House in the First Congress, because of the many significant precedents established.

Much inspiration, and illumination, too, can be found in the evolution of the organization and procedures of the House: the House rules, its committee system, and its leadership. Historical perspective likewise deepens one's understanding of the several aspects of the business of the House dealt with in this study: the growth of the legislative function of the House; the long history of its supervisory or oversight function with respect to executive departments and agencies; and the expanding role of the House in the area of foreign affairs.

In short, the committee has done the Members of the House and the public a genuine service by arranging for the preparation and publication of this history of the House.

Mr. Speaker, the information in this House document, along with certain additional material, is available in a book entitled "History of the House of Representatives," by George Galloway. He also was the author of "Legislative Processes in Congress." The material is substantially the same but it has certain interesting and worthwhile additions including 34 photographs of some of the mighty and great men of an earlier date as well as some of the present time.

These are accompanied by some thumbnail sketches that will be found to be both interesting and worthwhile.

Also included is a chapter on the relation between the Congress and the President.

These two books, that is House Document No. 246 of the 87th Congress, and "History of the House of Representatives," by Galloway, are fine reference books. Both treat the history of the House with a sympathetic interest.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. MCVEY (at the request of Mr. HALLECK), from March 12 through March 14, on account of illness in the family.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. CRAMER, for 15 minutes, today.

Mr. CURTIS of Missouri, for 90 minutes, on Thursday, March 15, 1962.

Mr. ROUSSELOT (at the request of Mr. KEITH), for 1 hour, on March 13.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. DULSKI.

Mr. O'KONSKI.

Mr. ASHBROOK and to include extraneous matter.

(The following Members (at the request of Mr. KEITH) and to include extraneous matter:)

Mr. FINO.

Mr. ALGER.

(The following Members (at the request of Mr. ALBERT) and to include extraneous matter:)

Mr. RAINS.

Mr. TEAGUE of Texas.

Mr. RODINO.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 1023. An act to amend the act of August 20, 1954 (68 Stat. 752), in order to provide for the construction, operation, and maintenance of additional features of the Talent division of the Rogue River Basin reclamation project, Oregon; to the Committee on Interior and Insular Affairs.

ENROLLED BILL SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that the committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 3879. An act to authorize and direct the Secretary of Agriculture to convey to the State of Wyoming for agricultural purposes certain real property in Sweetwater County, Wyo.

ADJOURNMENT

Mr. O'BRIEN of New York. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 2 minutes p.m.) the House adjourned until tomorrow, Tuesday, March 13, 1962, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1790. A letter from the Chairman, U.S. Advisory Commission on Information, transmitting the 17th Report of the U.S. Advisory Commission on Information, dated February, 1962, pursuant to Public Law 402, 80th Congress (H. Doc. No. 360); to the Committee on Foreign Affairs and ordered to be printed.

1791. A letter from the Acting Secretary of Commerce, transmitting a draft of a proposed bill entitled "A bill to amend section 204 of the Agricultural Act of 1956"; to the Committee on Agriculture.

1792. A letter from the Deputy Secretary of Defense, transmitting a report setting forth the financial condition of working capital funds of the Department of Defense as of June 30, 1961, pursuant to section 405(c) of the National Security Act of 1947, as amended; to the Committee on Armed Services.

1793. A letter from the Deputy Assistant Secretary of the Army (Research and Development) transmitting a report on Department of the Army research and development contracts for $50,000 or more which were awarded during the period July 1 through December 31, 1961, pursuant to section 4 of Public Law 557, 82d Congress; to the Committee on Armed Services.

1794. A letter from the Assistant Chief of Naval Material (Procurement Division) Department of the Navy, transmitting the Department of the Navy's semiannual report of research and development procurement actions of $50,000 and over for the period July 1 through December 31, 1961, pursuant to title 10, United States Code, section 2357; to the Committee on Armed Services.

1795. A letter from the Chairman, Board of Governors of the Federal Reserve System, transmitting the 48th Annual Report of the Board of Governors of the Federal Reserve System for the year 1961, pursuant to section 10 of the Federal Reserve Act, as amended; to the Committee on Banking and Currency.

1796. A letter from the President of the Board of Commissioners of the District of Columbia, transmitting a report relating to exempt reports for the calendar year 1960, pursuant to Public Law 846, 77th Congress; to the Committee on the District of Columbia.

1797. A letter from the President of the Board of Commissioners of the District of Columbia, transmitting a report relating to certain property exempted from taxation in the District of Columbia for the calendar year 1960, pursuant to Public Law 846, 77th Congress; to the Committee on the District of Columbia.

1798. A letter from the Secretary of the Treasury, transmitting a draft of a proposed bill entitled "a bill to amend the act of March 2, 1929, and the act of August 27, 1935, relating to load lines for oceangoing and coastwise vessels, to establish liability for surveys, to increase penalties, to permit deeper loading in coastwise trade, and for other purposes"; to the Committee on Merchant Marine and Fisheries.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, pursuant to the order of the House of March 8, 1962, the following bills were reported on March 10, 1962:

Mr. MILLS: Committee on Ways and Means. H.R. 10606. A bill to extend and improve the public assistance and child welfare services programs of the Social Security Act, and for other purposes; with amendment (Rept. No. 1414). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS: Committee on Ways and Means. H.R. 10607. A bill to amend the Tariff Act of 1930 and certain related laws to provide for the restatement of the tariff classification provisions, and for other purposes; without amendment (Rept. No. 1415). Referred to the Committee of the Whole House on the State of the Union.

[*Submitted March 12, 1962*]

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. POWELL: Committee of conference. S. 1991. An act relating to the occupational training, development, and use of the manpower resources of the Nation, and for other purposes (Rept. No. 1416). Ordered to be printed.

Mr. POWELL: Committee of conference. H.R. 8723. A bill to amend the Welfare and Pension Plans Disclosure Act with respect to the method of enforcement and to provide certain additional sanctions, and for other purposes (Rept. No. 1417). Ordered to be printed.

Mrs. PFOST: Committee on Interior and Insular Affairs. H.R. 9822. A bill to provide that lands within the exterior boundaries of a national forest acquired under section 8 of the act of June 28, 1934, as amended (43 U.S.C. 315g), may be added to the national forest; without amendment (Rept. No. 1418). Referred to the Committee of the Whole House on the State of the Union.

Mr. CELLER: Committee on the Judiciary. Report pursuant to House Resolution 56 pertaining to ocean freight industry (Rept. No. 1419). Referred to the Committee on the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, pursuant to the order of the House of March 8, 1962, the following bill was reported on March 9, 1962:

Mr. MCMILLAN: Committee on the District of Columbia. H.R. 8916. A bill to authorize grants for planning and carrying out a project of construction for the expansion and improvement of the facilities of George Washington University Hospital in the District of Columbia; with amendment (Rept. No. 1413). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. COLLIER:

H.R. 10645. A bill to amend section 620 of the Foreign Assistance Act of 1961 so as to prohibit assistance under that act to the government of any country which is delinquent in compensating U.S. citizens for loss of any property by expropriation; to the Committee on Foreign Affairs.

By Mr. DORN:

H.R. 10646. A bill to amend title II of the Career Compensation Act of 1949 to provide that enlisted reservists called to active duty during the Berlin crisis shall be entitled to $100 per month additional pay for duty performed pursuant to that call; to the Committee on Armed Services.

By Mr. FINO:

H.R. 10647. A bill to amend section 6(o) of the Universal Military Training and Service Act to provide an exemption from induction for the sole surviving son of a family whose father died as a result of military service; to the Committee on Armed Services.

By Mr. CLEM MILLER:

H.R. 10648. A bill to establish an advisory committee from the housing industry to advise the Federal Housing Commissioner with respect to the conduct and operation of the programs under his jurisdiction; to the Committee on Banking and Currency.

By Mr. PURCELL:

H.R. 10649. A bill to amend the Subversive Activities Control Act of 1950 to authorize the payment of rewards to persons who furnish information leading to convictions of organizations or individuals of failure to register as required by such act; to the Committee on Un-American Activities.

By Mr. MILLS:

H.R. 10650. A bill to amend the Internal Revenue Code of 1954 to provide a credit for investment in certain depreciable property, to eliminate certain defects and inequities, and for other purposes; to the Committee on Ways and Means.

By Mr. ROGERS of Colorado:

H.R. 10651. A bill to amend title 28, United States Code, with respect to fees of U.S. marshals, and for other purposes; to the Committee on the Judiciary.

By Mr. ULLMAN:

H.R. 10652. A bill to amend the Administrative Expenses Act of 1946 to provide a more reasonable allowance for transportation of house trailers or mobile dwellings by certain governmental officers and employees upon their transfer from one official station to another; to the Committee on Government Operations.

By Mr. WEAVER:

H.R. 10653. A bill to amend the Small Business Act to provide that the program under which Government contracts are set aside for small-business concerns shall not apply in the case of contracts for maintenance,

repair, or construction; to the Committee on Banking and Currency.

By Mr. WILLIAMS:

H.R. 10654. A bill to support the price of soybeans; to the Committee on Agriculture.

H.R. 10655. A bill to amend section 402 of the Federal Aviation Act of 1958 to require approval by the Civil Aeronautics Board of certain schedules of foreign air carriers; to the Committee on Interstate and Foreign Commerce.

H.R. 10656. A bill to prescribe the oath of office of justices and judges of the United States; to the Committee on the Judiciary.

H.R. 10657. A bill to amend section 1002 of the Federal Aviation Act of 1958 to authorize the Civil Aeronautics Board to suspend certain rates relating to foreign air transportation, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. GILBERT:

H.R. 10658. A bill to amend the act of June 6, 1933, as amended, to authorize the Secretary of Labor to provide improved programs of recruitment, transportation, and distribution of agricultural workers in the United States, and for other purposes; to the Committee on Education and Labor.

H.R. 10659. A bill to provide for the establishment of a Council to be known as the "National Citizens Council on Migratory Labor"; to the Committee on Education and Labor.

H.R. 10660. A bill to provide grants for adult education for migrant agricultural employees; to the Committee on Education and Labor.

H.R. 10661. A bill to provide certain payments to assist in providing improved educational opportunities for children of migrant agricultural employees; to the Committee on Education and Labor.

H.R. 10662. A bill to amend the Fair Labor Standards Act of 1938 to extend the child labor provisions thereof to certain children employed in agriculture, and for other purposes; to the Committee on Education and Labor.

H.R. 10663. A bill to amend the Fair Labor Standards Act, 1938, as amended, to provide for minimum wages for certain persons employed in agriculture, and for other purposes; to the Committee on Education and Labor.

H.R. 10664. A bill to amend title V of the Social Security Act to further assist States in establishing and operating day-care facilities for the children of migrant agricultural workers; to the Committee on Ways and Means.

By Mr. CRAMER:

H.R. 10665. A bill to prohibit the shipment in interstate or foreign commerce of articles imported into the United States which consist in whole or in part of products of Cuba, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. McSWEEN:

H.R. 10666. A bill to limit the authority of the Commodity Credit Corporation to sell any farm commodity owned or controlled by it; to the Committee on Agriculture.

By Mr. RAINS:

H.R. 10667. A bill to amend title II of the Housing Amendments of 1955 to provide grants for community facilities; to the Committee on Banking and Currency.

By Mr. TEAGUE of Texas:

H.R. 10668. A bill to amend the act establishing the U.S. Study Commission on the Neches, Trinity, Brazos, Colorado, Guadalupe, San Antonio, Nueces, and San Jacinto River Basins; to the Committee on Public Works.

By Mr. TEAGUE of Texas (by request):

H.R. 10669. A bill to liberalize the provisions of title 38, United States Code, relating to the assignment of national service life insurance; to the Committee on Veterans' Affairs.

By Mr. AVERY:

H.R. 10670. A bill to declare that certain land of the United States is held by the United States in trust for the Prairie Band of Pottawatomie Indians in Kansas; to the Committee on Interior and Insular Affairs.

By Mr. ARENDS:

H.J. Res. 656. Joint resolution authorizing the Secretary of the Navy to receive for instruction at the U.S. Naval Academy at Annapolis two citizens and subjects of the Kingdom of Belgium; to the Committee on Armed Services.

By Mr. WESTLAND:

H.J. Res. 657. Joint resolution regarding Indian fishing rights; to the Committee on Interior and Insular Affairs.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Alaska, memorializing the President and the Congress of the United States relative to the initiation of Federal studies and programs regarding the condition and exploitation of the North Pacific and Bering Sea fisheries; to the Committee on Merchant Marine and Fisheries.

Also, memorial of the Legislature of the State of Alaska, memorializing the President and the Congress of the United States relative to the planning and construction of roads in Alaska, and urging the U.S. Congress to approve Senate Joint Resolution No. 137; to the Committee on Public Works.

Also, memorial of the Legislature of the State of Pennsylvania, memorializing the President and the Congress of the United States to enact legislation providing that milk may not be sold until the fallout has been extracted in order to make it safe for consumption; to the Committee on Agriculture.

Also, memorial of the Legislature of the State of Pennsylvania, memorializing the President and the Congress of the United States relative to making necessary amendments to the Federal highway law, in order to permit the erection of public telephones within the rights-of-way of the Interstate Highway System; to the Committee on Public Works.

Also, memorial of the Legislature of the State of Pennsylvania, memorializing the President and the Congress of the United States relative to supporting and enacting into legislation antirecession public works projects in depressed and distressed economic areas and further requesting support for the bill entitled "Stand-by Capital Improvements Act of 1962"; to the Committee on Public Works.

Also, memorial of the Sixth Legislature of Guam, memorializing the President and the Congress of the United States relative to respectfully requesting the extension to Guam of Federal financial assistance for economic development of the territory; to the Committee on Interior and Insular Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BALDWIN:

H.R. 10671. A bill for the relief of Klaus Dieter Jaensch; to the Committee on the Judiciary.

By Mr. KEARNS:

H.R. 10672. A bill for the relief of Dr. Chul Nam Lee, his wife, Hae Kyong Han, and their minor children, Myong Suk Lee, Ki Dong Lee, and Kyong Dong Lee; to the Committee on the Judiciary.

By Mr. McDONOUGH:

H.R. 10673. A bill for the relief of Eng (Ng) Yook Gee; to the Committee on the Judiciary.

H.R. 10674. A bill for the relief of Toshinori Kondo; to the Committee on the Judiciary.

H.R. 10675. A bill for the relief of Mrs. Umeno Taga; to the Committee on the Judiciary.

By Mr. MacGREGOR:

H.R. 10676. A bill for the relief of Dr. Shaoul G. S. Shashoua; to the Committee on the Judiciary.

By Mr. MILLER of New York:

H.R. 10677. A bill for the relief of the Albert Amato Electrical Contracting Corp.; to the Committee on the Judiciary.

By Mr. MORSE:

H.R. 10678. A bill for the relief of Angelo A. Russo; to the Committee on the Judiciary.

By Mr. RAINS:

H.R. 10679. A bill for the relief of Preston H. Haskell, Jr., and Ellis Taylor; to the Committee on the Judiciary.

By Mrs. WEIS:

H.R. 10680. A bill relating to the tax exempt status of the pension plan of Local Union No. 435 of the International Hod Carriers' Building and Common Laborers' Union of America; to the Committee on the Judiciary.

By Mr. YOUNGER:

H.R. 10681. A bill for the relief of certain employees of the Department of the Navy at the San Francisco Naval Shipyard; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

248. By the SPEAKER: Petition of Cynthia Schofield, corresponding secretary, Westfield Women's Republican Club, Westfield, N.J., petitioning consideration of their resolution with reference to requesting that action on the $200 million United Nations bond issue be postponed until a careful study has been made of the administration of United Nations revenues and its budgetary system, etc.; to the Committee on Foreign Affairs.

249. Also, petition of Eugene D. Williams, county clerk, county of Sonoma, Santa Rosa, Calif., relative to opposing any amendment to the Constitution of the United States which would subject the income from State and local bonds to a Federal tax or cause such tax to be increased because of such bondholdings; to the Committee on the Judiciary.

SENATE

MONDAY, MARCH 12, 1962

The Senate met at 12 o'clock meridian, and was called to order by the Vice President.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

O, Thou Eternal Spirit, whose holy purposes are beyond defeat, at the beginning of another week we come seeking Thy righteous will and craving Thine enabling strength to do it.

Thou knowest that constantly we pray "Thy kingdom come"; but we confess that often the flaming hope of that kingdom of understanding love has grown dim, as hatred and selfishness and man's inhumanity to man have desecrated the earth which could be so fair. But in

spite of temporary rebuffs, give us to see that wherever hatred gives way to love, wherever prejudice is changed to good will, wherever pain is soothed and ignorance banished, there Thy banners go and Thy truth is marching on.

So, with all our inadequacy, we pause this quiet moment in the sacrament of prayer, that amid all the din of conflict we may keep step with the distant drumbeat of Thy sure victory.

We ask it in the name of the One who for the ages has changed a cross of defeat into a crown of triumph, and whose kingdom has no frontier. Amen.

THE JOURNAL

On the request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, March 8, 1962, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE—ENROLLED BILL SIGNED

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the Speaker had affixed his signature to the enrolled bill (H.R. 3879) to authorize and direct the Secretary of Agriculture to convey to the State of Wyoming for agricultural purposes certain real property in Sweetwater County, Wyo., and it was signed by the Vice President.

CALL OF THE CALENDAR DISPENSED WITH

On request of Mr. MANSFIELD, and by unanimous consent, the call of the legislative calendar was dispensed with.

LIMITATION OF DEBATE DURING MORNING HOUR

On request of Mr. MANSFIELD, and by unanimous consent, it was ordered that statements in connection with the morning hour be limited to 3 minutes.

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. HUMPHREY, and by unanimous consent, the Internal Security Subcommittee of the Committee on the Judiciary was authorized to meet during the session of the Senate today.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of executive business, to consider the nominations on the Executive Calendar, beginning with that of Antonio C. Baza.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

The VICE PRESIDENT. If there be no reports of committees, the nominations on the Executive Calendar, beginning with that of Antonio C. Baza, will be stated.

U.S. MARSHALS

The Chief Clerk proceeded to read sundry nominations of U.S. marshals, beginning with the nomination of Antonio C. Baza, of Guam, to be U.S. marshal for the district of Guam for a term of 4 years.

Mr. MANSFIELD. Mr. President, I ask that these U.S. marshal nominations be considered en bloc.

The VICE PRESIDENT. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

U.S. ATTORNEY

The Chief Clerk read the nomination of Edward L. Shaheen, of Louisiana, to be U.S. attorney for the western district of Louisiana for a term of 4 years.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

PUBLIC HEALTH SERVICE

The Chief Clerk proceeded to read sundry nominations in the Public Health Service.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The VICE PRESIDENT. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The VICE PRESIDENT. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following communication and letters, which were referred as indicated:

EXTENSION OF TEMPORARY EXTENDED UNEMPLOYMENT COMPENSATION PROGRAM

A communication from the President of the United States, proposing legislation to make permanent the temporary extended unemployment compensation program; to the Committee on Finance.

REPORTS OF INSTITUTIONS, ORGANIZATIONS, CORPORATIONS, OR ASSOCIATIONS OWNING PROPERTY EXEMPT FROM TAXATION IN THE DISTRICT OF COLUMBIA

A letter from the President, Board of Commissioners, District of Columbia, transmitting, pursuant to law, reports of institutions, organizations, corporations, or associations, other than the U.S. Government, Government of the District of Columbia, and foreign governments, owning property exempt from taxation in the District of Columbia, for the calendar year 1960 (with accompanying reports); to the Committee on the District of Columbia.

REPORT ON USE BEING MADE OF TAX EXEMPT PROPERTY IN THE DISTRICT OF COLUMBIA

A letter from the President, Board of Commissioners, District of Columbia, transmitting, pursuant to law, a report on the use being made of tax exempt property in the District of Columbia, for the calendar year 1960 (with an accompanying report); to the Committee on the District of Columbia.

REPORT OF DAUGHTERS OF THE AMERICAN REVOLUTION

A letter from the Secretary, Smithsonian Institution, Washington, D.C., transmitting, pursuant to law, a report of the Daughters of the American Revolution, for the year ended March 1, 1961 (with an accompanying report); to the Committee on Rules and Administration.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A letter in the nature of a petition from Stanford University, Stanford, Calif., signed by Kenneth M. Cuthbertson, vice president for finance, praying for the enactment of the bill (S. 1586) to provide for a method of payment of indirect costs of research and development contracted by the Federal Government at universities, colleges, and other educational institutions; to the Committee on Government Operations.

SOIL AND WATER CONSERVATION—RESOLUTION

Mr. WILEY. Mr. President, realistic efforts to conserve our soil and water resources are absolutely essential, if we are to meet the needs of the future.

Over the years, our conservation programs have benefited tremendously from a dedicated leadership with a deep sense of preserving those valuable resources.

Recently, I was privileged to receive from Byron Berg, president of area 6 of the Association of Soil and Water Conservation District Supervisors in Wisconsin, a resolution relating to financing the conservation program for 1963.

Reflecting the authoritative recommendations of leaders in conservation, I believe this deserves the consideration of Congress and I request unanimous consent to have the resolution printed in the RECORD, and appropriately referred.

There being no objection, the resolution was referred to the Committee on

Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

WISCONSIN ASSOCIATION OF SOIL CONSERVATIVE DISTRICT SUPERVISORS,
Blanchardville, Wis., February 19, 1962.

Hon. ALEXANDER WILEY,
U.S. Senate,
Washington, D.C.

DEAR SENATOR WILEY: I have been asked to transmit to you the following resolution which speaks for itself:

"Whereas the conservation of soil and water is the basic responsibility of soil and water conservation district supervisors; and

"Whereas the demands for SCS technical assistance continues to increase; and

"Whereas the proposed Federal budget for the next fiscal year provides for no increase in appropriations for SCS assistance to districts and the proposed reduction in the 1963 authorization for the agricultural conservation program will reflect a decrease in funds available to the Service through the 5 percent transfers: Therefore be it

"*Resolved*, That the Area VI Association of Supervisors, including S. & N.C.D. governing bodies of Grant, Iowa, Lafayette, Green Lake, Marquette, Columbia, Dane, Green, and Rock Counties, at their annual meeting held in Monroe, Wis., on February 15, 1962, recommends that appropriations for the Soil Conservation Service be of sufficient magnitude to take care of our district's needs; and be it further

"*Resolved*, That the ACP-SCS transfer for technical assistance be increased from 5 to 7½ percent; and be it further

"*Resolved*, That a copy of this resolution be forwarded to Senators Wiley and Proxmire; Congressmen Laird, Thomson, Kastenmeier, and Schadeberg; and Secretary-Treasurer S. D. Macomber of the State association for action by the State body at its annual meeting."

If you agree with this proposal, we hope that you will use your influence in our behalf.

Sincerely yours,

BYRON BERG,
President, Area VI Association of S & WCD Supervisors

AID TO DEPENDENT CHILDREN—RESOLUTION

Mr. WILEY. Mr. President, recently I was pleased to receive from Richard Lindgren, county clerk of Kenosha, Wis., a resolution adopted by the Kenosha County Board of Supervisors.

The resolution favors a change in Federal law to permit local welfare agencies to issue vouchers in lieu of cash where it may be determined necessary for the proper care of dependent or minor children.

Believing the views of the board of supervisors deserves the consideration of Congress, I request unanimous consent to have the resolution printed in the RECORD, and appropriately referred.

There being no objection, the resolution was referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

Whereas present law governing the aid to dependent children (ADC) program of the welfare department was created to insure the protection of minor and dependent children; and

Whereas present Federal, State, and county participation in the sharing of the costs of the program is dependent upon the local agency's strict adherence to Federal and State regulations governing the program; and

Whereas the local welfare agency is responsible for casework investigation, determination of eligibility, followup, reviews and the determination of the amount of the money grant; and

Whereas it is desirable to exercise control in some cases where funds may be spent without due discretion by about 5 percent of these recipients: Therefore be it

Resolved, That the County Board of Kenosha County go on record favoring a change in the Federal law which would permit local welfare agencies to issue vouchers in lieu of cash grants where it may be determined necessary on a limited basis to insure the proper care of the dependent or minor children; and be it further

Resolved, That the county clerk of Kenosha County forward copies of this resolution to the elected representatives of this area in Federal and State Government.

RESOLUTION OF THE COUNCIL OF THE CITY OF NEW ROCHELLE, N.Y.

Mr. KEATING. Mr. President, I and many of my colleagues from the New York and New England areas are deeply interested in finding a solution to the grave problems besetting the New Haven Railroad. The Council of the City of New Rochelle, N.Y., has taken an active interest in this issue. I ask unanimous consent at this time to have printed in the RECORD a resolution adopted by the New Rochelle City Council urging Federal action in this vital area.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION 27

Resolution urging President John F. Kennedy to act with Federal aid on behalf of the New York, New Haven & Hartford Railroad and urging Gov. Nelson Rockefeller, Senators Jacob Javits and Kenneth B. Keating, and Congressman Edwin B. Dooley to continue their efforts to avert a possible shutdown of the New York, New Haven & Hartford Railroad.

Whereas, Gov. Nelson Rockefeller, together with the Governors of Connecticut, Rhode Island, Massachusetts, and New Hampshire have been acting in an effort to save the New York, New Haven & Hartford Railroad from a possible shutdown and Senators JACOB K. JAVITS and KENNETH B. KEATING, together with the Senators of Connecticut, Rhode Island, Massachusetts, Maine, Vermont and New Hampshire and Congressman EDWIN B. DOOLEY have called upon President John F. Kennedy to take action with recommendations during the current session of Congress with regard to the formation of a national transportation policy which will take into account the urgent crisis faced by the New York, New Haven & Hartford Railroad and the other railroads throughout New England and the northeast; and

Whereas the New York, New Haven & Hartford is the lifeblood of the city of New Rochelle and the entire northeastern section of the United States; and

Whereas chaos and confusion would result in these communities in the event of a shutdown of service of the New York, New Haven & Hartford Railroad and all living conditions, governmental, business, residential, cultural and social would be seriously jeopardized and affected, and every effort should be made to avert such a catastrophe which would undoubtedly result in a national calamity; and

Whereas the New York, New Haven & Hartford Railroad is essential and vital to national defense; and

Whereas, the city of New Rochelle and all communities in New York State along the route of the New York, New Haven & Hartford Railroad have given the railroad tax abatements amounting to 93 percent during 1962 a portion of which abatement is being assumed by the State of New York: Now, therefore, be it

Resolved, That this council respectfully petition the Honorable John F. Kennedy, President of the United States of America, to take all action within his power to avert the disastrous effects of a shutdown of service by the New York, New Haven & Hartford Railroad and respectfully call the attention of the President to the fact that the State of New York and the city of New Rochelle and other communities in New York State along the route of the New York, New Haven & Hartford Railroad have taken action to save the New York, New Haven & Hartford Railroad by substantial tax abatements amounting to 93 percent; and be it further

Resolved, That this council urge Gov. Nelson Rockefeller to continue his efforts to avert a possible shutdown of the New York, New Haven & Hartford Railroad and further urge Senators JACOB K. JAVITS, KENNETH B. KEATING, and Congressman EDWIN B. DOOLEY to continue their efforts to avert such a situation; and be it further

Resolved, That copies of this resolution be forwarded to Hon. John F. Kennedy, President of the United States of America, Hon. Nelson Rockefeller, Governor of the State of New York, Hon. Jacob K. Javits and Kenneth B. Keating, U.S. Senators representing the State of New York and Congressman Edwin B. Dooley and to the Governors and U.S. Senators of the States affected by the route of the New York, New Haven & Hartford Railroad, and be it further

Resolved, That this resolution shall take effect immediately

Authenticated and certified this 5th day of February 1962

STANLEY W. CHURCH,
Mayor.

CHARLES U. COMBS,
City Clerk.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. McCLELLAN (by request):

S. 2966. A bill to amend section 3470 of the Revised Statutes to authorize the heads of departments and independent agencies to appoint agents to bid on behalf of the United States, at sales, on execution at the suit of the United States, of lands or tenements of a debtor; and

S. 2967. A bill to amend the Federal Property and Administrative Services Act of 1949, to make title III thereof directly applicable to procurement of property and nonpersonal services by executive agencies, and for other purposes; to the Committee on Government Operations.

(See the remarks of Mr. McCLELLAN when he introduced the above bills, which appear under separate headings.)

By Mr. HUMPHREY (for himself and Mr. McCARTHY):

S. 2968. A bill to provide assistance to certain States bordering the Mississippi River in the construction of the Great River Road; to the Committee on Public Works.

(See the remarks of Mr. HUMPHREY when he introduced the above bill, which appear under a separate heading.)

By Mr. BEALL:

S. 2969. A bill to transfer certain administrative responsibility for the operation of Washington National Airport and Dulles International Airport from the Administrator of the Federal Aviation Agency to a Washington Airports Board, and for other purposes; to the Committee on Commerce.

By Mr. ROBERTSON (for himself and Mr. SPARKMAN) (by request):

S. 2970. A bill to amend the Small Business Act; to the Committee on Banking and Currency.

By Mr. ANDERSON:

S. 2971. A bill to declare that certain lands of the United States are held by the United States in trust for the Jicarilla Apache Tribe of the Jicarilla Reservation; to the Committee on Interior and Insular Affairs.

S. 2972. A bill to amend the Atomic Energy Act of 1954 as amended; to the Joint Committee on Atomic Energy.

By Mr. ANDERSON (by request):

S. 2973. A bill to revise the boundaries of Capulin Mountain National Monument, N. Mex., to authorize acquisition of lands therein, and for other purposes; and

S. 2974. A bill to exclude deposits of petrified wood from appropriation under the U.S. mining laws; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. ANDERSON when he introduced the last above-mentioned bill, which appear under a separate heading.)

By Mr. SMITH of Massachusetts:

S. 2975. A bill for the relief of Anastasios Vlloratos; to the Committee on the Judiciary.

RESOLUTION

COMMENDATION OF GIRL SCOUTS OF THE UNITED STATES OF AMERICA ON THEIR 50TH ANNIVERSARY

Mr. HUMPHREY submitted a resolution (S. Res. 304) to commend the Girl Scouts of the United States of America on their 50th anniversary, which was considered and agreed to.

(See the above resolution printed in full when submitted by Mr. HUMPHREY, which appears under a separate heading.)

AMENDMENT OF SECTION 3470 OF REVISED STATUTES, RELATING TO APPOINTMENT OF AGENTS

Mr. McCLELLAN. Mr. President, by request, I introduce, for appropriate reference, a bill to amend section 3470 of the Revised Statutes to authorize the heads of departments and independent agencies to appoint agents to bid on behalf of the United States, at sales, on execution at the suit of the United States, of lands or tenements of a debtor.

This bill, introduced at the request of the Administrator of General Services as a part of the legislative program of the General Services Administration for 1962, is intended to permit the heads of departments and agencies at whose instance a suit is commenced to foreclose a mortgage or for a judgment against a delinquent debtor, to appoint his agent to bid for the property up to the amount of the judgment and costs at the foreclosure sale, or on execution of a suit of the United States.

I ask unanimous consent that a letter addressed to the President of the Senate, dated February 19, 1962, from the Administrator of General Services, which sets forth the objective, justification, and background relative to the proposed legislation, be printed in the RECORD at this point as a part of my remarks.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the RECORD.

The bill (S. 2966) to amend section 3470 of the Revised Statutes to authorize the heads of departments and independent agencies to appoint agents to bid on behalf of the United States, at sales, on execution at the suit of the United States, introduced by Mr. McCLELLAN, by request, was received, read twice by its title, and referred to the Committee on Government Operations.

The letter presented by Mr. McCLELLAN is as follows:

GENERAL SERVICES ADMINISTRATION,
Washington, D.C., February 19, 1962.

Hon. LYNDON B. JOHNSON,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: There is transmitted herewith a draft of legislation "To amend section 3470 of the Revised Statutes to authorize the heads of departments and independent agencies to appoint agents to bid on behalf of the United States, at sales, on execution at the suit of the United States, of lands or tenements of a debtor."

This proposed bill is a part of the legislative program of the General Services Administration for 1962.

The bill is intended to permit the head of the department or independent agency, at whose instance a suit is commenced to foreclose a mortgage or for a judgment against a delinquent debtor, to appoint his agent to bid for the property up to the amount of the judgment and costs at the foreclosure sale or the sale on execution without first requesting and obtaining an appointment for that purpose from the General Counsel of the Treasury Department.

Section 3470 of the Revised Statutes (31 U.S.C. 195) provides that at every sale, on execution, at the suit of the United States, of lands or tenements of a debtor, the United States may, by such agent as the General Counsel for the Department of the Treasury shall appoint, become the purchaser thereof; but in no case shall the agent bid on behalf of the United States a greater amount than that of the judgment for which such estate may be exposed for sale, and the costs. General Services Administration, as the result of sales of surplus real property under the Federal Property and Administrative Services Act of 1949, has had occasion to request the Department of Justice to bring suits against delinquent purchasers for the foreclosure of purchase money mortgages. In such cases, in order to protect the Government's interest, it has been necessary for GSA to bid in the property at the foreclosure sales. There have also been occasions when GSA has had to bid at sales on execution in the enforcement of other types of judgments against debtors. Although GSA has authority under section 204(g) of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 485(g)), to administer and manage credit and any security therefor which has been extended in connection with the disposal of surplus property under that act or the Surplus Property Act of 1944, and to enforce, adjust, and settle any right of the Government with respect thereto, section 3470 of the Revised Statutes requires GSA to apply to the General Counsel of the Treasury for appointment of the Administrator, or his delegate, as agent to bid on behalf of the Government at each foreclosure or sale on execution.

Whatever may have been the historical reason for vesting in an officer of the Treasury Department the authority to appoint agents to bid for the United States, such function today appears to be no more than a mere formality. It is assumed that there are other agencies besides GSA which also have occasion to bid in property at foreclosure sales. Since the agency at whose instance suit is brought for the foreclosure of a mortgage has the requisite knowledge affecting the value of the property and the amount to be bid, it is logical that its agents or officers be the ones to bid at a foreclosure sale. There appears to be no reason why the General Counsel of the Treasury Department should have that exclusive authority. The proposed amendment would not affect the existing situation as to control of funds, and would in no way enlarge the authority of the executive agencies in that regard.

GSA urges prompt and favorable consideration of the bill.

The Bureau of the Budget has advised that, from the standpoint of the administration's program, there is no objection to the submission of this proposed legislation to the Congress.

Sincerely yours,

BERNARD L. BOUTIN,
Administrator.

S. 2966

A bill to amend section 3470 of the Revised Statutes to authorize the heads of departments and independent agencies to appoint agents to bid on behalf of the United States, at sales, on execution at the suit of the United States, of lands or tenements of a debtor

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of section 3470 of the Revised Statutes (31 U.S.C. 195), is amended to read as follows:

"At every sale, on execution, at the suit of the United States, of lands or tenements of a debtor, the United States may, by such agent as the head of the department or independent agency at the instance of which suit was instituted shall appoint, become the purchaser thereof; but in no case shall the agent bid in behalf of the United States a greater amount than that of the judgment for which such estate may be exposed for sale, and the costs."

AMENDMENT OF FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT, RELATING TO APPLICABILITY OF TITLE III THEREOF, IN CERTAIN CASES

Mr. McCLELLAN. Mr. President, by request, I introduce, for appropriate reference, a bill to amend the Federal Property and Administrative Services Act of 1949, so as to make title III thereof directly applicable to procurement of property and nonpersonal services by executive agencies, and for other purposes.

The bill is being introduced at the request of the Administrator of General Services as a part of the legislative program of the General Services Administration for 1962.

The primary purpose of this bill is to make the modern code of procurement procedures contained in title III of the Federal Property and Administrative Services Act of 1949 directly applicable by statute to executive agencies of the Government not now so covered.

I ask unanimous consent that a letter addressed to the President of the Senate from the Administrator of General Services, dated January 22, 1962, which sets forth the objective, justification and

background relative to the proposed legislation, be printed in the RECORD at this point, as a part of my remarks.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the RECORD.

The bill (S. 2967) to amend the Federal Property and Administrative Services Act of 1949, to make title III thereof directly applicable to procurement of property and nonpersonal services by executive agencies, and for other purposes, introduced by Mr. MCCLELLAN, by request, was received, read twice by its title, and referred to the Committee on Government Operations.

The letter presented by Mr. MCCLELLAN is as follows:

GENERAL SERVICES ADMINISTRATION,
Washington, D.C., January 22, 1962

Hon. LYNDON B. JOHNSON,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: There is enclosed for consideration a draft bill to amend the Federal Property and Administrative Services Act of 1949, as amended, so as to make title III thereof directly applicable to procurement of property and nonpersonal services by executive agencies, and for other purposes.

Section 201 of the Federal Property and Administrative Services Act of 1949 includes the provision that the Administrator of General Services shall prescribe for executive agencies policies and methods of procurement and supply of personal property and nonpersonal services. Section 205(c) of that act provides that he shall prescribe regulations he deems necessary to effectuate his functions under the act, and that the head of each executive agency shall issue orders and directives necessary to carry out such regulations. Section 212 of the act directs the Administrator annually, and at such other times as he may deem desirable, to submit recommendations to the Congress for such amendment to the act as may be appropriate as a result of administration of the act.

The primary purpose of this legislative proposal is to make the procurement procedures specified in title III of the Federal Property and Administrative Services Act of 1949 directly applicable to executive agencies. Presently the use of almost all title III procedures is permissive with most executive agencies under a general delegation of authority to such agencies made by the Administrator of General Services on March 10, 1959 (24 F.R. 1921).

Procedures corresponding to those of title III already apply to procurement by the Army, Navy, Air Force, Coast Guard, and National Aeronautics and Space Administration (10 U.S.C. 2303(a)). Accordingly, section 1 of the draft bill recognizes this existing authority as well as other authority of agencies to procure without regard to all or part of the Federal Property and Administrative Services Act of 1949, as provided, for example, in section 602(d) of that act.

Title III represents a modernized code of procedures for procurement by the Government of property and nonpersonal services. It concerns such matters as advertising, negotiation, small business, antitrust laws, covenant against contingent fees, cost-plus and incentive-type contracting, examination of contractors' books and records, and advance payments. Chapter 137 of title 10 of the United States Code (derived from the Armed Services Procurement Act of 1947) provides a similar version of this code for the Armed Forces and NASA. For agencies which do not use title III procedures pursuant to the delegation of authority made by the Administrator of General Services, or which do not come within chapter 137 of title 10 of the code, the only general legislative procurement-procedure directive is section 3709 of the Revised Statutes. Section 3709 merely requires formal advertising for procurement for the Government, except in certain specified cases. It is narrow and limited in application, and silent as to other important facets of procurement procedure, such as those provided in title III and chapter 137.

Section 302(a) of title III, which the first section of the enclosed bill would amend, as originally enacted in 1949 contained a rather circumscribed authorization to the Administrator of General Services to make delegations of title III authority to other executive agencies. This authorization was subject to a narrow construction, and under it but few delegations were made, which were, for the most part, of limited nature. However, Public Law 85-800, approved August 28, 1958, amended section 302(a) by liberalizing the authority of the Administrator to permit the use of title III by executive agencies, in order to promote uniformity and simplification in their procurement procedures. Accordingly, the Administrator, on March 10, 1959, issued a delegation of authority to executive agencies to use title III. On the same date he established the Federal Procurement Regulations System (24 F.R. 1993), which is now codified in subtitle A of title 41 of the Code of Federal Regulations.

This delegation of authority does not require executive agencies to use the procurement procedures available under title III but leaves such use permissive with them. The amendment proposed by the enclosed bill, making the provision of title III directly applicable to them, is therefore the logical extension of, and a proper complement to, what has already been achieved in systematizing and improving Government procurement. It would thus provide a common legislative foundation for uniform procurement practices by agencies under regulations prescribed by the Administrator. Until such controlling regulations are issued by the Administrator, agencies would apply the statutory powers in accordance with their own proper interpretation.

Section 2(a) of the draft bill deletes in paragraph (4) the reference to personal services and would limit the negotiation authorization of the paragraph to the procurement of nonpersonal services. As more fully explained in connection with section 7 of the draft bill, this amendment would bring the paragraph in line with the policy of Congress in assigning property management responsibilities to the Administrator of General Services.

Section 2(b) of the bill would add "Section 304 shall apply to such purchases and contracts" to paragraph (15) of section 302(c). The effect of this addition would be to make the restrictions of section 304, which are applicable to contracts negotiated under paragraphs (1) to (14) of section 302(c), similarly applicable to contracts negotiated under paragraph (15). The restrictions in section 304 pertain to limitations on the use of cost-type contracts, inclusion of a covenant against contingent fees, inclusion of an examination of records clause, etc. The amendment, therefore, would provide uniformity in the requirements applicable to negotiated contracts.

Section 3 of the enclosed bill would modify the examination of records clause required for negotiated contracts under section 304(c) of the act. As you know, this clause authorizes the Comptroller General to examine the books and records of contractors and subcontractors for 3 years after final payment. Some flexibility is needed in this requirement to facilitate purchases abroad. Accordingly, there has been developed with the Comptroller General the proposed proviso which permits the Comptroller General to approve omission of the clause where a foreign government objects to its inclusion or the laws of his country preclude a contractor from making such records available. The need for such flexibility in connection with foreign purchases has previously been recognized, e.g., in the Department of Defense (sec. 504, Public Law 86-500) and the Atomic Energy Commission (42 U.S.C. 2208).

Section 4 of the draft bill would interpolate in section 307(a) of the act a reference to section 205(d) of the act. This is a technical amendment applying only to the Administrator of General Services. It is intended to make clear that his authority to delegate under title III does not include authority to delegate authority to issue policy regulations applicable to executive agencies. Accordingly, the "implementing regulations" of section 302(a) mentioned in section 1 of this draft bill, for example, could be issued only by the Administrator.

By section 5 of the bill, which is purely technical, the second sentence of section 307(b) of the act would be deleted. Presently, this sentence provides that the power of the Administrator to make the delegations and determinations specified in section 302(a) shall be delegable only to the Deputy Administrator or to the chief official of any principal organizational unit of the General Services Administration. Deletion of this provision is appropriate because the proposed amendment of section 302(a), contained in section 1 of the draft bill, eliminates the references to delegation now contained in the text of section 302(a).

Section 6 of the bill, amending section 310 of the Federal Property and Administrative Services Act of 1949, is likewise technical. It is ancillary to section 1 of the draft bill amending section 302(a). Section 6 revises the text of present subsection (a), and eliminates present subsection (b), of section 310.

The proposed amendment of section 310 provides that neither section 3709 nor section 3735 of the Revised Statutes shall apply to the procurement of property or nonpersonal services by any executive agency. The former is the general statute (dating from 1861) requiring formal advertising for procurement of supplies and services for the Government, except in specified cases. The latter, of almost as great antiquity, prohibits executive departments from making contracts for stationery or other supplies for a longer term than 1 year. These statutes are already, under the present text of section 310(a), made inapplicable to procurement by GSA and, within the scope of authority delegated by the administrator, to any other executive agency. Similar provisions apply to the Armed Forces and NASA (10 U.S.C. 2314).

The amendment would delete reference to two other statutory provisions now stated by section 310(a) to be inapplicable to procurement under title III; namely, sections 1 and 2 of the act of October 10, 1940, 54 Stat. 1109, as amended (41 U.S.C. 6 and 6a), which set forth certain exemptions from section 3709. Said section 1 has been repealed (sec. 1 (98) to (105), 65 Stat. 705, Oct. 31, 1951). Under the terms of the amendments proposed by the bill, reference to section 2 is no longer necessary.

Elimination of subsection (b) of section 310 is the logical consequence of the amendments proposed by this bill making section 302 of the act, instead of section 3709 of the Revised Statutes, applicable to procurement by executive agencies. Under section 302(c)(15), as proposed for amendment in section 2(b) of this bill, exemptions heretofore given to agencies from the requirements of section 3709 are preserved, including statutory authorizations to procure "without regard to the provisions of section 3709, Revised Statutes," and the like. The proviso in section 310, as proposed for amendment, emphasizes preservation of these exemptions. Under the amendment proposed in section 2 of the bill, however, contracts negotiated under such exemptions are subject to the restrictions made applicable by section 304 to other negotiated contracts.

Section 7 of the bill would amend title III by inserting "nonpersonal" before "services" throughout the title. Section 1 of the bill already proposes such a change in section 302(a) of the act, section 2(a) in section 302(c)(4), and section 6 in section 310. The effect of these changes would be to conform the authority of the Administrator to the policy stated by Congress in section 2 of the act (to provide a system for the procurement and supply of personal property and "nonpersonal services") and to the responsibility vested in the administrator by section 201(a) of the act (to prescribe policies and methods of procurement and supply of personal property and "nonpersonal services").

With respect to services, it seems clear that the efficiency and economy sought to be accomplished through the regulatory activity of the Administrator can better be found in the field of nonpersonal services, more akin to property management, than in the field of personal services procurement. In connection with section 2(a) of the bill, it should be noted that section 3709 of the Revised Statutes (item 4) will be available to executive agencies for procuring personal services by negotiated methods. The first sentence of section 304(b) of the act is explicitly not affected by section 7 of the bill in order to preserve for personal services contracts the 6-percent maximum fee limitation applicable to contracts for architectural and engineering services.

Section 8 of the draft bill would amend section 602(d) of the act to include references to the Postmaster General's present authority with respect to the leasing and acquisition of real property and the Secretary of the Interior's authority with respect to procurement for program operations under the Bonneville power project. The bill thus recognizes and confirms the special and exceptional procurement authority over these matters which has hitherto been conferred by law (16 U.S.C. 832a(f); 39 U.S.C. 2102, 2103(a)(2), 2114). It is understood that administrative and housekeeping items are excluded from the term "program operations" and that, to the extent that these procurement programs would not be impaired by compliance with the Administrator's regulations, such regulations will be observed, as heretofore contemplated by the Congress and the President (H. Rept. 670, 81st Cong., 1st sess., 28; Presidential directive of July 1, 1949, 14 F. R. 3699).

Enactment of this bill would not affect the budgetary requirements of the General Services Administration or any other agency.

For the reasons given, GSA recommends early enactment of the proposed bill.

The Bureau of the Budget has advised that, from the standpoint of the Administration's program, there is no objection to the submission of this legislative proposal to the Congress.

Sincerely yours,

BERNARD L. BOUTIN,
Administrator.

THE GREAT RIVER ROAD

Mr. HUMPHREY. Mr. President, on behalf of myself, and my colleague, the junior Senator from Minnesota [Mr. MCCARTHY], I introduce, for appropriate reference, a bill to provide assistance for the 10 States bordering the Mississippi River in the construction of the Great River Road. This road would connect the Trans-Canada Highway leading to Alaska and the Atlantic seaboard with our great southern highway system, circuiting the Gulf of Mexico. Running along the banks of the Mississippi for 2,470 miles, it would link the extremes of the North American Continent and join with its South American counterpart, the Pan American Highway. When completed it will be one of the most important arteries in the national highway system and a visible sign of our desire for greater communication with our Latin American neighbors.

The Great River Road will be a parkway. It will enhance the beauty of the Mississippi River Valley by carefully preserving the unspoiled countryside and restricting roadside development. It will utilize the existing highways which meet the standards of parkway construction and improve upon those which do not. It will be a spur to acquisition by the States of lands for public recreation along the shores of the Mississippi. The tourist facilities will provide access for travelers to interesting aspects of American life. In Louisiana, for instance, the river road will run close to the historic plantation houses of the ante bellum sugar barons. It will then traverse the oilfields of the Lake of St. John area, where well-placed exhibits will explain the various phases of the extraction and refinement of petroleum.

This bill provides that the 10 States through which the road will pass may use up to 10 percent of the A-B-C funds already allotted to each State for the purpose of rights-of-way, construction, reconstruction and improvement of the Great River Road.

It also authorizes an appropriation of $2 million for the fiscal year 1963 and a like sum for the fiscal year 1964 to be used to purchase rights-of-way to construct roads, recreational facilities, rest areas, parking areas at historical sites, and to construct roads and facilities which with some work can be adequately used.

The Mississippi River Parkway or the Great River Road is not a new idea. In August 1949 Congress instructed the Bureau of Public Roads and the National Park Service to make a survey of the route. From a joint report by the Secretary of Commerce and the Secretary of the Interior in 1951 emerged a new conception in interstate highway development—the Federal-aid parkway. The plan called for a close cooperation between Federal and State authorities and a utilization of the best elements of the existing road system. The general location of the State highways along the proposed route are such that it is possible to link them all together and to obtain nearly complete control of access without disrupting the local highway patterns. The bill I now submit was drafted in close cooperation with the Mississippi River Parkway Planning Commission. In view of its careful planning and great desirability, I urge that this bill be supported by the Congress.

I ask unanimous consent that the bill be printed in the RECORD, and that the bill lie on the desk through this week to permit additional cosponsors.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD, and will lie on the desk, as requested by the Senator from Minnesota.

The bill (S. 2968) to provide assistance to certain States bordering the Mississippi River in the construction of the Great River Road, introduced by Mr. HUMPHREY (for himself and Mr. MCCARTHY), was received, read twice, by its title, referred to the Committee on Public Works, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 2 of title 23 of the United States Code (relating to highways) is amended by inserting at the end thereof a new section as follows:

"§ 214. Great River Road

"(a) For the purpose of expediting and providing Federal assistance in the construction of a continuous highway and appurtenances thereto, to be known as the Great River Road, traversing the Mississippi Valley from Canada to the Gulf of Mexico, in conformity with applicable provisions of this title and the recommended plan in the joint report submitted to the Congress on November 26, 1951, by the Secretary of Commerce and the Secretary of the Interior pursuant to the Act of August 24, 1949 (63 Stat. 626), not in excess of 10 per centum of the funds apportioned for the fiscal years ending June 30, 1964, and June 30, 1965, for the Federal-aid primary system, the Federal-aid secondary system, and extensions of such systems within urban areas, to each of the ten States through which such road will pass, may be used by such State to pay the Federal share, as provided for such funds under section 120 of this title, in the purchase of rights-of-way, construction, reconstruction, and improvement of the Great River Road in accordance with such joint report and the plan prepared by such State and approved by the Secretary of Commerce and the Secretary of the Interior.

"(b) In addition to the funds made available under subsection (a) there is authorized to be appropriated not in excess of $2,000,000 for each of the fiscal years ending June 30, 1963, and June 30, 1964, which shall be apportioned among such ten States by the Secretary of Commerce as necessary to carry out the recommendations in such report for land purchases as provided in this subsection. The amount apportioned to each such State shall be paid to such State as needed for the purchase of lands and interests in land, including scenic easements, in addition to the normal rights-of-way required for the Great River Road. Such lands and interests in land may include parkway features such as lands necessary for recreation, safety rest areas, and the conservation of natural scenic beauty including such areas as submarginal lands, faces of adjacent hillsides, islands, lake shores and river banks, swamps and residual parcels, and areas of historical, archeological or scientific interest, in accordance with such joint report and the plan prepared by such State and approved by the Secretary of Commerce and the Secretary of the Interior."

SEC. 2. The analysis of chapter 2 of title 23 is amended by inserting at the end thereof of the following:

"214. Great River Road."

EXCLUSION OF DEPOSITS OF PETRIFIED WOOD FROM APPROPRIATION UNDER U.S. MINING LAWS

Mr. ANDERSON. Mr. President, I introduce, for appropriate reference, a bill to amend the Materials Act, by which

common varieties of certain minerals found in widespread abundance on the publicly owned lands of the United States are subject to lease by the Secretary of the Interior, rather than location under the mining laws. The text of the proposed amendment was drafted and recommended by the Department of the Interior, and I ask that the letter transmitting the draft be set forth in the RECORD at this point.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the RECORD.

The bill (S. 2974) to exclude deposits of petrified wood from appropriation under the United States mining laws, introduced by Mr. ANDERSON, by request, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

The letter presented by Mr. ANDERSON is as follows:

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., February 16, 1962

Hon. LYNDON B. JOHNSON,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: Enclosed is a draft bill to exclude deposits of petrified wood from appropriation under the United States mining laws.

We request that the proposed bill be referred to the appropriate committee for consideration and we recommend that it be enacted.

This Department has held that deposits of petrified wood are "minerals" within the contemplation of the U.S. mining laws. Therefore, petrified wood is subject to location when the deposits occur in such quantity and quality as to meet the discovery requirements of the U.S. mining laws. Locatability of the deposits under the mining laws, however, is not needed to encourage the discovery of new deposits or the development of known deposits.

Unregulated removal of petrified wood has been often accompanied by the use of tractor plows to uncover the deposits, thereby disfiguring the surface of the land, and in some areas, contributing to soil erosion.

There has been a marked increase in the removal of petrified wood from the public lands for various ornamental purposes, including store fronts and fireplaces. This increased demand can be readily met from private sources and, if this proposal is enacted, from sales from the public lands under conservation principles.

Petrified wood also has limited utilization in the arts and in commerce, possessing "gem stone" value for jewelry and souvenirs. The deposits also have significant public recreational value due to the great and increasing interest of amateur collectors.

Section 2 of the proposed bill recognizes that the exclusion of petrified wood from the operation of the mining laws would otherwise place petrified wood within the purview of the Materials Act of July 31, 1947, 61 Stat. 681, as amended (30 U.S.C. 601) and proposes that the Secretary be authorized to permit without charge the removal of limited quantities of petrified wood. The Materials Act does not permit the disposal of materials without charge to individuals. We believe that the cost of administering sales to amateur collectors would exceed greatly in all probability possible monetary returns. By vesting in the Secretary control of the disposal of petrified wood, such disposal can be regulated to safeguard the interests of both commercial users and hobbyists and to effectuate conservation principles.

The Bureau of the Budget has advised that there is no objection to the presentation of this draft bill from the standpoint of the administration's program.

Sincerely yours,
JOHN A. CARVER, Jr.,
Assistant Secretary of the Interior.

ANTI-POLL-TAX AMENDMENT—ADDITIONAL COSPONSORS OF JOINT RESOLUTION

Mr. HOLLAND. Mr. President, along with some 66 or 67 other Senators I introduced last year Senate Joint Resolution 58, which is known as the anti-poll-tax proposed constitutional amendment. Since that time two of the cosponsors have passed away; the late Senator from New Hampshire, Mr. Bridges, and the late Senator from Kansas, Mr Schoeppel.

I am happy to say that today I am authorized by the Senator from New Hampshire [Mr. MURPHY] and the Senator from Kansas [Mr. PEARSON] to ask that their names be added as joint cosponsors of that particular Senate joint resolution. I am proud to have the two additional cosponsors.

The VICE PRESIDENT. Without objection, it is so ordered.

THE WORLD'S FAIR IN SEATTLE

Mr. LAUSCHE. Mr. President, a year ago there was on the floor of the Senate considerable debate about the participation of the U.S. Government in a fair to be sponsored in New York. Part of the debate revolved about the issue of whether the New York fair could legitimately be called the World's Fair. It was my position that the World's Fair of this decade will be held in Seattle, Wash., in the year 1962; and at this time I wish to read from an article published on January 16 in the Christian Science Monitor:

WORLD'S FAIR IN SEATTLE

The first U.S. World's Fair in more than 20 years—Seattle's Century 21 Exposition—will open its gates next April for a 6-month run. President Kennedy hopes to do the honors in person.

More than 40 nations and 50 States, plus many leading businesses and industries now are preparing exhibits which will turn the 74-acre fairgrounds into a space-age wonderland surpassing Alice's wildest dreams.

This will be the only fair in the United States during the next decade to have the sanction of the Bureau of International Expositions in Paris—having won that distinction in competition with New York's 1964 fair.

Mr. President, I submit that the World's Fair for this decade is being held this year in Seattle, Wash., and there cannot be a World's Fair in New York. Our Government is putting up at least $10 million to participate in the Seattle World's Fair. Now we are asked to put up at least $30 million for a pavilion in the New York State Fair. I have opposed such dual participation, because I think the nations of the world do not want fairs held every year; they cannot afford them. It is for that reason that they have adopted the rule that there shall be only one World's Fair every 10 years. That fair is now being held in Seattle, Wash.

Mr. President, this concludes my remarks on this matter; and I ask unanimous consent to have printed in the RECORD the entire article published in the Christian Science Monitor, which points out clearly that the fair in Seattle, Wash., is the World's Fair, and the only one that can be held in this decade.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WORLD'S FAIR IN SEATTLE

(By Alice Myers Winther)

The first U.S. World's Fair in more than 20 years—Seattle's Century 21 Exposition—will open its gates next April for a 6-month run. President Kennedy hopes to do the honors in person.

More than 40 nations and 50 States, plus many leading businesses and industries now are preparing exhibits which will turn the 74-acre fairgrounds into a space-age wonderland surpassing Alice's wildest dreams.

This will be the only fair in the United States during the next decade to have the sanction of the Bureau of International Expositions in Paris—having won that distinction in competition with New York's 1964 fair.

The world's first high-speed, mass-transit monorail will whisk visitors from downtown Seattle to the fairgrounds in 90 seconds. There thrills will await the fair goer in five separate worlds: the World of Science, the World of Century 21, the World of Art, the World of Entertainment, and the World of Commerce and Industry.

Top exhibitor will be the U.S. Government, with a $10 million Science Pavilion. Taking a rocket ride into outer space in the Boeing Spacearium, dining in the sky atop the Space Needle, finding out what it will be like to live in the year 2000, viewing art treasures loaned by museums around the world, having fun on the gayway—these are a few of the experiences in store for Century 21 visitors.

When the gates close on October 21, the major pavilions will remain as a center of culture and education for the city of Seattle.

The following gives a partial preview of 1962's big fair.

SCIENCE PAVILION

Uncle Sam has never done anything like it before. The Federal Science Pavilion will house the most ambitious effort ever made to acquaint a citizenry with the role that natural science plays in shaping its life.

Why this effort? Because, in the words of Dr. Lloyd M. Beidler, science coordinator of the U.S. natural science exhibit, our world will be shaped to a considerable extent by citizens' collective decisions on how society will use the findings of science. While few citizens are scientists, all citizens have a responsibility to understand something of their work.

The six-building, $10 million exhibit will not attempt to popularize science as such. Nor will it be used to dramatize American scientific competition with Russia. Its twin aim is to present the role of man in his search for truth in science and to stimulate youth's interest in science.

There will be plenty of drama and excitement together with communication of facts. Yet the exhibit will be both authentic and easy to understand. The huge show is being assembled under the direction of a committee of scientists headed by Dr. Orr Reynolds, Director of the Defense Department's Office of Science, but hundreds of scientists have given their time to verify facts.

SIX BUILDINGS INCLUDED

To see science as a constant search for knowledge and a continuing improvement of methods of verifying what we know about

man and his universe, the visitor will pass through five major areas. Entering the six-building complex through inspiring arches, which Pavilion Designer Minoru Yamasaki calls Space Gothic, the visitor will proceed to:

1. The House of Science, where a 12-minute film by Charles Eames will orient visitors and explain the general philosophical framework in which all scientists must work.

2. The Development of Science area, where exhibits will show the evolution of science from man's earliest curiosity about phenomena of nature through development of tools to aid him in his quest for knowledge. There will be exhibits that demonstrate the unreliability of man's senses in unlocking the secrets of nature.

3. The Boeing Spacearium, where visitors will lose their breath on a simulated trip through space. A 12-minute ride will take them past the moon, sun, and several planets in our solar system out into interstellar and even intergalactic space. A special film technique will be employed to give visitors this unique experience.

METHODS DEMONSTRATED

4. The Methods of Science area, where a series of exhibits of different kinds of research being done today will give some idea of methods and techniques used to obtain information and solve problems. It will be demonstrated that the laboratory of today's scientist is anywhere he chooses to work and that the most important ingredients in his experiments are his own imagination and logic.

5. The Horizons of Science area, where it will be shown how science has become an integral part of our culture, playing an increasingly vital role in shaping our lives, not only through the technology which flows from its applications but also through the decisions it demands of us as citizens.

In addition to these five areas, the pavilion will include a specially equipped auditorium, called the Science Theater, for motion pictures on science and for lectures and demonstrations which will appeal to people of diverse interests and levels of appreciation.

There will also be a "doing science" laboratory where young visitors will be invited to perform experiments of their own choice under expert guidance. It is hoped that this "doing" area may contribute to the career decisions of some participants.

THE SPACE NEEDLE

What looks like a flying saucer impaled on the tip of a gigantic candlestick has become the symbol of the Seattle World's Fair. For months, construction of the Space Needle, with its lofty revolving restaurant, has been the talk of an awe-inspired town. Weekly progress reports written by Pacific Car & Foundry's construction boss, Paul Collop, and printed in the Seattle Times have made an enthralling serial. Seattleites can hardly wait to eat a piece of pie up there in the sky.

Mr. Collop and his gallant crew of ironworkers quite properly had the first meal served in, rather we should say on and astride, the eye of the Needle restaurant. To be sure much of it blew away twixt plate and lip, but a satisfying first was shared by those who have been taking great risks to build the world's tallest dining spot. This is definitely one restaurant no one can drive in.

The caterer who prepared the surprise banquet for the Space Needle crew said he had catered aboard swaying boxcars and tossing destroyers, on railroad builders' trial runs and shipyard launchings, but that this certainly topped them all. "Now I know how Enos the chimp felt at Cape Canaveral," he said as he stepped out of the construction capsule that shot him and the food 500 feet straight up to the restaurant platform.

Space Needle statistics are a succession of fascinating firsts. Almost every facet of design and construction has posed problems without precedent. A book could and probably will be written to tell how they were solved by John Graham & Co., designers, Howard S. Wright Construction Co., prime contractor, and various fabricators.

Paul Collop has told, for instance, about the ingenious hoist that had to be specially built, at a cost of $30,000, by the Washington Machinery Co. and Skagit Iron Works. Too long to repeat here, it's a true tall tale, as any sidewalk superintendent will verify who has watched the hoist in operation.

The restaurant turntable, designed and built by Western Gear in nearby Everett, is another intriguing construction story. So carefully balanced is it that a glass of water riding its rim didn't even have a ripple on its surface the day of the test run. Fabricated in 24 steel sections, the turntable was trucked to the Space Needle site and hoisted in sections to the 500-foot level for final assembly. There it will revolve 360 degrees once every hour, giving diners a full-circle view of the entire city with its surrounding lakes and sea and mountains.

What the Crystal Palace was to the London Exposition of 1851, what the Eiffel Tower was to the 1899 Fourth French International, what the Tryion and Perisphere were to the New York Fair in 1939, the Space Needle is sure to be to Seattle's space-age extravaganza.

CENTURY 21

What will life be like in the year 2000? Seattle World's Fair goers will get entertaining, dramatic, and at the same time thought-provoking answers as they tour the World of Tomorrow in Washington State's huge exhibit building, Coliseum Century 21.

Donald Deskey & Associates of New York are putting together this theme exhibit. Its engineering details are as complex as an electronic computer. "In fact," said William Joachim, executive director of the firm, "we are building an electronic computer in the full sense of the word.

"I have been associated with world's fairs since 1939," he added, "and I can say that this World of Tomorrow exhibit is the most exciting thing I have ever handled."

Entering the coliseum, visitors will wend their way past exhibits by American firms displaying products they say will be in use in the coming century—such as a car without wheels. Crossing a landscape pool, they will step into an iridescent revolving bubbleator, a lift that will transport 100 persons at a time to a floating city above. The lift releases its occupants to a ramp inside a spiral of 3,250 interlocking, 4-foot aluminum cubes which project the World of Tomorrow show.

These cubes house complex equipment. Some surfaces will be sections of three-dimensional motion picture screens; others will catch montage transparencies; some will support graphic representations; others will house back-lighted models. Together they will project a vista drama of the World of Tomorrow, accompanied by changing lights, music, and narration. All elements of the show will be controlled by split-second timing on electronic tape. Some 500 effects will be presented every 2 minutes and 40 seconds.

New concepts of housing, education, transportation, industry, and communication will come to view as visitors move along the ramp. The home of the future, for example, will be shown as a disposable house. In the kitchen will be solar ovens and thermoelectric refrigerators.

Cordless appliances cook, clean, and iron. Schools will have walls formed by jets of air and floating canvas roofs controlled for the angle of the sun. Teaching machines and teaching teams will double the amount of material presented to the pupil. Convertiplanes will travel on the ground or in the air.

The coliseum building itself, which will revert to Seattle after the fair for use as a sports arena seating 18,500, is a construction marvel. Designed by Paul Thiry, Seattle architect, it covers almost 4 acres and has an interior span of 360 feet in each direction without internal supports. The sweeping roof is supported by steel compression trusses springing from concrete abutments and intersecting 115 feet above the floor at the center point. The roof cover consists of aluminum panels strung on a spider web of steel cables.

The building which will house the Christian Science exhibit at the Seattle World's Fair was designed by Seattle Architects Young, Richardson & Carleton to take advantage of a sloping site and to provide a peaceful atmosphere in which to enjoy the exhibit.

A ramp from the high point of the site leads into the main 40- by 83-foot exhibit area. From there another ramp will descend through a decoratively treated open stairwell to a landscaped area featuring a pool and fountain.

The building is to be located near the monorail terminal and the Space Needle.

In addition to a central Christian Science exhibit, there will be a section devoted to the Christian Science Monitor and its worldwide dissemination of news. The building will also include a room for reading and writing where the writings of Mary Baker Eddy and the publications of the Christian Science Publishing Society may be examined, read, or purchased.

The U.S. space agency—the National Aeronautics and Space Administration—has decided to set up a major exhibit at Seattle's space age World's Fair. It will use 19,600 square feet to depict the progressive steps taken toward conquering space. It is now fairly certain that full-sized models of the entire NASA inventory of scientific vehicles will be on view at the Seattle fairgrounds.

No need to bring your lunch to the fair. Not that there'll be any law against peanut butter sandwiches in brown paper bags, but refreshments will be served in high style, low style, and a variety of national styles.

At the food circus alone, the hungry and thirsty may choose from 55 different concessions, at prices no higher than those outside the fair. This giant food arena also will include one restaurant capable of handling 5,000 customers per hour.

Among the exotic dining spots located along the colorful boulevards of the world, visitors are invited to drop in at a restaurant operated by the Government of Yugoslavia.

At the fair booklovers will get a preview of the library of the future. The American Library Association will combine books and modern scientific equipment in an exhibit designed to illustrate better library services being planned for the future.

ADDRESS BY PRESIDENT KENNEDY AND RESOLUTIONS ADOPTED AT NATIONAL CONVENTION OF YOUNG DEMOCRATIC CLUBS OF AMERICA

Mr. MOSS. Mr. President, last December, at Miami Beach, Fla., the 12th Biennial National Convention of the Young Democratic Clubs of America was held. Chosen there as national president was Allan T. Howe of Utah. This organization, which is the official organization for young men and women of the Democratic Party, devoted much time to the study, discussion, and adoption of several resolutions covering

major issues before our Nation today. I commend the Young Democrats for their program of political education among young men and women of America, and I suggest that the obvious interest and perceptive study reflected by these resolutions indicates a healthy sign for our Nation.

This was the first national convention of the Young Democratic Clubs of America to be addressed by a President of the United States. President John F. Kennedy delivered a stirring address to the several thousands in attendance, and challenged the delegates to be politically courageous in leading the Democratic Party, and our country as well.

I ask unanimous consent that the address by President John F. Kennedy, together with the resolutions adopted at the convention, be printed in the body of the RECORD following my remarks.

There being no objection, the address and resolutions were ordered to be printed in the RECORD, as follows:

ADDRESS BY PRESIDENT JOHN F. KENNEDY BEFORE YOUNG DEMOCRATIC CLUBS OF AMERICA AT NATIONAL CONVENTION, DECEMBER 7, 1961, MIAMI BEACH, FLA.

Mr. Chairman, Mr. Mayor, Members of Congress, young Democrats and others, ladies and gentlemen, for all I have been reading in the last 3, 4 or 5 months about the great conservative revival that's sweeping the United States, I thought that perhaps no one was going to show up today. But I am proud to be here today, and proud to be among those of you who not only in the future but today helped make the program of the Democratic Party.

Artemus Ward once said, about 50 years ago, "I am not a politician and my other habits are good also." We are politicians, and we believe, in this sense, that we recognize that a political party is not an end in itself but is a means of making progress for the American people.

Woodrow Wilson said, in 1913, "What use is a political party unless it serves the interests of the people?" What use is either one of the two great political parties if they really represent, to those who are active in them, only a means of expression and exercise? They are important. They are functional. They will endure only as they contribute to the well-being of the people of this country.

And although I read a good deal—as do you—about all the slogans for the solution of our problems that sweep across the United States—and slogans are important particularly if they tell something about what is behind them—but what I think we must hear from the political leaders of our two parties is not slogans attempting to invoke old memories of self-reliance and all the rest; what we really want to know is, how can the United States maintain its strength, maintain the peace, maintain full employment, improve the life of our people, spread its influence around the world, strengthen the cause of freedom, survive, endure and prevail?

And it is to these great questions which are today far more complicated than they were in the days, even, of Franklin Roosevelt or Woodrow Wilson that we as Democrats, and those of us who are active in our party and in our country, must address ourselves. Not merely to mouth the old slogans and the old programs.

How can the United States maintain full employment in a free economy and in a free society? A recession in 1958, a recession in 1960, a recession in 1954, a recession in 1949. Is this recovery now—which in the last 6 or 7 months has seen the economy move forward by over 10 percent, is this economy going to run out of gas again, at the end of 1962 or 1963 or 1964?

How can we find jobs for the hundreds and thousands of young people under 20 who today come into the labor market, many of whom drop out of school and can't find work? Twenty-five percent of all young Americans in their teens looking for jobs are unemployed. How can we attempt to make it possible in the next 10 years for the 7 million young boys and girls—men and women who want to find admission to our colleges when our colleges today are strained finding a place for 3½ million? How can the United States get richer and more powerful and still prevail and survive, when so much of the world is not getting richer but poorer?

How can we in this hemisphere, north and south, hold the imagination of the people in this continent and make them feel that political freedom and economic abundance go hand in hand?

I think the problems pour upon us, and these are problems that can be met. But I think they can only be met by those who are willing to do the hard work and come up with hard solutions. And I believe that it is incumbent upon all of us who are interested in our country, all of us who are active in political life, to attempt to come forward—and most of all, you who will be the leaders of this country, who have the longest to look forward to, who will be active over the next 40 years and who therefore must live with the results of all the judgments that we make today.

What is this country and the world going to be like in 1970, 1980, and 1990 when we see atomic weapons proliferate around the world, missiles, and all the rest? You are going to be living in the most hazardous period, of course, of the human race. Can the peace be maintained? Can our strength be increased? Can the chances of freedom prosper?

So I come here today, not merely to make an oldtime political speech, but I come here because I believe the opportunity and the obligation upon us is great.

The Democratic Party is the oldest political party in the world, and the reason it is old is because from the time of Jefferson to the present day the Democratic Party has been realistic enough to recognize the kind of problems which are coming over the horizon in the years ahead, and has had programs and policies to meet them. The day that we have not, the day that the Democratic Party is not prepared to come forward with those programs and policies, regardless of our old memories and our old leaders, we will fade as the Whig Party faded and made way for the Republican Party.

A political party is like anything else in life, it is the survival of the fittest, and the fittest in American life today are those who look realistically at the challenges and attempt to move this country forward.

We can keep going by not merely invoking the past, but by using the past as a stimulus to the future, and all of the great leaders of the Democratic Party—Wilson's New Freedom, Roosevelt's New Deal, Truman's Fair Deal, and our New Frontier—are attempts to pick the United States up and move it.

So I come here today asking your help, not for the election of 1962, though I will then, and 1964, but in the coming months, so that this session of Congress will be fruitful, so that our country can use the coming months as the leader of the free world to demonstrate that it is the leader in fact as well as in name, and that here in the United States there is not only a country dedicated to progress but there is a political party stretching back through the long years of our history, which in the coming days of this decade, will give this country new leadership.

Thank you.

RESOLUTIONS OF THE 12TH BIENNIAL NATIONAL CONVENTION OF THE YOUNG DEMOCRATIC CLUBS OF AMERICA, DECEMBER 6-9, 1961, MIAMI BEACH, FLA.

DEMOCRATIC PARTY PLATFORM OF 1960

Whereas this is the first national assembly of the Young Democratic Clubs of America since the Democratic National Convention of 1960, which adopted a platform that was a historic achievement in the clarity of its language; the scope of the specific programs it advanced to strengthen the free world and safeguard the American way of life, and to better the life of all of our citizens: Therefore be it

Resolved, That the Young Democratic Clubs of America assembled in its 12th biennial convention at Miami Beach, Fla., affirm by this resolution its full accord with, and support of the Democratic platform of 1960; and be it further

Resolved, That this convention express its pride in the manner in which a Democratic President, aided by a vigorous Cabinet, has worked in cooperation with a Democratic Congress to turn the campaign pledges of 1960 into realities of 1961; and be it further

Resolved, That this convention adopt as its major national program of urgent priority, the task of enlightening the young voters of America of the domestic progress which has taken place under President Kennedy and a Democratic Congress and on the new military muscle which backs up our President's firm stand against Communist aggression, of turning the spotlight of truth on the selfish Republican obstructionists who have fought to prevent these achievements, and of enlisting the understanding and support among young voters which will help the President and the Congress continue his program which is to restore American prestige among our friends and the uncommitted and to restore the respect of our adversaries, has put America on the move again and has opened new frontiers for the American people; and finally, be it

Resolved, That this resolution be suitably engrossed and presented to the President as evidence that the young Democrats of America recognize clearly that the vigorous and progressive programs of President Kennedy offer to our generation and the ones which will follows us the best chance for a life of opportunity and fruitful service to our society and that we are going to offer all of our skills and strength to support the President in his wise and great endeavors.

TARIFF POLICY

Whereas the American trade and tariff policy is now a matter of high national foreign policy and no longer merely a matter of local economic interest; and

Whereas under the present Reciprocal Trade Agreement Act, which provides only for item by item bargaining for tariff reduction with foreign powers, it is impossible for our Nation to take the initiative in the economic area so that we can retain and expand our position in the world market and increase our exports; and

Whereas we need a new and bold instrument of American trade policy that will permit our Nation to negotiate with Common Market countries and other friendly countries as a bloc so as to make across-the-board tariff cuts: Therefore be it

Resolved, That the Reciprocal Trade Agreements Act be permitted to expire and that Congress enact new tariff legislation that will enable our country to increase our exports to the vast markets of the world by authorizing the executive branch to negotiate for across-the-board tariff reductions.

LABOR

Whereas by law of the United States commonly known as the Organic Act of the Department of Labor enacted March 4, 1913 (37 Stat. 376), the Congress clearly recognized and expressed the responsibility and duty of the Federal Government, through the U.S. Department of Labor, to foster, promote, and develop the welfare of the wage earners of the United States, to improve their working conditions, and to advance their opportunities for profitable employment; and

Whereas by law of the United States known as the Employment Act of 1946 (60 Stat. 23), the Congress has further recognized and declared it to be the continuing policy and responsibility of the Federal Government to use all practicable means consistent with its needs and obligations and other essential considerations of national policy to coordinate and use all its plans, functions, and resources for the purpose of creating and maintaining conditions under which there will be afforded useful employment opportunities for those able, willing, and seeking to work and to promote maximum employment, production, and purchasing power; and

Whereas this convention believes that the problem of assuring sufficient employment opportunities will be compounded by the extraordinarily rapid growth of the labor force in the next decade, particularly by the entrance of young people into the labor force; and

Whereas this convention believes that Government leadership is necessary to prevent the obsolescence of the skills of many workers by dislocations in the economy arising from automation or other technological developments, relocation of industry, shifts in market demands, and other changes in the structure of the economy, as well as to alleviate the financial and other hardships inflicted upon workers who are both unemployed and underemployed; and

Whereas this convention is convinced that the President and the executive branch of the Government can fulfill the trust and obligation imposed upon them by law to advance the interests of the Nation only if certain additional necessary tools and priorities are given to them by the Congress of the United States of America; and

Whereas the present machinery for Government assistance in helping to solve labor-management disputes that are of national concern is inadequate; and

Whereas there are still millions of Americans that are working for wages far below the level necessary to keep themselves and their families in health and decency; and

Whereas the success of our economy and our free society is dependent to a great degree on the rights of wage earners to organize and bargain collectively without Government controls through legislation which to a great degree makes such rights meaningless: Now, therefore, be it

Resolved, That this convention petition the Senate and the House of Representatives of the United States of America in Congress assembled immediately to consider and enact the following bills introduced in and now pending before the 87th Congress:

1. S. 2550 and H.R. 8723 to amend the Welfare and Pension Plans Disclosure Act to give appropriate investigative and enforcement authority to the Secretary of Labor and to make other necessary changes in this law in order to furnish the intended protection to the millions of working men and women and their families who are beneficiaries of these employee welfare and pension benefit plans.

2. S. 1991 and H.R. 8399, the Manpower Development and Training Act, since it is of utmost urgency that legislation be speedily enacted to provide much-needed Federal leadership in encouraging and financing, primarily through State and local community groups, private and public, the training and retraining of unemployed and underemployed workers so that they can become fully productive citizens in our society.

3. S. 2084 and H.R. 7640 to bring to the Federal-State unemployment compensation system the greatly needed permanent reform as called for by the President in his message to the Congress of February 2, 1961, particularly by extensions of coverage, equalization grants to States with high unemployment costs, and permanent Federal extended unemployment benefits.

4. S. 2497 and H.R. 8898 to prohibit an employer having employees engaged in commerce or in the production of goods for commerce from discriminating on the basis of sex in the payment of wages, since equal pay for equal work is a basic and inherent element of our democratic way of life.

5. S. 1126 and H.R. 5289 requiring agricultural migrant labor contractors (crew leaders) who for a fee recruit, hire or transport migrant workers in interstate commerce to obtain annual certificates of registration from the Secretary of Labor and to empower the Secretary to investigate violation and revoke certifications, in order to assure migrant farmworkers, one of the Nation's most disadvantaged groups of workers who are excluded from nearly all social legislation, some protection against irresponsible labor contractors upon whom the migrants are almost completely dependent for work and the conditions under which they work.

6. S. 1124 and S. 1125, education of migrants and their children; S. 1130, grants for health services to migrants; and S. 1132, establishment of a National Advisory Council on Migratory Labor, to afford greatly needed benefits to these workers who, as stated above, are excluded from almost all social legislation; and be it further

Resolved, That (1) the Congress of the United States be and it is hereby respectfully requested to amend the Labor Management Relations Act to allow fact finding committees appointed thereunder to make recommendations to the President as to what in their opinion constitutes a fair settlement of the dispute for which said committee was appointed to investigate;

2. That the Secretary of Labor is respectfully requested to exercise the powers he presently has to establish effective safety programs so as to protect the life and limb of our people;

3. That the Congress of the United States be and it is hereby respectfully requested to extend the benefits of the Fair Labor Standards Act to millions of other Americans not now covered;

4. That the legislatures of the 50 States be and they are hereby respectfully urged to pass minimum wage legislation so as to provide all working people with a basic wage which will allow them to live in health and decency.

5. That the Congress of the United States be and it is hereby respectfully requested to repeal section 14-b of the Labor Management Relations Act.

6. That the Congress of the United States be and it is hereby respectfully requested to repeal the sections of the Landrum-Griffin Act, which for practical purposes eliminates labor's right to effectively organize and bargain collectively;

7. That the Congress of the United States be and it is hereby respectfully requested to enact S. 349 known as the peacetime GI bill of rights; and

8. That the Congress of the United States and the legislatures of the 50 States who have not already done so be and they are hereby respectfully requested to enact legislation with adequate enforcement provisions to prevent discrimination in employment based on race, creed, color, national origin, or sex; and be it further

Resolved, That copies of this resolution be sent to the President of the United States, the Vice President of the United States, each member of the President's Cabinet and head of each agency of the executive branch, and to each Member of the Senate and the House of Representatives of the United States.

YOUTH EMPLOYMENT OPPORTUNITIES

Whereas at a time when the greatest danger to the American economy is the growing unemployment among Americans, untrained and semiskilled, including many youths who have dropped out of school because present American education methods could not hold their interest; and

Whereas this trend if allowed to continue for too many years could weaken the United States in withstanding communism despite the basic loyalty of American workers: Now, therefore, be it

Resolved, That the Young Democratic Clubs of America—

1. Urge and support the development of Federal, State, and private programs insuring that America can always provide full employment for its citizens;

2. Urge and support the adoption of programs for the aid of youth generally including (a) sounder American school education that will attract and hold the interest of students presently dropping out of schools and give them both sound vocational training and good general education that will prepare them to be responsible citizens, and (b) passage of President Kennedy's Youth Employment Opportunities Act; and

3. Urge and support the adoption of President Kennedy's Manpower Development and Training Act which calls for (a) studies to locate job areas needing trained workers, and (b) programs to train and place unemployed workers, both young and old, in such jobs in cooperation with State governments and private industry.

CIVIL RIGHTS

As Americans and citizens of a free society, it is imperative that the rights and liberties of all citizens be guaranteed throughout the country without regard to race, color, creed, or national origin.

We recognize that this principle inspired the Declaration of Independence and is embodied in the Constitution of the United States and the Federal Government has a duty to take affirmative action to make this principle effective.

(*a*) *Civil Rights Commission*

We urge a substantial increase in funds for the Federal Civil Rights Commission so that its facilities and personnel may be greatly expanded; that the Civil Rights Commission give annual reports with an objective assessment of the problems in this field together with a timetable on progress in race relations; that the President of the United States call an annual White House conference on race relations which should be accorded the status of other important White House conferences. We further call upon Congress to establish the Civil Rights Commission as a permanent commission of the U.S. Government.

(*b*) *Housing*

Federal funds should not be used in any way to perpetuate segregated housing against minorities.

We urge that the Congress enact legislation to insure that housing financed in part by Federal funds be available to all citizens regardless of race, religion, or national origin. Specifically, we ask that such legislation prohibit the granting of FHA or veterans loans to finance any housing bound by a racially restrictive covenant or realtors code.

(*c*) *Interstate travel*

We endorse the proposition that every American is entitled to travel throughout this country without interference. We recognize the rights of all citizens to use a common carrier and all its facilities to travel unmolested. We praise the local authorities

who have attempted to maintain law and order in the face of this conflict. We deplore all acts of violence in attempting to restrict the rights of free travel and ask that those individuals testing restrictive laws exercise responsibility and prudence. We commend the Attorney General for the steps he has already taken to insure that American citizens who travel in interstate commerce are protected from mob violence—or police harassment—on the petty grounds that their exercise of this basic right is a breach of peace

(d) Education

We believe that all persons should willingly demonstrate their agreement with the 1954 Supreme Court education desegregation decisions. We realize that these decisions have resulted in social problems on local levels but with good will on all sides and timely effort these racial barriers will be removed.

We commend those public school officials, individuals and organizations who have devised methods of compliance with the Supreme Court decision. We deplore those officials and other individuals and organizations who use violence in opposition to these Supreme Court decisions or in an attempt to thwart it.

(e) Employment

(a) Human resources are the most valuable assets a nation has. No nation, no matter how abundant its resources may be can afford to waste its potentials. It is imperative that all persons have equal opportunity to develop to their fullest their skills and potentials in the fields of their choice.

We favor the immediate enactment of a national fair employment practices act, with adequate enforcement provisions; we urge that all labor unions, employers and employment agencies eliminate discriminatory policies and practices which prevent minority groups from obtaining employment and apprenticeship training.

(b) We commend President John F. Kennedy for his forward approach in expanding the opportunities for all races and creeds on all levels of the Federal Government; for his high-level appointments of Federal judges, U.S. Attorney, to the Foreign Service and to his personal staff of all Americans regardless of race, color or creed; we commend the President and Vice President of the United States for their methods of insisting that private enterprise beneficiaries of governmental contracts hire on a nondiscriminatory basis. We further commend those corporations both north and south that have pledged to carry out such nondiscriminatory policies; we urge continued and zealous enforcement of this Executive order.

We favor the voting liberalization of registration laws, including the abolition of the poll tax, in order to facilitate and make easier the process of voting by all citizens; that all possible measure be taken to eliminate unfair practices of any kind that discriminate against minority groups in their exercise of the suffrage on all governmental levels; we urge young Democrats everywhere to encourage registration and voting wherever Democrats are found without regard to race, color or creed; and we advocate vigorous enforcement of the Federal civil rights laws against any individual or group that attempts to deny to any citizen these rights.

URBAN AFFAIRS

Whereas 65 percent of the population of this Nation live in urban areas; and

Whereas the trend of population is toward metropolitan areas and the areas surrounding metropolitan areas; and

Whereas the growth in these areas is producing problems which cities and their existing governmental units find increasingly more difficult to handle; and

Whereas the Kennedy administration has introduced legislation in the House of Representatives and the Senate, which would establish a Department of Urban Affairs, with Cabinet rank for the Secretary of Urban Affairs, and

Whereas the responsibilities of the Department of Urban Affairs would be to solve the problems caused by the growth of Urban areas: Now, therefore, be it

Resolved, That the YDCA strongly urges the passage of this pending legislation by both Houses of the U.S. Congress, and that all young Democrats be urged to communicate with their Congressmen and Senators to solicit support for this legislation.

HEALTH INSURANCE THROUGH SOCIAL SECURITY

Whereas more than one-fourth of our population, most particularly those Americans over 65 years of age of small income and high incidence of affliction, have no insurance protection against the high cost of illness, and

Whereas our President has most vigorously sought and the Democratic National Convention has called for legislation in this area: Now, therefore, be it

Resolved, That the Young Democratic Clubs of America strenuously urge support from all quarters, but most particularly from congressional representatives, immediate consideration and passage of the President's program for health insurance for the aged through the social security system without benefits being determined by amount of contributions of the participant.

FEDERAL AID TO EDUCATION

Realizing that an enlightened citizenry is the fundamental basis of our democratic way of life, we, the Young Democrats of America assembled in Miami Beach, do hereby commend the Kennedy administration for its courage and wisdom in advocating a program of Federal aid to education (without Federal control).

We support President Kennedy's program of aid for education to be given to the States for their use either for classroom construction or operational expenses including teachers' salaries thus retaining the right of State control.

We support Secretary Ribicoff in his program of extending the National Education Defense Act and other related Federal aid to education programs.

LATIN AMERICAN AFFAIRS PROGRAM

Whereas the representatives of the American Republics assembled in Punta del Este, Uruguay, August 5 to 17, 1961, inspired by the principles consecrated in the Charter of the Organization of American States, in Operation Pan America, and in the Act of Bogotá, agreed to the establishment of an Alliance for Progress: A vast effort to bring a better life to all the peoples of the continent; and

Whereas the Alliance for Progress is established on the basic principle that freemen working through the institution of representative democracy can best satisfy man's aspirations, including those for work, home and land, health and schools; and in recognition that no system can guarantee true progress unless it affirms the dignity of the individual which is the foundation of our civilization; and

Whereas it is the purpose of the Alliance for Progress to enlist the full energies of the peoples and governments of the American Republics in a great cooperative effort to accelerate the economic and social development of the participating countries of Latin America, so that they may achieve maximum levels of well-being, with equal opportunities for all, in democratic societies adopted to their own needs and desires; and

Whereas the Organization of American States, through its services for education and scientific development, and the United Nations Educational, Scientific and Cultural Organization have encouraged a vigorous movement toward integral planning in education in the countries of Latin America, in accordance with the recommendations of the Inter-American Meeting of Ministers of Education; and

Whereas local programs are being successfully incorporated to offset all aggressive influences designed for hemispheric disharmony; and

Whereas there has been much support from leaders of the savings and loan industry in the United States, not only for the International Cooperation Administration program, but also for legislation which would permit United States associations to invest in their Latin American counterparts; and

Whereas the present administration under the great leadership of President John F. Kennedy has urged the immediate stimulation of economic, social, and educational development in Latin America: Therefore be it

Resolved, That a subcommittee be established within the international affairs committee of the Young Democratic Clubs of America to be dedicated to the affairs of Latin America and the United States; and be it further

Resolved, That integral education plans be adopted in each country directed to the attainment of precisely defined goals within the next 10 years, for the purpose of raising the cultural level of the peoples of Latin America and fitting them to participate constructively in economic and social development; the goals to be adopted as outlined in the 10-year education program of the Alliance for Progress; and be it further

Resolved, That in any United States aid to Latin American universities priority be given to strengthening the teaching of the "strategic" fields; those subjects that contribute most directly to the economic development of the country; and be it further

Resolved, That in extending aid from the United States to Latin American universities emphasis should be placed on sending U.S. professors to Latin American universities; and be it further

Resolved, That there be established a new system of exchange "chairs" of professorships between the United States and Latin America, and that where possible, the exchange professorships should be financed through university-to-university arrangements, foundation grants, and American business firms that might want to subsidize a chair in a country in which they do business; and be it further

Resolved, That there be an intensification of the exchange of students, research workers, and other specialists, in order to encourage mutual understanding and the maximum utilization of the available means for training and research; and be it further

Resolved, That an exchange of teenagers on the secondary school level be adopted between the United States and Latin America, with a view to allowing Latin American students an opportunity to see democracy at work. Such a plan to be adopted as an extension of already existing local exchanges, a current example to be found in the program sponsored by the Miami Herald, Dade County school officials, and the Florida families currently extending invitations into their homes to students from Lima, Peru; and be it further

Resolved, That the name "Operation Amigo" be adopted as identifying the student exchange program; and be it further

Resolved, That Senate bill, S. 582, be endorsed as introduced by the Honorable GEORGE A. SMATHERS, U.S. Senator from the State of Florida, which bill proposes the creation of an International Home Loan Bank Board in the United States, thus establishing a tangible cooperative effort between the Government and a segment of the private financial community to intensify the

American aid program in a much needed area; and be it further

Resolved, That the Young Democratic Clubs of America endorse these contributions with a sincere desire to perpetuate the ideals incorporated in the Inter-American Alliance for Progress.

SOUTHWEST AFRICA

Whereas in 1921 southwest Africa was established as a protectorate under the supervision of the Union of South Africa by a mandate of the League of Nations; and

Whereas the United Nations Charter, ratified by the Union of South Africa, provides that all former mandates qualify to become trust territories under the United Nations Trusteeship Council; and

Whereas all League of Nations mandates except southwest Africa have been placed under United Nations trusteeship; and

Whereas the Union of South Africa has refused repeatedly, after requested by the United Nations, to place southwest Africa under United Nations trusteeship; and

Whereas the Union of South Africa has refused even to report to the United Nations Trusteeship Council the present status of and conditions in southwest Africa, though legally obligated to report by the United Nations Charter; and

Whereas the policy of apartheid, which is contrary to the desires of all freedom-loving persons, has been forced upon southwest Africa by the Union of South Africa: Therefore be it

Resolved, That the policy of apartheid and the failure of the Union of South Africa to place southwest Africa under the United Nations Trusteeship Council be condemned, and that the United States of America's delegation to the United Nations take any and all steps possible which will help alleviate the tyrannical injustices imposed by the Union of South Africa upon the people of southwest Africa.

UNITED NATIONS

Whereas the United Nations has proven itself extremely useful on numerous occasions in alleviating international tensions during the past 16 years; and

Whereas the United Nations through its many independent agencies has been raising the cultural and socioeconomic standards of millions of people in the underdeveloped areas of the world; and

Whereas in a genuine sense, all Americans, as individuals and as public officials, now belong to a national and international constituency: Therefore be it

Resolved, That the Young Democratic Clubs of America, as in the past, strongly support in the future, the American Government's mission to the United Nations; and be it further

Resolved, That not only moral, but adequate physical and monetary support be given to all regular and independent United Nations operations consistent with the aims of America for world peace.

PEOPLE-TO-PEOPLE PROGRAM

Whereas many students from foreign lands come to the United States to study at our colleges and other places and

Whereas many of them do not have an opportunity to really get to know the American people and the American way of life and

Whereas the students, faculty and friends of the University of Kansas have initiated a people-to-people program which enables these people from foreign lands to understand our country and our people: Now, therefore, be it

Resolved, That the YDCA praise the students of the University of Kansas and urge other programs of a similar nature elsewhere in the United States.

WORLD PEACE

Whereas the continuation of the arms race can only lead to a war among the major powers, which would destroy our country and our way of life, and

Whereas there are no sane alternatives other than peaceful solutions of differences among nations of the world; and

Whereas those who assert that we must choose between annihilation and surrender would join with the enemies of democracy by urging us to commit suicide or enter slavery; and

Whereas distrust and suspicion among the major powers have grown to such proportions, that it is not, at this time, feasible to negotiate a full and lasting peace: Therefore be it

Resolved, That the United States should help create conditions in which negotiations can proceed by beginning a program of unilateral actions designed to reverse the arms race. Such a program should in no way reduce our nuclear retaliatory capacity until it could be removed through negotiations safeguards with proper inspection safeguards and be it further resolved that the first unilateral action should be the allocation of $500 million which is approximately 1 percent of our present annual military budget, from said budget to the Arms Control and Disarmament Agency.

WEST BERLIN

Whereas the city of West Berlin has been an oasis of freedom these past 16 years in its location 110 miles behind the Iron Curtain; and

Whereas this oasis of freedom has served as an escape hatch from communism for hundreds of thousands of East Germans and East Berliners and source of inspiration and hope for those who have been unable to leave their homes and families to make their way to freedom from the Communist desert of oppression; and

Whereas the Communists have recognized this city to be a real menace to the perpetuation of their ruthless totalitarian regime and have therefore applied ever increasing military, economic and diplomatic pressure to shut off this city from the rest of the free world and did on the 13th day of August 1961 physically divide West Berlin from East Berlin and East Germany in complete disregard of the Four Powers Agreement of 1945 by the construction of a wall reinforced by additional barriers of barbed wire and steel rails and by reinforcing their barriers along East Germany; and

Whereas these walls and barricades have been a damaging blow to the morale of the free citizens of West Berlin who have so gallantly withstood this past one and a half decades; and

Whereas the Communists used every disposal at their means to further choke off West Berlin from the Republic of Germany, and the free world by placing increasing burdens on the access roots to this city: Therefore be it

Resolved by the Young Democratic Clubs of America, That we support with renewed vigor a firm policy toward keeping Berlin free, a policy such as that recently enunciated by President Kennedy clearly setting forth our intention to defend Berlin from any further Communist aggressions by all necessary diplomatic and military means. Yet resolutely calling for continued efforts to negotiate a peaceful solution to this problem; and be it further

Resolved, That we support and call for new vigorous programs not by the governments of the United States and free West but also private business industry, labor and other agencies designed to give impetus to the economic and cultural activities of West Berlin and to demonstrate our confidence and determination to maintain West Berlin as a great and prosperous democratic city directly alined with the Federal Republic of Germany and the free West.

PEACE CORPS

Whereas the Kennedy administration inaugurated the Peace Corps program in 1961 as a measure to aid underdeveloped countries in their quest for higher living standards, increased production and better educational opportunities; and

Whereas over 1,000 Americans are now serving abroad to the satisfaction of participating countries; and

Whereas only $30 million was appropriated by Congress in 1961 for the Peace Corps; and

Whereas this appropriation is inadequate to meet requests from foreign countries for Peace Corps volunteers; and

Whereas many more qualified Americans seek application to the Peace Corp than can be accepted: Therefore be it

Resolved, That we the Young Democratic Clubs of America—

1. Encourage a larger appropriation to the Peace Corps in 1962 by the administration;

2. Urge congressional support of the administration's requested appropriation;

3. Encourage Young Democratic Clubs to distribute information to stimulate interest in the Peace Corps locally; and

4. Encourage colleges and universities in the United States to participate more actively in the Peace Corps through such activities as cultural exchanges and special programs.

ULTRARIGHTWING THREAT

Whereas the John Birch Society, the Young Americans for Freedom, the Christian Anti-Communist Crusade, and other similar organizations, are a growing indication of the threat of the ultrarightwing to a free society; and

Whereas these groups disguise their goals under the name of "anticommunism," and brand all who disagree with them as Communists or Communist sympathizers; and

Whereas some of their goals are to undermine confidence in our schools, churches, and Government, particularly in the Supreme Court and its Chief Justice, as well as to seek to end foreign aid, limit or stop immigration altogether, and to destroy the hope of the people of the United States for a strong United Nations working for peace; and

Whereas such distinguished Americans as President John Kennedy and former President Dwight Eisenhower have condemned such movements as being divisive and destructive of our way of life: Now, therefore, be it

Resolved, That the Young Democratic Clubs of America, while realizing the right of such organizations to exist in a democracy (a right which they would deny to those who oppose their principles), condemns the practices and policies of such organizations and urges the citizens of the United States to be vigilant against the threat posed by such organizations to our free society.

AGRICULTURE

The problems of agriculture continue to be among the most serious of those we face on the domestic front. After 8 years of Republican blundering and neglect which had resulted in a steady decline in farm income the Democratic national administration has made great strides forward toward reaching an effective solution for these problems. We especially commend the administration for major achievements in the field of agriculture, including:

1. Strengthening the family farm economy by an increase in total net farm income amounting to approximately $1 billion, with consequent increases in farmers' purchasing power and better business conditions on main street;

2. An improved program for rural credit, including credit for rural housing, and a reduction in the interest rates on farm loans after nearly a decade of continuous rise in interest rates charged to farmers;

3. An extension and improvement of our programs for using American abundance in food and fiber as instruments to promote peace and progress throughout the world;

4. The launching of a comprehensive program of rural area development to bring prosperity to rural areas and to offer real help in raising the economic conditions and levels of living for those farmers most in need of such improvement;

5. Expanding and improving such programs as the Rural Electrification program and the Federal Crop Insurance program, and restoring to the farmers themselves a role in the development and operation of farm programs;

6. Effective efforts to bring about public understanding of—not only the problems of American agriculture—but of the tremendous success of American agricultural productivity and of the contribution it is making to our entire Nation by providing consumers with better food at lower cost than at any other time in history—

we urge a continued emphasis on these achievements.

We highly commend the administration and the Congress for the enactment of the emergency feed grain program, under which our stockpiles of feed grain are being reduced, with a total saving in storage costs of about half a billion dollars and we commend the extension of this principle by means of temporary wheat and feed grain legislation for 1962. These are constructive steps in the right direction, and they point the way to legislation to establish a permanent farm program.

We therefore support legislation in the Congress of the United States to provide a permanent program of managed abundance that will gear our agricultural productivity to the kinds and quantities of food and fiber that can be used both through commercial sales and through an effective food for peace program, and thus provide farmers an opportunity to earn a fair income without exploitation of either the taxpayer or the consumer.

The difficult post of Secretary of Agriculture has been filled admirably by Orville Freeman. The young Democrats wish to insert a note of thanks and good wishes to Mr. Freeman.

CONSERVATION AND NATURAL RESOURCES

Whereas we believe that the Nation's foremost task is to develop and protect our human resources. To do this we must manage our bountiful natural resources in such a manner that future generations yet unborn can say of their ancestors, "In the last half of the 20th century those responsible for formulating our resource policy—left our forests, rivers, and lakes in better condition than they found them—to them we owe our bountiful heritage"; and

Whereas we define conservation as the wisest use of natural resources for the greatest good for the greatest number of people forever; and

Whereas the land and water resources in the public domain are part of the commonwealth. As owner, the public has the right to expect the wise use of these resources for the creation of new job opportunities, consistent with our goals of conservation: Now, therefore, be it

Resolved, That the general welfare of the American people demands that the Federal Government follow wise policies of stewardship of our natural resources. We believe in the deliberate development of all our resources for the maximum public use. We oppose the Republican policies of accidental and wasteful development primarily for the benefit of special economic interests.

POSTAL RATES

Whereas the U.S. Post Office Department serves a vital need of 185 million people in an efficient manner and at minimal cost; and

Whereas it is apparent that the cost of first-class mail is sufficient to pay the cost of its handling and also cut down the deficit created by the inequitably low cost of handling second-, third-, and fourth-class mail; and

Whereas second-, third-, and fourth-class mail consists, in the main, of bulky and weighty magazines and periodicals which constitute 80 percent by weight of all mail sent through the postal system and is utilized mainly by private business which is thus subsidized in part by those who use the first-class mailing privileges: Now, therefore, be it

Resolved, That the President of the United States submit to the Congress, and we urge that Congress pass, a bill increasing the cost of second-, third-, and fourth-class mail so that they bear a more equitable share of the total cost of handling mail; and be it further

Resolved, That there be no increase in the cost of first-class mail until there has been an appreciable increase in the cost of second-, third-, and fourth-class mail.

TAX REVISION

Whereas each year the governments of the United States—Federal, State, and local—collect in taxes about one-quarter of the personal and business income of the people of the United States; and

Whereas a major concern of the Young Democratic Clubs of America is how to raise enough revenue for public needs in a way that is fair and that advances the American economy; and

Whereas the constitutionally imposed Federal responsibility to provide for the common defense has heaped staggering burdens on our Federal Government—not to build a welfare state but to prevent the destruction of the world in a holocaust—over three-quarters of the Federal revenue now being spent to meet the cost of past wars and to prevent future ones; and

Whereas a constructive and flexible Federal tax policy could do much to ameliorate the impact of a recession, reduce the international balance-of-payments deficit, and yield more revenue; and

Whereas President Kennedy in his special tax message asked Congress to immediately end preferential treatment on profits earned abroad and to close certain glaring loopholes; and

Whereas sales taxes are general and selective and now account for nearly 60 percent of all State tax collections and while the property tax continues to be a mainstay of local governments, the needs continue to grow and local sales and payroll taxes have spread—a regressive method of taxation which the Democratic Party opposes: Now, therefore, be it

Resolved, That the Young Democratic Clubs of America, in convention assembled, do hereby respectfully request that the Congress of the United States—

1. Enact the administration program of closing the loopholes in our present tax laws, including the unfair tax haven used by American companies operating foreign-flag merchant vessels thereby causing the loss of jobs to many thousands of American workers and endangering the defense position of the United States through the loss of an adequate American-flag merchant marine;

2. Support by enacting legislation on the President's proposal to end preferential tax benefits and windfalls for Americans and American companies overseas;

3. Enact legislation to allow the President the power to utilize flexible power on personal income, along with other fiscal powers already granted, so as to meet the fluctuations in business activity which starts the downward spiral into a recession or depression;

4. Oppose any attempts to place upon the people of this country a regressive and unfair sales or payroll tax; and be it further

Resolved, That copies of this resolution be sent to the President of the United States, to the Secretary of the Treasury, and to each Member of the Congress of the United States.

FOOD STAMP PLAN

Whereas there exists an immediate need for the Federal legislation making assistance available to the families of unemployed persons in areas of chronic unemployment or depressed areas; and

Whereas the Kennedy administration has proposed as an additional tool a food stamp plan under which program families of unemployed persons would be able to obtain essential foods to maintain a proper standard of health: Now, therefore, be it

Resolved, That the YDCA strongly urge the adoption of the Kennedy administration's food stamp plan for areas of chronic unemployment or depressed areas and that all Young Democrats send a letter to their Senators and Congressman requesting their support.

HATCH ACT

Whereas the Hatch Act currently forbids almost all participation of Federal Employees in partisan politics thus depriving a large percentage of the American public of their rights as citizens; and

Whereas the Corrupt Practices Act and similar legislation prevents the misuse of the authority of Federal civil service positions for partisan purposes and thus the complete prohibition of political activity of the Hatch Act is really unnecessary: Now, therefore, be it

Resolved, That the Young Democratic Clubs of America favor the modification of the Hatch Act to control, but not prohibit, participation of Federal employees in politics so as to permit the greatest possible participation consistent with the maintenance of the merit system in the civil service; and be it further

Resolved, That the national administration is respectfully requested to inform all civil servants of their rights under the Hatch Act as it is now or as it may be amended.

CONGRESSIONAL REAPPORTIONMENT

Whereas the spectacle of the national Republican Party attempting to hinder or prevent the necessary congressional reapportionment in the several States, gives just cause for condemnation by the Young Democrats of America, as well as all other right-thinking Americans. This base attempt to usurp the constitutional rights of our citizens must not be allowed to continue. Each young Democrat must continually make himself heard in his home State for proper consideration to this vital part of the democratic process; and

Whereas we are further deeply concerned and troubled by the lack of proper State districts, with the proper numbers of citizens. Many of the several States have in rural areas a vast majority in the State legislatures, while the more populous metropolitan areas are in an almost voiceless minority. This causes and gives leeway to much disunity and needless rivalry, that dissipates the effectiveness of the democracy we so cherish and respect: Therefore be it

Resolved, That we urge upon young Democrats throughout the Nation to urge their congressional representatives that steps be taken toward accurate and correct reapportionment in the several States to effectuate an accurate and correct reapportionment and redistricting in the several States so that proper representation can be tendered to every citizen.

DISTRICT OF COLUMBIA SELF-GOVERNMENT

Whereas the residents of the District of Columbia are denied any voice in their own local government which as taxation without representation is galling in principle to all Americans, and which is inefficient and arbitrary in practice since Congress cannot devote the time to local matters that a full-time elected legislature could; and

Whereas in these pressing times Congress cannot afford the time that it must currently devote to municipal trivia: Therefore be it

Resolved, That the Young Democratic Clubs of America urge immediate passage of legislation granting self-government in local matters to the District of Columbia.

AFRO-ASIA-AMERICAS CONFERENCE

Whereas a bipartisan committee was formed in Seattle early this year to plan for an Afro-Asia-Americas Conference of Young Political Leaders for the fall of 1963 to be held in Seattle, Wash.; and

Whereas this program has received the support of past conventions of the Young Democratic Clubs of America, the entire State of Washington congressional delegation, and various other national governmental representatives; and

Whereas the committee planning this Conference has been invited to submit its plan and proposed budget to the Secretary of State for its endorsement: Now, therefore, be it

Resolved by the Young Democratic Clubs of America, That it restate its vigorous support for this Afro-Asia-Americas Conference of Young Political Leaders and further that it endorse the planning committee's request for financial support from the Department of State.

SAM RAYBURN

Whereas on November 16, 1961, the entire free world was saddened with the loss of its noblest son and great servant Sam Rayburn; and

Whereas Americans in all walks of life in every level of our society are joined together in this period of national mourning; and

Whereas the unparalleled career of Sam Rayburn spanning the pages of history now shines as the lone star of Texas itself as a beacon for Young Democrats now and of future generations: Now, therefore, be it

Resolved, That this 12th biennial convention of young Democrats of America record herewith their eternal debt of homage and respect to a loyal Texan, a great American and citizen of the world, Sam Rayburn.

APPRECIATION TO PRESIDENT KENNEDY

Whereas President John F. Kennedy has taken of his most precious and valuable time to address this 12th biennial convention of the Young Democratic Clubs of America; and

Whereas the members of the Democratic National Committee have assisted the delegates to this convention with their advice and their attendance at our session; and

Whereas the elected representatives of the great State of Florida and the cities of Miami and Miami Beach have also graced our convention by their presence: Now, therefore, be it

Resolved, That the Young Democratic Clubs of America thank President John F. Kennedy and these officials attending and participating in our convention and direct the president of this organization to notify the President of the United States and the other officials of our appreciation.

OPERATION SUPPORT

Whereas President John F. Kennedy has set specific action programs in the fields of health and education and, in the future, will set other specific action programs to meet national and international problems, programs which express principles the Democratic Party has long advocated; and

Whereas the President and the Democratic leaders in Congress cannot do the job without the understanding, cooperation, and support of millions of Americans throughout the United States; and

Whereas the number of Democrats writing to their representatives in Congress must be drastically increased to show the true measure of support for our President's programs: Therefore, be it

Resolved, That this convention instruct each State president to appoint a special chairman and committee for Operation Support, and further, to assign a program reporter responsible for special information on each of the programs; and further, that the aforementioned Operation Support chairmen be instructed that their major responsibility is to educate and inform not only Young Democratic Clubs, but also to work with other political and nonpolitical organizations friendly to specific programs of our President.

SENIOR CITIZENS DIVISION OF DEMOCRATIC NATIONAL COMMITTEE

Whereas the National Democratic Committee and State Democratic committees recognize as an integral part of the party apparatus of the Democratic Party the Young Democratic Clubs and the Democratic Women's Clubs; and

Whereas there does not now exist in the State or National Democratic Party an organization representative of the senior citizens; and

Whereas the senior citizens are becoming one of the most potent forces on the political scene; and

Whereas the history and present program of the Democratic Party clearly shows that it is the party that has concerned itself with the many particular problems of our senior citizens: Now, therefore, be it

Resolved, That the Democratic National Committee develop a senior citizen section for the purpose of organizing our older citizens within the apparatus of the Democratic Party; and be it further

Resolved, That the Democratic National Committee proceed to organize senior citizens withi. this framework and under the direction of the national committee at the discretion of the said committee.

APPRECIATION TO HANDICAPPED INTERNATIONAL

Whereas Mrs. Alberta M. Doherty, director of development, of Handicapped International, has taken the time to address our 12th biennial convention of Young Democratic Clubs of America and present their program for hiring the handicapped; and

Whereas the goal of Handicapped International is to set free millions of handicapped human beings of all colors, races, and creeds and to give them the opportunity to evolve from a stage of helpless, hopeless existence which drains enormously on the economic structure of the governments of the free world and to give the handicapped people an opportunity for productive labor, economic independence and human dignity; and

Whereas the Handicapped International program includes paraplegic, deaf, dumb, mentally retarded, blind, and also the underprivileged persons suffering from malnutrition, serious educational inadequacy, recovered mental patients, recovered heart patients, recovered alcoholics, and older age groups; and

Whereas Handicapped International asserts the God-given right of every man for a productive, useful life and the pursuit of happiness, it contributes to the preservation of the free world by contributing to the national productivity, to individual freedom and to the brotherhood of man; and

Whereas Handicapped International plans to effect the rehabilitation and employment of 10 million handicapped persons in the next 10 years contributing an estimated $20 billion annually in productivity from the handicapped worker and saving the taxpayer of the free world $5 billion annually: Now, therefore, be it

Resolved, That the Young Democratic Clubs of America thank the officials of Handicapped International for attending our convention and further to congratulate and wish them well in their promotion of programs for hiring the handicapped throughout the free world.

APPRECIATION TO PERMANENT CHAIRMAN, JAMES QUIGLEY, ASSISTANT SECRETARY FOR HEALTH, EDUCATION, AND WELFARE

Whereas the permanent chairman has here in Miami Beach demonstrated the qualities of utmost leadership; and

Whereas we as individuals are both individually and collectively very indebted to our chairman for the excellent role he has taken during our convention proceedings: Therefore be it

Resolved, That we express a vote of confidence in James Quigley and wish him well for his continuing endeavors as a member of the Kennedy administration.

APPRECIATION TO YOUNG DEMOCRATIC CLUBS OF FLORIDA

Whereas the 12th biennial convention of the Young Democrats have met here in Miami Beach, Fla., during the past 4 days; and

Whereas the State of Florida has provided the delegates here assembled in this superb setting of Miami Beach in the Sunshine State of Florida; and

Whereas the warmth of the friendly Florida sun has been outdone by that of our host in presenting an atmosphere most conducive to sociable and vigorous, intelligent participation in the affairs of this convention: Therefore be it

Resolved, That this convention record herewith its debt of gratitude to our host State, the State of Florida.

APPRECIATION TO CONGRESSMEN FASCELL AND MADDEN

Whereas Congressman DANTE B. FASCELL, of Florida, and Congressman RAY MADDEN, of Indiana, have graced our convention with their presence; and

Whereas it is the desire of this convention to thank these gentlemen: Now, therefore, be it

Resolved, That this 12th biennial convention of Young Democratic Clubs of America herewith thank Congressman FASCELL and Congressman MADDEN for attending and participating in our convention.

APPRECIATION TO CONGRESSMAN JOHN BRADEMUS, TEMPORARY CHAIRMAN

Whereas JOHN BRADEMUS, U.S. Congressman from the Third Congressional District, Indiana, has given the 12th biennial convention of the Young Democratic Clubs of America a most stirring keynote address; and

Whereas Congressman BRADEMUS has been an excellent temporary chairman of this convention: Now, therefore, be it

Resolved, That this 12th biennial convention of the Young Democratic Clubs of America hereby thank Congressman JOHN BRADEMUS for his appropriate and inspiring message and his outstanding conduct as temporary chairman of our convention.

APPRECIATION TO HOST COMMITTEE

Whereas the Young Democratic Clubs of Florida, the Young Democratic Club of Dade County, and the host committee have worked tirelessly and diligently in making this 12th biennial convention of the Young Democratic Clubs of America a highly successful and enjoyable event; and

Whereas it is the desire of this convention to publicly thank and acknowledge this tireless and diligent work: Now, therefore, be it

Resolved, That the Young Democratic Clubs of America say, "Thank you," ladies and gentlemen.

POSTAL RATE LEGISLATION

Mr. CARLSON. Mr. President, there is pending in the Senate Post Office and Civil Service Committee a bill that represents the most drastic change in postal ratemaking that I have ever seen, insofar as concerns newspapers and all other second-class mail.

The surcharge of 1 cent per copy would mean increases in the same amount on a small newspaper moving one mile across a county line or a big magazine or newspaper crossing the continent.

For instance, here is how the proposed postal rate increase would work on a 6-day, small-city daily newspaper with out-of-county subscribers.

It would add one cent per copy per day per mail subscriber, or $3.12 additional postage per year. It would not only affect small daily newspapers, but it would affect all our magazines and small publications.

Last week Marquis Childs, whose column appears in the Washington Post and other papers in the Nation, wrote as follows:

> If postal rate increases contained in the bill passed by the House are approved by the Senate many magazines and small publications will be forced out of business. And it is the contention of the publishers that these will in many instances be the voices of dissent, the publications that deal in ideas and that are the stimulus for the kind of intellectual debate that is the lifeblood of a vigorous free society.

Later in the same article, Mr. Childs wrote:

> The plight of the magazines—in effect, the plight of the printed word—has been put most forcefully by John Fischer, editor of Harper's magazine. In a letter to Senators he says that if the House bill passes, most of the country's serious magazines which are carried by mail will be killed off while the sex, crime and comic book publications sold almost entirely through the newsstands will be untouched.
>
> Fischer claims that the proposed increase in second- and third-class rates would cost Harper's $115,000 a year. That is more money, he adds, than "we have ever earned in any year in the last two decades." It is more than twice the total profit in 1960-61 the magazine suffered a loss.

I call this to the attention of the Senate because we are beginning hearings on the proposed postal rate increases in the Senate Post Office and Civil Service Committee. The proposed rates in all classes of mail must be thoroughly analyzed and studied, as it would have an effect not only on needed postal revenue, but on the future economy and welfare of our Nation.

The Post Office Department is a $4 billion a year business, and a matter of a few million dollars more or less should not be the main consideration in dealing with this important problem.

I ask unanimous consent that Mr. Childs' article be made a part of these remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ARTICLE BY MARQUIS CHILDS

The revolution worked by television continues to make itself felt in every phase of American life and, whether they are aware of it or not, this revolution is at issue before members of the Senate Post Office Committee considering postal rate increases.

If postal rate increases contained in the bill passed by the House are approved by the Senate many magazines and small publications will be forced out of business. And it is the contention of the publishers that these will in many instances be the voices of dissent, the publications that deal in ideas and that are the stimulus for the kind of intellectual debate that is the lifeblood of a vigorous free society.

Harper's, the Atlantic, the Reporter, the National Review, the Nation, and the New Republic—these and similar magazines operate on a margin so narrow as to be almost nonexistent or they are sustained by subsidies. But some of the larger magazines are in trouble, too, and the reason most often given is the competition of television and the effort to maintain a circulation of 6 or 7 million by high-powered promotion methods to compete with TV.

The cost of carrying these magazines in the mails would be drastically increased under the House bill by a complex formula. For some it would amount almost to a 50-percent increase and the Magazine Publishers Association argues that many would be forced out. The expected rise in postal revenue would, therefore, not be forthcoming.

What is evident behind the argument over the second-class rate increase is the plight of the printed word versus the electronic revolution. In virtually every area of publishing fixed costs have risen out of proportion to most elements in the economy.

The plight of the magazines—in effect, the plight of the printed word—has been put most forcefully by John Fischer, editor of Harper's magazine. In a letter to Senators he says that, if the House bill passes, most of the country's serious magazines which are carried by mail will be killed off while the sex, crime, and comic book publications sold almost entirely through the newsstands will be untouched.

Fischer claims that the proposed increase in second- and third-class rates would cost Harper's $115,000 a year. That is more money, he adds, than "we have ever earned in any year in the last two decades." It is more than twice the total profit in 1960—in 1961 the magazine suffered a loss.

As a result of rising costs, and particularly postal costs, he alleges, the whole magazine industry is in a precarious situation. In 1961, a good year, total profits of the 35 largest magazine publishing firms were only 1.7 percent. Thirty-two of the two hundred and fifty largest magazines have either died or merged in the past 10 years, he pointed out.

"In contrast the profits of the television industry jumped tenfold, from $9,900,000 in 1952 to $95,200,000 in 1960—primarily because it enjoys the incalculable benefit of using the public's airwaves without any charge whatever."

This gets to the heart of the matter—the allegation that the television industry is getting a free ride to its own immense profit. Chairman Newton N. Minow raised this point by suggesting that, since the networks use the airwaves as licensed by the Federal Government, they have an obligation to provide a far greater measure of public service than they are presently doing.

The networks resented Minow's intrusion into what they consider their business and at the recent Federal Communications Commission hearings into programing they sought to refute his charge by documenting the time and money they devote to public service programs. The hearings showed the extraordinary way television has come to dominate mass communication. The average television set, it was brought out, is turned on 5 hours and 22 minutes a day.

In the not-too-distant past the picture was a different one. Then the big, highly profitable mass circulation magazines were represented as getting a subsidy out of Government made up of the difference between the cost of carrying the magazine in the mails and the amount paid by the magazine publisher. But with rising costs on every hand and TV competition this has been reversed except for a few of the giants that might survive the proposed increase.

The amount of money involved in the second-class increase—$53 million—is by Government standards comparatively small. But publishers argue that it will further the concentration and conformity in the communications field and paralyze the marketplace of ideas. Senators impressed by this argument will try to find a compromise with the House.

STOP SUBSIDIZING COMMUNISM

Mr. LAUSCHE. Mr. President, the Communists are beginning to take increasing advantages of the privileges accorded to them in the use of the U.S. mail service. Out of Cleveland I am getting reports that mail is coming from Communist sources in Hungary, Lithuania, Latvia, and Estonia to citizens of the United States in Cleveland. These citizens do not know how their addresses were obtained, but, intermittently, mail comes to them of a Communist propaganda nature.

These particular recipients are becoming greatly disturbed, because they find themselves mystified in trying to learn where the Communists have obtained their addresses. Many of the recipients are refugees, a substantial number having fled from Hungary in 1956.

The House has passed a bill which, if adopted by the Senate, will remedy abuses being perpetrated by the Communists. I believe in free speech. I recognize the merits of reciprocity in delivering nonpropaganda mail. But I cannot subscribe to the idea that Communist propaganda mail coming out of Communist countries constitutes legitimate free speech as we in the United States envision it.

Mr. President, there appears in the House-passed postal rate increase bill an amendment of great significance and importance. It has the effect of preventing the receipt, handling, transportation, or delivery by the U.S. postal service of any mail matter determined by the Attorney General to be Communist political propaganda. It also provides that no postal rate established should be available for the receipt, handling, transportation, or delivery of mail matter found by the Attorney General to be Communist political propaganda financed or sponsored directly or indirectly by any Communist-controlled government.

Mr. President, on September 26, 1961, soon after it was announced by the General Counsel of the Post Office Department that no longer would there be a screening of mail coming from the Soviet or Communist-dominated countries, I spoke on the floor of the Senate expressing my alarm over such action, and urged a thorough inquiry. The Post Office Department lifted the screening even though some of the publications were known to include or contain Communist propaganda; and in lieu of the screening program that had been in operation for more than 20 years, there were to be placed in conspicuous places in all post offices notices that mail containing Communist propaganda need not be accepted and that it would be returned if the addressee would mark on the face of it "Refused." This ineffective method is like locking the door after the horse has been stolen—it also places the burden of determination upon the unsuspecting recipient. It is a flimsy and unwarranted method of shirking responsibility where responsibility belongs.

Mr. President, this bulletin from the Post Office Department last year came as a great shock to me, and I am certainly glad to learn that the other body of the Congress, through almost unanimous action, has taken steps to write into the pending Post Office rate increase bill language that would restore, at least in part, screening of mail suspected of containing Communist propaganda. I subscribe fully to free speech, but I stop at that point and say that we are not to subsidize the Communists with our money in the mailing of their material to the United States when we know that it is not intended for legitimate communication purposes, but is intended to propagandize communism in the United States.

In the explanatory bulletin issued by the Post Office Department last year relative to this subject, it was indicated that six legal actions had been filed against the Government questioning the constitutional and legislative authority to detain this mail. It stated further that the Department of Justice was convinced that legislative authority was lacking. Mr. President, if legislative authority was lacking, it is high time that we now provide such authority, and it is my belief that such authority is granted in this amendment. It is interesting to note that when an attempt was made on the floor of the other body to delete this amendment, there were only two votes in favor of such proposed action. I am hopeful that the Senate will see fit to retain this amendment.

Mr. President, the House-enacted postal bill provides for rate increases on many types of mail being handled by the U.S. Post Office Department. It provides for an increase on first-class mail, including airmail, which must be borne by the citizenry of our country. I believe reasonable increases are necessary in order to help wipe out the ever-increasing postal deficit. I cannot, however, subscribe to any action which would require relatives to bear an increase in the cost of mailing morale-building letters to sons or husbands stationed at far-distant points throughout the world, helping to contain communism, and at the same time allow Communist countries what amounts to almost free mailing privileges in this country to pollute the minds of unsuspecting recipients of Communist propaganda. I would hope that there would be none in this body who would be so naive as to believe that the Communist postal system would grant such a privilege to the United States.

Mr. President, the wiles and means of the Communists in attempting to propagandize the citizens of our country are many. Little schemes, which on the surface appear to be innocent and perhaps even helpful, many times are designed to ensnare and embarrass patriotic citizens of our country who have foreign origin. My attention has been called recently to a tabloid-sized newspaper printed in Budapest in the Hungarian language, which is being delivered unsolicited to a growing number of homes in Cleveland. Most of the persons in Cleveland receiving the Hungarian newspaper are puzzled about how their names and addresses were obtained. It is believed that mailing lists were compiled from telephone directories or passport examinations in foreign countries. A major portion of the paper's content appears to be innocent—smiling faces depicted in photographs; sports, singing and dancing discussed in print; crossword puzzles and cartoons. But part of the publication can easily be construed as something else. In one section of the paper there is asked the whereabouts of seven persons.

At the end of the column, this appears:

> We are asking our dear readers who know the compatriots we are seeking to communicate with the Hungarian World League.

A Budapest address is given and it is stated that when the persons are located, their relatives will be notified by the league. The Communist government in Hungary, which reportedly controls the league, probably wants to know these persons' whereabouts for its own purposes. The plight of relatives, should such a plight exist, would be a secondary motive for the inquiry.

Mr. President, this is only one of the many attempts by the Soviet Government to propagandize and ensnare innocent and loyal citizens of our country. People are not only concerned that this type of material comes here at all, but are equally, or even more so, enraged that we should deliver it free and subsidize this inflow of Red propaganda.

Though it is not known exactly what the total annual volume of mail from Communist countries entering the United States and being distributed "free" is and what percent of this total amount would contain propaganda, it is only logical to assume that the amount has reached phenomenal figures and that a great portion of it can and should be labeled Communist propaganda. In 1958, Mr. Irving Fishman of the U.S. Customs Bureau said there were 4,800,000 parcels, and a year later it was estimated by Mr. Fishman that 6 million parcels containing 10 million individual items came into this country. In 1960, it was testified that over 14 million packages or 21 millions pieces were coming in from Communist countries.

Mr. President, Russia and Red China can produce about 3,600 million books a year, more than one book for every person on earth. The Senate Internal Security Committee reported recently:

> The various forms of Communist propaganda throughout the world involve a personnel of about 500,000 and an annual expenditure of approximately $2 billion.

An international drive of that scope directed toward softening the populations of the free world toward communism is a tremendous operation and has been given a priority by the Communists equal to their missile program. Are we to continue to encourage the Soviet in this campaign by permitting this effective weapon to be distributed free, and without inspection, through our postal system? For Congress to ask the American taxpayer to bear the burden of increased postal rates, while at the same time permitting Red propaganda to be distributed in this country through our postal service and free of charge, is sheer hypocrisy. Let us call a halt to it now.

CREATION OF EXECUTIVE DEPARTMENTS IN THE FEDERAL GOVERNMENT

Mr. McCLELLAN. Mr. President, beginning in the 80th Congress, numerous bills and resolutions have been introduced and reorganization plans submitted to the Congress to effect reorganizations in the executive branch of the Federal Government. Sixty-six reorganization plans have been sent to the Congress by three Presidents, under authority of the Reorganization Act of 1949, as amended. Six of these plans proposed the creation of new Federal departments with Cabinet rank.

The Committee on Government Operations has considered a number of bills and three reorganization plans proposing the establishment of a Department of Health, Education, and Welfare. The first two of the reorganization plans were rejected in the 80th and 81st Congresses. The creation of this Department was approved under Reorganization Plan No. 1 of 1953, in the 83d Congress.

The Senate Committee on Armed Services reported a bill to establish the Department of Defense in the 81st Congress—creating the Department of the Air Force, and changing the name of the War Department to the Department of the Army—which became Public Law 216, and superseded Reorganization Plan No. 8 of 1949. The Senate Committee on Banking and Currency reported a bill proposing the creation of a Department of Housing and Metropolitan Affairs in the 86th Congress. All of the other reorganization measures proposing the creation of new departments were referred to the Committee on Government Operations.

There were 20 bills introduced in the 86th and 87th Congresses proposing the creation of new Federal departments. These include Departments of: Aeronautics and Space; Consumers; Culture; Federal State Urban Affairs; Housing

and Metropolitan Affairs; Housing and Urban Affairs; Mineral Resources; Peace; Public Information; Public Relations; Rural and Suburban Government; Science; Science and Technology; Small Towns and Rural Affairs; Transportation; Transportation and Communications; Urban Affairs; Urban Affairs and Housing; Urbiculture; and Veterans' Affairs.

Four of these bills, proposing the establishment of Departments of Aeronautics and Space, Consumers, Science, and Transportation, are now pending before the Senate Committee on Government Operations.

In addition, there are nine other bills presently pending in the House of Representatives, proposing the creation of Departments of Culture, Mineral Resources, Peace, Public Information, Public Relations, Rural and Suburban Government, Small Towns and Rural Affairs, Transportation and Communications, and Veterans' Affairs.

I have also introduced a bill, S. 2771, to create a Commission on Science and Technology, now pending before the committee, which would, among other duties, require the Commission to determine whether or not there is a real need for the establishment of a Department of Science and Technology.

The four proposals referred to the Senate Committee on Government Operations in the 87th Congress cover areas of Federal activity which, in my judgment, are more directly concerned with Federal responsibility than would be a Department of Urban Affairs and Housing, as proposed by Reorganization Plan No. 1 of 1962, recently disapproved by the House of Representatives. These bills are all directed toward problems of general interest and concern to all the people, and not to special groups or areas.

Studies and reports conducted and issued by the Senate Committee on Government Operations and its Subcommittee on Reorganization, and by the House Committee on Science and Astronautics, have established the lack of coordinated programs for the development of Federal science activities, the processing and retrieval of scientific information, and the full utilization of the services and talents of the best qualified members of the scientific community.

A Department of Science and Technology or of Aeronautics and Space would involve some of the most important and essential fields of Federal activity dealing directly with problems of vital importance to all our people. By whatever name such a department might be called, the functions of the National Aeronautics and Space Administration—and its contributions toward developing basic science, our national defense program, and the future security of the Nation—would be the major function, and perhaps the most dominant activity, of the new Department.

The VICE PRESIDENT. The time of the Senator from Arkansas has expired.

Mr. McCLELLAN. Mr. President, I ask unanimous consent that I may proceed for a few minutes.

The VICE PRESIDENT. Is there objection to the request of the Senator from Arkansas? The Chair hears none, and it is so ordered.

Mr. McCLELLAN. Mr. President, the bill I introduced on January 31, S. 2771, cosponsored by my distinguished colleagues, the Senator from Minnesota [Mr. HUMPHREY], the Senator from South Dakota [Mr. MUNDT], the Senator from New Hampshire [Mr. COTTON], and the Senator from Texas [Mr. YARBOROUGH], to create a Commission on Science and Technology, is based upon facts developed after more than 4 years of staff studies and committee hearings on the operations and deficiencies in the administration of Federal science programs. Many separate and independent actions have been taken by the Congress and Federal agencies carrying on programs in research and development, but there have been no major reorganizations effected to consolidate and bring all such activities into a central cooperative effort in these important areas of Federal activities.

The Committee on Government Operations pointed out in Senate Document No. 113 of the 86th Congress, on "Documentation, Indexing and Retrieval of Scientific Information," that there was much duplication and overlapping and a complete lack of coordination between Federal agencies engaged in civilian science activities. Although efforts were made by the committee to develop legislation which would help solve some of these problems, it was difficult to obtain any specific recommendations or uniform agreements as to exactly what reorganizations are necessary or desirable. Witnesses at the committee hearings suggested that, before any program could be developed and appropriate action taken, it would be desirable to have further extensive studies made by persons who were qualified in these fields and also by Government officials who administer Federal programs in this area.

Accordingly, the committee recommended to the Senate that a Commission on a Department of Science and Technology be created, patterned after the Hoover Commissions, to determine whether or not there was a real need for such a department at the Cabinet level. Action on this bill (S. 1851) was deferred by the Senate in the 86th Congress in order to permit consideration of this proposal by the present administration.

The most constructive action which has been taken by the Congress since the committee first initiated its program to improve the science activities of the Federal Government was the upgrading of the National Aeronautics and Space Administration, where the Federal programs in the missile and space fields were coordinated and strengthened in 1958. Also, some progress has been made in the science documentation and information retrieval programs, which have been under study by the Senate Committee on Government Operations since 1957, even before sputnik. There remains much to be done in this field, however, and S. 2771, the bill we have introduced, places special emphasis on the need to study these programs so that they can be advanced more rapidly and effectively coordinated.

Mr. David E. Bell, Director of the Bureau of the Budget, in commenting on the bill to establish a Department of Urban Affairs and Housing, expressed his views as to the nature and extent of Federal activities which might warrant elevation of an agency or agencies to Cabinet status, as follows:

> No exact criteria have ever been prescribed for determining at what stage in its development an agency merits departmental status. The Congress generally has applied certain pragmatic tests in considering proposals to establish new executive departments.
>
> These tests have related primarily to the permanence, size, scope, complexity, and above all national significance of the programs administered by the proposed department. Departmental status is reserved for those agencies which—
>
> 1. Administer a wide range of programs directed toward a common purpose of national importance; and
>
> 2. Are concerned with policies and programs requiring frequent and positive Presidential direction and representation at the highest levels of the Government.

Any complete and impartial analysis of the application of these tests will clearly demonstrate that the policies and programs of science and technology warrant first consideration. The Federal agencies engaged in these activities contribute to the security and safety of the Nation and administer a wide range of programs directed toward a common purpose of national importance—defense and survival—and seem to fully meet those requirements.

The most serious defect in the Federal science program—even excluding the weaknesses in the science information processing program, an essential component—is the lack of a central administrative agency with adequate authority to develop a Government-wide program. There presently exists an urgent need for the coordination of our basic science and technological programs, so as to eliminate existing deficiencies in operation. There is much waste of Federal funds and scientific and engineering manpower through duplicating research and development programs, and a serious lack of adequate media for making information generated by these activities available to all agencies and technicians engaged in related or similar endeavors in the Federal Government and to the scientific community in general.

The previous administration relied upon a science adviser and science advisory groups, who reported directly to the President, to coordinate civilian science programs of the Federal Government. None of these were vested with any operating or administrative authority. With all the other heavy responsibilities placed upon the President, he is unable to give this problem his personal attention, no matter how many advisers he may have.

It is, therefore, desirable for the Congress and the President to determine whether an adequate and responsible administrative structure should be established in the executive branch headed by an operating official of Cabinet rank. One of the principal duties of the proposed Commission on Science and Technology would be to determine whether such an official, vested with authority

to develop a coordinated science program and to recommend necessary reorganizations, is now needed to meet the ever-increasing demands for the advancement of science in government.

The present administration, instead of appointing a science adviser as was done by the previous administration, appointed a special assistant to the President for science. Whether the official advising the President is called an adviser or special assistant, the same situation exists. Even though such a person may be outstanding in his field and an official exceptionally well qualified—as have been Dr. Killian, Dr. Kistiakowsky, and Dr. Wiesner—he has no real authority to establish or to operate programs which are required to bring about coordination of Federal scientific activities. He is not in a position to effectively present or enforce such policies as may be agreed upon between the President and his science adviser at the Cabinet level. The Committee on Government Operations has taken the view that it is necessary that such an official have a voice equal to those of other Federal officials engaged in operating and supporting areas of science. It is essential that the Congress be provided with information required to insure the enactment of appropriate legislation that may be needed to bring these functions into proper perspective in relation to all such Government operations in this area.

Unless legislative action is taken by the Congress to establish some medium through which reliable information and supporting technical data is made available to Congress by officials who are responsive to its needs, the committees of the Congress will continue to be denied access to facts and supporting data necessary to the legislative process in establishing policies in the fields of science and technology. Under the present policy, Congress is denied access to such information through the appointment of officials in the Executive Office of the President and to advisory groups composed of the leading scientists and engineers throughout the country. These appointees are responsible and responsive only to the President. The field is, therefore, preempted insofar as the Congress is concerned in its efforts to obtain reliable and factual information needed by the legislative branch if it is to perform its normal constitutional functions in the development of programs and providing funds for the further advancement of Federal science and technology.

To illustrate this deficiency in relations between the Congress and the executive branch in the development of adequate science programs, Dr. James R. Killian, Jr., science adviser to President Eisenhower, responded to an invitation to testify before the Subcommittee on Reorganization when it was considering legislation to create a Department of Science and Technology, as follows:

> Under normal circumstances I would welcome the opportunity to testify. Under present circumstances I believe it inappropriate for me to do so because of my advisory functions here in the White House.

Members of the President's Advisory Committee took a similar position.

The committee, in reporting a bill similar to S. 2771, proposing the creation of a Commission on a Department of Science and Technology in the 86th Congress, concluded that—

> There is a real need for a bipartisan commission to study the problems relating to the proposed establishment of a Department of Science and Technology in order that the Congress may have access to officials who are responsive to its requirements, and provided with the necessary information to effect an equitable solution to the present problems relating to Federal science programs as may be determined by the President and the Congress.
>
> As an essential first step in achieving these objectives, the committee recommends the enactment of S. 1851, so that the Congress and the President may have the benefit of the recommendations of qualified experts in the fields of science, engineering, and technology, upon which appropriate legislative action, directed toward the improvements of Federal science programs and operations, may be taken.

It is imperative that the United States continue to maintain its lead in scientific development and technological achievement if it is to meet its responsibilities in the fields of missiles, space, and weaponry. The Nation must be prepared to carry on comprehensive and advanced scientific and technology programs if it is to successfully meet the challenge of world communism.

To insure that the free world may maintain this progress, a complete reevaluation of present Federal operations in science, research, and technology, should no longer be delayed. Adequate and effective actions must be taken to eliminate existing deficiencies and to coordinate and improve the present inadequate organization structure with the least possible delay. The enactment of bill S. 2771 to create a Commission on Science and Technology is the first essential step toward attaining these objectives.

I have a tabulation of legislative proposals for the creation of new departments in the executive branch, and a summary of major reorganizations effected within existing departments, from January 1, 1947, the beginning of the 80th Congress, to date, for the information of the Senate, and I ask unanimous consent to have the tabulation printed in the RECORD.

There being no objection, the tabulation was ordered to be printed in the RECORD, as follows:

PROPOSALS FOR CREATION OF NEW DEPARTMENTS IN THE EXECUTIVE BRANCH, AND REORGANIZATIONS OF EXISTING DEPARTMENTS

Aeronautics and Space: 86th, S. 3085, H.R. 10637; 87th, S. 1408.

Agriculture: 81st, Reorganization Plan No. 4 of 1950 [1]; 82d, S. 1149 [1]; 83d, Reorganization Plan No. 2 of 1953; 86th,[1] Reorganization Plan No. 1 of 1959; Senate Report 1353; Public Law 86–509.

Air Force: Public Law 80–253; Public Law 81–216. (See Department of Defense.)

Army: Name changed from Department of War. (See Department of Defense.) Public Law 80–253; Public Law 81–216.

[1] Hearings held by Senate Committee on Government Operations.

Civil Defense: (Establish within Department of Defense) 83d, House Concurrent Resolution 233; 84th, create Department, H.R. 8936, 8979–8985, 9007, 9041; 85th, H.R. 147, 174, 1043, 2383.

Commerce: Transfer of Public Roads Administration to 81st, Reorganization Plan No. 7 of 1949; Reorganization Plan No. 5 of 1950 [1]; transferring RFC to, Reorganization Plan No. 24 of 1950; transfer functions of U.S. Maritime Commission to. Reorganization Plan No. 21 of 1950.[1] (See Department of Health, Education, and Technology, Department of Science and Technology, and Department of Transportation.)

Consumers: 86th, S. 1571 [1]; H.R. 7024, 13036; 87th, S. 1688, H.R. 9619.

Culture: 87th, H.R. 9062.

Defense: (National Military Establishment as Department.) 80th, Public Law 80–253 [1]; 81st, Reorganization Plan No. 8 of 1949; Public Law 81–216; 83d, Reorganization Plan No. 6 of 1953; 85th, S. 3210, 3649, H.R. 11958, 12801; Reorganization Act of 1958 (72 Stat. 514, Aug. 6, 1958).

Federal-State Urban Affairs; 87th, S. 2861.

General Services: 85th, H.R. 7694.

Health: 82d, S. 1140,[1] S. 3314.

Health, Education, and Public Welfare: 83d, S. 1219.

Health, Education, and Security: 80th, S. 140,[1] S. 712,[1] S. 1239; (Independent Office of Education), S. 2060 (amendment); 81st, Reorganization Plan No. 27 of 1950.[1]

Health, Education, and Technology: 87th Senate Document 15.

Health, Education, and Welfare: 83d, Reorganization Plan No. 1 of 1953,[1] Public Law 83–13, include among executive departments and providing for appointment of general counsel; 84th, S. 3768 (S. Rept. 2192), Public Law 84–852.

Housing and Metropolitan Affairs: 86th, S. 3292 (S. Rept. 1607).

Housing and Urban Affairs: 84th, S. 3159; 85th, S. 2159; 87th, S. 609. (See Urban Affairs and Housing.)

Information, Public: 86th, H.R. 12357, 12358; 87th, H.R. 494.

Interior: 80th, Bureau of Land Management, reestablishing Office of Registers, S. 28 [1]; 81st, Reorganization Plan No. 3 of 1950, Petroleum Administration for Defense, created under the Defense Production Act of 1950 (64 Stat. 798; 50 U.S.C. App. 2061), abolished April 30, 1954; 82d, S. 4, S. 1143, establishing Fish and Wildlife Service as division under an additional assistant secretary; 84th, S. 3694; 86th, Reorganization Plan No. 1 of 1959, Public Law 86–509.

Justice: 81st, Reorganization Plan No. 2 of 1950; 82d, Reorganization Plan No. 4 of 1952 [1]; 83d, Reorganization Plan No. 4 of 1953.

Labor: 81st, Reorganization Plan No. 2 of 1949,[1] transfer Bureau of Employment Security and Veterans' Placement Service Board to; Reorganization Plan No. 6 of 1950, Reorganization Plan No. 19 of 1950; Bureau of Employees' Compensation transferred from Federal Security Agency by, expand activities (administration of labor standards). Reorganization Plan No. 14 of 1950.

Labor and Public Welfare: 87th, S. Doc. 15.

Mineral Resources: 82d, H.R. 5964, 6586; 83d, S. 2432; 84th, S. 3441; 85th, H.R. 8187; 86th, S. 573, H.R. 1780; 87th, H.R. 2210.

Peace: 80th, S. 79, 1098; 83d, H.R. 1421, 6132; 84th, H.R. 7790; 85th, H.R. 4137, 4298; 86th, S. 2332, H.R. 1352; 87th, H.R. 9010.

Peace and Disarmament: 84th, H.R. 196, 5099.

Post Office: 81st, Reorganization Plan No. 3 of 1949;[1] 82d, Reorganization Plan No. 2 of 1952.

Public Health and Welfare: 83d, H.R. 3182.

[1] Hearings held by Senate Committee on Government Operations.

Public Information: 86th, H.R. 12357, 12358; 87th, H.R. 494.

Public Relations: 87th, H.R. 5768.

Public Welfare: 81st, Reorganization Plan No. 1 of 1949.[1]

Rural and Suburban Government: 87th, House Joint Resolution 278.

Science: 85th, S. 3180, H.R. 11392; 86th, S. 586;[1] 87th, S. 623.

Science, Health, and Education: 87th, S. Doc. No. 15.

Science and Technology: 80th, S. 493[1] (Technical Information and Services Act); 85th, S. 3126[1] (S. Doc. 90); 86th, S. 676, S. 1851,[1] S. 3887 (S. Rept. 120; S. Doc. 113), H.R. 8325, Commission on, 86th, S. 1851; 87th, S. 2771.

Small Towns and Rural Affairs: 87th, H.R. 6714.

Social Security and Education: 82d, S. 1145; 83d, H.R. 300.

State, Treaties and Statutes: 81st, Reorganization Plan No. 20 of 1950; 82d, Transfer of Displaced Persons Commission and War Claims Commission, S. 1147,[1] Reorganization of, S. 1389; 83d, S. 623, Reorganization of Foreign Operations Administration, Reorganization Plan No. 7 of 1953, U.S. Information Agency, Reorganization Plan No. 8 of 1953; 84th, Reorganization of Passport Office, S. 3440[1] (S. Repts. 1604–1605); 85th (S. Repts. 113, 1288); 86th, S. 2095[1] (staff report, Committee on Government Operations), 87th, U.S. Arms Control and Disarmament Agency, S. 1026, H.R. 9118, Public Law 87-297.

Transportation: 80th, S. 1812; 81st, S. 402; 86th, S. 3596; 87th, S. 867.

Transportation and Communications: 85th, H.R. 3424, 86th, H.R. 985; 87th, H.R. 1126.

Treasury: 81st, Reorganization Plan No. 1 of 1950,[1] Reorganization Plan No. 26 of 1950; 82d, S. 1150, Bureau of Customs, Reorganization Plan No. 3 of 1952.[1]

Urban Affairs: 84th, H.R. 7731; 86th, H.R. 781, 2423, 4481, 11918, 12508, 12663, 13024; 87th, H.R. 301, 350, 557, 962, 964, 2042, 2389, 5346, 6065; 87th, S. 289,[1] 375.[1]

Urban Affairs and Housing: 87th, S. 609,[1] S. 1633,[1] H.R. 6433, 6538, 6547, 8420.[1] 87th, Reorganization Plan No. 1 of 1962,[1] S. Res. 288,[1] H. Res. 530, 531, 532.

Urbiculture: 83d, H.R. 10032; 84th, H.R. 1864; 85th, H.R. 1019; 86th, S. 1431,[1] S. 2397, H.R. 984, 9250 (S. Rept. 881); 87th, H.R. 1125.

Veterans' Affairs: 83d, H.R. 23; 84th, H.R. 10381; 85th, H.R. 409; 86th, H.R. 5724.

Welfare: 81st, S. 2060.

[1] Hearings held by Senate Committee on Government Operations.

GOV. FORREST SMITH OF MISSOURI

Mr. SYMINGTON. Mr. President, Missouri lost one of its most distinguished sons, America one of its finest citizens and I lost one of my most cherished friends in the death last Thursday night, March 8, of the Honorable Forrest Smith, former Governor of Missouri, at Gulfport, Miss.

Governor and Mrs. Smith were on their way home to Jefferson City from a month spent in Florida when Governor Smith was stricken with a heart attack and taken to the hospital where he died 2 hours later.

Forrest Smith was proud to be known in Missouri and nationally as a politician, a profession and description for which he never apologized. He was truly one of the most able practitioners of the art of politics in the history of our State and his record as Governor of Missouri from 1949 through 1952 is one of efficiency and achievement which placed the capstone on his more than 40 years of elective and appointive public office.

A former schoolteacher, county assessor, county clerk and State tax commission member, Forrest Smith was first elected to statewide office as auditor of the State of Missouri in 1932. He was subsequently reelected to the same office for three more consecutive terms, a total of 16 years of service in this position which established a record for any State office in Missouri. During his service as State auditor, Forrest Smith served terms also as president of the National Association of Chief State Tax Officers and of the National Association of State Auditors and Treasurers.

In his 4-year term as Governor, Forrest Smith suffered what to many would have been an overwhelming defeat in his attempt to get a much needed increase in the State gas tax, then a year later came back in the State legislature to win the first increase in our State gas since 1920. His original efforts in 1950 were vindicated just last week when a similar gas tax carried by a margin of three to one, raising the State tax to 5 cents with refunds to cities and counties for their roadbuilding activities; Missouri still has a gas tax as low as any State in the Nation. I am sure that Forrest Smith was pleased at the results last week in the continuing campaign for better roads, a campaign in which he was a leader for so many years.

As reported in the Missouri newspapers last week, no man in Missouri public life had a wider acquaintance and no man had more friends.

Forrest Smith loved people. He enjoyed most of all doing things for people, particularly his neighbors and friends. It was most fitting, therefore, that Mrs. Smith, in announcing the funeral services, asked that there be no flowers but that those who wished to remember her husband send contributions to the Jefferson City Memorial Hospital to the Forrest Smith Memorial Fund.

Governor Smith was one of the leaders in recent years in raising funds for the hospital and I am sure this is what he would have wanted even though he was always a lover of flowers.

Mrs. Symington and I join Governor Smith's thousands of friends throughout Missouri and the Nation in extending to Mrs. Smith and their daughters, Mrs. Arthur Lynn, Jr., and Mrs. Frank Teterus, our deepest sympathy.

Mr. President, in honor of this dedicated public servant and master in the art of politics, I ask unanimous consent to have inserted in the RECORD at this point, an Associated Press story of the death of former Gov. Forrest Smith, as it appeared in the Kansas City Times of March 9; an editorial from the St. Louis Globe-Democrat of March 10; an editorial from the Kansas City Star of March 10; and an article by Lew Larkin in the Kansas City Star of March 9.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Kansas City (Mo.) Times, Mar. 9, 1962]

FORREST SMITH DIES AT AGE 76—EX-GOVERNOR OF MISSOURI SUCCUMBS SWIFTLY IN HOSPITAL AT GULFPORT, MISS.—WIFE AT HIS BEDSIDE—HEAD OF STATE FROM 1948-52 DEVELOPED CAREER IN RAY COUNTY

GULFPORT, MISS., March 8.—Forrest Smith, former Governor of Missouri, died here tonight.

Death came several hours after Smith was taken to Gulfport Memorial Hospital.

RETURNING FROM FLORIDA

He was returning from a Florida vacation with his wife, who was at his bedside when he died.

Smith was 76 on Valentine's Day.

He was elected Governor of Missouri in 1948 after a long political career which included four terms as State auditor. In that office he attracted national attention as an authority on taxation.

He had been president both of the National Association of Tax Administrators and the National Association of State Auditors, Comptrollers, and Treasurers.

ADVOCATE OF SALES TAX

Smith, a Democrat, was an early advocate of the retail sales tax and generally is credited with its adoption by Missouri in the 1930's.

Smith was born on a farm in Ray County and his early life was in the county seat, Richmond. His first political job was deputy to the county assessor. After 4 years, he ran for election to the job and served 2 terms.

His first State job was membership on the State tax commission, starting in 1925.

FIRST JOB IN COUNTY

Smith began as a deputy county assessor of Ray County in 1908. In 1912 he ran for county clerk and was elected. He served two 4-year terms in this office.

In 1921 he opened a jewelry store in Richmond after turning down an offer by the late Arthur M. Hyde, then Governor, of a place on the newly created State tax commission. Fire destroyed the jewelry store in 1924. He reopened it a short time later. In 1925, the late Sam Baker, who succeeded Hyde that year, asked Smith to go on the State tax commission. Smith accepted and remained in State politics.

Smith got his party's nomination for State auditor in 1928, but lost in the Hoover landslide. He got it again in 1932, and was elected to the office on the Roosevelt landslide.

LONG TENURE AS AUDITOR

He then built up the longest tenure as auditor in the history of the State. He was reelected in 1936, in 1940, and in 1944.

He was planning to run for Governor in 1944 but, as before, wished to file on his birthday, Valentine's Day, February 14.

Phil M. Donnelly, State senator, beat Smith to the filing so Smith decided to wait until 1948. He won the nomination easily in a 3-man race and went on to win handily in the general election.

Smith had an interesting administration as Governor. The chief accomplishment in his administration was greatly improved highways, a program still underway.

FIGHT FOR HIGHWAY BILL

Smith saw that Missouri's highways were beginning to deteriorate badly, while the State boasted the lowest gasoline tax in the Nation. In December of 1949, 1 month after his election as Governor, but before he took office, he started the ball rolling.

He encountered well-organized opposition around the legislative halls. A highway program got through the legislature but the opposition came back with a referendum. Then the matter was put to a special vote of the people, April 4, 1950, and the proposal took such a walloping that almost everyone believed the issue dead.

But Smith refused to accept that outcome. He asked the 1951 legislature to pass the needed laws. Again a battle ensued. Two or three times it looked like the Governor was losing again. But finally a legislative program was ground out, after almost 4 years, and signed by the Governor. It stands as his greatest victory as Governor.

[From the St. Louis Globe-Democrat, Mar. 10, 1962]

FORREST SMITH

Forrest Smith campaigned for Missouri Governor in 1948 with the slogan, "There Is No Substitute for Experience." He was elected Governor in 1948 at 62 years of age with 34 years of public office holding, State and county, behind him.

He was a politician in the true sense of the word, and this helped him chalk up a pretty competent record as Governor. Mr. Smith had known defeat only on his first venture into State politics in 1928. He came back 4 years later to win the first of four successive 4-year terms as State auditor, an office from which he began almost immediately campaigning for Governor.

Few, if any, chiefs of state ever enjoyed wider acquaintance throughout Missouri. He was a formidable votegetter, leading the Democratic State ticket or taking a close second, in every one of his campaigns. He leaves his mark on Missouri political history.

[From the Kansas City Star, Mar. 10, 1962]

FORREST SMITH

As Missouri's Governor from 1949 through 1952, the great contribution of Forrest Smith was his dogged, successful fight against odds for the improvement of Missouri roads. Almost alone, in the face of what appeared to be certain defeat, he never gave up—and ultimately he won.

This triumph came after a wobbly start in office that may partly have been due to certain appointments. But that was perhaps inevitable. Forrest Smith was a politician through and through—and an experienced one—with literally thousands of friends over the State. In his hometown of Richmond he liked to walk around the square on Saturday afternoons shaking hands and visiting. Forrest Smith always knew whose mother was in the hospital, whose son was away at college, and whose granddaughter had won an essay contest. He had an incredible memory for names and faces.

Forrest Smith had an earnest desire to serve the public within the framework of a political system he knew and understood. Sometimes political circumstances made the task difficult. But in his biggest test, the fight a decade ago for better highways, he demonstrated leadership and persistence that led to his greatest victory.

[From the Kansas City Star, Mar. 9, 1962]

TAX STRIDES MARKED THE CAREER OF MISSOURI'S PERPETUAL CAMPAIGNER

(By Lew Larkin)

JEFFERSON CITY, March 9.—The death of Forrest Smith in Gulfport, Miss., last night, removed from the Missouri political scene one of the State's most colorful political leaders.

The former Governor grew up in Ray County near Richmond and began his political career as a deputy county assessor of Ray County. He came here in 1925 to serve on the State tax commission, getting the appointment under a Republican Governor.

The Ray County Democrat then decided to make politics his career. He ran for State auditor in 1928 but that was a Republican year—the last in Missouri for a long time—and he was defeated.

Undaunted, Mr. Smith gave it another try in 1932 and was elected auditor, being reelected three times. He is the only person in Missouri history to be elected four times to a State office.

He wanted to run for Governor in 1944, but the late Phil M. Donnelly got to the office of secretary of state first, following the death of Dwight Brown. With Donnelly filing first, Smith decided to wait. He ran for Governor in 1948 and was elected.

The first gasoline tax hike occurred in Mr. Smith's administration after he persistently brought the matter to the attention of the legislature. The people defeated it once but he later got the legislature to raise it from 2 to 3 cents a gallon.

Prior to his administration the legislature had passed the King-Thompson law which prohibited strikes in public utilities and Mr. Smith became the first Governor to enforce it in a Kansas City transit situation.

When he was on the State tax commission he advocated a State sales tax as a means of getting new revenue and he is generally credited with being the father of the present sales tax law.

Mr. Smith, tall and lean, with a lantern jaw and a way of making friends, was known as the perpetual campaigner. He liked nothing better than to walk through a crowded hotel lobby shaking hands.

When he was Governor, instead of walking directly from the mansion to the capitol, he would go up Jefferson to High Street—the main street—and gradually work his way westward shaking hands and stopping to talk to people.

Gov. John M. Dalton commented: "Forrest Smith was a great citizen and Missouri has lost a devoted and conscientious friend. He was loyal to Missouri and will be greatly missed."

Haskell Holman, present State auditor who worked for Smith for 13 years, said "He was an outstanding citizen and public servant and will be missed."

Dalton today ordered State and national flags here to be flown at half staff in memory of Smith.

CURRENT STATUS OF THE LARGEST COMPANY IN THE NATION'S LARGEST INDUSTRY

Mr. SYMINGTON. Mr. President, a prominent automobile dealer in my State has sent me a bulletin from the Chevrolet Division of the General Motors Corp.; and it is a most interesting document about the current status of the largest company in the Nation's largest industry.

Occasionally one hears pessimistic comments about current business conditions, sometimes coupled with complaints that this administration is antibusiness.

How can any administration which creates a climate that produces the results contained in this bulletin be criticized as antibusiness?

It is interesting to note the last paragraph of this General Motors bulletin. It stresses the fine business climate in which we are now operating.

It points out that new passenger car sales for the period January 1–February 20, 1962, are running 40 percent ahead of the same period of the previous year.

New truck sales for the same period are running 22 percent ahead of last year.

The retained car and truck gross profit dollars—variable net profit—were 54 percent greater in January than in January of last year.

The operating profit for January was 358 percent greater than for last January. Net profit before taxes was 202 percent greater.

I ask unanimous consent to have this document printed at this point in the RECORD.

There being no objection, the bulletin was ordered to be printed in the RECORD, as follows:

FEBRUARY 27, 1962.

To All Chevrolet Dealers:

It has been many a year since Chevrolet and Chevrolet dealers have had so many passenger car and truck selling opportunities on such a sound profitable basis so early in the calendar year. This is attested to by the following sales and profit results:

1. New passenger car sales January 1–February 20, 1962, are running 40 percent ahead of the same period of last year.

2. New truck sales for the same period are running 22 percent ahead of last year.

3. Retained car and truck gross profit dollar (variable net profit) in January—54 percent greater than in January of last year.

4. Operating profit in January is 358 percent greater than for last January. Net profit (before taxes) is 202 percent greater.

In my opinion, the above is factual evidence of the outstanding business climate we are operating in. Likewise, the above facts reflect excellent product acceptance.

FIFTIETH ANNIVERSARY OF FOUNDING OF GIRL SCOUTS OF THE UNITED STATES OF AMERICA

Several Senators addressed the Chair.

The PRESIDING OFFICER (Mr. MCCARTHY in the chair). The Senator from Minnesota is recognized.

Mr. HUMPHREY. Mr. President, I submit a resolution and ask that it be read.

The PRESIDING OFFICER. The resolution will be stated for the information of the Senate.

The legislative clerk read as follows:

Whereas Girl Scouts of the United States of America, chartered by the Congress of the United States, is today celebrating the fiftieth anniversary of its founding; and

Whereas Girl Scouts of the United States of America has grown from one troop of twelve girls to 166,000 troops of 2,685,000 girls—in fifty years becoming the largest organization serving girls in the free world; and

Whereas Girl Scouts of the United States of America has from the very beginning dedicated itself to the highest principles of citizenship and character building; and

Whereas Girl Scouts of the United States of America has helped more than 14,000,000 girls develop into happy, resourceful, creative individuals, willing to share their abilities as citizens in their homes, their communities, their country and the world; and

Whereas Girl Scouts of the United States of America has in this, its fiftieth year, rededicated itself to its basic principles of serving others; Now, therefore, be it

Resolved, That the Senate of the United States of America hereby commends the Girl Scouts of the United States of America on this historic occasion for its dedication to all that is best in our great land.

Mr. HUMPHREY. Mr. President, I ask unanimous consent for immediate consideration of the resolution. It has been cleared with the minority and also with the majority leader. It relates to a relatively noncontroversial subject.

The PRESIDING OFFICER. Is there objection to present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

The PRESIDING OFFICER. The resolution is open to amendment. If there be no amendment to be proposed, the question is on agreeing to the resolution.

The resolution (S. Res. 304) was agreed to.

The preamble was agreed to.

Mr. HUMPHREY. Mr. President, I am very happy that the resolution has received unanimous support. I note my colleagues are all tugging at the so-called verbal leash, ready to expound upon the important resolution—but I wish to say, in all seriousness, that this is an occasion to be commemorated, because this splendid organization has served the Nation faithfully in peace and in war. It is one of the finest character-building organizations in our country. Furthermore, it sets a very good example throughout the world.

Mr. President, I ask unanimous consent that a series of articles which appeared over the weekend relating to the Girl Scouts of America and the 50th anniversary of the organization may be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Sunday Star, Mar. 11, 1962]

SALUTE TO YOUTH—GIRL SCOUTS MARK JUBILEE YEAR

(By Frances Lide)

It will be a salute to youth.

And just about the youngest 73-year-old you'll ever encounter is to make the commemorative address when the Golden Jubilee of the Girl Scouts of America is celebrated here this afternoon.

She is Lady Baden-Powell, of course.

The World Chief Guide of the Girl Guides, whose late husband founded the Scouting movement, is always happiest when she is surrounded by young people.

Today 1200 of them—Girl Scouts from the Washington Metropolitan area—will be on hand for the 50th anniversary Girl Scout program from 3 to 4:30 p.m. in the departmental auditorium.

No one is closer to the founding story of the Girl Scouts of the United States of America than the dynamic British visitor who is in Washington especially for the jubilee event.

Juliette Gordon Low, who brought scouting for girls to her native Savannah when she returned home from England after the death of her British husband, Willy Low, enjoyed a warm friendship with the Baden-Powells.

Mrs. Low and her husband had met the founder of the Boy Scouts when they were living in England.

When the Boy Scout movement, started in 1908, soon led to the Girl Guides, she helped Lord Baden-Powell's sister, Agnes Baden-Powell, with its development.

Mrs. Low's acquaintance with Lady Baden-Powell began early in 1912—shortly before the latter was married—and continued until she died in 1927.

It was on March 12, 1912, that Mrs. Low gathered a small group of girls in her stately home in Savannah to explain the purposes of the organization she planned to start. Before she died it had grown to a membership of 170,000.

She had no children herself, but the Girl Scouts of the United States like to think that her family embraces the 3.5 million members currently enrolled in about 900 councils in all 50 States and in 49 foreign countries where American girls are living.

Lady Baden-Powell probably will recall some of Mrs. Low's aspirations when she speaks to the Girl Scouts this afternoon.

She will share the platform with Sally Bowles, daughter of the President's Special Representative Chester Bowles, who will talk on "Youth in Today's World." A former Girl Scout who transferred to the Indian Girl Guides when her father was Ambassador to New Delhi, Miss Bowles is now editor of the Peace Corps publication, the Volunteer.

Mrs. Henry F. Lerch, president of the National Capital Girl Scout Council, will open the session. The speakers will be introduced by two area Girl Scouts—Lyngrid Smith, president of the senior planning board, and Judith Risinger of Prince Georges County who has been selected to attend the World Girl Guide Center in Switzerland this summer.

While today's program marks the beginning of the Girl Scout anniversary week, the actual founding date also will be observed in Washington by the national organization at a "Report to Congress" luncheon tomorrow on Capitol Hill.

The invitations have been issued jointly by Vice President LYNDON JOHNSON and Mrs. Charles U. Culmer of Libertyville, Ill., national president of the Girl Scouts.

The 200 or so guests assembled in room 1202 of the New Senate Office Building will include a number from the Senate and committee chairmen and women Members of the House of Representatives.

The Girl Scouts of the United States of America was chartered by Congress in 1950 and annually makes a report to the legislators.

Tomorrow' program will take the form of a presentation on the many "Youth Serves Youth" projects which have been planned for the 50th birthday year.

Twelve Senior Girl Scouts—one from each of the Scout regions in the country—already are here for the event and have been working on the report at Rockwood, the national Girl Scout camp near Bethesda. Several of the 12 will be chosen to make the presentation.

The projects fall into many categories including help to migrant children, service to handicaped youngsters, "adoption" of international exchange students, work in children's hospitals and service as museum and library aides.

Vice President JOHNSON, a long-time friend of Girl Scouting, will make the luncheon address. He will be accompanied by his two daughters, Lynda Bird and Lucy Baines, both former Girl Scouts.

Miss Homer Ferguson, chairman of the Girl Scout National Advisory Committee, is chairman of the luncheon at which Mrs. Culmer will preside.

After a whirlwind visit to Washington, Lady Baden-Powell will be in New York tomorrow for a Girl Scout celebration there.

The "Great Lady" of the Golden Jubilee—now on her 11th tour of the United States—whipped up to Philadelphia Friday for a two-day visit there before returning for today's program.

Though she had a heart attack in October, she maintains a pace that has astonished local Girl Scout officials, since she arrived here Tuesday.

On Wednesday, between luncheon and tea, she asked to visit the Lincoln Memorial.

There, while other members of her party remained in the car, she climbed the 58 steps alone for the "personal pilgrimage I always make when I am in Washington."

Today she will attend special services to be held at 11 a.m., at Washington Cathedral in her honor.

[From This Week magazine, Mar. 11, 1962]

CHARLIE RICE'S PUNCHBOWL—AUNT DAISY STARTED SOMETHING

Did you know that this Monday, March 12, the Girl Scouts of the U.S.A. are celebrating their 50th anniversary? When I heard about it, I decided to make a date with a Girl Scout—which I did, for the first time since I was a Boy Scout.

Her name was Daisy Lawrence, and I met her for coffee at the Girl Scout Building, New York City. Daisy was more than just any Scout. She was America's first, original Girl Scout. (Yes, you heard me.)

"The reason I was the first Girl Scout is very simple," said Mrs. Lawrence, who is as lively as any tenderfoot, and can still rub two sticks together with the best of them. "My aunt, Juliette Daisy Low (I was named for her), founded the movement in Savannah, and she just put me down as the first member. She didn't even ask me if I wanted to join."

Happily enough, Mrs. Lawrence liked being a Girl Scout, and she's still very active in Scout work today.

"Aunt Daisy got the idea from the 'Girl Guides' in England," she told me. "They're still called 'Girl Guides' over there, but they're allied with Girl Scouts.

"Aunt Daisy was a real character. She shanghaied most of the girls in the neighborhood—and it wasn't easy, because a lot of mothers were upset about their daughters doing anything healthy. Girls were supposed to be dainty, you know.

"She outfitted us all in bloomers—great billowing things that you could use for a parachute today—and she taught us basketball. Well, that's when she got in trouble. Neighbors complained that girls were running about in a shocking state of undress. So Aunt Daisy made a rule that we must always wear long overcoats except when we were actually playing. And she also had a high fence built around the basketball court, so our bloomers would not give the neighbors heart failure."

I said Aunt Daisy sounded like a very advanced spirit for 1912.

"You can say that again," laughed Mrs. Lawrence. "Why, she even set up requirements for an Aviation Badge—and that was when flying machines were as scarce as horses are today."

She showed me one of the original Girl Scout manuals that Aunt Daisy wrote, and sure enough, you could get an Aviation Badge for your sleeve if you took some rubber bands and made a working model that would fly at least 25 yards.

There was also an Automobile Badge, which required you to know how to extinguish burning gasoline, and how to start a motor.

"And of course there were more practical badges, too," said Mrs. Lawrence, "such as the Bicycle Badge. To get that, you had to know how to mend a tire, and pledged that you would render bicycle service to the Government in time of need."

In a day when females almost never ventured into the water, Aunt Daisy's charming manual gave complete regulations for Girl Scout bathing parties: A picket must always be on guard in a rowboat, and she must be dressed in bathing costume and an overcoat. And Aunt Daisy added, delicately, "No lads allowed inside bounds * * *."

Since March 12, 1912, when Mrs. Lawrence joined up, 18 million other Americans girls and adults have followed her lead. "And I'm proud of every one of them," she says.

I asked her how many members she had personally contributed to the Girl Scouts, and she laughed. "Aunt Daisy would have been furious if she'd lived to know it. But the truth is, I've had three children, and they were all Boy Scouts."

THEY'VE BEEN PREPARED FOR HALF A CENTURY

Across the Nation today, Girl Scouts and their leaders, 3½ million strong, are celebrating their 50th birthday. In Washington, site of the movement's first national headquarters, the anniversary has added meaning.

Lady Olave Baden-Powell, World Chief Guide and widow of the founder of both boys' and girls' scouting, is here today to take part in a special program, scheduled for 3 p.m. at the departmental auditorium. Representatives of 51 nations are expected—for the scouting movement, started in England in 1908 by Lord Baden-Powell, has spread around the world.

The program of England's Girl Guides was brought to the United States in 1912 by Juliette Gordon Low, who founded the first troop with 12 girls in Savannah, Ga.

In 1913, Mrs. Low came to Washington and rented a room in the Munsey Building on E Street NW., as a national headquarters. By January 1914, the area's first two troops had been organized: one in Washington, the other in Capitol Heights. In 1915, the Girl Scouts' first national convention was held at the Raleigh Hotel.

The original blue uniform gave way in 1913 to a khaki design, official until 1927. Since then, green has been the basic color, although Brownies—girls aged 7 to 10—and Mariners dress in brown and blue. Over the years, headgear has ranged from World War I campaign hats to a Mainbocher-designed pork pie and a beret by Sally Victor.

The first Girl Scout handbook was called "How Girls Can Help Their Country." Service has remained a keyword of scouting, especially in the bond drives and clothing collections of two world wars. From the beginning, girls also were trained in homemaking skills, in camping, and in citizenship, beginning with the planning of their own group activities.

Among the Washingtonians who recall the early days are Mrs. Adolphus Staton of Chevy Chase, a member of troop No. 1, and Mrs. Frederick H. Brooke, who organized the Washington area council in 1917 at the request of Mrs. Low and Mrs. Herbert Hoover, and who succeeded Mrs. Hoover as national president in 1937. Another is Eunice Haden, a member of troop No. 6 and the first Girl Scout bugler in Washington.

From these beginnings came a movement now backed by the United Givers Fund and involving 33,600 girls and 11,000 adult volunteers in the metropolitan area. About 1,500 of these are expected to celebrate their anniversary with Lady Baden-Powell today.

Mr. HUMPHREY. I thank both the majority leader [Mr. MANSFIELD] and the acting minority leader [Mr. HRUSKA] for their cooperation in expediting passage of the resolution. At this very hour there is a luncheon being held in the new Senate Office Building, at which representatives of the Girl Scouts from 50 States are in attendance, commemorating the 50th anniversary of the organization. I take this opportunity to wish them well. I commend the leadership of the Girl Scouts and the membership, and in particular those in the State of Minnesota, who have done such a good job.

I appreciate the fact that my colleague [Mr. MCCARTHY] is now presiding. I know he joins me in an expression of commendation and support for the Girl Scout organization, nationally as well as in our own great North Star State of Minnesota.

Mr. HRUSKA. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. HRUSKA. In other ways than by communicating a vote by this body the resolution has been approved. At this very hour there is being held a luncheon honoring representatives of the Girl Scouts from 50 States, including 12 honored representatives from outstanding States such as Minnesota, for which I wish to congratulate both Senators from that great State.

Inasmuch as there will be guests present at that luncheon from this body as well as from the other body, and inasmuch as the luncheon will be presided over, at least in part, by the President of the Senate, it would appear that the Senate is totally, completely and wholeheartedly in favor of the Girl Scouts and its entire program.

Mr. KEATING. Mr. President, I wish to add that among those who are being honored today by the fine organization of Girl Scouts is a very estimable young lady from the State of New York, Miss Virginia Meeker from Nyack. We are very proud of Virginia and of all the Girl Scouts she represents.

Mr. President, the "Youth Serves Youth" projects which the Girl Scouts are carrying out in their 50th birthday year are representative of the continued efforts of this fine organization to help and serve others. In carrying out this important work the girls are indeed living up to their golden anniversary theme: "Honor the Past—Serve the Future."

Mr. President, I understand that since its founding the membership of the Girl Scouts of America has grown to approximately 3½ million. Because of their scouting experience these girls will grow up to be better citizens and better Americans. This outstanding organization performs a tremendous service in helping build both character and physical fitness in our youth and in developing happy and resourceful individuals and citizens on a local, national, and international level. Let us not forget, too, that it does this superb job without asking for or receiving 1 cent of Federal moneys.

Mr. President, I know that all Americans are proud of our Girl Scouts and the wonderful record they have established and wish them continued growth and success in the years ahead.

NEED FOR SPEED ON DUNE PROJECT

Mr. KEATING. Mr. President, the disastrous course of the storm last week has left many parts of southern Long Island devastated. The need for expediting of efforts to shore up the dunes and prevent a future recurrence of disaster is great.

The State of New York stands ready to do its share as soon as a formal request is made by the Corps of Engineers. I will certainly do all I can to push that request. I was in touch with the Corps of Engineers asking that the project be speeded up on January 2. After receiving the Corps of Engineers report on February 8, I was also in touch in the middle of February with the senior Senator from Louisiana [Mr. ELLENDER], chairman of the Public Works Appropriations Subcommittee, who has always been cooperative in these matters.

There has indeed been delay in the project, Mr. President, for it was authorized by the Congress away back in 1960. But no funds were requested by the President for actually getting the work started until this year. A whole year and a half has passed, and the need has been tragically shown to be great indeed. Moreover, no request of any sort has gone to the State of New York for its share of the work. In fact, the request probably will not be made until after the preconstruction survey has been completed.

Mr. President, in the past the Corps of Engineers has been very cooperative in New York projects. They understand the need for this one, and I am sure would have been willing to move faster on it, had Federal Budget restrictions not held back the progress. Now the urgency of the project has been clearly shown and I am sure the Corps of Engineers will be glad to cooperate.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the text of a letter which I sent to General Cassidy, Director of Civil Works for the Corps of Engineers on Friday and his earlier reply to me of February 8.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

MARCH 9, 1962.

Maj. Gen. WILLIAM F. CASSIDY,
Director of Civil Works, Department of the Army, Washington, D.C.

DEAR GENERAL CASSIDY: In further reference to our correspondence concerning the problem of beach erosion from Montauk Point to Fire Island Inlet, it is my understanding that this, unlike many beach erosion projects, is to be undertaken and construction performed by the Federal Government. The costs will be split 51 percent Federal, 49 percent local.

No funds were requested by the President from this project for fiscal year 1962, although the project was authorized by the Congress in 1960. Only $50,000 has been requested for fiscal year 1963 for preconstruction planning for the project.

Your letter of February 8 referred to the fact that local funds had not yet been made available. It is my understanding that the form of the local contribution is customarily not determined until after the preconstruction survey has been completed. At that time, and not before, a formal request for funds is usually directed to the State government. I am informed by the New York State Department of Public Works that no such formal request has been made. I am also informed by the Appropriations Committee that past cooperation between the Corps of Engineers and the State of New York on such projects has been excellent and that the State has a fine record in promptly meeting its shared joint costs.

Although I am well aware of the interest of the Corps of Engineers in this and other New York projects and of your very prompt and sympathetic efforts in many parts of the State, I am sure you can also understand

the urgency that the recent storm and disaster has given to this project. I have already contacted the chairman of the Public Works Appropriation Subcommittee several weeks ago about this project and I sincerely hope you will do all in your power to expedite the work, in cooperation with New York State officials who stand fully ready to work with you and to supply the State's share of funds.

Very sincerely yours,

KENNETH B. KEATING.

FEBRUARY 8, 1962.

Hon. KENNETH B. KEATING,
U.S. Senate.

DEAR SENATOR KEATING: Further reference is made to your recent letter concerning the problem of beach erosion in Westhampton Beach, New York.

As a result of the investigations in connection with the cooperative beach erosion control study and hurricane survey of the Atlantic coast of Long Island from Fire Island Inlet to Montauk Point, a combined Federal project for beach erosion control and hurricane protection of this area, including Westhampton Beach, was authorized by Congress in the River and Harbor Act approved on July 14, 1960. The estimated Federal cost of this project is $19,400,000 which is equivalent to 51 percent of the total cost. The remaining 49 percent of the cost is to be borne by local interests.

The authorized project provides for widening the beaches and raising the dunes to an elevation of 20 feet above mean sea level by artificial sand fill. In addition, a maximum of 50 groins would be constructed, if needed. In view of the magnitude of the project, a number of years would be required for its accomplishment. Initiation of construction would depend on the appropriation of the necessary Federal and local funds. The President's Budget for the fiscal year 1963 includes $50,000 for preconstruction planning of the project. No local funds have yet been made available for design or construction.

I assure you that every effort will be made to initiate and complete the project as expeditiously as possible, consistent with the availability of Federal and local funds.

Sincerely yours,

WILLIAM F. CASSIDY,
Major General, U.S. Army, Director of Civil Works.

NASSER TIES STRINGS TO U.S. AID

Mr. KEATING. Mr. President, we have all heard a lot of discussion about whether America should tie strings to our foreign aid. Now, the shoe seems to be on the other foot. There are rumors and reports coming from Nasser's Egypt to the effect that Nasser is trying to tie strings on American aid. Apparently Egyptian resentment at the possible links between Israel and the European Common Market is so great that Nasser seems to be trying to use the American aid he receives to push the United States into opposing Israel's ties with Europe.

Mr. President, this is the first time a recipient of American foreign aid has been so blatant in trying to influence American policy. Arab leaders apparently feel that American support for Israel in its alinement with the Common Market would have such an adverse effect on Nasser's ambitions that it would offset the benefit Egypt would otherwise derive from U.S. assistance. Mr. President, what has been our reaction to this Alice-in-Wonderland situation, this topsy-turvy maneuver by which Egypt is trying to tell us what to do or threatening to turn down our aid? Have we replied "Very well, then, we will not offer you any more aid until you sit down and negotiate your differences with Israel, until you come together at the conference table instead of spewing forth threats and propaganda?"

Mr. President, that is what I submit we ought to have done. But no, instead, we have been sending mission after mission of high-level diplomats, including Chester Bowles, George McGovern, Robert Matteson, and Edward Mason, to Egypt, to beg Nasser to take our money.

Mr. President, this, I maintain, is ridiculous, undignified, and wholly at variance with our objectives in the Middle East. There are some times when the United States should say "no." This is one of those times. Israel has a great deal to gain and to contribute in an arrangement with the Common Market. Nasser apparently has nothing to contribute in the Middle East except hatred, ill will, and turmoil. He seeks to gain nothing except the destruction of the neighboring state of Israel.

Mr. President, Nasser must not be allowed to tie strings to our aid in the area. Rather than allow that to happen, we should stop aid in Egypt altogether.

I ask unanimous consent to have printed at this point in the RECORD a news article from the New York Times on this subject.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ISRAELI TRADE BID WORRYING CAIRO—MOVE FOR MARKET TIE MAY SNAG U.S. PLANS IN U.A.R.

(By Jay Walz)

CAIRO, March 8.—Israel's drive for membership in the European Economic Community is complicating the effort of the Kennedy administration to improve U.S. relations with the United Arab Republic.

Diplomatic circles here believe that the United States is taking the initiative in arranging a closer working relationship with President Gamal Abdel Nasser. They had this belief on the arrival in Cairo in rapid succession of four highly placed White House advisers.

The first was Chester Bowles, President Kennedy's special assistant on Asia, Africa, and Latin America, who came in mid-February. He was followed by George McGovern, Director of the President's food-for-peace program; Robert Matteson, a member of the U.S. disarmament advisory staff, and Edward Mason, White House economic consultant.

Ostensibly, these officials came as observers and to report to Mr. Kennedy on the situation in the United Arab Republic after the secession of Syria and on the status of Mr. Nasser's new socialism.

In their discussions with Cairo officials, however, the visiting Americans have left a strong impression that the United States is seriously considering an offer of long-range help to the United Arab Republic. Agreement has yet to be reached on the form of aid the Kennedy administration feels will make a real impact on the Egyptian people. Implicit in this consideration of giving aid, diplomatic observers say, is American readiness to support President Nasser and his goals of economic, political, and agrarian reforms.

Although all of Mr. Kennedy's observers have been cordially received here, they have come at a time when the United Arab Republic is restive about the emerging European Community. Now Israel's application for association with the Community, or Common Market, is reported in the Cairo press as alarming.

The United Arab Republic's embassies abroad have been instructed to watch closely for signs of Israel's progress in regard to the Common Market so that Cairo may take appropriate action. The Cairo view is that Israeli participation in the Common Market would put the force of Europe's economic prosperity behind Israel.

Cairo was particularly perturbed by the trip Prof. Ludwig Erhard, the West German Economic Minister, made to Brussels last week to see Levi Eshkol, the Israeli Finance Minister. Without waiting to learn what the meeting was about, Abdul Khalek Hassouna, the Arab League Secretary General, called in Dr. Walter Weber, the West German Ambassador, to warn that Israeli participation in the Common Market might have serious effects on relations between Arab countries and Common Market countries.

A question in the minds of United Arab Republic leaders is whether the United States, which is always suspected here of pro-Zionism, will help Israel aline herself with the Common Market. Cairo feels support for Israel at this time would go far to offset the economic benefits of U.S. aid.

INTERNATIONAL ASSOCIATION OF MACHINISTS LOCAL PROTESTS EXPORTS TO COMMUNIST BLOC

Mr. KEATING. Mr. President, I ask unanimous consent to have printed in the RECORD a statement adopted by the members of Local Lodge 753 of the International Association of Machinists in Harmon, N.Y.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

HARMON LODGE NO. 753,
March 5, 1962.

Hon. KENNETH B. KEATING,
The Senate,
Washington, D.C.

DEAR SIR: We of local No. 753, Harmon, N.Y., after having read the Export-Import list from the present Export-Control Policy, agree that this policy is detrimental to the best interests of our country and we strongly urge that this policy be changed. Stop the export of highly technical machinery and economically strategic material to Russia.

Fraternally yours,

ANTHONY J. CINELLI,
Recording Secretary.

Mr. KEATING. The statement calls upon the United States to stop the export of highly technical machinery and economically strategic material to Russia.

This is the second IAM lodge in New York which in recent weeks has taken a strong position against our present export control policies. Several weeks ago the members of Lodge 893 of the IAM in Bay Shore, Long Island, joined in a similar protest, even though their employment might be directly affected by any change in present U.S. export policies.

I wholeheartedly endorse the stand of these IAM locals and commend their patriotic spirit and high sense of purpose.

TRANSFER OF JET AIR SERVICE FROM FRIENDSHIP AIRPORT TO DULLES AIRPORT

Mr. BEALL. Mr. President, the Delmarva Traffic Club whose members include representatives from nearly all of the manufacturing plants, commercial and business establishments, transportation companies, and various processing companies from the C. & D. Canal on the north to Cape Charles, Va., on the south, recently passed a resolution in connection with the transfer of jet air service from Friendship International Airport to Dulles Airport. This resolution requests that the Federal Government take steps to prevent such a transfer of jet service.

This is an extremely important matter, as is indicated in the resolution, and I ask unanimous consent that the Delmarva Traffic Club's statement be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION OF THE DELMARVA TRAFFIC CLUB

Whereas Friendship International Airport located between Baltimore, Md., and Washington, D.C., is one of the largest and most modern airports in the country; and

Whereas the city of Baltimore has invested large sums of money to provide the most modern facilities at Friendship in order to offer to the airlines and their passengers, a safe, comfortable, attractive, and convenient airport through which they might pass while traveling by air; and

Whereas Friendship has been the only airport in this area with facilities for every type of commercial plane, including the great jet airliners in use today, and it is located less than 10 miles from the heart of Baltimore and less than 25 miles from our Nation's Capital; and

Whereas the Delmarva Peninsula is rapidly increasing in population and industry much of which is due to the availability of modern transportation facilities, especially since Friendship can be easily reached over modern highways; and

Whereas the new Dulles Airport at Chantilly, Va., still incomplete, is located nearly 40 miles farther from Delmarva than is Friendship; a much greater distance than from most points on Delmarva to the International Airport at Philadelphia; and

Whereas statements have been made by representatives of the Civil Aeronautics Board and the Federal Aviation Agency that upon completion of Dulles Airport, all jet traffic now using Friendship will be transferred to Dulles; and

Whereas such a move would definitely direct a great portion of this business away from the Washington-Baltimore area and to the Philadelphia area. This move would therefore retard much of the progress now being made on Delmarva and lose to this peninsula a large portion of the new business now giving consideration to locating here: Now, therefore

We, the members of the Delmarva Traffic Club, do resolve to call upon our representatives in the Congress of the United States (both Senate and House) and respectfully urge them to use every means at their command, whether it be by legislation or otherwise, to prevent the transfer of jets from Friendship to Dulles. We further pledge to them our full cooperation and support in their efforts to prevent this transfer of jet service.

Respectfully submitted.

WERNER L. GRUBER, Jr.,
Secretary, Delmarva Traffic Club.

COMMUNISM: THREAT TO FREEDOM

Mr. PELL. Mr. President, I rise to commend the recently published pamphlet, "Communism: Threat to Freedom" by Father John F. Cronin, assistant director, Department of Social Action, National Catholic Welfare Conference. This publication is a remarkably succinct, well balanced and penetrating exposition of Communist activity at home and abroad. Father Cronin, who is one of the foremost students in the United States of Communist activities, very rightly stresses that while Communist tactics and strategy may change from time to time, their overall goal of communizing the world remains constant.

To my mind, Father Cronin also performs an outstanding public service by putting into perspective the highly limited and eroding position of the U.S. Communist Party today. He very correctly points out that obsessive preoccupation of certain groups with domestic Communists is dangerous because, as he states:

> Such groups are vigorously fighting problems that were mostly solved in 1950 and neglecting the greater dangers of Communist subversion in Asia, Africa and Latin America, and the general world Communist offensive.

He warns that in many parts of the country, "hysteria and suspicion are becoming increasingly evident and that a virulent form of disunity is weakening us in the world struggle and performing this disservice in the name of militant anticommunism."

Father Cronin exposes the very faulty logic of the assertion that liberalism is the same as the welfare state, that the welfare state is socialism, that Communists say they are Socialists and that therefore, liberalism is communism. He points out that Pope John XXIII, in his mater et magistra, and leaders of all faiths, have stressed our moral duty to achieve social justice and assist the underdeveloped nations.

This outstanding pamphlet also addresses itself to the frustrating problems of negotiating with the Communists. Father Cronin cautions against wishful thinking when Communist pressures relax temporarily, but very correctly points out that there may be times "when the interests of freedom may be served by accepting a given proposal by Communist powers." When analyzing the activities of certain self-styled superpatriots, he observes: "When every discussion with the Communist powers is considered a sign of weakness or even treason, then we are left with only two stark alternatives: surrender or war. Surely our commonsense should tell us that we should seek some middle course between these extremes.

"Communism: Threat to Freedom" is especially outstanding because it not only analyzes what we are against, but states what we are for and forcefully outlines positive acts which all of us can take in accord with our basic beliefs to promote freedom versus communism. He stresses the need for making available more educational opportunities for foreign students, both in their own country and here in the United States. Father Cronin points out that foreign visitors subjected to racial discrimination in the United States often leave our country embittered against it. To the average citizen who asks, "What can I do to fight communism?" Father Cronin offers very sound advice—

> Devote all your strength and energy, in concert with your fellow Americans to building national unity and moral strength. Practice your religion, and make it a vital force in your community. Even in dealing with moral evils, concentrate less on denunciation and more on giving leadership and example. Be a man of integrity in your work. Make your family outstanding by the quality of parental love and discipline you show. Unite with your neighbors for a high moral standard in your community. Work for racial justice and harmony. Do your part to make this a better and stronger Nation, and we shall not fear what the Communists plot and scheme against us.

Mr. President, I think all of us can take Father Cronin's words to heart and in this connection, I believe that we in Congress have a special obligation.

RACIAL BIAS

The publication, "Communism: Threat to Freedom," by Father John F. Cronin, to which I have just paid tribute, prominently mentions the problem of racial discrimination—and rightly so. Many of us from the North tend to be quite smug when it comes to racial discrimination. An editorial which appeared in the Providence Journal, Wednesday, March 7, commending a recent speech by Senator WILLIAMS of New Jersey, very correctly points out that we in the North clearly have some soul searching to do. Senator WILLIAMS' outstanding speech concentrated on the gap between our stated principles and practices, particularly in the field of residential housing. This is a problem in my own State and I suspect that it is a problem in just about every State in the Union which deserves continued consideration and action on the part of all of us.

Senator WILLIAMS called for the establishment of community citizens groups which will concentrate full time on the invidious practices of racial separation and segregation being carried on in our midst while we piously lecture others on the subject.

Mr. President, I ask unanimous consent that this editorial very aptly titled, "Unpleasant Truths About Racial Bias in the North" be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

UNPLEASANT TRUTHS ABOUT RACIAL BIAS IN THE NORTH

Senator HARRISON A. WILLIAMS, JR., Democrat, of New Jersey, the other night rammed home some unpleasant truths about northern attitudes on civil rights and race relations. There is a wide cleavage between whites and Negroes in the North, the Senator said, and "clearly, we have some soul-searching to do" if further separation of the races is to be halted.

The Senator traced the familiar pattern of migration by Negroes to northern cities, their settlement in residential ghettoes, their place at the bottom of the economic pile because of discriminatory employment policies, the multiplication of welfare problems—and the abandonment of cities by whites for refuge in the suburbs.

"Each town," he said, must recognize that they have a stake in finding the right answer to race problems. "If our flight to the suburbs in this State is simply a coverup for a flight from social justice, then we're in sad shape, and we had better start thinking about what's happening to us."

Mr. WILLIAMS cited figures from a Connecticut survey that most citizens in that State agree that Negroes should be allowed to hold any job for which they are fitted. But he noted a sharp drop in "yes" answers on the survey when those being interviewed were asked whether Negroes should be allowed to buy homes wherever they please.

Now the Senator was talking about special problems in school segregation which have arisen in some New Jersey communities where efforts are being made to shift school populations to accomplish integration. But what he had to say, in principle, applies generally throughout the North.

Too frequently, northern whites give lip service to the principles of equality of opportunity and social justice, but shy violently when asked to support a translation of principles to a pattern of residential neighborhoods, equal job opportunities, or establishment of integration in public schools.

The Senator called for the establishment of effective citizens groups in communities with a fulltime enthusiasm for civil rights. Their job would be to halt the separation of races in terms of social justice. His idea is worth exploring in this State as a continuing investment in the improvement of race relations.

SALINE WATER CONVERSION

Mr. ANDERSON. Mr. President, last year the Congress enthusiastically endorsed the continuation of a saline and brackish water program, authorizing the expenditure of another $75 million to extend and expand the research program that had been in existence for the previous 9 years. The junior Senator from New Mexico and the 17 cosponsors of S. 2156, recognized that the United States was confronted with an alarming and rapidly growing shortage of fresh water. We also recognized that if progress were to be made it must be initiated by the Federal Government.

It would appear now that attention should be called to the ability and progressive attitude of our people at the grassroots who are willing and able to solve their own problems.

I refer particularly to the action of the town of Buckeye, Ariz., which has just awarded a historical contract for construction of the first saline water conversion plant of any type to treat an entire municipal supply in the United States.

I congratulate the community and its leaders and trust that their action will form a pattern for other areas faced with a similar problem.

I request unanimous consent that the news release entitled "Saline Water Conversion To Provide All Municipal Water for Arizona Town," be printed at this point in the RECORD.

There being no objection, the release was ordered to be printed in the RECORD, as follows:

SALINE WATER CONVERSION TO PROVIDE ALL MUNICIPAL WATER FOR ARIZONA TOWN

BUCKEYE, ARIZ., February 14, 1962.—The Town Council of Buckeye, Ariz., today awarded an historical $297,741 contract for construction of the first saline water conversion plant of any type to treat an entire municipal supply in the United States. The Phoenix general contracting firm of N. P. Van Valkenburgh Co. was the lowest of five bidders on the project which calls for installation of a 650,000 gallon-per-day brackish water desalting plant manufactured by Ionics, Inc. of Cambridge, Mass.

The new plant scheduled for completion in the summer of 1962 under the supervision of John A. Carollo, consulting engineers, will be the largest and lowest cost commercial electrodialysis plant ever built.

The new plant will be almost three times as large as any commercial electrodialysis plant previously built and will produce fresh water at an estimated average treatment cost of 50 cents per thousand gallons including all charges for operation, maintenance, and bond amortization of the treatment plant, but not including water supply, distribution, or general water system costs. The 50 cent figure compares with treatment costs of $1.50 or more for other saline water converters currently in operation here or abroad. Reported costs of 90 cents to $1.25 for such plants are actually about $1.50 on a comparable load basis, since low wintertime water usage reduces the annual output of most muncipal waterplants to approximately half of their full capacity. The water costs at Buckeye will decrease in future years as the new Ionics plant, which has excess capacity, serves a larger demand.

"This breakthrough in practical saline water conversion is particularly fitting on the 50th anniversary of Arizona's statehood because of the importance of good water to the past and future of Arizona", said Mayor John W. Belcat, a lifelong resident of the Buckeye area.

"I understand that there are more than 1,000 towns and cities which have highly mineralized water like Buckeye, but the Buckeye project is the first to bring modern, large-scale saline water conversion to the community level on a self-supporting basis without any Federal or outside aid.

"The town of Buckeye's existing water supply is a hard, corrosive and salty liquid derived from deep wells and a mineral content of 2,200 parts per million by weight—about one-fifteenth as salty as sea water," explained George Hammer, Buckeye town clerk. "The new plant will remove nearly 5 tons of excess salts and minerals from the town water supply per day, thereby reducing the total mineral content to 500 parts per million—the level recommended by the State of Arizona and the U.S. Public Health Service. Ninety-four percent of Buckeye's qualified voters turned out for a special election last September 12 to approve a $35,000 water revenue bond issue for the project by a 2-to-1 margin. A new water rate schedule was also approved to provide the additional water revenues needed for the project. Water rates were increased by about 50 percent for municipal users and by 85 percent to 174 percent for larger users."

"In spite of the higher water rates, we believe most of the citizens of Buckeye will save money on water when the new plant goes into operation," said Leonard Dankowski, chairman of the industrial development committee of the Buckeye Chamber of Commerce. "For many years Buckeye residents have suffered the annoying and costly effects of a highly mineralized water supply—poor taste, purchasing and handling bottled water, waste of soap, purchase of water-softening agents, corrosion and salting up of appliances, and rapid deterioration of everything which the water touches—from plumbing to automobile radiators. For every dollar which we spent to purchase the untreated water from the municipal system, we pay about $2 more in hidden costs to use or avoid the salty water. Our committee conducted a survey in 1960 which reached two-thirds of all the municipal water customers in Buckeye. Fifty-seven percent of those interviewed reported spending an average of $6.42 per month for the purchase of bottled water for drinking; 98 percent said they wanted better water; and about two-thirds said that they would be willing to pay more for it. We estimate that the hidden costs associated with highly mineralized water costs each municipal water customer an average of $10 per month, not counting what he pays the water department for the untreated water in the first place."

To dramatize the advantages of good water, a public demonstration of a small Ionics desalter of 6,000 gallons daily capacity was organized with the cooperation of local firms and service groups and held in Buckeye last summer, giving all citizens an opportunity to see the before and after effects of the water in washing machines, dishwashers, evaporative coolers, and beverages. This small plant has been operated in Buckeye since last May on a 24-hour day, 7-day week basis. Citizens of Buckeye and surrounding communities have been driving into the station and hauling away about 1,000 gallons each day in bottles and tanks to try out the new water.

In the electrodialysis process developed by Ionics, excess salt and mineral particles are electrically forced out of the brackish water through special plastic membranes leaving fresh water behind and producing a brine on the other side of the membrane.

The electricity for the project will be purchased from the Arizona Public Service Co., whose western division headquarters are in Buckeye, and who cooperated with other Buckeye firms in the project demonstration.

Another significant first for the project is its financing through established private institutions for underwriting and sale of municipal bonds—the first such financing to cover any saline water conversion plant so far as is known. The financing was planned by Mr. J. W. Refsnes, of Refsnes, Ely & Beck, Phoenix, Ariz., the town's fiscal agent.

The bonds were sold at a net interest cost of 4.452 percent to the lowest of three bidders—a syndicate consisting of William R. Staats & Co., of Phoenix and Barcus, Kindred Co., of Chicago.

BULGARIAN NATIONAL LIBERATION DAY

Mr. HUMPHREY. Mr. President, 18 years ago, against the will of her people, Bulgaria was occupied by Soviet troops. Her independence was reduced to trivial formality and the Bulgarian nation was forced to accept a regime of cruel tyranny, terror, and political dictatorship. The entire Bulgarian people joined in a desperate struggle for liberation, sacrificing the flower of a generation. Despite the tremendous odds against her course she continues this fight today. Prior to the Soviet occupation, the Bulgarian people had tolerated a small Moscow-supported Bulgarian Communist Party, which numbered not more than 15,000 members in 1944. For a quarter of a century this party tried to come to power—by parliamentary means, by subversion, and by violence. It failed utterly. Only the invasion of the country by the Red army, combined with the Fatherland Front coup d'etat against the legal democratic government, could accomplish their otherwise unattainable goal.

Once the traditional leadership of the nation was eliminated, the beheaded people became the object of the well-known Communist oppression. A Moscow-directed Bulgarian Communist Party and Government exercise unlimited control over the entire nation. They persecute religion in order to make room for the Communist godless society. They pervert education into ruthless Communist indoctrination and prepare the youth to become the new fanatic Communist generation. They replace devotion to family with loyalty to party. They desire a landless peasant and a rightless worker, tied to the Communist land and machine and exploited to the maximum. The rule of the armed Communist minority, supported by the power of the U.S.S.R., spells total terror for the Bulgarian nation.

We cannot appreciate the present suffering of the brave Bulgarian people unless we recall their history as an ancient nation. The Bulgars, a Slavic people, settled in Bulgaria in the 7th century and became Christians in the 10th. The country was conquered by the Turks in 1393, but in 1875 there was a revolt and in 1878 Bulgaria became a principality. In 1908 Bulgaria became an independent kingdom under Czar Ferdinand I of Saxe-Coburg-Gotha. It expanded after the First Balkan War. Now national independence has been replaced by a foreign totalitarian regime. On Bulgarian National Liberation Day we in the United States rededicate ourselves to the cause of the Bulgarian people—which is the cause of the whole free world—and restate once more our unyielding commitment to the ideals of peace, freedom, and national independence for the Bulgarian people.

GALVESTON COUNTY ASKS APOLLO PROJECT CAPSULE FOR ENSHRINEMENT IN TEXAS

Mr. YARBOROUGH. Mr. President, the heroic accomplishment of Lt. Col. John Glenn in orbiting the earth in a space capsule has served as an inspiration to all Americans. The performance of this successful mission into space, with all the world looking on, is unparalleled in history.

However, the success of the National Aeronautics Space Administration program lends new strength to the possibility of even greater achievements.

There is tremendous sentiment in Texas for placing of one of the space capsules at the new Manned Space Laboratory in Harris County, very close to Galveston County, Tex.

The Galveston County commissioners court recently passed a resolution urging that the *Friendship 7* space capsule be placed at the Manned Space Research Laboratory, where it could be viewed by the public.

Since the decision apparently has been made to place the *Friendship 7* capsule on display at the Smithsonian Institution, County Judge Peter J. La Valle, of Galveston County, has written me that any of the Project Apollo capsules would be most appropriate for enshrinement at the space laboratory in Texas.

The State of Texas is increasingly aware of its major role in the future of American space research, since the choice of Texas as a site for the Manned Space Research Laboratory.

In my opinion, the people of Texas would be proud of the honor of displaying any of the Project Apollo capsules, and would cooperate in every way to make it a true memorial to American scientific progress that is both vital to the security of this country and beneficial to all mankind.

In support of this request from my fellow Texans, I ask unanimous consent to have printed in the RECORD a resolution from the commissioners court of Galveston County.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION OF GALVESTON COUNTY, TEX.

Whereas Marine Lt. Col. John Glenn successfully orbited the earth three times in the *Friendship 7* space capsule on Tuesday, February 20, 1962, traveling at a rate of more than 17,000 miles per hour; and

Whereas Colonel Glenn's courageous feat has been heralded as a scientific achievement of the National Aeronautics and Space Administration by citizens throughout the United States and throughout the world; and

Whereas the National Aeronautics and Space Administration plans to erect a manned space laboratory on Clear Creek, Webster, Tex., to develop and accomplish Project Apollo, which will enable man to travel to the moon and return to earth: Now, therefore, be it

Resolved, That the National Aeronautics and Space Administration be authorized to enshrine the *Friendship 7* capsule at the space laboratory at Clear Creek, Webster, Tex., as a memorial of man's heroic effort to peacefully conquer space; and be it further

Resolved, That said *Friendship 7* space capsule be placed in a suitable and prominent space accessible to the public at large, in order that said capsule may be inspected by persons from all over the world as an example of the policy of the United States of America to explore outer space peacefully for the benefit of entire mankind; and be it further

Resolved, That copies of this resolution be forwarded to the Honorable John F. Kennedy, President of the United States; the Honorable Lyndon B. Johnson, Vice President of the United States; the Honorable Ralph W. Yarborough, U.S. Senator; the Honorable John Tower, U.S. Senator; the Honorable Clark W. Thompson, Member of Congress; the National Aeronautics and Space Administration; and the Honorable Price Daniel, Governor of the State of Texas.

HOUSTON CHRONICLE URGES PRESERVATION OF HISTORIC DE ZAVALA HOMESITE FOR PUBLIC USE

Mr. YARBOROUGH. Mr. President, Texas is seeking to preserve the homesite of Lorenzo de Zavala, scholar, author, a Member of the Cortes of Spain, friend of liberty, a signer of the Texas Declaration of Independence, and the first Vice President of the Republic of Texas.

The De Zavala homesite and a private cemetery, where De Zavala is buried, are on a point of land across the Houston Ship Channel from the San Jacinto battleground, a historic site close to the hearts of Texans. The cemetery and homesite are owned by the State of Texas but are entirely surrounded by the San Jacinto Depot, U.S. property which is now being offered for sale by the General Services Administration.

Mr. President, I am author of a bill (S. 673) which would withhold 142 acres around the De Zavala homesite from the pending ordnance depot sale, and make it available for development of a park by Harris County or the State of Texas.

In view of the impending sale of the affected land by the General Services Administration, the need for passage of S. 673 becomes more urgent.

Texas needs more parks, as does the rest of the Nation. This 142 acres, with its historical background, is a partial answer to a national problem of providing more space for recreation but, more importantly, it should be preserved as one of the most historic sites in Texas. The Houston Chronicle, in an able editorial, has succinctly stated the case for the De Zavala historic site and park.

I ask unanimous consent to have printed in the RECORD an editorial entitled "De Zavala Park Bill Should Pass," from the Houston Chronicle of Wednesday, March 7.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

OUR CITY—DE ZAVALA PARK BILL SHOULD PASS

Both the Harris County commissioners court and Governor Price Daniel are to be commended for prompt action in seeking to preserve the Lorenzo de Zavala homestead site, and a suitable amount of land around it, for a park.

The court unanimously adopted a resolution to that effect and sent Commissioners Kyle Chapman and Phil Sayers to Washington in behalf of it, and Governor Daniel also personally urged "sympathetic consideration" for the park bill sponsored by Senator RALPH YARBOROUGH.

The De Zavala homesite and a small private cemetery are on a point of land directly across the ship channel from the San Jacinto battleground. The homesite and cemetery are owned by the State, which—characteristically—has neglected to maintain it as the historical memorial it should be.

The State-owned property is entirely surrounded by the federally owned former San Jacinto Ordnance Depot, which is now being offered for sale by the General Services Administration.

YARBOROUGH'S bill (S. 673), now in the Senate Government Operations Committee would withhold 142 acres around the De Zavala homesite from the ordnance depot sale, and turn it over either to Harris County or the State for development of a park.

By all means this park should be established. De Zavala was a signer of the Texas Declaration of Independence and served as the first Vice President of the Republic of Texas. He is buried there, as is David Thomas, another signer of the independence declaration and later the Republic's first attorney general and acting secretary of war; Peter Jefferson Duncan, one of the captors of General Santa Anna after the battle of San Jacinto and a Mexican general.

The first three are men who played significant roles in the winning of Texas' freedom and they deserve a fitting memorial.

It is Governor Daniel's thought that De Zavala Park should belong to the State, but it is only necessary to note the weedy jungle which the State's neglect has permitted the De Zavala homesite to become, or to look

across the ship channel to the crumbling San Jacinto Monument—another State responsibility—or to visit any of the other State parks which a pennypinching and shortsighted legislature has failed to maintain, to disagree with the Governor.

By contrast Harris County has shown a sensible responsibility for the development and maintenance of its public parks. The first problem, of course—and it is no small one—is to preserve a decent amount of land for a park surrounding the De Zavala homesite. After that it should become a county, not a State, park.

TRIBUTE TO THE LATE AMBASSADOR MARIANO DE YTURRALDE Y ORBEGOSO, BY RT. REV. MSGR. JOHN S. SPENCE

Mr. CHAVEZ. Mr. President, I ask unanimous consent that there be printed in the RECORD the sermon delivered March 7, 1962, by Rt. Rev. Msgr. John S. Spence at St. Matthew's Cathedral in this city at the funeral of the Ambassador from Spain, Mariano de Yturralde y Orbegoso.

There being no objection, the sermon was ordered to be printed in the RECORD, as follows:

SERMON DELIVERED AT THE FUNERAL OF AMBASSADOR YTURRALDE, MARCH 7, 1962, AT ST. MATTHEW'S CATHEDRAL BY RT. REV. MSGR. JOHN S. SPENCE

In the name of all present let me bespeak to Mrs. Yturralde our deep sympathy in the untimely passing of a cherished and devoted husband; to the members of his official family at the Embassy, our sincere regrets over the sudden departure of an understanding and esteemed superior; and to the Spanish nation, our genuine condolence in the loss of an able and admirable envoy.

We are here today for the sacred purpose of offering suffrage for the soul of one who deserves the fullest measure of Christian charity and piety that human beings are capable of rendering. While that suffrage consists primarily and essentially of prayer, nevertheless propriety and tradition justify a few words also of praise.

The continuous and regular promotion of a career diplomat from one important post to another in the international world offers ample proof of such a one's merit and worth. It is not the policy of any government to entrust the protection and promotion of its interests on an ever-increasing scale to anyone who has not demonstrated his ability to bear responsibility in ever-increasing degree and magnitude. Hence Ambassador Yturralde's assignments to official missions in Dublin, London, Montreal, Ottawa, Lima, and finally in Washington, are patent testimony to his skill and reputation as an effective representative of the land of his birth.

But to those who knew His Excellency well, his prowess and acumen were not just qualities of his naturally brilliant intellect, trained and refined in the schools of academic learning and diplomatic art. They were also flowerings of a heart and soul filled with love of God, the Lord of all nations, the source of all law, the diety demanding absolute reverence and respect.

For him obedience to law, all law, was not just a formality to be complied with in the open; it was an imperative, obliging man's conscience in the quiet, dark of the night as well as in the open light of day. Responsibility was a virtue of soul based on a deep, religious faith, the faith of his fathers, for which many of his immediate ancestors and even contemporaries, sacrificed their lives. His official life, like his own personal life, was built on a creed, which holds every man, ambassadors and peasants alike, accountable to the Supreme Being for the truth of his words, fidelity to his pledges, and fulfillment of his duties. That was the secret of his trustworthiness and the popularity of his name.

Add to this basic Christian honesty and integrity, a politeness, simplicity and good humor, manifested to all men regardless of their rank or race, and you realize all the more the amiability of this outstanding Ambassador from a land, whose history is so intimately intertwined with that of the United States.

But what about our tribute of prayer for his soul? Corporately you have participated in the offering of the holy sacrifice of the Mass for the repose of his soul by the chief shepherd of this archdiocese, and have witnessed the reenactment of our blessed Saviour's redemption on Calvary's heights, for the primary purpose of making atonement for whatever sins and failings may be yet written in the book of life by heaven's recording angel against the page describing Mariano Yturralde's deeds. However, we all know the power of personal private prayer, the kind that Scripture attests can move mountains. This tribute of friendship, this spiritual alms, I beg of you now, that together we may speed the moment when his immortal soul will be judged worthy of union with the all-perfect Creator for Whom he was made, with Whom may he spend a blessed eternity.

In conclusion, at the moment when they are returning the Ambassador's remains to his native Spain to be buried among his distinguished loved ones and predecessors, may I fulfill an ancient Spanish custom of thanking on behalf of his bereaved widow all present this morning who have given evidence of their friendship and esteem. In her name may I ask that his memory become something more than a shadow of the mind soon to be forgotten but a living reality kept ever present through the faithful inclusion of his person to our masses and prayers.

SEVENTY-THIRD ANNIVERSARY OF THE ELON COLLEGE

Mr. JORDAN. Mr. President, last Thursday, March 8, 1962, was a great day for the State of North Carolina, and especially Elon College.

We were honored to have on the campus of Elon College the Vice President of the United States, who delivered a most inspiring address at the 73d anniversary of the founding of the college.

I ask unanimous consent that the text of the Vice President's address be printed in the RECORD, along with the citation accompanying the degree of doctor of laws conferred upon Vice President JOHNSON at the founder's day ceremonies.

There being no objection, the address and citation were ordered to be printed in the RECORD, as follows:

REMARKS BY VICE PRESIDENT LYNDON B. JOHNSON, ELON COLLEGE, N.C., MARCH 8, 1962

My friendship with North Carolinians long ago made me want to establish kinship.

I am delighted to trace nine branches of my family tree to a State which has always given this country so many capable public servants.

One ancestor—Rev. George Baines—wrote his will in North Carolina, about 200 miles from Elon College.

I was rereading it the other day. It contained more color than cash. But he willed to my great-great-grandfather, Thomas Baines and his heirs, the following: "A certain tract of land beginning at a bunch of gums in the swamp at the mouth of beachy branch." In addition, he left his "one large church Bible, Dyches dictionary, Sympsons Nited Elements, Adkinsons Epitomy on Navigation and the Mariners Compass rectified."

I presume it was with these last two items that the Baines' found their way to Texas.

Anyway, I want you to know it is good to visit the "old country."

Listening to the famous North Carolina stories told by your two Senators, I think North Carolina must have more colorful judges, ministers, and political figures per square inch than any other State in the Union.

Today, to the board of trustees—to the faculty—to the alumni—and to the student body—I say best wishes and congratulations.

Elon College has come a long way in the past 73 years. Those who were here 50 years ago never dreamed Elon would be where it is today. And today—we would be hard put to imagine how much she will grow in the next 50 years.

The thing that has made Elon a great college is the same thing that has made America a great nation.

That "thing"—that quality—is our determination to do our best today—and better tomorrow.

We in America today—as our forefathers—are committed to the future.

We did not stop at the shore's edge when the Pilgrims landed at Plymouth Rock.

We did not stop when Fulton invented the steam engine.

We did not stop when Edison invented the electric light bulb.

We did not stop when the Wright brothers flew their airplane at Kitty Hawk.

And we are not going to stop with Col. John Glenn's three orbits around the earth.

We are going ahead. We are going ahead because we want a better tomorrow—for ourselves—and for all mankind.

The future has never been easy for those who believe in the cause of freedom. It was not easy for those who sailed on the *Mayflower*—and it is not easy for us who live in a day and time when mankind possesses the destructive power to wipe itself from the face of the earth.

We are living in an age when freemen must learn to live with crises as the rule rather than the exception. But there is no doubt about where we stand—on freedom and the future alike.

In the words of President Kennedy: "Let every nation know, whether it wishes us well or ill, that we shall pay any price, bear any burden, meet any hardship, support any friend, oppose any foe, in order to assure the survival and the success of liberty."

This is our mission. This is our purpose.

And we are going to win. We are going to win through reasonable and responsible leadership. We are going to win with leadership that is willing to fight freedom's battles out in the open where everyone can see.

We are committed to a program of space exploration that invites the world to watch as we work—and share in the knowledge we gain.

We are committed to a world forum in the form of the United Nations where the peoples and the nations of the world can seek solutions to their problems at the conference table rather than at the muzzle of a gun.

We are committed to a program of reasonable disarmament that would put a harness on nuclear weapons.

Above all—we are committed to seeking a world where men can live in peace and freedom.

But we will not be shoved around. We are prepared to meet any force—but we are always ready and willing to use reason and logic.

As the leader of the free world—we cannot falter in our mission or our purpose.

To carry out our mission—we need a great many tools—and the ability to use them wisely.

First of all—we must maintain our military strength at a level second to none. We are doing this—and we are going to continue to do it.

Second, we must encourage the peoples of the free world to develop commerce and trade between themselves—trade as free as possible of artificial barriers that hold back economic growth and strength.

Third, we must always be willing to sit down at the conference table and discuss the problems that divide us.

I do not think there is any doubt about our military strength. There is no doubt in our minds—and I am sure there can be no doubt in the minds of the Communists.

As President Kennedy stated only last week—we are ready to enter into a nuclear weapons test ban. But in the absence of an agreement—we will resume atmospheric testing on nuclear devices in the spring.

In order to achieve our dreams of a better tomorrow for the free world—it is essential for us to encourage the expansion of trade among free nations.

We have seen formed—for the first time in history—a unified economic community of Europe in the form of the European Common Market. In Latin America—in Africa—and in Asia new economic forces are coming to the fore as new nations emerge and older nations raise their standards of living.

Our own trade policies and programs need to keep pace with the times in order for free men and women everywhere to stand on their own feet and grow and prosper.

Our space program has moved into orbit now, and Col. John Glenn and the other astronauts are hard at work evaluating every detail of his flight for guidance on future missions into space.

The program moved slowly at first as we learned—more than 1,200,000 tests were made to assure that our first astronaut, Commander Shepard, would come back safe—then Colonel Glenn's flight was delayed, time and time again, until we were positive that everything possible was in favor for his return to earth.

If all goes well in the space program, we would like to see:

An 18-orbit trip around the world in 27 hours possibly before the end of the year.

A two-man orbit of the earth, for several days, in 1963 or 1964.

A rendezvous of a two-man crew and an orbiting rocket a year later.

By 1967, it could be that we will send a three-man crew around the moon and back to earth.

And in this decade, we could have a three-man crew land on the moon before returning to earth.

Space research already has brought us improved weather forecasting.

Meteorological satellites are providing information regarding areas of the earth which are not covered by ground installations. They have told us of tropical storms, watched hurricanes develop and tracked them and will make general weather forecasting more accurate.

Communication satellites promise to revolutionize worldwide communications. Newspapers—television—radio are looking into the development.

Food we eat may change as the result of algeal culture studies in the NASA life science program. This research is producing a new understanding of algae as a protein source.

Medical science is benefiting from space research in telemetry and other advanced instrumentation techniques. Telemetering devices are being used in hospitals to monitor blood pressure, respiration and heart action of patients.

Other research promises to speed up development of power sources—such as solar cells—and fuel cells.

Space requirements for lightweight, small size, highly heat resistant items have produced: plastic containers which can go straight from the freezer into the oven; small lightweight radios—remote control devices for television—microminiature ball bearings, and even a plastic jacket which enables an average man to lift 600 pounds and to carry 100 pounds or more indefinitely without fatigue.

These are examples of benefits we already are receiving from space research.

We aren't waiting for them to be discovered accidentally. NASA has an office charged with the specific responsibility of identifying—and developing—practical applications of its research and technology. All of this is being done under one of the greatest North Carolinians of all times—Jim Webb.

Such study is typical of America. We wanted to develop better plows—better fish nets—and we did.

We want to get the most from our dollar and we do.

We are using more money today on public spending than we did in grandfather's day—when we had about half our present population of 180 million and no cold war.

We also are spending more money than some other nations—simply because we are bigger than most other nations in terms of our economy.

What really counts is how much we are spending in terms of our whole economy—measured in terms of gross national product.

The best year for comparison because figures from more countries are available is 1959.

In 1959 the U.S. Government—the total government, Federal, State, and local—spent 28.3 percent of the gross national product.

That included all money spent on national defense, on public schools, on highways, on public health, on police, on city streets—even on street signs, lampposts and park benches.

And, remember, more than half of this money goes to purchases from private firms producing for a profit.

How do we compare with the rest of the profreedom, profree-enterprise world?

In that same year, public spending in Belgium was 29.3 percent of the gross national product; in Canada it was 30 percent; in France 33.5 percent; in Great Britain 34.9 percent; and in Sweden 35.7 percent.

Latest figures for West Germany involve 1957—before national defense spending was stepped up there. The figure for that year was 28.6 percent, a shade more than we chalked up in public spending 2 years later.

What do we find if we reduce our figures to public spending on social security, veterans' benefits, Government interest, and cash subsidies. These include the so-called welfare state items.

In the United States such payments would represent in 1959—7 percent of the gross national product; the ratio for Canada would be 8.7 percent; for Great Britain, 11.2 percent; for Belgium, 13.6 percent; and for France, 16.5 percent. For West Germany we have to go back to 1957, and the ratio was 12.1 percent.

In comparison with other countries of the Western World—the stronghold of capitalism—we have one of the lowest rates of public spending and one of the highest annual per capita incomes, $2,400 a year.

Our free enterprise system is responsible for both.

The military strength and the economic strength of the free world are both necessary ingredients for a better future—to be sure—but as free people we must always be ready and willing to reason together.

In an age when we learn to live with one crisis after another—we cannot afford to close any doors that may lead us to lasting peace.

The course of the free world is not going to suit the Communists. The biggest danger to communism is the strength—militarily, economic, and the strength to reason—of the free world.

We in the free world can build the biggest military and economic power in history, but unless we preserve and use our capacity to act reasonably and responsibly we will not win anything.

We have the knowledge to split the atom, to make bombs that will destroy whole cities, and to put men into space.

It is up to us to use that knowledge in a reasonable and responsible manner, to rally behind our flag and march forward as soldiers of freedom have ever marched.

CITATION CONFERRING OF THE DEGREE OF DOCTOR OF LAWS—VICE PRESIDENT LYNDON B. JOHNSON

Citation (read by Hon. Thad Eure, secretary of state of North Carolina and chairman of the board of trustees of Elon College):

"LYNDON BAINES JOHNSON: Born in the State of Texas; educated in his native State and in the Georgetown University School of Law; for six terms a Member of the U.S. House of Representatives; awarded the Silver Star while serving in the South Pacific as a lieutenant commander in the U.S. Navy; twice elected to the U.S. Senate; distinguished for his service as Senate minority leader in the 83d Congress and as Senate majority leader in the 84th Congress; elected in 1960 as the 37th Vice President of the United States.

"As Congressman, Senator, and Vice President you have demonstrated that prudent leadership reaches above and beyond States and regions to serve the best interests of all of the people. You have devoted your skills, your knowledge, and your talents toward the achievement of mankind's dream for peace and for a better way of life.

"For your quiet, capable, and distinguished leadership, for your unfailing courage in public service, and for your deep devotion to the security and welfare of our country, we are deeply grateful."

Mr. President, it is a distinct honor for me as chairman of the board of trustees of Elon College to present the Vice President of the United States, a candidate for the degree of doctor of laws.

President Danieley (confers degree): "By virtue of the authority of the State of North Carolina vested in the board of trustees of Elon College, I confer upon you, LYNDON BAINES JOHNSON, the honorary degree of doctor of laws which entitles you to all of the rights and privileges of the societies of the learned."

Mr. MANSFIELD. Mr. President, is there further morning business?

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

AMENDMENT OF ACT ESTABLISHING CODE OF LAW FOR THE DISTRICT OF COLUMBIA

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be laid before the Senate and made the pending business.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the Chair lays before the Senate the unfinished business, which will be stated.

The LEGISLATIVE CLERK. A bill (H.R. 5143) to amend section 801 of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901.

The Senate resumed the consideration of the bill (H.R. 5143) to amend section 801 of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901.

LEGISLATIVE PROGRAM—ORDER FOR ADJOURNMENT UNTIL TOMORROW

Mr. MANSFIELD obtained the floor.

Mr. HRUSKA. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield to the Senator from Nebraska.

Mr. HRUSKA. I am wondering whether the majority leader could tell us what the program of the Senate will be in the days that lie ahead, with special reference to the proposal for the purchase of the United Nations bonds; as to when it might be taken up in the Senate and, frankly, why.

Mr. MANSFIELD. I can understand the acting minority leader's interest in this particular proposal. Perhaps what I ought to do is lay out the schedule, insofar as it is possible to do so at this time, for the balance of the week.

First, Mr. President, I ask unanimous consent that when the Senate adjourns today, it adjourn to meet at 12 o'clock noon tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. It is anticipated that tomorrow we will take up Executive A, amendment to the statute of the International Atomic Energy Agency; and Executive F, amendments to the World Meteorological Organization.

These proposals, in the form of treaties, are noncontroversial. They were reported unanimously by the Committee on Foreign Relations.

After consideration of these two treaties, and at about 2 o'clock, Members of the Senate will have an opportunity to deliver eulogies in memory of our late, beloved colleague, Senator Schoeppel of Kansas.

At the conclusion of the eulogies, the time limitation on debate on H.R. 5143, Calendar No. 496, the so-called District of Columbia capital punishment bill, will become effective. One hour of debate will be allowed on any amendment, motion, or appeal, except a motion to lay on the table, with the time to be equally divided; on the passage of the bill 2 hours of debate will be allowed, to be equally divided. However, time from this 2-hour period may be yielded for debate on additional amendments or motions or appeals.

When consideration of this bill has been concluded, the Senate will turn to the consideration of the constitutional amendment proposal, relating to the poll tax, as introduced by the distinguished senior Senator from Florida [Mr. HOLLAND]. It is anticipated that debate on that proposal will take some time.

Following consideration of that proposal, it is thought that the Senate would return to the consideration of the United Nations bond proposal. With respect to that proposal, my best guess at this time is that it may be taken up in the latter part of this week or the first part of next week, but I would say the first part of next week. This is all tentative, however.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. PELL in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the order for a quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROPOSED PADRE ISLAND NATIONAL SEASHORE

Mr. GRUENING. Mr. President, the 87th Congress will probably establish a historic record in the preservation of our natural heritage. It has created the Cape Cod National Seashore. The Senate has also enacted the wilderness bill and established another national seashore at Point Reyes, Calif. Both await action by the House. Other similarly desirable actions are in prospect.

Last week, the Senate Interior and Insular Affairs Committee, which, under the enlightened guidance of Senator CLINTON ANDERSON, its chairman, has advanced these measures for congressional action, voted to report out the Padre Island National Seashore. Extensive hearings had been held on this by the Subcommittee on Public Lands, conducted under the leadership of its able chairman, ALAN BIBLE, of Nevada. The measure will undoubtedly be acted on favorably by the entire Senate, and I am hopeful likewise in the House. Thus, the 87th Congress will have favored each of the Nation's great coasts—the Atlantic, Pacific, and gulf—with a splendid contribution. Similar action for the Great Lakes is, I hope, imminent.

For Padre Island, the greatest acclaim should go to the senior Senator from Texas [Mr. YARBOROUGH]. His vision, his energetic and unflagging pursuit of this magnificent objective, have borne fruit. Succeeding generations of Texans—and, indeed, of all Americans—are in his debt. He might properly be termed the "padre" of the Padre Island National Seashore.

Yesterday, the New York Times printed an excellent editorial on Padre Island. It quite justly pays tribute to our senior Texas colleague.

I ask unanimous consent that this editorial be printed at this point in my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

PADRE ISLAND PARK

There is no sensible reason for further quibbling over legislation to add Padre Island on the Texas gulf coast to the national park system. Here is one of the finest of our undeveloped shoreline areas that can yet be saved for the public. Senator RALPH YARBOROUGH is sponsor of a good Padre Island bill that has now been cleared by committee and is ready for Senate passage.

The House Subcommittee on Parks has held hearings on somewhat similar bills that should be set aside unless amended to conform to the Yarborough measure. Whereas the Senate bill would preserve 86 miles of the barrier island for future generations, the House bills would save only 65 miles and relinquish the best beaches and dunelands to commercial development. One House measure would require the construction of a paved highway from one end of the island to the other. Not only would such a road despoil the scenic grandeur and wilderness; it would be costly to build and to maintain.

The plan advocated by the Texas Senator is sound and in line with Park Service recommendations. It deseves prompt approval.

Mr. HUMPHREY. Mr. President, I commend the Senator from Alaska for bringing these matters to our attention, because I believe the program of the administration, particularly in the field of conservation, recreation, and park development, is one of the most encouraging developments of this year. We are looking forward to a very extensive development in the Great Lakes areas, particularly in the northern Minnesota region.

I know that the Senator, who comes from one of the greatest tourist attractions in the world, the State of Alaska, along with its many other great resources, is extremely interested in the President's message on conservation, his message upon the development of recreational sites for parks, national monuments, and historical monuments—the message which came to us only recently.

Mr. GRUENING. Mr. President, I hope that the next time the Senator from Minnesota goes to Alaska, he will again travel to Ketchikan, whose people were greatly pleased by his earlier visit, so that he may enjoy our wonderful parks and monuments, which are all unique and superlative.

Mr. HUMPHREY. I thank the Senator from Alaska.

ALASKA'S GROWING LIVESTOCK ACTIVITY

Mr. GRUENING. Mr. President, a cattle industry has been developing in Alaska. There are excellent dairy farms, some of them long established, in the Matanuska and Tanana Valleys, in the Gastineau Channel area, and elsewhere, which supply first-class grade A milk to the communities of Anchorage, Fairbanks, Juneau, and the surrounding areas. Likewise, a beef cattle industry is now developing.

When I was on Kodiak Island late last fall, I had the opportunity to visit the farms of the various ranchers and was highly impressed with their ability and purpose.

These men are pioneers—sturdy, self-reliant—seeking with determination and know-how wrought through experience on the ground, to lay the foundations of a new and important activity in Alaska.

They have suffered, and continue to suffer, various handicaps, one of which is the killing of many of their cattle by the famed Kodiak brown bear, which enjoys a large degree of protection and inhabits a refuge which occupies a sizable part of Kodiak Island. It has long

been an attraction to big game hunters, but it certainly is hard on the cattlemen.

A further difficulty has been marketing—the lack of satisfactory inspection procedures to comply with Federal regulations, by which this excellent beef could be sold to the Navy, which, in its station on Kodiak—the headquarters of the Alaska Sea Frontier and the 17th Naval District—is a substantial consumer of beef.

I have been working on this problem for some time, and am happy to announce that arrangements have now been completed by which veterinarians from the Army or Air Force—from Fort Richardson or Elmendorf Air Force Base—may go to Kodiak, provide the proper inspection, and permit the ranchers to dispose of their desirable product locally.

This situation was made the subject of a resolution introduced by Mr. Peter Deveau, representative from Kodiak in the State house of representatives, which quite properly calls attention to the desirability of having the Armed Forces in Alaska purchase local products. The objectives of Representative Deveau's resolution, which was adopted by the State legislature, and for which both had been working, have now been satisfactorily achieved. This is one more gratifying step in the onward march of Alaska toward economic self-sufficiency.

Mr. President, I ask unanimous consent that House Joint Resolution 48 of the State of Alaska Legislature, relating to the purchase of local beef by military installations in Alaska, be printed at this point in my remarks.

There being no objection, the joint resolution was ordered to be printed in the RECORD, as follows:

Be it resolved by the Legislature of the State of Alaska (in second legislature, second session assembled):

Whereas excellent beef is now being produced within the State of Alaska, within a short distance of most military bases; and

Whereas owing to a technical requirement of Federal inspection of beef for military installations, the military is now importing beef from countries as remote as Argentina; and

Whereas there are veterinary and agriculture inspectors employed by the State division of agriculture who are ready and able, as they have done on some items in the past, to insure that the Alaskan beef complies with Federal requirements; and

Whereas the development of a strong beef cattle industry will be beneficial not only to the State, but also to the military bases by insuring more abundant beef at lower prices at a nearby market; and

Whereas the continuance of the practice of ignoring Alaskan beef in favor of imports from remote regions is contrary not only to good sense but to the best interests of the Military Establishment, the State of Alaska, and the country as a whole; be it

Resolved by the Legislature of the State of Alaska (in second legislature, second session assembled), That the Department of Defense be respectfully urged to take whatever measures are necessary to enable the military establishment in Alaska to make use of local beef, either by providing inspection facilities, or by amending the regulation to permit the use of inspection facilities of the State; and be it further

Resolved, That the Armed Forces then be urged to make the fullest possible use of local supply; and be it further

Resolved, That a copy of this resolution be sent to the Alaska delegation in Congress; the Honorable Robert S. McNamara, Secretary of Defense; the Honorable Fred Korth, Secretary of the Navy; the Honorable Elvis J. Stahr, Jr., Secretary of the Army; and to the Honorable Eugene M. Zuckert, Secretary of the Air Force.

GENEVA DISARMAMENT CONFERENCE

Mr. HUMPHREY. Mr. President, the Secretary of State, Mr. Dean Dusk, and Mr. William C. Foster, Director of the U.S. Arms Control and Disarmament Agency, are now in Geneva, Switzerland, to attend the Disarmament Conference which will be opened on March 14. This Disarmament Conference is the result of discussions between the United States and the Soviet Union and cooperation on the part of the United Nations.

The Conference was to be an 18-nation conference, but, as we know, the representatives of the French Republic will not be in attendance because of the decision of General de Gaulle, President of France, not to have France participate in this particular international disarmament discussion. So only 17 nations will be in attendance. There are to be five nations from the West—the United States, France, Great Britain, Italy, and Canada; there are to be five nations from the Soviet bloc; and then eight nonalined, or neutral, nations.

The Conference will take place at a time when the world is in a critical situation, with troubles in southeast Asia, renewed tension in Berlin, and difficulties in Africa, as witness the disorder in the Congo. It will come at a time when the whole world is perilously close to conflagration or, to put it in another way, nuclear war. The Conference will take place at a time when the Soviet Union has violated its word and broken its pledge by the renewal of atmospheric tests of nuclear weapons. It will come at a time when the burden of arms and the pace of the arms race is becoming ever more dangerous and ever more costly.

Every newspaper in the country and, I think with few exceptions, every editorial writer, has commented upon the forthcoming Geneva Conference. The prayers and the hopes of freemen everywhere are being raised on behalf of those who are to discuss the difficult questions pertaining to peace and war, the questions which relate to Laos and Vietnam, the questions which relate to Berlin and the Middle East, to Africa, and the entire continent of Asia.

I believe we can feel reassured that our Secretary of State, Mr. Rusk, is well prepared for the Conference. The Secretary of State testified before the Committee on Foreign Relations in executive session and gave to the committee the general outline of the U.S. proposals on all the major problems which will be under discussion. I believe I state the Secretary's views correctly when I say his attitude was neither optimistic nor pessimistic; that there was important work to be done; and that he was prepared to do it to the best of his ability. He is under assignment from the President of the United States to seek an honorable and safeguarded means of slowing down the arms race and of coming to some understanding which will result in arms control and disarmament.

Mr. President, no subject is more important to the future of the world. Indeed, if there is to be any future for the people of the world the arms threat will have to be brought under control before it destroys us. Approximately 2 weeks ago, the President of the United States informed the Nation and the world that because of the recent nuclear tests in the atmosphere by the Soviet Union, it has become necessary for the United States to resume its testing in order to enable this Nation to maintain its superiority and its lead in the field of nuclear weapons and nuclear technology. It is my view that President Kennedy's speech on this subject was one of the most statesmanlike, most profound speeches ever made by any Chief of State in modern times.

The President explained fully and candidly to the American people and to the rest of the world why that decision was being made, and he did it with a note of sadness and reluctance, because the President, more than anyone else, knows that another round of competition in the field of nuclear-weapons technology would only aggravate the arms race and could produce even greater tensions in the international sphere. Therefore, President Kennedy again offered to the Soviet Union an opportunity to call the nuclear-arms race to a halt, by expressing our willingness to sign a treaty which would include provisions for adequate inspection and controls, to prevent and prohibit further testing of nuclear weapons. He said we were willing to do that even at the expense of foregoing any further nuclear tests, if the Soviet Union would come down to the business of honest negotiation and would come to an agreement with us by the middle of April. That was a very generous and statesmanlike act on the part of President Kennedy. It was an act that involved some risk; but, of course, everything involves risk. In fact, the risk involved in the arms race may be greater than any other risk we face. But the President of the United States, who bears heavy burdens of world leadership and responsibility to our allies and to all mankind, wants to walk the extra mile to secure the peace.

Furthermore, President Kennedy has asked that there be no propaganda exercises at this Geneva Conference. He has asked for sincere, honest negotiation; and he has called upon the representatives of the Soviet Union not to use the Geneva Conference as a launching pad or a springboard for a propaganda barrage. The President has made that request, and it is to be hoped that it will be respected. However, I sincerely doubt that that hope can be realized. I believe that our country, and, in fact, the entire world, should be prepared for a Soviet propaganda barrage, the like of which we have never before experienced. This will be particularly true if we are compelled to engage in further nuclear tests in the atmosphere. In that case,

the Soviets will try to make the entire world forget that they initiated these tests, and they will try to make it appear that this is an imperialistic design and an aggressive, warlike act on our part.

Therefore, I believe that every Member of Congress, every public-spirited citizen, and every person who has contacts with his fellow citizens, should make it crystal clear that regardless of whatever course of action we are compelled to follow in the field of nuclear-weapons testing, it is a course of action which was forced upon us by the arrogant attitude of the Soviet Union and because of the Soviet Government's complete abrogation of its responsibility in connection with maintaining the moratorium on nuclear testing.

Furthermore, Mr. President, our obligation as a nation is no longer only to ourselves; it is to the entire world. So let the people of the world, and particularly those of the nonaligned and neutral countries, understand that the maintenance of power by the United States is an act of peace, because it is only through the strength of the United States at this particular moment that there is any peace; and if that strength were weakened inadvertently or by miscalculation or design, that would not contribute to world peace, but would contribute to world disorder. The only way by which there can be effective disarmament, Mr. President, is if the major powers which have the power to destroy are willing to come to an agreement on disarmament that is equitable, that is fair, and that is policed and inspected honorably. Unilateral disarmament would produce something worse than an arms race; it would produce the horrible fact of an imbalance of power and an unfavorable balance of power against the free world, which I believe would precipitate a world crisis, and very easily could bring about a world war.

I repeat that it is the moral and the political duty of every responsible citizen, every person in public life, and every leader of any nation to seek relentlessly, perseveringly, and patiently control over these weapons of massive destruction, and to limit their production, so as to bring the arms under control and to engage in disarmament.

Mr. President, earlier I said that I know our Government is prepared for this disarmament conference. The reason for that is quite clear, for last fall the Congress of the United States passed legislation which established the U.S. Arms Control and Disarmament Agency. It was my privilege to sponsor that legislation in the Senate. The President urged it, and it is a subject which we have discussed for several years in the Senate. As chairman of the Subcommittee on Disarmament, of the Senate Committee on Foreign Relations, I have attempted to keep abreast of these developments in the vital field of foreign policy and national security known as disarmament. It was my long-held view, that our Nation was never adequately prepared for disarmament negotiations. It was also my view and I so stated, that all too often we went to those conferences poorly prepared, without a clear-cut understanding with our allies, and without proper attention to the details which such a conference requires.

A disarmament conference involves every aspect of foreign policy. A disarmament conference involves our very life, the security of our Nation and that of the entire world. Therefore, a disarmament conference requires the best diplomatic participation and the best diplomatic talent that our Nation or any other nation can place at the conference table.

It was because of this strong conviction that I urged upon my colleagues and upon the man who now is President of the United States that there be established a Disarmament Agency with the sole responsibility of preparing our Nation to engage in negotiations on disarmament, exactly as the Joint Chiefs of Staff and the Department of Defense prepare our Nation to meet the responsibilities of national security—if need be, on the battlefield.

This new Agency has had only a few months in which to undertake its heavy responsibilities.

On Thursday and Friday of the past week, officials of the new Agency, together with the Secretary of State, appeared, first, before the Subcommittee on Disarmament, in a public hearing; and, second, before the full Committee on Foreign Relations, in an executive session. There has been, in the press, some talk or some criticism to the effect that the Disarmament Agency has been slow to get underway.

There has been some concern over this matter, and justifiably. The Director of the Agency, Mr. William C. Foster, was formerly director of the foreign aid program in the Marshall plan days, and has served this government faithfully in many capacities, one of these capacities being, a few years ago, at the conference in Geneva on surprise attack.

It was at these conferences that Mr. Foster came face to face with the Soviet representatives, and I am sure he learned a great deal from that experience as to Soviet tactics at the conference table.

It is my view that a disarmament agency must keep the American people informed—must keep the American people informed as to what it is doing, its plans and proposals, and the research activities that it undertakes.

It is my view that the U.S. Disarmament Agency, as it is required to do under the law, must keep the respective departments of Government that are concerned with national security fully informed as to the Disarmament Agency's activities. Then, the Director of the Disarmament Agency is the chief adviser of the President of the United States and the Secretary of State on the subject of disarmament and arms control.

It is for these reasons, among others, that Mr. Foster is at Geneva, Switzerland, along with Dean Rusk, Secretary of State, to undertake sensitive, vital, and all-important discussions in the field of arms control and disarmament.

Mr. President, I hope that every citizen who is interested in this matter—and there are many—will study the printed record of the Subcommittee on Disarmament, so the people can know more about what is being done by our Government in the search for peace. I predicate my remarks today upon the memorable and far-reaching statement of policy by President Kennedy at the United Nations last fall. It was in that speech that President Kennedy called upon the nations of the world to engage in a peace race, rather than an arms race.

It was in that great speech that President Kennedy laid down a program of action which we were prepared to undertake in concert with other nations, in the peace race.

It was my privilege, while traveling overseas last fall, to call that speech to the attention of many people, including none other than the editor of Izvestia, the official Government newspaper in Moscow. I met Mr. Adzhubei, editor of Izvestia, while I was in Rome, and I asked him why that paper had not published Mr. Kennedy's great speech at the United Nations in full text. I urged upon him that it be done, in the cause of peace. I pointed out that the American press had carried Premier Khrushchev's speech to the United Nations in full text. In fact, everything Premier Khrushchev said was carried by the American press, and reported by television and radio.

I urged on Mr. Adzhubei, who has been a guest at the White House, and who is the editor of the Soviet paper Izvestia, that there be equal treatment; that this was the least that could be done to promote the cause of peace; to get the true story of the American position and of American policy to the people of his country.

I do not know whether my remarks had any effect on him. These remarks were made at a conference in Rome at the time I visited with representatives of the East-West Parliamentary Conference. I do know, however, that later on, the text of President Kennedy's speech was published. I hope our information services, particularly the U.S. Information Agency, will keep broadcasting that outline for peace, that plan of peace, which was designed by President Kennedy in the message in which he called for a peace race.

Mr. President, at the meeting of our subcommittee and the full Committee on Foreign Relations we were able to get a good deal of information as to what has been done by the Disarmament Agency in staffing, and programing, and in activities in the field of research in preparation for the conference.

Because I believe this is a matter of such vital importance, and I am convinced the rest of the world feels it is important, I make these remarks today. I have no prepared speech. This subject matter is very close to my heart. I am so pleased that the responsible press of this country has seen fit to give so much attention to these matters. Every American can know a great deal about what the Conference at Geneva means if he has but looked at the press of the past week, particularly the press of Sunday, or if he has listened to the radio or reviewed the television news. I say

the media of communication have performed admirably in their responsibilities for public service and public information.

I am hopeful that at our universities, high schools, clubs, and fraternal orders, in our great organizations of industry, agriculture, and labor, the Geneva Conference will be given careful attention and study. I am hopeful our fellow Americans will take careful note of the activities of the United States Arms Control and Disarmament Agency, so that we can better know how well we are prepared to meet the responsibilities of negotiation.

Mr. President, I shall ask to have printed in the RECORD excerpts from a statement by Mr. William C. Foster before the Subcommittee on Disarmament on Thursday, March 8. These excerpts and statements relate to the organization of the Agency. They also relate to the organization of the Advisory Council on Disarmament. There is a General Advisory Committee which was established by law. The Committee has as its Chairman, Mr. John J. McCloy, who, until last September, was President Kennedy's adviser on disarmament. The Committee consists of some of the outstanding citizens of our Nation. Each one was very carefully selected. Each one has been subjected to or has undergone a complete field investigation. Each one will require Senate confirmation, which indicates the importance of the advisory agency.

I call the attention of my colleagues to the research program of the Disarmament Agency, because the program requires research as much as does exploration in outer space. Disarmament requires research as much as does any subject in the field of science. The agency's first research contract was entered into on February 6 of this year with the Bendix Corp. The contract calls upon the Bendix Corp. to make a study of techniques for monitoring delivery of strategic vehicles, including both missiles and planes. If there is ever going to be disarmament, we must know how to supervise it. One of the most important areas of supervision will be over the means of delivery of weapons of mass destruction. It is the fact that these weapons, which include warheads, can be delivered to another country that makes them dangerous. The mere possession of them is not the major danger. The delivery is the danger; therefore, the subject of the delivery system becomes vital.

In discussing disarmament we are not merely discussing a utopian hope. We are discussing one of the most complicated subjects with which man ever came to grips. It requires a sense of objectivity. It requires technical knowledge. It requires scientific exploration and research. Above all, it requires the most careful negotiation.

The U.S. Disarmament Agency also published a report by a distinguished panel of economists, under the chairmanship of Prof. Emile Benoit of Columbia University, on the economic and social consequences of disarmament, and that report was made available to the United Nations under a resolution of the United Nations asking each country in the United Nations to give a report as to the economic impact of disarmament when and if disarmament should come about.

I shall say something of this subject, Mr. President, but at this point I ask unanimous consent to have the statement by Mr. William C. Foster, to which I have referred, printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY WILLIAM C. FOSTER, DIRECTOR, U.S. ARMS CONTROL AND DISARMAMENT AGENCY, BEFORE THE SUBCOMMITTEE ON DISARMAMENT OF THE SENATE COMMITTEE ON FOREIGN RELATIONS, THURSDAY, MARCH 8, 1962

The Congress approved the bill creating a U.S. Arms Control and Disarmament Agency on September 23, 1961, and the President signed it into law on September 26, 1961. This will give you a status report of our principal activities since that date.

1. ORGANIZATION AND PERSONNEL

In addition to myself, the President has made the following appointments to positions in the Agency:

Mr. Adrian S. Fisher, Deputy Director. Mr. Fisher was formerly Legal Adviser of the Department of State, General Counsel of the AEC, Solicitor of the Department of Commerce, and most recently vice president, counsel, and a member of the board of directors of the Washington Post Co.

Mr. Jacob D. Beam, Assistant Director in charge of the Bureau of International Relations, which is concerned with international negotiations, consultations with our allies and other countries, and performs research on problems related to its functions. Mr. Beam was most recently Ambassador to Poland and is an outstanding career Foreign Service officer.

Dr. Franklin A. Long, Assistant Director in charge of the Bureau of Science and Technology which sponsors and coordinates scientific research. Dr. Long was until recently chairman of the department of chemistry at Cornell. He has served on the President's Science Advisory Committee and other Government advisory groups.

Vice Adm. Edward Nelson Parker, Assistant Director in charge of the Weapons Evaluation and Control Bureau which conducts research into the impact of arms control proposals on military security. Admiral Parker has had extensive experience with military weapons systems and holds the Navy Cross and two gold stars in lieu of additional Navy Crosses for conspicuous gallantry and extraordinary achievement during World War II.

The Agency also has an Economic Bureau which develops and evaluates economic data relating to the impact of disarmament proposals on our economy. An Assistant Director has not yet been appointed but Alexander Kiefer, a senior Foreign Service officer who is an economist is serving as Acting Assistant Director. The Agency has a Disarmament Advisory Staff headed by Henry A. Byroade; a General Counsel, Mr. George Bunn; and a Public Affairs Adviser, Mr. Nedville E. Nordness.

The President has just announced the appointment of a General Advisory Committee to the Agency. The Chairman of this Committee will be Mr. John J. McCloy who was until last September the President's Adviser on Disarmament. Other members are as follows:

Roger M. Blough, chairman of the board and president of the United States Steel Corp.

The Reverend Edward A. Conway, associate professor of political science at Creighton University, and author of numerous articles on peace and arms control.

John Cowles, president of the Minneapolis Star and Tribune and chairman of the Des Moines Register and Tribune.

Trevor Gardner, chairman of the board and president of the Hycon Manufacturing Co., formerly Assistant Secretary of the Air Force and Special Assistant to the Secretary of the Air Force for Research and Development.

Dr. George B. Kistiakowsky, professor of chemistry at Harvard University, member of the President's Science Advisory Committee and formerly Special Assistant to the President for Science and Technology.

Robert A. Lovett, director and chairman of the executive committee of the Union Pacific Railroad, and formerly Secretary of Defense.

Dean A. McGee, president of the Kerr-McGee Oil Industries, Inc.

Ralph E. McGill, editor of the Atlanta Constitution.

George Meany, president of the AFL-CIO.

Dr. James A. Perkins, vice president of the Carnegie Corp., of New York.

Herman Phleger, partner in the law firm of Brobeck, Phleger & Harrison of San Francisco, formerly legal adviser to the State Department and the principal negotiator of the Antarctica Treaty.

Isador Rabi, professor of physics at Columbia University, and active in the field of atomic energy.

Thomas D. White, formerly Chief of Staff of the Air Force.

Herbert York, chancellor of the University of California at La Jolla, formerly director, Department of Defense Research and Engineering.

A recruitment program was begun after creation of the agency in order to obtain top level personnel with competence in arms control, diplomacy, international organizations, international law, economics, science and weapons technology, and the military capabilities of the United States and of other major powers. As of today, the staff of the agency consists of 105 employees. Several prospective employees will be added as soon as investigations in compliance with security requirements are completed. This will bring us very close to our present budget limitation which is 123 for this fiscal year.

2. RESEARCH PROGRAM

The agency's first research contract was entered into on February 6, 1962, with the Bendix Corp. This contract calls for a $150,000 study of techniques for monitoring the production of strategic delivery vehicles, including both missiles and planes. It is to be completed in approximately 6 months. It is the first part of a project to design an inspection system for monitoring the production and deployment of strategic delivery vehicles.

We are presently negotiating two other contracts, one calling for a study of the problems of progressive zonal inspection, and the other for the study of the role of statistics and sampling in the verification of arms control and disarmament agreements. Both of these contracts will call for the submission of a final report within about 6 months.

The agency recently published a report by a distinguished panel of economists, chaired by Professor Emil Benoit of Columbia University, entitled "Economic Impacts of Disarmament." This panel examined the problem of the economic impact of disarmament on the basis of a comprehensive disarmament model devised by them. They concluded that, while the economic problems which may be expected in the event of disarmament are by no means insuperable, these problems do require the deployment of sensible adjustment policies and vigorous Government leadership for solution. They also pointed out that the impact of disarmament

would only accentuate structural problems which already exist as the result of technological advance and other developments in our economy and that, if these problems are overcome, achievement of major national goals will be greatly facilitated by the use of the human and physical resources released from the defense program.

For several months we have been engaged in extensive preparations for the March 14 Disarmament Conference at Geneva and much of our "in house" research has been related to these preparations.

For the next fiscal year 1963, we are planning a broad research program which will be presented later this month to the Appropriations Committees. It will concentrate on the following general areas:

1. Studies to insure that any applications of disarmament measures proposed by the United States remain consistent with national security interests;

2. Studies on various problems relating to the verification of compliance with arms control and disarmament agreements; and

3. Studies on international organizational and legal aspects of proposed disarmament agreements.

3. INTERNATIONAL NEGOTIATIONS

(a) Test ban: At various times since their inception, negotiations for the discontinuance of nuclear weapons tests had seemed to offer some promise of success. In the first 2 years of negotiations, agreement had been reached on a preamble and on 17 articles and two lengthy annexes of a draft treaty. There remained serious differences. However, the issues had been refined and all three negotiating governments had given indications of interest in a treaty.

In an effort to reach agreement, the United States made new proposals a year ago on March 21 and it offered the complete text of a treaty on April 18, 1961. However, the Soviet Union accepted only those Western concessions which precisely corresponded with its past positions and declined to compromise on others. Furthermore, the Soviet representative introduced the so-called troika concept into the test ban negotiations. On August 30, the Soviet Government announced that it had decided to resume nuclear weapons tests and it did so shortly thereafter. On November 28, the Soviets presented a new proposal for a comprehensive test ban with no international control whatever. States would rely on their national systems to detect nuclear explosions in the atmosphere, outer space, or underwater, and they would undertake not to conduct any underground tests until agreement was reached on a control system for general and complete disarmament.

On September 5, 1961, after the third Soviet test, President Kennedy announced that the United States would be compelled to resume underground testing to maintain its military position. On March 2, 1962, he announced that our security required the resumption of atmospheric nuclear weapons tests. He has offered to refrain from such tests if the Soviet Union will sign an effectively controlled test ban treaty. We will continue to seek such a treaty but the Soviets have given no indication of any renewed interest in our proposals.

(b) Comprehensive disarmament: In a series of meetings during the last year, the United States and the U.S.S.R. agreed to a joint statement of agreed principles to guide disarmament negotiations and they agreed to begin such negotiations on March 14, 1962, in an 18-nation committee at Geneva. This Committee was to be composed of five NATO countries (Canada, France, Italy, the United Kingdom, and the United States); five Warsaw Pact countries (Bulgaria, Czechoslovakia, Poland, Rumania, and the U.S.S.R.), and eight countries chosen on a geographical basis which had not previously participated in disarmament negotiations. The eight included two Latin American countries (Brazil and Mexico), two Asian countries (Burma and India), two African countries (Ethiopia and Nigeria), one Middle Eastern country (the United Arab Republic), and one European country (Sweden). A U.N. General Assembly resolution of December 20, 1961, unanimously endorsed the joint statement of agreed principles and the forum. As you know, France has since declined to participate.

On September 25, 1961, the President presented to the U.N. a U.S. program for general and complete disarmament in a peaceful world. This set forth the following specific objectives for disarmament negotiations:

1. The disbanding of all national armed forces and the prohibition of their reestablishment in any form whatsoever other than those required to preserve internal order and for contributions to a United Nations peace force;

2. The elimination from national arsenals of all armaments, including all weapons of mass destruction and the means for their delivery, other than those required for a United Nations peace force and for maintaining internal order;

3. The institution of effective means for the enforcement of international agreements, for the settlement of disputes, and for the maintenance of peace in accordance with the principles of the United Nations; and

4. The establishment and effective operation of an International Disarmament Organization within the framework of the United Nations to insure compliance at all times with all disarmament obligations.

The program represents a more comprehensive disarmament proposal than any previously proposed by the United States. It is particularly significant because of its emphasis on the point that disarmament alone is not enough; it must be accompanied by the institution of international peacekeeping measures which could fill the vacuum caused by the removal of military power.

At Geneva, we will be presenting an elaboration of this program to the Disarmament Conference. We will also be seeking agreement on immediate arms control measures that could contribute to the common security of nations and facilitate further steps toward disarmament. These will include various proposals to reduce the threat of war by accident, miscalculation, or surprise attack; and to prevent the proliferation of nuclear weapons.

Mr. HUMPHREY. Mr. President, the economic impact of disarmament has been a subject which has been under careful study by the Senate Subcommittee on Disarmament for 2 years. I believe we have done a good deal of pioneering. We, in our subcommittee, were the first to advocate international cooperation in the field of outer space science and research, such recommendations having been made in 1956 and 1957. As chairman of that subcommittee I submitted resolutions in the Congress to direct our representatives at the United Nations to call upon the United Nations to authorize a program of international cooperation in the field of outer space exploration and research.

The former majority leader, the Vice President of the United States, LYNDON JOHNSON, called upon the Government of the United States to take a lead in these matters. He was sent to the United Nations by the former President, Mr. Eisenhower, to address the United Nations on international cooperation in the exploration of outer space.

I went to Switzerland to address a conference of experts in the field of disarmament and arms control, at which time it was my privilege to advocate international cooperation in the field of scientific research in outer space.

Because of our activities in the United Nations, a special committee in the United Nations has been established to promote international cooperation in the field of scientific research and exploration in outer space.

Because of the world famous orbital flight of Col. John Glenn, a U.S. marine, Premier Khrushchev has at long last indicated interest in the possibilities of international cooperation in the field of outer space exploration and scientific research.

I mention these facts because the subcommittee of which I am a member, and of which I am privileged to be the chairman, has pioneered. We have pioneered in the discussions of a nuclear test prohibition. We have pioneered in the discussions of how best to formulate a disarmament conference, and what its composition should be. We have pioneered in the discussions and studies of the economic impact of disarmament.

I am happy to report to the Senate today that, while the study has not been published in the Senate, the entire contents of the study were made available during the past year to the U.S. Disarmament Agency, to our State Department, to our Defense Department, to our Council of Economic Advisers, to the Atomic Energy Commission, and to the National Security Council.

This study was conducted with the cooperation of some 300 large industrial concerns in the United States, along with general economic research and studies relating to the total economy. The industrial concerns I have mentioned answered long, detailed, and complicated questionnaires as to their present activities in defense production; including the volume of that production in dollars, and the relationship of the dollar production to peacetime activities or in relation to production in other parts of their plants.

The questionnaire brought forth information as to the number of employees engaged in defense production, the amount of machinery involved, and the kinds of machinery engaged in defense production, as well as the possibilities for conversion to peacetime production.

The study indicated the amounts of defense production, State by State and city by city, and what the defense production meant to the economy of a particular State or of a particular region.

Mr. President, the questionnaire elicited from the managements of these large industrial concerns what their views were relating to the adjustment from defense production to completely peacetime production. How long would it take? What would be the impact? Could it be done? Would the United States be able to shift from a defense economy into a completely peacetime economy without serious dislocations in industry, in respect to jobs, and in

respect to the fiscal base of our Nation, both public and private?

I am happy to report that the study revealed that could be done, even though it would require careful planning.

I am happy to report that the industrialists of this Nation look forward to an opportunity to shift from defense production into peacetime goods.

I am happy to note that our great trade unions look forward to doing so.

In other words, Mr. President, even though, because of the international situation, and because of our great responsibilities in the world, resulting from the tension existing between ourselves and the Soviet Union, due to Soviet pressures and due to uncertainties in the world, we are required now to maintain a large military establishment and to endure heavy defense burdens, it can be said without qualifications that the industrialists who were contacted and interviewed, those who filled out the questionnaires, representing some 300 large industrial firms in this country, told us that the shift from defense production to peacetime production could be made without serious dislocation, and they further told us that they looked forward to the day when it would be done.

I mention this because although the study has been shared by all executive branch agencies it has not been published yet because it is before the Foreign Relations Committee for final review. I am taking the liberty today to discuss its broad outlines. I have had a great deal to do with the study. I think it ought to be published by the Congress, but whether it is published or not is relatively insignificant, because the body or substance of the study has been made available to those who are responsible in this area for planning and for our response to the United Nations request.

Our response to the United Nations' request as to the economic impact of disarmament was based in large measure upon the study made by the Senate Subcommittee on Disarmament and its staff, and, in particular, the work performed under the direction of the former staff director, Miss Betty Goetz. Miss Goetz did a remarkable job. She is now with the U.S. Disarmament and Arms Control Agency, and therefore, of course, fully cognizant of the details of the report and able to integrate that report into the studies of the agency to which I have referred.

But I find it extremely encouraging to note a growing awareness among informed opinion as to the economic feasibility of disarmament. For years a chorus of Cassandras has warned us that our defense industries are simply making too much money to disarm. This is one of the oldest saws of the Communist propaganda mill and I am sorry to say this line has been parroted by some of our standpatters at home.

In the past 8 days, however, we have heard a different story from people who make it their business to learn the facts about disarmament. Last Monday the New York Times published a report of a panel of experts led by the noted authority Dr. Emile Benoit, Director of the research program on economic adjustments to disarmament of the U.S. Arms Control and Disarmament Agency.

The report referred to is one which I mentioned earlier. I ask unanimous consent to have printed at this point in the RECORD an excerpt from Mr. Max Frankel's article relating to that report.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

KENNEDY SEEKS ANSWERS

The Kennedy administration, horrified by the implications of an unchecked arms race in the years to come, has seriously set out to explore the chances of disarmament.

It has hoped, despite contrary winds from the East, that a start could be made with the Russians at next week's disarmament conference in Geneva. And in expectation of some progress, it has tried to prepare itself for the labyrinthine problems by establishing a U.S. Arms Control and Disarmament Agency.

That agency has naturally been concerned with disarmament problems involving weapons, international inspection, and East-West negotiations. But it has also found it important to consider what disarmament might be like, what it would do to the American economy, and what the economy must do now to lessen the impact if disarmament is achieved.

The leading student of the economic impact of disarmament in the country today is Emile Benoit. He is an associate professor of international business at Columbia University and director of the research program on economic adjustments to disarmament.

As well as writing many recent treatises on the subject, he has also led a panel of experts. Last month they made their first report on the subject to the Disarmament Agency.

The following are some of the major points the report made:

Assuming that disarmament will be accomplished in stages, over 10 to 12 years, and that it will be accompanied by greater outlays for international inspection and police forces, as well as civilian space and nuclear energy programs, it is unlikely to result in an immediate depression of the U.S. economy.

A steady decline in defense spending may, however, be a significant drag on the economy in general and pose serious problems requiring prompt and vigorous Government action.

Excessive concentration of Government spending in particular industries or areas will be unavoidable and could be serious for the individuals, companies, and communities involved.

But disarmament is likely merely to accentuate the problems of excessive spending that already exist and should be attended to in any case. The resources that disarmament would free for vitality needed development should be welcomed rather than feared.

Mr. HUMPHREY. Mr. President, I emphasize the concluding sentence of the report:

The resources that disarmament would free for vitally needed development should be welcomed rather than feared.

Mr. President, virtually the same conclusion has been reached by a panel of 10 leading economists appointed by the late U.N. Secretary General Dag Hammarskjold on instructions of the U.N. General Assembly. Their task was to prepare a study on "the national economic and social consequence of disarmament in countries with different economic systems and at different stages of economic development." The panel met under the chairmanship of Jacob L. Mosak, a U.S. citizen serving the United Nations, and included representatives of East and West, of the United States and the Soviet Union, of NATO and the Warsaw Pact, of the nonalined and the underdeveloped countries. To my mind their principal finding deserves the widest possible circulation, namely, that—

the diversion to peaceful purposes of the resources now in military use could be accomplished to the benefit of all countries and lead to the improvement of world economic and social conditions.

I ask unanimous consent to have printed at the conclusion of my remarks the summary of the U.N. study as reported in today's press.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. HUMPHREY. Mr. President, it is almost superfluous for me to point out the exceptional timeliness of these two reports in view of the 17-nation disarmament talks beginning in Geneva this week. I would like to recall that the Subcommittee on Disarmament, of which I am chairman, held hearings last week at which the economic impact of disarmament was raised by my distinguished colleague, the able Senator from Missouri. In reply to questioning, Mr. William Foster, Director of the Disarmament and Arms Control Agency, stated that an abrupt suspension of defense contracts—and I underscore the word "abrupt"—would entail serious economic dislocation in the United States; but none of these consequences need occur if disarmament proceeds gradually and according to plan. Furthermore, he stated, the impact of disarmament would be just as severe, if not more so, behind the Iron Curtain as it would be in the United States.

Mr. President, I want to stress this last point. Let us remember that ever since the October Revolution of 1917 the Soviet "dictatorship of the proletariat" has rested exclusively on military power. One of the first acts of the Bolsheviks in 1917 was to restore the prestige and fighting ability of the Tsarist army, whose discipline they themselves had undermined by propaganda and agitation. Ever since then the Soviet armed forces have occupied a privileged position, although the Communist Party has been careful to maintain political supremacy. Only recently we have seen the resistance offered Premier Khrushchev when he tried to demobilize large numbers of officers and men. Some observers even believe that the Berlin crisis was aggravated by Russian military circles anxious to safeguard their occupation and their privileges in the Soviet system.

I wish a little more could be written about that subject. If one were carefully to examine the development of military forces in the Soviet Union, he would find that those forces have always occupied a privileged position, and they have had a great bearing upon Soviet policy.

We in the United States worry about the power of the Pentagon. The former President of the United States, as he left office, gave us some wise counsel on those matters. But I wish the record to be quite clear that in the Soviet Union—in fact, in the Communist bloc countries—the people have never known a totally military free economy. If we think we would have some trouble adjusting from disarmament to peacetime production, imagine what it would be within the Communist bloc area where the military has been in the ascendancy and where the economy has been geared to the production of military goods, not for a few years, but from its inception.

Whatever the truth of the matter, Nikita Khrushchev is not going to have an easy time of it once disarmament is achieved. For a state so overwhelmingly committed to military production as is the Soviet Union, the economic impact of disarmament is a very serious consideration.

However, the Soviets report that they could make the necessary adjustment. I want that made clear. They have made such a report to the United Nations. The point I wish to make is that not all the advantages of disarmament will flow one way, namely, to the Communists. Many people in America feel that if we discuss the subject of disarmament, all we do thereby is to show weakness and play into the hands of the Reds.

Mr. President, no man in his right mind discusses disarmament as something that we will do without other countries also doing it. We do not discuss disarmament as a one-way street. As I have said before, I believe that in recent years our Government has maintained a defense program that was no larger than the Soviets could match without too much strain, and small enough in this country so that those who like to complain about taxes would not have much to complain about.

In other words, for a number of years we went on the basis that all we needed to do was to have the big bomb, a cheap defense, and that would take care of everything. Such action has permitted the Soviet Union to match us without too much strain on its economy. With the advent of the Kennedy administration we have put our Military Establishment in proper balance. We have strengthened our defenses. We have increased the mobility of our Military Establishment. We have refined our weapons. We have modernized our weapons. We have strengthened our airpower. We have made vast strides in missiles and rockets. Today the Soviet Union finds it difficult to keep pace. Today the Soviet Union must make up its mind whether it will meet its agricultural crisis, as I mentioned in the Senate the other day, or whether it will be able to maintain its military establishment, and the pressure of the Soviet people, as every report indicates, is for more consumer goods. The people are asking for more food, clothing, and housing.

Mr. Khrushchev goes to Geneva not with the initiative. He goes to Geneva not with all the cards in his hands. He goes to Geneva with an America that is united, a President who has made his position clear on the subject of nuclear testing, a President who has made his position clear as to the desire for success in disarmament negotiations, a President who has a country behind him that is richer and stronger than ever before, and a Military Establishment that is stronger than we have had for years.

As the recent U.N. study so eloquently concluded,

> The achievement of general and complete disarmament would be an unqualified blessing to all mankind.

That is the situation today. That is what Mr. Khrushchev faces.

I repeat, Mr. President, that the advantages of disarmament are not only on one side; they are universal. Mr. Khrushchev can have all this for his people if he is willing to negotiate. Mr. Khrushchev can solve the agricultural problems of his country, but he cannot do that and also keep up this mad arms race.

I am advising our President and our country, publicly and privately, that we steer a steady course and that we maintain our defenses at such a point that they will command the respect of the world and at the same time show our willingness sincerely and conscientiously to negotiate in good faith for a staged and planned reduction of arms and ultimate disarmament.

There is nothing contradictory about this position. Winston Churchill once said, "We arm to parley." Others, including our President, has said, "We will never fear to negotiate, but we will not negotiate from fear."

We go to this conference table in Geneva at one of the most critical and serious moments in the world's history. I say, as a Senator who is somewhat privy to what the facts are with respect to our Military Establishment and our power, that we go there strong, that we go there united, and that we go there prepared for serious and conscientious negotiations, because of the work of Mr. Foster of the U.S. Disarmament Agency, and because of the preparations by our State Department.

I know that the prospects for disarmament seem rather remote. I do not believe in fooling myself or in attempting to fool the public. The prospects for disarmament are rather distant and remote. However, the need is ever pressing.

I repeat that we are talking about disarmament in which there must be inspection and in which there must be ways of supervision and monitoring. We are talking about disarmament not only with reference to the United States and the Soviet Union, but also with reference to other powers. Ultimately any disarmament conference to be worthy of the name must have at its conference table Communist China. Who is there in this land or in any other land who can sincerely and conscientiously consider disarmament for our country or for any other country while 700 million people are living in a dictatorial police state which has arms at hand and the capacity to destroy and kill, namely Communist China?

Communist China would have to be brought into the disarmament discussions. I mean she would have to be brought in just as a matter of national security.

Fortunately, there is a precedent for these matters. She sat in on the discussions in Korea. She sat in on the discussions on Indo-China. This is not a matter of recognition. It is not a matter of a U.N. seat for the Communist Chinese. Those are separate and distinct subjects. Surely, it is a matter of careful consideration to every human being that if there is to be a successful and at least a progressive program of disarmament, that it be universal and that it be not limited. I am sure that the representatives of the Soviet Union would feel that way too, in view of the recent discussions between the Soviets in Russia and the Chinese Communist leadership in Peiping.

I conclude my remarks by wishing the greatest of possible success to the Secretary of State, Mr. Rusk, and to commend the President upon his determination to have these negotiations conducted in an honorable and sensible manner.

I hope that this conference will in some way relax the tensions between the West and the East.

I ask unanimous consent that my opening statement as chairman of the Subcommittee on Disarmament, at our hearing on Thursday, March 8, be printed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

OPENING STATEMENT BY SENATOR HUBERT H. HUMPHREY, CHAIRMAN, SUBCOMMITTEE ON DISARMAMENT, SENATE COMMITTEE ON FOREIGN RELATIONS

Five and a half months ago the U.S. Arms Control and Disarmament Agency entered the world accompanied by the hopes and prayers of all who considered disarmament to be the most urgent need of our time. Today and tomorrow this subcommittee is going to attempt to take inventory of the accomplishments, the current projects, the goals and philosophy of this unique new agency. Our questions are going to range over a wide area. We want to delve into such bread-and-butter items as the staffing of the agency, the overall organization, the matching of personnel with slots on the organization chart, the status and scope of research, the adequacy of funds and the use to which appropriated funds have been put.

Over and above these questions, however, we are interested in the substance of disarmament. Our hearings precede by less than a week the start of yet another effort to discuss disarmament at the international conference table. On March 14 representatives of 18 sovereign nations will sit down together in Geneva, Switzerland. They meet in the shadow of one of the most discouraging developments of this decade—the collapse of the 3-power test ban negotiations, which at one time offered a fleeting hope of ending the most deadly arms competition of our era. The great nuclear powers missed the boat and each has a share, though perhaps an unequal share, of the blame. When the new administration showed itself sincerely anxious to sign an effective test ban treaty, the Soviet Union raised its impossible demand for a veto in the control commission.

The Soviet troika contradicted, as the Kremlin knew it must, the very idea of a controlled test ban treaty. To have accepted it would have meant betraying posterity.

We cannot help asking what would have happened if our negotiators had been better prepared, if opinion in our highest Government circles had been solidly in favor of a test ban agreement back in 1958-59. Perhaps a limited agreement then might have forestalled the disaster of the Soviet tests in 1961 and our own reluctant decision to resume above-ground testing. In any case we might have been better off than we are now; we might have had no need for the desperate offer of canceling atmospheric tests in return for an effective treaty. We might still be negotiating fruitfully in Geneva instead of submitting our problems to a large, unwieldy conference, most members of which have no immediate prospect of joining the "nuclear club."

This is only speculation, but I can say with certainty that the Disarmament and Arms Control Agency was established with the aim of making the United States as well prepared for peace as it is for war. This subcommittee hopes that the United States is indeed entering the 18-nation Disarmament Conference with, as President Kennedy said, "concrete plans for a major 'breakthrough to peace.'" Moreover, we hope that the disarmament agency has itself made a substantial contribution to the U.S. position. We will attempt to get to the bottom of these questions, although as everyone present will readily understand, only their most general aspects can be discussed in public session.

Let me stress that the backers of the idea of the Disarmament and Arms Control Agency were determined that the United States should never again enter a disarmament conference poorly prepared technically, or lacking an adequate position of its own and coordinated with its allies. Nor should we ever again be uncertain as to our objectives, hesitant as to the commitments we are willing to make. We were determined to engage the services of the best people we could find—men and women prepared to give their full time to the task of disarmament, to the painstaking research and to the correlation of technical knowledge on which alone an effective disarmament agreement can rest.

No one expected miracles from the Agency, but we did insist that disarmament no longer be the stepchild of our national security effort. We asked recognition of the fact, to which the present administration fully subscribes, that disarmament and national defense are not contradictory but are two equal sides of the same coin. This country could no longer afford to see disarmament relegated to a subordinate position in the Department of State, where all too often it encountered indifference, inertia; where it often became the victim of "higher" departmental priorities.

The disarmament agency was born in the very midst of crises—Berlin and the Soviet test series—which placed a premium on a rapid military buildup. Yet despite the dangers and the tensions of last September the Congress saw fit to set up an autonomous agency with the one and only purpose of studying and conducting research to prevent war, to reduce armaments, to preserve peace, to help create the conditions which make for peace. This development was proof that disarmament has at all times a broad constituency in the United States. This constituency will not be satisfied unless we work for disarmament in fair weather and foul, unless we understand that disarmament is all the more urgent when the world teeters on the precipice. It is with the constituents of disarmament firmly in mind that we are conducting the present hearings.

No one pretends that disarmament can be planned and implemented by casual amateurs. The control and reduction of armaments and the building of a peaceful world in which law and order and international institutions take the place of national force—all this requires many years of research, study, perseverance, of negotiation and education. Patience and persistence are, of course, vital ingredients of our foreign and defense policies and of our whole national security posture. Our leaders realize that unremitting effort is the only alternative to inevitable conflict on the one hand or to unilateral disarmament and defeat on the other. We must persevere despite the intransigence, the self-defeating blindness of our opponents. Leaders on both sides must learn that the irreconcilable differences between Communist totalitarianism and democratic freedom cannot be settled in a mushroom cloud. We do not have to accept the Communist interpretation of "peaceful coexistence," but we all have to admit that war in the nuclear age is unthinkable. As Walter Lippmann so aptly expressed it in his memorable address to the Women's National Press Club in January, "Only a moral idiot with a suicidal mania would press the button for a nuclear war."

War today is unthinkable. Or is it? Perhaps neither side actually contemplates aggressive war in the style of Hitler or Napoleon, yet an enormous share of our national product and that of our adversaries still goes into armaments, into planning and acting for the unthinkable—war. We have said we will not be the ones to strike first, and I believe we are sincere. However, we had to build up a "second strike" when our potential enemies talked of "preemption" and threatened our allies with nuclear blackmail. Our mightiest weapons serve the double purpose of deterrence and retaliation. As things stand now we cannot do without these weapons, nor can we avoid perfecting new ones against the danger of an enemy breakthrough. Yet armaments are undeniably a burden and a brake on our overall economic development. That is what happens when a nation is caught in the vicious cycle of an arms race.

These are only a few illustrations of the formidable task before our disarmament negotiators and planners today. Even as the arms race shows signs of entering a new and more dangerous stage, we have to redouble our efforts for peace. We have to pursue the ultimate goal of universal disarmament while taking specific steps and following up on specific proposals in the immediate future. If this means taking the half loaf of an imperfect treaty in the hope of later attaining our ultimate objective, then by all means let us consider it. We must be prepared to negotiate—though never at the expense of our national security. We must work not only for disarmament but also for the other ingredients of a rule of law throughout the world, backed by a world police force and a system of world courts. Unpalatable though these suggestions may be to our superpatriots, I look upon them as building the only firm foundation of a secure world for our children and grandchildren. As someone once said, "There is no riskless choice, there is only a choice of risks." As your chairman, I believe that of all the risks before us today, none offers better hope than controlled, verified, realistic, painstakingly prepared disarmament. That is why, on the eve of a vital international conference, this subcommittee has called witnesses to take stock of our country's disarmament posture.

EXHIBIT 1

SUMMARY OF U.N. STUDY ON AN ARMS PACT

The present level of military expenditures not only represents a grave political danger but also imposes a heavy economic and social burden on most countries. It absorbs a large volume of human and material resources of all kinds, which could be used to increase economic and social welfare throughout the world—both in the highly industrialized countries, which at the present time incur the bulk of the world's military expenditures, and in the less-developed areas.

RESOURCES DEVOTED TO MILITARY PURPOSES

There appears to be general agreement that the world is spending roughly $120 billion annually on military account at the present time. This corresponds to about one-half of the total gross capital formation throughout the world. It is at least two-thirds of—and, according to some estimates, of the same order of magnitude as—the entire national income of all the underdeveloped countries.

It is important that countries, in preparing to disarm, should take stock of the various resources that disarmament would release for peaceful uses. In the major military powers, military production is highly concentrated in a few industry groups. In those countries that rely upon imports for their supplies of military goods or in which the major part of military expenditure is for the pay and subsistence of the Armed Forces, rather than for their equipment, the resources devoted to military purposes consist essentially of manpower and foreign exchange.

THE PEACEFUL USE OF RELEASED RESOURCES

There are so many competing claims for usefully employing the resources released by disarmament that the real problem is to establish a scale of priorities. The most urgent of these claims would undoubtedly already have been largely satisfied were it not for the armaments race.

Increased personal consumption might well absorb a large share of the released resources. A substantial portion of them, however, would be used for expansion of productive capacities because only such expansion can provide a firm basis for further increases in consumption. In the less-developed countries, the utilization of released resources for capital formation must be considered vitally important.

Social investment is an important alternative both to private consumption and to industrial and agricultural investment. Its claims rest partly upon the clear urgency of the direct need for improved social amenities, and partly upon the fact that growth of industrial and agricultural productivity is dependent upon developments in education, housing, health, and other fields.

The release of scientific and technical manpower would make it possible to encourage programs of basic scientific research in fields which have hitherto been neglected. Disarmament would also open up possibilities for joint international ventures of an ambitious kind, such as the utilization of atomic energy for peaceful purposes, space research, the exploration of the Arctic and Antarctic for the benefit of mankind and projects to change the climates of large areas of the world.

Thus, though it would take active decisions by governments in the light of national and international needs to set in motion the necessary programs for employing the released resources, it seems abundantly clear that no country need fear a lack of useful employment opportunities for the resources that would become available to it through disarmament.

IMPACT ON NATIONAL PRODUCTION AND EMPLOYMENT

Disarmament would raise both general problems of maintaining the overall level of economic activity and employment and specific problems insofar as manpower or productive capacity might require adaptation to nonmilitary needs.

In the economic life of all countries, shifts in the pattern of demand and in the allocation of productive resources are continually occurring. The reallocation of productive resources which would accompany disarmament is in many respects merely a special case of the phenomenon of economic growth.

The postwar conversion was a much larger one and involved a more rapid transfer of resources than total disarmament would require at present. Nevertheless, huge armies were quickly demobilized without a significant rise in unemployment in most countries.

The pace of recovery, particularly of industrial output, was impressively rapid. During the postwar conversion, however, the major concern of economic policy was to restrain, rather than to maintain, overall demand.

Much attention has already been given in the industrialized private enterprise economies to the methods by which total effective demand can be maintained.

Monetary and fiscal policy could be used to offset the effect of a shortfall in total demand that might result from a decline in military expenditure to the extent that it were not offset by a rise in civil government expenditure.

Bearing in mind that a substantial part of military expenditure would probably be replaced by other government expenditure in most countries, it may be concluded that the maintenance of effective demand in the face of disarmament should not prove difficult.

For many underdeveloped countries, the effect of disarmament upon the industrial countries' demands for primary products, and thus on the export earnings of the primary producing countries, would be of great importance. So would the methods of dealing with the liquidation of strategic stockpiles.

In the centrally planned economies, the maintenance of effective demand while reducing military expenditure would be simply a matter of the efficiency of planning techniques. In consequence, effective demand could be readily maintained, and the principal problems of conversion would concern the physical adaptation of plants producing armaments to the production of goods for civilian use.

STRUCTURAL PROBLEMS OF CONVERSION

Even with the successful maintenance of total effective demand during a period of disarmament, significant problems of adjustment would remain in specific sectors and areas of the economy. The resources now supplying military requirements could be adapted to peacetime needs partly by shifts within industries and plants. This might be a relatively easy procedure, in many cases involving little more than changes in designs, retooling, and minor adaptations of skills, particularly in plants and enterprises which already produce both military and civilian goods.

Shifts between industries would necessitate new investment and acquisition of different types of skill by the working force.

In the longer run, disarmament would allow each country to raise the rate of investment and to adapt productive capacity more adequately to the needs of the population and to the requirements of economic growth, both in the private enterprise and the centrally planned economies.

Hypothetical studies on the assumption that military expenditure is replaced wholly by increases in expenditure on other kinds of goods and services suggest that in the event of very rapid disarmament some 6 or 7 percent (including the Armed Forces) of the total labor force in the United States and 3½ to 4 percent in the United Kingdom would have to find civilian instead of military employment or change their employment from one industry group to another.

These shifts would be small if spread out over a number of years and would be greatly facilitated by the normal process of turnover. The higher the rate of growth of the economy, the easier the process of adaptation.

Underdeveloped countries generally have been meeting their requirements for military goods and services by imports, so that their disarmament would release foreign exchange rather than industrial workers. It would also free members of the forces, many with useful skills and training. Some of these could be usefully employed in the development of social capital.

In some of the semi-industrialized countries, newly started basic industries could concentrate, without any transitional difficulty, on the manufacture of capital goods.

In the centrally planned economies, where productive capacity is usually fully utilized, it would be necessary to convert plants producing military equipment to production of durable consumer goods and of such investment goods as can be produced in them with only minor retooling. This could be done rapidly.

Some special problems would arise with regard to reemployment and training of manpower and reorientation of scientific research. While most members of the Armed Forces have received training that would fit them easily for civilian life, a special effort would have to be made to find suitable employment for the rest. The demobilization of the nonprofessional members of the Armed Forces would imply only that the number of new entrants for that period would be augmented by this special factor.

In industries depending heavily on military orders, many of the employees possess a level of skill that should find gainful employment in other branches of production, so long as overall effective demand is rising.

Even so, there might be some special cases which would require special assistance to encourage the adaptation of skills to new jobs. The uneven geographical distribution of the activity based on military expenditure would give rise to a need for various forms of public and other assistance to facilitate readjustment.

The task of shifting scientific and technical personnel to nonmilitary fields of research in some countries would be considerable. No reduction in the actual employment of scientific and technical personnel need be feared, however, because the demand for civilian research would increase rapidly.

IMPACT ON INTERNATIONAL ECONOMIC RELATIONS

Disarmament would be bound to have favorable effects on the development of international relations. The political détente that would accompany an international disarmament program would in itself imply that nations were willing to reconsider their economic relations with one another.

The relaxation of international tensions would provide a sound basis for reduction of trade barriers and for modification of existing trade agreements and trading practices. An important consequence of this would be a substantial increase in trade between the centrally planned economies and the rest of the world.

Since disarmament may be expected to result in an acceleration of economic growth, it should stimulate the growth of demand for primary production in general. Accelerated economic growth would be still more powerful in increasing total demand for manufactures.

The overall impact of disarmament on the trade of underdeveloped countries is likely to be favorable, not only because of the acceleration of economic growth but also because of the greatly expanded aid to be expected from the more advanced countries.

Some exports of primary products, such as petroleum, rubber, and most metallic ores, depend significantly at present on direct and indirect demand generated by military purchases. Provided, however, that military expenditures were fully replaced by public and private nonmilitary spending, the impact on overall demand for these commodities would be only minor.

There might, however, be instances in which declines in demand for particular commodities would cause appreciable difficulties. In these cases consideration should be given to special aid for the countries concerned, in the same way as for particular industries or areas within the principal disarming countries. For most other primary commodities, the reallocation of military expenditure to civilian use would probably bring about a net increase in demand.

During the conversion period changes in the level of aggregate economic activity associated with disarmament in the major industrial countries would be a major determinant of the level of international trade.

It is believed that significant fluctuations in the general level of international trade could be avoided, but it should, nevertheless, be realized that any failure to achieve this goal could have serious consequences.

Regardless of the technique employed, no country should be allowed to suffer a disruption to its economic life, even temporarily, as a result of disarmament.

EFFECTS ON THE VOLUME AND FRAMEWORK OF AID FOR ECONOMIC DEVELOPMENT

National efforts and international cooperation in the development of the underdeveloped countries have so far not brought about the desired acceleration of economic growth. A much larger volume of resources could be allocated to investment for productive development in these countries even if only a fraction of the resources currently devoted to military purposes were used in this way.

Disarmament could thus bring about a marked increase in the rate of growth of real income in the poorer parts of the world.

Bilateral and multilateral programs of aid each have their own particular advantages and disadvantages, but, insofar as political circumstances have had any weight in determining the direction and form of aid, effective disarmament and the related lessening of international tensions should improve the prospects for more cooperative international action.

Since repayment of loans granted on commercial terms may impose heavy burdens on the balances of payments of the underdeveloped countries, as large a proportion of economic aid as possible should take the form of grants or soft loans.

Because the competing claims in developed countries are also urgent, there is a serious possibility that the financial resources released by disarmament might be rapidly absorbed by purely national aims. It is therefore desirable that an appropriate proportion of these resources should be allocated to international aid in its various forms simultaneously with their use for domestic purposes.

Foreign aid, however, can play only a supplementary role in the development of these countries and the responsibility for initiation and intensification of development efforts would continue to lie entirely with the governments and peoples concerned.

SOME SOCIAL CONSEQUENCES

In a disarmed world a general improvement could be expected in the level of living, including an increase in leisure. With the end of the armament race, governments would accord social objectives a higher priority.

The psychological, moral, and material evils of compulsory military service and of stationing troops away from their homes would be avoided; so would the danger that security considerations and the Armed Forces might play an excessive role in forming the values of the community. Scientific cooperation and the arts would benefit from an extension of international exchanges.

CONCLUSION

The consultative group is unanimously of the opinion that all the problems and difficulties of transition connected with disarmament could be met by appropriate national and international measures. There should thus be no doubt that the diversion to peaceful purposes of the resources now in military use could be accomplished to the benefit of all countries and lead to the improvement of world economic and social conditions. The achievement of general and complete disarmament would be an unqualified blessing to all mankind.

(During the delivery of Mr. HUMPHREY's speech:)

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. CHAVEZ. I wonder whether the Senator, during his fine discussion, intends to discuss the B-70 program.

Mr. HUMPHREY. I had not intended to make any comment on the matter of the proposed supersonic bomber, the B-70. I was going to complete my statement on this subject of the economic impact of the so-called disarmament studies, and then I was going to yield the floor.

Mr. CHAVEZ. I appreciate that. I merely wish to say to the Senator that the B-70 is still important to the country.

Mr. HUMPHREY. The Senator is correct. He may recall that I joined with him and others in urging that the prototype of this plane be developed.

THE "TURN TOWARD PEACE" MOVEMENT

Mr. CURTIS. Mr. President, Americans cherish, as one of our unalterable traditions, the right of freedom of expression.

This right was exercised a few weeks ago when a group of college students visited Washington in a movement designated "turn toward peace." This right has again been exercised by a group of fine young Nebraskans who are members of the student council of the Scottsbluff High School, Scottsbluff, Nebr. I quote their resolution:

> Whereas we indorse a policy of total victory in the cold war for the United States; and
>
> Whereas we feel that the "turn toward peace" march is not in the best interests of that policy: Be it therefore
>
> *Resolved*, That the Scottsbluff Senior High School Student Council censures the "turn toward peace" march and the four points for which it stands.

The resolution adopted by this student council is transmitted by its secretary, Dolores Miller. In addition I quote the closing paragraph of the student council's letter of transmittal:

> This makes clear once again that many young people do not join with leftwing rabble rousers in their attempts to influence official Washington.

Mr. HUMPHREY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE MEETING DURING SENATE SESSION

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the Subcommittee on Constitutional Rights of the Committee on the Judiciary be permitted to sit during the remainder of the session today.

The PRESIDING OFFICER. Without objection, it is so ordered.

GENEVA DISARMAMENT CONFERENCE

Mr. DWORSHAK. Mr. President, I regret that I did not hear the comments of the Senator from Minnesota concerning the developments at the Geneva Conference, which will soon be in session. I understand he made extensive remarks about the possibilities of disarmament.

I wonder whether the Senator referred in any way to the development in South Vietnam and the newspaper accounts which indicate the possibility that we are already involved in an undeclared war in that country. Did the Senator comment on that situation?

Mr. HUMPHREY. No, I did not; I addressed myself strictly to the meeting in Geneva and to the study by the United Nations which was released over the weekend.

The subject to which the Senator from Idaho has referred has been discussed with the Senator from Illinois [Mr. DIRKSEN], the Senator from California [Mr. KUCHEL], the Senator from Massachusetts [Mr. SALTONSTALL], the Senator from Iowa [Mr. HICKENLOOPER], the Senator from Wisconsin [Mr. WILEY], and other Senators, who are ranking members of the Committee on Armed Services and the Committee on Foreign Relations and who participate in the leadership.

The Senator is referring to a very serious matter in which our country is attempting to give technical assistance and military instruction to aid a valiant people who are doing their level best, under tremendous odds, to fight off the Communist attack from the north and to sustain their independence and freedom in South Vietnam. It is to be hoped that the people of South Vietnam will be able to win this struggle. It is to be hoped that the Communist advance in southeast Asia can be checked. It is to be hoped that American participation in this area can be limited to military assistance, to supplies, and to military training, and it is my view, I state so that there will be no doubt about it, that it should be so limited.

In all of this activity, there is a grave risk; but I say most sincerely that the greatest risk is Communist aggression, Communist conquest, and Communist advance. That we cannot permit, if it is humanly possible to stop it.

Mr. DWORSHAK. Mr. President, will the Senator from Minnesota further yield?

Mr. HUMPHREY. I yield.

Mr. DWORSHAK. I share the Senator's anxiety and apprehension concerning the seriousness of the Soviet aggression in South Vietnam, if that be a fact. I feel certain that most Americans recognize the need for taking an aggressive position against further encroachment by the forces of North Vietnam in that part of the world.

Does the Senator know whether the United Nations has taken any official position on supporting in any way the unilateral action currently being carried on by the United States?

Mr. HUMPHREY. No; I do not believe that that has been done. To my knowledge, I believe it has not been done. However, I feel that this is a matter which has had full and concurrent support and response from Members of Congress, on both sides of the aisle, who are deeply concerned with the situation. I hope it will have the support of every Senator, so far as assistance goes.

When it comes to the question of open involvement on a rather large scale on the part of U.S. forces, if that should be contemplated, or if it should happen, I would be one of the first along with the Senator from Idaho [Mr. DWORSHAK], I believe, to ask some very serious questions and to be very deeply disturbed.

Mr. DWORSHAK. I understand that the Senator from Minnesota, as a member of the Committee on Foreign Relations, is very knowledgeable in every way and has access to the information relating to such developments. Does not the Senator think it is time for the United Nations to give some official recognition to this situation; and if the Soviet aggression is as serious in Vietnam as everyone apparently recognizes, is there not an imperative need of our getting the help of the free nations of the world in an effort to meet that threat?

Mr. HUMPHREY. It is my view—and I have said this before; it is not new with me—that the situation in South Vietnam, just as in Laos, should be subject to United Nations concern, United Nations action, and United Nations resolution. As the Senator from Idaho well knows, an international commission was established for South Vietnam and North Vietnam as a result, I believe, of the Geneva Conference in 1953——

Mr. DWORSHAK. 1954.

Mr. HUMPHREY. Or 1954. This brings the problem within the purview of the United Nations. But the action now taking place in Vietnam is a threat to the peace; and as a threat to the peace, it is not simply our responsibility. Surely it would come within the purview of SEATO, which is an alliance for the protection of southeast Asia. But, more significantly, I think, as the Senator from Idaho has wisely pointed out, it should be a matter of concern and of

action on the part of the United Nations.

I thank the Senator from Idaho for his cooperation and observation.

ADJOURNMENT

Mr. HUMPHREY. Mr. President, if there is no further business to come before the Senate—and I believe there is none—I move that the Senate adjourn, under the order previously entered, until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 1 o'clock and 57 minutes p.m.) the Senate adjourned, under the order previously entered, until tomorrow, Tuesday, March 13, 1962, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate March 12, 1962:

U.S. District Judge

Jesse E. Eschbach, of Indiana, to be U.S. district judge for the northern district of Indiana, vice Luther M. Swygert, elevated.

Central Intelligence Agency

Maj. Gen. Marshall Sylvester Carter, O18359, Army of the United States (brigadier general, U.S. Army), for appointment as Deputy Director, Central Intelligence Agency, with the rank of lieutenant general, under the provisions of Public Law 15, 83d Congress, and section 3066, title 10, United States Code.

In the Army

The following-named officers for promotion in the Regular Army of the United States, under the provisions of title 10, United States Code, sections 3284 and 3305:

To be colonels

Abercrombie, John C., O31386.
Aboosh, Norman D., O32171.
Ackert, Thomas W., O32005.
Ackroyd, Gilbert G., O31813.
Acton, Lloyd P., O42467.
Adams, L. Dow, O21203.
Adams, Marcus W., O40025.
Ainsa, Andrew A., O43463.
Akins, Thomas W., O40076.
Albaugh, Cornelius, Jr., O40266.
Albert, Jack F., O32097.
Alexander, Rowan P., O42979.
Allen, Ben E., O32109.
Allen, Edward G., O31878.
Alley, John A., Jr., O32203.
Allgeier, Robert M., O42822.
Allwine, Franklin H., O49561.
Amos, Arthur K., O20822.
Anderson, Berry K., O30384.
Anderson, Charles H., O21072.
Anderson, Robert N., O21436.
Anderson, Roland B., O21106.
Anderson, Roland, O31790.
Anderson, Truett C., O38804.
Angel, Nicholas C., O31789.
Angster, Robert C., O32124.
Antozzi, William O., O43307.
Archer, Norman R., O38968.
Arey, Carlyle W., O30642.
Armstrong, Chalmers H., Jr., O31877.
Arnold, Edgar LeR., O31902.
Arnold, Thomas St. J., O32040.
Artman, George, O21342.
Ashby, Raymond C., Jr., O43320.
Ashworth, Robert L., O21308.
Ashworth, Talmadge DeW., O79693.
Atkins, Woodrow W., O43292.
Attaway, Elmer J., O40321.
Austin, Edward W., O51789.
Ayres, Laurence T., Jr., O43715.
Babcock, Jack E., O21413.
Baerman, Charles P., O40273.
Bailey, Edward A., O21083.
Bailey, John R., Jr., O21136.
Baker, Marshall W., O43558.
Ball, Raymond C., O52184.
Banks, Richard G., O43407.
Bannon, James E., Jr., O31830.
Barefield, William C., O42763.
Barker, Stockbridge H., O38949.
Barlow, Rudolph, O31835.
Barr, John, O40148.
Barrell, Richard, O32104.
Barth, Luther R., O43418.
Bauer, Elmer H., O43502.
Baumgartner, John W., O43642.
Beard, William N., O20154.
Beardsley, Ford M., O40311.
Beattie, Fountain P., Jr., O52265.
Beaty, Harold E., O38930.
Beck, Clarence E., O21239.
Beck, John N., O40258.
Beddow, James H., O21446.
Beebe, John L., O39970.
Beeson, John J., 3d, O32013.
Beggs, Edwin G., O20297.
Bellisle, Maurice A., O52175.
Belland, Walter T., O43450.
Belote, Byron G., O42851.
Benedict, Harold B., O31566.
Benford, James A., O51676.
Benson, Wilmer K., O21423.
Bergin, Gerald A., O51722.
Besse, Warren A., O39988.
Beverley, William W., O21107.
Bierl, George A., O40298.
Billings, Edward R., O39945.
Bissell, Edward B., O21360.
Bixby, George W., O21056.
Blackmarr, William H., O42836.
Blake, Charles J., Jr., O21122.
Blake, William L., O30751.
Blancett, Rollie N., O21416.
Blight, Edward M., O40191.
Blocker, Jack S., O32118.
Boas, Philippe P., O39960.
Bogart, Frank A., O40325.
Boleyn, Paul T., O20903.
Bolling, Jean H., O31817.
Bonifay, Isaac F., O40061.
Bonniwell, Alfred E., O42931.
Booth, Robert M., O19964.
Botts, Joseph H., O31514.
Bowers, William S., O38973.
Bowman, Harold M., Jr., O43601.
Boyd, Robert P., Jr., O40068.
Boyer, Jack W., O32145.
Boyles, Samuel J., O32168.
Boyt, John E., O21304.
Brack, Joseph L., O51746.
Brady, Lawrence W., O30703.
Bragdon, Kerlin J., O42766.
Brannon, John M., O32156.
Bratcher, Buck, O48409.
Brennan, Mark F., O21279.
Briggs, Merritt W., O38964.
Brinkerhoff, William A., O43708.
Brinkley, Joseph S., Jr., O31444.
Broberg, Richard A., O21272.
Brown, Burton R., O21113.
Brown, Desloge, O21057.
Brown, Herbert E., O21437.
Brown, John P., O43653.
Brown, Melvin C., O21256.
Brown, Robert E., O52098.
Brown, Shannon D., O52247.
Brown, William McA., O31583.
Browning, Philip Y., O21142.
Brownlow, John F., Jr., O21111.
Bryant, Randall H., O31785.
Buch, Floyd H., O43500.
Bucha, Paul A., O31996.
Buldain, Frank J., O43495.
Burchell, Edward L., O40251.
Burk, Frank P., O43569.
Burk, Walter J., O32043.
Burke, Alvin L., O21148.
Burke, Thomas W., O31508.
Burnett, Darrell H., O32117.
Burton, Emmette Y., Jr., O20672.
Butler, Allen S., O30422.
Buynoski, Adam S., O20169.
Byars, David O., Jr., O21273.
Calvert, Charles W., O52232.
Cameron, Thomas J., O42804.
Campbell, Charles S., O43615.
Campbell, John, Jr., O43649.
Campbell, William E., Jr., O43316.
Campbell, William R., Jr., O40267.
Capers, Thomas S., Jr., O32004.
Caraballo, Raymond T., O31862.
Carlson, John W., O43577.
Carmody, John J., O51659.
Carney, Taylor E., Jr., O40264.
Caron, Bruce W., O30479.
Carr, Robert A., O61878.
Carusone, John J., O21295.
Carver, Richard K., O40039.
Cassell, Lloyd W., O31586.
Castle, Shirley M., O51850.
Casto, Carl S., O32007.
Caulder, Bruce B., O43626.
Chalgren, Edward, Jr., O21349.
Chalk, Joseph L., O52112.
Champlin, Herbert H., O30661.
Chase, William B. McC., O20856.
Cheal, Raymond C., O20845.
Cherubin, Stanley J., O20700.
Chesarek, Ferdinand J., O21177.
Cheston, Elliott B., O31976.
Childers, Joe E., O31936.
Clark, Charles T., O40070.
Clark, Francis McC., O38931.
Clark, Jack A., O31496.
Clark, Sam J., O40064.
Clark, Theodore S., O39998.
Clay, Roy U., O43072.
Claypool, Charles B., O43693.
Clirehugh, Robert W., O31833.
Coates, Donald L., O31912.
Cochran, James W., Jr., O89326.
Coleman, Irving M., O31715.
Collins, Arthur S., Jr., O21360.
Colwell, Leonard F., O31858.
Colwell, Robert H., O42640.
Commerford, Leon, Jr., O40293.
Conant, Perry E., O21357.
Cone, Harold E., O43100.
Conell, Joseph C., O21121.
Conley, Charles D., O52260.
Conley, William H., O30823.
Convery, William J., Jr., O52244.
Cook, James S., Jr., O43655.
Cookson, George M., O32021.
Corey, John B. W., Jr., O21416.
Corley, John T., O21325.
Cowan, Kay K., O52217.
Craig, Dan E., O31879.
Crane, Warren E., O42608.
Crase, Harold J., Jr., O31771.
Crimmins, Joseph J., O43265.
Crocker, William S., Jr., O21074.
Culbreth, Oliver C., O30429.
Cullis, Robert E., O31942.
Cunningham, Martin, O40089.
Currier, Roger M., O30522.
Curry, William C., O31677.
Danald, George E., O31402.
Daniel, Roy E., Jr., O38954.
D'Arezzo, Alfred J., O21109.
Darrow, Howard W., O31488.
Davies, Albert C., O38916.
Davis, John, O43012.
Davis, John H., O40036.
Davis, Walter W., O20878.
Davis, Wilbur E., O20716.
Daykin, Albert, O42762.
DeCarlo, Michael R., O42445.
Dempsey, Jack H., O31766.
Denholm, Charles J., O21293.
Dennis, Norman T., O43547.
Denniston, Robert N., O43552.
Derzis, Peter N., O81879.
Detlie, Harry C., O39996.
Dichtenmueller, Herbert R., O51706.
Dicken, Keith O., O43327.
Diesem, Walter F., O43372.
Dillon, Mackin R., O30802.
Dix, Jewett A., O32049.
Dixon, Jobie J., O31744.
Dodge, Roy T., O21468.
Doerflinger, Oscar M., O31972.
Donald, Herbert P., O52223.
Dooley, Thomas, O32159.

Dorsett, Harold L., O40194.
Drake, William D., O32158.
Drazen, Leonard, O40336.
Drennen, William L., Jr., O31890.
Drennon, Clarence B., Jr., O83566.
Drews, Reno E., O43420.
Drissel, Virgil H., O40010.
Drouillard, Eugene G., O32125.
Drummond, Burleigh B., O51771.
Duda, Edward, O43041.
Duff, Forrest W., O43391.
Dunlap, Nicholas, O32094.
Dunn, Carroll H., O21427.
Dunn, James S., O40173.
Dupree, James E., O40044.
Eaken, Andrew J., O40090.
Eaton, Samuel K., O21132.
Eckols, Truman D., O48078.
Eckstein, Paul A., O40331.
Edwards, Edward G., O32048.
Edwards, Irwin A., O32149.
Edwards, Wesley B., O31848.
Ehrhardt, Clarence P., O43644.
Ekman, William E., O21190.
Elliott, Ivan W., O31863.
Ellis, Bertram J., O40244.
Elmore, Vincent M., Jr., O21086.
Elting, John R., O79703.
Emery, Jack R., O40276.
English, John T., O21296.
English, Robert O., Jr., O31371.
Entwhistle, Richard R., O40198.
Erickson, Robert C., O52177.
Erlenbusch, Robert C., O21230.
Ethel, Willis G., O31786.
Evans, John D., Jr., O40056.
Evans, John T., O32142.
Ewell, James T., Jr., O80362.
Fair, Felder L., O31984.
Faulds, Jack M., O42581.
Fay, Charles E., Jr., O40231.
Feehan, John P., O30647.
Felt, Marion F., O42810.
Fickes, William H., O43279.
Fields, Harry C., Jr., O43592.
Filippi, Frank A., O30701.
Finn, John M., O21252.
Fischer, Ernest W., O31829.
Fisher, Carleton E., O31852.
Fleming, Clarence A., O51941.
Flesch, Joseph M., O31800.
Flint, Charles W., O43656.
Folda, Jaroslav T., Jr., O21193.
Folen, Clifford G., O40255.
Fossum, Embert A., O40210.
Fowler, Ira H., O30531.
Frankel, Henry, O40178.
Franklin, Joseph B., O43304.
Franks, William A., O43301.
Frasor, George M., O31594.
Freeman, Henry McC., O51926.
Fry, Edmund M., O21431.
Frye, John A., O30509.
Fuller, Cecil H., O40158.
Fullerton, Leroy R., O31690.
Fultz, William S., O31439.
Gagne, Herbert F., O48452.
Gardner, Lyman S., O40205.
Garnett, James, O79630.
Gere, Giles H., O51707.
Gerety, John S., O43605.
Gilbert, Harry C., O40095.
Gilmore, William H., O43414.
Giordano, Joseph B., O30381.
Goettl, John P., O31682.
Gomes, Lloyd H., O21353.
Goodnow, James L., O31363.
Gorski, Andrew G., O31993.
Graff, Laverne W., O52239.
Graham, Robert O., Jr., O32064.
Greer, Harry A., O43685.
Gregory, Francis G., Jr., O31828.
Grogan, John F., O42637.
Gross, Leslie M., O38938.
Grotte, Helmer M., O31622.
Grubbs, Elmer W., O20291.
Haberstroh, Herbert L., O52210.
Hagan, John F., Jr., O42438.
Hagen, Robert P., O21373.
Haines, Robert L., O39994.
Hall, Carl C., O30722.
Hall, Robert J., O31882.
Halligan, Edward G., O40201.
Hamilton, Allan C., O42456.
Hand, Charles M., O51669.
Hanger, John W., O89975.
Hannum, Warren T., Jr., O21316.
Hardin, William B., O30581.
Harding, Stanley L., O32134.
Harnar, Allen H., O42470.
Harrington, Tracy B., O21137.
Harrison, Robert L., O40275.
Harrison, Willard E., O31832.
Hartline, Franklin H., O21301.
Harvey, Clarence C., Jr., O21076.
Haskins, George D., O32110.
Hawkins, Boyce V., O40233.
Hayes, David W., O21214.
Haynes, Dallas F., O21103.
Healey, James P., Jr., O42906.
Heiderman, Charles F., Jr., O31716.
Helgestad, James E., O40003.
Henderson, Allen R., O51708.
Henderson, James E., O21327.
Henry, Joseph P., O40241.
Hickey, John D., O52152.
Hicks, Fred A., O31948.
Hicks, Paul S., O32028.
Higgins, Gregory L., O21385.
Hill, Jesse N., O30702.
Hillebrand, Alvin R., O30586.
Hilsman, Edward H., O43021.
Himes, Cecil, O20731.
Hirsch, Allan S., O38947.
Hirsch, Oliver M., O40060.
Hirschhorn, Lloyd E., O43433.
Hixon, Nathan H., O52254.
Hodges, Willard J., Jr., O21401.
Hodson, Kenneth J., O43268.
Hoffman, John G., Jr., O31856.
Hogan, Samuel M., O21094.
Hogle, James C., O42901.
Holdridge, Walter H., O51895.
Holland, Edward C., O31840.
Hollerbach, Eugene J., O32076.
Hollinger, John C., O30448.
Holm, John D., O20948.
Holman, Harlan K., O21211.
Holmberg, Donald W., O38937.
Holton, Earl F., O20241.
Holtz, Albert E., O40285.
Houghton, Russell T., O30430.
Howdeshell, Harmon M., O39973.
Howell, Clifford W., O31462.
Howell, Edwin N., O21194.
Hudson, James A., O52137.
Huff, William S., O43583.
Hulse, Allen D., O21238.
Hummel, John F., O42712.
Humphreys, Russell W., O31910.
Hunter, Thomas B., O38791.
Hupaio, William, O40269.
Husband, Howard C., O52093.
Huse, Ralph N., O30819.
Hutchin, Claire E., Jr., O21092.
Irvin, Jefferson J., O21217.
Izenour, Frank M., O21263.
Jacks, Samuel T., O79707.
Jackson, Charles L., O21207.
Jackson, John H., O52204.
Jackson, Marion H., O31629.
Jacobs, Gerald O., O31548.
Jacobs, Stanley E., O52256.
Jacobson, George D., O31703.
Jaffe, Morton S., O52105.
Jameson, Roy A., O32072.
Jodrey, David B., O43590.
Johnson, James E., O43704.
Johnson, John P., O43677.
Johnson, Warren R., O43697.
Jones, Bertil V., O31968.
Jones, Ralph A., Jr., O21287.
Jones, Winston I., O51954.
Jost, Harry F., O40292.
Jurgens, Kenneth E., O43496.
Kallman, Maxwell M., O20182.
Kane, Charles F., O43046.
Kane, Michael, Jr., O31476.
Kasper, Robert J., O21084.
Katz, Henry J., O20138.
Kellett, Donald T., O40323.
Kelly, Edmonde B., O20544.
Kelsey, John E., O21061.
Ketcham, Edward P., Jr., O38963.
Kiely, John J., Jr., O32069.
Kincaid, Leonard C., O31732.
Kinslow, Albert V., O30808.
Klein, Phillip L., O32113.
Klock, Karl T., Jr., O20123.
Klous, David D., O31899.
Knight, Elwin T., O21380.
Koch, Otto R., Jr., O32074.
Kooken, Willis E., O43658.
Kopcsak, Arpad A., O21167.
Kovacs, Leslie B., O51697.
Kuehler, Walter W., O30731.
Kujawski, Joseph S., O21276.
LaPointe, John T., O79710.
Ladd, Byron W., O20890.
Laib, Arthur J., Jr., O43107.
Lambert, Harry F., O38919.
Landon, Donald C., O30402.
Langford, Clarence A., O21079.
Lanphier, Paul H., O20949.
Larsen, George E., O31550.
Latta, William B., O21119.
Lautz, Edward H., O79711.
Lavoie, Leon F., O32127.
Law, William, O32169.
Lawrance, Jackson S., Jr., O32008.
Lawton, Elmore G., O38941.
Lazzarini, Louis T., O43425.
Leahy, Paul J., O43267.
Learman, Birdsey L., O21324.
Leckie, William E., O40296.
Lee, Ray M., O31974.
Leffers, Richard, Jr., O31843.
Leidholt, Ernest B., O79712.
Leighton, Ralph E., O43688.
Leist, George F., O20657.
Levine, Lester H., O32155.
Lewis, Evan H., O40238.
Lewis, James L., O21069.
Lindberg, Paul S., O52194.
Linn, LaVon P., O30757.
Linvill, Robert R., O40305.
Lipscomb, Andy A., O21333.
Lluy, Jorge J., O56898.
Long, Harlan J., O42994.
Long, Herbert S., Jr., O31985.
Long, Richard J., O21175.
Loomis, Francis J., O20551.
Lotz, Walter E., Jr., O21090.
Lough, Frederick C., O21118.
Love, Robert W., O21062.
Low, James L., O30585.
Lowe, Robert L., O42913.
Luthi, Irvin L., O38830.
Lyke, James P., O43731.
Lyle, Clayton B., Jr., O40306.
Lyman, Harry E., O38903.
Lynch, James H., O21237.
Lynch, John W., O42984.
Lynch, William F., O40182.
Lynn, William McG., Jr., O21120.
Lyons, Carl F., O20824.
MacConnell, Thomas, 3d, O40286.
MacEachern, George A., O38806.
Machen, Edwin A., Jr., O21284.
Maffeo, Mario A., O43264.
Major, Bernard F., O20750.
Majors, Edward M., O31971.
Mall, Oscar A., O31796.
Manning, Earl V., O39941.
Manov, Charles F., O51840.
Margolies, Harry, O40235.
Marker, Harry J., O51688.
Marmon, Thomas C., O84042.
Martin, Julian H., O31958.
Martin, Lawrence A., O43665.
Martin, Norman E., O51831.
Mason, Don A., O31694.
Mason, Edward R., O31563.
Matteson, Orval Q., O43509.
May, Robert L., O40260.
McCann, Willie H., O42603.
McConaughy, James G., O43272.
McConnell, Wayne D., O43457.
McCormick, John K., O31982.
McDaniel, Lloyd L., O30513.
McDonald, Daniel E., O42884.
McElroy, Virgil M., O43269.
McGrady, Harper L., O30450.

McHaney, Gallon M., O21179.
McKee, Edgar S., O21182.
McKee, William A., O81867.
McKillips, Edward J., O40175.
McMahon, Ralph M., O30526.
McMillin, Dan S., O32010.
McNear, Evan A., O31774.
McShea, Royal E., O51881.
McWade, Albert J., O43512.
McWilliams, Edward, 3d, O31853.
Meade, Stephen J., O31834.
Mearns, Fillmore K., O21106.
Meehan, Patrick H., O51889.
Meeker, Roland J., O52185.
Meguiar, Robert G., O40314.
Meidling, George A., O42634.
Meier, Walter M., O30443.
Menard, Noel A., O20835.
Mercado, Luis P., O20724.
Meyer, George F., Jr., O31584.
Michaels, Charles E., O38972.
Michelet, Howard E., O21131.
Miller, Edward M., Jr., O40167.
Miller, Frank D., O21270.
Miller, Robert C., O20625.
Mills, James R., Jr., O30824.
Milner, Frank, O21441.
Minion, Edward M., Jr., O31601.
Misevic, George W., O51782.
Mitchell, Allan W., O31704.
Mitchell, Leonard D., O31625.
Moak, James G., O43454.
Moberley, Kirk B., O51758.
Montgomery, Brian O., O32529.
Montgomery, Robin G., O31525.
Moore, Lister R., O39947.
Moore, Orven D., O43581.
Moorman, Harold N., O21095.
Morrow, Frank W., O83545.
Morton, Clinton O., O51729.
Mueller, Edwin L. P., O52181.
Mueller, Waldemar M., O31553.
Munro, Perry A., O32090.
Murch, Gordon E., O31651.
Murr, Arnold P., O43720.
Murray, Arthur M., O21303.
Mushen, Robert L., O43508.
Myers, William M., O32160.
Nadal, Carlos A., O20670.
Napier, Jack P., O43657.
Needels, Edward Van R., O30537.
Nelson, William H., Jr., O31992.
Newton, Thomas J., O42563.
Nilsson, Erwin G., O31593.
Noel, John C., Jr., O31404.
Nolan, Patrick T., O79658.
Norris, Frank W., O21110.
North, Harris J., O52158.
Northrop, Edward D., O40282.
Norvell, James E., O20706.
Nye, David B., O20695.
O'Brien, Edmund R., O40032.
O'Brien, Robert E., Jr., O20313.
O'Connor, George G., O21088.
O'Connor, John J., O52160.
Oeding, Ernst C., O43259.
Offer, Robert D., O21233.
O'Leary, Francis X., O40214.
Olhausen, James N., O40084.
Oliver, Richard H., O43586.
Olson, Harry C., O31399.
Olson, Roy L., O52117.
O'Reilly, Charles A., Jr., O31881.
Ormes, Melvin W., O30549.
Osborne, William L., O32154.
Ostrom, Herbert N., O43614.
Oswald, Edward H., O43330.
Outlaw, Frederick B., O32089.
Owen, William J., O43536.
Owens, Owen W., O38958.
Pace, George D., O31531.
Paddock, John W., O20913.
Page, Myron E., Jr., O21426.
Pallister, Francis J., O43476.
Palm, Ira A., O40245.
Palsrok, John, O43722.
Pappas, Christopher L., O51724.
Parker, Howard C., O32108.
Parks, LaVerne A., O21372.
Patrick, Francis H., O21235.
Patteson, Harvey L., O43439.
Paules, Earl C., O21447.
Payne, Gilbert M., O81718.
Peale, Walter O., Jr., O20946.
Peckham, Elisha O., O31885.
Peers, William R., O21366.
Pence, Harvey J., O43011.
Perry, Edwin A., O32030.
Perry, Harry E., O79644.
Perry, Theodore D., O31725.
Peters, Milfred J., O43395.
Petersen, Byron N., O42734.
Peterson, Charles D., O51633.
Peterson, Iver A., O21105.
Pflanz, Louis W., Jr., O43600.
Phillips, Henry J., O31839.
Polifka, Frank J. F., O31943.
Pollard, Richard J., O42845.
Pope, William P., O31981.
Pople, William H., O43525.
Post, Charles A., O31524.
Potter, John C., Jr., O21439.
Prentice, Joseph C., O31888.
Price, Neill F., O51841.
Pridgen, Claude L., O38965.
Prosser, Charles M., Jr., O31945.
Purcell, William W. R., O81881.
Quist, Frederick F., O53178.
Rafferty, Thomas A., O31793.
Ralph, Stephen V., O40080.
Rankin, Alexander J., O32166.
Rankin, John A., O32140.
Ransick, Clarence E., O40147.
Rawlings, William W., Jr., O42805.
Reagor, Elmer C., O30639.
Reed, Russell R., O52162.
Regar, Philip W., O40053.
Reitz, George W., O30510.
Reynolds, Lawrence S., O42982.
Reynolds, Norman G., O32099.
Reynolds, Robert W., O42638.
Rhyne, George W., O21219.
Ribbs, Edward J., O51713.
Rice, Cecil P., O42801.
Rice, John A., O43635.
Richardson, Edwin W., O20830.
Richardson, James A., O31395.
Ricks, Charles LeR., O43266.
Rigely, George A., O40204.
Riley, Elwyn A., O40023.
Riordan, Clifford T., O21318.
Ripley, Lyman H., O20891.
Robbins, Lawrence A., O51652.
Robertson, Kenneth C., O31845.
Roddy, John V., O21356.
Roder, Charles C., O43664.
Rodgers, John W., O42764.
Romlein, John W., O20197.
Rood, John W., O52092.
Rorabaugh, James R., O21445.
Ross, Fred L., O30760.
Ross, Thomas P., O40082.
Rossi, Carmen A., O52165.
Rowan, Charles A., O42619.
Ruby, Donald T., O40151.
Russell, Dan C., O20730.
Russell, George B., O51913.
Russell, Melvin R., O21097.
Ryan, Edward A., O42795.
Ryan, Thomas A., O51795.
Ryan, Ward S., O21339.
Ryneska, Joseph F., O32017.
Salisbury, Howard G., O43510.
Salonick, Joseph L., O40266.
Sams, Jean P., O43293.
Sandell, Bertil B., O32153.
Sapp, John D., O32109.
Saunders, William S., O31737.
Sawyer, Ted L., O21133.
Schaudt, Elmer M., O51664.
Scheid, Arthur M., O42812.
Scherer, Bernard J., O52147.
Scheurlein, Frank W., O31810.
Schiltz, Howard F., O38956.
Schimmel, Bernard H., O79716.
Schmelzle, Cornelius M., O31547.
Schmidt, James K., O21335.
Schneider, Milton G., O51639.
Schon, Mathias J., Jr., O42633.
Schweinler, Dale J., O51930.
Schweizer, Charles B., O21418.
Sclafani, Enofio E., O52097.
Scott, Clifford LeR., O51835.
Scott, James A., Jr., O20652.
Scott, Lionel E., O32046.
Scott, Marvin R., Jr., O38898.
Scott, Robert S., O43712.
Seifert, Raymond A., O52253.
Sell, Russell B., O38918.
Settle, Henry C., O30665.
Sevier, Joseph H., O43464.
Sewell, George H., O51595.
Shaug, James J., O51645.
Shelton, Willis E., O51944.
Sherden, John P., Jr., O19901.
Sherrard, David G., O21345.
Shookus, Anthony H., O31772.
Shuler, Allen C., Jr., O31970.
Sibley, Thomas N., O21277.
Siegel, Charles L., O42679.
Singer, Merton, O21215.
Sisson, Joseph W., Jr., O20867.
Sites, Eugene P., O43526.
Skinner, Harry E., O21425.
Slimp, Jack B., O43608.
Slover, Robert H., O43638.
Small, Arthur C., O52214.
Smalley, Howard N., O20853.
Smith, Dan L., 2d, O40156.
Smith, Leo A., O30478.
Smith, Ridgway P., Jr., O20243.
Smith, Rollin H., O31367.
Smith, William W., Jr., O21078.
Snyder, Emanuel P., O43286.
Sockoloskie, Alphonse J., A51948.
Sommers, William D., O43270.
Sory, Carl G., O43670.
Spaulding, Walter L., O31915.
Stack, Robert C., O32098.
Stacy, Robert S., O31905.
Stafford, John P., Jr., O30827.
Staley, Mortimer R., O43620.
Stangle, Joseph H., O21406.
Staples, John P., O31967.
Stark, Gilbert J., O42791.
Staver, Robert LeR., O43650.
Stephens, John J., O31844.
Sternberg, Ben, O21286.
Stewart, Matthew C., O43541.
Stillwell, Richard G., O21065.
Stoddard, Ayres W., O43652.
Stone, Charles P., O21376.
Strange, Hubert E., O21231.
Stratta, Maurice D., O81883.
Stricklen, Simon A., O52136.
Stumpf, Robert H., O20707.
Sullivan, John M., O30698.
Sullivan, Joseph W., O43260.
Summers, William M., O21369.
Sundin, Alvar B., O21128.
Sundlof, William A., O21236.
Susmann, William A., O21165.
Sutton, Alexander G., Jr., O43663.
Swan, Thomas H., O31471.
Sweek, Jack G., O30633.
Swenson, John H., O21143.
Swisher, Arthur O., O51611.
Talt, Albert L., O31568.
Taylor, James, Jr., O21184.
Teaboldt, Chase R., O32082.
Teich, Frederic C., Jr., O21288.
Temple, Harry D., O51834.
Thacher, Coleman W., O79718.
Thackeray, Donald W., O21265.
Thames, John W., O30768.
Thetford, James A., O38913.
Thomas, Richard C., O21289.
Thompson, Edgar H., Jr., O20143.
Thompson, John W., O21067.
Thorpe, George M., O40031.
Thurston, Estill S., O43469.
Thurston, Marion F., Jr., O52088.
Tillman, Erland A., O20941.
Tillson, John C. F., O21196.
Tilson, George E., O51838.
Tippett, Edward W., O42570.
Tolly, Robert J., O31551.
Townsend, Clyde F., O31526.
Tracy, Orrin A., O31645.

Trimble, Aaron U., O43675.
Troll, John P., O43029.
Trout, Robert J., O20247.
Tucker, LaMonte A., O42610.
Tuebner, Harry R., O31624.
Turner, Carl C., O31909.
Turner, Herbert N., O31921.
Twining, Elmer E., O30662.
Tyler, John S., O43602.
Tyler, Willoughby B., O31699.
Underwood, Clarence R., O31911.
Vail, William H., Jr., O21145.
Van Court, Lloyd P., O38966.
VanGundy, Daniel F., O31938.
Veatch, John E., O32047.
Velasquez, Ben N., O31779.
Victory, Homer J., O31826.
VonKann, Clifton F., O21371.
Voyatzis, Paul A., O31499.
Waggoner, Edward F., O42794.
Waits, Ward B., O40051.
Wales, John E., 3d, O40315.
Walker, John E., O21368.
Walker, John H., Jr., O42857.
Wallace, Lee, O32065.
Walson, Charles W., O21267.
Walton, Henry L., O31777.
Wansboro, William P., O21241.
Ward, William R., O43262.
Wardner, Wallace C., O52212.
Wark, Judson W., O21428.
Waters, Martin J., Jr., O31939.
Waters, Mervin S., O43533.
Weaver, Maynard B., O32120.
Webb, Henderson O., Jr., O42527.
Webber, Ira B., O43075.
Welsh, John B., O30544.
West, John T., Jr., O30825.
Westerman, George F., O52106.
White, Frank G., O21378.
White, Victor W., O43479.
Whitney, Richard W., O31855.
Whitsett, William L., O51892.
Wickham, Kenneth G., O21073.
Wild, Herman B., O40333.
Wilkinson, Charles W., O43280.
Williams, Arthur H., Jr., O43436.
Williams, Donald G., O21071.
Williams, Donald B., O38901.
Williams, Frank Von P., O40334.
Williams, Gardner A., O40301.
Williams, George C., O52146.
Williams, George W., O32077.
Williams, John R., O42996.
Williams, Lewis C., Jr., O40061.
Williams, Timothy C., Jr., O30791.
Williams, Warren R., Jr., O21250.
Willis, Nicholas W., O43099.
Wills, Lloyd E., O32060.
Wilson, Arthur H., Jr., O20693.
Wilson, James M., O40224.
Wilson, John S., O43271.
Wilson, Lynnford S., O51886.
Wishart, Henry H., O38935.
Witter, Vincent M., O32172.
Wittmayer, Raymond C., O31631.
Wolfson, Jack D., O40307.
Woodard, Vernon E., O31753.
Woodbury, Harry G., Jr., O21432.
Works, Robert C., O21221.
Wright, Charles R., Jr., O31388.
Wright, Frederick S., Jr., O21328.
Wright, Jay W., O51916.
York, Robert H., O21341.
Yost, Carl R., O31542.
Young, Charles G., O20739.
Zacherle, Alarich L. E., O42817.

To be colonels, chaplains

Bartholomew, Lisle, O76784.
Heuer, Herman H., O30895.
Kasel, Joseph T., O43148.
Kregel, Herman J., O38845.
Lock, Gregory J., O51957.
Marsh, Arthur H., O26441.
McElwee, Aloysius J., O43151.
Moore, Denis G., O30969.
Naylor, Duncan N., O38860.
Sampson, Francis L., O30951.
Schliesser, Luther G. H., O40099.
Sparks, John W., O30900.

The following-named officer for promotion in the Regular Army of the United States, under the provisions of title 10, United States Code, sections 3284 and 3299:

To be lieutenant colonel

Seitzer, Francis A., O46818.

To be major

Telke, Frederick W., Jr., O81277.

The following-named officers for promotion in the Regular Army of the United States, under the provisions of title 10, United States Code, sections 3284 and 3298:

To be first lieutenants

Ayers, James E., O85847.
Reed, John W., O86673.
Stead, Robert W., O92018.
Sullins, William R., O86832.

The following-named persons for reappointment to the active list of the Regular Army of the United States, from the temporary disability retired list, under the provisions of title 10, United States Code, section 1211:

To be colonel, Judge Advocate General's Corps

Whipple, Howard R., O39542.

To be lieutenant colonel, chaplain

Gibson, Elmer R., O29145.

To be major, Army Nurse Corps

Diersing, Marie B., N2236.

To be captain

McCormick, Otto L., O66049.

The following-named persons for appointment in the Regular Army by transfer in the grades specified, under the provisions of title 10, United States Code, sections 3283, 3284, 3285, 3286, 3287, and 3288:

To be major

Foster, Jay W. (MSC), O84316.

To be first lieutenant

Norris, Jimmy R. (MSC), O92104.

The following-named persons for appointment in the Regular Army of the United States, in the grades specified under the provisions of title 10, United States Code, sections 3283, 3284, 3285, 3286, 3287, and 3288:

To be captains

Angle, Ralph G., O2265353.
Bass, Robert L., O4030866.
Blankenship, James H., O2266364.
Brown, Leonard L., O4004481.
Hickerson, Charles M., O1880385.
Koloski, John J., O4009622.
Martin, Francis B., O4041168.
McNamara, John T., O4010420.
Narvaez, Thomas, O4010265.
Nezvesky, Israel, O4037126.
Oates, John T., O4001323.
Pascal, Raymond P., O2021169.
Piland, William U., O4042963.
Quinlan, James A., Jr., O4009059.
Rogers, Ralph W., Jr., O1880277.
Siegert, Robert W., Jr., O2207767.
Stapleton, Homer L., O1877718.
Totri, Eugene S., O4042626.
White, James S., O4004514.
Whitmire, Jerry C., O2204215.
Wilson, Leland A., O1882269.

To be first lieutenants

Ault, James W., Jr., O5201828.
Banning, Robert D., O5506757.
Everett, James W., O5405017.
Heaton, James A., O5300835.
Howerton, William B., O4049298.
Joyce, John A., O5301765.
Lecrone, Donald, O5301884.
Lightner, Thomas G., O5205847.
McCabe, Franklyn W., O5506954.
McGovern, William L., O5206731.
Mitchell, Don B., O4024701.
Mulcahey, Francis L., Jr., O4084804.
Ondi, Joseph, O5304489.
Ruppe, Jake M., O5301557.
Schmanska, Philip G., O5301798.
Scillian, Billie H., O5206470.
Stalker, Paul R., O2305913.

To be second lieutenants

Badger, William W., O5306126.
Bennett, Larry T., O5307310.
Bingham, Keith P., O5704078.
Crouch, James R., III, O5308418.
Elderd, Raymond K., Jr., O5311309.
Eveland, Edward L., O5310746.
Ferring, Theodore J. J., Jr., O5310997.
Finstrom, Carl G., Jr., O5507599.
Fowler, James H., O5206687.
Fritts, William D., O5310600.
Gallup, Walter A., O5006781.
Graham, Richard A., O5508450.
Graham, William C., O5307338.
Harless, Jackie L.
Infante, Donald R., O5204061.
Johnson, Ronald D., O5704700.
Kanouse, James W., O5508507.
Kelly, William F., O5007928.
Krol, Stanley, Jr., O5311467.
Lanphear, Paul J., O5209935.
Marvin, Charles G., O5002109.
McCune, John C., O5704050.
Murray, Louis J., Jr., O5307252.
Norman, William L., O5402041.
Paneque, Anthony L., Jr., O5405726.
Parsons, Donald L., O5210271.
Riley, James M., O5510791.
Rivard, David L., O5508879.
Rose, Wilbur V., O5307402.
Simons, Myron D.
Smith, Harold L., O5208355.
Watters, Richard H., O5405806.
Williams, Philip D., O5410862.

The following-named persons for appointment in the Regular Army of the United States, in the grades and corps specified, under the provisions of title 10, United States Code, sections 3283, 3284, 3285, 3286, 3287, 3288, 3289, 3290, 3291, 3292, 3293, and 3294:

To be major, Judge Advocate General's Corps

Morrison, Robert W., O555218.

To be majors, Medical Corps

Cauthorn, Robert T., AO2213548.
Hennard, Georges M., O5003951.
Odom, Emwood, O4034494.
Turan, Ekrem S., O4045586.

To be captains, Army Nurse Corps

Lowe, Nancy E., N902106.
Robinson, Agnes L., N900232.

To be captain, chaplain

Wood, Arthur V., O4022952.

To be captains, Dental Corps

Amano, Donald S., O4040422.
Campbell, Robert A., O5407884.
Lovell, Keil E., O2267563.
Zelin, John R., O1930058.

To be captain, Judge Advocate General's Corps

Mundt, James A., O4059822.

To be captains, Medical Corps

Adams, Marcus W., Jr., O4058937.
Brown, Richard B., O2297731.
Catton, Raymond M., O5306580.
Granger, James A., O4027632.
Heisel, George R., O4041834.
Peterson, Jay B., Jr., O5204130.
Tisdell, Edward J., Jr., O1936173.
Tompkins, Norman T., O4042166.

To be captain, Medical Service Corps

Willis, David B., O4006635.

To be captain, Veterinary Corps

Shay, Warren J., O4022705.

To be first lieutenant, Dental Corps

Evatt, Albert L., Jr., O2300449.

To be first lieutenant, Judge Advocate General's Corps

Allen, Boyd W., Jr., O2299445

To be first lieutenants, Medical Corps

Allen, Harold J., Jr., O2300722
Annable, Charles R., Jr., O5501751
Bourgeois, Curtis H., Jr., O2305257
Browning, Donald G., O5400147
Caput, William G., O5501711
Cason, William P., O5306655
Cornell, Paul J., O5400634
Dickerson, Alfred G., O2305108
Edmonds, Paul B., O2300695
Evans, Richard, III, O2300696
Flippen, Joseph W., III, O2305276
Gerhard, Clyde, O2300700
Guiton, Carl R., O2300701
Harris, Charles H., O2295219
Haymond, David R., O5703564
Hemingway, Dennis L., O2300703
Heymann, Robert L., O5206048
Ogden, Frank W., O5701601
Sheaffer, Harold C., O5203295
Simmons, William P., O2295805
Strickland, Alva L., O5300579

To be first lieutenants, Medical Service Corps

Corn, Poe R., O5505353
Keown, Allan R., O2297405
Slyman, George L., O5402540
Snell, John T., O4065150

To be first lieutenants, Veterinary Corps

Loizeaux, Peter S., O2300872
Reynolds, Scott L., O2304960
Wooding, William L., Jr., O2304671

To be second lieutenant, Army Nurse Corps

Borrero, Carmen R., N5407341
Goodwin, Nancy C., N2300016
Powers, Kay S., N2300809
Prellwitz, Patricia K., N5407498

To be second lieutenants, Medical Service Corps

Brown, Herman D., Jr., O5514156
Coletti, George D., O5313319
Elliott, Robert A., O2307981
Gray, John W., O2303740
Grider, Robert J., O5312024
Grundstein, Amram S., O2307982
Johnson, Michael L.
Lillard, Joseph K., O5215041
Whitford, Howard N., Jr., O5309961

The following-named cadet, graduating class of 1961, U. S. Military Academy, for appointment in the Regular Army of the United States, in the grade of second lieutenant, under the provisions of title 10, United States Code, section 4353:

Kopcsak, George C.

The following-named distinguished military students for appointment in the Regular Army of the United States, in the grade and corps specified, under the provisions of title 10, United States Code, sections 3283, 3284, 3285, 3286, 3287, 3288, and 3290:

To be second lieutenants, Medical Service Corps

Barylak, Bohdan A.
Biggs, Barry L.
Candelaria, John J.
Coats, Rogers L.
Conroy, Robert E.
Davis, Bernard R.
Eppler, Larz D.
Gayagas, Edwin J.
Gray, Isaac M., Jr.
Iwamoto, Raymond S.
Johnson, Donald A.
Kruse, Larry J.
Long, John T.
Mazur, John F.
Norcia, Steve W.
Pauley, Richard E.
Preston, Edward J., Jr.
Roby, William W., Jr.
Rose, Walter E.
Shaw, George J., Jr.
Smith, Frederick
Smith, Thomas G.
Strate, Norman F., Jr.
Tedrow, Thomas
Williams, Arthur L.
Williams, Charles M.
Wooten, Ernest A., Jr.
Young, Robert L., Jr.

The following-named distinguished military students for appointment in the Regular Army of the United States, in the grade of second lieutenant, under the provisions of title 10, United States Code, sections 3283, 3284, 3285, 3286, 3287, and 3288:

Abbott, Paul N.
Ackerman, Duane V.
Ackley, Russell C.
Adams, Arthur J.
Adams, Charles L.
Adams, Elmer E.
Akagi, Hart M.
Alario, Joseph P.
Allen, William A., IV
Anderson, Bobby L.
Anderson, Jerome F.
Andrews, Eugene S.
Arnold, Harry J.
Asbury, David L.
Ashton, Guthrie H., Jr.
Ayers, Thomas, III
Baker, Philip E.
Baker, Ronald W.
Banks, Norman E.
Barham, Thomas B.
Beach, Lanny J.
Beauchamp, Ramar K.
Belman, Henry M.
Benvenuto, John A.
Berry, Ralph W.
Berry, Roy C.
Best, Robert P.
Billups, Aaron
Blanning, Bruce
Blaufuss, Karl T.
Blind, Joseph
Blouin, James O., Jr.
Bobbitt, Joseph R., 3d
Bonis, Robert J.
Bohrer, Thomas J.
Bolton, Charles L., III
Bowman, Patrick A.
Boyd, Wayne C.
Broman, Harvey J.
Brookshire, Robert R., II
Brown, Edward, Jr.
Brown, James V. D.
Brown, John B., Jr.
Brown, Robert W.
Brownlee, Romie L.
Bruckner, Richard D.
Bruington, Ray D.
Brunt, Thomas B.
Buckley, Daniel J.
Bugay, James A.
Burke, Larry K.
Burlingame, John C.
Burns, Charles S., III
Burroughs, Bruce G.
Burtner, James R.
Bush, Charles E., III
Cagnetta, Andrew C.
Cameron, Hugh S., Jr.
Cardello, John J., Jr.
Caristo, Frederic J. G.
Carpenter, David M.
Carter, Edward E.
Carter, James E., Jr.
Cassidy, Edwin C., Jr.
Chambers, Henry R.
Chiblas, Nikholaos A.
Claggett, Michael B.
Cobb, Howard E.
Collins, Michael D.
Conn, Joseph E.
Connolly, Kenneth T.
Cooney, Richard T.
Cordill, Stephen H., Jr.
Cote, Thomas G.
Cox, Larry
Cragin, Robert O.
Craig, Lawrence
Crane, James F.
Cristina, Barry R.
Crowder, Charlie C., Jr.
Csoka, Kalman, Jr.
Dacunto, Lawrence
Danielsen, Vernon M.
Davine, Thomas
Davis, Alec C.
Davis, Joseph S., II
DeBauche, Gary A.
DeSilvia, Craig
Detrixhe, James B. W.
DeVeaux, James M.
DeWalt, Robert M.
Dexter, Albert S.
DiBelardino, Mario
Dickison, Daniel R.
Dillow, Tommy R.
Dingee, John H., Jr.
Dooley, James, Jr.
Dorr, Guy E.
Dowling, Richard
Duffy, Walter J., Jr.
Dula, Robert A.
Durenberger, George M.
Easterling, Frank A.
Edel, John J.
Fadden, Michael T.
Fargo, James C.
Farmen, William N.
Fendrick, Arthur A.
Fero, Richard S.
Fesko, Robert J.
Fisher, William R.
Flickinger, Richard F.
Flynn, William G.
Fors, Stuart W.
Foss, Kenneth A., Jr.
Frohboese, Walter E., Jr.
Furman, John B.
Gallitis, Vilnis
Gall, John
Gardner, Donald P.
Gargiula, James G.
Garner, Gerald G.
Garrett, Mickey
Geary, Boyd D.
Gerety, Richard P.
Gibson, Joseph L., Jr.
Giolelli, Lawrence P.
Glidden, Ronald C.
Godwin, Edward A.
Goff, William J.
Goodrich, Thomas B., Jr.
Goodykoontz, Alfred G.
Gorder, Charles W.
Graham, Henry
Greely, Gerald
Gudat, Frank F.
Guinn, William A.
Gutzman, Philip C.
Hadsell, Richard M.
Hall, Dennis C.
Hamina, Robert K.
Hammett, Grady E.
Hanshaw, William G.
Harrington, Jack O., Jr.
Hawkins, Robert M.
Hecht, Howard B.
Hecomovich, George S.
Heller, Stephen M.
Henson, Charles W.
Hesse, Thomas M.
Hetrick, James L.
Hilger, Charles H.
Hintz, Norman C.
Hiral, Kenneth H.
Hofmeister, Daniel J.
Holmberg, Richard J.
Hornbostel, John F.
Horton, Chapin
Hurst, Curtis C.
Hutto, Robert P.
Irving, Robert J.
Iverson, Clark M.
James, Arthur M.
James, Paul E.
Jefferies, Larry D.
Jimenez, Tristan C. N.
Johnson, Harry B.
Johnson, James D.
Johnson, Thomas E.
Joiner, Robert E., III
Jones, Matthew J.
Jones, Thomas M.
Jordan, Carl M., Jr.
Kingman, Dan C., Jr.
Kirchner, Warren F.
Kitchell, Robert P.
Klunk, David G.
Kneier, Dennis B.
Knterman, August F.
Knudtson, Jerry G.
Koelsch, Raymond E.
Konopka, Thomas
Kopelke, Edward D.
Kuffel, Richard A.
Kuster, Bernard A., Jr.
Lahey, Lorn R., Jr.
Lamberth, Harry R.
Larkins, John G.
Laros, George A., Jr.
Latour, Pierre R.
Leffler, Samuel A.
Lepore, John B.
Lewis, Bobby J.
Lewis, Robert P., Jr.
Lionberger, Samuel L., Jr.
Lippert, Phillip S.
Lovett, David E.
Lovgren, Walter P., II
Luchsinger, Arthur F.
Lybrand, Charles W.
Lyon, Kenneth S.
Lyons, William
Mabry, David L.
Mangino, Alfred R.
Mann, Thomas L.
Manning, Eugene B.
Mauro, John
Mauro, Robert
McAndrews, Thomas A.
McCollum, Lawrence J.
McConville, Richard H.
McCormick, Michael J.
McCrea, Rufus J.
McGregor, William L., Jr.
McIver, Andrew J.
McKenzie, Roger L.
McManners, John A.
McNutt, Joseph K.
Meilahn, William M.
Meyer, Robert W.
Mikkelson, David W.
Miles, Donald F.
Miller, Sherrill G.
Mills, Thomas M.
Mitinger, Robert B., Jr.
Monahan, Daniel F.
Monax, Dennis J.
Moore, Calvin B.
Moore, Michael C.
Moore, Thomas J., Jr.
Morey, Edward L.
Morrow, William D.
Muehsam, William E.
Mugar, Paul W.
Muntner, Michael
Murphy, Robert
Murphy, William H.
Murray, John T.
Naplerkowski, Raymond J.
Nolan, Donny R.
Norman, Phil R.
O'Brien, Robert E.
Ogilvie, Gene K.
O'Grady, John E.
Orth, John W.
Ortiz, Luis
Pagliaro, Salvatore G.
Pederson, James D.
Petraglia, Vincent J., Jr.
Phelps, Richard D.
Pieret, Edmund J., Jr.
Pilton, Gavin W.
Piotrowski, Frank
Poggenburg, William G.
Prall, Josef D.
Prentiss, Gregory A.
Quinlan, John L., III
Reed, Howard E.
Reh, David D.
Rehler, Charles M.
Reimer, John A.
Resell, John C., Jr.
Richardson, Dennis W.
Rigby, William C., III
Ringham, Lee O.
Riordan, Richard G.
Robinson, Walter L.
Rosen, Herbert R.
Rowland, Neville A.
Sanders, Bobby W.
Sanko, William J.
Saville, Duane E.
Sawczyn, William
Sawyer, Frederick H.
Schmidbauer, James P.
Schmitz, James W.
Schulenberg, Robert H.
Sears, Charles F.
Seaver, David S.
Sebastian, Elmer G.
Shanholt, Gerald A.
Shaw, Russell C.
Shope, William G., Jr.
Short, Alonzo E., Jr.
Slater, Robert W.
Slutzky, Gerald N.
Smith, Dallas E.
Smith, Robert D.
Smittle, Nelson D.
Snellings, David D., Jr.
Sorrell, James F.
Spain, Carl E.
Spencer, Samuel W., II
Spetz, Steven N.
Stackhouse, William E.
Stafne, James A.
Stahl, Vincent E., Jr.
Starke, William R.
Steinacker, Ronald A.
Stenquist, Emery C., Jr.
Stewart, Robert D.
Stieglitz, Gilbert J.
Stizza, John B.
Stone, Tim F.
Strunk, William T.
Sugita, Kenneth Y.
Sullivan, Dennis B.
Sullivan, Milton L.
Sullivan, Thomas F.
Swendson, Joe A.
Swerts, Ned
Sydnor, Thomas D.
Sylvester, Carroll F.
Tatum, Benjamin R.
Taylor, Carl S.
Thomas, John K.
Thompson, Dale L., Jr.
Thoren, Donald A.
Tilt, William M.
Tirrell, Richard H.
Toccafondi, Primo V.
Todd, Thomas J.
Torres, Peter B.
Trimpe, John R.
Upchurch, Gilbert
Vandermark, John R.
Varela, Louis, Jr.

Von Hoene, John P. A.
Vucichevich, Ivan J.
Wagner, David W.
Walker, William L.
Wallrabenstein, Paul P., Jr.
Walsh, Gerald F.
Ward, William C., Jr.
Warren, Howard L.
Watkins, Jene
Watkins, Leo F., Jr.
Weakley, Joseph L.
Weber, James J.
Weber, John W.
Weber, Neal J.
Welsh, Myron R.
Williams, James E.
Willson, Loyd M.
Wilson, Lee B.
Winterson, Philip T.
Wolfe, Howard L.
Wolfe, Ronald C.
Wright, James A.
Yerger, James M.
Young, Jacob C., Jr.
Zack, John R.
Zamary, James
Zeller, Norman E.
Zuidema, George L., Jr.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 12, 1962:

U.S. MARSHALS

Antonio C. Baza, of Guam, to be U.S. marshal for the district of Guam for the term of 4 years. (He is now serving in this office under an appointment which expired February 22, 1961.)

Vance W. Collins, of Kansas, to be U.S. marshal for the district of Kansas for the term of 4 years.

Leo A. Mault, of New Jersey, to be U.S. marshal for the district of New Jersey for the term of 4 years.

Alvin Grossman, of New York, to be U.S. marshal for the western district of New York for the term of 4 years.

U.S. ATTORNEY

Edward L. Shaheen, of Louisiana, to be U.S. attorney for the western district of Louisiana for the term of 4 years.

PUBLIC HEALTH SERVICE

The following candidates for personnel action in the Regular Corps of the Public Health Service, subject to qualifications therefor as provided by law and regulations:

FOR APPOINTMENT

To be senior surgeon

Carleton R. Dean

To be health services officer

Jennette M. Miller

To be senior assistant health services officer

Alice V. Savage

FOR PERMANENT PROMOTION

To be senior assistant pharmacist

Edward E. Madden, Jr.
Jimmie G. Lewis
John T. Barnett

To be sanitarians

Howard L. Kusnetz
Bayard F. Bjornson

To be senior assistant therapists

Ronald D. Brown
William D. Wallis

FOR APPOINTMENT

To be senior surgeon

*William Y. Chen

To be surgeons

Harry Allen
James E. Banta
*John D. Egan
William D. Hawley

To be senior assistant surgeons

Joan M. Altekruse
William L. Ashburn
Gerald D. Aurbach
Roger Berry
Maurice B. Burg
Alan J. Cooper
Paul C. Cronce
John L. Cutler
Alexander W. DeMasi
Rogert A. Feldman
Robert G. Godersky
Ernest Hamburger
Joseph S. Handler
William R. Hardy
Sol Herman
Mark M. Kartchner
Joel V. Levy
Lloyd A. LeZotte, Jr.
Lawrence L. Marvin
Michael W. Mosesson
Robin R. Nichols
William E. O'Malley
Bernard W. Palmer
Jack E. Pickering
William C. Roberts
Lewis M. Roch II
Walter P. Savage
Jack Shapiro
Joseph T. Sobota
Evert M. Vander Stoep
George S. Walter

To be dental surgeon

Milton E. Schaefer

To be senior assistant dental surgeons

John G. Battles
Eugene R. Berg
Robert W. Bolton
James W. Brown
Karl J. Hettwer
James B. Hoaglin
Herschel S. Horowitz
Merlyn B. Johnson
Thomas L. Louden
Robert C. McAlexander, Jr.
James A. McTaggart
Albert J. Munk
Regis M. Nairn
Dale W. Podshadley
Sydney T. Pollard, Jr.
Donald L. Popkes
Thomas W. Ragland
Charles R. Robinson
Norman A. Roswick
John W. Vitamvas
John O. Wilson
Ralph A. Frew

To be senior sanitary engineers

Robert W. Jones III
William A. McQuary
William Q. Kehr

To be sanitary engineer

Martin A. Bauer, Jr.

To be senior assistant sanitary engineers

Richard E. Reavis
Paul W. Weiser

To be assistant sanitary engineers

Albert W. Bromberg
Sandler H. Dickson
Donald G. Fox
Richard W. Gerstle
Richard D. Grundy
Richard E. Jaquish
Lee R. Lunsford
William T. Sayers
William L. Wagner
Carlton S. Wilder
Walter R. Wilson

To be junior assistant sanitary engineers

William L. Brinck
Dale S. Bryson
James R. Buchtel
Ronald F. Coene
Joseph R. Franzmathes
Roger C. Grimm
Elwyn Holtrop
Donald T. Oakley
Maris Pubulis
Barrett N. Slnowitz
Charles E. Tharp
Charles H. Wentworth III

To be senior assistant pharmacists

Edgar N. Duncan
Edward S. Thompson
Harry A. Hicks

To be assistant pharmacists

Linton F. Angle
Fred Angres
Max D. Dooley
Robert L. Duvall
Curtis G. T. Ewing
Clarence L. Fortner
Ronald D. Gilbert
Thomas B. Poux
James L. Snowden
Clair G. Wetmore
Gary J. Wold
Larry A. Wood

To be junior assistant pharmacists

Gordon R. Aird
Nancy B. Finch
John T. Gimon
Jules M. Meisler
Robert E. Miller
Andrew J. Passeri, Jr.
James A. Resko
Robert J. Schollard

To be senior scientist

Frederick F. Ferguson

To be scientist

Robert J. Ellis

To be senior assistant scientists

Carlton M. Clifford, Jr.
Arthur D. Flynn
William J. Goodwin, Jr
Alfred R. Grzenda
Allan Hirsch
Eskin Huff
Julius A. Kasel
James G. Kelly
Micah I. Krichevsky

To be assistant scientist

Mars Y. Longley

To be sanitarian

Edison E. Newman

To be senior assistant sanitarians

Norman A. Geiger
Maurice Georgevich
James E. Martin
Roger O. Olmsted
George E. Prime
Thomas C. Sell
Robert A. Stevens
Robert W. Wilson

To be assistant sanitarians

Bobby F. Craft
Dale J. Johnson
David B. Moses

To be senior assistant veterinary officer

Jerry F. Stara

To be nurse officers

Dolores R. Basco
Helen Grosskopf
Germaine S. Krysan

To be dietitians

*Merme Bonnell
Lois M. Gamble
Jeanne M. Reid
Alice M. Stang

To be senior assistant dietitians

Phyllis M. Charest
Maureen A. Doherty
Mary E. Ferrell
Vilma C. Grassi
Esther C. Namian

To be assistant dietitians

Betty L. Beach
Elizabeth K. Witter

To be senior assistant therapist

Walter S. Sekiya

To be assistant therapists

Frank H. Troske, Jr.
Carol A. Wendell

To be health services officers

Rebecca C. Chavez
Joel J. Vernick

To be senior assistant health services officers

Charles P. Froom
Carol A. Lewis

To be assistant health services officers

Virginia C. Davis
Richard A. Mackey

FOR CONFIRMATION OF APPOINTMENT

To be senior surgeons

Walter C. Clowers
Charles M. Grace
Charles E. Horner
Alan L. Klein
Leon Sokoloff
Patrick J. Sullivan
George N. Wagnon

To be surgeons

Henry M. Gelfand
F. Gentry Harris
Ray H. Hayes
Lyman C. Wynne

To be senior dental surgeons

Albert C. Adams
Paul N. Baer
Oscar B. Tate
Gerson Wasserman

To be dental surgeons

William O. Engler
Colie H. Millsap, Jr.

To be senior sanitary engineers

Israel Bernstein
Norman E. Tucker
Charles L. Weaver

To be sanitary engineer

Clarence E. Cuyler

To be senior assistant sanitary engineer

James G. Gardner

To be assistant sanitary engineer

Thurman B. Sauls

To be senior scientist

Joseph H. Schubert

To be scientist

Norman A. Clarke

To be sanitarian

John H. Fritz

To be veterinary officer

Winston M. Decker

To be nurse officers

Margaret F. Carroll
Bernadette T. Mesl

To be health services officers

Delbert L. Nye
Rachel S. Simmet

FOR PERMANENT PROMOTION

To be assistant sanitary engineer

John E. Hagan III

(NOTE.—Asterisk (*) indicates appointment during the last recess of the Senate.)

EXTENSIONS OF REMARKS

All the News That's Fit To Tint

EXTENSION OF REMARKS
OF
HON. JOHN M. ASHBROOK
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Monday, March 12, 1962

Mr. ASHBROOK. Mr. Speaker, I believe one of the best promoted myths of the day concerns the so-called objectivity of the New York Times. While the Times is a great newspaper as far as the depth and breadth of its coverage is concerned, it daily indicates that it fails to come close to objectivity. Day after day, it grinds out the anticonservative line and hands it down like dispatches from the Delphian oracle.

This they are certainly entitled to do. But it is not conceivable that they can do this while at the same time holding to a self-proclaimed posture of "middle of the road" or "unbiased." The New York Times is of the liberal persuasion, not middle of the road—or to use the reverse of its favorite terminology, "leftist." They brandish the words "right" and "rightist" like they were cancerous but show little concern for the extreme left in our society and refrain from repeated use of the term "leftist."

Many articles could be cited but three recent ones were particularly indicative of this overall slant. A front page article in the March 8, 1962, issue carried a heading of "Eighteen Thousand Rightists Rally at Garden" to feature its story on the YAF rally at Madison Square Garden. Times Writer Peter Kihss noted that the garden was "packed by an enthusiastic crowd of 18,000 persons." Later in the article the following appeared:

> Senator HUBERT H. HUMPHREY, Democrat, of Minnesota, was the main speaker at a counterrally by Americans for Democratic Action and College Young Democrat groups in the St. Nicholas Arena. That hall, at Broadway and 66th Street, has a capacity of 4,000 persons. Admission was free.

Two of the Times' favorite devices were applied here. First, the protection of groups such as the ADA which certainly should out of consistency be called leftist if the Times brandishes the rightist terminology so readily to anyone or any group in the spectrum from conservative to the far, far right. You can be sure of one thing: it just is not done that way by the Times. Second, the use of half-truth or evasion. The statement was made categorically that 18,000 persons attended the YAF rally but all Mr. Kihss states here is that the St. Nicholas Arena will hold a capacity of 4,000. Were 4,000 in attendance? No, by every other report of the affair there were not more than 2,500 but Mr. Kihss uses an evasion of the truth to elevate the stature of the leftist meeting.

On March 10, 1962, the Times carried a single column, two-line heading "Far Right Called a Menace by Pike." Reading the story, the very first paragraph says, however:

> ROSLYN, LONG ISLAND, March 9—The Right Reverend James A. Pike, bishop of the Protestant Episcopal Diocese of California, said here tonight that both the radical right and the Communists were enemies of democracy.

Again, the same tactics by the New York Times. As I have had considerable experience with newspaper work and composition I know that it is often difficult to set headings of the one column variety and it is not very easy to use the word "conservative" in small headings. However, it is just as easy to use the term "leftist" to describe the liberal to Communist spectrum as it is to use the term "rightist." Why then is this not done?

In a straight reporting job, supposedly objective, under the heading "Debate Rises on Medical Care for Aged," Times writer Marjorie Hunter makes this statement which carries the badge of authority and fact:

> This tax, estimated to bring in about $1 billion in the first year, would be more than enough to finance the program and cover about 14,750,000 of the Nation's 17 million persons of 65 or over.

The more than enough allegation is subject to criticism since it cannot be supported by fact. Most honest observers conclude that it is almost impossible to tell exactly what the program will cost. A great amount of evidence indicates the billion dollars will not be nearly enough.

Four cartoons are adjacent to the story. Usually, the Times, in a slight concession to objectivity, will show differing views in the cartoons but all four of these are promedicare.

The New York Times bleeds very profusely at what it considers to be unfair and unjust. It might be well to have the editors take a close look at their own columns. The proud heading on the front page "All the News That's Fit To Print" might better read "All the News That's Fit To Tint."

The National Lottery of Costa Rica

EXTENSION OF REMARKS
OF
HON. PAUL A. FINO
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, March 12, 1962

Mr. FINO. Mr. Speaker, I would like to apprise the Members of this House about the Costa Rican national lottery where gambling is respected and treated as recreation and relaxation.

Costa Rica is a small and poor country with a population of approximately 1 million persons. Yet, the Government has realized the worth of a national lottery. The gross receipts from the national lottery in 1961 amounted to almost $10 million. The profit or net income to the Government which was over $3 million was earmarked for the support of mental institutions and other charitable hospitals.

Mr. Speaker, Costa Rica is another country that recognizes and capitalizes on the human urge to gamble. How long will it take us to realize that the natural gambling spirit of our American people should be regulated and controlled for the benefit of our treasury? It is about time that we stopped being reckless with the tax and revenue advantages offered by a national lottery.

Mr. Speaker, why cannot we show the same intelligence and sound judgment? If we would have the courage to wipe out hypocrisy, we could raise $10 billion a year in additional revenue which would help to cut our high taxes and reduce our mounting national debt.

Happy Birthday, Girl Scouts

EXTENSION OF REMARKS
OF
HON. PETER W. RODINO, JR.
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Monday, March 12, 1962

Mr. RODINO. Mr. Speaker, today we celebrate the golden anniversary of the founding of one of the most important groups of good citizens in America. Fifty years ago today, under the inspired leadership of Juliette Low, 12 young ladies in Savannah, Ga., came together for the first meeting in this country of the Girl Scouts. From the beginning, this was a movement that brought forth only good. As Mrs. Low said:

> If it isn't right, the girls won't take to it and it won't last.

But this was right, and has always been. The girls took to it, in ever greater numbers, and the more than 3 million membership today is dramatic proof that it continues to grow and flourish.

We all know and recognize the outstanding contributions made to American life by these fine young ladies and their dedicated leaders. Perhaps the most important contribution has been the sound preparation that the Girl Scouts have made towards their members becoming responsible 20th century women. They have properly stressed the dignity of motherhood, the sanctity of the home, the responsibility of active citizenship outside the home. For the past 35 years, they have also been in the van promoting world peace and understanding by exchange of visitors among the nations of the world. And after World War II, their epic "clothes for friendship" drive provided clothes for more than 150,000 children in Europe and Asia.

Whether in the city or rural areas, in rich, moderate, or poor economies, we know that the Girl Scouts of America

will continue to exert a healthy, desirable influence on all with whom they associate. Today I am happy to join with our President and other great leaders in all walks of life throughout the world in extending to this truly noble organization sincere congratulations for the achievements of the first 50 years, and sincere hopes for comparable achievements in the next 50.

Postal Clerks' Travel Allowance Adjustment Needed

EXTENSION OF REMARKS
OF
HON. THADDEUS J. DULSKI
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, March 12, 1962

Mr. DULSKI. Mr. Speaker, I introduce, for appropriate reference, a bill to increase the maximum travel allowance for postal clerks and substitutes assigned to duty in mobile units.

As you are aware, Mr. Speaker, the 1st session of the 81st Congress enacted Public Law 87-139 to "increase the maximum rates of per diem allowance for employees of the Government traveling on official business." That law became effective August 14, 1961, and it applied to Federal employees other than those in the postal service for whom the rates of travel allowance are set in the Postal Field Service Pay Act.

Even if enacted into law, my bill would not provide for postal clerks in mobile units the same rates of per diem allowance that are available to other employees of the Federal Government. Although other employees may be paid up to $15, my bill if approved, would increase the amount mobile unit clerks would receive to only $12 per day.

Clerks assigned to mobile units receive $2.25 for each 6 hours that they are away from headquarters following the passage of the first 10 hours. It will be evident to everyone, that this amount of money is not enough to cope with today's high hotel costs and restaurant charges.

The statute covering mobile unit clerks is the act of June 10, 1955, which provides in section 607(b) that such travel allowance may be paid "after the expiration of 10 hours from the time the initial run begins."

If the bill I am introducing were enacted, it would mean that for each 6 hours after the first 10, this highly skilled group of public servants would receive $3 instead of $2.25.

My bill would not alter the requirement that travel allowance may be paid only after the expiration of 10 hours from the time of beginning duty. The continuation of this provision would mean that even if the $15 maximum were to be applied to the mobile unit clerks, they would still receive less than other employees of the Federal Government in travel status.

Present law provides that postal transportation clerks receive travel allowance at the rate of $9 per day. The 10-hour exemption reduces the amount actually received in the first 24 hours to $6.75.

Under my bill the rate would be increased to $12 per day. The 10-hour exemption would then make the actual payment $9 for the first 24-hour period. Other Federal employees may now receive up to $15 for this same length of time.

Believing my bill to be very meritorious and knowing the people in question to be seriously affected by the economic factors involved, I hope the House of Representatives can take early action on my bill this year.

Letter to National Commander, Veterans of World War I, U.S.A., Inc.

EXTENSION OF REMARKS
OF
HON. OLIN E. TEAGUE
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Monday, March 12, 1962

Mr. TEAGUE of Texas. Mr. Speaker, under leave to extend my remarks, I include a recent letter to the national commander of the Veterans of World War I of the U.S.A., Inc., in response to a recent communication from him on the general subject of pensions for veterans of World War I:

JANUARY 30, 1962.

Mr. JOHN BASHARA, Sr.,
National Commander, Veterans of World War I of the U.S.A., Inc., Washington, D.C.

DEAR COMMANDER BASHARA: This has reference to your letter of January 24, 1962.

In your letter reference was made to a Senate subcommittee report which points out that over half of the 16 million Americans over age 65 are forced to exist on an income of less than $1,000 a year. A realization of this has led the Congress to develop a pension system based on the principle that those with the least income and the greatest need should get the most help. Although you expressed concern for this group of veterans who are forced to live on less than $1,000 a year, H.R. 3745, being sponsored by your organization, has little to do with the plight of this large low-income group. Under existing law a veteran with dependents, with less than $1,000 income per year, may receive a pension of $90 a month. If he is single, with income less than $600 a year, he may receive $85 a month. Passage of H.R. 3745 would give the veteran with dependents $120 per year more income. The single veteran would receive $180 per year more income. Most of the cost of H.R. 3745, which has been estimated by the Veterans' Administration at $942,327,000 the first year, would go to substantially increasing the income of veterans who are now in the top quarter of the income bracket for their age group.

This situation was made clear by Commander Erickson in his testimony before the Veterans' Affairs Committee last year. In discussing the cost of H.R. 3745, Commander Erickson pointed out that the bill would add 631,221 veterans to the rolls at an initial cost of $775,341,378. Obviously these individuals are added to the rolls because they cannot now meet the $3,000 and $1,800 income limits of the existing law. In other words, while your letter expresses great concern for the large number of individuals who must live on less than $1,000 a year, the organization is sponsoring legislation which costs nearly $1 billion a year, more than three-quarters of which would go to veterans in the highest income brackets, with an insignificant amount going to the large group of veterans for which concern has been expressed.

Your letter contains the following statement:

"I am a firm believer in commonsense and honest dealings. I feel that grouping all veterans of our last three wars into a single classification works a distinct hardship upon the aging men who fought in 1917 and 1918. Their problems are basically different from the younger veterans of World War II and the Korean conflict.

"World War I veterans today are old, baldheaded, suffer from physical disabilities and find it difficult to secure gainful employment. They resent becoming charges upon their children, who however much they may want to help, find such assistance under today's economic conditions almost impossible."

The pension program available to veterans is based on the individual meeting certain requirements relating to disability, income, and unemployability. Pensions are paid based on the circumstance of the individual and have nothing to do with the general characteristics of a particular group. To paraphrase your statement, an old, baldheaded World War II veteran suffering from physical disabilities finds it difficult to secure gainful employment and live on a meager income just as a World War I veteran confronted with the same identical circumstances has problems. A relatively small number of World War II veterans are now in their sixties. I can think of no justification for treating two individuals, identically circumstanced but serving in different wars, in a different way insofar as non-service-connected pension payments are concerned.

Your letter contained the following statement:

"Our Government has been most generous to veterans of former wars and it is our firm conviction that granting separate and distinct pension legislation for the older veterans of World War I would help to solve the immediate problems of caring for the Nation's aging population. In this manner, the country could give recognition and appreciation for services rendered over 40 years ago."

You are quite correct that our Government has been most generous with veterans of former wars. This is particularly true of veterans of World War I. World War I veterans comprise 15 percent of all the participants of all of the Nation's wars. They have received 28 percent of all of the Nation's expenditures for veterans (an amount exceeding $30 billion). Expenditures for veterans' benefits per participant in World War I have reached approximately $7,000 per man. By 1963, half of the 1,400,000 living World War I veterans will be receiving a pension. During fiscal year 1963 an average of 1,090,200 World War I veterans and 483,900 World War I veterans' widows will receive non-service-connected pensions. The World War I pension roll is increasing by 8,121 per month. The fiscal year 1963 budget requests $1,873,681,000 for non-service-connected pensions for veterans, widows, and dependents. Of this amount $1,388,489,000 will go to World War I veterans and World War I widows. The Veterans' Administration budget for non-service-connected pensions will increase by $114 million this year.

In a few days you will receive the calendar of the Committee on Veterans' Affairs showing current legislation pending before the committee. There are now more than 160 non-service-connected pension bills pending before the committee. Each of the major veterans' organizations is sponsoring a different proposal. Veterans of World War

I of the U.S.A., Inc., is sponsoring H.R. 3745. The American Legion has rejected H.R. 3745 and is sponsoring a bill which raises rates and income limits within the framework of existing pension law. AMVETS has opposed general pension bills and bills such as H.R. 3745 and is proposing minor modification of the existing pension program. VFW is supporting a program for a separate and liberal pension program for World War I veterans. DAV has declined to support specific non-service-connected pension bills and has taken the position that service-connected veterans deserve priority consideration.

The Committees on Veterans' Affairs has been making an extensive study of the operation of Public Law 86-211. We hope to have this material ready for consideration by the committee before too long. Information available to the committee at this time indicates there are several hundred thousand veterans and widows in the United States who are entitled to a substantial increase in their pension under Public Law 86-211. These individuals are in the low income bracket and are of the group for which you expressed concern. I regret to advise that information we are assembling indicates that individuals and groups associated with your organization must bear a substantial share of the responsibility for these unfortunate veterans and widows with very low income not electing the benefits to which they are entitled, and in some areas there appears to be an organized campaign against Public Law 86-211, without regard to the welfare and individual circumstances of veterans and widows. In view of your expressed concern for the lowest income group, it appears that action should be initiated by your organization immediately to put an end to the activities which are going on and so adversely affecting many veterans and widows.

Very truly yours,

OLIN E. TEAGUE,
Chairman.

Washington Report

EXTENSION OF REMARKS

OF

HON. BRUCE ALGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 12, 1962

Mr. ALGER. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following Newsletter of March 10, 1962:

WASHINGTON REPORT

(By BRUCE ALGER, Fifth District, Tex., Mar. 10, 1962)

The Treasury, Post Office, and Executive Office appropriation bill, 1963, amounted to $5,461,671,000 (compared to last year's spending this is an increase of $148 million. Yet the total is $114 million less than requested by the various agencies. This is one of the subterfuges by which Congress can talk out of both sides of its mouth—the executive department ups the requests, then Congress cuts back below this figure, but still increases spending over the previous year.) Eleven thousand two hundred and thirteen new employees will be added in this one appropriation bill; 20,696 were requested. The same old game of juggling figures. Expenditures under the Treasury Department, not shown in the bill, included $9,431 million for general and special funds. Of this, $9,300 million was allocated to payment of the interest on the national debt. This amount is $400 million more than last year, a necessary increase to effectively refinance the debt. Yet this interest payment was the subject of bitter campaign criticism by Candidate Kennedy and most Democrats, who stated that the Democrats would reduce interest costs below the high level paid by the Republican administration. Now the Kennedy administration increases the high Eisenhower interest cost of $8,900 million of last fiscal year to $9,300 million. The President is learning the economic facts of life. It is good he is learning, but it's too bad such lessons were not learned before he took office, and are now learned at the expense of the taxpayers.

Educational TV, a bill to amend the Communications Act of 1934, to establish a program of Federal matching grants for the construction of television facilities to be used for educational purposes, provoked debate without confronting the basic issue of Federal aid to education. Everyone is for educational TV. The laudable goal or name, "educational TV," blinded many to the question of by what right Federal Government should enter a field not its constitutional province, and where private efforts are doing well. As Gov. Price Daniel said in a letter to the committee in opposition to the bill, "At the present time this matter is being provided for by private funds through institutions of higher learning, and it appears that this will be a successful operation in our State." Dallas, as usual, is way out in front in initiative in this area. Of three educational TV stations in Texas, two are in Dallas—KERA-TV and KRET—both without benefit of Federal funds. The obvious lesson is again overlooked. Federal Government and big government advocates have no hesitancy of moving into new fields; indeed, are politically eager to do so. The $520,000 for needs survey and $25 million for television facilities construction, as Federal-State matching grants, is, of course, but the foot in the door.

Increasing the size of the House of Representatives produced a confusing but refreshing debate. Refreshing because there was little if any political partisanship. Confusing, because of meritorious arguments on both sides, and amendments not fully understood. Finally, an amendment made the bill so unpalatable to even the proponents of enlargement that the bill was sent back to the Judiciary Committee for further study. The bill sought to add 3 new permanent members beyond the 435 total, a fixed number since 1911 when New Mexico and Arizona were admitted to the Union. At conflict with the precedent of adding members with the admission of new States, which now included Hawaii and Alaska, is the regular decade census (1960) which shows population increases and the necessary reapportionment of Members of Congress, State by State against population change, up or down. By congressional legislation of 1961, 9 States gained 19 seats and 16 States lost 21 seats. A doubled population from 1911 to 1960 shows an increase of representation per Congressman from 212,000 to 410,000. Hence, the need for reapportionment. Those States already having taken action by State legislature took issue with Massachusetts, Pennsylvania and Missouri who each would get an additional member. There were two good sides to the argument with as many different views as were members. For my part, because I disapprove increasing the size and role of Federal Government I shall not approve any increase of membership. Rather, I shall insist on an increasing reliance on State and local government, administration and initiative. Thus, I would be sympathetic to reducing Congress to 400 or fewer members. Despite my disapproval of gerrymandering or States failure to redistrict (as in the case of the Fifth District of Texas) consistently I still feel that this is a matter of State government and does not warrant Federal intrusion or control. We, in Texas, should responsibly do our own reapportionment. In this connection, once again I must criticize my State for not reapportioning Dallas County to secure for 1,100,000 people the degree of Federal representation they deserve. But this is up to the people of Dallas and Texas and we do not want the Federal Government dictating to us. Obviously, if we refuse to do what is right, it is probable the Federal Government will step in.

This week I testified before the House Committee on Education and Labor in opposition to a bill to increase the jurisdiction of the Davis-Bacon Act. Davis-Bacon gives the Secretary of Labor absolute authority in setting wages on government construction and contracts. Wrong as this principle is, the bill on which I testified would now include fringe benefits by law and by Government edict a further erosion of individual freedom and liberty.

The Community Facilities Act of 1962

EXTENSION OF REMARKS

OF

HON. ALBERT RAINS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 12, 1962

Mr. RAINS. Mr. Speaker, I have today introduced H.R. 10667, the Community Facilities Act of 1962. This bill would supplement the present community facilities loan program by authorizing Federal grants to encourage the construction of needed public facilities in smaller communities—those up to 50,000 population—communities suffering from substantial and persistent unemployment, and disaster areas. It would provide $500 million in grants to cover up to 50 percent of the cost of local projects. This bill would help to achieve two vital and urgent objectives—to reduce unemployment, which continues at an intolerably high level, and to increase our investment in public facilities necessary for the health and welfare of our people.

No one can be complacent about the fact that we still have over 4½ million men and women out of work even after a year of recovery from the last recession. In fact, if the labor force had shown its normal high rate of growth we would be speaking of a figure of well over 5 million unemployed. All of us who understand the plight of a person out of work will agree that the Congress has a moral obligation to take prompt and effective action to provide job opportunities as quickly as possible.

We should waste no time in acting on measures which will increase employment. Certainly no one can doubt the seriousness of our present situation. The overall rate of unemployment—5.6 percent—is far too high and the Chairman of the Council of Economic Advisers has predicted that the rate this summer will still be 5½ percent. While there has been some reduction in the overall rate since a year ago, it is important to note that the number of long-term unemployed, those who have been fruitlessly seeking jobs for 27 weeks or more, exceeds 700,000 and is still above the year-ago level. To these people all of the increases in economic indicators are meaningless and we cannot ignore their plight.

The record of recent years is an ominous warning that we cannot expect time alone to completely solve our unemployment problems. It has now been 5 years since the rate of unemployment has been as low as 4 percent of the labor force. In that time we have had two recessions and one recovery period that fell far short of true prosperity. We are now in another recovery period which all of us hope will be more successful. However, there are many who doubt that even further substantial gains in output will provide all of the jobs we need to put idle workers back on the payrolls and provide employment for the new workers entering the labor force.

One special factor—one which in sheer numbers outweighs either growth in the labor force or even the critical amount of excessive unemployment we now face—is the problem of automation. Advances in technology annually eliminate 1.8 million jobs according to a recent estimate by the Secretary of Labor. This fact goes far to explain why we have not been able to achieve full employment over the past 5 years and is one which raises the question of whether or not our economy left to itself will be able to provide useful jobs for all in the years just ahead. The tremendous increases in productivity have inevitably brought increased pressure to reduce working hours in order to spread available employment. I do not believe that in this time of international danger and with millions of Americans still living in poverty that we can seriously consider deliberate measures to reduce production. It will be far better if we take advantage of increasing productivity and the slack demand for labor to undertake an expanded program of public investment in sewer and water facilities, streets and sidewalks, public buildings, and the like.

For two decades we have all too often forgone these needed projects because of wartime restrictions and under the pressure of booming consumer demand. These expenditures will make our communities better places in which to live and add to our real national wealth.

The bill provides that these grants can be made in communities up to 50,000 population, designated redevelopment areas, and disaster areas. I realize that some will wonder why larger cities are not eligible unless they are redevelopment areas. The fact is that larger cities have been the primary beneficiary of a number of other Federal grant programs. For example, nine-tenths of the money under the urban renewal program so far has gone to communities of 50,000 or more. This has served to stimulate construction activity in those places. Experience has shown that the private construction expenditures generated by urban renewal run to five times the amount of the Federal grants. In addition, the renewal process eliminates blight thereby lessening some of the special needs for local government expenditure, which all agree are exceptionally heavy in slum areas, and at the same time urban renewal restores and improves the local tax base and increases government revenue. This makes the city benefiting from the urban renewal program better able to finance the other obligations of government, including public works. Similarly such programs as Federal aid for airports and Federal aid for mass transit are of primary benefit to the large cities. Let me say that I heartily endorse these programs and have been in the forefront of the fight to bring many of them into being. My point here is simply that I feel that small communities also are entitled to Federal assistance in meeting their problems, both as a matter of equity and as a matter of general public welfare.

At present the principal Federal aid to small communities for public works is the community facilities loan program. While this program can contribute much to meet the needs, the fact remains that even with the low-interest rate and liberal terms of these loans many communities cannot adequately meet their needs. In fact, the grants provided under the bill I have just introduced will undoubtedly take some of the pressure off the loan program since private lenders will more readily purchase local bonds at reasonable interest rates if part of the financial burden has already been taken care of through Federal assistance.

The bill also would make communities designated for aid under the Area Redevelopment Act eligible for these grants without population limit. I do not feel that there is any danger that a few large cities will take a disproportionate share of the grant funds provided in view of the fact that the bill sets a $500,000 limit on the aid extended to any individual project. Let me also note that the Area Redevelopment Act authorized some funds for Federal grants to help finance public works in redevelopment areas, but tightly restricted the use of these funds to projects which can be tied in directly with permanent increases in employment opportunities and was not intended to meet the basic normal needs of a community for public works.

Finally, communities designated as disaster areas may be made eligible. We are all familiar with the havoc wrought by tornados, hurricanes, floods, and other natural disasters. The recent destruction along our eastern seaboard from heavy storms is a grim reminder of this ever-present threat. They not only exact a heavy toll of a community's investment in public works but at the same time they cripple the local government's ability to finance repairs and replacements. This bill would help to relieve their plight.

The bill which I have just introduced should not be confused with, nor does it conflict with, the standby capital improvements bill now pending before the Public Works Committee. That legislation is designed to be used only if the economy falls into another major recession and contains a "triggering" formula which would keep it from going into effect now.

In contrast, the assistance provided by my bill would be available immediately to attack our present problem of high unemployment. I feel strongly that we cannot say to the millions of men and women now out of work that they must wait until another recession strikes before their Government will act to aid them.

The employment impact of the grants provided under my bill would occur promptly. It has long been recognized that there is a tremendous backlog of need for local public improvements. In particular, there are many projects which have been fully planned under the advance planning program and are ready to start right now. Many others are now in the planning process under that program. Altogether, it is estimated that plans are ready or are now being worked on for more than a billion dollars of public works that would be eligible for assistance under my bill.

Mr. Speaker, I am not going into the details of the bill at this time. I plan to call hearings on the bill by my subcommittee in the near future to examine every aspect and detail of the problem.

At this time let me summarize the bill briefly. It would authorize Federal grants totaling $500 million to be provided by the appropriation process. These grants could cover 50 percent of the cost of the eligible project but in no case more than $500,000 for a single undertaking. Any project now eligible under the existing community facilities loan program would be eligible for these grants. Other provisions are described in the following section-by-section analysis of the bill.

SECTION-BY-SECTION SUMMARY, COMMUNITY FACILITIES ACT OF 1962

Section 1 of the bill provides that the act may be cited by its short title—the Community Facilities Act of 1962.

Section 2 sets forth the congressional findings and policies which form the basis for the new community facilities grant program embodied in section 3 of the bill, emphasizing the necessity for an emergency acceleration of needed public projects in all parts of the Nation to reduce unemployment and foster economic growth. This need is particularly pressing in smaller communities, in areas suffering from substantial and persistent unemployment, and in areas affected by major disasters.

Section 3 adds to title II of the housing amendments of 1955 a new section 208, establishing a Federal program of grants to assist in the construction of needed community facilities.

Subsection (a) of the new section 208 provides the basic authority for the Housing and Home Finance Administrator to make grants to municipalities and other political subdivisions and instrumentalities of States to finance specific projects for public works or facilities.

Subsection (b) limits the amount of any such grant to one-half of the cost of the project involved or $500,000 whichever is less.

Subsection (c) provides that grants under the new program will be available only to communities having a population of less than 50,000, except in the case of communities situated in depressed areas, as designated under the Area Redevelopment Act, or in disaster areas—as determined by the President under the Act of September 30, 1950. This subsection also provides priorities—the

same as are provided in existing law in the case of community facilities loans—for grants to towns having a population of less than 10,000 for the construction of water works, sewage facilities, gas distribution systems, and other basic public works.

Subsection (d) prohibits any grant under the new program if a grant, or commitment, has been made with respect to the project involved under any other Federal law.

Subsection (e) provides that the types of community facilities for which grants may be made under the new program shall be the same as those for which loans could be made, in accordance with regulations of the Administrator—the types of such facilities are not specified in the statute—under the existing program on the date of enactment of the bill.

Subsection (f) prohibits the use in any one State of more than 10 percent of the aggregate grant funds made available under the new program.

Subsection (g) authorizes the appropriation of up to $500 million for grants under the new program, and provides that amounts so appropriated shall remain available until expended.

Section 4 is purely technical.

Section 5 amends section 110(d) of the Housing Act of 1949 to provide that public works or facilities for which grants are made under the new community facilities grant program may not be included as local grants-in-aid under the slum clearance and urban renewal program.

Rural America: Outcast or Partner

EXTENSION OF REMARKS

OF

HON. ALVIN E. O'KONSKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, March 12, 1962

Mr. O'KONSKI. Mr. Speaker, I had the pleasure last week of addressing 6,000 delegates at the 20th annual meeting of the National Rural Electric Cooperative Association at Atlantic City, N.J. At the request of many who heard me I am giving this same speech before the House of Representatives so that Members of Congress can respond to requests for copies of this speech.

Mr. Speaker and Members of the House, the 6,000 delegates to the 20th annual meeting of the National Rural Electric Cooperative Association did me a great honor by inviting me to address them. They were delegates from the heart and roots of our Nation. My hope is that I fulfilled the challenge and honestly reflected the sentiments of this great institution of Congress.

There is a saying in Washington that whenever an important officer of our Government boards a plane and the pilot asks where to, the answer invariably is, "Take me anywhere because we have troubles everywhere."

In these times of worldwide evolution and revolution, I do not vision a more appropriate subject for a talk before this group of distinguished Americans than the one chosen, namely, "Rural America: Outcast or Partner."

A famous historian once wrote: "No nation dies that is fit to live." Rome endured as long as Rome had a rural economy to back it up. Our Nation became the envy and marvel of the world because it had the rural economy to back it up. Take any part of the globe. Point to a nation with a healthy rural economy and there you have at the same time a healthy stable nation. Take any part of the globe again and point out a nation with a sick rural economy and there you have at the same time a sick nation infested with chaos, dictatorship, and revolution after revolution. Stability in any nation is impossible unless that nation is supported by a vigorous and prosperous rural population. To be a stable nation make no mistake about it—rural life must be a partner, not an outcast.

The pages of history are replete with evidence that the nations which give only passing attention to their rural people are doomed. Nations in Latin America, Asia, Africa are classic examples of how difficult it is to have stability in government with a poverty-stricken rural population. Seeing no hope in the rural portions of their country these people are concentrating in cities already overpopulated. They see no future in rural life. They vision no opportunity in rural life. They seek only to get away from rural life at the earliest opportunity. Basically this is why there is poverty and deprivation in many parts of the world. The flood of people from rural areas of the world to the cities has become alarming and if not checked will result in even greater problems than those we are now facing.

One has but to visit the universities of these nations to visualize how alarming is this migration from rural life to the cities. In one country, I have seen, for instance, where there is poverty almost unbelievable, you will find 50 students studying law and politics to 1 student studying agriculture or the production of food. In another country I could name you will find a similar alarming ratio. There are countries with a ratio more alarming than the examples I have given. These are examples which exist worldwide. Ask them why such a lack of interest in agriculture and these students will tell you, "There is no future in rural life and we have no desire to return to it." As a result these nations have a surplus of lawyers and government employees but not enough people in rural areas to produce the food and fiber that builds nations. In these countries rural life has become an outcast—rather than a partner in the national picture.

Even Communist China is beginning to see the folly of concentrating their efforts in all directions except rural life. In their efforts to industrialize their nation, they lost sight of the importance of having people produce food and fiber. As a result, reports of starvation and near revolution are leaking out to the world. Communist Russia boasts of the hundreds of thousands of engineers that are graduated each year. They make no boasts of the number of farmers they graduate. They, too, forget about the importance of food and fiber production in the rural areas. Experiment after experiment are the order of the day to revive their rural economy. All these have failed because even in the so-called people's government it is more of an honor to be an engineer or a scientist than it is to be a farmer.

In rewarding engineers, scientists, artists, and propagandists they forgot to reward the important people of the rural areas. For that lapse of memory these two Communist nations are paying a heavy price. It will more than likely be the making of their downfall. Even dictators cannot afford the price of allowing the rural sections of their nations to be outcasts rather than partners. Everywhere in the world we see glaring disaster because nations ignore the well-being of rural life. Basically that is what is wrong with the world and most of our troubles stem from this fact.

We must not let this happen in the United States. There has, of course, been a tremendous volume of material written on rural America. It might be well to remember that nothing but an inspiring subject can produce so much praise. We cannot overlook the fact that rural America has historically produced a very large share of our leaders in almost every field. Certainly the percentage of statesmen who had their origin in rural America is out of all proportion to the relationship of the number of people to our total population. Generally speaking, the same is true in regard to outstanding teachers, preachers, lawyers, bankers, and even doctors and scientists.

It would be foolhardy indeed to deny that a child who grows up to maturity in the open and close to nature does not normally develop greater self-reliance, a deeper and more personal appreciation of the handiwork of God, and a clearer understanding of people and of the forces of nature than do those children who are doomed to spend their entire youth in the great cities. I sincerely believe that the country is the best place in which to raise a family, and that a substantial rural population adds strength to the character of any nation. In rural America you see the best examples of democracy in action. Our Nation would never have risen to such heights except for the backing of a democratic force in rural America.

In these days when the whole stability of the world is threatened by aggressive communism, it seems to me that we should give serious thought to the social forces which normally oppose communism. Nowhere has communism been able to attract basic support from rural areas. On the contrary, rural areas have, throughout the world, constituted the hard core of opposition to communism. Even the Russian peasants refused to accept communism, even though they were subjected to persecution and pogroms which involved the liquidation or murder of millions—possibly as many as 15 or 16 million farm people. Nowhere in America do we have a firmer and more determined bulwark against communism than in rural America. If we convert these family

farms into factories in the field, with hired transient labor, we may soon find these very rural areas which have so long resisted communism might become cells in the apparatus.

But let us consider the purely financial side of this question. First, we must understand that the modern-day family farm is not 40 acres and a mule on an Ozark hillside. It has been variously defined but for practical purposes I think we can agree that by a family farm we mean a farm large enough to profitably employ the labor of a farm family most of the year and small enough that its operation does not require the employment of more than a minor amount of outside labor. Of course, the size of such a farm will vary. In the livestock areas of the West, it may be of several thousands of acres. In a specialized fruit and vegetable area, it might be no more than 10 acres.

Such units are not self-sufficient. On the contrary, they are the homes of many of the most substantial customers of American industry, of American labor, and of American retail business. These family farms provide some of our greatest markets for gasoline and for steel, as well as for a multitude of other products. They maintain the small towns of America. These small towns, in turn, are essential to the economic welfare of our great cities. I need not belabor the point that a loss in farm buying power is always reflected in loss of city income. I need not belabor the point that 100 family farms are better customers than 10 industrial farming units on the same land.

What is not so clearly understood is that if we allow these family farmers to be driven from their land into the city, we have not solved the problem of financing their existence. Industry has been absorbing rural migrants just about as fast as it can at its present rate of expansion. A reduction in the number of its rural customers is not going to increase the rate of industrial expansion. If the migration to the cities increases, is it not inevitable that the newcomers will either displace existing workers or go on direct relief? In either event, have the taxpayers gained anything by uprooting these rural families?

It will surely cost no les. than $2,000 a year per family to care for these people in our cities. Probably it will cost much more. Many so-called farm authorities are now advancing that we push possibly half of our present population off the farm. How silly can people get? This would result in economic chaos. That would mean in round numbers around 2 million families, or a direct out-of-pocket cost of about $4 billion to the taxpayers—largely local taxpayers. Do you, as a resident of Chicago or Los Angeles, or Atlantic City want to shoulder that burden? Might it not be much cheaper and surely much better to continue a progr..m of aiding farmers to aid themselves than to deliberately create such a social as well as financial problem? Anyway we look at it, when we apply the cold test of arithmetic, can anyone believe that it would be profitable to destroy the farm families or to force them to move to the cities?

Disturbing reports have been coming from the broad rural domain of America during the past decade. There are reports telling of increasing numbers of farm families leaving the rural areas because of deteriorating economic conditions. There are also other disturbing signs on our horizon. In recent years we have been hearing reports of heavy purchases of land by nonfarmers, and of rapid increases in land values. Such developments tend to make it more difficult for young men to get started in rural America. The present high investment cost of land, buildings, machinery, and livestock tend to limit rather than to encourage expansion of the rural tradition. This situation is cause for a further shifting of agriculture into the realm of big business. Rural America is losing its appeal to the young at heart. The future bodes even darker promises. If the young at heart stay away from rural life, where are we going to get people to stay on the farm?

Greater changes took place in farms and agriculture during the last 10 years than for any other 10-year period recorded by a nationwide census. When you see cold figures on this matter—it scares you. The last rural census shows that we have significantly fewer, but larger farms than in 1950. The number of farms, 3,700,000 counted as a result of the last census of agriculture, was the smallest number of farms reported by any census of agriculture for the 50 States since 1870. Just think of it—we have fewer farms in our Nation today than we had 90 years ago.

While this revolution has been going on in the rural section of our economy what has been happening to farm population? Total farm population has decreased from 30,500,000 in 1940 to under 20 million today, a decrease of nearly 35 percent. In 1940, farm population accounted for 24 percent of our total population. Now only 11 percent of the population was classified as farm population. So you see rural America is going backward instead of forward.

For the 10-year period 1950 through 1960 the farms of this country experienced a net migration from the farms of more than 800,000 persons annually. Just think of it—800,000 people leaving our farms each year. This mass migration from farms is expected to continue in the years ahead. Unless these people who leave the farm have jobs to go to in the cities and are trained for specific kinds of work, the migration of such a large number of people to your cities will create serious unemployment, and social and economic problems in those cities. If this trend is not reversed rural America might well lie prostrate. Our Nation will be an awfully sick nation if we permit this to happen.

As I reflect on this matter of our decreasing rural population and the number of problems that such a situation creates, a number of thoughts come to mind. I wonder why Congress embraces new production and distribution technology with outstretched arms, yet usually faces the economic situation it creates with closed minds. Consider this paradox for a moment: Is it not true that many leading legislators, farmers, and citizens of the country generally are looking forward impatiently to new technologies in the process of development, and at the same time looking backward—almost desperately—to the patterns of community behavior and government which prevailed when they were youngsters? Frankly, I think one of the great challenges of the 1960's is: How can we get farmers and the public generally to understand that if we embrace new technology, we must also embrace new governmental arrangements—new rules of the game, so to speak. New technology, including new economic organization of industry and agriculture, creates new economic situations. These, in turn, require changes in the rules and regulations by which our economy operates if democracy is to survive. Unless rural America is once again made a partner rather than an outcast, our future might well be a repetition of what ails the world.

The challenge of the sixties to all farm leaders and to all those interested in the welfare of rural life is basically the challenge of getting a widespread understanding of the totally new economic, social, and political situation in which rural America finds itself. Congress and all Americans better wake up to this fact of life—before it is too late.

Of all citizens in our Nation, the one group that has had the vision and knowledge to foresee this challenge in preserving a strong rural America has been those connected with the National Rural Electric Cooperative Association. Your resources and your help from the Federal Government have been limited. Yet you have performed wonders. When the Area Redevelopment Act was under consideration last year I was the first to propose that the rural development aspects of the program be assigned to the Rural Electrification Administration.

The Rural Electrification Administration has given new impetus to rural life. The Rural Telephone Administration has given new benefits and hope to rural America. I vision in the future that there will be a Rural Industrial Administration to help in establishing small industries in rural America. And finally, I vision a Rural International Administration to establish a cooperative way of developing the underdeveloped nations of the world. So far our foreign aid program for the most part has been a miserable failure in getting help to the grassroots of the needy nations. A Rural International Administration working through cooperatives might be the answer to our foreign aid program.

I am convinced that you and your associates are the most qualified and the most genuinely interested in the preservation of a rural American sector in America and in the world. Your job increases with the years. I hope and pray that for the good of America and the world you do as well in the future as you have done in the past. I wish you all Godspeed and success in your convention activities.

SENATE

TUESDAY, MARCH 13, 1962

The Senate met at 12 o'clock meridian, and was called to order by the Vice President.

Dr. Eugene Blackschleger, rabbi, Temple Beth-Or, Montgomery, Ala., offered the following prayer:

Gracious Heavenly Father, Thou in whose sight a thousand years are but as yesterday when it has passed and as a watch in the night when the morning has come, humbly we approach Thy sacred throne to pour out our hearts in thanksgiving. We are grateful to Thee for the many material and spiritual blessings which Thou hast vouchsafed upon our loved ones and us. We thank Thee for the privilege of living in this blessed land of liberty and freedom, where every man may worship Thee according to the dictates of his own conscience. We pray that America may ever remain the land of the free and the home of the brave, where all men shall have the rights to life, liberty, and the pursuit of happiness. Grant us peace, Thy most precious gift, and enable America to be a messenger of peace unto all the peoples of the earth. Enlighten with wisdom and sustain with Thy power the President of the United States, his advisers, and the judges and lawmakers of our country. May they be imbued with the knowledge, understanding, faith, and courage to guide our Ship of State in these critical hours of our Nation's history. May their deeds be animated by a spirit of unselfishness and a devotion to the principles of our beloved Nation. Do Thou establish the work of our hands; yea, the work of our hands, establish Thou it. Amen.

THE JOURNAL

On request of Mr. SMATHERS, and by unanimous consent, the reading of the Journal of the proceedings of Monday, March 12, 1962, was dispensed with.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILL

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that on March 9, 1962, the President had approved and signed the act (S. 486) to provide for the appointment of two additional judges for the juvenile court of the District of Columbia.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 8916. An act to authorize grants for planning and carrying out a project of construction for the expansion and improvement of the facilities of George Washington University Hospital in the District of Columbia; and

H.R. 9699. An act to authorize the Commissioners of the District of Columbia to sell certain property owned by the District of Columbia located in Prince William County, Va., and for other purposes.

HOUSE BILLS REFERRED

The following bills were each read twice by their titles and referred to the Committee on the District of Columbia:

H.R. 8916. An act to authorize grants for planning and carrying out a project of construction for the expansion and improvement of the facilities of George Washington University Hospital in the District of Columbia; and

H.R. 9699. An act to authorize the Commissioners of the District of Columbia to sell certain property owned by the District of Columbia located in Prince William County, Va., and for other purposes.

LIMITATION OF DEBATE DURING MORNING HOUR

On request of Mr. SMATHERS, and by unanimous consent, it was ordered that statements in connection with the morning hour be limited to 3 minutes.

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. JOHNSTON, and by unanimous consent, the Committee on Post Office and Civil Service was authorized to meet during the session of the Senate today.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

REPORT ON CONSTRUCTION OF CERTAIN FACILITIES RELATING TO DEVELOPMENT OF ADVANCED SATURN BOOSTER

A letter from the Administrator, National Aeronautics and Space Administration, Washington, D.C., reporting, pursuant to law, on the construction of additional engine component and stage test facilities at the NASA-Marshall Space Flight Center, relating to the accelerated development of the advanced Saturn booster; to the Committee on Aeronautical and Space Sciences.

REPORT ON WORKING CAPITAL FUNDS OF DEPARTMENT OF DEFENSE

A letter from the Deputy Secretary of Defense, transmitting, pursuant to law, a report on the working capital funds of the Department of Defense, dated June 30, 1961 (with an accompanying report); to the Committee on Armed Services.

REPORT ON DEPARTMENT OF THE ARMY RESEARCH AND DEVELOPMENT CONTRACTS

A letter from the Deputy Assistant Secretary of the Army (R. & D.), transmitting, pursuant to law, a report on Department of the Army research and development contracts for $50,000 or more, awarded during the period July 1, 1961, through December 31, 1961 (with an accompanying report); to the Committee on Armed Services.

REPORT ON DEPARTMENT OF THE NAVY RESEARCH AND DEVELOPMENT CONTRACTS

A letter from the Assistant Chief of Naval Material (Procurement), transmitting, pursuant to law, a report on Department of the Navy research and development procurement actions of $50,000 and over, for the period July 1 through December 31, 1961 (with an accompanying report); to the Committee on Armed Services.

AMENDMENT OF ACT RELATING TO LOADLINES FOR OCEANGOING AND COASTWISE VESSELS

A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to amend the act of March 2, 1929, and the act of August 27, 1935, relating to loadlines for oceangoing and coastwise vessels, to establish liability for surveys, to increase penalties, to permit deeper loading in coastwise trade, and for other purposes (with accompanying papers); to the Committee on Commerce.

REPORT OF THE NATIONAL INSTITUTE OF ARTS AND LETTERS

A letter from the assistant secretary, the National Institute of Arts and Letters, New York, N.Y., transmitting, pursuant to law, a report of that Institute for the year 1961 (with an accompanying report); to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A joint resolution of the Legislature of the State of Alaska; to the Committee on Commerce:

"HOUSE JOINT RESOLUTION 30

"Resolution relating to the initiation of Federal studies and programs regarding the condition and exploitation of the North Pacific and Bering Sea fisheries

"Whereas the vast fisheries of the North Pacific and Bering Sea are a natural resource historically recognized as vital to the economy of the United States; and

"Whereas in addition to the tremendous take of salmon and halibut in these international waters the immense Russian and Japanese fleets have been harvesting more than a billion and a half pounds of other fish and shellfish annually; and

"Whereas both Russia and Japan have yearly expanded their operations in the taking of salmon, halibut, and other demersal and pelagic fish which abound in the waters beyond the 3-mile limit; and

"Whereas both nations, but particularly Japan, are now operating extensive and expanding oceanographic and marine fisheries research in these areas, thus establishing strong prior rights through subsidized fishing and research; and

"Whereas at the present time the U.S. fleet plays only a secondary or tertiary role in the research regarding and the actual harvesting of the offshore fishery resources except for salmon and halibut: Therefore be it

"*Resolved by the Legislature of the State of Alaska in second legislature, second session assembled*, That the Government of the United States is respectfully urged to take immediate steps to initiate projects for offshore fish and shellfish studies and the necessary oceanographic, processing, transportation, and marketing research essential to the proper implementation of the Nation's right to the beneficial exploitation of this natural resource in international waters; and be it further

"*Resolved*, That this resolution be directed to the Honorable John F. Kennedy, President of the United States; the Honorable Lyndon B. Johnson, Vice President of the United States and President of the Senate; the Honorable John W. McCormack, Speaker of the House of Representatives; the Honorable Stewart L. Udall, Secretary of the Interior; and the honorable members of the Alaska delegation in Congress.

"Passed by the house January 30, 1962.

"WARREN A. TAYLOR,
"*Speaker of the House.*

"Attest:

"ESTHER REED,
"*Chief Clerk of the House.*

"Passed by the senate February 15, 1962.

"FRANK PERATOVICH,
"*President of the Senate.*

"Attest:

"EVELYN K. STEVENSON,
"*Secretary of the Senate.*

"Approved by the Governor February 21, 1961.

"WILLIAM A. EGAN,
"*Governor of Alaska.*"

A joint resolution of the Legislature of the State of Alaska; to the Committee on Public Works:

"HOUSE JOINT RESOLUTION

"Resolution relating to the planning and construction of roads in Alaska, and urging the U.S. Congress to approve Senate Joint Resolution 137

"Whereas the adequacy of Alaska's military defenses which guard the northern approach to the Nation, the development of its vast resources, and its progress as a great State are contingent on the construction of roads and highways to serve local needs, to connect the distant corners of the State, and to increase Alaska's accessibility to Canada and the United States; and

"Whereas although Alaska has a hard-working citizenry and an unlimited potential of becoming one of the most productive and wealthy States in the Union, it is not presently endowed with the means to independently plan and construct urgently needed roads and highways; and

"Whereas the Federal Government has long neglected Alaska's highway needs as evidenced by the fact that Alaska has been deprived of Federal aid highway funds during the first 40 years of these funds—from 1916 to 1956—although paying all Federal taxes; and

"Whereas if Alaska had been allowed to share the Federal highway aid on an equal basis with the other States, $575 million would have been received since 1916; and

"Whereas when Alaska became a State only two of its major cities were connected by roads, a situation unthinkable in the other States; and

"Whereas it is believed that this situation places on the Federal Government a responsibility to assist Alaska to achieve the same high degree of road development that has already been obtained by Alaska's sister States; and

"Whereas Alaska is in the unique situation of being required to coordinate numerous highway programs with the Canadian Government; and

"Whereas U.S. Senate Joint Resolution No. 137, which would ameliorate this situation, has been endorsed by the U.S. Department of Commerce and approved by the Bureau of the Budget: Be it

"*Resolved by the Legislature of the State of Alaska in second legislature, second session assembled*, That the U.S. Congress is urged to approve Senate Joint Resolution 137, which would authorize the Secretary of Commerce, in cooperation with the State of Alaska, to undertake engineering studies and planning surveys pertaining to highway construction in Alaska and between Alaska and Canada; and be it further

"*Resolved*, That copies of this resolution be sent to the Honorable John F. Kennedy, President of the United States; the Honorable Luther H. Hodges, Secretary of Commerce; the Honorable Lyndon B. Johnson, Vice President of the United States and President of the Senate; the Honorable John W. McCormack, Speaker of the House of Representatives; the Honorable Dennis Chavez, chairman, Senate Public Works Committee; the Honorable Harry F. Byrd, chairman, Senate Finance Committee; the Honorable Warren G. Magnuson, chairman, Senate Interstate and Foreign Commerce Committee; the Honorable Charles A. Buckley, chairman, House Public Works Committee; the Honorable Wilbur D. Mills, chairman, House Ways and Means Committee; the Honorable Oren Harris, chairman, Interstate and Foreign Commerce Committee; and the members of the Alaska delegation in Congress.

"Passed by the house February 1, 1962.

"WARREN A. TAYLOR,
"*Speaker of the House.*

"Attest:

"ESTHER REED,
"*Chief Clerk of the House.*

"Passed by the senate February 16, 1962.

"FRANK PERATOVICH,
"*President of the Senate.*

"Attest:

"EVELYN K. STEVENSON,
"*Secretary of the Senate.*

"Approved by the Governor February 26, 1962.

"WILLIAM A. EGAN,
"*Governor of Alaska.*"

Two resolutions of the Senate of the State of Pennsylvania; to the Committee on Public Works:

"SENATE RESOLUTION 30

"President Kennedy, on February 19, 1962, sent to Congress legislation to give him power to start not in excess of $2 billion of public works projects in the early stage of any business slump. Under the bill, the President would be permitted to act when unemployment had risen in 3 out of 4, or 4 out of 6 consecutive months, by not less than 1 percentage point.

"The bill would allow use of the funds when needed and not be subject to any delay rendering the program ineffective. This, of course, would render great aid to the entire country in any time of economic recession: Therefore be it

"*Resolved*, That the Senate of the Commonwealth of Pennsylvania memorialize the Congress of the United States to support and enact into legislation the bill entitled the 'Standby Capital Improvements Act of 1962'; and be it further

"*Resolved*, That copies of this resolution be transmitted to the presiding officers of each House of the Congress of the United States, and to each Senator and Representative from Pennsylvania in the Congress of the United States.

"Attest:

"PAUL C. MOOMAW,
"*Secretary of the Senate of Pennsylvania.*"

"SENATE RESOLUTION 29

"Twenty-five percent of the employable population of Fayette County is unemployed. Thirty-five percent of the employable population of the Brownsville area, in Fayette County, is unemployed.

"Twenty-two thousand of one hundred and seventy-five thousand residents of Fayette County are receiving assistance. The 3,596 cases on public assistance due to unemployment comprise 17,219 persons.

"The pilot program of the food stamp program in Pennsylvania for those receiving assistance and those whose income is below the U.S. Department of Commerce standards for the number of persons in the family, shows $3 million worth of sales in 8 months.

"Twenty-four thousand persons were employed in the coal mines of Fayette County from 1940 to 1948. Currently there are but 4,500 persons so employed.

"Unemployment in Fayette County, Pa., and in other depressed areas, is causing misery, hunger, and deprivation to thousands of honest persons desiring employment: Therefore be it

"*Resolved*, That the Senate of the Commonwealth of Pennsylvania memorialize the Congress of the United States to support and enact into legislation antirecession public works projects in depressed and distressed economic areas, especially those having unemployment in excess of 15 percent of the employable population and more than 10 percent of the population on public assistance; and be it further

"*Resolved*, That copies of this resolution be transmitted to the presiding officers of each House of the Congress of the United States, and to each Senator and Representative from Pennsylvania in the Congress of the United States.

"Attest:

"PAUL C. MOOMAW,
"*Secretary of the Senate of Pennsylvania.*"

A resolution of the House of Representatives of the State of Pennsylvania; to the Committee on Agriculture and Forestry:

"Whereas the Russian atomic explosions have resulted in a fallout through rainfall or atmospheric conditions causing cattle to consume the fallout; and

"Whereas the radioactive strontium contained in the fallout penetrates the grass consumed by the cattle and thereafter affects the milk produced; and

"Whereas the Federal Government has devised a method to extract the fallout from the milk in order to make the milk safe for consumption; and

"Whereas milk moves in interstate commerce, it is therefore not sufficient for one State here or there to pass legislation enforcing fallout extractions: Therefore be it

"*Resolved*, That the House of Representatives of the Commonwealth of Pennsylvania memorialize the Congress of the United States to enact legislation which will provide that milk may not be sold until the fallout has been extracted from milk in order to make the milk safe for consumption; and be it further

"*Resolved*, That a copy of this resolution be transmitted to the presiding officers of each House of Congress of the United States and to the Council of the Borough of Glassport, Glassport, Pa.

"Attest:

"HIRAM G. ANDREWS,
"*Speaker.*

"JOSEPH OMINSKY,
"*Chief Clerk.*"

A resolution of the House of Representatives of the State of Pennsylvania; to the Committee on Public Works:

"The Federal highway law presently prohibits the construction or location of commercial establishments or facilities of any nature on the rights-of-way of the Interstate Highway System.

"The purpose of this prohibition is highly commendable, as it is intended to protect the traveling public from dangers and distractions caused by such establishments and also to protect the scenic beauty of the countryside.

"A minor exception to this provision in the Federal law, however, appears both desirable and necessary; that exception being authorization for the erection, at certain intervals, of public telephones.

"The ready availability of public telephones along these highways would make possible the immediate reporting of any accident or other emergency. Such telephones would also add greatly to the convenience of travelers and would not be unsightly: Therefore be it

"*Resolved*, That the House of Representatives of the Commonwealth of Pennsylvania memorialize the Congress of the United States to make necessary amendments to the Federal highway law in order to permit the erection of public telephones within the

rights-of-way of the Interstate Highway System; and be it further

"*Resolved*, That copies of this resolution be transmitted to the presiding officer of each House of the Congress of the United States and to each Senator and Representative from Pennsylvania in the Congress of the United States.

"Attest:

"HIRAM G. ANDREWS,
"*Speaker*

"JOSEPH OMINSKY,
"*Chief Clerk*."

LT. COL. JOHN H. GLENN, JR.—RESOLUTION

Mr. ELLENDER. Mr. President, I ask unanimous consent to have printed in the RECORD a resolution adopted by the Laymen's Association of the Red River Presbytery, Synod of Louisiana Presbyterian Church, commending Lt. Col. John H. Glenn, Jr.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Whereas on February 20, 1962, A.D., Lt. Col. John H. Glenn, Jr., U.S. Marine Corps, one of America's astronauts, orbited the earth three times in less than 5 hours and being a consecrated Christian, a devoted husband and father, reared by fine Christian parents, and a sincere, active worker in the Presbyterian Church, has, by his accomplishment, won a very large part of every American's heart, from the President of the United States to the last alien to receive his citizenship and yes, even the people behind the Iron and Bamboo Curtains. On this day, the Nation and the world joined Lt. Col. John H. Glenn, Jr., and his family in prayer that the Almighty God would spare this fine Christian man to complete his mission and bring him back safely with knowledge of astronautics that no other man in this world possesses. With this man raised with a true Christian faith and with the help of the other dedicated men and women who have worked so earnestly to make this mission possible, we now know that this mission was God's will and that John's faith had not been in vain, even in outer space. Now, therefore, be it

Resolved by the Laymen's Association of the Red River Presbytery, Synod of Louisiana Presbyterian Church, United States, at its 43d annual spring rally in scheduled session February 24, 1962, at the Alabama Presbyterian Church, Choudrant, La., That its secretary is instructed to prepare a resolution of congratulations to Lieutenant Colonel Glenn and that a copy be spread upon the minutes of this association.

Now, therefore, in the behalf of the laymen of the Presbyterian Churches situated in northern Louisiana, I congratulate you, Lt. Col. John H. Glenn, Jr., U.S. Marine Corps, for a job well done. Your successful flight at this moment is unmeasurable, yes, with all the data recorded, and your faith in God and display of patience and courage have indeed been an example to the American people and to the world. America is proud of you and our thanks to your dear parents, devoted wife and lovely children for helping so much in making your life so adaptable that you, with God's help, were able to accomplish this mission. I have a most strong feeling that every Presbyterian and other Christians join me in this congratulations. I wish that I possessed the vocabulary to properly describe your achievement, but as a human being I can only say again, "Congratulations, Colonel," and I assure you that it will be our prayer and that of all the Christian people of our generation that they will possess the knowledge of the power of God on this earth that you witnessed in outer space "remembering to keep the faith," and that God has a purpose for every man on this earth, yes, also in outer space.

LEROY B. BIBLE,
Secretary.

RESOLUTION OF COUNCIL OF CITY OF ROCHESTER, N.Y.

Mr. JAVITS. Mr. President, I ask unanimous consent that a resolution adopted by the Council of the City of Rochester, N.Y., in favor of the creation of a Cabinet-level Department of Urban Affairs, be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION 62-18

Whereas an increasingly greater portion of the population of the United States is located in the large urban centers; and

Whereas the urban growth in and about cities has caused and continues to cause increasing problems of highway construction, urban renewal, slum clearance, juvenile delinquency, water and air pollution, and resultant problems from our urban growth; and

Whereas President John F. Kennedy has proposed the creation of a Cabinet rank Department of Urban Affairs: Now, therefore, be it

Resolved, That the Council of the City of Rochester is in favor of the creation of a Department of Urban Affairs; and be it further

Resolved, That the city clerk send a copy of this resolution to each of the U.S. Senators representing New York State; to each of the two Members of the House of Representatives representing the city of Rochester and its suburbs; to the majority and minority leaders of the U.S. Congress; and to each of the members of the New York State Legislature representing the city of Rochester and the county of Monroe.

Attest:

WILMER J. LATLOW,
City Clerk.

REPORT OF A COMMITTEE

Mr. SPARKMAN, from the Committee on Foreign Relations, to which was referred the bill (S. 2768) to promote the foreign policy of the United States by authorizing the purchase of United Nations bonds and the appropriation of funds therefor, reported it favorably, with amendments, and submitted a report (No. 1277) thereon.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BEALL:

S. 2976. A bill to authorize the Administrator, General Services Administration, to sell the project known as Lexington Park Homes, Lexington Park, Md., without regard to provisions of law requiring competitive bidding or public advertising; to the Committee on Government Operations.

S. 2977. A bill to amend the Life Insurance Act of the District of Columbia; to the Committee on the District of Columbia.

By Mr. KEATING:

S. 2978. A bill to authorize the Foreign Claims Settlement Commission of the United States to investigate the claims of citizens of the United States who suffered property damage in 1951 and 1952 as the result of the artificial raising of the water level of Lake Ontario; to the Committee on the Judiciary.

(See the remarks of Mr. KEATING when he introduced the above bill, which appear under a separate heading.)

By Mr. KEATING (for himself, Mr. DOUGLAS, Mr. CLARK, Mr. JAVITS, Mr. HART, and Mr. SCOTT):

S. 2979. A bill to further secure and protect the rights of citizens to vote in Federal and State elections; to the Committee on the Judiciary.

(See the remarks of Mr. KEATING when he introduced the above bill, which appear under a separate heading.)

By Mr. JAVITS (for himself, Mr. DOUGLAS, Mr. KEATING, Mr. CLARK, Mr. SCOTT, and Mr. HART):

S. 2980. A bill to establish a procedure for adoption and implementation of plans for the desegregation of public schools; to provide financial and technical assistance to facilitate desegregation of public schools; to restrict Federal financial aid for segregated public schools and institutions of higher education; and for other purposes; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. JAVITS when he introduced the above bill, which appear under a separate heading.)

By Mr. CLARK (for himself, Mr. DOUGLAS, Mr. HART, Mr. JAVITS, Mr. KEATING, and Mr. SCOTT):

S. 2981. A bill to establish a Commission on Equal Employment Opportunity to encourage and enforce a policy of equal employment opportunity in Federal employment, in employment under Government contracts, and in employment in programs supported or in facilities constructed by Federal grants-in-aid; to prohibit discrimination by labor organizations because of race, color, religion, or national origin; and for other purposes; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. CLARK when he introduced the above bill, which appear under a separate heading.)

By Mr. SCOTT (for himself, Mr. DOUGLAS, Mr. CLARK, Mr. JAVITS, Mr. HART, and Mr. KEATING):

S. 2982. A bill to assure decent, safe, and sanitary housing to families displaced by construction of highways forming a part of the Interstate System; to the Committee on Public Works.

(See the remarks of Mr. SCOTT when he introduced the above bill, which appear under a separate heading.)

By Mr. HART (for himself, Mr. JAVITS, Mr. CLARK, Mr. KEATING, Mr. DOUGLAS, and Mr. SCOTT):

S. 2983. A bill to protect civil rights through providing criminal and civil remedies for unlawful official violence; authorizing suits by the Attorney General to prevent exclusion of members of minority groups from jury service, and for other purposes; to the Committee on the Judiciary.

S. 2984. A bill to establish a matching grant program to be administered by the Secretary of Health, Education, and Welfare to improve the education, training, and recruitment of State and local police forces; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. HART when he introduced the above bills, which appear under a separate heading.)

By Mr. MORSE:

S. 2985. A bill relating to the rates of pension payable to veterans of World War I for nonservice-connected disability; to the Committee of Finance.

(See the remark of Mr. MORSE when he introduced the above bill, which appear under a separate heading.)

By Mr. LONG of Missouri:

S. 2986. A bill to amend 18 U.S.C. 4163, relating to discharge of prisoners; to the Committee on the Judiciary.

(See the remarks of Mr. LONG of Missouri when he introduced the above bill, which appear under a separate heading.)

By Mr. LONG of Missouri (for himself, Mr. SYMINGTON, Mr. CLARK, and Mr. SCOTT):

S. 2987. A bill to make permanent the existing temporary provision for approval of certain State plans for aid to the blind under title X of the Social Security Act which do not meet in full the requirements of such title; to the Committee on Finance.

By Mr. MUNDT:

S. 2988. A bill to change the name of the Big Bend Reservoir in the State of South Dakota to Lake Sharpe; to the Committee on Public Works.

By Mr. PROXMIRE:

S. 2989. A bill for the relief of Jose Maria Bravo-Jimenez; to the Committee on the Judiciary.

By Mr. DODD:

S. 2990. A bill for the relief of Caterina Scalzo (nee LoSchiavo);

S. 2991. A bill for the relief of Demetrios G. Kosmakos; and

S. 2992. A bill for the relief of Michelangelo Comito (Natl); to the Committee on the Judiciary.

By Mr. MORSE:

S. 2993. A bill for the relief of Tze Yao Chung; to the Committee on the Judiciary.

By Mr. LONG of Hawaii:

S. 2994. A bill for the relief of Olaf Schaatzle Bonde (also known as Olaf Carl Schaatzle); to the Committee on the Judiciary.

RESOLUTIONS

ESTABLISHMENT OF CONGRESSIONAL AND STATE ELECTION DISTRICTS

Mr. KEATING (for himself and other Senators) submitted a resolution (S. Res. 311) concerning the establishment of congressional and State election districts, which was referred to the Committee on the Judiciary.

(See the above resolution printed in full when submitted by Mr. KEATING, which appears under a separate heading.)

AUTHORIZATION OF STUDY OF QUESTION OF UTILIZING THE FULL MANPOWER RESOURCES OF THE NATION

Mr. CLARK (for himself and other Senators) submitted a resolution (S. Res. 312) authorizing a study of the question of utilizing the full manpower resources of the Nation, which was referred to the Committee on Labor and Public Welfare.

(See the above resolution printed in full when submitted by Mr. CLARK, which appears under a separate heading.)

LOANS WITHOUT DISCRIMINATORY PROVISIONS ON REAL ESTATE BY FINANCIAL INSTITUTIONS

Mr. SCOTT (for himself and other Senators) submitted a resolution (S. Res. 313) concerning loans without discriminatory provisions, on real estate by financial institutions, which was referred to the Committee on Banking and Currency.

(See the above resolution printed in full when submitted by Mr. SCOTT, which appears under a separate heading.)

EULOGIES ON THE LATE SENATOR ANDREW F. SCHOEPPEL, OF KANSAS

Mr. CARLSON submitted a resolution (S. Res. 314) providing for eulogies on the life, character, and public service of the late Senator ANDREW F. SCHOEPPEL, of Kansas, which was considered and agreed to.

(See the above resolution printed in full when submitted by Mr. CARLSON, which appears under a separate heading.)

GUT DAM CLAIMS STILL UNSETTLED

Mr. KEATING. Mr. President, flooding on Lake Ontario in 1951 and 1952 caused substantial property damage to U.S. homeowners along the south shore of Lake Ontario. The high water level was caused in part by the Canadian Gut Dam structure which artificially raised the water level from about 4 to possibly 9 inches.

Under the terms of the United States-Canadian Treaty of 1909, the Boundary Waters Treaty, the Canadian Government agreed to compensate any U.S. citizen who might be damaged by construction and maintenance of Gut Dam.

Yet, Mr. President, hard as it may be to believe, the Canadian Government has for 10 years refused not only to pay, but even to undertake a full investigation of the extent of the damage and the extent of its liability. Our own State Department, I regret to say, has been less than vigorous in pressing for the legitimate interests—in fact, the rights of the American citizens involved.

The purpose of the bill I am introducing now, Mr. President, is to convey jurisdiction over these claims to the Foreign Claims Settlement Commission, so that the Commission can undertake a full investigation of the claims and their validity. This bill does not provide the funds to make restitution, nor is that its intent. But it should provide a full review of the claims by a competent body so that a fair sum can be arrived at and so that the Department of State will no longer be able to ignore or postpone its clear and present responsibility in this matter.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2978) to authorize the Foreign Claims Settlement Commission of the United States to investigate the claims of citizens of the United States who suffered property damage in 1951 and 1952 as the result of the artificial raising of the water level of Lake Ontario, introduced by Mr. KEATING, was received, read twice by its title, and referred to the Committee on the Judiciary.

PROPOSED LEGISLATION RELATING TO REPORTS OF CIVIL RIGHTS COMMISSION

Mr. DOUGLAS. Mr. President, last year the U.S. Commission on Civil Rights filed five reports containing the Commission's comprehensive findings and recommendations in the fields of voting, education, employment, housing, and justice.

Following the submittal of these reports to the Congress, a number of Senators, including the senior Senator from Pennsylvania [Mr. CLARK], the senior Senator from New York [Mr. JAVITS], the junior Senator from New York [Mr. KEATING], the junior Senator from Michigan [Mr. HART], the junior Senator from Pennsylvania [Mr. SCOTT], and myself, announced that early this session we would introduce legislation to put before the Congress the legislative recommendations of the Civil Rights Commission.

We have studied the Commission's recommendations, and we are now prepared to introduce bills which for the first time will put before the Congress proposals based on all 27 of the legislative recommendations of the Commission.

Mr. President, I ask unanimous consent that the joint statement of the Senators I have named, dated March 12, 1962, be printed at this point in the RECORD, along with a brief description of the bills and resolutions.

Furthermore, Mr. President, just as we have found the opposition to civil rights legislation to be bipartisan in nature, so I am happy to make the point that the advocacy of these further measures is also bipartisan in nature. I hope they may win wide support on both sides of the aisle, and that they may become law. I pledge that we will do our very best to make them effective.

There being no objection, the statement and the explanation were ordered to be printed in the RECORD, as follows:

JOINT STATEMENT

The five reports filed by the Civil Rights Commission last fall contain comprehensive findings and recommendations of great significance to civil rights in the fields of voting, education, employment, housing, and justice.

The Commission has brought to the attention of the Nation the progress made in these areas and the gaps which still exist between our promises and our performance. After 2 years of investigation and study the Commission has indicated with remarkable unanimity the further action Congress and the Chief Executive must take to curb discriminatory practices.

We therefore will introduce on Tuesday bills based on all 27 of the Commission's legislative recommendations. Clearly they deserve priority consideration. The significant work of this important Commission must not be ignored.

Our action Tuesday will put before the Congress for the first time all of the Commission's legislative recommendations. We have endorsed other measures in the past, such as part III and FEPC, on which we still strongly urge action, and we recognize that many constructive amendments could be made to the bills and resolutions we are offering Tuesday.

In some of the areas covered by these bills, the Commission's reports note that executive action is also needed. We agree with this observation and propose that there be expeditious action in both the executive and legislative branches of the Government.

EXPLANATION OF PROPOSALS

I. VOTING RIGHTS

Senator KEATING is the principal sponsor of the voting rights bills which would outlaw various devices which the Commission has

found are used to deny citizens the right to vote because of their race and color. Under its provisions, no State could impose a property qualification for voters, such as the poll tax, and any State which required a literacy test would have to accept 6 years of schooling as satisfactory evidence of literacy. Other provisions of the bill would prohibit arbitrary denial of the right to register and to vote and would direct compilation of registration and voting statistics by the Census Bureau. A separate resolution would provide for a complete study of all matters pertaining to the disparity in population of congressional and State election districts.

II. EDUCATION

Senator JAVITS is the principal sponsor of the education bill. This bill requires every school board which has failed to achieve desegregation of all public schools to adopt and file with the Secretary of Health, Education, and Welfare within 180 days a desegregation plan providing for at least first step compliance commencing with the following school year. The Attorney General is authorized to institute a civil action for injunctive relief against a school board which violates the act and to protect all persons involved in school desegregation. Other provisions authorize financial and technical assistance to desegregating school districts; create a clearinghouse for information concerning desegregation and an advisory and conciliation service; and apportion Federal aid to education in accordance with progress in desegregation.

III. EMPLOYMENT

Senator CLARK is the principal sponsor of the bill to establish a Commission on Equal Employment Opportunity to encourage and enforce a policy of equal job opportunity (1) in Federal employment, (2) in employment under Government contracts, and (3) in employment in programs supported or in facilities constructed by Federal grant-in-aid. The Commission would take over the functions of the President's Equal Employment Opportunity Committee created by Executive order last year, but it would have considerably broader powers and duties. In addition the bill would make it an unfair labor practice for a labor union to discriminate against members or applicants because of race, color, religion, or national origin. CLARK also submitted a resolution calling on the Labor and Public Welfare Committee to conduct a study of discrimination in vocational education, apprenticeship training and worker retraining programs and to report recommendations for remedial legislation early in 1963.

IV. HOUSING

Senator SCOTT is the principal sponsor of the legislation relating to housing. Most of the Commission's recommendations in the field of housing urged Executive action. For example, the Commission recommends that the President issue Executive orders carrying out the national objective of equal opportunity in housing, and assuring that builders, developers, and lending institutions will not discriminate on grounds of race, color, or creed in housing built or financed under Federal statute. The bills and resolutions in this field would complement such Executive action in the mortgage loan, urban renewal, and highway clearance programs.

V. ADMINISTRATION OF JUSTICE

Senator HART is the principal sponsor of the two bills carrying out the Commission's recommendations on strengthening the laws on administration of justice. More effective remedies are provided for penalizing unconstitutional official violence; the Attorney General is authorized to institute civil proceedings to prevent exclusion of persons from jury service on account of race, color, or national origin; and local government units are made jointly liable with officers of such jurisdictions found liable in police brutality cases under present Federal law. The second bill provides for a Federal matching grant-in-aid program to assist in the improvement of training, recruitment, and education of local and State police officers. The program would be administered by the HEW Department in consultation with the Attorney General.

Senator DOUGLAS will be principal cosponsor of all the bills. The other Senators will also join in cosponsoring each other's bills and all the bills will be left at the desk until Thursday to permit as many other interested Senators to join in cosponsorship as possible.

PROTECTION OF RIGHTS OF CITIZENS TO VOTE IN FEDERAL AND STATE ELECTIONS

Mr. KEATING. Mr. President, civil rights has never been a partisan issue, and I have always willingly and enthusiastically joined with Members on both sides of the aisle in efforts to strengthen the constitutional safeguards of all our citizens.

For that reason I am very pleased at being able to participate in today's bipartisan action designed to bring before the Congress all of the recommendations in the 1961 reports of the Commission on Civil Rights.

Hearings before the Senate Subcommittee on Constitutional Rights on pending literacy bills are scheduled to begin next week. This is an important subject, but there is no reason to limit congressional action in the field of civil rights to discriminatory literacy tests.

The reports of the Commission do not accord any higher priority to this issue than to others on which action is urged. As a member of the subcommittee, I shall urge that next week's hearings be broadened to include all bills growing out of the Commission's reports which are relevant to the subcommittee's jurisdiction.

The Commission was established to advise the President and Congress on measures needed to protect Americans against all forms of unlawful and unconstitutional discrimination. It has done its job well despite the many obstacles in its path. We will not be keeping faith with the Civil Rights Act creating the Commission if we fail to give full consideration to its recommendations.

Exercise of the franchise is the key to civil rights progress. The ballot box in a free country is the best instrument any group has to assure consideration of its rights and interests. One principle on which every elected representative should agree is the paramount importance of removing every unreasonable impediment to the right to vote.

The 1961 report of the Commission points out that "the right to vote without distinctions of race or color—the promise of the 15th amendment—continues to suffer abridgement." It chronicles the record of economic reprisals, discriminatory purges, restrictive voter qualification laws, and arbitrary registration procedures still used in a number of States in varying degree to deny qualified Americans the right to vote. It notes the lack of voting and registration statistics in many States which would portray voting patterns. It also points to the problem of malapportionment and gerrymandering in diluting the votes of large blocs of citizens. The Commission's legislative recommendations would go far in curbing such practices. They are reflected in the bill and resolution of which I have the privilege of being the principal sponsor today.

There are many recommendations in the Commission's reports for Executive action. The President during the campaign repeatedly pledged the fullest use of his power to make progress in civil rights. But we are still waiting for "the bold stroke of the pen" which he promised to eliminate Jim Crow practices.

I hope that our action today will spur Executive as well as legislative action. I know that we face many difficulties, but the problems are too important to be compromised or deferred. Our objective is to fulfill the promise of the Constitution—the greatest charter of freedom ever devised by man.

This is no time—when freedom is threatened by Communist tyranny throughout the world—to weaken in our determination to guarantee to all our citizens their rights as Americans.

Mr. President, on behalf of myself, and Senators DOUGLAS, CLARK, JAVITS, HART, and SCOTT, I introduce, for appropriate reference, a bill to further secure and protect the rights of citizens to vote in Federal and State elections and I submit a resolution authorizing a complete study of congressional and State election districts.

I ask unanimous consent that the text of the bill and resolution be printed at this point in the RECORD.

I ask unanimous consent that the bill and resolution remain at the desk until Thursday for additional cosponsors.

The VICE PRESIDENT. The bill and resolution will be received and appropriately referred; and, without objection, the bill and resolution will be printed in the RECORD and held at the desk, as requested by the Senator from New York.

The bill (S. 2979) to further secure and protect the rights of citizens to vote in Federal and State elections, introduced by Mr. KEATING (for himself and other Senators), was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Federal Voting Rights Act of 1962".

VOTER QUALIFICATIONS

SEC. 2. (a) The Congress hereby finds—

(1) that qualifications prescribed by State laws for voting, or registering to vote, in Federal and State elections, other than qualifications based upon age, residence, freedom from confinement, and freedom from conviction of a crime, are susceptible of use, and have been used, to deny citizens the right to vote, because of their race or color, and

(2) that the enactment of this section by the Congress is necessary and proper to carry out the powers conferred upon it by section 5 of the fourteenth amendment and by section 2 of the fifteenth amendment to the Constitution of the United States.

(b) Except as provided in section 3 of this Act, the right of citizens of the United States to vote, to register or otherwise qualify to vote, and to have their vote counted in any

general, special, or primary election held solely or in part for the purpose of selecting or electing any candidate for the office of President, Vice President, or presidential elector, for the office of Member of the Senate of the United States or Member of, or Resident Commissioner in, the House of Representatives of the United States, or for any office established by or under the constitution or laws of any State shall not be denied, abridged, or interfered with by the United States or by any State for any cause except for the following reasons, uniformly applied within the State and its political subdivisions to all persons:

(1) inability to meet reasonable age requirements;

(2) inability to meet reasonable requirements as to length of residence within the State and its political subdivisions;

(3) legal confinement at the time of the election or registration; and

(4) conviction of a felony.

LITERACY TESTS

SEC. 3. In any case in which, under the laws of any State, any literacy test or any other test designed to assure a person's ability to read and understand is administered in order to determine whether a person is qualified to vote, or to register to vote, in any general, special, or primary election held solely or in part for the purpose of selecting or electing any candidate for the office of President, Vice President, or presidential elector, for the office of Member of the Senate of the United States or Member of, or Resident Commissioner in, the House of Representatives of the United States, or for any office established by or under the constitution or laws of such State, the successful completion of six or more grades of formal education by such person shall satisfy all the requirements of any such test.

DEPRIVATION OF RIGHT TO VOTE THROUGH ARBITRARY ACTION OR INACTION

SEC. 4. Subsection (b) of section 2004 of the Revised Statutes, as amended (42 U.S.C. § 1971), is amended by adding at the end thereof the following new sentence: "No person, whether acting under color of law or otherwise, shall by arbitrary action, or by arbitrary inaction, deny, abridge, or interfere with, or threaten to deny, abridge, or interfere with, the right of any other person to vote, or to register to vote, and to have his vote counted for any candidate for any office enumerated in the preceding sentence at any general, special, or primary election held solely or in part for the purpose of selecting or electing any such candidate."

COMPILATION OF REGISTRATION AND VOTING STATISTICS

SEC. 5. (a) The Director of the Census shall, as soon as possible after the enactment of this Act, compile comprehensive information and statistics relating to the registration of voters in each State and the number of registered voters in each State who vote in elections held in such State. Such statistics shall include—

(1) the number of persons of voting age in each State, classified by race, color, and national origin, who are registered to vote; and

(2) insofar as it is possible to ascertain, the number of persons of each such classification who have voted in any election since January 1, 1960.

(b) Commencing with the next decennial census after the enactment of this Act, the information and statistics referred to in subsection (a) shall be compiled as a part of each decennial census.

The resolution (S. Res. 311), submitted by Mr. KEATING (for himself and other Senators), was referred to the Committee on the Judiciary, as follows:

Resolved, That the Committee on the Judiciary or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to the disparity in population of congressional and State election districts within the various States, with a particular view of determining the advisability of Federal laws—

(1) requiring that the congressional election districts of any State which has more than one Member in the House of Representatives of the United States be substantially equal in population, and that election districts established pursuant to State law for the election of members to any house of the State legislature, the membership of which is apportioned under the laws of such State on the basis of population, be substantially equal in population; and

(2) specifically granting the Federal courts jurisdiction to enforce the requirements of the Constitution and laws of the United States with respect to such congressional and State election districts.

SEC. 2. For the purposes of this resolution, the committee, from February 1, 1962, through January 31, 1963, is authorized to (1) make such expenditures as it deems advisable; (2) employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized at its discretion to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,200 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on the Judiciary, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings upon the study and investigation authorized by this resolution, together with its recommendation for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1963.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

Mr. KEATING. Mr. President, finally, I ask unanimous consent that the findings and recommendations of the Commission in the field of voting be printed at this point in the RECORD.

There being no objection, the findings of the Commission were ordered to be printed in the RECORD, as follows:

FINDINGS AND RECOMMENDATIONS IN THE 1961 REPORT ON VOTING OF THE COMMISSION ON CIVIL RIGHTS

FINDINGS

General

1. There are reasonable grounds to believe that substantial numbers of Negro citizens are, or recently have been, denied the right to vote on grounds of race or color in about 100 counties in 8 Southern States: Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee. Some denials of the right to vote occur by reason of discriminatory application of laws setting qualifications for voters. Other denials result from arbitrary and discriminatory procedures for the registration of voters; still others occur by reason of threats and intimidation, or the fear of retaliation.

2. Some States have given encouragement to such discriminatory denials of the right to vote. The Legislature of Louisiana, for instance, has fostered discrimination against Negro voters by the enactment of restrictive voter qualification laws and by the activities of its joint legislative committee working in cooperation with the Association of Citizens Councils of Louisiana. Mississippi has amended its voter qualification laws in such fashion as to permit, if not encourage, discrimination against the would-be Negro voter. The Alabama Legislature has tried unsuccessfully to eliminate Negro voters from the city of Tuskegee.

3. The U.S. Department of Justice has acted with vigor to apply the Civil Rights Acts of 1957 and 1960 to prevent racial discrimination in the franchise. As of August 4, 1961, it had brought suits to protect the right to vote in 15 counties in 5 States. Three of the cases had been successfully concluded, one case had been partially determined, and a fifth had been tried but was awaiting decision. The remainder were awaiting trial. In addition, as of August 1, 1961, the Department of Justice had made demands for the inspection of records under title III of the 1960 Civil Rights Act in 26 counties in 6 States.

4. On the basis of one suit which has been finally determined, it appears that the 1957 act provides an effective remedy in cases involving discriminatory purges of voters from the registration rolls. Decrees have also been obtained in suits involving discriminatory registration procedures.

5. The voting-referee provision of title VI of the 1960 Civil Rights Act has not yet been used as a remedy; but it appears that the mere availability of the remedy may have contributed to the effectiveness of the decrees actually entered by the courts in at least two cases.

6. Subsection (b) of 42 U.S.C. section 1971 (part of the 1957 Civil Rights Act) has not yet been fully tested. However, it appears to provide an effective means for dealing with economic reprisals to interfere with the efforts of Negroes to register and vote.

7. Title III of the 1960 act, the records-inspection provision, appears to be an extremely important investigative device for gathering information regarding some kinds of discriminatory denials of the right to vote.

8. Although the provisions of the 1957 and 1960 Civil Rights Acts are useful, however, they are necessarily limited means for removing racial discrimination from the franchise. Suits must proceed a single county at a time, and they are time consuming, expensive, and difficult. Broader measures are required if denials of constitutional rights in this area are to be quickly eliminated.

Qualification of voters

9. A common technique of discriminating against would-be voters on racial grounds involves the discriminatory application of legal qualifications for voters. Among the qualifications used in this fashion are requirements that the voter be able to read and write; that he be able to give a satisfactory interpretation of the Constitution; that he be able to calculate his age to the day; and that he be of good character.

10. The U.S. Constitution leaves to the States the power to set the qualifications for voters in Federal, as well as State, elections. This power is not, however, unlimited. The 15th amendment prohibits the States from denying the right to vote to any citizen on grounds of race or color, and empowers the Congress to enforce this prohibition by appropriate legislation. Therefore, if Congress found that particular voter qualifications were applied by States in a manner that

denied the right to vote on grounds of race, it would appear to have the power under the 15th amendment to enact legislation prohibiting the use of such qualifications. Section 5 of the 14th amendment similarly empowers Congress to enact appropriate legislation to enforce the provisions of that amendment. One of these provisions is section 2 of the 14th amendment, which authorizes Congress to reduce the congressional representation of any State in proportion as citizens of that State are denied the right to vote on any grounds other than age or conviction of a crime. The effect of these provisions of the 14th amendment may be to empower Congress to prohibit the use of any voter qualifications other than those specified.

Arbitrary interference with the right to vote

11. The right to vote is denied in some places not only by the discriminatory application of legal qualifications for voters (see finding 9), but in addition by the arbitrary or discriminatory application of various registration procedures, such as the following:

(a) The requirement of a specified number of registered voters as vouchers to identify would-be voters. This practice is particularly effective in disfranchising Negroes when there are no Negroes already registered, and no white will vouch for Negroes; or where a rule is enforced limiting the number of times a given voter may vouch for another.

(b) The imposition of other unduly technical requirements for identification of would-be voters.

(c) The rejection of applicants for registration, or the removal of voters from the rolls, on grounds of minor technical errors in the completion of required forms.

(d) Refusing or failing to notify registrants whether or not they have been registered.

(e) Imposing various forms of delay in the registration process.

(f) Applying any or all of the above to some would-be voters but not to others, or applying them differently to different persons.

(g) Providing assistance to some would-be voters but declining to provide it for others.

12. Practices of these sorts, used for the purpose of denying the right to vote on grounds of race, violate the 15th amendment and specific Federal law, and can be reached by suits brought by the U.S. Department of Justice. For such suits to be successful, however, it must be proven that the practices involve discrimination on racial grounds, and the very nature of the practices may sometimes make this proof difficult. Whether or not they are clearly racially discriminatory, such practices are arbitrary, and unjustifiably prevent some citizens from exercising the right to vote.

13. Similarly arbitrary practices, which may or may not be beyond the reach of existing legislation, may occur in places with permanent voter registration where, as a result of lawsuits or changes in policy, overtly discriminatory practices are abandoned, but extremely strict registration standards and procedures are applied to all new registrants. Even though there is no racial discrimination in the prospective application of such stringent standards, the effect of such a change in practice may be to perpetuate discrimination which has previously occurred: For if virtually all the eligible whites have already been registered, but Negroes have been discriminatorily kept from registering, then Negroes will bear the brunt of the difficulties imposed by the new and stringent registration requirements.

14. As regards Federal elections, Congress has the power to prohibit arbitrary as well as racially discriminatory practices which prevent citizens from exercising the right to vote.

Dilution of the right to vote

15. The malapportioned condition of State and congressional voting districts throughout the United States dilutes the right to vote of many citizens; in some States malapportionment of voting districts is compounded by the effect of discriminatory denials of the right to vote. Malapportionment, especially where it is exaggerated by racial disfranchisement, afflicts the very democratic process through which a reform of these conditions may be attained.

16. Although the courts in many cases are the only effective resort for remedying such malapportionment, Federal courts have expressed, on equitable grounds, extreme reluctance to provide a remedy.

17. Congress has in the past required that electoral districts for congressional elections be substantially equal in population. Insofar as inequalities in such districts deny equal protection of the laws under the 14th amendment, Congress could impose a similar requirement as to State elections.

Statistical information

18. Statistics showing registration and voting by race are of considerable value, not only in studying the electoral process in general, but as a starting point in examining problems of discrimination. In some cases these statistics may simply provide grounds for further investigation; in others, they may themselves be strong evidence of discrimination. This is the case, for instance, where Negroes constitute a majority of the population and yet none at all are registered to vote.

19. Registration statistics by race indicate that in 13 counties where Negroes are the majority of the population, none of them are registered to vote: Alabama (2 counties), Georgia (2 counties), Louisiana (4 counties), and Mississippi (5 counties).

20. Registration statistics by race are incomplete, unofficial, or unavailable for many States.

RECOMMENDATIONS

Qualification of voters

Recommendation 1: That Congress, acting under section 2 of the 15th amendment and sections 2 and 5 of the 14th amendment, (a) declare that voter qualifications other than age, residence, confinement, and conviction of a crime are susceptible of use, and have been used, to deny the right to vote on grounds of race and color; and (b) enact legislation providing that all citizens of the United States shall have a right to vote in Federal or State elections which shall not be denied or in any way abridged or interfered with by the United States or by any State for any cause except for inability to meet reasonable age or length-of-residence requirements uniformly applied to all persons within a State, legal confinement at the time of registration or election, or conviction of a felony; such right to vote to include the right to register or otherwise qualify to vote, and to have one's vote counted.

Dissent to recommendation 1 by Vice Chairman Storey

As pointed out in the 1959 report of this Commission, I strongly believe in the right of every qualified citizen of the United States, irrespective of his color, race, religion, or national origin, to register, vote, and have his vote counted. Full protection of these rights of suffrage by both State and Federal Governments is necessary and proper. However, I cannot join in so sweeping a recommendation as this.

Proposals to alter longstanding Federal-State relationships such as that incorporated in the Federal Constitution, declaring that the qualifications of electors shall be left to the several States, should not be made unless there is no alternative method to correct an existing evil. Such is not the case today. The Federal Government has sufficient authority under the Constitution and the existing framework of laws to enable it effectively to deal with denials of the right to vote by reason of race, color, religion, and national origin.

The Civil Rights Act of 1957 authorized the Attorney General to institute civil suit in the Federal courts to prevent the denial of voting rights. The Civil Rights Act of 1960 provides that if in any such suit the court makes a finding that the denial of voting rights is pursuant to a pattern or practice, the court may appoint voting referees to register qualified persons denied this right by local election officials. The further denial of the right to vote to these persons so registered by the court-appointed voting referees constitutes contempt of court and is punishable accordingly. The vigor with which these Civil Rights Acts are applied will significantly affect the extent to which voting denial practices will be discontinued.

Many States have voting requirements more extensive than age or length of residence, incarceration, or felony convictions. These qualifications, having nothing to do with race, religion, or national origin, are an important element in preserving the sanctity of the ballot. They are specific disqualifications which are fair justifiable for the good of the State. Disqualifications of persons whose mental condition makes it impossible for them competently to exercise the discrimination necessary in voting has long been accepted. Many States disqualify paupers supported by municipal or county officials on the theory that these people are too easily exploitable by such officials for their own purposes. The security and purity of the ballot can be destroyed by permitting illiterates to vote. And as the English language is still the official language of the United States, there is good justification for States requiring that voters have at least a rudimentary knowledge of this language.

Dissent to recommendation 1 by Commissioner Rankin

I join in the dissenting statement of Vice Chairman Storey, but would add the following personal comment.

The 15th amendment has been a part of our Constitution for almost a century, and Congress has never interpreted it as a mandate to usurp the power of each State to determine the qualifications of electors.

In 1957 and again in 1960, Congress did enact legislation to provide protection of the right to register and vote without discrimination on grounds of race, color, or previous condition of servitude. It may be that further legislation will be required to reinforce the guarantees of the 15th amendment and of the 1957 and 1960 laws. But such measures should be kept within the well-recognized bounds of our Constitution and laws.

Our object must be compliance with the Constitution, not punishment, and for that reason I do not deem it wise to upset the balance of our Federal system to reach a result which can be achieved through less drastic means.

Recommendation 2: That Congress enact legislation providing that in all elections in which, under State law, a literacy test, an understanding or interpretation test, or an educational test is administered to determine the qualifications of electors, it shall be sufficient for qualification that the elector have completed at least six grades of formal education.

Interference with the right to vote

Recommendation 3: That Congress amend subsection (b) of 42 U.S.C. 1971 to prohibit any arbitrary action or (where there is a duty to act) arbitrary inaction, which deprives or threatens to deprive any person of the right to register, vote, and have that vote counted in any Federal election.

Dilution of the right to vote

Recommendation 4: That Congress consider the advisability of enacting legislation (a) requiring that where voting districts are established within a State, for either Federal elections or State elections to any house of a State legislature which is elected on the basis of population, they shall be substantially equal in population; and (b) specifically granting the Federal courts jurisdiction of suits to enforce the requirements of the Constitution and of Federal law with regard to such electoral districts; but explicitly providing that such jurisdiction should not be deemed to preclude the jurisdiction of State courts to enforce rights provided under State law regarding such districts.

Statistical information

Recommendation 5: That Congress direct the Bureau of the Census promptly to initiate a nationwide compilation of registration and voting statistics, to include a count of persons of voting age in every State and territory by race, color, and national origin, who are registered to vote, and a determination of the extent to which such persons have voted since January 1, 1960; and requiring that the Bureau of the Census compile such information in each next succeeding decennial census, and at such other time or times as the Congress may direct.

FEDERAL EQUALITY OF EDUCATION ACT OF 1962

Mr. JAVITS. Mr. President, as a part of the package of bills jointly introduced by my colleagues and myself to carry out the comprehensive legislative recommendations of the U.S. Civil Rights Commission in its latest series of five reports published last fall, on behalf of myself, and Senators DOUGLAS, KEATING, CLARK, SCOTT, and HART, I introduce for appropriate reference a bill entitled "Federal Equality of Education Act of 1962." The bill incorporates the five legislative recommendations made by the Commission in the second of its five reports on education.

It is well recognized that education is the bedrock of our constitutional form of government, the foundation upon which the success of broad suffrage and the free enterprise system ultimately rest. Consequently, it is in the area of education that discrimination in opportunity undoubtedly has its most widespread pernicious effects.

The Supreme Court underlined this in its historic decision in the Brown school segregation cases in 1954. Yet, since that landmark decision, in the words of the Civil Rights Commission:

> The Nation's progress in removing the stultifying effects of segregation in the public elementary and secondary schools—North, South, East, and West—is slow indeed.

The Commission found that 7 years after that decision—

> Two thousand and sixty-two school districts in the South that enroll both white and Negro pupils had not even started to comply with the requirements of the Constitution. Legislative resistance to desegregation has continued in some Southern States. In the North and the West, where segregation by race, color, religion, or national origin is not officially countenanced, it exists in fact in many public schools.

Outlining this and the related problems of segregated schooling for dependents of military personnel, public libraries, and institutions of higher education, the Commission made 29 detailed findings. To deal with them it made 12 recommendations for specific Federal action, 5 of which are directed to the Congress alone and 5 of which are directed to both the Congress and the President. The bill which I am introducing is based on all 10 of these recommendations but I wish to emphasize, as do my colleagues in connection with their bills in this series, that it is not our intention to deny to the Executive either the power or the urgent responsibility to implement those recommendations which the Commission directed to both the Congress and the President. The Commission also directed two recommendations in the field of education to the President alone. Both the Congress and the President now have before them a clear blueprint as to the gap between promise and fulfillment and the action they must take to close that gap.

It should be noted that some of the recommendations now put in comprehensive form by the Civil Rights Commission had already been introduced by my colleagues and myself. In some instances our proposals differed somewhat from those recommended by the Commission. However, we recognize that the Commission is charged with the paramount duty to investigate and make recommendations in the area of civil rights, and, accordingly, believe that Congress must take full cognizance of its latest findings and proposals.

Mr. President, I ask unanimous consent to have printed at this point in my remarks the full text of the bill and the findings and recommendations of the Commission on Education.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill and findings will be printed in the RECORD.

The bill (S. 2980) to establish a procedure for adoption and implementation of plans for the desegregation of public schools; to provide financial and technical assistance to facilitate desegregation of public schools; to restrict Federal financial aid for segregated public schools and institutions of higher education; and for other purposes, introduced by Mr. JAVITS (for himself and other Senators), was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Federal Equality of Education Act of 1962".

TITLE I—DESEGREGATION PLANS

SEC. 101. For purposes of this title and titles II, III, and IV of this Act—

(a) The term "desegregation" means the assignment of all students to public schools irrespective of their race or color. No assignment system in which race or color is a factor in the initial assignment of students to particular public schools shall be deemed to have achieved desegregation even though placement or other tests or transfers or other options may be available to change such assignment.

(b) The term "public school" means any elementary or secondary educational institution operated by a State, subdivision of a State, or governmental agency within a State, or operated principally or substantially from or through the use of governmental funds, or funds derived from a governmental source.

(c) The term "school board" means any agency or agencies, the members, agents, and employees thereof, and any other person or persons, authorized to determine, control, or direct the institutions, structures, or places at which particular students are assigned to or attend public school.

(d) The term "first-step compliance" means the affording of desegregated education to a substantial number of students at each public school within the jurisdiction of a school board.

(e) The term "Secretary" means the Secretary of Health, Education, and Welfare.

SEC. 102. Every school board which, on the date of the enactment of this Act, has failed to achieve desegregation of all public schools within its jurisdiction, shall adopt a desegregation plan as provided in section 103 and shall file such plan, within 180 days after the date of enactment of this Act, with the Secretary.

SEC. 103. Every desegregation plan required under section 102 shall—

(1) provide for achieving desegregation of all public schools within the jurisdiction of the school board with all deliberate speed, pursuant to a schedule setting forth the time when and the manner in which desegregation is to be achieved for each class, grade, school, and district within the jurisdiction of the school board involved; and

(2) provide for at least first-step compliance not later than the commencement of the first school year which begins after the submission of such plan.

SEC. 104. Every school board required to adopt a desegregation plan pursuant to section 102 shall forthwith implement the same in accordance with its terms immediately upon its adoption and thereafter continue its implementation in good faith and with all deliberate speed until desegregation is fully achieved in all public schools within its jurisdiction.

SEC. 105. Whenever any school board subject to the requirements of this title loses or relinquishes any of its authority over public schools formerly within its jurisdiction or its authority to assign students to schools within its jurisdiction, the duties prescribed in this title shall immediately devolve upon the person or persons to whom such authority has been transferred or relinquished.

SEC. 106. Wherever, because of overlapping or complementary jurisdiction, more than one school board is subject to the requirements of this title with respect to the same schools or students, the boards concerned shall exercise their obligations hereunder jointly.

SEC. 107. The requirements of this title shall not apply with respect to any public school which, on the date of enactment of this Act, is subject to a court order providing for or approving a desegregation plan for such public school.

SEC. 108. (a) In the event that a school board, or its successor as provided in section 105, subject to the requirements of this title has violated any of the obligations prescribed herein, the Attorney General is authorized to institute for or in the name of the United States in the United States district court for the district wherein such school board or its successor is located or meets, a civil action or other proceeding for preventive relief including an application for an injunction or other order, against such school board or its successor. The court in which such action is instituted is authorized, upon finding that there has been a violation of this title, without limitation upon the grant of such other relief as may be appropriate under the circumstances, to require the school board or its successor (1) to adopt and implement a plan of school

desegregation pursuant to the requirements of this title, (2) to implement any other school desegregation plan which the court may find appropriate and consistent with the requirements of this title, or (3) to issue such other orders and grant such other relief as will most expeditiously achieve first-step compliance and desegregation with all deliberate speed in the public schools under the jurisdiction of the school board or its successor.

(b) The district courts of the United States shall have jurisdiction over proceedings instituted under subsection (a), and shall exercise the same without regard to whether any administrative or other remedies that may be provided by law shall have been exhausted, and in a manner calculated to achieve desegregation in accordance with the requirements of this title.

TITLE II—GRANTS TO SCHOOL BOARDS AND LOCAL GOVERNMENTS TO FACILITATE DESEGREGATION

SEC. 201. Whenever the Secretary determines that a desegregation plan submitted to him by a school board pursuant to section 102 meets the requirements of title I he is authorized, for the purpose of facilitating the carrying out of any such desegregation plan and upon receipt of application therefor, to make grants to such school board, or to the local government having authority to provide funds for such school board, to assist in meeting the costs he determines to be reasonably necessary for—

(1) employing specialists in problems incident to desegregation, and providing other assistance to develop understanding by parents, schoolchildren, and the general public of desegregation in order to reduce the possibility of community hostility or resistance to desegregation;

(2) providing in-service training to teachers, guidance counselors, and other school personnel for dealing with problems incident to desegregation; and

(3) establishing programs designed to identify and assist teachers who are handicapped in their professional endeavors as a result of inferior training or educational opportunity, and to identify and assist talented and able students who are handicapped in their scholastic efforts as a result of inferior educational opportunity.

SEC. 202. The Secretary is further authorized, for the purpose of facilitating the carrying out of desegregation in accordance with any desegregation plan provided or approved by a court, or of carrying out desegregation by any other school board not subject to the requirements of title I, to make grants to school boards, and local governments, to assist in meeting costs he determines to be reasonably necessary for the purposes enumerated in section 201.

SEC. 203. Each application made for a grant under this title shall provide such detailed breakdown of the measures for which financial assistance is sought as the Secretary may by regulations prescribe. Each grant under this title shall be made in such amounts and on such terms and conditions as the Secretary shall prescribe, except that a grant may be made only on condition that the applicant will, during the period for which the grant is made, expend for the same purpose or purposes for which the grant is made an amount of its own funds equal to the amount of the grant.

In determining whether to make a grant, and in fixing the amount thereof and the terms and conditions on which it will be made, the Secretary shall take into consideration the amount available for grants under this title and the other applications which are pending before him; the financial condition of the applicant and the other resources available to it; the nature, extent, and gravity of its problems incident to desegregation; and such other factors as he finds relevant.

SEC. 204. Payments of grants under this title may be made in advance or by way of reimbursement, and at such intervals as the Secretary may determine. No payment of a grant shall be made to any school board, or to the local government having authority to provide funds for such school board, after the expiration of five years from the date on which a desegregation plan was submitted by such school board under section 102, or, in the case of a school board subject to a desegregation plan provided or approved by a court, after the expiration of five years from the date on which the court provided or approved such desegregation plan, or, in the case of any other school board not subject to the requirements of title I, after the expiration of five years from the date on which a program of desegregation was begun by such school board.

SEC. 205. There are authorized to be appropriated for the fiscal year in process on the date of the enactment of this Act and for each succeeding fiscal year, such sums, not exceeding $40,000,000 for any fiscal year, as may be necessary for making grants under the provisions of this title.

TITLE III—TECHNICAL ASSISTANCE BY SECRETARY OF HEALTH, EDUCATION, AND WELFARE WITH RESPECT TO DESEGREGATION PROBLEMS

SEC. 301. The Secretary is authorized, upon receipt of application therefor, to give technical assistance to school boards eligible for assistance under title II, and to local nonprofit organizations in the communities served by such school boards, in training school personnel and community leaders in techniques useful in solving desegregation problems, including training and other assistance in establishing home study programs for academically and culturally handicapped students. Such technical assistance may be given to any such school board, or local nonprofit organization, whether or not such school board or the local government having authority to provide funds for such school board has applied for or received a grant under title II.

SEC. 302. Technical assistance authorized by section 301 may be given by the Secretary by such means as he deems appropriate to carry out the purposes of such section. No technical assistance shall be given to any school board, or to any local nonprofit organization in the community served by such school board, after the expiration of five years from the date on which a desegregation plan was submitted by such school board under section 102, or, in the case of a school board subject to a desegregation plan provided or approved by a court, after the expiration of five years from the date on which the court provided or approved such desegregation plan, or, in the case of any other school board not subject to the requirements of title I, after the expiration of five years from the date on which a program of desegregation was begun by such school board.

TITLE IV—LOANS TO SCHOOL BOARDS AND LOCAL GOVERNMENTS

SEC. 401. The Secretary is authorized, upon receipt of application therefor, to make loans—

(1) to any school board, if he finds that—

(A) part or all of the funds which would otherwise be available to such school board have been withheld or withdrawn by action of the State or local government because of the desegregation, in whole or in part, of one or more schools under the jurisdiction of such school board; and

(B) such school board has authority to receive and expend the proceeds of such loan; or

(2) to any local government within the jurisdiction of which any school board operates, if he finds that—

(A) part or all of the funds of such local government which would otherwise be available to such school board have been withheld or withdrawn by action of the State because of the desegregation, in whole or in part, of one or more schools under the jurisdiction of such school board; and

(B) such local government has authority to receive such loan and to make the proceeds thereof available for the use of such school board.

SEC. 402. (a) Loans may be made by the Secretary under section 401 to any school board or local government only if he is satisfied that the proceeds of such loans will be used for the same purposes for which the funds withheld or withdrawn would otherwise be used, and that such purposes are necessary for the operation and maintenance of the school system under the jurisdiction of such school board.

(b) Loans may be made by the Secretary under section 401 to any school board or local government only if he is satisfied that funds cannot be borrowed by such school board or local government, as the case may be, from private financial institutions.

SEC. 403. Any loan under section 401 shall be made upon such terms and conditions, not inconsistent with the provisions of this title, as the Secretary deems appropriate. Any such loan shall be repaid within such time as the Secretary prescribes after the funds withheld or withdrawn are restored to the school board or local government concerned, or after funds are available to such school board or local government by borrowing from private financial institutions.

SEC. 404. There are authorized to be appropriated for each fiscal year such sums as may be necessary for making loans under the provisions of this title.

TITLE V—ASSISTANCE BY COMMISSION ON CIVIL RIGHTS TO FACILITATE DESEGREGATION

SEC. 501. Part I of the Civil Rights Act of 1957 is amended by inserting after section 104 the following new section:

"ADDITIONAL DUTIES OF THE COMMISSION

"SEC. 104A. In addition to the duties imposed by section 104(a), the Commission is authorized—

"(1) to collect and disseminate information concerning programs and procedures used by school districts in the various States to achieve an organization and operation of their schools in accordance with constitutional requirements, including data as to the known effects of such programs and procedures on the quality of education and to the costs of such programs and procedures; and

"(2) to establish an advisory and conciliation service to assist local school officials in developing desegregation plans designed to meet constitutional requirements and local conditions, and to attempt to mediate and conciliate disputes between school officials and school patrons, upon the request of either, relating to desegregation of schools, including proposed plans for desegregation and the implementation of desegregation plans already in operation."

TITLE VI—RESTRICTIONS ON FEDERAL FINANCIAL AID FOR SEGREGATED PUBLIC SCHOOLS, COLLEGES, AND UNIVERSITIES

SEC. 601. (a) In the case of any program providing Federal grants-in-aid to the States for elementary or secondary education in public schools, the amount of such grant-in-aid for any fiscal year to any State shall be reduced in accordance with the provisions of this section if the head of the Federal department or agency administering such programs determines, at the time of determining the amount of such grant-in-aid for such year, that the public elementary or secondary schools of any local educational agency in such State are operated in such a manner as to segregate pupils of any race or color. If the head of such department or agency determines at such time that all local educational agencies in

such State practice such segregation in the operation of such schools, then such grant-in-aid shall only be 50 per centum of the amount it would have been but for the provisions of this section. If the head of such department or agency determines at such time that one or more local educational agencies in such State have initiated a program of desegregation, or do not practice segregation, in the operation of such schools, then such grant-in-aid shall be 50 per centum of the amount it would have been but for the provisions of this section, plus such proportion of the remaining 50 per centum as the number of pupils enrolled in the public elementary and secondary schools of all the local educational agencies which have initiated a program of desegregation or do not practice desegregation, bears to the number of pupils enrolled in all the public elementary and secondary schools in such State.

(b) For the purposes of this section—

(1) the term "local educational agency" means a board of education or other legally constituted local school authority having administrative control and direction of public elementary or secondary schools in a city, county, township, school district, or political subdivision in a State; and

(2) enrollments shall be determined on the basis of the latest reliable figures available to the department or agency head concerned.

(c) Nothing in this section shall be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any educational institution or school system.

SEC. 602. (a) No Federal department or agency shall make any grant or loan to any publicly controlled college or university unless satisfactory proof is submitted to the head of such department or agency that such college or university does not discriminate on the basis of race, color, religion, or national origin in accepting students for enrollment.

(b) Nothing in this section shall be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any educational institution or school system.

TITLE VII—PROTECTION OF INDIVIDUALS FROM BODILY HARM

SEC. 701. The Attorney General is authorized to take such action as may be necessary to protect—

(1) the members of any school board having under its jurisdiction one or more public schools which are desegregated or in which desegregation has been commenced;

(2) the officials, teachers, and other employees of any public school which is desegregated or in which desegregation has been commenced, or of any public school system of which any such public school is a part;

(3) children attending any such public school and the parents of such children; and

(4) any other individual assisting any such member, any such official, teacher, or other employee, or any such child or parent, from physical injury and from harassment, intimidation, or reprisal by any person or group of persons.

TITLE VIII—ANNUAL SCHOOL SURVEYS

SEC. 801. The Secretary of Health, Education, and Welfare shall conduct an annual survey to determine the number and ethnic classification of students enrolled in all public educational institutions in the United States. The Secretary shall prepare and publish each year data obtained from each annual survey setting forth the number and ethnic classification of students enrolled—

(1) in all public educational institutions in each State,

(2) in each elementary and secondary public educational institution in each school district, and the totals for each school district,

(3) in each public institution of higher education in each State.

TITLE IX—MISCELLANEOUS PROVISIONS

SEC. 901. Nothing in this Act shall be construed to impair any remedies already existing for the protection or enforcement of rights guaranteed by the Constitution or laws of the United States, nor to prevent any individual or private organization from acting to enforce or safeguard any constitutional right in any manner now or hereafter permitted by law.

SEC. 902. If any provision of this Act or the application of such provision to any person or circumstance is held invalid, the remainder of this Act or the application of such provision to persons or circumstances other than those to which it is held invalid, shall not be affected thereby.

SEC. 903. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

The findings presented by Mr. JAVITS are as follows:

CIVIL RIGHTS COMMISSION'S FINDINGS AND RECOMMENDATIONS ON EDUCATION

FINDINGS

Need for Federal action to speed desegregation

1. Seven years after the Supreme Court's decision in the school segregation cases (May 17, 1954) only 775 of 2,837 biracial school districts in the 17 Southern States that required racial segregation in the public schools on that date had taken any action to abolish racial segregation. The school districts in which racial segregation is still maintained include all those in Alabama, Georgia, Mississippi, and South Carolina, all but one in Florida and but one in Louisiana, and a large percentage of those in Arkansas, North Carolina, Virginia, Tennessee, and Texas.

2. In many of the school districts where some start has been made, actual desegregation is minimal. In fact only 7 percent of all Negroes enrolled in the public schools in the 17 Southern States attended school with white pupils in 1960–61, whereas 27 percent of the school districts have made some start toward compliance with constitutional requirements.

3. The trend observed in 1957–59 toward desegregation by court order rather than by voluntary action has continued. In 1959–61, 44 school districts initiated desegregation plans; 13 of those acted under court order and another 15 were at least pressured into action by pending suits or orders that could be extended to them.

4. In the Little Rock case the Supreme Court emphasized the duty of all school boards to abolish compulsory segregation in the public schools under their jurisdiction. The adoption of a desegregation plan is a necessary preliminary step. Nevertheless, in recent years such action has depended increasingly upon court orders.

5. Congressional specification of a time limit on the making and implementation of segregation plans would remove all doubt as to the duty of school boards to abolish segregation in their schools even in the absence of a court order and should speed the desegregation process. It would also make clear that enforcement of the commands of the Constitution is the concern not only of the judiciary, but of every branch of Government.

6. Federal funds in support of educational programs are granted to public-school systems which operate schools in a manner that denies pupils equal protection of the laws on the ground of race, color, religion, or national origin.

7. Allotting to each State only 50 percent of any authorized grants-in-aid and prorating the remaining 50 percent in proportion to the percentage of pupils in desegregated school districts as compared to the total school population, would recognize the efforts of some States to bring the operation of their school systems into compliance with constitutional requirements and should spur other States to follow the same path. Under a proration formula proportionate effort would be recognized and wholly resistant States would not be totally penalized for their intransigence, since they would receive 50 percent of all authorized funds.

8. In the typical public-school case, several years elapse between the initial court decision and actual admission of Negro pupils on a nondiscriminatory basis. For example, in the following cases where admission was realized in September 1960 the first court decision came on the dates indicated: Houston, September 1958; New Orleans, February 1956; and in cases where admission has been ordered for September 1961; Atlanta, May 1958; Dallas, September 1955.

Need for Federal assistance

9. Even able Negro pupils entering a formerly white school from a segregated school may have problems of adjustment. Desegregation has focused attention on the gap between the scholastic achievement of the average white and the average Negro student of the same age and grade level.

10. Programs have been devised by public school systems and private organizations in northern, western and border States to afford minority group members a fairer chance to compete and to encourage them to aspire to and achieve higher scholastic levels. For the most part such programs have been developed with private financial aid. They have demonstrated that minority group members can achieve higher performance if the educational opportunity offered them is fitted to their particular needs.

11. Most of the programs studied by the Commission stress the minority group child's need for special counseling and guidance, remedial instruction, and stimulus to overcome the effect of past deprivations.

12. School systems might be more willing to undertake desegregation if Federal funds and technical assistance were available to provide the programs needed to close the cultural and academic gap.

13. The Legislature of Louisiana met in extraordinary and regular session almost continually during the school year 1960–61 in an attempt to prevent the desegregation of the New Orleans schools pursuant to the order of a Federal court. Its temporarily successful attempts to deny State funds to Orleans Parish School District, to cut off the salaries of teachers in the desegregated schools, and to prevent the school board from borrowing from the usual commercial sources, although later invalidated by a Federal court, greatly hampered, embarrassed and tended to demoralize the school officials, teachers and other personnel in carrying out their assigned duties throughout the school year.

14. The experience of Orleans Parish School District in 1960–61 shows the need of temporary outside financial assistance when a State attempts to cut off financial aid and credit to a school system trying to desegregate its schools in compliance with a Federal court order. Two other States (Arkansas and South Carolina) have laws for cutting off State aid to desegregating school districts and South Carolina has authorized two counties to cut off local funds.

15. Public education available to all children in all States, and compulsory school attendance for a minimal period averaging age 7 to 16 years, have contributed to the strength and unity of the Nation. The closing of public schools even temporarily, the diversion of State and local funds to tuition grants for private schooling, and the repeal of compulsory school attendance laws, threaten public education and the welfare of the Nation as a whole.

16. No Federal agency is charged with the duty of: disseminating information concerning desegregation plans, problems, and possible solutions; assisting local school officials in formulating plans to meet local conditions and constitutional requirements; or of using its good offices to mediate and conciliate disputes.

Need for Federal protection

17. The Attorney General of the United States in the period 1959–61 diligently sought to forestall nullification of constitutional principles by State actions; to prevent evasion of Federal court orders; and to provide protection to Negro children assigned to formerly white schools. Nevertheless, disorder accompanied desegregation in New Orleans and white people supporting Federal law and order were not adequately protected by the Federal Government. No member of the rioting crowds in New Orleans was prosecuted for attempting by threats or force to prevent, obstruct, impede, or interfere with the performance of duties under the Federal court order to desegregate the New Orleans schools. (See the Civil Rights Act of 1960.)

18. In New Orleans white pupils attempting to attend desegregated schools and their parents were exposed to threats, loss of employment, harassment, and persecution. They received no direct aid from the Federal Government and no protection was available to citizens groups working to keep the public schools open even if desegregated. In such situations Federal protection is needed to prevent private or official harassment and reprisals.

Education of dependents of military personnel

19. Many dependents of military personnel assigned to duty in Southern States have had to attend racially segregated public schools particularly in Georgia, Louisiana, Mississippi, and South Carolina where there are very few on-base schools.

20. No consistent overall policy as to the responsibility of the United States for the education of the children of military personnel in a manner consistent with constitutional principles appears to have been established by the executive branch. In a few places in the last 2 years agreement was reached with local school authorities to admit such children to off-base schools without regard to race; in many more places they still attend racially segregated schools. In one instance Negro plaintiffs had to bring suit in a Federal court to secure admission of their children to a school located on a military base.

21. Congress has recognized that the Federal Government has a particular responsibility to provide suitable education for the children of military personnel on active duty. Racially segregated public schools are in violation of the Constitution and, therefore, are unsuitable for the education of children of military personnel.

Financial aid to public libraries

22. Some public libraries in the 17 Southern States that receive Federal aid under the Library Services Act of 1956 serve whites but not Negroes; in others the segregated services for Negroes are greatly inferior to those for whites.

23. The Library Services Act of 1956 requires that all participating libraries shall provide free service to all residents of the communities they serve and also directs the Commissioner of Education to withhold Federal funds if he finds that the administration of a State plan fails to comply with the requirements of the act.

Alleviation of academic handicaps

24. The deprivations that school segregation imposes on minority-group members tend to be perpetuated through inferior segregated colleges, devoted primarily to training graduates for teaching careers for the most part in segregated public schools. These deprivations raise problems not only in connection with the desegration of school systems (see findings 9 to 11 supra), but in limiting the opportunities of individual minority-group students and teachers.

25. Educational programs at the precollege and graduate levels designed to identify and assist students and teachers of native talent could help to overcome the cumulative deprivations of the past; and would benefit the education system of the Nation.

Higher education

26. Federal support of higher educational institutions that do not comply with constitutional principles is unconscionable and should be terminated. There is no justification for delay in compliance with constitutional requirements in institutions of higher education.

School census by ethnic classification

27. A comprehensive nationwide study of equal protection of the laws in public education requires complete and accurate factual information as to the schools attended by all major ethnic groups, including, for example, Puerto Ricans and Mexican-Americans, as well as racial groups, such as Negroes and Orientals. An annual headcount in school districts, colleges, and universities that would not be part of the permanent record of individual students would provide the data needed for evaluation of equal protection in educational institutions without exposing students to the risk of discrimination.

28. The New Rochelle case, affirmed by the U.S. Court of Appeals for the Second Circuit, and other lower court decisions, make it clear that denial of equal protection of the laws under the 14th amendment does not depend solely upon assignment to school by race. Information about racial segregation in northern schools, viewed in the light of the New Rochelle case and other decisions, indicates that denial of equal protection in public schools on the ground of race is a national, not regional problem.

29. Reliable data showing the ethnic composition of individual public schools and higher educational institutions would be helpful in studying practices in Northern, Western, and border States that may constitute a denial of equal protection of the laws.

RECOMMENDATIONS

Federal action to speed desegregation

Recommendation 1: That the Congress enact legislation making it the duty of every local school board which maintains any public school from which pupils are excluded on the basis of race, to file a plan for desegregation with a designated Federal agency within 6 months after the adoption of such legislation, said plan to call for at least a first step toward full compliance with the Supreme Court's decision in the school segregation cases at the beginning of the following school year, and complete desegregation as soon as practicable thereafter. Further, that Congress direct the Attorney General to take appropriate action to enforce this obligation.

Recommendation 2: That the Congress provide that any and all Federal grants-in-aid to the various States for educational programs in elementary and secondary public schools be allocated so that States wherein all school districts are operated on a nondiscriminatory basis shall receive the full amount computed under the applicable statutory formula; that States wherein no school districts are so operated shall receive only 50 percent of such funds; that States wherein school districts have initiated desegregation programs shall receive 50 percent of such sum plus the same proportion of the remaining 50 percent as the number of pupils enrolled in all school districts in the State which have initiated a program of desegregation bears to the total number of pupils enrolled in all school districts in the particular State which have a biracial school population.

Dissent to recommendation 2 by Commissioner Rankin

Although this recommendation does not provide for the withholding of all funds from public schools, its purpose is similar to that of the Powell amendment and its net effect might be punitive. I do not believe that schoolchildren should be made to suffer for the errors of their elders.

Recommendations requiring the withholding of funds from States which are not completely desegregated would warrant serious consideration only if there were no other way to achieve conformity with the Constitution without penalizing students. Many of the other recommendations in this report are designed to bring about desegregation without harming education.

Thus I dissent from recommendation 2 because I believe it to be unnecessary and potentially punitive.

Recommendation 3: That Congress consider the advisability of adopting measures to expedite the hearing and final determination of actions brought in Federal courts to secure admission to publicly controlled educational institutions without regard to race, color, religion or national origin.[1]

Federal assistance to desegregating school districts

Recommendation 4: That the Congress enact legislation authorizing a Federal agency, upon request, to provide technical or financial assistance to local school systems at any time within 5 years after the initiation of a desegregation program, or to local citizens' groups attempting to help solve problems arising from such desegregation, in any of the following ways: (1) financial aid to school districts on a 50–50 matching basis for the employment of social workers, or specialists in desegregation problems, or for inservice training programs for teachers or guidance counselors; (2) technical assistance to school districts or citizens' groups to train school personnel or community leaders in techniques useful in solving desegregation problems, including the establishment of home study programs for the academically and culturally handicapped; provided, however, that the desegregation program and its execution shall have been found by the agency administering the program to meet constitutional requirements.

Recommendation 5: That the Congress enact legislation authorizing loans to local school districts from which State or local financial aid has been withdrawn as a result of desegregation, or whose ability to borrow funds from commercial sources has been cut off by State or local action, said loans to be repayable by the borrower upon the receipt of the State or local aid withheld or the restoration of commercial credit.

Recommendation 6: (a) That the President direct, or the Congress enact legislation authorizing, the Commission on Civil Rights, if extended, to serve as a clearinghouse to collect and disseminate information concerning programs and procedures used by school districts to achieve an organization and operation of their schools in accordance with constitutional principles, including data as to the known effects of such programs on the quality of education and the cost thereof; (b) That the Commission further be authorized to establish an advisory and conciliation service to assist local school officials in developing plans designed to meet constitutional requirements and local conditions, and to attempt to mediate and conciliate disputes between school officials and school patrons, upon the request of either, as to desegregation of schools—proposed plans for desegregation, or the implementation of plans already in operation. The Commission agrees that the use of such an advisory and conciliation service should not be a prerequisite to the bringing of legal action in a Federal court nor a ground for delay in the prosecution of a pending action; that its purpose is to obviate the necessity of legal action where possible and, in the case of pending suits, to speed, not delay, a final determination.[2]

Federal protection to school officials and citizens

Recommendation 7: That the President or the Congress direct the Attorney General to take such action as may be appropriate, in any case where a school system is operating under a plan to bring it into conformance with the requirements of the 14th amendment, to protect the school board members carrying out such plan, supervisory officials and teachers in school systems executing the orders of such school boards, schoolchildren of both races attempting to attend schools affected by the plan and their parents, and citizens helping such children or their parents, from bodily harm, harassment, intimidation, and/or reprisal by officials or private persons.

Education of dependents of military personnel

Recommendation 8: That the President direct the Department of Defense to make a complete survey of the segregated-desegregated status of public schools attended by dependents of military personnel living on-base or in the absence of sufficient housing on-base, living in the vicinity of a base, and report its findings to him. Further, that insofar as such dependents are found to be attending compulsory racially segregated schools, the President instruct the Commissioner of Education to make suitable arrangements for their education in public schools or on-base schools open to all such dependents without discrimination because of color or race.

Aid to public libraries under Library Services Act

Recommendation 9: That the President direct the Office of Education of the Department of Health, Education, and Welfare, to make a survey of the practices of all public libraries receiving Federal financial aid under the Library Services Act of 1956 to determine whether or not they are offering free service to all residents of the community as required by the terms of that law and by the equal protection clause of the 14th amendment of the Constitution. Further, that the Commissioner, as provided in the law granting such Federal aid, withhold Federal funds from States which include under the State plan libraries not serving all residents of the community or not serving all of them in a manner consonant with constitutional principles.

Alleviation of academic handicaps

Recommendation 10: That the Federal Government sponsor in the several States, upon their application therefor, educational programs designed to identify and assist teachers and students of native talent and ability who are handicapped professionally or scholastically as a result of inferior training or educational opportunity.[3]

Higher education

Recommendation 11: That the Federal Government, either by executive or by congressional action, take such measures as may be required to assure that funds under the various programs of Federal assistance to higher education are disbursed only to such publicly-controlled institutions of higher education as do not discriminate on grounds of race, color, religion or national origin.

The Commission agrees that in any such Federal action taken it should be stipulated that no Federal agency or official shall be given power to direct, supervise or control the administration, curricula or personnel of an institution operated and maintained by a State or a political subdivision thereof.[4]

School census by ethnic classification

Recommendation 12: That the President or the Congress direct a Federal agency or agencies to conduct an annual school survey to determine the number and ethnic classification of all students enrolled in all public educational institutions in the United States and compile such data by States, by school districts, by individual schools, and by individual institutions of higher education within each State.[5]

Mr. JAVITS. Mr. President, I also ask that the bill remain at the desk until and including Thursday, March 15, 1962, and invite as many Senators as may be interested to join in its cosponsorship.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMISSION ON EQUAL EMPLOYMENT OPPORTUNITY AND STUDY OF LEGISLATION TO ENCOURAGE FULLEST UTILIZATION OF MANPOWER RESOURCES

Mr. CLARK. Mr. President, the third report filed last September by the Civil Rights Commission deals with equal employment opportunity.

The Commission found:

Although the occupational levels attained by Negroes have risen sharply during the past 20 years, Negro workers are still disproportionately concentrated in the ranks of the unskilled and semiskilled in both private and public employment. They are also disproportionately represented among the unemployed.

Indeed they are. A breakdown of the national unemployment rate of 6.5 percent—not seasonally adjusted—for February 1962, shows that the rate for whites was only 5.7 percent, while that for nonwhites was a staggering 12.9 percent.

Obviously this discrepancy is not due solely to racial discrimination. Just as obviously it is due in large measure to such discrimination, as indicated by the careful compilation of evidence and findings of the Commission.

I am proud of the progress made to date by the Kennedy administration in ending discriminatory practices in Federal employment and in employment under Government contracts.

In the first 9 months of its operation, the President's Committee on Equal Employment Opportunity, created last year by Executive order of President Kennedy, has scored notable gains, although, of course, much remains to be done.

In the field of Federal employment, every executive department and agency has taken positive actions to guarantee equal opportunity for its employees and prospective employees. Surveys of minority employment policies and practices have been made. Officers have been designated to promote equal job opportunity. More than a thousand complaints have been received, and a large number have been duly processed and satisfactorily resolved.

In Government contract employment, 680 complaints have been received, and corrective action has been taken in 127 cases. A considerable number of business firms with large amounts of Government contract work have taken steps to insure equal job opportunity, through voluntary plans for progress or as the result of complaints filed.

The compliance report system inaugurated by the President's Committee will provide for the first time a wealth of information on which affirmative equal job opportunity policies can be based in the future.

The Committee has also made progress in providing education and information about the gains from equal employment opportunity policies, and in ending discriminatory practices in certain labor unions and in apprenticeship and training programs.

The Civil Rights Commission recommended that the President's Equal Employment Opportunity Committee be given statutory authority and a broadened charter, especially in the field of the employment in programs supported in whole or in part by Federal grants-in-aid; and that is what is proposed in the bill I am now introducing.

The bill would establish a Commission on Equal Employment Opportunity to encourage and enforce a policy of equal job opportunity: First, in Federal employment; second, in employment under Government contracts; and third, in employment in programs supported or in facilities constructed by Federal grants-in-aid. The Commission would take over the functions of the President's Equal Employment Opportunity Committee, but it would have considerably broader powers and duties. In addition,

[1] Recommendation 3 reaffirms in principle one made by the Commission in its Higher Education Report. At that time the Commission suggested the use of three-judge courts to expedite final determinations in desegregation cases at the college level. Since there are additional ways that desegregation cases may be expedited, the Commission has now framed its recommendation in general terms and expanded it to include desegregation cases at the elementary and secondary school levels as well.

[2] Recommendation 6 is similar to a recommendation made by the Commission in its 1959 report.

[3] Recommendation 10 reaffirms a recommendation made by the Commission in its higher education report.

[4] Recommendation 11 reaffirms without change one made in the Higher Education Report. Four Commissioners believe, however, that as a matter of sound public policy the same principle should be extended to privately controlled institutions.

[5] Recommendation 12 reaffirms a similar recommendation made by the Commission in its 1959 report. The Commission reemphasizes its position that this recommendation does not contemplate the establishment of school records by race or ethnic classification. The trend toward the elimination of such identification on student records should, in fact, be accelerated.

the bill would make it an unfair labor practice for a labor union to discriminate because of race, color, religion, or national origin, against union members or applicants for membership.

To carry out the Commission's other recommendations in this field, I am also submitting a resolution calling on the Labor and Public Welfare Committee to conduct a study of discrimination in vocational education, apprenticeship training, and worker retraining programs and to report early in 1963 recommendations for remedial action.

The Commission's recommendations do not cover the problem of job discrimination in interstate employment, which is covered in fair employment practice bills—S. 1819 and H.R. 6875—which I sponsored last year with Representative CELLER. In my view, FEPC proposals deserve priority consideration by the Congress.

On behalf of Senators DOUGLAS, HART, JAVITS, KEATING, SCOTT, and myself, I send to the desk, for reference to the Committee on Labor and Public Welfare: First, a bill to establish a Commission on Equal Employment Opportunity, and for other purposes; and, second, I submit a resolution calling for a study by the Labor and Public Welfare Committee to determine "the feasibility and desirability of legislation designed to encourage the fullest utilization of the Nation's manpower resources and to eliminate the waste of human resources inherent in the discriminatory denial of training and employment opportunity to minority group members."

I ask unanimous consent that the findings and recommendation of the Civil Rights Commission in its 1961 report of employment and the text of the bill and resolution be printed in full in the RECORD at the end of my remarks, and that the bill and the resolution be permitted to lie at the desk through the close of business on Thursday, March 15, in order to permit other Senators who may wish to cosponsor these measures to do so.

The VICE PRESIDENT. The bill and resolution will be received and appropriately referred; and, without objection, the bill and resolution will be printed in the RECORD, and held at the desk, as requested by the Senator from Pennsylvania.

The bill (S. 2981) to establish a Commission on Equal Employment Opportunity to encourage and enforce a policy of equal employment opportunity in Federal employment, in employment under Government contracts, and in employment in programs supported or in facilities constructed by Federal grants-in-aid; to prohibit discrimination by labor organizations because of race, color, religion, or national origin; and for other purposes, introduced by Mr. CLARK (for himself and other Senators), was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Federal Equal Employment Opportunity Act of 1962."

TITLE I—COMMISSION ON EQUAL EMPLOYMENT OPPORTUNITY—ESTABLISHMENT OF THE COMMISSION

SEC. 101. There is hereby established a Commission to be known as the Commission on Equal Employment Opportunity (hereafter in this Act referred to as the "Commission").

Membership

SEC. 102. The Commission shall be composed of—

(1) the Vice President of the United States, who shall serve as Chairman;

(2) the Secretary of Labor, who shall serve as Vice Chairman; and

(3) not to exceed 9 additional members who shall be appointed by, and serve at the pleasure of, the President.

Not less than one-half of the members appointed under paragraph (3) shall be appointed from private life.

Organization

SEC. 103. (a) The Chairman shall preside at meetings of the Commission. The Vice Chairman shall have general supervision and direction of the work of the Commission and of the execution and implementation of the policies adopted by the Commission and of its orders and recommendations made pursuant thereto.

(b) A quorum of the Commission shall consist of a majority of the members serving at any time.

(c) The Commission shall meet upon the call of the Chairman and at such other times as may be provided by its rules and regulations.

(d) The Commission shall adopt such rules as it determines necessary to govern its proceedings and to carry out its duties and functions.

(e) Each member of the Commission who is an officer or employee of the Government in addition to serving as a member of the Commission shall serve without additional compensation. Each member of the Commission appointed from private life shall receive $75 a day when engaged in the performance of his duties as a member of the Commission. Each member of the Commission shall be reimbursed for travel, subsistence, and other necessary expenses incurred by him in the performance of his duties as a member of the Commission.

(f) Service of an individual as a member of the Commission shall not be considered as service bringing such individual within the provisions of sections 281, 283, 284, 434, or 1914 of title 18 of the United States Code, or section 190 of the Revised Statutes (5 U.S.C. 99).

General duties

SEC. 104. It shall be the duty of the Commission—

(1) to encourage and enforce a policy of equal opportunity for employment in the civilian service of the Government and of equal opportunity for service in the Armed Forces of the United States, including all reserve components thereof; of equal opportunity for employment under Government contracts; and of equal opportunity for employment in programs supported or in facilities constructed, in whole or in part, by grants-in-aid made by the Government;

(2) to encourage and enforce a policy of equal opportunity in the availability of, and the administration of, all training programs and recruitment and placement services provided by the Government or provided with funds or services furnished, in whole or in part, by the Government;

(3) to encourage and enforce a policy of equal opportunity for membership in, and participation in the activities of, labor organizations, insofar as such membership or participation affects equal opportunity for employment, and terms and conditions of employment with the Government, with employers under Government contracts or under grants-in-aid made by the Government; and

(4) to encourage and promote educational programs by employer, labor, civic, educational, religious, and other nongovernmental groups in order to eliminate or reduce the basic causes of discrimination in employment because of race, color, religion, or national origin;

(5) to perform the duties and functions imposed on it by the provisions of this Act;

(6) to submit, not later than February 1 of each year, a report to the President and the Congress setting forth its activities during the preceding calendar year and its recommendations, if any, for executive or legislative action, and such special reports as the President or Congress may request or the Commission deems necessary; and

(7) to perform such other duties and functions as may be prescribed, or delegated to it, by the President.

Staff

SEC. 105. (a) There shall be an Executive Vice Chairman of the Commission who shall be appointed by the President and who shall be ex officio a member of the Commission. The Executive Vice Chairman shall assist the Chairman, the Vice Chairman, and the members of the Commission and shall be responsible for carrying out the orders and recommendations of the Commission and for performing such other functions as the Commission may direct. The Executive Vice Chairman shall receive compensation at a rate prescribed by the President, but not in excess of $——— a year.

(b) The Commission is authorized to appoint, subject to the civil service laws and regulations, such other personnel as is necessary to enable it to carry out its functions and duties, and to fix their compensation in accordance with the Classification Act of 1949, and is authorized to procure services as authorized by section 15 of the Act of August 2, 1946 (60 Stat. 810; 5 U.S.C. § 55a), but at rates for individuals not in excess of $50 a day.

(c) The Commission may procure, by contract or otherwise, the services of public and private organizations and institutions.

Powers

SEC. 106. (a) The Commission or, on the authorization of the Commission, any subcommittee thereof, may, for the purpose of carrying out its functions and duties, hold such hearings and sit and act at such times and places, administer such oaths, and require, by subpena or otherwise, the attendance and testimony of such witnesses, and the production of such books, records, correspondence, memoranda, papers, and documents as the Commission or such subcommittee may deem advisable, and impose sanctions and penalties as set forth below. Subpenas may be issued under the signature of the Chairman or Vice Chairman of the Commission, or any duly designated member, and may be served by any person designated by the Chairman, the Vice Chairman, or such member.

(b) In case of contumacy or refusal to obey a subpena issued under subsection (a), any district court of the United States or the United States court of any possession, or the District Court of the United States for the District of Columbia, within the jurisdiction of which the inquiry is being carried on or within the jurisdiction of which the person guilty of contumacy or refusal to obey is found or resides or transacts business, upon application by the Attorney General of the United States shall have jurisdiction to issue to such person an order requiring such person to appear before the Commission or a subcommittee thereof, there to produce evidence if so ordered, or there to give testimony touching the matter under inquiry; and any failure to obey such order of the court may be punished by the court as a contempt thereof.

(c) The Commission is authorized to secure from any department, agency, or independent instrumentality of the executive branch of the Government any information it deems necessary to carry out its functions and duties. Each such department, agency, and instrumentality is authorized and directed to furnish such information to the Commission, upon request made by the Chairman or the Vice Chairman, and to cooperate with the Commission and to furnish it such assistance as it may require in carrying out its functions and duties.

(d) The Commission is authorized to delegate to any officer, agency, or employee in the executive branch of the Government any function of the Commission under this Act, except the authority to promulgate rules and regulations of a general nature.

(e) The Commission shall adopt such rules and regulations and issue such orders as it deems necessary and appropriate to achieve the purposes of this Act.

TITLE II—FEDERAL EMPLOYMENT

General

SEC. 201. It shall be unlawful for any department or agency of the Federal Government to discriminate against any Federal employee or applicant for Federal employment, in the terms, conditions or privileges of employment, because of race, color, religion or national origin. Any such person who is aggrieved as a result of discrimination in violation of this section may file a complaint with such department or agency, or with the Commission.

Enforcement and sanctions

SEC. 202. (a) Each department and agency shall be primarily responsible for complying with the rules, regulations, and orders of the Commission with respect to nondiscrimination in employment. Each department and agency shall cooperate with the Commission, and furnish the Commission such information and assistance as it may require in the performance of its functions under this title. Each department and agency shall appoint or designate, from among its personnel an officer or officers to be responsible for assuring equal employment opportunities.

(b) The Commission may receive and cause to be investigated complaints by employees or prospective employees of a Government department or agency, which allege discrimination contrary to the provisions of this title or the rules and regulations issued hereunder. The appropriate department or agency shall report to the Commission what action has been taken or is recommended with regard to such complaints.

(c) If the Commission so directs, the Department or agency shall cease or desist discriminatory employment practices and take such affirmative action, as in the judgment of the Commission shall effectuate the purposes of this Act, including but not limited to hiring, reinstatement or upgrading of employees or the extension of nondiscriminatory terms, conditions and privileges of employment.

TITLE III—EMPLOYMENT UNDER GOVERNMENT CONTRACTS

Contract provisions

SEC. 301. Except in the case of contracts exempted in accordance with section 302, all Government contracting agencies shall include in every Government contract entered into after the effective date of this Act such provisions as the Commission deems necessary and advisable to effectuate the purposes of this Act.

Exemptions

SEC. 302. The Commission may, when it deems that special circumstances in the national interest so require, exempt a contracting agency from the requirement of including the provisions prescribed in section 201 in any specific contract, subcontract, or purchase order. The Commission may, by rule or regulation, also exempt certain classes of contracts, subcontracts, or purchase orders (a) where work is to be or has been performed outside the United States and no recruitment of workers within the limits of the United States is involved; (b) for standard commercial supplies or raw materials; or (c) involving less than specified amounts of money or specified numbers of workers.

Compliance reports

SEC. 303. (a) Each contractor having a contract containing the provisions prescribed in section 301 shall file, and shall cause each of its subcontractors to file, Compliance Reports with the contracting agency, which will be subject to review by the Commission upon its request. Compliance Reports shall be filed within such times and shall contain such information as to the practices, policies, programs, and employment statistics of the contractor and each subcontractor, and shall be in such form, as the Commission may prescribe.

(b) Bidders or prospective contractors or subcontractors may be required to state whether they have participated in any previous contract subject to the provisions of this title, and in that event to submit, on behalf of themselves and their proposed subcontractors, Compliance Reports prior to or as an initial part of their bid or negotiation of a contract.

(b) Whenever the contractor or subcontractor has a collective bargaining agreement or other contract or understanding with a labor union or other representative of workers, the Compliance Report shall include such information as to the labor union's or other representative's practices and policies affecting compliance as the Commission may prescribe. To the extent such information is within the exclusive possession of a labor union or other workers' representative and the labor union or representative refuses to furnish such information to the contractor, the contractor shall so certify to the contracting agency as part of its Compliance Report and shall set forth what efforts he has made to obtain such information.

(d) The Commission may direct that any bidder or prospective contractor or subcontractor shall submit, as part of his Compliance Report, a statement in writing, signed by an authorized officer or agent of any labor union or other workers' representative with which the bidder or prospective contractor deals, together with supporting information, to the effect that such labor union's or representative's practices and policies do not discriminate on the grounds of race, color, creed, or national origin, and that the labor union or representative either will affirmatively cooperate, within the limits of its legal and contractual authority, in the implementation of the policy and provisions of this title or that it consents and agrees that recruitment, employment, and the terms and conditions of employment under the proposed contract shall be in accordance with the purposes and provisions of this title. In the event that the union or representative refuses to execute such a statement, the Compliance Report shall so certify and set forth what efforts have been made to secure such a statement.

Labor unions

SEC. 304. (a) The Commission shall use its best efforts, directly and through contracting agencies, contractors, State and local officials and public and private agencies, and all other available instrumentalities, to cause any labor union, recruiting agency, or other representative of workers which is or may be engaged in work under government contracts to cooperate with, and to comply in the implementation of, the purposes of this title.

(b) The Commission may, to effectuate the purposes of subsection (a), hold hearings, public or private, with respect to the practices and policies of any such labor organization. It shall from time to time submit special reports to the President concerning discriminatory practices and policies of any such labor organization, and may recommend remedial action if, in its judgment, such action is necessary or appropriate. It may also notify any Federal, State, or local agency of its conclusions and recommendations with respect to any such labor organization which in its judgment has failed to cooperate with the Commission, contracting agencies, contractors, or subcontractors in carrying out the purposes of this title.

Enforcement

SEC. 305. (a) Each contracting agency shall be primarily responsible for obtaining compliance with the rules, regulations, and orders of the Commission with respect to contracts entered into by such agency or its contractors. All contracting agencies shall comply with the Commission's rules in discharging their primary responsibility for securing compliance with the provisions of contracts and otherwise with the terms of this title and of the rules, regulations, and orders of the Commission. Each such agency shall cooperate with the Commission, and furnish the Commission such information and assistance as it may require in the performance of its functions under this title. Each such agency shall appoint or designate, from among the agency's personnel, compliance officers. It shall be the duty of such officers to seek compliance with the objectives of this title by conference, conciliation, mediation, or persuasion.

(b) The Commission may itself investigate the employment practices of any government contractor or subcontractor, or initiate such investigation by the appropriate contracting agency or through the Secretary of Labor, to determine whether or not the contract provisions prescribed in section 301 have been violated. Such investigation shall be conducted in accordance with the procedures established by the Commission, and the investigating agency shall report to the Commission any action taken or recommended.

(c) The Commission may receive and cause to be investigated complaints by employees or prospective employees of a Government contractor or subcontractor which allege discrimination contrary to the contract provisions prescribed in section 301. The appropriate contracting agency or the Secretary of Labor, as the case may be, shall report to the Commission what action has been taken or is recommended with regard to such complaints.

Sanctions and penalties

SEC. 306. (a) In accordance with such rules, regulations, or orders as the Commission may adopt, the Commission or the appropriate contracting agency may:

(1) Publish, or cause to be published, the names of contractors or unions which it has concluded have complied or have failed to comply with the provisions of this title or of the rules, regulations, and orders of the Commission.

(2) Recommend to the Department of Justice that, in cases where there is substantial or material violation or the threat of substantial or material violation of the contract provisions prescribed in section 301, appropriate proceedings be brought to enforce those provisions, including the enjoining, within the limitations of applicable law, of organizations, individuals, or groups who prevent directly or indirectly, or seek to prevent directly or indirectly, compliance with such provisions.

(3) Recommend to the Department of Justice that criminal proceedings be brought for the furnishing of false information to any

contracting agency or to the Commission, as the case may be.

(4) Terminate, or cause to be terminated, any contract, or any portion or portions thereof, for failure of the contractor or subcontractor to comply with the nondiscrimination provisions of the contract. Contracts may be terminated absolutely or continuance of contracts may be conditioned upon a program for future compliance approved by the contracting agency.

(5) Provide that any contracting agency shall refrain from entering into further contracts, or extensions or other modifications of existing contracts, with any non-complying contractor, until such contractor has satisfied the Commission that he has established and will carry out personnel and employment policies in compliance with the provisions of this title.

(b) Under rules and regulations prescribed by the Commission, each contracting agency shall make reasonable efforts within a reasonable time limitation to secure compliance with the contract provisions prescribed in section 301 by methods of conference, conciliation, mediation, and persuasion before proceedings shall be instituted under paragraph (2) of subsection (a), or before a contract shall be terminated in whole or in part under paragraph (4) of such subsection for failure of a contractor or subcontractor to comply with the contract provisions prescribed in section 301. No order shall be made under paragraph (5) of such subsection debarring a contractor from further government contracts except after notice and hearing.

(c) Any contracting agency taking any action authorized by subsection (a), whether on its own motion, or as directed by the Commission, or under the Commission's rules and regulations, shall promptly notify the Commission of such action or reasons for not acting. Where the Commission itself makes a determination under this section, it shall promptly notify the appropriate contracting agency of the action recommended. The agency shall take such action and shall report the results thereof to the Commission within such time as the Commission shall provide.

(d) If the Commission so directs, contracting agencies shall not enter into contracts with any bidder or prospective contractor unless the bidder or prospective contractor has satisfactorily complied with the provisions of this title or submits a program for compliance acceptable to the Commission or, if the Commission so authorizes, to the contracting agency.

(e) Whenever a contracting agency terminates a contract, or whenever a contractor has been debarred from further government contracts, because of noncompliance with the contract provisions with regard to nondiscrimination, the Commission, or the contracting agency involved, shall promptly notify the Comptroller General of the United States.

Certificates of merit

SEC. 307. (a) The Commission may provide for issuance of a United States Government Certificate of Merit to employers or employee organizations which are or may hereafter be engaged in work under Government contracts, if the Commission is satisfied that the personnel and employment practices of the employer, or that the personnel, training, apprenticeship, membership, grievance and representation, upgrading, and other practices and policies of the employee organization, conform to the purposes and provisions of this title.

(b) Any Certificate of Merit may at any time be suspended or revoked by the Commission if the holder thereof, in the judgment of the Commission, has failed to comply with the provisions of this title.

(c) The Commission may provide for the exemption of any employer or employee organization from any requirement for furnishing information as to compliance with the provisions of this title, if such employer or employee organization has been awarded a Certificate of Merit which has not been suspended or revoked.

TITLE IV—EMPLOYMENT UNDER GOVERNMENT GRANTS

Authority for Commission action

SEC. 401. The Commission is authorized to provide, by rules and regulations, for the application of the provisions of title III of this Act, or as many of such provisions as it deems proper to carry out the purposes of this Act, to recipients of Federal grants-in-aid with respect to employment in programs created or supported or in facilities constructed, in whole or in part, by such grants-in-aid.

TITLE V—LABOR ORGANIZATIONS

Amendment to Labor-Management Reporting and Disclosure Act of 1959

SEC. 501. Section 101(a) of the Labor-Management Reporting and Disclosure Act of 1959 is amended by adding at the end thereof the following new paragraph:

"(6) Protection Against Discrimination Because of Race, Color, Religion, or National Origin.—No labor organization shall refuse membership to, segregate, expel, or otherwise discriminate in terms or conditions of membership against any person because of race, color, religion, or national origin."

TITLE VI—GENERAL PROVISIONS

Appropriations

SEC. 601. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

Effect of State laws

SEC. 602. (a) Nothing in this Act shall be deemed to exempt or relieve any person from any liability, duty, penalty, or punishment provided by any present or future law of any State or political subdivision of a State, other than any such law which purports to require or permit the doing of any act prohibited by this Act.

(b) Where there is a State or local agency which has effective power to eliminate and prohibit discrimination in employment in cases covered by this Act, and the Commission determines the agency is effectively exercising such power, the Commission shall seek written agreements with the State or local agency under which the Commission shall refrain from bringing a civil action in any cases or class of cases referred to in such agreement. The Commission shall rescind any such agreement when it determines such agency no longer has such power, or is no longer effectively exercising such power.

Effective date

SEC. 603. This Act shall become effective ninety days after the date of its enactment.

The resolution (S. Res. 312), submitted by Mr. CLARK (for himself and other Senators), was referred to the Committee on Labor and Public Welfare, as follows:

Resolved, That the Committee on Labor and Public Welfare, or any duly authorized subcommittee thereof, is authorized under section 134 (a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to make a full and complete study for the purpose of determining the feasibility and desirability of legislation designed to encourage the fullest utilization of the Nation's manpower resources and to eliminate the waste of human resources inherent in the discriminatory denial of training and employment opportunities to minority group members by—

(1) expanding and supplementing existing programs of Federal assistance to vocational education and apprenticeship training;

(2) providing for retraining as well as training and for funds to enable jobless workers to move to areas where jobs are available and their skills are in demand;

(3) providing that, as a condition of Federal assistance all such programs be administered on a nondiscriminatory, nonsegregated basis;

(4) providing assistance to minority group youths in obtaining employment and completing their education through (a) a system of federally subsidized employment and training made available on a nondiscriminatory basis, and (b) the provision of funds for special placement services in the schools in connection with part-time and cooperative vocational education programs; and

(5) reaffirming and strengthening the Bureau of Employment Security policy, in rendering recruitment and placement services, of encouraging merit employment and assisting minority group members in overcoming obstacles to employment and obtaining equal job opportunities; and making changes in existing methods of determining amounts of Federal contributions to State employment offices which will encourage referral of applicants on a nondiscriminatory basis.

SEC. 2. For the purposes of this resolution, the committee, from February 1, 1962, through January 31, 1963, is authorized to (1) make such expenditures as it deems advisable; (2) employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized at its discretion to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,200 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings upon the study and investigation authorized by this resolution, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1963.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $——, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

The findings presented by Mr. CLARK are as follows:

UNITED STATES COMMISSION ON CIVIL RIGHTS REPORT NO. 3, 1961, ON EMPLOYMENT

FINDINGS

General

1. Although the occupational levels attained by Negroes have risen sharply during the past 20 years, Negro workers are still disproportionately concentrated in the ranks of the unskilled and semiskilled in both private and public employment. They are also disproportionately represented among the unemployed because of their concentration in unskilled and semiskilled jobs—those most severely affected by both cyclical and structural unemployment—and because Negro workers often have relatively low seniority. These difficulties are due in some degree to present or past discrimination in employment practices, in educational and training opportunities, or both.

2. Directly or indirectly, Federal funds create employment opportunities for millions in the civilian and military establishments

of the Federal Government and in employment by Government contractors and grant-in-aid recipients. In addition, Federal funds provide training opportunities and placement services that directly affect employment opportunities. A policy of equal opportunity for all regardless of race, color, religion, or national origin has been declared with respect to some programs in each of these areas of Federal involvement in employment, but that policy has yet to be made consistent or thoroughly effective.

Enforcement of Federal policy of equal employment opportunity

3. The principal enforcement agency for Federal policy in this field is the President's Committee on Equal Employment Opportunity. This Committee has already taken steps to overcome obstacles encountered by the former Committee on Government Employment Policy and the Committee on Government Contracts in administering past programs of nondiscriminatory employment. Among projects which could contribute substantially to the effectuation of the Federal nondiscrimination program are the following:

(a) Regular surveys of all Federal employment, in both the civilian and military establishments (including members of Reserve components), to show current patterns of minority group employment, participation in training programs, and methods used to recruit for, and fill, jobs;

(b) Appointment of full-time employment policy officers in all executive departments and major agencies, and the appointment of full-time contracts compliance officers in the principal contracting agencies, all to be thoroughly trained, by or under the supervision of the President's Committee, in the objectives, problems, and techniques for effectuating the Federal policy of nondiscriminatory employment. (In the largest agencies with substantial field establishments, the appointment of specially trained regional deputy employment policy officers and deputy contracts compliance officers may also be required.)

(c) Expansion of the program of the former Committee on Government Employment Policy of conducting conferences in various locations with local administrators, deputy employment policy officers, and line supervisors to explain the Federal program of nondiscriminatory employment and discuss the problems involved and the techniques for overcoming them;

(d) Establishing and maintaining a centralized list of current Government contractors and circulating it regularly to State employment offices;

(e) Reaffirming that, when Government contractors completely delegate to labor organizations the power of hiring, or of determining admission to apprenticeship training programs or other terms and conditions of employment, they will be held responsible for the discriminatory acts of the unions;

(f) Requesting the Secretary of Labor to require State employment offices to report to the Committee all discriminatory job orders placed by Federal agencies and Government contractors.

4. The Committee's potential effectiveness is, however, limited. Established only by executive action, it is necessarily limited in budget and legal authority. Its jurisdicton over labor unions is indirect and tenuous. Its authority over employment created by grants-in-aid and over federally assisted training programs and recruitment services is not clearly defined.

Employment created by grants-in-aid

5. Grants-in-aid and contracts are similar in all pertinent respects, yet there is no uniform Federal policy requiring nondiscrimination in employment created by grant programs. Where such requirements are imposed, they have been undertaken on an agency-by-agency basis with little or no publicity or enforcement machinery.

6. In the absence of a uniform policy imposed from above, agency administrators, concerned primarily with carrying out the substance of their programs, give little consideration to the matter of nondiscriminatory employment. Many agencies are reluctant to take the initiative for fear of jeopardizing their appropriations.

7. It is not clear that employment under grants-in-aid is within the scope of Executive Order 10925, which established the President's Committee on Equal Employment Opportunity and specifically prohibits discrimination in employment under Government contracts.

Armed Forces

8. Although the Armed Forces Reserves are theoretically subject to Executive Order 9981, providing for equality of opportunity in the armed services, there continue to be segregated reserve units in some States and units in other States which completely exclude Negroes.

9. In some States Negroes are excluded from National Guard units; in others segregated units are maintained.

10. Although the National Guard is financed principally with Federal funds and traine under the direction of the Department of Defense, the Federal Government has taken no action to require desegregation of National Guard units.

11. Current statistics regarding the representation of minority groups in the Armed Forces, the National Guard and the Reserves are not generally available. Since 1955 the Department of Defense has taken the position that integration in the military is an accomplished fact and that no public interest can be served by further reports on the subject.

Training and recruitment

12. When new opportunities in training or employment are made available to Negroes, there is often a dearth of qualified Negro applicants. Part of the problem is a lack of applicants resulting from the unwillingness of many Negroes to apply for jobs that have traditionally been closed to them or a lack of knowledge of such new openings. Another facet of the problem is a lack of adequately trained Negroes resulting from a shortage of training opportunities or lack of motivation on the part of Negroes to take training for jobs that may not be available to them.

13. Through the grant of substantial funds, the Federal Government participates in many training and recruitment programs. No program designed to eliminate discrimination in employment can be completely effective unless it includes efforts to eliminate discrimination in recruitment and training facilities.

14. Vocational training received through the public schools, and made possible by Federal grant funds, is the principal means of acquiring many of the basic industrial skills. The ability of Negroes to obtain employment in skilled jobs is often determined by the availability of these training programs.

15. Current policy of the Department of Health, Education, and Welfare, conditioning admission to vocational classes on an applicant's "chances of securing employment," tends to perpetuate discriminatory employment practices and is economically wasteful. Training opportunities for Negroes, limited to training for jobs currently available in the community rather than for future employment opportunities or opportunities in other communities, may be determined to a large extent by discriminatory hiring and referral practices of local employers and labor unions. Moreover, the jobs traditionally open to Negroes are generally the ones in which there is a growing surplus of labor. In the newer technical skills, on the other hand, where training is not generally available to Negroes, openings for qualified applicants are constantly increasing.

16. Distributive and part-time education are often denied to Negroes because they cannot obtain the employment required for these programs. Here again, discriminatory employment practices determine the availability of federally supported training.

17. Apprenticeship training could be an important means of fulfilling the increasing demand for skilled workmen and of helping minority groups emerge from their traditionally low economic status. However, present apprenticeship training programs are not training even enough craftsmen to replace those who retire, and Negroes constitute a disproportionately small minority of the inadequate number of workers being trained.

18. The nationwide paucity of participation by Negroes in apprenticeship training programs is caused by lack of qualified applicants and also by discriminatory practices of both labor organizations and employers, who control admission to such programs.

19. To overcome the lack of qualified minority group applicants when new job opportunities are opened, affirmative action is often necessary to encourage them to take the necessary training, to inform them of training and employment opportunities, and, by appointing or employing them in nontraditional jobs, to demonstrate that employment opportunities do exist.

20. Although the Federal Government bears the entire cost of administering State employment offices, it has done little to assure that the policies of the program—to encourage merit employment and to discourage employment discrimination—are being effectuated.

21. Federal money is being used to perpetuate discrimination in many State employment offices where segregated offices or services are maintained, employment office personnel are hired on a discriminatory basis, and where discriminatory job orders are accepted and filled or where nondiscriminatory orders are processed on a discriminatory basis.

22. Present methods of determining State employment office budgets, based primarily on the number of job placements made, encourage employment discrimination and discourage the "selling" of merit employment.

Labor organizations

23. The practices and policies of labor organizations are often vital to equality of employment opportunity. Internal union policies, governing membership and job referrals, are particularly important to the skilled craft unions, especially in the building trades, where membership is usually a condition of employment and a large proportion of hiring is done directly through the unions. External policies, expressed in collective bargaining, affect equal opportunity through the unions' power to negotiate terms and conditions of employment.

24. Membership and job referral practices of craft unions and hiring practices in the building and construction trades have hampered the effectiveness of the Government-contract nondiscrimination policy with respect to construction work undertaken for the Federal Government.

25. As the craft unions generally control admission to apprenticeship training programs, racial discrimination policies also operate to exclude Negroes from these programs.

26. Existing civil rights machinery within the AFL-CIO has not eliminated discriminatory practices and policies of some local unions.

27. Existing Federal law has little impact on the discriminatory practices of labor organizations. No law specifically prohibits

unions from discriminating on the basis of race, color, religion, or national origin in determining membership qualifications or job referrals.

28. Federal law does impose a duty of fair representation upon unions and presently proscribes discrimination in initial employment based on membership or nonmembership in a union. The NLRB, however, the Federal agency authorized to administer these provisions, has not effectively enforced the duty of fair representation nor has it had a significant impact on the hiring and referral practices in the building and construction trades.

29. Although the President's Committee on Equal Employment Opportunity has authority to deal with union discrimination, it lacks direct jurisdiction over labor organizations and the authority it has is limited to trade union practices affecting employment on Government contracts.

RECOMMENDATIONS

General

Recommendation 1: That Congress grant statutory authority to the President's Committee on Equal Employment Opportunity or establish a similar agency—

(a) To encourage and enforce a policy of equal employment opportunity in all Federal employment, both civilian and military, and all employment created or supported by Government contracts and Federal grant funds.

(b) To promote and enforce a policy of equality of opportunity in the availability and administration of all federally assisted training programs and recruitment services.

(c) To encourage and enforce a policy of equal opportunity with respect to membership in or activities of labor organizations affecting equal employment opportunity or terms and conditions of employment with employers operating under Government contracts or Federal grants-in-aid.

Armed Forces

Recommendation 2: That the President issue an Executive order providing for equality of treatment and opportunity, without segregation or other barriers, for all applicants for or members of the Reserve components of the Armed Forces, including the National Guard and student training programs, without regard to race, color, religion, or national origin; and directing that an immediate survey, and report thereon, be made regarding Negro membership in the Armed Forces, the Armed Forces Reserves, the National Guard, and student training programs, including data, where appropriate, on branch of service, rank, type of job or assignment, years of service, and rates of pay.

Employment under grant-in-aid projects

Recommendation 3: That the President issue an Executive order making clear that employment supported by Federal grant funds is subject to the same nondiscrimination policy and the same requirements as those set forth in Executive Order 10925 applicable to employment by Government contractors.

Training and recruitment

Recommendation 4: That Congress and the President take appropriate measures to encourage the fullest utilization of the Nation's manpower resources and to eliminate the waste of human resources inherent in the discriminatory denial of training and employment opportunities to minority group members by—

(a) Expanding and supplementing existing programs of Federal assistance to vocational education and apprenticeship training.

(b) Providing for retraining as well as training and for funds to enable jobless workers to move to areas where jobs are available and their skills are in demand.

(c) Providing that, as a condition of Federal assistance, all such programs be administered on a nondiscriminatory, nonsegregated basis; and

(d) Amending present regulations regarding admission to vocational classes to provide that admission be based on present and probable future national occupational needs rather than, as presently interpreted, on traditional and local needs and opportunities.

Recommendation 5: That, in order to encourage the fullest utilization of the Nation's manpower resources, Congress enact legislation to provide equality of training and employment opportunities for youths (aged 16 to 21), and particularly minority group youths, to assist them in obtaining employment and completing their education—

(a) Through a system of federally subsidized employment and training made available on a nondiscriminatory basis.

(b) Through the provision of funds for special placement services in the schools in connection with part-time and cooperative vocational education programs.

Recommendation 6: That the President direct that appropriate measures be taken for the conduct, on a continuing basis, of an affirmative program of dissemination of information—

(a) To make known the availability on a nondiscriminatory basis of jobs in the Federal Government and with Government contractors.

(b) To encourage all individuals to train for and apply for such jobs, and particularly those jobs where there is currently a shortage of qualified applicants.

Recommendation 7: That steps be taken, either by Executive or congressional action, to reaffirm and strengthen the Bureau of Employment Security policy, in rendering recruitment and placement services, of encouraging merit employment and assisting minority group members in overcoming obstacles to employment and in obtaining equal job opportunities. In this connection, consideration should be given to changing the method utilized to determine Federal appropriations to State employment offices, presently keyed primarily to the number of job placements made, to reflect other factors (such as the greater degree of difficulty and time involved in placing qualified minority group workers), so that the budgetary formula used will encourage rather than discourage referral on a nondiscriminatory basis. In addition, regulations and statements of policy with respect to the operation of State employment offices should be reexamined to insure that such regulations and statements conform to the overall USES policy of discouraging employment discrimination and encouraging merit employment.

Recommendation 8: That the President direct the Secretary of Labor to grant Federal funds for the operation of State employment offices only to those offices which offer their services to all, on a nonsegregated basis, and which refuse to accept and/or process discriminatory job orders.

Labor organizations

Recommendation 9: That Congress amend the Labor-Management and Disclosure Act of 1959 to include in title I thereof a provision that no labor organization shall refuse membership to, segregate, or expel any person because of race, color, religion, or national origin.

HOUSING FOR DISPLACED FAMILIES

Mr. SCOTT. Mr. President, on behalf of myself and Senators DOUGLAS, CLARK, JAVITS, HART, and KEATING, I send to the desk two proposals for appropriate reference which implement the U.S. Commission on Civil Rights Report on Housing.

The first bill is a resolution calling for a 1-year study by the Senate Committee on Banking and Currency to determine the need for legislation covering Federal supervision of mortgage lending institutions and urban renewal. The second is a proposed bill implementing the Commission's recommendation dealing with the Federal highway program.

In 1959 the Civil Rights Commission reported that two basic facts were found to constitute the Nation's central housing problem: First, that a considerable number of Americans by reason of their color or race were being denied equal opportunity in housing; and, second, that the housing disabilities of colored Americans were part of the national housing crisis involving a general shortage of low cost housing.

It is true that these two basic facts remain as urgent today as they were in 1959. The Housing Act of 1961 is expressly designed to help make decent housing available for low- and moderate-income families. Unfortunately, there has been little effort on the part of the Federal Government to insure equal housing opportunities. Local government has been active in this field, but the Federal Government, which is the major force in housing today, has unfortunately not taken similar action. Federal housing assistance has been denied to some of our fellow Americans because of their race. Thus, housing is not freely available on equal terms to everyone who can afford it.

Four Federal agencies which supervise financial institutions, the Federal Home Loan Bank Board, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, agree that outright discrimination—the denial of mortgage credit on the basis of race or religion alone—is improper. But the Federal Home Loan Bank Board is the only one of these four agencies that has adopted a policy opposing discrimination. Not one of the four have attempted to require nondiscriminatory mortgage loan policies on the part of the financial institutions they supervise.

The Civil Rights Commission pointed out in its 1961 report that there was a great need of these Federal supervisory agencies to exert their full authority to secure equal access to home mortgage credit, without which homeownership is virtually impossible. Looking at the Urban Renewal Administration, we find that it has not effectively insisted upon nondiscrimination in connection with the program it administers. It is evident that minority group members are sometimes not represented in a meaningful way and are not permitted to participate fully in planning the future of the communities of which they are a part. The matter of relocation has been a significant failure of the urban renewal program. This program which was designed to revitalize our cities in some cases has actually diminished the total housing inventory available to minority group members.

We all know that the vast federally financed interstate highway program has been displacing a large number of low-income families. These families require relocation assistance, but there are indications that, unfortunately, they are not receiving it. The present program does not require assurance of decent, safe, and sanitary housing to persons so displaced.

It is my recommendation that the Congress seriously consider an amendment to the Highway Act of 1956 to require that, in the administration of this program, States assure decent, safe, and sanitary housing to persons so displaced by highway clearance.

I ask, Mr. President, that the legislation that I introduced today be printed and made a part of the RECORD, that the two pieces of legislation lie on the table until Thursday, March 15, so that there may be an opportunity for others to join as cosponsors, and that the findings and recommendations made by the U.S. Commission on Civil Rights dealing with Federal supervision of mortgage lending institutions, urban renewal, and the Federal highway program be printed at this point in the RECORD.

The VICE PRESIDENT. The resolution and bill will be received and appropriately referred; and, without objection, the resolution and bill, together with the findings of the Commission, will be printed in the RECORD, and the resolution and bill will lie on the desk, as requested by the Senator from Pennsylvania.

The resolution (S. Res. 313) concerning loans without discriminatory provisions, on real estate by financial institutions, submitted by Mr. SCOTT (for himself and other Senators), was referred to the Committee on Banking and Currency, as follows:

Resolved, That the Committee on Banking and Currency, or any duly authorized subcommittee thereof, is authorized under section 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to make a full and complete study for the purpose of determining—

(1) the feasibility and desirability of legislation requiring those financial institutions which are engaged in making real estate loans secured by residential property, and which are regulated or supervised by a Federal agency or instrumentality with respect to their lending practices, to make such loans in a manner which does not deny home mortgage credit to any person solely because of his race, creed, or color; and

(2) the need for additional legislation to ensure the existence of decent, safe, and sanitary housing adequate to meet the needs of families displaced from urban renewal projects, and to facilitate the relocation of such families into such housing.

SEC. 2. For the purposes of this resolution, the committee, from February 1, 1962, through January 31, 1963, is authorized to (1) make such expenditures as it deems advisable; (2) employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized at its discretion to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,200 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings upon the study and investigation authorized by this resolution, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1963.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

The bill (S. 2982) to assure decent, safe, and sanitary housing to families displaced by construction of highways forming a part of the Interstate System, introduced by Mr. SCOTT (for himself and other Senators), was received, read twice by its title, referred to the Committee on Public Works, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) title 23 of the United States Code is amended by adding at the end of chapter 1 thereof the following new sections:

"§ 133. Relocation of families displaced by construction of Interstate System

"(a) Each agreement entered into under section 110 after the date of the enactment of this section between the Secretary and a State highway department for the construction of a project on the Interstate System shall contain clauses providing that the State will—

"(1) assure that there are, or are being provided, in areas within the locality of such project not generally less desirable than the area of such project in regard to public utilities and public and commercial facilities and at rents or prices within the financial means of individuals and families displaced by the construction of such project, decent, safe, and sanitary dwellings, equal in number to the number of such displaced individuals and families, which are available to such displaced individuals and families and are reasonably accessible to their places of employment;

"(2) in localities where State or local agencies already administer relocation programs, provide assistance through such agencies in the relocation of individuals and families displaced by the construction of such project; and

"(3) make relocation payments to individuals and families displaced by the construction of such project for their reasonable and necessary moving expenses, not exceeding $200 in the case of any individual or family.

Any such agreement shall also provide that the Secretary will reimburse the State for the full costs of relocation payments made pursuant to the requirements of paragraph (3).

"(b) There are authorized to be appropriated for each fiscal year such sums as may be necessary to enable the Secretary to fulfill his obligations under agreements entered into under section 110 to reimburse the States for relocation payments to displaced individuals and families made pursuant to the requirements of paragraph (3) of subsection (a)."

(b) The table of contents for such chapter is amended by adding at the end thereof the following item:

"133. Relocation of families displaced by construction of Interstate System."

The findings and recommendations presented by Mr. SCOTT are as follows:

FINDINGS OF U.S. COMMISSION ON CIVIL RIGHTS

HOUSING

Federal supervision of mortgage lending institutions

14. Among the four Federal agencies that supervise financial institutions, the Federal Home Loan Bank Board and the Board of Governors of the Federal Reserve System acknowledge—at least implicitly—that racial and religious discrimination in mortgage lending does occur among the institutions they supervise. The Comptroller of the Currency and the Federal Deposit Insurance Corporation disclaim any knowledge of such discrimination.

15. All four of these Federal agencies appear to agree that outright discrimination—the denial of mortgage credit on the basis of race or religion alone—is improper.

16. All four of these Federal agencies enjoy prestige among the institutions they supervise, and much of their supervisory authority is exerted effectively through essentially informal means.

17. The Federal Home Loan Bank Board is the only one of these four Federal agencies that has adopted a policy opposing discrimination. It has indicated that its examiners will inquire into possible discrimination on the part of member savings and loan associations, and that where discrimination is found, countermeasures will be taken. There appears to be no good reason why the other three agencies should not take similar action.

18. None of these four agencies has attempted to require nondiscriminatory mortgage loan policies on the part of the financial institutions they supervise. There is a great need for these Federal supervisory agencies to exert their full authority to secure equal access to home mortgage credit, without which homeownership is virtually impossible.

19. The voluntary home mortgage credit program, a unique Government-private enterprise arrangement, constitutes recognition on the part of the mortgage lending community and the Federal Government that many minority group members suffer discrimination in the mortgage credit market. The program is an attempt to encourage equal treatment through essentially private means. Its successes are a tribute to the good faith of the private lending industry. But its failures are a sober reminder of the fundamental limitations of reliance upon good faith alone.

Urban renewal

20. The Urban Renewal Administration has not effectively insisted upon nondiscrimination in connection with the program it administers. In the urban renewal planning stage there is evidence that minority group members—those most often uprooted and displaced—are sometimes not represented in a meaningful way; that their representatives are relegated to subcommittees on minority housing problems and are not permitted to participate fully in planning the future of the communities of which they are a part.

21. In many instances Negroes and other minority group members are denied access to the housing built on urban renewal project areas—housing built with the assistance of substantial governmental subsidies.

22. The most significant failure of urban renewal has been in the matter of relocation. Negroes, facing the presently insurmountable obstacle of a restricted housing market, comprise a majority of urban renewal displacees. Present provisions have been inadequate to secure their relocation in decent, safe, and sanitary housing. Frequently one blighted area is removed only to be replaced by another.

23. There are indications that the urban renewal program, designed to revitalize our cities, has actually diminished, by reason of failure to provide housing that is accessible to those who are displaced, the total housing inventory available to minority group members.

24. New programs of rehabilitation and conservation with emphasis on the preservation of existing housing rather than clearance and dislocation hold future promise of stability to central city residents, many of whom are Negroes and members of other minority groups.

Federal highway program

25. The federally financed interstate highway program is displacing large numbers of low-income families. Like urban renewal displacees, these families require relocation assistance. But unlike urban renewal displacees, they are not receiving it.

26. This Federal program does not presently require the assurance of decent, safe, and sanitary housing to persons so displaced, nor is there any provision for aid to displaced families in order to facilitate their movement to new homes. FHA section 221 housing available to all persons displaced by governmental action (as well as to low- and moderate-income families) does not meet these needs.

RECOMMENDATIONS OF U.S. COMMISSION ON CIVIL RIGHTS

HOUSING

Federal supervision of mortgage lending institutions

Recommendation 3: That the Federal Government, either by executive or by congressional action, take appropriate measures to require all financial institutions engaged in a mortgage loan business that are supervised by a Federal agency to conduct such business on a nondiscriminatory basis, and to direct all relevant Federal agencies to devise reasonable and effective implementing procedures.

Urban renewal

Recommendation 4: That the Federal Government, either by executive or by congressional action, take appropriate measures to require communities as a prerequisite to receiving Federal urban renewal assistance: (a) to assure that there is a supply of decent, safe, and sanitary housing for displacees in fact adequate to the needs of the families displaced; and (b) to provide sufficient relocation facilities to assure the relocation of such displacees into decent, safe, and sanitary dwellings.

Recommendation 5: That the President direct the Urban Renewal Administration to require that each contract entered into between local public authorities and redevelopers contain a provision assuring access to reuse housing to all applicants regardless of race, creed, or color.

Federal highway program

Recommendation 6: That Congress amend the Highway Act of 1956 to require that in the administration of the interstate highway program, States assure decent, safe, and sanitary housing to persons displaced by highway clearance; that in those localities where there are agencies administering relocation programs, such agencies be made responsible for the relocation of persons displaced by highway construction; and that Congress provide also for financial aid to displaced families in order to facilitate their movement to new homes.

EQUAL JUSTICE UNDER LAW

Mr. HART. Mr. President, I introduce, for appropriate reference, two bills designed to carry out the 1961 recommendations of the Commission on Civil Rights, in its report on the administration of justice.

I ask unanimous consent that the text of the bills, together with the findings and recommendations in the report on equal justice under law, made by the Commission on Civil Rights, be printed at this point in the RECORD, in connection with my remarks.

The VICE PRESIDENT. The bills will be received and appropriately referred; and, without objection, the bills and findings will be printed in the RECORD, and the bills will lie on the desk, as requested by the Senator from Michigan.

The bills, introduced by Mr. HART (for himself and other Senators), were received, read twice by their titles, appropriately referred, and ordered to be printed in the RECORD, as follows:

To the Committee on the Judiciary:

S. 2983. A bill to protect civil rights through providing criminal and civil remedies for unlawful official violence; authorizing suits by the Attorney General to prevent exclusion of members of minority groups from jury service; and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

PROTECTION AGAINST VIOLENCE UNDER COLOR OF LAW

SECTION 1. (a) Section 242 of title 18, United States Code, is amended by inserting "(a)" immediately before "Whoever", and by adding at the end thereof the following:

"(b) Whoever, under color of any law, statute, ordinance, or regulation or custom knowingly performs any of the following acts depriving another person of any of the rights, privileges or immunities secured by the Constitution and laws of the United States shall be fined not more than $1,000 or imprisoned not more than one year, or both:

"(1) Subjecting any person to physical injury for an unlawful purpose;

"(2) Subjecting any person to unnecessary force during the course of an arrest or while the person is being held in custody;

"(3) Subjecting any person to violence or maliciously subjecting such person to unlawful restraint in the course of eliciting a confession to a crime or any other information;

"(4) Subjecting any person to violence or unlawful restraint for the purpose of obtaining anything of value;

"(5) Refusing to provide protection to any person from unlawful violence at the hands of private persons, knowing that such violence was planned or was then taking place;

"(6) Aiding or assisting private persons in any way to carry out acts of unlawful violence."

(b) The enactment of this section shall not be construed as indicating an intent on the part of the Congress to prevent any State, or any possession or Commonwealth of the United States, from exercising jurisdiction over any offense over which they would have jurisdiction in the absence of the enactment of this section.

FEDERAL CIVIL REMEDIES FOR UNLAWFUL OFFICIAL VIOLENCE

SEC. 2. Section 1979 of the Revised Statutes of the United States (42 U.S.C. 1983) is amended by inserting "(a)" immediately after "SEC. 1979.", and by adding at the end thereof the following:

"(b) Every city, county, or political subdivision of a State or territory which has in its employ a person who, under color of any statute, ordinance, regulation, custom, or usage of such State, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress to the same extent as the person employed is liable to the party injured."

EXCLUSION OF MINORITY GROUP MEMBERS FROM JURY SERVICE

SEC. 3. The Attorney General is authorized to institute for or in the name of the United States a civil action or other proceeding for preventive relief, including an application for injunction or other order, against any individual or individuals who, under color of any statute, ordinance, regulation, custom, or usage, of any State or political subdivision thereof, exclude any person or groups of persons from grand or petit jury service on account of their race, color, or national origin.

SEC. 4. As used in this chapter, the term "State" includes the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and American Samoa.

To the Committee on Labor and Public Welfare:

S. 2984. A bill to establish a matching grant program to be administered by the Secretary of Health, Education, and Welfare to improve the education, training, and recruitment of State and local police forces.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. The Secretary of Health, Education, and Welfare, in consultation with the Attorney General, shall establish and maintain a program under which he shall provide grants-in-aid to any State or local government to assist such State or local government in the establishment or operation of programs designed to improve the professional quality of State or local police forces.

SEC. 2. The Secretary shall approve a program established by a State or local government for a grant-in-aid only upon application by the State or local government and only upon his finding that the program will provide for one or more of the following:

(a) Development and use of selection tests and standards to be used in selection of recruits for employment as police officers;

(b) Development and maintenance of training programs in scientific methods of crime detection;

(c) Development and maintenance of training programs in constitutional rights and human relations;

(d) Development and maintenance of college level schools of police administration; and

(e) Development and maintenance of scholarship programs to assist police officers to receive training in schools of police administration.

SEC. 3. To finance any program approved under this Act the Federal contribution shall be fifty percent and the State or local contribution shall be fifty percent.

SEC. 4. Nothing contained in this Act shall be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over the organization, administration, or personnel of any police agency.

SEC. 5. All programs operating under the provisions of this Act must be administered without discrimination based on race, color, religion, or national origin.

SEC. 6. (a) The Secretary of Health, Education, and Welfare may establish a Federal Advisory Committee on Police Procedures to advise him on the administration of this program. The Committee may elect officers and meet at the order of its chairman. But its decisions will not bind the Secretary of Health, Education, and Welfare on any matter.

(b) The Secretary of Health, Education, and Welfare shall invite the highest officer of the following organizations to be a member of the Advisory Committee or to designate a member of his organization to be a member: International Association of Chiefs of Police; National Sheriff's Association; Conference of Chief Justices; American Bar Association; National Association of Attorneys General; National Institute of Municipal Law Officers; National Legal Aid and Defender Association; American Civil Liberties Union; and the National Association of County and Prosecuting Attorneys. In addition, the Secretary of Health, Education, and Welfare may designate such other individuals as he may desire, not exceeding four, to serve on the Advisory Committee.

(c) Members of any such committee not otherwise in the employ of the United States, while attending meetings of their committee, shall be entitled to receive compensation at a rate to be fixed by the Secretary, but not exceeding $75 per diem, including travel time, and while away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law (section 73b–2 of Title 5) for persons in the Government service employed intermittently. The provisions of section 583 of Title 20 shall apply to members of such committees.

SEC. 7. As used in this chapter, the term "State" includes the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and American Samoa.

SEC. 8. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

The findings presented by Mr. HART are as follows:

FINDINGS

UNLAWFUL OFFICIAL VIOLENCE

1. The actions of most policemen demonstrate that effective law enforcement is possible without the use of unlawful violence.

2. Nonetheless, police brutality by some State and local officers presents a serious and continuing problem in many parts of the United States. Both whites and Negroes are the victims, but Negroes are the victims of such brutality far more, proportionately, than any other group in American society.

3. While police connivance in violence by private persons is becoming less of a problem than in the past, such denials of equal protection still occur.

4. American citizens in some places live in fear of police violence and of mob violence with police connivance.

5. State and local officials—police commanders, prosecutors, and others in positions of authority—who have the immediate responsibility and most effective means for preventing such abuses sometimes do not use their powers. Police commanders at times take a protective attitude toward miscreant officers, and local prosecutors rarely bring criminal actions against them.

THE PROFESSIONAL QUALITY OF STATE AND LOCAL POLICE FORCES

6. The most effective "remedies" for illegal official violence are those that tend to prevent such misconduct rather than those which provide sanctions after the fact. The application of professional standards to the selection and training of policemen is one such preventive measure.

7. Complaints rarely are made against Federal police agents, in part because these officers have had professional training and have been selected according to professional standards.

8. The professional level is high in some State and local police forces also, but in many others it is low due to low pay, ineffective recruit selection standards and ineffective training programs.

9. The establishment of professional standards for police forces can be aided by such positive programs as good pay, high recruit selection standards, and training in scientific crime detection, in human relations, and in police administration. These programs would be encouraged by Federal financial assistance to police departments that seek the development of more effective selection standards and training courses.

FEDERAL CRIMINAL REMEDIES FOR UNLAWFUL OFFICIAL VIOLENCE

10. Although many acts of violence by policemen are violations of constitutional rights and of Federal statutes, the Federal criminal sanctions for such misconduct have not proved to be effective remedies. This is due to difficulties inherent in the cases such as the problem of proof; to the policies and procedures of the Department of Justice; and to weaknesses of the statutes.

11. Among the policies and procedures of the Department of Justice that have hampered Federal criminal prosecutions for unlawful official violence have been excessive reliance on signed complaints from aggrieved individuals despite the fact that many victims of police misconduct are unaware of their rights, or fearful to press them; a tendency to close some cases without complete investigation; and deference to State authorities which results in withholding any investigation pending State action even at the risk of allowing evidence to grow stale.

12. FBI agents, charged with the duty of civil rights acts investigations, are sometimes placed in a difficult position when they must investigate allegations of misconduct against local policemen. The cooperation of local officers is essential to the FBI in investigating and apprehending those who violate Federal criminal statutes not related to civil rights. Moreover, victims and witnesses of police misconduct are sometimes hesitant to give information to Federal authorities because of the cooperative relationship between the FBI and local policemen.

13. Since section 242, the principal criminal Federal Civil Rights Act defines only a misdemeanor, prosecution can be instituted by information (a sworn statement setting out the specific charges against the defendant) as well as by grand jury indictment. The former method avoids the delay and the hazard of one more hostile jury, involved in a presentment to a grand jury, and allows the facts to be brought to the attention of the affected community in a public trial. An information has been used by the Department of Justice only once and then successfully.

14. Difficulties also arise from the language of section 242, as interpreted by the Supreme Court in *Screws* v. *United States*. The requirement of "specific intent"—as opposed to the usual general criminal intent—for conviction under the statute severely limits the statute's applicability. Moreover, there is confusion among judges, jurors, and lawyers as to the meaning of specific intent. Some Federal trial judges have issued instructions to juries which seem to interpret specific intent more narrowly than is required by the Screws decision.

15. A more specific statute supplementary to section 242 spelling out certain conduct proscribed by the 14th amendment would more effectively protect the constitutional right to security of the person against official misconduct.

FEDERAL CIVIL REMEDIES FOR UNLAWFUL OFFICIAL VIOLENCE

16. The Federal civil rights acts providing civil liability for unlawful official violence have not proved to be effective remedies. Relatively few suits are filed under the principal civil statute, section 1983, which allows suits by the victims of police brutality against officers for monetary damages. Successful suits are rare.

17. One deterrent to the filing of civil suits is the fact that even if a victim of official violence sues successfully, few police officers are able to satisfy a substantial money judgment. This can be corrected by an amendment to section 1983 which would render counties, cities, and other local governmental entities liable for the misconduct of their policemen.[1]

DISCRIMINATORY EXCLUSION OF MINORITY GROUPS FROM JURY SERVICE

18. The practice of excluding Negroes from juries on account of their race still persists in a few States. The burden of combating such racial exclusion from juries now rests entirely on private persons—almost invariably defendants in criminal trials.

19. Only criminal remedies are available to the Federal Government to combat unconstitutional jury exclusion. The Federal Government has successfully invoked a criminal statute only once, in the late 1870's.

20. Civil actions instituted in the name of the United States would constitute a more effective method of preventing discriminatory exclusion from juries.

RECOMMENDATIONS

THE PROFESSIONAL QUALITY OF STATE AND LOCAL POLICE FORCES

Recommendation 1: That Congress consider the advisability of enacting a program of grants-in-aid to assist State and local governments, upon their request, to increase the professional quality of their police forces. Such grants-in-aid might apply to the development and maintenance of (1) recruit selection tests and standards; (2) training programs in scientific crime detection; (3) training programs in constitutional rights and human relations; (4) college level schools of police administration; and (5) scholarship programs that assist policemen to receive training in schools of police administration.

FEDERAL CRIMINAL REMEDIES FOR UNLAWFUL OFFICIAL VIOLENCE

Recommendation 2: That Congress consider the advisability of enacting a companion provision to section 242 of the U.S. Criminal Code which would make the penalties of that statute applicable to those who maliciously perform, under color of law, certain described acts including the following:

1. Subjecting any person to physical injury for an unlawful purpose.

2. Subjecting any person to unnecessary force during the course of an arrest or while the person is being held in custody.

3. Subjecting any person to violence or unlawful restraint in the course of eliciting a confession to a crime or any other information.

4. Subjecting any person to violence or unlawful restraint for the purpose of obtaining anything of value.

5. Refusing to provide protection to any person from unlawful violence at the hands

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[1] *Lincoln County* v. *Luning*, 133 U.S. 529 (1890); *Hopkins* v. *Clemson Agricultural College*, 221 U.S. 636 (1911); *Frame* v. *City of New York*, 34 F. Supp. 194 (S.D.N.Y. 1940). Some States have statutes providing that the victims of mobs may sue the State in local courts for damages so incurred. An example is Ill. Rev. Stat., ch. 38, secs. 512–517 (1959). It is doubtful if liability could be extended by congressional action to State governments. *Hans* v. *Louisiana*, 134 U.S. 1 (1890); *Palmer* v. *Ohio*, 248 U.S. 32, 34 (1918); *In re State of New York*, 256 U.S. 490, 497 (1920); *Monaco* v. *Mississippi*, 292 U.S., 313, 328–30 (1934).

of private persons, knowing that such violence was planned or was then taking place.

6. Aiding or assisting private persons in any way to carry out acts of unlawful violence.

FEDERAL CIVIL REMEDIES FOR UNLAWFUL OFFICIAL VIOLENCE

Recommendation 3: That Congress consider the advisability of amending section 1983 of title 42 of the United States Code to make any county government, city government, or other local governmental entity that employs officers who deprive persons of rights protected by that section, jointly liable with the officers to victims of such officers' misconduct.

EXCLUSION OF MINORITY GROUP MEMBERS FROM JURY SERVICE

Recommendation 4: That Congress consider the advisability of empowering the Attorney General to bring civil proceedings to prevent the exclusion of persons from jury service on account of race, color, or national origin

Mr. HART. Mr. President, the Commission in its investigation and study of equal justice under law has made a major contribution in charting the direction in which we must move in order to insure full protection of all our citizens in their constitutional rights.

In this area of the Commission's concern, the problems of police brutality and related private violence, the enforcement of the Civil Rights Acts, and the problem of exclusion from jury service of certain citizens were fully reviewed. Under the chairmanship of Dr. John A. Hannah, president of Michigan State University, the Commission we created has provided Congress with findings and recommendations which serve as guideposts for the essential legislative job ahead.

Today we are introducing two bills embodying the recommendations of the report on equal justice under law. I ask unanimous consent that an analysis of the recommendations for legislation to improve our protections against unlawful violence and to prevent exclusion of any citizens from jury service because of his race, color, or national origin be printed at this point in my remarks.

There being no objection, the analysis was ordered to be printed in the RECORD, as follows:

ANALYSIS OF S. 2983 IMPLEMENTING RECOMMENDATIONS OF THE COMMISSION ON CIVIL RIGHTS "JUSTICE REPORT: CRIMINAL AND CIVIL STATUTES FOR UNLAWFUL VIOLENCE; AND: CIVIL STATUTE FOR JURY EXCLUSION"

Recommendation 2 of the Justice report states:

"That Congress consider the advisability of enacting a companion provision to section 242 of the United States Criminal Code which would make the penalties of that statute applicable to those who maliciously perform, under color of law, certain described acts including the following:

"1. Subjecting any person to physical injury for an unlawful purpose.

"2. Subjecting any person to unnecessary force during the course of an arrest or while the person is being held in custody.

"3. Subjecting any person to violence or unlawful restraint in the course of eliciting a confession to a crime or any other information.

"4. Subjecting any person to violence or unlawful restraint for the purpose of obtaining anything of value.

"5. Refusing to provide protection to any person from unlawful violence at the hands of private persons, knowing that such violence was planned or was then taking place.

"6. Aiding or assisting private persons in any way to carry out acts of unlawful violence."

The purpose of this recommendation was to make the Federal criminal provisions penalizing unconstitutional official violence more effective remedies. The reasons for it are summarized in findings 10–15 (pp. 110–111, "Justice Report"). These findings reveal that the present Federal criminal statutes "have not proved to be effective remedies. That is due to difficulties inherent in the cases such as problems of proof; to the policies and procedures of the Department of Justice; and to weaknesses of the statutes." The first problem is not presently subject to remedy. The second was left to remedial action by the Attorney General along lines suggested in the "Justice Report." This recommendation deals with the third problem.

The legal weaknesses of the statutes stem almost entirely from the word "willfully" in 18 U.S.C. 242 and from the Supreme Court decision which interpreted that word and set up the doctrine of specific intent. Section 242 is derived from the Civil Rights Act of 1866 and the Enforcement Act of 1870. It is the principal legal weapon of the Federal Government against official invasions of constitutional rights. In its present form section 242 provides, in part, that:

"Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects, or causes to be subjected, any inhabitant of any State, Territory, or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution and laws of the United States * * * shall be fined not more than $1,000, or imprisoned not more than one year, or both."

Little used before the Civil Rights Section of the Department of Justice was established in 1939, the act was put to a major constitutional test in 1943, when it was used to prosecute Sheriff M. Claude Screws, of Baker County, Ga., who, along with two other officers, had killed a young Negro. In *Screws v. United States*, 325 U.S. 91 (1945), the Supreme Court indicated that the statute was vague because of the indefiniteness of the standard of guilt—due process of law and other rights protected by the Federal Constitution are sometimes terribly unspecific. So as to save the statute the Court held that the word "willfully" meant "with specific intent"; in order to convict, it had to be shown that the defendant had the "specific intent" to violate a federally protected right—not just a general criminal intent to harm the victim.

This apparently reasonable requirement has added to the great difficulties already existent in Federal criminal prosecutions of local police officers. For example, when an officer brutalizes a person, it is almost impossible to prove that at that time instead of personal animus he was motivated by the specific intent to deprive the victim of his constitutional right to a fair trial, or to be punished only after trial and sentence by a competent judicial tribunal, or to be free from summary punishment, or to be free from a conviction based on a coerced confession, or to be secure in his property except when it is taken according to the procedures aproved by law and the Constitution.

Recommendation 2, therefore, suggests a statute that will be more definite than section 242. It does so by omitting the word "willfully" and by listing specific acts of commonly observed police misconduct—all of which official acts are violative of the 14th amendment and other provisions of the U.S. Constitution. The level of intent suggested by the Commission was "maliciously." This was meant to suggest a general bad purpose as opposed to the "specific intent" requirement of the Screws case. It would exclude accidental commission of the listed acts for in that case a bad purpose would be lacking. But it would include virtually any other instance when these acts were committed by a police officer who was acting "under color of law * * *". The fact that an officer was motivated by personal malice would be irrelevant so long as he intentionally committed the prohibited act.

The Commission recommended a "companion provision to section 242" so that other acts not specifically listed might also be reached by the latter more general provision.

It must be emphasized that this is not a recommendation for a new Federal crime. All of the acts are Federal crimes under section 242 now. This provision merely provides for a new standard of intent and, consequently, for a new standard of proof.

Recommendation 3 of the "Justice Report" states:

"That Congress consider the advisability of amending section 1983 of title 42 of the United States Code to make any county government, city government, or other local governmental entity that employs officers who deprive persons of rights protected by that section, jointly liable with the officers to victims of such officers' misconduct."

The purpose of this recommendation is to make the present Federal civil statutes more effective remedies. The reasons for it are outlined in findings 16 and 17 ("Justice Report," p. 111). These findings make it clear that, like the criminal statutes, "The Federal Civil Rights Acts providing civil liability for unlawful official violence have not proved to be effective remedies." In a recent 2-year period, only 42 suits alleging police brutality were filed in all Federal courts. None of these were successful.

Many of the impediments to criminal suits also affect civil suits, especially the difficulty of convincing a jury composed of local citizens to find against a local police officer in a Federal court. In addition, civil suits are hindered by the lack of finances of most police officers. And in a recent case, *Monroe v. Pape*, 365 U.S. 167 (1961), the Supreme Court declared that the principal Federal civil statute applicable to police brutality, 42 U.S.C. 1983, cannot be the basis for a suit against a policeman's municipal employer.

The Commission's recommendation would extend liability under section 1983 to counties, cities, and other local governments, but not to States. There seems no doubt that Congress can make localities liable in a Federal civil suit for money damages. *Lincoln County v. Luning*, 133 U.S. 529 (1890); *Hopkins v. Clemson Agricultural College*, 221 U.S. 636 (1911); *Frame v. City of New York*, 34 F. Supp. 194 (S.D.N.Y. 1940). However, there is some doubt if such liability could be extended by Congress to the State governments because the 11th amendment apparently protects them—but not their political subdivisions. *Hans v. Louisiana*, 134 U.S. 1 (1890); *Palmer v. Ohio*, 248 U.S. 32, 34 (1918); *In re State of New York*, 256 U.S. 490, 497 (1920); *Monaco v. Mississippi*, 292 U.S. 313, 328–330 (1934). Moreover, the problem of illegal violence is found primarily in local police agencies, not State agencies.

Recommendation 4 of the "Justice Report" states:

"That Congress consider the advisability of empowering the Attorney General to bring civil proceedings to prevent the exclusion of persons from jury service on account of race, color, or national origin."

The purpose of this recommendation was to provide a more effective Federal remedy against unconstitutional jury exclusion. The reasons for it are summarized in findings 18–20 (pp. 111–112, "Justice Report"). These findings show that while jury exclusion is still widely practiced in certain counties, there has been only one successful criminal prosecution under that statute

specifically applicable, 18 U.S.C. 243—that was in the late 1870's. Civil actions would allow the Federal courts to ban the practice without first having to declare a local official to be a criminal, as under section 243. Unlike police brutality, jury exclusion is a continuing practice subject to effective attack by injunction.

Mr. HART. Mr. President, the second bill proposes the establishment of a Federal-State program of matching grants-in-aid for the education, training, and recruitment of State and local police forces. Congress last year established a program of Federal assistance to work toward the solution of the Nation's problems of juvenile delinquency. There is adequate evidence, I believe, that a program for improving the skills and recruitment of our State and local police forces can be developed without intrusion into the clear responsibilities which State and local governments have for the maintenance of law and order.

Excellent work has been done on a limited scale in this area by the world renowned FBI National Academy. Many of our universities and schools of public administration are presently engaged in training in police administration and in-service training of State and local police officers. This bill contemplates that the grant-in-aid program would be administered by the Secretary of Health, Education, and Welfare, but with close cooperation and consultation with the Attorney General of the United States.

I am hopeful that this bill will provide the basis for comprehensive hearings, and I am sure that, as a result of those hearings, the Congress will have a record which will permit the development of a program designed to meet the critical needs in this area.

AMENDMENT OF 18 U.S.C. 4163, RELATING TO DISCHARGE OF PRISONERS

Mr. LONG of Missouri. Mr. President, the Department of Justice has sent to the Senate a proposed bill which would authorize the warden or keeper of Federal prisoners to release a prisoner on the workday preceding his release date if such date falls on a Saturday, Sunday, or holiday.

It is anticipated that such a provision would result in a substantial saving of Federal funds.

Therefore, I introduce for appropriate reference a bill to amend 18 U.S.C. 4163, relating to discharge of prisoners and ask unanimous consent that the bill and the letter signed by the Acting Attorney General transmitting the bill to the Senate be printed at this point in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill and letter will be printed in the RECORD.

The bill (S. 2986) to amend 18 U.S.C. 4163, relating to discharge of prisoners, introduced by Mr. LONG of Missouri, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4163 of title 18, United States Code, is amended to read as follows:

"Except as hereinafter provided a prisoner shall be released at the expiration of his term of sentence less the time deducted for good conduct. A certificate of such deduction shall be entered on the commitment by the warden or keeper. If such release date falls upon a Saturday, a Sunday, or on a Monday which is a legal holiday at the place of confinement, the prisoner may be released at the discretion of the warden or keeper on the preceding Friday. If such release date falls on a holiday which falls other than on a Saturday, Sunday or Monday, the prisoner may be released at the discretion of the warden or keeper on the day preceding the holiday."

The letter presented by Mr. LONG of Missouri is as follows:

OFFICE OF THE ATTORNEY GENERAL,
Washington, D.C., February 21, 1962.

The VICE PRESIDENT,
U.S. Senate,
Washington, D.C.

DEAR MR. VICE PRESIDENT: Enclosed for your consideration and appropriate reference is a legislative proposal to amend section 4163 of title 18, United States Code, with respect to the discharge of Federal prisoners.

Section 4163 now directs the release of a prisoner at the expiration of his sentence less the time deducted for good conduct. It is proposed that the section be amended to authorize the warden or keeper to release a prisoner on the workday preceding his release date if such date falls on a Saturday, Sunday, or holiday.

Normally on weekends and holidays, administrative and social service offices of the prison institution are closed and only correctional employees are on duty. Since the duties of the administrative and social service personnel in connection with the discharge of prisoners require an intimate knowledge of the applicable regulations and considerable training, most correctional personnel are not equipped to perform them. In the exceptional cases, however, if correctional personnel perform these administrative duties, additional personnel must be called to duty to do the correctional work. The only feasible alternative, often used, is to call the regular administrative officers back to duty and pay them overtime.

During the fiscal year 1961, there were 14,915 prisoners discharged. This means that there was an average of about 41 prisoners released on each day of the year. With 104 Saturdays and Sundays and 8 holidays, it would be fair to estimate that 4,592 prisoners were released on other than normal working days.

Without appreciably affecting the terms of imprisonment of persons where release dates fall on weekends or holidays, a considerable saving in overtime pay costs should be effected through the enactment of this legislation. Likewise, substantial savings would ensue with respect to the daily maintenance costs of the prisoner population.

The Department therefore urges the introduction and favorable consideration of this legislation.

The Bureau of the Budget has advised that there is no objection to the submission of this recommendation.

Sincerely,

ACTING ATTORNEY GENERAL.

AMENDMENT OF MINERAL LEASING ACT OF 1920—AMENDMENT

Mr. ALLOTT submitted an amendment, in the nature of a substitute, intended to be proposed by him, to the bill (S. 413) to amend the Mineral Leasing Act of 1920 in order to provide for public records of oil and gas leases issued under such act and other instruments affecting title to such leases, and for other purposes, which was referred to the Committee on Interior and Insular Affairs and ordered to be printed.

COINAGE OF SILVER 50-CENT PIECES COMMEMORATING FIRST U.S.-MANNED VEHICLE ORBITAL FLIGHT AROUND THE EARTH—ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of March 8, 1962, the names of Mr. SMITH of Massachusetts and Mr. LONG of Missouri were added as additional cosponsors of the bill (S. 2952) to authorize the coinage of 50-cent pieces in commemoration of the first U.S.-manned vehicle orbital flight around the earth, introduced by Mr. BIBLE (for himself and Mr. SYMINGTON) on March 8, 1962.

STANDBY PUBLIC WORKS ACT OF 1962—ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of March 8, 1962, the names of Mr. MCCARTHY, Mr. PELL, and Mr. RANDOLPH were added as additional cosponsors of the bill (S. 2965) to provide standby authority to accelerate public works programs of the Federal Government and State and local public bodies, introduced by Mr. CLARK on March 8, 1962.

NOTICE CONCERNING CERTAIN NOMINATIONS BEFORE COMMITTEE ON THE JUDICIARY

Mr. EASTLAND. Mr. President, the following nominations have been referred to and are now pending before the Committee on the Judiciary:

Alfred W. Moellering, of Indiana, to be U.S. attorney, northern district of Indiana, term of 4 years, vice Kenneth C. Raub, resigned;

Robert E. Hauberg, of Mississippi, to be U.S. attorney, southern district of Mississippi, term of 4 years (reappointment); and

Robert A. O'Neil, of Indiana, to be U.S. marshal, southern district of Indiana, term of 4 years, vice Richard J. Jarboe, resigned.

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in these nominations to file with the committee, in writing, on or before Tuesday, March 20, 1962, any representations or objections they may wish to present concerning the above nominations, with a further statement whether it is their intention to appear at any hearing which may be scheduled.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the

amendment of the House to the bill (S. 1991) relating to manpower requirements, resources, development, and utilization, and for other purposes.

ALASKA NEEDS TO CATCH UP BECAUSE OF PAST EXCLUSIONS AND DISCRIMINATIONS

Mr. GRUENING. Mr. President, there is an overshadowing reality about Alaska which those of us who are elected to represent the 49th State and its people face. It is based on the historical fact that during the 92 years that Alaska was, first, a district, and, later, a territory, it suffered neglect and discrimination by the distant Federal authorities without precedent or parallel in American history.

These discriminations and exclusions justified our asking, when we sought statehood, that the United States put an end to our colonialism. But much of that legacy remains to be liquidated.

Our task here and now is to seek to enable Alaska to catch up. The occurrence of a few of these discriminations and exclusions was made manifest in testimony which I gave today before the Appropriations Subcommittee dealing with the fiscal year 1963 budget of the Interior Department and certain related agencies. It is important that the conditions resulting from this long stepchildhood, which still require remedying, be known, not merely to the Appropriations Committee, but also to all of our colleagues.

Therefore, I ask unanimous consent that my statement be printed at this point in the RECORD, in connection with my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR ERNEST GRUENING BEFORE THE SUBCOMMITTEE ON INTERIOR AND RELATED AGENCIES OF THE SENATE COMMITTEE ON APPROPRIATIONS, MARCH 13, 1962

Mr. Chairman, the principal portion of my testimony before the Subcommittee on Interior and Related Agencies Appropriations will concern matters directly or indirectly affecting Alaska, its great and sometimes obvious needs, and the use to which many millions of dollars will be put if this committee approves the budget items before it.

However, before I discuss these areas I wish to thank the committee for its consideration of Alaska's needs during this fiscal year.

Although Alaska has many needs, Alaska's delegation last year did not want funds totaling $387,350 which had been earmarked for two wildlife ranges. It felt, as did the State officials, that the money could better be spent for a Foreatry Research Laboratory at Fairbanks or for cadastral work of the Bureau of Land Management, for fishery rehabilitation, for schools and much else. And subsequently, the funds for the two proposed wildlife ranges were removed from the budget and used for projects urgently needed in Alaska.

This committee's action is appreciated in Alaska, for those projects, I believe, should be the State's responsibility.

Less than 4 years have elapsed since Congress approved formation of the 49th State. Progress has been made, but 98 percent of Alaska still is federally owned. As a result the State, of necessity looks carefully at the actions, proposed and actual, of the administration and its agencies.

Let me take them up one by one.

We trust that no appropriation will be made for either the Arctic Wildlife Range or the Izembek National Wildlife Range in this or future budgets.

As a matter of fact Gov. William Egan has requested that the area comprised by the nearly 9 million acres of the so-called Arctic Wildlife Range be included in the withdrawals to which the State of Alaska is entitled. Governor Egan has done that so that if after appropriate study it is determined that the land would serve the Nation best as a wildlife range, this could be done by the State.

This is in line with the policy announced by Secretary Udall in his speech on March 6, 1961, before the American Wildlife and Natural Resources Conference. He said:

"We have been charged by the President to formulate plans for new starts. Obviously, a national program of this kind does not mean the acquisition of new Federal parks and recreational area only. Inevitably, and most importantly, such a program must include devices for encouraging the States to develop land acquisition programs of their own.

"This will be a real challenge to our States—and one that they must meet for the benefit of their citizens."

The State of Alaska is doing this.

Although the request was made to former Secretary Seaton by Governor Egan before he made the withdrawal that he not withdraw these lands, and although the Congress had refused to act after extensive hearings on the matter were conducted by my distinguished colleague, the Honorable E. L. (Bob) BARTLETT, the withdrawal was made.

I hope, therefore, that language can be written into this bill or the report that no funds appropriated by this bill shall be used for either of these withdrawals.

BUREAU OF LAND MANAGEMENT

Our Statehood Act contains a grant to the State of Alaska of approximately 103 million acres of land now owned by the Federal Government. The State is to select this land over a 25-year period. Section 6(g) of the Statehood Act specified:

"Where any lands desired by the State are unsurveyed at the time of their selection, the Secretary of the Interior shall survey the exterior boundaries of the area requested without any interior subdivision thereof, and shall issue a patent for such selected area in terms of the exterior boundary."

As this committee knows, only an infinitesimal portion of Alaska has been surveyed. If Alaska is to make its selections these surveys must be speeded up. In his testimony before the subcommittee last year, the Director of the Bureau of Land Management, Mr. Karl Landstrom, observed:

"The selection of Federal lands by the State of Alaska is resulting in a growing workload for adjudication, field examination, and cadastral surveys."

It is, therefore, gratifying to note that the budget for the Bureau of Land Management for fiscal year 1963 is substantially increased over that of the current year. This increase includes funds for an expanding workload in the land offices in Alaska and for cadastral surveys in the State which are, as Director Landstrom said this year, "necessary before the State (Alaska) can receive title to selected lands."

The amount budgeted for cadastral surveys for fiscal year 1963 is $4,490,000. While this is substantially more than the fiscal year 1962 figure of $3,732,000, it is nevertheless considerably less than the Bureau of Land Management's request to the Bureau of the Budget which was $5.8 million.

However, let me say that I am certain the request for $5.8 million would not have ever gone to the Bureau of the Budget unless it could be used.

Therefore, I request that the subcommittee restore the funds denied by the Bureau of the Budget.

Restoration of these funds, $1,310,000, will provide the means by which the orderly land transferral in Alaska can be more rapidly accomplished.

We cannot expect the BLM to keep up with the State as land selections are made, at this time, but we can help the Bureau accomplish the necessary surveys more rapidly if we provide the funds necessary.

Alaska's development as a State is seriously impeded by the delay in land transfer.

Here again, we confront a situation and an overdue need resulting directly from longstanding discrimination against Alaska. While Alaska was a territory, land surveying proceeded at a snail's pace in contrast with what was being done elsewhere under the flag.

At the first statehood hearing held in April of 1950 in the 81st Congress before the Senate Committee on Interior and Insular Affairs, Senator CLINTON P. ANDERSON, who was presiding and, incidentally, is the only member of that committee still in the Senate, after listening to the testimony on what had been done, or rather not done, in the matter of land surveying in Alaska summed up the situation by pointing out that at the rate the Federal Government had been proceeding it would require 17,000 years to complete Alaska's land survey. (Hearings on H.R. 331, and S. 2036, p. 318.) Think of it, 17,000 years. There has been a slight increase in the rate of surveys, but the huge backlog of unsurveyed Alaska lands is still with us. The Bureau of Land Management has testified this year that approximately 375 million acres of public domain remains to be surveyed—which is roughly the total land area of Alaska (p. 81, House hearings 1962). Now the requirement of getting the 27 percent of the Federal land in Alaska granted Alaska by the Statehood Act makes a drastically increased rate of survey imperative. Here, too, this is an investment rather than a mere expenditure, for the land cannot be taken over and made productive and revenue-producing until it is surveyed. So I strongly urge the committee to grant the BLM's request for that $5.8 million.

There are other BLM items which will be of help in the State. Among them, funds for the management of grazing lands, funds for prefire suppression work and money for fire protection which I hope this subcommittee will approve.

The need is demonstrably greater in Alaska. The average forest area burned annually in Alaska over a 10-year period is 873,075 acres which is more than half the total area burned in the 50 States, which is 1,572,734.

I should like to quote the following from a BLM report:

"The range management program in Alaska will be expanded to assure the application of sound range management practices to approximately 2 million acres of public lands presently held under livestock grazing lease, and to systematically classify and establish good conservation practices on the remaining 8 million acres believed suitable for livestock production as the industry expands."

Mr. Chairman, the livestock industry is one of Alaska's great potentials. In the face of some very special handicaps it is progressing. We have some excellent dairy herds. I've seen it developing for beef cattle on Kodiak Island. We of Alaska want that industry to expand as quickly as it can, and we are appreciative of the interest which is clearly indicated by the Bureau of Land Management.

BUREAU OF INDIAN AFFAIRS

The Bureau of Indian Affairs requests $197.4 million for fiscal year 1963. This is an increase of $33.1 million over the current

budget and I am reliably informed the sum could be enlarged by $17 million, based on requests originally made to the Bureau of the Budget. So I suggest that unfinished BIA work could be started immediately.

In Alaska there are 49,000 natives—Eskimos, Indians, and Aleuts. The program of the BIA directly affects these citizens, specifically, and the State generally.

Three program goals have been announced by the BIA. They are:

1. Maximum Indian, Eskimo, and Aleut economic self-sufficiency;

2. Full participation of Indians, Eskimos, and Aleuts in American life;

3. Equal citizenship privileges and responsibilities for Indians, Eskimos, and Aleuts.

I endorse each of them vigorously. I would think that they could best be accomplished through broad programs which would implement education, economic opportunity, health measures, and living accommodations.

The Bureau of Indian Affairs proposes to spend $82.8 million for education and welfare services in the Nation. Alaska's suggested share would be $9,277,113, an increase of $1,731,870. School expenses in Alaska are high. This is due to the isolation of a very large number of boarding schools which BIA operates and in which the children live on a 24-hour basis. So there is need for teachers and counselors in these resident schools.

NEW SCHOOL FUNDS

In Alaska today there are public school districts, some schools operated by the State without having public school districts, and schools operated by the Bureau of Indian Affairs. The State is willing to take over Bureau-operated institutions with Federal financial support, but it does not desire schools which are no longer operable.

For this reason, the Bureau of Indian Affairs has requested $4,388,000 to be used for the construction of 16 grade schools, for advance planning for a resident high school in Fairbanks, and for utilities at Barrow which will serve a school and a hospital.

Bureau of Indian Affairs—Proposed buildings and utilities construction program, fiscal year 1963, for Alaska

Summary of projects (States other than Navajo-Hopi)	Additional spaces	Replacement spaces	Estimated cost
A. ALASKA			
Alitak School	0	30	$141,000
Barrow utilities	0	0	560,000
Eagle School	0	30	159,000
Fairbanks School (advance planning)	0	0	300,000
Hooper Bay School	90	120	519,000
Kiana School	60	60	367,000
Kwethluk School	60	30	230,000
Newtok School	60	0	191,000
Noatak School	60	60	378,000
Nondalton School	0	60	219,000
Old Harbor School	0	60	164,000
Oscarville School	30	0	158,000
Scammon Bay School	30	30	196,000
Stebbins School	0	60	192,000
Tanunak School	0	60	198,000
Tatitlek School	30	30	186,000
Tetlin School	0	30	192,000
Total, Alaska	420	660	4,388,000

An educated citizenry is our strongest weapon against any form of subversion of tyranny. I hope this subcommittee will approve the following budget requests for better school facilities in Alaska.

1. The expenditure of $141,000 proposed for Alitak School on Kodiak Island will pay for construction of a one-classroom school with living quarters, a storage and generator building, and provide for utilities. The new school located some 80 miles southwest of the town of Kodiak would replace existing buildings built in 1908 which have deteriorated. It would accommodate a minimum of 18 students.

2. The expenditure of $540,000 at Barrow would make possible construction of the Bureau of Indian Affairs share of a joint project with the Public Health Service. This will provide utilities for the BIA's new eight-classroom school and quarters and the PHS proposed hospital and quarters. The utilities include a water distillation plant, building and water lines; a sewage collection system and treatment plant; electric generation and distribution system; a natural gas supply distribution system; and utilidors for the utility system.

3. The Bureau seeks $159,000 to use for construction of one 500-square-foot classroom at Eagle on the Yukon River. The building would replace one constructed in 1906, now, 56 years later, in extremely hazardous condition. More than 20 children attend the 8-grade school.

4. Money for advance planning on Fairbanks High School in the amount of $350,000 has been requested by the Bureau. There are at present no high school facilities in the vast northern part of Alaska. Most Indian, Eskimo and Aleut children have no opportunity to work toward a high school diploma.

I hope to appear before this subcommittee next year to urge the appropriation of funds for the proposed Fairbanks High School. The cost estimate today is $8,700,000 but this is a matter for future congressional action.

5. Hooper Bay is located 200 miles south of Nome. The village is growing rapidly and there is need for additional classroom space for children not now in school. There is need, also, to put an end to existing overcrowded conditions. The Bureau asks $519,000 to construct a seven-classroom school with a kitchen-dining room; utilities space; storage room; and employees' quarters. Nearly 150 students attend this school.

6. Increased school facilities are required in the village of Kiana on the Kobuk River, 100 miles east of Kotzebue in northwestern Alaska. There is need for classroom seats to permit more children to attend school. The expenditure of $387,000 covers the cost of a new four-classroom school, a two-bedroom duplex employees' quarters, and conversion of the present school to a living quarters.

7. The Bureau has requested $230,000 for additional classroom space and other improvements to the Kwethluk School in the Kwethluk community located 18 miles northeast of Bethal. The population increase in the community has been steady for two decades and continuing enrollment increase in the school is anticipated. Nearly 100 pupils use the facilities.

8. The sum of $191,000 would provide a two-classroom school, employees' quarters and a storage-generator building and utilities in the Eskimo village of Newtok where no school building presently exists. Pupils attend classes in a rented church building.

9. The Bureau requests funds of $378,000 for a four-classroom school at Noatak community which is 50 air-miles north of Kotzebue. Existing buildings are termed "unsuitable" and the requested amount would cover cost of a four-classroom school, a duplex quarters, a two-bedroom house for employees, and a storage-generator building and utilities.

10. The sum of $219,000 has been requested to build a new two-classroom school in Nondalton, a community located on Lake Clark about 50 miles west of Cook Inlet. Present facilities include an unsafe log building, a rented room. The requested amount covers cost of one employee's quarters and a storage-generator building and utilities.

11. School facilities of the Old Harbor School on Kodiak Island are inadequate and unsafe. The Bureau has requested $194,000 for construction of a two-classroom school and one employee's quarters and a storage-generator building and utilities. Nearly 60 children comprise grades one through eight.

12. The Bureau proposes to spend $158,000 to build a new one-classroom school at Oscarville, a permanent village located on the Kuskokwim River. Oscarville has no school but it has 25 school-age children. The need is urgent. The funds requested would pay for a one-classroom school and one employee's quarters and storage and generator building, including utilities.

13. School facilities in the Eskimo village of Scammon Bay on the coast of the Bering Sea are inadequate and overcrowded. Pupils in the far northern school require improved conditions. The Bureau of Indian Affairs has requested $196,000 with which to construct a two-classroom school, convert the existing classroom into an additional employees' quarters, and build a storage and generator building with utilities. Some 40 children will use the new quarters.

14. The Stebbins School, 50 miles southwest of Unalakleet, was built 40 years ago. It has deteriorated. The Bureau has requested $192,000 for a two-classroom school and one employee's quarters and a storage-generator building with utilities.

15. The BIA has described the two-classroom school in Tanunak, an established village on Nelson Island, as in deplorable condition. The lower wood wall and floor have rotted away. The situation is obviously hazardous. The Bureau requests funds of $188,000 to construct a two-classroom school and one employee's quarters and a storage-generator building with utilities. Fifty children attend class in the existing inadequate, unsafe facility.

16. The Tatitlek School population on Prince William Sound is growing. The existing school is too small and the employees' quarters are in poor condition, having been built in 1908—54 years ago. The Bureau proposes to build a new two-classroom school and one employee's quarters and a storage-generator building with utilities. More than 25 children would use the new school.

17. The Tetlin community school today is one room. Built in 1935 from logs it has been found unsafe because the walls are poorly constructed. The Bureau seeks $160,000 with which to build a one-classroom school with one employee's quarters and a storage-generator building with utilities. The school serves more than 30 children.

The schools which would be improved, built or planned with the requested $4.4 million eventually will serve 1,288 pupils, according to current estimates of the Bureau of Indian Affairs.

Most of these students live in isolated communities whose residents have too few personal contacts with other parts of their State or other States. Part of the responsibility of our Federal Government is to give to each citizen the opportunity to partake of our public education system. Naturally, the isolation of the schools I have described increases the cost of construction.

This initial cost will be repaid many times. The opportunity to attend school is sought by all Alaskans. The lack of connecting roads, the lack of network television and radio programs, and the paucity of news in these areas magnify the need for educational facilities and opportunities. I strongly urge the appropriation of these funds.

We should note for the record that there are in Alaska 800 children of high school age living in areas in which there are no high school facilities. The Bureau desires to initiate a long-overdue high school construction program. It is an essential program. The number of grade school children who have no grade school facilities close by is quite small, according to the Bureau. However, none should be without grade school privileges today.

Mr. Chairman and members of the committee, the reasons for these seemingly

numerous items for additional school facilities which we ask for now is because in the matter of education and other essential needs for the Indians and Eskimos of Alaska, throughout Alaska's history as a territory, there has been discrimination in appropriations and legislation. This applies to other fields as well as to our native population. This statement can be fully documented.

Appearing for the first time before the House Interior Department Appropriation Subcommittee on December 29, 1933, Delegate Anthony J. Diamond, whom I know the chairman will remember, pointed this out. He had been elected in 1932. He was a great delegate. Speaking for the provisions in the Interior bill for 1935 on which he was testifying, he said:

"Now, to make a comparison, I tried to figure out how the Indians of Alaska, who are considered generally in a ward status, are treated as compared with the Indians of the United States, and I find they have not in the past obtained in Federal aid of any kind more than one-third as much. I do not know why this discrimination occurred unless it was because they did not make war on the whites and kill off the settlers" (pps. 706–707, 73d Cong., 2d sess.).

Mr. Chairman, that condition, that difference in treatment to Alaskans' disadvantage, had long existed when Tony Dimond so testified in 1933. It continued to exist throughout our years as a territory. It was one of the examples of what can properly be described as colonialism. So our task, now that Alaska has become a State, is to try to catch up. It is pathetic to contemplate some of the fine young men in our native communities, with latent talents and abilities, who if only they had had, and were now afforded, educational opportunities to which all Americans should be entitled, could develop these talents and make them available to State and Nation.

The successful functioning of our democracy is based on an educated, enlightened, trained electorate. Indeed, I have stated on more than one occasion my deep conviction that democracy and education are one and inseparable. The territorial authorities and for 3 years the State authorities have, I know, performed most creditably in support of primary and secondary education. A larger portion of the budget in Alaska than in most other political entities has gone to elementary education. But the Indians and Eskimos in their federally conducted schools have through lack of adequate provision lagged behind. Therefore our task now is, belatedly, to enable them to catch up and to give this generation of schoolchildren what their parents and even their older brothers and sisters lacked. So I urge, I plead with the committee to let every one of these school items stand.

DEVELOPING ECONOMIC INDEPENDENCE

An education is important, so is the need to make it possible for all Americans to be economically independent and self-sufficient.

Alaskan's natives demand no doles. They do deserve and they will utilize opportunities making possible full utilization of their skills and resources.

I am happy to support the Bureau's request for funds totaling $2,080,345 to be administered through the proposed Division of Economic Development. Alaska's share in this new program would be $426,042.

The Commissioner has explained the scope of the program in his testimony. I am hopeful that the Bureau's intention to help develop Indian resources in a variety of ways can be accomplished.

I should like to mention in passing that the Radio Corp. of America is well aware of the talents of Alaskan natives. Ten of these young men are attending an RCA school in New York City where they are trained as electronic technicians, to be then employed by RCA to man company posts on the White Alice communications system and on the ballistic missiles early warning system in Alaska. They will be graduated in August. A second group of 10 has begun to receive instruction in the RCA school in Los Angeles.

These young men have shown zeal and ability for their work—their marks have been highly creditable—and RCA officials believe the program can be expanded substantially and that jobs would therefore become available for several hundred young Alaskans whose services are not now being utilized and whose earning capacity due to lack of training is insufficient.

Such a development of human resources can be accomplished through joint efforts of private business and the Federal Government.

On February 21, 1962, I wrote the Secretary of the Interior, outlining the potential savings of the program in the terms of human and financial resources.

This expanded long range human improvement program could begin with July 1, 1962, classes in Los Angeles. An additional amount of $400,000 for fiscal year 1963 would make it possible to train 90 Alaskan natives and pay their transportation to the RCA school in California. Thereafter, yearly appropriations would, of course, be required to keep the program moving. However, this is a sound investment since savings in the long run would more than offset training costs.

I therefore request that this subcommittee consider favorably the appropriation of an additional $400,000 to start the program July 1 of this year.

Today the attrition rate of non-Alaskans working for RCA on its farflung Arctic and sub-Arctic stations in Alaska is quite high. Men far away from home, untrained to cope with the solitude and unaccustomed to the climate in which they work will normally want to leave their employment as soon as possible. Alaskan natives would not have this problem. RCA estimates that the use of Alaskans would reduce monthly personnel attrition from 4 percent to one-fourth of 1 percent. By 1971, the attrition cost would have dropped by half a million dollars yearly if Alaskan natives were used as technicians.

It is noteworthy to point out that substantial savings would accrue to the Bureau of Indian Affairs and the Bureau of Public Health per year if the Department of the Interior found it no longer necessary to pay the estimated monthly relief benefits of $55 to each Eskimo and Indian.

I am certain that Radio Corp. of America representatives would appreciate the opportunity to appear before this subcommittee to outline in detail what they feel could be done in this area of utilizing human resources. Secretary Udall has been told of its possibilities and I am awaiting his comments.

A similar project to train airplane mechanics in demand by our expanding aviation industry is under discussion.

NATIONAL PARK SERVICE

The National Park Service has budgeted not quite $400,000 toward improvement and management in Mount McKinley National Park. Specifically these funds would be spent as follows:

Management and protection	$156,572
Roads and trails	107,672
Building, utilities, etc. (rehabilitation of hotel water system)	123,698
Total	387,942

This is little more than repair and maintenance. There are still no accommodations within the 1,939,000-acre park from which the glory of 20,350-foot Mount McKinley, loftiest peak in North America, and the reason for the park's existence, can be seen.

The hotel, situated at the park entrance on the Alaska Railroad built 25 years ago, is 60 miles from where satisfactory views of the mountain can be obtained. There will be no accommodations for the influx of tourists who, with the full-time operation of the ferry system from Prince Rupert to Haines, may be expected in the summer of 1963, unless the Park Service makes an effort to get funds for a lodge at the end of the 90-mile highway into the park, which was originally intended to be a complementary unit to the hotel at the entrance.

Roughly, one-third of the funds sought will be for rehabilitating that hotel's water system. The $107,672 item is essentially for improving the highway which has not been too safe. It was not designed as a park road in the first instance but was a trail in existence before the park's establishment in 1917 to the Katishna mining district which lies just north of the central portion of the park's 150-mile northern boundary. The Park Service's only expenditures have been to improve that highway, which skirting the park's northern boundary misses some of the area's most scenic aspects.

For Katmai National Monument, I am glad to note the proposed expenditure of $100,000 as part of a roads and trails program for constructing a 23-mile low-grade road from Brooks River to Windy Creek.

For it is pertinent that although this monument of 2,697,000 acres, the largest unit in the entire park service was established 35 years ago, the Federal Government has not built one foot of road or trail within it. As a result the unique natural phenomena which caused the monument to be established are virtually inaccessible to the visiting public. Accommodations to the extent of five camps have been admirably supplied by private enterprise. But though an Alaska air carrier, Northern Consolidated Airlines, transports visitors by plane from Anchorage and furnishes them comfortable lodging, good food and access to the excellent fishing of the regions, lakes, and streams, they cannot visit the famous Valley of Ten Thousand Smokes, or the other sensational phenomena caused by the great volcanic upheaval of 1912, either by vehicle or afoot, unless they are prepared to hike for days carrying food and sleeping bags on their backpacks. Hitherto and now they can only glimpse these sensational areas from the air. I am hopeful and confident that the National Park Service's request for this $100,000 makes the start of a proper and previously totally lacking minimal development program and trust that it will be only a beginning. There is little point in setting aside these splendid and vast park areas without making their enjoyment possible.

Gradually, I believe, the National Park Service will do what it can to provide park facilities within its parks and monuments in Alaska. But gradually is no longer the answer. The needs are more pressing. I have discussed the problem with Director Wirth and have found him interested, sympathetic, and eager to act.

I am, therefore, requesting the addition of $150,000 in the National Park Service appropriation for fiscal year 1963 which will be used for the construction of visitor facilities in the 2,697,200-acre Glacier Bay National Monument, a superlative scenic area northwest of Juneau. The National Park Service informs me that private capital is unavailable to provide such facilities.

The money I request would pay for construction of a dining room, a store, and overnight accommodations for 10 guest cabins to house 40 persons. These facilities could later be expanded. The fiscal year 1963 budget at present includes a request for $34,200 for the purchase of two new electric generators to replace existing equipment which can't handle the existing load. The

new generators, I am informed, would adequately handle the power requirements of the visitor facilities.

Glacier Bay has been a neglected jewel. Its splendor is little known to the outside world. From tidewater Mount Fairweather rises 15,300 feet. Beginning late this coming fall and in full swing by the summer of 1963, one of three ferries carrying over 100 cars each will be operating daily out of Prince Rupert up the inside passage and stopping at its ports, including Juneau. The visitors will want to stop off there to see Glacier Bay National Monument.

In response to a letter of mine, Assistant Secretary of the Interior John A. Carver, Jr., wrote me on March 5, 1962, as follows:

"The need for overnight accommodations for visitors in the monument is recognized. * * * a reasonable program which will provide these facilities with Federal funds is justified. Please be assured that this Department will support proposals to place such developments in high priority."

I should like at this time to place in the record my letter to the Secretary, dated February 7, 1962; his reply of March 5, 1962, from which I have quoted; and my response of March 6, 1962, to Secretary Carver:

FEBRUARY 7, 1962.

Hon. STEWART L. UDALL,
Secretary of the Interior,
Washington, D.C.

DEAR MR. SECRETARY: Mission 66—a wonderful and far-visioned plan—has scarcely come to Alaska where we have three wonderful units of the Park Service in Mount McKinley National Park, Glacier Bay National Monument, and Katmai National Monument. In only one of these, Katmai, are there accommodations. These were wholly furnished by Northern Consolidated Airlines which transports its people to its five separate camps, two within the boundaries of the monument and three outside.

Glacier Bay National Monument which Assistant Director of the Park Service Scoyen, who recently retired, considered the finest area in the entire Park Service, needs accommodations for the public. At present, the only facilities that exist there are for the Park Service personnel. To all intents and purposes this wonderful area is inaccessible except to a very few wealthy people who might come up there in their yachts. It is my hope that you will recommend for the 1964 budget a proper beginning of the development of this wonderful area. It is particularly desirable that this be done promptly as beginning toward the end of the coming summer a great influx of tourists to Alaska may be anticipated in consequence of the starting of the ferry system which is expected to bring several hundred tourists every day up the inside passage. Many of these would want to visit Glacier Bay but without facilities for overnight stay would be unable to do so.

I have discussed this at length with Superintendent Mitchell and with Director Conrad Wirth and believe that they strongly favor a beginning of proper development of Glacier Bay. This is one situation where accommodations will have to be constructed by the Federal Government and then leased to a concessionaire. The season is so short that it is practically impossible to expect a private concessionaire to build these facilities. The situation is entirely different in Katmai for reasons which I need not detail at this time.

The immediate need is for tourist accommodations. They need not, to begin with, be too extensive. Accommodations for 250 persons would, I think, take care of the situation for a start. An additional need, and second to the former, is for a road from Bartlett Cove, where the first tourist facilities should be established, to Sandy Cove. This would probably be the only road construction needed in this area.

I hope you will look into this matter promptly and recommend inclusion of this project in the 1964 budget.

With best wishes, I am,

Cordially yours,

ERNEST GRUENING,
U.S. Senator.

P.S.—If further evidence were needed that it is the Federal Government that must build these facilities, it is furnished by the experience of the Forest Service in advertising for a concessionaire to build the hotel right by Mandenhall Glacier. This is a magnificent scenic spot accessible by road from Juneau and was publicized widely by an excellent and attractive circular. Yet to date, the Forest Service has not received a single inquiry or nibble.

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., March 5, 1962.

Hon. ERNEST GRUENING,
U.S. Senate,
Washington, D.C.

DEAR SENATOR GRUENING: Thank you for your letter of February 7 containing suggestions for the development of visitor use facilities in Glacier Bay National Monument. This will also acknowledge receipt of a copy of your letter to Director Wirth of the National Park Service.

The need for overnight accommodations for visitors in the monument is recognized. As you have been informed in previous correspondence with Director Wirth the National Park Service issued a prospectus on February 11, 1960, inviting qualified applicants to submit proposals to construct, operate, and maintain overnight facilities at Bartlett Cove. Although this invitation has been open for over 2 years no applications have been received. Because of the negative response to the prospectus and the need to provide accommodations for visitors, a reasonable program which will provide these facilities with Federal funds is justifiable. While we cannot state with assurance at this time that these facilities will be programed in the 1964 fiscal year budget of the National Park Service please be assured that this Department will support proposals to place such developments in high priority. However, it may be desirable that the initial development be less than accommodations for 250 persons as proposed in your letter.

Actual experience in conducting visitors on boat tours into Glacier Bay from Bartlett Cove should help to determine the type and extent of further developments in the monument. It may well be that additional overnight facilities will be needed eventually at Sandy Cove as a secondary stopover. Whether access to it should be via a water or a land route can be determined more realistically at a later date.

We appreciate your continued interest in the development of Glacier Bay National Monument.

Sincerely yours,

JOHN A. CARVER, Jr.,
Assistant Secretary of the Interior.

MARCH 6, 1962.

Hon. JOHN A. CARVER, Jr.,
Assistant Secretary of the Interior, Department of the Interior, Washington, D.C.

DEAR SECRETARY CARVER: I acknowledge your letter of March 5 replying to mine of February 7 in which I urged the development of visitor use facilities in Glacier Bay National Monument in which I enclosed similar letter making a like request of Director Conrad Wirth of the Park Service—namely, that the 1964 budget contain, at the very least, planning funds for such development, but better actual construction funds. In your reply you say that the need for overnight accommodations for visitors in the monument is recognized and in subsequent sentences you make clear that it has not been possible to get private concessionaires to bid and therefore the obligation falls upon the Federal Government to plan and construct these facilities.

What I find disappointing in your letter is your sentence "While we cannot state with assurance at this time that these facilities will be programed in the 1964 fiscal year budget of the National Park Service please be assured that this Department will support proposals to place such developments in high priority."

Unless we want to be justly charged with not matching our fine words with corresponding action, anything less than a firm determination to place this relatively important, but modest, item in the 1964 budget runs completely contrary to the ringing message issued only last week by President Kennedy on conservation in which the first section is devoted to outdoor recreation resources. Here is a clarion call for action and yet from the Assistant Secretary of the Department primarily concerned with this we have a doubt as to whether action will follow.

Please note in this connection that the year 1963, which is probably the earliest date these facilities could be completed, if included in the 1964 budget, will witness a tremendous influx of tourists to Alaska. The reason for that is beginning late this fall (1962), but in full swing by the summer of 1963, three ferries carrying over 100 cars each and operating daily out of Prince Rupert up the Inside Passage will bring a flood of tourists who will want to stop in Glacier Bay National Monument. The need is therefore urgent and in consequence I would like to urge very strongly that the position of the Department be that facilities in Glacier Bay be given not merely "high priority" but that they definitely be included in the 1964 budget presentation which will shortly be underway. Indeed, it would be extremely helpful and I urge that these planning funds be included in a supplemental appropriation in this session of the Congress.

While obviously there are many demands all over the country, in no place has there been such a total neglect of recreational facilities by the Federal Government as in our Alaska parks and monuments.

In Mount McKinley all we are doing is to improve a long existing road—nothing in the way of accommodations. In Katmai for the first time the Federal Government is planning to spend a few dollars building trails and a road to permit visitors to visit the Valley of the 10,000 Smokes, for which, and other volcanic phenomena, the monument was created decades ago. Finally to return to Glacier Bay, accommodations have been provided for the Park Service personnel but nothing for the public.

Please let's make this a must including an effort to get planning funds in a supplemental bill in this session.

Cordially yours,

ERNEST GRUENING,
U.S. Senator.

The fact is that Mission 66—a great, needed, and in every way a highly desirable program, which aims to prepare our national parks wonderland for the increased population that will seek inspiration and recreation there by the middle of this decade, has not come to Alaska, certainly not in appreciable degree. I dislike to point out, but I must, that this is just another example of how Alaska during its Territorial days was bypassed in this field as in nearly all other aspects of Federal responsibility. We are trying, Mr. Chairman, to keep some of our American tourists dollars at home. But our superb Alaska park and monuments will be unattainable unless they begin to receive equal or equivalent treatment with our parks and monuments in the other 49 States.

President Kennedy has issued an inspiring call to develop our natural resources and

expand our outdoor recreational facilities. I cannot, therefore, too strongly urge the inclusion of these modest amounts for overnight visitor accommodations in Glacier Bay National Monument, so that some accommodations may be ready by the summer of 1963.

FISHERIES

Alaska's coastline is longer than the combined Atlantic, Pacific, and gulf coastlines of the 48 older States. It is the only American State's coastline fronting on two oceans—the Pacific and the Arctic, with the Bering Sea coastline for good measure in between. The abundance of these waters and of Alaska's rivers and lakes produces a substantial share of the livelihood of the State's residents—as well as of many out-of-Staters—and contributes substantially to the national income. Alaska has had—although now seriously depleted and further threatened by foreign encroachment—the Nation's greatest fishery resource, above all the Pacific salmon, and also halibut, king crab, and other species.

The work of the Bureau of Commercial Fisheries, the Federal agency concerned with this resource, is therefore important to the State.

I do not at this time intend to cite each budget item but do wish to mention some of particular interest.

For research on fish protein concentrate $120,000 is requested. Because of the increasing interest in the great value and relatively low cost of the concentrate as a weapon for democracy against hunger and communism, I would like to see this sum substantially increased. I am informed that inadequate research moneys have curtailed exploration into diversified uses for fish protein concentrate. In a time in history when much of the world's population suffers from a lack of protein in its diet, this country should be moving ahead in the vital area of research. This work is in the Nation's interest and merits support. We have to date failed to use properly the available harvest of the sea. In the words of our President—"Let us begin."

It seems appropriate to note at this point in the RECORD that the research funds request to the Bureau of the Budget was $10 million and that this figure was reduced to the present $7,555,000.

The vast potential of the North Pacific fishery resources is barely tapped. Included in the Bureau's request is a new fishery research vessel for use in the North Pacific and Bering Sea. The Bureau of Commercial Fisheries has requested $150,000 to fund the design of the proposed $3 million vessel. The United States now has no adequate vessel for this purpose. It is hoped construction of the floating laboratory may start in fiscal year 1963. It should.

Already we know that other nations, particularly Japan and Russia, are expanding their fishing operations in the North Pacific and moving ever closer to our shores. It is more than a serious threat. It is a shocking reality. We are in no position to compete for markets or to make responsible treaties if we are handicapped through lack of knowledge which will become available if we seek it. Indeed it is depressing to note that in 1961, the United States, for decades among the top three nations in the total catch of fish, has now for the first time dropped to fifth place behind Russia, Red China, Japan, and Peru.

FISHERIES STUDIES FUND AT AUKE BAY BIOLOGICAL LABORATORY

While I am discussing budget items concerning the Bureau of Commercial Fisheries of the Fish and Wildlife Service, I want to report, Mr. Chairman, that I recently visited the Auke Bay Biological Laboratory which is located not far from Juneau. I found the staff of the laboratory knowledgeable and hard at work.

It needs additional laboratory space and warehouse facilities and it is my understanding that these items will be requested in the 1964 budget.

More pressing at this time is the immediate need for additional funds to complete the fisheries and wildlife studies on the Yukon River in connection with the great Rampart Dam project. This—which has the greatest potential of any one hydro project under the American flag will generate 2½ times the power of Grand Coulee, and have useful concomitants in flood control and river navigation. Though larger than any other American project, it is no greater than several dams nearing completion and under construction in Soviet Siberia. It would begin in a substantial way the development of Alaska's tremendous but almost totally unused hydroelectric potential, less than one-fourth of 1 percent of Alaska's great river and lake resources have been utilized. Indeed, the only Federal hydro project in Alaska is the Eklutna power project, of only 30,000 kilowatts which supplies power to Anchorage and two adjacent REA cooperatives all of which will shortly need more power. Just as in the other fields, Alaska as a territory was neglected by the distant Federal authorities while in the lower 48 States, Boulder Dam, Grand Coulee, Bonneville, Hungry Horse, and scores of other hydro projects have long since been completed—essential concomitants of a modern society.

But whenever a big dam is to be built studies to record the impact on the fish and wildlife resources of the region are both essential and mandatory, and additional funds will be needed to complete these.

Particularly pertinent is the increased appropriation $1,075,000, of which $252,732 will come from Kennedy-Saltonstall funds, thus making a net increase of $822,268 for—so the item reads—"Research on fish migration over dams: To provide for expansion of effort with regard to emergency problems involving fish passage at high dams."

It is my hope that whatever portion of this item may be needed will be applied to the Yukon River fishery.

In his testimony before the House subcommittee Donald L. McKernan, the able Director of the Bureau of Commercial Fisheries of the Fish and Wildlife Service pointed out that:

1. Scientists have made solid progress in the fields of electrical guiding and the development of more efficient and economical fishways. This may be the answer to guiding the salmon fingerlings downstream to avoid injury or destruction in the dam's turbines.

2. Studies have also shown that a reduction in the flow of "transport" water, a flow released to attract fish into a fishway. The 2-foot-per-second velocity, formerly regarded as minimal, has successfully been reduced to 0.7 foot per second, without loss in attraction sufficiency.

3. Finally as Mr. McKernan points out—the problem of passing fish over high dams has not been solved, and I quote his words: "We need a tremendous surge of efforts to find ways of getting large populations of fish over these high structures," and he adds the gratifying item that his agency has "launched a vigorous program in the area aimed at finding significant answers by the end of 1964."

Mr. Chairman, when we have succeeded in launching a man in space and orbiting him safely three times around the earth, I am confident that our scientists can also find the way of getting salmon over a 500-foot dam on the Yukon and on other American rivers. But funds should be made amply and promptly available to achieve this breakthrough.

Mr. Chairman, there has also been concern as to where ducks will nest when Rampart Dam is completed and a lake somewhat larger than Lake Erie will be created behind the dam. I am confident that as the Rampart Reservoir expands and slowly fills over an 18-year period that the ducks will find ample places in which to nest. In any event there is now a move afoot in various States to reclaim swampy areas which can be used for nesting ducks. If necessary that can be done in Alaska.

Before proceeding to requests of other departments I did want to endorse the requested increase of the Bureau of Commercial Fisheries for $1,157,000 for North Pacific high seas and inshore research.

The sum of $510,000 will be used for biological research on salmon and related species in Alaska and the Pacific Northwest. I have mentioned to members of the subcommittee the need for wider research, including investigations to determine growth and mortality rates of fish families, their movements, and the effects of fishing.

A second amount of $197,000 would be used for biological investigations in areas off Alaska and the Pacific Northwest that are or may be fished by foreign trawl fleets. We do not at this time know what stocks of fish live in these coastal areas.

The remainder of this request for $1.157 million, the sum of $450,000, would be used for research on salmon and related species on the high seas of the North Pacific Ocean and Bering Sea.

We are only now beginning to comprehend the value of our sea wealth. We need substantial additional research to fill in what has been far too sketchy a knowledge of our seas' resources.

Finally, let it be noted that we have expended $13,787,064 on creating, or developing, or rehabilitating the fisheries of 21 foreign nations, some of whose fishery activities are actually competing with ours.

These countries are: Republic of China, Indonesia, Philippines, Thailand, Vietnam, Ethiopia, India, Liberia, Pakistan, Turkey, Spain, Peru, Korea, Laos, Iceland, Yugoslavia, El Salvador, Tunisia, Somali, Cambodia, and British Guiana.

I for one cannot subscribe to the idea that we should do less for our fishery resources. In this connection I would like to insert at the end of comments on our Nation's fishery needs and requests, a summary of our generosity in this field to other countries.

Agriculture and natural resources

FISCAL YEAR 1955 AMOUNT

Fisheries	
Far East	
China: Ocean fisheries improvement	$204,000
Indonesia	
Expansion and modernization of marine fisheries	224,700
Expansion of inland fisheries	51,000
Philippines: Fisheries development	82,000
Thailand: Fisheries	59,000
Vietnam	
Development of inland fisheries	3,000
Development of marine fisheries	95,000
Near East, Africa and south Asia	
Ethiopia: Fisheries survey	10,200
India: Project for modernization and expansion of marine and inland fisheries and exploratory fishing program	278,100
Liberia: Marine and fresh water fisheries	22,000
Pakistan: Karachi fish harbor	364,000
Turkey: Purse seine fishing specialists	6,500
Peru: SCIPA project fisheries	32,061
Total	1,431,561

Agriculture and natural resources—Con.

FISCAL YEAR 1956 AMOUNT

Fisheries—Continued	
Far East:	
China (Taiwan):	
Fishing fleet rehabilitation	$5,000
Fish propagation (RETSER)	8,000
Indonesian Republic: Expansion and modernization of marine and inland fisheries	150,498
Korea: Fishing boat construction	1,000,000
Laos: Inland fish culture	13,450
Thailand: Fisheries	71,000
Vietnam:	
Development of inland fisheries	13,500
Development of marine fisheries	46,000
Near East and south Asia:	
India: Expansion and modernization of marine and inland fisheries	437,520
Pakistan:	
Fisheries development: West Pakistan	371,375
Fisheries development: East Pakistan	129,295
Turkey: Purse seine fishing specialists	10,000
Africa:	
Ethopia: Fisheries survey	7,000
Liberia: Marine and fresh water fisheries	25,280
Europe:	
Iceland: Canning industry team for the fish industry—3d country training	4,600
Yugoslavia: Fisheries	14,020
Latin America:	
El Salvador: Fisheries	15,055
Peru: Fisheries development program (SCIPA project fisheries)	33,910

FISCAL YEAR 1957 AMOUNT

Far East:	
China:	
Fishing fleet rehabilitation program	17,000
Fisheries	13,000
Tuna long liners	530,000
Indonesia: Expansion and modernization of marine and inland fisheries	149,000
Korea: Fisheries development	2,314,000
Thailand: Fisheries	17,000
Vietnam:	
Development of inland fisheries	7,000
Development of marine fisheries	160,000
Near East and south Asia:	
India: Expansion and modernization of marine and inland fisheries	93,000
Pakistan:	
West Pakistan fisheries development	45,000
Fisheries development—East Pakistan	46,000
Turkey: Purse seine fishing specialists	2,000
Africa:	
Ethiopia: Fisheries development project	26,000
Liberia: Fresh water fisheries	18,000
Tunisia: Aid to commercial fisheries	48,000
Oversea territories:	
Somalia: Fisheries development	2,000
Europe:	
Iceland:	
Canning industry team for the fish industry 3d country	5,000
Fish byproduct utilization	2,000

Agriculture and natural resources—Con.

FISCAL YEAR 1957 AMOUNT—continued

Fisheries—Continued	
Europe—Continued	
Iceland—Continued	
Herring processing study 3d country	$1,000
Latin America:	
El Salvador: Fisheries	8,000
Peru: Renewable resources development	56,000

FISCAL YEAR 1958 AMOUNT

Far East:	
Cambodia: Fisheries conservation	35,000
China (Taiwan): Fisheries development	11,000
Indonesian Republic: Expansion and modernization of marine and inland fisheries	68,000
Korea: Fisheries development	160,000
Vietnam: General fisheries development	192,000
Near East and south Asia:	
India: Expansion and modernization of marine and inland fisheries	134,000
Pakistan:	
Fisheries development—West Pakistan	116,000
Fisheries development—East Pakistan	56,000
Africa:	
Liberia: Fresh water fisheries	19,000
Tunisia: Aid to commercial fisheries	16,000
Oversea territories:	
Somalia: Fisheries	121,000
Europe:	
Yugoslavia: Fisheries	8,000
Latin America:	
Peru: Renewable resources development (forestry and fisheries)	30,000
Asian Economic Development Fund: Marine research in South China Sea and the Gulf of Thailand	560,000

FISCAL YEAR 1959 AMOUNT

Far East:	
Cambodia: Fisheries conservation	41,000
China (Taiwan): Fisheries development (JCRR)	13,000
Indonesia: Expansion and modernization of marine and inland fisheries	84,000
Korea: Fisheries development	475,000
Vietnam: Fisheries development	898,000
Near East and south Asia:	
India: Expansion and modernization of marine and inland fisheries	106,000
Parkistan:	
Fisheries development—West Pakistan	91,000
Fisheries development—East Pakistan	32,000
Africa:	
Liberia: Fresh-water fisheries	15,000
Tunisia: Aid to commercial fisheries	20,000
Oversea territories:	
Somalia: Fisheries	18,000
Europe:	
Iceland: Fish control survey	2,000
Latin America:	
Oversea territories:	
British Guiana: Snapper fishing equipment demonstration project	6,000
Asian Economic Development Fund: Marine research development in South China Sea and Gulf of Thailand	400,000

Agriculture and natural resources—Con.

FISCAL YEAR 1960 AMOUNT

Fisheries—Continued	
Far East:	
Cambodia: Fisheries conservation	$31,000
China, Republic of: Fisheries development	26,000
Indonesia: Expansion and modernization of marine and inland fisheries	77,000
Korea: Fisheries development (typhoon rehabilitation)	1,451,000
Vietnam: Fisheries development	409,000
Near East and south Asia:	
India: Expansion and modernization of marine and inland fisheries	40,000
Pakistan:	
Fisheries development	44,000
Reobligation—Fisheries development	30,000
Africa:	
Liberia: Fresh water fisheries	38,000
Somali Republic: Fisheries improvement	61,000
Tunisia: Aid to commercial fisheries	18,000
Europe:	
Spain: Inland fishing	2,000
Latin America:	
British Guiana: Fisheries	4,000

FISCAL YEAR 1961 AMOUNT

For East:	
Cambodia: Fisheries conservation	24,000
Republic of China: Fisheries development	21,000
Indonesia: Expansion and modernization of marine and inland fisheries	70,000
Korea: Fisheries development (typhoon rehabilitation)	131,000
Near East and south Asia:	
India: Expansion and modernization of marine and inland fisheries	40,000
Pakistan: Fisheries development	15,000
Africa:	
Liberia: Fresh water fisheries	30,000
Somali Republic: Fisheries improvement	30,000
Tunisia: Aid to commercial fisheries	27,000
Latin America:	
Oversea territories: Shrimp and fisheries	19,000
Europe:	
Yugoslavia: Fisheries	76,000

PUBLIC HEALTH SERVICE

After three quarters of a century of flagrant neglect of the health of Alaska's Indians and Eskimos, the responsibility for their medical care was transferred from the Bureau of Indian Affairs to the Public Health Service. Concomitantly the Territory of Alaska made substantial appropriations to combat tuberculosis, whose incidence in Alaska among its natives was 9 times that of people in the 48 older States. A tremendous improvement in the war against "the white plague" has been registered in Alaska but there is less progress in the fight against other diseases.

The long heritage of Federal neglect in Alaska is graphically revealed by the life expectancy of Alaska's Indians and Eskimos. It is 30 years, as contrasted with 41 years for the Indian in the 48 States and 62 years for the national average of all people.

The work of the Public Health Service in Alaska has in part been handicapped through lack of facilities.

The budget for the Service this year includes two items of particular importance and benefit to Alaska.

1. Funds have been requested with which to purchase $550,000 in supplies and equipment for Alaska in advance of demand. This is extremely wise.

Such purchases might then be brought in before the winter season. It would be more convenient and it would insure the Service's having such supplies on hand when they were needed.

2. The Public Health Service requests $2,097,000 to construct a new 12-bed field hospital at Barrow, Alaska. I might add that the existing inadequate structure has been termed "nonacceptable" for the last 10 years.

The Public Health Service has, I am certain, told you of the existing facilities which seem incredible in this modern day and age. Barrow is one of the largest native villages in the State. Its 1,600 inhabitants live about 8 miles southwest of Point Barrow, the northernmost point in the United States.

The new field hospital would serve as a maternity, medical, and holding-bed field hospital. Patients requiring surgery and specialized treatment would be flown to hospitals in Fairbanks and Anchorage.

I consider this expensive care and I am hopeful that as our scientific knowledge improves we will find it more feasible to expand the new hospital and eliminate the air transportation to cities further south. However, today there are no roads which connect Barrow to any other city. This, incidentally, is the plight of the majority of Alaska's communities. It is painful heritage of a total 40-year exclusion of Alaska—from 1916 to 1956—from the benefits of Federal-aid highway legislation.

FOREST SERVICE

Alaska has more acreage set aside in national forests than any other State in the Union—20,742,224 acres. And yet, less funds by far are expended per acre on the protection and utilization of the national forests in Alaska than in any other State. This is of grave concern to me. Although I support the increase in funds requested for the Forest Service, I hope that it will carefully reexamine the formula under which these funds are allocated for use in the various States to make certain that sufficient funds are devoted to the multiple use development of the national forests in Alaska. I ask that tables showing the distribution of the funds appropriated to the Forest Service be printed at the conclusion of my remarks.

I am concerned also with the lack of forest highways and forest development roads in the national forests in Alaska. In the over 20 million acres of national forests in Alaska there are only 221 miles of forest highway.

This underdevelopment of the great national forests in Alaska has not come through happenchance. It has come about, I regret to say, because through the years as a Territory, the amount of funds which would have been spent on the development, protection and utilization of these forest acres had Alaska been a State were taken from Alaska and used to develop and manage the national forests in other States.

One example will suffice.

In 1938, the appropriation of $9,333,333 of forest highway funds, apportioned to Alaska on the same basis as to the States, would have given Alaska $867,726. Instead, over the vigorous protests of Alaska's voteless Delegate, Anthony J. Dimond, Alaska was arbitrarily limited by the Congress to the flat sum of $350,000. This was not an economy measure. The money thus taken from Alaska did not revert to the U.S. Treasury. The $517,726 of which Alaska was deprived was distributed among the States. Thus has it been through the years.

It is no wonder therefore that the great forest resources of the national forests in Alaska remain relatively undeveloped and inaccessible.

It is my intention to support and work for the early enactment of increases in the appropriations authorized to carry out the President's program for the development of our national forests. There is need to increase the authorized annual appropriations far beyond the amount indicated in the budget. The President's program calls for the expenditure of a total sum of $1,263,484,000 to be spent in the 10 years during fiscal years 1963 through 1972. There is great need for the authorization of $40 million for fiscal year 1963 to be increased drastically—far beyond the $10 million increase which it is anticipated will be recommended.

I request that two letters addressed to me by the Forest Service relating to highways and development of roads in Alaska be printed at the conclusion of my remarks.

I appreciate this opportunity to testify before the subcommittee on behalf of my State, Mr. Chairman. If there should be any information required which I can provide I will be most happy to make it available to you.

Detailed statements of obligations by geographic location for Forest Service

Location, appropriation, and financial project	Obligated, 1961	Estimated, 1962	Estimated, 1963
Alabama:			
Forest protection and utilization:			
Forest land management:			
National forest protection and management (includes advance from "Cooperative range improvements")	$598,322	$886,900	$1,007,600
Fighting forest fires	28,742	(1)	(1)
Insect and disease control	25,241	35,500	39,000
Forest research	315,659	443,500	443,700
State and private forestry cooperation	378,541	465,200	465,200
Subtotal, forest protection and utilization	1,346,505	1,841,100	1,955,300
Forest roads and trails (includes transfer from "Roads and trails for States")	239,649	234,800	229,400
Restoration of forest lands and improvements		2,000	2,000
Payments to States, national forests fund	330,276	181,610	216,900
Watershed protection	19,170	29,400	29,400
Agricultural conservation program	13,793	13,800	13,800
Conservation reserve program	25,926	1,000	
Trust funds	326,358	280,700	280,700
Total, Alabama (621,772 acres)	2,301,177	2,584,410	2,730,500
Alaska:			
Forest protection and utilization:			
Forest land management:			
National forest protection and management (includes advance from "Cooperative range improvements")	2,024,843	2,483,400	2,750,100
Fighting forest fires	5,790	(1)	(1)
Insect and disease control	45,915	47,000	40,000
Forest research	294,359	741,400	421,400
State and private forestry cooperation	41,713	69,400	69,400
Subtotal, forest protection and utilization	2,412,630	3,341,200	3,320,900
Forest roads and trails (includes transfer from "Roads and trails for States")	1,018,226	1,385,500	1,200,000
Expenses, brush disposal	2,195	7,800	7,800
Payments to States, national forests fund	198,131	212,431	246,000
Trust funds	79,060	82,100	82,100
Total, Alaska (20,742,224 acres)	3,740,052	5,028,531	4,856,800
Arizona:			
Forest protection and utilization:			
Forest land management:			
National forest protection and management (includes advance from "Cooperative range improvements")	3,897,961	5,133,400	5,611,300
Fighting forest fires	2,090,000	(1)	(1)
Insect and disease control	38,249	49,400	237,000
Forest research	518,324	763,600	673,600
Subtotal, forest protection and utilization	7,115,124	5,946,400	6,521,900
Forest roads and trails (includes transfer from "Roads and trails for States")	1,145,478	1,347,400	1,365,500
Expenses, brush disposal	316,436	363,300	386,000
Restoration of forest lands and improvements		10,000	10,000
Payments to school funds, Arizona and New Mexico	138,922	98,850	114,300
Payments to States, national forests fund	561,434	402,250	466,800
Watershed protection	44,432	37,200	37,200
Trust funds	541,168	472,200	472,200
Total, Arizona (11,381,561 acres)	9,862,994	8,577,600	9,372,900

See footnotes at end of table.

Detailed statements of obligations by geographic location for Forest Service—Continued

Location, appropriation, and financial project	Obligated, 1961	Estimated, 1962	Estimated, 1963
Arkansas:			
Forest protection and utilization:			
Forest land management:			
National forest protection and management (includes advance from "Cooperative range improvements")	$1,412,462	$1,984,000	$2,224,400
Fighting forest fires	36,019	(1)	(1)
Insect and disease control	14,298	1,000	50,000
Acquisition of lands (Weeks Act)	24,313	48,000	60,000
Forest research	295,974	358,500	318,300
State and private forestry cooperation	328,802	430,700	430,700
Subtotal, forest protection and utilization	2,136,868	2,822,800	3,083,400
Forest roads and trails (includes transfer from "Roads and trails for States")	496,624	581,900	570,100
Restoration of forest lands and improvements	14,837	26,400	26,000
Payments to counties, national grasslands		3,000	3,000
Payments to States, national forests fund	2,421		
Watershed protection	924,415	870,485	1,007,900
Conservation reserve program	1,292	14,500	14,500
Trust funds	12,765	500	
Total, Arkansas (2,405,030 acres)	4,443,987	5,191,785	5,579,400
California:			
Forest protection and utilization:			
Forest land management:			
National forest protection and management (includes advance from "Cooperative range improvements")	16,092,473	20,820,100	23,103,800
Fighting forest fires	15,526,627	(1)	(1)
Insect and disease control	1,176,184	1,201,600	1,165,000
Forest research	1,792,820	2,708,300	1,858,300
State and private forestry cooperation	1,241,143	1,312,600	1,312,600
Subtotal, forest protection and utilization	35,829,257	26,042,600	27,439,700
Forest roads and trails (includes transfer from "Roads and trails for States")	7,122,180	7,772,800	8,198,600
Assistance to States for tree planting		1,000	1,000
Expenses, brush disposal:			
Brush disposal	450,180	685,000	727,800
Brush disposal, fighting forest fires	2,838,024		
Subtotal, expenses, brush disposal	3,288,204	685,000	727,800
Restoration of forest lands and improvements	2,310	10,000	10,000
Payments to counties, national grasslands	548	500	500
Payments to States, national forests fund	5,800,895	2,693,000	3,118,500
Watershed protection	49,639	69,000	66,000
Flood prevention	1,264,792	1,438,900	1,369,600
Trust funds	4,854,292	5,060,900	5,310,900
Total, California (19,963,350 acres)	58,212,087	43,773,701	46,245,400
Colorado:			
Forest protection and utilization:			
Forest land management:			
National forest protection and management (includes advance from "Cooperative range improvements")	4,351,851	5,955,500	6,261,300
Fighting forest fires	284,667	(1)	(1)
Insect and disease control	190,055	397,700	665,000
Forest research	345,022	410,900	420,900
State and private forestry cooperation	65,133	86,700	86,700
Subtotal, forest protection and utilization	5,236,728	6,850,800	7,433,900
Forest roads and trails (includes transfer from "Roads and trails for States")	1,987,983	2,157,300	2,236,600
Expenses, brush disposal		300	300
Restoration of forest lands and improvements	85,554	143,600	152,600
Payments to counties, national grasslands	30		
Payments to States, national forests fund	30,323	42,600	42,600
Watershed protection	391,965	277,913	321,800
Conservation reserve program	13,144	17,300	17,300
Trust funds		700	
Total, Colorado (14,359,487 acres)	429,892	666,000	666,000
Connecticut:			
Forest protection and utilization:			
Forest land management: Insect and disease control	8,175,619	10,156,513	10,871,100
Forest research	5,883	5,400	10,400
State and private forestry cooperation	23,500	33,000	33,000
Subtotal, forest protection and utilization	70,717	93,200	93,200
Assistance to States for tree planting	100,100	131,600	136,600
Watershed protection		1,700	1,700
Trust funds		7,500	7,500
Total, Connecticut (acres, none)		600	600
Delaware:	100,100	141,400	146,400
Forest protection and utilization:			
Forest land management: Insect and disease control	700	700	2,000
Forest research	15,350	15,600	15,600
State and private forestry cooperation	19,951	27,400	27,400
Subtotal, forest protection and utilization	36,001	43,700	45,000
Watershed protection		4,000	4,000
Total, Delaware (acres, none)	36,001	47,700	49,000
District of Columbia:			
Forest protection and utilization:			
Forest land management:			
National forest protection and management (includes advance from "Cooperative range improvements")	3,034,180	3,299,700	3,425,000
Insect and disease control	244,395	220,700	290,000
Forest research	1,437,637	1,628,200	1,628,200
State and private forestry cooperation	483,514	483,800	483,800
Subtotal, forest protection and utilization	5,199,726	5,632,400	5,827,000
Forest roads and trails (includes transfer from "Roads and trails for States")	737,864	878,000	1,197,000
Assistance to States for tree planting		25,600	25,600
Expenses, brush disposal	73,586	88,000	93,500
Forest fire prevention	19,723	27,160	20,000

See footnotes at end of table.

Detailed statements of obligations by geographic location for Forest Service—Continued

Location, appropriation, and financial project	Obligated, 1961	Estimated, 1962	Estimated, 1963
District of Columbia—Continued			
Watershed protection	$64,571	$73,400	$73,400
Flood prevention	68,905	74,000	74,000
Agricultural conservation program	6,313	1,000	1,000
Great Plains conservation program	190	200	200
Conservation reserve program	13,988	3,100	
Trust funds	160,354	165,000	165,000
Total, District of Columbia	6,345,123	6,969,060	7,477,900
Florida:			
Forest protection and utilization:			
Forest land management:			
National forest protection and management (includes advance from "Cooperative range improvements")	781,871	934,400	1,072,200
Fighting forest fires	55,120	(1)	(1)
Insect and disease control	11,896	3,200	57,000
Forest research	357,415	381,500	426,900
State and private forestry cooperation	636,926	743,900	743,900
Subtotal, forest protection and utilization	1,843,118	2,063,000	2,299,600
Forest roads and trails (includes transfer from "Roads and trails for States")	299,404	266,100	266,100
Assistance to States for tree planting		85,700	85,700
Payments to counties, national grasslands	1,470	1,500	1,500
Payments to States, national forests fund	269,972	215,016	249,000
Watershed protection	500	4,000	4,000
Agricultural conservation program	13,253	13,800	13,800
Conservation reserve program	16,179	1,000	
Trust funds	395,053	362,100	362,100
Total, Florida (1,074,758 acres)	2,839,899	3,012,216	3,281,800
Georgia:			
Forest protection and utilization:			
Forest land management:			
National forest protection and management (includes advance from "Cooperative range improvements")	642,417	955,500	1,076,700
Fighting forest fires	20,337	(1)	(1)
Insect and disease control	42,372	105,900	102,900
Forest research	449,128	1,245,800	841,800
State and private forestry	582,501	716,800	716,800
Subtotal, forest protection and utilization	1,786,755	3,023,900	2,737,300
Forest roads and trails (includes transfer from "Roads and trails for States")	293,509	269,700	253,000
Assistance to States for tree planting		11,700	11,700
Expenses, brush disposal	16		
Restoration of forest lands and improvements		2,000	2,000
Payments to States, national forests fund	103,702	197,019	228,800
Watershed protection	69,596	80,500	80,500
Flood prevention	28,500	45,200	41,100
Agricultural conservation program	93,175	96,300	98,300
Conservation reserve program	165,577	9,400	
Trust funds	243,226	240,200	240,200
Total, Georgia (786,138 acres)	2,812,451	4,009,619	3,692,900
Hawaii:			
Forest protection and utilization:			
Forest research	23,598	16,400	38,400
State and private forestry	25,210	34,600	34,600
Subtotal, forest protection and utilization	48,808	51,000	73,000
Assistance to States for tree planting		20,000	20,000
Trust funds	24,762	54,400	54,400
Total, Hawaii (acres, none)	73,570	125,400	147,400
Idaho:			
Forest protection and utilization:			
Forest land management:			
National forest protection and management (includes advance from "Cooperative range improvements")	7,526,013	10,106,800	10,256,000
Fighting forest fires	3,897,510	(1)	(1)
Insect and disease control	1,489,624	1,906,400	3,174,000
Forest research	415,658	907,800	622,000
State and private forestry cooperation	195,732	255,600	255,600
Subtotal, forest protection and utilization	13,524,537	13,076,600	14,308,400
Forest roads and trails (includes transfer from "Roads and trails for States")	4,129,864	5,196,800	5,295,000
Assistance to States for tree planting		10,200	10,200
Expenses, brush disposal	1,339,652	1,658,400	1,795,000
Restoration of forest lands and improvements	3,409	3,200	3,200
Payments to counties, national grasslands	2,173	2,200	2,200
Payments to States, national forests fund	1,907,148	1,121,453	1,298,000
Watershed protection	5,077	7,500	7,500
Conservation reserve program	6,878	100	
Trust funds	1,575,289	1,907,000	1,907,000
Total, Idaho (20,349,401 acres)	22,492,927	22,984,253	24,504,000
Illinois:			
Forest protection and utilization:			
Forest land management:			
National forest protection and management (includes advance from "Cooperative range improvements")	262,735	300,900	237,000
Fighting forest fires	30,951	(1)	(1)
Insect and disease control			5,400
Acquisition of lands (Weeks Act)		2,000	
Forest research	363,146	464,700	464,700
State and private forestry cooperation	104,102	189,700	139,700
Subtotal, forest protection and utilization	760,934	957,300	846,800
Forest roads and trails (includes transfer from "Roads and trails for States")	68,737	95,400	125,000
Restoration of forest lands and improvements		500	500
Payments to States, national forests fund	18,529	5,077	5,000
Watershed protection		7,100	7,100
Conservation reserve program	11,600	1,600	
Trust funds	33,644	27,300	27,300
Total, Illinois (211,013 acres)	893,844	1,045,277	1,112,600

See footnotes at end of table.

Detailed statements of obligations by geographic location for Forest Service—Continued

Location, appropriation, and financial project	Obligated, 1961	Estimated, 1962	Estimated, 1963
Indiana:			
Forest protection and utilization:			
Forest land management:			
National forest protection and management (includes advance from "Cooperative range improvements")	$152,873	$188,900	$215,800
Fighting forest fires	6,760	(1)	(1)
Insect and disease control	65		4,000
Acquisition of lands (Weeks Act)	9,906	13,500	75,000
Forest research	58,452	55,000	55,000
State and private forestry cooperation	70,343	118,400	118,400
Subtotal, forest protection and utilization	298,399	375,800	468,200
Forest roads and trails (includes transfer from "Roads and trails for States")	11,877	34,000	50,000
Restoration of forest lands and improvements		500	500
Payments to States, national forests fund	3,790	10,633	12,300
Watershed protection	40,256	25,700	25,700
Trust funds	23,288	10,300	10,300
Total, Indiana (131,93) acres)	377,610	456,933	567,000
Iowa:			
Forest protection and utilization:			
Forest land management: Insect and disease control	53		6,400
Forest research	74,122	80,500	80,500
State and private forestry cooperation	49,531	67,300	67,300
Subtotal, forest protection and utilization	123,706	147,800	154,200
Payments to counties, national grasslands	138	100	100
Payments to States, national forests fund	214	166	200
Watershed protection	567	800	800
Conservation reserve program	2,022	1,600	
Total, Iowa (5,296 acres)	126,667	150,466	155,300
Kansas:			
Forest protection and utilization:			
Forest land management:			
National forest protection and management (includes advance from "Cooperative range improvements")	32,320	51,600	57,900
Insect and disease control			5,000
Forest research	3,685	9,800	9,800
State and private forestry cooperation	14,270	31,000	31,000
Subtotal, forest protection and utilization	50,275	92,400	103,600
Payments to counties, national grasslands	10,504	10,500	10,500
Watershed protection	12,605	16,300	16,300
Great Plains conservation program	5,228	5,450	5,450
Total, Kansas (107,114 acres)	78,612	124,650	135,850
Kentucky:			
Forest protection and utilization:			
Forest land management:			
National forest protection and management (includes advance from "Cooperative range improvements")	564,753	900,400	1,007,500
Fighting forest fires	32,054	(1)	(1)
Insect and disease control	39,207	30,500	28,000
Acquisition of lands (Weeks Act)	1,963	100	50,000
Forest research	100,877	132,100	172,100
State and private forestry cooperation	210,113	276,900	276,900
Subtotal, forest protection and utilization	948,967	1,360,000	1,534,500
Forest roads and trails (includes transfer from "Roads and trails for States")	211,733	245,100	227,000
Assistance to States for tree planting		9,200	9,200
Payments to States, national forests fund	76,885	68,770	79,700
Watershed protection	38,752	25,400	25,400
Conservation reserve program	3,972		
Trust funds	75,809	78,500	78,500
Total, Kentucky (459,084 acres)	1,356,118	1,786,970	1,954,200
Louisiana:			
Forest protection and utilization:			
Forest land management:			
National forest protection and management (includes advance from "Cooperative range improvements")	765,128	1,178,300	1,370,500
Fighting forest fires	8,659	(1)	(1)
Insect and disease control	72,328	124,100	73,000
Forest research	265,526	369,100	439,100
State and private forestry cooperation	383,366	524,600	524,600
Subtotal, forest protection and utilization	1,494,987	2,196,100	2,407,200
Forest roads and trails (includes transfer from "Roads and trails for States")	223,755	211,400	211,400
Payments to States, national forests fund	277,855	370,834	429,400
Conservation reserve program	5,295	500	
Trust funds	345,994	303,900	303,900
Total, Louisiana (591,566 acres)	2,347,886	3,082,734	3,351,900
Maine:			
Forest protection and utilization:			
Forest land management:			
National forest protection and management (includes advance from "Cooperative range improvements")	41,126	84,500	95,400
Fighting forest fires	175	(1)	(1)
Insect and disease control	71,984	92,300	86,000
Forest research	169,500	214,900	214,900
State and private forestry cooperation	299,192	420,200	420,200
Subtotal, forest protection and utilization	581,977	811,900	816,500
Forest roads and trails (includes transfer from "Roads and trails for States")	19,017	20,300	25,000
Assistance to States for tree planting		11,500	11,500
Payments to States, national forests fund	4,733	3,116	3,600
Watershed protection		4,500	4,500
Conservation reserve program		21,500	25,000
Trust funds	2,758	700	700
Total, Maine (50,021 acres)	608,485	873,516	886,800

See footnotes at end of table.

Detailed statements of obligations by geographic location for Forest Service—Continued

Location, appropriation, and financial project	Obligated, 1961	Estimated, 1962	Estimated, 1963
Maryland:			
Forest protection and utilization:			
Forest land management:			
National forest protection and management (includes advance from "Cooperative range improvements")	$64,655	$73,700	$73,700
Insect and disease control	28,971	28,500	11,100
Forest research	415,294	450,900	450,900
State and private forestry cooperation	163,985	222,100	222,100
Subtotal, forest protection and utilization	672,905	775,200	757,800
Assistance to States for tree planting		5,800	5,800
Payments to counties, national grasslands	3,106	3,100	3,100
Watershed protection	6,926	4,500	4,500
Flood prevention	8,529	8,200	8,200
Conservation reserve program	1,640		
Trust funds	2,152	2,300	2,300
Total, Maryland (acres, none)	694,455	799,100	781,700
Massachusetts:			
Forest protection and utilization:			
Forest land management: Insect and disease control	21,482	19,200	54,500
Forest research	45,500	60,800	60,800
State and private forestry cooperation	133,903	173,100	173,100
Subtotal, forest protection and utilization	200,885	253,100	288,400
Assistance to States for tree planting		5,800	5,800
Watershed protection	3,101	9,300	9,300
Trust funds		400	400
Total, Massachusetts (1,651 acres)	203,986	268,600	303,900
Michigan:			
Forest protection and utilization:			
Forest land management:			
National forest protection and management (includes advance from "Cooperative range improvements")	1,549,874	2,385,400	2,752,800
Fighting forest fires	101,647	(1)	(1)
Insect and disease control	130,306	173,000	114,200
Acquisition of lands (Weeks Act)	6,315	52,700	40,100
Forest research	347,501	461,100	481,100
State and private forestry cooperation	504,441	623,700	623,700
Subtotal, forest protection and utilization	2,638,284	3,695,900	4,011,800
Forest roads and trails (includes transfer from "Roads and trails for States")	516,915	713,000	725,000
Assistance to States for tree planting		145,000	145,000
Expenses, brush disposal	880	200	800
Restoration of forest lands and improvements		3,000	3,000
Payments to counties, national grasslands	1,529	1,500	1,500
Payments to States, national forests fund	202,631	188,865	218,700
Watershed protection	2,647	4,000	4,000
Trust funds	273,865	174,400	174,400
Total, Michigan (2,559,412 acres)	3,636,751	4,925,865	5,283,700
Minnesota:			
Forest protection and utilization:			
Forest land management:			
National forest protection and management (includes advance from "Cooperative range improvements")	1,378,836	2,040,700	2,324,600
Fighting forest fires	180,752	(1)	(1)
Insect and disease control	88,443	229,800	286,500
Acquisition of lands (Weeks Act)	6,276	8,000	25,000
Forest research	413,668	1,806,500	571,500
State and private forestry cooperation	332,616	404,200	404,100
Subtotal, forest protection and utilization	2,400,616	4,489,100	3,611,700
Forest roads and trails (includes transfer from "Roads and trails for States")	1,237,740	1,139,100	950,000
Acquisition of lands for Superior National Forest	122,303	878,496	2,000,000
Assistance to States for tree planting		160,400	160,400
Expenses, brush disposal	55,965	64,600	66,700
Restoration of forest lands and improvements		2,000	2,000
Payment to Minnesota	123,275	123,300	123,300
Payments to States, national forests fund	165,088	147,013	158,600
Watershed protection	13,892	10,000	10,000
Conservation reserve program	10,656	2,000	5,000
Trust funds	255,823	175,000	175,000
Total, Minnesota (2,787,407 acres)	4,385,358	7,181,000	7,264,700
Mississippi:			
Forest protection and utilization:			
Forest land management:			
National forest protection and management (includes advance from "Cooperative range improvements")	1,168,092	1,632,600	1,818,300
Fighting forest fires	51,087	(1)	(1)
Insect and disease control	67,432	73,400	70,000
Acquisition of lands (Weeks Act)	237		
Forest research	959,757	970,400	1,038,400
State and private forestry cooperation	407,015	541,500	541,500
Subtotal, forest protection and utilization	2,653,710	3,217,900	3,468,200
Forest roads and trails (includes transfer from "Roads and trails for States")	280,174	341,000	341,000
Assistance to States for tree planting		16,700	16,700
Restoration of forest lands and improvements	624	3,000	3,000
Payments to States, national forests fund	727,999	664,316	792,800
Watershed protection	217,962	286,300	286,300
Flood prevention	854,483	1,193,745	1,104,100
Agricultural conservation program	13,283	13,800	13,800
Conservation reserve program	5,937	500	
Trust funds	621,934	793,600	793,600
Total, Mississippi (1,133,973 acres)	5,375,806	6,520,761	6,818,900
Missouri:			
Forest protection and utilization:			
Forest land management:			
National forest protection and management (includes advance from "Cooperative range improvements")	1,014,525	1,327,700	1,460,300
Fighting forest fires	101,935	(1)	(1)
Insect and disease control	2,067	2,100	9,000
Acquisition of lands (Weeks Act)	6,750	20,000	25,000

See footnotes at end of table.

Detailed statements of obligations by geographic location for Forest Service—Continued

Location, appropriation, and financial project	Obligated, 1961	Estimated, 1962	Estimated, 1963
Missouri—Continued			
Forest protection and utilization—Continued			
Forest research	$245,771	$242,400	$242,400
State and private forestry cooperation	296,537	374,500	374,500
Subtotal, forest protection and utilization	1,667,495	1,966,700	2,111,200
Forest roads and trails (includes transfer from "Roads and trails for States")	211,095	211,600	270,000
Expenses, brush disposal	142	800	900
Restoration of forest lands and improvements		1,500	1,500
Payments to counties, national grasslands	781	800	800
Payments to States, national forests fund	48,881	46,079	53,400
Watershed protection		500	500
Conservation reserve program		1,600	
Trust funds	135,488	153,800	153,800
Total, Missouri (1,374,573 acres)	2,066,882	2,363,379	2,592,100
Montana:			
Forest protection and utilization:			
Forest land management:			
National forest protection and management (includes advance from "Cooperative range improvements")	5,534,824	7,478,500	7,874,400
Fighting forest fires	3,244,292	(1)	(1)
Insect and disease control	302,028	733,200	719,300
Forest research	377,421	715,700	620,700
State and private forestry cooperation	151,785	196,800	196,800
Subtotal, forest protection and utilization	9,610,350	9,124,200	9,421,200
Forest roads and trails (includes transfer from "Roads and trails for States")	3,916,440	3,784,600	3,900,000
Assistance to States for tree planting		16,300	16,300
Expenses, brush disposal	809,367	864,300	918,300
Restoration of forest lands and improvements		4,500	4,500
Payments to States, national forest fund	1,291,824	511,427	592,200
Watershed protection	4,485	10,400	10,400
Conservation reserve program	1,441	100	
Trust funds	1,148,838	1,370,600	1,370,600
Total, Montana (16,535,730 acres)	16,782,745	15,686,427	16,233,500
Nebraska:			
Forest protection and utilization:			
Forest land management:			
National forest protection and management (includes advance from "Cooperative range improvements")	200,252	249,600	278,700
Fighting forest fires	6,026	(1)	(1)
Insect and disease control	2,886	6,200	5,000
Forest research	38,828	48,800	48,800
State and private forestry	18,445	30,300	30,300
Subtotal, forest protection and utilization	266,438	334,900	362,800
Forest roads and trails (includes transfer from "Roads and trails for States")	14,995	20,800	25,700
Assistance to States for tree planting		200	200
Payments to counties, national grasslands	10,118	1,000	1,000
Payments to States, national forests fund	14,992	15,854	18,400
Watershed protection	2,068	8,400	8,400
Great Plains conservation program	5,684	6,000	6,000
Conservation reserve program		300	
Total, Nebraska (339,716 acres)	314,295	387,454	422,500
Nevada:			
Forest protection and utilization:			
Forest land management:			
National forest protection and management (includes advance from "Cooperative range improvements")	778,987	874,000	938,200
Fighting forest fires	336,048	(1)	(1)
Insect and disease control	1,724		21,000
Forest research	40,779	41,900	41,900
State and private forestry cooperation	52,245	81,900	81,900
Subtotal, forest protection and utilization	1,203,783	997,800	1,083,000
Forest roads and trails (includes transfer from "Roads and trails for States")	403,621	186,000	348,200
Restoration of forest lands and improvements	134		
Payments to States, national forests fund	59,665	41,071	47,600
Watershed protection	15,387	18,500	18,500
Trust funds	486	1,900	1,900
Total, Nevada (5,058,028 acres)	1,685,076	1,245,271	1,499,200
New Hampshire:			
Forest protection and utilization:			
Forest land management:			
National forest protection and management (includes advance from "Cooperative range improvements")	633,318	765,200	885,500
Fighting forest fires	2,736	(1)	(1)
Insect and disease control	53,248	79,200	95,000
Acquisition of lands (Weeks Act)		400	
Forest research	186,054	264,200	214,200
State and private forestry cooperation	115,922	138,200	138,200
Subtotal, forest protection and utilization	1,021,278	1,247,200	1,332,900
Forest roads and trails (includes transfer from "Roads and trails for States")	291,814	287,200	198,000
Assistance to States for tree planting		4,000	4,000
Expenses, brush disposal	949		
Payments to States, national forests fund	67,710	43,120	49,900
Watershed protection	3,384	9,400	9,400
Conservation reserve program	12,020	5,100	5,000
Trust funds	27,797	28,500	28,500
Total, New Hampshire (677,559 acres)	1,424,952	1,624,520	1,627,700
New Jersey:			
Forest protection and utilization:			
Forest land management: Insect and disease control	6,184	8,900	8,000
Forest research	45,500	64,400	64,400
State and private forestry cooperation	138,427	183,100	183,100
Subtotal, forest protection and utilization	190,111	256,400	255,500
Assistance to States for tree planting		6,300	6,300
Watershed protection	1,811	4,300	4,300
Total, New Jersey (acres, none)	191,922	267,000	266,100

See footnotes at end of table.

Detailed statements of obligations by geographic location for Forest Service—Continued

Location, appropriation, and financial project	Obligated, 1961	Estimated, 1962	Estimated, 1963
New Mexico:			
Forest protection and utilization:			
Forest land management:			
National forest protection and management (includes advance from "Cooperative range improvements")	$2,439,070	$3,959,000	$4,302,300
Fighting forest fires	560,874	(1)	(1)
Insect and disease control	105,113	673,300	366,000
Forest research	116,084	211,700	211,700
State and private forestry cooperation	69,840	88,200	88,200
Subtotal, forest protection and utilization	3,091,581	4,932,200	4,992,200
Forest roads and trails (includes transfer from "Roads and trails for States")	914,244	1,000,200	1,034,500
Assistance to States for tree planting		500	500
Expenses, brush disposal	103,965	136,800	145,300
Restoration of forest lands and improvements	232	10,000	10,000
Payments to counties, national grasslands	11,649	11,600	11,600
Payments to school funds, Arizona and New Mexico	864	350	700
Payments to States, national forests fund	330,598	146,185	169,300
Watershed protection	84,904	29,500	29,500
Trust funds	223,445	189,200	189,300
Total, New Mexico (8,907,903 acres)	5,361,422	6,456,635	6,582,900
New York:			
Forest protection and utilization:			
Forest land management			
National forest protection and management (includes advance from "Cooperative range improvements")	21,876	43,000	49,000
Insect and disease control	106,404	111,100	117,000
Forest research	127,125	137,500	172,500
State and private forestry cooperation	342,111	460,800	460,800
Subtotal, forest protection and utilization	597,516	782,000	828,900
Payments to counties, national grasslands	560	600	600
Watershed protection	6,641	10,000	10,000
Flood prevention	1,921	5,700	2,900
Conservation reserve program	52,582	5,000	
Trust funds		100	100
Total, New York (13,747 acres)	659,219	804,000	843,100
North Carolina:			
Forest protection and utilization:			
Forest land management:			
National forest protection and management (includes advance from "Cooperative range improvements")	843,631	1,137,000	1,290,800
Fighting forest fires	60,574	(1)	(1)
Insect and disease control	130,528	109,000	90,000
Forest research	1,146,957	1,023,600	1,246,600
State and private forestry cooperation	387,988	554,700	554,700
Subtotal, forest protection and utilization	2,569,678	2,824,300	3,182,100
Forest roads and trails (includes transfer from "Roads and trails for States")	313,897	469,700	413,600
Expenses, brush disposal	94	600	
Restoration of forest lands and improvements		3,000	3,000
Payments to States, national forests fund	227,575	132,631	153,600
Watershed protection	28,232	46,400	46,400
Conservation reserve program	14,350	500	
Trust funds	204,588	109,500	109,500
Total, North Carolina (1,124,152 acres)	3,358,434	3,606,631	3,908,800
North Dakota:			
Forest protection and utilization:			
Forest land management:			
National forest protection and management (includes advance from "Cooperative range improvements")	172,131	283,500	296,600
Insect and disease control	731	300	3,000
Forest research	73,283	238,100	108,100
State and private forestry cooperation	21,265	46,600	46,600
Subtotal, forest protection and utilization	267,410	568,500	454,300
Payments to counties, national grasslands	194,998	195,000	195,000
Payments to States, national forests fund	27	51	100
Watershed protection		9,500	9,500
Conservation reserve program		1,600	
Total, North Dakota (1,104,850 acres)	462,435	774,651	658,900
Ohio:			
Forest protection and utilization:			
Forest land management			
National forest protection and management (includes advance from "Cooperative range improvements")	186,846	242,000	273,300
Fighting forest fires	8,262	(1)	(1)
Insect and disease control	29,820		9,000
Acquisition of lands (Weeks Act)	22,363	23,200	75,000
Forest research	332,358	495,500	604,500
State and private forestry cooperation	156,259	224,600	224,600
Subtotal, forest protection and utilization	735,848	985,300	1,186,400
Forest roads and trails (includes transfer from "Roads and trails for States")	11,248	12,000	40,000
Assistance to States for tree planting		25,000	25,000
Restoration of forest lands and improvements		500	500
Payments to countries, national grasslands	625	600	600
Payments to States, national forests fund	9,289	8,180	9,500
Watershed protection	6,025	5,100	5,100
Trust funds	29,510	32,700	32,700
Total, Ohio (106,655 acres)	792,545	1,070,280	1,300,700
Oklahoma:			
Forest protection and utilization:			
Forest land management			
National forest protection and management (includes advance from "Cooperative range improvements")	257,706	329,200	369,100
Fighting forest fires	6,500	(1)	(1)
Insect and disease control	980	1,100	3,000
Forest research		2,800	2,800
State and private forestry cooperation	152,643	186,700	189,700
Subtotal, forest protection and utilization	417,779	522,800	564,600
Forest roads and trails (includes transfer from "Roads and trails for States")	37,871	59,400	55,000
Expenses, brush disposal	650	1,400	1,400

See footnotes at end of table.

Detailed statements of obligations by geographic location for Forest Service—Continued

Location, appropriation, and financial project	Obligated, 1961	Estimated, 1962	Estimated, 1963
Oklahoma—Continued			
Restoration of forest lands and improvements		$2,000	$2,000
Payments to countries, national grasslands	$9,565	9,600	9,600
Payments to States, national forests fund	103,808	118,473	137,200
Watershed protection		2,000	2,000
Flood prevention	2,420	2,500	2,500
Great Plains conservation program	2,534	2,600	2,600
Trust funds	66,870	73,700	73,700
Total, Oklahoma (267,863 acres)	631,497	794,473	850,600
Oregon:			
Forest protection and utilization:			
Forest land management:			
National forest protection and management (includes advance from "Cooperative range improvements")	9,801,536	11,880,500	12,847,000
Fighting forest fires	5,222,257	(1)	(1)
Insect and disease control	305,960	328,800	338,000
Forest research	914,977	1,176,700	1,188,700
State and private forestry cooperation	597,920	674,000	674,000
Subtotal, forest protection and utilization	16,542,650	14,060,000	15,047,700
Forest roads and trails (includes transfer from "Roads and trails for States")	7,594,105	8,565,532	8,882,400
Acquisition of lands, Klamath Indians	68,716,691		
Assistance to States for tree planting		127,500	127,500
Expenses, brush disposal	2,199,300	2,339,300	2,485,500
Payments to counties, national grasslands	4,151	4,200	4,200
Payments to States, national forests fund	12,629,207	10,213,120	11,825,900
Watershed protection	25,044	26,800	26,800
Conservation reserve program	13,419	800	
Oregon and California grant lands		1,235,488	1,000,000
Trust funds	4,406,534	4,081,400	4,331,400
Total, Oregon (14,938,806 acres)	112,131,101	40,654,140	43,731,400
Pennsylvania:			
Forest protection and utilization			
Forest land management:			
National forest protection and management (includes advance from "Cooperative range improvements")	411,271	714,900	831,400
Fighting forest fires	5,365	(1)	(1)
Insect and disease control	71,029	75,300	87,000
Acquisition of lands (Weeks Act)		33,100	20,000
Forest research	127,125	160,700	170,700
State and private forestry cooperation	251,948	366,800	366,800
Subtotal, forest protection and utilization	866,758	1,350,800	1,475,900
Forest roads and trails (includes transfer from "Roads and trails for States")	207,911	247,900	229,000
Assistance to States for tree planting		40,400	40,400
Payments to States, national forests fund	147,245	128,250	148,500
Watershed protection	6,672	18,400	18,400
Flood prevention		1,100	1,100
Conservation reserve program	9,954		
Trust funds	61,646	57,400	57,400
Total, Pennsylvania (470,869 acres)	1,300,186	1,844,250	1,970,700
Rhode Island:			
Forest protection and utilization:			
Forest land management:			
Insect and disease control	600	1,000	2,000
Forest research	8,850	10,500	10,500
State and private forestry cooperation	48,188	62,800	62,800
Subtotal, forest protection and utilization	57,638	74,300	75,300
Assistance to States for tree planting		3,500	3,500
Watershed protection		200	200
Total, Rhode Island (acres, none)	57,638	78,000	79,000
South Carolina:			
Forest protection and utilization:			
Forest land management:			
National forest protection and management (includes advance from "Cooperative range improvements")	571,117	782,900	860,300
Fighting forest fires	40,027	(1)	(1)
Insect and disease control	51,730	78,000	55,000
Forest research	167,912	228,600	228,600
State and private forestry cooperation	354,175	482,600	482,600
Subtotal, forest protection and utilization	1,184,961	1,572,100	1,626,500
Forest roads and trails (includes transfer from "Roads and trails for States")	204,079	282,400	247,000
Assistance to States for tree planting		79,700	79,700
Restoration of forest lands and improvements		2,000	2,000
Payments to States, national forests fund	417,197	494,076	572,100
Watershed protection	40,299	38,400	38,400
Conservation reserve program	33,498	7,500	
Trust funds	124,786	145,100	145,100
Total, South Carolina (587,273 acres)	2,004,820	2,621,276	2,710,800
South Dakota:			
Forest protection and utilization:			
Forest land management:			
National forest protection and management (includes advance from "Cooperative range improvements")	1,187,028	1,545,000	1,736,000
Fighting forest fires	541,288	(1)	(1)
Insect and disease control	32,263	7,800	39,000
Forest research	242,612	149,900	149,900
State and private forestry cooperation	65,641	85,500	85,500
Subtotal, forest protection and utilization	2,068,832	1,788,200	2,010,400
Forest roads and trails (includes transfer from "Roads and trails for States")	241,233	203,800	290,000
Expenses, brush disposal	96,536	116,200	123,500
Payments to counties, national grasslands	59,874	76,700	76,700
Payments to States, national forests fund	100,101	63,527	73,600
Watershed protection	2,348	2,200	2,200
Trust funds	222,310	194,700	194,700
Total, South Dakota (2,004,004 acres)	2,791,234	2,445,327	2,772,000

See footnotes at end of table.

Detailed statements of obligations by geographic location for Forest Service—Continued

Location, appropriation, and financial project	Obligated, 1961	Estimated, 1962	Estimated, 1963
Tennessee:			
Forest protection and utilization:			
Forest land management:			
National forest protection and management (includes advance from "Cooperative range improvements")	$541,082	$814,100	$901,800
Fighting forest fires	27,384	(1)	(1)
Insect and disease control	24,959	22,500	25,000
Acquisition of lands (Weeks Act)		42,000	30,000
Forest research	299,488	96,300	99,200
State and private forestry cooperation	319,219	418,500	418,500
Subtotal, forest protection and utilization	1,172,082	1,393,400	1,471,600
Forest roads and trails (includes transfer from "Roads and trails for States")	267,194	302,300	296,100
Assistance to States for tree planting		19,700	19,700
Restoration of forest lands and improvements	780	3,000	3,000
Payments to States, national forests fund	80,424	83,000	96,100
Watershed protection	8,438	40,300	40,300
Conservation reserve program	5,987	500	
Trust funds	96,115	117,500	117,500
Total, Tennessee (595,082 acres)	1,530,992	1,959,700	2,044,300
Texas:			
Forest protection and utilization:			
Forest land management:			
National forest protection and management (includes advance from "Cooperative range improvements")	760,960	1,095,600	1,235,200
Fighting forest fires	10,652	(1)	(1)
Insect and disease control	66,771	101,800	96,600
Forest research	134,967	165,500	140,500
State and private forestry cooperation	295,040	363,800	363,800
Subtotal, forest protection and utilization	1,277,399	1,726,700	1,875,500
Forest roads and trails (includes transfer from "Roads and trails for States")	208,673	263,400	218,400
Restoration of forest lands and improvements		300	300
Payments to counties, national grasslands	16,668	16,500	16,700
Payments to States, national forests fund	636,548	471,800	546,300
Watershed protection		4,000	4,000
Flood prevention	1,000		
Great Plains conservation program	2,500	2,500	2,500
Trust funds	421,988	283,900	283,900
Total, Texas (775,263 acres)	2,565,141	2,760,327	2,948,100
Utah:			
Forest protection and utilization:			
Forest land management:			
National forest protection and management (includes advance from "Cooperative range improvements")	3,287,204	4,510,800	5,118,500
Fighting forest fires	278,378	(1)	(1)
Insect and disease control	924,663	563,600	1,065,000
Forest research	239,338	416,200	516,300
State and private forestry cooperation	63,313	80,700	80,700
Subtotal, forest protection and utilization	4,842,496	5,571,300	6,780,500
Forest roads and trails (includes transfer from "Roads and trails for States")	1,183,171	1,248,700	1,366,600
Acquisition of lands for national forests, special acts (Cache)	10,000	10,000	10,000
Acquisition of lands for Cache National Forest	9,882	112,720	
Assistance to States for tree planting		500	500
Expenses, brush disposal	54,673	82,700	87,900
Restoration of forest lands and improvements		2,000	2,000
Payments to counties, national grasslands	134	100	100
Payments to States, national forests fund	189,978	141,456	163,800
Construction of warehouse and related facilities, Salt Lake City, Utah	24,482		
Watershed protection	107,711	104,600	104,600
Conservation reserve program	1,362		
Trust funds	96,236	106,200	106,200
Total, Utah (7,922,001 acres)	6,510,327	7,385,878	8,622,100
Vermont:			
Forest protection and utilization:			
Forest land management:			
National forest protection and management (includes advance from "Cooperative range improvements")	196,882	311,300	361,600
Fighting forest fires	133	(1)	(1)
Insect and disease control	37,128	33,900	33,000
Acquisition of lands (Weeks Act)	1,050	11,300	
Forest research	138,500	144,900	144,900
State and private forestry cooperation	89,683	114,800	114,800
Subtotal, forest protection and utilization	463,276	616,100	654,300
Forest roads and trails (includes transfer from "Roads and trails for States")	144,959	205,500	182,000
Assistance to States for tree planting		1,200	1,200
Payments to States, national forests fund	37,176	43,714	52,900
Watershed protection		3,800	3,500
Conservation reserve program		1,200	5,000
Trust funds	14,165	7,000	7,000
Total, Vermont (231,901 acres)	659,576	880,314	905,900
Virginia:			
Forest protection and utilization:			
Forest land management:			
National forest protection and management (includes advance from "Cooperative range improvements")	1,062,348	1,602,700	1,824,600
Fighting forest fires	55,353	(1)	(1)
Insect and disease control	76,507	79,800	26,000
Acquisition of lands (Weeks Act)	15,832	6,100	40,000
Forest research	126,804	111,200	111,200
State and private forestry cooperation	253,770	521,200	521,200
Subtotal, forest protection and utilization	1,590,614	2,319,000	2,573,000
Forest roads and trails (includes transfer from "Roads and trails for States")	304,145	405,500	443,000
Restoration of forest lands and improvements	1,535		
Payments to counties, national grasslands	2		
Payments to States, national forests fund	69,946	57,300	66,400
Watershed protection	38,249	21,500	21,500
Flood prevention	52,234	72,700	72,200
Trust funds	89,939	84,800	84,800
Total, Virginia (1,448,815 acres)	2,366,664	3,040,888	3,260,900

See footnotes at end of table.

Detailed statements of obligations by geographic location for Forest Service—Continued

Location, appropriation, and financial project	Obligated, 1961	Estimated, 1962	Estimated, 1963
Washington:			
Forest protection and utilization:			
Forest land management:			
National forest protection and management (includes advance from "Cooperative range improvements")	$4,814,591	$6,876,000	$7,444,600
Fighting forest fires	1,932,657	(1)	(1)
Insect and disease control	304,961	274,000	331,000
Forest research	701,793	888,600	668,600
State and private forestry cooperation	602,523	673,800	673,800
Subtotal, forest protection and utilization	8,356,525	8,712,400	9,118,000
Forest roads and trails (includes transfer from "Roads and trails for States")	5,004,183	5,727,200	5,344,000
Access roads	1,848,782		
Assistance to States for tree planting			127,500
Expenses, brush disposal		127,500	
Payments to States, national forests fund	1,103,162	1,243,800	1,321,500
Watershed protection	6,488,711	4,309,990	4,990,600
Conservation reserve program	18,734	9,700	9,700
Trust funds		900	
Total, Washington (9,668,619 acres)	1,333,672	1,577,200	1,577,200
	24,153,769	21,708,590	22,488,500
West Virginia:			
Forest protection and utilization:			
Forest land management:			
National forest protection and management (includes advance from "Cooperative range improvements")	737,678	1,057,100	1,188,800
Fighting forest fires	10,855	(1)	(1)
Insect and disease control	107,996	111,000	88,000
Acquisition of lands (Weeks Act)	1,387	41,000	60,000
Forest research	229,305	689,400	459,400
State and private forestry cooperation	176,060	222,000	222,000
Subtotal, forest protection and utilization	1,263,281	2,120,500	2,018,200
Forest roads and trails (includes transfer from "Roads and trails for States")	249,615	361,200	296,000
Restoration of forest lands and improvements	39		
Payments to States, national forests fund			
Watershed protection	175,792	97,609	113,000
Flood prevention		8,900	8,900
Trust funds	14,976	16,000	16,000
	69,402	67,700	67,700
Total, West Virginia (903,962 acres)	1,773,105	2,671,909	2,519,800
Wisconsin:			
Forest protection and utilization:			
Forest land management:			
National forest protection and management (includes advance from "Cooperative range improvements")	863,900	1,235,800	1,438,400
Fighting forest fires	64,559	(1)	(1)
Insect and disease control	157,588	249,600	196,200
Acquisition of lands (Weeks Act)	3,176	600	
Forest research:			
Forest Products Laboratory, Madison	2,516,360	3,218,900	3,318,900
Other locations	344,274	209,000	209,000
State and private forestry cooperation	444,623	648,200	648,200
Subtotal, forest protection and utilization	4,334,480	5,562,100	5,810,700
Forest roads and trails (includes transfer from "Roads and trails for States")	397,788	577,800	540,000
Assistance to States for tree planting		36,200	36,200
Expenses, brush disposal		200	200
Restoration of forest lands and improvements		2,000	2,000
Payments to counties, national grasslands	9		
Payments to States, national forests fund	81,772	78,201	90,500
Watershed protection	26,734	39,100	39,100
Conservation reserve program	9,268	1,600	
Trust funds			
Forest Products Laboratory, Madison	180,684	229,000	229,000
Other locations	100,770	100,400	100,400
Total, Wisconsin (1,468,743 acres)	5,131,514	6,626,601	6,848,100
Wyoming:			
Forest protection and utilization:			
Forest land management:			
National forest protection and management (includes advance from "Cooperative range improvements")	2,146,470	3,162,300	3,491,200
Fighting forest fires	435,702	(1)	(1)
Insect and disease control	571,883	1,052,700	234,000
Forest research	123,811	271,900	136,900
State and private forestry cooperation	26,079	51,000	51,000
Subtotal, forest protection and utilization	3,303,945	4,537,900	3,913,100
Forest roads and trails (includes transfer from "Roads and trails for States")	1,206,998	1,146,500	1,102,000
Expenses, brush disposal	96,211	177,100	188,200
Restoration of forest lands and improvements	88		
Payments to counties, national grasslands	30,095	45,600	45,600
Payments to States, national forests fund	222,612	155,072	179,600
Watershed protection	1,000	9,600	9,600
Trust funds	184,634	255,000	255,000
Total, Wyoming (9,144,255 acres)	5,045,583	6,326,772	5,693,100
Puerto Rico:			
Forest protection and utilization:			
Forest land management: National forest protection and management (includes advance from "Cooperative range improvements")	4,585		
Forest research	100,423	171,100	171,100
State and private forestry cooperation	24,156	31,200	31,200
Subtotal, forest protection and utilization	189,164	202,300	202,300
Forest roads and trails (includes transfer from "Roads and trails for States")	34,530	33,000	3,000
Payments to counties, national grasslands	517	500	500
Payments to States, national forests fund	1,875	2,091	2,400
Watershed protection	1,165	2,000	2,000
Trust funds	3,081	2,700	2,700
Total, Puerto Rico	230,332	242,591	212,900

See footnotes at end of table.

Detailed statements of obligations by geographic location for Forest Service—Continued

Location, appropriation, and financial project	Obligated, 1961	Estimated, 1962	Estimated, 1963
Undistributed:			
Forest protection and utilization:			
Forest land management:			
National forest protection and management (includes advance from "Cooperative range improvements")			$1,050,000
Fighting forest fires	[1] $708,659	[2] $5,000,000	[2] 5,000,000
Forest research		18,700	18,700
State and private forestry cooperation		142,300	142,300
Subtotal, forest protection and utilization	708,659	5,160,000	6,210,000
Access roads		2,000,000	2,000,000
Restoration of forest lands and improvements		190,370	190,100
Watershed protection		199,700	110,400
Conservation reserve program	[3] −203,396	48,300	
Total, undistributed	505,263	7,539,370	8,456,400

[1] See "Undistributed."

[2] Represents repayment to "Expenses, brush disposal," of funds advanced for financing 1960 obligations for fighting forest fires. These obligations were included in the fighting forest fires distribution by States for 1960.

[3] The amounts for 1962 and 1963 have not been distributed by States. Locations for expenditures of emergency firefighting funds cannot be forecast with any degree of accuracy. Both the amounts and locations will vary from year to year which distorts comparison of fund availability. Also amounts in the regular appropriation may be supplemented depending upon the seriousness of the fire situation.

[4] Represents recovery of prior-year obligations.

U.S. DEPARTMENT OF AGRICULTURE, FOREST SERVICE,
Washington, D.C., February 26, 1962.

Hon. ERNEST GRUENING,
U.S. Senate,
Washington, D.C.

DEAR SENATOR GRUENING: We believe the following information sets forth the needs for road and highway improvements in Alaska concerning which you wrote on February 13, 1962.

The report of the Secretary of Commerce on the forest highway study required by section 3(b) of the Federal Highway Act of 1958[1] gave needs on roads of (1) primary importance to the State, counties, or communities within, adjoining, or adjacent to the national forests which have not been designated as forest highways, and (2) roads which are now designated forest highways. For Alaska, the figures are as follows:

	Miles	Needs (thousands)	
		Fiscal years 1969–71	After fiscal year 1971
(1) Roads not designated as forest highways	398.9	$61,340	$28,384
(2) Roads designated as forest highways	254.5	63,893	40,879
Total	[1] 651.4	125,233	69,263

[1] Of this total, about 130 miles are not now in existence.

Of the above total mileage, all but 34 miles are in the Alaska Federal-aid system. In addition to their importance to the State, these highways are of great importance for forest protection and administration. They receive heavy use by the general public for local and intercommunity travel and by people visiting the forests for recreation and other purposes. The need for improvement of these highways to adequate standards, and construction of the mileage that is now not in existence, is a matter of great concern to the Forest Service. The development of the timber and other resources of the national forests in southeastern Alaska is to a great extent dependent on the improvement and extension of the forest highway system. As you know, it has been necessary to arrange for substantial highway improvements adjacent to communities as part of the effort to attract pulpmill installations into Alaska.

[1] Committee Print No. 16, Committee on Public Works, House of Representatives, 86th Cong., 2d sess.

Appropriations for forest highways are made to the Department of Commerce and are administered by the Bureau of Public Roads. Due to the importance of these highways to the national forests the regulations for administering forest highways provide for participation by the Forest Service jointly with the State and Bureau of Public Roads in designating roads as forest highways and programing funds.

Under the current authorization, the annual apportionment to the State of Alaska is about $2,876,474.

You will recall that there is another system of roads called forest development roads. These roads typically branch out from the forest highway system and provide access for the protection, development, and multiple-use management of the national forests. The development program for the national forests submitted to the Congress by President Kennedy September 21, 1961, provides for the construction in Alaska of 371 miles of these forest development roads at a cost of about $26 million in fiscal years 1963–72. These roads are for access to timber (220 miles), recreational development (76 miles), and other national forest purposes (75 miles). Their construction is essential for the orderly development of the wood, water, forage, wildlife, and recreation resources of the national forests at the rate foreseen as necessary to meet demands for the use of these resources on a continuing basis during the next 10 years and at the year 2000.

The special problems of Alaska must be considered in their true light so that adequate provision may be made for the improvement of the public highway network essential for the development and social and economic welfare of the State.

Sincerely yours,
RICHARD E. MCARDLE,
Chief.

U.S. DEPARTMENT OF AGRICULTURE,
FOREST SERVICE,
Washington, D.C., March 2, 1962.

Hon. ERNEST GRUENING,
U.S. Senate.

DEAR SENATOR GRUENING: This responds to the telephoned request of March 1 from your staff for information concerning forest development road authorizations, the status of appropriations, and the bill numbers of pertinent bills that have been introduced that bear on this subject.

You know, we are sure, that forest highways are in a category of their own. The present forest highway authorization is $33 million annually. This amount is appropriated to the Department of Commerce and is allocated to the States on a formula basis which is established by law. The allocation to the State of Alaska now is $2,876,474.

Authorizations for forest development roads are contained in the same biennial highway authorization bill. These funds are appropriated to the Department of Agriculture. The most recent such bill, enacted 2 years ago, provides authorizations for forest development roads of $35 million for fiscal year 1962 and $40 million for fiscal year 1963. The full amount of the authorization has been included in the appropriations for fiscal year 1962 and the budget for fiscal year 1963, now under consideration by the Congress.

In the budget for fiscal year 1963 there is a commitment by the administration to propose legislation to increase the fiscal year 1963 authorization from $40 million to $50 million; and a further commitment that if this new obligational authority is granted, a supplemental appropriation for fiscal year 1963 of $6,500,000 is anticipated to liquidate obligations incurred under this additional authorization. Based on Forest Service experience, this amount of cash would permit obligating the full amount of the possible additional authorization.

A bill dealing with all of the authorizations that are usually contained in the biennial highway authorization, for fiscal year 1964 and fiscal year 1965, has been introduced. It is H.R. 9725 by Congressman FALLON. It has been referred to the Committee on Public Works. It continues the figure of $40 million as the amount to be authorized for forest development roads for both fiscal year 1964 and fiscal year 1965.

No decision has yet been made as to the authorization amounts the administration will recommend for this item for fiscal year 1964 and fiscal year 1965.

You asked to be provided with available figures on road needs within the national forests. The development program for the national forests, which was sent to the Congress by President Kennedy on September 21, 1961, calls for the construction during the period fiscal year 1963 through fiscal year 1972 of about 79,400 miles of multiple-purpose roads, and 8,000 miles of trails. It also calls for necessary maintenance, and for partial construction of some of this mileage by timber purchasers. The published report lists a total dollar figure as the estimated required Federal expenditures for these roads of $1,212,484,000 for construction and reconstruction, and in addition the equivalent of $24 million per year for annual recurrent work, largely road maintenance. The 10-year total of these two items is $1,452,848,000, or an average annual figure of $145,284,800. Of the 10-year amount it is estimated that R. & T. 10 percent funds will provide about $189 million, leaving an average annual amount to come from appropriations of about $126 million.

To recapitulate, these figures are:

Total nonrecurrent for 10 years	$1,212,484,000
Total recurrent for 10 years	240,000,000
Total estimated needs	1,452,484,000
Available from R. & T., 10 pe cent	189,000,000
Difference	1,263,484,000
Annual equivalent	126,348,400

In the early years of the 10-year period the amount would be less than this annual equivalent. Consequently the annual amount by the middle of the 10-year period would probably need to be higher than this annual equivalent.

This 10-year program constitutes only about 17 percent of the long-range road requirements. Ultimate requirements, now projected to be completed in about 40 years, contemplate construction of about 379,900 miles of new roads, reconstruction of about 105,000 miles of roads, plus work on trails and bridges.

Enclosed are two publications outlining the development program for the national forests. Publication No. 896, the one with the glossy cover, contains a discussion of the road and trail activities on page 18. The other publication contains, page 3, a listing of all the categories of work proposed for the national forests in Alaska under this program. You will notice that the 10-year road needs for Alaska are listed as:

Nonrecurrent	$26,228,000
Recurrent	400,000
Total	26,628,000

If you have further questions, please advise.

Sincerely yours,
RICHARD E. MCARDLE,
Chief.

ORDER OF BUSINESS

The VICE PRESIDENT. Is there further morning business?

Mr. SMATHERS and Mr. KEATING addressed the Chair.

The VICE PRESIDENT. Does the Senator from New York seek recognition in the morning hour?

Mr. KEATING. Yes. I ask unanimous consent that my remarks follow those of the Senator from Illinois [Mr. DOUGLAS].

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

Was the Senator from Florida seeking recognition?

Mr. SMATHERS. Mr. President, in light of the fact that there is scheduled a luncheon to be attended by Members of the Senate, I wonder if the Senator from New York could withhold his remarks so that the Senate might proceed in executive session for the purpose of taking up the two treaties on the Executive Calendar?

The VICE PRESIDENT. Is there objection? Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. SMATHERS. Mr. President, I move that the Senate proceed to the consideration of executive business, take up the two treaties on the calendar, and have the Senator from Alabama [Mr. SPARKMAN] recognized, with the understanding that the Senator from New York [Mr. KEATING] does not lose his right to the floor in the morning hour.

The motion was agreed to; and the Senate proceeded to consider executive business.

The VICE PRESIDENT. Does the Senator from Florida desire to have the treaties considered en bloc?

Mr. SMATHERS. I ask unanimous consent that the treaties be considered en bloc.

The VICE PRESIDENT. Without objection, it is so ordered.

STATUTE OF THE INTERNATIONAL ATOMIC ENERGY AGENCY—CONVENTION OF THE WORLD METEOROLOGICAL ORGANIZATION

The Senate, as in Committee of the Whole, proceeded to consider Executive A, 87th Congress, 1st session, an amendment to the statute of the International Atomic Energy Agency, and Executive F, 87th Congress, 2d session, amendments to the World Meteorological Organization, as follows:

AMENDMENT OF FIRST SENTENCE OF SUBPARAGRAPH A-3 OF ARTICLE VI OF THE STATUTE OF THE INTERNATIONAL ATOMIC ENERGY AGENCY

"The General Conference shall elect twelve members to membership on the Board of Governors, with due regard to equitable representation on the Board as a whole of the members in the areas listed in subparagraph A-1 of this article, so that the Board shall at all times include in this category three representatives of the area of Latin America, three representatives of the area of Africa and the Middle East and a representative of each of the remaining areas except North America."

Under the authority of the Director General of the International Atomic Energy Agency, I hereby certify that the attached document sets forth the true text, in the five official languages of the agency, of an amendment of the first sentence of article VI A 3 of the statute of the Agency approved by the General Conference of the Agency on October 4, 1961.

In testimony whereof, I, Finn Seyersted, Director of the Legal Division of the Secretariat of the International Atomic Energy Agency, have caused the seal of the Agency to be fixed hereto and have subscribed my name, at the city of Vienna, on the 30th day of October 1961.

FINN SEYERSTED.

WORLD METEOROLOGICAL ORGANIZATION
(Resolution 1 (Cg-III))

AMENDMENT TO ARTICLE 10(A)(2) OF THE CONVENTION

The Congress,
Noting,
(1) That there is a discrepancy between the English and French texts of Article 10 (a)(2) of the Convention;
(2) That neither text is free from ambiguities;
Decides that the text of Article 10(a) 2 of the Convention be replaced by the following:
10(a)(2) Requests for Membership in the Organization.

ORGANISATION METEOROLOGIQUE MONDIALE
(Resolution 1 (Cg-III))

AMENDMENT A L'ARTICLE 10 A) 2) DE LA CONVENTION

Le Congres,
Notant,
1) Qu'il existe des divergences entre les versions anglaise et française de l'Article 10 a) 2) de la Convention de l'OMM;
2) Qu'aucune des versions n'est exempte d'ambiguité;
Decide de remplacer l'Article 10a) de la Convention par le texte suivant:
"10 a) 2) Demandes d'admission comme Membre de l'Organisation."

WORLD METEOROLOGICAL ORGANIZATION
(Resolution 2 (Cg-III))

AMENDMENTS TO ARTICLE 13 OF THE CONVENTION

The Congress,
Considering
(1) That the number of Members of the Organization has considerably increased since signature in Washington in 1947, of the Convention of the World Meteorological Organization;
(2) The advisability of having on the Executive Committee wider consultation, thus not only improving the representation of the Regions, but also increasing the number of the Directors of Meteorological Services taking an active part in the operation of the Organization;
(3) The prevailing practice in other Specialized Agencies of United Nations;
Decides
(1) That the text of Article 13 of the Convention of the World Meteorological Organization be replaced by the following:

"Article 13

Composition

The Executive Committee shall consist of:
(a) The President and the Vice-Presidents of the Organization;
(b) The Presidents of Regional Associations who can be replaced at sessions by their alternates, as provided for in the General Regulations;
(c) Nine Directors of Meteorological Service of Members of the Organization, who can be replaced at sessions by alternates, provided:
(i) That these alternates shall be as provided for in the General Regulations;
(ii) That not more than one-third of the members of the Executive Committee, comprising the President and the Vice-Presidents of the Organization, the Presidents of Regional Associations, and the nine elected Directors shall come from one Region, this Region being determined in the case of each member in accordance with the General Regulations";
(2) That this amendment shall come into force on 15 April 1959.

Mr. SPARKMAN. Mr. President, Executive A, is one of a series of recent amendments to the instruments establishing various international organizations. These amendments have increased the size of the executive bodies of these organizations in line with their expanding membership.

This particular amendment increases the size of the Board of Governors of the International Atomic Energy Agency from 23 to 25 members so as to provide for more equitable representation for the area of Africa and the Middle East.

The basic objective of the International Atomic Energy Agency—the IAEA—the Senate will recall, is to "seek to accelerate and enlarge the contributions of atomic energy to promote

health and prosperity throughout the world." The functions of the IAEA, which are exercised mainly through the Board of Governors, include: assisting research and development in the practical application of atomic energy to peaceful uses; making provision for services and materials needed for such research; acting as an intermediary to secure performance of services and the supply of material and facilities by one member of the Agency for another; fostering the exchange of scientific and technical information on the peaceful uses of atomic energy; encouraging the training of scientists and experts in the field; fostering and administering safeguards to prevent uses of materials for military purposes; developing and applying standards of safety for the protection of health, lives, and property in its own operations and in the operations of any state which so requests; and acquiring or establishing plant, facilities, and equipment useful in carrying out its authorized functions.

The United States, for calendar year 1961, was assessed 32.43 percent or $2,000,283 of the total assessment of $6,168,000. In addition, $750,000 was appropriated for fiscal year 1962 for a voluntary contribution to the Agency's atoms-for-peace program.

As in the case of the statute of the IAEA itself, the Committee on Foreign Relations consulted with the Senate members of the Joint Committee on Atomic Energy and was informed that no objection existed to the amendment. There is no opposition known to the committee and U.S. contributions to the Agency will not be affected in any way. Since the Board of Governors began meeting at Vienna on February 27, the committee hopes that the Senate will give early advice and consent to acceptance of the amendment.

Mr. PASTORE. Mr. President, I ask unanimous consent that a statement I have prepared on the amendment to the statute for the International Atomic Energy Agency be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR PASTORE

As vice chairman of the Joint Committee on Atomic Energy, and as one who participated in the drafting of the original IAEA statute at United Nations headquarters in 1955–56, and has followed the development of the Agency since, I support this amendment to the IAEA statute.

The IAEA has had a difficult 4-year history and has been confronted with many of the political problems that have beset the United Nations itself, as well as slow progress in developing economic nuclear power throughout the world. The Soviet Union has not cooperated in the Agency's work, has opposed the Agency's safeguards and inspection system, has provided only minimum financial support, and has consistently criticized the Agency's work and U.S. support of it. But the United States enjoys a good reputation among the Agency's membership, is always supported in the Board of Governors and General Conference, and is recognized as the real friend of atoms for peace.

The Agency has assembled a small but competent staff in Vienna and stands ready to fulfill its important functions if the political environment should improve. Many of the problems in developing atomic energy, especially in the health and safety field, should be approached on a worldwide basis, through the IAEA. Many of the developing countries support the IAEA and would prefer to develop their atomic energy programs under the auspices of the IAEA.

This amendment would increase the representation of the area of Africa and Middle East on the Board of Governors of the Agency and should be supported by the United States.

I recommend that the Senate advise and consent to the acceptance of this amendment.

Mr. SPARKMAN. Mr. President, Executive F contains two rather simple amendments to the World Meteorological Convention, which the Senate approved originally in 1949. The first amendment removes a discrepancy between the original French and English texts of article 10(a)(2) by substituting language in both texts which makes it clear that members of the World Meteorological Organization—WMO—that are sovereign states can vote on "requests for membership in the Organization." The earlier language had left in doubt whether this reservation of voting rights to members that are states included also questions of suspension and expulsion from membership, in addition to the question of admission. This doubt has now been removed by the substitute language. The WMO, incidentally, has two classes of members—members that are states and members that are territories or groups of territories. The new language, therefore, makes it apparent that the latter group of members may participate in votes on suspension or expulsion, but not on admission to membership.

The second amendment enlarges the size of the WMO Executive Committee from 15 to 18 members. This increase is patterned on similar increases in the executive bodies of other U.N.-specialized agencies to reflect their growing membership and make possible more equitable representation.

The Senate will recall that the WMO was established to facilitate worldwide cooperation in the field of meteorology through networks of observation stations, meteorological centers and international exchange of weather information. The supreme organ of the WMO is the World Meteorological Congress, which convenes at 4-year intervals to adopt technical regulations and to fix the policy, program, and budget of the Organization. The Executive Committee, which is the executive arm of the agency, meets at least once a year to supervise the implementation of the resolutions of the Congress, to administer the finances and perform such other functions as may be conferred on it by the Congress or by the convention.

The total budget of the WMO for calendar year 1961 was $666,179, of which the United States was assessed 19.03 percent, or $126,751.

No opposition to these amendments came to the attention of the committee during its consideration of this matter, nor will U.S. contributions to the WMO be in any way affected by them. The Committee on Foreign Relations, therefore, hopes that the Senate will give its advice and consent to the approval of both of these amendments.

The VICE PRESIDENT. The Parliamentarian informs the Chair that it has been the recent practice to have the yeas and nays on all treaties.

Mr. SMATHERS. Mr. President, speaking for the majority leader, I know he intends that there be a recorded yea-and-nay vote. He would like to have one vote, however, and have it printed in the RECORD as a vote applying to both treaties.

The VICE PRESIDENT. Without objection, the amendments to the treaties will be considered as having passed through their various parliamentary stages, up to and including the presentation of the respective resolutions of ratification. The resolutions of ratification of Executive A, 87th Congress, 2d session, and Executive F, 87th Congress, 1st session, will be read.

EXECUTIVE A

The legislative clerk read as follows:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the acceptance of the amendment to the first sentence of subparagraph A.3 of article VI of the statute of the International Atomic Energy Agency, approved by the General Conference of the Agency on October 4, 1961 (Executive A, 87th Congress, 2d session).

The VICE PRESIDENT. The question is, Will the Senate advise and consent to the resolution of ratification?

Mr. SMATHERS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SMATHERS. Mr. President, I ask unanimous consent that further proceedings under the quorum call be dispensed with.

The VICE PRESIDENT. Without objection it is so ordered.

Mr. SMATHERS. On the pending question I ask for the yeas and nays.

The yeas and nays were ordered.

The VICE PRESIDENT. The question is, Will the Senate advise and consent to the resolution of ratification? The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. SMATHERS. I announce that the Senator from Minnesota [Mr. HUMPHREY], the Senator from California [Mr. ENGLE], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Hawaii [Mr. LONG], the Senator from Michigan [Mr. MCNAMARA], the Senator from Montana [Mr. METCALF], the Senator from Oklahoma [Mr. MONRONEY], the Senator from Oregon [Mrs. NEUBERGER], the Senator from Mississippi [Mr. STENNIS], the Senator from Georgia [Mr. TALMADGE], and the Senator from Idaho [Mr. CHURCH], are absent on official business.

I further announce that the Senator from Maine [Mr. MUSKIE], and the Senator from Colorado [Mr. CARROLL], are necessarily absent.

I further announce that, if present and voting, the Senator from Oregon [Mrs. NEUBERGER], the Senator from Colorado [Mr. CARROLL], the Senator from Idaho [Mr. CHURCH], the Senator from Minnesota [Mr. HUMPHREY], the Senator from California [Mr. ENGLE], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Hawaii [Mr. LONG], the Senator from Michigan [Mr. MCNAMARA], the Senator from Montana [Mr. METCALF], the Senator from Oklahoma [Mr. MONRONEY], the Senator from Mississippi [Mr. STENNIS], the Senator from Georgia [Mr. TALMADGE], and the Senator from Maine [Mr. MUSKIE], would each vote "aye."

Mr. SALTONSTALL. I announce that the Senator from Maryland [Mr. BUTLER], the Senator from Illinois [Mr. DIRKSEN], and the Senator from California [Mr. KUCHEL], are necessarily absent.

The Senator from South Dakota [Mr. CASE], the Senator from Kentucky [Mr. COOPER], and the Senator from Hawaii [Mr. FONG], are absent on official business.

The Senator from Iowa [Mr. MILLER], is absent because of death in his family. If present and voting, the Senator from Maryland [Mr. BUTLER], the Senator from South Dakota [Mr. CASE], the Senator from Illinois [Mr. DIRKSEN], the Senator from Hawaii [Mr. FONG], the Senator from California [Mr. KUCHEL], and the Senator from Iowa [Mr. MILLER], would each vote "yea."

The yeas and nays resulted—yeas 80, nays 0, as follows:

[Ex. No. 21]

YEAS—80

Aiken	Goldwater	Moss
Allott	Gore	Mundt
Anderson	Gruening	Murphy
Bartlett	Hart	Pastore
Beall	Hartke	Pearson
Bennett	Hayden	Pell
Bible	Hickenlooper	Prouty
Boggs	Hickey	Proxmire
Burdick	Hill	Randolph
Bush	Holland	Robertson
Byrd, Va.	Hruska	Russell
Byrd, W. Va.	Jackson	Saltonstall
Cannon	Javits	Scott
Capehart	Johnston	Smathers
Carlson	Jordan	Smith, Mass.
Case, N.J.	Keating	Smith, Maine
Chavez	Kerr	Sparkman
Clark	Lausche	Symington
Cotton	Long, Mo.	Thurmond
Curtis	Long, La.	Tower
Dodd	Magnuson	Wiley
Douglas	Mansfield	Williams, N.J.
Dworshak	McCarthy	Williams, Del.
Eastland	McClellan	Yarborough
Ellender	McGee	Young, N. Dak.
Ervin	Morse	Young, Ohio
Fulbright	Morton	

NOT VOTING—20

Butler	Fong	Miller
Carroll	Humphrey	Monroney
Case, S. Dak.	Kefauver	Muskie
Church	Kuchel	Neuberger
Cooper	Long, Hawaii	Stennis
Dirksen	McNamara	Talmadge
Engle	Metcalf	

The VICE PRESIDENT. Two-thirds of the Senators present having voted in the affirmative, the resolution of ratification of Executive A is agreed to.

EXECUTIVE F

The legislative clerk read as follows:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the approval of amendments to articles 10(a)(2) and 13 of the Convention of the World Meteorological Organization, as embodied in resolutions adopted at the Third Congress of the Organization, held at Geneva, from April 1 to 28, 1959 (Executive F, Eighty Seventh Congress, first session).

The VICE PRESIDENT. The question is, Will the Senate advise and consent to the resolution of ratification? The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. SMATHERS. I announce that the Senator from Minnesota [Mr. HUMPHREY], the Senator from California [Mr. ENGLE], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Hawaii [Mr. LONG], the Senator from Michigan [Mr. MCNAMARA], the Senator from Montana [Mr. METCALF], the Senator from Oklahoma [Mr. MONRONEY], the Senator from Oregon [Mrs. NEUBERGER], the Senator from Mississippi [Mr. STENNIS], the Senator from Georgia [Mr. TALMADGE], and the Senator from Idaho [Mr. CHURCH] are absent on official business.

I further announce that the Senator from Maine [Mr. MUSKIE] and the Senator from Colorado [Mr. CARROLL] are necessarily absent.

I further announce that, if present and voting, the Senator from Oregon [Mrs. NEUBERGER], the Senator from Colorado [Mr. CARROLL], the Senator from Idaho [Mr. CHURCH], the Senator from Minnesota [Mr. HUMPHREY], the Senator from California [Mr. ENGLE], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Hawaii [Mr. LONG], the Senator from Michigan [Mr. MCNAMARA], the Senator from Montana [Mr. METCALF], the Senator from Oklahoma [Mr. MONRONEY], the Senator from Mississippi [Mr. STENNIS], the Senator from Georgia [Mr. TALMADGE], and the Senator from Maine [Mr. MUSKIE] would each vote "aye."

Mr. SALTONSTALL. I announce that the Senator from Maryland [Mr. BUTLER], the Senator from Illinois [Mr. DIRKSEN], and the Senator from California [Mr. KUCHEL] are necessarily absent.

The Senator from South Dakota [Mr. CASE], the Senator from Kentucky [Mr. COOPER], and the Senator from Hawaii [Mr. FONG] are absent on official business.

The Senator from Iowa [Mr. MILLER] is absent because of death in his family. If present and voting, the Senator from Maryland [Mr. BUTLER], the Senator from South Dakota [Mr. CASE], the Senator from Illinois [Mr. DIRKSEN], the Senator from Hawaii [Mr. FONG], the Senator from California [Mr. KUCHEL], and the Senator from Iowa [Mr. MILLER], would each vote "yea."

The yeas and nays resulted—yeas 80, nays 0, as follows:

[Ex. No. 22]

YEAS—80

Aiken	Bush	Cotton
Allott	Byrd, Va.	Curtis
Anderson	Byrd, W. Va.	Dodd
Bartlett	Cannon	Douglas
Beall	Capehart	Dworshak
Bennett	Carlson	Eastland
Bible	Case, N.J.	Ellender
Boggs	Chavez	Ervin
Burdick	Clark	Fulbright
Goldwater	Long, Mo.	Robertson
Gore	Long, La.	Russell
Gruening	Magnuson	Saltonstall
Hart	Mansfield	Scott
Hartke	McCarthy	Smathers
Hayden	McClellan	Smith, Mass.
Hickenlooper	McGee	Smith, Maine
Hickey	Morse	Sparkman
Hill	Morton	Symington
Holland	Moss	Thurmond
Hruska	Mundt	Tower
Jackson	Murphy	Wiley
Javits	Pastore	Williams, N.J.
Johnston	Pearson	Williams, Del.
Jordan	Pell	Yarborough
Keating	Prouty	Young, N. Dak.
Kerr	Proxmire	Young, Ohio
Lausche	Randolph	

NOT VOTING—20

Butler	Fong	Miller
Carroll	Humphrey	Monroney
Case, S. Dak.	Kefauver	Muskie
Church	Kuchel	Neuberger
Cooper	Long, Hawaii	Stennis
Dirksen	McNamara	Talmadge
Engle	Metcalf	

The VICE PRESIDENT. Two-thirds of the Senators present having voted in the affirmative, the resolution of ratification of Executive F is agreed to.

Mr. SMATHERS. Mr. President, I ask unanimous consent that the President be immediately notified that the Senate has today agreed to the resolutions of ratification of the treaties on the Executive Calendar.

The VICE PRESIDENT. Without objection, the President will be immediately notified.

Mr. SMATHERS. Mr. President, for the information of the Senate, by previous agreement, the one vote that has been taken is applicable to both treaties and there will not be another vote until later today, when the Senate considers the bill to amend section 801 of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901.

Furthermore, for the information of the Senate, at 2 o'clock there will be eulogies for the departed Senator from Kansas, the late Honorable ANDREW SCHOEPPEL. In a few moments the Senate will return to the morning hour. But before doing so, I yield to the Senator from Nebraska [Mr. HRUSKA] so that he may ask the Senator from Alabama [Mr. SPARKMAN] a question.

Mr. HRUSKA. Mr. President, I thank the acting majority leader. I have several questions pertaining to the amendment of the International Atomic Energy Agency Treaty. I direct them to the Senator from Alabama. I refer to page 2 of the committee's report, the language immediately above the words "Committee recommendation," reading as follows:

The United States, for calendar year 1961 was assessed 32.43 percent or $2,000,283 of the total assessment of $6,168,000. In addition, $750,000 was appropriated for fiscal year 1962 for a voluntary contribution to the Agency's atoms-for-peace program.

My questions are: First, how the $750,000 voluntary contribution is determined as to amount; second, what provision is made for its payment; third, does Congress have an opportunity to express itself expressly upon that voluntary contribution?

Mr. SPARKMAN. I assure the Senator from Nebraska that Congress does have a right to express itself, because the expenditure consists of appropriated

funds, and that figure is arrived at in the following manner:

Ever since President Eisenhower submitted his atoms-for-peace program and the Agency was established, there has been a regular budgeted amount. Then there have been voluntary contributions. The United States adopted the policy which has been followed, so far as I know, for several years—dating back almost to, if not from, the beginning—of contributing $500,000 as a voluntary contribution to the atoms-for-peace program and then offering to match the voluntary contributions of other nations up to an additional $250,000. Apparently other nations came in with their contributions, and therefore our contribution was $750,000, which was made as a voluntary contribution.

Mr. HRUSKA. Is that $750,000 appropriation a line item in the foreign aid budget?

Mr. SPARKMAN. I do not have the foreign aid bill before me at present. I know that the appropriation is presented to us as an individual item. Whether in writing the aid bill we write that amount down as a line item or incorporate it in the IAEA budget as an overall appropriation, I am not prepared to say. My recollection is that it is a lump-sum authorization in the annual foreign aid bill.

Furthermore, the item goes to the Appropriations Committee, and the Appropriations Committee considers it also. I am not prepared at this moment to say how the Appropriations Committee considers it.

It is my understanding that approximately 37 countries participate in the voluntary contribution which is matched over and above the $500,000 figure.

Mr. HRUSKA. How many?

Mr. SPARKMAN. About 37 countries. I shall be glad, if the Senator would like to have it, to obtain a list of the countries and place it in the RECORD. I do not have the list available to me at this moment.

Mr. HRUSKA. I shall be very pleased to have the Senator include the list in the RECORD.

Mr. SPARKMAN. I shall be glad to obtain it and put it in the RECORD.

Mr. HRUSKA. Including, if possible, the amounts contributed by each of those nations in matching funds.

Mr. SPARKMAN. If the information is readily available, I am glad to ask to have it printed in the RECORD at this point.

The PRESIDING OFFICER. Without objection, the statement may be printed in the RECORD, as requested.

Mr. HRUSKA. I thank the Senator from Alabama very much for his explanation.

The statement, subsequently submitted by Mr. SPARKMAN, is as follows:

International Atomic Energy Agency voluntary contributions to the general fund (atoms-for-peace program), as at Dec. 31, 1961

Member	Pledged	Equivalent in U. S. dollars (technical assistance board rates)	Paid in dollars	Member	Pledged	Equivalent in U. S. dollars (technical assistance board rates)	Paid in dollars
Argentina	$15,000	15,000	15,000	Netherlands	$15,000	15,000	15,000
Australia	$20,000	20,000	20,000	Norway	$8,100	8,100	8,100
Austria	$5,000	5,000	5,000	Pakistan	Pakistan rupees and dollars to the value of $6,000	6,000	6,000
Belgium	500,000 Belgian francs	10,000		Philippines	$3,000	3,000	3,000
Brazil	$30,000	30,000	30,000	Poland	100,000 zlotys	4,167	
Canada	$52,020	52,020	52,020	Portugal	$3,500	3,500	
Ceylon	10,000 Ceylon rupees	2,100	1,250	South Africa	South African pounds equivalent to $15,000	15,000	15,000
China	$5,000	5,000	5,000	Sweden	$23,220	23,220	23,220
Denmark	$10,080	10,080	10,080	Switzerland	50,000 Swiss francs	11,521	11,521
Finland	$6,000	6,000	6,000	Thailand	$1,001	[1] 1,001	1,001
France	150,000 new French francs	30,612	30,612	United Arab Republic	5,000 Egyptian pounds	11,200	10,185
Germany, Federal Republic of	$50,000	50,000	50,000	United Kingdom of Great Britain and Northern Ireland	Pounds sterling equivalent to $140,000	140,000	140,000
Greece	$2,500	2,500	[2]	United States of America	$500,000	500,000	500,000
Holy See	$2,000	2,000	2,000	Venezuela	$8,200	8,200	
India	Indian rupees equivalent to $25,000	25,000	25,000	Yugoslavia	Nonconvertible dinars equivalent to $5,000	[3] 6,250	6,250
Iraq	$3,000	3,000	3,000	Total		1,130,600	1,100,257
Israel	4,000 Israeli pounds	[1] 1,852	1,852	United States of America	Matching contribution [4]	130,970	
Italy	$25,000	25,000	25,000	Total		1,261,570	1,100,257
Japan	$25,000	25,000	25,000				
Korea, Republic of	$3,000	3,000	3,000				
Mexico	$7,500	7,500	7,500				
Monaco	$2,000 plus 200,000 new French francs	42,816	42,816				

[1] This was shown in former tables as $2,222, but due to the change in the T.A.B rate of exchange, it now stands at $1,852.

[2] Although an amount of $2,700 was conditionally pledged at the General Conference, budgetary approval by the Thai Government was granted only for $1,001.

[3] The "equivalent of $5,000 in Yugoslav currency" pledged amounted to dinars 3,750,000 at the official rate of exchange. At the T.A.B rate of exchange this payment in dinars is equivalent to $6,250.

[4] Any difference between the U.S. matching contribution and the excess of other contributions over the sum of $1,000,000 is due to fluctuations in the T.A.B rate of exchange for pledges made in local currencies.

LEGISLATIVE SESSION

Mr. SMATHERS. Mr. President, I move that the Senate return to legislative session.

The motion was agreed to, and the Senate resumed the consideration of legislative business.

LINCOLN DAY SPEECH IN ISRAEL

Mr. KEATING. Mr. President, on February 12, Lincoln's Birthday, the Honorable Bernard Katzen, commissioner of the New York State Commission Against Discrimination, delivered an eloquent and moving address at the University of Bar-Ilan in Israel, in which he stressed the meaning of Abraham Lincoln's life, and significance which it held, not only for Americans, but for free people the world over. The occasion was a commemorative exercise at the physics building of the university, a building named in honor of our great President, the Abraham Lincoln Building.

Mr. President, the Abraham Lincoln Physics Building and the Bar-Ilan University are symbols of the close ties between this Nation and Israel. Mr. Katzen has played a significant part in linking the two nations closer, through cultural exchanges, agreements, and through his own important recommendations for effective use of American counterpart funds in Israel.

Mr. President, I have worked closely with Mr. Katzen on this and other projects. I know his interest in cementing the ties of American-Israel friendship. I share his dedication to the ideals of religious expression, of democracy, and of self-help, which have played such an important part in the history of both countries.

Mr. President, I ask unanimous consent that Mr. Katzen's eloquent and meaningful speech be printed at this point in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

LINCOLN DAY ADDRESS BY COMMISSIONER BERNARD KATZEN AT OCCASION OF LINCOLN COMMEMORATIVE EXERCISE HELD AT CAMPUS OF BAR-ILAN UNIVERSITY, FEBRUARY 12, 1962

As I stand before you today, I feel a deep sense of humility and an abiding joy to serve once more as a link between this great University of Bar-Ilan and my country. When I came to Israel several years ago, we planned and dreamed together about the expansion of Bar-Ilan. I was proud and happy to serve as the catalyst in blending the aspirations of our two countries through common appreciation of learning. How especially felicitous is this occasion, when the speaker, the day, the building, and the country form a unique combination. The speaker, a commissioner of the New York State Commission Against Discrimination—a government agency dedicated to achieving equality of opportunity without regard to

race, creed, color, or national origin—appointed by Gov. Nelson A. Rockefeller, himself a dynamic protagonist of Lincoln's philosophy and ideals; associated on the commission with the Honorable Ogden R. Reid, former Ambassador to Israel, so beloved in this land, whose own beliefs and the traditions of his family reflect their true love for equality and humanity. The day is February 12, the birthday of the Great Emancipator. The building is the Abraham Lincoln Building located on the campus of a notable institution of learning—Bar-Ilan University. The country is the land of the Bible—Israel.

I remember vividly the privilege I enjoyed of receiving a visit from the late, revered Dr. Pinchas Churgin, the founder and then president of Bar-Ilan University. This distinguished, modest, and dedicated educator sat in my office and talked of Bar-Ilan, then in its infancy. He told me of his hopes and dreams for the university, of how it was patterned after our own American universities though set in a religious background. He envisioned the time when this university would not only have a significant impact on the educational structure of Israel, but would attract scholars from all over the world.

Today, a new physics building, the Abraham Lincoln Building, stands for all to see. Dr. Ronald A. Weitzman of Princeton University holds the American chair in psychology in your university, and many countries are represented in the student body of this great world center of learning. Our hopes and dreams have come true. In a deeper sense, the restoration of Israel as a free and independent nation is also a dream come true. It is the realization of the yearning of the Jewish people for centuries. This dream found an echo in the hearts of men of good will the world over. They saw Israel as a haven for the oppressed and a land where freedom and human dignity would find full expression. It is, in part, a realization of Abraham Lincoln's own vision of freedom and equality. It is an embodiment of Lincoln's firm and unwavering faith in the inherent dignity of man. It is, therefore, particularly fitting that we gather here today in the land of Israel to pay tribute to Lincoln, who has become a symbol of man's struggle for freedom, not only in his day and in his country, but throughout the centuries and throughout the world.

At 7 o'clock in the morning of the 15th day of April 1865, as Edwin McMasters Stanton, the then Secretary of War, witnessed Lincoln drawing his last breath, he gave poignant expression to the martyrdom in these unforgettable words, "Now, he belongs to the ages."

The wave of sadness that swept the world at Lincoln's passing is dramatically portrayed by a document found in the National Archives at Washington. The document was dated May 13, 1865, and was a dispatch to the State Department from the American consul at Odessa which enclosed within it a letter written by an Odessa Jew, Abraham Nadich, a grain dealer in Rostoff on the Don. The consul stated that the letter was "one evidence of the intensity of feeling in this remote country for the loss to the world of President Lincoln" and he suggested that "a copy of it be presented to Mrs. Lincoln and perhaps it may be considered worthy of publication in the newspapers."

May I read to you a portion of this letter: "If death of my only darling son could have redeemed him from his fate"—referring to his assassination—"I would have accepted it as a great boon. Members of our Jewish community should like to pray a requiem for the soul of the holy martyr, Abraham Lincoln. Thou belongest not to thyself and America only, but to the whole world."

What was there about Lincoln which would have caused a Jew from Odessa to willingly sacrifice his son to save Lincoln? What was there in the life of this man which in the short space of 56 years could evoke the prescient sentiment of Lincoln's Secretary of War Stanton's pronouncement then, and continues to reinforce it in the light of history?

Lincoln was indeed unique; he won immortality in his own time, and has remained an inspiration to the future. His values were the values of humanity and compassion. His greatness was founded in his utter simplicity, for his beginnings, much as Israel's own beginnings, were those of the pioneer, whose victories were victories over the resistant and unrelenting wilderness. In such a setting the pioneer spirit was strong within him—the indomitable will to survive and grow in a period of threat and privation, the simple, natural qualities of one who lived close to hard realities.

We are told that although Lincoln's formal education ended with the death of his mother, when he was a boy of 9, he was so possessed of the need for ever more learning that he sought every possible avenue to acquire knowledge. He was not dismayed at the thought of walking many miles in order to borrow a book from the schoolmaster in a neighboring town, and when by accident the book was ruined, having been left where the rain entered his log cabin, he gladly worked splitting wood rails until he could earn enough to defray the value of this book. This book and the many others bespoke his yearning for knowledge and wisdom, the tools he was later to use in the leadership of his beloved country, and these were the intellectual skills he translated into capacity to serve through learning. He developed the power to articulate his philosophy in such a way that not only he but others could understand and act upon it. The famous Lincoln-Douglas debates are historical testimony to just a fraction of this talent.

Lincoln, though not a professed member of any sect, grew up in a Bible-reading atmosphere. Both his natural mother and, later, his stepmother felt it basic to his upbringing to infuse the boy with a love for the Scriptures. He drank from the wisdom of the prophets. And as the boy learned the values and the lessons taught by the Good Book, so did the man, the Great Emancipator, live by these teachings and principles. What has been a basic tenet of Judaism was also the belief which guided and sustained Lincoln. For his great love and compassion for his fellow man surely had its genesis in "And thou shalt love thy neighbor as thyself."

How striking is the parallel of Lincoln action and the prophesy of Isaiah: "They shall beat their swords into ploughshares, and their spears into pruning-hooks." Following the bloody Civil War which pitted brother against brother and father against son, Lincoln plunged into the work of reconstruction. He laid aside the tools of war to heal the wounds and to reunite families. He approached this gigantic task with these memorable words: "With malice toward none; with charity for all, with firmness in the right, as God gives us to see the right, let us bind up the Nation's wounds." Lincoln lived to see his faith vindicated, but like many a liberator from the time of Moses, the first great emancipator, and throughout history, he could see the promises fulfilled only from a distance.

How fitting that this man should have been named Abraham, and how strong the unbreakable thread that joins the Abraham of Israel to the Lincoln of America. "And He called his name Abraham." Ahv Hamohn Goyeem—the father and leader of the great host of peoples. He led his people into a Union which, as he declared, could not exist half slave, half free. He led his people into an acceptance of the fundamental egalitarian concept of American democracy—"All men are created equal and endowed by their Creator with certain inalienable rights: life, liberty, and the pursuit of happiness."

When Lincoln proclaimed freedom for the Negro, he was at one and the same time bringing a freedom to his own white brethren; for Lincoln recognized that even as shackles had enslaved the Negro, so had the maintenance of a system of slavery imprisoned the moral and spiritual values of his people.

Closely related to this quality of human understanding and self-respect was the recognition of the dignity of work and of the worker. In a reply to the New York Workingmen's Association, an important Jewish labor group, he said: "The strongest bond of human sympathy, outside of the family relation, should be one uniting all working people of all nations, tongues and kindreds."

Another quality of Lincoln that stands out in high relief was his humility. During the early stages of the Civil War, Lincoln was criticized by his friends and associates for taking too much abuse from Gen. William B. McClellan, General of the Armies of the Potomac. His friends were shocked by the fact that General McClellan was openly derisive of the President. Lincoln replied to these protests, saying he would hold the reins of the General's horse if the General would produce victories. Lincoln was concerned only with the results which were achieved and not with any recognition of his part in achieving them. The idea of self-aggrandizement was repugnant to him.

Consider that aspect of Lincoln's character which supplies us with a needed sense of balance in our own rapidly changing world. We tend, sometimes, to cling to the old and familiar, or to plunge unthinkingly into the new, simply because it is new. Lincoln's objectivity and calm wisdom are strikingly expressed in a letter to Horace Greeley, dated August 22, 1862: "I shall try to correct errors where shown to be errors, and I shall adopt new views as fast as they shall appear to be true views." Here is flexibility without weakness. Here is progress without panic. Here is the wisdom of a great and good man.

There are many other facets of Lincoln's personality which are worthy of note. His humor was an endless joy to all around him. When, for example, a literary man objected to Lincoln's calling a certain Greek history tedious, saying, "Mr. President, the author of that history is one of the profoundest scholars of the age. Indeed, it may be doubted whether any man of our generation has plunged more deeply into the sacred fountain of learning," Lincoln's rejoinder was, "Yes, or come up drier." Lincoln was profound but never dry. Despite the vast sweep of his intellect, there was a freshness and clarity to his thinking which made his words come alive.

Above all was his passion for freedom. Lincoln said from his heart: "Freedom is indivisible; when it is denied to some it is diminished for all," and again in his second annual message to Congress, Lincoln said, "In giving freedom to the slave we assure freedom to the free—honorable alike in what we give and what we preserve." Here, too, his words were matched by his deed, the Emancipation Proclamation which he signed January 1, 1863, thus ending the scourge of slavery in the United States. Lincoln's concept of freedom is as true and penetrating today as in his times, perhaps more crucial. In an age of space and celestial exploration, of industrial expansion, of automation and of technological marvels, we must not lose sight of human values and human freedom. The world is experiencing a yearning and quest for independence, a thrust for the economic, social, intellectual and spiritual fulfillment of all people, a ferment of challenge and adjustment. We must find the answers to the problems of production and distribution so that we may feed the starving, clothe the shivering, and shelter the

homeless. This is all part of freedom today—freedom to walk taller as we walk together.

I need hardly point out that the values by which Lincoln lived and which made him great are the values you cherish here. This is the bridge between us—the tie that binds.

Minister Abba Eban so ably expressed it, in an address in New York on February 11, 1953, "I do not know of any two peoples who have created unified cultures out of so many divergent elements which might have seemed destined to disrupt the fabric of the national mind." Surely Lincoln, who sadly but inevitably led his country into a great Civil War to resolve these divergent forces and preserve the Union, typifies this drawing together of diverse elements in order to create an underlying unity. You have seen in this man an ageless symbol of those things you hold dear—the search for learning, deep moral and ethical and spiritual values, and the freedom of every individual to be himself. In this university, which is open to all regardless of race, religion or nationality, you are meeting the tremendous task facing us all today of using men's ingenuity to solve the problems that have plagued us down through the centuries, the problems of the apocalypse, if you will. As an American, I am moved by the fact that you have drawn upon the vision and the warm humanity of Lincoln to inspire you in this mighty effort.

Our job, yours and ours, is to review the past in order to understand the dimensions of the challenge of the future. In our common task of building a world structure of peace, freedom, and equality, we are strengthened by our common traditions. Again I draw upon the ringing words of Abba Eban tracing the historical affinities that undergird the Israel-American partnership: "What happened in each case was that men thirsting for freedom, driven by insecurity and persecution but also drawn by the attraction of building a new civilization, emigrated from all parts of the world to a new land across the seas. They reclaimed that land from primeval devastation. They liberated themselves from colonial shackles. They established a free Republic which they then defended against every adversary and peril until it secured its recognized place in the international family. In their cultural effort, they merged their diverse immigrant cultures into the unity of a new civilization. They maintained throughout every ordeal the original moral heritage which had inspired their underlying unity of purpose."

As your nation and ours are linked in our common endeavor—liberating the peoples of the world from the physical, intellectual, and moral jungles of the past—we face forces of conflict loose in the world.

Israel, surrounded by enemies, stands as a symbol of resistance to those who would rob free peoples of their liberty and historical mission. Lincoln, too, resisted slavery at all costs. The precedent of Israel and the example of Lincoln, should give impetus to the surge for freedom all over the world.

We have many gains to build upon as well as evils to overcome. There is a steadily increasing standard of living for people throughout the world; there is new knowledge of space and of our own world; there are the beginnings in the U.N. of a world order based on human rights and grounded in reason, not force; and there is the growth of many new nations of freemen.

It is truly heart warming to see your nation and ours linked in the joint mission of giving help to the newly emerging African countries. This partnership of our older democracy with your younger and vibrant democracy in meeting the needs of Africa and Africans takes on a deeper significance from the fact that these new democracies are emerging in the very land from which slaves were once cruelly abducted. I think of the students from Africa attracted to Israel by the breadth of its purposes and the illustrious quality of its teaching. I know of the welcome which greeted them here, of your deep concern for their intellectual growth and well-being, and for the well-being of the thousands back in their homelands as well.

Indeed, it is the students from Africa, Asia and so many countries of the world and you, the students of Israel, using your brains and talents as instruments of pure science and of ultimate truth, who render the greatest tributes to Lincoln and all he stands for. Yours is the spirit that spells survival in a world of crisis and, more importantly, reinforces our worthiness to survive. Yours is the dream which your country and mine are steadily forging into a living reality. No words of mine can honor Lincoln as truly as your daily search for wisdom and beauty honors him.

Throughout Lincoln's life, there was emphasis upon deeds, not words, alone, as the ultimate test, the true tribute. This thought was expressed by Lincoln with a special poignancy in his brief, but an unforgettable, address at the dedication services of the Gettysburg Military Cemetery. Edward Everett, former president of Harvard University and the then Secretary of State, who had spoken for 2 hours on that occasion before Lincoln rose to address the gathering; later wrote to the President saying: "I should be glad if I could flatter myself that I came as near the central idea of the occasion in 2 hours as you did in 2 minutes."

In those 2 minutes, Lincoln epitomized not only the central idea of that occasion but the central idea of his own life, and the central idea of our common endeavor as we face the critical days of the present and build together for the future.

I shall conclude my remarks today on Lincoln by letting his own thoughts flow through to you in the crowning message of his lifetime, the "Gettysburg Address." The words are imperishable. They will forever strike a responsive chord in the hearts of freemen and they are particularly applicable to your own struggles, to your own dreams and to your own high purposes.

The Lincoln "Gettysburg Address" will be delivered by Aviva Gershuni, a student of Bar-Ilan University.

REPAIR OF STORM DAMAGE ON LONG ISLAND

Mr. JAVITS. Mr. President, I invite the attention of Senators to two telegrams sent to me—and, I assume, to my colleague the distinguished junior Senator from New York [Mr. KEATING] as well—by the Governor of New York, urging that intensified action be taken with respect to the Fire Island Inlet to Montauk Point dual purpose public works project to build up the dunes and to broaden the beaches in Suffolk County. I made a personal inspection of this area last Saturday in the company of Colonel Duke, New York district engineer of the Corps of Engineers, and Mr. Charles Panish, chief civilian engineer in the New York office of the Army Engineers.

I know the stretches of magnificent beach along the south shore of Long Island very well. I have summered there many times. The area has suffered very serious damage, causing Governor Rockefeller to ask the President to declare it a disaster area. Homes have been smashed as the sea has poured through the breaks in the land barriers between the sea and the contiguous bays.

I sincerely hope that with the evidence we now have, the work on beach erosion control and hurricane protection will be started. If it had been started sooner, some of this catastrophe might have been avoided. Of course, all of it could not have been avoided, but certainly it is never too late to start what must be done.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD two telegrams sent to me by Governor Rockefeller.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

ALBANY, N.Y., *March 13, 1962*.

Hon. JACOB K. JAVITS,
U.S. Senate,
Washington, D.C.:

This is copy of telegram sent to Hon. Clarence Cannon, Hon. John Taber, and Lt. Gen. W. K. Wilson, Jr., Chief of Engineers.

This is in regard to the Federal project for beach erosion control and hurricane protection on the Atlantic coast of Long Island from Fire Island Inlet to Montauk Point, which was authorized by the Congress in the River and Harbor Act approved on July 14, 1960. The implementation of this project is of crucial importance to the area, and its importance is emphasized by last week's severe storm and the resulting damage.

I urge all possible acceleration of the project. Since preconstruction survey has not been completed by the Corps of Engineers, no formal request as to the availability of State funds for the project has been received. However, I wish to assure all concerned of the State's firm intention to make available its share of the necessary funds and the readiness of State officials to work with the corps.

NELSON A. ROCKEFELLER.

ALBANY, N.Y., *March 12, 1962*.

Hon. JACOB K. JAVITS,
The Senate,
Washington, D.C.:

This is in response to your telegram of March 10 regarding the need for accelerated action on the beach erosion control and hurricane protection project on Long Island. I am pleased that you will urge the appropriation of funds necessary to complete advance planning and design on this project.

In regard to the State and local share of the cost of this project, such local contributions are not determined until after the preconstruction survey has been completed, after which a formal request for funds is directed to the State government. No such formal request has been received.

A $1.5 million New York State advance is currently available to begin this work once the Federal Government approves the program. There should be no question as to New York State's intention in this matter.

NELSON A. ROCKEFELLER,
Governor.

Mr. JAVITS. Mr. President, New York State is ready to do its part, and I have no doubt Suffolk County will do its part in connection with this enormous project. I hope that the efforts of Senator KEATING and me, and, interested New York Congressmen may result, as Senator KEATING so properly said yesterday, in an acceleration of the work. I understand approximately another $200,000 will be required beyond the $50,000 which is now in the fiscal 1963 budget in order to expedite and complete advance planning and design and thus to expedite the whole project by a year or more. In view of the fact that it takes about 5 years from original recommendation to get construction underway, and in view of the continuing danger which we now see as a result of the terrific damage inland, and the fact that this year's damage succeeds blows in 1956 and 1960, which were also very severe, and have a very vivid history, I hope very much that the appropriate committee of the Senate and the appropriate committee of the other body will deem it proper to recognize the needs of the people of New York and accelerate this work.

New York pays an enormous part of the Federal taxes, as Senator KEATING and I have pointed out on many occasions. There are few things which the Federal Government can really do for us in New York. This project is a very significant one, and I hope that we may have accelerated action on it.

ADDITION TO FOREST PRODUCTS LAB SHOULD BE BUILT NOW

Mr. PROXMIRE. Mr. President, on March 12 I testified before the Interior Subcommittee of the Senate Appropriations Committee in support of an appropriation to start construction on the proposed addition to the Forest Products Laboratory of the U.S. Forest Service, located at Madison, Wis. Expansion of this important research facility is absolutely essential and long overdue. It was included in the President's budget last year, and was approved in the Senate. Unfortunately, it was lost in conference.

I ask unanimous consent that my statement on the Forest Products Laboratory be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR WILLIAM PROXMIRE TO THE SUBCOMMITTEE ON APPROPRIATIONS FOR THE DEPARTMENT OF INTERIOR AND RELATED AGENCIES OF THE SENATE COMMITTEE ON APPROPRIATIONS, MARCH 12, 1962

Thank you for this opportunity to testify in support of the appropriations this year for the proposed addition to the Forest Products Laboratory at Madison, Wis. There is an urgent need to expand the physical plant of this important Forest Service facility. New laboratory space is required, and the present facilities must be modernized, to permit ongoing research to continue without restriction, and to house new research projects.

This eminently justified project of constructing new facilities and modernizing the present 30-year-old plant is long overdue. It was part of the President's budget last year, and funds for it were approved in the Senate. Unfortunately it was deleted in conference. It is my understanding that this was the only Forest Service research project in last year's budget that was not approved. I strongly hope that funds to begin construction will be approved this year.

The total cost of the project will be $10 million. Construction of the first stage of this project will require $4 million. This is the sum indicated in the statement on the floor by the Senator from Mississippi, Mr. STENNIS, listing the construction needs in forestry research.

My informal conversations with representatives of the timber and wood products industry, as well as with scientists and administrators familiar with the research requirements of this industry convince me that the proposed new laboratory facilities are absolutely essential. A research bottleneck is imminent in wood products research unless the Forest Products Laboratory's expansion needs are met soon.

I wish to draw special attention to the importance of our wood resources to our Nation's economy.

The industrial complex of forest products industry—lumber, plywood, millwork, laminating, factory built homes, and pulp and paper—ranks fourth among American industries in its contribution to the gross national product and fifth in total employment. In 1960, this was nearly $10 billion. Only metals and metal products, machinery, and food industries rank higher—the last mentioned by only $36 million. The forest products industries provide jobs for 1,136,000 men and women. Only machinery, food, transportation, equipment, and apparel industries have larger employment. For this industry to remain in this high position, research in forest products must be rapidly expanded. The industry by its very nature is not in a position to do the basic research without help from the Federal Government.

In view of the vast importance of this great industry, it is not surprising that it has been estimated that for every dollar invested in forest products research the Government gets back over $70 in taxes—and those are only the direct returns. The benefits to the Nation's economy in terms of new products, new jobs, and new industry are high multiples of this figure.

Every area of research at the Forest Products Laboratory urgently needs additional specialized facilities to permit essential research to be done. For example, fundamental research on the performance of wood in fire is underway on a pilot basis. But expanded facilities where large laminated beams may be loaded and their strength evaluated to obtain engineering data are needed to determine the key strength and safety factors. We know that large wooden beams are resistant to fire because of the formation of a built-in insulator, charcoal. They do not melt and collapse. But we do not have the necessary engineering information for architects. Expanded facilities are necessary to extend the small scale fundamental research now in progress.

The pulp and paper research space at the laboratory is badly crowded. Yet, more requests by industry point up the need for a new paper machine which can be used as a pilot plant for the study of paper formation at speeds above those now used in industrial plants—2,400 feet per minute. This area of research can also lead to greater utilization of our low grade hardwoods, little used species, and plant and forest residues. Forest Products Laboratory research has formed the basis for the use of the hardwoods to produce pulp and paper products. The consumption of hardwood pulps in 1960 was 12 times that of 1920.

The housing industry is on the verge of major developments, especially in the area of low cost housing. The factory-built home industry has been developed largely upon principles developed by the Forest Products Laboratory. In 1960, nearly 200,000 homes were built by this relatively new industry with a value of about $800 million. The Forest Products Laboratory now needs a new structural laboratory to study the new uses of components and roof trusses in order to assist in simplifying house construction.

The chemical industry has moved to high pressure processing. Wood substance is an ideal raw material for chemicals, since the residues are lower in cost per pound than even petroleum, and yet are a truly renewable resource. The utilization of the residues necessarily developed by the forest products industries in their normal processing would maintain solid wood products such as lumber and plywood in an excellent competitive position. The development of a chemical industry could also provide an economic use for our low grade timber and species now having no market outlet. The Forest Products Laboratory should have facilities for high pressure research.

These are but a few examples of the kind of research which necessitates expansion of the Forest Products Laboratory. I am most pleased that in his statement, Senator STENNIS recognizes this need and proposes that the Forest Service proceed now with construction of the addition to this central Laboratory serving all 50 States—and many foreign countries as well.

It is plain that the more complex type of forest products research can be most effectively carried out in one central location. There are many reasons. A more efficient operation without duplication of the expensive equipment can be operated at lower cost. Personnel and equipment from all the necessary scientific disciplines are available to work on many different kinds of problems. The industry which will use this information can get it all at one place. Last but yet very important, competent scientific personnel are attracted to such an atmosphere on a major university campus.

I am aware of the need for regional research to complement the work of the Forest Products Laboratory. However, this regional research will proceed more rapidly and effectively if the research of the central laboratory is made more productive. These regional groups must build on the accomplishments of centralized research.

In conclusion, I would like to draw attention to the fine history of cooperation between the Forest Products Laboratory and the University of Wisconsin. For over 50 years, the successful functioning of this Federal research Laboratory located at our State university has been an outstanding example of Federal-State cooperation. Our State government, as well as university officials, look forward to the continued growth and activity of the Laboratory.

To this end, the Wisconsin State Legislature and the university board of regents recently approved the transfer of the 12-acre site for the proposed addition. It should be recognized that this land is a most valuable resource of the university. The willingness to make it available to the Forest Service at a price well below market value is evidence of the cordial relations existing between the university and the Laboratory.

Since the land transfer was approved on the understanding that construction of the new Laboratory facilities would begin soon, I strongly hope that funds for this purpose, in the amount of $4 million, will be approved this year.

LETTERS DESCRIBE HARDSHIPS RESULTING FROM LOW POSTAL SALARIES

Mr. PROXMIRE. Mr. President, for a family to try to make ends meet on $300 a month or less take-home pay these days is practically impossible if a moderate standard of living is to be maintained. Yet postal clerks and letter carriers all over our Nation are trying to support their families on just that level of income. As a consequence, they are forced to seek second jobs, and their wives often have to go out and work.

This state of affairs does not reflect credit on the Government which has responsibility for the postal service. In

the past few days, I have received a number of letters explaining in detail the economic hardship that the present low postal wage scales have caused. Two of these in particular present convincing evidence in support of the postal worker's plea for a pay increase.

I ask unanimous consent that these two letters be printed at this point in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

GERMANTOWN, WIS.,
March 1, 1962.

Hon. WILLIAM PROXMIRE,
Senate Office Building,
Washington, D.C.

HONORABLE SIR: Your assistance in getting H.R. 9531 passed, an increase for letter carriers would be greatly appreciated.

As a wife of a postal carrier, and in behalf of other postal employees' wives who must share the burdens of trying to make a decent living, we urge you to give the bill your utmost support.

We are very discouraged trying to maintain our homes on a part-time basis, continuously budgeting our pennies, while we must hold down full-time jobs to make ends meet. To say nothing of the criticism we receive because we are taking jobs away from single people.

As proof of my statement, we might suggest a survey be taken to find how many of the wives of postal employees are working, and if it is impossible for them to work because of children, the husband must hold down a part-time job or jobs, doing injustice to his regular tour of duty. Many of the wives, too, must resort to night shift employment, leaving their husbands to care for the children, after his day's work.

Again, I ask you, please support this bill to relieve us from our plight, and I wish to thank you for your past favors.

Sincerely,

MRS. KENNETH HEYMANN.

GREEN BAY, WIS.,
February 28, 1962.

Hon. WILLIAM PROXMIRE,
U.S. Senator,
Washington, D.C.

DEAR SENATOR: I am a postal clerk working in the Green Bay post office. I am writing to you not only in behalf of myself, but my wife and children. In this day of increased cost of living it is discouraging to have to do without what is considered a moderate American standard of living.

My take-home pay every 2 weeks is $149.19, and the budget runs something like this: Church $16, housing $93 per month, food $120, utilities $37, car upkeep $25, life insurance $13.15, doctor and hospital $10, household furnishings $53.

You will notice that I am spending $69 over what I am making. You will also notice that there is nothing in the budget for entertainment, clothes, or savings. There are two things that prevent me from going on relief. First, until recently I worked a second job 16 to 32 hours a week; now my wife is working 19 hours a week. You can see what a wonderful home life we must have. Second, I have a wonderful sister-in-law who buys almost all my children's clothes.

You may think I am an isolated case, but it is not so. Sixty to seventy percent of the employees in the Green Bay post office have some type of extra income. Mr. Senator, we need that $1,000-a-year raise just to break even.

The House is sponsoring a bill, H.R. 9531, which will bring our wage scale in line with what is considered a very modest standard of living. I urge you to support a Senate bill similar to this one.

Sincerely,

JOHN PENZO.

TEXAS SBIC COMMENTS ON $500,000 LOAN AND INVESTMENT SIZE LIMIT

Mr. PROXMIRE. Mr. President, on January 18 I discussed some recent trends in the small business investment company program of the Small Business Administration. I expressed considerable concern about the recent tendency of small business investment companies to invest a large proportion of their funds in very sizable loans and investments, often in quite large firms. It is my conviction that this practice cannot be justified in the name of small business.

I recently received a letter from Electro-Science Investors, Inc., a small business investment company located in Richardson, Tex., near Dallas, commenting on some of the points I raised in my speech. Believing that full and free public discussion of these questions is desirable, I ask unanimous consent that this letter be printed at the close of my remarks in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

ELECTRO-SCIENCE INVESTORS, INC.,
Richardson, Tex., March 6, 1962.

Senator WILLIAM PROXMIRE,
U.S. Senate, Senate Office Building, Washington, D.C.

DEAR SENATOR PROXMIRE: We have very much appreciated the interest you have personally taken in the small business investment company program. We feel you are fulfilling an important function in the development of this program and are doing much to promote the progress and success of small business in the United States.

To further the work you are doing on behalf of the small businessman, I would like to furnish you with some details concerning the specific investments of our company that you mentioned on the floor of the Senate on January 18 and provide you with some additional thoughts on the small business investment company program as we see it from the point of view of an operating small business investment company.

As to the specific investments you mentioned, I think the following will serve to clarify the nature of these investments.

1. INVESTMENT IN COMMUNICATIONS INDUSTRIES, INC.

At the time of ESI's investment in Communications Industries the company had 90 employees, no public market for its stock, and a net worth of $234,000.

Today, with funds and active management assistance by ESI, Communications Industries, Inc. has 140 employees, a public market for its stock that was created through assistance by ESI, and has increased its sales significantly over 30 percent in comparison with sales for the previous year. Net worth has increased during the period of our investment but not to anything like the $15 million you suggest.

ESI's ultimate possible interest in this company is, as you state, 34 percent.

2. TAMAR ELECTRONICS INDUSTRIES, INC.

At the time of the investment in this company by ESI the company had approximately 200 employees, no public market for its stock, a net worth of $45,000, and serious problems in completing certain Government contracts.

Today, by virtue of money assistance and help from ESI in arranging acquisitions and straightening out personnel, marketing, financial, and production problems, the company has approximately 900 employees, a net worth of over $1 million, and a public market for its stock. The public market was created for Tamar through the action taken by ESI in distributing as a dividend to its shareholders one share of Tamar stock for each 10 shares of ESI stock owned.

Contrary to your statement that ESI's investment in Tamar constitutes a 60 percent equity, ESI has an ultimate possible interest in this company of 44 percent. Furthermore, while Tamar does anticipate total sales of $20 million in calendar year 1962—up from about $2.7 million when we made our investment—I do not think it can properly be characterized as a "$20 million company."

3. GENERAL ELECTRONIC CONTROL, INC.

General Electronic Control, Inc., is a company that has been in existence now for about 2 years. At the time ESI made its investment in this company General Electronic Control had approximately 400 employees, a public market for its stock, and a negative net worth. If ESI had not been willing to risk its reputation and work for this company's future, the company would very probably have failed.

Since September 1961 when ESI's investment was made, GEC, because of the funds and assistance furnished by ESI, has turned the corner from a loss operation to a profitable operation, and we expect the company to make steady progress in the right direction from this time forward.

ESI has an ultimate possible interest in this company of 48 percent.

In making each of these investments, we have put up risk money, taking in return for our funds only equity securities and unsecured notes. It has been our understanding that the basic objective of the Small Business Investment Act of 1958 was to make this type of financing available to small businesses and we have attempted to follow through on this intention.

Obviously, unless we charged exorbitant interest or management fees which we do not, if we are to accomplish a successful result for our shareholders by operating in this fashion, we must have appreciation on the equity interest we take in small businesses. We think this can best be accomplished by assisting in building strong, broadly based, publicly owned companies; and we believe this to be in accord with the usual desires of small businessmen and the public interest. We are, therefore, proud of our record to date in the investments you mentioned.

You should note also with respect to all of these investments that we put heavy emphasis on the management assistance we can provide to the small businesses in which we invest. If you asked, I think you would find that the managers of Communications Industries particularly wanted ESI to make the investment because of the management assistance we could give them, and that today they are especially pleased that they are one of our partner companies because of the concrete assistance that has in fact been forthcoming. As regards the other two companies—Tamar and General Electronic Control—it is clear, to us anyway, that had funds alone been provided to these companies, they would not be surviving and prospering to the extent they are today.

As a buttress to these remarks concerning the importance of the management assistance provided by small business investment companies, I might add that many, many companies come to us stating that while they might conceivably obtain funds from private investors, if not from other sources, they have approached us instead specifically because they believe we can give them positive aid in managerial areas where they have recognized weaknesses. Furthermore, we

have learned in the year and a half of our operating existence that managerial assistance is crucial to the success of the average small business, and we spend probably in excess of 50 percent of our time trying to help our partner companies manage their businesses more effectively. In order not to hinder the growth of these companies, we have made it a practice to charge negligible fees for our assistance services until individual companies can afford reasonable payment for the services actually rendered.

The one aspect of the small business investment company program on which we are possibly in disagreement with you is the matter of the size of loan that SBIC's should be permitted to make. It has been our experience that many truly small businesses require more than $500,000 to be successful—some of these companies require an investment of this size right at the outset; others will most certainly require a total investment exceeding $500,000 if they are built to the point where they are making real progress.

Along this line, I thought you might be interested in a sampling we have recently made of prospects that come to us. I am, therefore, attaching to this letter the results of this sampling which will give you an idea of the kinds of companies that come to a small business investment company for financing—their size and what they state their initial requirements to be. To obtain the sample, we studied material in two alphabetical letters of our prospect files and have included all prospects on which we had sufficient information for it to contribute to a meaningful overall picture.

You will see from the tabulation of the sampling that there are indeed many small companies which apply to us for more than $500,000 in funds. The requirements of these companies have no necessary correlation with a company's size, but more often depend on a company's objectives, its facility and equipment requirements, and whether or not it is in heavy or light industry or is a manufacturing or selling organization. We think this confirms the fact that from the standpoint of pure economics an arbitrary dollar limitation on the size of investments that small business investment companies may make is unrealistic. Also, our experience with some of our partner companies that have started out with agreed requirements of $100,000 or $200,000, or less, indicates to us that often in order to make a small business really succeed, a small business investment company has to be willing to stand by with funds that may in total well exceed $500,000 before the success goal is finally met.

In developing our portfolio we have consciously tried to take small as well as larger investments, and will continue to do so. However, it should be recognized that a very small investment usually requires just as much time and attention—and sometimes even more—than does a larger investment. If, therefore, we are going to follow out our theory that the real key to a successful investment is the providing of effective management assistance as well as the provision of funds, we must recognize that we are going to have to have a staff of sufficient size to aid the small as well as the larger investments.

Our staff presently consists of 11 professionally trained people specifically recruited for their abilities not only to analyze investment prospects, but also for individual capabilities in finance, marketing, and general management. We believe this staff is sufficiently large to handle a reasonable number of investments comprised of both small and large ones. If, however, we are forced by an arbitrary dollar limit to make only small investments we will have to greatly enlarge this staff. This would be highly questionable from the standpoint of operating economics, but the only other alternative is to abandon our policy of providing active management consulting and advisory services to our companies.

Taking the small business investment company program from a broader perspective, we believe the program has achieved a fair measure of success. Many small businesses that could not obtain adequate financing prior to the institution of the program have now received the financing they need. In addition, small business investment companies are contributing importantly to the development of soundly managed small businesses.

In some respects, however, the program does not yet have adequate incentives to attract private funds or assure the effective functioning of individual small business investment companies. Present tax incentives continued in the Small Business Investment Company Act are essentially negative and upon analysis are not really very advantageous to small business investment companies. Along this line, we think that small business investment companies should be permitted to establish reasonable loss reserves, should have the right—like mutual funds—to pass through capital gains to their shareholders, and should be protected on loss from their investments no matter what form their investments may take. Incentives such as these should make it desirable for private investors to create small business investment companies that will not rely on Government money to help finance their activities.

Furthermore, we believe publicly owned small business investment companies should be permitted to grant stock options to key management personnel. It is essential to the well-being of the small business investment company program that small business investment companies have competent and experienced management. Industry in general has recognized the value of stock option programs in attracting and retaining highly qualified management people. We can see no reason why small business investment companies should be penalized by not being able to offer the same attraction to their key people.

Let me reiterate our appreciation for your efforts on behalf of the small business investment company program. Should you desire amplification of any of the points I have made in this letter, I or one of our other officers would be happy to meet with you at any time at your convenience.

Yours very truly,

JOSEPH F. MCKINNEY,
President.

Sample of investment prospects taken from the files of Electro-Science Investors, Inc.

Company	Type of business	Size			Pretax profits	Cash requirements	Proposed use of funds
		Number of employees	Total assets	Net worth			
A	Manufacture of specialty transistors and R. & D. in microelectronics	(1)	(1)	(1)	(1)	$500,000	Facilities, equipment, and working capital.
B	Manufacture of convertible car-airplane	3	$40,000	$539,000	None	750,000	Tooling, dies, jigs, operating capital, and deposit on factory lease.
C	Manufacture of helicopter	1	(1)	(1)	(1)	3,000,000	Tooling, R. & D., manufacture of parts, operating capital.
D	Manufacture of electroluminescent panels	10	30,000	15,000	None	75,000	Working capital.
E	Manufacture of conventional air conditioners and heat pumps	70	750,000	300,000	(2)	375,000	Production facilities, manufacturing equipment material purchases, and sales support.
F	Manufacture of thin and plated wiring	35	564,000	319,000	$39,000	350,000	Purchase of equipment, liquidation of existing debt, working capital.
G	Manufacture of diffused diodes	3	(1)	(1)	(1)	2,000,000	Facilities, working capital.
H	Manufacture of antenna systems	50	500,000	200,000	None	750,000	Equipment and working capital.
I	Manufacture of microwave components	5	30,000	23,000	None	100,000	Do.
J	Manufacture of vote tabulating equipment and water purifier	10	140,000	70,000	30,000	200,000	Tooling, advertising, working capital.
K	Manufacture of heat sinks	160	152,000	12,000	(4)	500,000	Facilities and working capital.
L	Manufacture of medical electronic instruments	3	116,000	68,000	1,000	200,000	R. & D., sales support.
M	Manufacture of sonic eye	5	4,000	2,000	None	25,000	Permanent working capital.
N	Rental of electronic test equipment	2	(1)	(1)	(1)	700,000	Facilities, purchase of test equipment for rental.
O	Manufacture of multiplexer unit and multiplexer receivers.	35	318,000	115,000	44,000	200,000	Working capital.
P	Manufacture of telephone and radio equipment	100	500,000	250,000	40,000	350,000	Do.
Q	Manufacture of microwave plumbing	16	228,000	169,000	20,000	500,000	Purchase of equipment and parts, working capital.
R	TV broadcasting	40	2,500,000	1,800,000	350,000	1,200,000	Reorganization.
S	Development of national integrated distribution system for air cargo	1	(1)	(1)	(1)	100,000	R. & D.
T	Manufacture of electronic connectors	8	107,000	91,000	17,000	188,000	Purchase of lab equipment, machinery, tools; R. & D., working capital.
U	Manufacture of ball screws, ball screw assemblies, complete actuators, and miscellaneous allied equipment.	200	1,284,000	591,000	290,000	300,000	Retirement of existing debt, working capital.
V	Sheet metal products	75	200,000	(100,000)	None	200,000	Equipment and working capital.
W	Manufacture of silicon diodes	1	(1)	(1)	(1)	2,500,000	Facilities, equipment, and working capital.
X	Electronic subassembly	35	200,000	50,000	None	250,000	Equipment and working capital.
Y	Sales agency for miscellaneous products	6	1,700,000	800,000	50,000	800,000	Replacement of factor financing, working capital.

[1] New business, no history.
[2] Break even.
[4] Not available.

THE ANTICONFISCATION AMENDMENT

Mr. LONG of Louisiana. Mr. President, today or tomorrow the President of the United States will send to Congress his message on foreign aid. He will ask Congress for $4 or $5 billion to spend for the 1963 fiscal year.

I think it is an appropriate time for me to answer the President's criticism of the amendment to the Foreign Assistance Act of 1961, which I recently submitted. My amendment would stop foreign aid to any country whose government or any agency thereof had expropriated without adequate compensation property belonging to U.S. citizens.

President Kennedy, in his news conference last week, criticized this approach and strongly urged that no such proposal be passed by Congress. I regret that I must differ with the President in this matter.

I hold a great deal of respect for President Kennedy. I supported him in his campaign for the Presidency, and I have supported him on many issues since his election. However, he and I have never seen eye to eye with respect to the foreign aid policy of the United States. We disagreed as Senators, and we are disagreeing as President versus Senator.

For some time, I have opposed our foreign aid program because I felt the tremendous amount of waste, extravagance, and inefficiency of the program were self-defeating. I would gladly support a foreign aid program if I could be reasonably sure that such waste, graft, mismanagement, and ineffectual expenditures would be eliminated. I am frank to say though that I have strong reservations that the elimination of such evils will ever come about.

I must say that I had high hopes when this administration sought a new approach to foreign aid with a strong emphasis on self-help by the countries receiving the aid.

I thought that at last there would be some conditions placed upon our free dispensing of foreign aid. However, I am sorry to say that it is merely lip-service which is being paid to the self-help principle.

Every report received indicates very little headway toward self-help being made in Latin America. Yet the administration rushes ahead in helter-skelter fashion with its plans to dispense foreign aid funds on schedule, even though the requirement of some cooperation on the part of the recipient nations has not been forthcoming.

At the very minimum, we should require certain conditions be met by nations eager to receive our bountiful offerings. One of the first of such conditions that we should require is that no investment by a U.S. citizen or company should be confiscated without adequate compensation.

To extend aid to a country that would violate this cardinal concept is to double the cost of the foreign aid program. The cost is doubled because the capital supplied by free enterprise will no longer flow into the foreign countries when there is little or no assurance that such capital will not be gobbled up by the governments of these countries.

Once the free enterprise capital slows down or stops altogether, our Government is called upon to provide the funds for building telephone companies, power lines, refrigeration plants, great water distribution projects and a large number of other services which free enterprise would be glad to perform if only they were permitted to do so with some assurance of protection of their investment.

Not only do we cut down on private investment and, therefore, increase public investment when we do not require conditions on the giving of foreign aid, but we also stand little chance of getting back any part of our public investment; much of the foreign aid program is administered through loans. Yet only the head-in-the-clouds idealists that administer the foreign aid program would think that such loans will be repaid by the type of government that seizes private property.

To give foreign aid money in support of a government engaged in the confiscation of the property of U.S. citizens is almost like giving foreign aid to communism itself, because it is a well-known tenet of communism that the state takes away private property.

It is no answer to say that in Brazil the confiscation was done by a State rather than by the National Government. A national government can do something about the actions of a State. If the Brazilian National Government could not influence the State—and I doubt this, considering the fact that the President is the brother-in-law of the Governor of the State—it could certainly pay the true value of the seized property from the portion of our foreign aid money which would have been distributed to that State.

The U.S. Government has conducted a variety of programs of Federal aid to the States during much of this century. Every one of these Federal aid programs requires a degree of self-help upon the part of the States. In most instances, the States must match Federal funds to receive the benefits of the particular program, and every one of these programs imposes certain standards by which the States must abide, or else the Federal aid is to be cut off. Yet, what we impose upon our own States, our own people, we do not impose upon foreign states, other people.

To say that we are going to give assistance to a country, regardless of whether that country cooperates with us, is to say that success is not our object. If we happen upon good fortune, it is just an accident.

If we were to give foreign aid by the billions to a country, as in the case of Brazil, yet require from that country nothing in return, and allow that country to take away the property of our citizens, as did occur when the State of Rio Grande do Sul, in Brazil, recently took over the local subsidiary of the International Telephone & Telegraph Co., we would be as foolish as the parent who gives money to his child, to buy food staples at the grocery, and does nothing about it when the child brings home candy, instead of the bread of life.

Therefore, I urge the President and the administration to reconsider their position and begin to demand some sort of cooperation from the nations to which we are giving so much, and of which we are asking so little.

If the President and the administration do not heed this request, I should hope that my fellow Members in Congress who are responsible to their worried and long-suffering constituents will hear my plea and will support me in an effort to impose reasonable control over the expenditure of these constituents' hard-earned tax dollars.

I am pleased to be able to state that the Senator from Florida [Mr. SMATHERS] has joined me in sponsoring this amendment; and I ask unanimous consent that the names of the Senator from Alaska [Mr. GRUENING] and the Senator from North Carolina [Mr. ERVIN] be added as cosponsors.

The PRESIDING OFFICER (Mr. HICKEY in the chair). Without objection, it is so ordered.

HANDWRITING ON THE WALL FOR CASTRO

Mr. KEATING. Mr. President, the announcement that Castro has just made, on the beginning of food rationing in Cuba, may actually be the beginning of the end for Castro. Communism has not been a success in Cuba. That is obvious. The Cuban people have suffered a great deal under the leadership of this Communist fanatic and under the police state which he has established.

Mr. President, Castro blames the American embargo for the fact that he has brought his countrymen to starvation. This is absurd. No Communist state has ever fed and provided for its people adequately. No Communist state has ever been able to match free world agricultural and food production. Cuba is now experiencing the same shortages that the Russians and Eastern Europeans have always known. Cuba has not yet reached the imminent starvation that is the case in Red China, but this is the path that lies ahead for the unfortunate people of Cuba, unless they are able, with or without our help, to throw out the Communist carpetbaggers from Moscow and Peiping. This is what communism means—hardship and rationing, not the rosy glow of utopia that Castro promised. This is not the fault of the United States. It is the fault of communism.

Mr. President, the handwriting is on the wall in Cuba. Castro is fast losing his hold, both on the power and on the popularity he once had. Hard-core Communists are taking over, like the Spanish civil war General Lister. Significantly, Castro no longer dared—or was allowed—to harangue the people for hours. Instead, he was constrained to reply to questions from a panel of so-called newspaper editors and to confess to them the grim realities of communism.

Mr. President, the people of Cuba have had enough. They do not want communism today any more than we do.

But the fact is that Cuba is today a police state and the people have no opportunity to cast aside these carpetbaggers. It is time for the United States to take a realistic look at the situation and see what we can actually do to help the people of Cuba. Fine speeches and Alliance for Progress efforts in the rest of Latin America are all very well. But the moment is rapidly approaching when we may be called on by the people of Cuba to do more. This time we must be ready.

THE EEC AND U.S. FARM EXPORTS

Mr. KEATING. Mr. President, recently I noted in a State Department publication on foreign trade entitled "Together We Are Strong," that 15 percent of our Nation's farm sales are accounted for by exports. This statistic is of vital significance, for unless we can sell an ever larger proportion of our farm output abroad, it will be extremely difficult to solve our present crisis of abundance on the farm. This 15-percent figure must be increased.

There seems to be considerable diversity of opinion as to whether the advent of the Common Market—EEC—will result in an increase or decrease in farm exports. With this in mind, I addressed a letter to the Secretary of State on February 12 requesting his opinion as to whether the creation of the EEC would lead to a cutback in farm exports which, as I indicated, presently amount to 15 percent of total farm sales.

I specifically requested information on dairy products, poultry, fruits, and vegetables. These are the major agricultural commodities produced in New York State. Exports of these four commodities in recent years have not been as high as I would like. Strenuous efforts have been devoted to export promotion, but the results are still quite limited. According to the figures provided by the Department of Commerce last week, somewhere around 1 percent of the total value of New York farm products is accounted for by sales abroad. New York's share of U.S. total farm exports of $4.9 billion in 1960–61 was only $59.1 million. Thus, the potential impact of the EEC upon farm exports takes on added significance for New York State.

The Department of State's reply to my letter of February 12 is quite general and refers in the main to tentative developments in our negotiations with the EEC on farm exports. The letter does suggest that further negotiations must be entered into as soon as possible and that EEC trade concessions on farm products will not necessarily be tied to U.S. concessions on the same types of goods. While these two points may offer some hope, the overall picture at this time is indecisive and affords little immediate basis for optimism for farmers in New York State.

In order that New York farmers may be acquainted with the broad dimensions of this issue, I ask unanimous consent that my letter of February 12 to Secretary Rusk and the Department's reply of March 6 be printed at the conclusion of my remarks. I know that farmers in my State and indeed farm groups throughout the Nation will anxiously follow further developments in this area. All of us share the hope that a sound and equitable agreement can be negotiated to expand our Nation's farm exports.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

FEBRUARY 12, 1962.

Hon. DEAN RUSK,
Secretary of State,
Washington, D.C.

MY DEAR MR. SECRETARY: I have recently had the pleasure of reading the Department's pamphlet, "Together We Are Strong."

It is vital that information on the subject of foreign trade be made available to the American public, and I commend you for developing this publication.

I was interested to note on page 15 under the heading, "Exports Are Vital to Our Farmers," that 15 percent of our total farm sales are accounted for by export sales. It has long been my feeling that we must do everything we can to maintain and, moreover, increase these sales.

In light of current negotiations with the Common Market, I should like to have your comments as to whether the establishment of the Common Market will, as many contend, decrease our Nation's farm exports. If this is likely, I should like to have your estimate as to how much of a decline in farm sales will be brought about by new Common Market tariff rates on agricultural commodities. Furthermore, I should like to know what steps we are presently taking to prevent a decline.

As regards the impact of the EEC on farm exports, I should like to have whatever specific information is available on dairy, poultry, fruit, and vegetable exports, which are of vital importance to the economy of New York State.

I know that farmers in my State will be very much interested in the Department's views on this subject. I shall look forward to hearing from you.

Very sincerely yours,
KENNETH B. KEATING.

DEPARTMENT OF STATE,
Washington, D.C., March 6, 1962.

The Honorable KENNETH B. KEATING,
U.S. Senate.

DEAR SENATOR KEATING: Your letter of February 12 to Secretary Rusk regarding the impact of the common agricultural policy of the European Economic Community (EEC) on American agricultural exports has been given to me for reply.

The EEC is in the process of establishing a common agricultural policy which will result in a common tariff applicable to trade with outside countries, and in a single internal market with unified prices and subject to the same market regulations. The EEC Council of Ministers has made a series of basic decisions concerning the common agricultural policy, but the levels of protection for a number of products have not yet been agreed. For many important agricultural commodities produced in the EEC, variable import levies will be the central protective device replacing all other existing forms of protection. Among the products affected are wheat and flour, feed grains, pork, poultry, eggs, and dairy products. These levies will be set to bring the price of the imported product up to the internal EEC level and will vary with changes in the relationship between the internal and external prices. For products to which variable levies will be applied, the extent of our market will be determined by the level of the internal price, the amount of domestic production, and our ability to negotiate for access on a reciprocal basis. Our objective, therefore, is to limit the level of the variable levies, or otherwise arrange for assurances for reasonable access to the EEC market.

In the course of the tariff negotiations which we are just concluding with the EEC, we have obtained some important concessions which will improve, on balance, our access to its markets for certain agricultural products—among them soybeans, tallow, hides and skins, certain fruits and vegetables, and cotton. For those important commodities for which the marketing regulations and price levels are still being worked out, including wheat, feed grains, and poultry, we have received a standstill agreement pending further negotiations.

Although it is not yet possible to judge the overall impact of the common agricultural policy on U.S. exports, the expansion in total demand for foodstuffs and agricultural raw materials being generated by the formation and growth of the EEC should be favorable to an expansion of U.S. agricultural trade. The effects of rising economic activity and prosperity on the demand for agricultural products will vary, of course, from commodity to commodity. Higher consumer incomes will, however, almost certainly lead to substantially increased demand for many agricultural commodities, including livestock products and high quality fruits and vegetables. The membership of the United Kingdom in the EEC should also be favorable to our interests because it would strengthen the economic and political forces favoring reliance on low-cost imports rather than high-cost home production. It should also be emphasized that most European countries already practice relatively restrictive agricultural import policies and it is these restrictive practices which will be replaced by the common agricultural policy.

To assure access to the expanding EEC market for our agricultural products we must be prepared to renew negotiations with the EEC as soon as possible. The proposed Trade Extension Act gives us the authority which we need to conduct these negotiations in a way which will help us to secure the most effective possible agreements. If the new trade legislation is enacted, we will use the authority granted to bargain for concessions which would maintain and expand our markets for both industrial and agricultural products, including those of importance to New York State. Our bargaining power in getting improved access for U.S. agricultural exports will not depend solely, or even principally, upon the concessions we can offer on Europe's agricultural exports to us. We sell Europe vastly more agricultural commodities than we buy from them and we would propose to bargain our tariff reductions for whatever concessions will best help U.S. exports, whether agricultural or industrial.

Of the products in which you indicated particular interest, poultry and dairy products will be subject to variable levies, and we cannot at this time estimate with any confidence the impact of the common agricultural policy on our exports. Imports of fruits and vegetables will be subject to fixed tariffs. However, in the case of serious disturbance of internal markets as a result of imports below a reference price, imports may be suspended or a compensatory tax may be levied on such imports. The actual method of implementing this provision has not yet been decided. We are not therefore in a position to judge the possible effects of the arrangements on U.S. exports.

If I can be of further assistance to you, please do not hesitate to inform me.

Respectfully,
FREDERICK G. DUTTON,
Assistant Secretary.

BACK TO VALLEY FORGE

Mr. DODD. Mr. President, the need for sacrifice on the part of all Americans in these times of mortal danger to freemen everywhere has been pointed out from time to time by almost every Member of this body.

Rarely, however, has the urgent need for dedication and patriotic devotion been enunciated as clearly, as succinctly, and as forcefully as it was in a recent speech to the Freedoms Foundation at Valley Forge, made by the Chaplain of the U.S. Senate, Dr. Frederick Brown Harris.

At a time when international crises occur almost daily, it is well for all of us to rememoer the spirit of sacrifice and devotion which prevailed among our forefathers at the time of the founding of the Republic.

As Dr. Harris points out, that spirit was never exemplified better than during the winter of Valley Forge, when Washington and his men endured and prevailed in the face of almost complete disaster.

With good reason, Dr. Harris reminds us that the devotion to duty, the self-sacrifice, and the patriotism which sustained the men at Valley Forge are again necessary to sustain us today.

It is for these reasons that I ask unanimous consent to insert Dr. Harris' address at this point in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

BACK TO VALLEY FORGE

(By Frederick Brown Harris, D.D., Chaplain, U.S. Senate)

George Washington spent Christmas and New Year at Valley Forge. And what a Christmas it was in 1777. And what agony the winter months of 1778 held. Every American child is taught the legend of the tattered troops as the cause of freedom for the Colonies hung by a thread during that 6 months' encampment at Valley Forge.

The hungry, cold, and broken troops which Washington led to Valley Forge numbered 12,000. It was an army ill fed, ill housed, ill armed, and ill trained. Desertions constantly crippled the already puny strength of the battalions of miserable men. In 1 hospital which contained 250 beds more than a thousand sick soldiers were housed. Naturally, there were heard murmurs about their hard lot. Yet those who refused to falter inspired Washington to declare of his men at Valley Forge, as he appealed to Congress to supply their dire needs:

"To see men without clothes to cover their nakedness, without blankets to lie on, without shoes, their marches traced by the blood from their feet as they go through the frost and snow, without provisions, and yet submitting to it without complaint, is proof of patience and obedience which in my opinion can scarcely be paralleled."

At Valley Forge the crusade whose banner had been raised in the city only 20 miles away reached its lowest ebb. Philadelphia was occupied by an enemy who mocked at the now muted Liberty Bell. For the Redcoats, in winter quarters, life was marked by gaiety, revelry, balls, concerts, and food abundant. When the British were ready, and spring tripped north, this futile Colonial revolt would be crushed. It was like Goliath gloating at little David. So they anticipated. And why not? The frozen ground of Valley Forge was the emblem of frozen hopes.

With reverses, hundreds of Tories openly became cheerleaders for the British taskmasters. Even the elected Representatives of the people in Congress seemed blind so far as necessary resources if Washington's army was to be saved from disintegrating. Cheap and ambitious politicians were having their say and their way. There were detractors and even traitors among Washington's inner circle of advisers. A well-known clergyman, who had acted as chaplain at the Continental Congress as he offered daily fervent prayer for the success of the daring venture, proved a quitter. In the name of patriotism and religion he urged Washington to come to his senses and realize the impossibility of victory. He strongly advised the commander to make the best bargain the Redcoats would accept, to call off the rebellion with its horrible cost. Washington's indignant reply to this turncoat was colder than the Valley Forge winter.

Yet it was in such a situation that the pattern was set for final victory. It is no exaggeration to say that the Revolution was really won at Valley Forge during those 100 days of torture.

In France, Benjamin Franklin had secured the enthusiastic support for the American cause of Baron Von Steuben, a Prussian soldier. He came to Valley Forge and acted as drillmaster for the Army that was little better than a rabble. Under his stern discipline, at which he toiled from morning to night, he transformed those discouraged and disorganized men into a fighting phalanx. When the Valley Forge ordeal was over, in spite of the divisions and suspicions, the near treason which had prevailed, Washington had at his command a drilled and confident Army. Even at Valley Forge it became the nucleus of a greater Army which could later successfully face the British.

What the final success of the Revolution gave was a precious thing which must always be rewon and preserved by the eternal vigilance of each generation following. That fight is raging now. There are still determined foes without and perfidy, sabotage, political chicanery, and subversion within. The Nation in this latest crisis needs, above all, to be called back to Valley Forge.

Literally, to that hallowed ground recently there came a notable company from all parts of the Nation, on the 184th anniversary of the arrival of Washington and his men. At the center of that inspiring group was one of the long line of Washington's successors as Commander in Chief and President of the Republic—Dwight David Eisenhower, who commanded the mightiest Army ever to challenge tyranny. For his outstanding contribution to the life of the Nation he was honored by the award of the Patriot Medal. Present was a notable array of Americans who in this day are knights of the Valley Forge tradition. There were generals and admirals and high Government officials. There were Members of Congress, Supreme Court Justices, leaders in the business and industrial life of the Nation, educators, and students. There were representatives of patriotic organizations speaking for millions.

With a profound realization of the military, educational, moral, and spiritual needs in this battle for survival, this inspiring cross section of the Republic's citizens was assembled under the banner of Freedoms Foundation, which is sounding trumpets for all America to return to the spirit of Valley Forge. In the present crisis this is perhaps the most meaningful spot in the America now wider than the continent.

Again, unnumbered foes are threatening this sweet land of liberty whose charter Washington and those who shared his vision inscribed. The imperiled Nation needs as nothing else to get back to Valley Forge. Only a reenaction of the undimmed courage, accompanied with preparation for the future, which saved us then can save us now. This is the summons which the growing might of Freedoms Foundation at Valley Forge broadcasts to all America. This organization seeks nothing for itself or for its leaders, selfless in their devotion. It seeks a new dedication to match that which the torments of that awful winter could not extinguish in the heart of the Father of his Country.

Freedoms Foundation has but one prescription for the problems and dangers which today threaten every precious thing—back to Valley Forge.

GERMANY'S NEW GENERATION IMBUED WITH WESTERN IDEALS

Mr. DODD. Mr. President, along with four of my esteemed colleagues, it was my privilege last April to be cohost at a luncheon tended to Chancellor Konrad Adenauer and his then Minister of Foreign Affairs, Dr. Heinrich von Brentano. At that time there were many inspiring remarks by my fellow Members of the Senate, our colleagues in the House of Representatives and members of the Washington diplomatic corps. But perhaps none were more moving than the benediction given by the Rabbi Norman Gerstenfeld, of the Washington Hebrew congregation.

Rabbi Gerstenfeld recently spent a month in the Federal Republic of Germany. In view of recent attempts by the Communist bloc to split asunder the allied members of the North Atlantic Treaty Organization, Rabbi Gerstenfeld's on-the-spot findings take on added significance.

At this point therefore, I ask to be included in the RECORD the following interview with Rabbi Gerstenfeld as published in the Washington Daily News on December 16, 1961, entitled "Germany's New Generation Is Imbued With Western Ideals."

There being no objection, the interview was ordered to be printed in the RECORD, as follows:

GERMANY'S NEW GENERATION IS IMBUED WITH WESTERN IDEALS

(By Red Garrison)

The reaction of West Germans to the trial of Adolf Eichmann was "A rat like that was bound to succeed under the Nazis."

That's the recollection of Rabbi Norman Gerstenfeld, of the Washington Hebrew congregation, in summing up his impressions of a recent month's stay in West Germany.

WATCHFUL

The Germany in which Eichmann flourished, Rabbi Gerstenfeld feels, is dead. The West Germans, he says, are militant and watchful in their determination not to let such a monstrosity again flourish in their country.

The Germans, he says, are engaged in a national act of penitence. Germany may turn out to be the freest of the nations of the world of religious prejudice, he feels, as the result of its shame for the Third Reich.

In his German trip, Rabbi Gerstenfeld said he found no vestiges of the murderous anti-Semitism which led to Eichmann's and Hitler's final solution.

The few Jews left in Germany, he says, are free of fear.

He also found, he reports, that charges that Nazis are running—or have high positions in—the West German Government are ridiculous.

NEEDS

"The Germans," he said, "are a decent people.

"They realize they cannot permit the gutter to take the lead in politics—as it did in Hitler's time—and they are being thorough in preventing a recurrence.

"They now realize the need for constitutional guarantees, for limiting the power of individuals to wreck the state."

There are, he said, some ex-Nazis in the schools, the courts, and the civil service of West Germany. This is less dangerous than it sounds, he says, when it is recalled that many, many Germans joined the party as a means of protecting their livelihoods and that only a few Germans outside the hard-core lunatic and criminal Nazis knew what was going on.

NEW LEADERS

More important is the fact that a new generation has taken over Germany.

Its members, Rabbi Gerstenfeld is convinced, are imbued with Western ideals and believe, with poet Heine, that Germany's destiny lies in freedom and with the West. The division of Germany, ironically, he said, is a helping factor for the Russians grabbed up the more backward and autocratic sections.

The crucial factor, present now but unpredictable in the future, is great-hearted leadership, he said.

This feeling is reflected in the schools and their graduates and, increasingly, as survivors of the old regime die and retire, in the civil service and the courts.

The Germans, concludes the rabbi, are quite aware of the legacy of hatred that still exists for them in Europe.

"They are working hard to live down their predecessors," he says, "and we must extend to them our comradeship. If they fail, Germany may turn eastward and, once again, prove a cancerous growth in the European community."

TESTS FOR A PRISON CHAPLAIN

Mr. SCOTT. Mr. President, since September 1960 Dr. Arthur D. Williams has been the Protestant chaplain at Eastern State Correctional Institution in Philadelphia. His work there has met with outstanding response, where he is highly regarded by the inmates and much respected by the institution's officials.

Dr. Williams has written an article, "Tests for a Prison Chaplain," which shows an awareness for the spiritual needs of men in prison and understanding of the role that must be played to help prisoners return to a free society.

I ask unanimous consent that this article, which appeared in the winter 1961 edition of Eastern Echo, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TESTS FOR A PRISON CHAPLAIN

(By Arthur D. Williams, Th. D.)

Is a chaplain in a prison any different from one not serving in a prison?

From 1941 to 1947, I was an Army chaplain. For a number of years in Nashville, Tenn., in Petersburg, Va., and in Harrisburg and Emeryville, Pa., I served as chaplain for the mentally ill in State hospitals. My answer is "Yes" the chaplain of a prison is different from any other chaplain; if for no other reason, he is not only chaplain of a prison, but also a chaplain in a prison.

His work is different. We, for example, have in our institution all male adults—today's population is 1,061. Every man the chaplain faces is in trouble—is separated from his family, is separated from his friends, is losing time, is wasting life, is burdened with guilt, is poisoned with bitterness, is stirred with hostility, is lonesome, homesick, is dehumanized by number for name, by clothes of shame, by common food, by associating 7 days each week, 24 hours each day, and 168 hours each week, and 730 hours each month and 8,760 hours each year with men of all classes, who in turn have been consigned to prison for crimes of all sorts and degrees.

We have men here with the highest academic degrees and also those with the lowest IQ's. We have men here from Christian homes and from pagan background; men from mansions, men from hovels, men with professional training and illiterate, men with plenty, and men with poverty, men with families and men without families.

All of this tells us that being unemployed is not the sole cause of crime, since the majority of our men were employed; being poor will not explain the cause for crime, since some of our men come from homes of riches. Not having a trade will not give the full answer, since we have preachers, plumbers, policemen, politicians, physicians, teachers, students, scientists, authors, auditors, clerks, cashiers, bankers, and at least 300 other occupations and jobs represented.

This prison chaplain seeks to know what are the urges that move men to commit crimes. First, we know that no man has committed a sin against man, he has not broken the laws of the State, county, or city, but the laws of God.

God's laws come first, and any laws that are good and just were the laws of the perfect law giver, before the laws contrived by imperfect man. The Christian answer is the only answer to the problems of the prisoner. He has a trade, he has a profession, he has wealth, he has a family, he knows how to read, write, and count, but he does not do right; he does not do the thing of value, the thing that counts.

To recapitulate, the prison chaplain is different. His duties are different in character or intensity. He has physical, if not all mental, adults. All his men are in their troubles because they have been charged with offenses against others, that they would not want others to do to them. The prison chaplain is aware that his men have broken the laws, not of man, but God. The prison chaplain knows his men are no better or no worse than men out of prison. Many are in prison because they were caught.

There are no innocent men. There may be innocent babies. When I think of the temper of the babies that kept me awake, I am not sure.

This I do know as a prison chaplain, that men are in prison because of selfishness. I cannot think of a wrong, a sin, a trespass, or an iniquity, that is not centered in self. War, greed, dishonesty, untruth, and all the sin in the catalog spring from self or selfishness.

Once again, self makes us feel guilty. We may escape the arm of man and the law, but we cannot escape the arm of a guilty conscience. It follows us everywhere and handcuffs and paralyzes our usefulness, often driving us to drink, use of drugs, diseased minds and death.

(a) Some claim that [causes for] crimes are committed because of fear and concern for one's own weakness, to get the quick buck, to avoid labor—why work a week for $30 when you, through crime, can get it in 3 minutes? Wine, women, and bad associates are often listed. Poor parental and moral guidance all are offered as reasons or causes or occasions for crime. Take each one of these apart and we will see that self and selfishness is the thing that triggers our trouble.

We repeat that all crime is due to the neglect of the teachings of our religious faith. Buddha, Confucius, Zoroaster, Brahma, Shinto, Mohammed, Judaism, Catholicism, Protestantism or any of the civilized faits, will teach a man to do to others things he wants done to him. They teach that man must not hurt his fellow man, by thought, word, or deed.

The prison chaplain does not feel we pay a debt to society, in that all society is in debt. Society often creates the crime and the criminal commits the crime. Society never gives us a receipt that the debt is paid. We pay our debt to God, not man, for our sins and errors. David had Urriah put to death to get his wife. When David was convicted, he did not say that he had sinned against Urriah or society, but in Psalm 51: verse 4, he says: "Against God, and only God have I sinned." You can hurt man, but you sin against the only one who can forgive sin.

The prison chaplain is different from other chaplains in that he knows that he too is a prisoner. He knows that there can be 999 strong links in a chain, but if the 1,000th—just 1 link—is weak or broken, he will fail if suspended over the canyon and will die as dead as if 999 links were weak and 1 was strong.

In Hebrew 13: 3, we read: "Remember those who are in prison, as though in prison with them." Or is it equally grammatically correct to translate it: "Remember those who are in prison as fellow prisoners." This convinces me that between those in prison and those who are not there is no difference.

If I am doing all I should, these words of Jesus would mean a prison for me—"But before (the end of time) all this they will lay hands on you and persecute you, delivering you up to the synagogues and prisons, and you will be brought before kings and governors for my name's sake." We prison chaplains do not come to the prison to help the poor devils, for we are in captivity to sin and need Jesus as our sponsor and advocate. We come to the prison to help ourselves.

Finally, the prison chaplain takes seriously Matthew 25: 3–46. He is not there to help the poor devils, the prisoners. He is there because of the high privilege it gives him to serve God and help himself.

Low, would be his motive and meager would be his inspiration, if he was there to render help from man to man. Rather, he is there since Jesus said: "I was in prison and ye visited Me." The disciples asked, "When saw we Thee in prison and visited you?" Jesus answered: "In as much ye did it to the least man in prison, ye did it to Me."

This means, to the prison chaplain, that whatever he does for the prisoner, is not for the prisoner, but service and honor to God. This is the highest motive. This is the finest source of inspiration; service of highest motive and quality, because it is service to God.

(b) The prison chaplain knows that his task is to assist the restorative work of the prisoner. He has been told that the man is either in prison for punishment, deterrence, permanent custody or restoration. The prison chaplain knows that as man may be rehabilitated; that is, able to make a living, or restored to his former status in society and still have moral levels as low as when he came to prison. The prison chaplain knows that often the crime for which a man is sentenced would not have caused him to be sent to a penitentiary. In almost all cases the man is in the institution more for the fact that he has long neglected and rejected God, so at last he is overtaken. He is really in prison because he has broken God's law. What the man needs above all else is regeneration. He may have a trade, education, and wealth, and still not be restored morally. Thus, the prison chaplain takes as his task, whether the man is serving 1 year, or a lifetime, to restore him morally. To give him, by guidance and precept and example, motivations that will lead the man to accept higher levels of thought, words, and deeds. The prison chaplain will seek to show the man that what he sows he will reap, that

he can be sure his sins will find him out. He will seek to reassure him that no man is free from the urge to be a criminal, but at the same time no man has to be a criminal.

The verse that satisfies this matter is credited to Paul's letter to the Corinthians: "There hath no temptation taken you but is common to man; but God is faithful, who will not suffer you to be tempted above that ye are able; but will with the temptation also make a way of escape, that ye may be able to bear it."

PLIGHT OF THE TEXTILE INDUSTRY

Mr. SCOTT. Mr. President, in light of the recent development affecting our domestic textile industry, I think it most appropriate that excerpts from a speech delivered by Mr. Herman Blum be submitted for insertion in the CONGRESSIONAL RECORD.

Mr. Blum, chairman of the board of Craftex Mills, of Pennsylvania, has long been associated with the textile industry and his knowledge of the problems now confronting it is intimate.

Mr. Blum delivered his most informative remarks before the senior class of the Philadelphia College of Textiles and Sciences on December 16, 1961.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

EXCERPTS FROM ADDRESS BY MR. HERMAN BLUM

Confronting the U.S. textile industry is the preponderance of weaving equipment in the possession of competitors in foreign countries. This ownership of looms is divided as follows:

In Europe, there are 1,141,000 looms in operation today, or 32 percent of the world's textile equipment.

In North America, there are 458,000 looms, or 13 percent of the world's total.

In Asia and Oceana, there are 1,031,500 looms, or 29 percent of the world's total.

In the Communist countries, there are 664,000 looms or 18 percent of the world's total.

And the box score of the world production of textiles lines up as follows:

In North America, we dropped from 29 percent of the world total in 1952 to 23 percent in 1961.

In Asia, they increased from 18 percent in 1952 to 24 percent in 1961.

As a result of this trend, our position has already been impaired as follows:

1. In 1958, the position of the United States as exporter of textiles was reversed. By 1960, the imports of textiles were 139 percent of exports. This was the first increase of imports over exports in our country since 1875.

2. During the 2 years of 1959 and 1960, imports of all textiles increased 46 percent; cotton cloth increared by 221 percent and yarns by 172 percent.

In the face of this economic development, President Kennedy has vigorously launched a campaign for a general tariff reduction on imports as part of our economic offensive against communism. In order to sell our products in the world markets, the President declared, labor and management must increase production and efficiency and be competitive, through lower costs and prices and superior products.

The flight of the textile industry from New England, New York and Pennsylvania to the Southern States with lower labor costs, has been regarded by most economists as an unavoidable step for mills which desired to survive in our competitive market. Today, even the mills which have relocated in the South are worried about the competition of imports and are beginning to agitate against tariff reduction.

It is, of course, well known that we sell our cotton at a reduced price to foreign spinners in order to dispose of our surpluses in Government warehouses. The export price of cotton is substantially less than American spinners have to pay for it. The cotton spinners in Ankara, Brussels, Osaka, or Hong Kong then process this bargain-priced cotton with their lower priced labor and then send back the finished product to this country at a lower price than we can produce it.

It is understandable that we should want to help the new nations of the world reach industrialization as a means of creating employment and improving the living standards of their workers. The moderate tariff to protect our textile industry which is now at force, is aimed against the fully developed countries with ample equipment and trained workers. These foreign manufacturers not only have cost advantages in lower wages, longer hours, lower taxes, and the benefits of the most modern machinery (much of which they obtained in this country through our Government's economic aid program); but in many instances also have the endorsement of their governments in regulating production and prices, through cartels. Also, many foreign governments provide export subsidies to stimulate shipments abroad.

The cold war being waged against the United States by Russia and her satellites is obviously economic. Relentless competition for the world market is part of the attack upon vulnerable industries in this country like textiles. Cunning Khrushchev's threat to "bury us" merely spells out the Soviet's strategic intent to use every economic weapon against us—to outproduce and outsell us in the world market. Handicapped as it is by an overwhelming portion of weaving equipment in the possession of rival nations, our beleaguered American textile industry is in a life-and-death struggle for survival.

3. Textile employment in the United States from 1951 to 1961 dropped from 1¼ million to 850,000, a loss of more than 300,000 jobs.

EFFECTIVENESS OF NATION'S RESERVE FORCES

Mr. SMATHERS. Mr. President, during recent months a great deal has been said with respect to the effectiveness of our Nation's Reserve forces. This was brought about as a result of the necessary callup of our Reserves in the light of the tense Berlin situation. During this period, admittedly some mistakes were made and unnecessary hardships endured.

Despite some adverse reactions, doubts about the effectiveness of our Reserve Forces as a vital and integral part of our national defense structure have long since been dispelled. However, it is worthwhile for us to continue to improve and seek a better understanding of our Reserves.

In the March issue of the Officer, the monthly magazine of the Reserve Officers Association, there appears an article authored by our very able and distinguished colleague, the senior Senator from Texas, Mr RALPH YARBOROUGH. As all of us know, Senator YARBOROUGH has an outstanding and distinguished record of combat service during World War II. Since that time, he has an equally distinguished record of service as an active officer in the Army Reserves, presently holding the rank of colonel.

The article to which I have referred is entitled "Reserves Are Indispensable Part of Nation's First Line of Defense." I believe this article and the views which it espouses will be of particular interest and enlightenment to all of us in the Congress. I ask unanimous consent that it be printed in the body of the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

RESERVES ARE INDISPENSABLE PART OF NATION'S FIRST LINE OF DEFENSE

(By Senator RALPH W. YARBOROUGH)

By President Kennedy's callup of troops to prevent a war, the American people and all powers abroad have been reminded again of the critically important role our Reserve Forces play within the Nation's Defense Establishment.

A strong Reserve is a constant safeguard for our Western democracy under civilian control. No military junta rules America—the danger to our free democratic institutions the Founding Fathers saw inherent in a large standing army are largely averted by a moderate-sized standing army, buttressed by a ready reserve of militarily trained civilians, ready to be civilians in ordinary times and military or naval men in uniforms in times of emergency.

This Reserve system not only protects the Republic in time of national peril; its careful nurturing avoids domestic dangers to our freedoms at home. The Reserve has earned its place in the affections of the American people.

The United States, however, owes a debt of gratitude far beyond the existing structure and leadership of our Reserves.

We must also be thankful for the foresight of the civil and military officials who were instrumental in passing the National Defense Act of 1916 as amended in 1920, which provides the foundation on which many features of our Reserve organization are now based.

Without the passage of the 1920 defense bill, the Nation might have been unable to meet the Nazi and Japanese aggressions in 1941 or the Communist threat to peace that we now face.

The 1920 defense bill settled the long dispute between the Upton proposal for an expansible standing Army and the earlier Washington conception of an organized citizen Army capable of qualifications for receiving a Reserve commission. Moreover, appointments in all cases were to be for a period of 5 years. This clause established a procedure by which officers who failed to meet Federal standards could be released on a periodic basis. It encouraged officers to work harder to maintain their professional standing, and it assured younger officers that deadwood in the top echelons would be cut out if senior officers failed to meet the War Department's personnel specifications. Political favoritism was discouraged by the provision that no Reserve officer could be promoted to any grade in time of peace until he had held a commission for at least 1 year in the next lower grade. This minimal restriction protected the principle that an officer's grade level would reflect his proficiency in military operations and that a hard-working, talented individual would not be held back too long from quickly moving up the Reserve officers' career ladder.

To support the officers' Reserve program the National Defense Act authorized the President to establish and maintain Reserve Officer Training Corps units "in civil educational institutions." Male college students who entered the ROTC were to be instructed in military science and tactics by military officers of the Regular Army detailed from active duty. The Secretary of

War was given the responsibility for prescribing "courses of theoretical and practical military training for units of the ROTC," with the single proviso that no college ROTC program could be recognized which did not devote at least an average of 3 hours per week in each academic year to courses in military affairs. To supplement academic work, summer ROTC training camps were created to provide potential officers with practical instruction in Army field tactics. Successful completion of an approved ROTC program led to an appointment as a Reserve officer in the Army of the United States.

In the decade before World War II, the number of ROTC graduates annually accepting Reserve commissions ranged from a low of 4,838 to a high of 7,000 reached in 1941. These men replaced older officers who had been relieved of their commissions or who had retired from Reserve activities. Despite widespread public apathy and episodic, and often inadequate, congressional support, the ROTC system nevertheless provided a manpower pool which could be immediately tapped. When the Nation suddenly found itself confronted by a world war after the attack on Pearl Harbor, it was able to call upon the ROTC system and the Officers' Reserve Corps into which ROTC graduates were placed for more than 100,000 trained military leaders. The determined foresight which guided the passage of the Defense Act of 1920 was richly rewarded.

Yet the most lasting achievement of the National Defense Act of 1920 was the spirit of cooperation which it engendered between the citizen-soldier and professional Army personnel. The Regular soldier was brought out of his traditional isolation from the civilian community, and large numbers of civilians were exposed t) the problems and difficulties facing the professional soldier. This interaction has produced a bond of good will and understanding between citizen and soldier that has continued to the present time. In absence of these strong, sympathetic ties, the recent smooth and orderly mobilization of the Reserves would have been impossible. The Reserves are truly an indispensable part of the Nation's first line of defense.

NATIONAL PRESS CLUB ADDRESS OF GEN. CARLOS ROMULO

Mr. MUNDT. Mr. President, on March 6, Gen. Carlos P. Romulo, departing Philippine Ambassador to the United States, delivered a great address before the noon luncheon of the National Press Club here in Washington. It is an address many Americans will want to read and study. For that reason I ask unanimous consent that it be printed in the body of the RECORD at the conclusion of my remarks.

At the conclusion of General Romulo's address, the president of the Press Club said:

This is a hard-boiled group. We have heard many speeches here. This is one of the best; in fact, it is tops. The standing ovation and the cheers attest to that. It is the kind of speech that makes us think.

One of the many great attributes of Carlos Romulo is that he has the habit of stimulating thought on the part of those who know him or who are privileged to hear him speak. Carl Sandburg said one time in introducing General Rumulo to a Chicago audience:

Genera Romulo's eloquence is the grand opera of oratory.

All of us who know and love "Rommie" will miss him greatly but we shall confidently anticipate his further contributions to freedom's holy cause as he again resumes his residency and his activities at home in Manila.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY GEN. CARLOS P. ROMULO DELIVERED BEFORE THE NATIONAL PRESS CLUB, WASHINGTON, D.C., TUESDAY, MARCH 6, 1962

Most of the time, love is as we do, not as we say. Every so often the occasion comes when we must say it too.

In these closing weeks of this part of the American chapter in my life, I have thought much of the sharing of love in my life, at the level of those dear to me as individuals, and the two great loves I hold for my own country, the Philippines, and for this country, the United States.

And I remind you that only puppy love casts over its object the sickly glow of perfection. Grownup love takes in the good and the bad and arranges them in bearable combinations, not always necessarily forgiving, but always in persistent devotion. Believe me, making this combination for this country is not always easy—the beauty is indeed great beauty, but some of the warts are whoppers.

My country has had a special and unique relationship to this one. Part of this relationship has been that of colonial master and subject, with all that that involves and implies, and let no one ever forget that we fought you tooth and nail, resisted your efforts to be masters, and that we made it impossible for you to keep on the aberrant track which had led you in the first place down the imperialist path.

That's part of what you owe us, and part of our pride in ourselves.

But that is only part of the truth.

Because of your special character, you had, unlike any of the other colonial powers, to try to transplant the essence of your own democratic system. In many respects of course this system has defects—we are familiar with them right here, all of us. Transplanted, these defects are often aggravated. We are familiar enough with that fact at home in the Philippines.

But look at it in the large for a moment. Step back and away and look at us in the Philippines in the present setting of world affairs and emergent politics. In our country in the 16 years of our independence, we have had five national elections. We elected five presidents succeeding each other in those national elections—elections marked, I am sure, by something less than textbook orderliness and perfection of purity—but nevertheless elections in which there was a shifting vote of 1 million plus votes, moving freely from one party to another, from one man to another, with peace, order, and respect for the national consensus.

Where else in the world today among the new regimes that have emerged out of colonialism (to say nothing of the countries of the Communist empire) can this be duplicated?

It is not easy to think of a single exception in the whole picture, with all the deformations and warts and difficulties and conflicts, the fact is that the Philippine Republic is the only country in the ex-colonial world today where the national consensus expressed in free vote can and does change the parties and men in power, and do so in peace and with a common desire to work at gradually improving our social order.

I think we fail to notice what a tremendous fact this is. We fail to ask ourselves, why is this so? Why this uniqueness? Yet the answer lies in the uniqueness of the American character joined to the uniqueness of the Philippines—out of these, again with all the complications and accompanying uglinesses, we have formed something of special meaning for the whole world.

In the ex-colonial world it is fashionable these days to speak of the so-called necessity for authoritarian government, for depriving the people of free choice and consensus and the surrender of all power to some single self-established rulership. I say to all who hold this view that this is a new kind of contempt for the peoples of these countries, that the politicians who think only of perpetuating themselves in power over their people in this way are just as contemptuous of their people as the white colonial rulers ever were—and that the Philippines stands as a living refutation of the notion that this is the way things have to be. And that this, in turn, is part of the great living meaning of the American democratic creed and conviction, and a product—despite all your own great efforts to deviate from it—of your fundamental action.

The world is now dominated by the great power conflict and this is at base a conflict between those two conceptions: (1) a system of free and open compromise between contending groups in the society against (2) a system of unfree closed subjection to a rigid system based on total control of people and total control of resources. This is a pregnant and fearful conflict in this nuclear age, and the process of maintaining the balance and deterring war is a fantastically difficult and dangerous task.

This task lies in the hands of the United States and a good part of the world—for all its angry and frustrated and unhappy biting of the American hand in the process—is really dependent upon the American success in this sphere. Most of the so-called neutrals would find it difficult to acknowledge, but their neutralism is possible only because American power exists.

But the maintenance of power is not enough. Assuming that the deterrent does prevent explosion, the vital importance shifts to what happens meanwhile in the world. And looked at this way, I say there are two major concerns that are most vital of all, and will be the most decisive of all in shaping the future: (1) the evolution of the American society, its growth and dynamism and (2) the shape of the emerging politics of Asia and Africa.

Regarding the evolution of the American society, the question is whether it will continue to develop and absorb the great new technological revolutionary changes through which we are now passing.

But even more important is whether it will truly realize within itself its own democratic profession. This has become inescapable. You were able to avoid this question for a hundred years. You can't any longer. It is cause for almost hopeless despair among those who love you that at this late date this society is still dragged down by its failure to achieve the most elementary kind of equality of rights for all its citizens.

Don't forget; your democratic creed and system is really the only thing that marks you off from your foe, and if this is a fraud, the world might just as well sink into the totalitarian bog.

If I leave America with any foreboding at all, with any nagging sense that it is going to fail in the ultimate test of its historic role, it is on this issue alone—if this country fails, it will be not because the foe proved to have something better, but because America itself failed within itself to be what it claimed to be. Believe me, my friends, this is not rhetoric or phrasemaking. This is the sober literal truth.

This in turn has enormous impact on the politics of the emergent countries. The problem is not your image but what you are, and this is imprinted deep on everyone's mind everywhere, and this has its great intangible effects on the political paths taken by others and the forms adopted by them.

If the inner conviction is established and nourished constantly that the democratic model works and does provide the path to decent human progress, it will make its way through the world. If there is no such conviction, there will be nothing to counter either the alternative model of Communist authoritarianism, or other forms of tyranny that are not much better.

ADDRESS BY DR. J. PHILIP MALONE TO WORLD WAR I VETERANS—STATEMENT OF SENATOR OLIN D. JOHNSTON

Mr. JOHNSTON. Mr. President, I wish to bring to the attention of the Senate an article which appeared in the Saluda Standard newspaper of Saluda, S.C., dated Thursday, March 1, 1962, containing an address by Dr. J. Philip Malone, national fourth regional commander of the World War I veterans of Gastonia, N.C. This speech was delivered at the State convention of the Department of South Carolina in Saluda on June 24 1961.

Having served in World War I, 18 months of which were spent overseas, as I read this beautiful address many memories of the past and hopes for the future were brought to mind. But these remarks are not limited to those of us who fought and lived through the trying times of the First World War, they extend far beyond, giving a deeper and more meaningful insight into the problems and situations confronting our Nation at the time.

Dr. Malone's speech is a masterpiece, expressing the thoughts, prayers, and hopes of over 4 million who lived and died on the battlefield.

Today we face a crisis of a different nature but one whose consequences will determine our future. We are engaged in the ruthless war of preserving our peace and at the same time protecting nations from physical and mental aggression aimed at turning their heads away from truth and democracy. We must dedicate ourselves to the task of securing our institutions and way of life so that one day truth, democracy, and freedom will prevail universally.

Let us not forget the past but use its lessons and experiences as a stronghold of strength on which to mold the future.

Mr. President, I ask unanimous consent that this commendable address be printed, as it appeared in the Saluda Standard, in the body of the RECORD, together with my remarks.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ORATORY MASTERPIECE ON WORLD WAR I VETERANS AT CONVENTION HERE LAST JUNE BY DR. MALONE, REGIONAL COMMANDER

(Address delivered by Dr. J. Philip Malone, national fourth regional commander of Gastonia, N.C., at the State convention of the Department of South Carolina in Saluda, S.C., June 24, 1961)

It would be commonplace to say that we owe a debt to the past for our blessings, that we have an obligation to the present in which we live, that we have a responsibility to future generations. It is also a familiar saying that we reap where others have sown and we sow where others may reap. Thus we justify our existence.

But as we glance back over the years of our lives, as we search in the halls of memory, do we ask ourselves now and then "Is there any incident or event in my life that has an imperishable quality, that will live after I am gone, not only in my relatives and friends, for they, too, will pass, but in the structure and fabric and institutions of my country?"

In answer to that question is the subject of this talk, and if a text were chosen it would be found in a paragraph of a book, "Sesame and Lilies," written by an English author, John Ruskin, "—this, if anything of mine, is worth your memory."

We were the soldiers, sailors, marines in the World War I. We are of the generation that remembers "Goodby Broadway, Hello France"; "It's a Long, Long Way to Tipperary"; "Pack Up Your Troubles in Your Old Kit Bag," and "Mademoiselle From Armentieres."

We remember Camp Green, Camp Dix and Camp Lewis, St. Nazaire, Brest, Bordeaux, Chaumont—and Paris and Verdun, Chateau Thierry, Catigny, Belleau Wood, the Marne, St. Mihiel and the Argonne Forest. We remember, too, chlorine and mustard gas, barbed wire entanglements, the trenches, No Man's Land—and the cooties. We knew the Unknown Soldier.

And many more incidents and events too numerous to recall. Each of us cherishes his own memory; all of us sha e the same experiences. How many memories were revived and stories told these past few days of this convention? Surely many that most of us heard for the first time. And perhaps all of us have said more than once since 1919.

"I wouldn't exchange that period for any other years of my life but I wouldn't want to go through it again."

We are of a gene ation that said: "Here am I, take me." We exchanged our name for a serial number of a dog tag, civilian clothes for a military uniform, a house for a ship or pup tent or barracks, a comfortable bed at home for an army cot or hammock, or just a my blankets.

We offered our life, "a little gem of time between two eternities, no second chance to us forevermore."

One hundred and thirty-one thousand died in the service. Thousands returned with wounds and scars, mutilated, disabled. Most of us came back healthy in mind and body, stronger men, more loyal citizens, with a deep respect for our country and its institutions, and an unwavering determination to do all within our power to maintain our way of life.

We remember November 11, 1918, Armistice Day. The last gun has been fired, the World War was ended and we started the long road back to pick up the pieces, to resume, if we could, where we left off, difficult for most of us, impossible for many. Conditions at home were changed, we were changed, nothing was the same. Many a soldier went to war a boy and returned a man.

Though we discarded the uniform, we did not forsake the cause for which we served. We joined the American Legion, the Veterans of Foreign Wars, the Disabled American Veterans, the Purple Heart, and during the past 43 years we have given immeasurably of our time and thought and energy in service to God and country, cleansed and purified and ennobled by military service in time of war, was often weighed in the balance but never found wanting.

Now we are the veterans of World War I. There were more than 4 million in service in 1918; there are less than 3 million now living. The most precious lapel ornament is not the emblem of the American Legion or the Veterans of Foreign Wars, or even the Veterans of World War I of the United States, it is the bronze discharge button of the First World War. We belong to an exclusive organization. The membership is limited, and the lists were closed 43 years ago.

Are we the old soldiers? Do we take the place of the Civil War veterans who are gone? Old in years, yes, but rich in wisdom and experience and youthful in spirit with memories of the past, our eyes on the present, and our hopes of the future.

You may remember these familiar lines from Robert Browning:

"Grow old along with me! The best is yet to be
The last of life, for which the first was made.
Our times are in his hand who saith, a whole I planned,
Youth shows but half; trust God; see all, nor be afraid."

What of the year 1917? What was going on in the world? You remember only too well.

The plight of the Allies was serious, the outcome of the war hung in the balance, the triumph of Germany a threat to the peace and safety of our own country. Desperate and in great peril, the Allies cried, "Send us American soldiers. Let the American flag be unfurled on the fields of France and let the tramp of American armies thrill anew the worn spirits of those who have borne of battle for 3 long years."

The Americans are coming. The shout went up in the streets and homes of England and France and Belgium. Men, women, and children laughed and wept and prayed. The Americans are coming.

The outcome is history. "Before the end of the war 4 million men had been brought into all branches of the service; more than 2 million went overseas. You would search in vain for your name in the history record of our country, but it is there in the blank spaces between the lines.

We are not heroes, we are not special or superior or peculiar individuals. We are not a special class of people; we are of the general population of our country.

How are we different, distinctive? We are average men, women, ordinary men who performed a special kind of service for our country in time of war. We were 4 million of a total population of 105 million in 1917. We gave up our individual liberties as citizens for the Articles of War, our freedom for regimentation and military discipline. We placed our lives in the hands of others for the duration. We had to learn that individuals do not count. A squad, a platoon, a battalion possibly a company was a calculated sacrifice by the strategists if necessary to reach an objective or hold the line.

To paraphrase two lines from Tennyson's Charge of the Light Brigade: "Ours not to reason why, ours but to do and die."

Or like the French troops addressed by Marshal Joffre at the first battle of the Marne:

"Soldiers of France, we are attacking. Advance as long as you can. When you can no longer advance, hold your position. When you can no longer hold it, die."

What, then, in your life deserves to last beyond your time? What is your contribution to society? What is the imperishable incident or event in your life that deserves to be remembered? It is hard to put in words, but—

We held the line, we pushed the enemy back, we saved the day, we gave our lives and strength to achieve victory. We altered the course of civilization. We preserved and protected the people of our country,

our institutions, our way of life. We helped to make America safe for democracy, if not the world. Our country would now be a far different place in which to live had we not served in the World War I.

Can we say then to our generation and future generation: "This is the best of me; for the rest I ate and drank and slept, loved and hated, like another; my life was as the vapor and is not; but this I saw and knew; this, if anything of mine, is worth your memory."

THE ALAMO

Mr. TOWER. Mr. President, 126 years ago March 2, a gallant band of Americans who had colonized the Mexican Province of Texas, hailing from virtually every State of the Union, through their elected representatives meeting in convention at the town of Washington-on-the-Brazos, decreed their "eternal political separation" from the Republic of Mexico and constituted themselves into a "free, sovereign, and independent republic." This move was necessitated by the fact that the constitutional powers of the great Mexican nation had been usurped by the dictator, Santa Anna, and Texans found his tyranny intolerable.

Four days later, on March 6, the Alamo fell. The whole garrison, under the command of William Barrett Travis, perished after fighting one of the most heroic and tactically important holding actions in the annals of war. This allowed Sam Houston and his army to withdraw to a favorable position at San Jacinto on Buffalo Bayou, where, on the 21st day of April in that year, in the daring attack on the numerically superior army of Santa Anna, they secured a great victory in one of the decisive battles of history, thus securing the Texas independence earlier declared at Washington-on-the-Brazos.

It should be noted that this was not a war against the Mexican people, but a war against despotism. The Anglo-American colonists were supported in their opposition to Santa Anna by many fine Mexican people. Indeed, the first Vice President of the Republic of Texas was Lorenzo de Zavala.

This great action has well been regarded as a great milestone in the history of man's struggle to be free and an event to which all Americans can point with justifiable pride.

Mr. President, I ask unanimous consent that a copy of the Declaration of Texas Independence, along with the text of Travis' famous and stirring letter from the Alamo, be printed in the RECORD at the conclusion of my remarks.

There being no objection, the declaration and letter were ordered to be printed in the RECORD, as follows:

TEXAS DECLARATION OF INDEPENDENCE

When a government has ceased to protect the lives, liberty and property of the people from whom its legitimate powers are derived, and for the advancement of whose happiness it was instituted; and so far from being a guarantee for the enjoyment of those inestimable and inalienable rights, becomes an instrument in the hands of evil rulers for their oppression; when the Federal Republican Constitution of their country, which they have sworn to support, no longer has a substantial existence, and the whole nature of their government has been forcibly changed without their consent, from a restricted federative republic, composed of sovereign states, to a consolidated central military despotism, in which every interest is disregarded but that of the army and the priesthood—both the eternal enemies of civil liberty, and the ever-ready minions of power, and the usual instruments of tyrants; when, long after the spirit of the constitution has departed, moderation is at length, so far lost, by those in power that even the semblance of freedom is removed, and the forms, themselves, of the constitution discontinued; and so far from their petitions and remonstrances being regarded, the agents who bear them are thrown into dungeons; and mercenary armies sent forth to force a new government upon them at the point of the bayonet: When in consequence of such acts of malfeasance and abdication, on the part of the government, anarchy prevails, and civil society is dissolved into its original elements: In such a crisis, the first law of nature, the right of self-preservation—the inherent and inalienable right of the people to appeal to first principles and take their political affairs into their own hands in extreme cases—enjoins it as a right toward themselves and a sacred obligation to their posterity, to abolish such government and create another in its stead, calculated to rescue them from impending dangers, and to secure their future welfare and happiness.

Nations, as well as individuals, are amenable for their acts to the public opinion of mankind. A statement of a part of our grievances is, therefore, submitted to an impartial world, in justification of the hazardous but unavoidable step now taken of severing our political connection with the Mexican people, and assuming an independent attitude among the nations of the earth.

The Mexican Government, by its colonization laws, invited and induced the Anglo-American population of Texas to colonize its wilderness under the pledged faith of a written constitution, that they should continue to enjoy that constitutional liberty and republican government to which they had been habituated in the land of their birth, the United States of America. In this expectation they have been cruelly disappointed, inasmuch as the Mexican nation has acquiesced in the late changes made in the government by Gen. Antonio Lopez de Santa Anna, who, having overturned the constitution of his country, now offers us the cruel alternative either to abandon our homes, acquired by so many privations, or submit to the most intolerable of all tyranny, the combined despotism of the sword and the priesthood.

It has sacrificed our welfare to the state of Coahuila, by which our interests have been continually depressed, through a jealous and partial course of legislation carried on at a far distant seat of government, by a hostile majority, in an unknown tongue; and this too, notwithstanding we have petitioned in the humblest terms, for the establishment of a separate state government, and have, in accordance with the provisions of the national constitution, presented to the general congress, a republican constitution which was without just cause contemptuously rejected.

It incarcerated in a dungeon, for a long time, one of our citizens, for no other cause but a zealous endeavor to procure the acceptance of our constitution and the establishment of a state government.

It has failed and refused to secure on a firm basis, the right of trial by jury; that palladium of civil liberty, and only safe guarantee for the life, liberty, and property of the citizen.

It has failed to establish any public system of education, although possessed of almost boundless resources (the public domain) and, although, it is an axiom, in political science, that unless a people are educated and enlightened it is idle to expect the continuance of civil liberty, or the capacity for self-government.

It has suffered the military commandants stationed among us to exercise arbitrary acts of oppression and tyranny; thus trampling upon the most sacred rights of the citizen and rendering the military superior to the civil power.

It has dissolved by force of arms, the State Congress of Coahuila and Texas, and obliged our representatives to fly for their lives from the seat of government; thus depriving us of the fundamental political right of representation.

It has demanded the surrender of a number of our citizens, and ordered military detachments to seize and carry them into the interior for trial; in contempt of the civil authorities, and in defiance of the laws and the constitution.

It has made piratical attacks upon our commerce; by commissioning foreign desperadoes, and authorizing them to seize our vessels, and convey the property of our citizens to far distant ports of confiscation.

It denies us the right of worshiping the Almighty according to the dictates of our own consciences, by the support of a national religion calculated to promote the temporal interests of its human functionaries rather than the glory of the true and living God.

It has demanded us to deliver up our arms; which are essential to our defense, the rightful property of freemen, and formidable only to tyrannical governments.

It has invaded our country, both by sea and by land, with intent to lay waste our territory and drive us from our homes; and has now a large mercenary army advancing to carry on against us a war of extermination.

It has, through its emissaries, incited the merciless savage, with the tomahawk and scalping knife, to massacre the inhabitants of our defenseless frontiers.

It hath been, during the whole time of our connection with it, the contemptible sport and victim of successive military revolutions and hath continually exhibited every characteristic of a weak, corrupt, and tyrannical government.

These, and other grievances, were patiently borne by the people of Texas until they reached that point at which forbearance ceases to be a virtue. We then took up arms in defense of the national constitution. We appealed to our Mexican brethren for assistance. Our appeal has been made in vain. Though months have elapsed, no sympathetic response has yet been heard from the interior. We are, therefore, forced to the melancholy conclusion that the Mexican people have acquiesced in the destruction of their liberty, and the substitution therefor of a military government—that they are unfit to be free and incapable of self-government.

The necessity of self-preservation, therefore, now decrees our eternal political separation.

We, therefore, the delegates, with plenary powers, of the people of Texas, in solemn convention assembled, appealing to a candid world for the necessities of our condition, do hereby resolve and declare that our political connection with the Mexican nation has forever ended; and that the people of Texas do now constitute a free, sovereign and independent republic, and are fully invested with all the rights and attributes which properly belong to the independent nations;

and, conscious of the rectitude of our intentions, we fearlessly and confidently commit the issue to the decision of the Supreme Arbiter of the destinies of nations.

Richard Ellis, President of the Convention and Delegate from Red River; Charles B. Stewart, Thos. Barnet, John S. D. Byrom, Franco. Ruiz, J. Antonio Navarro, Jesse B. Badgett, Wm. D. Lacey, William Menefee, Jno Fisher, Mathew Caldwell, William Mottley, Lorenzo de Zavala, Stephen H. Everitt, Geo. W. Smyth, Elija Stapp, Claiborne West, Wm. B. Scates, M. B. Menard, A. B. Hardin, J. W. Bunton, Thos. J. Gazley, R. M. Coleman, Sterling C. Robertson, Jas. Collinsworth, Edwin Waller, Asa Brigham, Geo. C. Childress, Bailey Hardeman, Rob. Potter, Thomas Jefferson Rusk, Chas. S. Taylor, John S. Roberts, Robert Hamilton, Collin McKinney, Albert H. Latimer, James Power, Sam Houston, David Thomas, Edwd. Conrad, Martin Parmer, Edwin O. LeGrand, Stephen W. Blount, Jas. Gaines, Wm. Clark, Jr., Sydney O. Penington, Wm. Carrol Crawford, Jno. Turner, Benj. Briggs Goodrich, G. M. Barnett, James G. Swisher, Jesse Grimes, S. Rhoads Fisher, John W. Moore, John W. Bower, Saml. A. Maverick (from Bejar), Sam P. Carson, A. Briscoe, J. B. Woods.

Test.

H. S. KREMBLE,
Secretary.

TRAVIS LETTER FROM THE ALAMO

COMMANDER OF THE ALAMO,
Bejar, February 24, 1836.

To the People of Texas and All Americans in the World.

FELLOW CITIZENS AND COMPATRIOTS: I am besieged by a thousand or more of the Mexicans under Santa Anna. I have sustained continual bombardment and cannonade for 24 hours and have not lost a man. The enemy has demanded a surrender at discretion, otherwise the garrison are to be put to the sword if the fort is taken. I have answered the demand with a cannon shot and our flag still waves proudly from the walls. I shall never surrender or retreat. Then I call on you in the name of liberty, of patriotism, and everything dear to the American character, to come to our aid with all dispatch. The enemy is receiving reinforcements daily and will no doubt increase to three or four thousand in 4 or 5 days. If this call is neglected, I am determined to sustain myself as long as possible and die like a soldier who never forgets what is due to his own honor and that of his country—victory or death.

WILLIAM BARRETT TRAVIS,
Lieutenant Colonel, Commandant.

P.S.—The Lord is on our side. When the enemy appeared in sight we had not 3 bushels of corn. We have since found in deserted houses 80 or 90 bushels and got into the walls 20 or 30 head of beeves.

TRAVIS.

NEW YORK ARTS COUNCIL

Mr. JAVITS. Mr. President, the success scored by the New York State Council of the Arts in its first year offers a splendid example of the way in which the Nation as a whole could be benefited by a program of aid to the visual and performing arts. Operating on a budget of less than half a million dollars for the entire State, with no experience to serve as a guide and with a staff of only four persons, the New York State Council has made a great leap forward in bringing the rich benefits of the arts to areas of the State that have long had to do without them. These benefits are at least equally important for the rest of the country and they emphasize the urgency of holding early hearings on the arts legislation, including my own bill for a U.S. Arts Foundation (S. 1250), now before the Committee on Labor and Public Welfare.

I ask unanimous consent to print in the RECORD the assessment of the work of the New York State Council of the Arts by the noted drama critic, Brooks Atkinson, which appeared in the New York Times, March 9.

There being no objection, the assessment was ordered to be printed in the RECORD, as follows:

[New York Times, Mar. 9, 1962]

CRITIC AT LARGE: NEW YORK STATE COUNCIL OF ARTS SCORES REMARKABLE SUCCESS IN FIRST YEAR

(By Brooks Atkinson)

Everyone seems to agree that the first year of the New York State Council of the Arts has been a remarkable success.

Governor Rockefeller describes it as "a symbol of what we should all be doing in this country. Public response has been beyond anybody's dreams." Since the Governor has a political stake in the council's success, his professional bravura is subject to professional discount. But the facts support his enthusiasm.

With no preliminary experience and on a budget of $450,000, the council dispatched professional theater, opera, ballet and art into more than 50 communities throughout the State—from Mineola in the southeast to Buffalo in the northwest. All this was accomplished by a paid staff of four people—an executive director, an administrator and two secretaries. John H. MacFadyen is the director, with headquarters in New York. The administrator is William Hull of Syracuse.

If there has been less hubbub over the New York State Council than over the movement for Federal subsidy of the arts in Washington, it may be because the motives are different. In New York State the motive is to enrich the culture of the citizens—"the general welfare of the people" as the enabling act phrases it. The council has taken that advisement literally. In his first report, Seymour H. Knox, chairman, specifically eliminates the subsidy motive. While the use of existing institutions to achieve "the Legislature's objective may be of incidental benefit to them, these benefits cannot be in the nature of subsidies," he points out.

Mr. MacFadyen concurs. He says that the council must avoid "a position wherein the ultimate health of the arts in our State might become disproportionately dependent on our existence." By profession an architect, Mr. MacFadyen has no personal commitment to any of the arts he is helping to proliferate throughout the State. He is a disinterested director.

Since the theater is cheaper to tour than opera and ballet, the tour of two Phoenix Theater productions was the most extensive. The "Hamlet" that was generally admired here last spring and the "Androcles and the Lion" admired here earlier this season toured 25 cities and played to 37,000 people. The cities included Scarsdale and Mineola, which have convenient access to New York City theaters. But most of the tour was to communities like Endicott, Oneonta, Alfred, and Corning, that are not likely to see Shakespeare and Shaw done by professionals on local stages.

With ticket prices kept low (75 cents to $3.50) the tour lost money every week, although the company played to about 90 percent capacity. The council contributed $95,000 to the tour—$50,000 for production costs, $45,000 to absorb weekly losses. Although the Phoenix actors had a longer season than they would have had without the tour, and although the tour reduced slightly the Phoenix's annual overhead, the subsidy went directly to the people.

The New York Center Opera Co., the New York City Ballet and the Buffalo Philharmonic Orchestra played in many communities in similar circumstances. On February 17, the council sponsored a children's program by the New York Philharmonic in Troy—50 cents for children, $1.50 for adults. For the first time in its history, the field house of the Rensselaer Polytechnic Institute was filled. About 7,300 persons in the Troy area heard one of the world's greatest orchestras. Three thousand were turned away.

In the short space of 1 year the New York State Council of the Arts has done a superb job. The benefits to the arts may have been incidental, but the benefits to the people have been rich.

Having received an appropriation of $560,000 for next season, the council is now mulling over its plans. It expects to choose programs from among the following items: a production of Thornton Wilder's "The Matchmaker," by the Phoenix Theater; either Joseph Papp's Shakespeare company or the American Shakespeare Festival Theater in more than one production; either the American Ballet Theater or José Limon's group; the New York City Center Opera Co.; and possibly the Metropolitan Opera Workshop, which has a production of "Cosi fan tutti" for performing in schools.

The second season ought to be an improvement on the first.

ASSISTANCE FOR CONSTRUCTION OF PUBLIC COMMUNITY COLLEGES

Mr. CASE of New Jersey. Mr. President, a few weeks ago the Senate approved a higher education bill including a title establishing a program of assistance for the construction of public community colleges. This action is one step in a steadily growing interest in the development of these 2-year colleges.

Recently, the Newark Star-Ledger assigned an able reporter, Donald Malafronte, to prepare a series of articles on junior colleges, particularly in our State. This series is an excellent summary of the current status of community colleges and shows keen insight on their possibilities for the future.

I ask unanimous consent to place these articles in the RECORD and to include an editorial from the Newark Star-Ledger which comments on the program pending in the New Jersey State Legislature for a system of public community colleges. Many interested in developing adequate facilities for higher education in our country, including myself, consider this newspaper effort a public service.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Newark Star-Ledger, Feb. 25, 1962]

THE JUNIOR COLLEGE COMES OF AGE

(NOTE.—Two-year junior, or community, colleges are growing fast. They are playing an increasingly important role across the Nation, and many educators believe this role will be greatly expanded as the crush of college-bound students mounts in the years ahead. New Jersey now is reconsidering its position on junior colleges. In this series of articles, the Star-Ledger takes a look at junior colleges—what they are, where they've been, and where they're going.)

(By Donald Malafronte)

The doctrine of 2-year junior colleges has been preached in New Jersey for more than 30 years, but nobody is sure how many converts have been won.

The first official recommendation for the creation of a tax-supported junior college system in New Jersey was made in 1930, and although the recommendation has cropped up almost as regularly as the State's cranberries ever since, not a spade of earth has been turned, hardly a dollar spent.

Today, the proposal is once again before the public, embodied in a bill pending in the State legislature. A similar bill was there last year and died in committee, and the current one has been sidetracked into the attorney general's office for constitutional review.

The bill's fate is up in the air and, if the past is a guide to the future, junior college supporters have plenty to worry about.

Tax-supported 2-year colleges were first recommended in 1930 by the State board of regents, the functions of which have long since been assumed by the State board of education.

The regents reported in the winter following the stock market crash that the State needed publicly supported junior colleges to equalize college opportunity for high school graduates. The regents suggested seven be built, upped the total to nine the next year.

The schools could be built over a 10-year period, the regents told the legislature, but 10 years passed and the only thing built was the regents' frustration.

In 1939, the regents threw up their hands, stopped recommending new colleges and quoted a school superintendent who said: "If nothing is done until the State is released from needful and other necessary expenditures, then the day for the establishment of junior colleges will never arrive."

However, the thirties were not without their junior colleges.

Two schools which managed to get through the thirties were Bergen Junior College, a private school, and Trenton Junior College, which was then considered a technical school and which survives today as the only tax-supported junior college in the State. (Bergen later went 4-year and after World War II merged with Fairleigh-Dickinson University.)

There were also schools established and operated with the help of the Works Progress Administration.

The WPA, as one of its depression-era projects, helped finance 2-year schools in Long Branch, Roselle, Perth Amboy, Morristown, Paterson and Newark. The idea: provide education for high school graduates who couldn't afford college tuitions and jobs for out-of-work teachers.

The WPA 2-year colleges were largely makeshift. They were set up in existing buildings and classes were conducted at night.

Only two of the six survived the withdrawal of emergency Federal funds in 1936 and they are now private schools—Monmouth College, which retains a 2-year division but is accredited as a 4-year school, and Union Junior College.

(Other 2-year schools which operated through the thirties were Centenary College for Women at Hackettstown, a school affiliated with the Methodist Church, and a number of smaller, non-degree-granting church schools.)

In the forties, other junior college efforts came and went. Fairleigh-Dickinson and Rider opened as 2-year schools, but switched quickly to 4-year status. Jersey City established a city-run 2-year college which operated at capacity, grew too expensive and was voted out of existence by the local school board a few years ago.

In 1948, the State education department picked up the fight where the old board of regents had left it.

SURVEY SITUATION

Dr. John Bosshart, then commissioner of education, appointed a committee to conduct an education survey and Allan Cullimore, president of the Newark College of Engineering, was named director.

The committee spent 2 years pondering old plans and reviewing new trends and reported in 1950 that the regents had been right, New Jersey needed a junior college program.

The committee—as the regents had done earlier—recommended the creation of nine 2-year schools.

The Cullimore committee spiced their report with one further finding.

New Jerseyans, the committee said, had given little thought to junior colleges and most didn't even know they existed.

There are educators who declare the situation hasn't changed an iota in the 12 years since and if the recent experience of a reporter in Trenton is any guide, they are right.

NOT FAR AWAY

The reporter asked a taxi driver in front of Trenton's Hotel Stacy-Trent how to get to Trenton Junior College.

"I never heard of it," the cabbie said.

He should have. The entrance to the school was less than 60 feet from his cab's door.

The incident was typical of the widespread ignorance in this State about junior colleges and the State education department has been hard pressed to overcome it.

Since the Cullimore report, the department has issued a number of supporting reports and surveys, the most recent of which noted the State's need has jumped to 15 junior colleges.

In the publicity process, a number of people got the idea junior colleges would put an end to all the problems facing the State's higher education system. They won't.

Junior colleges require teachers and buildings and money.

NOT THE ANSWER

They are not an answer but an asset, without which a modern college system cannot do a complete job, warns the State education department.

In the bill pending in the State legislature, the costs of the schools are shared, one-third for the county, one-third for the State and one-third for the student.

No overall cost figures have been produced, but they are certain to be considerable and the future of the bill and the program is tied up in the hassle over the need for a broad-based tax in New Jersey.

Education groups, the strongest advocates of a State income or sales tax, support the bill by arguing the need for the schools makes the expense worthwhile.

For them, it's colleges, not costs, that count most.

[From the Newark Star-Ledger, Feb. 26, 1962]

IT'S CRAMPED AND CROWDED, BUT IT'S COLLEGE TO 600

(NOTE.—This is the second of a series of articles in which the Star-Ledger takes a look at junior colleges—what they are, where they've been and where they're going.)

(By Donald Malafronte)

The stairways are narrow, the halls are cramped and the cafeteria is used at night as a classroom, but it's college to almost 600 education-hungry New Jersey boys and girls and they like it. The college is Trenton Junior College, the only tax-supported junior college in the State, and it operates fullblast in a tired building on West State Street in the heart of the State's capital.

The college also operates in a two-story technical building a few blocks away and in two rented stores.

"A lot of the kids make fun of the school, especially those in high school," said Casimir Wrobel of Trenton, a sophomore at the school. "But when they go on to college themselves and find out the way things are, they stop laughing."

Wrobel, a basketball player, started his college education at Rider, ran into problems and was dropped from school.

"This school saved my life," he said. "It was my only chance to keep working for a college education."

Wrobel has straightened out at the junior college and expects to transfer to Alliance College, near Pittsburgh, upon graduation.

Renee DuShane, a small pretty freshman, also from Trenton, has another reason for attending the junior college.

"I needed more credits before going to a 4-year school. My high school courses were half commercial, half academic. That wasn't enough to qualify," she said.

The girl is making up the credits she lacks and expects to transfer to Glassboro State Teachers College.

"I didn't know what I wanted to study," said Bruce Hughes, another Trenton student. "I was undecided and this was a chance for me. It was a break. This school is a break for a lot of people."

These students were not handpicked to show off their views, they were selected by a reporter at random from dozens of students crowded in the school's tiny cafeteria.

And, as anxious as they were to boost junior colleges, they—like most of the public—were ignorant of bills currently pending in the State legislature to establish a tax-supported junior college system in New Jersey.

The public, many educators groan, knows nothing of what a junior college is and what it is supposed to do.

Basically, they say, junior colleges exist to make the cultural and technical advantages of higher education available to those who might otherwise be left out.

The schools offer 2-year programs for those with fields of interest that do not require more and they offer transfer programs for those prepared to go on to their junior and senior years at a 4-year school.

Here's the junior college case as advanced by Dr. Henry J. Parcinski, president of Trenton Junior College.

"As I see it," Dr. Parcinski said, "there are four compelling needs a junior college fills.

"First, it helps the student who hasn't identified his area of interest, but who knows he wants more schooling. It gives him a chance to get his sights set while earning college credits.

"Second, it helps the student not yet ready to make the jump away from home. This applies especially to girls, who go off to live at a campus school and run up fantastic telephone bills calling mother every night. A junior college, close to home, allows time for social maturation.

HELPS BUDGET

"Third, it helps many students who can't afford to live on campus at a 4-year school. Also, a junior college graduate, who has been close to home for 2 years, can often afford to transfer to a campus college for the last 2 years.

"Fourth, it helps train students in professions which don't require 4 years of college. For every graduate engineer there is a need for 10 supporting technicians, personnel below the 4-year level but above the craftsman level.

"To sum up, it gives students a chance to try college on for size and to do it locally and with savings to the parents. It helps not the top students who know where they're

going but the good middle students, whose talents too often go undeveloped."

ESTABLISHED IN 1890

Dr. Parcinski's school gained its singular position as the only tax-supported junior college in the State by sheer staying power.

The school dates back to the 1890's when it was established as a technical school by the city of Trenton after the State promised to match the city dollar for dollar up to $30,000 a year.

The technical school rolled along until 1926 when the State aid top of $30,000 a year was reached. State aid stayed at that exact figure, through the variety of changes the school underwent to achieve its junior college standing, until this year.

AID INCREASED

This year, the State, under a 1945 law, kicked in an additional $100,000 to supplement the city's contribution of $90,000. Tuition, however, remains the school's biggest income, totaling more than $300,000.

Discounting Methodist-supported Centenary College and a 2-year program at Monmouth College, Trenton and the privately run Union Junior College make up the State's entire junior college program.

Union was a WPA-supported school during the depression, went tuitional in 1936 when Federal funds were withdrawn and has played an increasingly important role ever since.

ADD NEW BUILDING

The school recently opened a new building on a 28-acre campus in Cranford and is the holder of full accreditation from the Middle Atlantic States Association, an honor Trenton is currently working to achieve.

The basically two-school system is a far cry from the one operating in California, the Nation's leader with 67 tuition-free junior colleges.

An act the California Legislature created public junior colleges as far back as 1907. The act, revised after World War I, is similar in many ways to the bill now being considered in New Jersey, 55 years later.

[From the Newark Star-Ledger, Feb. 27, 1962]

CALIFORNIA HAS 68 JUNIOR COLLEGES, NEW JERSEY HAS 1

(Third of a series)

(By Donald Malafronte)

Junior colleges in California are almost as plentiful as oranges and they are free of tuition fees.

California wasn't the first State in which a junior college was created (that honor went to Illinois in 1902), but it wasn't far behind and today it has the most fully developed junior college system in the Nation.

Where New Jersey has one public junior college, and that only partially supported by tax dollars, California has 68, all fully supported by taxes and all tuition free.

"Public junior colleges in our State are part of the free public education system, just like elementary and high schools," said a spokesman for the California Board of Education.

California tied junior colleges to the public school system by an act of its State legislature in 1907, just 5 years after Illinois' trailblazing.

The law permitted high schools to tack on 2 years of courses which would approximate the studies offered in the first 2 years of college.

State aid was placed on the same basis as aid to high schools and control of the 2-year colleges was left in the hands of local communities.

After World War I, a junior college expansion program was put into effect and a State fund was created from which communities could borrow to construct junior college buildings.

However, the construction loan could not be applied to operating costs.

Here is the way California finances junior college operating costs:

Each year a minimum cost per student is established and guaranteed as a yardstick. Today the yearly cost is established at $450 per student.

The State appropriates about 33 percent of that cost and the local district is required to make up the rest—at no cost to the student.

The local district gets the money to hold up its end of the bargain from a special junior college tax which gives the district power to tax homeowners up to 35 cents per $100 of assessed valuation.

If the local share necessitates a tax rate higher than 35 cents per $100, a local referendum must be held to approve it.

Because most college districts in California are large, providing a wide tax base, few referendums have been necessary.

However, not all of the junior college districts are as large as junior college officials would like.

Because of the State's early and somewhat uncoordinated development of junior colleges, three types of districts exist.

Where the New Jersey junior college bill pending in the legislature establishes schools along county lines, in California the schools are in unified districts (encompassing elementary and high schools) and high school districts (encompassing junior and senior high schools) as well as separate junior college districts, the latter being preferred by State officials.

The separate junior college districts are being pushed and pushed hard by education officials.

"The bigger the district, the broader the tax base and that is a help all around," a spokesman said.

Taxes, he said, are just as incendiary an issue in California as they are anyplace else.

In fact, the State legislature has been under increasing pressure to boost its share of junior college costs to make it more equal to that of the local community.

Critics of the State aid formula point out that the State's 33 percent share of junior college costs is far below the 72 percent provided for State colleges and 68 percent for State universities.

"We have our problems, certainly," said the spokesman, "but junior colleges are so much a part of the system here it's incredible to think of doing without them."

Proof of the State's interest is that this year the State budget earmarked a total of more than $24 million as its share of junior college costs and last year added an additional $5 million as a special appropriation.

The 68 State-supported 2-year colleges use the money to help educate more than 300,000 students, including more than 90,000 full-time students, more than 55,000 part-time students and more than 155,000 in classes for adults.

The 90,000-plus students enrolled full time represent 3 of every 4 freshmen and sophomores in the State's overall public college system.

Student admission standards have been, since the beginning, "flexible" enough to allow almost anyone to attend.

The California Education Code provides "2-year junior colleges shall admit to the college any high school graduate and any other person over 18 years of age who is capable of profiting from the instruction offered."

"The idea is to get them in, not keep them out," the California spokesman said.

Aware of the vast job it has undertaken and mindful of population trends pouring more and more students into colleges, the State has been taking "new looks" at its junior college program.

"They all indicate a larger role for junior colleges than ever," the spokesman said.

One survey indicated that in the next few years about 50,000 more 2-year college students than now will be on hand, with a resultant additional cost of $200 million.

Another survey said the State will have to double the capacity of its junior colleges within the next 10 years.

And, quarrels over State aid notwithstanding, California is certain it can do the job.

[From the Newark Star-Ledger, Feb. 28, 1962]

SENATORS UNITED ON NEED FOR JUNIOR COLLEGES

(Fourth of a series)

(By Donald Malafronte)

Three weeks ago, the U.S. Senate agreed for the first time to help junior colleges.

The fate of the help agreed to by the Senate is now up to the House of Representatives, where junior college supporters are hopeful of equally kind treatment.

The Senate breakthrough, 5 years in the making, has been credited in great part to the efforts of New Jersey Senator CLIFFORD P. CASE, Rahway Republican.

CASE, a longtime supporter of 2-year colleges, maneuvered a $50 million junior college construction aid program into the overall $2.5 billion college education aid measure.

The money would be used strictly for construction, not for tuition, scholarships, teacher salaries or other operating expenses. States would be required to provide matching funds.

The bill could mean several million dollars a year to New Jersey counties hopeful of establishing junior colleges under provisions of the still-pending New Jersey junior college bill.

The Federal aid effort has been especially gratifying to junior college enthusiasts because the measure won the support of two archfoes of Federal aid to education, conservative Republican Senators BARRY GOLDWATER, of Arizona, and JOHN TOWER, of Texas.

The two conservatives are members of the Senate committee which cleared the full bill. GOLDWATER and TOWER voted against clearing the bill, but excepted the junior college provision.

"Although we are firmly opposed to any intervention by the Federal Government at any level of the educational process," the pair wrote in their minority dissent, "we recognize that there is one area of higher education where expansion is desirable."

The one area: junior colleges.

"There is a genuine shortage of so-called junior colleges providing the equivalent of the first 2 years of college and designed primarily to serve the needs of many of the young people of a particular local community, young people who cannot afford or do not wish to complete a 4-year college course and who prefer to remain at home while attending college," the pair said.

The rate of college student dropout is quite high, GOLDWATER and TOWER observed, and most colleges find enrollment in third- and fourth-year students substantially lower than among freshmen and sophomores.

Nevertheless, despite the knowledge that large dropouts inevitably occur, the 4-year colleges must provide facilities for those students who never complete their courses, the Senators said.

"If more junior colleges were established, dormitory needs generally would decline sharply, and the need for other costly facilities would be substantially reduced in 4-year colleges," they said.

Thus, GOLDWATER and TOWER said, although they were opposed to every form of Federal aid to education, they found "far more justification" for the junior college provision than for any other part of the bill.

"If we were confronted with the necessity for supporting some form of Federal aid for higher education but given a choice as to what form such aid should take," they said, "we would unreservedly favor aid exclusively for the building of more junior colleges along the lines proposed by Senator CASE of New Jersey."

Secretary of Health, Education, and Welfare Abraham Ribicoff is also a 2-year college backer.

"I feel with the fantastic cost of education, fantastic cost of buildings and the fantastic cost of room and board, that the answer to many educational problems will be found in 2-year colleges," Ribicoff said.

"I think with all the people wanting to go to college, you will find higher education basically developing in 2-year community colleges * * * where young men and women may live at home and go to college," he said.

To Senator CASE the junior college program has already indicated its great potential and its need for aid is what counts today.

[From the Newark Star-Ledger, Mar. 1, 1962]

HOW JERSEY MAY EXPAND JUNIOR COLLEGES

(Fifth of a series)

(By Donald Malafronte)

One student in every four beginning higher education in this country is enrolled in a junior college.

The students—more than 800,000 of them—are enrolled in 275 private and 400 public junior colleges.

A good many of the private schools qualify as plush, with elaborate dormitories, extensive campuses and fees as high as $2,500 a year.

These schools exist independent of the activities, interests and needs of their communities. Students are drawn from far and wide rather than from local areas and the school grounds are "hallowed" and do not serve as community centers.

Many 2 year college supporters refer to private schools as "junior colleges" while using the term "community colleges" to refer to publicly supported commuter (no dormitory) schools.

It is these publicly supported schools, underwritten by tax dollars, that make up the fastest growing type of educational institution in the Nation.

The proof is that nearly 9 of every 10 students attending 2-year colleges in the United States are at one of the 400 publicly supported, community-oriented, colleges.

The growth of public 2-year colleges has been especially rapid in the Far West and Midwest and parts of the South, and considerably slower in the Northeast, the traditional bastion of the private school.

New York was sluggish in getting its program going, but is now a Northeast leader.

New Jersey is still at the post, but a bill pending in the legislature is designed to spur the State into action.

The bill is a revised version of one that last year passed in the assembly and died in a senate committee.

The bill, which has 16 assembly sponsors, gives counties the right to establish 2-year county colleges.

It also puts the State—and its treasury—in the junior college business.

Here's the way the county colleges would be established and how they would be financed:

County freeholders would—with the help of the State commissioner of education—conduct a survey of post-high school needs in the county, submit a report to the State board of education and petition the board for a county college.

With State board approval, the freeholders would then set up a referendum on the matter.

The referendum provision, new in this year's bill, is still in flux. The bill is being redrawn and the final form of the referendum provision has not yet been resolved.

With referendum approval, the freeholders would appoint a board of trustees and both the freeholders and trustees would appoint a board of estimate. The board of estimate sets costs. Buildings and equipment are obtained and a faculty hired.

Then would come enrollment. A potential student body of 500 full-time students within a reasonably short time is essential, according to the State board.

The cash for the colleges would come from a kind of "troika" arrangement—one-third each from the State, the county, and the students.

The student share, which would be paid in the form of tuition, could be eliminated and the difference made up by the county, if the freeholders wanted it that way.

Half the money the county puts up to obtain land, buildings and equipment could be regained from the State.

And, as outlined in yesterday's article, there is for the first time a good chance Federal funds will be made available to assist in the construction phases.

Some private help has already developed.

In Atlantic County, one of the most active in seeking a county college, the freeholders have been provided with 200 acres for a college. In Ocean County, 180 acres have been donated.

Further, New Jersey's two major existing junior colleges, and a 2-year program at Monmouth College, would be integrated into the State-supported program.

Directors at Trenton Junior College, who have been dickering with the State for a new site outside of Trenton, have expressed their support of the 2-year college bill and have announced their readiness to resign or take whatever other steps are necessary to work Trenton into the system.

Union Junior College and the 2-year program offered at Monmouth College would both benefit from State aid as the result of companion bills introduced along with the 2-year college bill.

The companion bills authorize the State to grant financial assistance to Union and the program at Monmouth at the same levels offered to new schools established under the main bill.

The only untidy end left is where the money to pay the bills is to come from.

The student's third of the cost will, of course, come directly from the family.

The county and State shares will have to come from taxes.

And it's there, no matter how much lip-service they have given 2-year colleges, that the voting hands of politicians tremble.

[From the Newark Star-Ledger, Mar. 2, 1962]

JUNIOR COLLEGES AND NEW TAXES MAY BE NEAR NEW JERSEY

(Last of a series)

(By Donald Malafronte)

This may be the year of the junior college in New Jersey.

Disappointment-proof educators, hardened by more than 30 years of frustration, may not believe it, but a bill establishing a publicly supported junior college system stands a fair chance of becoming law.

("Maybe," said one educator, "but if you don't mind, I'll wait and see before I do any celebrating. I've heard all this before.")

Governor Hughes favors it, the assembly is a sure bet to approve it, and the senate committee which blocked the bill last year doesn't plan, it says, to do so again.

But a bill like the junior college bill which has a direct bearing on the issue of taxes, is a slippery item.

Two-year college boosters thought they were on the verge of a decision a few weeks ago when the bill appeared ready for a vote in both the senate and assembly.

At the request of Governor Hughes, however, the bill was pulled back.

The Governor's office had become concerned, educators were told, with a constitutional question involving the referendum section of the bill.

The bill called for county referendums on the matter of establishing the schools, but the wording of the bill raised the question of "alien will."

Broadly, when the legislature holds the people must make a decision on an issue, there must not be an "intervening" or "alien" will which can prevent the issue from reaching the people.

The wording of the bill, the Governor's office felt, could put a county board of freeholders in the position of acting as an "alien will."

The bill is being redrawn to provide this manner of approach:

A county board of freeholders, after surveying school needs and gaining State board of education approval, can approve establishment of a county college by resolution.

The resolution becomes law in 45 days unless the public petitions the board for a referendum.

"We'll use this method unless there are strong objections. If there are objections, we'll change it. We have an open mind on ways to solve the problem," said David Goldberg, a counsel to the Governor.

One objection was promptly raised by State Senator Wayne Dumont, Warren County Republican and acting chairman of the senate education committee.

"I'm not sure I like this approach at all," Dumont said. "Forcing the public to collect petitions to get a referendum is not my idea of the proper way to do this thing."

However, Dumont raised another objection, one which cuts close to what may be the heart of the matter.

"How do we finance all this?" he asked. "Where do we get the money?"

It's the same question Dumont, a vigorous advocate of a broad-based tax, raised last year.

"I think it's amply clear we need a broad-based tax and we need it now. This bill makes it even clearer, if that's possible," he said.

Dumont said he would support the college bill and that he was "pretty sure" it would pass at the upcoming session of the legislature "if the Governor's office doesn't come up with a real roadblock" in redrawing it.

"But the people of the State must know that we're not getting something for nothing. These schools will be good schools only if we're willing to pay for them to be good * * * you get what you pay for," he said.

It was the same warning raised by educators fearful the public was gaining the impression 2-year colleges were some kind of magic relief for the burden of financing education.

"Two-year colleges are not an answer to anything except the need to improve our higher education system," warned State Commissioner of Education Frederick Raubinger.

Raubinger said the need for 2-year schools was more pressing now than ever.

[From the Newark Star-Ledger, Mar. 8, 1962]

A PROMISING APPROACH

Schooling is one of the factors that make America a land of wide opportunity.

Despite all arbitrary or unnecessary barriers to advancement, millions of young people from all backgrounds are able to learn basic skills in our schools and proceed to fruitful and satisfying lives.

There is plenty of room for improvement of education, of course, and there is no shortage of suggestions for making improvements of all types.

One current suggestion, advanced this week at a conference on education, calls for wider college opportunities for students whose grades in high school are no better than average.

The reasoning is that we will be wasting our national resources if we deny higher education to the average student, and that we won't find out what he can do unless we send him to college.

That point of view is a bit melodramatic. It obscures the fact that many average students are indeed going to college these days, despite all the increased competition for admission. And it overlooks the fact that our colleges have gone a long way toward providing for the average student, even to the extent of devoting many precious classroom hours to basic subjects that could and should have been learned in high school.

By all means, let's take better care of the student who gets average grades. But can we do the job properly if we wait until the college years? Isn't that rather late to begin finding out where his abilities lie?

Ideally, a student would have a solid grounding in basic subjects by the time he completes high school. Ideally, his abilities and interests would have been spotted and developed while he was in high school. Ideally, he would leave high school under no social or economic pressure to attend college for any reason other than to learn at a higher level.

To get those ideal conditions, we would have to achieve a massive improvement of our public schools and a drastic shift in attitudes toward college diplomas. It might or might not happen.

In the meantime, millions of youngsters will have to be educated, and we should be giving them the best education possible.

One plan for making improvements under present conditions is being talked about in New Jersey at the moment. It is a realistic plan, not requiring the ideal conditions set forth above, and not involving the drawbacks of throwing the entire burden of mass education upon the colleges.

The plan calls for a system of 2-year local colleges to provide economical education for the student of limited means, 2-year training for the student who doesn't need or want a 4-year course, and a springboard for the student who finds himself able and willing to transfer to a 4-year school.

It is a practical and promising approach. It could open many new possibilities for the borderline student and the undecided high school graduate who today must go to a 4-year college or to none at all.

THE RUTGERS RANGERS

Mr. CASE of New Jersey. Mr. President, I ask unanimous consent to place in the RECORD an article describing the activities of the Rutgers Rangers, a group of Army ROTC members at our State university who are learning how to fit themselves for leadership and at the same time develop their physical fitness.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

RUGGED RUTGERS RANGERS LEARN LESSONS WELL

NEW BRUNSWICK.—When Capt. David W. Blackledge blew his whistle they counted 12 "dead" aggressors—12 out of 12, a good morning's work for the Rutgers Rangers.

It was just a typical Saturday morning field exercise for the 100 hard young men who comprise the newly formed Ranger Company of the Army ROTC program at Rutgers University. But, to at least one observer, it was a chillingly impressive demonstration of commando tactics.

The observer, ensconced on a rise overlooking the intercept area, a wooded section of University property in Piscataway Township, failed to observe a single skirmish although sounds of struggle were at times audible.

The Rangers, obviously, had learned well the lessons of cunning and camouflage. But Captain Blackledge was more concerned about, and impressed with, the manner in which various squad leaders handled the mission.

"Commando training," he explained, "is a necessary part of our program, but in actual fact only a small part of it. Our goals are the promotion of leadership training and physical fitness. We believe these to be goals which will benefit men in or out of service."

The Ranger program, established at Rutgers last September by Col. John A. Bradley, commandant of the University's Army ROTC detachment, does also, of course, provide an "excellent training opportunity" for prospective Army officers in the cadet corps.

The authority for that quote is Cadet Maj. Edwin B. Howland of (28 Suydam Street) this city, student commander of the Ranger Company.

Howland and the other five seniors in the Rangers attended summer camp last year to become eligible for commissions in the U.S. Army upon graduation from college.

"We all wish now that we had had the benefit of Ranger training," Howland said, "for, as we point out to underclassmen in the company, the leadership emphasis of our program is exactly the sort of thing stressed in summer camp."

Neither Colonel Bradley nor Captain Blackledge, a Ranger-qualified officer, ever doubted the company would attract top drawer candidates. To begin with, the entire ROTC program at Rutgers is voluntary. And Ranger candidates were asked to undertake their training as an extracurricular activity, over and above the traditional ROTC requirements, which they must also meet. Rangers receive no college credit for the 2 hours a week they devote to the program.

The Ranger program is composed of three equally weighted areas: classroom work, with emphasis on mapreading and other special subjects; field problems, and a rigorous physical training program which introduces the cadets to hand-to-hand combat and a home-made obstacle course.

Instruction in hand-to-hand combat is given by George W. Dochat, Rutgers professor of physical education, who preaches muscle control and instinctive action. The lessons of Professor Dochat, a rugged but not particularly big man, are given meaning through demonstrations with any of the number of Rangers who tower over him.

Judo, knife and gun work, and bayonet drills occupy Rutgers Rangers in this phase of their program after they have limbered up by climbing ropes to the top of the gymnasium in which they work out. Training for freshmen is limited to judo.

Where do you find young men willing to sacrifice several hours a week out of busy academic schedules to participate in a grueling, sometimes hazardous program? What are the inducements?

According to Captain Bleckledge, the typical Rutgers Ranger is a young man who wants to belong to an elite group and who believes strongly in physical fitness.

"This is not a show outfit," Captain Blackledge said, "our uniform is the same as those of other ROTC companies, and contemplated changes are minor. But, because of the extra work involved, it can be expected to be one of the most efficient companies in the corps."

Captain Blackledge feels that the Ranger company benefits the university by improving the overall performance of the ROTC detachment. And he believes the company's stress on self-reliance is bound to benefit its members.

The Rangers? Well, they can't seem to get enough. A group of them, in the company of Captain Blackledge, will spend a weekend living on C rations in a remote area of the West Point Military Reservation, engaged in a ski and snowshoe patrol operation with members of an Army Reserve Special Forces Group.

CORRESPONDENCE BETWEEN THE YOUNG PEOPLE OF VARIOUS NATIONS

Mr. CASE of New Jersey. Mr. President, Peter Rodino III, son of our colleague, PETER RODINO, who has represented New Jersey's 10th Congressional District for many years, has been actively promoting a people-to-people program. This 10-year-old boy has established personal contact and friendships between teenage Americans and many visiting foreign children. His efforts to encourage correspondence between the young people of our Nation and those abroad are bound to promote better understanding. It is heartening that Americans as young as 10 years of age are concerned and effective in this field.

ST. LOUIS' PROGRESS

Mr. SYMINGTON. Mr. President, 1 week ago the people of St. Louis took a major step forward in the redevelopment of their great city. A series of bond issues were approved which will pave the way for major improvements in public and private facilities in the city; and in particular, will lead to a massive redevelopment of the downtown core area.

The major issues involved $23 million in school bonds, and $8 million for improvement of public facilities so that a new downtown stadium can be constructed.

St. Louis is in the process of a great renaissance, based on the investment of private and public funds at the local level. In 1953, the voters approved a $1½ million bond issue which inaugurated this redevelopment. In 1955, the voters approved a total of $110 million in city improvements and school borrowing; and only last week the expenditure of another $38 million was approved.

A measure of the local enthusiasm and support is found in the fact that all such bond issues have to receive approval of a two-thirds majority.

It is also interesting to note that the investment of $8 million in public facilities for the stadium area will lead to the expenditure of many times that amount in private funds. In contrast to many cities, the new St. Louis stadium will be built by private capital.

The rebirth of this city under the leadership of such distinguished men as the Honorable Raymond R. Tucker, mayor of St. Louis, has been truly inspiring; and it has again proven that our cities are not going to be rebuilt solely by efforts here in Washington, but, in the main, by what is done in the cities themselves and by their citizens.

Mr. President, I ask unanimous consent that an editorial from the St. Louis Globe-Democrat, March 8, 1962, entitled "Day of Civic Revival," and an editorial from the St. Louis Post-Dispatch, March 7, 1962, entitled "A Vote for Growth," be inserted at this point in the RECORD.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the St. Louis Globe-Democrat, Mar. 8, 1962]

DAY OF CIVIC REVIVAL

Tuesday, March 6, will stand out as the day St. Louis turned the corner and entered upon a new and desperately needed era of civic revival.

With the passage by majorities from 67 percent to a whopping 71.4 percent of the six most important city bond issues, vast improvements in the city's physical plant are assured.

The passage, on the fifth try, of the $23,180,000 school bond issue, is a vote of confidence in the new leadership of the school board represented by Daniel L. Schlafly, Dr. Robert Rainey, John J. Hicks, and their new associates elected last year.

St. Louis now will not have to face the specter of possible disaster by fire to our children, and will have relief from overcrowding in our antiquated school buildings. No more urgently needed legislation has ever been passed in St. Louis.

The first three defeats of the school bonds were clearly a vote of no confidence in the old, discredited majority on the board.

The loss last January by a slender eyelash represented the victory of apathy over good citizenship.

The passage Tuesday was the conscience of the community reasserting itself, as well as a vote of approval for the new majority of honest, decent citizens who now control the board.

As an aside, since Charles J. Dyer, one of the leaders of the repudiated group, has refused to resign, the suit forcing his ouster should proceed at once to assure his replacement by a more respected member of the community.

The thumping majority of approximately 75 percent given the gasoline tax adjustment means better roads, highways, and bridges in Missouri by setting the tax at a more reasonable level. Almost as important, it knocks out the much abused provision allowing cities and counties to levy their own gas tax.

Until recently, Missouri was the only State in the Nation with a 3-cent gasoline tax, the next lowest being 5 cents and many going as high as 7 cents per gallon. The State was thus starving for revenues to bring Missouri's roads up to reasonable standards.

Many communities levied their own taxes from one-half cent to 2 cents. Much of this money was diverted or spent uneconomically.

Under the new 5-cent formula, cities and counties will receive fair amounts from the State highway department, and the department will derive needed additional revenues.

The possibility that cities or counties will reimpose a tax is negligible since such a tax will now require a two-thirds vote, which is hardly likely.

The city bond issues which were defeated polled from 64 percent to 65.9 percent of the votes, showing the selectivity of St. Louis voters.

The Museum of Transport asked only $100,000 and polled 64.7 percent. It was the judgment of the voters that this museum might be classified as desirable, but not essential. It is hard to dispute this.

The facelifting of Kiel Auditorium and the Civil Courts Building, polled 65.9 percent, which in any other kind of election would have been considered an overwhelming mandate. The voters felt that these two buildings, since they were still standing and show no visible signs of crumbling, can go awhile longer.

We do not concur, but hope that the city will be able to work necessary repairs out of its operating budget to maintain them.

The defeat of urban renewal represented the widespread dissatisfaction with the almost complete lack of progress in Mill Creek Valley. The Globe-Democrat supported this proposition because of the promise of responsible parties that no further demolition would take place until the devastation of Mill Creek Valley has been substantially repaired.

Apparently, even this did not satisfy a sufficient number of voters, and perhaps it is just as well. This proposition appealed to the Globe-Democrat and the voters least of all, and it polled just about the lowest vote.

The failure of the city-county funds derived from the uncertainties about the county portion of the airport and the fact that Lambert Field is already one of the best in the Nation.

The four lost issues should not be resubmitted for a substantial length of time, even though they could get another free ride on the April 3 election for the junior college district.

Tuesday's vote, with the cooperation of civic groups, business, labor and government, represents—in our opinion—the absolute ultimate which can now be expected. The four defeated issues must wait a more distant day when the need can be more clearly demonstrated.

Voters in St. Louis and in Missouri can take pride in the tremendous exertion represented in Tuesday's vote. St. Louis can face a better future with confidence and assurance.

[From the St. Louis Post-Dispatch, Mar. 7, 1962]

A VOTE FOR GROWTH

St. Louisans have earned the respect of everyone in the metropolitan area for the decisive majorities by which they reversed at the polls all the major depressing effects save one of the unhappy January election. They also played a major role in statewide approval of the constitutional amendment on the gas tax.

In agreeing to tax themselves for some $38 million in school and municipal improvements, the people of the central city have struck a great blow for economic growth, for the continued vitality of an area on which so much depends for so many, outsiders as well as city residents. They showed that they want St. Louis to get up and move, to compete aggressively for the new jobs and expanded tax base it must have if it is to remain in the front rank of the Nation's cities. Their dedication to progress is more than lipservice.

Approval of the school bond issue and all but one of the major items in the municipal list ought to accelerate the civic momentum begun with the relatively modest $1,500,000 plaza bond issue of 1953 and then thrown into high gear with the $110 million city improvements and school borrowings of 1955. These capital expenditures are beginning to change the face of the city. The Plaza is an eye-filling reality. So are the miles of new highways, bridges, parks, and other improvements built or building with 1955 bond money. Mill Creek has been cleared and is on the verge of an exciting reconstruction. And now the people have paved the way for one of the most economically productive changes in downtown in years.

We refer of course to the $51 million downtown stadium project which with its satellite motel and parking garages ought to touch off a marked growth in property values in the core area immediately to the north. Bond money will provide for street and utility relocations, traffic signals, a bus parking lot and other essential facilities necessary to upgrading the area. The park item will provide a mall across from the stadium's front door.

We congratulate Mayor Tucker, Chairman David Calhoun, School Board President Daniel Schlafly, the League of Women Voters, and all the others who worked so effectively for Tuesday's decisive step in the progress of St. Louis.

In many ways passage of the school bond issue was the day's most heart-warming development. This was the fifth time in less than 2 years that it had been on the ballot, falling short of the two-thirds requirement by narrow margins each time. It lost by 66 votes in January, and the school campaign committee made an all-out effort this time, particularly in the city's Negro community where crowding and fire hazards are most serious. Bond funds will soon correct these conditions, and high time too.

Defeat of the $5 million urban renewal proposal may be attributed in part to the campaign of deceit carried on against it by groups in the Tandy area in the 20th and 4th wards. Some voters evidently did understand that the bulldozer principle that was operative in Mill Creek would not have applied in this case.

The immediate consequence is that some $10 million in Federal grants will be lost unless this item is resubmitted later. Sixty-five voters in every 100 approved it.

Statewide approval of the constitutional amendment for highways marks a slight shift in Missouri's roadbuilding principles and a dramatic shift in popular sentiment. Never before has the State agreed to divert State highway revenue to other than State highway purposes; amendments to do that were heavily defeated in 1940, 1943 and 1950. Yet now the voters have agreed to share 20 percent of a 5-cent-a-gallon tax with cities and counties, and the question is why.

One answer is that State highways went 27 years with a 2-cent tax and 11 years with the 3-cent levy; they seriously needed more revenue and will get an extra cent under the amendment. And considering local pressures on the legislature, some division to local roads was the price that had to be paid for helping the main highways. Unlike past proposals, the new amendment provides for State control over spending of State funds for rural roads, and it guarantees no loss to cities which will abandon municipal gas taxes. Finally, Missouri has gained a uniform gas tax that remains at the lowest level in the Nation.

INTERNATIONAL BASKETBALL SERIES

Mr. CAPEHART. Mr. President, I ask unanimous consent to insert in the body of the RECORD a statement on what I consider to be an ill-advised decision by the policymakers of the Amateur Athletic Union of the United States.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR CAPEHART

My State is in the throes of its annual epidemic called Hoosier madness, the Indiana State high school basketball tournament.

The finals will be held next Saturday in the fieldhouse of Butler University in Indianapolis. Bosse of Evansville, Kokomo, Madison, and Washington-East Chicago have survived the sectional, regional and semifinal competition which began the last week of February.

I say this by way of introducing a subject important to international relations around the world. For not only does basketball remain a highly competitive and interesting

sport and a builder of character at the scholastic level, the spirit of the game has spread around the world to become an effective instrument reflecting our image to other nations.

Some Senators will remember that a few years ago on the Senate floor I called attention to an instance of poor management which resulted in the selection of such a poorly qualified team of Americans that we took an inglorious whipping at the hands of Russia in an international tournament in Argentina. There was no argument about my position. Everybody agreed we made a mistake and that the same mistake never should be made again.

Now, another mistake has been made which, in my opinion, deserves the attention of the Congress. Before I decided to do so through these remarks, I got all the facts. Here they are, as I understand them:

Mr. Abe Saperstein, of Chicago, owner, founder and coach of the famous Harlem Globetrotters tells me his team of Negro players has appeared in 80 countries on all 6 continents, twice circling the globe. I hope you have seen them; they provide fine, clean, wholesome entertainment.

Mr. Saperstein and Mr R. William Jones, an Englishman currently living in Munich, who is secretary general of the International Amateur Federation, were so impressed with the international good will value of the Globetrotters' activities that they conceived the idea of sending a team of European players representing 12 countries, plus top European coaches, to play a series with the Globetrotters in the United States.

Mr. Saperstein agreed that the Globetrotter organization would pay the 100-percent expenses of the European team and coaches, but that the visiting athletes would receive no compensation so as not to impair their amateur status.

Coaches for the European team were selected. Arrangements were made to assemble the players in Paris for coaching sessions. Basketball federations of Finland, Turkey, Sweden, France, Greece, Ireland, Spain, Germany, and Israel agreed.

At this point, the plan was blocked and remains blocked because the Amateur Athletic Union of the United States ruled it could not grant the necessary sanction because the Harlem Globetrotters hold professional status. Now, there is no dispute about the professional status of the Globetrotters. I am not arguing that point. Neither am I questioning the jurisdiction of the AAU.

However, I am questioning the wisdom of AAU policymakers in refusing sanction in an individual case replete with extenuating circumstances rooted in American ideals we need very badly to employ at every opportunity in our struggle to the death with communism.

Twenty-four million basketball players of all races and creeds representing 98 countries are registered in the International Basketball Federation. Their interest reflects to uncounted millions of others—relatives, friends, sports fans, and so forth. Our Globetrotters are Negroes. Their founder, owner and coach is a Jew.

I ask other Senators to consider whether the obvious advantage flowing from such an international basketball series outweighs whatever damage, if any, might be caused by a deviation from AAU rules in this unusual case.

TWENTIETH ANNIVERSARY OF THE VOICE OF AMERICA

Mr. McGEE. Mr. President, on February 26, it was my great pleasure to attend the 20th anniversary ceremonies of the Voice of America here in the Nation's Capital.

As President Kennedy so eloquently pointed out at those ceremonies, the Voice of America carries a heavy responsibility in these perilous times. It is charged with explaining to a curious and suspicious world what we are, what we believe in.

I ask unanimous consent to have printed at this point in the RECORD the remarks of President Kennedy, the remarks of Secretary of State Dean Rusk, the remarks of U.S. Information Agency Director Edward R. Murrow, and that of Voice of America Director Henry Loomis—all delivered at the observance of the Voice's 20th anniversary February 26, 1962.

There being no objection, the addresses were ordered to be printed in the RECORD, as follows:

UNOFFICIAL TEXT OF PRESIDENT KENNEDY'S ADDRESS, 20TH ANNIVERSARY OF THE VOICE OF AMERICA, WASHINGTON, D.C., FEBRUARY 26, 1962

Occupying as I do a rather secondary status these days, I am very appreciative to you all for waiting. I think that this meeting is tied up with the common American interest in Colonel Glenn, and I feel that in addition to being dry, we are also contributing a little to telling the story of which he is a great part—as are Alan Shepard and the others.

I was most anxious to come here personally today, because I put such great importance in the work that you are doing. The Voice of America occupies, I believe, a key part in the story of American life. What we do here in this country, and what we are, what we want to be, represents really a great experiment in a most difficult kind of self-discipline, and that is the organization and maintenance and development of the progress of free government. And it is your task, as the executives and participants in the Voice of America, to tell that story around the world.

This is an extremely difficult and sensitive task. On the one hand you are an arm of the Government and therefore an arm of the Nation, and it is your task to bring our story around the world in a way which serves to represent democracy and the United States in its most favorable light. But on the other hand, as part of the cause of freedom, and the arm of freedom, you are obliged to tell our story in a truthful way, to tell it, as Oliver Cromwell said about his portrait, "Paint us with all our blemishes and warts, all those things about us that may not be so immediately attractive."

We compete with other means of communication, of those who are our adversaries who tell only the good stories. But the things that go bad in America, you must tell that also. And we hope that the bad and the good is sifted together by people of judgment and discretion and taste and discrimination, that they will realize what we are trying to do here.

This presents to you an almost impossible challenge, and it is a source of satisfaction to me that in the last 20 years you have met that challenge so well. I know that there are those who are always critical of the Voice, but I believe that over the years, faced with this very difficult challenge, far more difficult than that of an American editor or a newspaperman, or a commentator on an American radio or television station, you have been able to tell our story in a way which makes it believable and credible. And that is what I hope you will continue to do in the future.

The first words that the Voice of America spoke were 20 years ago. They said: "The Voice of America speaks. Today America has been at war for 79 days. Daily at this time we shall speak to you about America and the war, and the news may be good or bad. We shall tell you the truth." And so you have, for 20 years—and so you shall for 20 years more.

In 1946 the United Nations General Assembly passed a resolution reading in part, "Freedom of information is a fundamental human right, and he touchstone of all the freedoms to which the United Nations is consecrated." This is our touchstone as well. This is the code of the Voice of America. We welcome the views of others. We seek a free flow of information across national boundaries and oceans, across iron curtains and stone walls. We are not afraid to entrust the American people with unpleasant facts, foreign ideas, alien philosophies and competitive values. For a nation that is afraid to let its people judge the truth and falsehood in an open market is a nation that is afraid of its people.

The Voice of America thus carries a heavy responsibility. Its burden of truth is not easy to bear. It must explain to a curious and suspicious world what we are. It must tell them of our basic beliefs. It must tell them of a country which is in some ways a rather old country—certainly old as republics go. And yet it must make our ideas alive and new and vital in the high competition which goes on around the world since the end of World War II.

In the last 20 years the Voice of America and its parent organization have grown in strength and in stature, but in the last 20 years our opportunities to tell our story will expand beyond belief. The event of the communications satellite, the modernization of education of less-developed nations, the new wonders of electronics and technology, all these and other developments will give our generation an unprecedented opportunity to tell our story. And we must not only be equal to the opportunity, but to the challenge as well.

For in the next 20 years your problem and ours as a country, in telling our story, will grow more complex. The choices we present to the world will be more difficult, and for some the future will seem even more empty of hope and progress. The barrage upon truth will grow more constant, and some people cannot bear the responsibility of a free choice which goes with self-government. And finally, shrinking from choice, they turn to those who prevent them from choosing, and thus find in a kind of prison a kind of security.

We believe that people are capable of standing the burdens and the pressures which choice places upon them, and it is because of this strong conviction that this organization functions, and it is because there is this commitment to this view that you continue to serve in it.

None of you is interested in serving in an agency which merely reflects a line which the Government from time to time may set down. You serve in it—and you all could serve in different agencies or in different parts of life—because you believe, I am sure, that this is a vital part of telling our story around the world.

And as you tell it, it spreads. And as it spreads, not only is the security of the United States assisted, but the cause of freedom.

So I salute you on your 20th birthday and say that in the next 20 years when these choices will become more vital to us, I believe that the Voice of America will be fulfilling its function, as it did that first day when it committed itself to truth.

Thank you.

REMARKS OF SECRETARY OF STATE DEAN RUSK AT CEREMONIES MARKING THE 20TH ANNIVERSARY OF THE VOICE OF AMERICA, FEBRUARY 26, 1962

When the Continental Congress sent instructions some 185 years ago to Benjamin Franklin, the father of our diplomacy, for his conduct at the court of France, there were two which had the flavor of modern times.

"You are to lay before the court the deranged state of our finances * * * and show the necessity of placing them on a more respectable footing.

"You are, by every means in your power, to promote a perfect harmony, concord, and good understanding, not only between the allied powers, but also between and among their subjects, that the connection so favorably begun may be perpetuated."

Franklin was assiduous in telling America's story to what we would now call opinion molders as well as officials and made good use of an unsteady flow of newspapers, gazettes, and pamphlets for that purpose.

Information has been an ancient arm of diplomacy, growing with the means available and with the increasing role of ordinary citizens in the course of public affairs.

Diplomacy today has many dimensions—economic and technical assistance, military aid, and information and cultural activities among them. Today we proudly mark the 20th anniversary of the Voice of America, one of the oldest of the modern American ventures in international information.

I say "modern" because periodically through our history we have sought to explain ourselves to the people of the world as well as to their leaders. Our first efforts, in fact, date back to the very beginning of this Nation when our Declaration of Independence noted the American desire for a "decent respect to the opinions of mankind."

Although we made a small effort during the First World War, it was not until World War II that we Americans fully realized how much our country's security and stature depended on what ordinary people everywhere thought of us, our institutions and our intentions. In 1942, at the high-water mark of enemy advance, President Roosevelt launched the Voice of America and shortly thereafter asked the celebrated radio news analyst Elmer Davis to head an Office of War Information and tell America's story to the world.

After the war, the United States for the first time made information activities a permanent part of our work abroad. Today, we in the State Department consider the information program an indispensable dimension of American diplomacy. The Voice of America and our other information activities demonstrate our respect for the opinions of people as well as their governments.

We in this country define responsible government as that which is responsible to, and periodically accountable to, the people in whose name it acts. However, not every government accepts this definition. And yet, even in these countries public opinion is not a negligible factor in the considerations of their rulers. It is precisely in those countries in which public participation is the smallest, where the greatest precautions are taken to control the information reaching the public.

If, then, the public in countries controlled by dictatorships can exercise a moderating influence on its government officials, we must see to it that the public knows the facts. It must have more information than its own governments are willing to make available. This is an important part of the job of the U.S. Information Agency and its Voice of America.

Thus the first responsibility of the Voice of America is to broadcast the news, fully and fairly. This the Voice is doing, and it should not be otherwise. In its commentaries, the Voice of America should explain clearly the policies and views of the U.S. Government. This the Voice is doing, and it should not be otherwise.

These days, VOA commentaries deal with the most important subjects of current affairs: The Berlin crisis, and our determination that this city shall remain free and accessible; disarmament, and our determination to reach agreement on an effective program of general and complete disarmament; the United Nations, and our determination that this peacekeeping body shall be strengthened, not weakened; man's desire to choose his own future, and our determination that freedom of choice shall be cherished and extended; and the efforts of newly developing nations to modernize their economies and societies, and our determination to help them.

Now 20 years old, the international information program is a full-fledged partner in the conduct of American foreign affairs. I welcome and appreciate this opportunity to participate in these ceremonies marking the 20th birthday of the Voice of America. My colleagues in the State Department at home and abroad join me in wishing this voice of freedom many happy returns of the day.

With confidence in the future of our country and freemen everywhere, I am certain there will be many more such happy anniversaries.

TEXT OF REMARKS BY EDWARD R. MURROW, DIRECTOR, U.S. INFORMATION AGENCY, AT THE VOA 20TH ANNIVERSARY CEREMONY IN THE HEW AUDITORIUM, FEBRUARY 26, 1962

Honored guests, and the mighty chorus of voices called the Voice of America, we are in assembly convened for a moment partaking of both nostalgia and promise. It is the nostalgia of hard work well done. It is the promise of great effort still to come. The Voice of America is 20 years old.

Some here were present at its beginning. Others of us have joined it since. But no man among us can ever forget the circumstances attending its birth—the hope of life, the sadness of death, the tragedy and travail of 1942 that still stalk the memories of that Second World War.

And in the grim days that then carried the epitaph of struggle I recall the words of the revered patriot of Czechoslovakia, Jan Masaryk said his war aim was simply this: "I want to go home."

Twenty years have passed. Others have tried to go home, but their lands are closed to them. Others have sought to make for themselves a new home—some in lands foreign to their birth, some in lands newborn to their hopes. Yet all of us share the common tie that binds, the common base of modern man best called hope.

It is this that the Voice of America, and indeed the entire U.S. Information Agency, holds out to the world. For all mankind, it is the legacy of tomorrow. It is the hope of a day dawning unclouded by the shadow of great tensions. It is the hope of a high tide of accomplishment on the long washed shores of great challenge, the hope that speaks the epitaph of this generation of struggle—where men have the will to be free, they will be free.

The Voice of America mirrors this land to the rest of man. It expresses the belief that the common denominator of mankind is surely man himself. Ours is a country born amid revolution. Ours was the first Nation self-forged on the hearth of our own high hopes. Ours is a diverse land. There are near as many strains of men in our land as there are men to trod the earth. Yet from this great diversity we raise a symphony of great unity.

There is in this, I suggest, a meaning for all men. To the rest of the globe, we submit that our way of diversity is the way of free choice. One seek one's own forms. We have no orthodoxy of belief, no one creed to which all must conform. And if other forms of nationhood be different from ours, such dissent does not banish them from our councils. Our land was built upon great dissent.

It is our adversary that imposes great conformity. There is no room in his system for another form, for another way. To share at all you must share in his orthodoxy. For your dissent you will be banished from the councils of good hope.

It is this land's air of dissent, this freedom to choose, this seeking of one's own forms that the Voice of America sends to a world anxious to learn and eager for its future.

There is only one war we wage—it is a war against pestilence and poverty, suffering and suspicion, disappointment and distrust. Ours is the war not to capture the minds of men, but to free them.

We seek not to seduce bright hopes, but to inspire them. Ours is the hope both of greater gains for today and of grander goals for tomorrow—not for ourselves alone, but for all men together.

To accomplish this the Voice of America stands upon this above all: the truth shall be the guide. Truth may help us. It may hurt us. But helping us or hurting us we shall have the satisfaction of knowing that man can know us for what we are and can at least believe what we say.

The truth may not alone make us free. But we shall never be free without knowing the truth.

And for this the Voice of America is known by many, loved by some, hated by others. This radio and what it says has never been designed as a provocation to anyone. That there are those who find it so is a tribute to you, the way you do your job, the truth for which you stand.

REMARKS OF HENRY LOOMIS, DIRECTOR, VOICE OF AMERICA

Mr. Secretary, Members of the Congress, honored guests, ladies, and gentlemen, it is my privilege, on behalf of the U.S. Information Agency, and in particular on behalf of the 1,700 members of the Voice of America staff, to greet both our distinguished guests here in the auditorium and to greet our worldwide audience on, this, the 20th anniversary, of the Voice of America.

In the past 20 years, a whole new generation of radio listeners has grown up. Further, technical developments such as the advent of the transistorized radio receiver have now brought millions and millions of additional persons into the great international family of radio listeners. The volume of international broadcasting, in these 20 years, has grown fivefold, to a point where now 14,000 program hours per week are transmitted by international broadcasters.

In my opinion, the advent of the cheap transistor radio will have as great an impact as the invention of the printing press and the airplane. All have shrunk our little world greatly. All are bringing the family of man closer and closer together—at a faster and faster rate, making the members of the family more interested in each other. It is to meet this curiosity, among other reasons, that international broadcasting has continued to flourish, reaching greater proportions every day.

The role of the Voice of America has changed somewhat in the course of these years to meet the new challenges. But since its inception, the Voice has been dedicated to that highest of journalistic principles that while one can argue about opinions, facts are sacred. We remain dedicated to this proposition and always will.

We aspire to be a true Voice of America. This requires us to make the policies of our Government understandable everywhere and acceptable where possible. At the same time, we must reflect a balanced projection of significant and responsible American thought even when there are differences in opinion within this country. In reporting on these differences of opinion we attempt to show that the United States derives strength—not weakness—from its diversity.

We meet these issues, for example, in our newscasts. We must—and do—report honestly, even when events occur here which are unpleasant to us. The radios of totalitarian powers follow a different policy, one that distorts facts or the image of events so that the result shows the country concerned only in a most favorable light.

We reject this policy. We believe such an approach to be ineffective, not only since all people—wherever they may be, whatever social or educational status they may have—can soon detect falsity, but because, in our country, with its completely open society, such a course is impossible.

During World War II, when we started, our mission was more limited than it is now. Today, in our broadcasts we aspire to an audience of all those who are curious. We seek the man or woman who wishes information—information about America, information about the world, information about his own country in those cases where the local radios and newspapers cannot be trusted. We try to reach the person who seeks information about factual events, who wishes to listen to differing explanations of the importance and effect of the events. We aim at an audience that wants to know more about the American political system, the American economic system, American science and culture, American views on communism, on capitalism, on neutralism—on all aspects of the world and mankind.

Many of you have been listening to our English programs for years; many have listened to the other languages—now 36—that we broadcast in. For those who have heard us only in English, we now offer you an opportunity to hear what we sound like in other languages. Four of our announcers will now speak to you, each in his own language, each with this message:

"The Voice of America, on its 20th birthday greets its listeners and wishes you much happiness."

First, Mrs. Dalal Khleif, in Arabic.

Next, Mrs. Mei-Sien Huang, in Chinese.

Now, Mr. Victor Franzusoff, in Russian.

And lastly, Mr. Herbert Morales, in Spanish.

Thank you. The sentiment expressed by these announcers is one in which I am joined by the entire staff of the Voice of America.

FIFTIETH ANNIVERSARY OF FOUNDING OF GIRL SCOUTS OF AMERICA

Mr. SALTONSTALL. Mr. President, I ask unanimous consent to have printed in the RECORD the remarks of Mrs. Charles U. Culmer, president of the Girl Scouts of the United States of America, and those of Vice President JOHNSON at a 50th anniversary birthday party held in the Senate Office Building yesterday.

We are proud of the Girl Scouts and what they have done to benefit the young people of this country and to give them the opportunity to understand and practice the responsibility that goes with free citizens in our great country.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

GIRL SCOUT CONGRESSIONAL LUNCHEON MONDAY, MARCH 12, 1962

(Introductory remarks by Mrs. Charles U. Culmer, president, Girl Scouts of the United States of America)

It is a pleasure and an honor to have so many distinguished guests and Members of Congress with us to help us celebrate the 50th birthday of Girl Scouting. Exactly 50 years ago this afternoon, Juliette Gordon Low met with 12 girls in Savannah, Ga., to form the first Girl Scout troop. Since that time, 14 million girls have been Girl Scouts and over four and a half million adults have been members of this movement. Now we number three and a half million strong in the United States with several million more in 51 other free countries.

Yesterday our American Girl Scouts observed a golden day of rededication, in which Girl Scouts everywhere pledged anew that they would do their duty to God and country and to help others at all times.

Today Girl Scouts all over our land are pledging to their local governments that they will perform Youth Serves Youth projects to meet the particular needs of children within their own communities. A little later, 12 Senior Girl Scouts whom we have gathered from the 12 regions of Girl Scouting in the United States will report to you on some of these projects.

On this 50th Anniversary day, we are also having Girl Scout birthday parties all across the land. It is a very great honor to have the Vice President of the United States sponsoring this congressional luncheon as our most important birthday party. Many of you will remember 5 years ago when, as Senator JOHNSON, he gave a congressional father-daughter Girl Scout party for the Girl Scouts. Today he is here to pay tribute to us and to challenge us as a Girl Scout movement. We are proud to claim him as a Girl Scout father and a friend to Girl Scouts. It is with the greatest honor that I present to you the Vice President of the United States, LYNDON B. JOHNSON.

REMARKS OF VICE PRESIDENT LYNDON B. JOHNSON, GIRL SCOUTS ANIVERSARY LUNCHEON, MARCH 12, 1962

I want to thank you for inviting me here today and giving me an opportunity to congratulate the Girl Scouts on their 50th birthday. (None of them look 50, but that's how old they tell me they are.)

One of my favorite stories about the Girl Scouts came from the late Sam Rayburn who served as Speaker of the House of Representatives longer than any other man in our history.

Mr Rayburn was never so happy and never so encouraged as when he was in the presence of our fine young people. He saw in them the potential fulfillment of all his dreams for our great land and for the eventual triumph of freedom throughout the world.

And young people sensed his great faith in them and knew instinctively that he loved them.

It was a little Brownie Scout who demonstrated exactly what I mean when her troop visited Mr. Rayburn at his home in Bonham, Tex., a few years back.

Just like all girls of all ages, this little Brownie was very curious about certain things and asked the Speaker point blank "Where is your wife?"

"Why, honey," Mr. Rayburn told his little guest, "I'm too old and grouchy and set in my ways to have a wife. Nobody would want to live with me."

"I will be your wife," the little Brownie offered without a moment's hesitation. She knew a real friend when she saw one.

Just as Mr. Rayburn was a great friend of our young people, so also was he a great friend of American Government. He felt very strongly that we must never allow our work to become so mysterious that the man on the street feels he cannot understand it.

The process of free government must never become a closed corporation from which the common citizen feels excluded.

The more complicated our Government becomes in order to deal with the problems of a more complicated world, the harder we must work to keep our people informed about its functions.

And it is in that great effort that I want to ask the help of your wonderful organization today. I hope that as you begin your second half century, you will put increasing emphasis on encouraging our young people to learn everything they can about their Government at all levels.

I believe it would be impossible to overemphasize the importance of such an effort because it is necessary to promote the things which I know the Girl Scouts believe in because they live by them.

I'm quoting from the most recent report of their activities which the Scouts make every year to Congress:

"We hold that the ultimate responsibility for the Girl Scout movement rests with volunteers"; and

"One of the great contributions Girl Scouting can make to youth is a climate to encourage recognition of the worth of the individual and his right to human dignity."

That's not the kind of information you get when you read about the Young Pioneers—the organization that boys and girls of Scouting age belong to in the Soviet Union.

Volunteer and individual are words that just don't fit when you're describing Communist youth activities.

Before we get too smug about ourselves, though, maybe we should take a look at something which threatens our freedoms as volunteers and as individuals.

I'm not talking about the threat that comes from Russian spacemen or Russian missiles.

I'm not talking about Communist spies who are trying to learn our military secrets.

This may surprise you, but I'm talking about an enemy who doesn't even intend to be an enemy.

The enemy I'm talking about masquerades as some of our "nicest" people.

The enemy I'm talking about exploits the "nice" people who fail to participate or take an interest in their government because, they say, "Politics is dirty."

Such well-meaning folk are really the most dangerous "front" organization that we have to fear. They are the "front" for a four-headed monster—a monster whose heads are named apathy, neglect, disinterest and ignorance.

This "front," I believe, is to blame for many of the most shameful episodes and lapses in our Nation's struggle to bring our great American ideals closer to reality. This "front" is even more dangerous than others because we least suspect it.

The members of this "front" say they don't want anything to do with the responsibilities of their government.

They say, "Let somebody else worry about running the country."

They forget about voting registration.

They "go fishing" when there's a precinct meeting of their party or a political rally where a candidate for office is explaining his position and where citizens can question him about his views.

But citizens with a Scouting background, I believe, do not think this way. Scouts care—if they see something wrong, they ask, "What can I do to help make it right?"

I feel sure the future will belong to the free, the educated and to those who care, those who want to help, those who feel a responsibility for doing their share.

To make my prediction come true, we must move forward without delay in every way we can think of to encourage as many of our people as we can to take an active, informed interest in their government—so the Girl Scouts and any other organization our people want to join can always be voluntary; so the Girl Scouts and any other organization our people want to join can always champion the worth of the individual.

WALL DOXEY

Mr. STENNIS. Mr. President, I learned with great sadness of the death of former Senator Wall Doxey, of Holly Springs, Miss., who served his State and Nation with great distinction as county attorney, district attorney, Member of Congress, and as U.S. Senator.

Mr. Doxey, an able and distinguished lawyer and outstanding public official, had served his people in public life for most of his adult years.

His people had honored him with many offices. After graduation from the University of Mississippi Law School in 1914, he was elected county prosecuting attorney for Marshall County, a position he fulfilled with great ability, dedication, and integrity for 8 years. He was then elevated to the post of district attorney for the third judicial district of Mississippi.

After a job well done in that capacity, Wall Doxey was ready for larger fields. The people of Mississippi, recognizing his willingness to serve and his ability to get things done, elevated him to the U.S. House of Representatives from the Second Congressional District of Mississippi. He served in that responsible office for 12 years. It was during these years that Congressman Doxey handled very important assignments as a member of the House Committee on Agriculture, and had a key role in the adoption of imperative farm legislation during the Roosevelt administration.

Upon the death of Senator Pat Harrison in 1940, Congressman Doxey was elected to fill the unexpired term.

Here again his service to his State and to the Nation was commendable.

After the expiration of his term in 1942, Senator Doxey served for 4 years as Sergeant at Arms of the Senate. He later served as attorney for the Price Stabilization Board until his retirement in 1948 when he returned to the practice of law in Holly Springs with his son, Wall Doxey, Jr.

Wall Doxey possessed a captivating personality which attracted to him a host of friends throughout Mississippi. His effective work as a public official marks one of the bright chapters in Mississippi public life.

We mourn his death and regret the loss of this distinguished and courageous Mississippian.

We extend our most heartfelt and sincere sympathy to his son, Wall Doxey, Jr., and to the other members of the bereaved family.

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

AID TO VETERANS OF WORLD WAR I

Mr. MORSE. Mr. President, I rise to introduce once more in the Senate a bill which I have introduced, in various forms, for several years.

The bill deals with the forgotten veterans of the United States, and seeks to correct what I regard as an inexcusable injustice of which the American people have been guilty for many years, and for which they should have insisted that their Congress be held accountable. I refer to the veterans of World War I.

I have always been at a loss to understand the psychology, the basic attitude, and the reason for the failure on the part of the American people to do justice to the World War I veterans. They are not getting any younger; their attrition rate is very high; and thousands upon thousands of them no longer are employable. In fact, if today one of them loses a job, he is not likely to find another. If there are some who think that is not the case, I suggest that they talk to these veterans, for in recent years I have talked to hundreds of them.

It is said that there has not always been unanimity of attitude on the part of various veterans groups. In fact, many of the World War I veterans are resentful about that situation, and they have reason to be resentful. They have received neither the general pension benefits which Spanish War Veterans received, nor the many benefits of the GI bills for World War II and Korean veterans.

Mr. President, we are not asking for any unreasonable pension for the World War I veterans; but we are asking for fair and decent treatment for them. I wish to say that I am introducing this bill today so that I can get it scheduled for hearings.

In introducing the bill, I welcome amendments to it. I serve notice on the various veterans organizations' officers that I welcome their proposals for amendments, but certainly I have waited long enough. I have hoped the various veterans organizations would reach a common agreement in regard to this matter. It is interesting to note that all of them agree that something should be done about it, but for some reason the veterans' organizations themselves do not seem to be able to come to agreement in regard to a single bill. Perhaps this bill will be an inducement to them; I hope so.

But I am perfectly willing to stand on this bill, for as I shall proceed to read it and explain it to the Senate at this time, I think all Senators will agree with me that it is a fair bill, has been carefully worked out, and is a just bill.

But, Mr. President, today I make my plea, because I think the failure to enact such legislation is an oversight; I really do not think the average American taxpayer will defend a failure to give this assistance to the World War I veterans.

I do not think the taxpayer who understands the plight of the World War I veterans will stand for the gross neglect of which we are guilty in the matter of fairness to them.

So I want to read my bill into the RECORD today and explain it section by section. It provides as follows:

That section 521 of title 38 of the United States Code is amended by redesignating subsections (b) through (f) as subsections (c) through (g), respectively, and by inserting after subsection (a) the following new subsection:

"(b)(1) In the case of a veteran of World War I, pension shall be paid at the following monthly rate:

"(A) $75; or

"(B) $90 if (i) the veteran is sixty-five years of age or older, or (ii) the veteran has been rated as permanently and totally disabled for an aggregate period of ten years; or

"(C) $150 if the veteran is in need of regular aid and attendance.

"(2) If the veteran served outside the continental limits of the United States for a period of thirty days or more during the creditable period of service the monthly rate payable to him under paragraph (1) shall be increased by 10 per centum.

"(3) For purposes of this section, a veteran of World War I shall be deemed to be permanently and totally disabled upon reaching the age of sixty-five years.

"(4) No pension shall be paid under paragraph (1) to any unmarried veteran whose annual income exceeds $1,800, or to any married veteran or any veteran with children whose annual income exceeds $3,000."

I digress here to discuss that so-called ceiling item, because we need to have "pinned to the mat," at the very beginning of the discussion of World War I pensions, the fact that we are not asking for blanket pensions.

We are asking for a very modest pension for World War I veterans, at age 65 who, first, are unmarried and whose capital income does not exceed $1,800. I say to the American taxpayer that he has a clear moral obligation to that veteran.

Second, we are asking for pensions for married veterans or veterans with children whose annual income does not exceed $3,000.

All we are really doing is seeking to focus attention upon World War I veterans who are in financial plight, who are having a hard time getting along economically, to whom I think we have a moral obligation. We did not hesitate to give very deserved support to World War II veterans, under the GI bill. I voted for that and supported it, and I am proud of that fact. But there was and is no GI bill for World War I veterans. What we are asking in this bill is that benefits be provided for a small group of veterans who are really in a very serious economic plight.

Furthermore, when we deal with a pension of this kind which will go to an unmarried World War I veteran—most of whom are in their sixties—who, if unmarried, does not make more than $1,800 annual income, or to married veterans or those with children who do not have an annual income of more than $3,000, where will the pension money go?

I submit to Senators that it will go into the cash registers of business establishments of the communities in which the veterans live. The money will go to pay for the necessities of life. It will go to give those veterans, in their declining years, a little better standard of living than they are now enduring.

Talk to them. Many of them are bitter men. They are bitter because of the adversity they have experienced. They are bitter because many of them are unemployed. They are bitter because many of them fear unemployment tomorrow, or next week, or next month, or next year. They are concerned, because they know that when they are unemployed their opportunity for being reemployed will be very remote.

In fact, with the great spread of automation in this country it is hard for a man 45 years of age who loses his job to be reemployed. If anyone thinks not, I ask him to talk to the unemployed in this country and to take notice of their ages.

One would be surprised how many of these people fall in the age bracket between 45 and 65. Automation is having such an economic effect on our country that already thousands and thousands of people have reached the unemployable state at the age of 45.

It is very easy for someone who has a job to say, "I think, if I were out of a job, I could get one if I wanted one." If they are 45 or over, they have a great surprise in store.

So far as the senior Senator from Oregon is concerned, the plight of World War I veterans has become a problem for the American conscience. The conscience of the American people should not rest easily, in view of the failure to do justice to the World War I veterans.

We should have the type of protection which I have written into the bill, to see to it that not men who have ample money with which to support themselves, but men who are over 65, will get pensions; men who do not earn, if they are unmarried, more than $1,800 a year; or, if married, more than $3,000 a year.

I read further:

SEC. 2. (a) Subsections (c), (d), and (e) of such section (as redesignated by the first section of this Act) are amended by striking out "If" in each subsection and inserting in lieu thereof "In the case of a veteran of World War II or the Korean conflict, if".

(b) Subsection (e) of such section (as redesignated by the first section of this Act) is amended by striking out "(b) or (c)" and inserting in lieu thereof "(c) or (d)".

SEC. 3. The amendments made by this Act shall take effect on the first day of the first month which begins after the date of the enactment of this Act.

Mr. President, I introduce, for appropriate reference, the bill which I send to the desk, and I ask that the bill be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD, as requested.

The bill (S. 2985) relating to the rates of pension payable to veterans of World War I for non-service-connected disability, introduced by Mr. MORSE, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD.

(See exhibit 1.)

Mr. MORSE. Mr. President, I wish to make a few additional comments about the bill.

This kind of a pension bill not only will bring relief and justice to the individual, but also will be of aid to a lagging economy in many parts of the country. As I said earlier, the money to be provided under the terms of the bill will be money which will rapidly flow in trade. It will be money which will help to expand the economy. It will be money which will be of great aid to local business.

I happen to believe that the Government has an obligation—this is basic in my liberal philosophy—to do for people who fall within the category of which I am talking today what they cannot do for themselves but what needs to be done in the public interest.

I had hoped that long before now this kind of legislation would be adopted. It was many years ago that I first started to battle for some aid for World War I veterans. It will be recalled that on one occasion I tried to have it added to another pension bill by way of an amendment, but I was unsuccessful.

Surely the time has come for us to squarely face up to the plight of World War I veterans and to pass a pension bill along the lines of the bill I have introduced this afternoon.

The purpose of a hearing is to call in witnesses to testify on the bill and to make such suggestions as they may wish to make, by way of amendments which they think will improve the bill. I am not married to the bill in the form in which I am presenting it, but this bill has been carefully prepared, and I wish to say that the burden of proof, so far as the senior Senator from Oregon is concerned, will be on those who wish to change the bill, for the bill has received the very careful consideration of able counsel of several veterans' organizations, and particularly of the World War I veterans' organizations.

I sincerely hope that the bill will have an early hearing. I notified the chairman of the committee to which it will be referred that I shall be a frequent visitor in his office. I shall try and try and try, with all the perseverance at my command, to have hearings set on the bill within the next few weeks, and shall do the very best I can to get action on the bill in this session of Congress.

I have been around here long enough to know that sometimes one must resort to his parliamentary rights in the Senate. I shall do that to get consideration of the bill. I hope we can get an early hearing. I hope the committee, after a hearing, will vote on the bill. I hope the committee will favorably report the bill to the Senate, but if it does not see its way clear to make a favorable report I hope it will report the bill to the Senate without recommendation, or report the bill with adverse recommendation, so that it will go to the calendar.

If I cannot get that cooperation, I shall in due course of time attempt to attach it to one bill after another in the Senate. I shall attempt to attach it to any bill to which it has at least some germaneness, in an effort to do all I can to get justice for World War I veterans.

Let me make very clear that WAYNE MORSE does not speak alone on the floor of the Senate this afternoon, so far as support for this bill within the Senate is concerned. In due course of time the Senate will hear from colleagues of mine in the Senate who stand shoulder to shoulder with me in support of the bill.

The time has come that we do justice to these veterans in our own country.

I do not make the argument because I am opposed to the aid we give to other groups elsewhere in the world. As a member of the Committee on Foreign Relations, I think of the millions upon millions upon millions of dollars for which I vote in order to imporve the lot of underprivileged people elsewhere in the world, and I cannot justify doing so and remaining silent in regard to the plight of the underprivileged World War I veterans in my own country.

I say to my colleagues in the Senate, "You are going to have something to answer for back home in the 1962 campaign, if you sit here and vote millions of dollars for the benefit of people elsewhere in the world, but permit this injustice toward World War I veterans to continue in the United States without taking action on it in the Congress of the United States."

It is too bad to have an issue such as this made a political issue in a campaign, but if it is made a political issue in a campaign, it will be by the doing of the Members of Congress themselves, by their inaction. In my opinion, the veterans of the country are about fed up with the inaction on this subject, and they will in the campaign of 1962, and very rightfully, ask candidates for office where they stand on the Morse World War I veterans' pension bill.

EXHIBIT 1

S. 2985

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 521 of title 38 of the United States Code is amended by redesignating subsections (b) through (f) as subsections (c) through (g), respectively, and by inserting after subsection (a) the following new subsection:

"(b) (1) In the case of a veteran of World War I, pension shall be paid at the following monthly rate:

"(A) $75; or

"(B) $90 if (i) the veteran is sixty-five years of age or older, or (ii) the veteran has been rated as permanently and totally disabled for an aggregate period of ten years, or

"(C) $150 if the veteran is in need of regular aid and attendance.

"(2) If the veteran served outside the continental limits of the United States for a period of thirty days or more during the creditable period of service the monthly rate payable to him under paragraph (1) shall be increased by 10 per centum.

"(3) For purposes of this section, a veteran of World War I shall be deemed to be permanently and totally disabled upon reaching the age of sixty-five years.

"(4) No pension shall be paid under paragraph (1) to any unmarried veteran whose annual income exceeds $1,800, or to any married veteran or any veteran with children whose annual income exceeds $3,000."

SEC. 2. (a) Subsections (c), (d), and (e) of such section (as redesignated by the first section of this Act) are amended by striking out "If" in each subsection and inserting in lieu thereof "In the case of a veteran of World War II or the Korean conflict, if".

(b) Subsection (e) of such section (as redesignated by the first section of this Act) is amended by striking out "(b) or (c)" and inserting in lieu thereof "(c) or (d)".

SEC. 3. The amendments made by this Act shall take effect on the first day of the first month which begins after the date of the enactment of this Act.

PROPOSED SENATE COMMITTEE ON VETERANS' AFFAIRS

Mr. MORSE. Mr. President, I turn to another subject. We have another veterans' problem in the Senate on which I have tried for some years to get help. It is a resolution which would provide for the creation in the Senate of a standing Committee on Veterans' Affairs.

Other Senators have similar resolutions, and taken together, they have a good many cosponsors. In my judgment, one of the reasons why veterans' legislation in the Senate, as contrasted with that in the House, does not get the most expeditious handling is that in the Senate jurisdiction over veterans' affairs is distributed among several committees. For example, the Committee on Labor and Public Welfare has jurisdiction over certain types of proposed legislation. We have proposed legislation dealing with the education of veterans and their children that is referred to the Committee on Labor and Public Welfare. The Committee on Finance has jurisdiction over some proposed legislation relating to veterans, especially pensions. Other committees, depending upon the subject matter of the bill relating to veterans, have certain jurisdiction.

Such a procedure is not followed in the House. In the House there is a Committee on Veterans' Affairs. On this proposed resolution, so far as I know, the veterans' organizations of the United States are unanimous. For some time the veterans' organizations in the United States have supported the Morse resolution for the creation of a standing Committee on Veterans' Affairs in the Senate, but it has again bogged down. It is Senate Resolution 132, and was referred to the Committee on Rules and Administration. I think my majority leader and good friend needs to call the attention of the Committee on Rules and Administration to the importance of getting some action on the Morse bill to create a standing Committee on Veterans' Affairs, or on one of the others like it pending in that committee. These measures have slept long enough in the Committee on Rules. I wish to awaken the committee to take some action on it, because if the bill is reported to the Senate, the Senate will pass it. The large number of sponsors of these resolutions shows very clearly the attitude of the Senate with regard to such a bill. The veterans' organizations and the veterans of the country are entitled to a standing committee to which will be referred all proposed legislation dealing with veterans' problems.

I do not wish to seem to be engaging in a sentimental argument, nor is my argument presented as a sentimental argument. It is a factual one, although it is charged with sentiment. It is a bit disconcerting to see the record made by Congress in regard to veterans' legislation, in view of the great sacrifices that the men and women in uniform have made to keep this country secure.

We have a moral obligation to see to it that fairness is done to the veterans of this country. Therefore, I think the two pieces of proposed legislation of which I am privileged to be a sponsor are deserving of early action in the Senate. I urge that the Senate proceed without further delay to obtain action on both of the veterans bills.

From time to time I shall discuss these subjects further, but today I am keeping a commitment I made approximately 10 days ago when I appeared at a dinner of World War I veterans. Those attending that dinner meeting discussed their pension bill and told me that they had reached the conclusion that the time had come for me to proceed at this session of Congress to introduce the bill in the modified form in which I have introduced it today. They said they hoped its introduction would elicit interest and support, and that its introduction would cause the leaders of other veterans' organizations to come forward and give me the support that the bill deserves.

HARVARD AND THE FEDERAL GOVERNMENT

Mr. MORSE. Mr. President, Dr. Nathan M. Pusey, president of Harvard, in September of 1961 released his report to the faculties and governing boards of Harvard University. The title of his report was "Harvard and the Federal Government." This is a most thoughtful and provocative document. Dr. Pusey points out, for example:

One of the most serious of questions in Federal programs is that of unreimbursed indirect costs on grants. Most spectacular in 1959–60 were the unreimbursed costs arising from research grants, which made satisfactory allowance for direct, but not for indirect costs. While spending $11,860,836 of Federal funds for project research, the university incurred $687,500 in unreimbursed indirect costs.

He further states:

Even with respect to research facilities, there is a real question whether the need in all institutions of higher learning can be met in the next 10 years by a rigid application of the 50–50 matching formula. Estimates have been made that more than $1 billion will have to be invested in graduate research facilities in the next 5 years in order to provide space for graduate students who are already in school and college. The matching formula would require that some $500 million, or $100 million a year, be forthcoming from non-Federal sources to meet this need; but it seems doubtful whether this can be realistically expected.

He indicates:

The medical school and the school of dental medicine have estimated that 60 percent of their teaching and research staff are available owing to Federal funds. In these two schools, the staff has increased over a 20-year period at a faster rate than the size of the student body, and as a consequence the teaching load has decreased. However, Federal policy distinguishes between medical teaching and research and devotes most of its support to the latter. The experience of the school of public health, however, has been more satisfactory because the teaching of public health, unlike medical instruction, is supported by Federal programs. In this school during the past 20 years, the faculty and the student body have each doubled in size, while the amount of teaching time per man has also increased substantially.

He discusses the degree to which undergraduate students receive benefits from Federal programs and says:

Undergraduate students, in contrast, however, as stated earlier, receive little direct benefit from Federal programs. The point that should be made here is that the Federal Government, by distinguishing between teaching and research, often handicaps the effort to bring the knowledge gained from research into the undergraduate classroom. For example, the facilities program of the National Science Foundation and the National Institutes of Health cannot be used to aid undergraduate instruction; consequently, the Government was recently unwilling to match part of the money Harvard was prepared to make available to the biology department, because the proposed facilities were to be used in part for undergraduate instruction. This policy seems particularly unwise to Harvard since we draw upon the same instructors for graduate and undergraduate instruction, believing that the combination makes for better resarch and better teaching.

Dr. Pusey points out that one of the problems faced by higher education in general is that although close relationships between the university and the Federal executive agencies now exist, that to an unfortunate degree, however, there is too little communication in important matters between the universities and the Congress. He illustrates this view with a discussion of certain provisions of the National Defense Education Act and he suggests the importance of improving that communication.

President Pusey in this report, which I regard as most significant, has raised many problems to which I fear we must frankly face up. In an effort to be of some assistance to my colleagues in bringing to them this thought-provoking statement from a most distinguished educator, who is also a most capable administrator.

I ask unanimous consent that the report to which I have alluded be printed at this point in my remarks, together with its exhibits.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

HARVARD AND THE FEDERAL GOVERNMENT: A REPORT TO THE FACULTIES AND GOVERNING BOARDS OF THE UNIVERSITY, SEPTEMBER 1961

Harvard is by no means unique in its new relationship with Government. At least 80 percent of the institutions of higher education in the United States now receive Federal funds, and Harvard is one of those heavily involved in Federal programs. It is difficult to obtain precise totals but a sampling of 17 institutions with large Federal programs showed Harvard in ninth place both in the amount received and in the relation Federal money bore to the total university budget.

Government funds tend to concentrate in the relatively few institutions with strong graduate and professional programs in the natural sciences because of the heavy national emphasis on research. A recent study of Federal expenditures for research in 287 institutions showed that 5 institutions received 57 percent of the total, while 20 institutions received 79 percent and 66 received 92 percent. In Harvard's sampling of 17 institutions there were 3 administering Federal laboratories as a public service where Federal funds comprise more than two-thirds of the annual university income budget and there were 3 others where the proportion was greater than a half of the total, based on 1960–61 figures.

Federal programs (as exhibits I, II, and III show) involve various parts of Harvard University in different degrees.[1] Whereas Federal funds in 1959–60 supplied one-quarter of the budget of the university as a whole, they supplied 55 percent in the school of public health, 57 percent in the medical school, and 30 percent in arts and sciences (of which almost half, however, went to the Cambridge Electron Accelerator, operated jointly with MIT).

This new relationship with the Federal Government began only with the Second World War, the Office of Scientific Research and Development contracts, and the GI bill of rights. Since then, in the country as a whole, science and defense have brought Government and the educational community together to such an extent that 20 percent of the total expenditures in higher education in the United States now comes from Federal sources.

While the use of Federal funds at Harvard has, up to the present, served the interests of both public policy and the advancement of knowledge, there are enough potential difficulties in the relationship to warrant taking a careful look at where we are and where we seem to be going.

THE NATURE OF FEDERAL PROGRAMS

With the First Morrill Act of 1862, the Congress turned from the idea of a national university that had intrigued a number of the Founding Fathers and adopted two policies that have persisted as the basis of Federal programs in higher education. It decided to give land grants to both private and State institutions, and to this day Federal grant programs do not discriminate between them. At the same time it decided to give support not to the general purposes of education, but to the improvement of the agricultural and mechanical arts, and Federal support is still granted not for education but rather to further the specific purposes of particular Federal departments and agencies. But this leads inevitably into a complicated situation. For example, the national programs in which universities are now involved are not confined to the field of defense: they are also growing wherever the advancement of knowledge may make a contribution to the solution of social problems or the advancement of human welfare. For instance, Congress has multiplied by 10 times in 8 years the resources of the National Institutes of Health whose grants have done so much to support research, and provide research facilities, at Harvard.

Research projects

Federal support is most conspicuous in the research portions of the university's budget. For example, the division of engineering and applied physics supported 95 percent of its research, but only 44 percent of its total expenditures, with Federal funds. Federal funds similarly supported 67 percent of the research and 48 percent of the total expenditure of the chemistry department; and in the physics department 90 percent of the research and 63 percent of the total. Even though some parts of the university have a larger proportion of private money in their research funds than do the departments noted above, none could carry on anything like the present level of scientific investigation without Federal aid.

During 1959–60, Harvard received more than $18 million from the Government, of which $11,660,000 was solely for research purposes. This total included $6,512,000 from the Department of Health, Education, and Welfare, of which $5,495,000 came from the various National Institutes of Health for research toward the cure of specific diseases, $826,000 from the Division of General Medical Science, and $132,000 from the Office of Education. The other major sources were the National Science Foundation, established to foster basic research, which provided $1,155,000, and the Office of Naval Research, which provided $1,704,500.

The several faculties of the university obviously did not share equally in Federal support for research. The principal benefactors (as exhibit IV shows) were the three schools in the medical area and the faculty of arts and sciences. Moreover, there are variations among the departments within the faculty of arts and sciences, with the chief research support going to departments in the natural sciences, including the division of engineering and applied physics, and to the museums. But small amounts do come to the Russian research center and the laboratory of social relations, and programs in mental health are beginning to bring some support to the social sciences (exhibit V).

Research facilities and equipment

The Federal Government has been even more generous, in certain specialized fields, in the construction and operation of research facilities. The Cambridge Electron Accelerator will be completed in 1962 at an estimated cost of $11,630,000. This sum will have come from the Atomic Energy Commission. While the Commission will retain title to this facility for 25 years, Harvard and MIT will operate it jointly so as to provide new research opportunities not only for their own facilities, but for an additional research staff. The work made possible by this new facility is of such importance that the Atomic Energy Commission will support additional research staff and the entire operating costs, which are expected to total approximately $5 million annually by 1963–64.

Here clearly is a wholly new dimension in higher education. Advance in nuclear physics requires expenditures beyond the capacity of private donors. In the main, Federal backing does not in this case involve financial cost to the university nor does it impose limitations on freedom of inquiry or the right to publish. The scientific community in Harvard, in MIT, and in the Government agreed that a facility of this sort should be built. Its presence near the Harvard Yard is eloquent testimony to the joint concern of the university world and the Federal Government for the advancement of nuclear physics.

Other research facilities have been made possible by generous sums made available by the National Institutes of Health through its Division of Research Grants. In the faculty of arts and sciences, the chemistry and biology departments have acquired new facilities, notably the new James Bryant Conant Laboratory for Chemistry, a portion of the cost of which was paid by the U.S. Public Health Service. In the medical school the departments of anatomy and pharmacology have been rehabilitated, and animal research facilities provided. Similarly the National Institutes of Health has contributed to the cost of constructing the new university health center. In every instance more than matching of funds from nonpublic sources was required.

By 1962 it is estimated that the Federal Government will have contributed nearly $14 million to the construction, modernization, and remodeling of research facilities which will be owned and operated by the university. Of this total the National Institutes of Health will provide nearly $12,883,000 and the National Science Foundation something over $1 million.

To complete the account it should be mentioned that, in addition to the construction and modernization of these research facilities, Harvard received from the U.S. Public Health Service (including the National Institutes of Health), the Atomic Energy Commission, and the National Science Foundation roughly $35,800 worth of research equipment and material during the same academic year; and substantial grants were received, soon after the fiscal year we are considering, from the Advanced Research Projects Agency.

While many colleges and universities have benefited from the Federal housing and loan program which has aided in the construction of dormitories and noninstructional and nonresearch facilities, Harvard has not yet done so. On the other hand, Harvard from its own resources is contributing indirectly to the Federal urban renewal program by participation in, and contributions to, the Citizens Advisory Committee of Cambridge. Harvard has expended $800,000 in land acquisition since 1955 in federally approved urban renewal areas. This sum and other sums to be expended, according to section 112 of the National Housing Act of 1959, become a noncash urban renewal credit to the city of Cambridge in the amount of $1 million. Harvard's share will thus materially reduce the city's cash expenditures for urban renewal. Similar urban renewal credits are in prospect for Boston in the medical area.

Instructional programs

While it might seem the Federal Government makes an arbitrary distinction in favor of research and against instruction, there are exceptions. The school of public health received from the Public Health Service in 1959–60 almost $154,000 to support its general instructional programs. Furthermore, support for instructional programs in certain foreign languages was provided by the Office of Education. Under the National Defense Education Act, that Office paid out over $50,000 for instruction in Far Eastern and Middle Eastern languages, on condition that this be matched in equal amounts by the university. The three armed services contributed nearly $130,000 toward the ROTC program. The school of public health participated in a program, aided by a $23,000 grant from the International Cooperation Administration, for teachers of preventive medicine and public health. The Atomic Energy Commission and the National Science Foundation sought to promote the training of science teachers by furnishing the school of education and the faculty of arts and sciences something over $283,000.

Consultation and leaves of absence

In addition the Federal Government has turned to universities for specific advice on important issues. In the summer of 1960, for example, the Senate Foreign Relations Committee asked the Harvard Center for International Affairs to prepare studies on certain problems in American foreign policy at a cost of approximately $20,000 to the Government.

Far more often, however, the Government turns to individual faculty members, through consulting arrangements which may benefit both the Government and the university. So long as a faculty member is able to carry out his academic responsibilities, he is free to consult as much as he wishes.

[1] The data used for the exhibits in this report, and other figures throughout the document, are generally for the academic year 1959–60, except as otherwise indicated.

Practice varies from faculty to faculty. The business school alone chooses to place the consulting activity of its faculty members on a formally organized basis and places a limit on the amount of consulting done by the faculty during the academic year. When departments are considered as a whole, the average number of days of off-campus consulting per month per faculty member is surprisingly small. In the faculty of arts and sciences, it was exceptional to find that the average number of days per member spent on Government business exceeded a day a month. It is true that the university continues to pay fringe benefits[2] and salaries to faculty members while they are consulting in Washington or elsewhere. Unreimbursed costs of this kind were estimated to amount to $211,310 for the academic year 1959–60. Such an amount, however, cannot properly be considered an unreimbursed cost in the sense that reimbursement should be expected or desired. Nor is such faculty consulting without benefit to the university or to the faculty member. The figure is simply a measure of the university's involvement with the Federal Government through consultation by faculty members on an individual basis.

In any year a number of faculty members are likely to be on leaves of absence working for Federal agencies. The year 1959–60 was no exception, and 12 permanent members of the faculty were so engaged. In addition, 21 faculty members received travel grants from Federal agencies. The university continued to make the necessary contributory payments toward the retirement of these faculty members, even if they were on leave without pay to accept Federal salaries. Here again, such unreimbursed costs are simply an index of the extent to which the university renders a public service. Such leaves of course also provide new knowledge for instruction in the university as well.

Training grants, fellowships, and exchanges

Particular mention should be made of other programs that are intended to contribute to student and professional advancement. For example, the Department of Health, Education, and Welfare provided in 1959–60 nearly $1,753,000 for training grants to the three schools in the medical area (medicine, dental medicine, and public health) and the faculty of arts and sciences. About 300 individuals, of whom about three-quarters already had doctoral degrees, were supported while studying at Harvard by this important program. Most of these trainees were being prepared for careers in research rather than for the practice of medicine. This large effort, moreover, was undertaken at considerable expense to the university in terms of faculty supervision and facilities—amounting to a total of $310,390 in unreimbursed costs, a figure that fails to take into account such problems as crowding, staffing, and possible impingement on the training of medical students.

In addition to those who received training grants through the university, hundreds of graduate and postdoctoral students came to Harvard either on Federal fellowships, or under some Federal program for the advanced training of its military, foreign, or civil service, notably in the graduate school of public administration. The university, of course, retains the right to accept or reject these students. The list of agencies awarding fellowships is a long one. The natural science departments in the faculty of arts and sciences have had a considerable share of the total available National Science Foundation fellowships. A number of national defense foreign language fellowships encourage study of Far Eastern and Near Eastern languages. By bringing able professional men and women, including Government officials, to many parts of the university, these programs have contributed heavily to our academic life.

There is very little Federal assistance for undergraduates. A National Science Foundation program a year ago did permit 20 undergraduates to participate in research in biochemistry and biology during the summer months. But this is about the extent of it. It seems to us at Harvard that the country needs and would welcome a Federal undergraduate scholarship program based on both need and ability.

Harvard has found it impossible to participate in the loan program of the National Defense Education Act (title 2) on account of the objectionable disclaimer affidavit requirement. It is a source of concern to us that the Congress has completely failed to understand the position of Harvard and the Association of American Universities in the matter. There is a danger signal here.

By intervention of one kind or another, the Federal Government has enabled the university to play a considerable role in world affairs. During 1959–60, for example, there was an exchange of a few Soviet and American students involving the faculty of arts and sciences. A fine arts professor and a member of the faculty of the school of education also participated in an international exchange of faculty with the Soviet Union. A considerable number of foreign faculty members taught at Harvard, and hundreds of foreign students received instruction. The graduate school of design, the business school, and the law school entered into cooperative programs with foreign universities, while the graduate schools of education, public health, and public administration provided technical assistance to foreign governments. It should not be hard to demonstrate that long-range purposes of our Government are clearly served by these exchanges.

MANAGING THE RELATIONSHIP

By 1960 Harvard was participating in at least 34 categories of programs managed by twoscore Federal agencies, under the general oversight of a dozen congressional committees. Since all the faculties were involved, though in widely varying degrees, Harvard's relationship with Washington was clearly managed on a highly decentralized basis.

While this decentralized pattern, with its heavy emphasis on particular fields and specific activities, has brought about a great many difficult problems, it has probably made it easier to maintain the essential academic freedom of the university. The Federal Government has clearly not interfered in the direction of Harvard's research projects. It has certainly sought to encourage, in fields colored by a national interest, research which our faculty members wished to undertake. The variety of sources of support helps make it possible for a distinguished scientist in a respected institution to obtain backing for his research on terms acceptable to him and his university. The image of a coercive government dictating what shall and shall not be done in university laboratories and libraries simply does not fit Harvard's experience with Washington.

The nature of the relationship becomes clearer if we examine the ways in which support for research is obtained. The university's basic purposes have been well served by Federal programs because the university is encouraged to assist in defining the terms of participation. Typically, a faculty member develops his own project and then seeks funds for its execution. A key role in the awarding of funds is played by various advisory boards and panels, established by the various agencies, which permit men from institutions of higher learning to advise in managing Government programs. In deciding on the scope of a research project, faculty members deal with professionally trained personnel in the agencies themselves and with professional colleagues from the university world who serve on these boards. As a consequence, communication and understanding between the university and the Government regarding the conduct of the research are generally satisfactory, and the impact of Federal funds on a particular research project does not seem to differ basically from the impact of money in similar amounts from private sources.

The procedure of the National Institutes of Health affords an example of the satisfactory university-Government relations in fostering basic research. Although established to combat specific diseases, the National Institutes have administered their funds so as to encourage basic research in such disciplines as chemistry and biology. The goal of independent uninhibited research is served by a combination of specific disease Institutes and advisory panels of scientists. The Institutes secure public funds, which the panel allocates to best advantage. Similar procedures link the defense interests of the Nation with the university in mutually beneficial ways.

This degree of decentralization and of initiative by individual faculty members is desirable as long as we follow clear policies to maintain the basic purposes and principles of the university as a whole. Such policy with respect to acceptance of Federal funds is established in broad outline by the president and fellows of Harvard College, with the advice of the faculties and deans concerned, and is applied uniformly throughout the university. Harvard's practice of not undertaking classified research except in times of grave national emergency affords one example. While such projects were undertaken during the Second World War and would undoubtedly be undertaken again under similar circumstances, research that cannot be published immediately seems incompatible with the university's basic purpose to seek and disseminate knowledge. This policy, however, does not preclude the participation of faculty members as individual consultants in classified work.

The university will apply for a Federal grant or contract only after careful consideration. An individual research project must be selected for professional reasons by the individual investigator, who must be free to decide whether to publish or not and must have the right to do so. Such investigators are free to receive Government or other support for their research projects provided there is no interference with Harvard's role as an educational institution.

It has been necessary to provide some measure of direction and coordination in such matters, in order to preserve the basic character of the university as a whole, without infringing on faculty responsibility and individual initiative. Among the coordinating instruments are the committee of deans and the committee on research and development, with the president of the university serving as chairman of each. The administrative vice president has special responsibility for all Federal programs in any department of the university, although his responsibility in the medical school is shared in some measure with the associate dean. When it was decided, after World War II, to continue to accept Federal funds for research under contract with the Government, a single office, the office for research contracts, was established to administer the details of research contracts formerly handled by the treasurer's office. The present office has been of immense value to the university in maintaining a uniform policy, protecting it against improper commitments,

[2] The major "fringe benefits" of a Harvard teacher include a noncontributory retirement plan, a life insurance policy, medical and health coverage, and minor items like membership in the faculty club.

assuring its reimbursement of proper costs, and providing assistance to faculty members in the negotiations that lead to a contract. Every contract must have the approval of the department chairman concerned and of the dean of the appropriate faculty, and must be drawn so as to be compatible with university policy, before being presented to the president and fellows for approval.

The office for research contracts deals with all Federal grants and contracts for research and development, with the exception of grants from the U.S. Public Health Service. For these the administrative vice president or, as appropriate, the associate dean of the medical school signs grant applications. Although there are a number of reasons, historically speaking, why grants from the U.S. Public Health Service should be handled separately, an argument can be made that all grants and contracts should be administered in a single office in the university.

PROBLEMS AND OPPORTUNITIES

The decentralized nature of Federal research programs may help the university protect itself against deliberate encroachment, but it makes it all the more difficult to preserve the proper balance either among various schools and departments, or within each of them between research and teaching. The availability of Federal grants for project research tends in any university to divide the responsibility of the faculty, and to weaken the influence of the president and the deans, in planning the content, emphasis, and direction of research and teaching. Individual faculty members tend to be influenced less by their colleagues and the needs of their faculty or department as a whole than by the interests they discover can be implemented through their channels of communication with Government agencies. Is it possible to get the tremendous advantages of Federal support and at the same time to maintain a proper balance among the several interests of the university?

Harvard seems to have done so, but it may nevertheless be useful to review our problems as well as our opportunities.

One of the most serious of questions in Federal programs is that of unreimbursed indirect costs on grants. Most spectacular in 1959–60 were the unreimbursed costs arising from research grants, which made satisfactory allowance for direct, but not for indirect costs. While spending $11,860,836 of Federal funds for project research, the university incurred $687,500 in unreimbursed indirect costs.

What a university thinks about the issue of indirect costs depends a great deal on the size of the growth. If a faculty looks to Washington for little of its support, indirect costs are negligible and may in fact be difficult to identify. In sufficient magnitudes, however, Federal grants can make a university poorer rather than richer by building up unreimbursed costs. More than one faculty at Harvard has found it necessary to limit its participation in desirable programs lest their indirect costs drain away its unrestricted income.

Government agencies differ in their attitudes toward this problem. For the year in question, Harvard, on the basis of the formula of the U.S. Bureau of the Budget, determined that 28.5 percent of the total direct costs was an allowable charge for indirect costs. Some Federal agencies were willing to pay this figure. Congressional appropriations for the Department of Health, Education, and Welfare, however, limited, by a legislative rider, payment of indirect costs to an arbitrary 15 percent of direct costs. Some agencies have not felt obliged to pay the full institutional rate for indirect costs, either because they believed that the university ought to share in the expenses or because their scientists wished to have as large a share of the limited funds as possible go to direct research costs in their special fields.

The Federal policy of encouraging construction and modernization of research facilities by a matching fund formula, with the university and the Government sharing costs on a dollar-for-dollar basis, also presents a complex of opportunities and difficulties. A lack of space in some areas of the university has forced the postponement of important research and instruction. Meanwhile, unreimbursed costs of Government-sponsored research have delayed the accumulation of funds that could be used to match the Federal contributions for construction.

The matching fund formula has, of course, long been used by private donors. Whether used by them or the Government, the formula tends to channel funds to the stronger institutions with adequate financial and research resources for facilities which they are fully equipped to support. The matching requirement also helps to prevent universities from becoming dependent on any one source of financial support, thus protecting their freedom of scientific investigation. At present, the matching requirement seems most feasible in construction grants for research facilities, in which private corporations and foundations seem also to be primarily interested. Matching funds for teaching facilities from private sources are manifestly more difficult to obtain. The school of public health, for example, has found private foundations, industries, and individuals extremely reluctant to finance the kind of teaching facilities required to train individuals for careers in the public health field. As a result of similar experience, the Association of Schools of Public Health has suggested a Federal share of 85 percent for teaching facilities construction. It should also be noted that the Association of American Medical Colleges proposed a Federal share of 75 percent.

Even with respect to research facilities, there is a real question whether the need in all institutions of higher learning can be met in the next 10 years by a rigid application of the 50–50 matching formula. Estimates have been made that more than $1 billion will have to be invested in graduate research facilities in the next 5 years in order to provide space for graduate students who are already in school and college. The matching formula would require that some $500 million, or $100 million a year, be forthcoming from non-Federal sources to meet this need; but it seems doubtful whether this can be realistically expected.

THREE DANGER POINTS

Federal grants for research and for construction have brought great benefits to Harvard yet there is a danger that the total program of the university could be affected by the extent that the unreimbursed costs and matching funds involved in such grants use up the precious unrestricted funds that would be available for other purposes. The three greatest threats posed by Federal aid are likely to be in the balance among the several fields of learning; in the balance between teaching and research; and in the balance within the faculty between those with and those without tenure appointments.

On the first point, the problem is obvious. An overwhelming proportion of Federal support goes to the sciences. To maintain a balance, a university must make a special effort to provide support from private sources for other fields of knowledge. Harvard has been relatively successful in this effort. The growth of the humanities and social sciences has been maintained at a respectable rate with the support of private funds, as exhibit VII suggests.

The second and third points, while no more important, are more complicated and difficult to assess, in part because the problems of the balance between research and teaching, and between tenure and nontenure personnel, are interwoven. Moreover, the relationships in each case have varied considerably from one part of the university to the other. In some faculties, Federal funds have brought about a marked increase in the total teaching and research staff. While our tenure ranks have not been increased directly by Federal support, some indirect increase, impossible to measure, may have occurred as a result of the capitalization of funds made possible by Federal support of various activities in the university. There has, however, been a marked upward trend in the number of nontenure appointments since departments and faculties have employed faculty members who are paid from Federal funds for the portion of their time spent on federally supported research, and from university funds for the time spent on instruction.

The medical school and the school of dental medicine have estimated that 60 percent of their teaching and research staff are available owing to Federal funds. In these two schools, the staff has increased over a 20-year period at a faster rate than the size of the student body, and as a consequence the teaching load has decreased. However, Federal policy distinguishes between medical teaching and research and devotes most of its support to the latter. The experience of the school of public health, however, has been more satisfactory because the teaching of public health, unlike medical instruction, is supported by Federal programs. In this school during the past 20 years, the faculty and the student body have each doubled in size, while the amount of teaching time per man has also increased substantially.

The most obvious increase in staff has been in the number of postdoctoral fellows. The chemistry department in arts and sciences, to take a notable example, had 100 such fellows, most of them employed specifically to work on Federal programs. Their availability has encouraged that department to institute undergraduate tutorials, although it must obtain special funds to reimburse the postdoctoral fellows for time spent in instruction.

It would be a great mistake to assume that because large amounts of Federal money are available for research, instruction is bound to be neglected. Project directors are normally faculty members, and the results of their research contribute toward lively instruction for both graduates and undergraduates. There are hopeful signs, moreover, that the Federal Government is recognizing that the distinction between research and teaching is arbitrary and dangerous. Certain postdoctoral fellowships and project training grants of the National Institutes of Health, for example, permit those funds to support teaching as well as research. In a number of instances scholars who have been employed in part for research supported by Government grants and contracts have also offered stimulating new courses available to both graduate and undergraduate students. On balance, however, instruction is in danger of neglect unless a faculty is sound enough financially to avoid committing its unrestricted money to underwrite research inadequately financed by the Government.

The availability of research funds does not appear to have caused any major reduction in the teaching loads of faculty members in science in the period since 1940. The availability of Federal support has not led Harvard to set up separate faculties for research and teaching. No one is expected to teach without time for research. In the faculty of arts and sciences, a single staff teaches both graduate and undergraduate students, and every department, with occasional exceptions to meet special circumstances, has a strong tradition that senior members teach undergraduates as well as graduate students.

It seems clear, however, that there has been a slight reduction in the teaching load of most faculty members in science over a 20-year period. While more time is now probably spent by faculty members in research, particularly in those departments where research has been financed by the Government, it is also true that formal teaching loads seem to run somewhat higher in the social sciences and the humanities than they do in the natural sciences.

These facts by themselves, however, do not tell the whole story. The faculty spends a great deal of time, which is difficult to measure, in directing doctoral dissertations or other individual graduate instruction. This point is of special importance in all science departments of the university, where the number of graduate students and postdoctoral students has enormously increased. What is more, the altered structure of the student body has been accompanied by changes in teaching methods so that there is now more individual instruction than used to be the case 20 years ago, particularly in the medical area and in some parts of the faculty of arts and sciences.

As a result of the emphasis on research in the sciences, graduate and postgraduate students benefit far more than undergraduates from the various Federal programs. They have apparently been restricted very little, if any, by the conditions of Federal grants in their free choice of subjects. Like the grants for research projects, the Government fellowship programs in science, such as the National Science Foundation fellowships and the National Institutes of Health fellowships, are neutral with respect to the special fields of investigation within a major branch of science.

The so-called regular National Science Foundation fellowships have until very recently imposed a handicap on undergraduate teaching by requiring that a student holding such a fellowship may not receive additional pay from the university for assisting in instruction. These fellowships have therefore diminished the attractiveness of teaching fellowships, so that in some departments graduate students of the very first rank have not always been available to serve as course assistants. The Government's concern is to enable a student to complete his doctorate in short order, for which, it must be said in fairness, Harvard does not count performance in teaching. Even so, there is a real question whether the able graduate student should not be encouraged to obtain teaching experience in order to meet the Government's objective of raising the general level of scientific achievement in the country at large. It should be noted in this connection that some National Science Foundation fellows have chosen to serve as course assistants without pay, and this fall new administrative rulings now permit National Science Foundation fellows to earn up to $600 annually by teaching.

Many graduate students are supported, especially during their third and fourth years, by employment as research assistants on projects financed by Federal funds. (In some departments a minority of these appointments go on a part-time basis to graduate students who also serve as teaching fellows; university funds are of course used to pay for the share of time devoted to instruction.) It has been estimated, for example, that half of all research in the division of engineering and applied physics is used in the preparation of doctoral dissertations. An appointment as research assistant can thus serve the purpose of a fellowship as well. This arrangement is wholly satisfactory to the Federal agencies, and most important for scientific achievement at Harvard.

Some departments have been reluctant, however, to allow any graduate students to be supported with funds from research projects, lest senior faculty members be put in the position of "buying" their students. This point of view doubtless originated at a time when fewer faculty members had research funds at their disposal, and to most faculty members it seems less valid today.

Undergraduate students, in contrast, however, as stated earlier, receive little direct benefit from Federal programs. The point that should be made here is that the Federal Government, by distinguishing between teaching and research, often handicaps the effort to bring the knowledge gained from research into the undergraduate classroom. For example, the facilities program of the National Science Foundation and the National Institutes of Health cannot be used to aid undergraduate instruction; consequently, the Government was recently unwilling to match part of the money Harvard was prepared to make available to the biology department, because the proposed facilities were to be used in part for undergraduate instruction. This policy seems particularly unwise to Harvard since we draw upon the same instructors for graduate and undergraduate instruction, believing that the combination makes for better research and better teaching.

There is a suspicion that the increased emphasis on research, postdoctoral scholars, and graduate students in our science departments has contributed to a remoteness between faculty and undergraduates. Whether this stems from Federal research support, or from the general characteristics of modern science, or from other factors is hard to say. Science seems to play less of a role than other fields in the undergraduate houses, and some of the departments not involved in Government programs, such as the English department, actually offer more undergraduate tutorial instruction. It is perhaps inevitable that a scientist eager to concentrate on his research will be reluctant to take on the hard work of teaching a large introductory or general education course. Nevertheless, undergraduate work in a laboratory is analogous in many respects to an individual or group tutorial in the humanities or social sciences, and much faculty time is devoted in the scientific departments to supervising such work. And against distractions of Federal programs must be balanced the enormous interest students of all ranks take in a teacher who is known to have made a significant discovery, or to have played an influential role in public affairs.

While all Harvard professors are expected to engage in research, the university community, as a result of Federal funds, now includes a large and growing proportion of research workers who are not members of the teaching faculty. In view of the type of work they do, Harvard may now have to adjust some of the rules that were designed to maintain the proper balance between those faculty members with, and those without, permanent tenure.

The problem arises especially in connection with the growing numbers, in many departments, of research assistants, research associates, and research fellows. These staff members, most of whom are scientists, are recognized as important members of the university community. Most of them (with the exception of the research assistants who are primarily students) have corporation appointments, and receive the same fringe benefits as regular faculty members. The quantity of Federal funds for research has greatly increased the numbers of such staff members, and thus intensified the perennial problem that a great many more able scholars are attracted to Harvard by temporary positions that can possibly be given tenure appointments. The temptation is very great to use the short-term Federal funds to keep at Harvard scientists for whom there is no prospect of a permanent position being available, to an age when their opportunities elsewhere diminish.

To protect against this danger, we have a general rule that nontenure appointments for faculty or research personnel shall not be extended beyond a total of 8 years (11 in the medical area) or beyond a total of 3 years for those 35 years of age or older. A facility such as the Cambridge Electron Accelerator, however, will require the continued presence of skilled personnel. At least some of the scientists who are being attracted to this facility are doubtless the equal of scientific colleagues who hold faculty appointments. Although both groups will be working together on research projects, only one will have faculty status. It may well be necessary, therefore, to introduce some flexibility into our personnel practices so as to retain key research personnel beyond the usual limit of annual appointments whenever it is necessary in order to make the most effective use of research facilities. Harvard has for some time been prepared to make exceptions to normal procedure so that a few highly qualified individuals may be given appointments without limit of time without being tenure members of the faculty. It should be possible to continue these appointments so long as contract funds are available.

Science has become increasingly complicated, expensive, and dynamic, and new fields and subjects appear on the scene with astonishing rapidity. As a result scientific instruction today doubtless requires more hours of preparation and research than formerly. A first-class faculty is dependent on moderate teaching loads and on ample opportunity for research. In the scientific areas, in particular, such a faculty also needs the carefully planned growth that avoids proliferation of highly specialized courses to the detriment of scientific education of appropriate depth and breadth. In order to encourage the closest relations between research staff and regular faculty, and to take maximum advantage of research programs for instructional purposes, Harvard is planning to make a few teaching appointments by means of 1-year lectureships, granted strictly on individual merit, to staff members employed and nominated by a research facility, with the endorsement of the faculty concerned.

But the most difficult problem is that of the relation of the massive research programs to the permanent faculty. The traditional policy at Harvard has been to pay no permanent faculty member from short-term research funds. If Federal funds were to be cut off tomorrow, Harvard would be able to honor its commitments to all its permanent faculty members. Whether this rule now needs to be so rigidly followed, in order to protect the essential values of academic freedom and intellectual independence, may be open to question. There is clearly a serious shortage of tenure members in some departments and faculties, notably those in the medical area, even though those very faculties have received their research funds largely because of the quality of their tenure faculty members. All the evidence suggests that Federal funds for these fields will be forthcoming for the foreseeable future and on increasingly acceptable terms, provided, of course, that the quality of the faculty is maintained.

That quality, however, cannot be maintained by endowment funds alone, since a first-rate scientist is not attracted mainly by his salary, but by all the facilities and resources that make for a desirable scientific environment. The research facilities, training grants, graduate and postgraduate fellowships, and the international exchanges of students and faculty which are so important in attracting able scholars to Harvard are now heavily dependent on Federal funds. While no faculty member likes the necessity of spending valuable time and energy in making appeals for the renewal of such support, it is generally conceded that

to get comparable aid from private sources would involve equal or greater difficulties.

In order to maintain the essential quality on which all the rest of our scientific and medical activities depend—the quality of our tenure professors—it may be necessary for us to experiment cautiously to achieve greater flexibility by paying tenure salaries from Federal funds in certain departments, for whose fields of interest steady and continuous Federal support may be most confidently predicted for the future.

THE UNIVERSITIES' POINT OF VIEW

University and Government people alike have been slow to realize the significance of their new relationship. The Government now calls on the universities for achievements that depend on the highest qualities of creativity, but sometimes through purchasing procedures that could destroy the environment in which such qualities flourish. This is not from any wrong intentions on the part of individual agencies; in general, they have bent over backward in favor of academic freedom, and have done a great deal to adapt Government methods to the requirements of a university. Indeed, in the process of asking Congress for funds, they sometimes exaggerate the potential practical achievements of the basic research they propose to support. But a relationship based on a short-term grant for specific purposes, which was perfectly sensible when such grants were only a tiny increment to an academic budget, may be self-defeating when the grants have become a major reliance of the university. At that stage, the donor would do well to consider the general health of the institution which he is building up, if only in order to protect his investment.

This first becomes apparent in such practical details as the payment for overhead expenses, or the requirement of matching funds. But it is true in a more profound sense. For research can be carried on effectively in the long run only if a university maintains its overhead in an intellectual and academic, as well as an administrative, sense. This is the case for asking the Government to support basic as well as applied science, and teaching as well as research. It is not a question of asking the Government for more money, but, rather, of asking it to give its funds with a proper regard for the total function of the university.

As universities recognize that there is no substitute today for Federal support in many fields of science, they must ask the Government to recognize, in the way it makes its grants, that the university is a creative force because it is concerned with all fields of knowledge, and because it offers scholars the intellectual independence that goes with permanent status. If they are to make this clear, universities themselves need to understand their relationships with Government, and to set up proper channels through which to inform Government of their point of view on the issues which may well affect their basic character in the future. This is the real point of the affidavit controversy.

A half-dozen major organizations represent institutions of higher education in Washington, including the American Council on Education and associations of urban, State, land-grant, and church-related institutions. In particular fields, the Association of American Medical Colleges, and the Association of Schools of Public Health have presented their views to the executive agencies and the Congress, and a committee of the Federation of College & University Business Officers Associations has served as a useful listening post in Washington. Most suitable to represent Harvard's point of view, potentially speaking, are the Association of American Universities and its subgroup, the Association of Graduate Schools.

Harvard does not favor the establishment of separate organizations to present the particular views of private, as distinguished from public, institutions in Washington, or elsewhere. This university has as much in common with the major State universities as it has with independent universities. On the familiar issues in our relations with the Federal Government—overhead, flexibility of contract terms, long-term support, the construction of facilities—there is scarcely any important difference between what Harvard thinks and what is thought in the major public universities. Differences in point of view arise not so much between public and private institutions as between strong and weak ones. While public and private institutions obviously differ on significant points, these differences seem much less important than their common ground. The Association of American Universities has already provided a platform from which testimony was presented to a congressional committee on the National Defense Education Act disclaimer affidavit. It goes without saying, of course, that the academic side of a university must be represented as carefully as the financial side.

The close relationships between universities and Federal executive agencies have already been discussed. To an unfortunate degree, however, there is too little communication in important matters between the universities and Congress. If this had not been true, for example, the objectionable affidavit provision of the National Defense Education Act would never have been enacted without more thorough consideration. University spokesmen must understand congressional politics and policymaking and be prepared to discuss with Congressmen and Senators the basic issues confronting higher education. Unfortunately, university spokesmen often disagree among themselves on points of fundamental importance. We must, therefore, try to reach a consensus on important issues within our own family and with like-minded institutions, if we are to develop satisfactory relationships with congressional committees as well as executive agencies. It is in Congress that the crucial decisions are made on Federal-university relationships, and executive agencies cannot be expected to represent the universities' interests on every point.

If universities are prepared, individually and cooperatively, to affirm and defend their central educational purposes, and to resist the temptation to expand particular functions at the expense of their primary obligations, they will then be in a position to urge the Federal Government to show some concern for higher education as a general element in the national interest. Representatives of the Government might well be able, then, to agree with universities in a general approach to their future relationship, along lines which might guide the programs of the Federal departments and agencies. A start has been made by the Government itself through several excellent reports, such as the statement of the President's Science Advisory Committee entitled "Scientific Progress, the Universities and the Federal Government," the studies through which the Office of Education planned its administration of the National Defense Education Act, the report of the National Science Foundation on "Government-University Relationships," and the reports of various White House conferences. Under the leadership of the Executive Office of the President (including the President's Science Advisory Committee), the National Science Foundation, the Office of Education, and some of the interested executive departments and agencies should be asked to consider what type of long-range policy might be adopted by the Federal Government for the support of university programs at a high level of excellence. Such a Government policy should emphasize, among other points, at least these four:

1. The support of university programs by the Government should not be conditional on any terms which infringe the educational independence and academic freedom of a university. In view of the generally excellent record of the Government to date, agreement on this point may be expected.

2. Universities should not be asked to carry on work which is not in harmony with their essential purposes, except in cases of extraordinary national need that cannot be otherwise met. The types of activity which properly require close direction by Government, or need only those skills generally available in nonacademic institutions, should be performed in Government, industrial, or special institutional facilities. Any function which should be carried out in a university, on the other hand, should be carried on with a high degree of freedom, such as is appropriate for research in an academic institution; it should emphasize the search for basic knowledge and it should be connected as closely as possible with the teaching function.

3. The method of granting aid should be calculated to support the highest standards of excellence in instruction and research. It may well be in the interest of the Nation to build up additional centers of academic excellence in greater numbers, and with more adequate geographical diversification. To this end special expenditures by private foundations and other donors, or by the Congress, may be warranted. But this purpose would not be advanced by the award of individual fellowships or grants for specific projects on any other standard than that of highest merit.

4. Care should be taken to make the financial terms of university grant programs support the entire cost of such programs, and not outrun the ability of any university to retain general managerial and educational responsibility for them. This requires the payment of full overhead costs; grants for the construction of facilities on formulas that are realistic in terms of the university's private sources of funds; and some method of supplementing project grants and contracts, in reasonable proportion to strengthen the ability of the university to discharge its general educational function.

To accomplish this last purpose, some have suggested, taking the British University Grants Committee as a model, that the Federal Government change to a totally new system, giving only general support through a single block grant to each university, to be used for purposes of its own choosing. From the point of view of the Government, this method would not promise to accomplish the special program purposes for which the Congress has been willing to appropriate funds. From the point of view of the universities, it may be better to live with the difficulties of the present disorganized system than to increase the risk of political interference with university independence by putting all our eggs in one basket. Even if the general-purpose grants were intended to supplement, rather than replace, the project grants, however, the scheme would have its difficulties. For the project grants have one great merit that is not to be underestimated: they can be appraised on scientific and professional standards by the academic peers of the applicants, whose judgment can be accepted and respected by scientists, university presidents, and Congressmen alike. But how would general grants be allocated? It is difficult to imagine that the Government would permit some private accrediting board, in effect, to certify institutions for Federal support, or that other institutions would accept its verdict with equanimity. It is difficult to imagine the Federal Government itself taking the responsibility for rating universities according to their general academic excellence. On the other hand, it is all too easy to imagine, after a period of general logrolling, the enactment of a statutory formula to give aid to all institutions equally, or some formula based on population or geography,

regardless of scientific or academic standards.

Without getting into such difficulties, however, a great deal could be done to reduce the dependence of universities on project grants, which always tend to make the strong departments stronger, and weaken the university's ability to develop with a proper balance. One way would be to develop a system of institutional grants for unrestricted purposes in particular areas of learning, such as—to take random examples—mathematics or language study. Such a system, supplementing project grants, would enable universities themselves to make the basic decisions on their academic programs within very much broader limits than they can today. It would be only a reasonable extension of a course of action already marked out by the institutional grants programs of the National Science Foundation and the National Institutes of Health, which provide general grants to a university in some proportion to the amount of money received through research grants and contracts.

CONCLUSION

Harvard's particular experience suggests that the universities generally have been important to the Federal Government, at the same time that Government support promises to become indispensable to the universities. It is not merely that the Government needs to buy certain specific services, while universities need money—although both are true. It is rather that the Government needs from the universities something that industrial or governmental laboratories cannot supply, the creative activity that takes place most naturally in an institution where the arts, sciences and letters are joined in an atmosphere of intellectual freedom. The money that the Government spends on specific projects will be wasted if it is not spent in ways that will sustain these special qualities of the university.

At the same time, the university is led to a new relationship with Government by more than a need for money; if only that were involved, it might be desirable to renounce Federal grants in order to avoid any risk to academic freedom. But science and technology have done more than make academic research and teaching expensive; they have made them a necessary ingredient in national policy and in the advancement of human welfare. The university no longer expects to avoid involvement in public affairs, for it is by now all too clear that free universities and free political institutions are interdependent and their futures intertwined.

The role of the university cannot be one of withdrawal from the world. But it will serve society well only as it remains true to its essential nature—a university, not an agency of Government. It is entitled to demand complete intellectual freedom. To this end it must ask for a measure of detachment from current crises and routine procedures as necessary conditions of fulfilling its fundamental purpose in civilized society.

EXHIBIT I.—*Government support of the Harvard faculties, 1959–60*

Faculty:	*Expenses*
Medical	$10,378,541
Public health	2,945,635
Dental medicine	709,489
Arts and sciences	28,248,950
Education	2,096,533
Divinity	689,429
Law	3,014,363
Business administration	6,815,080
Public administration	1,317,523
Design	542,699
Other departments	27,015,216
Total university	83,753,458

Source: "1959–60" Financial Report to the Board of Overseers of Harvard College, departmental summaries of income and expenses.

EXHIBIT II.—*Government support by faculty and Federal agency, 1959–60*

[In thousands of dollars]

	Health, Education, and Welfare	Atomic Energy Commission	National Science Foundation	Defense	Other	Total
Medical	5,005	74	192	649		5,920
Public health	1,384	136		148	23	1,691
Dental medicine	280		20	34		334
Arts and sciences	1,337	4,204	785	2,191	20	8,537
Education	210	4	274	10		498
Divinity	34					34
Law	18					18
Business administration				25		25
Public administration						
Design						
Other departments	275	16	276	446	247	1,260
Total university	8,543	4,434	1,547	3,503	290	18,317
Less miscellaneous adjustments						−221
Per financial report						18,096

Source: "Impact of Federal Funds on Harvard University," a study prepared for the Carnegie Foundation for the Advancement of Teaching. Pt. II, charts A, June 1961.

EXHIBIT III.—*Government support of arts and sciences by department*[1] *and Federal agency, 1959–60*

[In thousands of dollars]

	Health, Education, and Welfare	Atomic Energy Commission	National Science Foundation	Defense	Other	Total
Anthropology	14		3			17
Biochemistry	47		6			53
Biology	377		914	65		636
Cambridge electron accelerator		3,869				3,869
Center for international affairs					20	20
Chemistry	378	50	206	255		889
Division of engineering and applied physics	24	60	245	1,070		1,399
Economics			1			1
Far Eastern languages	50					50
Mathematics		5	12	112		129
Mineralogy		3		1		4
Near Eastern languages	30					30
Physics		217	38	587		842
Psychology	223		69	80		372
Social relations	178		7			185
Statistics				21		21
Miscellaneous	16		4			20
Total	1,337	4,204	785	2,191	20	8,537

[1] Only those departments receiving Federal support are listed.

Source: "Impact of Federal Funds on Harvard University," pt. II, chart A, June 1961.

EXHIBIT IV.—*Project research by faculty and Federal agency, 1959–60*

[In thousands of dollars]

	Health, Education, and Welfare	Atomic Energy Commission	National Science Foundation	Defense	Other	Total
Medical	4,021	74	187	646		4,928
Public health	817	118		147		1,082
Dental medicine	214		20	33		267
Arts and sciences	579	334	781	2,096		4,190
Education	203			10		213
Divinity						
Law	18					18
Business administration				25		25
Public administration						
Design						
Other departments	260	10	168	446	247	1,137
Total	6,512	542	1,155	3,403	247	11,860
Training grants						+1,753
Accelerator						+3,870
Miscellaneous						+613
Total						18,096

NOTE.—Figures may not add exactly because of rounding.

Source: "Impact of Federal Funds on Harvard University," pt. II, chart A1a, June 1961.

EXHIBIT V.—*Project research in arts and sciences by department[1] and Federal agency, 1959–60*

[In thousands of dollars]

	Health, Education, and Welfare	Atomic Energy Commission	National Science Foundation	Defense	Other	Total
Anthropology	7		3			10
Biochemistry	32		6			38
Biology	281		194	65		540
Chemistry	378	50	209	252		889
Division of engineering and applied physics	23	60	245	982		1,310
Economics			1			1
Mathematics		5	12	104		121
Mineralogy			4		1	4
Physics		216	38	588		842
Psychology	130		69	80		279
Social relations	128		7			135
Statistics				21		21
Total	979	334	781	2,096		4,190

[1] Only those departments receiving project research have been listed.

Source: "Impact of Federal Funds on Harvard University," pt. II, chart A(a), June 1961.

EXHIBIT VI.—*Federal funds in relation to other department[1] expense, 1959–60*

Medical:	Expenses
Surgery, Beth Israel Hospital	$184,352
Psychiatry, Massachusetts General Hospital	230,845
Medicine, Boston City Hospital	341,238
Pharmacology	704,332
Surgery, Peter Bent Brigham Hospital	454,950
Pathology	337,324
Medicine, Peter Bent Brigham Hospital	817,683
Neurology, Boston City Hospital	204,039
Medical bacteriology, Boston City Hospital	100,627
Medicine, Beth Israel Hospital	429,690
Psychiatry, Massachusetts Memorial Health Center	276,820
Ophthalmology	72,501
Legal medicine	170,740
Psychiatry, Children's Hospital	58,660
Dermatology	177,483
Bacteriology	500,088
Neuropathology, Massachusetts General Hospital	117,827
Surgery, Massachusetts General Hospital	185,838
Medicine	30,974
Pediatrics, Massachusetts General Hospital	131,178
Physiology	239,659
Pediatrics, Children's Hospital	322,964

EXHIBIT VI.—*Federal funds in relation to other department[1] expense, 1959–60*—Con.

Medical—Continued	Expenses
Biological chemistry C	$72,675
Anatomy	392,407
Research administration, Shattuck	473,954
Gynecology	31,845
Surgery, Boston City Hospital	104,265
Biological chemistry	395,626
Biophysics	216,854
Preventive medicine	135,087
Medicine, Massachusets General Hospital	153,220
Biological chemistry B	41,974
Arts and sciences:	
Cambridge electron accelerator	486,171
Psychology	436,392
Physics	1,339,427
Biochemistry	67,862
Biology	1,159,765
Chemistry	1,840,779
Division of engineering and applied physics	2,995,582
Mathematics	402,381
Statistics	89,248
Social relations	733,915
Anthropology	109,971
Mineralogy	83,682
Economics	524,722
Public health:	
Nutrition	453,333
Tropical public health	93,652

EXHIBIT VI.—*Federal funds in relation to other department[1] expense, 1959–60*—Con.

Public health—Continued	Expenses
Public health practice	$407,810
Industrial hygiene	300,214
Maternal and child health	94,320
Epidemiology	62,710
Physiology	144,290
Teaching program	14,218
Microbiology	51,124
Population study	60,590
Miscellaneous:	
Observatory	1,025,035
Blue Hill Meteorological Observatory	68,641
The Cancer Commission of Harvard University	388,163
Dental medicine	792,301
Gray Herbarium	86,375
Education	1,844,397
Arnold Arboretum	269,874
Russian Research Center	156,532
Peabody Museum of Archeology and Ethnology	249,648
University health services	1,262,042
Museum of comparative zoology	463,996
Botanical museum	69,984
Law	3,014,363
Business administration	6,815,080

[1] Only those departments receiving Federal funds are listed.

Source: "Impact of Federal Funds on Harvard University," pt. II, chart C, June 1961.

EXHIBIT VII.—*Faculty of arts and sciences, including division of engineering and applied physics (private and Federal funds as departmental expense, 1954 and 1961)*

[In thousands of dollars]

	1953–54			1960–61		
	Private funds	Federal funds	Total expense	Private funds	Federal funds	Total expense
Natural sciences:						
Anthropology	55	6	62	114	58	172
Division of engineering and applied physics	855	728	1,584	1,591	1,191	2,782
Astronomy	52		52	65		65
Biology	514	112	627	760	678	1,438
Chemistry	632	128	761	1,070	1,031	2,102
Geological sciences	227	27	255	369	15	384
Mathematics and statistics	166	46	212	363	238	602
Physics	285	316	612	533	782	1,316
Psychology	99	105	205	147	244	391
Subtotal	2,899	1,474	4,373	5,016	4,241	9,258
Social sciences:						
Economics	312	24	337	577	19	597
Government	247		247	384		384
History	300		300	594		594
History of science	1		1	31	4	34
Social relations	477	59	536	619	304	924
Centers, committees	31		31	788		788
Subtotal	1,370	84	1,454	2,996	328	3,324
Humanities:						
Celtic languages and literature	12		12	12		12
Classics	90		90	187		187
Comparative literature	13		13	34		34
English	266		266	466		466
Far Eastern languages	93		93	163	25	189
Fine Arts	88		88	192		192
Germanic languages and literature	77		77	173		173
Linguistics	20		20	40		40
Music	124		124	237		237
Near Eastern languages and literature	35		35	56		56
Philosophy	111		111	178		178
Romance languages and literature	180		180	280		280
Sanskrit and Indian studies	8		8	18		18
Slavic languages and literature	82		82	167	36	203
Miscellaneous	43		43	112		112
Subtotal	1,248		1,248	2,320	62	2,382
Grand total	5,517	1,558	7,075	10,332	4,631	14,964

NOTE.—1953–4 was chosen as the base year because data available through a National Science Foundation study was uniquely suitable to make a comparison to 1960–61.

NOTE.—Figures may not add exactly because of rounding.

Sources: 1954, budget statements and National Science Foundation study; 1961, budget statements.

DEVELOPMENT OF JUNIOR COLLEGES—PREDICTION OF DAVID STARR JORDAN

Mr. MORSE. Mr. President, Senators will recall that the higher education bill, H.R. 8900, which passed the Senate on February 6, contained as one of its major titles title III, concerning public community colleges.

There appeared in the February 11, 1962, edition of the Washington Post under the byline of Miss Carole Bowie, an article entitled, "Spread of Junior Colleges in United States Bears Out the Prophet Jordan." This article is an excellent description of the developing interest in the concept of the community college. Because of the informative nature of the article I ask unanimous consent that it be printed at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SPREAD OF JUNIOR COLLEGES IN UNITED STATES BEARS OUT THE PROPHET JORDAN

(By Carole Bowie)

Fifty years ago David Starr Jordan, then president of Stanford University, predicted that the spread of the junior college would be viewed as "the most significant occurrence in American education in the present century."

Today, when the junior college movement is being widely described as a 20th century phenomenon and cited as an answer to many critical educational problems, there is little, if any, doubt of the fulfillment of Jordan's prophecy.

The number of junior colleges has more than tripled since 1921 to a total of 667. Located in every State, they enroll one of every four students currently attending an institution of higher learning.

Further there is widespread conviction among educators that the junior college movement has not yet—indeed, must not have—reached its zenith. California's new master plan for higher education calls for 22 new 2-year institutions.

Plans for expansion of junior college facilities are also underway in other States, including New York, Florida, and Maryland. Legislation to establish a junior college in the District has been approved by the Senate but has been stalled in the House District Committee for a year.

The Senate also, last week, approved a Federal aid program to help colleges build classrooms and laboratories which includes $250 million in matching grants for 2-year colleges. But the junior college aid must survive compromise with a House college aid bill that did not include junior college funds.

Spurring the rise of the junior college is its potential as a way to ease enrollment demands on 4-year colleges and to meet individual and national needs that are now met in no other type of institution.

The diverse curriculum which characterizes the junior college includes:

Transfer courses in the liberal arts equivalent to the freshman and sophomore years in a 4-year institution. Some educators hope the bulk of students will take their first 2 years of college in these programs, making room in universities and leaving them free to concentrate on advanced studies.

Terminal programs in semiprofessional vocational and technical skills not offered in most 4-year colleges. These programs, educators think, provide an important source of technical manpower critically needed by the Nation.

Evening programs for adults working for a degree, to improve their cultural backgrounds or to get a better job. Educators see these programs as a potent force in uplifting the social and economic level of the community.

And in a nation troubled by the fact that less than half its college-age youth seeks higher education, the junior college, located as it is in the community, promises other benefits.

It offers a doorway to higher education for students who do not have enough money to go away from home to school. And it provides a place where students undecided between college and vocational education can make up their minds.

Junior colleges have a place also for "late bloomers" who are capable of college work but cannot get into a 4-year institution because of poor high school grades and for students who want some, but not 4 years, of higher education.

It should be noted, too, that the biggest boom has been among publicly supported junior colleges. They now comprise 59 percent of all 2-year institutions and enroll 90 percent of all junior college students.

If the junior college has been the darling of communities throughout the Nation, it is even more so to the District where, unlike every State, there is no publicly supported institution of higher learning.

District Teachers College, school officials have pointed out, is established solely to train teachers, so offers no general program, and students must sign affidavits declaring their intention to teach to be admitted.

Coupled with the lack of educational opportunity, proponents of a junior college for the city can cite the low economic level of many of the city's students and the very pressing need to provide technical and vocational training for both young people and adults.

What impact a new junior college would have on the low percentage of District high school graduates who continue their education is difficult to predict. There is evidence, however, that junior colleges elsewhere have greatly increased the educational ambitions of youth.

In Jackson County, Fla., for example, only 7 percent of its high school graduates enrolled in college during the year Chipola Junior College was founded. Twelve years later, in 1959, 52 percent of the graduates were beginning college careers—45 percent of them at Chipola.

THE ROLE OF GOVERNMENT IN GRADUATE EDUCATION

Mr. MORSE. Mr. President, on December 15, 1961, I had the privilege of participating in the first national meeting of the Council of Graduate Schools in the United States. Sharing the platform with me at that time were two most distinguished American educators, Dr. Alexander Heard, dean of the Graduate School of the University of North Carolina at Chapel Hill, and Dr. R. M. Lumiansky, of Tulane University. The council is independent of organizations of higher education presently active, although it is affiliated with the American Council on Education. It is an organization which is nationally representative and includes in its membership a large majority of the institutions of higher education in the United States presently conferring doctoral degrees. Through this organization it is hoped that there will be provided a channel for bringing to bear, in a concentrated and effective fashion, the wisdom and experience of all of those most knowledgeable about graduate education and its interrelationship with governmental agencies and private foundations.

The council also exists to provide assistance to both the established and the newer graduate schools, many of whom have been established as the result of title IV of the National Defense Education Act, in the working out of new programs and in the reviews of the processes and procedures of graduate education. It serves the further function, in its comprehensive annual meeting, for bringing together representatives of our graduate schools in order that they may mutually inform one another of the development of this significant sector of our higher education enterprise.

I can testify from personal experience that the seminar session which I attended does provide an excellent forum for the exchange of informed opinion.

Mr. President, I salute the Council of Graduate Schools in the United States for the fine work which it has already undertaken and as an evidence of that work and for the information of the Senate I ask unanimous consent that the addresses of Dean Heard and Dean Lumiansky be printed at this point in my remarks.

There being no objection, the addresses were ordered to be printed in the RECORD, as follows:

A RESPONSIBILITY OF BIGNESS

(By Alexander Heard)

Mr. Chairman, Mr. Senator, ladies, and gentlemen, what I have to say this morning concerns a single matter, what I shall call a responsibility of bigness. We all know that the role of the Government of the United States in graduate education has been mounting sharply and steadily. We all know that its role in higher education generally has been mounting sharply and steadily.

Probably the total Federal income of colleges and universities for all purposes is now running between $1½ and $2 billion per year. Five years ago the sum was about one-half a billion dollars, which even then was around one-sixth of the current income of institutions of higher education for educational purposes.

We in graduate education know, especially, that Federal funds for research in our institutions have grown from virtually nothing prior to World War II—$15 million or so, which included the traditional funds for agricultural research—to something like one-half a billion dollars now, and probably more.

I do not propose to dwell on the measures of this increased involvement in our affairs. Nor in this group is it necessary to argue and document the immensely advantageous effects, of many kinds, that numerous forms of Federal financial aid to higher education have had in our institutions. Nor is it my task at this moment to dwell upon particular dangers and frictions that result. And certainly there is no need here to justify the broad policy of the Congress of the United States, and of the President of the United States, as they look to the colleges and universities of our people to help meet the needs of our people in their pursuit of a general welfare, of life, liberty and happiness, and of the common defense.

For myself, I am prepared to accept as facts that the intervention of the Government of the United States in graduate education is necessary, beneficial, dangerous, and permanent: necessary for the national well-being, beneficial in most of its particulars, dangerous in a few, and permanent in our lifetime.

My point this morning is that the bigness of this intervention carries with it a special, identifiable responsibility.

This responsibility results from the cumulative size of aggregate Federal involvement in higher education and was not envisioned and was not intended when individual Federal programs were adopted piecemeal, over a period of years. The aggregate impact on the educational community is of a different order, of a different quality, than the sum of the effects of a series of individual programs, each of which is directed toward specific, limited objectives. The whole is more than the sum of the parts. As with many things in life, changes in degree or quantity, when carried far enough, become changes in kind or quality.

There is, in my view a necessity for our National Government, in all its varied parts and in all its diverse functions, to make its decisions affecting higher education with a broad awareness of the total impact of all those decisions, taken together, on the educational processes of the country. This is not just a pious prayer that our Government—which is a way of saying that we—should be farseeing, and wise, and aware of all the implications of what we do—although I suppose we would all settle for that rare condition, should it come about. It is rather to say that our Government—which is to say we—must, first, recognize and understand the largest values of higher education in our land, and must, second, respect those values in the formulation and execution of specific programs to achieve more limited and immediate objectives. This is a call for a very elevated kind of corporate self-consciousness, and a very sophisticated kind of loyalty to national purposes—national educational purposes in this instance.

The difficulties are immense. Of course the difficulties are immense. And some will say that I am advocating a degree of centralized, national educational planning that is repugnant to our traditions and would be disastrous for our institutions. Perhaps the matter can be held in better perspective, if I illustrate some consequences of our past, uncoordinated growth in Federal support of higher education. Then we can return to the business of what to do about it all.

Let us look first at one type of impact on individual institutions, and then at one type of impact on the system of graduate education.

Examine the context in which an opportunity for outside financial help in aid of research presents itself to a university in 1961, as compared with 10 years before. To do so gives us some sense of the impact on an individual institution of the volume of outside money available. This impact results from a series of generally independent actions taken by the Federal Government, no one of which can properly be assigned responsibility, or blame, or credit, as the case may be, for what has happened.

Consider the professor who in 1951 could obtain a grant of $50,000 to assist him in his research. The grant, in the case we have chosen to talk about, provided for the following: (1) Some of the time of the professor could be bought from his department during the school year, as released time from teaching, to permit him to work on research; (2) a summer supplement was provided to enable him to work on the research during the summer, substituting for income he otherwise would have expected from teaching summer school; (3) research assistantships for a small number of graduate students were provided; (4) some travel money to be used in connection with the research was assured; (5) money for secretarial help was included; and (6) some modest money for equipment was provided. In this case, some typewriters, a desk or two, a filing cabinet or two, a chair or two, a calculating machine or two.

Now, in 1951, what was the reaction to this possibility of a foundation of Government grant? The reaction was joy.

The professor could be temporarily relieved of a course—the course postponed or carried by a colleague.

Summer school teaching was no problem, there always being plenty of impecunious academics depending on a summer course or two to fill out the budget.

The research assistantships would give the department an advantage in attracting graduate students.

The travel funds would enable the faculty member to circulate around the country on his research chores and to attend scholarly meetings.

The secretary would be able to handle all the professor's professional clerical work, hence relieve the departmental secretary of some of her burdens.

The equipment that could be bought would be welcomed as an addition to the department's resources, valuable at the time and valuable in the future when the particular research was completed.

The space to place the gift equipment and the free personnel was a hilariously low quid pro quo to give in return.

The attitude of a dean was in this mood: "Don't worry, son. You get the $50,000 and we'll find a way to use it, all right."

Now, what happens in 1961, when the same faculty member has a chance for a grant of $50,000, or more likely, $150,000?

As a result of the growth in grant and contract funds, there is a serious question of high policy as to whether the grant is acceptable. At my institution, and I am sure this is true at many others, many times a year we forgo an opportunity to attract substantial outside money to the university that 10 or 20 years ago would have been gobbled up with enthusiasm. What is the situation this year, in the case of our professor?

So many other faculty members have grants that no longer can released time from teaching be easily arranged. The instructional program of the institution has already been sharply altered, with the distribution of teaching loads affected, as well as the content of the courses shaped, by the inducements and opportunities resulting from the outside funds.

In a time of increasing pressure for year-round curricular offerings, directors of summer programs may regret the competition they face for the time of faculty.

The research assistantships would be welcomed, not now for any special opportunities they would afford the institution or the students, but as necessary weapons of self-defense in the battle for students who are bid for like athletes with the funds of, not alumni, but of the taxpayers.

The travel money is fine, except that so many faculty members are already off campus on so many worthy and appropriate academic purposes—each in itself clearly defensible and desirable, but rolled together, end-on-end, a formidable slug of faculty time—that the novelty has worn thin and the value called into question.

And, insofar as the free personnel and equipment are concerned, finding a place to put them has become usually the prime consideration in evaluating the wisdom of seeking and accepting outside money.

And in addition, now, the volume of the new activities financed from without has become so great that the indirect costs of supporting them have reached a point where they can no longer be absorbed as a hidden, unimportant cost of the normal operations of the institution. Free money is no longer a free gift. When all the free moneys are taken together, they, in the aggregate, create obligations, measurable financial obligations, that responsible faculty members and responsible fiscal officers cannot ignore.

Directly attributable to the activities financed from without are such things as the costs of a radiological safety program, expanded electronic maintenance shops, a research-administration staff of accounting personnel and academic personnel to process applications for grants and contracts, and to account for the grants and contracts, security officers, steam lines from the central heating plant to the new research wings of buildings, the expanded staffs of administrative personnel made necessary by the increased volume of work, and on and on, to say nothing of the light bill.

And, most important of all, highly significant sectors of the university's life and work have become dependent upon the annual renewals of the outside support. In many institutions over half the academic departments utilize such funds, and have become "accustomed to their face." And it seems probable that at least 91 institutions, all, I suspect, represented here, have become accustomed to receiving at least $1 million per year from the Federal Government, usually a very large share of the income of the institution.

All of this and more has come about largely piecemeal, according to the willy-nilly principle of growth. The impact of an increasing number of opportunities for outside funds has ceased to be one of degree, a quantitative impact alone, and has become a qualitative impact.

This is also true of the impact on the educational system of the Nation. Here again, a few sums cast about here and there in earlier days were absorbed by the system. Although highly effective and significant in achieving specific objectives, they shaped only slightly the grand educational contours of the country. Now, however, the entire pattern of higher education, and most specifically, graduate education, is formed by these financial forces external to the institutions themselves and so powerful and embracing that not only are they beyond the control of individual institutions, they are beyond the control of these institutions acting together, that is, of the educational system itself. Moreover, they are beyond the influence, in any coherent and systematic way, of the educational system itself. These things are true not because educators are ignored in the adoption and administration of Federal programs that bear on higher education, but because in their totality, taken all together, there is something short of a coherent system in the ways the programs, as a group, are formulated and administered.

One net effect on the educational system as a whole adds up to a highly important national policy that, in general, strengthens the strong. (There are over 2,030 institutions of higher learning in the United States, over 1,500 of which are 4-year colleges or universities, over 500 of which offer a master's degree in at least one field, almost 200 of which offer a doctoral level work of some kind—and it is among these latter that we find the 50.) The general picture has been painted often, but I remind you that 25 institutions receive about 72 percent of all Federal research funds, and these 25, plus another 25, receive about 87 percent of all such funds. Strengthening the strong has the effect, relatively, of weakening the weak. It has the effect, too, of creating or perpetuating imbalances in educational resources among the States and regions of the Union.

My point is not, now, that these things are bad, or good, but merely that they are important.

I could show, I believe, that many general constructive consequences have emerged from the host of particular programs and actions that make up the Federal educational portfolio. It could be shown, too, I believe, that consequences of dubious wisdom have also resulted. But it is not my objective at this moment to show either of these results. It is simply my hope to make it clear that the consequences are important, and that they either have been, are, or can be of a harmful kind.

If you will accept that position, then I believe you can also accept my main proposition; namely, that because of the volume of Federal financing pouring into higher education the Federal Government must assume a further responsibility. cannot escape a responsibility to do what it can to insure informed, rational, non-willy-nilly planning and action. This is a heavy responsibility of bigness.

Now this is not news to the legislative and executive branches of our Federal Government. And it is especially not news to an old academican like Senator WAYNE MORSE, of Oregon.

The Congress itself has, at least by clear implication, expressed its concern over this matter in various titles, for example, of the National Defense Education Act. Title X of that act requires the Secretary of Health, Education, and Welfare to consult the heads of Federal departments and agencies responsible for educational programs with a view to obtaining information about such programs and "to developing policies and procedures which will strengthen the educational programs and objectives of the institutions of higher education utilized for such purposes by any such department or agency."

This, presumably, however, may not be enough. What would be enough? To meet the responsibility of bigness requires awareness and purpose in the thinking of people of many kinds, as well as devices of coordination. Administrative machinery alone, serious congressional intent alone, or both together, and both are already present in a degree, may not even be enough. The titan forces of the major defense activities, for example, speak with the power of uniquely important authority, springing from their privileged knowledge and their awesome responsibilities for our protection, and they cannot easily be coordinated and curbed on behalf of general, seemingly vague, surely longrun, educational objectives.

The greatest power for achieving the objective I call for may ultimately spring from knowledge—from knowledge of the Nation's higher education as a system; from knowledge of the impact, in detail, of Federal programs on this system, and on the categories of differing institutions that comprise it; from knowledge that permits a statement of objectives in higher education, and of criteria to measure proximity to those objectives; and from knowledge that makes it possible to articulate the significance of those objectives to the national welfare, and can propose feasible alternative ways to meet them.

Such knowledge has great power. We ourselves, through this council, whose work we are now beginning, can perform a unique service to ourselves and our country in developing such knowledge and in placing it at the disposal of those, including ourselves, in places of central power, whose decisions shape higher education.

TOWARD A BROADER DEFINITION OF FEDERAL RESPONSIBILITY IN EDUCATION

(By R. M. Lumiansky)

The time allotted to me here might well be devoted to examination of a number of the specific benefits and disadvantages of the relationship between the Federal Government and education. Instead, however, I shall ask you to consider a single and more general matter which, as I see it, affects the whole of the Nation's educational establishment—public and private, lower and higher. This matter is the increasing imbalance in Federal support available for the sciences, on the one hand, and the humanities, on the other.

In making this twofold division within the world of learning, I intend no slight to the social sciences. I am simply adopting the methods of the National Science Foundation by including the quantitative social sciences within the category "sciences," and of the American Council of Learned Societies by including the theoretical social sciences within the category "humanities." Further, I would wish to make perfectly clear that nothing I say is aimed at taking much-needed support away from the sciences in order to transfer it to the humanities. Given these preliminaries, then, I propose to do two things: (1) present briefly my view of the actuality and the ill effects of the current imbalance; and (2) raise the fundamental question as to whether or not the problem properly calls for Federal interest.

I shall present first some aspects of the situation in the secondary schools. It may be objected that I am supposed to talk about the graduate schools, not the high schools. My reply, of course, would be that what happens in the high schools, and the undergraduate colleges as well, is by necessity a paramount concern of the graduate schools. As things now stand within the faculty of a given high school, the science teachers have wide opportunity to attend summer or year-long institutes at a nearby college, with tuition, subsistence, and travel paid by the NSF. Similarly, the teachers of modern foreign languages have this opportunity provided under the National Defense Education Act.

And Federal funds are also available for science and language laboratory equipment for the secondary schools. For the high school teachers of English, history, Latin, art, and music, however, no such widespread opportunity exists. True, each summer the ACLS provides money for 3 of 4 institutes in these subjects; the Coe Foundation for several years supported 10 summer history institutes; the college boards will pay for 20 English institutes this coming summer; and the Whitney Foundation last year received a sizable amount of Ford money for a special kind of institute in the humanities. But, even so, these possibilities represent only a few drops for a very large bucket. Meanwhile, we hear steadily of the imperative need to improve high school teaching: not just the teaching of science and modern foreign languages, but the teaching of all subjects. Further, there is the important consideration presented by the adverse psychological effect upon the teachers of English, history, Latin, art, and music of knowing and seeing their Government's lack of interest in and financial support for their areas of responsibility.

Second, let us explore the present circumstances in the colleges and the universities. Within these faculties, Federal support for scientific research, training, and equipment is available in steadily increasing amounts. For the humanities, however, such opportunities are almost nonexistent, except for the modern foreign languages. While the scientist can draw from Federal funds two-ninths or three-ninths of his academic salary for doing his summer research, the humanist occupied in the same fashion draws no salary or manages to get a small grant from a private agency. While the scientist travels to professional meetings with his full expenses paid from his Federal grant, the humanist pays his own way or is partially reimbursed by his own institution. Here, to an even greater extent than in the high schools, we are living with an ever-widening double standard, accompanied inevitably by serious difficulties in morale and by detrimental effects upon the quality of the operation.

Third, consider for a moment the situation from the point of view of the ablest students. In the high schools and in the undergraduate colleges, Federal funds are available to attract outstanding students into individual scientific research in close relationship with established scientists. The worthy purpose here is to draw more good students into scientific careers. But no such funds are available for this purpose in the humanities. Though I have no statistics to prove my suspicion, I fear that this factor, plus others, means that a diminishing proportion of the ablest young people are choosing to prepare themselves for careers as teacher-scholars in the humanities. When we turn to the matter of support for graduate students, the situation is comparable. Generous stipends from Federal funds are available in large quantities for the sciences. Fortunately, the Ford-supported Woodrow Wilson Foundation fellowships do go for the most part to the humanities; but even so the imbalance is marked. For a time, the National Defense Education Act title IV fellowships were distributed in balanced fashion; but this year congressional insistence upon a narrowed definition of "defense" caused the establishment of a very low priority rating for study of such subjects as the classics, the Middle Ages, the Bible, music, art, and theater. For my own university a title IV program in "medieval and modern European history" can possibly be renewed only if "medieval" is stricken from the program. One naturally wonders whether concern with medieval history would be inimical to the contribution by modern European history to the intellectual health and stability of the Nation. In the humanities, there are, to be sure, a great many part-time teaching assistantships available for graduate students; the stipend from such a service assistantship does support the graduate student while he studies for his Ph. D. degree. But note the sharp difference between this kind of support and that received from Federal funds by the graduate student serving as research assistant in science. The latter is paid for work upon his dissertation, and thus can earn his degree far more rapidly than the student in the humanities, who subsists by teaching elementary sections in his discipline. All in all, the present distorted state of affairs affects the high school, undergraduate, and graduate students, just as it does the faculties.

In this necessarily superficial survey, I have touched upon only a few of the problems arising from the current imbalance, and have said nothing at all new. Speaker after speaker, writer after writer has pointed to this distortion in the academic world, and has stressed the emptiness of our attempt to bolster the scientific establishment without concurrent attention to humanistic values. A particularly forceful statement of the case was made by Prof. Howard Mumford Jones in a book called "One Great Society: Humane Learning in the United States," published by Harcourt Brace in 1959. Yet the disortion increases rather than lessens. In this connection, it may be appropriate to quote a brief news item from page 2, section 2, of the New Orleans Times-Picayune for November 21, 1961, headed "History Teacher Will Become Pfc.":

"ROANOKE, VA.—A Hollins college instructor with a Ph. D degree will revert to an Army Pfc. next week, despite the protests of some of his students.

"The program to exempt from recall teachers of critical subjects does not apply to William F. Cheek, 28, an instructor in history.

"'The screening program is applicable to teachers who instruct students in scientific, technical, or vocational subjects required as preparation for critical occupations,' the Army's Adjutant General wrote a Hollins student, 'Teachers in other areas of education are not considered to be engaged in critical occupation.'"

On the one hand, the Federal Government grants funds through the National Defense

Education Act to prepare Ph.D.'s in history—at least modern history—because of the critical shortage of college professors in that field; on the other hand, the U.S. Army states that the college teaching of history is not a critical occupation. A strange state of affairs indeed.

There is a less tangible but more pervasive consideration—too seldom taken into account—which should be stressed in connection with the imbalance in support for the sciences and the humanities. In any educational institution the role of the humanities involves far more than the individual study of such subjects as philosophy, literature, art, music, theatre, history, language, religion, and anthropology. Indeed, the humanities are responsible for establishing a broadly philosophical and historical atmosphere which should pervade the institution as a whole. If this humanistic atmosphere is lacking or ill nurtured in an institution, the activity of every segment of that institution cannot be fully satisfactory. On the other hand, if the humanities in a given institution are properly flourishing along with scientific and other activities, there results an institutional attitude which greatly benefits all segments. In my opinion, continuation of the present state of affairs will inevitably result in the diminution rather than the strengthening of this all-important contribution from the humanities.

So much for my first concern here: a brief review of the actuality and the ill effects of the current imbalance. I shall now proceed to the second concern: Does this problem of imbalance properly call for Federal interest? In considering this question, we need first to remind ourselves of a point of view current for a few years shortly after World War II, when the stream of Federal dollars in support of science began rapidly to swell. It was then often maintained that no alarming imbalance in support of science and of the humanities would develop because the receipt of Federal funds to support science would free institutional funds for the humanities. However, educational administrators did not need to experience many annual periods of budgetmaking before realizing the fallacy of this view. For it has turned out that receipt of Federal funds for science, rather than relieving the institutional budget, places increased strain upon it. To be sure, the administrative officials of many institutions did and do try to maintain some balance.

But even so one can fairly state that the institutions themselves, whether they depend primarily upon State moneys or upon income from endowment and fees, cannot produce the necessary funds to establish and maintain the desired balance.

A second view concerning this matter, which also cannot survive close scrutiny—though it is nonetheless frequently maintained—is that the humanities do not need any additional money. A not unusual illustration for this contention is that the nuclear physicist has to have available a very expensive reactor, while the philosopher needs only a typewriter and a quiet place to think. Incidentally, I have never heard anyone advance the proposition that since as equipment a theoretical mathematician needs only chalk, eraser, and blackboard the NSF should withhold its support from mathematics. But be that as it may—and remembering that the general argument for balanced support need not entail hairsplitting about exactly equal sums for science and the humanities—one finds no difficulty in pointing to sizable requirements in the humanities for additional funds. In addition to the matters mentioned earlier, which involve individual faculty and student research and training, two fundamental items stand out: the universal need for library materials, and the insufficient support for scholarly publication. It is true that the Ford Foundation has helped in these areas by establishing the Council on Library Resources and by conducting a program to support university presses. But these wise acts are by no means adequate for the financial problems involved. Maintaining that large sums of money beyond what is now available are not now needed for these and other requirements in the humanities, is simply a position which ignores the facts of present-day academic life.

Still a third view that offers only cold comfort in connection with the imbalance is that the Federal Government need not worry about the humanities because the large private foundations should and do always adequately provide for them. In the first place, the actuality is that these foundations, doubtless rightly, concern themselves just as much with science as with the humanities. Further, a fundamental question of principle arises: the foundations are not in business to furnish large-scale, long-term support. Their role is primarily to experiment, to lead the way in solving problems by grants of a temporary nature. These grants do not offer any real solution for the kind of basic needs we are here discussing. Thus, examination of these three misleading but usual contentions concerning additional support for the humanities leads to the conclusion that only the Federal Government can provide the kind and level of support necessary.

I shall now advance what to my mind is the compelling reason that the Federal Government should furnish this support for the humanities. This reason has been often stated, but it has to date regularly engendered little more than pious agreement, rather than helpful action. Yet we cannot allow it to continue to go unheeded.

The United States is now and apparently will continue to be engaged in an ideological war. Certainly, in this struggle we must pay close attention to scientific advances. But such advances alone can never bring about a satisfactory resolution of the struggle. They must be accompanied and guided by tremendous advances in areas of human endeavor and relationships that lie within the domain which we call the humanities. Perhaps the most effective way for me to put this matter is to quote from Prof. Whitney J. Oates' recent address to the Land Grant Association. He said:

"Two distinguished colleagues of mine, one an economist and the other a physicist, recently addressed a letter to a U.S. Senator, who is an influential member of two highly important Senate committees. I beg your permission to quote two or three sentences from this letter: 'Let us recall that it has often been said that the World War of 1914 was won by the chemists, that of 1939 by the physicists. Even though one of us is a physicist, we are equally convinced that the conflict which we are facing will be won by the philosophers and other representatives of the humanities. The conflict, in fact, may not be an armed one, but may be fought for the loyalties of the population in all countries of the world. It will be won by the country which can inspire enthusiasm in the populations of other nations and induce its own population to make sacrifices and endure hardships in order to maintain its way of life. For this type of warfare we are inadequately prepared, even though our potential strength in this type of warfare is infinitely greater than that of authoritarian countries.'"

I shall now conclude with the following suggestion:

1. If there is agreement—as I think there must be—that a steadily widening imbalance exists between the support for the sciences and that for the humanities.

2. If there is agreement—as I think there must be—that this imbalance is seriously detrimental to the Nation's educational establishment and to the general welfare of our country.

3. If there is agreement—as I think there must be—that no agency other than the Federal Government can furnish the necessary attention and level of support to meet the problem, the Council of Graduate Schools in the United States should, when it completes its necessary organizational preliminaries, consider making a concentrated effort to convince the Congress of the actuality and the detrimental nature of the imbalance, and should consider urging as strongly as possible that the Congress establish within the executive branch of the Government a National Humanities Foundation. This foundation should have the charge—if I may paraphrase Public Law 507 of the 81st Congress, by which in 1950 the National Science Foundation was established—of developing and encouraging the pursuit of national policy for the promotion of basic research and education in the humanities. And it should also have the Federal funds with which to accomplish such promotion.

Mr. MORSE. Mr. President, I cannot let this occasion pass without expressing to Dr. Homer Babbidge, the vice president of the American Council on Education, who presided as moderator of the session, my personal appreciation for the effective and courteous manner in which he conducted the meeting.

LOSS LEADERS IN SUPERMARKETS

Mr. MORSE. Mr. President, the Oregon Retail Bakers Association has written me, and sent me a copy of a resolution it has passed on the subject of the so-called loss leader practice as used in supermarket merchandising.

For the past several Congresses, I have cosponsored with the Senator from Minnesota [Mr. HUMPHREY] legislation to outlaw this nefarious practice. Our bill, S. 1804, is pending in the Judiciary Committee, and I particularly call attention of committee members to this letter and resolution of the Oregon Retail Bakers Association. I ask unanimous consent to have both printed at this point in the RECORD.

There being no objection, the letter and resolution were ordered to be printed in the RECORD, as follows:

FEBRUARY 26, 1962.

Senator WAYNE MORSE,
Senate Office Building
Washington, D.C.

DEAR SENATOR MORSE: As committee chairman for the Oregon Retail Bakers Association, I am writing to enlist your aid in case it may be possible for you to act in any way to help in solving the problem facing our small retail bakeries in Oregon.

I am enclosing in this letter a resolution passed by our organization and also a letter sent to all bakeries in the State.

For the past several months the supermarket operators in Portland and other Oregon cities have been using bread as a loss leader in their store operations. This type of merchandising has had a serious adverse effect on the economy of the baking industry, and in particular the operators of bakeries, their families and employees whose entire livelihood is dependent on a reasonable price for their products under reasonable competition.

Prices, for a standard large loaf of bread as recognized in the trade as being 1 pound 6½ ounces, have been drastically cut from former prices of 33 cents to 31 cents or 29 cents to a low of 5 cents per loaf, with current prices of 10 cents per loaf. Such retail prices do not in many cases cover the cost of the materials, and of course does not provide the added costs such as labor, wrappings, and general overhead expenses.

The advent of the so-called discount stores whose stated policy is to sell at prices below any other competitor not operating a discount store has created the above situation. The meeting of such prices by local and national chainstores resulted in this deplorable price condition as the prices drop from day to day.

Discount stores and supermarket operators have from 10,000 to 30,000 items with which they may regain margins necessary for the continued existence of their business, whereas the independent baker has only the product of his own labor to sustain his individual enterprise.

The longer this undercost selling of bread continues, the more this part of our economy will deteriorate.

Whatever help you may lend to this problem will certainly be appreciated by the Oregon Retail Bakers Association.

Sincerely,

EDWARD I. MARCKX,
Committee Chairman.

RESOLUTION OF THE OREGON RETAIL BAKERS ASSOCIATION

Whereas it has come to the attention of this association that bread is being advertised for sale and sold at less than cost within this State and particularly in the city of Portland; and

Whereas in an industry such as ours where bread constitutes such a major factor, sales below cost must necessarily tend to injure, destroy, and suppress competition with resultant monopoly control of price; and

Whereas sales at less than cost in such circumstances are contrary to the law of this State as set forth in ORS 646.100;

Now, therefore, the Oregon Retail Bakers Association hereby resolves to do all within its power to prevent sales below cost within its industry and to obtain enforcement of the laws applicable thereto, wherever necessary, and directs its president to appoint a committee, composed of not less than three members, to accomplish this purpose.

OUR LATIN AMERICAN POLICY TODAY

Mr. MORSE. Mr. President, on March 10, 1962, I was honored by the American International College of Springfield, Mass., by being invited to speak at an institute meeting conducted by that college on Latin-American problems. I was highly honored by having the college award me an honorary doctorate of law degree on that occasion. I ask unanimous consent that the speech on the subject, "Where Does Our Latin American Policy Stand Today?" which I delivered at the conference, be printed at this point in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

WHERE DOES OUR LATIN AMERICAN POLICY STAND TODAY?

(Remarks of Senator WAYNE MORSE before the American International College, Springfield, Mass.)

Faculty, students, graduates, and friends of the American International College, it is with pride and gratitude that I receive your degree. I shall always count it among the highest honors of my life, because I know that it represents a judgment of excellence rendered by this institution.

As chairman of the Senate's Subcommittee on Education, as a former law school dean, and as a teacher in colleges and universities for more than 20 years, the responsibilities of our institutions of higher learning are very well known to me, and very close to my heart.

However, it is not in that capacity I wish to talk to you this afternoon. In recognition of the devotion of this college to international affairs and problems, I want instead to review an area of American foreign relations in which I have a special interest. This is Latin America, because I am also chairman of the Senate's Subcommittee on Inter-American Affairs.

One of the most frequent questions I am asked about Latin America, and especially in connection with Cuba is, Whatever became of the Monroe Doctrine? Is the Monroe Doctrine a thing of the past? Or is it still good U.S. policy and, if so, how are we applying it?

In answering this question, it must be remembered first that the Monroe Doctrine was set forth in 1823. That was 139 years ago. Few international policies of any one country remain in force or effect anywhere near that long, because the conditions which made them desirable do not last that long.

However, I do believe that insofar as it dealt with the Western Hemisphere, this was a sound statement for America to follow today, provided we remember it carries with it obligations that have become increasingly urgent.

In a dispatch to the American Ambassador in London dated July 25, 1895, Secretary of State Richard Olney set forth a classic of extreme interpretation of the Monroe Doctrine. "Today," he said, "the United States is practically sovereign on this continent, and its fiat is law upon the subjects to which it confines its interposition."

The basic fact of our relations today with Latin America is that we are abandoning the "Olney doctrine," and returning to a much more literal and genuine interpretation of the Monroe Doctrine, at least to that part of it which related to the Western Hemisphere.

What, after all, did the Monroe Doctrine really say? Certainly it scarcely resembled what the Secretary of State enunciated as our hemispheric policy in 1895. It actually had two parts, one covering our relations toward Europe, and the second covering our relations with other nations in the Western Hemisphere. Too many Americans have rather conveniently forgotten that one part of the Monroe Doctrine declared, and I quote: "Our policy in regard to Europe, which was adopted at an early stage of the wars which have so long agitated that quarter of the globe, nevertheless remains the same, which is, not to interfere in the internal concerns of any of its powers; to consider the government de facto as the legitimate government for us; to cultivate friendly relations with it, and to preserve those relations by a firm, frank, and manly policy, meeting in all instances the just claims of every power, submitting to injuries from none."

And again: "With the existing colonies or dependencies of any European power we have not interfered and shall not interfere."

This resolve on our part to refrain from participating in the affairs of Europe is a dead letter. But what of that section of the Monroe Doctrine relating to the Western Hemisphere? It declared, and I quote: "that the American continents, by the free and independent condition which they have assumed and maintain, are henceforth not to be considered as subjects for future colonization by any European powers."

The 1962 Declaration of Punta del Este was a much better restatement of the Monroe Doctrine than the Olney dispatch of 1895.

The United States is no longer practically sovereign in the Western Hemisphere. The policy of the Monroe Doctrine has been transformed into a hemispheric policy defined and carried out mainly by the Organization of American States.

Our relations with Latin America have been radically altered by two revolutionary changes since the end of World War II. The first of these has been the emergence of the United States from the confines of the Monroe Doctrine, from isolation, and the broadening of our foreign policy horizon from regionalism to globalism. The global commitments incurred by, or thrust upon, the United States in the late 1940's constituted a revolution in American foreign policy—a revolution, in the words of Prof. Hans Morgenthau, that marked "the permanent assumption by the United States of responsibilities beyond the limits of the Western Hemisphere."

The second great change has been the emergence of Latin America into the mainstream of world history, or, more precisely, the awakening of the long quiescent peoples of Latin America to the great social forces—communism, democracy, and, above all, nationalism—that in our time have aroused all the people of the non-European world. Thus it may be said that while the United States has emerged from isolation to join and lead a worldwide community of wealthy and long-established democratic states, the nations of Latin America have emerged from isolation to join the new countries of Asia and Africa not in a community but in a common revolution. It is a revolution conceived in economic deprivation and political humiliation, nurtured by the force of nationalism and soaring hopes of economic advance, and dedicated to the goal of securing for themselves decent, dignified, and rewarding lives as modern nations.

Both the United States and the Latin American Republics came into their new roles with unresolved dilemmas and anomalies. The ambiguity for the United States was its failure until very recently to adjust the regionalism of the Monroe Doctrine to the new "globalism" of the problems that confront us.

While we spend billions to rebuild Europe, and more billions to help the new nations of Asia and Africa, we said to Latin America: "We are not going to help you, and under the Monroe Doctrine, we are not going to let anyone else help you, either."

Latin America came into the modern world afflicted with an even greater dilemma—the deep contradiction between the language of democracy and progress, and the reality of oligarchy and reaction that have conditioned the political life of Latin America since the days of Simon Bolivar.

"Democracy," said Benito Juarez a century ago, "is the destiny of future humanity." But the history of Latin America has, with rare exceptions, belied that destiny and an angry and aroused generation of Latin Americans now demands an end to the ancient hypocrisy and immediate efforts on the part of their governments to achieve performances that match their promises.

The Mexican writer and diplomat Octavio Paz (currently in the Office of External Affairs, Mexico City) expressed the basic contradiction incisively in an essay on the character of his country. "The liberal and democratic ideology," he wrote, "far from expressing our concrete historical situation, obscured it. The political lie installed itself almost constitutionally among our countries. The moral damage has been incalculable and reaches into deep layers of our character. Lies are something we move in with ease. During more than 100 years we have suffered regimes of brute force, which were at the service of feudal oligarchies, but utilized the language of liberty."

Such considerations as these—too briefly defined—condition the relations between the United States and Latin America in the 1960's. The problem for both the United States and Latin America is to devise a hemisphere policy in a global context. I should like now to examine some of the elements that might comprise such a policy.

The basic policy of the United States toward Latin America today is to foster both security and progress in the shortest possible time. The Alliance for Progress has belatedly been recognized as a vital modern implementation of the Monroe Doctrine, along with the establishment of the Organization of American States, and the declarations that first nazism and later communism have no rightful place in the inter-American system.

The success of the Alliance for Progress, given the explosive social forces at work in Latin America today, and our woefully belated willingness to come to grips with them, is problematical. Its conception and intent, however, are wisely attuned to the realities of the 1960's, to the need for a hemisphere policy in a global context.

The Alliance for Progress represents for the United States a new form of "intervention," an intervention in depth to cope with deeply rooted social and economic ills of Latin America. Before commenting on some of its problems and prospects, I should like to reexamine briefly the traditional concepts of intervention and nonintervention in relation to the new forces at work in Latin America.

Today's problem of nonintervention, simply stated, is whether the Organization of American States can or cannot intervene in the affairs of one of its member states in order to forestall intervention from beyond the American Continents that threatens the security of the entire hemisphere.

The question is a simple one, but any answer to it is enormously complicated by the fact that to the Latin Americans intervention is not an abstract concept but a historical experience deriving principally from their relations with the United States. It is not difficult to understand that, for deeply rooted historical reasons, the Latin American reaction to Soviet intervention in the hemisphere is conditioned by the experience of American intervention.

The attitude of the Latin Americans toward intervention by the United States is by no means one of unambiguous hostility, as is widely believed. It is rather an ambivalent attitude, depending upon the cause for which intervention is undertaken. In recent years there has been a steady procession of Latins coming to Washington to petition for U.S. assistance for overthrowing Batista or Castro in Cuba, Trujillo in the Dominican Republic, or some other Latin American ruler. To these exiles—of whom the most conspicuous at present are the large number of refugees from Communist Cuba—the doctrine of nonintervention in itself has no appeal. It is their contention that when we withhold assistance we are in effect intervening on the side of entrenched regimes. The United States is thus doubly damned, regardless of its acts or omissions, and I think that those well-meaning persons who suffer excessively from flagellations of conscience over our deviations from nonintervention would do well to face up to the fact that the United States cannot avoid playing a major, and often decisive, role in the affairs of the Latin American Republics.

"The moral here," as one perceptive student of Latin American affairs recently put it, "is that a great power such as the United States necessarily intervenes in the affairs of other countries, especially smaller ones, as much by what it does not do as by what it does. A policy of nonintervention, if that term is interpreted in the strictest, most literal sense, becomes plainly impossible. The question, therefore, is not one of intervention or nonintervention per se but of the ends and means of intervention."

Latin antipathy to intervention derives directly from the historical fact that most of the interventions of the past have been by the United States and for ends and by means that most Latins find objectionable. American interventions, it is widely believed—and not altogether inaccurately—have been designed to protect American business interests. Few Latin Americans are aware of the preeminently strategic considerations centering on the security of the Panama Canal that motivated the repeated interventions in Central America and the Caribbean in the first three decades of the 20th century—the only large-scale sustained interventions in which the United States has engaged.

An even more subtle ambivalence characterizes Latin American attitudes toward the problem of Communist intervention and subversion. Most Latin American governments are able at present to deal with the hard core of Moscow-trained Communists operating within their own frontiers. Soviet intervention in Cuba is another matter. While Castro has proclaimed himself a Marxist-Leninist, many Latin Americans, persuaded that he has the support of the Cuban people, are disposed to accept his open espousal of Marxism as an alarming but nonetheless legitimate exercise of the right of self-determination. This consideration is coupled with the sensitivity and fear of many Latin American governments to widespread and violatile fidelista sentiment in their own countries. One can express satisfaction, and even surprise, that the Punta del Este Conference went so far as to deprive Cuba of participation in the Organization of American States.

The compelling question at this juncture is the degree to which the governments of Latin America are prepared to tolerate the efforts of the Castro regime to subvert the legitimate representative governments that now prevail in most of Latin America. There can be no question that some progress was made at Punta del Este when shipments of arms and other implements of war from Cuba to subversives in other countries of the OAS were embargoed. Another measure to forestall intervention from Cuba was the setting up of a five-man committee of experts on how to combat subversion.

In the past there has been a tendency to regard intervention by the United States as intolerable and Communist intervention with indifference or only mild concern. The Alliance for Progress, and the excesses of the Castro regime, are bringing about a slow but discernible change in these attitudes. In due course these trends may be expected to generate new attitudes toward intervention, more favorable in regard to the United States, and more realistic in regard to Cuba and the Soviet Union.

The Alliance for Progress and the Cuban resolution represent two forms of revolution, which are engaged in a sustained contest for prevalence throughout Latin America. The Cuban revolution aims to impose a new form of tyranny on the peoples of the American Republics, by consent if possible, by force, demagogery, or subversion if necessary. The Alliance aims to generate the means for creating a decent social and economic life for all Latin Americans under free institutions.

It represents a new form of intervention in depth, designed to cope with ancient social and economic ills and to recast the societies of Latin America. I should like, in the remainder of these remarks, to consider some of its problems and prospects.

The basic problem of the Alliance for Progress is to carry out a social revolution with due process of law.

The social and economic problems that oppress Latin America are nothing less than staggering. It is highly unlikely that even a generation of concerted effort will overcome Latin America's grievous mismanagement and entrenched selfish interests, its political factionalism and racial, class, and national animosities. What is new in Latin America is not the existence of these ancient evils but the eruption in recent years of massive forces of popular protest and social discontent.

The social and economic grievances of the Latins can be indicated by a few facts and figures:

The feudal land system created by the Spanish conquerors has persisted with some modifications to the present day. Three-fourths of all of the arable land in the entire continent is owned in the form of vast latifundia by 2 percent of the people. The result is the desperate "land hunger" of the millions of dispossessed.

Industry and commerce, the mines, oilfields, and other nonagricultural assets, when not owned by foreign capitalists, are dominated by a small oligarchy of great wealth, some of whom are also owners of latifundia. Taking all forms of wealth together, it is estimated that 50 percent of it is owned by only 2 percent of the people.

Over half of the people of Latin America are undernourished and over half are illiterate. For lack of schools and teachers, millions of children are deprived of even rudimentary formal education.

With an average per capita income of only $289 a year, levels of material consumption are far below the minimum required for a decent life by even the lowest income groups of Western Europe or North America.

In addition, Latin America is beset by a population explosion, with the result that per capita production of wealth has not only stopped growing but appears to be declining. Latin America's population, now 200 million, is increasing at a rate of about 2½ percent a year, the highest of any major region in the world. Over 40 percent of the population are under 15 years of age, with the result that the economically productive portion of the population must support a greater inactive proportion than those supported in more advanced countries.

The Latin American oligarchies bear a heavy burden of responsibility for the grave inequities of Latin American societies, although the harshest and most violent expressions of popular wrath are directed against foreigners. The latifundia are often inefficiently run and underproductive and land reform is probably the most explosive issue in Latin America today. Few of the landed oligarchy have shown any willingness to part with any of their property. Land is a form of wealth that is virtually tax free; by ancient custom the tax rates on land are very low and by ancient custom even these low taxes are commonly evaded. In fact, tax evasion by the rich, whatever their source of wealth, is so common as to be regarded almost as a prerogative of their station.

Another compelling economic problem—I can mention but a few—is the lack of desperately needed investment capital. Commercial interest rates range from about 12 percent to an illegal but not uncommon 35 percent. While Latins complain, often with justice, of American companies sending their profits home, a substantial amount of Latin America's own capital has been sent abroad—perhaps as much as $10 billion—by wealthy Latins who refuse to invest in their own countries because they fear revolution and, in their fear, so act as to make revolution more likely.

Still another source of grave economic maladjustment is the heavy dependence of the Latin American economies on single commodity exports, coupled with the fact that world market prices for most of these commodities have fallen seriously in recent years. Brazil, for example, derives 58 percent of her total export earnings from coffee. Some other figures for export earnings

are as follows: Venezuela, 92 percent from petroleum; Colombia, 77 percent from coffee; Bolivia, 62 percent from tin; Ecuador, 57 percent from bananas; Chile, 66 percent from copper.

Latin American countries are pressing the United States to enter agreements for the stabilization of raw materials export prices, especially for coffee, and it can be readily seen that such arrangements would constitute a significant form of assistance to the Latin American economies.

Probably the most pressing long-term need of Latin America is education, and the expansion of educational facilities and opportunities is quite properly one of the central objectives of the Alliance for Progress. Fifty percent of the children of Latin America have no schools to go to and only 20 percent of the pupils who attend primary schools are able to complete the full course. Standards of education must also be raised by improving methods and teacher training and adapting curricula to the pressing needs of a continent undergoing social transformation.

Another focus of effort under the Alliance program must be housing. The majority of the population of Latin America still live in rural areas but in recent years movement to the cities has proceeded apace and there now exists a terrific disproportion of people living in urban areas. There are thousands of families in Lima, Peru, for example, some 30 percent of the total population of the city, living as squatters under the most wretched conditions, and the same is true of Bogotá and of many cities of Brazil. While few of the Latin American Republics can afford to invest great sums in low-cost housing programs, more can be done than is now being attempted. There are great numbers of unemployed whose only capital is time—time which, properly utilized and directed, can be used for the construction of housing.

The most explosive question remains that of land reform, the reshaping of the vast, inefficient latifundia. It is estimated that per capita production of food in Latin America today is slightly lower than it was 25 years ago—not very much lower but it has got to be a great deal higher if living standards are to be raised to a tolerable minimum.

The solution is not necessarily in all instances the breaking up of the latifundia into tiny parcels. The great estates in Haiti, for example, were broken up into postage stamp plots and in two generations the land became barren because of poor conservation practices. Both Mexico and Puerto Rico have had considerable success in operating large farm units as cooperatives. The overriding needs in land reform, regardless of what form it takes, are efficient operation and democratic participation by those who for so long have been deprived and dispossessed.

The task of the Alliance for Progress in the face of these staggering problems is, in the words of President Kennedy, "to demonstrate to the entire world that man's unsatisfied aspirations for economic progress and social justice can be achieved by freemen working within a framework of free institutions."

With an objective of social revolution without violent upheaval, the Alliance exceeds in scope and design the postwar Marshall plan for Europe, whose objective was one of restoration.

The extent to which it succeeds or fails will probably also be the extent of success with our modern version of the Monroe Doctrine.

FEDERAL AID TO HIGHER EDUCATION

Mr. MORSE. Mr. President, Mr. Hans Rosenhaupt, national director of the Woodrow Wilson National Fellowship Foundation on February 16 wrote me a most thoughtful letter concerning the provisions of the higher education bill now in conference. Because the points raised by Mr. Rosenhaupt, who views the problem most objectively, might be of interest to a significant number of Senators, I ask unanimous consent that his letter be printed at this point in my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

WOODROW WILSON
NATIONAL FELLOWSHIP FOUNDATION,
Princeton, N.J., February 16, 1962.

Hon. WAYNE LYMAN MORSE,
Senate Office Building,
Washington, D.C.

MY DEAR MR. MORSE: It may be of some interest to you and other members of the conference committee which will deal with H.R. 8900 and S. 1241 that I consider it of critical importance that grants as well as loans for construction of academic facilities be made available to public and private colleges and universities, as well as to public community colleges. I also believe that college scholarships administered by State commissions are of great importance to the educational development of our country.

I realize that you receive many special pleas from individuals and interest groups. May I point out that the foundation with which I am associated represents no special interest group. We are, rather, charged with the administration of the largest private graduate fellowship program, comparable in size to the large Federal programs, designed to recruit outstanding men and women into the college teaching profession. As I see it, the need for faculty as well as for academic facilities is urgent. If NSF, title IV and the Woodrow Wilson program are successful in alerting the Nation to the critical need for college professors, the generation now in elementary and high schools will have a chance of receiving the education to which we believe young Americans are entitled. However, all our efforts will be put in jeopardy if the faculty we recruit does not have the classrooms, laboratories, and libraries which they need to do their jobs. Speaking as a private citizen, I would say that the very magnitude of the job justifies the Federal Government taking measures in this matter.

Anyone familiar with the need for high-level manpower—keen in many areas, and critical in the field of teaching—knows that the only possible answer to this problem facing us is financial aid to college students. There is evidence to the effect that many fine young American men and women do not even enter college because they do not have the financial means to do so. We cannot expect to increase the number of highly trained Americans unless we provide for a larger number of promising youngsters to obtain a college education.

May I, again speaking unofficially, but as one who devotes all his time to these problems and who has no ax to grind, bespeak your support of both grants and loans for the construction of academic facilities as well as of college scholarships as outlined in H.R. 8900.

Sincerely yours,

HANS ROSENHAUPT,
National Director.

THE MILK INDUSTRY

Mr. WILEY. Mr. President, there is a great deal of discussion these days among farmers and among people in the farm sections of this country generally on the question of what the Department of Agriculture will do in regard to milk. In my State people are very much worried about the price that will be fixed. They feel that $3.40 per hundredweight is necessary to enable the milk farmer to survive. They feel that is not a remedy—a remedy is something else—but a palliative that will provide a living during the period until the pay is forthcoming.

The other day I was interested to hear a discussion on this subject, and the question came up, "Just what do you mean by the word 'palliative'?" It is probably a medical term related to something that is given to a person so that he will continue to live in the status in which he is. However, something else is needed.

In the farm areas, particularly in the State of Wisconsin, where we produce some 18 billion pounds of milk, something else is needed. That is a great deal of milk. We cannot consume it. What is the remedy? Someone will say, "Get the Secretary of Agriculture to have a bill passed." Mr. President, we might as well try to pass a bill to cure a person who is suffering from a particular physical illness. It would do nothing of the kind. However, it is possible to give that sick person a palliative, and he will live.

What is the remedy? It is very simple if we sit down and analyze our position. First of all, distribution is needed. Next, the country is increasing in population by some 3 million a year, and that should increase the consumption.

The trouble with that is that people prefer drinking Coca-Cola or 7-Up or something else, to drinking good, wholesome milk. Therefore, we have, first, the question of distribution; recond, there is not the consumption to take care of the production.

In the city of Washington there are hungry children who cannot get milk. Why? It is because we think the remedy lies in passing legislation. Therefore, that is the first point, namely, the question of distribution. The first question relates to adequate distribution in places where milk is necessary, and adequate distribution, therefore, would undoubtedly take care of that problem. However, there is another very important subject I have heretofore discussed, to which I shall merely refer casually at this time, namely, teaching people to drink more milk.

A short time ago I referred to my being at the White House and noting that, besides other beverages being served, there was also a glass of milk for each of the 70 of us, or so, who sat around the table. One friendly newspaper back home, after hearing my comment, said, "WILEY has joined the Kennedy forces." That is not why I made the statement. I made it because I thought that when the President of the United States recognizes that more consumption is one of the remedies, it is about time that Republicans and Democrats joined in the march.

Therefore, we must first get adequate distribution, and then adequate consumption.

There is a third angle. I expect before very long to have some news relating to this third angle, which I believe is very important. What do I mean? Through the decades we have thought only in terms of cheese and powdered milk and butter. We have not thought in terms of industrial uses of the constituent parts of milk. Here is a problem for a modern Edison, for the chemist. It is a question of taking the constituent parts of milk and utilizing them for industrial purposes—not for food purposes, but for industrial purposes. In my own State, of the 18 billion pounds of milk that we produce, it would be possible to take a third of that amount and set it aside for industrial purposes, and we could utilize it for those purposes at a profit.

Someone has said, "Oh, it cannot be done."

That is what people said a few years ago about corn. Now we see what has been done with corn, to make the many corn products.

So let me repeat that the answer is not simply the enactment of legislation. Too often we try to cure economic ills with economic legislation. In this particular case we are providing a palliative, and not a cure. Therefore the remedy, in my humble opinion, I repeat, is more consumption, more distribution, and the utilization of the constituent parts of milk for industrial purposes.

FOREIGN AID—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 362)

The PRESIDING OFFICER (Mr. HICKEY in the chair). The Chair lays before the Senate a message from the President of the United States on the subject of foreign assistance, which, without objection, will be referred to the Committee on Foreign Relations and, without reading, will be printed in the RECORD.

The President's message is as follows:

To the Congress of the United States:

Last year this Nation dedicated itself to a decade of development, designed to help the new and developing states of the world grow in political independence, economic welfare, and social justice.

Last September, in support of this effort, the Congress enacted fundamental changes in our program of foreign assistance.

Last November the executive branch drastically reorganized and restaffed this program in accordance with the congressional mandate.

Today the decade is only 4 months old. It would surely be premature to make any claims of dramatic results. Our new aid program, addressed to the specific needs of individual countries for long-term development, presupposes basic changes, careful planning, and gradual achievement. Yet these few months have shown significant movement in new directions. The turnaround has begun.

Our new aid policy aims at strengthening the political and economic independence of developing countries, which means strengthening their capacity both to master the inherent stress of rapid change and to repel Communist efforts to exploit such stress from within or without. In the framework of this broad policy, economic, social, and military development take their proper place. In Washington our aid operations have been largely unified under the direction of the Administrator of the Agency for International Development. Recipient countries are improving their planning mechanisms, devising country development plans, and beginning extensive programs of self-help and self-reform. In addition to long-range programs developed with India, Nigeria, and others we have, under the new authority granted by the Congress, entered into a new type of long-term commitment with two nations—Pakistan and Tanganyika—after the most painstaking review of their proposed development plans, and others will follow. In addition to placing emphasis on the improvement of internal security forces, we are giving increased attention to the contribution which local military forces can make through civic action programs to economic and social development.

In financing these programs, we are relying more heavily than before on loans repayable in dollars. Other institutions are joining with us in this effort—not only private institutions but also the United Nations, the International Bank for Reconstruction and Development, the Organization of American States, and the Inter-American Development Bank. We have urged other industrialized countries to devote a larger share of their resources to the provision of capital to the less developed nations. Some have done so, and we are hopeful that the rest will also recognize their stake in the success and stability of the emerging economies. We are continuing, in view of our balance of payments situation, to emphasize procurement within the United States for most goods required by the program. And we are working toward strengthening the foreign exchange position of the emerging countries by encouraging the development of new trade patterns. The proposed new Trade Expansion Act is a most important tool in facilitating this trend.

Much more, of course, could be said. But having set forth last year in a series of messages and addresses on foreign aid the goals we seek and the tools we need, it is not necessary to repeat to the Congress this year our Nation's basic interest in the development and freedom of other nations or to review all of the initiatives launched under last year's programs. The Congress is familiar with these arguments and programs, as well as its own role and contribution in enacting long-term financing authority. Thus the foreign aid legislation submitted this year does not require reconsideration of these questions. It is instead limited primarily to the new authorizations required annually under the terms of last year's law. The only major change proposed is the establishment of a separate long-term Alliance for Progress fund. The total amounts requested were included in the Federal budget previously submitted for fiscal 1963 and the authorizing legislation enacted last year, and have in fact been reduced in some instances. They cannot, I believe, be further reduced if the partnership on which we are now embarked—a joint endeavor with each developing nation and with each aid-giving nation—is to demonstrate the advances in human well-being which flow from economic development joined with political liberty. For we should know by now that where weakness and dependence are not transformed into strength and self-reliance, we can expect only chaos, and then tyranny, to follow.

II

Because development lending and military assistance appropriations for fiscal year 1963 were authorized in the Foreign Assistance Act of 1961, no new authorizations for these two programs are needed. I am proposing new authorization and appropriation of $335 million for development grants; $481.5 million for supporting assistance; $148.9 million for contributions to international organizations; $100 million for investment guarantees; $400 million for the contingency funds; and $60 million for administrative costs and other programs. I am also proposing appropriations for 1963 of $2,753 million, including the $1,250 million already authorized for development lending, and $1,500 million ($200 million below that authorized) for military assistance. The total appropriation request for the foreign economic and military assistance program for fiscal year 1963 is $4,878 million.

These recommendations are based upon a careful examination of the most urgent needs of each country and area. Each of these forms of assistance, in these amounts, is essential to the achievement of our overall foreign assistance objectives. The total is less than the estimates in the budget because of a reduction in my request for supporting assistance.

One item in particular deserves attention. The past year has amply demonstrated that rapid and unpredictable changes in the world situation of direct interest to our security cannot be foreseen or predicted accurately at the time Congress acts upon the appropriations. I therefore urge the Congress to recognize this need for flexibility to meet contingencies and emergencies and to approve the full authorization and appropriation requested of $400 million.

III

The Charter of Punta del Este which last August established the Alliance for Progress is the framework of goals and conditions for what has been called a peaceful revolution on a hemispheric scale.

That revolution had begun before the Charter was drawn. It will continue after its goals are reached. If its goals are not achieved, the revolution will continue but its methods and results will be tragically different. History has removed for governments the margin of safety between the peaceful revolution and the violent revolution. The luxury of a leisurely interval is no longer available.

These were the facts recognized at Punta del Este. These were the facts that dictated the terms of the Charter. And these are the facts which require our participation in this massive cooperative effort.

To give this program the special recognition and additional resources which it requires, I therefore propose an authorization of $3 billion for the Alliance for Progress for the next 4 years. Of the $3 billion, an authorization and appropriation of $600 million is being requested for 1963, with up to $100 million to be used for grants and the balance of $500 million or more for development loans. This authorization will be separate from and supplementary to the $6 billion already authorized for loans for development for 1963 through 1966, which will remain available for use throughout the world.

During the year beginning last March over $1 billion has been committed in Latin America by the United States in support of the Alliance, fulfilling the pledge we made at the first Punta del Este meeting, and launching in a very real way for this hemisphere a dramatic decade of development. But even with this impressive support, the destiny of the Alliance lies largely in the hands of the countries themselves. For even large amounts of external aid can do no more than provide the margin which enables each country through its own determination and action to achieve lasting success.

The United States recognizes that it takes time to develop careful programs for national development and the administrative capacity necessary to carry out such a program, to go beyond the enactment of land reform measures and actually transfer the land and make the most productive use of it, to pass new tax laws and then achieve their acceptance and enforcement. It is heartening, therefore, that the changes called for by the Alliance for Progress have been the central issue in several Latin American elections, demonstrating that its effects will be deep and real. Under the Organization of American States, nine outstanding economists and development advisers have begun to assist countries in critically reviewing their plans. Three Latin American countries have already completed and submitted for review their plans for the more effective mobilization of their resources toward national development. The others are creating and strengthening their mechanisms for development planning. A number of Latin American countries have already taken significant steps toward land or tax reform; and throughout the region there is a new ferment of activity, centered on improvements in education, in rural development, in public administration, and on other essential institutional measures required to give a sound basis for economic growth.

But more important still is the changed attitudes of peoples and governments already noticeable in Latin America. The Alliance has fired the imagination and kindled the hopes of millions of our good neighbors. Their drive toward modernization is gaining momentum as it unleashes the energies of these millions; and the United States is becoming increasingly identified in the minds of the people with the goal they move toward: a better life with freedom. Our hand—extended in help—is being accepted without loss of dignity.

But the Alliance is barely underway. It is a task for a decade, not for a year. It requires further changes in outlook and policy by all American states. New institutions will need to be formed. New plans—if they are to be serious—will have to assume a life other than on paper.

One of the brightest pages of the world's history has been the series of programs this Nation has devised, established, and implemented following the Second World War to help free peoples achieve economic development and the control of their own destinies. These programs, which have been solidly based on bipartisan support, are the proud manifestations of our deep-seated love and pursuit of freedom for individuals and for nations.

I realize that there are among us those who are weary of sustaining this continual effort to help other nations. But I would ask them to look at a map and recognize that many of those whom we help live on the front lines of the long twilight struggle for freedom, that others are new nations posed between order and chaos, and the rest are older nations now undergoing a turbulent transition of new expectations. Our efforts to help them help themselves, to demonstrate and to strengthen the vitality of free institutions, are small in cost compared to our military outlays for the defense of freedom. Yet all of our armies and atoms combined will be of little avail if these nations fall, unable to meet the needs of their own people, and unable to stave off within their borders the rise of forces that threaten our security. This program—and the passage of this bill—are vital to the interests of the United States.

We are, I am confident, equal to our responsibilities in this area—responsibilities as compelling as any our Nation has known. Today we are still in the first months of a decade's sustained effort. But I can report that our efforts are underway; they are moving in the right direction; they are gaining momentum daily; and they have already begun to realize a small part of their great potential. The turnaround has indeed begun.

JOHN F. KENNEDY.

THE WHITE HOUSE, *March 13, 1962.*

SAVERY-POT HOOK IRRIGATION PROJECT, COLORADO AND WYOMING

Mr. ALLOTT. Mr. President, one of the participating projects of the upper Colorado River, a project upon which legislation has been pending before the Senate for some time, is the Savery-Pot Hook irrigation project.

The Upper Colorado River Commission recently adopted a resolution urging immediate action by the Senate in the form of hearings concerning the Savery-Pot Hook project.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a letter dated March 6, 1962, which I have received from Mr. Ival V. Goslin, executive director of the Upper Colorado River Commission, and the resolution in support of the Savery project.

There being no objection, the letter and resolution were ordered to be printed in the RECORD, as follows:

UPPER COLORADO RIVER COMMISSION,
Salt Lake City, Utah, March 6, 1962.

Hon. GORDON L. ALLOTT,
U.S. Senate,
Washington, D.C.

DEAR SENATOR ALLOTT: Enclosed is a copy of a resolution supporting the authorization and construction of the Savery-Pot Hook irrigation project in Colorado and Wyoming.

This resolution was unanimously adopted by the Upper Colorado River Commission at its adjourned special meeting held in Denver, Colo., on February 28, 1962.

Sincerely yours,

IVAL V. GOSLIN,
Executive Director.

RESOLUTION SUPPORTING AUTHORIZATION AND CONSTRUCTION OF SAVERY-POT HOOK IRRIGATION PROJECT IN COLORADO AND WYOMING

Whereas a major purpose of the upper Colorado River Basin compact, working through the united action of the Upper Colorado River Commission, is "to secure the expeditious agricultural and industrial development of the upper basin"; and

Whereas the Savery-Pot Hook project, one of a group of priority projects approved in principle by the commission in sponsoring Public Law 485, is an integral part of the agricultural development of the upper basin in Colorado and Wyoming; and

Whereas planning of the aforementioned project has been completed and legislation to authorize the project has been introduced in the Congress of the United States: Now, therefore, be it

Resolved by the Upper Colorado River Commission, That this commission hereby endorses the Savery-Pot Hook project and urges its early authorization by the Congress of the United States; and be it further

Resolved, That the secretary of the commission be directed to transmit copies of this resolution to the chairmen of the Senate and House Interior and Insular Affairs Committees, the chairmen of the Senate and House Subcommittees on Irrigation and Reclamation, and to each of the Senators and Congressmen of the upper Colorado River Basin States.

RELIEF OF WILLIA NIUKKANEN (ALSO KNOWN AS WILLIAM ALBERT MACKIE) AND HAMISH SCOTT MACKAY

Mr. MORSE. Mr. President, I have just a note to make for the record today with respect to two bills that I introduced on January 13, 1961. One is S. 420; the other is S. 421. Before I make any comment on them, I ask unanimous consent that the bills be printed at this point in my remarks.

There being no objection, the bills were ordered to be printed in the RECORD, as follows:

S. 420

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any other provision of law, the Secretary of State is authorized and directed, upon a request being made by Willia Niukkanen (also known as William

Albert Mackie), to take such action, including the payment of all traveling expenses, as may be necessary to effect the immediate return to the United States of the said Willia Niukkanen.

SEC. 2. (a) For the purposes of the Immigration and Nationality Act, Willia Niukkanen shall, upon his return to the United States, have the same residence status as that which he had immediately prior to the commencement of deportation proceedings against him in 1952.

(b) From and after the date of enactment of this Act Willia Niukkanen shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced.

S. 421

Be in enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any other provision of law, the Secretary of State is authorized and directed, upon a request being made by Hamish Scott MacKay, to take such action, including the payment of all traveling expenses, as may be necessary to effect the immediate return to the United States of the said Hamish Scott MacKay.

SEC. 2. (a) For the purposes of the Immigration and Nationality Act, Hamish Scott MacKay shall, upon his return to the United States, have the same residence status as that which he had immediately prior to the commencement of deportation proceedings against him in 1949.

(b) From and after the date of enactment of this Act, Hamish Scott MacKay shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced.

Mr. MORSE. Mr. President, I have just returned from a week's visit to Oregon, where I spoke in many parts of the State. Many Republicans and many Democrats came to me and asked me to give them a report on the so-called Mackie and MacKay bills.

I desire to have the RECORD show, as I said in Oregon last week, that I have received fine cooperation from the chairman of the Committee on the Judiciary, the distinguished senior Senator from Mississippi [Mr. EASTLAND], with respect to the two bills. Even though they were introduced on January 13, 1961, and no action has been taken on them, the fault does not rest on the shoulders of the chairman of the Committee on the Judiciary, so far as what has happened to the bills to date is concerned. The chairman of the Committee on the Judiciary has been waiting for reports from the Immigration Service with respect to the bills. For some reason, the reports have not been forthcoming.

However, some time ago I respectfully asked the chairman of the Committee on the Judiciary to give consideration to proceeding with the bills without any reports from the Immigration Service, if reports were not forthcoming. The chairman, quite properly, asked for a little more time, but assured me that if the reports did not come to the committee in a reasonable period of time, he would proceed with the bills.

I think the time has now come when we have a right to ask the Committee on the Judiciary to proceed to give us a report on the two bills, because they are bills which, although they involve highly delicate subject matters, also involve a responsibility on the part of the Congress to correct what I think is a gross injustice of which the Immigration Service has been guilty.

The case of William Albert Mackie, as I a long time ago reported to the Senate, involves a man whose parents came from Finland and became naturalized citizens of the United States. Many years ago the parents went back to Finland for a visit. They took some small children with them. Mrs. Mackie was pregnant at the time. William Mackie was born in Finland. At the age of 10 months, he was brought to the United States. He had lived in the United States until he was deported to Finland a couple of years ago. So he had lived in the United States all his life except his first 10 months.

It seems that during the 1930's, Mackie became involved in attending meetings of various groups in Portland, Oreg., which, in the opinion of the Immigration authorities, were Communist groups or, at least, were groups which followed the Communist line.

Mackie is a house painter. He is the sole support, and was for years the sole support of a very aged mother and father. Except for this part of his record, he has been a law-abiding and wage-earning citizen. He has signed affidavits that at no time was he a Communist. He has claimed in his statements before the Immigration Service hearings that he went to those meetings because he thought they were meetings which would help gain him employment.

I am not discussing or passing judgment upon Mr. Mackie's beliefs, although I share the point of view of many leading citizens of my State, both Republicans and Democrats, that Mackie never was a Communist; in fact, I am not sure that at the time he was charged with being a Communist he knew what communism meant. I think he has been a very misguided person. From the record, I do not believe he has always been a man of good judgment.

Whatever he is, we made him. Whatever be his characteristics, he developed them during his lifetime in the United States. I simply think it was quite unjust and improper to send him off to Finland, where he cannot speak the language and has no contacts, and where he had not been since he was 10 months old. He is now 55 years of age. He was in this country for 53 years before he was deported to Finland.

Mr. President, I call the attention of Senators on both sides of the aisle to the fact that outstanding Republican newspapers in my State—newspaper after newspaper—and Republican editor after Republican editor have protested the injustice which they think the Mackie case symbolizes. It has resulted in devastating, highly critical editorials in Finland against the United States. Many leaders in Finland have been quite bitter concerning this matter. As a member of the Committee on Foreign Relations, I have looked into the situation, and I am convinced it has not been productive of good foreign relations for the United States.

We have in Oregon a great leader of the Republican Party, a former Republican Governor, the editor of the Salem Statesman, Charles Sprague. He does not happen to be a Morse supporter; but he is an exceedingly able, fine citizen. He is an outstanding representative of the Republican Party. He is one of the leaders in the drive to do justice to William Mackie. He is one who has taken the lead in obtaining thousands upon thousands of signatures from citizens in our country in protest of the handling of the Mackie case.

So today, Mr. President, I am perfectly willing to discuss the case from the worst possible premise one wishes to advance. I speak hypothetically when I advance the premise. I do not think the premise is applicable to Mackie, but I wish to discuss the case from the standpoint of the assumption that he is a Communist. If he is a Communist, he was made a Communist in the United States. If he is a Communist, he is our product. I have said before, and repeat today, that I think Mackie should have been kept in the United States. Since he was not, I think he should be brought back to the United States. He should be placed under the strictest of surveillance. Do not tell me, Mr. President, that we do not have the law enforcement agencies which can keep under surveillance our Mackies, if we assume that William Mackie, in fact, is a Communist.

The deportation of William Mackie to Finland is a good example of man's inhumanity to man. He had not been there since he was 10 months old. He has no connections in Finland. He is needed in the United States as a house painter to support an aged mother and father and other members of the family. He ought to be placed under surveillance; but he ought to be brought back here.

The bipartisan, nonpartisan drive in my State, on the part of Republican editors and Republican leaders, and Democratic editors and Democratic leaders, and on the part of citizens generally, is a drive which is based upon a recognition on their part of the need for a social conscience, justice, and elementary fairplay. My bill proposes to bring this man back from Finland. I would have him put under surveillance; I think that is a fair and proper thing to do.

Again I plead with the Judiciary Committee to give us a report, one way or another, on this bill, so that we may act on it on the floor of the Senate.

Mr. President, if I wanted to play politics, I would not mention this matter; but I shall never let a matter of politics cause me to hesitate to do what I believe should be done as a matter of justice due an American citizen. Regardless of whatever may be the political ideology of Mackie, I wish to say that the Immigration Service is guilty of rank injustice; and in the name of common justice it should be corrected by Congress, and this bill should be passed, and Mackie should be ordered back to the United States; and then he should be handled in the United States under whatever surveillance procedures the Congress wishes him to be made subject to.

Because of the hour, Mr. President, I shall not take time now to discuss the MacKay case, that of another person

who was deported. He was deported to Canada, because of the fact that at about the same time he, too, permitted himself to be drawn into various meetings, in Portland, Oreg., which the immigration authorities found, through administrative proceedings, were Communist-slanted. But he, too, has had many many years of lawful living in my State; and the same groups I have been discussing are protesting against the handling of the MacKay case. The Mackie and the MacKay cases have become causes celebre in my State; and I plead with the Judiciary Committee to give us reports on those cases and thus permit us to decide, one way or another, whether the bills are meritorious.

SENATOR ANDREW F. SCHOEPPEL, OF KANSAS

Mr. CARLSON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll. The legislative clerk proceeded to call the roll.

Mr. CARLSON. Mr. President, I ask unanimous consent that the order for the call of the roll be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CARLSON. Mr. President, I send to the desk a resolution, which I offer and ask to have read.

The PRESIDING OFFICER. The resolution will be received and will be read.

The resolution (S. Res. 314) was read, as follows:

Resolved, That the legislative business of the Senate be now suspended in order that eulogies may be delivered on the life, character, and public service of the late Senator ANDREW F. SCHOEPPEL, of Kansas.

Mr. CARLSON. Mr. President, today we pause to pay tribute to a former colleague of ours—a beloved friend, a dedicated and faithful servant of our people in both the State and the Nation.

It was on January 21 that the death of Senator SCHOEPPEL fell like a cruel blow on all of us. This shocking news weighed heavily on our hearts, for we knew we had lost one of this body's stalwarts.

Many of us knew that the Senator had been ill for some time, but none of us realized that his illness would prove fatal. As a matter of fact, we were looking forward hopefully to his return to the Senate at an early date; but fate deemed otherwise.

Senator SCHOEPPEL, who was affectionately known by his colleagues and friends everywhere as ANDY, is truly missed at a time when his dedicated and devoted service to our Nation's welfare is most needed. He carried on a continuous fight to keep America strong, and to warn our people of the ever-growing menace of communism, and day in and day out he stressed the fact that our Nation must ever be on the alert against needless spending, waste, corruption, and inefficiency in our Government.

ANDY was a fighter in the true and noble sense. Whether on the football field—and he was an all-American—or as an Air Force pilot, or in conflicts in behalf of his fellow citizens, he fought to win, and win he did.

Senator ANDREW F. SCHOEPPEL came from pioneer stock in Kansas. He was born on a farm in Barton County, Kans., on November 23, 1894, the son of George J. and Anna Schoeppel.

It was his early life on the plains of western Kansas that instilled in him the rugged qualities on which were built his sterling character and the determination to lead a useful and a successful life. The hardships encountered in the earlier days in our area developed just that type of individual.

His early education was obtained in the schools of Ness County. After 2 years at Kansas University, he enlisted in the naval air service during World War I.

Following the armistice, he entered the University of Nebraska Law School, and graduated with the LL.D. degree.

While he was attending the University of Nebraska, he met Marie Thompsen, of Tilden, Nebr., and later they were married.

Senator SCHOEPPEL held many positions of honor and trust on behalf of the people of our State. Early in his career he served as county attorney of Ness County; then as mayor of Ness City, Kans.; and later he was appointed by the Governor to the chairmanship of the Corporation Commission of the State of Kansas.

Elected twice as Governor and three times as U.S. Senator, without a defeat to mar his efforts in the State's major political arena, Senator SCHOEPPEL compiled a record without parallel in Kansas.

Not only did the fact that he won five times running distinguish his political life, but, in addition, the fact that he won by smashing margins marked him as an unbeatable opponent. In winning reelection as Governor, in 1944, he carried every county in the State—a feat equaled only once before, and never since. His other victories were of impressive, if not landslide, proportions.

His career was remarkable, and he was one of the most successful public figures in our State's history.

Those of us in this body who served with ANDY look back on his life with admiration and respect. He was a man of great courage and unquestioned integrity and his colleagues had no doubt as to where he stood on an issue when it was presented to the Senate for consideration. He served the Nation and the State on important Senate committees dealing with crucial legislation. His views and character were molded into this legislation as it was approved by the committee and by this body.

We in the Senate miss ANDY and will remember him as a true friend and a faithful servant, devoted and dedicated to the people of the Nation and the State he represented.

Mrs. Carlson and I want to extend our sincerest and deepest sympathy to Mrs. Schoeppel and the family.

Marie and ANDY were a team. Her loyalty and devotion were an inspiration and encouragement to him at all times.

Mr. President, I ask unanimous consent to insert in the RECORD the eulogy delivered at the funeral by Dr. William E. Shuler, pastor of the First Methodist Church, Pratt, Kans., who was ANDY and Marie Schoeppel's pastor during the time they lived at Ness City, Kans.

There being no objection, the eulogy was ordered to be printed in the RECORD, as follows:

The earthly life of Senator ANDREW F. SCHOEPPEL, our beloved friend and the dedicated and faithful servant of our State and of our Nation, has ended. We gather today from far and near to pay tribute to his good life of public service and to express our deep sympathy to Mrs. Schoeppel and the other members of his family.

We are sad at this separation, and also because we feel that his devoted leadership is needed in these crisis hours. His sterling character, his love for the people, his love for his native State of Kansas, his sense of responsibility, his life of hard work and dedication to the public welfare are influences that have brought him the deep respect and love of a grateful people who will miss his strong leadership.

He lived to the full, he was a strong man, a keen mind, a great heart, a true faith and ready hands.

He was a man of honor and would not lie. He was a tall man, sun crowned, who lived above the fog in public duty and in private thinking.

He had a strong will, a mighty heart. He held the long purpose like a growing tree—

Held on through blame and faltered not at praise,
Towering in calm rough-hewn sublimity.
And now at the height of his achievements and influence he goes down,
As when a lordly cedar, green with boughs,
Goes down with a great shout upon the hills,
And leaves a lonesome place against the sky.

I want to say a few very personal words of our regard for ANDY and Marie Schoeppel. It was my privilege to be their pastor in Ness City, in my early ministry.

Their home was a gracious haven of friendly refuge. They shared their best with the young minister and his family.

And I would like to say a word about his very wonderful Christian parents. They lived just next to us and we loved and respected them so much. Mrs. Schoeppel was so gracious and helpful to us and was one of God's most saintly women. ANDY received the finest of Christian training and of godly example from his parents.

Then, as always ANDY was honest, straightforward, and discerningly positive and helpful in his counsel. He was always busy, always fair, and always ready to do a service.

He had been, as you all know, a winner in football. He has always been a winner. As a coach, as a referee, as a lawyer he was a winner. As an air pilot in World War I he was a winner. He stood for justice and fairplay. He worked for the right. You could depend on him.

He loved life. He lived it on tiptoe to the very end.

He gave his best to whatever he did. Deciding to run for Governor, he set out to win. He was friendly, he was courteous, he was honorable, and he fought hard. That characterized his life's public service. He really set out on his own under God. He made many friends. He served well, and in his second election achieved a feat no other has done in our State. He won in every county.

When he was inaugurated as Governor of Kansas, he invited me to share in the ceremony in giving the prayer of inauguration. We were graciously entertained in the Governor's mansion. We have appreciated and enjoyed the friendship of the Schoeppel team through the years.

We talked often about the affairs of state. He shared with me his deep concern and anxiety, at times, about the issues of our Nation and of world affairs. He was always forward looking, never cocky, always acting on his well-considered convictions.

I visited with him in Ness City after his first year in the Senate. He revealed his deep concern for our Nation. He said Senators could take one of two approaches to Government—go in for the social life, or to deny themselves in this field and give themselves to study and to informing themselves about the issues and thus be able to vote intelligently on matters of Congress. He chose the latter.

His letters were always helpful. One written January 22, 1958, is expressive of his thinking:

"DEAR BILL: It was awfully nice of you to write me. Things are hectic here; more political than practical at this stage from all I sense, see, and hear. This being a political year, there will be a lot of demagoguery, I am ashamed to say. But there is also a good bit of levelheadedness being displayed on the part of those who look deeply beyond the present scene. However, I do know it's going to be rough. I will try to keep my head and 'call 'em as I see 'em.'

"Our very best to you and Mrs. Shuler and your family.

"Sincerely,

"ANDY."

Visiting our church service in Wichita a few years ago he was so very appreciative of the work of the church and the need for spiritual and moral undergirding of our people.

He sent me a copy of Peter Marshall's "Prayers for the Senate," expressing his faith and interest in the spiritual life of our Nation.

He had a keen sense of responsibility, and this is needed so badly in our day. Carl Sandburg writes in his story of Abraham Lincoln: "We find it momentous that Lincoln used the word 'responsibility' nearly as often as he used the word 'freedom.'" Yes, momentous, we talk about free churches. We talk about a free press, free enterprise. Free for what? We need to ask: Who paid for our freedom? What was the price? We need a sense of responsibility to match and justify our freedom. ANDY SCHOEPPEL had this robust sense of moral responsibility.

He said to me often, as he did publicly, often when being criticized severely, "Bill, I call 'em as I see 'em."

In my book he did just that, and I cherish a fine appreciation of his friendship and his public service to mankind.

And so today as we are saddened by the separation from another loved one and friend and a great public leader, who has been called home, let us remember that this earthly life is but the struggle of preparation for the right to eternal life.

Life is ongoing. What we call death is but an episode. If we love God and keep His commandments there is endless life with Him. God is the great word in the life of His children. And life is beautiful when it is lived with God and in harmony with His divine plan and purpose.

Life is a struggle, but God is always with the struggler.

Life is an adventure; but Christ, the faithful guide, is always beckoning for us to follow Him to the heights.

Life is a voyage upon which one encounters many storms as well as quiet days but a life that has the pilot, Christ, in command is always headed for the shore of the homeland, the port of safety, the harbor of refuge.

The voyage of ANDY has been one of sturdiness and of a steady purpose. His life is an open book to you who have known him through the years. He has helped to build this community, this State, this Nation. He has shared its burdens and its blessings. He has been a familiar figure in its political and social and religious life.

The words which seem appropriate today are those of a Christian veteran who said, as he came to the close of life, "I have fought a good fight." He had been involved in the struggle against the enemies of mankind.

"I have finished my course." He had made the most of life, leaving the world richer because of his living.

"I have kept the faith." The Apostle Paul had kept something even as he moved hither and yon throughout the Mediterranean world. And like the Apostle Paul, but in his own way, ANDY kept the faith. He kept faith with his wife, with his friends, and with his God.

And now there is laid up for him a crown of righteousness. We will miss him, but may I remind you that you will best honor his memory by also keeping the faith. The greatest need of our time is an increase in true religion; an increase of that steadily burning, persistent passion for private and public righteousness, which comes to the man or woman who really lives with God and really prays.

So let your thought be turned toward God, The God and Father of us all. The God who forgives our sins, who shares our burdens, who comforts us in our sorrows. The God who yearns to place about us the arms of everlasting love. The God who loves us whatever happens.

He is the God and Father, revealed to us in Jesus Christ. He is the God Jesus was talking about when he said "In my Father's house are many mansions."

With such a Father you can trust your beloved. For it is written, "Blessed are the dead who die in the Lord from henceforth: yea, saith the Spirit that they may rest from their labors; for their works, follow with them."

So think of him at home with God, at home in his Father's house, he has dropped anchor in the harbor of the soul's blessed homeland.

So today in the midst of your sorrow at this separation from a loved one, in whose sorrow we all share, may your hearts rejoice in the hope that is yours in Christ.

You will remember with gratitude the life and ministry of your beloved. You will remember his faith in the loving Father. You will remember that he has been called from labor to refreshment in the house of his Father.

"No, not cold beneath the grasses,
Nor close-walled within the tomb;
Rather, in our Father's mansion,
Living, in another room."

Mr. CARLSON. Mr. President, following Senator SCHOEPPEL's death many of our newspapers wrote praiseworthy editorials regarding his service to our State and Nation.

I ask unanimous consent to have inserted in the RECORD an editorial entitled "An Invincible Figure," which was writen by Clyde Reed, son of former U.S. Senator Clyde M. Reed, and appeared in the Parsons Sun on January 23, 1962.

I also ask unanimous consent to insert an editorial from the Russell Daily News dated January 24, 1962, entitled "Our Friend ANDY," and written by Jerry E. Driscoll, a lifelong friend of his; also editorials from the El Dorado Times, written by Rolla Clymer, one of ANDY's friends, entitled "Senator SCHOEPPEL Dies"; the Clay Center Dispatch entitled "ANDY SCHOEPPEL"; and the Marysville Advocate, entitled "Senator ANDREW SCHOEPPEL."

I also ask unanimous consent to include an article written by Cliff Stratton, who for many years was closely associated with Senator Arthur Capper.

I also ask unanimous consent to include a text of a testimonial scroll awarded to Senator SCHOEPPEL by the National Committee for a Representative Congress on August 5, 1960.

I also ask unanimous consent to include a resolution adopted by the Veterans of World War I, signed by C. D. Grant, commander, Department of Kansas, and Bernice Grant, president, Department of Kansas.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Parsons (Kans.) Sun, Jan. 23, 1962]

AN INVINCIBLE FIGURE

While Kansas mourns the passing of ANDREW F. SCHOEPPEL, it also will reflect on the remarkable career of one of the most successful and conspicuous public figures in its history.

Elected twice as Governor and three times as U.S. Senator, without a defeat to mar his efforts in the State's major political arena, Senator SCHOEPPEL compiled a record without parallel in Kansas. Even the redoubtable Arthur Capper could not match it.

It wasn't alone that he won five times running which distinguished his political life, but also that he won by smashing margins that marked him as an unbeatable opponent. He carried every county in the State in winning reelection as Governor in 1944, a feat equaled only once before and never since. His other victories were of impressive if not landslide proportions.

ANDREW SCHOEPPEL's political star was on the rise from the time he left the relative obscurity of Ness County to enter the State political scene as chairman of the Kansas Corporation Commission in the late 1930's.

His first and successful bid for the governorship in 1942 introduced him to Kansas at large as a vigorous campaigner. His rugged physique and friendly manner won him an immediate following and left an indelible impression on the State that was to account for repeated successes at the polls.

From then on, it was a downhill pull for the man who was to become something of a political legend in the State. You wouldn't have known it, though. He left nothing to chance and succeeding campaigns were carried on with the same spirited techniques which first lifted him to the Governor's chair.

The critical point in the Schoeppel saga came in 1948, a year after his retirement from the Governor's office. His eyes were fixed on the U.S. Senate and the seat of Capper then ailing but closing out his fifth 6-year term in Washington.

A primary race between SCHOEPPEL and Capper would have thrown the State's two best vote getters of all time into direct combat. It would have been something to behold, but never was to come off. The younger SCHOEPPEL announced as a candidate and doubt about the Capper plans subsequently was ended when it was announced he would retire from the Senate, as he did in 1949.

Thus was the Schoeppel name entered on the rolls of the Senate where it remained until his untimely death Sunday.

The Senator was a political conservative. His votes in the Senate, together with his actions, fitted the mood of the State he represented. His seniority won him a place in the Senate's top councils. He served the Nation and State on important committees

handling crucial legislation. He held a rank of authority within the Republican organization of the Senate.

There was an aura of invincibility surrounding the political life of this prominent Kansan. It probably would have persisted even if his political habits had not been in tune with those of the State. A dominant personality, a towering figure, and the appearance of a U.S. Senator would have prevailed, it is reckoned, no matter what.

The memory of ANDREW F. SCHOEPPEL, public servant, will remain long with Kansans of this generation. The record of ANDREW F. SCHOEPPEL, politician, is one which is likely to stand forever in the State's political annals. Success could have been his middle name had not his early day Kansas parents chosen another.

[From the Russell (Kans.) Daily News, Jan. 24, 1962]

OUR FRIEND ANDY

A tribute now to ANDREW F. SCHOEPPEL, Kansas Senator, comes easily. There's no conscience pang for the late Senator was on a first-name basis to most of his constituents. He was "ANDY" to thousands of Kansans and, because of it, knew pretty well what kind of a job he was doing for the folks back home. Unlike many whose death is lamented in the press, ANDY found the time to talk and counsel with his friends. He wasn't the sort of man to whom one offered praise to his face and reserved more candid opinions.

Political lines were no barrier to his friendships. Significant and typical of the feeling of Kansans for ANDY SCHOEPPEL is shown in the following tribute from Jerry E. Driscoll, Russell attorney, lifelong political opponent and warm friend of the Senator. It shows, we believe, a reason why Kansans feel so deeply the State's loss:

"A TRIBUTE TO ANDY SCHOEPPEL

"Kansans were shocked by the recent death of my personal friend, ANDY SCHOEPPEL. He was a capable, hard-hitting, and conservatively bent, two-time Governor of Kansas, and thrice-elected U.S. Senator.

"His professional career began in Ness County, where he was considered one of our own. We were associated in many legal battles in western Kansas, and I found him to be a big man, in every sense of the word, and thereafter, his successful career in public office speaks eloquently of the high esteem in which he was held throughout the entire State, and the respect accorded his sincerity by Senate colleagues speaks equally well of his recognized ability.

"We were on or connected with opposing athletic teams while he was a student at the University of Nebraska, and I was a student at Kansas University. SHEP was born on a farm near Claflin, in Barton County, approximately 7 miles south of the farm where I was born in Russell County, and our fathers were friends during the early day farm life and hardships.

"My nephew later married a cousin of ANDY SCHOEPPEL; while Senator SCHOEPPEL and I represented different political parties, it, in no way, affected the personal friendship which I am happy to say existed between us at all times. I had always admired the deep and sincere convictions he held on government matters and the fact that he fought for these with all of the vigor at his command.

"While Governor of Kansas and without solicitation on my part, he appointed me and reappointed me as a member of the board of regents of the State of Kansas. Seldom did he ever visit Russell without paying me a visit. By reason of his death, the Nation has lost another individual who honestly believed in the traditional American free enterprise system. That was my friend, ANDY SCHOEPPEL."—Jerry E. Driscoll.

[From the El Dorado (Kan.) Times, Jan. 23 1962]

SENATOR SCHOEPPEL DIES

The death of Senator ANDREW F. (ANDY) SCHOEPPEL, senior U.S. Senator from Kansas, in Washington Sunday, brought widespread sorrow in his home State.

Senator SCHOEPPEL had been ill since late last year, but the malignancy of his ailment was not generally known. The end came suddenly and just at a time when he was preparing a possible resumption of his Senate seat. He was 67.

The Kansas Senator had served 1 year of his third term in the Senate. While he was not one to engage often in debate, his influence in that high body was enormous in off-the-floor activities. In 13 years, he had attained numerous high-ranking committee assignments.

Big and strong and vigorous, he was always a popular candidate for public office. After serving as member and chairman of the Kansas Conservation Commission, he ran for Governor in 1942 and was elected easily. In his reelection during the wartime period 2 years later, he carried every county in Kansas—a feat that probably will not be again paralleled. His status as an all-American in football at the University of Nebraska was helpful in forming his public image. His election to the Senate followed his gubernatorial career. He was elected to his third term after a stiff fight in 1960, again by the usual large majority which Kansas voters were accustomed to accord him.

In both private and public ways, ANDY SCHOEPPEL was a true conservative, matching the mood of his home State, and manifestly attaining popular acclaim thereby. He was a member of a Wichita law firm and retained his name in the firm's title.

A wealth of honors, of connections, and of important memberships attached to his name. He had lived a full and useful life, and his public rise had been remarkable since he came out of Ness City to appointment to a State role in 1939.

He was a popular and much-sought speaker, usually holding the rapt attention of his audiences. His positive manner of speaking, driving home his points with long forefinger, will be long remembered by his many admirers.

The memory of ANDY SCHOEPPEL will endure in this State since he was a strong man in whom the people could place their trust at a time of national confusion—well knowing he was one who would keep the faith.

[From the Clay Center (Kans.) Dispatch, Jan. 23, 1962]

ANDY SCHOEPPEL

If ever a man looked like and acted like a U.S. Senator, it was ANDREW SCHOEPPEL, who died Sunday. A handsome man, who obviously reflected in his size and appearance his football playing days, he also was a fine speaker.

He had become a man who spoke strongly on his convictions and those convictions seemed to agree with the people of Kansas. To our way of thinking, he was the most potent votegetter in the State.

It was obvious that he had become a respected Member of the Senate. His Republican mates named him campaign chairman a few years ago, and he was currently serving on the committee on committees and the Appropriations Committee. Such assignments were notes on the respect which he garnered.

Another note of his success as a Senator was his friendship with other Members of the Senate, regardless of party affiliation. This made him a man to be reckoned with.

It may sound trite to say so, but he truly will be a man misssed on the Kansas and Washington scene.

[From the Marysville (Kans.) Advocate, Jan. 25, 1962]

SENATOR ANDREW SCHOEPPEL

Kansas and the Nation loses one of the most outstanding Senators in many years in the death of Senator ANDREW SCHOEPPEL.

He was high ranking because of his integrity, frankness, courage, and loyalty to those who he knew and believed were doing right.

Senator SCHOEPPEL was not afraid to say "No" and take a stand, even though he may have been pushed by members of his own party. And he was ready to tell why.

There are too few Senators in Washington like the late Senator SCHOEPPEL. He represented the American way of life as the pioneers knew it.

CLIFF STRATTON WRITES

We mourn the passing of Senator ANDREW SCHOEPPEL. Statesman as well as politician; a great American, who was not ashamed to be a patriot, not afraid to be a voting conservative; a fitting compatriot of Senators Barry Goldwater, of Arizona, and Harry Byrd, of Virginia, worthy successor to Arthur Capper.

TESTIMONIAL SCROLL AWARDED BY THE NATIONAL COMMITTEE FOR A REPRESENTATIVE CONGRESS TO SENATOR ANDREW SCHOEPPEL

To the Honorable ANDREW SCHOEPPEL, U.S. SENATOR:

For an outstanding record of distinguished service as a U.S. Senator.

In adhering most faithfully to the principles of representative government.

In rendering highly constructive services to the people of Kansas, faithfully and vigorously representing their ideals and objectives, and making many important contributions to the welfare, progress, and betterment of that State.

In making an unceasing fight for measures needed to make and keep America strong and protected against the growing menace of Communist aims of conquest, and enabling our Nation to go forward with her highminded efforts for the advancement of peace, freedom, justice, and a better way of life for all humanity.

In waging a continuing battle against waste, needless spending, corruption, and inefficiency, fighting to make the Federal Government truly representative of the needs and rights of all citizens, particularly to protect the economic welfare of the modest income class engaged in agriculture, small business, or as wage earners, and help them to obtain a fair share of the national prosperity.

In establishing, living, and fulfilling a highly superior standard of public service as a great Senator of stanch courage, brilliant ability, unfailing energy, unswerving honesty and integrity, forthrightness and understanding, wholeheartedly dedicated to faithfully serving the best interests of the people of Kansas and the Nation as a whole, with unselfish disregard of any personal political consequences.

THE NATIONAL COMMITTEE FOR A REPRESENTATIVE CONGRESS

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Robert H. Austin, chairman, civic leader and business executive; Fred Hammes, treasurer, CPA (Hammes, Rockefeller and Silloway); Malcomb Currie, secretary, country weekly editor and publisher.

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Chief of Chaplains, United States Army; Rabbi Jacob Hurwitz, Temple Israel, Conservative; Dr. Guy Snavely, former head, Association of American Colleges; Col. Howard Ellis Cox, attorney, former national head, Military Order of World Wars; Hon. Ned Dearborn, former head, National Safety Council; Mrs. Marie Friderich, past president, American War Mothers; Dr. Charles R. Wilson, director, Colgate University Foreign Policy Conference; Hon. Louis Taber, former head, National Grange; Richard W. O'Neill, C.M.H., founder, Congressional Medal of Honor Association; David R. Owens, Honolulu business executive, civic leader; Erle Cocke, Jr., former National Commander, American Legion; Gen. Charles Brandon Booth (Ret.), former national head, Volunteers of America; Commodore Charles Kress, former mayor of Binghamton, N.Y.

Whereas it has pleased Almighty God, the Great Commander, to call from among us on January 22, 1962, our great friend, the honorable Senator ANDREW F. SCHOEPPEL, of Wichita Kans., a veteran of World War I and a true friend of all veterans: Be it

Resolved, That the World War I Barracks and Auxiliary of Kansas does recognize the loss of an outstanding leader; and be it further

Resolved, That an expression of our sympathy be recorded in the minutes of our organizations and a copy of this resolution be mailed to Mrs. Schoeppel, Hillcrest Apartments, Wichita, Kans.

C. D. GRANT,
Commander, Department of Kansas.
BERNICE GRANT,
President, Department of Kansas.

Mr. PEARSON. Mr. President, a great and courageous Kansan, ANDREW SCHOEPPEL, is dead. He died as he lived—in the service of his beloved State and his country. He died in the position of trust and responsibility which he loved more than any other, as U.S. Senator for the State of Kansas. Now the entire Nation, through this body, joins his wife, Marie, in mourning his loss.

But as we mourn the loss of this fine American, let us also recall the pride which he gave to the great State of Kansas, the joy with which Kansans accorded him their highest honors, and the deep respect in which he was held by all who knew him.

Born on a Barton County farm on November 23, 1894, ANDREW SCHOEPPEL attended public schools in Ness County and the Universities of Kansas and Nebraska. Rugged in his youth as he was in manhood, he was a star football player for the University of Nebraska and a naval pilot during World War I.

He was drawn to politics as he was to the practice of law, and he served as a Republican precinct committeeman, county chairman, and county attorney. In 1939 he was appointed chairman of the Kansas Corporation Commission, a post he resigned 3 years later to run successfully for Governor. He was reelected in 1944 by a record majority. Succeeding the late Senator Arthur Capper, ANDREW SCHOEPPEL was elected to the U.S. Senate in 1948, and reelected in 1954 and 1960. He never lost a political contest. His long period of public service, all the way from local to national levels, was characterized by a vigorous and conservative spirit. He truly and ably represented the people of Kansas.

My own acquaintance with Senator SCHOEPPEL was all too brief. We joined forces on the Republican campaign trails during the last election. I deeply admired his vigor, his integrity, and his tenacious adherence to the principles which he held for himself and for the Republican Party.

Since my appointment, I have been even more deeply impressed with the devotion for ANDREW SCHOEPPEL which was held by the people of our State. In every mail delivery I find letters urging me to follow the courageous line established by my predecessor. For example, just 1 week ago I received a handwritten letter from a 90-year-old citizen of Hutchinson, Kans., who said:

> I always voted for Senator Schoeppel. * * * He was a great man as Senator, and I admired him for his ability, courage, and honesty.

Probably as long as today's children shall live, indeed as long as there shall be students of Kansas history, the Senators from our State will continue to receive letters urging them to be like ANDREW SCHOEPPEL.

Now ANDREW FRANK SCHOEPPEL is dead. He lost his valiant battle for life on January 21 of this year. Let us pray that his noble spirit will linger long in this place which he loved so well.

Mr. DIRKSEN. Mr. President, the great Shakespeare, as I recall, once observed—and I have forgotten the play in which it appears—that nature has framed strange fellows in her time. The Bard of Avon could very well have observed also that nature has framed good and wholesome and real and genuine fellows in her time. And had he done so, he would have included in that category the late Senator from Kansas whom everybody so affectionately referred to as ANDY SCHOEPPEL.

ANDY SCHOEPPEL was a good man. I have said on other occasions on this floor that that term probably employs the most all-inclusive short adjective in the English language; for when one says that a certain person has been a good man, he has stated about everything.

ANDY SCHOEPPEL did not make a spectacle of life. Life was for itself. That was a great sentiment expressed by Ralph Waldo Emerson early in the morning as he headed back to his desk and set it down and made it the theme of one of the most compelling essays he ever wrote. So life for ANDY SCHOEPPEL was for itself, and it was a great moral adventure in which he performed good works and kind deeds. But he was good also because he was a good family man, and all who knew him can certify to his worth as a social being of great stature, with that quality of stability that contributes so much to society.

He was a good man because he was a good public servant. This embraced his devotion to duty, his discharge of responsibility as a public trust, and his ardent patriotism, because his love of and devotion to country was as gospel in his soul.

He was a wholesome person. In a sophisticated age when the smart cliche, the wisecrack, the slick phrase and the clever bon mot seemed somehow to be worshiped for themselves as a necessary quality to be the "life of the party," his wholesome simplicity was as a tonic to all who knew him. He was simply ANDY SCHOEPPEL.

He was a great Kansan. The inspiration of the Great Plains was in his being. The limitless open sky was in his face. The promise of the soil was in his character. The very directness of nature was in all his thoughts and all his utterances.

He was as guileless and as unpretentious as a child, as patient as nature, and as gentle as a spring wind. He was indeed a genuine person, and truly we shall miss him.

Mr. President, as a part of this memorial I ask unanimous consent to have printed in the RECORD a concurrent resolution adopted by the House of Representatives of the State of Kansas.

The PRESIDING OFFICER (Mr. PEARSON in the chair). Is there objection to the request of the Senator from Illinois?

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

HOUSE CONCURRENT RESOLUTION 19

Concurrent resolution relating to the death of ANDREW FRANK SCHOEPPEL

Whereas ANDREW FRANK SCHOEPPEL, the senior U.S. Senator from Kansas and former Governor, departed this life at Bethesda, Md., Naval Hospital on January 21, 1962, at the age of 67 years; and

Whereas ANDREW FRANK SCHOEPPEL was born November 23, 1894, on a farm near Claflin in Barton County. At the age of 5, he moved with his family to a farm in Ness County and attended the rural schools and was graduated from the Ransom High School in 1915. In 1916 and 1917 he attended the University of Kansas, where he lettered on the University of Kansas baseball team. During World War I he left the university to enlist in the naval air service. After the armistice he entered the University of Nebraska Law School, and graduated in 1923 with an LL. B. degree. In his senior year at Nebraska University he gained national fame as an end on the football team. Mr. SCHOEPPEL began his practice of law at Ness City, where he served as county attorney of Ness County and mayor of Ness City. In 1939 Mr. SCHOEPPEL was appointed to the Kansas Corporation Commission, over which he presided as chairman. Resigning his post in May 1942, he ran for and won the Republican nomination for Governor and was elected on November of that year. Two years later he won reelection and carried every one of the 105 counties of the State. He maintained his official residence in Ness City until moving to Wichita in 1947, when he joined the law firm of Foulston, Siefkin, Schoeppel, Bartlett & Powers. When Senator Arthur Capper decided not to seek another term in the U.S. Senate in 1948, Mr. SCHOEPPEL entered the race and easily won the election. He was reelected in 1954 and again in 1960. While Governor of Kansas, Mr. SCHOEPPEL was chairman of the Interstate Oil Compact Commission from 1943 to 1945, and served on several commissions and groups dealing with State and Federal governmental relations. Special honors he received included honorary doctorate degrees from Baker University, Baldwin, Kans., in 1946, and also a doctorate from Waynesburg College, Waynesburg, Pa., in 1953. He was a member of the Methodist Church, a 33d° Mason, the Shrine, and veterans and bar association organizations. He was a member of Sigma Nu social fraternity in college; and

Whereas on June 1, 1924, ANDREW FRANK SCHOEPPEL was united in marriage with Miss Marie Thomsen of Tilden, Nebr., who survives him. He is also survived by one brother, four sisters, and a host of friends; and

Whereas in the death of ANDREW FRANK SCHOEPPEL his community, the State, and the Nation have suffered the loss of an outstanding citizen: Now, therefore, be it

Resolved by the House of Representatives of the State of Kansas (the Senate concurring therein), That we extend to the surviving relatives of ANDREW FRANK SCHOEPPEL our sincere and heartfelt sympathy; and be it further

Resolved, That the secretary of state be directed to send an enrolled copy of this resolution to his widow, Mrs. Andrew F. Schoeppel, Hillcrest Apartments, Wichita, Kans.; his brother, Mr. John Schoeppel, Ransom, Kans.; and his sisters, Miss Elizabeth Schoeppel, Mrs. Lee Russell, Mrs. Roy Goss, and Mrs. Paul Jacobus, care of Mrs. Andrew F. Schoeppel, Hillcrest Apartments, Wichita, Kans.

Adopted by the house January 23, 1962.

ALLEN T. MITCHELL,
Speaker of the House.
A. E. ANDERSON,
Chief Clerk of the House.

Adopted by the senate January 23, 1962.

HAROLD H. CHASE,
President of the Senate.
RALPH E. ZARKER,
Secretary of the Senate.

Mr. DIRKSEN. Mr. President, I also ask unanimous consent to have printed in the RECORD a resolution adopted at a meeting of the Committee on Commerce of the Senate January 23.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Whereas the members of the Senate Committee on Commerce were shocked to learn of the sudden passing from this life of our friend and associate, ANDREW FRANK SCHOEPPEL; and

Whereas his friendly and wise cooperation and counsel in all the activities and decisions of the committee have been most helpful and most deeply appreciated; and

Whereas the sense of personal loss to each one of us at his passing is keenly felt: Now, therefore, be it

Resolved, That the members of our committee, mindful of his long association and unfailing friendliness and wisdom, do hereby express our sincere sorrow that he can no longer be with us, and direct that the clerk of the committee send a copy of this resolution to the family of the deceased.

Mr. DIRKSEN. Mr. President, I also ask unanimous consent to have printed in the RECORD a memorial from the city of Topeka adopted on the 23d of January.

There being no objection, the memorial was ordered to be printed in the RECORD, as follows:

IN MEMORY OF ANDREW SCHOEPPEL, MEMBER OF THE U.S. SENATE FROM KANSAS; OUR FORMER GOVERNOR; A RESPECTED CITIZEN HONORABLE IN HIS EVERY ACTION; A DIGNIFIED, RESOURCEFUL REPRESENTATIVE OF ALL THE CITIZENS OF KANSAS

The people of Topeka, Kans., and the entire Nation have lost a great citizen whose ability will be exceedingly difficult to replace. We mourn his loss. We extend our heartfelt sympathy to Mrs. Schoeppel and the immediate family.

Be it resolved, That we incorporate the words of this memorial in the records of the city of Topeka, this day, January 23, 1962, and that a copy be signed and sent to Mrs. Andrew Schoeppel.

E. J. CAMP, *Mayor.*
LOUIS E. HOWARD,
Water Commissioner.
CHARLES WRIGHT, Jr.,
Street Commissioner.
PRESTON O. HALE,
Park Commissioner.
FRANK J. WARREN,
Finance Commissioner.

Attest:

EDWIN R. JONES,
City Clerk.

Mr. DIRKSEN. Mr. President, I also ask unanimous consent to have printed in the RECORD a memorial adopted by the Board of Commissioners of the City of Wichita on the 23d day of January.

There being no objection, the memorial was ordered to be printed in the RECORD, as follows:

RESOLUTION MEMORIALIZING SENATOR ANDREW F. SCHOEPPEL

Whereas by the untimely death of ANDREW F. SCHOEPPEL we have lost the aid, public service, and assistance of a respected Senator of the United States and citizen of the city of Wichita, Kans.; and

Whereas in his lifetime he held many positions of honor and trust on behalf of the people of our State, working unceasingly for the betterment and well-being of this area and State; and

Whereas his loyalty, his friendliness, his dedication to duty all combined to build him a host of friends throughout the city, State, and Nation; and

Whereas it is fitting and proper at this time for this commission to recognize the loss the community has suffered in the death of ANDREW F. SCHOEPPEL: Be it therefore

Resolved by the Board of Commissioners of the City of Wichita, Kans., That this commission pause for a moment in its deliberations to observe and mourn the passing of ANDREW F. SCHOEPPEL; be it further

Resolved, That in recognition of the esteem in which he is held the clerk of the city of Wichita be instructed to spread a copy of this resolution in the permanent records of the city of Wichita and as an expression of sympathy to the members of his family, that a copy hereof be mailed to the members of his immediate family.

Adopted at Wichita, Kans., this 23d day of January 1962.

H. P. LINDSLEY,
Mayor.

Attest:

C. H. FUNK,
City Clerk.

Mr. DIRKSEN. And, Mr. President, I ask unanimous consent to have printed in the RECORD a memorial adopted by the State Corporation Commission of Kansas dated February 1, 1962.

There being no objection, the memorial was ordered to be printed in the RECORD, as follows:

MINUTES OF THE MEETING OF THE STATE CORPORATION COMMISSION, TOPEKA, KANS., FEBRUARY 1, 1961

Members present: Byrd, Grauerholz, and Wiles.

Subject: ANDREW F. SCHOEPPEL, a memorial resolution.

The above-entitled matter comes on for consideration.

Whereupon, it is moved, seconded, and carried that the State Corporation Commission of the State of Kansas express its sense of great loss in the passing of ANDREW F. SCHOEPPEL and that this resolution be spread upon the permanent records of the commission and a copy thereof be presented to the family of ANDREW F. SCHOEPPEL with our sincere regret and deepest sympathy.

RICHARD C. BYRD,
ALVIN F. GRAUERHOLZ,
HARRY G. WILES,
Commissioners.

Attest:

RAYMOND B. HARVEY,
Secretary.

THE STATE CORPORATION COMMISSION OF THE STATE OF KANSAS—BEFORE COMMISSIONERS RICHARD C. BYRD, CHAIRMAN; ALVIN F. GRAUERHOLZ AND HARRY G. WILES—ANDREW F. SCHOEPPEL, A MEMORIAL RESOLUTION

ORDER

Now on this 1st day of February 1962 the above-entitled matter comes before the commission upon the oral motion of Mr. George Bruce that this commission promulgate an order in memory of the late Senator ANDREW F. SCHOEPPEL. The commission, unanimously concurring, finds:

1. ANDREW F. SCHOEPPEL was born in 1894 on a farm near Claflin, Kans. He was graduated from the University of Nebraska School of Law in 1922, whereupon he returned to his native State to engage in the practice of law.

2. ANDREW F. SCHOEPPEL entered upon a life of active public service in 1925 when he was elected county attorney of Ness County. In 1939 he was appointed to this commission and was elected chairman. He served this commission, the public, and Kansas industries well and ably until 1942, at which time he was elected Governor of the State of Kansas. So well recognized was his devotion to duty and his ability in public service that he was reelected as Governor in 1944 with a record majority.

3. ANDREW F. SCHOEPPEL was elected to the U.S. Senate in 1948 where he served with distinction, securing nationwide acclaim until his death on Sunday, January 21, 1962: Now, therefore, be it

Resolved, That the State Corporation Commission of the State of Kansas express its sense of great loss in the passing of ANDREW F. SCHOEPPEL and that this resolution be spread upon the permanent records of the commission and a copy thereof be presented to the family of ANDREW F. SCHOEPPEL with our sincere regret and deepest sympathy.

By the commission it is so ordered.

RAYMOND B. HARVEY,
Secretary.

Mr. MANSFIELD. Mr. President, it is a sad occasion when we rise in this Chamber to express our feelings on the passing of one of our colleagues. Words are useless, I believe, to express one's true feelings at a time like this, but I do join with my distinguished friends the Senators from Kansas, the minority leader, and other Senators who will speak this afternoon in expressing my great personal sense of loss on the passing of our beloved colleague, ANDREW SCHOEPPEL.

As the senior Senator from Kansas said, sometimes he has been referred to as "our friend ANDY." To all of us in this Chamber he was ANDY SCHOEPPEL, a man of simple tastes, of great dignity, of real understanding, with a real degree of tolerance.

ANDY's public character and his private character were one and the same. I spent many afternoons with ANDY on

the floor of this Chamber, and many afternoons with him in the cloakroom. I always found him to be honest and straightforward. I never found him to be opinionated. I never found him to be narrow in his thinking. I did find him always willing and able to see the other fellow's point of view.

He has been referred to as a great son of Kansas. He was. He has been referred to as a great son of the Midwest. He was. But more than anything else ANDREW SCHOEPPEL was a great American—an American in the old tradition, a man who was as solid inside as he was on the outside, a man who made many great contributions to the welfare of his country both in the active service of the Nation and in the legislative halls of his State and of his country.

It will be very difficult to fill the void left by ANDREW SCHOEPPEL, but, good man that he was, I know he has gone to a reward which will be his because he has earned it on the basis of the justice which he dispensed, the character which he showed, the integrity which was his hallmark, and the honesty which was his sign of stability.

We shall all miss ANDY SCHOEPPEL, but I believe that because of our friendship with that great man from the Midwest we shall all be better Americans.

Mr. WILLIAMS of Delaware. Mr. President, in the middle of January the Nation, the State of Kansas, and the Members of the Senate were shocked to learn of the tragic death of ANDY SCHOEPPEL.

I was especially stunned, for during the 13 years that ANDY SCHOEPPEL and I served together in the Senate we became close personal friends. It is, then, to both a colleague and a friend that I should like to pay my deepest and most humble respect today.

It is no easy task to find the words to describe adequately how one feels when such a fine and valued friend passes on. There is a strange feeling of helplessness when the means of communication that is used most effectively on the floor of the U.S. Senate day after day fails to fully and adequately convey the feelings that we all hold at a time such as this.

ANDY SCHOEPPEL has often been described as a man who looked and acted like a U.S. Senator. A more fitting tribute could not be paid to the man or to the Senate. ANDY SCHOEPPEL looked and acted the way people expect a Senator to look and to act. He was a big man—an outstanding football player in his college days at the University of Nebraska. He was a fine looking man, easy to talk to and always interesting to listen to. He was a fluent man, a man with strong convictions about the role of government in the lives of men; and he was a man who was not shy about announcing where he stood on an issue.

On many occasions during these years I sought the wisdom of his sound counsel and advice, and I found that in making a decision he had one guideline—"it it right?"

Personal popularity or glory meant nothing to him when he had charted his course, and nothing could cause him to swerve from what he felt to be his duty.

There are some who would call ANDY SCHOEPPEL a stubborn man, but, as one who came to know him as a friend, I shall always remember him as one of the most dedicated public servants that I have met—a man of integrity, a man who had the courage to speak out for what he thought was best for his State and his country without any regard to the popularity of his position.

ANDREW SCHOEPPEL needs no monument. His many years of outstanding public service both to his State and to his country will long stand as a living monument to the memory of this great American.

The extent to which ANDY SCHOEPPEL was loved by his fellow Kansans in itself forms a unique chapter in the political history of the Sunflower State. Each time he took his case to the voters they responded with overwhelming votes of confidence in the man. He began his political career by serving as county attorney in his native Ness County. From there he went on to become mayor of Ness City. He also served as city councilman, as city attorney, and as a member of the school board. He later served for 3 years as chairman of the Corporation Commission of Kansas.

It was in 1942 that ANDY SCHOEPPEL first entered a statewide election contest, when he successfully ran for the office of Governor of Kansas. He won that election and went on 2 years later to score the greatest landslide victory in the history of Kansas politics when he was reelected Governor by a majority of nearly 233,000 votes, winning in all of the 105 counties in the State of Kansas.

Three times after that ANDY SCHOEPPEL faced the voters of his home State in a bid for election to the U.S. Senate—and three times he was victorious—in 1948, 1954, and in 1960.

In the Senate most of us grew to know and to admire the work of the energetic Kansan. His outstanding contribution was in the field of agricultural legislation. As an expert in the field, he served with distinction for many years on the committee on Agriculture and Forestry. He was the author of the Agricultural Trade Development Act, which later became Public Law 480. It is under the terms of this law, so familiar to all Senators, that American farm surpluses are exchanged for foreign products instead of being given away.

As I mentioned earlier, ANDY SCHOEPPEL was the kind of a man who looked and acted like a Senator. He was a stanch defender of the American free enterprise system. He was dedicated to his public duty, and he strongly felt that it was his public duty to stand for strong conservative principles. That he served the people of Kansas well by so doing is adequately attested by the fact of their unswerving support for him at the polls.

The admiration Kansans showed for ANDY SCHOEPPEL was matched in Washington, D.C., when he came to this city in 1948. While he did not participate in floor debate as frequently as some Members do, he tirelessly served the people of his State during his 13 years as a Member of the Senate. The high degree of respect that he enjoyed among his colleagues on this side of the aisle was indicated by his election as chairman of the Senatorial Campaign Committee in 1956.

ANDY SCHOEPPEL and his devoted wife, Marie, became the close friends of Mrs. Williams and me. We shall miss him to a degree which is not within my power to describe.

The people of Kansas have lost a tireless public servant. The U.S. Senate has lost one of its hardest working, most dedicated Members. The Nation has lost a devoted public figure and a statesman. And I have lost a dear friend.

Mr. RUSSELL. Mr. President, it would be impossible to add to the eloquent tributes that have been paid to our late departed colleague, ANDREW F. SCHOEPPEL. But I would be remiss to every instinct of my nature and would betray a friendship that I hold most dear if I did not rise to express my personal sense of bereavement at his passing. Death indeed laid a heavy hand and inflicted a grievous blow on the Senate of the United States when it removed ANDREW F. SCHOEPPEL from his seat in this body.

ANDREW SCHOEPPEL had character stamped on his face. It was manifested by his every act as plainly as the word "Sterling" on old English silver. He was forthright and incapable of deception or guile. He had convictions and he had the courage to defend those convictions. All of those elements went to make him a real leader of men. He held every office within the gift of the people of his beloved State of Kansas, and he was recognized as a leader in this great forum of States that we call the U.S. Senate.

ANDREW SCHOEPPEL believed in the American way of life and in the American system of government. He had complete faith that our system was the finest that was ever devised. He held an unspeakable contempt for any termite, fellow traveler, Communist or one in any other guise who would undertake to undermine the foundations of our Government.

He was not a political weather vane. He had his convictions and he had the courage to sustain those convictions, even when he stood alone.

He knew what loyalty meant, and he was a loyal man. He was loyal to his country. He was loyal to the Senate. He was loyal to those who are privileged to claim him as a friend.

He was a tough fighter, but he was incapable of taking any underhanded advantage of an adversary under any conditions.

ANDREW SCHOEPPEL was an American statesman of the old school. He believed in local self-government. He believed that the people in a community were better able to solve a problem peculiar to that community than some bureaucrat here in Washington who had never been in the community or had any contact with the problem. He had a high sense of honor, of duty, and of responsibility. He was what has been termed a "Senate man." He believed in the Senate, and he defended every right and prerogative

of every Member of this body. He did so knowing that when he defended the right of a Senator he was defending the power and the right of the State of Kansas and its 49 sister States.

He faced his Maker with a conscience clear of having cast any single vote in this body that was likely to demean the Senate or to weaken the powers and the prerogatives of Senators that go to make this a unique parliamentary body on earth.

Our distinguished friend and eloquent minority leader, the Senator from Illinois [Mr. DIRKSEN], quoted from Shakespeare. In relation to the passing of ANDY SCHOEPPEL, I thought of a passage from Shakespeare, when he had Marc Antony state at the bier of Julius Caesar—

His life was gentle, and the elements
So mix'd in him that Nature might stand up
And say to all the world, "This was a man!"

Little more can be said. He was a man. He worthily discharged every public duty and responsibility that was his, from those of a local official of his home community to those incident to a seat in this great body.

I feel a great sense of personal loss in the passing of ANDY SCHOEPPEL, because I prized and loved him as a personal friend. The loss is aggravated by the knowledge that in these perilous days our country can ill afford to lose men with his sound sense of fundamental Americanism and his great courage to defend that which he knew to be right.

Mr. KERR. Mr. President, I am honored to rise in an attempt to join my colleagues in expressing my great respect, affection, and admiration for our late, beloved colleague, ANDREW SCHOEPPEL. As I talk about him, there is very much in my mind the wonderful woman, Marie Schoeppel, who was his wife, partner, helpmate, and inspiration through the long years. If ANDREW SCHOEPPEL's stature and character as a man were exceeded by those of anyone I have known, it was only by those of his great wife.

ANDY SCHOEPPEL was a man of many activities and interests, but of steadfast purpose and principle. The world admires courage—it glistens with the purest light of sunshine and the brilliance of a star in a clear, cold night.

ANDY SCHOEPPEL had great courage.

I remember the story of one of his experiences on the gridiron, as a boy many years ago, when he was a lanky Kansas farm boy. He was wearing a numbered football jersey of the University of Nebraska. At the time, the Nation was shouting the praises of Notre Dame's Four Horsemen. Much was written of this jolting juggernaut which overcame all football opposition.

That autumn day arrived at last when curious fans could watch both the fabled Nebraska star and the legendary backfield of Knute Rockne compete on the same gridiron.

The Fighting Irish were simply unbeatable, but it would be a good show.

But the great end that Nebraska had imported from Kansas had battled against odds all his life. He had fought the elements that threatened his farm home and more recently he had engaged a foreign enemy that challenged his Nation. He sought always to win.

After a brilliant and bruising encounter, the game was scoreless as it approached the final gun.

Then this Nebraska end sensed the time, streaked past the entire Notre Dame defense and stretched mightily for the long one just on the goal line. He tipped the ball, slapped it, juggled it at full speed and then clutched it and a sensational victory.

Mr. President, ANDY SCHOEPPEL became an all-American and a gridiron legend. In my book, he has made the No. 1 team every year that I have known him.

Like the towering, hardy, colorful sunflower, ANDY SCHOEPPEL sprang from the flat, fertile fields of Kansas. He saw a spongelike sun soak the life from grain and stock during one season and watched floods later come to snuff out other living things on the same acres.

He vowed long ago to do that which man can do to control and conserve and protect the elements abou him. That is how I met ANDY SCHOEPPEL some 20 years ago. We had mutual problems and similar dreams for a common area.

We were both candidates for Governor of our respective States. We were both elected in the same year and were neighboring Governors during the war years. We became fast friends while working together to solve many problems in which our States had a common interest.

The Interstate Oil Compact Commission was formed in the 1930's. It has helped ever since to fight for true conservation of oil and gas. He and I served on this commission for 4 years.

When we arrived in the Senate, we joined together in efforts to conserve and develop all of the natural resources of our States.

We were joint authors of the first bill we introduced in 1949. It created the now famous Arkansas White and Red River Basin Commission, a study commission to survey the entire soil and water resources of these great river basins, and to develop a plan for their complete conservation. That commission developed such a plan to conserve the soil and water resources of our States. Together we sponsored many projects to conserve those soil and water resources, as well as the other resources so valuable to Oklahoma and Kansas.

It has been a great privilege through all these years to have ANDY SCHOEPPEL as one of my most cherished friends.

With the tenacity that sprang from his rugged, prairie heritage, ANDY SCHOEPPEL bucked many a line, jolted many an enemy, and scored in many difficult contests when his goal was in sight. He fought for those measures he knew would make his State, his area, and his Nation a stronger, finer State and country. Despite personal or party persuasion, ANDY SCHOEPPEL voted straight down the line on the basis of his principles as applied to the issues with which he was confronted.

Yes, Mr. President, the Senator from Oklahoma is sorely grieved. Today he joins his State as it mourns the loss that has befallen it and our neighboring State of Kansas and our country.

Rugged as he was, ANDY SCHOEPPEL was also gentle—gentle because he was both honorable and kind.

Truly, an all-American is gone, but he will never be forgotten.

I am reminded of the words of Kipling, when he said:

E'en as he trod
That day to God,
So walked he from his birth,
In simpleness and gentleness,
And honor and clean mirth.

Mr. MAGNUSON. Mr. President, I do not know what I can add today to what has already been said about my good friend, ANDY SCHOEPPEL. He did play the game of politics as he played football, with vigor and always within the rules of the game.

I suppose I got to know ANDY SCHOEPPEL as well as any other Senator, because for many years he was the ranking Republican member of the Committee on Commerce. We worked many hours together on many problems.

I was greatly shocked at his death. As a matter of fact, it was a personal shock to me, because I was on my way to Bethesda to see him when he died. I had talked with the people at the hospital the night before, and I was looking forward to talk with him on some committee business.

He was a fine man. He was, as the Senator from Oklahoma [Mr. KERR] has said, rugged but gentle. He was a gentleman in all his dealings. He lived that way. He did not know any other way to live. He loved his work on the Committee on Commerce. He brought to it a great background of experience.

As I am sure the occupant of the chair, the distinguished junior Senator from Kansas [Mr. PEARSON], and the distinguished senior Senator from Kansas [Mr. CARLSON] know, Senator SCHOEPPEL had long experience on the Public Service Commission of Kansas and then as Governor of his State.

In the complex world of transportation in the United States, with its many problems and controversies, ANDY SCHOEPPEL brought to the committee a steadying influence. He was a good legislator. He liked to do his homework. In this particular field he had no peer. I know that the members of the Committee on Commerce, including myself, and regardless of party, relied, time and time again, upon his good advice, his wide background and his long experience in this field.

I have lost a good friend. The Senate has lost a good legislator. The country has lost a great American.

I join with my colleagues in saying that I am severely grieved. I extend my deepest sympathy to his very fine family, particularly to Mrs. Schoeppel.

Mr. ELLENDER. Mr. President, like many of my colleagues, I was shocked when I learned earlier this year of the death of my good friend, ANDREW F. SCHOEPPEL, the distinguished Senator from the State of Kansas.

Although we sat on opposite sides of the aisle, we saw eye to eye on most of the problems plaguing agriculture. He

worked hard and diligently, and was a credit to the people of Kansas and our country.

Senator SCHOEPPEL and I served at the same time on two most important committees of the Senate. He became a member of the Committee on Agriculture and Forestry, of which I now have the honor to be chairman, at the beginning of the 83d Congress. He remained a member of this committee until the start of the 87th Congress, when he resigned to accept an appointment to the Committee on Appropriations, of which I am also a member.

I was, therefore, able to observe at close hand the work done by Senator SCHOEPPEL, and what I perceived was the picture of a devoted public servant, striving to do the best for his Nation and his State.

He leaves behind a rich heritage of dedicated service to the people of Kansas and the United States—first as an outstanding Governor of the State of Kansas and then as an effective Senator from Kansas.

I particularly liked talking to him and receiving his counsel. I remember many conversations we had relative to the continuing need for the adequate preservation of our two most precious natural resources—soil and water.

Senator SCHOEPPEL and I shared the view that plans must be made today so that millions of Americans as yet unborn would be able to enjoy the abundance of these two God-given resources.

He was most diligent in his efforts to initiate work on the Tuttle Creek Reservoir, which was the first major public works project in Kansas.

He was a consistent supporter of the Elk City Reservoir, and I am pleased to tell the Senate that before death ended the service of Senator ANDREW SCHOEPPEL, this project was finally approved and work has begun on this massive structure which will be of much benefit to the people of Kansas. I was always glad to labor hand in hand with him in attempting to solve some of the flood control problems of his beloved State.

With his passing the Nation has lost a valued servant, Kansas has lost a loyal son, and I have lost a close friend.

I extend my deep sympathy to his devoted wife, Marie, to his family, and to the members of his staff.

Mr. COTTON. Mr. President, shortly after I came to the Senate, I was assigned to the Committee on Commerce. During most of the years that it has been my privilege to be a Member of this body, I have served on that committee under the leadership of its senior ranking minority member, the late ANDREW F. SCHOEPPEL. Because of the admiration and reverence in which I hold his memory, and because of those years of close association, I deem it a privilege to add a few words to the moving tributes which have been delivered by his colleagues this day.

As I have been sitting here listening to those tributes, it has been borne home to me in almost every instance, and from the lips of every Senator who has spoken of our beloved friend, that there is one underlying element uppermost in everyone's mind, that is the strength, the rocklike resolution, and the firmness of his character, which was enhanced by his physical appearance.

I shall never forget the first time I ever saw Senator ANDREW SCHOEPPEL. It was when I was a Member of the other body, before I ever came to know him in the Senate. I looked into his face, with its rugged, almost roughhewn features. I noted his powerful body, and erect carriage. I never forgot the impression which he made upon me.

I have chanced to read a literal translation of some words from Virgil's Aeneid:

> But like a rock unmoved, a rock that braves the raving tempest and the rising waves—so stood the righteous prince; and long sustained the madness of the noisy throng.

It was that rocklike strength, which was so characteristic of ANDY SCHOEPPEL, that has made our memories of him a little different, perhaps, from our memories of other colleagues, because it is good to believe that every man who serves in this great body will leave and does leave a peculiar impression of his own individual personality.

But the strength of ANDY SCHOEPPEL would never have been emphasized or impressed upon us merely by his splendid physique or the rugged strength of his face. There was something else.

There is a college near my hometown, in my State—and I hope I may be forgiven for referring to the name of my State—and in its alma mater, which I have heard sung so many times, are these words:

> The granite of New Hampshire in their muscles and their brains.

I hope I may be forgiven what sounds almost like a note of levity in these solemn proceedings when I say that I have listened to those words many times with puzzlement and perhaps with a little amusement. I never understood them until I knew ANDY SCHOEPPEL. There was a stern, rocklike, unflinching character not only in his muscles, but also in his brain, in his convictions, and in his entire personality. That was shown throughout his service in the Senate.

A great writer once said of Daniel Webster that God would never have created a man of such noble proportions and fail to endow him with superior faculties.

It would have been a sad disillusionment if, when we came to know ANDREW SCHOEPPEL better, we had found that his abilities and the powers of his mind and of his intellect had not equaled his physical powers. But they did—in full measure.

ANDREW SCHOEPPEL's service in this body was quiet. He never was one to have a glib tongue or to indulge in flowery eloquence, although he demonstrated great force and power when he chose to speak for the causes in which he believed and to which he was dedicated.

His services on our committee have been referred to by our distinguished chairman. On the committee he was a constructive member, a leader of the minority, and a leader of the entire committee.

His experience on the State Corporation Commission of Kansas had laid an excellent foundation for dealing with the problems peculiar to the Commerce Committee. He had a clear, sharp vision of what it means to have at all times proper regulation of public bodies, without assuming managerial functions or without stifling free, competitive enterprise; and he fought for this ideal.

He joined with the distinguished Senator from Florida [Mr. SMATHERS] and other Senators in producing that effective legislation, the Transportation Act of 1958, which went a long way toward bolstering the weakening strength of the railroad system of the country. During the last few years he was in the forefront in framing vitally necessary legislation which created the Federal Aviation Agency to control, as well as government can, the hazards of air traffic. These were only a few of his contributions.

Mr. President, it was my privilege to visit with him in his State and to speak with him before his fellow Kansans. One had only to go there to realize the secret of ANDY SCHOEPPEL's strength: He was a man of the plains, a man of old pioneer stock; and his straight, clear gaze, his strong voice, his powerful convictions, and his rugged physique had been molded in the cauldron of life on the farm and on the plains of his great State.

I traveled with him to Alaska, where we held hearings as a subcommittee of the Commerce Committee; Mr. President, I say to you that his pioneer personality was reflected in almost perfect setting with the background of the great frontier State of Alaska.

I also traveled to the Orient with him and with his dear wife, Marie; and I was privileged to observe what perfect companionship and perfect love existed between them. They did not wear their affection on their sleeves; they were not demonstrative. But one had only to see them together, to feel the inspiration of a deep, abiding, and deathless love.

And then we lost him. But we have the memory of a Senator who, as others have said today, looked, acted, and was the personification of this great body. ANDREW SCHOEPPEL was the beau ideal of a Senator in his appearance and in all the qualities of mind and soul which equip men for service here. With a toga around his massive shoulders and a fillet around his rugged brow, he could have stepped back through the ages and walked the pretorian pavements on terms of complete equality with any senator of ancient Rome.

Mr. President, there is one consolation which we, his colleagues, have: Most of us never saw him in weakness. The experience of witnessing his losing fight for health was a Gethsemane through which his loved ones had to pass; and to them go our deepest sympathy. But we, his colleagues on the floor of the Senate, never saw him in weakness. We shall always remember him in the very bloom, flower, and strength of his magnificent, shining manhood. He will never grow old, as some of us may be fated to do. His steps will never falter, his eyes will never grow dim, and his faculties will never be obscured by the erosion of age. Instead, he will live on, in our memories and in the traditions of this body, in the fullness of his life.

Mr. President, others have given quotations here, today; and I leave but one with you. The most appropriate text, in my opinion, comes from the words of St. Paul:

> Be ye steadfast.

ANDREW SCHOEPPEL was steadfast, in shadow and in sunshine, in the years when he was working his way up, in the victories of his political career, and in his culminating service in the U.S. Senate. His memory remains steadfast with every one of us whose lives were touched by his.

Mr. MCCLELLAN. Mr. President, it is with a feeling of deep personal sadness that I rise today to join my distinguished colleagues who have preceded me in paying tribute to our late and lamented colleague, Senator ANDREW SCHOEPPEL, of Kansas. I fully share the tender sentiments which each one of them has so eloquently expressed.

In the years of our service here together, I came to know Senator SCHOEPPEL—and, I believe, to know him well. And the longer I knew him and the more we worked together, the deeper my respect and the greater my admiration grew for him as a man, as a Senator, as an American, and as a statesman.

For 4 years he served with me on the Government Operations Committee, of which I had the honor to be chairman. There he gave to me the closest cooperation and the most valuable assistance; and I very much missed his able counsel and his help when he left that committee for another important assignment in this body.

We also served and worked together on the Appropriations Committee of the Senate; and it was always a genuine pleasure to do committee work with him.

It is true that we were of different political parties; but on most of the vital issues which came before this body during the time when we served together, we voted together, with very few exceptions.

On the committees on which I served with him he exhibited the same constant fidelity to the sound principles of government and the tireless devotion to duty that made him a spirited and forthright advocate of governmental integrity and responsibility here on the floor of the Senate.

Senator SCHOEPPEL was completely absorbed in the never-ending task of safeguarding the democratic ideology that his own career of service to the people of the State of Kansas and the entire United States so well symbolized.

We shall all miss his stabilizing influence, his unimpeachable loyalty, his sincere and dedicated presence here in this Chamber.

Our country has lost a stanch defender of basic constitutional principles and of good government.

Mrs. McClellan joins me in extending our heartfelt sympathy to Mrs. Schoeppel and members of the family. We share their deep sorrow in their great loss.

Mr. HOLLAND. Mr. President, so many true, permanently impressive things have been stated here today about our late great friend, ANDREW SCHOEPPEL, that I shall not try to reiterate any of them. I agree with everything I have heard said. He was a great American. He was a great Senator. I shall think of him always as a man's man and a Senator's Senator.

I shall also think of him as a kind, generous, gentle, and frank friend. We became friends when we were serving as Governors back during World War II days. I found him then, of course, devoted not only to his State, but to his Nation and to the great contest in which we were engaged.

I like to think of him as a wartime Governor because shortly after I had the pleasure of meeting him, I learned he had been in World War I and had received his training as a Navy pilot within my own State, at a little Navy base, long since out of use, in the general Miami area. He spoke of it often. He went to our State often. I want to say nobody was more welcome and more happily received by our Florida people than was ANDREW SCHOEPPEL.

After he had been with me on two agricultural subcommittee hearings, one at Lakeland in a citrus matter and one at Live Oak in a tobacco matter, I was literally besieged with requests for him to attend and be the speaker at annual agricultural meetings of the highest rank throughout our State. A few he could accept. Many others he could not. But I always knew he liked to go there. He thought of it in terms of his boyhood training as a Navy aviator, and we always loved to have him there.

He was always a human man and a kind friend. I recall when he honored us, my two sons, a son-in-law, and myself, when we held a dinner party in one of the Spanish restaurants in Tampa. For no period of time when we were together exceeding a few minutes, from that time on, did he fail to have a comment or question about one of those three youngsters or all of them. He was a warmhearted man. In his life and thinking—and his was a busy life—he always had time for friendship and interest in younger people whom he had met and whom he liked to recall.

Mr. President, two things about him I would like to tell before I sit down. First, with great gratitude I want to comment on the fact that he was kind enough to present me for an award, which I treasure greatly, before a national organization, but which I treasure the more because he presented me for it. Later on I found he had placed the words of that presentation in the permanent record of our Nation's life, the CONGRESSIONAL RECORD, and I am exceedingly proud to have those kind words of his there.

The other thing I would like to tell has to do with his career as an all-American football player, not in his own State, but in the neighboring State of Nebraska. I suspect that there is rather intense rivalry between those two fine States out on the Great Plains. At any rate, a mutual friend of his and mine told me that after ANDY had gone there and made that great record as a football player with Nebraska, in which they not only led in defeating Notre Dame, as has been mentioned, but also the University of Kansas, one of his friends told him, "ANDY, you need not come back home to Kansas, because you can't be elected to anything."

I asked ANDREW SCHOEPPEL if that was true. He said, "Well, yes, he said something like that. In the first place, I did not believe it. In the next place, it was home, and I wanted to go anyhow."

The fact that that comment was unduly pessimistic and not in accord with what occurred later is best shown by the fact that he was twice elected Governor of Kansas and three times as U.S. Senator.

Having attended the last rites conducted in Wichita, I can say I never saw a group of people who showed greater sorrow and personal grief than the people who attended those rites, on a rainy day, when a day or two before 14 inches of snow had fallen, and which had not melted, when the Senate delegation had to land 60 miles away and travel there by icy road, and had difficulty getting there. But everybody was there in his place, because they had come to honor a dear friend in their expressions of sorrow, and they showed it in their faces.

May I be pardoned for saying there was an impressive attendance by members of his Masonic fraternity. I could not estimate the exact number, but certainly there were several thousand there. I learned on inquiry that he had been elevated to the highest rank in that fraternity, and was a 33d degree Mason. Such an honor calls for not merely political ability, not merely the ability to compete in the world of government and business, but calls for a shining character which the men who were his brethren recognized, no matter what place in life they happened to come from.

ANDREW SCHOEPPEL was a great man. I shall never forget looking across the Chamber to the other side of the aisle and seeing his great hands, hands which reminded me of the great hands of Lincoln as shown in the Lincoln Memorial, and his great shoulders, and his tremendous body, always supple and well preserved. I would have thought that he would probably be the last man in this group who would pass away. I shall never forget his kindly face, grinning as somebody brought out a good point, whether it was for or against his side of the argument. Incidentally, I had occasion to go through tough scraps with him several times. I shall never forget how he and others of us attacked a reorganization plan for the Agriculture Department. He shot the plan so full of holes, that when he sat down, the record will show, the reorganization plan proposal was overwhelmed unanimously on a voice vote. Everybody knows that did

not occur on any other reorganization proposal, because, on reorganization plans, we normally take a record vote so that the requisite number will show on one side or the other.

He was a fine, clean man, an ornament to the Senate, one whose friendship we shall always remember. I am delighted to be counted among the group of those who had the privilege of being within the circle of his great embracing friendship.

Mrs. Holland and I both express our deepest grief and affectionate sympathy to Marie Schoeppel. We shall always miss him.

Mr. LAUSCHE. Mr. President, it was in 1946, in Oklahoma, when the Governors' conference was held and I was in attendance, that I first met ANDY SCHOEPPEL. I sat opposite him at the meeting of the Governors, and I listened to his contributions to the discussion had at that time.

I had not previously known Governor SCHOEPPEL, but the precision with which he presented his views and the knowledge he had of the subject under discussion left on me a deep impression.

We parted at the Governors' conference, and I did not see him again until I came to the U.S. Senate in 1957. Since that time I have had approximately 5 years to observe the character and the innermost qualities of this man who left us a short time ago.

To me it seems he built his life upon a moral code which, in the face of adversity, of violent discussion and intermittent defeat, stood up with greater luminosity as time went on.

ANDY SCHOEPPEL is not with us. His chair is vacant. He is gone.

In the words of the poet:

God moves in a mysterious way
His wonders to perform.

It seems those words prevail today.

In meditation, somberly, we are assembled, paying tribute to the memory of ANDY SCHOEPPEL, listening to the words which are spoken about his beautiful life, and wishing to draw from it so that in the performance of our work we shall be worthy of the high offices we hold.

ANDY SCHOEPPEL was firm and yet gentle and humble. He had the qualities of the rugged football player, with a desire to win, but at the same time he exhibited a humility that was fascinating. He was patient. He was courageous. If I were to single out one attribute of his which demonstrated his quality of goodness, it would be that of valor in the performance of his duty. It seemed to me that he never retreated from a problem.

He declared himself in accordance with what he thought to be the best interests of the people and of the security of the country.

He leaves with us a great memory. We draw richly from him.

I have said that he built his life upon a moral code. Probably I should say he built his house and his life upon a rock, and that when the winds and the storms came, that house and life withstood the ravages of time.

He was humble, loyal, courageous, patient, and industrious.

I went to the Bethesda Hospital one morning, to pay a visit to him. It was then I learned of the seriousness of his illness. I was not able to gain admittance. A short while afterward the tragic word of his death came.

Today, as I reflect, I look upon ANDY SCHOEPPEL as being in a position to be able to say, "Lord, if Thou art prepared to call me, I am ready. I have lived my life, trying with all my might to be loyal and to be good to my family, to my friends, to my community, and to my Nation."

True to the lesson, let us be ready for the call. It is inevitable. It will come.

My belief is that ANDY SCHOEPPEL was in that position. Whatever adversity came to him, within himself he knew he tried to follow the right course.

Mrs. Schoeppel, my condolences go to you and to the family. I feel grateful to him because I believe that from my contact with him I became a better man.

Mr. SMATHERS. Mr. President, I join with my colleagues in expressing sorrow and deep regret over the passing of ANDREW SCHOEPPEL.

My wife and I enjoyed and cherished the friendship of ANDREW SCHOEPPEL and his lovely wife Marie. His sudden death was indeed a great personal shock and loss to those of use who had the privilege of knowing him.

He has been described today as being a large man, and indeed he was, but he was large in every way, not merely physically. He was large also mentally and morally.

Above all, Mr. President, we all knew him to be a very great patriot, a man who was devoted to the timeless basic principles which have made this Nation of ours great.

Despite his rugged appearance, those of us who were privileged to know him knew him to be a gentle, a refined, and a considerate person. That is why he had so many friends. That is why his passing has been such a personal loss to so many of the people in his State, in Washington, D.C., and throughout the Nation.

ANDY SCHOEPPEL was a Republican, but he was a nonpartisan when matters involving the Nation's welfare were being considered. He always placed the Nation's interest above personal and political considerations.

ANDY SCHOEPPEL was indeed, as has been stated, a dedicated public servant. I was privileged to serve with him on the Committee on Interstate and Foreign Commerce for some 11 years.

He knew a great deal about the transportation problems of America, and he made a significant contribution toward the solution of the many problems which plague that particular industry.

In every sense he was a man of high character and high quality. He richly deserves the many fine things which have been said about him today and the many honors which have been bestowed upon him by his friends, his State, and our Nation. We are all less happy and less strong by reason of ANDY's departure. The memory of his rugged, determined, and dedicated character will serve to inspire us all to greater service to our State and our Nation.

Mrs. Smathers joins with me in extending our deepest sympathy to his sweet and lovely wife Maria, to all of his family, and to the people of his State and our Nation, for all of us will miss him and all of us will long remember him.

Mr. THURMOND. Mr. President, on January 21 of this year the Senate, the State of Kansas, and the Nation sustained a great loss. On that date our beloved and esteemed colleague, Senator ANDREW F. SCHOEPPEL, passed away. All who knew him cherished his friendship and were deeply sorrowed to hear of his death.

Senator SCHOEPPEL was a man of the highest character and sterling integrity. He never deviated from the straight and narrow path which his high principles laid down for him to follow. In all things, no matter how seemingly unimportant, he never lost sight of the overriding principles involved. This always resulted in a sound and constitutional approach to every issue. An examination of his voting record reveals that his efforts to maintain constitutional and financially sound government were unrelenting.

Senator SCHOEPPEL, although a great athlete and a powerful man physically, was a soft-spoken and humble man who bore the mark of a true gentleman. It was not very often that he rose on the floor of the Senate to express his opinion on a matter. When he did, however, his thoughts commanded the respect of his colleagues because they were the product of deep convictions and a profound knowledge of his subject. His deep knowledge of the Constitution led him to be a stanch advocate of States rights and limited Central Government.

He truly understood the philosophy which our Founding Fathers included in the basic documents of our Government. It is a great satisfaction to me that I have had the honor and privilege to serve in the Senate with Senator SCHOEPPEL, a man of tremendous courage, great wisdom, and a true patriot.

Senator SCHOEPPEL conducted himself as a gentleman on all occasions. No matter how adverse the circumstances, he never lost his composure. His dedication to the Constitution and many efforts toward fiscal responsibility resulted in a true conservative approach to government. It causes me a great deal of remorse to realize that the Senate and the Nation no longer have the benefit of this able Senator's service. His many accomplishments will leave their mark on our Nation, and his record will serve as an example which all Senators could well emulate.

A great poet once said:

When a great man dies,
For years beyond his ken
The life he leaves behind him
Will shine upon the paths of men.

That is true especially of my good friend, the able late Senator from Kansas, Senator SCHOEPPEL.

Mr. KEATING. Mr. President, in the untimely passing of Senator ANDREW SCHOEPPEL, the State and the Nation he

served so well have suffered a great and irreparable loss. This sense of loss is felt in an especially deep and poignant way by those of us who were warmed and enriched by the gift of his friendship. ANDY SCHOEPPEL was a man who gave stature and dignity to every public office he held, and we who were privileged to work with him in this body were profoundly impressed by his dedicated spirit of service, by his depth of understanding and by the ability and energy he brought to the high cause of sound and effective government. Even those who might not agree with his views on specific issues could not but admire the sincerity of his convictions and the vigor with which he defended those views. Just as he had been outstanding in his college days on the football field, so did his high qualities manifest themselves later on the broader playing field of life. His beloved State mourns a son who served it long and faithfully and with rare distinction. His Nation salutes him for his contribution to the better, fuller national life toward which he worked so zealously. His friends turn to his family in this sorrowful hour and share with them the grief of a loss so deeply, so personally felt by each of us privileged to know the warmth of ANDY SCHOEPPEL's friendship.

Mr. CHAVEZ. Mr. President, I wish to add a few words of esteem about our former colleague, the late Senator from Kansas, ANDREW F. SCHOEPPEL. Senator SCHOEPPEL was respected by all who knew him for his forthright perseverance in fighting for principles in which he believed. He was ever mindful of the needs of his constituents and the necessities of the country.

Senator SCHOEPPEL was a firm believer in the traditional American freedom and the American way of life and a stanch advocate of measures which support this way of life.

Senator SCHOEPPEL was a credit to this deliberative body in every sense. His untimely death leaves a sincere sense of loss to his friends.

I would like to add my sincere condolences to Mrs. Schoeppel and members of the family in their great loss.

Mr. ALLOTT. Mr. President, I join with my colleagues today in paying tribute to the late senior Senator from Kansas, the distinguished ANDREW F. SCHOEPPEL.

It was my good fortune to serve in the Senate with Senator SCHOEPPEL from 1954 until his untimely passing on January 21. Through those 8 years, I learned to value ANDY SCHOEPPEL's counsel and friendship very highly. He was a man of strong will and determination, and a mighty heart. His word on all things was his bond. His every action and thought were above reproach. His deep convictions and obvious sincerity carried him through many legislative and political battles with an unblemished record. He never lost an election nor a principle during his long and distinguished career. His strong erect body carried him to great physical triumphs, just as his keen mind carried him to lofty heights in his chosen work.

From the time he participated in the early rugged days of big-time college football as a Walter Camp All-American of Nebraska, ANDY SCHOEPPEL had one motivating characteristic that stood out above all others—a drive, a desire, a determination to be the very best at whatever he undertook. His record as a U.S. Senator for 15 years is just one example of how well he succeeded in his goal. The others—his record as a member of the Naval Reserve Flying Force during World War I, as a citizen and county attorney of Ness County, Kans., as a two-term Governor of his State, and then, his greatest achievement in public life, his tenure in the U.S. Senate.

In this body, he served with distinction for 4 years as chairman of the Republican committee on committees. He was a strong advocate for Public Law 480 pertaining to the sale of agriculture surpluses to foreign nations in exchange for their own currencies. He introduced antifilibuster legislation, supported with all his physical and mental resources the North Atlantic Security Pact and many other important legislative matters, particularly those pertaining to a sound economic policy.

Senator SCHOEPPEL did not often engage in floor debates. When he did, he spoke with great authority and persuasion. However, he was one of the Senate's greatest students of proposed legislation. Once he had convinced himself of the merit in any proposed legislation, he burned the late lamp in his efforts to get it passed. I had the honor of serving with ANDREW SCHOEPPEL on the Appropriations Committee. Here, his keen mind and sharp discerning eye were of invaluable aid to all who served with him. ANDY SCHOEPPEL did his homework and was always prepared. He felt the people of his State and Nation deserved nothing less than his best efforts.

It is beyond the limit of time, space, and my small effort to properly eulogize ANDY SCHOEPPEL. His record as a public servant to his beloved State, and as a close personal friend and adviser to many, will live far longer in the minds and hearts of the people he touched, than in the pages of this RECORD.

Mr. SYMINGTON. Mr. President, it is with a deep sense of loss that I join with my colleagues in paying tribute to the late ANDREW F. SCHOEPPEL, of Kansas.

Senator SCHOEPPEL was a great friend; and as a representative of the State of Kansas, was a good neighbor to all of us in Missouri.

ANDREW SCHOEPPEL, man of character, was a great servant of the people of his State. He worked hard for the interests of the farmer, and was particularly aware of the need for development of the water resources of Kansas. Much of the credit for the great strides made in that State over the past decade is due to the fine work of Senator SCHOEPPEL.

He served in many offices at the local, State and National levels; but nowhere did he do more for his State and its citizens than during his 12 years in the U.S. Senate.

It was a great pleasure to work with him on the many problems which our neighboring States shared, and we of the State of Missouri will miss him.

My wife joins with me in extending our deepest sympathy to Mrs. Schoeppel and to all the members of the family.

We in the Senate have lost a great friend and a respected colleague.

Mr. PROUTY. Mr. President, the death of ANDREW F. SCHOEPPEL, U.S. Senator from Kansas, brings deep sorrow to America and to the Senate. Even those who fought him on many a political field will attest to the fact that he was a man of principle and a man of courage.

"ANDY," as he is known to all of us, was born on a farm where he learned through hard work the importance of industry and the wonderful ways of nature. ANDY never forgot the people he left behind in the farming communities. Indeed he was regarded in the Senate and in the country at large as a recognized expert in agriculture. It was his imagination and planning which led to the adoption of Public Law 480, the statute under which American farm surpluses are exchanged for foreign products. How many dairy farmers and grain farmers have benefited from this law I cannot say, but I do know that it has not only helped raise the standard of living of American farmers and their families, it has also fed the hungry abroad and won for this Nation millions of friends in distant lands.

ANDY's interest in the small family farm probably contributed a great deal to his equally understanding approach to the problems of small businessmen. Those of us who served with him on the Select Committee on Small Business have frequently tapped the depth of his knowledge and sought his wise counsel and guidance.

In this swift-moving hydrogen era, many men come straight to Congress from their private business affairs without having participated in government at the local or county level. This was not true of ANDY SCHOEPPEL. He had the most thorough preparation a man could possibly have for the important tasks and pressing responsibilities of a U.S. Senator.

ANDY served as a mayor, school board member, county attorney, and Governor of the great State of Kansas. His record as his State's chief executive was so outstanding that he was given one of the greatest landslide votes in Kansas history.

Three times ANDY was chosen by the people he loved to serve as one of their U.S. Senators. In this body, he won the affection and esteem of every one of his colleagues, particularly his fellow Republicans. This is evidenced by the fact that he once served as chairman of the senatorial campaign committee and was until his untimely death chairman of the committee on committees.

It is a sad thing that his wise counsel and long experience have been taken from us at this critical hour when they are needed most. The dread disease cancer, so long the enemy of mankind, has taken one more of the ablest and kindest Members of the U.S. Senate.

As one who fell a victim of the same disease, I feel that I can properly ask that we do everything we can to aid

our men of science in finding the answers that will vanquish the great foe of us all.

In repayment for the courage, loyalty, patriotism, and true devotion to the public welfare which ANDY SCHOEPPEL gave America—we can do no less.

Mr. SALTONSTALL. Mr. President, Senator ANDY SCHOEPPEL was a friend of mine and I enjoyed that friendship with him from the days he was Governor of Kansas and I visited in that State on several occasions. That friendship has continued with his good wife and himself over the years we have served together here in Washington.

ANDY was a conscientious, hardworking colleague who concerned himself especially with interstate commerce problems and, in the last few years, appropriations questions. He was thorough in his investigations and forceful in his arguments on the floor of the Senate.

While he was a partisan in political affairs, he was always fair in his judgments and loyal to the positions that he considered wise and helpful not only to the country, but also to the Republican Party of which he was such an active member. We no longer have the benefit of his advice on the floor of the Senate in matters in which he was concerned and thoroughly familiar, but we also in our Republican conference miss his responsible chairmanship of the committee on committees and the selection of our colleagues for their various positions.

Mrs. Saltonstall and I join with his many friends in expressing our deep sympathy to his good wife Marie and to his brothers and sisters.

Mr. CURTIS. Mr. President—

Public life is a situation of power and energy; he trespasses against his duty who sleeps upon his watch, as well as he that goes over to the enemy.

The foregoing paragraph was written by Edmund Burke 192 years ago, but its admonition was faithfully followed by the late senior Senator from Kansas. Senator ANDREW F. SCHOEPPEL represented the highest and best in the public service. Never did ANDY sleep upon his watch. He was alert. He was diligent, and most of all, he was loyal. To him, public service was a public trust. He was a patriot and devoted to this great American system of ours. He was not ashamed to show his patriotism and his gratitude for our blessings as citizens of a free land. He never yielded to the temptation to engage in political fakery or demagoguery.

ANDY SCHOEPPEL wanted to preserve this country of ours so that it might be a land of liberty and opportunity for all those who will come after him. He was opposed to his country's enemies, both foreign and domestic. He stood up and voted to override a Presidential veto of a bill that outlawed the Communist Party. No one was surprised at his action, because we knew where Senator SCHOEPPEL stood.

ANDY SCHOEPPEL did not want his country wasted away by excessive spending, deficits, devaluation of the currency, and threats of bankruptcy. To him, a dollar was a dollar and he knew how hard people back home worked for their money. When he was speaking at the 63d annual Lincoln Day Dinner of the Republican Party in New York City he said:

There is no magic in the financial aspects of the Federal Government. There may be a lot of monkey business, but there is no magic.

ANDY SCHOEPPEL was one of the most distinguished graduates of the University of Nebraska. Tens of thousands of Nebraskans have followed his brilliant career in public life. They loved him and they felt that he belonged to them.

The respect others had for ANDY SCHOEPPEL and the fine record that he made is attested by calling attention to a few of the things with which he was associated while a student at the university. He was a member of the Sigma Nu, the Phi Alpha Delta, the Innocents, the student council, the Blackstone Club, and the dramatics club.

ANDY SCHOEPPEL will be remembered in Nebraska as one of the outstanding football players of alltime. ANDY was one of the principal factors which caused Knute Rockne's famous Notre Dame "Four Horsemen" to taste defeat. Knute Rockne is reputed to have said of ANDY SCHOEPPEL that no finer end ever donned a football suit.

Those who have experienced the thrill of being in the stadium at a University of Nebraska football game are familiar with the cheerleader's chant:

He is a man, he is a Nebraska man

It was with an allusion to this that the Omaha World Herald began their article on ANDY SCHOEPPEL when he was elected Governor of Kansas.

Mr. President, I ask that that article be printed in my remarks at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

NEW KANSAS GOVERNOR IS A BIT OF ALL RIGHT—HE'S A NEBRASKA MAN

He's all right. He's a Nebraska man.

The Governor-elect of Kansas is ANDREW F. "ANDY" SCHOEPPEL, star end on the Cornhusker football team, mentioned by Walter Camp for all-America honors in 1922 when he stopped Notre Dame's "Four Horsemen."

ANDY was a darkhorse in Nebraska football. He had never played football until he came to Nebraska, had no intention of playing when he registered. ANDY was a darkhorse in Kansas politics, too. Virtually dragged into State politics less than 4 years ago when Gov. Payne Ratner made him chairman of the State Corporation Commission, he entered the Republican primaries against several better known politicians, but won handily.

And it was the same kind of accident or coincidence that got ANDY his wife. On a blind date at the Chi Omega house at Lincoln, he met Marie Thompsen, of Tilden Nebr. There never was another girl.

But to get back to ANDY's football career and his forebears before you get to his football—somehow having rugged ancestors usually is a prerequisite to gridiron prowess.

SCHOEPPELS GERMAN—MOTHER A CZECH IMMIGRANT

ANDY's great-grandfather, George John Schoeppel, came over from Germany in the 1840's, one of a group of liberals who left the old country to get away from Prussianism. This Schoeppel landed in New Orleans, traveled upriver to southern Illinois, where the boat got stuck.

ANDY's father, George J. Schoeppel, was born in Ellis Grove, Ill., in 1860. George J. Schoeppel went west, first to St. Paul, then to Seattle, where he got a job as axman in a lumber camp, and came back to Dodge City, Kans., in 1882, worked on building a railroad to Colorado, and settled at Claflin, Kans., where he was employed in a grain elevator.

There he met ANDY's mother, Anna Phillip, a native of Kunvald, in what is now Czechoslovakia. She came to America, alone, at the age of 18. There is no stronger anti-Nazi than she. At least two of ANDY's cousins have died before Nazi firing squads for their refusal to knuckle down to the invaders. Another cousin, escaping Czechoslovakia, is a member of the commandos.

One of eight children, ANDY was born in Claflin November 23, 1894. When he was about 4 years old the family moved to Ness County, where his father bought a farm. ANDY was introduced to a pitchfork as soon as he was hefty enough to handle one. In the winters he attended public school, and later high school at Ransom, where he played baseball. There was no high school football team.

In the summers ANDY followed the wheat harvest, and he's still remembered in western Kansas and Oklahoma as one of the best of wheat stackers, wrote the Kansas City Star's correspondent.

In 1916 ANDY entered the University of Kansas for a premedic course. In his 2 years he played on the Kansas baseball team. At the end of his second year in college he enlisted in naval aviation. He was at Miami when the armistice came. He returned to Kansas, finished out the year on his father's farm.

Among the aviation cadets with whom ANDY served at Seattle were Max Towle, Al Du Teau, and Lawrence "Shorty" Shaw, all Nebraska men. There were other Nebraska men in training, and they talked up the University of Nebraska. When ANDY went back to school in the fall of 1919 it was to Nebraska "U" that he transferred.

HADN'T INTENDED TO PLAY FOOTBALL

ANDY had shifted his affections from medicine to law. He was almost 25. He decided he wouldn't go out for any athletics at least that first year. And he didn't. He studied hard to make his grades. Let ANDY tell his introduction to football, as reported by the Kansas City Star man:

"The next spring I was standing out in front of one of the banks in Lincoln one afternoon, having just cashed a small check and putting my 10 $1 bills in my wallet when somebody touched me on the shoulder.

"'Are you on the campus, son?' he said.

"I turned around. It was Indian Schulte, Nebraska's coach. I told him I was.

"'Why aren't you out for football?' he asked.

"I said I'd never played any football. He talked to me for quite a while, and made me promise to come out next Monday and see if I liked the game.

"They issued me a suit, and I had a time getting into it. They had to show me how all the pads and things hooked on. Schulte was coaching track, and he'd brought Sturzenegger, 'Hurry Up' Yost's first assistant coach at Michigan, down to handle spring football.

"Sturzenegger didn't know the men. He was calling the roll. As each man would answer his name, the new coach would ask his position and send him off to a squad where they were handling candidates for that position. When he came to me I could not tell him my position.

"'I never played the game before,' I confessed.

"He seemed to sort of swell up, and I was alarmed. What reason did I have for cluttering up the scenery around there, anyway, getting in the way of people who had important work to do?

"'Just forget about me,' I stammered. 'I'll go take this suit off. You don't want to bother with me, and I'm sorry I took up your time.'

"To my amazement he burst out laughing. 'You're all right, son,' he said. 'You go right over there with the backs and start to work. You're lucky, because you don't have a single thing to unlearn.'

"That's the way I got started. I tried out for the backfield, but I guess the competition was too tough. In my second game I played against Notre Dame, with the great George Gipp in their backfield. How I remember that afternoon. Gipp was never where I thought he'd be. They beat us a couple of touchdowns.

"Next year I went out for end. My senior year I was the regular left end. That's about all there is to the story."

All? ANDY stopped the Four Horsemen of Notre Dame that fall, and won national recognition for it.

ANDY'S ROMANCE READS LIKE FICTION

The story of ANDY's romance with the Nebraska girl reads like fiction: "Flo Sherman, a Chi Omega, was a friend of mine. One day Flo called up the Sigma Nu house and said she wanted me to take a blind date with a girl they were rushing. I generally fought shy of blind dates. But Flo was a good friend, and I agreed to come down to the house and at least look over the prospect.

"I was sitting on the piano bench in the sorority house when Flo came down the stairs with a girl who had the prettiest blue eyes I ever saw. They came over toward me, and I stood up. Flo said: 'Miss Thompsen, this is Mr. SCHOEPPEL.'

"I just kind of gulped and goggled, I guess. And then I said: 'All right, Flo, I'll help you out this time.' It was a heck of a thing to say to a girl the first time you met her, but Marie—that is, Miss Thompsen—seemed to overlook it.

"The date was a terrific success. We started going together right away, and before the year was up we were engaged. I finished school at mid year and went to Ness City, where I hung out my shingle February 3, 1923. We were married June 2, 1924. I didn't even let her finish her college course."

WAS DRAGGED INTO POLITICS

ANDY almost had to be dragged by the heels into politics. Friends tried to get him to run for the legislature, one of the two correct things for a young lawyer in a small town to do. (The other is to run for county attorney.)

ANDY did not choose to run. Friends wrote his name on the ballot, and won the nomination for him. ANDY wouldn't campaign. He was defeated by seven votes. If he'd campaigned an hour, the friends told him, he would have been sent to the statehouse at Topeka.

But he couldn't refuse to go on the school board, be councilman, or serve two terms as mayor. Also he was city attorney and county attorney, but still he wasn't seriously bitten by the political bug. He continued to practice law, and he made a whale of a lot of friends in his west central section of Kansas. It was during this time that he renewed his acquaintance with "Shorty" Shaw, counsel for the Northern Natural Gas Co., who had known him both in the Navy and at Nebraska.

Then early in 1939 Attorney General Jay Parker drove out to Ness City to attempt to persuade ANDY to accept the chairmanship of the State corporation commission, corresponding to Nebraska's State railway commission. He refused. But Gov. Payne Ratner called ANDY on long distance and got ANDY to go to Topeka to talk things over. They argued until 2 o'clock in the morning before ANDY agreed to take the job, which he did on February 20, 1939.

ANDY resigned from the corporation commission last May to enter the governorship race. He went up and down Kansas. People in other sections came to like him as they did out around Ness City. In Ness County he got 629 primary votes to 80 for his three opponents, one of them U.S. Senator Clyde Reed.

This was the year for him to take all comers as he did the Notre Dame Horsemen.

ANDY still stands 6 feet 2 in his socks and weighs 190 pounds. He has curly gray hair. He has the tan of outdoor life. He keeps physically fit. And mentally keen.

Mr. CURTIS. Mr. President, ANDY's beloved wife, Marie, likewise has legions of friends in Nebraska, because she is one of us. It was at the University of Nebraska where ANDY met this charming lady who was to become his life companion and his never-failing helpmate.

Mr. President, our country has no particular need for clamor. They do need men of the quiet dedication and accomplishment of ANDY SCHOEPPEL. I wish also to include in my remarks an editorial from the Omaha World Herald concerning Mr. SCHOEPPEL. It is entitled "The Quiet Senator."

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Omaha World Herald, Jan. 23, 1962]

THE QUIET SENATOR

U.S. Senator ANDREW F. SCHOEPPEL, of Kansas, who died this week, was a member of the University of Nebraska football team of 1922 about which we wrote recently on this page—the team whose first-stringers all earned college degrees and all became successful in business or the professions.

A rugged end, ANDY SCHOEPPEL stayed on at Nebraska after his football playing days to get a law degree. Then he returned to his native Kansas, where he became county attorney, Governor for two terms, and U.S. Senator for three terms.

Having little talent for publicity, Senator SCHOEPPEL was not one of the better known Senators, but he was a member of the club—the inner group of members of both parties who respect and like each other and who get things done by bipartisan cooperation. He was chairman of the Republican committee on committees, the group which assigns Republican Senators to committees. Nebraska's late Senator Hugh Butler, who in many respects resembled Senator SCHOEPPEL, once held this post.

Much of the real work of the Senate is done by men such as Mr. SCHOEPPEL, who rarely speak, but who work hard offstage. Kansas has lost a respected and influential spokesman.

Mr. CURTIS. Mr. President, we extend our most sincere sympathy to Marie Schoeppel, to ANDY's brothers and sisters and all of the family. We can only refer them the words of the Holy Scriptures:

Let not your heart be troubled; * * * in my Father's House are many mansions.

Mr. BEALL. Mr. President, I wish to associate myself with the other Members of this body who are today paying tribute to our late colleague, Senator ANDREW F. SCHOEPPEL. This body and the United States of America have sustained a great loss. His interests and his work always reflected his love for this country and his devotion to duty to his constituents.

Others will dwell on the facts about his statesmanlike qualities, his keen insight into legislative needs, and his ability to accomplish needed action through logic and persuasion. As for me, I want to be a little more personal. ANDY SCHOEPPEL was a friend of mine, and I say that with great pride. During our years together in the Senate, we had occasion to have many discussions touching upon national legislation and the well-being of our country, and invariably I found him deeply concerned. On many occasions, he was most helpful to me.

A brief recital of one particular experience is a commentary on the character of this man. When I was campaigning for reelection, for my second term in the Senate, Senator SCHOEPPEL was chairman of the Republican senatorial campaign committee, and in that capacity he was interested in my campaign. However, his interest went far beyond the line of duty. From time to time, he would call me by long distance to inquire how things were going and to offer any possible help. These calls strengthened me in every way, and lightened the load. I shall always remember this.

My deepest sympathy goes to Mrs. Schoeppel and members of the family in their loss.

The Nation has lost a consecrated legislator, and I have lost a friend, whom I shall miss very much.

Mr. WILEY. Mr. President, on the passing of our good friend and colleague, ANDREW F. SCHOEPPEL, from this life, the following poem came to mind:

Death is only an old door
Set in a garden wall.
On gentle hinges it gives
At dusk when the thrushes call.

Along the lintel are green leaves,
Beyond the light lies still.
Very willing and weary feet
Go over that sill.

There is nothing to trouble any heart,
Nothing to hurt at all
Death is only a quiet door
In an old wall.

As the door in the garden wall closes behind ANDY, we reflect upon the deeds of his life; his service to the State and country he loved; the integrity of his heart, mind, and soul; and his indelible imprint upon our lives and the Nation.

A friend loyal and true was ANDY—although no longer with us in the flesh, he lives on in memory—here in the Senate Chamber, in the statute books of our Nation, and in the hearts of his people and his loving and devoted wife and with those of us who cherished his friendship.

For a time the shadow of sorrow continues. However, not far behind will come the dawning light of a new understanding of the significance of a man's spiritual life which never dies; of our relationship to God, our Father; and of the knowledge that one's spirit life does live on, beyond the passing of the last fleshly breath, and beyond the garden wall of mortality.

ANDY, Aufwiedersehen.

Mr. BUSH. Mr. President, in my first year I sat next to Senator SCHOEPPEL in the Senate. During that period I came to know him better than in former years and my respect for him increased steadily.

A man of careful judgment and wide experience in government, ANDY SCHOEPPEL enjoyed a unique position among Republican Senators.

Mrs. Bush and I have enjoyed the friendship of the Schoeppels during the past few years. We join today in expressing to Mrs. Schoeppel our warm sympathy. We regret that our country has lost a great man in the person of ANDREW SCHOEPPEL.

Mr. DWORSHAK. Mr. President, I join my colleagues in paying tribute today to a great American. ANDREW F. SCHOEPPEL had a career of outstanding public service. He was unique throughout his senatorial service because he did not submit to political pressures. Neither did he compromise with the fundamental concept of constitutional government. He never wavered in his allegiance to his party, and typified in the highest degree the philosophy and principles of those pioneers who settled the Western States.

Mr. President, few persons have had as many opportunities to serve their States as did Senator SCHOEPPEL, and he made the most of his dedication to maintaining our American way of life. His services have inspired many of us who have been privileged to serve with him in the Senate, and his courage and fortitude will be a constant reminder of our obligations to our country. His memory will long be enshrined in the hearts of all who knew him as a stalwart and dedicated public servant. He leaves a rich legacy to the State of Kansas.

Mr. YOUNG of North Dakota. Mr. President, I was deeply grieved to learn of the untimely passing of our good friend and esteemed colleague, ANDREW SCHOEPPEL.

ANDY, as he was always affectionately referred to among his colleagues here in the Senate, was a most sincere, dedicated, and hardworking Senator. He was an intensely patriotic person who constantly sought to serve the best interests of his country. During his long service in the Senate, Senator SCHOEPPEL made a remarkable contribution especially in the field of agriculture. It was my pleasure to serve with him on the Senate Agriculture and Forestry Committee for many years. ANDY had a deep and sympathetic interest in the farmers of this Nation. He understood them and their complex problems and tried his best to help them.

Among Senator SCHOEPPEL's many talents was that of a great athlete during his younger years. As a student at the University of Nebraska he was an outstanding football player named at the time on many all-American teams. As I recall, he was one of the Nebraska stars when they were one of the few teams to defeat Knute Rockne's "Four Horsemen" of Notre Dame.

Mr. President, ANDY SCHOEPPEL's passing is not only a great loss to Kansas and the U.S. Senate but the entire Nation. He was truly a great American and a fine Senator. I extend my deepest sympathy to his wife, Marie, and to all of his family.

Mr. President, I ask unanimous consent to have printed in the body of the RECORD an article entitled "Senator SCHOEPPEL, 67, Dies; Kansan Had Malignant Tumor," appearing in the Washington Post under date of January 22, 1962.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SENATOR SCHOEPPEL, 67, DIES; KANSAN HAD MALIGNANT TUMOR

(By Philip D. Kopper)

ANDREW FRANK SCHOEPPEL, Republican Senator from Kansas and former Governor of that State, died unexpectedly yesterday at Bethesda Naval Medical Center. He was 67.

Senator SCHOEPPEL had been hospitalized with a malignant abdominal tumor since December 4. Recent reports, however, indicated he was waging a strong fight for recovery.

Born in Claflin, Kans., in 1894, the Senator entered local politics soon after receiving his law degree from the University of Nebraska in 1923. At the time of his death he was the senior Senator from Kansas and ranking Republican member of the Senate Interstate and Foreign Commerce Committee. He was in his third term.

He was also a member of the Republican policy committee, the Select Committee on Small Business, the Senate Appropriations Committee, and the Board of Visitors of the Coast Guard Academy.

His first political office was as county attorney of Ness County. He also served as a precinct committeeman and county chairman. In 1939 he was named chairman of the Kansas Corporation Commission a post he resigned 3 years later to run successfully for Governor.

He was reelected in 1942 by a record majority. During his tenure he headed the Interstate Oil Compact Commission.

SUCCEEDED CAPPER

Succeeding the late Senator Arthur Capper, Senator SCHOEPPEL was elected to the Senate in 1948, and reelected in 1954 and 1960.

For 4 years he headed the Republican committee on committees, which determines party committee assignments. From 1956 to 1958 he was chairman of the Republican campaign committee.

In the early 1950's, Senator SCHOEPPEL, a frequent backer of legislation favoring agricultural, oil and gas interests, was a leading proponent of Public Law 480 which provides for the sale of agricultural surpluses to foreign nations in their own currency.

The death of Senator SCHOEPPEL leaves the upper House with 35 Republicans and 64 Democrats until a successor can be appointed by Kansas Gov. John Anderson, also a Republican.

SUPPORTED TAFT

He was a strong supporter of the late Senator Robert A. Taft, and was generally considered a member of the more conservative GOP wing. While not often active in floor debate, he engaged in off-the-floor direction of party policy.

In an unusual floor effort in 1959, as the then ranking minority member of the Senate Commerce Committee, he took a leading part in the unsuccessful attempt to win Senate confirmation for Lewis Strauss as Secretary of Commerce.

Among Republican leaders who mourned the Senator's death were Governor Anderson, GOP National Committee Chairman William E Miller and Alf M. Landon, former Kansas Governor and Republican presidential nominee, who said "the loss of Senator SCHOEPPEL's experience and leadership will be greatly felt by all Kansans."

Senator SCHOEPPEL, who served in the Naval Air Force during World War I, was an inactive partner of the Wichita law firm, Foulston, Siefkin, Schoeppel, Bartlett and Powers.

The Senator is survived by his wife, the former Marie Thompsen, of the home address, 4000 Cathedral Avenue NW.

Tentative plans call for SCHOEPPEL's body to lie in state at the statehouse in Topeka Wednesday, with burial in Wichita, an aid to SCHOEPPEL said. Further arrangements were incomplete.

Mr. HICKENLOOPER. Mr. President, I join with my colleagues on both sides of the aisle in expressing the sorrow which we all share in the loss of our beloved friend and colleague, Senator ANDREW SCHOEPPEL. I knew ANDY SCHOEPPEL for many years. I only repeat what I have so often said in the past that no man in public life stood higher in my friendship or admiration than did he. Friendship was generated as a result of his warm and sympathetic nature, which expressed itself in so many ways to his associates. Respect and admiration came as a result of his lifelong integrity and devotion to his duty as a citizen, as a public official of his State, and as a U.S. Senator.

Every action of his was measured by the yardstick of its beneficial effect for the good of his State and his country.

He was completely courageous in his views but never arbitrary and he contributed unstintingly of his time and talents to the preservation and continued development of our country as a land of freedom and opportunity.

While ANDY SCHOEPPEL has passed on, and I, as well as all of my colleagues, have lost a dear and respected friend; nevertheless, the stimulus of his courage and devotion to duty and the memory of our associations will be of inestimable help to us in the days that are ahead.

Mrs. Hickenlooper and I want to express our deep sympathy and condolence to Marie Schoeppel, his wife, and to those to whom he was near and dear.

Mr. TOWER. Mr. President, my relationship with Senator SCHOEPPEL was that of a freshman Senator, who joined this body in midsession, with no prior acquaintanceship. Perhaps, from this standpoint, I might add something to the things which have been said here today by my senior colleagues, who served with him and knew him well for many years.

When I came to this body, Senator SCHOEPPEL was among the first to greet me and to offer his assistance. He freely and generously gave to me the benefit of his years of experience. One could not so associate with ANDREW SCHOEPPEL without gaining tremendous respect, not only for his ability and his experience, but especially for the warm and human qualities recognized so eloquently here today. I am proud for having known him, and for having had his friendship.

Mr. ENGLE. Mr. President, one of the finest things that can be said about any man is that he "says what he means and means what he says." This was, I believe, the keynote of ANDREW SCHOEPPEL's character and personality. It was this quality that set him apart in any

forum and won for him the respect of everyone. It was an attribute of his great public career.

ANDY SCHOEPPEL will be remembered for a long time for the distinctive qualities of courage and integrity that he had. But his colleagues in the Senate will not forget his other qualities. They will remember his tremendous vitality and enthusiasm. They will recall the great instinct he showed on when to be gentle and when to be stern. They will remember that it was always a pleasure to be in his company.

ANDY SCHOEPPEL's passing will be felt with special sorrow by his colleagues in the Senate. I served with him on the Committee on Interstate and Foreign Commerce. I developed a deep respect for his fairness and his objective approach to legislation. As time went on I formed a genuine friendship and a sincere affection for him as a man and a colleague in the Senate. His death came as a shock to me and I record today my profound sense of personal loss.

ANDY SCHOEPPEL's death will be felt with special severity by the people of Kansas. It was indeed fortunate for them that he chose to go into politics. He was a completely dedicated public servant. He grew up on a farm and he grew away from the farm when he went into public life—but he never outgrew his sympathy for the farmer.

ANDY SCHOEPPEL will be very much missed. To Mrs. Schoeppel and the other members of his family, I extend my deepest personal sympathy.

Mr. CASE of New Jersey. Mr. President, I join my colleagues, of both parties, in this tribute of deep respect and warm affection to our friend and fellow Senator, the late ANDREW F. SCHOEPPEL, of Kansas.

He was indeed a rock of a man—both physically and in his stalwart support of the principles in which he believed. He served his State and the Nation with loyalty and distinction.

At the same time he was a friendly and a kindly man. Meanness was unknown to him. Generosity was his habitual attitude to all he had contact with—most of all to those of lesser rank or fortune than his own. His help was always available to all who needed it, especially to his junior colleagues in this body.

He will be greatly missed and long remembered in this Chamber.

Mrs. Case joins me in this tribute and in conveying to Mrs. Schoeppel and all their family our deepest and most affectionate sympathy.

Mr. EASTLAND. Mr. President, the passing of our colleague, ANDREW SCHOEPPEL, is mourned not only by the Senators here assembled who knew him so well, but by countless thousands of his friends and acquaintances throughout the entire country. The great State of Kansas sent to the Senate an able, courageous and devoted public servant. His loss creates a void that will be most difficult to fill. His character was such that he inspired both the confidence and deep affection of all with whom he came into contact. I join in extending to his family and friends my deepest and most sincere sympathy.

Mr. CAPEHART. Mr. President, ANDREW F. SCHOEPPEL was an outstanding example of the opportunities afforded by a system of government available in the United States as they are nowhere else in the world.

In simple terms, he rose from the humble farm boy of Kansas to a high position of respect, admiration, and achievement in the Senate of the United States.

"ANDY," as we all knew him, recognized early that the opportunities were here and proceeded to utilize them in a career of public service which extended from the early 1920's through 1961—a career which began with the office of county attorney, embraced two terms as Governor of his State and was climaxed by his election to three successive terms in the U.S. Senate.

His success story is one of hard, thorough application of his talents to the job at hand. In the 13 years I knew him, we worked together on many projects of legislation. He was tireless. He always was ready to spend as much time as was necessary to get a job done right.

In the last years of his service, "ANDY" and I were office neighbors. He worked long hours, and he was always ready to help in any way he could to achieve the objectives in which he believed. We worked together on the Senate Committee on Interstate and Foreign Commerce and shared a deep interest in the farm legislation which was so near to his heart.

Not only did he serve his State and his Nation well, but he devoted invaluable counsel, advice, and hard work to the political party of his choice. "ANDY" was always ready, if it was at all possible, to make a speech for you.

"ANDY" was a man's man. Physically strong and erect up to the last, his stature left no doubt about his stardom as a football player at the University of Nebraska in his law school days. One of the things of which he liked to remind me, in a joking way, was his membership on the Nebraska team which defeated the Irish of Notre Dame back in the days of the Four Horsemen. His college training was interrupted by military service in the Navy, but it did not deter so determined a man from the completion of his legal training nor block him from the record of public service he has left as a monument to his memory.

"ANDY" was a fine fellow, a gentleman of the highest caliber, and a great public servant. We will miss him.

To Mrs. Schoeppel and to "ANDY's" sisters, who still owned the family farm in partnership with him, I offer sincere condolences.

Mr. HILL. Mr. President, I was shocked to learn the sad news of ANDY SCHOEPPEL's death. The glory of man, said Solomon, is strength, and ANDY SCHOEPPEL was strong. He was strong physically, as attested by the fact that he lived nearly the allotted three score and ten years. He was strong intellectually. For 2 years he and I sat together on the subcommittee of the Appropriations Committee on the Department of Labor and the Department of Health, Education, and Welfare appropriation bill. I witnessed day after day the lucidity, the incisiveness, and the strength of his intellect. He was strong morally. I witnessed his sense of right dealing, of fairness, of understanding and of human sympathy.

Our colleague and friend, the distinguished Senator from Kansas, Senator CARLSON, and other Members of the Senate have spoken of ANDY SCHOEPPEL's many fine accomplishments and his outstanding services to Kansas and to our country, but I did not want this day to pass without paying my tribute of respect and of esteem to the memory of ANDY SCHOEPPEL, the friend, the patriot, the dedicated public servant, and the valiant American.

Mr. BENNETT. Mr. President, there was a strength in ANDY SCHOEPPEL that everyone felt as soon as they met him. It was rugged and direct—the strength of a man who was in complete control of himself. You sensed in it the foundation of physical power which carried him in his youth to the top of the heap in the Nation's football, though it had a more important basis in his intellectual and spiritual powers which were reflected in his devotion to the fundamental principles on which the Nation he served so well was founded.

This strength was boldly expressed both in word and in action. He was no "nice Nelly," but this is one of the things that endeared him to the men who worked with him, because they knew his expressions were forthright and honest.

He never shrank from responsibility or evaded the consequences of decisions that he thought were right. Working in an atmosphere in which there is so much political motivation, it was refreshing and inspiring to see a man who could shrug this weakness off and take his chances on sticking to his beliefs.

Mr. PASTORE. Mr. President, on the January day when we gathered for this 2d session of the 87th Congress, there was a pall upon the pleasure of reunion with our colleagues.

For it was whispered that ANDY SCHOEPPEL was not coming back. It was whispered as though to whisper might keep the rumor from becoming a cruel truth. But before the month had ended the life of a good man and great Senator had ended, too.

We cherished a colleague so majestic in his manliness with a great heart to match his physique of an athlete—with a great mind to cut to the kernel of an issue before him—with the courage to reach decisions as his conscience saw them, and with a humanity that recoiled from hurting anyone.

It was my privilege to serve on the Commerce and Appropriations Committees with this true "Knight of Kansas."

It was an education to listen to the logic of a man who so loved the people of his native Kansas that he foreswore a career of private profit and dedicated his life to public service. It was an honor to possess his friendship.

Forty years ago his towering strength and sense of teamwork lifted his college football team to a headline victory over mighty Notre Dame. The character of clean sportsmanship was the pattern of ANDY SCHOEPPEL's life.

Twenty years ago Kansas made him its Governor with an overwhelming endorsement of his apprenticeship in offices of increasing responsibility.

Three times elected Senator, it is characteristic of the modesty of the man that his biography in our Senate document is a single line—his name, his party allegiance, and his home.

Today the name and fame of ANDREW SCHOEPPEL comes with reverence, respect, and affection to the lips of all of us. Our praise is beyond partisanship. Our sorrow is personal.

The home he loved and the dear ones he cherished are in our prayers.

This Senate was a finer place for his presence. America is a better land for ANDREW SCHOEPPEL's life of service.

Mr. HRUSKA. Mr. President, as one searches his heart and mind for words and phrases that will honor the memory of a departed friend, he realizes what poor and inadequate tools they are for the task they must perform.

We have already heard today eloquent tribute to ANDY SCHOEPPEL, our colleague. What more can be meaningfully said of his selfless devotion to the people of Kansas and his dedication to his America? And especially, what could I add to the rich honor already paid him?

The death of Senator SCHOEPPEL has its significance in a much more personal sense. I have lost a friend. So have we all. So has the Nation.

It was James Langdon Hill who best described friendship:

> For true friendship, it is not enough to have emptied a brotherly glass to each other, to have sat on the same form at school, to have met frequently at the same cafe, to have conversed courteously in the street, to have sung the same songs at the same club, to have worn the same colors as politicians, to have extolled one another in the press. Friendship, indeed, is one of the greatest boons God can bestow on man. It is a union of our finest feelings; a disinterested binding of hearts, and a sympathy between two souls. It is an indefinable trust we repose in one another, a constant communication between two minds, and an unremitting anxiety for each other's soul.

ANDY SCHOEPPEL was a mirror image of his native Kansas. He was open, frank, often blunt, never unkind. He was bluff, hearty, hospitable, never devious. He was stanch, loyal, and God fearing, never deceitful. I have never known a more decent man or more valued a friend.

Mr MUNDT. Mr. President, the State of Kansas has produced many great American citizens but none excelled in sturdiness, in sense of duty, and in strength of character the late ANDREW F. SCHOEPPEL, known to all of us affectionately as "ANDY."

ANDY SCHOEPPEL was a man's man and a Senator's Senator. He gave and he asked no quarter. He clung to his convictions with an able and articulate tenacity which endeared him to friend and foe alike in the political arena of our times.

ANDY believed in America and he believed in the uniquely American institutions and concepts which made it great. His lodestar was the goal of more opportunities for more people and he never lowered his standards to accept anticipation of security as an adequate substitute for personal opportunity. As he demonstrated on the football gridirons of America, ANDY SCHOEPPEL was a high-spirited competitor who recognized that a system which encourages success must also permit an occasional failure but he refused to follow any formula which sought to eliminate the possibility of failure by preventing all possibilities of success. He was a generous and gregarious individual but he was never willing to give away his Nation's assets or its institutions as a device for getting votes or as a means of changing the image of the America he loved from the land of opportunity to the limited opportunities available in a modern welfare state.

It is a tragedy that one so strong, so able, and one who loved life so greatly should be taken from us in his prime. We shall all miss him greatly. The Nation and the world shall be the poorer for his untimely passing. Mrs. Mundt joints me in extending to his lovely wife, Marie, and to all his family our most sincere condolences.

Mr. JAVITS. Mr. President, the untimely passing of ANDY SCHOEPPEL was a sad blow to those who have sat with him in this Chamber for many years.

He was a most engaging human being in the tradition of warmth among friends and colleagues in this Chamber. He was always available and ready to listen. He was anxious to see another's point of view even when he disagreed, and he was anxious to find a reasonable compromise.

Yet, even with all his good nature, he was inflexible when deeply convinced. To me he was a typically middle western American in the greatest tradition of this solid base of our country.

I send condolences and deepest sympathy to Mrs. Schoeppel and members of his family. The country has lost a noble servant and we have lost a noble friend.

Mr. SCOTT. Mr. President, in 1948, the people of Kansas elected ANDY SCHOEPPEL to the U.S. Senate. Commencing the day that Senator SCHOEPPEL took his oath of office, he compiled a distinguished record of public service as a Member of this body.

One of ANDY SCHOEPPEL's outstanding characteristics was the thoroughness and preparation which he gave to every subject he tackled. Throughout his years of service in this body, he demonstrated that he was a fighter for what he believed in and sympathetic to the problems facing not only the people of Kansas but the Nation in those unsettled postwar years.

As a member of the Interstate and Foreign Commerce Committee—as a matter of fact, as its ranking minority member—ANDY SCHOEPPEL made innumerable contributions in both domestic and foreign legislative areas. One of the most noteworthy activities of Senator SCHOEPPEL's was in connection with his membership on the Select Committee on Small Business. His depth of knowledge and sympathetic understanding of the problems of businessmen earned him their respect and admiration.

I can speak intimately of his hard work and understanding of the legislation that was referred to these two committees as I had the privilege of serving with him as a member on both committees since my election to the Senate in 1958.

Senator SCHOEPPEL was a man who believed in standing up and being counted and was a strong advocate of the midwest characteristic of saying what he means and meaning what he says.

His years of public service were not limited to those years he spent in the Senate as he had successfully served as county attorney, mayor, councilman, city attorney, and member of the school board in Ness County, Kans. He also served as chairman of the Kansas Corporation Commission for 3 years and in 1942 he was elected Governor of the State of Kansas. In 1944 due to his outstanding administrative record as Governor, he was reelected by the greatest landslide vote in Kansas history.

I suppose that aside from all of the accomplishments that ANDY SCHOEPPEL performed in the governmental-political field, he was most proud of the fact that he had received honorable mention on the Walter Camp's all-American football team while at the University of Nebraska.

The Senate, Mr. President, will indeed miss ANDY SCHOEPPEL as we consider the problems facing the Nation today. The people of Kansas will miss his diligent representation in Washington and the people of the Nation will indeed, Mr. President, miss a dedicated and effective public servant. We have all lost a dear friend.

Mr. ROBERTSON. Mr. President, service in the Senate brings us the privilege of meeting many of the finest men in the country. But all too often we are called upon to say farewell to them, and our sorrow at their loss is made all the keener by our memories of them.

And it has been a rare privilege for those of us in the Senate who have known ANDY SCHOEPPEL for almost 15 years. He has represented Kan as well, and he has been a useful Member of the Senate. I am glad to recall that he served on the Banking and Currency Committee during the 82d Congress, and it was a loss to the committee when he left us for other committee service.

ANDY SCHOEPPEL was a man of fine ability, great integrity and high character. We will remember him for these qualities and also for his simplicity and his warm friendship. The Nation can ill afford to lose public servants of that type. His untimely death was a great loss to his home State as well as to all of us in the Senate. Personally, I feel his loss because, we had many things in common. We thought alike, about the preservation of a system of private enterprise within the framework of American constitutional liberty. And we both were dedicated to what Teddy Roosevelt used to call the strenuous life. We loved the out-of-doors, we were interested in athletics. In our college days we played football—I at tackle and he at end—but he was the greatest end of his day and generation. He was an "all-American" and on the Nebraska team that defeated the legendary "Four Horsemen" of Notre Dame. Cancer cut him down. God grant that we can find a way to save

wonderful men like ANDY SCHOEPPEL from such a fate.

Mr. MORTON. Mr. President, I am privileged to join here today with my colleagues from both sides of the aisle to eulogize the memory of a truly distinguished American, our friend and colleague, the gentleman from Kansas, ANDREW F. SCHOEPPEL.

The untimely death of ANDY SCHOEPPEL leaves a great void in our hearts. He was a rugged, vigorous individual, of unlimited spirit and conviction. People called him tough minded because of his steadfast adherence to sound principles and his uncompromising attitude when measuring expediency against these principles.

Yet, ANDY SCHOEPPEL was inherently a kind and gentle person; probably one could almost call him reserved in his manner. During my brief years of association with the gentleman from Kansas, I learned to respect his integrity and his judgment. You always knew where he stood on all issues and you knew that he was ready, willing and able to fight for what he believed to be right. Yet, he was always patient and understanding in listening to the "other side."

ANDY SCHOEPPEL's long years of public service extended from the grassroots of Kansas, through the State's Governor's mansion to the U.S. Senate, and his loss is felt keenly by his colleagues, his State of Kansas and his Nation.

Mr. MORSE. Mr President, I rise to pay to the late senior Senator from Kansas, Mr. SCHOEPPEL, a justly deserved tribute for his distinguished service to his State and the Nation, during his career as a U.S. Senator.

I was deeply shocked and distressed to learn of his death when the sad news was conveyed to me in Punta del Este. I immediately asked my office to release the statement I dictated at that time. I said then, and I repeat today:

> Senator SCHOEPPEL will be greatly missed by the Senate. He was a fine Christian gentleman. I count it an honor and privilege to have had him for a personal friend. I shall never forget his thoughtfulness and courtesy. When I was in the hospital in 1951, Senator SCHOEPPEL at that time was the first Member of the Senate to visit me. Although we differed on many political matters, I have always had the highest respect for his integrity and ability. This sad news is particularly disturbing since when I saw him just before Christmas he seemed to be convalescing most satisfactorily.
>
> Mrs. Morse joins with me in expressing our deepest sympathy to Mrs. Schoeppel and the members of his family.

Mr. BIBLE. Mr. President, I rise briefly to pay fond respects to the memory of Senator SCHOEPPEL, whose passing removed from this Chamber one of its most stalwart Members.

One of the great rewards in being a U.S. Senator is the opportunity it affords for close association and friendship with colleagues from all of our States—men and women of varying backgrounds and differing political beliefs, yet all bound in the common cause of doing what they deem to be best for the Nation as a whole.

In this particular area, therefore, a friendship once won is terminated only by death—and even then we are sustained by cherished memories.

ANDY SCHOEPPEL was the type of man who commanded respect and admiration for his forthrightness. At the same time he generated a warmth of personality that enveloped all with whom he worked during his illustrious service in this body.

In saluting the memory of this outstanding Senator, Mr. President, I recall the words of the poet Swinburne:

> "A creed is a rod,
> And a crown is of night;
> But this thing is God,
> To be man with thy might,
> To grow straight in the strength of thy spirit, and to live out thy life as the light."

Mr. AIKEN. Mr. President, ANDY SCHOEPPEL's Congressional Directory biographical sketch reads:

> ANDREW F. SCHOEPPEL, Republican, of 115 South Rutan Avenue, Wichita, Kans.

This was typical of ANDY SCHOEPPEL—direct to the point, a man of simple tastes and few words. He was as much at home with the employees of the Senate as he was with the Senators themselves.

When he made up his mind what was right he followed that course to the end. There was no guessing as to where he stood.

The world would be a better place if there were more ANDY SCHOEPPELS.

Mr. BARTLETT. Mr. President, by custom established long ago, opportunity is given us at a period on a day expressly set aside, to pay our respects to a departed colleague, to say a final farewell. So it is today we pause to pay tribute to ANDREW F. SCHOEPPEL, late a Senator from Kansas.

ANDY SCHOEPPEL was a big man, physically and otherwise. He was a strong man. There was something rocklike about him. So the news that he had been stricken, that during the autumn months an illness that was to be fatal had overtaken him, came with more surprise and shock than if he had seemed to be in less than superb physical shape always.

I knew ANDY SCHOEPPEL for more than a decade. In 1955 I had the pleasure of being with him when, with the Senator from Washington [Mr. MAGNUSON] and the Senator from New Hampshire [Mr. COTTON], he conducted Commerce Committee hearings in Alaska. Then when I came to the Senate in 1959, assignment to the Commerce Committee followed, and a closer and even more pleasurable association began. As ranking minority member of that committee, Senator SCHOEPPEL was understanding of the problems of Alaska, as he was of those of all sections of the Nation.

I found him to be patient, calm, persevering, yet forceful. He was solid and substantial, carrying with him always in act and disposition something of that which so many of us associate with the character of the States of the Great Plains.

For one, I shall miss ANDY SCHOEPPEL.

Mrs. Bartlett and I extend our deepest sympathy to Mrs. Schoeppel and to others close and dear to the big man from Kansas.

Mr. YARBOROUGH. Mr. President, during five sessions of this Senate, in the 85th, 86th, and 87th Congresses, it was my privilege to serve on the Senate's Commerce Committee with ANDREW F. SCHOEPPEL. It took little time on that committee for me to realize that ANDY SCHOEPPEL was one of its best and most noticeable members, mindful of its privileges, rights, and duties, and ever vigilant to preserve them.

ANDY SCHOEPPEL was a working Senator. In the exacting, confining, day-to-day work on the committee, no other Senator attended more regularly or listened more attentively to every witness. In dealing with the regulatory agencies created by the Congress to carry out delegated legislative functions, ANDY SCHOEPPEL performed a service for the entire Senate in always making it crystal clear to every board member of every regulatory board, commission, or agency which came before the Commerce Committee, that these regulatory agencies were creatures of the Congress, to perform delegated legislative functions that they were arms of the legislative and not of the executive branch of the Government, and that no executive privilege existed as to them.

ANDY SCHOEPPEL was the soul of honor in dealing with other Senators. He never misled another Senator, he was open and frank in his dealings with other Senators. He stated his position openly and frankly and could be relied upon to maintain it.

He was wise in the ways of the Senate, genial and affable in his personal relations with other Senators, saving his cutting edge for issues, and never using it on his fellow Senators.

ANDY SCHOEPPEL's passing away left a void in the Commerce Committee that will be felt for a long time to come.

Mr. RANDOLPH. Mr. President, the late distinguished Senator from Kansas, Mr. SCHOEPPEL, was a rugged, friendly, and capable man—a diligent Member of the Senate who was thorough in his search for and espousal of solutions to public problems. He was attentive to the duties of his office.

Senator SCHOEPPEL was the next-door neighbor in the New Senate Office Building to the Senator who now speaks. He and his staff were neighborly in the true meaning of the word.

Mr. DIRKSEN. Mr. President, I ask unanimous consent to have printed in the RECORD a tribute to the late Senator SCHOEPPEL, which appeared in the Ness City, Kans., High School paper. The tribute was written by Mrs. Chesney Floyd, a teacher in the Ness City High School, and for years a personal friend of Senator and Mrs. Schoeppel.

There being no objection, the tribute was ordered to be printed in the RECORD, as follows:

A TRIBUTE TO SENATOR SCHOEPPEL

The Ness City community feels a real and personal loss in the passing of Senator ANDREW F. SCHOEPPEL, whose death on January 21, at the Bethesda Naval Hospital, Bethesda, Md., shocked and saddened our Nation.

For many years, the Senator was just plain ANDY SCHOEPPEL to the citizens of Ness City and Ness County—a man going about the business of establishing his home, practicing his profession, and, along with it all, making lasting and enduring friendships, which were his most prized possessions.

Although Senator and Mrs. Schoeppel had no children of their own, they were always interested in young people, particularly in regard to their educational welfare. The Senator served on the Ness City School Board for almost 10 years, beginning in the early thirties, and in many other ways, all through the years, has promoted the educational progress of this community.

His last appearance at our school was only a short time ago, when he gave the commencement address for the class of 1960.

Though few of the young people in school at the present time knew Senator SCHOEPPEL personally, it is undoubtedly true that there are few, if any, who do not have members in their family who did know him well, and who do not realize that Kansas has lost a dedicated citizen of high purpose and integrity, who, as he so often said, "called them as he saw them."

We, of Ness City High School, wish to express our deepest sympathy to Mrs. Marie Schoeppel, his widow, and to the other members of his family who survive him.

Mr. MANSFIELD. Mr. President, on behalf of the Senator from Georgia [Mr. TALMADGE], I ask unanimous consent to have printed in the RECORD at this point a statement prepared by him in tribute to the late Senator SCHOEPPEL, together with a tribute to Senator SCHOEPPEL which will appear in the next issue of Delta, the publication of Sigma Nu fraternity.

There being no objection, the statement and tribute were ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR TALMADGE

It has been said that the highest of distinctions is service to others. And that was the distinction above all others which crowned the life of our departed colleague, ANDREW SCHOEPPEL.

From the beginning of his adult life, ANDY SCHOEPPEL devoted himself to serving others. He served in the Navy of his country. He served as attorney for his county. He served as mayor of his hometown. He served as Governor of his State. And he served his State and his Nation as a U.S. Senator for more than 13 years.

ANDY SCHOEPPEL was as modest as he was dedicated in his service to others. His biography in the Congressional Directory encompasses a mere 11 words. He was a man who believed in letting his work speak for itself and it spoke eloquently.

He was particularly devoted to serving the interests of farmers—all farmers. The broad view which he took of the problems of agriculture is best illustrated by the fact that although his State of Kansas grows no tobacco, he worked diligently as a member of the Tobacco Industry Subcommittee of the Agriculture Committee. I recall going with him and the late Senator Kerr Scott, of North Carolina, on a factfinding tour through Florida, Georgia, South Carolina, and Virginia in 1957. By the end of that trip, he had perfected his knowledge of tobacco and the problems of the tobacco-growers to the point of authority.

ANDY SCHOEPPEL also believed strongly in constitutional fundamentals. By virtue of his experience in government on the municipal, county, and State levels, he shared the conviction of our Founding Fathers that the best governed people are those who govern themselves in their counties and towns. As a Member of this Senate he sought to preserve our institutions of freedom and to strengthen the foundations of constitutional government.

In the passing of ANDY SCHOEPPEL, I have lost more than a colleague, I have lost a cherished friend. He and I belonged to the same fraternity, Sigma Nu, and that gave our friendship an additional bond.

Because of that bond, I have the high privilege of presenting to the Senate the tribute to SENATOR SCHOEPPEL which will appear in the next issue of Delta, the publication of Sigma Nu fraternity.

The poet, Philip James Bailey, once wrote: "It matters not how long we live, but how." By that yardstick ANDY SCHOEPPEL lived a life whose quiet greatness far transcends his all-too-brief years of physical life. He has left us all an example which will inspire as long as our Nation exists.

TRIBUTE FROM SIGMA NU FRATERNITY

To the Nation he was the Honorable ANDREW F. SCHOEPPEL, U.S. Senator from Kansas, but to his 75,000 living brothers in the Sigma Nu fraternity, scattered throughout the country and the world, he was just Brother ANDY SCHOEPPEL, distinguished exemplar of the fraternity's tradition of honorable leadership.

When the chapter Eternal claimed Brother ANDY on January 21, 1962, Kansas and the Nation lost a conscientious and courageous public servant, and our fraternity lost a brother whose life expressed the practical application of Sigma Nu's ideals.

As his distinguished career developed, founded on the conservative principles and deep-rooted loyalties for which he will be remembered, Brother ANDY yet found time to keep his lifetime initiation vow to our fraternity.

Brothers in Sigma Nu were his special friends as well as his colleagues at every level of his career, regardless of their political views. As Governor of Kansas for two terms (1942-46) he counted as Sigma Nu brothers and friends Gov. John Moses, of North Carolina, Gov. Eugene Talmadge, of Georgia, and Gov. John Vivian, of Colorado.

Elected to the first of his three Senate terms by a large majority in 1948, Brother SCHOEPPEL enjoyed the respect, regard, and friendship of a goodly company of distinguished Sigma Nu alumni in Congress. In the Senate alone there were the late and beloved Walter F. George, of Georgia, and his distinguished successor, Herman Talmadge, Allen Frear, of Delaware, and Quentin Burdick, of North Dakota.

Brother ANDY commanded respect; he "wore no man's collar," was no man's errand boy. A clean and disciplined life, molded in part in his undergraduate years in Delta Eta Chapter of Sigma Nu at the University of Nebraska, engendered the vigor which was one of his outstanding characteristics.

He was a man's man—a star athlete at Nebraska as well as an outstanding scholar—tall, lean, muscled, tanned, disciplined. He could still stack wheat with the best of them in his sixties.

It's hard to say just how or when Brother ANDY developed those qualities of character for which he was so widely respected and for which he'll be remembered. He was capable, dependable, honest, unassuming, courageous, energetic, loyal, and (perhaps above all else) dedicated to those whom he served so ably. However, he himself made public attestation—at the fraternity's 1952 convention—that the principles and ideals of Sigma Nu had done much to shape his life.

When Brother ANDY left Kansas for Washington after his first election to the Senate he said: "I am going to Washington to do a job."

He did that job, as Sigma Nu knew that he would—and his fraternity, proud of him, mourns his loss. He truly believed in the life of love, walked in the way of honor, and served in the light of truth.

Mr. CARLSON. Mr. President, I ask unanimous consent to have printed at this point in the RECORD statements of tribute by the Senator from Maryland [Mr. BUTLER], the Senator from South Dakota [Mr. CASE], the Senator from Kentucky [Mr. COOPER], the Senator from Hawaii [Mr. FONG], the Senator from California [Mr. KUCHEL], and the Senator from Iowa [Mr. MILLER].

There being no objection, the statements were ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR BUTLER

A clear forceful voice will no longer echo in this Chamber. A dedicated public servant will no more serve the people of this Nation. An honest, levelheaded colleague will never again give us the benefit of his calm counsel. The death of ANDY SCHOEPPEL is the Senate's loss, this country's loss, and our own personal loss.

He crowded a multitude of careers into one lifetime: He was a farmer, a flier, an all-American football player, a lawyer, a mayor, a Governor, and a U.S. Senator. How many of us have been so fortunate and are so gifted?

ANDY SCHOEPPEL was a Kansan, a man of the Midwest, of the soil, of the heart of America. After attending public schools in his home State, he enlisted in the U.S. Naval Air Force in 1917 and there distinguished himself. Upon returning to private life, Senator SCHOEPPEL attended the University of Nebraska to study law. While at the university he received mention as an all-American football player and to his very last day in the Senate, he carried himself like the athlete and champion that he was.

Returning to Ness County, Kans., after graduation from law school, ANDY filled just about every political office available and before long was running for Governor. He was elected in 1942 and reelected in 1944 as Governor of Kansas by the biggest landslide in the State's history. In 1948 he was elected to the U.S. Senate and then reelected in 1954 and again in 1960.

But all of this is easily obtained from the records. What of the man? To begin with, he was tall, broad and distinguished in visage and manner. He looked like a Senator, he talked like a Senator and he acted like a Senator. I served with ANDY on the Commerce Committee for several years. He always worked hard on his assignments and was particularly effective whenever the discussion centered around agriculture. He was the author of legislation which led to Public Law 480. He could make a fine speech, and I have heard him do so on many occasions, but for the most part he preferred to let his work in committees and his vote on the floor do his speaking for him. He did not seek headlines but his name appeared in them nevertheless as a clear mark of his undeviating dedication to his responsibility as a U.S. Senator from Kansas.

As I look about me, I note that many of the fine men who composed the Senate in 1951 when I first took the oath are no longer here, due either to a political end or the natural end which must come to all of us. Great men and enduring names have departed this body during the last 12 years and not the least of them is the man I join with my colleagues in honoring here today—the bluff, goodhearted, straight-talking Senator from Kansas, ANDY SCHOEPPEL.

STATEMENT BY SENATOR CASE OF SOUTH DAKOTA

ANDREW SCHOEPPEL, in his life, reflected the traditional story which is the glory of America. I particularly recall one evening in the fall of 1952 when he and I were speaking from the same platform at a mining town in Michigan. He told of his mother, a woman of foreign ancestry who committed to him the keeping of the search for liberty and the love of liberty which brought her family to the shores of America. He told of his early boyhood and the love of country and pride in the ideals of America which his mother instilled in him at an early age and which in her closing days she committed to his keeping for the rest of his life.

And there was never a truer or more devoted son of America and the broad prairies of Kansas than ANDREW SCHOEPPEL. His public service as a Governor and as a Senator of the United States reflected the finest traditions of our country.

In a personal way, I would want to express my appreciation for his interest in and helpful support of measures which I introduced and which came before the Committee on Commerce of which he was the ranking Republican member. I have in mind particularly a bill which I sponsored to place research on weather modification in the hands of the National Science Foundation and there to give it stature and permanence. Senator SCHOEPPEL joined in the conduct of the hearings on that bill, S. 86, in the 85th Congress, and was a great source of strength in obtaining its approval by the committee and subsequent passage by the Congress. He was chairman of the Republican senatorial campaign committee in 1946, where again I was the beneficiary of his counsel and encouragement.

To his wife Marie and other relatives and close friends, Mrs. Case and I join in extending our deepest condolence as we share with them pride in the memory of a great statesman.

STATEMENT BY SENATOR COOPER

I join with my colleagues and the many friends of Senator ANDREW F. SCHOEPPEL in expressing my deep sorrow at his loss. He had a distinguished career in the service of his State and country, as Governor of Kansas and in the Senate of the United States. Only a little over a year ago, he was again returned to the Senate by the people of his State, by an overwhelming majority, and it is sad indeed that his service has been lost.

Senator SCHOEPPEL was a true son of the Middle West—strong, vigorous physically, warm and loyal in his friendships, and a man of rocklike honor and integrity. We will miss him because of his abilities as a Member of the Senate. But I shall miss him also as friend—one for whom friendship and affection came so naturally.

My wife and I join in expressing our sympathy to Mrs. Schoeppel, who was a great tower of strength to Senator SCHOEPPEL, and to all the members of his family.

STATEMENT BY SENATOR FONG

Last January 21, the man with the scythe wrote a sudden, sorrowful finis to the life story of our friend and colleague, ANDY SCHOEPPEL. It was the last chapter in the notable career of the big man with the big heart, whose refreshing candor, innate honesty, and complete lack of guile endeared him to all of us.

A farm boy turned lawyer-politician, ANDY never lost his self-reliant and down-to-earth manner so typical of those who have tilled the soil and struggled to wrest from Mother Earth the food and the fiber that are indispensable to life. This early training instilled in him patience, courage, and fortitude, attributes which sustained him throughout his steady climb up the ladder of success.

Straightforward and plain spoken, able and energetic, ANDY won and retained the affection and respect of his fellow Kansans, who returned him to the highest offices of his State time after time. Few men can equal his record of two times elected Governor and three times elected U.S. Senator.

It was my honor and privilege to campaign for ANDY in his bid for reelection to the Senate in 1960. I cherish the memories of this association.

A stanch Republican, ANDY SCHOEPPEL was a good team player, too. He was named chairman of the Republican senatorial campaign committee and the committee on committees, in which posts he served with customary diligence and distinction.

ANDY SCHOEPPEL was a firm and articulate apostle of his convictions. He was as American as the Fourth of July, possessed of an abiding faith in the future and the durability of the United States of America.

When he left the office of Governor in 1947, ANDY said:

"My faith in Kansas and in the people of Kansas has been strengthened and deepened, and I marvel at our possibilities—if we but believe in ourselves and work together."

Were he here today, after more than a decade in the U.S. Congress, I am confident he would summarize his political philosophy thus:

"My faith in America and in the people of America has been strengthened and deepened, and I marvel at our possibilities—if we but believe in ourselves and work together."

This was the faith and the creed of a fine American, whose passing grieves us more than words can express.

My wife Ellyn joins me in extending our heartfelt condolences to Mrs. Schoeppel in her bereavement. We hope she will gain solace from the warm and sincere tributes paid here today to her ANDY.

STATEMENT BY SENATOR KUCHEL

I wish to add my tribute to that of the many friends of our late colleague, ANDY SCHOEPPEL. He was a distinguished citizen. He served his State, his Nation, and his party with dedication and conviction. His record of public service was admirable and long, spanning almost four decades. He enjoyed the proud and enviable record of never having been defeated in a bid for public office.

Mrs. Kuchel and I share the great loss suffered by his wife, Marie, and I pray that his soul may rest in peace.

STATEMENT BY SENATOR MILLER

The name Andrew stands for strong; manly. Certainly no given name would have better suited ANDY SCHOEPPEL. He was a man of great strength, in conviction and devotion to principle as well as in body and mind.

Moreover, ANDY SCHOEPPEL made good use of this God-given strength, not for himself but in the service of the people of Kansas and the Nation. The term "rugged" has slipped into undeserved disrepute, but ANDY SCHOEPPEL so lived that he did much to restore the term to favor—for his was a noble ruggedness. Surely his example will prove to be an inspiration to his countrymen for countless years to come.

ANDY SCHOEPPEL was strong in loyalty, too. An example of his strong loyalty was demonstrated last fall when he came to Cedar Rapids, Iowa, to pay tribute to his good friend, BOURKE HICKENLOOPER, at the memorable testimonial dinner for the senior Senator from Iowa. I shall always remember ANDY SCHOEPPEL's last words during his remarks at that dinner, and it is fitting that they be repeated today as Senator HICKENLOOPER seeks his fourth term. With flashing eyes and a touch of emotion he said: "Stick with HICK."

Indeed, ANDY SCHOEPPEL has left us a legacy of strength. To his wife, Marie, goes our deepest sympathy. We can only draw on ANDY SCHOEPPEL's legacy of strength—in the memory of his nobly rugged spirit—to sustain us as we mourn his loss.

Mr. CARLSON. Mr. President, Mrs. Schoeppel, the family, and the people of Kansas appreciate very much the fine tributes which have been paid to our late departed colleague, ANDREW SCHOEPPEL. We are indebted to Senators. We appreciate their comments.

That concludes the eulogies today.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution was agreed to.

AMENDMENT OF ACT ESTABLISHING CODE OF LAW FOR THE DISTRICT OF COLUMBIA

Mr. SMATHERS. Mr. President, I ask the Chair to lay before the Senate the unfinished business.

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business, which will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 5143) to amend section 801 of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901.

The Senate resumed the consideration of the bill (H.R. 5143) to amend section 801 of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901.

Mr. MORSE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Chair inquires of the Senator from Oregon whether the time for the quorum call should be taken from the time allotted for debate on the bill; or whether he requests unanimous consent that the time not be charged to either side.

Mr. MORSE. Mr. President, I ask unanimous consent that the time required for the quorum call be not charged to either side.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HARTKE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. MANSFIELD in the chair). Is there objection? The Chair hears none, and it is so ordered.

Mr. MORSE. Mr. President, I yield myself 10 minutes.

First, I wish to outline to the Senate the position the senior Senator from Oregon will take on this subject this afternoon. I shall in due course of time make the following motion:

I move to refer H.R. 5143, an act to amend section 801 of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901, to the Committee on the District of Columbia, with instructions to the committee to hold hearings on the said bill, at which professional penologists and criminologists, as well as law enforcement officers, will be invited to testify; and that at the end of 2 weeks the committee shall report the bill to the Senate with its recommendations.

I shall make that as my first action this afternoon, because I speak most respectfully and out of very affectionate regard for the Senator from Indiana

[Mr. HARTKE] and the chairman of the Committee on the District of Columbia, the Senator from Nevada [Mr. BIBLE] with whom I have worked for years and intend to continue to work with on the Senate District of Columbia Committee.

We are dealing with a bill this afternoon which in my judgment has not had adequate consideration by the committee. We have before us a bill which involves very important public policy. We have a bill on which we ought to take our action on the basis of the most modern information in the field of criminology and penology as well as law enforcement that can be made available to the Senate.

I wish to point out that there is not on the desk of any Senator a print of any hearings on the bill. I say most respectfully that the reason there is not that print of the hearings available is that even if the hearings on the Senate bill had been printed, that testimony would be most inadequate. I point out that the hearings were brief, and that they constitute a statement by the Honorable Dewitt S. Hyde, judge of the municipal court, District of Columbia, representing the Judicial Conference for the District of Columbia Circuit;

A statement of Hon. KENNETH B. KEATING, a U.S. Senator from the State of New York, accompanied by Milton Eisenberg, administrative assistant to Senator KEATING;

A statement of Hon. R. VANCE HARTKE, a U.S. Senator from the State of Indiana;

A statement of Oliver Gasch, chairman, Law Enforcement Council, District of Columbia;

A statement of C. Belden White, assistant corporation counsel, District of Columbia;

A statement of Joseph Sitnick, representing the Bar Association of the District of Columbia; and

A statement of James A. Willey, first vice president, Federation of Citizens Associations of the District of Columbia.

I say most respectfully that that constitutes a most inadequate record on the basis of what we are considering this afternoon, such as the important policy question that is involved with respect to capital punishment, as that involving the treatment of prisoners sentenced for the commission of the most heinous crimes of murder, rape, and treason.

I made my plea in the Senate a few days ago for further consideration of this bill. Senators will find in the RECORD a list of recognized penologists and criminologists some of which I think ought to be called upon to testify. I believe we ought to have the testimony of some of the most able experts in these fields. We will have in the years immediately ahead various proposals for reform in the whole handling of criminal law enforcement in this country. This matter is a brooding matter. It is a matter to which a great many experts are giving very serious consideration.

I only plead with the Senate for an additional 2 weeks of consideration of this bill in committee. The senior Senator from Oregon is not seeking to prevent a vote on the bill. The Presiding Officer, who is the majority leader of the Senate, knows the cooperation he has received from the senior Senator from Oregon on the bill. I suggested the unanimous-consent agreement under which we are acting today. I shall suggest a unanimous-consent agreement at the end of 2 weeks. However, I do want to plead that we make a record on this matter in hearings that can be printed and placed before us, so that we may have the judgment of a cross-section view of the outstanding authorities in this field, not only of law enforcement officers, but also of penologists and criminologists.

I am speaking on a subject which is in my field. I worked in this field for many years. I said the other day that I had prepared for the Department of Justice, in a nationwide study, a five-volume work consisting of a survey of the whole subject matter of prison administration including parole, probation, pardon, and criminal statutes.

This is not something that we can deal with as summarily as it is proposed that we deal with this policy matter this afternoon, on the basis of the body of information that is available to the Senate.

I understand that my friend, the Senator from Indiana [Mr. HARTKE] feels that the policy matter was settled, because last year, when the last plane hijacking incident occurred, involving the attempted taking of a plane to Cuba, it was discovered that there was not on the criminal statute books of this country a law which would make it possible to adequately prosecute a airplane hijacker. The bill passed. In that bill there was contained a provision for capital punishment. Therefore, I understand it is the position of the Senator from Indiana that the Senate has passed on the policy question. Not at all, Mr. President.

As an opponent of capital punishment, I believe we made a great mistake when we adopted that particular bill last year, in not modifying the capital punishment provision.

I have never been able to discover that adding two mistakes together makes one right. It is unfortunate that we did not modify the capital punishment features in that bill.

I have gone into the debate on the bill and have gone into the hearings on that bill. The fact is that the capital punishment features of the bill received most summary and cursory consideration by the Senate District Committee. The fact is—and this is the plea the senior Senator from Oregon makes this afternoon—that the Senate in full-dress debate, after full consideration by a committee, at which competent experts in the field of penology and criminology were asked to testify, has not in recent years given consideration to the capital punishment issue.

My plea is that we ought to act on the basis of a body of information, not on the basis of a very brief hearing that was held by the District of Columbia Committee, with the testimony being given by men for whom I have great respect but who do not represent a cross section and an authoritative viewpoint in regard to the capital punishment issue or in regard to other issues involved in this measure.

So my motion is to send the bill to the Senate District Committee for 2 weeks, to give expert witnesses an opportunity to testify before the committee. The committee can then decide what recommendations it wishes to make.

I know my time is slipping away; therefore, I yield myself an additional 5 minutes.

I believe that the Senator from Indiana and the Senator from New York [Mr. KEATING], and other Senators who are interested in the bill are entitled to know the position that I am going to take this afternoon depending on the conditions as they may develop.

I hope the Senate will agree with me and send the bill to the committee for 2 weeks, and then take it up again. Let us assume for the moment that that is not done. In that case I think I should let the Senate know what my position would be then. I will offer an amendment to eliminate from the bill the capital punishment features, and require that anyone who is found guilty of the crimes that we are now considering as capital crimes shall be sentenced to prison for life, without parole. I would be less than honest if I did not say that I do not believe I have the votes to sustain that amendment.

As I said before and as I say now, I have no right, in my judgment, to seek to impose my religious views upon the Senate. This is a matter of deep religious conviction with me. I believe that the taking of human life is a prerogative of God, not of man, in temporal matters, in respect to punishment for crime. However, many persons as sincere as I am disagree with me. Undoubtedly they will continue to hold that view with respect to capital punishment in the District of Columbia; and I shall discuss that subject when we get to the amendment dealing with that point.

What I want the Senate to know is that I shall propose the following amendments if my motion to refer is not adopted.

I shall propose my first amendment, to abolish capital punishment and substitute life imprisonment without parole in first degree murder and rape cases. Failing in that, I shall propose an amendment to permit capital punishment or life imprisonment without parole for first degree murder. Failing in that, I shall propose an amendment to give the jury three alternatives in first degree murder cases only.

First, capital punishment; second, life imprisonment without parole; third, life imprisonment with parole. Those are all the possibilities. I should think the Senate would agree that we ought at least to adopt the last one. I hope the Senate will adopt the others. But that will be the line of parliamentary strategy of the senior Senator from Oregon as he presents his case this afternoon in opposition to the bill.

Mr. Oliver Gasch, a former U.S. attorney for the District of Columbia, had a letter published in the Evening Star of last Sunday on this question. The Evening Star answered

the Gasch letter in an editorial, which I ask unanimous consent to have printed at this point in my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

DEATH PENALTY

There does not seem to be any significant dissent from the view that the District's mandatory death penalty law should be modified. There is, however, a dispute as to method, and the danger is that this will result in a deadlock in which nothing will be done.

Senator MORSE has proposed that a mandatory life sentence without possibility of parole be substituted for execution as the maximum penalty in what are now capital offenses. This has seemed to us to be a proposal meriting serious consideration, and we are not greatly impressed by the arguments advanced against it in a letter appearing elsewhere on this page. The essence of these arguments is that life sentences without opportunity for parole would create serious disciplinary problems in prisons. Maybe so. But the other side of this coin is that parole too often has served to bring about the release of criminals who should have been kept in jail—and this to the detriment of the public interest.

The real objection to the Morse plan is that Congress, and especially the House, may not agree to outright abolition of the death penalty in the District. Congress will accept modification, however, as evidenced by House passage of the Abernethy bill and the strong support it enjoys in the Senate.

This bill would do away with the mandatory aspect of the death sentence in first-degree murder cases, leaving it to juries to decide whether or not it should be imposed. In practice, this probably would not be as "tough" as the Morse proposal. But it would help meet the serious law-enforcement problem which arises from the fact that juries are increasingly reluctant to return verdicts which they know must bring death sentences. We hope that Senator MORSE if unable to muster the needed support for his own plan, will not insist upon preventing a Senate vote on the Abernethy bill.

Mr. MORSE. Mr. Gasch seeks to quote Mr. Bennett, Director of the Federal Bureau of Prisons, and Mr. Donald Clemmer, Superintendent of Corrections of the District of Columbia, who, he says, contend that life imprisonment without parole creates disciplinary problems in prison. Let them come before us and so testify. They are witnesses who ought to come before the committee. Let them testify under cross-examination. I have a whole series of questions I should like to ask Mr. Bennett, Director of the Federal Bureau of Prisons, because I have worked with him for many years and know him very well. I am well enough acquainted with him to know that when certain questions are presented to him, he will give answers that will raise serious doubts as to whether or not we should follow the course of action which the Senator from Indiana [Mr. HARTKE] proposes in connection with the bill.

But let us not forget that under present law it is necessary to incarcerate prisoners for long periods of time. Consider a man who is 50, 55, or 60 years of age and who is serving a term for second degree murder. He would not be eligible for parole for many years, unless the board favorably acts on his parole application. I ask Mr. Bennett, What about a prisoner's behavior problems in prison when incarcerated for many years, particularly if committed to prison at the age of 50, 55, 60, or 65 years. Such a man knows he will die in prison.

The argument of Mr. Gasch is the typical prosecutor's argument; in fact, much of the testimony before the committee was the typical prosecutor's argument; and, of course, prosecutors generally look for the easy way out. But we are dealing with a problem which involves the protection of society. That is the first obligation which confronts us in connection with this subject.

My first proposal makes certain that if a person commits the offense of first degree murder, he will go to prison and will remain there for life. If the Senate does not wish to accept that proposal, then I suggest the second alternative: Retain capital punishment, but make it possible for the jury to recommend life imprisonment without parole; or make it possible, in the third place, for the jury to recommend life imprisonment but permit parole.

There is a new development and another reason why the bill should be referred. As recently as March 1, 1962, the Commissioners of the District of Columbia split on this question. No longer is there unanimity on the part of the District of Columbia Commissioners. I refer to a letter dated March 1, 1962, from Walter N. Tobriner, President of the Board of Commissioners, District of Columbia, to the chairman of the Committee on the District of Columbia, the distinguished senior Senator from Nevada [Mr. BIBLE]. The letter is as follows:

MARCH 1, 1962.

Hon. ALAN BIBLE,
Chairman, Committee on the District of Columbia, U.S. Senate, Washington, D.C.

DEAR SENATOR BIBLE: Reference is made to the request of Mr. Chester H. Smith concerning the views of the Board of Commissioners regarding pending legislation to abolish the mandatory death penalty for murder in the first degree in the District of Columbia.

Commissioners Tobriner and Clarke favor legislation such as is embodied in H.R. 5143 and S. 1380.

Commissioner Duncan favors as his first choice legislation which would abolish the death penalty for first degree murder entirely and as his second choice legislation which would abolish the mandatory death penalty and substitute in lieu thereof legislation providing that the punishment for murder in the first degree shall be imprisonment for life unless the jury by unanimous agreement adds to its verdict of guilty a recommendation containing the words "with the death penalty," as recommended by the Judicial Conference for the District of Columbia Circuit on November 24, 1959.

Time does not permit seeking the views of the Bureau of the Budget as to the relationship of this report to the program of the administration.

Very sincerely yours,

WALTER N. TOBRINER,
President, Board of Commissioners, District of Columbia.

Mr. President, the Commissioners ought to be brought before the committee. They have not testified on this subject and have not been subjected to cross-examination. Furthermore, the whole history of this question in the District of Columbia is one of quite a bit of conflict.

The PRESIDING OFFICER. The time of the Senator from Oregon has expired.

Mr. MORSE. I yield myself 1 more minute.

Mr. President, in the 69th Congress, the Commissioners of the District of Columbia unanimously recommended the abolition of the death penalty in the District. What we really need to do is to make a complete record of this subject by way of hearings. That has not been done.

So my plea is that I believe good legislative procedure calls for the referral of the bill, without any reflection on the committee at all. I am not reflecting upon the committee. I simply say that the committee has not given us a record which, in my judgment, justifies Senators casting their votes on this vital question of policy this afternoon. I ask that the committee take back the bill for 2 weeks, and then report it to the Senate at the end of that time, giving us the benefit of the judgment of the authorities on this question.

Mr. HARTKE. Mr. President, I yield myself 10 minutes.

I know the Senator from Oregon is quite sincere. I know he has deep feeling about this problem. I see no reason to detract in any way from that. However, I wish to make several points.

First, the Senator from Oregon says there are no printed hearings, that the record is not adequate, and that he wants an additional 2 weeks in order to adduce additional testimony on the subject. He says that experts in the criminal field and authorities on criminology and penology should make known their views in connection with the bill and the amendments proposed in connection therewith.

It is very important to put the whole question in proper perspective. Once that is done, he says, it will be possible to understand the entire scope of the question, so that the committee may make a decision on the bill.

First, the purpose of the bill is not to extend the imposition of capital punishment in the District of Columbia. If that were the purpose, the situation would be quite different. Neither does the bill in any way increase the punishment for murder in the first degree. To the contrary, the bill merely removes the existing inflexible principle of law which requires all persons convicted of first-degree murder in the District of Columbia to suffer death by electrocution. It is indeed a sensible bill and, simply stated, makes possible the discarding of an archaic principle of law which has continually plagued effective law enforcement in the District of Columbia for many years. I feel certain the Senator from Oregon himself will agree that the law is archaic. He himself does not approve of it. But he seems to use the argument in reverse: instead of trying to eliminate the archaic principles of the law, he seeks an extension of the law in order to get a revision and relaxation

in principle. The law has been continually ineffective in the District of Columbia itself and, as I have said, it has plagued effective law enforcement in this jurisdiction for many years. It has been an ineffective instrumentality in the seeking of convictions for first-degree murder.

The enactment of the bill will bring the District of Columbia's law into conformance with the Federal law which has for many years provided for discretionary punishment in first-degree murder cases. I am gratified to know that after these many years the District is making an attempt to amend its first-degree punishment law so as to be in step with the other Federal jurisdictions. I feel certain that once this incongruity in the District of Columbia Code is removed, the various persons and organizations that work closely with law enforcement in the District will rejoice that the Senate in its wisdom has joined with the House in promptly enacting this important piece of legislation for the local government.

The basic purpose of the bill has been set forth previously and is, I feel, quite simple. I believe it can be stated, in effect, that so far as first-degree murder is concerned, the penalty shall be death unless the jury by unanimous agreement finds that it shall be life. In case the jury cannot agree, the judge shall have authority and permission to consider the circumstances and make the decision.

During the 86th Congress, the committee had for its consideration S. 2083. This bill was introduced by the distinguished junior Senator from New York [Mr. KEATING], who has worked long and diligently on this problem. That bill had the identical purpose of the pending bill, which is to abolish mandatory punishment in first-degree murder cases.

In this connection, the Subcommittee on the Judiciary of the Committee on the District of Columbia conducted 2 days of hearings on S. 2083—February 17 and February 29, 1960. Those hearings produced testimony from five witnesses representing the judiciary, law enforcement organizations, and the District of Columbia government. In addition to the testimony, the subcommittee received submitted statements and communications from other organizations and individuals presenting their views in the matter. An opportunity was given to any and all opponents and proponents to be heard.

Judge E. Barrett Prettyman, Chairman of the Judicial Conference of the District of Columbia Circuit, was one of the witnesses who personally appeared and testified in support of the bill. In his testimony Judge Prettyman made it perfectly clear to the subcommittee that the Judicial Conference for the District of Columbia Circuit gave the proposed bill lengthy and careful attention before taking a position; and I should like to quote in part from Judge Prettyman's testimony:

I would like to put in this record just a few words about the Judicial Conference of the District of Columbia in order to give you the background of the recommendation that came from that conference.

It is a conference created by an act of Congress which is now section 333 of title 28, United States Code. It is composed of all Federal judges in the jurisdiction, and about 125 lawyers. The conference proceeds in this fashion: Sometime during the middle of the winter a committee for the organization of the conference is appointed composed of circuit judges, district judges, and members of the bar. They select questions for consideration of the conference. For example, for our forthcoming conference in May, the committee on arrangements circularized the bar and the bench and received a total of 87 different questions that different people would like to have considered by the conference.

Then the committee on arrangements makes its selection from that list of topics which might be considered by the conference.

Last year one of the topics was mandatory death sentence in the District of Columbia.

Then we appoint study groups on each such topic. For example, on this topic, the group that we appointed had 32 members—judges and members of the bar—and they studied the problem for several months. When the time of the conference arrived, there were several reports presenting different viewpoints. All those reports were then presented to the conference in the full plenary session, debated for about half a day.

I relate that to show you the care that goes into the preparation of the recommendations that come out of the conference. They are the result of intensive study and study over a long period.

In May 1959, when this group reported to the conference, the conference by an overwhelming vote, adopted the resolution that the mandatory death sentence in the District of Columbia should be abolished.

Then the second problem is what should be the sentence in first degree murder and how should it be reached and by whom imposed. After a long debate on that, the conference referred that problem back to its study group. That particular problem was then studied until October. I called the conference back into special session. And after a considerable debate, the conference adopted the measure which we have recommended to the subcommittee.

That is the end of the quotation from Judge Prettyman's testimony concerning the procedure followed by the Judicial Conference of the District of Columbia.

Following the extensive hearings on S. 2083, the Judiciary Subcommittee of the Senate District of Columbia Committee met and gave serious consideration to this subject in the form of three proposals, all of which advocated abolishing mandatory punishment, but differed as to the basic penalty or imposition of sentence. S. 2083 was amended by the Judiciary Subcommittee to provide the language recommended by the Judicial Conference of the District of Columbia Circuit, and in this version was favorably reported by majority vote to the full committee.

Meanwhile the House passed H.R. 12483, which was very similar to S. 2083. On July 1, 1960, the full committee by majority vote favorably reported H.R. 12483 in lieu of S. 2083. The 86th Congress adjourned without the taking of further action by the Senate on the proposed legislation.

The bill, S. 1380, was introduced in the 1st session of the 87th Congress by Senator KEATING, Senator LONG, and Senator BUSH. The committee again commenced the same lengthy and deliberate consideration that had been given the similar bill, S. 2083, in the preceding Congress.

On May 17, 1961, the Judiciary Subcommittee again held hearings on S. 1380. An opportunity was given to any and all proponents and opponents to be heard. Among the various organizations represented at the committee hearings which urged enactment of S. 1380 were the Bar Association of the District of Columbia, the Law Enforcement Council of the District of Columbia, the Judicial Conference for the District of Columbia Circuit, the Federation of Citizens Associations of the District of Columbia, and the District of Columbia government.

Likewise, various other organizations and individuals submitted statements and communications in connection with their views in the matter.

On June 8, 1961, the Judiciary Subcommittee met in executive session; and, after due deliberation and earnest consideration, the pending bill was favorably reported, without objection, to the full committee. A quorum of the full committee met in executive session on June 9, 1961, and favorably reported the bill, without objection, to the Senate.

From this cursory summation of procedures, it is obvious that your committee gave the pending bill serious and adequate consideration prior to its being reported favorably to the Senate. Moreover, it seems perfectly clear that in connection with the pending legislation, and with due consideration to its purpose, your committee received testimony and written communications from the most knowledgeable witnesses who are experts in effective law enforcement and related activities in the District of Columbia.

Mr. President, in reference to the letter of March 1, 1962, I should like to point out that it is not really a serious impediment. It is still the majority view of the Commissioners of the District of Columbia that the bill as now written should be enacted into law. Commissioner Duncan merely wants the record to show that he, himself, favors no capital punishment for any first-degree murder whatever, but that his second choice in the case of murder in the first degree he favors the provisions of this bill.

The PRESIDING OFFICER (Mr. BYRD of West Virginia in the chair). The 10 minutes the Senator from Indiana has allotted himself have expired.

Mr. HARTKE. Mr. President, I yield myself an additional 5 minutes.

The PRESIDING OFFICER. The Senator from Indiana is recognized for an additional 5 minutes.

Mr. HARTKE. Mr. President, I ask unanimous consent that the letter dated March 1, 1962, signed by Walter N. Tobriner, be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

MARCH 1, 1962.

Hon. ALAN BIBLE,
Chairman, Committee on the District of Columbia, U.S. Senate, Washington, D.C.

DEAR SENATOR BIBLE: Reference is made to the request of Mr. Chester H. Smith, concerning the views of the Board of Commissioners regarding pending legislation to abolish the mandatory death penalty for murder in the first degree in the District of Columbia.

Commissioners Tobriner and Clarke favor legislation such as is embodied in H.R. 5143 and S. 1380.

Commissioner Duncan favors as his first choice legislation which would abolish the death penalty for first degree murder entirely and as his second choice legislation which would abolish the mandatory death penalty and substitute in lieu thereof legislation providing that the punishment for murder in the first degree shall be imprisonment for life unless the jury by unanimous agreement adds to its verdict of guilty a recommendation containing the words "with the death penalty," as recommended by the Judicial Conference for the District of Columbia Circuit on November 24, 1959.

Time does not permit seeking the views of the Bureau of the Budget as to the relationship of this report to the program of the administration.

Very sincerely yours,

WALTER N. TOBRINER,
President, Board of Commissioners, District of Columbia.

Mr. HARTKE. I also ask unanimous consent that a letter from the U.S. Department of Justice, signed by the Deputy Attorney General, Byron R. White, and urging that the measure in its present form be enacted into law, be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF JUSTICE,
Washington, D.C.

Hon. ALAN BIBLE,
Chairman, Committee on the District of Columbia, U.S. Senate, Washington, D.C.

DEAR SENATOR: The Department of Justice is vitally interested in identical bills, H.R. 5143, which passed the House of Representatives on July 10, 1961, and S. 1380, which was reported favorably by your committee on June 14, 1961. Both bills are pending on the calendar of the Senate and would amend the District of Columbia Code (22 D.C. 2404) which imposes a mandatory death penalty upon a defendant convicted of first degree murder.

The bills would substitute for the present mandatory capital punishment a punishment of life imprisonment upon the unanimous recommendation of the jury. In the event a jury reaches a verdict of guilty but is unable to agree on the punishment, the court is authorized to sentence the defendant either to death or to life imprisonment.

The District of Columbia is the sole remaining jurisdiction in the United States which makes capital punishment mandatory for first degree murder. The mandatory feature of this statute is archaic and has effectively discouraged convictions of first degree murder in the District of Columbia in view of the reluctance of judges and juries to impose the death penalty. In fact a recent study over a 10-year period indicates that a total of 276 persons were indicted for first degree murder under the present law. Of this total, 121 were either acquitted or obtained a directed verdict in court. Of the remaining 155 defendants, 127 were convicted of a lesser offense and sentenced to life imprisonment; only 28 were sentenced to death. Of these 28, 7 had their sentences commuted, 7 had their cases reversed on appeal, 4 were transferred to St. Elizabeths Hospital and 10 were actually executed.

Accordingly, the Department of Justice favors this legislation and urges that the Congress act favorably thereon.

The Bureau of the Budget has advised that there is no objection to the submission of this report from the standpoint of the administration's program.

Sincerely yours,

BYRON R. WHITE,
Deputy Attorney General.

Mr. HARTKE. Mr. President, in regard to the arguments made by the distinguished Senator from Oregon, I wish to say that I feel that certainly we are as much interested as is anyone else in having full hearings held. But an open invitation was given to him during the preceding hearings, and he could have asked that the witnesses he had in mind be called. If he had, I am certain they would have been willing to respond just as well as they would be during the next few weeks. This matter was publicized both in the press and on the radio.

The Senator from Oregon says this is "an easy way out for men who are prosecution minded." But I do not believe anyone feels that Judge Prettyman is "prosecution minded."

I agree with the Senator from Oregon that we are interested in the protection of society. But the Senator from Oregon does not want to make the punishment any more severe, because the punishment is now as severe as it could be.

Let me point out that if this matter is of such deep and abiding significance, we cannot ignore the action taken by the House of Representatives and by the Senate not more than 8 months ago, for we know that at that time both bodies approved a capital punishment bill which was in substantially the same language as that of the pending bill.

I ask the distinguished Senator from Oregon how he can reconcile his statement on the floor with his action at that time; and I should like to read from Senate bill 2268, which became Public Law 87-197, enacted on September 5, 1961, by the 87th Congress. It is the so-called aircraft piracy law. We recall that at that time serious Latin American problems were disturbing us; they came as a result of incidents in connection with the Cuban difficulties. We recall that at that time a vote was taken on the floor of the Senate. Among the Senators who voted in favor of that measure was the distinguished Senator from Oregon [Mr. MORSE]. In fact, the vote was 92 to 0. In that connection, I should like to read one portion of the Aircraft Piracy Act, as follows:

AIRCRAFT PIRACY

(i)(1) Whoever commits or attempts to commit aircraft piracy, as herein defined, shall be punished—

(A) by death if the verdict of the jury shall so recommend, or, in the case of a plea of guilty, or a plea of not guilty where the defendant has waived a trial by jury, if the court in its discretion shall so order; or

(B) by imprisonment for not less than 20 years, if the death penalty is not imposed.

Then the act defines air piracy.

Mr. President, the Air Piracy Act does not even require a finding that anyone was injured, let alone a finding that a man's life was taken. I believe it is to be noted that the capital punishment provision of the air piracy law—passed by the Senate without a dissenting vote, and with the affirmative vote of the Senator from Oregon—seeks the same goal as that of the pending bill. In my opinion, if further testimony is necessary at this time, the necessity for it existed equally as much 8 months ago, in connection with the Aircraft Piracy Act.

So, Mr. President, in view of all the problems and emotions connected with such a situation, which deals with the life of a man, the question of capital punishment is not a new one before the Congress. It is something which has been debated by the best people in our society. It is not something which is vain. It is something which the Senate committee had before it and which it conscientiously considered.

I earnestly believe the Senate should reject the motion to refer and proceed to the consideration of the amendments which the Senator has stated he intends to offer, and then proceed to agree to them or deny them.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MORSE. Mr. President, I yield myself 5 minutes.

I say to the Senator from Indiana that I have already replied to his statement in regard to the Air Piracy Act. I told the Senator, in my statement, that was a great mistake and the act should not have been passed. But the Air Piracy Act did not have a thorough hearing. There was no testimony from any penologist or criminologist, in regard to that hearing, dealing with the subject matter of capital punishment. We made a great mistake in adopting the Air Piracy Act in regard to the capital punishment features which the Senator from Indiana would have us make on this bill. As I have said, one does not make a right by two wrongs. The time has come for us in the Senate to come to grips with the issue of capital punishment.

The Senator from Indiana has talked about what the bill does. It deals with mandatory capital punishment, but it proposes to settle for now the capital punishment provision in the District of Columbia. My point is that if we dabble with this question to any degree, we shall have settled it for years to come, because that is how the legislative process works.

The time has come for us to use this bill as a vehicle for a thorough consideration of the matter of capital punishment in the Federal jurisdiction.

I have great respect for Judge Prettyman as a judge, but Judge Prettyman is not a competent authority on criminology or penology. Judge Prettyman, with all due respect to him, is a prosecution-minded judge. I know his record. That is true of so many judges. They get on the bench with a prosecution-minded approach.

I point out that the long quotations read from Judge Prettyman were not made before the committee this year. They go back to the 86th Congress. The quotation has nothing to do with the hearings this year. I respectfully say that the hearings this year were most inadequate, even from the standpoint of bringing to the committee the judicial point of view, because a great many witnesses share the point of view of the Senator from Indiana and believe we should follow the capital punishment approach of the Senator from Indiana

rather than the approach of the Senator from Oregon.

Mr. President, I repeat, and then I shall be ready to make the motion, if no other Senator wishes to speak—I believe the Senator from New York wishes to make a statement—that I believe the bill should go back to committee for 2 weeks and then give us the final judgment of the committee, and then proceed, by unanimous consent agreement, to a vote, with a very reasonable restriction on time.

If the Senate wants to carry out what the Senator from Indiana has emphasized so much in his speech this afternoon, then it is not his bill we are to adopt; it is the third alternative of the Morse proposal, namely, a bill that will provide capital punishment at the discretion of the jury, or life imprisonment with parole, or life imprisonment without parole. I think that is how the Senate should approach the question if it is going to retain in the law what I consider to be the immoral principle of capital punishment. I just cannot reconcile it from the standpoint of my own conviction of what I consider to be Christian morality.

Mr. President, I yield back whatever time I have left on my 5 minutes.

Mr. HARTKE. Mr. President, I yield 5 minutes to the Senator from New York.

The PRESIDING OFFICER. The Senator from New York is recognized for 5 minutes.

Mr. KEATING. Mr. President, it seems to me further committee consideration of legislation to abolish mandatory capital punishment in the District of Columbia can serve no useful purpose other than to insure that the existing law perhaps may not be amended at all by the 87th Congress.

The longer we wait, the greater the obstacles. Legislation like this fell by the board near the end of one of the previous sessions because of the feeling on the part of the leadership that a long debate would ensue and that there just was not time to handle it.

The distinguished senior Senator from Oregon has sincerely advanced many arguments for the complete abolition of capital punishment in the District of Columbia. As usual, he has been both persistent and eloquent in his efforts. He is thoroughly sincere in the position which he takes. The legislation, however, which is opposed by him and which is before us has been carefully studied and analyzed by the District of Columbia Committee. It has been given the support of David Acheson, the present U.S. attorney for the District of Columbia.

I ask unanimous consent to include at this point in the RECORD a letter which he sent to me at my request, stating his views with respect to the legislation under consideration.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U. S. DEPARTMENT OF JUSTICE,
Washington, D.C., February 16, 1962.

The Honorable KENNETH B. KEATING,
U.S. Senate, Washington, D.C.

DEAR SENATOR KEATING: In response to your invitation to me that I communicate my views on S. 1380 (to amend the mandatory death penalty in the District of Columbia), I would like to make the following comments:

1. The District of Columbia is at the present time the only jurisdiction, to my knowledge, where first-degree murder carries a mandatory death penalty—with the qualified exception of Rhode Island where I understand a repeat offender must be sentenced to death. I believe that the mandatory death penalty is contrary to the more modern thinking in judicial circles and law enforcement circles, and contrary to my own thinking, that sentence and punishment for any crime should be governed by some degree of discretion on the part of the court or jury. Moreover, not every case of first-degree murder is the same. A deliberate and premeditated poisoning for example could plausibly call for a more severe punishment than a hasty felony murder such as the shooting of a gasoline station attendant in the course of a struggle by a first offender who was attempting to rob the establishment. As Mr James V. Bennett, Director of the Bureau of Prisons, has observed, "Nothing is more unequal than treating unequal things equally." In other words, recognizing that first-degree murders are highly variable on their own facts, and are accompanied by differing degrees of atrocity, there ought to be some means in the District of Columbia Code for different penalties to be applied in the discretion of the court or jury. S. 1380 makes it possible for the jury or the court, in various circumstances, to exercise this desirable degree of discretion to choose between the death penalty and life imprisonment.

2. Passage and approval of S. 1380 would conform the law in the District of Columbia more closely to the provisions governing the special maritime and territorial jurisdiction of the United States. Title 18, United States Code, section 1111, provides for a penalty of death for first-degree murder, but authorizes the jury to qualify its verdict by adding thereto "without capital punishment," in which event the defendant shall be sentenced to life imprisonment. No reason appears why the District of Columbia alone, a Federal jurisdiction governed by acts of Congress, should not have a similar provision.

3. A mandatory death penalty without any jury discretion as to punishment inevitably operates to make juries reluctant to convict in cases where the evidence really calls for conviction. The jurors cannot escape the knowledge that they are not only trying the guilt or innocence of the defendant but are also determining whether he shall go to the electric chair or not. I believe that the mandatory death penalty makes it extremely difficult for a jury to try a first-degree murder case on its merits, and the percentage of first-degree murder convictions in such cases is consequently very much lower than the percentage of convictions in the general run of felony cases tried in the District of Columbia. (Mr. McMillan, in your office, has been furnished figures which show the quite low ratio of convictions of murder in the first degree to the number of such cases tried.) The passage of S. 1380 would relieve the jury of this burden, by making it possible for a jury to recommend life imprisonment where it found the defendant guilty but did not believe the death penalty was warranted.

4. By the same token the imposition of a death penalty which does not reflect the exercise of discretion of court or jury, but is automatic under the present statute, invites an exceedingly hostile review of the conviction by an appellate court, to a degree that is true in no other type of case. I would not care to say that reversals of convictions by appellate courts have frequently been unwarranted. I think it is enough to say that a mandatory, automatic, death penalty invites hostile appellate scrutiny that may depart from the square merits of the evidence and conduct of the trial.

This problem would of course be considerably eased by the passage of S. 1380.

If I can be of any further assistance or provide any further information, I would be very glad to do so and hope you will let me know.

Sincerely yours,

DAVID C. ACHESON,
U.S. Attorney.

Mr. KEATING. Mr. President, the bill is also supported by Mr. Oliver Gasch, the previous U.S. attorney, whose record was a distinguished one in that office.

Judge Prettyman has been mentioned. I cannot agree with the Senator from Oregon's expressions relating to Judge Prettyman. I think he had a remarkable record in his position as chief judge. He was also chairman of the Judicial Conference for the District of Columbia.

The bill also has the support of Irving Bryan, Assistant Corporation Counsel for the District of Columbia.

The Judicial Conference of the United States, which is certainly not made up of prosecutors, meeting on March 10 and 11, 1960, also endorsed the abolishment of mandatory capital punishment in the District of Columbia.

Similar legislation has been pending since the first session of the 86th Congress.

After thorough study by the District of Columbia Committee and its staff—and I want to pay my respects to the thoroughness of their efforts and the fine work done by the distinguished Senator from Indiana who is handling the bill on the floor. He has been most courteous and considerate to me in the presentation of S. 1380 which I sponsored.

Except in one minor respect which, in my judgment, makes no difference at all, the language of S. 1380 is identical to H.R. 5143. H.R. 5143 is now before us, and will, under our method of procedure, be the measure for us to consider.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. HARTKE. I yield an additional 3 minutes to the Senator from New York.

Mr. KEATING. Mr. President, this is not a hastily considered measure. It has been given a great deal of thought. It seems to me it would be regrettable indeed not to act on it at this time.

The passage of this legislation would bring the District of Columbia into harmony with other Federal jurisdictions and most States. This is one of the few jurisdictions in the country that still has the mandatory death penalty. The complete abolishment of the death penalty under any circumstances would be to swing the pendulum all the way in the other direction and would be quite at variance with many of the jurisdictions in this country.

The bill has been reported twice by the Senate Committee on the District of Columbia. It would in no way weaken law enforcement. It would assist law enforcement, as pointed out in the letter of Mr. Acheson, by adding an element of judgment and discretion to cases involving capital punishment.

We can discuss the proposals of the distinguished Senator from Oregon as

amendments, when he presents them to the Senate. I am opposed to them. I think the bill as presented represents the best approach. It is a reasonable solution, between two extremes.

I am very hopeful that the effort to have the bill recommitted will be defeated and that the Senate can move forward, to bring the present archaic, old-fashioned, outdated and outmoded law of the District of Columbia up to date by the enactment of the proposed legislation.

Mr. MORSE. Mr. President, I yield myself 2 minutes.

The PRESIDING OFFICER (Mr. Moss in the chair). The Senator from Oregon is recognized for 2 minutes.

Mr. MORSE. Mr. President, I wish to reply, respectfully, to my friend from New York, by saying that he could not be more wrong, in my judgment, about the bill having received thorough consideration. The bill has not received thorough consideration by the Committee on the District of Columbia, and the record shows that the bill has not received thorough consideration by the Committee on the District of Columbia, because there is not a record on which one can base a finding in regard to certain aspects of the bill from the standpoint of the experts who ought to testify.

The Senator has spoken about Judge Prettyman. He is a good judge, but his judgment in the field of criminology and of penology in my judgment simply is not sound, and it is not recognized as authoritative.

I wish to have the judgment of the recognized experts, none of which is in the record, because the committee never sought their judgment and never called a single one of them to testify. The committee has made a record based upon the testimony of prosecuting lawyers and judges.

The Senator from New York [Mr. KEATING], who is a brilliant lawyer, knows that in the field of law enforcement we do not look to the judges and we do not look to the prosecutors to determine what our policies ought to be in regard to prisons and the treatment of prisoners. Those men are not the only qualified people which should testify on the subject matter.

The committee has not gone to the experts. The committee has gone to a group which wishes to have this kind of enforcement policy because they are men who deal principally with the problems of the bench and the problems of the prosecutor's office.

This must be balanced. It is all right to bring in the judges. I want to have the testimony of the judges, but I do not want to have the testimony limited to the number the Senator from Indiana limited it, because there are some great judges in this country who completely disagree with the Prettyman point of view, which has been presented in the record.

What they are asking us to do, I say most respectfully, is to pass a judgment today based upon a record which is not complete. That is not the proper way to pass legislation.

I should like to have the testimony of men like Dr. Thorsten Sellin, chairman of the department of sociology of the University of Pennsylvania, a recognized criminologist in this country.

The Senator from New York [Mr. KEATING] knows very well of his writings in respect to capital punishment. He is an outstanding authority in respect to capital punishment.

The PRESIDING OFFICER. The time of the Senator from Oregon has expired.

Mr. MORSE. Mr. President, I yield myself 2 additional minutes.

The PRESIDING OFFICER. The Senator from Oregon is recognized for 2 additional minutes.

Mr. MORSE. Dr. Sellin recognizes that capital punishment does not do the job which my friend from Indiana would lead the Senate to believe it can do.

I should like to have testimony from such men as Dr. Donald Kressey, who is chairman of the department of sociology of UCLA. He is a recognized criminologist.

I should like to have testimony from other criminologists, such as Dr. Elmer Johnson, of North Carolina State College; Frank E. Hartung, of Wayne University, Detroit; Dr. Norman Haynor, of the department of sociology, University of Washington; Dr. Austin H. McCormick, of the University of California at Berkeley; and Dr. Marvin Wolfegang, of the University of Pennsylvania.

I should also like to have some testimony from men who are famous in the field of penology, such as Richard A. McGee, director of the California State Youth and Adult Authority; Mr. Richard Alvis, of the Lebanon Correctional Institution, Ohio; Mr. Arthur Prasse, commissioner of the Pennsylvania Bureau of Corrections; and Mr. Joseph Ragen, a former warden, of Springfield, Ill.

Why should we act on the bill this afternoon, when the committee has brought in only the judiciary and prosecutor point of view, and the judicial and prosecutor point of view is only one school of thought? A lot of prosecutors do not share the view of the Senator from Indiana.

A lot of judges do not share the view of the Senator from Indiana.

We do not have a balanced record before the Senate. All the senior Senator from Oregon is asking is that the Senate pass upon proposed legislation on the basis of a broad cross-section point of view in regard to this highly technical and professional subject matter. That is why I ask that the bill go back to the committee for 2 weeks, and then come back to the Senate, after there has been testimony from such experts as those to whom I have referred.

Mr. HARTKE. Mr. President——

The PRESIDING OFFICER. The Senator from Indiana is recognized.

Mr. HARTKE. Mr. President, I yield myself such time as I may require.

I agree with my distinguished friend from New York. I think that Judge Prettyman is not an issue in this matter, but I do think that he has a judicial mind and is not prosecution minded. I believe that should be cleared up.

It is remarkable how at times, when an approach is made to a legislative question, all of a sudden it takes on a different character and a different tone.

For 3 years this question has been before the subcommittee of the Committee on the District of Columbia in one form or another. For 3 years it has been an open question. Any person who wished to testify could testify. If anyone wished to suggest names of people to testify, we were perfectly willing to hear such people. We never temporized in regard to the list of witnesses. We did not cut off one person. We did not limit the time.

In some cases a committee may have said, "We can hear only so many people," or may have asked witnesses to submit written testimony for the record. We did not do so. We permitted all to testify.

I would say that this is not a matter which has not received attention from many people. The House has acted. The other body acted recently on this question, as it did before. How did the other body act? There was not a single vote in opposition to the proposal. There was a unanimous vote in the House of Representatives. It is quite remarkable that an issue of this nature could cause such difficulty at this time.

I think the opportunity has been shown. The opportunity to be heard has been an open one. It has been well publicized. I see no reason why the Senate should not proceed to a conclusion.

If the arguments of the Senator from Oregon are wise and judicious, I am certain that this body would be willing to follow whatever course Senators believe to be in the best interest of the people of the District of Columbia and of society in general.

Mr. KEATING. Mr. President, will the Senator yield for a question?

Mr. HARTKE. I yield.

Mr. KEATING. Is it not a fact that the distinguished Senator from Oregon is a member of the Committee on the District of Columbia?

Mr. HARTKE. The Senator is correct.

Mr. KEATING. Furthermore, is it not a fact that the Senator from Oregon is one of the most diligent, valuable, and helpful members of the committee and has done as much as any other man in the Senate for the people of the District of Columbia?

Mr. HARTKE. There is no question about that. The Senator from Oregon has been recognized as one of the men who diligently protect the rights of the individuals of this community.

Mr. KEATING. Did the Senator from Oregon ever, at any time, within the last 3 years suggest that these penologists should be called as witnesses, and did the Senator from Indiana or any other Senator refuse such a request?

Mr. HARTKE. To my knowledge no such request was ever made. I know that no refusal was ever made.

Not only did we hold the hearings open, but also we asked at the time whether anyone else wished to be heard on any side of the issue. No one was foreclosed. The discussion was open for every point of view, for the proponents

as well as for the opponents. No attempt was made to count who was on which side of the question or who wished to be heard.

Mr. KEATING. I thank the Senator from Indiana.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. HARTKE. I am happy to yield.

Mr. MORSE. Is the Senator from Oregon a member of the subcommittee?

Mr. HARTKE. No; the Senator is not a member of the subcommittee. The Senator from Oregon is a member of the full committee.

Mr. MORSE. Did the Senator from Indiana ever discuss this bill with the Senator from Oregon?

Mr. HARTKE. I have discussed the question. We had understood from the Senator from Oregon that he was violently opposed to the measure.

Mr. MORSE. Is the Senator from Indiana aware of the fact that the Senator from Oregon tried to make clear to the Committee on the District of Columbia that he thought the Senate ought to go into the whole question of capital punishment in connection with the bill?

Mr. HARTKE. My understanding, from conversations with the distinguished Senator from Oregon, was that the Senator would be opposed to a capital punishment revision in any form, in the hope that ultimately it could be removed in its entirety, to which argument I am not opposed. I do not happen to agree with the Senator from Oregon.

Mr. MORSE. As chairman of the subcommittee, was it not true that the Senator from Indiana was in charge of the hearings?

Mr. HARTKE. I was in charge of the hearings. They were open to anyone.

Mr. MORSE. The Senator from Indiana could have invited any witnesses he wished to have appear, in order to guarantee to the Senate that he would bring to the Senate a balanced hearing record.

Mr. HARTKE. Which we have done. We feel it is a balanced record, and that it is complete.

Mr. MORSE. Can the Senator name a criminologist who was called? Can the Senator name a penologist who was called?

Mr. HARTKE. This is a matter of decision for the Senator from Oregon.

Mr. MORSE. It was the responsibility of the Senator from Indiana. That is what I am complaining about.

Mr. HARTKE. We even held the hearings open for additional days, so that anyone who wished could submit additional statements, or anyone else who wished to be heard could be heard.

I did not know that the distinguished Senator from Oregon wished to have me consult with him on every measure. I have never been consulted in regard to presenting my testimony on measures with respect to which the Senator from Oregon has been the chairman of a committee or of a subcommittee.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. HARTKE. My own view is not one which is diligently sought after, but I thought I had not given offense to the distinguished Senator from Oregon. If that has been the case, in the future I certainly shall be glad to accord him the privilege of which he speaks.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. HARTKE. I yield.

Mr. MORSE. The Senator from Indiana cannot have this both ways. He cannot first join with the Senator from New York in the statement that the Senator from Oregon did not consult with him on the question, and then turn around to take the position the Senator now has taken.

The Senator knew the position of the Senator from Oregon. In my judgment, the Senator had a clear duty to give the Senate a balanced record, and he did not give the Senate a balanced record.

Mr. HARTKE. This is a matter of the opinion of the Senator from Oregon.

Mr. MORSE. The record speaks for itself.

Mr. HARTKE. Mr. President, I wish to have the record show clearly in this body that the record is complete and that the record is full, and that there is no inclination on the part of the members of the subcommittee to prohibit anybody from having a full hearing. We feel that such has been done. If the Senate disagrees, the Senate can recommit or refer the measure, through a vote. As I understand, the opportunity will be presented to the Senate momentarily.

Mr. KEATING. Mr. President, will the Senator yield for a question?

Mr. HARTKE. I am happy to yield.

Mr. KEATING. After the bill was favorably reported by the subcommittee, was it not then passed upon by the full committee?

Mr. HARTKE. Without objection.

Mr. KEATING. Was the Senator from Oregon present or absent?

Mr. HARTKE. I am informed by a member of the committee staff that the Senator from Oregon was present when the bill was under discussion but left before the vote was taken.

Mr. KEATING. Did he offer any amendments or changes at that time?

Mr. HARTKE. No amendments were offered.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. HARTKE. I am happy to yield.

Mr. MORSE. I made very clear that I was opposed to the bill. I was recorded against the bill. I was obliged to leave on that particular occasion in order to go to the office of the majority leader, the Senator from Montana [Mr. MANSFIELD]. I remember the occasion as though it were yesterday. At the time I left, I made it perfectly clear that I was opposed to the bill, and the Senator from Nevada [Mr. BIBLE] was instructed to cast my vote against the bill.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. Does the Senator from Indiana yield back the remainder of his time?

Mr. MORSE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MORSE. Is my motion to refer now before the Senate?

The PRESIDING OFFICER. The Senator is correct.

Mr. HARTKE. Mr. President, I yield back the remainder of my time.

Mr. MORSE. I yield back the remainder of my time.

The PRESIDING OFFICER. All time is yielded back. The absence of a quorum has been suggested, and the clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

[No. 23 Leg.]

Aiken	Gruening	Muskie
Allott	Hart	Neuberger
Anderson	Hartke	Pastore
Bartlett	Hayden	Pearson
Beall	Hickenlooper	Pell
Bennett	Hickey	Prouty
Bible	Hill	Proxmire
Burdick	Holland	Randolph
Bush	Hruska	Robertson
Byrd, Va.	Jackson	Russell
Byrd, W. Va.	Javits	Saltonstall
Cannon	Johnston	Scott
Capehart	Jordan	Smathers
Carlson	Keating	Smith, Mass.
Case, N.J.	Kerr	Smith, Maine
Chavez	Lausche	Sparkman
Clark	Long, Mo.	Stennis
Cotton	Long, Hawaii	Symington
Curtis	Long, La.	Thurmond
Dirksen	Magnuson	Tower
Dodd	Mansfield	Wiley
Douglas	McClellan	Williams, N.J.
Dworshak	McGee	Williams, Del.
Eastland	Morse	Yarborough
Ellender	Morton	Young, N. Dak.
Engle	Moss	Young, Ohio
Ervin	Mundt	
Gore	Murphy	

The PRESIDING OFFICER. A quorum is present.

Mr. MORSE. Madam President, on the motion to refer, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. HARTKE. Madam President, a parliamentary inquiry.

The PRESIDING OFFICER (Mrs. NEUBERGER in the chair). The Senator from Indiana will state it.

Mr. HARTKE. Do I correctly understand that on this motion a vote "yea" is a vote to refer; and a vote "nay" is a vote in support of the committee and would leave the bill for further action by the Senate?

The PRESIDING OFFICER. The Senator is correct.

The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. SMATHERS. I announce that the Senator from Idaho [Mr. CHURCH], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Minnesota [Mr. McCARTHY], the Senator from Michigan [Mr. McNAMARA], the Senator from Montana [Mr. METCALF], the Senator from Oklahoma [Mr. MONRONEY], and the Senator from Georgia [Mr. TALMADGE], are absent on official business.

I further announce that the Senator from Colorado [Mr. CARROLL] and the Senator from Arkansas [Mr. FULBRIGHT] are necessarily absent.

On this vote, the Senator from Georgia [Mr. TALMADGE] is paired with the Senator from Minnesota [Mr. HUMPHREY].

If present and voting, the Senator from Georgia would vote "nay," and the Senator from Minnesota would vote "yea."

On this vote, the Senator from Colorado [Mr. CARROLL] is paired with the Senator from Minnesota [Mr. McCARTHY].

If present and voting, the Senator from Colorado would vote "nay," and the Senator from Minnesota would vote "yea."

I further announce that, if present and voting, the Senator from Michigan [Mr. McNAMARA] and the Senator from Oklahoma [Mr. MONRONEY] would each vote "nay."

Mr. DIRKSEN. I announce that the Senator from Maryland [Mr. BUTLER] and the Senator from California [Mr. KUCHEL] are necessarily absent.

The Senator from South Dakota [Mr. CASE], the Senator from Kentucky [Mr. COOPER], and the Senator from Hawaii [Mr. FONG] are absent on official business.

The Senator from Iowa [Mr. MILLER] is absent because of death in his family.

The Senator from Delaware [Mr. BOGGS] and the Senator from Arizona [Mr. GOLDWATER] are detained on official business.

If present and voting, the Senator from Delaware [Mr. BOGGS], the Senator from Maryland [Mr. BUTLER], the Senator from South Dakota [Mr. CASE], the Senator from California [Mr. KUCHEL], and the Senator from Iowa [Mr. MILLER] would each vote "nay."

The result was announced—yeas 22, nays 60, as follows:

[No. 24 Leg.]

YEAS—22

Aiken	Hart	Pell
Bartlett	Long, Mo.	Proxmire
Burdick	Long, Hawaii	Wiley
Clark	McGee	Williams, N.J.
Cotton	Morse	Yarborough
Douglas	Muskie	Young, Ohio
Gore	Neuberger	
Gruening	Pastore	

NAYS—60

Allott	Ervin	Moss
Anderson	Hartke	Mundt
Beall	Hayden	Murphy
Bennett	Hickenlooper	Pearson
Bible	Hickey	Prouty
Bush	Hill	Randolph
Byrd, Va.	Holland	Robertson
Byrd, W. Va.	Hruska	Russell
Cannon	Jackson	Saltonstall
Capehart	Javits	Scott
Carlson	Johnston	Smathers
Case, N.J.	Jordan	Smith, Mass.
Chavez	Keating	Smith, Maine
Curtis	Kerr	Sparkman
Dirksen	Lausche	Stennis
Dodd	Long, La.	Symington
Dworshak	Magnuson	Thurmond
Eastland	Mansfield	Tower
Ellender	McClellan	Williams, Del.
Engle	Morton	Young, N. Dak.

NOT VOTING—18

Boggs	Fong	McCarthy
Butler	Fulbright	McNamara
Carroll	Goldwater	Metcalf
Case, S. Dak.	Humphrey	Miller
Church	Kefauver	Monroney
Cooper	Kuchel	Talmadge

So the motion to refer was rejected.

The PRESIDING OFFICER. The bill is open to amendment.

LEGISLATIVE PROGRAM—ORDER FOR ADJOURNMENT

Mr. DIRKSEN. Madam President, at this time I should like to query the majority leader concerning the rest of the day and the week.

The PRESIDING OFFICER. The time is under control.

Mr. DIRKSEN. Madam President, I ask unanimous consent that, notwithstanding the time limitation, I may make the inquiry without the time being charged.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DIRKSEN. I make the inquiry of the majority leader with respect to the rest of today and probably the rest of the week.

Mr. MANSFIELD. Madam President, it is the intention of the leadership to move to adjourn, shortly, to 12 o'clock noon tomorrow.

As a matter of fact, Madam President, I ask unanimous consent that when the Senate concludes its business tonight, it adjourn to meet at 12 o'clock noon tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. There will be no further votes this evening. At the conclusion of the pending business, it is intended to go into the matter of the poll tax amendment, and from there on we will take up the legislation as our dictates tell us to.

Mr. HICKENLOOPER. Madam President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. HICKENLOOPER. I wish to ask the majority leader if he has any timetable on taking up the matter of the U.N. bond issue.

Mr. MANSFIELD. Next week, maybe. [Laughter.]

Mr. HICKENLOOPER. I thank the Senator, and especially for the "maybe."

AMENDMENT OF ACT ESTABLISHING CODE OF LAW FOR THE DISTRICT OF COLUMBIA

The Senate resumed the consideration of the bill (H.R. 5143) to amend section 801 of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901.

The PRESIDING OFFICER. The bill is open to amendment.

Mr. MORSE. Madam President I call up my amendment which is at the desk and identified as 2-15-62—A.

The PRESIDING OFFICER. The amendment offered by the Senator from Oregon will be stated.

The LEGISLATIVE CLERK. It is proposed, on line 3, immediately after "That", insert "(a)".

On the first page, line 8, beginning with "death", strike out all through the period on line 4, page 2, and insert in lieu thereof "life imprisonment."

On page 2, line 7, beginning with "be", strike out all through the period on line 9 and insert in lieu thereof the following: "not be eligible for parole.".

On page 2, beginning with line 14, strike out all through the period on line 9, page 3.

At the end of the bill add the following:

"(b) The amendment made by subsection (a) of this section shall be applicable with respect to any person who, on or after the date of enactment of this Act, is sentenced or resentenced pursuant to a conviction of murder in the first degree."

SEC. 2. (a) Section 808 of the Act of March 3, 1901 (31 Stat. 1189), as amended, is amended to read as follows:

"SEC. 808. RAPE.—Whoever has carnal knowledge of a female forcibly and against her will, or carnally knows and abuses a female child under sixteen years of age, shall be imprisoned for not more than thirty years: *Provided*, That in any case of rape the jury may add to their verdict, if it be guilty, the words 'with life imprisonment', in which case the punishment shall be life imprisonment: *Provided further*, That if the jury fail to agree as to the punishment the verdict of guilty shall be received and the punishment shall be imprisonment for not more than thirty years as provided in this section. Notwithstanding any other provision of law, any person sentenced to life imprisonment under this section shall not be eligible for parole."

(b) The amendment made by subsection (a) of this section shall be applicable with respect to any person who, on or after the date of enactment of this Act, is sentenced or resentenced in the District of Columbia pursuant to a conviction of rape.

SEC. 3. (a) Any person who, prior to the date of enactment of this Act, was convicted of murder in the first degree in the District of Columbia and sentenced to death and who, on such date, is awaiting the execution of that sentence shall be resentenced (by the court which imposed such death sentence) in accordance with the provisions of section 801 of the Act of March 3, 1901 (31 Stat. 1189), as amended by this Act. Notwithstanding any other provision of law, any person so resentenced shall not be eligible for parole.

(b) Any person who, prior to the date of enactment of this Act, was convicted of rape in the District of Columbia and sentenced to death and who, on such date, is awaiting the execution of that sentence shall be resentenced (by the court which imposed such death sentence) to life imprisonment. Notwithstanding any other provision of law, any person so resentenced shall not be eligible for parole.

Mr. MORSE. Madam President, at the suggestion of the majority leader, I ask that the amendment be made the pending business of the Senate for further consideration tomorrow.

Mr. HARTKE. Madam President, I did not hear the Senator.

The PRESIDING OFFICER. The amendment of the Senator from Oregon is the pending business.

ADJOURNMENT

Mr. MORSE. Madam President, may I have the attention of the majority leader?

Mr. MANSFIELD. Yes.

Mr. MORSE. The amendment is the pending business. Is the Senator ready to adjourn?

Mr. MANSFIELD. Yes, indeed, if the Senator will make the motion.

Mr. MORSE. Madam President, I move that the Senate adjourn, under the previous order, until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 14 minutes p.m.), under the order previously entered, the Senate adjourned until tomorrow, Wednesday, March 14, 1962, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

TUESDAY, MARCH 13, 1962

The House met at 12 o'clock noon.

The chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

The kindest invitation that ever came from the lips of our blessed Lord, Matthew 19: 21: *Come and follow me.*

Almighty God, as we continue to observe this Lenten season, may the beauty and nobility of our Master's life become increasingly more attractive and alluring to us.

May we feel ourselves compelled and constrained to accept and act upon His gracious invitation to follow Him in order that daily the grandeur and glory of His character may become more completely realized and revealed in us.

God forbid that when the high calling to be like Him in spirit comes to us during Lent, with renewed urgency, we should feel that this is far beyond our reach and endeavor and that we should be satisfied to walk on a path that is less lofty.

Grant that Thy Holy Spirit may daily speak to our troubled hearts with that soft whisper of love which will quiet our fears and fill us with joy and gladness.

Hear us in Christ's name. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Ratchford, one of his secretaries.

SUBCOMMITTEE ON SPECIAL INVESTIGATIONS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Subcommittee on Special Investigations of the Committee on Armed Services may be permitted to sit during general debate today and the balance of this week.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

FOREIGN AID — MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 362)

The SPEAKER laid before the House the following message from the President of the United States; which was read, referred to the Committee on Foreign Affairs, and ordered to be printed:

To the Congress of the United States:

Last year this Nation dedicated itself to a "Decade of Development," designed to help the new and developing states of the world grow in political independence, economic welfare, and social justice.

Last September, in support of this effort, the Congress enacted fundamental changes in our program of foreign assistance.

Last November the executive branch drastically reorganized and restaffed this program in accordance with the congressional mandate.

Today the decade is only 4 months old. It would surely be premature to make any claims of dramatic results. Our new aid program, addressed to the specific needs of individual countries for long-term development, presupposes basic changes, careful planning, and gradual achievement. Yet these few months have shown significant movement in new directions. The turnaround has begun.

Our new aid policy aims at strengthening the political and economic independence of developing countries—which means strengthening their capacity both to master the inherent stress of rapid change and to repel Communist efforts to exploit such stress from within or without. In the framework of this broad policy, economic, social, and military development take their proper place. In Washington our aid operations have been largely unified under the direction of the Administrator of the Agency for International Development. Recipient countries are improving their planning mechanisms, devising country development plans, and beginning extensive programs of self-help and self-reform. In addition to long-range programs developed with India, Nigeria, and others we have, under the new authority granted by the Congress, entered into a new type of long-term commitment with two nations—Pakistan and Tanganyika—after the most painstaking review of their proposed development plans, and others will follow. In addition to placing emphasis on the improvement of internal security forces, we are giving increased attention to the contribution which local military forces can make through civic action programs to economic and social development.

In financing these programs, we are relying more heavily than before on loans repayable in dollars. Other institutions are joining with us in this effort—not only private institutions but also the United Nations, the International Bank for Reconstruction and Development, the Organization of American States, and the Inter-American Development Bank. We have urged other industrialized countries to devote a larger share of their resources to the provision of capital to the less-developed nations. Some have done so—and we are hopeful that the rest will also recognize their stake in the success and stability of the emerging economics. We are continuing, in view of our balance-of-payments situations, to emphasize procurement within the United States for most goods required by the program. And we are working toward strengthening the foreign exchange position of the emerging countries by encouraging the development of new trade patterns. The proposed new Trade Expansion Act is a most important tool in facilitating this trend.

Much more, of course, could be said. But having set forth last year in a series of messages and addresses on foreign aid the goals we seek and the tools we need, it is not necessary to repeat to the Congress this year our Nation's basic interest in the development and freedom of other nations—or to review all of the initiatives launched under last year's programs. The Congress is familiar with these arguments and programs, as well as its own role and contribution in enacting long-term financing authority. Thus the foreign aid legislation submitted this year does not require reconsideration of these questions. It is instead limited primarily to the new authorizations required annually under the terms of last year's law. The only major change proposed is the establishment of a separate long-term Alliance for Progress fund. The total amounts requested were included in the Federal budget previously submitted for fiscal 1963 and the authorizing legislation enacted last year, and have in fact been reduced in some instances. They cannot, I believe, be further reduced if the partnership on which we are now embarked—a joint endeavor with each developing nation and with each aid-giving nation—is to demonstrate the advances in human well-being which flow from economic development joined with political liberty. For we should know by now that where weakness and dependence are not transformed into strength and self-reliance, we can expect only chaos, and then tyranny, to follow.

II

Because development lending and military assistance appropriations for fiscal year 1963 were authorized in the Foreign Assistance Act of 1961, no new authorizations for these two programs are needed. I am proposing a new authorization and appropriation of $335 million for development grants; $481.5 million for supporting assistance; $148.9 million for contributions to international organizations; $100 million for investment guarantees; $400 million for the contingency fund; and $60 million for administrative costs and other programs. I am also proposing appropriations for 1963 of $2,753 million, including the $1,250 million already authorized for development lending, and $1,500 million ($200 million below that authorized) for military assistance. The total appropriation request for the foreign economic and military assistance program for fiscal year 1963 is $4,878 million.

These recommendations are based upon a careful examination of the most urgent needs of each country and area. Each of these forms of assistance, in these amounts, is essential to the achievement of our overall foreign assistance objectives. The total is less than the estimates in the budget because of a reduction in my request for supporting assistance.

One item in particular deserves attention. The past year has amply demonstrated that rapid and unpredictable changes in the world situation of direct interest to our security cannot be foreseen or predicted accurately at the time Congress acts upon the appropriations. I therefore urge the Congress to recognize this need for flexibility to meet contingencies and emergencies and to approve the full authorization and appropriation requested of $400 million.

III

The Charter of Punta del Este which last August established the Alliance for Progress is the framework of goals and conditions for what has been called a peaceful revolution on a hemispheric scale.

That revolution had begun before the charter was drawn. It will continue after its goals are reached. If its goals are not achieved, the revolution will continue but its methods and results will be tragically different. History has removed for governments the margin of safety between the peaceful revolution and the violent revolution. The luxury of a leisurely interval is no longer available.

These were the facts recognized at Punta del Este. These were the facts that dictated the terms of the charter. And these are the facts which require our participation in this massive cooperative effort.

To give this program the special recognition and additional resources which it requires, I therefore propose an authorization of $3 billion for the Alliance for Progress for the next 4 years. Of the $3 billion, an authorization and appropriation of $600 million is being requested for 1963, with up to $100 million to be used for grants and the balance of $500 million or more for development loans. This authorization will be separate from and supplementary to the $6 billion already authorized for loans for development for 1963 through 1966, which will remain available for use throughout the world.

During the year beginning last March over $1 billion has been committed in Latin America by the United States in support of the alliance, fulfilling the pledge we made at the first Punta del Este meeting, and launching in a very real way for this hemisphere a dramatic decade of development. But even with this impressive support, the destiny of the alliance lies largely in the hands of the countries themselves. For even large amounts of external aid can do no more than provide the margin which enables each country through its own determination and action to achieve lasting success.

The United States recognizes that it takes time—to develop careful programs for national development and the administrative capacity necessary to carry out such a program—to go beyond the enactment of land reform measures and actually transfer the land and make the most productive use of it—to pass new tax laws and then achieve their acceptance and enforcement. It is heartening, therefore, that the changes called for by the Alliance for Progress have been the central issue in several Latin American elections—demonstrating that its effects will be deep and real. Under the Organization of American States, nine outstanding economists and development advisers have begun to assist countries in critically reviewing their plans. Three Latin American countries have already completed and submitted for review their plans for the more effective mobilization of their resources toward national development. The others are creating and strengthening their mechanisms for development planning. A number of Latin American countries have already taken significant steps toward land or tax reform; and throughout the region there is a new ferment of activity centered on improvements in education, in rural development, in public administration, and on other essential institutional measures required to give a sound basis for economic growth.

But more important still is the changed attitudes of peoples and governments already noticeable in Latin America. The alliance has fired the imagination and kindled the hopes of millions of our good neighbors. Their drive toward modernization is gaining momentum as it unleashes the energies of these millions; and the United States is becoming increasingly identified in the minds of the people with the goal they move toward: a better life with freedom. Our hand—extended in help—is being accepted without loss of dignity.

But the alliance is barely underway. It is a task for a decade, not for a year. It requires further changes in outlook and policy by all American States. New institutions will need to be formed. New plans—if they are to be serious—will have to assume a life other than on paper.

One of the brightest pages of the world's history has been the series of programs this Nation has devised, established, and implemented following the Second World War to help free peoples achieve economic development and the control of their own destinies. These programs, which have been solidly based on bipartisan support, are the proud manifestations of our deep-seated love and pursuit of freedom for individuals and for nations.

I realize that there are among us those who are weary of sustaining this continual effort to help other nations. But I would ask them to look at a map and recognize that many of those whom we help live on the "frontlines" of the long twilight struggle for freedom—that others are new nations posed between order and chaos—and the rest are older nations now undergoing a turbulent transition of new expectations. Our efforts to help them help themselves, to demonstrate and to strengthen the vitality of free institutions, are small in cost compared to our military outlays for the defense of freedom. Yet all of our armies and atoms combined will be of little avail if these nations fall, unable to meet the needs of their own people, and unable to stave off within their borders the rise of forces that threaten our security. This program and the passage of this bill are vital to the interests of the United States.

We are, I am confident, equal to our responsibilities in this area—responsibilities as compelling as any our Nation has known. Today, we are still in the first months of a decade's sustained effort. But I can report that our efforts are underway; they are moving in the right direction; they are gaining momentum daily; and they have already begun to realize a small part of their great potential. The turnaround has indeed begun.

JOHN F. KENNEDY.

THE WHITE HOUSE, *March 13, 1962.*

MANPOWER DEVELOPMENT AND TRAINING ACT OF 1962

Mr. HOLLAND. Mr. Speaker, I call up the conference report on the bill (S. 1991) relating to manpower requirements, resources, development, and utilization, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Clerk read the statement.

Mr. HOLLAND (during the reading of the statement). Mr. Speaker, I ask unanimous consent that further reading of the statement of the managers on the part of the House be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 1416)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1991) relating to manpower requirements, resources, development, and utilization, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment, insert the following: "That this Act may be cited as the 'Manpower Development and Training Act of 1962.'

"TITLE I—MANPOWER REQUIREMENTS, DEVELOPMENT AND UTILIZATION

"Statement of Findings and Purpose

"SEC. 101. The Congress finds that there is critical need for more and better trained personnel in many vital occupational categories, including professional, scientific, technical, and apprenticeable categories; that even in periods of high unemployment, many employment opportunities remain unfilled because of the shortages of qualified personnel; and that it is in the national interest that current and prospective manpower shortages be identified and that persons who can be qualified for these positions through education and training be sought out and trained, in order that the Nation may meet the staffing requirements of the struggle for freedom. The Congress further finds that the skills of many persons have been rendered obsolete by dislocations in the economy arising from automation or other technological developments, foreign competition, relocation of industry, shifts in market demands, and other changes in the structure of the economy; that Government leadership is necessary to insure that the benefits of automation do not become burdens of widespread unemployment; that the problem of assuring sufficient employment opportunities will be compounded by the extraordinarily rapid growth of the labor force in the next

decade, particularly by the entrance of young people into the labor force, that improved planning and expanded efforts will be required to assure that men, women, and young people will be trained and available to meet shifting employment needs; that many persons now unemployed or underemployed, in order to become qualified for reemployment or full employment must be assisted in providing themselves with skills which are or will be in demand in the labor market; that the skills of many persons now employed are inadequate to enable them to make their maximum contribution to the Nation's economy; and that it is in the national interest that the opportunity to acquire new skills be afforded to these people in order to alleviate the hardships of unemployment, reduce the costs of unemployment compensation and public assistance, and to increase the Nation's productivity and its capacity to meet the requirements of the space age. It is therefore the purpose of this Act to require the Federal Government to appraise the manpower requirements and resources of the Nation, and to develop and apply the information and methods needed to deal with the problems of unemployment resulting from automation and technological changes and other types of persistent unemployment.

"Evaluation, Information, and Research

"SEC. 102. To assist the Nation in accomplishing the objectives of technological progress while avoiding or minimizing individual hardship and widespread unemployment, the Secretary of Labor shall—

"(1) evaluate the impact of, and benefits and problems created by automation, technological progress, and other changes in the structure of production and demand on the use of the Nation's human resources; establish techniques and methods for detecting in advance the potential impact of such developments; develop solutions to these problems, and publish findings pertaining thereto;

"(2) establish a program of factual studies of practices of employers and unions which tend to impede the mobility of workers or which facilitate mobility, including but not limited to early retirement and vesting provisions and practices under private compensation plans; the extension of health, welfare, and insurance benefits to laid-off workers; the operation of severance pay plans; and the use of extended leave plans for education and training purposes. A report on these studies shall be included as a part of the Secretary's report required under section 104.

"(3) appraise the adequacy of the Nation's manpower development efforts to meet foreseeable manpower needs and recommend needed adjustments, including methods for promoting the most effective occupational utilization of and providing useful work experience and training opportunities for untrained and inexperienced youth;

"(4) promote, encourage, or directly engage in programs of information and communication concerning manpower requirements, development, and utilization, including prevention and amelioration of undesirable manpower effects from automation and other technological developments and improvement of the mobility of workers; and

"(5) arrange for the conduct of such research and investigations as give promise of furthering the objectives of this Act.

"Skill and Training Requirements

"SEC. 103. The Secretary of Labor shall develop, compile, and make available, in such manner as he deems appropriate, information regarding skill requirements, occupational outlook, job opportunities, labor supply in various skills, and employment trends on a National, State, area or other appropriate basis which shall be used in the educational, training, counseling, and placement activities performed under this Act.

"Manpower Report

"SEC. 104. The Secretary of Labor shall make such reports and recommendations to the President as he deems appropriate pertaining to manpower requirements, resources, use, and training; and the President shall transmit to the Congress within sixty days after the beginning of each regular session (commencing with the year 1963) a report pertaining to manpower requirements, resources, utilization, and training.

"TITLE II—TRAINING AND SKILL DEVELOPMENT PROGRAMS

"Part A—Duties of the Secretary of Labor

"General Responsibility

"SEC. 201. In carrying out the purposes of this Act, the Secretary of Labor shall determine the skill requirements of the economy, develop policies for the adequate occupational development and maximum utilization of the skills of the Nation's workers, promote and encourage the development of broad and diversified training programs, including on-the-job training, designed to qualify for employment the many persons who cannot reasonably be expected to secure full-time employment without such training, and to equip the Nation's workers with the new and improved skills that are or will be required.

"Selection of Trainees

"SEC. 202. (a) The Secretary of Labor shall provide a program for testing, counseling, and selecting for occupational training under this Act those unemployed or underemployed persons who cannot reasonably be expected to secure appropriate full-time employment without training. Whenever appropriate the Secretary shall provide a special program for the testing, counseling, and selection of youths, sixteen years of age or older, for occupational training and further schooling. Workers in farm families with less than $1,200 annual net family income shall be considered unemployed for the purpose of this Act.

"(b) Although priority in referral for training shall be extended to unemployed persons, the Secretary of Labor shall, to the maximum extent possible, also refer other persons qualified for training programs which will enable them to acquire needed skills. Priority in referral for training shall also be extended to persons to be trained for skills needed within, first, the labor market area in which they reside and, second, within the State of their residence.

"(c) The Secretary of Labor shall determine the occupational training needs of referred persons, provide for their orderly selection and referral for training under this Act, and provide counseling and placement services to persons who have completed their training, as well as follow-up studies to determine whether the programs provided meet the occupational training needs of the persons referred.

"(d) Before selecting a person for training, the Secretary shall determine that there is a reasonable expectation of employment in the occupation for which the person is to be trained. If such employment is not available in the area in which the person resides, the Secretary shall obtain reasonable assurance of such person's willingness to accept employment outside his area of residence.

"(e) The Secretary shall not refer persons for training in an occupation which requires less than two weeks training, unless there are immediate employment opportunities in such occupation.

"(f) The duration of any training program to which a person is referred shall be reasonable and consistent with the occupation for which the person is being trained.

"(g) Upon certification by the responsible training agency that a person who has been referred for training does not have a satisfactory attendance record or is not making satisfactory progress in such training absent good cause, the Secretary shall forthwith terminate his training and subsistence allowances, and his transportation allowances except such as may be necessary to enable him to return to his regular place of residence after termination of training, and withdraw his referral. Such person shall not be eligible for such allowances for one year thereafter.

"Training Allowances

"SEC. 203. (a) The Secretary of Labor may, on behalf of the United States, enter into agreements with States under which the Secretary of Labor shall make payments to such States either in advance or by way of reimbursement for the purpose of enabling such States, as agents for the United States, to make payment of weekly training allowances to unemployed persons selected for training pursuant to the provisions of section 202 and undergoing such training in a program operated pursuant to the provisions of this Act. Such payment shall be made for a period not exceeding fifty-two weeks, and the amount of any such payment in any week for persons undergoing training, including uncompensated employer-provided training, shall not exceed the amount of the average weekly unemployment compensation payment (including allowances for dependents) for a week of total unemployment in the State making such payments during the most recent quarter for which such data are available: *Provided, however,* That in any week an individual who, but for his training, would be entitled to unemployment compensation in excess of such allowance, shall receive an allowance increased by the amount of such excess. With respect to Guam and the Virgin Islands the Secretary shall by regulation determine the amount of the training allowance to be paid any eligible person taking training under this Act.

"With respect to any week for which a person receives unemployment compensation under title XV of the Social Security Act or any other Federal or State unemployment compensation law which is less than the average weekly unemployment compensation payment (including allowances for dependents) for a week of total unemployment in the State making such payment during the most recent quarter for which such data are available, a supplemental training allowance may be paid to a person eligible for a training allowance under this Act. This supplemental training allowance shall not exceed the difference between his unemployment compensation and the average weekly unemployment compensation payment referred to above.

"For persons undergoing on-the-job training, the amount of any payment which would otherwise be made by the Secretary of Labor under this section shall be reduced by an amount which bears the same ratio to that payment as the number of compensated hours per week bears to forty hours.

"(b) The Secretary of Labor is authorized to pay to any person engaged in training under this title, including compensated full-time on-the-job training, such sums as he may determine to be necessary to defray transportation and subsistence expenses for separate maintenance of such persons when such training is provided in facilities which are not within commuting distance of their regular place of residence: *Provided,* That the Secretary in defraying such subsistence expenses shall not afford any individual an allowance exceeding $35 per week, at the rate of $5 per day; nor shall the Secretary authorize any transportation expenditure exceeding the rate of 10 cents per mile.

"(c) The Secretary of Labor shall pay training allowances only to unemployed persons who have had not less than three years of experience in gainful employment and

are either heads of families, or heads of households as defined in the Internal Revenue Code of 1954, except that he may pay training allowances at a rate not exceeding $20 a week to youths over nineteen but under twenty-two years of age where such allowances are necessary to provide them occupational training, but not more than 5 per centum of the estimated total training allowances paid annually under this section may be paid to such youths.

"(d) After June 30, 1964, any amount paid to a State for training allowances under this section, or as reimbursement for unemployment compensation under subsection (h), shall be paid on condition that such State shall bear 50 per centum of the amount of such payments.

"(e) No training allowance shall be made to any person otherwise eligible who, with respect to the week for which such payment would be made, has received or is seeking unemployment compensation under title XV of the Social Security Act or any other Federal or State unemployment compensation law, but if the appropriate State or Federal agency finally determines that a person denied training allowances for any week because of this subsection was not entitled to unemployment compensation under title XV of the Social Security Act or such Federal or State law with respect to such week, this subsection shall not apply with respect to such week.

"(f) A person who refuses, without good cause, to accept training under this Act shall not, for one year thereafter, be entitled to training allowances.

"(g) Any agreement under this section may contain such provisions (including, as far as may be appropriate, provisions authorized or made applicable with respect to agreements concluded by the Secretary of Labor pursuant to title XV of the Social Security Act) as will promote effective administration, protect the United States against loss and insure the proper application of payments made to the State under such agreement. Except as may be provided in such agreements, or in regulations hereinafter authorized, determinations by any duly designated officer or agency as to the eligibility of persons for weekly training allowances under this section shall be final and conclusive for any purposes and not subject to review by any court or any other officer.

"(h) If State unemployment compensation payments are paid to a person taking training under this Act and eligible for a training allowance, the State making such payments shall be reimbursed from funds herein appropriated. The amount of such reimbursement shall be determined by the Secretary of Labor on the basis of reports furnished to him by the States and such amount shall then be placed in the State's unemployment trust fund account.

"(i) A person who, in connection with an occupational training program, has received a training allowance or whose unemployment compensation payments were reimbursed under the provisions of this Act or any other Federal Act shall not be entitled to training allowances under this Act for one year after the completion or other termination (for other than good cause) of the training with respect to which such allowance or payment was made.

"(j) No training allowance shall be paid to any person who is receiving training for an occupation which requires a training period of less than six days.

"On-the-Job Training

"SEC. 204. (a) The Secretary of Labor shall encourage, develop, and secure the adoption of programs for on-the-job training needed to equip persons selected for training with the appropriate skills. The Secretary shall, to the maximum extent possible, secure the adoption by the States and by private and public agencies, employers, trade associations, labor organizations and other industrial and community groups which he determines are qualified to conduct effective training programs under this title of such programs as he approves, and for this purpose he is authorized to enter into appropriate agreements with them.

"(b) In adopting or approving any training program under this part, and as a condition to the expenditure of funds for any such program, the Secretary shall make such arrangements as he deems necessary to insure adherence to appropriate training standards, including assurances—

"(1) that the training content of the program is adequate, involves reasonable progression, and will result in the qualification of trainees for suitable employment;

"(2) that the training period is reasonable and consistent with periods customarily required for comparable training;

"(3) that adequate and safe facilities, and adequate personnel and records of attendance and progress are provided and

"(4) that the trainees are compensated by the employer at such rates, including periodic increases, as may be deemed reasonable under regulations hereinafter authorized, considering such factors as industry, geographical region, and trainee proficiency.

"(c) Where on-the-job training programs under this part require supplementary classroom instruction, appropriate arrangements for such instruction shall be agreed to by the Secretary of Health, Education, and Welfare and the Secretary of Labor.

"National Advisory Committee

"SEC. 205. (a) The Secretary shall appoint a National Advisory Committee which shall consist of 10 members and shall be composed of representatives of labor, management, agriculture, education, and training, and the public in general. From the members appointed to such Committee the Secretary shall designate a Chairman. Such Committee, or any duly established subcommittee thereof, shall from time to time make recommendations to the Secretary relative to the carrying out of his duties under this Act. Such Committee shall hold not less than two meetings during each calendar year.

"(b) The National Advisory Committee shall encourage and assist in the organization on a plant, community, regional, or industry basis of labor-management-public committees and similar groups designed to further the purposes of this Act and may provide assistance to such groups, as well as existing groups organized for similar purposes, in effectuating such purposes.

"(c) The National Advisory Committee may accept gifts or bequests, either for carrying out specific programs or for its general activities or for its responsibilities under subsection (b) of this section.

"(d) Appointed members of the Committee shall be paid compensation at the rate of $50 per diem when engaged in the work of the Committee, including travel time, and shall be allowed travel expenses and per diem in lieu of subsistence as authorized by law (5 U.S.C. 73b-2) for persons in the Government service employed intermittently and receiving compensation on a per diem, when actually employed, basis.

"(e)(1) Any member of the Committee is hereby exempted, with respect to such appointment, from the operation of sections 281, 283, and 1914 of title 18 of the United States Code, and section 190 of the Revised Statutes (5 U.S.C. 99), except as otherwise specified in paragraph (2) of this subsection.

"(2) The exemption granted by paragraph (1) of this subsection shall not extend—

"(A) to the receipt or payment of salary in connection with the appointee's Government service from any source other than the private employer of the appointee at the time of his appointment, or

"(B) during the period of such appointment, to the prosecution or participation in the prosecution, by any person so appointed, of any claim against the Government involving any matter with which such person, during such period, is or was directly connected by reason of such appointment.

"State Agreements

"SEC. 206. (a) The Secretary of Labor is authorized to enter into an agreement with each State, or with the appropriate agency of each State, pursuant to which the Secretary of Labor may, for the purpose of carrying out his functions and duties under this title, utilize the services of the appropriate State agency and, notwithstanding any other provision of law, may make payments to such State or appropriate agency for expenses incurred for such purposes.

"(b) Any agreement under this section may contain such provisions as will promote effective administration, protect the United States against loss and insure that the functions and duties to be carried out by the appropriate State agency are performed in a manner satisfactory to the Secretary.

"Rules and Regulations

"SEC. 207. The Secretary of Labor shall prescribe such rules and regulations as he may deem necessary and appropriate to carry out the provisions of this part.

"Part B—Duties of the Secretary of Health, Education, and Welfare

"General Responsibility

"SEC. 231. The Secretary of Health, Education, and Welfare shall, pursuant to the provisions of this title, enter into agreements with States under which the appropriate State vocational education agencies will undertake to provide training needed to equip persons referred to the Secretary of Health, Education, and Welfare by the Secretary of Labor pursuant to section 202, for the occupations specified in the referrals. Such State agencies shall provide for such training through public educational agencies or institutions or, if facilities or services of such agencies or institutions are not adequate for the purpose, through arrangements with private educational or training institutions. The State agency shall be paid 50 per centum of the cost to the State of carrying out the agreement, except that for the period ending June 30, 1964, the State agency shall be paid 100 per centum of the cost to the State of carrying out the agreement with respect to unemployed persons. Such agreements shall contain such other provisions as will promote effective administration (including provision (1) for reports on the attendance and performance of trainees, (2) for immediate certification to the Secretary of Labor by the responsible training agency with respect to each person referred for training who does not have a satisfactory attendance record or is not making satisfactory progress in such training absent good cause, and (3) for continuous supervision of the training programs conducted under the agreement to insure the quality and adequacy of the training provided), protect the United States against loss, and assure that the functions and duties to be carried out by such State agency are performed in such fashion as will carry out the purposes of this title. In the case of any State which does not enter into an agreement under this section, and in the case of any training which the State agency does not provide under such an agreement, the Secretary of Health, Education, and Welfare may provide the needed training by agreement or contract with public or private educational or training institutions.

"Rules and Regulations

"SEC. 232. The Secretary of Health, Education, and Welfare may prescribe such rules and regulations as he may deem necessary

and appropriate to carry out the provisions of this part.

"TITLE III—MISCELLANEOUS

"Apportionment of Benefits

"SEC. 301. For the purpose of effecting an equitable apportionment of Federal expenditures among the States in carrying out the programs authorized under title II of this Act, the Secretary of Labor and the Secretary of Health, Education, and Welfare shall make such apportionment in accordance with uniform standards and in arriving at such standards shall consider only the following factors: (1) the proportion which the labor force of a State bears to the total labor force of the United States, (2) the proportion which the unemployed in a State during the preceding calendar year bears to the total number of unemployed in the United States in the preceding calendar year, (3) the lack of appropriate full-time employment in the State, (4) the proportion which the insured unemployed within a State bears to the total number of insured employed within such State, and (5) the average weekly unemployment compensation benefits paid by the State. The Secretary of Labor and the Secretary of Health, Education, and Welfare are authorized to make reapportionments from time to time where the total amounts apportioned under this section have not been fully obligated in a particular State, or where the State or appropriate agencies in the State have not entered into the necessary agreements, and the Secretaries find that any other State is in need of additional funds to carry out the programs authorized by this Act.

"Maintenance of State Effort

"SEC. 302. No training program which is financed in whole or in part by the Federal Government under this Act shall be approved unless the Secretary of Labor, if the program is authorized under part A of title II, or the Secretary of Health, Education, and Welfare, if the program is authorized under part B of title II, satisfies himself that neither the State nor the locality in which the training is carried out has reduced or is reducing its own level of expenditures for vocational education and training, including program operation under provisions of the Smith-Hughes Vocational Education Act and titles I, II, and III of the Vocational Education Act of 1946, except for reductions unrelated to the provisions or purposes of this Act.

"Other Agencies and Departments

"SEC. 303. (a) In the performance of their functions under this Act, the Secretary of Labor and the Secretary of Health, Education, and Welfare, in order to avoid unnecessary expense and duplication of functions among Government agencies, shall use the available services or facilities of other agencies and instrumentalities of the Federal Government, under conditions specified in section 306(a). Each department, agency, or establishment of the United States is authorized and directed to cooperate with the Secretary of Labor and the Secretary of Health, Education, and Welfare and, to the extent permitted by law, to provide such services and facilities as either may request for his assistance in the performance of his functions under this Act.

"(b) The Secretary of Labor and the Secretary of Health, Education, and Welfare shall carry out their responsibilities under this Act through the maximum utilization of all possible resources for skill development available in industry, labor, public and private educational and training institutions, State, Federal, and local agencies, and other appropriate public and private organizations and facilities.

"Appropriations Authorized

"SEC. 304. (a) There are hereby authorized to be appropriated $2,000,000 for the fiscal year ending June 30, 1963, $3,000,000 for the fiscal year ending June 30, 1964, and a like amount for the fiscal year ending June 30, 1965, for the purpose of carrying out title I.

"(b) There are hereby authorized to be appropriated $97,000,000 for the fiscal year ending June 30, 1963, $161,000,000 for the fiscal year ending June 30, 1964, and a like amount for the fiscal year ending June 30, 1965, for the purpose of carrying out title II.

"(c) There are hereby authorized to be appropriated $1,000,000 for the fiscal year ending June 30, 1963, $1,000,000 for the fiscal year ending June 30, 1964, and a like amount for the fiscal year ending June 30, 1965, for the purpose of carrying out title III.

"(d) There are hereby authorized to be appropriated $5,000,000 for the fiscal year ending June 30, 1962, for planning and starting programs under this Act.

"Limitations on Use of Appropriated Funds

"SEC. 305. (a) Funds appropriated under the authorization of this Act may be transferred, with the approval of the Director of the Bureau of the Budget, between departments and agencies of the Government, if such funds are used for the purposes for which they are specifically authorized and appropriated.

"(b) Any equipment and teaching aids purchased by a State or local vocational education agency with funds appropriated to carry out the provisions of part B shall become the property of the State.

"(c) No portion of the funds to be used under part B of this Act shall be appropriated directly or indirectly to the purchase, erection, or repair of any building except for minor remodeling of a public building necessary to make it suitable for use in training under part B.

"(d) Funds appropriated under this Act shall remain available for one fiscal year beyond that in which appropriated.

"Authority To Contract

"SEC. 306. (a) The Secretary of Labor and the Secretary of Health, Education, and Welfare may make such contracts or agreements, establish such procedures, and make such payments, either in advance or by way of reimbursement, or otherwise allocate or expend funds made available under this Act, as they deem necessary to carry out the provisions of this Act.

"(b) The Secretary of Labor and the Secretary of Health, Education, and Welfare shall not use any authority conferred by this Act to assist in relocating establishments from one area to another. Such limitation shall not prohibit assistance to a business entity in the establishment of a new branch, affiliate, or subsidiary of such entity if the Secretary of Labor find that assistance will not result in an increase in unemployment in the area of original location or in any other area where such entity conducts business operations, unless he has reason to believe that such branch, affiliate, or subsidiary is being established with the intention of closing down the operations of the existing business entity in the area of its original location or in any other area where it conducts such operations.

"Selection and Referral

"SEC. 307. The selection of persons for training under this Act and for placement of such persons shall not be contingent upon such person's membership or nonmembership in a labor organization.

"Definition

"SEC. 308. For the purposes of this Act, the term 'State' includes the District of Columbia, Puerto Rico, the Virgin Islands, and Guam.

"Secretaries' Reports

"SEC. 309. (a) Prior to March 1, 1963, and again prior to March 1, 1964, the Secretary of Labor shall make a report to Congress. Such report shall contain an evaluation of the programs under title I and part A of title II, including the number of persons trained and the number and types of training activities under this Act, the number of unemployed or underemployed persons who have secured full-time employment as a result of such training, and the nature of such employment, the need for continuing such programs, and recommendations for improvement.

"(b) Prior to March 1, 1963, and again prior to March 1, 1964, the Secretary of Health, Education, and Welfare shall also make a report to Congress. Such report shall contain an evaluation of the programs under part B of title II, the need for continuing such programs, and recommendations for improvement. The first such report shall also contain the results of the vocational training survey which is presently being conducted under the supervision of the Secretary.

"Termination of Authority

"SEC. 310. (a) All authority conferred under title II of this Act shall terminate at the close of June 30, 1965.

"(b) Notwithstanding the foregoing, the termination of title II shall not affect the disbursement of funds under, or the carrying out of, any contract, commitment or other obligation entered into prior to the date of such termination: *Provided*, That no disbursement of funds shall be made pursuant to the authority conferred under title II of this Act after December 30, 1965.

"And the House agree to the same."

ADAM C. POWELL,
ELMER J. HOLLAND
JAMES G. O'HARA,
NEAL SMITH,
CHARLES S. JOELSON,
CARROLL D. KEARNS,
CHARLES E. GOODELL,
PETER A. GARLAND,
Managers on the Part of the House.

JOSEPH S. CLARK,
JENNINGS RANDOLPH,
PAT MCNAMARA,
CLAIBORNE PELL,
WINSTON L. PROUTY,
MAURICE J. MURPHY, Jr.
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1991) relating to manpower requirements, resources, development, and utilization, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The House amendment struck out all of the Senate bill after the enacting clause and inserted a new text. The Senate recedes from its disagreement to the amendment of the House, with an amendment which is a substitute for both the Senate bill and the House amendment. The differences between the House amendment and the substitute agreed upon in conference are described in this statement, except for incidental, minor, and clarifying changes. These differences are taken up in the order in which they appear in the House amendment.

MANPOWER REQUIREMENTS, DEVELOPMENT, AND UTILIZATION

Section 103(1) of the House amendment provided for research through the Secretary of Labor on matters involving manpower requirements, developments, and utilization. This provision was dropped from the conference substitute in view of the provisions for research provided in section 102(5) of such substitute.

Section 104 of the House amendment provided that in order to encourage the mobility of labor, to determine the impediments to such mobility, and to evaluate methods of improving the mobility of labor, the Secretary of Labor must make certain studies and must promote the development and adoption of equitable practices which improve the mobility of workers. The section also provided that the Secretary must establish a program of factual studies of practices of employers and unions which impede or facilitate mobility of labor, including among other subjects the operation of seniority systems. The Secretary was directed to include a report on these studies in the manpower report provided for in section 105 of the House amendment (sec. 104 of the conference substitute). The Senate bill did not include anything requiring the Secretary of Labor to promote the mobility of labor; it did, however, contain a provision (in sec. 103(2)) for factual studies which was like the House provision on studies, except that it did not require a study of the operation of seniority systems or require the inclusion of material in a report as was required by the House provision. The conference substitute in this respect is the same as the House amendment except that "affect" is substituted for "impede" and "facilitate", and the reference to seniority systems is omitted. In including the requirement that the Secretary make a report on these studies, it is the intention of the conferees that the report should not include recommendations which might affect free collective bargaining.

Section 107 of the House amendment authorized the appropriation of $1,770,000 for the first fiscal year of the program and $1,670,000 for the second year, for carrying out title I. The Senate bill did not segregate the authorizations for this title out of the general authorization provided in section 304(a). The conference substitute, in section 304(a), authorizes the appropriation of $2,000,000 to carry out this title during fiscal 1963 and $3,000,000 for each of the next 2 fiscal years. These additional sums reflect adjustments made in the authorizations originally provided in title V of the House amendment.

TRAINING AND SKILL DEVELOPMENT PROGRAMS

Section 201(b) of the House amendment directed the Secretary of Labor to carry out his responsibilities under title II of the House amendment through maximum utilization of all resources for skill development available in all training institutions, in Federal, State, and local public agencies and institutions, and in private organizations and facilities. The Senate bill did not contain this provision. The conference substitute included this provision as section 303 (b), with an amendment making it also applicable to the responsibilities of the Secretary of Health, Education, and Welfare. This provision is in the nature of a general instruction to the Secretary of Health, Education, and Welfare, and in no way affects the specific instructions regarding agreements with States which are set forth in section 231 of the conference substitute.

Section 202(a) of the House amendment provided that in connection with the programs for the testing, counseling, and selection of persons for training under the act, he should provide for a special program for the testing and counseling of youths 16 years of age or older, and for the selection of those for whom occupational training is indicated. The Senate bill provided for the counseling and selection of such youths for occupational training and further schooling. The conference substitute is like the Senate amendment. The inclusion of the words "further schooling" does not indicate that the Secretary of Labor is to handle matters affecting classroom instruction; those words merely recognize the growing emphasis on work-study programs.

Subsection (b) of section 202 of the House amendment directed the Secretary of Labor to extend priority in referral for training to persons to be trained for skills needed in the area of their residence. The comparable Senate bill provision extended such a priority to persons to be trained for skills needed in the State of their residence. The conference substitute provides that such priority shall be extended to persons to be trained for skills needed within, first, the labor market area in which they reside, and, second, the State of their residence.

The Senate bill, in section 202(c), directed the Secretary of Labor to determine the occupational training needs for referred persons, to provide for their selection and referral for training, and provide them with placement services after their training is completed. The House amendment contained no provision which was entirely comparable, but it did provide in section 202(g) that the Secretary of Labor should provide placement services for individuals who have completed training as well as counseling services to such individuals for an appropriate period after they have been placed. The conference substitute adopts the provision of the Senate bill but with the addition of the words "and counseling" after "placement," so that the subsection as thus amended will be as broad as section 202(g) of the House amendment.

Subsection (f) of section 202 of the House amendment relates to termination of allowances when the trainee does not have a satisfactory attendance record or is not making satisfactory progress, absent good cause. The Senate bill contained no comparable provision. Section 202(g) conference substitute is the same as the House amendment except for the deletion of the comma before "absent" in order to make it clear that the determination of the absence or presence of "good cause" is to be the responsibility of the training agency and not of the Secretary of Labor.

The first paragraph of section 203(a) of the House amendment (relating to weekly training allowances) specifically included the District of Columbia, Puerto Rico, and the Virgin Islands within the meaning of the word "State" for the purposes of the act. The Senate amendment contained a definition of "State" for the purposes of section 301, which added Guam to the above list. The conference substitute adopts the procedure of defining the term "State" for purposes of the entire act in section 308. This definition includes not only the District of Columbia, Puerto Rico, and the Virgin Islands, but also Guam. At the end of this paragraph the substitute inserts a new provision giving the Secretary of Labor power, by regulation, to determine the amount of training allowance to be paid eligible persons taking training in Guam and the Virgin Islands. This provision is inserted because unemployment compensation payments are not made in Guam and the Virgin Islands.

The second paragraph of the House amendment provided that where an individual receives unemployment compensation which is less than the average weekly unemployment compensation for a week of total unemployment in the State making the payment, a supplemental training allowance may be paid. The supplemental training allowance would be the difference between his unemployment compensation and the average weekly compensation payment referred to above. The Senate bill contained no such provision. The conference substitute adopts this provision of the House amendment with a technical amendment making it clear that supplemental training allowances may be paid only to persons who would be eligible for a training allowance.

The House amendment provided, in the third paragraph of section 203(a), for a limitation on the training allowance of persons undergoing on-the-job training so that the training allowance, when added to the amounts received from the employer, would not exceed the average weekly unemployment compensation payment referred to above. This provision has been deleted from the conference substitute so that the limitations on training allowances will be the same for persons undergoing on-the-job training as they are for persons undergoing vocational training.

Section 203(b) of the House amendment permitted the Secretary of Labor to supplement training allowances to the extent necessary to defray the actual and necessary transportation expenses of trainees, and, when the training was provided in facilities which were not within commuting distance of their regular place of residence, to defray actual and necessary transportation and subsistence expenses for separate maintenance for such individuals. It limited the subsistence expenses to the rate of $35 a week and the transportation expenditures to the rate of 10 cents a mile. The Senate bill permitted the Secretary to supplement weekly training allowances by amounts necessary to defray transportation and subsistence expenses of trainees when training was provided and facilities which were not within commuting distances of their regular place of residence. It limited subsistence and travel expense allowances in the same manner as did the House, but it contained an exception under which the Secretary could prescribe conditions under which reimbursement for expenses could be authorized on an actual expense basis. The conference substitute, in section 203(b), permits the Secretary of Labor to pay trainees such sums as may be determined to be necessary to defray transportation and subsistence expenses for such trainees when such training is provided at facilities which are not within commuting distance of their regular place of residence. The Secretary is prohibited from affording any individual an allowance exceeding $35 a week (at the rate of $5 per day) and from authorizing any transportation expenditure exceeding the rate of 10 cents a mile.

Both the Senate bill and the House amendment limited training allowances to unemployed persons having more than 3 years of experience in gainful employment who are heads of families or heads of households. The Senate bill contained an exception which would permit the Secretary of Labor, if he finds that such training allowances are necessary to provide occupational training to youths over 16 but under 20 years, to pay such training allowances, but only to the extent of 5 percent of the total allowances paid under the act. The House amendment contained no such exception. The substitute agreed upon in conference contains, in section 203(c), an exception that permits the Secretary to pay training allowances at a rate not to exceed $20 a week to youths in their 19th, 20th, and 21st years where such allowances are necessary to provide them occupational training, but not more than 5 percent of the estimated total training allowances paid annually under the section could be paid to such youths.

The Senate bill, in section 203(d), provided for dollar-for-dollar State matching of training allowances after the first 2 fiscal years of the program. The comparable provision of the House amendment required such matching after the first 18 months of the program. The substitute agreed upon in conference is the same as the Senate bill.

Section 203(d) of the House amendment denied training allowances to persons who have received or are eligible for unemployment compensation with respect to the week for which the payment would be made. The Senate bill contained a provision which was

comparable, except that it denied such training allowances to persons who are seeking unemployment compensation with respect to such a week, instead of to those who are eligible for it. The conference substitute adopts (in sec. 203(e)) the provision of the Senate bill.

The House amendment provided in section 203(f) that if unemployment compensation payments are paid to an individual taking training under the act, or under any other Federal act, the State making the payments would be reimbursed. The amount of the reimbursement would be determined by the Secretary of Labor on the basis of reports furnished him by the States and the amount so reimbursed would then be placed in the State's unemployment trust fund account. The Senate bill contained no comparable provision. The conference substitute adopts the provisions of the House amendment with technical amendments which limit its application to persons who are otherwise eligible for a training allowance under this act. The reference to other Federal acts is dropped. It is the intent of this subsection that, if a State is reimbursed for paying unemployment compensation to trainees, that employers should not be charged with such unemployment compensation payments under the experience rating provisions of their laws, and that the trainees should not have their eligibility for unemployment compensation reduced on account of the payments they received during training.

Section 203(g) of the House amendment provided that a person who has received a training allowance or whose unemployment compensation payments were reimbursed under this act or any other Federal act could not receive a training allowance under this act for 1 year after the completion or other termination of the training with respect to which the allowance or payment was made. The Senate bill contained no comparable provision. The conference substitute adopts this provision of the House amendment with a technical amendment to limit its application to persons whose termination of training was not for good cause.

Section 203(h) of the House amendment prohibited training allowances for persons receiving training for an occupation which requires a training period of less than 6 days. The Senate bill contained no comparable provision. The conference substitute adopts this provision of the House amendment.

Section 204 of the House amendment authorized the Secretary of Labor to enter into agreements with States and State agencies for the purpose of carrying out his functions under title II. This section has been consolidated with section 304 and appears as section 206 of the conference substitute.

Section 205 of the House amendment authorized the Secretary of Labor to issue rules and regulations to carry out the provisions of title II. This section has been consolidated with section 305 and appears as section 207 of the conference substitute.

Section 206 of the House amendment authorized the appropriation of $65,800,000 for the first fiscal year of the program, and $110,667,000 for the second fiscal year, for carrying out title II of the House amendment. As explained before, the Senate bill did not segregate authorizations by titles. The conference substitute aggregates in one authorization the amounts for this title, the on-the-job training provisions, and the vocational education provisions.

Section 301 of the House amendment was the basic provision directing the Secretary of Labor to provide on-the-job training. It directed him to make maximum use of, among others, educational groups. The comparable Senate provision required the Secretary to provide whenever appropriate special programs for youths 16 years of age and over.

The conference substitute adopts the provisions of the Senate bill insofar as they relate to special programs for youths. It also directs the Secretary, to the maximum extent possible, to secure the adoption by States of training programs under this title. The reference to educational groups is stricken in conformity with the pattern of the bill which divorces the Secretary of Labor from any connection with traditional educational functions. The inclusion of language mentioning State programs stresses the desirability of the Secretary of Labor first seeking State agreements wherever States have existing programs for the purpose of achieving maximum coordination of efforts.

The provisions of subsection (b) of section 301 of the House amendment directed the Secretary of Labor to cooperate with the Secretary of Health, Education, and Welfare to coordinate on-the-job training programs with vocational educational programs conducted under the act. This provision has been dropped as a separate provision from the conference substitute in recognition of the provisions on cooperation contained in section 303. However, it should be understood that by this merger of provisions there was no intention to change the requirement that the Secretary of Labor shall cooperate with the Secretary of Health, Education, and Welfare in coordinating on-the-job training programs with vocational educational programs. The Senate bill contained a provision in section 204(d) to the effect that where on-the-job training programs require supplementary classroom instruction, appropriate arrangements for such instruction shall be agreed to by the Secretary of Health, Education, and Welfare and the Secretary of Labor. This provision, which has no counterpart in the House amendment, is retained in the conference substitute as section 204(c).

Section 305 of the Senate bill provided for the appointment of a 10-member National Advisory Committee containing representatives of labor, management, agriculture, education and training, and the public. The Advisory Committee was directed to encourage and assist in the organization on a plant, community, regional, or industry basis, of labor-management-public committees and similar groups to further the purposes of the act and was permitted to assist such groups in effectuating the purposes of the act. It was specifically authorized to accept gifts and bequests. The House amendment contained no comparable provision. The conference substitute contains the provisions of the Senate bill in section 205 but also provides for the payment of per diem and travel expenses to members of the Committee. It also has a standard exemption from the conflict-of-interest laws for members of the Committee.

Section 303 of the House amendment directed the Secretary of Labor to make provision for supervision of on-the-job training programs conducted under the act to insure the quality of training, and provide for the adequacy of the various programs. The Senate bill contained no provision which was comparable in language to this section of the House amendment. The conference substitute drops this provision as being duplicative of the provisions contained in section 204(b).

Section 304 of the House amendment related to State agreements and, as explained above, has been merged with section 204 and appears as section 206 in the conference substitute.

Section 305 of the House amendment gives the Secretary of Labor authority to prescribe regulations to carry out title III. This provision has been consolidated with the like provision in title II and appears in the conference substitute as section 207.

Section 306 of the House amendment authorized the appropriation of $2,800,000 for the first fiscal year of the program and $4,800,000 for the second fiscal year, for carrying out title III of the House amendment. As explained before, the Senate amendment did not segregate authorizations by titles. The conference substitute aggregates in one provision the authorization for the provisions of the substitute which are comparable to the provisions included in titles II, III, and IV of the House amendment.

The Senate bill, in section 231, and the House amendment, in section 401, both direct the Secretary of Health, Education, and Welfare to enter into agreements with States under which the appropriate State vocational educational agency will provide training needed to equip individuals referred to it for the occupation specified in the referrals. The State agencies would provide the training through public educational agencies or institutions or, where they are inadequate, through private education or training institutions. In the case of any State which does not enter into an agreement under this section and in the case of any training which the State agency does not provide under the agreement, the Secretary of Health, Education, and Welfare will provide the needed training through public or private educational institutions. It is expected that wherever possible the many excellent private institutions will be utilized in the vocational educational programs provided by State agencies, or by the Secretary of Health, Education, and Welfare in cases in which a State has failed to enter into an agreement or in the case of any training program not provided under such agreement.

The Senate bill provided 50-50 State matching in the case of vocational education provided pursuant to State agreements except that for 2 years after the program got underway the Federal Government would pay 100 percent of the cost of carrying out the agreement with respect to unemployed individuals. The House amendment was the same except that the 100-percent payment with respect to unemployed individuals would continue for 18 months after the enactment of the act. In section 231 the conference substitute, in substance, adopts the provision of the Senate bill.

Section 402 of the House amendment related to cooperation between the Secretaries of Health, Education, and Welfare and Labor. This provision has been merged with other comparable provisions and appears in the conference substitute in section 303.

MISCELLANEOUS

Section 501 of the House amendment listed four factors which the Secretary of Labor must consider in allotting Federal expenditures among the States. The Senate bill listed substantially the same factors, but provided that he could consider only these factors. The conference substitute (in sec. 301) permits him to consider only the listed factors, but adds one additional. The additional factor is the average weekly unemployment compensation benefits paid by the States. The conference substitute also makes it clear that unused apportionments may be reapportioned.

Section 502(a) of the House amendment directed the Secretary of Labor, in the performance of his duties under the act, to use the available services or facilities of other Federal agencies. Each Federal agency is directed to cooperate with the Secretary of Labor to the extent permitted by law and to furnish him the services and facilities he needs to perform his functions under this act. The Senate bill in section 303 contained a provision which was substantially the same. The conference substitute, in section 303(a), contains a provision similar to that in the House amendment except that

the requirements of the provision are extended to include the Secretary of Health, Education, and Welfare.

The Senate bill contained a single authorization of an appropriation in section 804(a). It provided that the total amount of funds appropriated to carry out the act could not exceed $90,000,000 for the first fiscal year, $165,000,000 for the second fiscal year, and $2,000,000 for each of the 2 succeeding fiscal years. The House amendment, as has been indicated, contained a separate authorization for each of the titles of the bill. The conference substitute contains a separate authorization for title I of the substitute, which corresponds to title I of the House bill. It also contains a separate authorization for title II of the substitute, which, in effect, lumps the appropriations for titles II, III, and IV of the House amendment into one appropriation. The conference substitute provides a separate authorization for title V. It should be noted that in each instance the Senate bill authorized appropriations for 4 years while the House amendment authorized appropriations for but 2 years. The conference substitute in each instance authorizes appropriations for 3 years.

The following is a summary of the appropriations authorized by the House amendment and those authorized by the conference substitute. For title I the House amendment authorized $1,700,000 for fiscal 1963 and $1,670,000 for fiscal 1964. For this title the conference substitute authorizes $2,000,000 for fiscal 1963 and $3,000,000 for fiscal 1964, and a like sum for fiscal 1965. The aggregate appropriations authorized by the House amendment for titles II, III, and IV were $97,100,000 for fiscal 1963 and $157,467 for fiscal 1964. The comparable appropriations authorized under the conference substitute, that is, for title II thereof, is $100,000,000 for fiscal 1963, $165,000,000 for fiscal 1964, and a like amount for fiscal 1965. The House amendment authorized $1,600,000 for carrying out title V for fiscal 1963 and $2,750,000 for fiscal 1964. The comparable authorization in the conference substitute, authorizes $1,000,000 for fiscal 1963, 1964, and 1965.

In addition, the conference substitute authorizes the appropriation of $5,000,000 for the purpose of planning and starting programs under this act between the date of its enactment and June 30, 1962. No referrals for training will be made under the act prior to the beginning of fiscal 1963.

The Senate bill provided in section 304(b) that equipment and teaching aids purchased with funds appropriated to carry out the vocational education provisions of the act will become property of the State. The House amendment contained no comparable provision. The conference substitute adopts this provision of the Senate bill as section 305(b).

Subsection (d) of section 304 of the Senate bill prohibited the use of funds appropriated to carry out the vocational education provisions of the act for the purchase, erection, or repair of any building except for minor remodeling of a public building necessary to make it suitable for use in vocational education. Again, the House amendment contained no comparable provision and the conference substitute drops this provision of the Senate bill.

Subsection (e) of this section of the Senate bill provided that funds appropriated under the act will remain available for 1 fiscal year beyond that for which appropriated. The House amendment contained no comparable provision. The conference substitute adopts the provisions of the Senate bill.

Section 306 of the House amendment provided that programs under the act would be carried on for 2 fiscal years. The Senate bill provided that the programs should be carried on for 4 fiscal years. Section 310 of the conference substitute provides that such programs should be carried on for 3 fiscal years.

ADAM C. POWELL,
ELMER J. HOLLAND,
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CHARLES E. GOODELL,
PETER A. GARLAND,
Managers on the Part of the House.

Mr. PERKINS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. PERKINS. Mr. Speaker, I introduce and send to the desk H.R. 10682 to authorize the establishment of a Youth Conservation Corps for the employment of young men. The corps will make an important contribution to the conservation and development of our natural resources and outdoor recreational facilities. The bill also authorizes local pilot public service programs for which unemployed young men as well as women between the ages of 16 through 21 will be eligible. This bill is an important administration measure necessarily modified because of legislative developments in connection with the manpower development and training bill, S. 1991.

In a message to the Congress on June 7, 1961, the President asked the Congress to give its attention to an already serious and growing problem of out-of-school and unemployed youth. The President requested action on a measure known as the Youth Employment Opportunities Act, H.R. 8354. Extensive hearings were held on this bill before the Committee on Education and Labor. The bill was then reported and is now pending before the Rules Committee.

The measure I introduce today is also known as the Youth Employment Opportunities Act. Instead of containing three titles, as did the original administration measure, it contains but two.

As does H.R. 8354, this measure would authorize a Youth Conservation Corps and a local public service employment program. The training program, also a feature of H.R. 8354, was transferred by the action of both Houses to S. 1991—H.R. 8399—the Manpower Development and Training Act, shortly to be enacted into law. The measure I am introducing today contains the employment aspects of the administration's program, that part of its proposal still pending. It will thus provide the House with a clean bill which, I hope, will receive favorable consideration in the near future.

The bill—H.R. 8354—reported by the committee last session made several changes in the original proposal of which the most important was increasing the size of the Youth Conservation Corps from 6,000 enrollees to 12,000 per year. My bill today conforms to the action of the committee in this respect. This bill contains several additional important changes in the administration of the programs:

First. It provides for an identifiable office assigned with the task of administering the Youth Conservation Corps. This change has been strongly advocated by many supporters of the idea of the Youth Conservation Corps.

Second. It provides a greater degree of control of public service programs. Thus plans will be developed by local groups of educators, officials and employment service personnel and submitted for approval to a National Advisory Council on Public Service Employment.

In his state of the Union address, delivered January 11, 1962, the President listed his legislative program. The Youth Employment Opportunities Act was No. 2 in that list.

In his Economic Report transmitted to the Congress on January 20, 1962, the President again strongly recommended passage of the Youth Employment Opportunities Act including the establishment of the Youth Conservation Corps.

In his conservation message delivered to the Congress on March 1, 1962, the President called for the enactment of a Youth Conservation Corps as an important step toward the improvement of the Nation's conservation and its recreational facilities.

Mr. Speaker, I am glad that the Congress has accepted one-third of the administration's proposal for helping the nearly 1 million out-of-school and unemployed youth. The President has made it abundantly clear that the rest of the program deserves the immediate attention of the Congress. My bill will, if adopted, enact the remaining two-thirds of the administration's proposal.

Mr. KEARNS, Mr. Speaker, as you know, the Republican substitute for the Manpower Development and Training Act which was overwhelmingly adopted by this House contained a number of very important standards and safeguards. I am very happy to report that in our conference with our Senate colleagues we were able to retain all of these important measures. Thus, the bill which we present today is a good bill. If it is properly administered, it can provide much of the training which is so desperately needed by so many of our unemployed. It will also provide the means whereby the significant data on employment trends and future skill needs can be compiled and then disseminated to employees, employers, and unions.

Now, to be specific, what compromises were made in our conference? Also, what important features of the House bill were retained?

First, the bill now provides for a 3-year program. As you will recall, the House bill provided for a 2-year program while the Senate bill called for a 4-year program. The compromise which was agreed to, established a 3-year program. However, State matching is required after the first 2 years and both the Secretary of Labor and the Secretary of HEW must submit detailed reports to Congress at the end of the first and second years.

Second, the conference bill adopts the Senate form and sets forth the provisions of the bill under three titles rather than five. This is only a technical change which was made so that redundancy could be avoided. The important thing to note is that the duties of the Secretary of Labor and the Secretary of HEW are still carefully spelled out. And, even more important, all of the provisions were retained which establish that the Secretary of HEW shall have full responsibility for all educational aspects of this bill. This includes the furnishing of supplementary classroom work when such work is required by an on-the-job training program.

Third, although the appropriations have been codified under one section—304(a)—the overall cost of the program remains approximately the same. The first full year will cost $100 million and the second and third years will cost $165 million each. In addition, $5 million has been provided for the fiscal year ending June 30, 1962, for planning and starting programs. Thus, for the full 3-year-and-3-month period this training program will cost $435 million.

This is a lot of money. However, the benefits which can be realized from this program are also enormous. I, for one, when reviewing the results of this program after the first and second years, will do my best to make sure that this money is being wisely spent and that the maximum benefits are being realized. If this is not the case, I shall then bend every effort to effect immediate remedial changes so that the program can operate efficiently. In the event the necessary changes cannot be made I shall then return to the floor of this House and urge the immediate cancellation of the program. I want to make it perfectly clear that this bill does not establish a bureaucratic, experimental toy. This bill has been enacted because the needs of our country demand that a positive, hard-hitting training program be undertaken. This can and must be done. If, unfortunately, this bill is unsuccessful, then this legislation must be terminated forthwith and some other means devised.

Very quickly, Mr. Speaker, I would also like to note that the conference bill retained all of the House safeguards with respect to the selection of the trainees and the circumstances under which they can be paid a training allowance. In addition, it has been made clear that the Secretary of Labor must work through existing State agencies when setting up on-the-job training programs. In this respect it will be much similar to the manner in which the vocational education programs are administered.

The Secretary of HEW and the State vocational training agencies have been instructed to utilize the services of the many excellent private institutions whenever this is possible.

Finally, specific instructions are given in the manager's statement that when unemployment compensation is paid to a trainee and reimbursement is made to the State funds, the particular employer and employees account that has been charged is to be credited. This particular instruction carries out the will of the House in this matter. It must be understood at this point, for the Department of Labor has indicated that it would interpret this reimbursement provision in a manner which would prohibit the crediting of the particular employer-employee account.

In conclusion then, this is a good bill. It has many vital safeguards and standards. If it is properly administered, it can do the job. I am confident that by carefully reviewing the bill's administration at the end of the first and second year we can do a great deal to keep it efficiently administered and going in the right direction.

Mr. HOLLAND. Mr. Speaker, on March 6, Mr. POWELL, Mr. O'HARA of Michigan, Mr. JOELSON, Mr. SMITH of Iowa, Mr. KEARNS, Mr. GOODELL, Mr. GARLAND, Mr. BRUCE, and I, as conferees designated by the Speaker on S. 1991, met with six Members of the other body who were similarly designated.

Before us was the task of reconciling the differences which appeared in the measures adopted by the House and Senate.

I am happy to point out there were very few differences.

With the exception of the structure of the bill, very few additions were necessary and these will be outlined by my colleague, Congressman O'HARA of Michigan.

In order to secure complete agreement among the attending conferees, only two meetings were required. On March 7, the 15 members of the conference committee, with only 1 abstention, endorsed the provisions of the legislation now before us.

I believe there are very few occasions when such general accord has been shown by the Members of Congress.

The desperate need of the unemployed workers, the underemployed farmers, and our inadequately trained youth throughout the Nation has been recognized as the No. 1 problem on our homefront.

The Senate, displaying its awareness of the seriousness of the present unemployment problem, passed—by a voice vote—this report now before us the day after our conference committee reported it out.

I would like—at this time—to say that it was a pleasant experience to serve on this conference as the spirit of cooperation and the desire to provide adequate training programs for our unemployed prevailed throughout the meetings we held.

All of the attending conferees, from both the House and the Senate, recognized the urgent need of this legislation and worked diligently toward satisfactory agreement of minor differences.

As chairman of the Subcommittee on Unemployment and the Impact of Automation, I would like to especially express my appreciation to the members of the House committee who served as conferees. We have gone through quite a bit together—from our original open hearings to this presentation of the final legislation—and I believe I can truthfully say that our convictions for the need of it have grown with each passing day.

With the overwhelming support of this legislation, already a matter of record by the vote of the House Members on February 28, I ask that you again endorse this program by supporting the conference report we have presented.

Mr. GOODELL. Mr. Speaker, I would like to comment briefly with respect to the conference report on the Manpower Training and Development Act. In my brief comments I will try to underscore some of what I feel are the more important provisions of this bill as it has been modified by the conference.

RESPONSIBILITY FOR EDUCATION

The Senate bill contained a provision to the effect that where on-the-job training programs require supplementary classroom instruction, the appropriate arrangements for such instruction shall be agreed to oetween the Secretary of Health, Education, and Welfare and the Secretary of Labor. This provision was retained in the conference substitute. Thus, when classroom work is required by an on-the-job training program, it is the intent of Congress that such classroom work will be provided by the Secretary of Health, Education, and Welfare in conjunction with the various State vocational education groups.

In addition, although the Senate provision stating that the Secretary of Labor shall test, counsel, and select youths for occupational training and further schooling was adopted, the conference report underscores the fact that the inclusion of the words "further schooling" does not indicate that the Secretary of Labor is to handle matters of classroom instruction. Those words merely recognize the growing emphasis on work-study programs. Finally, although the conference substitute includes the Senate provision which directs the Secretary of Labor to secure the adoption of training programs by various groups, the reference to educational groups which appeared in the Senate version is stricken. This again conforms to the general pattern of the conference bill which divorces the Secretary of Labor from any connection with educational functions.

ON-THE-JOB TRAINING

The conference substitute contains language which specifically mentions State on-the-job training programs. This inclusion is intended to stress the desirability of the Secretary of Labor first seeking State agreements whenever States have on-the-job training programs. In this connection, it should be noted that prior to the Senate adopting the conference report, my colleague from New York, Senator JAVITS, noted that New York State has a very effective on-the-job training program. He advised that it was his understanding that the Secretary of Labor would work through this State on-the-job training program when he places in effect the provisions of this act. Senator CLARK, who was the chairman of the conference, agreed with Senator JAVITS' interpretation of this provision. I would also like to state that it is certainly my understanding that there was general agreement among the conferees regarding the manner in which the Secretary of Labor should administer the on-the-job training programs. Thus, it was agreed that in those States where there is an effective on-the-job training program, or such a program is adopted, the Secretary of Labor should work through the State agency which administers such a program.

UTILIZATION OF PRIVATE INSTITUTIONS

The conference report underscores the fact that whenever possible the many excellent private institutions will be utilized in the vocational education programs. As we are all aware, there are many excellent private institutions which perform invaluable service in many of our States. It is anticipated that the services of these private institutions will be used whenever it is possible to do so. In many instances it will be only through the adequate utilization of these institutions that the training called for under this act can be carried forward.

REIMBURSEMENT OF UNEMPLOYMENT COMPENSATION PAYMENTS

The House provision which provides for reimbursement whenever unemployment compensation payments have been paid to a trainee has been included in the conference bill. During the House debate on this bill, it was specifically noted that where such reimbursement has been made, the employer's account which has been charged as a result of the payment of unemployment compensation should be credited. Unfortunately, the Labor Department, I understand, tentatively chose last week to interpret this provision as meaning that although there is reimbursement to a State fund, the particular employer's account which has been charged should not be credited. This interpretation directly contradicts the congressional intent. Members of our committee and the chairman of the Ways and Means Committee are agreed on this point. In order to clarify this point once and for all, the manager's statement provides:

> It is the intent of this subsection that if a State is reimbursed for paying unemployment compensation to trainees, that employers should not be charged with such unemployment compensation payments under the experience rating provisions of their laws, and that the trainees should not have their eligibility for unemployment compensation reduced on account of the payments they receive during training.

In view of this statement, there now is absolutely no basis for the Labor Department to misinterpret the intent of Congress. I am confident that they will not do so.

PAYMENT OF TRAINING ALLOWANCES TO YOUTHS

Although the House bill did not contain a provision which would permit the payment of training allowances to youths, the conferees agreed to include such a provision. However, this provision is precisely stated and is very carefully limited in its application. Thus, the conference substitute permits the Secretary to pay training allowances at a rate not to exceed $20 a week to youths in their 19th, 20th, and 21st years where such allowances are necessary to provide for occupational training, but not more than 5 percent of the estimated total training allowances paid annually to the Secretary can be paid to such youths. By this provision it is intended that training allowances may be paid to those youths who have either completed their high school education or are too old or completely unsuited for further schooling of this type. In most cases, the youths receiving training allowances will be married and often times the head of a family. In no way is this provision intended to encourage youths to drop out of school when they should be continuing such schooling.

FURTHER CLARIFICATIONS OF SPECIFIC SECTIONS OF THE MANPOWER DEVELOPMENT AND TRAINING ACT

Mr. O'HARA of Michigan. Mr. Speaker, section 203(c) contains three conditions to the payment of training allowances under this bill. First, that the recipient must be unemployed; second, that he must have had not less than a 3-year attachment to the labor market; and third, that he be the head of a family or a household as defined in the Internal Revenue Code of 1954. Any persons, irrespective of age, who meet all three of these criteria and who are selected for training will be entitled to training allowances. Unemployed youths between the ages of 19 and 22 who have not had at least 3 years of experience in gainful employment and who are not heads of families may, if they are receiving training, be paid a training allowance at a rate not to exceed $20 a week.

Unemployed youths less than 19 years of age who do not meet the other two criteria specified in this section and who are selected for training can receive no training allowance in this bill.

Section 202(a) includes provision for a special program for the testing, counseling and selection of youths 16 years or older for occupational training and further schooling. The age limitation intended in this provision is 16 through 21.

Section 203(b) is intended to permit the payment of subsistence expenses and transportation costs not to exceed the rate of 10 cents per mile to any persons who are receiving training, whether or not they are eligible for, or are receiving, training allowances subject to the conditions contained in this section.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. HOLLAND. Mr. Speaker, I ask unanimous consent that all Members desiring to do so may have 5 days in which to extend their remarks on the conference report just adopted.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

CALL OF THE HOUSE

Mr. HAYS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently, a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 33]

Alford	Huddleston	Rhodes, Ariz.
Andrews	Hull	Roberts, Ala.
Avery	Jensen	St. Germain
Blitch	Karth	Shelley
Cheif	Kitchin	Smith, Miss.
Davis, James C.	McVey	Spence
	Macdonald	Steed
Davis, Tenn.	Morse	Thompson, N.J.
Flynt	Moulder	Tollefson
Giaimo	Norrell	Weaver
Grant	Powell	Whitten
Harrison, Va.	Purcell	Willis
Hoffman, Mich.	Rains	Wilson, Calif.
Hosmer	Ranoall	Zablocki

The SPEAKER. On this rollcall 392 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

ANTITRUST CIVIL PROCESS ACT

Mr. SISK. Mr. Speaker, by direction of the Committee on Rules, I call up the resolution—House Resolution 558—providing for the consideration of S. 167, a bill to authorize the Attorney General to compel the production of documentary evidence required in civil investigations for the enforcement of the antitrust laws, and for other purposes, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 167) to authorize the Attorney General to compel the production of documentary evidence required in civil investigations for the enforcement of the antitrust laws, and for other purposes. After general debate, which shall be confined to the bill, and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER. The gentleman from California is recognized for 1 hour.

Mr. SISK. Mr. Speaker, I yield to the gentleman from California [Mr. SMITH] 30 minutes and now yield myself such time as I may consume.

Mr. Speaker, House Resolution 558 provides for the consideration of S. 167, a bill to authorize the Attorney General to compel the production of documentary evidence required in civil investigations for the enforcement of the antitrust laws, and for other purposes. The resolution provides for an open rule with 2 hours of general debate.

The purpose of S. 167 is to enable the Department of Justice to obtain documentary evidence during the course of

a civil investigation to enforce the antitrust laws.

Certainly a determination whether or not to bring a civil antitrust suit, wherever possible, should be made only after an adequate investigation. Fairness to a prospective defendant requires no less. On the other hand, to enforce the antitrust laws adequately on the civil side, the antitrust authorities must be able to make an adequate investigation to ascertain the facts.

Although the Federal Trade Commission, like many other Government agencies, has authority to procure documents for investigative purposes, the Department of Justice, which, through its Antitrust Division, is the primary enforcer of the antitrust laws, lacks such authority. This proposed legislation would merely place the Department of Justice on a parity with other Government agencies in this respect.

Mr. Speaker, I urge the adoption of House Resolution 558.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as stated by the gentleman from California, this provides for an open rule of 2 hours for the consideration of S. 167, which if passed will permit the Attorney General, or his assistant in charge of the Civil Division of Antitrust, to request documents from corporations, partnerships, and associations in connection with civil antitrust cases. There are some four different ways by which investigations and papers can now be obtained.

One, of course, is to ask the person being investigated or the corporation to provide them. This has not been too effective over the years. The second is the grand jury method of subpena. The third has to do with the Federal Trade Commission.

For some 40 years they have had the power to do as is asked for in this bill and, of course, the Department of Justice could go through the Federal Trade Commission, but that is not the best way to do it. The Justice Department is reluctant to proceed in this way. Of course, the fourth is that they could file a case of an antitrust violation.

This might cause cases to be filed which later were proven unjustified. So this bill is an effort to permit the Antitrust Division to get the documents they think are necessary.

In making a change like this we must keep in mind that we do not want to ask the corporations to come in and testify against themselves. These questions were presented to the Judiciary Committee, who state there is adequate protection. Where the associations or corporations do not wish to give up the papers, then a case would have to be filed in the Federal court demanding the papers. If the Federal court held that they had to give them up, then, of course, if they did not give them up they could be held in contempt of court.

The American Bar Association has worked on the bill and, I understand, approves of it.

I request the adoption of the bill.

Mr. SISK. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AMENDING THE IMMIGRATION AND NATIONALITY ACT

Mr. COLMER. Mr. Speaker, by direction of the Committee on Rules, I call up the resolution, House Resolution 559, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 10079) to amend section 104 of the Immigration and Nationality Act, and for other purposes. After general debate, which shall be confined to the bill, and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. COLMER. Mr. Speaker, House Resolution 559 provides for the consideration of H.R. 10079, a bill to amend section 104 of the Immigration and Nationality Act, and for other purposes. The resolution provides for an open rule with 2 hours of general debate.

The purpose of H.R. 10079 is to abolish the Bureau of Security and Consular Affairs of the Department of State as originally established, and to divide its present principal functions into first, a specialized office headed by an officer with the rank of Assistant Secretary of State, and second, an administrative unit charged with security functions such as investigation and supervision of personnel of the Department of State pertaining to suitability and loyalty to the United States, security of the Department of State and its establishments abroad, and physical security.

The specialized office headed by an Assistant Secretary of State would have the responsibility for: First, the administration of passport laws; second, the determination of nationality of a person outside of the United States; third, the administration of the immigration laws relating to issuance of visas; fourth, the participation of the United States in international migration organizations and the effectuation of their purposes; and fifth, such other related matters affecting consular affairs as may be assigned to the office by the Secretary of State.

The bill also would reenact three provisions of the Mutual Security Act authorizing the operation or the participation by the United States in defined programs of assistance to certain migrants and refugees, and would authorize the appropriation of funds for such programs.

In addition, the bill H.R. 10079 would authorize the appropriation of funds to assist certain refugees from Western Hemisphere countries who fled to the United States in fear of persecution, which assistance has been hitherto rendered by using the President's contingency funds for the benefit of refugees from Cuba.

Mr. Speaker, I urge the adoption of House Resolution 559.

Mr. Speaker, at this point I yield 30 minutes to the gentleman from California [Mr. SMITH].

Mr. SMITH of California. Mr Speaker, I yield myself such time as I may use.

Mr. Speaker, as stated by the gentleman from Mississippi, this is an open rule providing for the consideration of H.R. 10079, with 1 hour of general debate.

The contents of title 2 of the bill were passed last year, I believe, on the Consent Calendar. The other body added a number of amendments which were unacceptable to the House, so the matter has never been resolved. This is a further effort to try to pass into legislation several of the things which the Judiciary Committee of this body unanimously agree should be passed.

Title 2 of the bill would provide for the continuance of three programs that were in existence under the Mutual Security Act of 1953 but were not continued under the Assistance Act last year. In addition, it will provide a fourth program, which is a new program so far as Congress is concerned. These four programs I think are of interest to all of us, and I would like to mention them to you.

First, it will continue our participation in the Intergovernmental Committee on European Migration, commonly known as ICEM. The second will provide for the continuance of our participation in the United Nations High Commission for refugees. The third is a small program which the United States has been engaged in which has to do with assistance to a select category of refugees behind the Iron Curtain.

The fourth program is a new one so far as Congress is concerned and will authorize assistance in connection with the Cuban refugee program in the United States. The program has been in existence under Executive order. Funds have been provided by the Executive. This will authorize the program and permit appropriation of funds.

It is mainly for the assistance of the State of Florida that has so many people from Cuba at the present time.

No specific money is set forth in the bill. The estimates will have to be presented by the administration and subsequently considered by the appropriations bill.

Title I of the bill is new. In my opinion, this is a long overdue reorganization of the Bureau of Security and Counselor Affairs of the State Department. It will lump the new security functions and the counselor functions. It will also include a physical checkup of the establishments abroad to determine their suitability. It will provide that the head of the security unit may not be a Foreign Service officer. It is believed undesirable to have one individual investigate

another in the same service. The individual must be fully qualified, experienced, and independent of the agency.

This is a new program that is being asked for. I believe it will improve on the security checkup in the security and counselor affairs of the State Department, and will provide a continuous security check on loyalty, suitability for the positions, and so forth.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. SMITH of California. I yield to the gentleman from Iowa.

Mr. GROSS. I would like to call attention to 203(b), page 9, which gives untrammeled power to the President of the United States. I would hope that the Members before we conclude general debate on this bill will scrutinize that particular provision. The bill, in my opinion, has a great deal of merit, but I think that this is an unwarranted delegation of power, an untrammeled delegation of power, to the President. I hope this provision in the bill can be eliminated or amended in some way.

Mr. SMITH of California. I thank the gentleman.

Mr. COLMER. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ANTITRUST CIVIL PROCESS ACT

Mr. CELLER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 167), to authorize the Attorney General to compel the production of documentary evidence required in civil investigations for the enforcement of the antitrust laws, and for other purposes.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill S. 167, with Mr. PERKINS in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. CELLER. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, this bill gives authorization to the Attorney General to compel the production of documentary evidence required in civil investigations for the enforcement of antitrust laws. It is not a bill to bring about any criminal prosecutions. It is civil in nature.

To enforce the antitrust laws the Department of Justice must be able to make adequate investigation to determine the facts. The bill, I may say, relates only to corporations, partnerships, and business entities. It does not relate to persons as such.

The bill has the approval of the American Bar Association. That association has been very helpful to the members of the Committee on the Judiciary in suggesting amendments which we have, in the main, accepted.

The bill has passed the Senate on two different occasions. It passed the Senate in the 86th Congress; it passed the Senate in this Congress. It was recommended by the previous administration and it is recommended by the present administration. It was recommended by the Attorney General's National Committee To Study the Antitrust Laws.

There are four ways now existent whereby the Department of Justice can get information, documentary information, letters, writing, data, upon which they may base an antitrust suit.

First, they can ask for cooperation from the particular company involved.

Second, they can impanel a grand jury and compel the divulgence of the required information.

Third, they can ask the Federal Trade Commission to make this demand.

Incidentally, the Federal Trade Commission has the very same powers that we are asking for in this bill to be attributed to the Department of Justice.

There is a fourth method by which the information can be sought, and that is: the Department can willy-nilly start a suit, whether they have the appropriate evidence or not. To use words of common parlance, they could shoot from the hip.

Now, as to the first method, asking the business entity for cooperation, this has not worked out well at all. Business entities are loathe to disclose documents, data, letters, and papers which a department would wish to have. It is only natural that they would fail to cooperate. This cooperation from a business firm suspected of an antitrust violation, as I said, is not usually forthcoming. No one wishes to supply evidence that can subsequently be used against them. Nobody wants to dig their own grave, so that the Department of Justice has not had cooperation in that regard and cannot use properly and exclusively that method.

The second method, as I have indicated, is to impanel a grand jury. This is a practice that has been used over the years. Now, the Supreme Court of the United States has called such practice—that is, impaneling a grand jury to seek facts upon which to base a civil suit—an abuse of judicial process. And I refer to the case in which they delivered that opinion, *U.S.* v. *Procter & Gamble*, 356 U.S. 677, a case decided in 1958.

I think it is unfair also to drag a company official before a grand jury. There are criminal implications involved in a grand jury proceeding, and it is to the disadvantage, grave disadvantage, of the company upon which the demand is made. Counsel for that company does not know what questions have been asked the witnesses before a grand jury, whereas under this bill everything is in the open; it is not in camera, and the investigated company's counsel can adequately protect the rights of his clients.

So, I think it is ill advised to impanel a grand jury; and, as I have indicated, the Supreme Court of the United States has frowned upon that practice.

Mr. Chairman, the third method is to ask the Federal Trade Commission to do the work of the Department of Justice. The Federal Trade Commission, ever since the adoption of the Federal Trade Commission Act, has had the right to make a demand upon a corporation suspected for certain documents. That right has existed for many, many years, a right denied over those years to the Department of Justice.

Mr. Chairman, it is possible for the Department of Justice to make a request of the Federal Trade Commission to get these papers or documents, but that is an unworkable process. It is not effective. They are asking one set or group of men to make an investigation and then another group of men to institute a prosecution, based upon these facts.

Mr. Chairman, as has been stated by the gentleman from California [Mr. SMITH] for over 40 years that practice has not been availed of. I do not think it should be availed of because it would mean that the Department of Justice would be taking away from the Federal Trade Commission men which they need and for whom appropriations have been made to the Federal Trade Commission. The Department of Justice has no right to seek the services of any personnel whose expenses are involved in the appropriations for the Federal Trade Commission.

Mr. Chairman, the fourth method is to file a civil suit without the certainty that sufficient evidence exists and the Department would resort to a compulsory process under the Federal rules of civil practice. Again, this is unfair. The Judicial Conference of the United States, which as the Members know, is composed of the Chief Justice of the Supreme Court and the senior circuit judges of the courts of appeals, with the district judges, has indicated that for the Department to bring such a suit merely for the purpose of discovery as to whether there is a case, they claim that that is not proper and should not be indulged in by the Department. So, what is the Department going to do? All of these four methods are in a way and in a measure foreclosed to them. They come to us and say, "We would like to have this right, a right that has been accorded all these years to the Federal Trade Commission."

Mr. Chairman, it is interesting to note that not only does the Federal Trade Commission have this right of a civil investigative demand, the National Labor Relations Board has this right, the Atomic Energy Commission has this right, the Census Bureau has this right, and all regulatory bodies have this right including the CAB, the FAA—the Federal Aviation Agency—SEC, the Interstate Commerce Commission, the Federal Communications Commission, and the Federal Power Commission. In addition, we have some 17 States which in their antitrust laws give this exact power to their departments of justice. These include the States of Arizona, Hawaii, Idaho, Kansas, Louisiana, Maine, Missouri, Montana, Nebraska, New York, North Dakota, Oklahoma, South Carolina, Texas, Utah, Washington, and Wisconsin.

Mr. Chairman, in addition to those departments that I have named, the Secretary of Agriculture has that right

when it comes to commodity exchanges under the Agricultural Adjustment Act.

Also, the National Science Foundation; the Department of Labor has that when it comes to compensation for injuries to employees of the United States; the Department of the Army has that right when it concerns bridges over navigable waters. Yes, the Veterans' Administration has that right when it comes to records and investigations of a general nature.

So, since all these groups—departments, commissions, agencies, have this right, there is no reason why the Department of Justice likewise should not have it. There is every appropriate safeguard in this bill to protect the citizenry. The bill, as I said, would empower the Attorney General or the Assistant Attorney General in charge of the Antitrust Division to issue a written civil investigative demand to a company. The demand would require the company to produce documents for examination by duly designated representatives of the Department of Justice in connection with the civil antitrust investigation to determine whether the evidence warrants the filing of a civil antitrust suit.

The bill, as amended, provides every conceivable safeguard for the company to which a civil investigative demand is addressed. Many of these amendments were inserted at the suggestion of the American Bar Association. The demand must set out the nature of the conduct constituting the alleged antitrust violation and the applicable provision of the law. It must also describe the documents to be produced with such definiteness and precision and certainty as to permit the documents to be fairly identified. Privileged documents may not be demanded; existing law is expressly invoked to protect against unreasonable demands.

And at the suggestion of the American Bar Association, only "relevant" documents may be demanded.

The bill provides that the Department of Justice must come to the office of the company under investigation to inspect their company records and all judicial proceedings are to be had in the judicial district where the company maintains its principal office. In other words, the Department of Justice must come to the district where the company has its office. That is to say, Mohammed must come to the mountain.

The company which is served with a civil investigative demand has an option: It can sit tight and do nothing, refuse compliance; in which case the Department must apply to the district court where the company maintains its principal office to enforce the demand. The company, however, may also apply to the district court in any district not only where it does business, to vacate or modify the civil investigative demand, just as a party might do under rule 30(b) of the Federal Rules of Civil Procedure. In short, the company is permitted to shop around for its preferred forum. In either case the company is free to raise any objections it may have to the demand.

The reasonableness of the demand is to be determined by the same rules which are applicable to a subpena duces tecum in aid of a grand jury investigation of such an alleged antitrust violation.

The bill provides for service of the civil demand and return of service in the manner prescribed in civil cases under the Federal Rules of Civil Procedure, and the Federal rules are expressly made applicable to proceedings under the act, to the extent that they are not inconsistent.

The bill provides that the company under investigation merely make records available for inspection and copying by the Department of Justice at the company's offices. Unlike a grand jury subpena it does not authorize the Department to swoop down and carry off the company's records to Washington or to the district court.

The bill does provide for those rare, but sometimes crucial, instances where a handwritten notation on an original document cannot be adequately reproduced. In such a case, if the company is unwilling to part with the original, the Department must satisfy the district court of its need for the original.

The bill provides that the Attorney General is to designate an antitrust custodian whom the company can hold responsible for the safekeeping and return of any original documents it may be required to furnish. This is to insure that the company will know whom to go to to get back its papers within the Department.

It is worth noting that the original documents need not be supplied. Sometimes if original documents are taken from the company that impedes and interrupts the activities of the company. So that the company officials generally would need only to make copies of the records available to the Department of Justice. The company is entitled to access to its papers while in the hands of the Department and it is entitled to require their return, if the Department holds them for an unreasonable time. However, willful destruction and willful concealment or falsification of documents which are the subject of the demand make the perpetrator the subject of the penal provisions of title 18, section 1505, if done with intent to prevent compliance.

The Federal Trade Commission is very anxious that we give this power to the Department of Justice. The Department of Justice is very anxious to have this power. The bill is purely procedural and is not a substantive bill. This is particularly needed in the case of contemplated mergers. The Department presently cannot get any advance information or appreciable advance information as to contemplated mergers. This would give the Department the power to get the information and the documentary evidence so that if a merger that is contemplated is unlawful, such mergers can be prevented before they are consummated. As it is now, sometimes it is entirely too late when the Department of Justice gets the required information and the mergers have taken place and it is uneconomical to separate one of the merged companies from the other. It may be unfair to do so. In other words, you cannot unscramble eggs. This will give the Department of Justice power to prevent the scrambling of eggs which are bad. So I am inclined to believe if we pass this bill, we need not have any need to pass the Premerger Notification Act. That might be agreeable to a number of those on the other side of the aisle who oppose the Premerger Notification Act and I have indicated in the confines of the Committee on the Judiciary that if we pass this bill, I certainly would not press for passage of the Premerger Notification Act.

Premerger notification would do two things: it would require advance notice of significant mergers to the Department of Justice and it would require the production of relevant evidence by the merger parties. The Department of Justice has stated that it generally has advance information regarding significant mergers, and this bill would permit the Department to obtain relevant evidence prior to the merger, so it could go into court and get a temporary injunction restraining a proposed merger in advance before the horse is out of the barn. So the adoption of this bill may render premerger notification unnecessary.

Mr. BATTIN. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Montana.

Mr. BATTIN. I think we understand each other on this, Mr. Chairman, as we discussed it on the way over to the Chamber, but as a matter of legislative history, the bill, section 4, the antitrust document custodian, on page 8, a question arises as to a demand being made upon an individual to produce documents which could of necessity or could by their very nature raise the question of a person being required by law to give testimony against himself which could result in a criminal proceeding. Would you, for the sake of the record, explain under the bill what your understanding is as to how this might be avoided?

Mr. CELLER. This bill is limited to the production of documents, papers, and letters. But beyond that, the bill provides for the safeguards that would forfend that possibility which you mention. Section 3(c)(2) provides that no demand shall require the production of any documentary evidence which would be privileged from disclosure. No man need give testimony that would incriminate himself. So if the civil investigators make demand on an individual who happened to be a member of a partnership or an officer of a corporation, he could go to the court and say that that information might tend to incriminate him; therefore, in a proper case he would be free under the court order from divulging the information or even submitting the document if it is privileged. In other words, we provide for that kind of situation. We set up that safeguard. The individual who is served with that demand goes to court and asks the protection of the court and he would get it. But, in order to nail that down, I will say to the gentleman, in our report we will advert to that and make certain to all who may read the report that there is no

intention of forcing anybody to incriminate himself.

Mr. BATTIN. That is my understanding of the bill, and I thank the gentleman.

The CHAIRMAN. The gentleman from New York has consumed 20 minutes.

Mr. McCULLOCH. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, effective and fair enforcement of the antitrust laws requires disclosure of adequate information. To be effective, the Attorney General must have the means to uncover suspected evidence of civil antitrust violations. To be fair, the means must not unreasonably burden or penalize the business concerns being investigated.

As of this date, the Attorney General has four means of obtaining evidence of such suspected violations. He may request voluntary disclosure; he may impanel a grand jury; he may seek the assistance of the Federal Trade Commission; or he may file an action on limited information with the hope of building the record through discovery procedures. These means have been discussed in some detail by the gentleman who preceded me, so I need not elaborate upon their respective shortcomings. I need only state that in far too many instances the use of these existing means leads to ineffective enforcement of the antitrust laws or to unfair legal action against the individual.

Therefore, I urge the passage of S. 167 which shall give the Attorney General the ability to obtain documentary information through a civil process in a manner similar to that long granted the Federal Trade Commission and many other Federal agencies.

The grant of a civil process to the Attorney General does not mean, however, that he shall now be permitted to engage in fishing expeditions. Far from it. The fact that the Attorney General is the chief prosecuting officer of the Federal Government and the fact that an untrammeled right to obtain information could severely harm the rights of the individual have led the Committee on the Judiciary to strictly circumscribe the extent to which the civil process may be used.

First, a civil demand must clearly state the nature of the conduct alleged to constitute the violation and concisely describe the type of documents demanded.

Second, the use of a civil demand is restricted to situations where a concern "is or has been engaged" in an antitrust violation—not in some activity which may develop into a violation in the future.

Third, a civil demand is limited to the receipt of documentary evidence—not to the taking of oral testimony.

Fourth, a demand may only be made upon a corporation, association, partnership, or other legal entity. It cannot be used to obtain personal documents of a natural person.

Fifth, except in rare occasions, the Department of Justice may only inspect and make copies of documents. The original records of a business concern remain with the concern.

Sixth, the examination and copying of the documents requested is to be made at the principal place of business of the concern being investigated or at a place more convenient to the concern if agreed to by the Department of Justice and the concern or if a court so orders upon petition of the concern. This means that documents located at branch or subsidiary offices need not be transported to the home office.

Seventh, the bill excludes the receipt of any document which would be held unreasonable under a grand jury subpena duces tecum, or upon any constitutional or other legal right or privilege.

Eighth, the Attorney General is prohibited from turning over to any other department or agency of Government documents received under a civil demand.

Ninth, the Attorney General may only use the civil process prior to the institution of a civil or criminal proceeding and not as a supplemental trial subpena.

And tenth, the bill provides a dual method for a business concern under investigation to seek judicial review. It may elect to withhold compliance with the civil demand and object to its issuance when and if the Attorney General decides to petition a court for an order of compliance. Or, the concern may directly go into court for a court order modifying or setting aside the demand.

Some mention has been made to the effect that documents obtained by a civil demand should not be later used in a criminal proceeding. Of course, the civil process should not be used when the Attorney General clearly knows in advance that he plans to seek a criminal indictment. But, it does not seem desirable to prohibit the use of civil demand documents in a subsequent criminal proceeding.

For one, evidence obtained by civil process may compel criminal prosecution such as in a price-fixing case or where predatory practices exist.

More important, the documents alone may not be sufficient to make out a case. They will have to be used in conjunction with the examination of witnesses before a grand jury.

In addition, limiting the use of documents to civil proceedings would give immunity to a concern which has engaged in criminal behavior.

In summation, it may be seen that the committee has sought to fashion a workable tool for aiding antitrust enforcement. In so doing, however, the committee has imposed effective safeguards to insure that the tool will not be converted into a weapon.

Finally, in conclusion, I am happy to say that both the subcommittee and the full Committee on the Judiciary made substantial improving amendments to the Senate bill.

Mr. SANTANGELO. Mr. Chairman, will the gentleman yield?

Mr. McCULLOCH. I yield to the gentleman from New York.

Mr. SANTANGELO. Does the term "association" contemplate a labor union?

Mr. McCULLOCH. So far as I recall, that question was not discussed. The legislation was not aimed at labor unions. However, I would be glad if the chairman would answer that question.

Mr. CELLER. I think there is nothing in the bill that would preclude a labor union. The only one precluded is a natural person. But, I know what is in the gentleman's mind. I would say that labor unions are not within the antitrust laws. Labor unions are not presently within the antitrust laws. The bill covers only those subject to the antitrust laws. Since labor unions are not subject to antitrust law provisions, not directly subject to antitrust investigations, not subject to investigations by the Department of Justice Antitrust Division, and labor unions would not come directly under this statute whatsoever. Labor unions are unaffected. By that I mean this applies to labor unions only to the extent that the existing antitrust laws may apply. It does not by its provisions bring unions under the antitrust laws any more than they are now.

Mr. SANTANGELO. Mr. Chairman, will the gentleman yield for one further question?

Mr. McCULLOCH. I yield.

Mr. SANTANGELO. I understand, therefore, that this bill does not bring labor unions under the antitrust laws.

Mr. McCULLOCH. That was not my intention, and I do not think that that would be the result of this legislation.

Mr. LINDSAY. Mr. Chairman, will the gentleman yield?

Mr. McCULLOCH. I yield to the gentleman from New York.

Mr. LINDSAY. I think that this point is deserving of further clarification. The gentleman from New York is correct that this bill does not bring labor unions under the antitrust laws. However, as the gentleman knows, antitrust laws are presently applicable to any labor union which is engaged in a conspiracy in restraint of trade in which management or a company is a party. Under those special circumstances labor unions can be covered by the conspiracy section of the Sherman Antitrust Act, and to that extent labor unions would be covered by the word "association" in this proposed bill.

Mr. McCULLOCH. I thank the gentleman for his contribution.

Mr. ROOSEVELT. Mr. Chairman, will the gentleman yield?

Mr. McCULLOCH. I yield to the gentleman from California.

Mr. ROOSEVELT. The distinguished gentleman is not only a distinguished member of the Committee on the Judiciary but also of the House Small Business Committee. May I not inquire whether he would agree that this measure would be also of considerable help to the position of small business concerns in maintaining the position of fair competition under the Clayton Act which, perhaps, by themselves they today are not able to do?

Mr. McCULLOCH. Yes. It is my opinion that this legislation will be helpful not only in that field but in many fields in the industrial activity of this Nation.

Mr. ROOSEVELT. I thank the gentleman.

Mr. CELLER. Mr. Chairman, I yield 5 minutes to the gentleman from Colorado [Mr. ROGERS].

Mr. ROGERS of Colorado. Mr. Chairman, I rise in support of S. 167.

This legislation would empower the Attorney General or the Assistant Attorney General in charge of the Antitrust Division to issue a written civil investigative demand to a corporation, association, or partnership. The demand would require the entity on which it is served to produce documents for examination by duly designated representatives of the Department of Justice in connection with a civil antitrust investigation, instituted to determine whether the evidence warrants the filing of a civil antitrust suit.

Mr. Chairman, this bill provides many safeguards to the recipients of a civil demand. In both civil and criminal cases the courts have required the documents requested to be described in enough detail to facilitate compliance. Under the provisions of this bill the demand having been made to the corporation, they must then produce the document to be delivered to an individual designated by the Attorney General or the Assistant Attorney General for the purpose of having the same copied. After it has been copied, it must then be returned—that is to say, the original—to the corporation, association, or partnership.

Mr. Chairman, this written demand must be issued in exact form and must be delivered to the main office of a corporation. If the document is there, it may be produced and copies taken there at that point and returned to the corporation, association or partnership at that time.

Mr. SMITH of Virginia. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Colorado. I yield to the gentleman from Virginia.

Mr. SMITH of Virginia. As the gentleman from Colorado knows, and he appeared before the Rules Committee in behalf of the rule for this bill, I had some misgivings about it and thought there were some ambiguities in it. I was particularly disturbed about the possibility that the Department of Justice would be authorized to take the original papers away and that the papers might have to be delivered at inconvenient spots for inspection.

Mr. Chairman, I have discussed the matter with the gentleman from Colorado [Mr. ROGERS] and the gentleman very kindly has written me a letter. I think the statements made here this morning have shown the legislative intent. I just wanted to say to the gentleman that it is a relief of my mind from this apprehension about the bill. I am entirely willing to go along with it in its present form.

Mr. ROGERS of Colorado. I thank the gentleman, because he was kind enough to discuss the matter with me prior to the time it was taken up with the Rules Committee, and after. The gentleman from Virginia [Mr. SMITH] wanted to know definitely that no one would be permitted to harass corporations, associations, or partnerships by making them produce documents throughout the United States. I assured the gentleman from Virginia that protection is given here not only to that feature of the matter but there must be a reproduction of the document and it returned to the entity from which it was received. Then, if there should be any ambiguity in the civil demands that may be delivered, we provide a method whereby the individual may go to court and point out the ambiguity and the Department would be restrained.

Mr. SMITH of Virginia. Mr. Chairman, will the gentleman yield further?

Mr. ROGERS of Colorado. I am delighted to yield further to the gentleman from Virginia.

Mr. SMITH of Virginia. It is my understanding and it is now perfectly clear from the debate as well as the bill that the Department of Justice cannot take original papers away from a corporation, association, or partnership.

Mr. ROGERS of Colorado. The gentleman is correct.

Mr. WHITENER. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Colorado. I yield to the gentleman from North Carolina.

Mr. WHITENER. Mr. Chairman, I would like to ask the gentleman from Colorado, since he mentioned safeguards for the recipients of the civil demands, if he would tell the Members of the House what safeguards the legislation contains with reference to a subsequent criminal indictment and the subsequent use of information which the Government procures under this civil demand in a criminal case?

Mr. ROGERS of Colorado. As the gentleman recognizes and knows, the demand to be made here is against a corporation, association, or partnership. Now if there is anything which is privileged in connection with the matter and which the Government is not entitled to receive, they have ample protection to go to court and say, "This is privileged and hence it will never be delivered," if they can prove that it is a privileged matter.

Mr. WHITENER. The gentleman is overlooking the fact that under this procedure the Attorney General would be in doubt as to whether he even had a civil case; otherwise he would not need to use this civil demand, would he? Is that right or not?

Mr. ROGERS of Colorado. Ordinarily that would be correct, but if he has evidence that there has been a crime committed or that he is going to proceed in a prosecution, all he has to do is go to the grand jury and get the necessary books and documents without having to resort to this procedure.

Mr. WHITENER. But if the Attorney General is in doubt as to whether or not he has sufficient evidence to proceed civilly, to be sure he would not have any information of a criminal violation—supposing a civil inquiry where the Attorney General is contemplating bringing a civil action if this voyage of discovery reveals a basis for it, now the picture presents itself as one where criminal proceedings might be instituted.

The gentleman has mentioned something about constitutional immunity. I am sure the gentleman is well aware of the fact that the courts have universally held that once one has waived a constitutional privilege it is waived permanently. What protection is there in here for this firm or individual who has unintentionally made this waiver?

Mr. ROGERS of Colorado. The question of the waiver of self-incrimination is not contemplated. We cannot nor can the Attorney General nor can all the thousands of lawyers throughout the United States anticipate whether a man through some inadvertence has waived his constitutional rights. All this legislation says is that as to a corporation or association or a partnership, if they have certain papers which the Department wants to inspect to determine whether or not there has been a violation of the antitrust law, they may deliver those papers to an individual designated by the Attorney General and this person will make a copy of such papers.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Colorado. I yield to the gentleman from New York.

Mr. CELLER. First, the gentleman is aware that there is no privilege of the type indicated that resides in a corporation. It does not even reside in a partnership.

Mr. WHITENER. But it does reside in the members of the partnership and the officers of the corporation as individuals, does it not?

Mr. ROGERS of Colorado. This is for the production of the papers of the partnership, not of the individual. We have gone overboard, so to speak, to say that the individuals do not have to deliver personal papers and they are not even required to disclose them, hence the argument extended in that direction just does not apply.

Mr. WHITENER. The gentleman is a distinguished lawyer with years of practical experience, and I will ask him, based on that practical experience and his vast knowledge of the law, if he would not say here today that it is a very unusual situation to have discovery proceedings available to a litigant or a person or a government where no proceeding is even pending; in other words, a prelitigation discovery arrangement is created by this legislation.

Mr. ROGERS of Colorado. May I say to the gentleman from North Carolina that he is familiar with the rules of civil procedure and the rules that govern when a civil suit is filed. Many times we may file a lawsuit; we may not have all the facts and the evidence necessary to proceed to final conclusion. Hence we do it with the discovery procedure, make a demand on the defendant and get the evidence demanded in that lawsuit.

The objective of this legislation is to make it unnecessary for the Attorney General to file a frivolous lawsuit. If he can make an investigation and make the demand, and he receives the documents, it is not necessary to file a lawsuit and he does not have to file a lawsuit, if the evidence does not warrant suit. That is

the only objective. If he wanted to go ahead and file a lawsuit, he could do so and then start on a fishing expedition in the court on record where the public and everybody knows that he is trying to prosecute somebody when he may not have the evidence.

Mr. MULTER. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Colorado. I yield to the gentleman from New York.

Mr. MULTER. I think we ought to have clearly in mind here that there is nothing new so far as the question of immunity is concerned that is being introduced into the law by virtue of this bill. Under the situation, as it exists today, if you or I or any other lawyer issued a subpena, and the person who is subpenaed did not want to comply because of privilege or because he wanted immunity, when the person answers the subpena, if he pleaded that immunity or claimed that immunity, the same thing would apply; is that not so?

Mr. ROGERS of Colorado. In that case, they can go to the Federal court and set it forth and the court would not direct them to produce the documents.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CELLER. Mr. Chairman, I yield the gentleman 2 additional minutes, and trust that the gentleman will yield so that I may reply to the gentleman from North Carolina.

Mr. ROGERS of Colorado. I yield to the gentleman from New York.

Mr. CELLER. In the case of *U.S.* v. *Onassis*, 125 Federal Supplement 190, a criminal case, and in *United States* v. *Onassis*, 133 Federal Supplement 327, a civil case, it was held that as to partnership business records and papers there is no privilege against incrimination.

Mr. ROGERS of Texas. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Colorado. I yield to the gentleman from Texas.

Mr. ROGERS of Texas. As I understand the bill, as it has been explained, if the Attorney General makes the request for the documents or papers and the person from whom he seeks to get these documents or papers refuses to deliver them, then this bill provides a method by which the Attorney General can petition a court to force him to give those documents over.

Mr. ROGERS of Colorado. That is right; and further, if the individual is dissatisfied with the determination, he can within the 20-day period petition the court and enjoin the Attorney General.

Mr. ROGERS of Texas. Yes, he could do that under any circumstances through an injunctive proceeding and as proposed in this legislation. But the point I am getting at is this—suppose the Attorney General does not want to do that. I want the record here to show that this bill is not intended as a vehicle for the Attorney General simply to get the refusal on the part of a company and then to undertake to prosecute that company under the criminal laws for undertaking to evade or avoid delivery of this information to the Attorney General. Am I correct in that statement?

Mr. ROGERS of Colorado. Of course, I am pointing out to the gentleman that we do provide a criminal penalty. On page 6 of the report, we have set out in accordance with the Ramseyer rule the changes proposed in the legislation, and for willful destruction of documents to evade compliance a person could be prosecuted.

Mr. ROGERS of Texas. The point is this, however, if the gentleman will permit me: If the Attorney General makes the request and the person of whom the request is made refuses to deliver the documents or papers and says, "I just simply will not comply with the request," is it the intention of the Committee on the Judiciary in reporting this bill favorably to say that the Attorney General then must seek the petition in the Federal courts or he has an alternative of simply saying, "If you do not deliver them, I will proceed against you under the criminal law"?

Mr. ROGERS of Colorado. It is our intention, first of all, he should then proceed in court. That is No. 1. Then, in order for a person to be guilty of a crime for failure to deliver—let me read you the words:

> Whoever with intent to avoid, evade, prevent or obstruct compliance in whole or in part.

Mr. ROGERS of Texas. I understand that, but the difference there is that you say, "Whoever is guilty of a crime." You do not have to be guilty of a crime to be charged with a crime. The point I am talking about is, Does this bill provide a vehicle by which the Attorney General could proceed under the criminal law?

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Colorado. I yield to the gentleman from New York.

Mr. CELLER. I will say to the gentleman from Texas propounding the question, that if a person upon whom the demand is made persists in his refusal, the Attorney General goes to court and asks the court for an order compelling him to give the documents. If he still refuses, then he is subject to contempt.

Mr. ROGERS of Texas. Yes, but the point is, Is it the intention under this bill that the Attorney General go to court in compliance with the terms of this bill rather than to proceed under the criminal law?

Mr. CELLER. The gentleman is absolutely right.

Mr. ROGERS of Texas. I thank my colleague. I wanted the record to show that.

The CHAIRMAN. The time of the gentleman has expired.

Mr. McCULLOCH. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. LINDSAY].

Mr. LINDSAY. Mr. Chairman, in 1955 the then Attorney General put together a committee known as the Attorney General's National Committee To Study the Antitrust Laws. There were represented on that committee members of the bar from the country over, leading experts in the field of antitrust law, men who had spent their lives in that field. One of the recommendations made by that committee was the proposal contained in this bill.

Thereafter the Attorney General, Mr. Brownell, drafted the bill and submitted it to the Congress. It was supported by the American Bar Association and has been supported by other bar associations. I would like to mention especially the Association of the Bar of the city of New York, which traditionally has taken a leadership position in matters of this kind. Subsequently the bill was also endorsed by the present Attorney General.

One of the areas that troubled the Attorney General's Committee on the Antitrust Laws and that troubled all lawyers has been the practice of the Antitrust Division of the Department of Justice to convene grand juries in order to discover whether or not the Government has sufficient evidence to bring a case, whether it be a civil case or a criminal case. The Government was driven to this device because of the absence of some kind of discovery procedure. This has meant that in some instances it has been difficult to bring a case that should have been brought in the public interest or, for worse, a frivolous case is begun which a proper investigation would have shown to be frivolous in advance. It became the practice of the Federal Government, therefore, to convene grand juries knowing that it could then get access to documentary material. In other words, the Government has been forced to bring indictments when civil route was preferable.

As we know, any time an indictment is handed down there is usually a companion civil case. The Supreme Court has indicated that if it could be shown that a grand jury had been convened solely for the purpose of obtaining evidence, with no intention of bringing a criminal indictment. The use of that procedure to produce documents would be invalid. The problem is, however, that it is almost impossible to prove that the Government never originally intended to bring a criminal case.

It is consistent with modern judicial practice to allow a greater degree of discovery in civil disputes. It seems highly desirable also to put an end to the practice of bringing together grand juries in order to obtain documents that are not necessary in order to discover whether a business operation has invaded the antitrust field.

The civil investigative demand, then, has been the result of careful legal thinking in the United States for some years. Having made the proposal, however, the problem then became to surround it with sufficient safeguards so that the civil investigative demand would be entitled to the same safeguards that documents produced before a grand jury are entitled to. Documents given to a grand jury in preindictment stages are sacrosanct. You cannot look at them, no committee of Congress can look at them, no outsider can look at them, no competitor can look at them.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. McCULLOCH. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. LINDSAY. I thank the gentleman.

So the problem then was to surround this procedure with the same safeguards with which grand jury procedures are surrounded. No competitor may examine such documents, no outsider may examine them; in fact, in the grand jury process, the only persons who can see produced documentary material are the members of the grand jury, and the Department of Justice.

In this bill we have warded off efforts to invade the confidential nature of this production. We have not permitted committees of Congress to have access to such documents. Based on my amendment in the committee, the committee removed "other antitrust agencies" from the bill's coverage. As it now reads, no agency other than the Department of Justice may have access to documents produced under this procedure.

It should be eminently clear to everyone that no documents will be available to any competitor of any organization that is under scrutiny. That point must be made, because the argument has been made in the past that this is an unfair process that will open up the books to a firm's competitors, to Federal or State tax officials, to other agencies, and so on. None of this is possible in the bill as drafted. It has the same safeguards as do the present procedures that surround the grand jury process.

Those who are disturbed about overuse of the antitrust laws can be assured that, if anything, this will lead to the administration of the antitrust laws more by civil process than by criminal process. As I mentioned a moment ago, when the Government has been forced to use the grand jury process in order to obtain access to documents, the tendency has been, I fear too often, to bring an indictment and use the criminal process when probably civil processes would have served the public interest just as well.

For these reasons, Mr. Chairman, I support the bill. The committee has exercised care and wisdom in seeing to it that it has been pinpointed and narrowed in its application. The bill will further the administration of the antitrust laws, and it may mark a new trend in the administration of antitrust laws toward civil rather than criminal prosecutions.

Mr. CELLER. Mr. Chairman, I yield such time as he may desire to the gentleman from Texas [Mr. PATMAN].

Mr. PATMAN. Mr. Chairman, S. 167, entitled "Antitrust Civil Process Act," is an important bill which would greatly implement the efficiency of antitrust enforcement. This is a nonpartisan bill, one sponsored by both the preceding Republican administration and the current Democratic administration. The only partisanship involved is that the bill is sponsored by the people who are partial to effective antitrust enforcement.

THE NEED FOR S. 167

It is a curious fact that the Department of Justice at present has no specific powers to collect data and information prior to filing an antitrust case except by calling a grand jury. Yet the antitrust laws contain civil as well as criminal provisions, and a great proportion of the actions filed are civil in character.

This means that, as a practical matter, to collect information regarding a possible violation of the antitrust laws the Antitrust Division must rely upon voluntary compliance, or go to a grand jury.

GRAND JURY POWERS SHOULD BE LIMITED TO CRIMINAL ACTIONS

It is widely recognized that grand jury authority should be limited to investigations likely to result in criminal indictments. As the report accompanying the bill notes, it is an abuse of process to proceed through the grand jury where there is no intention to bring a criminal suit. Resort to the grand jury is a drastic method of investigation, in which neither the prospective defendant nor his attorneys can know what evidence has been laid before the grand jury. The American Bar Association has strongly opposed the use of grand jury proceedings to obtain information upon which to base a civil proceeding.

Thus, S. 167, in providing the Department with civil authority actually works in behalf of prospective defendants in that, first, it removes the potentiality of a miscarriage wherein the grand jury is used to secure information upon which to base a civil proceeding; and second, it removes the temptation for a criminal case to be brought where a civil case would be more appropriate.

CERTAIN ANTITRUST LAWS CAN ONLY BE ENFORCED CIVILLY

One of the most significant areas of antitrust activity during the past decade has been antimerger actions. This has been made possible by the amendment to section 7 of the Clayton Act embodied in the Celler-Kefauver Act. This has proved a very effective instrument in forestalling undue increases in concentration of economic power and has done much to preserve a competitive framework in many of our basic industries.

Section 7 of the Clayton Act, however, can only be enforced civilly. Thus in an area of antitrust enforcement where comprehensive market investigation is essential, the Division has no power to collect information prior to filing a complaint.

VOLUNTARY PROCEDURES SET UP A GRESHAM'S LAW WHEREIN THOSE WHO COOPERATE ARE PENALIZED IN FAVOR OF THOSE WHO DO NOT COOPERATE

The question may well be asked, How is it that the Antitrust Division has been able to bring so many antimerger cases without civil demand authority? The answer is that fortunately many business people have been willing to cooperate with their Government and supply information as to the competitive characteristics of the industries which might be affected by a merger which they contemplate. However, as the report points out:

> Some companies will fully cooperate under such circumstances, but others will not. At the public hearings before the Antitrust Subcommittee of the Committee on the Judiciary on August 28, 1961, the Attorney General furnished the subcommittee with a large number of instances where such cooperation was not forthcoming. In some instances this caused a complete frustration of the investigation. This method of investigation is unsatisfactory, since it leaves the public interest in the enforcement of the antitrust laws subject to the will of those who violate the laws.

It is clearly unfair to those public-spirited business firms who are willing to cooperate in supplying information to the Antitrust Division to be penalized in favor of those who refuse to cooperate. It is only reasonable to expect that as time goes on fewer and fewer prospective defendants will be willing voluntarily to submit information. S. 167 would bring about equal treatment, so that the uncooperative would not stand to benefit.

S. 167 WOULD ENABLE ANTITRUST DIVISION TO DEVELOP FACTUAL PICTURE BEFORE FILING COMPLAINTS

Most important of all, it is essential that the Antitrust Division be more informed as to the facts in any given situation before filing a complaint. Certainly no one would think it wise for the Division to file a complaint in order to get facts to determine whether a violation of the antitrust laws has occurred.

OTHER AGENCIES HAVE AUTHORITY TO PROCURE DOCUMENTS

It is strange indeed, that the Department of Justice, the primary enforcer of the antitrust laws, alone lacks authority to procure documents for investigative purposes. The Federal Trade Commission has such power, as do the Department of Agriculture, the Department of the Army, the Department of Labor, the Federal Maritime Commission, Treasury Department, National Science Foundation, and the Veterans' Administration; moreover, more than 15 States have expressly granted such authority in connection with antitrust investigations.

S. 167 CONTAINS AMPLE SAFEGUARDS

The Antitrust Civil Process Act contains many important safeguards, and could in no way be used for fishing expeditions. This legislation requires that the documents requested be described in enough detail to facilitate compliance. As the report points out:

> The demand must set out the nature of the conduct constituting the alleged antitrust violation which is under investigation and the applicable provision of law. It must also describe the classes of documents to be produced with such definiteness and certainty as to permit such material to be fairly identified. Privileged documents may not be demanded, and existing law is expressly invoked to protect against unreasonable demands.
>
> The Department must apply to the district court where the recipient does business to enforce the demand if the recipient does not comply with it. The recipient may also apply to the court to vacate or modify the civil investigative demand. The reasonableness of the demand would be determined upon the same test as the reasonableness of a subpena duces tecum issued by a court of the United States in aid of a grand jury investigation of such alleged antitrust violations.
>
> The proposed legislation provides for service of the civil demand and return of service similar to the provisions for service of complaints in civil cases under the Federal Rules of Civil Procedure.
>
> Copies of documents may be made but originals may be substituted therefor.

In short, prospective antitrust defendants are protected against any investigative abuses under the Antitrust Civil Process Act, and at the same time would be reassured that unwarranted criminal suits would not be filed where civil cases would be more appropriate.

S. 167 is a good bill and should have our wholehearted support.

Mr. McCULLOCH. Mr. Chairman, I yield 10 minutes to the gentleman from Michigan [Mr. MEADER].

Mr. MEADER. Mr. Chairman, this bill unquestionably would vest greater authority in the Attorney General and the Department of Justice than they now possess.

This is one of a series of bills in which the Justice Department has requested the Committee on the Judiciary of the House of Representatives to grant them more power and more authority.

The effect of this bill is to give subpena power to the chief law enforcement officer of the United States.

Frankly, I sat through the hearings on this measure and I was not satisfied that a case had been made showing the necessity for this additional grant of authority to the Department of Justice.

I would like to call the attention of the committee to the colloquy with Mr. James McI. Henderson, General Counsel of the Federal Trade Commission, accompanied by Mr. Sherman Hill, assistant to the General Counsel of the Federal Trade Commission, on page 57 and following of the committee hearings.

I asked the Counsel of the Federal Trade Commission whether it was not true that under existing law the Attorney General could call upon the Federal Trade Commission to undertake an investigation under its existing authority of possible violations of the antitrust laws and make the resulting evidence available to the Department of Justice. He seemed to be in some doubt about the matter, but on page 59, as you will notice, our counsel, Mr. Maletz, quoted section 6 of the Federal Trade Commission, which in relevant part provides as follows:

> That the Commission shall also have power, upon the application of the Attorney General, to investigate and make recommendations for the readjustment of the business of any corporation alleged to be violating the antitrust acts in order that the corporation may thereafter maintain its organization, management, and conduct of business in accordance with law.

Mr. Maletz proceeded to obtain the admission of the General Counsel for the Federal Trade Commission that that section did empower the Federal Trade Commission upon the application of the Attorney General to conduct such an investigation. The head of the Antitrust Divison of the Justice Department, Judge Loevinger, recognized the existence of this authority but asserted that it was administratively unworkable.

Where I quarrel with the recommended grant of authority is this: You presently have two agencies, the Federal Trade Commission, an independent regulatory Commission, and the Justice Department, a Department of the Government in the executive branch of the Government, both with authority to enforce the antitrust laws. And, I raised the question that if they both were investigating the same company, seeking the same evidence, would they not be in competition with each other, and might it not be more orderly for the Justice Department to exercise the authority contained in the Federal Trade Commission Act to ask that the information be obtained by the Federal Trade Commission.

Then the witnesses asserted that they have liaison procedures which would avoid any such duplication, conflict, and interference.

But both the Federal Trade Commission General Counsel and the head for the Antitrust Division of the Justice Department indicated that existing procedures and authority have never been tried.

It seems to me it would have been in order for them to have demonstrated first that existing law and powers are inadequate. Existing sanctions for the production of information should have been tried before they come in here and ask us to give to the Attorney General, the chief law enforcement officer of the United States in the executive branch of the Government, the same subpena power we have given to the regulatory commissions and boards.

These administrative tribunals, as we all know, are unusual creatures outside the executive branch of the Government in which we have combined legislative, judicial, and administrative powers and have erected certain safeguards to avoid the abuse of that extraordinary power.

In other words, I believe a case has not been made for this request for more authority.

But my primary concern is with the facility with which the Department of Justice has come to our House Judiciary Committee asking for one additional grant of authority after another. I am more disturbed that our House Judiciary Committee has been extremely generous in granting those requests.

Mr. Chairman, I point out that in the 1st session of the 87th Congress we passed eight bills at the request of the Department of Justice which have already become public law, and when we return to the House, I shall ask permission to insert a list of these laws in the body of my remarks.

Mr. Chairman, I point out that in addition, in the last session, the House of Representatives passed five other bills which are now pending in the other body and on which no action yet has been taken.

But, that is not the end. The gentleman from New York, the distinguished chairman of the Judiciary Committee, Mr CELLER, mentioned that he thought he would not press for the premerger notification bill which has been requested, but we have other bills on which action may or may not be taken.

We have pending before our committee now a bill to elevate the investigations of the FBI, the Narcotics Bureau, and the Internal Revenue Service with respect to certain criminal offenses to the same stature as a court with respect to intimidating witnesses.

Mr. Chairman, we also have pending before our committee a bill to grant immunity to witnesses, thought to be an additional tool for law enforcement.

Members of the House may recall that last year our committee reported out, at the request of the Department of Justice, a bill to give the Attorney General the authority to fix salaries within his Department. The House in its judgment saw fit to reject that particular bill.

I wonder if we have not been too generous in the Congress in granting additional power to the law enforcement agencies of this country.

I, myself, have been a law enforcement officer, a prosecuting attorney, and I myself having been an investigator and am sympathetic with the problems of the agencies charged with enforcing the laws of the United States. But I must say also that every time you give them another tool or another weapon and more power, you are doing so at the expense of the citizens of this country.

At this point I insert a list of the laws and bills I referred to:

LAWS PASSED DURING 1ST SESSION OF 87TH CONGRESS AMENDING TITLE 18 (CRIMES AND CRIMINAL PROCEDURE) OF UNITED STATES CODE

Public Law 87-338—Amending section 35 of title 18—(conveying of false information concerning the doing of any act violating those chapters of title 18 dealing with aircraft, shipping, and railroads).

Public Law 87-368—Amending section 1073 of title 18—(flight to avoid prosecution or giving testimony).

Public Law 87-216—Amending chapter 50 of title 18—(transmission of bets, wagers, and related information).

Public Law 87-218—Amending chapter 61 of title 18—(to provide means for the Federal Government to combat interstate crime and to assist the States in the enforcement of their criminal laws by prohibiting the interstate transportation of wagering paraphernalia).

Public Law 87-306—Amending section 1362 of title 18—(to further protect the internal security of the United States by providing penalties for malicious damage to communication lines, stations, and systems).

Public Law 87-228—Amending chapter 95 of title 18—(to prohibit travel or transportation in interstate commerce in aid of racketeering enterprises).

Public Law 87-371—Amending chapter 113 of title 18—(to prohibit transportation of fraudulent State tax stamps in interstate and foreign commerce).

Public Law 87-336—Amending section 5021 of title 18—(Federal Youth Corrections Act).

BILLS PASSED BY HOUSE IN 1ST SESSION OF 87TH CONGRESS AND PENDING IN SENATE CONCERNING AMENDMENTS TO TITLE 18 (CRIMES AND CRIMINAL PROCEDURE) OF THE UNITED STATES CODE

H.R. 3247—Amending section 2385 of title 18—(defining the term "organize" as used in section which concerns "Advocating Overthrow of Government").

H.R. 6691—Amending sections 871 and 3056 of title 18—(providing penalties for threats against the successors to the Presidency and to authorize their protection by the Secret Service).

H.R. 8140—Amending various chapters of title 18—(to strengthen the criminal laws relating to bribery, graft, and conflict of interest).

H.R. 7037—Amending section 3238 of title 18—(providing for offenses not committed in any district).

H.R. 8038—Amending section 491 of title 18—(prohibiting certain acts involving the use of tokens, slugs, disks, devices, papers, or other things which are similar in size

and shape to the lawful coins or other currency of the United States).

Mr. Chairman, we must maintain a proper balance and not make enforcement and regulatory agencies so powerful that they can abuse our citizens by running roughshod over their proper individual rights and using the authority we vest in them to harass and punish rather than to carry out a public policy.

Mr. Chairman, I am saying this to give notice that as far as I am concerned we should go slow in building up huge powers in the executive branch of the Government, including the Department of Justice.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. MEADER. Mr. Chairman, I yield myself 1 additional minute.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. MEADER. I yield to the gentleman from Colorado.

Mr. ROGERS of Colorado. Mr. Chairman, I would like to direct the gentleman's attention to page 4 of the report which states as follows:

(3) Finally, under 15 U.S.C. 46, the Federal Trade Commission has the power, upon application of the Attorney General, to make investigations. But this power is a limited one. It applies only with respect to corporations (whereas the present bill also applies to partnerships and associations), and its scope is not clear. It has never been used. It is uncertain, moreover, as to whether the Commission is under an obligation to make such investigations. Both the head of the Antitrust Division and the Chairman of the Federal Trade Commission regard it as unworkable because of the inability of the Department's attorneys to maintain control of such investigation on the one hand, and the drain on the Commission's budget and its manpower resources on the other hand.

Will not the gentleman agree that the chief enforcing officer of the United States is the Attorney General and that ordinarily the Attorney General is the chief prosecuting officer in all criminal cases as well as the chief officer in civil cases, particularly as it relates to antitrust violations. The gentleman will agree with that premise, will he not?

Mr. MEADER. Yes; but I would like to answer the gentleman's statement regarding the report on page 4. He said essentially that the power exists, but it has not been used. They say it is unworkable, but they have not tried it. Why do they not try it before they come in here and ask us to grant additional power to the executive branch of the Government, to an executive department of the Government, not a regulatory commission?

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield further?

Mr. MEADER. I yield further.

Mr. ROGERS of Colorado. Certainly the prosecutor, who would be the Attorney General, should not be limited to any action of the Federal Trade Commission or inaction of the Federal Trade Commission. The fact that the Federal Trade Commission has been in existence since 1914 and that all of the Attorneys General have not cooperated, as the gentleman indicated by his argument, is no argument as to why the present Attorney General or future Attorneys General should not have the authority to proceed with proper civil investigations to determine whether or not to institute a suit for violation of the law which he is empowered to enforce. I do not follow the reasoning when you give to the Attorney General the direction to enforce all of the antitrust laws and then you are hesitant to give him at least the right to go in and ask a suspected violator, especially an association, a corporation or partnership, for inspection of documents necessary for him to enforce those laws.

The CHAIRMAN. The time of the gentleman from Michigan [Mr. MEADER], has again expired.

Mr. McCULLOCH. Mr. Chairman, I yield the gentleman 3 additional minutes.

Mr. MEADER. Mr. Chairman, the point I was trying to make, which apparently I did not make it clear, and I would like to make it crystal clear, is that no case has been made for this request for extra power.

The gentleman from Colorado pointed out that the report conceded that information as to violation of the antitrust laws could now be obtained by the Department of Justice through a request made to the Federal Trade Commission. The report also points out that both the Department of Justice and the Federal Trade Commission witnesses have said that that power has not been exercised; and yet they say it is unworkable.

I say that the way to prove something is unworkable is to try it. Until the Department of Justice has tried the existing mechanism, which has been admitted by everybody to exist, and has shown that it does not accomplish the results, it seems to me they are in a poor position to come in here and say that there is a strong case for granting extra power.

Mr. CELLER. Mr. Chairman, I yield myself 1 minute to reply to the gentleman from Michigan [Mr. MEADER]; namely, that the Federal Trade Commission facilities should be used to ferret out information on which the Department of Justice can take action. If the Department of Justice has that right it would then be in a position of diverting funds and personnel from the Federal Trade Commission. It would divert agents of the Federal Trade Commission from pursuing Federal Trade Commission suits. It would be most awkward and most cumbersome to have one group, the Federal Trade Commission, making investigations and then have another group, the Department of Justice, taking over the case and building up an actual proceeding by way of antitrust. It has never been done before and it should not be done. That is why over 40 years it has not been done and we should not start the practice now; because if we do it as between the Federal Trade Commission and the Department of Justice, then, the Department of Agriculture would do the same thing, and the Department of Labor and there would be no division of appropriations; there would be diversion of appropriations from one department to another.

Mr. McCULLOCH. Mr. Chairman, I yield 8 minutes to the gentleman from Minnesota [Mr. MACGREGOR].

Mr. MACGREGOR. Mr. Chairman, and members of the Committee, I have some serious reservations about this legislation which I have expressed as a member of the committee. They touch upon some of the points mentioned by the distinguished gentleman from North Carolina [Mr. WHITENER] and the distinguished gentleman from Michigan [Mr. MEADER]. We have seen in this session of the Congress, my only session, legislation after legislation which seeks to shift from the hands of the elected representatives of the people of this country into the hands of the executive branch of the Government more and more authority and responsibility. This particular proposal seeks to shift into the hands of the executive, authority and responsibility traditionally reserved to the judiciary. I have general reservations about the merits of this legislation; it would shift to a prospective defendant the burden of going forward in a court action by giving the right to the Attorney General to issue a civil investigative demand, and would then require a responsible defendant to come into court saying that this demand is improper. However, the purpose of my present remarks is to rectify a specific defect in the legislation.

I call your attention to line 11 on page 4 of the bill. The legislation, as drawn and submitted to this committee, proposes to give to the Attorney General, and more specifically to the Assistant Attorney General in charge of the Antitrust Division, a right to serve a civil investigative demand not just on a corporation, association or partnership under investigation but to serve a demand on any person and that means to any prospective witness as well as to any company under investigation—a grant of authority very broad, indeed. I do not suggest that this Attorney General or, perhaps, any Attorney General or his assistants would abuse this tremendous grant of authority but I think we should concern ourselves with the possibilities of its abuse rather than with the prospects and probabilities of its proper exercise.

Much has been said about the need to avoid an unlimited fishing expedition. Much has also been said about the recommendations of the American Bar Association; a careful reading of the hearings, and of the testimony of Mr. William Simon appearing on behalf of the American Bar Association, will clearly show the recommendation of the ABA that this power, the power to draft and serve these civil investigative demands, be limited to companies under investigation. The ABA position, given in testimony on pages 79 and 80 of the hearings, expresses the strong feeling that this power, if granted, should be limited in scope and should extend only to those companies which are under investigation.

Thus, Mr. Chairman, at the appropriate time I will move to amend the bill at this point—on page 4, line 11, so as to insert after the word "person" the words "under investigation." This would

be a legitimate and proper restraint on the exercise of newly given power. If future experience demonstrates, should this legislation pass, that a broader grant of power is necessary, this body can always, acting in its wisdom, grant that power.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. MACGREGOR. I yield to the distinguished gentleman from Colorado.

Mr. ROGERS of Colorado. The gentleman has made reference to section 3(a) appearing on page 4, line 11, to which he said he would offer an amendment. I direct the gentleman's attention to the same page, line 17, where it states:

(b) Each such demand shall—

(1) state the nature of the conduct constituting the alleged antitrust violation which is under investigation and the provision of law applicable thereto;

Does not the gentleman think that that meets the requirement that the man who is served with this demand knows what is wanted of him? How much more do you think we should put in here?

Mr. MACGREGOR. May I answer the gentleman's question?

Mr. ROGERS of Colorado. Yes.

Mr. MACGREGOR. Perhaps I did not make myself clear. My principal complaint is not directed to lack of information to be given to a company under investigation, but, rather, to the extension of the power to demand documents from innocent third parties, to allow a civil investigator demand to be served on any person, company, or prospective witness. This would permit an unlimited fishing expedition.

Mr. ROGERS of Colorado. If the gentleman will yield further, may I point out to the gentleman that if a civil investigative demand were made on any person under the provisions of this section he can go to court. Very often by the serving of one man, one person, one corporation, or one partnership, you would find you could not establish a case except by going to another corporation which has had correspondence with the corporation that has violated the law.

Mr. MACGREGOR. The point raised by the distinguished gentleman from Colorado is very adequately covered on pages 79 and 80 of the hearings, in the testimony given by Mr. Simon, where he says:

Clearly that would be a case of both of them being under investigation.

The more difficult problem is, in the case you pose, if he also wanted a document from Joe's Hardware Store, and the question is, Who is he?

He is clearly just a witness who would have nothing to do with the problem. I would say the more difficult question is whether the Attorney General should have the power to issue a subpena against Joe's Hardware Store.

And then over on page 80, Mr. Maletz, chief counsel of the subcommittee, said:

And this bill presently would make no distinction between a prospective witness and a company under investigation?

Mr. SIMON. That is correct.

I believe that answers the gentleman's question.

It is the very fact that this bill would make no distinction between a prospective witness and a company, association, or partnership under investigation—it is to that lack of distinction that my objection is directed.

Mr. ROGERS of Colorado. The gentleman will recall that Mr. Simon admits that the Attorney General can go beyond the company being investigated.

Mr. MACGREGOR. I am making no admission; but only calling attention to what Mr. Simon stated in the committee hearing.

Mr. ROGERS of Colorado. But ultimately that is the only conclusion that can be drawn because here he is opening the case, rather, expanding it beyond the one corporation that has violated the law.

Mr. CELLER. Mr. Chairman, I yield myself 2 minutes. I want to answer the remarks of the gentleman from Minnesota. He quotes Mr. Simon. I ask the gentleman to look at page 80 of Mr. Simon's testimony, Mr. Simon representing the American Bar Association:

Mr. MALETZ. Mr. Simon, does not the Federal Trade Commission now have the power to obtain, prior to its filing of a complaint, documents from prospective witnesses from Joe's Hardware Store?

In other words, there may be somebody under investigation. Under the Federal Trade Commission Act, the Federal Trade Commission can get the documents for inspection from a prospective witness. That is what the Federal Trade Commission can do now. All we are asking is that the same power that resides in the Federal Trade Commission should likewise reside in the Department of Justice.

Mr. Simon answered that question:

Yes, sir. There is no distinction made in section 9 of the Federal Trade Commission Act as to a prospective——

Mr. MALETZ. As between a prospective witness and a company under investigation.

Mr. SIMON. That is true.

All we are asking is that the Department of Justice be placed upon a parity with the Federal Trade Commission. If we do what the gentleman wants to do, if you have corporation A under investigation and the Department of Justice feels that corporation B may have certain documents which would be valuable in the prosecution of corporation A, then under the suggestion of the gentleman the Department of Justice could not examine witness corporation B or to have read or have disclosed or made manifest to it the contents of certain documents which would be necessary to a successful prosecution against corporation A.

I ask him, what would happen, for example, in the famous Philadelphia case involving the General Electric Co.? The corporation under inquiry was the General Electric Co. Yet there were other corporations whose testimony or documents were essential to build up that case against the General Electric Co.

If the gentleman's amendment or suggestion were to prevail, the subcontractors could not be under inquiry, the competitors and customers of General Electric could not be inquired into. So that while that was a grand jury investigation in Philadelphia, all we are trying to do here is eliminate grand juries and panels which are of grave disadvantage to the defendant, because grand jury investigations are in camera, are in secret. Attorneys for the defendant corporations do not know what questions are asked, they do not know what the answers are. The companies are at a grave disadvantage. We want all that out in the open. That is what this bill does. It allows the proceedings to be out in the open, not in the darkness of a grand jury room. Therefore, if you could not examine a second corporation, if its documents, data, and letters reflected upon the first corporation which is under inquiry, you might as well tear up this bill, it does not mean a thing.

Mr. MACGREGOR. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Minnesota.

Mr. MACGREGOR. If you wanted to looks at the books, records, and papers of the second corporation that may have conspired with or dealt with the first corporation, would not that second corporation be "under investigation" too?

Mr. CELLER. They propose to investigate corporation A. Incidentally, you may have to investigate corporation B. That is exactly what the Federal Trade Commission can do now. If we do not allow them to do that, they will go back to their old practice of empaneling a grand jury. That is what we are criticizing and inveighing against. The Department of Justice has been criticized for using grand juries. Are you going to leave the Department of Justice helpless? If you want to do that, of course that is another matter.

Mr. MACGREGOR. No, I do not.

Mr. CELLER. Mr. Chairman, I yield 5 minutes to the gentleman from North Carolina [Mr. WHITENER].

Mr. WHITENER. Mr. Chairman, and members of the committee, I regret that I must rise in opposition to my committee chairman on this legislation. The bill before us constitutes a new departure, notwithstanding what others may have said, in the field of civil procedure.

Now, I know that when you come in here and talk about antitrust and big corporations or organized crime and some of these other expressions that we hear so often, that that means that you then are supposed to march right down the aisle and inveigh against these terrible things called antitrust violators and big corporations and organized criminals.

This Government of ours is involved in many, many programs where civil litigation is involved. I personally, as a lawyer, cannot see why the Department of Justice needs this legislation to assist it in preparing and handling civil actions.

Why should the Department of Justice be given this unusual power in this limited field if it is not wise to give it in all litigation in which the Government is a party plaintiff against a private citizen who is a party defendant? If our friends believe that this is a good departure to take, then they ought to come in here and say that in any civil action, or at any time the Attorney General

of the United States or his assistant feels that he has a civil action against a citizen, that that entitles the Attorney General to bring the prospective defendant in and make him show everything he has so that the Government can decide whether it does have a maintainable civil action.

We have rules of civil procedure applying to the Federal courts; they are very definite rules, and they give the right of discovery in proper cases. I would like to just read to you here a quotation from a law review article that is referred to on page 354, rule 28 of the Rules of Civil Procedure, United States Code Annotated. It says:

The type of fishing which the rules do not tolerate is fishing before action to try to discover some ground for bringing suit. No discovery process can be used by the plaintiff before he has filed his complaint, and the provisions for perpetuating testimony are not designated for discovering grounds for bringing action, but only for perpetuating evidence already known.

Now, that is taken from 15 Tennessee Law Review 737. In the commentary on the adoption of rule 27, the discovery or deposition rule, we find this at page 353, under rule 27, United States Code Annotated:

With respect to whether this rule may be used for purposes of discovery before the filing of a complaint * * * commentators have disagreed. Former Attorney General Mitchell, a member of the advisory committee, stated that the committee did not intend the rule to be "misused" as a means of discovery.

Prof. Edson R. Sunderland agreed as to the intention, but expressed some doubt as to whether the rule might not be otherwise interpreted. Later, however, Professor Sunderland, without mentioning rule 27, expressed his opinion that discovery might not be used as a direct aid in drawing a complaint. Prof. William W. Dawson, on the other hand, felt that rule 27 might be so used.

Mr. Chairman, that comes from 7 University of Chicago Law Review 321.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. WHITENER. I shall be happy to yield briefly, and stress the word "briefly."

Mr. ROGERS of Colorado. Mr. Chairman, the gentleman is an outstanding lawyer from North Carolina and I am sure he is familiar with the fact that "the attorney general of the State of North Carolina," according to the statute, "shall have power, and it shall be his duty, to investigate, from time to time, the affairs of all corporations doing business in the State, which are or may be embraced within the meaning of the statutes of this State defining and denouncing trusts and combinations against trade and commerce."

Mr. Chairman, if the State of North Carolina authorized it, why should the gentleman from North Carolina [Mr. WHITENER] object to the Attorney General's having the same authority?

Mr. WHITENER. Do I understand the gentleman from Colorado [Mr. ROGERS] to be saying that the Attorney General of the United States under present law does not have that duty under the antitrust law?

Mr. ROGERS of Colorado. If the gentleman will yield further, the gentleman from Colorado is referring to the attorney general of the gentleman's State.

Mr. WHITENER. Let us leave North Carolina out and talk about the Attorney General of the United States. Does the gentleman from Colorado say that the Attorney General of the United States has no authority now to investigate antitrust violations?

Mr. ROGERS of Colorado. If the gentleman will yield further, the Attorney General of the United States has ample authority to empanel a grand jury any time he wants to, upon application to the court. The Attorney General of the United States can file a lawsuit any time he wants to. But the point is that it is not necessary for him to file the lawsuit and then use the civil procedure to get the evidence. This is a method whereby he can secure it without the necessity of filing a lawsuit. If he should discover that a violation has not occurred, then it is not necessary for him to file the lawsuit if he follows the suggestion made by the gentleman from North Carolina. But if the Attorney General must go to a grand jury or he must file a lawsuit in order to get the evidence, he has the authority to do it.

Mr. Chairman, what we are trying to do here is to make it crystal clear——

Mr. WHITENER. Is the gentleman from Colorado about through?

Mr. ROGERS of Colorado. That he has the right to investigate as to whether he should file a lawsuit or whether he should take it to the grand jury.

Mr. WHITENER. I thank the gentleman for his usual, fine contribution to the discussion. But I want to say to the gentleman from Colorado in all kindness that either the gentleman from Colorado or the gentleman from North Carolina, one or the other is in the boat and one is in the river. I think the gentleman from Colorado is the one in the river. The gentleman has mentioned North Carolina. I want to say to the gentleman that he cannot find in the general statutes of North Carolina—and I would like for the gentleman to listen—any such procedure which entitles the attorney general to demand that a corporation turn over records and then if they do not do it, go trucking a load of records away.

Mr. Chairman, I will say this to the gentleman——

Mr. ROGERS of Colorado. Will the gentleman yield further?

Mr. WHITENER. No. I am going to have to use some of my time. But I want to say this to the gentleman from Colorado, that if what he says is good law in this matter or good civil procedure, why does not the gentleman come out and recommend it in all cases in which the Government is a party plaintiff in civil actions.

Mr. ROGERS of Colorado. Will the gentleman yield?

Mr. WHITENER. I will be happy to yield to the gentleman to answer the question.

Mr. ROGERS of Colorado. Yes; I am delighted because you raised the question about North Carolina.

Mr. WHITENER. I am asking the gentleman to answer my question. This is my time.

Mr. ROGERS of Colorado. I will answer the gentleman's question, first, as to North Carolina.

Mr. WHITENER. Does the gentleman recommend that this procedure which he now advocates be made a part of the procedural law in any civil action in which the Government is a party plaintiff?

Mr. ROGERS of Colorado. Let me answer your first question. Your first question was whether or not the attorney general from the State of North Carolina——

Mr. WHITENER. No; I do not yield any further to the gentleman.

Mr. ROGERS of Colorado. Will the gentleman permit me to finish the answer?

Mr. WHITENER. I yield no further to the gentleman. The gentleman has totally failed to answer my question. I have such limited time that I cannot yield further.

I will say this to the Members of the House, that as the gentleman from Michigan has said, there have been many new suggestions about getting away from all of the time-honored practices and principles in the field of the administration of justice.

I am not opposed to all change, but I say to you in all seriousness, that the rights of the American people are things about which we should be concerned. If these new philosophies can be engrafted in one field of the law you know that they are later used as arguments for doing it somewhere else. Today someone says the Federal Trade Commission can do something and therefore everybody else ought to be able to do it. This is a serious matter. Some of the same people who would argue that this ought to be done because you are talking about antitrust cases will argue otherwise when some other issue is involved. Those of us who are today opposing this, as we have some other legislation that has come to us, are being consistent and being realistic about it. I see no reason why the Attorney General or the Federal Government should be in a different procedural situation in one type of civil action from another type of civil action. I see no reason why the Government of the United States as a party plaintiff should have rights which a citizen bringing an action against the Government, where the Government is a party defendant, does not have. The citizen should have that same right of discovery or whatever right of procedure you give to the Government.

Mr. Chairman, I am not here representing any giant corporation. I know no firm or any official in any firm personally, which has been involved in an antitrust case; I have no acquaintanceship with anyone that has ever been even investigated for violating the antitrust laws. But I do know this. I know many American citizens who have come into contact with the Federal Government,

the State government and the local government in the courts.

If the State of North Carolina has bad civil procedure that does not justify the Federal Government having it. I urge you seriously to consider this matter. It means no more to me personally any more than it does to any other living American citizen.

Mr. CELLER. Mr. Chairman, I yield 2 minutes to the gentleman from Colorado [Mr. ROGERS].

Mr. ROGERS of Colorado. Mr. Chairman, I would like the gentleman from North Carolina [Mr. WHITENER] to listen, because here is what the statute of his State provides:

In performing the duty required in section 75-9, the attorney general shall have power, at any and all time, to require the officers, agents or employees of any such corporation, and all other persons having knowledge with respect to the matters and affairs of such corporation, to submit themselves to examination by him, and produce for his inspection any of the books and papers of any such corporation, or which are in any way connected with the business thereof;

As heretofore pointed out, there are at least 17 States of the 50 that have a provision where the attorney general or the investigating officer may demand and secure these things. This section does not protect anybody by requiring that the attorney general shall serve a notice setting forth what he wants. In North Carolina the attorney general is free to demand that they bring to him all of his papers. Hence I see no reason why we should not adopt this legislation.

Mr. McCULLOCH. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, I wish to associate myself with the remarks last made by the gentleman from Colorado [Mr. ROGERS]. Those who will carefully read the legislation, which is before us, will certainly see that the safeguards therein are immeasurably greater than the safeguards in the North Carolina law.

Furthermore, Mr. Chairman, I am sure that those who have studied antitrust investigations know what an unbelievably heavy burden is on the Department of Justice in trying to ascertain the material facts before action is brought. There is on the staff of the House Committee on the Judiciary, a fine young lawyer who spent almost 1½ years collecting information which resulted in a certain suit, which I do not care to mention on the floor today. In some other cases, it has taken longer than that to collect the evidence justifying the commencement of the suit. I ask the members of this Committee whether they prefer a suit against a constituent, with attendant unfavorable publicity where desired information may be secured by subpena duces tecum, or whether they prefer a request or demand from the Department of Justice so that a constituent may furnish this information without the publicity resulting from a lawsuit. I feel sure most corporate officials would prefer a demand from the Attorney General rather than a lawsuit.

The CHAIRMAN. The time of the gentleman has expired.

Mr. McCULLOCH. Mr. Chairman, I have no further requests for time.

Mr. CELLER. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Antitrust Civil Process Act".

DEFINITIONS

SEC. 2. For the purposes of this Act—

(a) The term "antitrust law" includes:

(1) Each provision of law defined as one of the antitrust laws by section 1 of the Act entitled "An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes", approved October 15, 1914 (38 Stat. 730, as amended; 15 U.S.C. 12), commonly known as the Clayton Act;

(2) The Federal Trade Commission Act (15 U.S.C. 41 and the following);

(3) Section 3 of the Act entitled "An Act to amend section 2 of the Act entitled 'An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes', approved October 15, 1914, as amended (U.S.C., title 15, sec. 13), and for other purposes", approved June 19, 1936 (49 Stat. 1526; 15 U.S.C. 13a), commonly known as the Robinson-Patman Act; and

(4) Any statute hereafter enacted by the Congress which prohibits, or makes available to the United States in any court or antitrust agency of the United States any civil remedy with respect to (A) any restraint upon or monopolization of interstate or foreign trade or commerce, or (B) any unfair trade practice in or affecting such commerce;

(b) The term "antitrust agency" means any board, commission, or agency of the United States (other than the Department of Justice) charged by law with the administration or enforcement of any antitrust law or the adjudication of proceedings arising under any such law;

(c) The term "antitrust order" means any final order of any antitrust agency, or any final order, decree, or judgment of any court of the United States, duly entered in any case or proceeding arising under any antitrust law;

(d) The term "antitrust investigation" means any inquiry conducted by any antitrust investigator for the purpose of ascertaining whether any person is or has been engaged in any antitrust violation;

(e) The term "antitrust violation" means any act or omission in violation of any antitrust law or any antitrust order;

(f) The term "antitrust investigator" means any attorney or investigator employed by the Department of Justice who is charged with the duty of enforcing or carrying into effect any antitrust law;

(g) The term "person" means any corporation, association, partnership, or other legal entity not a natural person;

(h) The term "documentary material" includes the original or any copy of any book, record, report, memorandum, paper, communication, tabulation, chart, or other document; and

(i) The term "custodian" means the antitrust document custodian or any deputy custodian designated under section 4(a) of this Act.

CIVIL INVESTIGATIVE DEMAND

SEC. 3. (a) Whenever the Attorney General, or the Assistant Attorney General in charge of the Antitrust Division of the Department of Justice, has reason to believe that any person may be in possession, custody, or control of any documentary material relevant to an antitrust investigation, he may, prior to the institution of a civil or criminal proceeding thereon, issue in writing, and cause to be served upon such person, a civil investigative demand requiring such person to produce such material for examination.

(b) Each such demand shall—

(1) state the nature of the conduct constituting the alleged antitrust violation which is under investigation and the provision of law applicable thereto;

(2) describe the class or classes of documentary material to be produced thereunder with such definiteness and certainty as to permit such material to be fairly identified;

(3) prescribe a return date which will provide a reasonable period of time within which the material so demanded may be assembled and made available for inspection and copying or reproduction; and

(4) identify the custodian to whom such material shall be made available.

(c) No such demand shall—

(1) contain any requirement which would be held to be unreasonable if contained in a subpena duces tecum issued by a court of the United States in aid of a grand jury investigation of such alleged antitrust violation; or

(2) require the production of any documentary evidence which would be privileged from disclosure if demanded by a subpena duces tecum issued by a court of the United States in aid of a grand jury investigation of such alleged antitrust violation.

(d) Any such demand may be served by any antitrust investigator, or by any United States marshal or deputy marshal, at any place within the territorial jurisdiction of any court of the United States.

(e) Service of any such demand or of any petition filed under section 5 of this Act may be made upon a partnership, corporation, association, or other legal entity by—

(1) delivering a duly executed copy thereof to any partner, executive officer, managing agent, or general agent thereof, or to any agent thereof authorized by appointment or by law to receive service of process on behalf of such partnership, corporation, association, or entity;

(2) delivering a duly executed copy thereof to the principal office or place of business of the partnership, corporation, association, or entity to be served; or

(3) depositing such copy in the United States mails, by registered or certified mail duly addressed to such partnership, corporation, association, or entity at its principal office or place of business.

(f) A vertified return by the individual serving any such demand or petition setting forth the manner of such service shall be proof of such service. In the case of service by registered or certified mail, such return shall be accompanied by the return post office receipt of delivery of such demand.

ANTITRUST DOCUMENT CUSTODIAN

SEC. 4. (a) The Assistant Attorney General in charge of the Antitrust Division of the Department of Justice shall designate an antitrust investigator to serve as antitrust document custodian, and such additional antitrust investigators as he shall determine from time to time to be necessary to serve as deputies to such officer.

(b) Any person upon whom any demand issued under section 3 has been duly served shall make such material available for inspection and copying or reproduction to the custodian designated therein at the principal place of business of such person (or at such other place as such custodian and such person thereafter may agree and prescribe in writing) on the return date specified in such demand (or on such later date as such custodian may prescribe in writing). Such person may upon written agreement

between such person and the custodian substitute for copies of all or any part of such material originals thereof.

(e) The custodian to whom any documentary material is so delivered shall take physical possession thereof, and shall be responsible for the use made thereof and for the return thereof pursuant to this Act. The custodian may cause the preparation of such copies of such documentary material as may be required for official use under regulations which shall be promulgated by the Attorney General, to have access to such material for examination. While in the possession of the custodian, no material so produced shall be available for examination, without the consent of the person who produced such material, by any individual other than a duly authorized officer, member, or employee of the Department of Justice, or any antitrust agency. Under such reasonable terms and conditions as the Attorney General shall prescribe, documentary material while in the possession of the custodian shall be available for examination by the person who produced such material or any duly authorized representative of such person.

(d) Whenever any attorney has been designated to appear on behalf of the United States before any court, grand jury, or antitrust agency in any case or proceeding involving any alleged antitrust violation, the custodian may deliver to such attorney such documentary material in the possession of the custodian as such attorney determines to be required for use in the presentation of such case or proceeding on behalf of the United States. Upon the conclusion of any such case or proceeding, such attorney shall return to the custodian any documentary material so withdrawn which has not passed into the control of such court, grand jury, or antitrust agency through the introduction thereof into the record of such case or proceeding.

(e) Upon the completion of (1) the antitrust investigation for which any documentary material was produced under this Act, and (2) any case or proceeding arising from such investigation, the custodian shall return to the person who produced such material all such material (other than copies thereof made by the Department of Justice or any antitrust agency pursuant to subsection (c)) which has not passed into the control of any court, grand jury, or antitrust agency through the introduction thereof into the record of such case or proceeding.

(f) When any documentary material has been produced by any person under this Act for use in any antitrust investigation, and no such case or proceeding arising therefrom has been instituted within a reasonable time after completion of the examination and analysis of all evidence assembled in the course of such investigation, such person shall be entitled, upon written demand made upon the Attorney General or upon the Assistant Attorney General in charge of the Antitrust Division, to the return of all documentary material (other than copies thereof made by the Department of Justice or any antitrust agency pursuant to subsection (c)) so produced by such person.

(g) In the event of the death, disability, or separation from service in the Department of Justice of the custodian of any documentary material produced under any demand issued under this Act, or the official relief of such custodian from responsibility for the custody and control of such material, the Assistant Attorney General in charge of the Antitrust Division shall promptly (1) designate another antitrust investigator to serve as custodian thereof, and (2) transmit notice in writing to the person who produced such material as to the identity and address of the successor so designated. Any successor so designated shall have with regard to such materials all duties and responsibilities imposed by this Act upon his predecessor in office with regard thereto, except that he shall not be held responsible for any default or direction which occurred before his designation as custodian.

JUDICIAL PROCEEDINGS

SEC. 5. (a) Whenever any person fails to comply with any civil investigative demand duly served upon him under section 3 or whenever satisfactory copying or reproduction of any such material cannot be done and such person refuses to surrender such material, the Attorney General, through such officers or attorneys as he may designate, may file, in the district court of the United States for any judicial district in which such person resides, is found, or transacts business, and serve upon such person a petition for an order of such court for the enforcement of this Act, except that if such person transacts business in more than one such district such petition shall be filed in the district in which such person maintains his principal place of business, or in such other district in which such person transacts business as may be agreed upon by the parties to such petition.

(b) Within twenty days after the service of any such demand upon any person, or at any time before the return date specified in the demand, whichever period is shorter, such person may file, in the district court of the United States for the judicial district within which such person resides, is found, or transacts business, and serve upon such custodian a petition for an order of such court modifying or setting aside such demand. The time allowed for compliance with the demand in whole or in part as deemed proper and ordered by the court shall not run during the pendency of such petition in the court. Such petition shall specify each ground upon which the petitioner relies in seeking such relief, and may be based upon any failure of such demand to comply with the provisions of this Act, or upon any constitutional or other legal right or privilege of such person.

(c) At any time during which any custodian is in custody or control of any documentary material delivered by any person in compliance with any such demand, such person may file, in the district court of the United States for the judicial district within which the office of such custodian is situated, and serve upon such custodian a petition for an order of such court requiring the performance by such custodian of any duty imposed upon him by this Act.

(d) Whenever any petition is filed in any district court of the United States under this section, such court shall have jurisdiction to hear and determine the matter so presented, and to enter such order or orders as may be required to carry into effect the provisions of this Act. Any final order so entered shall be subject to appeal pursuant to section 1291 of title 28 of the United States Code. Any disobedience of any final order entered under this section by any court shall be punished as a contempt thereof.

(e) To the extent that such rules may have application and are not inconsistent with the provisions of this Act, the Federal Rules of Civil Procedure shall apply to any petition under this Act.

CRIMINAL PENALTY

SEC. 6. (a) Section 1505, title 18, United States Code, is amended to read as follows:

"§ 1505. Obstruction of proceedings before departments, agencies, and committees

"Whoever corruptly, or by threats or force, or by any threatening letter or communication, endeavors to influence, intimidate, or impede any witness in any proceeding pending before any department or agency of the United States, or in connection with any inquiry or investigation being had by either House, or any committee of either House, or any joint committee of the Congress; or

"Whoever injures any party or witness in his person or property on account of his attending or having attended such proceeding, inquiry, or investigation, or on account of his testifying or having testified to any matter pending therein; or

"Whoever, with intent to avoid, evade, prevent, or obstruct compliance in whole or in part with any civil investigative demand duly and properly made under the Antitrust Civil Process Act willfully removes from any place, conceals, destroys, mutilates, alters, or by other means falsifies any documentary material which is the subject of such demand; or

"Whoever corruptly, or by threats or force, or by any threatening letter or communication influences, obstructs, or impedes or endeavors to influence, obstruct, or impede the due and proper administration of the law under which such proceeding is being had before such department or agency of the United States, or the due and proper exercise of the power of inquiry under which such inquiry or investigation is being had by either House, or any committee of either House or any joint committee of the Congress—

"Shall be fined not more than $5,000 or imprisoned not more than five years, or both."

(b) The analysis of chapter 73 of title 18 of United States Code is amended so that the title of section 1505 shall read therein as follows:

"1505. Obstruction of proceedings before departments, agencies, and committees."

SAVING PROVISION

SEC. 7. Nothing contained in this Act shall impair the authority of the Attorney General, the Assistant Attorney General in charge of the Antitrust Division of the Department of Justice, or any antitrust investigator to (a) lay before any grand jury impaneled before any district court of the United States any evidence concerning any alleged antitrust violation, (b) invoke the power of any such court to compel the production of any evidence before any such grand jury, or (c) institute any proceeding for the enforcement of any order or process issued in execution of such power, or to punish disobedience of any such order or process by any person.

Mr. CELLER (during the reading of the bill). Mr. Chairman, I ask unanimous consent that the bill be considered as read, and be open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

The CHAIRMAN. The Clerk will report the committee amendments.

The Clerk read as follows:

Page 2, line 6, following the "semicolon" insert the word "all".

Page 2, beginning at line 7 and through line 14, strike all of the language therein.

Page 2, line 15, strike subparagraph "(4)" and insert in lieu thereof subparagraph "(3)".

Page 2, line 17, strike the words "or antitrust agency".

Page 2, lines 22 through 25, strike all of the language therein.

Page 3, lines 1 through line 3, strike all of the language therein.

Page 3, line 4, strike subparagraph "(c)" and insert in lieu thereof subparagraph "(b)", also on line 4, after the word "means" strike "any final".

Page 3, line 5, strike the words "order of any antitrust agency, or".

Page 3, line 9, strike subparagraph "(d)" and insert in lieu thereof subparagraph "(c)".

Page 3, line 13, strike subparagraph "(e)" and insert in lieu thereof subparagraph "d."

Page 3, line 16, strike subparagraph "(f)" and insert in lieu thereof subparagraph "(e)".

Page 3, line 20, strike subparagraph "(g)" and insert in lieu thereof subparagraph "(f)".

Page 3, line 23, strike subparagraph "(h)" and insert in lieu thereof subparagraph "(g)".

Page 4, line 11, strike subparagraph "(i)" and insert in lieu thereof subparagraph "(h)".

Page 4, line 12, strike the word "an" and insert thereof "a civil".

Page 7, line 5, after the word "writing" and before the parenthesis, insert "or as the court may direct, pursuant to section 5(d) of this Act".

Page 7, line 17, after the word "General" strike the "comma" and insert in lieu thereof a "period"; also after the word "General" strike "to have access to"; and on line 18 strike the words "such material for examination.".

Page 7, line 22, insert "period" after the word "Justice", and strike the word "or".

Page 7, line 23, strike the words "any antitrust agency,".

Page 8, line 5, strike out "court,".

Page 8, line 6, strike out "grand jury, or antitrust agency" and insert in lieu thereof "court or grand jury".

Page 8, lines 14 and 15, strike out "court, grand jury, or antitrust agency" and insert "court or grand jury".

Page 8, lines 23 and 24, strike out "or any antitrust agency".

Page 8, line 25, strike out "court, grand jury, or antitrust".

Page 9, line 1, strike out "agency" and insert "court or grand jury."

Page 9, line 13, strike out "or any antitrust agency".

Page 14, line 10, after the word "person," insert "including a natural person."

The committee amendments were agreed to.

Mr. MACGREGOR. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MACGREGOR: On page 4, line 11, after "person" insert "under investigation".

Mr. MACGREGOR. Mr. Chairman, this amendment is offered simply to conform to the recommendations made to the subcommittee by the American Bar Association and contained in the hearings.

The effect of the amendment would be to place some of the safeguards we have all been talking about, some of the reasonable limitations that have been mentioned here on many occasions, against unlimited fishing expeditions by the Deputy Attorney General who will be in charge of antitrust actions under this legislation.

Lest there be any doubt about the fact that this simply would enact into law the recommendations of the American Bar Association, let me call the committee's attention to page 63 of the hearings in connection with the testimony of Mr. William Simon who appeared on behalf of the American Bar Association.

He submitted for the record the following statement of the section of antitrust law of the American Bar Association on civil investigative demand legislation:

The House of Delegates of the American Bar Association has authorized the officers and council of the section of antitrust law to recommend to the Congress that legislation be enacted which would authorize the Attorney General or the Assistant Attorney General in charge of the Antitrust Division of the Department of Justice, under appropriate safeguards, to demand the production at the principal office or place of business of corporations, partnerships, or associations under investigation, for purposes of inspection and copying of relevant unprivileged documents possessed by them, and to vest the U.S. district court for the district in which such principal office or place of business is located, with power to enforce, modify, or set aside such demand. * * *

Next, on page 68 of the hearings: the draft bill of the American Bar Association reads, and I quote from section 3(a):

Whenever the Attorney General or the Assistant Attorney General in charge of the Antitrust Division has reason to believe that any person under investigation.

And finally, on page 80: The distinguished chairman of the committee and I had a little colloquy about this but neither of us read the final answer given by Mr. Simon.

Mr. Maletz, the committee counsel, said:

And this bill presently would make no distinction between a prospective witness and a company under investigation?

Mr. SIMON. That is correct.

Mr. MALETZ. And you propose, because of the considerations you have outlined, to make such a distinction?

And the answer is:

Yes, sir; by putting my suggestions in different categories.

The record of the subcommittee is absolutely clear that it is the intention and desire—and I believe wisely so—of the American Bar Association to limit the scope of this new power to those companies, associations, or partnerships actually under investigation. This is an entirely reasonable limitation on the grant of this sweeping new power to the executive branch of the Government.

I urge the committee to adopt this amendment.

Mr. CELLER. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Minnesota [Mr. MACGREGOR].

Mr. Chairman, the amendment offered by the gentleman from Minnesota seems quite simple, but it would have a very far-reaching effect. No agency which has the power to use the investigative demand has such limitations upon its powers as envisioned by this limitation.

The Federal Trade Commission has no such limitation, the Atomic Energy Commission has no such limitation, the Department of Agriculture has no such limitation, the Department of Labor has no such limitation, the Treasury Department has no such limitation, the National Science Foundation has no such limitation, the Veterans' Administration has no such limitation, the National Labor Relations Board has no such limitation, the Federal Power Commission has no such limitation. The CAB, the FAA, the SEC—none of them have these limitations.

Why does the gentleman pick out the Department of Justice to have this limitation?

I said that his amendment would have a far-reaching effect, such a far-reaching effect as to destroy the very purport and purpose of this bill. That is, if an investigative demand is served on the officials of corporation A and corporation B has some very pertinent documents that are necessary to build up the case against corporation A, then the Attorney General would not have the right in these proceedings to call the officials of corporation B as witnesses and to submit documents or papers.

Let us suppose there are letters written by the officers of corporation A to the officers of corporation B, and A has destroyed its copies of those letters but B has copies secreted somewhere. Letters are important links in the chain of evidence against corporation A, letters are important to sustain an antitrust suit against corporation A.

It would be absurd to say to the Attorney General, "You cannot make a demand upon corporation B as a witness to produce those letters in the proceedings against corporation A," and that the Attorney General has no such power. The case falls by the wayside.

What is he going to do? He is going into a grand jury room. A grand jury is impaneled and in camera, in secret, the Attorney General will get the very same papers this amendment would deny him if he proceeds civilly out in the open.

I should think the corporations would welcome this bill as it is and would deplore the amendment offered by the gentleman from Minnesota, because corporation attorneys would not know what is happening when the matter is before the grand jury. They would not know anything as to what is happening when it is in the secrecy of a grand jury room.

I trust, therefore, the amendment will be voted down.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota [Mr. MACGREGOR].

The question was taken; and on a division (demanded by Mr. MACGREGOR) there were—ayes 37, noes 41.

Mr. BRUCE. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. MACGREGOR and Mr. ROGERS of Colorado.

The committee again divided, and the tellers reported that there were—ayes 55, noes 52.

So the amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. PERKINS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (S. 167) to authorize the Attorney General to compel the production of documentary evidence required in civil investigations for the enforcement of the antitrust laws, and for other purposes,

pursuant to House Resolution 558, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the third reading of the bill.

The bill was ordered to be read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. ASHBROOK. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 339, nays 58, not voting 39, as follows:

[Roll No. 34]

YEAS—339

Abbitt
Adair
Addabbo
Addonizio
Albert
Alger
Anderson, Ill.
Anfuso
Arends
Ashley
Aspinall
Auchincloss
Ayres
Bailey
Baker
Baldwin
Baring
Barrett
Barry
Bass, N.H.
Bass, Tenn.
Bates
Battin
Becker
Beckworth
Bell
Bennett, Fla.
Betts
Blatnik
Boggs
Boiling
Bonner
Bow
Boykin
Brademas
Bray
Breeding
Brewster
Brooks
Broomfield
Brown
Broyhill
Buckley
Burke, Ky.
Burke, Mass.
Byrne, Pa.
Byrnes, Wis.
Cahill
Cannon
Carey
Casey
Cederberg
Celler
Chelf
Chenoweth
Chiperfield
Clancy
Clark
Coad
Cohelan
Collier
Colmer
Conte
Cook
Cooley
Corbett
Corman
Cramer
Cunningham
Curtin
Curtis, Mass.
Curtis, Mo.
Daddario
Dague
Daniels
Dawson
Delaney
Dent
Denton
Derounian
Derwinski
Devine
Diggs
Dingell
Dole
Donohue
Dooley
Downing
Doyle
Dulski
Durno
Dwyer
Edmondson
Elliott
Ellsworth
Everett
Evins
Fallon
Farbstein
Fascell
Feighan
Fenton
Findley
Finnegan
Fino
Flood
Fogarty
Ford
Fountain
Frazier
Frelinghuysen
Friedel
Fulton
Gallagher
Garland
Garmatz
Gary
Gathings
Gavin
Gilbert
Gonzalez
Goodell
Goodling
Granahan
Gray
Green, Oreg.
Green, Pa.
Griffin
Griffiths
Gubser
Hagen, Calif.
Haley
Halleck
Halpern
Hansen
Harding
Hardy
Harris
Harrison, Va.
Harrison, Wyo.
Harsha
Harvey, Ind.
Hays
Healey
Hébert
Hechler
Henderson
Herlong
Hoeven
Hoffman, Ill.
Holifield
Holland
Horan
Hull
Ichord, Mo.
Inouye
Jarman
Jennings
Joelson
Johnson, Calif.
Johnson, Md.
Johnson, Wis.
Jones, Ala.
Jones, Mo.
Judd
Karsten
Karth
Kastenmeier
Kee
Keith
Kelly
Keogh
Kilburn
Kilgore
King, Calif.
King, N.Y.
King, Utah
Kluczynski
Kowalski
Kunkel
Laird
Lane
Lankford
Latta
Lesinski
Libonati
Lindsay
Lipscomb
McCulloch
McDonough
McDowell
McFall
McIntire
McSween
MacGregor
Mack
Madden
Magnuson
Mahon
Mailliard
Marshall
Martin, Mass.
Mathias
Matthews
May
Merrow
Miller, Clem
Miller, George P.
Miller, N.Y.
Milliken
Mills
Moeller
Monagan
Montoya
Moorehead, Ohio
Moorhead, Pa.
Morgan
Morris
Morse
Mosher
Moss
Multer
Murphy
Murray
Natcher
Nedzi
Nix
Norblad
Nygaard
O'Brien, Ill.
O'Brien, N.Y.
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen
O'Neill
Osmers
Ostertag
Patman
Pelly
Perkins
Peterson
Pfost
Philbin
Pike
Pillion
Pirnie
Poage
Poff
Price
Pucinski
Purcell
Quie
Reece
Reifel
Reuss
Rhodes, Pa.
Riehlman
Rivers, Alaska
Rivers, S.C.
Roberts, Tex.
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Rooney
Roosevelt
Rosenthal
Rostenkowski
Roush
Rutherford
Ryan, Mich.
Ryan, N.Y.
St. George
St. Germain
Santangelo
Saund
Saylor
Schadeberg
Schenck
Scherer
Schneebeli
Schweiker
Schwengel
Scranton
Seely-Brown
Selden
Sheppard
Shipley
Shriver
Sibal
Sikes
Siler
Sisk
Slack
Smith, Calif.
Smith, Va.
Springer
Stafford
Staggers
Steed
Stratton
Stubblefield
Sullivan
Taber
Taylor
Teague, Calif.
Teague, Tex.
Thomas
Thompson, Tex.
Thomson, Wis.
Thornberry
Toll
Tollefson
Trimble
Tuck
Tupper
Udall, Morris K.
Ullman
Vanik
Van Pelt
Van Zandt
Vinson
Wallhauser
Walter
Watts
Weaver
Weis
Westland
Whalley
Wharton
Wickersham
Widnall
Wilson, Calif.
Wright
Yates
Young
Younger
Zelenko

NAYS—58

Abernethy
Alexander
Ashbrook
Ashmore
Beermann
Belcher
Berry
Bolton
Bromwell
Bruce
Burleson
Chamberlain
Church
Davis, James C.
Davis, John W.
Dominick
Dorn
Dowdy
Fisher
Forrester
Gross
Hagan, Ga.
Hall
Harvey, Mich.
Hemphill
Hiestand
Johansen
Jonas
Knox
Kornegay
Kyl
Landrum
Langen
Lennon
Loser
McMillan
Martin, Nebr.
Mason
Meader
Michel
Minshall
Moore
Nelsen
Passman
Pilcher
Ray
Rogers, Tex.
Roudebush
Rousselot
Scott
Short
Smith, Iowa
Stephens
Utt
Waggonner
Whitener
Williams
Winstead

NOT VOTING—39

Alford
Andersen, Minn.
Andrews
Avery
Bennett, Mich.
Blatch
Boland
Davis, Tenn.
Flynt
Giaimo
Glenn
Grant
Hoffman, Mich.
Hosmer
Huddleston
Jensen
Kearns
Kirwan
Kitchin
McVey
Macdonald
Morrison
Moulder
Norrell
Powell
Rains
Randall
Rhodes, Ariz.
Roberts, Ala.
Shelley
Smith, Miss.
Spence
Thompson, La.
Thompson, N.J.
Whitten
Willis
Wilson, Ind.
Zablocki

So the bill was passed.

The Clerk announced the following pairs:

Mr. Kirwan with Mr. Avery.

Mr. Willis with Mr. Bennett of Michigan.

Mr. Alford with Mr. Rhodes of Arizona.

Mr. Giaimo with Mr. Glenn.

Mr. Thompson of New Jersey with Mr. Jensen.

Mr. Thompson of Louisiana with Mr. McVey.

Mr. Morrison with Mr. Andersen of Minnesota.

Mr. Powell with Mr. Hoffman of Michigan.

Mr. Shelley with Mr. Kearns.

Mr. Zablocki with Mr. Hosmer.

Mr. Macdonald with Mr. Wilson of Indiana.

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

COMMITTEE ON RULES

Mr. SMITH of Virginia. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain privileged reports.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

SUBCOMMITTEE ON MINES AND MINING

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the Subcommittee on Mines and Mining of the Committee on Interior and Insular Affairs may sit during general debate this afternoon.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

AMENDING THE IMMIGRATION AND NATIONALITY ACT

Mr. WALTER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 10079) to amend section 104 of the Immigration and Nationality Act, and for other purposes.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 10079, with Mr. O'BRIEN of New York in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. WALTER. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, a large part of this proposal has been approved by the House last year, pursuant to a message the President sent to the Congress on July 21, 1961. The House passed the bill, H.R. 8291, under which three programs of assistance to certain migrants and refugees were taken out of the Mutual Security Act of 1954, as amended, and proposed to be reenacted in accordance with the President's request. H.R. 8291 failed of enactment due to unresolved disagreement between the House and the other body.

Two of the three programs of assistance apply to the activities conducted by the United Nations High Commissioner for Refugees, and to a related unilateral program, operated by the United States, under which certain refugees from be-

hind the Iron Curtain are assisted in obtaining resettlement overseas or are integrated into the economies of the respective countries of first asylum.

The activities authorized under both programs have been conducted in the last 10 years under continuous scrutiny of the Committee on the Judiciary.

The third program, also previously authorized under the now repealed Mutual Security Act, relates to our participation in the Intergovernmental Committee for European Migration—ICEM—an organization erected at the initiative of the Congress in 1951. Our participation in ICEM is similarly surveyed by the Committee on the Judiciary, the members of which participate in the U.S. delegation to the semiannual sessions of the governing body of ICEM.

It might be appropriate to point out at this time that ICEM has so far moved to new homes and to new employment upward of 1,150,000 European migrants who otherwise would not have been moved. As an illustration of what ICEM is doing in just one field; namely, the settlement of migrants in countries in need of development of their agriculture, I wish to include at this point of my remarks an article which appeared in the February 1962 issue of a publication of the International Catholic Migration Conference.

THE SUCCESS OF THE DUTCH SETTLEMENT HOLAMBRA IN BRAZIL

(By C. J. J. Hoogenboom (Brazil))

"The earth was void and empty". These words from the first chapter of the Holy Bible are called to my mind, when considering the history of the Dutch agricultural settlement "Holambra" to date. Void and empty until the Dutch farmers started by the sweat of their brows, to cultivate this waste land which, a hundred years ago, belonged to the rich coffee region of the state of São Paulo. However, coffee cultivation died out here because the quality of the soil was rather poor and the output not very high. So when keener competition and other factors on the world market caused price cuttings, this region was one of the first to be abandoned by its owners and left to run wild.

Thirty years ago the completely abandoned Fazenda (estate) Ribeirão was purchased by Armour do Brazil, a United States firm of beef-packers from Chicago. This undertaking used only part of Ribeirão, as a rest station for the beef cattle they had bought in the State of Minas Gerais. These cattle, called Zebu, had to make a journey of hundreds and hundreds of miles and were able to recuperate here for some months before going to the slaughterhouse. The rest of the Fazenda was abandoned and left to erosion, while the poor crop of grass was burned every year, which further impoverished the structure of the soil. In 1948—13 years ago now—there were six men living on the Fazenda, namely, one Brazilian administrator and five Brazilian zebu tenders. The only buildings on the estate were the house of the administrator, five cottages for the cattle tenders, one zebu bath and a stable for the horses.

AGAINST ALL HOPE

Was it not, to put it mildly, irresponsible of the Dutch to begin farming on this exhausted soil? Perhaps, but on the other hand, we can also say no. Only by an almost superhuman effort did the Dutch farmers overcome all the initial difficulties. This was the reason, also, why some settlers who could not see far enough into the future left Holambra at that time.

The best American friend of the colony, Dr. John Griffin, who was in Brazil for the Rockefeller Foundation and returned home after 35 years' hard work for the development of Brazilian agriculture, said on his first visit to Holambra: "Gentlemen, I am so sorry, but I have no hope of your succeeding."

And in the early years it seemed as though he were right. Some years later, however, Dr. John Griffin came back. He could scarcely believe his own eyes and said: "I can only say that you have performed a miracle and in my opinion, even more than that."

The Brazilian Federal Minister of Agriculture said, in 1951, to the president of Holambra: "It seems to me better that you should take all your people and put them on another piece of land, for I am sure that you will lose the game. All that you are doing here will end in bitterness." In 1957 the same gentleman came back as Secretary of Agriculture of the State of Bahia. After spending some hours here he said to the visitors who accompanied him, "My gravest error as Minister of Agriculture for Brazil was that I did not give these Dutch farmers enough support, for they have done something for Brazil that no Brazilian has ever done. A totally exhausted estate, with soil of the poorest type in Brazil, has not only become fertile in their hands, but is producing more under Dutch management than is produced in the best agricultural parts of the country".

THIRTEEN YEARS LATER

Before 1948, one family unit totaling three persons and five bachelor zebu tenders led a poor existence on Holambra. Now, 13 years later, the farmers' colony has grown to approximately 1,000 Dutch people; besides, 250 Brazilian families consisting of 600 persons, are working together peaceably with the Dutch farmers. This means that nearly 1,600 persons are now making a good living in Holambra, which settlement was brought to prosperity by Dutch initiative.

Brazilian workers arrive here with nothing but their poor clothes, their wives and children and a small bundle of belongings. Once here, they soon acquire a house of bricks. After 2 years they are in possession of their own horses with the typical small Brazilian carriage (charrette), their radio, etc. They have good clothes then, and when they go to church on Sunday the young people are dressed like town dwellers.

They have the advantages of the cooperative polyclinic, grocery store, school, festivities, etc. The Brazilian girls can become members of the girls' club, "The Pigeons," where they learn artistic clay work and other feminine activities. Every week there is a special evening church service for the Brazilians.

The Brazilian children are encouraged to go to the school on the Fazenda. Under the administration of the distinguished Governor of the State of São Paulo, His Excellency Carvalho Pinto, a modern primary school has now been built and it will not be long before there are no illiterates among the people of Holambra.

CONTACTS WITH NEIGHBORS

At first there was nothing on Holambra, but neither was there anything on the surrounding lands. The inhabitants did little on their small farms. They did not know of the use of chemical fertilizers or how to treat their cattle for diseases; they had not the faintest notion of hybrid corn and of spraying their crops for protection against insects and diseases. Now everything has changed. The Brazilian farmers come to the leaders of the colony for their advice on the treatment of their animals and crops. They are charming people, good friends and eager to learn. Dutch farmers, who are well-equipped with tractors, combines, etc., often help their Brazilian neighbors with the plowing and harvesting. It is interesting to see that after 2 or 3 years, several small Brazilian farmers have already acquired their own tractors, which they handle excellently. That is no wonder for the Brazilians have a natural technical feeling and besides, they have the advantage of well-equipped repair shops on Holambra. The Brazilian farmers have a certain confidence in the Dutch. They often ask them to measure their land and to test their chemical fertilizers. It can be said truly that 200 to 300 small farmers in the direct surroundings of Holambra have totally changed their methods of working as a result of their contact with the Dutch and that many of them are now getting the same yields as the Dutch.

One of the most important activities in Holambra is the improvement of dairy cattle breeding, which has its impact not only on the immediate environs of the Fazenda, but also on many other regions of Brazil. For that reason Holambra imports for itself the best bulls which are to be obtained in the Netherlands.

All the cattle of Holambra are bred by artificial insemination. Many Brazilian farmers, big and small, are asking for the process for their cattle and the Holambra inseminator calls at their farms when asked. The resulting improvement in the dairy cattle on several Brazilian farms is surprising. Hundreds and hundreds of bulls have been bought during the 13 years of Holambra's existence, by the departments of agriculture of nearly all the states of Brazil for improving the quality of their cattle. Many big farmers, from north to south, are building up a new herd on the basis of this Holambra stock.

FAMILY FARMING ON SMALL HOLDINGS

As a matter of fact, the Fazenda Holambra has become an experiment which has drawn the attention of the whole of South America. The authorities have followed its development with great interest, particularly in the state of São Paulo. The greatest achievement of the Holambra settlement is that it has proved that a farming family of an average of eight members can earn a good living on a relatively small piece of land: the average here is 35 hectares. This alone is very important for the structure of agriculture in the whole of Latin America, because until then, only very large estates were known—estates of 10,000, 20,000 to some hundreds of thousands of hectares, which were used as grazing land for beef cattle or not used at all—and on the other hand, the small patches of land of the very poor, uneducated farm laborers, for their own use. In order to raise the social living standard of the common people, this structure will have to be changed. Impressed by the favorable development of Holambra, the authorities often come to ask the opinion of the management of the colony about the problems of land reform. The point of view of Holambra is that there is no sense in dividing large estates among people who are not sufficiently educated to run a small farm or who are expected to use the land obtained as an object for speculation. Education is required, with which demonstration of practice can be very useful. The aim of the "reforma agrária"—the agrarian reform—should be the augmentation of production with the help of modern techniques at lower costs, so that great difficulties for the country can be avoided.

The colony now covers an area of 5,000 hectares, on which there are 130 farms of an average area of 35 hectares. Though most farmers have a good living and the yields are satisfactory, there are still problems to be solved. One of these problems is the age structure of the population, in

view of the numbers of children. Chiefly young families or large families settle in Holambra and elderly people are not, as a rule, found there, as is often the case with settlements abroad.

The young people growing up wish to have a farm of their own as soon as possible. On the grounds of social, spiritual, cultural, and economic considerations, this can best be realized through the formation of a new group. It is almost impossible for an individual farmer to build up a living in this immense country, whether he has the Brazilian nationality or not.

But the extension schemes of the management of the Cooperativa Holambra are not only designed with a view to the many children on the colony, they are intended in the first place to open the way for the Dutch farmer in a country where, if he is willing to work hard and live economically, he will find great opportunities.

FUTURE PROSPECTS

Therefore, we are grateful that it was possible recently to obtain a long-term loan of U.S. $1,250,000 (in Dutch currency, about Dfl 4,750,000) from the U.S. Government, with the help of the Netherlands Government. The money is to be supplied through the intermediary of ICEM, Geneva, and administered by the Inter-American Development Bank. Holambra II is the first working object and, at the same time, the first project of this kind of the Development Bank, which was instituted by all the American States for financing big and important development projects in Latin America.

This credit will be used to buy land of approximately 30,000 hectares. The Brazilian State Bank is also willing to help and it will give a long-term loan of 600,000 cruzeiros (f 8,000) to every Dutch immigrant, so that an amount of Dfl. 15,000, to be provided by the farmer himself, will be sufficient. These amounts are required for building a simple house and sheds, for buying cattle, agricultural implements, seeds, chemical fertilizers, spray chemicals, etc., and to support the farmer for the first year.

THE NEW COLONY

Growing pains and problems that had to be faced during the initial years of Holambra I, need not occur with the setting up of the new colony. The experiences gained at the time will be of great value to newcomers. It is intended to set up, among every 10 farms of newcomers, one farm for a young and experienced farmer from Holambra I; these young farmers will be selected. The new colony is planned at a distance of about 350 kilometers from Holambra I. "Quite a distance," one may think. However, it should be remembered that in Brazil distance has quite another meaning than in Holland. For instance, 300 kilometers in Brazil, is so to speak, next door. Only recently, some farmers' families from the Dutch settlement of Castrolanda paid us a visit, after covering a thousand kilometers.

There are several countries in the world where the young Dutch farmer can go, if he wishes to remain a farmer. But emigration is not a simple matter and each country has its advantages and disadvantages. Therefore he should, before reaching a decision, consider thoroughly the pros and cons. Once resolved to take the big step, he should resolutely face the difficulties that will no doubt come. He should never let himself be discouraged, for persistence brings success. The development of Holambra has taught this lesson. There would be no sense in working as a farm laborer in Brazil, because he is paid by no means as well as in Holland, so he would not be able to save money, on the contrary, he would even run short. In the long run, this, too, will change, for in Brazil social development is in progress. If one has some capital, I would say Holambra II offers the enterprising Dutch farmer the opportunities to obtain a farm of his own and to build up, within a colony in a hospitable country, a prosperous future for himself and his family.

The fourth program dealt with under the predecessor bill, H.R. 8291, and now included in title II of this bill, H.R. 10079, authorizes the continuation of assistance to Cuban refugees in the United States.

It is, of course, well known to the House that such assistance is at the present time rendered by using the President's contingency funds to defray a part of expenses borne primarily by Dade County, Fla. The legislation now before the House defines the Cuban refugees eligible for assistance, outlines the scope of such assistance, and authorizes the appropriation of funds by the Congress.

The extensive committee report on this legislation contains a detailed discussion of the vexatious problem created almost overnight by the influx of Cuban refugees. It is, concededly, a problem very difficult to deal with, but—in the opinion of the President—this country must face up to this particular aspect of the situation created by the erection of a Communist dictatorship less than 90 miles south of our border and accept the ensuing humanitarian task.

Titles I and II of the bill are closely interlocked by the fact that the three assistance programs authorized under title II will be administered by one of the offices created pursuant to title I of this legislation.

The purpose of title I is to divide into two offices the principal functions of the Bureau of Security and Consular Affairs of the Department of State as originally established under section 104 of the Immigration and Nationality Act.

First, an office headed by an officer appointed by the President, with the advice and consent of the Senate, will be charged with responsibilities for administration of visa, nationality, and passport laws, as well as with all functions pertaining to the participation of the United States in international migration organizations. Thus, the new office will continue to operate in the field of consular affairs as hitherto authorized by the Immigration and Nationality Act.

Second, an office under direct supervision of the Deputy Under Secretary of State for Administration will be charged with that part of the functions of the Bureau of Security and Consular Affairs as now constituted, which pertain to security functions and investigative duties relating to all personnel of the Department of State employed in this country and abroad. The same office will be responsible for physical and other security functions carried out by the Department of State customarily or under the law.

After an extensive study of the problem, the Committee on the Judiciary unanimously recommends the separation of the two functions of the Bureau of Security and Consular Affairs in the belief that such division will provide for a better selection of properly qualified heads of each unit and enhance the efficiency of the important security operations conducted by the Department of State.

In addition to the recommendations by the President, this legislation has been endorsed by the Department of State. Several amendments proposed by the Department of State were carefully examined by the committee. Some of them were included in this legislation without change, some were modified, and some found not advisable.

I urge the House to pass the bill.

Mr. KYL. Mr. Chairman, will the gentleman yield?

Mr. WALTER. I yield to the gentleman from Iowa.

Mr. KYL. The gentleman from Iowa is not in any way challenging the present action in regard to the refugees. Would the gentleman, who is learned on this subject, inform the House whether or not we have any plan for the solution of the present Cuban refugee problem?

Mr. WALTER. I will say to the gentleman in all candor that this is a vexatious problem which, as far as I am concerned, defies solution. We are in the very strange position, and I might say very healthy position, that practically every one of the Cuban people who are here now want to return to their own land. It is not a case of our attempting to absorb these people. If it was, then their resettlement would be much easier, as I see it, but these people will not even leave Dade County, Fla., because of its proximity to Cuba. It is not easy to find places for more than a handful of them in other sections of the United States where they could find employment because there is no desire, I repeat, to get their little roots embedded into the soil of North America. They love their homeland and are waiting for the day when it will be free again and they can return to it.

Mr. KYL. Is it not true that these refugees are here under special emergency dispensation which is allowed under the present law?

Mr. WALTER. That is right, they are here under a provision of the immigration law under which, where there is a finding of emergency and of the best interest of the United States to admit these people, they can be admitted temporarily. They have no status under the law. They are not here as aliens for the purpose of permanent residence. They are not here as aliens for the purpose of pursuing studies, or for a visit or for any other purpose. The are here by sufferance.

Mr. FASCELL. Mr. Chairman, will the gentleman yield?

Mr. WALTER. I yield to the gentleman from Florida.

Mr. FASCELL. Mr. Chairman, I rise in support of the bill under consideration, one of the sections of which will provide statutory authority for the administration to continue its program of assistance to the Cuban refugees in our country, under the regular congressional authorization and appropriations proceedings.

I commend the tireless efforts of the distinguished gentleman from Pennsylvania, FRANCIS WALTER, chairman of the Immigration Subcommittee, who has worked so hard to bring this bill to the floor of the House. There is undoubtedly no other single individual in this country

who is as intimately familiar with the many phases of immigration and resettlement of exiles and refugees as Mr. WALTER. This is a very comprehensive and complicated field.

He is giving us today an opportunity to vote on a measure which will improve the machinery for this country's participation in international migration and resettlement matters and which will give full recognition to the assistance programs being carried on by the United States unilaterally as in the case of the Cuban exiles in this country.

Mr. WALTER's subcommittee has given full recognition to the tremendous efforts expended by State and local officials in Florida, the Catholic Church, and by the many private relief organizations which have been so generous in their willingness to assume major responsibilities in aiding the Cuban exiles and in resettling them in our country. His committee's report on this section of the bill is replete with statistics indicating the magnitude of the Cuban refugee problem in this country, particularly in the south Florida area. This measure will go a long way toward insuring proper, efficient administration of the program and will insure that all those in need will be cared for until they are settled and able to provide for themselves.

In behalf of all of the citizens of south Florida, I express to Chairman WALTER my appreciation for the outstanding job he and his subcommittee have done on this bill, as well as our sincere thanks for his interest and support in providing for a well-conceived, prescribed program of assistance to those thousands of Cubans who have found refuge on our shores. I hope the other body will give its speedy approval of this program.

Mr. ADAIR. Mr. Chairman, will the gentleman yield?

Mr. WALTER. I yield to the gentleman from Indiana.

Mr. ADAIR. I would invite the gentleman's attention to section 204(a) on page 9 of the bill and, particularly, to the part beginning on line 16 relating to the redelegation of authority by the President. My question is this: How does that compare with existing law on the subject of redelegation of authority?

Mr. WALTER. I might say to the gentleman this is the law today in many other fields of activities. It is important to bear in mind the fact that this authority applies to services and not to supplies. The President is authorized to delegate authority to enter into contracts for services. This language is deemed to be necessary because of the difficulty in contracting under the usual provisions of the law, that is, making a contract with the lowest responsible bidder for services, advertising and so forth.

Mr. ADAIR. Does the gentleman regard this as an extension of existing law?

Mr. WALTER. No, sir; this is identical with existing law. Unfortunately, our committee could not devise any way to do more than to accept existing law. Actually, we do not like this delegation of authority. I agree that it is not a good thing, but you must bear in mind the fact that the delegation is with respect to the contracting for services and not for supplies.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. POFF. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, in substantial part, title II of the bill passed the House last year. Accordingly I shall confine my remarks to title I.

Title I is essentially a reorganization plan for the Bureau of Security and Consular Affairs of the State Department. The Bureau would be abolished and its functions would be subdivided and assigned to two newly established offices bearing names to be later designated by the President and the Secretary of State.

The first of these new offices, to be headed by an Assistant Secretary of State appointed by the President, with the advice and consent of the other body, will have general jurisdiction over the administration of the passport laws and issuance of visas under the immigration laws, U.S. participation in international migration organizations, the determination of nationality of persons outside the United States, and matters relating to consular affairs as assigned by the Secretary.

The second new office, still without a formal name, can, for purposes of discussion, best be called the "security office" and its head the "chief security officer." Operating under the immediate jurisdiction of the Deputy Under Secretary of State for Administration, the security office will administer the security function in its three major categories, viz, personnel security, security of State Department establishments, and physical security. The physical security category embraces primarily responsibility for the physical safety of foreign statesmen visiting this country. The category of security of State Department establishments both here and abroad deals mainly with problems of communications security, such as wiretaps, clandestine microphones, and similar listening and penetration devices. The personnel category concerns the suitability and loyalty of State Department employees, both with respect to initial employment and retention in employment.

The personnel security program in every department of the executive branch of the Government is governed by an Executive order issued by the President on April 27, 1953, as later amended. Under that order, every prospective civilian employee is subject to investigation. That investigation must include written inquiries addressed to appropriate law-enforcement agencies, former employers, school officials, and listed references. A national agency check, including an FBI fingerprint check, is also required. If such an investigation discloses a security question, then a full field investigation must be conducted. A full field investigation is required as a matter of course for all Presidential appointees and for employees in posts classified by the head of the department as "sensitive positions."

The new security office will, of course, be bound by the provisions of this Executive order with respect to both employment and retention in employment of State Department personnel. In addition, the bill requires the Secretary of State, in consultation with the Attorney General and the Chairman of the Civil Service Commission, to promulgate such rules, regulations, and procedures in the field of both investigation and evaluation as may be necessary to implement the stated purposes of the legislation. In connection therewith, and in connection with the administration of matters subject to the provisions of section 103 of the bill, Congress has reserved continuing oversight powers and has imposed the specific statutory obligation for the Deputy Under Secretary of State for Administration to maintain close liaison with the appropriate committees of Congress. Short of the assertion of the Executive privilege, we intend that this liaison be continuing, complete and unabridged.

Under section 103 of the bill, a Foreign Service officer is not eligible to occupy the position of chief security officer. This provision is not in any way or in any degree intended as a rebuke to the Foreign Service or its personnel. Neither is it intended as an embargo against service in the security office by Foreign Service officers. On the contrary, we feel that it would be helpful in the development of security consciousness for every Foreign Service officer at some point in his career to serve some time in the security apparatus. Moreover, we recognize that many Foreign Service officers have acquired extensive training, experience and knowledge in security functions, and the committee wants the new security office to have the benefit of that expertise. It does not necessarily follow, however, that a Foreign Service officer should be the chief security officer. We sincerely believe that it is in his own best interests not to be. The Foreign Service is a career service with a high esprit de corps. Its members are understandably dedicated to the preservation of its good name and reluctant to disclose information concerning fellow members which might tend to tarnish its public image. It is unfair to a Foreign Service officer commissioned with the responsibility which the position of chief security officer would entail, to require him to pass wholly objective judgment upon the deportment of one of his colleagues with whom he has spent his whole professional life, particularly if that colleague happens to be his senior or his superior. Whatever judgment he passed might be suspect to outsiders. It might appear to some to be a whitewash; to others, a bending over backwards; to others an act of spite—all depending upon the outsider's individual evaluation of the gravity of the charge, the weight of the evidence, and the purity of the personal motivation of the officer who passes the judgment. It seems to me that the Congress would do the career Foreign Service officer a genuine kindness by sparing him the ordeal of passing such a judgment. In summary, the duty of investigating, informing against, and punishing a professional colleague is a chore which the career Foreign Service

officer should not covet and a burden which the Congress should not impose.

Your committee does not suggest that this reorganization plan is a perfect instrument. Perfect performance on the part of any organization is impossible if there is any degree of imperfection in the orientation, motivation, or dedication of those who staff it. By the same token, perfect performance is possible where orientation, motivation, and dedication are perfect, even when the organizational structure is imperfect.

Mr. HAYS. Mr. Chairman, will the gentleman yield?

Mr. POFF. I yield.

Mr. HAYS. What do you consider the appropriate committees of Congress for State Department matters?

Mr. POFF. I would certainly assume that all the committees of Congress which have to do with foreign affairs and the subject of immigration and naturalization would be appropriate committees.

Mr. HAYS. I thought it would be nice, since your committee assumed jurisdiction over setting up bureaus in the State Department, to at least say that you thought the Committee on Foreign Affairs was the appropriate committee.

Mr. POFF. The gentleman is entirely in error when he says this committee assumed jurisdiction. This committee took jurisdiction when the bill was referred to it by the Speaker of the House.

Mr. HAYS. The title of the bill, of course, is really a little bit misleading because actually the phrase "and for other purposes" covers a multitude of sins, does it not?

Mr. POFF. It is true that it deals with certain other matters, but essentially it deals with the Immigration and Nationality Act. That is within the jurisdiction of the Committee on the Judiciary.

Mr. WALTER. Mr. Chairman, we have no further requests for time.

Mr. POFF. Mr. Chairman, I yield 10 minutes to the gentleman from West Virginia [Mr. MOORE].

Mr. MOORE. Mr. Chairman, there presently exists in the Department of State the Bureau of Security and Consular Affairs. As the title signifies, this Bureau has jurisdiction not only over the regular consular duties, but also the internal and physical security affairs of the Department. Because of the inherent disparity between these two classes of duties, it has been thought desirable from the standpoint of sound administration to divide these two functions into separate offices each to be headed by an official who possesses expertise in the affairs of his respective office.

Under title I, section 101 provides a substitute for section 104 of the Immigration and Nationality Act. Subsection (a) of the proposed section 104 of the basic act restates the provisions of existing law relating to the powers, duties, and functions of the Secretary of State and the diplomatic and consular officers of the United States in the administration of the immigration and nationality laws.

Subsection (b) of the proposed section 104 creates a new office within the Department of State which shall be charged with the administration of the laws relating to passports, visas, consular affairs, international migratory affairs, activities extending legal protection and assistance to refugees, and other related functions which may be delegated by the Secretary of State.

The head of this newly created office shall be appointed by the President by and with the advice and consent of the Senate. He shall hold the rank and compensation of an Assistant Secretary of State and shall be a citizen of the United States who possesses expert knowledge of nationality laws, immigration laws, and international migration affairs. The appointive head of this office, in administering the laws charged to his office, shall maintain close liaison with the Immigration and Naturalization Service in order to assure uniform interpretations of such laws. He shall also maintain close liaison with the appropriate committees of Congress in order to be advised regarding the administration of the laws and affairs of the act.

Section 102 of title I contains provisions designed to enable uninterrupted operations of the Immigration and Nationality Act.

Section 103 of title I authorizes the establishment within the Department of State, under the immediate jurisdiction of the Deputy Under Secretary of State for Administration, of an administrative unit. This unit shall be headed by an official, other than a Foreign Service officer, who is a citizen of the United States and qualified by experience in all facets of security affairs. The functions of this unit is to investigate and pass upon the suitability and loyalty of State Department personnel, in the United States and abroad, and to manage the physical and other security tasks charged to the Department. In the proper administration of this unit, the Secretary of State is charged with the duty of maintaining continuous cooperation with the Attorney General and the Chairman of the Civil Service Commission in order to insure that appropriate rules, regulations, and procedures in the field of security are established, evaluated, and surveyed for the purpose of determining their efficiency. In addition, the Deputy Under Secretary of State for Administration is charged with maintaining close liaison with the appropriate committees of Congress in matters of security in order to assure congressional participation in the development and survey of the rules, regulations, and procedures promulgated or established which affect national security.

The requirement in section 103 that the head of the administrative unit shall be limited to a person other than a Foreign Service officer was thoroughly considered and debated by the subcommittee in charge of this legislation and by the full Committee on the Judiciary. In imposing this limitation, the committee has absolutely no intention of casting reflection upon or to disparage the integrity of Foreign Service officers. The committee holds the members of the Foreign Service in high esteem. It believes that the limitation benefits the Foreign Service by relieving its officers of the incongruity of investigating and passing upon the suitability of fellow officers who at some future time may become their supervisors or who may themselves someday be placed in the position of investigators and evaluators. In addition, the limitation is imposed in the belief that the periodic rotation of Foreign Service officers abroad conflicts with the necessary requirement that the head of the unit possess expertise in security matters. Nothing in this section precludes, however, the appointment of Foreign Service officers to serve on the staff of the security unit where their administrative experience may indeed be valuable.

Title II, sections 202 (a), (b)(1), and (b)(2), of the bill seek to reenact three provisions of the Mutual Security Act of 1954, amended, authorizing the operation or the participation by the United States in defined programs of assistance to certain migrants and refugees. Since the philosophy and purposes of the newly proposed foreign aid legislation—the Act for International Development—are not consonant with the migration and refugee programs, it has been thought desirable to simplify and consolidate these latter provisions into this new act. To that purpose, authorization is granted for the appropriation of funds for the operation of these programs, but the act does not itself appropriate any funds.

Sections 202(b) (3) through (6) of Title II authorize the appropriation of funds to assist certain refugees from Western Hemisphere countries—particularly Cuba—who have fled to the United States in fear of persecution.

The remaining sections of title II are merely administrative in nature. They provide for continued cooperation with the appropriate committees of Congress; the transfer of funds already appropriated to the pertinent programs herein established by this act; the coordination and cooperation with governmental and private agencies—United States and foreign—which conduct refugee and migrant programs; the making of contracts and delegation of authority; the compensation, allowances and travel of authorized personnel; the continuity of existing programs until appropriate administrative action is taken under this new legislation; and the repeal of existing legislation which conflicts with the newly created legislation of this act.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. MOORE. I yield to the gentleman from Iowa.

Mr. GROSS. I understand this would abolish the present Bureau of Security in the State Department; is that correct?

Mr. MOORE. Well, it divides the responsibilities that are now held by that particular office into two sections. It is not quite true to say that it will abolish it, because there will be a new office that will handle a portion of the duties that are now handled by that office.

Mr. GROSS. It will reconstitute it in a different fashion; is that approximately correct?

Mr. MOORE. That is correct, sir.

Mr. GROSS. Now, the Secretary of State has the authority to issue 90-day waivers, security waivers. Does this in any way affect the Secretary of State's authority to issue 90-day waivers?

Mr. MOORE. I do not think that this touches upon that provision of the law at all, and I do not believe, from the manner in which I have attempted to explain it, that the gentleman from Iowa should take that construction. I do not believe that is in the bill.

Mr. HAYS. Mr. Chairman, will the gentleman yield?

Mr. MOORE. I yield to the gentleman from Ohio.

Mr. HAYS. The Secretary, as I understand it, has authority to use a man in a clerical position if they do not get the full field investigation back and they need someone. He can issue waivers for 90 days pending the receipt of the investigation. I think that is not only true in the State Department but many other departments.

Mr. GROSS. Why, certainly; there is the case—and it is not more than a year and a half old—of the Bureau of Security having reported and a full field investigation having been made and still giving a 90-day waiver.

Mr. HAYS. Well, that would not happen in this administration. You say it was a year and a half ago?

Mr. GROSS. I will say to the gentleman it happened in this administration.

Mr. HAYS. Then you do not know how to count dates, either one way or the other.

Mr. GROSS. Well, I said a year or year and a half ago. Make it a year ago.

Mr. HAYS. Of course, you can make it whatever you want to. I am beginning to doubt that it ever happened at all. You started off making it a year and a half and now a year, and I cannot stop you from doing that.

Mr. GROSS. If the gentleman from Ohio would care to see the letter I have here, that will sustain and give all the dates, times, and places.

Mr. MOORE. Despite the commentary between the gentleman from Ohio and the gentleman from Iowa this is a good bill.

Mr. Chairman, I would like to leave the committee with the firm impression that the committee in considering H.R. 10079 had a very good purpose in mind, one which our Subcommittee on Immigration and Nationality felt should be written into law. We went into this matter very carefully. We had the Deputy Under Secretary of State for Administration before us. He spoke in the most favorable terms for what we desire to do with this legislation. I recommend it to the committee for their consideration and approval.

Mr. POFF. Mr. Chairman, I have no further requests for time.

Mr. WALTER. Mr. Chairman, we have no further requests for time.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I

SEC. 101. Section 104 of the Immigration and Nationality Act (8 U.S.C. 1104) is hereby amended to read as follows:

"SEC. 104. (a) The Secretary of State shall be charged with the administration and the enforcement of the provisions of this Act and all other immigration and nationality laws relating to (1) the powers, duties, and functions of diplomatic and consular officers of the United States, except those powers, duties, and functions conferred upon the consular officers relating to the granting or refusal of visas; and (2) the determination of nationality of a person not in the United States. He shall establish such regulations; prescribe such forms of reports, entries, and other papers; issue such instructions; and perform such other acts as he deems necessary for carrying out such provisions. He is authorized to confer or impose upon any employee of the United States, with the consent of the head of the department or independent establishment under whose jurisdiction the employee is serving, any of the powers, functions, or duties conferred or imposed by this Act or regulations issued thereunder upon officers or employees of the Department of State or of the American Foreign Service.

"(b) There is established in the Department of State an Office which shall be entitled as designated by the President, which Office shall be filled by appointment by the President, by and with the advice and consent of the Senate, with rank and compensation equal to that of an Assistant Secretary of State. The incumbent of such Office shall be a citizen of the United States qualified by knowledge of the nationality laws, immigration laws, and international migration affairs. He shall maintain close liaison with the Immigration and Naturalization Service in order that there may be uniform interpretations of the provisions of such laws and laws and agreements relating to international migration affairs. He shall also maintain close liaison with the appropriate committees of Congress in order that they may be advised regarding the administration of such laws and affairs, and of this Act. Such officer shall be charged with any and all responsibility and authority in the administration of the Office and of this Act affecting or relating to passports, visas, consular affairs, international migration affairs, and such other related functions conferred on the Secretary of State as may be delegated to him by the Secretary of State."

SEC. 102. All orders, regulations, rules, delegations, notices, determinations, agreements, and other actions issued, made, concluded or taken under the authority of any provision of section 104 of the Immigration and Nationality Act prior to its amendment by this Act shall continue in full force and effect until modified, revoked, or superseded under the authority of this title. Any of the powers, functions, or duties conferred or imposed upon the Administrator of the Bureau of Security and Consular Affairs of the Department of State under the Immigration and Nationality Act, or regulations issued thereunder, are hereby conferred or imposed upon the Secretary of State.

SEC. 103. The Secretary of State shall have the authority to establish in the Department of State, under the immediate jurisdiction of the Deputy Under Secretary of State for Administration, an administrative unit authorized to carry out functions relative to (1) such investigations of any officer or employee of the Department of State as may pertain to his suitability and loyalty to the United States; (2) security of the Department of State and its establishments abroad; and (3) physical security.

The chief officer of such administrative unit shall be a citizen of the United States, other than a Foreign Service officer, qualified by experience in investigative and security activities, functions, and methods. The Secretary of State hereby authorized (1) to promulgate, in consultation with the Attorney General, and the Chairman of the Civil Service Commission, such rules and regulations, and (2) to issue such instructions, establish such procedures, and perform such other acts and functions as he deems necessary for carrying out the purposes of this section. The Deputy Under Secretary of State for Administration shall maintain close liaison with the appropriate committees of Congress in order that they may be advised regarding the administration of this section and the operations of the administrative unit established thereunder.

SEC. 104. (a) The title preceding section 104 of the Immigration and Nationality Act is hereby amended to read as follows:

"Powers and duties of the Secretary of State"

(b) Section 104 of the table of contents of the Immigration and Nationality Act is hereby amended to read as follows:

"Sec. 104. Powers and duties of the Secretary of State."

(c) Subsection (e) of section 212 of the Immigration and Nationality Act (66 Stat. 188) redesignated by section 109(c) of the Act of September 21, 1961 (75 Stat. 535) as subsection (f) is hereby redesignated as subsection (i).

TITLE II

SEC. 201. This title may be cited as the "Migration and Refugee Assistance Act of 1962."

SEC. 202. (a) The President is hereby authorized to continue membership for the United States in the Intergovernmental Committee for European Migration in accordance with its constitution approved in Venice, Italy, on October 19, 1953. For the purpose of assisting in the movement of refugees and migrants and to enhance the economic progress of the developing countries by providing for a coordinated supply of selected manpower, there are hereby authorized to be appropriated such amounts as may be necessary from time to time for the payment by the United States of its contributions to the Committee for the effectuation of its purposes, and all necessary salaries and expenses incident to United States participation in the Committee.

(b) There are hereby authorized to be appropriated such amounts as may be necessary from time to time—

(1) for contributions to the activities of the United Nations High Commissioner for Refugees for assistance to refugees under his mandate or in behalf of whom he is exercising his good offices;

(2) for assistance to or in behalf of refugees designated by the President (by class, group, or designation of their respective countries of origin or areas of residence) when the President determines that such assistance will contribute to the defense, or to the security, or to the foreign policy interests of the United States;

(3) for assistance to or in behalf of refugees in the United States whenever the President shall determine that such assistance would be in the interest of the United States: *Provided*, That the term "refugees" as herein used means aliens who (A) because of persecution or fear of persecution on account of race, religion, or political opinion, fled from a country of the Western Hemisphere; (B) cannot return thereto because of fear of persecution on account of race, religion, or political opinion; and (C) are in urgent need of assistance for the essentials of life;

(4) for assistance to State or local public agencies providing services for substantial numbers of individuals who meet the requirements of subparagraph (3) (other than clause (C) thereof) for (A) health services

and educational services to such individuals, and (B) special training for employment and services related thereto;

(5) for transportation to, and resettlement in, other areas of the United States of individuals who meet the requirements of subparagraph (3) (other than clause (C) thereof) and who, having regard for their income and other resources, need assistance in obtaining such services; and

(6) for establishment and maintenance of projects for employment or refresher professional training of individuals who meet the requirements of subparagraph (3) (other than clause (C) thereof) and who, having regard for their income and resources, need such employment or need assistance in obtaining such retraining.

Funds appropriated for the purposes of this section shall remain available until expended.

(c) Of the funds made available for use under section 451(a) of the Act for International Development of 1961 (75 Stat. 434), not to exceed $10,000,000 may be used in any fiscal year in order to meet unexpected urgent refugee and migration needs, when the President determines such use to be important to the national interest.

(d) The President shall keep the appropriate committees of Congress informed of the use of funds and the exercise of functions authorized in this title.

(e) Unobligated and unexpended balances of funds made available under authority of the Mutual Security Act of 1954, as amended, and of the Act for International Development of 1961, and allocated or transferred for the purpose of providing assistance to or in behalf of refugees, migrants, escapees, and selected persons are hereby authorized to be continued available for the purposes of this section and may be consolidated with appropriations authorized by this section.

SEC. 203. (a) In carrying out the purpose of this title, the President is authorized—

(1) to make loans, advances, and grants to, make and perform agreements and contracts with, or enter into other transactions with, any individual, corporation, or other body of persons, Government or Government agency, whether within or without the United States, and international and intergovernmental organizations; and

(2) to accept and use money, funds, property, and services of any kind made available by gift, devise, bequest, grant, or otherwise for such purposes.

(b) Whenever the President determines it to be in furtherance of the purposes of this title, the functions authorized under this title may be performed without regard to such provisions of law (other than the Renegotiation Act of 1951 (65 Stat. 7), as amended) regulating the making, performance, amendment, or modification of contracts and the expenditure of funds of the United States Government as the President may specify.

SEC. 204. (a) The President is authorized to designate the head of any department or agency in the executive branch, or any official thereof who is required to be appointed by the President by and with the advice and consent of the Senate, to perform any functions conferred upon the President by this title. If the President shall so specify, any individual so designated under this subsection is authorized to redelegate to any of his subordinates any functions authorized to be performed by him under this subsection, except the function of exercising the waiver authority specified in section 203(b) of this title.

(b) The President may allocate or transfer to any agency of the United States Government any part of any funds available for carrying out the purposes of this title. Such funds shall be available for obligation and expenditure for the purposes for which authorized in accordance with authority granted in this title or under authority governing the activities of the agencies of the United States Government to which such funds are allocated or transferred. Funds allocated or transferred pursuant to this subsection to any such agency may be established in separate appropriation accounts on the books of the Treasury.

SEC. 205. (a) Funds made available for the purposes of this title shall be available for—

(1) compensation, allowances, and travel of personnel, including Foreign Service personnel whose services are utilized primarily for the purpose of this title, and without regard to the provisions of any other law, for printing and binding, and for expenditures outside the United States for the procurement of supplies and services and for other administrative and operating purposes (other than compensation of personnel) without regard to such laws and regulations governing the obligation and expenditure of Government funds as may be necessary to accomplish the purposes of this title;

(2) employment or assignment of Foreign Service Reserve officers for the duration of operations under this title;

(3) exchange of funds without regard to section 3651 of the Revised Statutes (31 U.S.C. 543), and loss by exchanges;

(4) expenses authorized by the Foreign Service Act of 1946, as amended (22 U.S.C. 801 et seq.), not otherwise provided for;

(5) expenses authorized by the Act of August 1, 1956 (70 Stat. 890-892), as amended; and

(6) all other expenses determined by the President to be necessary to carry out the purposes of this title.

(b) Except as may be expressly provided to the contrary in this title, all determinations, authorizations, regulations, orders, contracts, agreements, and other actions issued, undertaken, or entered into under authority of any provision of law contained in the Mutual Security Act of 1954, as amended, whether repealed or not, or the Act of International Development of 1961, shall continue in full force and effect until modified, revoked, or superseded under the authority of this title.

SEC. 206. Subsections (a), (c), and (d) of section 405 of the Mutual Security Act of 1954, as amended, and the last sentence of subsection (c) of section 451 of the said Act, are hereby repealed.

SEC. 207. Notwithstanding the provisions of section 206 of this title, until the enactment of legislation appropriating funds for activities under this title, such activities may be conducted with funds made available under section 451(a) of the Act for International Development (75 Stat. 434).

Mr. WALTER (interrupting reading of the bill). Mr. Chairman, I ask unanimous consent that the bill be considered as read and open for amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The CHAIRMAN. The Clerk will read the committee amendment.

The Clerk read as follows:

Page 10, line 13, strike out "Act" and insert "Title".

The CHAIRMAN. Without objection, the committee amendment is agreed to.

There was no objection.

Mr. WALTER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WALTER of Pennsylvania: Page 11, line 23 after "Act," insert "and the last sentence of section 2(a) of the Act of July 14, 1960 (74 Stat. 504),".

Mr. WALTER. Mr. Chairman, I rise in support of the amendment. The purpose of the amendment is to eliminate from section 2(a) of Public Law 86-648—act of July 14, 1960; 75 Stat. 504—the date on which the Attorney General is directed to discontinue the paroling into the United States of certain refugee-escapees defined in section 1 of the said law and in section 15(c)(1) of the Act of September 11, 1957—71 stat. 643-644. The termination of the discretionary power vested in the Attorney General under the 1960 law may occur, at any time, by action of the House or the Senate, as prescribed by that portion of section 2 of Public Law 86-648 which will remain in force, the instant amendment notwithstanding.

With the expiration, on March 25, 1962, of section 15 of the Act of September 11, 1957—repealed pursuant to section 24(a)(4)(b) of the Act of September 26, 1961—75 Stat. 657—the utilization of section 212(d)(5) of the Immigration and Nationality Act, as authorized by Public Law 86-648, will remain the sole instrumentality for the participation of the United States in internationally concerted efforts to cope with the steadily diminishing, but still existing, problem of the resettlement of refugees who are within the mandate of the United Nations High Commissioner for Refugees.

It appears necessary to state at this point that Public Law 86-648 in its concept as well as in administrative operations undertaken thereunder does not provide for the inception of a large immigration program as such programs were authorized pursuant to legislation enacted in the aftermath of World War II, in 1948, 1950, and 1953. This is basically a program designed to provide a remedy and a possible solution for what might be properly called "unfinished business" in the refugee situation, namely, the resettlement of a rather negligible number of older residue cases. The law also offers an opportunity to provide relief in deserving cases of more recent refugees whose claim to such status as defined in the law is satisfactorily sustained by facts.

Numerically, the program is predicated on the "fair share" principle under which the United States may accept for resettlement not to exceed 25 percent of the number of refugees who within specified 6-month periods have been admitted for resettlement by other cooperating countries of the free world.

Since the inception of the program in the autumn of 1960 until mid-February 1962, total entries in the United States numbered 5,806 persons, as illustrated by the following chart.

Cumulative report of refugee-escapees paroled under act of July 14, 1960, as of Feb. 19, 1962

Country from which escaped	Total	Country of last residence						
		Austria	Belgium	France	Germany	Greece	Italy	Lebanon
Total	5,806	900	420	1,754	780	319	1,223	320
Albania	258	12	80	18	6	53	89	
Bulgaria	121	9	22	17	8	35	10	20
Czechoslovakia	4	2		1			1	
East Germany	2		1		1			
Estonia	10		4		6			
Hungary	815	378	99	122	176	2	36	2
Iraq	5	5						
Latvia	41	1		3	36		1	
Lithuania	24				24			
Poland	608	82	89	190	226		21	
Rumania	770	153	35	167	14	93	47	261
Turkey	5		4	1				
United Arab Republic (Egypt)	618		3	570		5	16	24
Syria	13							13
U.S.S.R.	76	4	1	22	44	2	3	
Yugoslavia	2,436	344	82	643	239	129	999	

The extent of cooperation of other countries in providing resettlement for refugees is indicated by the following chart:

Resettlement of refugees subject to mandate of the United Nations High Commissioner for Refugees to countries other than the United States, during the period Jan 1, 1961, to Dec. 31, 1961

I

Overseas movements effected by ICEM[1] to:	
Argentina	145
Australia	4,492
Brazil	885
Canada	1,337
Chile	23
Colombia	17
Israel	18,063
New Zealand	103
South Africa	15
Uruguay	5
Venezuela	22
Others overseas	43
Total	25,150
Intra-Europe resettlement in:	
Belgium	442
France	186
Sweden	270
Switzerland	217
United Kingdom	351
Other European countries	122
Total	1,588

II

Movements outside of ICEM to:	
Belgium	539
France	956
Germany	194
Italy	222
Luxembourg	16
Netherlands	193
Total	2,120
Grand total	28,858

[1] Intergovernmental Committee for European Migration; Geneva, Switzerland.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania.

The amendment was agreed to.

Mr. GROSS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GROSS: On page 9, strike out all of lines 3 through 10.

Mr. GROSS. Mr. Chairman, I think this legislation has merit. But I cannot support this or any other legislation with the broad delegation of power as provided for on page 9 of the bill, section 203, paragraph (b), which reads as follows:

(b) Whenever the President determines it to be in furtherance of the purposes of this title, the functions authorized under this title may be performed without regard to such provisions of law (other than the Renegotiation Act of 1951 (65 Stat. 7), as amended) regulating the making, performance, amendment, or modification of contracts and the expenditure of funds of the United States Government as the President may specify.

Mr. Chairman, this is an untrammeled, completely unwarranted delegation of power with respect to this or any other legislation, and my amendment would strike it out.

It will probably be said that this provision is found in the Mutual Security Act and in the Act for International Development, and that is entirely true. But, I opposed both of those bills, and one of the reasons why I opposed them was because of the unconscionable delegations of power by Congress to the Chief Executive. It makes no difference to me whether it is the present President or any other President. Section 203 of this bill also provides that the President may "accept and use money, funds, property, and services of any kind made available by gift, devise, bequest, grant, or otherwise for such purposes."

Had the President been armed with the delegated power in this bill it would have been possible, if I interpret this language correctly, for him to have used Federal funds in the tractors for Cuba promotion, when that enterprise fell flat on its collective face because the American public refused to support it. I say again to the membership of the House that this provision constitutes an unholy and unconscionable delegation of power. It ought not to be in any legislation, except that of the utmost emergency. I hope the committee will accept my amendment to strike it out. I cannot vote for the bill if it contains this delegation of power, for I will not be a party to this steady erosion of the powers of Congress.

Mr. WALTER. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the language in this bill, despite the impression that one might have gained as a result of the remarks made by my very dear friend, the gentleman from Iowa [Mr. GROSS], is not novel at all. This is the language that appeared in the Mutual Security Act, in the Foreign Assistance Act, the Peace Corps Act, the Fulbright-Hays Act. This is a provision that is necessary because of the inability to write specific language to deal with the type of case with which we are dealing in this legislation.

As far as paying for tractors for Cuba is concerned, I will say to my friend that this is utterly impossible, because the Cubans in Cuba are nowise eligible for that type of assistance under the terms of section 202(b) of the bill. This contracting authority relates only to services and not to supplies. I will give you an example. One of the welfare organizations, one of the voluntary agencies—the National Catholic Welfare Conference or the Jewish Hias, or the Lutheran Council or whatever it might be—have representatives in Europe. They have interpreters on their staff. So, instead of the United States recruiting interpreters, under the civil service, if you please, we enter into an agreement with these voluntary agencies under which they make available the services of an interpreter as, if and when needed. I do not know how you can enter into the kind of a contract for that particular service unless this language is used.

I do not like to delegate authority any more than does the gentleman from Iowa, and if it would be possible to spell out the field in which the President must enter personally into agreements and where he can delegate authority, I certainly would be very happy to do so; but I do not think it is possible in this kind of activities.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. WALTER. Of course.

Mr. GROSS. The gentleman should, and I am sure he has, read this provision, paragraph (b) of section 203 of the bill.

Under (a), which immediately precedes it, if the gentleman will bear with me, it says:

In carrying out the purpose of this title, the President is authorized—

(1) to make loans, advances, and grants to, make and perform agreements and contracts with, or enter into other transactions with, any individual, corporation, or other body of persons, Government or Government agency, whether within or without the United States, and international and intergovernmental organizations;

This goes far beyond services—this delegation of power to the President to be found in paragraph (b) to make loans, advances, grants and enter into transactions with persons, individuals or corporations. This is not limited to services.

Mr. BOW. Mr. Chairman, I move to strike out the last word.

As a member of the Subcommittee on Appropriations for the Department of State, I should like to inquire of the gentleman from Pennsylvania whether or not the passage of this bill will result in an increase in appropriations for the Department of State.

Mr. WALTER. Of course, it will not. It will cause an increase to the extent of the $10 million.

Mr. BOW. Does it include a new Assistant Secretary or a new position at the salary of an Assistant Secretary?

Mr. WALTER. Oh, no. The position envisaged here, the incumbent thereof will be paid the same salary. There will be no additional salary.

Mr. BOW. Mr. Chairman, I want to make the record clear so that we can understand that there is nothing in here that is going to increase appropriations. The gentleman from Ohio [Mr. HAYS] will recall that last year we had a bill on the floor and were told that the appropriation for this year would be $40 million. They are now asking $56 million and have gone as high as $142 million. I think in these authorization bills we should have some understanding whether we are creating a situation in which appropriations necessarily will have to be increased.

Mr. HAYS. Mr. Chairman, will the gentleman yield?

Mr. BOW. I am glad to yield to the gentleman from Ohio.

Mr. HAYS. The gentleman from Ohio refers to the colloquy last year; I think the gentleman perhaps is using the term "this year" in a way that is a little bit misleading; and I am sure he does not intend to be. I think what I said last year was that I was told that the appropriation in the initial year of the act would be the same, $40 million. That is what I was told and that is the way it was, because the initial year is now going on. Nobody asked me, and I did not volunteer the information, but I certainly would have; that in subsequent years there would be more money asked for, and the fiscal year 1963 is a subsequent year.

Mr. BOW. Mr. Chairman, may I say to the gentleman that I was not in any way criticizing the gentleman from Ohio and his reply to us at that time. I particularly had in mind that I had asked the question also of the gentleman from Indiana [Mr. ADAIR]. We were told then that it would be about $40 million, as the report of the committee shows, in the initial year.

Mr. HAYS. That is correct.

Mr. BOW. This was the initial appropriation under that bill. Since it has become effective, this is the first time we have had an appropriation for that bill and they are now asking $56 million. But I might point out to the gentleman that the Assistant Secretary handling this phase of it now has told me that he has requested of the Secretary approximately $142 million, which is $102 million more than the $40 million we were talking about.

I just think it is well in the authorization bill that we have some understanding so that when we get to the appropriations with this request for additional funds that they cannot come in and say, "You authorized it; you have got to give it to us."

Mr. WALTER. There is no authorization here for anything whatsoever.

Mr. BOW. The gentleman feels that this will not increase the cost of operation?

Mr. WALTER. I am positive that it will not.

Mr. BOW. I thank the gentleman. That is the information I was seeking.

Mr. WALTER. The same amount will be expended. It will be transferred from one board to another.

Mr. BOW. That is what I wanted to be sure of, that we were not increasing the overall expense.

Mr. HAYS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I would like to point out in line with what the gentleman from Ohio [Mr. BOW] said, that even if the Department asks for $140 million for the implementation of the Educational Exchange Act, that I think will do a lot more good than the same amount spent elsewhere, on something that may prove to be entirely wasted. I am for this program to put a man on the moon. The Congress will appropriate $5 billion, $10 billion, or whatever it costs to do that. It might be fair to ask if putting a man on the moon will do as much good in winning the cold war we are engaged in, a project that might cost $10 billion or even more—whether it will do as much good as $150 million spent to bring students here from other lands to study in the United States to understand what democracy means in the United States, to understand how it works, then to go back and try to indoctrinate their own people with some of the ideas and ideals of the United States. Whatever it costs, whether $40 million, $56 million, or whatever the figure may be for the educational exchange program, it may prove more effective in winning the cold war than the $40 billion the military is asking for, and which we will pass without question. In the long run the educational program may be the thing that wins the cold war.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa.

The question was taken; and on a division (demanded by Mr. GROSS) there were—ayes 18, noes 36.

So the amendment was rejected.

The CHAIRMAN. Are there further amendments?

There being no further amendments, under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. O'BRIEN of New York, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 1079) to amend section 104 of the Immigration and Nationality Act, and for other purposes, pursuant to House Resolution 559, he reported the same back to the House with sundry amendments adopted in the Committee of the Whole.

The SPEAKER. Under the rule the previous question is ordered. Is a separate vote demanded on any amendment?

If not, the Chair will put them en gros.

The amendments were agreed to.

The bill was ordered to be engrossed and read a third time and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

DEPARTMENT OF DEFENSE CONTRACTS AWARDED TO CALIFORNIA

Mr. SHEPPARD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and to include tables.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. SHEPPARD. Mr. Speaker, periodically a few of my distinguished colleagues and others take it upon themselves to launch remarks against the State of California and the percentage total of Department of Defense contracts awarded to companies headquartered within my State's boundaries.

I have said, and our entire congressional delegation has stated repeatedly, that there should be but three criteria used in contract negotiations of taxpayers' dollars for defense and aerospace needs—to obtain the best possible product, for the best possible price, in the quickest possible time. As taxpaying citizens as well as congressional representatives this is our interest—maximum national protection at minimum national cost, and completed within a minimum length of time. There are no other criteria.

We have our unemployment in California. In fact, in one of our major cities, the situation is fairly critical and the Governor has formed a team of specialists to study and recommend possible alleviating measures. But the Governor said quite pointedly last week, and I emphasize this, that "defense contracts should be let solely on the basis of merit and not be let on the basis of political pressure on behalf of areas of unemployment."

Now it was brought to my attention that just a few days ago a lengthy statement was made, which included a quote that perhaps "the Department of Defense is becoming aware of the need to channel more work into the East." This statement was made because recently released statistics from the Department of Defense showed that the State of New York jumped 2 percent during the last 6 months of 1961 in amount of contract dollars awarded.

We in the California delegation are assuming that this increase was the result of contracts awarded on the basis of merit with criteria I mentioned earlier. And we congratulate the State of New York and its fine companies—for sound competition only leads to progress and fulfillment of the three criteria.

Unfortunately, perhaps the statements also expressed a suspicion that companies in eastern localities were not being recognized by various procurement groups. I dispute this wholeheartedly.

I received this week information I requested some time ago on the interstate dispersion of defense procurement dollars received by companies headquartered in California. The figures are quite amazing and revealing. Seven of the larger defense contractors in California reported procurement data to me covering a national pattern of their relations with subcontractors and suppliers for equipment, materials, and services. This compilation of data is the most recently available and is on an annual basis for the 1960–61 period.

Incidentally, each of these seven reporting corporations carries on an intensive procurement and contracting program aimed at the widest possible participation nationally, and in each case a main facet of the total program is the determination that small business receive an equitable opportunity in competing for subcontracts, enabling these companies to obtain the best possible product, for the best possible price, in the quickest possible time.

Defense contractors headquartered in California are doing business in 49 States. These seven contractors reported that $2.7 billion was expended in the 49 States and the District of Columbia for subcontracting of equipment, materials, and services.

The principal States receiving the impact of this California national procurement effort are New York, which received 12.12 percent of these subcontract dollars, followed by Ohio, New Jersey, Massachusetts, and Pennsylvania.

Incidentally, this compilation of data revealed that 29.56 percent of California's subcontract procurement dollar went to small business. Compare this with the national average of all contracts awarded to small business which is only 15.9 percent. This 15.9 figure was released by the Small Business Administration last week.

I submit for your information a breakdown by State of California's national subcontract procurement distribution:

50-State breakdown

	California dollars	Percent of total [1]
Alabama	$1,135,433	0.042
Alaska	17,139	.0006
Arizona	19,744,092	.73
Arkansas	72,477	.003
California	1,362,707,587	50.06
Colorado	12,061,219	.44
Connecticut	55,659,726	2.05
Delaware	2,049,384	.08
Florida	13,753,954	.50
Georgia	17,844,601	.66

See footnote at end of table.

50-State breakdown—Continued

	California dollars	Percent of total [1]
Hawaii	$692,575	.025
Idaho	525,000	.02
Illinois	49,562,013	1.82
Indiana	27,818,171	1.02
Iowa	10,708,289	.39
Kansas	16,742,162	.62
Kentucky	89,892	.003
Louisiana	244,701	.009
Maine	319,096	.012
Maryland	9,214,004	.34
Massachusetts	102,470,052	3.77
Michigan	26,765,743	.98
Minnesota	14,220,738	.52
Mississippi	145,360	.005
Missouri	30,123,502	.11
Montana	874	0
Nebraska	1,334,518	.05
Nevada	371,295	.014
New Hampshire	1,791,188	.066
New Jersey	177,297,193	6.52
New Mexico	293,375	.108
New York	330,098,183	12.12
North Carolina	649,392	.239
North Dakota		
Ohio	215,788,964	7.93
Oklahoma	2,269,633	.083
Oregon	6,175,790	.227
Pennsylvania	63,854,936	2.35
Rhode Island	4,326,528	.159
South Carolina	4,667,023	.172
South Dakota	11,747	0
Tennessee	27,775,545	1.02
Texas	59,461,019	2.19
Utah	372,116	.014
Vermont	610,007	.022
Virginia	20,072,727	.738
Washington	13,251,410	.487
Washington, D.C.	1,636,503	.06
West Virginia	424,326	.016
Wisconsin	12,854,446	.472
Wyoming	705,016	.026
Total	2,720,791,614	

[1] Will not total 100 percent because of rounding.

In my request to these seven California companies I also asked for comments regarding the problem. I believe that these comments are also quite amazing.

One corporation pointed out:

We purchased and subcontracted in 43 States and the District of Columbia in 1961. Sixty-two percent of our dollars were expended to firms located outside of the State of California. Of the 62 percent outside California, 92 percent went to companies east of the Mississippi.

Another company reported that in 1961 it spent a record dollar amount in 46 States and this represented 45.8 percent of their sales dollars for the year.

Still another corporation reported:

We are doing business with 12,457 small businesses who receive 27 percent of our total procurement dollar. We have for the last 6 months been making commitments with small business across the Nation at the rate of $3.8 million per week.

Just one company alone spends more than three-quarters of a million dollars daily with small businesses across the Nation.

Another company stated that it deals with 11,030 small businesses. These small businesses "received 53.5 percent of all corporate dollars expended with outside business." Only 2,443 of our subcontractors are considered big business and all of these firms in turn placed business with their own suppliers, both large and small.

And as a last example, another company pointed out that "82 percent of our 8,000 suppliers are small business and in 1961 we spent 38 cents out of every dollar received with suppliers."

I believe that these figures and this report speak for themselves without great amplification. A high percentage of every dollar awarded to a defense contractor headquartered in California actually is spent throughout the Nation. Yet these contractors and the Department of Defense are being continually attacked because they are located in my State and despite the fact that these California firms award subcontracts to companies throughout the Nation on the basis of merit, and not geographical, social, or economic pressures.

We also must remember that the growth of the aviation industry in the 1920's and 1930's and the missile and electronic industry in the 1950's and 1960's was centered in California where the company executives were willing to invest in costly research and even the trial and error method of testing to achieve aerospace progress which today ranks us foremost in the world.

I am proud of our Government procurement officials and our defense contractors and subcontractors who have integrity and the belief in a contract-by-merit system using the three criteria of best possible product, at the lowest possible cost, in the quickest possible time.

GENERAL LEAVE TO EXTEND REMARKS

Mr. CELLER. Mr. Speaker, I ask unanimous consent that all Members may have 5 days in which to extend their remarks in the RECORD on the bill S. 167, the bill passed just immediately prior to the last one.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

S. 1969: FEDERAL AVIATION ACT OF 1958

The SPEAKER. Under previous order of the House, the gentleman from California [Mr. ROUSSELOT] is recognized for 60 minutes.

Mr. ROUSSELOT. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROUSSELOT. Mr. Speaker, I wish to address myself to S. 1969, the bill before us which amends the Federal Aviation Act of 1958, as amended, to provide for a permanent class of supplemental air carriers. The legislation has been under consideration in Congress for many months.

After a great deal of study of supplemental operations, I have come to the rather disconcerting conclusion that few, if any, of the supplemental air carriers presently doing business are operating on a financially responsible basis

and maintaining their aircraft in safe flying condition. Unless more appropriate language is included in S. 1969, I sincerely believe that Congress would best serve the public interest by not passing the measure at this time. It is my view that a thorough study of supplemental operations should be undertaken immediately by the Civil Aeronautics Board and the Federal Aviation Agency.

When S. 1969 was passed by the House last September 18 and sent to the Senate, I pointed out on the floor of the House that the supplemental industry realizes an income of approximately $95 million annually from military air transport contracts let by the Department of Defense. Thus the industry is not faced by a major financial problem. To my knowledge, there are 21 supplemental air carriers doing business today. Each derives a substantial gross income from contracts with the Department of Defense.

I would like to place in the RECORD the following information which I believe clearly shows that supplemental air carriers now doing business are not operating properly:

AIRLINE TRANSPORT CARRIERS (CALIFORNIA-HAWAIIAN)

FINANCES

As of June 30, 1961, earned surplus was minus $167,000, and net worth minus $99,800.

CAB enforcement officer reported "It appears that ATC filed erroneous financial data with the Board" in balance sheets for both December 1960 and June 1961.

MATS has declared ATC unfit on financial grounds.

COMPLIANCE

In 1952: Ordered to cease and desist from maintaining interlocking relationships without prior CAB approval; transferring stock or property without prior CAB approval; failing to file agreements with other air carriers.

In 1960: Consent cease and desist order based on the following violations: Excessive flight frequencies; common control of Airline Transport Carriers and California Central Airlines by Charles and Edna Sherman without CAB approval; common control of Airline Transport Carriers and California Coastal Airlines by the same persons without CAB approval; interlocking relationships among officers of these carriers without CAB approval; aircraft leases by Airline Transport Carriers without CAB approval; failure to file cooperative working agreements between Airline Transport Carriers and the other carriers; violation of CAB ticketing requirements; failure to charge and collect the fares specified in its tariffs; failure of Charles and Edna Sherman to file with the CAB annual reports of stock ownership.

SAFETY

Declared unfit by MATS on safety grounds.

AMERICAN FLYERS AIRLINE CORP.

FINANCIAL

As of September 30, 1961, working capital was minus $145,000, earned surplus minus $49,700, and net worth minus $44,700.

ARCTIC PACIFIC

FINANCES

Bankrupt.

Survivors of the crash of an Arctic Pacific plane in Toledo, Ohio, in October 1960 have been unable to collect on the carrier's insurance. The insurer has denied liability because of failure of the carrier to operate according to regulations.

COMPLIANCE

In 1950: Consent cease and desist order issued in July for operating regular scheduled service.

In 1960-61: James Springer, head of Arctic Pacific when the Toledo crash occurred found employment with a combine of California intrastate enterprises, Golden Gate Airlines, Far West Airlines, and Travis Transportation Co. Springer concealed his management of them by listing himself in the personnel roster as an "expediter." This came to light following a DC-3 crash at Travis Air Force Base in California in October 1961. Testimony included such matters as "pilots being ordered to fly after being on duty over 14 hours, destruction of files showing lack of pilot proficiency, operation without required FAA certificates, inability to pay salaries of employees, failure to keep records, and failure to inspect aircraft chartered by Far West.

SAFETY

Crash at Toledo in below minimum weather with bad equipment, overloading and pilot flying overtime.

ARGONAUT AIRWAYS CORP.

FINANCES

As of September 30, 1961, earned surplus was minus $200,000 and owned flight equipment was worth only $31,000. The CAB has concluded that the possibility of reestablishing the carrier's financial integrity out of operations is highly remote.

COMPLIANCE

In 1955: Submitted inconsistent balance sheets—one, to the Air Material Command to establish credit for purchase of an aircraft, showed a surplus; the other, to the CAB, showed a negative net worth.

In 1959-60: Illegally entered into "a cooperative working arrangement" with AAXICO Airlines without CAB approval and charged shippers rates higher than those specified in its tariffs filed with the CAB

ASSOCIATED AIR TRANSPORT

FINANCES

As of September 30, 1961, working capital was minus $202,000, earned surplus was minus $162,500, capital surplus minus $12,400, and net worth minus $174,900.

Declared financially unfit my MATS.

SAFETY

Declared unfit by MATS for substandard maintenance.

BLATZ AIRLINES

FINANCES

Quarterly report, Dec. 31, 1961

Balance sheet:	
Cash on hand and in bank	$7,910.89
Total current assets	43,838.71
Long-term debt	95,361.89
Earned surplus	(−16,179.14)
Profit and loss:	
Total operating revenues	$168,267.91
Total operating expense	181,529.37
Net operating income	(−13,261.46)
Net profit or loss for the quarter, not reported.	

Quarterly report, Sept. 30, 1961

Balance sheet:	
Cash on hand and in banks	----------
Other current and accrued assets	$1,675.52
Total current assets	101,636.57
Long-term debt	141,514.45
Earned surplus	67.98
Profit and loss:	
Total operating revenues	277,215.74
Total operating expenses	273,569.39
Net operating income	13,646.35
Net profit or loss for quarter	11,614.60

Quarterly report, June 30, 1961

Balance sheet:	
Cash on hand and in banks	$19,601.26
Total current assets	55,051.18
Long-term debt	164,889.67
Earned surplus	(−11,546.62)
Profit and loss:	
Total operating revenues	184,323.35
Total operating expenses	183,552.73
Net operating income	770.62
Net profit or loss for the quarter	(−2,395.60)

Quarterly report, Mar. 31, 1961

Balance sheet:	
Cash on hand and in banks	$16,782.37
Other current and accrued assets	6,116.00
Total current assets	38,245.15
Long-term debt	187,087.44
Earned surplus	(−9,151.02)
Profit and loss:	
Total operating revenues	110,037.17
Total operating expenses	124,940.85
Net operating income	(14,903.68)
Net profit or loss for the quarter	(−18,151.73)

COMPLIANCE

In 1958: Consent cease and desist order for the following violations: Exceeding frequency limitations; numerous instances of operating as alleged charters what were in fact individually ticketed operations; violations of ticketing regulations; charging fares other than those specified in Blatz tariffs filed with the CAB; issuance of unauthorized free transportation; agreements to provide air transportation in conjunction with one of the carriers in the Great Lakes combine, without filing these with the CAB or obtaining CAB approval; carriage of passengers pursuant to such agreements.

In 1962: U.S. District Court in Los Angeles ordered Blatz to permit CAB inspection of its books and records as part of the recent CAB investigation of the supplementals. Blatz had refused to permit the inspection.

CAPITOL AIRWAYS

COMPLIANCE

In 1962: Investigation instituted to determine whether Capitol has been (1) Knowingly and willfully operating illegal flights; (2) undercutting CAB established rate minimums and charging rates not set forth in its tariff; and (3) filing false and misleading statements and reports with the CAB.

COASTAL AIRLINES

FINANCES

Lost $178,000 in 1959. As of June 30, 1961, its working capital was minus $18,500, earned surplus deficit was over $64,000 and net worth deficit almost $56,000.

IMPERIAL AIRLINES

FINANCES

Cannot be stated because of falsification of the carrier's report to the CAB.

COMPLIANCE

Principal owner-officer previously involved in illegal nonsked combine activities and probably guilty of illegal acquisition of Imperial (when known as Regina).

CAB Chairman Boyd testified in January that recent CAB investigation revealed "ticketing irregularities," "tariff violations," filing "misleading financial data," and "false statements" with the CAB.

SAFETY

Crash at Richmond, Va., in November 1961 found by CAB to be caused by flight crew incompetence condoned by management.

Three crashes when operating under previous name, Regina Cargo Airlines.

JOHNSON FLYING SERVICE

Quarterly report, Dec. 31, 1961

Balance sheet:	
Cash on hand	$133,875.49
Assets	797,140.82
Capital surplus	42,109.80
Earned surplus	414,982.77
Profit and loss:	
Total operating revenues	229,385.06
Operating expenses	299,628.20
Net operating income	70,243.14
Profit or loss	—22,935.01
Capital surplus	42,109.80
Earned surplus	414,982.77

Quarterly report, Sept. 30, 1961

Balance sheet:	
Cash on hand	$82,656.13
Total assets	1,021,286.89
Capital surplus	42,109.80
Earned surplus	437,917.78
Profit and loss:	
Total operating revenues	791,540.07
Expenses	416,155.65
Net operating income	375,384.42
Net income balance taxes	426,025.44
Profit or loss	298,977.80
Provision for income taxes	127,027.64

Quarterly report, June 30, 1961

Balance sheet:	
Cash on hand	$3,112.46
Assets	674,923.52
Capital surplus	42,109.80
Earned surplus	138,919.98
Profit and loss:	
Operating revenues	254,711.35
Operating expenses	320,852.52
Operating income	(−66,141.17)
Profit or loss	----------

Johnson Flying Service: Twin Beeches, helicopters; DC-47, Cessna 180's owned.

Salaries:	
President, Robert R. Johnson	$22,500
Arthur R. Pietzel	13,250
Olveria Johnson	3,000

MODERN AIR TRANSPORT, INC.

FINANCES

As of September 30, 1961, working capital was minus $197,000, earned surplus minus $38,300, and net worth minus $37,300.

OVERSEAS NATIONAL AIRWAYS

FINANCES

Much worse condition than that of carriers rejected by MATS on financial grounds.

As of September 30, 1961, working capital is minus $1,625,000, earned surplus minus $987,000, and net worth minus $887,000.

Operating losses: 1959, $1,689,000; 1960, $2,087,000.

COMPLIANCE

In 1961: CAB issued cease and desist order June 5 commanding carrier to (1) discontinue its practice of entering into illegal contracts with foreign air carriers; (2) discontinue engaging in foreign air transportation without legal authority to do so.

"A criminal information was filed in the U.S. District Court for the Southern District of California against Overseas National, a supplemental air carrier, and several individuals for * * * charging unauthorized fares between California and Hawaii. The case is pending trial."

In addition, Overseas National has repeatedly sought to circumvent the Board's North Atlantic Charter Policy by attempting to carry individual members of the general public under the pretext they are bona fide members of homogeneous charter groups as required by CAB. See CAB Orders E-12575, E-12608, E-12654, E-12655, E-12669, E-12742 and E-12992. Example:

"We note that the applicant has made different and conflicting representations * * * In proceedings such as these in which our decision must necessarily be made largely upon a written record developed in principal part by the applicant, it is important that we be able to rely upon the accuracy of the representations made. Changes in these representations which are not demonstrated to have been required as a result of circumstances beyond the applicant's control become matters of serious concern, not only in the processing of this particular application but also in others in which the same applicant is involved." (Order E-12992.)

Moreover, the carrier has repeatedly been guilty of late filing of applications for approval of specific charter flights. For example:

We note that this is one of several recent filings by the carrier-applicant that have failed to comply with our notice requirements; * * * Continued disregard of our filing requirements cannot be countenanced. Short-notice filings not only impose a burden upon the Board and its staff in processing the applications before flight departure, but they delay the processing of those applications which are timely filed, and thus disrupt the orderly discharge of our charter program." (Order E-12608, similarly Order E-12711.)

"The Board has previously commented on the lateness of filing of applications by ONA and has stated that continued disregard of the Board's filing requirements may result in denial of a charter application where there is insufficient time to obtain information needed to pass upon the eligibility of the chartering group. We are not satisfied that the reasons advanced by the carrier for its late filing in this instance are sufficiently beyond its control to justify the lateness. * * * It is significant that with few exceptions carriers and charterers alike have been able to submit their applications promptly and in good order. In those instances where this has not been done, it raises questions as to the willingness or ability of the applicant to conform properly to the Board's requirements." (Order E-12633.)

PAUL MANTZ AIR SERVICES (PARAMOUNT AIRLINES)

FINANCES

Quarterly report, Dec. 31, 1961

Balance sheet:	
Cash on hand and in banks	$15,652.55
Other current and accrued assets	40,151.90
Total current assets	279,714.62
Long-term debt	26,289.57
Earned surplus	(−8,841.52)
Profit and loss:	
Total operating revenues	791,276.13
Total operating expenses	768,484.69
Net operating income	22,791.44
Net profit or loss for the quarter	22,422.41

Quarterly report, Sept. 30, 1961

Balance sheet:	
Cash on hand and in banks	$42,115.73
Other current and accrued assets	62,659.01
Total current assets	187,233.69
Long-term debt	28,045.67
Earned surplus	(31,263.93)
Profit and loss:	
Cash on hand and in banks	1,293,012.58
Total operating expenses	1,223,970.49
Net operating income	69,042.09
Net profit or loss for the quarter	68,695.06

Quarterly report, June 30, 1961

Balance sheet:	
Cash on hand and in banks	$13,007.12
Other current and accrued assets	103,798.77

Quarterly report, June 30, 1961—Continued

Balance sheet—Continued	
Total current assets	$221,184.92
Long-term debt	40,000.00
Earned surplus	(−80,670.74)
Profit and loss:	
Total operating revenues	441,535.36
Total operating expenses	409,939.53
Net operating income	31,595.83
Net profit or loss for the quarter	31,407.34

Quarterly report, Mar. 31, 1961

Balance sheet:	
Cash on hand and in bank	$12,671.01
Other current and accrued assets	55,587.00
Total current assets	72,393.26
Long-term debt	40,000.00
Earned surplus	(−112,078.08)
Profit and loss:	
Total operating revenues	29,256.00
Total operating expenses	20,958.08
Net operating income	8,297.92
Net profit or loss for the quarter	8,297.92

COMPLIANCE

In 1952: Was one of five supplementals which operated around 1952 and 1953, primarily New York-Chicago-Los Angeles. Actually, Mantz' role was to rent its operating authority for use by the combine.

In 1953: As of March 31, 1953, four of the North Star carriers, including Mantz, owed the Federal Government over $500,000 in unremitted taxes.

In 1957: The examiners in the Large Irregular Air Carrier Investigation found Mantz to have violated four different parts of the Civil Aeronautics Act, plus the CAB's Economic Regulations, and unfit to stay in business.

PRESIDENT AIRLINES (FORMERLY CALIFORNIA-EASTERN AVIATION)

FINANCES

Declared unfit by MATS.

SAFETY

Crash at Shannon, Ireland, September 10, 1961, with 82 fatalities.

PURDUE AERONAUTICS CORP.

Only one set of reports because they are newly certificated and March isn't due.

Quarterly report, Dec. 31, 1961

Balance sheet:	
Cash on hand	$11,082.72
Total current assets	136,088.71
Other assets	222,631.60
Long-term debt	202,778.44
Contributed surplus	392,610.50
Earned surplus	94,204.33
Profit and loss:	
Total operating revenues	31,257.24
Total operating expenses	39,308.05
Net operating income	8,050.81
Net profit or loss for the quarter	(−8,665.61)

Invested $1,800 in Independent Airline Association.

Own five DC-3's.

QUAKER CITY AIRWAYS (ADMIRAL AIRWAYS)

Sworn statement of three former pilots of Quaker City, namely, John Tyson, Donald Crose, and Albert B. Cross.

AFFIDAVIT

John Tyson, Donald Crose, and Albert B. Cross, affiante herein, under penalty of perjury declare as follows:

That at all times between June 1, 1961, and December 1, 1961, affiant Donald Crose was employed by Admiral Airlines at Oakland Airport, Oakland, Calif., as a copilot on DC-3 type aircraft.

That at all times between August 1, 1961, and December 1, 1961, affiant Albert B. Cross

was employed by Admiral Airlines at Oakland Airport, Oakland, Calif., as a copilot on DC-3 type aircraft.

That at all times between October 5, 1961, and December 1, 1961, affiant John A. Tyson was employed by Admiral Airlines at Oakland Airport, Oakland, Calif., as a copilot on DC-3 type aircraft.

That Admiral Airlines is under the control and management of its president, James Sorthun.

That while employed in their capacity as copilots, affiants did observe and witness certain willful violations of Federal Aviation Regulations by Admiral Airlines management and employees as follows:

That affiants were required to take certain ground school courses and pass examinations in each course prior to service as copilots on the DC-3 aircraft. The courses included aircraft familiarization, meteorology, navigation, radio, engines, etc.

That affiants did not in fact take these courses but instead the requirement was signed off on the company records indicating that affiants had completed said course; this at the request of the Director of Operations, James Sorthun, and Chief Pilot Elton C. Stone.

That in the cases of affiants Cross and Crose, affiants were handed the examinations in each course along with an answer sheet and instructed to copy the answers to the questions.

That in the case of affiant John Tyson, the questions on the examination were already filled in and answered for him when he received the examination paper.

That in the case of affiant Donald Crose, an FAA requirement of three takeoffs and landings in the DC-3 prior to service as a copilot was not complied with, but instead the company records were falsified to show said required takeoffs and landings were made, when in truth and in fact none were made prior to service by said affiant as copilot.

That the FAA revoked the medical certificate and flying license of Admiral's Capt. Herbert Brannon. That notwithstanding said revocation, Captain Brannon thereafter flew for approximately 3 months as captain on Admiral Airlines aircraft. During this time, Captain Brannon filed no flight plans. The fact that Captain Brannon's license had been revoked was known to the management of Admiral Airlines during the time said Captain Brannon flew without a license, or should have been known.

That Admiral's DC-3 aircraft No. 607 was neither equipped nor certified to fly either at night or during icing conditions or under instrument flight conditions. The said aircraft had no deicing equipment on wings, windshield, propellers or tail surfaces, and had no cabin heaters for passenger comfort.

That there was installed on the instrument panel in said DC-3 No. 607 a VOR, omniradio instrument which was not connected to any radio; this to make it appear there were two omniradios as required for night and instrument flying when in fact there was only one omniradio.

That notwithstanding the lack of deicing equipment and proper radio, the said DC-3 aircraft was in fact flown several times at night and under IFR conditions both daytime and nighttime, and also under icing conditions both in daytime and at night.

That Chief Pilot Elton C. Stone with affiant Albert B. Cross as copilot, flew DC-3 aircraft No. 607 from Oakland to Reno at night into IFR and known icing conditions. On that occasion, FAA Inspector Kistner was at the the Reno airport when the DC-3 No. 607 aircraft landed. Affiant Cross at that time had a conversation with Inspector Kistner but no mention was made of any FAA violations although the inspector well knew that the DC-3 aircraft No. 607 was not authorized to fly night, icing, or IFR conditions. The said inspector well knew the flying conditions at that time, he having flown to Reno from Oakland on another Admiral aircraft a short time prior to the DC-3 No. 607 flight.

That the logbooks of DC-3 aircraft No. 607 were altered at the request of Director of Operations James Sorthun to show daytime flights instead of night, IFR, and icing conditions flights.

That Admiral Capt. George Matley refused to take a certain night flight in DC-3 aircraft No. 607 and as a consequence was subsequently fired.

That in general the maintenance on all Admiral Airlines aircraft was poor and unreliable in that squawks on aircraft and engines were signed off by maintenance personnel without the work having been done, or with the work having been only partially completed.

That on or about November 19, 1961, an engine was changed on aircraft N45398 and was test flown at night. The required test flight time was 1 hour. Affiant John Tyson was the copilot on the test flight. The flight lasted one-half hour and was logged at 1 hour.

That on or about November 15, 1961, Admiral DC-3 aircraft No. 398 laid over in Portland, Oreg., for approximately 7 days. The preflight log for this period of time was signed off by A. & E. Mechanics' Bob Colburn.

The log showed the said Bob Colburn as having preflighted the said aircraft at Portland, Oreg., during the 7-day layover, when in truth and in fact said Bob Colburn was at all times aforesaid at Oakland, Calif.

That on December 1, 1961, an Admiral DC-3 aircraft carrying passengers was operated in an unsafe manner. Captain Stone accompanied by affiant Albert B. Cross, copilot, experienced an engine malfunction at 7,000 feet altitude on instruments in the "soup" at the Bay Point Intersection. Captain Stone instructed affiant Cross to notify Oakland radio that the aircraft was VFR and was returning to Oakland Airport. The IFR flight plan was canceled. No emergency notice was given and the aircraft descended through approximately 5,000 feet of overcast under IFR conditions and broke out at approximately 1,500 feet 2 miles south of Alameda Naval Air Station. The aircraft then proceeded to Oakland Airport VFR. The incident occurred at a time when the airways were highly saturated with IFR traffic.

That affiants certify that Admiral Airlines is being operated without proper regard for passenger safety and in violation of FAA regulations pertaining thereto.

That pilots are paid on a trip basis on the Oakland-Reno run of $35 per trip for captains and $20 per trip for copilots. The average total elapsed flight time on said trip, departure to return, is approximately 2 hours 45 minutes. The average total time from departure to return is 10 hours. Thus copilots averaged approximately $2 per hour per trip.

On December 2, 1961, affiants attempted to improve their pay and working conditions and presented a united appeal to James Sorthun. Affiants were fired as a result. At that time James Sorthun stated to affiants that he learned that affiants were going to report certain flight and maintenance violations to the FAA and said: "Go right ahead, it won't do any good. Their office is at San Francisco Airport and the man to see is Mr. Brown. He's in charge."

Affiants construed this to mean that the FAA condoned the illegal operations of Admiral Airlines and would not take action on any complaint by affiants. As a consequence, affiants have made this statement for presentation to the proper committee of Congress to stimulate a needed congressional investigation and to obtain legislative action that will correct the unsafe practices of the nonscheduled airlines.

This statement made under penalty of perjury.

ALBERT B. CROSS III,
Hayward, Calif.
DONALD CROSE,
Danville, Calif.
JOHN A. TYSON,
Broderick, Calif.

Dated: DECEMBER 13, 1961.

COMPLIANCE

Believed to have formed new combine with Mantz (and possibly Blatz) late in 1961, following long period of virtual dormancy.

SATURN AIRWAYS, INC.

FINANCES

Working capital deficit of $605,200 as of September 30, 1961, is far worse than that of carriers rejected by MATS on financial grounds.

SOURDOUGH AIR TRANSPORT

FINANCES

Working capital as of June 30, 1961, was minus $5,100, with current assets of only $6,900. It had no cash. Current liabilities included amounts owed the Federal Government since 1959 or earlier, and Bureau Counsel said the current liabilities probably were in fact more than shown on the balance sheet.

COMPLIANCE

December 4, 1961, the carrier moved to defer all procedural steps in D. 12026 (re renewal of Sourdough's 2-year certificate). Bureau Counsel opposed the motion, in part on the ground "* * * that by filing the instant motion Sourdough has breached its agreement with the Bureau and the examiner not to request further postponement of procedural steps which is the condition upon which applicant was granted a postponement of the resumption on the hearing on November 15, 1961. In substance, the Bureau's opposition is based on an alleged breach of faith by Sourdough." (D. 12026, Notice to All Parties, Dec. 6, 1961.)

In his brief of February 1, 1962, in the same proceedings, Bureau Counsel said:

"During 1960 and for 2 months in 1961, Mr. Johanson was content to sit back in Seattle and let others operate under his authorization. This is hardly surprising, since Sourdough, which has no permanent employees, the most limited financial resources, and no available aircraft, is not able to conduct a bona fide operation of its own.

* * * * *

"The applicant's conduct reveals a serious lack of concern for compliance with the act and the Board's regulations.

* * * * *

"Sourdough has attempted to confer upon others authority to conduct air transportation under color of Sourdough's certificate. It actively participated and abetted in, and indeed made possible, violations of section 401 of the act. It would undermine the authority of the Board and the entire legislative scheme of the act should certificated carriers 'rent out' their authority to engage in air transportation. Indeed, Sourdough, by such action, has presumed to exercise the power that only the Board may exercise.

"The Board, in certificating a carrier to provide common carrier services to the public at large, must have assurances that this carrier, and not some other untried and untested person, provides the services under the authorization granted.

* * * * *

"Moreover, Sourdough's conduct, * * * was indeed 'repeated and recurring' in nature.

* * * * *

"Such conduct has a direct bearing on the question of whether Sourdough possesses the requisite disposition to comply with the act and the Board's regulations thereunder. Bureau Counsel submits that Mr. Johanson, who stated that he was fully aware that control should not be passed by lease, bookkeeping or any method whatsoever, knew that Sourdough's conduct was untoward in nature and further, that he actively and with full knowledge thus abetted violation of the act. Such conduct on Sourdough's part demonstrates that Sourdough cannot be entrusted with Board operating authority. Sourdough's authorization should be terminated." (Brief of Bureau Counsel, D. 12026, Feb. 1, 1962.)

SOUTHERN

Quarterly report, Dec. 31, 1961

Balance sheet:	
Cash on hand	$35,727.49
Current assets	717,401.65
Total assets	2,127,721.06
Long-term debt	1,014,770.42
Capital surplus	33,900.00
Earned surplus	74,426.62
Profit and loss:	
Total operating revenue	974,599.09
Operating expenses	958,237.55
Operating income	16,361.54
Profit or loss	(−4,602.38)

Owns two C-46-F's, 2 DC-6-B's.

Leases one DC-6-B, World Airways; 1 C-46, Anxico.

Salaries: $12,000, $12,000, $6,800.

STANDARD AIRWAYS

FINANCES

As of September 30, 1960 working capital was minus $135,800, earned surplus minus $23,500.

SAFETY

Declared unfit by MATS.

TRANS INTERNATIONAL (JULY 18, 1960, CHANGED TO L. A. AIR SERVICE)

Quarterly report, Dec. 31, 1961

Cash	$366,074.34
Revenues	1,763,230.43
Expenses	1,735,563.65
Profit	223,417.62
Surplus	21,570.60

Quarterly report, Sept. 30, 1961

Cash	$102,991.88
Revenues	1,803,632.11
Expenses	1,871,302.16
Profit	not shown
Surplus	(201,847.02)

Quarterly report, June 30, 1961

Cash	$145,434.09
Revenues	1,488,973.80
Expenses	1,235,619.23
Profit	None
Surplus	59,506.04

Quarterly report, Mar. 31, 1961

Cash	$119,335.03
Revenues	697,902.73
Expenses	735,297.30
Profit	(32,259.67)
Surplus	(257,971.04)

Long-term debt: $1,118,510.32, $2,416,137.59, $5,843,225.27, $1,799,004.83.

Kirk Kirkorian, salary, $15,600 per year.

A. L. McGraw, Van Nuys, salary, $11,200 per year.

Jean Kirkorian, director, salary not shown.

VANCE ROBERTS

Quarterly report, Dec. 31, 1961

Balance sheet:	
Cash on hand and in bank	(−$311.12)
Total current assets	(−148.44)
Long-term debt	----------
Earned surplus	----------
Profit and loss:	
Total operating revenues	1,152.23
Total operating expenses	5,901.93
Net operating income	(−4,749.70)
Net profit or loss for the quarter	(−4,749.70)

Quarterly report, Sept. 30, 1961

Balance sheet:	
Cash on hand and in bank	$2,174.43
Total current assets	2,942.11
Long-term debt	---------
Earned surplus	---------
Profit and loss:	
Total operating revenues	3,479.90
Total operating expenses	2,843.38
Net operating income	636.52
Net profit or loss for the quarter	636.52

Quarterly report, June 30, 1961

Balance sheet:	
Cash on hand and in bank	$789.43
Total current assets	1,324.09
Long-term debt	---------
Earned surplus	---------
Profit and loss:	
Total operating revenues	2,121.92
Total operating expenses	1,685.53
Net operating income	436.39
Net profit or loss for the quarter	566.39

Quarterly report, Mar. 31, 1961

Balance sheet:	
Cash on hand	$546.06
Other current and accrued assets	---------
Total current assets	2,942.11
Long-term debt	---------
Earned surplus	---------
Profit and loss:	
Total operating revenues	1,327.40
Total operating expenses	1,730.04
Net operating income	(−402.64)
Net profit or loss for the quarter	(−402.64)

CONCLUSION

Mr. Speaker, before we pass Senate bill 1969, I think it is incumbent upon us as Members of Congress to take an even closer look at the financial and safety practices of the supplemental airlines. One reason we have not addressed ourselves to the very fundamentals of supplemental airline operations is that we have not looked with enough care into the financial manipulations that keep supplemental airlines moving. To this end I have introduced H.R. 551 which provides that the House Banking and Currency Committee shall fully investigate these manipulations. With the knowledge we could gather from such an investigation, we would be far better prepared to get a proper judgment on just what kind of legislation is needed to give the traveling public reasonable assurance that supplementals will operate on a financially sound basis.

We as a Congress cannot accept the responsibility of allowing the supplementals to operate in the "slipshod" way they have operated for a goodly number of years.

ORDER OF BUSINESS TOMORROW

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, I take this time to advise the House that the first order of business tomorrow will be a resolution to send to conference the bill S. 1969.

GIRL SCOUTS OF AMERICA

The SPEAKER. Under previous order of the House, the gentleman from New York [Mr. HALPERN] is recognized for 5 minutes.

Mr. HALPERN. Mr. Speaker, this week, the Girl Scouts of America are celebrating their 50th anniversary as a nationwide movement for better citizenship among girls and women. I want to take this opportunity to extend my hearty congratulations and sincere best wishes to this fine organization and its members and express the desire that it will continue to grow and prosper for 50 times 50 more years.

It is encouraging to note, in these times when we hear so much about juvenile delinquency in all its distasteful elements, that the programs of the Girl Scouts are contributing to the sound development of the country's youth. Throughout the Nation's history, the movement which celebrated its birthday on March 12, has contributed significantly to better citizenship and to making the country a better place in which to live for all of us. We should take our hats off to this fine organization.

One of the more worthy facts to note about the Girl Scouts is that throughout its history it has not sought to displace, but rather supplement the basic foundations for the development of happy and helpful citizens through the strengthening of individual relationships with the home, the church and school.

In the half century of its existence, the Girl Scouts have successfully melded constructively and effectively in its programs the virtues and teachings of love, worship, work and play. The movement has contributed greatly to the building of a magnificently stronger and morally greater America.

In addition, through its international programs, the Girl Scouts are contributing much to the building of strong bonds of friendship with our neighbors around the world. Their personalized, people-to-people contacts help break down barriers of misinformation and distrust, and help immeasurably to enhance prospects for a lasting peace based on mutual understanding and trust.

Through its many programs, the Girl Scouts of America are doing much to insure that the women of tomorrow will be fully informed, wholly alert and

valuable members of the American community. I salute this great, high-minded organization on its birthday and wish all concerned Godspeed and every success in the years to come.

"F-DAY" FOR CAPTIVE NATIONS MAY BE APPROACHING

Mr. KEITH. Mr. Speaker, I ask unanimous consent that the gentleman from Connecticut [Mr. SEELY-BROWN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. SEELY-BROWN. Mr. Speaker, last Sunday I had the honor of joining with several hundred members and guests of St. Mary's Ukrainian Catholic parish in Colchester in my district, in ceremonies in memory of the oppression of the Ukrainian people under Soviet Communist domination. It was a stimulating and a patriotically inspiring occasion. As I attended the Pontifical Mass in the church celebrated by His Excellency the Most Reverend Joseph Shmondiuk, bishop of the Diocese of Stamford of the Ukrainian Catholic Church, and participated afterward in the ceremonies in the parish hall, I had the opportunity to be reminded again of two important facts about the never-ending fight for freedom for all humankind: First, that a deep and abiding faith in the teachings of the Divine Ruler of Men must be the foundation of all freedom-seeking efforts that deserve to be successful; and, second, that there is a kinship among those who strive for enduring freedom for themselves and for all men, that transcends national boundaries, ancestry, language, and differing cultures.

Of course, there are abundant illustrations of this, among the most notable of them being in our own War of the Revolution, when the success of our long struggle for freedom and independence was made possible, not only by the timely and resourceful help of America's oldest friend, France, but also by the tremendous contributions in the battlelines of patriots from many lands overseas. Such contributions, never limited to military assistance but having their counterpart in every field of civilized life, have continued ever since and have brought to our shores men and women who have enriched our life as a nation far beyond anything by which they themselves may have been enriched in their life as new Americans in a new world.

Some of those friends and neighbors with whom I joined in those ceremonies in Colchester last Sunday were born in the homeland of Ukraine, but most of them are native Americans, and not a few are the sons and daughters, yes, and even the grandsons and granddaughters of native Americans.

Wherever they were born, they had in common several things—love of our country, the country which they or their forebears had adopted; blood ties with their homeland; devotion to the cause of freedom, which was inseparable from their devotion to the God of the Universe.

This was a flock that, under the episcopate of Bishop Shmondiuk and under the pastorate of the Reverend John Mak, had thrived in a way that was attested by the attractive and comfortable church and by the new rectory which all of the people had gathered to assist in dedicating. Its members had earned a proud place in the community, recognition as friends and neighbors and as patriots, which spread an influence not only in the community, but beyond the borders of the town, and even beyond the borders of our State and of our country, to those compatriots over the seas who surely are striving for the same things, even though in different ways, and under cruel handicaps.

The master of ceremonies was kind enough to call upon me for a few remarks, and I thereupon gave voice to some of the things that had been running through my mind.

One of these thoughts was that, in this period when the Sino-Russian struggle for ideological supremacy in the Communist bloc seems to be reaching a critical stage, that "F-Day," or Freedom Day, the day of deliverance for the captive nations behind the Iron and Bamboo Curtains may be approaching.

By a resolution adopted by the 86th Congress and signed by President Eisenhower on July 17, 1959, the second week in July of 1962 is to be observed throughout the United States as Captive Nations Week, when, by proclamation of the President of the United States, all of us will manifest to the peoples behind the Iron Curtain "the historic fact that the people of the United States share with them their aspirations for the recovery of their freedom and independence."

The second week in July, Mr. Speaker, proclaimed as "Captive Nations Week," begins just 4 days after we in the United States celebrate the birthday of our own independence.

In the spirit of this day, which should be also the spirit of Captive Nations Week, we can remind our freedom-loving and freedom-seeking friends overseas that the cause of freedom reaches out far to receive helping hands wherever they are offered by men of good will.

Just as France helped the infant and struggling United States, just as the patriots from many lands gave generously of their blood and treasure, so, in our own times, have Americans used their human and material resources to powerfully influence the fight for freedom in homelands beyond the sea.

In furtherance of this timely thought, I now include as a part of my remarks a press release which describes the significant event at St. Mary's Ukrainian Catholic Church in Colchester and includes the substance of my response when called upon that occasion:

FAITH TO BREAK BONDS OF CAPTIVE UKRAINE

COLCHESTER, March 11.—Congressman HORACE SEELY-BROWN, JR., speaking here this afternoon at ceremonies in memory of the oppression of the Ukrainian people under Soviet Communist domination, in the parish hall of St. Mary's Ukrainian Catholic Church, said: "The faith of the Americans of Ukrainian blood in the United States and elsewhere in the free world is certain to be the strongest force in eventually breaking the bonds that hold the homeland in captivity."

At a dinner which followed a Pontifical Mass at St. Mary's Church, celebrated by Bishop Joseph Shmondiuk, of the Ukrainian Catholic diocese of Stamford, Congressman SEELY-BROWN said: "The whole world knows that Ireland and Israel, as two outstanding examples, would not be free and independent Republics without the moral and financial backing and without the powerful influence in the cause of freedom of those of Irish blood and of those of the Jewish faith, respectively, in this country. Americans of Ukrainian ancestry may be less numerous here, but their roots are deep, their dedication to the cause of freedom is second to none, and they will continue to carry on the good fight until their homeland is free again."

Commending the St. Mary's parishioners upon their zeal in building a new rectory, under the leadership of the pastor, the Reverend John Mak, Congressman SEELY-BROWN said: "The thriving condition of this parish and its existence in a compact and well-ordered diocese, matched by other dioceses of the Ukrainian church in various parts of our country, are evidence of the faith of the Americans of Ukrainian blood, and living testimony that the fires of freedom burn brightly."

"Although the Ukraine today is not one of the free nations," SEELY-BROWN said, "it had its taste of freedom. Last January 22, I and many other Members of Congress joined in an appropriate observance in the House of Representatives of the 44th anniversary of Ukrainian independence. The 40 million people of the Ukraine, comprising the largest non-Russian nation behind the Iron Curtain, will never forget that period of their history nor let up in their resourceful efforts to obtain complete and lasting freedom as an independent nation."

"The times are breeding the dissolution of the last expanses of empire," Congressman SEELY-BROWN said, "but the Soviet Russian empire is the cruelest, the most illegal, and the biggest empire in the world today. It is just as certain that the people of the Ukraine once again will be free and independent as a nation, as it was a generation ago that, sooner or later, India would be independent of the British Empire. When more than 25 new nations have broken their way out of empire and taken their seats in the parliament of man, the United Nations, how can Russia expect to much longer hold Ukraine and other nations behind the Iron Curtain in bondage?

"A definite answer to this question cannot be supplied just now; but the answer is on the way. Soviet Russia has demonstrated through the years that it cares nothing about morality, about ethics between the peoples of the world, about international law. But in these critical times, Russia has demonstrated that she does want to maintain a favorable world opinion, no matter by what means. The day will come when Soviet Russia and its leaders must come to judgment for its crime against freedom-loving people everywhere."

AMERICAN AGRICULTURAL PRODUCTS BARRED ABROAD

Mr. KEITH. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. LAIRD] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LAIRD. Mr. Speaker, the House Ways and Means Committee is presently considering the trade bill, H.R. 9900. The false impression is being given that great quantities of agricultural products will move into world markets.

RESTRICTIONS, EUROPEAN COUNTRIES

Here are a few examples of agricultural products still under import controls in West European countries as of August 15, 1961:

First. United Kingdom: Pork products; fresh apples and pears; fresh grapefruit; grapefruit juice; and orange juice.

Second. EEC countries:

Netherlands: Beef and veal, fresh or chilled; potatoes; wheat and wheat flour; hops; and calfskins.

Belgium: Some 40-odd agricultural commodities are included in a waiver granted in 1955 to Belgium in the GATT on which import controls are permitted under the terms of the waiver which is scheduled to expire December 31, 1962. Items of trade interest to United States are fresh apples and pears; hops; lard; asparagus; and leguminous vegetables.

Belgium has announced liberalization of wheat and wheat flour; feed grains; fresh beef, veal and pork; bacon; processed meat; and eggs, but at the same time has imposed new import taxes or levies—the amount frequently changed by decree. Thus, in effect, wholly or partially nullifying the liberalization moves.

Luxembourg: Fresh beef and veal; processed meats; wheat and wheat flour; rye and rye flour; and fresh apples.

France: Poultry meat; canned fruits; dried plums—prunes—packaged for retail sale; fresh and dried apples and pears; corn and potato starch; canned vegetables; canned fruit and vegetable juices; pig and poultry fat, rendered; prepared animal feeds; fresh oranges—other than summer oranges. State trade items include grains and flour; oilseeds and oil; sugar; and tobacco.

West Germany: Effective import restrictions still apply to 250 commodity classifications in the agricultural sector, of which 161 are subject to state trading. Controlled items include rice; tallow; meat extracts and meat juices; fresh apples and pears; canned fruit—other than canned peaches and fruit cocktail; wheat; corn; oats; barley; rye; grain flours; seed oils; fresh, chilled or frozen beef, veal, pork and mutton; processed meats and edible offals.

Italy: Poultry; natural honey; dates; dried figs; raisins; cheese; essential oils of citrus; pasta; linseed oil; soybean oil; grain sorghums; corn—during January 1 to June 30; rye flour; and lard. Wheat and wheat flour and tobacco are state traded.

Third. Norway: All grains—state monopoly control; canned fruit cocktail; tomato juice; fresh apples and pears; and meat.

Fourth. Sweden: All grains—minimum price below which imports may be prohibited; frozen beef; poultry meat and fat; milk and cream; butter and cheese; honey; and fresh apples and pears.

Fifth. Denmark: Variety meat and meat extracts; canned fruits and vegetables—except canned peaches, apricots, pineapples and grapefruit sections; fruit juices; seed oils; wheat; and fresh apples and pears.

Sixth. Austria: Wheat, corn, and barley—state monopoly control; tobacco—state monopoly; poultry meat; lard; variety meats; dairy products; and fresh apples and pears.

Seventh. Switzerland: Under Swiss legislation imports of any agricultural commodity which is also grown or produced in Switzerland may be controlled. Currently imports are controlled for wheat; feed grains; potatoes; cattle for slaughter; meat and meat products; vegetables; fresh apples and pears; butter; whole milk powder and casein; tallow and lard.

Eighth. Greece: A relatively small amount of Greek trade is subject to import licensing. However, a number of commodities are subject to large advance cash deposits, consumption taxes or special regulations. Rice imports are subject to licensing and wheat and wheat flour are subject to special regulation.

Ninth. Portugal: All imports require advance import registration certificates. For some commodities certificates are issued automatically. Agricultural commodities still subject to discrimination from the dollar area include cotton; edible oils; wheat; feed grains; rice; fresh citrus fruits; milk and butter.

Tenth. Spain: Most of the agricultural imports are subject to import controls including wheat; feed grains: seed oils and oilseeds; meat and meat products. Basic foodstuffs, raw cotton and wool are state traded.

Eleventh. Turkey: All imports are subject to licensing. Licenses for items on the "liberalized" list are granted freely upon application. Most of the agricultural commodities of interest to the United States are on the nonliberalized list including wheat; feed grains; seed oils; meat and meat products; and cotton. Tobacco and tobacco products are state traded.

Twelfth. Finland: A fairly large number of products are subject to nondiscriminatory quota limitations. In addition, a smaller number of commodities are subject to individual discretionary licensing. Agricultural commodities still under import control include meat and meat products; condensed and powdered milk; wheat and wheat flour; rice and rice flour; barley and barley meal and flake; corn; lard; soybean oil; canned aparagus; almonds, filberts and walnuts; lemons; prepared and preserved fruit; and citrus fruit juices including pineapple juice.

Thirteenth. Ireland: Raw onions, fresh or dried; fresh apples; feed grains; and high special levies on canned fruit.

RESTRICTIONS, NON-EUROPEAN COUNTRIES

Here are a few examples of agricultural products still under import controls as of August 15, 1961, in non-European countries which it is expected will be negotiating with the United States during the second phase of the fifth round tariff negotiations:

First. Canada: Turkeys; Cheddar cheese; butter; dry skimmed milk; butterfat; wheat, wheat flour, and wheat starch; oats, ground oats, crimped oats, crushed oats, rolled oats, and oatmeal; and, barley including ground, crimped, meal, and flour.

Second. Japan: All commercial imports continue to be subject to industrial license. Three basic systems of import licensing are in use, as listed here in order of increasing restrictiveness: First, the automatic approval system; second, the automatic fund allocation system; and, third, the exchange fund allocation system. Agricultural items which the United States would like to see placed on the automatic approval system category include cotton, rice, barley, lemons, and certain canned fruit. Tobacco is state traded.

Third. Australia: Oilseeds and vegetable oils.

Fourth. New Zealand: All imports into New Zealand, except a small number of items specifically exempted, require import licenses. The licensing treatment for all imports is set forth in the yearly import licensing schedules. Licenses are issued on a global basis and are available for imports from all sources.

Fifth. Chile: All imports are permitted entry, but prior to their importation the importer must register the transaction with an authorized commercial bank in Chile. In addition to duties and taxes, most imports are subject either to an import deposit guarantee requirement or to an additional ad valorem surcharge. There are eight import guarantee deposit categories ranging from 5 to 1,500 percent of the c.i.f. value as follows: Category A, 5 percent of c.i.f. value; category B, 20 percent; category C, 50 percent; category D, 100 percent; category E, 200 percent; category F, 400 percent; category H, 1,000 percent; and category J, 1,500 percent.

Sixth. Peru: Apart from duties, Peru relies on taxes and temporary surcharges for the purpose of restricting imports to a level consistent with its foreign exchange availability. Prior authorization is required to import livestock, plants and seeds.

Seventh. Uruguay: There are no prohibitions on imports for balance-of-payments reasons. Uruguay, however, has imposed a system of surcharges and prior deposits. The present system established four classes of imports: First, those free of surcharges and prior deposits; second, those subject to a surcharge of 40 percent of the c.i.f. value; third, those subject to a surcharge of 75 percent; and, fourth, those subject to a surcharge of 150 percent and a prior deposit of 100 percent.

Eighth. India: All imports are subject to licensing and India's policy continues to be highly restrictive. Quota limitations are placed on a wide range of goods with imports of less essential products being severely limited or entirely prohibited. Restrictive import quotas inhibit sales of most agricultural

commodities moving through regular commercial channels.

Ninth. Pakistan: All imports are subject to licensing; all licenses are valid for any country in the world with few exceptions. Imports are limited to essential industrial and consumer goods.

Tenth. Israel: All imports require individual license. Advance deposits of 20 to 40 percent of the c.i.f. value of the import are required before import licenses are issued. Certain priorities in licensing imports according to source of goods have been established as follows: First, countries with which Israel has bilateral trade agreements; second, Western Germany, under the Reparations Agreement; and, third, countries extending assistance or making loans to Israel to finance imports. Goods from other sources generally are licensed only if it is impossible or impractical to obtain the products concerned from the above sources.

Eleventh. Tunisia: All imports are subject to licensing. U.S. products can be imported under three categories: First, liberalized products on which there are no quota restrictions and for which import licenses are granted automatically; second, nonliberalized products subject to global quotas; and, third, nonliberalized products listed in annual dollar import quota programs. Most of the agricultural commodities are in the second and third category.

A BILLION-DOLLAR TUNE PLAYED LARGELY AT THE EXPENSE OF PENNSYLVANIA STRIKES A SOUR NOTE

Mr. KEITH. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. KEARNS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. KEARNS. Mr. Speaker, my good friend, the gentleman from Ohio [Mr. KIRWAN] has helped my Pennsylvania congressional district many times by supporting projects in which I have been interested and in which my constituents have been interested. For this support my constituents and I have been most appreciative.

Unwittingly, perhaps, the gentleman from Ohio [Mr. KIRWAN] has helped me again by calling attention to the fact that early in my career I was a music teacher, and that I am today strongly opposed to his plans for a Lake Erie-Ohio River Canal.

This project definitely would undermine the economy of Pennsylvania. It is vigorously opposed by the Erie Port Commission, the railroads, the newspapers in my district, industry in general, as well as by the chamber of commerce, and many local groups and organizations.

I am please that such prominent attention has been called to my opposition to the Lake Erie-Ohio River Canal, and I wish to assure my esteemed colleague, and all of my constituents, that I will continue to fight a project which is so clearly harmful to the great Commonwealth of Pennsylvania.

The gentleman from Ohio [Mr. ASHBROOK] recently observed that:

> People are getting tired of handouts. The only handouts they want are the Federal Government's hand out of their pockets.

I thoroughly agree with this observation.

Therefore, let me say, we should go very slowly, "largo" is the musical term for very slowly, instead of very fast, or "prestissimo," as the gentleman from Ohio [Mr. KIRWAN] would have us proceed, in embarking on his "water-happy spending spree."

A pamphlet based on data developed for a report prepared by the U.S. Army Engineer District, and dated February 1962, which I have just received from Col. B. De Melker, U.S. Army Engineer District, Pittsburgh, states:

> Estimated cost: The district engineer's 1947 report estimated total first cost of the proposed Lake Erie-Ohio River Canal at $439,348,000, of which $22,894,000 would be charged to local interests. The average annual cost of maintenance and operation of the canal was estimated to be $1,995,000.

Colonel De Melker's pamphlet adds:

> Cost escalation: Increases in price levels since the 1947 report would result in substantially higher costs under present-day conditions. The Engineering News-Record index which is considered a reasonable general guide to changes in price levels in the construction field now stands at 215 percent of report date prices.

Mr. Speaker, if jammed through, the Federal Government's hands would be in all of our pockets to the tune of approximately $1.5 billion to pay for a canal which would greatly harm Pennsylvania and probably harm many segments of Ohio's economy as well.

A billion-dollar tune played largely at the expense of Pennsylvania is a very expensive tune for Pennsylvania and the Nation.

The United Press International, in an article carried in the Sharon (Pa.) Herald, March 8, 1962, reported that:

> WASHINGTON.—Ohio Gov. Michael V. Di Salle still is undecided as to whether a Lake Erie-Ohio River canal will benefit Ohio's economy.
>
> The Governor said Wednesday he wants to check the results of an Army Engineers' survey before he makes up his mind.

Gov. Michael V. Di Salle is not the only Ohioan who is having second thoughts about the Lake Erie-Ohio River Canal.

Now a leading Ohio group has come out against the canal.

John C. Bane, Jr., representing the Upper Ohio Valley Association, outlined the history of the canal project to the executive committee of the Allegheny County Boroughs Association, meeting at the Penn-Sheraton Hotel in Pittsburgh, Wednesday evening, March 7, 1962.

Mr. Bane reviewed the studies of the project made by the Interstate Commerce Commission, the Hoover Task Force on Water Resources and Power, and the study made by the engineering firm of Ford, Bacon & Davis for the Pennsylvania State Planning Board.

Mr. Bane declared that:

> None of these independent studies found the construction of the Lake Erie-Ohio River Canal to be economically justified.

The gentleman from Ohio [Mr. KIRWAN] is a powerful member of the House Appropriations Committee. He has already secured the astounding sum of $280,000 for a general investigation of the Lake Erie-Ohio River Canal, even though no money was set aside for it in the Eisenhower budget for 1962.

Nevertheless, in the amended Kennedy budget for 1962 the gentleman from Ohio [Mr. KIRWAN] got his foot in the door with an item for $50,000. Interestingly enough, this amount was upped to $280,000 by the time the Corps of Engineers released its "civil works" figures for 1962.

Two hundred and twenty thousand dollars is earmarked for fiscal 1963 to continue this general investigation of the proposed Lake Erie-Ohio River Canal.

If the pattern persists this proposed canal could be at the preconstruction stage by next year.

For this reason, those of us who oppose the Lake Erie-Ohio River Canal and who want to save the hard-earned dollars of American taxpayers cannot afford to use the very soft—or pianissimo—approach.

We must be as persistent and as vocal in opposing this canal as its proponents are in working for it. They use the very loud—or fortissimo—approach in fighting for it and we must use these same methods in opposing it.

Mr. Speaker, the gentleman from Ohio [Mr. KIRWAN] mentioned in a press release to the newspapers, and in a newsletter to his constituents, that I am a former music teacher.

That is true, and I am very proud of it.

He forgot to mention that I am a former superintendent of schools, a former dean of men at a State teachers' college, a former supervisor of music for the public schools of Greenville, Pa., a former assistant director of special schools in Chicago, a former manager of a millwork, sash, and door company in Chicago, and a former telegraph operator with the Pennsylvania Railroad.

I am not familiar with the educational and professional background of my colleague, the gentleman from Ohio [Mr. KIRWAN], but I have long been impressed by the way he gets things done. I only oppose him on projects which definitely will harm Pennsylvania, and which will run roughshod over our great State.

Mr. Speaker, the following is an excerpt from my statement at the hearing on this proposed Lake Erie-Ohio River Canal which was held at Youngstown, Ohio, on January 15, 1962:

> On June 6, 1961, I appeared before the Public Works Subcommittee of the House Appropriations Committee to make my annual plea for civil works projects important to the 24th District of Pennsylvania—and other worthy projects.
>
> At that time I stated that I was quite perturbed over efforts to revive the Lake Erie-Ohio River Canal project, which has been talked about for over 40 years. I said that the canal, as presently conceived, is impracticable and excesively costly, and

> would take care of Ohio, with little benefit accruing to Pennsylvania. I went on record at that time as opposed to it.
>
> It is interesting to note that no funds were set aside for the Lake Erie-Ohio River Canal in the Eisenhower budget for 1962. In the amended budget submitted by Mr. Kennedy in March, however, $50,000 was earmarked for a general investigation of its merits. By September, interestingly enough, the amount set aside for the investigation had been upped to $280,000. It is truly astonishing how a Democratic administration can always find money for projects its Congressmen want.
>
> I wish at this time to reiterate my opposition to the proposed Lake Erie-Ohio River Canal. It is strongly opposed by the railroad and trucking industries of my district, as well as by the port commission of Pennsylvania's third largest city—Erie. The initial cost of this barge canal has been estimated at more than $1 billion—a tremendous sum. That does not include the huge investment that would be required to make it operable all year long. Then, too, the property damage would run into millions of dollars. Besides its excessive cost, the project would benefit but a relatively few, and there is no indication that the users would be asked to help pay the bill. Proponents of the project claim that the canal would open Great Lakes markets for steel at low delivery charges to both Pittsburgh and Youngstown. However, in my opinion, the project would benefit mainly the steel industries of Youngstown and Cleveland, and give Ohio an edge over Pennsylvania steel plants. Thus, paydays in the Commonwealth of Pennsylvania would be further jeopardized.
>
> Certainly a proposal of this magnitude should be studied carefully from an economic standpoint, as well as from its engineering features. A thorough evaluation should be made of its probable effect upon the port of Erie, the coal industries of western Pennsylvania and southeastern Ohio, the huge highway program now under construction, the railroads (which are fighting for their very existence), and other segments of our economy.

Mr. Speaker, since submitting the above statement my genuine alarm has grown, not lessened, and, in the interests of my district and the Commonwealth of Pennsylvania, under unanimous consent I include in the RECORD editorials and other extraneous material which are pertinent to this issue:

[From the Sharon (Pa.) Herald, Mar. 8, 1962]

DI SALLE UNDECIDED ON VALUE OF CANAL

WASHINGTON.—Ohio Gov. Michael V. Di Salle still is undecided as to whether a Lake Erie-Ohio River Canal will benefit Ohio's economy.

The Governor said Wednesday he wants to check the results of an Army Engineers survey before he makes up his mind.

The Engineers are restudying the feasibility of hooking up the river and lake to form a new transportation artery. A recommendation is expected to be made in about 18 months.

The question of the canal's benefits was put to Di Salle during a luncheon here.

"I don't know whether it will be or not," he replied. "I'm interested in seeing the economic study. I don't see how anybody can say without seeing the results of the study."

The canal idea has been before Congress several times during the past 50 years. In each case, it sparked a bitter clash among rival transportation interests.

The railroad industry has opposed the project vigorously, contending that rail transportation from the Ohio River to Lake Erie is adequate and could be expanded if needed.

The Army Engineers have already held a public hearing on the proposal at Youngstown, Ohio, and another is scheduled at Pittsburgh, Pa. The city of Cleveland also wants a hearing there.

The Governor also called on Ohio's congressional delegation to sell the State's ability to handle Federal research and development projects.

These contracts, largely for development of new equipment to meet changing defense concepts, will decide where the industry of the future will locate, he said.

Di Salle's visit here came just 1 day after he spent a day at the National Aeronautics and Space Administration's Lewis Research Center at Cleveland.

Among those on hand for the meeting were Senators FRANK LAUSCHE and STEPHEN YOUNG and all Members of the House delegation except WAYNE L. HAYS.

OHIO GROUP OPPOSES CANAL

PITTSBURGH.—"The proposed Lake Erie-Ohio River Canal is a threat to the coal, steel and the common carrier transportation industry in western and central Pennsylvania," a Pittsburgh attorney told the executive committee of the Allegheny County Boroughs Association, meeting at the Penn-Sheraton Hotel in Pittsburgh Wednesday night.

John C. Bane, Jr., representing the upper Ohio Valley association, outlined the history of the canal project and reviewed the studies of the project made by the Interstate Commerce Commission, the Hoover Task Force on Water Resources and Power, and the study made by the engineering firm of Ford, Bacon & Davis for the Pennsylvania State Planning Board. "None of these independent studies found the construction of the Lake Erie-Ohio River Canal to be economically justified," the attorney said.

Citing the Ford, Bacon & Davis study, made in 1957, as the latest independent study Bane stated that "in the report given the Commonwealth's planning board it was estimated that 79 percent of the canal's potential coal tonnage would originate in West Virginia and Kentucky, and given cheaper access to Lake Erie by a reduction in transportation costs, these premium coals might further service inroads on markets now served by western and central Pennsylvania mines.

"As to the effect on our area steel industry," Bane said, "the Ford, Bacon & Davis report noted that the canal would enable southbound iron and steel tonnages originating in the Youngstown area to compete on equal terms for southern and western markets already accessible by barge from Pittsburgh mills.

"With reference to the effect of the proposed canal on existing transportation agencies," Bane stated, "the State planning board was advised that the canal would divert 50 percent of their tonnage, accounting for about 50 percent of gross revenue. Such a loss of tonnage would force the railroads to cut down the number of trains operated with inevitable impairment of service generally. Heretofore, the excellence of existing common carrier transportation service has attracted new industries to western Pennsylvania. Curtailments in present transportation services will make this area a less attractive location for new commercial enterprises."

"Western Pennsylvania just cannot afford to let the canal happen," the attorney said.

PORT COMMISSION,
THE CITY OF ERIE,
Erie, Pa., May 10, 1961.

Congressman CARROLL D. KEARNS,
House Office Building,
Washington, D.C.

DEAR SIR: Recent developments indicating the possibility that the long talked about Lake Erie to Ohio River Barge Canal may get real support and financing from Federal levels prompts me to write to you so that you will know how we feel about the matter here at the port commission office.

It is my personal belief that the construction of such a canal would be impracticable, excessively costly, and without justification insofar as anything I have learned about the proposal is concerned.

When we talk about spending more than $1 billion for a project that can be beneficial to so few, and to such a restricted segment of the Nation's economy, I think we ought to not only go slow, but actually refuse to budge in providing funds for such a proposal.

You probably are aware that this canal has been talked about for more than 40 years. Studies have been made indicating the cost of the construction, and while the figures do reach into astronomical numbers, they do not include all of the investment that would be required to make the canal workable.

Certainly there is no indication that the users would help pay for the billion-dollar project—unlike the St. Lawrence Seaway, where the contribution of the U.S. Government was less than a fifth of a billion dollars. At least the seaway was projected and built with money that is to be repaid from the tolls collected from the users.

I would like to call your attention to two publications which I think you should read at length, articles which will give you detailed information for and against the project.

They are:

1. Committee Print No. 11, 86th Congress, 2d session, entitled "Water Resources Activities in the United States" by the Select Committee on National Water Resources, U.S. Senate, pursuant to Senate Resolution 48, 86th Congress, May 1960.

2. The committee report, 87th Congress, 1st session, entitled "Supplemental Information on Subjects Covered by the Committee's Study" (Committee Print No. 11, January 1961).

Particularly do I want to call to your attention this excerpt from page 27 of Committee Print No. 11:

"Projects of major magnitude that have attracted more than ordinary public interest and support are:

"1. A waterway to connect the Ohio River with Lake Erie."

This project is listed No. 1 among six inland waterway jobs, and the report goes on to say there are other projects and "the fact that they are not specifically mentioned above does not indicate that they are less important, or less likely to be found justified; it merely means that they have not attracted such widespread interest as the six potential projects listed"—end of quote.

And remember the Ohio River with Lake Erie Canal is listed as No. 1.

Proposed route of the canal would be from the vicinity of Youngstown, Ohio, north and northwest to a point in Lake Erie about 2 miles west of the present harbor of Ashtabula, Ohio.

They do not even propose to use available existing facilities of an existing port.

We have been told that many Ohioans are opposing the canal because of the great loss of property and the general dislocation of businesses along the proposed route.

The port of Erie has been developed into a world port during the last 2 years when the city of Erie and the Commonwealth of Pennsylvania joined in a program costing nearly $3 million to make the harbor and its facilities available for manufacturing and other businesses in the western Pennsylvania corridor.

It is my studied opinion at this time that the future of the port of Erie could be harmed greatly by the construction of such a canal as is proposed.

Not only has work been accomplished to date to make Erie a real port to help the economy of this section of Pennsylvania, but the port commission, together with the State,

has embarked on future plans for more dockage, more waterside industrial sites, for development of a free trade zone and other activities within the harbor which can be beneficial to the northwestern sector of Pennsylvania.

I am presenting this material to you at this time as a prelude to future activities in opposition to proposed construction of a project which in my opinion is fantastic and unrealistic in any way you look at it. It appears to me that the canal might benefit only the steel industry in Youngstown making ore and coal available through barge traffic. I do not believe this one interest should be served at a tremendous cost to the taxpayers.

Respectfully yours,

C. E. DINGLER,
Port Director

[From the Erie Times, Feb. 28, 1962]

LAKE-RIVER CANAL HIT BY RAIL AID

ROCKVILLE, MD.—A railroad executive claimed today that the Army Corps of Engineers is eager to build a proposed Ohio River-Lake Erie canal which the railroads are opposing.

Chester T. Williams, of the Baltimore & Ohio (B. & O.) Railroad, said the Army traditionally has favored such large public works projects.

He indicated that this was one of the obstacles facing railroads in the drive to kill the canal idea while it is still in the study stage.

The Army presently is conducting a survey to determine whether a 110-mile canal hooking up the Ohio River and Lake Erie would be worth building.

Williams, general manager of B. & O.'s eastern district, criticized the canal project during a whistlestop tour of Maryland communities.

He was a member of a speaking team of railroad officials which rode a special train on a 2-day campaign to convince the Maryland public that the Nation's railroad industry was being discriminated against by Government.

The canal was one of several issues mentioned.

Williams hammered away at the proposal before small groups of about 50 persons who turned out for the mobile seminars that began at Westminster, Md., and ended here.

He told a session Tuesday night that the "big ditch" would cost $1.5 billion to build, and $55 million annually to maintain.

Williams said that while railroads had to buy their own right-of-way and pay taxes on terminals and other property, users of this canal would ride it free.

"That's what we consider unfair competition," he added.

Williams contended that if the canal were built, it would throw 20,000 railroad workers out of work.

He claimed that four railroads currently provided "adequate" freight service in the region that would be served by an Ohio River-Lake Erie canal.

[From the Erie Morning News, Feb. 28, 1962]

CANALS ARE FOR HISTORY BOOKS

It seems paradoxical to read on the same page stories of man-in-space and of a proposed Ohio River to Lake Erie canal.

Yet that was the story this week. It was almost like a picture of Fred Flintstone climbing into a capsule for a couple of orbits before eating his dinosaur steak dinner.

A hearing on this proposed canal was held in Youngstown in January. Delegates from western Pennsylvania opposed the plan which would be detrimental to the economy of western Pennsylvania.

A second hearing on the proposed canal is scheduled in Pittsburgh on March 26.

Once again we must turn thumbs down on any plan for a canal that will injure the economy of western Pennsylvania.

[From the Sharon (Pa.) Herald, Feb. 15, 1962]

A PAGE OF OPINION: MORE HEARINGS ARE NEEDED ON LAKE-TO-RIVER CANAL

The Army Corps of Engineers has done the right thing in reversing what appeared to be a policy decision against holding a public hearing in Pittsburgh on the controversial Lake Erie to Ohio River canal proposal. Now we hope the corps will take the same action on the request of Ashtabula County residents for a similar hearing.

Whatever one's feelings on the canal, commonsense and fairness, it seems to us, dictate that the objective of the corps should be to make available every possible opportunity for those with a lawful interest in the project to get their views on the record. And here we feel that the convenience of the witnesses, not the convenience of the hearing officers and staff, should be the determinant in locating such hearings.

In the cases of Pittsburgh, where a strong body of hostile opinion is centered, and Ashtabula County, much of which will be inundated by a companion reservoir necessary to serve as a source of water for the canal, the interest in the project is legitimate and the reasons for local hearings self evident.

Moreover, the purpose of such hearings is to allow the Engineers to assemble information, beyond the bare technical, economic, and engineering data, which they must have to bring up to date their earlier feasibility report. Congress appropriated $280,000 for this purpose last year and now is being asked for another $220,000 to carry the work into 1963. The Engineers hardly would be conforming with the sense of the appropriation by limiting their study to a single hearing, and that one in an area so overwhelmingly in favor of the project as was the case in Youngstown.

The corps, we suspect, allowed itself unduly to be influenced by Youngstown in scheduling only the single hearing. If this actually was the case, then Youngstown interests, however one regards their case for construction of the canal, are guilty of the same provincialism of which they so often accuse their opponents.

The heavy cost of the canal, all of it to be borne by the Federal Treasury, its impact upon the economies of far-ranging sections of the country, its meanings in the lives of thousands who will be dislocated by its construction—all these factors demand a full hearing of all interests. This cause hardly will be served by limiting their opportunities to be heard.

[From the Meadville Tribune, Jan. 20, 1962]

OHIO CANAL USE LIMITED

A proposed canal connecting Lake Erie and the Ohio River has been so thoroughly studied and discussed for so many years that an additional hearing requested for Pittsburgh should not be necessary. But if one more hearing is needed to quash once and for all this costly and ridiculous proposal, then by all means let's have it.

This proposal for one of the most costly public works programs ever conceived should have been shelved long ago. It probably would have been except for the insistence of Youngstown area Congressman MICHAEL KIRWAN who is chairman of the strategic House Subcommittee on Public Works and heads up the politically powerful Democratic congressional campaign committee. Representative KIRWAN has wrangled from the administration $280,000, with another $250,000 allocated in the fiscal 1963 budget, for a ninth engineering survey of the big ditch.

The canal, whose cost is estimated from $1½ to $2¾ billion would aid only the Youngstown area steel industry, giving it a Government-subsidized advantage over its competitors, including the Pittsburgh area steel complex. This advantage would be offset by the hardship which would be imposed on competing industry that would be denied the same opportunity to save on shipping costs and by the threat it would pose for the already hard-hit railroads and the truckers. Operation of the canal also would have to be subsidized, for user tolls would be prohibitive if they were set high enough to cover operational costs.

Canal opponents claim that the Government could build a double-track railroad and subsidize its operation for less than the cost of the canal. They estimate also that 8,000 persons in other transportation fields would lose their jobs if the canal were opened.

There is something palpably wrong with the Government's sense of values when it allocated $530,000 for an already oversurveyed proposal of dubious value when such useful projects as French Creek flood control have difficulty obtaining design and planning funds. The canal would aid a single industry while the benefits of a far less expensive flood control program would spread throughout the entire French Creek and Allegheny River Valleys.

[From the Erie (Pa.) Times, Jan. 16, 1962]

CLAIM CANAL WOULD KILL LAKE PORTS

(By Ed Wellejus)

YOUNGSTOWN, OHIO.—Some of the existing ports on the south shore of Lake Erie "would be destroyed utterly" if the Lake Erie to Ohio River Canal is built, Army Engineers conducting the all-day hearing here Monday were told.

The speaker was John C. Bane, Jr., Pittsburgh attorney, who is well known in Erie, along with his partner, John J. Heard. Both men told a Times reporter that "Erie has a vital interest in the proposed canal."

"Construction of this canal would be a serious blow to Erie," Bane said.

If Monday morning's portion of the hearing was largely devoted to Youngstown's plea for quick action on the 105-mile waterway, there was a sharp turnabout Monday afternoon as witness after witness attacked the proposal.

Perhaps the most telling testimony, however, was offered by Bane and Heard, speaking in behalf of the Upper Ohio Valley Association.

As Bane put it: "Both Mr. Heard and I have been very much interested in the Lake Erie-Ohio River canal project for about 30 years, as legal advisors of people in Pittsburgh and many other places who have been opposed to the plan to build this canal. You may observe that we have seniority in this field over even Congressman MICHAEL J. KIRWAN, who commenced to take an interest in the matter in about 1936. Between us, Mr. Heard and I, I am sure, have heard all of the arguments which have been made both for and against the canal, during the past generation."

It was Bane who sketched, most graphically, the possible effects of the canal on some Lake Erie ports—the point of greatest concern for Erie with its developing world port facilities.

"One example is the effect a canal would have on existing ports on the south shore of Lake Erie, in Pennsylvania and Ohio," the Pittsburgh attorney declared. "There are at least eight or nine of these ports, in which there are loading and unloading docks, used to transfer cargoes between railroad cars and lake steamers, and which have cost their public or private owners many millions of dollars.

"The principal business done over these dock installations is in coal, iron ore, and limestone. If the canal were to be built and were to be used to carry millions of tons of coal and iron ore to and from Lake Erie, every ton carried on the canal would be a ton taken away from some port on the lake. What would this do to the jobs of people who have always lived in the lake ports and

found their jobs on the docks, and on the railroads which serve them?

"When you study the matter, you will find that some of the lake ports would be destroyed utterly and that all of them would be likely to sustain unbearable losses. We hope you will investigate this matter."

Despite the fierce opposition, there seemed to be a feeling that many observers expect the canal to win ultimate approval. One reason for this is the obvious power held by Representative KIRWAN, a salty veteran of 26 years in Congress and acknowledged to be one of the most powerful men in the House. Few of the nearly 1,000 persons who attended will soon forget KIRWAN's free-swinging talk.

The Youngstown Democrat warned that if this opportunity to get the interconnecting waterway is lost, the Pittsburgh and Youngstown steel concentrations are due for another serious competitive setback that will cause unemployment and loss of industry.

This will come, he said, when the $300 million Calumet-Sag waterway in the Chicago area is opened within a few years, giving Chicago district steel plants the best transportation and marketing setup in the country.

KIRWAN characterized railroad spokesmen as "muscle men."

Representative ROBERT COOK, whose 11th Ohio District includes Ashtabula County, raised questions about the displaced communities and the effect on the city of Ashtabula, but took no stand.

Other opponents included Edward M. Simmons, city manager of Sandusky, worried—like Erie—about its port; David DeLuca, city manager of Ashtabula; and John M. McLain, secretary of the Chamber of Commerce of Greater Pittsburgh.

Erie persons in attendance included Port Administrator Joseph C. Martin, Stanley Krepcho, a member of the Port Commission; and Cliff Welsh, secretary to Congressman CARROLL D. KEARNS. Letters of opposition from Dudley Jewell, executive vice president of the Greater Erie Chamber of Commerce, and Mayor Charles B. Williamson were read.

[From the Record-Argus, June 23, 1961]

ANOTHER PUBLIC WORKS HEADACHE

A Washington-datelined article appearing one day last week in the Pittsburgh Press suggested that the proposed Lake Erie-Ohio River Canal might conceivably embroil President Kennedy in one of the hottest political controversies of his young administration.

By approving a $50,000 appropriation in his revised public works budget to undertake a new study of the controversial project the President not only is risking the political loss of Pennsylvania for the gain of Ohio but also is adding to the unhappiness of the already desperate rail industry and aiding the Youngstown steel industry at the probable expense of the Pittsburgh steel industry, to say nothing of throwing the White House influence behind a billion-plus waterway that would operate without tolls at the taxpayer's expense.

Our neighboring city of Youngstown happens to be the home of Representative MICHAEL J. KIRWAN, chairman of the Democratic Congressional Campaign Committee and a stanch Kennedy backer. Representative KIRWAN also is chairman of the House subcommittee that handles public works appropriations and is in a choice position to push other projects in return for backing of the Lake Erie-Ohio River Canal.

Anticanal forces already are working to line up Senator HUGH D. SCOTT, Pennsylvania Republican, and Republican National Chairman WILLIAM E. MILLER, a New York Congressman, as spokesmen to charge the administration with a billion-dollar political "boondoggle."

The political implication runs very strong throughout the canal controversy, and there are those who fear that the issue may be settled along political rather than more practical lines. As Holmes Alexander points out elsewhere on today's editorial page, "Mr. Kennedy has said many times, and proves every day, that he is a 'political' president. He counts upon patronage, pressures and new prospects of election victories to help him along with his program."

This billion-plus public works proposal endorsed by the President may help him to win back the Buckeye State for the Democratic Party in 1964, but unless we're mistaken it isn't going to win him any new Pennsylvania friends.

Any way you look at it, the canal project shapes up as another major public works headache for the still young administration.

[From the New Castle News, Jan. 24, 1962]

THE CANAL PROPOSAL—AN ECONOMIC FARCE

Back in 1906 a proposal was made that a ship canal be built from a point near Ashtabula, Ohio, on Lake Erie to a point on the Beaver River near Beaver, Pa.

A Lake Erie-Ohio Ship Canal Commission was appointed by Pennsylvania and a study of the feasibility made. After considerable investigation a negative report was returned.

Since then other routes have been suggested, more surveys have been made but the recommendations have been against the canal.

The canal is again in the public eye, money having been appropriated by Congress for hearings and a survey of the proposal once again.

In 1957 the Pennsylvania State Planning Commission employed the firm of Ford, Bacon & Davis to make an independent study of the proposed canal project.

Their engineers studied the physical conditions at first hand, conferred with potential shippers as to their use of the canal and made estimates of potential traffic and savings in transportation costs that would accrue to the limited number of shippers who could use the canal.

Their independent conclusion was that the savings in transportation costs would fail to meet the annual charges of the canal by about $15 million per year. This without thinking of the original cost.

The report was that the canal was not feasible and they recommended against building it. The planning commission approved this report by an unanimous vote.

The idea of a ship canal now from Lake Erie to the Ohio River has less economic merit today than it had 20 or 30 years ago.

Proponents of the canal make a number of claims.

One, that it could be used to haul ore from the ore range in Minnesota to steel mills in Ohio and Pennsylvania.

The fact is that shipments of hematite ore from the range are smaller each year. The supply has been so depleted that taconite ore, a lower grade, is now being reconciled into pellets which are shipped from Duluth.

Much of the high grade ore we get in this country now comes from Venezuela and in the future it is expected Labrador will supply much of it. But it is thought ore from the Minnesota range will not be a factor in a few years.

Proponents claim the potential tonnage for a canal would be about 56 million tons. This would undoubtedly come in large part from the railroads, thus insuring further economic distress for the railroads and the loss of even more railroad jobs.

It is argued by the proponents that a canal would attract heavy industry. If this were true the city of Cairo, Ill., should be booming for it is here the Ohio meets the Mississippi. Cairo is in bad shape.

There was a time when canals were in use in this country but their lives were short. The old original Erie Canal still exists but traveling the length of it in New York State one sees a few barges now and then.

We once had a canal running through New Castle and one east of Pittsburgh. Their day was done years ago.

Old canals, now spots of interest for tourists, still have their water but the only use to which they are put is for hauling tourists on a barge as a reminder of other days.

The original cost of the canal would be astronomical. It has been placed as low as $1 billion and as high as $2 billion. With the Federal budget what it is, certainly adding $1 billion or $2 billion would only serve to add to our financial woes, particularly at a time when we are already paying 10 cents out of every 1963 fiscal year budget dollar for interest on money we have already borrowed.

Frankly, the idea of a ship canal from Lake Erie to the Ohio River, we believe is an economic farce.

It cannot be justified by any widespread good it would do to Pennsylvania and Ohio.

It would result in more debt being piled up by the Federal Government.

It would cost more tax money to supply the deficit in maintaining it; it would take bulk freight from the railroads and reduce railroad employment.

In the present investigation of the feasibility of the canal, the report of the Interstate Commerce Commission of 1939 should be included, also the report of Ford, Bacon and Davis in 1957.

Both of these reports are definitely unfavorable to the building of a canal.

Previous reports and surveys opposed the building of the canal at a time when prices were much lower than they are now.

Just what merit has suddenly been found in the idea is a question.

With probably a half million dollars down the drain before the present survey is completed it seems unreal to suggest that a billion or two more should go into a canal whose benefits would be few but whose economic disadvantage would be serious and costly.

OPPOSITION FORMING TO LAKE ERIE CANAL

Opponents of the costly proposal to link Lake Erie and the Ohio River via a canal have launched a determined drive to kill the big project.

The Upper Ohio Valley Association is sending a quantity of literature into the Erie area in an effort to recruit local support against the canal. A considerable amount of such literature has been received at the Times office.

In Erie, the anticanal publications find a receptive ear. While no official action has been taken here, both the port commission and city council have indicated they fear a completed canal would hurt Erie's port effort. The canal, under present plans, would terminate at Ashtabula.

There is powerful opposition to the canal in Pittsburgh, where, it is charged, thousands of jobs would be lost if the canal was built.

The canal project would be of particular benefit to the city of Youngstown, Ohio, and its two major steel plants.

Opponents charge the plan would force taxpayers to subsidize cheaper transportation rates for the Youngstown area.

The opposition to the canal plan has intensified because Congress has appropriated $280,000 to study the canal proposal.

Promoters of the project apparently have the ear of President Kennedy, who approved the latest resurvey of a proposal that has been studied in detail on at least nine other occasions.

The canal is the special political pet of U.S. Representative MICHAEL J. KIRWAN, chairman of the Democratic congressional

campaign committee, and one of the most powerful men in Congress.

Mr. KUNAY, from Youngstown, also is chairman of the House Subcommittee on Public Works Appropriations.

The canal would run from Ashtabula to Rochester, Pa.

Among those opposing the project are railroad interests and the Pennsylvania State Planning Board, sponsor of a comprehensive 1957 survey that established the project's basic cost at $1,130 million.

Annual amortization charges over a 50-year-period are estimated at $55 million. In the end, its foes say, the project could cost $2,750 million.

[From the Pittsburgh (Pa.) Press]

ERIE-OHIO RIVER CANAL OPPOSED—RAILROAD RATES CHEAPER, FASTER

EDITOR, THE PITTSBURGH PRESS:

Everything said by Mr. Frank J. Bach in his letter published April 12 ("Lake Erie to Ohio River Canal Defended as Boon to Industry") as well as by other "soak the taxpayer" enthusiasts quoted recently on the glorious advantages of "free" waterways, would be equally true, only more so, of a toll-free railroad built by the Government.

But such an Ohio River-Lake Erie railroad would cost the taxpayers only about one-tenth as much to build, could haul more freight more cheaply, faster and would not freeze over in the winter.

Obviously these alternatives do not fit the plans of the Army Engineers or the small segment of private industry with whom they are allied in pushing for ever-mounting Government expenditures for free or subsidized waterways.

Of course, privately owned and fully self-supporting railroads already exist, able to haul any tonnage available now or in the foreseeable future. The only difference is that their customers have to pay the full cost.

It is to be hoped that taxpayers generally can be alerted to this simple truth before another billion-dollar "bite" is foisted on their pocketbooks.

MAX SOLOMON II.

PITTSBURGH.

[From the Erie Daily Times, Apr. 22, 1961]

HIT OHIO CANAL PROPOSAL

Port commission members, cheered by new reports that Erie is advancing toward the status of a major port, flexed their muscles at a meeting Friday and agreed to take on three big neighboring communities: Youngstown, Buffalo and Chicago.

While they took no formal action on the proposed Lake Erie-Ohio River waterway, strongly backed by Youngstown interests, commission members unofficially authorized Port Director Calvin E. Dingler and Port Administrator Joseph C. Martin to register Erie opposition to the move.

The proposed canal, strongly opposed by the railroads, would empty into Lake Erie 2 miles west of Ashtabula.

MEDICAL CARE FOR THE AGED: A RESPONSE

Mr. KEITH. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. CURTIS of Missouri. Mr. Speaker, during the hearings of the Ways and Means Committee into the subject of health services for the aged under the social security system, July 24 through August 4, 1961, Dean J. Douglas Brown, professor of economics of Princeton University, testified and presented a prepared statement he had presented before a Senate subcommittee in March 1960. The dean stated that no one in opposition to the extension of the OASDI program to include hospital care for the aged had challenged the facts or the reason in his analysis.

I stated that though I had not had at that time gone over his statement that I certainly did challenge both his facts and his reasons and that I would be pleased to read the details of it and supply him with my criticism.

Unfortunately over 4 months transpired before the committee hearings were printed and made available to the members of the committee or to the public—which is another story and a serious one—so I was unable to reply to Dean Brown until recently.

On January 16, 1962, I replied to Dean Brown. On January 22, 1962, he replied to my letter. I believe that both of these letters should be a matter of public record. Certainly my letter to Dean Brown should be public information particularly as several people who have since had an opportunity of reading the hearings have written to me for copies of my letter to Dean Brown.

Accordingly, I am setting out the two letters:

JANUARY 16, 1962.

Dean J. DOUGLAS BROWN,
Dean of the Faculty and Professor of Economics, Princeton University, Princeton, N.J.

DEAR DEAN BROWN: During your testimony on Thursday, July 27, 1961, before the Ways and Means Committee on the subject of health care for the aged, you stated concerning the prepared statement you had given in March 1960, before the Senate committee, "although it had been widely circulated, no one in opposition to the extension of the OASDI program to include hospital care for the aged beneficiaries has challenged the facts or the reason in my analysis of the program we face."

When I began my interrogation of you, I stated, "It has not been called to my attention but I can assure you it is challenged as of now and I shall be pleased to read the details of it and supply you with my criticism."

A little later, as the result of the acting chairman of the committee interposing in my method of questioning you, I terminated my questioning with this statement, "I will prepare an answer, however, to your statement and send it to you so that you can then, at least, recognize there are people who disagree with you."

The committee hearings terminated on August 4, 1961, were not printed and made available until the second week of December, a rather disturbing thing, inasmuch as they contained much data and material which should have been available to the public as soon as possible. Hence, this delay in carrying out my intended course of action.

Of course, I have made many public speeches on the floor of the House and elsewhere which effectively contradicted most of the points you sought to make. These speeches certainly challenged your conclusions. However, I have gone over your paper specifically.

I agree with item 1 of your analysis. The proportion of the aged to the working population will continue to rise. However, I would add this caveat: so long as the health professions continue to meet with the amazing success they have been meeting with in the past in improving the health and extending the life expectancy of our people. Seriously damage our health care institutions and professions, and this trend could be very quickly reversed. This is what I believe the King bill or any compulsory health program through social security would do.

Item 2. "The costs of living for the aged, and particularly the necessary costs of health care, will continue to rise." If we continue to mishandle our fiscal policies so that we have more inflation, this will regrettably be true. However, I would never base the premise for a sound program upon the assumption of continued inflation. It is true if quality improvements continue in standard of living, including health care, as I trust they will, and we fail to divide up the productivity gains which usually accompany these advancements fairly between wages, investment return and price to consumer, there may be continued rising costs from this cause which, though similar to inflation, is not correctly so labeled. Neither of these two premises upon which your conclusion is based can rest unchallenged.

Item 3. "Since it is clear from experience that the current income of most superannuated persons will be inadequate to meet these rising medical costs, the excess of current costs over current income will need to be provided by one or more of the following means."

This begs the question. One of the basic items our committee has been trying to get accurate data on is what are the income capabilities of our older people. There has been more misleading half-information on this subject than almost any other aspect of the problem. What we are trying to get information and data on you blithely conclude "is clear from experience." What kind of scholarship is this? What data do you leave another scholar to benefit from to analyze or to challenge?

The misleading half-information I refer to is that which states that an older person's medical expenses are higher than that of any other age bracket, in a context that leads the student to believe that this gives a true picture of the older person's total budgetary expenses in relation to other age groups. As a matter of fact, every other item in an older person's budget is less than that of any other age group * * * food, clothing, shelter, recreation, transportation. Many items are no longer in an older person's budget which are in the budgets of almost every other age bracket. The net result is that the older person's total expenditures are less than those of any other age bracket, including the one more costly item, medical expense.

Furthermore, figures have been given of median income of aged people per person, rather than per family, to create the impression that the older people have much less income than a proper analysis of their income by couple, within a family or whatever reveals. Furthermore, the fact that older people have more equities, more savings, more liquid assets, more personal property than other age groups is usually ignored. Seventy percent own their own homes. Most of these homes are fully paid for. Their average equity in their home is $8,300.

The manner in which you advance the second point in your analysis seeks to capture some of this misleading overtone by the emphasis on the heavy medical costs without a proper reference to all aspects of an older person's budget and well-being.

By my disagreement with your blanket and a priori assertion, I do not mean that I believe there is no budget problem which faces some of our older people. The questions we are seeking to find the answers to are how many older persons do face a budgetary problem? How acute is this problem? Your unsubstantiated assertion throws no light on this matter.

You will find in the testimony in the hearings much information on the subject which is extremely helpful. The Delaware study (pp. 1219–1933), State of Washington study (pp. 1014–1056), North Dakota study (pp. 584–596), Texas study (pp. 855–921), Vermont study (pp. 156–1569) and Oregon study (pp. 1531–1539) in particular. These studies strongly refute your unsubstantiated assertion.

You list only six ways in which the assumed budgetary problem of the older people can be met. For the sake of further criticizing your presentation, let me tentatively accept your unfounded premises and check out your syllogism.

First, in none of the six ways you set out do you refer to what I would say are the priorities in caring for our older people in our society. The first responsibility is the person himself or herself. This is "means (a)" which you list. The second is the person's family. You completely skip this. The third is the person's church. You completely skip this. The fourth is the person's employer; perhaps in this respect you regard a person's personal savings to include employee retirement programs. It is true in our sophisticated economy the close relationship between employer and employee has been minimized, and the extent to which employers cared for their retired personnel is probably not too big a factor. But it still is a factor and you skip it. The fifth is the neighbors, formalized into community chest agencies or, just unorganized, which you skip. Sixth is the local government. Seventh is the State government.

After these seven have participated in order we can start considering what part the Federal Government might have to play to supplement or take over the full burden.

Your concept with which I disagree is based upon Federal planning which eliminates all the institutions in our society which I have enumerated. You may wish to argue that these institutions should be eliminated, but good scholarship does not call for your ignoring them.

I think you are required to advance your reason why you feel that those institutions have no part to play in meeting this problem and why they cannot properly and effectively meet it. This as I pointed out, you do not do.

Then I would observe that your suggested six means are by no means exclusive each to itself. Certainly "(a) personal savings," is a base for all of the other five.

But to get to the real meat of what I believe in our disagreement. Why have you eliminated from your list, prepaid health insurance * * * paid for during a person's working years? That is all a compulsory program of health care through the social security system provides when it matures. As I asked you in my brief interrogation, what is there about prepaid health insurance during one's working years that makes it peculiarly and only workable through Government? The answer is obvious. There is none. Indeed, somewhat the contrary. For many reasons which I allude to later, private companies are much better suited to handle programs of prepaid health insurance than the Government.

Many labor-management contracts are being written today which call for health insurance to accompany the worker into retirement * * * prepaid. The cost of this is borne out of the worker's productivity during his working years. This is done privately and extensively, increasingly so.

You challenged my statement that private insurance companies were already offering health insurance fully paid up at 65, with immediate coverage at the time of taking it out, whether the age was 20, 30, or what. But the record is there for you to read (p. 838 of the hearings). The premium is, of course, lower the younger the person is. One reason private companies can do this is the gain they can obtain from the life expectancy factor. A person at 20 is paying a higher premium than he would pay if he merely had an annual policy, because this premium is leveled out over the 45 years he is paying. If that person dies at 40, the insurance company gains in the higher premiums collected. Those who live on to the age of 65 gain the benefit from this actuarial factor. There are other saving aspects which make private insurance feasible, not the least of which is the fact that private insurance companies can invest their reserve funds in the living economy. Government, of course, can put it only in Government bonds which are sterile.

I suggest that instead of dismissing the insurance industry as schizophrenics as your statement attempted to do, you study some of their testimony and, particularly, read the list of policies, pages 819 through 840, that are now available to older people and all people in our society in the rapidly advancing field of health insurance. Beginning on page 819 and going through page 840 of the hearings is the report of the Health Insurance Institute on "Guaranteed Lifetime Health Insurance, for Persons Over 65, for Persons Under 65" dated July 1961. Beginning on page 831 running through page 837 are the plans of 53 companies for guaranteed renewable lifetime hospital-surgical expense plans—issued to persons under 65 years of age. Selected yearly premium range: $84.60 to $233.60; male, 55. On page 838 are the plans of seven national insurance companies, Aetna, Continental Assurance, Continental Casualty, Empire State Mutual Life, Metropolitan Life, Prudential Insurance, and Security Life Insurance, for guaranteed renewable lifetime hospital-surgical expense plans fully paid up at 65, selected yearly premium range: $80.64 to $188.60; male, 35. On page 839 through 840 are the plans of 12 national insurance companies for guaranteed renewable major medical plans with lifetime coverage or extended benefits beyond 65. Selected yearly premium range: $40.45 to $91.92; male, 45.

Then I would call your attention to a point I have been trying to make for some time. We have two distinct problems in this matter of health care for the aged.

1. We have the problem of the present group of people over 65. They reached this age when there was little noncancellable health insurance available, when there was practically no labor-management agreements that provided for prepaid health insurance after the worker retired and there was little private prepaid health insurance for retirement available. Such a group as we now have over 65 will never be with us again, because people now becoming 65 increasingly have had a chance to get this kind of health insurance and they increasingly have it. (See charts pp. 799 to 800 showing increase of coverage of all ages from 59 percent in 1952 to 73 percent in 1959 and for people over 65, 31 percent in 1952 to 53 percent in 1959.) In other words, our first problem is a problem that is phasing out. We can figure what the costs of this group might be and move to meet it. The Kerr-Mills Act is available for that purpose.

2. The second problem is to see that people over 65 in the future have health insurance. This is the permanent program. This is the program that is springing into existence under our very eyes, when today over 75 percent of our people have health insurance.

Then I would say what I have said so many times. The greatest problem of the aged today in health care is not lack of money as much as it is lack of facilities. There are not enough efficient, healthy, safe, well-run nursing homes. There aren't enough visiting nurses to enable an older person to remain in the bosom of the family. In both these areas, as a legislator, I have moved forward by sponsoring bills which are now law.

1. FHA guarantees to private nursing homes which meet these high standards, and

2. Extending Federal aid to vocational education for practical nurses.

These laws are doing much to ease the health cost burdens of our older people, including reducing the health insurance premiums.

I must refer to the colloquy between us which appears on the bottom of page 555 of the hearings. You answered one of my questions with one of your nonsequiturs as follows:

"In the McNamara hearings a policyholder of the Omaha Co. which you mentioned testified that when he became ill they canceled a noncancelable policy."

Although this had nothing to do with what I was interrogating you about, I allowed you to distract me by responding to your observation. I said, "I will have to examine that."

"Dr. BROWN. It is in the record.

"Mr. CURTIS. I understand it is in the record. I find that that sort of reference, when you get into detail, usually it does not come out. You will pardon me if I take exception to that.

"Dr. BROWN. Congressman, you can believe anything you want that I say or not. All I say, as a student of the subject, is that that type of insurance paid for over 30 and 40 years, to be paid out in 10 or 20 years of old age, is virtually impossible to organize or sell." (How wrong you are as witness the policies listed on pages 819–840.)

Note, Dr. Brown, how I merely stated that I will have to examine into the details of a generality that was testified to in the record, yet you unfairly treat it as if I were questioning your veracity.

What I am obviously probing is your scholarship. Since when does good scholarship permit you to take a broad general statement of a witness as irrefutable proof that what the witness says is true? Particularly when it is attacking the integrity of someone else? Nor does that mean that the witness is a liar. He may be ignorant, he may be mistaken. Why do fellow scholars go over each other's work papers? Because they think they are liars or cheats? Of course not. It is because we all know we can and frequently are mistaken.

Now, please read the interrogation I conducted of this same witness, Mr. Eugene S. Simmons, who fortuitously did appear before our committee later, pages 1192–1200 of the hearings. I did follow through, as I told the witness I would, on the one aspect of the matter where I thought the insurance company might have been in error. I am enclosing a copy of the final response from the insurance company for you to read.

In other words, what I had merely surmised from previous experiences turned out to be exactly true, "when you get into detail it usually does not come out." Far from the older person being abused it was the insurance company that was abused and you put your name as a scholar behind this unfair attack? Your whole testimony conforms to this example. It avoided details like the plague. You cited no authorities; showed no working papers. You only talked of 40 years of scholarship but did not exercise it.

I grow increasingly disturbed about America when I find men with reputations for top scholarship—men who possess Ph. D. degrees and teach in some of our outstanding institutions of learning—indulging in this kind of scholarship, and becoming arrogant and insulting if someone tries to check over their working papers.

If I seem unduly harsh in my expression, it is only because I feel so deeply the need to shake our good people, and I regard you as one, out of this dangerous game of believing those who are in disagreement are

lacking in humanity or are ignorant or are crazy. The exact words you used were that the representatives of organized medicine were motivated "by defense of special interest," that political representatives of any large organization were "the last to recognize that times have changed, because this requires thought." And that "the leaders in private insurance are enjoying a siege of schizophrenia."

You are advocating a program, the King bill, which will help only the older people on social security, not the 3 million people who were born too soon ever to be covered by social security, the very people who probably need help the most.

The people the King bill will help includes millions of older people who need no help. These people, some of them the richest in America, will not pay 1 cent for the coverage the King bill would extend to them. This coverage would be paid for by a tax on wages up to $5,200. All wages and salaries above $5,200 would escape paying any tax. All income from investments and sources other than wages would be exempt from this tax.

Under what possible justification even granting we had as serious social problem as you say we have can you pass the cost of this program onto the backs of the lowest wage earners through a regressive payroll tax of this nature? If this is a social problem the cost should be borne out of general revenue where the graduated income tax assumes the greatest burden.

Now if you want to start from scratch and begin a program of health care for all people on social security who pay in something and so gain coverage just as we did with the original Social Security Act, that is something else again. However, this is the group not yet 65 and this is the group that is pretty generally covered by health insurance today, an increasing amount of which is prepaid.

The answer is the promoters of the King bill can't make their case when they relate the problem to the permanent program. Their case must be made for the present population over 65 in the guise that their problems are the same as the people who have not yet reached this age. This is just not the case.

The hearings revealed what the King bill is really about. It is just the beginning as Aime Forand was fair enough to state the Forand bill to be just the beginning.

Both bills call for the Department of Health, Education, and Welfare to enter into contracts with the hospitals and other health institutions covered fixing fees and rates. Obviously if a hospital or institution was in disagreement with the HEW on a fee or a rate that hospital could not take a social security patient and be paid the cost out of social security funds.

This means that those who selected this hospital or this institution could not use it. It means that if their doctor was on the board of that hospital and not listed to practice on a hospital that was in contract with HEW the patient could not have that doctor.

This is the reason the Forand bill, the King bill or any bill which utilizes the social security system on a compulsory basis leads to socialized medicine and denies the free choice of hospital and doctor. That is why such a system would cause the deterioration of our health institutions.

We have the greatest health care system in the world today. Its success, not its failure, has created the problems we are talking about. It is our system's success that has permitted people to live 10 years longer. This creates the problem of financing this extra 10 years of life. I suggest that the way to solve our new problems and to gain more success is to improve the system that produced the success, not cast it aside and adopt a radically different system which has proven unsuccessful wherever it has been tried. This latter course would create poorer health care for all of us, including our older citizens.

Sincerely,

THOMAS B. CURTIS.

RESPONSE FROM THE INSURANCE COMPANY

Mr. Simmons purchased a policy form 36 in 1929. This policy provided mainly income protection insurance designed to pay a monthly income while the policyowner was disabled and not working. The premium was $36 per year.

During the years 1929 through 1958, Mr. Simmons received benefits on 17 different occasions, totaling $942.16.

In the fall of 1958, Mr. Simmons filed for benefits for phlebitis and listed his occupation on the application for benefits as retired. Since his policy was not designed for a person who was not working, such as fire insurance is not designed for one who does not own a home, we offered to replace Mr. Simmons' policy with a plan which would pay benefits for hospitalization. Subsequently, we offered our well-known senior security plan to him.

Through personal contact and letters, we emphasized the importance of this coverage to him. We encouraged and actually urged him to accept this new plan, but he refused.

Mr. Simmons gives the impression that we accepted his premiums from 1952 through 1958 knowing that he was retired. Actually the first notification of his retirement was in late 1958.

Mr. Simmons reports that "10 or 15 years ago I received a notice from the company that they were increasing benefits to include a portion of the hospital bills." No such action was ever taken with regard to Mr. Simmons' policy or as a matter of fact to any policy which we offered at that time.

In his statements and in the press coverage thereof, Mr. Simmons has indicated we simply canceled his policy. These statements are just not accurate. True, we did not renew his form 36 policy because he no longer qualified, but we did offer him continuing coverage for which he qualified and for which he had a greater need. We notified him of this as soon as we knew he retired.

Mr. Simmons' specific question at this time seems to be in regard to the fact that we accepted his premiums from 1952 to 1959. We did so because we did not know he was retired. Had he notified us, we would have offered him a conversion policy similar to the one offered when we were finally notified.

There is no question about the premiums being earned since during those years Mr. Simmons qualified for benefits under the old policy and we were obligated to pay these benefits and did. We could convert his policy only after we had paid those benefits covered by the policy. Hence, we retained the liability during those years.

We will be having another senior security enrollment beginning February 1, and this will afford Mr. Simmons an excellent opportunity to secure this coverage. We would, of course, be very pleased if Mr. Simmons took advantage of this opportunity.

One part of Mr. Simmons' testimony needs clarification. It is true that the company collected premiums from Mr. Simmons from 1952 until 1958. We did this because it was not until 1958 that Mr. Simmons notified us that he was retired. Had we known he retired in 1952, we would have taken the same action as we did in 1958. In that interval of 6 years, Mr. Simmons paid the company a total of $192 in premiums. During that time, on March 21, 1952, he applied for benefits and was paid $40; on October 14, 1952, he applied for and was paid $106.66 in benefits; on October 31, 1955, he applied for and was paid $50 in benefits; and on September 19, 1958, he applied for and was paid $112.50 in benefits—a total of $309.16. So it appears that the policyowner was more than adequately compensated during these intervening years.

PRINCETON UNIVERSITY,
Princeton, N.J., January 22, 1962.

DEAR CONGRESSMAN CURTIS: I appreciate your long letter concerning my statement in the hearings before the Committee on Ways and Means last July on health care for the aged. I am faced with a serious problem in giving you an extended answer since I must enter the hospital on Wednesday for an operation which will put me out of circulation until March. Meanwhile, as senior educational officer here, I am under great pressure in clearing my desk.

It must be remembered that I was given but 10 minutes for my statement before your committee. Much of the data supporting my conclusions were in the statement of the Secretary of Health, Education, and Welfare and the supporting documents he presented. I had reviewed extensive material on the subject for Secretary Fleming earlier. I have long been associated with the Social Security Administration on various councils and committees as well as informally since the original legislation was passed and have found their statistical studies to be trustworthy. All I can say is that I have used only data in which I have confidence. I am not affiliated with any party of interest and have been on tenure at Princeton since 1934. I am deeply concerned in solving the problem of taking care of our older citizens in the most effective manner, and came to support the proposed extensions of OASDI only after careful study.

To me, the proposed extension of OASDI is the truly conservative method of meeting the problem of health care for the aged.

The aged face a very different set of factors than the currently employed. Theirs is a life risk, involving risks which come after working life is over for most, and for which arrangements must be made to transfer financing from one long period in life to another of uncertain length, as in OASDI generally. Further, their costs are higher and their ability to adjust to costs far less.

I feel strongly that the social insurance method of meeting hospital care for the aged is truly more conservative than the general tax-relief method. The latter is most difficult to control, is essentially open-end, involves sharp differentials between States, leads to abuse, and undermines the basic sense of self-reliance which is a precious asset to be conserved in our way of life. Human resources are our greatest asset, but such resources are not just human beings, but human beings with valued attributes of self-reliance and motivation. The United States faces a problem of growing dimensions in protecting our older citizens without undermining self-reliance. I am convinced that we will meet this problem with least cost and least loss through the social insurance method. With the rising costs of health protection in old age, the advantages of a contributory OASDI program will be increasingly offset if relief payments for health care become a larger and larger supplement to old age insurance benefits.

The need for positive intervention by the Federal Government in protecting our aged citizens arises out of forces which are, in large measure, beyond our control: increasing life expectancy, a shifting balance of aged to general population, rapid industrialization which reduces employment for the aged, rapid urbanization which increases living costs for the aged, the declining purchasing power of savings over the longer span of life and, more recently, the rapid rise in cost and complexity of health services. These conditions are nationwide, and find the States in widely differing circumstances in meeting them. Subsidization of State relief programs, while needed as a residual method, is inadequate and yet costly in meeting the major basic problem. The only effective method of meeting the basic problem, I sincerely believe is Federal social insurance. I am enclosing a clipping which you may have seen.

The hope that private insurance can meet the basic problem of health care for the aged is, I am convinced, as futile as was the hope that private savings and insurance would make OASDI unnecessary. The missing elements in private insurance are lack of compulsion, lack of wide and uniform coverage, and the ability under current plus limited reserve financing to meet changing costs through time. Many insurance executives realize this. With keen competition and the need to protect their solvency, private insurance carriers must continue to restrict contractual health benefits for the aged in the fact of great uncertainties and the need to keep premiums attractive. Private insurance will continue to be a valuable method to supplement basic protection for older persons of above-average income, but, I am convinced, it cannot do the basic job.

The cost of hospital service to the aged has come to be too great to be met by millions of aged, by voluntary support, or by many local communities. As a member of our local United Fund board and in studies of our local hospital, I have seen this problem grow serious even in a prosperous community. My State, like many others, needs to spend far more on mental hospitals before it should assume a greatly extended support of hospital services for the aged. There should be a new source for the latter support, not involving State and local financing for the majority of aged persons. The best new source is a payroll tax under Federal social insurance. This, to me, is practical economics, and should be weighed as such.

The doctors of the country have every professional reason to fight for adequate health care for the aged and for us all. But, after many years of study, as an economist, I cannot see how they can assure such care without a new means of financing it in the case of the greatly increased proportion of aged persons. They have conceded the fact that insurance is necessary. But private insurance can't do the job. As far as interference with professional freedom is concerned, the relief method is much more likely to intervene and encourage abuse than the insurance method. Under limited and varying local budgets, their fees, number of visits, and extent of services are likely to be arbitrarily adjusted to local and changing financial circumstances. One is led to believe, therefore, that the opposition of the American Medical Association is more political than professional, and more a resistance to change, than a recognition of how best to adjust to changing conditions in our country.

I sincerely hope that you will have time to consider the points I have outlined. I do assume to be a scholar in this field; if I am not, I have been in the wrong job for a long time. I fully realize, however, that I am in a field in which attitudes on policy differ widely, but that does not relieve me of the obligation to be as judicious as possible. If I can add to this very brief analysis after I return from the hospital, do let me know. If you want to check on my general reliability, do ask Charlie Thomas, Clark Hungerford, or Donald Danforth in the St. Louis area.

With kindest personal regards,

Sincerely yours,

J. DOUGLAS BROWN.

INCREASE IN ANNUITIES OF RETIRED CIVIL SERVICE EMPLOYEES

Mr. NEDZI. Mr. Speaker, I ask unanimous consent that the gentleman from Montana [Mr. OLSEN] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. OLSEN. Mr. Speaker, today I introduced a bill to provide for a just and necessary increase in the annuities of our retired civil service employees. The following is a section-by-section explanation of the bill:

SECTION-BY-SECTION EXPLANATION—CIVIL SERVICE RETIREMENT ACT OF 1962

EXPLANATION	JUSTIFICATION
General increase in benefits	
Section 18(a) provides that retired civil service employees shall receive a percentage increase in their annuities equal to the average percentage increase in salary granted to active classified employees by the next general pay raise, presumably in 1962.	Retirees received their last increase in 1958, which is two pay raises ago. Active civil servants received a general increase in 1960, presumably based in part on increases in the cost of living, but retirees were not included. Since 1956, the Consumers Price Index has risen about 4 percent. (NOTE: This will not affect the budget, since it will be paid from the retirement fund.)
Subsection (b) is a "tapering" provision, granting a proportional share of the increase to those retiring in the next 5 years.	It takes 5 years for a pay increase to be reflected fully in an individual's retirement benefits, since these are based on the average of the "high 5" years of his earnings record. Therefore, without a "tapering" provision, persons retiring in 1963–67 would receive less than those already retired with comparable earnings records.
Future cost-of-living increases	
Subsection (c) provides for automatic cost-of-living increases in the future, to be computed annually, provided the cost of living has risen at least 1 percent.	The retirement bill offers an excellent opportunity to establish the principle that the Government should stand behind its obligations to the aging in constant dollars.
Subsection (d). Technical.	
Transfer of credits between social security and civil service	
Section 19 permits a Government employee who has some coverage under social security but not enough coverage to qualify for benefits (the requirement is now 11 quarters, rising to 40 quarters by 1991) may transfer his credits to the civil service retirement system and increase his civil service pension accordingly. He would be obliged to pay to the Civil Service Retirement Fund an amount equal to the difference between what he paid in social security payroll taxes and what he would have paid into the retirement fund if he had been employed by the Government. For this purpose, it would be assumed the employee's earnings during the period he was covered by social security would be equal to the average of his "high 5" years used as the base for computing his civil service retirement. Payroll taxes paid into the social security trust fund on the employee's wages would be transferred to the civil service retirement fund.	This provision will remove the inequity whereby a person employed 30 years by the Government receives 30 years of retirement credit while a person working 27 years for the Government and 3 years in private employment receives only 27 years of retirement credit and gets no benefit at all from the 3 years of social security taxes which he and his employer paid in. This inequity will grow increasingly severe, as the coverage required for social security benefits rises gradually to 10 years. This section will help the Government to retain the services of senior employees who have had some employment covered by social security but not enough to be insured, and now feel impelled to reenter private employment in order to complete their social security coverage and thus not lose that which they have already earned.
Section 20 authorizes a corresponding transfer of credits from civil service retirement to social security, in those instances where the employee has worked for the Government less than the 5 years required for civil service retirement and where such transfer would affect the employee's entitlement to social security benefits or the amount of his benefits. The employee would be required to pay into the social security trust fund the amount he would have paid in payroll taxes if he had been in covered private employment, and the employer's share of payroll taxes would be transferred from the civil service retirement fund to the social security trust fund.	At present, an employee may have worked both in the civil service and in private employment covered by social security, but not long enough to be eligible for retirement under either act. In those cases, he simply loses what he has paid in social security payroll taxes and gets no benefit from the employer's contribution under either program. This provision would enable the employee to combine his credits so as to become eligible for social security benefits. It would also enable him to increase his benefits in instances where his civil service employment would have the effect of raising his average wage base.
Automatic provision of benefits for surviving spouse	
Section 2 removes the option in present law whereby a civil service employee may either provide benefits for a surviving widow or dependent widower by reducing his own annuity, or collect his full annuity until his own death and make no provision for a surviving spouse. This section would make automatic the provision of benefits for the surviving widow or dependent widower.	With the present option in the law, some civil service employees elect to take their full annuities and make no provision for a surviving widow, either gambling that their wives will predecease them or for other reasons. As the consequence, some widows are left destitute. Many are surprised to learn that their husbands have failed to provide for them, and Congress is under recurrent pressure to provide them the benefits their husbands have denied them. The Social Security Act offers no such option but instead makes automatic the provision of surviving widows. This section writes the same principle into the Civil Service Retirement Act.
Section 3. Technical.	

SUPPORT OF SMALL BUSINESS ADMINISTRATION CONSTRUCTION SET-ASIDE PROGRAM

Mr. NEDZI. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. PATMAN] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. PATMAN. Mr. Speaker, I rise today to support the Small Business Administration's construction set-aside program and to defend it from wholly unfair attacks which appear to be selfishly inspired and are aimed at nothing less than the destruction of this valuable program to assist small construction firms, which comprise approximately 85 percent of the industry.

I cannot emphasize too strongly that it was the result of legislation passed by Congress that the program was initiated by the Small Business Administration. This legislation, stating the congressional intent that the SBA establish a construction set-aside program, was passed in 1958 because it was needed. It is still needed. Although approximately 85 percent of the concerns making up the construction industry are small, the fact is that only about 35 percent of the value of construction contracts let by the military is being awarded to small business concerns. It is thus clearly evident that, despite the vigorous efforts of the Small Business Administration to correct this inequity, small contractors are still not receiving a fair proportion of these Government contracts, and now cries are rising from some quarters that the whole program should be scrapped.

It is obvious who is doing the hollering. It is the big contractors who have long had a near monopoly of this business, and they cannot bear to see even a small part of it going to the smaller fellow.

Those who seek to bar small business access to any Government contracts, who seek to destroy a sound program established to protect small business in this field, have characteristically adopted a shotgun approach.

Not having available any sound basis for attacking this program, they issue blast after blast, hoping that by repeated vituperation they can carry the day.

That is why I feel compelled to speak as strongly as I can in defense of this program. I think all of us in this Congress, indeed all fairminded Americans who have a concern for the welfare of small business, should be concerned.

When the first large-scale attacks were made on the Small Business Administration's construction set-aside program early last spring, the large contractors raised the false issue that SBA was arbitrarily and capriciously invading a field where it had no business to be.

That attack quickly crumbled. For it is plain to anyone who makes even the slightest investigation that the program was established at the insistence of the Congress in an effort to redress a situation in which small business was patently at a disadvantage.

The charge was also made that this program is costing the taxpayer money. This also was easily dispelled. Since when does increased competition from small businesses lead to higher prices? Just the opposite is true. The more participants in Government contracts the better off we all are.

The Defense Department itself has exposed this false charge of higher prices, in the following testimony given before a subcommittee of the Committee on Appropriations last June 26 by the Honorable Thomas D. Morris, Assistant Secretary of Defense—Installations and Logistics:

> I am aware of the interest this committee has shown during these hearings in our small business set-aside program particularly in the construction field. Concerning the possibility that we are paying higher prices as a result of our set-aside procedures in construction, it is clear that this problem is no different in construction than in any other industry.
>
> It is obvious that the effect of the reservation of any procurement for competition exclusively for small business, pursuant to the Small Business Act, potentially rules out lower bids of large businesses. However, we do not follow this practice unless it is clear that there is sufficient small business competition to assure a fair and reasonable price.
>
> It should be noted that most of the cases where it is indicated that small business set-asides have cost us more money are cases where some large business has volunteered a lower bid. Under a small business set-aside, such volunteer bids cannot legally be accepted and the companies submitting them are normally aware of this fact.
>
> Accordingly, there is always doubt as to the validity of any statistics based on them purporting to show the cost of set-asides.
>
> In any event, if it appears to the contracting officer for any reason, after the bids are opened, that the low bid from a small business firm was not fair and reasonable, he may reject all bids and open the contract to free competition.
>
> The current procedures for initiating set-asides in construction have not been in operation long enough to enable us to evaluate their effectiveness in raising the percentage of small business awards, or to give us sufficient experience to know whether any higher prices are resulting. It would be my judgment that the Congress recognized that, under any small business program of this type, we would not always be assured of getting the lowest obtainable price in a procurement reserved for small business firms, but that we would assure ourselves of obtaining fair and reasonable prices.

So, what has happened? The big contractors in their desperation have turned to the labor unions to enlist their support. I am sorry to say that this support has in many instances been given. A number of labor unions in the construction field have appealed to their locals to undertake a vigorous program to have the SBA construction set-aside program repealed.

Let me make it clear that I have faith that this new attack cannot succeed any more than the earlier attacks did. I am confident that the labor unions and their members will realize when the facts are understood—that their interest, and that of the public, lies not in the destruction of but in support of this program.

What is the nature of the charges being used by the labor unions in attacking the construction set-aside program?

First is the charge that contractors performing on set-aside contracts are not required to pay prevailing wage scales. Thus it is charged that the contract set-aside program is undermining union wage rates. This is nonsense.

Wages paid on all Government construction contracts in excess of $2,000 are subject to the provisions of the Davis-Bacon Act. Under the provisions of this act, Government contractors pay laborers and mechanics employed at the site of the work at a rate not less than that determined by the Secretary of Labor to be prevailing in the area. Additionally, such wages must be paid at least once every week. The wage scale as determined by the Secretary of Labor must be posted by the contractor in a prominent and easily accessible place at the work site.

There are also provisions in the act allowing for retention of funds by the procuring activity if the contractor is found to violate the act. The provisions of the Davis-Bacon Act must be met whether the contractor is union or nonunion. The provisions of the Davis-Bacon Act apply to set-aside construction contracts just as fully as they do to contracts which are not set-asides.

I have heard no complaints from the unions or anyone else that the Davis-Bacon Act is not being enforced. I believe it is being enforced; and it is therefore manifestly impossible for any contractor, large or small, to avoid paying prevailing wages.

A charge frequently linked with the foregoing is that activities of SBA have helped bring about a substantial reduction in the employment of union labor for certain Government construction projects.

I am at a loss to understand how such a charge could even be made, much less believed by anyone. The matter of whether or not employees are unionized is a matter for consideration by the industry and the trade unions. There are simply no grounds for the assumption that set-asides for small business are in any way detrimental to employees working in the construction industry. And the Small Business Administration is, of course, definitely not antiunion.

The charge is also made that the construction set-aside program kills the initiative of small contractors.

Where is the evidence that this is so? There is none. This charge is baseless, untrue. In fact, in the experience of the Small Business Administration, it works the other way around. The construction set-aside program encourages initiative. I am informed that the SBA has factual evidence of small concerns that did so well under the set-aside program that they have grown in size to the point where they can no longer be considered small business. Furthermore, competition for Government construction contracts is so keen that any contractor going under the false notion that he does not have to show a good deal of initiative will soon find that he is not going to get any Government contract work.

Another false charge is that SBA arbitrarily determines the size of contracts to be set aside for small business.

This is not true. There is no dollar limitation. The size of the contract is not a determining factor in the set-aside process. The determining factor is whether or not the contract is appropriate for handling small business concerns and whether or not there are sufficient responsible small business concerns to provide a fair and reasonable competitive price to the Government.

The charge also is made that the construction set-aside program is not needed because a substantial portion of Government work obtained by the large contractors is subcontracted to small firms.

This is at best a half-truth. The figures show that small contractors are not getting their fair share of Government contract work. While it is true that the statistics do not reflect all subcontracting to small firms, it is likewise true that they also do not reflect the very substantial subcontracting to large contractors by small firms performing under the set-aside program. Figures on how much of the cost of construction that goes to small business subcontractors is expended by them on purchase of materials and services furnished by large concerns would, I am sure, be interesting and significant.

Again, it is charged that the construction set-aside program is not needed because substantially all contracts over $500,000 awarded by the Department of Defense require the prime contractor to utilize small business concerns in subcontracting, and that the small concerns obtain a very large portion of such subcontracts.

This is also at best only a half-truth. The language of the clause inserted in such contracts states that the contractor agrees to accomplish the maximum amount of subcontracting to small business concerns that the contractor finds to be consistent with the efficient performance of the contract. It does not require the prime contractor to utilize small business concerns when awarding subcontracts. Furthermore, there is no penalty for not utilizing small business as subcontractors. The matter is entirely up to the prime contractor.

Moreover, we all know that large prime contractors often "trade" subcontracts to the exclusion of small firms and to the detriment of the public.

The construction set-aside program also is attacked on the grounds that it takes away from contracting authorities most of their discretionary power.

To refute this I have only to quote from the basic criterion for making construction set-asides, as set forth in the Armed Services Procurement Regulation. I quote from that regulation:

> Subject to any applicable preference for labor surplus area set-asides, the entire amount of an individual procurement or class of procurements, including but not limited to contracts for maintenance, repair, and construction, shall be set aside for exclusive small business participation where there is a reasonable expectation that bids of proposals will be obtained from a sufficient number of responsible small business concerns so that awards will be made at reasonable prices.

The discretion lies in the words "reasonable expectation."

Thus I wish to emphasize that in their consideration of construction set-asides, contracting officers have the same degree of discretionary power as they have in their consideration of any other type of small business set-aside.

The charge is made that the policies of SBA in "setting an individual up in business" are very loose. It is said that people who cannot obtain a loan because they are unable to show it would be a sound investment need only to knock on the door of SBA and they promptly enter the competitive field against existing businesses, and that many of these manufacturers without sufficient skills, knowledge, and background must then resort to tearing down wages and working conditions—or, in other words, the present standard of living of our people.

The facts are, of course, otherwise. SBA does not "set individuals up in business"; nor does it make business loans unless there is a reasonable assurance that the loan can and will be repaid in full. Many of SBA's loans are made in conjunction with banks. There is no valid basis on which to believe that furnishing assistance to small business concerns will in any way tear down wages and the standard of living in this country. SBA's programs of assistance to small firms are intended to have, and do have, the opposite effect. They help create a more vigorous economy.

Still another charge is made that individuals who go into business or have established a business on their own initiative and their own capital undergo very rigid inspection of the construction work they perform, while a contractor who is performing on a set-aside construction project or who has an SBA loan is given practically a free hand.

Again, the facts are to the contrary. Construction work inspection is a responsibility of the contracting agency and is carried on to the same degree with all contractors, large or small. The fact that a contractor obtained a contract under a set-aside procurement, or the fact that a contractor has an SBA loan, has no bearing whatsoever on the degree to which his work is inspected.

It is absurdly charged that the construction set-aside program will place a great bulk of Government defense construction in the hands of less capable, less efficient contractors. Let me ask this: Are we to believe that 85 percent of the industry is incapable or inefficient and that only the 15 percent represented by the large firms is capable? There is no valid reason to believe that a small contractor cannot perform just as well as a large one on a job for which his company is suited. Capability of a contracting concern is determined prior to award of the contract under the same procedures that govern determination of responsibility of manufacturing concerns.

In order to destroy the construction set-aside program it is suggested that construction contracts awarded on the basis of competitive bidding should be removed from the set-aside program and only negotiated contracts should remain.

If this were done, the construction set-aside program would surely go down the drain. Since only about 1 percent of negotiated construction contracts are within small business capabilities, limiting set-asides to such contracts would effectively stymie the program which the Congress has established.

Some who would destroy this program also complain that SBA's size standard for the construction industry is too high.

Well, where were they when the size standard was set? A public hearing on the subject was announced and held. Only a representative of the National Association of Plumbing Contractors appeared at the hearing and he was satisfied with SBA's definition, which is as follows:

> A small business concern in the construction industry for the purpose of Government procurement is a concern that (1) is independently owned and operated, (2) is not dominant in its field of operations, and (3) the average annual receipts of the concern and its affiliates for the preceding 3 years are $5 million or less.

Since no one had any complaints about this size standard when it was being considered, why do some complain now? The answer is, I believe, obvious. It is part of the shotgun approach now being waged.

I would like to think that the present opposition to the construction set-aside program stems in large measure from lack of knowledge. I certainly hope that this is so.

That is why I have gone to such pains to answer the charges in detail and to refute them with facts. For I am certain that once the members of the construction industry fully understand the construction set-aside program and how it operates, most opposition to it will rapidly collapse.

THAT "HARD-TO-DEFINE FEELING"

Mr. NEDZI. Mr. Speaker, I ask unanimous consent that the gentleman from Georgia [Mr. JOHN W. DAVIS] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. JOHN W. DAVIS. Mr. Speaker, there are those among us who are prone to doubt the patriotism of their fellow citizens, and who give too little thought to that "hard-to-define feeling" mentioned by Col. John Glenn in his recent appearance before the Congress. There is, however, in the Seventh District of Georgia, a group of people who are possessed of a true sense of loyalty to the United States and who have shown that feeling in a tangible way.

I refer to the 13,000 employees of the Lockheed-Georgia Co. at Marietta, Ga., who last week set an all-time national record for industrial groups of over 10,000 in a freedom bond savings campaign.

To attain this amazing record, 99 46/100 percent of all employees of the Lockheed-Georgia Co. signed for the purchase of savings bonds.

I understand that Treasury Department records have been searched and

that they fail to reveal any drive, anywhere, in the 10,000-group class which has produced a score that came so close to being perfect as did that at the Marietta plant.

I congratulate and commend the Lockheed-Georgia employees at Marietta who have evinced their devotion to our country in this way. Theirs is a splendid record and one which I hope will inspire others to participate in the savings bond program of the Treasury Department.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

Mr. THOMPSON of New Jersey (at the request of Mr. MAGNUSON), for today, on account of official business.

Mr. WEAVER (at the request of Mr. HALLECK), for March 14 and the balance of the week, on account of official business.

Mrs. NORRELL (at the request of Mr. ALBERT), for today and balance of the week, on account of official business.

Mr. MACDONALD (at the request of Mr. ALBERT), for today, through March 23, on account of illness in family.

Mr. KIRWAN (at the request of Mr. ALBERT), for 2 days, on account of death of sister.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. HALPERN (at the request of Mr. KEITH), for 5 minutes, today.

Mr. MATHIAS (at the request of Mr. KEITH), for 30 minutes, on Tuesday, March 20.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. MEADER, to revise and extend his remarks made in Committee and to include extraneous matter.

Mr. WALTER and to include in the remarks he made previously today an article from the Catholic Migration Monthly on the settlement in Brazil.

Mr. LANE.

(The following Members (at the request of Mr. KEITH) and to include extraneous matter:)

Mr. KEARNS.

Mr. ALGER.

(The following Members (at the request of Mr. NEDZI) and to include extraneous matter:)

Mr. ZELENKO in three instances.

Mr. RYAN of New York.

Mr. BOGGS.

BILL PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on March 12, 1962, present to the President, for his approval, a bill of the House of the following title:

H.R. 3879. An act to authorize and direct the Secretary of Agriculture to convey to the State of Wyoming for agricultural purposes certain real property in Sweetwater County, Wyo.

ADJOURNMENT

Mr. NEDZI. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 29 minutes p.m.) the House adjourned until tomorrow, Wednesday, March 14, 1962, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1799. A communication from the President of the United States, relative to urging that early consideration be given to the legislation calling for permanent improvement of the Federal-State unemployment insurance system; to the Committee on Ways and Means.

1800. A communication from the President of the United States, transmitting a proposed supplemental appropriation for the fiscal year 1962 in the amount of $25 million for the Department of Commerce for participation in the New York World's Fair (H. Doc. No. 363); to the Committee on Appropriations and ordered to be printed.

1801. A letter from the Comptroller General of the United States, transmitting a report on the review of selected rural delivery service activities of the Post Office Department; to the Committee on Government Operations.

1802. A letter from the assistant to the president, the American Academy of Arts and Letters, transmitting the official report of the American Academy of Arts and Letters for the year 1961, pursuant to section 4 of their charter; to the Committee on House Administration.

1803. A letter from the assistant secretary, the National Institute of Arts and Letters, transmitting the official report of the National Institute of Arts and Letters for the year 1961, pursuant to section 4 of their charter; to the Committee on House Administration.

1804. A letter from the Administrator, General Services Administration, transmitting a notice of a proposed disposition of approximately 12,500 short tons of magnesium now held in the national stockpile, pursuant to 50 U.S.C. 98b(e); to the Committee on Armed Services.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. FORRESTER: Committee on the Judiciary. H.R. 10493. A bill to amend title 18, United States Code, section 4163, relating to discharge of prisoners; without amendment (Rept. No. 1420). Referred to the Committee of the Whole House on the State of the Union.

Mr. THOMPSON of New Jersey: Joint Committee on the Disposition of Executive Papers. House Report No. 1421. Report on the disposition of certain papers of sundry executive departments. Ordered to be printed.

Mr. LANE: Committee on the Judiciary. S. 1756. An act for the relief of the city of Pasco, Wash.; without amendment (Rept. No. 1425). Referred to the Committee of the Whole House on the State of the Union.

Mr. BOLLING: Committee on Rules. House Resolution 561. Resolution taking S. 1969 from the Speaker's table and agreeing to a conference; without amendment (Rept. No. 1426). Referred to the House Calendar.

Mr. COLMER: Committee on Rules. House Resolution 562. Resolution for consideration of H.R. 9751. A bill to authorize appropriations during fiscal year 1963 for aircraft, missiles, and naval vessels for the Armed Forces, and for other purposes; without amendment (Rept. No. 1427). Referred to the House Calendar.

Mr. MADDEN: Committee on Rules. House Resolution 563. Resolution for consideration of H.R. 10606. A bill to extend and improve the public assistance and child welfare services programs of the Social Security Act, and for other purposes; without amendment (Rept. No. 1428). Referred to the House Calendar.

Mr. SISK: Committee on Rules. House Resolution 564. Resolution for consideration of H.R. 10607. A bill to amend the Tariff Act of 1930 and certain related laws to provide for the restatement of the tariff classification provisions, and for other purposes; without amendment (Rept. No. 1429). Referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar as follows:

Mr. FEIGHAN: Committee on the Judiciary. H.R. 1435. A bill for the relief of Jacinto Machado Ormonde; with amendment (Rept. No. 1422). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. H.R. 2833. A bill for the relief of Franziska Aloisia Fuchs (nee Tercka); with amendment (Rept. No. 1423). Referred to the Committee of the Whole House.

Mr. POFF: Committee on the Judiciary. H.R. 10643. A bill for the relief of Gail Hohlweg Atabay and her daughter; without amendment (Rept. No. 1424). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. PERKINS:

H.R. 10682. A bill to authorize the establishment of a Youth Conservation Corps to provide healthful outdoor employment for young men and to advance the conservation, development, and management of national resources to timber, soil, and range, and of recreational areas; and to authorize pilot local public service employment programs; to the Committee on Education and Labor.

By Mr. ASHLEY:

H.R. 10683. A bill to amend the Small Business Act to provide that the program under which Government contracts are set aside for small-business concerns shall not apply in the case of contracts for maintenance, repair, or construction; to the Committee on Banking and Currency.

By Mr. BATTIN:

H.R. 10684. A bill to amend the Home Owners' Loan Act of 1933 to provide that

Federal savings and loan associations may establish and operate new branches in States only if State savings and loan associations, or State bank and trust companies, are permitted by State law or practice to establish and operate new branches in such States, and for other purposes; to the Committee on Banking and Currency.

By Mr. BECKWORTH:

H.R. 10685. A bill to provide for the payment of certain amounts and restoration of employment benefits to certain Federal officers and employees improperly deprived thereof, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. BROMWELL:

H.R. 10686. A bill to incorporate the Paralyzed Veterans of America; to the Committee on the Judiciary.

By Mr. CORBETT:

H.R. 10687. A bill to provide for the payment of certain amounts and restoration of employment benefits to certain Federal officers and employees improperly deprived thereof, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 10688. A bill to amend title 39, United States Code, relating to official correspondence of the Vice President and Members of Congress, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 10689. A bill to amend section 4369 of title 39, United States Code, with respect to the filing of information relating to publications having second-class mail privileges, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. CURTIN:

H.R. 10690. A bill to amend title XI of the Federal Aviation Act of 1958 to provide that certain provisions of liability insurance contracts entered into by air carriers shall be null and void; to the Committee on Interstate and Foreign Commerce.

By Mr. EDMONDSON (by request):

H.R. 10691. A bill to authorize and direct the Secretary of the Army to convey certain mineral interests at the Denison Dam and Reservoir project, Oklahoma; to the Committee on Public Works.

By Mr. HAGEN of California:

H.R. 10692. A bill to establish a cropland retirement program; to the Committee on Agriculture.

H.R. 10693. A bill to extend and amend the conservation reserve program; to the Committee on Agriculture.

By Mr. HALPERN:

H.R. 10694. A bill to amend title 38, United States Code, to provide that the Administrator of Veterans' Affairs shall provide convalescent and nursing home care in facilities provided at Veterans' Administration hospitals; to the Committee on Veterans' Affairs.

By Mr. HARSHA:

H.R. 10695. A bill to amend title II of the Social Security Act to provide that a woman who is otherwise qualified may become entitled to widow's insurance benefits without regard to her age; to the Committee on Ways and Means.

By Mr. HENDERSON:

H.R. 10696. A bill to amend section 4369 of title 39, United States Code, with respect to the filing of information relating to publications having second-class mail privileges, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. KOWALSKI:

H.R. 10697. A bill to amend the provisions of the Railway Labor Act, relating to carriers by air, in order to deny Federal subsidies to certain air carriers which do not make reasonable efforts to settle labor disputes; to the Committee on Interstate and Foreign Commerce.

By Mr. LESINSKI:

H.R. 10698. A bill to amend the Civil Service Retirement Act, as amended to provide that accumulated sick leave be credited to the retirement fund or that the individual be reimbursed; to the Committee on Post Office and Civil Service.

By Mr. MONTOYA:

H.R. 10699. A bill to amend the Subversive Activities Control Act of 1950 to authorize the payment of rewards to persons who furnish information leading to convictions of organizations or individuals of failure to register as required by such act; to the Committee on Un-American Activities.

By Mr. MORGAN:

H.R. 10700. A bill to amend the Peace Corps Act; to the Committee on Foreign Affairs.

By Mr. GALLAGHER:

H.R. 10701. A bill to amend the Peace Corps Act; to the Committee on Foreign Affairs.

By Mr. JOHNSON of Maryland:

H.R. 10702. A bill to amend the Peace Corps Act; to the Committee on Foreign Affairs.

By Mr. FARBSTEIN:

H.R. 10703. A bill to amend the Peace Corps Act; to the Committee on Foreign Affairs.

By Mr. MURPHY:

H.R. 10704. A bill to amend the Peace Corps Act; to the Committee on Foreign Affairs.

By Mr. OLSEN:

H.R. 10705. A bill to amend the Home Owners' Loan Act of 1933 to provide that Federal savings and loan associations may establish and operate new branches in States only if State savings and loan associations, or State bank and trust companies, are permitted by State law or practice to establish and operate new branches in such States, and for other purposes; to the Committee on Banking and Currency.

H.R. 10706. A bill to amend the Civil Service Retirement Act so as to provide for increase in annuities, eliminate the option with respect to certain survivor annuities, and provide for interchange of credits between the civil service retirement system and the insurance system established by title II of the Social Security Act; to the Committee on Post Office and Civil Service.

By Mr. PIRNIE:

H.R. 10707. A bill to provide for the establishment of the Oriskany Battlefield National Historic Site; to the Committee on Interior and Insular Affairs.

By Mr. POAGE:

H.R. 10708. A bill to amend section 203 of the Rural Electrification Act of 1936, as amended, with respect to communication service for the transmission of voice, sounds, signals, pictures, writing, or signs of all kinds through the use of electricity; to the Committee on Agriculture.

By Mr. SHRIVER:

H.R. 10709. A bill to amend the Small Business Act to provide that the program under which Government contracts are set aside for small-business concerns shall not apply in the case of contracts for maintenance, repair, or construction; to the Committee on Banking and Currency.

By Mr. DENT:

H.R. 10710. A bill to provide Federal assistance for the establishment, expansion, and improvement of programs of technical education at the college level; to the Committee on Education and Labor.

By Mr. LINDSAY:

H.R. 10711. A bill to provide for the admission of certain aliens; to the Committee on the Judiciary.

By Mr. LINDSAY (by request):

H.R. 10712. A bill to amend the International Claims Settlement Act of 1949; to the Committee on Foreign Affairs.

By Mr. MURRAY:

H.R. 10713. A bill to amend title 39, United States Code, relating to official correspondence of the Vice President and Members of Congress, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. REIFEL:

H.R. 10714. A bill to provide for the distribution of the total net income from wildlife refuges administered by the U.S. Fish and Wildlife Service of the Department of the Interior, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. LINDSAY:

H.J. Res. 658. Joint resolution to establish a free and universal franchise throughout the United States; to the Committee on the Judiciary.

By Mr. TUCK:

H.J. Res. 659. Joint resolution granting consent of the Congress to a compact entered into between the State of Maryland and the Commonwealth of Virginia for the creation of the Potomac River Compact of 1958; to the Committee on the Judiciary.

By Mr. JONES of Alabama:

H.J. Res. 660. Joint resolution designating the bridge across the Tennessee River on the Natchez Trace Parkway as the John Coffee Memorial Bridge; to the Committee on Public Works.

By Mr. WRIGHT:

H.J. Res. 661. Joint resolution providing for the printing of a history of the chaplaincy of the House of Representatives together with 100 memorable prayers offered before the House of Representatives at times of great national significance; to the Committee on House Administration.

By Mr. HALPERN:

H.J. Res. 662. Joint resolution proposing an amendment to the Constitution of the United States to abolish literacy test qualifications for electors in Federal elections; to the Committee on the Judiciary.

H.J. Res. 663. Joint resolution proposing an amendment to the Constitution of the United States to abolish tax and property qualifications for electors in Federal elections; to the Committee on the Judiciary.

By Mr. FRIEDEL:

H. Res. 560. Resolution providing for the employment of a special assistant, vacating the position as Chief Doorman, and increasing the salary of secretary, Office of the Doorkeeper; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 10715. A bill for the relief of Louis Adler; to the Committee on the Judiciary.

By Mr. BRADEMAS:

H.R. 10716. A bill for the relief of Dimitrios Daglantis; to the Committee on the Judiciary.

By Mr. CHENOWETH:

H.R. 10717. A bill for the relief of Capt. Edmund E. Martinez; to the Committee on the Judiciary.

By Mr. CLANCY:

H.R. 10718. A bill for the relief of Shiu Kee Chin; to the Committee on the Judiciary.

By Mr. CURTIN:

H.R. 10719. A bill for the relief of the families of the Army recruits who lost their lives in the air disaster at Richmond, Va., on November 8, 1961; to the Committee on the Judiciary.

By Mr. DOWNING:

H.R. 10720. A bill for the relief of Rexford R. Cherryman of Williamsburg, Va.; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.R. 10721. A bill for the relief of Chaim Steinberg; to the Committee on the Judiciary.

By Mr. GRAY:

H.R. 10722. A bill for the relief of Dr. Isidro Enriques Custodio and his wife, Elena Custodio; to the Committee on the Judiciary.

By Mr. LIPSCOMB:

H.R. 10723. A bill for the relief of Timothy Gong (also known as Po Wei Yee); to the Committee on the Judiciary.

By Mr. McDONOUGH:

H.R. 10724. A bill providing that the President shall award in the name of the people of the United States a gold medal to Lt. Col. John Herschel Glenn, Jr.; to the Committee on Banking and Currency.

By Mr. SISK:

H.R. 10725. A bill for the relief of Asterio Quitoriano; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

250. By Mr. KEITH: Petition of friends of the Young Citizens Civic Club, St. George School, Westport, Mass., expressing their opposition to an increase in magazine postal rates; to the Committee on Post Office and Civil Service.

251. By the SPEAKER: Petition of the executive director, Medical Society of the State of North Carolina, Raleigh, N.C., petitioning consideration of their resolution with reference to expressing opposition to H.R. 4222, a bill to amend the Social Security Act to provide a system of social security taxes in support of a service program of hospitals and related services to the aged through the administration of the social security; to the Committee on Ways and Means.

EXTENSIONS OF REMARKS

Should Old-Age Medical Care Be Financed Through Social Security?

EXTENSION OF REMARKS
OF
HON. BRUCE ALGER
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 13, 1962

Mr. ALGER. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following article by the Honorable THOMAS B. CURTIS, of Missouri, entitled "Should Old-Age Medical Care Be Financed Through Social Security?" It was carried in the March 1962 issue of the American Legion magazine:

SHOULD OLD-AGE MEDICAL CARE BE FINANCED THROUGH SOCIAL SECURITY?

(By Representative THOMAS B. CURTIS, Republican, of Missouri)

Superior quality usually commands a premium price. Thus it is that American medical service, unsurpassed throughout the world, is relatively costly. Many elderly citizens, whose longevity is itself a tribute to our high health standards, are admittedly confronted with serious financial problems when they become ill or infirm.

Those, however, who would solve this problem through the social security system are completely wrong. The concept is both morally and financially unsound.

It is terribly distressing to witness the outpouring of false propaganda calumnizing our highly developed medical and insurance industries for political expediency's sake. That high officials of the Government should engage freely in this slanderous campaign is doubly deplorable.

Contrary to their outcries, noncancelable hospitalization and medical service insurance policies covering persons over 65 are now well within the means of most of our senior citizens or their families. This was clearly demonstrated in House hearings.

State and local programs providing care for the truly indigent are of long standing. Thus, protection is to a large degree available to all, within the framework of a free society.

Under the plan advocated by the administration, who would be protected? Only those who have social security. Literally millions of aged Americans are not covered by the system, and would not receive a dime's worth of medical care. Furthermore, the widespread notion that those who do stand to benefit from the proposal will be able to sit back and relax, confident Uncle Sam will take care of all their medical expenses, is a hollow fiction. Even casual study of the bill reveals that the payoff is strictly limited.

And who will pay the freight? Will it be wealthy oil speculators, stockholders, ranchers, attorneys, and physicians? No, under the "liberals'" plan these so-called fatcats—supposedly a favorite tax target—will go scot free. The tax increase will bite into the paychecks of workers who pay social security.

What's more, the whole social security system to which our wage earners are contributing will be undermined. No actuary in his right mind would endorse a formula so sure to create financial chaos.

Lastly, consider the impact of social security financing upon our system of private medicine, which has made the United States a world leader in this field.

When the Federal Government makes a contract with a supplier of goods or services, fees and standards must be acceptable to the bureaucracy. The administration plan for medicare means that doctors and hospitals must subscribe to the bureaucrats' rules or be excluded from the program. This is socialized medicine, pure and simple, and the historic right of an American to choose his own doctor is consequently infringed, if not destroyed.

Jewish Home for Convalescents Honors Aaron Fishman, Community Leader, for 25 Years of Service

EXTENSION OF REMARKS
OF
HON. HERBERT ZELENKO
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 13, 1962

Mr. ZELENKO. Mr. Speaker, on the occasion of his being honored by his community in New York City for 25 years of service, at a testimonial dinner of the Jewish Home for Convalescents at the Hotel Biltmore recently, I take pleasure in placing into the RECORD the story of a very useful lifetime of my Columbia College colleague, Aaron Fishman. I believe that this story should be told because it is illustrative of American opportunity and gives fine example of standards and attitudes toward one's fellow men that merit following. This is a story of great human interest.

The child of an immigrant family that settled on the lower East Side of New York at the turn of the century, this boy grew up in what was a laboratory of human relations. The hardship of settling in a new country would be a lesson that would not be forgotten by those who were raised under that family roof. "To befriend the stranger within thy gates" would not only be a Biblical injunction—it would be a way of life for its members. The growing up together with the families of minority groups and different cultures would definitely shape the course and provide the pattern of his future activity. He is fortunate in having developed a theme, a way of life that gives consistency and purposefulness to his philosophy noted in the Columbia College "Story of Achievement": "To discourage fear, encourage courage, and to live with compassion."

The "laboratory" of the East Side was bound to call upon him sooner or later. He always responded to the opportunity for creative activity and this call turned out to be a rich field when he discovered the great crop of outstanding citizens who came out of his elementary school, Public School 20. Listed among its graduates were U.S. Senator Jacob K. Javits and his brother, Benjamin A. Javits, who has just endowed the Fordham University Halls of Law; a President of the Board of Education, Charles H. Silver; George and Ira Gershwin; Irving Caesar; Edward G. Robinson; Paul Muni; Irving Maldman; Harry Golden; and Symon Gould, the persistent candidate for President of the United States on the Vegetarian Party ticket. Aaron Fishman and his fellow alumni were intrigued by the fact that so many nice boys came out of poor neighborhoods. The school was now nonexistent. The alumni association which their oldtime teacher, Lawyer Nathaniel Phillips, had organized, was the focal point of reunion.

To make people aware of the importance of the teacher in our social structure, they planned the "Our Teacher" Award" to express appreciation to the teachers who had served them. "Time for Another Diploma" was the award that recognized the achievements of the former students. Senator JAVITS was inspired to introduce a joint resolution in the Senate creating National Teachers Recognition Day on the fourth Wednesday of April. At a reunion dinner which paid tribute to the President of the Board of Education, Charles H. Silver, of the class of 1900, Mayor Wagner announced that there would be a new Public School 20.

The school had a remarkable story to tell—an object lesson in "what America has meant." Aaron Fishman was selected as the Chairman of the Dedications Committee charged with the program of embellishment of the new school and the establishment of good school-community relations. They have already obtained from Carl Sandburg a dedication tribute that will be set in the marble walls of the school. Alumnus Harry—"Only in America"—Golden, the Sandburg biographer, brought it about.

For all of his activity in behalf of his old East Side school, Aaron Fishman received the Ecce Quam Bonum Award of his fellow alumni.

His experience at Columbia University followed a similar pattern of interest. It is the interesting story of two boys who never knew each other at college, but who, 25 years later, formed a team to benefit their university and to engage in interfaith activity. This story was highlighted at a "man of the year" dinner at the Columbia University Club in 1957 when a dual award was made to Aaron Fishman and Charles Pratt Healy for eminent service to college, university, and community. Dr. Grayson Kirk, the president, referred to their activities as the "Chip and Aaron enterprises," and Dean Lawrence Chamberlain spurred them on.

The teamwork began when the family of John Jay, President of the First Continental Congress and First Chief Justice of the Supreme Court, was offering his estate to Columbia, his alma mater. The Board of Trustees requested Charles Healy, its counsel, for wills and special gifts to bring back a picture story of the estate at Katonah, N.Y. Healy called upon the photographic skill of Fishman and they brought back a story in color for the trustees' meeting. They also made a photo study of the American Assembly at Arden House for the School of Business.

Aaron Fishman undertook a 2-year job of research which produced his famous "Story of Achievement," a new streamlined format in college yearbooks which told the story of what had happened to the classmen and to the university in the 30 years since graduation. It included the story of the Comptroller General of the United States, Joseph Campbell, Composer Richard Rodgers, Novelist Henry Morton Robinson, among others. The publication also projected the image of Columbia University across the Nation to the alumni groups of other universities and made the plans of publication available to them.

An interest in foreign students engaged the activity of the team when it interceded in behalf of a boy from India so that he could obtain his doctorate. After that, students from Pakistan and the Latin countries found their way to Aaron Fishman's door.

In his chosen profession, the law, Aaron Fishman was destined to make his mark in the pattern of foreign people interest. The opportunity to reunite families came frequently in his immigration work. Recently the press reported the story of his successful repatriation of a Greek-American from Cleveland whose loss of records and his nonvoluntary military service in a foreign army prevented his readmission to this country. Senator LAUSCHE, of Ohio, supported his campaign with the State Department.

During the war years his natural bent for people-to-people contact made him valuable when he directed the Red Cross and National War Fund campaigns among foreign nationality groups in New York City. Under the sponsorship of the Zionist Organization of America he teamed up with Ed Sullivan in planning the Friendship Food Train which was sent to Israel as a gift of the people of the city of New York. More recently he has given important aid in helping to relocate Cuban friends in this country.

His father had been a founder of the Jewish Home for Convalescents at Grand View on the Hudson. When he succeeded him as a director, he established there the annual seminar of social workers of the city hospitals. He addressed himself, at the request of the Urban League, to Jewish convalescent homes to extend their services to the Negro community. He obtained affiliation with the Greater New York fund. He joined the Home in the efforts of other local committees to halt the Throughway Authority from wiping out the home, and with it the historic villages on the Hudson, as it pushed ahead with its roadbuilding program. He argued before the Governor that human values must not be destroyed for a road. The Home and the villages have survived.

His wife, Debbie, also a lawyer, directs the national speakers' bureau for Hadassah. She has shown a similar interest in peoples' cultures, and has assisted him in his community activities.

On December 10 past, at the Hotel Biltmore, the home for which Aaron Fishman has been counsel and public relations director for 25 years rendered him and his wife a testimonial dinner in recognition of their devoted services to the cause of the needy ill. Messages from Mayor Wagner, Senator Javits, Israel Ambassador Harman, the Hadassah National Board, Columbia College, and the 20 Alumni Association praised their various cultural and welfare activities. Dr. Louis I. Newman, of Temple Rodeph Sholom, in offering his invocation referred to Aaron Fishman saying:

We praise him as a champion of good and worthy causes. We acknowledge him as a true humanitarian, as one whose name leads all the rest as a lover of his fellow, in the example of self-sacrifice and indefatigable labor which our friend sets for all of us. Even as he bears a priestly name, may he continue to be like a true son of Aaron, loving peace and pursuing peace.

Supreme Court Justice Owen McGivern in presenting him with a scroll of recognition said:

The best compliment I can pay Aaron Fishman is to say that if everyone in the world were like him there would not only not be any wars but not even rumors of wars.

In his replying remarks, Aaron Fishman said:

During this past decade, I am happy to say, we have been speaking in terms of human values, human dignity, and people-to-people contact. These are the concepts that will save the world. We cannot meet problems with violence and ignorance.

It was my father who bequeathed to me the legacy of his interest in this convalescent home. I cherish his great love for his fellow men, by following in his footsteps. You have just heard a tale of woe. Our institution has reached a stage of crisis. I have the feeling that we are going to lick it, and that we stand at the crossroads of a bigger and a better future. We are going to give ourselves not only to the needs of convalescence. Since the crying need is the welfare of the aged, we aim to convert part of our facilities for such a purpose, in addition to our present convalescence program and so put our institution to full use. We hope that the philanthropic foundations and you our friends will back us up.

Relief Necessary for Rubber Footwear Industry

EXTENSION OF REMARKS
OF
HON. THOMAS J. LANE
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 13, 1962

Mr. LANE. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following letter received from Frank J. Emmett, vice president of the Tyer Rubber Co. in Andover, Mass., and my letter to the Chairman of the U.S. Tariff Commission, regarding the serious tariff situation that endangers our rubber footwear industry:

TYER RUBBER CO.,
Andover, Mass., March 5, 1962.

The Honorable T. J. LANE,
House Office Building,
Washington, D.C.

DEAR MR. LANE: We are sorry that my visit to your office last Wednesday morning was at a time when committee meetings preempted my opportunity to become acquainted with you. I shall try again soon.

We appreciate the time and courtesy your secretary extended to me and the consideration she showed in promising to put before you the blue bound "Memorandum on Tariff Classification of Rubber Footwear" I left with her. After having read it, we hope you will refer again to paragraphs 4 and 5 on page 1; paragraphs 3, 4, 7, and 8 on page 2; and paragraph 2 on page 5.

Since a large segment of the footwear industry is located in our State of Massachusetts, it would be most helpful if this letter would serve as a basis for you to register your concern about our situation. We request that you write the Tariff Commission, the Bureau of Customs, and Mr. Edwin F. Rains, Assistant General Counsel of the Treasury Department.

If we can be of further assistance in helping you to help us, I shall be there within a few hours of your call.

Sincerely,

FRANK J. EMMETT,
Vice President.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., March 12, 1962.

CHAIRMAN,
U.S. Tariff Commission,
Washington, D.C.

DEAR SIR: I want to bring to your attention the fact that the obsolete and limited definition of rubber footwear in the Tariff Act is making it very difficult for American manufacturers of rubber-soled footwear with fabric uppers and waterproof footwear to

compete with imports of these products—even here in the home market.

In 1958 a Presidential proclamation was issued putting rubber footwear imports under the American selling price. This meant that such imports would pay duty on the valuation of like or similar American-made footwear, not on the declared or invoiced value.

Today's problem arises from the fact that the term "india rubber" is used in the present Tariff Act to describe the material, and the Bureau of Customs has ruled that this covers only "natural rubber." As a result, imported footwear held to be wholly or in chief value of any synthetic rubber, or any substitute for rubber, such as the various so-called plastics, evade the American selling price even though like or similar footwear is produced and sold by the American manufacturers.

The definition of rubber footwear in the Tariff Act must be modernized to cover the materials now being used by the industry in making its products. The restricted definition of "india rubber" fails to allow for such substitutes for rubber as synthetic rubber and elastomeric synthetic plastics. These waterproof materials are basically the same.

It is clear that, unless the technicalities of the law are corrected to meet modern realities, the protection given to this American industry through the Presidential proclamation will be seriously weakened, if not completely voided.

Relief for the rubber footwear industry can be provided by a more reasonable interpretation by the Bureau of Customs of the similitude provisions of the Tariff Act, or by amendment of the Tariff Act of 1930, so that footwear of these types will be subjected to the American selling price whether made of natural rubber, synthetic rubber, or plastics.

Trusting in your cooperation to help remedy a situation that endangers our rubber footwear industry, I remain,

Sincerely yours,

THOMAS J. LANE,
Member of Congress.

To Come to the Aid of the Arts

EXTENSION OF REMARKS
OF
HON. WILLIAM FITTS RYAN
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 13, 1962

Mr. RYAN of New York. Mr. Speaker, I would like to draw to the attention of my colleagues an article by Secretary of Labor Arthur Goldberg which appeared in the New York Times Sunday magazine of March 11. The Secretary of Labor has ably explained the need for a Federal Advisory Council on the Arts. This has been a continual interest of mine. I urged the passage of H.R. 4172 during the last session. I hope at this session Congress will recognize the important role the arts play in our national life by establishing a Federal Adisory Council on the Arts.

The article follows:

TO COME TO THE AID OF THE ARTS
(By Arthur J. Goldberg)

WASHINGTON.—It has been said of Americans that we are respected for what we can do but not for what we are, that we know how to work but not how to live. Much of this is mere caviling by those who are blind to the drive, the hard pragmatic realities and the absorbing challenge of American history, and who would judge a people on the posture of their arts rather than their sum of achievements in the economic and political and social fields.

At the same time, it is a useful reminder to us that the condition of the arts is a vital question in any society—and should be so especially in ours, with its ideals of measurement of worth by individual, not mass, standards. President Kennedy's recent appointment of August Heckscher, director of the Twentieth Century Fund, as White House cultural coordinator is an indication that the arts will enjoy greater consideration in the environment of public policy than has been their fortune in the past.

How is it with the arts in America today? Their condition can be described as extremely healthy in one aspect, but extremely hazardous in another.

There is a great difference between interest in the arts and support for the arts. There is an even wider difference between the cultural life we enjoy and what we might enjoy. The total figures measuring artistic activity in America are impressive enough to convince one that a new era may be at hand; yet they are less impressive when one looks at them in terms of the people involved.

The Department of Labor's recent edition of the "Occupational Outlook Handbook" includes for the first time a section on the performing arts—musicians, dancers, actors and singers. The employment outlook as reported, based upon the most careful and extensive surveys and interviews within each occupation, can only be described as bleak. Employment opportunities in each of the fields are limited and highly competitive. The earnings are not large, and in the case of many artists, employment is intermittent.

We do not have too many artists; we have too few opportunities for them. It is true that the artist will practice his art even under the most difficult conditions, but it is also true that, in a nation as prosperous and progressive as our own, there is no reason why the artist cannot be productive and reasonably compensated. In proposing my own six-point solution, I admit to some basic convictions.

First, I believe a flourishing cultural life is an essential, not an ornament, to the health and strength of a free society.

Second, I doubt if economic success is a proper or meaningful test of the value of the arts, and especially the fine arts. Whether they are able to support themselves at the box office is the least meaningful criterion of their true value.

Third, I believe it is well within the proper responsibility of government in providing for the general welfare to do its part to help rescue troubled art forms from obsolescence.

In a complex, modern society like our own, art of all kinds is called to one of the essential services of freedom—to free man from the mass. Art—whether on a stage, in a gallery, or in a concert hall—asserts the supremacy of the individual. The insight of the artist leads to cultural discovery for all of the people. No one who has known the impact of a great artist's work can fail to appreciate the legend of Michelangelo who went in the dark of night to his studio, inflamed by the rumor that a competitor had laid claim to his statue "Pietà," and chiseled across the ribbon of the gown the inscription, still deep etched to this day, "I, Michelangelo, made this."

My second conviction—that economic success is not a proper criterion for judging the value of either the artist or his art—is controversial to the extent that it goes against the grain of an affluent middle class with a tendency to measure the value of an art form in terms of financial worth or personal status. One dire result of this tendency is "made taste," whereby a publisher, an art dealer, or a producer peddles price and sensationalism in place of quality. There is great contempt for the arts in attitudes that reduce them to investments, status symbols, or vehicles for sensationalism.

The danger, of course, is that those art forms without commercial value lead a precarious existence on the edge of extinction. This works to the extreme disadvantage of the artist who may feel impelled to try to become financially successful merely to justify himself in terms of the society around him.

In the same way, artistic institutions are suspect if they are not able to stand the test of competition—as though opera and professional football were similar profitmaking ventures and a loss at the box office a fit prelude to failure for both.

To free our art forms from destructive financial tests is to protect them from the tyranny of the majority. Alexis de Tocqueville, whose observations on democracy are illuminating to generation after generation, feared that democracy might fail precisely because the majority will would lead to the triumph of conformity and mediocrity. It has certainly been one of the great failures of the television industry that it has been subservient to the will of the majority, as measured by "experts," and in reaching for the most common of artistic denominators has rejected the aspirations of the minority, even though that minority may number several millions of people.

In sum, if art is essential to a free society, then it must be supported and encouraged and helped to flourish. If the arts are to flourish, they must be relieved of total dependence upon the marketplace, and upon majority opinion and taste.

I recommend a six-point partnership for the support of the arts in America. It is predicated on acceptance of the arts as a new community responsibility and is based on the principle of diversity and variety. The members of the partnership are the public, private patrons and benefactors, corporations, labor organizations, local and State governments, and the Federal Government. Each of the partners has a distinct responsibility.

Regardless of any subsidy the principal source of financial support for the arts must continue to be the public. An art form without an audience ceases to have meaning. And how many times have we heard people decrying the state of an art form like the theater but seldom attending and offering no support?

There are esthetic problems in public support, of course. If the theater or the ballet does not offer living art to the public, then the public might well turn away. It is the responsibility of the artist to merit public support. A viable art requires a voluble public. Whatever its form—whether through increased participation in season subscriptions or through special contributory associations—public support is the keystone to artistic vitality, and the public must expect to provide a greater portion of the costs.

This is not to discount the continually vital role played by the second group of partners—those individual patrons and benefactors who have been bearing the main burdens for support of institutions like the Metropolitan Opera, and through whose generosity many communities now enjoy great art museums and other cultural resources. Furthermore, in a period of artistic experimentation such as our own, many of the best artists will run ahead of, or even contrary to, the general standards of the time. They will be forging ahead, leaving general public attitudes and perceptions far in their wake. Here the support of enlightened patrons can have the most profound and fruitful consequences.

Third, the American corporation, a center of unprecedented power and wealth, has only recently awakened to the value of the arts as a complement to architecture and as a medium by which the "image" of the business can acquire distinction. While many corporate executives are sponsors of the arts, and some companies help support the arts in their communities, the corporation as an entity has not, as a rule, considered support for the arts in the same light it has support for educational, charitable and health activities. One can hardly walk into a corporate building erected in the past 5 years without noticing the painting and sculpture that adorn the reception rooms and private offices—work often done on commission. But, thus far, the contributions of business to the arts remain only a fraction of its generous contributions to other community needs.

This is true, also, of the funds and foundations that have risen from corporate fortunes. It may be impossible even to suggest an adequate proportion of expenditure for the arts: a review of the statements of our largest funds and foundations, however, reveals what appears to be comparative neglect of such support. When two noted American funds recently offered assistance to a Washington repertory theater, Arena Stage, for example, it was the first such artistic venture for one.

Even more important, in my view, would be the great vote of confidence in the American artist that corporations could cast through their advertising. Each year, truly vast sums of money are poured into corporate advertising—yet the amount that involves the fine arts is relatively small, and the art forms sponsored by advertisers are few.

A responsibility similar to that of corporations is the one that attaches to the American labor movement, which by its nature is pledged to the betterment of the American community. Labor unions have been slow, on the whole, to develop specific forms of support for the arts—but the exceptions, like sponsored concerts for children and the showing of paintings in union-sponsored exhibitions—are notable. They indicate what can be done, and should be done in larger measure.

The next larger partner in the program of diverse support is the local government—the primary source of public support for the arts. A subsidy program that resulted only in large collections of art works in big cities, showing only to certain urban audiences, would defeat its own purpose. Art grows out of the life and spirit of a community; the artist reaches for his inspiration to the world around him, and today art, more than any other enterprise, preserves the intimate and personal nature of American life outside mass institutions.

Today, communities willingly provide housing and custodial care for art collections and historical museums; one wonders why more of them should not provide for operas, ballets, symphonies and local repertory theaters as well. Universities now make provision for professors-in-residence and artists-in-residence; why shouldn't municipalities?

The sixth partner is the Federal Government. I believe one of the most important immediate steps which the Federal Government should take is to establish a Federal Advisory Council on the Arts.

At present, the interest of the arts in America is represented in the councils of the Federal Government only in the individual attitudes of members of government, encouraged by the example of President and Mrs. Kennedy. But still the artist is without the kind of representation that will permanently insure that his interests are heard regardless of prevailing attitudes.

A Federal Advisory Council, composed largely of artists themselves, would provide that representation. The field of the arts is, at present, rich in one aspect—in ideas and proposals to improve the economic status of the individual artist, and to rescue endangered art forms from economic oblivion. But there are few formal vehicles by which these ideas can be examined and brought to reality. There is, especially, almost a total lack of public policy in regard to the arts, at a time when many proposals—such as those relating to taxation—bear directly upon public policy. The Council would have those two most important assets—undistracted concentration on its subject, and a voice of prestige and formal influence.

As a national clearinghouse of ideas, the Council could have an effect not only upon the making of public policy in regard to the arts but also in influencing national attitudes regarding them. Its proposals would be designed as much to encourage private initiative as to influence governmental action. By keeping constantly alert to the status of our cultural resources, the Council would also be alert to ways to maintain and increase them.

One much-needed function in the arts field is that of liaison. While there are many strong and independent spokesmen in each of the artistic disciplines, there is no agency that can approach or cooperate with local and State governments and private institutions on a permanent, statutory basis so that public policy is a coordinated whole serving the art community. Short of individual bills by Congressmen and individual petitions to State and local governments, art is the orphan of American public policy.

What is to prevent the realization of this needed assistance? Those who flatly rule out any and all Federal participation in a support program for the arts generally hold one of two views, sometimes both: tax dollars should not be spent for what one writer called "a luxury in life"; and if tax dollars were to be spent, inevitable government control of the arts would follow.

The first of these objections is based on a misunderstanding of my proposal, which does not envision large Federal outlays. But the second is voiced by those who are genuinely concerned about the freedom of artistic expression, and their concern is not to be dismissed lightly. Distinguished critics have reminded us of the shortsighted and often shabby treatment some artists have experienced at the hands of politicians. Others have marked the tendency of government to watch its money carefully and attempt to set standards for its use.

I might say that this live sense of danger is in itself the best guarantee that we could have for artistic freedom. Also, the very concern that the arts might be subjected to control is additional evidence that they are relevant and important in American life and opinion.

Regardless of how the arts are supported, there will be efforts from some quarters to control their content. The question is: What measure of success do those efforts enjoy?

We should be perfectly honest and open about the problem of interference with the freedom of the arts and attempts to compromise the integrity of the artist. To close our eyes to the problem is neither right nor necessary—but what is necessary is to provide for safeguards against it. One of the reasons I have advocated a Federal Advisory Council on the Arts is the value of such a body in standing between the artist and the direct political process that might affect him.

We should acknowledge also that the marketplace exerts its own form of censorship which can be as unyielding and rigid as any feared by opponents of subsidy. I received a letter from an artist in Texas who described to me his feelings at being asked to rush several paintings to a New York gallery for a showing, and then receiving them back with high praise but apologies that they were too controversial. Every summer theater and repertory theater has had the experience of having to fall back on standard successes or suffer ruin. Subsidy, in short, may be less a straitjacket than the box office.

The object of my proposals is to free the artist, not bind him. The best protection against the danger of interference—admitting full well that the danger exists—is a community that recognizes it and is prepared to cope with it.

At the same time, there are certain policies that lessen the danger of interference, if they do not eliminate it. One of these is the principle that public support is most successful, and least subject to abuse, when it represents only a portion of the total funds involved. The matching grant should be the basic form of Federal participation in support of the arts, with the Federal share always representing the smaller of the funds involved. One of the guiding ideas of the six-point partnership I propose is that artists are likely to retain maximum control over their work when a maximum number of governments, institutions, and individuals are contributing to their support.

The final solution lies, of course, only with a larger and more active art public. Assistance of all kinds to the arts should include provisions whereby more people in more places have access to the arts, so that the dilemma of the artist will eventually find its best and happiest solution in an increased clientele and a sympathetic public. I do not propose State-supported institutions, such as exist in many European countries. A free democratic society can compete and succeed in a free, democratic way.

In discussing the issue of support, none should lose sight of the object of support—the artist himself. The achievement of the American artist has been very great. That achievement will grow larger with time. It is given to us now to do what we can to foster it.

The Dedication of the Edward Bratter Memorial Plaque at Columbia University

EXTENSION OF REMARKS
OF
HON. HERBERT ZELENKO
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 13, 1962

Mr. ZELENKO. Mr. Speaker, I have the honor to be the Representative of the district in which Columbia University is located. Two most significant aspects of the university's program were highlighted at a recent Edward Bratter dedication ceremony there. One is the harmonious association in the pursuit of higher education of American youths of a wide variety of religious faiths. The other is provision for hospitality and guidance for about 2,000 foreign students.

Working together in this unique interfaith project at Columbia are a Protestant minister, a Catholic priest, and a rabbi who are appointed by the university and provided with a special building on the campus. However, their activities are maintained by their own religious groups. In the case of the Jewish counselor the sponsoring group was originally led by the late Justice Benjamin Nathan Cardozo, Judge Irving Lehman, and Arthur Hays Sulzberger. Later other distinguished public-spirited American citizens of Jewish faith served on this

board. Among them was a classmate of mine, Edward M. Bratter, an eminent attorney and civic leader. Mr. Bratter's conscientious performance of his professional duties and his unselfish devotion to the advancement of his alma mater and his religion were terminated by his untimely death. His friends and associates arranged to have a plaque in his memory placed in Earl Hall, the interfaith building on the Columbia campus. The dedication of this plaque was accompanied by exercises in which Mr. Bratter's sterling character, warmheartedness, and zeal for the public welfare were clearly delineated.

Pertinent excerpts of remarks at the ceremony follow:

Introduction by Dr. Isidor B. Hoffman, counselor to Jewish students at Columbia University: "This large assembly of Ed Bratter's family and friends and coworkers in good causes have come together for the dedication of this memorial plaque because we loved him and were privileged to be among the host of those he loved and served. We now reverently and affectionately dedicate his plaque which reads: 'In grateful memory of Edward M. Bratter, 1926C, 1928L, ardent Columbia alumnus, devoted to interfaith and Jewish programs, at Earl Hall, February 15, 1962.'

"Edward Bratter played an important role in the advancement of the interfaith and Jewish activities here at Earl Hall. He was a member of the board which sponsored the Jewish counselorship for 20 years, until the day of his death. His keen understanding of its purposes and needs soon won him a place in its inner councils and he served on an informal executive committee together with Arthur Hays Sulzberger, Henry Hendricks, and Abraham M. Davis. He took his duties seriously; every year he would communicate with friends and fellow Columbia alumni requesting the renewal of their financial support which then, as now, was so greatly needed.

"To me personally Ed was a tower of strength, a loyal, dependable friend and helper. He had opinions and judgments of his own, but he was stanch in defense of academic freedom, even for counselors. He resisted pressures whether they came from fraternal orders or from militant partisan religionists. Above all, Ed was a warmhearted, sensitive person; a true human being whose life and works will ever be sacredly cherished in our midst."

Welcome by Mr. George Greenspan: "On behalf of the board of the counselor to Jewish students, I want to welcome all of you here this evening. Your presence is evidence of the high regard you had for the man to whose memory we are paying tribute tonight.

"I met Ed almost 40 years ago. As a matter of fact, I joined in the ritual ceremony that initiated him into our fraternity. In those days the physical aspects of the initiation were, to say the least, rather rigorous, but he bore it all with resigned fortitude.

"Ed was a pleasant, affable fellow, but at the same time, serious minded. He was purposeful and conscientious in all his endeavors. He was no mere dilettante. He applied himself to everything he did with great diligence. We all know of his brilliant record in college and law school. I recall he liked to swim, but this was not enough. He wanted to become quite a good swimmer, and he did. In his life work in law, I know there are others here who can attest to his successful career.

"For many years our paths crossed all too infrequently. However, recently I enjoyed serving together with him on the advisory board of the counselor for Jewish students. As in all else, he gave so much of himself to this cause.

"I am grateful that I can look back and remember the precious moments that I had the opportunity to spend with Ed Bratter, who was a great guy."

Jerome L. Greene, Esq.: "Ed and I were classmates at Columbia College, members of the class of 1926, so that I met him for the first time as a freshman in 1922. Despite the many years that have passed, I still have in my mind an extraordinarily clear and vivid picture of him as a freshman at Columbia—he was an enthusiastic, eager, energetic, intelligent young man instilled with a burning ambition to achieve the worthwhile goals of life. Even as a freshman, the impact of his personality was unforgettable. It was immediately apparent that he would doubtlessly attain the goals that he had set for himself, and so it was that he was to become an editor of Spectator, an officer of his class, a member of the swimming team, the leader of his fraternity, and a member of Phi Beta Kappa—an outstanding member of his class.

"More important than the honors which were accorded to him and the achievements which he attained during his years at Columbia, Ed gained the admiration of all of us for his qualities of loyalty and devotion to his friends and associates and his attributes of leadership which naturally came about because of the great respect of his classmates for his high standards and ideals.

"After having been graduated from law school, Ed became associated with the firm of Guggenheim, Untermyer & Marshall and after 4 or 5 years, impelled by the desire to achieve success and recognition in his chosen profession, he formed his own law firm with James Marshall as his partner. Some years later it was my good fortune to be invited by Ed to join him in the practice of law. I shall always cherish the days that I spent with him as his partner. Without his leadership his law firm would not have achieved the success that it did, and its continued success today is due to Ed's original efforts.

"Ed did not confine his activities solely to the practice of law, but unselfishly and unstintingly devoted himself to community and philanthropic endeavors. He was to become a member of the school board of the community in which he lived, a member of the board of trustees of the temple, a leader of philanthropic organizations, an active Columbia alumnus and a participant in movements to better interfaith and interracial relationships.

"Ed spent the last day of his life at a dedication ceremony on the Columbia campus. It was most fitting and appropriate that he should spend his last hours in this way. Ed's decease at the height of his career was indeed a tragedy, but all of us should comfort ourselves in the thought that we shall always be inspired by his spirit and his ideals. We hope that the plaque which is being dedicated to his memory this evening shall serve as a reminder to future generations of Columbia students to follow in the tradition of Ed Bratter."

Remarks of Joseph D. Coffee: "Today university administrators hope, indeed almost assume, that most alumni will become active at one or more points in their life in the alumni organization of their college.

"Thirty-five years ago it was rather unique, particularly at Columbia, for a man early in his professional career to assume responsibility as an alumni leader—and then carry it out with satisfaction and results.

"Ed Bratter did, and he continued to do so throughout his life. May I say, though, that it was almost natural for him to do so. His involvement in the affairs of Columbia College started when he was a freshman. Four years later, at graduation, he had built a record of undergraduate accomplishments of an unusual order, a very rare one, then or now. To summarize the most prominent ones let me tell, or remind you, that he was active in his fraternity, Zeta Beta Tau; elected to Phi Beta Kappa; won gold and silver Kings Crowns for extracurricular service; won letters in swimming and water polo; headed numerous class committees; spent 4 years on Spectator, achieving the post of advertising manager; spent 3 years on Columbian, achieving the post of business manager; after 3 years he was named assistant business manager of Blue Book, with all of these important posts arriving at the same time that he was a first-year student in the Columbia Law School.

"As an alumnus, he wore many hats. But I'm sure I'm right in saying that his greatest love was the class of 1926, which he served for over 30 years as vice president, modestly declining the proffered presidency on more than one occasion.

"He was loved by his classmates and recognized by them as one greatly responsible for making the class of 1926 a giant alumni class. In my 10 years acquaintance with Ed Bratter I know that he never denied a request for service or support from his college.

"His commitment to his college was full, and we who knew him enjoyed his frequent visits to the campus or alumni meetings, although greatly saddened to realize that his death so quickly followed his attendance at a major ground breaking for a new campus building, the fulfillment of which would have been a joy to his heart.

"Our last speaker is Mr. Jaffin, friend and coworker with Ed Bratter at Columbia and in the Jewish community and a member of our board for many years."

Remarks by George M. Jaffin, Esq.: "It can truly be said that to have known Ed was to have loved him. He had a great love for life, for his dear family, for people, for beauty.

"On our many Canadian fishing trips, he talked often of his philosophy of life, and probed deeply for the essential purposes and deep values of existence.

"One of his favorite causes, the interfaith work at Columbia, was originally sponsored by Judge Cardozo and Judge Lehman. Ed worked with intense zeal to help fulfill its objectives. In my opinion, nothing would please him more than to have his friends continue to sponsor and aid this worthy cause.

"No further words of mine could add to the luster of what he has done. Dearly beloved and highly esteemed we will always remember his warmth, his courage, his brilliance, and his love and dedication for everyone and everything fine and good."

Judge Untermyer: "I was privileged to have a long and close friendship with Ed Bratter commencing about 40 years ago and which was followed for several years by his association with the firm of which I was a member. No man was ever more loyal or devoted to his friends and associates. His death was a shock and a loss, not only to me but to all the members of my family who knew him well from early childhood. For myself, I will always remember Ed Bratter and feel honored in his friendship."

Congressman ZELENKO: "As a freshman in the class of 1926, Ed Bratter was the first classmate I met on the subway station at 116th Street and Broadway. As the press reported on the day of his death, he died in my arms on the subway station at 116th Street after we both had attended the laying of the cornerstone at Ferris Booth Hall. I was the last person to be with Ed in his lifetime. He died with a smile which seemed to express a sense of satisfaction that he had been an important cog in the further growth of Columbia."

Closing remarks by Dr. Hoffman: "We now come to the end of these exercises which we trust will have several beneficial results

in which Ed would have taken satisfaction. We have expressed our feeling about Ed Bratter and the work here to which he was devoted. We have dedicated this plaque to his memory as an everlasting testimony to his keen perception of the need for enlarging the spiritual dimension of the life of students. We will extend the Edward M. Bratter memorial fund which was recently established with a gift of $5,000 given by his widow, to perpetuate this work especially in the interfaith program for foreign students. Already the law firm with which Ed was associated has contributed $2,600 to add to the fund and some of his friends and family and others who wish to aid us have given amounts ranging from $50 to $1,000. It is our hope that there will be many others who will want to do likewise and thus demonstrate their feeling about him who almost literally, in the words of the Great Emancipator whose birthday we have just celebrated, gave his 'last full measure of devotion' to his Alma Mater."

Brief Explanation of H.R. 10650, the Revenue Act of 1962

EXTENSION OF REMARKS

OF

HON. HALE BOGGS

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 13, 1962

Mr. BOGGS. Mr. Speaker, under leave to extend my remarks, I am including in today's RECORD a brief summary of the provisions of H.R. 10650, the Revenue Act of 1962, prepared by the staff of the Committee on Ways and Means. This brief summary is being included in the RECORD so that it will be widely available to all Members of the House of Representatives, as well as the interested public. It is expected that the report on this bill, which will contain detailed information relative to every section of the bill, will be filed on Friday.

Mr. Speaker, the summary is as follows:

BRIEF SUMMARY OF THE REVENUE ACT OF 1962, H.R. 10650

1. INVESTMENT TAX CREDIT (SEC. 2)

(a) General

The most important section of the bill provides that a business can subtract from its tax liability 8 percent of its new investment in tangible business assets other than buildings. This tax credit is an outright subtraction from the tax and is in addition to the full allowable depreciation of the cost of the asset.

The amount of the credit that can be taken in any year is limited by the amount of tax. The limitation involves the figure of $100,000 of tax liability. For a taxpayer whose tax (before the credit) is not over $100,000, the credit can offset his tax dollar for dollar. Where the tax is larger than $100,000, the credit is limited to $100,000 plus 50 percent of the part of the tax over $100,000. Any dollar amount of credit which is not usable (because of this limitation based on the tax) may be carried over and used against tax of the following 5 years.

The credit is available for investments in tangible personal property and certain real property used in business so long as it is not a building or a structural component of a building. The credit will apply to assets such as blast furnaces, outdoor machinery, etc., which under State law might be classified as real estate.

(b) Short-lived assets

The investment credit is not available for property which when acquired has an expected useful life (for depreciation) of less than 4 years. Where the expected useful life is between 4 and 6 years, one-third of the normal 8 percent credit is allowed; where the life is between 6 and 8 years, two-thirds of the normal credit; where it is 8 years and over, 8 percent is available. Without the above limitations, short-lived property would otherwise get an advantage over long-lived property because a new credit would be available on the short-lived property each time that it was replaced.

(c) Limitations and exclusions

Property used in regulated public utilities, other than transportation, generally will be entitled to one-half of the normal credit (e.g., 4 percent for 8 years and over). No credit will be allowed with respect to property located outside of the United States. The credit is not allowed for equipment used in residential housing but it will be available for equipment used in hotels and motels.

A limited credit is available with respect to the purchase of used property up to $50,000 of purchases a year.

Where new property is acquired by a firm in the business of leasing property, it may permit the lessee of the property to take the investment credit to which the owner of the property would be otherwise entitled.

The bill provides that if property on which the taxpayer originally obtained the credit is sold within 8 years of the time of acquisition, the taxpayer will be required to recompute the credit to which he was originally entitled, basing it now on the actual period for which he held the property. If the property is disposed of within 4 years, for example, the taxpayer, in accordance with the general rule, would not be entitled to any credit. This readjustment rule also applies where the property is shifted to an ineligible status (e.g., outside the United States).

(d) Effective date

The investment credit will apply with respect to property acquired after December 31, 1961. In the case of property constructed or reconstructed by the taxpayer, the credit will only apply to so much of the property as was built after that date.

2. LEGISLATIVE EXPENSES (SEC. 3)

This section provides a deduction for the costs (including dues to organizations) directly related to appearances before and communications with a legislative body or a committee thereof or individual members thereof, provided they are otherwise ordinary and necessary business expenses. This applies to the U.S. Congress and the State legislatures as well as county and city boards and councils. The provision will not relate to advertising or other expenses relating to political campaigns for candidates or expenses to influence public opinion on legislative issues or to influence voting on things like referendums.

3. ENTERTAINMENT EXPENSES (SEC. 4)

In the area of travel and entertainment expenses, a major change from present law deals with the proof required of the taxpayer in establishing his deductions. Under present law, by reason of the application of the Cohan rule, the taxpayer may obtain a deduction merely on the presentation of evidence that indicates that it was likely that he spent some amount of money on these items. Under the bill, the taxpayer is not permitted to have deductions for travel, entertainment, or gift expenses unless he substantiates by adequate records or other sufficient evidence the amount of the deduction and the circumstances surrounding the incurrence of the expense.

In addition, it is provided that where an activity is of a type "generally considered to constitute entertainment, amusement, or recreation" the expenses thereof will be disallowed except to the extent that the taxpayer establishes that "the expense was directly related to the active conduct of a trade or business" and it is only deductible to the extent that it is so related. These new tests are in addition to the requirement under present law that the expense must be ordinary and necessary to the conduct of a trade or business.

Under present law, the costs of a facility, such as a yacht, are deductible to the extent used for business entertainment. The bill provides that deductions will be allowed for facilities only where they are used for business entertainment more than half the time and then only to the extent of the business use. The expense of a particular use, to be deductible, must also be directly related to the business.

The bill also provides that certain items in this area will not have to be proven to be directly related to the business. These exceptions include business meals under conditions conducive to discussion, entertainment, etc., provided to employees, expenses of certain meetings, items made available to the public, and items treated as compensation of employees. Thus the cost of taking customers to dinners in restaurants to promote good will will continue to be deductible if it is an ordinary and necessary business expense.

The bill also provides that no deduction will be allowed with respect to business gifts to the extent that the gift exceeds in value $25 per recipient per year.

The present law provides a deduction as a business travel expense for the entire amount expended for meals and lodging. The bill amends this to provide a "reasonable allowance" as a deduction for amounts expended for meals and lodging.

These new rules on entertainment and gifts are effective after June 30, 1962.

4. MUTUAL THRIFT INSTITUTIONS

The bill considerably changes the present law tax treatment of mutual savings banks and savings and loan associations effective for incomes in 1963. Under present law, these institutions are permitted to take a deduction for an addition to bad debt reserves in an amount equal to their entire income so long as the aggregate reserve does not exceed 12 percent of deposits. The present law provision has resulted in most institutions having no tax liability.

Under the bill, the thrift organizations will have the opportunity to take a deduction for amounts set aside in a loss reserve on real property loans based on either of two alternatives. The alternative that will be more frequently used will be a deduction of 60 percent of the taxable income of the institution computed without regard to any loss deduction. Alternatively, the institution may take a deduction for an amount set aside in a loss reserve necessary to bring the reserve at the end of the year up to 3 percent of loans on improved real estate (or whatever amount their experience indicates is necessary for an adequate reserve). Under this second alternative, losses on other than real property loans may be reserved under the general provisions applicable to other taxpayers.

This provision will be available to both mutual institutions and to savings and loan associations with outstanding stock. In the case of a stock company, however, distributions to shareholders will serve to cut down the reserve deduction.

The bill provides several technical amendments in the savings and loan area. A special rule is provided for treating losses arising in connection with the foreclosure of mortgages in a way that is realistic from

the standpoint of banks. The bill also amends the definition of savings and loan associations.

5. MUTUAL FIRE AND CASUALTY INSURANCE COMPANIES (SEC. 10)

The bill provides that mutual fire and casualty insurance companies will, effective for incomes in 1963, be subject to tax in a way similar to stock fire and casualty insurance companies with certain modifications. This change would have the effect of requiring the mutual companies to include in their tax base the gain from operations, that is, the excess of insurance premiums over operating expenses and insurance losses paid. (At the present time, these companies are taxable on their investment income only, with an alternative tax of 1 percent, if higher, on gross receipts (premiums and investment income). The bill removes completely the 1-percent alternative.)

The major modification with respect to mutual insurance companies is that a portion of the gain from operations which is made subject to tax in this bill may be deducted from income currently and put into a deferred income account. The amount that is added to the account will be one-fourth of the underwriting gain plus 1 percent of incurred losses (claims payable). After an amount is added to the deferred income account, it will be available to meet underwriting losses. If the amount set aside in a taxable year in the deferred income account is not used to meet these losses during the following 5 years, there will be added back into taxable income in the sixth year the amount remaining from the 1 percent of incurred loss formula and one-half of the amount remaining out of the one-fourth of underwriting gain formula. An additional deferral is provided for companies with concentrated risks in windstorm, etc., coverage.

The bill provides that the mutual company will get a deduction for dividends paid to policyholders. In all cases, an underwriting loss which the company would show without regard to the deduction for policy dividends will be subtracted directly from investment income. Other underwriting losses would be charged against amounts in the deferred income account and would be subtracted from investment income only when the deferred income account was exhausted. Certain additional relief is provided for small companies (whose gross receipts are below $900,000).

The bill contains a special rule relating to the factory mutuals. Generally these are to be treated in the same manner as stock companies. It is provided, however, that the amounts out of the premium deposit which the company would be obligated to return to the policyholder if the insurance contract were terminated at the end of the year will not be included in earned premiums. (These amounts must be subtracted from the cost of insurance for the business policyholder.) Furthermore, the factory mutual company must add to their gross income 2 percent of the earned premiums computed in the foregoing manner.

The reciprocal insurance companies will be permitted to treat as policy dividends amounts which they would be obligated to return to the policyholder if the insurance contract were terminated at the end of the year. In addition, it is provided that for certain purposes the reciprocal might compute its own tax by including in its taxable income the taxable income of the corporate attorney-in-fact attributable to relations with the reciprocal. In this case the reciprocal can take a credit for the tax paid by the corporate attorney-in-fact. This would, for example, result in a refund of tax to the reciprocal where the reciprocal had net losses and had no income against which to charge them.

6. GAIN FROM DISPOSITIONS OF CERTAIN DEPRECIABLE PROPERTY (SEC. 14)

This section provides that if depreciable property, other than buildings, is disposed of, then there will be included in ordinary taxable income in the year of disposition any gain on the disposition of the property to the extent that it represents depreciation taken after December 31, 1961.

Under present law, property may be depreciated (deductions taken against ordinary income) and, then, when it is disposed of, the current value of the property may be considerably in excess of the basis (the original basis reduced by depreciation taken), thus converting deductions from ordinary income into capital gains. The bill takes the approach of recognizing that in such a case the depreciation actually allowed on the property as a deduction from ordinary income has been excessive and should be restored to ordinary taxable income. The rule applies not only to sales or exchanges of the depreciable property but it applies also to depreciable property disposed of in a number of situations where under present law there would be no recognition of gain or loss. This provision will not apply to buildings or to any property which is a structural component of a building.

7. TAX TREATMENT OF COOPERATIVES (SEC. 17)

The bill deals with the problem, in the taxation of cooperatives, arising from certain court decisions under the Revenue Act of 1951 whereby some portion of the income of cooperatives has been able to avoid tax.

Under the bill, it is provided that a cooperative will be permitted to take a deduction for cash dividends or dividends paid in the form of written notices of allocation (so-called script). A written notice of allocation will be deductible only if it is either (1) payable in cash within 90 days at the option of the patron, or (2) the patron has consented to include the amount of this written allocation in his own income. This consent can take either of two forms. First, it may be a written consent which may be given once by a patron and remain in effect unless it is revoked. Second, the patron who is a member of the cooperative may consent to this inclusion by the co-op adopting a bylaw requiring all patron members to pay tax on these written notices of allocation.

Both the cash dividends (other than those of consumer cooperatives) and the noncash patronage dividends will be subject to withholding at a rate of 20 percent under the same general provisions as withholding for interest and dividends described below. The patron would take credit on his tax return for the amount withheld.

Certain technical provisions of the law presently applicable only to farm cooperatives are extended to nonfarm cooperatives. These include the ability to take deductions for noncash patronage dividends and to take into account for a taxable year dividends allocated within 8½ months after the end of the year and to file their returns under certain circumstances up to 8½ months after the end of the year. The new provisions do not apply to REA cooperatives.

8. WITHHOLDING ON DIVIDENDS, INTEREST, AND PATRONAGE REFUNDS OF COOPERATIVES (SEC. 19)

The bill provides that a payer of dividends, interest, and patronage refunds (of marketing or producer cooperatives) will be required to withhold tax at a rate of 20 percent. There is no requirement that the payer notify the recipient of the amount withheld. It will be made clear on the tax return that for every 80 cents that an individual receives as dividends, interest, or patronage refunds, he may calculate the amount that has been withheld by taking one-fourth of this (20 cents). He will report his gross income as $1 by adding the amount that he receives plus the amount that has been withheld, and he will take credit in his tax computation for the amount that has been withheld.

The bill contains several provisions cutting down on overwithholding:

1. Exemption certificates: All individuals who expect that they will have no tax liability for the year will be able to file an exemption certificate and avoid the withholding on bank interest, series E-bond interest, and dividend income. Individuals under 18 may file exemption certificates whether or not they expect tax liability.

2. Quarterly refunds: Married couples with less than $10,000 of income and single persons with less than $5,000 receiving dividend or interest income, if they expect to have less tax liability for the year than the amount withheld, as well as tax-exempt organizations, may file quarterly claims for refund. It is anticipated that this refund procedure will be operated in such a way that the refunds may be paid promptly. The claim for refund may be filed at any time during a quarter, rather than waiting until its close.

3. Offsets: It is provided that corporations and tax-exempt organizations may take credit for amounts withheld from them against any liabilities that they have as withholding agents of income and social security taxes. For example, if an organization has had withheld from it $200 on dividends that it receives, then when it deducts withholding from dividends, or in certain cases wages, that it pays, it is permitted to offset $200 against the amount which it holds as a withholding agent and otherwise would pay over to the Treasury. Where the offset provision is not adequate with respect to withholding on a tax-exempt organization, the quarterly refund provision is still available.

The bill provides that amounts withheld may be retained by the withholding agent until 1 month after the end of the quarter in which the dividends or interest are paid.

The withholding provisions will be effective January 1, 1963.

FOREIGN PROVISIONS

The provisions dealing with foreign income are as follows:

F-1. Foreign earned income and pensions of individuals (sec. 12)

Under present law a U.S. citizen is permitted certain exclusions from taxable income for income that he earns while abroad. This exclusion is unlimited if he establishes that he is a bona fide resident of a foreign country; and it is limited to $20,000 a year if he is not a bona fide resident of the foreign country but remains abroad for 17 out of 18 consecutive months.

The bill imposes a ceiling on bona fide residents. It provides that for the first 3 years during which an individual is a bona fide resident in a foreign country the annual exclusion of foreign earned income will be limited to $20,000. If this individual stays beyond 3 years, his annual exclusion from then on will be to $35,000.

Under present law if an individual employed abroad is under a pension or annuity plan established by the employer, any contributions made to this pension or annuity plan by the employer while the individual is abroad are treated as tax-exempt income even though received by the annuitant when he is in the United States. The bill provides that any amount contributed by the employer to the pension plan will be taxable to the individual upon retirement wherever he may then live. But, this rule will not be applied to amounts contributed by the employer with respect to periods prior to December 31, 1962.

F-2. Estate tax on foreign real property (sec. 18)

Present law excludes from the gross estate of a U.S. citizen or resident the amount of real estate located outside of the United States. The bill removes this exclusion as of the date of enactment for newly purchased real estate. In the case of real estate held by the decedent on February 1, 1962, the real estate may still be excluded from the gross estate if he dies before July 1, 1963.

F-3. Distributions by foreign trusts (sec. 9)

Under present law some tax advantage may be obtained where a U.S. grantor establishes a trust outside of the United States. The foreign source income received by this trust may be accumulated without any U.S. tax liability and in a later year paid over to a U.S. beneficiary. This accumulated income, paid out in a later year, under present law is treated as a distribution of the corpus of the trust and does not involve further U.S. income tax.

The bill provides that after the date of its enactment, if a foreign trust established by a U.S. grantor makes any distribution of prior accumulated income, any U.S. beneficiary who receives this accumulated income will be required to include it in his own income and to take credit for any taxes that the trust has already paid. The bill contains alternative formulas for spreading the income back over prior years so as to prevent the imposition of excessive surtax rates due to the bunching of income in a year in which the accumulation is received by the U.S. beneficiary.

F-4. The gross-up of foreign dividends (sec. 11)

Under present law a corporation which owns at least 10 percent of the stock of a foreign corporation may obtain a foreign tax credit with respect to taxes paid by the foreign corporation at the time that it receives dividends from the foreign corporation. This tax credit is also available with respect to dividends received through the first foreign corporation from any 50 percent subsidiaries which it owns.

The allowance of foreign tax credit to the domestic corporation in such cases, together with the exclusion of the foreign taxes paid, results in an overallowance for these foreign taxes. The bill eliminates this overallowance through a technique referred to as the gross-up. Wherever a U.S. corporation receives a dividend from a foreign subsidiary (where it would be entitled to a foreign tax credit under present law) it will receive credit for foreign taxes paid attributable to the dividend only if it includes in its income the amount of the foreign tax for which it receives credit. (This corresponds to the treatment of individuals who take credit on their income tax return for the amount that has been withheld by the employer and report as income the gross wages before withholding.)

This provision will apply with respect to all dividends from foreign corporations received after December 31, 1964. It will apply to dividends from foreign corporations received during 1964 to the extent that these are paid out of current earnings and profits.

F-5. Allocation of sales income between a U.S. corporation and a foreign subsidiary (sec. 6)

Under present law, a U.S. corporation selling products abroad through a foreign sales subsidiary may obtain considerable tax advantage by charging a low price to the foreign sales subsidiary so as to show very little profit on the U.S. manufacturing operation and thus incur very little liability for U.S. tax. When the foreign sales subsidiary sells the product at a substantially higher price, the total profit might be reflected in the income of the sales subsidiary where it might be subject to a very low rate of tax. This is also possible, in reverse, by paying a high price for things bought from the foreign subsidiary. The provision in existing law to deal with this distortion of income (sec. 482) gives the Secretary of the Treasury authority to adjust the sales price on the transaction between the parent and the subsidiary, but this has proven to be extremely difficult to administer.

The bill provides that, in lieu of adjusting the sales price between the parent and the subsidiary, where there are no arm's-length transactions to establish a price, the Secretary of the Treasury may reallocate taxable income between the subsidiary and the parent to the extent that this income arose from sales or purchases of property at other than established arm's-length prices. This reallocation of taxable income may be on the basis of a formula that would involve, on the one hand, the assets, payroll, and selling expenses located in the foreign country and, on the other hand, the assets, payroll, and expenses located in the United States. All the profit may be subjected to the U.S. tax if the foreign subsidiary is little more than a "paper" corporation.

F-6. Controlled foreign corporations (sec. 13)

This section deals with a number of problems existing under present law which have the effect of permitting U.S. investors to conduct certain operations through a foreign corporation.

A foreign corporation is defined as a controlled foreign corporation if at least 50 percent of its stock is owned, directly or indirectly, by American interests. The bill provides that a U.S. person who owns, directly or indirectly, 10 percent of the stock will be taxable on certain income of this controlled foreign corporation whether or not it is distributed as a dividend. The U.S. person will be taxable on the portion of this income which is attributable to the shares that he held directly or to the shares that he holds through foreign persons (corporations, trusts, etc.).

The amounts on which the U.S. person is taxed may be classified as: (1) Subpart F income, and (2) profits considered as being distributed.

Subpart F income is, in general, those types of income which are taxed to the U.S. shareholder on the ground that the income is of a type that could as well have been received directly by the American owner. This includes:

(1) income from insuring U.S. risks,

(2) income earned on the basis of ownership of patents, copyrights and exclusive processes developed in the United States and transferred to the foreign subsidiary,

(3) certain interest, dividends, rents, royalties and profits on sales of property for use outside of the foreign country of organization (where the property is sold to, or was acquired from a related corporation). Income in this category (3) may be kept out of the tax base by being reinvested in a business in a less developed country.

The amount treated as having been distributed is the profit accumulated after 1962 to the extent that it is invested in certain prohibited types of property which include:

(1) assets which are over and above amounts necessary for the operation of the business,

(2) assets used in a "new" trade or business in a developed country, i.e., one which the company has been engaged in for 5 years (or on December 31, 1962),

(3) most assets situated in the United States.

These income inclusion provisions are drafted to avoid having the same income taxed under more than one provision. It is also provided that income which is taxed to a U.S. person under these provisions will not be subsequently taxable to the same person if it is paid to him as a dividend. Appropriate provisions are included for the adjustment of basis in stock and for the appropriate foreign tax credit.

F-7. Gain from certain sales of stock (sec. 16)

The bill provides that on the redemption or liquidation of the stock of a controlled foreign corporation any gain will be taxed to the American shareholders as ordinary income to the extent of their share of the earnings and profits. This provision applies only with respect to shareholders having an interest of 10 percent or more. Similarly on sale by such a shareholder of his stock, gain will be taxed as ordinary income to the extent of the earnings of one controlled corporation during his holding period. This change is related to the preceding section limiting the advantages of tax deferral through the use of foreign corporations. This will have effect with respect to income where there is allowed some deferral of tax on ordinary income and it will prevent this income from later being realized by the American investor at capital gains rates rather than ordinary income rates.

F-8. Foreign investment companies (sec. 15)

Under present law, a pure investment company organized in certain foreign countries, particularly Canada, has considerable advantage taxwise over regulated investment companies organized under the laws of the United States and subject to U.S. taxes. The principal advantage of these foreign investment companies is that they may accumulate income with little or no tax at the corporate level, and this income might later be realized by the investor through the sale of his stock and, then, be taxable only at capital gains rates. (It might never be subject to income tax if the basis of the stock is increased because of transfer by death.)

Under the bill, it is provided that when an investor sells his stock in a foreign investment company (which is either registered in the United States or principally owned in the United States) the portion of his gain attributable to retained earnings of the investment company after 1962 will be taxable as ordinary income. A technique is provided in the bill for a registered foreign investment company to elect tax treatment substantially identical with the tax treatment of a U.S. regulated investment company, thereby providing current tax on the dividends and "pass through" treatment for the capital gains on a current basis.

It is provided that the effect of this provision cannot be avoided by the step-up basis of property resulting from transfer at death.

F-9. Property distributions from foreign corporations (sec. 5)

Under present law, where property other than money is distributed by a corporation and received by a second corporation which is a stockholder, the amount of the distribution to be taken into account by the recipient (e.g., as a dividend) is the lower of the fair market value of the property or the adjusted basis of the property in the hands of the distributing corporation. The bill modifies this rule by requiring that distributions from foreign corporations be taken into account at fair market value. This will prevent American parent corporations from realizing on the profits of a foreign subsidiary, at a minimum U.S. tax liability, through having the subsidiary distribute appreciated property.

F-10. Distributions of foreign personal holding company income (sec. 7)

The bill changes the provisions in present law dealing with foreign personal holding companies. At present, the income of these companies is taxed to certain U.S. shareholders only if 60 (or in certain circumstances 50) percent of the income is from foreign personal holding company income sources. Under the bill, the foreign personal holding company income will be taxed proportionately to the shareholders if it represents 20

percent or more of its income. Where the foreign personal holding company income represents 80 percent of the total income, then all of the income of the company will be taxed to the shareholder.

F-11. Information on foreign entities (sec. 20)

The bill extends the provisions of existing law that permit the Secretary of the Treasury to obtain information with respect to certain foreign corporations owned by Americans. This extension of the information provision is necessary for the enforcement of the provisions dealing with controlled foreign corporations.

Secretary Ribicoff Says His Department Is Too Big and Calls for a Department of Education, Arts, and Sciences

EXTENSION OF REMARKS

OF

HON. CARROLL D. KEARNS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 13, 1962

Mr. KEARNS. Mr. Speaker, the Secretary of Health, Education, and Welfare has proposed a new Department of Education, Arts, and Sciences on the Presidential Cabinet level, and expressed the opinion that his present Department of Health, Education, and Welfare is too big. He said the education area of his Department should be merged with the arts and sciences to give them the importance they deserve in national affairs.

Secretary Ribicoff was addressing the alumnae of seven top American women's colleges in a meeting at the State Department auditorium in the Nation's Capital. The alumnae clubs were those of Barnard, Bryn Mawr, Mount Holyoke, Radcliffe, Smith, Vassar, and Wellesley Colleges.

Secretary Ribicoff said the cold war will be won or lost between the classrooms of America and the schools of Moscow and Peiping.

If the President sent a plan for a Department of Education, Arts, and Sciences to the Congress it is my belief that it would have an entirely different reception than that given his plan to create a Department of Urban Affairs and Housing. Certainly education is one of the major concerns of the American people, but it cannot be argued that a Department of Urban Affairs and Housing is of major concern to our people.

While I strongly disagree with many of the points made by Secretary Ribicoff in his speech, I include it here for the information of my colleagues. In doing so, of course, I certainly in no way support many of his conclusions:

EDUCATION IS POWER

(By Abraham Ribicoff, Secretary of Health, Education, and Welfare)

This meeting is a first in many ways.

Your alumnae clubs of Barnard, Bryn Mawr, Mount Holyoke, Radcliffe, Smith, Vassar, and Wellesley have had many meetings. But this one marks the first time, they tell me, that you have pooled your rather formidable forces in our Nation's Capital.

And I have spoken at many academic functions, at many colleges and universities. But this marks the first time that I have spoken to so many hundreds of representatives of our most distinguished women's colleges and their guests.

This is enjoyment for me. It is also quite a serious challenge. For tonight we come together to consider serious questions and to ponder serious answers.

These have to do with the strength of our Nation—nothing less—and our Nation's need for help in a time of need.

A nation's strength, of course, lies in the strength of all its people. A nation's strength is tested in many ways and in many times.

It is tested in the output of our farms and industries, in the achievements of our great men and women, in the capability of our arms, in the genius of our science, and in the vigor of our commerce.

But it is tested too in quieter places: In the well-being of its older citizens, in the care provided for the unfortunate and afflicted, and, most importantly, in the aspirations of its youth and the caliber of its schooling.

I believe this is most important for our democracy is no stronger than our hopes for the future. Our country can be no richer than our teachers' minds and our children's opportunities.

This has always been true. But, since quiet strength is less tangible than arms or missiles, it has always been more difficult to realize.

Thomas Jefferson stated it very clearly. When his proposals for public education were defeated in the Virginia Legislature, he said this:

"Legislators do not generally possess enough information to perceive the important truths, that knowledge is power, that knowledge is safety, and that knowledge is happiness."

Knowledge is power, knowledge is safety, knowledge is happiness—these are important truths. But legislators did not generally perceive them in Jefferson's day, and many still do not, as we found to our dismay last summer. And legislators are not beings set apart on some high and mighty pinnacle. They represent constituents. They reflect the thoughts of the people of these United States.

An outstanding graduate of Vassar, now president of Radcliffe, said last year that "there has probably never existed on this earth a group of people with quite the freedom in the use of time that educated American women now possess."

How right this is. And how great a potential for national good rests in this freedom possessed by women of intellect and training.

For what, after all, is freedom in the use of time? Is it the unfettered right to a narrow enjoyment of affluence and self or even family fulfillment? I know the alumnae of these colleges agree with me that it is not. Rather it is the pursuit of more meaningful goals—the recognition of necessity, the ability to control reality, to master the tools and do the job at hand.

There are many jobs at hand, of course, for you and for the leaders of your Government. But I submit that one urgent job confronts us both. This is the improvement of our educational system in these United States.

Somehow, someway, we must together shake the American people up. We must remind them that education is no longer a private affair. It is, as President Kennedy has so well put it, "the right, the necessity, and the responsibility of all."

You educated women are a source of great strength in our land today. We need you to help disturb the public apathy toward education, to dispel the simple trusting faith in our ability always somehow to muddle through.

We need your help in clarifying the issues and straightening out the facts. We need your help in explaining that education is a public charge, because it is national power. It is the source of national economic growth, for advances in science and technology cannot be made without it. It is the guardian of our democratic institutions, for only an educated responsible people can successfully govern themselves. It is the benefactor of the individual, for it secures his happiness by enabling him to develop his own talents and to fulfill his personal aspirations.

We need your help in untangling old hackneyed myths that hold us back and confuse the basic questions. These questions are stark and simple: Are we to have adequate schools and excellent teaching? Or are we to deprive ourselves and our children of the maximum contribution they are capable of making to themselves and to the world?

We owe it to ourselves and to the world, to our own dignity and self-respect, to set our own standards of educational behavior, regardless of what other nations might do. And we owe it to ourselves and to the world to strengthen our ability to meet the challenges to those new tyrannies whose leaders threaten to bury us.

This is a power struggle of immense proportions, and the power on each side is education.

"Socialism does not require war to spread its ideals," Nikita Khrushchev tells us. "Its weapon is its superiority over the old system in social organization, political system, economy, the improvement of the standard of living and spiritual culture."

He is convinced that capitalism and democracy are in their final stages of decay. "The United States," he told the 22d party congress last fall, "the strongest capitalist power, is past its zenith and has entered the stage of decline."

And his massive manifesto to this congress outlined a 20-year plan for Soviet education, geared to hasten our decline. Its major goals are these:

Eleven years of compulsory education for all children (it is now only seven) with major emphasis on the basic sciences and Communist ideology;

Public upbringing of children in nurseries and boarding schools (to separate them from any deviationist influence of their parents);

Drastic improvement of school facilities—new buildings, better equipment, broad emphasis on physical fitness, and more attention to the arts; and

Expansion of higher education and specialized secondary schools and adult education programs, so that "tens of millions of people" will be given specialized training in the scientific and technical fields.

This is a 20-year plan. In this period our Nation too will be carried forward, if only by momentum.

Some of these goals are monstrous and should always be rejected by a free society.

The Soviet Union treats education as a source of power and has set about methodically to obtain that power. We have not.

American education today, as a whole, is still superior to education in the Soviet Union, an impressive recent National Science Foundation study tells us. But the Soviets have already gained a sharp advantage in the fields of science and technology.

In the three decades from 1928 to 1959, we produced 60 percent more college graduates than the Soviet Union. In the same period, however, they produced almost twice as many engineers. Yet only 10 years ago we were ahead of them in this field. In 1950, we graduated 58,000 to their 36,000. Today, in the early 1960's, according to this study, the situation is reversed: They will be training engineers at the rate of 126,000 per year. Meanwhile we are training only 45,000—fewer than we were training 10 years ago.

In the same 30-year period—1928-59—the Soviet Union trained almost 2½ times

as many medical doctors as we did and 2½ times as many agricultural specialists. In chemistry, physics, mathematics, biology, and the earth sciences, we still hold a slight edge, but it is narrowing. In all other fields, they lag far behind us, as one might expect, since they have little interest in free exploration of the humanities and the social sciences.

Their major efforts so far have been in the training of specialists needed by the state. This they have resolved to continue. In addition, beginning next year, they plan to expand their elementary and secondary schools and increase adult education programs. Their ratio of students per classroom teacher, incidentally, according to their 1959 statistics, was 18 to 1. Ours that year was 26 to 1.

Across the Pacific, there is another threatening power—massive, ruthless, and again dedicated to the obliteration of our way of life. Although they may differ with their Soviet comrades on various matters, and although the Bamboo Curtain is so tight that we can learn little about them, their aim is clear. Their aim is power. And their weapon is education.

In Peiping, in June 1960, a conference of educational and cultural activists was told that, in 1957 and 1958, a resolute struggle was launched * * * on the educational front to refute the bourgeois concepts of education for education's sake, culture for culture's sake, and separation between mental and physical labor, to resolutely implement the guiding principles of making culture and education serve the politics of the proletariat as well as other party policies."

In the decade from 1949 to 1959, a period proclaimed in China as the "great 10 years," the Communists report that enrollment in adult literacy courses climbed from 657,000 to 40 million; that primary school enrollments increased from 24 to 86 million; that secondary school enrollments jumped from a little more than 1 million to almost 10 million; and that higher education, where the critical scientific and technical skills are developed, went from 117,000 students to 660,000.

Impossible, exaggerated claims? We really aren't sure. And we don't know much about the quality of Chinese mass education. But we do know—and this is what is important—we do know that Communist China is making an unprecedented, gigantic effort to teach its people the skills they need for world domination.

I am not suggesting that we should follow their example. I am not suggesting that we should turn our educational institutions into factories for the production of scientists and technicians. I specifically reject this notion. I am suggesting, however, that there is a direct connection between education and defense, between education and power, which the people of this country have not fully grasped.

The Department of Labor has estimated that in the next 10 years we will need 72,000 engineering graduates a year for industry and defense projects. But less than 45,000 engineers were graduated last year at all levels, and enrollments in engineering have declined again this year for the third year in a row.

The National Aeronautics and Space Administration alone needs 13,000 additional scientists and engineers to land a manned expedition on the moon. Where will they come from? Defense supporting industry is already short of scientists, and institutions of higher education have been hard put to compete with industry in this field and to hold onto their teaching staffs. The well of talent, which has nourished us so generously in the past, today is running dangerously dry.

What are we doing about it? What are we doing to strengthen the educational system upon which the future of our Nation, the strength of our people, and the readiness of our arms depend?

We are allowing several million schoolchildren to sit in crowded rooms and double sessions this year because we lack 127,000 classrooms. We seldom attract our ablest students to the teaching profession because we won't pay teachers a decent wage. We have permitted outmoded restrictions to exclude well-educated and qualified women from the classrooms. We have voted "no" to local school bond issues; "no" in our State legislatures; "no" to Federal aid.

Every year we are letting a million young people drop out of high school before they can learn a skill or a trade. The result is a labor market glutted with unskilled workers, delinquency, crime, and crowded relief rolls.

Every year we rob the Nation of the talents of thousands of bright, eager students who cannot afford to go to college.

And consider what will happen in the next few years as the tidal wave of students now in the lower grades hits the colleges. Where are the facilities to teach them in, even if they can pay their way? Where are the professors to instruct them? College enrollments last fall (1961) were 3.8 million. In 1970 they are expected to be almost double that number—if we can squeeze them in.

And what about the quality of education in our schools and colleges? We used to question the quality of Soviet scientific training until sputnik proved us wrong. We raise our eyebrows at the claims of the Chinese Communists. "Most improbable," we say. But we may be mistaken again. How about ourselves? How do we measure up?

It is comforting to hear the President say: "Americans are still the best educated and best trained people in the world."

We are the best, but one out of every five of our elementary and secondary schoolteachers has substandard training. We are the best, but most teachers' colleges have lower standards than professional schools of medicine, law, and science. We are the best, but over 8 million Americans aged 25 or more have attended school for less than 5 years, and more than a third of these absolutely cannot read and write.

We are still the best despite these things. But our progress is not sufficient to meet our needs, and our national conscience hurts. We have wrung our hands for years about our educational failures. The colleges complain that they have to teach high school level subjects. The high schools blame the grammar schools, and the grammar schools blame the parents. "Why can't Johnny read? Why can't Johnny spell? Why can't Johnny add?" There are reasons, many reasons, all the way up the line. And all of us must share some of the blame.

American education needs help now, all the way up the line. And all of us must share in giving that help. In plain language, more money is needed—from local and State governments when possible. But when they cannot do the job alone, they need Federal funds.

There is absolutely no substance to the contention that Federal money means Federal control. Federal aid to education is no innovation; it has had a long and honorable history from the Northwest Ordinance of 1787 through the Morrill Act of 1862 to the National Defense Education Act of 1958. The Federal Government, under Democrats and Republicans, has provided billions of dollars for education without any encroachment on local institutions.

No one in our Department or anywhere else in the Federal Government has any intention of controlling education or any power to do so, nor will anyone have so long as our Nation remains alive.

The danger that we face today is not control, whether Federal, State, local or private trustees. The danger is apathy. The danger is that our people—yourselves among them—should not exercise their responsibilities under freedom, and that no responsibility should exist. The result would be the erosion of our human resources.

That is just what our adversaries are banking on, and they are willing to wait a generation—or two, if necessary—while we allow our schools and colleges to struggle along, unaided.

This administration is not willing to sit idly by and let this happen. We feel that the Federal Government has the responsibility to provide leadership in the field of education, to give generous assistance to the States and to higher education, so that they in turn can fully assume their own responsibilities for the education of our youth.

We have given careful study both to the education needs in the country and to the most appropriate manner the Federal Government can help to meet these needs.

We have asked the Congress for legislation to provide assistance to institutions of higher education for construction of academic facilities and for scholarships to talented and needy students. We are encouraged by the action that both Houses have taken on this legislation, and are hopeful that the full needs of higher education will be recognized here.

We have asked for across-the-board aid to States for public school construction and teachers' salaries.

We have requested legislation for a comprehensive program to improve the quality of instruction in the schools.

We have asked for special training programs for scientists and engineers, to meet our defense and industrial needs; for doctors and dentists, to meet our critical health needs; for teachers of handicapped children; for an adult education program to erase illiteracy in our population; for a program to bring education to the children of 1 million migrant agricultural workers; for research services to stimulate the development of educational television; and for aid to the arts.

These are urgent needs where we feel the Federal Government can and should come to the aid of the States and communities and their needy citizens.

Does this usurp local power? Does this threaten academic freedom and local autonomy? Not at all. It does give State and local governments and institutions of higher education the wherewithal to do their job. It does offer every young person with talent the opportunity to develop that talent for the national interest and for himself.

The power of education, this supreme power which governs our national safety and our individual happiness, this power rests in our hands, and in yours.

You have always recognized your obligations to your own distinguished colleges. Through your continuing support, these great private institutions will remain a wellspring of talent for American life and culture. But yours is a broader responsibility.

Let me take this opportunity to ask the educated women of this land, alumni of your colleges and others, to use their ability, to put their freedom in the use of time to work in a massive effort in behalf of education. Visit your public officials and share your thoughts with them. Visit your elected representatives—they are eager to know your views and will be deeply influenced by them.

I leave the details to you. Despite antiquated rules and shopworn regulations, intelligent educated women who have their own families safely launched can help enormously in our education crisis. In New York City, for example, a small number of educated women have volunteered to perform many of the tasks for which classroom teachers have no time. They are giving

individual attention to children with emotional problems and language handicaps. They are conducting after-school sessions in remedial reading and in the arts.

But more than this, Alfred North Whitehead wrote half a century ago:

"When one considers in its length and in its breadth the importance of this question of the education of a nation's young, the broken lives, the defeated hopes, the national failures, which result from the frivolous inertia with which it is treated, it is difficult to restrain within oneself a savage rage. In the conditions of modern life the rule is absolute, the race which does not value trained intelligence is doomed. Not all your heroism, not all your social charm, not all your wit, not all your victories on land or at sea, can move back the finger of fate. Today we maintain ourselves. Tomorrow science will have moved forward yet one more step, and there will be no appeal from the judgment which will then be pronounced on the uneducated."

The uneducated American is like the fallow field or the abandoned mine. Liberal education, which is one of our great goals in the present struggle, is also one of our greatest assets.

The young men and women who are being graduated from our universities will outlast any of the latest missiles which are coming off the assembly lines. They will not only enrich our national life and fortify our national safety, they will teach and foster educational growth.

They will continue the tradition of intellectual freedom that has been growing for thousands of years. Their development is worth our time, our public funds, our energy, and our dedicated support.

Brotherhood Week Luncheon of Jewish Teachers Association of New York, Waldorf-Astoria Hotel, February 22, 1962

EXTENSION OF REMARKS

OF

HON. HERBERT ZELENKO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 13, 1962

Mr. ZELENKO. Mr. Speaker, in the public school system of New York City, in about 1925, the three major religious groups, the Catholic Teachers Association, the Protestant Teachers Association, and the Jewish Teachers Association, joined to help each other solve common problems. This group is known as the Coordinating Community of Teachers of Religious Faiths. A major objective of this group was "to cooperate with the organizations of other faiths for the promotion of good will and understanding." The three organizations have collaborated in numerous activities such as brotherhood and interfaith programs in the city of New York.

All three groups exchange invitations frequently to various professional functions, such as forums, art exhibits, luncheons. They also interchange information regarding their programs, e.g., group insurance, banquet plans, tours, and excursions.

Since its earliest years the Jewish Teachers Association—Morim, to use its Hebrew name—Morim is the Hebrew word for teachers—has annually donated 50 percent of its dues to cultural and educational activities, such as university libraries, the children's ward in a hospital, educational programs on radio or television, the mayor's committee—Mayor Wagner—for scholastic achievement providing scholarship aid to needy high school graduates of all faiths, and research studies on mentally retarded children.

Throughout the years a newspaper, the JTA Bulletin, has been published quarterly. Its first editor was Dr. David J. Swartz, now an assistant superintendent; and its current editor is Irving Rosenblum, principal of one of the city schools. An early issue of the bulletin recounts the program of a forum on our cultural heritage directed by Dr. Herman P. Mantell and conducted at Temple Emanuel, Fifth Avenue, New York, N.Y.

The annual luncheon of the Morim has long been noted as one of the outstanding professional and cultural affairs on the busy calendar of noteworthy events in New York. Traditionally the luncheon has been conducted at the Waldorf-Astoria during Brotherhood Week. The 35th annual luncheon was held this year on Washington's Birthday. The featured speaker was Louis Nizer, attorney, lecturer, and author of "My Life in Court." A gathering of 1,500 responded warmly to the welcoming greeting, "Shalom," of Dr. Herman P. Mantell, president. The program in accordance with protocol opened with the singing of Hatikvah by Commissioner Sylvester Garamella and the "Star-Spangled Banner" led by Mrs. Harriet Popper, accompanied by Mrs. Belle Seretoff. The invocation was delivered by Rabbi Arthur Hertzberg of Temple Emanu-El of Englewood, N.J. The noted guests were then introduced by Past-President Irving Rosenblum. Included among the guests were the Honorable Herbert Zelenko, Congressman from Manhattan; distinguished jurists, Hon. Thomas Aurello, George Postel, Daniel Gutman, James E. Lo Piccolo, and Morton R. Tolleris; Hon. Louis I. Kaplan, commissioner of investigation; members of the board of education, Hon. Brendan Byrne, Hon. Morris Iushewitz, Judge Samuel R. Pierce, and Hon. Clarence Senior, Comptroller Abraham D. Beame, Associate Superintendents John B. King and Joseph O. Loretan; Superintendents Arthur Hughson, David J. Swartz, Dr. Abram Kanof, president of American Jewish Historical Society; Mrs. Pauline Mantell, First Lady of Morim; President Emil H. Tron, of the Protestant Teachers Association; President Leonard J. Fliedner, of the Catholic Teachers Association; and Jacob Jacowitz, school news editor of the New York World Telegram. The officers for the year were presented: Dr. Herman P. Mantell, president; Harris Shafner, vice president; Michael Leinwand, treasurer; Miss Dorothy Posner, secretary; borough vice presidents Frank Sacks, Jerome Greenblatt, Leonard Marmelstein, Martin S. Dodell, Norman Harris, Editor Irving Rosenblum; Membership Chairman Emanuel M. Ebbin and Harry A. Geller.

The report of the year's activities delivered by Dr. Herman P. Mantell, stressed the cultural, educational and social program for the year—the nonsectarian art exhibit of teachers' paintings and sculpture, interfaith committees, the musicale, forums, dance, teas, summer and holiday excursions, proposed group insurance, convalescent service, and charitable donations.

The legislative program for funds for public education was discussed by City Comptroller Beame, followed by an interlude of folk singing directed by Marc Olf. Following this, Dr. Mantell bestowed the famed AVODAH Award of the association, granted for distinguished service to humanity through Jewry, upon Yeshiva University in recognition of its pioneering years, its ever-expanding service and its glorious vision of the future. The Honorable Charles H. Silver responded for the university. He in turn received a surprise award for his many years of devotion to the welfare of the children and the teachers in the educational system of New York.

Dr. Mantell expressed the gratitude of the association for the untiring efforts and diligent service of Luncheon Chairman Martin S. Dodell and his assistant, Miss Ann Kessler. Following a solo "Bless This House" rendered by Commissioner Garamella, the benediction was pronounced by Rabbi Harold E. Gordon, executive vice president of the New York Board of Rabbis.

With a final Shalom in farewell, President Mantell closed the program for the 35th annual luncheon and extended a reunion invitation for the 36th scheduled for February 12, 1963, at the Waldorf-Astoria.

A distinguished array of speakers has addressed the association at its annual luncheon. Among the noted speakers were M. Maldwin Fertig, counsel to Govs. F. D. Roosevelt and H. Lehman; Dr. Julius Mark, senior rabbi of Temple Emanu-El of New York; Dr. Abraham Leon Sachar, president of Brandeis University; Benjamin Cohen, Assistant Secretary of U.N.; Dr. David del Sola Pool, Spanish and Portuguese synagogue; Dr. Israel Goldstein, president of World Jewish Congress; Rabbi Robert Gordes, Temple Beth El of Rockaway Park; Rabbi Emanuel Rackman, president of the New York Board of Rabbis; Hon. Semah Cecil Hyman, Consul General of Israel in New York; Rabbi Harold H. Gordon, executive vice president of the New York Board of Rabbis; Dr. Alexander M. Dushkin, dean of School of Education of Hebrew University in Jerusalem; Hon. Irwin D. Davidson, judge of court of general sessions of New York.

At the Civil War Centennial luncheon of February 22, 1961, the guest speaker was the noted rabbi and eminent author-historian, Dr. Bertram Wallace Korn of the Congregation Kenneseth Israel in Elkins Park, Philadelphia. An acknowledged authority in the role of Jewry in the Civil War, he held his audience enthralled throughout a well documented exposition of the story of the "Jew in Gray and Blue."

HOUSE OF REPRESENTATIVES

WEDNESDAY, MARCH 14, 1962

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Jeremiah 45: 5: *Seekest thou great things for thyself? Seek them not.*

O Thou merciful and gracious God, grant that the policies of government and the legislation which our President, our Speaker, and the Congress are seeking to enact may redound to Thy glory and enable mankind to find the happier and more hopeful way of life.

We earnestly beseech that the minds and hearts of the representatives now assembled for the Disarmament Conference may be flooded with the light of a lofty moral idealism.

May they be eager to cultivate and manifest those virtues and inner resources which will make all the nations truly great and strong.

Show us how we may expand our ranges of contact and sympathy with the weaker and less fortunate members of the human family who are finding the struggle of life so very difficult.

Hear us in the name of our blessed Lord. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

TAX ON GAMBLING

Mr. FINO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FINO. Mr. Speaker, when the Congress, in 1951, imposed a Federal tax on every gambler it was the opinion of our legislators that this levy would pump into the Treasury $400 million a year. This appeared to be a reasonable estimate based on the fact that the gamblers' take was about $4 billion a year.

How successful has this 10-percent tax on gross earnings of gamblers worked out?

Mr. Speaker, to put it very mildly, I would say that it has been a complete flop.

In 10 years of operation, the gamblers have paid into the Treasury a little over $7½ million for their $50 stamps and about $67½ million out of their earnings. This total of $75 million is a far cry from the $4 billion that should have been collected by Uncle Sam if the original estimates had proved correct.

Mr. Speaker, it should be obvious to all that this tax has failed not only as a revenue raiser but as a gambling stopper. As a matter of fact, although gambling in the United States has risen to become a $50 billion industry only 12,820 persons have confessed being gamblers by paying their Federal tax.

Mr. Speaker, is it not time that we stopped hypocrisy and really faced reality? It is difficult for most of our American taxpayers to understand the double role played by our Government. While we assume a sanctimonious attitude about gambling, we do tax gamblers, gambling winnings and admissions to racetracks. Are we not really engaged in a game of hypocrisy?

Mr. Speaker, while we persist in refusing to fully capitalize on the natural gambling spirit of the American people, gambling moneys are supporting organized crime. There is only one way to strike a real blow at organized crime and that is through a national lottery. A national lottery would not only satisfy the people's appetite to gamble—it would not only provide a sensible and satisfactory solution to our problem of gambling and crime but it would pour into our treasury $10 billion a year in additional revenue.

Mr. Speaker, only through the tremendous revenue producing features of a national lottery can we bring tax relief to our wage earners and start reducing our national debt.

COMMITTEE ON ARMED SERVICES

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on Armed Services be permitted to sit during general debate today.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

IMPORTS OF COMMUNIST PRINTED MATTER SHOW SHARP INCREASE

Mr. CUNNINGHAM. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. CUNNINGHAM. Mr. Speaker, I have previously pointed out that no one in or out of Government knows exactly how much Communist propaganda is coming into the country to be delivered free of charge. We know it is a huge amount but we have no accurate figures because a check is made at only 3 of the 150 U.S. ports and subports.

We do know that the volume of printed matter is increasing monthly. I call to the attention of the House that in one port alone the amount of this material increased by 300,000 pieces in January as compared with December. The January 1962 estimate of printed matter entering this country from Communist nations through this one port alone rose to 923,383 pieces. If the volume at all 150 ports and subports were measured and tabulated, no one knows how high the total might be.

This inflow of Communist printed matter which increased nearly 50 percent in January to a monthly flow nearing 1 million pieces in only one port is but part of the story. Much of the Communist propaganda—probably half—is sent to this country from this side of the Iron Curtain, prepared and mailed by Communist Party organizations or front groups.

This material is delivered free of charge by the Post Office Department and adds to the postal deficit. The House has acted to force an end to the subsidy of Communist propaganda by the U.S. taxpayer. The Senate will soon consider this matter.

TO AMEND THE FEDERAL AVIATION ACT OF 1958

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 561 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That immediately upon the adoption of this resolution the bill (S. 1969) to amend the Federal Aviation Act of 1958, as amended, to provide for supplemental air carriers, and for other purposes, with the Senate amendment to the House amendment thereto, be, and the same is hereby taken from the Speaker's table; that the House disagrees to the Senate amendment to the House amendment to the said bill and agrees to the conference requested by the Senate on the disagreeing votes thereon.

CALL OF THE HOUSE

Mr. HEMPHILL. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 35]

Andersen, Minn	Ellsworth	Moulder
Andrews	Glenn	Norrell
Avery	Grant	Pelly
Bennett, Mich.	Gray	Powell
Blatnik	Hansen	Rains
Bonner	Harrison, Va	Roberts, Ala.
Breeding	Hoffman, Mich.	Shelley
Cahill	Horan	Smith, Miss.
Celler	Huddleston	Spence
Cooley	Kearns	Steed
Davis, Tenn.	Kitchin	Weaver
Dawson	Macdonald	Winstead
Diggs	May	
	Miller, N.Y.	

The SPEAKER. On this rollcall, 394 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

TO AMEND THE FEDERAL AVIATION ACT OF 1958

The SPEAKER. The gentleman from Missouri is recognized for 1 hour.

Mr. BOLLING. Mr. Speaker, I yield to the gentleman from Ohio [Mr. BROWN] 30 minutes and, pending that, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 561 merely provides for sending the so-called supplemental airlines bill, S. 1969, to conference. There is some controversy

over this matter. There was no division as I remember it in the Rules Committee over sending it to conference.

Mr. WALTER. Mr. Speaker, will the gentleman yield?

Mr. BOLLING. I yield at this time to the gentleman from Pennsylvania [Mr. WALTER].

Mr. WALTER. Mr. Speaker, I want to voice my support of the House bill as passed last fall, plus the amendments voted by the Senate last week and to express the hope that the House conferees will insist on that position. You all know of my interest in this legislation, growing out of the tragic crash at Richmond, Va., last fall, carrying military recruits from my district. The tragedy was not so much the crash, but the fact that it resulted from callous indifference and almost willfully negligent operation. The CAB's report on that crash, issued a few weeks ago, was one of the worst indictments in the history of aviation.

We can no longer continue the kind of operating authority that attracts to the air carrier business managements of the kind that was in charge of that company. One of the main purposes we have in passing new legislation in this field is to prevent that from happening.

As to the Senate's amendments of last week, they are helpful. They do not go as far as I would consider ideal, but they tighten up the law considerably and impose more specific fitness requirements.

The part of the Senate bill which was written last summer, however, still has several undesirable features. The worst of these is the one giving the Board power to grant broad individually ticketed authority to these carriers. That authority has been used by some of the nonskeds ever since the end of World War II. In every year since then—every year, mind you—at least one, and often several, nonskeds have been engaged in regular, continuous, flagrant violation of that authority. The violation always takes the form of exceeding the limitations the Board tries to impose on the extent to which the carrier is authorized to use this authority. Example: authority to fly 10 round trips a month; a carrier simply flaunts it and flies 30, or it forms a "combine" of several carriers that pool their permissible number of flights and hold out to the public that they are just 1 airline with rights to operate an unlimited amount of service.

Enforcement cases against such carriers drag on through 7 years of procedural delays, while the carriers reap their illegal—and very large—profits. This is why ticketed authority has attracted the worst elements of this business, and managements that are scornful of the economic limitations imposed on them will be scornful of safety requirements too. Imperial Airlines proved that, conclusively. We can no longer have in this business managements that are not absolutely reliable in all respects. And this means that we can no longer permit ticketed operations, because the law violators swarm to that field of business like bees to honey.

We have almost 20 years of proof that economic limitations cannot be enforced. The Chairman of the CAB admitted this to Mr. HARDY's subcommittee in January. The Board has recently retracted virtually all aspects of its own request for power to authorize such service. The FAA has endorsed the CAB's opinions as to such matters of economic regulation. In the debate in the Senate on the amendments of last week several Senators expressed their opposition to the ticketed rights authorized by their own bill, and indicated they were nevertheless supporting the bill so that it could get to conference without delay, with the thought that this provision would be deleted in conference.

Under all these circumstances I am sure that the House conferees will insist on "charter only" authority, as provided by the House bill, and the House ought to support that position to a man just as it did last fall.

The Senate bill also has a definition of charter authority which would let a nonsked carry anyone, anytime—much more than even our main trunklines have authority to do—if only the carriage is part of a so-called all-expense tour. The result would be phony tours in which the only significant item was the air fare. And the fare would be far below regular airline fares, because of the lack of obligation on the part of nonskeds to serve small towns and to fly at stated times regardless of load. This would be ruinous—the worst kind of unfair competition.

I am sure that our conferees will maintain the House position on these points. The chairmen of the committee and the subcommittee deserve warm commendation for their resistance to the pressures and the shamefully misleading lobbying that has been carried on as to this legislation, and for the responsible positions taken in the House bill. They have my praise and my thanks.

Mr. WILLIAMS. Mr. Speaker, in order that Members of the House may be informed of the various provisions of the House bill and the Senate amendments, I am inserting herewith a very brief résumé of these points. This résumé is in abstract form, but I believe will be sufficient to cover generally the points in issue. We ask, Mr. Speaker, that we be permitted to take this matter to conference with the Senate. I am confident we can bring a good bill back for consideration by the House.

Briefly, the supplemental air carrier bill passed by the House September 18, 1961, would:

First. Authorize the Board to issue certificates to supplemental carriers to conduct charter operations.

Second. Authorize individually ticketed service on a temporary basis for special situations under regulations of the Board.

Third. Permit the Board to expedite procedures in authorizing such temporary service.

Fourth. Grant interim operating authority in the nature of grandfather rights to permit operations until the Board can pass upon applications for new certificates provided for by this legislation.

Fifth. Permit the Board to impose civil penalties for violations of the economic provisions of law and regulations issued thereunder to deter illegal operations.

The original Senate version of this legislation differed from the House bill in two major respects. Unlike the House version, the Senate bill, first, contained a statutory definition of charter; and second, authorized the Board to permit individually ticketed or waybilled service between designate points.

The latest Senate version also has an added provision to authorize the Board to grant the cargo carriers charter authority.

As a result of several suggestions for amendments to give the Board additional authority to weed out unsafe and unsatisfactory operators, the Senate last Thursday adopted a number of amendments which will be considered in conference. Briefly these include:

First. A new provision authorizing the Board in its discretion, to require the supplementals to furnish performance bonds or carry liability insurance, or both.

Second. Authority for the Board to prescribe minimum service requirements and permitting suspension or revocation of a certificate for failure to provide such minimum service.

Third. A new section providing for suspension or revocation of a certificate for failure to file financial reports or failure to meet minimum standards of financial fitness.

Fourth. A revision of the provisions relating to interim certificates in the nature of grandfather rights so as to make the issuance of such interim certificates discretionary with the Board; give the Board complete discretion as to the terms, conditions, and limitations of these certificates, rather than requiring that such interim certificates contain the same authority which the carriers now have; condition the grant of such interim certificates upon a determination that the application is fit, willing, and able to perform supplemental air transportation and to conform to the provisions of the act and the rules, regulations, and requirements of the Board and the Administrator of the Federal Aviation Agency; to terminate, not more than 90 days after the enactment of the proposed legislation, the class of supplemental air carriers which the Board has attempted to create by its previous orders, and to extinguish all existing authority for supplemental air carriers, whether that authority may be derived from an exemption, a certificate, or other order of the Board. This provision would wipe the slate clean and permit the Board to start over again with the certification of a new class of supplemental air carriers to be set up by the legislation which is finally agreed upon and enacted into law.

Mr. BOLLING. Mr. Speaker, I reserve the balance of my time.

Mr. BROWN. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, as the gentleman from Missouri [Mr. BOLLING], a member of the Rules Committee, and my colleague on that committee, has explained, House Resolution 561 would provide for sending to conference S. 1969, a bill designed for the purpose of, if I may use that vernacular, putting some straps, or a few controls, on these supplemental airlines which have been operating all over the country and, incidentally, killing a few American boys now and then, who, being in the military service, are passengers on some plane which has been chartered by the Government from some supplemental airline.

There is not a great amount of controversy over sending this bill to conference, but rather over the content of the bill itself. As I understand the situation, as we have had it explained to the Rules Committee, and from our study of the situation, the bill which was approved by the House and by the House Committee on Interstate and Foreign Commerce was a much better bill than the Senate bill, a much tighter bill, a much stronger bill, for the protection of those who may use these so-called supplemental or independent airlines, under charter, or in any other way. The Senate bill weakens the provisions of the House bill greatly, so that there is some real question whether or not it can or will give the protection the users of these independent supplemental airlines are entitled to receive.

We have had some terrible accidents, and some shocking testimony, in connection with some of the accidents in which these supplemental airlines have been involved. One plane, you remember, went down near Richmond, Va., with a group of young draftees who were marched on the plane under military orders. There was testimony later that there had been placed on that plane a lot of second-hand, inaccurate, and inadequate parts and equipment. Those boys were killed because of negligence, because there was not proper enforcement or supervision under the law by some of our Federal agencies, the CAB and others.

Out in Ohio a team of football players from a California college, playing against an Ohio team, was traveling under charter in one of these supplemental or independent airline planes. The plane crashed when it took off under poor handling and poor supervision, in a bad fog, and most of those boys were killed. Up to today there has not been a single dollar, as I understand it, paid to any of their families as damages. There is no way they can collect from the airline or charter group. Some of those boys were buried through charity. Others, in hospitals, are being supported by contributions taken up among the students of Pacific coast schools.

I say to you all this is an outrage, and that such situations should not be permitted to exist.

The House Committee on Interstate and Foreign Commerce has tried to do a good job. I am sure I speak for the chairman of that great committee, because he testified before the Rules Committee, that it is his desire, and the desire of the House conferees, not to loosen further, but to tighten up, on this bill; not only to get the provisions of the House bill accepted in conference, but even to strengthen the House bill and the present law so greater protection will be given to those who may use these independent airlines.

I hope, before we get through with this legislation Congress may find out just why some of our Federal agencies, who have the responsibility to check the operations of these kind of planes in the air have been so apparently negligent in performing their duties.

I do think this legislation is very important. I do feel that if this bill does not go to conference these independents will be permitted to continue to operate as they are now, without any real control or any real protection, for those who may be inveigled into using them, or who may travel on one of these planes without realizing or knowing the type of service it is, and the danger they may lose their lives, like the scores of young men who have already lost their lives in these recent terrible tragedies in the air. Therefore, I am supporting the rule to send this bill to conference. I do hope the conferees on the part of the House will do everything within their power to strengthen the restrictions and the safeguards on this type of air travel services.

Mr. BOLLING. Mr. Speaker, I yield 3 minutes to the gentleman from California [Mr. DOYLE].

Mr. DOYLE. Mr. Speaker, I rise at this time to inform the House that three of these boys who were killed in the terrible airplane crash in Ohio were boys from my 23d Congressional District, California. I wish to say that the whole great 23d Congressional District is up in arms, and while expressing most understanding sympathy to the parents and immediate families of these distinguished lads who were members of that championship athletic team, they are making it clear to me with frequent demands that the rules applicable be tightened and made as safe as humanly possible in the control and operation of these supplemental airlines. It is on one of this type of planes which crashed and carried to their death these three fine lads of Los Angeles County in my congressional district.

I wish to ask the distinguished chairman of the Committee on Interstate and Foreign Commerce, Mr. HARRIS, if I may, will this conference report go as far as possible to the extent of strengthening the necessary regulations so as to afford protection against future crashes of this kind which, I believe I am reliably informed, was occasioned by recklessness, carelessness, and utter disregard for safety factors, such as were also described by the gentleman from Ohio [Mr. BROWN], on this floor just a few minutes ago?

I yield to the gentleman from Arkansas, the distinguished chairman of our Interstate and Foreign Commerce Committee.

Mr. HARRIS. First, with the gentleman's permission, let me say that I share the same feeling as the gentleman from California and the gentleman from Pennsylvania [Mr. WALTER], and others with reference to any air tragedy. I share the same feeling, that we in the Congress and those in the industry and everyone operating the airlines should do everything we can to avoid and prevent any such tragedy in the future.

Let me also say in view of the unfortunate situation with reference to the supplemental airlines mentioned, I would not have the Congress get the impression that supplemental operations are the only type of air carriers that have tragic accidents. Just a few days ago, there was the terribly tragic accident involving the new Boeing 707 where all aboard suffered tragic results. So let us not delude ourselves in arriving at a conclusion that accidents are limited to supplemental air carriers.

It is also the feeling of the committee that there is not the adequate regulation under the provision of law for the supplemental air carriers to meet the safety requirements, and some other requirements that we have with reference to commercial airline operation. It is our purpose to try to bring about as adequate regulation as we can to provide all the authority within the purview of our own belief in the free enterprise system, to insure safety, reliability, and responsibility as far as possible through legislation.

Mr. DOYLE. Mr. Speaker, with that assurance, I wish to thank the gentleman, and urge the conferees to write their report. Furthermore, not 1 cent of compensation has been allowed to, or received by, the families of any of these lads. This to me seems a further just criticism and I intend it as a vigorous condemnation toward the total picture resulting from that tragedy—and, I am advised, an unnecessary tragedy at that, if the owners of that supplemental line had been obedient to the safety of its passengers.

I urge the conferees to write their report with the safety of air traffic paramount and with regulations which prohibit and make impossible such planes as the one that caused these deaths—so ill equipped to get off the ground, or to be entitled to a certificate to even try to get off the ground. I know that you and each of you, my colleagues, join with me in extending our utmost sympathetic expression to the families of all these lads who suffered their untimely deaths on account of the apparent violation of reasonable regulations, or the deliberate ignoring thereof.

Mr. HARRIS. And we will undertake to carry out that purpose, if we can get to conference, insofar as we can under the rules.

Mr. BOLLING. Mr. Speaker, I yield 2 minutes to the gentleman from South Carolina [Mr. HEMPHILL].

Mr. HEMPHILL. Mr. Speaker, the bill which the Senate has sent to the House on the supplemental or nonsked airlines contains certain amendments which, if they are enacted, would empower the CAB to cope in a more efficient fashion with the law violations of the supplemental airlines. I have reference to the amendments which would: first, give the CAB power to eliminate dormant certificates which have been a source of continuous abuse over the past decade; second, the amendment which empowers the CAB to eliminate law violators by revoking their certificates; third, the provision which empowers the CAB to exercise continuing review of those few carriers who are fit and able to operate;

fourth, the provision which requires the CAB to act expeditiously on nonsked certificate litigation, thereby preventing the long delays that customarily exist in CAB litigation; and fifth, the provision which requires performance bonds and liability insurance.

These amendments, if the CAB is commanded by the Congress to exercise them with diligence and energy, are a step in the right direction. However, I feel that it is absolutely necessary that every Member of the House recognize that these provisions will not be worth the paper they are written on if the House does not insist that the nonskeds be confined to charter operations and the supplemental operations provided under section 417.

During the past 15 years the CAB has been unable to maintain order and to enforce the law with respect to the individually ticketed operations by the nonsked supplemental air carriers. Several nonskeds have operated regularly scheduled individually ticketed operations in violation of the Federal Aviation Act. The CAB was slow to process its enforcement cases and after long delay when the administrative decision was issued, the nonskeds took the decision to court and exploited every dilatory tactic available to continue their operations despite their illegality. The Chairman of the CAB summed up the situation during his testimony before the distinguished Congressman from Virginia [Mr. PORTER HARDY] in recent hearings on the Imperial disaster, when the CAB Chairman admitted the CAB has been at the mercy of the nonsked carriers.

It is beyond dispute that the individually ticketed authority which the Senate bill would provide is potentially much broader than the past unenforceable system. Moreover, the Senate would grant the nonskeds the right to carry so-called all-expense-paid tour business. In the past, adequate regulation failed because it was impossible for the CAB to police each flight conducted by the nonskeds. Under the Senate bill, the CAB would be required to police each passenger to determine whether he was a bona fide all-expense-paid tour passenger. This is clearly less workable than the already proven unworkable system. In addition, the Senate bill would grant passenger rights to the all-cargo carriers. This amendment was never considered in hearings in either body. It would result in immense diversion from both the scheduled airlines and the supplementals. It would divert the all-cargo carriers from their primary mission of developing airfreight and it is completely unjustified and unnecessary.

Therefore, Mr. Speaker, I want to emphasize that the aforementioned policing amendments which would grant additional power to the CAB to clean up the nonsked industry are fine so far as they go but can be effective only if the House holds firm to its position that the nonskeds should have charter authority only and rights under section 417.

Mr. BROWN. Mr. Speaker, I yield 8 minutes to the gentleman from Illinois [Mr. COLLIER], a member of the committee who supported this bill.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

Mr. HARRIS. Mr. Speaker, will the gentleman yield?

Mr. COLLIER. I am happy to yield to my chairman.

Mr. HARRIS. In the first place, with the gentleman's permission, I should like to ask, Mr. Speaker, unanimous consent that the Committee on Interstate and Foreign Commerce may be permitted to sit this afternoon during general debate.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

TO AMEND THE FEDERAL AVIATION ACT OF 1958

Mr. HARRIS. Mr. Speaker, will the gentleman yield further?

Mr. COLLIER. I am happy to yield to my colleague.

Mr. HARRIS. Mr. Speaker, I am sure there are Members of the House who would like to be reminded of just what is the status of the supplemental air carriers legislation that we have before us. I know there is tremendous interest on the part of many Members, and I ask unanimous consent to extend my own remarks in the RECORD at this point to outline specifically just what the situation is and what the status is at this point.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. HARRIS. Mr. Speaker, this legislation seeks to define the authority of the Civil Aeronautics Board with regard to the issuance of certificates to the so-called supplemental air carriers, previously known as the nonskeds.

This legislation has a long history, which we outlined at length when the Committee on Interstate and Foreign Commerce presented H.R. 7318 to the House last September 18, and which it is not necessary to repeat in detail here now.

The U.S. Court of Appeals for the District of Columbia found on April 7, 1960, that the Board lacks authority to license carriers to conduct limited operations to supplement the services provided by the scheduled operators.

Following this decision, the Board submitted to Congress proposed legislation to authorize the issuance of certificates to these carriers. Hearings were held in May 1960, but after considering the matter, your committee decided that the short time remaining before adjournment of the 2d session of the 86th Congress did not permit adequate consideration of the complex problem and recommended the enactment of temporary stopgap legislation.

Following that, Public Law 86-661 was enacted to permit the continuation of supplemental air operations until March 14, 1962.

Early in the 1st session of the 87th Congress, the Board again submitted a draft bill to authorize the issuance of limited certificates to the supplemental carriers. This bill was introduced as H.R. 7318 by the gentleman from Mississippi [Mr. WILLIAMS], chairman of the Subcommittee on Transportation and Aeronautics.

Hearings were held last June and, after extensive consideration by the subcommittee and in the full committee, the bill was substantially revised and reported to the House. The committee bill was passed by the House September 18, 1961, and substituted for the text of S. 1969, which was returned to the Senate.

The House and Senate bills differed in two major respects, both of which are very controversial.

The Senate bill would give the Board authority to permit the supplementals to conduct individually ticketed operations between designated points. The Senate bill contains a statutory definition of charter.

These provisions are retained in the Senate amendment which this rule would send to conference.

The other body did not take up the House amendment during the first session.

Following a tragic accident near Richmond, Va., November 8, 1961, in which 74 Army recruits and 3 crew members lost their lives, a study was made of the pending legislation to see what could and should be done to strengthen the authority of the Civil Aeronautics Board and the Federal Aviation Agency.

Early in this session, I and other members of the committee conferred with the chairman and other members of the Senate Subcommittee on Aviation regarding amendments proposed by the gentleman from Pennsylvania [Mr. WALTER] and others.

On last Thursday, the other body amended the House amendment and returned S. 1969 to the House, requesting a conference.

While retaining the major provisions of the Senate bill, the other body added a number of amendments to strengthen the bill and provide the Board with additional authority to weed out unsafe and undesirable operators.

This is very important legislation. The Board tells us there is a need for supplemental air carriers. The Department of Defense tells us they need supplemental air carriers.

The question of how much authority the Board should have in authorizing individually ticketed and individually waybilled operations by these carriers is highly controversial. There are other differences to be considered in conference.

We believe we can work out a good bill in conference. Therefore, the Committee on Interstate and Foreign Commerce asks for the adoption of this rule to send this legislation to conference.

Mr. COLLIER. Mr. Speaker, we face very urgent responsibility today. It is urgent because as of today the interim authority granted by the Congress to the nonscheduled airlines expires. That means that unless we act expeditiously on the matter before us these supplementals will operate illegally after today under illegal certificates issued by the

CAB some 4 or 5 years ago. I say illegal because, in fact, the U.S. Court of Appeals declared these to be illegal certificates; and that is why I say this legislation is urgent, not only from the time standpoint but also, needless to say, because of the seriousness of the legislation and the need for acting in this area and acting promptly.

I do not think it is necessary for me to discuss some of the many problems which this legislation involves; that is, those situations that are peculiar to different supplemental carriers. I presume those who follow me will do just that.

It was 6 months ago that by unanimous action of this House, Congress spelled out a set of ground rules within the legislation for the continued operation of the supplemental airlines; in fact, the other body also passed legislation some 6 months ago, yet here on the expiration date of the interim authority which was granted by the Congress, we have not thus far established a position insofar as Congress is concerned as to what the authority will be in the area of the continued operations of the supplemental air carriers.

I want to make it very clear that members of our committee had no thought or no intent of destroying this phase of the aircraft service. However, the record amply proves that there is need for a very specifically defined set of standards and limitations in this field. The record also quite clearly indicates that the CAB has been unable to police or enforce regulations that are essential to the welfare and safety of the American flying public.

Mr. BROWN. Mr. Speaker, will the gentleman yield?

Mr. COLLIER. I shall be very happy to yield.

Mr. BROWN. I am wondering if the gentleman, who has done so much work on this bill, will agree with me that it may be necessary also to require that these supplemental lines have adequate insurance and financial responsibility where they can meet any judgments that may be assessed against them in cases where negligence is proved.

Mr. COLLIER. May I say in answer to the gentleman from Ohio that I feel reasonably sure that whatever bill comes out of conference will be in the public interest.

Mr. McDONOUGH. Mr. Speaker, will the gentleman yield?

Mr. COLLIER. I yield.

Mr. McDONOUGH. In addition can we be assured that the bill coming out of conference will also provide the essential safety factors that are necessary? The reason I ask that question is because I understand—and I am sure the gentleman is familiar with the fact—that there have been some serious air accidents as a result of supplemental or unscheduled airlines not conforming to the safety factors required. The public using these lines wants that assurance in any legislation passed out of the House.

Mr. COLLIER. I can only say to the gentleman I certainly cannot offer an ironclad guarantee on anything that might come out of conference on this bill; but, if it goes to conference, it would be my sincere hope that the position established by the House 6 months ago on this legislation would be reestablished by the House conferees when it goes to conference.

Now, Mr. Speaker, we should understand one thing in discussing this rule, and it is very important that we do, that if we do not take prompt action we are going to have a continued operation under illegal certificates. That is number one.

Second. The recourse would be litigation. All of us know there will develop a vacuum or a void by the absence of any final action on the part of this House as of tomorrow. These operations would in fact continue and this I do not think the House wants to occur since I am sure we know what our responsibility is. We have already, as I said before, firmly established our position here. I would hope again that the conferees will reiterate in conference the position of the House. I therefore urge support of the rule before us today.

Mr. O'BRIEN of New York. Mr. Speaker, will the gentleman yield?

Mr. COLLIER. I'm pleased to yield to the gentleman from New York.

Mr. O'BRIEN of New York. Is it the gentleman's belief that the legitimate, well-managed supplemental airline can live, can survive, under the terms of the bill passed by the House?

Mr. COLLIER. That is definitely my opinion. Repeating, there is no intent on the part of those who support this legislation to destroy a segment of our air travel service but simply to provide those standards that we think are essential and necessary for the safety and the convenience of the American flying public.

Mr. DEVINE. Mr. Speaker, will the gentleman yield?

Mr. COLLIER. I yield to the gentleman from Ohio.

Mr. DEVINE. First I would like to associate myself with the remarks of the gentleman from Illinois and to compliment him for the studious manner in which he has approached this problem. I know of the long hours he has spent talking with various people in order to come to a fair and equitable solution in reference to a very serious problem. I would like to reiterate the remarks made by the gentleman that there is no intention whatsoever to destroy the supplemental carrier, but there is a need for firm, sound, solid regulation in this field. May I ask the gentleman if it is not a fact that the position of the House in this matter is a little more firm, a little less soft, than that taken by the other body?

Mr. COLLIER. I may say to the gentleman from Ohio that the bill as passed by this House 6 months ago is more stringent in spelling out the authority granted to supplemental carriers. Frankly, I believe it is better legislation.

Mr. DEVINE. The Member is one of the conferees?

Mr. COLLIER. I regret to say I know not who the conferees will be at this point and neither does anyone else except perhaps the distinguished chairman of the Interstate and Foreign Commerce Committee.

Mr. BROWN. Mr. Speaker, I yield 8 minutes to the gentleman from California [Mr. ROUSSELOT].

Mr. ROUSSELOT. Mr. Speaker, I rise in opposition to the rule, not because I do not believe the House committee has done as complete a job as is called for as the result of recent events. In my judgment the House Commerce Committee and the whole House has done a far better job than was done in the other body. My concern is because recent incidents, such as the Imperial crash in Richmond, Va., and the Presidential Airline crash in Ireland, additional information has been brought to our attention which should be considered before this measure goes to conference. I know I am very new here and that that is practically an impossibility, but I am delighted to hear the chairman of the committee say they plan to meet this afternoon to discuss this further. There are several amendments, in my opinion, that should be added that cannot now be accomplished because the Senate and House versions are a matter of record.

The fit, willing, and able to perform clause, of this legislation (S. 1969) is not adequately defined and the criteria I do not think are adequately indicated by the Congress of the United States. That has been brought out very clearly in the Chapman case which came before the CAB in 1958. Chapman's application for management and ownership control of U.S. Air Coach Airlines was the matter before the Civil Aeronautics Board. This case is one of many examples of the lack of criteria used to establish the grounds for complying with the "fit, willing, and able" clause of the Federal Aviation Act of 1938. This clause is applied by the Civil Aeronautics Board for all operators requesting certification.

Mr. Chapman, as shown in testimony before Civil Aeronautics Board examiner dated July 24, 1958, was not "fit, willing, and able" on the following grounds:

First. Mr. Chapman had no money to invest by his own statement.

Second. His only investment was the cost for several trips to the west coast and attorney's fees for processing the application and incorporation.

Third. In order to get the rights of the stock of U.S. Air Coach, had to borrow $15,000, which he immediately paid to Flying Tigers, who held these rights.

Fourth. He made a loan from the American Security & Trust Co. and the only security that he could advance was two R-2800 engines he claimed to own.

Fifth. It then was revealed that the stock that he had purchased from Flying Tigers was actually under the ownership of a third party by the name of Hutchinson, whom he, Chapman, had to satisfy with an additional $15,000 note.

Sixth. Before Mr. Chapman could operate U.S. Air Coach on Government contract, it was necessary for him to reduce a claim which the Government had against U.S. Air Coach of $125,000. It was then necessary to get the Government to reduce the claim to $10,000. The circumstances surrounding this reduction are somewhat questionable. He

accomplished the above without paying any cash.

Seventh. When asked as to whether he would need additional capital, his testimony was as follows:

Question. Do you have any other personal capital to invest in U.S. Air Coach at this time?

Answer. I do not.

Question. Do you feel that the operation can be carried on successfully without any capital?

Answer. Yes, because with the acquisition of the aircraft and the fact that we are factoring with Colonel Moore and getting immediate payment, his policy is immediately upon receipt of the TR the money is deposited to your account, we will have sufficient capital.

I believe this case is ample evidence that a double standard of criteria has been exercised by the Government agency under the "fit, willing, and able" clause as it applies to supplemental airlines. As a matter of fact, it is incredible that a man in this financial condition would qualify in the eyes of the CAB as "financially responsible."

II

I do not believe in S. 1969 that there is proper authority for the CAB to revoke a supplemental certificate on the ground that the carrier is not fit, willing, and able. We do give them the right to revoke a certificate under present law, but it is not clear enough that they have this authority to revoke a certificate on the clear grounds that the carrier is unfit, unwilling, and unable to perform.

III

The Senate was nice enough to include in their particular bill an amendment that calls for insurance, but this insurance is not mandatory. It is discretionary requirement on the part of the CAB, and I believe we should make it clear that it be mandatory for the protection of these passengers.

IV

Even if the insurance is mandatory, nothing protects the passenger when the CAB and the FAA discover violations, and the insurance companies can invoke disclaimer clauses, which it is their right to do. But there are very few insurance dispensing machines that you can find in the airports today that are dispensing insurance for this kind of supplemental air carrier. And why is that? Because these type carriers are a very poor risk on the basis of their present method of operation.

V

There are no mandatory provisions that I read in the bill for a performance bond which calls for payment of nonperformance on the part of supplementals. The Senate did include an amendment covering performance bonds. But I do not feel it is strong enough to encourage supplementals to provide the same kind of basic service that other airlines do.

The most important issue before us today is: How do we, as a Congress, guarantee the people who travel on these supplemental air carriers safer transportation? Many of these people are military personnel. About 80 percent of the business of these supplemental air carriers is by contract with the military branch of the Government. They are traveling under military contract for supplemental transportation service, and yet the history of these kind of carriers is anything but safe for the passengers. The service is not provided with the same care that other carriers are required to provide, under the standards that are supposed to exist for both.

I happen to know something about this, because there were two victims from my district in the Arctic-Pacific crash in Toledo, Ohio. To this day there has been no insurance paid, because the companies quickly went through bankruptcy. The victims and their families had little recourse at all. They have had no satisfaction in the courts, because there is nothing to attach. However, it is interesting to note that the hull insurance of that Arctic-Pacific plane was paid very promptly; but there is no protection for the families of the people who fly with these type of greedy, hidden owners.

Mr. McDONOUGH. Mr. Speaker, will the gentleman yield?

Mr. ROUSSELOT. I yield to the gentleman from California.

Mr. McDONOUGH. Is not what the gentleman is saying in effect that there is a lack of responsibility evidenced here by two agencies of the Government? I would say it is the responsibility of the Secretary of Defense for his personnel and the responsibility of the CAB if they permit planes of this type to fly without proper regulations.

Mr. ROUSSELOT. That is correct.

Mr. McDONOUGH. Is there not a lack of responsibility in two instances here?

Mr. ROUSSELOT. I believe there has been a lack of responsibility not only on the part of the FAA which can enforce safety regulations.

It has almost dictatorial powers in enforcing safety regulations, but the CAB has been dilatory in assuring "financial responsibility." I placed in the CONGRESSIONAL RECORD yesterday, if you will look, a detailed analysis of the atmosphere of financial irresponsibility in which these supplemental carriers have been allowed to operate, which I think is disgraceful.

Mr. McDONOUGH. What about the responsibility of the Secretary of Defense?

Mr. ROUSSELOT. I will say in fairness to the Secretary of Defense, after the Imperial crash, that he moved very quickly to tighten the regulations that the MATS allow in regard to this kind of travel and contract out to private enterprise. Some of the military contract business goes to regular scheduled airlines on a charter basis, but much of it goes to supplemental airlines.

The Defense Department immediately issued a memorandum that only allowed eight of these supplemental aircraft carriers to continue doing contract work. Yet today there are 32 certificates outstanding, and there are 21 operating. The military then allowed only eight to continue to operate as the gentleman from Pennsylvania [Mr. VAN ZANDT] can testify, and as he brought out in his hearings, and in the report.

Why? Because there were a great number that did not meet certain minimum equipment requirements.

Mr. MAILLIARD. Mr. Speaker, will the gentleman yield?

Mr. ROUSSELOT. I yield to the gentleman from California.

Mr. MAILLIARD. Is there anything in the Senate or House bills which would require financial responsibility?

Mr. ROUSSELOT. Yes. Our House features of H.R. 7318 were much tougher. I believe the gentleman from Arkansas and his committee did a wonderful job in providing tougher requirements. But I believe the new Senate amendments are too loose in the way they are constructed. My suggestion as to why we should send this back to committee is simply this: I do not believe the Senate made all amendments tight enough. Too many actions become discretionary on the part of the CAB, and not mandatory. We could make these sections mandatory by sending it back to committee. A further note—financial responsibility enforcement has already been given to the CAB, but they do not always apply the same standards to supplemental carriers. If the CAB would do this, with the authority it has, the situation could be improved.

Mr. MAILLIARD. If the gentleman will yield further, does the gentleman feel it would be possible to come out of the conference with a bill which would prevent such a situation as the crash in Toledo, where the insurance company has disclaimed responsibility and where there is no financial responsibility on the part of the operators, and so far as we can tell these people will be left completely without recourse?

Mr. ROUSSELOT. The CAB, I believe, can do this anyway, and has had the power to do this. I believe the trouble has been that they have been waiting for congressional direction when it was not necessary. The answer is that I believe this bill goes a long way toward this goal, but it does not go far enough. That is my concern. That is why I oppose this rule.

Further, let me say this: The whole financial setup of the supplemental airlines, requires a full and complete investigation. I have submitted a bill to the Rules Committee—House Resolution 551—which I hope will soon go to the Banking and Currency Committee, because the real key to this problem has been the financial manipulations of these supplemental airline owners. Many of these supplemental organizations are merely a phony type of corporation; the corporate bank account is milked dry by the leasing corporations, the maintenance service centers, and some of the controlled insurance companies which charge excessive rates. With this heavy overcharging the "front" supplemental corporation is not in a financial position to operate correctly.

I put most of this material in the RECORD yesterday, and I hope that my colleagues will read it.

When S. 1969 does go to conference I hope our conferees will hold firm to the House position, as developed here today.

Mr. BROWN. Mr. Speaker, I yield the balance of the time to the gentleman from Pennsylvania [Mr. VAN ZANDT].

Mr. VAN ZANDT. Mr. Speaker and Members of the House, my interest in the conference report stems from my membership on a special committee of the House Armed Services Committee, appointed by Chairman VINSON on November 8 to investigate the crash of Imperial Airlines, Inc., airplane at Richmond, Va., November 8, 1961. My colleague from Virginia [Mr. HARDY] was the chairman; the gentleman from Maryland [Mr. BREWSTER] was the other Democratic member, and I represented the minority.

The investigation conducted by this special committee of the House Armed Services Committee convinced me there was a total lack of responsibility on the part of the CAB and the FAA, as far as the Imperial Airlines accident is concerned. When the report was filed by Chairman HARDY, I therefore found it necessary to sponsor additional views, which I would like to read from at this time.

On page 3018 of the special subcommittee hearings, Administrator Alan Boyd of the Civil Aeronautics Administration had this to say:

> While I am in accord generally with the views expressed by my colleagues, Mr. HARDY and Mr. BREWSTER, it is my opinion that the committee report and recommendations do not deal adequately with the situation resulting from the air tragedy on November 8, 1961, that took the lives of 74 Army recruits and 3 crewmembers.
>
> On page 3018 of the special subcommittee hearings, Administrator Alan Boyd of the Civil Aeronautics Administration had this to say:
>
> "The nature of the violations were in the economic area:
>
> "(1) The submission of misleading financial data.
>
> "(2) Ticketing irregularities.
>
> "(3) Tariff violations.
>
> "(4) Filing false statements with the Board."
>
> On page 3073 of the hearings Najeeb Halaby, Federal Aviation Agency Administrator, said:
>
> "A special inspection conducted in August, September, and November 1961 indicated the following discrepancies:
>
> "(1) Use of uncertificated airmen on a revenue flight.
>
> "(2) Noncompliance with airplane flight manual.
>
> "(3) Failure to file a flight plan prior to a particular flight.
>
> "(4) Unauthorized appearance on an aircraft flight deck.
>
> "(5) A failure to list all mechanical discrepancies.
>
> "(6) Ferrying aircraft without ferry flight authorization.
>
> "(7) Absence of fuel records for the month of October 1961."
>
> On page 3077 of the hearings I asked Administrator Halaby the question as to whether or not "there was confusion in the cockpit as the result of a conversation between the pilot and copilot as to who would pilot the ship. Does this cockpit confusion stem from lack of management?" Administrator Halaby replied:
>
> "I would say it represents both."
>
> In the CAB's accident report released on February 6, 1962, on page 24 the following is stated:
>
> "From a study of all information available to the Board it is concluded that this flight crew was not capable of performing the function of assuming the responsibility for the job they presumed to do. The Board further concludes that the management personnel of Imperial Airlines should have been aware of the manner in which company operations were being accomplished. It is believed that the substandard maintenance practices of Imperial's employees were condoned by management. The manner in which maintenance personnel records were kept by the company confirms this conclusion."

Mr. Speaker, the statements of the Administrators of CAB and FAA, as well as the CAB report of February 6, 1962, very definitely show not only evidence of criminal neglect, in my opinion, but likewise a lack of responsibility.

I intend to support this conference report if I can have the understanding of the chairman of the House Committee on Interstate and Foreign Commerce that the House version of the bill being sent to conference will be insisted upon. Can I have that assurance from the chairman at this time?

Mr. HARRIS. Mr. Speaker, will the gentleman yield?

Mr. VAN ZANDT. Surely.

Mr. HARRIS. Of course, the chairman of the Committee on Interstate and Foreign Commerce, or any other member of the committee, cannot give assurance as to what the result of the conference will be.

Mr. VAN ZANDT. I did not ask that question.

Mr. HARRIS. Under the rules we have all of these questions—six or eight or more now—which the gentleman and others are interested in and which will be the subject of the conference. I think the House passed a good bill. I think, though, that since the House passed the bill in September, the attention of the country has been called to certain other requirements which the distinguished chairman of the Subcommittee on Armed Services [Mr. HARDY] and his committee, of which the gentleman himself is a member, developed; and they filed a very fine report with the House, which our committee has considered, some of the conclusions of which are included now in the bill that goes to conference. We are going to get the best bill out of it that we can.

Mr. VAN ZANDT. The gentleman has answered my first question. Let me ask the gentleman this question. In your opinion, and in the event the House bill prevails, Would a new set of standards for the CAB and the FAA follow as a step in the direction of preventing an accident of this type in the future?

Mr. HARRIS. First, let me say that the committee is complimented by comments that have been made on their work in bringing this House bill in. We appreciate that. We did work hard on it. But I think we should be realistic enough to recognize now that the bill as it passed the Senate on last Friday has provisions in it which are necessary, as the gentleman knows, because he recommended some of them. As to those provisions, they are better than what the House had.

As to the question of fitness and responsibility and tightening, the House bill was, I think, a better bill. The committee is going to do the best it can to get all of these better provisions in the conference report.

Mr. VAN ZANDT. With the understanding that the present law expires midnight tonight and there is need for this bill to be on the desk of the President as early as possible, is it the intention of the gentleman and his committee to take a look at this matter later on so as to make certain that the weaknesses in existing laws will be eliminated in an effort to prevent another Richmond tragedy?

Mr. HARRIS. I would say to the gentleman, if he will yield, it is the intention of the committee at this time to take a look and do something about it. We have been taking a look and what we are trying to do now is to do something about it. The committee has a continuing oversight on the administration. We have a special committee on regulatory agencies with reference to the function of the agencies, and the board as to their administrations. We have a subcommittee headed by the gentleman from Mississippi [Mr. WILLIAMS] who has a continuing supervision over the legislative features and the actions in the administration of these agencies and the industry itself. I would assure the gentleman that the committee, and particularly the subcommittee chairmanned by the gentleman from Mississippi [Mr. WILLIAMS], is at all times observing what is going on.

Mr. VAN ZANDT. I thank the gentleman.

Mr. Speaker, the eyes of the fathers and mothers, brothers and sisters of the 74 young recruits killed in this air crash are focused on the Congress at this time. They think and I agree that it is about time for Congress to take a hard look at this problem for the purpose of correcting the situation since it appears to have happened under a set of standards denying the CAB and the FAA the authority to do the job they were supposed to do.

Mr. HARRIS. Mr. Speaker, will the gentleman yield?

Mr. VAN ZANDT. I yield to the gentleman from Arkansas.

Mr. HARRIS. Certainly, I understand and appreciate the gentleman's great interest in this matter, but I must in all candor say to the gentleman that in my judgment the gentleman has no greater interest in these matters and no greater feeling about it than each and every Member of the Committee on Interstate and Foreign Commerce, and I would say that every Member of the Congress shares the same feeling.

Mr. VAN ZANDT. Of course that is understood, but I want to call your attention to the fact that the American people and especially the fathers and mothers concerned are not satisfied with the action taken to date by the Congress.

The SPEAKER. The time of the gentleman has expired.

Mr. BOLLING. Mr. Speaker, I yield 1 minute to the gentleman from Arkansas [Mr. HARRIS].

Mr. HARRIS. Mr. Speaker, I would like to say further to the gentleman from Pennsylvania that the American people

are not happy about any of these air tragedies and neither am I. So far as I am concerned and so far as the committee is concerned, we have made the best efforts it was possible to make and we are going to continue to do so. I wish it were possible to assure the gentleman from Pennsylvania that we would have no more air tragedies, certainly, such a tragedy as the one that happened with the Boeing 707 in New York the other day and others that we could refer to. But, unfortunately, in all probability there are going to be more air tragedies not only with supplementals but also with the commercial airlines and the Air Force as well, and it behooves us to do everything we can to provide the machinery and give as much assurance as possible that the best safety practices will be pursued.

The SPEAKER. The time of the gentleman has expired.

Mr. BOLLING. Mr. Speaker, I yield such time as he may require to the gentleman from Mississippi [Mr. WILLIAMS].

Mr. WILLIAMS. Mr. Speaker, I feel there should be a brief résumé of the provisions of the House bill and the Senate bill and the amendments recently adopted by the other body, and that they should be included in the RECORD.

Mr. Speaker, I ask unanimous consent to extend my remarks immediately following the opening remarks of the gentleman from Missouri [Mr. BOLLING] and to include a brief explanation of the provisions of the bill.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The SPEAKER. The question is on the adoption of the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER. The Chair appoints the following conferees: Messrs. HARRIS, WILLIAMS, STAGGERS, FRIEDEL, BENNETT of Michigan, SPRINGER, and COLLIER.

TARIFF CLASSIFICATION ACT OF 1962

Mr. SISK. Mr. Speaker, by direction of the Committee on Rules, I call up the resolution—House Resolution 564—and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 10607) to amend the Tariff Act of 1930 and certain related laws to provide for the restatement of the tariff classification provisions, and for other purposes, and all points of order against said bill are hereby waived. That after general debate, which shall be confined to the bill and continue not to exceed three hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means, the bill shall be considered as having been read for amendment. No amendment shall be in order to said bill except amendments offered by direction of the Committee on Ways and Means. Amendments offered by direction of the Committee on Ways and Means may be offered to any section of the bill at the conclusion of the general debate, but said amendments shall not be subject to amendment. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion, except one motion to recommit, with or without instructions.

The SPEAKER. The gentleman from California is recognized for 1 hour.

Mr. SISK. Mr. Speaker, I yield 30 minutes to the gentleman from Illinois [Mr. HOFFMAN] and pending that I yield myself such time as I may consume.

The SPEAKER. The gentleman from California is recognized.

Mr. SISK. Mr. Speaker, House Resolution 564 provides for the consideration of H.R. 10607, a bill to amend the Tariff Act of 1930 and certain related laws to provide for the restatement of the tariff classification provisions, and for other purposes. The resolution provides for a closed rule, waiving points of order, with 3 hours of general debate.

The purpose of H.R. 10607 is to provide for the adoption and implementation of revised tariff schedules proposed pursuant to law by the U.S. Tariff Commission and to make certain amendments in existing law necessitated by the adoption of such revised schedules.

In the Customs Simplification Act of 1954, as amended, the Congress directed the U.S. Tariff Commission to make a study of the provisions of the customs laws of the United States under which imported articles may be classified for tariff purposes and to compile a revision and consolidation of such provisions which, in the judgment of the Commission, will accomplish the following purposes:

First. Establish schedules of tariff classifications which will be logical in arrangement and terminology and adapted to the changes which have occurred since 1930 in the character and importance of articles produced in and imported into the United States and in the markets in which they are sold.

Second. Eliminate anomalies and illogical results in the classification of articles.

Third. Simplify the determination and application of tariff classifications.

The Tariff Commission made its study and report, which resulted in H.R. 10607. As soon after the present legislation is enacted as is practicable, the President will take steps which he deems necessary to bring the several trade agreement schedules of the United States into line with the new tariff schedules. This conforming process will not involve changes in the new tariff schedules; the trade agreement schedules will be changed to conform to the new tariff schedules. The only changes which can be made in the tariff schedules, after the enactment of this bill, will be those which the Tariff Commission files or are required to be made by virtue of legislation, court decisions, or authoritative administrative decisions, all of which necessarily must be reflected in the new tariff schedules.

As soon as the President has taken the action he deems necessary to bring the trade agreement schedules into conformity with the new tariff schedules, he is then required to proclaim the new schedules and the same will then become effective.

This bill does not in any way detract from or remove any of the existing provisions of law concerning judicial review of executive or administrative action. The present judicial review procedures will continue in force before and after the new tariff schedules are made effective.

Mr. Speaker, I urge the adoption of House Resolution 564.

Mr. HOFFMAN of Illinois. Mr. Speaker, the gentleman from California [Mr. SISK] has done a very able job in explaining the bill. Of course, it is going to clarify and straighten up a lot of difficulties that we have had in the past in our tariff schedules. It will put back all of the responsibility now on the Tariff Commission.

Mr. Speaker, I have no requests for time, so I reserve the balance of my time.

Mr. SISK. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. MILLS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 10607 to amend the Tariff Act of 1930 and certain related laws to provide for the reinstatement of the tariff classification provisions, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 10607 with Mr. MACK in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. MILLS. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, the purpose of H.R. 10607, which was unanimously reported by the Committee on Ways and Means, is to provide for the adoption and implementation of revised tariff schedules proposed pursuant to law by the U.S. Tariff Commission and to make certain amendments in existing law necessitated by the adoption of such revised schedules.

In the Customs Simplification Act of 1954, as amended, the Congress directed the U.S. Tariff Commission to—

Make a complete study of all the provisions of the customs laws of the United States under which imported articles may be classified for tariff purposes.

And to—

Compile a revision and consolidation of such provisions of the customs laws which, in the judgment of the Commission, will accomplish to the extent practicable the following purposes:

1. Establish schedules of tariff classifications which will be logical in arrangement and terminology and adapted to the changes which have occurred since 1930 in the character and importance of articles produced in and imported into the United States and in the markets in which they are sold.

2. Eliminate anomalies and illogical results in the classification of articles.

3. Simplify the determination and application of tariff classifications.

The directive to the Tariff Commission called for the above to be accomplished without changing rates of duty other than those incidental rate changes which the Commission deemed necessary in order to accomplish the objective sought. When incidental rate changes were foreseen by the Tariff Commission as being involved in their proposals, the Congress directed that the Commission hold hearings and afford interested parties an opportunity to be heard with respect to the probable effect of any such suggested change on any industry in the United States.

The proposed new tariff schedules, in the opinion of your committee, constitute a marked improvement over the existing tariff provisions governing imports into the United States. While the proposed schedules do involve some incidental rate changes, the Tariff Commission advised your committee as follows:

In general, it can be stated that, to the best of the Commission's knowledge and belief, the proposed revised schedules do not involve significant rate changes. By this it is meant that, where rate changes have been proposed, (1) the change itself is small and would not affect trade, or (2) that the change, even if large in absolute amount, is unimportant because of the unimportance of the article in international trade.

On this point, the Commission also stated:

So far as can be determined, none of the suggested rate changes would adversely affect domestic industry.

Following its first efforts at setting up new tariff schedules, the Tariff Commission released proposed new schedules dealing with all of the articles of commerce involved in U.S. trade. Public hearings were held at various times during calendar years 1958 and 1959 at which interested parties were given opportunity to appear and to present their views relative to such proposed schedules. Approximately 1 month's time was devoted to these public hearings. Further, the committee is advised that the Tariff Commission staff held many conferences both in Washington and outside the city with parties interested in this matter from both a domestic producer and importer point of view. The Tariff Commission consulted also with other agencies of the Government and solicited and received assistance from such agencies.

In November of 1960, the Tariff Commission transmitted to your committee and the Committee on Finance the report of the results of its study. The proposed revised tariff schedules are set forth in the second volume of this report.

The first volume of the report consists of the Tariff Commission's formal submitting report, together with reprints of related material having to do with the Commission's approach to this task. The remaining eight volumes of the report each cover first, one particular proposed tariff schedule in question; second, the Tariff Commission's explanatory notes, including explanation of any incidental rate change included in such proposed tariff schedule; third, the provisions of existing law which are affected by such schedule; fourth, the draft schedule on which hearings were based; and fifth, the written statements received by the Tariff Commission from interested parties and the transcript of he testimony given at the public hearings held on such schedule. The proposed "tariff schedules of the United States"—the name of the composite proposed schedules—consists of eight new schedules. The Tariff Commission reported that public hearings were held, and interested parties were given an opportunity to be heard, with respect to all matters included within all eight proposed schedules.

Following receipt of the Commission's report of November 1960, your committee, in August of 1961, issued an invitation to interested parties to submit comments to the Committee on Ways and Means on the proposals of the Tariff Commission, as well as on a bill then pending before the House which proposed a procedure whereby the tariff schedules would be implemented.

The committee received numerous responses to this invitation. Many constituted endorsements of the Tariff Commission's proposals and the bill, while a few raised some questions with regard to certain matters. The committee then requested the Tariff Commission to look into those matters raised in these responses to the committee's invitation and to reexamine their decisions in the light of the substance of the responses.

The Tariff Commission established contact with the interested parties in question and arranged for conferences with such parties where such an approach was indicated. In October of 1961 the Commission announced a hearing covering the matters raised by these parties and the hearings were held in November. Again, the Commission conferred at length with many of the parties and also held further conferences with officials of other Government agencies.

The results of the Commission's reexamination of the proposed schedules are reflected in a supplemental report to the Congress submitted in January of 1962. As a result of this reexamination the Commission made certain changes in its original proposals which are included in this supplemental report. In the main, the changes made reflect inadvertencies called to the Commission's attention during the course of this reexamination as well as certain changes made because information was then supplied to the Commission for the first time. Thus, the tariff schedules of the United States which would be adopted and implemented by H.R. 10607 consist of the original proposed tariff schedules as changed in part by the supplemental report of January 1962.

The Commission's proposed schedules are now in a form which your committee believes warrants the Congress to take the steps necessary to allow their being put into effect and replacing our present outdated tariff schedules.

As soon after the present legislation is enacted as is practicable, the President will take steps which he deems necessary to bring the several trade agreement schedules of the United States into line with the new tariff schedules. This conforming process will not involve changes in the new tariff schedules; the trade agreement schedules will be changed to conform to the new tariff schedules. The only changes which can be made in the tariff schedules, after the enactment of the bill, will be those which the Tariff Commission finds are required to be made by virtue of legislation, court decisions, or authoritative administrative decisions, all of which necessarily must be reflected in the new tariff schedules.

Certain other changes, such as those necessary to correct errors or inadvertent omissions or to clarify language cannot be made until reviewed by the Congress. The Tariff Commission will hold hearings and give interested parties an opportunity to be heard with respect to any proposed changes in the tariff schedules, and the Commission is required to transmit to the Congress the record of such hearings, including written statements received, oral testimony, and Commission comments on the matters involved. The same standards which governed the Commission in the preparation of the tariff schedules will apply to subsequent Commission action on these schedules.

As soon as the President has taken the action he deems necessary to bring the trade agreement schedules into conformity with the new tariff schedules, he is then required to proclaim the new schedules and the same will then become effective.

This bill does not in any way detract from or remove any of the existing provisions of law concerning judicial review of executive or administrative action. The present judicial review procedures will continue in force before and after the new tariff schedules are made effective.

Finally, the bill would require that Cuban imports be treated under our customs laws for what they are—products of a Communist country. Nothing in the bill affects the present Presidential embargo on Cuban products. However, if the embargo is lifted while Cuba is still a Communist-dominated country, then such imports as come in from Cuba will receive the same treatment as we give to imports from Russia and such treatment will continue until the President determines that Cuba is no longer Communist controlled.

Therefore, Mr. Chairman, I urge that this bill be adopted and approved by the House just as it was adopted and approved in the Ways and Means Committee on a unanimous basis.

Mr. BAILEY. Mr. Chairman, will the gentleman yield?

Mr. MILLS. I am glad to yield to the gentleman from West Virginia.

Mr. BAILEY. Mr. Chairman, I am glad to note that the gentleman made reference to the last provision of the Classification Act of 1954. At that time

the late Jere Cooper was chairman of the committee, and I remember he and I were in a rather heated discussion on the floor of the House. I made the charge then that it would destroy the Buy-American Act. I am asking the gentleman to what extent this will finish the demise of that legislation?

Mr. MILLS. This bill and the schedules which have been developed by the Tariff Commission, will not in any way affect the present Buy-American Act or the operation of that act. There is no change in that act at all.

Mr. BAILEY. Then may I ask what is the purpose in the revision?

Mr. MILLS. The purpose in the revision, as I have tried to point out, is to bring a lot more certainty, and as much simplification as is possible, to this complicated subject. One major objective was to place in the specific tariff listings the names of articles that have been developed since 1930. The purpose, of course, is to eliminate with respect to those items the uncertainty that presently prevails as to just where a particular article is classified for duty purposes. I might add, also, that the adoption of these schedules will serve to provide us with a base for obtaining better statistics on trade than we now get.

Mr. BAILEY. Mr. Chairman, will the gentleman yield further?

Mr. MILLS. Yes.

Mr. BAILEY. One rather pointed question. Is this laying the groundwork for the proposed new tariff bill?

Mr. MILLS. No; this revision started in 1954, about 8 years ago. I am sure that no one who is now in the present administration, at that point, had conceived of the trade program that is presently being heard in the Committee on Ways and Means.

Mr. BAILEY. I thank the gentleman.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. MILLS. I yield to the gentleman.

Mr. GROSS. On page 6 of the report it is stated:

> Finally, the bill would bring about the restoration of Cuban imports to the status to which they would have been entitled had this bill not been enacted, whenever the President determines and proclaims that Cuba is no longer a Communist-dominated nation.

As I understand it, the President makes this determination?

Mr. MILLS. Let me expand on that point if I may.

Mr. GROSS. Yes.

Mr. MILLS. What this new revised tariff schedule was proposing to do was to continue with respect to Cuban products the present situation that prevails under the Tariff Act of 1930, as modified, namely: Preferential treatment was to be accorded Cuban products brought into the United States. That is the present law. Cuba gets a preference on certain imports into the United States and has enjoyed this preference over all these years.

Mr. GROSS. I do not think anyone knows how much we have given to Cuba through the years by virtue of this preferential treatment.

Mr. MILLS. I am sure that it has amounted to a very great deal. Neither I nor any other member of the Committee on Ways and Means wanted to continue this preference in connection with these new schedules since we all realized that Cuba, as a Communist country, should not enjoy trading benefits. We thought the best thing for us to do here, in these new tariff schedules, was to call Cuba just what Cuba is—a Communist country. Thus, by law we are saying that in in the event there are any imports from Cuba, they would be treated just like the imports from any other Communist country and denied the benefits of our reduced tariff rates.

Their products will, if imported, be given the highest rate of duty applicable under American law to any imports. Of course, there are no imports from Cuba at the moment under the President's embargo on such imports. I do not know how long that will last. That is a matter of Presidential action.

What I am saying here to the House is that, as a practical matter, in the event that embargo should be lifted, for so long as Cuba is a Communist country these higher rates would be effective rather than the lower rates which are in the present law.

We put a proviso on this section dealing with Cuba as a Communist country, which provides that if the President finds that Cuba is no longer a Communist-controlled country, then products of Cuba can receive, as a democracy, the rates to which she would have been entitled had we not taken the action we are discussing now.

I might also point out that we are not, by this bill, taking any action which will in any way affect our trade relations with countries other than Cuba.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. MILLS. I yield to the gentleman from Iowa.

Mr. GROSS. I appreciate that explanation, but the thing that concerns me is this: Suppose our best farmers in the district I represent increase their acreages for the purpose of providing this country with sugar and the cane farmers of Louisiana and other sections of the country increase their acreage and the President suddenly determines that this is no longer a Communist dominated country; does this mean that their sugar is going to start coming into this country immediately? Is there any provision in this bill to take care of the geared-up production in this country?

Mr. MILLS. My friend from Iowa is, I am sure, much better informed than I am on a great variety of legislation, and I daresay as well informed as most of his other colleagues.

Mr. GROSS. That is subject to question.

Mr. MILLS. I know he is better informed than I am. What the gentleman is concerned about, as I understand him, is not the provision of our tariff laws, but you are actually raising a problem that might well have a bearing on some action that the Congress may take in the future under the Sugar Act. Under that act, as I understand it—and I see our colleague here who is a member of the Committee on Agriculture—we give to certain countries a specific quota and that sugar can come into the United States under that quota. In the past Cuba had a quota; that is before she became communistic and in the days when we were buying sugar from Cuba. It is true that that Cuban sugar would have paid this lower preferential rate of duty; that is my recollection of the situation, and if I am wrong, I will correct it in the RECORD at this point.

But this bill does not affect the Sugar Act at all. We are simply changing the classification provisions of the Tariff Act of 1930 by providing for the establishment of new classification schedules. We are giving certainty to tariff classification and naming specifically things that have been developed since 1930, such as plastics; these things were not even thought of at that time and, therefore, were not specifically designated in the Tariff Act of 1930.

The proposed schedules give them specific designation and location within the tariff schedules.

On the other hand, there are some things which we all know have become obsolete and out of usage since 1930. These are products we neither import or make in 1962. Some of those things have been deleted from specific designations and relegated to so-called basket provisions.

Mr. HARVEY of Indiana. Mr. Chairman, will the gentleman yield?

Mr. MILLS. I yield to the gentleman from Indiana.

Mr. HARVEY of Indiana. Mr. Chairman, I would like to ask the gentleman whether anything in this particular piece of legislation will affect the present procedure as to relief under the peril-point provisions that presently prevail.

Mr. MILLS. No, sir, there is nothing in this bill which by any stretch of the imagination has any effect upon the safeguarding provisions which are included in our existing reciprocal trade legislation. This does not affect the escape-clause provision; this does not affect the peril-point provision. This bill also does not affect the national security provisions. This is a reclassification, a recodification, or a rewrite of the classification provisions of the 1930 act. On the question of rates and rate structure, there have been some instances where tariffs have been raised and some instances where they have been lowered. But, I read earlier the Tariff Commission's comment on this point wherein they said that none of these rate changes would have any effect on our domestic industry in any way.

Mr. HARVEY of Indiana. The particular case, if the gentleman will yield further, which came to my attention and which was a very crucial one had to do with the importation of zinc. It seemed under a revision in the zinc tariff rate that for raw zinc there was one rate, and the prospective importers found that by simply rolling this zinc it assumed immediately another type or acquired another nomenclature for import purposes and there was, therefore, a sort of backdoor evasion of the principle of the act.

Mr. MILLS. I recall that.

Mr. HARVEY of Indiana. I am sure the gentleman recalls that instance. Is

this bill designed to correct such development?

Mr. MILLS. Let me explain it this way to the gentleman, if I may: What the Tariff Commission did in their proposals in that area was to follow the practice of the Bureau of Customs, which administers the tariff classifications of the United States. The practice regarding zinc articles was as the gentleman describes it. The Tariff Commission has written into the schedule a provision which reflects the practice followed in the Bureau of Customs. But let me call the gentleman's attention to this fact. As I understand, there has never been a court case developed challenging this practice of the Bureau of Customs.

If there is dissatisfaction in this respect, any affected party has the right, under this bill as they do under existing law, to appeal from this practice of the Bureau of Customs to the customs court and get an opinion from the court with respect to whether or not the practice itself is correct. The bill provides for reflecting any change in the new schedules which may be required by virtue of a successful challenge by a domestic manufacturer of a Bureau of Customs practice. Thus, an affected party has an opportunity to challenge the practice of the Bureau of Customs.

Now insofar as the Tariff Commission reflecting existing Bureau of Customs practice, they had no choice, because they were here bound by the administrative determination of the Bureau of Customs, the agency charged by law with administering the Tariff Act of 1930.

If a person disagrees with what the Bureau of Customs says, the person has the right to go to court.

Mr. HALL. Mr. Chairman, will the gentleman yield?

Mr. MILLS. I yield to the gentleman from Missouri.

Mr. HALL. I would simply like a little information. Would the proposals of the Tariff Commission being here enacted into law put any more teeth into, or make more effectual, the Tariff Commission's recommendation, for example, with regard to the importation or bartering over surplus goods for lead, zinc, and the stockpiling of these materials?

Mr. MILLS. This bill does not affect that situation. What we are doing here is what we have done with respect to other bodies of the law in the past: We are codifying, we are trying to bring a degree of simplification of streamlining to the law and to facilitate a better understanding of it. This bill does nothing more than that. Whatever is the law in the points you stated remains the law. This bill neither reduces nor enlarges upon that.

Mr. HALL. I thank the gentleman very much.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. MILLS. I yield to the gentleman from Colorado.

Mr. ROGERS of Colorado. Reference was made a moment ago concerning the tariff on sugar and a quota in connection therewith. Is there anything in this bill that changes the classification of the raw product that may be shipped in, or the finished product that may be shipped in, sugar?

Mr. MILLS. Not in this, no, sir; not in the realm of sugar, but it does change some other things, of course.

Mr. ROGERS of Colorado. Then title 4, Tariff Treatment of Cuban Products, as I understand, does not have any raw sugar allotment or tariff in connection with it?

Mr. MILLS. You understand at present nothing can come in from Cuba, including sugar. At the moment, Cuba has no sugar quota, and we are not giving them anything in this bill. What we are saying is that in the future, if this embargo is lifted, she would, if she were still a Communist-dominated country, have no preference but would have to pay the same duty any other Communist country would have to pay.

Mr. ROGERS of Colorado. Under the Tariff Act there is a certain tax on sugar, so to speak.

Mr. MILLS. That is retained.

Mr. ROGERS of Colorado. That is retained.

Mr. MILLS. Yes.

Mr. ROGERS of Colorado. And it is not changed in any manner whatsoever?

Mr. MILLS. Except to this extent, that whatever preference Cuban imports may have enjoyed in the past is gone so long as Cuba is a Communist country. Under this bill they would not enjoy any preference, but there is nothing much coming in anyway from Cuba at the moment.

Mr. ROGERS of Colorado. There has been the importation of raw sugar that does not meet the classification of finished sugar that is subject to the tariff.

Mr. MILLS. No change here.

Mr. ROGERS of Colorado. But when it is admitted into this country we are confining it to the finished product of sugar and they do not pay the tariff in connection therewith. Is there a change in that?

Mr. MILLS. No, there is no change in that respect.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. MILLS. I yield to the gentleman from Iowa.

Mr. GROSS. Will the gentleman explain section 302(a) at the bottom of page 14 of the bill concerning the tax on sugar. I am not able to understand it.

Mr. MILLS. If the gentleman will go to the report——

Mr. GROSS. I do have the report.

Mr. MILLS. At the bottom of page 11 there is a discussion there. The bill does provide for certain required repeals and amendments in the provisions of the Internal Revenue Code.

The Internal Revenue Code presently includes a number of provisions under which import taxes are imposed. These taxes are the equivalent of duties and should be a part of the tariff schedules.

In these new tariff schedules, we have in several instances translated internal revenue taxes, which are really import duties, into import duties. So we can now repeal the import taxes and rely upon the duties.

Mr. GROSS. I thank the gentleman.

Mr. DURNO. Mr. Chairman, will the gentleman yield?

Mr. MILLS. I yield to the gentleman from Oregon.

Mr. DURNO. Under title IV, the Tariff Treatment of Cuban Products, I bring up the question of tobacco. Quite obvious is the fact that Cuban tobacco is of rather distinctive quality. It is also a fact that this tobacco is going to be transshipped to other areas and then brought into this country.

I am wondering if there is anything under title IV which will protect this matter.

Mr. MILLS. The gentleman understands that what we provide in title IV is that in the future, if we do not have an embargo on Cuban products, those products coming from Cuba, so long as it is a Communist country, are going to enjoy the very highest rates of duty that we impose on any country.

The gentleman raises a question about the President's embargo. That embargo relates to those articles which come directly or indirectly through other countries or otherwise from Cuba. So there is supposed to be at the moment a complete embargo on tobacco coming into the United States from Cuba.

Mr. DURNO. In other words, cigars cannot be manufactured in Puerto Rico and transported to the United States?

Mr. MILLS. That is my understanding.

Mr. DURNO. I thank the gentleman.

Mr. MASON. Mr. Chairman, we have been listening to a highly technical explanation of a highly technical bill. That is the situation and that is the statement.

This classification bill does nothing but recodify the Classification Act. It is highly technical. It does not substantially change the present law but tries to clarify it. That is the purpose. I feel that we have had the best and the clearest explanation that we can get from the chairman. I have no desire to elaborate upon his statements.

Mr. Chairman, I yield such time as he may desire to the gentleman from Wisconsin [Mr. BYRNES].

Mr. BYRNES of Wisconsin. Mr. Chairman, there is absolutely no reason for any controversy with respect to this legislation whatever. It had its origin in a bill passed in the 83d Congress. It was recommended by the administration at that time; in fact, if my memory serves me correctly, the bill bore my name—H.R. 10009, 83d Congress.

I do want, Mr. Chairman, to compliment the Tariff Commission on the splendid job they have done in handling a most difficult job, requiring so much attention to little, minute details in an effort to bring rhyme and reason and sense and understanding into our tariff classifications and schedules.

This act, as has been pointed out, makes no basic change of any kind in the law as it exists today in this field. It is, as has been suggested, a codification, but I think its result will be a considerable boon to many of our people who deal in the field of imports, in the matter of trade crossing the borders, in that they can now find in one place, in one

volume, just what the descriptions of the articles or items are, and in a form that at least tends to make more sense as compared to what the situation was before the passage of this act.

They will be able to find out what the duty is without going through tremendous research that was formerly involved, requiring them to start with the Tariff Act of 1930, moving then through all of the administrative decisions of the Customs Bureau and the decisions of the customs court, going through all the trade agreements that may have been entered into, and all the rest. They can find it now in one spot, in one place. So, I think it is a true movement in the area of simplification, so people can understand what the law is. And, I suggest to the membership that they can vote for this legislation in full confidence that it is not going to cause any difficulty or make any basic change in the present law that they might regret in the future and that they can vote for it with the feeling that it is a real improvement in our tariff classifications and schedules.

Mr. UTT. Mr. Chairman, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield to the gentleman from California.

Mr. UTT. Is it not a fact, may I ask the gentleman from Wisconsin, that under the present schedules we have the same articles may be imported in three or four different ports of entry under different classifications?

There is a great difficulty in getting data and information as to what has actually been imported.

Mr. BYRNES of Wisconsin. That is true.

Mr. UTT. Is it not also a fact that a great deal of commodities have been grouped together and that one port will group a certain group or classification of imports, and call them steel, when perhaps they are not steel, and another port of entry will classify them as something else?

Mr. BYRNES of Wisconsin. This bill, I believe, will produce certainty in many areas where today there has been confusion and uncertainty.

Mr. MASON. Mr. Chairman, I have no more requests for time.

Mr. MILLS. Mr. Chairman, I yield 10 minutes to the gentleman from Pennsylvania [Mr. DENT].

Mr. DENT. Mr. Chairman, at the outset I want to say that I support the bill before us. However, there is some clarification required because of a condition on which there has been some correspondence. As yet those who are interested in this particular classification are not satisfied that the question that has been raised has been answered to protect, as it were, their position.

Mr. Chairman, early in the year a telegram was sent to the gentlemen from Pennsylvania [Mr. GREEN and Mr. CORBETT], members of the Committee on Ways and Means. I would like to quote from that telegram as a start toward clearing this matter up:

We sent you a telegram today, a copy of which is attached to this letter, asking for opposition to the tariff reclassification bill now offered to Congress because we feel it should have the full attention of Congress and be open to amendment by Congress should they feel any amendment desirable.

If this bill is offered under the closed rule, no amendments will be possible and Pennsylvania industry will suffer irreparable damage and employment will be affected in the magnitude of thousands of jobs.

This bill is a gross misrepresentation by the Tariff Commission to Congress and represents the worst features of the free trade theory. Congress should require open debate on the merits of the bill.

The reason I read that is because pursuant to receiving copies of these telegrams and because of the fact that they emanated from my district, from the tool-steel industry, I wrote the following letter to the chairman. I would like to read it into the RECORD:

Hon. WILBUR D. MILLS,
House Office Building.

DEAR WILBUR: I know that you will be hearing a great deal about the Tariff Classification Act and the whole problem of tariffs. I pray that we will be able to keep some sort of balance in the matter, however, now and then some specific item is called to my attention and I would like to be able to refer the matters to you.

Attached is a letter from Ed Martin which affects the tool-steel industry of which a great segment is situated in my district.

If possible, would you have your staff check out the complaint so that I may be able to discuss it on the next trip home with Latrobe Steel.

I want to thank you for all your past kindnesses. * * * warmest regards.

In answer to this, the chairman of the committee, the gentleman from Arkansas [Mr. MILLS] sent the following response:

DEAR JOHN: In accordance with your suggestion in your letter to me of January 26, 1962, I asked the Committee on Ways and Means' staff to look into the complaints of the Tool and Fine Steel Committee and their counsel relative to the Tariff Commission's proposed revised tariff schedules submitted in the course of the Commission's Tariff Simplification Study under the Customs Simplification Act of 1954.

Mr. Potter, chairman of the Tool and Fine Steel Committee, in a letter to me of January 25, 1962, a copy of which is appended to your letter to me, complains in general concerning the Tariff Commission's proposals regarding steel. He specifically states that in reviewing the proposed schedules his group has ascertained that so-called die blocks would be classified as "angles, shapes, and sections" under the proposed tariff schedules whereas these articles are presently considered to be "forgings" under the Tariff Act of 1930, as modified. He further states that such reclassification would result in lowering the duty on such die blocks. The staff checked this matter with the Tariff Commission and we were advised as follows:

"The rate provisions of paragraph 304 of the existing tariff act apply to a number of miscellaneous steel products, including 'die block or blanks.' The quoted term, standing alone, is ambiguous and does not appear to describe a distinctive class of products. The Commission found little help in legislative history or in the practices of customs officers in determining the intended coverage of this term. Moreover, Mr. Potter and other interested persons did not address themselves to this issue at any time in connection with the Commission's hearings or numerous informal conferences held by members of its staff during the course of the many months preceding and following the submission of the report to the President and the Congress on November 15, 1960. Nor were comments relevant to this subject received by the Ways and Means Committee in response to the press release issued by Chairman MILLS of August 15, 1961, asking for written comments by interested persons on the tariff classification study. Consequently, no specific provision for die blocks or blanks has been included in the proposed revised schedules. However, assuming such steel pieces to be in the form of forgings, it is believed that, as between the provision for forgings and the provision for angles, shapes, and sections in the proposed tariff schedules, the former provision is more specific than the latter and should and would prevail over it."

While it would appear that there is no actual testimony or history bearing upon these articles, the Commission, as you see, feels that the die blocks in question, would, as between the provisions of forgings and for angles, shapes, and sections, be classified as forgings and not as angles, shapes, and sections. There would therefore appear to be no problem of lowering of duty involved.

The staff learned from the Tariff Commission that the Tool and Fine Steel Committee has participated on numerous occasions in informal meetings with the Tariff Commission staff regarding the proposed schedules on steel articles. They also inform me that this group has taken advantage of each opportunity to make its views known in the formal proceedings held by the Commission. Also, this group did respond to my press release invitation of August 15, 1961, wherein I invited comments from interested parties relative to the Commission's proposals.

We have been told, and it appears from the record, that the substance of the Tool and Fine Steel Committee's objections to the Commission's proposals has to do with a matter which is statistical in nature. The Tool and Fine Steel Committee apparently would like to see their products enumerated specifically in the tariff schedules wherever they are provided for therein. Of course, the Commission has been given the task of preparing these schedules and this job does involve the use of discretion and judgment on the part of the Commission. The Commission decided that there should not be specific enumerations of tool and fine steel products in the new schedules. However, I am advised that the failure of the schedules to reflect tariff descriptions will in no way prejudice the establishment of statistical classes covering such articles specifically if the authorities in charge of statistical schedules of imports deem such specific enumeration desirable.

I am also informed that the Tariff Commission staff consulted at length with officers of the American Iron and Steel Institute in New York during the course of the preparation of the tariff schedules on steel products. The AISI has not registered any objection, I am told, to the proposals on tool steel and fine steel formulated by the Commission. By the same token, the American Institute for Imported Steel has filed with the committee a blanket endorsement of the Tariff Commission's steel schedule.

I feel that the record in this matter is clear enough, and complete enough to permit the Committee on Ways and Means to consider the overall merits of the Tariff Commission's proposals without any additional public hearings. Of course, the testimony before the Tariff Commission of the Tool and Fine Steel Committee, as well as the several submissions made by them in writing to the Commission and to the Committee on Ways and Means, are all available for study by the members of the Committee on Ways and Means.

Sincerely yours,

WILBUR D. MILLS,
Chairman.

Mr. Chairman, at this point I would like to read a letter from Mr. Potter, chairman of the Tool and Fine Steel Committee:

Hon. WILBUR D. MILLS,
Chairman, Committee on Ways and Means, House of Representatives, Washington, D.C.

DEAR MR. MILLS: I refer to H.R. 9189, 87th Congress, which would authorize effectuation of the tariff schedules prepared by the Tariff Commission in response to title I of the Customs Simplification Act of 1954.

On behalf of the tool steel industry in the United States, I have previously requested that a public hearing be held by your committee on this legislation, and I am taking this opportunity to renew that request. We believe that the Tariff Commission has failed to carry out its statutory mandate so far as tool steel is concerned, and will welcome an opportunity to lay the facts before you and to respond to any questions you and other members of the committee may want to ask.

We recognize that the Tariff Commission has held hearings on this subject, but we submit that such hearings could not be an adequate substitute for hearings by our elected representatives in Congress, particularly when the question is whether the Commission has properly executed its statutory duty.

The Tariff Commission has held another hearing since we filed our objections with you in August 1961, and I testified at that hearing. In its first supplemental report, recently filed with your committee, the Tariff Commission proposes to correct some of the tariff reductions it had previously recommended, but not others. Furthermore, the Tariff Commission has failed even to give an adequate analysis of proposals for tariff simplification, which we submit are clearly called for by the terms of the Customs Simplification Act of 1954. If the Ways and Means Committee is content to rely on the analysis of these matters given behind closed doors, our experiences have convinced us that the committee will never have an adequate explanation.

You are probably aware that the proposed tariff schedules on steel are radically different from those previously enacted by Congress. We are continuing to learn new and unexpected results of these schedules. In our statement of last August we called attention to several unwarranted tariff cuts. Since then we have learned of another.

Die blocks or blanks are specified in paragraph 304 of the Tariff Act of 1930, but not in the tariff schedules. We originally assumed that forged die blocks could be dutiable as forgings in the tariff schedules, but we have recently learned that by virtue of a new definition in the tariff schedules, die blocks would now come under the class for angles, shapes, and sections, which is devoted principally to structural shapes. Aside from the misrepresentation of this classification (there being no kinship between die blocks and structural shapes), this would result in reductions of duty. At present the tariff on alloy die blocks valued over 16 cents per pound is 16½ percent ad valorem plus alloy duties. While the tariff schedules retain the alloy duties in this instance, the ad valorem equivalent would be cut to less than 5 percent ad valorem (a reduction of more than two-thirds) if not drilled, punched, or otherwise advanced, and to 11½ percent ad valorem (a reduction of 30 percent) if drilled, etc.

The Tariff Commission says this does not involve significant rate change. We challenge this conclusion. We also question whether the Commission has, in this and other instances, complied with section 101 (b) of the Customs Simplification Act of 1954, which requires its report to include supporting data and a statement of the probable effect of any such suggested change on any industry in the United States.

Very truly yours,

H. S. POTTER,
Chairman, Tool and Fine Steel Committee.

Mr. Chairman, in the hope that the Senate will clarify the matter by remedial amendment, I include an explanation of tool and fine steel amendments to H.R. 10607 as well as a copy of my proposed amendment:

In its first supplemental report on the tariff classification study (January 1962), the Tariff Commission changed its mind about certain tariff reductions it had previously recommended on tool and fine steels. Reference No. 6 of schedule 6 (forgings) and reference No. 13 of schedule 6 (hollow bars) are illustrations. The Commission restored the rates on these products to present levels.

However, there still remains a significant item on which the tariff schedules substantially reduce the present tariff. This relates to alloyed die blocks and blanks now dutiable under paragraphs 304 and 305 of the Tariff Act of 1930 at 16½ percent ad valorem plus additional duties on alloy contents. In preparing the tariff schedules, the Commission has deliberately eliminated specific provision for die blocks or blanks.

This omission will transfer die block or blanks to other classifications, which contain lower rates than does present law.

If the die blocks are forged and are not machined, not tooled, and not otherwise processed after forging, they will be assessed under item 608.27 at 14½ percent ad valorem plus alloy duties. However, by virtue of a recent change of customs practice, the words "not otherwise processed after forging" have been given a very broad meaning, so that forgings which are merely cleaned are excluded from the class. The results of this change are apparent in import statistics. Whereas, large imports were recorded under this class in 1960, hardly any were so recorded after January 1961. The large imports are still arriving, but are recorded under some other class or classes. As a result, few if any die blocks can be expected to enter under item 608.27 of the tariff schedules.

Alloyed die blocks which have been drilled, punched, or otherwise advanced are classifiable as angles, shapes, and sections under item 609.86 of the tariff schedules at 11½ percent ad valorem plus alloy duties. Note that this ad valorem rate is about 30 percent lower than the rate under present law. Indeed, it is possible that some of these die blocks may enter under item 609.82 at a rate less than 5 percent ad valorem, which represents a reduction of about 70 percent below present law.

In his February 26, 1962, letter to Representative DENT, Chairman MILLS of the Committee on Ways and Means refers to advice from the Tariff Commission that forged die blocks would be dutiable as forgings under the tariff schedules, from which Mr. MILLS concluded there would be "no problem of lowering of duty involved." If we accept the classification point as true, there would be an actual lowering of the ad valorem rate from 16½ to 14½ percent, a reduction of 12 percent. However, it is hard to believe the Tariff Commission did not know of the present customs practice to exclude cleaned forgings from the forgings class, with the result of almost nullifying that class. Accordingly, their advice to Mr. MILLS must have been tongue-in-cheek, with the realization that the rate is actually being reduced from 16½ at least to 11½ percent, and possibly to less than 5 percent ad valorem (but which matters they did not communicate to Mr. MILLS). In view of the kind of advice given by the Tariff Commission to the Ways and Means Committee in this matter, how can the committee feel that the Tariff Commission hearing is an adequate substitute for a congressional hearing?

Chairman MILLS' letter also says the Tool and Fine Steel Committee did not raise the issue of die blocks in their prior representations to the Ways and Means Committee and the Tariff Commission. In its August 1961 statement to the Ways and Means Committee, the Tool and Fine Steel Committee did mention die blocks in its discussion of forgings. (Comments by interested individuals, etc., on H.R. 8691, 87th Cong., committee print, p. 411, U.S. Tariff Commission, Tariff Classification Study, First Supplemental Report, p. 845.) Mr. H. S. Potter referred to the provision of paragraph 304 of the Tariff Act for die blocks and blanks in his testimony to the Tariff Commission on November 21, 1961 (First Supplemental Report, p. 246). So the Tariff Commission knew of our interest in die blocks.

However, it was not until after that hearing that we learned that the specific provision for die blocks had been deliberately stricken out by the Tariff Commission and that die blocks were intended to be covered by the definition of "angles, shapes, and sections" (which means much lower rates than those now provided by law).

Section 101(b) of the Customs Simplification Act of 1954 requires the Commission to specify tariff changes and to accompany such specification "with a summary of all the data on which such suggested change was based, together with a statement of the probable effect of such suggested change on any industry in the United States." The Commission did not do so with respect to die blocks; its report to Congress said nothing of their deliberate omission or the tariff reduction resulting therefrom. If the Commission had reported in accordance with the law, the Tool and Fine Steel Committee would have known a year earlier of this proposed tariff reduction and, accordingly, would have been able to criticize it at an earlier stage. Would it not be shocking to have the fruit of the Commission's failure to report as required by law now result in refusal by the Congress to consider this point of tariff reduction?

Paragraph (7) of the amendment restores die blocks to the tariff rate now in effect.

Paragraphs (2) to (4) of the amendment are necessary to eliminate the penalty now imposed on the tool steel industry by maladjustment of the tungsten tariffs and to simplify the compensatory tariff provisions, as pointed out in our statement to the Ways and Means Committee and in our testimony to the Tariff Commission (Tariff Simplification Study, First Supplemental Report, pp. 245, 847–849).

The other paragraphs of the amendment are needed so that tool steel and stainless steel will be specified at appropriate places in the tariff schedules. In its first supplemental report (schedule 6, reference No. 7, p. 48), the Tariff Commission said these separate provisions were requested "solely for statistical purposes."

Although the separate specifications would facilitate the gathering of statistics, this is not the sole, or even the main, point.

The main point is that in the present, as well as future, consideration of the tariff, it must be recognized that both tool steel and stainless steel are as different from tonnage steel as platinum is from lead, and tool steel is as different from stainless steel as tungsten is from chromium. The industries making these products are separate and distinct, and any judicious consideration of what tariffs are appropriate for the various products must take account of the differences in the industries and in the products.

When it is remembered what a high priority is accorded to tool steel as a strategic industry, it should be clear that it needs

separate consideration and separate classification in the tariff.

The Tariff Commission's insistence on jumbling tool and stainless steels with tonnage steel is in line with the administration's effort in H.R. 9900 to get power to eliminate tariffs on broad categories of goods. The sudden move to report out the tariff reclassification bill may be an effort to take a sounding on H.R. 9900. The Congress surely will not, at least without thorough consideration, empower the President to slash the tariff on broad categories (which will inevitably submerge the needs of small industries). It should not indirectly move in that direction, without even a public hearing, by approving the classification of tool and stainless steels in the mass of tonnage steel. This is why the amendments are necessary.

INDEX TO PRODUCT FORMS COVERED BY NUMBERED PARAGRAPHS OF THE AMENDMENT

(1) Definitions applicable to steel mill products. Definition of stainless added by Tariff Commission's first supplemental report. The definitions are those approved for import statistics in the autumn of 1961.

(2) Compensatory duty on chromium.

(3) Compensatory duties on molybdenum and vanadium.

(4) Compensatory duty on tungsten.

(5) Ingots, blooms, billets, slabs, and sheet bars.

(6) Forgings, not advanced beyond forging.

(7) Bars.

(8) Wire rods.

(9) and (10) Plates and sheets, not cut, pressed, or stamped to nonrectangular shapes.

(11) Renumbering required by amendment paragraph (10).

(12) Strip, not cut, pressed, or stamped to nonrectangular shapes.

(13) Plates, sheets, and strip, cut, pressed, or stamped to nonrectangular shapes.

(14) Round wire.

(15) Pipes and tubes and blanks therefor, welded, jointed, or seamed.

(16) and (17) API pipes and tubes and blanks therefor.

(18) Other (seamless) pipes and tubes and blanks therefor, including hollow bars.

(19) Parts of metal-forming machines.

TOOL AND FINE STEEL AMENDMENTS TO H.R. 10607

After section 101 of the bill, insert a new section to read as follows:

"SEC. 101a. Schedule 6 of the Tariff Schedules is amended as follows:

"(1) At the end of headnote 2(h) of subpart B of part 2, insert the following:

"'(v) "heat resisting steel" refers to any alloy steel containing not over 0.29 percent of carbon and 4.0 or more but not over 11.5 percent of chromium.

"'(vi) "high speed tool steel" refers to any alloy steel containing 0.5 percent or more of carbon and 3.5 percent or more of molybdenum, or 5.5 percent or more of tungsten.

"'(vii) "alloy tool steel" refers to any alloy steel with any one of the following restrictions, (a) to (d) inclusive, on the percentages by weight of the following elements:

"'(a) carbon, 1.0 percent minimum and chromium, 11.0 percent minimum;

"'(b) carbon, 0.3 percent minimum and chromium, 1.25 to 11.0 percent, inclusive;

"'(c) carbon, 0.85 percent minimum and manganese, 1.0 to 1.8 percent, inclusive;

"'(d) chromium, 0.9 to 1.2 percent, inclusive, and molybdenum, 0.9 to 1.4 percent, inclusive.'

"(2) Item 607.01 is amended by deleting from rates of duty columns 1 and 2 the words 'in excess of 0.2 percent'.

"(3) Items 607.02 and 607.04 are amended by deleting from rates of duty columns 1 and 2 the words 'in excess of 0.1 percent'.

"(4) Item 607.03 is amended by deleting the material in rates of duty column 1 and inserting in lieu thereof 'additional duty of 72 cents per pound on tungsten content', and by deleting from rates of duty column 2 the words 'in excess of 0.3 percent'.

"(5) Item 608.18 is deleted and the following is inserted in lieu thereof:

"'Item	Articles	Rates of duty (1)	Rates of duty (2)
608.18	Stainless steel and heat resisting steel	14.5 percent ad valorem plus additional duties. (See headnote 4.)	28 percent ad valorem plus additional duties. (See headnote 4.)
608.19	High speed tool steel and alloy tool steel	do	Do.
608.20	Other alloy iron or steel	do	Do.'

"(6) Item 608.27 is deleted and the following is inserted in lieu thereof:

"'Item	Articles	Rates of duty (1)	Rates of duty (2)
608.27	High speed tool steel and alloy tool steel	14.5 percent ad valorem plus additional duties. (See headnote 4.)	33 percent ad valorem plus additional duties. (See headnote 4.)
608.28	Other alloy iron or steel	do	Do.'

"(7) Item 608.52 is deleted and the following is inserted in lieu thereof:

"'Item	Articles	Rates of duty (1)	Rates of duty (2)
608.52	Stainless steel and heat-resisting steel	14.5 percent ad valorem plus additional duties. (See headnote 4.)	28 percent ad valorem plus additional duties. (See headnote 4.)
608.53	High speed tool steel	do	Do.
608.54	Alloy tool steel	do	Do.
608.55	Other alloy steel	do	Do.
	Alloy steel die blocks or blanks		
608.56	High-speed tool steel and alloy tool steel	16.5 percent ad valorem plus additional duties. (See headnote 4.)	Do.
608.57	Other	do	Do.'

"(8) Items 608.76 and 608.78 are deleted and the following is inserted in lieu thereof:

"'Item	Articles	Rates of duty (1)	Rates of duty (2)
608.76	Stainless steel, not tempered, not treated, and not partly manufactured	0.28 cent per pound plus 4 percent ad valorem plus additional duties. (See headnote 4.)	0.6 cent per pound plus 8 percent ad valorem plus additional duties. (See headnote 4.)
608.77	High-speed tool steel, not tempered, not treated, and not partly manufactured	do	Do.
608.78	Other, not tempered, not treated, and not partly manufactured	do	Do.
608.79	Stainless steel, not tempered, not treated, and not partly manufactured	0.375 cent per pound plus 4 percent ad valorem plus additional duties. (See headnote 4.)	0.85 cent per pound plus 8 percent ad valorem plus additional duties. (See headnote 4.)
608.80	High-speed tool steel, not tempered, not treated, and not partly manufactured	do	Do.
608.81	Other, not tempered, not treated, and not partly manufactured	do	Do.'

"(9) Item 608.85 is deleted and the following is inserted in lieu thereof:

"'Item	Articles	Rates of duty (1)	Rates of duty (2)
608.85	High-speed tool steel	14 percent ad valorem plus additional duties. (See headnote 4.)	28 percent ad valorem plus additional duties. (See headnote 4.)
608.86	Stainless steel	do	Do.
608.87	Other alloy iron or steel	do	Do.'

"(10) Item 608.88 is deleted and the following is inserted in lieu thereof:

"'Item	Articles	Rates of duty (1)	Rates of duty (2)
608.88	High-speed tool steel	0.1 cent per pound plus 14 percent ad valorem plus additional duties. (See headnote 4.)	0.2 cent per pound plus 28 percent ad valorem plus additional duties. (See headnote 4.)
608.89	Stainless steel	do	Do.
608.90	Other alloy iron or steel	do	Do.'

"(11) Item 608.90 is renumbered as item 608.91.

"(12) Items 609.06, 609.07, and 609.08 are deleted and the following is inserted in lieu thereof:

"'Item	Articles	Rates of duty (1)	Rates of duty (2)
609.06	Stainless steel not over 0.01 inch in thickness	10 percent ad valorem plus additional duties. (See headnote 4.)	33 percent ad valorem plus additional duties. (See headnote 4.)
609.07	Other alloy iron or steel not over 0.01 inch in thickness	do	Do.
609.08	Stainless steel over 0.01 but not over 0.05 inch in thickness	12.5 percent ad valorem plus additional duties. (See headnote 4.)	Do.
609.09	Other alloy iron or steel over 0.01 but not over 0.05 inch in thickness	do	Do.
609.10	Stainless steel over 0.05 inch in thickness	16.5 percent ad valorem plus additional duties. (See headnote 4.)	Do.
609.11	Other alloy iron or steel over 0.05 inch in thickness	do	Do.'

"(13) Item 609.15 is deleted and the following is inserted in lieu thereof:

"'Item	Articles	Rates of duty (1)	Rates of duty (2)
609.15	Stainless steel	16.5 percent ad valorem plus additional duties. (See headnote 4.)	28 percent ad valorem plus additional duties. (See headnote 4.)
609.16	Other alloy iron or steel	do	Do.'

"(14) Item 609.45 is deleted and the following is inserted in lieu thereof:

"'Item	Articles	Rates of duty (1)	Rates of duty (2)
609.45	High-speed tool steel	12.5 percent ad valorem plus additional duties. (See headnote 4.)	33 percent ad valorem plus additional duties. (See headnote 4.)
609.46	Stainless steel	do	Do.
609.47	Other alloy iron or steel	do	Do.'

"(15) Items 610.35, 610.36, and 610.37 are deleted and the following is inserted in lieu thereof:

"'Item	Articles	Rates of duty (1)	Rates of duty (2)
610.33	Stainless and heat-resisting steel under 0.25 inch in outside diameter.	0.875 cent per pound plus 4 percent ad valorem plus additional duties. (See headnote 4.)	1.75 cents per pound plus 8 percent ad valorem plus additional duties. (See headnote 4.)
610.34	Other alloy iron or steel under 0.25 inch in outside diameter.	do	Do.
610.35	Stainless and heat-resisting steel 0.25 inch or more but under 0.375 inch in outside diameter.	0.625 cent per pound plus 4 percent ad valorem plus additional duties. (See headnote 4.)	1.25 cents per pound plus 8 percent ad valorem plus additional duties. (See headnote 4.)
610.36	Other alloy iron or steel 0.25 inch or more but under 0.375 inch in outside diameter.	do	Do.
610.37	Stainless and heat-resisting steel 0.375 inch or more in outside diameter.	0.8 cent per pound plus 4 percent ad valorem plus additional duties. (See headnote 4.)	0.75 cent per pound plus 8 percent ad valorem plus additional duties. (See headnote 4.)
610.38	Other alloy iron or steel 0.375 inch or more in outside diameter.	do	Do.'

"(16) Item 610.40 is deleted and the following is inserted in lieu thereof:

"'Item	Articles	Rates of duty	
		(1)	(2)
610.40	Stainless steel	0.1 cent per pound plus 4 percent ad valorem plus additional duties. (See headnote 4.)	0.2 cent per pound plus 8 percent ad valorem plus additional duties. (See headnote 4.)
610.41	Other alloy steel	do	Do.'

"(17) Item 610.43 is deleted and the following is inserted in lieu thereof:

"'Item	Articles	Rates of duty	
		(1)	(2)
610.43	Stainless steel	11.5 percent ad valorem plus additional duties. (See headnote 4.)	28 percent ad valorem plus additional duties. (See headnote 4.)
610.44	Other alloy steel	do	Do.'

"(18) Items 610.51 and 610.52 (as added by the first supplemental report) are deleted and the following is inserted in lieu thereof:

"'Item	Articles	Rates of duty	
		(1)	(2)
610.50	High-speed and alloy tool steel hollow bars	15.5 percent ad valorem plus additional duties. (See headnote 4.)	30 percent ad valorem plus additional duties. (See headnote 4.)
610.51	Stainless and heat-resisting steel hollow bars	do	Do.
610.52	Other alloy iron or steel hollow bars	do	Do.
610.53	Other high-speed and alloy tool steel	14.5 percent ad valorem plus additional duties. (See headnote 4.)	35 percent ad valorem plus additional duties. (See headnote 4.)
610.54	Other stainless steel and heat-resisting steel	do	Do.
610.55	Other alloy iron or steel	do	Do.'

"(19) Item 674.53 of part 4 of schedule 6 is deleted and the following is inserted in lieu thereof:

"'Item	Articles	Rates of duty	
		(1)	(2)
674.53	Dies, finished or unfinished	15 percent ad valorem	35 percent ad valrem.
674.54	Other parts	do	Do.'"

If the Chairman will permit, I should like to ask him a series of questions to clarify this matter for the record.

The gentleman has directed, as the correspondence shows, the Tariff Commission to effect the classification of tariff duties, without changing rates of duties other than those incidental rate changes necessary in order to attain the overall simplification object. I would, at the outset, inquire of the gentleman whether or not he thinks the Tariff Commission has abided by this congressional limitation on its power, and would like then to ask certain more specific questions.

Mr. MILLS. It is my considered judgment that the Tariff Commission has abided by the direction given it by the Congress in 1954. I think they have done, as the gentleman from Wisconsin [Mr. BYRNES] pointed out, an outstandingly good job. It was not possible for them, of course, as we pointed out in the letter to the gentleman, in response to their statement to me, to provide for the establishment of statistical classes in all instances that subsequently have been suggested.

Mr. DENT. You recall, do you not, Mr. Chairman, that I sent a certain letter to you which I read and that the reply which I just read into the RECORD is yours?

Mr. MILLS. Oh, yes.

Mr. DENT. I would like also to inquire as to the elimination of the classification for die blocks and blanks. Alloyed die blocks and blanks were classified under the old law under paragraphs 304 and 305 of the Tariff Act of 1930, and are presently dutiable at a basic rate of 16½ percent ad valorem.

By eliminating this classification altogether—which is exactly what this act eliminates—the Tariff Commission has in effect said that die blocks and blanks have to find a new classification. Without putting into the act a new classification, the very least that we could find would be the result would be the reduction in the tariffs on this item because the unexplained new location for these products leaves it up in the air, where it can be placed in any classification and the classification that it will be placed under forgings—as I understand it from Customs Bureau practices today—and under forgings would be dutiable anywhere from 14½ to 5 percent. Is it your impression from the correspondence between you and me and the Tariff Commission that this act does not in any way reduce tariffs on die blocks and alloyed tool steel?

Mr. MILLS. That is my understanding. Now let us make it very clear. It is the contention of this group that these die blocks under the proposed schedules have been classified under so-called forgings.

Mr. DENT. That is true.

Mr. MILLS. This letter which the gentleman has received and has incorporated in the RECORD clearly states in the future under this new tariff schedule that these die blocks will, in any dispute as to whether they are angles, shapes, or sections, or forgings, be classified under the word "forgings" so that there could not possibly be any change in the situation affecting die blocks, as I see it.

Mr. DENT. That is perfectly right, and I think the gentleman who spoke earlier called attention to one of the weaknesses that you are trying to correct in this act, which I approve of very much, in that each customhouse has had a prerogative of establishing their own set of custom rules, as it were, by classification. In some of the customhouses, they have put out some rulings which give a broad interpretation to the term "otherwise processed," to the extent that if die blocks and blanks are even cleaned by brushing, they would not qualify as forgings. What I am trying to get into the RECORD—and I hope to be given permission to present for the RECORD the explanation of the protest as well as the amendments that would have been offered to clarify this, if I had had the opportunity to clarify it—is that die

blocks and blanks will be considered under forgings no matter whether they are brushed or partially, as it were, processed.

Mr. MILLS. In the context of my letter to you, they will be so considered.

Mr. DENT. That is all I can ask for at this time. I appreciate the courtesy and cooperation of the chairman.

I ask unanimous consent to extend my remarks at this point in the RECORD in order to insert an explanation of the tool and fine steel amendments which I would have offered, if I had had the opportunity.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. MILLS. Mr. Chairman, all time allowed for general debate has been consumed.

The CHAIRMAN. Under the rule, the bill is considered as having been read for amendments.

The bill is as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Tariff Classification Act of 1962".

TITLE I—ADOPTION OF REVISED TARIFF SCHEDULES

SEC. 101. (a) The Tariff Act of 1930, as amended, is amended by striking out titles I and II (19 U.S.C. 1001 and 1201) and, subject to subsection (b) of this section and to sections 102 and 103 of this Act, by substituting in lieu thereof a new title I entitled "Title I—Tariff Schedules of the United States".

(b) Such new title I (hereinafter in this Act referred to as the "Tariff Schedules of the United States") shall consist of—

(1) the general headnotes and rules of interpretation;

(2) schedules 1 to 8, inclusive; and

(3) the appendix to the tariff schedules; all as set forth in the report of the United States Tariff Commission (hereinafter in this Act referred to as the "Commission") entitled "Tariff Classification Study, Proposed Revised Tariff Schedules of the United States", dated November 15, 1960, as changed by the "First Supplemental Report" (January, 1962); and

(4) subject to subsection (c), such changes in the provisions identified in paragraphs (1), (2), and (3) of this subsection as the Commission decides—

(A) are necessary to reflect changes in tariff treatment made by statute or under authority of law, arising either before the date of the enactment of this Act or on or after such date of enactment and before the date on which the Tariff Schedules of the United States is published pursuant to subsection (d), or

(B) are otherwise necessary.

In its determinations under this paragraph, the Commission shall apply the standards it applied in its report of November 15, 1960, referred to above.

(c)(1) The Commission shall include the changes provided for in subsection (b)(4), together with the reasons therefor, in one or more supplemental reports which shall be promptly published and submitted to the President and the Congress. The delivery to the Senate and to the House of Representatives shall be made on the same day. In its supplemental reports the Commission shall include written views submitted to the Commission, and testimony before the Commission, with respect to provisions of the proposed Tariff Schedules of the United States, together with the comments of the Commission on such views and testimony.

(2)(A) No change submitted pursuant to the authority contained in subsection (b)(4)(B) shall become effective unless, following the date on which the supplemental report containing such charge was submitted to the Congress and before the date on which the Tariff Schedules of the United States is published pursuant to subsection (d), a period of 60 calendar days of continuous session of the Congress has elapsed.

(B) For purposes of subparagraph (A)—

(i) continuity of session shall be considered as broken only by an adjournment of the Congress sine die; but

(ii) in the computation of the 60-day period there shall be excluded the days on which either House is not in session because of an adjournment of more than 3 days to a day certain.

(3) No changes included by the Commission in any supplemental report submitted after the date of the enactment of this Act shall become effective unless included in the Tariff Schedules of the United States as published pursuant to subsection (d).

(4) Any proposed revision of existing law contained in the provisions identified in paragraphs (1), (2), and (3) of subsection (b) as to the withdrawal of which the Commissioners voting were equally divided, the Commission shall make changes to insure that existing law will apply to such articles. Paragraphs (2) and (3) of this subsection shall not apply to changes made pursuant to this paragraph.

(d) At the earliest practicable date before the date of the proclamation of the President provided for by section 102, the President shall cause the Tariff Schedules of the United States to be published.

SEC. 102. At the earliest practicable date, the President shall take such action as he deems necessary to bring the United States schedules annexed to foreign trade agreements into conformity with the Tariff Schedules of the United States and, after such action is completed, the President shall proclaim—

(1) the rates of duty in rate column numbered 1 of schedules 1 to 7, inclusive, and the other provisions of the Tariff Schedules of the United States, which are required or appropriate to carry out the foreign trade agreements to which the United States is a contracting party;

(2) the temporary modifications set forth in part 2 of the appendix to the tariff schedules (that is, those modifications proclaimed pursuant to the provisions of section 7 of the Trade Agreements Extension Act of 1951, as amended (19 U.S.C. 1364), and of other trade-agreements legislation);

(3) the additional import restrictions set forth in part 3 of the appendix to the tariff schedules (that is, those restrictions proclaimed pursuant to section 22 of the Agricultural Adjustment Act, as amended (7 U.S.C. 624)); and

(4) the nations or areas and countries set forth in general headnote 3(d) of the Tariff Schedules of the United States (relating to the treatment of products of certain Communist-dominated nations or areas and countries discriminating against American commerce).

SEC. 103. The provisions of the Tariff Schedules of the United States as made effective on the date provided by section 501 shall have the status of statutory provisions duly enacted by the Congress, except for—

(1) the rates of duty in rate column numbered 1 of the tariff schedules proclaimed pursuant to paragraph (1) of section 102 which are lower than the rates of duty in rate column numbered 2 of such schedules for the corresponding items; and

(2) the provisions proclaimed by the President pursuant to paragraphs (2), (3), and (4) of section 102.

SEC. 104. During the period between the date of the enactment of this Act and the effective date of the Tariff Schedules of the United States—

(1) all public notices which refer to articles in terms of their tariff descriptions and which are issued in connection with investigations by the Commission or other agency, and all findings or recommendations made during such period by any such agency with respect thereto (including findings or recommendations in connection with investigations instituted before the date of the enactment of this Act), shall make reference to the prospectively applicable provisions of such schedules, as determined by the Commission, as well as to the existing provisions; and

(2) the Commission shall furnish to the President, upon request, any of its outstanding findings restated so as to conform to the Tariff Schedules of the United States to the fullest extent practicable consistent with the purposes of title I of the Customs Simplification Act of 1954.

Any such findings or recommendations with respect to the Tariff Schedules of the United States shall be treated as formal findings or recommendations of the agency involved.

TITLE II—ADMINISTRATIVE AND SAVING PROVISIONS

SEC. 201. The Commission is authorized to issue, at appropriate intervals, and to keep up to date, a publication containing current tariff schedules and related matters, including such matter as may be needed for reporting statistics.

SEC. 202. (a) This Act shall not divest the courts of their jurisdiction over a protest filed under section 514 of the Tariff Act of 1930, as amended (19 U.S.C. 1514), or by an American manufacturer, producer, or wholesaler under section 516(b) of such Act (19 U.S.C. 1516(b)), against a liquidation covering articles entered, or withdrawn from warehouse, for consumption before the effective date of the Tariff Schedules of the United States.

(b) If such a protest filed under section 516(b) is sustained in whole or in part by a decision of the United States Customs Court or of the United States Court of Customs and Patent Appeals, the liquidations covering articles of the character covered by such court decision, which are entered, or withdrawn from warehouse, for consumption after the date of publication of such court decision, shall be suspended until final disposition is made in accordance with subsection (c).

(c) If such a protest filed under section 516(b) is not sustained in whole or in part by a final judicial decision, the entries made before the effective date of the Tariff Schedules of the United States shall be liquidated in accordance with such final decision, and all other entries shall be liquidated subject to such schedules. If such a protest is sustained in whole or in part by a final judicial decision, the entries made before the effective date of the Tariff Schedules of the United States shall be liquidated in accordance with such final decision, and the Commission shall report to the President such changes in the Tariff Schedules of the United States as the Commission decides are necessary to conform them to the fullest practicable extent to the substance of such final decision. The President shall, as soon as practicable, proclaim such changes. The changes shall be effective with respect to entries, the liquidation of which was suspended in accordance with subsection (b), covering articles entered, or withdrawn from warehouse, for consumption on or after the effective date of the Tariff Schedules of the United States.

SEC. 203. For purposes of applying section 350 of the Tariff Act of 1930, as amended, with respect to the Tariff Schedules of the United States—

(1) The rates of duty in rate column numbered 2 of schedules 1 to 7, inclusive,

of the Tariff Schedules of the United States, shall be treated as the rates of duty existing on July 1, 1934.

(2) The rates of duty in rate column numbered 1 of schedules 1 to 7, inclusive, of the Tariff Schedules of the United States shall be treated as the rates of duty existing on July 1, 1958, except that with respect to any articles the rates for which have been permanently changed by statute or Presidential proclamation since July 1, 1958, the rates to be regarded as existing on that date shall be rates which the Commission specifically declares, in the supplemental reports made pursuant to section 101(c) of this Act, to be rates which, in its judgment, conform to the fullest extent practicable to the rates presently regarded as existing on July 1, 1958.

TITLE III—AMENDMENTS AND REPEALS

SEC. 301. (a) Sections 301, 308, 489, 504, and 508 of the Tariff Act of 1930, as amended, are hereby repealed.

(b) Section 312 of the Tariff Act of 1930, as amended (19 U.S.C. 1312), is amended to read as follows:

"SEC. 312. BONDED SMELTING AND REFINING WAREHOUSES

"(a) Any plant engaged in smelting or refining, or both, of metal-bearing materials as defined in this section may, upon the giving of satisfactory bond, be designated a bonded smelting or refining warehouse. Metal-bearing materials may be entered into a bonded smelting or refining warehouse without the payment of duties thereon and there smelted or refined, or both, together with metal-bearing materials of domestic or foreign origin. Upon arrival of imported metal-bearing materials at the warehouse they shall be sampled according to commercial methods and assayed, both under customs supervision. The bond shall be charged with a sum equal in amount to the duties which would be payable on such metal-bearing materials in their condition as imported if entered for consumption, and the bond charge shall be adjusted to reflect changes in the applicable rate of duty occurring while the imported materials are still covered by the bond.

"(b) The several charges against such bond may be canceled in whole or in part—

"(1) upon the exportation from the bonded warehouses which treated the metal-bearing materials, or from any other bonded smelting or refining warehouse, of a quantity of the same kind of metal contained in any product of smelting or refining of metal-bearing materials equal to the dutiable quantity contained in the imported metal-bearing materials less wastage provided for in subsection (c), or

"(2) upon payment of duties on the dutiable quantity of metal contained in the imported metal-bearing materials, or

"(3) upon the transfer of the bond charges to another bonded smelting or refining warehouse by physical shipment of a quantity of the same kind of metal contained in any product of smelting or refining of metal-bearing materials equal to the dutiable quantity contained in the imported metal-bearing materials less wastage provided for in subsection (c), or

"(4) upon the transfer of the bond charges to a bonded customs warehouse other than a bonded smelting or refining warehouse by physical shipment of a quantity of the same kind of metal contained in any product of smelting or refining equal to the dutiable quantity contained in the imported metal-bearing materials less wastage provided for in subsection (c), and upon withdrawal from such other warehouse for exportation or domestic consumption the provisions of this section shall apply, or

"(5) upon the transfer to another bonded smelting or refining warehouse without physical shipment of metal of bond charges representing a quantity of dutiable metal contained in imported metal-bearing materials less wastage provided for in subsection (c) of the plant of initial treatment of such materials provided there is on hand at the warehouse to which the transfer is made sufficient like metal in any form to satisfy the transferred bond charges.

"(c) For purposes of paragraphs (1), (3), (4), and (5) of subsection (b), due allowances shall be made for wastage of metals other than copper, lead, and zinc, as ascertained from time to time by the Secretary of the Treasury.

"(d) Upon the exportation of a product of smelting or refining other than refined metal the bond shall be credited with a quantity of metal equivalent to the quantity of metal contained in the product exported less the proportionate part of the deductions allowed for losses in determination of the bond charge being canceled that would not ordinarily be sustained in production of the specific product exported as ascertained from time to time by the Secretary of the Treasury.

"(e) Two or more smelting or refining warehouses may be included under one general bond and the quantities of each kind of metal subject to duty on hand at all of such warehouses may be aggregated to satisfy the bond obligation.

"(f) For purposes of this section—

"(1) the term 'metal-bearing materials' means metal-bearing ores and other metal-bearing materials provided for in schedule 6, part 1, of the Tariff Schedules of the United States, 'metal waste and scrap' and 'unwrought metal' to be smelted or refined provided for in schedule 6, part 2, of such schedules, and metal compounds to be processed for the recovery of their metal content;

"(2) the term 'smelting or refining' embraces only pyrometallurgical, hydrometallurgical, electrometallurgical, chemical, or other processes—

"(A) for the treatment of metal-bearing materials to reduce the metal content thereof to a metallic state in the course of recovering it in forms which if imported would be classifiable in part 2 of schedule 6 as 'unwrought metal', or in the form of oxides or other compounds which are obtained directly from the treatment of materials provided for in part 1 of schedule 6, and

"(B) for the treatment of unwrought metal or metal waste and scrap to remove impurities or undesired components; and

"(3) the term 'product of smelting or refining' means metals or metal-bearing materials resulting directly from smelting or refining processes, but does not include metal-bearing ores as defined in part 1 of schedule 6.

"(g) Labor performed and services rendered pursuant to this section shall be under the supervision of an officer of the customs, to be appointed by the Secretary of the Treasury and at the expense of the manufacturer. The Secretary of the Treasury is authorized to make such rules and regulations as may be necessary to carry out the provisions of this section."

SEC. 302. (a) The first sentence of section 4501(a) of the Internal Revenue Code of 1954 is amended to read as follows: "There is hereby imposed upon manufactured sugar manufactured in the United States, a tax, to be paid by the manufacturer at the rate of 0.53 cent per pound of the total sugars therein."

(b) Section 4501(b) of such Code is hereby repealed. Subsection (c) of section 4501 of such Code is redesignated as subsection (b), and such subsection is amended—

(1) by striking out "manufacture, use, or importation" in the first sentence thereof and inserting in lieu thereof "manufacture or use"; and

(2) by striking out "subsection (a) or (b)" in the second sentence thereof and inserting in lieu thereof "subsection (a)".

(c) Section 6418(b) of such Code is amended by striking out "; except that no such payment shall be allowed with respect to any manufactured sugar, or article, upon which, through substitution or otherwise, a drawback of any tax paid under section 4501 (b) has been or is to be claimed under any provisions of law made applicable by section 4504".

(d) Sections 4504, 4511, 4512, 4513, 4514, 4521, 4531, 4532, 4541, 4542, 4551, 4552, 4553, 4561, 4562, 4571, 4572, 4581, 4582, 4601, 4602, 4603, 6412(d), and 7511 of such Code are hereby repealed and the tables of sections for such Code are correspondingly amended.

SEC. 303. (a) Section 1 of the Act of March 2, 1897 (29 Stat. 604), as amended (21 U.S.C. 41), is hereby further amended by changing the period at the end of the first sentence to a comma, by deleting the second sentence, and by adding the following after such comma: "except as provided in the Tariff Schedules of the United States."

(b) Section 602(d)(6) of the Act of June 30, 1949, chapter 288, title VI, as renumbered by Sixty-fourth Statutes at Large, pages 578, 583 (40 U.S.C. 474), is hereby amended by changing the comma following "Strategic and Critical Materials Stock Piling Act" to a semicolon and deleting the remainder thereof.

(c) The following provisions are hereby repealed: Act of January 9, 1883 (ch. 17, 22 Stat. 402; 19 U.S.C. 193); Act of May 18, 1896 (ch. 195, 29 Stat. 122; 19 U.S.C. 194); Act of March 3, 1899 (ch. 454, 30 Stat. 1372; 19 U.S.C. 195); section 1, Act of August 27, 1940 (ch. 517, 63 Stat. 666; 19 U.S.C. 196a); section 11, Act of June 16, 1951 (ch. 141, 65 Stat. 75; 19 U.S.C. 1367); section 2951, Revised Statutes (19 U.S.C. 420); section 206 (b), Act of May 28, 1956 (ch. 327, 70 Stat. 200; 7 U.S.C. 1856); Act of August 10, 1956 (ch. 1041, 70A Stat. 137; 10 U.S.C. 2383); and section 161(1), Act of August 30, 1954 (ch. 1073, 68 Stat. 950; 42 U.S.C. 2201(1)).

TITLE IV—TARIFF TREATMENT OF CUBAN PRODUCTS

SEC. 401. (a) Cuba is hereby declared to be a nation described in section 5 of the Trade Agreements Extension Act of 1951, as amended (19 U.S.C. 1362, relating to imports from nations and areas dominated or controlled by the foreign government or foreign organization controlling the world Communist movement). Articles which are—

(1) the growth, produce, or manufacture of Cuba, and

(2) imported on or after the date of the enactment of this Act,

shall be denied the benefits of concessions contained in any trade agreement entered into under the authority of section 350 of the Tariff Act of 1930, as amended (19 U.S.C. 1351).

(b) Nothing in subsection (a) shall affect the rates of duty or the customs or excise treatment of articles the growth, produce, or manufacture of any country other than Cuba.

(c) Subsection (a) shall not apply on or after the date on which the President proclaims that he has determined that Cuba is no longer dominated or controlled by the foreign government or foreign organization controlling the world Communist movement.

(d) The Act of December 17, 1903 (19 U.S.C. 124, 125), and section 316 of the

Tariff Act of 1930, as amended (19 U.S.C. 1316), both relating to the implementation of the treaty with Cuba concluded on December 11, 1902, shall not apply during the period during which subsection (a) applies.

TITLE V—EFFECTIVE DATE

SEC. 501. (a) Except as provided in subsection (b), the repeal of titles I and II of the Tariff Act of 1930 and the substitution of a new title I therefor, as provided for in title I of this Act, and the provisions of title III of this Act shall become effective with respect to articles entered, or withdrawn from warehouse, for consumption on or after the 10th day following the date of the proclamation of the President provided for in section 102.

(b) The amendment made by section 302 (a) shall become effective on the 10th day following the date of the proclamation of the President provided for in section 102.

The CHAIRMAN. Under the rule, no amendments are in order except amendments offered by direction of the Committee on Ways and Means.

Are there any committee amendments?

Mr. MILLS. There are no committee amendments, Mr. Chairman.

The CHAIRMAN. Under the rule the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. MACK, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 10607) to amend the Tariff Act of 1930 and certain related laws to provide for the restatement of the tariff classification provisions, and for other purposes, pursuant to House Resolution 564, he reported the bill back to the House.

The SPEAKER. Under the rule the previous question is ordered.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HOUR OF MEETING MARCH 15

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 11 o'clock tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

BALTIC LEAGUE OF ILLINOIS LAWYERS & JURISTS, INC.

Mr. KEITH. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. DERWINSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, among the great international tragedies of our time has been the enslavement by the Soviet Union of the Baltic States and the policy of genocide practiced in those areas by the Soviet Union.

Our State Department has been oblivious to the pleas of responsible free world leaders of the Lithuanian, Latvian, and Estonian people to insist that the U.N. and other international bodies investigate all Soviet colonialism practiced in these nations and other areas of Europe and Asia.

I remind the Members of the House that we have in the Rules Committee various resolutions pertaining to a special House Committee on Captive Nations. We have a responsibility to create such a House group to conduct an effective and extensive investigation and review of all captive nations, despite the objections of Secretary of State Rusk and his advisers.

I deem it especially pertinent at this time to insert into the RECORD a resolution that was adopted at the commemoration of the 44th anniversary of the independence of Lithuania, Latvia, and Estonia by the Baltic League of Illinois Lawyers & Jurists. The resolution is as follows:

The Baltic League of Illinois Lawyers & Jurists, Inc., held its commemoration of the 44th anniversary of the independence of Lithuania, Latvia, and Estonia, on February 25, 1962, at the premises of 6245 South Western Avenue, Chicago, Ill. The following resolution was adopted:

RESOLUTION

Whereas in 1940 Lithuania, Latvia, and Estonia were illegally and forcibly seized by the U.S.S.R., and the Russian agents seized the legal governments of the said Baltic countries and replaced them with a puppet regime; and

Whereas the U.S.S.R. regime of Lithuania, Latvia, and Estonia deprived the people in those countries of their civil rights and fundamental freedom, confiscated their properties and business enterprises, converted its citizens into slaves of the U.S.S.R., and deported them by the thousands to U.S.S.R.; and

Whereas such acts of aggression by the U.S.S.R. against Lithuania, Latvia, and Estonia are against the world peace and decency: Therefore be it

Resolved, That the United Nations should bring forthwith the immediate deliberation on Lithuania, Latvia, and Estonia which have been illegally and without just cause occupied by the forces of U.S.S.R.; and be it further

Resolved, That immediate demand be presented to the Soviet Union delegation requesting the immediate withdrawal of all Soviet Union military forces and the occupational agencies from Lithuania, Latvia, and Estonia; and be it further

Resolved, That the Soviet Union return all enslaved citizens to their native Baltic countries, and release all the prisoners who were unjustly condemned and deported from Lithuania, Latvia, and Estonia; and be it further

Resolved, That the United Nations appoint a special commission to arrange and supervise that the proper elections be set forth to elect their own government officials in Lithuania, Latvia, and Estonia; and be it further

Resolved, That the copy of this resolution be mailed to the Secretary of the United Nations, and the Secretary of State of the United States.

Dated, at Chicago, Ill., this 25th day of February, A.D. 1962.

ANACORTES IS AN ALL-AMERICAN CITY

Mr. KEITH. Mr. Speaker, I ask unanimous consent that the gentleman from Washington [Mr. WESTLAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. WESTLAND. Mr. Speaker, at noon today, Look magazine announced its annual All-American City Awards. I am happy and honored to say to the Members of Congress that Anacortes, Wash., a city situated in my congressional district is among the 11 cities to receive all-American titles this year.

Anacortes is located on the northern tip of Fidalgo Island in Puget Sound. It is a community of some 8,450 Americans, who despite the fact that their area has been designated depressed, have by their own efforts solved many of their problems without outside help.

This is a city with an economic history centered upon fishing and lumber. But through the efforts of its own leaders and with the backing of the people, Anacortes now is the home of two major oil refineries. Its economy is more diversified and there are other plans in the making which will contribute to the stability of the area.

Mr. Speaker, there are many persons who could be singled out for their efforts, but the list would be too long to read at this point. However, I believe Mr. Wally Funk, vice president of the Herald Publishing Co. and former publisher of the Anacortes Bulletin should be commended for his presentation on behalf of Anacortes when the city first was being considered for the award.

I believe that other cities of America could learn much from Anacortes, for its accomplishments show what a community can do locally without relying on handouts from the State or Federal governments.

ADMISSION OF RED CHINA TO THE UNITED NATIONS

Mr. KEITH. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. CURTIS of Missouri. Mr. Speaker, there is a great deal of misunderstanding in this country about the issues involved in the question of seating Communist China in the United Nations. I regret to say that this misunderstanding must be laid at the door of the Congress and executive department for not having exerted their full efforts to bring these matters to the attention of the people and it must be laid at the door of our mass media for having failed to give heed to the words of those who have

been speaking on the real issues and for having failed to disseminate this information to the people.

It is especially distressing that this misunderstanding exists in the light of the fine job which the U.S. Ambassador to the United Nations, Adlai Stevenson, did in presenting the case to the United Nations during its discussion of the Red China issue. The real reasons for denying Red China a U.N. seat have been ignored in reports to the people; in their place we have seen only fragile wisps from which has been constructed a straw man, easily demolished by those who would make the ordinary American citizen—too busy with home, family and job to be able to dig into the hard-to-reach facts of the case—believe our opposition to seating the Red Chinese is insubstantial and unreasoned.

In order to give more emphasis to the real reasons behind U.S. policy in this area I am placing in the RECORD the speeches of Ambassador Stevenson, made on December 1 and 14 last year, which do a spendid job of spelling these reasons out. These speeches were made before the plenary session of the General Assembly of the United Nations.

I should like to stress, not in disagreement with Ambassador Stevenson but to emphasize certain of his points, that the surest way to destroy the United Nations would be the destruction of its standards, and the admission of a nation which repudiates these standards goes far toward destroying them. I believe it is proper U.S. policy to strive for the improvement of United Nations standards, not to aid and abet in their deterioration.

The details of Red China's acts of repudiation of the U.N. Charter principles should be pointed up more fully and in greater detail. During the most recent debate in this body on the question of a resolution against admission of Red China—the 19th time Congress has passed such a resolution almost unanimously—I urged that the Foreign Affairs Committee state the case against Red China in detail, giving particulars of the Chinese repudiations of international standards. I am happy to say that the committee's chairman, the gentleman from Pennsylvania [Mr. MORGAN], has assured me that this is a project on which the committee staff is now working. In particular I would note Red China's failure to abide by the International Narcotics Agreement, the International Geneva Convention provisions for the treatment of war prisoners and the observance of the Red Cross symbol on hospitals, ambulances, and so forth, and the continuing failure of the Communist Chinese to account for U.S. Korean war prisoners. This list is far from exhaustive.

The real issues in the Red China question should be brought before the people and stressed. I might suggest also that the members of the Americans for Democratic Action take the time to review Ambassador Stevenson's speeches, and then help disseminate facts on the issue. If this were done, I do not believe the Congress would have to go once again through the strange procedure of saying, for the 20th time, that the facts and arguments are overwhelmingly against the admission of Red China to the United Nations.

STATEMENT BY AMBASSADOR ADLAI E. STEVENSON, U.S. REPRESENTATIVE, IN PLENARY, ON THE QUESTION OF THE REPRESENTATION OF CHINA IN THE UNITED NATIONS, DECEMBER 1, 1961

The question confronting the Assembly of the representation of China in the United Nations is of worldwide importance.

We live in an age when the ever-expanding family of nations is striving anew to realize the vision of the United Nations Charter: a world community, freed from the overhanging menace of war, acting together in equal dignity and mutual tolerance to create a better life for humanity. This very Assembly, in its majestic diversity, is both the physical symbol and the practical embodiment—however imperfect—of that transcendent vision.

In striving toward that vision, what we decide about the representation of China will have momentous consequences. For more is at stake than the status of certain delegations. More is at stake than the registering or reflecting of existing facts of power. Indeed, the underlying question is how the great people of China, who by a tragedy of history have been forcibly cut off from their own traditions and even led into war against the community of nations, can be enabled to achieve their own desires to live with themselves and with the rest of the world in peace and tolerance.

This question has a long history. For 12 years past, ever since the Communist armies conquered the Chinese mainland and the Republic of China relocated its Government in Taipei, the community of nations has been confronted with a whole set of profoundly vexing problems. Most of them have arisen from aggressive military actions by the Chinese Communists—against Korea, against the Government of the Republic of China on its island refuge, against Tibet, and against south and southeast Asia.

The problem before us today, in its simplest terms, is this: The authorities who have carried out those aggressive actions, who have for 12 years been in continuous and violent defiance of the principles of the United Nations and of the resolutions of the General Assembly, and deaf to the restraining pleas of law-abiding members—these same warlike authorities claim the right to occupy the seat of China here, and demand that we eject from the United Nations the representatives of the Republic of China.

The gravity of this problem is heightened in its worldwide political and moral significance by the fact that the Republic of China's place in the United Nations, since its founding in 1945, has been filled by its representatives with distinction—filled by representatives of a law-abiding government which, under most difficult circumstances, has done its duty well and faithfully in the United Nations, and against which there is no ground for serious complaint, let alone expulsion.

The United States believes, as we have believed from the beginning, that the United Nations would make a tragic and perhaps irreparable mistake if it yielded to the claim of an aggressive and unregenerate "People's Republic of China" to replace the Republic of China in the United Nations. I realize that we have sometimes been charged with unrealism—and even with ignoring the existence of 600 million people.

That is a strange charge. My country's soldiers fought with other soldiers of the United Nations in Korea for nearly 3 years against a huge invading army from the mainland of China. My country's negotiators have done their best, for nearly 10 years, at Panmunjom, at Geneva, at Warsaw, to negotiate with the emissaries of Peiping.

No country is more aware of their existence. I think it could be said with more justice that it would be dangerously unrealistic if this assembly were to bow to the demands of Peiping to expel and replace the Republic of China in the United Nations; it would be ignoring the warlike character and aggressive behavior of the rulers who dominate 600 million people and who talk of the inevitability of war as an article of faith and refuse to renounce the use of force.

To consider this subject in its proper light, Mr. President, we must see it against the background of the era in which we live. It is an era of sweeping revolutionary changes. We cannot clearly see the end. With dramatic swiftness the classic age of empire is drawing to a close. More than one-third of the member states of the United Nations have won their independence since the United Nations itself was founded. Today, together with all other free and aspiring nations, they are working to perfect their independence by developing their economies and training their peoples. Already they play a vital part in the community of nations and in the work of this organization.

Thus, for the first time in history on this grand scale, we have seen an imperial system end, not in violent convulsions and the succession of still another empire, but in the largely peaceful rise of new independent states—equal members of a worldwide community.

So diverse is that community in traditions and attitudes; so small and closely knit together is our modern world; so much do we have need of one another—and so frightful are the consequences of war—that all of us whose representatives gather in this general assembly hall must more than ever be determined, as the charter says, "To practice tolerance and live together in peace with one another as good neighbors." For there can be no independence any more except in a community; and there can be no community without tolerance.

Such is one of the great revolutionary changes of our time: a spectacular revolution of emancipation and hope. But this century has also bred more sinister revolutions born out of reaction to old injustices and out of the chaos of world war. These movements have brought into being a plague of warrior states—the scourge of our age. These regimes have been characterized not by democracy but by dictatorship; they have been concerned not with people but with power; not with the consent of the people but with control of the people; not with tolerance and conciliation but with hatred, falsehood, and permanent struggle. They have varied in their names and their ideologies but that has been their essential character.

Nowhere have these qualities been carried to a greater extreme, or on a grander scale, than on the mainland of China under Communist rule. The regime has attempted through intimidation, hunger, and ceaseless agitation—and through a so-called commune system which even allied Communist states view with distaste—to reduce a brilliant and spirited civilization to a culture of military uniformity and iron discipline. Day and night, by poster and loudspeaker and public harangue, the people are reminded of their duty to hate the foreign enemy.

Into the international sphere the Chinese Communists have carried the same qualities of arrogance, regimentation and aggression. Many people hoped, after their invasion of Korea ended, that they would thereupon give up the idea of foreign conquest. Instead they sponsored and supplied the communizing of North Vietnam; they resumed their warlike threats against Taiwan; they launched a campaign of armed conquest to end the autonomy of Tibet; and all along their southern borders they have pressed forward into new territory. To this day, in a fashion recalling the early authoritarian emperors of China, they pursue all these policies, and in addition seek to use the millions of Chinese residing abroad as agents of their political designs.

In fact, these modern Chinese imperialists have gone further than their imperial ancestors ever dreamed of going. There are at this time in Communist China training centers for guerrilla warfare, young men from Asia, Africa, and Latin America being trained in sabotage and guerrilla tactics for eventual use in their own countries. Thus the strategy of Mao Tse-tung, of "protracted revolutionary war in the rural areas," has become one of the principal world exports—and no longer an "invisible export"—of Communist China.

We have exact information about some of these activities. For example, we have the testimony of six young men from the Republic of Cameroun who traveled clandestinely from their country to the mainland of China last year. They arrived in China on June 9 and left on August 30. During that period they had a 10-week course from French-speaking instructors in a military academy outside Peiping. The curriculum of this educational institution, taken from the syllabus those men brought home, included such items as these:

Correct use of explosives and grenades.

Planning a sabotage operation.

How to use explosives against houses, rails, bridges, tanks, guns, trucks, tractors, etc.

Manufacture of explosives from easily obtained materials.

Manufacture and use of mines and grenades.

Use of semiautomatic rifles and carbines.

Theory and practice of guerrilla warfare; ambushes; attacks on communications.

Political lectures with such titles as "The People's War," "The Party," "The United Front," and, of course, "The Imperialists Are Only Paper Tigers."

This, incidentally, was the fourth in a series of courses to train Camerounians to fight for the overthrow, not of European colonial rulers (for their rule had already ended) but of their own sovereign African government.

Such an affinity for aggressive violence, and for subversive interference in other countries, is against all the rules of the civilized world; but it accords with the outlook and objective of the Peiping rulers. It was the supreme leader of Chinese communism, Mao Tse-tung, who summed up his world outlook over 20 years ago in these words: "Everything can be made to grow out of the barrel of a gun." And again: "The central duty and highest form of revolution is armed seizure of political power, the settling of problems by means of war. This Marxist-Leninist principle is universally correct, whether in China or in foreign countries; it is always true."

President Tito of Yugoslavia knows to what extremes this dogma of violence has been carried. In a speech to his people in 1958, he quoted the Chinese leaders as saying with apparent complacency "that in any possible war * * * there would still be 300 million left: that is to say, 300 million would get killed and 300 million would be left behind."

In an age when reasonable men throughout the world fear and detest the thought of nuclear war, from the Chinese Communist thinkers there comes the singular boast that, after such a war, "on the debris of a dead imperialism the victorious people would create with extreme rapidity a civilization thousands of times higher than the capitalist system and a truly beautiful future for themselves."

In fact, only 3 months ago it was these same Chinese Communist leaders who officially acclaimed the resumption of nuclear tests by the Soviet Union as "a powerful inspiration to all peoples striving for world peace." What a queer idea of world peace they seem to have.

With such a record and such a philosophy of violence and fanaticism, no wonder this regime, after 12 years still has no diplomatic relations with almost two-thirds of the governments of the world. One cannot help wondering what the representatives of such a predatory regime would contribute in our United Nations councils to the solution of the many dangerous questions which confront us.

I believe these facts are enough, Mr. President, to show how markedly Communist China has deviated from the pattern of progress and peace embodied in our charter and toward which the community of nations is striving. In its present mood it is a massive and brutal threat to man's struggle to better his lot in his own way—and even, perhaps, to man's very survival. Its gigantic power, its reckless ambition, and its unconcern for human values, make it the major world problem.

Now, what is to be done about this problem? And what in particular can the United Nations do?

The problem is, in reality, age-old. How can those who prize tolerance and humility, those whose faith commands them to "love those that hate you," how can they make a just reply to the arrogant and the rapacious and the bitterly intolerant? To answer with equal intolerance would be to betray our own humane values. But to answer with meek submission or with a convenient pretense that wrong is not really wrong—this would betray the institutions on which the future of a peaceful world depend.

There are some who acknowledge the illegal and aggressive conduct of the Chinese Communists, but who believe that the United Nations can somehow accommodate this unbridled power and bring it in some measure under the control—or at least the influence—of the community of nations. They maintain that this can be accomplished by bringing Communist China into participation in the United Nations. By this step—so we are told—the interplay of ideas and interests in the United Nations would sooner or later cause these latter-day empire builders to abandon their warlike ways and accommodate themselves to the rule of law and the comity of nations.

This is a serious view and I intend to discuss it seriously. Certainly, we must never abandon hope of winning over even the most stubborn antagonist.

But reasons born of sober experience oblige us to restrain our wishful thoughts. There are four principal reasons which I think are of overriding importance and I must earnestly urge the Assembly to consider them with great care, for the whole future of the United Nations may be at stake.

My first point is that the step advocated, once taken, is irreversible. We cannot try it and then give it up if it fails to work. Given the extraordinary and forbidding difficulty of expulsion under the charter, we must assume that, once in our midst, the Peiping representatives would stay—for better or for worse.

Secondly, there are ample grounds to suspect that a power given to such bitter words and ruthless actions as those of the Peiping regime, far from being reformed by its experience in the United Nations, would be encouraged by its success in gaining admission to exert, all the more forcefully, by threats and maneuvers, a most disruptive and demoralizing influence on the Organization at this critical moment in its history.

Thirdly, its admission, in circumstances in which it continues to violate and defy the principles of the charter, could seriously shake public confidence in the United Nations—I can assure you it would do so among the people of the United States—and this alone would significantly weaken the Organization.

Elementary prudence requires the General Assembly to reflect that there is no sign or record of any intention by the rulers of Communist China to pursue a course of action consistent with the charter. Indeed, the signs all point the other way. The Peiping authorities have shown nothing but contempt for the United Nations. They go out of their way to depreciate it and to insult its members. They refuse to abandon the use of force in the Taiwan Straits. They continue to encroach on the territorial integrity of other states. They apparently don't even get along very well with the U.S.S.R.

Fourth, Mr. President, and with particular emphasis, let me recall to the attention of my fellow delegates the explicit conditions which the Chinese Communists themselves demand to be fulfilled before they will deign to accept a seat in the United Nations. I quote their Prime Minister, Chou En-lai:

"The United Nations must expel the Chiang Kai-shek clique and restore China's legitimate rights; otherwise it would be impossible for China to have anything to do with the United Nations."

In this short sentence are two impossible demands. The first is that we should expel from the United Nations the Republic of China. The second, "to restore China's legitimate rights," in this context and in the light of Peiping's persistent demands, can have only one meaning—that the United Nations should acquiesce in Communist China's design to conquer Taiwan and the 11 million people who live there, and thereby to overthrow and abolish the independent government of the Republic of China.

The effrontery of these demands is shocking. The Republic of China, which we are asked to expel and whose conquest and overthrow we are asked to approve, is one of the founding members of the United Nations. Its rights in this organization extend in an unbroken line from 1945, when the charter was framed and went into effect, to the present.

Mr. President, the Republic of China is a charter member of this organization. The seat of the Republic of China is not empty; it is occupied, and should continue to be occupied, by the able delegates of the Government of the Republic of China.

The fact that control over the Chinese mainland was wrested from the Government of the Republic of China by force of arms, and its area of actual control was thus greatly reduced, does not, in the least, justify expulsion, nor alter the legitimate rights of the Government.

The de jure authority of the Government of the Republic of China extends throughout the territory of China. Its effective jurisdiction extends over an area of over 14,000

square miles, an area greater than the territory of Albania, Belgium, Cyprus, El Salvador, Haiti, Israel, Lebanon, or Luxembourg—all of them member states of the United Nations. It extends over 11 million people; that is, over more people than exist in the territory of 55 United Nations members. Its effective control, in other words, extends over more people than the legal jurisdiction of two-thirds of the governments represented here. The economic and social standard of living of the people under its jurisdiction is one of the highest in all Asia, and is incomparably higher than the miserable standard prevailing on the mainland. The progressive agrarian policy of the Government of the Republic of China and its progress in political, economic, and cultural affairs contrast starkly with the policies of the rulers in Peiping under whom the unhappy lot of the mainland people has been little but oppression, communes, famine, and cruelty.

All those who have served with the representatives of the Republic of China in the United Nations know their high standards of conduct, their unfailing dignity and courtesy, their contributions, and their consistent devotion to the principles and the success of our organization.

The notion of expelling the Republic of China is this absurd and unthinkable. But what are we to say of the other condition sought by Peiping—that the United Nations stand aside and let them conquer Taiwan and the 11 million people who live there? In effect, Peiping is asking the United Nations to set its seal of approval in advance upon what would be as massive a resort to arms as the world has witnessed since the end of World War II. Of course the United Nations will never stultify itself in such a way.

The issue we face is, among other things, this question—whether it is right for the United Nations to drive the Republic of China from this organization in order to make room for a regime whose appetite seems to be insatiable. It is whether we intend to abandon the charter requirement that all U.N. members must be peace loving and to give our implicit blessing to an aggressive and bloody war against those Chinese who are still free in Taiwan. What an invitation to aggression the Soviet proposal would be—and what a grievous blow to the good name of the United Nations.

In these circumstances the United States earnestly believes that it is impossible to speak seriously today of "bringing Communist China into the United Nations." No basis exists on which such a step could be taken. We believe that we must first do just the opposite: we must instead find a way to bring the United Nations—its law and its spirit—back into the whole territory of China.

The root of the problem lies, as it has lain from the beginning, in the hostile, callous, and seemingly intractable minds of the Chinese Communist rulers. Let those members who advocate Peiping's admission seek to exert upon its rulers whatever benign influence they can, in the hope of persuading them to accept the standards of the community of nations. Let those rulers respond to these appeals; let them give up trying to impose their demands on this Organization; let them cease their aggression, direct and indirect, and their threats of aggression; let them show respect for the rights of others; let them recognize and accept the independence and diversity of culture and institutions among their neighbors.

Therefore, Mr. President, let the Assembly declare the transcendent importance of this question of the representation of China. Let us reaffirm the position which the General Assembly took 10 years ago, that such a question as this "should be considered in the light of the purposes and principles of the charter."

The issue on which peace and the future of Asia so greatly depend is not simply whether delegates from Peiping should take a place in the General Assembly. More profoundly still, it is whether the United Nations, with its universal purposes of peace and tolerance, shall be permitted to take its rightful place in the minds of the people of all of China.

Today the rulers in Peiping still repeat the iron maxim of Mao Tse-tung: "All political power grows out of the barrel of a gun." If that maxim had been followed the United Nations would never have been created, and this world would long since have been covered with radioactive ashes. It is an obsolete maxim, and the sooner it is abandoned, the sooner the people of all of China are allowed to resume their traditionally peaceful policies, the better for the world.

The United States will vote against the Soviet draft resolution and give its full support to the continued participation of the representatives of the Government of the Republic of China in the United Nations.

No issue remaining before the United Nations this year has such fateful consequences for the future of this organization. The vital significance which would be attached to any alteration of the current situation needs no explanation. The United States has therefore joined today with the delegations of Australia, Colombia, Italy, and Japan in presenting a resolution under which the Assembly would determine that any proposal to change the representation of China would be considered an important question in accordance with the Charter. Indeed, it would be hard to consider such a proposal in any other light and we trust it will be solidly endorsed by the Assembly.

STATEMENT BY AMBASSADOR ADLAI E. STEVENSON, U.S. REPRESENTATIVE, IN PLENARY SESSION, ON THE CHINESE REPRESENTATION QUESTION, DECEMBER 14, 1961

At this session of the General Assembly the United States favored full and free debate on the question of the representation of China in the United Nations. We have been having just such a debate for 2 weeks, and we have heard from no less than 50 speakers.

At several points we have heard again some old ideological tirades. History has been turned upside down by such statements that it was South Korea which attacked North Korea on that infamous Sunday morning in June 1950. And a few of the speeches have been seasoned with captious, capricious and irrelevant inaccuracies. I shall resist the temptation to contradict them in detail.

Mr. President, I must, however, reply briefly to a suggestion by several speakers—that the real reason for U.S. opposition to a change in Chinese representation is that we resent the social system of the Peiping regime. This, of course, is a red herring. It is well known that we maintain normal relations with a number of Communist states. We did not oppose the recent entry of another such country into this body. In recent weeks the President of the United States said quite clearly that we have no objection to a Communist regime if that is what the people of a certain country want for themselves.

No, Mr. President, that is not the problem. Nor is it the problem that we are confusing 1962 with 1945 or 1949; indeed, we believe in the redemption of sin—and letting bygones be bygones.

No amount of good will, of tolerance, of generosity, or of wishful thinking can obscure the reality of 1961—that we are asked to offer membership in this body to a regime which believes in the rule of the gun—not the rule of reason, or of negotiation, or of cooperative action—but the rule of the gun.

And no amount of sentiment can obscure the fact that the draft resolution of the Soviet Union would give a license for the Peiping regime to use armed force against a member who sits in this Assembly. One can hardly accuse Ambassador Zorin of equivocation on this point. In his opening statement in this debate he was explicit about the alleged "right" of Peiping to "liquidate through the use of force" the Republic of China on Taiwan. "That," he said, "is within its exclusive right and nobody else's."

Mr. President, this body has devoted many anguished hours to its duty and resolve to prevent the use of force. Now we are faced with this stupefying request to sanction the use of force.

And some would have us believe, Mr. President, that this really is not an important question for the United Nations—just a routine procedural point for casual decision.

Mr. President, article 18 of the charter, which deals with the important question issue is not a narrow, legalistic concept. In the wisdom of the founders, it is left to the Assembly to determine—on general political grounds—what is and is not an important question. And this is precisely what the Assembly has done on one occasion after another. There is nothing unusual about the procedure involved. For example, as recently as October 27 this year the Assembly decided by vote that a resolution dealing with the report of the Scientific Committee on Effects of Atomic Radiation was of sufficient importance to require for passage a two-thirds majority of all members present and voting. This was fully in accordance with the rules of procedure and article 18 of the charter.

There has also been an effort to confuse this debate by contending that a precedent was sent for the question before us when the Assembly accepted the credentials of the representatives of the Republic of the Congo (Leopoldville) in November 1960. The statement has even been made that the resolution was passed by a simple majority.

In point of fact, the resolution was passed by better than a two-thirds majority. But that is not the main point. The main point is that there is no analogy between the presentation of credentials by the unchallenged chief of state of a new nation which has just achieved membership and the present proposal to throw out a founding member and replace it with representatives of another regime. I hope no further effort will be made to confuse the issue on this score.

Mr. President, I submit with all sincerity that the proposal to expel a member which supports the charter to make room for a regime which defies the charter and to arm that regime with a United Nations license to make war across the Formosa Strait is wrong from the viewpoint of this organization—is morally wrong—is legally wrong—is unrealistic in the light of the relevant realities of 1961. And, whatever else may be said, it is undubitably an important question—one of the most important questions ever likely to come before us.

A recurrent theme running through the arguments put forth by those who favor immediate admission of Red China is a plea for realism. Let us face the fact, these speakers say, that the mainland of China has been under the control of the Chinese Communist Party for lo, these 12 years past. Let us, they say, face the fact—repeated from this rostrum scores of times during the past 10 days—that there are 650 or 700 million Chinese people under the control of that regime. And, they say finally, let us face the fact that this is 1961—not 1945.

The idea behind this theme seems to be that other delegations are guilty of a lack of realism because they are not bowled over by the big reality—which seems to be that Communist control of mainland China is Communist control of mainland China. But no one has disputed this obvious fact. As I heard it repeated over and over, I thought of the aphorism about the woodpecker: "Thou sayest such undisputed things in such a solemn way."

But these repeated facts only help to define the problem; they do not help to solve it.

To act wisely on the matter before us, we must look at all the relevant and current realities bearing upon the Communist regime in Peiping and the organization it aspires to join. I suggest that there are six such realities of major consequence to the decision we are soon to make.

The first reality is that the regime in Peiping does not in any meaningful way represent those 700 million people of whom we have heard so often these past 2 weeks: the mass executions, the iron controls, the total suppression of all personal freedom and civil liberties, the 2 million Chinese refugees in Hong Kong—these are proof enough.

The second reality is that the Communist Chinese regime has already made a record of aggression and hostility toward its neighbors in Korea, in Tibet, in India and in southeast Asia.

The third reality is that the Chinese Communists are dedicated today—and as a matter of high policy—to war and violent revolution in other countries.

The fourth reality is that the Republic of China is a founding member of the United Nations—that the Government of the Republic of China exists, and so do 11 million people on Taiwan—that its delegation which sits here now has performed honorable service to the United Nations and its Charter.

The fifth reality is the Charter of the United Nations—which sets forth explicitly the requirements for membership and the terms for expulsion.

The sixth reality is the proposal which is put to us in the Soviet draft resolution—which is this: that by our own deliberate action we are first to throw out a founding member who is guilty of nothing, in order to empty a seat in this hall; we are then to invite another delegation to enter this body on its own terms, to fill that empty seat; and we are to present that new delegation with a special license to commit armed aggression against the member we have just ejected illegally.

This is the reality of the proposal before us: to violate our own charter to make room for a regime whose creed and actions are diametrically opposed to the letter and spirit of the U.N. Charter.

These are realities. These are facts. And it is precisely these hard, cold, and current realities of 1961 which persuade my delegation that what we are asked to do is not realistic, but unrealistic.

And it is these realities which have been overlooked or conveniently ignored by some who have spoken on this subject in recent days.

Mr. President, to be tolerant we do not have to be naive; to be generous we do not have to be foolhardy; and to be realistic, most certainly we do not have to be carried away by wishful dreams.

I have in mind especially the suggestion made by several speakers that once the Peiping regime has been admitted to this organization, it would forthwith change its spots—and join cooperatively with other nations to help keep the peace and otherwise engage in constructive international enterprise.

This is a most tempting thought which all of us would like to share. But I still look for evidence that there is any substance to it. All the evidence points the other way. And it would be exceedingly dangerous to substitute our hopes for the hard evidence about the intentions of the Peiping regime which is furnished to us by that regime itself.

This evidence is not of our manufacture. It is not the product of ill-will on our side. It is the official evidence offered by the Peiping regime itself—in its own words and in its own actions. We would ignore it at our common peril because it bears directly upon the work and the future of this organization. And it shows clearly just how harmoniously the Peiping regime would fit into the deliberations of this body—just how constructive a contribution we could expect from this new voice in the United Nations.

Let me remind the delegates of the basic world view of the Peiping regime. It was put quite clearly by Red Flag, the theoretical journal of the central committee of the Chinese Communist Party, in April 1960.

"Everyone knows," says Red Flag, that there are "principally two types of countries with social systems fundamentally different in nature. One type belongs to the world Socialist system, the other to the world capitalist system." This statement means that in the eyes of Peiping every member of this assembly which does not belong to the world Communist system belongs by definition to what Peiping calls the "capitalist-imperialist system"—for there are only two types of countries.

And Red Flag goes on to announce "the capitalist-imperialist system absolutely will not crumble by itself. It will be pushed over by the proletarian revolution within the imperialist country concerned, and the national revolution in the colonial and semi-colonial countries. Revolution means the use of revolutionary violence by the oppressed class, it means revolutionary war."

This concept is further borne out by a statement from a senior official of the Chinese Communist Government, Tung Pi-wu, who declared on October 9, 1961, at a public meeting in Peiping, "in the present epoch, only under the leadership of the proletariat, and by obtaining the help of the Socialist countries, will it be possible for any country to win complete victory in its national and democratic revolution." In other words a Communist revolution, aided by external support from Communist countries, must still be fostered in the newly independent countries of the world.

Proof that these are not mere words was heard in this Assembly only the other day, when the distinguished delegate of one new African nation poignantly described Peiping's incessant campaign to destroy his government through subversion and guerrilla warfare.

This is the world view of the Peiping regime and it should be warning enough to all of us. But what does Peiping think more precisely about our most urgent world problems—about the kind of problem we attempt to deal with in these United Nations? I shall mention two—disarmament and the U.N. operations in the Congo.

On disarmament we also find the evidence in the same Red Flag article. Remember, if you please, the premise that all nations which are not members of the world Communist system are considered to be "imperialist." Red Flag says: "It is inconceivable that imperialism will accept a proposal for general and complete disarmament * * * only when the Socialist revolution is victorious throughout the world can there be a world free from war."

That takes care of our search for general disarmament. According to Peiping it is a hopeless illusion until all governments have been overthrown by violent Communist revolution. In the meantime, Peiping's policy on the recent rupture of the moratorium on nuclear testing is the following—in their own words, of course: "The Soviet Government's decision to conduct experimental explosions of nuclear weapons is in accord with the interests of world peace and those of the people of all countries."

As for the United Nations operation in the Congo, Peiping's policy is set forth as recently as December 6 in the People's Daily, the official newspaper of the Chinese Communist Party. Our peacekeeping effort in the Congo, in which troops of a score of members are involved, is described in People's Daily as nothing but imperialism under United Nations cover. "As long as the Congo remains occupied by the United Nations force," according to People's Daily, "the Congolese issue will remain unsolvable and the freedom of other African countries insecure." The article demands an immediate stop to the United Nations operation in the Congo.

That, of course, is a prescription for tribal strife, chaos and slaughter in the Congo—which, no doubt, is what Peiping desires.

Finally, Mr. President, at the very moment when some members of this Assembly were pleading the qualifications of the Peiping regime for membership in the United Nations, the People's Daily of December 10, 1961—just 4 days ago—said:

"All revolutionary people can never abandon the truth that 'all political power grows out of the barrel of a gun'."

"The revolutionary theories, strategy and tactics, summed up by the Chinese people in revolutionary practice and expressed in a nutshell in Comrade Mao Tse-tung's writings, are carrying more and more weight with the people of various countries."

"To put it frankly, all oppressed nations and peoples will sooner or later rise in revolution, and this is precisely why revolutionary experiences and theories will naturally gain currency among these nations and peoples. This is why pamphlets introducing guerrilla warfare in China have such wide circulation in Africa, Latin America and Asia."

Nowhere in this extraordinary document do the Chinese Communists deny that their actions have been as I described them. Indeed, they boastfully announce their intention to continue spreading violence and dissension abroad.

Note carefully, also, if you will, that none of these official statements has anything to do with membership or nonmembership in the United Nations. Peiping does not say that it favors atomic testing now, but would feel differently if admitted to the United Nations. Peiping does not say that it wants the United Nations to abandon the Congo now, but would feel differently if admitted to the United Nations. Peiping does not say that, although it is now training guerrillas for revolution in other countries, it would act differently if admitted to the United Nations.

We have no other choice but to believe that these policies would be pursued and advocated in this very Assembly by Chinese Communist representatives who believe that all political power grows out of the barrel of a gun.

What else can we assume—and be realistic? What else can we expect—confronted with the evidence?

It seems to me, Mr. President, that the members will be well advised to think carefully about our obligations and responsibilities to the people of the world, who want the United Nations to continue as a going concern—and go on to new strengths and new triumphs. They would do well to consider the already delicate deliberations of this body—and the already difficult operations on which we are embarked. They would do well to think long and hard about these things—and then ask themselves whether the work of this body would be helped or hindered by the presence here of a delegation from Peiping.

One of the members, in the course of debate, lamented at length on the sad plight of the people on mainland China. My delegation yields to no other in its concern for the people of China. But the delegate in question went on to suggest that if Peiping were in the United Nations, the Food and Agriculture Organization "could have been of assistance" to the hungry people of China.

Perhaps he does not know that Peiping rejected an offer of help extended to the Chinese Communist Red Cross Society by the League of Red Cross Societies—of which Communist China is a member. While we know of it from the press, the people on the Chinese mainland never were told that such an offer of international assistance had been extended.

Would Peiping, which refused help for its own people from one humanitarian international organization to which it belongs, accept help from another international organization?

In the meantime, Mr. President, it is not my delegation which presumes to pass judgment on others. We are not, as several have implied, inventing some subtle moral criterion to decide who is good and who is bad, who is correct and who incorrect, who is respectable and not respectable.

On the contrary, the principles to which members of the United Nations are bound are stated quite explicitly in the charter in terms which we would be the last to want to refine. And the evidence of Peiping's disdain for these principles is written with equal clarity. We ask only that each member compare the official charter and the official record.

Mr. President, the Soviet proposal, and the amendment to it submitted by three delegations, not only call for the expulsion of a loyal member of the United Nations, but implicitly would encourage the Chinese Communists to use force to achieve their objectives.

For these reasons, we believe that the Soviet proposal to unseat the Government of the Republic of China and replace it with a delegation from Peiping should be emphatically rejected, and we will vote against it.

The amendment to that proposal submitted by the delegations of Cambodia, Ceylon, and Indonesia, while set forth with greater sophistication than the Soviet proposal, clearly would have the same effect. We believe it should be likewise rejected and will accordingly vote against it, also.

And for all these reasons I am equally confident that the members will confirm the plain fact that any proposal to alter the representation of China in the United Nations would be a vitally important question under the charter.

COMMENTS ON THE ADMINISTRATION'S AGRICULTURAL PROGRAM

Mr. KEITH. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. SCHWENGEL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. SCHWENGEL. Mr. Speaker, during the past few weeks, farm families in my district have become quite disturbed about the proposals of the Secretary of Agriculture to regiment this way of life.

Many of them have written me to express their concern, and in doing so, have come forward with some observations on government and its relation to agriculture and other aspects of our daily living, that I feel compelled to share these letters with my colleagues.

The Committees on Agriculture in the House and Senate are currently appraising legislation which will either put the administration's program into effect or choose another course which will enable the farmer to enjoy a measure of freedom in conducting his own affairs.

I happen to belong to the group which feels that there is a better way than what the administration is proposing. I have introduced legislation which would extend existing conservation reserve contracts so that the land which has been retired under this program will not be brought back into production. In addition, I have introduced the cropland retirement program which will permit farmers to enter into voluntary contracts to take more land out of production and bring production in line with consumption and at the same time decrease some of the surplus stocks of grain for which we are making tremendous storage payments each day.

It is my hope that these letters will attract the attention of the Members who will be deliberating on this legislation in committee. I trust that these grassroots expressions from some of the finest farm families in the world will have an influence on the type of legislation which is eventually brought before the Congress. There is much food for thought in what these people have to say.

I am grateful for the privilege extended me by the authors of these letters to bring them to the attention of my colleagues.

MUSCATINE, IOWA,
January 24, 1962

Representative FRED SCHWENGEL,
House Office Building,
Washington, D.C.

DEAR SIR: I spent 4½ years in service before 1946. In 1949, in a farm accident, I lost my left arm. My wife and I aren't asking for any help, we just want a chance to keep on farming for ourselves—something we have known all our lives. We feel that bigness in farming and Government programs will force us out of the life we like if these things are allowed to continue.

The reason for writing this letter is to let you know our feelings on some of the things the Federal Government is trying to do to us.

We are opposed to the way Government is taking over things. It seems like the more they are getting into things, the worse off we are.

This new farm program for the sixties—we don't think that this is the thing for the farmer—controlling everything he does, telling him what he can raise and how much. What we need is some commonsense among the farmers themselves. They shouldn't produce so much and should get back to the law of supply and demand before we lose all of our freedom. We hate to think of what our future is coming to. Why not let farmers do for themselves? Why push the small farmer out? We think small farms should be encouraged and more farmers kept on farms. They should have more voice in politics. This way they will be kept off the already overburdened labor market.

Stop the Government before it gets out of hand. Anybody can balance a budget if they can keep reaching out for more money from some source or other.

Always increasing postal rates will never solve the problems. It has been proven, the higher things get, the less people use them.

The Government tells the people they will have to tighten their belts (in other words live within their means). Why don't they practice what they preach; it's worth a try.

We hope you are opposed to some of these bills also, and will do all you can to get the right things done for the people.

Sincerely yours,

Mr. and Mrs. EDWARD JENSEN

FORT MADISON, IOWA,
February 1, 1962.

DEAR CONGRESSMAN SCHWENGEL: "No Controls-No Supports" is going to be one of the clubs Secretary Freeman and his adviser will use, both on farmers and Congress to get their program through.

With mandatory control, a small farmer will be put out even if he doesn't move off the farm. Such a program would make farming inefficient and we would lose our American right to produce. I think all farm programs should be as voluntary as possible.

I would like to see a program like the bills you sent me last year, H.R. 4267 and H.R. 2746, which were referred to the Committee on Agriculture. Thanks for sending me these copies.

Allotments, quotas, and marketing orders that would require policing every farm will sure not solve the farm problems.

The past history allotments are unjust to the farmer who handles his land as it should be farmed. If you have half or more of your cropland in hay and pasture, you have to have a small allotment to be efficient.

The farmer who puts his whole farm in grain and causes the surplus, benefits, from past history.

We had a good growing season since the surplus has been piling up but if we had a widespread drought like in 1934 or 1936, or disaster—atomic fallout, could make our surplus a great blessing.

Sincerely,

JOHN S. KROGMEIER.

PARNELL, IOWA,
February 1, 1962.

Hon. FRED SCHWENGEL,
House of Representatives,
Washington, D.C.

SIR: I have read in this evening's paper about the new farm program just sent to Congress. It is stated that the farmers have the choice of accepting much tighter production controls or face a cutoff of most Federal price supports and other aid. The report goes on to say that should the program be rejected, the Government would withdraw all supports and reserve the right to dump up to 200 million bushels of its surplus grain on the markets. None of these threats of curtailment of the so-called benefits of the programs makes the least bit of difference to me for I have never been a participant in any of them. It is very clear, however, that the administration is doing

all within its power to coerce both the farmers and Congress to accept its dictum. It is this which I resent and intend to resist by all means at my disposal.

I am unreservedly opposed to Government controls on any segment of our life or economy. Such tactics as those described above seem to me to be a sad commentary upon the intentions of Government as well as the State of thinking of a very large segment of our population which seems to be quite willing to back an officialdom determined to extend controls. It is my conviction that unless this kind of thinking is stopped and unless we can come to see the outcome of this trend, we can expect a continual erosion and loss of freedom and liberties that have been enjoyed in this country.

I have been opposed to farm programs at all times and it seems to me that by now it should be rather obvious that they have done nothing they were supposed to do unless it was to persuade farmers to vote in a certain way. The fact that the administration feels that it must impose more and more drastic controls is in itself an admission of the failures of past programs. The administration will not admit these failures but only reacts with more rigid controls. However, this is a logical reaction from an administration committed to a whole program of centralization of power in a Federal bureaucracy.

I am the owner of some farmland but because I have always considered farm programs to be detrimental to a sound agriculture and because I am opposed to seeing Government regulations extended, I have never participated in any of these programs. Farm programs have already reduced a very large portion of the farm population to a state of semidependency on Federal handouts and are also keeping a lot of families on farms who would be very much better off in other work. I feel that these people in our farm population are being made tools of and supporters of the party or candidate that can make the greatest promises and deliver the largest subsidies.

The President has sent his farm program to Congress—permit me now to outline my farm program to you. The primary aim of my program is to be the assertion and exercise of whatever personal liberties remain to me in the management of my affairs and the personal pleasure the exercise of these rights will afford. My program will automatically go into effect when Congress enacts a program imposing any more drastic controls or proceeds to dump surplus corn on the market for the purpose of forcing farmers to comply with their programs. It is my intention to retain complete control and independence in the management of my own land. In order to protect my rights in this regard, I propose to cancel the lease with the man who farms this land and will let the farm lie idle. Perhaps this may seem to be playing into the hands of the administration, for it would aid in reduction of the troublesome surplus. However, with the land idle there will be no income from it, thus no tax on income. I will have the satisfaction of keeping my land from producing income to be taxed for a spendthrift administration to bestow on farm program cooperators and their other giveaway programs. This land will not only provide no tax revenue, but will become a loss and will appear so in my income tax returns.

Also, the tenant who has had this land has also had another farm nearby upon which he makes his home. This farm is small and is managed by a farm management service. The farm manager recently told me that it was very fortunate that this man was able to rent my land for without it he didn't see how the tenant could make ends meet. It is not my chief purpose or desire to close my land in order to put this man out of business but this is likely to be the result should I carry out my plan as outlined.

In closing, I wish to say that the one thing I am in favor of is to have the Government get out of regulatory programs and allow the marketplace to regulate our economy. After these many years in which these programs and controls have been developed and so many of our citizens have learned to depend on them, I can see how difficult this might be. Permit me also in closing this expression of my views to express the hope that I can count on you to exert all the influence at your disposal in opposition to the proposed farm program as well as against the encroaching Government controls in all areas.

Sincerely yours,

HOWARD E. WEBSTER.

STOCKTON, IOWA,
February 8, 1962.

DEAR MR. SCHWENGEL: With all the facts at your command can't you see that with such a small percent of us as farmers it wouldn't take much to change the picture. If we each cut our production a small percent and did it on our own, we would be so much better off. All the poor publicity the farm gets, why not use a lot to make the farmer see the light. Years ago supply and demand used to take care of things. It will again if the Government would let us alone. They are just afraid—afraid things might get a little tough on some working people before it leveled off.

Seems such a shame with all the people in our Government that there isn't one man who was born and raised on the farm who has contact with people now living on the farm—not 600 or 300 acres, but 160—and who saw military service so didn't make a haul in war years. Someone who has been at it 10 years who had to buy machinery, etc., and look over the books and see what the picture looks like. We live west of Davenport—west where we have mostly 160-acre farms and everyone is hurting. It is the price of machinery, repairs, taxes, etc. Seems such a shame to pick up magazines and read success stories that are published for the public to read and in the end in small print, "Of course, Mr. Smith was fortunate to be able to use some of his father's machinery." He had only $1,500 invested himself. Kinda funny in a sad sort of way for a farmer to read that, and city people don't know and believe all farmers are wrapped in gold.

Suppose you get dozens of letters like this. We just wonder how there can be so many people in Government and no one really knows what it's like on the farm. I'd be happy to put a sign out: "Senators, etc., vacation here to see how a small farmer lives." We have it comfortable, but can't make an extra cent.

Thank you for your time. Nice to chat with you this morning. I'm watching the sunrise. It is lovely. Too bad more people don't learn to enjoy the things God has given us. They wouldn't need so much money to see beauty everywhere. Hope in your small way you can help the small percentage of farmers that are left.

Sincerely,

MRS. EDW. C. HOFFBAUER.

MUSCATINE, IOWA,
February 8, 1962.

Representative FRED SCHWENGEL,
House Office Building,
Washington, D.C.

DEAR FRED: I am enclosing a clipping that appeared in our local paper, also a copy of the letter I wrote to Mr. Lester Menke.

FRED, this Kennedy-Freeman-Cochrane farm program is certainly becoming more vicious by the day. As you know the long-term program does not offer any realistic choice. To force such a program on the American farmer by telling him he must accept it or nothing is certainly un-American and causes one to wonder what is going on in high Government places. Sometimes I wonder if we should not have a little Federal aid for education in economics for those in some high places.

I know, FRED, you will do everything within your power to keep this great country of ours free.

Good luck to you and Mrs. Schwengel.

Sincerely,

JAMES VAN NICE.

WEST LIBERTY, IOWA,
February 10, 1962.

DEAR SIR: Freeman's farm bill would really hogtie our production and also our income. It would be just as sensible for Government to tell Ford or General Motors how many cars they could make and sell each year.

I find no provision in the Freeman plan whereby the farm income will be increased. We farmers are receiving a decreasing percentage of the labor dollar spent for food. But the Government still permits labor to get higher and less productive wages.

It seems to me that most of the Kennedy program should be defeated. A lot of "no" votes could stop this terrible inflation.

Hope you will do your share in trying to head off this increasing war expenditures, etc.

Yours truly,

ALLEN ELIASON.

KEO FLIES KITES,
Keokuk, Iowa, February 15, 1962.

Hon. FRED SCHWENGEL,
House Office Building, Washington, D.C.

DEAR MR. SCHWENGEL: Please hear me out—I know of the many demands placed on your time and energy, but it is nearing the time when protests will be eliminated. Our cries will be hidden in the wilderness of Government redtape. We are to conform or be cast out.

I say it is almost too late. The horse is stolen and the barn is in danger.

In 1958 I planted and harvested 40 acres of corn on my farm. In 1959 I intended to plant 32 acres, but due to the abnormally wet spring, only 12 acres were planted and harvested. Average acreage 36. My allotment was set at 20 acres. I appealed, but my appeal was not recognized.

Controls are not the answer, for one control brings on another, and Mr. Freeman will admit that his aim is complete control for all of agriculture. How will these controls be voted into effect—by less than 10 percent of the producers of a particular product? How come the minority has taken over?

Now the Extension personnel must preach his ill-advised doctrine. Control of education. Control of information—be it correct or incorrect.

Wake up, Washington. You are asleep to the menace of the state planners—agriculture first, then all the economy thereafter.

If I cannot survive in the occupation of my choice under free enterprise (under Government controls, never) I am willing to try other lines of endeavor until I find some means of gainful support. Sink or swim, let me make the choice.

Yours very truly,

L. J. DENMIRE.

WILTON JUNCTION, IOWA,
February 21, 1962.

DEAR SIR: After listening to the Secretary of Agriculture on "Meet the Press" last Sunday, I became more than ever convinced that I should write you concerning said program of the administration.

The Secretary said, "The farmer has a choice"—may I ask what choice there is in voting "yes" or "no"—no alternative? And, why should a program to regulate agriculture in such a manner be the thought of any thinking man who claims to represent agriculture? The suggestion that the farmer will accept or else—doesn't he realize that not only isn't an answer, but is a very good way to set individuals and communities on a most divided pathway.

Many farmers in eastern Iowa are good farmers, not big necessarily, but producing well, not to flood the market, but to enable themselves to make a living and to pay the ever-increasing taxes. There are many 80- to 120-acre farms in this area. It takes all these farms can produce to pay necessary taxes, insurance, and so forth. How can these people, voting against such a referendum, would incur the displeasures of many who could financially manage? Is it desirable to cause more strife in our present world? After all, Iowa farmers are not yet serfs—neither do I think other American farmers are in such a class.

Usually, in our homes, when we find we cannot afford certain things, we drop luxuries—but our Government procedure seems to be to continuady stifle the ambition which spurs man to accomplishment by ever-increasing taxes.

More of the integrity of Lincoln, more of the high standards of our forefathers is the most needful thing in Government.

Noting your stand on taxes in the past and feeling that you can intelligently assess this newest gimmick for agricultural control, I am writing to you to please consider a vote against this.

Very sincerely,

Mrs. OREEN I. KISER.

MUSCATINE, IOWA,
February 21, 1962

Mr. SCHWENGEL: What is the trouble with the American people? Everyone looking for something for nothing. This originally was the land of the free and the home of the brave. Now it's the land of Government control and the home of cowards. This farm progarm is the most vicious thing that anyone could conceive of. The pilgrims came to America, fought Indians, wild animals, and the elements so that they could be free. Now for a paltry few dollars we want to throw it all away. People make remarks about sheep following the leader. People are no different. Most farmers I talk to say they know it isn't right but they say, "Well, it's bound to come." Another SCA big shot says as long as they dish it out I'm going to take it. As far as I'm concerned SCA and ADC is in the same class. Sealing corn when it was started was supposed to help the farmers so that he wouldn't have to sell at a loss. But it wasn't long till the grain men got around that. They put up big storage bins and the Government paid them for storage. Then when enough time had elapsed and they had collected the price of the corn for storage, they could then buy it for practically nothing. It isn't to keep the price up, it is to keep the price down and guarantee the feed men cheap grain.

Freedom from fear is a wonderful word. But you name one thing that they want that they don't get from intimidation. If you don't build schools according to our specifications, we will take away your Federal help. If you don't sign up for compulsory farm bill, we will sell the corn and ruin the price. If they want more money for war, they throw out a war scare, fallout, or something else.

The farmer that takes care of his farm and rotates his crop, is not cooperating. The fellow that puts all his land in corn, depletes his soil so that he can have a large corn base—he is a cooperator. It seems anything that is started out to do the people some good, it isn't very long until they have made a racket of it. I have cleared land and built farm ponds but I have never taken a cent of their money. I think most of the money that is spent for conservation is spent on the office help. The farmer gets blamed for getting everything for nothing. Well I have several other things, but I think this is enough for now. I know you hate for things that you know are wrong but you are afraid not to.

Yours truly,

CARL TOBORG.

P.S.—I heard, I think it was, DOUGLAS the other night and he said the Farm Bureau was against anything the Democrats wanted. Well, I know this mess was started by the Democrats. I see where Mr. Kennedy is asking for another $2 billion in case a depression starts. When they get the free market, they will need it. You know better than I that the foreign country can produce things cheaper than we can. They don't have this high-priced union help. I think they make such a fuss over the farmer's plight. It is like sticking a person in the rear end so they can cut your throat.

CANTRIL, IOWA,
February 21, 1962

DEAR SIR: We are very much concerned about the affairs of our Government. In fact, we question—is it the people's choice in many matters of legislation? If so, our country is getting far from our idea of a democratic country. If every phase of peoples' welfare has to be subsidized and controlled by our U.S. Government, it is no surprise that a lot of nonthinking people grab for what they can get without any incentive for working and reaching for goals to help our country and mankind.

Our idea is for the Government to stay out of all business—let each firm and individual work out their own problems. It will take time and effort on the part of all, but will eventually get back to the old law of supply and demand. For instance, the soybean industry was doing fine until Government took over. This is one example of many. Of course, we all will have to make sacrifices and will be hard to adjust, but taxes are getting so out of bounds at the rate we are going, it will soon be impossible for us to pay them, let alone pay off the public debt.

There is absolutely no need of any country as rich as United States is to be in such financial difficulties. We are all to blame by not shouldering our responsibilities and taking the "easy road."

We trust you will be one of the many Congressmen needed to help us back on the road to recovery with "do it for ourselves" slogan. Also, not a bigger Government but a better Government for all.

Sincerely,

Mr. and Mrs. WESLEY PIERCE
(Farmers on a small scale).

MUSCATINE, IOWA,
February 23, 1962

Representative FRED SCHWENGEL,
House Office Building,
Washington, D.C.

DEAR FRED: The more Secretary Freeman talks about the Freeman-Cochrane long range farm program the more we realize the implication it will lead to if enacted as suggested by the administration. In order to make it work, Secretary Freeman admits strict controls on a unit basis would have to be enforced. You know, FRED, and also Mr. Freeman and Mr. Cochrane know, that eventually every farm commodity of any importance, including livestock production, would have to be controlled by the Secretary of Agriculture or some Government bureau.

I have enough faith in you, FRED, and your fellow U.S. Representatives and Senators, that you will stop the Secretary dead in his tracks in trying to force such a vicious long range program on the American farmer. I would consider it a tragedy if the administration's farm bill was enacted in its present form.

We have a very good picture in the dairy industry this past year as to what happens when the Government uses support prices to influence farm income. I notice Mr. Freeman tries to blame our present predicament in dairy production on a decrease in per capita consumption, which is true. But I wonder if Mr. Freeman and Mr. Cochrane, however, do not know that whenever you increase prices it tends to cover up demand and uncover supply. This is basic economics and Mr. Cochrane acting as Mr. Freeman's economic adviser should know this. The result is that in just one short year the Government has dried milk, cheese, whey and casein piling up so rapidly in government storage the Government has become alarmed. Can't we ever learn?

An issue I want to compliment you on is your stand against medical aid under social security law. This I am afraid would eventually lead to compulsory medical aid for everyone under social security. The King-Anderson bill would be a large step in this direction. Figures show that the great majority of our population already have coverage under some group plan or private policy. I feel this is a responsibility of the local and State governments who are closer to the situation. Let's keep our National Government out of medical aid under social security.

Another controversial issue that is getting wide support apparently is Federal aid for education. Here again I believe this problem can be handled on a local and State basis better. I know there is great pressure being exerted by the teaching profession for increases in teachers' salaries. Human nature being as it is the pressure will always be there whether salaries are paid by local government or the Federal Government. Let our local government handle the problem with the aid of our State governments. To pay part of our teacher salaries out of our Federal Treasury would open the flood gates and who knows when it would stop. You know, a dollar raised locally goes further than one sent to Washington and then returned by about 30 percent on this average. However, I would not object too strenuously if the Federal Government made available funds for building strictly on a businesslike basis if it was shown funds could not be raised locally and there was an obvious need.

With personal regards, I am,

Sincerely,

JAMES VAN NICE.

WINFIELD, IOWA,
February 26, 1962.

Hon. FRED SCHWENGEL,
House Office Building,
Washington, D.C.

DEAR SIR: Since I am a farmer, I want to ask you to do your share in helping stop this Mr. Freeman from taking away our freedom. We farmers who have always been independent—feeding our own grain and keeping our land built up—are the ones who have a small grain base and are really being squeezed. We get along OK if we aren't forced to plant and raise a specified amount. The independent class of people would soon be reduced to servitude. Not only that, but

we would soon lose our world markets, our prices would still mount, and farmers' taxes increase each year. If they have to have a program, the soil bank would be much better but please leave the farmer his freedom for which our forefathers fought.

Farmers would constantly have to be guarded that we didn't overproduce, the courts would be full of law offenders, and just people would be trying to make an honest living against the increasing cost of living.

If this incentive is taken away from the farmer, we will soon be like the foreign countries who haven't enough food. By the time the Government wakes up the incentive will be gone and we will be on some sort of dole, blaming our underproduction on overpopulation.

I'm sure any Congressman from Iowa won't go along with this program, but I didn't think a Minnesota man would either.

Thanking you.

Sincerely yours,

MILES D. SHELMAN.

LADORA, IOWA,
February 26, 1962.

Congressman FRED SCHWENGEL,
House Office Building,
Washington, D.C.

DEAR MR. SCHWENGEL: The farm program as outlined by the administration is very bad for the farmers. Your new cropland retirement bill is more in line with the farmers' ideas.

Any cropland retirement or cutting of surplus will be of no avail to bring up the farm income, until the real problem is solved that of the labor, or rising cost. However your program probably will help us cut back production. The farmer knows his problem is the rising cost. These are many, so I am sending you just one clipping. Price supports have built up a false market and have encouraged overproduction.

The farmer had to cover more acres to get back the cost of machinery and make a profit for other operations. This has been one of the biggest reasons for the feed-grains surplus, dairy and others. Do you know that now there is available on the market corn-pickers for much narrower rows. You can make all the land retirements, in any form and the farmer is going to get more out of his land, by heavy fertilizing and equipment, thicker planting, plus terracing, tiling and now narrower rows, to cover his cost.

My dad did not believe in having his 300 acres overcropped. It is all cropland too, so he managed it very carefully. They usually planted 90 acres of corn, that was all the cribs held, and what one man (renter) could take care of. Now his corn base is so small that the renter cannot afford to cut back. Under the present setup a farmer whose cropping history shows a high rate of conservation crops, legumes for example is forced to maintain that amount of cover crop. On the other hand a farmer whose cropping history shows a low rate of conservation cropping can go on raising a low acreage of cover crops, and a high acreage of feed stuffs. He will cut out a few acres, then push the rest of the land to the limit. The program should be more equitable.

On my 120 acres the land is highly productive, and I go to a 3-year corn. With a creek cutting into it, then again another corner cut, fences h ve been put in for that arrangement. Last year I could not go in the program because we were on the third year of corn, and the other fields would not work out according to pasture and hay. This year I hope I can take out that corner of 10 acres, and not have to buy fence. The program should be for a long-range planning.

Livestock controls: Suppose the seeding does not come up in the spring, a farmer can put in its place pasture, and buy cattle, or he can put in corn if he has the buildings fixed to raise more fall pigs. But if they control the livestock in any way we would have to run to the ASC office, to report or we would have to borrow from next year, or be at a loss, for the rest of the year. Then, too, suppose a field is in oats, the wind blew it down. Your own livestock now can clean it up, or you could buy more calves, cows, or sheep. Might wish to bale it up, and sell your hay crop, but if they controlled your operation you are just sunk. Or it might be that the hail damaged your corn too late to replant, then you could still reseed it, and pasture, but if there are controls, your income is limited.

It is unfair to control farming without controlling wages, or industry. Why should they be allowed to make a choice of expanding or have free enterprise and not the farmer. Especially when the main trouble comes from that part of the economy.

The farmer pays his taxes for new school building or other public works, so he is subsidizing labor wages. There is no difference. Labor unions have too much power, and should come under antitrust laws, and Government controls, unless they do we are going to have more unemployment. Industry will continue to find ways to eliminate them, the same as the farmer was required to do.

Our agricultural States of the Midwest helped pay the unemployment benefits for many in the big cities. For my part they should be made to work for there is work available, but some of it seems to be beneath them. I know there are disaster areas where this does not apply, and that has a different problem (retirement) and so on.

I agree that our farm children should have a chance at college, and not come back to the farm, but I can't see the farmer moving to town and adding to the cities' already overcrowded problems. The big demand is now for those with an agriculture background, even without benefit of college.

True labor has a big problem. I think I know labor problems almost as well as anyone. I too have been in with labor meeting after and during the war, with committees trying to work out something until we could get more new industry. I would think it would be better to have more working for less than have fewer working for more wages, benefits, etc.

A question: If farmers and their organizations cannot agree, COOLEY said then we shall have no legislation of any lasting benefits. One would not expect one union to represent all crafts. A typist belonging to that union, and an electrician doing a job would not see things equally. Neither a contractor belonging to the building trades, see the same as those belonging to the maritime unions. Or in your case, Congressmen from one agricultural State would not see things as a Congressman from another. When they say this it makes me think of the blind men who described the elephant: Each touched the animal on a different part so came up with separate answers.

A congressional idea: To remove surplus now, then in a few years we go to supply and demand, and make more money. You can prove just how impossible that is going to be by looking ahead 4 years to the year of 1966.

The corn surplus is gone, and we are on a supply and demand. Where only a few were feeding 90,000 head of cattle in 1962, now there are many more in the year of 1966 across the Southern and Western States. After we have grain to sell, and it is in short supply, we ask a price of $1.50 a bushel. Our answer from the big feeders will be we can't afford to pay that much, for we will have to raise the price of beef, which we can't do. If we raise the price of beef these markets are going to import beef. Since we will not take less for our corn, then you will see these feeders importing feed grains from the Common Market. (It might happen anyway.) So we will be forced to take less for our corn than we now can sell for, and we will still be under Government controls. For by that time we will not have the cattle and hogs here in the Midwest to feed the grain to; they will have been pulled out into the big feed lots. We can't compete with the big feeder any more than the little grocer did with the supermarket in his town. This sort of thing has happened to the chickens and eggs. The grain dealer and the big feed companies took care of that.

When we continue to get bigger farms, we will have the same problem that history has again repeated: Example, Argentina today or China yesterday. The millions in the cities will want the land reforms; they always have.

Milk: This raising the price after Freeman got in was uncalled for. What else would he expect? There was no secret about the boast of sales in dry milk. You cannot get more efficient in milking except by high-production cows, which most farmers already have, or going into a $20,000 milk setup, which many have done for grade A milk. Then the others will have to go to a $20,000 setup or get out of grade B milk. The once grade B milk check and the egg check bought the family groceries, and those extra things for the farm home; yes, they even sent children to college. So the Federal Government is going to help educate them; there is no difference.

The Des Moines Register last Sunday had a cartoon by Darling, showing Indians, trees, stumps, rocks, trails, and all other troubles for a farmer, then it took one corner and put the farmer with corn, cattle, and pigs all over. Then it said he did not get there on a 40-hour week.

The South repeats the saying so often: We were compelled to cut our cotton and tobacco acres back. What they don't say is that there was no cross compliance then, so they planted corn and went into dairy, farming, etc.

I don't know if anything I have said here is worth anything to you, or will have helped with this farm problem coming up. You can be assured of one thing, and I am not just speaking for myself, but many other farmers, that we do appreciate what you are doing for us.

Sincerely yours,

Mrs. FRANKLIN LILLIE.

WICHITA, KANS., SELECTED AS AN ALL-AMERICAN CITY

Mr. KEITH. Mr. Speaker, I ask unanimous consent that the gentleman from Kansas [Mr. SHRIVER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. SHRIVER. Mr. Speaker, it is a great privilege for me today to pay tribute to the citizens and the city of Wichita, Kans., upon being selected by the National Municipal League and Look magazine as a 1962 all-American city.

Wichita is one of 11 American cities to receive this distinction. The competition was keen. Wichita was one of 350

cities across our Nation nominated for this honor. Eighty-six cities were selected to make final presentations at the National Municipal League Conference in Miami Beach, Fla., late last year.

It is with considerable pride that I join in congratulating the people of Wichita, and I especially want to commend the National Municipal League Conference and Look magazine for conducting such a worthwhile program of community recognition.

I know Wichita, Kans., and its people. Wichita not only is a part of the congressional district which I represent, it is my hometown. I was raised in Wichita, attended public schools there, and received my bachelor's degree from its University of Wichita. My wife and I have raised our family there. I have practiced law in Wichita. Before coming to Congress more than a year ago, it was my pleasure to serve in the Kansas Legislature as the representative of the citizens of Wichita and Sedgwick County.

The 342,000 citizens of Wichita have entered the decade of the 1960's with a progressive outlook and a program of action.

These people are not waiting for the Government to get things done. They have voluntarily set into action programs designed to make Wichita a wonderful place to raise a family.

First, they have fought and succeeded in retaining the commission-manager form of government which has operated since 1917. They have joined in electing a unified city commission. Only last year they approved a $15 million bond issue for a new civic center, library and auditorium. They are about to proceed with a countywide reappraisal of property.

Citizens from every walk of life have contributed to the development of a successful United Fund organization providing numerous health, education, welfare and youth services. Wichita is proud of its outstanding symphony orchestra. It boasts one of the finest collections of American contemporary art in the Nation.

Yes, Wichita—like most American cities—has problems. It hopes that its impressive aircraft industry can continue to qualify for an important role in the Nation's defense efforts. Wichita also is working to broaden its industrial base by locating new businesses and industries here. It is striving within its resources to provide a quality program of education for its young people from kindergarten through university. The city is about to achieve a solution to its need for new water resources through the joint efforts of the community, State and Federal Government. These are but a few of the problems which Wichita faces.

The recognition which has been bestowed by the National Municipal League and Look magazine is evidence that the people of Wichita recognize their responsibilities in actively working for the solutions to their problems.

I am certain that the all-American city of Wichita accepts this honor as a challenge to continue moving ahead. You will find the citizens of Wichita in Kansas in the forefront working for the growth and betterment of their city.

STAR ROUTE CARRIERS

Mr. ICHORD of Missouri. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. ICHORD of Missouri. Mr. Speaker, the Civil Service Retirement Act, together with the Federal Employees' Group Life Insurance Act and the Federal Employees Health Benefits Act, in my opinion, constitutes fine legislation that makes an important contribution to the success and efficiency of our civil service system. However, there is one important group of dedicated public servants who have been overlooked due to what might be called a technicality. I refer to the star route mail carriers.

Technically, the star route carriers are classified as self-employed contractors. In actual fact, however, their work more resembles that of Government employees. The scheduling of their work is done by the Government, and for most of them, their full working time is required. Their compensation is modest. Many of them have been carrying the mail for many years, quite a few for periods as long as 20 to 30 years and even more. Despite this long governmental service, however, these people have been denied the protection and security which is available to other Government employees. This is a particular hardship in those cases where a star route is discontinued. The man who may have been carrying this route for 20 or 25 years is forced to seek other employment, at an age when this is very difficult.

Mr. Speaker, I am introducing a bill to bring these star route mail carriers within the purview of the Civil Service Retirement Act for retirement benefits, and also for life insurance and health benefits. It is not compulsory, but it gives the star route carriers the right to elect to come under the law. It is patterned after the law which brought Agricultural Stabilization Conservation Committee office employees under the Civil Service Retirement Act, and in my opinion, it will correct a longstanding inequity.

THE UNITED NATIONS IN THE WORLD TODAY

Mr. LINDSAY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. LINDSAY. Mr. Speaker, the United Nations must be evaluated in terms of the real world in which it functions. In terms of the hopes of 1945, let us agree that the United Nations has fallen short. But in terms of the real world, a world of turmoil and revolutionary change, the United Nations has proven itself to be a most valuable instrumentality in the pursuit of a more civilized order of international affairs. That the United Nations has defects is undeniable. But it also has significant achievements to its credit, and still more significant prospects.

The United Nations was conceived in 1945 as a genuine international authority with organic powers to make and enforce decisions acceptable to the five permanent members of the Security Council in response to any "threat to the peace, breach of the peace, or act of aggression." It didn't work out as planned. The growing conflict between the Communist powers and the free nations forced a retreat from the original conception to more traditional means of voluntary coordinated action among the members. This is the basic significance of the evolutionary transfer of authority and influence from the Security Council to the General Assembly as the former became increasingly paralyzed by the veto power of the Soviet Union. These changes have little if anything to do with any defects in the charter. They are the direct reflection of the world power struggle between the Communist bloc and the West.

The most significant development of the United Nations through the 1950's was the evolution of the office of the Secretary General as a special center of authority for the conciliation of disputes and the peaceful settlement of local conflicts which threatened to burgeon into world conflict. Under the secretaryship of Dag Hammarskjold the office evolved toward a considerable measure of independence. As a result of operating responsibilities and many resolutions which conferred discretionary authority upon him, Hammarskjold acquired an impressive degree of authority as a policymaker, far beyond the essentially administrative functions conferred by the charter. In some instances, notably the Suez crisis of 1956 and the Congo crisis which began in 1960, the Secretary General exercised preeminent influence in bringing about tolerable settlements and preventing the spread of conflict, as in the case of Suez, or chaos, as in the case of the Congo.

The Soviet assault on Hammarskjold and agitation for the troika were designed to reduce the Secretariat to the same condition of paralysis that afflicts the Security Council. The attack was precipitated by Hammarskjold's success in thwarting Soviet aspirations in the Congo, that is, by the success of the United Nations in frustrating Soviet indirect aggression in central Africa.

It was generally expected at the time of Hammarskjold's death that the Russians would seize the opportunity to paralyze the United Nations by insisting on the troika, consisting of three coequal

Secretaries General each wielding the power of veto. This has not happened. The Soviet Union receded from the troika demand and U Thant of Burma was elected Acting Secretary General with freedom to name his own advisers and to make his own decisions. Constitutionally and morally the office of Secretary General has been substantially preserved. This is extremely significant. U Thant has continued the vigorous policy of the United Nations in the Congo, an operation which has now brought that unhappy nation toward a measure of stability and unity which seemed unattainable as recently as a few months ago.

The Secretary General will be free to continue to exercise his most important role, that of a mediator among all powers, great and small. This substantial achievement was principally the result of the rallying to the United Nations of the small and weak powers whom many Americans often denounce as being "in the Soviet pocket." The small powers rallied to the United Nations because the world body provides the only instrumentality through which they can play important roles as independent nations in international relations. They value their recently won independence above all things and they have come to identify its preservation with the United Nations. In the final analysis the new and emergent nations of Asia and Africa are basically as determined to preserve their independence from the new imperialism of the Soviet Union as they were to win it from the old imperialism of the West. The net result of this determination is to bolster the strength and viability of the United Nations.

The character of the United Nations has been as much altered by the great increase in membership consisting of the newly independent nations as it has been by the East-West conflict. The emergent nations, most of which are neutralist in the cold war, place high value on their membership as a symbol of their national prestige. Moreover, they are conscious of the fact that in the United Nations they find it possible to exercise influence in the world quite out of proportion to their power. This leads to a high degree of frustration on the part of many Americans who feel, quite naturally, that it is high time the neutrals took sides. These nations, it is pointed out, have not exercised the influence they can muster in support of the peace enforcement functions of the organization. Questions are raised, quite properly, over the fairness of the double standard. The answer depends in part on one's definition of neutralism. In the context of international power struggles, or survival struggles, as the case may be, neutralism is not, and never has been, the same as disinterestedness. The latter implies judicious consideration of the merits of an issue which may well lead to a firm stand on one side or the other. On major cold war issues the neutrals cannot be said to be disinterested in the sense defined. They are all too often inclined to be neutral as between the great powers regardless of the merits of the issue involved. This is not, however, a full answer to the question. The intent of the charter undoubtedly is not fulfilled when members adopt positions of neutrality between upholders and violators of the charter.

Moreover, the zealous dedication of many of the neutrals to the cause of national independence movements throughout the world has led them on at least one occasion—that of India's forcible seizure of Goa—to a posture of extreme irresponsibility in upholding a nation's resort to force in clear violation of the charter.

Conceding both the illogic and the unfairness of this double standard, the influence of the uncommitted nations in the United Nations is still a constructive force, serving as a necessary restraint against the excesses of great power enmity. The influence exercised by the neutrals derives from their opposition to great power blocs to win their support on cold war issues. The result of this is that colonialism and the desire of the two tion of the long-submerged nations of the United Nations itself has become a significant force in the furtherance of the rise to independence and self-asser- Asia, Africa, and Latin America. In the long run the rise to self-assertion will be an additional force to resist Soviet or any other imperialism.

It is extremely important in assessing the role of the United Nations in world affairs to look beyond its political successes and failures and take due cognizance of its extremely important economic and social functions. Throughout the world the United Nations is doing valuable work in such fields as child care, health, and education. There are millions of people who think of the United Nations in terms of their experience with its 3,300 doctors, teachers, economists, and specialists in many other fields who are scattered over the world. They know of malaria stamped out, of better crops, of healthier children, of schools for children who never before have had the opportunities of education. To these people of the poorer countries of the world the United Nations represents food, medicine, seeds, tools, technicians, and schools.

It is suggested at times by Americans who are disillusioned by the failures of the United Nations that the United States ought to withdraw from the world body. To withdraw from the United Nations would be disastrous folly. We would thus deliver into the hands of the Soviet Union the political, social, and economic instrumentalities which are so highly valued by hundreds of millions of people all over the world and leave ourselves isolated from the one organ of potential world community. At the very least the United Nations is a valuable symbol of our hopes for a genuine global collective security organization. It is a safety valve through which pressurized steam is funneled, lets off a warning whistle, and escapes.

More than all of these, the United Nations has served in very specific and very concrete ways as an effective agency for the maintaining of relative order and stability. In circumstances far more adverse than any encountered by the League of Nations, the United Nations successfully thwarted aggression in Korea whereas the League had failed in Manchuria, Ethiopia, and elsewhere The United Nations helped restore peace in the Middle East in 1956, and the United Nations Emergency Force has served as a stabilizing peace-keeping force ever since. Show me the person who has visited this area who is not thankful for the blue United Nations flag that flies over the lonely no man's land between the outposts of the Israeli and Arab lands of the Middle East. In the Congo the United Nations has helped the country move from total chaos toward a measure of stability while at the same time thwarting Soviet interference.

To the extent that the United Nations has fallen short of its original goals, there is room for comment and criticism. But it must be stressed that these failures are the direct result of world tensions that have been close to the breaking point, and not the result of any flaws either in the structure or in the machinery of the United Nations itself. Because these tensions exist, and have been close to the breaking point, they have led to frustrations which have compelled some—too many, I fear—to seek panaceas in slogans of reaction, to oversimplify when simplification is impossible and even worse, to suggest counsels of total despair. Some have recommended that the United States withdraw from the United Nations altogether. Others would block important and necessary measures designed to keep the United Nations economically healthy and therefore politically capable.

These are some of the considerations that underlie the current deliberations of the Congress regarding the United Nations bond issue. The basic issue is not the technical question of whether the bond issue is a financially sound means of restoring and bolstering the ability of the United Nations to meet its obligations for preventing chaos and maintaining order in the Middle East and the Congo. My own view is that it is a practical means of solving the immediate problem. And without doing substantial damage to the proposal, or to the action of the United Nations in making it, safeguards can be written in which will insure that the United States will not be carrying an unduly large share.

In any event, the bond issue in no way will release the Soviet Union or any other country in arrears from the obligation of paying its past unpaid assessments for the operations in the Middle East and the Congo. Furthermore, if the International Court of Justice rules, as we hope it will, that these special assessments are binding obligations under the charter, the way will be open to deprive the delinquent nations of their

votes in the General Assembly. It must be noted also that the Soviet Union is not refusing to support the United Nations operations in the Middle East and the Congo merely because it enjoys being obstreperous and uncooperative. It is doing so because its own objectives, which are to create disruption and chaos in these parts of the world and thereby to pave the way for Communist conquest, are being thwarted by the operations of the U.N. in these areas. To argue that the United States should withhold its support from the U.N. operations in the Middle East and the Congo because the Soviet Union refuses to support them is equivalent to contending that the law-abiding citizens of a community should refuse to maintain a local police force because the criminal element does not share their enthusiasm for the agencies of law enforcement.

Much more important than the technique employed in solving the immediate cash shortage, however, is the basic question of whether it is vital to the interests of the United States to maintain the United Nations as a viable and dynamic international organization. The bond issue may not be the only possible means of solving the financial problems of the U.N., but the General Assembly has acted upon it and has, by common consensus, chosen this means. That there may have been reasonable alternatives is beyond guessing. For the Congress now to repudiate the action would be widely, even if mistakenly, interpreted as a repudiation of the United Nations itself.

The basic question, then, goes to the core of our foreign policy, our long range national objectives, and our conception of the kind of world community we would like to build. It seems to me beyond doubt that the Charter of the United Nations, unfulfilled though it is in today's troubled world, embodies the most fundamental aspirations of all Americans and of all free peoples. Peace, human dignity, the liberty of the individual, the rule of law, social and economic well-being for all men—these are the aspirations of the United Nations. Only by continuing, patient, and unwavering support of the world organization, despite its present failures and defects, can we hope to make an ultimate reality of the purposes of the United Nations, as set forth in the preamble to the charter: "to save succeeding generations from the scourge of war"; "to reaffirm faith in fundamental human rights"; "to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained"; and "to promote social progress and better standards of life in larger freedom."

TARIFF WALL OBSTRUCTS

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include an editorial.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. ASPINALL. Mr. Speaker, last year, when President Kennedy addressed the people for the first time from that high office, he called upon each of us to be willing to make some sacrifices so that this Nation might continue to move forward, to prosper and to grow.

Now we are engaged in the struggle for the minds and hearts of men all over the world—it is a costly and difficult struggle which cannot be overcome easily or quickly—it is not one which we can meet alone.

Unity of purpose extends beyond the battleline—it penetrates deeply into the socioeconomic fiber of the Nation—it asks each of us to sacrifice for the general well-being.

Mr. Speaker, one of the most important and crucial issues facing this session of Congress involves the President's proposed changes in the world trade program. Every American—be he a businessman, farmer, worker, miner or consumer—has a vital stake in this matter.

After being on the statute books since 1934, the current reciprocal trade agreements program is scheduled to expire on June 30. It has served our country well; we have prospered; our exports have grown from about $2 billion to over $20 billion per year. But this program, like all others, must undergo review by Congress to determine if it is meeting—and will continue to meet—the needs of our people in these difficult times and in this complex world.

In undertaking any extensive revision of the present trade program, this Congress will be faced with problems not easy to solve nor insignificant in scope.

Ultimately, our aim must be to promote the longrun general well-being of our Nation and our people, and yet we must, at the same time, do our best to safeguard our present position and prosperity. This will be no easy task because lower tariffs will mean readjustment, and that in turn may result in some hardships for some industries and many Americans. The problem confronting us is: "Can we move forward, prosper and grow without undue sacrifice or must some of our industries and people be offered as the 'lambs' for this advancement?" Mr. Speaker, no single industry, no group of single industries—be they domestic mining, domestic livestock production, domestic textile production, or any other—should be wholly or unduly sacrificed to accomplish our desired objectives. Whatever sacrifices are needed should be equally shared by all. This is the American way.

Mr. Speaker, it is our difficult duty to solve this dilemma. In so doing, we must keep in mind the temper of the people—their needs and their desires. But we must also recognize the interest of future generations who will live in the world which we leave behind.

Mr. Speaker, our decision must recognize that progress often walks with hardship and sacrifice; that we cannot merely take, but must give as well; that the world, in this age of atoms and astronauts, is fast becoming one which requires interdependence with other nations and peoples if we are to survive.

In an address not unlike the one by President Kennedy, another great President, Franklin D. Roosevelt, said:

> We have learned that we cannot live alone, at peace; that our own well-being is dependent on the well-being of other nations, far away. We have learned that we must live as men, and not as ostriches, nor as dogs in the manger. We have learned to be citizens of the world, members of the human community.

Mr. Speaker, it is not often that we have an opportunity to view attitudes and opinions far beyond the scope of our own districts, but when an exceptionally fine editorial appears in our newspapers, many Members bring them to our attention. I have with me just such an editorial from the Daily Sentinel in Grand Junction, Colo. It is one which I believe is well worth the attention of every Member of Congress. The editorial follows:

TARIFF WALL OBSTRUCTS

> There will be a battle in Congress over the lowering of tariff walls. Even though the principle has been endorsed by leading businessmen of both parties Congress shows little inclination of accepting the idea.
>
> Pressures from individual districts will provide much of the opposition and vested interests in specific businesses will provide others. Few will have the courage to say, as one leading industrialist has said: "I urge you not to save any particular industry—even my own. But that you apply yourselves diligently to saving the whole of our free enterprise economy."
>
> This is what is at stake. Americans who would bury their heads in the sand simply demonstrate ignorance of the force and fervor of the European Common Market. It intends to recapture many of the world markets and it intends to succeed in reestablishing and promoting Europe's financial welfare. It will not do business with countries maintaining high tariff walls and it will be in heavy competition with those countries. It's a matter of dollars and cents.
>
> There is a possibility that lowering tariffs will mean readjustment in some fields of production. There is a possibility that it will mean hardship in some fields. But it is an absolute certainty that if America does not prepare to work with the ECM the entire economic structure of the country will be disrupted. And within a few years it could mean serious repercussions not just for a few but for all businesses.
>
> Those whose concern is with the immediate present and specific business will pressure Congress. Those concerned with America's economic future must recognize that they will have to tip the balance with their own pressures in favor of a far-reaching policy on which to build a stable United States and a stable world market.

EDWARD P. CLIFF

Mr. HORAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. HORAN. Mr. Speaker, on March 17, 1962, Dr. Richard E. McArdle, after 39 years of distinguished service with the U.S. Forest Service, will retire as Chief of the Forest Service. It was announced last week that the new Chief of the Forest Service would be Edward P. Cliff. He should make an outstanding Chief Forester.

Ed Cliff began his work with the Forest Service on the Icicle River as assistant ranger of the Leavenworth Ranger District on the Wenatchee National Forest, located in the Fifth Congressional District of Washington State, which I have the honor to represent in the Congress. Frank Folsom was the district ranger in the Leavenworth area at the time, and Gilbert Brown was supervisor of the Wenatchee National Forest.

Cliff was born in Utah and received his bachelor of science degree from Utah State University in June of 1931. On August 13, 1931, he was appointed Folsom's assistant for the Leavenworth district. He had been recently married and arrived with his bride in the afternoon of August 19. It was hot and in the middle of the fire season. Later in the day he drove to Wenatchee to report to Supervisor Brown, who had just recently replaced Hal Sylvester, the highly regarded supervisor of the Wenatchee National Forest.

The depression was on and some pundits were predicting it "might run until 1935." The Civilian Conservation Corps had not yet begun their work on the Icicle. Our new chief forester remained in his Leavenworth post for 3 years.

Between May 1934 and 1939, he was in charge of wildlife management in the Pacific Northwest region with headquarters in Portland, Oreg. In May 1939, he became Forest Supervisor of the Siskiyou National Forest, and in January 1942 was transferred to the supervisorship of the Fremont National Forest, both in Oregon. Mr. Cliff was transferred to Washington, D.C., in April 1944, as Assistant Chief of the Division of Range Management. In September, 1946, he became Assistant Regional forester in charge of the Division of Range and Wildlife Management for the intermountain region, with headquarters in Ogden, Utah. He became Regional Forester for the Rocky Mountain region with headquarters in Denver, Colo., in January 1950 until his transfer to Washington, D.C., in 1952.

It was while he was stationed at Denver that I first met Ed Cliff. The bark beetles had taken over a half million acres of important watershed near Kremling, Colo. These were the headwaters of several important rivers, including the Colorado, and we were spending sizable sums to bring the beetle infestation under control. Cliff was in charge of the work. As a member of the House Appropriations Committee, I, along with the Honorable CARL ANDERSEN of Minnesota, went out to see the progress. With Mr. Cliff we flew over the devastated area. The project proved a success, and the watershed was saved.

When he was reassigned to Washington, D.C., Ed Cliff was named Assistant Chief in charge of the National Forest Resources Management Divisions handling the timber, watershed, ranger, wildlife and recreation activities on all of our national forests.

Since 1955 Mr. Cliff has been the U.S. Department of Agriculture representative on the Board on Geographic Names and was appointed Chairman of the Board in 1961. He is a member of several professional organizations.

The Cliff family, Ed, his wife, and two daughters, reside in Alexandria, Va. The proper management of our abundant national forest lands is essential for the continued development of the timber resources. I am most confident that the Forest Service, under the direction and leadership of Ed Cliff, will continue to provide this sound management, as it has done for many years under the direction of Dr. McArdle. I know all of us join in wishing Ed Cliff every success in his new position.

ASKS ADDITION TO FORT HAMILTON VETERANS' HOSPITAL

Mr. CAREY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CAREY. Mr. Speaker, Kings County, Brooklyn, N.Y., has the largest veteran population of any county in the United States, numbering nearly half a million former servicemen. The 1,000 bed veterans' hospital at Fort Hamilton, which serves this, as well as other, neighboring counties, has been operating at, or over, capacity for some time.

I have this day introduced a bill to increase the size of this hospital by the construction of a 350-bed addition to be devoted to rehabilitation and restoration use. This would be in keeping with the policy of the Veterans' Administration as evidenced by like installations contemplated at Hines General Hospital in Chicago, Ill., and the veterans' hospital at East Orange, N.J. The intent in planning this wing for rehabilitation and restoration would be to permit ambulatory and recovering patients who do not need the full physical care and medical treatment afforded by the present hospital, to receive convalescent and nursing treatment for a limited time prior to their return to homes and families. It would also envision the instruction of relatives and others in methods to be used after discharge from the hospital to complete the veteran-patient's full recovery with home care. Most importantly, it would relieve the present strain on capacity of the hospital, especially with regard to emergency patients in need of full medical and physical care where prompt treatment can prevent worsening illness or even undue fatalities. This strain on capacity will surely grow worse as the World War II and Korean veterans approach the middle years and the aggravation of many service-connected disabilities.

I believe this legislation to be timely, as well as proper, in that the original plan for this hospital would have provided capacity equal to the present hospital with the enlargement I propose.

ANNOUNCEMENT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, I take this time to advise the House that it is planned to call up a conference report on the bill H.R. 8723, the Welfare and Pension Plan Disclosure Act, at 11 o'clock tomorrow morning.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. DINGELL, for 1 hour, tomorrow, Thursday, March 15, 1962, immediately following the remarks of Mr. CURTIS of Missouri.

Mr. BOW (at the request of Mr. KEITH), for 30 minutes, on March 15, 1962.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. FOGARTY in five instances.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 1991. An act relating to manpower requirements, resources, development, and utilization, and for other purposes.

ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 24 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, March 15, 1962, at 11 o'clock a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIII, reports of tive communications were taken from the Speaker's table and referred as follows:

1805. A letter from the Secretary of Commerce, relative to a report by the Comptroller

General of the United States, and an audit of the Weather Bureau for the fiscal years 1959–61 that disclosed an overobligation of seven allotments under the "Salaries and expenses" appropriation for fiscal years 1959–60, pursuant to section 3679 of the Revised Statutes, as amended; to the Committee on Appropriations.

1806. A letter from the Secretary of the Army, transmitting reports of the number of officers on duty with Headquarters, Department of the Army and the Army General Staff on December 31, 1961, pursuant to section 3031(c) of title 10, United States Code; to the Committee on Armed Services.

1807. A letter from the Administrator, Agency for International Development, Department of State, transmitting a draft of a proposed bill entitled "A bill to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes"; to the Committee on Foreign Affairs.

1808. A letter from the Secretary of Commerce, transmitting the quarterly report of the Maritime Administration of the Department of Commerce on the activities and transactions of the Administration for the period October 1 through December 31, 1961, pursuant to the Merchant Ship Sales Act of 1946; to the Committee on Merchant Marine and Fisheries.

1809. A letter from the chairman, U.S. Atomic Energy Commission, transmitting a draft of a proposed bill entitled "A bill to authorize appropriations for the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes"; to the Joint Committee on Atomic Energy.

1810. A letter from the Director, Administrative Office, U.S. Courts, transmitting a draft of a proposed bill entitled "A bill to amend section 144 of title 28 of the United States Code"; to the Committee on the Judiciary.

1811. A letter from the Secretary of the Treasury, transmitting a draft of a proposed bill entitled "A bill to amend the Internal Revenue Code of 1954 to remove restrictions on charges for forms, and for other purposes"; to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MOORE: Committee on the Judiciary. H.R. 1701. A bill for the relief of Mrs. Kikue Yamamoto Leghorn and her minor son, Yuichiro Yamamoto Leghorn; with amendment (Rept. No. 1430). Referred to the Committee of the Whole House.

Mr. MOORE: Committee on the Judiciary. H.R. 1703. A bill for the relief of Maximo B. Avila; with amendment (Rept. No. 1431). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. H.R. 2687. A bill for the relief of Miss Helen Fappiano; with amendment (Rept. No. 1432). Referred to the Committee of the Whole House.

Mr. CHELF: Committee on the Judiciary. H.R. 5610. A bill for the relief of Pierino Renzo Picchione; with amendment (Rept. No. 1433). Referred to the Committee of the Whole House.

Mr. POFF: Committee on the Judiciary. H.R. 6773. A bill to repeal the act of August 14, 1957 (Private Law 85–160); with amendment (Rept. No. 1434). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. H.R. 1599. A bill for the relief of Pasquale Marrella; without amendment (Rept. No. 1435). Referred to the Committee of the Whole House.

Mr. CHELF: Committee on the Judiciary. H.R. 6772. A bill for the relief of Hendrikus Zoetmulder (Harry Combres); with amendment (Rept. No. 1436). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BAKER:

H.R. 10726. A bill to provide flood control on the Big South Fork, Cumberland River Basin; to the Committee on Public Works.

By Mr. BLATNIK:

H.R. 10727. A bill to authorize the establishment of a Youth Conservation Corps to provide healthful outdoor employment for young men and to advance the conservation, development, and management of national resources to timber, soil, and range, and of recreational areas; and to authorize pilot local public service employment programs; to the Committee on Education and Labor.

H.R. 10728. A bill to provide research and technical assistance relating to the disposal of solid municipal refuse; to the Committee on Interstate and Foreign Commerce.

By Mr. BOYKIN:

H.R. 10729. A bill to provide disaster loans to fishing vessel owners and operators adversely affected by failure of the fishery resource, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. CAREY:

H.R. 10730. A bill to provide for the construction of a 350-bed addition to the Fort Hamilton Veterans Hospital in New York; to the Committee on Veterans' Affairs.

By Mr. COLLIER:

H.R. 10731. A bill to amend the Internal Revenue Code of 1954 so as to exclude from gross income gain realized from the sale of his principal residence by a taxpayer who has attained the age of 60 years; to the Committee on Ways and Means.

By Mr. EDMONDSON (by request):

H.R. 10732. A bill to provide for the relief of certain oil and gas lessees under the Mineral Leasing Act; to the Committee on Interior and Insular Affairs.

By Mr. HALPERN:

H.R. 10733. A bill to amend title II of the Career Compensation Act of 1949 to provide that enlisted reservists called to active duty during the Berlin crisis shall be entitled to $100 per month additional pay for duty performed pursuant to that call; to the Committee on Armed Services.

H.R. 10734. A bill to establish standards for hours of work and overtime pay of laborers and mechanics employed on work done under contract for, or with the financial aid of, the United States, for any territory, or for the District of Columbia, and for other purposes; to the Committee on Education and Labor.

By Mr. ICHORD of Missouri:

H.R. 10736. A bill to bring certain holders of star route and other contracts for the carrying of mail within the purview of the Civil Service Retirement Act, the Federal Employees' Group Life Insurance Act of 1954, and the Federal Employees Health Benefits Act of 1959, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. CLEM MILLER:

H.R. 10737. A bill authorizing the project for flood control of Redwood Creek, near Orick, Humboldt County, Calif., and for other purposes; to the Committee on Public Works.

H.R. 10738. A bill authorizing the project for flood control in the Corte Madera Creek drainage basin, Marin County, Calif., and for other purposes; to the Committee on Public Works.

H.R. 10739. A bill authorizing the project for flood control in the Dry Creek drainage basin of the Russian River, Calif., and for other purposes; to the Committee on Public Works.

By Mr. MOULDER:

H.R. 10740. A bill relating to the appointment of rural carriers and postmasters from civil service registers; to the Committee on Post Office and Civil Service.

By Mr. PIRNIE:

H.R. 10741. A bill to amend title II of the Social Security Act to provide that a fully insured individual may qualify for the disability "freeze" and for disability insurance benefits with 20 quarters of coverage, regardless of when such quarters occurred; to the Committee on Ways and Means.

By Mr. SCRANTON:

H.R. 10742. A bill to amend title I of the Housing Act of 1949 with respect to eligibility for capital grants thereunder in certain hardship cases; to the Committee on Banking and Currency.

By Mr. TEAGUE of Texas:

H.R. 10743. A bill to amend title 38, United States Code, to provide increases in rates of disability compensation, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. TOLLEFSON:

H.R. 10744. A bill to amend the Small Business Act to provide that the program under which Government contracts are set aside for small business concerns shall not apply in the case of contracts for maintenance, repair, or construction; to the Committee on Banking and Currency.

By Mr. MORRIS K. UDALL:

H.R. 10745. A bill to amend the act of April 19, 1950, relating to the rehabilitation of the Navajo and Hopi Tribes of Indians, to authorize certain additional highway projects; to the Committee on Interior and Insular Affairs.

By Mr. WAGGONNER:

H.R. 10746. A bill to amend the Subversive Activities Control Act of 1950 to authorize the payment of rewards to persons who furnish information leading to convictions of organizations or individuals of failure to register as required by such act; to the Committee on Un-American Activities.

By Mr. WILLIAMS:

H.R. 10747. A bill to provide for the establishment, ownership, operation, and regulation of a commercial communications satellite system, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ANFUSO:

H.J. Res. 664. Joint resolution designating the rose as the national flower of the United States; to the Committee on House Administration.

By Mr. HAYS:

H. Con. Res. 451. Concurrent resolution authorizing the printing of additional copies of House Document 218, 87th Congress, 1st session, entitled "Inaugural Addresses of the Presidents of the United States"; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BATTIN:

H.R. 10748. A bill for the relief of Wesley J. Hjort of Medicine Lake, Mont.; to the Committee on the Judiciary.

By Mr. COHELAN:

H.R. 10749. A bill for the relief of Edward Wong (Woo Kok Wan); to the Committee on the Judiciary.

By Mr. FINO:

H.R. 10750. A bill for the relief of Achilefs Zavitsanos; to the Committee on the Judiciary.

By Mrs. GRANAHAN:

H.R. 10751. A bill for the relief of Robert Bertram; to the Committee on the Judiciary.

H.R. 10752. A bill for the relief of O'Brien Dieselectric Corp.; to the Committee on the Judiciary.

By Mr. HARDY:

H.R. 10753. A bill for the relief of Gerassimos N. Maratos; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

252. Mrs. ST. GEORGE presented a resolution of the Ramapough Business and Professional Women's Club of Suffern, N.Y., requesting that the Federal income tax system be reviewed as now administered, which discriminates unjustly between single taxpayers, etc., which was referred to the Committee on Ways and Means.

SENATE

WEDNESDAY, MARCH 14, 1962

The Senate met at 12 o'clock meridian, and was called to order by the Vice President.

Rev. John E. Senglar, pastor, Sacred Heart Church, Phoenixville, Pa., offered the following prayer:

Almighty God, who hast deigned to grant strength and perseverance to our leaders, that they might guide our country's destiny in accordance with Thy will, we beseech Thee to be ever helpful to our President, to our Congress, and to all officials entrusted with the charge of State and local governments, that they may lead the people of the United States of America to temporal and eternal bliss.

We beseech Thee, Heavenly Father, the light of all that is true, do Thou make us clearly see the snares which could seriously weaken our freedom and independence, and grant us the courage to avoid them.

We also pray Thee, the support of the weak and the downtrodden, to look with a merciful eye upon the 2 million ever-loyal American citizens of Slovak descent, and upon Slovakia, the land of their forefathers, which today is suffering under the tyranny of an alien, brutal regime. With hearts truly grateful to Thee, O Lord, for the blessings of America, we implore Thee to make all men acknowledge the truth that Slovakia, too, is fully deserving of the blessed fruits of freedom and independence.

On this historical day, the 23d anniversary of the proclamation of Slovak independence, we betake ourselves to Slovakia's patroness, Mary of the Seven Dolors, imploring her to intervene with her Son to shorten the days of trial and tribulation of the Communist-enslaved Slovak nation, which is now preparing to commemorate, in 1963, the 1,100th anniversary of the blessed advent of the apostles Saints Cyril and Methodius to its territory.

Heavenly Father, Lord of the universe, we beseech Thee, grant true peace and freedom to all nations of the earth.

Lord, hear our prayers, and let our cries come unto Thee. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, March 13, 1962, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting several nominations, which were referred to the Committee on the Judiciary.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. BARTLETT, one of its reading clerks, announced that the House had passed the bill (S. 167) to authorize the Attorney General to compel the production of documentary evidence required in civil investigations for the enforcement of the antitrust laws, and for other purposes, with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had passed a bill (H.R. 10079) to amend section 104 of the Immigration and Nationality Act, and for other purposes, in which it requested the concurrence of the Senate.

LIMITATION OF DEBATE DURING MORNING HOUR

On request of Mr. MANSFIELD, and by unanimous consent, it was ordered that statements in connection with the morning hour be limited to 3 minutes.

COMMITTEE MEETING DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate Finance Committee be permitted to sit during today's session of the Senate.

The VICE PRESIDENT. Without objection, it is so ordered.

ORDER FOR RECESS UNTIL NOON TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate concludes its business for today, it stand in recess until 12 o'clock noon tomorrow.

The VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

AMENDMENT OF SECTION 204 OF AGRICULTURAL ACT OF 1956

A letter from the Acting Secretary of Commerce, transmitting a draft of proposed legislation to amend section 204 of the Agricultural Act of 1956 (with an accompanying paper); to the Committee on Agriculture and Forestry.

REPORT ON OVEROBLIGATIONS OF APPROPRIATIONS

A letter from the Secretary of Commerce, reporting, pursuant to law, on the overobligations of appropriations within that Department; to the Committee on Appropriations.

REPORT ON PROPERTY ACQUISITIONS FOR STOCKPILE PURPOSES

A letter from the Assistant Secretary of Defense, reporting, pursuant to law, on property acquisitions for stockpile purposes, for the quarter ended December 31, 1961; to the Committee on Armed Services.

REPORT ON NUMBER OF OFFICERS ON DUTY WITH HEADQUARTERS, DEPARTMENT OF THE ARMY AND ARMY GENERAL STAFF

A letter from the Secretary of the Army, transmitting, pursuant to law, a report on the number of officers on duty with Headquarters, Department of the Army, and the Army General Staff, as of December 31, 1961 (with an accompanying report); to the Committee on Armed Services.

PUBLICATION OF NOTICE OF PROPOSED DISPOSITION OF CERTAIN MAGNESIUM

A letter from the Administrator, General Services Administration, Washington, D.C., transmitting, pursuant to law, a copy of a notice to be published in the Federal Register of a proposed disposition of approximately 12,500 short tons of magnesium now held in the national stockpile (with an accompanying paper); to the Committee on Armed Services.

REPORT ON ACTIVITIES UNDER MERCHANT SHIP SALES ACT OF 1946

A letter from the Secretary of Commerce, transmitting, pursuant to law, a report of the Maritime Administration on the activities and transactions of that Administration under the Merchant Ship Sales Act of 1946, for the quarterly period ended December 31, 1961 (with an accompanying report); to the Committee on Commerce.

FOREIGN ASSISTANCE ACT OF 1962

A letter from the the Administrator, Agency for International Development, Department of State, transmitting a draft of proposed legislation to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes (with accompanying papers); to the Committee on Foreign Relations.

REPORT ON REVIEW OF SELECTED RURAL DELIVERY SERVICE ACTIVITIES, POST OFFICE DEPARTMENT

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the review of selected rural delivery service activities, Post Office Department, dated March 1962 (with an accompanying report); to the Committee on Government Operations.

AMENDMENT OF SECTION 144, TITLE 28, UNITED STATES CODE

A letter from the Director, Administrative Office of the U.S. Courts, Washington, D.C., transmitting a draft of proposed legislation to amend section 144 of title 28 of the United States Code (with an accompanying paper); to the Committee on the Judiciary.

APPROPRIATIONS FOR ATOMIC ENERGY COMMISSION

A letter from the Chairman, U.S. Atomic Energy Commission, transmitting a revised draft of proposed legislation to authorize appropriations for the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes (with an accompanying paper); to the Joint Committee on Atomic Energy.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A resolution of the Legislature of the territory of Guam; to the Committee on Interior and Insular Affairs:

"RESOLUTION No. 378 (1-S)

"Resolution relative to respectfully requesting the President of the United States and the Congress of the United States to extend to Guam Federal financial assistance for economic development of the territory

"Whereas it should be a matter of general knowledge that the economy of the territory of Guam is to all intents and purposes totally dependent on the presence of military bases within the territory, this dependency not being a matter of choice of the people of Guam but emanating entirely from its geographic position and the fact that it is American soil; and

"Whereas this total dependency on military spending has prevented the development of an independent local civilian economy to the considerable detriment of the future prosperity of this territory thereby not only threatening the welfare of the people of Guam but undermining the present happy relationship between the military and civilian populations of the territory which happy relationship is so essential to the future usefulness of these vital bases; and

"Whereas as a result of changes in global strategies and tactics caused by rapidly improving techniques of modern warfare, the defense complex on Guam has declined in size and relative importance, thus creating a recession on Guam of some magnitude, which recession has been underway for over a year, and unlike the recession in the Continental United States is not over and no relief appears in sight; and

"Whereas the people and government of Guam desire to do all they are called upon to do to remedy this recession and rebuild a prosperous civilian economy, and to that end have made considerable sacrifices, thus greatly increasing local real estate taxes, raising other taxes, imposing new taxes, and spending large sums on capital improvements and as well giving over $3 million to the Defense Department for the construction of a powerplant in which the people of Guam will have no equity whatsoever; and

"Whereas despite the recession, the costs of the government of Guam as elsewhere in the United States have continued to grow since the tasks of government have grown greater and ever more services are necessarily provided to the people of Guam, including the large military population here, such trend of increased governmental spending being identical in spirit and method to a degree simulating the Continental United States; and

"Whereas what the people of Guam need and require in constructing a prosperous civilian economy independent of the vagaries of defense planning is temporary financial assistance to help put the territory on its feet, by developing new lines of endeavor, by training the skilled work force necessary for industrial development, by providing the facilities that would make possible a tourist industry within the territory, and in general by opening up new avenues of civilian enterprise, it being worthy of comment that the present lack of any such industrial and tourist development is in large respect due to the fact that since the acquisition of Guam in 1898, it has been a closed port in the strict sense of the word, with easy access denied by the security measures laid down by the military commands here: Now, therefore, be it

"*Resolved*, That in light of the foregoing, the Sixth Guam Legislature does hereby on behalf of the people of Guam respectfully request and memorialize the President of the United States and Congress of the United States to extend financial assistance to the territory of Guam for economic development as aforesaid; and be it further

"*Resolved*, That the purpose for seeking such assistance be and it is hereby declared for economic development alone and that such assistance is sought on a temporary basis only and with the object in mind that such funds if granted would be strictly accounted for and used only to the end of obtaining some degree of independence from military spending; and be it further

"*Resolved*, That the speaker certify to and the legislative secretary attest the adoption hereof and that copies of the same be thereafter transmitted to the Honorable John F. Kennedy, President of the United States, to the Honorable Lyndon B. Johnson, President of the Senate, to the Honorable John W. McCormack, Speaker of the U.S. House of Representatives, to the Honorable Clinton P. Anderson, chairman of the Senate Interior and Insular Affairs Committee, to the Honorable Wayne N. Aspinall, chairman of the House Interior and Insular Affairs Committee, to the Honorable Stewart Udall, Secretary of the Interior, and to the Honorable Bill Daniel, Governor of Guam.

"Duly adopted on the 27th day of February 1962

"A. B. WON PAT,
"*Speaker*

"V. B. BAMBA,
"*Legislative Secretary.*"

A resolution adopted by the Board of Directors of The Council of Lake Erie Ports, relating to the expansion of international trade; to the Committee on Commerce.

A resolution adopted by Lloyd Grubbs Post No. 49, the American Legion, of Orange, Tex., relating to the purchase of United Nations bonds by the United States; to the Committee on Foreign Relations.

The petition of Wm. Netschert, of Daytona Beach, Fla., relating to an amendment of the Constitution of the United States to prohibit the taxing of an individual for the welfare of the individual unless the benefits therefrom accrue solely to the individual taxed; to the Committee on the Judiciary.

A resolution adopted by the Board of Supervisors of Sonoma County, Santa Rosa, Calif., opposing any amendment of the Constitution of the United States or other action of the Congress or the executive branch, to subject the income from State and local bonds to a Federal tax; to the Committee on the Judiciary.

By Mr. CLARK:

Two resolutions of the Senate of the State of Pennsylvania; to the Committee on Public Works:

"SENATE RESOLUTION 30

"President Kennedy, on February 19, 1962, sent to Congress legislation to give him power to start not in excess of $2 billion of public works projects in the early stage of any business slump. Under the bill, the President would be permitted to act when unemployment had risen in 3 out of 4, or 4 out of 6 consecutive months, by not less than 1 percentage point.

"The bill would allow use of the funds when needed and not be subject to any delay rendering the program ineffective. This, of course, would render great aid to the entire country in any time of economic recession; therefore be it

"*Resolved*, That the Senate of the Commonwealth of Pennsylvania memorialize the Congress of the United States to support and enact into legislation the bill entitled the "Standby Capital Improvements Act of 1962"; and be it further

"*Resolved*, That copies of this resolution be transmitted to the presiding officers of each House of the Congress of the United States and to each Senator and Representative from Pennsylvania in the Congress of the United States.

"PAUL C. MOOMAW,
"*Secretary of the Senate of Pennsylvania.*"

"SENATE RESOLUTION 29

"Twenty-five percent of the employable population of Fayette County is unemployed. Thirty-five percent of the employable population of the Brownsville area, in Fayette County, is unemployed.

"Twenty-two thousand of one hundred seventy-five thousand residents of Fayette County are receiving assistance. The 3,596 cases on public assistance due to unemployment comprise 17,219 persons.

"The pilot program of the food stamp program in Pennsylvania for those receiving assistance and those whose income is below the U.S. Department of Commerce standards for the number of persons in the family, shows $3 million worth of sales in 8 months.

"Twenty-four thousand persons were employed in the coal mines of Fayette County from 1940 to 1948. Currently there are but 4,500 persons so employed.

"Unemployment in Fayette County, Pa., and in other depressed areas, is causing misery, hunger and deprivation to thousands of honest persons desiring employment: Now, therefore, be it

"*Resolved*, That the Senate of the Commonwealth of Pennsylvania memorialize the Congress of the United States to support and enact into legislation antirecession public works projects in depressed and distressed economic areas, especially those having unemployment in excess of 15 percent of the employable population and more than 10 percent of the population on public assistance; and, be it further

"*Resolved*, That copies of this resolution be transmitted to the presiding officers of each House of the Congress of the United States, and to each Senator and Representative from Pennsylvania in the Congress of the United States.

"PAUL C. MOOMAW,
"*Secretary of the Senate of Pennsylvania.*"

ESTABLISHMENT OF GRAIN MARKETING RESEARCH CENTER AT MANHATTAN, KANSAS—RESOLUTION

Mr. CARLSON. Mr. President, last week the board of directors of the Kansas Wheat Commission unanimously adopted a resolution which reads as follows:

Whereas Kansas is located in the center of the grain-producing area;

Whereas marketing has not received proper attention in relation to production of farm commodities, especially grain; and

Whereas the accumulation of grain stocks is the most pressing problem in American agriculture: Therefore be it

Resolved, That the Kansas Wheat Commission wholeheartedly endorses the project to establish a U.S. Department of Agriculture Grain Marketing Research Center at Manhattan, Kans.

Mr. President, some weeks ago I appeared before the Agricultural Subcommittee of the Appropriations Committee. The chairman of the subcommittee was the distinguished senior Senator from Georgia [Mr. RUSSELL]. At that meeting I stressed the need for this laboratory. Those of us who live in the winter wheat producing areas realize the need for this laboratory at this time.

Kansas State University has offered the land needed for construction of the laboratory. At the present time more wheat research work is being done at the university than at any other place in the Nation.

I sincerely hope we shall have an opportunity this year to get this laboratory started, for it is very greatly needed.

WISCONSIN FARMERS UNION SUPPORTS KENNEDY FARM PROGRAM

Mr. PROXMIRE. Mr. President, I ask unanimous consent to have printed in the RECORD excerpts from resolutions adopted by the Wisconsin Farmers Union.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

Resolved, That the Wisconsin Farmers Union go on record to ask President Kennedy and Secretary Orville L. Freeman and our Congressmen and Senators to do all within their power to establish or strengthen—

1. Enactment of a permanent feed grain law.

2. Protection of farmer cooperatives from unfair or punitive taxation.

3. An REA-type of institution for loans to strengthen farm co-ops in order to meet modern, vertical integration.

4. Credit programs, particularly directed at young farmers to provide operating and ownership loans on a rate comparable to the prime interest rate big business gets.

5. A national land policy which protects family-type farmers on the land and excludes others.

6. Present programs of food for peace, food stamp program, school milk program, milk sanitation legislation, and market order legislation.

Resolved, That the Wisconsin Farmers Union go on record in favor of the passage of the national milk sanitation bill introduced by Congressman LESTER JOHNSON and other dairy State Congressmen.

Resolved, That the Wisconsin Farmers Union go on record in favor of putting information pertaining to the contents of dairy products, such as vitamins and proteins, on their containers.

Resolved, That the Wisconsin Farmers Union go on record urging the Department of Health, Education, and Welfare and other public agencies to carry out an education program informing the public that milk and other milk products contain no more radioactive fallout materials than other foodstuffs and are safe now and will remain safe in the foreseeable future.

Resolved, That the Wisconsin Farmers Union register its opposition to proposed refund distribution legislation or any other similarly designed legislation which has no relationship to increasing tax revenue, but which has as its apparent purpose the creation of unreasonable, arbitrary and discriminatory burdens upon cooperatives, and their harassment and obstruction.

Resolved, That the Wisconsin Farmers Union go on record as supporting a good, sound, workable medical care program for the aged through social security.

Resolved, That the Wisconsin Farmers Union endorse the action of the U.S. Department of State in its endorsement of United Nations policies.

Whereas the Kennedy administration as well as other local organizations are supporting the role of increasing dairy products consumption: Now, therefore, be it

Resolved, That the Wisconsin Farmers Union go on record favoring and supporting the type of promotions being exercised not only on the National level but also on the State level.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MANSFIELD, from the Committee on Rules and Administration, without amendment:

S. 919. A bill to amend section 9(b) of the act entitled "An act to prevent pernicious political activities" (the Hatch Political Activities Act) to eliminate the requirement that the Civil Service Commission impose no penalty less than 90 days' suspension for any violation of section 9 of the act (Rept. No. 1278);

S. Res. 301. Resolution to print with illustrations a report on Latin America submitted by Senator MCCLELLAN, of Arkansas (Rept. No. 1279);

S. Res. 302. Resolution to print, with illustrations, a report on "Latin American and U.S. Policies," submitted by Senator MANSFIELD (Rept. No. 1280);

S. Res. 308. Resolution to print a survey of trade relations between the United States and the Common Market (Rept. No. 1281); and

S. Res. 310. Resolution authorizing the printing of additional copies of part 1 of its hearings entitled "Retirement Income of the Aging," for the use of the Special Committee on Aging (Rept. No. 1282).

By Mr. EASTLAND, from the Committee on the Judiciary, without amendment:

H.R. 1352. An act for the relief of Giuseppe Aniello (Rept. No. 1293);

H.R. 1451. An act for the relief of Mrs. Elbriede Prischl Rogers (Rept. No. 1294);

H.R. 1671. An act for the relief of Edvige Cianciulli (Rept. No. 1295);

H.R. 2684. An act for the relief of Mohan Singh (Rept. No. 1296);

H.R. 6082. An act for the relief of Mrs. Vartanus Uzar (Rept. No. 1297);

H.R. 6276. An act for the relief of Athanasia Dekazos (Rept. No. 1298);

H.R. 6343. An act for the relief of Mrs. Izabel A. Miguel; (Rept. No. 1299);

H.R. 6740. An act for the relief of Teofilo Estoesta (Rept. No. 1300);

H.R. 7777. An act for the relief of Elisabetta Piccioni (Rept. No. 1301); and

H.R. 8422. An act for the relief of Sister M. Theophane (Jane Carroll) (Rept. No. 1302).

By Mr. EASTLAND, from the Committee on the Judiciary, with an amendment:

S. 2143. A bill for the relief of Mrs. Eva London Ritt (Rept. No. 1288);

S. 2319. A bill for the relief of Harry E. Ellison, captain, U.S. Army, retired (Rept. No. 1289);

S. 2375. A bill for the relief of Joseph Mikulich (Rept. No. 1290);

S. 2471. A bill for the relief of Maria Huszty Boros (Rept. No. 1291); and

S. 2486. A bill for the relief of Kim Carey (Timothy Mark Alt) (Rept. No. 1292).

By Mr. DIRKSEN, from the Committee on the Judiciary, without amendment:

S. Con. Res. 62. Concurrent resolution commemorating the 25th anniversary of the establishment of soil conservation districts (Rept. No. 1286).

By Mr. DIRKSEN, from the Committee on the Judiciary, with an amendment:

S. Con. Res. 61. Concurrent resolution requesting the President to designate the week of March 25, 1962, as Voluntary Overseas Aid Week (Rept. No. 1287).

By Mr. MCCLELLAN, from the Committee on the Judiciary, without amendment:

S. 2939. A bill to grant the American Numismatic Association perpetual succession (Rept. No. 1285).

By Mr. LONG of Missouri, from the Committee on the Judiciary, without amendment:

H.R. 3105. An act for the relief of Christine Fahrenbruch, a minor (Rept. No. 1284).

By Mr. ERVIN, from the Comittee on the Judiciary, without amendment:

H.R. 9612. An act relating to the elections under section 333 of the Internal Revenue Code of 1954 by the shareholders of the G. L. Bernhardt Co., Inc., of Lenoir, N.C. (Rept. No. 1283).

WINIFRED S. GUNN—REPORT OF A COMMITTEE

Mr. MANSFIELD, from the Committee on Rules and Administration, reported an original resolution (S. Res. 315) to pay a gratuity to Winifred S. Gunn, which was placed on the calendar, as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Winifred S. Gunn, widow of John O. Gunn, an employee of the Senate at the time of his death, a sum equal to 1 year's compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

REPORT ENTITLED "IMMIGRATION AND NATURALIZATION" (S. REPT. NO. 1303)

Mr. EASTLAND, from the Committee on the Judiciary, pursuant to Senate Resolution 58, 87th Congress, 1st session, as extended, submitted a report entitled "Immigration and Naturalization," which was ordered to be printed.

REPORT ON DISPOSITION OF EXECUTIVE PAPERS

Mr. JOHNSTON, from the Joint Select Committee on the Disposition of Papers in the Executive Departments, to which was referred for examination and recommendation a list of records transmitted to the Senate by the Archivist of the United States, dated February 28, 1962, that appeared to have no permanent value or historical interest, submitted a report thereon, pursuant to law.

REPORTS OF COMMITTEES RELATING TO UTILIZATION OF FOREIGN CURRENCIES AND U.S. DOLLARS

Mr. HAYDEN. Mr. President, in accordance with the Mutual Security Act of 1954, as amended, I ask unanimous consent to have printed in the RECORD

the reports of the Committees on Armed Services and Government Operations, and the Joint Economic Committee concerning the foreign currencies and U.S. dollars utilized by those committees in 1961 in connection with foreign travel.

There being no objection, the reports were ordered to be printed in the RECORD as follows:

Report of expenditure of foreign currencies and appropriated funds by the Committee on Armed Services, U.S. Senate, expended between Jan. 1 and Dec. 31, 1961

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Richard B. Russell:											
Mexico	Peso	1,229.00	98.32	262.50	21.00	50.00	4.00	181.60	14.53	1,723.10	137.85
United States	Dollar		30.00		22.15				3.57		56.72
Guatemala	do		42.00		6.56		1.50		3.95		54.10
Costa Rica	do		56.57		8.06				5.21		69.84
Eleuthera, British West Indies	do				10.80				3.20		14.00
Puerto Rico	do		31.36		34.24				22.45		88.05
Barbados, British West Indies	do		21.44		10.10				4.00		35.54
Cuba	do				5.28						5.28
Senator Howard W. Cannon:											
Spain	Peseta			7,900	132.33			600	10.05	8,500	142.38
Do	Dollar						374.10				374.10
France	Franc	433.30	88.42	940.00	191.83	139	28.37	187.70	38.31	1,700	346.93
Senator J. Glenn Beall:											
United States	Dollar						1,147.22				1,147.22
England	do						.70		3.10		3.80
Israel	do								4.20		4.20
Do	Pound	62.59	28.98	33.41	15.47	15.00	6.94	3.00	1.39	114.00	52.78
Jordan	Dinar			9,000	3.21			4,000	1.43	13,000	4.64
Lebanon	Dollar		21.89		1.52				1.17		24.58
Do	Pound			137	42.81					137	42.81
Turkey	Dollar		14.69		45.10				3.00		62.79
Do	Lira	56.20	6.24	133.80	14.87					190	21.11
Greece	Dollar								12.31		12.31
Do	Drachma	1,560	52.00	5,775.90	192.53	510	17.00	2,754.60	91.82	10,600.50	353.35
France	Dollar						9.23		8.49		17.72
Do	New franc	600	121.46	1,103.28	227.48	292.83	60.37	495.09	102.08	2,491.20	511.39
William H. Darden:											
United States	Dollar				6.35						6.35
Canada, Newfoundland	do		2.50		10.30				4.80		17.60
Eleuthera, British West Indies	do				10.80				3.20		14.00
Puerto Rico	do		31.36		34.24				22.45		88.05
Barbados, British West Indies	do		21.44		10.10				4.00		35.54
Cuba	do				5.28						5.28
Gordon A. Nease:											
United States	do		2.50		10.30				4.80		17.60
United States and Hawaii	do		8.00		28.15		4.05		7.30		48.50
Japan	do		10.35		9.90		2.20		12.90		35.35
Do	Yen			12,180	34.42	720	2.00	6,200	16.55	19,100	53.00
Korea	Dollar		1.50		5.00				1.50		8.00
Philippines	do		2.50		16.50		2.25		6.95		28.20
Okinawa	do		3.00		9.95				4.15		17.10
Hong Kong	Hong Kong dollar.	444.5	78.00	359.39	63.05	11.60	2.05	109.33	19.18	926	162.28
Do	U.S. dollar						2.00				2.00
Alaska and United States	Dollar		3.00		15.42		3.75		4.50		26.67
Transportation	Deutsche mark					7,274.40	1,819.05			7,274.40	1,819.05
T. Edward Braswell:											
United States	Dollar				6.35						6.35
Canada, Newfoundland	do		2.50		10.30				4.80		17.60
Total			780.92		1,272.83		3,498.78		451.34		5,991.86

RECAPITULATION

	Amount
Foreign currency (U.S. dollar equivalent)	$3,640.79
Appropriated funds: Government department:	
Army	1,272.55
Navy	295.74
Air Force	792.78
Total	5,991.86

MAR. 9, 1962.

RICHARD B. RUSSELL,
Chairman, Committee on Armed Services.

Report of expenditure of foreign currencies and appropriated funds by the Committee on Armed Services, Preparedness Investigating Subcommittee, U.S. Senate, expended between Jan. 1 and Dec. 31, 1961

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Ronald Friedenberg:											
England	Dollar		21.24		34.38		2.89		33.75		92.06
Denmark	do		14.16		22.92		1.10		22.50		60.68
France	do		21.24		34.38		3.07		33.75		92.44
West Germany	do		11.00		34.38		2.70		33.75		81.83
Italy	do		14.16		22.92		70.00		22.50		129.58
Spain	do		21.25		34.38		3.90		33.75		93.28
In flight	do				11.00				13.73		24.82

Report of expenditure of foreign currencies and appropriated funds by the Committee on Armed Services, Preparedness Investigating Subcommittee, U.S. Senate, expended between Jan. 1 and Dec. 31, 1961—Continued

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Ben Gilleas:											
Manila	Dollar		19.00		12.75		2.00		4.50		38.25
Hong Kong	do		45.00		25.50		5.50		5.00		81.00
Formosa	do		12.00		5.00		1.00				18.00
Okinawa	do		1.00		7.00		1.00		3.50		12.50
Tokyo	do		55.00		36.00		7.00		14.00		112.00
Transportation	do						1,818.60				1,818.60
D. F. McGilliveddy, Jr.:											
Manila	do		19.00		12.75		2.00		4.50		38.25
Hong Kong	do		45.00		25.50		5.50		5.00		81.00
Formosa	do		12.00		5.00		1.00				18.00
Okinawa	do		1.00		7.00		1.00		3.50		12.50
Tokyo	do		55.00		36.00		7.00		14.00		112.00
Transportation	do						1,818.60				1,818.60
Total			367.05		366.95		3,753.66		247.73		4,735.39

RECAPITULATION

	Amount
Appropriated funds: Government department: Air Force	$4,735.39

MARCH 9, 1962.

RICHARD B. RUSSELL,
Chairman, Committee on Armed Services.

Report of expenditure of foreign currencies and appropriated funds by the Committee on Government Operations, U.S. Senate, expended between Jan. 1 and Dec. 31, 1961

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
J. S. Alderman:											
France	New franc	325.60	66.45	294.30	60.00	78.30	16.00	51.80	10.55	750	153.00
England	Pound	6.87	19.25	14.29	40.00	4.29	12.00	4.55	12.75	30	84.00
Norway	Kroner	157.23	22.27	155.30	22.00	55.20	8.00	17.27	2.58	385	54.85
Sweden	do	137.27	26.50	119.14	23.00	41.44	8.00	62.15	12.00	360	69.50
Denmark	do	102.65	15.00	54.50	8.00	13.82	2.00	29.03	3.94	200	28.94
Netherland	Guilder	135.1	36.00	87.4	23.00	267.50	56.64	40.1	10.63	295	126.27
Switzerland	Francs	114.83	26.50	151	35.00	52.23	12.00	106.94	24.68	425	98.18
Italy	Lire	17,700	28.14	22,691	36.00	171,875	274.94	5,347	8.40	177,200	347.48
Turkey	do	455	45.00	428	42.00	138	14.22	107	11.33	1,128	112.55
Thailand	Baht	704	35.80	963.25	45.00	417	20.00	915.75	43.08	3,000	143.88
Burma	Kyat	161	33.75	63	13.29					224	47.04
Singapore	Malayan dollar	52.80	17.60	63	21.00	18.00	6.00	11.20	3.73	145	48.33
Hong Kong	Hong Kong dollar.	158.98	27.41	435	75.00	116.06	20.00	404.96	69.82	1,115	192.23
Taiwan	New Taiwan dollar.	1,200	30.00	480	12.00	220	5.50	480	12.00	2,380	59.50
Japan	Yen	16,705	46.40	14,400	40.00	2,880	8.00	7,365	20.46	41,350	114.86
Germany	Deutsche mark					9,167.80	2,291.95			9,167.80	2,291.95
Subtotal			476.07		495.29		2,755.25		245.95		3,972.56
O. K. Shriver:											
Morocco	Dirham	14,100	28.20	18,220	36.44	128.95	25.79	56.30	11.26	508.45	101.69
Spain	Peseta	4,305	71.75	3,295	49.90	150	2.50	53	.85	78.03	125.00
France	New franc	103	21.05	84	17.13	56.25	11.35	7.50	1.49	250.75	51.02
Do						2,855.45	581.56			2,855.45	581.56
Subtotal			121.00		103.47		621.20		13.60		859.27
P. W. Morgan:											
France	New franc	327.28	66.25	336.46	68.17	142.52	28.85	193.45	39.16	1,000	202.43
England	Pound	7.80	21.84	8.20	22.96	4.5	12.60	5.5	15.40	26	72.80
Norway	Kroner	157.60	22.04	39.70	5.55			17.70	2.48	215	30.07
Sweden	do	119.45	23.06	169.25	32.67	35.25	6.80	46.05	8.89	370	71.42
Denmark	do	152.63	22.12	164.57	23.85	59.13	8.57	123.67	17.92	500	72.46
Italy	Lire	30,853	33.36	26,414	42.26	10,325	16.52	5908	9.45	63,510	101.59
Turkey	do	457.75	50.75	412.25	45.70	73.25	8.12	56.75	6.29	1000	110.86
Thailand	Baht	912.50	43.76	990.38	47.50	417.00	20.00	680.12	32.62	3,000	143.88
Burma	Kyat	147.56	31.00	45.44	9.55					193	40.55
Singapore	Malayan dollar	51.75	17.25	52.50	17.50	15.00	5.00	18.75	6.25	138	46.00
Hong Kong	Hong Kong dollar.	209.44	48.03	348.96	62.20	132.09	23.55	299.51	53.39	1,050	187.17
Taiwan	New Taiwan dollar.	1,571.40	39.29	920.75	23.02			27.85	.69	2,520	63.00
Japan	Yen	15,696	43.60	16,290	45.25	3,690	10.25	7,324	20.34	43,000	119.44
Germany	Deutsche mark					8,607.20	2,151.80			8,607.20	2,151.80
Spain	Peseta					5085	84.70			5,085	84.70
Subtotal			462.35		446.18		2,376.76		212.88		3,498.17
Grand total			1,059.42		1,044.94		5,753.21		472.43		8,330.00

RECAPITULATION

	Amount
Appropriated funds: Government department	$8,330

MAR. 7, 1962.

JOHN MCCLELLAN,
Chairman, Committee on Government Operations.

Report of expenditure of foreign currencies and appropriated funds by the Joint Economic Committee, U.S. Senate, expended between Jan. 1 and Dec. 31, 1961

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Robert Loring Allen:											
England	Pound sterling	20	56.00	6½	18.20	1½	4.20	2	5.60	30	84.00
Switzerland	Franc	400	92.80	300	69.60	60	13.90	240	55.72	1,000	232.02
Germany	Deutsche mark					2,240.78	561.60			2,240.78	561.60
Total			148.80		87.80		579.70		61.32		877.62
Hon. Prescott Bush:											
Austria	Schilling	576	144.00	480	120.00			96	24.00	1,152	288.00
Total			144.00		120.00				24.00		288.00
Charles R. Decher:											
Italy	Lire	49,300	80.00	39,400	64.00	103,810	168.30	64,830	102.10	257,340	414.40
England	Shilling	214	30.00	171	24.00	132.5	18.60	575	80.75	1,092.5	152.95
Belgium	Franc	660	20.00	795	16.00	240	4.90			2,030	40.90
France	New franc	358	75.00	286	60.00	212.41	44.30	412	86.01	1,268.21	265.31
Total			205.00		164.00		235.70		268.86		873.56
Edna Gass:											
Austria	Schilling	2,600	106.00	2,013	80.00	1,482	60.00	345	14.00	6,500	260.00
Germany	Deutsche mark					4,152	1,038.00			4,152	1,038.00
Total			106.00		80.00		1,098.00		14.00		1,298.00
Theodore Geiger:											
Belgium	Franc	1,500	30.00	1,530	31.00	1,255	25.00	485	10.00	4,770	96.00
England	Pound	31	87.00	28	79.00	14	39.00	8	22.00	81	227.00
France	New franc	360	74.00	520	105.00	4,228	1,064.00	146	29.40	5,669	1,272.00
Switzerland	Franc	205	49.00	283	66.00	115	26.00	112	26.00	717	167.00
Total			240.00		281.00		1,154.00		87.00		1,762.00
Leon M. Herman: France	New franc	111	22.20	103	20.60	7,123	1,449.80	86	17.20	7,423	1,509.80
Hon. Henry S. Reuss:											
Germany	Deutsche mark	332	83.00	168	42.00	2,486.57	623.00			2,986.57	748.20
Austria	Schilling	4,900	196.00	5,400	216.00	1,200	48.00			11,500	460.00
Total			279.00		258.00		671.20				1,208.20
Hon. John Sparkman:											
Venezuela	Bolivar	435	100.00	31	7.12			24	5.52	490	112.64
Brazil	Cruzeiro	23,025	68.73	4,900	14.63			1,100	3.28	29,025	101.64
Uruguay	Peso	393	35.83	71	6.48			13	1.19	477	43.56
Argentina	do	2,978	35.91	861	10.39			83	1.00	3,920	47.30
Chile	Escudo	45.00	42.86	15.50	14.76			8.00	7.62	68.50	65.24
Peru	Sole			515	19.22			285	10.63	800	29.85
Germany	Duetsche mark					4,875	1,218.79			4,875	1,218.79
Total			[1] 298.39		72.00		1,218.79		29.24		1,619.02
Hon. Martha W. Griffiths:											
Venezuela	Bolivar	180	41.38	75.00	17.47			34.00	7.82	289	66.67
Brazil	Cruzeiro	13,708	41.19	5,115	15.27	1,700	5.07	1,360	4.06	21,973	65.59
Uruguay	Peso	393	35.89	65.74	7.83			27	2.47	505.74	46.19
Argentina	do	2,976	35.19	716.91	8.85			500	6.03	4,192.91	50.59
Chile	Escudo	34.50	32.86	15	14.29			6.50	6.24	56.05	53.39
Peru	Sole			428.12	15.90			306.86	11.45	732.98	27.35
Germany	Duetsche mark					5,221	1,305.22				1,305.22
Total			187.23		79.41		1,310.29		38.07		1,613.00
Hon. Thomas B. Curtis:											
Venezuela	Bolivar	209.40	48.14	30.60	7.03			10.00	2.30	250.00	57.47
Brazil	Cruzeiro	21,273	63.53	2,909	8.38			900	2.39	24,882	74.30
Uruguay	Peso	308.27	36.37	34.73	3.17			10.00	.91	443	40.45
Argentina	do	3,840.60	46.34	759.40	9.16			500.00	6.03	5,100.00	61.53
Chile	Escudo	39.39	37.52	7.00	6.66			3.00	2.86	49.39	47.04
Peru	Sole			544	20.29			320	11.94	864	32.23
Germany	Deutsche mark					5,215	1,303.79				1,303.79
Total			231.90		54.69		1,303.79		26.43		1,616.81
William H. Moore:											
Venezuela	Bolivar	302.50	69.55	190.00	43.70			34.25	7.85	526.75	121.10
Brazil	Cruzeiro	31,390	100.10	12,930	41.03	348,312	1,149.56	5,460	18.00	383,172	1,307.20
Uruguay	Peso	774	70.60	607	55.60	525	48.00	419	38.10	2,225	203.30
Argentina	do	6,850	82.70	4,600	55.55			1,490	18.00	12,940	156.25
Chile	Escudo	55	52.40	45	42.80	3	2.90	28	26.65	131	124.75
Peru	Sole	630	23.45	670	24.90	300	11.10	1,000	37.05	2,600	96.50
Germany	Deutsche mark					4,875.2	1,218.79			4,875.2	1,218.79
Total			398.80		263.60		2,430.34		134.15		3,227.89
John W. Lehman:											
Venezuela	Bolivar	300	68.98	121	27.74	590	135.63	125	28.74	1,136	261.09
Brazil	Cruzeiro	35,158	111.74	12,502	39.68	350,312	1,156.15	9,396	29.56	407,458	1,337.10
Uruguay	Peso	800	73.15	610	55.54	20.74	189.31	300	27.30	3,784	345.30
Argentina	do	7,076	85.41	4,850	58.55	21,900	260.62	3,174	38.30	36,700	442.88
Chile	Escudo	54.54	51.99	44.00	41.89	67.80	64.55	15.53	14.83	181.87	173.26
Peru	Sole	756	28.11	1,130	42.03	1,827	68.04	715	26.61	44.27	164.79
Germany	Deutsche mark					4,875.16	1,218.79			4,875.16	1,218.79
Total			419.38		265.40		[2] 3,093.09		[2] 165.34		[2] 3,943.21

[1] Includes cost of additional space used for conferences.
[2] Includes unallocated group travel and baggage expenses.

Report of expenditure of foreign currencies and appropriated funds by the Joint Economic Committee, U.S. Senate, expended between Jan. 1 and Dec. 31, 1961—Continued

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Pat Holt: Peru	Sole	410	15.30	696.64	25.99	13,675.8	510.29	557.55	20.80	15,340	572.38
Raymond F. Mikesell:											
Italy	Lira	75,400	121.25	108,375	174.53	155,858	251.00	36,089	58.24	375,715	605.02
Kenya	East African shilling	438	61.32	324	45.36	1,015	142.10	293	42.03	2,070	290.81
United Arab Republic	Egyptian pound	18,000	40.50	21,000	47.05	11,000	24.75	26,250	59.06	76,250	171.36
Greece	Drachma	1,080	36.00	1,240	41.34	750	25.00	880	29.33	3,950	131.67
France	New franc					9,388.30	1,912.08			9,388.30	1,912.08
Total			259.07		308.28		2,354.93		188.66		3,110.94
Argyll Campbell:											
Belgium	Franc	4,215.5	84.31	4,520	90.40	61.25	12.25	692	13.84	10,000	200.80
France	New franc	590	118.00	766.20	153.84	54	10.80	117.40	23.48	1,500	306.12
Switzerland	Franc	151.5	44.84	202.4	46.50	38	8.75	69.21	15.92	500	116.01
England	Pound sterling	48-7-9	135.49	39-8-3	110.35	6.18	19.32	5.6	14.84	100	280.00
Netherlands	Guilder					3,687.96	1,024.43			3,687.96	1,024.43
Total			382.64		401.09		1,075.55		68.08		1,927.36
Hon. Hale Boggs:											
France	New franc	726.50	145.30	639	127.80	741.38	150.59	161.50	31.28	2,241.38	457.11
Belgium	Franc	5,085	101.70	4,017.5	80.35	27,850	559.75	697	13.94	37,562	754.00
Switzerland	do	287	66.01	315.4	72.60	869.75	200.05	40.7	9.37	1,500	348.03
England	Pound sterling	48.5	135.10	39-16-7	111.50	29-13-11	83.24	5-16-6	19.30	121-2-5	349.14
Netherlands	Guilder					2,114.45	587.35			2,114.45	587.35
Total			448.11		392.25		1,581.38		73.89		2,495.63
Laura A. Moran:											
Belgium	Franc	4,821	96.42	3,519	70.38	515	10.30	1,185	23.70	10,000	200.80
France	New franc	673.55	134.71	618	123.60	87.25	17.45	151.80	30.36	1,500	306.16
Switzerland	Franc	248.5	57.16	180.4	41.50	29.3	6.80	46.3	10.60	500	116.07
England	Pound sterling	50-6-6	140.90	39-10	110.40	5-10	15.40	4-15	13.30	100	280.00
Netherlands	Guilder					3,687.96	1,024.43			3,687.96	1,024.43
Total			429.19		345.88		1,074.38		78.01		1,927.46
Hon. Paul H. Douglas:											
Germany	Deutsche mark	513.58	128.39	335	83.75	1,309.84	328.24	82.46	20.62	2,240.89	561.00
France	New franc	457.78	91.55	124.88	24.98	303.25	60.65	14.10	2.82	9,000	180.00
Belgium	Franc	1,881	37.62	405.50	8.11	371	7.43	10.35	2.06	2,761	55.22
England	Pound sterling	12-13-7	35.50	6-3-7	17.31	1-2-7	3.18	3-10-2	9.81	23-10-0	65.80
Total			293.06		134.15		399.50		35.31		862.02
Howard E. Shuman:											
Germany	Deutsche mark	513.58	128.39	335	83.75	1,309.84	328.24	82.46	20.62	2,240.89	561.00
France	New franc	457.78	91.55	124.88	24.98	303.25	60.65	14.10	2.82	9,000	180.00
Belgium	Franc	1,881	37.62	405.50	8.11	371	7.43	10.35	2.06	2,761	55.22
England	Pound sterling	12-13-7	35.50	6-3-7	17.31	1-2-7	3.18	3-10-2	9.81	23-10-0	65.80
Total			293.06		134.15		399.50		35.31		862.02
Samuel Pisar:											
France	New franc	500	100.00	500	100.00	4,307	861.40	1,940	388.00	7,247	1,449.40
Poland	Zloty	1,220	22.00	1,000	20.00			500	8.00	2,830	50.00
Total			122.00		120.00		861.40		396.00		1,499.40
Belle Notkin: France	New franc	580	120.00	483	100.00	120	25.00	118	23.00	1,301	268.00
Hon. Jacob K. Javits:											
Germany	Deutsche mark	240	60.00	232	57.75			80	20.00	552	137.75
England	Pound sterling					7-22-19	22.79			7-22-19	22.79
France	New franc	2,096.25	425.00	2,852.95	574.50	4,203.85	847.57	429.90	86.58	9,582.97	1,933.65
Poland	Zloty	724	14.48	400	8.00	1,466.61	26.67	126	2.52	2,716.61	51.67
Total			499.48		640.25		897.03		109.10		2,145.86
Grand total			5,530.04		4,349.24		23,746.15		1,884.75		35,510.18

RECAPITULATION

	Amount
Foreign currency (U.S. dollar equivalent)	$35,510.18

WRIGHT PATMAN, *Chairman.*

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. FULBRIGHT, from the Committee on Foreign Relations:

W. Michael Blumenthal, of New Jersey, to be the representative of the United States of America on the Commission on International Commodity Trade of the Economic and Social Council of the United Nations;

W. Walton Butterworth, of Louisiana, Walter C. Dowling, of Georgia, and Frances E. Willis, of California, Foreign Service officers, for promotion from the class of career minister to the class of career ambassador; and

Roger M. Blough, of Pennsylvania, and sundry other persons, to be members of the General Advisory Committee of the U.S. Arms Control and Disarmament Agency.

By Mr. MAGNUSON, from the Committee on Commerce:

Harold C. Woodward, of Illinois, to be a member of the Federal Power Commission; and

Peter Aloysius Martus, and sundry other persons, for permanent appointment in the Coast and Geodetic Survey.

By Mr. KEATING, from the Committee on Commerce:

William Ruder, of New York, to be an Assistant Secretary of Commerce.

By Mr. SMATHERS, from the Committee on Commerce:

Donald W. Alexander, of Florida, to be Maritime Administrator.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by

unanimous consent, the second time, and referred as follows:

By Mr. KEATING (for himself and Mr. JAVITS):

S. 2995. A bill to provide for the establishment of the Oriskany Battlefield National Historic Site; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. KEATING when he introduced the above bill, which appear under a separate heading.)

By Mr. FULBRIGHT (by request):

S. 2996. A bill to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes; and

S. 2997. A bill to amend the United Nations Participation Act of 1945, as amended; to the Committee on Foreign Relations.

(See the remarks of Mr. FULBRIGHT when he introduced the above bills, which appear under separate headings.)

By Mr. ELLENDER (by request):

S. 2998. A bill to repeal certain acts relating to cooperative agricultural extension work and to amend the Smith-Lever Act of May 8, 1914, as amended, to provide for cooperative agricultural extension work between the agricultural colleges in the several States, territories, and possessions receiving the benefits of an act of Congress approved July 2, 1862, and of acts supplementary thereto, and the U.S. Department of Agriculture; to the Committee on Agriculture and Forestry.

By Mr. HILL (for himself and Mr. SPARKMAN):

S.J. Res. 189. Joint resolution designating the bridge across the Tennessee River on the Natchez Trace Parkway as the John Coffee Memorial Bridge; to the Committee on Public Works.

RESOLUTION

WINIFRED S. GUNN

Mr. MANSFIELD, from the Committee on Rules and Administration, reported an original resolution (S. Res. 315) to pay a gratuity to Winifred S. Gunn, which was placed on the calendar.

(See the above resolution printed in full when reported by Mr. MANSFIELD, which appears under the heading "Report of a Committee.")

PRESERVATION OF ORISKANY BATTLEFIELD

Mr. KEATING. Mr. President, for myself and for my distinguished colleague, the senior Senator from New York [Mr. JAVITS], I introduce for appropriate reference a bill to provide full and proper recognition for a site of great historic interest in New York State. I refer to the Oriskany Battlefield, about 8 miles west of the city of Utica. This site played an important role in our history, for it was here that one of the bloodiest battles of the Revolution was fought and won.

Mr. President, the Oneida County American Legion posts and other patriotic organizations in this area have taken the lead in working for the preservation of this important site and for its proper development. They are to be commended for their patriotic efforts in promoting a deeper appreciation of our Nation's great historical heritage. The purpose of this bill is to make the area a national historic site, recognized and preserved by the Interior Department and the Federal Government.

Mr. President, I ask unanimous consent to include, following my remarks, a report upon the historic significance of this Revolutionary War battlefield and the text of the bill.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill and report will be printed in the RECORD.

The bill (S. 2995) to provide for the establishment of the Oriskany Battlefield National Historic Site, introduced by Mr. KEATING (for himself and Mr. JAVITS), was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior shall acquire on behalf of the United States, by gift, purchase, condemnation, or otherwise, the Oriskany Battlefield, consisting of 87 acres, more or less, located at Oriskany, New York, together with all improvements thereon and appurtenances thereto. When so acquired, such property shall be designated as the Oriskany Battlefield National Historic Site, and shall be set aside as a public national memorial to commemorate the Battle of Oriskany, in which the American flag was first flown in combat.

SEC. 2. In order to provide for the proper development of the Oriskany Battlefield National Historic Site, the Secretary of the Interior shall erect thereon and maintain as parts thereof the following:

(1) a museum, which shall contain items of historical interest pertaining to the Battle of Oriskany, the Saratoga campaign and the Revolutionary War period;

(2) a statue of General Nicholas Herkimer, who was mortally wounded in the Battle of Oriskany; and

(3) such markers, structures, and landscaping as may in his judgment be appropriate.

SEC. 3. The Secretary of the Interior, acting through the National Park Service, shall administer, protect, develop, and maintain the Oriskany Battlefield National Historic Site subject to the provisions of this Act and in accordance with the provisions of the Act of August 25, 1916, entitled "An Act to establish a National Park Service, and for other purposes" (16 U.S.C., sec. 1 et al.), as amended and supplemented, and the provisions of the Act of August 21, 1935, entitled "An Act to provide for the preservation of historic American sites, buildings, and antiquities of national significance, and for other purposes" (16 U.S.C. 461–467), as amended.

The report presented by Mr. KEATING is as follows:

ORISKANY BATTLEFIELD

The Battle of Oriskany was fought on August 6, 1777, about 6 miles west of the present city of Utica. In proportion to the numbers engaged, it was one of the bloodiest battles of the American Revolution, more than a third of the contestants on each side being killed or wounded.

It was here that 800 of the Tryon County militia under Gen. Nicholas Herkimer, marching to the relief of the besieged Fort Stanwix, 6 miles to the westward, fell into Joseph Brant's carefully laid ambush. The battlefield is one of rolling hills which rise gently from the adjacent valley lands on the north. Between two low hills runs a small swampy ravine across which the primitive frontier corduroy road wound its way. On either side the forest pressed in closely that fateful August morning.

Under this dense cover the Indians and their allies waited until Herkimer, riding at the head of his troops, had passed the ravine. The baggage and supply train bringing up the rear were well down the narrow slope, blocking all retreat, when the trap was sprung. Indian war cries, the crack of muskets, and the cries of wounded mingled with military commands.

Wounded in the leg, General Herkimer fell from his horse at the first fire. Nevertheless, he took a position on the hillside from where he could direct the fighting. After the first surprise, the Americans took to the forest and from behind whatever natural cover was available continued the fight until the Indians, who had suffered severely in pressing the attack, retired in dismay.

Herkimer was placed on a litter and taken down the Mohawk to his home where, 10 days after the battle, he died as the result of the amputation of his wounded leg.

The battle greatly crippled the British forces of St. Leger who soon afterward, alarmed at the approach of Gen. Benedict Arnold, gave up his effort to capture Fort Stanwix and retreated into Canada. This, together with the defeat of Burgoyne at Saratoga, thwarted Britain's carefully laid strategy, and the conquest of New York for the purpose of dividing the colonies was averted.

The significance of the Battle of Oriskany and of the subsequent raising of the siege was twofold. From a military point of view, St. Leger's advance was checked, his junction with Burgoyne was prevented, and the threefold strategic plan of the British suffered its initial setback to be followed later by Burgoyne's surrender at Saratoga. For the emergency of a defeat which closed the Mohawk Valley and of a siege which held St. Leger for 3 weeks before Fort Stanwix, no calculation had been made by the British. It was this combination that was so fortunate for our young Republic. The effect of Oriskany and Stanwix on American morale was no less real than its military effect. The people of the valley sided with Congress against the King and the British heard more and more clearly the rumbling of fresh resistance. No Tory rising ever disgraced the valley. Washington said "Herkimer first reversed the gloomy scene" of the campaign. John Adams declared that "Gansevoort has proved that it is possible to hold a post."

Mr. JAVITS. Mr. President, I am pleased to be a cosponsor of the bill my colleague, Senator KEATING, has introduced today to establish the Oriskany Battlefield as a national historic site.

The Battle of Oriskany was one of the most significant engagements of the entire Revolutionary War, for it stemmed the British advance down the Mohawk and never again were the British able to mount a serious offensive threat against the critically important Hudson Valley. Gen. Nicholas Herkimer, who commanded the American forces at the battle, is one of our great figures of colonial history and stands as a symbol of the fortitude and patriotism of the Dutch people who settled in the Mohawk Valley.

One of the most thrilling chapters in American fiction is Walter Edmonds' account of the Battle of Oriskany in "Drums Along the Mohawk." I commend the book, and particularly Mr. Edmonds' description of the bloody battle, to all Americans who take pride in our rich colonial history.

New York was one of the crucial battlegrounds of the Revolutionary War, and it is my hope that Congress will

recognize the importance of Oriskany to our national heritage by taking favorable action on this bill.

AMENDMENT OF FOREIGN ASSISTANCE ACT OF 1961

Mr. FULBRIGHT. Mr. President, by request, I introduce, for appropriate reference, a bill to amend the Foreign Assistance Act of 1961. This is the so-called foreign aid bill which the President has asked that the Congress consider.

I have not analyzed the bill, as yet, and am therefore introducing it "by request."

The Committee on Foreign Relations expects to begin hearings on April 5. In as much as the bill this year is much simplified, it is my hope that we will be able to report a bill to the Senate late in April.

Mr. President, for the convenience of Members, there has been prepared a section-by-section analysis of the bill I am today introducing. I ask unanimous consent that the analysis be printed at this point in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the analysis will be printed in the RECORD.

The bill (S. 2996) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes, introduced by Mr. FULBRIGHT, by request, was received, read twice by its title, and referred to the Committee on Foreign Relations.

The analysis presented by Mr. FULBRIGHT is as follows:

SECTION-BY-SECTION ANALYSIS OF THE PROPOSED FOREIGN ASSISTANCE ACT OF 1962

I. INTRODUCTION

1. Purposes of the bill

The proposed Foreign Assistance Act of 1962 ("the bill") has two main purposes. First, it authorizes new appropriations for various categories of aid, including development grants, a new Alliance for Progress category, international organizations and programs, supporting assistance, and the contingency fund. Second, it effects certain substantive amendments in the Foreign Assistance Act of 1961, as amended ("the act").

2. Authorizations

The following table shows the authorizations and appropriations requested by the executive branch:

	Authorization request	Appropriation request
Pt. I. Act for International Development of 1961:		
Ch. 2. Development assistance:		
Title I. Development Loan Fund:		
Sec. 202(a). Authorization	(1)	$1,250,000,000
Title II. Development grants technical cooperation:		
Sec. 212. Authorization	$335,000,000	335,000,000
Title III. Investment guaranties:		
Sec. 222(f). General provisions	100,000,000	100,000,000
Title IV. Investment surveys:		
Sec. 232. Authorization	5,000,000	5,000,000
Title VI. Alliance for Progress:		
Sec. 252. Authorization	[2] 3,000,000,000	600,000,000
Total, ch. 2	3,440,000,000	2,290,000,000
Ch. 3. International organizations and programs:		
Sec. 302. Authorization	148,900,000	148,900,000
Ch. 4. Supporting assistance:		
Sec. 402. Authorization	481,500,000	481,500,000
Pt. I. Act for International, etc.—Continued:		
Ch. 5. Contingency fund:		
Sec. 451(a)	$400,000,000	$400,000,000
Total pt. I	4,470,400,000	3,320,400,000
Pt. II. International Peace and Security Act of 1961:		
Ch. 2. Military assistance:		
Sec. 504(a). Authorization	(1)	1,500,000,000
Total, pt. I and pt. II	4,470,400,000	4,820,400,000
Pt. III:		
Ch. 2. Administrative provisions:		
Sec. 637(a). Administrative expenses (AID)	55,000,000	55,000,000
Sec. 637(b). Administrative expenses (State)	(1)	3,100,000
Total, pt. III	55,000,000	58,100,000
Total, all parts	4,525,400,000	[3] 4,878,500,000

[1] Authorization is not contained in the act.

[2] Requested authorization provides that not to exceed $600,000,000 may be appropriated for use beginning in fiscal year 1963.

[3] This total does not include unobligated balances of prior year appropriations requested to be continued available.

In most cases the bill provides for the new authorizations by the technique of striking out the amount and the reference to fiscal year 1962 in the existing authorization and substituting the new amount and a reference to fiscal year 1963. The act now contains authorizations for appropriations for fiscal year 1963 for the Development Loan Fund (sec. 202(a)), for military assistance (sec. 504(a)), and for certain administrative expenses of the Department of State relating to functions under the act (sec. 637 (b)). Thus no new authorizations are needed for these purposes. In addition the bill provides an authorization for continuing the availability of unexpended balances of funds made available under the act.

II. PROVISIONS OF THE BILL

Part I. Act for international development of 1961

Chapter 1. Short Title and Statement of Policy

Statement of policy:

Section 101: Amends section 102 of the act, which contains a statement of policy for part I, by adding a statement that it is the sense of Congress that support for the peaceful uses of atomic energy should be continued in furtherance of the purposes of part I. Since section 102(c) of the bill strikes out section 213 of the act, which authorizes the use of development grant funds for the atoms for peace program, the new statement of policy is proposed in order that programs for the peaceful uses of atomic energy may continue to have express recognition in the act and in order to make clear that the deletion of section 213 does not imply any intention to discontinue such programs.

Chapter 2. Development Assistance

TITLE II. DEVELOPMENT GRANTS AND TECHNICAL COOPERATION

General authority:

Section 102(a): Amends section 211(a) of the act, which relates to general authority, by providing that the criteria which that section requires the President to take into account in furnishing development grant assistance, apply as a matter of law only when such assistance is furnished to countries and areas, rather than to international organizations, for development grant purposes. It is now proposed that development grant funds, as well as supporting assistance funds and the new Alliance for Progress funds (see analysis of sec. 105 of the bill) will be available for assistance to regional and other international organizations, in addition to the funds available under chapter 3 of the act, relating to international organizations and programs. The United States will make contributions to international organizations and programs from development grant funds only where it has reasonable expectations that such funds will be administered by the organizations so as to further the criteria set forth in section 211(a) of the act. It is believed, however, that it would be inappropriate for the United States, when cooperating in multilateral efforts, to attempt to impose its own unilateral judgment with regard to the application of the criteria to specific multilateral projects or activities.

Authorization:

Section 102(b): Amends section 212 of the act, which relates to authorizations, by deleting the obsolete authorization for an appropriation for development grants for use beginning in fiscal year 1962 and substituting an authorization for an appropriation for this purpose for use beginning in fiscal year 1963.

Atoms for peace:

Section 102(c): Strikes out section 213 of the act, which relates to atoms for peace. Because the use of fiscal year 1963 development grant funds for programs for the peaceful uses of atomic energy will be for the economic development purposes for which such funds are authorized and will be carried out in accordance with the criteria applicable to such funds, section 213, which is a special diversionary authority to use development grant funds for atoms for peace programs, is no longer necessary and tends to confuse the concepts underlying the development grant title. Section 101 of the bill adds a new sentence to the statement of policy in section 102 of the act, expressing the sense of Congress that programs under the act for the peaceful uses of atomic energy should be continued.

TITLE III. INVESTMENT GUARANTEES

General authority:

Section 103(a): Amends section 221(b) of the act, which relates to general authority, in two respects:

Paragraph (1) amends section 221(b), which relates to specific risk guarantees, by deleting the present $1 billion ceiling on the total face amount of such guarantees which may be outstanding at any one time and substituting a new ceiling of $1.5 billion.

Paragraph (2) amends section 221(b)(2), which relates to all risk guarantees, by deleting the present $90 million ceiling on the total face amount of such guarantees which may be outstanding at any one time and substituting a new ceiling of $150 million.

See analysis of section 103(b) below, which increases the funds available for issuance of guarantees.

General provisions:

Section 103(b): Amends section 222 of the act, which relates to general provisions, by adding a new subsection (f) which authorizes an appropriation for use beginning in 1963 as a reserve available to discharge liabilities under investment guarantees. The amendment also makes a conforming change in section 222(d) of the act.

Housing projects in Latin American countries:

Section 103(c): Amends section 224 of the act, which relates to housing projects in Latin American countries, by deleting the $10 million ceiling on the total face amount of guarantees which may be outstanding at any one time under that section and substituting a new ceiling of $60 million. The amendment also makes a conforming change in section 224 to make clear that the appropriation which would be authorized by the amendment proposed in section 103(b) of the bill, would be available to discharge liabilities under investment guarantees issued under section 224 of the act, as well as those issued under section 221 of the act.

TITLE IV SURVEYS OF INVESTMENT OPPORTUNITIES

Authorization:

Section 104: Amends section 232 of the act, which relates to authorization, by deleting the obsolete authorization for an appropriation for surveys of investment opportunities for use beginning in fiscal year 1962 and substituting an authorization for an appropriation for use beginning in fiscal year 1963.

TITLE VI. ALLIANCE FOR PROGRESS

Alliance for Progress:

Section 105: Amends chapter 2 of part I of the act, which relates to development assistance, by adding a new title VI relating to the Alliance for Progress.

First, the amendment adds a new section 251 to the act, which relates to general authority. Subsection (a) of the new section expresses the sense of Congress as to the special significance of the relationships of the American peoples and Republics and the great hope for the advancement of the welfare of the American peoples which the Alliance for Progress offers. The section authorizes the President to furnish assistance on such terms and conditions as he may determine to promote the economic development of countries and areas (including dependent overseas territories) in Latin America, which includes the Caribbean area.

Subsection (b) of the new section 251 establishes the criteria and other conditions applicable to the furnishing of assistance under the new title VI. Since a major portion of the funds to be made available under the new title for fiscal year 1963 will be available only for dollar repayable loans, similar to development loans under the act, while a lesser portion will be available on a grant or other basis, similar to development grants (see the new sec. 252 which would be added by the amendment), the criteria and conditions contained in the new section 251(a) represent a combination of the criteria and conditions now applicable to development loans and grants under the act. First, the subsection makes clear that assistance under the new title shall be directed toward the development of both human and economic resources rather than emphasizing either the former or the latter as do development grants and development loans respectively. Next, it requires that the President, in furnishing assistance under the new title on either a loan or a grant basis to countries and areas (but not to international organizations, as explained in the analysis of sec. 102(a) of the bill) take into account four criteria: (1) the principles of the Act of Bogotá and the Charter of Punta del Este (this part of the first criterion is taken from the first portion of sec. 618 of the act, relating to economic assistance to Latin America, which is repealed by sec. 301(c) of the bill) and in particular the extent to which the country is taking self-help measures; (2) the economic and technical soundness of the activity to be financed; (3) consistency with development plans and objectives; and (4) possible effects upon the U.S. economy. Finally, certain additional requirements now applicable to development loans under the act are also applicable to loans made under the new Alliance-for-Progress title from funds required to be used on a dollar repayable basis: (1) the President must take into account whether financing could be obtained from other free world sources; (2) such loans may be made only upon a finding of reasonable prospects of repayment; and (3) such loans are subject by cross-reference to section 201(d) (interest rates for loaning and reloaning), sections 202(b) and 202(c) (long-term commitment authority and related reporting requirement); and section 204 (Development Loan Committee).

Subsection (c) of the new section 251 provides that the authority of section 614(a) of the act may not be used to waive the requirements of the new title VI with respect to funds required to be used on a dollar repayable loan basis and that the transfer authority of section 610 may be used to transfer such funds only to development loan funds. The restrictions imposed by this subsection on the use of Alliance-for-Progress funds available only for dollar repayable loans are similar to those imposed by section 201(c) of the act on development loan funds and have the effect of preventing the use of the President's special authorities to diminish the dollar repayable loan requirement.

Subsection (d) of section 251 provides that the President shall, when requested and when appropriate, assist in fostering measures of agrarian reform. This subsection is taken verbatim from the second portion of section 618 of the act, relating to economic assistance to Latin America, which would be repealed by section 301(c) of the bill.

The amendment adds a new section 252 to the act, which relates to authorization. This section authorizes a total appropriation for use beginning in any of the fiscal years 1963 through 1966 of $3 billion, but limits the amount which may be appropriated for use beginning in fiscal year 1963 to not to exceed $600 million. Funds made available pursuant to the new title VI may be supplemented by other funds available for such purposes in Latin America, notably development loans and development grants, under appropriate circumstances. The section further provides that of the funds appropriated for use beginning in fiscal year 1963, not to exceed $100 million may be used on terms other than dollar repayable loans; i.e., grants or local currency repayable loans. The remaining funds (up to $500 million) must be used for dollar repayable loans.

The amendment adds a new section 253, relating to fiscal provisions, which provides that dollar receipts from loans under the new title VI will be available for use for further dollar repayable loans in furtherance of the purposes of the new title. It also provides that receipts from loans made for the benefit of countries and areas of Latin American (including loans to private entities) under title I of chapter 2 of part I (development loans), which are now made available by section 203 of the act for use under the development loan title, shall be available for use for further dollar repayable loans under the new title. The new section further provides that all receipts and other funds made available under the new title VI shall remain available until expended.

Chapter 3. International Organizations and Programs

Authorization:

Section 106: Amends section 302 of the act, which relates to authorization, by deleting the obsolete authorization for an appropriation for international organizations and programs for fiscal year 1962 and substituting an authorization for an appropriation for fiscal year 1963. As indicated under section 102(a), assistance to regional and other international organizations may also be provided under the authority of section 211 (development grants), the new section 251 (Alliance for Progress), and section 401 (supporting assistance) of the act.

Chapter 4. Supporting Assistance

Authorization:

Section 107: Amends section 402 of the act, which relates to authorization, by deleting the obsolete authorization for an appropriation for supporting assistance for use beginning in fiscal year 1962 and substituting an authorization for an appropriation for fiscal year 1963.

Chapter 5. Contingency Fund

Contingency fund:

Section 108(a): Amends section 451(a) of the act, which relates to the contingency fund, by deleting the obsolete authorization for an appropriation for the contingency fund for fiscal year 1962 and substituting an authorization for an appropriation for fiscal year 1963.

Section 108(b): Amends section 451(b) of the act, which relates to the contingency fund, by changing the present requirement that the President keep the Committee on Foreign Relations and the Committee on Appropriations of the Senate and the Speaker of the House of Representatives currently informed of the use of contingency funds to a requirement for quarterly reports on the use of such funds.

Part II. International Peace and Security Act of 1961

Chapter 2. Military Assistance

Sales:

Section 201(a): Amends section 507(a) of the act, which relates to sales, by making a technical change which is related to the amendment made by section 303(b) of the bill to the definition of the term "value" in section 644(m) of the act. The amended definition will clarify that the term "value" applies to sales transactions, as well as grants. The purpose of this amendment to section 507(a) of the act is to make it clear that the sales price of defense articles and defense services to foreign countries and international organizations may include normal pricing elements such as overhead cost and surcharges in addition to the "value" as defined.

Special authority:

Section 201(b): Amends section 510 of the act, which relates to special authority, by deleting the obsolete references to the fiscal year 1962 and substituting references to the fiscal year 1963, thereby extending the authority provided in that section for an additional year.

Restrictions on military aid to Latin America:

Section 201(c): Amends subsection 511(b) of the act, which relates to restrictions on military aid to Latin America, by striking "military assistance programs" and substituting "grant programs of defense articles," thereby conforming the language of this subsection to the language of subsection 511(a) of the act, which fixes a ceiling on grants of defense articles to Latin American Republics.

Part III

Chapter 1. General Provisions

Patents and technical information:

Section 301(a): Amends section 606 of the act, which relates to patents and technical information, by deleting subsection (c), which prohibits expenditure of funds appropriated pursuant to the act by the U.S. Government for the acquisition of any pharmaceutical products manufactured outside the United States if the manufacture of such product in the United States would be covered by an unexpired U.S. patent, unless such manufacture has been expressly authorized by the patent owner.

Completion of plans and cost estimates:

Section 301(b): Amends section 611(a) of the act, which relates to completion of plans and cost estimates, to render the requirements of section 611 applicable to agreements and grants under the proposed new title VI of chapter 2 of part I of the act, relating to the Alliance for Progress.

Economic assistance to Latin America:

Section 301(c): Strikes out section 618 of the act, which relates to economic assistance to Latin America, and adds a new section 618, relating to use of settlement receipts.

The substance of the present section 618 is incorporated in the proposed new title VI of chapter 2 of part I, relating to the Alliance for Progress, which would be added by section 105 of the bill. The first half of section 618, which requires economic assistance to Latin America under the act to be furnished in accordance with the principles of the Act of Bogotá, is incorporated in substance in the proposed new section 251(b) of the act which requires the President, in furnishing assistance to countries and areas under the Alliance-for-Progress title, to take into account, among other things, the principles of the Act of Bogotá and the Charter of Punta del Este. The second half of section 618, relating to agrarian reform in Latin America, is set forth verbatim in the proposed new section 251(d) of the act.

The new section 618 which would be added by the amendment provides that U.S. dollars paid directly to the United States under the agreement between the United States of America and Japan regarding the settlement of postwar economic assistance to Japan may be appropriated or otherwise made available in any appropriation act to carry out the provisions of part I of the act. The use of the dollars so received for this purpose would require appropriation action by the Congress pursuant to this authority and would be within the amounts authorized to be appropriated by part I of the act.

On January 9, 1962, representatives of the Governments of the United States and Japan signed an agreement which, upon its entry into force, will constitute a final settlement for all economic assistance furnished to Japan by the U.S. Government during the period between September 2, 1945, and April 28, 1952. Under the agreement Japan would be obligated to pay the amount of $490 million, and approval of the Japanese Diet is required before the agreement can enter into force for Japan. At the request of the Government of Japan the United States recorded its intention in connection with the agreement, to employ the major portion of the funds received from the settlement, subject to appropriate legislation, for economic assistance to less developed countries. When this authorization is enacted, acts making appropriations for part I of the act could be used to appropriate or otherwise make available for this purpose dollars paid from time to time under the agreement. The amendment would not affect up to $25 million which the United States may request under the settlement agreement to be paid in yen to finance educational and cultural exchange programs, subject to availability of appropriations.

Chapter 2. Administrative Provisions

Exercise of functions:

Section 302(a): Amends section 621 of the act, which relates to exercise of functions, by deleting subsections (b), (c), (d), and (e) as obsolete. These subsections deal with the abolition of the Development Loan Fund, International Cooperation Administration, and the Office of the Inspector General and Comptroller, the transfer of their functions, and the transfer of the Cooley amendment function of the Export-Import Bank under section 104(e) of the Agricultural Trade Development and Assistance Act of 1954, as amended (Public Law 480). All the actions provided for in the deleted subsections have been completed.

Statutory officers:

Section 302(b): Amends section 624 of the act, which relates to statutory officers, in several respects:

It strikes out subsection (d) as obsolete and redesignates subsection (e) as subsection (d). The present subsection (d) provides that any persons who, on the date prior to the effective date of the act, held certain statutory positions could continue to hold such positions for not to exceed 60 days following the effective date of the act.

It amends paragraph 2(A) of redesignated subsection (d), which relates to the Inspector General, foreign assistance, to provide that the Inspector General shall have among his responsibilities, inspections and audits of programs conducted by U.S. Government agencies under Public Law 86-735 (the Latin America Development and Chile Reconstruction Act) in addition to programs under part I of the act and of the Peace Corps, which are now provided for by paragraph 2(A). This amendment together with the existing section 624(e)(6) of the act would empower the Inspector General to suspend, subject to certain limitations, all or any part of any programs under Public Law 86-735 conducted by U.S. Government agencies. The programs under Public Law 86-735 which the amendment subjects to the jurisdiction of the Inspector General are described as those conducted by U.S. Government agencies in order to avoid a retroactive application to programs now being conducted by the Inter-American Development Bank under the Social Progress Trust Fund Agreement. Programs conducted by the Bank under that agreement differ from programs conducted by international organizations financed in part from U.S. contributions to such organizations (in which case the Inspector General's jurisdiction covers the contribution of funds to the organization but not the organization's subsequent use of the funds), because the Bank's role under the agreement as a technical matter is more that of an agent carrying out bilateral U.S. assistance programs than of an international organization carrying out its own program to which the United States contributes. The trust fund agreement does not provide for audits by the Inspector General nor does it permit the Inspector General to suspend the operations of the Bank. The present amendment in effect exempts from the jurisdiction of the Inspector General only existing programs now being conducted by the Bank, since future Alliance-for-Progress funds are being sought under part I of the act, and no provision is made for exempting programs conducted by the Bank under part I of the act from the responsibilities of the Inspector General.

Finally, the amendment makes conforming changes in paragraphs (5) and (7) of redesignated subsection (d). These changes make clear that the Inspector General shall have access to all documents and other material of U.S. Government agencies administering Public Law 86-735 and that his expenses with respect to programs under that act may be charged to appropriations made to carry out such programs.

Employment of personnel:

Section 302(c): Amends section 625 of the act, which relates to employment of personnel, in two respects.

Paragraph (1) amends section 625(b), which relates to employment of personnel in the United States, by increasing (a) the ceiling on the number of such personnel employed to carry out part I or coordinate part I and part II who may be appointed or removed without regard to any law (i.e., "excepted personnel"). H.R. 1048 (the pay reform bill) now pending before the Congress, would amend section 625(b) of the act so as to remove the authority of that section to compensate specified numbers of personnel at rates, including supergrade rates, without regard to the Classification Act of 1949. While additional number of supergrades for carrying out the act is urgently needed, no provision for such authority is being proposed in the bill at this time, because the pay reform bill as proposed will meet the need. The effect of the amendment which would be made by the bill is to increase the number of excepted personnel now authorized by section 625(b), which are not affected by the pay reform bill.

Paragraph (2) amends section 625(d)(2), which authorizes use of authority under the Foreign Service Act of 1946 for the purpose of performing functions outside the United States, by authorizing initial assignment of personnel under section 625(d)(2) for duty within the United States for a period not to exceed 2 years pending assignment outside the United States. This authority is subject to a determination that it is important for the purposes of the act. It is intended that this authority will be used to provide a period of experience in operating positions in Washington for persons outside the U.S. Government who are recruited for responsible posts in aid missions abroad. This authority will permit AID to adopt a practice similar to the current practice of the State Department in assigning Foreign Service Reserve officers to initial duty in the United States.

Reports and information:

Section 302(d): Amends section 634(d) of the act, which relates to reports and information, by changing the present requirement that the report which must be made in January of each year cover actions taken during the preceding 12 months to a requirement that such reports cover actions taken during the preceding fiscal year. This requirement will be effective for the first time in January 1963, since that will be the first January following either 12 months or a fiscal year of operations under the act. The present requirement for reports on a calendar year basis is thought to be less useful than a requirement for reports on a fiscal year basis, since calendar year reports would cut across 2 fiscal years and give an incomplete picture of both.

General authorities:

Section 302(e): Amends section 635(h) of the act, which relates to general authorities, in two respects; First, it renders the 5-year contracting and agreement authority of subsection (h) applicable to the new title VI of chapter 2 of part I, relating to the Alliance for Progress. Section 635(h) now applies to title II (development grants) and V (development research) of chapter 2 of part I. The amendment also makes a technical change in the description of funds in section 635(h) from funds "made available" under the specified sections to funds "available" under those sections. This will describe more accurately funds available for development research since such funds are

not appropriated separately for that purpose but are authorized to be taken from funds otherwise available under part I of the act.

Administrative expenses:

Section 302(f): Amends section 637 of the act, which relates to administrative expenses, in two respects:

Paragraph (1) amends section 637(a), which authorizes an appropriation for the administrative expenses of the Agency primarily responsible for administering part I (the Agency for International Development) by deleting the obsolete authorization for an appropriation for such expenses for fiscal year 1962 and substituting an authorization for an appropriation for fiscal year 1963.

Paragraph (2) amends section 637(b), which authorizes appropriations for certain administrative expenses of the Department of State in connection with functions under the act, by deleting a reference to the Secretary of State, so that appropriations pursuant to the section may be made to the President in conformity with other appropriations authorized by the act.

Chapter 3. Miscellaneous Provisions

Saving provisions:

Section 303(a): Amends section 643 of the act, which relates to saving provisions, by striking out subsection (d) as obsolete. Section 643(d) provides that nothing in the act shall affect the Peace Corps pending enactment of the Peace Corps Act or adjournment of the 1st session of the 87th Congress whichever is earlier.

Definitions:

Section 303(b): Amends subsections 644 (m) (2) and (3) of the act, which relate to definitions, by deleting the words "as grant assistance" from the definition of the term "value" in order to make it clear that the amount of reimbursement from MAP funds to the military departments under section 632(d) of the act for a defense article furnished to MAP by the military departments is the same whether MAP provides the item to a country or international organization on a grant or sales basis.

Unexpended balances:

Section 303(c): Amends section 645 of the act, which relates to unexpended balances, by adding to the existing authorization to continue available unexpended balances of funds made available under the Mutual Security Act and authority to consolidate such funds with appropriations made available for the same general purposes under the act, similar authorization and authority with respect to unexpended balances of funds made available under the act.

Part IV

Section 401: Repeals part IV of the act, which relates to amendments to other acts. The repeal of part IV will not affect the amendments contained in that part.

International Health Research Act of 1960:

Section 402. Amends section 5(f) of the International Health Research Act of 1960, which relates to delegation of functions under that act, to make clear that the President may delegate his authority thereunder to the Secretary of Health, Education, and Welfare, or to any other officer of the U.S. Government.

Act of August 1, 1956 (basic authority for the Department of State):

Section 403. Amends the act of August 1, 1956, as amended (5 U.S.C. 170g), which relates to basic authority for the Department of State, by authorizing the Secretary of State to settle promptly a small number of meritorious claims which are presented diplomatically by foreign governments from time to time. At present, the Secretary of State does not have this authority and must, therefore, seek legislation each time it is determined that a meritorious claim has been presented. This can result in delay and have adverse effects upon our relations with the foreign government concerned, particularly when the claim involves injured persons who are in need of assistance. Authority has been given to the Secretaries of the military departments by the Foreign Claims Act of August 10, 1956 (70A Stat. 154; 10 U.S.C. 2734), to pay up to $15,000 in settlement of claims presented directly by inhabitants of foreign countries for losses and damages caused by military activities abroad.

The proposed amendment is expressly limited to claims which are presented diplomatically on behalf of citizens of the presenting state and which are not cognizable under other laws or international agreements of the United States, such as the Federal Tort Claims Act, the Tucker Act, and the NATO status-of-forces agreements. The amendment provides a ceiling of $15,000, or the foreign currency equivalent thereof.

Since 1947, the Secretary of State has recommended, and the Congress has enacted, three bills authorizing payment of seven claims similar to those envisaged by this amendment. The claims totaled $40,742.65, or an average of $5,820.38 for each claim. It is not anticipated that the number of claims to be settled in the future will be materially greater than those settled in the past. Appropriations to the Department of State to carry out this authority would also be authorized by the provision.

AMENDMENTS TO THE UNITED NATIONS PARTICIPATION ACT OF 1945, AS AMENDED

Mr. FULBRIGHT. Mr. President, by request, I introduce for appropriate reference a bill to amend the United Nations Participation Act of 1945, as amended.

The proposed legislation has been requested by the Secretary of State and I am introducing it in order that there may be a specific bill to which Members of the Senate and the public may direct their attention and comments.

I reserve my right to support or oppose this bill, as well as any suggested amendments to it, when the matter is considered by the Committee on Foreign Relations.

I ask unanimous consent that the bill may be printed in the RECORD at this point, together with the letter from the Secretary of State, dated March 3, 1962, in regard to it.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill and letter will be printed in the RECORD.

The bill (S. 2997) to amend the United Nations Participation Act of 1945, as amended, introduced by Mr. FULBRIGHT, by request, was received, read twice by its title, referred to the Committee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsections (a), (b) and (d) of section 2 of the United Nations Participation Act of 1945, as amended by Public Law 341, 81st Congress, October 10, 1949, are hereby further amended to read as follows:

(a) The President, by and with the advice and consent of the Senate, shall appoint a representative of the United States to the United Nations who shall have the rank and status of Ambassador Extraordinary and Plenipotentiary and shall hold office at the pleasure of the President. Such representative shall represent the United States in the Security Council of the United Nations and may serve ex offico as representative of the United States in any organ, commission, or other body of the United Nations, other than specialized agencies of the United Nations, and shall perform such other functions in connection with the participation of the United States in the United Nations as the President may, from time to time, direct.

(b) The President, by and with the advice and consent of the Senate, shall appoint such additional persons with appropriate titles, rank, and status to represent the United States in the principal organs of the United Nations and in such organs, commissions, or other bodies as may be created by the United Nations with respect to nuclear energy or disarmament (control and limitation of armament). Such persons shall serve at the pleasure of the President and subject to the direction of the representative of the United States to the United Nations. They shall, at the direction of the representative of the United States to the United Nations, represent the United States in any organ, commission, or other body of the United Nations, including the Security Council, the Economic and Social Council, and the Trusteeship Council, and perform such other functions as the representative of the United States is authorized to perform in connection with the participation of the United States in the United Nations. Any deputy representative or any other officer holding office at the time the provisions of this Act, as amended, become effective shall not be required to be reappointed by reason of the enactment of this Act, as amended.

(d) The President may also appoint from time to time such other persons as he may deem necessary to represent the United States in organs and agencies of the United Nations. The President may, without the advice and consent of the Senate, designate any officer of the United States to act without additional compensation as the representative of the United States in either the Economic and Social Council or the Trusteeship Council (1) at any specified session thereof where the position is vacant or in the absence or disability of the regular representative or (2) in connection with a specified subject matter at any specified session of either such Council in lieu of the regular representative. The President may designate any officer of the Department of State, whose appointment is subject to confirmation by the Senate, to act, without additional compensation, for temporary periods as the representative of the United States in the Security Council of the United Nations in the absence or disability of the representatives provided for under section 2 (a) and (b) or in lieu of such representatives in connection with a specified subject matter.

SEC. 2. Section 2 of such Act is hereby further amended by redesignating subsections (e) and (f) to be subsections (f) and (g) respectively; and by adding after subsection (d) the following new subsection:

"(e) The President, by and with the advice and consent of the Senate, shall appoint a Representative of the United States to the European Office of the United Nations with appropriate rank and status who shall serve at the pleasure of the President and subject to the direction of the Secretary of State. Such person shall, at the direction of the Secretary of State, represent the United States at the European Office of the United Nations, and perform such other functions there in connection with the participation of the United States in international organizations as the Secretary of State may, from time to time, direct."

SEC. 3. Such Act as hereby amended by inserting after section 8 the following new section:

"SEC. 9. The President may, under such regulations as he shall prescribe and notwithstanding the provisions of sections 1765 and 3648 of the Revised Statutes, as amended (5 U.S.C. 70, 31 U.S.C. 529), grant certain officers having important representation responsibilities as determined by the Representative of the United States to the United Nations, an allowance adequate to defray the additional housing costs necessitated by such representational responsibilities during the period such officer is assigned for duty in the continental United States as a member of the United States mission to the United Nations."

The letter presented by Mr. FULBRIGHT is as follows:

MARCH 3, 1962

Hon. LYNDON B. JOHNSON,
President of the Senate.

DEAR MR. VICE PRESIDENT: I submit herewith a proposed draft amendment to the United Nations Participation Act of 1945, as amended by Public Law 341, 81st Congress, October 10, 1949, to grant the President wider discretion in assignment of top-level personnel of the U.S. mission to the United Nations, including their rank and status as ambassadors or ministers, and to give the U.S. representative discretion to assign these top representatives to the various organs of the United Nations in accordance with workload and other considerations; to authorize the President to appoint a U.S. representative to the European office of the United Nations and other international organizations; and to authorize payment of housing allowances to certain officers assigned to the U.S. mission to the United Nations.

The United Nations Participation Act now authorizes a representative and a deputy representative of the United States at the United Nations, both of whom shall have the rank and status of Envoy Extraordinary and Ambassador Plenipotentiary. In addition, another deputy representative to the Security Council is authorized and the President also may appoint, from time to time, such other persons as he may deem necessary to represent the United States in the agencies of the United Nations including the Economic and Social Council and the Trusteeship Council.

Ambassador Stevenson has found this to be unnecessarily rigid and it is proposed that the provisions specifying the number and the role of the deputies and their diplomatic titles be deleted. In lieu thereof, the proposed amendment would authorize the President to appoint such additional persons with appropriate title, rank and status as he deems necessary to represent the United States in the principal organs of the United Nations. In addition, these officers would, at the direction of the U.S. representative to the United Nations, represent the United States in any organ, commission, or other body of the United Nations including the Security Council, the Economic and Social Council and the Trusteeship Council and perform such other functions as the U.S. representative is authorized to perform.

These changes will permit the U.S. representative to organize his staff and assign their duties as he deems necessary to accomplish his mission effectively. In the case of the two deputy representatives, Ambassador Stevenson has in mind that they should be alter egos of the U.S. representative and available to represent the United States in any way in which he himself is able to do so. Although the proposed amendment gives the U.S. representative greater flexibility in determining assignments, it remains appropriate for an individual who was to be appointed, for example, to spend most of his time on the Economic and Social Council, to be appointed as representative to that Council, and that the Senate in advising and consenting on his appointment would consider primarily his ability and qualifications to fulfill those duties. This, however, would be on the understanding that if the U.S. representative to the United Nations found it desirable to utilize him temporarily as representative to one of the other organs, he would be in a position to do so.

The amendment also provides that persons who would represent the United States in the principal organs of the United Nations, including bodies that may be created by the United Nations with respect to nuclear energy or disarmament would be appointed subject to the advice and consent of the Senate. Persons appointed to represent the United States in other organs, commissions, and bodies of the United Nations would not require the advice and consent of the Senate.

It is not intended that enactment of this amendment would necessitate the reappointment of any person holding office at the time of its enactment.

The United States maintains a mission to the European office of the United Nations and other international organizations at Geneva. Geneva has become increasingly important as the site of many international conferences and organizations and the responsibilities of our mission there have increased commensurately. Therefore, it is proposed in this amendment that the President by and with the advice and consent of the Senate, shall be authorized to appoint a representative of the United States to the European office of the United Nations with appropriate rank and status who shall serve at the pleasure of the President and subject to the direction of the Secretary of State. In addition to representing the United States at the European office of the United Nations, such person shall perform such other functions in connection with the participation of the United States in international organizations as the Secretary of State may direct.

The proposed amendment to provide a housing allowance for officers of the U.S. mission in New York, is to remove the anomaly resulting from the location in the United States of the United Nations. The functions performed by the U.S. mission are essentially diplomatic in nature and the representational duties performed by the officers are identical to those performed by officers in similar positions in our Foreign Service missions abroad. However, the quarters allowances authorized by law to our representatives to foreign countries and to international organizations whose headquarters are located outside the United States, are not paid to members of the U.S. mission to the United Nations.

The United States, as the host nation, can expect and must respond to the many opportunities for the effective social intercourse of representational activities. Foreign delegations look upon the U.S. mission to the United Nations as bearing a special responsibility in this area and they expect to be invited to the homes of the members of the mission. Officers assigned to the U.S. mission are expected to maintain private living quarters in the vicinity of the United Nations in order to discharge their representational responsibilities more effectively for the convenience and in the interest of the Government. Their representational duties are for the most part discharged outside office hours, this being an obligation (and an uncompensated one) not imposed on other Government employees stationed in New York.

The expansion of the United Nations to the present total of 104 countries has greatly increased our responsibilities as host government. The problem of making known our Government's policies and determining the policies of the other governments has become of paramount importance. One of the most effective means of doing this is at small social gatherings; but in the past our contacts with other delegates have tended to be largely limited to public meetings, to corridor encounters and hasty restaurant luncheons. It is my firm belief that the personal type of representation, which is least expensive in the long run, brings about a greater understanding between our officers and their colleagues. It allows for creation of a family interest and an exchange of divergent views in the relaxed surroundings of a private American home, which make a pleasant and sympathetic atmosphere for diplomacy. Such entertainment creates good will and does not leave the impression that we are only concerned with immediate and pressing problems in the United Nations. Unfortunately, most of our officers assigned to the mission in New York have not generally been able to carry out their duties in such atmosphere. The reason is that they would be subjected to considerable personal expense in maintaining quarters adequate for such representational purposes.

As you know, the U.S. representative to the United Nations is able to have representational functions at the Waldorf Towers in which a suite is rented by the Government under authorization of a previous amendment to the present act. Only a very limited number of officers, using their personal funds, have been financially able to consider the problem of maintaining apartments in Manhattan. On the other hand, most of our officers have not been able to assume the added personal expenses of high costs for representational quarters and consequently have found it necessary to live in the suburbs. Thus, they are placed at a disadvantage with respect to their opposite numbers in other delegations who are receiving allowances which are usually granted to diplomats serving abroad.

There is need for a new allowance to defray the added costs which certain officers of the U.S. mission are forced to incur if they are to obtain and maintain housing that is adequate for the proper discharge of their representational duties. The amount of this allowance would represent the difference between cost of adequate representational housing and the cost of housing which an officer concerned would have if he had no representational responsibilities. We intend to limit eligibility to those officers having more than usual representational responsibilities, and the total cost for their housing allowances would be approximately $60,000 per annum.

The submission of this proposed legislation has been approved by the Bureau of the Budget as being consistent with the administration's objectives.

Sincerely yours,

DEAN RUSK.

NOTICE CONCERNING CERTAIN NOMINATIONS BEFORE COMMITTEE ON THE JUDICIARY

Mr. McCLELLAN. Mr. President, the following nominations have been referred to and are now pending before the Committee on the Judiciary:

Dan M. Douglas, of Arkansas, to be U.S. marshal, western district of Arkansas, term of 4 years, vice Jay Neal; and

Alfred P. Henderson, of Arkansas, to be U.S. marshal, eastern district of Arkansas, term of 4 years, vice Richard Beal Kidd, term expired.

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in these nominations to file with the committee, in writing, on or before Wednesday, March 21, 1962, any representations or objections they may wish to present concerning the above nominations, with a further statement whether it is their intention to appear at any hearing which may be scheduled.

NOTICE OF HEARINGS ON EDUCATIONAL QUALITY ACT OF 1962

Mr. MORSE. Mr. President, I wish to announce for the information of the Senate that the Education Subcommittee of the Senate Committee on Labor and Public Welfare intends to commence hearings on S. 2826, the Improvement of Educational Quality Act of 1962, on Wednesday, March 21, 1962, in room 4232, New Senate Office Building, at 10 a.m.

It is our hope that administration witnesses may be heard on the 21st and that the hearings can be completed either March 22 or 23.

Senators having an interest in this legislation and who desire to present statements to the subcommittee are cordially invited to do so. It would be appreciated if arrangements for the appearance of Senators could be made with the staff of the committee on extension 5375.

The subcommittee will be pleased to accept requests from institutions, agencies, and individuals having an interest in this legislation at an early date in order that invitations may be extended to them. In order to facilitate the scheduling of witnesses it would be appreciated if application for time be made in writing specifying the most convenient dates in order of preference.

Mr. President, in order that Senators may refresh their memories concerning the provisions of S. 2826, I ask unanimous consent that a letter dated February 6, 1962, signed by the Secretary of Health, Education, and Welfare together with its attachments be printed at this point in my remarks.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE,
Washington, D.C., February 6, 1962.

Hon. JOHN W. MCCORMACK,
Speaker of the House of Representatives, Washington, D.C.

DEAR MR. SPEAKER: I am enclosing for your consideration a proposed bill, entitled the "Improvement of Educational Quality Act of 1962," to assist institutions of higher learning, individual teachers, and State and local school systems to improve the quality of elementary and secondary education. It would authorize closely related programs designed to improve the preparation of elementary and secondary school teachers, to offer outstanding teachers an opportunity for further study in the subjects taught by them, and to encourage widespread use of improved practices in elementary and secondary school instruction. With the exception of the amendments to the Cooperative Research Act, these programs would be authorized for a period of 5 years.

This proposed legislation would carry out the President's recommendations for improving the quality of elementary and secondary education, contained in his special message on education of February 6, 1962.

The programs that would be authorized by the bill are briefly outlined and described in the following paragraphs:

A. Improvement of quality of teaching (title I):

Among our approximately 1.6 million elementary and secondary teachers there exist wide variations in professional preparation, knowledge of subjects taught, experience, and opportunity for professional improvement and advancement. Much can be done to provide opportunities for teachers to improve their knowledge of subject matter and their command of the most advanced techniques of instruction. At the same time, attention needs to be focused on the initial preparation of teachers, because any inadequacy in this respect is difficult to overcome at a later stage. Of all the professions, teaching most requires the breadth of knowledge associated with a sound, liberal education. The programs herein proposed are aimed at bringing about improvements along these lines.

1. Arrangements with colleges and universities for the operation of institutes for advanced study by elementary and secondary school teachers and supervisors in subject matter areas in which the Commissioner of Education finds there is widespread need for improved quality of instruction (sec. 101):

This authority would provide, in other basic curriculum areas, the opportunity for improvement that has been provided in mathematics, science, and modern foreign languages through institute programs administered by the National Science Foundation and the Office of Education. The existing programs have been so successful in improving instruction that the relative neglect of these subjects has been dramatically reversed in a few years.

There are other subjects in the school curriculum, however, in which better instruction is required in order to attain high educational standards. In such fields as reading and English composition, for example, we believe that short-term and regular session teacher institutes could bring about the same revitalization of instruction as has occurred in modern foreign languages. Moreover, these skills are absolutely essential to a student's progress in all fields of learning, including the physical sciences.

In arranging, through grants or contracts, for the institutes the Commissioner of Education—in addition to making a finding that improved instruction in the subject matter is needed and is not being met through institute programs already authorized—would give preference to those subjects which are generally accepted as meeting college-entrance requirements. Teachers attending such institutes would receive a stipend of $75 per week, plus $15 per week for each dependent, during the period of attendance.

2. Authorization of 2,500 annual scholarship grants to outstanding elementary and secondary teachers for 1 year of full-time study in a college or university of their choice (sec. 102):

The number of grants authorized each year by Congress would be allocated among the States (and the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, and the Virgin Islands) on the basis of the number of full-time certified elementary and secondary school teachers in each State, with not less than 10 to any State. Teachers would be selected for these grants by a representative State commission appointed by the Governor. Each teacher selected would receive an amount equivalent to his or her annual salary as a teacher, but not more than $5,000, for a year of study in the subject-matter field in which they teach or are expected to teach. While the number of such grants is relatively small, the returns would be very great. The teachers selected would be those who have demonstrated special ability as scholars and aptitude for teaching, and who show promise of being able to make significant contributions to improvements in the quality of elementary and secondary education. A year of full-time study has many advantages over the "piecemeal" approach of a few summer session courses spread over a period of years. Most teachers, however, are not able financially to devote a full year to study. The existence of these grants would serve to emphasize the high value the Nation places upon excellent teachers and to encourage similar State and private programs for teachers.

In addition to the grant to the teacher, the draft bill provides for a $500 cost of education allowance to the college or university the grant recipient attends.

3. Authorization for grants to colleges and universities for projects to improve the quality of teacher education (sec. 103):

Any comprehensive effort to improve the quality of elementary and secondary education must include a concerted effort to raise the standards of teacher preparation programs and the standards for the selection of teaching candidates and their continuation in such programs. This proposal would make grants available to higher education institutions having programs for the preparation of individuals to teach in elementary and secondary schools, to pay part of the cost of projects to strengthen these programs through improvement of course content and curriculums, improvement of student teaching activities, and improvement of selection, continuation, and graduation standards in such programs. The institutions themselves would, of course, design the projects and submit them for consideration. In reviewing applications, the Commissioner would obtain the advice and recommendations of persons competent to evaluate the merits of the projects.

We believe that there is a direct relationship between the quality and intellectual content of teacher education and the quality of student attracted to a career in teaching. There is evidence that teaching as a profession is not attracting a proportionate share of our most able college students, and that many able and dedicated teachers suffer from inadequate academic preparation. While we recognize that inadequate salaries for teachers is a major factor in this situation, we believe that improvements in teacher education can significantly improve the status of the profession. This proposal would encourage and help colleges and universities to make desired improvements.

B. Broader application of improved instructional practices (title II):

The quality of our schools could be increased significantly if all that were known concerning the most effective instructional practices were put into practice on a wide scale. Moreover, a good start could be made in averting the dangerous social and economic consequences of failure to meet the educational needs of large numbers of culturally deprived and disadvantaged children. The provisions of this bill would provide the means of accelerating desirable changes in elementary and secondary education. Educational research alone is not sufficient—we must encourage the wide implementation of research findings, while giving new vigor and dimension to the continued search for better methods of instruction in our schools.

1. Grants to States for local educational agency projects to improve the quality and effectiveness of public elementary and secondary education (sec. 201).

The purpose of this program is to help achieve one of the greatest needs in education—to translate research and experimental findings into actual practice in the schools. The knowledge is available in many aspects of school organization, instructional methods, and curricula to bring about dramatic improvements in education. But the use of new techniques has been limited almost entirely to special laboratory schools and to a few schools selected for experimental projects. Not only do innovations cost money, but parents, teachers, school administrators, and students generally must experience them in practice before they are accepted and used.

Most of the grant funds would be used to pay one-half the cost of pilot, demonstration, and experimental projects submitted to the State education agency by local public school districts and approved by the State agency under criteria and procedures set forth in the State's plan. Section 201(c) of the draft bill sets forth seven types of projects as illustrations of programs in which Federal funds might be used to improve the quality and effectiveness of public elementary and secondary education. These are: Programs and curriculum adaptations for exceptionally gifted children, for children having language difficulties, and for deprived and disadvantaged children; improving the effectiveness of teachers through preservice, internship and in-service programs; the more effective utilization of new or improved instructional materials and equipment and the development of improvements in school building design; the development of new types of instruction or programing in elementary and secondary schools; and coordination of school programs and planning in deteriorated or depressed communities with planning and programs of other organizations working to improve conditions in the area. Each project would include the acquisition of library and other material and equipment needed for the educational program involved.

Up to 10 percent of a State's allotment could be used by the State education agency to expand and improve State services in developing, evaluating, and promoting the broader application of improved instructional practices in elementary and secondary schools.

All of these activities place the emphasis upon raising the standards of excellence in our schools, and upon making this excellence available to all the children attending these schools. The bill would authorize the appropriation of $50 million annually for this program, allotted among the States on the basis of their relative populations. This is the most practical and direct investment the Nation could make in an effort to improve the quality of education. Used with intelligence and imagination, this investment would be as vital to our fundamental national interest as any we could make. The necessary know-how to improve our schools is, in large measure, at hand—and this program affords the means to apply that knowledge.

2. Amendment of the Cooperative Research Act so as to provide the means to develop, evaluate, and demonstrate new instructional practices and materials in elementary and secondary schools (sec. 202):

The purpose of the proposed amendment to Public Law 531 (83d Cong.) is to give a much-needed new dimension to the program of cooperative research in education. The act now authorizes educational research, demonstrations, and surveys to be carried out by colleges and universities and State education agencies on a contract or cooperatively financed basis. The effect of the amendment would be to authorize grants for these purposes as well as contracts, to facilitate the participation of educational research and professional training organizations as well as colleges and universities and of local as well as State educational agencies, and to specifically authorize grants to universities and colleges and other research organizations to assist them in establishing and operating, whenever appropriate in cooperation with State and local educational agencies, centers for educational research and development and for the evaluation and demonstration of experimental programs in actual school settings. A few such programs are now being conducted with very excellent results, but financial support and organizational leadership has not been sufficient to do the job on a sufficient scale or to spread the benefits widely among the schools.

This strengthening of the cooperative research program would have a direct relation to the utilization of State project grants outlined in B-1 above, in that the practices developed and tested could be used by the States on a widespread basis.

C. Miscellaneous provisions (title III):

This title of the draft bill contains pertinent definitions and administrative provisions, including a specific prohibition against Federal control of education.

In conclusion, I wholeheartedly commend to you the provisions contained in the enclosed draft bill. Every program that would be authorized in the draft bill is designed to meet a basic requirement in the effort to raise standards in education and to do so in such a way that the Federal Government does not intrude upon the fundamental responsibilities of States, local school districts, and institutions of higher learning. Each program would be related and complementary to the others so as together to provide a comprehensive approach to the encouragement of quality in elementary and secondary education. The purpose to be accomplished is truly national and is basic to the security and well-being of our Nation.

The Bureau of the Budget advises that enactment of this legislation would be in accord with the program of the President.

Sincerely,

ABRAHAM RIBICOFF,
Secretary.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE, OFFICE OF EDUCATION

Improvement of Educational Quality Act of 1962

[In thousands of dollars]

APPROPRIATION REQUIREMENTS	1963	1964	1965	1966	1967
Title I. Improvement of Teacher Education:					
Institutes for advanced training for teachers	23,850	40,000	40,000	40,000	40,000
Scholarship grants for outstanding teachers	13,750	13,750	13,710	13,750	13,750
State commissions	500	500	500	500	500
Project grants to strengthen teacher education	15,000	25,000	25,000	25,000	25,000
Title II. Broader Application of Improved Instructional Practices:					
Grants to States to strengthen instruction—Supervision and administration	5,000	5,000	5,000	5,000	5,000
Grants to States for special projects	45,000	45,000	45,000	45,000	45,000
Grants to universities and colleges, State education agencies and local school districts—Cooperative research demonstrations	16,000	20,000	25,000	30,000	30,000
Administration	900	1,300	1,500	1,500	1,500
Total	120,000	150,550	155,750	160,750	160,750
Man-years of employment	72	117	124	124	124

EXPENDITURES	1963	1964	1965	1966	1967
Title I. Improvement of Teacher Education:					
Institutes for advanced training for teachers	6,000	34,000	40,000	40,000	40,000
Study awards for outstanding teachers	.....	13,750	13,750	13,750	13,750
State commissions	500	500	500	500	500
Project grants to strengthen teacher education	6,200	25,000	25,000	25,000	25,000
Title II. Broader Application of Improved Instructional Practices:					
Grants to States to strengthen instruction—Supervision and administration	3,000	3,500	4,000	4,500	5,000
Grants to States for special projects	16,000	25,000	35,000	45,000	45,000
Grants to colleges, universities, State education agencies and local school districts—Cooperative research and demonstrations	7,500	20,000	25,000	30,000	30,000
Administration	800	1,300	1,400	1,500	1,500
Total, expenditures	40,000	123,050	144,650	160,250	160,750

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. BYRD of West Virginia:

Address by him delivered before the West Virginia Horticultural Society, Martinsburg, W. Va.

By Mr. WILEY:

Article entitled "Is a Meeting of World Minds Possible?" by Senator WILEY, published in the Yale Political of recent date.

The VICE PRESIDENT. Is there further morning business? If not, morning business is closed.

Mr. RUSSELL. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

INCREASE IN URBANIZATION—SIZE OF KANSAS FARMS AND KANSAS FARM INCOME

Mr. CARLSON. Mr. President, last night the television audience was privileged to view a television program by Chet Huntley and David Brinkley entitled "Land." It was a very informative program, which stressed the shift of the rural population to the urban centers of this Nation. Those of us who come from the rural sections regret very much to see this trend, but all of us must admit the shift is occurring.

In the television showing, three places in Kansas were stressed where the shift in population from rural to urban had had a very serious effect on those communities. Similar communities would be found in practically every State in the Nation. Mr. Huntley also mentioned changes in our agricultural economy that have taken place as a result of improved farming conditions, to farmers who are able to expand through mechanization and the adoption of modern farming methods. Agriculture in Kansas is modernizing rapidly. Our farms are getting larger and the investment per farm is so large that a young man can hardly enter into farming as a business.

It is interesting to note that from a total number of farms in Kansas of about 10,000 in 1860, the State's number of farms rose rapidly during the period of the western movement and rapid settlement, to reach 167,000 by 1890. Thereafter, the rise was more gradual to the alltime high of 178,000 in 1910. During the quarter century following 1910, the number dropped a little, reaching a low of 165,000 in 1929, but building back up to 175,000 in 1935.

Farms have grown greatly in size during a century of Kansas agriculture. During the first 40 years, the average farm size in Kansas fluctuated around a quarter section in size as areas of prairie were transformed into farms. By 1920 the average size had reached 272 acres, and for the next 15 years did not change greatly. From the late 1930's, average farm size increased steadily, passing 300 acres in about 1940, and 400 in the early 1950's. This year's alltime high of 477 acres per farm is 22 percent larger than a decade ago.

The Federal-State Crop and Livestock Reporting Service has just issued figures on income of farms in our State. It is interesting to note that for the fourth consecutive year Kansas farm receipts topped the $1 billion mark. It was the first time that the State had ever put four $1 billion years together. It was only the ninth time in our State's history that farm receipts had exceeded $1 billion.

Net income per farm last year was the highest since the reporting service began computing such data in 1949.

The 1961 net income of $4,400 per farm compares to $3,429 the preceding year and the 1950–59 average of $2,675.

Mr. President, I ask unanimous consent that the entire report of the Kansas Crop and Livestock Reporting Service and a news article on it be made a part of these remarks and printed in the RECORD.

There being no objection, the statement and article were ordered to be printed in the RECORD, as follows:

KANSAS FARMS DECLINE IN NUMBER BUT GROW IN AVERAGE SIZE

An estimated 105,000 farms averaging 477 acres in size are in operation in Kansas in 1962, according to the Kansas Crop & Livestock Reporting Service. This is a decrease of 2,000 in number of farms from 1961 but an increase in size of 9 acres per farm. Land in farms in 1961 totaled 50,100,000 acres, having changed relatively little in recent years. Kansas ranked fourth among the 50 States for total acres of land in farms, being exceeded only by Texas, Montana, and New Mexico—in that order. About 95 percent of the State's land area is included in farms in 1962.

From about 10,000 in 1860, the State's number of farms rose rapidly during the period of the westward movement and rapid settlement to reach 167,000 by 1890. Thereafter, the rise was more gradual to the alltime high of 178,000 in 1910. During the quarter century following 1910 the number dropped a little, reaching a low of 165,000 in 1929 but building back up to 175,000 in 1935. Since 1935 the number of farms in the State has decreased steadily with the decline during the past decade averaging about 2½ percent per year.

Farms have grown greatly in size during a century of Kansas agriculture. During the first 40 years the average farm size in Kansas fluctuated around a quarter section in size as areas of prairie were transformed into farms. By 1920 the average size had reached 272 acres and for the next 15 years did not change greatly. From the late 1930's average farm size increased steadily passing 300 acres about 1940 and 400 acres in the early 1950's. This year's alltime high of 477 acres per farm is 22 percent larger than a decade ago.

KANSAS

Number of farms and land in farms, 1860–1962

	Number of farms	Average size of farm (acres)	Land in farms (acres)
1860	10,400	171	1,778,400
1870	38,392	148	5,686,879
1880	148,561	155	21,417,666
1890	166,517	181	30,214,456
1900	173,098	241	41,662,970
1910	178,000	244	43,400,000
1920	167,000	272	45,400,000
1925	167,000	264	44,100,000
1930	166,000	283	47,000,000
1931	168,000	281	47,200,000
1932	170,000	279	47,400,000
1933	172,000	277	47,600,000
1934	174,000	275	47,800,000
1935	175,000	274	48,000,000
1936	173,000	277	47,900,000
1937	165,000	288	47,500,000
1938	161,000	295	47,500,000
1939	161,000	296	47,700,000
1940	159,000	303	48,200,000
1941	157,000	308	48,400,000
1942	153,000	316	48,400,000
1943	149,000	329	49,000,000
1944	145,000	338	49,000,000
1945	143,000	345	49,300,000
1946	143,000	346	49,500,000
1947	142,000	351	49,800,000
1948	140,000	357	50,000,000
1949	137,000	366	50,200,000
1950	133,000	374	50,500,000
1951	132,000	383	50,500,000
1952	129,000	391	50,500,000
1953	126,000	401	50,500,000
1954	123,000	411	50,500,000
1955	121,000	417	50,600,000
1956	119,000	424	50,400,000
1957	117,000	430	50,300,000
1958	115,000	437	50,200,000
1959	113,000	444	50,200,000
1961	110,000	456	50,200,000
1961	107,000	468	50,100,000
1962 (preliminary)	105,000	477	50,100,000

NOTE.—Figures for 10-year periods 1860–1900 are from the U. S. Bureau of the Census reports. For the period 1910–62 the figures are estimates prepared by the Federal-State Crop Reporting Service based on information from the Annual Assessors Enumeration and the U. S. Bureau of the Census reports.

KANSAS FARM RECEIPTS AT PEAK—TOP $1 BILLION FOR FOURTH STRAIGHT YEAR

TOPEKA.—Kansas farm receipts soared to an alltime high in 1961, the Federal-State Crop and Livestock Reporting Service said today.

Cash receipts last year were $1,361,563,000. This was $114.2 million, or 9 percent higher than the 1960 record.

It was the fourth consecutive year Kansas farm receipts topped the $1 billion mark—and the first time the State had ever put 4 billion-dollar years together.

It was only the ninth time farm receipts had exceeded $1 billion.

Net income per farm last year was the highest since the reporting service began computing such data in 1949.

The 1961 net income of $4,400 per farm compares to $3,429 the preceding year and the 1950–59 average of $2,675.

In 1961 Kansas farmers received $663.9 million from marketing of crops; $614.4 million from livestock and livestock products; and $82.2 million from Government payments.

This compares to $607.7 million from crops in 1960, $611.2 million from livestock and livestock products and $28.4 million from Government payments.

Government payments, by program, included:

Conservation, $7,208,000; Sugar Act, $343,000; Wool Act, $839,000; soil bank, $17,205,000; Great Plains conservation, $390,000; 1961 feed grain program, $52,457,000; 1962 feed grain program, $122,000; 1962 wheat program, $4,696,000.

LABOR DISPUTES AT MISSILE BASES

Mr. YOUNG of Ohio. Mr. President, within the past few months there has been a sharp increase of work stoppages, strikes, and slowdowns at some of our missile and space bases. These are direct violations of the no-strike pledge given to our Government last May by unions working at Cape Canaveral and other missile bases throughout the country.

In January there were 23 work stoppages at top priority missile bases. Such conduct is unconscionable and gives aid to the Soviet Union. That nation is already ahead of us in the exploration of outer space and in the development of missiles capable of hitting targets in this country from bases within the Soviet Union.

Twenty-five hundred man-days of work were lost in January; 953 man-days were lost in 11 work stoppages in December. Responsible union leaders have been working honestly and untiringly to prevent such stoppages and slowdowns. They have a clear duty to educate union members at missile bases on the gravity of this situation and their responsibility to their unions, and much more important, to their country.

Secretary of Labor Goldberg has been doing his utmost to solve this problem without new legislation. He is to be commended on his efforts, and let us hope that they bring results. Otherwise, if they fail, it may be necessary for Congress to enact legislation which would outlaw strikes at missile and space bases and establish compulsory arbitration machinery for settlement of labor disputes when the defense and security of the Nation are involved. It is my hope that the unions involved will resolve this problem, and that such legislation will never be necessary.

In my home State of Ohio last week a top-priority Air Force project fell victim to work stoppage. At Newark, Ohio, the Air Force's Heath maintenance annex is being renovated for a missile guidance system project. The discharge of three electricians led to the setting up of a picket line which members of other craft unions refused to cross. The business agent for the International Brotherhood of Electrical

Workers said the union had no connection with the work stoppage and that he and other craft union leaders had been urging the men to return to their jobs. Situations of this kind cannot be tolerated.

Mr. President, an excellent editorial entitled "Political Education" appeared on March 13, 1962, in the Plain Dealer, one of Ohio's great newspapers. It sets forth clearly the problems and dangers involved in these work stoppages and what must be done to put an end to such revolts against our national defense and the welfare of our country. I commend this editorial to my colleagues, and ask unanimous consent that it be printed in the RECORD at this point as part of my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

POLITICAL EDUCATION

The president of the Ohio AFL–CIO said in Cleveland the other day that "labor wants what the average citizen wants—better schools, adequate help for the unemployed and injured worker, decent housing, fair taxes." Since this was part of an address delivered at a meeting designed to further political education of union members, it wouldn't have been amiss for the leader to add something else that the well-known average citizen wants although it escapes us why the average citizen and the worker couldn't be one and the same person.

But something which the average citizen, then, wants is better demonstrations of integrity from union members. Specifically, he wants to know why local labor groups at missile bases can't settle labor disputes without harmful strike activity.

The latter has been on the increase again despite the promise of unions involved to the contrary. A special Presidential commission last year won a no-strike pledge. Now Senator JOHN L. MCCLELLAN, Democrat, of Arkansas, is on the warpath again and threatening to push for Federal legislation banning strikes at defense installations.

MCCLELLAN is the Senator who heads the investigations subcommittee which heard testimony on the issue in 1961. He is not one of organized labor's boosters. The point is that if labor cannot control its own members, MCCLELLAN's legislative ban could find support even among those legislators most sympathetic to organized labor.

Labor Secretary Arthur J. Goldberg hopes these labor disputes can be solved without new laws because experience has demonstrated such efforts in a free society, and even in totalitarian countries, seldom meet success. He said, "It seems to me we need an increased effort to educate and inform at the local union level of their responsibilities under the pledge of their leaders."

This is a type of political education which could be added to any labor curriculum in or out of the missile department although the need there obviously is most urgent.

AMENDMENT OF SECTION 104 OF THE IMMIGRATION AND NATIONALITY ACT

Mr. DIRKSEN. Mr. President, I ask unanimous consent that H.R. 10079, which came over from the House and is now on the table——

Mr. STENNIS. A point of order, Mr. President. Is the Senate in the morning hour?

Mr. DIRKSEN. Yes, it is.

I ask that the bill be advanced to a second reading and be permitted to lie on the desk.

The VICE PRESIDENT. Is there objection to the request of the Senator from Illinois?

Mr. FULBRIGHT. Mr. President, reserving the right to object——

The VICE PRESIDENT. The Senator from Arkansas reserves the right to object.

Mr. FULBRIGHT. I do not intend to object. I have discussed this with the majority leader. It concerns the question of jurisdiction as between two committees. I think we should have some time to discuss it. I have not had an opportunity to discuss it with the chairman of the committee.

I concur in the procedure proposed by the minority leader.

Mr. DIRKSEN. Mr. President, the request is made pursuant to a discussion I had with the chairman of the Committee on the Judiciary.

Mr. RUSSELL. Mr. President, reserving the right to object, may we have the caption of the bill read?

The VICE PRESIDENT. Senators will suspend and cease conversation, so that the Presiding Officer can hear.

Mr. DIRKSEN. It is H.R. 10079, to amend section 104 of the Immigration and Nationality Act, and for other purposes.

Specifically, this deals with the abolition of the Bureau of Security and Consular Affairs, carried in the original Immigration Act, the McCarran-Walter Act. The bill came from the House Committee on the Judiciary.

Mr. RUSSELL. I am satisfied. I merely wished to know what was going on.

Mr. DIRKSEN. It is a question of reference.

Mr. RUSSELL. I do not have the type of mental process which can remember the number of every bill pending in both Houses.

Mr. DIRKSEN. I cannot do so, either.

The VICE PRESIDENT. Is there objection to the request of the Senator from Illinois?

There being no objection, the bill was ordered to a second reading, and was read the second time.

The VICE PRESIDENT. Without objection the bill will be printed, and will lie on the table.

PROPOSED ANTI-POLL-TAX CONSTITUTIONAL AMENDMENT

Mr. STENNIS. Mr. President, I predict and warn that the proposal to ban the poll tax by constitutional amendment is just the opening shot of a major battle to enact Federal legislation to prohibit literacy tests and provide that a sixth grade education would qualify a person to vote. It may open the door to an all-out civil rights battle.

It is unfortunate that the net result of these efforts may bring the important business of the Senate to a standstill, possibly for many weeks, while this blast aimed at only five States is fully debated and discussed.

I do not propose to interfere with the voting qualifications of any State. Let each State continue to determine the qualifications of its voters, just as all have done since the inception of our Government, including those which have chosen to abolish the poll tax in their own States. That is a right they had. All States should continue to have the same right to decide this matter for themselves.

This is an example of continuing pressure by various voting groups. As a result of these pressures, Federal programs and Federal interference into State affairs has grown each year. As a result, during a period of relative prosperity, our national debt has grown by leaps and bounds.

Instead of lowering the debt ceiling, we are raising it. Instead of making payments on the national debt, we are increasing it.

Certainly, the Federal Government should not enact measures taking away the rights of the States to regulate voting qualifications and grab additional powers from the States when the Federal Government itself does not have its own house in order.

Our population is increasing each year. The Census Bureau tells me that by the year A.D. 2000 our population will have more than doubled from the present figure 185,186,000. By that year, it is estimated our population may be more than 383,782,000.

It is well to note in passing that throughout all recorded history, no nation with a population of 400 million people has been able to maintain representative government. I am no pessimist, but if we continue our present course, I do not believe our Nation will prove to be any exception. The pressures from voters with a direct interest in a monetary return will become too great.

Frankly, with the growing problems of our Government and the Nation itself, I am firmly convinced that instead of lowering qualifications for voting, we should be raising them.

Mr. President, I expect to enlarge upon that thought, as well as others, during the debate on this important question.

Mr. HOLLAND. Mr. President, I rise to comment briefly upon the matter discussed by the able Senator from Mississippi. I hope to comfort the Senator from Mississippi.

This is no new step. This follows the same pattern which was followed when the woman's suffrage amendment was submitted and adopted. After many States had found that women should vote and that their participation was wholesome, the Congress submitted a constitutional amendment, which appealed to the consciences of people in the States generally, and it was approved by the jury of the States in a very short period.

I think we have a somewhat similar situation now when only five States have continued the poll tax requirement for voting. Instead of breaking down generally the control over qualifications of electors by the States, I think that by proceeding through a constitutional amendment, the recognized method which has been set forth ever since our

Constitution was adopted, we are proceeding in the most wholesome, the most regular, the most cautious and conservative method possible, and we are discouraging current efforts to tamper with this field of the law and others by mere statutes, which have no proper place, in my humble judgment, in this consideration.

HEARINGS ON TROOP INFORMATION AND EDUCATION PROGRAM

Mr. STENNIS. Mr. President, because I have received inquiries about it, I wish to make a very brief observation with reference to the hearings which are going on with reference to the so-called "muzzling" and censorship in our troop information and education program. If the voting rights debate is to continue, there is only one place of duty for the Senator from Mississippi, and that is on the floor of the Senate. That is where I shall have to be.

In regard to whether the hearings will continue, I have already announced in the committee that the question rests entirely with the committee. Anything which can be worked out with reference to someone else taking responsibility of chairmanship will be entirely all right with me.

I have been doing what I could to keep the hearings moving—not hastily, but to keep them moving—and to get something accomplished toward the ends desired.

Mr. President, I appreciate the time I have been granted.

SOVIET INTERFERENCE IN ALLIED AIR CORRIDORS TO BERLIN

Mr. JAVITS. Mr. President, apparently well-authenticated reports in our press state a continuance by the U.S.S.R. of interference with air traffic from West Germany into Berlin through the corridors traditionally reserved for such traffic of United States, British, and French aircraft. Soviet planes are stated to have scattered aluminum foil—chaff—in "a new attempt to interfere with Western radar communications" and the same news dispatch in the New York Times today states:

> For the second day in a row, the Russians flew military transports in the southern Berlin air corridor at heights and times set aside for allied commercial air traffic.

We are told by the New York Herald Tribune that Russian military night flights will follow. These petty and mischievous annoyances, which can jeopardize the safety of passengers and crews of allied aircraft, are unworthy of a great power, which is the reputation the U.S.S.R. claims in the world—I know that personally, having been there at the end of last year—and in my view are equally unworthy of being tolerated by us as a great power.

We must be unequivocal about demanding that they cease. If they do not I see little use in continuing the Conference at Geneva on the theory that we are negotiating with a great power. Geneva might just as well be wound up now.

Whatever may be the differences between the Soviet Union and ourselves about Berlin, and however deeply we may feel that we must maintain our position on Berlin, certainly both we and the U.S.S.R. can agree that the issue is a great one and it should not be reduced to the petty vexation and annoyance stage which only demeans all concerned and demeans the issue itself.

Nor should the U.S.S.R. be allowed to bring it to that level. We will be losing nothing at Geneva if we go home because the Russians persist in such petty annoyance. Indeed we will be gaining something in putting into focus the issues between ourselves and the Communist bloc if we refuse to allow these issues to be demeaned in this way.

I will yield to no one in my desire to continue to negotiate with the Russians whenever they wish to negotiate on the major issues of our times even if such negotiations appear likely to be fruitless. For the channels of communication must be kept open; but I do not believe that it is conducive to ultimate success in negotiations to tolerate petty meannesses which for no substantive reason tend to make all who participate either on the giving or receiving end look ridiculous. Hence I think the Russians should be called to their senses on this point in no uncertain way. Nothing will be lost and something may well be gained for future negotiations.

I conclude upon the following note: A nation that wishes us to accept the fact that it is seriously interested in competitive but peaceful coexistence and a nation whose leader, Chairman Khrushchev, can get quite as excited as he did in Paris in 1960 about the U-2 flights, cannot seriously expect us to tolerate the nonsense or pettiness that characterizes this hit-and-run interference with the use of the Berlin air corridors. We have learned the hard way that plain speaking to the Russians is the best course if we are ever to understand each other and to come to some permanent accommodation.

I hope the report of the colloquy between Rusk and Gromyko as it appears on the front page of the New York Herald Tribune, in which the Secretary of State is said to have spoken plainly, is true. If it is not true, I hope that Secretary of State Rusk performs precisely in the way described. That is the way in which we ought to deal with a petty matter of the character reported in the article as between one power which wants to be considered great and one power—ourselves—which I am confident is great.

I ask unanimous consent to have printed at this point in the RECORD an article entitled "Soviet Again Drops Foil in Berlin Lanes," published in the New York Times, issue of March 14, and also an article entitled "Backstage Story at Geneva: Which is Real Khrushchev?—Phone Moscow About Berlin—Rusk Tells Red," by Marguerite Higgins and published in the New York Herald Tribune, issue of March 14.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

SOVIET AGAIN DROPS FOIL IN BERLIN LANES

BERLIN, March 13.—Soviet planes scattered aluminum foil for a half hour today at two points near Berlin in what was considered to be a new attempt to interfere with Western radar communications.

For the second day in a row the Russians flew military transports in the southern Berlin air corridor at heights and times set aside for Allied commercial air travel.

Allied officials said Western military and civilian flights in the three airlanes linking the city with the West were unaffected by the Soviet actions. Pilots of Western commercial airliners said they had not sighted the Soviet planes.

According to informed Allied sources some of the flake-like aluminum substance that was scattered by the Russians came within the outer edges of the southern and the center air corridors about 50 miles from Berlin. Most of the foil, which is known as chaff, was showered at two places outside the corridors. On Friday Soviet planes scattered the chaff for 2 hours over the Berlin area.

The purpose of dropping the tiny pieces of aluminum is to cloud radar screens. Radar is used to direct Western aircraft and keep them within the limits of the 20-mile wide corridors. Western sources explained that the foil was registered on the radarscopes, but did not affect communications.

TACTIC USED DURING WAR

Officials said that the chaff was different in size and substance from the strands of aluminum dropped by Allied bombers over Germany during World War II, but that it had the same purpose.

The Soviet military training flights in the southern corridor were completed between 8 a.m. and 12:30 p.m. at altitudes of 7,000 to 10,000 feet. Civil airliners from the Pan American World Airways, the British European Airways and Air France passed along the corridor during this period at similar heights on flights between Berlin and Munich, Stuttgart and Frankfurt in West Germany.

Officials of the three Western airlines said there had been an increase in bookings for flights to and from Berlin despite the recent Soviet harassment. This increase was attributed mainly to a 20 percent cut in flight rates that went into effect March 1. "There is no nervousness as far as our crews and passengers are concerned," one airline official said. But Willy Brandt, the mayor of Berlin, said the city government viewed Soviet actions in the air corridors "with great seriousness."

CITY AID GOING TO GENEVA

Mayor Brandt, also disclosed that he planned to send a city official to Geneva to gather information about the Berlin talks being conducted there by the foreign ministers of the United States, Britain, and the Soviet Union.

The mayor indicated that he was taking this step because he felt he was not being informed sufficiently by the West German Government on developments at Geneva. Mayor Brandt, speaking at a gathering of his Social Democratic Party, warned against any Western offer for a settlement of the Berlin issue apart from related issues. "We cannot afford a weakening of the Western position here," he said.

Meanwhile, British officials said the Royal Air Force corporal who was wounded by East German border guards Saturday night, continued in serious condition at a hospital in Potsdam, East Germany.

The soldier, Cpl. Douglas F. Day, 26 years old, was wounded when East German guards near Potsdam opened fire on a British military car that he was driving. Corporal Day has undergone a stomach operation.

Soviet authorities granted permission to the corporal's father, Fred Day, of Bristol, England, to visit his son at Potsdam. Mr. Day was flown to West Berlin and was driven to the East German hospital by the British military liaison mission.

BACKSTAGE STORY AT GENEVA: "WHICH IS REAL KHRUSHCHEV?"—PHONE MOSCOW ABOUT BERLIN—RUSK TELLS RED

(By Marguerite Higgins)

WASHINGTON.—Behind the drawing room doors in Geneva the dialogue between Soviet Foreign Minister Andrei A. Gromyko and his American and British counterparts has been blunt—perhaps, to the Russian, surprisingly blunt.

Reaching Embassy Row yesterday were portions of previously unreported conversations between Secretary of State Dean Rusk and Mr. Gromyko, and between Mr. Gromyko and British Foreign Secretary Lord Home.

The talks concerned Soviet harassment of Allied planes in the Berlin air corridors and went like this:

Gromyko: (to the American Secretary of State) "I know nothing of the difficulties you mention in the air corridor."

Rusk: "May I observe, Mr. Foreign Minister, that if there is a gap in your information concerning the air corridors, it could very easily be rectified by you through one quick call to the Soviet Ministry of Defense in Moscow, which I am sure you know how to reach?"

Gromyko: (icily): "And may I be permitted to observe, Mr. Rusk, that it is improper for the American Secretary of State to tell the Soviet Foreign Minister how to conduct his business?"

Rusk (letting this remark pass): "Indeed, Mr. Gromyko, I have noted of late that Mr. Khrushchev seems to be speaking with two voices.

"One Khrushchev is the man of peace. The other Mr. Khrushchev is the one who makes the decisions that cause difficulties in the air corridors.

"It is difficult to know which Mr. Khrushchev is running the show. From now on I'm going to listen with two ears to try and establish which is the real Mr. Khruschev."

In his Geneva conversation Monday afternoon with Mr. Gromyko, Lord Home, after the usual polite exchange of greetings, also led the conversation around the Soviet harassment of allied planes.

The vigor with which Lord Home expressed himself was the talk of the diplomatic set here, because the British have sometimes been considerably milder in their response to Soviet-created troubles over Berlin than has, in Washington's view, been suitable.

RETURN TO LONDON

Lord Home (to Gromyko): "When I first heard that the Soviet Union was dropping chaff (tiny pieces of aluminum foil designed to interfere with radar) in the corridors, I was already on my plane headed for Geneva. And I want you to know that when I heard of these difficulties, I almost ordered the plane to return to London."

Gromyko: "I know nothing of the difficulties you mention in the air corridor."

Lord Home: "And furthermore, I may yet do so (go back to London). I want to make that perfectly plain."

In Geneva, Mr. Rusk spent an hour alone with Mr. Gromyko yesterday discussing the Berlin question. No progress was reported.

"It is too early for any conclusions," Mr. Gromyko said as he left Mr. Rusk's hotel.

THE ROLE OF THE SMALL NEWSPAPER

Mr. HRUSKA. Mr. President, although we sometimes take them for granted, the newspapers of America fill one of the most important roles in American life. This is as true of the smallest Nebraska weekly as it is of the New York Times.

The Senate Post Office and Civil Service Committee is now considering a bill which would increase the cost of mailing newspapers, under second-class permits. This increase could well sound the death knell for many small papers. In the past several years, there has been a discouraging drop in the number of hometown newspapers. These small operations were never great moneymakers; I never knew a rich country editor. But they served their readers as no other paper could.

Now many of these papers, already hard pressed by rising production costs, are threatened with extinction with addition of still another burden.

I have here half a dozen letters from Nebraska editors indicating the extent of this burden on their own operations.

M. A. Stull, of the Tecumseh Chieftain, estimates that his second-class postage bill would be nearly trebled, from $276 to $797. Alton Wilhelms, of the Stromsburg Headlight, figures that the 1-cent surcharge will raise his postage cost nearly 200 percent. The Grand Island Daily Independent points out that since 1952, second-class rates have increased 89 percent and that this bill would increase its postage costs by 117 percent, from $15,000 to $33,000.

Floyd Wisner, of the Scottsbluff Star-Herald, has calculated that in 2 years, his increase would go up 150 percent, from $9,784 to $24,364. Kerry Leggett of the Ord Quiz states that nearly half his mail circulation would be subject to the surcharge, raising his postal costs 126 percent, from $685 to $1,547.

The Kearney Daily Hub, protesting the rate increase, says:

> A free press is necessary for an enlightened people and they must have that free press readily and economically available.

These, Mr. President, are only a few of the many letters I have received on this matter. I am sure that other Senators have received similar expressions.

Currently the revenues on second-class mail are approximately $98 million a year. The administration, through a surcharge device of 1 cent per copy, seeks to raise an additional $53 million. This will amount to confiscation for many smaller publications. Under administration policy, it makes no difference whether a publication weighs an ounce or a pound or whether it travels 10 miles or a thousand. So long as it moves out of the county in which it is mailed, a penny surcharge is exacted.

In nearly every letter from an editor or publisher which has reached my desk, there is an expression of willingness to pay a fair share; the objection is to a disproportionate amount.

The surcharge concept is a grave, illogical error and should be replaced by pound adjustments which give recognition to weight and distance. There is no question that a few large publications can withstand the impact of the administration proposals, but I, for one, do not believe in fostering a monopolized press in this fashion.

America needs its smaller papers. We must exercise great care that in our zeal to raise revenues, we do not defeat the purpose expressed in the Postal Policy Act of 1958, which recognizes the public service performed by the Nation's press.

I ask unanimous consent to have printed at this point in the RECORD several letters I have received on that subject from editors in the State of Nebraska.

The PRESIDING OFFICER (Mr. HARTKE in the chair). Is there objection?

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

THE TECUMSEH CHIEFTAIN,
Tecumseh, Nebr., March 3, 1962.

Hon. ROMAN L. HRUSKA,
U.S. Senate, Washington, D.C.

MY DEAR MR. SENATOR: I am much perturbed by the action of the House in accepting a postage rate bill which so heavily affects publishers like ourselves. I cannot be otherwise when I consider the fact that the proposed increase on our newspaper postage account would be over 188 percent of the annual cost under the present rates.

Our 1961 newspaper postage bill was $276.86. The proposed rate bill would add $521.04 to that amount annually. Our October 1, 1961, circulation was 2,345. A count reveals that 2,106 go through the mails. Of that number, 1,002 are mailed outside of the home county, thus accounting for the $521.04 estimate of postal cost increase under the House-passed legislation.

I would like to see a larger allowance for public service costs than was made by the House. I am led to believe that the public—users of first class mail, as well as subscribers to newspapers—should be given more relief than is provided by the $248 million public service allowance listed by the House. This is far from the estimate placed on public service by Senator JOHNSTON, chairman of the Senate Post Office Committee, the figure being credited to him being $300 to $350 million.

The surcharge as a basis for a postal rate increase, as it pertains to publishers, can be challenged for its inequities it causes. A weekly publisher with a small four-page edition (granted most have a minimum size of eight pages) pays the 1-cent-per-copy surcharge while a daily publisher with editions running beyond 150 pages pays only the same amount on the surcharge basis. This inequity points to the need of a return to the poundage basis.

Your attention will be appreciated when this matter comes before the Senate.

Respectfully yours,

M. A. STULL,
Co-Publisher.

THE HEADLIGHT,
Stromsburg, Nebr., February 8, 1962.

Senator ROMAN HRUSKA,
Senate Office Building,
Washington, D.C.

DEAR SENATOR HRUSKA: My purpose in this letter is to better acquaint you with the dangers of postal rate increase bill, H.R. 7927.

The 1 cent per copy surcharge on all mail subscriptions outside the county of publication will raise my postage cost nearly 200 percent. I have just finished a complete count of all mail circulation that will be affected by this new proposed legislation and learned that 41.4 percent of my circulation will be hit.

And I stand in a better situation than many small weekly newspapers who publish near one, two, and sometimes three county line borders. Many of us will suffer badly, some possibly going down with the trail of also-beens.

Within the past 10 years my postage costs have already been raised some 60 percent. It seems rather unfair if we were to be socked another 200 percent which would be the situation for the Headlight.

I don't believe I'm asking too much when I ask for you to speak out against and vote "no" to such postal-rate increases.

Most respectfully,

ALTON WILHELMS,
Editor.

THE GRAND ISLAND DAILY INDEPENDENT,
Grand Island, Nebr., January 23, 1962.

Senator ROMAN HRUSKA,
Senate Office Building,
Washington, D.C.

DEAR SENATOR HRUSKA: The proposed legislation on second-class postage, in my opinion, would mean an unreasonable increase in postal charges for newspapers if it is passed by the Congress.

Since 1952, second-class rates have increased 89 percent, while during the same period of time, first-class rates have increased only 33 percent.

About one-fourth of our present subscribers receive their papers by mail. The proposed postal bill would increase our second-class postage by 117 percent to $33,000 annually. The proposal now before Congress appears unfair since it imposes the same increase for small daily and weekly newspapers as well as the large magazines and newspapers which are distributed all across the country. It would seem to me that the present method of charging for second-class postage—by zone and by weight—is fair to all users of second-class mail.

It is my opinion that the Post Office Department is charging too much of the cost of the rural delivery to newspaper handling. The fact is that the second-class postage paid for newspapers helps defray the cost of rural delivery service.

If the proposed increases are approved by the Congress, we will be forced to find other methods of distributing our papers to the subscribers which in the long run will mean less revenue to the Post Office Department.

I hope that you can see your way clear to oppose this bill when you are called on to cast your vote.

Sincerely yours,

WILLIAM A. STAUFFER

SCOTTSBLUFF DAILY STAR-HERALD,
Scottsbluff, Nebr., February 26, 1962

Hon. ROMAN L. HRUSKA,
State Post Office,
Washington, D.C.

DEAR SIR: I haven't bothered you with an expression of opinion concerning the proposed postal rate increases, supposing that you might be covered up with letters from other Nebraska publishers. But, I believe that I should tell you my attitude on the proposal.

Although there is doubt cast upon the postal department's system of bookkeeping and allocating costs I assume that some additional revenue is justified, considering the fact that the wages of postal employees keep going up.

What should be the rate raise as it affects second-class mail? Should it be 100 percent, 200 percent, 300 percent, 400 percent? Some publishers claim this will occur. Is this exorbitant? Would private enterprise price itself out of existence if it thought in terms greater than, say 10 to 15 percent? What is reasonable and therefore justified?

According to my calculations, the proposed new rate would hike our postal bill about 75 percent the first year and an additional 75 percent the second year, making a total increase in 2 years of 150 percent.

Our postal bill in 1961 was $9,784.13, solely for second-class postage. The surcharge proposed would lift this cost to an estimated $17,079 in the first year and to an estimated $24,364 the second year.

We could not absorb this increase and we have no intention of doing so, but we might be forced to investigate the feasibility of attempting distribution by some other agency or method.

That we should make such a study is not an idle assumption when one considers the money invested every day in distribution of our papers on services which, in other circumstances, would have to be borne by the department itself.

I refer to the fact that railway post office schedules are such that we cannot use them. On the contrary, we deliver to post offices throughout our trading area, at our own cost, the vast bulk of the papers which are destined for delivery in lockboxes or by rural or city carriers.

These papers are dispatched, segregated and bundled in such a way that upon arrival at post offices via our trucks a minimum of handling is required by postal employees. We pay the full postage rate on these papers, the same as if they had been handled in bulk by the Scottsbluff post office and delivered by transportation facilities paid for by the Government.

Inconsistently enough, at the same time that the postal department is proposing excessive surcharge rates, it is also planning to maintain its policy of free in county.

This policy is not sought by daily newspapers. We do not believe that we should have any subsidy, whatsoever, but that we should pay a reasonable fee for services rendered by the Post Office Department for handling our papers, whatever their destination may be.

I have not mentioned the effects of increases in other classes of mail, which we also would bear, as I do not wish to contribute to an already overflowing file in your office.

But, despite the inflationary effects of increases, we are not opposed to some raise, times being what they are, and with the administration little disposed to control them.

We would prefer a position of moderation, and that is what we are hoping you can adopt on this question, as you have on other equally important matters in the past.

We think increases of 150 percent or more are not only immoderate and unrealistic, but are fantastically inflationary, completely unnecessary and smacking of arrogance.

Is the postal department "shooting for the moon," or is this activity still the function of the space administration?

With best regards, I am,

Yours sincerely,

FLOYD C. WISNER

THE ORD QUIZ,
March 1, 1962

Senator ROMAN HRUSKA,
Senate Office Building,
Washington, D.C.

DEAR SENATOR: Thank you for your letter and telegram keeping me informed on the postal rate hearings.

Last week I mailed you a copy of a questionnaire being circulated by the National Editorial Association. This was a breakdown of how our business would be affected by the postal rate increase bill, H.R. 7927.

This legislation would increase our postal costs 126 percent.

Our total circulation of the Ord Quiz is 3,413. Of our mail circulated papers, 48 percent would be affected by this legislation.

An additional 52 cents per subscriber per year for weekly newspapers throughout the Nation would be a decisive factor in determining their ability to hold enough subscriptions for many of them to remain in business.

In view of the fact that this postal rate increase would bring in enough revenue to grant another postal workers wage hike, I can't see how the wage increase could possibly offset the unemployment necessitated by the cutting of expenses or complete closedown of many weeklies.

I am sure that weekly publishers would gladly sacrifice the present free, in-county delivery for a nominal surcharge, but adding $862.16 to our annual $685.13 postal bill is way out of proportion.

Thank you, for any help you can give us on defeating or amending this legislation.

Sincerely,

KERRY E. LEGGETT,
Advertising Manager.

KEARNEY DAILY HUB,
Kearney, Nebr., February 23, 1962.

Senator ROMAN L. HRUSKA,
Senate Office,
Washington, D.C.

DEAR SENATOR HRUSKA: Thank you for your telegram stating the date of the postal rate hearings. We are quite concerned as is every small newspaper across the country.

I am enclosing an editorial that appeared in the Kearney Hub with a few of my comments on the subject.

First, may I say that we are not opposed to a reasonable postage increase based on a sound rate structure. The surtax is not an equitable rate formula. The reason is as well known to you as it should be to your colleagues discussing this proposal. It imposes the same rate regardless of the difference in handling costs of the newspaper or magazine.

The proposed increase gives me more concern for the industry than to my own case, since we are so situated that we will experience a much lower percentage increase than most other newspapers. In our agricultural economy, our people and businessmen are already feeling the pinch of having to buy necessary goods and equipment from high economy areas such as the East and then try to operate in a much lower economy such as we have here. This condition will make it exceedingly difficult to pass on these postage increases to our subscribers, since they are forced to buy from the higher economy, but certainly they will not be forced to buy a newspaper. This will have the effect of depriving the American people of their basic news media, the newspaper. A free press is necessary for an enlightened people and they must have that free press readily and economically available.

While it is good business to stay up on operating costs, it seems strange that the present administration has asked such a crash program to try to balance the postal department when in the same breath they are talking of raising the national debt and talking of increased aid to various countries even though this aid may be used to print and mail propaganda against our country. While I agree that certain of these expenditures are necessary, should they by the same token saddle American enterprise with a crippling burden to balance the postal department which was originally designed and set up with a part of the operating cost to be charged off as public service. I read now that the administration is going to make an effort to raise civil service salaries to a point where some will exceed those of our legislators. If we are to economize, let's do it in all areas.

Sincerely,

ROBERT S. AYRES,
Business Manager

PUBLIC OPINION AND REPRESENTATION

Mr. SCOTT. Mr. President, the Philadelphia Evening Bulletin of March 13, 1962, contains an editorial praising Representative RICHARD SCHWEIKER, of Pennsylvania, for a recent poll conducted by him.

As the Bulletin notes, the type of survey conducted by Representative

SCHWEIKER is "a valuable adjunct to representative government."

I ask unanimous consent to insert the editorial in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

PUBLIC OPINION AND REPRESENTATION

Congressman SCHWEIKER, of Montgomery County, is setting a useful precedent with the comprehensive survey of public opinion which he is now undertaking in the county on significant issues.

He is in the process of sending questionnaires to every household in the county soliciting opinions on 33 questions which range from economic aid to the more independent Communist nations and the U.N. bond issue, to medical care for the aged under social security, aid to education, military muzzling and the proposed Department of Urban Affairs.

No signature is needed on the questionnaire, though party affiliation and recent voting record information is requested. The latter is solicited to serve as a control to determine how closely the replies represent a true cross-section of the county's actual voting characteristics. A summary of the results of the survey will be published upon its completion.

The questionnaire contains spaces for "yes," "no," and "not sure" responses. A high incidence of "not sure" answers to any question should indicate a need for further education on that particular issue. Such information could well be valuable to civic organizations.

The function of a Congressman is to represent his constituents, although the final decision on any issue must and should rest with the Congressman himself. He may possess information, for example, of which his constituents generally are unaware. If he votes counter to the majority will, he must either explain his stand to the satisfaction of his constituents or risk defeat at the polls. This is the way representative government should work.

A survey of this type, therefore, is a valuable adjunct to representative government.

ADDRESS BY JAMES B. MISKELLY AT NEW HAMPSHIRE SUNDAY SERVICE AT VALLEY FORGE SHRINE

Mr. MURPHY. Mr. President, on Sunday, March 4, 1962, the 39th Annual New Hampshire State Sunday Service was held in the Washington Memorial Chapel, the National Shrine, Valley Forge, Pa. The service was arranged by the Reverend John Robbins Hart in conjunction with the Honorable Wesley Powell, Governor of New Hampshire.

Mr. James B. Miskelly, of Keene, N.H., represented the Governor. I ask unanimous consent to have printed in the RECORD the remarks of Mr. Miskelly.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

It is indeed a privilege and a distinct honor to have a share in the New Hampshire State Sunday Service and to be here in this beautiful Washington Memorial Chapel in Valley Forge, where, I understand, every Sunday morning the service follows that in which Washington took part in childhood, youth, and manhood.

I bring you the greetings of Gov. Wesley Powell and the people of New Hampshire. Governor Powell deeply regrets that he cannot be here with you today. While Dr. Hart's invitation was received over 2 months ago, a longstanding commitment had previously been made for the Governor to be in northern New Hampshire today. While it is my privilege and pleasure to represent Governor Powell at this traditional service, I only wish that you might have had the opportunity to meet and hear him, for in addition to being a great Governor, he is also a fine preacher and a dedicated Christian layman.

"Let me live in a house by the side of the road, where the race of men go by," wrote the New Hampshire poet, Sam Walter Foss. Nowhere could he find a finer race of men than in his native State.

New Hampshire knew the youth of Daniel Webster, of Horace Greeley, and Charles A. Dana; of our 14th President, Franklin Pierce, of Gen. Leonard Wood.

New Hampshire read the first stories of Winston Churchill and Thomas Bailey Aldrich; watched Judge Shute create the immortal "Plupy." She heard the earliest melodies of Amy M. Beach; the earliest verse of Celia Thaxter. She saw the sculptor, Daniel Chester French, try out his chisel; and the architect, Ralph Adams Cram, dream stately buildings. Chickering and Estey, Carter and Pillsbury, and many another New Hampshire name bespeak the prowess of her sons in industry.

No other State has been more beloved of genius. The sculptor Augustus St. Gaudens lived and worked here. The memory of composer Edward MacDowell is honored by the books and plays and music that pour forth from the MacDowell colony in Petersborough; the Cornish colony is noted in the world of arts and letters.

Here the philosopher William James wandered content at the foot of Mount Chocorua, and here Whittier and Robert Frost and many another poet has found inspiration for his pen.

Four great New England rivers have their source in New Hampshire. The Saco and the Merrimack, the Connecticut and the rushing Androscoggin turn the wheels of industry. New Hampshire textiles and blankets, boots and shoes, paper and wood products are known the world around. Her granite monoliths grace our buildings, her potatoes and peaches and apples and maple sugar delight our tongues.

Proud is she of Dartmouth, that college sprung from Eleasar Wheelock's determination "to spread Christian knowledge among the savages of our American Wilderness." She honors Exeter and St. Paul's and her flourishing University at Durham. She rejoices, and well she may, in the mountain ranges and cool blue lakes and the bracing healthful air that draws thousands of summer and winter visitors across her welcoming borders.

Join this joyous procession. Drive through the White Mountains, happiest of playgrounds. Ride America's oldest cogwheel railroad to the top of Mt. Washington. Linger to look upon the Great Stone Face—the Old Man of the Mountain at Franconia Notch, and to etch Echo Lake in your memory. See the Navy Yard at Portsmouth where John Paul Jones equipped the Ranger, and the wild and curious Isles of Shoals off the New Hampshire coast. Camp on the shores of Winnepesaukee or Sunapee or Ossipee—their musical Indian names a constant witness that "here lived and loved another race of beings."

Early historians record that in 1623, under the authority of an English land grant, Capt. John Mason, in conjunction with several others, sent David Thompson, a Scotchman, and Edward and Thomas Hilton, fish merchants of London, with a number of other people in two divisions to establish a fishing colony in what is now New Hampshire, at the mouth of the Piscataqua River.

One of these divisions, under Thompson, settled near the river's mouth at a place they called Little Harbor, or Pannaway, now the town of Rye, where they erected salt-drying fishracks and a factory or stonehouse. The other division under the Hilton brothers set up their fishing stages on a neck of land 8 miles above, which they called Northam, afterward named Dover. Nine years before that, Capt. John Smith, of England and later of Virginia, sailing along the New England coast and inspired by the charm of our summer shores and the solitude of our countrysides, wrote back to his countrymen:

"Here should be no landlords to rack us with high rents, or extorted fines to consume us. Here every man may be a master of his own labor and land in a short time. The sea there, is the strangest pond I ever saw. What sport doth yield a more pleasant content and less hurt or charge than angling with a hook, and crossing the sweet air from isle to isle over the silent streams of a calm sea?"

Thus the settlement of New Hampshire did not happen because those who came here were persecuted out of England. The occasion, which is one of the great events in the annals of the English people, was one planned with much care and earnestness by the English crown and the English Parliament. Here James the First began a colonization project which not only provided ships and provisions, but free land bestowed with but one important condition, that it remain always subject to English sovereignty.

So it remained until the War of the Revolution. Smith first named it North Virginia but King James later revised this into New England. To the map was added the name Portsmouth, taken from the English town where Capt. John Mason was commander of the fort, and the name New Hampshire is that of his own English county of Hampshire.

A pre-Revolution event occurring in New Hampshire, the first aggressive act of the Revolution, was the removal in 1774, by a small party of patriots at New Castle, of the powder and guns at Fort William and Mary. This act of treason, led by one of New Hampshire's true sons, John Sullivan (later Gen. John Sullivan under George Washington), took place on December 14, 1774. One hundred kegs of powder were stolen and hid in the homes of friends and in the basement of the church in Durham. This powder was later used at the Battle of Bunker Hill, at which nearly all the troops doing the actual fighting were said to have been from New Hampshire.

When war broke out, John Sullivan took to the field on June 22, 1775, as a brigadier general and reported to General Washington at Cambridge, Mass. He superintended the fortifications at Boston and at Piscataqua and saw service in Canada and Long Island.

While Washington was marching to Brunswick, N.J., Sullivan struck two British regiments at Princeton. He had a brilliant record, retiring from the army on February 9, 1779. He then went to Congress, where he made some strong friends and bitter enemies. Harvard University granted him a master of arts degree in 1780, and Dartmouth College granted him an LL.D. in 1789. General Sullivan died at his New Hampshire home in 1795.

Other Revolutionary events included the signing of the Declaration of Independence by New Hampshire's Josiah Bartlett, Matthew Thornton, and William Whipple; General Stark's victory at the Battle of Bennington; and the success of Capt. John Paul Jones at sea.

Just as it was the first to declare its independence and adopt its own constitution, New Hampshire was the ninth and deciding State in accepting the National Constitution as that of a republic, never to be known under any other form of government. New Hampshire's John Langdon was the first

Acting Vice President of the United States, and was President of the Senate when Washington was elected first President.

Many events have helped to individualize New Hampshire's unique history as the decades have followed each other down to the present time. Both Washington and Lafayette passed within our borders. Morey's Connecticut River steamboat preceded Fulton's by 17 years. An American President, Franklin Pierce, and a Vice President, Henry Wilson, were elected, both from New Hampshire. Daniel Webster won his famous Dartmouth College case before the Supreme Court. The first American public library was established at Peterborough.

The world-recognized Concord Coach was made here, as was America's first cog railroad to Mount Washington dating 1869.

Statesmen, educators, inventors, preachers, scientists, explorers, authors, industrialists, engineers, lawyers, diplomats, all are arrayed in the long list of notables New Hampshire claims as coming from her soil.

We're observing the Civil War Centennial this year. New Hampshire played an important part in the Civil War. Five thousand New Hampshire soldiers and sailors died either in actual battle or from disease resulting from the hard life of a Union soldier in the Civil War. Of equal importance is the fact that over 38,000 New Hampshire citizens served the Union cause. Twelve percent of the citizens of this State actually participated in the conflicts, and more died in the Civil War than have died in all wars since.

The first Civil War volunteers in New Hampshire, in 1861, were garrisoned at Fort Constitution in Portsmouth, N.H., the main fortification of Portsmouth Harbor. It is altogether fitting that in 1961 the atomic submarine *Abraham Lincoln* was launched at the naval yard in Portsmouth.

More than a score of vessels was built during the Civil War for the U.S. Navy at Portsmouth. The most famous of the warships built here was the *Kearsarge*, a Union ship that followed the Confederate sea raider, the *Alabama*, halfway across the Atlantic and destroyed her, after forcing her to leave the safety of Cherbourg Harbor. The loss of this important Confederate ship had a devastating effect on the Confederate naval effort and morale. Prior to her sinking, the *Alabama* had, in 9 short months, sank or captured approximately 70 Union ships.

About 1,600 New Hampshire men reenlisted after their first term of duty. The loss of men from the 5th New Hampshire Volunteers was greater than from any other regiment in the Union Army.

New Hampshire is commonly known as the Granite State. The soil is suitable for fruits, flowers, and vegetables. The forests of pine, spruce, and hardwood add beauty to the landscape and wealth to the land. The White Mountains are the natural feature which has the widest fame. New Hampshire bodies of water cover 115,000 acres and vary from small ponds to Lake Winnipesaukee, which is 22 miles long and 8 miles wide.

Dairying is a large business and in recent years the quality of the herds has increased tenfold. There are 5,800,000 acres of land in the State, of which 1,960,000 are used for farming. But, surprisingly enough, New Hampshire is currently the second most industrialized State in the Union.

New Hampshire is situated the most northern of the Thirteen Original States. It is a small State, 180 miles long and 50 miles wide, although the extreme width is 93 miles. It is bounded on the north by Quebec Province in Canada, on the east by Maine and the Atlantic Ocean, on the south by Massachusetts, and on the west by Vermont. The Connecticut River is the western boundary. The population in 1960 was 601,000.

The State bird is the Purple Finch; the State flower is the Purple Lilac; the State tree is the White Birch tree; the State motto is "Live free or die," written by Gen. John Stark, July 31, 1809, and was his volunteer sentiment sent to be read on August 16, 1809, at the 32d anniversary of the Battle of Bennington.

The State flag has a field of blue, in the center of which is the State seal surrounded by a wreath of laurel leaves with nine stars interspersed.

Reverend Dr. Hart, it is my pleasure to present to you as president of the Valley Forge Historical Society, this State flag of New Hampshire and a framed copy of the State motto: "Live free or die." Also, I would like you to have as a gift from Governor Powell a copy of the latest "New Hampshire Manual," in which is contained much of the history I have given here today, as well as many other interesting facts about New Hampshire.

Sam Walter Foss, one of America's beloved poets, was born at Candia, N.H., in 1858; graduated at Brown University; engaged in newspaper work; was librarian of Somerville, Mass., Public Library. One of my favorite poems, authored by Sam Walter Foss was his "The House by the Side of the Road":

"There are hermit souls that live withdrawn
In the peace of their self-content;
There are souls, like stars, that dwell apart
In a fellowless firmament;
There are pioneer souls that blaze their paths
Where highways never ran;
But let me live by the side of the road
And be a friend to man.

"Let me live in a house by the side of the road
Where the race of men go by—
The men who are good and the men who are bad,
As good and as bad as I.
I would not sit in the scorner's seat,
Or hurl the cynic's ban;
Let me live in a house by the side of the road
And be a friend to man.

"I see from my house by the side of the road,
By the side of the highway of life,
The men who press with the ardor of hope,
The men who are faint with the strife.
But I turn not away from their smiles nor their tears,
Both parts of an infinite plan;
Let me live in my house by the side of the road
And be a friend to man.

"I know there are brook-gladdened meadows ahead
And mountains of wearisome height;
That the road passes on through the long afternoon
And then stretches away to the night.
But still I rejoice when the travelers rejoice,
And weep with the strangers that moan,
Nor live in my house by the side of the road
Like a man who dwells alone.

"Let me live in my house by the side of the road
Where the race of men go by;
They are good, they are bad, they are weak, they are strong
Wise, foolish—so am I.
Then why should I sit in the scorner's seat,
Or hurl the cynic's ban?
Let me live in my house by the side of the road
And be a friend to man."

MUTUAL SECURITY PROGRAM

Mr. WILEY. Mr. President, yesterday the administration presented to Congress its budgetary recommendations for the mutual security program.

Over the years, the mutual security program has served as the foundation for free world defense.

Changing world conditions, however, now require that Congress take a microscopic look at the recommendations.

I request unanimous consent to have a brief statement on the President's recommendations printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR WILEY

The United States—as a leader of the free world—has a "fundamental responsibility for preserving and protecting our way of life and attempting to establish and perpetuate a world climate for peace.

Since World War II, our Nation has engaged in realistic efforts to block the efforts of communism to conquer the world, create a climate for world peace, and carry forward a historically unique program not only to live and let live, but also to live and help live.

To accomplish this objective, our country has dedicated money (billions of dollars); material and equipment; technical know-how; and other economic, military, and political assistance to strengthen the free world.

Now, for 1963, the President is requesting approval by Congress of $4.8 billion.

In evaluating the administration's recommendations, we must take a hard look at the following factors: First, year after year, the American taxpayer has been forking over great sums of money for mutual security programs:

1. The economic status of nations—particularly the industrialized countries of Western Europe—have changed substantially, and

2. Communist aggressions, economic, military, and political—change from year to year—requiring shifts of direction and or emphasis from time to time, in our anti-Communist programs.

The Congress then, in my judgment, has a fundamental responsibility for focusing a microscopic eye upon the proposed mutual assistance program. The objective would be to:

1. Obtain a clear understanding of its objectives (ascertaining that these are absolutely essential for security and peace);

2. Weed out unnecessary activities;

3. Assure that administrators are imbued with a deep sense of stewardship—reflecting the interests of the taxpayers, as well as of security (not become involved in foreign aid empire-building);

4. Eliminate waste, duplication, as well as unnecessary projects; and

5. Generally to assure that a program of this scope—and substantial cost is absolutely essential to security and peace.

First to best serve U.S. interests, the following factors, I believe also should be given careful consideration:

1. Encouraging industrially progressing allies to assume a proportionately larger share of the burden of strengthening anti-Communist defenses, as well as underwriting progress in lesser developed nations.

2. Place a strong emphasis on loans rather than grants.

3. Assert—more so than in the past—U.S. right to know, and evaluate how the American taxpayers' dollars are utilized in other countries.

4. Undertake a realistic study to determine the long-range impact which foreign-made commodities—produced as a result of U.S. economic assistance—will ultimately have on our domestic economy.

Despite its high costs, the mutual security program remains an essential foundation for free world defenses. Over the years, both major political parties; military experts; especially appointed extra governmental committees, including business, labor, and other segments of the economy—all of these have almost unanimously agreed that the mutual security program is essential to our national security—particularly in the face of continued great and growing threats to peace posed by communism.

The President's recommendations, however, are not in my judgment, sacrosanct; that is, immune, or impervious to modification. Rather the proposals must be analyzed carefully: to eliminate their shortcomings—and to assure insofar as humanly possible—that this is the best vehicle for serving our national security.

PRESIDENT KENNEDY'S TRADE PROPOSALS

Mr. BUSH. Mr. President, the Wall Street Journal has generally taken a favorable position toward the President's trade proposals, and has stated repeatedly that we must open wider the doors of free trade, and specifically encourage the administration to lower U.S. tariff barriers.

During my 10 years of service in the Senate, I have generally been sympathetic with that point of view, and I remain sympathetic with that point of view. However, I believe we must proceed carefully. I have always felt that we should gradually, selectively, and reciprocally lower trade barriers.

This morning's issue of the Wall Street Journal points out some of the features of the new trade bill which deserve careful scrutiny. The bill is now before the House Ways and Means Committee, and I hope that my friends in the House who are members of that committee will see my remarks in the RECORD and read the editorial in this morning's issue of the Wall Street Journal entitled "Inside the Tariff Package." It speaks of the congressional responsibility in connection with important trade agreements, and also it calls attention to the so-called assistance programs which are incorporated in the trade bill. These are subjects which deserve the most careful scrutiny.

I ask unanimous consent that the editorial be printed in the RECORD at this point in my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

INSIDE THE TARIFF PACKAGE

We trust no reader of these columns will mistake our position on foreign trade. We have said here repeatedly that this country must open wider the doors of free trade, and we have specifically encouraged the administration's efforts to lower U.S. tariff barriers.

This may require that Congress give considerable latitude to the executive branch to carry out a defined policy, for Congress cannot negotiate every trade agreement or fix the tariff on every item of commerce.

But to recognize this is not to say that Congress should abdicate its own responsibility to define the Nation's trade policies. The plea for lower tariffs ought not to be used to open another door to all kinds of other trade barriers that make tariffs look like the inventions of amateurs. Nor is this plea an excuse for launching another vague, amorphous and almost unlimited Federal relief program.

Yet that is what is being proposed to Congress in the tariff bill introduced by Chairman MILLS, of the House Ways and Means Committee, at the administration's behest. There are indeed some startling things hidden under that bill's attractive label.

It is not simply that this bill would carry almost to its ultimate the process of allowing the President to cut or even abolish tariffs, without let or hindrance, although this it would do. The President could enter trade agreements at will and then proclaim the reduction by half of any existing tariff; if the agreement is with a Common Market nation, he could completely eliminate tariffs by the stroke of a pen.

The President is also authorized, whenever he thinks some industry needs protecting from foreign imports, "to proclaim such increase in, or imposition of, any duty or other import restriction" as he wishes. If this loose language means anything, it means that some President could raise tariffs as well as lower them, or impose brandnew ones, or—and here apparently without any limit—impose quotas or any other kind of restriction on imports.

In short, this wide grant of power to the President is for protectionism as much as for free trade. With this bill Congress would not be declaring a freer trade policy but simply authorizing the trade policy to be whatever the President of the moment declared it to be. Foreign trade could escape the annoyances of tariffs only to meet the more impenetrable barriers of direct controls.

Yet there is still more wrapped up in this bill. Under the guise of protecting people from the impact of any tariff cuts, the bill authorizes a whole new program of Government assistance to individuals, business firms, industries, and States.

For example, if the President determines that they need it, individuals may be paid an adjustment allowance by the Government, as well as retraining costs and moving expenses. No limit is set for the length of time this adjustment allowance can be paid, nor is there any clear definition of who is eligible for it.

Business firms, too, as the President may determine, would be eligible not only for technical assistance but financial assistance in the form of Government guarantees, loans, and special tax treatment. Nor are the States forgotten; in return for accepting some restrictions on their own unemployment programs, they can set up their own agencies to administer the relief, and be paid by the Federal Government.

The bill states that actions of the President, "in determining eligibility to apply for adjustment assistance, in certifying adjustment proposals, or in making determinations with respect to extraordinary relief, shall be final and conclusive and shall not be subject to review by any court." In short, a blank check for the President to distribute this largess as he will.

The administration is right, we think, in saying that the economic future of this country lies in the direction of freer trade with the world, and we hope Congress will meet its responsibility to see that we move in that direction. But what this bill grants is the power to any President to move in whatever direction he alone chooses. And buried in it also is a veritable Pandora's box of political woes about who gets what from the Nation's Treasury.

The fact that all this comes in the wrappings of free trade doesn't mean that the country ought to buy the merchandise inside the package.

Mr. BUSH. On the same subject, I should like to call attention to the article by David Lawrence to which the Senator from Wisconsin [Mr. WILEY] has just referred, and which he has had inserted in the RECORD. Here again Mr. Lawrence speaks of this trade bill as one which will tend to bypass congressional authority. I feel that the bill must be amended eventually so as to give Congress substantial and effective affirmative veto power over any trade agreements that may be made if and when the new bill becomes law.

I will not ask that the Lawrence article be included in the RECORD, but I direct attention to it through these remarks, and to the remarks of the Senator from Wisconsin.

THE NEW GOVERNMENT IN ITALY

Mr. KEATING. Mr. President, the new coalition being formed in Italy will, for the first time, bring the Socialists into a responsible position in the Italian Government. It is a significant and from the American point of view, possibly a perilous turn of events.

Why has Italy made this turn to the left? How is it possible for the Communists to poll nearly 30 percent of the vote in a country which is 99 percent Catholic? These are questions that all Americans are asking. These are questions that offer a real challenge to Italy's democratic leaders.

Mr. President, a most perceptive and illuminating article appeared in a recent issue of the Rochester, N.Y., Courier Journal. The Reverend Henry Atwell has explored the situation in detail and he warns in vivid terms that the Communists in Italy are using every means at their disposal to win support. We, ourselves, as well as Italian anti-Communists, should take this lesson to heart and ponder more effective methods to get the message of democracy across in Italy and elsewhere.

Mr. President, I ask unanimous consent to include following my remarks in the RECORD the very illuminating article by Father Atwell.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ITALY OPENS TO THE LEFT

(By Rev. Henry Atwell)

Italy made its long expected left turn this week—opening political doors for Socialists to hold key Cabinet positions and shape national policy according to a leftwing pattern.

Premier Amintore Fanfani and 2,000 delegates to the convention of the Christian Democratic Party voted the "opening to the left" in order to keep what slim (51 percent) control of the country they had.

The shift to the left inches Italy closer to outright communism despite years of Vatican pressure and American funds to the contrary.

Last year Communists polled 27 percent of the popular vote in Rome's municipal elections—the city of the Pope is more than a quarter dedicated to Kremlin doctrine.

How can a country 99 percent Catholic do this?

Admittedly a 2 weeks' trip as a tourist is hardly an adequate opportunity to find the full answer but two episodes on a tour in May of last year might help us to understand the paradox.

We went out to Anzio with Msgr. Paul Ciaccio, former pastor of St. Anthony's

Church, Rochester, and now back in his native Rome. On the return trip we stopped in Nettuno for lunch and ate at one of the charming sidewalk restaurants which dot every city and village of Italy. While we ate, scores of youngsters—obviously on their lunch hour too—flocked into a building opposite us on the piazza. Most of the girls wore uniforms quite like many parochial school pupils here. Next to the doorway where they flooded in was a sign marked with a red hammer and sickle, the Communist symbol.

Monsignor Ciaccio called one of the youngsters—"What is that you're going to?" "A recreation center," was the reply. "Who runs it?" "Communisti." "Where do you go to school?" "Sacred Heart," "Who teaches you?" "The Sisters."

For the whole noon hour at least a hundred children were in and out or around that recreation center and then a bell a block away rang out and they scampered back to classes.

What will be their attitude on communism in another few years—will they think of a Berlin wall or Tibet or tanks in Budapest? They'll probably remember their childhood when "the Communists were good to us like the nuns."

And this has already been going on for a good 25 years in every crossroad's hamlet and sprawling city in Italy where the Communist Party is the best organized and counts the biggest membership in any country outside the Iron Curtain.

The next episode occurred in Milan. We visited a young newspaper editor who was a "teenage diplomat" to Rochester during his senior high school year. He and his wife lived in a still-under-construction apartment building, so new the phone wasn't listed yet.

Milan was once dominated by its famous marble, all-white duomo or cathedral. Now the slender spires must compete with modern skyscrapers, including factories, offices, and apartments like the one we visited.

Milan is the center of one of the most spectacular industrial booms in the free world and the city's workers are the best paid in Italy—yet here too the Communists have an organization operating in high gear.

Who joins the party there?

Maybe the fellow we heard about from our newspaper friend. He told us this story: Southern Italy is still desperately poor. The lure of wealth in the north pulls thousands of unskilled rustic workers from the south. Away from families and confronted with the ruthless competition of industrial life, the bewildered workers look about for friendship and guidance.

One such worker was actually asleep in the apartment's cellar while we talked about this. He came north to get a job, saved only enough of his salary for food, sent the rest back each week to his family, and sleeps on rags in the buildings he works on.

The Communists have recreation centers for men like this and zealous staff members to find the fellow a low price room to replace his cellar and rags existence and, what he craves most, attention and friendship in the city where he knows nobody.

Do you have any doubt about which way his vote will go at election time?

Italy's communism—even like its Catholicism—has its own special characteristics. Its gains do not necessarily mean Italians want Kremlin control. They want what most people want—a better life than poverty.

There is, therefore, hope that Italy's growing economic strength will meet the demands of these people, but the question now is whether the demands will be met soon enough.

TWENTY-FIVE MILLION DOLLARS FOR NEW YORK WORLD'S FAIR

Mr. KEATING. Mr. President, yesterday the President sent a letter to the House Appropriations Committee requesting $25 million for a Federal exhibit at the New York World's Fair 1964–65. I am delighted that this has been done and I commend the President for his support of the New York Fair.

Sixty-six foreign countries have agreed to exhibit at the fair and are making preparations to do so. In addition to these 66 foreign countries, 30 States plan exhibits. 1964 is not such a long way off. It therefore is imperative that prompt congressional action be taken on the President's appropriation request in order that the United States can get to work right away on the design and construction of a suitable pavilion for the New York Fair.

Mr. President, one might look at all of this as a race for space at the World's Fair. The U.S. Government will have an exhibit and will occupy a prominent space at the fair. Sixty-six foreign nations, including the Soviet Union, have made plans to follow suit. The Soviet Union has already contracted for 78,000 square feet of space at the fair. This international space race is on, and has broad repercussions. An exhibit at a World's Fair is directly related to the battle of ideas between the East and West. International functions such as this give our Nation and other nations an opportunity to express the basic principles of their government and to demonstrate their progress in the fields of science, technology, industrial development, education, the arts, and a host of others.

Our exhibit at the New York World's Fair must be in keeping with the message which we seek to express to the peoples of the world. We want to tell them that freedom works, that we Americans are proud of our country.

It is important that the Congress act as soon as possible on the appropriation request which the President has submitted to us. In addition to visitors from abroad, men and women from all over the United States will visit the New York World's Fair. It is important that they take pride in the exhibit of the United States at what certainly will be an exciting and meaningful World's Fair on our shores in 1964–65.

THE FATE OF SOVIET JEWS

Mr. JAVITS. Mr. President, the Soviet Union's renewed drive against religion and the imposition of death sentences upon 12 Jews that we know of including 4 in Vilna, Lithuania, for alleged illegal exchange transactions and private speculation in goods, have sent a shudder throughout the civilized world. Our generation has good reason to be sensitive to attacks on Jews, realizing that whatever are the alleged offenses of which they are accused, they are often used as scapegoats to divert attention from internal troubles. Moreover, we have learned that such persecution in a country where the anti-Semitic tradition is so deeply rooted as the U.S.S.R., may well be the forerunner of even more widespread oppression and tyranny.

While past experience shows there may not be much hope for men and women who have been condemned, appeals should be made by religious organizations and leading citizens throughout the world for justice and mercy in an effort to halt this inhuman course of action in the U.S.S.R.—a course of action which involves cruel and inhuman punishments by our lights in the free world, even if the offense be proved and without any right of appeal.

I ask unanimous consent to print in the RECORD the exchange of correspondence I have had with the Department of State on the situation in the Soviet Union's persecution of Jews, and the appeals for clemency in the case of the Jews in Vilna and other Soviet cities by Bishop James A. Pike, of the Episcopal Diocese of California, which was made in a letter to the New York Times, March 13, 1962; a cablegram I sent to Ambassador Llewellyn Thompson on March 12, 1962, on behalf of my constituents who are blood relatives of the condemned Jews; an appeal by the Board of Deputies of British Jews, and a report entitled "Hostile Soviet Press," both in the Jewish Chronicle, London, February 23, 1962.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

FEBRUARY 26, 1962.

Hon. DEAN RUSK,
Secretary of State,
Washington, D.C.

DEAR MR. SECRETARY: Recent reports in the press indicate an accelerating situation in the Soviet Union's actions toward its Jewish minority. Last week, on the Senate floor, I called attention to the fact that Jews are being made scapegoats by the Soviet authorities and that on February 10, the Soviet news agency Tass reported that four Jews in Vilna, Lithuania, had been sentenced to death by shooting.

In view of the experience of recent years that anti-Semitism, under whatever guise, can become a very grave danger to peace and to our civilization, the situation in the U.S.S.R. should be of very real concern to us.

I hope, therefore, that our Government will make every effort to find out what the facts really are and would appreciate any added information you can give me.

With best wishes.

Sincerely,

JACOB K. JAVITS,
U.S. Senator.

DEPARTMENT OF STATE,
Washington, March 8, 1962.

The Honorable JACOB K. JAVITS,
U.S. Senate.

DEAR SENATOR JAVITS: I have received for reply the letter which you addressed to the Secretary on February 26, 1962, and have read with interest the article which you had published in the CONGRESSIONAL RECORD of February 21 describing the situation which confronts the Jewish people in the Soviet Union. I note your desire to receive the Department's comments concerning these matters.

The Department can well appreciate your being disturbed about the recent incidents involving Jews in the Soviet Union and has

given considerable thought to this subject. Given the Soviet suppression of news, as well as the sensitivity and complexity of the subject, it is hard to interpret from the meager reports that get into the Western press the exact conditions to which the Soviet Jews are exposed. Anti-Semitic feelings have persisted in many areas of the Soviet Union, but we are unable to determine if this potential for anti-Semitism actually is being made use of by Soviet authorities for their own ends at the present time.

Dating from the Soviet currency reforms of January 1961, the Soviet Government has conducted an energetic campaign against illegal exchange transactions and private speculation in goods. It is not clear from available information whether police action against various individual Jews has its basis in anti-Semitism or whether this arises from the intensified campaign of the Soviet authorities to stamp out black marketeering and various forms of speculation, of which the majority of the arrested Jews have been accused. Because of the dearth of reliable information, it is impossible to judge whether Soviet citizens of the Jewish faith are receiving a disproportionate amount of condemnation and victimization in the anti-speculation campaign. In a number of recent trials the leading personages have had Jewish names and they have been condemned and sentenced, ostensibly not for religious activity, but for alleged involvement in speculation or other criminal offenses.

In addition to reports about police action against various Jews, there have been reports, which the Department has not been able to confirm, that synagogues have been closed in a number of cities in the Soviet Union. At the same time, however, the Soviet Government continues to endorse antireligious propaganda directed against religion generally as well as specifically against such religious groups as the Jehovah's Witnesses, Seventh-day Adventists, and the Baptists. There is no doubt that the Soviet Government is presently conducting an intensified antireligious campaign.

With respect to what has been done by the United States to ameliorate the condition of the Jews in the Soviet Union, at the time of the Khrushchev visit in September 1959, the Department asked Soviet Ambassador Menshikov to give serious and sympathetic consideration to requests by representatives of American Jewish organizations to arrange a private meeting with Mr. Khrushchev. While no such meeting was arranged, President Eisenhower did bring this matter to Mr. Khrushchev's attention during the Camp David discussions. Mr. Khrushchev indicated his awareness of the question but stated that the Jewish people in the Soviet Union are treated like everyone else. The President told Mr. Khrushchev of the concern that had been expressed to him by representatives of the Jewish people in the United States over the situation of the Jewish people in the Soviet Union. On September 26, 1959, former Secretary of State Herter, in a meeting with the Soviet Foreign Minister, said he wanted to bring to Mr. Gromyko's attention the concern which was felt in the United States with respect to the status of Jews in the U.S.S.R. Mr. Gromyko, however, replied that this was an internal matter for the Soviet Government.

A study of discrimination in the exercise of religious rights and practices has been conducted by the United Nations Subcommission on Prevention of Discrimination and Protection of Minorities of the United Nations Commission on Human Rights. The United States was one of the countries favoring this study, which was authorized despite Soviet opposition. The results of the study will be considered in the meeting of the Human Rights Commission this month. It is believed that the discussion of this issue by the subcommission may have had at least some effect in reducing anti-Semitic propaganda in the Soviet Union.

The Government of the United States is deeply concerned about oppressive Soviet policies of this or any other type. U.S. support of civil rights and freedom of worship has been made unmistakably clear on many occasions.

For example, President Kennedy drew attention in his address of September 25, 1961, before the General Assembly of the United Nations to the colonialism and lack of self-determination that characterize the Soviet empire.

It is difficult for our Government to contribute to the direct solution of the problems of minorities in a territory where the Soviet Government exercises full control. The Government of the United States has endeavored through every available means to bring the inhumane actions of the Communist regime to the attention of all peoples. Our representatives in the United Nations are fully informed in this respect and they will seek, as they have in the past, appropriate occasion in the General Assembly debates to direct attention to the violations of human rights in Communist-controlled areas in the hope of bringing relief to people who are unjustly treated. In this connection, appropriate publicity in this country on the initiative of religious groups themselves, without any reference to the U.S. Government, concerning violations of the rights of their coreligionists in the Soviet Union, may also serve a useful purpose. Private appeals to the Soviet Government on humane grounds would minimize the possibility of confusing the Soviet Jewish problem with cold war issues.

I hope that the foregoing comments will assist you in your consideration of this matter. If I may be of further assistance, please let me know.

Respectfully,

FREDERICK G. DUTTON,
Assistant Secretary.

TEXT OF CABLEGRAM TO AMBASSADOR THOMPSON, MARCH 12

Hon. LLEWELLYN E. THOMPSON,
American Embassy,
Moscow, U.S.S.R.:

Behalf my constituents, American brothers and sisters of condemned Vilna Jews, I urge immediate personal appeal Soviet authorities, especially Dobrynin, for commutation sentences Aaron and Bessie Resnitzky, Theodore Kaminer and Michael Rabinovitz, of Vilna, and Samuel L. Biller, of Moscow. These people suffered terrible hardships under Nazis. In American eyes whatever may be question of guilt, punishment seems cruel and inhuman. An act of clemency would redound to best interests of United States-Soviet relations.

JACOB K. JAVITS,
U.S. Senator.

[From the New York Times, Mar. 13, 1962]

FATE OF SOVIET JEWRY: BISHOP PIKE APPEALS FOR CLEMENCY FOR CONVICTED GROUP

To the EDITOR OF THE NEW YORK TIMES:

As one who has for several years been keenly interested in the fate of Soviet Jewry I was particularly struck by Harrison Salisbury's impressive article on this subject (February 8). I should like to call attention to a recent development that has contributed significantly to the fear and trouble which Mr. Salisbury describes as closing in on the Jews of the U.S.S.R.

In the past couple of years the Soviet Government has stepped up its campaign against the widespread economic parasitism. Since July 1961 a series of trials against black marketeers, currency speculators, pilferers of state property, etc., have occurred in Moscow, Leningrad, and a half dozen major republican capitals. Among the scores tried and convicted many were given varying prison terms, and 13 were sentenced to death by shooting.

At least 10 of the 13 sentenced to death, and the majority of those given long prison terms, are Jews. And a careful examination of the Soviet press treatment of these cases, as well as of many other less grave alleged economic malfeasances, reveals a clear anti-Jewish bias, and demonstrates that the official campaign is using the Jews as a scapegoat for generalized social evils.

PORTRAYAL IN PRESS

The Soviet press consistently perpetuates and disseminates the traditional anti-Semitic stereotype, deeply rooted in Russia, of the Jew whose only God is gold. It portrays the Jews as conniving, unscrupulous villains who prey upon honest, hardworking people and who cheat them of their patrimony.

At the same time that the Government seeks to eradicate forcibly the illegal economic activities that have long flourished, it understandably desires to obviate popular resentment against legal cruelty in this campaign. What better solution than to go easy on the "true" natives, and to single out as the "educational" scapegoat such a foreign minority as the Jews?

Such stereotyping and scapegoating are offensive and ominous wherever they appear, and they clearly contradict the letter and spirit of Soviet ideology and law.

Even more unfortunate, however, is the imposition of capital punishment for economic offenses. Surely this is cruel and excessive by commonly accepted standards of law and civilization, and represents an unhappy step backward in the evolution of Soviet legal practice. Not less so is the denial of the right of appeal in such cases.

Outsiders like myself have the duty, as a matter of conscience and on purely humanitarian grounds, to appeal for clemency. We can only hope that a commutation of the sentences will follow.

JAMES A. PIKE,
Bishop of the Episcopal Diocese of California.

SAN FRANCISCO, *March 9, 1962.*

[From the London Jewish Chronicle, Feb. 23, 1962]

DEPUTIES' PLEA TO RUSSIANS

Death sentences imposed upon Jews in the Soviet Union were condemned with feelings of horror by members of the Board of Deputies when they met at Woburn House, London, on Sunday.

Through its president, Sir Barnett Janner, Member of Parliament, the board issued a special appeal to the Russians to remit the sentences and generally to reverse their present discriminatory measures against their Jewish citizens.

One member of the board, Mr. A. I. Richtiger, said that unless the problem of Soviet Jewry was discussed openly the situation would become much worse.

"Unfortunately we are practically helpless. The only hope is that the Soviet authorities will listen to world opinion, and, therefore, we have to raise our voices on this problem," he said.

Commenting on a suggestion that a Jewish delegation be sent to Russia, Sir Barnett asked: "What is the use?" He disclosed that on a number of occasions the Board's Foreign Affairs Committee had applied to the Soviet Embassy for interviews without result.

Negotiations regarding a proposed visit of Hungarian Jewish communal leaders to this country are taking place.

[From the Jewish Chronicle, Feb. 23, 1962]

HOSTILE SOVIET PRESS

Although it is nearly a fortnight since the Lithuanian Supreme Court passed death sentences on four Jews for alleged currency offenses, it is not known whether the sentences have actually been carried out.

As in all offenses against the state, including illegal dealings in foreign currency, there is no appeal against the court's verdict, and sentences are normally carried out within 48 hours. Execution in Russia is by shooting and, in the absence of any information to the contrary, it must be assumed that the sentences have already been carried out.

While the announcement of the trial and sentences were issued by the official Soviet news agency in a very brief communique and without any comment, the trial itself was given much prominence in the local press. What was particularly significant was the hostile and deliberately offensive manner in which the trials were reported. The defendants were variously described as plunderers and wicked insects. Referring to the group of Jews tried in Vilna, Sovietskaia Litva said that "this clique had for long carried on dirty machinations, and their day of reckoning has now come."

DREGS OF SOCIETY

Even before the court gave its verdict, the same paper had already condemned them as being the filthiest dregs of society who used their prayer-houses for carrying out and covering up their criminal transactions. Such transactions, said the paper, were conducted and arranged in the premises of the Vilna Synagogue. Had the paper refrained from giving the names of the "culprits," the mere allegation that the transactions were carried out in a synagogue was clearly sufficient to tell the reader that the offenders were Jews.

Deliberately chosen phraseology of the reports was another way in which the reader was informed that the accused were of the Jewish minority. One offender named Levin, the manager of a shoe store, was described as having failed to take into consideration that he was operating in surroundings hostile to him and in a sphere of honest Soviet people. Although in this case a number of non-Jews—a group of factory workers—were involved, they were described merely as being innocent, unsuspecting young girls. Thus Sovietskaia Litva of January 28, reporting the case of 84-year-old Benjamin Kabachnikas and his brother described them as plunderers and men alien to our Communist morals and actions.

Another way of pointing out in the Soviet press that offenders are Jews is the practice of enumerating their connections with relatives abroad. And to make it absolutely clear, the press does not omit to mention when some of them have either brothers or sisters in Israel, leaving no doubt as to which minority in Russia they belong.

Having reported the case of the Vilna Jews and in addition giving the names of a number of others also accused of being involved in currency offences, Trud, the official organ of the Soviet trade unions, characteristically concluded its article like this: "These people stood apart from our life. They were not interested in how the Soviet people live. The desire to make money was their only interest. The 10-ruble gold piece was their idol and they pursued it through the cities."

In some contrast to the vicious tone of the local press, the leading official Moscow dailies have, not without significance, refrained from giving the same publicity to the trial and sentences. There is obviously a feeling that the sentences have been too harsh, especially the death sentence on a woman for currency speculation, which is unprecedented even in Russia.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. SALTONSTALL. I have had an opportunity to read the correspondence that the Senator has had with the office of the Secretary of State on this subject. As one who has always tried to take an affirmative stand on freedom of religion and on freedom of opportunity in our country and throughout the world, I commend the Senator from New York on what he has done in this correspondence and what he is doing now. I should like to quote one sentence from the letter of the Assistant Secretary of State:

> Private appeals to the Soviet Government on humane grounds would minimize the possibility of confusing the Soviet Jewish problem with cold war issues.

I agree that these appeals be on humane grounds, with the hope that the Soviet Government will recognize what they are doing to human beings in connection with this matter.

Mr. JAVITS. I am grateful to the Senator from Massachusetts.

Mr. BUSH. Mr. President, will the Senator yield?

Mr. JAVITS. I yield to the Senator from Connecticut.

Mr. BUSH. I, like the Senator from Massachusetts, have read the Senator's correspondence with the Department of State.

I have listened with intense interest to his remarks on this subject this morning. I congratulate him heartily on bringing the matter to the attention of the Senate and to the people of the country through the forum of the Senate. The actions which have been revealed and discussed by him are shocking, indeed. I join with him and assure him of my support in any effort which may be made to persuade the State Department to take action and to express more vociferously our protest as a nation against this type of inhuman treatment.

Mr. President, it is very disheartening, indeed, to find, even in a country like Russia, for whose form of government we have so little respect—and with good reason—such inhuman treatment of individuals as the senior Senator from New York has called to our attention today. I again congratulate him upon bringing the subject to our attention.

Mr. JAVITS. I thank the Senator from Connecticut.

WHAT ARE WE DOING ABOUT ANTI-SEMITISM IN RUSSIA?

Mr. KEATING. Mr. President, I commend my colleague from New York for again calling attention to this problem. As I understand, the four Russian Jews of Vilna who have now been sentenced to death are really charged with black-marketeering.

Mr. JAVITS. Exactly.

Mr. KEATING. This is a part and parcel of the campaign which has been going on for some time. Only yesterday I received a memorandum from the Department of State relating to the situation of the Jewish people in the Soviet Union. The memorandum has been the subject of correspondence by both Senators from New York with the State Department. The memorandum was described as "the latest information the Department has" on this problem.

Imagine, then, my surprise, Mr. President, when I read this document over, to discover that it is an exact copy, nearly a word-for-word repetition of a letter which I received from the Department of State on December 20. Far from being a new and up-to-date report, it is an indication to me that the State Department has done nothing or very little about this very pressing problem for the last 3 months. We have gathered no new information; we have made no further efforts to publicize the problem; and we have made no overtures, diplomatically or otherwise, to mitigate the anti-Semitism and persecution that now exists in Russia.

I criticized this memorandum early in January because of the implication it conveyed that Soviet persecution of Jewish people might be based on efforts to cut down on black-marketing and speculation. There has apparently been no effort to expand the meager reports, the dearth of reliable information, the reports which the Department has not been able to confirm, which were referred to in the letter to me of December 20 and which are still referred to in the latest memorandum.

In short, Mr. President, I am afraid that this memorandum is a confession of inactivity, and perhaps, although I sincerely hope not, even of disinterest in the issue of Soviet anti-Semitism. Although I appreciate receiving another copy of this material, I am deeply disappointed and disturbed over the very obvious lack of progress in tackling the issue.

I ask unanimous consent to include at the end of my remarks one letter I received from the Defense Department on December 20, which is virtually identical with this latest memorandum and documents the lack of progress very clearly.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KEATING. These four men, and probably others, face death in the Soviet Union. Today there is a great humane interest all over the world with respect to the idea of sentencing a person to death, even if he be guilty, if he has been engaged in black-marketeering. It shocks us as a people to have that happen. I am very happy that my senior colleague has again called this situation to our attention.

DECEMBER 20, 1961

DEAR SENATOR KEATING: I have been asked to reply to the letter which you sent to the Secretary on November 28, 1961, concerning the situation of the Jewish people in the Soviet Union and your interest in knowing what steps the U.S. Government is taking to better their condition.

The Department can well appreciate your being disturbed by the reports that have come to you about the recent treatment of the Jews in the Soviet Union and has given considerable thought to this subject. Given the Soviet censorship on outgoing news dispatches, as well as the sensitivity of this subject, it is hard to interpret from the meager reports which get into the western

press the exact conditions to which the Jews in the Soviet Union are exposed.

Dating from the Soviet currency reforms of January 1961, the Soviet Government has conducted an energetic campaign against illegal exchange transactions and private speculation in goods. It is not clear from available information whether police action against various individual Jews has its basis in anti-Semitism or whether this arises from the intensified campaign of the Soviet authorities to stamp out black-marketeering and various forms of speculation, of which the majority of the arrested Jews have been accused. Anti-Semitic feelings have persisted in many areas of the Soviet Union, but we are unable to determine if that potential for anti-Semitic action is being made use of by Soviet authorities for their own ends. Because of the dearth of reliable information, it is impossible to judge whether Soviet citizens of the Jewish faith are receiving a disproportionate amount of condemnation and victimization in the antispeculation campaign. In a number of recent trials the leading personages have had Jewish names and they have been condemned and sentenced, ostensibly not for religious activity but for alleged involvement in speculation or other criminal offenses.

In addition to reports about police action against various Jews, there have been reports which the Department has not been able to confirm that synagogues have been closed in a number of cities in the Soviet Union. At the same time, however, the Soviet Government continues to endorse antireligious propaganda directed against religion generally as well as specifically against such religious groups as the Jehovah's Witnesses, Seventh-day Adventists, and the Baptists.

With respect to what has been done by the United States to ameliorate the condition of the Jews in the Soviet Union, at the time of the Khrushchev visit in September 1959 the Department asked Soviet Ambassador Menshikov to give serious and sympathetic consideration to requests by representatives of American Jewish organizations to arrange a private meeting with Mr. Khrushchev. While no such meeting was arranged, President Eisenhower did bring this matter to Mr. Khrushchev's attention during the Camp David discussions. Mr. Khrushchev indicated his awareness of the question but stated that the Jewish people in the Soviet Union are treated like everyone else. The President told Mr. Khrushchev of the concern that had been expressed to him by representatives of the Jewish people in the United States over the situation of the Jewish people in the Soviet Union. On September 26, 1959, former Secretary of State Herter, in a meeting with the Soviet Foreign Minister, said he wanted to bring to Mr. Gromyko's attention the concern which was felt in the United States with respect to the status of Jews in the U.S.S.R. Mr. Gromyko however replied that this was an internal matter for the Soviet Government.

A study of discrimination in the exercise of religious rights and practices has been conducted by the United Nations Subcommission on Prevention of Discrimination and Protection of Minorities of the United Nations Commission on Human Rights. The United States was one of the countries favoring this study, which was authorized despite Soviet opposition. The results of the study will be considered in the meeting of the Human Rights Commission next March. It is believed that the discussion of this issue by the subcommittee may have had at least some effect in reducing anti-Semitic propaganda in the Soviet Union.

The Government of the United States is deeply concerned about oppressive Soviet policies of this or any other type. U.S. support of civil rights and freedom of worship has been made unmistakably clear on many occasions. Most recently, this was the intention of President Kennedy when he drew attention in his address of September 25, 1961, before the General Assembly of the United Nations to the colonialism and lack of self-determination that characterize the Soviet empire.

While it is difficult for our Government to contribute to the direct solution of the problems of minorities in a territory where the Soviet Government exercises full control, the force of world opinion can be an important factor to such an end. With this in mind the Government of the United States has endeavored through every available means to bring the inhumane actions of the Communist regime to the attention of all peoples. Our representatives in the United Nations are fully informed in this respect and they will seek, as they have in the past, appropriate occasion in the General Assembly debates to direct attention to the violations of human rights in Communist-controlled areas in the hope of bringing relief to people who are unjustly treated. In this connection, appropriate publicity in this country on the initiative of religious groups themselves, without any reference to the U.S. Government, concerning violations of the rights of their coreligionists in the Soviet Union, may also serve a useful purpose.

As of corollary interest, it is equally difficult to assess the degree to which anti-Semitism may influence official actions in Eastern Europe outside the Soviet Union. However, manifestations of anti-Semitism in official actions are rare in Eastern Europe. Such anti-Semitic public feeling as may exist is not generally exploited by the respective regimes in carrying out policy.

If we may be of further assistance, please let me know.

Sincerely yours,

FREDERICK G. DUTTON,
Assistant Secretary.

Mr. JAVITS. Mr. President, I am very grateful to my colleague from New York for having turned up an additional fact in showing that no progress has really been made, even with respect to our own country's information. This bears out the need for our Government to take a far more affirmative stand than it has taken concerning this very serious problem.

I am pleased to state that it is my understanding that the Department of State has now transmitted my cablegram to Ambassador Thompson, who I deeply believe will consider the inquiry as one made on behalf of all who have spoken today and who have tried to do what my colleague from New York has so properly pointed out—to get more information and to record far more affirmatively the strong position of the United States.

I am grateful to my colleague from New York for his very material contribution to this discussion.

CONTROL OF NEWS FROM THE PENTAGON

Mr. THURMOND. Mr. President, whoever is responsible for the control of the news flow from the Pentagon—and I believe this responsibility belongs to the Assistant Secretary of Defense for Public Affairs, Mr. Arthur Sylvester—is permitting, either wittingly or unwittingly, distorted and inaccurate stores to be leaked to the various news media for the purpose of reflecting on me and the Special Preparedness Subcommittee, which is currently investigating the censoring of anti-Communist statements by our military and civilian leaders, and also the role of the military in educating armed services personnel and the public on the many facets of the Communist threat. I have previously told the Senate about a grossly distorted version leaked to the press by Mr. Sylvester's office on a Marine Corps questionnaire. Since that time, there has also been leaked from the Pentagon another story which has since been clarified to the subcommittee by the Marine Corps, which in both instances had nothing to do with the deleted and distorted versions presented to the press.

Another leaked story has now appeared in the newspapers, and again I have prepared a point-by-point answer to it as it was leaked to a reporter for the Evening Star yesterday from the Pentagon. I ask unanimous consent that the article and my response be printed at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. THURMOND. Mr. President, since preparing my response to this leaked news story, I have received through the subcommittee a copy of a memorandum to the subcommittee's chief counsel, Mr. James Kendall, from Col. Roy H. Steele, of Army Legislative Liaison. This memorandum makes the point that the Army did not authorize or have anything to do with this leaked story and that the Evening Star will print a retraction and clarification today.

This is further evidence that some other office in the Defense Department, other than the individual services involved, has leaked these stories to the press so as to divert the course of this investigation from the investigation of Defense Department policies and practices in censorship, providing information on communism and Americanism to our troops, and in permitting military participation in cold war seminars designed to educate the public on the menace of communism.

Mr. President, if Mr. Sylvester has not leaked these stories to the press, it is still his responsibility, and I serve notice on him here and now that each leaked and distorted story which appears in the news media from the rumor factory, which has evidently been created in the Pentagon to reflect adversely on the Special Preparedness Subcommittee of the Senate Committee on Armed Services, will be met and dealt with on the Senate floor and/or in the subcommittee.

Mr. President, I ask unanimous consent that the memorandum dated March 14, 1962, addressed to Jim Kendall, who is chief counsel for the subcommittee, from Colonel Steele, be printed at this point.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

[News release from the office of U.S. Senator STROM THURMOND, of South Carolina]

MEMORANDUM

MARCH 14, 1962.

To: Jim Kendall.
From: Colonel Steele.
Re newspaper stories.

General Dodge tells me that the Army did not release this story on the one in this morning's Post.

The press has not contacted the troop information section of General Dodge's office.

The press did ask for a short biographical sketch of Specialist, Fourth Class Carter (Jack Raymond, of New York Times) of his public information section.

The Star has contacted Major Lansing, of Belvoir, by telephone asking about Carter and the TI program and sent a photographer to take the picture.

Major Lansing says he did not authorize this release or make the statements therein re Senator THURMOND or the Army position.

General Dodge is preparing a report re Specialist Carter and Belvoir as he advised the committee he would but it will not be ready today and he has told no one it would be ready today.

General Dodge will be happy to come over to discuss this further.

General Dodge just now advises me that the Star reporter who wrote the story just came to office some 30 minutes ago and he concedes the Army did not give him this release and he originated the story and will print a retraction and clarification.

ROY H. STEELE,
Colonel, Army,
Legislative Liaison.

EXHIBIT 1

[From the Washington Evening Star, Mar. 13, 1962]

ARMY TO TELL THURMOND HE ERRS ON BELVOIR

The Army plans to tell investigating Senators today that Senator THURMOND was wrong about his charges against the troop information program at Fort Belvoir.

Furthermore, the Army plans to point out politely, investigators for the special Armed Forces Subcommittee probing the censorship of military men's speeches and troop indoctrination programs knew all the facts of the situation when Senator THURMOND made his charges.

The dispute arose Friday when Maj. Gen. Charles Dodge, Army Director of Information, was asked by Senator THURMOND, Democrat, of South Carolina, why an "unqualified private" without a security clearance was teaching Fort Belvoir soldiers about communism and basing his lectures in part on material from the magazine the Nation.

General Dodge said he would investigate and report back. His written report was scheduled to reach the committee today.

PRIOR QUESTIONING

It was learned, meanwhile, that three investigators for the Senate subcommittee had questioned the soldier and his commanding officer at length and on several occasions both at Fort Belvoir and in the Senate Office Building some time before Friday's hearing. The investigators learned:

1. The "private" is a specialist fourth class, the equivalent of a corporal.

2. He has a security clearance.

3. He has three college degrees, was a textbook editor in civilian life and is the son of a former Republican Congressman.

4. He is an avid reader of magazines and books that range from the far right to the far left, and his own views—attested to by his commanding officer, are "militant anti-communism and pro-Americanism."

5. His lectures have earned him high praise from Army inspectors and would earn him another promotion if his enlistment weren't running out.

TWO WEEKLY TALKS

The soldier-lecturer is Jerome Carter, son of former Republican Representative Vincent Michael Carter, of Wyoming, who served in the House from 1929 to 1935.

Under the direction of Maj. Laurence Lansing, Fort Belvoir information officer, Specialist Carter gives two weekly talks about world affairs and the Army to 400 Fort Belvoir enlisted men.

Specialist Carter's education includes a cum laude degree from Catholic University in Washington and master degrees from Fordham University and New York University.

He has free access to all of the troop information material prepared by the Department of Defense and the Army.

At one time, Specialist Carter said in an Armed Forces interview yesterday, he told committee investigators that he did not have a security clearance. Major Lansing told the investigators, however, that Specialist Carter had one even if he did not know it.

The investigators were told, Major Lansing added, that Specialist Carter was given the security clearance required for his job by the Fort Belvoir intelligence office and that he also was given the standard security check by the Federal Bureau of Investigation, Central Intelligence Agency, and the Defense Department.

Specialist Carter has not been asked to testify before the committee, but he said that he would be happy to appear and would be pleased also if the committee came to Fort Belvoir and sat in on some of his classes.

STATEMENT BY SENATOR STROM THURMOND, OF SOUTH CAROLINA, ON FORT BELVOIR TROOP INFORMATION INSTRUCTOR, MARCH 4, 1962

There appeared yesterday, March 13, in the Evening Star an article captioned "Army To Tell THURMOND He Errs on Belvoir." The article centers around a question which I asked Maj. Gen. Charles Dodge, Army Chief of Information, during a hearing on March 9. The question I asked was preceded by the following remarks, as reported in the transcript of the hearing:

"For example at Fort Belvoir the information officers and several members of their staff were interviewed by the staff of this subcommittee. They were dedicated and conscientious men, but men who were confused when it came to instructing the troops what were the issues that face us in the cold war with communism. A major had assigned a soldier who is a college graduate to handle his information program for him. This soldier had attended no military school, had received no orientation on military policy, had no security clearance, had been exposed to no official course on communism and the threat it poses to the military.

"This soldier was using civilian magazines and newspapers to fill in his hours of troop information lessons, which he conducted regularly for hundreds of men at Fort Belvoir.

"We were shocked to find that this man was using as one of his sources Nation magazine, which has constantly promoted pro-Communist propaganda in the United States.

"We do not challenge this man's motivation, but he was not told what to do."

The article in the Evening Star implies that the Army will state in a report to the committee that I erred in these remarks, and that the staff of the committee knew the "correct" facts when the question was asked.

I did not err, and the staff did, indeed, have all the facts when I asked the question. I deliberately did not mention the names of the individuals involved, as no purpose would have been served in doing so. The names of both individuals were on the list of prospective witnesses of the committee.

The Evening Star article is most misleading, for the "facts" reported by it were covered, except for the names, in the hearing, which was obviously not attended by the reporter who wrote this piece.

The "facts" which the Star article reports are:

"1. The 'private' is a specialist fourth class, the equivalent of a corporal."

As the transcript will show, at no point did I, or anyone else, refer to Carter as a "private." He was referred to as a "soldier" without any reference whatsoever to his grade.

The article continues:

"2. He has a security clearance."

The transcript reveals the following questions and answers, all in the March 10 hearing, at page 1886 of the transcript:

"Senator THURMOND. Will you look into this situation at Fort Belvoir?

"General DODGE. Yes, sir. The man of whom you speak has a security clearance now, sir.

"Senator THURMOND. He has gotten it since the staff members were down there?

"General DODGE. This is correct, sir."

From this it is obvious that the soldier did not have the proper security clearance when the staff investigated, but had been investigated and cleared after the matter was brought to the attention of the Army authorities by the committee staff.

The Evening Star article continued:

"3. He has three college degrees, was a textbook editor in civilian life and is the son of a former Republican Congressman."

I personally brought out in the questioning of General Dodge that the soldier "is a college graduate." I stated that he had "attended no military school," "had received no orientation on military policy," and "had been exposed to no official course on communism and the threat it poses to the military," all of which is absolutely correct.

The Evening Star article continues:

"4. He is an avid reader of magazines and books that range from the far right to the far left, and his own views—attested to by his commanding officer—are 'militant anti-communism and pro-Americanism.' "

There is no news in this, either. I stated to the committee prior to my first question to General Dodge on this matter in referring to the men in question: "They were dedicated and conscientious men * * *" and also, "We do not challenge this man's motivation, but he was not told what to do."

The Evening Star article continues:

"5. His lectures have earned him high praise from Army inspectors and would earn him another promotion if his enlistment weren't running out."

The committee has a copy of this soldier's introduction to a film which shows a basic lack of specific knowledge and understanding of the subject which he chose to discuss. The film was entitled "Communist Europe." Most of the introduction pertained to the emerging nations in Africa, and evidenced a surprising lack of insight into the development in this area.

The article also states:

"He has free access to all of the troop information material prepared by the Department of Defense and Army."

Whatever he had access to, this particular soldier relied on nonofficial sources for his lectures, according to his own lesson plans.

On December 10 and 20, 1961, Specialist Carter lectured on "Crisis in Southeast Asia." On his lesson plan, he listed as "Instructor's reference" the following: "current periodicals and standard encyclopedias."

A part of his lecture was shown in outline form as "Special Problems," under which the following list appears:

"A. Ngo Dinh Diem.

"1. Distrustful.

"2. Undemocratic (Diemocracy).

"3. Roman Catholic.

"4. Some reforms.

"5. No alternate."

Whatever this soldier's personal appraisal of Ngo Dinh Diem, the apparently derogatory references to this ally in our struggle against communism hardly seem appropriate for official Army instruction of troops who may any day be sent to Vietnam to stand side by side with Ngo Dinh Diem's people against the Communist assault.

Other topics and source materials, according to this soldier's own lesson plans are:

September 30, October 4, 6: Subject: "The Stock Market"; instructor's reference: assorted books on the market (plus the instructor's years of experience in amassing huge fortunes on Wall Street).

January 20, 24, 26: Subject: "Cold War—Economic Phase"; instructor's reference: "current newspapers and periodicals"

Subject: "U.S. Space Program," instructor's reference: current periodicals.

Subject: "Problems in Latin America"; instructor's reference: Porter and Alexander, "The Struggle for Democracy in Latin America" and various current periodicals.

Subject: "U.S. Civil Defense Program;" instructor's reference: Los Angeles Times, New York Times, U.S. News & World Report, and publications of the Office of Civil and Defense Mobilization.

If this particular soldier has access to all troop information materials, he must surely have rejected them in favor of what he considered better material, which according to his lesson plans, were all unofficial.

This newspaper article shows beyond question that both the reporter who wrote it and the official who gave him the "leak," were uninformed and obviously seeking to capitalize on sensationalism. This kind of leaking and reporting is disservice to the individuals involved, to the committee and to the country.

I will be glad to have the committee explore this matter fully, and I hope that, as originally requested, this soldier and Major Lansing will be called as witnesses, as well as many of the other military personnel in the field interviewed by the committee investigators.

WORLD MEDICAL MERGER

Mr. PELL. Mr. President, all of us have followed closely the outstanding work being performed by Care and Medico. Recently, these two fine organizations were merged and now, in addition to self-help programs, which Care has so effectively pioneered, an integral part of Care's work will be in medical assistance programs. Those who have contributed to the work of Care and Medico will, I know, welcome this merger which will result in better service and reducing fundraising and administrative costs.

Mr. President, I ask unanimous consent that an article entitled "World Medical Merger," written by Dr. Howard Rusk and published in the New York Times of January 28, 1962, be printed at this point in the RECORD. Let me also take this opportunity to pay tribute to Dr. Rusk's outstanding work on behalf of Medico and other worthwhile organizations.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WORLD MEDICAL MERGER—CARE AND MEDICO SEEK LOWER COSTS, INCREASED EFFICIENCY AND BETTER SERVICE

(By Howard A. Rusk, M.D.)

Each day the financial pages of this newspaper and others carry stories of corporate mergers. The reasons behind such mergers are usually the same—increased efficiency, lower administrative costs, expanded services, and greater dividends for stockholders.

Last Wednesday, two of our largest and most respected voluntary agencies concerned with international assistance, Care and Medico, announced a merger effective next month.

The reasons for this merger are the same—increased efficiency, lower administrative costs, and expanded services. The only basic difference is that the greater dividends will be shared by the millions of Americans who contribute to Care and Medico and the millions of persons in underdeveloped nations who benefit from their programs.

Care was founded in November 1945, as the Cooperative for American Remittances to Europe to meet the immediate needs of European nations shattered by war.

CHANGE IN EMPHASIS

The current name, Cooperative for American Relief Everywhere, signifies the changes in its emphasis over the last 16 years. The volume of aid it has given during this period has been around a half-billion dollars.

As its name implies, Care is a cooperative of 25 member agencies, including leading service organizations.

As conditions improved in Europe, Care terminated its services in many European nations and started programs in the developing nations of Asia, the Middle East, Latin America, and Africa. Services are now given in 32 nations.

Newest members of the Care "family of nations" are Liberia, Cyprus, and Sierra Leone, and negotiations are being conducted on the possibilities of establishing Care missions in Nigeria, Cameroon, Tanganyika, the Dominican Republic, and British Honduras.

Care is best known for its program under which thousands of tons of food and other essentials have been sent to more than 50 countries. Last year these shipments included surplus agricultural commodities, valued at $33,700,000, contributed by the U.S. Government.

GOVERNMENTS COOPERATE

Such supplies are usually used for school lunch and institutional feeding programs conducted in cooperation with the host government and for family welfare and disaster-relief feeding.

Of equal importance, however, is the second aspect of the Care program under which the tools of education, health, and self-support are provided the needy to aid them in helping themselves.

Thus, a Care package may be a steel pipe for a community self-help project on pure water in Iran or equipment for fishing boats in a cooperative economic project in Korea, Vietnam, or Hong Kong.

The range of self-help supplies vary from wheelchairs to mobile health units and from sewing machines to bullocks.

Medico, founded in 1958 by the late Dr. Tom Dooley and Dr. Peter Commanduras, was organized to establish hospitals and provide American physicians and personnel to staff them in newly developing areas. It follows the same "people to people" concept of Care, except Medico is "physicians to people."

Medico is undertaking or organizing 17 projects in remote villages in jungle and mountain areas of Laos, Kenya, Cambodia, Vietnam, Malaya, Afghanistan, and Haiti. In each instance, the projects are undertaken at the invitation of the host government.

OVER 250,000 TREATED

In the last 2 years these programs have treated 250,000 persons. In addition, Medico has shipped abroad gifts of drugs and other medical supplies valued at more than $3 million.

One of Medico's special projects is an International Eye Bank. Under this program, American ophthalmologists travel to remote places taking with them a supply of preserved human corneas contributed by American eye banks from surplus stock.

The corneas are transplanted in the eyes of the blind to restore sight. At the same time, the techniques of the operation are taught to local ophthalmologists.

Another special project, known as Orthopedics Overseas, consists of leading American orthopedic surgeons' going to a country on a rotating basis to provide surgery and teach.

This program, which started in Jordan, has been expanded to Saigon and Vietnam, and will eventually include countries in South America and Africa.

AFFILIATIONS SPREAD

The Medico program has been strengthened during the last year through affiliations with 10 of the leading American medical and surgical specialty groups, including the American College of Surgeons and the American College of Physicians.

That the American people believe in Care and Medico is shown by their consistent increased support of these voluntary organizations. Contributions to Care, for example, have doubled since 1956.

Under the new merger, Medico will continue and expand its current program, but as a service of Care. Care will gain a professional arm for the medical supplies and equipment that form part of its self-help assistance.

Food, tools, and professional skills will be combined in a joint assault on mankind's greatest enemies—hunger, poverty, and disease.

SUGAR LEGISLATION

Mr. CURTIS. Mr. President, on occasion I find myself indebted to my colleagues for alerting me to forthcoming legislation, and on occasion I try to reciprocate. A matter which has just come to my attention spurs me to sound a note of warning, and I hope every Senator will consider it seriously.

For years now, the Senate has been ignored in the framing of our sugar legislation. We have not been allowed to hold hearings or to give more than passing attention to this far-reaching problem. All we have done is to vote out the bill the House has sent during the closing hours of the session. This deliberate evasion of the traditional legislative process with its serious consequences lies squarely in the lap of the House Agriculture Committee; but the Senate remains passive and docile. It loses stature internationally, and is subject to severe criticism at home.

We voice our displeasure and complain; but we vote for the bill rammed through the House, we hold no hearings, and we fail to give full consideration to the vital provisions the bill may or may not contain. We are told that chaos will result if we do not continue the law; so we vote on the basis that any old bill is better than none.

The present law expires at the end of June of this year, and here we go again; the same old plan is shaping up.

Time is passing. There is evidence that, once again, in the closing hours, the Senate will be handed a belated and complicated sugar bill on a take-this-or-nothing basis.

This year we simply cannot allow that to happen. It is vital that we have ample time to discuss this matter fully, or else we stand to lose our present

sugar production, let alone get any new acreage.

On January 18 of this year the President said:

> The Sugar Act expires on June 30, 1962. Legislation will be proposed extending it with substantial revisions to bring this program into line with the greatly changed world sugar situation. Under this legislation the difference between the domestic and world price of sugar, which is currently received by foreign suppliers of sugar, will be retained by the United States to the extent permitted by existing international agreements, with an estimated increase in 1963 budget receipts of $180 million.

On February 15, Mr. Lawrence Myers, Director of the Sugar Division of the Department of Agriculture, stated:

> The President's statement that the difference between the domestic price and the world price of sugar will be retained by the United States clearly implies the imposition of an import fee. Let us note the possible mechanics. (a) The import fee could operate exactly as the tariff operates. Certainly that would involve no new set of mechanics for importers or refiners.

Mr. Myers then went on to indicate that the import fee could operate in the same manner as the one applied to importations of nonquota sugar from the Dominican Republic in 1960 and early in 1961.

No student needs to read between the lines in order to discover that it is the ambition of the President to get personal and dictatorial control over sugar imports and the production of cane and beets in the United States. It is elementary that if the President, by one maneuver or another, gets control over the "import fee," or whatever the new invention may be, he can gain complete control over domestic production and the prices domestic producers will get for their products.

Mr. Myers later in the same speech stated:

> Much could be said in favor of old time tariff protection from the standpoint of simplifying the work of Government. A fixed tariff, however, would not protect the domestic producers adequately when there is a major decline in world sugar prices and it would burden domestic consumers unnecessarily if there should be a major increase in world prices. It would seem preferable, therefore, to make the fee subject to adjustments.

We need not look twice to see who will make those "preferable" adjustments. We need not warn the sugar producers of the United States that if this bill contains any deliberate or loophole means whereby the President will dictate the amount of the import fee or the import regulations, they stand in jeopardy every hour.

The President has just announced, without even an apology, that in the recent horse-trading session in Geneva, when many hundreds of rates of duty were slashed, he completely ignored the peril points established by the Tariff Commission under the law which requires him to observe them or to tell Congress why he did not. His reason for ignoring them was that the other countries would not trade with us if he observed them.

Do the growers of sugarcane or do Senators who have constituents who grow cane or sugarbeets wish to delegate to that one man the power of life or death over the sugar industry of the United States? He has asked Congress to delegate to him, and to him alone, the power to cut any tariff by 50 percent and to be able to wipe out tariffs altogether on hundreds of items. He has stated plainly that some industries will have to be sacrificed, and has offered a plan to have the Federal Government act as legal guardian of those put out of work by such actions.

We who are interested in sugarcane and sugarbeets already see the handwriting on the wall. The sugar bill will be delayed and delayed, and the Senate will get the same old chance to vote it up or down on the last day of the session, without hearings, without deliberation, and without a chance to amend. It will likely have the "import fee" feature, and it will be so akin to the tariff that the President will gain absolute and autocratic power over both imports and domestic production if he gets his trade-agreement bill, H.R. 9900, now the subject of hearings before the Ways and Means Committee. What we must be on the alert against, in any suggested sugar bill, is any form of "gimmick" or "sleeper" that will delegate to the President the power to limit domestic expansion or to trade away the present sugar industry of this country. I, for one, will be watching very carefully for any deviation from the legislative process outlined by the Constitution, and will vote against any proposals which provide for such questionable procedures.

This is more power than I would want to give any President—but, then, thus far we have had none so power hungry that he would ask for anything even approaching this.

I shall withhold judgment about the strength and weakness of an import fee system with regard to imports of sugar until it is before us. If it contains any provisions which would take from Congress and give to the President the authority to control domestic prices, domestic output, or imports into this country, I shall do all in my power to block it. If it comes too late in the session for the Senate to give it adequate consideration, and if the Senate rebels as it should do, and has indicated it will do—and if chaos results, then the public will know where the responsibility lies.

I wish to warn my colleagues about one more thing: If the President is consistent, he will continue his fight against domestic production and for increased foreign production, and his bill will not provide for any new sugarbeet areas in this country. If quotas are disregarded, we can be almost sure that the proposed import fee will be such that no new mills and no new acreage will be possible.

Each time sugar legislation has been presented, the Finance Committee has been bombarded with requests, from many parts of the country, for additional acreage for sugarbeets. It does seem profoundly uneconomic to supply only a little over half of our sugar requirements from our own land and territories, when we are literally paying millions of dollars, every day of the year, to keep land idle and to pay storage bills on crops which we cannot use, cannot sell, and frequently cannot even give away. This is the last degree of being penny wise and pound foolish.

In the State of Nebraska alone, thousands of acres of wonderful soil are available. The owners of that soil constitute the real backbone of our country. Who can blame them for failing to understand why the Federal Government will pay them to leave the land idle, or will restrict the amount that can be used for current crops, and then will prohibit them from contributing to the revenues and general welfare of our economy by growing sugarbeets. They are told, "You produce only a part of our needs, and can share in the growth of our consumption only to the extent of a little over half of that growth."

This does not make economic sense; and it would appear that the least that should be done would be to give to the domestic producers at least 80 percent of our market, so that new mills and new production areas may participate in the production of sugar for use in this country. We shall watch carefully to see how the forthcoming bill answers this acute problem.

I hope my colleagues will join me in telling the President that we must have a bill in time to give it proper study, and that this body will never consent to granting to him or to any other President the sole power to regulate the imports or the production of sugar. Let us confirm that we stand solidly for an increased, permanent share in supplying our home market.

The American farmers can provide the sugar needs of our country, yet the Department of Agriculture and the administration relentlessly oppose them in their right to this home market.

In the meantime, the Nation is plagued with surpluses and a costly agricultural program.

What has happened to all of the preelection expressions of concern for American farmers?

One of the great virtues of the present Sugar Act is the quota system. It should not be abandoned for a worldwide scramble for our sugar market, with either a fixed tariff or a variable, unpredictable tariff. The basic act should be extended, and the domestic quota very materially increased.

Mr. MORSE. Mr. President, I should like to say to the Senator from Nebraska that I completely associate myself with his observations in regard to one of the very serious problems which for some time has confronted the Senate.

As the Senator from Nebraska knows, for some years I have protested on the floor of the Senate about the handling of the Sugar Act legislation. The Senator from Nebraska certainly is performing a great service today by the comments he has made, and I associate myself with them.

Mr. CURTIS. I thank the Senator from Oregon.

AMENDMENT OF THE SENATE RULES

Mr. MORSE. Mr. President, since I have been a Member of the Senate, I think no Senator has made a greater contribution to the Senate, by way of a scholarly analysis of the rules of the Senate and their many implications, than has the distinguished Senator from Pennsylvania [Mr. CLARK]. Time and time again he has pointed out that the Senate owes it to the American people to revise its rules, so that the people can have prevail in the Senate the democratic procedures to which they are entitled.

I share the point of view which the Senator from Pennsylvania [Mr. CLARK] has pointed out many times, namely, that democratic procedures do not prevail in the Senate, as Senators realize when they come to analyze the imperfections of the Senate rules; unfortunately, much the same must be said of many rules and procedures of the other body, too.

So I believe it important that the attention of the American people be called to the unanswerable fact that the rules of the Congress do not belong to the Congress; the rules of the Congress belong to the American people, and it is high time that the American people proceed to take some action on the Members of Congress because of their failure to restore a long overdue right of the American people, namely, the right to have democratic procedures maintained in the Congress.

The Senator from Pennsylvania [Mr. CLARK] has recently written an article entitled "The Hesitant Senate." The article has been published in the March issue of the Atlantic Monthly magazine, and is a scholarly, frank, and proper one for the Senator from Pennsylvania to write. I highly commend him for it, and I associate myself with the observation presented in it.

I ask unanimous consent that Senator CLARK's article, entitled "The Hesitant Senate," be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE HESITANT SENATE

(By Senator JOSEPH S. CLARK)

On January 15, 1957, LYNDON JOHNSON, then the senior Senator from Texas and majority leader, gave a lunch for the newly elected freshmen senatorial Democrats. Only six of us had successfully breasted the Eisenhower tidal wave of the preceding November: FRANK CHURCH, of Idaho, JOHN CARROLL, of Colorado, FRANK LAUSCHE, of Ohio, HERMAN TALMADGE, of Georgia, STROM THURMOND, of South Carolina, and I. As we sat down to our steaks at the long table in the office of Skeeter Johnson, the urbane and charming Mississippian who serves as Secretary of the Senate, each of us found at his place a copy of "Citadel: The Story of the U.S. Senate," autographed "with all good wishes" not only by its author, William S. White, Pulitzer Prize-winning biographer of Robert A. Taft, but by the majority leader as well.

During the course of the luncheon, Senator JOHNSON encouraged us to consider Mr. White's book as a sort of McGuffey's Reader from which we could learn much about the "greatest deliberative body in the world" and how to mold ourselves into its way of life.

I did my homework.

Mr. White, assigned from 1946 to 1956 by the New York Times to cover that "peculiar institution" in which I serve, eulogizes the post-World War II Senate much as Allen Drury did in "Advise and Consent." He writes with affection of its tone and timelessness, the concept of the Senate as a club, its ability to divorce itself almost completely from the outside world, to a part of which, nonetheless, a third of its Members must return every 2 years to seek reelection. With tender sympathy he sketches an atmosphere redolent with mint juleps and Confederate gentlemen. He speaks of its peculiar rules and its even more peculiar customs. "The Senate," he writes in conclusion, "is a place upon whose vitality and honor will at length rest the whole issue of the kind of society that we are to maintain."

Perhaps he is right; if so, we in the Senate had better change our ways. For, a legislative body conducting business as Mr. White suggests the Senate does would be totally incapable of preserving either vitality or honor anywhere.

Actually, Donald R. Matthews was closer to the truth when he referred to Mr. White's infatuation with the Senate of the fifties as "an almost embarrassing love affair." In "U.S. Senators and Their World," he wrote of the Senate as "a legislative Chamber of imposing power which sometimes finds it impossible to act; an institution heavy with tradition whose Members occasionally act like schoolboys on a spree." And schoolboys on a spree are not good enough in today's world. For the problems which confront us are getting harder, not easier. And the Senate had better be on its toes if it is to play its part in solving them.

There are two major unanswered political questions: First, how can we substitute real peace and disarmament under internationally enforced world law for the delicate balance of nuclear terror under which we have been living since Russia acquired atomic weapons in 1949? Second, how can we adjust our oasis of prosperity to that desert of despair in which a constantly increasing number of underprivileged people presently exist, a desert where two out of every three human beings go to bed hungry every night?

But there are a host of scarcely less important worries. On the international scene, to mention only a few, there are southeast Asia, south Africa, Latin America, Cuba, the Congo, Russian imperialism, the challenge of competitive coexistence, Communist China, Berlin—indeed, the whole German question—any one of which may erupt at any time into angry violence. And then there are world trade, the tariff, and the Common Market. At home there are education, unemployment, the proper utilization of manpower, housing, agriculture, the renewal of our cities, problems of the aged and aging, civil rights, tax reform, and the constant threat of inflation.

Problems as complex as these could not be resolved successfully in Mr. White's Senate. We must sharpen our obsolete senatorial tools. For, our country and the civilization of which we are a part will not survive unless we awaken from our national political lethargy and speed up the pace of intelligent governmental action. We have inherited a government of checks and balances, based on the 18th century theory that that government is best which governs least and on Lord Acton's precept that power tends to corrupt, and therefore should be grudgingly granted. Our National, State, and local governments are divided into executive, judicial, and legislative branches, thus diffusing power among nine governmental sources—each of which inhibits action. It is with the decision-making power of the Senate at the national level that this article is concerned.

The Senate was originally conceived in 1787 as a body of wise elders, chosen not by the people but by the State legislatures, and selected because they could be relied upon to defeat impetuous action by either the popularly elected House of Representatives or by a President who, if not checked, might in time become a tyrant. In a day when governmental action, if needed at all, could afford to be slow, when the memory of the tyrant George III was fresh in men's minds, this original conception, favoring inaction, made good sense.

Does it still do so? I think not.

Our first controversy when I came to Washington in 1957 was an attempt to modify the rules of the Senate so as to put reasonable limits on debate. "The Senate," said Woodrow Wilson, "is the only legislative body in the world which cannot act when its majority is ready for action." We proved him right in 1957, in 1959, and twice in 1961. In each instance, a majority of the Senate decided it did not wish to change its rules at the time and in the manner then proposed in order to pass legislation a majority favored. Yet, until the rules are changed, a small but determined minority can prevent the Senate from performing its constitutional duties by preventing any matter from being decided on its merits.

ROADBLOCKS TO ACTION IN COMMITTEE

Today, legislation proposed by the President can be bottled up in committee indefinitely by a determined and hostile chairman. Thus, no civil rights bill has ever been recommended to the Senate by the Senate Judiciary Committee, despite urgent recommendations by both President Truman and President Eisenhower. Nor, it may be safely predicted, will President Kennedy have any better luck if he ever decides to attempt to implement his campaign commitment. Senator JAMES EASTLAND and his southern colleagues, assisted by rightwing Republicans, have an unbreakable majority in the committee. The last, rather innocuous civil rights legislation debated in the Senate was tacked on as a nongermane amendment to a measure entitled "A bill to authorize the Secretary of the Army to lease a portion of Fort Crowder, Mo., to Stella Reorganized Schools, R-1, Missouri."

Even if legislation finally reaches the floor, it can be emasculated in the process by hostile chairmen who control bipartisan majorities in their committees. Thus, Senator HARRY BYRD and his conservative colleagues in the Finance Committee have successfully prevented tax-reform measures such as limitation of the business-expense "swindle sheet" deduction, the oil-depletion allowance, and withholding of the tax on dividends and interest at the source from being incorporated in the committee drafts of the annual bills extending corporation and excise taxes. In each such case, efforts had to be made on the floor, sometimes successfully, sometimes not, to amend the bill—always a difficult task when the chairman, supported by a majority of the committee, objects.

Any Member of the Senate can prevent any committee from meeting while the Senate is in session. If the measure is complicated, requiring prolonged executive sessions, this is a particularly effective method of preventing action, especially toward the end of a congressional session. All last spring and summer, Senator BARRY GOLDWATER, by exercising this right, delayed committee action on extension and revision of the National Defense Education Act. Eighteen executive sessions were held in the Labor and Public Welfare Committee and its Education Subcommittee to mark up the bill. Thirteen of these were forced to recess after an hour or

two because objection was raised formally or informally to the meeting's continuing while the Senate was in session. On the other five occasions, the Senate did not meet on the day of the committee session, but toward the end of the summer the Senate meets almost every day.

Senator MORSE, of Oregon, chairman of the Education Subcommittee and responsible for managing the administration bill, would call an executive session for 10 or 9:30 or even 9 a.m. It would be difficult to get a quorum of the committee to show up on time, particularly since several of the Republicans would always fail to appear. At last, a quorum would appear an hour or two before the Senate met, at 11 o'clock or noon, as the case might be. A controversial section of the bill would be brought up for discussion. Assisted by his colleague on the committee, Senator DIRKSEN, of Illinois, the able and distinguished junior Senator from Arizona (to lapse into Senate semantics) would criticize the proposal at some length, frequently enticing Democratic proponents into extended committee-room debate.

Senator MORSE's eyes would wander to the clock over the door in the committee room: 5 minutes, 4 minutes, 3 minutes to go before the Senate convenes. Finally, the discussion would be interrupted by the ringing of the bell, which silences talk. The Senate was in session. "I'm sorry, WAYNE, but under the rule I must object to the subcommittee's meeting further." So that was that until the next day. Senator GOLDWATER was quite within his rights under the rules. In the end, the subcommittee got the bills out of committee and on the calendar, but too late for floor action until 1962.

STALLING ON THE SENATE FLOOR

If a measure is voted out of committee and reaches the calendar, it must be brought to the floor by motion of the majority leader approved by the policy committee of the party in power. The Democratic policy committee, until recently, was controlled by the opponents of action. As a result of agitation by a number of liberal Democrats led by Senator ALBERT GORE, of Tennessee, the policy committee was reconstituted so as to give the Kennedy men a majority.

If the motion to take up is approved, debate on the merits of the measure is unlimited and need not be germane. Amendments can be offered without limit; so can amendments to amendments and substitutes for amendments. Amendments need not be germane to the bill or to the amendment to which they are offered. On each of these, debate is unlimited and need not be germane. Thus, when extension of the life of the Civil Rights Commission for 2 years was proposed last summer, 21 amendments were filed. Had any of these amendments been called up for action, any number of amendments to each amendment could have been proposed. Senator JAVITS' amendments continued a comprehensive civil rights bill. Senator ERVIN, of North Carolina, proposed an amendment which would overturn the recent Supreme Court decision ruling out confessions obtained during unreasonable periods of detention after arrest and prior to arraignment. An amendment by Senator THURMOND, of South Carolina, would have invalidated all acts of Congress impinging on State statutes unless the former specifically "preempted" the field.

The southerners began to talk. I said to Senator EASTLAND: "Jim, how long are you fellows going to keep this up?" He replied with a grin: "Until we know we have the votes to table those Javits amendments."

After a couple of days the leadership capitulated. The majority leader, MIKE MANSFIELD, of Montana, announced that he would move to table all amendments which were called up. Senator DIRKSEN, the minority leader, concurred. A majority of the Senate supported the leadership. Down the drain went not only the Javits amendments but also my own proposals to extend the Commission's life indefinitely, or, in the alternative, for 4 years. A determined minority had once again forced its will on the Senate.

Actually, MANSFIELD and DIRKSEN, under the present rules, had no alternative. It was late in the session. The calendar was crowded with must legislation sponsored by the President. Already Senators were clamoring for adjournment. The leaders knew that the southerners would permit a short extension of the Commission's life if no serious effort were made to enact important civil rights legislation, advocated in the platforms of both political parties. The sensible thing to do was to compromise. So, compromise they did. The point is that the rules give to a small minority the power to frustrate the will of a majority, which was unwilling at that time to try to break a filibuster.

Each legislative day, as debate proceeds, any Senator can require the Journal of the preceding day to be read in full. Such reading ordinarily takes about 4 hours. On August 21, 1961, I objected to a request by Senator MANSFIELD, majority leader, for unanimous consent to dispense with the reading of the Journal. The clerk began to drone out the record of the previous day's proceedings. For the better part of an hour the Senate was immobilized. Then, the point having been made, I withdrew my objections. Had I wished to exercise all of my rights under the rules, I, acting alone, could have prevented any action by the Senate for several days.

If a bill is passed and is in different form from a bill on the same subject passed by the House, the differences must be resolved in conference or the bill will not become law. In recent years, Senate conferees from some committees, notably Finance, have been selected by seniority and are often in opposition to action taken on the Senate floor which reverses recommendations of the committee. Conferees holding such views are, to put it mildly, unlikely to support for long the floor action of the Senate when it differs from their conception of what is wise. Thus, amendments adopted on the floor of the Senate, but not included in the House bill, closing tax loopholes were quietly and quickly abandoned in conference by Senate Finance Committee conferees who had opposed them in committee and on the floor.

CHANGING THE RULES

It may well be asked: "Is there no way of modernizing Senate rules and procedures so as to put an end to these stubborn roadblocks?" The answer is at best a qualified "yes."

There is a provision in the Senate rules requiring that "all changes in the rules" can be made "only in accordance with the rules." This means that each of the methods of defeating or delaying a bill is available to defeat a change in the rules. Proposed changes sponsored by me and designed to limit or abolish such delaying tactics are presently resting in the Committee on Rules and Administration. Very little money is being wagered on their surmounting the very difficulties they are aimed at eliminating. Senate rule XXII in theory permits some limitation of debate. But it takes two-thirds of those Senators present and voting to invoke it—67 for all practical purposes; and there are at present 60 Senators at the most who are willing to vote to limit debate.

Vice President NIXON, as Presiding Officer of the Senate, ruled in 1959 and again in January of 1961 that provisions in Senate rules designed to prevent the Senate, at the beginning of each new Congress, from adopting new rules or modifying existing rules by majority vote were unconstitutional. In his view, a majority of the Senate could set aside existing rules and adopt new ones in January of odd-numbered years. Debate could be terminated under general parliamentary law by "moving the previous question," a parliamentary device available in one form or another in practically every legislative body in the free world except the Senate of the United States. A ruling of the Presiding Officer thus terminating debate (or refusing to do so) could be appealed to the whole Senate. If the parliamentary situation is such in 1963 that a ruling can be obtained, there is some hope that a majority of the Senate would be willing to modify rule XXII to permit limitation of debate by a three-fifths instead of a two-thirds vote. But, for the present, one-third plus one of the Members of the Senate present and voting can prevent any measure, regardless of its nature, from ever coming to a vote.

One-third plus 1 means 34 Senators. By my count there are presently 61 Senators who, by and large, would support action programs strongly recommended by the President and intended to strengthen international understanding and the causes of world peace and disarmament. The count is about the same for moderate civil rights legislation in aid of school desegregation and fair employment practices. This leaves 39 Senators in opposition—a leeway of 5 votes for these who resist change.

My box score breakdown follows:

Democrats:			
Kennedy supporters	43	..	..
Switch hitters	11	..	..
Anti-Kennedy Democrats	..	10	..
Total	..	..	64
Republicans:			
Moderate liberals	7	..	..
Dirksen-Goldwater axis	..	29	..
Total	..	..	36
	61	39	100

This analysis varies a little, depending on the particular issue. But, barring an international or domestic crisis of the first magnitude, it is highly unlikely that in 1962 the Senate will be able to act with the alacrity it needs if a determined minority desires to prevent action.

YOUNG BLOOD

Does this mean that the President's program in a year of tension, such as 1962, will be lost? Not at all. Much of it will probably go through. Most important legislation supported by the President finally reaches the floor in one way or another, largely because no group of Senators is strongly enough against it to utilize the weapons of delay and obstruction which are available to them. Opposition in committee frequently brings watering down and compromise, which make the measure less distasteful to its enemies and thereby weaken their ardor. Some of the opposition is more political—that is, for home consumption—than ideological. It is therefore less intransigent than it seems.

The Senate usually acts on major bills by "unanimous-consent agreements," limiting debate after a reasonable opportunity has been given to those who wish to speak at length. To be sure, any one Senator has the right to withhold such consent. But those who do are frowned upon by a majority of their colleagues, who usually want to vote promptly and go home for dinner.

There is a curious and, on the whole, laudable esprit de corps in the Senate. Most politicians want to be both liked and respected. Senators are no exception. There is strong pressure not to make a nuisance of oneself, not to fight the leadership of one's party, not to appear as a mere obstructionist, not to become emotionally involved in any particular or controversy, always to be able to sit down at lunch with one's colleagues in committee or on the floor without embarrassment resulting from one's behavior of the day before.

Finally, the Senate of 1962 is quite a different body from the Senate of 1957. I can well remember the tense situation when we met in Democratic caucus the morning of January 3, 1957. There were then in the Senate 47 Republicans and 49 Democrats, including FRANK LAUSCHE, an independent just elected the junior Senator from Ohio, ostensibly as a Democrat. We were all there at the caucus but FRANK. Nobody knew where he was or what he was up to.

We chose LYNDON JOHNSON leader. He made a little speech saying he did not know whether he had been elected majority or minority leader. If Lausche voted with the Republicans, as we feared, the vote on the leadership would be a tie. Vice President Nixon would break it, and the Republicans would organize the Senate. We went to the floor. A motion was made to elect LYNDON B. JOHNSON majority leader. William Knowland was nominated by the Republicans. The roll was called in alphabetical order. When LAUSCHE's name was reached, there was a dramatic pause. Finally he voted "Aye." I can remember the mounting tension as the rollcall began, the buzz of conversation, and the sighs of relief from both floor and galleries as doubt grew and was at length dispelled. The Democrats had organized the Senate by the skin of their teeth.

Two years later, things were quite different. The election of 1958 brought 15 new liberal Democrats to the Senate to replace as many, on the whole conservative, Republicans. The three new Republicans were all in the liberal wing of their party. Instead of a 49-47 majority, the Democrats had a 65-35 advantage. Ultimate power shifted to 15 Democratic "switch hitters," largely controlled by the leadership, men who would vote right one day and left the next, pretty much as LYNDON JOHNSON wanted.

Still, even in 1959, after the 1958 turnover in membership, there was no real sense of urgency. The White House proposed no dramatic program. There was no change in the Senate leadership's outlook.

The election of 1960 supplied the missing element. Senator Kennedy went to the White House. Senator JOHNSON, no longer majority leader, became Vice President and lost his senatorial power. Among the new Senators are four young vigorous liberals, BURDICK, of North Dakota, METCALF, of Montana, PELL, of Rhode Island, and MAURINE NEUBERGER, of Oregon, who took her highly respected late husband's seat. The average age in the Senate has dropped; the level of vitality has risen. With MIKE MANSFIELD as leader and HUBERT HUMPHREY as whip, a score of liberal measures passed the Senate last year, among them minimum-wage legislation, Federal aid to public schools, an expanded housing program, the wilderness bill, OECD, the retraining for the unemployed bill, the Peace Corps, the Arms Control and Disarmament Agency, a vastly better foreign aid bill. The votes were there to pass them. The opposition chose not to use the tools of delay which could have brought about defeat of the measures.

But there is more to the change in voting strength than mere numbers indicate. The caliber of the men in the Senate has changed drastically in the last 5 years. Gone are the Joe McCarthys, the Jenners, the Welkers. Gone, too, are Bill Knowland, Styles Bridges, and Edward Martin, earnest, sincere conservatives. Gone are fine, but elderly, liberals like Theodore Francis Green and Jim Murray. Bill Langer was the last old ex-Populist to pass from the scene just as Tom Connally wore the last string tie.

In their stead are men in their forties, and even late thirties: ED MUSKIE of Maine, EUGENE MCCARTHY, of Minnesota, FRANK CHURCH, of Idaho, PHIL HART, of Michigan, GALE MCGEE, of Wyoming, BILL PROXMIRE, of Wisconsin, RALPH YARBOROUGH, of Texas, to name only a few. These men and a dozen others, some of them older, like WAYNE MORSE, of Oregon, JACOB JAVITS, of New York, JOHN CARROLL, of Colorado, CLIFFORD CASE, of New Jersey, and PAUL DOUGLAS, of Illinois, but all of them 20th century men, are on their way to make over the Senate so as to enable it to perform its constitutional function in the modern world. They are not interested in the Senate of Mr. White's "Citadel." They understand the deadly peril in which we live. They know the need for reform at home and for security and peace abroad. They will follow aggressive leadership. Eventually they will change the rules.

CIVIL RIGHTS

Having said all this, I must conclude on a note of grave concern. There are two areas where the Senate is not yet prepared to act, where action may well be essential to survival. In the case of civil rights, only Senate procedures and rules block the way. In the area of foreign affairs, the Constitution itself sets requirements that delay action.

Civil rights legislation is necessary not only to our domestic well-being but to the success of our foreign policy. At home, an awakened and better educated Negro citizenry is just not going to put up much longer with a denial of the equal protection of the laws. Progress has, of course, been made. Strong executive action is bringing more progress. But there remain wide areas of discrimination in employment, in education, in housing which can be eliminated only with the aid of further legislation. And discrimination is actively supported by a highly vocal minority both north and south of the Mason-Dixon line and ably represented in both Houses of Congress. Meanwhile, abroad, Africa, Asia, and large areas in Latin America write off our protestations of liberty and equality as hypocrisy. The resulting endless and continuing damage to our position of world leadership is growing more serious every day.

Civil rights is a highly emotional issue. Southern Senators feel strongly enough about it to oppose legislation with every parliamentary device at their command. There are 18 of them in the Democratic Party. Half a dozen more Democrats would vote for a civil rights bill but against limitation of debate. A minimum of 10 Republicans, probably more, would join forces. There is a majority in the Senate for civil rights legislation. But at least one third of all Senators plus one would vote against limiting debate.

Thus, the Senate cannot act, though its majority is ready for action. Knowing this, and fearing reprisals in other areas of his program, the President has been hesitant to antagonize the southerners. So, a majority throughout the country cannot act. The American giant is rendered impotent in this area by procedures at variance with our American concept of majority rule. And the procedures appear impervious to change.

FOREIGN POLICY

The seemingly perpetual international crisis becomes even more serious when we consider the constitutional provision that two thirds of the Senate present and voting is required for the ratification of a treaty. Consider the areas in which delicate negotiations looking toward the establishment of permanent peace must be brought to successful conclusion through the treaty process: trade agreements, nuclear testing, strengthening the Charter of the United Nations, repeal of the Connally amendment to the ratification of our adherence to the World Court, conclusion of a meaningful disarmament agreement.

In each instance, some yielding of national sovereignty is required. In each instance, an informed executive exercising his best judgment will probably conclude that certain risks must be taken in the hope that the cause of lasting peace may be advanced. Conservative public opinion will be rallied against ratification of the treaty by the Senate. One can predict in advance the recourse to the flag, to patriotism, to the pocketbook, to the deeply felt distrust of foreigners. A test of intellectual and emotional maturity will be presented each time.

It will never be popular to vote to yield any small part of national sovereignty. A President can perhaps be excused if, realistically appraising Senate opposition, he fails to assume aggressive leadership in all of these areas. The history of Woodrow Wilson and the League of Nations is written too plainly not to be read and understood by every occupant of the White House.

Today there is a group which comprises more than one-third of the Senate plus one who would be loath indeed to move very far toward that internationalism which many believe essential to peace and well-being. And this group has at its command not only the constitutional requirements of a two-thirds vote, but all the rules and procedures of the Senate as well.

What will the role of the Senate be in the 1960's? Will it remain a hesitant supporter of that status quo so much admired by those friends of Mr. White's who resist change in a changing world? Or will it, with its new Members, under its new and vigorous leadership, spurred on by the President, take arms against the troubles which confront it, and by opposing—somehow or other—end them before it is too late?

It requires a rasher prophet than the author to hazard the answer. One can only hope for the best.

HOOD RIVER VALLEY ORCHARDISTS TAKE HONORS

Mr. MORSE. Mr. President, it gives me great pleasure to bring to the attention of the Senate a news release by the Hood River County Chamber of Commerce which sets forth the awards presented at the annual awards banquet on February 19.

Such community recognition of outstanding accomplishment on the part of farm men and women serves a most useful purpose in the community. It is particularly important, in my judgment, as an indication to the young people of our country that honor and recognition are due jobs well done. To each of the participants in this annual ceremony I extend my warm congratulations.

Mr. President, I ask unanimous consent that the news release to which I have alluded be printed at this point in the RECORD.

There being no objection, the news release was ordered to be printed in the RECORD, as follows:

HOOD RIVER COUNTY
CHAMBER OF COMMERCE,
Hood River, Oreg., February 26, 1962.

To: Senator WAYNE MORSE, Senate Office Building, Washington, D.C.
Subject: Hood River Valley Orchardists Take Honors.

A crowd of over 450 persons watched Parkdale Orchardists Sheldon Laurance and Jerry Routson honored at the Hood River County "Orchardist of the Year" Annual Awards Banquet at Wy'east High School Monday evening, February 19th.

Laurance was named "Orchardist of the Year", Routson was named "Junior First Citizen." Also honored were Hood River

Banker Bob Flint "Senior Citizen of the Year" and Mrs. Harold McIsaac "Woman of the Year".

The capacity crowd heard Dr. James Jensen, president of Oregon State University, deliver the principal address prior to the awards announcements.

Laurance received "Orchardist of the Year" honors for the work on his 80 acre farm near Parkdale. The award goes to an individual, honoring the individual and paying recognition to the fruit industry which he represents.

When Laurance started work on his farm, he cleared many acres, and planted the ground with strawberries along with young trees. This varied from the usual procedure at the time of clearing only a few acres, planting the strawberry and tree crop, and then clearing a few more acres.

Bill Gale, who made the award, noted that since Laurance initiated the "grand scale" practice of clearing and farming many acres, and was successful, several others have followed the same practice. "Thus," said Gale, "this was a step forward in the progress of the upper valley."

In addition to successful operation of his farm, other achievements were listed for Laurance. He is a member of the Elks, Farm Bureau, American Legion and Oregon-Washington Horticulture Society. He is also a director of the Middle Fork Irrigation District.

Routson, 33, Parkdale, raises fruit in that area. He attended Willamette University for a period of time after graduating from high school, and served with the Armed Forces.

He has been chairman of the fair board, a member of the VFW and American Legion, and active in the county agriculture stabilization and conservation commission.

Numerous memberships and achievements were listed for Senior First Citizen Flint.

He is a past president of the Hood River Rotary Club, city council, and past chairman of the board of trustees of the Riverside Church. Flint has been a member of the recreation commission, a member of the Campfire Girls executive council, active in united fund, volunteer fireman, chairman of the local committee on March of Dimes, active member of the Elks Lodge youth committee, and a past president of the Columbia Bankers Association.

Among Mrs. McIsaac's accomplishments were these:

Past president of AAUW, current chairman of the county welfare committee, member of the United Church of the Upper Valley, superintendent of the Sunday school and youth leader. She has been active in the Red Cross, United Fund, cancer research, PTA, county fair, Farm Bureau, and the Republican Party. As a member and past matron of the Eastern Star, she organized and guided the Job's Daughters for 14 years.

Toastmaster for the evening was Ray T. Yasui. Yasui, in introducing the main speaker pucklahly noted, "Dr. Jensen came to Oregon State University by request and I left for the same reason."

The annual banquet awards dinner featured the famous Hood River pears and apples in many ways. All Oregon products were served, which included a unique pear pie, apple and pear salads, a number of relishes, apple desserts, apple breads and candy. All this prepared by the women of Pine Grove Home Economics Club.

FORTY-FOURTH ANNIVERSARY OF THE LITHUANIAN DECLARATION OF INDEPENDENCE

Mr. SMITH of Massachusetts. Mr. President, recently, many Americans of Lithuanian descent in Massachusetts have gathered to commemorate the 44th anniversary of the Lithuanian declaration of independence. I noted this event in remarks on the floor of the Senate last month: I would now like to supplement these remarks by introducing two resolutions to commemorate this occasion which were made by Lithuanian-Americans of Norwood and Boston. I ask unanimous consent that they be printed in the RECORD.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

RESOLUTION OF AMERICAN CITIZENS OF LITHUANIAN DESCENT OF NORWOOD, MASS.

American citizens of Lithuanian descent from Norwood, Mass., gathered in mass meeting in Norwood Lithuanian Hall on the 25th day of February in the year of 1962 to commemorate Democratic Lithuania Republic's regaining freedom and it's declaration of independence's 44th anniversary, after due deliberation and cognizant of presently existing conditions in Lithuania, unanimously adopted the following:

Whereas the Soviet Union and international communistic aggression represent danger for various nations to lose their freedom, and because the same Red terror-enforced war conditions or actual war around the globe expose our beloved country—America—to the same danger; and

Whereas in the United Nations the Soviet Union continuously puts forth alleged west hemispheric nations' colonial policies ignoring her actual colonization of East Europe; and

Whereas the Soviet Union regardless of her made agreements and pledges forcibly occupied in the year 1940 Lithuania, Latvia, and Estonia and since then practices colonization, deportation and outright killing of the people from the above-mentioned nations; and

Whereas all those actions perpetrated by the Soviet Union in Lithuania, Latvia and Estonia, as in all her occupied East European countries, constitute until now unheard of genocide; considering the above-mentioned facts: Be it

Resolved, That the U.S. representative in the United Nations in its nearest session present the fact of enslavement and colonization of Lithuania and other East European nations by the Soviet Union, urging the members of the United Nations to recognize and condemn the Soviet Union as an aggressive colonial power practicing genocide; and be it further

Resolved, That the United Nations demand that the Soviet Union withdraw all military and civilian political forces from the occupied East European countries, Lithuania and others; and be it further

Resolved, That all those nations be allowed to establish their own sovereignty and, under United Nations control, to choose their own form of self-government; and be it further

Resolved, That we are deeply grateful for your concern and help in the fight for freedom for our fathers' and forefathers' country, Lithuania; and we pledge ourselves with all power in our possession to support your policies and work to free Soviet Union enslaved countries, that there be established in the world everlasting peace, justice and freedom for all.

RESOLUTION OF THE LITHUANIAN COUNCIL OF GREATER BOSTON, MASS.

Whereas the council of Lithuania proclaimed the independence of Lithuania on February 16, 1918, and asserted its restitution as an independent state severing the ties of bondage which had enslaved it since 1795; and

Whereas by the Treaty of Moscow of 1920, Soviet Russia recognized the sovereignty and independence of Lithuania and voluntarily forever renounced all sovereign rights over the Lithuanian people and their territory; and

Whereas the guaranteed liberty of Lithuania was forcibly violated and the Soviet Union took over Lithuania, Latvia, and Estonia in 1940 notwithstanding the solemn treaties and agreements of nonaggression; and

Whereas the people of Lithuania, Latvia, and Estonia under Communist control were and still are overwhelmingly anti-Communist; and

Whereas the Government of the United States of America maintains diplomatic relations with the governments of the Baltic nations of Lithuania, Latvia, and Estonia and consistently has refused to recognize their seizure and forced incorporation into the Union of the Soviet Socialist Republics: Now, therefore, be it

Resolved, That we, and all Lithuanians throughout these United States call upon their representatives in the Senate and House of Representatives to request the President of the United States to bring up the Baltic States question before the United Nations and ask that the United Nations request the Soviets (1) to withdraw all Soviet troops, agents, colonists, and controls from Lithuania, Latvia, and Estonia; and (2) to return all Baltic exiles from Siberia, prisons and slave-labor camps; and be it further

Resolved, That the United Nations conduct free elections in Lithuania, Latvia, and Estonia under its supervision; and be it further

Resolved, That copies of these resolutions be forwarded to John F. Kennedy, President of the United States; Dean Rusk, Secretary of State; Senators Leverett Saltonstall and Benjamin A. Smith; Speaker of the House of Representatives, John W. McCormack; Hon. John A. Volpe, Governor of the Commonwealth of Massachusetts; John F. Collins, mayor of Boston, and to the press.

NEED FOR ENVIRONMENT OF EXCELLENCE IN GOVERNMENT STRESSED BY SENATOR HENRY M. JACKSON IN ADDRESS TO NATIONAL CIVIL SERVICE LEAGUE CAREER AWARDS DINNER

Mr. RANDOLPH. Mr. President, the National Civil Service League is a nonpartisan citizens' group working to improve the public service through better personnel at all levels of government—Federal, State, and local. Last evening, before a distinguished group of business, educational, and governmental leaders, the league presented its annual career service awards to 10 of our most outstanding Federal officials.

As principal speaker, Senator HENRY M. JACKSON commended the award winners on their consistent achievement of excellence in positions of public responsibility, and further, proposed a six-phase program by which the hazards to effective work in Government service might be markedly reduced. His address was a notable contribution to the subject of our Government's role in the complex society of today.

Now, when America is so actively engaged in the struggle to beat back the challenge of communism, governmental excellence is of paramount concern. We must take vigorous steps to identify, train, and utilize men and women of high potential; assign to them appropriate responsibilities and authority; and recognize publicly their efforts and achievements. Only then, when competent personnel are functioning within an effective management system, can we be assured of attaining maximum national performance at all levels.

In concluding last night's program, the Honorable John M. Macy, Jr., Chairman of the U.S. Civil Service Commission, read a communication from President John F. Kennedy. The Chief Executive lauded the National Civil Service League's contributions to the progress of Government, and extended his personal congratulations to the 10 award recipients.

I ask unanimous consent that President Kennedy's message and the address by Senator HENRY M. JACKSON be printed in the RECORD.

There being no objection, the following items were ordered to be printed in RECORD, as follows:

THE WHITE HOUSE,
Washington, March 12, 1962.

I am pleased to send my heartiest congratulations and warmest best wishes to the 10 winners of the 1962 Career Service Awards of the National Civil Service League.

It is most fitting that these outstanding representatives of the service receive recognition for their significant contribution to the progress of our Government in these times. The National Civil Service League has rendered important public service in reminding the American people of the high quality in the Federal career service.

The variety of occupational and professional fields represented by these awardees is compelling evidence of the many opportunities for distinguished public service which exists today throughout the Federal Government. The achievements of these career men and women provide a vivid example for career minded young people who are seeking working experiences which emphasize challenge, integrity, and dedication.

My sincere congratulations to Howard B. Andervont, David V. Auld, A. Ross Eckler, William H. Godel, Wayne C. Grover, Bertrand M. Harding, Philip S. Hughes, Abe Silverstein, Leo R. Werts, and Frances Elizabeth Willis.

JOHN F. KENNEDY.

ENVIRONMENT OF EXCELLENCE

(Address by Senator HENRY M. JACKSON to the Eighth Annual Career Service Awards dinner sponsored by the National Civil Service League, March 13, 1962, Washington, D.C.)

Mr. Chairman, I am honored to have this opportunity to participate in this award dinner and to talk to this eminent gathering.

Since 1881 the National Civil Service League has worked faithfully on behalf of up-to-date personnel management at all levels of government. Also, through the annual career service awards, it has sought to raise the prestige of the public service and to recognize outstanding effort and performance. All of us should be grateful to the league for its consistent record of noteworthy contributions to a better public life.

We are celebrating tonight the distinguished records of 10 career officers. Those whom we honor have diverse assignments. But they have one attribute in common. They know the importance of excellence, and they have achieved it.

This Nation is now engaged in the greatest competition ever undertaken by a free country. It is a competition to decide what kind of system is to prevail on this planet—a Communist world system or a peaceful world community of free states who do not threaten the freedom of others.

The Communists are determined to show that the Soviet system is superior to ours in every way—that they can outproduce, outplan, out-think and outwit us across the board.

The challenge is total. We must use all our resources and use them wisely.

The national security departments and agencies of our Government bear the heaviest responsibility. But every other area of the Federal service has a part to play. On the decisions made, and actions taken, by officials throughout the Government hangs the success of our national policies, and thus, our fate.

As never before, we have to provide a Government environment that encourages excellence.

For 2 years our Senate Subcommittee on National Policy Machinery conducted a nonpartisan study of our machinery for making and executing national security policy. This study had something of a surprise ending: we concluded that the heart problem of government is not machinery but men.

Good national policies require both good organization and good people. But people are the critical factor. Wise, experienced, hard-working, incisive government officials may win out over poor organization. But poor people will defeat the best organization.

Moreover, reforms in machinery cannot cure troubles which are really not due to defects of machinery. Organizational gimmickry is no substitute for practical measures to improve the competence and the performance of government officials.

The caliber of our career service is very high. The Nation should be thankful for the skill and dedication of those who now man the Federal Government. But there is still great room for improvement in developing and using the rich resources of talent now found among our career officials.

I am not suggesting that a major cure is in sight whereby individual officers will suddenly have the opportunity to realize their own highest possibilities. The Government's gigantic size, its multitude of activities, its built-in checks and balances, and the sheer complexity of the problems we face, guarantee that life in the Government will have a generous quota of frustration.

It is wholly unrealistic to imagine that the hazards to good work peculiarly associated with Government service can ever be eliminated. But they can be reduced and made more manageable.

I would like to speak today of six particular tasks to which I believe our Government should vigorously set itself.

First. There is more to be done in defining where we aim to go in the world, and how we propose to get there.

Men respond to leadership.

Every new administration needs time to organize its official family, establish relations with the permanent civil service, and develop its guidelines of policy. But with the shakedown period over, we should have a clear understanding of our vital national interests and an order of national priorities to support them.

Unless top officials are in agreement on what comes first, what comes second, and what comes last, there is bound to be confusion and waste of effort below. This has been so under every administration.

A clear and reasoned basic doctrine, authoritatively presented and generally understood, is the precondition of successful delegation and coordination. It is thus also a precondition of first-rate performance throughout the Government.

Second. We need to emphasize in government the ingredient of human judgment, by visible, responsible officials.

Men rise to responsibility. When they are given a job to do, the authority they need, and are held accountable for results, they are challenged to do their best.

Words spoken by Robert Lovett at the first hearing of our subcommittee in 1960 are still the right words:

"The authority of the individual executive must be restored. * * * Committees cannot effectively replace the decision making power of the individual who takes the oath of office; nor can committees provide the essential quality of leadership."

President Kennedy has made what I can only describe as a devoted effort to reshape the Government machinery on this principle: to get department heads and their subordinates into the act as responsible individuals. This is the right philosophy of operations, and we should go forward with it.

In this connection, our subcommittee made a simple but potentially useful suggestion. It was just this: to give committee chairmen the power and responsibility of decision. Other members of the committee would provide advice and counsel, but the chairman would decide. Of course there would also be a right of appeal to the next highest level of our many-layered, many-splendored Government—all the way to the President. And since this is so, I do not see the desirability or wisdom of unanimity at every lower level. This suggested change in the management of committees might make them more effective instruments of Government.

Third. We must renew the fight against overstaffing.

Like so many large private companies, our Government has too many people in it doing work that does not really need doing.

More people make for more layering, more clearances and concurrences, and more trespasses on the time of officials working on important problems.

The size of many Government offices has swelled beyond any real requirement. Some offices would operate more efficiently with one-third or one-half as many people.

I know, of course, that no attack on this problem has ever succeeded, and I do not pretend to have discovered a strategy that will work. But I think we must consider the elimination of entire functions, when these have lost their importance or make only marginal contributions. Also, by clearer delegations of authority, we must achieve a reduction of the number of people and agencies that get in on every act.

Though saving money is important, that is not the major aim. The aim is to get better decisions faster.

Fourth. We should recognize the requirement for the civilian generalist and do more to prepare career people for posts of high responsibility.

On the civilian side, we lack anything like an adequate career corps to deal with general policies and governmentwide concerns.

For example, an appointment may be made to a top career post in the Department of State, or Defense, or AID, or CIA. But no matter which it is, the job will demand an integrated understanding of military matters, modern weaponry and its capabilities, technological development, procurement, uses of intelligence services, uses and limitations of propaganda and political warfare, international relations and organizations, and the channels of international communication and negotiation, traditional and new.

No one is being trained for such jobs in an organized way. It is accidental when we find a person of first-rate ability who has been in and out of a series of Government assignments yielding such a fund of experience. And when such a person is found he is besieged to fill job after job.

For the most part, career officers are forced to focus their abilities and even their loyalties on the interests of particular bureaus or services. To get ahead, they may have to plan their careers in terms of the specialized concerns of one agency.

In this respect our civilian career services have much to learn from the training and promotion system of the Armed Forces which is designed to develop the general staff officer.

The time is overdue for a training and promotion system to develop the civilian generalist.

The course of preparation for top officials should be rigorous. It should not only screen out the less able but screen out the flabby and the less highly motivated. In the words of John Gardner, president of the Carnegie Corp.:

"The king in the fairytale who required that suitors for his daughter's hand pass through a series of heroic tests not only ended up with a brave, clever (and lucky) son-in-law. He ended up with a highly motivated son-in-law. Not bad state policy."

For promising officers there should be greater flexibility and latitude in job assignments, more movement between agencies, and more opportunities for advanced training. Top posts in the career service should be the rewards of proven capacity to deal effectively with the first rank of national problems.

Fifth. We need higher Government salaries, notably at the top of the civil service and at the sub-Cabinet level.

Today, Federal pay scales are below those that obtain in many State and local governments. The highest paid Federal employee under the classification act would draw a bigger paycheck if he worked in the State career service in Georgia, New York, or California, for example; or for such cities as St. Louis, Denver, and San Francisco.

Federal pay scales are also behind those prevailing in private life. The Federal employee's top salary—if he stays in the service to reach it—will be less than half what his counterpart in private enterprise can look forward to.

I want to commend President Kennedy for taking a strong initiative on pay reform, and particularly for his concern with top career salaries.

In his recent message to Congress, the President said:

"The gap between private industry salaries and Government salaries is the widest at the upper levels * * * these are the very levels in the career service in which our need for quality is most acute—in which keen judgment, experience, and competence are at a premium."

I could not agree with the President more. I hope that Congress can help work out adequate salary adjustments, particularly for high executive and professional positions.

Sixth. Our Government should project its personnel requirements and programs at least 5 years into the future.

There is a long lead time in providing officials for critical Government jobs. We ought to be worrying now about the talent we will need 5 or 10 years from now.

With few exceptions the Government's civilian personnel needs and programs are not looked at in long perspective. Studies have been started on future requirements for scientists—one area where dramatic shortages are expected. Studies have also been started on future Government demand for personnel in foreign operations. These studies are a good beginning, but they do not assure the comprehensive picture that is needed.

The Bureau of the Budget testifies to the value of overall 5-year budgetary projections in helping the President establish guidelines for the current budget. Thanks to its 5-year program and budgetary projections, the Department of Defense now makes its annual program and budgetary decisions in a 5-year perspective.

I believe we should have comparable 5-year projections of personnel needs and tentatively approved personnel programs on a Government-wide basis.

As Don Price, dean of the Harvard Graduate School of Public Administration, put it: "The myth of the Minute Man dies hard." In this kind of a world, personnel programs that have not been started 5 or 10 years before are too late.

In conclusion, let me say this:

The environment of Government does not make excellent work impossible. This evening's celebration testifies to that. But the present environment of Government does make excellent work too hard.

This Nation is locked in a struggle whose outcome will be as fateful to the Nation as a hot war. We confront the most prodigious problems of our history.

A century ago, the failure of Government officials to do first rate work may have meant some waste of the taxpayers money. But today, the cost of similar failure may mean our national survival.

The free world will not be kept free by the slovenly or half-hearted. We will need our best.

The PRESIDING OFFICER (Mr. HICKEY in the chair). Is there further morning business? If not, morning business is closed.

AMENDMENT OF ACT ESTABLISHING CODE OF LAW FOR THE DISTRICT OF COLUMBIA

Mr. SMATHERS. Mr. President, I ask that the Chair lay before the Senate the unfinished business.

The PRESIDING OFFICER. The Chair now lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (H.R. 5143) to amend section 801 of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901.

Mr. MORSE. Mr. President, I wonder whether there may be a quorum call at this time, for I am waiting to receive a revision of my amendment.

Mr. SMATHERS. Mr. President, I suggest the absence of a quorum, and ask unanimous consent that the time required for the quorum call not be charged to the time available to either side under the unanimous-consent agreement.

The PRESIDING OFFICER. Is there objection to the request? Without objection, it is so ordered.

The absence of a quorum has been suggested, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HARTKE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORSE. Mr. President, I yield myself 5 minutes, and an additional 5 minutes, if I need them.

The amendment pending before the Senate is my amendment numbered 2-15-62—A. I am modifying that amendment. I send to the desk the modified amendment. I wish to read it:

Strike out all after the enacting clause and insert in lieu thereof the following: "That no person shall, on or after the date of enactment of this act, be executed in the District of Columbia for any crime."

I wish to tell the Senate why I have made my modification and what my parliamentary procedure will be in the next few minutes. Several Senators have come to me and said they would like to have me modify my amendment so they can have a clear-cut vote on the issue of capital punishment.

This modification does it. This amendment gives to each Member of the Senate an opportunity to vote on the issue as to whether he is for or against capital punishment.

Mr. President, I shall follow that amendment with one or two other amendments, depending on the outcome of the vote on the capital punishment issue.

If the amendment abolishing capital punishment is adopted—and I pray to God it will be—then I may offer an amendment that will provide for life imprisonment without parole in case of capital offenses which heretofore have received the affliction of capital punishment.

If the amendment I intend to offer should fail, I shall offer another amendment which will provide for the choice on the part of the jury of life imprisonment without parole or life imprisonment with parole, with the further restriction that the prisoner will have to serve a minimum of 20 years, which is proposed in the pending bill.

I want to dispel the notion that still exists in the minds of some persons that the Senator from Oregon is making a new proposal which does not exist in any other State. There are at least 11 States in this Union which provide for life imprisonment without parole for certain offenses. This causes me to point out that I shall offer another amendment, depending on the votes here in the Senate this afternoon, if, for example, my abolition of capital punishment amendment is not adopted, and if my amendment providing for life imprisonment without parole is not adopted.

I shall then offer the third alternative, namely, the continuation of capital punishment, which I vigorously oppose, life imprisonment without parole, or life imprisonment with parole, leaving it up to the jury to decide which punishment the prisoner shall receive. If the jury could not agree as to the punishment then the court could determine which of the three alternatives would be imposed.

I think everyone will certainly agree that I have been exceedingly fair to the Senate in giving its Members a choice. I want them to make the choice. It is the Senate which is making the record on this subject matter this afternoon.

I wish now to speak very briefly, for perhaps 2 or 3 minutes, in regard to my amendment on the abolition of capital punishment. Heretofore I have spoken at length in the Senate on the subject. It was in 1956 that I made a very short speech here in the Senate at the time there was a bill before the Senate which proposed to impose capital punishment in a narcotics control law, to be inflicted upon any person found guilty of selling narcotics to anyone 18 years of age or under.

Of course, it is always interesting that these capital punishment proposals are added to subject matters in regard to

which we all find ourselves in general agreement that more stringent enforcement ought to take place. All of us agreed that something had to be done to tighten up the enforcement of our narcotic drug laws, but many of us disagreed that the way to tighten it up was to inflict the penalty of capital punishment.

I made a very short speech in the Senate in which I opposed capital punishment. It set forth the same point of view that I expressed in legal articles which I wrote years ago, when I was working in the field of criminal law administration in this country, and points of view I held when I was Special Attorney General from 1936 to 1938, and worked in this field in the Criminal Division of the Department of Justice.

I was quite dumbfounded at the response to that speech. It was reprinted in the Des Moines Register. Why, I will never know, but out of the Des Moines Register, it was reprinted by various religious journals and periodicals in this country. During the following 90 days my office received thousands of communications; well over 90 percent of them enthusiastically supporting the position I had taken against capital punishment.

In my judgment, there are millions of people in this country who cannot justify the death penalty when they sit down and meditate in the sanctum of sanctums—and, Mr. President, the sanctum of sanctums does not happen to be your church or mine. It does not happen to be a church or synagogue or temple, which are but the materialistic symbols of the sanctum of sanctums. The Holy of Holies happens to be our individual conscience. Mr. President, when we sit there with that, we never sit alone, but with God.

I am satisfied that there are millions of Americans who, when they sit in the Holy of Holies, cannot justify, as a matter of morality, the proposition of the death penalty for a transgression against temporal law. I only repeat today what I have been heard to say before—that, in my judgment, the taking of life is the prerogative of God, and not of men, when it comes to the matter of penalty for transgression.

I also want to point out that it is pretty well established by a great many research studies, and pretty well established in the authoritative writings of many of our criminologists and penologists, that many people labor under the misconception that capital punishment is an effective deterrent to crime. The research studies do not bear that out.

Writing in the 1958–1959 Kentucky Law Journal, an assistant professor of political science, William O. Reichert, of the University of Kentucky, aptly states that the popular notion that capital punishment is the most efficient means of deterring murder is deeply embedded in the folklore of American society and that it is rarely carefully evaluated as to its basic validity.

Professor Reichert states that studies make perfectly clear that there is no necessary correlation between the presence or absence of capital punishment and the murder rate in any particular state. A great many prominent criminologists and penologists share his point of view. This very fine article answers some of the common claims presented by the proponents of capital punishment.

Mr. President, I ask unanimous consent that Professor Reichert's article be printed at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CAPITAL PUNISHMENT RECONSIDERED

(By William O. Reichert, assistant professor of political science, University of Kentucky)

I

Among the many bills which failed to pass the last session of the general assembly was one (house bill 229) which called for the abolition of capital punishment in the State of Kentucky.[1] Although the bill received relatively little attention in the press, and was not enacted into law by the legislature, an unusually large number of citizens expressed hostility to the proposal through letters to their newspapers. It is not at all surprising that the public—or at least that part of it which made itself heard—should react unfavorably to the idea that capital punishment be abolished. Opinion polls taken in other States and countries that have sought to implement this reform consistently indicate that the general public in most communities holds a persistent fear that discarding the death penalty will lead to a phenomenal increase of disorder and violence and is thus opposed to any movement toward abolition. The expressed fears of the public, however, are not always synonymous with the advanced social and political attitudes of a society. This is demonstrated by the fact that the long-range legislative trend everywhere has been in the direction of abandoning capital punishment. It is to be expected, therefore, that the Kentucky General Assembly will again have to debate the question of whether the death penalty shall be continued in force for the six crimes which at present are punishable by death in this State. This essay is devoted to a consideration of some of the problems such a discussion will entail.

Much of the confusion surrounding the question of capital punishment stems from the circumstance that the average citizen rarely has occasion to fully inform himself as to the actual facts involved in the issue. The popular notion that the penalty of death is the most efficient, if not the only, means of deterring murder has become so deeply embedded in the folklore of American society that it is rarely evaluated as to its basic validity. Nor is this altogether peculiar to the United States, as witnessed by the fact that a heated controversy developed in Britain when it was recently proposed in Parliament that hanging should no longer be employed as a punishment for murder. One of the major reasons why this notion has for so long gone unchallenged is the widely held belief that those who favor the abolition of capital punishment have allowed their emotions to dominate their reason. Those who support the retention of capital punishment have thus been successful in defending their viewpoint as "realistic," as opposed to the "idealistic" but "impractical" label which has been attached to the abolitionists. A careful analysis of the facts surrounding the controversy reveals, however, that it is not true that those who would do away with the death penalty are less reasonable in their argument than their opponents. If we may rely on the testimony of Sir Ernest Gowers, chairman of the 1949 Royal Commission on Capital Punishment in Britain, it is actually not the abolitionists but the defenders of the death penalty who have allowed emotion to sway their reason.[2] This conclusion is substantiated by the viewpoint of those sociologists who maintain that "not a single assumption underlying the theory of capital punishment can be squared with the facts of human nature" as modern scientific thought conceives these facts to be.[3]

In an effort to clear away some of the confusion that surrounds the question of capital punishment, this essay will consider the death penalty in terms of its broad social and political effects. It is the writer's sincere conviction that no intelligent evaluation of capital punishment can be made so long as we continue to think of the death penalty as being unrelated to the system of values we as a society have created for ourselves. Law, on this view, is not something that is complete in itself; it is, rather, an integral part of our total social and political experience. From time to time we must examine its various parts in order to determine whether they correlate with our newest insights into human values. When we find that any part of the law fails to reflect the spirit of our moral values, which is the most precious thing we as a society possess, we must do all that we can to correct the deficiency. It would be highly imprudent in this regard were we to substitute too hastily the untried theories of the social sciences for the tested wisdom which is embodied in the law.[4] Yet we must also keep clearly in mind that there is nothing sacred about the law that should cause us to bow down before it in unquestioning obedience to its will.[5]

Capital punishment, if it is to be defended successfully, must be proven to be adequate in two particulars. Not only must it be shown that the immediate and practical effect of the death penalty is to deter the murderer from committing an isolated act of violence but it must also be demonstrated that its long-range effect is to reduce the total quantity of violence within society. This essay will consider each of these propositions in turn.

II

No responsible person in this country any longer urges the retention of the death penalty solely on the argument that the murderer should be made to suffer as retribution for his criminal act. The idea of inflicting physical pain upon an individual as just punishment for committing a crime against society has become morally repulsive to us. Capital punishment, therefore, must be justified on some grounds other than vindication. The major argument thus advanced by those who favor the retention of capital punishment is usually stated in utilitarian terms. Were the death penalty to be abandoned as a deterrent to murder and other heinous crimes, it is argued, the incidence of murder and other forms of violence would in all probability become so great that the State would be unable to provide the basic order that is essential for a well-functioning society. This argument cannot lightly be set aside. The quest for order is a primary function of every society, for no society can hope to achieve continuity unless it perfects effective techniques for

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[1] The bill was introduced by Representative Vernor O. Cottongim. Although it was successfully reported out of the committee of ways and means, it did not come before the house for its final reading.

[2] Sir Ernest Growers, "A Life for a Life? The Problem of Capital Punishment," 8 (1956).

[3] See Harry Elmer Barnes and Negley K. Teeters, "New Horizons in Criminology," 556 (1955).

[4] Jerome Hall, Review of "Social Meaning of Legal Concepts—Criminal Guilt," 26 Ind. L. J. 150, 152 (1950).

[5] Margaret Wilson, "The Crime of Punishment," 15-16 (1934).

controlling the destructive forces it finds within itself. But it does not necessarily follow, as many defenders of capital punishment seem to believe, that the abolition of the death penalty must inevitably cause society to revert to the chaos and brutality of the Hobbesian state of nature.

Were the death penalty an effective means of deterring murder, an analysis of the criminal statistics of the United States could be expected to conclusively demonstrate the validity of this proposition. A recent study of the subject makes clear, however, that there is no necessary correlation between the presence or absence of the death penalty and the murder rate in any particular State.[6] Maine, which abolished capital punishment in 1870, has the lowest murder rate of any State in the Union. Wisconsin and Minnesota, which abandoned the death penalty in 1854 and 1911, respectively, have far lower homicide rates than most of the other States. Michigan, Rhode Island, and North Dakota, which have also abolished capital punishment, have somewhat higher murder rates than Wisconsin and Minnesota. A comparison of the criminal statistics of these States and those of the States which lie adjacent to them reveals, however, that murder is not more frequently committed in the States that have given up capital punishment than in those that have retained it.[7] It is highly significant, on the other hand, that Georgia, the State that executes more persons annually than any other, also has the highest murder rate.

Due to social and cultural differences which exist between the American experience and that of other nations in Europe and Asia, it is impossible to make any exact comparison between one country and another. It is interesting to note, nevertheless, that the British Select Committee on Capital Punishment heard evidence in 1930 which indicated that in no country that has abolished capital punishment has there been an increase in the murder rate.[8] Many countries, as well as States, have reintroduced the death penalty some years after it was abolished. But it appears that this action has been taken more for hysterical than for scientific reasons. Having allowed the death penalty to fall into disuse in 1936, as an example, New Zealand reintroduced it in 1950 after two bloody murders had outraged public opinion. Yet the murder rate in New Zealand was lower in the 15-year period during which capital punishment had been suspended than in the 15-year period which immediately preceded its suspension.[9] Although these fragmentary statistics do not prove that capital punishment is entirely without power to deter murder, they do indicate that the abolition of the death penalty does not inevitably lead to social chaos.

If society is to continue to defend capital punishment on the grounds that it is a successful means of deterring violence within the social order, we must clearly demonstrate that the threat of death does in fact deter would-be murderers from carrying out their violent impulses. But the utilitarian argument in support of capital punishment, when viewed in terms of its psychological effect upon the potential murderer, is seen to be almost entirely without validity.[10] Were human beings mechanical creatures whose actions are rigidly determined according to felt sensations of pain and pleasure, it would follow that no man would commit murder when the certain penalty for his act would be death. But the mechanical theory of human nature that serves as the foundation of the utilitarian theory is no longer acceptable to the social scientist. No doubt men do attempt to regulate their actions as best they can according to what they think will bring them happiness and avoid pain. But human existence is much too complex in nature to permit men any exact knowledge of where happiness actually lies, or what kind of action will ultimately lead to the greatest amount of unhappiness. The vast majority of murders, moreover, are not committed by normal persons but by socially maladjusted individuals who are incapable of grasping the logic of cause and effect which is embodied in the theory of capital punishment.[11] "It might well be argued, in fact, that all murderers are afflicted with insanity in one form or another, for "a normal person in a normal state of mind just doesn't commit murder."[12] The difficulty here is that psychiatry has not yet developed an adequate definition of insanity, or at least one that is uniformly acceptable in the courts.[13]

Those who argue for the retention of the death penalty on the grounds that it is a practical means of maintaining order within society tend to overlook the fact that most murders are crimes of passion. As the name implies, the crime of passion is one which involves strong human emotions which have gotten out of control. Man, of course, is largely a creature of emotions, and it is just these forces that under normal circumstances furnish motivation for his actions. But man is also a reasonable creature, in the sense that his upbringing and education provide him with a set of values which give meaning and direction to his emotions. The individual whom we describe as normal, while potentially capable of murder, never seriously contemplates such an act because it is wholly alien to his moral character. The murderer who kills while under the influence of an abnormal sexual urge or in a moment of passionate hate, on the other hand, has obviously allowed his emotions to momentarily dominate his reason. If the moral teachings of his family, church, and community, to which he has been exposed since infancy, were so poorly learned that he was unable to keep himself from committing the most repulsive of all antisocial behavior, what hope is there that a remote threat of punishment, stated in abstract terms, will help him to maintain control of himself at the moment that highly irrational forces in his subconscious surge forward to overpower his reason?

We must realize in this connection that the popular notion that man is an absolutely free moral agent is largely without factual basis. It is true, of course, that in most ordinary social situations the average individual is generally able to determine for himself how he will behave, and to this extent it is correct to say that he possesses free will. Yet it is equally true that in many situations the course of action a given individual will follow may greatly be determined by factors that are altogether beyond his control. Being a creature of habit and routine, the average man is apt to give the appearance of being a very simple organism. Yet as the psychologist, the biographer, and the novelist have shown, the main part of human nature lies beneath the surface of appearance. All too often we lose sight of the fact that every individual has a personality that has been conditioned by inherited biological characteristics as well as a myriad of daily events and tensions experienced since infancy. We can no more explain the conduct of the individual without reference to his past than we can understand a nation or civilization that has been detached from its history. Although the individual appears to be absolutely free to choose what he will do in any given situation, his choice is always restricted by the entire past his personality has been conditioned by. It is a gross oversimplification of the problem to argue that the man who commits murder in the heat of passion has deliberately chosen to do the bad rather than the good. In point of fact, it might virtually have been impossible for him not to commit murder in the particular situation he found himself in. It requires very little effort upon the part of the normal individual to live his life in an orderly and peaceful manner. The same thing cannot be said for the unfortunate individual whose heredity and early environment are so seriously defective that he develops a wholly abnormal personality. Such a person may be tormented by so powerful a psychological tendency toward violence that the amount of will power required to refrain from murder in his particular case may well be beyond the level of human capability.[14]

It is frightening to admit that there are some individuals in society who are incapable of controlling themselves at certain times and are virtually compelled to commit murder. The retention of capital punishment, however, is not an intelligent answer to this problem. Murder is a social phenomenon which can never be brought under control until we approach it in a scientific manner. But until the death penalty is abolished we cannot get to the important task of finding adequate techniques for the social control of the abnormal individual who might be inclined toward violence. As matters now stand, we spend an enormous amount of money and energy in maintaining a penal system that is in large measure devoted to the punishment of the convicted murderer. There is much truth in the statement that the legal profession has devoted more time and energy to the task of finding ways to punish the human race than it has to developing techniques for its improvement.[15] Yet criminologists generally agree that the number of murderers, other than the insane, who ever commit a second murder is negligible. Actually our fear of the potential murderer is greatly out of proportion to the seriousness of the problem. This is not to minimize the fact that there is on the average over 7,000 cases of murder and non-negligent manslaughter committed each year in the United States. Yet the popular notion that we must retain the death penalty as a defense against the insane murderer who suddenly strikes down the innocent bystander is wholly unreasonable. In point of fact very few people suddenly go berserk and do bodily harm to the perfect stranger.[16] Most murders are committed on the spur of the moment and are not in the least premeditated.[17] There is in almost every case of murder, however, a long history of grievance or antagonism between the murderer and his victim who is most often a friend, relative, or close acquaintance. A man may well strike down his wife or girl friend in a fit of uncontrollable rage. But a strange woman would have nothing to fear from this same man, for there would be no motive or cause for violence in the latter case. It cannot be too strongly emphasized that the death penalty is wholly useless as a deterrent to violence in either of these two situations.

[6] George B. Vold, "The Extent and Trend of Capital Crimes in the United States," 284 Annals 4 (1952).

[7] Fred J. Cook, "Capital Punishment; Does It Prevent Crime?" 182 Nation 195–6 (1956).

[8] E. Roy Calvert, "The Death Penalty Enquiry," 109 (1931).

[9] "The Abolition of Capital Punishment," 32 Can. B. Rev. 485, 487 (1954).

[10] See E. Roy Calvert, "Capital Punishment in the Twentieth Century" (1927).

[11] Herbert L. A. Hart, "Murder and the Principles of Punishment: England and the United States," 52 Nw. U. L. Rev. 459 (1957).

[12] Arthur Koestler, "Reflections on Hanging," 149 (1957). See also John Biggs, Jr., "The Guilty Mind: Psychiatry and the Law of Homicide" (1955); Henry Weihofen, "The Urge to Punish: New Approaches to the Problem of Mental Irresponsibility for Crime" (1956). [Hereinafter cited as Weihofen.]

[13] See Roy Moreland, "Mental Responsibility and the Criminal Law—A Defense," 45 Ky. L. J. 215 (1956–57).

[14] Calvert, "Capital Punishment in the Twentieth Century," 1958 (1927).

[15] Biggs, op cit., supra, note 12, at XI.

[16] Bernard A. Cruvant and Francis N. Waldrop, "The Murderer in the Mental Institution," 284 Annals 43 (1952).

Turning to the professional criminal, it is apparent that the death penalty is equally impotent in persuading him to refrain from murder. The theory of capital punishment is based on the supposition that the criminal will pause to reflect on the painful consequences he will suffer if he commits murder. But rational reflection plays little part in the life of the criminal, and this is particularly true at the moment he is actually engaged in carrying out a crime. The business of the professional criminal is a hazardous occupation. It is foolish to suppose that a remote fear of future death at the hands of the State will be more meaningful to him than the immediate fear which dominates his attention as he actually faces his victim or enemy.[18] Most men, however educated and enlightened they may be, are prone to live in the present and take little heed of the future. If this is so for the average individual, it is particularly true of the criminal whose moral sensibilities have been warped and twisted by a defective inheritance and environment.[19] The very act of choosing a life of crime rather than a socially acceptable means of making a livelihood testifies to the fact that the professional criminal is incapable of seeing what is actually to his greatest self-interest.

Much of the responsibility for the fact that the professional criminal does not take the death penalty seriously ultimately rests upon society itself. It is well known that it is not the severity of the penalty that deters crime but the consistency with which the penalty is applied. Just as the small child does not fear threats of punishment if he is seldom punished, so the professional criminal has learned that it is unlikely that he will suffer the pain of death if he commits murder. Out of an estimated 23,370 cases of murder, nonnegligent manslaughter, and rape in the year 1949, there were only 119 executions carried out in the entire United States.[20] Wide differences in the methods employed for reporting criminal statistics make it extremely difficult to compare Kentucky's rate of execution with that of other States. But one conclusion may safely be drawn: the potential murderer in Kentucky has little more to fear than potential murderers do in other parts of the country. In the fiscal years 1955 to 1957 there were a total of 360 cases of murder, voluntary manslaughter, and rape received by State penal institutions in Kentucky, whereas there were only six executions carried out during this same period.[21] Obviously the statistical probability of suffering the death penalty is so low under these circumstances that only the most timid murderer has any reason to fear for his life. To retain capital punishment in the face of this fact is an absurdity of the highest magnitude.

The utilitarian idea that capital punishment is an effective and practical deterrent to crime fails to achieve credulity because of the outmoded and inadequate theory of human nature upon which it is based. Those who argue for the retention of the death penalty assume that man's basic nature is such that he may readily be compelled to be peaceful and law-abiding through punishment and threats of punishment. Yet almost 200 years ago the Italian reformer Beccaria pointed out that punishment can never be an effective deterrent to crime of any type because human beings naturally develop a mental immunity to the threats which must accompany it. England in the 19th century adopted its famous Bloody Code according to the terms of which over 200 crimes, including picking pockets, shoplifting, poaching, stealing turnips, and associating with gypsies, became punishable by death. These executions, which were carried out in public at periodic intervals, soon became festive occasions. Enormous crowds attended them, causing the authorities much concern as a result of their boisterous conduct. Ironically, public executions had to be discontinued after a time because pickpockets were drawn to them in such large numbers that the purses of those in the crowd were not safe. England today has a very enviable record so far as public order is concerned. The police in its largest city, who do not ordinarily carry guns, have not become targets as many people at first feared they would. In 1950 there were only 122 murders reported throughout the whole of England, most of which were committed by persons who were proven to be mentally deranged. If there is any lesson to be learned from this it is that human beings cannot be intimidated into being good.

III

Probably the most meaningful criticism to be made of capital punishment is that its actual effect upon society is likely to be exactly the reverse of what its proponents claim for it. Many responsible and serious persons who defend the death penalty do so on the assumption that without its continued use, society is apt to see the forces of law and order break down, with the result that the very existence of civilization would be placed in jeopardy. It has already been shown, however, that the claims made for capital punishment as a practical deterrent to murder are much exaggerated, if not altogether without reasonable basis. We may go further than this and argue that capital punishment, rather than reducing the total level of violence within society, may actually lead to its increase.

One of the major functions of law—perhaps its highest function—is the difficult task of keeping the forces of hate and vindictiveness which are bound to arise among any large group of people under control.[22] This is not to suggest that the state has any responsibility for teaching morality to its citizens. Distinguishing the concept of state from that of society we recognize that each of these entities has distinct functions and purposes. Society is the larger entity within which the individual finds freedom for the development of his own private moral and social satisfactions. The state, on the other hand, is theoretically subordinate to society and has the limited function of maintaining a legal order which is meant to serve the interests of all the individual persons and groups who collectively comprise society.[23] It is no longer possible to hold, however, as Herbert Spencer and other early liberals did, that the state has no other function than the negative one of maintaining a bare legal order that has no relevance whatever to morality. It is true, of course, that the state has no right to directly teach morality. This is the province of the church, the family, and other spontaneous associations within society that are qualified to carry out this highly important function. But we now acknowledge the fact that the law, while it is theoretically neutral in regard to ethical matters, does have the practical effect of setting a moral example for those who are regulated by it.

This is the reasoning behind the assertion that capital punishment may actually increase the level of violence within society rather than diminish it. The state, when it carries out the execution of one of its members, unconsciously develops attitudes in the minds of the remainder of its citizens which may have dire social consequences. Just as the citizen-soldier loses his horror of killing in time of war because he is rewarded for doing it, so the average citizen is apt to be made brutal by the example set for him by the State when it takes life. As Weihofen puts it: "Official killing by the state makes killing respectable. It not merely dulls the sensibilities of people to cruelty and inhumanity but actually stimulates cruelty."[24] Civilization, as Victor Gollancz points out, cannot be preserved by conduct which is in itself barbaric.[25] Capital punishment, on this view, is itself an act of violence. Never having personally witnessed an execution, most of us are not fully aware of how brutal and out of keeping with our moral ideals an execution is. Those who have studied the subject, however, report that the typical condemned prisoner suffers a thousand deaths before his life is finally snuffed out. We may argue in return, of course, that a murderer deserves to suffer, just as the victim he killed was made to suffer. To argue in this way, however, is to confuse the idea of justice with the spirit of revenge; it is tacit admission that we actually enjoy the thought of another human being made to suffer.

Most of us, of course, are quick to deny that we derive any sadistic enjoyment from the execution of a criminal. Unfortunately, however, we are not always aware of the unconscious motives which help to determine our actions. Were we completely rational in regard to the criminal, we would experience no emotional involvement whatever when we consider his fate. But who in good conscience can claim that he has always been calm and detached upon hearing of some particularly gruesome crime? Most of us realize full well, when we are honest enough to admit it, that there is something in ourselves which is akin to that which is in the criminal. The average person, in the very act of attempting to live up to the letter of the civil law, not to mention his own personal moral code, is compelled to repress a host of natural instincts within himself which make him into a human being. Modern psychiatry suggests that most individuals at one point or another in their lives develop guilt feelings as a result of this repression. The criminal who goes to his death in the execution chamber, on this view, serves as the means by which the rest of us are able to vicariously purge our own personalities of burdensome feelings of guilt.[26] This is particularly true in the case of the criminal who has been convicted of rape. All of us

[17] A recent study of 2,700 cases of murder and non-negligent manslaughter revealed that in only 37 of them was there clear intent or material motive for the crime. Hall and Glueck, "Cases on Criminal Law and Its Enforcement," 86 (1958).

[18] Karl F. Schnessler, "The Deterrent Influence of the Death Penalty," 284 Annals 61 (1952).

[19] Robert G. Caldwell, "Why Is the Death Penalty Retained?" 284 Annals 51 (1952).

[20] Id., at 50.

[21] These figures were supplied by the division of corrections of the Kentucky Department of Welfare.

[22] Weihofen, 140.

[23] See Ernest Barker, "Principles of Social and Political Theory" (1951); R. M. MacIver, "The Modern State" (1926).

[24] Weihofen 168.

[25] "Capital Punishment: The Heart of the Matter" 8 (1955).

[26] Arnold T. Lieberman and Dawn B. Girard, "Punishment: The Reward for Guilt," 5 Buffalo L. Rev. 307 (1956).

know how powerful a force the sexual urge is within ourselves. The normal individual takes personal pride in the fact that he is able to keep his sexual desires under control. This seems to make us all the more vindictive toward the individual who lacks the inner strength to emulate our good example. The zealous way in which we punish the sex offender is stark testimony to the fact that we are ourselves fearful that we might sometime engage in the same kind of antisocial behavior.[27]

Being a relatively new branch of science, psychiatry is not yet sufficiently accepted by the general public to permit any thoroughgoing revision of the law in conformity with its findings. The above argument against capital punishment is thus apt to be rejected offhand by the majority of persons as being out of touch with reality. But as Plato argued in his Republic, the ideas the majority of us accept as valid may only be shadows of the truth. It is painful to admit that we as a society actually enjoy inflicting pain upon criminals for the personal satisfaction it affords our egos.[28] Yet if this is not so, why do we continue to subject the condemned prisoner to a torture which is as mentally painful as being broken on the wheel was physically painful? Were we as charitable as Socrate's executioners, we might permit the condemned prisoner to end his own life by taking poison in the seclusion of his cell. Not only is this method less physically painful than other forms of execution we presently employ but it would permit him to retain a semblance of his human dignity to the last possible moment.[29] Instead of choosing this more humane method of execution, we force the individual condemned to death to submit to a number of indecencies before we permit death to ease his suffering. Just as the mythical Tantalos was condemned to stand in a pool of water that ever receded from his thirsty lips, so we condemn the prisoner to what may prove to be several years of anxious waiting in death row, only to learn in the end that he must die after all. If he is to be electrocuted, he must submit to having his ankles, wrists, and head shaved. Then, having finished his last meal on earth, he must walk under his own power to the execution chamber where he will at last come face to face with his maker. All too often the condemned prisoner is unable to walk to the place of execution, with the awkward result that he must be carried there by the prison officials while a chaplain walks nearby in hope that he may be of some consolation at some point in the proceedings.

If we were certain that only the guilty are condemned to death, the brutal drama which accompanies an execution might conceivably be justifiable. But as Prof. Edwin M. Borchard has shown in his collection of case studies in mistaken identity, the courts, however careful they may be, very often convict innocent men.[30] Not only is it difficult to obtain reliable testimony in a murder trial but the very nature of the event causes farreaching psychological repercussions throughout society. From the moment a crime is first announced in the newspapers the civil authorities are deluged with false information from mentally unstable individuals. As the trial reaches its climax various persons emerge from the anonymity of the public to claim a part in the drama. "In our own time, we have been treated often to the fantastic spectacle of the innocent voluntarily confessing to murder, putting their own lives in jeopardy for a moment in the spotlight."[31] Worse than this, there is reason to believe that the wide publicity a murder trial receives leads to imitative crime. This may explain why murders follow one another in rapid succession at certain times, whereas at other times there is very little violence within society.[32]

It is shocking to realize that the "only" persons who are actually made to suffer the death penalty in this country are "unfortunates without friends or money."[33] In theory the American system of criminal law does not distinguish between persons or show favoritism toward any group or class. In actual practice, however, the law is brought to bear most heavily, and often with vengeance, on a very small percentage of the population. In every society known to history there have always been one or more minority groups that have been held suspect by the majority. In America it is the foreign born, and particularly the Negroes, who are considered strange and different and are thus largely treated as outsiders. Recognizing very little kinship or common ideals with these minority groups, we seem to derive sadistic pleasure from punishing individual persons from them who come into conflict with the law.[34]

An analysis of national criminal statistics reveals that 50 percent more Negroes are actually executed in this country than are whites.[35] While this might seem to imply that Negroes are basically more violent in temperament or nature than are whites, the facts do not bear out this conclusion. In the State of Virginia, as an example, no white man has been convicted of rape in the past 50 years. Yet in this same period 59 Negroes have been executed on conviction of this crime.[36] Obviously the law has been brought to bear more heavily on Negroes than whites.

In the light of such social injustice, the retention of capital punishment as an official policy of the state has become a matter of great concern to many thinking Americans. Among those who are disturbed by the idea of continuing to employ the death penalty as a social expedient is the sensitive Christian who feels that "society is itself indelibly corrupted when it assumes the prerogative of God and attempts to impose or even threatens to impose on anybody, whether guilty or innocent, the final and irreversible judgment of death."[37] In the mind of this type of religious person capital punishment not only rules out the possibility that the individual criminal might be reformed by society but asserts in absolute terms that he is also completely beyond the redemptive power of God. This, of course, is an assumption which no thoughtful Christian consciously cares to make.

On the secular plane, many persons are opposed to the retention of capital punishment on the grounds that it makes even greater the wide discrepancy which exists between democratic theory and practice in the United States. One of the most widely accepted principles of liberal democracy is a sincere respect for the rights of the individual. While the right to life can in no sense be defended as absolute, democracy insists that the individual should never be deprived of his life without good cause determined through due process of law. The deep reverence for human life which is fundamental to the theory of democracy is reflected in the fact that the movement toward the abolition of capital punishment has made its greatest advances in those countries which have adopted democratic forms of government. Of the Western democracies, only Britain, France, and the United States will condone the death penalty, and Britain is making rapid strides in the direction of abolition.

It is not by accident that democratic nations have generally veered away from the use of capital punishment, whereas totalitarian governments have found it compatible with their goals and have thus encouraged its use. In counterdistinction to totalitarianism, there is general agreement among the theorists of democracy that the state is not an end in itself but is merely the means by which the good of the individual is to be furthered. This means, of course, that a democracy must be extremely cautious in what it decides when its government engages in the formulation of policy in regard to the taking of human life. Democratic governments in practice have often sanctioned the taking of life when it was thought essential to the maintenance of the general welfare, as in time of war and in the preservation of domestic tranquility. But ultimately they must defend their actions in terms of what is just and fair rather than what is most expeditious. As Machiavelli so clearly saw, the most difficult problems of statecraft are easily solved when those who exercise political power are guided by no consideration other than that of expediency. In any democracy worthy of the name, however, the easy solutions Machiavelli urged upon his prince are not easily adopted. This goes a long way toward explaining why the death penalty in the United States is so seldom carried out. Even if it might conceivably be proven a highly efficacious deterrent to murder, we are still compelled to justify its use in terms of our fundamental ideals and values. And here we find that the theory of capital punishment is hopelessly out of keeping with the basic principles we as a nation profess to believe in, for in taking the life of the criminal we are actually treating him as a means to the good of others rather than as an end in himself.[38]

Totalitarianism, on the other hand, which has generally been judged guilty of retarding the advance of human standards of decency, has not been troubled with any such moral scruples. Extending the use of capital punishment to political crimes, totalitarian governments justify their actions on the argument that anything is right if it furthers the good of the whole society. This is evident in the statement by Mussolini that "the state is an absolute before which individuals and groups are relative."[39] Convinced that the end of the state is more important in value than the rights of the individual, the elimination of recalcitrant and politically unstable individuals has become an accepted means to the greater glory of every totalitarian regime we have witnessed thus far. In retaining capital punishment for its supposed qualities as a social expedient, American democracy comes dangerously close to accepting the totalitarian precept that the life of the individual has little real significance compared with the superior interest of the whole society.

IV

Any real progress we are apt to make in reducing the incidence of crime within

[27] Weihofen, 28.

[28] For a very forceful presentation of this viewpoint, see Wilson, op. cit., supra, note 5.

[29] According to one study, electrocution, which is the prescribed method of execution in the State of Kentucky, is not, as is generally thought, entirely free of physical pain. See Barnes and Teethers, op. cit., supra, note 3, at 350.

[30] Borchard, "Convicting the Innocent," (1932).

[31] Cook, op. cit., supra, note 7, at 196.

[32] Calvert, op. cit., supra, note 14, at 112.

[33] "Britain Faces End of Death Penalty," 73 Christian Cent. 259 (1956).

[34] Austin L. Poterfield, "The 'We-They' Fallacy in Thinking About Delinquents and Criminals," 21 Fed. Prob. 46 (1957).

[35] Frank E. Hartung, "Trends in the Use of Capital Punishment," 284 Annals 15 (1952).

[36] Id., at 16.

[37] "The Death Penalty Must Go," 74 Christian Cent. 413 (1957).

[38] Viscount Ridley, "Should Crime Be Controlled by Fear or Understanding?" 18 Fed. Prob. 19 (1954).

[39] See "The Doctrine of Fascism" (1932).

American society must come about through efforts to revise our basic outlook toward crime and the criminal. We must come to realize in this regard that the idea that crime, including murder, is something the individual freely and willfully chooses to engage in is a theological doctrine and is not a logically defensible proposition.[40] This attitude is based on the highly dubious supposition that some individuals are born with defective moral characters and are therefore destined to do the evil rather than the good. While we may have no quarrel with this idea when it is presented as a theological statement, we must totally reject it when it is introduced as a possible guide for our actions in social and political matters. Not only is the self-righteous indignation which characterizes this attitude toward the criminal morally offensive when it is advanced as a practical solution to the problem of crime but it so completely distorts our social vision that we are unable to formulate any intelligent policy in the all-important area of human relations.

There is considerable evidence to suggest that a life of crime is never actually chosen by any individual but is a fate that has been arbitrarily assigned to him by his society. So far as good and evil are concerned, the average individual at birth is entirely neutral. Some few people, of course, are born with defective mentalities and are therefore practically destined to come into conflict with the law at one point or another in their lives if the circumstances of their environment also tend to lead in this direction. But this type of person belongs in a mental institution where he might be kept out of serious trouble if not rehabilitated for a normal life within society. The average individual, if provided with a fairly adequate environment, invariably attempts to attain the goals and personal satisfactions his society has taught him to value. It clearly follows from this that any large scale deviation from the socially accepted norm of behavior, such as the crime wave this country is experiencing at the present time, is symptomatic of serious deficiencies in the institutional and value arrangement of society.[41] Plato in his "Republic" makes mention of two different social types that have since the earliest times been a problem to government. The ordinary drone, according to him, is the socially deprived person who has become lazy and indifferent as a result of his life of poverty but is otherwise harmless. The drone that stings, on the other hand, is that deprived individual who has been made bitter by the thought of the social injustices he feels he has suffered and consequently becomes a threat to the stability of the social order. It is to Plato's credit that he clearly distinguishes between these two types. The first of these two classes of persons is comparable to the modern lower income group, while the second is what we generally refer to as our criminal element. There are two alternatives we may choose from in attacking the problem these classes present to government. The state, to continue the metaphor begun by Plato, might instigate a program of pest control designed to rid society of its drones that sting. But this has the unfortunate result of indirectly goading the ordinary drones to pick up the weapons of their fallen comrades in misfortune and to join the ranks of the harmful pests. The other method, although the more difficult one, is for the state to directly attack the problems of poverty and social injustice, thereby eliminating the basic cause of criminal activity. All efforts to reduce the level of crime within society are bound to fail until we realize that the reform of the criminal is inseparably connected with the general reform of our social and economic institutions.[42]

Fundamental social and economic reforms, of course, are not accomplished overnight nor are they ever complete. Yet we must not allow this fact to lead us to adopt an attitude of hopeless pessimism regarding crime and the criminal. If we can bring ourselves to clearly understand that the criminal is the product of inadequate social and economic arrangements within society, we will be capable of creating ideals against which existing arrangements can be judged. A society that can create ideals for itself is a dynamic society capable of accomplishing almost anything it sets out to do. This is the only intelligent approach to the problem of crime. It is a terribly difficult goal to set for ourselves. Yet we must recognize the fact that if we fail to solve our basic social problems, we must fall back on the easy way out, which consists of the futile method of attempting to repress crime through the vicious expedient of capital punishment.[43]

The first step we must take in an attempt to revise our perspective toward murder is to bring ourselves to clearly realize that murder is not a wholly natural act of man but one which is greatly conditioned by the mores of society. One of the most pronounced attitudes that characterizes American society at the present time is the general assumption that "wherever there is a conflict between human relations and necessity, the outcome is not only inevitable but even progressive when necessity wins."[44] This idea is clearly reflected in our attitude toward the convicted murderer. It is necessary for our peace of mind and public safety that we remove such individuals from our midst. This we do by locking them up in penitentiaries or, more rarely, by carrying out the threatened death penalty. But in either case we have clearly announced that public necessity is more important than the intrinsic value of the human beings concerned. This fact has not gone unnoticed by those who are responsible for catering to the public's entertainment desires. As a consequence, the American youth of today is raised on an enriched pap of horror and suspense. His heroes are fast-shooting cowboys, cagey detectives, and toughened combat veterans. While it may be true that he instinctively knows the difference between the "good guys" and the "bad guys," a steady entertainment diet of violence and bloodshed is bound to impress upon his mind the thought that life is cheap. How could he believe otherwise when he knows full well that the society of which he is a part "almost reaches out to encourage murder."[45] It would be strange indeed, in the light of the present cultural situation in America, if today's youth took seriously the religious injunction that life is sacred.

We cannot look forward to a reduction in the rate of homicide in this country until we undertake the extremely difficult task of revising our basic attitudes and values concerning the worth and significance of human life.[46] While the problem of changing fundamental attitudes of this kind is not one that is given to easy solutions, neither is it insoluble. Much study must be applied to this question before we can find a way out of our predicament. There are, however, two practical and immediate steps we might take that are almost certain to result in a sharp decline in the rate of homicide within the United States. First, laws pertaining to the sale and possession of guns must be tightened and more closely supervised, for "it is a well-known fact that stringent regulations * * * governing the possession of firearms will reduce the number of murders."[47] It is not enough, however, that this program be carried out by the civil authorities alone. No progress in this direction can be made so long as Americans continue to think of the privilege of owning firearms as a natural right that cannot be interfered with for any purpose. Public opinion must be educated to adopt the attitude that firearms are not playthings but extremely dangerous implements of violence. Secondly, Kentucky, along with the other States that still retain capital punishment, must immediately abolish it. This will have the effect of raising the respect felt for the sanctity of human life in the minds of all Americans. It is not in the least unrealistic to predict that if capital punishment were abolished, the rate of homicide in this State would immediately drop. Let us hope that Kentucky is not the last State to give up the death penalty as it was the last to abandon the practice of public executions.

Mr. MORSE. Mr. President, I ask also unanimous consent that an article by Daniel M. Berman which appeared in the New Jersey State Bar Journal, 1959 winter issue, be printed at this point in my remarks.

Also, an article written by Dr. Thorsten Sellin, professor of sociology, University of Pennsylvania, which was reprinted from the September 1961 issue of Federal Probation.

The articles very effectively demonstrate how capital punishment has failed to deter crime.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

As far back as 1915, the New Jersey Senate passed a bill abolishing the death penalty in this State. But the bill was lost in the assembly. However, the following year the mandatory death penalty in murder was eliminated and the jury given the power to recommend life imprisonment. In 1919, the jury's prerogative was further clarified.

The legislature in New Jersey has again been in the process of considering whether to do away with capital punishment, without getting down to a decision. The long transcript of the well-attended, 2-day public hearing in 1958, probably constitutes the most impressive monument to citizen concern on this issue anywhere and any time in the Nation's history, according to Hugh Adam Bedau, of the Department of Philosophy of Princeton University, who has spearheaded the fight for abolition in this State. The curious fact is that, in practice, the death penalty here as elsewhere has already been curtailed almost to the point of actual abolition.

Legislatures seem to be lagging everywhere behind the courts, in this particular, and in this State it is to be wondered sometimes whether some legislators are even familiar with the opinions of the courts. In some States and in the Federal system as well, the lawmakers had actually lengthened the list of offenses which, in theory, may be punished by execution. But judges and juries show increasing reluctance to impose the ultimate penalty.

The contrast is evident in the fact that, although there are 31 separate capital offenses on the books in the United States, only 7 have been punished by death. New

[40] See Kosetler, op. cit., supra, note 12, at 93-94.

[41] For a very illuminating discussion of this problem, see Herbert Read, "Anarchy and Order: Essays in Politics" (1954).

[42] Richard B. Gregg, "The Power of Non-Violence," 165 (1934).

[43] Rusche & Kirchheimer, "Punishment and Social Structure," 207 (1939).

[44] Arthur Miller, "The Shadows of the Gods," 217 Harper's magazine 39 (1958).

[45] Ralph S. Banay, "Study in Murder," 284 Annals 26 (1952).

[46] H. C. Brearley, Homicide in the United States 142 (1932).

[47] Calvert, op. cit. supra note 14, at 164.

Jersey's case is somewhat typical. Although the State has executed criminals for only the offenses of first-degree murder and kidnaping, its statutes list two other capital crimes: treason, and, a whimsical item—attempts to assault the President, any official in the line of succession to the Presidency, a Governor, or the heir apparent or heir presumptive to the throne of a foreign state.

PRACTICE VERSUS THEORY

Paradoxically, then, there has been a steady drop in the number of executions in the United States, even as the list of capital crimes has been lengthened. In the 1930's, the average year saw 150 convicted felons pay the supreme penalty. By 1951 the number had fallen to 105, and in both 1956 and 1957, it stood at 65. In 1957, only 22 of the 42 jurisdictions retaining capital punishment actually used it—and a majority of the executions took place in four States, Georgia, Louisiana, California, and Texas. New Jersey has had no executions since August 1956; in the past 2 years, the State supreme court has ordered new trials in most first-degree murder cases it has reviewed.

A considerable number of States have been making efforts to abolish capital punishment in theory as it has already been limited in practice. In 1958 the six abolitionist States—Michigan, Rhode Island, North Dakota, Wisconsin, Minnesota, and Maine—were joined by Delaware, and the admission of Alaska to the Union adds still another State to the ranks. In a referendum in 1958, Oregon came within 10,000 votes (out of a total of more than half a million) of approving abolition. And there are strong abolitionist movements in California, Connecticut, Illinois, Massachusetts, New York, Pennsylvania, Tennessee—and, of course, New Jersey.

Thus, although theory still lags behind practice, the trend seems clear: Capital punishment is on the way out.

An important reason for its demise is the modern shift in emphasis from retribution to rehabilitation as the goal of penology. The present tendency is to attempt, first and foremost, to remove the conditions in which crime tends to breed. And, when a crime is committed, its perpetrator becomes a logical subject for study to determine whether he can be made fit for reinstatement in free society. Viewed in this light, the death penalty is an anachronistic relic of retributive justice.

THE DEATH PENALTY DOES NOT DETER

There is, however, an even more compelling reason why capital punishment has been losing ground: It has failed as a deterrent to crime.

The death penalty as a weapon against major offenses seems perfectly good commonsense; the greater the crime, the greater the threat needed to deter it. Commonsense, however, has broken down in the face of statistics. Several deserve enumeration.

1. As the number of executions has fallen, the murder rate might have been expected to increase, if the deterrent theory is valid. It has, however, gone steadily down. When proponents of capital punishment claim that the decline would have been even more rapid if there were more executions, they exchange the terra firma of provable fact for the wild blue yonder of sheer speculation.

2. States and nations which have scrapped the death penalty have generally seen no increase in the incidence of murder. A British Royal Commission, after a 4-year study of the problem, concluded: "* * * there is no clear evidence in any of the figures we have examined that abolition of capital punishment has led to an increase of the homicide rate, or that its reintroduction has led to a fall."

3. States which have eliminated capital punishment have lower murder rates than those which retain it. In 1957, for example, the abolitionist States Maine and Rhode Island had lower rates than New England as a whole, Michigan and Wisconsin fared better than the East North Central States generally, and Minnesota and North Dakota were well below the average of the West North Central States. In striking contrast, Georgia, with the largest number of executions in the Nation (14 in 1957), had the lion's share of the murders.

It is difficult to study these statistical facts without concluding that apparently capital punishment is totally ineffective as a deterrent to murder. Perhaps the explanation is simply that while fear of punishment often dissuades people from committing minor crimes, for which the motive may be trivial, it has no effect on major crimes, for which the motive is often overwhelming. Certainly knowledge of consequences does not enter into the thinking of a psychopath. Neither can it stay the hand of the man who kills in a wild fit of rage. The only class of murderers for which capital punishment could have any deterrent value is professional gunmen—and we have perversely deprived the death penalty of precisely the quality which might make it somewhat effective with this group; certainty that it will be imposed on the malefactor.

As a matter of fact, only about 1 percent of those convicted of intentional homicide are obliged to walk the last mile. With odds of almost 100-to-1 in his favor, why should the professional criminal hesitate? In addition, we have made the deterrent even less effective by painstakingly attempting to make executions more humane. Surely we are guilty of the epitome of inconsistency when, while retaining the death penalty for its deterrent value, we continue searching for swifter and more painless methods of administering it.

In any event, the professional gunman represents only a small fraction of the number executed. Of the 157 men New Jersey has put to death, for example, only 45 had ever been institutionalized—and presumably few of these could accurately be labeled "professionals."

WHO PAYS THE PENALTY?

Thus the statistics, buttressed by logic, indicate the futility of capital punishment as a deterrent. But there is an additional tragically ironical possibility to consider: Its existence may actually tend to boost the murder rate. A disturbing indication of this was furnished by the British, who began an 18-month suspension of death penalty at the end of 1955. During the moratorium, the Home Office reports, the number of murders was almost 10 percent below what it had been during the preceding year and a half. And, during the 18 months after the hangman's vacation ended, the number of murders jumped more than 25 percent. The experience of most other abolitionist countries and States also indicates the possibility that there is a contagion between executions and capital crimes.

The reasons for this are by no means clear. Perhaps capital punishment, by diminishing respect for human life, actually breaks down a most formidable barrier to murder. Or perhaps the explanation is that an execution glorifies both the killer and his deed. How else can one interpret the common phenomenon of innocent men confessing to murders? Why else does the number of murders seem to rise on the nights executions take place?

If explanations of the possible correlation between capital punishment and murder are difficult, there is nothing obscure about another fact concerning the death penalty: It has been used far more frequently against Negroes than against whites. From 1930 to 1957, with whites composing about 90 percent of the population, more than half the executions in the United States were of Negroes, according to official statistics of the Federal Bureau of Prisons. The figures are especially horrifying with regard to executions for rape. Seven Southern States which doomed 78 Negroes for the offense have never put a white man to death for it although many have been convicted.

The use of capital punishment as an instrument of race hatred is perhaps only part of a larger problem. Clarence Darrow put his finger on it when he predicted that no rich man would ever be executed. Warden Lewis E. Lawes, of Sing Sing, who led 150 men to the electric chair, testified that the forecast was accurate. "All were poor and most of them were friendless," he reported. None could afford a good lawyer.

Much of the same statement would have to be made by New Jersey's wardens. 28 percent of those who suffered the death penalty in this State were foreign born and 34 percent were Negroes. The remainder, too, were poor and uneducated. Only a few had advanced as far as high school; hardly any had been graduated. Of the 157, only 1 had had a college education.

THE PENALTY IS SELF-DEFEATING

But the class implications of capital punishment are something of a peripheral issue. There are other, even more relevant arguments which are helping the abolitionist cause.

1. The wrong man is sometimes convicted. Readers of Edwin M. Borchard's "Convicting the Innocent" and Jerome and Barbara Frank's "Not Guilty" do not have to be convinced that mistakes can be made. When the wrongfully accused is still alive, at least some sort of restitution can be made.

2. The existence of capital punishment results in the freeing of many guilty men, since juries are reluctant to convict when execution will probably—or certainly—follow.

3. In States where death is the punishment for crimes like kidnaping and armed robbery, the offender has nothing to lose by committing murder in order to liquidate the witnesses.

4. Capital punishment makes jury selection difficult, since many prospective good men and true are also disbelievers in the death penalty.

THE HAINES BILL

As knowledge of all these facts spreads, the cause of abolition advances. The question now is: Should New Jersey join the procession?

The current drive is led by C. William Haines, Republican, of Burlington. In committee hearings on his proposed bills, an array of distinguished witnesses has brought the facts about capital punishment to the attention of the legislature. Their general point of view is that New Jersey, with its streamlined court system, its progressive probation and parole methods, and its advanced institutional programs should now take the logical next step.

The next step as Mr. Haines outlines it is by no means soft on the criminal. On the contrary, the Haines measure would mean that no one convicted of first-degree murder could be paroled until he had served 30 full years of his sentence. Lifers paroled under the present law have served an average of less than 19 years. The difficult release procedure now recommended is especially deplorable, because murderers—who are seldom professional criminals—are generally considered particularly good parole risks. In New Jersey, only 10 of the 117 lifers released since the parole board was established in 1949 have violated parole. None of them committed another murder.

But although some think that life imprisonment, particularly in Assemblyman Haines' formulation, is based on the same outmoded theory as capital punishment, abolition of the death penalty would at least advance the line of scrimmage a little closer to the goal of rational penology. In any event, some think the Haines bill is all the people will accept at the present time. Possibly, however, we give the public too little credit. One wonders what the attitude of the man in the street might be if he was informed, in addition to the arguments outlined above, of the following:

Executions are not cheaper than life terms when one counts the cost of the lengthy trials and elaborate appeals to which capital cases almost invariably lead.

Thirty-three nations have discarded the death penalty without regrets, and Britain has recently abridged its catalog of capital crimes.

The death penalty used to be imposed for the most petty crimes, but it was scrapped upon the realization that it seemed to have little deterrent power even against these.

If the case against capital punishment is as overwhelming as the statistics and sound reason seem to indicate, immediate abolition would appear called for. If not, now is a good time for the death penalty's proponents to come forward and prove their case.

[From Federal Probation, September 1961]

CAPITAL PUNISHMENT

(By Thorsten Sellin, Ph. D., professor of sociology, University of Pennsylvania)

Last year 57 men were executed in the United States. Five States—Arkansas, California, Georgia, New York, and Texas—accounted for 37 of the executions. Two of them were for kidnaping—one in California (the Chessman case) and one in Oklahoma. There was one execution in Georgia for robbery, one in California for aggravated assault by a life prisoner, and eight for rape—three in Texas, and one in each of the States of Florida, Georgia, Mississippi, South Carolina, and Tennessee. The remaining 45 executions were for murder in the first degree.[1]

Although there have been during the 31-year period 1930 to 1960 11 executions for burglary, 23 for armed robbery, and 434 for rape, all in the Southern States, as well as 5 executions in California for aggravated assault by a life prisoner, 8 for espionage, and 18 for kidnaping, it is the 3,186 executions for murder that have evoked most discussion. The literature on the death penalty in the United States can be said to deal almost exclusively with this crime. Because of the dearth of data concerning the use of capital punishment for other crimes than murder, I shall therefore focus this article on the murder problem.

It is evident from the figures given above that the death penalty is the rarest of all punishments. To an objective observer of the social scene, it is therefore amazing to note the emotional fervor that animates any discussion about it. Numerically insignificant as it is in practice, attitudes toward it are rooted deep in the sentiments of people and arouse powerful emotions whenever its justification is questioned. So long as the status quo is undisturbed nothing happens, but the moment it is attacked, either by abolitionists who want to eliminate the death penalty from the law or by retentionists who want to maintain or reinstate it, the debate begins. The antagonists bombard each other with facts. Beliefs and opinions, often based on spurious or anecdotal evidence, are offered in support of the one or the other viewpoint, the Bible is liberally quoted by both sides, and each side mocks at the views of the other. In the heat engendered by the debate, epithets are flung. The abolitionists are called maudlin or misguided do-gooders, and the retentionists backward, out of tune with the times, and at the worst, sadists. It is only fair to say that in abusive name calling the abolitionists lag for behind their opponents.

PURPOSE OF THE DEATH PENALTY

Although it is sometimes said that the death penalty serves a eugenic purpose, this argument is absurd since so few are executed and since their sterilization would just as effectively prevent them from having offspring. It has also been claimed that it is an economical way of disposing of criminals who, otherwise, would have to be supported at public expense—perhaps for the rest of their lives. Those who employ this cynical argument may be ignorant of the sometimes mountainous costs of the administration of justice in capital cases and they certainly have no knowledge of the realities of prison administration. It is no doubt true that some prisoners, including some lifers, do not make adequate returns to the state—measured in dollars and cents—for some of them are mentally or physically incapable of doing so. But most lifers work in prison. They perform domestic services, they work in prison shops, they do clerical work. If they were paid a wage commensurate with their services, they would be able to pay the costs of their maintenance, but since they are paid little or nothing, it is easy to forget that they are a source of financial profit to the institution in one way or another. Any prison warden will testify to the fact that it is from the group of lifers that he draws a considerable number of trusted inmate employees.

In the last analysis there are only two purposes of the death penalty that are worthy of attention, for the fate of this punishment hangs on them alone. One of these purposes might be called the protection of the community. Those who embrace this aim say that the death penalty is needed as a threat or warning to deter potential murderers, and that murderers are too dangerous, once they have committed the crime, to be kept alive, since they may kill fellow prisoners or prison personnel and may escape or be ultimately released on parole or pardon, in which case they would again become a menace to the community. Hence, it would be too risky to substitute life imprisonment, so called, for the death penalty.

The other purpose is of a different kind. Those who support it simply feel that someone who murders another, perhaps under certain circumstances, for certain motives, or by certain means, has forfeited his life. In such cases they see the death penalty as the only just punishment, its aim being retribution.

It would be difficult to classify retentionists into those who support the one and those who support the other purpose mentioned. Although these purposes are distinct, from a conceptual point of view, it is by no means certain that they are mutually exclusive in people's minds. I suspect—and the reading of many debates on capital punishment gives support to that suspicion—that many find it possible somehow to cherish both of them.

Are the purposes of social protection and retribution achieved by capital punishment and achieved better than by the use of some other sanction? For someone who is interested in the death penalty as a social institution and curious about its survival in the criminal law, it is natural to wonder how one might be able to find an answer to this question.

DOES THE DEATH PENALTY GIVE MAXIMUM SOCIAL PROTECTION?

I stated above that there are two separate problems that confront us in the study of this matter. First, does the existence of the death penalty instill such fear in men's hearts that the thought of it keeps them from committing murder? Second, if a murderer is not executed for his crime, does he remain a constant danger to the prison community, if he is given a prison sentence, and to the larger community, if he is granted a later release?

The problem of general deterrence

In an article published in the June 1961 issue of the FBI Law Enforcement Bulletin,[2] Mr. J. Edgar Hoover writes: "No one, unless he can probe the mind of every potential killer, can say with any authority whatsoever that capital punishment is not a deterrent. As one police officer has asked, 'How can these authorities possibly know how many people are not on death row because of the deterrent effect of executions?'" This statement contains a tacit assumption that the death penalty is a deterrent, but no one can state with any authority whatsoever that capital punishment is a deterrent. So we have reached an impasse. If no one can say either yes or no on this point, it means either that the question is unanswerable or that no one has tried to find an answer.

Now, I am not unaware of the fact that police officers, prison wardens, or judges now and then claim to know cases where a given individual refused, for instance, to carry a firearm when participating in a burglary or robbery or refused to participate at all if any member of the group was so armed, and that this is assumed to prove that fear of the death penalty dictated this conduct. It is not impossible that some of these instances may be true. But the stories as printed have never clearly indicated whether it was the fear of capital punishment rather than the fear of taking or participating in taking a human life—regardless of the consequences—that motivated the refusal. Furthermore, the information seems in many cases to have been secured or given under circumstances that would make it suspect. Even if it were accepted as fact, there is just as good evidence that the availability of instruments used to inflict the punishment of death has induced people of unbalanced mind to seek that punishment as a devious means of suicide. When we place these contradictory facts in a balance it would be rash for anyone to claim with assurance that the one outweighs the other.

Even if we recognize that the fear of punishment may have some deterrent effect and helps to prevent the commission of some crimes, there is good reason to think that it does not or cannot be operative in preventing murders. Life is generally regarded as man's most valued and even sacred possession, and the protection of life by the avoidance of doing deliberate harm to others or to ourselves is taught to us from childhood in many ways and by many means. When in spite of this general social aversion to murder, killings occur, it means that the perpetrators have either not been properly taught to respect human life or that they find themselves in a situation where hatred, desire, anger, greed, necessity, or the mores of a group to which the offender belongs acquire such dominance that all else is ignored or forgotten, including the possible punishment. The person who carefully plans his crime so as to avoid detection has no fear of consequences since he is certain he will never suffer any. Discounting war and revolution, all but very few people, even most murderers, consider the taking of life as a terrible moral wrong. It is this feeling that ultimately is the great deterrent.

If we were to take the ultracynical view that people obey the law only because they want to avoid the consequences of disobedience and not because they live according to a moral code which also finds its expression in legal prohibitions, we would have to

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[1] All data concerning executions have come from National Prisoner Statistics, No. 26, March 1961: "Executions, 1960." Washington, D.C.: Bureau of Prisons, U.S. Department of Justice.

[2] Reproduced in the Philadelphia Inquirer, June 18, 1961.

assume that potential offenders fear the consequences somewhat in proportion to the risk of suffering them. But, statistics tell us that the risk of being executed for murder is small. It is extremely small for gangsters who, according to the supporters of the death penalty, are among those who should be made to fear it most. According to the last annual report of the Chicago Crime Commission there were 947 gang murders in Chicago since 1919. I suppose it is not an overestimate to assume that at least two persons, the actual killer and the one who ordered the killing, participated in these murders. In that case, there were a minimum of 1,900 murderers involved. Of these 17 were convicted but several of them were later freed by the Supreme Court on appeal.[5] There is nothing new in this story, for it has its counterpart in all cities where organized crime is found.

If the risk of execution is regarded as the important element in deterring persons from committing murder we are therefore leaning on a mighty weak reed. That risk is so much smaller than the risk of the potential murderer being killed by his intended victim, by the police, or by some bystander during or after the crime.

"During the period 1934–54 (in Chicago), for instance, policemen killed 69, and private citizens 261 criminals or suspects involved in homicide, or a total of 331. During the same period there were 45 persons executed for murder in the Cook County jail. In other words, there were nearly eight times as many homicidal offenders killed unofficially, so to speak, as were those electrocuted. There were 5,132 murders and nonnegligent manslaughters known to the police during those years. In connection with 6.45 percent of these homicides, a criminal or suspect met his death at the hands of police or citizens, while 0.88 percent were put to death in the electric chair."[6]

Judging from the number of murders and nonnegligent manslaughters known to the police and published in "Uniform Crime Reports" for the year 1959, and taking into account a slight increase in 1960, there were a minimum of 8,400 murders and nonnegligent manslaughters last year (1960) in the States that still have the death penalty, and of these offenses the number punishable by death would probably be at least 1,260, or 15 percent of the total. This is a most conservative estimate. It would be equally conservative to say that at least 1,300 persons were guilty of these murders and that 1,250 of these will never be executed.

If fear of being executed for murder played the great deterrent role claimed by retentionists, it would be reasonable to assume that when this fear is not experienced, as in States that have abolished capital punishment, or is suddenly removed, when a State abolishes this penalty, the result would in the first case mean that murder rates would be higher than in States that have retained the punishment, and in the second case that these rates would show an increase, which could be stopped or even reduced by the simple device of reinstating the penalty. When statistics appear to give support to such assumptions, retentionists are quick to seize upon them to illustrate the soundness of their views, but when the statistics fail them they are wont to claim that statistics demonstrate nothing.

The only way of testing the correctness of the above assumptions, however, is by the use of statistics. We have to admit that the data available for use are far from perfect for the purpose of counting the exact number of capital murders that occur during any given period of time in any jurisdiction, small or large. There are no reliable statistics of capital murders. Such murders are of two types. The first includes premeditated malicious killings and especially those committed by certain methods, such as arson or ambush. The second includes killings that occur in connection with the commission of crimes, such as burglary, robbery, rape, kidnaping, etc. Although no count of capital murders has so far been made by any official agency on a statewide basis, it would probably be possible to get a rather accurate count of the so-called felony murders, i.e., the second class mentioned above, but the premeditated murders defy any accurate enumeration, since their qualification depends so greatly on the state of mind of the offender, who is often undetected or unknown. Therefore we have to use other kinds of statistics in an attempt to arrive at conclusions.

For many years we have had statewide statistics of deaths due to willful homicides. They are based on an analysis of death certificates submitted to the Bureau of Vital Statistics of the Federal Government from all the States of the Union. These certificates do not contain any information that would make it possible to segregate capital murders from other kinds of willful killings. They do make it possible to compute rates of deaths due to willful homicide and it is these death rates which are generally assumed to be usable as an index to capital murders, on the assumption that the proportion of capital murders, hidden among these homicides, remains constant from year to year. An increase or a decrease in the total homicide death rate in a State, from one year to another, is then assumed to reflect a proportionate increase or decrease in the number of capital murders in that State. Experts in various countries who have made a study of this problem have concluded that this assumption is valid. Until it has been disproved we have to accept that judgment.

Abolitionists are frequently guilty of making assertions that the States that have retained the death penalty have much higher homicide crime rates than the States that have abolished it. They arrive at that conclusion by simply comparing the rates of the two classes of States. This is a reprehensible practice. The conclusion is accurate but the inference is false. Except for Delaware and Rhode Island, the abolition States on our continent all border on Canada, and all the Northern States have fairly low rates of homicide compared with the South, where no State has dropped capital punishment. The only fair comparison is one that takes into account regional differences and therefore compares the homicide rates of an abolitionist State with that of its neighbor States.

The diagrams [not printed in the RECORD] are based on such comparisons. They show both the annual size of the homicide death rate per 100,000 population for the period 1920–58 and the general trend of the rate for each set of States compared. Diagram I compares the abolitionist State of Maine with the States of New Hampshire and Vermont. Diagram II shows rates for Rhode Island (an abolition State), Massachusetts, and Connecticut. Diagram III contains two abolition States, Minnesota and Wisconsin, compared with Iowa. Diagram IV compares Michigan, which has no death penalty for murder, with Ohio and Indiana.

The striking thing about these diagrams is that within each set of States the rates are so nearly the same annually and the trends so closely alike that if the lines were not identified with each specific State, no one would dare to guess which lines represented the abolition States. Generally speaking, all the States involved showed a decline in homicide deaths during the 39 years examined. The decline was slight in New England and much more pronounced in the Middle West, but then the New England rates were also generally much lower to begin with.

It is proper to conclude that States which are similar in the character of their population, their urban and industrial development, and their mores have similar homicide rates, whether or not they have the death penalty. In other words, the presence of the death penalty for murder in a State appears to have no more influence on its homicide rates than the absence of the penalty in a comparable State has on the rates of that State. And, if our basic assumption is correct, what holds true for the homicide rates would hold true for the capital murder rates, were they obtainable.

When it once becomes generally understood that the amount and the trends of murder depend on demographic, social, economic, and political conditions, one would realize that the explanation for rises or falls in the statistics of this crime must be sought through a study of these conditions, and that through such study alone could any possible remedy be found. To hope that this remedy could be found in the application of the death penalty or in its introduction is to grasp at a straw.

We have had some experience in this country with such vain efforts.[8] Several States have temporarily abolished the death penalty and have then reintroduced it. In some of them abolition was followed by a rise in homicides, in others by a fall. And when the death penalty was introduced the rates usually rose. For the reasons already stated, the law of murder had apparently nothing to do with these variations.

The dangers of life imprisonment

But if we do not execute murderers, they will remain a menace to all within the walls of prisons, it is said; and if they are ever released the community will again be threatened by them. We should, therefore, attempt to discover how capital murderers who have been imprisoned for life—which is the usual punishment when the death penalty is not applied—behave while in prison and after release.

The experience of prison administrators is, broadly speaking, that lifers are among the best behaved prisoners in an institution. They obviously may become disciplinary problems at some time or other, as do other prisoners, but their conduct record is on the whole very good. There have been instances where such prisoners have committed a homicide in an attempt to escape or as a result of conflicts with other inmates or the prison staff, but almost all killings committed inside prisons are done by prisoners serving sentences for other crimes than homicide. Are such events more common in abolition States than in death-penalty States? No one knows, since no study has been made of this matter.

The paroled lifer has had an enviable record of good behavior so far as we can gather from available information. I have given elsewhere[9] some data which demonstrate this fact. Within the last few months the Ohio Legislative Service Commission has

[5] Virgil W. Peterson, "A Report on Chicago Crime for 1960." Chicago: Chicago Crime Commission, 1960, p. 56.

[6] Thorsten Sellin, "The Death Penalty." A report for the model penal code project of the American Law Institute. Philadelphia: The American Law Institute, 1959, p. 62.

[7] The diagrams are reproduced from "Capital Punishment." Staff Research Report No. 46. Columbus: Ohio Legislative Service Commission, January 1961, pp. 40–42. They were copied from Sellin, op. cit., and brought up to date.

[8] Cf. Sellin, op. cit., pp. 34–38; "Capital Punishment," op. cit., pp. 43–45; General Assembly of Pennsylvania, "Report of the Joint Legislative Committee on Capital Punishment." Harrisburg: The Committee, June 1961, pp. 24–26.

[9] Sellin, op. cit., pp. 76–78.

furnished additional information on this point. In a staff research report, published in January, we learn that since Ohio's present parole law became effective in 1945, there have been 169 first degree murderers paroled in that State, as of October 1, 1960. These 169 parolees "have compiled the highest parole success ratio of any offense group among the more than 6,000 paroled convicts now administered by the Ohio Bureau of Probation and Parole. Only two of the 169 have been returned to penal institutions for the commission of new felonies. One of these was returned after committing armed robbery while on parole, and the other for assault with intent to commit a felony. Eight more paroled first degree murderers have been returned to penal institutions for technical violations of parole rules and regulations or because of general failure to adjust satisfactorily to life outside the penitentiary."[10] The report suggests that the explanation may be found in the facts that a large proportion of first degree murderers are highly reformable, that those paroled—in Ohio at least—were 30 years old on the average when they were committed to serve life sentences, but 53 years old on the average when they were paroled, and finally that those who were not good parole risks serve their life sentences in full. In 1957, for instance, when one prisoner was executed in Ohio, 11 prisoners, who were serving definite life sentences, died.[9]

Police safety

Among those who wish the death penalty retained there are, of course, people from all walks of life, but certain occupational groups or professions appear to contain a particularly high or at least vocal proportion of them. This is particularly true of the police who rather consistently—except in the States that have abolished capital punishment—individually or through their professional organizations or unions make known their views, that if the fear of the death penalty is removed by the abolition of this punishment, the policeman's vocation would become more hazardous. It is assumed that persons engaging in crime would, then, be more likely to kill police officers who are pursuing, questioning, or arresting them. This belief, as well as the belief that the death penalty acts generally as a unique deterrent, has even led the Federal Bureau of Investigation to express its support of capital punishment, in spite of its avowed policy of neutrality. Last year, Mr. J. Edgar Hoover stated that policy in clear terms. "The FBI * * * is strictly a fact-gathering agency. It does not make recommendations or evaluations * * * or pass opinion relative to information gathered. * * * Certainly, it is not the function of an agency, which collects the facts in a given situation to also pass judgment on them."[10] In fairness to Mr. Hoover, I must say that he was discussing facts gathered in the investigation of crime, but the FBI also gathers facts about the state of crime in the country, publishes these facts in its annual "Uniform Crime Reports" and has no hesitation about evaluating them. In the report published in 1960, covering the year 1959, a perfectly amazing page is devoted to a defense of capital punishment. Its last two paragraphs read as follows:

"Some who propose the abolishment of capital punishment select statistics that 'prove' their point and ignore those that point the other way. Comparisons of murder rates between the 9 States which abolished the death penalty or qualified its use and the 41 States which have retained it, either individually, before or after abolition, or by group are completely inconclusive.

"The professional law-enforcement officer is convinced from experience that the hardened criminal has been and is deterred from killing based on the prospect of the death penalty. It is possible that the deterrent effect of capital punishment is greater in States with a high murder rate if the conditions which contribute to the act of murder develop more frequently in those States. For the law-enforcement officer the time-proven deterrents to crime are sure detection, swift apprehension, and proper punishment. Each is a necessary ingredient."[11]

And, in the summary that precedes the text of the report we find the sentence, "Proponents of abolition of capital punishment cannot find support for their cause in study of State murder rates, since results are inconclusive."[12]

Having read these statements, one would assume that the report contained some facts about capital punishment that might explain and justify the statements even though the fact-gathering agency is not supposed to make recommendations or evaluations. Not so. The statements are gratuitously introduced into an official governmental report that offers nothing to support them. They are mentioned here only to show the length to which police authorities are willing to go in defense of the death penalty, even though they have never been willing to make any scientific attempt to test the validity of their opinions.

The only more extensive inquiry to discover if policemen are better protected in States that have capital punishment was made in 1955 by the author for the Joint Committee of the Senate and the House of Commons on Capital Punishment of the Canadian Parliament.[13] In a recent report it is summarized as follows:

"It was based on a questionnaire sent to all police departments in cities with more than 10,000 inhabitants, according to the 1950 census, in the 6 States that had no death penalty in 1955 and the 11 States that bordered on them. Information was requested on the number of policemen killed by lethal weapons in the hands of criminals or suspects each year beginning with 1919 and ending with 1954. Full reports were returned by 266 cities, representing 55 percent of the cities in the abolition States and 41 percent of those in the capital punishment States.

"Several interesting facts appeared from an analysis of the responses to the questionnaire. First, when comparing groups of cities in the two types of States, according to the size of the cities, it was found that there was no difference in the rates of policemen killed in the cities of the capital punishment States and in those of the abolition States. Second, it was found that in both types of States in the northeast part of the country, the killing of policemen was less frequent than in the Middle West. Third, it was found that the decade of 1920–30 had been most hazardous to the police of both types of States and that the number of police killed had declined regularly, whether the States had or did not have the death penalty. * * * It is, therefore, impossible to conclude that the existence of this punishment in law or practice affords any special protection to the police that would not be afforded by the threat of life imprisonment."[14]

This conclusion can be extended. The belief that the death penalty is a unique instrument for the protection of society against murder and superior to life imprisonment in this respect is not supported by any credible evidence now available to us.

IS RETRIBUTION EFFECTIVE?

There is no denying that many persons feel that a person who takes another's life under circumstances that qualify the crime as murder in the first degree should, in all justice, forfeit his life. Some of them are quite willing to agree that so far as the protection of society is concerned life imprisonment would be just as effective, but they feel that the grievous wrong done to the family of the victim, the robbing of the victim of his chance to enjoy perhaps a long life of usefulness, and the display of recklessness and of perhaps a wicked or depraved character on the part of the murderer, fully merit his execution.

This view of justice must be reckoned with. Its nature is such that if logic prevailed those who hold it would maintain it even if it were proved that the use of the death penalty had socially undesirable byproducts. Opponents of the view are equally strong in their feelings that to take a life deliberately by the State is just as reprehensible as murder and is morally wrong.

I do not propose to enter into any debate on this issue. Its resolution lies entirely within the sphere of moral philosophy. It is in such debates that capital punishment is discussed, not from the point of view of its effectiveness in protecting society but from the point of view of its inherent rightness or wrongness. However, if I were an adherent of the view of retributive justice, I might—if my emotions did not deprive me of my reason—wish to find out if retributive justice is efficiently and properly administered.

One might begin with some basic assumptions. The first is that every person who commits first degree murder should lose his life. Since this poses a dilemma, not all such murderers being discovered, at least every person convicted of this kind of murder should be executed. A second assumption is only a logical consequence of the first, namely, that since all such persons should be executed, there could be no discrimination. All murderers would be equally dealt with.

The gap between what should happen, if these assumptions are correct, and the realities of the administration of capital justice is enormous. It begins to develop in the courtroom, where the skilled defense lawyer may stave off a first-degree murder conviction and where juries may inequitably determine a verdict or a sentence, depending on their attitudes toward a defendant or the feelings of the community rather than the strict nature of the crime. It is well known that the number of women murderers sentenced to death is disproportionately low compared with the proportion of male murderers so sentenced. In Ohio, during 1955–58, 31 percent of the males and 8 percent of the females charged with murder in the first degree were found guilty of that crime.[9] And it has been observed that in many States racial attitudes hinder the equal application of justice.

[8] "Capital Punishment," op. cit., pp. 81–82.

[9] Communicated by Mr. James McCafferty, Criminologist, Bureau of Prisons, Washington, D.C.

[10] J. Edgar Hoover, "The Federal Bureau of Investigation: The Protection of Civil Liberties," American Bar Association Journal, vol. 46, August 1960, pp. 836–837.

[11] "Uniform Crime Reports for the United States * * * 1959." Washington, D.C.: Federal Bureau of Investigation, Sept. 16, 1960, p. 14.

[12] Ibid., p. 3.

[13] Thorsten Sellin, "The Death Penalty and Police Safety," 2d sess., 22d Parliament, 1955; "Appendix F of the Minutes of Proceedings and Evidence No. 20 of the Joint Committee of the Senate and the House of Commons on Capital and Corporal Punishment and Lotteries," Ottawa: Queen's Printer, 1955, pp. 718–728.

[14] General Assembly of Pennsylvania, "Report," op. cit., pp. 26–29.

[9] "Capital Punishment," op. cit., p. 6.

But if a sentence of death is finally imposed there is still the matter of commutation by boards of pardons or Governors. Whether or not a death sentence will actually be executed depends, in the last resort, on these authorities. At times the policy of commutation depends on the particular attitude toward the death penalty held by them. One Governor, opposed to this punishment, may commute every sentence; another who holds the opposite view may commute few of them. Bias or adventitious circumstances may also exert an influence. In Ohio, of the persons under death sentence in the prisons during 1950–59, not counting seven cases yet to be disposed of by November 1960, 78 percent of the Negroes and but 51 percent of the whites were put to death. This discrepancy may in part reflect economic as well as racial inequalities, for commutations were received in 44.4 percent of the cases where the defendant was able to afford private counsel, but only in 31 percent of the cases where he was served by a court-appointed one.[28] A Pennsylvania study of 439 persons sentenced to death and placed on death row between 1914 and 1958 showed that Negro felony-murderers received commutation in only 6 percent of the cases while white felony-murderers did so in over 17 percent of the cases.[29]

There is no need to multiply these or similar data. If only about 4 percent of those who actually commit murders in the first degree, a figure based on what we conservatively estimate to be the number of capital murders committed annually in the United States and the accurate knowledge we have of the number of executions, it is obvious that, whatever the elements may be that produce the attrition, retribution is but rarely achieved and in no equitable manner. Therefore, just as the death penalty has proved to fail as a special means of social protection, so it has failed as an instrument of retributive justice. It is vain to hope for an improvement, because the spirit of the times is unfavorable to it. To prove that this is so, we need only to take a glance at history and especially at the history of abolition.

THE ABOLITION MOVEMENT

Speaking of the abolition movement there are two aspects of it that are interesting. First of all, of course, is the extent to which the death penalty, at least in peacetimes, has disappeared from the criminal law of nations and states. In Western Europe, only France, the United Kingdom, Spain, and Eire have retained it, and most countries of Central and South America, including Brazil, Argentina, and most of Mexico, have abolished it. In the United States, four States abolished it during the last century (Michigan, Wisconsin, Maine, and Rhode Island). During the present century five States have done so without restoring it again, namely, Minnesota, North Dakota, Delaware, Alaska, and Hawaii, the last three joining the others within the last half decade. It does not exist in Puerto Rico nor in the Virgin Islands.

This is, however, but a part of the story. The last century and a half has seen changes which explain the decline of the death penalty in States that have kept it in the law. We have seen a general trend toward the reduction of the number of offenses punishable by death, despite occasional minor reversals. We have gradually eliminated public executions, for while desiring to make the penalty as frightening as possible—that is, as a deterrent—we have also become more and more averse to such unesthetic and revolting spectacles. Moved by sentiment, we have sought for more and more quick and painless methods of killing murderers, as witness the spread first of the electric chair, and now of the gas chamber, in replacement of the traditional gallows. Finally, we have removed the mandatory death sentence and left in the hands of the jury or the judge, the choice of an alternative—life imprisonment.

The combined result of these policies has caused capital punishment to become an anachronism in many States. If we add the changing attitudes toward punishment in general as reflected in the establishment of juvenile courts, the introduction of parole and probation, and the rise of a correctional philosophy which stresses rehabilitation, it is not difficult to explain the rapid downward trend in the number of executions annually from a high of 199 in 1935 to 57 in 1960. And this trend is likely to continue, barring unforeseen social crises, until executions will become a much greater rarity than today and will ultimately be abandoned.

Mr. MORSE. Mr. President, I also ask unanimous consent to have printed at this point in my remarks the very fine testimony of Donal E. J. MacNamara, dean of the New York Institute of Criminology, before the Virginia Legislature on February 29, 1960, in support of legislation to abolish capital punishment.

The testimony of this very eminent criminologist on the abolition of capital punishment refutes the arguments most generally advanced by those who advocate the retention of an immoral death penalty. In my judgment, anyone seriously concerned about the matter of whether capital punishment should be retained or abolished should thoroughly familiarize himself with Dean MacNamara's excellent testimony.

There being no objection, the testimony was ordered to be printed in the RECORD, as follows:

Senators and delegates of the Virginia Legislature, I urge favorable consideration for the legislation before you outlawing the death penalty from Virginia's penal code for the following reasons:

1. Capital punishment is criminologically unsound. It violates the basic tenet of 20th century penology, i.e., the rehabilitation of offenders.

2. Capital punishment is morally wrong and violative of the ethical foundations of modern democratic States. Opponents of the death penalty readily admit the right of the State to defend itself against aggressors and through its police to protect the lives of its populace even if in so doing the killing of a criminal is necessary. But once the criminal has been disarmed and is in custody, his capacity to injure the State or its citizens has been effectively curtailed and the right of the State to take his life ceases. To execute him at this point is vengeance and retribution, not protection.

3. Capital punishment is unnecessary. It provides no more deterrence to the commission of capital crimes than do alternative, more acceptable penalties. It is a truism of penology that it is not the quantum of punishment but the certainty of punishment which deters the offender. Improving our police and investigative machinery to insure the apprehension of a larger percentage of wrongdoers and of our prosecuting apparatus to insure the conviction of the guilty would, even with much less severe penalties, reduce the incidence of crimes, capital and noncapital, more effectively.

4. That capital punishment has demonstrably failed to achieve its objectives, i.e.: the reduction or elimination of capital crimes, is evidenced by comparing the crimes history of the nine American States which have abolished the death penalty (three for more than 100 years) with the capital crimes rates in those States, with the same social and population patterns, which retain capital punishment. In every instance the capital crimes rate in the States which have abolished the death penalty is lower, oftentimes significantly so, than in those States in which the death penalty is on the statute books and is supposedly deterring capital crimes. Most recently, Delaware abolished capital punishment. Short-term results are now available. In the 12 months prior to abolition, there were 11 homicides in Wilmington; in the 12 months after abolition, there were but 2. Abolishing capital punishment will not start blood flowing in the streets of Richmond—nor will it make the people of the Old Dominion in any way less secure in their persons or property.

5. Capital punishment has been differentially and inconsistently applied. The statistics of executions since 1930 show that more than half of those executed have been persons of minority groups. Studies in other States have indicated that a disproportionately high percentage of those executed had been defended by court-appointed lawyers whose funds for legal and investigative services were severely limited. There is no showing, for example, that the 48 persons executed in the United States during 1958 were the 48 most dangerous criminals. Indeed analysis of the serious crimes during 1958 shows that the professional gangster murderer, the cold-blooded killer for hire, is unrepresented in that group—and in instance after instance was neither apprehended nor convicted of any degree of homicide.

6. Miscarriages of justice: The American system of criminal justice has many built-in protections for the innocent person accused of crime. The Chessman case is a monument to the desire of our people and our judges to take heroic measures to prevent an execution where there is the slightest doubt of guilt or of the legality of the criminal proceedings involved in determining guilt. Nonetheless there have been cases, in the United States and in other countries, in which human fallibility, coincidence, and occasionally culpable negligence on the part of the police and prosecution or public pressures on the jury and court have resulted in a miscarriage of justice and an innocent man has been sentenced to death. Fortunately for our consciences in most cases the error has been caught and corrected prior to execution; but innocent men have been executed. If we make a mistake and give an innocent man a life sentence and even after 20 years we realize our error, we can in some way, inadequate as it may be, recompense him for his sufferings; if we execute an innocent man, society can neither make good its error to him nor can it ever wipe the stain of guilt from its escutcheon.

7. Capital punishment increases the cost of administering justice. It makes for long, drawn-out trials, many appeals, and in States with the mandatory death penalty provision, often leads to a guilty man going "unwhipped of justice" due to the reluctance of the jury to be responsible for his execution. The charge is made that substituting life imprisonment for the death penalty will saddle the public with extra costs and increase taxes. I am reluctant to discuss human life in dollar-and-cents terms, but a good cost accountant can right here in the State of Virginia demonstrate clearly that it would be cheaper for Virginia in the long run to maintain its murderers in a luxurious suite of the Hotel Richmond across the street than it is to execute them.

8. Capital punishment provides no special protection to police officers. Father Donald Campion, a noted Jesuit priest and editor of America, has studied the incidence of assaults on and killings of police officers in

[28] Ibid., pp. 62–63

[29] As yet unpublished study on a "Comparison of the Executed and the Commuted Among Admissions to Death Row," by Marvin E. Wolfgang, Arlene Kelly, and Hans C. Nolde.

death penalty as opposed to non-capital-punishment States. He finds that the incidence of police deaths in the line of their police duties is lower in those States which do not have the death penalty.

9. The purported deterrent effect of the death penalty is based on the mistaken assumption that the criminal at the time of committing murder or another capital crime is necessarily a rational being, weighing the pleasure or profit to be derived from his crime against the pain or loss to be suffered should he be caught and convicted. This is a popular restatement of the classic, but rejected, pleasure-pain theory of penology. But the murderer is seldom a rational man at the time he commits a murder—he is at that time in the words of Dr. Post "the unhappy end product of anger, frustration, jealousy, despair, alcohol, pity or sex * * *." Most homicides are committed without any consideration of the death penalty. Most murderers do not premeditate, deliberate, and intend the death of their victims. Recent studies at Vacaville (California Correctional Research Institute) and at Raiford (Florida State Penitentiary) give indisputable evidence that at least convicted murderers thought nothing of and were certainly not deterred by the prospect of the death penalty.

10. Capital punishment is then: unsound criminologically and penologically, unnecessary to protect the State and its people, demonstrably no greater a deterrent to crime than lesser, alternative penalties; it is costly to the State; it makes final and irredeemable miscarriages of justice; it has in the past been inconsistently and prejudicially applied; it is retributive rather than rehabilitative and imposes the barbaric lex talionis on a civilized, modern democracy; it brutalizes our penal system and makes impossible the reform of criminal justice administration; it provides no special protection to our police officers; again quoting Dr. Post: "* * * however you look at it, capital punishment is brutal, sordid, and savage; it is unworthy of a civilized people."

Virginia is a great State. It has contributed not only Presidents and political leaders to America but has given much in the way of culture and progress not only in science but in morals and ethics. Enact, gentlemen, this legislation and join Virginia to the roll of honor of those nations and States which by abolishing capital punishment have contributed to the march of civilization and respect for God-given human life which only the God who gave it has the power and the right and the wisdom to take away.

Mr. MORSE. Mr. President, in the very brief and inadequate hearings which were held on the bill by our subcommittee, the deterrence question came up. The distinguished Senator from New York [Mr. KEATING], was the witness. He was asked the question:

In your opinion, is the death penalty for murder a serious deterrent to murder?

The Senator from New York replied:

The statistics, I understand, do not bear out the contention that the death penalty is a deterrent. I think you could get criminologists to get into quite a debate over that.

I would be opposed to its complete elimination because I have always felt, myself, that in some instances of strongly premeditated crimes—if I may put it that way—that the death penalty probably was a deterrent, but that is simply a speculation.

The Senator from New York further said:

My understanding is the crime rate in those States which have completely done away with the death penalty is no higher than those in which they have major, or capital punishment.

If the death penalty will have the deterrent effect which the proponents of the bill allege, why do they not propose to execute the convicted person on the Washington Monument grounds and to invite attendance by the public, including all persons known to have criminal tendencies and persons previously convicted of any crime? I suppose the reason why they do not make that proposal is that under the Anglo-Saxon justice in England for a time that that was done. There used to be public hangings. The interesting thing was that frequently while the public hanging was going on a capital crime was being committed.

Mr. President, it is a myth to assume that capital punishment is in fact a deterrent to crime. I should like to think that in 1962 we have reached the level of civilization that we no longer resort to the law of the jungle, that we no longer resort to the law of a tooth for a tooth and an eye for an eye, but that we recognize that civilized man ought to leave to God the exercise of God's prerogatives.

Mr. President, if a person has committed a capital crime we ought to protect society by putting him away permanently, making it perfectly clear that he is not to be subject to parole. For the secondary murderers—those who commit murder in the second and third degree, or manslaughter—there should be discretion in respect to how long they will have to serve. We can consider that question after we take a vote on the question in regard to capital punishment.

I could argue all day, in my judgment, and say no more, in essence, than I have already said in regard to my position on capital punishment. I summarize by making these points:

First, I consider it to be immoral.

Second, I do not consider it to be an effective deterrent to crime.

Third, I think the time has come when we ought to set a good example of high civilization and make clear that we no longer will resort to the eye-for-an-eye and tooth-for-a-tooth jungle law, but that we will put these prisoners who commit capital offenses away for life without parole.

If we do that, the criminologists and penologists will tell us that will be as much of a deterrent—in fact, some say that will be feared more than capital punishment, because the criminals will know it can be enforced.

One of the interesting paradoxes in the argument of the opposition in connection with the bill is that the opposition wishes to eliminate the mandatory capital punishment because juries will not convict because of mandatory capital punishment. That is their argument. Mr. President, they catch themselves coming backward.

The PRESIDING OFFICER. The time of the Senator from Oregon has expired.

Mr. MORSE. Mr. President, I yield myself 2 more minutes.

Because juries will not convict for mandatory capital punishment, the opponents make one of the best arguments for the Morse amendment. Juries will not convict because they do not think it is right.

Furthermore in the District of Columbia, which has a population 53 percent colored, I think also from a psychological standpoint it is desirable that we rise up to the moral plea I am making on the floor of the Senate this afternoon. I do not need to tell Senators what we hear.

We should have a law which provides for life imprisonment, for a certainty, for the most heinous of capital crimes, and then we will not have trouble with juries failing to convict persons who are guilty.

Then we could take the second part of the amendment I shall offer later, and give the juries discretion as to whether these people are to get life imprisonment with parole or not.

That is my case, Mr. President. I yield back the remainder of my time.

Mr. HARTKE. Mr. President, I yield myself 10 minutes.

The PRESIDING OFFICER. The Senator from Indiana is recognized for 10 minutes.

Mr. HARTKE. As I understand the amendment which is now proposed, if it were to be adopted by the Senate we would leave the jurisdiction of the District of Columbia without any penalty whatsoever for murder in the first degree. This to me would be a rather unwholesome decision in the first instance. We should not presume that further legislation will take place.

I understand what the distinguished Senator from Oregon has said, but the legislature is a peculiar body. It does not always follow the indications as to what one person would like, nor does it always go in the direction one person would like to lead it.

I think we ought to put the problem in a proper perspective in regard to the entire question as to what is being done in the field of capital punishment. The law at the present time in the District of Columbia is very clear. If a man is convicted of murder in the first degree, if he is to be punished at all, he has to be electrocuted.

The arguments which are made by the distinguished Senator from Oregon are not of the type which should be made in this situation. The Senator should be joining us in the endeavor to change the rule, instead of joining in an effort to do what he can, by parliamentary procedure and by other amendments, to lead us off into the path which most assuredly would result in no change whatsoever.

We cannot ignore the fact—and it is a fact—that the House of Representatives has passed the bill to abolish the present rule. The bill was passed without objection.

We cannot at this time ignore the fact that the proposal to completely eliminate the death penalty was presented to the committee, and that proposal was rejected by the committee.

We cannot ignore the fact that 8 months ago this body adopted unanimously, and with the affirmative vote of

the Senator from Oregon, a death penalty. The Senator's answer is that this was a mistake. If it was a mistake, he should have initiated action to correct that mistake.

We do not want to put the District of Columbia in a special category. Every Federal jurisdiction provides for a type of punishment which is similar to that provided in the bill before us.

This is what is done in every other Federal court: There is an alternative which is presented to the jury and to the judge. That is what we propose. It would not go as far as the distinguished Senator from Oregon claims we should go, in eliminating capital punishment in its entirety, but the road down which the Senator would take us would leave us in the situation of having only one provision.

Every soul, every body, or every mind which may be destroyed as a result of electrocution if the law is not changed, will have to rest with those who in some way prohibited the change. That is where we find ourselves. Perhaps the Senator from Oregon does not wish to be put in that spot, but, if he successfully denies this change, he will have to wrestle with his conscience, if someone is convicted of murder in the first degree. Then he will have to wrestle with his conscience and with his God, as I would have to wrestle with my conscience and with my God, as to whether that death was on my soul for eternity.

I do not wish to try to judge a man's religious beliefs. I would not believe that any Senator would attempt to impose either his religious beliefs or his nonbeliefs on any other Member of this body. But there is difference of opinion. There is difference of opinion in the field of atomic testing. There is difference of opinion as to whether or not we should go to war and whether the taking of life in war is proper.

From my own State of Indiana, where my wife was born and raised and there exists the Quaker College of Earlham, are people who conscientiously, with religious conviction, believe that they should not enter armed conflict and take another's life. No one questions the desire of such people. But today we are dealing with a law which makes mandatory upon a jury and a judge to determine that, if there is a conviction of murder in the first degree, the defendant must be electrocuted. That is the situation we wish to change. All of the arguments which the distinguished Senator from Oregon has made support that thesis and do not deny it. The District of Columbia is the last remaining jurisdiction in the United States which has the type of law we would change. It is the last one.

I really cannot understand how other jurisdictions which have made a change such as that provided in the bill can be so wrong in the approach they took. One State did make a change such as that provided in the amendment, and after abolishing capital punishment, their legislators returned and reenacted a law providing an opportunity for the court, upon conviction of a defendant, to sentence with an alternative of the death penalty or imprisonment for life, with a provision for parole.

As we know, the proposed legislation applies even to interim cases, that is, cases which are before a judge for resentencing or which at this time have not yet been fully acted upon.

Over a 3-year period we heard from a great many witnesses at the hearings. The testimony is before the Senate. The distinguished Senator from Oregon complained yesterday about the inadequacy of the record on this issue. There is a doctrine of laches. There is an opportunity that is always presented to a Senator. There was no denial of that right.

Representatives of the Judicial Conference appeared and testified.

Reference has been made to prosecution-minded people. We had as witnesses lawyers who have been involved in the defense of people charged with murder. They want a change made for the very reason that they feel the present provision of the law is wrong. They feel that it does not accomplish the purpose for which it was intended.

As I said yesterday, the Department of Justice feels that the present provision of the law very definitely impedes conviction in cases of murder in the first degree. We have seen some rare decisions which have resulted as a consequence of the present law, and they will probably create law with which we must wrestle in future cases.

The National Prisoners' Statistics of March 1961 disclose that 40 States still retain legal authority for execution. Only five States have completely abolished capital punishment. Three other States have limited the death penalty to crimes of treason and murder committed by a person who is serving a life sentence.

As I said, after abolishing capital punishment some years ago, Delaware, during its past session of the legislature, legalized the death penalty in first degree murder cases. In addition to bringing the District of Columbia law into conformity with the Federal law and the State law, the overwhelming and enthusiastic support of practically every judicial body is that the course provided in the bill is the proper course to follow.

We stated the list of groups, representatives of which testified before the committee. They reported from other cases.

At the present time we have a situation which I think, whether right or wrong, or whether it is involved in this factual situation or not, presents a very difficult proposition for the District of Columbia. The case has been tried three times and reversed by the court of appeals as many times. The case was docketed for a fourth trial. The case has been in the courts for about 8 years without a final decision having been reached. Clearly such a long delay is detrimental not alone to the community itself but also to the rights of the accused. It should not be permitted to continue, since we now have an opportunity to do something about it. If we enact a law which the House has passed, or language to that effect, it will correct the delay of such cases and will make possible a reasonable approach to a case which will permit the jury and the court to temper justice with mercy whenever required.

I should like to quote from a letter from Byron R. White, Deputy Attorney General, to the chairman of the Committee on the District of Columbia, the Senator from Nevada [Mr. BIBLE], under date of February 9, 1962, speaking of the general overall proposition as originally introduced by the Senator from Oregon. I ask unanimous consent that the entire letter be printed at this point in my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF JUSTICE,
OFFICE OF THE DEPUTY
ATTORNEY GENERAL,
Washington, D.C.

Hon. ALAN BIBLE,
Chairman, Committee on the District of Columbia, U.S. Senate, Washington, D.C.

DEAR SENATOR: Senator WAYNE MORSE, on February 15, offered an amendment from the floor to H.R. 5143, a bill to eliminate the mandatory death sentence in the District of Columbia. The amendment would abolish capital punishment in the District of Columbia, substituting therefor mandatory life imprisonment.

It is the view of the Department that the adoption of the Morse amendment would lessen the possibility of passage by the Congress of legislation on this subject. It is suggested that if the Senate wishes to consider the question of whether capital punishment should be completely abolished in the District of Columbia, separate legislation would be more appropriate. Such legislation might cover all Federal jurisdictions, including the District of Columbia.

Accordingly, it is urged that the Senate limit its consideration at this time to the elimination of mandatory death sentences from the District of Columbia or reject the Morse amendment, and enact the legislation which is its pending business without amendment.

Sincerely yours,

BYRON R. WHITE,
Deputy Attorney General.

Mr. HARTKE. The method of procedure suggested in the letter is open to the distinguished Senator from Oregon. If he wishes to present the subject and offer the testimony of particular witnesses, I am sure that the Committee on the Judiciary would be more than glad to accord him that right.

The PRESIDING OFFICER. The time of the Senator from Indiana has expired.

Mr. HARTKE. I yield myself 1 additional minute.

The point I wish to make clear is that there are many people who would in their own minds say that they would never condemn a man to death. If a man is summoned for jury duty, and if the attorney for the defendant exercises the duty that he has to his client, he will predetermine whether or not that individual has a conscientious objection to capital punishment, and if a man wants to remove himself from jury duty, he certainly can do so.

But I personally am not ready to take the step suggested.

I personally feel that there are situations, and that the penalties provided in the bill are a deterrent to certain crimes. We must remember that the man who commits a felony, such as robbery or any

other type of felony, and in the process of committing such felony also commits murder, kills an individual, or occasions his death, is subject to the same provisions and penalties as if the act had been murder in the first instance.

I am not fearful of voting on the issue, any more than I am fearful to vote for provisions to defend our country. I know that there may be some question in the minds of some as to whether or not they wish to cast their vote directly upon the issue of capital punishment. It is an obligation of a Senator to make such a decision, and I am sure the Senate should make its decision to lessen rather than to strengthen the provisions in regard to capital punishment.

Mr. President, I yield 2 minutes to the distinguished Senator from New York.

Mr. KEATING. Mr. President, I recognize the complete sincerity of the distinguished Senator from Oregon and the religious scruples of which he has spoken with regard to the issue before the Senate. The taking of human life is, of course, a very serious thing. I cannot think of any more difficult problem than that presented to a judge who has discretion to determine whether to impose a penalty of death or life imprisonment, or to a Governor who has before him the problem of whether to commute such a sentence. I have talked with many who have been faced with such a problem and have been told of the sleepless nights trying to determine that issue. Such a thing may have happened to the distinguished occupant of the chair at the moment, the Senator from Wyoming [Mr. HICKEY].

However, to agree to the amendment of the Senator from Oregon would swing the pendulum all the way over to the other end. As it is now, certainly the present law of the District of Columbia, which is the only jurisdiction with a mandatory death sentence, is archaic, outmoded, heartless, cruel, and should be changed. But then to go to the view carried in only five States in the Union and completely abolish the death penalty under any circumstances goes to the other extreme. While I can understand voting for such a provision—and it is somewhat of a temptation to anyone who professes belief in God—it appears to me that there are instances of hardened, vicious criminals where the death penalty is certainly warranted.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. HARTKE. I yield 1 more minute to the Senator from New York.

Mr. KEATING. Therefore it seems to me it would be a great mistake to go to that extreme, and it would militate, as the Senator from Indiana has said, against the enactment of any legislation at all. This legislation is very much needed in the jurisdiction of the District of Columbia. The committee has considered all the factors and has come up with a bill which in general conforms with most of the States of the Union. It seems to me that the committee is entitled to support in the position which it has taken.

Mr. MORSE. Mr. President, with the consent of the Senator from Indiana, I ask unanimous consent that I may be recognized for 2 minutes.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. MORSE. Mr. President, I wish to make three points very quickly. First I should like to address myself to the fact that the Senator from Indiana has said that I am offering a program which is singular. I wish to point out that some of the following States have capital punishment and some do not, but that all of them have a provision in their statutes for imprisonment for life without parole. They are Georgia, Hawaii, Iowa, Kentucky, Louisiana, Massachusetts, Michigan, Minnesota, Missouri, Nevada, and Ohio.

Hawaii does not have the death penalty, but it provides for life imprisonment without parole.

Michigan provides for life imprisonment without parole. It has the death penalty for treason, but for other capital offenses it does not.

Minnesota does not have the death penalty, but it does have a provision for life imprisonment without parole.

The Senator from Oregon is not proposing any singular proposal in this matter.

Second, I reject the idea that we should not do this in the District of Columbia because in the Federal jurisdictions we do not have this provision.

We have been trying for years to get home rule in the District of Columbia and to get the District of Columbia in the position where it will be treated in most respects as a State. I see no reason why we should argue that, because in Federal jurisdictions we do not have this provision, we should not have it in the District of Columbia. It is high time that we start treating the District of Columbia not as the United States but on a municipal and State basis, with the privilege of home rule.

I am very much amused by Mr. Byron White's argument in his letter to the Senator from Indiana. I hope this is not typical of the legal scholarship of Mr. White. He argues that we should not consider this matter because it might make it more difficult to get it through Congress.

So what? What does the difficulty of getting an issue through Congress have to do with what is right? The Attorney General ought to direct his attention to that matter. He seeks to duck the issue by suggesting that perhaps we ought to take up separately the question of capital punishment, in a separate bill.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MORSE. I yield myself 1 minute.

I would like to give the Senate an opportunity to take up that issue now in the first amendment that we are about to vote on. I have modified my amendment. It brings squarely before the Senate the issue of voting for or against capital punishment as it applies to the District of Columbia.

Lastly, may I say to my friend from Indiana—he knows I love him—I will not let him pass the buck to me. It was not my responsibility to make the record for the subcommittee. It was his, as chairman of the subcommittee. It was the responsibility of the subcommittee, the Washington Post to the contrary notwithstanding. Once again the Washington Post is in error, which is not an uncommon journalistic practice for the Washington Post. The Washington Post said this morning that I was a member of the subcommittee. Mr. President, it was not my subcommittee. It was the responsibility of the subcommittee to make the case, not mine.

That is all there was to my argument yesterday. In my judgment a good many of the references that my friend from Indiana made this afternoon ought to have been made in committee. These people ought to have been available for cross examination. I am not interested in the Senator from Indiana quoting judges or prosecutors. Let us get them before the committee and put them under cross examination. That is the way to make the record. I am ready to make the record now. I now for the last time yield back my time.

Mr. HARTKE. Mr. President, I yield myself 2 minutes. I should like to ask the distinguished Senator from Oregon a question, if I may. As I understand, the amendment which is now before us does not deal with the proposition of having established a life sentence without parole. Is that correct?

Mr. MORSE. Oh, no. I told the Senator that we would vote on this amendment and then I would offer perhaps two other amendments. I will offer an amendment to provide life imprisonment without parole. Then I will offer another amendment, depending on how the vote comes out on the first amendment, which would provide for capital punishment, as the Senator proposed it—although I am vehemently opposed—and which would put up to the jury the right to order life imprisonment without parole or would offer the jury the right to order life imprisonment with parole, but with the provision that the convicted person would have to serve a minimum of 20 years.

The only way in which we can get the capital punishment issue before us is on the basis of the pending amendment.

Mr. HARTKE. The Senator is trying to get the record straight. Does the amendment deal with the proposition of life imprisonment without parole?

Mr. MORSE. No. It deals with whether we will continue capital punishment in the District of Columbia.

Mr. HARTKE. Then, a life sentence without parole is not involved here and does not have application to the pending amendment. Is that correct?

Mr. MORSE. That is correct. However it does have application to the subject matter of the bill that we have been discussing.

Mr. HARTKE. The truth is that if the pending amendment of the Senator from Oregon is adopted, and the amendment becomes fixed at that point, is it not true that the District of Columbia would be in the rather embarrassing position of having no punishment whatever for the crime of murder?

Mr. MORSE. I say respectfully that the Senator from Indiana knows that he is dealing with fantasy.

Mr. HARTKE. I am dealing with the factual situation.

Mr. MORSE. That is like my flapping my wings and flying to Venus.

Mr. HARTKE. I know exactly what the Senator is trying to do. He wants to have the bill defeated. I understand his purpose. However, I wish to ask, as a factual matter, if the amendment offered by the Senator from Oregon is adopted and becomes law, at that point there would be no punishment for the crime of murder in the District of Columbia. Is that correct?

Mr. MORSE. Of course if the Senate engaged in that kind of legerdemain, yes, but I have more faith in the Senate, apparently, than the Senator from Indiana has, judging by his observation. The Senator from Indiana overlooks completely a conference on the two bills. Even this bill, as amended, would have to go to conference unless the House accepts the Senate bill. If that happened, of course it would be patched up in conference. The Senator from Indiana knows what would happen in such a case. If my amendment were adopted, we know that the Senate would later adopt one or the other of my amendments with regard to life imprisonment. The Senator can take judicial notice of that fact.

Mr. KEATING. Mr. President, will the Senator yield?

Mr. HARTKE. I yield to the Senator from New York.

Mr. KEATING. As I understand the Senator's amendment, it strikes out all after the enacting clause and provides that under no circumstance can anyone be executed for any crime in the District of Columbia. Presently the law calls for the mandatory death sentence in the case of first degree murder. Therefore the Senator from Indiana is correct. If the pending amendment were adopted and no other amendment is adopted, there would be no punishment in the District of Columbia for first degree murder.

Mr. HARTKE. The Senator from New York is correct. I believe the Senator from Oregon agrees that that is correct.

Mr. MORSE. Certainly; if we did not adopt another punishment later. However, I do not believe in debating fantasies.

Mr. HARTKE. We are debating the amendment which the senior Senator from Oregon has proposed. I want that fact to be clear. I do not want the record to be confused. I say again, assuming the pending amendment becomes law, murder could go unpunished in the District of Columbia, assuming that the Senator is successful in defeating the bill, and then we would have the situation where, upon the conscience of those who are responsible for defeating the bill, there would rest the future execution of any man in this community.

I did not catch the significance of the fact, in relation to the bill, that 53 percent of the population of the District of Columbia is colored. I fail to appreciate that situation. I simply wish it to be understood that no implication should be read into my failure to comment on that point.

Mr. MORSE. Mr. President, if no other Senator wishes to speak, I suggest that the time on both sides be yielded back, and that there be a quorum call.

Mr. HARTKE. Mr. President, I yield back the remainder of my time.

Mr. MORSE. Mr. President, we are not bound by any understanding with the majority leader, but I have worked out this unanimous-consent arrangement with him: I shall ask for only two yea-and-nay votes this afternoon, one on this amendment and one on the final amendment, but not on any other amendments.

SEVERAL SENATORS. Vote! Vote!

The PRESIDING OFFICER. All time has been yielded back. The question is on agreeing to the amendment of the Senator from Oregon.

Mr. MORSE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORSE. Mr. President, on my amendment, I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Oregon. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. SMATHERS. I announce that the Senator from Colorado [Mr. CARROLL], the Senator from Idaho [Mr. CHURCH], the Senator from California [Mr. ENGLE], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Michigan [Mr. MCNAMARA], the Senator from Montana [Mr. METCALF], the Senator from Oklahoma [Mr. MONRONEY], the Senator from New Jersey [Mr. WILLIAMS], the Senator from Tennessee [Mr. GORE], and the Senator from Arizona [Mr. HAYDEN] are absent on official business.

On this vote, the Senator from Colorado [Mr. CARROLL] is paired with the Senator from Minnesota [Mr. HUMPHREY]. If present and voting, the Senator from Colorado would vote "nay" and the Senator from Minnesota would vote "yea."

I further announce that, if present and voting, the Senator from Minnesota [Mr. MCCARTHY] and the Senator from Michigan [Mr. MCNAMARA] would each vote "yea."

Mr. DIRKSEN. I announce that the Senator from Maryland [Mr. BUTLER] and the Senator from California [Mr. KUCHEL] are necessarily absent.

The Senator from South Dakota [Mr. CASE], the Senator for New Jersey [Mr. CASE], and the Senator from Hawaii [Mr. FONG] are absent on official business.

The Senator from Maryland [Mr. BEALL] is detained on official business.

The Senator from Iowa [Mr. MILLER] is absent because of death in his family.

If present and voting, the Senators from Maryland [Mr. BUTLER and Mr. BEALL], the Senator from South Dakota [Mr. CASE], the Senator from California [Mr. KUCHEL], and the Senator from Iowa [Mr. MILLER] would each vote "nay."

The result was announced—yeas 19, nays 63, as follows:

[No. 25 Leg.]

YEAS—19

Aiken	Gruening	Pell
Bartlett	Hart	Proxmire
Boggs	Long, Mo.	Smith, Maine
Burdick	Long, Hawaii	Williams, Del.
Chavez	Morse	Young, Ohio
Cotton	Muskie	
Douglas	Neuberger	

NAYS—63

Allott	Hartke	Mundt
Anderson	Hickenlooper	Murphy
Bennett	Hickey	Pastore
Bible	Hill	Pearson
Bush	Holland	Prouty
Byrd, Va.	Hruska	Randolph
Byrd, W. Va.	Jackson	Robertson
Cannon	Javits	Russell
Capehart	Johnston	Saltonstall
Carlson	Jordan	Scott
Clark	Keating	Smathers
Cooper	Kefauver	Smith, Mass.
Curtis	Kerr	Sparkman
Dirksen	Lausche	Stennis
Dodd	Long, La.	Symington
Dworshak	Magnuson	Talmadge
Eastland	Mansfield	Thurmond
Ellender	McClellan	Tower
Ervin	McGee	Wiley
Fulbright	Morton	Yarborough
Goldwater	Moss	Young, N. Dak.

NOT VOTING—18

Beall	Engle	McCarthy
Butler	Fong	McNamara
Carroll	Gore	Metcalf
Case, N.J.	Hayden	Miller
Case, S. Dak.	Humphrey	Monroney
Church	Kuchel	Williams, N.J.

So Mr. MORSE's amendment was rejected.

Mr. MORSE. Mr. President, I send to the desk several other amendments, which need not be read, but I will explain it briefly.

The PRESIDING OFFICER. The amendments offered by the Senator from Oregon will be stated.

The Chief Clerk proceeded to read the amendments offered by Mr. MORSE.

Mr. MORSE. Mr. President, I shall explain the amendments. It is not necessary to read them.

The PRESIDING OFFICER. Without objection, the reading of the amendments will be dispensed with.

The amendments offered by Mr. MORSE are as follows:

On the first page, line 9, immediately after "recommends" insert the following: "life imprisonment without eligibility for parole, or".

On page 2, line 4, strike out "or life imprisonment" and insert in lieu thereof a comma and the following: "life imprisonment without eligibility for parole, or life imprisonment".

On page 2, line 8, strike out "only after the expiration of twenty years from" and insert in lieu thereof the following: "only if the sentence provided therefor, and not earlier than twenty years after".

On page 3, line 3, immediately after "life imprisonment" insert the following: "without eligibility for parole, or life imprisonment".

On page 3, line 8, immediately after "death" insert a comma and the following: "life imprisonment without eligibility for parole".

Mr. MORSE. Mr. President, I ask for the yeas and nays on the amendments.

The yeas and nays were ordered.

Mr. MORSE. Mr. President, I allow myself 3 minutes.

In view of the vote which was just taken, I am going to eliminate all the other amendments and propose only this general amendment. I am in a very interesting, shall I say, or paradoxical position. I shall offer the amendment, but shall vote against it. I think the amendment provides a legislative service for the majority of the Senate, because the majority wants to retain capital punishment. If the majority wants to retain capital punishment, from the standpoint of legislation, this proposal is a better way to handle the problem than the pending bill. At least, I think the proposal should go to conference for consideration there.

The pending amendment retains a provision for capital punishment, as does the bill which the distinguished Senator from Indiana is presenting. It provides for life imprisonment without parole, which provision exists in at least 11 States in this country. It provides for life imprisonment with parole, keeping the requirement of a minimum of 20 years' incarceration which is provided for in the Senate bill. It leaves it up to the jury to decide.

Let me summarize the amendment again, and then I shall close. The amendment provides for a continuation of the capital punishment penalty upon recommendation of the jury. It provides for life imprisonment without parole on the basis of the recommendation of the jury. It provides for life imprisonment with parole, with the requirement that the prisoner must be kept incarcerated for 20 years, again upon the recommendation of the jury.

Again I submit that proposal is in better legal form than is the pending bill.

The amendment also provides that if the jury cannot agree, it is within the discretion of the judge to inflict whatever one of the three penalties he desires to impose.

Because the amendment contains the capital punishment provision, I cannot vote for it, but if the capital punishment provision is to be continued, I think the other two alternatives ought to be applied.

I restate them: Life imprisonment without parole. Life imprisonment with parole, with a restriction of a minimum of 20 years' imprisonment, at the discretion of the jury. If the jury cannot agree, it is to be done by the judge.

Mr. President, so far as I am concerned, I have made my case.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. LAUSCHE. That is, the power would be given to the jury to make a finding of guilty, with the additional provision that there shall be life imprisonment without hope of parole?

Mr. MORSE. Or capital punishment.

Mr. LAUSCHE. Or capital punishment. Also, the jury could say, "We find the defendant guilty of first-degree murder. We recommend life imprisonment, but with hope of parole at the end of 20 years," could it?

Mr. MORSE. That is correct, or the jury could say, "We find the defendant guilty, but we cannot agree on what the punishment shall be. We leave that up to His Honor."

Mr. KEATING. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. KEATING. The Senator from Oregon has named States that provide for such punishment. Is there any State that has these three delineations?

Mr. MORSE. I cannot tell the Senator that. I can tell the Senator that Hawaii has no death penalty, but life imprisonment without parole. I do not know whether it has provision for life imprisonment with parole.

Michigan has no death penalty except for treason. It has life imprisonment without parole.

Minnesota has no death penalty, but it has life imprisonment without parole.

Georgia has capital punishment, but also provides for life imprisonment without parole as one of the alternatives.

So have Iowa, Kentucky, Louisiana, Massachusetts, Missouri, Nevada, and Ohio.

Mr. KEATING. If I may pursue the point, they do not leave to the jury the question of whether the life imprisonment should be with or without parole, do they?

Mr. MORSE. Nevada.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. LAUSCHE. In Ohio a law was passed making mandatory a review of a life sentence at the end of 20 years. The parole board reviews the facts and recommends to the Governor what shall be done at the end of that 20-year period. The proposal of the Senator from Oregon is not identical with the Ohio situation, but it involves substantially that principle.

Mr. MORSE. All I propose to do is get this principle into the law, if I can.

Mr. LAUSCHE. I do not say this vainly, but I do not believe there is any person in the country, except probably Governor Dewey or Governor Warren, who has had greater experience with this subject than I have had. I was Governor for 10 years. Before me each year came possibly six or seven reviews of death sentences. The Governor of Ohio has the unlimited power to commute or pardon. Each year while I was Governor I had cases submitted to me of prisoners who had served 20 years and as to whom the board had recommended commutation or continuance of the imprisonment.

My own belief is that, after the hysteria which frequently surrounds a trial, and after the passing of time, when one looks back the impact of the case is completely different from what it was at the time the trial was had.

Based upon my experience, while I believe that capital punishment is necessary, there should be provided the latitude which is contemplated by the proposal made by the Senator from Oregon.

Mr. MORSE. I want to make perfectly clear to the Senate that my pending proposal does not touch pardon authority. It goes only to the question of capital punishment.

Mr. President, I yield the floor.

Mr. HARTKE. Mr. President, so the record will be clear, the difference between the amendment submitted by the Senator from Oregon and the bill which is pending before the Senate is that the Senator from Oregon has introduced a third element which is not present at this time.

The bill which is before the Senate at the present time provides that there can be a finding and an imposition of the death penalty. It provides also that in case the jury unanimously decides the punishment shall be life imprisonment, the terms shall be for at least 20 years. There is no discretionary power in the jury or the court in that respect. That prisoner must serve at least 20 years, at which time he can be considered for parole.

The distinguished Senator from Oregon has added a third element, which is that there can be a finding by the jury which imposes a life term without the right of parole. This proposal is in complete defiance of all the rules of evidence, as the distinguished Senator from Oregon knows. It is a complete change in the law, because no jury is ever given the right, in any criminal procedure that I have even heard of, to make a determination as to the right of parole. The rights of parole go to matters which are not before the court or the jury. The jury makes its determination upon the facts which are presented under the rules of evidence. Any mitigating circumstances, the refusal of the defendant to take the stand, all those things, cannot be considered in the case before the jury. Those items can be considered, as the distinguished Senator from Ohio has said, after all the emotions of the trial are gone, when all the facts can be looked upon objectively, after the conduct of the defendant in his imprisonment can be considered.

Mr. President, the amendment by the distinguished senior Senator from Oregon [Mr. MORSE] retains the existing provisions of the pending bill insofar as it allows for the imposition of the death penalty. However, in connection with alternative life-term punishment the proposed amendment would amend the pending bill so that the jury, and also the court, when the jury is unable to agree as to punishment, shall have the choice of—

First, imposing a life sentence without eligibility for parole; or

Second, imposing a life sentence with eligibility for parole after the accused has served 20 years of such sentence.

The pending bill, S. 1380, differs from the proposed amendment in that it prescribes, in lieu of the death penalty, a life sentence with no eligibility for parole until 20 years of the sentence has been served. The 20-year eligibility requirement affects all life sentences, and neither the court nor the jury has any discretion in connection with its imposition. Mr. President, I should like to

make it perfectly clear that this particular amendment was not considered by your committee. Contrarily, your committee gave careful and deliberate consideration to the punishment as now contained in the pending bill which I have just elicited.

In this matter it is indeed important to emphasize again that the Bar Association of the District of Columbia, the Law Enforcement Council for the District of Columbia, the U.S. Attorney's Office for the District of Columbia, the Justice Department, and the Judicial Conference for the District of Columbia supported the pending bill and particularly the principle of punishment as set forth in the bill, which provides that all persons sentenced to a life term shall serve 20 years of the term before being eligible for parole. It is the considered opinion of your committee that these supporters of the pending measure are the most knowledgeable persons who are experts in effective law enforcement and related activities in the District of Columbia.

One other point should be made in connection with the pending amendment.

It has long been an established principle of our criminal jurisprudence that the trial court and not the jury shall impose sentence. The proposed amendment violates this legal concept of long standing by providing for the jury to determine whether eligibility for parole should be permitted after the defendant has served 20 years of the life sentence or whether it should not be granted at all. It is well understood that the extent of the punishment is determined not only from the nature of the crime but also from the general character of an accused. However, the rules of evidence are such that many times the jury is not made fully aware that the person whose fate they are deciding may be a rogue of the worst kind. Under this proposed amendment a rogue could be treated by a jury far more kindly than a person who is more deserving.

This incongruity results from the very fact that the rules of evidence provide that if a defendant does not take the stand his past history of criminal conduct under most circumstances cannot be made known to the jury even though the prosecution would desire to make such fact known. It is obvious that such information could have a definite bearing on the jury's consideration of whether a defendant could possibly be rehabilitated and should therefore have an opportunity for parole at the end of 20 years of the life sentence in lieu of a life sentence without any eligibility for parole ever.

Such being the case it would appear to be unwise to possess a jury with the power to determine eligibility for parole particularly where the jury may not be fully informed of all the facts that are necessarily required in making a prudent and reasonable determination of the sentence to be imposed and the eligibility for parole in conjunction therewith. As a practical matter the proposed amendment could create inequities in sentencing, and it is certainly clear that this type of situation should be avoided.

Mr. President, in view of what has been set forth, I hope that the Senate will defeat the amendment of the senior Senator from Oregon.

Mr. LAUSCHE, Mr. MORSE, and Mr. KEATING addressed the Chair.

Mr. HARTKE. This is the basic difference which I think should be pointed out. I point out further that this matter was never submitted at any time to the committee. It was not considered by the committee. It was not even suggested to the committee, either by the distinguished Senator from Oregon or from any other source, when the hearings were held, during the past 3 years.

Mr. LAUSCHE, Mr. MORSE, and Mr. KEATING addressed the Chair.

Mr. HARTKE. I yield first to the Senator from Ohio.

Mr. LAUSCHE. I think it is advisable to have this midway ground upon which to act. A jury may be confronted with the problem of sending a man to his death or of recommending imprisonment for 20 years, not directly but impliedly. The jury may say, "We do not wish to send him to his death. We do not wish to see him released after 20 years, but we do wish to see him confined for life."

The provision offered by the Senator from Oregon would give this midway method of handling the situation, if the jury should so decide.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. HARTKE. I point out to the distinguished Senator from Ohio that the jury, in the case in which a defendant refuses to take the stand, can in no way understand the background of the individual. He may be a rogue of the worst sort. He may be a person who committed an act in the heat of passion, or perhaps not, but in circumstances which perhaps would not be repeated on a normal occasion again. These things cannot be considered in the trial of a person.

I am sure the distinguished Senator from Ohio understands the situation. I feel that to make a decision of this kind would give the jury a right to make a determination as to parole.

Mr. MORSE, Mr. KEATING, and Mr. LAUSCHE addressed the Chair.

Mr. HARTKE. I am glad now to yield to the Senator from Oregon.

Mr. MORSE. I wish to clarify my position.

I say to the Senator from Indiana, he could not be more wrong than to argue that this is in violation of all the rules of evidence. It does not involve the subject matter of evidence at all, and the Senator ought to know that.

It is quite common under the law to give to juries a discretionary authority to determine whether or not an individual shall be sentenced to capital punishment or whether or not an individual shall be sentenced to life imprisonment. That authority exists in many statutes.

Mr. HARTKE. I did not say that.

Mr. MORSE. What I would do is to give the jury discretion to decide whether there shall be capital punishment, whether there shall be life imprisonment without parole, or whether there shall be life imprisonment with parole. I propose to give this discretion to the jury.

There would be no violation of any rule of evidence. There would be a statutory imposition of authority upon a jury, and the jury ought to have the authority.

I say to my friend that a jury could not possibly go through a case involving murder in the first degree without having a pretty good idea of the type of character of the defendant, and without feeling that the jurors are in a position to make recommendations; or, as my amendment provides, to make no recommendation at all. If the jurors feel that they do not have enough information on which to make a recommendation, they can leave it up to the judge. That protection is in my amendment.

Mr. KEATING. Mr. President, will the Senator yield to me?

Mr. HARTKE. I yield to the Senator from New York.

Mr. KEATING. I addressed a question to the Senator from Oregon, as to whether such a plan as this exists in any jurisdiction, and he very properly said it did not. The reason is that the question of parole is a question ordinarily not left to a jury. I can understand a mandatory provision, requiring life imprisonment without parole, or life imprisonment with the possibility of parole. Unless there is a mandatory provision in the law, there is not any jurisdiction in this country which leaves to a jury the question as to whether a prisoner should or should not be paroled. That is the inherent difficulty involved in the amendment offered by the Senator from Oregon.

The question of parole should be left to a judge, who can consider all of the facts, not only the evidence in the proceedings. The question of whether or not to grant parole some 20 or 30 years after a trial should never be left to a jury.

It is recognized that defendants sentenced to life imprisonment without the opportunity to seeing a chance for parole may become difficult disciplinary problems. The provisions of H.R. 5143 provide for the possibility of parole after 20 years imprisonment. Parole is not automatic and can only be granted after serious study of a prisoner's background and prison record. The present District of Columbia law provides that defendants imprisoned for life have an opportunity for parole. I do not see why this policy should be changed.

James V. Bennett, Director of the Bureau of Prisons, has stated:

> Nothing is more unequal than treating unequal things equally.

Some defendants sentenced to life imprisonment can be rehabilitated and returned to society as useful members. To put discretionary parole in the hands of juries would set an unwise precedent.

Mr. HOLLAND. Mr. President, will the Senator yield for a question?

Mr. HARTKE. I am glad to yield to the Senator from Florida.

Mr. HOLLAND. Is it not true, on the question of parole, that very frequently the facts which are impressive have to do with the conduct of the person after

conviction, and frequently have to do with his health after conviction, and frequently have to do with the health of others after his conviction? In other words, those facts deal with matters which not only cannot be known to the jury or the judge at the time, but also which wholly arise after the fact of conviction and sentence.

Mr. HARTKE. The Senator from Florida is exactly correct. These things not only are not known, but cannot be prejudged or predetermined.

Mr. PASTORE. Mr. President, will the Senator yield for a question?

Mr. HARTKE. I am glad to yield to the distinguished Senator from Rhode Island.

Mr. PASTORE. Under the bill as reported by the committee, would the judge have the authority to charge the jury on the various degrees of murder?

Mr. HARTKE. Yes.

Mr. PASTORE. Is the penalty for murder in the second degree different from the penalty for murder in the first degree?

Mr. HARTKE. The penalties are different.

Mr. PASTORE. I should like to direct a question to my distinguished colleague the Senator from Oregon [Mr. MORSE] on this very point.

If the judge is required under the law to charge the jury as to the various degrees with respect to homicide, and if the jury has within its authority the right to return a verdict of murder in the second degree, as to which the penalty might be 20 years imprisonment, depending upon the penalties in the District of Columbia, could the Senator give us an example of a case in which a jury would be compelled to find a defendant guilty of murder in the first degree and would be compelled to order the person imprisoned for life but would, at the same time, have within its capacity a compassion to recommend that there should be leniency, with the consideration of parole in 20 years? I cannot imagine such a case.

Mr. MORSE. I shall answer the Senator's question by saying that my amendment deals only with murder in the first degree. It would not touch upon the second degree murders, or manslaughter. The amendment deals only with the area of homicide in respect to which we have so much trouble with the juries, because the juries do not wish to find the defendants guilty, because they fear that capital punishment will be imposed.

In respect to the cases of murder in the first degree, the juries would have three alternatives by way of recommendation.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. MORSE. While I am on this subject, I wish to comment as to what the Senator from Florida [Mr. HOLLAND] had to say.

That does not have anything to do with parole, but only with the limited number of cases in which the jury finds that the crime is so heinous, or the individual is so heinous, that the person ought to be put away for life.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. PASTORE. I know that we are dealing with murder in the first degree, but there is not a case of murder in the first degree in which the jury is not authorized to come in with a verdict of murder in the second degree. In other words, if the jury thought the circumstances justified leniency, below the ceiling of life imprisonment, the jury could return a verdict of a lesser degree of a charge of homicide.

Mr. MORSE. The jury can do that under my amendment.

Mr. PASTORE. I realize that, but I cannot imagine a single case in which a jury would find a person guilty of murder in the first degree and would be so moved by compassion that at the same time it would recommend consideration of parole at the end of 20 years. If the jurors felt that way, the jury should return a verdict of murder in the second degree.

I have been a prosecutor. I have prosecuted many cases of murder in the first degree. I cannot now imagine a case in which a jury would feel impelled to find a defendant guilty of murder in the first degree and at the same time would be moved by extenuating circumstances to recommend consideration of parole, at that time, after the passage of 20 years.

Mr. MORSE. I see what is bothering the Senator.

Mr. PASTORE. It is not bothering me. I should like to know the answer. Nothing is bothering me. I am asking a question.

Mr. MORSE. The Senator's interpretation of my amendment bothers me; I will put it that way.

Mr. PASTORE. I accept that.

Mr. MORSE. My amendment does not provide for a jury to recommend parole. My amendment provides for the jury to recommend life imprisonment, and the parole laws can run their course. If, after 20 years, the parole board finds the prisoner's behavior is such that he ought to be considered eligible for parole, he will get parole.

The jury, under my amendment, would not recommend parole. The jury, under my amendment, would recommend life imprisonment, or would recommend life imprisonment under the part of the statute which would make the prisoner eligible for parole if he qualified for parole. The amendment also would give to the jury authority to recommend life imprisonment without parole. In other words, the man would have to go to prison and be kept there for life. He would never be eligible for parole.

Mr. PASTORE. There are two points involved. That same jury could recommend, after finding the accused guilty of murder in the first degree and after recommending life imprisonment at that time, according to the Senator's amendment, that the State be compelled to consider that individual for parole after 20 years. That is not used in any jurisdiction in any State in the country.

Mr. MORSE. Oh, no.

Mr. PASTORE. I should like to know the State which does so. If there is a State which has such a law I should like to know it.

The PRESIDING OFFICER (Mr. BURDICK in the chair). The time of the Senator has expired.

Mr. MORSE. Mr. President, I yield myself 2 additional minutes.

My amendment does not require the individual to be paroled. My amendment would only authorize a jury to find that such an individual shall be imprisoned for life, and the parole laws would then apply. After 20 years' imprisonment a parole board may decide that the prisoner is not entitled to parole.

But do not forget that the pending Senate bill requires a 20-year limitation. I would merely accept that provision, and the parole laws would operate.

The Senator is concerned about other jurisdictions. In Nevada the law reads as follows:

> If the jury shall find the defendant guilty of murder in the first degree, then the jury, by its verdict, shall fix the penalty at death or imprisonment in the State prison for life with or without the possibility of parole.

I call that provision to the attention of the Senator from New York [Mr. KEATING]. In Nevada there is a law, a provision of which I shall read again:

> If the jury shall find the defendant guilty of murder in the first degree, then the jury by its verdict shall fix the penalty at death or imprisonment in the State prison for life, with or without the possibility of parole.

The Nevada statute gives a jury three alternatives: First, the jury may fix the penalty at death; second, it may fix the penalty at imprisonment for life with the possibility of parole; third, it may fix the penalty at life imprisonment without possibility of parole.

Mr. KEATING. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. KEATING. I would think that the provision of the law of Nevada is close, if not exactly the same, as the amendment offered by the Senator. But is there any other State in the Union that leaves to a jury the question of whether or not opportunity for parole will be given to the jury?

Mr. MORSE. At the present time I do not know. I would have to go to the lawbooks to doublecheck the statutes. I have not done so.

Mr. KEATING. I would say that there is none other than the one stated.

Mr. MORSE. I think it is a pretty good one.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. MORSE. I yield to the Senator from Ohio.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MORSE. I yield myself 2 additional minutes.

Mr. LAUSCHE. Mr. President, I venture to say that I reviewed 50 cases in which I felt that the conviction should have been for second degree murder, but instead of being for second degree, the conviction was for first degree, which was technically correct.

In Ohio, if one deliberately and premeditatively takes the life of another, he is guilty of murder in the first degree, and unless the jury recommends mercy, the defendant is sentenced to death.

As Governor of the State of Ohio I dealt with at least 50 cases involving murder. They included triangular love affairs, the murder of a husband by a wife or a wife by a husband. All of the elements of first degree murder, including deliberation and premeditation, were present. The judge charges the jury as follows:

> If you find that the defendant, with deliberation, premeditation and purposefully, took the life of the deceased, you are obliged to find him or her guilty of murder in the first degree, and unless you recommend mercy, he shall be sentenced to death.

There are cases of that type. I distinctly recall another case involving a game of dice, or craps. "A" claimed that he won the bet. "B" claimed that he won it. "A" picked up the money. "B" went out, and half an hour later returned and said, "Will you tell 'A' to come outside?" "A" went outside and "B" shot "A" dead.

Mr. MORSE. The death sentence was not much of a deterrent, was it?

Mr. LAUSCHE. The defendant was charged with first degree murder. He deliberately, premeditatively and with purpose took the life of another. The defendant was sentenced to life imprisonment. The jury was correct in its finding, but there was no ability for that jury to say, "We will recommend consideration at the end of 20 years for parole."

I know that the Senator from Rhode Island [Mr. PASTORE] was Governor of his State, but I wish to repeat that I yield to no one on the basis of experience on this subject. I spent many sleepless nights worrying about cases of that kind, and as I look back, I recall saying that if the jury only would have had some further latitude, or even if it did not have further latitude, there ought to be some definite period at which mandatory review can take place.

Mr. PASTORE. Mr. President, will the Senator yield on that very point?

Mr. LAUSCHE. I yield.

Mr. PASTORE. I have not practiced law in Ohio, but I know it is common practice throughout the United States in such cases to charge a jury also on second-degree murder. In the particular case to which the Senator from Ohio referred did not the judge charge the jury also on second-degree murder?

Mr. LAUSCHE. Yes, surely.

Mr. PASTORE. Of course he did. Could not that jury have come back with a verdict in second degree?

Mr. LAUSCHE. No, that is where we part. The jury obediently followed the instructions of the court and found that there was not second-degree murder.

In Ohio the court does not have to charge a jury on second degree murder in every such case.

So the situation is that the Senator from Rhode Island takes the position that the jury can disregard the judge's instructions and convict the defendant of second degree murder even though the elements of first degree murder have been established.

Mr. PASTORE. I said no such thing. I am saying only that if the law compels the judge in a case of homicide to charge the jury on the elements of first degree murder, second degree murder, and manslaughter, then it is up to the jury to return and say whether its verdict shall be manslaughter, second degree murder, or first degree murder. I cannot go along with the idea that a jury obediently follows the charge of the court. The court charged on all three degrees of homicide, and it followed the court on the one charge that they believed applied. Under the laws of Ohio, after 20 years the convicted man had to be considered for parole.

And I do not take my hat off to anyone on the statement I just made.

Mr. LAUSCHE. I merely wish to repeat that the vehemence of the statement made by the Senator from Rhode Island does not stamp his statement as correct. The fact still remains that the Senator from Rhode Island said that although the State proved murder in the first degree, a jury could disregard such proof and find the defendant guilty of second degree murder because it wishes to show mercy.

Mr. PASTORE. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I yield.

Mr. PASTORE. We never know what the State has proved until a jury returns. We never know what a prosecutor has proved with respect to the degree of homicide until the foreman of the jury rises and says, "Your Honor, we find the defendant guilty of murder in the first degree," "murder in the second degree," or "manslaughter." That is the only way one can know what has been proved. I have never been in on a jury discussion yet to find out how they deliberate, and I do not think my friend from Ohio has been either.

Mr. LAUSCHE. That is not so. If a jury wishes to do so, it may disregard the proof and make a finding of second-degree murder. But jurors in their deliberation say, "Was the act purposeful? Was it premeditated? Was it deliberate?" On the basis of such deliberation they may say, "The defendant is guilty of first-degree murder." They sacredly perform their duty.

My understanding is that the Senator from Rhode Island is trying to avoid that situation and give defendants a short avenue in such cases.

Mr. MORSE. Mr. President, I yield myself 1 minute.

Where I fail to follow my good friend from Rhode Island is in regard to the purpose of the instructions and what the instructions are applied to. The purpose of instructions is to instruct the jury in regard to the distinctions among the degrees of homicide. A judge instructs a jury to apply those distinctions to the evidence.

Let us assume a hypothetical case. If a jury is satisfied on the basis of the instructions on first-degree murder that the evidence in the case proved beyond a question of doubt that the defendant was guilty of first-degree murder, then such ought to be the verdict of the jury. That is their responsibility.

I quite agree with the Senator that we do not know what the jury may do in the jury room. However, we do not want to encourage them, because they think some mercy ought to be applied, even though they think the man is guilty, to make a finding contrary to the evidence and find the person guilty of second-degree murder when they feel that under the instructions of the court they ought to find him guilty of first-degree murder.

My amendment takes care of that possibility. The jury can find him guilty of first-degree murder. It can apply the doctrine of mercy, if it wishes to do so in regard to life imprisonment; making him eligible to parole.

Mr. HARTKE. Mr. President, I yield 2 minutes to the Senator from Rhode Island.

Mr. PASTORE. Mr. President, I hope the amendment will not prevail. Some of us sometimes look a little differently on how we legislate for the District of Columbia because of the fact that it does not happen to be our permanent residence. However, I would dislike to see any innovation made in the concept of our jurisprudence as it is recognized in most of our States, by inaugurating an innovation or concept in the District of Columbia which might prove to be quite tragic, a concept which, with the exception of one State that I have been told comes very close to it, is not the accepted practice in any one of our 50 States.

I say it would be a mistake to accept it at this time. After all, the bill as reported by the committee covers the situation adequately.

When a man is charged with and found guilty of murder, under the bill as reported by the committee, he may be executed, or the jury may unanimously recommend that he be imprisoned for the rest of his life. If he is imprisoned for the rest of his life, under the law in the District of Columbia, after he shall have served 20 years, he can be considered for parole. That strikes me as being adequate. I hope the bill as recommended by the committee will prevail.

Mr. HARTKE. Mr. President, I yield to the Senator from Florida.

Mr. HOLLAND. Mr. President, I agree with the Senator from Rhode Island on his points of law, but my brief remarks will not be based upon any legalistic argument.

I believe it is the feeling of the Nation as a whole, and of practically every jurisdiction of the United States, including the District of Columbia, that there should be in existence a parole system with this philosophy: When after acquired evidence is available, or when unusually good conduct on the part of the convicted person develops, or when his condition of health will doom him to an early death unless something occurs, or other circumstances of that kind develop, the parole board is there, existing, to take cognizance of these later-developing facts, and that in those circumstances it has the authority to extend some degree of mitigation, or to even go further.

I have operated under the other system, where the pardon board did the work, which was an elected, political board, and then later under the parole board.

I have been in somewhat the same position as the distinguished Senator from Ohio [Mr. LAUSCHE], as Governor of my State. I wish to say that I thoroughly approve of the idea of having a board which can take into consideration the facts which develop after conviction and after sentence. I do not believe that it is wholesome to give a group of jurors, no matter how dedicated they may be, the power to set aside the system of parole and the possibility of any sort of mercy being extended regardless of other facts which develop later, even if there is evidence which later shows innocence instead of guilt. I am not in favor of setting up a system under which juries would have authority to do more than any court now has authority to do, by withholding the possibility of the extension of mercy where facts that clearly justify and require some alleviation of the sentence exist and so show.

Mr. KEATING. Mr. President, will the Senator yield?

Mr. HARTKE. I yield 2 minutes to the Senator from New York.

Mr. KEATING. The Senator from Florida has well stated his point. Some of us are old enough to remember the Leopold-Loeb case. If that had been a jury case, certainly if the jury had had these three alternatives and had not voted execution, they would have voted for life imprisonment without parole. The conscience of the whole country was affected. One of the defendants died in prison, and the other, after 30 or 35 years of imprisonment—I do not remember the exact time—was paroled. When he was paroled at the end of that lengthy period, I believe most people in the country agreed with that decision. Yet, at the time of the trial few would have supported such a decision. In other words, the jury should not be the one to determine whether or not a man at any future time may be paroled.

Mr. HOLLAND. I thank the distinguished Senator from New York. I hope that those who are advocating the amendment of the Senator from Oregon will explain what would occur if later-discovered facts, after conviction and sentence, were found to change the aspect of the case largely or wholly. What would develop if it were given to 12 men and women to say that a prisoner shall be sentenced to life imprisonment and that he shall not be eligible for parole or to the extension of any mercy?

Mr. MORSE. Mr. President, I yield myself 1 minute. I wish to make these comments very quickly. I wish to say that it never bothers me if we make progress, and it is no persuasive argument with me that, because this does not exist in many other States, therefore we ought not to do it. That kind of argument is against progress. I believe that we have before us a very progressive proposal. I believe it is a sound one.

Some Senators are perfectly willing to have juries take over jurisdiction in deciding that somebody should be electrocuted or hanged. Apparently that is all right. However, when we suggest that the jury in certain instances ought also to have jurisdiction to pass judgment on whether or not someone ought to be put away for life without parole, it is all wrong. The amendment would give the jury that power. It also would give them the power to make the finding that a defendant should not be put away for life.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MORSE. Mr. President, I yield myself 1 more minute.

Let me tell Senators what is bothering a great many juries. I speak as one who has had some experience in law enforcement. If juries feel that an individual will be paroled, but who should not be paroled, they will order the death penalty. I believe we ought to leave this discretionary with the jury. I should like to ask my friend from Florida, who asks what will happen in cases in which a person has been imprisoned for life without any right to parole. I stated earlier that we are not touching the pardon power of the chief executive. This amendment has nothing to do with that. It would still be available to correct or prevent injustice.

We are getting down to the fact as to whether or not we want to make progress in line with what I submit is the modern trend in the matter of treating criminals, or whether we want to repeat the pattern that we have had for years, although it has not worked well, that we should continue it.

SEVERAL SENATORS. Vote! Vote!

The PRESIDING OFFICER. Do the Senators yield back the remainder of their time?

Mr. HARTKE. I yield back the remainder of my time.

Mr. MORSE. I yield back the remainder of my time.

Mr. President, may I have an understanding, in cooperation with the Senator and the majority leader, that, by unanimous consent, such material as I did not take the time to present may be printed in the RECORD at this point?

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From Social Action, April 1961]

THE CASE AGAINST CAPITAL PUNISHMENT

(By Donal E. J. MacNamara, dean of the New York Institute of Criminology, president of the American League to Abolish Capital Punishment, president-elect of the American Society of Criminology, editor of Excerpta Criminologica, fellow of the American Association for the Advancement of Science, and fellow of the American Academy of Criminalistics)

The infliction of the death penalty is becoming less frequent and the actual execution of the sentence of death even more rare, both in the United States and in foreign countries. Not only is the trend apparent in those nations and States which have formally repudiated the lex talionis and have eliminated capital punishment from their penal codes[1] but it is almost equally clear in many of the jurisdictions which still retain the ultimate sanction for from 1 to 14 crimes.[2] This diminished frequency is a reflection of the popular distaste for executions and of the recognition by many criminologically and psychiatrically oriented judges, juries, prosecutors, and commuting and pardoning authorities that capital punishment is as ineffective as a special capital crimes deterrent as it is ethically and morally undesirable.

The case against the death penalty is supported by many arguments—with the order of their importance or precedence dependent upon the orientation of the proponent or the composition of the audience to whom the argument is being addressed. The late Harold Laski, in opening his series of lectures to one of my graduate seminars in political theory, suggested that a lecturer or writer was under obligation to his audience to define both the articulate and inarticulate basic premises upon which his theoretical structure, and its practical application to the matters under discussion, rested. This writer, then, is a practicing criminologist with both administrative and operational experience in police and prison work over a period of more than two decades; he was brought up in a Catholic household, went to parochial schools for 12 years, and then took degrees from two nonsectarian institutions. He is a convert to abolition, for during his active police and prison career he not only accepted the death penalty pragmatically as existent, necessary, and therefore desirable but participated in one or another formal capacity in a number of executions.

[1] Michigan, Rhode Island, Wisconsin, Maine, Minnesota, North Dakota, Delaware, Alaska, Hawaii, Puerto Rico, and the Virgin Islands in the United States. Many nations have abolished capital punishment outright; others retain it in restricted application (e.g., Israel for war criminals; Guatemala for men but not for women or children; U.S.S.R. for treason and certain atrocious murders; England for murders with firearms or explosives and for killing a police or prison officer in escaping custody); still other nations have just stopped using the death penalty (Luxembourg's last execution was in 1822 and Belgium's in 1863). Only 15 of the 43 death penalty jurisdictions in the United States actually executed anyone during 1956 and 4 States (California, Georgia, Ohio and Texas) accounted for half of the total executions. Canada, which retains the death penalty despite an aggressive campaign by the abolition forces, actually commuted 32 of its last 40 death sentences.

[2] It is frequently assumed that the death penalty is prescribed only for murder ("a life for a life"). Actually in the United States there are more than 30 different offenses punishable by death in one or more jurisdictions (Georgia has 14 capital crimes). Murder carries the death penalty in 48 jurisdictions; kidnapping in 34; treason in 25; rape in 19; dueling in 18; train wrecking in 15; lynching in 10; perjury in a capital case in 10; dynamiting in 7; armed robbery in 7; arson in 6; burglary in 4; abortion resulting in death in 4; aggravated assault by a "lifer" in 2; and 18 other offenses including espionage, selling narcotics to a minor, etc., in 1 jurisdiction each. Eight of these crimes have actually resulted in executions since 1930: 3,141 for murder; 470 for rape; 22 for armed robbery; 17 for kidnapping; 11 for burglary (all Negroes in North Carolina and Alabama); 8 for espionage; 4 for assaults by "lifers"; and 1 for desertion. Of these the Federal Government executed 31—and the U.S. Army and Air Force executed an additional 159. The U.S. Navy has executed no one since 1840. There is a bill before Congress to abolish the death penalty in Federal courts and similar bills have been introduced in more than a dozen State legislatures.

ARGUMENTS AGAINST CAPITAL PUNISHMENT

The case against capital punishment is tenfold:

1. Capital punishment is criminologically unsound. The death penalty is the antithesis of the rehabilitative nonpunitive, nonvindictive orientation of 20th century penology. It brutalizes the entire administration of criminal justice. No criminologist of stature in America or abroad gives it support. And those armchair and so-called utilitarian criminologists who plead its necessity (never its desirability or morality) do so in terms of Darwinian natural selection and/or as a eugenics-oriented, castration-sterilization race purification technique, an economical and efficient method of disposing of society's jetsam. Those who advance these arguments are probably not aware that they are rationalizing a residual lust for punishment or propagating an immoral, virtually paganistic, philosophy.

2. Capital punishment is morally and ethically unacceptable. The law of God is "Thou shalt not kill," and every system of ethics and code of morals echoes this injunction. It is well recognized that this commandment (and the laws of man based upon it) permit the killing of another human being "in the lawful defense of the slayer, or of his or her husband, wife, parent, child, brother, sister, master or servant, or of any other person in his presence or company"[5] when there is imminent danger and in actual resistance to an assault or other criminal act. It is equally well recognized that society, organized as a sovereign state, has the right to take human life in defending itself in a just war against either internal or external unjust aggression. But the individual citizen has no right in law or morals to slay as punishment for an act, no matter how vile, already committed; nor has he legal or moral justification to kill when—his resistance to an attempted criminal act having proved successful short of fatal force—the imminent danger is eliminated and the criminal attack or attempt discontinued.

Individuals in groups or societies are subject to the same moral and ethical codes which govern their conduct as individuals. The state, through its police agents, may take human life when such ultimate measure of force is necessary to protect its citizenry from the imminent danger of criminal action and in actual resistance to felonious attempts (including attempts forcibly to avoid arrest or escape custody). Once, however, the prisoner has been apprehended and either voluntarily submits to custody, or is effectively safeguarded against escape (maximum security confinement), the right of the state to take his life as punishment, retribution, revenge, or retaliation for previously committed offenses (no matter how numerous or heinous) or as an example to deter others, or as an economical expedient, does not exist in moral law.

I argue this despite the fact that it is a position which is contrary to that expounded by a number of eminent theologians, notably Thomas Aquinas. Writing in times long past and quite different, and expressing themselves in terms of conditions, logic and experiences of those times, such theologians have defended the right of the state to take human life as a punishment when the common good requires it. Moreover, they have held that, under certain conditions, the state is morally bound to take human life and that not to take it would be sinful. Although I am philosophically opposed to war whether as an extension of diplomacy or an instrument of national policy, recognize the right of a nation, through its armed forces and in accord with the rules of civilized warfare, to take human life in defense of its sovereignty, its national territory, and its citizens. Such recognition is in no way inconsistent with my views anent the death penalty, for the Geneva Convention makes it clear that the killing of one's enemy (no matter how many of one's troops he has slaughtered in battle) after he has laid down his arms, surrendered, or been taken prisoner, will not be countenanced by civilized nations.

SUPPOSED DETERRENT EFFECT

3. Capital punishment has demonstrably failed to accomplish its stated objectives. The proponents of the death penalty base their support largely on two basic propositions: (1) that the death penalty has a uniquely deterrent effect on those who contemplate committing capital crimes; and (2) that the provision of the death penalty as the mandatory or alternative penalty for stated offenses in the statute books removes for all time the danger of future similar offenses by those whose criminal acts have made them subject to its rigors.

Neither of these propositions will stand logical or statistical analysis. Proposition 1 is dependent upon acceptance of the repudiated pleasure-pain principle of past-century penology. This theory presupposes a rational man weighing the prospective profit or pleasure to be derived from the commission of some future crime against the almost certain pain or loss he will suffer in retribution should he be apprehended and convicted. That many persons who commit crimes are not rational at the time the crime is committed is beyond dispute. Avoiding the area of psychiatric controversy for the moment, let it be sufficient to report that Dr. Shaw Grigsby, of the University of Florida in his recent studies at the Raiford (Fla.) State Penitentiary found that more than 75 percent of the males and more than 90 percent of the females then in confinement were under the influence of alcohol at the time they committed the offenses for which they were serving sentence; and that Dr. Marvin Wolfgang's studies of the patterns in criminal homicide in Philadelphia in large measure lend support to Dr. Grigsby's findings.

While perhaps the theological doctrine of sufficient reflection and full consent of the will as necessary prerequisites to mortal sin is somewhat mitigated by the mandate to avoid the occasions of sin in the determination of moral responsibility, we are here discussing rationality in terms of weighing alternatives of possible prospective deterrence rather than adjudicated postmortem responsibility. Proposition 1 further presupposes knowledge by the prospective offender of the penalty provided in the penal code for the offense he is about to commit—a knowledge not always found even among lawyers. It further assumes a non-self-destructive orientation of the offender and, most importantly, a certainty in his mind that he will be identified, apprehended, indicted, convicted, sentenced to the maximum penalty, and that the ultimate sanction will indeed be executed. When one notes that of 125 persons indicted for first degree murder in the District of Columbia during the period 1953–59, only one (a Negro) was executed despite the mandatory provision of the law;[6] and further that, despite the fact that more than 3 million major felonies were known to the police in 1960, the total prison population (Federal and State) at the January 1961 prison census (including substantially all the convicted felons of 1960 and many from prior years) stood at a miniscule 190,000, the rational criminal might very well elect to play the odds.

UNCERTAINTY OF EXECUTION

The second part of the proposition assumes that all or a high proportion of those who commit crimes for which the death penalty is prescribed will in fact be executed—an assumption, rebutted above, which was false even in the heyday of capital punishment when more than 200 offenses were punishable on the gallows. It shows no awareness that the mere existence of the death penalty may in itself contribute to the commission of the very crimes it is designed to deter, or to the difficulty of securing convictions in capital cases. The murderer who has killed once (or committed 1 of the more than 30 other capital crimes) and whose life is already forfeit if he is caught would find little deterrent weight in the prospect of execution for a second or third capital crime—particularly if his victim were to be a police officer attempting to take him into custody for the original capital offense. The suicidal, guilt-haunted psychotic might well kill (or confess falsely to a killing) to provoke the State into imposing upon him the punishment which in his tortured mind he merits but is unable to inflict upon himself.

Prosecutors and criminal trial lawyers have frequently testified as to the difficulty of impaneling juries in capital cases and the even greater difficulty of securing convictions on evidence which in noncapital cases would leave little room for reasonable doubt. Appeals courts scan with more analytical eye the transcripts in capital cases, and error is located and deemed prejudicial which in noncapital cases would be overlooked. The Chessman case is, from this viewpoint, a monument to the determination on the part of American justice that no man shall be executed while there is the slightest doubt either as to his guilt or as to the legality of the process by which his guilt was determined. Criminologists have pointed out repeatedly that the execution of the small number of convicts (fewer than 50 each year in the United States) has a disproportionately brutalizing effect on those of us who survive. Respect for the sanctity and inviolability of human life decreases each time human life is taken. When taken formally in the circuslike atmosphere which unfortunately characterizes 20th century trials and executions (both here and abroad), emotions, passions, impulses and hostilities are activated which may lead to the threshold of murder many who might never have incurred the mark of Cain.

INCONSISTENT APPLICATION

4. Capital punishment in the United States has been and is prejudicially and inconsistently applied. The logic of the retentionist position would be strengthened if the proponents of capital punishment could demonstrate that an even-handed justice exacted the supreme penalty without regard to race or nationality, age or sex, social, or economic condition; that all or nearly all who committed capital crimes were indeed executed; or, at least, that those pitiful few upon whom the sentence of death is carried out each year are in fact the most dangerous, the most vicious, the most incorrigible of all who could have been executed. But the record shows otherwise.

Accurate death penalty statistics for the United States are available for the 30-year period, 1930–59. Analysis of the more than 3,000 cases in which the death penalty was exacted discloses that more than half were Negroes, that a very significant proportion were defended by court-appointed lawyers, and that few of them were professional killers. Whether a man died for his offense depended, not on the gravity of his crime, not on the number of such crimes or the number of his victims, not on his present or prospective danger to society, but on such adventitious factors as the jurisdiction in which the crime was committed, the color of his skin, his financial position, whether he was male or female (we seldom execute females), and indeed oftentimes on what were the character and characteristics

[5] Sec. 1055, New York State Penal Code.

[6] Sec. 22, D.C. Code, 2404.

of his victim (apart from the justifiability of the instant homicidal act).

It may be exceedingly difficult for a rich man to enter the Kingdom of Heaven but case after case bears witness that it is virtually impossible for him to enter the execution chamber. And it is equally impossible in several States to execute a white man for a capital crime against a Negro. Professional murderers (and the directors of the criminal syndicates which employ them) are seldom caught. When they are arrested either they are defended successfully by eminent and expensive trial counsel or they eliminate or intimidate witnesses against them. Failing such advantages, they wisely bargain for a plea of guilty to some lesser degree of homicide and escape the death chamber. The homicidal maniac, who has massacred perhaps a dozen, even under our archaic MacNaghten rule, is safely outside the pale of criminal responsibility and escapes not only the death penalty but often even its alternatives.

5. The innocent have been executed. There is no system of criminal jurisprudence which has on the whole provided as many safeguards against the conviction and possible execution of an innocent man as the Anglo-American. Those of us who oppose the death penalty do not raise this argument to condemn our courts or our judiciary, but only to underline the fallibility of human judgment and human procedures. We oppose capital punishment for the guilty; no one save a monster or deluded rationalist (e.g., the captain in Herman Melville's "Billy Budd") would justify the execution of the innocent. We cannot, however, close our minds or our hearts to the greater tragedy, the more monstrous injustice, the ineradicable shame involved when the legal processes of the State, knowingly or unknowingly, have been used to take the life of an innocent man.

The American Bar Foundation, or some similar research-oriented legal society, might well address itself to an objective analysis of the factors which led to the convictions of the many men whose sentences for capital crimes have in the past few decades been set aside by appellate courts (or by executive authority after the courts had exhausted their processes), and who later were exonerated either by trial courts or by the consensus of informed opinion. Especial attention should be directed to the fortunately much smaller number of cases (e.g., the Evans-Christie case in England and the Brandon case in New Jersey) in which innocent men were actually executed. Perhaps, too, a reanalysis would be profitable of the 65 cases cited by Prof. Edwin Borchard in his "Convicting the Innocent," the 36 cases mentioned by U.S. Circuit Court of Appeals Judge Jerome Frank in "Courts on Trial," and the smaller number of miscarriages of justice outlined by Erle Stanley Gardner in "Court of Last Resort."

ALTERNATIVE PENALTIES

6. There are effective alternative penalties. One gets the impression all too frequently, both from retentionist spokesmen and, occasionally, from the statements of enthusiastic but ill-informed abolitionists, that the only alternative to capital punishment is no punishment; that, if the death penalty does not deter, then surely no lesser societal response to the violation of its laws and injury to its citizens will prove effective.

The record in abolition jurisdictions, some without the death penalty for more than 100 years, both in the United States and abroad, in which imprisonment for indeterminate or stated terms has been substituted for the penalty of death, is a clear demonstration that alternative penalties are of equal or greater protective value to society than is capital punishment.

RELATION OF DEATH PENALTY TO CAPITAL CRIMES RATE

In every instance in which a valid statistical comparison is possible between jurisdictions scientifically equated as to population and economic and social conditions, the nations and States that have abolished capital punishment have a smaller capital crimes rate than the comparable jurisdictions that have retained the death penalty. Further, the capital crimes rate in those jurisdictions which, while retaining the death penalty use it seldom or not at all is in most instances lower than the capital crimes rates in the retentionist jurisdictions which execute most frequently.

And, finally, comparing the before, during, and after capital crimes rates in those jurisdictions (nine in the United States) which abolished capital punishment and then restored it to their penal codes, we find a consistently downward trend in capital crimes unaffected by either abolition or restoration. Startling comparisons are available. The U.S. Navy has executed no one in more than 120 years; yet it has maintained a level of discipline, effectiveness, and morale certainly in no sense inferior to that of the U.S. Army which has inflicted the death penalty on more than 150 soldiers in just the last three decades.

Delaware, most recent State to abolish the death penalty, experienced a remarkable drop in its capital crimes rate during the first full year of abolition. No criminologist would argue that abolition will necessarily reduce capital crimes; nor will he attempt to demonstrate a casual connection between absence of the death penalty and low capital crimes rates. In point of fact, homicide is the one major felony which shows a consistent downward trend in both capital punishment and abolition jurisdictions—indicating to the student of human behavior that the crime of murder, particularly, is largely an irrational reaction to a concrescence of circumstances, adventitiously related, wholly independent of and neither positively nor negatively correlatable with the legal sanction provided in the jurisdiction in which the crime actually took place. Dr. Marvin Wolfgang has pointed out with some logic that our decreasing murder rate is probably in no small part due to improved communications (ambulance gets to the scene faster), improved first aid to the victim, and the antibiotics, blood banks, and similar advances in medicine which save many an assault victim from becoming a corpse—and of course his assailant from being tagged a murderer. The consistent upward trend in assaultive crimes gives support to Dr Wolfgang's thesis.

PROTECTION OF LAW OFFICERS

7. Police and prison officers are safer in non-death penalty States. The studies of Donald Campion, S.J., associate editor of America, and others indicate (albeit with restricted samplings) that the life of a police officer or a prison guard is slightly safer in the non-death-penalty States, although the difference is so slight as to be statistically insignificant. Prison wardens overwhelmingly support abolition but large segments of the police profession support the retention of the death penalty both as a general crime deterrent (which it demonstrably is not) and as a specific safeguard to members of their own profession. Significantly, few of the police officers who serve in non-death-penalty States are active in the fight to restore capital punishment and most of those who oppose abolition in their own jurisdictions have never performed police duties in an abolition State. It is a criminological axiom that it is the certainty, not the severity, of punishment that deters. Improvements in the selections, training, discipline, supervision, and operating techniques of our police will insure a higher percentage of apprehensions and convictions of criminals and, even without the death penalty, will provide a greater general crime deterrent and far more safety both for the general public and for police officers than either enjoys at present.

8. Paroled and pardoned murderers are no threat to the public. Studies in New Jersey and California, and less extensive studies of paroled and pardoned murderers in other jurisdictions, indicate that those whose death sentences have been commuted, or who have been paroled from life or long-term sentences, or who have received executive pardons after conviction of capital crimes are by far the least likely to recidivate. Not only do they not again commit homicide, but they commit other crimes or violate their parole contracts to a much lesser extent than do paroled burglars, robbers, and the generality of the non-capital-crimes convicts on parole. My own study of nearly 150 murderers showed that not a single one had killed again and only two had committed any other crime subsequent to release. Ohio's Gov. Michael Di Salle has pointed out (as Warden Lewis Lawes and other penologists have in the past) that murderers are by and large the best and safest prisoners; and he has demonstrated his confidence by employing eight convicted murderers from the Ohio State Penitentiary in and about the excutive mansion in Columbus in daily contact with the members of his family.

9. The death penalty is more costly than its alternatives. It seems somewhat immoral to discuss the taking of even a murderer's life in terms of dollars and cents; but often the argument is raised that capital punishment is the cheapest way of handling society's outcasts and that the good members of the community should not be taxed to support killers for life (often coupled with the euthanasian argument that they are better off dead). The application of elementary cost accounting procedures to the determination of the differential in costs peculiar to capital cases will effectively demonstrate that not only is it not cheaper to hang them; but that, on the contrary, it would be cheaper for the taxpayers to maintain our prospective executees in the comparative luxury of first-rate hotels, with all the perquisites of noncriminal guests, than to pay for having them executed. The tangible costs of the death penalty in terms of long-drawn-out jury selection, extended trials and retrials, appeals, extra security, maintenance of expensive, seldom-used deathhouses, support of the felon's family, etc., are heavy.

NEED OF GENERAL PENAL REFORM

10. Capital punishment stands in the way of penal reform. Man has used the death penalty and other forms of retributive punishment throughout the centuries to control and govern the conduct of his fellows and to force conformity and compliance to laws and codes, taboos and customs.

The record of every civilization makes abundantly clear that punishment, no matter how severe or sadistic, has had little effect on crime rates. No new approach to the criminal is possible so long as the death penalty, and the discredited penology it represents, pervades our criminal justice system. Until it is stricken from the statute books, a truly rehabilitative approach to the small percentage of our fellowmen who cannot or will not adjust to society's dictates is impossible of attainment. That there is a strong positive correlation between advocacy of the death penalty and a generally punitive orientation cannot be gainsaid. Analysis of the votes for corporal punishment bills, votes against substitution of alternative for mandatory features in the few mandatory death penalty jurisdictions,[8] votes

[8] New York and the District of Columbia, notably.

against study commissions and against limited period moratoria,[4] and comparison with votes for bills increasing the penalties for rape, narcotics offenses, and other felonies discloses a pattern of simple retributive punitiveness, characterizing many of our legislators and the retentionist witnesses before legislative committees.

RESPONSIBILITY OF CHRISTIANS

Many church assemblies of America and individual churchmen of every denomination have underscored the moral and ethical nonacceptability of capital punishment. Church members have the responsibility to support the campaign to erase this stain on American society. Capital punishment is brutal, sordid, and savage. It violates the law of God and is contrary to the humane and liberal respect for human life characteristic of modern democratic states. It is unsound criminologically and unnecessary for the protection of the state or its citizens. It makes miscarriages of justice irredeemable; it makes the barbaric "lex talionis" the watchword and inhibits the reform of our prison system. It encourages disrespect for our laws, our courts, our institutions; and, in the words of Sheldon Glueck, "bedevils the administration of criminal justice and is the stumbling block in the path of general reform in the treatment of crime and criminals."

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THE DETERRENT INFLUENCE OF THE DEATH PENALTY

(By Karl F. Schuessler)

(This paper was aided immensely by Prof. Thorsten Sellin who made available to the author his extensive "Memorandum on Capital Punishment" prepared in 1950 for the British Royal Commission on Capital Punishment. The author is also indebted to Prof. Clifford Kirkpatrick who read this paper critically but who is, of course, in no way responsible for its contents, and also to Mrs. Vada Gary who assisted with the statistical work.)

This article analyzes certain statistical material as it bears on the question of how much the death penalty deters people from committing murder. This material, consisting principally of U.S. homicide and execution data for the period 1925–49, has been organized around six topics expressed for the most part as questions: (1) the adequacy of U.S. statistics for purposes of measuring the deterrent influence of the death penalty; (2) the deterrence viewpoint as an explanation of murder and punishment trends in this country during the last 25 years; (3) whether fewer murders occur in places where murder is punishable by death than in places where it is not; (4) whether differences in the use of the death penalty correspond to differences in the relative occurrence of murder; (5) the consistency between the deterrence viewpoint and differentials in the murder rate by sex, race, and other population classifications; and (6) a general appraisal of the deterrent value of the death penalty.

This analysis in a sense represents a continuation of similar work done intermittently in this country during the last 35 years.[1] These previous studies have uniformly concluded that the death penalty is inconsequential as a deterrent and that the relative frequency of murder in a given population is a function of the cultural conditions under which the group lives. Deficiencies in U.S. data that handicapped earlier investigations of this kind have been remedied somewhat during the last 20 years, but many difficulties still face the analyst who wishes to generalize about murder and the death penalty. Before going to the data and their interpretation, the belief in the death penalty as a deterrent is briefly set forth.

THE DETERRENCE VIEWPOINT

In brief, people are believed to refrain from crime because they fear punishment. Since people fear death more than anything else, the death penalty is the most effective deterrent, so runs the argument. It is further alleged that the effectiveness of the death penalty as a deterrent depends both on its certain application and on knowledge of this fact in the population; hence, the argument continues, regular use of the death penalty increases its deterrent value. It was largely on grounds of this sort that the death penalty was recently (1950) restored in New Zealand after a 10-year period of abolition, demonstrating that the deterrence line of reasoning still has considerable practical force.

Involved in the deterrence argument is the assumption that men deliberately choose among rival courses of action in the light of foreseeable consequences, the criterion of choice being personal gratification. This psychological hedonism, needless to say, is not in accord with modern psychology and sociology, which see human behavior as largely unplanned and habitual, rather than calculated and voluntary. The belief in the deterrent value of the death penalty is thus seen not as a scientific proposition, but rather as a social conviction widely used to justify and reinforce existing ways of treatment that perhaps rest mainly on feelings of vengeance. Consequently, this study does not constitute a test of a carefully drawn sociological hypothesis that intends to explain differences in the prevalence of murder among human societies, but rather assembled factual evidence to test the validity of a popular belief. We now return to the topics posed in the introduction of this article.

U.S. HOMICIDE AND EXECUTION DATA

The homicide statistics collected by the U.S. Census Bureau[2] are ordinarily used as an index of murder, figures on murder being generally inaccessible as well as fragmentary. The use of homicide statistics for purposes of estimating the deterrent influence of the death penalty has been criticized on the grounds that (a) they include justifiable and excusable homicides and (b) they do not distinguish among differing degrees of murder. The reasoning behind this criticism is that the proportion of nonfelonious homicide and the relative amount of different kinds of murder may vary in time and space in such a way as to make unreliable regional comparisons and time trends.

Over against these reasonable objections is the fact that the homicide rate closely corresponds, both geographically and temporally, to the murder figures given in "Uniform Crime Reports,"[3] which exclude nonfelonious homicide, though they include nonnegligent manslaughter. Also, the homicide rate is closely correlated, on both a geographic and a temporal basis, with murder conviction rates given in "Judicial Criminal Statistics," and with murder commitment rates based on information in "Prisoners in State and Federal prisons and Reformatories."[4]

This consistency among four independent indexes of murder is probably due to the fact that the relative occurrence of different kinds of murder is similar among States and fairly constant during the last 25 years. If this interpretation is correct, then the homicide rate is a reliable index of murder in general and first degree murder in particular, during approximately the last 25 years.

National statistics on executions have been readily available in this country only since 1930, when they were reported in "Mortality Statistics" and also in "Prisoners in State and Federal Prisons and Reformatories." From the standpoint of measuring the temporal relation between execution and murder, these figures are of limited value because they cover such a short period of time. The fact that executions-by-offense were not published for the period 1931–36 adds to this difficulty, although for certain States it may be safely assumed that all executions during that period were for murder.

Some material on murder convictions and death sentences is available in "Federal Judicial Statistics." But for purposes of relating conviction and punishment trends to concurrent trends in murder, this source is limited as follows: (a) this series covers only a 13-year period, 1933–45; (b) the largest number of States reporting in any single year was 30; (c) only 18 States (including the District of Columbia) reported each year during the entire period; and (d) except for the first few years, the number of persons convicted of murder is not given, but rather the number of murder indictments resulting in conviction.

In spite of the forenamed shortcomings in murder statistics for the period 1925–49, they are probably more adequate than data hitherto employed as a check on the alleged deterrent influence of the death penalty. In consequence, conclusions based on this study are less vulnerable to the objection that murder data are so unreliable as to make worthless generalizations about the death penalty as a deterrent.

U.S. HOMICIDE AND CAPITAL PUNISHMENT TRENDS

The U.S. homicide rate moved steadily upward from 1900 until the middle of the thirties, dropped sharply during the next 10-year period, and then at the close of World War II started an upward swing. Although homicide statistics are not available for 1950 and 1951, national police statistics indicate that the upward trend was checked in 1951; in any case, the rate is still far below the high levels of the late 20's and early 30's.

State trends in the period 1925–49 generally correspond to the national trend, although there are several exceptions, important from the standpoint of an explanation of murder. (1) Vermont exhibited an almost constant rate during this period. (2) By 1949, Virginia, North Carolina, and South Carolina had returned to or exceeded the high level of the depression years. (3) Michigan, Nevada, and Florida started their downward trend before 1930. (4) At least one State—Connecticut—continued to climb until 1940. The homicide rate continued to exhibit large regional differences, the highest rates persisting in the South, the lowest in New England.

Also, the homicide rate continued to display large differentials by sex, race, ecological area, and season, the effect of each classification being conditioned to a certain extent by its relation to the others. These differentials suggest at once that murder is a complex sociological event rather than a simple response controlled altogether by the deterrent influence of the death penalty.

Two somewhat contradictory capital punishment trends in the United States characterize the period 1925–49. On the one hand, a trend to extend capital punishment, starting just after World War I, continued with the restoration of the death penalty in Kansas (1935) and South Dakota (1939). The move to reestablish capital punishment in Michigan in 1951 exemplifies the persistence of this trend. On the other hand, a tendency to make the death penalty permissive rather than mandatory on conviction of first-degree murder continued. By 1951 the death penalty was mandatory in only one State, in contrast with 1924 when it was mandatory in eight States.

The speculation has been advanced that nowadays a smaller proportion of persons sentenced to death for murder are executed than formerly, the tendency to administer clemency being in line with a general trend to moderate punishment. This was not borne out by an analysis of available judicial and penal statistics, although this evidence is very scanty. Of those sentenced to death for murder in the courts of 25 States during the period 1933–39, 80 percent were executed; during the period 1940–45, 81 percent were executed—practically no change. The idea of a downward trend in the use of the death penalty is also opposed, though indirectly, by the fact that the decline in executions from 1930–39 to 1940–49 was roughly proportional to the drop in homicides. The number of executions for murder dropped from 1,507 in the period 1930–39 to 1,063 in the following decade, a 29-percent drop, while homicides dropped from 107,514 to 78,443, a 27-percent drop.

By way of summary, capital punishment policy and practice in this country was fairly stable in the period 1925–49; consequently, the movement of the homicide rate and differentials in the homicide rate by various population classifications cannot be attributed to changes in the use of the death penalty. This suggests once again that differences in the homicide rate correspond to differences in social structure and culture setting, and that murder and the death penalty are unrelated except in the circular sense that more murder involves more death penalties.

COMPARISON OF DEATH PENALTY AND ABOLITION STATES

A comparison of States that provide the death penalty for murder with those that do not shows the homicide rate to be two to three times as large in the former States as in the latter (table 1). Such a comparison is usually declared invalid because the two groupings are not uniform with respect to population composition, social structure, and culture pattern. This criticism, though methodologically sound, affirms indirectly that the relative occurrence of murder is the result of a combination of social circumstances of which punishment is only one, possibly an immaterial one.

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[4] Massachusetts, New Jersey, Connecticut, Illinois, New York, California, Canada, and England.

[1] See, for example, Raymond T. Bye, "Capital Punishment in the United States," Philadelphia: Committee on Philanthropic Labor of Philadelphia Yearly Meeting of Friends, 1919; Edwin H. Sutherland, "Murder and the Death Penalty," Journal of the American Institute of Criminal Law and Criminology, vol. 15, 1925, pp. 522–29; Clifford Kirkpatrick, "Capital Punishment," Philadelphia: Committee on Philanthropic Labor of Philadelphia Yearly Meeting of Friends, 1925; George B. Vold, "Can the Death Penalty Prevent Crime?" Prison Journal, October 1932, pp. 3–8.

[2] Mortality Statistics, Bureau of the Census, U.S. Department of Commerce, Washington, D.C. Also, Special Reports, National Office of Vital Statistics, Public Health Service, Federal Security Agency, Washington, D.C.

[3] "Uniform Crime Reports," Federal Bureau of Investigation, U.S. Department of Justice, Washington, D.C.

[4] Both publications issued by the Bureau of the Census. The results of this correlational analysis are omitted because of lack of space, except to say that the correlation coefficients were uniformly high ($r \geq .8$).

TABLE 1.—*Homicide rates per 100,000 population in death penalty States and abolition States for 5 selected years*[1]

Year	Abolition States	Death penalty States
1938	4.2	8.8
1943	3.7	10.5
1948	2.2	7.6
1949	2.1	5.3
1949	2.2	6.0

[1] These two groupings include all States in the national registration area in any given year. All States were in the registration area after 1932.

To meet the foregoing objection, the usual practice is to compare the homicide rate in States that have abolished the death penalty with their neighbors where the death penalty is legal. This comparison is illustrated in table 2, and it will be seen that Rhode Island, an abolition State since 1852, is very similar to Connecticut, where the death penalty has been retained. Maine also, though not shown in the table, has been abolition since 1887, and is quite similar to the New England States which have the death penalty. The homicide rate in Michigan, where the death penalty was abolished in 1847 (except for treason), closely resembles Indiana and Illinois homicide rates, while Wisconsin, an abolition State for practically a hundred years, has a rate significantly below Michigan, indicating that the homicide rate is indifferent to the presence or absence of capital punishment. Homicide rates in Minnesota, where the death penalty was abandoned in 1911, and in Iowa are very nearly alike with respect to both level and trend during the last 25 years. Similarly, homicide rates in Arizona and New Mexico, both death penalty States, have been practically identical both in level and movement during the period 1930–50, although Arizona executed 27 and New Mexico but 4 in this period.

TABLE 2.—*Annual average homicide rates in 15 States selected according to contiguity*

State	1931–35	1936–40	1941–46
Rhode Island [1]	1.8	1.5	1.0
Connecticut	2.4	2.0	1.9
Michigan [2]	5.0	3.6	3.4
Indiana	6.2	4.3	3.2
Wisconsin [1]	2.4	1.7	1.5
Illinois	9.6	5.7	4.4
Minnesota [1]	3.1	1.7	1.6
Iowa	2.6	1.7	1.3
Kansas [2]	6.2	3.6	3.0
Colorado	7.5	5.5	3.7
Missouri	11.1	6.6	5.3
Nebraska	3.7	1.7	1.8
Oklahoma	11.0	7.2	5.6
Arizona	12.6	10.3	6.5
New Mexico	12.5	8.4	5.9

[1] Abolition State.
[2] Abolition between 1931 and 1935.

Kansas and South Dakota are of special interest because they make possible a before-and-after comparison, though extremely limited in scope. Kansas abolished the death penalty in 1907 and reestablished it in 1935. The annual average homicide rate in Kansas for the period 1931–35, as shown in table 2, was considerably higher than the average rate for the following 5-year period, giving plausibility to the deterrence argument. However, an identical trend characterized the States bordering on Kansas (table 2), and these States had the death penalty throughout this period. The experience of Kansas, then, when viewed in context, merely emphasizes that homicide trends are the resultant of social conditions rather than the resultant of changes in death penalty policy.

This notion is borne out by a comparison of homicide trends in South Dakota, an abolition State between 1915 and 1939, and North Dakota, where the death penalty has not been in force since 1915. The annual average homicide rate in South Dakota dropped from 1.8 for the period 1930–39 to 1.5 for the following 10-year period, while in North Dakota the rate dropped from 1.8 to 1.1. If changes in the homicide rate were due solely to differences in capital punishment policy, then North Dakota's greater proportional drop in homicides must have been due to the fact that the death penalty was not restored.

EUROPEAN DATA

Since the middle of the last century there has been a sustained though uneven movement among European countries to abolish capital punishment by legal annulment or by allowing it to fall into disuse. Certain European statistics therefore bear on the question of whether the removal of the death penalty has a perceptible effect on the incidence of murder. Several examples[5] are cited primarily to illustrate the fact that the independence between the murder rate and the death penalty is not a peculiarity of American culture.

Sweden formally abolished the death penalty in 1921; but the last execution occurred in 1910, this being the only one since 1900. During the preceding period, 1869–1900, there were 12 executions, roughly averaging 4 per decade.

TABLE 3.—*Annual average homicide rate per 100,000 population of Sweden from 1754 to 1942*

Period:	Homicide rate
1754–68	.83
1775–92	.66
1793–1806	.61
1809–30	[1] 1.09
1831–45	1.47
1846–60	1.24
1861–77	1.12
1878–98	.90
1899–1904	.98
1905–13	.86
1914–16	.72
1920–32	.52
1933–38	.46
1939–42	.47

[1] Exclusive of 1814 and 1818.

There is nothing in the Swedish homicide series (table 3) to suggest that its movement has in any way been conditioned by the abandonment of the death penalty during the 20th century.

The death penalty in the Netherlands was not used after 1860 and was formally abolished in 1870. Although there was an upward trend (table 4) in the murder and attempted murder conviction rate in the 20-year period immediately following abolition, during this period the rate never attained the level of 1860–70 when the death penalty was still legally in force. The rate reached its lowest level in the 1920's when the death penalty was, of course, not in effect. Moreover, the decade immediately following abolition, 1870–79, was the lowest but one in the approximately eight-decade period covered by this series.

TABLE 4.—*Annual average murder and attempted murder conviction rates per million inhabitants in the Netherlands, 1850–1927*

Period:	Homicide rate
1850–59	.96
1860–69	1.46
1871–80	.83
1881–90	1.17
1891–1900	1.41
1901–10	1.25
1911–20	1.32
1921–27	.60

[5] Taken from Thorsten Sellin's "Memorandum on Capital Punishment," London, 1951.

CERTAINTY AS A DETERRENT INFLUENCE

The point has often been made that it is not so much the legal existence of the death penalty that deters potential murderers, but rather the certainty of its being used. In fact, a common criticism of the death penalty is that juries do not convict readily if the punishment is death, thereby reducing the certainty of punishment, and, in consequence, its deterrent value. The problem as to whether differences in the use of the death penalty are in some way related to variations in the homicide rate may be approached by correlating execution and homicide data distributed geographically or temporally.

That the risk of execution is not uniform among the States that have a death penalty for murder is demonstrated by the lack of consistency between homicide and execution rates. The correlation coefficient of a homicide rate based on the period 1937–49 and an execution rate for the same period was .48 for 41 death penalty States.[6] The question therefore arises as to whether the relative occurrence of murder decreases regularly as the risk of execution increases, since, under deterrence theory, the value of the death penalty as a deterrent is thought to depend on its certain application.

To test this idea, though somewhat crudely, the risk of execution, operationally defined as the number of executions-for-murder per 1,000 homicides for the period 1937–49, was statistically compared with the homicide rate in 41 death penalty States. The correlation between these two indices was −.26, indicating a slight tendency for the homicide rate to diminish as the probability of execution increases. Next, as a check on consistency in this trend, the ratio of the average execution rate to the average homicide rate was computed for four groupings of States according to size of the homicide rate, as shown in column 3 of table 5. This analysis shows that the homicide rate does not consistently fall as the risk of execution increases.

TABLE 5.—*Average homicide and execution rates in 41 States grouped according to size of homicide rate*

Quartile by homicide rate	Average homicide rate (HR)	Average execution rate (ER)	ER/HR
Highest	15.4	0.32	0.21
Upper middle	7.8	.14	.18
Lower middle	4.2	.08	.19
Lowest	2.0	.05	.25

To illustrate: the average homicide rate for the 10 States having the highest homicide rates is almost twice as large as the average homicide rate for the States in the next quartile, but the risk of execution is slightly greater in the former group of States than in the latter group. This evidence, included primarily because of its suggestiveness, must be classed as negative from the standpoint of deterrence theory, since (a) the homicide rate does not drop consistently as the certainty of the death penalty increases, and (b) the geographic correlation between the risk of execution and the homicide rate is not impressive, failing to reach the 5 percent significance level and statistically accounting for only 7 percent (r^2) of the variability in the homicide rate.

To investigate further how differences in the use of the death penalty affect the homicide rate, the relationship between homicide and execution data as time series was measured within certain death penalty States. States which displayed little variability in executions for murder from year to year were not included in this analysis; also, States not having execution-for-murder figures complete for the period 1930–49 were omitted. This left a total of 11 States. On the assumption, implicit in deterrence theory, that a large number of executions relative to the frequency of murder should be followed by a reduction in the murder rate, a 1-year time lag was established, with the execution risk, defined as the number of executions for murder to 1,000 homicides per year, as the forerunner.

The most general finding is that the homicide rate and the execution risk as time series move independent of one another. None of the correlation coefficients reached .35, and the number of negative correlation coefficients, 4, was less than the number of positive coefficients, 7, but not significantly so. This evidence, like that just preceding, fails to substantiate the belief that the deterrent influence of the death penalty is enhanced by its frequent use, as changes in the homicide rate do not correspond in a systematic way to variations in the probability of its being used.

DIFFERENTIAL HOMICIDE RATES AND THE DEATH PENALTY

A final problem is whether the deterrence viewpoint is consistent with certain population classifications. First, the death penalty is hardly ever used with women in the United States, but women, in contrast with men, seldom commit murder. Very likely the conditions of life surrounding women in most human societies operate to develop and sustain lawful attitudes and habits. Lawfulness in the female population, specifically the fact that women generally refrain from committing murder, is probably due to these positive sociocultural influences rather than to fear of the death penalty.

Second, the number of Negro murderers is relatively larger than the number of white murderers; yet it is doubtful whether the death penalty is used less often with Negro murderers than with white murderers. Suggestive in this connection is the fact that white executions for murder, 166, were 1.1 percent of all white homicides, 15,494, in the period 1946–49, while Negro executions for murder, 265, constituted 1.5 percent of all Negro homicides, 18,327, during the same period. The environmental factors influencing Negroes are analogous but opposite to those influencing women. The circumstances of life surrounding large numbers of Negroes in the United States generate violence, assault, and murder,[7] and this kind of behavior, to a certain extent socially expected and socially sanctioned among Negroes, is indifferent to the use of the death penalty.

Finally, the homicide rate exhibits differentials by age, social class, ethnic background, community size, and season, but in no instance can these differences be ascribed to corresponding differences in the application of the death penalty.

DISCUSSION AND CONCLUSION

The results of the foregoing analysis are consistent with the results of previous investigations of this kind. The findings of this study, then, sustain the conclusion that the death penalty has little if anything to do with the relative occurrence of murder. Studies of this sort have been criticized on the ground that they do not prove that the death penalty is completely without deterrent value. Although logically sound in a very strict sense, this objection is unrealistic, since there is no way at present of contrasting personal and social situations so as to assure that all differences in murder behavior are due solely to differences in the use of the death penalty. As usual, inferences have to be based on evidence collected under conditions that most nearly approximate the methodological ideal. Moreover, the inference drawn from statistical data that the death penalty is inconsequential as a deterrent is borne out by case studies and expert opinion, material not surveyed in this paper but now briefly noted.

The alleged deterrent influence of the death penalty is contradicted by the following recurrent case study data, expressed as four rough generalizations: (1) In the events preceding murder, the murderer is usually preoccupied to the point that reflection over future consequences is virtually impossible. (2) The fear of death is relative to the situation; consequently, the death penalty may appear on reflection to be a necessary though unfortunate sequel to murder. (3) Certain cultural circumstances (underworld, marital, and others) often make murder imperative, thereby nullifying the supposed deterrent effect of the death penalty. (4) The relation between murderer and victim is usually primary, hence, one that is likely to be suffused with emotionality. This emotionality, probably heightened during a crisis, doubtless interferes with the objective assessment of future consequences. The indifference of the murderer to the death penalty is well illustrated by the following conversation between Lawes and a prisoner:

"Before Morris Wasser's execution, when I told him that the Governor had refused him a last-minute respite, he said bitterly: 'All right, Warden. It doesn't make much difference what I say now about this here system of burning a guy, but I want to set you straight on something.'

"'What's that?' I asked.

"'Well, this electrocution business is the bunk. It don't do no good, I tell you, and I know, because I never thought of the chair when I plugged that old guy. And I'd probably do it again if he had me on the wrong end of a rod.'

"'You mean,' I said, 'that you don't feel you've done wrong in taking another man's life?'

"'No Warden, it ain't that,' he said impatiently. 'I mean that you just don't think of the hot seat when you plug a guy. Somethin' inside you just makes you kill, 'cause you know it you don't shut him up it's curtains for you.'

"'I see. Then you never even thought of what would happen to you at the time.'

"'Hell, no. And lots of other guys in here, Harry and Brick and Luke, all says the same thing. I tell you the hot seat will never stop a guy from pullin' a trigger.' That was Wasser's theory, and I've heard it echoed many times since."[8]

To summarize: statistical findings and case studies converge to disprove the claim that the death penalty has any special deterrent value. The belief in the death penalty as a deterrent is repudiated by statistical studies, since they consistently demonstrate that differences in homicide rates are in no way correlated with differences in the use of the death penalty. Case studies consistently reveal that the murderer seldom considers the possible consequences of his action, and, if he does, he evidently is not deterred by the

[6] Includes States that had a death penalty for murder during the period 1937–49, except South Dakota where the death penalty was restored in 1939 and Idaho where no executions occurred during this period. The product-moment correlation method was used throughout this analysis, not because it necessarily gave the best fit in all cases, but rather because its limitations and signification are well known.

[7] Gunnar Myrdal, The American Dilemma (New York, 1944), pp. 558–60.

[8] Lewis E. Lawes, "Meet the Murderer!" (New York, 1940), pp. 178–79.

death penalty. The fact that men continue to argue in favor of the death penalty on deterrence grounds may only demonstrate man's ability to confuse tradition with proof, and his related ability to justify his established way of behaving.

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THE DEATH PENALTY AND THE ADMINISTRATION OF JUSTICE

(By Herbert B. Ehrmann)

Armchair criminology is among the least reliable of the social sciences. It is, however, one of the most popular. To qualify as an expert on crime one needs only to be a legislator, a lawyer, a prosecutor, or a judge. Such persons may actually be authorities in the field. Generally, however, they have had no scholastic preparation and no special experience beyond a few sporadic episodes. All too often the opinions of individuals in such positions are accorded a factitious authority merely because of the office which they hold. Unfortunately, the public does not understand the meagerness of experience and inadequacy of data on which such views are so frequently based.

IRRATIONAL VIEWS

Discussions concerning the death penalty have been especially confused by the voices of unqualified authorities. For nearly a century and a half change has been delayed and the acquisition of real knowledge hampered by sonorous pronouncements of the eminent, but uninformed. When in 1810 Sir Samuel Romilly introduced a bill in Parliament to abolish capital punishment for stealing 5 shillings or more from a shop, it was unsupported by a single judge or magistrate.[1] Speaking for the unanimous opposition to the bill by his judicial colleagues in the House of Lords, Lord Ellenborough, Chief Justice of the King's Bench, predicted that the repeal of this law would lead to abolition of the death penalty for stealing 5 shillings from a dwelling house, in which case no man could trust himself for an hour without the most alarming apprehensions that, on his return, every vestige of his property will be swept away by the hardened robber.[2]

There and similar laws were eventually repealed without any increase in the number of offenders in the particular class of crime. In fact, the absolute number of such offenders diminished.[3] As lawyer and judge, Lord Ellenborough was no fool. Although inclined to be harsh in criminal cases, he did much to bring the civil law into harmony with mercantile practice. He was a profound legal scholar. He knew the value of evidence. Yet, when it came to the death penalty, he felt qualified to pronounce an authoritative judgment without the aid of any evidence whatsoever other than his own emotional reflexes. His contemporaries accorded his words the respect due his high position; but history has proved that the great Lord Ellenborough, in discussing capital punishment, was talking nonsense.

The efforts to remove or modify the death penalty for the crime of murder have run a similar course. Fortunately, there has now been enough experience with abolition and curtailment to establish as a fact that the repeal of capital punishment is not followed by an increase in the number of murders, nor does its restoration result in a diminution. Whatever other purpose the death penalty may serve, it is now obvious that, in a settled community, it is not needed to protect society from murderers.

Nevertheless, even in this narrow area where data are abundant and easy to obtain, pronouncements of the Ellenborough variety continue to confuse the public. As late as 1950, the legislative halls of Massachusetts still rang with dire predictions that the passage of a bill to give juries a chance to designate life imprisonment as a penalty for murder in the first degree would result in loosing upon the people of the Commonwealth a horde of savage murderers. This was at a time when 38 other States and the Federal Government already had some form of the alternate penalty and 6 States had abolished capital punishment.

ALTERNATE AND MANDATORY AREAS COMPARED

A similar disregard of experience frequently marks discussion of the effect of the death penalty on the administration of justice. For instance, it was claimed that the giving of the power to impose the alternate penalty of life imprisonment would result in the complete disuse of capital punishment. Those making the claim seemed to think that this would be very bad indeed. In 1948 the then Governor of Massachusetts vetoed the proposed bill granting juries the right to choose life imprisonment instead of death on conviction in murder cases, stating in his veto message that such a law would abolish capital punishment by indirection; that it pays lipservice to capital punishment and then effectively proceeds to destroy it.

Coming from the Governor, the veto message was treated with respect;[4] but it was only another example of armchair criminology. For the 10 years ending with 1946, Massachusetts, under a law making death a mandatory punishment for first degree murder, had 12 executions. For the same period, alternate-penalty States had the following record: New Jersey, with a slightly smaller population, 16 executions; Pennsylvania, with something more than twice the population, 50 executions; and New York, with about three times the population, 118 executions. For the same period, North Carolina, a mandatory State, had 118 executions, and its neighbor, Georgia, somewhat smaller in population, under the alternate penalty, had 102.

There are too many variables—such as homicide rates, population characteristics, police efficiency, prosecution standards, jury attitudes, executive clemency—for any quantitative comparison of States within these groups, but the figures indicate clearly that capital punishment continues to flourish in States which provide the alternate penalty.

On the other hand, the residents in certain areas have, in practice, virtually abolished capital punishment in both mandatory and alternative penalty jurisdictions. Vermont, a mandatory State, has had only two executions in 28 years; New Hampshire, an alternate State, has had only one execution in 28 years; South Dakota, an alternate State, has had only one in 10 years since it restored the death penalty; Nebraska, an alternate State, has had only two in 28 years.[5] In Massachusetts during a period of 50 years under the mandatory penalty, Worcester County, with a half-million population, had only two executions; Bristol, a sizable county, only one; Berkshire County, of moderate size, none; and some of the smaller counties, none. The failure to use the death penalty in certain counties of Massachusetts is dramatically shown in table 1.

TABLE 1.—*Convictions on murder indictments, certain Massachusetts counties, 1925–41*

County	Indictments for murder	Convictions			Executions for murder
		1st degree	2d degree	Manslaughter	
Berkshire	11	0	5	1	0
Bristol	30	0	16	3	0
Essex	26	1	12	2	1
Hampden	27	1	12	9	1
Hampshire	8	[1] 1	1	4	0
Plymouth	21		10	4	0
Total	123	3	56	23	2

[1] Commuted.

NOTE.—Data compiled from records in State prison and reports of the attorney general by Sara R. Ehrmann, executive secretary, Massachusetts Council for the Abolition of the Death Penalty.

The counties named in the table have about one and a half million population, well over a third of the people in Massachusetts. A conviction rate of about 64 percent of murder indictments indicates an effective administration of justice, but only three of those accused were convicted of first degree murder (requiring the death penalty), and only two were executed. Here, under a mandatory law, there was a pretty effective abolition of capital punishment.

DEATH PENALTY AND ACQUITTALS

A closely related problem is presented by the claim that the mandatory sentence of death upon a finding of guilty of murder in the first degree results in more acquittals. Some of those who express this opinion are extremely well informed penologists.[6] The reason given is that the infliction of death is so repugnant to most people that juries tend to avoid a conviction if possible. Curiously enough, proponents of the death penalty seem to confirm this tendency in a backhanded sort of way. In arguing that the danger of a miscarriage of justice is slight in a capital case, they frequently urge that the evidence must be overwhelming before a jury would vote to consign a fellow being to his death.

Convincing data on this subject are not available. We may, however, accept the reasoning and observations that the reluctance of jurymen to convict, where death is the penalty, leads, in some cases, to acquittal. Nevertheless, one may well question the conclusion that the net overall result is a larger percentage of acquittals. There are complicating factors working in the opposite direction. For instance, numbers of prospective jurors are frequently excused from serving in capital cases because of opposition to the death penalty. Sometimes the numbers are so great that the judges assail the veniremen for jury dodging, and these denunciations reach the newspaper headlines.[7]

This process of weeding out jurors who will not serve because of the death penalty tends to produce an unbalanced jury. Those most likely to lean emotionally toward the defendant are eliminated. No doubt the

[1] Hansard, May 1, 1810.

[2] Ibid., May 30, 1810.

[3] Second Report on the Criminal Law by His Majesty's Commissioners, 1836, p. 21.

[4] Not, however, by the dean of the Harvard Law School, who commented on the fact that the message ignored available data.

[5] Data from "Memorandum on Capital Punishment," prepared by Thorsten Sellin for the Royal Commission on Capital Punishment, 1951, pp. 657–60.

[6] For instance, Lewis E. Lawes, former warden of Sing Sing Prison, "Man's Judgment of Death" (New York: G. P. Putnam's Sons, 1925), p. 58; Austin H. MacCormick, formerly Commissioner of Corrections, New York City, then executive director of the Osborne Association, in Boston Sunday Herald, December 11, 1949.

[7] See for instance the quoted remarks of Chief Justice Higgins in the Boston Daily Record, November 5, 1942; those of Judge Warner in the Boston Herald, June 7, 1933; and those of District Attorney Foley in the Boston Herald, April 10, 1930.

great majority of those who remain view the death penalty with considerable distaste, but their emotional attitude is likely to be negative. Inevitably, however, on some juries there will be those who favor the use of the death penalty. These people are occasionally forcefully articulate and capable of swaying jurors with less positive attitudes. They are not counterbalanced by those most reluctant to inflict death. Thus hostility toward the death penalty may actually, in some cases, produce juries which are most likely to convict the accused.

EMOTION AND PREJUDICE

There are other factors which work for conviction rather than acquittal in a capital case. Of all crimes, murder is most likely to produce a violent emotional public reaction, a demand for vengeance, a feeling that the perpetrator deserves to be put to death. Jurymen cannot help sharing this feeling. The idea that a jury weighs the evidence in a criminal case to decide whether the accused is guilty beyond a reasonable doubt, conveys a wrong picture of the process. In many cases it is merely a question of what evidence the jury chooses to believe. If the Government's case rests largely on identification testimony and the defense is an alibi, the jury does not weigh one against the other. If it believes the identification testimony, the alibi is thrown out of the scales of justice entirely, and vice versa. Where there is conflict of testimony, people tend to believe that which they would like to believe. The emotional drive to punish someone for an atrocious murder frequently plays an important part in conditioning a jury for believing the evidence which proves the guilt of the accused.

In a recent Massachusetts case the only issue was the criminal responsibility of the defendant, who had killed his wife. According to the opinion of the supreme judicial court, the evidence portrayed "the sudden destruction, while in apparent good health, of one member of a harmonious and cultured household by the only other member, in a series of acts paradoxically done, it is confessed, solely in kindness to benefit the victim, yet revoltingly achieved in the grossest barbarity with the crudest of weapons."[9] Two eminent psychiatrists testified that the defendant was not criminally responsible at the time of the killing. There was no medical testimony that he was responsible. Nevertheless, the jury returned a verdict of guilty. The conclusion that the accused was sane beyond a reasonable doubt can be explained only on the ground of emotion aroused by the sheer horror of the deed itself. Although there was no error of law, the supreme judicial court ordered a new trial under a statute passed in 1939 for the review of capital cases.[9] The defendant was tried a second time, found insane, and committed to a mental institution.

When prejudice is added to the emotional reactions induced by a slaying, the jury finds even greater difficulty in believing evidence offered for the accused.[10] If the jury is composed of the dominant or in-group and the defendant and his witnesses belong to an out-group—as they frequently do—the defendant's evidence is often discounted to zero. The jury tends to believe that foreigners, Negroes, or members of any minority group will lie for one another and stick together under all circumstances.

The U.S. Supreme Court has recognized this human failing, in holding that the exclusion of Negroes from a jury trying a Negro is a denial of equal protection of the laws.[11] Massachusetts had a case where a Chinese, arrested and tried with others for a tong killing, was convicted of murder although no witness identified him or implicated him in the affair.[12] In Kentucky it used to be said that if a Negro killed a white man it was murder, if a white man killed a Negro it was unfortunate, but if a white man killed a white man it was self-defense, unless the affray was over a woman, in which case the cause of death was apoplexy.

PUBLIC HOSTILITY

If to a brutal killing and prejudice there is added the element of public hostility against the accused, the jury listens to the defendant's evidence with ears that are stone deaf. This is the combination which produces most of our cause célèbres subsequently believed by many to be miscarriages of justice, such as the cases of Leo Frank, Tom Mooney, and Sacco and Vanzetti. In the last-named case, the jury, after 35 days of trial, received the case in the afternoon and returned a verdict of guilty in the evening. According to one of the jurymen, his colleagues were ready to vote a guilty verdict immediately at the close of the case, but he forced an hour's discussion because he thought such precipitate action was improper.

Regardless of the eventual verdict, the jury could not possibly have considered the mass of testimony in favor of the defendants or weighed the improbabilities in the government's case in so brief a time. Even without the benefit of the subsequent revelations which threw new doubt on the defendants' guilt, a relaxed and unprejudiced jury would have debated at great length the validity of the fleeting and even silly identifications and would not have lightly assumed that a large number of reputable Italian alibi witnesses were perjures.

Strip the case of the then current anti-radical hysteria, change the defendants into Massachusetts veterans of World War I, the identifying witnesses into Italians, and the alibi witnesses into native New Englanders, and it becomes inconceivable that the weaknesses of the prosecution and the massive evidence for the defense would have received such brief consideration by the jury.

DEATH PENALTY AND SECOND DEGREE CONVICTIONS

Whether or not the mandatory death penalty results in more acquittals, there seem to be some general data indicating that it produces a smaller proportion of convictions for first degree murder and a larger proportion for second degree murder.[13] Opponents of capital punishment claim that this is due to the fact that juries shy away from the infliction of death; proponents allege that the possibility of the extreme penalty produces more pleas of guilty to murder in the second degree, for which the sentence is imprisonment. Without further and more precise research, it is impossible to draw any general conclusions. People and conditions differ. Doubtless both theories are valid, but it is not known to what extent.

How difficult it is to generalize about these questions may be seen in the contrasting experience with the death penalty of the two most populous counties in Massachusetts—Suffolk and Middlesex. The two counties are contiguous, being separated, for the most part, only by the Charles River. During the test period they were approximately the same size in population[14] (Middlesex was actually about 5 percent more populous). The criminal courts handling murder cases are presided over by judges who rotate their sittings in the various counties, so they are not indigenous to either Suffolk or Middlesex. Nevertheless, respective records of the two counties for disposing of murder cases are strangely different.

State prison records for the years 1900 to 1940 inclusive show that 23 individuals were executed for murder in Middlesex, and only 10 for the crime in Suffolk. More detailed reports of the Attorney General for the years 1925 to 1941 inclusive indicate that of 113 indictments for murder in Middlesex, 19 were convicted of first degree (of whom 17 were executed), 23 of second degree, and 30 of manslaughter; of those not guilty, 18 were insane, 10 received a verdict of not guilty, and 13 were nol-prossed, meaning that the district attorney refused to prosecute. For the same period in Suffolk, 3 were convicted of first degree (of whom 2 were executed), 16 of second degree, and 24 of manslaughter; of those not guilty, 10 were insane, 22 received a verdict of not guilty, and 4 were nol-prossed. The approximate percentages are shown in table 2.

TABLE 2.—*Disposition of capital cases, Middlesex and Suffolk Counties, Mass., 1925–41*

[By percentage of all cases]

Middlesex County:	
Convicted:	
First degree	16.8
Executed	15.0
Second degree	20.4
Manslaughter	26.4
Total	64.0
Not convicted:	
Not guilty	9.0
Nol-prossed	11.4
Not guilty and nol-prossed	20.4
Insane (not tried)	16.0
Total	36.0
Suffolk County:	
Convicted:	
First degree	3.9
Executed	2.55
Second degree	20.2
Manslaughter	30.4
Total	54.0
Not convicted:	
Not guilty	27.8
Nol-prossed	5.0
Not guilty and nol-prossed	32.8
Insane (not tried)	12.65
Total	46.0

(Compiled from data collected by Sara R Ehrmann.)

The period covered by table 2—17 years—and the number of cases involved are sufficient to smooth out any substantial distortions due to unusual cases. From these figures it appears that one indicted for a capital offense in Middlesex stood nearly a 17-percent chance of being convicted of first degree murder and a 15-percent chance of

[9] Mr. Justice Wilkins in *Commonwealth* v. *Cor* 1951 A.S. 857; 100 NE. 2d 14.

[9] Massachusetts State 1939, Sec. 341; G.L. (Ter. Ed.) C. 278, sec. 33E. This case was an unusual one for Massachusetts, where, under the Briggs law, so-called insanity is usually determined before trial. G.L. (Ter. Ed.) C. 123, sec. 100A.

[10] See Arthur Garfield Hays, "Trial by Prejudice," New York: Covici Friede, 1933.

[11] *Smith* v. *Texas*, 311 U.S. 128, 61 S. Ct. 164, 85 L. Ed. 84 (1940); *Pierre* v. *Louisiana*, 306 U.S. 354, 59 S. Ct. 536, 83 L. Ed. 760 (1939); *Strauder* v. *West Virginia*, 100 U.S. 303, 25 L. Ed. 664 (1879).

[12] Related by Wendell Murray, Esq., of the Boston Bar, called in as counsel for Wong Duck after the trial. Three of the defendants were executed, but Wong Duck was among those granted a new trial.

[13] Royal Commission on Capital Punishment, minutes of evidence taken before the Royal Commission on Capital Punishment, 30th day, Thursday, Feb. 4, 1951. Witness: Prof. Thorsten Sellin. (Pp. 647–678.) London: H. M. Stationery Office, 1951.

[14] The 1940 census gave Middlesex, 958,855; Suffolk, 912,706.

being executed; whereas if the murder was committed in Suffolk, he would stand only a 4-percent chance of being so convicted, and only a 2.5-percent chance of being executed. Those guilty of second-degree murder, whether by plea or after trial, were approximately the same in percentage in both counties, as were those guilty of manslaughter. The accused had three times the chance of being acquitted after trial in Suffolk than he would have had in Middlesex, but in the latter county the district attorneys may have nol-prossed weak cases more freely than their opposite number in Suffolk.

Explanations may be offered for these startling differences. Suffolk contains a larger percentage of more recent immigration; its racial, religious, and ethnic proportions of population vary substantially from those in Middlesex; its residents, on the whole, are on a lower economic level; they are less suburbanite; there is a tradition of hanging prosecutors in Middlesex. The very nature of these explanations, however, indicates the complexity of the problem. If citizens of the same State, living in adjoining counties, operating under the same administration of justice, differ so drastically in their attitude toward the death penalty, how is it possible to generalize for an entire State or Nation?

DEATH PENALTY AND NUMBER OF TRIALS

Again, it is claimed that fewer trials are required in abolition States because obviously guilty defendants are more likely to plead guilty where they do not have to battle for their lives. There are, indeed, some instances where this appears to be the fact. On the other hand, there are those who claim that it is harder to secure pleas of guilty in abolition States because the prosecutor has less inducement to offer the guilty defendant. The answer necessarily depends upon the attitude of prosecutors in a death penalty State. If, for instance, the prosecutor insists on first degree with death as the penalty, the accused has nothing to lose by trial; if the prosecutor is willing to trade for a plea of guilty in the second degree, the defendant has much to gain by not risking a trial. How do we know, however, what prosecutors will do?

The application of armchair psychology to forecast the conduct of prosecutors—or any other public authority—is no easier than the Ellenborough method of predicting the reaction of criminals. For instance, as early as 1900, Hosea M. Knowlton, then attorney general of Massachusetts, recommended the commutation of the death sentence of a 17-year-old murderer whose crime was particularly vicious, on the ground that Massachusetts public sentiment would not tolerate the execution of so young a boy.

In 1942, after 40 years' development in the field of handling juvenile delinquency, another Massachusetts prosecutor insisted on the death penalty for a 17-year-old offender despite the suggestion of the judge that the case was a proper one for a plea of guilty to murder in the second degree. The boy's previous record had been good, and there was a conflict of medical testimony as to whether the cause of the victim's death was the wound or a heart ailment, since the victim lived for 7 weeks and his injuries had apparently healed. Nevertheless, the lad was allowed by the Governor to be electrocuted, with the assent of the parole board acting in an advisory capacity.

A few years later, in another case involving a 17-year-old boy, another Massachusetts judge took the initiative and accepted a plea of guilty to second degree on the ground that no Massachusetts Governor would ever allow so youthful an offender to be electrocuted.

A very conscientious district attorney will sometimes secure a conviction which the facts require, in the belief that the Governor will take care of mitigation. Such a case was *Commonwealth* v. *Desatnick*,[16] where the father of an illegitimate child, plagued by accusing parents and a religious sense of guilt, murdered the infant. Instead of commuting, however, the Governor sent for clerics of the defendant's faith and asked them whether illegitimacy was a more serious offense than murder. On the basis of the obvious answer, the young man was electrocuted. Within a short time, however, another Massachusetts district attorney, regarded by many as more hard boiled than the one who prosecuted Desatnick, nol-prossed the case of a mother who had abandoned her illegitimate child to die, on the ground that, although the crime would ordinarily be murder, "society needs no penalty for this, unfortunate as it is."

These instances are sufficient to indicate the futility of generalizing on insufficient data. Research alone, in a wide area and covering a period of years, could establish what prosecutors tend to do in the death penalty States by way of accepting pleas of guilty to second degree murder.

DEGREES OF MURDER

Degrees of murder present such a confusing problem that they create a further obstacle to predictability in the administration of criminal justice. In States where capital punishment has been abolished, the situation is not too serious. An intelligent parole board may ultimately adjust any gross errors in the jury's verdict or in the pleas. But where the penalty is death, a confused jury may eternalize its mistakes.

The principal variety of "first degree" murder is generally defined as including "malice aforethought," and involves "premeditation" and "deliberation." However, judicially defined "malice" does not necessarily involve malice against the victim in the ordinary dictionary sense. Moreover, the courts have explained "deliberation" and "premeditation" in such a way that these words also have lost their usual meaning. Under judicial definition, "premeditation" and "deliberation" can both occur within a few seconds of the killing itself. In the now rather celebrated case of *Fisher* v. *United States*,[16] a Negro of low-grade intelligence, suddenly feeling that he was insulted by his victim, struck her, and then killed her to stop her from hollering. The jury by its verdict found deliberation and premeditation, essential to first degree murder.

Mr. Justice Frankfurter, in his dissenting opinion in the U.S. Supreme Court, referred to the judge's charge on the subject as the "dark emptiness of legal jargon." According to Mr. Justice Frankfurter, the insult "pulled the trigger of Fisher's emotions." We shall never know how many defendants have been hanged or electrocuted for a deliberate and premeditated killing where some unexpected incident pulled the trigger of the accused's emotions.

"Is it possible," asked Sir Ernest Gowers of Mr. Justice Frankfurter at hearings held by the Royal Commission on Capital Punishment in 1950, "to express premeditation clearly and logically without mumbo-jumbo entering into it?" Mr. Justice Frankfurter thought that it was possible, but conceded that "the charges given by trial judges in the United States are often not very helpful." The Royal Commission appeared to think this observation to be an understatement.[17]

Another type of first degree murder is usually defined as a homicide occurring in the act of committing a serious felony. Here again the situation may be far from clear. If the jury believes that the accused, at the time of the killing, had given up all intention of committing the felony, and killed the victim because of fear for his own safety, the crime is not first degree murder. In a close case, how is the jury to read the defendant's mind in order to apply the instructions of the judge?

It would be unfair, however, to blame the judges for their inability to explain clearly the different degrees of murder. The fact that so many do not succeed suggests that the real blame rests with the rather fanciful distinctions between first degree and second degree murder. Mr. Justice Cardozo himself found it difficult, if not impossible, to draw a satisfactory line:

"I think the distinction is much too vague to be continued in our law. The statute is framed along the lines of a defective and unreal psychology. The present distinction is so obscure that no jury hearing it for the first time can fairly be expected to assimilate and understand it. I am not at all sure that I understand it myself after trying to apply it for many years and after diligent study of what has been written in the books. Upon the basis of this fine distinction with its mystifying psychology, scores of men have gone to their deaths."[18]

Degrees of murder were introduced into the law originally in order to give juries an opportunity to mitigate the harshness of the death penalty. No doubt in many cases they have accomplished their purpose. Some juries find second degree despite the facts and the judge's instructions; other juries, more conscientious than merciful, find first degree where warranted; still others muddle through the mystifying psychology to a bewildered finish. In conjunction with the death penalty, these degrees of murder have created a combination which tends to produce a most haphazard application of the criminal law in capital cases. Once the death penalty has been abolished, however, the criminal law may safely drop such metaphysical distinctions and relate the period of imprisonment to modern penology for the protection of society and the rehabilitation of the convicted.

MENTAL RESPONSIBILITY

Another cause for the haphazard application of the death penalty is the submission of the issue of mental responsibility to juries under legal definitions of insanity which are completely at variance with medical science. Most jurisdictions still apply the century-old rule in M'Naghten's case; namely, did the defendant know that his act was morally and legally wrong? The rule has been somewhat qualified by such exceptions as the irresistible impulse test, but on the whole, M'Naghten still dominates judicial charges and decisions.

Under this definition of insanity, the lowest grade morons and the most disturbed psychopaths are repeatedly convicted because they knew the difference between right and wrong. It has also provided astute defense counsel with a handy means of getting guilty clients off without any penalty whatever, through a verdict of not guilty by reason of insanity, and a subsequent speedy cure of a nonexistent mental disease.

In Massachusetts, under the Briggs law, the issue of insanity in capital cases is now usually decided before trial by the report of two impartial psychiatrists. In most States, however, the juries must continue to choose between contending allenists who are paid for their opinions by the side which calls them to the stand. Since there can be no reconciliation between the legal test for insanity and a conscientious psychiatrist's ideas about mental disease, the expert testimony

[15] 262 Mass. 408 (1928).

[16] 328 U.S. 463, 66 S. Ct. 1318, 90 L. Ed. 1382 (1946).

[17] See testimony of Mr. Justice Frankfurter before the Royal Commission on Capital Punishment, 1950, pp. 580–582.

[18] Benjamin N. Cardozo, "Law and Literature" (New York: Harcourt, Brace & Co., 1931), pp. 99–101.

from the witness stand is given under conditions which often confuse rather than assist a jury in reaching a verdict.

If imprisonment or confinement were the result in any event, then a finding of either sanity or insanity would provide opportunity for further study and possible treatment. Under the present system, a mistaken finding of guilty or not guilty where insanity is pleaded may result in irrevocable error. It is the presence of the death penalty that hinders a new approach to the entire question of mental responsibility.

DEATH PENALTY AND COST OF TRIAL

Whether there is actually a larger proportion of pleas of guilty without trial where capital punishment has been abolished is also largely unexplored territory. The trial of murder cases is an expensive process. The ordinary murder trial may cost the county thousands of dollars, and some of the more bitterly contested cases may run high up in five figures. In Massachusetts, the trial of the Millen brothers and Abraham Faber in 1934 for murder in the commission of robberies ran for nearly 8 weeks at very great cost to the county. These criminals and their lawyers knew that the government's case was overwhelmingly strong and that public feeling ran high against them. Slim as their chances were, however, they went to trial because no prosecutor in a mandatory death penalty State, on the facts of their outrageous crimes, would have accepted a plea of second degree. Under the same conditions in an abolition State, would the accused have pleaded guilty?[18]

California was put to a great expense in the trial of the sensational Hickman case involving the fiendish sex killing of a child. Would the defendant have pleaded guilty in an abolition State? Shortly after the Hickman trial, Michigan had a murder case almost exactly the same in its gruesome details, apparently induced by the lurid press treatment of the California crime. The accused, one Hotelling, promptly pleaded guilty, thereby sparing the State much expense and the public a recital of the macabre details.

The money spent on the trial of capital cases would pay the salaries of a substantial number of additional parole officers, badly needed in a constructive effort to reduce crime. It might repay any State to investigate the probability of saving the cost of these expensive murder trials through repeal of the death penalty.[19]

Whether or not capital punishment increases the expense of administering justice by forcing to trial a greater number of murder cases, there can be no doubt that the cost of cases actually tried is greatly increased because of the reluctance of jurors to serve where they may feel compelled to decree death to the accused. This is a universally observed phenomenon. Where the cases are notorious, the delay in securing a jury may be fantastic. In the trial for the murder of "King" Solomon in Boston, only one of 90 veniremen failed to disqualify himself on the ground that he was opposed to capital punishment. After 160 had been interrogated, there still were not enough to make up a jury.[20] In the case of Sacco and Vanzetti, 4 days were consumed in impaneling a jury.[21] These instances may be extreme, but they underscore a fact which should properly be considered in any evaluation of the death penalty in the administration of justice.

DEATH PENALTY AND SENSATIONALISM

Expert observers also agree that the trial of murder cases where death may be the penalty tends to be more sensational than where imprisonment is the only punishment. The spectacle of a human being fighting for his life is stirring drama inside and outside of the courtroom. Frequently, in order to sway a jury toward the fatal verdict—and possibly to reassure his own conscience—a prosecutor will inflame the jurors against the accused by playing upon every prejudice and ghastly detail. It is generally recognized that some prosecutors, because of political ambition or simple vanity, are not above deliberately seeking the headlines.

Of course, noncapital cases may also tend toward sensationalism; but where this occurs, it is because of reasons other than the penalty involved. Generally speaking, the trial of cases where the penalty may be death is surcharged with an emotional tension not present in other prosecutions. Defense counsel, witnesses, judges, and even prosecutors have been visibly affected by the strain. This atmosphere, created by invoking the specter of death to destroy the life in the dock, is hardly a help to calm consideration of the evidence.

DEATH PENALTY DISTORTS ADMINISTRATION OF JUSTICE

Indeed, the one conclusion on which practically all criminologists agree is that the death penalty tends to distort the course of the criminal law. In the phrase of Prof. Sheldon Glueck, it "bedevils the administration of justice."[22] Data may indicate that in some instances it may result in acquittals or findings not merited by the accused; in others, in convictions and executions not justified by an unemotional consideration of the evidence. In either case, the normal is deflected. The penalty is erratically inflicted at different times in different places. It retards progress in the criminal law by maintaining concepts which should have little to do with the process of ascertaining guilt, innocence, or responsibility.

Just as the death penalty is a paradoxical block in a modern system of penology, so does the fear of its finality hinder reform in the administration of criminal justice. Prof. Sam Bass Warner, then on the faculty of the Harvard Law School, declared to the Joint Judiciary Committee of the Massachusetts Legislature in 1935 that "the existence of the death penalty for first degree murder is one of the principal reasons, if not the main reason, why it is extremely difficult to get judges and legislators to remove procedural barnacles from our law."

It may be said that all human processes are imperfect, and that those of justice are no different; but the fact of human fallibility is not a good reason for increasing it. If to err is human, then it becomes all the more important to reduce the probability of errors—especially fatal ones. On the massive evidence now available dealing with the use and disuse of the death penalty, there would seem to be no sufficient compensating advantage in retaining it. Its disappearance could only improve the administration of justice.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Oregon. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. SMATHERS. I announce that the Senator from Colorado [Mr. CARROLL], the Senator from Idaho [Mr. CHURCH], the Senator from California [Mr. ENGLE], the Senator from Tennessee [Mr. GORE], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Montana [Mr. METCALF], the Senator from Oklahoma [Mr. MONRONEY], and the Senator from New Jersey [Mr. WILLIAMS] are absent on official business.

I further announce that, if present and voting, the Senator from Minnesota [Mr. MCCARTHY] would vote "aye."

On this vote, the Senator from Colorado [Mr. CARROLL] is paired with the Senator from Minnesota [Mr. HUMPHREY]. If present and voting, the Senator from Colorado would vote "no," and the Senator from Minnesota would vote "aye."

Mr. DIRKSEN. I announce that the Senator from Maryland [Mr. BUTLER] and the Senator from California [Mr. KUCHEL] are necessarily absent.

The Senator from South Dakota [Mr. CASE], the Senator from New Jersey [Mr. CASE], and the Senator from Hawaii [Mr. FONG] are absent on official business.

The Senator from Iowa [Mr. MILLER] is absent because of death in his family.

If present and voting, the Senator from Maryland [Mr. BUTLER], the Senator from South Dakota [Mr. CASE], the Senator from California [Mr. KUCHEL], and the Senator from Iowa [Mr. MILLER] would each vote "nay."

The result was announced—yeas 16, nays 69, as follows:

[No. 26 Leg.]

YEAS—16

Burdick	Kefauver	Moss
Chavez	Lausche	Muskie
Clark	Long, Hawaii	Neuberger
Douglas	Mansfield	Young, Ohio
Gruening	McGee	
Hart	McNamara	

NAYS—69

Aiken	Cannon	Ervin
Allott	Capehart	Fulbright
Anderson	Carlson	Goldwater
Bartlett	Cooper	Hartke
Beall	Cotton	Hayden
Bennett	Curtis	Hickenlooper
Bible	Dirksen	Hickey
Boggs	Dodd	Hill
Bush	Dworshak	Holland
Byrd, Va.	Eastland	Hruska
Byrd, W. Va.	Ellender	Jackson

[18] Cf. Boston Globe, Oct. 14, 1930: "Battle Creek, Mich. (an abolition State). Only a little more than 12 hours following their capture after the killing of a State policeman and the robbery of a bank, Thomas Martin and James Gallagher were sentenced to life imprisonment in Jackson Prison." The Millen-Faber cases are notable for reasons other than great expense. At the time of the arrest of these criminals, two innocent men, Beret and Molway, were being tried for one of the murders committed by the Millen gang. The trial was nearing a conclusion, and eight reputable witnesses, with good opportunity to observe, had identified Beret and Molway as the robbers, when the real criminals were apprehended, bringing confessions and ballistic evidence to the rescue. No one familiar with the Beret-Molway trial has ever doubted that these men would have been convicted—and executed—but for this timely occurrence.

[19] Commenting on the execution of Irene Schroeder by the State of Pennsylvania in 1931, Dr. Harvey M. Watkins, of Reading, a social worker, is quoted in a bulletin issued by the American League To Abolish Capital Punishment as saying: "It cost the State of Pennsylvania $23,658 to prosecute, convict, and electrocute Irene Schroeder at the Western Penitentiary. If one-twentieth of this sum had been spent 10 years ago by any social workers on that 22-year-old girl, that electrocution would have been prevented."

[20] Boston Herald, June 7, 1933.

[21] Record published by Henry Holt & Co., 1928.

[22] Minutes of faculty meeting on capital punishment, Twentieth Century Club, Jan. 18, 1936.

Javits	Murphy	Smith, Mass.
Johnston	Pastore	Smith, Maine
Jordan	Pearson	Sparkman
Keating	Pell	Stennis
Kerr	Prouty	Symington
Long, Mo.	Proxmire	Talmadge
Long, La.	Randolph	Thurmond
Magnuson	Robertson	Tower
McClellan	Russell	Wiley
Morse	Saltonstall	Williams, Del.
Morton	Scott	Yarborough
Mundt	Smathers	Young, N. Dak.

NOT VOTING—15

Butler	Engle	McCarthy
Carroll	Fong	Metcalf
Case, N.J.	Gore	Miller
Case, S. Dak.	Humphrey	Monroney
Church	Kuchel	Williams, N.J.

So Mr. MORSE's amendment was rejected.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. HARTKE. Mr. President, at this point let me say that the purpose of the pending bill is to abolish mandatory capital punishment in the District of Columbia. The bill does not do away with capital punishment absolutely, but rather amends the existing automatic and inflexible principle of law that requires death by electrocution in all first degree murder convictions.

The District of Columbia is the last remaining jurisdiction, State or Federal, which still retains the mandatory death penalty for first degree murder cases. The passage of this bill will bring the District law into conformity with most States and Federal law by making the death penalty discretionary.

Generally stated, this bill provides that punishment for murder in the first degree shall be death by electrocution, unless the jury by unanimous vote recommends life imprisonment. If the jury is unable to agree as to punishment, it shall inform the court and the court shall, thereupon, have jurisdiction to impose either a sentence of death by electrocution or life imprisonment. The bill also provides that one who is convicted of first degree murder and sentenced to life imprisonment shall not be eligible for parole until such time as he has served 20 years of his sentence.

This legislation is also made applicable in a limited sense to those interim cases tried prior to the effective date of the bill, and which are before the court for purposes of sentence or resentence.

In this connection, the judge may in his sole discretion consider circumstances in mitigation and in aggravation of punishment and make a determination as to whether the case in his opinion justifies a sentence of life imprisonment in which event he shall sentence the defendant to life imprisonment. Such sentence shall be in accordance with the provisions of this bill.

Your committee, in support of this legislation, received testimony from numerous individuals and organizations closely alined with law enforcement activities in the District of Columbia. The Judicial Conference of the District of Columbia adopted a resolution on May 11, 1961, urging enactment of legislation to abolish mandatory capital punishment. The Department of Justice has urged—in a communication to the committee—enactment of this bill. In fact, Deputy Attorney General Byron R. White referred to the present mandatory capital punishment feature as "archaic" and something which "has effectively discouraged convictions of first degree murder in the District of Columbia in view of the reluctance of judges and juries to impose the death penalty."

Mr. President, supporters of this bill are all in essential agreement that its enactment will not impair effective law enforcement even though mandatory punishment would be abolished. Actually, they have expressed themselves as believing that the passage of this bill will prove a great benefit to more effective law enforcement.

Statistics provided to the committee which support the position that the present mandatory capital punishment law has been a deterrent to effective law enforcement, show that over a 10-year period, a total of 276 persons were indicted for first degree murder under the present law. Of this total, 121 were either acquitted or obtained a directed verdict of the court. Of the remaining 155 defendants, 127 were convicted of a lesser offense and sentenced to life imprisonment; while only 28 were sentenced to death. Of these 28, 7 had their sentences commuted; 7 had their cases reversed under appeal; 4 were transferred to St. Elizabeths Hospital; and 10 were actually executed.

Mr. President, it is hoped that the Senate will act favorably on this bill and thereby end the District of Columbia's role as being the only jurisdiction, State or Federal, with mandatory capital punishment. The committee believes that enactment of this bill will prove beneficial to more effective law enforcement in the District of Columbia.

In instances where the murder occurs with an act of spontaneity, this may be largely true, but this is not necessarily the case in all murders. The District of Columbia—like other jurisdictions—has the felony murder statute which provides that a person armed with a dangerous weapon and who kills another in attempting to perpetrate or in perpetrating a robbery, housebreaking, and other enumerated crimes, is guilty of first degree murder. Indeed, we would be deluded in our thinking if we believed that persons who engage in carefully planned criminal offenses do not also weigh the penalty that attaches to the criminal offense.

We must bear in mind that an armed housebreaker and robber is a potential murderer. If fear and fear alone of capital punishment can in any way be a deterrent to a person arming himself while engaged in the commission of a crime against the person or the home, then the death penalty has served its purpose well.

It is the view of your committee that H.R. 5143 is a direct and progressive step in providing better and more effective law enforcement in the District of Columbia. I strongly urge its passage.

Mr. BEALL. Mr. President, the bill which we are considering today offers the Senate an opportunity to remove a harsh and archaic provision from the criminal law of the District of Columbia. This provision requires the automatic execution of every person convicted of murder in the first degree. The change of law which will be made by H.R. 5143 is long overdue and will conform the law of the District of Columbia more closely to that of every other jurisdiction in the United States—both State and Federal. The bill does not abolish the death penalty but gives the jury discretion to require life imprisonment or execution.

The automatic imposition of the death penalty operates to frustrate justice. It encourages juries and judges to return improper verdicts where the facts require a first degree murder conviction but mitigate against the death penalty.

It has been said that "hard cases make bad law." I am told by my lawyer friends in the District of Columbia that "hard cases" resulting from the arbitrary imposition of the death penalty required under the District of Columbia's first degree murder statute have produced an abundance of bad appellate law.

Law without reason is tyrannous; without mercy, it is barbarous. The mandatory imposition of a death penalty without regard to mitigating circumstances, is bereft of both reason and mercy.

In summary, the mandatory death penalty statute is obsolete, self-defeating, and a source of bad factual decisions and legal cavilling in the courts. This bill will correct the situation.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. HARTKE. Mr. President, I submit and send to the desk an amendment which I ask to have stated.

The PRESIDING OFFICER. The amendment will be read.

The legislative clerk proceeded to read the amendment.

Mr. HARTKE. Mr. President, I ask unanimous consent that the further reading of the amendment be dispensed with. It is a technical amendment which in no way changes the meaning of the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the amendment submitted by the Senator from Indiana.

The amendment was agreed to, as follows:

On page 3, line 1, after the word "may", to insert "by unanimous vote".

The PRESIDING OFFICER. The bill is open to further amendment.

If there be no further amendment to be proposed, the question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

Mr. HARTKE. Mr. President, I yield back the remainder of the time under my control.

Mr. MORSE. Mr. President, I yield back the remainder of the time under my control.

The PRESIDING OFFICER. All remaining time has been yielded back.

The question is, Shall the bill pass?

The bill (H.R. 5143) was passed.

Mr. HARTKE. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. ALLOTT. Mr. President, I move that the motion to reconsider be laid on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had disagreed to the amendment of the Senate to the amendment of the House to the bill (S. 1969) to amend the Federal Aviation Act of 1958, as amended, to provide for supplemental air carriers, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. HARRIS, Mr. WILLIAMS, Mr. STAGGERS, Mr. FRIEDEL, Mr. BENNETT of Michigan, Mr. SPRINGER, and Mr. COLLIER were appointed managers on the part of the House at the conference.

ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (S. 1991) relating to manpower requirements, resources, development, and utilization, and for other purposes, and it was signed by the Vice President.

TAX ABATEMENT IN CONNECTION WITH THE ATLANTIC COAST DISASTER

Mr. WILLIAMS of Delaware. Mr. President——

Mr. MANSFIELD. Mr. President, I yield briefly to the Senator from Delaware.

Mr. WILLIAMS of Delaware. Mr. President, last week a severe storm struck the Atlantic seaboard and caused considerable damage to both life and property.

Upon the request of the Governors of the respective States, these areas have been declared disaster areas, and will thereby be eligible for Federal aid in reconstruction.

All of this aid will be of great assistance, but there is one problem which such assistance will not solve; namely, the tax liability of some of the persons so adversely affected who have lost their entire life savings through the destruction of their homes, their places of business, or the livestock on their farms.

Hundreds of thousands of chickens were lost in these flooded area.

This disaster has occurred at a time of the year after their 1961 Federal tax liability has been established but before it has been paid. In many instances these persons are now destitute, with no means of paying their taxes, which become due April 15.

Under the disaster-relief program they are eligible to borrow money from the Small Business Administration on 20-year-term loans, at 3 percent interest, to reconstruct the places of business which have been destroyed, or they can borrow the money with which to purchase equipment for their places of business. But, very properly, they cannot borrow from the Federal Government money with which to pay last year's taxes.

These persons are good citizens and good taxpayers, and they have been paying their taxes on time; but they are now caught in a very unfortunate position in that their homes, their furniture, their clothing, and their livestock or their places of business have been destroyed, and they need what little capital they have in order to commence rebuilding.

Let me cite one case: A lady who came to my place over the weekend had her tax return already prepared, and she owed $47 and some cents tax this year. She said she and her husband had a bank account of $400 or $500, but that the storm has destroyed the entire front of their home, much of their clothing, and most of their furniture, and they need what money they have in order to provide for the immediate needs of their family.

We have had disasters before, but the previous disasters mostly occurred in the latter part of the year, so that the same problem in regard to tax payments did not develop. For instance, the disaster last year in Texas occurred in late September or October, and the disaster which occurred a few years ago in New England occurred in the latter part of August or the first part of September. But in this case the storm came at a time when they owe last year's taxes, since they are not due until April 15. Now, with their possessions completely wiped out they are in trouble.

The Senator from Virginia [Mr. ROBERTSON] is well aware of this situation, particularly in the case of Chincoteague Island.

Even though they may have some resources they could still use this tax credit now and thereby have their money a year earlier to help them in their reconstruction.

Mr. ROBERTSON. Mr. President, will the Senator from Delaware yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. ROBERTSON. Mr. President, I warmly commend the Senator from Delaware for this proposal. The disaster situation at Chincoteague Island, on the Eastern Shore of Virginia, is the worst in the history of that part of the country; probably there has not been any disaster as bad as this one in that area since the massacre of the Virginia settlers by the Indians in the year 1622.

Many of the persons affected by this disaster have lost their entire means of livelihood. On the chicken farms, many of the chickens have been drowned, and many of the chicken houses and brooders have been destroyed. In fact, in entire communities, almost all the places of business have been destroyed. Oyster boats have been washed away, and great quantities of sand have been washed up, and have covered the oyster beds. The situation is most distressing.

Many of the persons thus most seriously affected will be liable, next month, for the payment of the taxes now due. As the Senator has said, if we can act promptly, it will not cost the Government a red cent, because these disasters can be written off once we have them considered, but they cannot be written off for the calendar year 1961. They will have to be written off for the next year.

I hope very much Congress will take very prompt action in providing this relief, because, as the Senator has said, we cannot borrow from any Federal agency moneys with which to pay Federal taxes. This is a relief proposal. At least, we can leave some of the money in the pockets of those who have suffered.

Mr. WILLIAMS of Delaware. I thank the Senator from Virginia. The Senator has emphasized a very important point—these losses as a result of the disaster are allowed as a deduction from the taxable income but under the present law that credit cannot be taken until the returns are filed for the year 1962. Next month many persons will be filing their 1961 tax returns, and they do not have the money with which to pay the tax. Many of these citizens will have to become tax delinquents when, in reality, they are entitled to this deduction next year anyway. All we are asking is that they be allowed to estimate their losses and to take the deduction when computing their 1961 liabilities. Final adjustments can be made on their 1962 returns.

I have discussed the matter with officials in the Treasury Department. They are very receptive to the proposal. They appreciate the problem and expressed a desire to help find a solution. They are going to see if the problem can be worked out administratively but if it cannot legislation will be introduced. Should legislation be necessary I hope that by tomorrow we shall be ready for the introduction of either a joint resolution or whatever may be necessary so that action can be taken quickly. We want to avoid the situation where, through no fault of their own, these people, who have always been good taxpayers, will become tax delinquents when, in reality, they are going to get this same tax credit next year anyway.

Under this proposal we would allow these taxpayers a choice of electing to charge their losses against their 1961 tax liabilities or they could wait and take the loss next year.

If this proposal is approved, those taxpayers who have paid their taxes already could file amended returns and get their refunds now when they need the money most.

Mr. HOLLAND, Mr. MANSFIELD, and Mr. BEALL addressed the Chair.

Mr. WILLIAMS of Delaware. I yield to the Senator from Maryland and then I will yield to the Senator from Florida.

Mr. MANSFIELD. Mr. President, who has the floor?

The PRESIDING OFFICER. The Senator from Montana has the floor.

Mr. WILLIAMS of Delaware. May I yield to the Senator from Maryland [Mr. BEALL]?

Mr. MANSFIELD. Provided I do not lose my right to the floor.

Mr. WILLIAMS of Delaware. With that understanding, I yield to the Senator from Maryland.

Mr. BEALL. I want to commend the Senator for his foresight in bringing this matter to the attention of the Senate. As I understand it, this is a matter of bookkeeping only. This is a proposal to allow these people cash refunds now so that they can rehabilitate themselves, rather than wait until 1963, when they would ordinarily get the money.

Mr. WILLIAMS of Delaware. That is correct.

Mr. BEALL. I think we should enable them to get their money now, so they can go back into business by using their own money and assets.

Mr. WILLIAMS of Delaware. That is right. They need the money now to rehabilitate their homes and their businesses and to provide for their families.

Mr. BEALL. And they need that money now.

Mr. WILLIAMS of Delaware. They need it now. Many of these people have lost their homes and furniture. The Senator from Virginia [Mr. ROBERTSON] has referred to Chincoteague, which has suffered even worse than many areas of my State and where they lost all of their livestock. Their livelihood is gone.

Mr. BEALL. The whole situation is very critical up and down the coast. We in Maryland have suffered greatly, and we know how it is. We are very thankful to the Senator from Delaware for bringing up the matter at this time.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield to the Senator from Florida.

Mr. HOLLAND. Am I to understand that this applies equally to all the States along the eastern seaboard, from Florida to New England?

Mr. WILLIAMS of Delaware. Yes. According to our talks with the Secretary, it would apply to any area which is declared a disaster area by the President.

Mr. HOLLAND. May I say to the distinguished Senator from Delaware that I am glad he is offering this measure of relief. It would be inconceivable to me that a homeowner and the head of a family, under the conditions which exist, would not be able to use the money to take care of his home and family, but I think we should regularize and legalize it, at a time when it is necessary to do something.

My own State has at some times in the past suffered from great disasters, and I know something of the feeling of despair and yet of the willingness to go back and tackle things and rebuild under such situations. I think it will be cheering news and human news to many of these people affected to see such a measure passed.

May I say, with respect to the comments made by the Senator from Virginia [Mr. ROBERTSON], I think the most appalling factor in all the press treatment of the disaster was the fact that in Chincoteague, where everything was covered by water, matters were so distressing that even coffins were disinterred from the cemeteries and were floating in the streets. One cannot imagine any more terrible disaster falling to the people.

I think it will bring cheer and be a source of encouragement to the people affected to know that the Congress is willing to give this little help to them.

Mr. WILLIAMS of Delaware. I thank the Senator. I think it will do the people good to know that the Federal Government as the tax collector is not so hard boiled that it cannot show some sympathy for them in their hour of need.

Mr. BENNETT. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield to the Senator from Utah.

Mr. BENNETT. As a member of the Finance Committee, and as a colleague of the Senator from Delaware, I had a chance to talk with him about the matter yesterday, and suggested that perhaps one way by which this problem could be approached under these particular circumstances would be to permit a taxpayer to make a combined return for 2 years, instead of for 1, because the actual loss occurs in the period between the time the taxable year ends and the time the return is due. Under the present situation, there is no way a taxpayer can put the loss back into the year on which he is about to pay taxes.

Many of these people find themselves without the money with which to pay their current taxes, because of the damage to their homes. It would seem to me that, either administratively or by a change in the law, we might provide that in the period occurring between January 1 and April 15 the taxpayer would be permitted to make a preliminary tax return which would hold him over until he could make a return based on the 2 years, so he could take advantage of the loss without having been put in the position where he is actually to pay out money for the first year when he has no money, and then wait another year before the money comes back to him.

This is possibly only one approach, and I hope the Senator from Delaware and others who will be working on the problem, and perhaps officials of the Treasury who may be approaching it from the administrative solution, will consider this unusual situation, will permit the taxpayer to make a preliminary return and delay the final settlement until the second year.

Mr. WILLIAMS of Delaware. I thank the Senator. He and I have possible methods of solving this problem. This was one of the proposals that has been advanced to the Treasury Department. The Treasury Department and our staff are working on this and other proposals trying to determine just how this problem can best be solved. There seems to be a will to do something, and if the will is there, then a formula by which the objective can be achieved shall be found.

I think we would be negligent in our responsibilities as members of the committee and of the Congress if we did not make this effort. I certainly thank the Senator from Utah for the constructive suggestions he has made, and with his support and the support of other interested parties we will get a solution.

After all, all that we are trying to do is to make it possible for these people to have the use of what in effect is their own money to rebuild their destroyed properties.

I shall appreciate the Senator's continued assistance in the committee toward working out some final solution to help these people.

Mr. BUSH. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield to the Senator from Connecticut.

Mr. BUSH. Mr. President, I thank the senior Senator from Delaware. First I wish to say that I have always regarded the Senator to be the Republican guardian of the Treasury. Therefore, I am disposed to support almost anything the Senator suggests in regard to the Treasury and taxes which may be collected by it or withheld from it.

In this particular case I could not be more sympathetic than I am with the Senator's position. In 1954 and again in 1955 my own State endured the most serious hurricane damage in the whole history of New England. I viewed with horror and with the deepest sympathy the events of the past week in the State of Delaware, in the State of Maryland——

Mr. WILLIAMS of Delaware. And the State of New Jersey and others.

Mr. BUSH. And the State of New Jersey and other States along the eastern coast. Those States have been severely hit. The damage which has been done is almost unbelievable.

I know from first-hand experience of the hardship this kind of disaster can wreak upon the lives of individuals, and I certainly commend the Senator from Delaware for his thoughtfulness in bringing up this small measure of relief for them, so that they may avoid being forced into default on their taxes and may get the credit the Senator will ask for them by law. I assure the Senator of my wholehearted support of the measure, if he can get it before the Senate.

Mr. WILLIAMS of Delaware. I thank the Senator from Connecticut.

I wish to point out that in discussing this proposal with the Treasury Department and with other committee members it was agreed that a man whose property was destroyed but who has an independent income on the side does not need this relief so much. It may be somewhat inconvenient for him to pay his tax this year, but he can claim the loss next year because he knows he will have an income against which to charge the loss. However, many of these people will not earn any money this year because they have lost their means of livelihood. It will take the full year for them to get their property reconstructed and back into operation. Therefore, there may be no 1962 tax liability. It is true that they would get the refund next year without this legislation, but they need the money now more than

they will next April. This would only give the money to them a year in advance, and they really need it at this time

Under any national disaster relief program millions of dollars of public funds are spent to help the areas in their reconstruction problems. What I am proposing here is a formula whereby those people suffering losses in these disaster areas can use their own money to reconstruct their properties.

It should be emphasized again that we are not proposing any deductions or tax credits other than those provided under existing law. All that we are trying to do is to allow these unfortunate property owners to get these tax credits now instead of waiting until next year.

It has been said that a friend in need is a friend indeed, and never have these people needed a friend more than they do now.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield to the Senator from New York.

Mr. JAVITS. I wish to compliment my colleague, who comes up with some very interesting ideas and some very useful ideas very frequently, for this suggestion.

We of New York have suffered enormous damage along the coast of Long Island, which I had the opportunity to survey from an Army helicopter on Saturday. The Governor computes the damage to be in excess of $20 million, and a great deal of it has been suffered by people of very modest means, with very modest homes located on the beach.

I think the Senator has put his finger on something which could be very useful and very helpful to many people, which would cost the United States practically nothing. It shows that by using one's head one can often come up with the most important ingredient in doing the right thing.

I am delighted the Senator has made his suggestion. I hope he pursues it. If such cannot be done by executive action, it may be done by legislative action. I shall be honored to join with the Senator in that effort.

Mr. WILLIAMS of Delaware. I thank the Senator from New York. I know that not only the lower part of New York but also our neighboring State of New Jersey suffered great damage.

I discussed this tax problem yesterday with our colleague from New Jersey [Mr. CASE]. He is today attending a conference with the Governor of New Jersey in Atlantic City surveying the disaster in his State. Senator CASE assured me that he was wholeheartedly in support of this idea. Property owners in New Jersey have likewise suffered heavy damage, and they are confronted with a similar problem.

Mr. JAVITS. I thank the Senator from Delaware.

Mr. WILLIAMS of Delaware. Mr. President, the senior Senator from New Jersey [Mr. CASE] is in his State today inspecting the devastation caused by the recent storm and conferring with the Governor and State officials.

I ask unanimous consent that a statement prepared by the Senator from New Jersey be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR CASE, REPUBLICAN, OF NEW JERSEY

The storm that wreaked such havoc on the Atlantic coast last week hit New Jersey particularly hard. In terms of dollars, damage was perhaps the greatest of all. It is currently estimated at about $80 million.

While dollars cannot, of course, measure the tragedy suffered by so many individuals, it is some indication of the extent of loss.

Many of those whose homes, whose livelihoods, were swept away now find themselves in a most difficult financial plight. It is aggravated, as Senator WILLIAMS of Delaware has pointed out, by the fact that the disaster struck at this particular time of the year. Like the rest of us, the victims find themselves approaching the deadline for payment of taxes due for calendar 1961 at the very moment when what resources, if any, they may have are urgently needed for the necessities of life, for restoring their homes and property, for rebuilding their businesses. Yet, since the disaster occurred in 1962, they cannot claim any losses due to the disaster in the returns due this April but must wait until they make their returns for calendar 1962, in April 1963.

I want to associate myself with the senior Senator from Delaware and Senators from other affected States in an effort to work out a fair and reasonable method of adjusting the situation, a method which will not deprive the Government of taxes to which it is entitled but which will take cognizance of the particularly difficult straits in which so many find themselves through no fault of their own. For example, it has been suggested that perhaps the returns for 1961 and 1962 can be combined.

I am delighted to learn that members of the Senate Finance Committee are actively concerned with the problem, and I want to work with them in any way that I can to arrive at a solution.

Mr. BOGGS. Mr. President, will my colleague yield?

Mr. WILLIAMS of Delaware. I now yield to my colleague.

Mr. BOGGS. Mr. President, I wish to join with my distinguished colleagues in supporting this proposal and in expressing the hope that executive action may be possible, because I think that would be much quicker, and time is an element.

However, if executive action is not possible I shall be happy to join with the senior Senator from Delaware and with my other colleagues in this body in favorable and immediate emergency action on the proposed legislation.

I wish to point out one thing in addition to the thoughts which have been expressed. The people it has been my opportunity to observe in the disaster area are to be complimented for immediately going about rehabilitation and recovery and cleanup. I think their spirit is an amazing spirit, and is typical of our great country.

This type of relief, at this time, not only would help those people and their families, but would also enable a more speedy rehabilitation and cleanup, and would provide employment for many people who would be needed in the area for the cleanup and reconstruction effort.

As has been pointed out by others, many of these families involved in the loss are families which have their life's savings in the facilities in the disaster area. The relief is something which is not only urgently needed for them but also will be of immediate encouragement to the economy of the whole area in the rehabilitation effort.

I certainly compliment my colleague, whom I hold in the highest of esteem as an expert in tax and financial matters, for bringing this subject to the attention of the executive department and of the Senate.

Mr. WILLIAMS of Delaware. I thank my colleague for his support. I live in this area and during the latter part of last week toured the disaster area with my colleague. We have seen the devastation. It is hard to realize the extent to which these people have been left without homes.

I happen to be one of the fortunate property owners in the area who escaped damage entirely. This proposal means nothing so far as I am concerned and means nothing so far as many others in the area are concerned, but there are many less fortunate people in the area for whom it may well mean the difference between their ability to recover or fail. Many of those people had everything they owned tied up in their homes or farms or business properties which were destroyed. Surely this is the very least we can do for them.

As I have emphasized, under the existing law these losses are deductible anyway. These people can claim the tax deductions and can get them next year. We are merely trying to work out a formula to give the people the tax credit now so that they may rebuild their homes and restock their stores.

I thank my colleague for his contribution.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield to the Senator from Kansas.

Mr. CARLSON. I sincerely hope that either through administrative action on the part of the executive branch of the Government or through legislative action we can do something in this field with regard to taxes and deductions from taxes for losses which, of course, would be deductible in 1963, even though not deductible this year, for the group of people who are in dire straits.

In 1951 in Kansas City, in Topeka, and areas in between, we suffered one of the most disastrous floods in the Nation's history. It cost millions of dollars in damages. Thousands of people lost their homes and everything else they had. Those people needed help. They secured some help.

I can appreciate the difficulties of and can sympathize with the people in the coastal areas. I sincerely hope that we as a Congress and as a government can at least be charitable at a time when people need it the most.

This problem would be taken care of next year. Why not do it now? I hope it can be done.

Mr. WILLIAMS of Delaware. I thank the Senator, both as a member of the Finance Committee and as a Member of the Senate, for his support.

I wish to keep reemphasizing that if we do not do something many of these people will be confronted with the almost unresolvable choice of taking care of their families or of paying their taxes. It would be most unfair to put these people, who are good citizens and who have always prided themselves on paying their taxes, in such an unfortunate predicament.

There was one other particular case called to my attention. This was a small businessman who owns property on the boardwalk. This property was valued before the storm at about $35,000. The man owes taxes on earnings for last year of nearly $4,000. He had a $10,000 mortgage. He had arranged with the bank for a line of credit up to $8,000. He had used all of his ready cash from last year's earnings to remodel his property, and to reequip his business place. He was getting ready for the coming summer season, and he planned to use the line of credit to finish paying the balance on his 1961 taxes.

All that he now has is a lot that is partly covered with water. All of his property and equipment were destroyed. He can borrow money from the Small Business Administration to rebuild property and to install new equipment, and start back in business. But unless we do something, when he does go back into business the Federal Government will move in and say, "You are delinquent on last year's taxes." He owes them about $1,400 more on last year's $4,000 tax obligation. His line of credit at the bank has been withdrawn now that his collateral has been destroyed. This man needs that money now more than he will ever need it at any other time in his life.

Mr. CURTIS. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield to the distinguished Senator from Nebraska.

Mr. CURTIS. Is it not true that under existing law a loss of the kind stated can be carried as a loss in an individual tax return exclusive of that portion of the loss that the taxpayer recovers in insurance?

Mr. WILLIAMS of Delaware. The Senator is correct.

Mr. CURTIS. Many losses exceed what is received in insurance.

Mr. WILLIAMS of Delaware. Yes, but unfortunately on the particular type of loss about which we are speaking, insurance is not obtainable. This is not a case of the people not trying to buy insurance. There is no insurance that a man can buy against the destruction of his property by tide or flood. Therefore there are people who are fully insured against most all other damages but who now are confronted with a loss which was not insurable. Therefore in most cases no insurance will be collected. But to the extent that their loss was insured and they have collected, certainly their allowable loss would be only on that portion which was not covered by insurance.

Mr. CURTIS. Is it not very true that even if some of the losses are attributed to wind damage, which is an insurable loss, that due to existing circumstances, including inflation costs and values, many of those affected by the storms are underinsured?

Mr. WILLIAMS of Delaware. The Senator is correct.

Mr. CURTIS. The proposal would be confined to moving up the time in which taxpayers in areas that are declared disaster areas could recover their taxes for such losses.

Mr. WILLIAMS of Delaware. Yes. There would be that limitation.

Mr. CURTIS. In other words, the proposal would now give such taxpayers what the law would give them anyway, except that they would not have to wait a year.

Mr. WILLIAMS of Delaware. The Senator accurately stated the case.

Mr. CURTIS. The proposal would not mean a great deal to those who are financially well fixed and are not short of capital, because they would carry on anyway. The people who would benefit the most by the proposal are individuals in modest circumstances. Is that not true?

Mr. WILLIAMS of Delaware. The Senator is correct. Those are the ones who are vitally affected by what we do here.

Mr. CURTIS. Considering present tax rates and the fact that the income of the affected people consists mostly of what they earn, we know they would be required to pay hundreds of dollars in taxes.

I wish to commend the distinguished Senator from Delaware for suggesting the procedure that he has stated. I am sure that if present laws do not permit the Treasury to put the proposal into effect without legislation, Congress will respond and enact the necessary legislation promptly. That would be my hope.

I should like to express the further hope that the House of Representatives, in which tax bills originate, might immediately send a bill on this subject to the Senate, if it is not possible to attach a similar measure to a bill that is now before the Senate, because time is of the essence. The longer property is allowed to deteriorate without rebuilding, the greater the loss becomes. Is that not correct?

Mr. WILLIAMS of Delaware. That is right. I understand that by Executive order the filing date for some of the affected taxpayers can be deferred, though not indefinitely. The Senator will remember a few years ago such action was taken in connection with insurance companies when Congress was late in passing a law containing the formula under which insurance companies would pay their taxes. If I remember correctly we deferred their filing dates.

Mr. CURTIS. Such action would not help the individual who has already paid his taxes or paid them through withholding measures.

Mr. WILLIAMS of Delaware. In cases where the taxpayer suffering property loss in this disaster area has already filed his return he could if this formula is approved file an amended return and collect his refund now instead of waiting until next year.

Officials of the Department with whom I have talked were very sympathetic with the problem and expressed an earnest desire to help work out a solution. If legislation is necessary it can be enacted. I am confident that our committee and the Congress can and will act quickly on such a measure. This catastrophe requires prompt action.

They can under the present law file their returns next year, and claim carryback losses for a period up to 2 years. Under my proposal we would merely give those affected an opportunity to claim this loss as a tax deduction 1 year earlier.

The reason that such action is necessary is that the storm struck at such an early date in the year; the damage occurred after the tax liability for last year had been established but before it had been paid. If the damage had occurred in October or November the taxes for the previous year would have been paid. Their accumulated earnings for that year would have been available and they could claim these losses within a couple of months.

Since the damage occurred in early March, rather than making the taxpayers wait until April of next year—13 months—let us give them the benefit of the loss now.

Mr. CURTIS. The proposal appears to be a very sound procedure. It would not be a gift to the people affected. It is not a matter of charity but one of fairness. After all, it is the income, property and loss of those people, and under existing law we would merely give to them what they are entitled to.

Mr. WILLIAMS of Delaware. We would merely give them what they are entitled to anyway but give them a right to claim the loss 1 year earlier, and at a time when they need the money more than they have ever needed it before.

If there is nothing further on this subject, I wish to thank the majority leader for his indulgence in yielding to me at this time so that I could call to the attention of the Senate this very important problem.

Mr. MANSFIELD. Mr. President, the distinguished senior Senator from Delaware has spoken in a very worthy cause which I hope will receive the full support of both the House and the Senate.

RETIREMENT OF RICHARD E. McARDLE, CHIEF OF U.S. FOREST SERVICE

Mr. AIKEN. Mr. President, at the end of this week, the U.S. Forest Service will lose its present Chief and take on a new one. Richard E. McArdle, Chief for the past 10 years will turn over the reins to Edward P. Cliff and will retire from the Department of Agriculture after 39 years of service.

Those of us fortunate enough to have worked closely with Mac McArdle know him to be a leader of outstanding ability and an effective administrator of our forest lands. Great strides and accomplishments have been made during his tenure of office.

A Department of Agriculture release outlines Mac's many accomplishments,

and I ask that it be inserted at the conclusion of my remarks, together with a letter from the Secretary of Agriculture which accompanied the release.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. AIKEN. Mr. President, I wish to commend Secretary Freeman on the good judgment he has shown choosing a new Chief of the Forest Service.

Chief McArdle has worked quietly and without fanfare. His relations with the users of the national forest and with communities, States and other agencies of Government have been of the highest character. The good he has done for the Nation is evidenced in our forests across the land. We have never had a more dedicated public servant.

Mac will be missed by his many friends, we are sorry to have him leave, but we extend to his successor Ed Cliff the same good wishes and assurances of cooperation that his predecessor has enjoyed.

EXHIBIT 1

U.S. DEPARTMENT OF AGRICULTURE,
Washington, March 8, 1962.

Secretary of Agriculture Orville L. Freeman today announced the voluntary retirement of Richard E. McArdle as Chief of the Department's Forest Service, and the appointment of Edward P. Cliff, former Assistant Chief in Charge of National Forest Resource Management, as the new Chief Forester, effective March 17.

In announcing Dr. McArdle's request for retirement, Secretary Freeman expressed genuine regret and went on to say "Your reputation for leadership and foresight has been more than borne out by your dedication. On behalf of the President and the Department I commend you for long and outstanding service to causes close to the heart of the American people. (Text of Secretary Freeman's letter is at end of this release.)

Mr. McArdle, who is 63, rounds out 10 years as Chief Forester while completing a lifetime career of 39 years in Federal service. During this time, he has served with distinction in every major geographic region in the country and his work assignments have covered the three major areas of Forest Service responsibility: Management of the national forests, forest research, and State and private relations. He served for 8 years as Assistant Chief of the Forest Service.

A native of Lexington, Ky., retiring Chief McArdle was educated at the University of Michigan, where he earned bachelor, master, and Ph. D. degrees.

During his tenure as Chief of the Forest Service, outstanding progress was made in the management of the national forests, forest research, and in encouraging better management and protection of State and private forest lands. The development program for the national forests, sent to the Congress by President Kennedy last year, set forth a well planned and coordinated program to meet the rapidly expanding needs for more and better recreation and wildlife opportunities, timber production, watershed management, and grazing on the 186-million-acre national forest system. Another natural resource milestone, the Timber Resource Review, released in 1955, was the most comprehensive study of the Nation's forest resources ever made.

In the field of international forestry Dr. McArdle gained distinction by ably representing the United States in world conferences and proceedings. He has held posts in United Nations organizations and was a founder of the North American Forestry Commission.

In 1960, he served as chairman of the organizing committee for the Fifth World Forestry Congress, which brought together at Seattle, Wash., some 2,000 delegates from 70 nations—the largest conference of its kind ever held. Appointed head of the U.S. delegation, he was elected president of the Congress.

In addition to honorary degrees conferred on him by his alma mater, the University of Michigan, and by Syracuse University, Dr. McArdle has received USDA's Distinguished Service Award, the American Forestry Association's Distinguished Service Award for Conservation, the Career Service Award of the National Civil Service League, the Award for Merit of the Public Personnel Association, the President's Gold Medal for Distinguished Federal Civilian Service, the Rockefeller Public Service Award, the Silver Buffalo of the Boy Scouts of America, from the Government of Mexico the Order of Merit for Forestry of Miguel Angel de Quevedo, and the New York State College of Forestry Gold Medal for Distinguished Service.

During the late 1930's, he was dean of the School of Forestry at the University of Idaho. A World War I veteran, he served overseas with the U.S. Army. He is a member of many professional scientific organizations and honor societies. Dr. McArdle is married, and two of his three sons are foresters.

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, March 6, 1962.

Dr. RICHARD E. MCARDLE,
Chief, Forest Service,
Washington, D.C.

DEAR DR. MCARDLE: I write this letter with genuine regret. This is to acknowledge your request for retirement and to accept same.

I want you to know that it has been a privilege to serve with you and that I have enjoyed our relationship this past year. Your reputation for leadership and foresight, which I was apprised of prior to assuming my responsibilities as Secretary, has been more than borne out by your dedication this past year.

On behalf of the President and the Department I want to commend you for your outstanding service and to wish you well in the days ahead. We shall miss you.

You are well aware that it has been no easy choice to select your successor. The responsibility of making this decision is one I have felt keenly. For many months now I have given this matter careful consideration and have reviewed potential successors to carry on the great tradition of the Forest Service and to provide the kind of leadership which will be essential in making critical and difficult decisions in the days ahead. Happily, there have been a number of outstanding men qualified and willing to serve. It has been a difficult task to choose between them. In making a decision, for here as in many areas decisions must be made, it has been a real source of gratification to know that once a selection is made Forest Service will rally behind their new Chief and give the same loyalty and dedicated service that they have given you and for which they are renowned.

After long, careful thought and many consultations it is my decision to name as the new Chief of the Forest Service Mr. Edward P. Cliff.

Please communicate my respects and best regards to the regional foresters and station directors and ask them to convey my respects to their associates. I feel great pride in the Service. There is much to be done in the days ahead and I look forward to an even closer working relationship.

Sincerely yours,

ORVILLE L. FREEMAN,
Secretary.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that I may suggest the absence of a quorum without losing my right to the floor.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. MANSFIELD. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE ALEXANDER HAMILTON NATIONAL MONUMENT—AMENDMENT TO THE CONSTITUTION DEALING WITH POLL TAXES

Mr. MANSFIELD. Mr. President, I call the attention of all Members of the Senate to the motion I am about to make. I am going to move that the Senate proceed to the consideration of Calendar No. 1196, Senate Joint Resolution 29, a joint resolution providing for the establishing of the former dwelling house of Alexander Hamilton as a national monument.

If the Senate agrees to the motion, it is my understanding that the Senator from Florida [Mr. HOLLAND] will move the adoption of a substitute amendment involving the payment of poll taxes as a requirement for voting.

I have been given to understand that some Senators desire to debate the motion to take up Calendar No. 1196, Senate Joint Resolution 29. I certainly want to protect their rights to do so.

Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1196, and ask for its immediate consideration.

The PRESIDING OFFICER. The joint resolution will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A joint resolution—Senate Joint Resolution 29—providing for the establishing of the former dwelling house of Alexander Hamilton as a national monument.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

Mr. RUSSELL. Mr. President, I had understood the distinguished majority leader to say that the distinguished senior Senator from Florida [Mr. HOLLAND] would offer as a substitute for the proposal embraced in Calendar No. 1196 a proposal submitting an amendment to the Constitution of the United States, for ratification by the several States, by the method prescribed in article V of the Constitution.

Yesterday, in discussing the matter with the distinguished majority leader, I understood that a claim bill would be the vehicle for the proposed constitutional amendment.

Mr. MANSFIELD. The Senator is correct. I must apologize for not notifying him of the change. I did notify other Senators. I wish to assure the

Senator it was an inadvertence on my part, and not a deliberate action, that I did not so notify him.

Mr. RUSSELL. I accept the Senator's statement fully, of course.

I intended, of course, to make the point of order that, while the rules of the Senate with respect to an amendment are very broad and sweeping, they are not broad enough to permit the submission of a constitutional amendment as a substitute for a piece of general legislation.

I believe the same point of order will be good in this case, even though the Senator from Montana has said it will be offered as a substitute for Senate Joint Resolution 29, the joint resolution which would establish the former dwelling house of Alexander Hamilton as a national monument.

We are federalizing at a very rapid rate in this country, but even at the speed at which we are proceeding I do not believe that even a joint resolution honoring Alexander Hamilton, which is legislative in its nature and which must be submitted to the President of the United States for approval, can be used as a vehicle for submitting to the States a proposed amendment to the Constitution of the United States.

All of the machinery for the amendment of the Constitution of the United States is found in article V of the Constitution, which appears at page 518 of the Senate Manual. It reads as follows:

> The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two thirds of the several States, shall call a Convention for proposing Amendments, which, in either Case, shall be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three fourths of the several States, or by Conventions in three fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress;

The article goes on to state that no amendment which may be made prior to 1808 shall in any manner affect the first and fourth clauses of the ninth section of the first article, and that no State, without its consent, shall be deprived of its equal suffrage in the Senate.

It so happens that the President of the United States does not have any part whatever in amending the Constitution of the United States. He has not a right of veto. He has no right of approval. The Constitution provides for no act or function on the part of the Chief Magistrate of this Republic in amending the Constitution of the United States. That is a matter between the Congress and the several States, and between them alone. Therefore, to submit a proposition of this kind, or to propose an amendment to the Constitution as an amendment to a piece of general legislation, which must be approved by the President before it can be enacted into law, or else approved by two-thirds of both Houses of Congress in overriding a veto of the President, is completely out of order.

I realize that that point of order cannot be made until the distinguished senior Senator from Florida proposes his amendment to the Constitution as an amendment to this proposition. I serve notice here and now that when it is proposed I shall make the point of order against the proposal to amend the Constitution by substituting it for a joint resolution which requires approval by the President of the United States.

I have never been able to understand how poll tax legislation can be called civil rights legislation, or how it ever got into that area at all, because we had poll taxes before we had the right of suffrage. It is the oldest tax known to mankind. However, I realize that a little matter like the Constitution is worthy of very short shrift when we become involved in one of the so-called civil rights bills.

The Constitution itself specifically prescribes the rules for amending that document. It provides for its amendment in a certain way. It does not provide that an ordinary piece of legislation that has been reported by a committee in the ordinary course of legislative work may be used as a vehicle to amend the Constitution. I believe the specific bill mentioned was reported by the Committee on Interior and Insular Affairs. I do not quarrel with that, because I believe in the very widest power of amendment in the Senate; but I submit that this kind of instrumentality cannot be used to submit to the several States an amendment to the Constitution.

One might paint a sign as large as the rear of the Senate Chamber and print on it: "This is a cow"; and then put that sign on a camel; but the animal would still be a camel.

The Constitution provides the method for its amendment. It does not provide for any such procedure as that proposed. The rules of the Senate provide ample means, methods, plans, and procedures whereby a proposed amendment to the Constitution can always be brought before this body. It does not provide that the proposal can come before this body by trying to call a cow a camel, or vice versa.

The poll tax amendment is one of the most notable fantasies that has ever found its place in the history of the Republic. It is a political fantasy which has been pursued vigorously by a number of political paladins on white horses, and carrying shields and spears and swords, since long before I ever came to this body. It has been one of the chief whipping boys in this area of legislation. If ever there has been a scarecrow that has been completely exercised by having been dragged around this Chamber and presented in different forms, by different means, in different ways, by different men, and for different purposes, it is the so-called poll tax legislation. There has been more misrepresentation about this polecat or poll tax amendment than about any other piece of proposed legislation of which I have any knowledge.

Many years ago, when I had not been a Member of this body very long, I actually heard a distinguished colleague on the radio refer to the poll tax as a tax on the poll, where a man goes to cast his vote, and he said it should not be taxed; that the polling place should be free to all citizens. I suppose people were under the illusion that that, perhaps, had something to do with the tax. But "poll tax" derives from one of the oldest Anglo-Saxon words, and is just as old as any of the other four-letter words that have become so popular in today's literature. In this case it means "head"; and the tax is a head tax; it is a capitation tax; it is the oldest of all the taxes that have ever been levied. There was a poll tax even before there was any right to vote.

Yet here we are, in this good year 1962, pushing, hauling, and shoving around the Senate a proposal to abolish the poll tax; and debating whether we shall amend that great document, the Constitution of the United States, so as to get at five States which still levy a poll tax, and make them conform.

This is a day of conformity. What made this country great was that it was not a country of conformity. It was the fact that the States were compartmentalized and did not have to conform; that there was no great figure of a king or a magistrate, having unlimited power, who could tell the States what to do. Because the States did not conform or have to conform, the Nation grew faster, built a better system of government, and developed the American way of life, a way of life that has been the envy of mankind all over the world. No other people have ever known anything like it.

But now, having developed this great country under this system, and having developed the American way of life under it, we are met by the demands of the conformists. These paladins get on their horses, and out they go to kill this great dragon—not in their own States; oh no; they go out to kill the dragon in somebody else's State, so as to make it conform. Instead of debating some issue that affects the States where they live and run for office, they raise the issue of the poll tax and seek to make five States conform.

I hold no brief for the poll tax. We do not have it in my State; we have not had it for many years. I confess that I consider it to be an outmoded method of raising revenue. I was not opposed to the repeal of the poll tax in my State. But that does not mean that I expect to rush in to assist those who seek to compel other States to conform; who say that a State cannot levy a $1 head tax, to be paid into the school fund, because, forsooth, someone somewhere said that it involves civil rights in some way, or involves the race issue. Nothing could be farther from the truth. The poll tax was levied, and has been from the beginning, on every prospective voter, and in most States whether they voted or not. From the beginning the tax was levied without regard to race, creed, belief, or faith.

Great issues confront us today. The whole world is watching Geneva, trying to decide whether there is any chance for an agreement. The prayers of mankind are ascending to Heaven from every corner of the earth, even from the countries which claim to be atheistic, in the hope that some method will be devised to outlaw the prospect of an atomic

holocaust. Other great issues are pending before us.

But those who, through the years, have capitalized on the poll tax question have now drawn their swords and have said, "The time has come when we must go through the process of conformity and compel these five States to conform."

Mr. President, if it did not involve such a great threat to our system of government; if it were not such a great blow at our Federal system of indestructible States—at least I used to hope and pray that they were indestructible States, forming an indissoluble Union—it would be utterly ridiculous for the Senate to be considering this question.

There may have been a time when the poll tax discouraged someone from voting. But what is its effect today? The levy is $1 a year on a person; and if he does not pay his poll tax, he is not entitled to vote. At least, that was true in my State under the old system.

Mr. President, the tax on a package of cigarettes in some States, when the Federal tax is included, is from 12 to 14 cents. The tax on a few gallons of gasoline is more than the amount of the poll tax for a whole year.

Mr. CHAVEZ. Mr. President, will the Senator from Georgia yield?

Mr. RUSSELL. I yield.

Mr. CHAVEZ. I know something about poll taxes in Texas. I made a campaign in behalf of the program of the present administration to allow the Latins to vote. Forty-eight thousand Texas Mexicans could not vote on account of the poll tax. At that time, I said that since that is the law in Texas, it should be obeyed; and I said to my friend, the Senator from Texas [Mr. YARBOROUGH], that all citizens, particularly those elected to government office, should obey the law, whatever it is. Certainly no one is entitled to express an opinion in that connection unless he has actually obeyed the law.

Mr. RUSSELL. Mr. President, the Senator from New Mexico feels just as I do.

I am not here defending the poll tax. It so happens that for many years my State was the only State in the Union which permitted citizens to vote when they had attained the age of 18 years. In 1953, there was submitted in the Congress a proposed constitutional amendment fixing the voting age at 18 years in every State of the Union, and it was proposed that that amendment be made a part of the U.S. Constitution. Although my State was the only one in the Union which then had an 18-year voting age, I stood on this floor and opposed that proposal to put the other States of the Union into such a straitjacket—by having the Congress tell them they had to have an 18-year voting age. On this floor I said some States may want to permit only citizens who have attained age 19 to vote; others may prefer age 20; others may prefer age 24; and I said that if they desire to have such voting requirements, I will defend their right to have such requirements under the Constitution of the United States, because that is the concept of our Government.

In Georgia, the minimum voting age is 18, and that arrangement has been satisfactory; and if other States wish to provide for 18 years as their minimum voting age, we shall welcome them into the 18-year voting age circle. But I shall not vote to impose or compel, by congressional coercion from Washington, the other States to adopt 18 years as their minimum voting age.

Mr. President, I was very proud when we managed to have that proposed constitutional amendment rejected—the one which would have put all the States into such a straitjacket. That proposal had been presented here pursuant to the mania to force conformity throughout the United States, in the almost fanatic urge to pour all men and all women into the same mold and make all of them alike, although there are differences between the laws of the various States, and although the laws and customs of all sections of the country have enabled us to enjoy the goodly life in these United States.

Mr. President, as I have stated, the pending measure enjoys an impressive and distinguished galaxy of supporters and sponsors.

I am grieved that my good friend, the Senator from Florida [Mr. HOLLAND], whose intentions are of the very purest and noblest, is spearheading the fight in favor of the adoption of this amendment. However, I believe that any man who has been a consistent supporter of constitutional government should be entitled to one aberration in the course of a long career of public service; and I regret that, from my point of view, this is the one period of aberration on the part of my good friend, the Senator from Florida. Certainly I shall not hold it against him, because I know he is proceeding in the very best of faith.

Mr. HOLLAND. Madam President, will the Senator from Georgia yield?

The PRESIDING OFFICER (Mrs. NEUBERGER in the chair). Does the Senator from Georgia yield to the Senator from Florida?

Mr. RUSSELL. I yield.

Mr. HOLLAND. Is it not true that before I submitted this amendment originally, I came to the Senator from Georgia, to obtain his advice and instructions; and he told us that it would be a very good thing for us to offer the amendment, and would put us in an affirmative position?

Mr. RUSSELL. Well, Madam President, some 15 or 16 years ago the Senator from Florida asked whether I thought the offering of this amendment would "take the heat" off other proposed statutes and amendments which then were pending; and I told him I thought it would. He asked whether I would be a cosponsor of it; but I said I could not be. And if the Senator from Florida will look back, he will find that I was among those who would not join in sponsoring his proposal.

However, Madam President, I wish to say that the scene in this country has changed considerably since the time when the Senator from Florida first offered the amendment. I believe that was 14 or 15 years ago.

Does the Senator from Florida recall the first year when he offered the amendment?

Mr. HOLLAND. This is the 14th year. I offered it first in 1949.

Mr. RUSSELL. Very well. Certainly conditions have changed greatly since then. At that time there may even have been a poll tax in Georgia, although I do not remember the exact year when Georgia repealed it. But at that time the statutory poll tax was a great issue which was being marched forward under the so-called civil-rights banner. It was one of two great issues then being pressed; the other was the antilynching bill.

Mr. HOLLAND. Madam President, will the Senator from Georgia yield again?

Mr. RUSSELL. I yield.

Mr. HOLLAND. To correct the Senator's recollection, I wish to remind him that the Georgia poll tax had then been repealed; and his then distinguished colleague, the late Senator George, told me that he felt this was the sound position to take, and he joined me as a cosponsor of this proposal.

I also wish to remind the distinguished Senator from Georgia that not only on that occasion, but also on two or three other occasions, in subsequent Congresses, I also approached the distinguished Senator in the same way, and with the same result.

Mr. RUSSELL. No, Madam President, I do not recall as to that. The Senator discussed it with me first, and once or twice since then; but he has not discussed it with me in all subsequent Congresses; and 2 or 3 years ago I told the Senator—and I told him again this year—that in my opinion if there were any idea that the adoption of such an amendment would appease the so-called champions of the civil-rights program in the United States, he was entirely mistaken, but that, on the contrary, the adoption of this amendment would be like feeding a couple of peanuts to a hungry bear: It would only whet his appetite for more—in this case, for further legislation. And I told him that again this year.

Mr. HOLLAND. The Senator from Georgia will remember, of course, that I told him that I was not interested in appeasement in any way. I told him that as recently as 2 or 3 days ago, when we were discussing that point.

In my opinion every citizen should, as a matter of right, be entitled to vote for President, Vice President, and Senators and Representatives; and that is all that is involved in this case.

I do not like to think of the fact that in the part of Alabama just across the boundary line from the State of Florida, for instance, there are citizens who cannot vote for President or Vice President unless they pay this tax, whereas directly across the boundary line, in Florida, the citizens who live there are not limited by such a requirement. I do not like to think of the fact that the citizens in our sister State, which we love so much, are confronted with that necessity.

Likewise, Madam President, I do not like to think that the same situation exists in many other parts of the country.

I have always told the Senator from Georgia, my distinguished friend and collaborator and adviser, whom I always follow, except in connection with this one matter, that I think that, as a matter of right, every citizen of the United States should be entitled to vote for President, Vice President, Senators, and Representatives on something like terms of equality with the citizens in every other State in the Union, some of which while they once had voting provisions much more stringent than the poll tax provision, have laid such provisions aside; and I said I thought it was time for us to show some awareness of the fact that that is the national thinking in connection with this matter, and that when it came to electing National Government officials, we would be standing on higher ground and on sounder ground if we took this position.

Mr. RUSSELL. Madam President, that is indeed the Senator's position. But certainly the Senator does not contend that I ever thought any serious onus was imposed by the present tax. I have always taken the position that this tax does not really prevent anyone from voting; and I am not impressed by the arguments of those who today weep because of "the great burden of this tax" on voting.

Madam President, in my own State this tax was not levied on women—women could vote without paying the tax; and it was not levied on veterans or on persons beyond age 55, as I recall. So the tax then applied only to a relatively small group of voters—those supposed to be in the prime of life and capable of earning their livelihood. Furthermore, every dollar received from the poll tax went into the school funds.

It is said that the poll tax is a very onerous burden. However, Madam President, every one of the original States had voting restrictions much more onerous than the $1 poll tax. Every one of the original States had much more onerous restrictions on voting. Indeed, up to the time when there were some 25 or 30 States, there were very rigid property-ownership requirements or restrictions in connection with voting—for instance, that one who wished to vote had to show that he had paid taxes on approximately $500 worth of property—and that was at a time when the dollar was really worth a dollar—long before the great inflation which has occurred since those days.

It was not the quarter dollar that we deal with today. He had to own real estate or be a freeholder before he could vote.

I had occasion to check into it and see just what proportion of the taxes paid in the United States today is involved in this horrendous, heavy, burdensome levy on the poor people to keep them from voting. It gets down to where one can hardly write the figure out. It is less than thirty-seven millionths of 1 percent of the total tax bill of the American people. If that is reduced to figures, one must put down a decimal, a 0, a 0, a 0, a 0, a 3, and a 7—thirty-seven millionths of 1 percent of the tax bill that the American people pay represents this crushing burden that is denying the people suffrage in the United States.

Mr. DOUGLAS. Madam President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. DOUGLAS. I do not want to stir up my very good friend from Georgia, but I should like to ask him if he is opposed to the 19th amendment of the Constitution, which provides that the right of suffrage shall not be denied because of sex. As the Senator knows, that is the amendment which prevents States from denying women the right of suffrage if they so desire.

Mr. RUSSELL. I do not recall that I was very active in politics at the time that amendment was considered. [Laughter.]

Mr. DOUGLAS. Would the Senator favor repealing it?

Mr. RUSSELL. It is rather difficult for me to go back into the past that far and remember just exactly what my attitude was with respect to that amendment.

Mr. DOUGLAS. Is the Senator in favor of repealing it?

Mr. RUSSELL. No, I am not in favor of repealing it, now that it is in the law; but I am frank to say that, since the States had the power to grant women the right to vote, if I had been a Member of the Senate at the time I might have voted against the amendment.

I think it is unfair to ask my position on something that occurred in this country before I was very active in political life, and I think even before my distinguished friend from Illinois was too active in the political life of the country.

Mr. DOUGLAS. I think that is true.

Am I to understand that the Senator looks with favor or disfavor on the 15th amendment, which provides that a citizen's right to vote shall not be denied or abridged by the United States or any State on account of race, color, or previous condition of servitude?

Mr. RUSSELL. That amendment was written in the blood of the Civil War, and was inevitable after Appomattox, and the South is reconciled to it. We were not happy about it, but it was written in blood, by the bayonets of the soldiers of our friend from Illinois and other States who overpowered us in the most calamitous and fraticidal strife this Nation has ever seen.

We paid a terrific price for our idea that we could depart in peace or that one Southerner could lick four Yankees. We were not able to show the latter. We found out one could lick three. We were confronted with that fact as a practical proposition. We were faced with that advantage, and I think we have very little to be ashamed of. But the 15th amendment was written in the blood that was so grievously shed in the Civil War and was a natural concomitant of Appomattox.

Mr. DOUGLAS. I take it that the Senator from Georgia is not enthusiastic over the fact that the amendment was passed.

Mr. RUSSELL. No, I cannot say, considering the sorrow and the great losses that were inflicted on the people of my blood and of my kin, that we rejoiced in the outcome of the Civil War, but I would not repeal the 15th amendment. I would not deny to a man of color or any other race the right to vote; nor would I deny it if I had the power to do so. But I am not enthusiastic about the amendment.

Mr. DOUGLAS. Then, I take it the Senator is not opposed to section 2 of amendment 15, which says the Congress shall have power to enforce this article by appropriate legislation.

Mr. RUSSELL. That is a part of the Constitution, and I was sworn to protect that Constitution. Until the provision is repealed, I will observe it and support it. I have, of course, as a Senator, a right to object to some of the ideas that the Senator from Illinois and his cohorts have of the proper method of construing and enforcing both the 14th and 15th amendments. I disagree very violently with some of the interpretations which have been placed on the amendments. But if the Senator is going to try to get me to apologize for the Civil War at this late date or to get on my knees any further than was necessary at Appomattox, I shall not do it. I am proud of our part in it, though it was one of the greatest tragedies this country was confronted with. I am proud of the record the people of my blood made in it, and men of my clan shed their blood on battlefields from Gettysburg to Brices Cross Roads.

Mr. CHAVEZ. Madam President, will the Senator yield?

Mr. RUSSELL. I yield to the Senator from New Mexico.

Mr. CHAVEZ. I know something about the Civil War. I may have Spanish blood in my veins, but I am an American.

Mr. RUSSELL. Absolutely, and a good one.

Mr. CHAVEZ. And troops came into my State during the Civil War. The Confederates marched into my State. One reason is that some of the gold which paid for the war came from California and Nevada. The Confederates marched up the Rio Grande. The purpose was not a military one, but to stop the flow of gold. They went as far as northern New Mexico, where they were finally defeated. My grandfather and my wife's grandfather were part of the "Damn Yankees."

Mr. RUSSELL. And I am sure they were good soldiers.

Mr. CHAVEZ. They were. My grandfather and others in New Mexico helped defeat the southern soldiers.

We are trying to do what is right. We shall continue to do so. I want the interests of the United States to be first.

Mr. RUSSELL. I thank the Senator.

Madam President, the story of the Civil War is a sad and tragic one, but I have no apologies to make for the South in the Civil War. The southerners were mistaken in a great many instances, but they paid in blood for their mistakes. There is no higher coin in which payments can be made.

I wish to say further that any man of southern descent has a right to be proud of the record made by those men who wore the gray, and history does not record a more indomitable or longer drawn out fight against overwhelming odds than was made by the Confederacy. Their valor was so great that it is a part of the common heritage of every part of this Union, and every good American should appreciate it as a part of the history of his country.

Mr. HOLLAND. Madam President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. HOLLAND. First I commend the distinguished Senator for speaking with such fervor about the service and the sacrifice of the men of the South, and it would also be true to say the same of the women. It happens that both my grandfathers and my father bore to their dying day upon their bodies wounds they had suffered in various battles, and all of them on the southern side.

The reason for my rising, however, is to avert what I fear might occur as the result of the questions of my distinguished friend, the Senator from Illinois [Mr. DOUGLAS], which might indicate that the 15th amendment was the only field in which the poll tax operated.

Mr. RUSSELL. I do not think the 15th amendment touches the poll tax in any place or in any shape, form or fashion, in my own view.

Mr. HOLLAND. I agree with the Senator. The point I make is that the poll tax amendment I shall offer later, when the appropriate time comes—and I hope the Senator's point of order will not be sustained against it—will operate in favor of colored people and of white people, in favor of people of all colors, religions, and creeds.

It was shown in my own State, when we repealed the poll tax in 1937—and I had a modest part in doing that, as a member of the State senate at the time—that at the next election, in 1940, at which time the colored people were not voting in my State, there was an immense increase in participation in voting by the white people. This resulted from the fact that many people, because of penury or because of carelessness or because of a dislike of what they saw happening in some counties as a result of the poll tax, had not participated in the elections. These people came in to participate. I shall put those figures in the RECORD at a later date.

I wished to make that clear at this time. I think the Senator is correct in stating that the proposal does not come under the ordinary classification of the ordinary civil rights legislation. It applies to majorities, to minorities, and to every person of every color. It attempts to give to people who otherwise qualify the right to cast their votes for elected Federal officials. The Senator well knows that is the case. I merely wished to make the record clear.

Mr. RUSSELL. Madam President, I am happy the Senator and I agree that the 15th amendment and the clause read by the Senator from Illinois have nothing to do particularly with the proposal of the Senator from Florida.

The Senator from Florida is at least to be commended for seeking this objective through the process of amendment to the Constitution, instead of a statute. His process is consistent with the constitutional system. I think that the objective is inconsistent with the philosophy of the rights of the States. That is where my friend and I differ.

A great many of those who depend for their election year after year on the votes of minority groups within their States have tried to make it appear there was some question of imposition on colored people, or some question of rights of Negroes as contradistinguished from rights of whites, involved in the question of the poll tax. It has nothing whatever to do with it. The States which require a poll tax today apply this levy equally to all voters and to all prospective voters without regard to race, creed, or color. We all know that if that were not the case, and if the States were not doing so now, the pressure groups would have had the Supreme Court strike down these State poll tax laws a long, long time ago.

I think no one would controvert the statement that the Constitution grants to the several States the right to prescribe the qualifications of the electors of those States. The Constitution could not be more emphatic in delegating to the States the right and the authority to fix qualifications for voting for Federal as well as for State and for local officials. I have stated before that this is spelled out not once but twice in the Constitution of the United States. It appears first in section 2, article I. There we find the language creating the House of Representatives, our great sister body, on the other side of the Capitol:

> The House of Representatives shall be composed of Members chosen every second Year by the People of the several States, and the Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.

We should remember that at the time the Federal Constitution was adopted the Members of the House of Representatives were the only Federal officials who were elected directly by the people. Therefore, that was the only office over which the question of voter qualifications possibly could have arisen in the constitutional convention. The Founding Fathers undoubtedly thought they were settling once and forever the rights of the several States to prescribe the qualifications of the voters of those States.

We hear much about the differences in the State laws. That is one of the great things about this country of ours. If a man does not like the laws in one State he can move to another State, if he is not able to get the laws changed. If he finds that the majority of the people in the State in which he lives are irrevocably committed to a law or to a system of law in which he does not believe, we have great interstate highways, great railway systems, extensive methods of transportation to enable the man to move to a State in which he does find laws to his liking, if he tires of trying to convince the citizens of the State in which he lives of the correctness of his position.

Madam President, when the 17th amendment, providing for the direct election of U.S. Senators, was ratified in 1912, the question of voting qualifications was again passed upon by the Congress and by the people of the several States, in ratifying that amendment. Again the question of voting qualifications was clearly and specifically delegated to the States. The framers of the 17th amendment used without change of a letter or of punctuation the same language as to qualifications of electors as appears in section 2 of article I of the Constitution, which is:

> The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

As I stated before, that is the only instance of which I have any knowledge in which the identical language appears in two specific places in our Federal Constitution.

Madam President, as I have said, this campaign, this fight to abolish the poll tax, has been raging in the Congress in one form or another for a great many years. I have little doubt that the five States in which it remains will in due season eliminate the poll tax because, as I have stated, it is outmoded as a method of raising revenue. But it has been seized upon by those who wish to centralize Government in Washington as a means of restricting the States still further and making them conform to the views of a majority here in Washington whose views differ from those of the majority within the several States affected.

In my opinion, this issue should not divert the attention of the Senate in this very critical period of our history. To my knowledge, no issue in the history of Congress has been more magnified out of proportion to its real importance. I am certain that there has not been as much misrepresentation over any one issue in many years. I do not think that a constitutional amendment, standing by itself, if it were the only part of this whole plan or this whole philosophy relating to the power of the Federal Government in Washington, would be so harmful. But I resent efforts from any source to take away and circumscribe the few rights and powers that the States have left. When we finally destroy the Federal system by making the States impotent and constituting mere geographical areas that are designated from Washington by the decrees that shall issue from our National Congress, we shall have destroyed this great system that has made our country what it is.

I am opposed to any capricious or captious amendment to the Constitution of the United States, particularly when its purpose is to coerce a minority of States in a matter as unimportant as the one before us, in which the issue involved has been a part of the life of our people in one form or another since the Republic was founded.

I hope that at the proper time, if Senators are unable to convince their colleagues that we should not proceed to the consideration of this issue at this time, Senators will listen with open ears to the point of order and will consider it on its merits without regard to the political implications that are found in this question.

Madam President, I suggest the absence of a quorum.

Mr. JAVITS. Madam President, will the Senator withhold his suggestion?

Mr. RUSSELL. Yes, if the Senator from New York wishes to speak, I will withhold my request for a quorum call.

Mr. JAVITS. Madam President, we are putting the situation in focus now, and while there are not many Senators in the Chamber, I am sure that Senators will want to understand from all interested parties, the situation as it is before us, and as I propose, in company with others of my colleagues, to move to substitute for the constitutional amendment a statutory means for eliminating the poll tax, I think I am an interested party in the debate.

I might point out that the issue is no more new with me than it is something new with the distinguished Senator from Florida [Mr. HOLLAND]. I proposed the same course in 1960 when the subject was previously before us.

I must say that I am somewhat puzzled by the choice of the measure used for this purpose. It happens to be a measure which my colleague [Mr. KEATING] and I have introduced, and, I might say pardonably, a measure of some patriotic flavor—to save a historical establishment in New York.

I, too, understood that it would be a claims bill affecting one person that the subject would be debated on. Instead we find it attached to a measure to preserve Alexander Hamilton's home in New York City as an historical monument.

I am in a rather fortunate position in that, I might say, I am able to preserve Alexander Hamilton's home and have a statutory method to eliminate the poll tax, whereas my distinguished colleague, the Senator from Florida [Mr. HOLLAND], must—and I know it will make him very unhappy—jettison Alexander Hamilton's memorial in order to insert a constitutional amendment as a substitute in this bill.

But we all understand why this is the greatest Chamber on earth. There is a delicacy here which is reflected in the timing and method of the handling of this subject which is really quite unique and embellishes the Senate with its reputation throughout the world.

I have already explained what puzzles me about the measure chosen.

And now, the timing. Why now? We had a literacy bill before the Senate the other day that we all discussed and that we were going to move on. The bill was sent to committee, and we have assurances—and I know they will be honored—that we will be able to consider the whole question in April. Now, however, we have this question to consider. Why? I do not know the reason, but, being a lawyer, I could suspect that what is a reasonable explanation is probably the explanation. The reasonable explanation is that if the Senate would set the precedent that a matter of this character has to be done by constitutional amendment, the very same argument will be made in April when we call up the literacy question and the same point will be made that it, too, must be done by constitutional amendment.

I enjoyed very much the colloquy between my two colleagues, the Senator from Georgia [Mr. RUSSELL] and the Senator from Florida [Mr. HOLLAND]. It had all the freshness of an intimate discussion in a family. I might say that this has really worked pretty well. I know that the Senator from Florida is very sincere about this matter, but the fact is that we have ambled around here now for 14 years and the poll tax still remains in five States. Nothing has happened about it.

Mr. HOLLAND. Madam President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. HOLLAND. I think the Senator from New York would want to be set right on that. Since the amendment was presented—and I would hope partly because of it—two additional States in the South that had poll taxes have eliminated them.

Mr. JAVITS. I am grateful to my colleague for that information. I also was here when the amendment passed the Senate and it bogged down in the other body. But the point is that the poll tax still remains as an institution in most of the States which had it before, and though many of us indicated our desire to rid ourselves of this rather obsolescent imbalance, it still hangs around, and I think very largely because we have not taken the statutory route but have chosen heretofore another.

Mr. HOLLAND. Madam President, will the Senator yield again?

Mr. JAVITS. I yield.

Mr. HOLLAND. I think the Senator would want to be corrected on his latest statement, because most of the Southern States which had poll taxes have corrected the situation, six having knocked it out and five still retaining it.

Mr. JAVITS. The Senator is more than happy to accept any factual corrections, whether it is six or seven. The Senator is prepared to concede that material progress has been made. But it seems to me that in this day and age, to have an encumbrance of this character on the right to vote is so anomalous, such a strange development in our national life, that we ought to take the first and the earliest opportunity to be rid of it.

Madam President, may I also point out that not only have we, who feel strongly about this matter, not chosen the bill—as is very obvious—but we have also not chosen the time.

We did not press this thing. This has been brought up by the majority leader, I assume, at long last, as some acknowledgment of the fact that the only way to act in a substantial manner on the question of civil rights and voting is by coming to Congress.

I point out that this marks the administration's redemption, after the election of 1960, of only the second item in a kit of 27, recommended by the U.S. Civil Rights Commission.

I agree with the Senator from Georgia that this is by no means the most earth-shaking of these recommendations; they are very much in a pattern which is pretty well accepted here.

I hazard the guess—and I say this unilaterally—that the most ardent segregationist, if he could settle for these two matters, literacy tests and poll taxes, and know that that is all there would be, would probably support these measures himself. I ask no one to agree with me. I speak unilaterally. That is my opinion.

Now, where does that leave us? It seems to me that it leaves us with a duty, and my colleague from New York it leaves with not a light duty. We did not choose this bill. We did not choose the time. However, it seems to me that our duty is clear. At least, my duty is clear.

I feel very deeply, both as a lawyer and as a Senator, that this is an anomaly, an encumbrance upon the rights of the citizens, not of any State, but of the United States. Neither the Senator from Florida nor I are talking about any kind of voting except voting for Representatives and Senators and President and Vice President.

We have the right and we have the duty, when that question arises, to take the path which in good conscience will most directly and immediately lead to the desired result. That very clearly is the path of a statute. I will be prepared to argue that that path is entirely constitutional and entirely appropriate under the amendments to the Constitution as well as under the Constitution itself, and also under the decided cases of the United States Supreme Court.

Madam President, if we really want to do something to redeem our pledge in the Republican national platform, and if we want to redeem the pledge contained in the national Democratic platform, both platforms having been adopted in 1960—if we really want to do something, even in this very limited area that we are talking about—the way to do it is by statutory enactment.

If we do it that way, it will have the very happy eventuality of preserving at one and the same time the memorial to Alexander Hamilton, which is richly deserved and a highly patriotic deed.

Mr. MANSFIELD. Madam President, I am afraid the Senator from New York protests too much.

The PRESIDING OFFICER. What is the pleasure of the Senate?

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, March 14, 1962, he presented to the President of the United States the enrolled bill (S. 1991) relating

to manpower requirements, resources, development, and utilization, and for other purposes.

RECESS UNTIL 12 O'CLOCK NOON TOMORROW

Mr. MANSFIELD. Madam President, if there is no further business to come before the Senate, I move that, under the order previously agreed to, the Senate stand in recess until 12 o'clock noon tomorrow. Before the Chair puts the question, I may say it is not the intention of the leadership to have a morning hour tomorrow, but to have the Senate go immediately to the consideration of the pending motion.

The motion was agreed to; and (at 4 o'clock and 44 minutes p.m.) the Senate took a recess, under the previous order, until tomorrow, Thursday, March 15, 1962, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate March 14, 1962:

U.S. MARSHALS

Dan M. Douglas, of Arkansas, to be U.S. marshal for the western district of Arkansas for the term of 4 years, vice Jay Neal.

Alfred P. Henderson, of Arkansas, to be U.S. marshal for the eastern district of Arkansas for the term of 4 years, vice Richard Beal Kidd, term expired.

EXTENSIONS OF REMARKS

The World of Silence Can Be Lonely

EXTENSION OF REMARKS

OF

HON. JOHN E. FOGARTY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 14, 1962

Mr. FOGARTY. Mr. Speaker, under leave to extend my remarks, I include an address which I delivered at a meeting of the Rhode Island Speech and Hearing Association in Providence, R.I., on November 28, 1961:

It is a pleasure for me to be here this evening, and I appreciate your kind invitation.

Your careers are dedicated to minimizing the handicaps of impaired speech and hearing faculties. No one knows better than this organization the toll that hearing disorders and speech impairments take in the lives of those who are affected.

I doubt whether it is possible to exaggerate the importance of person-to-person communication. I am sure that I, like most persons, take the primary faculties of speech and hearing for granted. But how important they are:

I obtain information on national and international affairs from many sources, in and out of Congress. To a great extent I hear this information on the floor of the House of Representatives, in the committee rooms, in my office, in conferences, at meetings. In reporting this information to you and to Congress, and in discussing it with scientists, administrators, and experts, I am speaking. It is sobering to wonder whether I could perform my job at all if my hearing or speech were impaired.

There is no question; a world of silence can be lonely and frustrating for the one who cannot hear or speak.

I have been informed that or a nationwide basis, an estimated 8 to 9 million Americans have significant speech and hearing impairments. Of these, 2 million are schoolchildren. Preschool children under 5 years of age and individuals 18 years of age and older make up at least another 6 to 7 million persons with speech and hearing disorders. Some experts believe many more of our citizens might be found to have speech and hearing defects if they were tested for such disorders.

You must be well aware of the handicaps that all these people encounter in attempting to acquire a normal education, in achieving economic security, and in making a comfortable social adjustment. The more I think of how many aspects of day-to-day living depend on speech and hearing, the more I admire and appreciate your work to free the afflicted from the barriers against communication.

Unless I am very mistaken, I believe the average American shares with me the desire to do everything possible to assure the best medical care, treatment, and rehabilitation for all our citizens who may be physically or mentally afflicted. By so doing, we help avert some of the annual loss in human productivity as it contributes to the mainstream of our economy.

Our obligation, however, is not only to promote our Nation's economic well-being but to uphold our American heritage of humanitarian concern for the handicapped. This is a hallmark of our society.

I know that you are most concerned with the Government's programs with which you are intimately familiar. Let me ask you to consider for a moment the other disabilities with which public health planners and administrators must also be concerned so that you will visualize the enormity of the overall problem.

Multiply the disabilities that you see every day in the course of your practice by others associated with systemic diseases, with chronic and malignant diseases, with obscure genetic disorders and accidents at birth, with neurological and mental disorders. Consider the research involved in each area, bearing in mind how complex are the problems and how illusive have been the answers.

Consider the research in chemistry, the mechanical ingenuity, the adaptation of the new discoveries in electronics, radiology, and atomic energy that are marshaled in the battle for better health.

These factors represent, in part, the breadth of the health and medical problems with which we in Congress must cope. Not that we do so alone. We do our best to plan on this broad front in close cooperation with the many able physicians, scientists, educators, technicians, and administrators in the executive branch, especially those in the Department of Health, Education, and Welfare. We also have the advice of experts who are not in Government service.

In my 21 years as a Member of Congress I have had the privilege for 14 years of serving on the committee, and as chairman of the subcommittee, that plans appropriations for the administration's health programs. These have been the most satisfying years of my life. It is nothing short of thrilling to observe the programs evolve in depth and in increasing number from year to year.

While we have seen few completed medical solutions or cures, we have achieved stirring progress in many fields. Expansion in medical services and some amazing discoveries in medical research in recent decades have given a phenomenal spurt to health levels in the United States.

Scientific techniques have been improved, drugs have been made more effective, diagnostic tests are more certain. Promising leads have been uncovered in the search for cause and cure of some of man's oldest afflictions. To recall only a few: Better diagnostic tests for certain kinds of cancer have been developed, permitting early treatment and cure. Some forms of mental retardation resulting from an inborn metabolic error can now be prevented. A variety of disorders of vision, some causing blindness, including cataract and glaucoma, can be effectively treated and controlled. Retrolental fibroplasia, which once blinded newborn babies, has been almost completely stamped out. A vaccine has been found to cope with one of the oldest scourges, infantile paralysis. Anticoagulant drugs supply techniques for the control of coronary attacks and cerebrovascular accidents or strokes. Epilepsy is yielding to drugs and, in some cases, surgery.

These and many other discoveries and improvements spell progress. What was responsible for this progress? One thing primarily: the growth in research programs of the National Institutes of Health, of other health agencies, and of research and training activities supported in hundreds of institutions throughout the country. As I have noted, research already has paved the way for many conquests of chronic disorders. It remains our key to future progress. New medical knowledge of a revolutionary sort cannot be predicted. Not even the most brilliant of our scientists know when the breakthrough which they long for will occur. It could happen to any investigator, in any laboratory or hospital or clinic, at some unexpected moment. No one can say just when or how, because research progress is a slow and difficult road.

But the greater the number of competent investigators we encourage and the more funds we wisely expend for medical research, the better become our chances to find more solutions that are sorely needed for many of the major chronic ailments.

How then can we afford a slowdown in the research momentum so carefully and painstakingly built up over the years? We cannot. That is why I urge you to join me in telling the people of this State and other States how important it is that nothing interfere with the levels of medical progress already achieved.

We in Congress have been working hard to get these levels raised meaningfully. We have been grasping the opportunities and we feel we have been meeting the needs. But now, today, there is a move on in Washington to cut these funds by $60 million. From what I can determine, this will mean that at least $25 million will have to be cut from research projects and that the program to develop clinical research centers will suffer to the extent of $15 million. Over $10 million will be held back from the training of research scientists for tomorrow, and more than $7 million will be cut from the National Institutes of Health's own direct operations. This is not progress.

If the $60 million cut in the National Institutes of Health's appropriation is not restored, almost $8 million alone will be stripped from the budget of the National Institute of Neurological Diseases and Blindness, which has some of the most baffling and complex ills to grapple with, including those affecting speech and hearing. I understand that if the cut is not restored, it will affect the Institute in this way: Five million dollars will be taken from research grants in neurological and sensory disorders, including speech and hearing. Under the ordered slash, almost $60,000 will be trimmed from the Institute's funds for training fellowships and $1 million will have to be cut from its general training programs. Even the Institute's own laboratories in Bethesda will lose almost a quarter of a million ($232,000), to say nothing of $1½ million which the Institute would lose from its new professional and technical assistance program which was to give emphasis to speech and hearing.

To take away funds from the professional and technical assistance program will limit our ability to go out into the States and set up important demonstration projects. Rhode Islanders are well acquainted with the effectiveness of these public health projects. One of the very first, in diagnostic methods for rheumatic fever, was set up in our State.

I ask you to consider what may be the far-reaching consequences if the neurology institute is deprived of its full appropriation and must therefore curtail its support of research and research training, and the implementation of its technical and professional assistance program. Ultimately, it might prove tremendously important to our friends or relatives, to our children, or to ourselves if the cut should hinder the rate of progress in medical research or its application.

So I do not think we should complacently accept the announced plan to spend less for medical research. I want the people of my home State to know that I vigorously protested this proposal when I spoke recently at the Second National Cancer Chemotherapy Conference in Washington. Moreover I sent telegrams of protest to the President and to the Secretary of the Department of Health, Education, and Welfare, Abraham Ribicoff.

It is gratifying to know of the President's deep personal interest in health and medical research, and I believe he is most serious in his efforts to increase the amount of work being done in biomedical research. I am confident that when the President has full knowledge of the facts, he will take steps to make sure that these funds—which were voted by the Congress only after the most critical appraisal of the needs—will be made available for the benefit of people throughout the Nation.

These are some of my reactions to any proposals for cuts in our expenditures for medical research and health-related activities. I am sure you have some of your own, and I urge you to write to your Congressmen and Senators. I will be very glad to hear from any of you, as will Congressman St. GERMAIN, Senators PELL and PASTORE will welcome an expression of opinion. I think President Kennedy will also be most receptive to your feelings in the matter.

It is clear that the American people insist on an all-out attack on the major disease problems. They have demonstrated this by their vigorous support of public health programs, especially those of the National Institutes of Health, and by their unstinting contributions to voluntary health agencies. The Congress has recognized this desire of the people by appropriating more funds that will lead to better preventive, diagnostic, and therapeutic measures. It is this will of the people that I feel compelled to serve.

The expansion of medical research is helping in the ultimate conquest of many other major diseases. But with gains in knowledge and improvements in techniques come new and challenging problems of public health to solve. I am considering your field, for example. Some of the once-fatal illnesses that our citizens are now surviving still leave devastating effects that account for serious handicaps in speech and hearing for a large segment of our population. Some infections that medical science can now curb with antibiotics and other drug agents often take their toll in other ways, including deafness. More people are surviving certain forms of stroke, but are robbed of their ability to speak. A reduction in infant mortality has produced an increasing number of children suffering with communication defects.

As in every other branch of public health, we experience the gratification of achievement and the acceptance of new challenge in our programs relating to speech and hearing disorders. Everyone wants to provide the research, treatment, education, training, and rehabilitation that is necessary to give an afflicted person the maximum function of which he is capable. Yet we have not mobilized sufficient resources to widen opportunity for the disabled and the handicapped to the degree needed.

I understand that about 80 percent of those with significant speech or hearing disabilities can be fully educated and rehabilitated. What is needed is the necessary number of qualified specialists. They consist of clinicians, therapists, audiologists, and teachers. We are engaged in developing a legislative program that will supply these specialists as soon as practicable. Moreover, we want to be sure that we shall have an adequate supply of these specialists to take care of any increased number of disabled.

A study undertaken by the American Speech and Hearing Association in cooperation with Federal agencies disclosed that very few schools provide courses for specialists in speech and hearing disorders. Only 239 of the 1,800 colleges and universities queried offer such a program. We now need at least 20,000 speech pathologists and audiologists to effectively diagnose, train and aid in rehabilitating the handicapped. We now have about 10 percent of this number. We must provide the needed personnel.

In the world in which we live, we can afford to leave no child uneducated, no adult vocationally untrained. We must develop and utilize our full human potential right down the line. Our national welfare and our personal good depend on this. We realize, however, that not everyone can be educated or rehabilitated in the same way. Each child, each adult, is a different person from every other child or adult. Each has varying abilities; many have disabilities.

We Americans recognize, more and more, the right of every individual—no matter what his handicap—to achieve as normal, satisfying, and self-sufficient a way of life as possible. This attitude is reflected in our gradually growing programs and activities for those with handicaps, including disturbances of communication.

In this connection, I am glad to report that in this last session of Congress, Public Law 87-276 was enacted which will provide scholarships for persons qualified to train as teachers of the deaf. The scholarships will be made possible by grants-in-aid to nonprofit institutions of higher education whose programs are approved by the Commissioner of Education. Applications for such grants are to be first reviewed by an advisory committee of 12 educators to be appointed by the Secretary of Health, Education, and Welfare. Congress has made available $1,500,000 a year for 2 years for this program.

It took several years to achieve this much-needed legislation, and I had the honor of sponsoring it originally in the House. The law may not contain everything that could be desired, but it constitutes a very significant beginning of our efforts to obtain adequate educational opportunities for those qualified to be teachers of the deaf. At least it marks another critical point in Federal recognition of the great need for trained teachers in areas of special education.

We know that proper training of the handicapped can produce remarkable benefits. For example, the Veterans' Administration adopted a speech and audiology program 6 years ago. The appreciable improvement in speech and hearing among handicapped veterans has resulted in reduction of compensation payments by about $3 million annually.

The new teachers-of-the-deaf bill does not, I am sorry to say, provide specifically for speech correctionists and audiologists. However, the Office of Vocational Rehabilitation and the Children's Bureau have existing training programs for this purpose.

I am vitally interested in the progress of these programs. If they do not show signs of turning out enough trained personnel, I shall sponsor legislation which will accomplish this. True, the need is urgent for specially trained people in many professional health services. But perhaps there is even a more acute need to accelerate the training of specialists who can extend and improve service for children and adults with speech and hearing disorders.

I am aware of differences of opinion among professionals as to whether the emphasis should be put upon developing teachers, or whether we should concentrate first upon developing clinicians. Whatever the merits of each view, I shall do my best to see to it that the means is made available to provide whatever personnel is needed to help speech- and hearing-handicapped children and adults.

One of my aims is to help break the bottleneck in the clinical application of fruitful results of all medical research. As swiftly as new frontiers of knowledge in diagnosis and treatment open up, the people should benefit. Prompt and exacting diagnosis and treatment of infants and children with disturbances of communication must follow on the heals of basic research progress. The right diagnosis and treatment at the right time by trained correctionists might enable many a handicapped child to take his rightful place in a world of sound and hearing.

In the field of speech and hearing, your Government seeks the best ways to detect and treat disability, conduct and support research, publicize knowledge derived from research, train teachers and practitioners in putting new knowledge to work, and establish clinical services that will deliver the benefits of this knowledge to the handicapped person. It would take hours to mention the details of the many programs to accomplish these goals. What I want particularly to emphasize is our responsibility to safeguard against any possible slowdown in these programs, or in the progress of health research generally.

Tonight I have stressed the pride we should feel in the tremendous progress that our Government is making in promoting the health of all the people. Medical research activities are responsible for prolonging life and bringing new hope for millions.

Federal support and encouragement of medical research is proving to be one of the Nation's soundest investments, with continuous dividends in better health and economic welfare.

As some problems are solved, new problems are generated, but this is the inevitable outgrowth of progress. There is no end to progress—only new beginnings. We must constantly move ahead.

Speech and hearing disorders are beginning to come into their own as vital health problems which deserve attention and action. We know we must augment our reservoir of educators and other highly skilled professionals such as yourselves. Without them, we can never hope to strengthen our services to the handicapped millions.

To sustain our gains in health research, to make needed new discoveries possible, and

to assure the training of professional talent in many needed areas—these are responsibilities of public trust. Therefore, I am particularly concerned about the reduction of $60 million in the NIH operating funds. It may be rather difficult for the Government budgeteers to explain to those suffering from chronic disabilities such as cancer, heart disease, and neurological and sensory disorders, and to those near and dear to them, why the Government can plan $20 billion space adventures while it cannot afford a relatively small amount for research that may save millions of lives.

When Congress reconvenes in January, I shall do all that I can to see that these funds are used as Congress intended, to make the maximum effort to find solutions to our serious health problems.

With Federal and State leadership, and with the undaunted support of people who form associations such as the Rhode Island Speech and Hearing Association, I am confident we will utilize the opportunities that exist to help the disabled assume their rightful roles in their communities.

All the people in this great land justly aspire to good health. If we are to fulfill their aspirations, we must mobilize our fullest resources in strengthening the Nation's total health effort. Government legislators and administrators, and you as creative, independent groups, share in this obligation. Together, we can succeed.

A Look at World Affairs

EXTENSION OF REMARKS

OF

HON. ROBERT C. BYRD

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Wednesday, March 14, 1962

Mr. BYRD of West Virginia. Mr. President, the orchardists of West Virginia are a progressive people in every sense of the word. Not only are they intensely interested in finding more efficient ways of producing fruit more abundantly; they also are keenly alert to all suggestions regarding the marketing of their produce more proficiently. They also seek new sales horizons, and in the past few years they have been successful in marketing their fruit in oversea markets.

With the growth of foreign markets, our orchardists are eager to become more active with regard to world affairs. It was for this reason that I chose to discuss world events when I had the honor and pleasure of addressing the annual dinner meeting of the 1962 convention of the West Virginia Horticultural Society, in Charles Town, on February 22. I ask unanimous consent to have my remarks printed in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

A LOOK AT WORLD AFFAIRS

(An address by Hon. ROBERT C. BYRD, of West Virginia, before the West Virginia Horticultural Society, Martinsburg, W. Va.)

As we celebrate the birth of the first President of the United States—George Washington—we are reminded of the strength with which men are fortified by an ideal. As Commander in Chief of the Revolutionary Army, he and his men endured almost ceaseless hardships because of their faith in the ideal of representative government.

Today, that faith which George Washington, and our forefathers, held in representative government burns with equal fervor in the hearts of all Americans. And it is this faith that has made us the world's strongest bulwark against all tyrannical forms of government that has led us to open our hearts and our pocketbooks to assist all governments which may be too sorely beset or too weak to resist totalitarian encroachment.

George Washington was a wise and sagacious President. In thinking about our new Nation, and the need for it to live in peace and prosperity, he cautioned against foreign entanglements. In his day, Europe was far away and embroiled in political chicanery. Africa was a continent of which very little was known. Little or nothing was known of the Asian nations. Rightfully, our preoccupation was with our frontiers to the north, to the south, and to the west, for in the east the broad and turbulent Atlantic was a formidable barrier against possible encroachment, political or otherwise, by European nations.

Through the decades, the world George Washington knew has grown smaller and smaller. We can talk to persons in the farthest corners of the earth almost instantaneously today. Man can travel around the world in minutes. We have ballistic missiles that can speed to a target more than 5,000 miles away in a matter of minutes. Today, our only barriers against encroachment by any enemy are our industrial might and our military strength and the alliances which we have made with friendly nations.

Until a few years ago, Laos, Vietnam, Algeria, the Congo, Iran, Indonesia, were geographical locations known to Americans through books, motion pictures, and travelogs. Yet, today, what happens in these countries may vitally affect the lives of every American, for in effect they are the frontiers of our freedom.

While the world has grown smaller in the sense of time, it also has grown more crowded with people. Forty years ago there were about 1.8 billion people in the world. Now there are 3 billion. Forty years from now it is estimated there will be over 6 billion. Thus, in one long lifetime, we will have doubled the world's population.

About one-fifth of the world's people live in the United States, Canada, Western Europe, Japan, and other economically advanced countries of the free world. A third live in Soviet Russia, China, and other countries of the Communist bloc. The rest—and almost half the people in the world—live in the underdeveloped free world countries in Asia, Africa, Latin America, and the Middle East.

Between 1945 and 1959, 20 new states were formed in our world. In 1960, 18 additional states came to crowd the world scene. In 1961, two more new states were born, and in the current year, one new state has come into being. In addition, between 1948 and 1954, four new Communist states were created.

We count the 41 new states as belonging to the free world. However, released from colonial order, these new states grapple with nearly overwhelming problems of rapid change and political weakness. Thus, American policy toward these new countries, and others like them, seeks to promote orderly growth and change at home. At the same time, it seeks to help them overcome internal subversion inspired by Kremlin agents, for their independence is important to all free-world nations.

The heaviness of the problem we face in assisting nations to overcome internal subversion, and in resisting threats to their independence from abroad, is one Americans cannot afford to be reluctant to bear. In this age of hydrogen bombs, intercontinental missiles, and possible platforms in the sky, freedom becomes indivisible. The loss of freedom by any nation makes our own freedom less secure.

The Communist hierarchy knows full well that if it is to conquer the entire world it can only succeed by piecemeal subversion. Thus, from day to day, from nation to nation, and from continent to continent, their agents work to make freedom divisible. By striking in many places at one and the same time, they hope to throw the free nations of the world off balance, to make it appear that resistance is useless, and that American attempts to aid stricken countries are wasted effort and useless expenditures of manpower and money.

The ever present threat of Communist imperialism makes free-world progress a prime goal. At the same time, however, thwarting Communist designs requires powerful military strength. To this end, the more developed nations of the free world have been developing impressive armed forces, built up, in the main, with the help of military aid from the United States. Welded together by alliances such as NATO, SENTO, SEATO, and ANZUS, these military forces represent the free world's first line of defense.

Countries other than the United States are providing about 60 percent of the free world's ground forces; over 40 percent of the available military aircraft; about 57 percent of its combat ships. Moreover, all of the land on which oversea bases have been built is provided by other countries.

In military manpower, the United States and those nations with which we have bilateral or multilateral mutual defense agreements, have an approximate total of 8,680,000 men in their combined armed forces. This compares to about 9,300,000 in the Sino-Soviet bloc. Of the free world total, the European NATO powers have 3 million men under arms and the United States currently has 2.6 million. In the Far East, where the Republic of China and the Republic of Korea are two significant bulwarks against Communist expansion, the allied forces total more than 1.5 million men.

Thus, when we talk of the military aid which we are extending, we should also remember the military help which we are receiving from our allies. For by ourselves we would be hard pressed to offset the military threat of Communist aggression. In fact, our freedom would be a precarious matter.

The outcome of the cold war between the free world and the Communist world is still uncertain. However, there are facts which seem to support the view that communism is losing ground.

In recent years, many have considered that neutralist countries such as Iraq, Guinea, and Egypt, were pro-Communist because they did not ally themselves with the free world and sometimes appeared to support the Communist foreign policy line. It was feared that acceptance of aid from the Soviet bloc might lead to Communist penetration of these countries. Recently, however, there have been actions by several of these governments which indicate that they recognize the danger of Communist infiltration.

For example, during early 1961, relations between Egypt and the Soviet Union were marked by charges in Pravda and other Communist newspapers that Communist leaders in the United Arab Republic were being persecuted. On June 6, 1961, the Cairo Government accused the Soviet Union of attempting to exert pressure on the United Arab Republic, saying that Russia was suffering under a misconception if she believed that Egypt's positive neutralism was some sort of an alinement with the Communist camp.

Similarly, in late 1960, Pravda criticized the Iraqi Government for banning a pro-Communist Baghdad newspaper, and a series of protest messages were sent to Premier

Kassem regarding the persecution of pro-Communists in Iraq.

At the end of 1961, in Guinea, antigovernment pamphlets and demonstrations believed instigated by the Communists resulted in President Touré asking for the recall of the Soviet Ambassador. Moreover, before Guinea agreed to accept a new Ambassador, a promise was secured from the Soviets that there would be no further meddling by them or their cohorts in Guinea's internal affairs.

Of course, all of us know of the widening rift between the Soviet Union and Red China, and the fact that little Albania no longer takes orders or directions from the Kremlin. These rifts are deep, and they have shaken the Communist world. They are perhaps responsible for less belligerency on the part of Khrushchev—less saber-rattling at the free world, because he no longer is certain about Russia's long border with Red China.

The threat of communism in Western Europe has receded. In contrast to Eastern Europe, where industrial and agricultural production have not risen as expected, and living standards remain low, Western Europe has moved from economic recovery to prosperity, with the promise of greater economic strength as the Common Market develops further. The number of French Communists is reported to have dwindled from a million to fewer than 200,000, and in Italy, it is reported that the Communist Party membership dropped by more than 60,000 in 1961 alone, and that this decline is continuing.

Discontent within Communist countries is manifested by the number of refugees who have fled from Communist domination. It has been estimated by a West German official that up to mid-1961, 3½ million persons had fled East Germany, and, despite the wall and barbed wire, it was announced December 23, 1961, that nearly 10,000 additional East Germans had managed to flee to West Germany since August 13, when the Communists began construction of the Berlin wall.

On the Chinese front, approximately 1 million Chinese refugees had fled to Hong Kong between the time of the Communist takeover and 1961.

But it is in agriculture that the greatest loss of ground for communism can be recorded. In the United States, some 10 percent of the population is engaged in agricultural production which feeds the entire country and produces a huge surplus for export. In the Soviet Union, 45 percent of the population is engaged in agriculture, but in almost every category there is no exportable surplus produced, and in several important categories—such as meat and dairy products, and certain grains—not enough is produced to adequately feed their own people.

In Communist China the agricultural situation is still worse, and malnutrition is reported to have resulted in a loss in industrial production. One British visitor to Communist China has estimated that the national diet in that country averages only 600 calories per day, which is one-sixth that in the United States.

On the other hand, in our country, agricultural production has zoomed despite a reduction in the number of farmers. From 1950 to 1960, the number of farmworkers in the United States shrank by 2.8 million. This was a decline of 28 percent, and compares with a population increase of 18.4 percent during the decade.

Yet, with fewer farmers this is what we accomplished in the 1950–60 decade: The yield of corn per acre increased 41.7 percent; that of wheat went up 57 percent; that of cotton 66.5 percent; rice by 43 percent; and sorghums for grain by 100 percent—all in 10 years' time.

Then there is the race for space—a race in which communism had a big head start, and which has been used by the Kremlin as a tool for blackmail, as a lever to make smaller countries accede to its will.

For more than 3 years our Government has been trying to get the Soviets to cooperate in space technology. For 3 years the Russians have turned us down cold. And each time one of our rockets failed, the Russians thumped their chests like victorious gladiators.

Now that an American astronaut has circled the globe, Mr. Khrushchev sings another tune. Now he says we ought to "cooperate in space technology." Now he says that all mankind would benefit from this kind of cooperation.

What Mr. Khrushchev now knows is that American technology, once it begins to run, can outrun that of any other nation on earth. He now knows that once we put our shoulders to the wheel of progress, we make a mighty push.

Early last year, it was doubted that we could put a man in orbit before 1 or 3 years of additional research and experimentation. We did it in 1 year. Early last year it was believed that it would be at least 10 years or more before we place astronauts on the moon. Don't be surprised if we succeed in this great feat by 1965 or sooner.

The accomplishment of Astronaut Lt. Col. John H. Glenn speaks of the power and ability of American science, engineering, and industry. I think the Russians are now painfully aware of this, and have become fearful of our rapid advancement. They know, too, that each of our space successes makes their vaunted might look ever smaller in the eyes of the free nations of the world.

With each passing day, it becomes increasingly imperative that all Americans understand the foreign relations of our Government. These are not partisan relations. Rather, in Congress and in the White House, our foreign relations are handled on a bipartisan basis. Insofar as world affairs are concerned, Americans of both political parties stand solidly together. We must never lose sight of the fact that all of us have one common enemy—international communism—and that only by united effort, by united thinking, by united action, can we ultimately destroy this enemy.

In this badly shaken world, the day of peace never seems to be dawning. But, we hope that one day it might dawn, because free men and women have the courage, the purpose, and the will to make it dawn.

Air Pollution Control

EXTENSION OF REMARKS

OF

HON. JOHN E. FOGARTY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 14, 1962

Mr. FOGARTY. Mr. Speaker, under leave to extend my remarks, I include an address which I delivered at the annual dinner of the Air Pollution Control Association, Colony Motor Hotel, Cranston, R.I., on October 26, 1961:

ADDRESS OF HON. JOHN E. FOGARTY

I am delighted that your 13th annual observance of Cleaner Air Week gives me a new opportunity to talk to you on one of my favorite subjects, community air pollution. It is a pleasure to know that the New England section of the Air Pollution Control Association has been so active and so productive during the past 3 years.

I had the honor of making a few remarks during your first dinner meeting exactly 3 years ago. Since then, a lot of water has gone over the dam. Or perhaps I should say, a lot of aerial pollutants have poured out of our home and factory chimneys, our powerplants and municipal dumps, and the crankcases and tailpipes of our automobiles and trucks and buses. But I also feel that we have made considerable progress during those 3 years in the necessary first steps toward the assessment of the air pollution problem and public recognition of its seriousness, and taken at least a few steps toward its solution.

Year 1958, as well as all of you will recall, was the year of the big National Conference on Air Pollution in Washington. I felt at that time that this conference served an important purpose in clarifying the issues in this field, in delineating some reasonable objectives, and, above all, in awakening the press and the public to a growing environmental problem which affects so importantly the national economy and the public health. I might add that your own continuing sponsorship of Cleaner Air Week similarly contributes to public awareness of this problem. Without public interest and public support, of course, none of us can make any progress at all in our fight for cleaner air.

I think it is probable that there will be another such conference in 1962. I hope so. I know that your organization and many another have urged the Federal Government to take the initiative in this matter. Among other important groups which have made recommendations to that end are the American Municipal Association, the National Association of County Officials, and the Air Pollution Control Department of New York City. I believe that a national conference in 1962 could be of great value in evaluating our progress in this field since 1958, in suggesting new goals or timetables if these are needed, and perhaps in stimulating earlier or more general use of control measures based on methods and equipment which are already available.

Over the past several years I have been deeply concerned with the possibilities for improvement of certain factors in our modern environment which have to do with public health. From the vantage point of my chairmanship of the Labor, Health, Education, and Welfare appropriations subcommittee in the House of Representatives, I have had a real opportunity to get acquainted with all our current health problems, including air pollution, in which I have long had a special interest.

As many of you know, my committee called for a detailed report from the Public Health Service on environmental health problems and held extended hearings, during which we took testimony from many outside specialists as well as those in Public Health Service. Incidentally, several distinguished New Englanders were among our witnesses on the subject of air pollution, including Profs. Rolf Eliassen, from MIT, and Ross McFarland and James Whittenberger, from Harvard's School of Public Health.

As a result of these hearings and my further study of the air pollution problem, I am convinced that its solution will require a cooperative, a joint approach, on the part of the Federal Government, the States, and local communities. For none of these can do alone what needs to be done. My committee is taking active steps to make possible increased Federal participation in the collective job, to make sure that at least this one side of a many-sided obligation is met in full. (I know that it hardly needs emphasizing to this well-informed audience that industry too shares importantly in this obligation.) Included in the Federal role, I hope, will be provision for rendering financial as well as technical assistance to States and localities which seek to initiate more effective control programs.

You may be interested in a brief review of some of the things which the Federal Government has already been able to do, under present laws, for New England States and localities.

Both Harvard and Massachusetts Institute of Technology have been conducting air pollution research since 1957 under Public Health Service grants. The PHS Division of Air Pollution has provided technical assistance here in Providence, in Boston, and in Berlin, N.H., and helped to survey the air pollution problems throughout the State of Connecticut.

This summer, as part of a larger research project on atmospheric lead and body lead levels in certain occupational groups, analyses were made of the air in and near Boston's Sumner Tunnel, where especially high concentrations of motor vehicle exhaust emissions were to be expected.

Here in Providence, an intensive 5-week study was initiated last July at the request of my good friend, Genaro Constantino, chief of this city's division of air pollution, and mechanical equipment and installations. This study was designed to improve knowledge of air pollution levels here and to help the local agency in developing greater competence in sampling and analyzing atmospheric contaminants.

In addition, the Public Health Service has maintained since 1957 one nonurban and at least one urban station of the national air sampling network in every New England State. Many of these stations have recently begun to sample gaseous as well as solid pollutants.

There is certainly no doubt that New England—and especially southern New England—has a serious and growing air pollution problem. For many of my facts and figures on this point, I am indebted to Bill Megonnell, whom you all know, the regional consultant on air pollution in this area for the Public Health Service.

The northeast is at least 6 times as densely populated as the rest of the country; here are located 45, out of a national total of 188, standard metropolitan areas. And it is people and people's activities which create air pollution.

The Northeastern States consume well over one-third of the light and heavy fuel oils burned in this country, one-quarter of the bituminous coal, and practically all of the anthracite coal. As for manufacturing activity, over 35 percent of the Nation's manufacturing employment is in this 10-State region. (In these figures, New York, Pennsylvania, and New Jersey are included.)

In many New England communities, emissions from motor vehicles represent a significant proportion of the total air contamination. Another serious aspect of the air pollution problems here is the disposal of tremendous quantities of municipal, commercial, and industrial refuse. In congested areas, scarcity of land for sanitary landfills has led to common use of the open dump, where refuse is usually burned, so that odors and smoke from these sources are widespread and common.

Many other source categories, of considerable importance to specific communities, could be listed. It is probable that nearly every type of source and kind of contaminant is encountered at some time and place in this section of the country.

So you can be sure that whatever I and my committee in Washington are able to accomplish in the direction of more effective Federal aid for States and localities, it will be needed and applied in ample measure right here in our own New England.

As most of you know, President Kennedy made a most forceful statement on the air pollution issue as a part of his message to Congress earlier this year on natural resources. "Although the total supply of air is vast," he said, "the atmosphere over our growing metropolitan areas—where more than half of the people live—has only limited capacity to dilute and disperse the contaminants now being increasingly discharged from homes, factories, vehicles, and many other sources." He further stated his intention to foster a more effective Federal program for protection of this vital natural resource.

In my opinion, Secretary Ribicoff, who hails from our neighbor State of Connecticut and is doing a good job in the new administration—has also struck a mighty blow for cleaner air. Not long ago, he challenged the automobile industry to make devices that destroy air-polluting crankcase fumes standard equipment on all motor cars from 1964 on, or face legislation that would make factory installation mandatory.

I feel that I too have been successful in adding one more push to keep this good ball rolling. Representing as I do one of America's great industrial States, I consider myself one of industry's best friends. But it is industry's longrun interests which I seek to serve, because I believe that in the long run, the best interests of industry are identical with those of the workingman and the general public. And I can't help thinking that some branches of industry have been a little shortsighted in this matter of air pollution.

I am thinking particularly, of course, of the automobile industry and the oil industry. Although some of you may have read a condensed version of my comments—since they were widely reported by the newspapers throughout the Nation—I think you will all be interested in what I actually said about these industries on the floor of Congress this spring. If I may, I will repeat a part of it here.

Motor vehicles constitute one of the major sources of air pollution and, unlike many other important pollutant sources, this one is universal throughout the United States. Our cars and trucks go everywhere.

I cannot escape the conclusion that the automobile industry has been dragging its feet in the matter of factory installation of blowby devices. These, as you probably know, are relatively inexpensive devices for controlling emissions from automotive crankcases. While they will not solve the larger problem of exhaust emissions from the tailpipe, they do eliminate from one-fourth to one-third of the motorcar's total contribution to our air pollution problem.

Such devices were factory installed on new cars sold this year in the one State of California and are available—at a higher price of course—as optional dealer-installed equipment on new American cars in other localities. In view of the mounting evidence that air pollution not only is costly but may also be highly hazardous to human health—and since this new device eliminates a part of it at a low cost—it would have seemed both good business and good public relations for the auto industry to install such a device at the factory on all new cars sold in this country. This, in fact, is what Secretary Ribicoff recently recommended.

Unlike automobiles, oil refineries are not an important part of the air pollution problem in every city, but they certainly are in many cities. In the Los Angeles area, refineries have placed into effect control measures which drastically reduce their potential contribution to Los Angeles smog. What this means, then, is that Los Angeles suffers a minimum of refinery emissions and, in addition, receives new cars with blowby control devices factory installed.

In other parts of the country, however, neither the automobile industry nor the oil industry is cooperating half so well. New Jersey, for example, is one of the many States that receive almost none of the advantages insisted upon in Los Angeles.

New Jersey comes to mind because it has just recently come to my attention that New Jersey's Rutgers University is attempting to develop smog-resistant plants in order to help truck farmers to survive. A single ride at almost any hour of the day on the upper stretches of the New Jersey Turnpike makes it patently clear why Rutgers is interested in plants that can survive smog, and you don't have to be an expert loaded down with instruments to see that both refineries and automobiles play an important role in New Jersey's smog problem.

I should think that these two rich industries—simply in enlightened self-interest, if for no other reason—would do everything they reasonably could do to abate their own contribution to this growing environmental hazard, if only to avert the risk of drastic legislation which might seem to them much less reasonable in its demands.

That was the end of my statement to Congress. I am sure you realize, however, that I do not consider those two great industries—which have contributed so much to our matchless American standard of living—as the sole offender in this area.

Throughout New England there are other industries which have done much less than they might have done in utilizing methods and equipment which are already available to reduce their own air polluting emissions.

Nor is industry the sole offender. The list is a familiar one to you. It includes burning municipal dumps and municipally owned powerplants. And drycleaning establishments and backyard incinerators. And home furnaces improperly adjusted for efficient fuel combustion. And autos and trucks and buses improperly maintained, so that their emissions are bigger and blacker and smellier than they need to be, even without control devices.

Last but not least on our list of offenders are those many States and communities whose offenses are the sins of omission rather than emission; governmental agencies and lawmaking bodies whose control regulations have not kept pace with increasing sources of air pollution and our increasing knowledge of effective abatement measures.

Since I have a little something to do with what happens at the Federal level, perhaps I had better close with my own ideas of what is needed at that level if our real progress during the past 3 years is to be sharply enough accelerated in the next few years to keep pace with our swift industrial and technological growth.

We need—and you have heard this many times—more research on the nature and effects of air pollution, most of all on its health effects. I feel that the Public Health Service has made a good start here, but it had to start from scratch, to set up novel techniques and acquire or develop novel equipment, and to find or train qualified personnel. Moreover, we are dealing here with chronic health effects, with long-term effects, and many of the findings from actual projects initiated during the past few years have yet to be analyzed and interpreted. This kind of research must go on, and should be expanded. Likewise research into more efficient and less expensive methods for abating pollutant emissions at the source.

We need, as I have mentioned, more adequate provision for Federal aid to States and localities in setting up effective control programs—in technical assistance and in money.

Finally, the Federal Government needs that environmental health center you have been hearing so much about lately. I am wholly convinced of the desirability of this project, which will include as a major segment more adequate facilities for carrying on the Public Health Service's air pollution activities.

Let me try to tell you in closing just how much importance I do attach to the proposed center.

This touches one of my interests which is far larger in scope than even the air pollution problem.

What kind of environment are we going to leave to our children? Our people multiply and crowd together into those endless chains of city-suburbs-city-suburbs-city. Our technology creates new chemicals faster than our scientists can measure their toxicity. Even if we can succeed in putting an end to radioactive fallout before it puts an end to us, the rising flood of old and new pollutants will increasingly soil our air and spoil our water. Our basic supply of potable water is threatened with exhaustion. Our good rich soil is being taken out of cultivation, by the hundreds of square miles, for multiple-lane highways and parking lots. Even if the bumper-to-bumper traffic of a Sunday afternoon would let us drive somewhere in comfort, where could we find within driving range of our big cities a peaceful countryside?

I am proud of the tremendous progress we Americans have made in science and technology, and I want it to continue. I am even optimistic about it. If we start soon enough on a truly large-scale program to counteract the unwanted byproducts of that progress, then I think we shall have an excellent chance of bequeathing to our children an urban environment which will be worthy of this lucky land and its unsurpassed natural endowments.

The proposed environmental health center is a project conceived in an order of magnitude that is comparable to the bigness of the problems it will seek to solve. Its realization will help us to make faster progress in air pollution control and to make America a healthier and happier place to be alive in.

Is a Meeting of World Minds Possible?

EXTENSION OF REMARKS

OF

HON. ALEXANDER WILEY

OF WISCONSIN

IN THE SENATE OF THE UNITED STATES

Wednesday, March 14, 1962

Mr. WILEY. Mr. President, the world today is confronted by a choice of alternatives of great magnitude: Peace or war? Survival or annihilation?

Possessing the tools of substantial—if not total—destruction of the world, humanity must now decide whether it will peacefully resolve its differences or become atom-splattered blots in the annals of history.

The Communist—fanatically dedicated to world conquest—continues to be the major threat of war.

Recently, a new journal of divergent views on national issues entitled "Yale Political" appeared on the literary horizons of the Nation. For its first issue I was privileged to discuss the outlook for the question, "Is a Meeting of World Minds Possible?"

I ask unanimous consent to have the article printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

IS A MEETING OF WORLD MINDS POSSIBLE?

(By Senator ALEXANDER WILEY, of Wisconsin)

(NOTE.—Senator ALEXANDER WILEY, of Wisconsin, is ranking Republican on the Senate Foreign Relations Committee. In his article he discusses the prerequisite steps to successful international cooperation.)

In the space-nuclear age, the outlook for peace or, conversely, the prevention of a civilization-destroying war depends upon a meeting of world minds. In international organizations such as the United Nations we seek such a concurrence. How can this objective be best accomplished? I believe that we can achieve this goal through agreement among nations on basic objectives or through a common recognition that nuclear missile war between nations or blocs of nations could be mutually annihilating, if not world destroying.

It is obvious then that progress toward peace can result only during an interim of nonwar within the context of an international agreement or a military standoff. And certainly renewed efforts by the free world to bring to fruition such a "context" shall and should lie in several areas. For one thing, we as a nation should constantly strive to mobilize world opinion against war and aggression. We should reawaken the common interests of humanity in self-preservation, revitalize interests in bettering the conditions of global living, and cultivate all hopes for peace and the prevention of war.

In international areas, there is still a great deal to be done. We must undertake and attempt to gain broad support for cooperative programs in science, health, agriculture, housing, education, sanitation, and various other nonmilitary fields. In so doing, we should open clearer channels of communication and understanding among nations and peoples of every belief. And, in regard to the United Nations, we must continue to encourage the establishment of, respect for, and adherence to, international law within which many nations will enjoy the maximum of freedom and the greatest opportunity for true self-determination.

These are the areas within which we can work, continually aspiring to establish that context which will allow of a sincere meeting of world minds, and which will permit those agreements or military standoffs to which I referred above.

The world, twice in a single quarter century, has experienced tragic holocausts which unavoidably prove that peace could not be established by "wars to end all wars." Recognizing this fact, the leading nations of the world, nations of east and west, met, in 1945, in San Francisco to establish the United Nations, the materialized desire of many peoples for a meeting of international minds.

Generally, the peace-seeking objectives of the United Nations included the creation of much international machinery, apparatus designed to accomplish aims which are strictly in accord with international peace. Collective security measures were contrived to resist armed aggression everywhere. Methods of negotiation, mediation, conciliation, and adjudication were created to insure the peaceful settlement of all international disputes. The United Nations has established machinery for the international control of armaments, all with the objective of eventual disarmament and the abolition of all weapons of mass destruction, such as the atomic and hydrogen bombs. This machinery presupposes, of course, the necessary respect of the world for the principle of international cooperation in order to advance the economic and social well-being of all peoples. It presumes, moreover, a common respect "for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion."

The United Nations, or any international agency with universal objectives, depends for its support upon member nations which will combine to accomplish its missions. At the present, the United Nations is comprised of 104 nations, peoples which represent widely differing political, social, economic, cultural, and spiritual traditions, and this divergence of mores and modes of living is the problem with which we are currently faced. There too often exist, in addition, longstanding prejudices, hates, fears, and conflicts of interest, all indigenous to different countries from different parts of the globe.

As political climates change, and as the chains of communistic and noncommunistic colonialism are loosened, still more peoples will be joining the family of vociferous nations, and perhaps conciliation within the United Nations will become still more difficult.

The meeting of world minds is further challenged by the very existence of communism, an atheistic ideology inimical to peace except under its own limited conditions. By controlling approximately a billion human beings, communism represents a powerful force in the battle for men's minds.

Thus the world is comprised of nations with differing political objectives. It is comprised of peoples with widely varying economic, political, social, and cultural traditions. And one-third of these multiple peoples is under the rule of communism.

What are the chances for a meeting of minds? There is considerable insight in realizing that anything is possible in this wide world and in this life of ours if the minds of mankind will it to be so. But in order for these minds to be willing, there must be an understanding basis upon which minds can meet and rest. How do we get light into a very dark room? By igniting a candle. How do we get light into the minds of humanity? By igniting the candle of illuminating ideas from which men can learn to reason and think—without hate, suspicion, and fear. But can we say that the United Nations will provide an opportunity for this light of which we have spoken? Only the future will provide the response to this inquiry, but we must place our faith in mankind.

The outlook for ultimate success can, however, be improved by the broad policies I have outlined in the opening paragraphs of this article. In addition to these, we should expand our efforts to overcome the voluminous barrage of Red propaganda which is detrimental to the pursuit of truth and objectivity so prerequisite to peace on earth. We require a realistic awakening to the need for universal efforts of mankind to join hands in seeking goals essential to human welfare, progress, and the prevention of war.

As Americans we should be proud that the United States provides, historically, the best example of how a heterogeneous people—of different nationalities, of widely varying beliefs, ideas, and ideals—created and adopted a workable and peaceful way of life. And in our pride, we can be pleased by the U.S. successes over a period of 200 years. Certainly we have sought to provide the maximum of freedom for our citizens, freedom within a framework of laws which maintains an organized society. We, as the United Nations, have sought to preserve the fundamental rights of man. In this latter area, our open society includes for each citizen a voice in the Government, freedom of religion, speech, and press. Our laws protect these rights, and our rights are protected from unconstitutional laws. And our Government manifests the doctrine of checks and balances, another safeguard to individual liberties.

But today the whole world has a golden opportunity or perhaps a very last chance to create a similar system if they should so desire. May they, like us, endeavor to insure the peaceful perpetuity of human existence and, in trying to do this, seek to prevent a horrorific war among major nations. Now is the moment for the world to reserve for all sovereign nations certain fundamental rights, and to remind these nations that they have obligations to the

world community of mankind. It is the time for us all to stand up to protect the integrity of peoples and nations from infringements of those universally recognized rights. For this is the hour for individuals of every divergence to cooperate in the name of human betterment and progress.

So I repeat the question: Can there be a meeting of minds, then, to create a world of peace and progress? And my answer is yes, but let us not naively confront the realities of today's divided world. The militant propaganda of communism must be held at bay. And the peoples of the world must awaken to this great challenge, must mobilize in mind, muscle, and resource, and must cooperate in programs for peaceful purposes.

Indeed by a greater stirring of the mighty giant—the thinking human being—a meeting of minds for universally recognized goals may come to fruition. It will be taken then that true progress can be made toward a peaceful world.

Health and Safety on the Road

EXTENSION OF REMARKS

OF

HON. JOHN E. FOGARTY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 14, 1962

Mr. FOGARTY. Mr. Speaker, under leave to extend my remarks I include an address which I delivered at the Rhode Island Truck Owners Association dinner, Sheraton-Biltmore Hotel, Providence, R.I., on December 6, 1961.

The address follows:

HEALTH AND SAFETY ON THE ROAD

(Remarks of Hon. JOHN E. FOGARTY, U.S. Representative, Second Congressional District of Rhode Island, at Rhode Island Truck Owners Association dinner, Sheraton-Biltmore, Providence, R.I., Wednesday, December 6, 1961)

You have been reminded many times, I am sure, that this is the eve of the 20th anniversary of Pearl Harbor Day—the day that President Roosevelt said would go down in history as a day of infamy. In the 4 years between that day and the end of World War II, this Nation lost 275,338 men and women, most of them in the prime of life.

Every year on this date, this great sacrifice is mourned anew, as it should be. Aside from the thousands of personal tragedies that these deaths represented, the loss of the millions of man-hours of high productivity which we sustained was an economic tragedy to the Nation from which we have not yet fully recovered.

In all the wars in American history, including the Korean action, the United States lost about 550,000 of her citizens. In the first 50 years of the present century, we lost 1,335,842 on the streets, roads, and highways. Two and one-half times as many victims as in all the wars in our history were lost to traffic accidents, most of them preventable. Most of these victims, like our war casualties, were in, or had not yet reached, the most productive years of their lives. And year after year, we continue to lose almost 40,000 more, from traffic accidents alone. Is it not time that we began to fight the highway holocaust in the same way that we fight a war, with all of our resources, all of our strength, all of our perseverance and ingenuity?

You gentlemen, representing the truck transport industry of our State, are well aware of the heavy impact of traffic accidents on the economics of your industry. You have, in a sense, a larger stake in the fight against traffic accidents than any other segment of our industry and our population. And to a great extent, many of you have risen to the challenge, by painstaking maintenance of your vehicles, by careful selection and rigorous training of your employees, and by your strong support of better highways, more realistic traffic regulations, and more effective enforcement efforts.

Yet, in spite of constantly improved engineering, education, and enforcement, we continue to kill about the same number of men, women, and children in traffic accidents every year. It is true that the number of vehicles on the roads increases every year, and so does the number of traffic police. Why, in the face of increasing attention and support for the "three E's" of traffic safety, does the traffic-death total remain at a seemingly irreducible, constant figure? Is it possible that the "three E's" alone, as important as they are, are not the total answer to traffic accidents?

I believe that the answer to that question is "Yes." One vital element has been omitted, until very recently, from our analysis of the situation. That element is true, factual, provable knowledge based on sound, scientific research. Especially necessary before we can hope to make a sizable dent in our annual traffic toll, in my opinion, is research on the human aspects of traffic safety.

Just what physical, physiological, and psychological elements are necessary for a person to be a safe driver? Which of these elements tend to make a person unsafe at the wheel of a vehicle? After 60 years and almost 1½ million deaths we still do not know.

In the United States today, 87 million persons are licensed to operate motor vehicles whenever they please on any public road in the Nation. The criteria for licensing vary considerably from State to State, but in one respect at least they are all alike. They are of necessity based largely on assumptions, guesses, and conjectures. Not one State bases the driving privilege on firm knowledge—because none exists.

In hearings before my Committee on Appropriations for the Department of Health, Education, and Welfare this year it was pointed up that the Surgeon General's report on environmental health had described the activities of official health agencies in the accident prevention field as falling far short of meeting the need for effective measures to reduce the toll taken by accidents particularly among children. Because of this the appropriation bill included an increase of $1 million to permit the Public Health Service to initiate an effective, well-balanced program to mobilize public health resources in the attacks on death and disability due to accidents.

I am glad to be able to report to you that, at long last, at least a start has been made toward providing the many answers we need. Early this year, there was established in the Public Health Service a Division of Accident Prevention which has undertaken to find the answers to traffic safety in the same way that the health and medical sciences have found solutions to many of the great scourges of the past. In the 21 years that I have been privileged to serve as your Representative in Congress, nothing has given me more pride and pleasure than the support I have been able to give to every sound measure for improving the health and safety of the American people. With accidents ranking first among the killers of children, teenagers, and young men and women up to the age of 35, I am convinced that we must give the Public Health Service the kind of support which enabled it to eliminate or reduce many of the losses from communicable and chronic diseases.

Many of our citizens living today will remember that, not so long ago, smallpox, typhoid fever, diphtheria, and other diseases were considered acts of God which we could do nothing about, just as many of us regard accidental deaths and injuries today. The first thing we must do, if we want to stop killing people on the highway, is to face up to the reality that accidents are caused by people and that they can be stopped by people. Perhaps the largest roadblock to traffic safety is the myth, voiced by too many of us, that human behavior cannot be changed. If this were true, our ancestors would never have advanced from the caveman stage. It is time that we removed this convenient excuse for doing nothing.

We can change human behavior, but before we attempt to do so we ought to be sure we are changing it on the basis of knowledge, rather than conjecture, no matter how reasonable the conjecture might appear to be. As a major step in that direction, it has been proposed that research facilities be provided for the Public Health Service efforts in accident prevention, similar to those which have enabled the Service to do so much to advance our health and well-being by research into the causes of heart disease, cancer, and other afflictions of humanity.

As a major part of that facility, the development of various types of simulators has been recommended. These would enable the Public Health Service specialists to reproduce exactly the environmental aspects of driving, including the automobile, the road, the signs and lights and other traffic-control devices, and all of the other constantly changing conditions involved. With such tools, the scientists could test drivers of all kinds—the hard of hearing, the diabetic, the intoxicated, the elderly, the young, and all the other kinds of people among our 87 million drivers, without exposing them and others to the hazards of this kind of test on the highway itself. Then the scientists could come up with the sound, factual information needed by the motor vehicle administrators, highway engineers, automobile designers, legislatures, law enforcement agencies, and others to make decisions based on actual facts.

Exactly what happens to a truckdriver under the influence of Benzedrine? Our doctors have some idea of what it does to him physiologically, but no one now has any real knowledge of what it does to his short-range and medium-range and long-range driving ability. Is there an actual, measurable decrement of ability, and if so, what is it and how does it work? Various jurisdictions are setting up arbitrary levels of alcohol in the blood and saying that a person with such a level is a drunken driver and a person with a lower level is not. Yet the most eminent authorities in the country today disagreed pretty widely on the correct level when they came together at the Public Health Service Conference on Alcohol and Traffic Safety in Pittsburgh, last May. In some States, elderly drivers are being threatened with loss or restriction of their driving privileges on purely arbitrary grounds, because we don't have the information on which to base a sound decision.

With true simulators and other research tools which are now available or which can be developed, we will be able to approach the accident problem in the same rational way in which we have beaten so many other health problems. I pledge to you that I will continue to devote my best efforts to making possible sound progress in all aspects of public health and safety.

Another health area in which you, as truck operators, have both personal and economic interests is the matter of air pollution. This again is an area with which I have had a great opportunity to become acquainted, from the vantage point of my chairmanship of the Labor-Health, Education, and Welfare Appropriations Subcommittee of the House of Representatives. As a result of various hearings which we have held and studies which I have conducted, I have become convinced that the solution of the air pollution problem will require the closest possible cooperation on the part of the Federal Government, the States, and local communities, as well as on the part of the various industries concerned. None of these can do alone what needs to be done. My committee is actively engaged in making possible increased Federal participation in this important work.

My mention of the industrial role in air pollution and its control will come as no surprise to you gentlemen, I am sure. You are undoubtedly more aware than I of the full contribution that the trucking industry is making in the creation and continuation of the problem, and the contribution it should make toward the solution.

There are many new straws in the wind, such as the trend of State legislatures to make blowby equipment mandatory on motor vehicles, and other approaches on which I need not dwell with a group as well informed as this. Certainly it is right and proper for Government to expect, and if necessary to require, that industry will do its utmost to avoid the creation of health problems and to correct those which it creates. At the same time, I am realistic enough to know that a problem which has as many roots as air pollution will not be solved by a single industry working alone. The most we can expect is that you will shoulder a reasonable share of the burden, and this I am sure you will do.

In the same way, the problem cuts across political and geographical boundaries. We expect each affected State and community to contribute its reasonable share to the correction and prevention of air pollution. But, when all of these industrial, State, and local contributions have been made, there will still remain an important part of the problem which only the Federal Government has the resources and the responsibility to undertake. I assure you that I will do my utmost to see that the Federal Government shoulders its fair share of the financial burden, and will continue to provide sound technical guidance and assistance to States, communities, and industries which seek to initiate more effective control programs.

A few weeks ago I had the privilege of addressing the New England Section of the Air Pollution Control Association, here in Providence. In preparing for that meeting, I checked into what the Federal Government has been able to do, under present laws, to assist the New England States and localities. You might be interested in a brief review of these activities, some of which, of course, affect your industry to varying degrees.

Air pollution research, under Public Health Service grants, has been underway at both Harvard and MIT since 1957. This summer, as part of a large research project on atmospheric lead levels and the body lead levels in certain occupational groups, analyses were made of the air in and near Boston's Sumner Tunnel, where especially high concentrations of motor vehicle exhaust emissions were to be expected.

Here in Providence, as well as in Boston and in Berlin, New Hampshire, the PHS Division of Air Pollution has provided technical assistance in a survey of air-pollution conditions. Also in Providence, at the request of my good friend, Genaro Constantino, chief of the city's division of air pollution and mechanical equipment and installations, an intensive 5-week study was conducted last summer to improve knowledge of air pollution levels here and to develop local competence in sampling and analyzing atmospheric contaminants.

Since 1957, the Public Health Service has maintained one nonurban and at least one urban station of the National Air Sampling Network in every State in New England. Many of these stations recently began to sample gaseous pollutants, in addition to the solid contaminants.

One thing is certain, and it has been giving me increasing concern. New England, and especially southern New England, has a serious and growing air pollution problem. On this point, many of my facts and figures have come from Bill Megonnell, whom you all know or should know as the Public Health Service regional consultant on air pollution in New England. In brief outline form, here is the problem:

The Northeast is at least six times as densely populated as the rest of the Nation. Out of a national total of 188 standard metropolitan areas, 45 are located here. These Northeastern States consume over one-third of the light and heavy fuel oils burned in this country, one-fourth of the bituminous coal, and almost all of the anthracite coal. When we include New York, New Jersey, and Pennsylvania, we find that over 35 percent of the Nation's manufacturing employment is concentrated here.

Specifically concerning you gentlemen, as representatives of the truck transport industry, is the finding that in many New England areas, emissions from motor vehicles constitute a significant proportion of the total air contamination. There are other major contributors, of course, such as the incineration of tremendous quantities of municipal and industrial waste. In a way, it is ironic that you still hear often the expression, "as free as air." Gentlemen, we are rapidly approaching the point where air will no longer be really free, where in fact it will be one of the costliest of our necessities of life, unless we take a realistic look at the situation, assess what must be done, and then proceed to do it as quickly and efficiently as we can. This is nowhere truer than it is right here in New England. This is why you can be sure that my committee and I will do whatever we can to make more effective Federal aid available for the States and communities faced with the potentially frightening problems of contaminated air.

That these problems are receiving close attention at the highest levels of our Government is evident from President Kennedy's message to Congress on our natural resources. "Although the total supply of air is vast," the President said, "the atmosphere over our growing metropolitan areas—where more than half of the people live—has only limited capacity to dilute and disperse the contaminants now being increasingly discharged from homes, factories, vehicles, and many other sources." The President stressed his intention to foster effective Federal programs for protection of this vital resource.

Now, gentlemen, I would like to close on a note of forthright, blunt frankness. I believe that my long record of public service identifies me clearly as a friend of industry. Representing such a highly industrialized State as Rhode Island, I could hardly be otherwise. But it is industry's longrun interests that I prefer to serve, because I feel keenly that industry's best interests, in the long run, are identical with those of the general public. And in this matter of air pollution, I cannot help but think that some segments of industry have been somewhat shortsighted.

Let's consider especially the automobile industry and the oil industry, with both of which your industry is so closely allied. With respect to these industries, I would like to repeat here part of a statement which I made on the floor of Congress last spring:

"Motor vehicles constitute one of the major sources of air pollution and, unlike many other important pollutant sources, this one is universal throughout the United States. Our cars and trucks go everywhere.

"I cannot escape the conclusion that the automobile industry has been dragging its feet in the matter of factory installation of blowby devices. These, as you probably know, are relatively inexpensive devices for controlling emissions from automotive crankcases. While they will not solve the larger problem of exhaust emissions from the tailpipe, they do eliminate from one-fourth to one-third of the motor car's total contribution to our air-pollution problem.

"Such devices were factory installed on new cars sold this year in the one State of California and are available—at a higher price, of course—as optional dealer-installed equipment on new American cars in other localities. In view of the mounting evidence that air pollution not only is costly, but may also be highly hazardous to human health—and since this new device eliminates a part of it at a low cost—it would have seemed both good business and good public relations for the auto industry to install such a device at the factory on all new cars sold in this country. This, in fact, is what Secretary Ribicoff recently recommended.

"Unlike automobiles, oil refineries are not an important part of the air pollution problem in every—certainly, in many cities. In the Los Angeles area, refineries have placed into effect control measures which drastically reduce their potential contribution to Los Angeles smog. What this means, then, is that Los Angeles suffers a minimum of refinery emissions and, in addition, receives new cars with blowby control devices factory installed.

"In other parts of the country, however, neither the automobile industry nor the oil industry is cooperating half so well. New Jersey, for example, is one of the many States that receives almost none of the advantages insisted upon in Los Angeles. New Jersey comes to mind, because it has just recently come to my attention that New Jersey's Rutgers University is attempting to develop smog-resistant plants in order to help truck farmers to survive. A single ride at almost any hour of the day on the upper stretches of the New Jersey Turnpike makes it patently clear why Rutgers is interested in plants that can survive smog, and you don't have to be an expert loaded down with instruments to see that both refineries and automobiles play an important role in New Jersey's smog problem.

"I should think that these two rich industries—simply in enlightened self-interest, if for no other reason—would do everything they reasonably could do to abate their own contribution to this growing environmental hazard, if only to avert the risk of drastic legislation which might seem to them much less reasonable in its demands."

This is how my statement to Congress ran. I would recommend that last point for your special study, because since last spring indications have begun to accumulate to the effect that the public is becoming more alarmed about both public-health problems which I have discussed here—traffic accidents and air pollution—and is beginning to call for legislative action. As a further indication of how these two problems are interconnected in the minds of the people and their governing bodies, I recently saw a single news release from the Public Health Service which referred to two decisions issued by the General Services Administration on the same day, to the effect that both blowby equipment and seatbelt attachments would be required in all motor vehicles purchased by GSA in the future.

We have seen how California adopted its own blowby legislation. Now Wisconsin has made seatbelts—not merely the attachment points, but the belts themselves—mandatory in all 1962 cars sold in the State. This is how the wind is blowing and, in fact, the way it has always blown. When industry

fails to meet its moral obligations, sooner or later the people, through their National and State legislative and administrative branches, force industry's hand.

I have always been proud of the way Rhode Island industries have conducted their affairs in the public interest. I am sure that the truck transport industry in this State will continue to meet its obligations to public health and safety. To the extent that Federal assistance, both financial and technical, is needed. I will continue to do my best to see that it becomes available. I have always felt that voluntary cooperation is better than a law and in this I am sure that you and I are in complete agreement. Please let me know when we in Washington can help.

The Conquer Uterine Cancer Program

EXTENSION OF REMARKS

OF

HON. JOHN E. FOGARTY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 14, 1962

Mr. FOGARTY. Mr. Speaker, under leave to extend my remarks, I include an address which I delivered to the Rhode Island Federation of Women's Clubs, at Providence, R.I., on December 7, 1961:

THE CONQUER UTERINE CANCER PROGRAM

It is a real pleasure for me to have been asked to address you on this occasion, on the anniversary of Pearl Harbor Day because I believe there is some significance in the campaign you have undertaken which coincides with the singlemindedness of the American people in the task of overcoming our adversary after that sneak attack. This same spirit I find in your expressed desire to face an enemy far more formidable than the one that was faced and defeated after Pearl Harbor. The lives of American women are at stake. Your task is to prevent these deaths by education and persuasion.

The partnership between the General Federation of Women's Clubs and the American Cancer Society in the promotion of health education spans the entire modern era of cancer research and control. That era began in 1937 with the adoption of the National Cancer Institute Act and the launching of the society's first nationwide educational campaign. It was from this partnership that the Women's Field Army emerged to provide a continuous program of education, to dispel ignorance and mystery, and bring about the control of cancer. Because of your efforts to promote the early detection of cancer of the uterus, you are credited with being a major factor in the 50-percent decrease in the death rate from that disease between 1936 and 1959 in spite of a steady rise in the national death rate for cancer as a whole. Much more remains to be done, however, for the sheer magnitude of the problem staggers the imagination.

Since 1945, this dread disease has taken the lives of well over 3½ million Americans, nearly 10 times as many as were lost during World War II. And each year, without respite and without mercy, it tags another quarter of a million human victims for destruction. Nevertheless, the campaign we have waged for so long a period against this disease is beginning to achieve results.

Although cancer today continues to be the second leading cause of death, there has been a steady increase over the past 25 years in the proportion of patients who survive 5 years or longer without evidence of disease. These are the people who may be regarded as cured. A study of this trend which the National Cancer Institute made in cooperation with the Connecticut State Health Department several years ago led to the conclusion that the credit goes mostly to better treatment, although early detection is, of course, extremely important. These improvements have been made not only in surgery and radiation, but also in the new field of drug treatment, or chemotherapy.

The discovery that viruses cause cancer in animals was more over 50 years ago. During more recent years research in this field has shown that many different kinds of cancer in animals are caused by viruses. This has led scientists to assume that it is probably only a matter of time until it can be demonstrated that at least some forms of cancer in man are likewise caused by viruses. Some scientists are strongly of the opinion that now is the time to advance research in this field with vigor, and many investigators are currently engaged in studying human cancers with the methods already so successfully used in work with animals.

In this connection I can say with confidence that we are getting very close to scientific proof that leukemia in human beings is a virus-caused disease. Very recently two investigators at the National Cancer Institute reported that they had extracted viruses from the blood of leukemic rats. When injected into other rats, these viruses caused leukemia sooner and in a higher percentage of animals than viruses recovered from other tissues. The scientists are now using the same technique to see if they can find viruses in the blood of human leukemia victims. If they do, it will be one of the most important findings in the entire history of cancer research.

The implications of studying viruses in relation to human cancer are, I am told, very broad. For one thing, these investigations will greatly help medical science to understand the whole problem of the cause of cancer. For another thing, they are likely to lead to the prevention of at least some types of human cancer through some kind of immunization. In fact, some of the immunization methods recently developed have already made it possible to prevent some tumors in animals.

Research has given us some of the necessary weapons for our arsenal in the battle against cancer. A few of these weapons are imperfect as yet, and only serve to stun the enemy temporarily and postpone the ultimate fate of his victims. Other weapons, however, are potentially able to provide almost total victory against certain forms of the disease.

One such weapon is the "pap" smear. This is an examination, through the microscope, of fluid taken from the body, for the detection of cancer cells among the cells shed naturally by the uterus, or womb. The observance of abnormal cells warns the doctor that cancer may be present. Although cytologic examination cannot be used for the detection of cancer in general, it is the most powerful and most perfect weapon yet developed for conquering uterine cancer which takes the lives of 14,000 American women a year.

The "pap" smear, developed by Dr. George N. Papanicolaou who received generous support for his work from the American Cancer Society, can detect uterine cancer months, and even years, before ordinary symptoms appear. The significance of this lies in the fact that cervical cancer in this preinvasive stage is practically 100 percent curable.

Widespread availability of the "pap" smear test is due largely to the fact that National Cancer Institute scientists spent many years of research to demonstrate its reliability as a practical means of detecting early uterine cancer. This research began with the establishment of a study at Hot Springs, Ark., to evaluate the technique as an aid to diagnosis. In 1951 the project was moved to Memphis, Tenn., to learn whether the method was practical as a case-finding procedure in large populations.

Shortly thereafter, research projects were established in 10 other cities throughout the country, some of them administered directly by the Institute and others operated through grants to universities and medical schools. In each of these situations, the Institute cooperated directly with local health and medical groups and with individual physicians and pathologists.

Results of the Memphis project were fully satisfactory, from the standpoints both of public cooperation and the results obtained from the test. Among the first 108,000 women given the test there were some 800 cases of cancer detected and subsequently diagnosed microscopically. About half of these proved to be intraepithelial carcinoma in situ which has a cure rate approaching 100 percent, and fully 90 percent of them were totally unsuspected. The other 400 cases were invasive cancers in different stages, 30 percent of which were also unsuspected.

About a year later, 33,000 of these 108,000 women received a second cytologic examination. In this group another 83 cases of cancer were detected, of which 72 were preinvasive and 11 invasive. Thus, in terms of rate per thousand, there was a slight decrease for preinvasive cancer, from 3.6 detected on the first examination to 2.2 on the second examination. For invasive cancer, however, there was a sharp drop, from 3.4 on the first examination to 0.3 on the second. In other words, the invasive cancer rate on the second screening was only one-tenth as high as on the first screening.

The National Cancer Institute's vigorous research program in this area has also been aimed at investigating other promising applications of the cytologic technique. For example, Institute scientists, together with the scientists of cooperating non-Government institutions, have been studying the possibility of employing cell examination to detect cancer in other parts of the body such as the lung, the stomach, the large intestine and the urinary tract. In these studies, one of the most promising leads at the present time appears to be from examination of the urine for cells that might indicate the presence of cancer of the bladder.

I have also been informed that one group of Institute scientists has discovered a technique for preparing human whole blood so that it can be examined for cancer cells. The technique appears to promise the possibility for detecting certain kinds of cancer which eluded discovery by other means. It may also be valuable for followups after a cancer operation to reveal whether metastasis, or the spread of cancer to other parts of the body, has occurred.

Methods of enlisting the cooperation of the medical and health professions, and winning public acceptance of the idea, were pursued along with research on the technique itself. Both the American Cancer Society and the Public Health Service have been working hard—and are still working—to introduce the "pap" smear technique in communities throughout the country. Your efforts in this campaign are a part of this whole effort which has been advanced to the point where more than 5 million women are expected to receive the examination this year. But the job is by no means finished. It has hardly gotten a good start.

The happy history of cooperation that has marked the relationship between the American Cancer Society and the General Federation of Women's Clubs made it logical that this partnership should be the instrument chosen to conduct a nationwide drive against uterine cancer. The program was officially launched on April 10 at a reception held at the federation headquarters in Washington, D.C. On this occasion stimulating addresses were made by Mrs. Ozbirn and the ranking officers of the American Cancer Society. The effort got off to a solid start.

The new conquer uterine cancer program constitutes an extension of the society's basic 10-point cytology program which was launched some 3 years ago. Since then, in close cooperation with the medical profession, great progress has been made in encouraging "pap" smears as part of regular checkups for women. Medical cooperation has also insured a suitable balance between medical resources and laboratory facilities and the increasing demands made upon them as the result of the program.

The main objective of the uterine cancer program is, of course, to induce more women to have "pap" smears regularly. A survey made for the society by the Gallup organization showed that 40 percent of the adult female population—some 23 million women—still did not know about this lifesaving examination. Of women 65 and over—a group that accounts for 20 percent of new cases and 41 percent of the deaths each year—only 31 percent have even heard of the examination, as compared to 71 percent of women aged 35 to 50. This situation would seem particularly pertinent to the suggestion by Dr. John W. Cline, immediate past president of the American Cancer Society, that such federated club member try to persuade another woman, preferably a nonmember, to have a physical and a "pap" smear.

The conquer uterine cancer program with the General Federation of Women's Clubs is regarded as a 1-year pilot phase of a continuing program to be expanded and extended in future years with other women's groups, and with women not in clubs. A distinguishing feature of the pilot program is that it introduces an element of incentive or even competition on a broad scale in an organized way. For federated clubs, the goal or incentive is to have all or as many members as possible go for a "pap" smear and checkup within the period of a year—as the first step toward a lifelong habit. Clubs with outstanding participation by members will receive certificates of award from the American Cancer Society.

I would like to point out that the coming year is a most appropriate time to bear down on your efforts in this life-saving campaign. Nineteen hundred and sixty-two will mark the 25th anniversary of one of the most important pieces of legislation ever enacted by the Congress. I have reference, of course, to the National Cancer Institute Act of 1937, which was signed into law by President Franklin D. Roosevelt on August 5 of that year.

Several months ago I suggested in a public address that steps be taken, both within and outside the Government, to observe this anniversary in an appropriate manner. I suggested that due note be taken of the progress made against cancer during this quarter century, and of the task remaining before us for the conquest of this dread disease. I urged that we rededicate ourselves to the furtherance of this unfinished task by all possible means.

I am happy to say that the National Cancer Institute and the American Cancer Society, are cooperating to arrange a number of activities by which 1962 will be observed as cancer progress year. These activities are designed to encourage the scientific community in its research efforts, to give the public complete information about progress against cancer and the problems still to be resolved, and to emphasize the importance of each individual's participation in the total effort for the control of cancer.

The significance of Cancer Progress Year, and of the role of the American Cancer Society and the National Cancer Institute in promoting its observance, is recognized in a proposed joint resolution which I had the pleasure of introducing in the House of Representatives in the closing days of the last session. The House readily adopted the resolution, which requests the President to issue proclamations inviting the participation of the people of the United States, Government and private agencies, and all media of communication, in this important cancer information and education effort. This resolution will be introduced in the Senate when the new congressional session begins in January, and I am certain that it will be adopted as an expression of the continued support in the Congress of this vital movement.

My purpose in mentioning Cancer Progress Year is twofold: First, I want to call your attention to the magnitude and importance of the contribution to medical research, and to the health and welfare of the people of this Nation and the world over, which was made by the Congress in adopting the National Cancer Institute Act of 1937. This legislation, which inaugurated the modern era of medical research, is indeed a milestone on the highroad of human progress. Second, I wish to emphasize the urgency of the challenge that still confronts us for the ultimate conquest of cancer.

As we approach the anniversary of this important act, I hope that the American people fully appreciate the wisdom and foresight shown by the Congress in establishing the National Cancer Institute in the late thirties. It was around that time that infectious diseases were being brought under better control and it was becoming obvious that the chronic and degenerative diseases were going to be the big problem of the future. Even in 1937 heart and circulatory diseases were the leading cause of death in this country, and it was only a year later that cancer moved into second place ahead of influenza and pneumonia. From then on, with the aid of sulfa drugs and later the antibiotics, deaths from infectious diseases steadily declined, and the proportion of our population liable to the threat of chronic diseases in later life began to grow.

The National Cancer Institute was the first unit of our medical research center at the National Institutes of Health in Bethesda, Md. It was therefore the nucleus of a whole new concept of responsibility for the conduct and support of medical research on a scale far beyond the resources of private philanthropy or commercial enterprise. These activities include not only research itself, but also the construction and equipping of laboratory buildings and hospitals, the training of scientists, and the development of public health programs for the control of our major killing and crippling diseases.

In taking special note, then, of the anniversary of the National Cancer Institute Act of 1937, we are really recognizing the inauguration of a whole new approach to medical research. As this new pattern has developed over the years, it has mobilized research manpower and facilities throughout this country, and even abroad, for the most thorough and comprehensive attack ever made on the diseases that afflict mankind.

Those who work professionally in the cancer field are confident that the knowledge we possess today, if fully applied to the control of cancer, could quickly improve the ratio of lives saved from 1 in 3 to 1 in 2. But the point here is that right now, the best we can possibly do is to save only half of the people who get cancer, and I am sure we all agree that that is not enough.

What about the other half? What is going to be their fate? The answer can come only from continued research and prompt application of new knowledge gained through research.

In the cell examination test for uterine cancer—the "pap" smear research has given us a very effective weapon against one form of cancer. It is a form of cancer that takes the lives of many women in their most productive years and at a time they are most needed by their families. Thus, the 14,000 fatal cases of uterine cancer a year not only cause suffering and loss of life to the victims themselves, but strike a serious blow to families and communities the country over.

The American Cancer Society and the General Federation of Women's Clubs have undertaken a huge and important task. This is a pilot project, which means that the success achieved with it will greatly influence the pattern of future educational campaigns enlisting the cooperation of other national organizations to carry this vital health message to women throughout the country. There is much at stake here apart from the lifesaving character of the effort itself. There is an opportunity for both the society and the federation to show the country how effectively a project like this can be carried out.

Here in Rhode Island we want to pick up our end of the load and make one of the best showings of any State. We know how to do these things and we do them well. More than that, of course, we are no less concerned with the health and welfare of our people than any other region of the United States.

As I said, there is much at stake here. But there is nothing to risk, and nothing to lose. There is only the opportunity to work hard for an undisputed cause, and to enjoy the rewards of a well-directed effort to stamp out one of the greatest threats to women everywhere—the threat of uterine cancer.

Nationwide Record of Heart Progress

EXTENSION OF REMARKS

OF

HON. JOHN E. FOGARTY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 14, 1962

Mr. FOGARTY. Mr. Speaker, under leave to extend my remarks, I include an address which I delivered to the Heart Association of Maryland at the Emerson Hotel, Baltimore, Md., on January 31, 1962:

REMARKS OF HON. JOHN E. FOGARTY, U.S. REPRESENTATIVE, SECOND CONGRESSIONAL DISTRICT OF RHODE ISLAND AT LUNCHEON MEETING OF HEART ASSOCIATION OF MARYLAND AT EMERSON HOTEL, BALTIMORE, MD., WEDNESDAY, JANUARY 31, 1962

It is a pleasure to be here as you launch the 1962 heart fund drive, because you are embarking upon work that will mean the saving of lives from heart disease.

It is also a privilege to share my thoughts with you about this teamwork for health, because I count myself as one of you, helping to advance the fight against heart disease. In my home State of Rhode Island, I have long been a member of our heart association. I have followed the course and progress also of our parent body, the American Heart Association. Therefore, as a colleague, I know that you can take justifiable pride in your organization, its goals, and its performances.

Let me say here, emphatically, that I hold the heart association itself is essential to victory against heart disease. The job is not one that can otherwise be done. Government cannot do it alone, nor can the medical and health professions. But the partnership of the heart association, medicine, official

agencies, research institutions, and other interests can conquer heart disease.

That we can move ahead to the virtual conquest of heart disease in our century is more than a vague hope. It is a strong probability. This is the opinion of authorities in science and medicine. But they base their optimism upon a sobering fact: we cannot win unless we continue and strengthen our endeavors until they represent the utmost in an all-out attack. This we have not yet done. Among many others, however, I am confident that we can do it.

Why do those of us who have closely engaged the enemy of disease for years feel that such success is possible?

It is because of the successes of recent years. Progress has been made on many fronts. Skirmishes and battles have been fought against heart disease and more and more are being won year by year.

Let us glance at these victories and see some of the fruits of the cooperative efforts against heart disease in which the heart association has played a vital role.

Advances have been made against the greatest of heart killers: hardening of the arteries, which leads to coronary attacks and strokes. Progress in the treatment and management of coronary disease is now resulting in the restoration of many thousands of its victims to rewarding economic and social employment. Surgery now can help relieve some kinds of coronary and arteriosclerotic heart disease; clot-blocked arteries can be cleared or replaced, for instance, and even a sizable number of victims of deadly strokes can be saved by dramatic new operations. Drugs to strengthen the heart and prevent further blood clotting are helping many heart victims and are getting better all the time.

Hypertension—or high blood pressure—is also one of the major problems in the complex of diseases of the heart and blood vessels which we familiarly call heart disease. There was very little that could be done a few years ago to help the majority of high blood pressure sufferers. Although there is as yet no specific preventive or cure, progress in treatment to date has been heartening. Surgery, psychotherapy, and diets have been used with beneficial effects in certain patients. But, the most striking advances have been in drug therapy. Today, scores of drugs of varying types and potencies are available. While none is ideal, these drugs, singly or in combinations, can lessen the severity of hypertension in most patients and control it to some degree in others.

Rheumatic fever and rheumatic heart diseases are another component of the heart disease complex against which practical advances have been made. The programs of heart associations working with others in rheumatic fever—rheumatic heart disease prevention and control are paying off. Our physicians have the techniques and the therapeutic agents, such as the antibiotics, to prevent the recurrent attacks of rheumatic fever which may eventuate in rheumatic heart disease. They also can prevent initial attacks by prompt, adequate treatment of the strep infections which precede first onslaughts of rheumatic fever. Even when rheumatic heart disease does result, modern surgery can often alleviate or correct the heart valve damage it does.

In congenital heart disease, great strides have also been made, as you well know here in Maryland where your physicians and scientists have been eminent in this field. The earliest heart operations were just coming into use only a few years ago. But since then one congenital heart defect after another has yielded to the diagnostician's and surgeon's skills. Now babies and children with malformations that would end their lives early, or limit them through life, can be saved and helped.

All of this work, against all the kinds of heart disease, in which you share, means that thousands of heart patients, once doomed to invalidism or early death, are today leading useful and productive lives. This has come about because of burgeoning research, the application of its new knowledge, and education of people about heart disease, which the heart association and its partners have supported.

Now, what has made possible the nationwide record of heart progress? More progress has been won in the past decade and a half than in all previous history. What brought this about?

About 15 years ago—certainly a notable period in the history of the fight against heart disease—the members of the American Heart Association, then a professional society of cardiologists, reorganized itself. As you know, they increased their professional functions to include research, education, and community services. They also brought into being a public and voluntary structure, with active, working members from all walks of life, that relied on the people for direct support and that began to help mobilize America's heart resources on a nationwide scale.

About the same time, in response to an overwhelming need and with the strong support of American Heart Association leaders, both political parties in Congress joined in unanimous passage of the National Heart Act, a bill which created the National Heart Institute. The Institute was thus established as one of the Public Health Service's National Institutes of Health in Bethesda, Md., and is, I think, an institution in which your State can take pride and in which many of your citizens work.

Over the years, as chairman of the House of Representatives committee in charge of appropriations for health, education, and welfare, I have watched, encouraged, and worked for the continued growth of these two splendid and complementary organizations—the American Heart Association and National Heart Institute. It has been a source of no little pleasure to me to observe that this partnership of a voluntary group and an agency of the Federal Government has been followed in practice and spirit ever since the beginning.

On the part of the heart association, I know, the relationship has been one of cooperation in the finest and fullest sense. The same is true on the part of the Heart Institute. The total heart program of the Public Health Service has always been administered, both in organization and operation, as the Federal Government's participation in a collaborative undertaking against heart disease, joining the partnership of all interests in the cardiovascular field.

We in Congress, who have shared and led in congressional actions for health, are aware, you may be sure, of the essentiality of this partnership and of the significance of the heart association as well as of the official agency.

The participation of the heart association has been indispensable to progress and will continue to be so. The official agencies, on the other hand, are also essential, just as are the medical and health professions. As I look toward the future, I visualize this strong combination of resources as absolutely necessary to maximum progress.

Now let me turn to other points that should also be emphasized. One is the need for the voluntary effort and the heart fund. Sometimes we hear questions, sincere but based on incomplete information, as to whether needs are not already being adequately met. Aren't there enough funds, someone may ask, from the Federal heart appropriations? Why should I give to the heart association? Do people want to continue contributing?

Let me say that I believe people do want to support the fight against heart disease and all disease. They want an all-out attack by their Government, the health and medical professions, and their voluntary agencies. I believe that people are willing to help the Heart Fund and eager to speed the conquest of heart disease.

Let me also say that funds put into the attack by either the heart association or the Heart Institute have not been too much, or even enough, to do the job that must be done.

Let me stress, furthermore, that the voluntary effort is both necessary and important. It provides maximum opportunity for the individual to give freely to the area of his choice. It obviates the hazards that lie in complete dependency upon programs derived from tax funds. It encourages and helps guide the endeavors of others. It is an effective partner for other groups, both public and private, lay and professional, which compromise our resources for health.

The heart association holds the chance for individual participation, for service in a very direct and personal sense. Those who work on behalf of the heart association and those who contribute do so of their own free will and so help maintain a characteristically American tradition that is a prime source of our national strength.

The heart association can adapt quickly to the changing needs and dimensions of the complex problem of heart disease. It can be rapidly responsive, for example, to new challenges for special kinds of community health services to help heart patients. Its whole history has been one of meeting just such challenges.

You will also, I feel sure, meet the challenge that brings you together today. It is no small challenge, in face of the job against heart disease that remains to be done.

When we consider what resources we must have to finish that job, there are two main points it is well to have in mind. One is the size and nature of the problem of heart disease. The other is the solid opportunities for greater progress and the substantial, unmet needs in research and education and community services.

The great strides we have made in recent years in mobilizing resources and support, both private and public, are large only when viewed in terms of our past neglect of this disease enemy. They do not appear so nearly large when we view them in terms of the host of unsolved problems and the opportunities we can and should seize.

The very nature and size of heart disease is perhaps overlooked at times. Yet the impact of heart disease is a challenge to every man, woman, and child. It forms a constant threat of death, disability, heavy economic loss, or disruption and ruin to families, homes, and careers.

The No. 1 killer, heart disease causes well over half of all deaths in the United States each year.

The total number of heart deaths is still increasing. In 1940 there were 538,000 deaths from heart disease. In 1950 there were 745,000 deaths. In 1961 there were over 900,000 heart deaths.

At least 10,100,000 persons are afflicted with heart disease, according to the National Health Survey of the Government. Over half of these persons are in the age group 25–64.

The economic costs of heart disease are vast: In 1960, compensation and pension payments to veterans disabled by heart disease amounted to $464,000. The cost of lost productivity in 1958 of persons in the labor force disabled by heart disease has been estimated at $1,210 million.

The costs and toll of heart disease will increase further unless we make greater progress toward its conquest. Are there real opportunities to achieve such progress? I hold that the answer is a resounding "yes."

This is true in research. We have won no really major victory, for example, against hardening of the arteries nor high blood pressure. We have won skirmishes and battles. We have not yet won the war. Thousands have been helped, but hundreds of thousands have not, and cannot be on the basis of today's knowledge. Many scientists feel, however, that there are so many research areas of opportunity today in hardening of the arteries that, given adequate manpower, facilities, and funds, the answer needed for victory can be uncovered.

In the field of education, both for the public and for research scientists, physicians, and health workers, much remains to be done. The area of training shows needs, for example, to increase research manpower and that of the health professions. Ways and means also need to be developed to improve the transmission of knowledge among scientists and to those who apply useful knowledge as it comes from research. Much more can be done in public education, too. The heart story has not yet been fully told to everyone.

The area of community services also provides challenging opportunities. Far more can be done in this field. Here alone lies more than sufficient evidence of the need for heart funds and new and increased activities. Services to patients in cooperation with their physicians, as in the provision of home care and home nursing programs, are an opportunity of great challenge and need.

As you take stock of the size and nature of the enemy, heart disease, then, and the needs and opportunities for progress against it, you will find solid ground for the conviction that you are embarking upon a most important endeavor for a truly worthwhile cause.

In closing, let me wish you every success and say again that I view the future as one bright with promise for progress. I could not hold this view without an equally strong feeling that the combined forces of the heart association, the medical and health professions, research institutions, and the official agencies will continue and grow as the essential partnership which will win victory over heart disease.

SENATE

THURSDAY, MARCH 15, 1962

(Legislative day of Wednesday, March 14, 1962)

The Senate met at 12 o'clock meridian, on the expiration of the recess, and was called to order by the Vice President.

Rev. Father J. Garvan Cavanagh, assistant priest, St. Francis Xavier Roman Catholic Cathedral, Alexandria, La., offered the following prayer:

Come, Holy Spirit, fill the hearts of Thy people and kindle in them the fire of Thy love. Send forth Thy spirit, and they shall be created and Thou shalt renew the face of the earth. O God, who by the light of the Holy Spirit didst instruct the hearts of Thy people, grant that by the same Spirit we may ever be truly wise and always rejoice in Thy consolations, through Jesus Christ, our Lord. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Journal of yesterday be considered as having been read.

The VICE PRESIDENT. Is there objection? The Chair hears none. Without objection, it is so ordered.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries.

REPORT ON U.S. PARTICIPATION IN THE UNITED NATIONS—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 202)

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Foreign Relations:

To the Congress of the United States:

Pursuant to the United Nations Participation Act, I transmit herewith the 15th annual report, covering U.S. participation in the United Nations during the year 1960.

These activities took place during the tenure of the previous administration. But U.S. support of the United Nations has never been and must never become a partisan matter. The aims of the United Nations—as expressed in the charter—are comparable to the aims of the United States as expressed in the Constitution. Both documents affirm ideals and principles which transcend partisanship.

When all nations adopt as their own—and conduct their affairs in accord with—the objectives of the United Nations Charter, our hopes and expectations for the world organization will be fulfilled.

Until then, the United Nations must serve as a forum for parliamentary diplomacy in which our Nation, in concert with others, can sustain these hopes and expectations. In a dangerous and disorderly world, the United States cannot conduct its foreign policy exclusively through the United Nations. We must—and we do—pursue national aims also through direct diplomacy and negotiations with individual countries and within associations more limited in size and purpose than the United Nations. While doing so, we can continue to demonstrate day by day in the United Nations that our objectives in the world are in broad harmony with those of the great majority of other nations.

This report and the record of 15 previous years prove that the United Nations now makes a major contribution to the maintenance of peace, the welcoming of new nations, the economic and social growth of large areas of the world, the validation of a civilized view of human rights, and the endless adjustments, accommodations, and agreements that are the daily business of a world community.

The degree to which members of the United Nations have adopted as their own the objectives of the charter can be assessed. Each national delegation, in the policies it pursues and the votes it casts, exposes to all its peaceful or aggressive intentions—its candor or its cynicism—its hopes or its fears—its maturity or its immaturity—its capacity for leadership or its weakness in action, and finally, the worth of its word. In the forum of the United Nations, each nation is put to the test; and each reveals its contribution—for good or evil—to human hopes and human expectations.

It is my firm purpose to see to it that in the United Nations, as elsewhere, the United States measures up to the principles of the charter.

JOHN F. KENNEDY.

THE WHITE HOUSE, *March 15, 1962.*

STRENGTHENING OF PROGRAMS FOR PROTECTION OF CONSUMER INTERESTS—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 364)

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was referred to the Committee on Labor and Public Welfare:

To the Congress of the United States:

Consumers, by definition, include us all. They are the largest economic group in the economy, affecting and affected by almost every public and private economic decision. Two-thirds of all spending in the economy is by consumers. But they are the only important group in the economy who are not effectively organized, whose views are often not heard.

The Federal Government—by nature the highest spokesman for all the people—has a special obligation to be alert to the consumer's needs and to advance the consumer's interests. Ever since legislation was enacted in 1872 to protect the consumer from frauds involving use of the U.S. mail, the Congress and executive branch have been increasingly aware of their responsibility to make certain that our Nation's economy fairly and adequately serves consumers' interests.

In the main, it has served them extremely well. Each succeeding generation has enjoyed both higher income and a greater variety of goods and services. As a result our standard of living is the highest in the world—and, in less than 20 years, it should rise an additional 50 percent.

Fortunate as we are, we nevertheless cannot afford waste in consumption any more than we can afford inefficiency in business or Government. If consumers are offered inferior products, if prices are exorbitant, if drugs are unsafe or worthless, if the consumer is unable to choose on an informed basis, then his dollar is wasted, his health and safety may be threatened, and the national interest suffers. On the other hand, increased efforts to make the best possible use of their incomes can contribute more

to the well-being of most families than equivalent efforts to raise their incomes.

The march of technology—affecting, for example, the foods we eat, the medicines we take, and the many appliances we use in our homes—has increased the difficulties of the consumer along with his opportunities; and it has outmoded many of the old laws and regulations and made new legislation necessary. The typical supermarket before World War II stocked about 1,500 separate food items—an impressive figure by any standard. But today it carries over 6,000. Ninety percent of the prescriptions written today are for drugs that were unknown 20 years ago. Many of the new products used every day in the home are highly complex. The housewife is called upon to be an amateur electrician, mechanic, chemist, toxicologist, dietitian, and mathematician—but she is rarely furnished the information she needs to perform these tasks proficiently.

Marketing is increasingly impersonal. Consumer choice is influenced by mass advertising utilizing highly developed arts of persuasion. The consumer typically cannot know whether drug preparations meet minimum standards of safety, quality, and efficacy. He usually does not know how much he pays for consumer credit; whether one prepared food has more nutritional value than another; whether the performance of a product will in fact meet his needs; or whether the "large economy size" is really a bargain.

Nearly all of the programs offered by this administration—e.g., the expansion of world trade, the improvement of medical care, the reduction of passenger taxes, the strengthening of mass transit, the development of conservation and recreation areas and low-cost power—are of direct or inherent importance to consumers. Additional legislative and administrative action is required, however, if the Federal Government is to meet its responsibility to consumers in the exercise of their rights. These rights include:

(1) The right to safety—to be protected against the marketing of goods which are hazardous to health or life.

(2) The right to be informed—to be protected against fraudulent, deceitful, or grossly misleading information, advertising, labeling, or other practices, and to be given the facts he needs to make an informed choice.

(3) The right to choose—to be assured, wherever possible, access to a variety of products and services at competitive prices; and in those industries in which competition is not workable and Government regulation is substituted, an assurance of satisfactory quality and service at fair prices.

(4) The right to be heard—to be assured that consumer interests will receive full and sympathetic consideration in the formulation of Government policy, and fair and expeditious treatment in its administrative tribunals.

To promote the fuller realization of these consumer rights, it is necessary that existing Government programs be strengthened, that Government organization be improved, and, in certain areas, that new legislation be enacted.

I. STRENGTHENING OF EXISTING PROGRAMS

This administration has sponsored a wide range of specific actions to strengthen existing programs. Major progress has already been achieved or is in prospect in several important areas. And the 1963 budget includes recommendations to improve the effectiveness of almost every major program of consumer protection.

(1) Food and drug protection. Thousands of common household items now available to consumers contain potentially harmful substances. Hundreds of new uses for such products as food additives, food colorings and pesticides are found every year, adding new potential hazards. To provide better protection and law enforcement in this vital area, I have recommended a 25-percent increase in staff for the Food and Drug Administration in the budget now pending before the Congress, the largest single increase in the agency's history. In addition, to assure more effective registration of pesticides, a new division has been established in the Department of Agriculture; and increased appropriations have been requested for pesticide regulation and for meat and poultry inspection activities.

(2) Safer transportation. As Americans make more use of highway and air transportation than any other nation, increased speed and congestion have required us to take special safety measures.

The Federal Aviation Agency has reexamined the Nation's air traffic control requirements and is designing an improved system to enhance the safety and efficiency of future air traffic.

The Secretary of Commerce has established an Office of Highway Safety in the Bureau of Public Roads to promote public support of highway safety standards, coordinate use of highway safety research findings, and encourage cooperation of State and local governments, industry, and allied groups—the Department of Health, Education, and Welfare is likewise strengthening its accident prevention work—and the Interstate Commerce Commission is strengthening its enforcement of safety requirements for motor carriers.

In addition, I am requesting the Departments of Commerce and of Health, Education, and Welfare, to review, with representatives of the automobile industry, those changes in automobile design and equipment which will help reduce the unconscionable toll of human life on the highways and the pollution of the air we breathe. Additional legislation does not appear required at this time in view of the automobile industry's action to incorporate in the new model design changes which will reduce air pollution.

(3) Financial protection. Important steps are being taken to help assure more adequate protection for the savings that prudent consumers lay aside for the future purchase of costly items, for the rainy day, for their children's education, or to meet their retirement needs.

Legislation enacted last year has strengthened the insurance program of the Federal Savings and Loan Insurance Corporation.

The Securities and Exchange Commission has undertaken at the request of the Congress a major investigation of the securities market which should provide the basis for later legislation and administrative measures.

The Postmaster General and the Department of Justice have stepped up enforcement of the mail fraud statutes. Arrests for mail fraud last year set an alltime record; and convictions increased by 35 percent over the previous year.

(4) More effective regulation. The independent regulatory agencies also report increased emphasis on programs directly helpful to consumers.

The Interstate Commerce Commission has instituted proceedings designed to prevent excessive charges for moving household goods in interstate commerce.

The Civil Aeronautics Board has recently taken action to protect air travelers from abuses of overbooking.

The Federal Trade Commission has intensified its actions against deceptive trade practices and false advertising affecting a variety of goods, including refrigerators, house paint, sewing machines, vacuum cleaners, kitchen utensils, food wrapping, and carpets.

The Federal Power Commission is initiating a vigorous program to assure consumers of reasonable natural gas prices while assuring them of adequate supplies—revitalizing all of its regulatory programs in the electric power field—and undertaking a national power survey designed to identify ways of bringing down power costs in the decades ahead by making the best possible use of our capital and energy resources; and I recommend that the Congress enact legislation and make available funds to enable the Commission to provide for 34 million natural gas consumers the information similar to that now provided electrical consumers on typical bills in various areas, thus spotlighting abnormally high rates and stimulating better industry performance.

The Federal Communications Commission is actively reviewing the television network program selection process and encouraging the expanded development of educational television stations; and it will also step up in fiscal year 1963 its enforcement program to prevent interference with air navigation signals, distress calls, and other uses of radio important to public safety.

For all of the major regulatory agencies, I am recommending increased appropriations for 1963 to provide the increased staff necessary for more effective protection of the consumer and public interest.

Of the important changes in agency organizational procedure recommended last year to eliminate delays and strengthen decision making, the great majority have been authorized by reorganization plans or legislation and are being put into practice by agency heads; and, to permit similar improvements in the operations of the Securities and Exchange Commission and the Federal Power Commission through greater delegation of assignments, I recommend enactment this year of legislation along the lines of S. 2135 for the SEC and S. 1605 and H.R. 6956 for the FPC.

(5) Housing costs and quality. The largest purchase most consumers make in their lifetimes is a home. In the past year, significant steps have been taken to reduce the cost of financing housing and to improve housing quality. The level of interest rates and other charges on mortgage loans has been reduced by a variety of Federal actions. Under authority provided by the Housing Act of 1961, new programs have been started (a) to encourage experimental construction methods likely to develop better housing at lower cost, (b) to provide lower interest rates and longer maturities on loans for rehabilitation of existing housing, (c) to provide especially low cost rental housing for moderate income families, and (d) to provide housing for domestic farm labor. The same legislation also authorized demonstration grants to develop better methods of providing housing for low income families.

(6) Consumer information and research—and consumer representation in Government. Goverment can help consumers to help themselves by developing and making available reliable information.

The Housing and Home Finance Agency will undertake, under the budget proposed for fiscal 1963, new studies to discover ways of reducing monthly housing expenses, lowering the cost of land for homebuilding, and minimizing financing charges.

The Department of Agriculture is undertaking similar research designed to help raise rural housing standards and reduce costs.

The Food and Drug Administration will expand its Consumer Consultant Program which, together with the home demonstration program of the Agriculture Extension Service, now provides valuable information directly to consumers on product trends, food standards, and protection guides.

The Bureau of Labor Statistics is now conducting a nationwide survey of consumer expenditures, income, and savings, which will be used to update the widely used Consumer Price Index and to prepare model family budgets.

Too little has been done to make available to consumers the results of pertinent Government research. In addition to the types of studies mentioned above, many agencies are engaged—as aids to those principally concerned with their activities, in cooperation with industry or for Federal procurement purposes—in testing the performance of certain products, developing standards and specifications and assembling a wide range of related information which would be of immense use to consumers and consumer organizations. The beneficial results of these efforts—in the Departments of Agriculture, Commerce, Defense, and Health, Education, and Welfare, and in the General Services Administration and other agencies—should be more widely published. This is but one part of a wider problem: the failure of governmental machinery to assure specific consideration of the consumer's needs and point of view. With this in mind, I am directing:

First, that the Council of Economic Advisers create a Consumers' Advisory Council, to examine and provide advice to the Government on issues of broad economic policy, on governmental programs protecting consumer needs, and on needed improvements in the flow of consumer research material to the public; this Consumers' Council will also give interested individuals and organizations a voice in these matters;

Second, that the head of each Federal agency whose activities bear significantly on consumer welfare designate a special assistant in his office to advise and assist him in assuring adequate and effective attention to consumer interests in the work of the agency, to act as liaison with consumer and related organizations, and to place increased emphasis on preparing and making available pertinent research findings for consumers in clear and usable form; and

Third, that the Postmaster General undertake a pilot program by displaying, in at least 100 selected post offices, samples of publications useful to consumers and by providing facilities for the easier purchase of such publications.

II. NEW LEGISLATIVE AUTHORITY FOR ADDED CONSUMER PROTECTION

In addition to the foregoing measures, new legislative authority is also essential to advance and protect the consumer interest.

(A) Strengthen regulatory authority over foods and drugs. The successful development of more than 9,000 new drugs in the last 25 years has saved countless lives and relieved millions of victims of acute and chronic illnesses. However, new drugs are being placed on the market with no requirement that there be either advance proof that they will be effective in treating the diseases and conditions for which they are recommended or the prompt reporting of adverse reactions. These new drugs present greater hazards as well as greater potential benefits than ever before—for they are widely used, they are often very potent, and they are promoted by aggressive sales campaigns that may tend to overstate their merits and fail to indicate the risks involved in their use. For example, over 20 percent of the new drugs listed since 1956 in the publication New and Non-Official Drugs were found, upon being tested, to be incapable of sustaining one or more of their sponsor's claims regarding their therapeutic effect. There is no way of measuring the needless suffering, the money innocently squandered, and the protraction of illnesses resulting from the use of such ineffective drugs.

The physician and consumer should have the assurance, from an impartial scientific source, that any drug or therapeutic device on the market today is safe and effective for its intended use; that it has the strength and quality represented; and that the accompanying promotional material tells the full story—its bad effects as well as its good. They should be able to identify the drug by a simple, common name in order to avoid confusion and to enable the purchaser to buy the quality drugs he actually needs at the lowest competitive price.

Existing law gives no such assurance to the consumer—a fact highlighted by the thoroughgoing investigation led by Senator KEFAUVER. It is time to give American men, women and children the same protection we have been giving hogs, sheep and cattle since 1913, under an act forbidding the marketing of worthless serums and other drugs for the treatment of these animals.

There are other problems to meet in this area:

An extensive underground traffic exists in habit-forming barbiturates (sedatives) and amphetamines (stimulants). Because of inadequate supervision over distribution, these drugs are contributing to accidents, to juvenile delinquency and to crime.

Two billion dollars worth of cosmetics are marketed yearly, many without adequate safety testing. Thousands of women have suffered burns and other injuries to the eyes, skin and hair by untested or inadequately tested beauty aids.

Factory inspections now authorized by the pure food and drug laws are seriously hampered by the fact that the law does not clearly require the manufacturer to allow inspection of certain records. An uncooperative small minority of manufacturers can engage in a game of hide and seek with the Government in order to avoid adequate inspection. But protection of the public health is not a game. It is of vital importance to each and every citizen.

A fifth of all the meat slaughtered in the United States is not now inspected by the Department of Agriculture, because the coverage of the Meat Inspection Act is restricted to meat products moving across State lines. This incomplete coverage contributes to the diversion of unhealthy animals to processing channels where the products are uninspected and can, therefore, be a threat to human health.

In short, existing laws in the food, drug, and cosmetic area are inadequate to assure the necessary protection the American consumer deserves. To overcome these serious statutory gaps, I recommend:

(1) First, legislation to strengthen and broaden existing laws in the food and drug field to provide consumers with better, safer, and less expensive drugs, by authorizing the Department of Health, Education, and Welfare to:

(a) Require a showing that new drugs and therapeutic devices are effective for their intended use—as well as safe—before they are placed on the market;

(b) Withdraw approval of any such drug or device when there is substantial doubt as to its safety or efficacy, and require manufacturers to report any information bearing on its safety or efficacy;

(c) Require drug and therapeutic device manufacturers to maintain facilities and controls that will assure the reliability of their product;

(d) Require batch-by-batch testing and certification of all antibiotics;

(e) Assign simple common names to drugs;

(f) Establish an enforceable system of preventing the illicit distribution of habit-forming barbiturates and amphetamines;

(g) Require cosmetics to be tested and proved safe before they are marketed; and

(h) Institute more effective inspection to determine whether food, drug, cosmetics, and therapeutic devices are being manufactured and marketed in accordance with the law;

(2) Second, legislation to authorize the Federal Trade Commission to require that advertising of prescription drugs directed to physicians disclose the ingredients, the efficacy, and the adverse effects of such drugs; and

(3) Third, legislation to broaden the coverage of the Meat Inspection Act administered by the Department of Agriculture, to promote adequate inspection—in cooperation with the States and industry—of all meat slaughtered in the United States.

(B) Require "truth in lending." Consumer debt outstanding, including mortgage credit, has almost tripled in the last decade and now totals well over $200 billion. Its widespread availability has given consumers more flexibility in the timing of their purchases. But, in many instances, serious abuses have occurred. Under the chairmanship of Senator DOUGLAS, a subcommittee of the Senate Banking and Currency Committee has been conducting a detailed examination of such abuses. The testimony received shows a clear need for protection of consumers against charges of interest rates and fees far higher than apparent without any real knowledge on the part of the borrowers of the true amounts they are being charged. Purchasers of used cars in one study, for example, paid interest charges averaging 25 percent a year, and ranging well above this; yet very few were aware of how much they were actually paying for credit.

Excessive and untimely use of credit arising out of ignorance of its true cost is harmful both to the stability of the economy and to the welfare of the public. Legislation should therefore be enacted requiring lenders and vendors to disclose to borrowers in advance the actual amounts and rates which they will be paying for credit. Such legislation, similar in this sense to the truth-in-securities laws of 1933–34, would not control prices or charges. But it would require full disclosure to installment buyers and other prospective credit users, and thus permit consumers to make informed decisions before signing on the dotted line. Inasmuch as the specific credit practices which such a bill would be designed to correct are closely related to and often combined with other types of misleading trade practices which the Federal Trade Commission is already regulating, I recommend that enforcement of the new authority be assigned to the Commission. The Government agencies most concerned in this area have been cooperating with the subcommittee in developing the information necessary to prepare a workable and effective bill; and in view of the exhaustive hearings already held, I hope that the Congress can complete action on this important matter before it adjourns.

(C) Manufacture of all-channel television sets. Five out of six home television receivers today are equipped to receive programs on only the 12 very-high-frequency (VHF) channels. As a result, in most areas, stations desiring to operate on any of the 70 ultra-high-frequency (UHF) channels would usually have such small audiences that there is little incentive to make the substantial initial investment and continuing expenditures that effective broadcasting requires. The result is a sharply restricted choice for consumers.

After extensive study, the Federal Communications Commission has concluded that an effective and genuinely competitive nationwide television service, with adequate provision for local outlets and educational stations, is not possible within the narrow confines of 12 VHF channels. Legislation now before the Congress would authorize the Commission to prescribe the performance characteristics of all new television receivers shipped in interstate commerce to assure that they can receive both VHF and UHF signals. I strongly urge its passage as the most economical and practical method of broadening the range of programs available. This step, together with the Federal aid for construction of educational television stations which is nearing final passage by the Congress, will speed the full realization of television's great potential.

(D) Strengthen laws promoting competition and prohibiting monopoly. The most basic and longstanding protections for the right of consumers, to a choice at a competitive price, are the various laws designed to assure effective competition and to prevent monopoly. The Sherman Act of 1890, the Clayton Act of 1914, and many related laws are the strongest shields the consumer possesses against the growth of unchecked monopoly power. In addition to the measure now nearing final passage which would provide subpena powers for civil as well as criminal antitrust investigations, several other improvements are needed:

(1) The Federal Trade Commission should be empowered to issue temporary cease-and-desist orders against the continuance of unfair competitive practices while cases concerned with permanent relief from such practices are pending before the Commission. Under the present law, smaller competitors may be driven into bankruptcy or forced to accept merger on adverse terms long before present remedies become effective, thus reducing the competitive safeguards vital for the consumer. Similarly, deceptive trade practices in consumer goods may do their damage long before the Commission can "lock the barn door." I, therefore, reiterate my previous recommendation that the Congress give prompt consideration to effective legislation to accomplish this purpose.

(2) The consumer's right to a reasonable price can also be adversely affected by mergers of two business firms which substantially reduce effective competition. As in the case of unfair methods of competition, damage once done is often irreparable, and the Government, acting through the courts, cannot readily restore the degree of competition existing prior to the merger. Accordingly, I strongly recommend enactment of legislation to require reasonable advance notice to the Department of Justice and to the appropriate Commission or Board of any merger expected to result in a firm of substantial size. This will enable the businessman to obtain advice in advance, without litigation, as to whether a proposed merger would be regarded as contrary to the public interest. In addition, along with the recommended authority for the FTC to issue cease-and-desist orders, it is an essential safeguard against combinations which might cause unwarranted increases in consumer prices.

(3) In view of the potentially anticompetitive abuses to which the use of patents and trademarks are by nature subject, I recommend enactment of legislation requiring publication of the terms of all settlement agreements between different persons applying for patent rights on the same invention—for recent hearings have shown that such agreements may include features designed to weaken future competition at the expense of the consumer; and enactment of legislation authorizing the FTC to apply for the cancellation of any trademark which is, or becomes, the common descriptive name of an article and thus should be in the public domain. While a competitor has such a right today, it is important—if the FTC is to have clear authority to halt this kind of unfair commercial advantage—that the Senate insert this provision in its review of trademark legislation (H.R. 4333) already approved by the House.

(E) "Truth in packaging." Just as consumers have the right to know what is in their credit contract, so also do they have the right to know what is in the package they buy. Senator HART and his subcommittee are to be commended for the important investigation they are now conducting into packaging and labeling practices.

In our modern society good packaging meets many consumer needs, among them convenience, freshness, safety and attractive appearance. But often in recent years, as the hearings have demonstrated, these benefits have been accompanied by practices which frustrate the consumer's efforts to get the best value for his dollar. In many cases the label seems designed to conceal rather than to reveal the true contents of the package. Sometimes the consumer cannot readily ascertain the net amount of the product, or the ratio of solid contents to air. Frequently he cannot readily compute the comparative costs per unit of different brands packed in odd sizes, or of the same brand in large, giant, king size, or jumbo packages. And he may not realize that changes in the customary size or shape of the package may account for apparent bargains, or that "cents off" promotions are often not real savings.

Misleading, fraudulent or unhelpful practices such as these are clearly incompatible with the efficient and equitable functioning of our free competitive economy. Under our system, consumers have a right to expect that packages will carry reliable and readily usable information about their contents. And those manufacturers whose products are sold in such packages have a right to expect that their competitors will be required to adhere to the same standards. Upon completion of our own survey of these packaging and labeling abuses, in full cooperation with the Senate subcommittee, I shall make recommendations as to the appropriate roles of private business and the Federal Government in improving packaging standards and achieving more specific disclosure of the quantity and ingredients of the product inside the package in a form convenient to and usable by the consumer.

As all of us are consumers, these actions and proposals in the interest of consumers are in the interest of us all. The budgetary investment required by these programs is very modest—but they can yield rich dividends in strengthening our free competitive economy, our standard of living and health and our traditionally high ethical patterns of business conduct. Fair competition aids both business and consumer.

It is my hope that this message, and the recommendations and requests it contains, can help alert every agency and branch of Government to the needs of our consumers. Their voice is not always as loudly heard in Washington as the voices of smaller and better-organized groups—nor is their point of view always defined and presented. But under our economic as well as our political form of democracy, we share an obligation to protect the common interest in every decision we make. I ask the Congress and every department and agency to help in the fulfillment of that obligation.

JOHN F. KENNEDY.

THE WHITE HOUSE, *March 15, 1962.*

EXECUTIVE MESSAGE REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate a message from the President of the United States submitting the nomination of Ezra Glaser, of Falls Church, Va., to be an Assistant Commissioner of Patents, which was referred to the Committee on the Judiciary.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed a bill (H.R. 10607) to amend the Tariff Act of 1930 and certain related laws to provide for the restatement of the tariff classification provisions, and for other purposes, in which it requested the concurrence of the Senate.

HOUSE BILL REFERRED

The bill (H.R. 10607) to amend the Tariff Act of 1930 and certain related laws to provide for the restatement of the tariff classification provisions, and for other purposes, was read twice by its title and referred to the Committee on Finance.

ORDER FOR RECESS UNTIL NOON TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate concludes its business today, it stand in recess until tomorrow at 12 o'clock noon.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. DIRKSEN. Mr. President, I ask unanimous consent that the Subcommittee on Minerals, Materials, and Fuels of the Committee on Interior and Insular Affairs be permitted to meet during the session of the Senate today.

The VICE PRESIDENT. Without objection, it is so ordered.

THE ALEXANDER HAMILTON NATIONAL MONUMENT

The VICE PRESIDENT. Without objection, the Chair will lay before the Senate the unfinished business.

The Senate resumed the consideration of the motion of the Senator from Montana [Mr. MANSFIELD] to proceed to the consideration of the joint resolution (S.J. Res. 29) providing for the establishing of the former dwelling house of Alexander Hamilton as a national monument.

Mr. HILL and Mr. HOLLAND addressed the Chair.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Montana [Mr. MANSFIELD] that the Senate proceed to the consideration of Senate Joint Resolution 29, providing for the establishment of the former dwelling house of Alexander Hamilton as a national monument.

TRANSACTION OF ROUTINE BUSINESS

By unanimous consent, the following routine business was transacted:

PENALTIES FOR CERTAIN OFFENSES COMMITTED IN CONNECTION WITH HIGHWAY CONSTRUCTION

The VICE PRESIDENT laid before the Senate a letter from the Under Secretary of Commerce, transmitting a draft of proposed legislation to provide penalties for certain offenses committed in connection with highway construction which, with the accompanying paper, was referred to the Committee on the Judiciary.

CONSTRUCTION OF PERRY RESERVOIR—RESOLUTION

Mr. CARLSON. Mr. President, the officers and directors of the Central Industrial District Association adopted a resolution urging Congress to appropriate necessary funds for planning and construction of the Perry Reservoir.

The central industrial district experienced a major flood in 1903 and a catastrophic flood in 1951. This reservoir, together with others in the Kansas River Basin, would serve as additional protection against further floods in this area.

I ask unanimous consent that the resolution be printed in the RECORD, and referred to the appropriate committee.

There being no objection, the resolution was referred to the Committee on Appropriations, and ordered to be printed in the RECORD, as follows:

Whereas the flood control program of the Kaw Valley is of the utmost importance to the central industrial district; and

Whereas considerable progress has been made in the planning and construction of levee systems, reservoirs, and dams of which the giant Tuttle Creek project is a prime example; and

Whereas the proposed Perry project is also an integral part of the flood protection program and especially important to the Kansas City area because of its close proximity: Therefore be it

Resolved, That the board of directors of the Central Industrial District Association urges the Congress of the United States to appropriate the necessary funds for its planning, construction, and completion as soon as is practically possible.

Adopted at the meeting of the board of directors of the Central Industrial District Association on this 14th day of February 1962.

APPEARANCE OF CERTAIN WITNESSES AT TRIAL OF MACK S. TANE

Mr. McCLELLAN. Mr. President, from the Committee on Government Operations, I report an original resolution, and I ask unanimous consent for its present consideration.

The VICE PRESIDENT. The resolution will be read for the information of the Senate.

The legislative clerk read as follows:

Whereas in the case of *United States of America* v. *Mack S. Tane*, Criminal Action Numbered 61 Cr. 32, pending in the United States District Court for the Eastern District of New York, subpoenas ad testificandum and duces tecum were issued upon the application of the defendant, Mack S. Tane, and addressed as follows:

"To Ruth Watt, who is chief clerk of the Senate Permanent Subcommittee on Investigations of the Committee on Government Operations, directing her to appear as a witness before the said court on the 12th day of March 1962 at 10 o'clock antemeridian (which appearance has been continued by said court to the 19th day of March 1962 at 10 o'clock antemeridian), and to give testimony in the above entitled cause, and to bring with her:

"1. All records, correspondence, letters, memoranda, notes of communications, summaries, transcripts, and statements in the files of the Permanent Subcommittee on Investigations of the United States Senate Committee on Government Operations, in

connection with its investigation of the defendant Mack S. Tane, as regards information concerning Mack S. Tane obtained directly, indirectly, or derivatively by the staff of said subcommittee, from commissioners, officers, agents, or employees of the New York City Police Department, including the Criminal Intelligence Bureau and Squad of said Police Department, and the District Attorney of New York County, and the officers, chiefs, employees of his office, and the detectives assigned thereto;

"2. All records, correspondence, letters, memoranda, notes of communications, summaries, transcripts and statements in the files of the Permanent Subcommittee on Investigations of the United States Senate Committee on Government Operations, as above relates to Pase Motors, Inc. and Wesley Pase, and the latter's dealings with Local 239, International Brotherhood of Teamsters, its officers, agents and employees, concerning information obtained directly, indirectly or derivatively by the staff of said Subcommittee from commissioners, officers, agents or employees of the New York City Police Department, including the Criminal Intelligence Bureau and Squad of said Police Department, and the District Attorney of New York County, and the officers, chiefs, employees of his office and the detectives assigned thereto;

"3. An official transcript of the hearings before the Permanent Subcommittee on Investigations of the Committee on Government Operations, United States Senate, Eighty-Seventh Congress, January 10, 11, 12, 24 and 25, 1961, together with the following exhibits introduced in evidence, or otherwise employed at such hearings: Exhibits '1A', '1B', '2', '3', '4', '5', '5A', '6', '7A', '7B', '8', '9', '10A', '10B', '11A', '11B', '12', '13', '14', '15', '16', '17', '18', '19', '20', and '32';

"4. All records, recordings, transcripts, memoranda, notes, summaries and statements, of any kind and description, of any and all intercepted telephonic communications and wiretaps of the defendant Mack S. Tane with others, obtained by the Subcommittee, its staff, agents or employees, either through their own efforts or the efforts of others;

"5. All records, recordings, transcripts, memoranda, notes, summaries and statements, of any kind and description, of any and all intercepted communications, including wiretaps, room taps of conversations, obtained by the Subcommittee from the New York City Police Department, its agencies, or branches thereof, and/or the District Attorney of the County of New York, his agents, officers or employees, of the defendant herein, with others, of the officers, agents and employees of Local 239, Brotherhood of Teamsters, with Pase Motors, Inc., its agents, officers or employees and/or Wesley Pase or his then attorney Leo Guzik; and

"To Jerome S. Adlerman, who is general counsel of the Senate Permanent Subcommittee on Investigation of the Committee on Government Operations, directing him to appear as a witness before the said court on the 12th day of March 1962 at 10 o'clock antemeridian (which appearance has been continued by said court to the 19th day of March 1962 at 10 o'clock antemeridian), and to give testimony in the above entitled cause; and

"To Paul J. Tierney, who is assistant counsel of the Senate Permanent Subcommittee on Investigations of the Committee on Government Operations, directing him to appear as a witness before the said court on the 14th day of March 1962 at 10 o'clock antemeridian (which appearance has been continued by said court to the 19th day of March 1962 at 10 o'clock antemeridian), and to give testimony in the above entitled cause; and

"To Robert Dunne, who is assistant counsel for the Senate Permanent Subcommittee on Investigations of the Committee on Government Operations, directing him to appear as a witness before the said court on the 14th day of March 1962 (which appearance has been continued by said court to the 19th day of March 1962 at 10 o'clock antemeridian), and to give testimony in the above entitled cause; and

"To Paul Wilner, who is an employee of the United States General Accounting Office, and who was formerly assigned to duty with the Senate Permanent Subcommittee on Investigations of the Committee on Government Operations, directing him to appear as a witness before the said court and give testimony in the above entitled cause; and

"Attorney for the defendant states that he intends to address a subpoena ad testificandum to Carmine S. Bellino, former accountant-consultant to the Senate Permanent Subcommittee on Investigations of the Committee on Government Operations, directing him to appear as a witness before the said court and to give testimony in the above entitled case"; Therefore be it

Resolved, That by the privileges of the Senate of the United States no evidence under the control and in the possession of the Senate of the United States can, by the mandate of process of the ordinary courts of justice, be taken from such control or possession, but by its permission; be it further

Resolved, That by the privilege of the Senate and by Rule XXX thereof, no Member or Senate employee is authorized to produce Senate documents but by order of the Senate, and information secured by Senate staff employees pursuant to their official duties as employees of the Senate may not be revealed without the consent of the Senate; be it further

Resolved, That when it appears by the order of the court or of the judge thereof, or of any legal officer charged with the administration of the orders of such court or judge, that testimony of an employee of the Senate of the United States is needful for use in any court of justice or before any judge or such legal officer for the promotion of justice and, further, such testimony may involve documents, communications, conversations, and matters related thereto under the control of or in the possession of the Senate of the United States, the Senate of the United States will take such order thereon as will promote the ends of justice consistently with the privileges and rights of the Senate; be it further

Resolved, That Ruth Watt, Chief Clerk of the Senate Permanent Subcommittee on Investigations of the Committee on Government Operations, be authorized to appear at the place and before the court named in the subpoena duces tecum before mentioned, but shall not take with her any papers or documents on file in her office or under her control or in her possession as Chief Clerk of the Senate Permanent Subcommittee on Investigations of the Committee on Government Operations; be it further

Resolved, That Jerome S. Adlerman, general counsel of the Senate Permanent Subcommittee on Investigations of the Committee on Government Operations, be authorized to appear at the place and before the court named in the subpoena ad testificandum before mentioned, but shall not take with him any papers or documents on file in his office or under his control or in his possession as general counsel of the Senate Permanent Subcommittee on Investigations of the Committee on Government Operations; be it further

Resolved, That Paul J. Tierney, assistant counsel of the Senate Permanent Subcommittee on Investigations of the Committee on Government Operations, be authorized to appear at the place and before the court named in the subpoena ad testificandum before mentioned, but shall not take with him any papers or documents on file in his office or under his control or in his possession as assistant counsel of the Senate Permanent Subcommittee on Investigations of the Committee on Government Operations; be it further

Resolved, That Robert Dunne, assistant counsel of the Senate Permanent Subcommittee on Investigations of the Committee on Government Operations, be authorized to appear at the place and before the court named in the subpoena ad testificandum before mentioned, but shall not take with him any papers or documents on file in his office or under his control or in his possession as assistant counsel of the Senate Permanent Subcommittee on Investigations of the Committee on Government Operations; be it further

Resolved, That Paul Wilner, an employee of the United States General Accounting Office, be authorized to appear at the place and before the court named in the subpoena ad testificandum before mentioned, but shall not take with him any papers or documents on file in his office or under his control or in his possession as a result of his having been assigned to duty with the Senate Permanent Subcommittee on Investigations of the Committee on Government Operations; be it further

Resolved, That in the event a subpena ad testificandum is addressed to Carmine S. Bellino, former accountant-consultant to the Senate Permanent Subcommittee on Investigations of the Committee on Government Operations, Mr. Bellino be authorized to appear at the place and before the court named in such subpoena before mentioned, but shall not take with him any papers or documents on file in his office or under his control or in his possession as a result of his having been accountant-consultant to the Permanent Subcommittee on Investigations of the Committee on Government Operations; be it further

Resolved, That when said court determines that any of the documents, papers, communications, and memorandums called for in the subpoena duces tecum have become part of the official transcripts of public proceedings of the Senate by virtue of their inclusion in the official minutes and official transcripts of such proceedings for dissemination to the public upon order of the Senate or pursuant to the rules of the Senate, and, further, that such documents, papers, communications, and memorandums are material and relevant to the issues pending before said court, then the said court, through any of its officers or agents, have full permission to attend with all proper parties at any place under the orders and control of the Senate, and take copies of such documents, papers, communications and memorandums in possession or control of the aforementioned Ruth Watt, or Jerome E. Adlerman, or Paul J. Tierney, or Robert Dunne, or Carmine S. Bellino, or Paul Wilner, which the court has found to be part of the official transcripts of public proceedings of the Senate by virtue of their inclusion in the official minutes and official transcripts of such proceedings for dissemination to the public upon order of the Senate or pursuant to the rules of the Senate, and which the court has found are material and relevant to the issues pending before said court, excepting any other documents, papers, communications and memorandums which the court or other proper officer thereof shall desire as such matters are within the privileges of the Senate; be it further

Resolved, That Ruth Watt, chief clerk of the Senate Permanent Subcommittee on Investigations of the Committee on Government Operations, in response to the aforementioned subpoena shall testify to any matter determined by the court to be material and relevant for the purposes of identification of any document or documents, provided said document or documents have

previously been made available to the general public, but said Ruth Watt shall respectfully decline to testify concerning any, and all matters that may be based on knowledge acquired by her in her official capacity either by reason of documents and papers appearing in the files of the said subcommittee or by virtue of conversations or communications with any person or persons; be it further

Resolved, That Jerome S. Adlerman, general counsel to the Senate Permanent Subcommittee on Investigations of the Committee on Government Operations, in response to the aforementioned subpoena shall testify to any matter determined by the court to be material and relevant for the purposes of identification of any document or documents, provided said document or documents have previously been made available to the general public, but said Jerome S. Adlerman shall respectfully decline to testify concerning any and all other matters that may be based on knowledge acquired by him in his official capacity either by reason of documents and papers appearing in the files of said subcommittee or by virtue of conversations or communications with any person or persons and he shall respectfully decline to testify concerning any matter or matters within the privilege of the attorney-client relationship existing between said Jerome S. Adlerman and the said subcommittee or any of its members; be it further

Resolved, That Paul J. Tierney, assistant counsel to the Senate Permanent Subcommittee on Investigations of the Committee on Government Operations, in response to the aforementioned subpoena shall testify to any matter determined by the court to be material and relevant for the purposes of identification of any document or documents, provided said document or documents have previously been made available to the general public, but said Paul J. Tierney shall respectfully decline to testify concerning any and all other matters that may be based on knowledge acquired by him in his official capacity either by reason of documents and papers appearing in the files of said subcommittee or by virtue of conversations or communications with any person or persons and he shall respectfully decline to testify concerning any matter or matters within the privilege of the attorney-client relationship existing between said Paul J. Tierney and the said subcommittee or any of its members; be it further

Resolved, That Robert Dunne, assistant counsel to the Senate Permanent Subcommittee on Investigations of the Committee on Government Operations, in response to the aforementioned subpoena, shall testify to any matter determined by the court to be material and relevant for the purposes of identification of any document or documents, provided said document or documents have previously been made available to the general public, but said Robert Dunne shall respectfully decline to testify concerning any and all other matters that may be based on knowledge acquired by him in his official capacity either by reason of documents and papers appearing in the files of said subcommittee or by virtue of conversations or communications with any person or persons and he shall respectfully decline to testify concerning any matter or matters within the privilege of the attorney-client relationship existing between said Robert Dunne and the said subcommittee or any of its members; be it further

Resolved, That Paul Wilner, who is an employee of the United States General Accounting Office, and who was formerly assigned to duty with the Senate Permanent Subcommittee on Investigations of the Committee on Government Operations, in response to the aforementioned subpoena shall testify to any matter determined by the court to be material and relevant for the purposes of identification of any document or documents, provided said document or documents have previously been made available to the general public, but said Paul Wilner shall respectfully decline to testify concerning any and all other matters that may be based on knowledge acquired by him in his official capacity either by reason of documents and papers appearing in the files of said subcommittee or by virtue of conversations or communications with any person or persons; be it further

Resolved, That in the event a subpoena is addressed to Carmine S. Bellino, former accountant-consultant to the Senate Permanent Subcommittee on Investigations of the Committee on Government Operations, said Carmine S. Bellino in response to such subpoena shall testify to any matter determined by the court to be material and relevant for the purposes of identification of any document or documents, provided said document or documents have previously been made available to the general public, but said Carmine S. Bellino shall respectfully decline to testify concerning any and all other matters that may be based on knowledge acquired by him in his former official capacity either by reason of documents, and papers appearing in the files of said subcommittee or by virtue of conversations or communications with any person or persons; be it further

Resolved, That a copy of this resolution be transmitted to said court as a respectful answer to the aforementioned subpoenas.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

Mr. HOLLAND. Mr. President, I ask the Presiding Officer whether or not the resolution would displace the pending motion? If so, I would like to ask unanimous consent that it may not be so regarded.

Mr. McCLELLAN. Mr. President, as the author of the resolution, I have no intention to undertake to displace the pending business except temporarily for the immediate consideration of the resolution.

Mr. HOLLAND. The resolution is one with which I am fully in accord and want to assist. I merely wished to be sure that it would not displace the pending business.

The VICE PRESIDENT. The ruling of the Chair is that consideration of the resolution by unanimous consent would not displace the pending motion. Without objection, it is so ordered.

Mr. McCLELLAN. Mr. President, the resolution is one that would authorize employees of the Senate to testify in a criminal case. It involves subpenas that have been issued for the appearance in court of those employees. It would also require the production of certain records belonging to the Senate Committee on Investigations. It is in the usual form. I ask for its immediate adoption.

The resolution (S. Res. 316) was considered and agreed to.

The preamble was agreed to.

REPORT ENTITLED "ANTITRUST AND MONOPOLY ACTIVITIES, 1961"—INDIVIDUAL VIEWS (S. REPT. NO. 1304)

Mr. KEFAUVER. Mr. President, from the Committee on the Judiciary, I submit a report entitled "Antitrust and Monopoly Activities, 1961," pursuant to Senate Resolution 52, 87th Congress, 1st session, as extended, together with the individual views of the Senator from Illinois [Mr. DIRKSEN], the Senator from Wisconsin [Mr. WILEY], and the Senator from Nebraska [Mr. HRUSKA].

I ask unanimous consent that this report, together with the individual views be printed.

The VICE PRESIDENT. The report will be received and printed, as requested by the Senator from Tennessee.

REPORT ENTITLED "CONSTITUTIONAL AMENDMENTS"—INDIVIDUAL VIEWS (S. REPT. NO. 1305)

Mr. KEFAUVER. Mr. President, from the Committee on the Judiciary, I submit a report entitled "Constitutional Amendments," pursuant to Senate Resolution 59, 87th Congress, 1st session, as extended, together with the individual views of the Senator from Illinois [Mr. DIRKSEN] and the Senator from New York [Mr. KEATING].

I ask unanimous consent that the report, together with the individual views be printed.

The VICE PRESIDENT. The report will be received and printed, as requested by the Senator from Tennessee.

REPORT ENTITLED "REFUGEES AND ESCAPEES" (S. REPT. NO. 1306)

Mr. HART, from the Committee on the Judiciary, pursuant to Senate Resolution 50, 87th Congress, 1st session, as extended, submitted a report entitled "Refugees and Escapees," which was ordered to be printed.

EXECUTIVE REPORTS OF A COMMITTEE

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. EASTLAND, from the Committee on the Judiciary:

Adrian A. Spears, of Texas, to be U.S. district judge for the western district of Texas;

Sarah T. Hughes, of Texas, to be U.S. district judge for the northern district of Texas;

James L. Noel, Jr., of Texas, to be U.S. district judge for the southern district of Texas;

Marion Mathias Hale, of Texas, to be U.S. marshal for the southern district of Texas;

Robert I. Nash, of Texas, to be U.S. marshal for the northern district of Texas;

Leo Brewster, of Texas, to be U.S. district judge for the northern district of Texas; and

Tully Reynolds, of Texas, to be U.S. marshal for the eastern district of Texas.

By Mr. KEATING, from the Committee on the Judiciary:

George Rosling, of New York, to be U.S. district judge for the eastern district of New York;

Paul R. Hays, of New York, to be U.S. circuit judge, second circuit;

Dudley B. Bonsal, of New York, to be U.S. district judge for the southern district of New York; and

Wilfred Feinberg, of New York, to be U.S. district judge for the southern district of New York.

By Mr. LONG of Missouri, from the Committee on the Judiciary:

James H. Meredith, of Missouri, to be U.S. district judge for the eastern district of Missouri.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and by unanimous consent, the second time, and referred as follows:

By Mrs. NEUBERGER:

S. 2999. A bill for the relief of Kang Soon Yang; to the Committee on the Judiciary.

By Mr. BENNETT:

S. 3000. A bill for the relief of the widow and children of the late Lt. Cmdr. Douglas L. Barker, U.S. Navy; to the Committee on the Judiciary.

By Mr. HILL:

S. 3001. A bill to amend the definition of the term "telephone service" as used in title II of the Rural Electrification Act of 1936, as amended; to the Committee on Agriculture and Forestry.

By Mr. DODD:

S. 3002. A bill to amend section 201 of the Immigration and Nationality Act; to the Committee on the Judiciary.

(See the remarks of Mr. DODD when he introduced the above bill, which appear under a separate heading.)

By Mr. CARLSON:

S. 3003. A bill to amend the Internal Revenue Code of 1954 to provide an additional income tax exemption of $1,000 for a taxpayer, spouse, or dependent who is a student at an institution of higher learning; to the Committee on Finance.

By Mr. ENGLE:

S. 3004. A bill to authorize the establishment of the Whiskeytown National Recreation Area in the State of California, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. ENGLE when he introduced the above bill, which appear under a separate heading.)

By Mr. KEFAUVER:

S. 3005. A bill for the relief of Cathryn A. Giesener; to the Committee on the Judiciary.

By Mr. KEATING:

S. J. Res. 170. Joint resolution designating the month of June of each year as "Children's Music and Arts Festival Month"; to the Committee on the Judiciary.

(See the remarks of Mr. KEATING when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. JAVITS (for himself and Mr. KEATING):

S. J. Res. 171. Joint resolution providing for the establishing of the former dwelling house of Alexander Hamilton as a national memorial; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. JAVITS when he introduced the above joint resolution, which appear under a separate heading.)

RESOLUTIONS

APPEARANCE OF CERTAIN PERSONS IN TRIAL OF THE UNITED STATES AGAINST MACK S. TANE

Mr. McCLELLAN, from the Committee on Government Operations, reported an original resolution (S. Res. 316) concerning the appearance of certain persons and witnesses in the trial of the United States against Mack S. Tane in the U.S. District Court for the Eastern District of New York, which was considered and agreed to.

(See the above resolution printed in full when reported by Mr. McCLELLAN, which appears under a separate heading.)

TO PRINT, WITH ILLUSTRATIONS, COMMITTEE HEARINGS ENTITLED "ORBITAL FLIGHT OF JOHN H. GLENN, JR."

Mr. KERR submitted a resolution (S. Res. 317) to print, with illustrations, committee hearings entitled "Orbital Flight of John H. Glenn, Jr.," which was considered and agreed to.

(See the above resolution printed in full when submitted by Mr. KERR, which appears under a separate heading.)

PRINTING, WITH ILLUSTRATIONS, ADDITIONAL COPIES OF REPORT ENTITLED "A REPORT OF U.S. FOREIGN POLICY AND OPERATIONS"

Mr. MANSFIELD, from the Committee on Rules and Administration, reported an original resolution (S. Res. 318), which was considered and agreed to.

(See the above resolution printed in full when reported by Mr. MANSFIELD, which appears under a separate heading.)

AMENDMENT OF SECTION 201 OF THE IMMIGRATION AND NATIONALITY ACT

Mr. DODD. Mr. President, I introduce for appropriate reference a bill to amend section 201 of the Immigration and Nationality Act—8 U.S.C. 1151.

The bill contains the following provisions:

First. A change from the 1920 census to the 1960 census as a more realistic and desirable basis for the allocation of immigration quotas.

Second. A method by which unfulfilled quotas can be used by those countries which have long waiting lists because of their filled quotas. The redistribution is to be made in the same proportion which the waiting list of any one country bears to the sum of all other waiting lists. To avoid excessive flooding from any single quota area, the bill limits the number of quota places which may be redistributed to any one country to the annual quota of that area, so that no country will have more than twice its regular quota in any given year.

Since 1920, when the original immigration bill was written, a great many changes have taken place in this country. We have grown to a nation of 183 million people, and we have learned that America has traditionally benefited from immigration to these shores. Nevertheless, the law governing the number of admissible immigrants is still based on the 1920 census, so that only 157,000 persons are permitted to immigrate into the United States each year under the various quotas.

A change to the 1960 census as a base for the total number of immigrants to be allowed would increase that figure to 300,000, not an excessive number in view of present-day needs.

The reallocation of unused immigration quotas provided by this bill is desirable for the simple reason that the number of present immigrants is far below even that foreseen by existing law. Because the quotas of some countries are exhausted while quotas of other countries are not filled, only 96,104 persons were admitted last year, instead of the 156,787 allowed under the existing system if all quotas were fully used. This is a clear indication that substantial quotas go to waste which are desperately sought after by the many prospective immigrants in countries whose quotas are oversubscribed.

Of the many thousands of people who wait for immigration, a substantial number consists of brothers, sisters, and married sons and daughters of U.S. citizens. Because they have to wait until there are vacant places in the three more privileged categories of immigrants provided by the present law, their chances of coming to the United States are almost nonexistent.

Immigration legislation is of necessity a matter of statistics, numbers, and quotas, but we must not let these drab statistics obscure the vital realities behind them.

This is a nation which was built by the immigrant. Part of the historical appeal of our country lay in the fact that until recent decades our doors were open to the homeless of the world, and distressed men and women the world over could come here to build a new life.

A liberalized immigration policy will reopen in some measure the door which has been closed to many. It will make possible the reuniting of thousands of families. It will open up to countless others new opportunity and new hope. And for our own country it will mean new strength, new vitality, new creativity, new skills, as we continue to draw from that vast reservoir which has nourished our land for three centuries.

Our entire history furnishes proof of the great benefits immigration has brought us. The present bill is intended to renew and increase these benefits, and is therefore recommended to the earnest attention of the Senate.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 3002) to amend section 201 of the Immigration and Nationality Act, introduced by Mr. DODD, was received, read twice by its title, and referred to the Committee on the Judiciary.

WHISKEYTOWN NATIONAL RECREATION AREA

Mr. ENGLE. Mr. President, we are learning that manmade reservoirs in many cases can provide recreational opportunities as attractive as those of natural mountain lakes. A good case in point is Whiskeytown Reservoir, a new unit of the Trinity division of the Central Valley project, in the wooded hills of Shasta County, Calif.

I introduce, for appropriate reference, a bill to authorize the establishment of the Whiskeytown National Recreation

Area under the jurisdiction of the Secretary of the Interior. This proposal for a 37,000-acre recreation area has been studied by Shasta County and by the National Park Service. The study shows that Whiskeytown Reservoir, in combination with the picturesque mountain country, has great potential for diversified outdoor recreation including boating, swimming, hiking, camping, and horseback riding. The plan includes several marinas and boat-launching ramps, 150 picnic units and camp grounds, 7 scenic lookouts, 75 miles of riding trails with 3 horse corrals, several swimming beaches, 6 miles of access roads, and parking facilities for 400 cars and 200 boat trailers. Summer homesites and trailer parks would be permissible. The area also includes 6,000-foot Mount Bally southwest of the lake. From the mountain trails there are fine views of Mount Shasta, Mount Lassen, and the Trinity Alps.

The special advantage of Whiskeytown Reservoir for recreational use is that in the operation of the Central Valley project, it will be maintained at an almost constant top level, except perhaps in midwinter.

Whiskeytown Dam is under construction and scheduled to be completed in early 1963. The reservoir will cover a surface area of 3,500 acres and have a shoreline of 36 miles. The plan calls for recreational development not only of the shoreline of the lake but also the lands along Clear Creek below the dam, and Brandy Creek and Crystal Creek which would become fine trout streams.

Section 5 of my bill directs the preparation and implementation of a land- and water-use management plan including provision for the utilization of natural resources such as forage and forest products consistent with public use and enjoyment. Section 7 authorizes mining and mineral leasing in the area, and section 3(c) permits the retention in private ownership of mineral interests on private lands. Section 6 directs that hunting and fishing be permitted under State law. I recommend the establishment of the Whiskeytown National Recreation Area in the general pattern of similar national recreational areas now existing at Grand Coulee Dam, Lake Mead, Shadow Mountain, and Glen Canyon.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 3004) to authorize the establishment of the Whiskeytown National Recreation Area in the State of California, and for other purposes, introduced by Mr. ENGLE, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

CHILDREN'S MUSIC AND ARTS FESTIVAL MONTH

Mr. KEATING. Mr. President, I introduce, for appropriate reference, a joint resolution designating the month of June as Children's Music and Arts Festival Month.

For the past 2 years the Afro Arts Cultural Center in New York City, in cooperation with the New York City Department of Parks, the borough president of Manhattan's office, the board of education and the youth council of the police department's 28th precinct, has sponsored a children's music festival in New York City.

The Afro Arts Cultural Center is working to improve the cultural patterns of the people of New York City. The center has also endeavored to create a better understanding among all people of the world. In seeking to promote the theme that "the world belongs to children," the Afro Arts Cultural Center has had the support of many leading citizens of New York. It is hoped that the seed which this organization has planted in New York will spread to other States and to nations around the world. Through music and art the cultural spirits of all people can be united in an effort to promote better world understanding.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the text of this joint resolution.

The VICE PRESIDENT. The joint resolution will be received and appropriately referred and, without objection, the joint resolution will be printed in the RECORD.

The joint resolution (S.J. Res. 170) designating the month of June of each year as "Children's Music and Arts Festival Month," introduced by Mr. KEATING, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the month of June of each year is hereby designated as "Children's Music and Arts Festival Month," and the President of the United States is authorized and requested to issue annually a proclamation calling on the people of the United States to observe such month, and urge the participation of all Americans without regard to race, creed, or national origin to participate in the observance of such month to the extent and by such means as they may deem appropriate.

ALEXANDER HAMILTON NATIONAL MEMORIAL

Mr. JAVITS. Mr. President, I introduce, for appropriate reference, on behalf of myself and my distinguished colleague from New York [Mr. KEATING], a joint resolution to provide for the establishing of the former dwelling house of Alexander Hamilton as a national memorial.

The VICE PRESIDENT. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 171) providing for the establishing of the former dwelling house of Alexander Hamilton as a national memorial, introduced by Mr. JAVITS (for himself and Mr. KEATING), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

Mr. JAVITS. Mr. President, this joint resolution is precisely in the form in which the Senate committee reported the measure which is to be the subject of whatever action the Senate shall take with respect to the poll tax. My colleague [Mr. KEATING] and I have every assurance that the national memorial of Alexander Hamilton's home will not be disadvantaged by what is now occurring, which is the using of the measure as a vehicle for the poll tax debate.

I have the gracious assurance of the majority leader that the introducing of the joint resolution is entirely unobjectionable to him, is agreeable to him, and every assurance was obtained yesterday by my colleague [Mr. KEATING] and myself that the joint resolution would be called up promptly.

I think all of us can agree upon a national shrine for this great Founding Father of our country. Whatever may be our differences and disputes with regard to the question of the poll tax, whatever may have been the reasons for choosing this measure as the poll tax vehicle, certainly we do not want—and I know this is especially a matter of some interest to the present occupant of the chair, the Vice President—to get into another Stella School case. The national memorial for Alexander Hamilton should be established. I have personally inspected the house. It is going to wrack and ruin. It needs to be dealt with and cared for.

I know we can depend absolutely upon the feelings of the majority leader.

A great speech was made to the Senate the other day by the Senator from Virginia [Mr. ROBERTSON] bearing out the urgent desirability in the national interest for the establishing of the memorial, and other Senators have expressed their feelings in this regard.

My colleague and I are putting the measure back into the procedural stream, so that it will not be substantively disadvantaged by the situation which surrounds using it as the vehicle for the poll tax debate. We have every faith in the majority leader's assurances, and we believe the committee will adhere to its previous position in reporting the original measure.

Mr. KEATING. Mr. President, I wish to express my appreciation to the distinguished majority leader [Mr. MANSFIELD] and to the distinguished Senator from Nevada [Mr. BIBLE] who handled the Alexander Hamilton memorial joint resolution in the subcommittee of which he is chairman, for their assurances to us that if the joint resolution is used as the vehicle for proposed civil-rights legislation, prompt action will be taken to bring the same bill before us again. Sometimes a high price must be paid for the privilege of bringing civil-rights legislation before this body. In the last session it was the schoolchildren of the Stella School District who were parliamentary victims of a similar move. However, due to the assurances given to us, we can in turn assure those who are very much interested in the establishment of the memorial, which is a noteworthy project, that they will not suffer the fate of the Stella School District bill. Such a precedent, too, might be disastrous in the event that, at some future time in our history, the homes of certain Members of this body should be suggested as national monuments. In such happy and foreseeable circumstances, the intervention of legislation which

would have the effect of deterring such action might constitute a personal if not a national calamity. It would be a most heartening consequence if the Alexander Hamilton memorial joint resolution were the vehicle for establishing on our books further civil-rights legislation and at the same time serving to enshrine one of the most important historical sites in America.

TO PRINT AS A SENATE DOCUMENT, WITH ILLUSTRATIONS, COMMITTEE HEARINGS ON ORBITAL FLIGHT OF JOHN H. GLENN, JR. (S. DOC. NO. 79)

Mr. KERR. Mr. President, I submit a resolution, which I have cleared with the minority leader and the acting majority leader, and ask for its immediate consideration.

The VICE PRESIDENT. The resolution will be stated.

The legislative clerk read as follows:

Resolved, That the hearings conducted on February 23, 1962, by the Senate Committee on Aeronautical and Space Sciences entitled "Orbital Flight of John H. Glenn, Jr.", shall be printed with illustrations as a Senate document. There shall be printed nine thousand additional copies of such Senate document which shall be for the use of the Senate Committee on Aeronautical and Space Sciences.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

Mr. HOLLAND. Mr. President, I make the same request that I made with relation to the previous resolution, that unanimous consent may be given that consideration of the resolution shall not displace the pending business.

The VICE PRESIDENT. The Chair will make the identical ruling.

Mr. KERR. Mr. President, the resolution would provide for the printing as a Senate document of the transcript of certain hearings of the Space Committee with reference to the appearance before it of the astronaut, with additional copies to be made available for the use of the Senate Space Committee.

There being no objection, the resolution (S. Res. 317) was considered and agreed to.

PROPOSED LEGISLATION RELATING TO REPORTS OF CIVIL RIGHTS COMMISSION—ADDITIONAL COSPONSORS OF BILLS AND RESOLUTIONS

Under authority of the order of the Senate of March 13, 1962, the names of Mr. HUMPHREY, Mr. LONG of Missouri, Mr. CASE of New Jersey, Mr. DIRKSEN, Mr. MORSE, Mr. BUSH, Mr. KUCHEL, Mr. PROXMIRE, and Mr. WILLIAMS of New Jersey were added as additional cosponsors of the following bills and resolutions:

S. 2979. A bill to further secure and protect the rights of citizens to vote in Federal and State elections; to the Committee on the Judiciary.

S. 2980. A bill to establish a procedure for adoption and implementation of plans for the desegregation of public schools; to provide financial and technical assistance to facilitate desegregation of public schools; to restrict Federal financial aid for segregated public schools and institutions of higher education, and for other purposes; to the Committee on Labor and Public Welfare.

S. 2981. A bill to establish a Commission on Equal Employment Opportunity to encourage and enforce a policy of equal employment opportunity in Federal employment, in employment under Government contracts, and in employment in programs supported or in facilities constructed by Federal grants-in-aid; to prohibit discrimination by labor organizations because of race, color, religion, or national origin, and for other purposes; to the Committee on Labor and Public Welfare.

S. 2982. A bill to assure decent, safe, and sanitary housing to families displaced by construction of highways forming a part of the Interstate System; to the Committee on Public Works.

S. 2983. A bill to protect civil rights through providing criminal and civil remedies for unlawful official violence; authorizing suits by the Attorney General to prevent exclusion of members of minority groups from jury service, and for other purposes; to the Committee on the Judiciary.

S. 2984. A bill to establish a matching grant program to be administered by the Secretary of Health, Education, and Welfare to improve the education, training, and recruitment of State and local police forces; to the Committee on Labor and Public Welfare.

S. Res. 311. Resolution concerning the establishment of congressional and State election districts;

S. Res. 312. Resolution authorizing a study of the question of utilizing the full manpower resources of the Nation; and

S. Res. 313. Resolution concerning loans without discriminatory provisions on real estate by financial institutions.

MINORITY RIGHTS—ADDITIONAL COSPONSORS OF RESOLUTION

Under authority of the order of the Senate of March 8, 1962, the names of Senators BUSH, JAVITS, MILLER, ALLOTT, and BOGGS were added as additional cosponsors of the resolution (S. Res. 309) providing for minority rights, submitted by Mr. PROUTY on March 8, 1962.

NOTICE OF HEARING ON NOMINATION OF LOUIS ROSENBERG TO BE U.S. DISTRICT JUDGE, WESTERN DISTRICT OF PENNSYLVANIA

Mr. EASTLAND. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Thursday, March 22, 1962, at 10:30 a.m., in room 2300, New Senate Office Building, on the nomination of Louis Rosenberg, of Pennsylvania, to be U.S. district judge, western district of Pennsylvania.

At the indicated time and place persons interested in the hearing may make such representations as may be pertinent.

The subcommittee consists of the Senator from South Carolina [Mr. JOHNSTON], the Senator from Nebraska [Mr. HRUSKA], and myself, as chairman.

NOTICE OF HEARINGS ON NOMINATIONS BEFORE COMMITTEE ON THE JUDICIARY

Mr. EASTLAND. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that public hearings have been scheduled for Friday, March 23, 1962, at 10:30 a.m., in room 2300, New Senate Office Building, on the following nominations:

Wesley E. Brown, of Kansas, to be U.S. district judge, district of Kansas, vice Delmas C. Hill, elevated; and

Jesse E. Eschbach, of Indiana, to be U.S. district judge, northern district of Indiana, vice Luther M. Swygert, elevated.

At the indicated time and place persons interested in the hearings may make such representations as may be pertinent.

The subcommittee consists of the Senator from South Carolina [Mr. JOHNSTON], the Senator from Nebraska [Mr. HRUSKA], and myself, as chairman.

NOTICE OF HEARING ON NOMINATION OF OSCAR H. DAVIS TO BE ASSOCIATE JUDGE, U.S. COURT OF CLAIMS

Mr. KEATING. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Friday, March 23, 1962, at 10:30 a.m., in room 357, Senate Office Building, on the nomination of:

Oscar H. Davis, of New York, to be associate judge, U.S. Court of Claims, vice Joseph W. Madden, retired.

At the indicated time and place persons interested in the hearing may make such representations as may be pertinent.

The subcommittee consists of the Senator from Mississippi [Mr. EASTLAND], the Senator from South Carolina [Mr. JOHNSTON], and myself, as chairman.

NOTICE OF HEARINGS ON NOMINATIONS BEFORE COMMITTEE ON THE JUDICIARY

Mr. EASTLAND. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that public hearings have been scheduled for Tuesday, March 27, 1962, at 10:30 a.m., in room 2300 New Senate Office Building, on the following nominations:

James A. Coolahan, of New Jersey, to be U.S. district judge, district of New Jersey, vice Mendon Morrill, deceased; and

Ralph C. Body, of Pennsylvania, to be U.S. district judge, eastern district of Pennsylvania, vice Allan K. Grim, retired.

At the indicated time and place persons interested in the hearings may make such representations as may be pertinent.

The subcommittee consists of the Senator from South Carolina [Mr. JOHNSTON], the Senator from Nebraska [Mr. HRUSKA], and myself, as chairman.

NOTICE OF HEARING ON NOMINATION OF SIDNEY W. BISHOP TO BE AN ASSISTANT POSTMASTER GENERAL

Mr. JOHNSTON. Mr. President, as chairman of the Post Office and Civil Service Committee, I wish to announce that a public hearing on the nomination of Sidney W. Bishop to be an Assistant Postmaster General will be held Tuesday, March 20, 1962, at 10 a.m. in room 6202 of the New Senate Office Building.

The hearing will be open to the public and will be held before the full committee.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. CARROLL:

Statement of Senator CARROLL before the Senate Appropriations Committee on March 13, relating to Bent's Old Fort, Colo.

Statement of Senator CARROLL before the Senate Appropriations Committee on March 13, relating to fish pesticide lab for Fort Collins, Colo.

Statement of Senator CARROLL before the Senate Appropriations Committee on March 13, relating to cooperative fishery research unit for Colorado State University.

By Mr. MAGNUSON:

Remarks on the Nation's fisheries to be delivered before the N.P.I. convention.

FATHER JOHN GARVAN CAVANAGH

Mr. DODD. Mr. President, the opening prayer today was offered by a very unusual man, Father John Garvan Cavanagh, formerly of Norwalk, Conn., now located at Alexandria, La.

Father Cavanagh was ordained as a priest at the age of 53 after a distinguished and many-sided career in business, politics, and as a military officer.

It has been my privilege over the years to know Garvan Cavanagh and to have his friendship. He served as a member of the Connecticut General Assembly, as a member of the Connecticut State Park and Forest Commission, and, at the time he entered the priesthood, he was vice president of the Hat Corp. of America.

The story of Father Cavanagh is a significant one because it is a story of a man who gave up a life in which he had achieved eminent success in a number of fields in order to pursue a religious vocation.

Last month's issue of the Catholic Digest featured an excellent article about Father Cavanagh, and I ask unanimous consent that it be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FATHER CAVANAGH AND HIS FATHER'S BUSINESS

(By James V. O'Gara)

In Rome back in March, a visitor entering the Basilica of St. John Lateran might have witnessed an unusual ordination. Among a group of 20 candidates at the altar before Luigi Cardinal Traglia, vice regent of the Eternal City, were six whose gray or balding heads and mature faces set them instantly apart.

The elder half dozen included an American, 53-year-old John Garvan Cavanagh, of Connecticut's famous Cavanagh hat family, onetime polo player, Army officer, politician, and businessman. He had surrendered a well-paid post as vice president of the Hat Corp. of America and its subsidiary, Cavanagh Hats, in 1957 to go on to Rome to study for the priesthood. In the fall of 1960 he had turned his back on a position in President Kennedy's administration to persevere in his late vocation.

"Next to the priesthood, politics is the greatest profession a man can have," said Father Cavanagh. "I have always been a Democrat and I was an early supporter of President Kennedy. I have many friends in the new administration. So it was natural that I should be told that I would be welcome in the Government. Every new administration needs men with business experience in a variety of posts."

When the Government offer reached him in the seminary, Father Cavanagh made a retreat with the Redemptorist Fathers "to have this thing out with myself."

"Later a Carmelite priest asked me, 'Can the President get along without you?'

"I said, 'If you put it that way, of course he can.'

"Then the priest said, 'There's only one thing for you to do—go ahead with your studies.' That clinched it."

Father Cavanagh traces his vocation to the Second World War. In a war, he said, "with the closeness of death, one's sense of values undergoes a change." He saw much of death, taking part in five major campaigns. As officer in charge of an ammunition supply detail on a troopship that was under a heavy bombing attack shortly after D-day, he won the Bronze Star with V (for valor). According to the official citation, he had "remained on an exposed portion of the bridge deck as he most efficiently directed his men in their work." Then, when a 3-inch naval gun was dangerously jammed by a fused projectile, he prevented the shell from exploding in the gun bore, thus saving many lives.

There was an additional element in his decision to become a priest. "I worked hard at my business for over 25 years," he said, "but I came to realize there was more to life than the pursuit of money."

News reports of Father Cavanagh's ordination described him as a "hat tycoon," "a millionaire," even as "one of the wealthiest men in the United States." He bridled a bit at the characterizations. "I am not a millionaire by any stretch of the imagination, nor even a quarter of a millionaire," he said emphatically. "Mr. Rockefeller, while sleeping, has made more money than I've ever seen."

The announcement of his ordination in March caught Father Cavanagh's friends and former business colleagues off guard. "When I entered the Beda (Pontificio Collegio Beda) in the fall of 1957," he explained, "I told only my brothers, Carroll and Lawrence, what I was doing." His reason was that he could not tell, at that time, if his vocation would persist.

Even the president of the Hat Corp. of America, Bernard Silesky, was "completely surprised" at his ordination. Mr. Silesky recalled recently that "Garvan and I were together part of nearly every business day for about 3 years" before he resigned.

"He seemed to be a religious man—more than once he left in the middle of a business meeting to go to mass—but I thought he'd wind up running for Governor of Connecticut or mayor of Norwalk," said Mr. Silesky. "Garvan had been in politics, he was widely known, a high-salaried executive, one of the best-dressed men I knew; a man who liked the luxurious things of life. He liked to be with people; he loved conversation."

Salesmen who worked under the future priest at the famed Cavanagh hat store on New York's Park Avenue ("the most exclusive hat store in the world," where $40 and even $100 headpieces are sold) were unprepared for the ordination news, too. None of them expected he would become a priest.

One remembered that the boss "always had a red convertible and once he accidentally ran it atop a huge sand pile." Another recalled him as "a clotheshorse who could wear a $35 suit and look terrific." This salesman added that Garvan Cavanagh was "a handsome man whose very presence added a feeling of graciousness to the store." A favorite recollection was that he got a kick out of working the siren on the official car of his friend, the fire commissioner of New York City.

Even his brother, Carroll Cavanagh, onetime New York Herald Tribune reporter, expressed some surprise. "He was real wild as a kid," he mused. "The grocers around here would ask mother not to bring him with her when she went shopping. Garvan would mix the dried peas and dried beans so that the guys couldn't sell either."

As a hatter, Father Cavanagh was always looking for new styles. Once, when a hatmakers' strike caused Hat Corp. sales to plummet, he turned up with a double-brimmed creation imported from France that helped stem the sales slide. He helped make a cap for Gen. Douglas MacArthur, the famous battered headpiece MacArthur wore out of Bataan. He designed a hunting hat and a polo helmet. The helmet was based on suggestions from such alltime polo greats as Stewart Iglehart, Raymond Guest, and Dunbar Bostwick. Father Cavanagh played with these polo immortals on two championship teams at Yale.

When John Garvan Cavanagh, who never married, turned up at St. Bede's, a unique major seminary, late in 1957, he had recently lost both his father, who was 94, and then his mother. "I was very close to my parents," said Father Cavanagh, "especially my mother." Her death "took away my only good reason for not pursuing my vocation." That reason, of course, was his obligation to look after her.

Before gaining admission to the seminary, he first had to find a bishop willing to accept a priest of his age. "Not every bishop wants to take on a man past 50," he explained. "Let's face it: a man of 25 is a better investment. However, in some parts of the country, where vocations are less plentiful than in the East, bishops will take on an older man if he has the qualifications, educational and otherwise.

"I met Bishop Charles P. Greco of Alexandria, La.," continued Father Cavanagh. "I was much impressed with him. Apparently he thought I was all right, and he agreed to have me."

The American seminarian found St. Bede's an unusual institution. It is in the south side of Rome, across the street from St. Paul's-Outside-the-Walls. It was established by Pope Leo XIII, who named it for the Venerable Bede. The Beda specializes in late vocations, and discourages applicants under 30. It has no top age limit, and there is always a waiting list. The Beda's candidates must have intelligence, some Latin, and the recommendation of a bishop.

According to its 75-year-old rector, Msgr. Charles L. H. Duchemin, a onetime lawyer who is himself a graduate of St. Bede's, the school is a combination of seminary, English university, and officers' mess. In fact, a number of retired British and former American Army officers have become priests there. One of them, ordained at 70, had difficulty finding an assignment but finally became the curate of an 81-year-old pastor.

Classes have included authors, clerks, pianists, auto mechanics, and teachers. Each class usually has a widower or two. One of these, a former newsdealer in Dubuque, Iowa, was the father of 14 children. Today he is a curate serving under one of his sons, who was ordained before him.

In its 64 years, the Beda has graduated about 1,000 priests. Its alumni include many bishops. The late Bernard Cardinal Griffin, Archbishop of Westminster, was a canon-law postgraduate student. Most of its students are English, but the United States this year is represented by five seminarians. Classes often include candidates from such far-away places as Australia, New Zealand, and China.

Ordained with Father Cavanagh were an Australian who had previously been a Protestant clergyman, and another American, Lisle Kennedy, a New Yorker who had worked in the office of the attorney general in Washington.

The Beda offers a 4-year course because older men are better gaited to a shorter-than-traditional period. Father Cavanagh took the fast, difficult work in stride. His ordination, he declares, was the happiest moment of his life.

John Garvan Cavanagh was born in East Norwalk, Conn., in 1908, the son of a master hatter who rose from the workbench to the presidency of the company that had employed him. His father, John J. Cavanagh, eventually merged Cavanagh-Dobbs with Knox to form the Hat Corp. of America.

The elder Cavanagh was mayor of South Norwalk and later mayor of Norwalk. Garvan's uncle, Francis P. Garvan, was assistant attorney general under President Woodrow Wilson, and his mother's sister, Genevieve, was the wife of William J. Macaulay, minister to the Vatican from the Irish Free State, now Eire.

Garvan graduated from Yale in 1932. He then spent 2 years studying scholastic philosophy at night at Fordham "under the late, great Father George Bull, S.J." After his 5 years in the Army, he won a degree of master of science in retailing at New York University.

Before the war, in 1940, he was elected to the Connecticut State Legislature. With the attack on Pearl Harbor, he and Mayor Robert Wagner, of New York City, who was then a New York State assemblyman, were the first legislators in the country to waive their military exemptions, resign their posts, and enter the service. During his legislative tenure, he had formed a friendship with Abraham Ribicoff, now Secretary of Health, Education, and Welfare, but then assistant minority leader of Connecticut's House of Representatives. It was Governor Ribicoff who named him to the State park and forest commission in the mid-1950's.

At the famed, luxurious Park Avenue hat store he managed, Garvan Cavanagh's customers included Henry Ford II, Francis Cardinal Spellman, Bing Crosby, the Duke of Windsor, Spencer Tracy, and Bishop Fulton J. Sheen. The store sells 37 hat styles in 10 different brim widths. All models are available in four ovals: regular, wide, long, and extra long. Sizes range from 6¾ to 8¼, but the store will make others on request. It once created a size 6 for Edgar Bergen's wooden young friend, Charlie McCarthy.

Cardinal Spellman (wide oval), a lifelong friend of the Cavanagh family, "always insisted on having a Cavanagh label sewn into his zucchettos." When he was named a prince of the church he brought into the store several of these skullcaps which had belonged to the late Patrick Cardinal Hayes. The new cardinal wished them renovated for his own use on his trip to Rome. When the elder Cavanagh couldn't locate material of the correct color for new linings, he used silk from some of his own red ties.

For Fr. J. Garvan Cavanagh (a difficult-to-fit long oval) the hat business, politics, and polo are now but fond memories. "God certainly had me by the hand when I met Bishop Greco," he says, with some feeling. "I hope He'll be satisfied with His part of the bargain."

HARTFORD, CONN.—"ALL-AMERICA CITY"

Mr. DODD. Mr. President, the capital city of Connecticut, Hartford, was afforded a great distinction today. It was named an "All-America City" by a distinguished group of journalists and experts on municipal affairs. What is more, it is the second time in 12 years that Hartford was selected for this honor.

Today's award by the National Municipal League and Look magazine cited Hartford for "mobilizing citizen action behind a mammoth facelifting for the city." The awards are made to honor cities whose citizens have played an outstanding role in improving their communities. Twelve years ago, in 1950, Hartford began a downtown redevelopment job that today is considered a model the world over. And I might add that the redevelopment is continuing. It has been described by experts as a showcase. I wish you, my colleagues, could see the results of the efforts of the people of Hartford. They are not only beautiful, but sensible. Eyesores were eliminated and deteriorating property is being put back on the tax rolls. An area that once produced only $90,000 a year in tax revenue will soon produce over $1,300,000 a year.

Constitution Plaza would be the envy of any town. Beauty has been substituted for blight. Stifling transportation problems have been tackled. Crime-breeding slums have disappeared.

But most gratifying to me now, and through the years, has been the ability of the residents of Greater Hartford to pull together in a united effort to accomplish this great task. The leadership, the singleness of purpose, the relentless push to go ahead so traditional with the people of Connecticut has been a thing to see as this dream becomes a reality. I think there is a great lesson to be learned from it. Again we have the hardy stock of New Englanders adapting to meet the changing times, going forward as the occasion demands, as they have since the time of the earliest settlements. Their tradition of accomplishment continues.

The leaders in this project are strong of fiber and numerous. Many who were essential to the beginnings of the project are no longer with us, but must be remembered. Today a sense of accomplishment must be with men such as Mayor William E. Glynn; City Manager Carleton F. Sharpe; Judge Solomon Elsner, chairman of the redevelopment agency; Raymond A. Gibson, former chairman of the Committee for Hartford; Gladden W. Baker, chairman of Constitution Plaza, and to such organizations as the Greater Hartford Chamber of Commerce and the Hartford newspapers, all of whom have dedicated so much of their time and talent to this undertaking.

It is with a sense of pride that I pay tribute to such an accomplishment. It is a great honor to represent in the National Capitol people and projects such as these. I ask unanimous consent to have three articles from the Hartford Times inserted at this point in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

HARTFORD SELECTED AS ALL-AMERICAN CITY FOR REDEVELOPMENT, ESPECIALLY PLAZA—ONE OF FEW TO WIN TWICE; AMONG TOP 11 IN COUNTRY

Several local celebrations are planned in honor of the award. An All-American Cities flag ceremony will be held at 12 noon Thursday on the steps of city hall, and the formal award presentation to Hartford will be made at a banquet April 25 at the Statler Hilton.

The flag will be presented to Mayor Glynn by John Flack, Connecticut representative of Look magazine. The Hartford High School Band will march from the Old State House to city hall down Main Street prior to the presentation, and it will play "America the Beautiful" as the flag is being raised over city hall. An honor guard of Hartford policemen and firemen will also take part.

Mayor Glynn will introduce members of the city council. Gladden W. Baker, chairman of the Committee for Hartford and chairman of Constitution Plaza, will give a short address.

Hartford, for the second time in the past dozen years, has been designated an All-America City.

The city was informed today by the National Municipal League and Look Magazine that it is among 11 cities designated as this year's All-America Cities.

Hartford received a similar designation in 1950. At that time it was cited for its progress after a shift from mayor-commission to city manager-city council government.

This year's award is for "mobilizing citizen action behind a mammoth facelifting for the city."

The national awards are made by the municipal league and the magazine to honor cities whose citizens have played an outstanding role in improving their communities.

Some 80 cities originally entered competition for this year's awards. This number was cut to 22 finalists. Then the 22 cities each made presentations before a panel of judges last November 30 and December 1 at Miami Beach, Fla.

Following the presentations, representatives of the league and Look visited the cities to make sure that claims were justified by facts.

Hartford's presentation at Miami seemed to attract the biggest interest from the panel of judges which was headed by Dr. George H. Gallup, director of the American Institute of Public Opinion.

The presentation was made by Richard B. Haskell, former president of the Greater Hartford Chamber of Commerce, and was greeted with spontaneous applause by business and civic leaders of other cities in the competition.

Hartford's entry in the all-America cities competition was predicated on the city's big renewal program and in particular Constitution Plaza.

In its announcement that the city was one of the winners today, the cosponsors cited local business and industrial leaders who joined with civic and other groups to save blighted downtown areas.

In 1956, voters rallied to the united campaign and approved the first renewal bond issue by a 5–1 vote. Today, four major projects are giving a brandnew look to downtown Hartford, while four more are underway elsewhere in the city. The striking new buildings rising in Constitution Plaza are expected to produce over $1,300,000 in tax revenue in an area that once produced $90,000. The city, too, is working with 26

surrounding towns on common plans for transportation and hospitals.

In addition to Hartford, other cities which today received the All-America designation were Anacortes, Wash.; Falls Church, Va.; Galveston, Tex.; Independence, Mo.; Lynwood, Calif.; Milton-Freewater, Oreg.; Rockville, Md.; Salisbury, N.C.; Sioux City, Iowa, and Wichita, Kans.

In receiving the designation today, Hartford became one of the few cities in the country to receive the award more than once. Rockville, Md., also became a second award recipient today. Philadelphia is the only city to have received three awards. Other cities which have won two awards previously are Phoenix, Ariz., Grand Rapids, Mich., De Soto, Mo., and Cincinnati, Ohio.

Judges for this year's competition in addition to Dr. Gallup included W. Scott Christopher, general manager of the Greater Tampa, Fla., Chamber of Commerce and president of American Chamber of Commerce Executives; Mark S. Matthews, former president of the U.S. Junior Chamber of Commerce; Willard V. Merrihue, manager of Community and Business Relations Service for General Electric Co., and chairman of the board of Effective Citizens Organization; Roy L. Miller, executive secretary of the Bureau of Municipal Research of Des Moines, Iowa.

Also: Vernon C. Myers, publisher of Look; Miss Katherine Peden, president of the National Federation of Business and Professional Women's Clubs; Mrs. Robert J. Phillips, president of the League of Women Voters of the United States; Paul Schweitzer, chairman of the board of Layne-Atlantic Co., and city councilman of Norfolk, Va.; Allen H. Seed, Jr., executive vice president of Keep American Beautiful, Inc.; Dr. Donald H. Webster, director of the Bureau of Governmental Research of the University of Washington; and Dr. Arnold S. Zander, international president of the American Federation of State, County, and Municipal Employees, AFL–CIO.

MANY HANDS JOINED TO BRING RENEWAL HONOR GIVEN CITY

Hartford's selection as an all-America city by the National Municipal League and Look magazine was the result of concerted efforts of Greater Hartford residents and organizations over the last decade.

From the beginning, the Hartford Times gave full coverage to renewal, and a special project in this area was the series of articles entitled "Go Ahead, Hartford," which alerted and informed the community of the problems of urban blight.

The articles and others that followed in the Times focused public attention on the urgent necessity of renewal and created an atmosphere in which civic and public leadership could be and was effective.

The Travelers Insurance Co. provided a tremendous boost to redevelopment in 1960 when the city's first major renewal project, Constitution Plaza, was faltering because of lack of financing. The insurance company announced it would stand behind the financing of the redevelopment. Constitution Plaza has been the city's renewal showcase since.

The basis of Hartford's award-winning entry emphasized the cooperative effort behind the mammoth face-lifting project that started as a reality in 1950 when the Federal Redevelopment Agency approved plans for clearing slums in the Front-Market Streets area.

Early last year, when a committee of business and civic leaders met at the Greater Hartford Chamber of Commerce to discuss submitting an entry from the city to the all-America cities competition, it was decided that Hartford's success could be attributed to the interest and support in redevelopment over the past dozen years.

It was also pointed out that since October 1960, when a national redevelopment symposium was held here, the city has been cited by numerous newspaper and magazine writers as a "blueprint" for redevelopment. Inquiries about the local action in redevelopment have come from cities as far away as Sidney, Australia.

The presentation at the all-America cities competition at Miami showed the slum areas that existed before redevelopment, the new center rising at Constitution Plaza, and the hopes for other parts of the city through redevelopment.

The history of the Committee for Hartford, the citizens' action group that has guided the city's renewal program, was detailed. A booklet, "New City Going Up in Connecticut," was distributed to hundreds of persons attending the all-America cities session and allied conventions in Miami.

Elgar T. Sloan, president of the Greater Hartford Chamber of Commerce, today called Hartford's selection for an award "a meaningful step forward in the rebuilding of a dynamic new center in Hartford that will mean increased prosperity for all our people.

"It is further proof," Mr. Sloan said, "that Hartford has one of the most well-rounded and soundly conceived redevelopment plans in the country. Greater Hartford residents can join with pride in the flag-raising ceremony to be held Thursday noon at city hall."

OFFICIALS CONGRATULATE CITY, SAY VOTERS SHARE ITS TRIBUTE

State and local officials expressed elation today on Hartford's selection as one of this year's 11 all-American cities.

Among those paying tribute to the insurance city were Governor Dempsey; Mayor Glynn; City Manager Sharpe; Judge Solomon Elsner, chairman of the redevelopment agency; and Gladden W. Baker, chairman of the Committee for Hartford and chairman of the board of Constitution Plaza, Inc.

Governor Dempsey stated the announcement of the award "comes as most welcome news."

"This achievement of our capital city is typical of the growth and progress we are experiencing throughout Connecticut. It is significant that the Hartford redevelopment program, one of the many in progress in this State, played a major role in bringing the award to the city.

"I extend my heartiest congratulations to all the people of Hartford on this well-deserved honor," the chief executive added.

Mayor Glynn praised all those participating in the effort which brought about the award.

"There were many community leaders and representatives of the press, radio and TV who were instrumental in achieving the programs resulting in the honor which comes to the city today," he said.

"Most important, however, were the Hartford voters who have consistently supported these programs by authorizing the bond issues which made them a reality."

City Manager Sharpe hailed the award as a recognition of the good that can be done by the cooperation of the citizens and government.

"This is an honor which should be shared by all the people of Hartford," the city manager said. "It represents foresight in planning and sacrifices on the part of those who have contributed in many ways to earn this citation."

Mr. Baker said his committee, "along with other civic groups, is proud that Hartford has been named to the all-American team of 11 cities. Under the recent leadership of Raymond A. Gibson, the committee has helped greatly in making Hartford's redevelopment program outstanding in the country."

Judge Elsner, chairman of the Hartford Redevelopment Agency, hailed the award "as splendid recognition of what Hartford is trying to accomplish in the way of redevelopment.

"With such support as rendered by the Travelers Insurance Co. and the Phoenix Mutual Life Insurance Co., in the development of Constitution Plaza, Hartford will continue to grow and, I hope, merit the confidence expressed in this award."

WICHITA, KANS.

Mr. CARLSON. Mr. President, on March 14, Look magazine named Wichita, Kans., one of 11 all-American cities for 1962. This is indeed a great honor for Wichitans and for all Kansas. No American city has had a more colorful history than Wichita, Kans., largest city in Kansas, first known to the world by the name of "Quivira," fabled city of the gilded man.

In 1867, the U.S. Government bought the site of Wichita and much of southern Kansas from the Osage Indians. The Osage and Wichita tribes then departed for Oklahoma.

The Wichita town company was organized in 1868. Among the original settlers who took claims in what is now the heart of Wichita, were William Greiffenstein, James R. Mead, N. A. English, Eli Waterman, and William Mathewson. Many of Wichita's streets and schools carry the names of these pioneers.

Douglas Avenue, the main street in Wichita, was made 114 feet wide at the suggestion of William Greiffenstein to coincide with width of the main street in Frankfort, Germany, where he was born.

With the building of the Santa Fe to Wichita in April 1872, Wichita became the cattle shipping point for Texas cattlemen, who brought their herds North to the railroad. In that first year 350,000 longhorn cattle were sold in Wichita for $2 million. Gradually, southern Kansas was settled by farmers, and Wichita began to be a wheat shipping and flour milling center. The first flour mill was built in 1874. Wichita is now the fifth leading flour milling city in the Nation.

The post office was established in 1868, with Milo B. Kellogg as postmaster. Wichita was incorporated as a village in 1870, as a city of the third class in 1871, a city of the second class in 1872, and a city of the first class in 1886. The city manager form of government was adopted in 1917.

In 1917 the first airplanes were built in Wichita. Ten years later Wichita was building more private planes than any other city in the world and today has headquarters plants of Beech Aircraft Corp. and Cessna Aircraft Co. Together, these two companies account for more than 60 percent of the world production and sales of personal and executive-type airplanes.

Wichita is the home of the swept-wing Boeing B–52's, powerful striking arm of the Strategic Air Command. McConnell Air Force Base is located in southeast

Wichita, with a $280 million industry that turns out topflight B-47 crews. Covering 2,540 acres of Sedgwick County land, McConnell has an estimated annual monetary impact on the city of Wichita of $31 million.

Long established keystones of Wichita's economy are:

Headquarters plants of the Coleman Co., whose trademark is known the world over as the largest manufacturer of gasoline lanterns and stoves, as well as for scores of other products manufactured for indoor comfort and outdoor recreation.

Bulging grain elevators with capacities exceeding 86 million bushels, including the world's largest single unit with a 43-million-bushel capacity, rank Wichita third in the storage of grain. Broom corn is produced in Wichita in volume unequaled anywhere in the world.

Wichita's industrial family numbers some 675 firms, with a diversity including: aircraft, chemicals, heating, and lighting equipment, air-conditioning equipment, oil field equipment, machinery, metal products, cloth and canvas products, petroleum products, home and office equipment, hotel and motel furnishings, and wood products.

Recent years have brought about a boom in the cold storage business, because of more favorable freight rates and transit privileges, thus permitting coastal fruit and vegetable firms to ship perishable products in bulk to Wichita for individual packaging, storage, and later shipment in accordance with consumer demands.

Two natural factors—central geographical location and moderate climate with four true seasons—are major contributing factors in Wichita's tremendous growth. Located just 149 miles southeast of the geographic center of the continental United States, Wichita is within a few hours' travel by air of any city in the Nation and overnight by rail to any city in the Middle West. Six major airlines and five railroads provide daily service. Also serving the city are two interstate highways, and the multi-million-dollar Kansas Turnpike.

Wichita's population in 1870 was only 50. Today, she boasts a metropolitan population of 343,231, almost double the 1950 census figures. To provide for this doubling of population, one-half of Wichita's homes have been built in the last 16 years, thus eliminating the slum areas that plague other metropolitan cities.

Wichita is the home of two noted universities: University of Wichita, a fully accredited, coeducational municipal university; and Friends University, a privately endowed Quaker institution. Her public school system comprises 81 elementary, 14 intermediate, and 5 fully accredited high schools. Supplementing its public school system are 16 parochial schools, including 13 elementary, and 3 high schools, as well as Sacred Heart College for Women.

Wichita is internationally known for its institute of logopedics, world's largest residential rehabilitation center for speech and hearing. Children and adults come from over the Nation and many foreign countries for specialized training that offers them hope for a new life in which they will be self-sufficient.

The citizens of this great city are deeply religious, as evidenced by its 360 religious organizations, housed in 345 edifices of 60 denominations.

In 1959, Wichitans founded the Civics Progress, Inc., and launched a successful campaign for passage of the sewage-treatment bonds at a special election. Civic groups formed a metropolitan area planning commission. In 1961, voters approved a $15 million bond issue for a civic center and new main library.

For a midwestern example of an all-American city, I give you Look magazine's choice for 1962, Wichita, Kans., center, United States of America.

DAIRY FARM INCOME SURE TO DROP UNLESS SENATE ACTS

Mr. PROXMIRE. Mr. President, I today received a letter from Mr. James G. Patton, president of the National Farmers Union, supporting the President's request to Congress to pass a resolution maintaining dairy price supports at the present level.

In information attached to the letter, Mr. Patton points out that, unless the resolution is passed, farmers in the New York-New Jersey area will lose up to 30 cents a hundredweight, which means a drop of nearly 10 percent in their gross milk income.

In Iowa, prices would be reduced 30 cents a hundredweight.

In South Dakota, 30 cents a hundredweight.

In Delaware, it will be 20 to 30 cents a hundredweight.

In various areas of Texas, it will be between 17 and 30 cents a hundredweight.

In Arkansas, it will be 30 cents a hundredweight.

In Mississippi, apparently the loss will be 30 cents a hundredweight in virtually all sections.

In Florida the loss will be up to 30 cents a hundredweight.

In Pennsylvania, between 23 and 30 cents a hundredweight.

In Boston, up to 30 cents a hundredweight.

In Indianapolis, Ind., the Ohio Valley, 30 cents a hundredweight.

In Illinois and Missouri, 30 cents a hundredweight.

The reason why I call this matter to the attention of the Senate is that the resolution is extremely urgent at this time. It is under consideration by the Senate Committee on Agriculture and Forestry, and is before the subcommittee headed by the Senator from South Carolina [Mr. JOHNSTON]. We hope to have action in the next day or so. Unless action is taken affirmatively and promptly, the loss to dairy farmers will be very serious.

I ask unanimous consent that the letter from Mr. Patton and the data attached thereto be printed at this point in the RECORD.

There being no objection, the letter and enclosure were ordered to be printed in the RECORD, as follows:

NATIONAL FARMERS UNION,
Washington, D.C., March 14, 1962.

DEAR SENATOR PROXMIRE: I am taking this means of communicating with you about the problems which we face as a result of the House Committee disapproval of House Joint Resolution 613 to continue current support levels on milk through December 31 of this year.

The President's message was explicit in stating a return to the 75 percent of parity level ($3.10) if Congress did not act to extend the current level of $3.40 through the remainder of this year. The effect of this reduction will be to cut the income of dairy producers, regardless of whether they produce milk for manufacturing uses in States like Wisconsin and Minnesota, or whether they operate under a Federal marketing order.

Income of dairy producers nationally will be cut by about $250 million.

In manufacturing areas the price drop will be 30 cents per hundredweight and prices in all Federal order markets will drop significantly.

For each dollar that might be saved at the 75 percent of parity level, the net income of dairy producers will be reduced by twice that amount. This will create unnecessary hardships for dairy producers. Moreover, thousands of small businessmen in towns and cities all over the country where these producers do business will feel the effect.

I have said on many occasions that adjusting support prices downward does not result in any measurable adjustment in production. If we have learned anything from past experience, it is that unless prices go all the way down to a free market level, producers continue to produce and expand in order to meet their heavy production expenses and the personal needs of their families.

We face a serious problem of increasing carryovers of dairy products. This has been aggravated by a serious decline in consumption during the past year, but even if the support level had been at 75 percent of parity over this period, I do not believe that the decline in consumption would have been prevented and the problem would still be of serious proportions.

Secretary Freeman has no alternative under existing law, but to announce a support level of 75 percent of parity if Congress does not act to extend the $3.40 level.

As a farm leader, I see ahead some very serious implications for the friends of dairy farmers in the Congress unless a major effort is made to extend the current support level. Therefore, I urge you to introduce legislation to protect this support level through December 31, consistent with the language in Senate Joint Resolution 150, House Joint Resolution 613, and House Joint Resolution 614, introduced by Senators HUMPHREY and PROXMIRE and Congressmen COOLEY and JOHNSON, respectively. Moreover, I do not believe that the friends of dairy producers in Congress should go for a compromise of $3.22, the level that I understand may be supported by Dairy State Republicans in the Congress.

I believe that a major all-out effort should be made on the floors of both the Senate and House to protect Secretary Freeman and the administration in their action resulting in raising income of dairy producers by about $250 million since last April 1. Following up this congressional action, there should be an intensive effort made during the fall campaign to put the responsibility squarely on those Members of Congress who failed to support at the outset the continuation of the current support level.

Kindest personal regards.

Sincerely,

JAMES G. PATTON,
President.

P.S.—Also enclosed is a statement showing price reductions for the various classes of milk in a cross section of dairy areas.

Assuming 1961 production and consumption levels, a 30-cent reduction in support prices would affect prices as follows:

New York-New Jersey:

Class I price: None.

Class II price: Down 30 cents per hundredweight.

Class III price: Down 30 cents per hundredweight.

Blend price to farmers: Down 15 cents per hundredweight.

If the recommended decision, tying the class I price directly to the midwestern condensery price, had been in effect in 1961, the effect would be as follows:

Class I price: Down 10 cents per hundredweight.

Class II price: Down 30 cents per hundredweight.

Class III price: Down 30 cents per hundredweight.

Blend price to farmers: Down 20 cents per hundredweight.

Cedar Rapids, Iowa City, Des Moines, Nebraska-western Iowa, north-central Iowa, Sioux City: All prices would be reduced 30 cents per hundredweight.

Black Hills, eastern South Dakota, and Sioux Falls-Mitchell, S. Dak.: All prices would be reduced 30 cents per hundredweight.

Louisville-Lexington, Ohio Valley, and Paducah: All prices would be reduced 30 cents per hundredweight.

Wilmington:

Class I price: Down 20 cents per hundredweight.

Class II price: Down 30 cents per hundredweight.

Blend price to farmers: Down 21 cents per hundredweight.

Calculations made for January-March 1962 quarter (which is at an annual level) on assumption that current supply-demand relationship will continue. New class I price levels would be written current ceiling of $2.60 over midwest condensery price, thus no immediate effect from price tie.

Northern Louisiana and New Orleans: All prices would be reduced 30 cents per hundredweight.

Austin-Waco, north Texas, Texas Panhandle, Red River Valley: All prices would be reduced 30 cents per hundredweight.

San Antonio:

Class I price: Down 30 cents per hundredweight.

Class II price: Down 30 cents per hundredweight.

Class II-A price: Down 17 cents per hundredweight.

Blend price to farmers: Down 30 cents per hundredweight.

Corpus Christi:

Class I price: Down 30 cents per hundredweight.

Class II price: Down 30 cents per hundredweight.

Class II-A price: Down 17 cents per hundredweight.

Blend price to farmers: Down 30 cents per hundredweight.

Class II-A price is based on 2 cents reduction in cheese support price. Class II-A milk is 2 percent of producer receipts.

Central west Texas:

Class I price: Down 30 cents per hundredweight.

Class II price: Down 30 cents per hundredweight.

Class II-A price: Down 17 cents per hundredweight.

Blend price to farmers: Down 28 cents per hundredweight.

Class II-A price is based on 2 cents reduction in cheese support price. Class II-A milk is 12 percent of total producer receipts.

Fort Smith, central Arkansas: All prices would be reduced 30 cents per hundredweight.

Washington, D.C.:

Class I price: Down 20 cents per hundredweight.

Class II price: Down 30 cents per hundredweight.

Blend price to farmers: Down 24 cents per hundredweight.

These results might not be immediate on April 1, but would likely occur by May this year.

Southeastern Florida:

Class I price: None.

Class II price: Down 30 cents per hundredweight.

Class III price: Down 30 cents per hundredweight.

Class IV price: Down 15 cents per hundredweight.

Blend price to farmers: Down 4 cents per hundredweight.

This is based on 11 percent of total producer receipts used in class II and class III milk and 4 percent in class IV.

Central Mississippi, Mississippi Delta, Mississippi gulf coast, and Memphis: All prices would be reduced 30 cents per hundredweight.

Duluth-Superior, southern Michigan, and upstate Michigan: All prices would be reduced 30 cents per hundredweight.

Cincinnati, north central Ohio, Youngstown-Warren, northeastern Ohio, Toledo, tri-State, Columbus, and Dayton-Springfield: All prices would be reduced 30 cents per hundredweight.

Michigan Upper Peninsula, Muskegon, southern Michigan, and upstate Michigan: All prices would be reduced 30 cents per hundredweight.

Duluth-Superior and Minneapolis-St. Paul: All prices would be reduced 30 cents per hundreweight.

North central Iowa, Des Moines, Cedar Rapids-Iowa City, Sioux City, Quad Cities-Dubuque: All prices would be reduced 30 cents per hundredweight.

Southwest Kansas, Wichita, Kansas City, Neosho Valley: All prices would be reduced 30 cents per hundredweight.

Oklahoma metropolitan, Red River Valley: All prices would be reduced 30 cents per hundredweight.

Philadelphia:

Class I price: Down 30 cents per hundredweight.

Class II price: Down 30 cents per hundredweight.

Blend price to farmers: Down 23 cents per hundredweight.

Calculations made for January-March 1962 quarter (which is at annual level) on assumption that current supply-demand relationship will continue. New class I price level would be within current "ceiling" of $2.60 over Midwest condensery price, thus no immediate effect from price tie.

Boston:

Class I price: None.

Class II price: Down 30 cents per hundredweight.

Blend price to farmers: Down 14 cents per hundredweight.

If the New York-New Jersey recommended decision were in effect, the 10 cents lower class I price in New York would be reflected also in the unbracketed Boston class I price and the effect would be as follows:

Class I price: Down 10 cents per hundredweight.

Class II price: Down 30 cents per hundredweight.

Blend price to farmers: Down 19 cents per hundredweight.

Inland Empire, Puget Sound: All prices would be reduced 30 cents per hundredweight.

Indianapolis, Fort Wayne, Ohio Valley, South Bend-LaPorte-Elkhart: All prices would be reduced 30 cents per hundredweight.

Chicago, Quad Cities-Dubuque, Rockford-Freeport, St. Louis, suburban St. Louis: All prices would be reduced 30 cents per hundredweight.

NBC DOCUMENTARY, "THE LAND," DESCRIBES FLIGHT OF AMERICAN FARMERS

Mr. PROXMIRE. Mr. President, many times I have argued that any farm program that passes Congress must, above all, increase farm income. On March 13 the National Broadcasting Co. presented a stirring hour-long documentary entitled "The Land," that dramatically demonstrates why this is so. Narrated by Mr. Chet Huntley, this program movingly described the grave human and social problems facing farm communities all over our Nation, and examined the economic factors which have caused them.

By brilliant use of the television camera's peering eye and intimate taped comments from farmers, the program provides a first-hand insight into the situation facing many American farmers. One farmer who talked to the camera was Lloyd Sellars, of Rice County, Kans. He described how he feels about farm programs, and why farm output tends to rise when prices fall. This farmer's investment in equipment is more than $40,000, in cattle $20,000, and his land is worth $150,000. He has one hired man. Yet, over the past 3 years, his net income has averaged only $7,500 per year. If one takes into account a modest return of 4 percent on this farmer's capital and land investment, his weekly pay for his highly efficient dawn-to-dusk labor is about $50 per week. And that makes no allowance for profits as a reward for initiative and risk.

Much of the land that this farmer now has in production comes from other farms whose owners have had to leave the land, driven away by low income to seek jobs in the city. As Mr. Huntley observes in his narration:

> The houses and barns rot in the sun but the land remains green, tilled by someone else. In the Dust Bowl days of the thirties, farmers fled because the land produced too little. Now they are forced out because it produces too much and drives crop prices down.

It is this kind of paradox which so often embitters farmers in their reactions to talk by those who would solve the farm problem in one full swoop. The pat explanation "There are too many farmers—get some of them off the farm, and the farm problem will be solved," ignores the fact that the land, livestock, and equipment remain available for use by other farmers who are getting more productive each year.

The paradox of supply and demand causes similar reactions. Farmers know

that falling prices often lead to increased production, as each farmer seeks to maintain his income by producing more at the lower prices.

In his perceptive conclusion to the program, Mr. Huntley ably summarizes why the farm problem is everyone's problem. In it he says:

We city people are selfishly maintaining a vast underappreciation of this fellow on the land, these 47 percent of our farmers who are providing us with the greatest cornucopia of plenty at the lowest prices in all history. We have him providing for us at an average rate of 80 cents an hour for his dawn-to-dusk effort.

It is not just charity or generosity or fairness that suggests we might do better for him or by him, but plain economic self-interest and commonsense.

A banker has said that there's still enough national investment in the land that a depression could start there again. Eighty cents an hour for a farmer's labor would appear to be flirting with it.

In addition to the investment we have observed that the farmer is the supreme consumer of everything we city people produce. He not only consumes in prodigious quantities the groceries, clothing, and gadgets which the rest of us produce but on top of that he is the buyer of farm machinery, fencing materials, lumber, paint, tools, and chemicals. If he goes under so do machinery companies, steel mills, truck manufacturers, and chemical plants; and so do we.

Before the turn of the century, American labor began solving its economic problems by collective bargaining. Collective marketing is a way out for the farmer. It has worked in the production of milk, fruits, and a few other commodities; but it has not yet been applied to grains and other farm products because it is complex and unwieldy and because the farmer himself is a rugged individualist * * * and a stubborn, contrary, suspicious, and sometimes untrusting nonconformist.

The only instrumentality thus far devised by the minds of men to represent the farmer, act as his counsel and agent, urge him to collective programs of production control or act as his own policeman, is the U.S. Department of Agriculture. The farmer frequently assails it. We taxpayers don't like it and the Government itself would like nothing better than to hear the last of all such expedient measures as soil banks, price supports, and surpluses. But thus far the farmer has been unable to bring himself to the final step: rationalization and firm control of his own production.

Nor have we city people been of too much help to him. We now control more power and influence in the Congress. A program which will save the farmer will probably originate there. When and if it does, we might bear in mind that he has been a good provider for us and we might understand that we're all in this together. If he is not prosperous, we're not going to be either, for very long.

This excellent NBC documentary program bears the title "The Land." Because of its deep sympathy for those who live on the land, it could well have been titled "The Land and the People." The program was written by Bill Hill and Chet Huntley. I ask unanimous consent that the script be printed at this point in the RECORD.

There being no objection, the broadcast was ordered to be printed in the RECORD, as follows:

"THE LAND"

HUNTLEY. On January 27, 1962, Nebraska tenant farmer George Powles gave up. Economically exhausted, he turned his back on the farm to seek his future in town.

This is a scene played out to its sad climax 170,000 times in this country last year—as elder farmers retired, as tenants were displaced by machines, or as young farmers simply gave up.

Most of these 170,000 times departure from the land contained a bitter admission of failure, and a host of shattered dreams of sparkling green fields, of a comfortable farm house, a magnificent barn. Most of these times it meant that a dream of plenty had been routed out by the reality of want.

This is Reed Point, Mont., where my parents now live. Its population totals 65. I first saw this town in 1923 when it had a population of about 400. The town's boom period began in 1913. It prospered until the late 1920's when highways and the depression spelled disaster. It sent its sons to war in the 1940's and declined throughout the 1950's.

As farmers leave the land the little towns suffer, contract and even disappear. Weed-choked empty lots are the cemeteries of prosperous yesterdays; and even the grave markers, the old foundations and basements, are filled in and overgrown.

Fifty years ago more than half of our people lived on the farm. Today only 1 in 8 remains. We have become a nation of city dwellers but we are reluctant to acknowledge it. There is something about country lanes and burgeoning fields and the scent of new hay and bucolic 160 acres which are a part of our folklore. By this dearly held mythology we are blinded to a vast agrarian upheaval as common to the South, the East, the Midwest, as it is to this little Montana town.

This is Lexington, Ga. In the decade from 1950 to 1960 its population dwindled from 514 to 376 while our national population increased by 28 million people.

In 1950, Graford, Tex., had a population of 655. Ten years later it was down to 448. In the same span the population of Texas mushroomed 24 percent.

In California, the town of Niland was cut down before it incorporated. It shrank in 10 years from 700 people to about 200 while the State's population exploded 48 percent.

Farmington, Wash., had 341 people 10 years ago. Now it has 176. These towns have this in common with thousands of others: they are small, they are agricultural, and they are dying.

This is Dunlap, Kans., not as it is today, but as it was around 1915 when the population was 650 and growing—the main street lined with buggies.

Today, the main street of Dunlap lies virtually deserted. The empty buildings stand there—dried-up relics of a past that slipped away so recently and so unobtrusively we can scarcely believe it is gone.

Dunlap is an agricultural ghost town. There are hundreds like it across the country. Here they built a city hall of stone for a future that never materialized. It was cut short—first by the automobile that carried farmers past Dunlap to bigger stores in larger towns, then by a gradual consolidation of farms that drained away the surrounding population. The city hall, robbed of its purpose, fell into disrepair and then into ruin.

In 1916, a 6-year-old boy posed with his sisters for a picture in front of their Dunlap home. Today, the house is empty but Fred Bernard, in middle age, remembers the neighborhood as it was.

BERNARD. The heyday of this street and these houses was probably 40 to 50 years ago, back around 1910-20. These houses were built before then by people who lived here to work in the various stores and industries in town; and were later taken over by retiring farmers as they moved to town after making their fortunes * * * which they almost always did. Now, most of the houses in Dunlap are empty.

Dunlap started going downhill as much as 40 years ago, but not noticeably. We always thought it was just a little slump, you know, in those days * * * wouldn't face the facts. And of course in the depression days. And of the Dirty Thirties, why all the young people that weren't well established, they came back to mom and dad's table. All the stores were lit up on a Saturday night and the streets were all filled with cars and children running around and playing hide-and-seek and so forth. But that didn't last long because the young people soon got out from underneath dad's table again and back on their feet. Since then it has been rather rapid.

At one time there were two banks in Dunlap. Now there are none. The Guaranty State Bank lasted until 1959 when it paid off its depositors and locked its doors, leaving behind a tableau of its final day.

HUNTLEY. Banker Charlie Haucke, who started out here in 1918, said, "If I made a mistake, it was settling in too small a town."

Farming today is big business. The small country bank, with its limited reserves, has been crowded out.

The bank is gone. So are a dozen other businesses. All that remain are a feedstore, a post office and a filling station on the edge of town.

Of the 134 people who remain in Dunlap, most are waiting out the inflexible arithmetic of mortality, and watching grass grow in the gutter of the city hall.

Coupled to the decline of the small agricultural community is the decline, and perhaps approaching extinction, of the small farmer.

We have cherished him since the days of Lexington and Concord as a national symbol of our virtue and our strength. Virtuous he still may be, but strong he is not.

In terms of cold statistics, the lower 53 percent of our farms account for only 6 percent of our total farm production. These farms, the small marginal farms, could disappear overnight without affecting our surpluses or the price of our groceries. The problem of the small farmer is not that of a production line in trouble, but of a human being in distress.

This is a small farm near Bushong, Kans. The crop is grain sorghum, a livestock feed many farmers call milo. The farm is run by Robert Whitaker and his wife, Velma.

R. WHITAKER. We have a 160-acre farm. Our principal crops are alfalfa, corn, milo, wheat, and sometimes we grow some oats. We grow about 20 acres of alfalfa, about 10 acres of wheat, about 10 of corn, about 25 of milo.

HUNTLEY. The Whitakers don't own a truck. They can't afford one. They bring milo from the field in a small trailer hooked to a car. The car belongs to Robert's father.

The father, 80-year-old Andrew Whitaker, is bothered by arthritis; but he helps with the harvest whenever he can.

When the milo is ripe, everyone drops what he is doing to help bring it in.

V. WHITAKER. Since our budget is quite limited, on the farm, I try to do my part by saving. I can every year on the average, I can about 150 quarts of fruit and around 70 to 80 quarts of vegetables and somewhere around 50 pints of jams, jellies, and pickles.

I help with bringing in the grain when harvest starts. And in the fall, I * * * uh * * * I help bring in the milo * * * help auger it off the trailer we use to haul it with * * * and help auger it back in the bin.

HUNTLEY. The family car, a 1948 model, also carries feed for the family's 50 cattle.

WHITAKER. Our main source of income comes from the sale of livestock. We have

a little from the sale of grain. We net about $1,700 a year. I think perhaps one year we made $2,200. It's been a few years back and I think perhaps that was one of our better years.

HUNTLEY. The Whitakers net $1,700 a year out of sales that gross about $3,700. Yet, even with a taxable income on only $1,700 the Whitakers are no worse off than 60 percent of the farmers in the country today.

On their $1,700 they must raise three children and help take care of Robert's aged parents. They do it, for the most part, by doing without.

This is Rodney Whitaker, 12 years old. He wants to follow in his father's footsteps. His chance of succeeding on this farm is almost nonexistent.

R. WHITAKER. We do not have the latest equipment nor the best. Some of it is just rather old. In fact, we have one old tractor my father bought in 1928 and we still use it a little. We have another tractor—it's about 12 years old—that we do most of our farm work with. And so our equipment isn't of the latest nor the best.

HUNTLEY. Over and over, in all possible variations, three basic factors lie at the root of the trouble for these 53 percent of our farmers who produce only 8 percent of the food and fiber: One, they are on marginal or wornout land; two, they have been unable to grasp or afford the new farm technology; three, falling farm prices.

Low farm prices have seriously threatened even the ideal farmer on good land. For the less than ideal farmer on less than ideal land, low prices have meant disaster.

Robert Whitaker scrimps, patches, does without. With luck, he may hang on.

In the Great Plains, March 1 is the customary date for new landlords and tenants to take over. So, beginning in January, the crisp air rings to the cry of the auctioneer while the neighbors gather, as much to visit as to bid.

This is the auction, 20 miles south of Lincoln, Nebr., of a man who gave up trying to make a living on 320 acres.

The farm machinery on sale here belongs to Lambert Termaat, a tenant farmer.

Termaat lived here 15 years. Last March a steel company in Lincoln taught him how to weld and gave him a job. Now he's leaving the farm to become a full-time welder.

These auctioneers have held 67 farm sales in the past 2 years. Of the 67 who sold out, 32 moved to town.

A farm sale is one of those emotionally charged dividing lines separating us from our past. But change is not necessarily tragic. Lambert Termaat may make more money in town. Yet there remains the nostalgia of remembered voices echoing across vacant yards and empty rooms.

Each year up to a million people leave the land and migrate to the city—20 million since 1940—almost half the farm population.

The houses and barns rot in the sun but the land remains green, tilled by someone else. In the Dust Bowl days of the thirties, farmers fled because the land produced too little. Now they are forced out because it produces too much and drives crop prices down.

MASKIL. Not very many years ago, in my lifetime, this county had 15,000 population. Now, then, it's down to 12,000. That's 3,000 people—3,000 people less. That's just as if the earth had opened up and swallowed a town of 3,000. And in this part of the country a town of 3,000 would be a pretty big town.

HUNTLEY. That was Oliver "Doc" Maskil, editor of the Westmoreland Recorder, a weekly paper in Westmoreland, Kans. The town started as a watering stop on the Oregon Trail. It grew into a farming community of 500 people.

In the past 10 years the average farm in this county grew from 300 to 390 acres, while the number of farms dropped from 1,600 to 1,200. But Westmoreland remained relatively stable.

MASKIL. There are several reasons for a town existing. It can be an industrial center. It can be a shipping center. Or, in the case of Westmoreland, it can be a county seat. Well, when you're a county seat that means a lot of things, particularly in this part of the country. It means that we have the courthouse and the courthouse payroll and we have the county shops and its payroll. Then, when people come in to these offices, when they come to the courthouse, when they come to the ASC office to see about their business, they go to the grocery store. They buy a few groceries. They stop in at the hardware store and get some nails. It * * * if it wasn't for being a county seat, Westmoreland just wouldn't be here at all.

HUNTLEY. Westmoreland has survived because it is the county seat of Pottawatomie County. But the people who live here are worried. To attract new residents they have applied for urban renewal. They have no sewers. Their gutters and sidewalks are falling apart.

But small town appeals for urban renewal get a mixed reception. Many sociologists feel small towns have outlived their function, that rescue should be directed toward larger rural units. Dwight Nesmith, an expert in rural area development at Kansas State University:

NESMITH. There are 530 small towns in Kansas, towns with less than 2,500 population. Now, if we assume we are going to save all these small towns, as some people apparently want us to do, let's take a look at the arithmetic we get involved in.

These small towns have a total population of about 300 thousand people and an average population of 570 people. This means we would have to add 2,120,000 people to Kansas * * * essentially double the population of the State of Kansas * * * to bring them up to the minimum of 4,000 population apiece, a minimum I feel is realistic if these towns are going to provide the goods and services that people have a right to expect from their community.

Now we can't do this, based on agricultural jobs. These are declining all the time. So we're going to have to depend on industrial development. Now, one manufacturing job will support about 3 people. So that means we need about 703,000 new manufacturing jobs in the State of Kansas, or about 6 times as many as we have at the present time.

To look at it another way, if we're going to put all our industrial efforts for a year into saving these small towns, it turns out that 100 plants with an assumed mortality rate of 50 percent, will be just about enough to save one city. Therefore, in 530 years the job will be done.

MASKIL. It's all very well and I suppose it is logical for these sociologists to say, "Well, let's consolidate these towns. There's no need for these small towns. Let's take up the people and move them to a larger town." But that just doesn't take into account the human factor.

People are living in Westmoreland because they want to live there. Now we don't have everything. Here, for example, we don't have a sewer system. There's other small towns around us that don't have a water system. But there's other things maybe that are needed and it's hard to put into words what they are. But people are living in these small towns because they want to. When they're gone there will be other people who prefer to live in those towns * * * these small towns. All we want for Westmoreland is to make it a nice place to live.

HUNTLEY. Westmoreland, Kans., and Reed Point, Mont., and all the other thousands of towns like them were once nice places to live. Some of them still are for the very few who can manage it.

What we have just seen is an example of the national social problem which happens to reside on the land. It is made up of the 53 percent of the American farmers who produce only 8 percent of the crop of food and fiber.

They represent a social problem for a combination of two basic causes. First: they are on land that should never have been tilled in the first place; or, second, they've been too slow in becoming the expert agricultural economist-technician which characterizes the successful farmer.

Nowhere else have science and technology been so intensively and extensively understood and applied as on the American farm. The successful American farmer is one of the supreme technical experts of all time. But even he is in trouble and is going under because of his technical skill in making things grow. Even he is driving himself off or being driven off the farm because he is producing too much, running too fast to stand still.

PART II

HUNTLEY. In 1870 the average American farmer produced enough to feed five people. In 1940 he fed 11. By 1960 the number of people fed by each farmer had jumped to 26.

In 1960 we produced 1,300 million bushels of wheat, 4,300 million bushels of corn, 14 million bales of cotton.

Production on the American farm has tripled since 1940. But the very productivity of this most efficient farming system in the world has left us floundering, like the sorcerer's apprentice, in a flood of plenty. The man who has suffered most from the overproduction of the farm is the farmer.

Forty-seven percent of our farms account for 92 percent of our farm production. These farms are large, mechanized, and efficient. Despite their growth, the vast majority remain family farms.

This is one of them: the 1,000-acre farm of Lloyd Sellers in Rice County, Kans. Sellers, with only one hired man, farms times as much land as his grandfather did under the Homestead Act, and in the winter feeds 300 cattle.

Over the past 20 years Rice County has lost about 40 farms a year. Most of those that go under are small. They are taken over by farmers like Lloyd Sellers.

SELLERS. In the acres that we now have in this farmstead that we farm, there used to be three other farmsteads. And over the years they have all been torn off. I helped tear down the buildings on two of the farmsteads, and my father tore down the buildings on one before I can remember.

On one corner of our home place there used to be a one-room school. In fact, us kids went to that one-room schoolhouse. But as the schools got bigger and consolidated and merged, then this school ceased to be used as a school. So we got one more acre under the plow than it used to be.

HUNTLEY. Farmers like Lloyd Sellers make the most of each acre, despite Government programs to control production.

SELLERS. A farmer living out on this land has to try to make a living. So, when his allotment is cut down to where he is not allowed to produce as many acres, then he tries everything he can think of to increase the production on the acres he is allowed to farm * * * so he can still make a living. So he'll farm better. He'll summer fallow more (summer fallowing will really increase production). And then he will probably use more fertilizer, buy more commercial fertilizer, which will help keep production up. In other words, keep about as many bushels as he was raising, anyhow.

HUNTLEY. Farmers do not boost production to be contrary. They feel they are driven by chronically low prices. There is little profit on one bushel of wheat or milo, so they try to grow enough to profit from sheer volume. This is in direct competition

with Government efforts to raise prices by reducing acreage. Because farmers can grow more on each acre, attempts to limit production this way have failed. Now the Government would like to control, instead, the bushels a farmer can market.

What farmers fear is a disastrous timelag between lower production and the day of higher prices.

This big plow is one reason Lloyd Sellers and his hired man can farm a thousand acres. The successful farm today is a big business: in acres, in machinery, and investment. Contrary to a carefully nurtured stereotype it usually is not a bottomless reservoir of Cadillacs.

A 5-bottom plow costs a thousand dollars. The tractor that pulls it costs $7,000. Sellers owns three tractors, three trucks, and a pickup, a $9,000 combine and much more. His investment in equipment is at least $40,000. This winter he is feeding cattle that cost $20,000. The land is worth at least $150,000. Yet, over the past 3 years, his net income has averaged only $7,500 a year. He lives comfortably but is not rich.

This kind of farming foreshadows the future and the ranks of economically qualified applicants are thinning out.

SELLERS. Actually, with the cost of machinery and equipment as it is today, if a young boy wanted to start in the farming business, and didn't have a father or some relative or somebody that would go with him and give him some land to start on and help, help him get started with equipment and stock, it would be impossible for him to start.

HUNTLEY. The most important single factor in the immense productivity of the American farm is the land grant college, a unique American institution. This is Kansas State University in Manhattan, Kans. It was founded just 100 years ago.

ROTC training, written into the land-grant law, is still a required course at Kansas State. But what was a college is now a university, complete with a cyclotron under construction.

A few hundred yards from the cyclotron is an experimental plot of hybrid milo. Out of fields like this came the basis for our agricultural revolution.

A current project is hybrid wheat. Tentative results, in the form of a few precious kernels, have already been passed around to interested researchers. Twenty-five grains of wheat went to the University of Nebraska.

At the University of Nebraska some research on hybrid wheat was already underway. Interest there quickened when the top expert at Kansas State was hired away by a commercial seed company. Space agencies are not the only victims of industry's technological piracy.

A hybrid plant is a cross between two varieties. They are crossbred to encourage the best qualities of both. Hybrid corn, which boosted production 25 percent, was the accidental result of basic genetic research.

Plant research consumes time. It can be accelerated by what are called growth chambers. A growing day, under artificial sunlight, is 18 hours, set on a timer. Here scientists can grow four crops of spring wheat a year.

It took farmers 20 years to realize the production advantages of hybrid corn. Now, most of our corn is hybrid. Hybrid milo, which you saw harvested on both the Whitaker and Sellers farms, was not introduced until 1957. Now, four crops later, it comprises 95 percent of the milo planted. Hybrid wheat, if it works, will catch on even faster.

At the present time scientists can make hybrid wheat but it will not reproduce itself. They are looking for some freak variety of grain that will lend itself to the development of reproduction. And they are certain it exists somewhere. Of course, hybrid wheat may be too expensive. It may not increase production. It may not have the adaptability researchers foresee. On the other hand it may. These few plants could foreshadow the bread of the next generation.

There is, at Hutchison, Kans., a grain elevator that stretches across the plain for half a mile. Each year we produce enough wheat surplus to fill it four times over. Year by year the unused surplus mounts, piling up storage charges. Surplus, the tarnished side of our agricultural miracle, is not a new problem. Since 1930, in every year we did not have a severe drought, a war, or a major war relief program, we have had surpluses.

In no one year do they amount to more than 5 percent of any one crop. Yet, added up, the cost of coping with them is $2½ billion a year, an annual charge about the same as the total spent on development of the atomic bomb under the Manhattan project.

Surpluses are even stored in military bases left over from World War II. They depress farm prices. They cost tax dollars. Perhaps worst of all, they represent the waste of unused food in a world where half the human race is undernourished.

The farmer is the target of constant exhortation, not all of it unselfish. Ambitious politicians, editors with axes to grind, urge the farmer, one day, to spurn the Federal farm programs and be a free farmer. The next day they scream at him to protest, to rise up, march on Washington about this or that phase of the Federal program. He is pushed and pulled, admonished, and harangued into schizophrenia, offered the best of two incompatible worlds—the no-redtape, no-document, no-affidavit kind of free-economy agriculture on the one hand; and the highest price supports, guaranteed-market, maximum-benefit kind of no-risk agriculture on the other.

This is Lyons, Kans., county seat of Rice County.

Lyons is one of those farming communities which has prospered in these years of sweeping agriculture change. It has a population of 4,000. It is the kind of town where people go when they bypass the Dunlaps and the Westmorelands. Arnold Fankhauser, who runs a clothing store, knows why.

FANKHAUSER. Really, we have about seven or eight towns that used to be competition here in a sense, and sold the same items we in turn sold here. While this town was a little larger, those towns actually did quite a bit of business.

And I don't mean to degrade them, they were more or less pickle-barrel type stores and they couldn't do any better because of their size. But actually, Lyons, Kans., was a little larger and I would say the pattern has changed this way: they like to shop in a little better town.

HUNTLEY. Lyons has better stores, more of them, and good roads leading in from the four points of the compass. Also, it has been the county seat since 1876.

Farmers, in the aggregate, are good consumers. Because of all their equipment they use more petroleum than any other industry in the country and comprise one of the biggest consumers of steel and rubber. This is reflected in the economy of Lyons.

Lyons has four grocery stores, two of them supermarkets. The car just pulling into the curb is driven by a farmer's wife. She drove 10 miles, bypassing two smaller towns closer to home, to shop here. Since fewer farmers grow a little of everything, their wives buy more food in the store, including meat, milk, and eggs. This farm wife's habits are changing and so are those of the store. Supermarkets have begun to compete with drugstores as purveyors of everything under the sun. Since these items go on the grocery bill, we tend to think of them as part of the cost of food. Often they are not. Since 1949 food has risen less than most other items on the cost of living index. And the farmer's share from the cost of food has gone down 12 percent.

We asked the shopper who had come 10 miles to let us read her grocery list. We found out two things: she spent more money than she meant to; and, 35 percent of what she spent was on nonfarm products.

Aluminum foil, which costs 35 cents, is a nonfarm product.

About one-fourth of the price of ice cream goes back to the farmer. He gets 3½ cents from a 25-cent loaf of bread.

The farmer gets back about half the money we spend for bacon, about 82 cents on a steak costing $1.41.

The return on butter is high—56 cents for a 79-cent pound of butter.

Soap powder is a nonfarm product. So are all the paper tissues we buy and most of the plastics.

Canned corn costs 45 cents. The farmer gets back a nickel.

Grocery stores now sell ping pong balls. No sale for the farmer.

The most expensive item of all: the impulse purchase of a longplaying record. Corny, perhaps, but not from the farm. Overall packaging and middleman costs are up * * * the farmers' share has gone down.

That is Lyons, Kans., a beneficiary of the agricultural revolution. Yet, even here, there is a shadow.

FANKHAUSER. Well, of course, the opportunity for the young people here is not nearly as great as it used to be for our farm population, you see, is decreasing quite rapidly. The larger farmer is taking over what used to be two or three or four farms. And the children that are coming, raised on a farm, they don't have an opportunity to go back on the farm. And in order to keep these people here at home, we must have industry here to attract them if we're wanting to keep up the population. Or, they don't have any choice after they get out of school but to go to some factory, or get a job elsewhere in some other part of the State or in some other part of the country.

HUNTLEY. One Lyons student who will return is Steven Sellers—you met his father. Steven, with a degree from Kansas State University, is coming back to farm. He wants most a farmer's independence.

SELLERS, Jr. I'll be my own boss. I can do anything I want to, whenever I want to do it, however I want to do it. I can cover the whole half section with feed lots if I want to, or irrigate, raise swine, anything I want to.

It's going to take a lot of work and technology to make a go of farming today. If I were going to be an average farmer I don't think I'd go back because, actually, the average farmer has a rough row to hoe. But I believe with my training and hard work, I believe I can make a go of it. And that's what I love to do. So that's what I'm going to do.

HUNTLEY. Steven Sellers will return to his father's farm. In this he is more fortunate than most. The farm, by present standards, is large. The investment in expensive equipment has already been made.

Yet, a generation ago, this farm was sufficient to earn a man a good living. Now 160 acres will not bring Robert Whitaker enough income to justify the expense of efficient farming—which is the only kind with a chance of survival.

Steven Sellers will raise his children in this community. Now, Lyons is prosperous. It has taken over from the smaller villages that compass it.

But Dunlap, too, was once prosperous. Stores stayed open until 1 o'clock on Saturday night until the gasoline engine was harnessed to four wheels.

Steven Sellers is a college man. His chance of succeeding appears as good as that of any young farmer.

But the very college which educated him has unleashed the knowledge of which surpluses are made. And these surpluses may loom darkly across most of his adult life.

Change is constant and the pace is accelerating. All the Steven Sellers—the new generation of farmers—must live with it. The alternative is this.

We city people are selfishly maintaining a vast underappreciation of this fellow on the land, these 47 percent of our farmers who are providing us with the greatest cornucopia of plenty at the lowest prices in all history. We have him providing for us at an average rate of 60 cents an hour for his dawn to dusk effort.

It is not just charity or generosity or fairness that suggests we might do better for him or by him, but plain economic self-interest and commonsense.

A banker has said that there's still enough national investment in the land that a depression could start there again. Eighty cents an hour for a farmer's labor would appear to be flirting with it.

In addition to the investment we have observed that the farmer is the supreme consumer of everything we city people produce. He not only consumes in prodigious quantities the groceries, clothing, and gadgets which the rest of us produce but on top of that he is the buyer of farm machinery, fencing materials, lumber, paint, tools, and chemicals. If he goes under so do machinery companies, steel mills, truck manufacturers, and chemical plants and so do we.

Before the turn of the century, American labor began solving its economic problems by collective bargaining. Collective marketing is a way out for the farmer. It has worked in the production of milk, and a few other commodities; but it has not yet been applied to grains and other farm products because it's complex and unwieldy and because the farmer himself is a rugged individualist * * * and a stubborn, contrary, suspicious, and sometimes untrusting nonconformist.

The only instrumentality thus far devised by the minds of men to represent the farmer, act as his counsel and agent, urge him to collective programs of production control or act as his own policeman, is the United States Department of Agriculture. The farmer frequently assails it. We taxpayers don't like it and the Government itself would like nothing better than to hear the last of all such expedient measures as soil banks, price supports, and surpluses. But thus far the farmer has been unable to bring himself to the final step, rationalization and firm control of his own production.

Nor have we city people been of too much help to him. We now control more power and influence in the Congress. A program which will save the farmer will probably originate there. When and if it does, we might bear in mind that he has been a good provider for us and we might understand that we're all in this together. If he is not prosperous, we're not going to be either, for very long.

THE ALEXANDER HAMILTON NATIONAL MONUMENT

The Senate resumed the consideration of the motion of the Senator from Montana [Mr. MANSFIELD] to proceed to the consideration of the joint resolution (S.J. Res. 29) providing for the establishing of the former dwelling house of Alexander Hamilton as a national monument.

Mr. HOLLAND. Mr. President, I have had some inquiries as to what is the text of the amendment which I shall propose in the event the Senate should vote to take up the joint resolution which is the subject of the pending motion.

I would propose to strike out everything after the enacting clause and put in the place thereof present Senate Joint Resolution 58, which has been introduced by 67 cosponsors.

I ask, however, rather than leave the matter upon that general basis, to send forward for printing, so it may be available on the table, the proposed amendments, which I shall, if given an opportunity at the appropriate time, ask to have substituted for the body of the joint resolution which is now pending.

The VICE PRESIDENT. The amendments will be received and printed, and will lie on the table.

Mr. JAVITS subsequently said: Mr. President, I ask unanimous consent to have printed at the appropriate point in the RECORD the amendment by way of a statute with respect to the poll tax, to be offered by me and Senators DOUGLAS, KEATING, BUSH, HART, NEUBERGER, CASE of New Jersey, PASTORE, SCOTT, ALLOTT, MORSE, PROXMIRE, BEALL, WILLIAMS of New Jersey, and KUCHEL. I think the proper place in the RECORD would be following the constitutional amendment proposed by the Senator from Florida [Mr. HOLLAND].

The VICE PRESIDENT. Is there objection to the request of the Senator from New York? The Chair hears none, and it is so ordered.

The amendment, in the nature of a substitute, was ordered to be printed in the RECORD, as follows:

Strike out all after the resolving clause and insert in lieu thereof the following:

"That the Congress finds that the requirement that a poll tax or other tax be paid, or that any property qualification be met, as a prerequisite for voting or registering to vote at primaries or other elections for President, Vice President, electors for President or Vice President, or for Senator or Member of the House of Representatives, is not and shall not be deemed a qualification of voters or electors voting or registering to vote at primaries or other elections for said officers, within the meaning of the Constitution, but is and shall be deemed an interference with the manner of holding primaries and elections for said national officers, an abridgment of the rights and privileges of citizens of the United States, a tax on such rights and privileges, an obstruction of the operations of the Federal Government, and an impairment of the republican form of government.

"SEC. 2. It shall be unlawful for any State, municipality, or other governmental authority or any subdivision thereof, or for any person, whether or not acting on behalf of any State, municipality, other governmental authority or subdivision thereof, to levy, collect, or require the payment of any poll tax or other tax or to impose a property qualification as a prerequisite for registering to vote or voting in any primary or other election for President, Vice President, elector for President or Vice President, or Senator or Member of the House of Representatives, or otherwise to interfere with or prevent any person from registering to vote or voting in any such election by reason of such person's failure or refusal to pay or assume the obligation of paying any poll tax or other such tax or meeting any property qualification. Any such levy, collection or requirement, and any such tax or property qualification, shall be invalid and void insofar as it purports to disqualify any person otherwise qualified from voting at such primary or other election."

Amend the title so as to read: "Joint resolution to protect the right to vote in national elections by making unlawful the requirement that a poll tax be paid as a prerequisite to voting in such elections, and for other purposes."

Mr. JAVITS. Mr. President, I wish to invite the attention of the Senate to the fact that the Attorney General of the United States, testifying this morning in the other body, made it clear that he sees no reason why this action cannot be taken by statute. Mr. President, of course I shall go into this in greater detail as we move along in the debate.

EXPANDING FOREST PRODUCTS LABORATORY AT MADISON, WIS.

Mr. WILEY. Mr. President, expansion of research in forestry, as in other fields, provides the key to progress.

For this reason, I am supporting efforts to provide adequate funds, not only for carrying forward the Forest Products Laboratory at Madison, Wis., but also for expanding its facilities.

Improving the outlook for the wood products industry, through research will, I believe, be tremendously significant to our citizens, individually, as well as to businesses and industries and the economy generally depending on such products.

According to expert computations, there is about a $70 return for each dollar invested in forest products research.

Although the Laboratory is a Federal institution, its operations demonstrate wonderfully how progress can be made by cooperating with, as well as creating benefits for, private industry in research.

Believing the proposal for expanding of the Laboratory deserves the consideration and approval not only of the Appropriations Committee, but of Congress, I ask unanimous consent to have the following items printed at this point in the RECORD:

First. A copy of my letter to Chairman HAYDEN of the Appropriations Committee, urging adequate funds for carrying forward and expanding the operations of the Laboratory.

Second. A series of representative letters from private industries reflecting the way in which the Laboratory is serving the overall interests of the Nation.

There being no objection, the communications were ordered to be printed in the RECORD, as follows:

MARCH 14, 1962.

Hon. CARL HAYDEN,
Chairman, Appropriations Subcommittee on Department of Interior and Related Agencies, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: I am writing to respectfully urge approval of:

1. The recommended $3,300,000 appropriation for operation of the Forest Products Laboratory at Madison, Wis., for fiscal year 1963; and

2. The recommendations for a first-year appropriation, amounting to $4 million—the first stage of a 3-year $10 million program for necessary expansion of its facilities.

As you are aware, the forest products industry is tremendously significant to the

whole U.S. economy. In 1960, for example—the latest year for which complete figures are available—the industry:

1. Provided jobs for about 1,136,000 people (a level of employment exceeded only by the machinery, food, transportation, equipment, and apparel industries); and

2. The manufacture of wood and paper products contribute about $10 billion to the Nation's income.

In Wisconsin—as in many other States—the forest products industry also ranked high in our economy, including (a) the creation of over 54,000 jobs; and (b) the output of products totaled around $1 billion.

I recognize, of course, that the requested appropriations for forest research represent a lot of money. According to expert computations, however, there is about a $70 return for each dollar invested in forest products research.

Consequently, this represents—in my judgment—a good investment.

For these reasons, then, I am respectfully urging approval of funds to carry forward—and to necessarily expand—the work of the Forest Products Laboratory at Madison, Wis.

If accomplished—as I believe it should be—it will be of tremendous significance to:

Our forest and forest products industries;

The thousands of people employed;

The business and services dependent upon the buying power of workers in the industry; and

The vast number of people, including America's homeowners, as well as many other industries who benefit from the work of the Laboratory.

I am taking the liberty of forwarding copies of letters from private industry endorsing the need for expansion of the Forest Products Laboratory. Based upon past experience, these messages reflect the significance of expanded forest research to private enterprises and the needs of the American people.

I respectfully request, therefore, that these be included in the record of the hearings.

With appreciation for the consideration which I know you will give this matter, and with kindest regards, I remain

Sincerely yours,

ALEXANDER WILEY.

MOSINEE PAPER MILLS CO.,
Mosinee, Wis., February 28, 1962

Senator ALEXANDER WILEY,
Senate Office Building,
Washington, D.C.

HONORABLE SIR: Included in the U.S. Forest Service budget now being submitted, there is a request which I feel is of great importance to our country and which should be given high priority. This is the assignment of moneys (I think about $4,500,000) for the enlargement and improvement of the facilities at the Forest Products Laboratory at Madison, Wis.

The directors and staff of this Laboratory, ever since it was established, have made basic contribution to the paper and pulp industry and to all wood-using industries, and have been most valuable and important in the growth and service to our Nation. The scientific research and developments have definitely increased the usability and value of our forests.

New cooking processes were developed at the Laboratory which now makes it possible to make good pulps out of specie fibers that were formerly of little value. The usable yield per acre of our national timber resource has been increased by studies and results obtained at the Laboratory. Basic contributions through the work of this institution are continuing but are retarded and handicapped by limited facilities.

The support you have always given to the work of the Forest Products Laboratory is recognized and appreciated. A continuation of this support, I am sure, will come from you, Senator WILEY, by using your great influence to obtain the amount needed by the Laboratory from the Forest Service budget now up for consideration and adoption.

Respectfully and sincerely,

N. S. STONE,
Retired President.

CONSOLIDATED WATER POWER & PAPER CO.,
Wisconsin Rapids, Wis., March 6, 1962.

Senator ALEXANDER WILEY,
U.S. Senate,
Washington, D.C.

DEAR SENATOR WILEY: We have been advised that the Forest Products Laboratory in Madison, Wis., has a request in Congress for a $4 million construction item. They have added 12 acres of land and this new construction item will be primarily for new pulp and paper facilities.

We think the Forest Products Laboratory has done an excellent job in the past and that this new construction item is necessary and will result in considerable benefits both to the people of the State of Wisconsin and the people in the United States as a whole.

We would appreciate anything you can do to support this request.

Your very truly,

E. A. STARKS,
Assistant Treasurer.

WISCONSIN ALUMNI ASSOCIATION,
Madison, Wis., February 28, 1962.

Hon. ALEXANDER WILEY,
U.S. Senate,
Washington, D.C.

DEAR SENATOR WILEY: Wanted to apprise you of our keen interest in the activities of the Forest Products Laboratory.

For many years we in Madison have seen the outstanding contributions that this fine Government agency has rendered to our entire Nation.

You are to be complimented for your great interest in the Forest Products Laboratory and in the strong interest that you have shown in their budget.

Keep up the good work.

Sincerely,

ARLIE M. MUCKS, Jr.

ALGOMA PLYWOOD & VENEER CO.,
Algoma, Wis., March 8, 1962.

Hon. ALEXANDER WILEY,
Senate Office Building,
Washington, D.C.

DEAR SENATOR WILEY: The Senate Appropriations Subcommittee on Interior and Related Agencies will take under consideration on March 12, 1962, a proposal for a building program to modernize and make additions to the Forest Products Laboratory at Madison, Wis. Our company, as you know, operates a plant at Algoma and we have several warehouses throughout the State.

The Forest Products Laboratory in Wisconsin has rendered our company and our industry many technical services which we believe have helped to conserve the natural resources of our State and the United States. The Forest Products Laboratory has an extremely able staff and we know they are operating under a handicap due to the need for larger and more modern facilities.

We would like to strongly urge you to lend your good offices to supporting the request for a construction program for the Forest Products Laboratory. Senator CARL HAYDEN is the chairman of the subcommittee and we are confident a word from you to CARL HAYDEN would strengthen the position which we are advocating.

Thanking you for your assistance in this matter.

Sincerely,

RAY P. PULWILER,
President and General Manager.

HAMMERMILL PAPER CO.,
Erie, Pa., March 8, 1962.

Hon. ALEXANDER WILEY,
Senate Office Building, Washington, D.C.

DEAR SENATOR WILEY: I was very much interested in reading your speech concerning the expansion of the Forest Products Laboratory at Madison as reported in the CONGRESSIONAL RECORD of February 20, 1962. You are to be complimented on your leadership in attempting to secure funds for the new facilities which are needed to meet the demands for increased research in the utilization of the products of our forests.

The Hammermill Paper Co. has worked very closely with the Forest Products Laboratory in the past and has directly benefited from the splendid research work which has been done at the Laboratory. Previous commitments prevent our appearing before the Senate Subcommittee for the Department of the Interior and Related Agencies, which is now considering the request for funds to start construction of the proposed facilities at Madison. Perhaps you will find this letter of use to you in your efforts to secure favorable action on this matter by the subcommittee.

The Hammermill Paper Co. is one of the largest companies in the United States manufacturing fine papers—business, office, and printing papers. Paper manufacturing facilities are located in Pennsylvania, New York, Ohio, Massachusetts, Michigan, and Washington State with converting and merchandising facilities also located in a number of other States.

Hammermill, like almost all paper-manufacturing companies, depends on having an adequate supply of high-quality wood pulp made from available pulpwood at a competitive cost. The Forest Products Laboratory has made valuable contributions to the U.S. pulp and paper industry and we feel that the high position which our industry now occupies could not have been reached without the research and development work which has been carried out by Forest Products Laboratory in the past.

The development of the patented Hammermill neutracel process for the manufacture of high quality pulp from hardwoods, formerly considered unsuited for the purpose, was based upon excellent fundamental research work extending over many years by the Madison laboratory. It would not have been possible to perfect the method and design and install the commercial plant at Erie now making 250 tons of neutracel pulp per day as quickly, and possibly not at all, without the help of the Forest Products Laboratory.

As the result of the neutracel development Hammermill has been able to continue and expand its pulp manufacture in Erie and to create an important source of jobs and income for the farmers and small wood suppliers in the economically depressed areas of northern Pennsylvania and adjacent counties in New York. This means that over $2 million which formerly went to Canada for pulpwood purchases now is channeled into the economy of this region.

Other specific contributions could be cited as to the direct value to our industry of the research and technical contributions made by the Forest Products Laboratory but perhaps this example will suffice to illustrate the practical value of the work done at Madison.

It is hoped that you will be successful in your efforts to get the necessary approval so that construction of the much needed

section for pulp, paper, and wood chemistry research can be started this year.

Very truly yours,

DONALD T. JACKSON.

UNIT STRUCTURES, INC.,
Peshtigo, Wis., March 8, 1962.

Senator ALEXANDER WILEY,
Senate Office Building,
Washington, D.C.

DEAR SENATOR WILEY: We urge that you support the U.S. Forest Products Laboratory request for additional research funds to make more effective use of our timber resources.

The Department of the Interior and Related Agencies Subcommittee of the Committee on Appropriations is being requested to include $4 million for fiscal 1963 to provide additional wood chemistry and pulp and paper research at Madison, Wis. This is part of a 3-year plan to assure $10 million of needed research facilities for increasing the serviceability of wood products, developing new uses for wood, and improving the usefulness and quality of all wood species.

This research is essential to the proper use of wood as a structural material as well as provide the processes and techniques to improve the productive potential of our forests for the paper and cellulose industries.

The personnel of this Laboratory have pioneered in the development of plywood, laminating, protection from fungi, insects, and fire, wood structural design criteria, and wood chemistry to change low-grade species into profitable products. Your support of their request for funds will be of tremendous importance to the State of Wisconsin and to the Nation in finding new uses for the products of its forests.

Yours very truly,

MAX J. HANISCH, Jr.,
President.

THE PEACE CORPS

Mr. CLARK. Mr. President, most of us have been heartened at the successful year which the Peace Corps has had. This fine agency is doing a wonderful job in promoting good will for America abroad. Many of those who had expressed doubts about it are now its adherents.

I recently received a letter from Miss Carol Ann Byrnes, formerly of Pittsburgh, Pa., but who is presently with the Peace Corps in the Philippines, and who writes entertainingly and informatively about her experience there. She ends up her letter by saying:

Tell everyone at home we miss them, but wouldn't trade this experience for anything.

I ask unanimous consent that Miss Byrnes' letter may be printed in the RECORD at this point in my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

FEBRUARY 18, 1962.

DEAR MR. CLARK: Greetings from the Philippine Islands. Are you surprised to be receiving a letter from a Peace Corps volunteer?

My main reason for writing is to thank you for your support of the Peace Corps. I'm sure without men like you pulling for us in the legislative branch of our Government, I probably wouldn't be here today. We do appreciate your support.

Perhaps you'd like to know a little of what life in the Peace Corps Philippines project is like. You'll excuse me for speaking personally, but it'll be easier to tell you what I, myself, am involved in, rather than the activities of all 180 volunteers.

Our training programs at the University of the Philippines lasted 7 weeks. We received instruction in Jagalog, the national language and also in Philippine history, education, culture, and social structure. Much of our time was spent in classes showing how to teach English and science. On December 1, we were sent to our respective assignments, after a graduation speech by Vice President Pelaez.

The island of Negros, where I'm assigned, is one of the world's leading exporters of sugar.

It's a beautiful place, and everywhere can be seen sugarcane fields, coconut trees, and rice harvests. Fishing is an important industry in Hinigaran and each morning the people come to the beach beside our house to buy fresh fish.

Our house is a cute, two-story frame structure with a nipa palm thatched roof. It's located just a few feet from the ocean, and when the tide is in, we can almost taste the salt water. We have almost all the comforts of home, including running water (when the pressure is great enough), shower, john, electricity between 6 p.m. and 6 a.m. and even an old upright piano.

The three volunteers with whom I live travel each day to barrio schools, while I have a 10 minute walk to the Hinigaran Central School. The school has over 1,800 students, and 56 teachers, so I'm kept quite busy. Most of my time is spent teaching English in grades three through six, although occasionally I teach a science class. Three times each week, I conduct a class for the teachers on teaching English as a second language. Once every week, I gather 25 or 30 of the best sixth grade students and give them extra help and work. Right now, I'm busy teaching some American dances (hokey pokey, skip to my Lou, etc.) for some kiddies to perform at Community Day next Friday.

The whole town gathers in the town plaza for a program. Even I'll be performing. Dressed in native costume, I'll dance a Filipino selection with the teachers.

Plans still in the offing are to organize a rythm band at school, using native materials like coconut shells, seeds, etc. I also would like to begin traveling to the rural areas with the public-health doctor and midwife to see how things are done.

One of the niceties of this project is that individual interests and skills can be utilized. For example, one of my housemates was a commercial artist who designed cards for Hallmark. Consequently, she's making place mats and paint brushes from native materials. Edmie has built a chicken coop and is raising poultry. Mary is kind of a linguist and made a speech in Ilongo (the local dialect) at a recent celebration.

Some of the Peace Corps groups are seeing tangible results of their work and can send pictures home of a bridge they've designed, a road they helped to construct, or a toilet they built. But who can photograph the mind of a child? One satisfaction comes in seeing a little round, tan face light up after it has pronounced "fish" correctly or learned to say "seat," instead of "sit."

We crave news about what is happening in the rest of the world and eagerly devour the Asiatic editions of Time and Newsweek. Voice of America helps a little, but it's not too good.

Tell everyone at home we miss them, but wouldn't trade this experience for anything.

Thanks again for your support.

Sincerely,

CAROL ANN BYRNES.
(Formerly of Pittsburgh).

CHAGRIN BEING FELT ON THE RIGHT

Mr. CLARK. Mr. President, one of the controversies tending to divide the country today is the argument between the vast majority of our American citizens and what has been referred to as "the radical right," or, as my friend the senior Senator from Minnesota [Mr. HUMPHREY] refers to them, as the "Knights of Negativism."

A very interesting and sensible column appeared in Tuesday's Pittsburgh Post-Gazette under a byline of a well known columnist, Sidney Harris, entitled "Not Thunder but Chagrin Being Felt on the Right." I commend the column to my colleagues and to other readers of the RECORD, and I ask unanimous consent that it may be printed in the RECORD at this point.

There being no objection, the column was ordered to be printed in the RECORD, as follows:

NOT THUNDER BUT CHAGRIN BEING FELT ON THE RIGHT

(By Sidney Harris)

I was having lunch with an old friend of mine who happens to be a deep-dyed conservative. He was worried and upset about the radical rightwing movement in America.

"As you know," he said, "I sympathize with some of their aims and objectives. But if I go in with them, I'm immediately associated with a lot of crackpots and bigots and unsavory characters. And, naturally, I'd be tarred with the same brush."

"Naturally," I agreed, "and I'm glad to see that now the shoe is on the other foot. Pinches a bit, doesn't it?"

"What do you mean by that?" he asked sharply.

"I mean that has been the liberal's dilemma for the last 30 years. The minute he joined a group or worked for a cause that also had the Communists' support, he was immediately identified as a 'fellow traveler.'

"You conservatives," I went on, "have not hesitated to brand any liberal as some kind of 'pinko,' no matter how basically he may have disagreed with the Communists. As far as you were concerned, anybody who was for public housing or civil rights was a suspicious and probably subversive character."

"But the Communists did use a lot of naive liberals," he protested.

"Of course they did," I said, "and so will the rightwing extremists use a lot of respectable conservatives as fronts, if they can. It's in the nature of any fanatical group to try to take over wherever it can."

"What is a person to do, then?" he inquired.

"It seems to me," I said, "the first thing we can do is stop throwing dirty names around and calling everybody we oppose a 'pinko.' We have to learn to discriminate between people who believe in the orderly processes of government and those who really don't."

"Is that the basic difference?" he wanted to know.

"I think it is," I said. "Both the genuine liberal and the genuine conservative have faith in people as such. But the extremists on both sides really want to take over the government and run it for the benefit of some elite. The Communists and the rightwing radicals have a lot more in common than they realize.

PROPOSED UNITED NATIONS BOND ISSUE

Mr. McGEE. Mr. President, I ask unanimous consent to have printed in the RECORD a column published in this morning's Washington Post and Times Herald, written by Walter Lippmann, which analyzes the issues as he sees them in respect to the current bond proposal for the United Nations.

There being no objection, the column was ordered to be printed in the RECORD, as follows:

THE REPUBLICANS AND THE U.N.

(By Walter Lippmann)

There is serious difficulty in Congress over the plan to finance the U.N. deficit by a bond issue. This plan was worked out by Americans, it is supported by the U.S. Government, and it has been approved by the General Assembly of the United Nations.

It now appears that there is danger that it may be defeated by a coalition of Republicans and southern Democrats who want to substitute for it an altogether different plan. Instead of our buying $100 million worth of bonds, to run for 25 years at 2-percent interest, Senators AIKEN and HICKENLOOPER want us to offer the U.N. a loan of $100 million, to run for 3 years at current rates of interest.

The supporters of this proposal, and notably its sponsors, Senators AIKEN and HICKENLOOPER have been, and profess still to be, friends of the United Nations. But it is no exaggeration to say that if they prevail, they will have struck a dangerous blow at the United Nations.

To understand why this is so, we must remember that the U.N. is in financial trouble solely because it is conducting two operations—the one on the frontier between Egypt and Israel, and the other in the Congo. Apart from them, the U.N. is solvent.

The deficit arising from Palestine and the Congo is caused by the fact that two of the great powers, the Soviet Union and France, and a number of the smaller powers, such as the Arab States, Portugal, South Africa, and some others, are refusing to pay their special assessments for either or both of these operations.

The basic issues before the U.N. and the country are whether all the members of the U.N. can be compelled to pay for these peacekeeping operations and, if that fails, whether the U.N. must liquidate them and give up its actions, of which there have been eight, to enforce peace.

The crucial difference between the U.N. bond plan and the Aiken-Hickenlooper plan is that the bond plan would compel all members to pay their share of the costs of a peace-keeping operation authorized by the United Nations. The Aiken-Hickenlooper loan project cannot deal with this question of making every member pay for these special operations.

In the bond plan the interest and amortization charges would be covered in the regular budget, and a member who refused to pay its share for 2 years would be punishable by losing its right to vote. That ought to work to make the payment of these costs general throughout the membership.

Because the interest and amortization charges would be spread out over 25 years, the smaller, poorer members, though paying their share, would not have to pay large amounts. We cannot be sure that the big members, the Soviet Union, France, the Arab States and Belgium, would pay their share. But it would be a brazen defiance of the U.N. if they did not do so, and very embarrassing for them.

The Aiken-Hickenlooper loan plan would do none of these things. The fact is that the U.N. has no legal right to accept such a loan, and it is extremely improbable that a special session of the General Assembly, which would have to be called in order to accept a loan, would in fact approve it.

What is certain is that such a special session would reopen every crisis which was quieted down last autumn and the United States would find itself at the storm center of a new crisis. We would have to explain why the General Assembly should revoke its own decision of a few months ago, a decision we ourselves promoted, and why in order to please the Republican minority in Congress, the General Assembly should vote to overrule the recommendations of the President of the United States.

And if by some strange chance the U.N. accepted the loan, it would probably not be repaid. For the big nonpaying countries would surely stick to their position that special assessments are not binding, and the little nations would be unable to repay their share of the loan within 3 years.

It is in fact almost impossible to make any sense at all out of the Aiken-Hickenlooper amendment to the very much improved bill voted by the Senate Foreign Relations Committee. It is evident, however, that there are three elements at work in this confused raid on the bond plan.

One, unhappily, seems to be personal disgruntlement about which the less said the better. Another is a crude partisanship which is acting on the notion that to defeat what comes from Kennedy is somehow to win a victory. A third element, concealed but nonetheless at work, is old-fashioned isolationist hostility to the U.N. as such.

The Republican Party will not improve its famous image by playing politics with a plan which means so much to the stability of the world.

Mr. McGEE. Mr. President, the crucial difference between the bond plan and the loan plan, as Mr. Lippmann correctly points out, is the matter of compelling a larger participation in the financing of the United Nations among the membership, and reducing the weight of the participation on the part of our own Government, in terms of its actual financial obligation.

FEAR AND FOREIGN AID

Mr. McGEE. Mr. President, I ask unanimous consent that the lead editorial in this morning's Washington Post and Times Herald, entitled "Fear and Foreign Aid," be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

FEAR AND FOREIGN AID

The President and his Agency for International Development Director, Fowler Hamilton, are handicapped in their presentation of this year's foreign-aid requests by their inability to show tangible results of their policies in the short time they have been in effect. Since the emphasis of the administration has been on programs of a long-range nature, this is not remarkable. Congress can hardly hold up new authorizations and appropriations until 10-year plans have produced the expected effect, so they will have to take informed forecasts of the outcome of the program as a basis for judgment.

In his message, the President did well to stress the bipartisan, longtime nature of foreign-aid policies, in saying:

"One of the brightest pages of the world's history has been the series of programs this Nation has devised, established, and implemented following the Second World War to help free peoples achieve economic development and the control of their own destinies."

The President and his foreign-aid administrator have tried to put the program on an affirmative basis, but have felt compelled, nonetheless, to place great emphasis on the negative reasons for the program, the usefulness of these loans and grants and aids in checking communism. Perhaps, like the Greek general who confessed he could not get his soldiers to fight until he had got them frightened, foreign-aid advocates think Congress will not vote unless it is frightened.

No doubt a country with a functioning economy in which there is at least the prospect of better days for the people is less likely to opt for communism than a bankrupt state. Still, relatively well-off countries have gone Communist and countries in which we have invested heavily have been infiltrated with communism. So great a stress has been put on this incidental purpose, over the years, that Americans have had few of the psychological satisfactions of unselfish aid to less fortunate people and less credit abroad for disinterested humanitarianism. The argument puts the blight of blind fear and sheer self-interest on vast expenditures which retain much of their support because of nobler considerations than sheer self-preservation.

Humanitarian impulse, to be sure, often is compatible with enlightened self-interest and is not less creditable for having in it that element. Long before there was a Communist menace, however, Americans, as private citizens and as members of great church groups, were sending aid abroad to people less fortunately situated. There is a great philanthropic drive in this land. There is a great current of generous impulse. There is a long tradition of disinterested humanitarianism. Its role in the foreign aid program needs to be emphasized and stressed without any shamefaced disavowals of sheer good will, brotherly feeling and honest affection for our fellowmen. Let us feed the starving because they are hungry and not just because they may get wrong ideas on an empty stomach. Let us clothe the naked because they are in need, not because they otherwise may become infected with communism. Let us send our aid and our technicians into underdeveloped lands under the inspiration of hope and not under the compulsion of fear.

The mainspring of our foreign aid program ought to be our love for the great world community of man and not our hatred for the communism of Karl Marx. We need more gods and fewer devils in our foreign aid religion.

Mr. McGEE. The burden of the editorial is that much of our focus and our motivation in the foreign aid program seems to have been on stopping communism, and we have tended to lose sight from time to time of what it is we are seeking with the program. I quote the concluding thought in the editorial:

The mainspring of our foreign aid program ought to be our love for the great world community of man and not our hatred for the communism of Karl Marx. We need more gods and fewer devils in our foreign aid religion.

FIRST ANNIVERSARY OF THE ALLIANCE FOR PROGRESS

Mr. McGEE. Mr. President, I ask unanimous consent that the second editorial from this morning's Washington Post and Times-Herald, entitled "The Alliance's Birthday," be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE ALLIANCE'S BIRTHDAY

There were some memorable statements in President Kennedy's speech Tuesday on the occasion of the first anniversary of the Alliance for Progress. There is a need to make clear that the hemisphere program is more than a matter of commodity agreements and long-term credits—that it has political premises as well. Mr. Kennedy put it well in describing the meaning of the alliance as a doctrine of the freedom of man in the most spacious sense of that freedom.

The aim of the alliance is not simply to eliminate poverty; it is intended to broaden the range of choice of peoples who too often are consigned to a wasteland without exits. It is intended to free men from the bondage of want—without sacrificing basic democratic rights. This necessarily entails changes in the existing structure of Latin American societies. As Mr Kennedy said: "Those who make peaceful revolution impossible will make violent revolution inevitable."

The President quite properly stressed the positive in his summary of the first year since Latin Americans were invited to join in an Alliance for Progress. Hemisphere meetings have been held and Latin American republics have agreed to support the help-for-self-help doctrine of the alliance. The administrative machinery has been created and funds are beginning to flow into Latin America. Whatever the short-term difficulties, the alliance is a reality and the generous vista it opens are bound to excite the imagination. "I look forward to the day," Mr. Kennedy concluded, "when the people of Latin America will take their place beside the United States and Western Europe as citizens of industrialized and growing and increasingly abundant societies. The United States, Europe and Latin America—almost a billion people—a bulwark of freedom and the values of Western civilization, invulnerable to the forces of despotism, lighting the path to liberty for all the peoples of the world."

Mr. McGEE. Mr. President, this relates the substance of a series of remarks made by President Kennedy at a distinguished gathering at the White House yesterday, in observance of the first anniversary of the President's announcement of the Alliance for Progress program. Those of us who were privileged to hear his remarks were moved indeed by their appropriatness and the urgency of the tone of his comments.

The burden of the plea was, to those in Latin America, "Those who make peaceful revolution impossible will make violent revolution inevitable." With that keynote, the sense of urgency was sounded as to the Alliance for Progress getting more rapidly underway.

A CATHOLIC REPLY TO RADICAL RIGHT

Mr. McGEE. Mr. President, in a column written by Marquis Childs there is "A Catholic Reply to Radical Right," which I believe merits the attention of this body, and I ask unanimous consent that it may be printed in the RECORD at this point.

There being no objection, the column was ordered to be printed in the RECORD, as follows:

A CATHOLIC REPLY TO RADICAL RIGHT

(By Marquis Childs)

In the growing debate over the role of the rightwing in American political life no document is likely to have wider circulation—and perhaps also greater influence—than the pamphlet by Father John F. Cronin, S.S., just published by the National Catholic Welfare Conference.

Issued last week the pamphlet, entitled "Communism: Threat to Freedom," made the front pages of many newspapers. The NCWC, which is the policy-formulating body of the Catholic Church in this country, plans to give it the widest possible dissemination.

Father Cronin's basic thesis is directly contrary to the position of most of the rightist organizations that have come into being in recent years. He writes that the danger from communism is not from within the country but from without. By indiscriminately using the tag of "Communist" or "Communist sympathizer" the extremists on the right are dividing America, the pamphlet warns, and the result is a net gain for the Communist movement.

He points to the danger in the line taken by those who accuse Government officials negotiating with the Communists of weakness or treason. The alternatives are not surrender or war, but a middle course between these extremes.

This last is also directly contrary to the position of the John Birch Society and others on the right. While the pamphlet does not mention the Birch Society or any other specific organization, the following applies to at least one or more of the groups that have attracted national attention:

"The Communists own the top. They have considerable strength in the middle. They are just now beginning to achieve an appreciable amount of direct control throughout the whole base. In other statements Presidents of the United States and Justices of our Supreme Court have been labeled 'Communists.' Our State Department is alleged to be thoroughly infiltrated by the party."

Father Cronin attacks another tactic of the rightists which is to equate liberalism with the welfare state, the welfare state with socialism and, since the Communists say they are Socialists, therefore liberalism equals communism. This logic, Father Cronin writes, would make the latest encyclical of Pope John, "Christianity and Social Progress," "a defense of communism."

The encyclical, which puts the liberal-welfare trends of recent years within the scope of the Christian conscience, has been widely hailed as one of the most important utterances from the Vatican in many years. It was attacked in the National Review, principal organ of the right, as "a venture in triviality." The editor of the Review is William F. Buckley, of a prominent and wealthy Catholic family.

Fifteen years ago Father Cronin published a pamphlet called "Communism, a World Menace." At that time he held that Communist subversion and infiltration was a danger to this country, with Communist influence substantial in the trade unions and in many areas of American life. Since 1950, according to the new pamphlet, Americans have been thoroughly alerted to the danger of communism, the Communist Party has withered away to a small splinter and Communist influence is comparatively negligible.

It is significant that today the church, through the National Catholic Welfare Conference, should consider that the threat of the extreme right merits this new publication. Extremist bigots have in some instances attacked the Catholic Church, going so far as to equate its methods with those of international communism. Robert Welch, head of the John Birch Society, who links a large part of the Protestant clergy to communism, has said that some Catholic priests are also soft on communism. Father Cronin in some detail refutes the charges against the Protestant churches.

This newest contribution to the debate over the right can hardly be expected to still the outcries of those who, whether from genuine fear and frustration or from a desire to exploit the present confusion for personal gain, are sounding the alarm. But it is the weightiest statement yet made and by one who can by no stretch of the most heated imagination be accused of being soft on communism.

As the debate continues, what appears to be happening is that the extreme right is becoming more and more isolated. Reports from Texas say that Gen. Edwin A. Walker is likely to run last in a field of six in the governorship race. Americans have a deep-seated aversion to extremes, and that fact seems in process of being demonstrated again.

AUTOPSY ON OPERATION ABOLITION

Mr. McGEE. Mr. President, from the radio and television page of this morning's press I take a column written by Lawrence Laurent, the title of which is "'Autopsy' Could Set Up the Funeral for 'Operation Abolition.'" "Autopsy" is the title of a recently put together show.

Because of the impact of this analysis of a positive and more constructive television endeavor by a private group, to answer the uncertainties of those who are squeamish about traitors, Communists, and the like in our midst, I believe it should receive further attention, and I ask unanimous consent that it may be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

"AUTOPSY" COULD SET UP THE FUNERAL FOR "OPERATION ABOLITION"

(By Lawrence Laurent)

On television stations across the land and in private exhibitions in many cities, probably more people have seen some form of a film called "Operation Abolition" than any other documentary in history. This is a film about student riots in San Francisco in May 1960, that were in connection with hearings by the House Committee on Un-American Activities (HUAC).

First, the HUAC subpenaed about 2½ hours of newsreel footage, much of it repetitious, that had been shot by two San Francisco TV stations. This was turned over to Washington Video Productions, from which emerged a 45-minute film called "Operation Abolition." The narration is by Fulton (Buddy) Lewis III, son of the Mutual Broadcasting System commentator and formerly a staff member of HUAC.

Yesterday, an executive of Washington Video Productions said 1,456 copies of the film had been sold. The price: $100 per print.

Two months ago, an HUAC report estimated the film had been seen by 15 million persons, excluding television audiences.

This is only the beginning of the saga of this documentary film. Many charged it was filled with inaccuracies and a new narration was put on the sound track to create "Operation Correction." This came from the American Civil Liberties Union of Northern California, with narration by Ernest Besig, ACLU executive director.

In September 1961, Buddy Lewis said a new version of "Operation Abolition" was being shown, with changes made to meet some of the charges that the film's editing was distorted.

In two reports, issued in October 1961 and January 1962, the House Un-American Activities Committee defended the film. The most recent document dealt with 28 specific charges of distortion or unfairness that had been made against the film. (The film is an official part of the HUAC record, but Chairman FRANCIS E. WALTER, Democrat, of Pennsylvania, has said the committee

"had nothing to do with the preparation of the picture and nothing to do with the manufacturing and distribution of it."

A summation of the controversy over the film now has come from one of the Nation's largest publishers of Catholic educational aids. Impact Films of St. Paul, a department of the Catechetical Guild, has put together a dispassionate 60-minute film called "Autopsy on Operation Abolition."

The narrator, the Reverend Louis J. Twomey, of Loyola University in New Orleans, sets up the problem in terms of a coroner's inquest with the audience as the jury. Twelve persons are interviewed and the committee's hearings and the student riots are reviewed.

Those who favor the Un-American Activities Committee are given plenty of time to develop their charges that the riots were Communist inspired and that University of California students were "duped" by Communists. These include the Reverend Dr. Archer Weniger, pastor of the Foothill Boulevard Baptist Church in Oakland; Representative Edwin E. Willis, Democrat, of Louisiana, chairman of the HUAC at the time of the riots; and Francis J. McNamara, HUAC research director.

Official descriptions of the riots are given by San Francisco Mayor George Christopher and Sheriff Mathew C. Carberry. Both stick mainly to their actions as defenders of law and order in San Francisco. (Sixty-three demonstrators were arrested. Charges were dropped against all but one, Robert J. Meisenbach. He was acquitted in May 1961.)

Strongest defense of the students is given in an interview with the Reverend William Sullivan, Paulist chaplain at Newman Hall, University of California. Father Sullivan does not defend the students who participated in the riots, but he does say: "I insist that it has to be taken within the context of young students excited about ideals; concerned about freedom of speech; anxious to defend something in which they believe, and not out to destroy the United States at all."

Father Sullivan continues: "The strength of our young people's ideals—and I believe that freedom of speech is an ideal in which all of us must agree—the strength of these ideals is the strength of our country and I think also as a Catholic priest, the strength of these ideals, the belief in ideals which the American people hold dear, is also the strength of the Catholic Church."

Defense of the students is also voiced by Representative James Roosevelt, Democrat, of California; Prof. Henry Nash Smith (who says the film "is a deliberate falsification"); Dr. Cecil Thomas, a religious worker; Assemblyman John O'Connell; and the Reverend Richard Byfield, assistant executive to Bishop James A. Pike.

The "Autopsy on Operation Abolition" should result in a quiet funeral for a controversial documentary film.

CULTIVATION IN TV WASTELAND

Mr. McGEE. Mr. President, there was published in the Sunday press an article describing the activities of the Chairman of the Federal Communications Commission, Mr. Newton Minow, and his assault on the wasteland of television. I ask unanimous consent that the article may be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CULTIVATION IN TV WASTELAND—BIGGER CULTURAL YIELD IS MINOW'S AIM

The chap who's attempting to cultivate the wasteland of television—dynamic, 35-year-old Newton N. Minow, Chairman of the Federal Communications Commission—has won the plaudits of parents, poets, and a public hungry for more than cowboy pap and gangster gristle.

"I heartily approve of what Mr. Minow is doing for TV," said Carl Sandburg recently. "In my book he's more of a whale. I'd like to shake his hand."

The man who has the courage to buffet the broadcasters is of medium build, with a firm grip, cropped dark hair, gray eyes, and a seraglio of womenfolk which includes his pretty wife, three small daughters, and an English nurse.

"When I'm asked what I want next, I say a son-in-law," said Minow, as he sat in a blue and white living room adorned with antiques and modern paintings.

"I was raised in a home similar to this, comfortable middle class with three children," he continued, efficiently capsuling his life. He attended Milwaukee public schools, the University of Michigan, and Northwestern University, from which he obtained his law degree in 1950. He neglected to add that he stood first in his class. "In 1951 I became law clerk to Chief Justice Fred M. Vinson and in 1952 administrative assistant to Adlai Stevenson, then Governor of Illinois. I later became a partner of Stevenson's law firm and legal counsel to Encyclopedia Britannica Films, which produces educational TV films.

"I learned of my appointment to the FCC by picking up the morning paper. I couldn't believe it. I've been interested in communications since I was a sergeant in World War II, when my outfit strung the first telephone line between India and China. This is the one job in Government I've always wanted. The day I knew I had it was the most exciting of my life.

"Now, the first thing I do in the morning is turn on the television."

"That's true," confirmed Jo Minow, the pert brunet whom Newton Minow married as a law student. "His first words are 'Where's the remote?' The children call it 'the mote.' They pile onto our bed at 7 a.m., in time for the news. Newt has an early breakfast—orange juice and Metrecal, then down to the chaos. You know FCC stands for 'From Crisis to Crisis.'

"Newt wants TV to be more than a babysitter," said Jo. "The programs don't stretch the imagination. I'd like my children to learn more from TV than commercial jingles.

"The networks haven't been giving the public enough credit for intelligence and taste," continued FCC's livest wire. "One reason is that the public hasn't let them know when a thing is good. When Eisenhower spoke recently on TV, a survey showed that about 25 million viewers watched 'The Untouchables,' another 25 million watched 'Sing Along With Mitch' and 7.5 million watched Ike. 'That shows you public affairs programs are a failure,' say the networks. I say an audience of 7.5 million shouldn't be called a failure."

Last spring, Minow spoke out before the National Association of Broadcasters, deploring the wasteland of television. He was asked what the repercussions were.

"The FCC became known as 'The Seven Untouchables'; but not long ago, when I discussed reorganization before a congressional committee, I told them there'd been a shakeup: we are now 'Six Untouchables and One Unmentionable.' "

Mrs. Minow takes pride in her husband's work. "The other day I took a watch of Newt's to the jeweler's to replace the band. The clerk looked up when I gave my name and said 'Your husband's doing a great job.' I was so thrilled I had him put in a new crystal too."

WELCOMING THE AFRICANS TO WASHINGTON

Mr. McGEE. Mr. President, I ask unanimous consent to have an article from the Sunday Star magazine, on the reception of Africans in our Nation's Capital, printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WELCOMING THE AFRICANS TO WASHINGTON

"Washington is giving us a tremendous welcome—we had no idea that African ambassadors would receive such warmhearted hospitality from the American people."

This enthusiastic comment comes from Nigerian Ambassador J. M. Udochi, a leader among the 27 African ambassadors who are making a dramatic impact on the Washington social scene.

The smiling Nigerian diplomat, whose cheeks bear matching tribal scars, says he was surprised to find Americans such an idealistic, kindhearted people "because we had seen something completely different in Hollywood movies."

In appreciation for the pleasant life he has found since his arrival in December 1960, Ambassador Udochi named his son, born last October, "for two great Americans—John, for the President of the United States, and Franklin, after one of the Founding Fathers." The boy was also given a Nigerian name, Imoesi, meaning "I have a guardian angel."

Another leader in the African diplomatic corps, Ghanaian Ambassador W. M. Q. Halm, also expresses approval of the way he and other diplomats have been accepted. Like the Udochis, the Halms are seen often at dinners, receptions, and cocktail parties. Both couples are noted for their gracious hospitality in their own embassies and for the tasty African food prepared by the wives.

G. Mennen Williams, Assistant Secretary of State for African Affairs, and Mrs. Williams are the most frequent guests at functions given by the African diplomatic corps. However, Mrs. Dean Rusk, Chief of Protocol Angier Biddle Duke and his assistant, Pedro A. Sanjuan, Mrs. Chester Bowles, and many others in the top ranks of official social life are often guests of the Africans.

The interest now being focused on African diplomats started in 1960 when many new nations gained independence. Previously, there had been only a few oldtimers, such as the ambassadors of Liberia and Ethiopia, mingling in the diplomatic social life.

Then suddenly, the Africans, many dressed in their national costumes, appeared in large numbers at the parties of other embassies. Gradually, as they set up their own establishments, they returned the hospitality.

During the last year, many young nations entertained at gala independence day celebrations. Most of these larger parties, each attended by hundreds of guests, were held in hotels. However, one of the outstanding celebrations was in the new Nigerian Embassy on Woodland Drive NW.

"Last October 2 was really a big day for me—a double celebration," Ambassador Udochi recalls in his excellent English. "My son was born that morning and that night we had 800 guests. My wife had stayed up late, cooking African dishes before she went to the hospital. I handed out hundreds of cigars to celebrate the new boy. And, of course, we had a huge cake for our country's birthday anniversary."

Because peanuts are a staple food in many African countries, they often appear in soup and as a stew, called nkatee flau. Other dishes served frequently are fufu, which is pounded yam or potato; fried plantain, known as tataley, and baflar, which is a cooked green mixed with palm oil. There is also the West African chop made of ground chicken or other meat with palm oil and peanuts. Maize is prepared in different ways to serve as abolo, banku, and kenke.

African drummers have entertained at some embassy parties, and impromptu African folksongs have enlivened others. Also, some embassies, including those of Liberia, Ivory Coast, and Morocco, have exhibited their own sculptures, paintings, and drawings.

"We don't think of their paintings as curiosities, but as a complex form of art that has to be known to be truly appreciated," says Assistant Chief of Protocol Sanjuan, who often goes to three or four receptions in one night. "These new nations have a wealth of music and art to bring forth for the enrichment of their guests, and I hope we'll have much more of it."

Mr. Sanjuan is a very busy man when heads of government visit Washington. The Office of Protocol sees that these distinguished visitors, including eight from Africa alone last year, are entertained in a manner appropriate to their office.

"The African leaders have certainly measured up well to the rules of protocol," he observes. "Most of them are well-educated, highly polished and urbane gentlemen who are comfortable at white-tie occasions and can converse well with President Kennedy as well as other guests.

He refers particularly to Leopold Sedar Senghor, President of the Republic of Senegal, whom he praises as "not only a statesman but a poet of renown—a man of letters who was the architect of his country's independence." President Senghor was Mr. Kennedy's honor guest at a White House luncheon at which a number of other noted poets and writers were entertained.

Another outstanding guest of state during the last year was William V. S. Tubman, President of Liberia since 1944. Like many Liberian leaders descended from American Negro slaves, he is the son of parents who emigrated to Africa from Georgia. Yet when he was greeted at the airport by President Kennedy, Mr. Tubman came through with flying colors in the demands of protocol.

A dapper dresser who is seldom seen without a long cigar and an ebony cane, President Tubman has a keen sense of drama in political life and loves spectacles of state. His inaugural celebrations have lasted 8 days. Gracious and jovial in private conversation, he assumed a manner of grave formality at official functions here.

Still another outstanding visitor was Ibrahim Abboud, President of the Supreme Council for the Armed Forces, Premier and Defense Minister of the Sudan. A man of striking military mien, President Abboud maintained great dignity on social occasions without seeming aloof or austere.

Descended from the fearsome Sudanese soldiers of the Hadendoa tribe immortalized by Rudyard Kipling in his poem, "Fuzzy-Wuzzy," President Abboud flashed his quick wit and ready smile as he made the Washington rounds. At the White House, he was honor guest at an elaborate dinner in the state dining room.

Later, he gave a dinner for President Kennedy at the Mayflower Hotel where the menu included "cream of Ful Sudani," a soup of beef, onions, and peanut butter made from a Sudanese recipe. A devout Moslem, he served fruit juices before the meal instead of cocktails.

The Moslem diplomats who do not drink have not found it difficult to make friends at cocktail parties, according to Mr. Sanjuan. He sticks to ginger ale, he says, "because I can remember names better—and after all, that's my job."

Language is a real problem for some African diplomats, however. About 18 of the 27 ambassadors speak only French, and for the most part their staffs have not yet learned English.

"The State Department is trying to help out in this problem," Mr. Sanjuan reports. "We have started arrangements for a specially tailored, speedup course in English for diplomats. Translators usually accompany the French-speaking ambassadors as interpreters, but we hope they will learn English so they can have more satisfactory communication with people in this country."

Mrs. Williams says the problem of teaching English to French-speaking wives of ambassadors is being approached on a more informal basis. A group known as the African-American Wives was organized last October to help the African women get settled in Washington and make friends among Americans. Miss Elizabeth Hitchcock, of the African-American Institute, is its director.

"At our monthly coffee parties in the homes of both African and American women," Mrs. Williams says, "we are teaching conversational English." Twenty-five American women, most of whom have been stationed with their husbands in Africa, form the nucleus of the group. Nearly all the wives of ambassadors are members.

"We help them with the problems in getting adjusted to life in America," Mrs. Williams explains. "For example, one volunteer puts out a monthly newsletter containing information for prospective mothers on how to buy baby clothes, places of interest to go as sightseers, and outstanding concerts and other amusements scheduled in Washington. The American women try to let the Africans know that they are real friends in this country that is new to them."

Mrs. Katie Louchheim, Deputy Assistant Secretary of State for Public Affairs, attends social events given by Africans and entertains many in her home. Fluent in French since childhood, she has no trouble communicating with those from French-speaking countries.

"I've learned so much from the African women," she says. "I hope some day to go to all their countries. Meanwhile, I can say that in my many years in Washington, I have never seen the equal in terms of interest and friendliness in the hospitality that is being extended to Africans."

THE ADMINISTRATION DISREGARDS ITS PROMISES ON LABOR SURPLUS AREAS

Mr. JAVITS. Mr. President, I should like to discuss two analyses of trends in defense contracts awarded to New York State areas of substantial labor surplus, prepared by my office.

The experience of New York State, as brought out in these analyses, clearly shows that the promises of President Kennedy more than a year ago to channel more defense orders to areas of labor surplus are not being fulfilled.

The most intolerable situation revealed by this study concerns the Buffalo area. It is distressing to find that the July–December period represented a new low in defense contracts for Buffalo. Awards were 65 percent below the average for the same period over the previous 3 years. This loss pulled total defense contracts in Buffalo for the whole calendar year 1961 to 29 percent below the average for the preceding 3 years and made it the lowest year since the beginning of high unemployment in the area.

I am sending a letter to Defense Secretary McNamara today, requesting an explanation of the drastic decline in defense procurement in Buffalo.

The unfortunate fact that a large number of New York State areas have been suffering the hardships of severe unemployment for a long period of time enables us to assemble sufficient data for an accurate determination of trends.

One of the analyses compares contract awards during the October–December 1961 quarter with the average during the three previous October–December quarters. The second analysis deals with Buffalo, with the comparisons on a quarterly, semiannual, and annual basis for the full past 4 years.

The first study shows gains by one major labor surplus area—Utica-Rome—and four smaller areas of labor surplus—Amsterdam, Elmira, Jamestown-Dunkirk, and Newburgh-Middletown-Beacon. Three smaller areas show losses—Auburn, Gloversville, and Wellsville; and on the eight other smaller areas, no comparison is possible because they have not been listed as areas of labor surplus for the full period under study.

On February 2, 1961, President Kennedy ordered special consideration be given to areas of substantial labor surplus in the distribution of Government procurement contracts. He said in a message to Congress:

> I have today sent a directive to the Secretary of Defense, the Secretary of Labor, and the General Services Administration requesting prompt steps to improve the machinery by which Federal contracts can be channeled to firms located in labor surplus areas.

A year later, Buffalo is worse off than ever—a clear demonstration of the ineffectiveness of the administration's procurement policies.

Indeed, 6 months after the President's order, the real decline in procurement began for Buffalo, which at that time was already halfway into its fourth straight year of high unemployment, with joblessness running at an average rate of 10.4 percent since the beginning of the year.

Mr. President, I ask unanimous consent to have inserted in the RECORD at this point the excerpt from the President's news conference of yesterday, showing that, 13 months after his directive of February 2, 1961, the matter is still only being discussed, and that the President seems entirely unaware of the situation in Buffalo.

The PRESIDING OFFICER. Is there objection to the request of the Senator from New York?

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

CHANNELING DEFENSE WORK

Question. Mr. President, sir, during your 1960 campaign, when you spoke of getting the country moving again, a lot of States and a lot of voters interpreted this to mean jobs for themselves, and now recently, States such as Ohio, Michigan, and Pennsylvania have been complaining that some of their defense contracts have been going elsewhere and the ones they had under the previous administration; that is, the level, has not stayed even as good as it was. Do you have any comment on this situation?

The PRESIDENT. No, I would have to—in my opinion, I don't think that in any of those three cases, even though this matter of contracts is a matter of continuing concern, defense contracts, we have particularly difficult problems in Detroit, which has been the subject of recent discussions, I don't think that the contracts in any of those

three States, and I would have to check it, are less than they were before.

The question is whether the distribution of the contracts is as equitable as it can be. The Defense Department, when manpower policy No. 4 was repealed in 1953, was given express indications by the Congress that they would not, except for the set-aside portion of the contract, that they were not supposed to attempt to steer contracts into areas where there might be unemployment.

I supported the defense manpower policy No. 4, but since that time the Defense Department has not been able to take that into consideration.

On the other hand, equity dictates that these contracts be assigned in areas which are not only efficient but where there is a work force which can be effectively used. But I will say that we have been considering the problem. Governor Lawrence discussed the problem of Scranton with me when he came to see me, and we talked about the problem of Detroit.

It is my judgment, and I would have to recheck it, that probably in these States the contracts are equal to or greater than they were the year before, but there is a concentration of contracts in a relatively few States which is historical.

I am concerned that in the case, as I say, of Detroit and two or three others where there is high unemployment, we do try to get some work to them, and it is a matter now which we are discussing.

Mr. JAVITS. Mr. President, only strict adherence to the requirements of cold statistics prevents Buffalo from benefiting from the assistance program under the Area Redevelopment Act passed by the Congress in 1961. We all recognize the need for sticking to certain rules, even if Buffalo comes as close as any area in the country to just missing the minimum level of joblessness which permits the extension of assistance: The 10.8 and 9.3 percent of unemployment in 1958 and 1959 were well over the 50 percent above the national average which is required by the act. In 1961, however, Buffalo's 9.2-percent rate of unemployment was only 37 percent above the national average.

When hard statistics require the practice of human inequity—while at the same time showing clearly the extent of this inequity—it becomes necessary to redouble our efforts to alleviate this result. Nothing available now to the Government could have a more immediate and direct beneficial effect than an increase in defense procurement in an area which abounds with productive facilities and skilled manpower. Instead of such a natural step, we are confronted with a drastic reduction of procurement and an aggravation of suffering.

Mr. President, I ask unanimous consent to have the tables, prepared by my office, printed in the RECORD at this point.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

Trends in prime defense contract awards of $10,000 or more in New York State areas of substantial labor surplus, October–December 1958–61

[In thousands of dollars]

Areas and contract awards	October–December— 1961	1960	1959	1958	Average: October–December quarters, 1958, 1959, 1960	October–December 1961 compared to average of previous 3 quarters
MAJOR						
Buffalo:						
Total	14,261	10,770	30,087	34,901	25,253	Percent −44
Pref.	61	356	208	140	201	−70
Utica-Rome:						
Total	28,160	9,643	15,481	9,170	11,431	+146
Pref.	141	143	37	137	106	+33
SMALLER						
Amsterdam: [1]						
Total	1,664	217	1,602	110	643	+159
Pref.	264	0	0	0	0	X
Auburn: [1]						
Total	508	1,476	280	309	691	−26
Pref.	328	0	62	11	24	+1,267
Batavia:						
Total	34					
Pref.	13					
Corning-Hornell:						
Total	361					
Pref.	0					
Elmira:						
Total	945	420	482	434	444	+113
Pref.	0	0	0	36	12	X
Glens Falls-Hudson Falls:						
Total	71					
Pref.	0					
Gloversville: [1]						
Total	218	42	354	346	244	−11
Pref.	0	0	0	17	6	X
SMALLER—con.						
Jamestown-Dunkirk: [1]						
Total	964	374	357	1,788	840	+15
Pref.	30	0	14	50	21	+43
Newburgh-Middletown-Beacon:						
Total	1,798	784	1,155	664	801	+123
Pref.	594	259	0	0	86	+591
Ogdensburg-Massena-Malone: [1]						
Total	153	13	[2] 11			
Pref.	16	0	6			
Olean-Salamanca:						
Total	46					
Pref.	0					
Oneonta: [1]						
Total	0					
Pref.	0					
Plattsburgh: [1]						
Total	2,293	2,883	837			
Pref.	88	0	0			
Watertown: [1]						
Total	370					
Pref.	0					
Wellsville:						
Total	60	270	62	[2] 0	111	−46
Pref.	0	0	0	0	0	X

[1] Areas of substantial and persistent labor surplus.

[2] Listed as an area of substantial labor surplus for only part of the period.

Special 4-year analysis of trends in prime defense contract awards of $10,000 or more and of unemployment in the Buffalo area, 1958–61

[In thousands of dollars]

	1961	1960	1959	1958	Averages: 1958, 1959, 1960	1961 compared to averages of 3 previous years
						Percent
October–December	14,261	10,770	30,087	34,901	25,253	−44
July–September	6,392	53,788	19,456	26,340	33,195	−81
6 months	20,653	64,558	49,543	61,241	58,448	−65
April–June	44,307	46,700	24,953	58,953	43,535	+2
January–March	25,028	25,118	29,738	[1] 17,291	24,049	+4
6 months	69,335	71,818	54,691	76,244	67,584	+3
12 months	89,988	136,376	104,234	137,485	126,032	−29
Percent unemployed:						
Buffalo	9.2	7.1	9.3	10.8		
United States	6.7	5.5	5.5	6.8		

[1] Listed as an area of substantial labor surplus for only part of the period.

DEFENSE CONTRACTS

Mr. KEATING. Mr. President, yesterday, at his news conference, the President was asked about the defense contract situation in several States where defense contracts had declined. A number of States were mentioned, but New York State, where the decline over the first half of fiscal 1962 has been about 15 percent, compared with last fiscal year, was not even mentioned.

Furthermore, Mr. President, the President said:

> There is a concentration of contracts in a relatively few States which is historic.

I am very much disturbed by this remark, Mr. President. There is only one State in which there is a real concentration in defense work and that is California with 25 percent. New York is second with less than half as much.

Furthermore, the reason why New York has about 11 percent of the Nation's defense work is not historic, it is very much related to the present—to the existing capabilities of New York businesses and employees, and to the existing facilities in the State. New York has enjoyed these facilities for some time, but the reason for their existence lies in the progressive and competitive ideas of New York businessmen and the enlightened position of the State, not merely in history.

Also, Mr. President, let me add that New Yorkers pay nearly 20 percent of total Federal tax revenues. They receive barely half this much back in the form of Defense Department contracts and military work.

I understand the President has discussed the defense contract situation with the Governor of Pennsylvania and a number of other State representatives. Perhaps it would also be advisable for him to discuss it with the New York State congressional delegation and with the Governor of New York so that he can be made aware of the problem, not only as it exists in Ohio, Pennsylvania, and Michigan, but also as it now exists in the State of New York.

BIRTHDAY ANNIVERSARY OF SENATOR CARL T. CURTIS

Mr. DIRKSEN. Mr. President, birth anniversaries are always important. They are like high ground, because at those points one can stand and look back from whence he came. He can look around and survey the scene that exists at the moment. Then he can look forward on the high road and see where life still might take him.

So I would observe today that the distinguished Senator from Nebraska, the Honorable CARL CURTIS, observes his 57th anniversary. He is in his seventh year of service in the Senate. I would like to take note of his natal day and to extend to him congratulations.

Mr. HOLLAND. Mr. President, in the absence of the majority leader, who I know would want to appear of record on this subject, I wish to say that we on this side join in felicitations. We are sorry that some of us have reached the age when we do not care to have notice taken of our birthdays, but since our distinguished friend from Nebraska has not reached that stage we compliment him, congratulate him, and wish him many, many happy returns.

Mr. HILL. Mr. President, I wish to join in the good wishes and congratulations to our colleague, Senator CURTIS. In the words of Rip Van Winkle—May you all live long and prosper.

And may you have many more years of life, all of them rich in happiness and success.

THE PLIGHT OF MILITARY DEPENDENTS

Mr. BARTLETT. Mr. President, on the 9th of September last year the Secretary of Defense directed that the movement of military dependents to Europe be halted in 30 days. This ban is still in effect.

In the first 3 months of the suspension some 38,000 military dependents were thereby prevented from joining their sponsors in Europe. In consequence there has been an unfavorable effect on the motivation of military personnel, particularly those in the Army.

The problem inherent in this separation of our military men from their families for extended periods of time has been recognized by our military leadership. The Chief of Staff of the Army has stated it concisely:

> Ultimately, if the situation continues, it will have an adverse effect on the attraction and retention of the high caliber personnel the Army requires.

There are signs that this point already has been reached. The Congress recently was informed that a substantial number of Army people are apprehensive that if the suspension is continued indefinitely, they will serve 50 percent or more of their time in the service away from their families. Since the Army is now a married-man's Army the potential impact of this undesirable situation is clear.

That the problem is now upon us is shown by the current reenlistment rates in Europe. In September 1961, the month before the ban became effective, reenlistments within the U.S. Army Europe exceeded their goals in all categories. Reenlistments by first term Regular Army men, for example—and these are the very lifeblood of a professional army—were almost double the objective. By January of this year, however, all rates had dropped precipitantly. Further reductions occurred in February. In that month all categories of reenlistments were appreciably below their goals, the first term Regular Army rate having descended to only about half of the objective.

Based on these facts, the U.S. Army Europe has concluded that the sharp fall in its reenlistment rates is due in large measure to the ban on dependent travel. This is supported by the widespread cancellation of tour extensions that previously had been requested. The command is convinced that if the policy is continued there will be increased personnel turbulence and a further decline in reenlistment rates. General Clarke, the commander in chief of U.S. Army Europe, is understandably disturbed.

Our military people will accept Korea and southeast Asia and similar areas as places where they properly should not have their families. But in other places where they find a rather substantial number of noncombatants moving about freely, and yet they are unable to bring their own families, there is certain to be a question in their minds as to why they alone have been singled out for such a personal sacrifice.

This is not a problem unique to the Army. The Navy asked that it be exempted from the order and has said that it foresees the possibility of extremely adverse effects. The Marine Corps considers that an unhappy situation has been created in that service. The Air Force feels that the circumstances are a nightmare and has disclosed that around 5,000 Air Force families have gone to Europe as tourists and at their own expense in order to be with their husbands and fathers.

It is obvious that as long as hundreds of thousands of American tourists are unimpeded in their travels, as long as business can freely invest billions of American dollars in Europe, as long as governmental agencies other than the military are not restrained in the movement of their dependents abroad, there will continue to be a seriously detrimental effect on our men in uniform.

This suspension on the travel of military dependents no longer serves any useful purpose. Savings in our gold flow have been trifling. It begets undue strain and anxiety in family relationships. It is actually harmful to our military posture. It deserves to be rescinded promptly and positively.

Mr. MCCARTHY. Mr. President, will the Senator yield?

Mr. HILL. Mr. President, with the understanding that I do not lose my right to the floor, I yield to the distinguished Senator from Minnesota.

Mr. MCCARTHY. Mr. President, I wish to commend the Senator from Alaska for raising this point. There are too many instances in which the Pentagon seems to be unaware of the fact that the military service in this period of the cold war is quite different from the service in a traditional or open war. The refusal of the Pentagon to let dependents of soldiers—families and wives and children—to accompany them or at least go to live with them in various countries, when they will in all probability be stationed over there for a long period of time, whether in Western Europe or elsewhere, is a serious matter.

I was somewhat—I do not know whether I should say shocked—certainly disturbed to note a press release to the effect that the Navy has asked its officers to make comments, as a basis of possible promotion or assignment abroad, with respect to the suitability of the wives of officers in relation to their accompanying their husbands on assignments abroad.

I protested this policy. It is a clear violation of the right to privacy of the family. I hope that it will be discontinued. It may very well be necessary for Congress to conduct a series of hearings on this general intrusion into a family's private life if these practices continue.

Mr. BARTLETT. Mr. President, will the Senator yield?

Mr. HILL. With the understanding that I do not lose my right to the floor, I yield to the distinguished Senator from Alaska.

Mr. BARTLETT. I appreciate the remarks of the Senator from Minnesota. As I have said, the Navy and the Marine Corps and the Air Force all feel that this is a very bad practice. The Air Force went so far as to say that these circumstances are a nightmare. So far as the Army is concerned, of course, they do not ask that their dependents be taken to Korea or to southeast Asia. However, they see no reason—and I do not see any either—why the families cannot go to Western Europe. After all—and I know the Senator from Minnesota will

agree with me on this point—the Army today is different from the Army of former times. It is a family army now. I imagine that a majority of the men serving in the Army are married. Certainly in these troubled times, it is likely that they will serve almost half of their time, or perhaps even more, of their service in the Army overseas. It is not right to ask them to serve under these conditions without the presence of their family.

SALUTE TO DR. JULES STEIN, OPHTHALMOLOGIST

Mrs. SMITH of Maine. Mr. President, one of the great leaders for medical research is Jules C. Stein, of Beverly Hills, Calif. Mr. Stein is a graduate ophthalmologist, but he turned to the field of music where he has enjoyed tremendous success financially. Although his professional activities have been in commercial music, he has never lost his deep interest in his first field of ophthalmology.

Instead he has remained dedicated to make every effort to promote the advance of ophthalmology. Without his support the great advances that have been made would not have been possible.

His latest contribution and achievement is the establishment of the Jules Stein Eye Institute at the Medical Center of the University of California at Los Angeles, which is being announced today.

I salute him, and I express gratitude to him on behalf of the American people. I ask unanimous consent that a statement with respect to the new Jules Stein Eye Institute be placed in the RECORD at this point, and I invite close reading of it.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Establishment of the Jules Stein Eye Institute at the Medical Center of the University of California at Los Angeles was announced today.

The institute will be one of the largest unified research centers in the world for the study of blinding eye diseases. The new institute, dedicated to the preservation of sight and the conquest of blindness, will be an integral part of the medical center located on the university campus in west Los Angeles, and designed to provide comprehensive facilities for ophthalmological education, research, and patient care.

"The need for research on the causes of eye diseases is imperative," Mr. Stein said. "More than 60 percent of all blindness results from diseases, the causes of which are unknown to science. In 1960, 365,000 Americans were classified as legally blind. Every year more than 30,000 Americans go blind, a rate steeper than the population rise. The problem now threatens our ability to cope with it."

"The new institute," said Chancellor Franklin D. Murphy, "will be constructed to meet the needs of a new era in eye research. The center will include the finest functional design ideas drawn from other top eye research centers the world over. It is hoped these new concepts will stimulate the maximum productivity of research scientists."

Mr. Stein said that recent research activity has resulted in a number of advances in the treatment of eye diseases. New drugs have proven helpful in the treatment of glaucoma, uveitis, herpes keratitis, retina blastoma, and trachoma.

Mr. Jules Stein, for whom the institute will be named, is founder and chairman of the board of MCA, Inc. (Music Corp. of America), and a former practicing ophthalmologist. He is also chairman of the Board of Research to Prevent Blindness, Inc. Mr. and Mrs. Stein have pledged more than $1 million for the construction and equipment of this new building. It is expected that contributions from other interested individuals, organizations, and public health agencies, when integrated with already approved university programs, will provide the balance of the more than $3,500,000 which will be required for construction and equipment.

The new institute will be a comprehensive multidisciplinary center devoted to research in the sciences related to vision, the care of patients with eye disease, and the dissemination of knowledge in the broad field of ophthalmology. The structure will contain complete and technical advanced facilities for the care of patients with eye disease, as well as special areas for research in vision, and newly developed equipment for the most effective forms of medical education.

TRIBUTE TO THE GIRL SCOUTS

Mrs. SMITH of Maine. Mr. President, one of the finest organizations in the United States is the Girl Scouts. That organization contributes tremendously to molding and building young women into future leaders and fine mothers. We owe much to it.

One of the best tributes that has been made to the Girl Scouts is the March 13, 1962, editorial of the Waterville, Maine, Morning Sentinel. I ask unanimous consent that this editorial be placed in the body of the CONGRESSIONAL RECORD and call attention of it to all Members.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

ON MY HONOR

It was just 50 years ago Monday that Juliette Low organized the first troop of Girl Scouts in Georgia. In forming the organization she adapted the principles of scouting to the needs of girls in the United States.

In the five decades since then almost 18½ million girls and adults have enjoyed the benefits of girl scouting and communities like those in central Maine have been influenced by the impact of the principles of scouting.

The central ethic of the Girl Scouts is expressed in the Girl Scout promise:

"On my honor, I will try to do my duty to God and my country, to help other people at all times, to obey the Girl Scout laws."

The Girl Scout laws the Scouts promise to obey embody the best type of young citizenship, and adherence to them not only makes them better girls but prepares them for better citizenship.

In honoring the Girl Scouts on this, their 50th birthday, we would be remiss if we didn't pay special honor to the women who make the program possible.

Most girls are eager to participate in Girl Scout programs and absorb the principles set down many years ago by Juliette Low.

But the Girl Scout program wouldn't function and the girls wouldn't have the opportunity to participate if it were not for the women who provide the leadership.

Every good citizen should say a word of thanks to these women who provide the leadership. That they believe enough in America's future to give their time to help prepare girls for that future is deserving heartfelt thanks.

"Honor the past—serve the future" is the birthday theme of the Girl Scouts this week. Our congratulations to the girls and their leaders and our best wishes for the program's continued success.

FACING THE FUTURE—STATEMENT BY MARRINER S. AND GEORGE ECCLES

Mr. BENNETT. Mr. President, for many years, Mr. Marriner S. Eccles was Chairman of the Federal Reserve Board, and his brother, George, has headed the very important First Security Corp. When these two highly experienced and knowledgeable men make a statement, I think it is worth the attention of the Senate. For that reason, I ask unanimous consent that there may be printed in the RECORD a statement which is entitled "Facing the Future."

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

[From the Annual Report, First Security Corp.]

FACING THE FUTURE

The economic outlook for 1962 appears favorable with the highest level of production ever achieved. There is, however, some apprehension as to the probable extent and duration of this upward movement. Many of the underlying forces necessary for a strong and sustained recovery are not present. The current trend indicates that the administration is not willing to face the real problems.

Our economic and military leadership of the free world is dependent upon an adequate rate of economic growth, with a low level of unemployment and reasonable price stability.

In order to meet these objectives we must give adequate consideration and weight to the unstabilizing effects of the use of the monopolistic power of organized labor. It is unrealistic to gloss over the effects of its actions on prices, imports, exports, employment, profits, rate of growth and the deficiency in our international balance of payments. Wage and fringe benefits of union labor in this country are from two to five times that of other industrial countries. It draws from the economy benefits far in excess of increased productivity and it undermines our ability to compete in world as well as domestic markets.

Our high prices, together with the phenomenal recovery and increases in the productivity in industry of Western Europe and Japan, reduce our exports and increase our imports. We cannot continue both our huge foreign aid and foreign military expenditures and allow unlimited foreign investments. These conditions have created our most serious immediate economic problem—a continued large deficiency in our international balance of payments. The result is a weakness of our dollar in relation to other world currencies, a heavy loss of gold, and a lack of confidence in our economic stability and leadership. This situation is cumulative and of our own making; a continuation will result in a flight from the dollar.

In the light of the wage and price structure in this country it would appear that the dollar is overpriced in relation to other currencies. This is reflected by the disparity in price level brought about by our high wage scale without resulting in higher productivity, and our internal inflation brought about through continued Government budget deficits and unsound fiscal policies. If this condition persists the United States cannot continue as the reserve currency country and be world banker. This responsibility will have to be taken over by an international monetary organization where currency values can be adjusted upward or downward over the longer period as the basic need is determined.

Some of the necessary corrective steps for these conditions are: Increased productivity and lower prices through a stable wage policy, greatly reduced foreign economic aid and foreign military expenditures; a curb on foreign travel and expenditures by U.S. citizens and restrictions on foreign investments by U.S. industry. Some of the alternatives would be devaluation of the dollar, embargo on gold, adoption of quotas and exchange control.

We are still confronted with the problem of public budgetary deficits in spite of our prosperous economy and a huge tax take, both national and local. This condition must be overcome by eliminating unnecessary and extravagant public programs. We must have a balanced budget brought about by reduced expenditures and not by higher taxes, which already siphon off so much of the national product that growth and expansion of our economy is being curtailed. An improvement in this internal situation would also help maintain the stability of the dollar.

We have grave doubts that the President's program to get the authority to reduce tariffs by 50 percent would help solve our international economic problems, and it would accentuate our internal problems. This program does not face up to the fact that a high wage and a high living standard country cannot compete with a lower wage and lower living standard country, unless productivity is equally low. This is not the case with the Outer Seven countries, the Common Market countries and Japan who can do business profitably. Tariff adjustments alone cannot correct this differential.

We in this country have not recognized our limitations. We have assumed too much of the free world defense, military and economic aid programs. Our Western Allies must share more of this financial responsibility.

We cannot expect to maintain an adequate rate of economic growth, a low level of unemployment and reasonable price stability unless we are willing to face up to the unpleasant economic facts and take necessary steps to correct them. Without doing this our present economic recovery cannot be sustained.

GEORGE S. ECCLES,
President.
MARRINER S. ECCLES,
Chairman of the Board.

HIGH HONOR PAID BERNARD G. SEGAL

Mr. KEFAUVER. Mr. President, the Golden Slipper Square Club of Philadelphia on the night of Tuesday, March 6, sponsored a large dinner meeting in Philadelphia, Pa., at which time high honor was paid to Bernard G. Segal, outstanding attorney of Philadelphia.

The presentation of the Law Achievement Award was made by the Honorable Robert F. Kennedy, Attorney General of the United States. A great many judges and leading citizens from many parts of the Nation came to Philadelphia to join in paying honor to Mr. Segal.

I have known Mr. Segal for many years. He is an outstandingly able and successful lawyer. But aside from his practice I know of no lawyer who has given more of his time and unusual ability to the welfare of the bar and the judiciary.

It will be recalled that he was chairman of the Standing Committee on Congressional Salaries in the 83d Congress.

I ask unanimous consent that the salute to Mr. Segal be printed at this point in the RECORD. I also ask unanimous consent that his address in response to the presentation of the Law Achievement Award by Attorney General Kennedy be printed at this point in the RECORD.

There being no objection, the salute and address were ordered to be printed in the RECORD, as follows:

BERNARD G. SEGAL

Distinguished lawyer and public servant, cited by two Presidents of the United States for your contributions to the administration of justice, you symbolize the highest traditions of our American bar.

Native of Gotham, you came to Philadelphia as a youth. At Central High School, you were valedictorian and won every major prize. Your classmates phophesied truly that you had "the heart to conceive, the understanding to direct, and the hand to execute."

After graduating with honors from the University of Pennsylvania, you entered its law school. At the age of 20, and while still a law student, you taught political science in the Wharton School and coached the university's debating teams. Yet you were able to serve as Case editor of the Law Review and to earn a Gowen fellowship.

While a Gowen fellow, you were selected as American reporter on contracts to the International Congress of Law at The Hague and as assistant to the reporter of the American Law Institute's restatement on conflict of laws. When you were 24, William A. Schnader, attorney general of Pennsylvania, appointed you as the youngest deputy attorney general. In that office, you authored the codification and revision of the State banking law, the first milk control law, and other major legislation, still in force today. You also wrote what remains a standard text in the banking field. You were chosen to argue important cases and early won a reputation for skill and advocacy.

Attorney General Schnader asked you to become the first associate in his new firm of Schnader & Lewis. In less than a year, you became a partner in what is now Schnader, Harrison, Segal & Lewis. Your clients know you as a devoted counselor who prepares himself thoroughly, applies himself assiduously, and spares himself not at all. The bar has given you the accolade achieved by few, and never consciously by any, that of "lawyer's lawyer." Judges have praised you as one of the outstanding advocates in the Nation, and have turned to you when they needed counsel of their own.

In 1953, you became the youngest chancellor in the history of the Philadelphia Bar Association. During your two terms of office, you revitalized the association and brought it to heights of achievement never before realized. You led and won the fight to maintain the sitting judge principle, and you took the initiative on such civil rights issues as providing adequate counsel to every defendant, no matter how unpopular his case.

In 1954 you were appointed by President Eisenhower as Chairman of the Commission on Judicial and Congressional Salaries created by the 83d Congress. Your masterful conduct of the hearings and skill in marshaling public opinion resulted in the enactment of a desperately needed law raising congressional and judicial salaries. For this boon to our public service and morale, you were publicly commended by the President of the United States.

Six years ago you became chairman of the standing committee on Federal judiciary of the American Bar Association. You brought to this high post an unswerving conviction that only the most qualified persons should be appointed to the Federal bench and a willingness to support that conviction with endless hours of effort. You established a unique rapport and confidential relationship with three Attorneys General of two administrations, who, for the first time in history, have sent the name of every potential nominee for the Federal bench to your committee for investigation and report. Fortune magazine recently reported that the American people owe more to you than they realize for the excellent quality of appointments to the Federal bench since you became chairman of the committee. For the high public service rendered by you and your committee, you have been commended by both President Eisenhower and President Kennedy.

On innumerable fronts, you have devoted your life and strength to the cause of justice. Chairman of the board of the American Judicature Society, treasurer and council member of the American Law Institute, member of the board of regents of the American College of Trial Lawyers—every organization cited in this salute to law has known your tireless labor and wise counsel. Recently you received signal recognition in your appointment by the Chief Justice of the United States to the permanent nine-man committee of judges and lawyers to conduct continuous studies and to make recommendations to the Supreme Court on the "Rules of Practice and Procedure in the Federal Courts."

You have served the community as trustee of the University of Pennsylvania, member of the board of governors and treasurer of Dropsie College, president and chairman of the board of the Allied Jewish Appeal, trustee of Medico, board member of the United Fund, the Greater Philadelphia Movement, the American Arbitration Association, and in manifold other positions. For your zealous devotion to the educational, philanthropic, and religious life of the community, you have been awarded the honorary degrees of doctor of laws and numerous other distinctions.

Justice Felix Frankfurter has said of you that you are "a lawyer for whom the great traditions of the bar are a lodestar for your own efforts." Truly a leading star in the legal firmament, salute to law proudly awards you its first LAW Achievement Award.

RESPONSE OF BERNARD G. SEGAL TO PRESENTATION OF LAW ACHIEVEMENT AWARD BY HON. ROBERT F. KENNEDY, ATTORNEY GENERAL OF THE UNITED STATES, AT THE SALUTE TO LAW DINNER, GOLDEN SLIPPER SQUARE CLUB, MARCH 6, 1962

Mr. Chairman, Attorney General Kennedy, honored guests, members of the Golden Slipper Square Club, ladies and gentlemen, as I sat listening to the overgenerous citation and the very flattering comments by Senator KEFAUVER and Attorney General Kennedy, I was reminded of a story Al Smith once told when he found himself in a similar situation.

It seems that a farmer, a recent immigrant, was bringing a calf to market when the calf suddenly stopped and refused to cross the bridge over the creek. No amount of persuasion by the farmer could get the calf to move. Finally, a motorist drove up and sounded a loud blast on his horn. At that, the panic-stricken calf made a wild leap over the railing and was drowned. The philosophical farmer summed up the situation in one sentence: "Too bigga da honk for so smalla da calf."

Let me assure you that long ago I learned that flattery is like a delicate perfume—to be smelled but not swallowed.

But I should be less than frank if I were not to admit that even allowing for a very

large discount from what has been said, I am highly complimented by the mere fact that the words were spoken by Senator KEFAUVER and Attorney General Kennedy. Perhaps you may recall Cowley's couplet:

"Nothing so soon the drooping spirits can raise
As praises from the men whom all men praise."

There are occasions which are made to be remembered, and certainly tonight is one of them. For unless my research is faulty, I believe this is the first time anywhere that an important group of laymen have set aside an evening as a salute to law.

Your chairman has asked me to respond in behalf of all the recipients of your citations. I do so humbly and with reticence, for among the remarkably large and distinguished company of leaders of bench and bar whom you have gathered here this evening, there are any number who, from the important offices they occupy and from the talents they have so conspicuously demonstrated, might with much more propriety have been singled out for this acceptance. I am comforted, though, by the fact that your selection of a practicing lawyer, not because of any special office he may hold or distinction he may have achieved but in recognition of his work in behalf of the administration of justice through the organized bar, emphasizes this important truth of the life of the law in America today; namely, that except for service in the Government, it is only by his participation in the organized bar through all its various segments—national, State, local, general, and specialized—that the individual lawyer can make himself effective in the largest and most serious issues, public issues and professional issues, that concern his profession and his clients, and that affect the welfare and the progress of society as a whole.

This was not always so. For the first hundred years of our country's history, the lawyer carried on his activities primarily as an individual. At first, we did not have in America an organized bar of the kind which existed in England and in continental Europe. In his professional activities, in his public contributions, the lawyer acted alone. When Benjamin Franklin, at the beginning of our Government, said: "The legal profession is and has always been the right arm of liberty," he meant the individual lawyer. For the lawyer of that day had no group consciousness and the legal profession as a whole had no organizations.

But in our modern, complex society, the individual lawyer, acting alone, can no longer be effective in meeting the call of our generation on the legal profession. He must still provide the leadership, supply the stimulus and the inspiration, but it is only through the organized bar that he can make his full contribution to the urgent needs, the enlarging developments of his time, in the endless quest for the rule of law. Far vaster than he could ever achieve alone, are the dimensions a lawyer can achieve when he extends the reach of his voice and the cast of his mind through the organizations you are honoring this evening.

Now, I do not mean to say that the lawyer's individual practice is less important, or that his relationship to his client is less personal, than it ever was. The law is in its essence a service profession, and in his private capacity of ministering to the needs of his clients, the lawyer is performing a lofty function, and an intensely personal one. No organization can or should thrust itself into this relationship. The lawyer is, and must always remain, the independent, courageous counselor of his client, the dedicated advocate of his cause. But even here, the lawyer, through the organized bar, can effectively improve the environing circumstances in which he serves his client, the conditions under which he does his work, the public atmosphere and attitudes which bear upon his client's interests. Many of the programs of the organizations represented on this dais are specifically designed to improve the professional competence of the lawyer so that he may better represent his client.

However, in view of the emphasis you have given the evening by the nature of your award and the character of the organizations you have selected for citations, I shall talk primarily of the lawyer, not as he practices his craft and his calling, but rather as he assumes his traditional and rightful position of leadership in the movements for the improvement of our judicial system and the administration of justice.

And here there is a very great deal that needs to be done.

The citations you have heard, recite an immense record of effort and achievement, and, of course, there is much more that limitations of time prevented recounting. And yet the present need for reform in our substantive law and in our judicial machinery is critical and of immense proportions.

As President Kennedy was delivering his solemn and awesome address last Friday, announcing his decision on atomic testing, there ran through my mind the differences between the Communist world and our own. These are many, but, certainly, in no aspect is the difference more clearly distinguished than in our system of justice, conceived to protect the rights of the individual and dedicated to the preservation of ordered liberty under law. This is the very antithesis of the Communist system which enthrones the state and not the individual. On this difference rests our claim to moral leadership in the world community. But we cannot sustain that claim unless we can demonstrate the efficiency of our judicial system, the ultimate guardian of our basic freedoms. And the sobering fact is that under present conditions in many States, our courts cannot be efficient and they cannot render prompt justice.

While a fair number of States have initiated very crediable judicial reforms the situation in many others is appalling.

Despite the vast increase and complexity of litigation which modern conditions have brought, these States have made little or no change in their judicial structure. They struggle along with court systems evolved to meet the leisurely pace of bygone generations. For example, in Pennsylvania, our court system was established by a constitution, still in effect, which was adopted in 1873. The last amendment to the judicial article of that constitution was made more than half a century ago.

Conscientious judges in most of the States have adopted substantial measures to relieve the situation. The organized bar has worked assiduously with the courts in this common objective. But the simple fact is that the really basic changes which must be made require extensive constitutional revision and legislative enactment.

The grim results in such States are critical conditions of court congestion, huge case backlogs, and unconscionable delays in litigation. This certainly cannot be allowed to continue.

Where more judges are needed, they should be provided promptly.

Where judicial machinery requires overhauling, this should be done immediately.

These measures are not easy of achievement. But they have been attained, and they can be attained whenever and wherever the leaders of the organized bar join hands with the leaders of the lay groups of the community—organizations like yours—and resolve that they will not rest until prompt and efficient justice is administered in their courts.

In our Federal courts, the present Congress has afforded substantial prospects of relief by creating 73 new judgeships. We all hope that the 86 judges President Kennedy has already nominated, and the filling of the 42 existing vacancies on which the Attorney General and his staff are at this moment diligently working, will afford very large relief. Just how much, we shall have to wait and see.

The next subject which commands the attention of the organized bar is the selection of judges. For no judicial system can be any better than the judges who administer it.

On the Federal scene, great progress has been made in the past 10 years. Attorney General Kennedy and Deputy Attorney General Byron White on whom falls the primary responsibility of clearing names of individuals proposed for appointment to the Federal courts, have afforded to the American Bar Association every appropriate opportunity for cooperation and collaboration. We have come a long, long way when we can say with complete confidence, as I am sure we can, that today the Attorney General of the United States would not make a recommendation for a judicial appointment to a lifetime judgeship, and the President would not make the appointment, until after receiving and studying the American Bar Association committee's report on the candidate's qualifications. Of course, the Attorney General has other important sources of information, and that is as it should be, and, of course, the President must make the ultimate decision as to who shall be appointed, but all of us at the bar, and the public as well, are greatly in the debt of Attorney General Kennedy and Deputy Attorney General White for providing so ready and effective an instrument to receive the views of the professional community of judges and lawyers of the country in the difficult and serious matter of judicial appointments.

I wish that time allowed me to develop this whole subject of Federal judicial selection. As Attorney General Kennedy has just said, his Department and our committee have not always been in agreement, although I would add that the disagreements have been surprisingly few. I do recognize that there are elements in official determinations in the ultimate selection of a judge of which, in our unofficial capacity, our committee has no part. But in view of certain statements in the public press recently, there is one thing I should like to make very clear. It is this: Based on the many, many hours I have spent with Attorney General Kennedy and Deputy Attorney General White discussing judicial appointments, I can say with entire conviction that as to the quality of the judges they would like to see on the bench, Mr. Kennedy's and Mr. White's aspirations do not differ from my own or from those of the other members of our committee; and the overwhelming majority of the judges President Kennedy has appointed are reflections of these objectives.

In some States, Governors maintain the same close liaison with representatives of the organized bar in the selection of judges as does the President through the Attorney General. In others, however, the process is entirely political and the views of the bar associations, or of judges and lawyers generally, are neither sought nor regarded.

This fact serves to spotlight the evils of current methods of judicial selection in some States. There are still 17 States in the country in which judges are elected in the same way as candidates for executive and legislative office. Their names are included on the same political ballot in the primary elections, and they appear, by political party designation, on the same partisan ballot in the general election.

I am reminded of the poignant statement of Justice Fred L. Williams, formerly of the Supreme Court of Missouri, who, speaking of his own election before the adoption of the Missouri plan for nonpartisan selection, said:

"I was elected in 1916 because Woodrow Wilson kept us out of war. I was defeated in 1920 because Woodrow Wilson did not keep us out of war. In both of the elections, not more than 5 percent of the voters knew I was on the ticket."

It is sometimes said that the election of judges in this way is an attribute of democratic government. Of course, that is not so. It was not so in the majority of States in our country at the beginning of our Government. It is not so in two-thirds of them today.

It is an arresting fact that the only places in the world, outside our own country, where the judges are still elected by the people on a political ballot are Russia and its satellite nations. In no democratic nation, other than our own, is this elective system for judges still in force.

For years the American Bar Association has urged the adoption of a plan, in force in a few States, whereby the Governor would fill judicial vacancies by appointment from a panel nominated by a nonpartisan commission of judges, lawyers, and lay citizens. Each judge so appointed would serve a trial period, and thereafter would be voted upon in a general or local election in which he would be unopposed. The single question to the voters would be whether, on the basis of his record, the judge should be retained in office. This is the only system, outside of lifetime appointments, which can give our judges the freedom from political concerns which all of them should have.

The ultimate, austere objective of the organizations of bench and bar represented in this room is that only the best qualified lawyers or judges available shall be appointed to judicial posts, without regard to political affiliation. We recognize we are a long way from achieving this goal, but we shall continue to strive for it nevertheless, and in the meanwhile, we shall endeavor to improve in every way we can, the systems which are in effect.

The presence of Senator KEFAUVER and Attorney General Kennedy this evening give emphasis to another challenging assignment of the organized bar—the administration of the criminal laws.

The national crime figures compiled by the FBI indicate that there were over 1,860,000 serious crimes committed in the United States in 1960, an alltime high and over a quarter of a million more than in the preceding year. In 10 years, the number of serious crimes in our country has almost doubled and it continues to increase at a rate more than four times the increase in population.

In notable hearings a few years ago, which drew national attention and commendation, Senator KEFAUVER, as chairman of a subcommittee of the Senate Judiciary Committee, developed for the American people for the first time, a true picture of the staggering proportions organized crime has reached in this country. Since then, time and again, he has directed public attention to the continuing need for action.

When Attorney General Kennedy came into office, he made this problem one of the major subjects of attack. First, he presented to the Congress, and saw through to enactment, bills giving the Department of Justice and other law enforcement officials, new tools to combat syndicated and other interstate crime. Then, armed with these new laws, he instituted an all-out effort, through the Organized Crime and Racketeering Section of the Department of Justice, to coordinate the Government's crime-hunting agencies and facilities, and to integrate them with the activities of State and local enforcement officials. Conspicuous progress has already been made.

This work of Attorney General Kennedy and his Department deserves the unqualified support of the organized bar, and we are hard at work to help and to supplement these efforts.

The question of civil rights poses for the lawyers of America, grave problems. They are not questions of differing ideologies or sectional philosophies. This is a simple matter of obedience to the law of the land and the courts which administer it.

Here, too, the Attorney General has played a significant role. I like his present policy of evenhanded, lawyerlike enforcement of the civil rights laws, and I like also his determined efforts to avoid the long delays and great tensions of litigation by working with local groups and endeavoring to solve these difficult problems outside the courts. These procedures have the unqualified support of all enlightened Americans and the organized bar is hard at work implementing them.

The organized bar is engaged in a multitude of other projects.

We are determined that every person in need of legal advice shall have a lawyer, and that however unpopular may be his cause, he shall be adequately represented.

We know that we must fearlessly, and without favor, continue to discipline lawyers who fail to live up to the highest dictates of their profession, and to continue to establish and sternly maintain ever higher ethical standards for judges and for lawyers.

We recognize our obligation to the courts and to the judges who sit in them—to keep them independent and secure. We realize it is the duty of the organized bar to assure that the judges in our courts are given the machinery to work effectively, that their salaries, retirement, and survivorship benefits are fitting to their station and keep them free from concern, and that they are protected against unjust criticism and clamor.

We are cognizant, too, of our obligations to the legislative branch of our Government. It was the lawyers of America who spotlighted the problem of the inadequacy of the compensation of Members of the Congress. Realizing the difficult position of Members of Congress in exercising the constitutional mandate that they must determine the amount of their own salaries, it was the organized bar which first, ascertained the facts, and then secured the necessary public support for the sorely needed increases which were enacted in 1954.

These are a very few of the projects involving the administration of justice to which the organized bench and bar have dedicated themselves, and which presently command their diligent attention and unremitting effort. I may say, in summary, that no major issue of our time—international, national, State, local—is not presently challenging the attention and inspiring the action of one or another, or in many cases, several of the organizations you are honoring tonight.

Actors in the theaters speak of "the inside" and "the outside." Every profession knows this feeling. To be a professional man is to have an inside point of view, a professional attitude that is distinctive and separate. That is why it is so encouraging to those of us who work every day with the problems of the law, to see in this occasion a celebration of the professional work of the organized bar, by the "outside"—by laymen, the generality of citizens to whose interests the system of justice is directed. Certainly, every step forward envisioned by the organized bar, every reform, can be achieved only if it secures the support, the enthusiastic and expressed support, of an aroused citizenry. This has been the history of every major court reform, every major advance in the administration of justice.

Because of the fact that it is to organizations like yours to which we must look for support that is prerequisite to the achievement of our objectives, all of us on this dais are deeply appreciative of the way you have conceived this very original evening to honor our profession, and the administration of justice which is our highest goal. And we appreciate, too, the fact that Senator Kefauver, Senator Dodd, Attorney General Kennedy, Governor Lawrence, Mayor Tate, Members of Congress, judges, and representatives of the public at large have made the sacrifices implicit in their being here, and thereby have given this evening such distinction.

It is proper that we should respond to this generous attention by looking to those enduring principles that time has shaped for us in our heritage. We shall be certain that as the rule of law is the surest protection of the individual in an angry world grown small, so the steps by which the rule of law is enlarged and enriched are, each of them, steps that will lead us into a future when ordered liberty under the rule of law shall have been assured for all men.

DEATH OF FORMER SENATOR IRVING M. IVES OF NEW YORK

Mr. KEFAUVER. Mr. President, I feel a great personal loss in the passing of our former colleague, the Honorable Irving M. Ives, of New York. He was, to me, a very good friend, and I shall miss him.

The good works of Irving Ives will live long after him. His achievements in legislation which improved the lot of all Americans, and particularly those who comprise this Nation's great labor force, sprang from an abiding love for his fellow man and a deep conviction that discrimination contradicts the American tradition for fairplay and equal opportunity. Irving Ives was great in the same sense that other New Yorkers, such as Fiorello LaGuardia and Franklin Roosevelt, were great.

My wife, Nancy, joins me in extending our deepest sympathy to Marion Ives and to their son, George, in their great loss. The Nation's loss is also great.

DEATH OF FORMER REPRESENTATIVE J. RIDLEY MITCHELL, OF TENNESSEE

Mr. KEFAUVER. Mr. President, it was with great regret that I learned of the passing of the Honorable J. Ridley Mitchell, who represented the Fourth District of Tennessee in the House of Representatives in the 72d through the 75th Congresses. Former Representative Mitchell died February 26 at the age of 84 at his home in Crossville, Tenn.

Born in Livingston, Overton County, Tenn., on September 26, 1877, he was graduated from Peabody College in Nashville in 1896 and served as private secretary to the late Representative C. E. Snodgrass from 1899 to 1903. The following year he was graduated from the law department of Cumberland University, was admitted to the bar, and began the practice of law in Crossville.

Representative Mitchell served as assistant attorney general from 1908 to 1918, attorney general from 1918 to 1925, and judge of the fifth circuit of Tennessee from 1925 to 1931, when he entered Congress.

During his years in Congress he did fine work for Tennessee. He was popular with his fellow Members and always fought hard for programs for the betterment of Tennessee.

His public service did not end with his departure from Congress. From January 1943 to September 1945 he served as an attorney in the Office of the Alien Property Custodian, and from 1945 to 1951 was a special assistant to the U.S. Attorney General in the Antitrust Division of the Department of Justice.

He will be greatly missed.

THE ALEXANDER HAMILTON NATIONAL MONUMENT

The Senate resumed the consideration of the motion of the Senator from Montana [Mr. MANSFIELD] to proceed to the consideration of the joint resolution (S.J. Res. 29) providing for the establishing of the former dwelling house of Alexander Hamilton as a national monument.

Mr. HILL. Mr. President, yesterday the distinguished Senator from Georgia [Mr. RUSSELL] addressed himself to the proposal to substitute for the amendment offered by the Senator from Florida an amendment which proposes to amend the Constitution of the United States, to provide for the elimination of poll taxes in any States that might have such poll taxes.

I think the Senator was most thoughtful. He spoke about the fact that it is indeed most unusual and almost unprecedented to attempt to proceed in the fashion that is now proposed.

We have on the calendar of the Senate, Calendar No. 1196, Senate Joint Resolution 29, reported to the Senate by the Committee on Interior and Insular Affairs. The joint resolution provides for the establishment of the former dwelling house of Alexander Hamilton as a national monument.

It authorizes appropriations out of the Treasury. Of course, under the Constitution of the United States and the rules of the two Houses of Congress, the resolution would have to be passed by the Senate, then it would have to be passed by the House, and then it would have to be signed by the President of the United States.

As I have said, in his very able and thoughtful address yesterday the distinguished Senator from Georgia [Mr. RUSSELL] called attention to what an unusual and extraordinary and almost unprecedented and I might say, preposterous proposal it was to take a joint resolution which provides for the establishment of the former dwelling home of Alexander Hamilton as a national monument and seek to use it as a vehicle to submit an amendment to change the Constitution of the United States.

As we know, the joint resolution for a memorial to Alexander Hamilton would have to be passed by the Senate, then it would have to be passed by the House, and then it would have to be signed by the President; whereas a proposal for amending the Constitution does not go to the President at all. If that proposal is passed by the Senate by a two-thirds vote and is likewise passed by the House by a two-thirds vote, it goes directly to the legislatures of the several States. It does not go to the President. So, as I have said, it is indeed a most unusual and extraordinary and, I think, unprecedented and preposterous course we are asked to follow in such a procedure as is now suggested.

This is an attempt to amend the Constitution, to take away from the States the rights which they have enjoyed from the very day the Constitution was written and became effective. It is an attempt to take away their rights to fix the qualifications of their electors. We oppose it because we are deeply moved by our concern and desire and our willingness to fight for the preservation of the cherished rights of our States to prescribe the qualifications of their electors.

I may say that these are rights which the Founding Fathers specifically preserved and secured to our States in the original Constitution.

They are rights which in the past have received great honor and respect.

Anyone who will read Mr. Madison's notes to the Constitutional Convention, the Convention which wrote the Constitution, and who will read the notes of the State conventions which ratified the Constitution, cannot escape the very definite and positive conclusion that if the provision of leaving to the States the power to prescribe the qualifications of their electors had not been written into the Federal Constitution, there would not have been any Federal Constitution and there would not have been any Federal Union.

Mr. Madison's notes of the Philadelphia Convention, where the Constitution was written, and the notes of the several State conventions where the Constitution was ratified, show how jealous the States were of this right—the right which insured to them the fixing of the qualifications of the electors in the several States. These notes confirm absolutely that there would have been no Constitution if that right had not been clearly, specifically, and absolutely preserved to the several States.

Mr. President, as we know, the poll tax is a diminishing phenomenon. Today it is levied in only 5 of the 50 States. The rates are extremely moderate. They range from $1 to $1.50. The influence of the tax on the size of the electorate is too insignificant for anyone even to attempt to measure.

I interpolate to say that the poll tax in my State of Alabama is only $1.50 a year, and it is not retroactive for more than 1 year. In other words, it would not be possible for anyone to owe more than $3; but the rate is $1.50 a year. Also, all persons who are 45 years of age or over are exempt from the payment of the poll tax. All war veterans—the veterans of World War I, World War II, and the Korean war—are exempt from the poll tax.

I emphasize further, based on a declaration by Judge Cooley, one of the greatest authorities on the Constitution in the whole history of our country, that there are certain prerequisites to voting. As we know, in some States registration is not permanent. In my State, once a person registers to vote, he does not have to reregister unless he sees fit to move out of the county in which he has been living. If he moves into another county, he must, in order to vote, reregister in the new county. But if he remains in the county in which he first registered, he need never reregister again.

I have registered once in my life, and that was when I became 21 years of age. I have never had to go to the trouble or to take any time to register again.

However, some States have different periods when the voters must register or reregister. We also know that to register, a person must go to a particular place where the registration is held. Persons do not register in their own homes; they must go to the courthouse or to some other place designated for that purpose.

Furthermore, in order to vote, a citizen must go to the polling place. He must transport himself to that place. When he gets there, sometimes he must stand in line before he may vote. It may take some time out of a very busy day for him to stand and wait his turn to exercise his right to the ballot and to vote. So, as Judge Cooley makes clear, there are certain prerequisites to voting, and this little tax is one of them.

Every dollar received from the poll tax in Alabama is devoted to educational purposes. It goes for the education of our youth. In Alabama, every dollar goes to the public schools of our State. Surely there is no Member of this body who does not experience the constant cry for more funds for the schools.

Mr. EASTLAND. Mr. President, will the Senator from Alabama yield?

Mr. HILL. I yield.

Mr. EASTLAND. Does the Senator know whether the poll tax in Alabama disqualifies anybody from voting?

Mr. HILL. I do not think the poll tax in Alabama disqualifies anybody from voting. I do not know of anyone in Alabama who does not have a dollar and a half that he cannot contribute to the education of the youth in Alabama in order to vote.

Mr. EASTLAND. Does not the Senator think that that is true in all the States which have the poll tax?

Mr. HILL. I think that is true in all those States. I think the Senator would say the same thing about his own State of Mississippi.

Mr. EASTLAND. Surely.

Mr. HILL. The poll tax does not prevent anyone from voting. Can it be that a citizen of a State does not have enough interest in the welfare and progress of his State to make the little contribution of a dollar or a dollar and a half to the education of the youth of his State, so that the citizen may vote?

Mr. EASTLAND. Does not the Senator from Alabama think that this is a very legitimate way to help to finance the school system of the State?

Mr. HILL. It has certainly proved to be that way in my State of Alabama.

Mr. EASTLAND. The distinguished Senator from Alabama knows, does he not, that our great Democratic President of the United States has taken the position with respect to the United Nations that any country which is a member of that organization and does not pay its dues should not be permitted to vote in that body?

Mr. HILL. That is correct.

Mr. EASTLAND. In fact, the representatives of the Department of State and of the other agencies of the U.S. Government who appeared before the committees of Congress took the same position. Is there any difference between that position and the requirement that a person must pay a nominal sum in order to vote in the primary and general elections of his State?

Mr. HILL. So far as the principle is concerned, they are absolutely on a par. The only difference is that the payment of which we are speaking, the poll tax, is such a minimal sum. It is not possible to pay any less than $1 or $1.50. However, so far as the principle is concerned, it is absolutely the same as the Senator from Mississippi has suggested. Furthermore, I do not know of any organization or association in which a person who participates does not pay his dues in order to help carry his part of the expense, so to speak.

Mr. EASTLAND. That is correct. Does not the distinguished Senator from Alabama think that when the U.S. Government took that position with respect to the United Nations, it thereby endorsed the principle of the poll tax?

Mr. HILL. It certainly endorsed the principle; and the Senator from Mississippi, just as I do, strongly believes in that principle.

Mr. EASTLAND. That is correct.

Mr. HOLLAND. Mr. President, will the Senator from Alabama yield?

Mr. HILL. I yield.

Mr. HOLLAND. For how many years must a citizen in Alabama pay the poll tax in order to be qualified to vote? After a citizen becomes eligible to vote when he becomes 21 years of age?

Mr. HILL. He pays $1.50 a year; but no matter how many years he may have failed to pay his poll tax, he cannot be required to pay any more than $3. Three dollars is the maximum amount he would have to pay. In other words, if for 15 years a person has not paid a single cent poll tax, he must pay $1.50 for the current year and $1.50 for the past 15 years. The maximum amount anyone would have to pay would be $3.

Mr. HOLLAND. If the Senator will permit me to go further with my question, is it not true that a citizen between the ages of 22 and 45 must pay $3 or 2 years' poll tax in order to be qualified to vote?

Mr. HILL. If a person lets a year or more go by, or, as I said, if he lets as many as 15 years go by, or if he lets as many as 20 years go by, he never has to pay more than $3.

Mr. HOLLAND. But he does have to pay $3?

Mr. HILL. If he has not kept up his poll tax, the little tax of $1.50—every cent of which, as I have said, is devoted to the public schools of Alabama—if he has not kept that tax current and paid each year, the most he would have to pay would be $3.

Mr. EASTLAND. Mr. President, will the Senator from Alabama yield?

Mr. HOLLAND. I should like to complete my thought.

Mr. HILL. I yield to the Senator from Mississippi.

Mr. HOLLAND. Then I am happy to yield.

Mr. EASTLAND. Does not the Senator think that the $3 that a person must pay is quite puny and does not discommode anyone?

Mr. HILL. I thoroughly agree with the Senator from Mississippi. Certainly it does not discommode anybody. After all, what citizen is there, who has a proper interest in his State, who is concerned with the welfare, the progress, and the economic strength of his State, who is not perfectly willing to pay this small amount of $1.50?

Mr. HOLLAND. Mr. President, will the Senator from Alabama yield?

Mr. HILL. I yield to the Senator from Florida.

Mr. HOLLAND. In other words, a man and his wife would have to pay $6 in order for both of them to be qualified to vote in a primary election or in a general election in Alabama, generally speaking, would they not?

Mr. HILL. No. The only time when they would have to pay $6 would be when they were in default. If they were current in the payment of that tax, they would have to pay only $1.50 a piece.

Mr. EASTLAND. The answer to the question of the Senator from Florida is that in the vast majority of cases he is wrong, is he not?

Mr. HILL. Yes.

Mr. EASTLAND. In 99 percent of the cases he is wrong, is he not?

Mr. HILL. Yes. He is undertaking to cite the most extreme case. He must be thinking about the people of his own State, not the people of Alabama.

Mr. HOLLAND. So far as the people of Florida are concerned, they have not had to pay a poll tax since 1937—which I think is a sound thing.

My second question is this: Does not the Senator from Alabama know that the amendment which I and 66 other Senators propose does not prohibit the imposition of a poll tax as a prerequisite to voting in State and local elections, but relates only to the election of President, Vice President, and Members of Congress?

Mr. HILL. Yes. But can the Senator from Florida think of anything which would be more confusing or would require more bookkeeping, redtape, and all that sort of thing, than to require the payment of a poll tax in order to make this contribution for the support of our schools, for the education of our youth, if one wishes to vote in elections for State and local officers, but then say, "But so far as national elections are concerned, the payment of a poll tax will not be required." I cannot think of anything that would be more divisive or confusing or would come nearer to undermining the system of obtaining, by means of the payment of this small amount of money, funds to be used for the education of our youth.

Mr. HOLLAND. Mr. President, will the Senator from Alabama yield further?

Mr. HILL. I yield.

Mr. HOLLAND. Then the Senator from Alabama thinks, does he, that citizens generally would not be willing to pay that small amount of money in order to qualify to vote in elections for their State, local, and county officials?

Mr. HILL. I think they are willing to pay now. Of course it is within their power to remove the poll tax. But to require the payment of a poll tax in order to vote for one set of officials, but not to require the payment of a poll tax in order to vote for another set of officials, would simply invite division and confusion.

Mr. EASTLAND. Mr. President, will the Senator from Alabama yield again to me?

Mr. HILL. I yield.

Mr. EASTLAND. Why should not a man pay a poll tax in order to be able to vote in an election for Members of Congress?

Mr. HILL. I know of no reason why he should not.

Mr. EASTLAND. What is the difference between paying a poll tax in order to be able to vote in an election for Members of Congress and paying a poll tax in order to be able to vote in an election for the Governor of the State?

Mr. HILL. There is no difference; and certainly there is no reason why a poll tax should not be paid in order to qualify to vote in all elections.

Mr. HOLLAND. Mr. President, if the Senator from Alabama will yield again to me, let me say in regard to the suggestion of the distinguished Senator that confusion would result, that I should like to ask him if it is not true that on the present registration rolls in the State of Alabama, places have to be left for exemptions for those who are veterans and for exemptions for those who are over a certain age, and for exemptions for other reasons; and is it not true that it has not proven to be difficult at all to have little stamped showings of exemptions appear on the same registration roll? That was the case in our State before the poll tax was knocked out.

Mr. HILL. But there has been no trouble at all about that.

Mr. EASTLAND. Mr. President, will the Senator from Alabama yield?

Mr. HILL. I yield.

Mr. EASTLAND. Does not the Senator from Alabama think the distinguished Senator from Florida has just now destroyed his own argument? In Alabama, one who is 45 years of age is exempt, is he not?

Mr. HILL. That is correct.

Mr. EASTLAND. And veterans are also exempt, are they not?

Mr. HILL. That is correct.

Mr. EASTLAND. When the Senator from Florida refers to a requirement to pay $3, he is picking out a few, little, puny cases here and there, is he not?

Mr. HILL. Yes.

Mr. EASTLAND. The requirement to pay $3 itself does not disenfranchise anyone, does it?

Mr. HILL. That is correct; there are only a few, little, puny cases.

Mr. HOLLAND. Mr. President, will the Senator from Alabama yield again to me?

Mr. HILL. I yield.

Mr. HOLLAND. Does not the Senator from Alabama know that a considable number of States levy a poll tax, but do not require the payment of a poll tax as a prerequisite for voting, and obtain substantial amounts of revenue from that source, and find no difficulty in collecting it?

Mr. HILL. The truth is that the poll tax goes back to the very beginning of our Government, beginning with the very early days. In fact, in the early days some States not only required the payment of a poll tax, but also required that in order to be eligible to vote, one had to be a freeholder and had to pay other kinds of taxes; and one of the reasons why the States used the poll tax was in order to get away from the other little taxes, because the $1 or $1.50 poll tax could not be a burden on anyone.

Mr. HOLLAND. But does not the Senator from Alabama know that a number of States do levy and successfully collect poll taxes, but do not have any legal requirement that the payment of a poll tax is a prerequisite to voting or has anything to do with the right to vote?

Mr. HILL. There are some States in which that is the case; but if the people of Alabama and the people of Mississippi and the people of other States want to collect a poll tax in this way, that is their right, and it is guaranteed to them in the Constitution of the United States, and it is their right to get the funds for their schools in this way.

Mr. EASTLAND. Mr. President, will the Senator from Alabama yield again to me?

Mr. HILL. I yield

Mr. EASTLAND. And it is no business of the State of Florida, is it?

Mr. HILL. I agree 100 percent with the Senator from Mississippi.

Mr. HOLLAND. Mr. President, will the Senator from Alabama yield again to me?

Mr. HILL. I yield.

Mr. HOLLAND. Is it not true that every State which formerly imposed not only a poll tax—as was done by many States as a condition or requirement in order to be able to vote—but also property taxes and had property-ownership requirements of various kinds, have canceled those restrictions and limitations on the right to vote, except in the case of the five States which now have a poll tax?

Mr. HILL. In a few minutes I shall review the requirements of the various States at the time of the beginning of our Government. Some definite changes have been made; but I point out that those who are opposing this proposed constitutional amendment are fighting for the right of their States to make their own decision as to whether they want this small, minimal poll tax. That is our right; it is our right under the Constitution of the United States, and we are standing here and fighting to protect that right against the aggression of the Senator from Florida.

Mr. HOLLAND. Mr. President, will the Senator from Alabama yield again to me?

Mr. HILL. I yield.

Mr. HOLLAND. I recognized the fact that this is a constitutional matter; and for that reason I am proposing a constitutional amendment, rather than a statutory proposal, such as those which have been offered by a great many persons who, in my opinion, and in the opinion of many others, do not properly recognize the constitutional requirements.

I ask my friend, the Senator from Alabama, whether the Constitution has provided, since the day when it was adopted, that the regular way to go about changing fundamental law in any State or in all States is to proceed by way of the submission of a constitutional amendment, which requires the approval of three-fourths of the States before it can become operative; and is it not also true that that right existed long before Florida, Alabama, Mississippi, or any of the later admitted States came into the Union?

Mr. HILL. There is no question that that procedure is provided by the Constitution of the United States. But that procedure does not mean that it is an invitation to try to take away from the States the rights which have been guaranteed to them since the time when the Constitution of the United States was first written.

Mr. HOLLAND. Mr. President, will the Senator from Alabama yield again to me?

Mr. HILL. I yield.

Mr. HOLLAND. Does the Senator from Alabama recall that when women's suffrage had been tried in quite a number of States and had been found to be wholesome and sound, then a constitutional amendment was proposed, and was adopted by three-fourths of the States, and since that time the good women have participated in voting in all elections in our Government, and their participation has been wholesome; and does not the Senator realize that exactly the same procedure which was followed then is being followed now?

Mr. HILL. Of course.

Mr. HOLLAND. And, in fact, it had to be followed in order to require States which had not taken that action to allow their women to vote. That is correct, is it not?

Mr. HILL. Of course whenever the Constitution is amended, that is the procedure which is followed, and it is prescribed by the Constitution—except I point out that insofar as concerns the position which we fight to preserve, today, I point out that when the Constitution was amended in 1913, so as to provide for the direct election of U.S. Senators, rather than to have them elected by the State legislatures, as had theretofore been done, we reiterated, reestablished, reaffirmed, and ratified once again this right, which today we fight to preserve.

Mr. HOLLAND. The Senator from Alabama recognizes, does he not, that the other 45 States, which have considerable interest in the election of the President, the Vice President, and the Members of Congress, also have some rights, including the complete privilege and right, under the Constitution, to ask that this matter be submitted to the conscience of all 50 States? They have that right, do they not?

Mr. HILL. I would say that any American citizen has a right to ask for any change he may see fit to request. But the fact that he has a right to request such a change does not mean that the change he proposes is wise and should be made or is justified by any existing condition or any particular situation.

Mr. EASTLAND. Mr. President, will the Senator from Alabama yield again to me?

Mr. HILL. I yield.

Mr. EASTLAND. The distinguished Senator from Alabama knows that in connection with the Federal highway system, the vast amount of money is contributed by the Federal Government, is it not?

Mr. HILL. That is correct.

Mr. EASTLAND. Does the Senator from Alabama recall the exact percentage?

Mr. HILL. I think it goes as high as perhaps 90 percent.

Mr. EASTLAND. That is for the benefit of everyone; every American citizen has a right to use those highways, does he not?

Mr. HILL. That is correct; he does, indeed. It is interstate commerce.

Mr. EASTLAND. Does the Senator from Alabama know that the State of Maine collects a poll tax, and that a resident of Maine cannot obtain a driver's license until he pays that poll tax, and cannot drive on the Federal highways in the State of Maine until he pays that poll tax?

Mr. HILL. Yes. In other words, the payment of that poll tax is a prerequisite to driving on the Federal highways.

Mr. EASTLAND. Is not that situation similar to the one now confronting us?

Mr. HILL. Certainly, because the Federal Government has a very large, direct, and immediate pecuniary interest in that matter, having put up 90 percent of the funds for the construction of those highways.

Mr. EASTLAND. That is right.

Why does not the distinguished Senator from Florida try to correct that condition, instead of picking on several of his neighboring States in the South?

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. HOLLAND. If I may be allowed to answer, in a patient way, the question that was raised by the Senator from Mississippi, the Senator from Florida hates to see people right across the line in Alabama, exactly like people in Florida, who can vote and do vote, deprived of their right of voting because they have either forgotten to pay the poll tax, or because they did not have the $6 to pay it, or they did not like the politics prevailing in the county.

The Senator from Florida has also regretted to see that the two great and

friendly States represented by the Senator from Alabama and the Senator from Mississippi show the smallest participation in elections of the qualified citizens of their States of any State in the Union. The Senator from Florida does not think that is a sound situation. He feels he has a complete right to move toward a sounder participation of all citizens, and makes no apology to anybody. He has stood arm in arm with his distinguished friends in opposition to other measures, but the Senator from Florida cannot for his life see how anybody can oppose something which is so basically American as to have this submission to the jury of States, which has been a part of our Constitution since it was founded.

Mr. EASTLAND. The Senator has said that the people have been deprived of the privilege of voting. I defy him to name one human being who has been denied the right to vote because of the poll tax. I defy him to find one. The Senator well knows that in our States the real test is in the primary elections, and not in the general elections, and we do have full participation in the primaries.

Mr. HILL. After the matter is settled in the primaries, the people know the result in the primaries is going to be the result in the general elections.

Mr. EASTLAND. To get back to the primary question, there is no proof that any more people will vote if the poll tax is removed. Does the poll tax disqualify them from voting?

Mr. HILL. It does not in Alabama. They do not vote in the general elections because the primary is the determining election. Whoever is nominated in the primaries, everyone knows, is going to be elected in the general elections.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. HILL. I yield for a question.

Mr. HOLLAND. I have had some experience in this question. In my State, as soon as the poll tax was removed, at first the white people, and later the colored people, after the court threw out the white primaries, voted in greater numbers. I call attention to the list of States shown at page 475 of the printed hearings, which shows the following facts:

In Mississippi the number participating——

Mr. EASTLAND. Will the Senator state the authorities? He said the printed hearings. Who said that?

Mr. HOLLAND. The information is furnished by the American Heritage Foundation, the same figures were also found in the report of the Civil Rights Commission.

Mr. EASTLAND. The Senator is going very far when he takes the report of the Civil Rights Commission. If there ever was something loaded against decent people of this country, it is the Civil Rights Commission.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. HILL. I have the floor. I did not think the Senator would deny us our rights based on such a report. The Senator from Florida has now become a working ally of the Civil Rights Commission.

Mr. HOLLAND. The Senator from Florida has taken the same position with respect to the creation of the Civil Rights Commission as the Senators from Alabama and Mississippi.

Mr. EASTLAND. We have not——

Mr. HOLLAND. Has the Senator yielded to me?

Mr. HILL. I yield to the Senator from Mississippi.

Mr. HOLLAND. I know the Senators do not want these facts in the RECORD.

Mr. EASTLAND. We are going to let the Senator put them in the RECORD, but we want the foundation for them.

Mr. HILL. We want the RECORD to be a true RECORD.

Mr. EASTLAND. The distinguished Senator has opposed the creation of that Commission. He has been against it. I would say the facts alleged by this Commission are absolutely unreliable, and I do not believe my friend would say they are reliable.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. HOLLAND. I stated these figures came originally from the American Heritage Foundation, but they were the same facts as set forth by the Civil Rights Commission.

If the Senators will take time to read page 475 of the hearings, they will see the sources are stated to be the American Heritage Foundation, the State election officials, and the U.S. Census Bureau. I do not know where the committee could have gone for more authoritative information than those three sources.

Mr. EASTLAND. But the Senator stated people were disqualified from voting.

Mr. HILL. There is nothing in there to show that people have been disqualified from voting because of the poll tax.

Mr. HOLLAND. The Senator from Florida thinks the people of Alabama and Mississippi are just as patriotic as are any other people. He thinks they would vote if there were not something in their way. When he sees these two great States, whose people are friendly to ours and ours are friendly to them, stand at the very bottom of the list of voter participation, the Senator from Florida regrets it and wishes to correct that condition. That is what he is trying to do.

Mr. HILL. We do not need any help from the Senator from Florida. Now that he is a working ally of the Civil Rights Commission, I would say the people of Alabama would certainly wish no help from the Senator from Florida.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. HOLLAND. I think the Senator has not heard the Senator from Florida state that the three sources for this information, as compiled and reported by the committee which is headed by my distinguished friend, the Senator from Mississippi, are the American Heritage Foundation, the State election officials, and the U.S. Census Bureau——

Mr. EASTLAND. Wait a minute. Let us be fair——

Mr. HILL. I yield to the Senator from Mississippi.

Mr. EASTLAND. The Senator from Florida is trying to impute that the Senator from Mississippi had something to do with these figures. It was testimony before the subcommittee. Why does not the Senator give the facts about it?

Mr. HOLLAND. The Senator from Florida is trying to.

Mr. EASTLAND. No. The Senator is trying to impute that the chairman of the committee had something to do with the authenticity of those figures.

Mr. HOLLAND. Mr. President, will the Senator yield further?

Mr. HILL. I yield for a question.

Mr. HOLLAND. I was going to ask if the Senator will yield for a statement, without losing his right to the floor.

Mr. HILL. If it will be a brief statement.

Mr. HOLLAND. I know perfectly well the Senator from Mississippi had nothing to do with those figures. I know that for 14 years I have been trying to get this amendment out of the committee which has been headed, at least for the last 6 or 8 years, by the Senator from Mississippi. I know we have been able to get it out of the subcommittee. I think I know why we have not been able to get it out of the full committee. I certainly will not ascribe to my friend from Mississippi any interest in the production of this list or the production of these figures. I want the RECORD to show that.

Mr. HILL. Mr. President, since the Senator from Florida has proposed his amendment so far as the recollection of the Senator from Alabama serves him, the Senator from Alabama has never had one single word, not one single line, not one single communication, by word of mouth or otherwise, about the proposal of the Senator from Florida. Knowing the people of Alabama and their desire to maintain their rights without outside interference, I know there is not one of them who today would wish the Senator from Florida to deny him his rights, which rights the people have had since the day the Constitution was founded.

Mr. EASTLAND. Mr. President, will he Senator yield?

Mr. HILL. I yield to the Senator from Mississippi.

Mr. EASTLAND. If the distinguished citizens of the State of Alabama thought there was the great problem which the proponents of these measures claim, would not the Senator from Alabama have received many communications from his own State?

Mr. HILL. Certainly.

Mr. EASTLAND. From people being hurt by the tax?

Mr. HILL. A Senator always knows that if people are hurting he will hear from them.

So far as the Senator from Alabama can recall, in all of the years during which the Senator from Florida has been proposing his amendment, the Senator from Alabama has not received one word, by word of mouth, by line, or by communication in any shape, fashion, or

form from a single Alabaman on behalf of the proposed amendment.

On the other hand, knowing the people of Alabama as I do, I know they are against the proposed amendment. I would say they even resent the proposed amendment.

Mr. EASTLAND. I say the same thing for the State of Mississippi. I have not received a single protest about the tax. In fact, every piece of mail I have received from Mississippi in this regard has been in opposition to this proposal.

Mr. HILL. I have received many communications and many letters, as the Senator from Mississippi has stated, in opposition to the proposal, but not a single one in favor of it.

Mr. President, as I said, the funds raised from this minimal, innocuous tax all go for educational purposes, yet at this most crucial time in the history of America and the free world we are asked to take the time of the Senate to consider proposals to deal with this so-called issue, which all the facts show is far more imaginary than real.

At this time poll taxes are so rare and so innocuous that it requires considerable imagination to claim that they serve as any barrier to the exercise of the franchise by anyone.

It will be recalled that in the early days, and for many years in the history of our country, many of our States required the payment of poll taxes as a prerequisite for voting. Practically all the States had some such qualifications. Some of the States had a much more stringent and burdensome qualification, namely, the ownership or the holding of property.

The poll tax came into being not to restrict suffrage, but as a measure to increase the number of eligible voters by substituting the poll tax for other onerous taxes and stringent requirements.

At the time the Constitution was being written in 1787, most of the States—at least 9 of the 13—had spoken, and had fixed, by their own constitutions, the qualifications of those who should vote for the members of their own legislatures.

What were those qualifications? I should like to sum up, briefly, the qualifications which the original States, which brought the Constitution into being, had themselves prescribed for their voting.

First let us look at the small but great State of New Hampshire, from which some of the minutemen, some of our bravest men in the War of the Revolution, came in the early days, the State which gave us Daniel Webster. Before this debate is concluded, I perhaps shall refer to some of Mr. Webster's great speeches on the Constitution.

The men from New Hampshire fought the battles of the Revolution in order that the Constitution might be born, that the rights of the States might be safeguarded, and most of all that the power might reside in the hands of the people, and not in a central, arbitrary government. This indeed, is what the minutemen died for—the brave and gallant boys from the hills and mountains of New Hampshire.

What were the qualifications in New Hampshire? A voter had to be a freeholder. He had to own property; he had to own real estate. But the qualifications in New Hampshire did not stop there. They went further. And what do Senators suppose a voter had to do? He had to pay a poll tax, the very tax we are discussing now. Voters in New Hampshire had to pay a poll tax at the time the Constitution of the United States was being written.

The next State in the list is the State of the granite hills, the beautiful little State of Vermont, a State whose sons also played a heroic part in the War of the Revolution. When the Constitution of the United States was being drafted, in order to vote in Vermont a man otherwise eligible to vote—in order to meet the prerequisite, had to be a freeholder. He had to own property.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. EASTLAND. Is that not all based on the premise that our Government, under the Constitution of the United States, regards voting as a privilege and not a right, and a privilege which can be restricted or denied?

Mr. HILL. Time and again emphasis is given to the fact that voting is a privilege.

I quoted a few moments ago from Judge Cooley, who I think is recognized as perhaps the greatest authority—certainly one of the greatest authorities—on the Constitution of the United States this country has ever known. He emphasized that very statement, that voting is a privilege. It is a privilege.

Mr. EASTLAND. The only limitation on it, of course, is the woman's suffrage amendment.

Mr. HILL. The Senator is correct.

Mr. EASTLAND. And the provision that no one shall be denied the right to vote because of race, color, or previous condition of servitude.

Mr. HILL. The Senator is absolutely correct.

Mr. EASTLAND. The poll tax applies to black and to white alike.

Mr. HILL. The Senator is correct. Whether a person is black, is white, is yellow, or is brown—whatever the color of the person may be—the poll tax applies to everyone on the same footing, on the same level, on the same basis.

Mr. President, if I may, I wish to advert now to the State of the distinguished Senator who is now the Presiding Officer of this body (Mr. SMITH of Massachusetts in the chair), a Senator whom we all greatly esteem and appreciate, for whom we have the greatest possible admiration. I, of course, now speak of the great Commonwealth of Massachusetts, the State of Samuel Adams, John Hancock, John Adams, John Quincy Adams, Dr. Warren, and other great heroes of the Revolution. In order to vote in Massachusetts the requirement was that one must own a freehold with an annual income of 3 pounds, or an estate of 60 pounds. One had to be a property owner in order to vote in Massachusetts. That State did not let one off with paying a poll tax of a dollar or a dollar and a half; a voter had to be a property owner.

In the great empire of the State of New York the voter had to be a freeholder of 20 pounds, paying rent of 40 shillings. He had to have a freehold of 100 pounds in order to vote for State senator. They seemed to prescribe a greater prerequisite for voting for State senator than for members of the most numerous branch of the legislature, which meant they prescribed a greater prerequisite for voting for State senator than was required for voting for a Member of the Federal Congress, because of course the qualification for voting for a Member of the Federal Congress was the qualification for voting for a Member of the most numerous branch of the legislature.

In New Jersey one had to own an estate of 50 pounds; he had to be a property owner.

In Pennsylvania the voter had to be a State or county taxpayer.

In Delaware the citizen in order to exercise the right to vote also had to be a State or county taxpayer.

In Maryland the voter had to be a freeholder of 50 acres, or have property worth 30 pounds.

In North Carolina the voter had to own a freehold of 50 acres in a county, and must have owned it for 6 months before the election. It was also a requirement that the voter had paid his public taxes. If the citizen had not paid his public taxes he could not vote. In other words, he not only had to own the property, but he had to pay all the taxes on the property, and if he was in any way delinquent in the paying of his taxes he could not vote.

In South Carolina the voter had to be a freeholder of 50 acres or a town lot, or he had to pay taxes equal to the tax on 50 acres. That is, if the voter did not own 50 acres, he must, as a requirement for voting, have paid a tax equal to the tax on 50 acres.

In Georgia the voter had to own property in an amount of 10 pounds, or have a trade as a mechanic, or be a taxpayer.

I am sure the trade of a mechanic would interest the distinguished Presiding Officer (Mr. SMITH of Massachusetts) as much as it does the Senator from Alabama.

At that time we had not moved into the scientific, mechanical, and technological age in which we live today, for even back in that time, in order to be a voter in Georgia, as I have said, one either had to own property in the amount of 10 pounds or have a trade as a mechanic. If one had a trade as a mechanic, he would qualify. The third alternative was to be a taxpayer in some other way.

The State of Kentucky was not one of the Thirteen Original States. It was one of the first States to be admitted into the Union, however, after the adoption of the Federal Constitution. It came into the Union in 1792, only 3 years after the formation of the Federal Government.

In order to be a voter in Kentucky, a citizen had to be a taxpayer.

In Tennessee, which was admitted shortly thereafter, a voter had to be a freeholder.

Mr. President, these were the qualifications of electors when Kentucky and Tennessee were admitted into the Union shortly after the adoption of the Constitution.

These were the qualifications the States prescribed respecting their electors when the Constitution was being drafted in Philadelphia, when the delegates from the States were busy writing that document at the Constitutional Convention.

Thus, in the debates at the Constitutional Convention, as reported by Elliott, which, as we know, is the authoritative work on the subject, we find James Madison, who had such a major part in writing the Constitution that we commonly refer to him as the father of the Constitution, suggesting that there be a definite statement of qualifications placed in the Constitution, and expressing the opinion that the freeholders of the country—landowners—would be the safest depository of republican liberty.

The delegates to the Constitutional Convention knew what the States, qualifications were, and therefore when they wrote into the Constitution that the qualifications for electors for Members of the House of Representatives should be the qualifications for the electors for the most numerous branch of the State legislatures, they knew exactly what they were doing.

They knew what those qualifications were in the Thirteen States. As we recall under the original Constitution Senators were elected by the members of the State legislatures. We also recall that when we provided in the 17th amendment, which was adopted in 1913, for the direct election of Senators, rather than their election by the State legislatures, there was written into the 17th amendment the same provision, namely, that the qualifications for electors for U.S. Senators should be the qualifications prescribed by the States for electors for the most numerous branch of the State legislatures.

We must recall that in 1787 when the Constitution was written the States were absolute sovereigns. They had joined in the Declaration of Independence. They had proclaimed their independence of the British Crown. They had fought through eight long, terrible, and bloody years to win their independence, and they stood absolutely independent and free from any other sovereignty on this earth. Their own sovereignty was full, complete, and absolute.

So they gathered in Philadelphia in their sovereign capacities, through their delegates, to write the Constitution of the United States. The question was, How much of their sovereignty would they yield to the Federal Government? The Federal Government was not in being; it had no existence; it had no sovereignty. The only sovereignty the Federal Government could have would be such sovereignty as was granted it by the sovereign States of that time.

Anyone who is at all familiar with the history of the writing of the Constitution, anyone who has taken the time to read Mr. Madison's notes on the Constitutional Convention and what transpired in that Convention when the Constitution was being written, knows how jealous were the several States of their sovereignty and how reluctant they were to yield much of that sovereignty to any federal government.

Mindful of their sovereignty, zestful and determined, insofar as possible to keep within their own hands as much of their sovereignty as they possibly could, and still have a federal government to meet the problems which had to be met by a central federal government, what did they do? They provided that every State should have two Senators—two Members in this body—no matter how large or how small the State might be, no matter what its industrial development might be, no matter what its financial development or its agricultural development might be. No matter what might be the status of a State in its power, its influence, its ability to influence other States and other persons in other States, every State in the United States should have equal representation in the Senate. It should have two Senators—its own two Senators. Then, as will be recalled, the delegates to the Convention went one further step, and provided that no State should have its representation in this body reduced or taken away from it without its consent. This meant that no matter how small a State might be, how weak, how ineffective, how uninfluential it might be, it would have equal representation in this body; it would have two Senators along with the two Senators of the most powerful, the wealthiest, and the greatest State of the Union.

It was in this spirit of jealous regard for their rights and determination to secure the primary authority of the States in the Government, that the question of qualifications of electors was considered and debated.

When we consult Madison's notes we find that there were three schools of thought in the Constitutional Convention with reference to the matter of qualifications of electors to vote for Members of Congress.

One school of thought felt that the qualifications should be prescribed in the Constitution itself.

The second school of thought felt that the qualifications should be left to Congress; that the Constitution should provide that the Congress should have the power to prescribe the qualifications.

The third school of thought, which, as we know so well, prevailed in the Constitutional Convention, was that the qualifications for the electors should be those fixed by the States for the most numerous branch of the State legislature.

That provision, as we know, is section 2, article I, of the Constitution of the United States.

We find in Mr. Madison's notes, as compiled by Mr. Jonathan Elliott, and published by J. B. Lippincott in Philadelphia in 1907, in volume V, page 385:

Mr. Gouverneur Morris, of Pennsylvania, moved to strike out the last member of the section, beginning with the words "qualifications of electors," in order that some other provision might be substituted which would restrain the right of suffrage to freeholders.

In other words, Gouverneur Morris not only wanted the Constitution to fix the qualifications for the electors but he wanted at least one of those qualifications to be that the elector should be a freeholder, that he should own property. So Gouverneur Morris moved to amend the proposal to write in the qualifications of freeholders.

Mr. Fitzsimons seconded the motion.

Mr. Williamson was opposed to the motion.

Mr. Wilson, who was also, incidentally, from the State of Pennsylvania, and was one of the ablest men, as we know, in the Convention, and one of the ablest of the Founding Fathers, then rose to speak.

Before I read what the different delegates said, I should like to call the attention of the Senate to the committee which proposed the provision in section 2, article I of the Constitution—the section to which I have just referred—which is the section dealing with the qualifications of voters. The committee was termed; in the language of the Constitutional Convention, "the committee of detail."

The committee of detail was composed of Mr. Rutledge, of South Carolina; Edmund Randolph, of Virginia; Nathaniel Gorham, of Massachusetts, who was Chairman of the Committee of the Whole; Oliver Ellsworth and James Wilson, of Pennsylvania. John Rutledge, as we recall, was offered a place on the first U.S. Supreme Court, and was afterward appointed Chief Justice of the United States. Edmund Randolph, we recall, was George Washington's first Attorney General. Later Oliver Ellsworth was Chief Justice of the United States, and James Wilson was a member of the President's Cabinet.

Where could there have been found at that time in all the world, or where could there be found today or at any other time in all the word, a committee of abler or more distinguished lawyers and students of government, or more capable political draftsmen than the men who constituted the committee which wrote section 2 of article I? Where could a more brilliant galaxy of stars in the field of statesmanship be found than these great lawyers, students of the philosophy of government, students of human nature, men of commonsense and wisdom, who constituted the committee which wrote section 2 of article I?

As I have stated Gouverneur Morris moved to amend the committee provision leaving to the States the fixing of the qualifications for electors of Members of Congress, so as to require that the electors be freeholders, or so as to make sure that they were property owners before they could vote for Members of the

House, Mr. Fitzsimons seconded the motion. Mr. Williamson opposed it. Then Mr. Wilson of Pennsylvania, one of the ablest men who sat in that convention, rose and made this observation, according to Madison's notes:

This part of the report was well considered by the committee, and he [Mr. Wilson] did not think it could be changed for the better. It was difficult to form any uniform rule of qualifications for all the States. Unnecessary innovations, he thought, too, should be avoided.

When I quote that language about unnecessary innovations, I come back to my statement of a few minutes ago; namely, that Mr. Wilson and the other delegates who had gathered to write the Constitution knew exactly what qualifications were fixed by their own State constitutions. So when Mr. Wilson was speaking about no innovations, he was, impliedly, at least, making a plea for the qualifications fixed in his own State of Pennsylvania and fixed by the constitutions of the other Original States.

Mr. Wilson went on to say:

It would be very hard and disagreeable for the same persons, at the same time, to vote for representatives in the State legislature and to be excluded from a vote for those in the National Legislature.

All of us have many times been in polling booths to vote. We know that the words spoken by Mr. Wilson not only were true in 1787, but they are just as true today. Can Senators imagine the disorder, the confusion, and the uncertainty that would be thrown around the exercise of a right which is the most sacred right, perhaps, possessed by any American citizen—the right to the ballot—if there were one set of qualifications for electors for Members of Congress, President, and Vice President, and if there were another set of qualifications for electors of State legislatures and State officers?

Mr. President, while I do not believe that the very practical question raised by Mr. Wilson was the controlling one in the drafting of article I, section 2, those men, being men of commonsense, men with a keen, profound knowledge of human nature and the ways of people and of events, were undoubtedly persuaded by the consideration of how impractical it would be to have varying qualifications for the different electors.

After Mr. Wilson made his statement, Gouverneur Morris, the author of the motion, rose. I read further from Madison's notes:

Such a hardship—

This is, being a freeholder or the owner of property, because that is what his motion provided as a qualification—

would be neither great nor novel. The people are accustomed to it, and not dissatisfied with it, in several of the States. In some, the qualifications are different for the choice of the Governor and of the Representatives; in others, for different houses of the legislature. Another objection against the clause as it stands is that it makes the qualifications of the National Legislature depend on the will of the States, which he thought not proper.

He was unwilling to recognize this right in the State. Mr. Morris was unwilling that this power should continue to be vested in the State. He wanted it in the Federal Government.

Then Mr. Ellsworth, of Massachusetts, rose and said that he thought the qualifications of electors stood on the most proper footing. Note this language:

The right of sovereignty was a tender point and strongly guarded by most of the State constitutions. The people will not readily subscribe to the National Constitution if it should subject them to be disfranchised.

He was arguing against Mr. Morris' motion to make the ownership of a freehold a qualification. Mr. Ellsworth added:

The States are the best judges of the circumstances and temper of their own people.

Note that language. The States—the people back home, the people who gather in the State capitals, the people who go to the ballot boxes back in the hamlets, the communities, and the crossroads—"are the best judges of the circumstances and temper of their own people." Would anyone dispute that today?

Mr. Butler, a delegate to the Constitutional Convention, made this significant statement:

There is no right of which the people are more jealous than that of suffrage.

Thus, emphasizing, fortifying, and reaffirming the idea that the determination of the qualifications of electors should remain in the hands of the people of the States.

After all, Madam President, it is only by means of the right of suffrage that the people are able to maintain their power, their authority, their sovereignty over their Government. If the people's right of suffrage were to be taken from them, no longer would there be government of the people, by the people, and for the people.

Madam President, I shall read from the statement of Mr. Dickinson. He was a gentleman of very conservative views; but I think we should have his views, since we are studying this whole subject. Mr. Dickinson had a very different idea with regard to the tendency toward vesting the right of suffrage in the freeholders of the country. He considered them as the best guardians of liberty, and the restriction of the right to them "as a necessary defense against the dangerous influence of those multitudes, without property, and without principle, with which our country, like all others, will in time abound." He very strongly favored the writing in of a qualification that electors must be property owners.

In reply to Mr. Dickinson, Mr. Ellsworth had this to say:

How shall the freehold be defined? Ought not every man who pays a tax vote for the representative who is to levy and dispose of his money? Shall the wealthy merchants and manufacturers who will bear full share of the public burden be not allowed a voice in the imposition of them? Taxation and representation ought to go together.

On the question as to whether a freehold or property ownership should be prescribed as a qualification, Mr. Madison, being a very wise and very practical man, expressed the view that that might well be determined upon the question as to how such a qualification would be received back in the States.

The men who sat in the Convention, who engaged in the debates in the Convention, who engaged in the actual drafting of the Constitution, knew best of all, knew far better than any who should come after them, what their intent and purposes were in writing the Constitution. We would never have had any Federal Constitution, we would never have had a Federal Government, if the view had not prevailed that the qualifications of the electors should be left to the several States; in other words, that section 1 of article 2 should be adopted and written into the Constitution just as it had been recommended by the committee and as it was adopted and written into the Constitution.

Mr. President, in the 60th Federalist paper, Mr. Hamilton defended the Federal Constitution against the charge that it favored the rich. That charge had been made against the Constitution. His remarks on this subject are very pertinent to the issue before us. I now quote from Mr. Hamilton.

The truth is—

He wrote—

that there is no method of securing to the rich the preference apprehended, but by prescribing qualifications of property either for those who may elect or be elected. But—

Went on Mr. Hamilton—

this forms no part of the power to be conferred upon the national Government.

Mr. Hamilton added:

Its authority would be expressly restricted to the regulation of the times, the places, the manner of elections. The qualifications of the persons who may choose or be chosen, as has been remarked upon other occasions, are defined and fixed in the Constitution, and are unalterable by the legislature.

Alexander Hamilton's words will be clear to anyone who takes the time to read them. He said that the Federal Government cannot invade that right; that it is a right left exclusively to the several States.

What happened? The Committee on Detail, on August 6, 1787—and, as I have stated, the Committee on Detail was the special committee for the drafting of the Constitution—recommended that:

The qualifications of the electors shall be the same, from time to time, as those of the electors of the several States, of the most numerous branch of their own legislatures.

This, of course, is the provision of section 2, article I, of the Constitution.

What happened? When that committee made the recommendation, a motion was made to prescribe in the Constitution the qualification of possessing a freehold; and that motion was voted down. What was the vote on that motion? The motion was rejected by a vote of 7 to 1. Only one State voted for the motion, and that was the little State of Delaware. Delaware voted "aye." New Hampshire, Massachusetts, Connecticut, Pennsylvania, Virginia, North Carolina, and South Carolina voted "no."

Madam President, the thinking of the men who wrote our Constitution is found not only in the debates held in the Constitutional Convention, but also in the writings of those who participated in it.

We know that Thomas Jefferson was not a member of the Constitutional Convention that wrote the Federal Constitution, because he was at that time our Minister to France; but although he was out of the country, he was in very close touch with the delegates to the Convention. We know that he had no closer ally or friend than James Madison, father of the Constitution.

We speak of Washington as the Father of our Country—which he was. I think we properly speak of James Madison as the father of the Constitution. I think we may well say that Thomas Jefferson was the great prophet of American democracy.

In Mr. Jefferson's draft of a proposed constitution for Virginia, which was written in June 1776, while Mr. Jefferson was serving as a Member of the Continental Congress in Philadelphia, Jefferson suggested in his draft:

All male persons of full age and sane mind, having a freehold estate in (one-quarter of an acre) of land in any town or in (25) acres of land in the county, and all persons resident in the Colony who shall have paid scott and lot to Government the last (2 years) shall have right to give their vote for the election of their respective representatives.

He proposed this language for the Virginia constitution; but, on the other hand, when it came to the writing of the Federal Constitution, he opposed there being any provision of this sort prescribed in the Federal Constitution. He knew that the States should fix the qualifications for the voter.

I quoted a little while ago from Alexander Hamilton.

As we know, one of the greatest minds of that period, beginning with the War of the Revolution and coming on down through the Articles of Confederation, and the drafting of the Federal Constitution, and even in the administration of the Federal Government in the early days of George Washington, was the brilliant, profound, magnificent mind of Alexander Hamilton. It will be recalled that Hamilton was Secretary of the Treasury in President Washington's first Cabinet.

Perhaps this country has never known a more penetrating or more incisive mind than that of Alexander Hamilton. As we know, Hamilton was not a democrat, and I am using the word with a little "d." He did not believe in, he did not have faith in, the capacity of the people to govern themselves. He believed in a strong central government. He thought it was necessary to have central, arbitrary power concentrated in the government in Washington. He went so far that many speak of him as a monarchist. Certainly we know that in the plan which he submitted to the Constitutional Convention he provided for life tenure for the Chief Executive, the President of the United States. As I recall, he provided for certain hereditary rights—for many things that were to be found under the arbitrary, central power of the governments of the kings and the monarchies of the nations of Europe.

Mr. Hamilton in writing about the Constitution—and we must remember what his feelings and his views were—had this to say in chapter 52 of the Federalist:

I shall begin with the House of Representatives * * * The first view to be taken of this part of the Government, related to the qualifications of the electors and the elected.

When he referred to "the qualifications of electors," he went straight to the very question we are discussing here today, because he knew what the whole question involved, so far as determining what our Government was, and what it would be down through the years. He knew it went to the whole question of our dual system of government, the whole question of the structure of our Government, of a divided authority between the Federal Government and the State governments. The brilliant Hamilton knew what he was talking about. He went on to say:

Those of the former—

That is, of the House of Representatives—

are to be the same—

That is, the qualifications are to be the same—

with those of the electors of the most numerous branch of the State legislatures. The definition of the right of suffrage is very justly regarded as a fundamental article of Republican government. It was incumbent on the Convention, therefore, to define and establish this right in the Constitution.

In other words, the Constitution had to state what these qualifications were, and by whom they would be prescribed. Hamilton then continued:

The provision made by the Convention—

That is the provision now written into section 2 of article I—

appears, therefore, to be the best that lay within their option. It must be satisfactory to every State, because it is conformable to the standard already established or which may be established by the State itself.

Thus the leading Federalist, the outstanding Nationalist, in the days of the beginning of our Government proclaimed in his writings in the Federalist that this method must be satisfactory to the States, because under the Constitution as written it was left to the States.

Again, in the 87th Federalist, the question was asked. And Hamilton replied to his own question:

Not the rich, more than the poor; nor the learned, more than the ignorant; or the haughty heirs of distinguished names, more than the humble sons of obscurity and unpropitious fortune. The electors are to be the great body of the people of the United States. They are to be the same who exercise the right in every State of electing the corresponding branch of the legislature of the State.

In the 59th Federalist we find this significant statement:

Suppose an article had been introduced into the Constitution empowering the United States to regulate the elections for the particular States, would any man have hesitated to condemn it, both as an unwarrantable transposition of power and as a premeditated engine for the destruction of State governments?

In the 60th Federalist, Alexander Hamilton expressed fear that elections might be manipulated in the interest of the "rich and the well born." The only way in which this might be done, he wrote, would be by prescribing property qualifications either for those who may elect or for those who may be elected.

But, he added, this forms no part of the power to be conferred upon the National Government.

There were many different qualifications which the States in the exercise of their own sovereignty prescribed. There was not only this tremendous regard for the rights of the States and this excessive zeal and jealousy for the preservation of the sovereignty of the States in the Constitutional Convention in Philadelphia which brought forth the Constitution, but also, as we know, the Constitution to be effective, to come into being, had to be ratified by conventions in the several States.

If we turn to the conventions in the several States, we find that great battles raged in most of them over ratification of the Federal Constitution. What was the question? The question was whether the delegates in Philadelphia had given to the Federal Government too much power. The three most powerful States, the three most influential States at that time, were Virginia, New York, and Massachusetts. In their State conventions, because of the fear that the Federal Government might be given too much power, that the States might be lodging too much power in the Federal Government, only 53 percent of the votes in those conventions were cast for ratification. Since only 53 percent of the votes were cast for ratification, it will be realized that there was a rather close vote.

In the calling of the Virginia convention, in order to get as many delegates as possible, it was stated that all the members of the general assembly were eligible, and that delegates could be elected in addition to that number. Yet out of that group, which constituted nearly all of the political leaders of the State, the vote for ratification was only a majority of nine, and that was primarily due to the influence of George Washington.

Undoubtedly if it had not been for the tremendous confidence of the people of Virginia in General Washington, Virginia would not have ratified the Constitution.

Two of the greatest patriots of the Revolution—Patrick Henry, who sounded the tocsin of war and gave us the battle cry of the Revolution; and George Mason, who wrote the Virginia Bill of Rights—opposed ratification of the Constitution.

As Senators will recall, that great statesman of our time, Woodrow Wilson, said he would rather have been the author of the Virginia Bill of Rights than the author of any document ever penned

by the hand of man. That bill of rights is not only the Bill of Rights we find today in the Constitution of the United States, but it is the bill of rights we find in the constitutions of the States. It is the great guarantee of the rights of our people.

I have previously discussed the safeguards on which the delegates of the individual States insisted in order to protect their rights and to retain as much as possible of their State sovereignty. After the delegates representing the sovereign States had finished their work of writing the Constitution, putting in all the safeguards to insure the primary authority of the States, they closed the Constitution by writing into it the declaration that the Constitutional Convention acted "by the unanimous consent of the States" present. They wanted the people to know at that time, and wanted all succeeding generations to know, including the Senators sitting here in the year of our Lord 1962, some 175 years after the Constitution was drafted, that the sovereign States were the ones who had drafted and formulated the Constitution.

As I stated a moment ago, two of the foremost patriots of the Revolution, Patrick Henry and George Mason, who had done so much to win our independence from the British Crown, to win our freedom, opposed ratification of the Constitution. They felt, as did many of their compatriots, that there might be too great a surrender of sovereignty on the part of the States, that there might be too much yielding of power to the Federal Government.

I emphasize these points because the history of the ratification of the Constitution shows clearly that if the sovereignty of the States and the rights of the States had not been positively recognized in the Constitution, if all the safeguards and protections of their sovereignty and their rights had not been put into the Constitution, the Constitution would never have been ratified, and we never would have had a Federal Government.

We know, of course, that mankind has struggled through the centuries to break down arbitrary power. Sometimes it is difficult for us, living in free America, to realize the long struggle of mankind, century after century after century, to break arbitrary power. The high water mark of the struggle to break down arbitrary power, to bring about the distribution of power, and place it in the hands of the people, was reached when our ancestors fought the American Revolution and broke the powers of the British Crown over the people of the then Original Thirteen Colonies or States. The framers of the Constitution knew that the States, with their State governments, county governments, city governments, and town governments, were the citadels of local self-government. They knew that their concept of government by the people required full and plenary recognition of the rights and the sovereignty of the States. If the people were to hold and exercise the power of the government, there had to be recognition of the sovereignty and the rights of the States.

The people were fighting against centralized, arbitrary power at the seat of government. They were fighting to keep the wellsprings of our system of government in the hands of the people—as I have said, in the local communities, the crossroads, the hamlets, and the towns. What would it have availed the people to break the tyranny of the British Crown, had they, themselves, set up here in Washington a government with central arbitrary power? They were determined, after all the sacrifices they had made, and all their bitter sufferings, to reserve the power in their own hands. I repeat that in order to do this, they knew they had to maintain the sovereignty of the States, because within the States—and within the States alone—are the citadels of governmental power.

A few minutes ago we were speaking about the State conventions which met to ratify the Constitution. It is interesting to note that in those State conventions one of the first questions raised—and raised many times—was the very question we are discussing today, namely, the question as to section 2 of article I of the Constitution. In order to bring into being a Federal Union through the Constitution, the Constitution had to be ratified by at least nine of the States.

In the Massachusetts convention, there was a "doubting Thomas" by the name of Dr. John Taylor, from the town of Douglass, Mass. He wanted to be very sure about this new Constitution. He wanted to make certain. He was fearful that section 4 of article I, the section with reference to the times, places, and manner of holding elections—not the section with reference to qualifications—might give Congress the power to prescribe property qualification for voters in the sum, as he expressed it, of 100 pounds. He inquired of Rufus King—who, as we recall, was a member of the Constitutional Convention in Philadelphia, and was also a member of the Massachusetts State convention—whether under section 4, Congress could in any way go into the question of qualifications.

Mr. King, one of the leading members of the Philadelphia convention, had this to say:

> The idea of the honorable gentleman from Douglass transcends my understanding, for the power of control given by this section—

That is, section 4—

> extends to the manner of election, not to the qualifications of the electors.

Mr. King made this answer because he knew that the qualifications were prescribed in section 2, and were the qualifications which the States themselves would make.

In the Pennsylvania State convention, Mr. James Wilson—who, as will be recalled, had been one of the outstanding men in the Constitutional Convention in Philadelphia, in the writing of the Constitution—made this statement to the State convention:

> In order to know who are qualified to be electors of the House of Representatives—

That is, the Federal House of Representatives—

> we are to inquire who are qualified to be electors of the legislature of each State. If there be no legislature in the States there can be no electors of them. If there be no such electors, there is no criterion to know who are qualified to elect Members of the House of Representatives. By this short, plain deduction the existence of the State legislatures is proved to be essential to the existence of the general government.

In other words, there must be action by the State legislature in order to have a Representative in the Federal legislature.

As I read a few minutes ago, Mr. King, who had been in the Philadelphia Constitutional Convention, at the writing of the Federal Constitution, had this to say:

> The idea of the honorable gentleman from Douglass transcends my understanding—for the power of control given by this section extends to the manner of election, not to the qualifications of the electors.

I have noted earlier that the question arose in the Virginia convention; and Mr. Nicholas, one of the delegates, had something to say. As I recall, Mr. Nicholas was also a member of the Philadelphia Convention which wrote the Federal Constitution. Certainly he was a member of the State convention. This is what Mr. Nicholas said:

> If, therefore, by the proposed plan, it is left uncertain in whom the right of suffrage is to rest, or if it has placed that right in improper hands, I shall admit that it has a radical effect. But in his plan—

That is, in the Federal Constitution—

> there is a fixed rule for determining the qualification of electors, and that rule, the most judicious that could possibly have been devised, because it refers to a criterion which cannot be changed.

Mr. Nicholas went on to say:

> A qualification that gives a right to elect representatives for the State legislatures gives also, by this Constitution, a right to choose representatives for the General Government.

The yardstick was prescribed. The yardstick which was fixed by the States should be the yardstick for the election of representatives from the particular States. It was contemplated, as I have stated again and again, that it would be fixed in that way, not only because they thought it was the wisest and best way to do it, and not only because they knew that if they did not do it in that way, the Constitution would never be ratified and come into being, but also because they felt that, in doing it in that way, it would be fixed for all time to come, and could not, as Mr. Nicholas said, be changed.

I may add that in reading the notes of the convention, we see that Mr. Nicholas gave the members of the Richmond ratifying convention most positive assurance that the Federal Government could not and never would undertake to pass upon and fix the qualifications of voters.

In North Carolina, Mr. John Steele, who was a member of the ratification convention, wished to make this matter absolutely clear, so there could never be

any question in anyone's mind about what North Carolina was doing when it ratified the Constitution. Here is what Mr. Steele said:

> Who are to vote for them?

By that is meant, of course, who are to vote for Members of the House of Representatives and for President and for Vice President? He then said:

> Every man who has a right to vote for a representative to our legislature will ever have a right to vote for a Representative to the General Government.

By "General Government" he meant what we now refer to as the Federal Government.

> Does it not expressly provide—

By the word "it" he means the Constitution, of course—

> that the electors in each State shall have the qualifications requisite for the most numerous branch of the State legislature?

Mr. Steele went on to say:

> The power over the manner of elections does not include that of saying who shall vote.

Of course, all of us should understand that. Section 2 of article I deals with the "who" of the electors. Section 4 of article I deals with the "how" of the elections.

Mr. Steele went on to say:

> The Constitution—

Speaking of the Federal Constitution, of course—

> expressly says that the qualifications are those which entitle a man to vote for a State representative. It is, then, clearly and indubitably fixed and determined who shall be the electors; and the power over the manner only enables them to determine how these electors shall elect—whether by ballot, or by vote, or by any other way.

The view expressed by Delegate John Steele, in the North Carolina convention, was confirmed by Delegate William R. Davis, who also had been a delegate to the Constitutional Convention in Philadelphia.

The meaning of section 2 of article I was so clear that the question was not even raised in the conventions of Rhode Island, New Jersey, Delaware, and Georgia; and, so far as the reports show, in New Hampshire, Connecticut, and Maryland no question was raised about the section. It was so clear that even a fourth grade school child on reading it would know what it meant.

Mr. President, with reference to the resolutions adopted by the several States in ratifying the Federal Constitution, we find that in none of those resolutions was any question raised about section 2 of article I. It was so clear that there was no question to be raised. It was ipse dixit; it spoke for itself.

However, it is interesting to note that, in referring to section 4 of article I, by which certain powers are given to the Congress with reference to the fixing of the times, places, and manner of holding elections, some of the ratifying resolutions did raise questions; and it is interesting to note that in each case where such questions were raised, those States in their resolutions ratifying the Constitution wished to make certain that Congress knew that they felt that Congress should never exercise the power given under section 4 of article I unless the States had failed to function in prescribing the times, places, and manner of holding elections.

South Carolina, in its resolution of May 27, 1788, declared:

> And whereas it is essential to the preservation of the rights reserved to the several States and the freedom of the people under the operations of the General Government that the right of prescribing the manner, time, and places of holding elections to the Federal Legislature should be forever annexed to the sovereignty of the several States, this convention does declare that the same ought to remain, to all posterity, a perpetual and fundamental right in the local government, exclusive of the interference of the General Government—

That is, the Federal Government—

> except in cases where the legislatures of the States shall refuse or neglect to perform and fulfill the same, according to the tenor of the said Constitution.

All this shows how jealous the States were, how jealous the people were to preserve to the States and to the people their rights.

In 1865 a congressional joint committee was created to draft the 14th amendment. The chairman of the committee, which was composed of 15 members, was Senator William Pitt Fessenden of Maine. Since Senator Fessenden was in ill health, Senator Jacob M. Howard of Michigan, the ranking member, frequently assumed the chairmanship.

Among members of the joint committee on the House side, were Roscoe Conkling, of New York; George M. Boutwell, of Massachusetts; Henry T. Blow, of Missouri; and John A. Bingham, of Ohio. Mr. Bingham, I believe, is credited with being the actual draftsman or author of the first section of the 14th amendment. Other members from the House were Justin S. Morrill, of Vermont, and E. B. Washburne, of Illinois. I believe the record discloses that Kentucky had representation in the person of Representative Grider.

In the Senate the first section was discussed by Senator Howard. On May 23, 1865, he had this to say:

> The first section of the proposed amendment does not give to either of these classes the privilege of voting. The right of suffrage is not, in law, one of the privileges or immunities thus secured by the Constitution. It is merely the creature of law. It has always been regarded in this country as a result of positive local law.

In other words, where the section speaks of guaranteeing certain privileges and immunities, Senator Howard made it clear that those privileges and immunities did not apply to, had no reference to, and did not in any way include any right of suffrage.

This indicates that in 1865, when the Senate was considering the 14th amendment to the Constitution, the men who were its authors, proponents and advocates held fast to the same proposition in the matter of qualifications of electors which had been expressed and had been so stoutly proclaimed in 1787 by the framers and authors of the Constitution of the United States.

As to section 2, Senator Howard said—and I am reading now from page 2766 of the Congressional Globe:

> This section does not recognize the authority of the United States over the question of suffrage in the several States at all. It leaves the right to regulate the elective franchise still with the States and does not meddle with that right.

In closing the debate, on June 8, and just before the joint resolution was passed upon by the Senate, Senator Howard said, at page 3039 of the Congressional Globe:

> We know very well that the States retain the power which they have always possessed of regulating the right of suffrage.

Remember, Mr. President, I am quoting the words of the man who, on this floor, was charged with the responsibility of piloting through the Senate the 14th amendment. In speaking, he was not only speaking for himself, but for the entire committee of 15 members who had worked with him and had jointly with him drafted the 14th amendment.

He proceeded to say:

> We know very well that the States retain the power which they have always possessed of regulating the right of suffrage. It is the theory of the Constitution,

Says Senator Howard, speaking for the committee:

> That right—

That is, the right of suffrage—

> has never been taken from them; no endeavor has ever been made to take it from them, and the theory of this whole amendment is to leave the power of regulating the suffrage with the people or legislatures of the States and not to assume to regulate it by any clause of the Constitution of the United States.

Could any language be stronger than these words I have quoted from Senator Howard, spoken some 77 years after our Government came into being?

On this committee of 15 there was one Democratic Senator who happened to be from the great State of Maryland, Senator Reverdy Johnson. He said:

> I suppose that even the honorable Member from Massachusetts, Senator Sumner, will not deny that it was for Massachusetts to regulate her suffrage before 1789; and if it was, she has the power still unless she has agreed to part with it by devolving it upon the General Government. Is there a word in the Constitution that intimates such a purpose?

That is, the purpose of giving such a power to the Federal Government.

> Who at that time, in 1787, denied that the State was clothed with the power of describing the qualifications for the most numerous branch of the State legislature? * * * The State and nobody else.
>
> The right of choosing the allotted number in each State is to be exercised by such part of the inhabitants as the State itself may designate. Words could not have been adopted more obviously leading to the conclusion than in the opinion of the writers of the Federalist—

Here the Senator was quoting from the Federalist, as I should have said—

> the States were to have the sole right of regulating the suffrage. There is nothing innate in the right of suffrage.

If we read the Federalist papers, that great document including papers written by James Madison, by Alexander Hamilton, by John Jay, we find that the Federalist papers confirmed all the statements which had been made. That document has this declaration:

> The States were to have the sole right of regulating the suffrage. There is nothing innate in the right of suffrage.

Earlier today the distinguished Senator from Alabama [Mr. SPARKMAN] and his colleague the senior Senator from Alabama visited the office of the Vice President in the Capitol with a group of very fine young high school boys and girls. The Senator from Alabama told the story relating to the bust of the late former Senator Henry Wilson, of Massachusetts, who became Vice President of the United States during the second administration of President Ulysses S. Grant.

Vice President Wilson had this to say, speaking about the men who wrote the Constitution:

> The men who framed the Constitution made those State constitutions; they well knew what the qualifications were.

He added:

> Every State constitution provides for electors, prescribes the qualification for suffrage. The laws of the States provided for qualifications of electors. Every State, from the adoption of the State constitution to this hour, has claimed the authority and exercised it to settle the questions pertaining to suffrage. They never supposed that the Federal Government had the power to change it. They never gave that power, and they never intended to give that power.

The issue of voter qualification arose again in connection with the 17th amendment. It will be recalled that that amendment to the Constitution was adopted in 1913. That was 126 years after the ratification of the Constitution of the United States. After 126 years, when the people of the United States saw fit to change their method of electing U.S. Senators, when they desired to have their Senators elected not by the legislatures, as provided in the original Constitution, but directly by the people themselves, what did they provide? They provided, in the 17th amendment, as follows:

> The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for 6 years; and each Senator shall have one vote.

Then there is this language:

> The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

The people adopted the same identical language for the qualification of electors for the U.S. Senate which was adopted for electors for Members of the House of Representatives at the very beginning. In other words, they ratified and reaffirmed the wisdom of the Founding Fathers and of the original States in providing that the qualifications of the electors for Members of the Congress should be the qualifications requisite for electors of the most numerous branch of the State legislatures. I think it can be said here that had the 17th amendment made any change in the fixing or determination of those qualifications, it would never have been ratified by the people of the United States. The people were determined that these qualifications should remain, to be fixed by the States.

One of the great court decisions concerning this matter was written by a great Justice of the Supreme Court, at whose feet I was privileged to sit as a student when I was attending law school at Columbia University. I refer, of course, of then Justice and later Chief Justice Harlan F. Stone, of the Supreme Court of the United States.

It is tragic indeed that Chief Justice Stone had to leave this world when he did.

In 1941, Mr. Justice Stone wrote, as a part of the Supreme Court's opinion in the case of *United States* v. *Classic*, 313 U.S. 299:

> Such right as is secured by the Constitution to qualified voters to choose Members of the House of Representatives is thus to be exercised in conformity with the requirements of State law, subject to the restrictions prescribed by section 2 and the authority conferred in Congress by section 4 to regulate the times, places, and manner of holding elections of Representatives.

The Justice then went on to say what was the natural thing and what was the logical thing, because the suit involved a citizen of Louisiana and came up from Louisiana:

> We look then to the statutes of Louisiana here involved to ascertain the nature of the right which under the constitutional mandate they define and confer on the voter.

The word "they" means the statutes of Louisiana.

Another case to which I invite attention is the case of *Minor* v. *Happersett*, 21 Wall. 162, decided on March 21, 1875. In that case the extent of the distinction between the rights of a citizen of the United States and the rights of a citizen of a State with regard to voting was laid down and explained.

Chief Justice Waite of the Supreme Court declared that the fact that the right to vote could not grow out of citizenship alone was clear when one considered who was a citizen of the United States. He said that everyone born here is a citizen of the United States; and therefore if voting depended on citizenship, every child, every pauper, every criminal, every person born here would have the right to vote.

The opinion in this case contained the summary statement:

> When the Federal Constitution was adopted, all the States, with the exception of Rhode Island and Connecticut, had constitutions of their own. These two continued to act under their charters from the Crown. Upon an examination of these constitutions we find that in no State were all citizens permitted to vote. Each State determined for itself who should have that power.

Again, in 1915 in the case of *Guinn and Beal* v. *U.S.*, 238 U.S. 347, Chief Justice White made a statement about the effect of the 15th amendment on State power.

Incidentally, Chief Justice White served for many years in the Senate. He was a very distinguished Member of this body when he was appointed to the Supreme Court by Grover Cleveland, then President of the United States.

Mr. EASTLAND. Mr. President, will the Senator yield for a question?

Mr. HILL. I yield to the distinguished Senator from Mississippi.

Mr. EASTLAND. Would the Senator say that the present Chief Justice could learn some law from former Chief Justice White?

Mr. HILL. I would commend to him the writings of Chief Justice White, and I would also commend to him the writings of my old professor, for whom I have such great admiration, former Chief Justice Harlan F. Stone, and a number of other great Chief Justices of the Supreme Court.

Chief Justice White in his decision in the Gwinn and Beall against United States case said:

> Beyond doubt, the amendment does not take away from the State governments in a general sense the power over suffrage which had belonged to those governments from the beginning, and without the possession of which power the whole fabric upon which the division of State and National authority under the Constitution and the organization of both governments rest would be without support and both the authority of the Nation and the State would fall to the ground. In fact, the very command of the amendment recognizes the possession of the general power by the State, since the amendment seeks to regulate its exercise as to the particular subject with which it deals.

The limitation on the powers of the Federal Government was defined with clarity by the Supreme Court in the case of *Carter* v. *Carter Coal Co.*, 298 U.S. 238, in which the Court said:

> The general rule with regard to the respective powers of the National and State Governments under the Constitution is not in doubt. The States were before the Constitution; and, consequently, their legislative powers antedated the Constitution. Those who framed and those who adopted that instrument meant to carve from the general mass of legislative powers, then possessed by the States, only such portions as it was thought wise to confer upon the Federal Government; and in order that there should be no uncertainty in respect to what was taken and what was left the national powers of legislation were not aggregated but enumerated—

In other words, the powers were specifically enumerated so that there could be no claim of a grant of power by the Federal Government which the States themselves did not make to the Federal Government.

The Chief Justice added:

> with the result that what was not embraced by the enumeration remained vested in the States without change or impairment. Thus, "when it was found necessary to establish a national government for national purposes," this Court said in *Munn* v. *Illinois* (94 U.S. 113, 124), "a part of the powers of the States and the people of the States was granted to the United States and the people of the United States. This grant operated as a further limitation upon the powers of the States, so that now the governments of the States possess all the powers of the Parliament of England, except such as have been delegated to the United States or reserved by the people." While the States are not sovereign in the true sense of that term, but only quasi-sovereign, yet in respect of all powers reserved to them they are supreme—"as independent of the General Government as that Government within its sphere is independent of the States." And, since every addition to the legislative power to some extent detracts from or invades the power of the States it is of vital moment that, in order to preserve the fixed balance intended by the Constitution, the powers of the General Government be not so extended as to embrace any not within the express terms of the several grants or the implications necessary to be drawn therefrom.

The Court went on to say:

> It is no longer open to question that the General Government, unlike the States, possesses no inherent power in respect of the internal affairs of the States and emphatically not with regard to legislation. The question in respect of the inherent power of that Government as to the external affairs of the Nation and in the field of international law is a wholly different matter which it is not necessary now to discuss.

But the Court emphasized that it is the internal affair of the States. The powers are all within the States, except as they might have been specifically granted to the Federal Government for some very definite and specific purpose.

Mr. President, I should now like to call the attention of the Senate to a few words to be found in Cooley's Constitutional Limitations, 8th edition, Carrington, volume 2.

As I have said before in this discussion, I do not think anyone in our history has been accepted as a greater authority on the Constitution of the United States than has Judge Cooley. I now quote from Judge Cooley:

> Among the absolute, unqualified rights of the States is that of regulating the elective franchise; it is the foundation of State authority; the most important political function exercised by the people in their sovereign capacity. Whilst "the right of the people to participate in the legislature is the best security of liberty and foundation of all free government," yet it is subordinate to the higher power of regulating the qualifications of the electors and the elected. The original power of the people in their aggregate political capacity, is delegated in the form of suffrage to such persons as they deem proper for the safety of the commonwealth: Brightly Election cases (*Anderson* v. *Baker* (32, 33, 34, 23 Md. 531)).
>
> Every constitution of government in these United States has assumed, as a fundamental principle, the right of the people of the State to alter, abolish, and modify the form of its own government according to the sovereign pleasure of the people. In fact, the people of each State have gone much further and settled a far more critical question by deciding who shall be the voters entitled to approve and reject the constitution framed by a delegated body under their direction (1 Story, Constitution, ch. 9, sec. 581).

Mr. EASTLAND. Mr. President, will the Senator yield for a question?

Mr. HILL. I yield.

Mr. EASTLAND. Is not the very basis of a State's sovereignty the right and power to decide who shall exercise the franchise?

Mr. HILL. That is indeed the very basis of the right; and, as Judge Cooley said, it is the foundation of a State's sovereignty and authority. It is the foundation of the State itself.

Mr. EASTLAND. Of course, the Senator realizes that federalizing every function of government concentrates power in a vast national government. It is eating up and destroying the liberties of the people of this country. The joint resolution is a tremendous step in the federalization and centralization of the governmental structure of the United States and is the destruction of the liberties of the people of this country.

Mr. HILL. Yes; and the destruction of the most fundamental right of the State which, as the Senator has said, and which Judge Cooley has emphasized, is the very foundation of the State itself.

To quote further from Judge Cooley:

> From this it will be seen how little, even in the most free of republican governments, any abstract right of suffrage, or any original and indefeasible privilege, has been recognized in practice (ibid.). In no two of these State constitutions will it be found that the qualifications of the voters are settled upon the same uniform basis, so that we have the most abundant proofs that among a free and enlightened people convened for the purpose of establishing their own forms of government and the rights of their own voters the question as to the due regulation of the qualifications has been deemed a matter of mere State policy, and varied to meet the wants, to suit the prejudices, and to foster the interests of the majority.
>
> The exclusive right of the several States to regulate the exercise of the elective franchise and to prescribe the qualifications of voters was never questioned.

Mr. President, Judge Cooley continues:

> The right to vote is not of necessity connected with citizenship. The rights of the citizens are rights, such as liberty of person and of conscience, the right to acquire and possess property, all of which are distinguishable from the political privilege of suffrage.

Senators will notice that Judge Cooley there departs from the use of the word right and uses the word privilege; not even conceding that there is any right to suffrage; that it is a privilege conferred by government, and under our federal system conferred by the States.

The history of the country shows that there is no foundation in fact for the view that the right of suffrage is one of the privileges or immunities of citizens.

Judge Cooley makes that very definite and very clear. As I have said before, in opposing the anti-poll-tax measure, we who oppose it are fighting for the protection of the rights of the States, for the protection of the foundation stones of the States, for the protection of the very basis upon which the States stand, as the Senator from Mississippi has so well said.

We are also fighting to save, as was indicated by the decision of the courts and the statement of Judge Cooley, to preserve our dual form of government, and to preserve the American Republic.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. EASTLAND. I am sure the Senator realizes that when Hitler took over Germany, before he could clamp his iron hand of dictatorship upon that country he had to destroy the federal system of Germany.

Mr. HILL. That is the first thing he did. He destroyed the federal system.

Mr. EASTLAND. That federal system was the protector of the liberties of the people of Germany, and it is the protector of the liberties of the people of this country.

Mr. HILL. Yes.

Mr. EASTLAND. The Senator realizes that what is proposed would be one more step down that road from which there is no return, to destroy the liberties of the people of this country; that is what is at issue. It is an attempt to destroy the rights of the people in their own community to determine their own affairs, which is the very basis of American liberty.

Mr. HILL. Once we destroy the federal system in this country, as Hitler destroyed the federal system in Germany, the next step, as lawyers say, a fortiori, is the destruction of the rights and liberties of the people.

Mr. EASTLAND. I am sure the Senator realizes that what we are asked to adopt here is a Hitler-type measure.

Mr. HILL. It is certainly a measure looking toward the destruction of our federal system. With the destruction of that system there would inevitably come the destruction of the rights and the liberties of the people of the United States.

In the very beginning, article 1, section 2, vested in the State governments the power over suffrage. Without the possession of this power in the States, the whole structure upon which the division of State and National authority under the Constitution and the organization of both governments rests would be without support, and the authority of both State and Nation would fall to the ground. Surely, after more than 170 years of the tried and proven wisdom, of the tried and proven effectiveness of this section, it is most unfortunate that now this question, which strikes at the very foundation stones of our dual system of government and which would tear down the very structure of our Government, should be injected into the Senate of the United States. The matter should be laid aside and no further consideration given to such a fundamental proposal striking at the very base of the temple of American rights and American freedom.

The poll tax is rapidly losing favor throughout the United States. Today only five States have such a tax.

I do not see any reason why Alabama or the other remaining States which have a poll tax should abolish it before the people of the States have come to the conclusion, without pressure or harassment, that the tax is undesirable or impractical. Meanwhile, I should like to remind my colleagues of the Senate that the poll tax has a long and quite respectable history, that it was supported by England's greatest liberal, John Stuart Mill, and that Judge Thomas M. Cooley, in his work on constitutional law, said:

> Many of the States admit no one to the privilege of suffrage unless he is a taxpayer.

To require the payment of a capitation (poll) tax is no denial of suffrage; it is demanding only the preliminary performance of public duty, and may be classed, as may also presence at the polls, with registration, or the observance of any other preliminary to insure fairness and protect against fraud.

In fact, but for the fact that the poll tax provides some revenue for our schools, a revenue which is greatly needed today, the poll tax can really be regarded as academic. Whether we have it or do not have it cannot materially affect the economic situation of any State of the Union.

I suggest, Mr. President, that making this academic issue the subject of a measure constitutes yet another step in the headlong and heedless rush, as the Senator from Mississippi has said, to further diminish the sovereignty of the States.

In this connection let me recall to the Senate what Andrew Jackson, that indomitable character, that great tribune, said in his farewell address:

My experience in public concerns and the observations of a life somewhat advanced confirm opinions long since imbibed by me, that the destruction of our State governments or the annihilation of their control over the local concerns of the people would lead directly to revolution and anarchy and finally to despotism and military domination.

In discussing the necessity for the unity of the United States—and surely if there ever was a time in the history of our country when we needed unity, when we needed our people to be unified, it is today—Andrew Jackson had this to say:

But the Constitution cannot be maintained, nor the Union preserved, in opposition to public feeling, by the mere exertion of the coercive powers confided to the General Government. The foundations must be laid in the fraternal attachments which the citizens of the several States bear to one another, as members of one political family, mutually contributing to promote the happiness of each other.

Hence the citizens of every State should studiously avoid everything calculated to wound the sensibility or offend the just pride of the people of the other States. And they should frown upon any proceedings within their own borders likely to disturb the tranquillity of their political brethren in other portions of the Union. In a country so extensive as the United States, and with pursuits so varied, the internal regulations of the several States must frequently differ from one another in important particulars; and this difference is unavoidably increased by the varying principles upon which the American Colonies were originally planted; principles which had taken deep root in their social relations before the Revolution, and, therefore, of necessity, influencing their policy since they became free and independent States. But each State has the unquestionable right to regulate its own internal concerns according to its own pleasure; and while it does not interfere with the rights of the people of other States, or the rights of the Union, every State must be the sole judge of the measures proper to secure the safety of its citizens and promote their happiness and all efforts on the part of the people of other States to cast odium upon their institutions, and all measures calculated to disturb their rights of property, or put in jeopardy their peace and internal tranquillity, are in direct opposition to the spirit in which the Union was formed and must endanger its safety.

Motives of philanthropy may be assigned for this unwarrantable interference; and weak men may persuade themselves for a moment that they are laboring in the cause of humanity; and asserting the rights of the human race; but everyone, upon sober reflections, will see that nothing but mischief can come from these improper assaults upon the feelings and rights of others.

Rest assured that the men found busy in this work of discord are not worthy of your confidence and deserve your strongest reprobation.

It is well known that there have been those among us who wish to enlarge the powers of the General Government and experience would seem to indicate that there is a tendency on the part of this Government to overstep the boundaries marked out for it by the Constitution. Its legitimate authority is abundantly sufficient for all the purposes for which it was created, and its purposes and powers being expressly enumerated, there can be no justification for claiming anything beyond them.

Every attempt to exercise power beyond these limits should be promptly and firmly opposed. For one evil example will lead to other measures still more mischievous; and if the principle of constructive powers, or supposed advantage, or temporary circumstances shall ever be permitted to justify the assumption of a power not given by the Constitution, the General Government will before long absorb all the powers of legislation, and you will have in effect, but one consolidated Government.

From the extent of our country, its diversified interests, different pursuits and different habits, it is too obvious for argument that a single consolidated government would be wholly inadequate to watch over and protect its interests; and every friend of our free institutions should be always prepared to maintain unimpaired and in full vigor the rights and sovereignty of the States, and to confine the action of the General Government strictly to the sphere of its appropriate duties.

Mr. President, at this time let me point out to the Senate that a later President, a great scholar and teacher of our system of government, also expressed thoughts that we can ignore only at our peril. Woodrow Wilson said:

It is difficult to discuss so critical and fundamental a question calmly and without party heat or bias when it has come once more, as it has now, to an acute stage. Just because it lies at the heart of our constitutional system, to decide it wrongly is to alter the whole structure of our Government, for good or for evil, and one would wish never to see the passion of party touch it to distort it. A sobering sense of responsibility should fall upon everyone who handles it. No man should argue it this way or that for party advantage. Desire to bring the impartial truth to light must, in such a case, be the first dictate alike of true statesmanship and of true patriotism. Every man should seek to think of it and to speak of it in the true spirit of the founders of the Government and of all those who have spent their lives in the effort to confirm its just principles both in counsel and in action.

The principle of the division of powers between State and Federal Governments is a very simple one when stated in the most general terms. It is that the legislatures of the States shall have control of all the general subject matter of law, of private rights of every kind, of local interests, and of everything that directly concerns their people as communities—free choice wtih regard to all matters of local regulation and development.

Woodrow Wilson said we tend to think of our American political system as distinguished by its central structure—its President and Congress and courts set up by the Constitution—but "as a matter of fact, it is distinguished by its local structure, by the extreme vitality of its parts. It would be an impossibility without its division of powers."

He also said:

From the first America has been a nation in the making. It has come to maturity by the stimulation of no central force or guidance, but by the aboundingly self-helping, self-sufficient energy in its parts, which severally brought themselves into existence and added themselves to the Union, pleasing first of all themselves in the framing of their laws and constitutions, not asking leave to exist and constitute themselves, but existing first and asking leave afterward, self-originated, self-constituted, self-confident, self-sustaining veritable communities, demanding only recognition. Communities develop not by external but by internal forces. Else they do not live at all. Our Commonwealths have not come into existence by invitation, like plants in a tended garden; they have sprung up of themselves, irrepressible, a sturdy, spontaneous product of the nature of men nurtured in a free air.

It is this spontaneity and variety, this independent and irrepressible life of its communities, that has given our system its extraordinary elasticity, which has preserved it from the paralysis which has sooner or later fallen upon every people who have looked to their Central Government to patronize and nurture them.

Let us also pay very close attention, Mr. President, to the following words of the late President Wilson:

The remedy for ill-considered legislation by the States, the remedy alike for neglect and mistake on the part of their several governments, lies not outside the States, but within them. The mistakes which they themselves correct will sink deeper into the consciousness of their people than the mistakes which Congress may rush in to correct for them, thrusting upon them what they have not learned to desire. They will either themselves learn their mistakes, by such intimate and domestic processes as will penetrate very deep and abide with them in convincing force, or else they will prove that what might have been a mistake for other States or regions of the country was no mistake for them, and the country will have been saved its wholesome variety. In no case will their failure to correct their own measures prove that the Federal Government might have forced wisdom upon them.

Wilson concluded his statement with this assertion:

We are certified by all political history of the fact that centralization is not vitalization. Moralization is by life, not by statute, by the interior impulse and experience of communities, not by fostering legislation which is merely the abstraction of an experience which may belong to a nation as a whole or to many parts of it without having yet touched the thought of the rest anywhere to the quick. The object of our federal system is to bring the understandings of constitutional government home to the people of every part of the Nation, to make them part of their consciousness as they go about their tasks. If we cannot successfully effect its adjustments by the nice local adaptations of our older practice, we have failed as constitutional statesmen.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. HILL. I yield to the Senator from Mississippi.

Mr. EASTLAND. I congratulate the distinguished Senator from Alabama. I have been in the Senate for nearly 20 years. Every year or two a poll tax question has been under debate in the Senate. I have heard many speeches on the subject, and I think the distinguished Senator from Alabama has made the most logical, most profound, and most statesmanlike speech that I have ever heard on this question. He has gone to the very vitals of the issue, and I will say that he has made the best argument on this question that has ever been delivered on the floor of the Senate.

Mr. HILL. Mr. President, I wish to express my deep appreciation and heartfelt thanks to the Senator from Mississippi. Surely, if there is any one man who has given of himself, his time, his thoughts, and his efforts to protect our States on such measures as is now proposed against us, to protect the rights of our States, and to preserve the liberties of our people, it is the distinguished Senator from Mississippi. Surely no man could speak from greater devotion or with greater authority than does the Senator from Mississippi in the protection of our States in their rights and the protection of our people in their liberties.

Mr. EASTLAND. Mr. President, will the Senator yield further?

Mr. HILL. I yield to the Senator from Mississippi.

Mr. EASTLAND. I thank the distinguished Senator from Alabama. I am very sincere in what I say about the Senator's speech. I think all Americans including all the people of the South, are indebted for the very fine and able speech which the distinguished Senator from Alabama has made today.

Mr. HILL. Mr. President, may I again express my heartfelt appreciation to the Senator from Mississippi and tell him how grateful I am to him for his words.

I have been quoting from Andrew Jackson and Woodrow Wilson.

Still closer to our time, Franklin D. Roosevelt, while Governor of New York, had the following to say on the proper relationship between the States and the Federal Government:

Fortunately for the stability of our Nation it was already apparent (when the Constitution was adopted) that the vastness of our territory presented wide geographical and climatic differences which gave to the States wide differences in the nature of their industry, their agriculture, and their commerce * * * Thus, already, it was clear to the framers of our Constitution that the greatest possible liberty of self-government must be given to each State, and that any national administration attempting to make all laws for the whole Nation, such as was wholly practical in Great Britain, would inevitably result at some future time in a dissolution of the Union itself.

The preservation of this home rule by the States is not a cry of jealous Commonwealths seeking their own aggrandizement at the expense of sister States. It is a fundamental necessity if we are to remain a truly united country.

The whole success of our democracy has not been that it is a democracy wherein the will of a bare majority of the total inhabitants is imposed upon the minority, but because it has been a democracy where through a division of government into units called States the rights and interests of the minorities have been respected and have been given a voice in the control of our affairs.

To bring about government by oligarchy masquerading as democracy it is fundamentally essential that practically all authority and control be centralized in our National Government. The individual sovereignty of our States must be destroyed, except in mere minor matters of legislation. We are safe from the danger of any such departure from the principles on which this country was founded just so long as the individual home rule of the States is scrupulously preserved and fought for whenever they seem in danger.

I have been quoting Franklin D. Roosevelt. After outlining the rights granted by the Constitution to the Federal Government, he said:

As the individual is protected from possible oppression by his neighbors, so the smallest political unit—the town is in theory at least, allowed to manage its own affairs, secure from undue interference by the larger unit of the country, which in turn is protected from mischievous meddling by the State. The whole spirit and intent of the Constitution is to carry this great principle into the relations between the National Government and the governments of the States.

Let us remember that from the very beginning, differences in climate, soil, conditions, habits and mode of living in States separated by thousands of miles rendered it necessary to give the fullest individual latitude to the individual States. Remembering that the mining States of the Rockies, the fertile savannas of the South, the prairies of the West, and the rocky soil of the New England States created many problems, introduced many factors in each locality, which have no existence in others, it is obvious that almost every new or old problem of government must be solved, if it is to be solved to the satisfaction of the people of the whole country, by each State in its own way.

As I have said, when the Founding Fathers gave up a portion of the sovereignty of the States to the Federal Government, they did so with a great deal of trepidation, and they did so only with the firm conviction that it was unity alone—unity of purpose, unity of resolve, and unity in their mutual dedication to human liberty, that unity about which Andrew Jackson spoke in his farewell address—that could enable the people of our country to long endure and abound in the joy of the priceless legacy which a heroic young Nation had won at the cost of much sacrifice and loss of life.

At this momentous hour in the history of America and of the world, the objective for which we must strive with all of our fervor and determination is unity.

Let us be done, Senators, with this measure before us, which can only distract and misguide our people, which separates and divides us, and which opens the way for the destruction of fundamental rights of the States and the fundamental rights of the people of all the United States.

Let us stand united, strong, and resolute in our unity; let us support squarely the rights of the people of the United States and the rights of the States of the United States, that our Government may be preserved. Let us stand squarely upon the Constitution of the United States—rock of freedom, ageless and enduring foundation of our rights, our hopes, and our democratic faith.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 8723) to amend the Welfare and Pension Plans Disclosure Act with respect to the method of enforcement and to provide certain additional sanctions, and for other purposes.

WELFARE AND PENSION PLANS DISCLOSURE ACT—CONFERENCE REPORT

Mr. McNAMARA. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill, H.R. 8723, to amend the Welfare and Pension Plans Disclosure Act with respect to the method of enforcement and to provide certain additional sanctions, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report. (For conference report, see House proceedings of today.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. McNAMARA. Mr. President, there were several substantive differences between the House and Senate versions of this bill. Of major importance was the differing coverage of the bills. Senators will recall that the Senate bill exempted small plans, those with 100 or less participants, from the annual reporting requirements. This Senate provision removed much of the administrative burden of this act from both the Department of Labor and the administrators of small plans. Fully 50 percent of the plans would be exempted from the annual paperwork required by this act—yet these plans covered only 8 percent of the employees.

The House version did not contain such a provision. I am happy to report to the Senate that the Senate version was adopted by the conferees.

Another major difference between the two bills related to bonding requirements. Under the Senate bill the Secretary was empowered by regulation to establish a schedule of bonds which required a minimum bond of 10 percent of the funds handled, with no ceiling established.

The House version provided for a self-enforcing bond of at least 10 percent of the funds handled, with a ceiling of $500,000. However, a proviso empowered the Secretary to raise that ceiling after

due notice and hearing. It was not clear whether any percentage ceiling applied to such larger bonds.

The Senate accepted the House language, with an amendment that placed a ceiling of 10 percent of the funds handled on bonds over $500,000. Thus the Secretary, by regulation, or on a case-by-case procedure, can require a bond larger than $500,000, but in no case shall it exceed 10 percent of the funds handled. A plan with assets of $10 million—under the flat rule of thumb of 10 percent—would be required to carry a $1 million bond. But the bill establishes a ceiling of $500,000, absent action by the Secretary. The conference report would permit the Secretary to set a bond for such a plan that could be in any amount between $500,000 and $1 million.

Both House and Senate versions permitted the Secretary to waive the bonding requirements of the act under certain conditions. The House bill would have permitted such a waiver when a plan administrator furnished evidence of financial responsibility adequate to assure protection of the beneficiaries and participants. The Senate provision permitted such a waiver only where other Federal or State bonding requirements were adequate for the protection of the participants and beneficiaries.

The compromise adopted by the conference permits the Secretary to waive the bonding requirements where an administrator offers adequate evidence of financial responsibility of the plan, or when the Secretary believes that other bonding arrangements provide adequate protection for the protection of beneficiaries.

This would enable the Secretary to accept bonding arrangements underwritten by a group of individual underwriters of good reputation admitted to provide such surety in a State of the United States—even though this group of individual underwriters is not certified by the Secretary of the Treasury pursuant to the act of July 30, 1947 (6 U.S.C. 6-13).

Under this new section 13(e), the Secretary would also be empowered to accept, in lieu of the bond requirements of section 13(a), irrevocable escrow arrangements which are most usually represented in commercial practice by the putting up of a cash bond.

There was one other major difference between the two versions. That related to the House provision which, in effect, barred Labor Department employees from participating in the enforcement and administration of this act if they were a member of a union which was affiliated with a parent federation which admitted other than Government employees to membership.

This provision was unacceptable to the Senate conferees for several reasons. First, it was a direct negation of the recent Presidential order which granted Federal employees the right to choose an employee organization. Second, the thrust of the provision would have been to favor an existing independent employees union over other unions which were affiliated with a parent group. Third, while the alleged purpose of the House provision was the prevention of a conflict of interest, there was nothing in the language of the House bill to guarantee that such a conflict of interest would not exist.

Since the majority of the conferees from both Houses agreed that the purpose of the House language was to prevent a conflict of interest and was not to favor one union over another, compromise language was adopted which, as section 15(b), reads as follows:

No employee of the Department of Labor shall administer or enforce this act with respect to any employee organization of which he is a member or employer organization in which he has an interest.

This language makes clear that no employee can participate in the administration or enforcement of this act where it involves directly an employee organization of which he is a member or an employer organization in which he has an interest. However, it also makes clear that membership in any employee organization or any employer organization is not, per se, a conflict of interest that would bar employment. Certainly, a union member should not work on the plan which is submitted on behalf of members of that union, nor should a Department employee who has vested rights in a pension plan of a company be permitted to work on that plan.

The majority of conferees on both sides felt that the new language would provide the desired protection against a conflict of interest in the administration of the new act.

I move that the conference report be agreed to.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Michigan.

The motion was agreed to.

COSPONSOR OF SENATE JOINT RESOLUTION 58

Mr. HOLLAND. Mr. President, I am happy to announce that the distinguished junior Senator from Arizona [Mr. GOLDWATER] has just asked that his name be added as one of the cosponsors of Senate Joint Resolution 58, which is the anti-poll-tax amendment, making 68 cosponsors. I ask that his request be shown of record, and also that his name be shown upon any reprints of the amendment that may be made.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE LIBERAL PAPERS

Mr. MORTON. Mr. President, I understand that tomorrow, March 16, Doubleday & Co. will publish a series of 12 essays on foreign policy, entitled "The Liberal Papers." With an introduction by Representative JAMES ROOSEVELT, the assays are part of a series prepared by consultants to the congressional Liberal project.

The Liberal project was formed in 1959 by a group of House Democrats. Active membership in the project centered around 12 Members of the House of Representatives. The active 12, as reported in the New York Times of May 23, 1960, were: Robert W. Kastenmeier, of Wisconsin, chairman; James Roosevelt, George A. Kasem, and George P. Miller, of California; Charles O. Porter, of Oregon; Frank Thompson, of New Jersey; Byron Johnson, of Colorado; Leonard G. Wolf, of Iowa; William S. Moorhead, of Pennsylvania; James G. O'Hare, of Michigan; William H. Meyer, of Vermont; and Henry S. Reuss, of Wisconsin.

The Liberal Papers suggest, however, that 23 other Democratic Members of the House of Representatives, including Chester Bowles, were close to the Liberal project, and constituted a group far to the left of well-known Democratic Senators such as HUMPHREY.

Of the 12 project members, 5 were defeated in 1960. Three of the five hold Government positions: Wolf, with the Agency for International Development—AID—as a food program officer in Rio de Janeiro; Johnson, with AID, as special assistant to the Assistant Administrator for the Bureau of Latin American Affairs; Meyer, as a consultant to the Department of the Interior. Kasem and Porter are seeking reelection to the House, and Meyer has entered the Vermont senatorial race.

Forty scholars, scientists, and foreign-policy experts were consultants to the Liberal project. The 12 selections in the book are papers prepared by some of the consultants. I list 13 quotations taken from 8 of the chapters of "The Liberal Papers":

Quotation 1:

But as the cold war continues, it becomes increasingly difficult for decent Americans, humane enough to prefer peace to an egocentric national honor to be outspokenly and genuinely anti-Communist (p. 30).

Quotation 2:

From the Western point of view, West Berlin is of no particular value, except that the West has incurred a moral liability to protect its 2,250,000 inhabitants from being overrun by communism. Strategically, the Western position is untenable. Economically, it is unprofitable (p. 66).

Quotation 3:

We believe that the time has come when the United States should liberalize its restrictive trade policy vis-a-vis the Soviet Union (p. 75).

Quotation 4:

Even if it is by no means certain that the Peking regime would welcome the establishment of diplomatic relations with the United States, this should not stand in the way of our making the attempt to open the channels of negotiation (p. 76).

Quotation 5:

The United States should tackle directly with Peking the disputes over Taiwan (and the Pescadores) and over the Chinese offshore islands. The United States should begin by recognizing Peking's unquestionably valid claim to the offshore islands (perhaps subject to final determination by the International Court of Justice) in exchange for Peking's agreement to permit the unmolested evacuation of the Chinese Nationalist garrisons (p. 78).

Taiwan and the Pescadores be placed for at least 5 years under U.N. administration (the People's Republic of China having previously become a member nation); the islands be neutralized and demilitarized, the native population of Taiwan and the Pescadores be permitted to decide by plebiscite whether they wish to become part of mainland China (p. 78).

Quotation 6:

Our immediate recommendation to the Congress is that it abandon the present half-baked arrangement called civil defense, rather than go further into a program that would end in costing hundreds of billions, destroying liberty and failing in its purpose anyway (p. 148).

Quotation 7:

Atomic testing is not vital to American military security because it involves only a marginal addition to firepower and no addition at all to delivery capability (p. 152).

Quotation 8:

Most Americans are filled with the basically irrational conviction that the only way to avoid military conflict with the Communist world is to prepare for it. Everything becomes channeled into this one overwhelming polarity of good and evil—Cuba is seen as a Communist outpost (when there is probably nothing more Communist about Castro Cuba than there is democratic about Franco Spain) (p. 192).

Quotation 9:

The DEW line will be made bidirectional, and we invite the Soviets to plug in. If we have no intention of surprise attack, there is no reason why this shouldn't be done (p. 203).

Quotation 10:

Recognition of Communist China on our own initiative likewise would have psychological impact far beyond its military significance (p. 217).

Quotation 11:

Nor should we refuse aid to Communist countries, if aid is requested. We are already giving aid to Communist countries in Eastern Europe—Poland and Yugoslavia. The eventuality of undiluted Communist regimes is not at present anticipated in southeast Asia. However, the United States might make a powerful impression on countries in this area by declaring that it would be ready to give aid to Communist China, which now relies almost exclusively on financial and technological aid from the Soviet bloc, once Peiping has been admitted to represent China in the United Nations (pp. 261-262).

Question 12:

True, Chinese Communist troops killed Indian border guards and occupied portions of the Burmese frontier. But, qualitatively as well as quantitatively, these deserve the classical term of "incidents." In both cases the location of the frontier was in historic dispute. In both cases local threats to Chinese Communist security were not susceptible to control by the neighboring regime. Had Tibet not erupted in revolt, no shooting might have occurred between Indians and Chinese. Instead, Peiping probably would have continued to press quietly for its interpretation of the frontier (p. 298).

Question 13:

Recognition by the United States and admission to the United Nations of Communist China, both Germanys, both Koreas, and both Vietnams would seem necessary for effective armament inspection and for stabilization of international relations in Central Europe and the Far East. Self-determination for Taiwan and Berlin and incorporation in mainland China of the offshore islands of Matsu and Quemoy should be provided for, and the way should be left open for eventual union of the now divided states by negotiation between their governments (p. 328).

Mr. President, I am not concerned with the impact that this book may have on U.S. public opinion or on the direction or implementation of U.S. foreign policy. Those who wrote the papers, many of them scholars with nationwide academic reputations, have every right to publish their views. I am sure they are sincere and I do not question their motives. I personally disagree with most of the suggestions contained in "The Liberal Papers." I consider the suggestions naive in the extreme. "The Liberal Papers" might well be renamed "Our American Munich."

What does concern me is the impact that this book may have abroad because of its sponsorship by a group of prominent Democratic Congressmen. I am sure that the propaganda boys in Russia, in China, and in Cuba will quote from it very generously. They will certainly in each instance point to the sponsorship, and this in itself can increase our difficulties both with our own allies and at the conference table in Geneva and elsewhere. It could well cause many to question the intent and the purpose and the steadfastness of U.S. policy.

In many lands people do not fully understand our constitutional system with its separation of powers. When a Member of Congress in this country speaks out, it is often interpreted overseas as an indication of U.S. policy or intent. Now we have a group of Democratic Members of Congress in this time of a Democratic administration jointly sponsoring this series of essays.

I think it most unfortunate that this should happen at this particular time. It is bound to further complicate the difficulties that President Kennedy and Secretary Rusk face in Germany and Geneva, in Vietnam, in Cuba and in Africa and elsewhere. I hope, Mr. President, that we will let the world know that the content of "The Liberal Papers" does not represent the thinking of the vast majority of the Congress, Democrats or Republicans.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. MORTON. I yield.

Mr. GOLDWATER. I would like to comment briefly on the remarks of my distinguished colleague from Kentucky concerning the publication tomorrow by Doubleday & Co. of a book entitled "The Liberal Papers."

I have not seen an advance copy of this publication. I have only seen excerpts. I understand the Senator from Kentucky has a copy. I did not know it was available.

I think the people who have published this book are to be thanked by freedom-loving Americans.

Those of us who are conservative in both parties have been maintaining for years that there is at work in this country a subversive force. I like to think of it not as a planned subversive force, but as a subversion that has been created by ignorance more than anything else, a subversion that is dedicated to innuendo, to half-truths, concerning what the United States should be doing.

I hope that every American will read this book, so that he can fully understand what we in Washington who are dedicated to victory for our way of life are confronted with today.

I shall not bore my colleagues from reading much from the report I have, but I am interested in what is called chapter 2, "A Reexamination of American Foreign Policy," by James Warburg. He says:

From the Western point of view, West Berlin is of no particular value, except that the West has incurred a moral liability to protect its 2,250,000 inhabitants from being overrun by communism.

Mr. President, if there is any force stronger than the moral force in this world, I have never heard of it. When a writer like Mr. James Warburg says the only liability we have is a moral liability, I do not know what could be a greater liability than a moral liability.

This is indicative of the thinking of some people in this town and elsewhere who are dedicated to the idea that somehow we can coexist with communism in this world. This is typical of statements I have found in the brief outline of the book I have had before me.

Mr. President, the distinguished Senator from Kentucky referred to these people as being naive. I hope that is all we wind up calling them—naive. I cannot understand this naivete which is willing to back the United States and its freedoms into a corner out of which we can escape only by an all-out nuclear war.

Mr. President, I suggest that there is only one way this world can enter the holocaust which many people fear, and that is by following the admonitions of these people who have prepared the Liberal Papers, who in effect keep saying, "Keep giving in. Keep yielding. Don't oppose the Communists. Don't make them angry."

Mr. President, all the patriotic people in this country who believe in winning, who believe in victory, who believe there is nothing wrong with telling the Communists in this world they are not going to bury us but that we are going to win over them, will not be destroyed. These patriotic people—even though some liberals in their naivete think they are not the majority—I can assure the Senate constitute the dominant majority of the American people. If the time comes that there is no action to save our freedom other than to instigate an all-out nuclear war, my feeling is that is the time when nuclear war will come.

I think we have been living, in the last month or month and a half, under an example of the so-called naivete. I refer to the investigation by the Subcommittee on Preparedness of the Committee on Armed Services of this body which has been investigating so-called censorship of the military. It is not the fact that censorship is going on which is the problem. I think all of us agree that written speeches should be carefully gone over to make sure that classified material is not inadvertently released.

The thing which concerns me—and I assure my colleagues it concerns the American people—is not the censoring

out of classified material but instead the absolute, complete consistency of striking out words which might be offensive to our enemy, communism; words like "communism," "Communist," "war," "victory," "winning." These are some words that have been stricken.

Mr. President, I think when we have an opportunity to read the new book, "The Liberal Papers," we will get part of the answer as to who these people are, as to who compose this clique which is able to control the decisions of the Defense Department and to control to a great extent the decisions of the President of the United States, to the end that we have yet to hear a public pronouncement that we are going to win over communism in this ideological world struggle in which we are engaged.

I am glad that Doubleday & Co. are publishing these papers. I hope every American will read them, so that all Americans can gain some understanding of what the people in this country must contend with. We are firmly convinced we can defeat communism, but we cannot do it quickly when we are confronted with a clique like this, obviously dedicated to living with an enemy which has announced its intention to destroy us.

PROPOSED UNITED NATIONS BOND ISSUE

Mr. AIKEN obtained the floor.

Mr. MORTON. Madam President, will the Senator yield?

Mr. AIKEN. Madam President, I ask unanimous consent that I may yield to the Senator from Kentucky, so that he may suggest the absence of a quorum, without losing my right to the floor.

The PRESIDING OFFICER (Mrs. NEUBERGER in the chair). Is there objection to the request of the Senator from Vermont? The Chair hears none, and it is so ordered.

Mr. MORTON. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. AIKEN. Madam President, earlier today there was presented to the Senate for printing in the RECORD a column which appeared in the Washington Post, written by Walter Lippmann.

Ordinarily, I do not criticize the work of a columnist, even though it may contain errors of fact. I realize that the people who write daily columns are continually up against deadlines or are not in a position to ascertain the facts as they may appear from different viewpoints.

However, in this morning's Washington Post, there appears a column by Walter Lippmann which is so full of erroneous inferences and misstatements of fact that I feel it must be corrected here on the floor.

I would not undertake to do this except that Mr. Lippmann's close association with the White House may lead many people to believe that he is representing the President in his expression of views.

Incidentally, Mr. Lippmann, in contrast to several other writers, never made any effort to ascertain the reasons for the position I have taken.

Another reason why I feel that this column should be corrected is that it appears to be the start of a nationwide campaign, planned last week, to foist the United Nations bond issue upon the United States—whether it is the correct thing to do or not.

As I understand it, the plans consummated here in Washington, to be put into effect by professional operators, include the attempt to persuade writers, movie stars, and others to speak their views to Members of Congress, and to inaugurate a nationwide campaign on the Members of Congress. I would not object to the movie stars or others coming on the Hill and lobbying if they had been fully informed by the State Department. I would not object to a woman's club taking a position in favor of the bonds if it had been given full information by the administration, but apparently they are not in possession of full information.

Yesterday and today I received several virtually identical telegrams from different places urging the adoption of the bond proposal.

Members of Congress should be prepared for all kinds of professional pressure to be exerted upon them to secure approval of a proposal which clearly is not in the interest of the United States or the United Nations.

Now, I would like to take Mr. Lippmann's column point by point.

Point No. 1—with this point I can agree:

> This plan was worked out by Americans, it is supported by the U.S. Government, and it has been approved by the General Assembly of the United Nations.

This plan indeed was devised by Americans.

Mr. Klutznick, one of our representatives to the United Nations this year, told me 2 months ago that he was the proud father of the plan.

I see no reason for withholding his name inasmuch as Mr. Lippmann's statement might leave other innocent persons under suspicion.

Point No. 2:

> It now appears that there is danger that it (the bond issue) may be defeated by a coalition of Republicans and southern Democrats.

Southern Democrats are amply able to defend themselves against this charge.

Mr. HOLLAND. Madam President, will the Senator yield?

Mr. AIKEN. I yield.

Mr. HOLLAND. On behalf of some of his friends from the South, I wish to thank the distinguished Senator from Vermont.

Mr. AIKEN. I have a little more to say.

I have referred before to President Kennedy's statement of January 30 that "failure to act (on the bond issue) would serve the interests of the Soviet Union."

I have voted against my southern colleagues many times but never once have I questioned their loyalty to the United States.

Point No. 3:

> Senators AIKEN and HICKENLOOPER, have been and profess still to be friends of the United Nations. But it is no exaggeration to say that if they prevail, they will have struck a dangerous blow at the United Nations.

This statement coincides with a statement of the President as reported in the Washington Post of March 14, 1962:

> The bond issue has become the symbol and substance of support of the United Nations by its members.

Any statements of this kind are absolutely false.

If the time has come when there can be no honest disagreement with the administration's plans without being branded as subversive, then it is time to ask what has become of our democracy.

Mr. JAVITS. Madam President, will the Senator yield?

Mr. AIKEN. I will not yield at this time. I wish to complete my statement; then I will be glad to yield.

Point No. 4:

> To understand why this is so, we must remember that the U.N. is in financial trouble solely because it is conducting two operations—the one on the frontier between Egypt and Israel, and the other in the Congo. Apart from them, the U.N. is solvent.
>
> The deficit arising from Palestine and the Congo is caused by the fact that two of the great powers, the Soviet Union and France, and a number of the smaller powers such as the Arab States, Portugal, South Africa, and some others are refusing to pay their special assessment for either or both of these operations.

In making this statement, Mr. Lippmann chooses to put the responsibility for United Nations financial difficulties on the Soviet Union, France, the Arab States, Portugal, South Africa, and some other unnamed members of the United Nations for failure to pay their assessments.

The fact is that the United Nations is short of cash because as of February 16, 1962, not just a few nations but 72 nations had failed to pay their assessments for the UNEF, or the Holy Land operations, and 74 nations had not paid their assessments toward the cost of the Congo.

Why should he attempt to put this responsibility on a few nations which apparently do not meet with his approval when 74 nations out of 99 that have been assessed have failed to make their payments?

Point No. 5:

> The crucial difference between the U.N. bond plan and the Aiken-Hickenlooper plan is that the bond plan would compel all members to pay their share of the costs of a peace-keeping operation authorized by the United Nations. The Aiken-Hickenlooper loan project cannot deal with this question of making every member pay for these special operations.

This statement is completely false.

The United Nations can make assessments for the purpose of paying off U.S. loans just as legally as it can make assessments for servicing a bond issue.

Point No. 6:

> In the bond plan the interest and amortization charges would be covered in the regular budget, and a member who refused to pay its share for 2 years would be punishable by losing its right to vote.

The fact is that while any member of the United Nations being in arrears 2 years on its dues is subject to loss of its vote, it is not subject to loss of membership in the General Assembly, and, if a permanent member of the Security Council, as are Russia and France, it is not subject to loss of its place on the Security Council and is not subject to loss of its veto power.

Furthermore, the General Assembly can permit a nonpaying member to vote even though it may be 2 years in arrears on its assessments.

With well over two-thirds of the membership failing to pay their assessments, is anyone so naive as to believe that the General Assembly would agree to deprive one of its members of the voting privilege when so many others are in the same boat?

Point No. 7:

> Because the interest and amortization charges would be spread out over 25 years, the smaller, poorer members though paying their share, would not have to pay large amounts. We cannot be sure that the big members, the Soviet Union, France, the Arab States, and Belgium, would pay their share. But it would be a brazen defiance of the United Nations if they did not do so, and very embarrassing for them.

It has been my contention all along that if the International Court of Justice at The Hague finds assessments for the UNEF and Congo binding, these nations would pay and, if they pay, the arguments for a bond issue disappear.

Point No. 8:

> The Aiken-Hickenlooper loan plan would do none of these things. The fact is that the U.N. has no legal right to accept such a loan, and it is extremely improbable that a special session of the General Assembly, which would have to be called in order to accept a loan, would in fact approve it.

Before our officials realized the weakness of their position in advocating bonds, they sat in my office across from my desk and assured me that the United Nations does have the right to accept loans, under a resolution approved in late 1960. It was only a week ago that they decided that they did not have this right.

However, if they now insist they do not have the right, it would be a matter of only a short time to reconvene the General Assembly, as virtually all members have permanent representatives that could be called on short notice.

This argument of Mr. Lippmann's is specious and is part and parcel of an effort to beat the United States into submission.

Point No. 9:

> What is certain is that such a special session would reopen every crisis which was quieted down last autumn and the United States would find itself at the storm center of a new crisis.

No new crisis could be considered unless two-thirds of the membership of the General Assembly desired it. The General Assembly has already had one suspended session only last month.

There is no reason it cannot meet again, if necessary.

Point No. 10:

> We would have to explain why the General Assembly should revoke its own decision of a few months ago, a decision we ourselves promoted, and why in order to please the Republican minority in Congress, the General Assembly should vote to overrule the recommendations of the President of the United States.

The United Nations General Assembly, in approving the issuance of $200 million worth of bonds, did not bind the United States to purchase the lion's share of this amount.

The U.S. representatives in the United Nations had no authority whatsoever to bind the United States to make these purchases.

At the time the President recommended that Congress approve these purchases, the State Department did not even have a financial statement from the United Nations, and it was not until January 31, 1962, that the Congress was able to get any kind of financial statement, and then one which was admittedly incorrect.

Point No. 11:

> And if by some strange chance the U.N. accepted the loan, it would probably not be repaid.

This is a most disparaging statement about the United Nations.

I have more faith in the United Nations than Mr. Lippmann has, and I believe that if the United Nations should accept a temporary loan from the United States, or any other country, it would do so with the intention of repaying that loan, or at least renewing it if it could not be paid in full when due. This statement contradicts the earlier statement by Mr. Lippmann in the article, namely:

> We cannot be sure that the big members, the Soviet Union, France, the Arab States and Belgium, would pay their share. But it would be a brazen defiance of the United Nations if they did not do so, and very embarrassing for them.

Evidently, Mr. Lippmann has little faith that the International Court of Justice will make a finding that assessments are compulsory, but he expresses the fact that these big countries under one condition would pay their assessments, but would not pay assessments for the purpose of meeting a temporary loan.

Point No. 12:

> It is in fact almost impossible to make any sense at all out of the Aiken-Hickenlooper amendment to the very much improved bill voted by the Senate Foreign Relations Committee.

It is interesting to learn that Mr. Lippmann regards the committee amendments to the bond bill as greatly improving it.

These amendments provide that U.S. purchases above $25 million must be matched by other states and also that the United States should deduct from its payments to the U.N. each year the amount which would be due our country on the bonds themselves. I did not know that the administration would be pleased with such improvements.

Point No. 13:

> It is evident, however, that there are three elements at work in this confused raid on the bond plan.
>
> One, unhappily, seems to be personal disgruntlement about which the less said the better.

The columnist ought to say more about this. Who is personally disgruntled, and why?

Is it President Kennedy? Is it Dean Rusk? How is who disgruntled, and why is he disgruntled? Why does Mr. Lippmann put an intimation in his article that everyone who opposes this idea of mortgaging the United Nations for the next 25 years does so because he is disgruntled?

Mr. MANSFIELD. Madam President, will the Senator from Vermont yield?

Mr. AIKEN. I am about to conclude my statement.

Mr. MANSFIELD. But will the Senator yield?

Mr. AIKEN. I yield.

Mr. MANSFIELD. I do not feel that anyone who is opposed to the proposal advanced by the administration or the proposal reported by the Committee on Foreign Relations is either disgruntled, generally speaking, or is politically motivated in his opposition to these plans. I think all of these proposals have been advanced in good faith. I think they are entitled to serious consideration, and I think that that type of consideration has been given to them up to this time. I hope it will continue in the future.

But I, for one, have no idea that these proposals, such as the Aiken-Hickenlooper proposal and others, are advanced on the basis of disgruntlement or are advanced on the idea of achieving political influence or a political coup. I want the distinguished Senator from Vermont to know that so far as I am concerned—and I think I speak for practically every Senator on this side of the aisle—we do not look upon this proposal as being in any way politically motivated, inspired, or oriented; and certainly our views are not a sign of disgruntlement.

Mr. AIKEN. Everyone knows that the Senator from Montana would have nothing whatsoever to do with any unfair insinuations concerning proposals of a temporary loan to the United Nations, that the proponents of the temporary loan have been suggesting to them. We know that the Senator from Montana is a soul of honor; that he would not approve of any underhanded tactics. I only wish we could get this idea over to some of the people who are either in the State Department or are appointed by the State Department, so that they, too, might learn that statesmanship is not built on the questioning of motivation or to some of the pressure methods to which we are now being subjected.

Madam President, I continue to comment on the article:

Point No. 14:

> Another is a crude partisanship which is acting on the notion that to defeat what comes from Kennedy is somehow to win a victory.

There, again, we see an effort to put this proposal on a partisan basis. God knows I have not been voting on issues in a partisan enough way to please the leadership of my own party, and I am not taking a position of partisanship at this time. But let me comment on the statement of Mr. Lippmann. I shall read it again:

> Another is a crude partisanship which is acting on the notion that to defeat what comes from Kennedy is somehow to win a victory.

It is my belief that any program which strengthens the United Nations, does away with the double standards which now prevail, and which will insure its continuation as an effective organization would be a victory.

It is also my opinion that for Uncle Sam to be whipped into submission either by representatives of our own Government or by the United Nations itself would be a humiliating disgrace and entirely unworthy of the ideals for which our country has always stood.

Point No. 15:

> A third element, concealed but nonetheless at work, is old-fashioned isolationist hostility to the U.N. as such.

I say to Mr. Lippmann: By making false statements and accusations, you and people who act like you are giving the old-fashioned isolationists the most potent ammunition they have had in the last two decades.

Furthermore, through prejudicial reporting, Mr. Lippmann is doing the conscientious news reports of this Nation a great disservice.

Let me say once more—and I have demonstrated this for 16 years—I believe thoroughly in an effective United Nations, wherein each member expecting and claiming maximum benefits is willing to assume at least a minimum of responsibility.

As I said the other day in the Senate, those members of the United Nations who wish to live under the law should be willing to live by the law. To live and to be effective, however, the United Nations must rid itself of double standards and establish fiscal responsibility in its operations.

Mr. President, I am an American.

I am proud of my country.

I cherish the ideals of freedom and opportunity for which it stands.

Regardless of any insinuations or false accusations that may be made, I will never forget that I am an American and so long as I am a Member of the Senate I will not be swerved from what I consider to be my duty to the United States.

Mr. HICKENLOOPER. Mr. President, will the Senator from Vermont yield?

Mr. AIKEN. I yield.

Mr. HICKENLOOPER. I thank the Senator from Vermont for yielding. Unfortunately, I have a commitment that I cannot avoid. I must leave the Chamber at 3 o'clock. I appreciate the Senator's indulgence. I do not wish to get the floor ahead of the Senator from New York, who asked for recognition a moment ago; but if I may be indulged for a moment, I wish to say one thing.

I congratulate the Senator from Vermont for discussing this column, which I read with utter amazement this morning. It was written by a columnist who has worked mightily throughout the years to create on behalf of himself the idea of omniscience, omnipotence, and political punditry, and who, whether he claims it openly or not, does not dodge from the idea that he is very close to the throne at the other end of the avenue, and probably is quite a spokesman for the White House.

I congratulate the Senator from Vermont for taking this article, which is specious in its complete context, and utterly demolishing, step by step, the unfounded and inaccurate allegations which are made in it.

I thoroughly agree with the statement of the Senator from Vermont. I am sure he will have more to say about it next week. I refer to the statement of my dear friend, the majority leader, who said, in response to my question on the floor of the Senate yesterday as to when this issue would come up in the Senate, "It will come up next week—maybe."

Mr. MANSFIELD. Mr. President, will the Senator from Vermont yield briefly?

Mr. AIKEN. I yield.

Mr. MANSFIELD. Lest the Senator from Iowa have any idea that I have pulled a neat parliamentary coup, I call his attention to the fact that I had in mind what might happen relative to the poll tax proposal. I had an idea that the debate on it might perhaps last the rest of this week and continue into next week. So I wish to have the RECORD made clear.

Mr. HICKENLOOPER. If the Senator from Vermont will yield further, I assure the majority leader that I made no other interpretation of his statement than that he was uncertain as to what the situation in the Senate would be. He thought perhaps the Senate might consider this proposal next week. I realize that other measures are to be considered in the meanwhile. In my experience, the majority leader has never attempted any so-called parliamentary coups or used unfair tactics, so far as either the majority or the minority is concerned. I would not make such a connotation or suggestion at all.

Mr. SPARKMAN. Mr. President, will the Senator from Vermont yield to me?

Mr. HICKENLOOPER. Mr. President, as I previously stated, I must leave the Chamber almost immediately.

Mr. AIKEN. I yield to the Senator from Alabama.

Mr. SPARKMAN. If the Senator from Iowa will recall, last Saturday, at luncheon, he spoke to me about bringing up the United Nations bond issue, and told me that he wished I would get in touch with the Senator from Montana [Mr. MANSFIELD], the majority leader, because, so the Senator from Iowa said, he was going to have to be away from Washington on Thursday and Friday of this week; and he said the Senator from Indiana [Mr. CAPEHART] would also have to be away at that time. I told him that I would see the majority leader; and the majority leader knows that I did speak to him and did tell him of that situation, and said that, by all means, before he scheduled this measure for consideration by the Senate, he should take these other matters into consideration.

Mr. HICKENLOOPER. I think there is some confusion about this matter. I am not objecting at all to bringing up this measure.

However, at this time I must leave, and I cannot pursue the matter further this afternoon. But I said that next week I would have more to say on the subject, and so will the Senator from Vermont [Mr. AIKEN], I am sure. If the subject does not come up then, perhaps we shall not have too much to say about it next week, of course.

Mr. SPARKMAN. Of course the Senator realizes that there is other business to be transacted by the Senate.

Mr. HICKENLOOPER. Of course, and certainly any measures of greater importance than the United Nations bond issue should receive prior consideration. So I shall be glad to cooperate and to go along with the transaction of the business of the Senate; and no roadblocks, either way, will be thrown up by me—not that I could do so if I wished to, but I assure my colleagues that no attempt to do so will be made by me.

Let me say that although I cannot pursue this matter further at this time, I should like to join in further amplification of the exposition of the complete, repeated, and consistent misstatements, miscalculations, and misinterpretations contained in the article by Walter Lippmann. However, I cannot pursue that matter further at this time. But, as I have said, next week or the week after, or whenever this matter comes up for consideration, perhaps we can discuss it in a little greater detail.

Mr. AIKEN. Mr. President, I see several Senators on their feet, seeking recognition, and about to ask me to yield to them. I hope their questions will be brief. I shall yield first to the Senator from New York [Mr. JAVITS] then to the Senator from Georgia [Mr. RUSSELL] and then to the Senator from Oregon [Mr. MORSE] in that order, if I may have consent of the Senate to do so.

Mr. JAVITS. Mr. President——

The PRESIDING OFFICER (Mr. PELL in the chair). Does the Senator from Vermont yield to the Senator from New York?

Mr. AIKEN. I yield.

Mr. JAVITS. Mr. President, I shall be brief.

Perhaps I am in a good position to speak in regard to this matter, because no one knows better than does the Senator from Vermont that I do not happen to share his view on this matter, and I do support the position taken by the committee. Therefore, I now state one critically important fact; namely, that in my view the Senator from Vermont is just as sincere in his support of the United Nations as I am or as any other Member of the Senate is; and I join with the Senator from Vermont in expressing great indignation at the entirely unwarranted implications as to his lack of good faith or—of even more importance—as to the lack of sincerity or lack

of depth of feeling on his part about the United Nations. I may differ completely with every one of his arguments as to the merits of the bond issue, but certainly there is no criticism of him in any way.

I am an admirer of Walter Lippmann, but in this area I think he has exceeded himself. I believe it most important for us to pay tribute to the good faith of the Senator from Vermont, for even though I may differ with his views, I realize that it is his duty to put the matter in proper focus, in accordance with his understanding and position.

I believe it would be most unfortunate if the judgment of the Senate in regard to this matter were to be affected—because of the high regard of all Senators for the Senator from Vermont [Mr. AIKEN], in which I join—by the critical comments in the article to which reference has been made. It would be most unfortunate if, as a result, the Members of the Senate felt that they were compelled to choose sides, either for or against the Senator from Vermont. Certainly I am for him, and certainly I pay tribute to the good faith and the great sincerity he has demonstrated in the positions he has taken for and in regard to the United Nations.

Finally, Mr. President, in my opinion among the critical issues confronting us are those in relation to the solid financial basis of the United Nations, the question of making reservations, the question of what the President has done in terms of U.S. foreign policy, and the question of obtaining contributions on the part of other nations. So I think the issues involved are quite different from those raised by means of the article to which reference has been made.

I believe it very important that today we assert the deep confidence of all persons like myself and those on the other side of the issue in the sincerity and integrity of the distinguished Senator from Vermont [Mr. AIKEN], and the deep respect, confidence, and trust he holds for the United Nations; and I join in his remarks on that subject.

Mr. AIKEN. I thank the Senator from New York very much; and I join with him in expressing the hope that the decision in regard to whether the United States will purchase $100 million worth of the bonds of the United Nations will be based on the merits of the question, not on any narrow, partisan position. But I could not remain silent when it was asserted that those who oppose the United Nations bond issue are either opposing the United Nations or serving the cause of Russia. However, at this time we have been charged with both of those things.

Mr. MORSE. Mr. President——

Mr. AIKEN. I yield to the Senator from Oregon.

Mr. MORSE. I thank the Senator from Vermont.

Mr. President, the Senator from Vermont does not need any testimony from me as a character witness, but I welcome the opportunity to testify as a character witness in behalf of the Senator from Vermont.

I served for 3 years with the Senator from Vermont in the 15th General Assembly of the United Nations; and the Senator from Vermont served the United States with great distinction as our delegate on the 5th Committee of the United Nations. The Fifth Committee is the one which has jurisdiction over all the fiscal questions and fiscal problems of the United Nations.

I know of the great work the Senator from Vermont did on the financial problems of the United Nations. I know the great services he rendered our country as time and time again he answered the strategies of the Russians, who in the 15th General Assembly of the United Nations sought to do what they could to weaken the financial position and power of the United Nations. I wish to make this statement by way of preface to my very brief remarks in regard to the very able and, I think, deserved reply made by the Senator from Vermont to the article written by Mr. Lippmann.

Of course, it is not a new experience for me to find myself in somewhat the same position as that in which the Senator from Vermont finds himself today—although in regard to other columnists.

I wish to say that, like the Senator from New York [Mr. JAVITS], I have not been convinced by the Senator from Vermont—or, at least, not as yet—in regard to the position he has taken in favor of the making of a loan, in preference to participation in the bond issue. But I certainly wish to say that the clear implications and in some instances, in my opinion, the unfortunate innuendoes left by Mr. Lippman's article, as regards the Senator from Vermont, are completely unwarranted.

I think Mr. Lippmann has only demonstrated by his article published this morning that he, too, possesses the same human frailties that the rest of us possess; and in his article published this morning he has demonstrated what I, myself, frequently demonstrate; namely, that when I make a mistake, it is a "blooper." Certainly he made a "blooper," in his article which was published this morning, as regards what I consider to be the very unfair implications and innuendoes in respect to my friend, the Senator from Vermont [Mr. AIKEN].

Let me say that I do not know of anyone in the Senate with whom I have served who has been more unpartisan—if I may put it that way—or nonpartisan, if one prefers that term, but who has been more insistent, as I have worked with him, in asking the question about the issue, "What are the facts?" and then seeking to ascertain where the facts lead, as he interprets those facts, as has been the Senator from Vermont [Mr. AIKEN].

May I say further that any possible interpretation of the Lippmann article—and it is possible to make the interpretation as the Senator from Vermont, who is directly affected and concerned, has made the interpretation—that he should be classified with an isolationist label or as aiding or abetting isolationists in this country is completely unjustified, because if we have ever had anyone in the Senate who has taken a more sound international approach with respect to American foreign policy in regard to the United Nations, I do not know who would be classed above the Senator from Vermont [Mr. AIKEN] in that respect.

I only look upon the article as an unfortunate one in regard to its implications. I think an injustice is not done to the Senator from Vermont, but is done to Mr. Lippmann, because he has a very brilliant record in the field of writing on foreign policy. He is a man on whose viewpoint I place reliance on a great many issues. It saddens me to find myself in disagreement with an author and writer for whom I have such high respect and with whose views I find myself in agreement most of the time. But in this particular article he went awry.

I think this is one of those unfortunate instances. I know the Senator from Vermont is a very big man and a forgiving man. I think it was quite proper for him to set the record straight. I am also satisfied that, because a wrong has been done him, it will not color his point of view with respect to the foreign policy question that will confront the Senate.

I wanted to make these comments as a character witness for the Senator from Vermont because he deserves them. I still have open ears in regard to his position on the bond issue. I, too, will give careful weight to his argument because of my respect for him and for his great knowledge of the fiscal affairs of the Nation.

To date I have favored, and have so indicated in the committee, the bond issue. I favor it not on a partisan basis any more than the Senator from Vermont opposes it on a partisan basis. I favor it because the weight of evidence is on the side of the bond issue approach rather than the loan approach.

But that has nothing to do with the relationship which exists between the Senator from Vermont and the Senator from Oregon. I have simply risen as a character witness in his behalf, though he does not need it. I want him to know I am confident that, when the record is all in, the general opinion will be that the Senator from Vermont was not deserving of the innuendoes and implications contained in the Lippmann article as they related to him.

Mr. AIKEN. I thank the Senator from Oregon. I appreciate what he has said. I have worked with him at the United Nations and on many other occasions, and I have found him to be very fair and cooperative and to stick to his own positions when he thought those positions were right, the same as I do. I can assure him that when the bond issue comes before the Senate I shall attempt to convert the Senator from Oregon and the Senator from New York [Mr. JAVITS]. I will undertake to do so on the basis of facts, and not on any other basis.

In order that no one may think that what I am saying today or the position I have taken in the last few weeks is something suddenly arrived at, I would like to point out that last February I wrote a special, short report on the

United Nations, attempting to point out the difficulties that we were leading up to. I ask unanimous consent to have printed at the end of this discussion the report which I submitted to the Congress last February. It is not a very long one.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. COOPER. Mr. President, will the Senator yield?

Mr. AIKEN. I yield to the Senator from Kentucky.

Mr. COOPER. The Senator from Vermont does not need to be defended by anyone. I will go further and say he does not need our praise or encomiums, because we know him as a man of honor and integrity, and one of high statesmanship.

I have probably voted with him on issues more consistently than with any other Member of the Senate. I have done so because I respect his honor and integrity, and because I respect his judgment and commonsense. And I may say as a Republican that he represents, in my view at least, republicanism at its best.

In January, after study, I made my decision that I would support the U.N. bond issue. I did it on the following grounds:

First, the U.N. is in a crisis in the Congo, and unless it is quickly financed, its operation will end—to be followed by continuing civil war, and the possibility of intervention by the Soviet Union.

Second, I believe the bond issue method will attract largest financial support, in volume, by members of the U.N.

Third, and I believe this is a point which has not been stressed enough, the bond issue is a means of securing the widest political support in the U.N. It is important that the largest possible number of members contribute to the U.N. operation in the Congo, so that it will be a true United Nations operation, rather than one supported by a few members, and chiefly by the United States.

That is my position, and when the bond issue question comes to the Senate floor, I shall be opposed to the proposal made by my dear friend from Vermont [Mr. AIKEN] and by the distinguished Senator from Iowa [Mr. HICKENLOOPER].

I would make this cautionary statement before I close: I have felt in recent weeks that this matter might become a party issue. I hope very much it will not, because it is important that the method of financing the U.N. operation be considered on its merits, as the Senator from Vermont and other Senators have said this afternoon.

I think it will be unfortunate indeed if the administration, or others, charge Members of the Senate who favor a mechanism, other than the bond issue, as opposing the United Nations. Certainly it is not true of such a man as the Senator from Vermont [Mr. AIKEN], or the Senator from Iowa [Mr. HICKENLOOPER]. If anything could do so, such charges might lead to a partisan issue. I hope the administration will not make this mistake.

I have no more to say. The Senator knows I have supported the bond issue for a long time. I support it for the reasons I have stated, and I will continue my support. I hope it will be approved by the Congress. But no man in this body enjoys greater respect than the Senator from Vermont. I applaud the reasons which led to his statement this afternoon.

Mr. AIKEN. Mr. President, I thank the Senator from Kentucky for his kind words. I know he and other Members of the Senate who support the bond issue do so because they really believe it is the best way to get the United Nations out of financial difficulties.

Mr. KEATING. Mr. President, will the Senator yield?

Mr. AIKEN. Before I yield to the Senator from New York, I wish to add that there seems to be an apprehension spread throughout the country that unless the United Nations can get a large sum of money very soon it is faced with imminent bankruptcy.

The facts are these, Mr. President: on the 31st of December 1961, the United Nations owed $114 million. It had due about $93 million in unpaid assessments. However, on the 1st of January there came due about $142 million more of assessments, part to be paid before July 1 and part to be paid during the year. It is an undoubted fact that some of those assessments will not be paid.

About $67 million is due to carry the Congo operations through to July 1. About $67 million is due under the regular assessments of the United Nations. Virtually every dollar of that amount will be paid. About $8 million is due on the UNEF operation. That makes a total of about $142 million.

It is safe to say $90 million of that will be collected within a reasonably short time. That should be sufficient to carry the United Nations past the time when an opinion will have been rendered by the International Court of Justice at the Hague, determining whether the $93 million of unpaid dues, by 74 members of the United Nations, are legal assessments and are binding or not.

I point out that the United Nations is presently not in the extremely difficult position in which it was, let us say, on December 31, statistically, because of the $140 million or more in assessments which are due. About $50 million is due from the United States. I am sure the United States will pay that in the near future.

I now yield to the junior Senator from New York.

Mr. KEATING. Mr. President, I think perhaps I am unique among those Senators who have asked the Senator to yield. I am also apart from the Senator from Vermont in the same respect. I at the moment have a completely open mind as to which method of financing would be best for the United Nations, or best for the United States. I intend to listen to all the arguments, and eventually I shall have to make my own decision.

I read the column of the distinguished journalist this morning. I have profited in the past many times from reading Walter Lippmann's columns. In the annals of his distinguished journalistic career, he has made many valuable contributions to this Nation's thinking. Yet I must say I read the column this morning with amazement at the inaccuracies, and with indignation at the motivations charged to those who might oppose the bond method of financing the United Nations.

I do not have nearly as much knowledge of the intricacies of this problem as has the Senator from Vermont or other members of the committee. But I immediately recognized inaccuracies in the statements of the distinguished journalist.

Certainly, if I should decide that the method advanced by the Senator from Vermont is the preferable method of financing, I would personally deeply resent any one of the three motives which the columnist said were behind the opposition to the United Nations bond plan.

The Senator from Vermont is certainly one of the most respected men, and perhaps the most respected man, in this Chamber. Many would agree with that statement.

I shall say no more as to the character of the Senator from Vermont, who does not need references from me.

On the subject of inaccuracies, I do not wish to get into a long, drawn-out discussion of the question, but I wish to make inquiry of the Senator from Vermont. If I am mistaken in my belief I should like to be set right, because I think it is an important matter.

If the United Nations bond issue does go into effect, and if the Soviet Union, let us say, which does not now pay its peace and security operations assessments, should decide, that it will not pay its assessed portion of these operations which will go into the general operating budget of the United Nations—yet would be a small fraction of the total Soviet assessment—am I correct in my understanding that the Soviet Union would not lose its right to vote until a period of many, many years had passed, because of the fact that the United Nations Charter provides a nation must be in arrears for 2 full years before it will lose the right to vote? It might be 10 or 20 or 30 years—I do not know the exact length of time involved—before the Soviet Union would lose its right to vote under those circumstances?

Have I correctly stated the situation, or am I in error?

Mr. AIKEN. The Senator is correct. How long it would take Russia to lose her voting rights is unknown. She probably would not lose them at all, with two-thirds of the other members of the United Nations in default, for the other nations would not be likely to let Russia lose her voting rights for the same reason.

I have the feeling, since Russia and Soviet bloc nations have been quite meticulous, or at least most of them—I think Poland is behind in payments—about paying assessments which they agree are legal, that once the International Court of Justice determines the assessments for the Congo and UNEF are legal, not only France and Belgium

but also the Soviet bloc nations will pay their legal dues.

At present Russia claims these assessments are illegal. There is a long story behind that. When the bill comes before the Senate, we shall probably tell the story on the floor, but it would take too long to do so now. We say that the assessments are legal. Russia says that they are not legal. The question has gone to the court.

Mr. KEATING. Furthermore, the column indicated that if any country did not pay its bond repayment assessment for 2 years it would be in arrears and would lose its right to vote, as I read the column.

Mr. AIKEN. That would not be correct.

Mr. KEATING. That would not be true?

Mr. AIKEN. The nation would not lose the right to vote, even if the other nations took advantage of, I believe, article 19 of the United Nations Charter. The nation would not lose the right to vote until it was behind the equivalent of the 2 preceding full years.

EXHIBIT 1

THE UNITED STATES IN THE UNITED NATIONS—SUPPLEMENTARY VIEWS OF SENATOR AIKEN

As a delegate to the 15th session of the U.N. General Assembly, I found the experience informative as well as somewhat frustrating.

At the end of the session in the early morning hours of December 21, I had come to these conclusions:

1. The United Nations now holds the principal, if not the only, hope of averting a widespread conflict with catastrophic results to much of the world's population. It also holds the best hope for the continued independence and progress of many smaller nations.

2. The future of the United Nations is uncertain and its continuance cannot be taken for granted. The policy of harassment by the Soviet bloc can probably be dealt with. More disturbing is the failure of so many other nations to acknowledge their responsibilities. If the United Nations flounders, this most likely will be due to the attitudes of those who need it most rather than to its enemies.

3. It cannot be expected that all nations could or should wear the same image. Attempts on the part of strong nations to impose their ideologies or their leadership on the newly independent countries simply create resentment and lessen the likelihood of world harmony in the future.

4. While the United State should continue to cooperate with the people of other countries, we and they must realize that our resources are not unlimited and that we cannot possibly help others to achieve in a few years those standards for which we ourselves required 170 years.

5. Until other countries able to meet their United Nations assessments are willing to do so, it will be advisable for the United States to continue its cooperative efforts largely on a bilateral basis. Even with bilateral programs, it is ridiculous to feel that every time Russia offers economic or technical assistance to another nation we should rush to outbid her.

6. It is high time that Russia did her part in helping the needy people of the world. The Soviets have a long record of promises unmatched by performance. If they are using promises simply to promote an ideology with no intentions of fulfilling these promises, then those nations who complain that the United States does not do enough for them might find out for themselves the difference between promises and deeds.

7. We should, however, be ready to contribute a greater amount to United Nations programs whenever other nations are willing to do their part. Particularly in the case of the African nations multilateral assistance provided by the United Nations offers the best chance of preventing that continent from becoming a continuing battleground in either a hot or cold war.

8. The procedures of the U.S. Government for making policy decisions regarding issues before the United Nations are exasperatingly slow and cumbersome. I strongly recommend to President Kennedy that he undertake to reconstruct the processes of our Government so that decisions can be made promptly and responsibility can be fixed for failure to make them.

9. A new situation has been brought about in the United Nations because of the shift in voting power from Western Europe and the Western Hemisphere to Africa and Asia. It was encouraging to note, however, that neither the new African nations nor the Asian group voted as a bloc. In spite of all the efforts to control them, these young nations showed a high degree of independence and an awareness of efforts made to use them. The only real bloc in the United Nations continues to be that of the Soviet which is always sure of 9 votes out of 99.

The bulk of this report is concerned with the work of the fifth committee, which was my special assignment and which deals with administrative and budgetary matters.

Senator MORSE, whom I was fortunate to have as my congressional colleague on the delegation, was assigned to the fourth committee dealing with colonies and mandated territories. He is reporting separately on the work of that committee, and I add here only that his representation of the United States was outstanding and that his tireless energy and sympathetic consideration made a very favorable impression on the delegates of other nations.

I should note also that the American delegation as a whole was one of the finest groups of people with which I have been privileged to work. The five delegates and five alternates were a hardworking and compatible group. I respected and admired them one and all.

Ambassador Wadsworth was an admirable and conscientious leader and possessed good judgment. Of course, the positions he expressed to the United Nations were officially formulated in Washington and were not necessarily the views of the U.S. delegation or the Ambassador.

I would also add a word of appreciation for the personnel of the U.S. mission. They tried to do their work well, though at times their individual capabilities and desires to do a good job seemed to suffer from the lack of full coordination with which our Government is frequently afflicted.

The job of the fifth committee basically was one of finding the money to pay the bills. Aside from the regular expenses of the United Nations amounting to a net of roughly $63 million—plus $19 million to meet the cost of UNEF (United Nations Emergency Force) in the Middle East, we were confronted with the cost of the Congo operation which totaled $60 million from the time of its inception last July until January 1, 1961—further the Cougo operation is expected to cost at least $8 million per month after January 1. The fifth committee did not consider the advisability of the Congo operation. That had already been determined by the Security Council and the General Assembly.

It was the position of the United States that this country would pay in contributions and assessments just under 50 percent of the cost of the Congo operation up to January 1, 1961. For costs to be incurred after that date, the Secretary General was authorized to incur expenditures up to $8 million a month for the first 3 months of the year.

In view of the fact that Russia has already announced her determination not to pay any of the cost except to forgive a charge for the Soviet airlift—and that many small nations have insisted on their inability to pay anything, it is apparent that the action taken will not suffice. The knotty problem of finding the cash will be up to the adjourned session of the United Nations in March.

Since the failure of several nations to pay their assessments had seriously impaired the working capital fund of the United Nations, it appeared necessary to authorize the Secretary General to borrow funds with which to carry on.

A resolution submitted to the fifth committee would have authorized the Secretary General to borrow from special funds available for programs sponsored by the United Nations, from member governments, or from other available sources, meaning commercial lending agencies.

The delegate from India moved to strike out the authority to borrow from private sources. He was supported by Russia and several other states. The motion was defeated in committee by a narrow margin. The General Assembly, however, sustained the Indian motion and as of now the Secretary General can only borrow from United Nations special funds at prevailing rates of interest and from member governments.

During the debate in the fifth committee, I pointed out that the United States does not have the authority to make loans to the United Nations whereupon one supporter of the Indian motion suggested that special legislation could be enacted for this purpose.

I would not look with favor upon congressional action to permit the U.S. Government to make loans to the United Nations to cover deficits caused by Russia's failure to meet just and equitable assessments. If we start on this course, we will find that not only Russia but possibly other countries will refuse to meet assessments secure in the knowledge that the United States will make up the deficit.

Furthermore, we would find that loans made on a temporary basis would soon lose their temporary status and become permanent and uncollectible.

It is possible that those governments which objected to commercial borrowings will be willing to make the necessary loans to the United Nations. If so, this would be a welcome solution but I would not like to see the United States start the practice of assuming responsibility for the arrearages of other nations, especially those countries which blandly announce that they do not intend to pay anyway.

One very discouraging feature of the United Nations session was the apparent feeling among so many have-not nations that it is the duty of the large countries and particularly the United States to bear the cost of bringing their social and economic standards up to a level with ours.

Too many of them seem to forget how long it took us to reach our present levels, and how we got where we are.

Too many of them also ignore the fact that every dollar we contribute to raising the standards of developing nations has to be earned or borrowed. The fact that we have gone so heavily in debt to help them does not seem to make much of an impression on some of them.

When we have reached the point where we do not have the means to help all people—and we are already there—I see no reason why we should not give preference

to those whose concept of government is more in line with our own and who are willing to make such reforms and to take such steps as will better their own condition.

Another of the more frustrating features of representing the United States at the United Nations was the difficulty in getting definite positions from the State Department.

In the matter of sharing the cost of the Congo operations a request for the position of the United States went unheeded for several weeks. In the meantime delegates from other nations were continually asking me for our position. It was rather embarrassing to have to admit that the U.S. Government was having difficulty in making up its mind and coordinating its action.

Finally, however, I did receive the position. It appeared in a New York newspaper, almost correct, on a Monday morning. The next day it was received from the State Department about 2 hours before I was to announce it officially.

Of course, no one was responsible for the messy situation. The poor position had been batted from conference to conference, to Secretary to Legal Adviser to Budget Director back to conference and so almost ad infinitum, until released to the world including the U.S. delegation by way of a leak.

Whether the ever-increasing practice of leaking news has become a policy of the State Department or whether it represents the desire of Government employees to gain favor with certain reporters, I am unable to say. It is apparent that there is some method in the practice, however, for the leaks appear most frequently in the press on Monday morning when greatest coverage can be obtained.

It is common knowledge that some governments use the leak system as a means of testing public sentiment without actually committing the government itself.

In Soviet Russia and Communist China, official government positions are accurately publicized through Pravda and Red Flag. At the United Nations there was a tendency on the part of some foreign delegates to quote from news stories in the American press as representing official positions even though the cumbersome machinery of the U.S. Government had not even ground out a decision.

The State Department today has plenty of competent, willing, and farsighted people—but getting effective action is about like taking parts of four different makes of automobiles and trying to assemble them into a smooth-running vehicle.

There remain more basic questions which can only be determined by the United Nations itself. Perhaps the most basic is whether the new members of the United Nations will match their power with responsibility. When the organization was created in 1946, there were 51 members. Now there are 99, with more in prospect.

Most of the new members are developing nations, many of them only receiving their independence during 1960. Some of them have a population less than that of Metropolitan Washington.

They have the power to vote extensive and expensive programs and to levy assessments which will require a few countries, principally the United States, to pay most of the cost.

Should this be done, it is doubtful that the people of the United States would sanction our continuing membership in the United Nations. We have already proven our willingness to do more than our share but we will not be imposed upon.

Since certain member nations are now over $31 million in arrears on their assessments not including costs of the Congo, it is clearly apparent that without the financial support of the United States, which now pays 32½ percent of the regular costs of the United Nations and approximately 40 percent of all costs including special programs, the United Nations could hardly function effectively as a world organization for peace and prosperity.

It was most distressing to see countries which otherwise share the same ideals of the United States, countries to whom we have furnished millions of dollars in aid, renege on their assessments of mere thousands of dollars for support of the Congo operation.

If we are all to avoid the unpleasant consequences of colonialism in reverse, the members of the United Nations must exercise proper restraint and meet the responsibility of paying for the programs they vote to carry out.

I confess that during all the early years of the organization I had believed in the efficacy of a United Nations police force comprised of units from the smaller nations.

My beliefs have now been reduced to hope, albeit a hope that will not die. I am even reconciled to the possibility that the world may not yet be ready for the maintenance of peace through force of arms.

The United Nations has now engaged in operations designed to restore and maintain peace in three areas.

In 1950, the attack by North Korean and Chinese Communists on the Government of Korea brought a swift response from the United Nations. In this action, the United States provided by far the major part of the men and material needed by the United Nations.

Was the operation successful?

Korea is today a divided country to the disadvantage of both its northern and southern areas. The actual fighting was stopped by an uneasy truce which still prevails.

The second police operation of the United Nations was in the Holy Land. This action did succeed in restoring order largely because all parties directly concerned were willing to accept it.

However, several years have passed and the United Nations still maintains a force of 4,500 men in that area. How long will it be necessary to maintain this force there? The cost is $19 million this year and the force has already become a built-in factor in the economy of the region. For the United Nations to furnish a permanent police force for any area is a rather farfetched arrangement.

The final effort toward policing troubled areas is the Congo. This is the acid test. From all I can learn the United Nations police action in the Congo is an inadequately supervised and controlled military operation, with internal dimension in the force. There is also a conflict of national purposes, which is causing many nations to consider withdrawing their troops. In this event the United States will doubtless be asked to transport them back to their own countries. There is no doubt but what the United Nations operation in the Congo is less costly than either a hot or cold war. If the action is not ultimately successful, however, it will be very difficult to convince the world of the efficacy of United Nations efforts to maintain the peace and independence of any nation by force.

These three efforts of the United Nations to operate an effective police force have not been decisive. They have indeed relieved the situations and possibly prevented greater wars.

Efforts to enforce peace, however, will not be decisive until the member nations both great and small are willing to support such efforts. According to Secretary General Hammarskjold's estimates, the current costs of world armament amount to $320 million a day. If each nation would contribute only 1 day's cost to an international police force each year, it is possible that all expenses in this field could be met.

It will take more than money alone to enforce peace in the world. It will take the desire for peace and the willingness to meet equitable demands and to accept the verdict. We are still far from reaching that goal. The road toward it is exasperating and frustrating, but we cannot give up.

MINUTEMAN: OUR ACE IN THE HOLE

Mr. MAGNUSON. Mr. President, an excellent article was published in the Air Force magazine for January 1962, describing the progress made in America's defense through development and testing of the Minuteman solid-fuel missile. The Boeing Co. of Seattle holds the prime contract on this weapon.

As the magazine noted in presenting the article written by Flint DuPre:

Here's a firsthand look at how Minuteman, our second generation ICBM now nearing operational readiness, grew from the study phase in 1955 to become today's new lean breed of nuclear weaponry.

I ask unanimous consent that the article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

AMERICA'S STRATEGIC ACE IN THE HOLE

(By Flint DuPre)

The year 1961 was the year of truth for the Air Force's Minuteman intercontinental ballistic missile. Minuteman took giant steps toward the combat operational capability it is shortly scheduled to achieve. Retracing those steps makes it possible to place this new lean breed of nuclear weaponry in proper perspective in terms of what it will add to our strategic strength. The speed with which Minuteman has been developed—from a study phase of 1955 to a production decision in 1958 and the first successful launch in February 1961—is most reassuring.

For a firsthand look at just how all this was accomplished, you must travel from the sand and scrub of Florida's Cape Canaveral to the sprawling aerospace complex of Los Angeles, then up to Vandenberg Air Force Base, and on up the west coast to Sacramento and Seattle, across the top of the continent to Montana, down to the salt flats of Utah, and on across the Nation to the industrial East. Cover thousands of miles and still you won't see all the places and activities contributing to Minuteman. But you will get a fast look at the wonders of modern aerospace technology.

You'll see Minuteman's major components being made, the research and development test firings, the building of launch pads and silo holes for the training of combat crews, the construction of plant and assembly facilities, and site-activation construction for initial operational deployment.

The starting point is Cape Canaveral where the Air Force Missile Test Center and the Atlantic Missile Range, stretching more than 5,000 miles down into the South Atlantic, have become symbols of our Nation's strength in the rapidly advancing art of missilry.

The morning of last February 1 was bright with Florida sunshine. A pencil-slim Minuteman took the sun's rays on its launch pad as Col. (now brigadier general) Sam Phillips, director of the Minuteman program since its inception, sat before the launch

consoles in the nearby blockhouse to monitor a historic test.

Shortly after 9 a.m. the countdown hit zero, and the missile rose straight and true with a roar that heralded solid-propelled rocket power. The three-stage missile operated perfectly, the first time in our history that all stages and systems of a major missile had been tested in an initial launch. Minuteman went into free flight, successfully sending its reentry package to an impact point in the Atlantic, some 4,600 miles downrange.

"Minuteman will be the backbone of our ICBM force," Gen. Thomas D. White said on hearing the test results. "The successful firing of all three stages and the flawless operation of the guidance system the first time we launched the Minuteman is a long step toward the early attainment of this remarkable weapon," he added. The recently retired Chief of Staff's expression is significant since he, along with Gen. Curtis E. LeMay, the present Chief of Staff, and Gen. Bernard A. Schriever, Commander of the Air Force Systems Command, provided full support to the accelerated development of this missile in the face of some powerful detractors.

As that test was logged on Minuteman's permanent record, other pads at Cape Canaveral were being readied for additional tests, and holes were being dug for the below-ground silo testing so important to the missile, which is designed to be positioned underground permanently, launched from beneath the surface of the earth if the alarm ever goes off.

Other above-ground missiles were fired in May and July of 1961. Both were generally successful. By late August the first silo test was made. As the missile emerged from the ground, its second stage fired prematurely, causing the test vehicle to explode.

Then on November 17 Minuteman scored a perfect launch from a steel-and-concrete test hole at the cape. In a major milestone of the development program, the reentry vehicle raced more than 3,400 miles downrange. General Phillips called the launch from the 90-foot-deep silo totally successful.

Before the August malfunction, Minuteman had been tested eight times at Edwards AFB, Calif., in controlled and partially simulated launches from silos, but the November flight was the first successful below-ground, operational-type shot. The military-industry team responsible for Minuteman was heartened by performance data obtained from this silo launch. The missile was progressing handily as the second-generation followon to the liquid-fueled Atlas and Titan ICBM's, which are larger, more costly, and more complicated though they have the same 6,300-mile-plus range and general performance as Minuteman.

Moving from Florida to California, you find in the Los Angeles area, at Downey, a production line for the inertial-guidance and flight-control equipment in the Autonetics plant of North American Aviation. This associate prime contractor produces a system that guides and controls the missile during flight, yet remains operable while the ICBM is sealed in a silo for perhaps years. To accomplish this, Autonetics has had to develop transistors, resistors, diodes, and capacitors up to 100 times more reliable than any previously available.

About 165 miles north of Los Angeles is Vandenberg AFB where Strategic Air Command combat crews are beginning a training program. After learning to fire the missile in a number of test launches, they will be assigned to the base complexes where Minuteman will be deployed. Vandenberg is a combination training and operational missile base, located on ranch land once used by the U.S. Army but now converted to expensive missile facilities for use of the 1st Strategic Aerospace Missile Division. Launch pads jut along the shore line, with the Pacific and its attendant range providing the shooting gallery for the frequent launches. The below-ground launch facilities for Minuteman are under construction; 1962 should be a full year for the training of SAC crews at this base.

Continuing north to Sacramento, you see being made what it takes to send Minuteman from one part of the world to another. Here the second-stage rocket engine was developed and is being produced at the Aerojet-General Corporation's plant, a 20,000-acre site in the foothills of the Sierra Nevada range. More than 2,000 persons work on the problems of inert parts, propellants, and fabrication in facilities that include some of the largest cast and cure buildings in the free world. Test firing to perfect and improve the engine take place in rock and gravel trenches formed when the rugged land was dredged for gold.

On up the coast line to Seattle, Wash., are the extensive facilities that the Boeing Co. devotes to this project in its responsibility for the assembly and test of the complete weapon system. Located in a restricted area of the plant, in the heart of the city, is a simulated launcher network consisting of launch-support building, launch-control center, and a full-size silo with a missile in it. These facilities are used as models for similar structures in the field where Minuteman will be permanently stationed underground.

In this off-limits area a trim Texan, E. H. Boullioun, Boeing's installations project officer for Minuteman, takes authorized visitors into a building where a large tractor-trailer combination called a transporter-erector is being fitted with a full-scale test missile. Designed to travel over all types of roads—sometime this year it will face its severest test on the rugged terrain of Montana—the 63-foot-long combination, with a loaded weight of 108,000 pounds, will transport missiles from landing strips to their permanent launch sites. "The missiles will be airlifted by C-133 transports from the assembly point in Utah to the support bases," Mr. Boullioun says. "Then this baby takes over."

In another part of the vast Boeing plant are mockups and cutaways of Minuteman fixed facilities. Other company responsibilities include development of a major portion of the ground-support equipment in the launch site and launch-control center, the instrumentation systems, and the interstage structures connecting the engines and guidance system. Nearby are full-scale railway cars for the mobile Minuteman program, deferred last March in the interest of getting more fixed sites more rapidly. The mobile program was dropped in mid-December as Defense Secretary McNamara recommended funds for an increased number of Minutemen in silos.

From Seattle you go to Utah where you'll see some of the modern plants which produce the first- and third-stage engines, as well as the assembly and maintenance facility at Hill AFB, 6 miles south of Ogden, hub for the entire Minuteman program. Proudly calling itself the "Missile Center of the West," Hill is also the home of the Ogden Air Materiel Area and Air Procurement district.

There are three principal Air Force-industry plants in this area. One, Plant 77, located in the west area of Hill AFB, is a series of many buildings to be operated by Boeing for assembly of Minuteman, as well as for overhaul, repair, and maintenance when the ICBM becomes operational. The plant occupies 790 acres. The Air Force and Boeing are completing the conversion of more than 60 existing buildings once used as an Army ordnance depot. When the plant becomes fully operational sometime this year, the outlay will represent about $11 million.

About 60 miles north, past Brigham City, is Plant 78, the Thiokol Chemical Corp.'s facilities for test and production of the first-stage engine. Sprawling on an 11,000-acre tract in rugged, isolated land are dozens of new buildings and test facilities, colorful pastels to contrast with the bleak surroundings. This complex is for administration, production, and static test of engines, for the mixing of solid fuels, for nozzle mounting, and for curing ovens for the large engine cases. Near this center of modern technology—at Promontory, Utah—earlier history was made when in 1869 the golden spike was driven to join the Central Pacific and Union Pacific Railroads as the Nation's first transcontinental line.

For Minuteman, Thiokol began development of the first-stage engine in August 1958 and perfected the Nation's largest solid-propellant engine within the 27 months allotted under the contract.

About 50 miles south of Hill AFB and Ogden, near Bacchus, is Plant 81 being built for Hercules Powder Co. for assembly-line production of the third-stage engine, which was designed and developed at the companys' nearby Bacchus works.

All three stages are sent to the Boeing facility at Hill Air Force Base for final assembly.

"This is the business end of Minuteman," Col. Harry Goldsworthy will tell you when you reach Malmstrom Air Force Base in Montana, a few miles from the city of Great Falls. As site activation commander here, Colonel Goldsworthy directs construction for the complex of three squadrons of the first missile wing, designated the 341st. He stands before an unusual map on which varicolored lights burn and flicker. This relief map of the wing's area covers a plot larger than the State of Rhode Island.

Colonel Goldsworthy and his deputy, Col. Art Lahlum of the Army Corps of Engineers, use this map to check progress as the silos and control centers take form. The map is divided into three sections, one for each squadron comprising the wing. The squadrons are broken down into flights of 10 missiles each and control center. A Minuteman wing has 150 missiles and 15 control centers.

When a light goes out or flickers disturbingly, this means trouble. Within minutes one of the colonels or Clair Popejoy, Boeing manager on the spot, will likely board an on-alert helicopter and fly to the trouble spot. This close attention to detail goes far toward keeping the Malmstrom construction ahead of schedule. Late last year the Corps of Engineers had completed its work on the first flight, and Boeing began the assembly and checkout of equipment necessary to make Minuteman operational, with a target date before the end of this year for the first flight.

A visit to each of the 165 Malmstrom sites (silos and control centers) would take weeks by car, many days by helicopter. Traveling from one to another, and covering all locations, you would travel about 3,000 miles. The cabling being placed several feet underground to furnish communications between the control centers and the missile silos will total about 2,200 miles when completed. To link the sites it is necessary to tunnel the cable under about 30 river beds and 70 railroad and car roadbeds.

These cables will relay complex coded communications data necessary to launch the missiles. This feature of Minuteman construction has caused some writers to suggest that an animal might touch off a nuclear war by gnawing into the cable and causing a missile to fire. The men responsible for setting the cable and for its eventual operation say this simply could not happen. Air Force Secretary Eugene Zuckert recently pointed out that an accidental launching would be impossible because of a complicated system of mechanical and manual controls. If an animal should get its teeth into the buried cable, an alarm would go off, causing automatic shutdown of the system. The same would occur if a person tampered with the cable.

Because it is the first and most advanced of the four Minuteman support bases under construction, Malmstrom lends itself to close examination of what an operational Minuteman facility in the field will look like. The launch-control centers are the nerve centers of the missiles. Each is an underground command post, consisting of a launcher-support building and a concrete capsule, with a tunnel connecting them. Squadron personnel will man the control centers, which contain electronic monitoring equipment such as TV consoles as well as diesel engines, batteries, environmental equipment, and facilities to feed and shelter the men at the center.

Each center is at least 6 miles from the silos under its jurisdiction, and the missiles are dispersed from one another by at least that same distance. The silo hole is an 80-foot reinforced-concrete launch tube. A metal liner goes into the hole first. Then the missile is lowered into it. Each missile has its own underground support building, a prefabricated insulated-metal structure that rests on a concrete foundation, with the top flush with the ground. This building will contain electric generators and air-conditioning equipment for environmental control of the missile.

The launch tube will have a horizontal concrete-and-steel sliding cover. The area close to the tube will be paved and equipped with rail tracks so the transporter-erector can move the missile up to the opening for lowering into the silo. This operation can be repeated in reverse if it should be necessary to remove the missile from the silo for checkout or repair.

Each missile site will not only be hardened to withstand all but a direct hit but will also occupy a fenced-in three-acre plot of ground not easy to distinguish from the air.

There are three other Minuteman support bases besides Malmstrom. Construction for the wing near Ellsworth AFB, S. Dak., is well along. Ground has been broken for the third and fourth wings at Minot AFB, N. Dak., and Whiteman AFB, Mo., respectively. These four wings will have 600 Minuteman missiles underground by the mid-1960's.

Your Minuteman trip ends in the industrial East. Near Boston, AVCO is manufacturing the reentry vehicles, or nose cones, on an assembly line. In the same area the American Machine & Foundry Co. produces launch-site mechanisms. In New Jersey both Hercules and Curtiss-Wright Corp. are turning out cases for Minuteman engines.

The 54-foot Minuteman has many things in its favor. It represents a breakthrough in economy; it is a missile our country can afford to buy in quantity, giving the U.S.S.R. that many more targets to worry about.

The test program so far indicates good accuracy and reliability. Maintenance cost is low, as the missile will be on site in its hole unattended for long periods of time, yet can still be sent off in a matter of seconds.

Minuteman holds another distinction unique in the history of weapons. Although it can duplicate the speed—more than 16,000 miles per hour—and the intercontinental range of Atlas and Titan, it will cost only about one-third of the estimated $2-million-each price tag of the larger missiles. This is especially encouraging since historically new models of weapons usually cost more than their predecessors.

AFSC's General Schriever sums up the Minuteman weapon system this way: "It provides added depth to our national deterrent posture and imposes complications on our adversaries. Minuteman rates a degree of respect that cannot be matched by other modern weapon systems."

Which is one way of saying that Minuteman is indeed America's ace in the hole.

TRANSIT AIRCARGO

Mr. MAGNUSON. Mr. President, a truly important milestone in the movement of international airfreight is being marked today—the U.S. Bureau of Customs procedure called transit aircargo. This procedure, which is being put into effect today, permits international freight arriving at our airports of entry to be transferred from plane to plane and from airline to airline promptly upon arrival, for immediate takeoff to inland ports of entry. The significance of this procedure is that it enables our airlines to move international freight up to 72 hours faster. And this, of course, means improved service for U.S. business and industry and the promotion of foreign trade.

This new plan is an outstanding example of cooperation between the various U.S. inspection agencies and the airlines—individually and through their service and trade organization, the Air Transport Association of America. This new procedure was developed after painstaking planning and close coordination between Government and industry; for the primary objective had to be speed without forfeiting any of the safeguards provided by the Bureau of Customs and other U.S. inspection agencies.

This kind of airline-Government cooperation has succeeded in reducing border-crossing redtape along the world's airways by about one-third since World War II. The most important single step in facilitating travel to the United States has been the adoption of an airline plan known as "preclearance." This is a procedure whereby visitors clear U.S. Public Health, agriculture quarantine, immigration and customs at their points of departure, rather than upon arrival in the United States. The benefits to the traveler—the visitor from a foreign land—are numerous and important. Chiefly, it eliminates any possibility of delay or other inconvenience upon arrival in the United States.

Preclearance is in effect now in six cities in Canada, Bermuda, and Nassau. The stage is set for adoption of the plan in Mexico City; it awaits only action by the U.S. State Department and approval by Mexico.

The Congress has appropriated money to the U.S. Travel Office in an effort to stimulate tourism to America because of the many benefits it will bring, including the reduction of our balance-of-payments deficit. It is important, therefore, that anything that will help make it easier to travel to the United States should be done in the interest of promoting more tourism to our country. Thus it is hoped that the State Department will see fit to move quickly on this measure, because it will be one of the most significant steps we can take to promote reciprocal travel between this country and our neighbor to the south. Moreover, it will save passengers, the airline companies and both governments substantial time, money and procedural headaches.

I ask unanimous consent to have printed at this point in the RECORD an article in the Traffic World of February 24 on this subject, together with an article entitled "Transport News: Air Customs Rule," published in the New York Times of February 18.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

NEW CUSTOMS PROCEDURES OKAYED TO SPEED MOVEMENT OF INTERNATIONAL AIRCARGO

The Bureau of Customs has adopted new procedures designed to lessen delay and simplify custom control and documentation for international airfreight shipments moving both beyond ports of entry to inland U.S. cities and through the United States in transit to other countries.

Air transport spokesmen said the new procedures provided an alternative method of customs control for international airfreight which might be utilized in place of normal customs clearance procedures or so-called "in bond" procedures. Norman J. Phillon, director of the office of international services of the Air Transport Association of America, said the new procedures would make it possible for international airfreight shipments to reach their destinations up to 72 hours faster.

EFFECTIVE MARCH 15

The new procedures, set forth in a lengthy addition to the Customs Bureau's air commerce regulations, were adopted February 6 for effectiveness March 15. The addition covers almost three pages of the Federal Register of February 13 and is identified as: "Part 6—Air Commerce Regulations—Alternate Procedures; Transportation in Bond of Aircargo."

Commenting in general terms on the new procedures, the Customs Bureau said:

"The increase in the volume of aircargo to be transported by aircraft beyond ports of the first arrival of aircraft or ports at which residue cargo procedures terminate, which cargo is not yet released by customs into the domestic commerce, has caused burdens to both airlines and customs by reason of presently required documentation of individual shipments.

"On September 12, 1961, a notice of proposed rulemaking was published in the Federal Register that alternate procedures for transportation of merchandise in bond were being considered for application to aircargo shipped subject to customs control to a port of destination in the United States, or shipped through the United States for exportation from another U.S. airport, or export directly from the port of arrival. These procedures to simplify controls over such shipments in order to lessen delays and documentation would be available when aircargo arrives in the United States on an aircraft of one airline for further transportation on aircraft of different airlines.

"These procedures also would be available when aircargo is to be transported beyond the port of first arrival on the aircraft bringing the goods to this country in the event such aircraft does not proceed under the residue cargo procedure.

"They would also be available when aircargo is transferred between aircraft of the same airline and the receiving aircraft does not proceed under the residue cargo procedure. These procedures for certain types of transportation of merchandise in bond would be in addition to existing procedures and would be for use by interested parties who elect to comply with the requirements."

Mr. Phillon said the new procedures were suggested by the scheduled airline industry.

"The new procedure," he said, "will permit airlines to move international airfreight through U.S. airports of entry 24 hours a day, 7 days a week. It will enable the airlines to transfer freight from plane to plane and from airline to airline without interruption for immediate transportation to destination as soon as it arrives at a U.S. airport of entry.

"Customs control and supervision of airfreight will be maintained, but historic 'in bond entries and related paperwork, as well as special customs custody practices, heretofore required, will no longer be necessary.'

"BENEFITS FORESEEN

"The new procedure will be of tremendous benefit to shippers and to the general public in terms of service, speed, and reliability, and it will further add to the many advantages of shipping by air. It will stimulate the use of international airfreight generally, and encourage foreign shippers to route shipments via the United States and over the extensive and highly developed U.S. airline network.

"International airfreight can move today from practically any point in the world to another in a matter of hours but ground delays frequently exceed the total air transportation time. A substantial part of the ground delay is due to customs formalities and other related requirements. For example, international airfreight moving into this country has been subject to considerable delay at U.S. airports of entry because of customs procedures basically designed in an earlier age for other slower forms of transportation."

TRANSPORT NEWS: AIR CUSTOMS RULE—CHANGE TO EXPEDITE CARGO—U.S. ABIDES BY AID LAW

A change in customs procedure to speed airfreight moving through U.S. airports of entry to inland cities or on to foreign countries was announced last week by the Air Transport Association.

The new procedure, effective March 15, will do away with much of the paperwork and custody practices now required when shipments are transferred from an international to a domestic airline, it was said.

Import shipments will still be subject to full customs procedures at cities near their destination.

Spokesmen for the ATA said one advantage of the new customs procedure for transit aircargo, in addition to saving time and redtape, would be to erase a competitive edge over U.S. lines held by some foreign airlines flying to inland cities or crossing the country en route to another nation.

Airline spokesmen said that, with the new method of clearing, transit cargo shipments would reach their destinations up to 72 hours quicker. Delays of that length can result from unavailability of customs officers over holiday weekends and missed flights, they said.

Norman J. Phillon, director of ATA's international services office, said the delays were due to "procedures basically designed in an earlier age for other, slower forms of transportation."

The procedure was suggested by the trade association and approved by the Bureau of Customs.

FEDERAL FLOOD INSURANCE ACT OF 1956 SHOULD BE IMPLEMENTED NOW

Mr. YARBOROUGH. Mr. President, in 1956 the Congress of the United States passed the Federal Flood Insurance Act of 1956, a measure cosponsored by former Senator Lehman and then Senator Kennedy.

The Federal Flood Insurance Act of 1956 created a constituent agency within the Housing and Home Finance Agency to be known as the Federal Flood Insurance Administration, to be headed by a Commissioner, appointed by the President, subject to confirmation by the Senate.

Mr. President, there is now no Commissioner of Federal flood insurance.

Since Hurricane Carla raked the coast of Texas last fall, I have been advocating the implementation of the Federal Flood Insurance Act of 1956 and made a statement on the floor of the Senate, September 19, 1961, pleading for implementation of this law and have continued my efforts for it since.

Due to the failure of the Congress to appropriate funds to implement the law, this law has never been carried out.

Private insurance companies in the United States do not generally write casualty insurance to protect against the risk and danger caused to homeowners by rising water, which is ever present to the place of residence of scores of millions of American citizens, not merely along our ocean and gulf shores but in the great river valleys of America—the Mississippi, the Missouri, the Ohio, the Connecticut, and other river valleys.

Yesterday in his press conference, the President of the United States restated his support of the Federal Flood Insurance Act of 1956, and indicated the desirability of the law, and an appropriation to carry it out.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the question asked and answer the President made concerning this act, which was made at the President's press conference, printed in the Washington Post of March 15, 1962:

There being no objection, the question and answer were ordered to be printed in the RECORD, as follows:

FLOOD INSURANCE

Question. Mr. President, I believe as a Senator about 6 years ago you were a cosponsor of legislation passed by Congress entitled, "The Federal Flood Insurance Act of 1956," setting up a program of Federal insurance and coinsurance against the property losses by floods and other damage, water damage. That program never got off the ground because of lack of appropriations.

In view of the devastating northeaster on the east coast last week and the importance of some kind of insurance against the water damage, which is not provided by the insurance companies, in the rebuilding of these areas, would you consider requesting appropriations to get this Federal insurance program underway?

Answer. Yes. Well, I know that—why this has become a matter of—I must say that I think your experience indicates the desirability of legislation. The legislation is still on the books, the authorization, but the Senate passed the appropriation but the House did not. And so I would support it.

In fact, I will take another look at it and see whether we should recommend a supplemental appropriation in regard to the matter. But I do think the bill was useful and I think the experiences in the recent storm generally, on the coast, would indicate the desirability of the bill and the appropriation.

Mr. YARBOROUGH. Mr. President, I commend the President of the United States for his expressed approval of the Federal Flood Insurance Act of 1956, which he so ably coauthored and steered through while a U.S. Senator.

The recent damage on the Atlantic seaboard is added evidence, along with Hurricane Carla of last year, and the Missouri flood and the Connecticut flood of recent years and other similar instances of rising water, for the development of insurance programs to protect the scores and scores of millions of Americans who live in areas where their homes or their business property run the risk of damage by rising water.

I point out that since scores of millions of Americans live in such areas, the risk would be spread over a vast number of people, homes, and property, and the suggested activity would be feasible. If such a program were implemented, it would be sound from a business and economic standpoint.

As was the case with hail insurance nearly 30 years ago, the private insurance industry was too timid to furnish insurance until a Government-sponsored program proved that it was feasible, and now there is plenty of private insurance available for the insuring of crops against damage or loss from hailstorms.

If this Government implements the Federal Flood Insurance Act of 1956, I confidently predict that within 5 years there will be available ample opportunity to the homeowners of America to purchase casualty insurance from private companies on their homes and property at reasonable rates, to insure against the risks of loss and damage by rising waters.

In that connection I point out that recently a British-Swiss company started to sell by mail, from New Orleans, insurance for damage resulting from rising waters. Since it is a mail order business, buyers of the insurance do not have the protection they would have if the companies were licensed at home and had agents in the States where the insurance might be bought. But the fact that a British-Swiss company is willing to start selling such insurance by mail from New Orleans shows that at least one business institution thinks it is now economically sound.

The implementation of the Federal Insurance Act is long overdue. I am hopeful that at this session Congress will appropriate some money to implement it. The act is on the statute books.

The executive department has announced support of the measure. All that is needed is an appropriation from Congress to establish the Office of Federal Flood Insurance Commissioner under the Housing and Home Finance Agency so that studies may be made and reasonable casualty rates calculated in order to furnish the needed protection.

I see the distinguished junior Senator from Alabama in the Chamber. He is the father of more housing legislation than any other man in the history of the Congress. I mention the fact that FHA insurance loans on homes along the gulf and ocean coasts and in the river valleys are not protected for the Government in the event of damage to such homes by rising waters.

The action I have suggested is needed to protect homeowners from damage or loss of property by reason of rising waters, the U.S. Government, and others who might be insured.

I point out that people whose homes are destroyed sometimes have loans remaining that run from $6,000 to $8,000. The home is entirely gone. They have only a lot remaining. But, under the leadership of the distinguished junior Senator from Alabama, an emergency provision was placed in the law that would permit the homeowner or the lot owner in such a case to obtain a new loan and buy a new home. As I understand, the remnant of the old loan would be added to that amount. He must still pay off the old loan.

I ask the distinguished junior Senator from Alabama if what I have said is not correct.

Mr. SPARKMAN. Mr. President, what the distinguished Senator from Texas has said is my understanding. Moreover, I doubt that any legislation was ever drafted with more care and deliberation than the particular legislation to which the Senator has referred. It was worked on during one session of the Congress, brought up at the next session, and worked on again. It was carefully drafted out on a nonpartisan basis. I believe it is good legislation and certainly ought to be implemented. The recent terrible damage, for which many homeowners can get no insurance, certainly ought to be an incentive for implementing such legislation.

Mr. YARBOROUGH. Mr. President, I thank the distinguished junior Senator from Alabama for his contribution to the discussion in pointing out the care with which the Federal Flood Insurance Act of 1956 was written. It was worked on very extensively during the 1955 session of Congress and finally passed in 1956 with a very comprehensive report that showed the variations in the law, which were reconciled so as to make it workable for its course through the two Houses of Congress. I thank the distinguished senior Senator from Alabama [Mr. HILL] for yielding to me at this point. I ask unanimous consent that my remarks may be printed at the completion of his remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

WHAT FARMERS THINK ABOUT FARM PLANS

Mr. HRUSKA. Mr. President, last month I addressed the Senate on the subject "Fairplay for Our Farmers." In those remarks I stated my conviction that the American farmer wishes to be free—free of Government domination and control of his operations, free of harassment from Washington rulemakers, and free of the threat of economic ruin by competition from huge Government-owned surplus stocks—stocks dumped on the market in an unannounced and ungoverned fashion by the Secretary of Agriculture.

In general, my position is that it will be necessary to have a gradual progression of farm operations from the present situation to a free and open market. This can be done by developing a long-range program, withdrawing more and more governmental regulations as the farmers adjust to the changing economy. During that transition period, the farmer should be assisted financially. Even more importantly, he must be supported with sensible programs of research which will find new uses for his products, new markets, and new methods to reduce the cost of doing business.

The approach toward the solution of our difficulty has already been pointed out. The steps include an effective land retirement program which will profit from the mistakes of the past and avoid them in the future; the elimination of the vicious competition between the farmer and the Government with its hoards of Commodity Credit Corporation stocks; an orderly cutoff of wheat allotments and marketing quotas; a relationship between the support price for wheat, corn, and other feed grains; a limitation of agricultural conservation payments; export payments in kind; support for the parity concept; and so on.

Mr. President, this morning I received a letter from Mr. Carroll P. Streeter, editor of the widely circulated and highly respected Farm Journal. In his letter, Mr. Streeter reports on the Farm Journal's poll as to what farmers themselves want in the way of a farm program, regardless of party or farm organization affiliation.

Mr. Streeter was a guest at the weekly Nebraska congressional breakfast a few weeks ago and reported to us on the preliminary results of the poll. Now there is available the result of 10,000 ballots—all the Farm Journal staff has had time to count so far.

Here is how farmers themselves voted on the three choices given them in the poll:

First, compulsory Government quotas on what could be sold, or how much land could be farmed; stiff penalties, support prices at, or above, present levels—all ingredients of the Kennedy-Freeman farm plan.

Only 4 percent of the 10,000 ballots cast favored that choice.

Second, expanded voluntary land retirement program to cut crop production; no compulsory quotas or allotments; with supports on crops at a level to stabilize markets, but not add to surpluses. This is the so-called "middle ground" approach. Forty-four percent of the 10,000 ballots cast declared in favor of that alternative.

The final choice was to have the Government completely out of the picture; there be no controls and no price supports. Fifty-two percent of the 10,000 ballots cast expressed their preference for this choice.

Even the editors of Farm Journal were surprised at the immediate response and the size of the vote. Farmers know what they want, and they are willing to tell anybody who will listen.

Mr. President, the results of the poll correlate quite closely with the mail received in my office from Nebraska farmers. It is to be hoped that Mr. Freeman will study the results of the Farm Journal poll because, as Mr. Streeter says in his letter:

> We've done farm-policy polls before, in 1959 and 1957. The thing that amazes us is how consistently farmers vote on somewhat similar questions each time. The conclusions can only be, after a while, that this is no fluke.

It occurs to me that the Congress would do well to take a cue from the Farm Journal poll. How much more sensible it would be if in this year's farm program, we offered the farmer, not the all-or-nothing choice now proposed, but to give him a third choice, a middle ground, as well.

This suggestion may not arouse the enthusiasm of the man in a chair behind a Department of Agriculture desk, but I am confident it will be welcomed by the man in the seat of a tractor in Nebraska.

Mr. President, I ask unanimous consent to have printed in the RECORD the text of Mr. Streeter's letter to me; the article entitled, "How You Voted"; the Farm Journal editorial entitled "What Farmers Don't Want"; and the statistical analysis of the poll referred to.

There being no objection, the letter, article, editorial, and statistical analysis were ordered to be printed in the RECORD, as follows:

MARCH 14, 1962.

Hon. ROMAN L. HRUSKA,
Senate Office Building,
Washington, D.C.

DEAR SIR: What do farmers themselves want in the way of a farm program—all farmers, regardless of party or farm-organization affiliation?

Farm Journal, the national farm news magazine, asked them in its March issue, and the volume and speed of response were amazing. Four days after the magazine came from the press we had 4,000 ballots back in Philadelphia (and some of this time was taken up by the mail in both directions). Within 6 days we had 11,000. At the end of 2 weeks we were all but buried in more than 50,000 and they're still coming.

Enclosed is the result on 10,000—all we've had time to count so far. We'll go on and count the rest, but we know the figures won't change significantly. We tabulate them by States, by region, by commodity, and by age. All of this will appear as a feature article in our April issue, accompanied by our editorial opinion which you'll find on the back of the folder. All 3 million readers of Farm Journal will get this report next week; we thought you might like an advance look.

As we say in our editorial, polls, especially mail polls, can be faulted in many ways. However, the results of this one were so decisive that, even after they are discounted for this reason or that, they are still mighty eloquent. We've done farm policy polls before, in 1959 and 1957. The thing that amazes us is how consistently farmers vote on somewhat similar questions each time. The conclusion can only be, after awhile, that this is no fluke. Farm Journal itself doesn't agree with the group that says it wants the Government "clear out." This and the No. 2 choice both got a heavy vote. The result that we think is clearest is the emphatic "no" vote on No. 1.

Sincerely,

CARROLL P. STREETER,
Editor, Farm Journal.

HOW YOU VOTED

How does your choice compare with these 10,000 readers who voted on three different farm plans presented here last month?

If those Farm Journal readers who wrote us are typical, the Nation's farmers are overwhelmingly opposed to tighter controls and compulsory quotas on what they raise.

Only 4 percent—4 out of 100—who voted in Farm Journal's March poll favored a compulsory quota program (the main ingredient of the administration's farm plan).

Of our readers responding, 44 percent voted for an expanded voluntary land-retirement program. And 52 percent voted to get the Government clear out.

We were deluged with ballots—50,000 in the first 2 weeks; and still coming in. In order to get the results in time for this issue of Farm Journal, we could count only 10,000 ballots. We took these as they arrived, in proportion to the number of subscribers by States.

Altogether, 27 Farm Journal people spent 750 man-hours opening, sorting and counting these 10,000 ballots. One person, working alone, would need nearly 2 years to handle 50,000 ballots. We will put a crew on it and promptly open and count all ballots and read every letter.

The results from this poll check closely with previous polls by Farm Journal. In 1957 we offered four farm program choices; and in 1959, five. In 1957, 50 percent voted to get the Government out; in 1959, 55 percent voted that way; this year 52 percent.

The 4 percent return for compulsory quotas is the lowest vote for any of the choices over the 3 years.

Among the five Farm Journal editions, eastern readers gave the smallest vote to quotas, and the largest vote to getting the Government clear out. Quotas mustered a bit of support in parts of the western Corn Belt and in Kentucky.

The voluntary land-retirement program did best in the Central States (51 percent) and poorest in the East (32 percent).

Among commodity groups, the land-retirement program pulled the most votes among hog raisers—and got the smallest percentage from poultrymen and fruit and vegetable growers.

Poultrymen, who certainly have been in trouble, and for whom the Government is talking about national marketing orders, gave the highest vote for getting the Government out entirely—70 percent. Tobacco growers are least inclined—33 percent—to have the Government step out completely. They've had the most Government (compulsory quotas) of anybody.

Among States, Iowans gave the smallest vote—25 percent—to getting the Government out. This was also true in 1959 when 24 percent of the Iowans voted that way.

Young farmers are more opposed to compulsory quotas than older operators; otherwise, age didn't make much difference.

Age	Quotas	Land retirement	Government out
	Percent	*Percent*	*Percent*
29 and under	2	47	51
30 to 39	4	46	50
40 to 49	4	46	50
50 to 59	5	42	53
60 plus	4	41	55

Many took time to write letters explaining their choices. A large number who wrote were young farmers and "small" operators who objected to a quota system that would tie them to their present size.

"Quotas wouldn't give a starting farmer a chance; he'd have no prospects of expanding," says Robert Pfeil of South Dakota.

"The big operator would have more of a monopoly than he already has," thinks Noel Sorensen of Idaho.

Many dairymen complained bitterly about quotas. "I'm a young man who has been struggling along. Now that I have a young dairy started with my sons, they want to tell us we can't farm it because we didn't have a milk quota for 1961," says Donald Carey of New York.

Several of those who voted to get the Government out thought that if this were done the CCC shouldn't dump its surpluses on the market. Others admitted that it might be "rough" for a time. "I might be the first to go," wrote L. McGinnis, of Alabama, "but somewhere down the line we'd stabilize. I'm willing to bet a lifetime's work that I can knock heads with the hobby farmers and come out on top. I am eager for a try."

Many of those writing in support of compulsory quotas say that it's the only way to get rid of the surplus, and they agree with L. H. Kuhle, of Illinois, that farm programs won't work without controls. "What other business doesn't regiment its production to stay in line with demand?" asks Jay Triplett, of Texas.

WHAT FARMERS DON'T WANT—HERE'S A MESSAGE FROM THE COUNTRY

Farmers may disagree about what they do want in the way of a farm policy, but they're mighty clear about what they don't want. They don't want compulsory Government quotas. They don't want the Government running the farms of the country. They don't want the Secretary of Agriculture telling them how much, or how little, they can raise and sell without being whacked by a Government penalty. And they've just spoken in a way that should leave nobody in Washington in any doubt about it.

A mail poll, such as Farm Journal has just conducted, can be faulted in many ways. Some will say the choices weren't worded fairly, some that farmers voted without fully realizing the consequences of what they were voting for, some that the undecided were not represented in the voting. All of these things might be fairly argued. But discount the results as you will—they are still so decisive as to be eloquent.

Farm Journal makes no claim that such a poll shows anything with exactitude. We do say that it is a highly significant straw in the wind to show the direction of farm thinking. We believe it most certainly does that. Furthermore it cuts across all party and organizational lines. If we were a Congressman, a Senator, a Secretary of Agriculture or a President, we would pay serious attention to it.

The size and speed of the vote were astounding. In 1957, a similar poll eventually pulled 4,000 votes. In our 1959 poll we got about 11,000 ballots, over a 6-week period. This time the vote fairly blew the door down. Within 4 days after the magazine rolled off the presses, we had 4,000 ballots back. Within 6 days the total had swelled to over 10,000. At the end of 2 weeks we were swamped with approximately 50,000. Evidently many farmers felt strongly and welcomed the chance to tell the world where they stood.

Farm Journal doesn't happen to agree with the 52 percent who want the "Government clear out." We agree with Mr. Freeman that the Government has to help control supply, but disagree vigorously with him over method. We hold that any farmer who takes Government support has an obligation to help. But we believe all this can be done primarily by a voluntary land retirement program, which will cost little (if any) more than Government compulsion and which will leave farmers—not the Government—in control of farming.

We'll send the results of the poll to all of the people in Washington mentioned above. We wouldn't think they would have any difficulty in getting the message.

State	Compulsory quotas	Land retirement	Government clear out
	Percent	*Percent*	*Percent*
Eastern	2	32	66
Connecticut	0	16	84
Delaware	0	45	55
Maine	0	37	63
Maryland	2	35	63
Massachusetts	2	27	71
New Hampshire	0	41	59
New Jersey	6	29	65
New York	3	38	59
Pennsylvania	1	30	69
Rhode Island	11	11	78
Vermont	2	38	60
West Virginia	1	25	74
Central	4	51	45
Illinois	4	50	46
Indiana	1	48	51
Iowa	7	68	25
Kansas	2	47	51
Michigan	2	46	52
Minnesota	7	53	40
Missouri	3	54	43
Nebraska	6	57	37
North Dakota	9	55	36
Ohio	2	37	61
South Dakota	7	48	45
Wisconsin	6	48	46
Southeastern	6	48	46
Alabama	2	47	51
Florida	6	40	54
Georgia	6	50	44
Kentucky	11	59	30
Mississippi	0	52	48
North Carolina	8	46	46
South Carolina	6	47	47
Tennessee	6	51	43
Virginia	4	39	57
Southwestern	3	36	61
Arkansas	2	39	59
Louisiana	2	42	56
New Mexico	0	42	58
Oklahoma	1	40	59
Texas	5	31	64
Western	3	33	64
Arizona	3	8	89
California	3	26	71
Colorado	6	35	59
Idaho	2	43	55
Montana	4	35	61
Nevada	0	10	90
Oregon	2	41	57
Utah	2	49	49
Washington	2	34	64
Wyoming	3	28	69
U.S. total	4	44	52

What different commodity groups want

EASTERN

Kind of farmers [1]	Compulsory quotas		Land retirement		Government clear out	
	United States	Eastern	United States	Eastern	United States	Eastern
	Percent	*Percent*	*Percent*	*Percent*	*Percent*	*Percent*
Beef	4	0	42	25	54	73
Dairy	4	3	44	46	52	61
Feed grains	4	1	48	41	48	68
Fruit and vegetables	3	4	31	41	66	65
General	2	0	35	34	63	66
Hogs	4	0	52	25	44	75
Poultry	3	2	27	20	70	78
Sheep	3	0	36	41	61	59
Wheat	4	0	44	39	52	61

CENTRAL

Kind of farmers [1]	Compulsory quotas		Land retirement		Government clear out	
	United States	Central	United States	Central	United States	Central
	Percent	*Percent*	*Percent*	*Percent*	*Percent*	*Percent*
Beef	4	4	42	51	54	45
Dairy	4	4	44	48	52	48
Feed grains	4	5	48	52	48	43
Fruit and vegetables	3	4	31	43	66	53
General	2	3	35	48	63	49
Hogs	4	4	52	53	44	43
Poultry	3	3	27	46	70	51
Sheep	3	4	36	40	61	56
Wheat	4	4	44	48	52	48

SOUTHEASTERN

Kind of farmers [1]	Compulsory quotas		Land retirement		Government clear out	
	United States	Southeastern	United States	Southeastern	United States	Southeastern
	Percent	*Percent*	*Percent*	*Percent*	*Percent*	*Percent*
Beef	4	4	42	43	54	53
Cotton	5	6	51	57	44	47
Dairy	4	7	44	53	52	40
Feed grains	4	3	48	47	48	50
Fruit and vegetables	3	0	31	24	66	76
General	2	5	35	37	63	58

SOUTHEASTERN—Continued

Kind of farmers [1]	Compulsory quotas		Land retirement		Government clear out	
	United States	Southeastern	United States	Southeastern	United States	Southeastern
	Percent	*Percent*	*Percent*	*Percent*	*Percent*	*Percent*
Hogs	4	0	52	57	44	37
Peanuts	8	5	51	65	41	30
Poultry	3	0	27	31	70	69
Tobacco	13	15	54	56	33	29

SOUTHWESTERN

Kind of farmers [1]	Compulsory quotas		Land retirement		Government clear out	
	United States	Southwestern	United States	Southwestern	United States	Southwestern
	Percent	*Percent*	*Percent*	*Percent*	*Percent*	*Percent*
Beef	4	3	42	45	54	52
Cotton	5	4	51	49	44	47
Dairy	4	3	44	48	52	49
Feed grains	4	3	48	31	48	66
General	2	1	35	25	63	74
Hogs	4	2	52	31	44	67
Rice	7	7	43	32	60	61
Sheep	3	0	36	42	61	58
Wheat	4	0	44	40	52	60

WESTERN

Kind of farmers [1]	Compulsory quotas		Land retirement		Government clear out	
	United States	Western	United States	Western	United States	Western
	Percent	*Percent*	*Percent*	*Percent*	*Percent*	*Percent*
Beef	4	3	42	32	54	65
Cotton	5	6	51	39	44	55
Dairy	4	3	44	37	52	60
Feed grains	4	1	48	35	48	64
Fruit and vegetables	3	3	31	27	66	70
General	2	1	35	29	63	70
Hogs	4	0	52	27	44	73
Poultry	3	0	27	5	70	95
Sheep	3	0	36	25	61	75
Wheat	4	4	44	42	52	54

[1] Main crop or livestock.

THE HUNGARIAN REVOLUTION

Mr. DIRKSEN. Mr. President, March 15 represents the 114th anniversary of the Hungarian revolution—March 15, 1848—which will be celebrated by the Hungarians all over the world as a national holiday in commemoration of the freedom fighters of the Hungarian people against the oppressing Hapsburg dynasty. Today the people of Hungary are under the yoke of the Soviet Russian communistic power. However, it is difficult to refer to Hungarian freedom day without speaking of the courageous Hungarian freedom fighters who in 1956 desperately and hopefully attempted to free themselves and their children from the chains of Communist domination as they smashed through the Iron Curtain by sheer courage. The Communist-dominated Hungarian Army, some of whom defected against the cause of freedom and liberty, was brushed aside by these courageous freedom lovers. However, the Soviet Russia Communists, in order to show the world its brutal strength, sent masses of savage troops across the frontier led by tanks which systematically wiped out masses of men, boys, and even women who were armed only with rifles in an attempt to stem the tide. The world was shocked when 50,000 Hungarians were killed. Gaining the upper hand, the Communists unleashed vengeance and terror beyond the imagination of freedom-loving people throughout the world to comprehend such torturing of children, women, and men of Hungary.

Mr. President, the people behind the Iron Curtain still have hopes for freedom as do the other brave people both to the north and to the south, who are also behind the Iron Curtain. Since 1956 the United Nations General Assembly has adopted 12 resolutions condemning the Soviet Union in their brutalities of crushing the Hungarian revolution of 1956 and demanding that Soviet troops be withdrawn and that basic human rights and the right of self-determination be restored to the Hungarian people so that they could decide the form of government they want by free elections under international control.

Mr. President, by raising our voices in the Halls of Congress demanding that the Soviet Union give these people behind the Iron Curtain the right of self-determination and by urging the withdrawal of Russian troops, we are advising the peoples of the world that the failure of the Soviet Communists to do so proves they speak falsely when they speak as true spokesmen of self-determination and independence, and it will show to the new nations of Africa and Asia and to other nations throughout the world that they cannot depend upon the word of the Soviet Union with its many false promises of comfort and good life under the Communist ideologies.

Mr. President, it is my fervent hope and prayer that the day will come when all people will be free of governmental tyranny of all kinds and that they shall live as free men under God.

AVAILABILITY OF MEDICAL CARE TO QUALIFIED AGED CITIZENS OF ILLINOIS UNDER THE KERR-MILLS ACT OF 1960

Mr. DIRKSEN. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a primer on medical care and the availability of such care to qualified aged citizens of Illinois and other citizens under the Kerr-Mills Act passed by Congress in 1960.

There being no objection, the primer was ordered to be printed in the RECORD, as follows:

A PRIMER ON MEDICAL CARE AND THE AVAILABILITY OF SUCH CARE TO QUALIFIED AGED CITIZENS OF ILLINOIS UNDER THE KERR-MILLS ACT PASSED BY CONGRESS IN 1960

I. INTRODUCTION

There appears to be some impression that no medical care program for the aged exists.

That this impression is held by many persons may be derived from mail and inquiries to Members of Congress.

The fact that this impression exists has developed some confusion with respect to new plans now being offered.

Emphatically there is a medicare program for older people.

It has been on the Federal statute books since September 1960.

It requires action by the States to take advantage of the program.

Twenty-eight States have enacted legislation to do so, namely: Alabama, Arkansas, California, Connecticut, Georgia, Hawaii, Idaho, Illinois, Iowa, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Mexico, New York, North Dakota, Oklahoma, Oregon, Pennsylvania, South Carolina, Tennessee, Utah, Vermont, Washington, and West Virginia.

Legislatures of other States will doubtless act shortly.

This primer is designed to make available the background, the action, and the details of this program of health care for the aged.

II. BACKGROUND

Years of discussion within the Congress have been devoted to exploring methods for providing assistance to older people in need of medical care.

Many bills on this subject have been introduced in many Congresses.

There has been wide disagreement on what should be done.

There have been some areas of agreement on facts.

We know from census rolls the number of people age 65 and over.

We do not know with precision the number of people 65 and over who need medical care.

It is estimated that over one-half of all aged people now have some kind of health coverage.

The number of people over 65 covered by health insurance is increasing, apparently at a rapid rate.

Strangely enough, despite this progress, agitation in Congress continues for a new health program.

III. CONGRESSIONAL ACTION IN THIS FIELD

The Forand and Kennedy bills

In 1959 the Forand and Kennedy bills were introduced in the 86th Congress. They were named for Congressman Forand of Rhode Island and Senator Kennedy of Massachusetts.

Financing provisions of these bills called for a new social security tax on employer and employee of one-fourth percent each.

Benefits would have been available to all Social Security and Railroad Retirement Acts retirees over 65.

All others over 65 would be excluded.

Wealthy and poor alike could secure benefits if covered by social security. There would be no needs test.

Flat benefits would have consisted of 60 days hospitalization, 120 days of nursing home service (less hospital days) after transfer from a hospital, and nonelective surgery.

Those who pay the tax—workers—would be paying for an undetermined number of people who would not need these benefits.

Excluded from benefits would have been 4 million or more persons who have never been under social security.

The cost of these bills was estimated to be from $1½ to $2½ billion a year at the beginning of the program.

Additional Federal personnel needed to administer the program was estimated at 32,000. This figure might be doubled.

The Kerr-Mills bill

This bill was named after Senator KERR of Oklahoma and Congressman MILLS of Arkansas.

It was first developed in the Ways and Means Committee of the House of Representatives and then modified.

Its basic qualification provided that adequate medical services be made available to those persons, not on public assistance rolls, who need help in obtaining care.

No one would be excluded who met this qualification.

Administration of the program would be by the States.

The cost, including administrative expenses, would be shared by the State and Federal Governments.

The Anderson amendment

This amendment to the Kerr-Mills bill was offered in the Senate by Senator ANDERSON, of New Mexico, for whom it was named

It would have provided benefits similar to the Forand and Kennedy bills for retirees under social security.

Only such retirees, aged 68 and over, however, would have been eligible.

Senate action: The Anderson amendment was defeated August 23, 1960.

Final action on the Kerr-Mills bill

The Kerr-Mills bill, as modified in the Senate, passed the Senate August 23, 1960, by a vote of 91 to 2.

The bill went to conference committee to iron out differences between the House and Senate versions.

The conference report was adopted in the Senate August 29, 1960, by a vote of 74 to 11.

The Kerr-Mills Act was signed by President Eisenhower, September 13, 1960.

IV. THE PLAN

Each State is permitted to use the Federal funds available to it to provide any kind of medical care for persons over 65 who are unable to provide it for themselves, including those who are able to otherwise provide their own necessities.

No limit is placed on the benefits, but these benefits must include both institutional and noninstitutional care and may include:

(1) inpatient hospital services;
(2) skilled nursing-home services;
(3) physicians' services;
(4) outpatient hospital or clinic services;
(5) home health care services;
(6) private duty nursing services;
(7) physical therapy and related services;
(8) dental services;
(9) laboratory and X-ray services;
(10) prescribed drugs, eyeglasses, dentures, and prosthetic devices;
(11) diagnostic, screening, and preventive services; and
(12) any other medical care or remedial care recognized under State law.

The Federal cost of this plan has been estimated at approximately $165 million per year, when fully in operation.

The State costs of this plan have been estimated at approximately $154 million per year.

V. PLAN IN OPERATION IN ILLINOIS

The plan was adopted by the State of Illinois August 1, 1961.

Appropriations of $18.3 million were made available to carry out the medical assistance for the aged program in Illinois through June 30, 1963.

One-half of this amount is provided from Federal funds under the Kerr-Mills Act.

The main feature of the plan, as adopted by the legislature, was authorization of a program embracing the complete range of federally recognized medical services.

It gave the Illinois Public Aid Commission responsibility, however, for determining which of these would be provided.

Current benefits now include necessary hospital inpatient care and physicians' services for 30 days after release from a hospital when not available from other sources.

Payment from public funds is limited to costs which (1) exceed 10 percent of a qualified applicant's income; and (2) are not payable by a health insurance policy.

Income requirements under the plan provide that an individual with income under $1,800 and a couple with income under $2,400 shall be eligible if other assets do not exceed stipulated amounts.

Assets which are excluded in determining eligibility are: (1) the homestead; (2) clothing, household effects and automobiles; (3) $1,000 life insurance; (4) personal property valued at under $1,000 and used in earning income; and (5) other liquid or marketable assets up to $1,800 for an individual and $2,400 for a couple.

Applications under the plan totaled 1,775 during the first 5 months of its operation, August 1 through December 1961.

Of these 694 were approved, 456 were pending, and 625 were denied as of February 1962.

Billings had been received and payments made, as of February 1, 1962, on 33 of these cases for a total of $19,718 or an average of $495 per case.

VI. SUMMARY

1. There is a Federal medical care plan for the aged which was signed into law by President Eisenhower September 13, 1960.

2. Along with other States there is a medical care plan in Illinois which is functioning and available to older persons of that State.

3. Any senior citizens of Illinois in need of such care can apply without delay through the Illinois Public Aid Commission.

4. The Illinois Public Aid Commission has offices in virtually every county of the State.

MEDICAL CARE NOW AVAILABLE FOR NEEDY AGED OVER 65

Mr. DIRKSEN. Mr. President, a department of the executive branch of Government has sent a folder to each Senator and Representative setting forth that items for congressional newsletters, briefings for constituents, interviews, speakers, radio and TV aid are now available to sell administration programs.

In this welter of propaganda, how strange that so little is done to tell our aged citizens over 65 that, since September 1960, a medical care program for the aged has been on the statute books.

Can it be that this is deliberately done to set the stage for the administration drive to replace this program with its own?

The fact is that the Eisenhower medical care program for the aged has been approved by 28 States and that other legislatures will act on it shortly.

The Kerr-Mills Act, as it is called, passed both branches of Congress by a whopping vote. It affords medicare for any of our needy aged over 65. The range of services is much wider than that provided by the new administration proposal and leaves it to the States to administer and determine what services may be included.

As an example, in the first 5 months of operations in Illinois, 1,775 applications were received, 694 were approved

and the first billings for services showed that they averaged $495 per case.

So there is a medical care program for the aged. And it is working. Why then is the administration so niggardly in telling our aged people about it? If facilities and officials are available to brief visitors to Washington on the U.N. $100 million bond plan or help Congressmen and Senators tell the story of $3 billion for Alianza para el Progresso or the new trade plan, surely some talent is available to better inform our own aged about the medical care program which Congress approved 18 months ago.

THE PROPOSED UNITED NATIONS BOND ISSUE

Mr. SPARKMAN. Mr. President, there is a danger that the debate on the United Nations bond bill will become sidetracked off toward a discussion of certain narrow financial matters and I hope that I do not contribute to that result by what I am about to do.

The senior Senator from Vermont has been using a table purporting to show the net cost to the United States of buying one-half of the $200 million worth of U.N. bonds. That table is included in the committee report on S. 2768. The validity of the table depends upon accepting certain assumptions which I am not willing to accept and I am afraid that the table may lead to misunderstanding if it is allowed to stand alone.

There are various ways to compute the cost of various methods of meeting the U.N. financial crisis. The answers that one gets vary greatly depending on the assumptions which one makes about such things as interest rates, the percentage share of the United States in making payments, and so forth.

For the benefit of my colleagues—and I hope not the further confusion of my colleagues—I ask unanimous consent to insert in the RECORD at this point a series of tables comparing the net cost to the United States of participating in several possible methods of meeting the financial problems facing the United Nations.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

Net cost to the United States of helping solve the U.N. financial crisis—comparison of various methods

[In millions]

A. Cash contributions of $200 million on same scale of assessments as in the past:	
Expenditures:	
U.S. assess contribution at 32.02 percent on $200 million	$64.0
Voluntary contribution needed based on past experience	31.0
Total	95.0
B. 25-year, 2-percent U.N. bonds in amount of $200 million, United States buying half:	
Expenditures:	
U.S. purchase	100.0
Repayments to U.N.:	
Of $200 million principal at 32.02 assessment	64.0
Of $55 million[1] interest at 32.02 assessment	17.6
Total U.S. expenditure	181.6

[1] Calculated on the basis of an average beginning time for interest.

Net cost to the United States of helping solve the U.N. financial crisis—comparison of various methods—Continued

[In millions]

B. 25-year, 2-percent U.N. bonds, etc.—Con.	
Receipts:	
Repayment of principal	$100.0
Payment of interest at 2 percent	27.5
Total U.S. receipts	127.5
Net U.S. cost	54.1
C. 3-year, 2.9-percent U.S. loan of $100 million and $100 million U.N. bonds purchased by others:[2]	
Expenditures:	
U.S. loan to U.N.	100.0
Repayments to U.N.:	
On $100 million loan at 47½ percent[2]	47.5
On interest on loan of $8.7 million at 47½ percent	4.1
On $100 million bonds purchased by other nations at 32.02 percent	32.0
On $27.5 million interest on bonds purchased by other nations at 32.02 percent	8.8
Total U.S. expenditure	192.4
Receipts:	
Repayment of principal on U.S. 3-year loan	100.0
Repayment on interest on U.S. loan	8.7
Total U.S. receipts	108.7
Net U.S. cost	83.7
D. $200 million 3-year, 2.9-percent loan, with United States lending half:	
Expenditures:	
U.S. loan to U.N.:	
U.S. loan principal	100.0
Repayments to U.N.:	
On $100 million loan at 47½ percent[2]	47.5
On interest for loan of $8.7 million at 47½ percent	4.1
Total repayment of U.S. loan	51.6
Other nations loan to U.N.:	
Repayments to U.N.:	
On $100 million loan at 47½ percent	47.5
On interest for loan of $8.7 million at 47½ percent	4.1
Total repayment of other nations' loans	51.6
Total U.S. expenditures	203.2
Receipts:	
Repayment of principal on U.S. 3-year loan	100.0
Repayment of interest on U.S. 3-year loan	8.7
Total U.S. receipts	108.7
Net U.S. cost	94.5

[2] This table assumes that the U.S. loan will not be repaid in installments but in its entirety at the end of the 3-year period and that repayment will be by special assessment with the United States being obligated to pay the same percentage as we are now paying for the Congo operation through assessment plus voluntary contributions.

[3] It is assumed that the loan would be repaid in its entirety at the end of the 3-year period together with 2.9-percent interest and that the United States would have to pay 47½ percent.

KENNEDY ADMINISTRATION DEALS DEATH BLOW TO LEAD-ZINC INDUSTRY

Mr. BENNETT. Mr. President, yesterday a leading spokesman for the Kennedy administration said, in connection with direly needed legislation to raise lead and zinc tariffs:

> We have not considered nor have we taken action in regard to duties.

His declaration was so strong that the Wall Street Journal this morning in its headline said:

> Udall Kills Hopes of Rise in Lead and Zinc Tariffs.

Thus, the Kennedy administration, through Secretary of the Interior Stewart L. Udall, has dramatically demonstrated its total disregard and complete indifference to the welfare of the domestic lead-zinc industry. This indifference is so pronounced that the administration has "not seriously considered" an important bill, S. 2747, which is sponsored by Senator CLINTON ANDERSON, chairman of the Senate Interior and Insular Affairs Committee, together with 13 Democratic Senators and 7 Republican Senators. Apparently the administration does not think that a bill sponsored by 21 Senators and many Representatives is worthy of its consideration.

This cavalier statement by Secretary Udall will not be well received by the thousands of lead-zinc miners out of work in Utah and in the rest of the United States, nor will it be well received by mine operators who have had to go out of business or will soon have to do so if prompt remedial action is not taken by the Federal Government.

I was not always in agreement with the actions taken by the Eisenhower administration on lead and zinc problems, but the Udall statement and the attitude of the Kennedy administration make the Eisenhower administration look like the most helpful, the most sympathetic, and the most cooperative in history.

NO HELP OFFERED BY KENNEDY ADMINISTRATION

After dealing the death blow to the hopes of western miners, one might have expected Secretary Udall to offer at least a sop to them. But, instead, he indicated that the administration has virtually nothing whatever in mind to assist the domestic lead-zinc industry.

Both the Emergency Lead-Zinc Committee and I strongly support S. 2747, believing that a relatively low flexible tariff would make it possible for our mines to stay in operation. Our miners feel that they should in fairness have about 50 percent of the domestic market, and believe that S. 2747 would accomplish this objective. But the Kennedy administration apparently prefers to shut down and bankrupt our western mining industry, as clearly shown both by the complete absence of a program and by its outright rejection of S. 2747.

ADMINISTRATION LEAD BARTER PROGRAM

The Kennedy administration has come up with only two programs which would supposedly assist the lead-zinc industry. The first is the so-called small producers

subsidy bill. All this bill will do, even if Congress provides the appropriations, is stimulate production by small operators in the Midwest and bankrupt many mines in the Rocky Mountain States.

The second program involves bartering with other countries. However, instead of bartering away the lead and zinc in our Government stockpiles, the Kennedy administration took the remarkable step of exchanging our wheat for Canadian and Australian lead to the tune of 100,000 tons. The wheat probably went to Communist China. I vigorously protested this unwise, unwarranted, and wasteful action last October. But the administration went right ahead. Thus, we now have another 100,000 tons of unneeded lead in our Federal stockpile.

Some months after my protest about the administration barter agreement, President Kennedy hinted darkly in a press conference that there was a record of past corruption in connection with the defense stockpiling program. His lieutenants said that the Government has four times more lead than it needs and would face a $70 million loss on disposal at present prices. Yet it was this same administration which added still another unneeded 100,000 tons of lead to the already bulging stockpile. Just where is the alleged corruption?

RESEARCH

On February 9, 1961, I introduced a bill, S. 828, which was designed to encourage and stimulate the production and conservation of lead and zinc in the United States through research and development by authorizing the Secretary of Interior to contract for lead and zinc research. This bill was prepared by Interior Department officials under the Eisenhower administration at my request. It was patterned after the so-called utilization coal research program. And how did the Kennedy administration respond to this approach? It rejected it, saying that the Department of Interior already had authority to accomplish some of the purposes of my bill, although not all. I then wrote the Secretary asking him to use this authority, but when the research program for the current fiscal year was announced, lead and zinc research was put on a starvation diet by the Department.

The people of the West have had just about enough of the highhanded and indifferent attitude of the Kennedy administration toward the mining industry. If this continues to be the approach of the Kennedy administration toward industries damaged by a flood of foreign imports, then I predict rough sledding for the President's trade program.

I ask unanimous consent that the Wall Street Journal article to which I referred be included in the RECORD, together with a copy of a letter which I directed to the President on June 21, 1961, and copies of a statement that I presented to the U.S. Tariff Commission on January 16, 1962, and a statement which I gave before the Senate Interior Committee on July 25, 1961. These statements show the grave situation that prevails in the lead-zinc mining industry.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

UDALL KILLS HOPES OF RISE IN LEAD AND ZINC TARIFFS—HE INDICATES PRESIDENT STILL OPPOSES INCREASES, SEES TRADE ACT AIDING INDUSTRY—TALK GETS COOL RECEPTION

WASHINGTON.—Interior Secretary Udall dashed any hopes of the congressional mining bloc that President Kennedy might attempt to win their support for his trade program by raising lead and zinc tariffs.

Responding to questions from mining bloc members of the House Ways and Means Committee, Mr. Udall asserted: "We have not seriously considered nor have we taken action in regard to duties." In other words, the Kennedy administration is continuing its opposition to higher tariffs as a means of helping ailing concerns in the lead-zinc industry.

Instead, Mr. Udall's prepared testimony attempted to woo the mining State lawmakers for the Kennedy tariff-cutting trade program by arguing that it would aid the domestic mining industry. His reasoning: The new tariff reducing powers would open up the European Common Market to greater U.S. industrial exports so that U.S. manufacturers would need greater quantities of minerals to produce these exports.

As might be expected, there was no immediate acceptance of Mr. Udall's thesis. "I don't see where this bill offers any help" for the mining industry, asserted Representative ULLMAN, Democrat, of Oregon, usually a stanch administration supporter but also a champion of the western mining industries.

MAJOR STUMBLING BLOCK

The congressional mining bloc presents a major problem for the administration in trying to shepherd its trade bill through Congress. Some normally proadministration western Democrats declare privately they won't support the trade bill unless Mr. Kennedy either raises lead and zinc tariffs by Executive action or drops his opposition to a bill by Congress to accomplish the same thing. Administration spokesmen in the past have made it clear that Mr. Kennedy would veto such a bill, and Mr. Udall said nothing yesterday to change this impression.

When the Reciprocal Trade Agreements Act was last renewed by Congress in 1958, former President Eisenhower won substantial support from western mining State lawmakers by proposing a far-reaching minerals subsidy program. The program passed the Senate but later was killed in the House. It had been expected that the Kennedy administration, which wants broad tariffcutting authority under a new version of the Trade Act that expires June 30, would also attempt to salve mining legislators—perhaps by raising lead and zinc tariffs.

The question of a tariff rise was put to Mr. Udall yesterday by Representative BAKER, Republican of Tennessee, regarded by the administration as a possible supporter of its trade program but whose mountainous eastern Tennessee district includes ailing lead-zinc producers. "Can you offer me any hope (for) effective action to restore that vital (lead-zinc) industry so that it can exist and put a lot of people back to work?" Mr. BAKER asked.

The best Mr. Udall could offer was a vague promise that the administration might do something about the present system of quotas on lead and zinc imports. This system was instituted by Mr. Eisenhower, but Mr. Udall conceded under questioning that it "hasn't been too successful."

Asked after the hearing to elaborate on his comments on quotas, Mr. Udall asserted the administration is not considering a reduction in the lead and zinc quotas. At some later date, he added, the administration might take another look at the flow of lead and zinc imports. This leaves the door open for one administration concession to the mining bloc, though it does not appear to be immediately in the offing or even probable in the future.

As for raising lead and zinc tariffs, Mr. Udall repeated the administration argument that this would hurt relations with such lead and zinc exporting nations as Canada, Mexico, Peru, and Australia—"our closest neighbors and closest friends."

In his prepared statement, the Interior Secretary had contended that "lower foreign tariffs on imports of American automobiles, machinery, and manufactures can only mean larger markets for crude materials. Furthermore, a reduction of tariff barriers to U.S. manufacturers may, in total, have a greater favorable impact on our crude mineral industry than direct U.S. tariff areas."

MINOR INFLUENCE FORECAST

Whatever tariff reductions on minerals that might result from the Kennedy trade program would have only a minor influence on the domestic mining industry's competitive situation, Mr. Udall contended. Moreover, he said the major part of U.S. mineral imports consists of commodities not available in the United States in commercial quantities—such as nickel, chrome, tin, quartz, manganese, asbestos, and mica.

Prior to Mr. Udall's appearance before the committee, Deputy Defense Secretary Gilpatric testified that passage of the Kennedy trade bill is regarded at the Pentagon "as a forward step designed to provide the cement of the free world alliance in which defense has already erected the framework of steel."

STATEMENT BY SENATOR WALLACE F. BENNETT GIVEN TO THE U.S. TARIFF COMMISSION

Mr. Chairman, I greatly appreciate the opportunity of appearing before the Tariff Commission this morning to discuss the ever more grave economic plight of the distressed lead-zinc mining industry of the United States. As a member of the Senate Finance Committee, I gave my full support to Senate Resolution 206, under the authority of which these hearings are being conducted today in order to update the economic data prepared by the Tariff Commission following the last lead-zinc proceedings. It is my hope that this hearing will dramatize the alarming situation which confronts our domestic lead-zinc mines, smelters, and mills, to the extent that it might push the administration to take long overdue steps to assist the industry. Thus far, nothing of consequence has been done.

As this Commission well knows, judging from its repeated findings of injury to the lead-zinc industry, lead and zinc miners throughout the entire United States are in serious trouble. In 1948, there were 1,346 mines. This number had dwindled to 625 by 1956, and in 1960 only 292 mines were open. In Utah, there were 81 mines in 1948, 41 in 1956, but there were only 15 mines open in 1960. However, only eight firms filed returns with the Utah State Tax Commission in 1960. Just since 1955, employment in Utah lead-zinc mines and mills has dropped from 1,677 to 900, while employment in smelters has dropped from 733 to 400.

These depressing statistics do not tell the full story, although what they show is bad enough. In 1955, the total net proceeds of lead-zinc operations in Utah was $2,997,000, but by 1960 this had dropped to $383,000. In determining net proceeds under Utah law, a mining company may not deduct certain expenses such as Federal income and social security taxes, salaries of corporate officers, interest, mining royalties, depletion, cost of insurance other than workmen's compensation, and several other important expenses.

Consequently, since 1958 virtually every lead-zinc mining operation in Utah has been operating at a loss.

The situation presently confronting the United Park City Mines Co. is typical of that facing other Utah operations. It has just completed its sixth consecutive year of deficit operations. The company does this in order to preserve its vast mineworkings and maintain a nucleus of its complex organization. Consequently, the number of employees dropped from 236 in 1955 to 154 in 1961. Moreover, United Park intended to close operations entirely, except for block leasing, on January 1, 1962. However, at the request of the local union and the company supervisors, it was agreed that the company would try to continue operations with 20 less employees. The company is now operating on a month-to-month basis, with the understanding that a full layoff will not take place as long as it can break even. This is regrettably typical of the other seven Utah lead-zinc mines.

This fall I visited Park City, which was once one of the great mining centers of America. In great part because the Federal Government has persisted in a policy of favoring and fostering foreign producers, this great area is but a skeleton of what it once was. If these misguided policies are continued, it will be a ghost town.

Before 1950 the Salt Lake-Tooele County area was the greatest nonferrous smelting center in the United States. Since that time, the American Smelting & Refining Co. smelters at Murray and the U.S. Smelting, Refining & Mining Co.'s smelter at Midvale have closed down. Only one smelter remains today—the International Smelting & Refining Co.'s plant at Tooele. The only remaining lead-zinc mill in the State is the U.S. Smelting's plant at Midvale. Unless the present administration bestirs itself to take more helpful action toward assisting the domestic lead-zinc industry than the ill-conceived and wholly inadequate small producers' subsidy bill, the proceedings today will be little more than a funeral. The subsidy bill will probaby do more harm to Utah miners than good, even assuming that Congress appropriates funds to implement it.

The present import quotas on lead and zinc are far too high. This is best demonstrated by the continuing depressing effects which imports have had on the domestic price. In 1961, lead sold at 3½ cents per pound less than during the base period of 1953–57 used in the quota determination. Meanwhile, consumption has decreased, while lead stocks have remained 50,000 to 100,000 tons higher than normal. At the same time, the price of zinc has fluctuated slightly above and below the low level of the base period. Only recently has it moved but one-quarter of a cent above the base. Similarly, zinc consumption has dropped since the base period.

All in all, it is a most forbidding picture. It is encouraging that the Tariff Commission has repeatedly recognized its seriousness, and if the Commission's recommendations to grant relief had been followed, I am confident that the problem would not now be so serious. I know that your findings of fact in the present hearings will fortify and show the wisdom of your previous recommendations. It is my sincere hope that these findings will have some persuasive effect and elicit a degree of sympathy from the present administration.

I ask that a table which I have had prepared, showing certain lead-zinc statistics for Utah from 1955 to 1961, together with a letter sent to me by S. K. Droubay, vice president and general manager of the United Park City Mines, be included in the Commission record for its study following my remarks.

STATEMENT BY SENATOR WALLACE F. BENNETT GIVEN BEFORE THE SENATE INTERIOR COMMITTEE

Mr. Chairman, and members of the committee, I greatly appreciate the opportunity of appearing before you this morning in support of S. 1747 of which I have had the honor to be a cosponsor with the chairmen of both the full committee and the subcommittee. This bill holds out the only hope for the economically depressed lead-zinc industry in our Western States, and specifically in Utah. Our lead-zinc miners and mine operators in the West are being drowned in a flood of lead-zinc imports from foreign countries. They have had little sympathy from any administration during the past three decades. The recent July 21 report of the Department of Interior flatly rejecting S. 1747, conclusively shows that the Kennedy administration is no exception and that it has all but written off the lead-zinc mining industry in the Western States. Unless Congress acts and acts soon, this hearing will be, at best, a wake for the industry and we can proceed from here to dedicate the grave.

WESTERN MINERS HAVE SUFFERED THE GREATEST LOSS

Our western miners and mine operators have had to bear almost the total loss of markets caused by the great increase in imports from abroad. This discrimination must cease. Comparing the average domestic production of lead-zinc of the 1947–49 period with the domestic production of 1960, the loss of production in areas other than the Western States was just 51,080 tons, or 15 percent of the total loss. But the loss of production of the Western States was a shocking 85 percent, or 287,666 tons. This means a direct loss to western miners of $46 million in 1960 alone.

UTAH'S DEPRESSED LEAD-ZINC INDUSTRY

Where domestic lead-zinc mines and mills had 24,777 employees in 1952, there were only 9,769 in 1959 and fewer now, a decrease of 61 percent. In Utah, the number of employees in our lead-zinc mines has dropped from 3,118 in 1948 to less than 1,000 today. Where Utah had over 100 mines operating in 1948, there are only 6 today, and 3 of them are small mines combined under one management. Our Utah lead-zinc industry is an island of depression in a sea of national prosperity.

TARIFF COMMISSION UNANIMOUSLY FINDS INJURY

The Tariff Commission unanimously found in May 1954, in April 1958, and again in March 1960, that the lead-zinc industry is suffering serious injury because of excessive imports. I think all of our people recognize that we must import lead and zinc to meet our needs but not in the vast quantities now permitted to reach our shores, since it is having the effect of depressing the price of lead-zinc in domestic markets. It is particularly unfair that western miners should bear almost the full burden of this impact. It is imperative for us to preserve a stable domestic lead-zinc industry in the interest of our national security.

We must have a reliable source of supply and it seems only fair and reasonable to permit our domestic industry to have 50 percent of the American market. Yet, at the present time, imports of lead exceed domestic production by 110,000 tons. Imports of zinc in 1960 exceeded domestic mine production by 70,000 tons. This flood of imports has caused a sharp drop in prices which makes it impossible for our Utah miners and mining operations to make a profit.

KENNEDY ADMINISTRATION'S PROGRAM—A RETURN TO FAILURE

Against this serious backdrop of depression in the lead-zinc industry, I think the Utah miners and mine operators may be forgiven for believing that what purports to be a program offered by the Kennedy administration is worth virtually nothing at all. First of all, the administration rejects S. 1747, which would give domestic miners a price of 13½ cents per pound for lead and 14½ cents per pound for zinc. This combined price is the minimum which must be received by the western lead-zinc mine operators if they are to have a successful economic operation. Contrast these prices, however, with the price which has prevailed for several months of 11 cents for lead and 11½ cents for zinc. These prices under the bill would be achieved by a permanent tariff on lead and zinc of 2 cents per pound, compared with the present rate of 1.0625 cents for lead and 0.7 cent for zinc. In addition, should the domestic price for either metal go below 13½ cents an additional 2 cents flexible tariff would be applied, to be removed when the domestic price rises above 14½ cents per pound.

The administration offers as a substitute for S. 1747 a four-point program:

1. Temporary continuation of the present quantitative import quota program.

2. A barter arrangement under which the United States would exchange surplus agriculture products for lead stocks held outside the United States.

3. A temporary program of limited subsidies to small producers.

4. Creation of a special task force to gather data.

The barter and import quota programs constitute a return to programs that have been tried and failed. The quotas are set so high that our shores are being flooded with imports of lead-zinc. In Utah alone, there has been a decline of over 13 percent in lead-zinc metal production since quotas were imposed on October 1, 1958. Employment has dropped over 13 percent in the same period, with resulting hardship to miners and their families. In the last 2 years, two custom lead-zinc mills were closed and a lead smelter and custom ore sampler have been dismantled. Where Utah 10 years ago had three custom lead smelters, three custom lead-zinc mills and one independent custom ore sampler, we now have only one lead smelter, one lead-zinc mill and no ore samplers.

The barter program was completely discredited when it was applied in 1955–56. All that barter accomplished then was to stimulate foreign production. As a result, imports reached an all-time high in the years 1956 through 1958, amassing commercial surpluses which have never been liquidated. Such a program would add 300,000 tons of lead-zinc to the huge supply already in the Federal stockpile. In all, it would waste $60 million of Federal funds. Any temporary benefit which might result would not reach the miners who are the ones who need help. On the contrary, the benefits would go to the two or three large producers who hold excess stocks. The end result of barter would be merely a subsidy to foreign producers.

The third point in the administration's program calls for temporary subsidies to small producers. This would be of virtually no use to the lead-zinc mining operations in the State of Utah. None of the few remaining existing producers would qualify for assistance, with one exception, under the so-called Edmondson subsidy bill endorsed by the President.

The subsidy recommendation by the administration is most curious. On the first

page of the administration report, the use of subsidies is vigorously criticized. The report correctly points out that this would bring on the market substantial additional tonnages and would stimulate production of marginal mines. Let me say in all candor that I agree with the administration.

But then on the third page, the administration recommends the adoption of a program of the very substitutes it earlier attacked. This is surprising to say the least.

Let me make it clear that I as one Senator will not support any limited subsidy program to small producers unless the flexible tariff provisions of S. 1747 are enacted.

As for a task force to study mining problems, our mining industry has been studied to death. We need affirmative action—not more paper work.

If this disastrous trend is allowed to continue it will not be long before the United States will be totally dependent upon foreign imports. Likewise our lead-zinc industry in the Western States will be dead. Therefore I urge early favorable action by this committee to approve S. 1747 which is the only real hope for the survival of the lead-zinc industry.

I hereby request that the committee include in the hearing record the attached statement prepared by S. K. Droubay, vice president and general manager of the United Park City Mines Co., Salt Lake City, Utah, who is unable to be here this morning. Mr. Droubay is also president of the Utah Mining Association and fully endorses S. 1747.

JUNE 21, 1961.

The PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: If the economically distressed lead-zinc mining industry of America is compelled to wait many more weeks for agreement on an administration program, there will soon be no lead-zinc industry, particularly in the West.

I am greatly concerned that your administration was unable to present a program before the House Interior Committee lead-zinc hearings originally scheduled for June 16. I sincerely hope that you will be prepared to offer an affirmative program in the immediate future and specifically that you will support S. 1747 which I have the privilege of cosponsoring with Senator ANDERSON. An identical bill, H.R. 4316, has been introduced by Congressman ASPINALL. These bills hold out the only real hope for the survival of the lead-zinc industry, particularly of the West.

Our western miners and mine operators have had to bear almost the total loss of markets caused by the great increase in imports from abroad. This discrimination must cease. Comparing the average domestic production of lead-zinc of the 1947–49 period with the domestic production of 1960, the loss of production in areas other than the Western States was just 51,080 tons, or 15 percent of the total loss. But the loss of production of the Western States was a shocking 85 percent, or 287,666 tons. This means a direct loss to western miners of $46 million in 1960 alone.

Where domestic lead-zinc mines and mills had 24,777 employees in 1952, there were only 9,769 in 1959 and fewer now, a decrease of 61 percent. In Utah, the number of employees in our lead-zinc mines has dropped from 3,118 in 1948 to less than 1,000 today.

Where Utah had many mines operating in 1948, there are only six today, and three of them are small mines combined under one management. Our Utah lead-zinc industry is an island of depression in a sea of national prosperity.

The situation in Utah is growing increasingly grave. Various remedies have been tried including stockpile purchases and barter, but they proved to be nothing but temporary palliatives. At the present time, the Federal Government has an import quota system which is not doing the job. The quotas on foreign imports are far too high. In Utah alone, there has been a decline of over 13 percent in lead-zinc metal production since quotas were imposed on October 1, 1958. Employment has dropped over 13 percent in the same period, with resulting hardship to miners and their families. In the last 2 years, two custom lead-zinc mills were closed and a lead smelter and custom ore sampler have been dismantled. Where Utah 10 years ago had three custom lead smelters, three custom lead-zinc mills and one independent custom ore sampler, we now have only one lead smelter, one lead-zinc mill and no ore samplers.

The conclusion is obvious: the quotas as applied have not benefited Utah or any western mines. Foreign imports continue to depress the domestic price to a point where none of our Utah mines can operate at a profit. They only continue to operate because shutdown expenses would be greater than their present annual operating losses. The companies, to keep losses down, have been forced to drastically cut exploration and development work and to high-grade their ore. At best this can only be a holding operation. Our patience and survival capacity are rapidly dwindling.

The Tariff Commission unanimously found in November 1953, 1957, January 1960, and September 1960, that the lead-zinc industry is suffering serious injury because of excessive imports. I think all of our people recognize that we must import lead and zinc to meet our needs but not in the vast quantities now permitted to reach our shores, since it is having the effect of depressing the price of lead-zinc in domestic markets. It is particularly unfair that western miners should bear almost the full burden of this impact.

It is imperative for us to preserve a stable domestic lead-zinc industry in the interest of our national security.

We must have a reliable source of supply and it seems only fair and reasonable to permit our domestic industry to have 50 percent of the American market. Yet, at the present time, imports of lead exceed domestic production by 110,000 tons. Imports of zinc in 1960 exceeded domestic mine production by 70,000 tons. This flood of imports has caused a sharp drop in prices which makes it impossible for the Utah miners and mining operations to make a profit.

The situation facing our lead-zinc miners, therefore, is acute and I respectfully urge that you take immediate action in support of S. 1747. It would guarantee for domestic production a price of 13½ cents for lead and 14½ cents for zinc. This will be accomplished by a permanent tariff on lead and zinc of 2 cents per pound, compared with the present rate of 1.0625 cents for lead and 0.7 cents for zinc. In addition, should the domestic price for either metal go below 13½ an additional 2 cents flexible tariff would be applied, to be removed when the domestic price rises above 14½ cents per pound.

Let me emphasize that the Edmondson bill, which would provide a subsidy for small lead-zinc miners, would be of virtually no use to the lead-zinc industry of Utah. Secondly, the barter program recently proposed by our State Department would be of doubtful value to our domestic miners. All it would do is use American taxpayers' money to buy up the surplus lead and zinc for our stockpile, a surplus created by excessive imports from abroad. Barters can only be of temporary help.

If this disastrous trend is allowed to continue, it will not be long before the United States will be totally dependent upon foreign imports. Immediate favorable action by the administration is imperative.

With kindest personal regards.

Sincerely,

WALLACE F. BENNETT.

AUTHORIZATION FOR VICE PRESIDENT AND PRESIDENT PRO TEMPORE TO SIGN ENROLLED BILLS DURING RECESS OF SENATE

During the delivery of Mr. HILL's speech,

Mr. MANSFIELD. Mr. President, will the Senator from Alabama yield to me briefly, without losing his right to the floor?

Mr. HILL. Mr. President, I yield to the Senator from Montana, with the understanding that I do not lose my right to the floor, and with the further understanding that the remarks of the Senator from Montana may appear at the end of my speech, because I would not want the remarks of the Senator to interfere in any way with this magnificent, commanding statement by Andrew Jackson.

Mr. MANSFIELD. Far be it from me to interfere in any way with the speech of the Senator from Alabama, except in certain fields.

Mr. President, I ask unanimous consent that the President of the Senate and the President pro tempore may be given the privilege of signing bills, resolutions, and related matters during the recess of the Senate.

Mr. HILL. Mr. President, reserving the right to object, does the Senator from Montana plan to have the Senate recess until Monday?

Mr. MANSFIELD. Mr. President, I think the Senator from Alabama should have made a parliamentary inquiry at that point.

Mr. HILL. Mr. President, I have no objection to the request of the Senator from Montana.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRINTING OF ADDITIONAL COPIES OF REPORT ENTITLED "A REPORT OF UNITED STATES FOREIGN POLICY AND OPERATIONS"

During the delivery of Mr. HILL's speech,

Mr. MANSFIELD. Mr. President, from the Committee on Rules and Administration, I report an original resolution and ask for its immediate consideration.

The PRESIDING OFFICER. The resolution will be stated.

The legislative clerk read as follows:

Resolved, That there be printed, with illustrations, one thousand additional copies of a report submitted by Senator ELLENDER to the Committee on Appropriations entitled "A Report of United States Foreign Policy and Operations."

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the resolution (S. Res. 318) was considered and agreed to.

Mr. MANSFIELD. Mr. President, I thank the distinguished Senator from Alabama. I look forward to his continuation of that magnificent speech by President Andrew Jackson.

EQUAL RIGHTS FOR THE CONSUMER

During the delivery of Mr. HILL's speech.

Mr. HILL. Mr. President, I ask unanimous consent that I may be permitted to yield to the distinguished Senator from Oregon without losing my right to the floor, and that her remarks appear at the conclusion of mine.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. NEUBERGER. Mr. President, when two ranchers in eastern Oregon come together to buy and sell a horse, they generally meet on equal terms. The buyer is more likely than not to know as much about horses as the seller. Despite this equality, the common law has, for hundreds of years, protected even this buyer from the seller's deception and misrepresentation and, sometimes, from the buyer's own mistakes.

The Portland housewife who shops for her family does not meet on equal terms the industries who produce and sell to her. She knows less about the contents of a box of crackers than the firm that produced and packaged the crackers. She knows far less about the therapeutic value or undesirable side effects of the miracle drug than the firm that developed and marketed the drug. She may have no comprehension of the true cost of credit that the finance company sells her. And, as if these deficiencies of knowledge were not handicap enough, industries spend millions of dollars to induce her to buy their products, informing her of the facts she needs to know only as it suits their purpose. Yet, the Government has often failed to provide the consumer with even the horse trader's minimal protection against deception, misrepresentation, and mistake.

However, this administration has moved with remarkable speed and vigor to place the consumer on a parity with the sellers of products and goods. The administration has sternly policed deception and misrepresentation within the existing framework of legislation and has acted to educate the consumer to avoid mistake.

The President's consumer message delivered to Congress today is an extraordinary document. It illuminates the entire spectrum of consumer needs, from the need to be informed so as to be capable of choosing wisely, to the need to be protected from hazards to life itself.

A few particular points in the President's message are worth commenting on, aside from comments on the message in its entirety.

I now read from the President's message:

> If consumers are offered inferior products, if prices are exorbitant, if drugs are unsafe or worthless, if the consumer is unable to choose on an informed basis, then his dollar is wasted, his health and safety may be threatened, and the national interest suffers.

At another point in his very fine message the President stated:

> The consumer typically cannot know whether drug preparations meet minimum standards of safety, quality, and efficacy. He usually does not know how much he pays for consumer credit; whether one prepared food has more nutritional value than another; whether the performance of a product will in fact meet his needs; or whether the "large economy size" is really a bargain.

I was especially interested in the President's outlining of four rights that consumers can expect of their Government. I do not know whether the President was thinking of the Four Freedoms, but these four points rather parallel them:

> (1) The right to safety—to be protected against the marketing of goods which are hazardous to health or life.
>
> (2) The right to be informed—to be protected against fraudulent, deceitful, or grossly misleading information, advertising, labeling, or other practices, and to be given the facts he needs to make an informed choice.
>
> (3) The right to choose—to be assured, wherever possible, access to a variety of products and services at competitive prices; and in those industries in which competition is not workable and Government regulation is substituted, an assurance of satisfactory quality and service at fair prices.
>
> (4) The right to be heard—to be assured that consumer interests will receive full and sympathetic consideration in the formulation of Government policy, and fair and expeditious treatment in its administrative tribunals.

Mr. President, I commend the President's support of Senator DOUGLAS' truth in lending bill, Senator KEFAUVER's drug bill, and Senator HART's efforts to abolish deception in packaging and labeling; and I note with particular gratitude the President's decision to create a Consumers Advisory Council to provide, as I have long sought, a voice for the consumer in the councils of government.

Many of my colleagues in the Senate are justly famed as horse traders, and a few as cattlemen; but I doubt that even they can meet on equal terms the producers and sellers of mid-20th century goods in the mid-20th century marketplace. Moreover, I urge them, when evaluating the need for the President's program, to think not in terms of themselves, but in terms of the millions of consumers, like myself, who without the aid of government to redress the inequality of the marketplace, will continue to be the victims of deception, misrepresentation, and uninformed mistake.

WEST-EAST TRADE IS BOON TO CANADIAN SEAPORT

Mrs. NEUBERGER. Mr. President, news that the port of Vancouver, in British Columbia, is setting records as the busiest harbor on the west coast of North America is not likely to be greeted by applause in my home city of Portland, Oreg. It is not that we would deny prosperity and trade activity to our northern neighbors on the Pacific coast. Quite the contrary. Expansion of commerce is of benefit to an entire western region with interconnected economic ties.

However, in coastal areas of the Pacific Northwest there is grave concern over U.S. policies which have thrust our British Columbia friends into a position of trade dominance. The factors were cited in a brief news item which appeared in the New York Times of Sunday, March 11, 1962. I quote from the article:

> The big oceangoing freighters, flying the flags of scores of nations, anchor under steam waiting for berths. Vancouver has always been a major shipper of goods around the world, but grain for Communist China is now putting it over the top.

Flags of foreign vessels are also seen in the great port of Portland, Oreg., the harbor which taps the great inland empire of the Pacific Northwest. But, unlike many of the foreign ships in Vancouver, these in Portland are not engaged in transporting lumber to Atlantic seaboard markets. Canada does not have a Jones Act which prohibits the coastal and intercoastal shipment of goods in foreign-owned vessels. We do. One result has been to enhance the Atlantic coast market for lumber produced in British Columbia. In 1961, British Columbia lumber shipments to eastern U.S. ports topped Washington-Oregon-California movements by about 200 million board feet. The British Columbia shipments were reported up 17 percent from those in 1960. Sales from west coast mills sagged by more than one-fourth.

British Columbia's gains result mostly from an estimated $7 to $12 advantage per thousand board feet on water shipments. U.S. lumber going by water to any U.S. port must move in American ships, under terms of the Jones Act, and under charges that are much higher than those when shipped in foreign bottoms. The practical effect of the Jones Act is that it causes American consuming shippers to subsidize, through higher rates, the American merchant marine in the coastal and intercoastal trade. Considering the decline in American intercoastal steamship operations, perhaps the time has come to review any continuing need for the Jones Act.

Another factor in Vancouver's surging trade is the Canadian policy for shipment of wheat to Communist China. It is my understanding that the Canadian Government and the People's Republic of China concluded a transaction by which China will receive some 6 million tons of wheat, barley, and flour before the end of 1963. Canada will receive payment in sterling for the shipments, said to be valued at $362 million.

For various reasons, it appears unlikely that our own policy with respect to the export embargo on our surplus wheat to Red China will change, regardless of whether the Peiping Government were in a position to pay us in dollars or in currency convertible into dollars. Thus, the port of Vancouver has prospects for continued prosperity and activity in supplying the Red China wheat market. Until steps are taken to offset the shipping-cost advantage caused by the Jones Act, the British Columbia port will also

benefit from heavy lumber traffic to the Atlantic seaboard of the United States.

I ask unanimous consent to have printed in the RECORD, along with my remarks, an article entitled "Vancouver Sets Records as Port," which appeared in the New York Times of March 11, 1962.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

> VANCOUVER SETS RECORD AS PORT
>
> VANCOUVER, B.C., March 10.—A seemingly endless formation of deep-sea ships is humming a busy dollar-cargo chanty for the port of Vancouver.
>
> It's one that spells out records as the busiest harbor on the west coast of North America and probably the world's greatest grain-shipping center—for the present at least.
>
> The big oceangoing freighters, flying the flags of scores of nations, anchor under steam waiting for berths. Port officials estimate that each leaves an average of $10,000 in fuel, food, berthage, and other fees in the average 3½-day stay here.
>
> Vancouver has always been a major shipper of goods around the world, but grain for Communist China now is putting it over the top.
>
> A record total of 77 ships—the average is 150 a month—cleared Vancouver in February. They carried away a record total of 18,784,878 bushels of grain, and more than 26 of the shipheads went to China in fulfillment of that country's multimillion-bushels orders for Canadian grain.
>
> Port officials expect Vancouver's 56 berths in the 20-mile-long natural harbor to be going at capacity in a record 1962.
>
> The port handled a record of 14,940,846 tons of general cargo in 1961, of which 4,780,568 tons was grain. This compared with a total of 12,930,461 tons in 1960.
>
> In terms of total dry cargo, officials say Vancouver handles almost as much as 11 of the U.S. Pacific ports put together.

TRIBUTE TO SENATOR SMITH OF MASSACHUSETTS

Mr. YOUNG of Ohio. Mr. President, let me make a brief statement regarding one of our most distinguished and outstanding colleagues, the junior Senator from Massachusetts, BENJAMIN A. SMITH II, who has served so ably as a Senator of the United States since December 27, 1960.

Our colleague—who, by the way, is only 46 years of age—has concluded not to seek reelection this year, and will voluntarily leave this body late in the present year.

It has been my good fortune to meet with him in conferences on legislative proposals, and to sit close to him in the Senate Chamber, and also to participate in proceedings in this Chamber on many occasions when our colleague from Massachusetts, Senator SMITH, has been presiding over the deliberations of the Senate, at the request of the Vice President.

I know I voice the views of my colleagues on both sides of the aisle—Senators of the majority and the minority that BEN SMITH has earned the respect and admiration of all of us. Citizens of Massachusetts have every reason to be proud of the manner in which Senator SMITH has represented their great and historic commonwealth, following the time he was appointed to complete the unexpired term of Senator John F. Kennedy, now our Chief Executive.

BEN A. SMITH II has a fine background for important public service in any capacity. He attended Governor Dummer Academy following his graduation from Gloucester public schools and attended and graduated from Harvard University with a degree of bachelor of science. He has been a successful manufacturer. He is married. He and his wife, Barbara, have five children.

In addition to his fine service for his country as a dedicated public servant in the Senate of the United States, he entered the U.S. Navy in 1941 and served throughout World War II. Later, the citizens of his native city, Gloucester elected him mayor.

While it is not given to me to see into the future, nor do I have a prescient eye to observe what may occur in Massachusetts and the Nation throughout the next 10, 20, or 30 years, I feel certain that our colleague, who has demonstrated such great ability and industry, will be called upon for important public service in the future; and knowing him as I do, I feel he will respond to this call regardless of any financial or personal sacrifice that might entail.

May I express not only my fervent hope, but the hopes and wishes of all of us, that BENJAMIN A. SMITH may have many healthy, happy, and successful years in all things and in whatever endeavor he pursues following the time he leaves the Senate.

MIGRANT WORKERS

Mr. YOUNG of Ohio. Mr. President, it is a disgrace that the richest Nation in the world has permitted perhaps 2 million of its citizens to live and work under conditions of virtual peonage. I refer to our migrant farm laborers, who are among the forgotten Americans of our time.

These Americans work for a shockingly low wage, averaging less than $1,000 a year. They cannot qualify for local public health and welfare services. They rarely see a doctor, and their children seldom are received in local schools. Despite laws to protect them, their children too often are worked long hours under searing sun. In some cases even 6- and 7-year olds work in the fields to help their parents eke out an existence, or their days are spent sitting in the fields watching their parents toil from dawn to dark. Home to them is one bleak decrepit shack after another.

The distinguished junior Senator from New Jersey [Mr. WILLIAMS] deserves the commendation of all Americans for the magnificent work he has done and is doing in bringing this problem to the attention of the public and in taking action to remedy it. Five bills to help alleviate these shocking conditions were reported out of the subcommittee of which he is chairman and passed by the Senate during the last session. They are now pending before the House of Representatives.

State and local governments and organizations have in many instances acted to aid these people. However, in many localities, there is no responsible State or local force at work to render this needful public service. Anyway, this is a national problem concerning all Americans, and we cannot bury our heads in the sand and pretend it does not exist. We must go further in aiding these underprivileged, undernourished, underpaid, overworked fellow citizens, and their children.

To this end, the Senator from New Jersey [Mr. WILLIAMS] has introduced legislation to expand and stabilize employment in agriculture, and to provide for these migratory workers minimum wage levels, housing loans, collective bargaining rights, and day-care centers for their children. Incidentally, their infant mortality rate is twice that of the rest of our population, and few migrant children are immunized against disease.

This legislative program should be acted upon during this session of Congress. With each month that goes by without our doing so, thousands of children of migratory workers are denied the right to a better life while their parents continue to toil under deplorable conditions.

Action must be taken by Congress immediately to bring these people and their children into the 20th century. It is true that they are a comparatively small minority in a nation of 180 million persons; nevertheless they are significant beyond their numbers. If we believe in economic and social justice for all Americans, it must include these 2 million people.

President Kennedy pointed the way in his agricultural message this year when he said, "We seek to end rural poverty." In the words of the President's Committee on Migratory Labor, we must—

> accomplish in agriculture what we, as a nation, have already accomplished in most other sectors of our economy—the restoration of respect and dignity, based on good wages, good working conditions, steady employment, educational opportunities, and the extension of public health and welfare services to the men, women, and children who labor for hire in American agriculture.

In doing these things, Americans will prove to the world that ours is a nation where no one is forgotten, where the young have faith and their elders have hope, and where all working men and women may have every reason to trust and love their government and be trusted by it.

JAY N. "DING" DARLING

Mr. MILLER. Mr. President, on February 12, Iowa lost one of her famous sons. I refer to Jay N. "Ding" Darling, of Des Moines, long-time cartoonist for the Des Moines Register and a 1924 and 1943 winner of the Pulitzer Prize. During his 85 years, "Ding" contributed much to the Nation's thinking, particularly in the area of his greatest interest—conservation. The last letter I received from him, dated December 14, 1961, echoed one of his favorite programs:

> I still think it would be grand to have a national park in this Missouri River Valley

where the Army Engineers are establishing reservoirs and lakes, or better yet clear along the Lewis and Clark trail.

In the February 13 edition of the Des Moines Register, there appeared a lead editorial which pays fitting tribute to this beloved Iowan, and I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

JAY DARLING

Although 12 years have passed since Jay Darling retired as the Register's cartoonist, he continued to come frequently to his studio in our building, and he never lost his buoyant interest in people and causes.

So to many of us who had worked with him he still seemed a member of the staff when he died Monday morning.

It is tempting to speak of him now in eulogistic terms, but few things would have embarrassed him more than a eulogy. And nothing we could say now would add to the prestige and stature of an artist who had been recognized for decades as a leading American cartoonist, who had twice been awarded the Pulitzer Prize, and whose position was established, long before his death, in the tradition of the great cartoonists and satirists reaching back from Thomas Nast to Daumier.

It seems, therefore, a more appropriate tribute to try to identify some of the characteristics of "Ding's" achievement.

Those who worked close to "Ding" were always impressed first by how hard he worked. Everyone knew he had a great talent—talent that few men are privileged to have. Only those who observed him knew that his working habits, his intense concentration, the exacting standards he set for himself, were as much responsible for his success as his talent.

Several times during his career, Ding used as a theme the thought that the American Continent was not developed with a 40-hour week. He did not mean that he wanted to turn back the clock to the 12-hour day or the 7-day week. It was his way of stating vividly a deep conviction that there can be no creative production without a respect for work and a satisfaction in the performance of it.

No one had to work close to Ding to know that he had integrity, strong convictions, and the courage to express his views. He once said, "My convictions may not be worth much to the world, but they are my own, and if I am going to go through life expressing anybody's convictions, they are going to be mine."

It was this quality which gave force and vigor and originality to his work and made him a major influence in the life of his era. Whether readers agreed with him or not, they found him provocative.

Along with forthrightness and courage Ding brought to his drawing board the supporting virtues of humor, tolerance and perspective.

His satire could be sharp. He could puncture a pompous figure with a few strokes. He could quickly ridicule a silly idea. But he rarely drew in anger. He once said that he had made it a practice to stay away from the drawing board when he was angry.

Justice Oliver Wendell Holmes once wrote, "It is required of a man that he should take part in the actions and passions of his time, at the peril of being judged not to have lived."

No journalist has more vigorously, skillfully, and joyously taken part in the actions and passions of his time than Jay Darling.

Above everything else, Ding had a wonderful zest for living, a love for people, a delight with the world. It was characteristic of him that he could not think of leaving without a final, warm goodbye which we print in his old place on the front page this morning.

It is never possible to measure the influence of an articulate man who speaks his views forcefully, and we will never be able to measure the influence of Jay Darling. All we know is that because of him millions of people have looked at the problems of our times from a fresh point of view, with a sharper perspective, a new insight. And we know that influence of this type does not stop when today's paper is discarded. It goes on and on subtly into the future, its origin perhaps forgotten but its force forever effective.

FARM JOURNAL READER POLL

Mr. MILLER. Mr. President, today I received a letter from Carroll P. Streeter, editor of the Farm Journal, dated March 14, 1962, enclosing a reprint of an article which will appear in the April 1962 edition of the Farm Journal, covering the results of a poll taken by the editors of the Farm Journal regarding the agricultural programs.

Mr. President, I think it is highly significant that although the poll has not been completed the first 10 000 answers seem to indicate an overwhelming reaction on the part of farmers throughout the entire United States against a compulsory quota program such as that set forth in the Freeman program, recently introduced in the Congress.

I ask unanimous consent that the letter from Mr. Streeter and the article be printed in the RECORD.

There being no objection, the letter and article were ordered to be printed in the RECORD, as follows:

FARM JOURNAL,
Philadelphia, Pa., March 14, 1962.

Hon. JACK R. MILLER,
Senate Office Building,
Washington, D.C.

DEAR SIR: What do farmers themselves want in the way of a farm program—all farmers, regardless of party or farm-organization affiliation?

Farm Journal, the national farm news magazine, asked them in its March issue, and the volume and speed of response were amazing. Four days after the magazine came from the press we had 4,000 ballots back in Philadelphia (and some of this time was taken up by the mail in both directions). Within 6 days we had 11,000. At the end of 2 weeks we were all but buried in more than 50,000 and they're still coming.

Enclosed is the result on 10,000—all we've had time to count so far. We'll go on and count the rest, but we know the figures won't change significantly. We tabulate them by States, by region, by commodity and by age. All of this will appear as a feature article in our April issue, accompanied by our editorial opinion which you'll find on the back of the folder. All 3 million readers of Farm Journal will get this report next week; we thought you might like an advance look.

As we say in our editorial, polls, especially mail polls, can be faulted in many ways. However, the results of this one were so decisive that even after they are discounted for this reason or that they are still mighty eloquent. We've done farm-policy polls before, in 1959 and 1957. The thing that amazes us is how consistently farmers vote on somewhat similar questions each time. The conclusion can only be, after awhile, that this is no fluke. Farm Journal itself doesn't agree with the group that says it wants the Government clear out. This and the No. 2 choice both got a heavy vote. The result that we think is clearest is the emphatic "no" vote on No. 1.

Sincerely,

CARROLL P. STREETER,
Editor.

HOW YOU VOTED

How does your choice compare with these 10,000 readers who voted on 3 different farm plans presented here last month?

If those Farm Journal readers who wrote us are typical, the Nation's farmers are overwhelmingly opposed to tighter controls and compulsory quotas on what they raise.

Only 4 percent—4 out of 100—who voted in Farm Journal's March poll favored a compulsory quota program (the main ingredient of the administration's farm plan).

Of our readers responding, 44 percent voted for an expanded voluntary land retirement program. And 52 percent voted to get the Government clear out.

We were deluged with ballots—50,000 in the first 2 weeks; and still coming. In order to get the results in time for this issue of Farm Journal, we could count only 10,000 ballots. We took these as they arrived, in proportion to the number of subscribers by States.

How the United States voted on the three choices:

1. Compulsory Government quotas on what I could sell, or how much land I could farm; stiff penalties, support prices at, or above, present levels, 4 percent.

2. Expanded voluntary land retirement program to cut crop production; no compulsory quotas or allotments; with supports on crops at a level to stabilize markets but not add to surpluses, 44 percent.

3. Get the Government clear out—no controls, no price supports, 52 percent.

Altogether, 27 Farm Journal people spent 750 man-hours opening, sorting, and counting these 10,000 ballots. One person, working alone, would need nearly 2 years to handle 50,000 ballots. We will put a crew on it and promptly open and count all ballots and read every letter.

State	Compulsory quotas	Land retirement	Government clear out
	Percent	*Percent*	*Percent*
Eastern	2	32	66
Connecticut	0	16	84
Delaware	0	45	55
Maine	0	37	63
Maryland	2	35	63
Massachusetts	2	27	71
New Hampshire	0	41	59
New Jersey	6	29	65
New York	3	38	59
Pennsylvania	1	30	69
Rhode Island	11	11	78
Vermont	2	38	60
West Virginia	1	25	74
Central	4	51	45
Illinois	4	50	46
Indiana	1	48	51
Iowa	7	68	25
Kansas	2	47	51
Michigan	2	46	52
Minnesota	7	53	40
Missouri	3	54	43
Nebraska	6	57	37
North Dakota	9	55	36
Ohio	2	37	61
South Dakota	7	48	45
Wisconsin	6	48	46
Southeastern	6	48	46
Alabama	2	47	51
Florida	6	40	54
Georgia	6	50	44
Kentucky	11	59	30
Mississippi	0	52	48

State	Compulsory quotas	Land retirement	Government clear out
Southeastern—Con.	*Percent*	*Percent*	*Percent*
North Carolina	8	46	46
South Carolina	6	47	47
Tennessee	6	51	43
Virginia	4	39	57
Southwestern	3	36	61
Arkansas	2	39	59
Louisiana	2	42	56
New Mexico	0	42	58
Oklahoma	1	40	59
Texas	5	31	64
Western	3	33	64
Arizona	3	8	89
California	3	26	71
Colorado	6	35	59
Idaho	2	43	55
Montana	4	35	61
Nevada	0	10	90
Oregon	2	41	57
Utah	2	49	49
Washington	2	34	64
Wyoming	3	28	69
U.S. total	4	44	52

The results from this poll check closely with previous polls by Farm Journal. In 1957 we offered four farm program choices, and in 1959, five. In 1957, 50 percent voted to get the Government out; in 1959, 55 percent voted that way; this year 52 percent.

The 4-percent return for compulsory quotas is the lowest vote for any of the choices over the 3 years.

Among the five Farm Journal editions, eastern readers gave the smallest vote to quotas, and the largest vote to getting the Government clear out. Quotas mustered a bit of support in parts of the western Corn Belt and in Kentucky.

The voluntary land-retirement program did best in the Central States (51 percent) and poorest in the East (32 percent).

Among commodity groups, the land-retirement program pulled the most votes among hog raisers—and got the smallest percentage from poultrymen and fruit and vegetable growers.

Poultrymen, who certainly have been in trouble, and for whom the Government is talking about national marketing orders, gave the highest vote for getting the Government out entirely—70 percent. Tobacco growers are least inclined—33 percent—to have the Government step out completely. They've had the most Government (compulsory quotas) of anybody.

Among States, Iowans gave the smallest vote—25 percent—to getting the Government out. This was also true in 1959 when 24 percent of the Iowans voted that way.

Young farmers are more opposed to compulsory quotas than older operators; otherwise, age didn't make much difference

Age	Quotas	Land retirement	Government out
	Percent	*Percent*	*Percent*
29 and under	2	47	51
30 to 39	4	46	50
40 to 49	4	46	50
50 to 59	5	42	53
60 plus	4	41	55

Many took time to write letters explaining their choices. A large number who wrote were young farmers and small operators who objected to a quota system that would tie them to their present size.

"Quotas wouldn't give a starting farmer a chance; he'd have no prospects of expanding," says Robert Pfeil, of South Dakota.

"The big operator would have more of a monopoly than he already has," thinks Noel Sorenson, of Idaho.

Many dairymen complained bitterly about quotas. "I'm a young man who has been struggling along. Now that I have a young dairy started with my sons, they want to tell us we can't farm it because we didn't have a milk quota for 1961," says Donald Carey, of New York.

Several of those who voted to get the Government out thought that if this were done the CCC shouldn't dump its surpluses on the market. Others admitted that it might be rough for a time. "I might be the first to go," wrote L. McGinnis, of Alabama, "but somewhere down the line we'd stabilize. I'm willing to bet a lifetime's work that I can knock heads with the hobby farmers and come out on top. I am eager for a try."

Many of those writing in support of compulsory quotas say that it's the only way to get rid of the surplus, and they agree with L. H. Kuhle, of Illinois, that farm programs won't work without controls. "What other business doesn't regiment its production to stay in line with demand?" asks Jay Triplett, of Texas.

What different commodity groups want

EASTERN

Kind of farmers [1]	Compulsory quotas		Land retirement		Government clear out	
	United States	Eastern	United States	Eastern	United States	Eastern
	Percent	*Percent*	*Percent*	*Percent*	*Percent*	*Percent*
Beef	4	0	42	27	54	73
Dairy	4	3	44	36	52	61
Feed grains	4	1	48	31	48	68
Fruit and vegetables	3	4	31	31	66	65
General	2	0	35	34	63	66
Hogs	4	0	52	25	44	75
Poultry	3	2	27	20	70	78
Sheep	3	0	36	41	61	59
Wheat	4	0	44	39	52	61

CENTRAL

Kind of farmers [1]	Compulsory quotas		Land retirement		Government clear out	
	United States	Central	United States	Central	United States	Central
	Percent	*Percent*	*Percent*	*Percent*	*Percent*	*Percent*
Beef	4	4	42	51	54	45
Dairy	4	4	44	48	52	48
Feed grains	4	5	48	52	48	43
Fruit and vegetables	3	4	31	43	66	53
General	2	3	35	48	63	49
Hogs	4	4	52	53	44	43
Poultry	3	3	27	46	70	51
Sheep	3	4	36	40	61	56
Wheat	4	4	44	48	52	48

SOUTHEASTERN

Kind of farmers [1]	Compulsory quotas		Land retirement		Government clear out	
	United States	Southeastern	United States	Southeastern	United States	Southeastern
	Percent	*Percent*	*Percent*	*Percent*	*Percent*	*Percent*
Beef	4	4	42	43	54	53
Cotton	5	6	51	57	44	37
Dairy	4	7	44	53	52	40
Feed grains	4	3	48	47	48	50
Fruit and vegetables	3	0	31	24	66	76
General	2	5	35	37	63	58

[1] Main crop or livestock.

SOUTHEASTERN—Continued

Kind of farmers [1]	Compulsory quotas		Land retirement		Government clear out	
	United States	Southeastern	United States	Southeastern	United States	Southeastern
	Percent	*Percent*	*Percent*	*Percent*	*Percent*	*Percent*
Hogs	4	6	52	57	44	37
Peanuts	8	5	51	65	41	30
Poultry	3	9	27	21	70	68
Tobacco	13	15	54	56	33	29

SOUTHWESTERN

Kind of farmers [1]	Compulsory quotas		Land retirement		Government clear out	
	United States	Southwestern	United States	Southwestern	United States	Southwestern
	Percent	*Percent*	*Percent*	*Percent*	*Percent*	*Percent*
Beef	4	3	42	35	54	62
Cotton	5	4	51	49	44	47
Dairy	4	3	44	48	52	49
Feed grains	4	3	48	31	48	66
General	2	1	35	25	63	74
Hogs	4	2	52	31	44	67
Rice	7	7	33	32	60	61
Sheep	3	0	36	42	61	58
Wheat	4	0	44	40	52	60

WESTERN

Kind of farmers [1]	Compulsory quotas		Land retirement		Government clear out	
	United States	Western	United States	Western	United States	Western
	Percent	*Percent*	*Percent*	*Percent*	*Percent*	*Percent*
Beef	4	3	42	32	54	65
Cotton	5	6	51	39	44	55
Dairy	4	3	44	37	52	60
Feed grains	4	1	48	35	48	64
Fruit and vegetables	3	3	31	27	66	70
General	2	1	35	29	63	70
Hogs	4	0	52	27	44	73
Poultry	3	0	27	5	70	95
Sheep	3	0	36	25	61	75
Wheat	4	4	44	42	52	54

WHAT FARMERS DON'T WANT

Farmers may disagree about what they do want in the way of a farm policy, but they're mighty clear about what they don't want. They don't want compulsory Government quotas. They don't want the Government running the farms of the country. They don't want the Secretary of Agriculture telling them how much, or how little, they can raise and sell without being whacked by a Government penalty. And they've just spoken in a way that should leave nobody in Washington in any doubt about it.

A mail poll, such as Farm Journal has just conducted, can be faulted in many ways. Some will say the choices weren't worded fairly, some that farmers voted without fully realizing the consequences of what they were voting for, some that the undecided were not represented in the voting. All of these things might be fairly argued. But discount the results as you will—they are still so decisive as to be eloquent.

Farm Journal makes no claim that such a poll shows anything with exactitude. We do say that it is a highly significant straw in the wind to show the direction of farm thinking. We believe it most certainly does that. Furthermore it cuts across all party and organizational lines. If we were a Congressman, a Senator, a Secretary of Agriculture or a President, we would pay serious attention to it.

The size and speed of the vote were astounding. In 1957, a similar poll eventually pulled 4,000 votes. In our 1959 poll we got about 11,000 ballots, over a 6-week period. This time the vote fairly blew the door down. Within 4 days after the magazine rolled off the presses, we had 4,000 ballots back. Within 6 days the total had swelled to over 10,000. At the end of 2 weeks we were swamped with approximately 50,000. Evidently many farmers felt strongly and welcomed the chance to tell the world where they stood.

Farm Journal doesn't happen to agree with the 52 percent who want the "Government to clear out." We agree with Mr. Freeman that the Government has to help control supply, but disagree vigorously with him over method. We hold that any farmer who takes Government support has an obligation to help. But we believe all this can be done primarily by a voluntary land retirement program, which will cost little (if any) more than Government compulsion and which will leave farmers—not the Government—in control of farming.

We'll send the results of the poll to all of the people in Washington mentioned above. We wouldn't think they would have any difficulty in getting the message.

THE MANDATORY DEATH PENALTY

Mr. MORSE. Mr. President, in this morning's Washington Post and Times Herald there appeared an editorial entitled "Reasoned Punishment," and I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

REASONED PUNISHMENT

The Senate's action yesterday in voting to abandon the mandatory death penalty for first-degree murder in the District brings it into harmony with the House and will constitute, when it becomes law, an important reform in the administration of justice here. The sentencing of those convicted of this terrible crime will be determined henceforth by reason, and in conformity with a judicial appraisal of the culprit and of the circumstances surrounding what he did. This is far more consistent with justice than an inflexible penalty.

Although we share Senator MORSE's opposition to capital punishment as a matter of principle, we are unreservedly glad that the Senate on this occasion chose to take a modest step forward rather than a giant stride. To have sent the bill back to committee for further hearings, as Mr. MORSE desired, would have produced an indefinite delay and in the end, perhaps, passage by the Senate of a measure wholly at variance with the bill approved in the House.

Now that the mandatory death penalty has been repealed, however, we think it time to begin efforts to bring about abandonment of the death penalty altogether. Senator MORSE is quite right in urging that the District Committees hear testimony from eminent criminologists and from others who have reflected on the terrible implications of capital punishment. The community cannot promote respect for the sanctity of human life by an official snuffing out of life—or by treating even the most outrageous of criminals as wholly beyond redemption and beyond the limits of a divine purpose.

Mr. MORSE. It is a very interesting editorial, Mr. President. Part of it reads as follows:

Although we share Senator MORSE's opposition to capital punishment as a matter of principle, we are unreservedly glad that the Senate on this occasion chose to take a modest step forward rather than a giant stride.

That reminds me of the story about one politician receiving the favorable words and the other fellow getting the votes. That is pretty much the situation in which I find myself on this capital punishment issue.

I am always interested in journalistic rationalizations. This is an interesting rationalization on the part of the Washington Post and Times Herald editors. When it is said that they agree with me on principle, "but."

The "but" clause is the rationalization so characteristic of journalistic expediency. It becolors so much of the editorial policy of the Washington Post and Times Herald. Nevertheless I want the editors to know how grateful I am that they are with me on principle. I think that is wonderful. I shall give them an opportunity to be with me on principle some more.

I say to my "good friends of the editorial department of the Washington Post" I am going to introduce a bill which will seek to abolish capital punishment in all Federal jurisdictions. I hope that they will give me a little better editorial support. I hope they will exercise their great influence on the Hill—and they have great influence, except with me or for me—and that they will help me to get an early hearing on my bill. After the experts testify the Senate can consider the bill. I assure everyone I shall urge that the criminologists and penologists be called in to testify on my bill, as well as the prosecutors and the judges. I hope, after the hearings are completed, the Washington Post and Times Herald will go all out in support of my bill to abolish capital punishment, consistent with the many editorials of that newspaper of the past in opposition to capital punishment, which I had printed in the RECORD the other day.

I am always grateful for little things. May I facetiously say, that is about all I ever get, so far as journalistic support is concerned. I shall appreciate whatever little or large support the Washington Post and Times Herald can give me editorially on the Morse anti-capital-punishment bill, which will be introduced next Monday, to abolish capital punishment in all Federal jurisdictions.

Mr. KEATING. Mr. President, will the Senator yield to me?

Mr. MORSE. I yield to my friend from New York.

Mr. KEATING. I rose to congratulate my friend from Oregon for the recognition which he received in the editorial, a recognition which the Washington Post and Times Herald did not see fit to accord to the author of the measure which was passed. I say to the Senator, since his name was spelled correctly, I think he really should not have any objection to the editorial at all.

Mr. MORSE. I have already expressed with tongue in cheek my great appreciation for the editorial.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. MORSE. I yield to my friend, the Senator from Illinois.

Mr. DIRKSEN. I respectfully suggest a letter to the editor, saying, "Next time 'but me no buts'," in the manner of the great poet of long ago.

Mr. MORSE. I would appreciate it if the Senator from Illinois would write that letter to the editor on my behalf. I have long since given up hope of educating editors of newspapers by writing letters to the editor.

Mr. HILL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HILL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. EASTLAND obtained the floor.

Mr. EASTLAND. Mr. President, I ask unanimous consent that I may yield to the distinguished Senator from Minnesota, with the understanding that at the conclusion of his remarks I shall have the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. EASTLAND. Mr. President, I ask unanimous consent that when the Senate convenes tomorrow, I be granted the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

GEORGE WASHINGTON'S FAITH IN US

Mr. HUMPHREY. Mr. President, I ask unanimous consent that an address by Secretary of the Air Force Eugene M. Zuckert, delivered at the George Washington winter commencement on February 22, 1962, entitled "George Washington's Faith in Us," be inserted at this point in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

GEORGE WASHINGTON'S FAITH IN US

(By Eugene M. Zuckert, Secretary of the Air Force)

President Carroll, faculty members, trustees, graduates, and students of the George Washington University, it is difficult for me to express my feelings on being honored by the George Washington University.

The character of this great institution, its place in our national community, and its demonstrated faith in America's tomorrow, give a special quality to a degree from the George Washington University. It is a quality which deepens my appreciation of this new bond with those who contribute so much through education to our Nation's strength.

My association with the university has been one of the more rewarding activities of my life. Not only have I seen and felt, from official posts, the constructive work of this school, but it has also been my pleasure and satisfaction to work personally in furtherance of your high goals.

The George Washington University has trained, and is training for their management responsibility, many of the leaders, and the leaders to be, of the U.S. Air Force.

It was my good fortune to have a role in planning the development of the resources which are now being applied to meet the Nation's needs through the school of government, business, and international affairs.

The satisfaction of useful work and the stimulation of working with this faculty have been enriched by the friendship of President Thomas Carroll, who was both classmate and faculty associate at Harvard. As a man, and as the head of an institution of higher education, his are the standards by which Americans can live and by which our Nation will grow.

The community of the George Washington University—its president, faculty, trustees, and students—is the special beneficiary of the faith which George Washington had in the future of his country.

Our link with him here tonight is direct. Among the evidences of his faith in his country's future was his vision of a university at the Nation's Capital.

His faith in us was so great that his expression of it was almost casual, and always characteristically modest. It was never more simply and straightforwardly stated than in a letter to his nephew urging adoption of our Constitution. He was confident that any imperfections could be remedied. He said, "I do not think we are more inspired, have more wisdom, or possess more virtue, than those who will come after us."

In the hope of finding guidance for today's problems, I have tried to define the essentials of Washington's faith. This faith was the real sustaining power of the founders of the Nation. It seems to me the essentials are: First, an unshakable belief of the rightness of the cause; second, a full appreciation of the resources available; third, a continuing plan by which to exploit these resources; and fourth, the will to stay with it, to carry through.

The Nation still has these qualities. They are the elements of our national strength. They are dynamic. They grow and become stronger as they are exercised and applied to the problems which confront us as a Nation.

These four elements of faith bear directly on today's problems, but they do not produce quick and easy solutions. Just remember that the simple answers didn't always suffice in George Washington's day either. For example, when word came to the illegal assembly in the Tavern at Williamsburg of the King's punitive measures against Boston, Washington had a quick solution himself. His contribution to the indignant debate was, "I will gladly enlist of my own expense 1,000 men and march to the relief of Boston." He didn't know it would take 8 years of suffering and sacrifice to accomplish the objectives.

There was more at stake than relief of Boston. The longing of the colonists was not to be satisfied so easily. Nor will it be easy to satisfy today's longing for an end to the threat of tyranny which alarms the free world today in the same way that George the Third's policies alarmed his subjects in America.

To say that it will not be easy to overcome today's monstrous threat to freedom is not just to chide the voluble extremists, who have never been more active nor drawn so much attention, with their apparently easy solution to the world's problems. It is slight comfort to say that theirs is seldom the voice of responsible authority and too often their words have the sound of escape. The cacophony of their advice sometimes contains notes of despair, despair which must have roots in frustrations the origins of which are all too clear. But escapism, despair and carping are not our way.

There is a massive and silent current to the momentum of the American people. It is an essential element of national self-confidence. It is demonstrated in the very great trust and confidence placed in the national leadership once our people have made their selection.

This is necessarily a two-way confidence. It is increased and deepened by the confidence which our leaders place in the faith, commonsense, and determination of the American people—their readiness, in President Kennedy's words, to "go forth and meet new risks and tests of our ability."

To be sure, our courage is under test. Certainly the alarms and excursions of the day are enough to discourage those without faith. No one needs access to classified information to suffer a daily depression. The newspaper and electronic press continuously pour forth details of the array of frustrations and difficulties which plague our world.

Sometimes, it would seem the world has gone mad. Our close neighbor, Cuba, given independence by New World standards of freedom now has a dictator who scorns both freedom and the New World; a growing and great neutralist power solves an old problem by quick aggressive action; secretly prepared and arrogantly brandished Soviet nuclear tests seem hardly to disturb the bitterest opponents of testing; countries newly liberated engage in civil war; and a once great capital city of Europe is cruelly cut in two by a concrete wall.

The shackles of czardom were thrown off a half century ago in Russia by revolutionists who now put a stop even to peaceful revolution within a continent-sized barbed wire prison. And China, ancient home of culture and learning, preaches destruction, denies in a mad tragedy its own great intellectual heritage, and is kept outside the council of nations.

But in some ways, the world has always been mad. The struggle for freedom and justice and for sensible relations among the nations has gone on for centuries, and will continue. The point is, we are making progress, and we are going to keep on making progress. We are gaining ground in terms of closer cooperation among all the free nations, particularly within the Atlantic community. Our investment in the Alliance for Progress and in the United Nations are part of the building job toward a free world structure stronger than the Communist pyramid of regimentation.

The President has said this period of history is freedom's hour of maximum danger, and that America has been granted the role of being its great defender. This means also the hour of greatest demand on our national strength.

For us to be discouraged now would be a tragedy of miserable irony and unworthy of everything for which our Nation's builders have worked for more than two centuries.

This is a great, strong, beautiful, spiritually motivated country. We cannot let its strength be lessened and its will eroded by the dripping repetition of external difficulties which seem to place ever greater burdens upon us.

We should not worry so much as to whether we are loved by everyone. In our dealings with other peoples throughout the world, we should seek a constructive and lasting respect and affection, but of a very special quality. It must be built on our constancy of worthy purpose, on the demonstrated strength and will to defend freedom, and on the wisdom of help others grow in their own stature to a freedom we can share with them and they with us.

We can be proud of our idealism and our generosity, but we must be realistic, and tough where necessary. We must be guided by what we think is right and practical. And we must not trim the high sails of our ideals to the foreshortened goals of critics and calamity howlers at home or abroad.

We must never take comfort from but take always the full measure of the weaknesses in the monolithic barrier erected across the path of freedom. We must not touch any wooden horses, but we can be sure that contacts between free and fenced people—in the arts, in athletics, in science, in the parliament of sovereign States—can nourish seeds productive of freedom and peace.

We can dramatise our strengths. Why should we be shy or hesitant about exploiting a peace-loving friendliness and generosity which is ours to enjoy but decried by the Marxists? Remember what we have done—and think of the possibilities. Here are a few examples:

The Marshall plan cradled Europe's recovery and the power of our NATO allies.

The *Hope* ship, a gleaming white teaching hospital sent to southeast Pacific, is an example of private enterprise in action. It is also an example of the partnership between Government and private enterprise. It won many friends for America through service to suffering people and as a symbol of friendship and compassion, as well as of America's great medical resources.

The President's visits to Europe and Latin America, Vice President JOHNSON's visit to southeast Asia and the recent visit of the Attorney General to the Far East revealed and strengthened the old friendships and inspired new ones.

Fulbright scholars weave friendships in both directions.

The Peace Corps, so basically American in concept, is a fresh approach to problems at the level where they exist.

The United Nations technical assistance programs, most heavily supported by this country, are building and strengthening the foundations of the kind of world in which we want to live.

The food-for-peace program employs our prodigal food producing capacity to help people where communism lurks with hunger and despair. It is a program worthy of the American people, is constructive of peace, and furthermore, it is doable.

Every element of our great national strength in production, in science, in conservation and reclamation of our lands, in education, medicine, agriculture, communication and the arts, can be turned to constructive use in the struggle for freedom, whose leaders we are, in the words of President Kennedy "by both strength and conviction."

But these resources can be exploited constructively and for peace only if we are strong enough militarily to deter the use of aggressive force against us.

Our total defense posture must be adapted to the full range of conflict available to an aggressor who may move for a variety of reasons. He may strike out of a false confidence that he can quickly and decisively win. Or, he may strike out of desperation that his chances are waning. He may strike on a limited scale at selected points in order to try to gain his ends piecemeal. Or he may only pose to strike, armed with intention to bully and blackmail.

Our strength to meet these contingencies must be maintained in step with the swift march of science and technology. The first requirement is the basic strategic superiority necessary to deter all-out war. But we must also have the military capability to respond to situations of lesser magnitude, wherever and however our true interests are threatened by aggressive action. In other words, our deterrence must cover all the choices open to an aggressor.

We must build, and keep modern, the forces necessary to overcome the total military threat to the security of the free world. This is now the pattern of our national defense—across-the-board deterrence.

This pattern provides the standard which we must apply to the measurement of our military spending. We must not measure against doubts as to the strength of our economy, nor against fears of provocation of the Soviets, nor out of resentment of the extraordinary burden of leadership of the free world.

We can look forward to a sharing of that burden with the strong NATO partner, which has grown, with our wise help, in Western Europe. It is not too soon, because, unquestionably, the warmaking power of the Soviets is growing.

But one Soviet goal has been moved farther away. Because of its outstanding strength the United States has been the yardstick against which the Soviets have measured their own technological and economic attainment. Today, the growing union of Western States means the emergence of still another power of comparable technological and productive capability.

We are bound to this third power—the NATO nations—by heritage, culture, and economic ties, and by common ideals of freedom and a common danger. But we must keep open channels of trade and adjust our economic relationships to the end that the power of the two major elements of the free world face the Sino-Soviet bloc in a posture of maximum economic strength.

Anything less is unthinkable. Our failure to seek trade arrangements, which would open to us the production and consuming power of Europe's Common Market, would be dissipation of part of freedom's resources and evidence of a lack of faith in our cause.

I have not tried to catalog all our resources. But neither have I sought to avoid the difficulties we face. I have tried to strike enough of a balance between our resources and our difficulties to show that there is reason for confidence. There is strong reason for confidence, and there is very great strength behind our determination.

We are in this struggle for a long time. It will cost lives. It will involve operations in many parts of the world. It will call for continuing heavy expenditures, and the investment of national resources.

We will continue to seek peace by every honorable means, but we will not forfeit the means to fight for freedom. We will strive for effective control of armaments of all kinds, but only as a way to maintain freedom and peace together.

Because we share George Washington's faith in the rightness of our cause, we have the national determination to carry on for so long as is necessary. We have the resources, and we will stay with it until there is no more a threat to freedom in peace.

Freedom can never be looked upon as secure. That eternal vigilance which is the price of liberty is at the same time the price of national survival.

We will carry on, not just until, but beyond—and on beyond—the time when collapse or change in today's Communist conspiracy shall remove this threat to the preservation and extension of freedom.

THE PRESERVATION OF OUTDOOR RECREATION AREAS

Mr. HUMPHREY. Mr. President, this past week it was my privilege to address the American Camping Association at its annual convention which was held in New York City.

In this address I spelled out what I consider as necessary and desirable steps to preserve outdoor recreation areas for this and future generations.

I emphasized the need to establish new parks and seashores as well as the need to preserve the wilderness areas which remain in this country. I also called attention to the need for a Youth Conservation Corps, as proposed in S. 404, which it was my privilege to sponsor here in the Senate and is now pending on the Senate Calendar. A Youth Conservation Corps of young men could do a tremendous amount of work in our Federal and State parks and forests developing recreational facilities and areas.

What an opportunity to put to work presently idle young men who can use their energies in a positive way to help build a better country. It will certainly be unfortunate if this Congress adjourns without having acted on this proposal.

I ask unanimous consent that my address be inserted in the RECORD at this point in my remarks.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY SENATOR HUBERT H. HUMPHREY

Ladies and gentleman, it is a very great honor and a magnificent opportunity to be asked to sound the keynote for the 1962 convention of the American Camping Association.

Your assembly comes at a most fortunate moment in the course of the year's events. We have been called to action in the cause of outdoor America. I know you are as eager to respond to this call as am I.

Two important messages—the report of the Outdoor Recreation Resources Review Commission at the end of January, and the President's special message on conservation of last Thursday—have sounded a common theme. On the back cover of its report the Commission has set forth the challenge so beautifully that I want to quote it to you in full:

"The outdoors lies deep in American tradition. It has had immeasurable impact on the Nation's character and on those who made its history. When an American looks for the meaning of his past, he seeks it not in ancient ruins, but more likely in mountains and forests, by a river, or at the edge of the sea. Today's challenge is to assure all Americans permanent access to their outdoor heritage."

The President and the Commission have proposed a number of steps which should be taken now to meet that challenge. You may want to add to their recommendations. I, too, have a few pet suggestions of my own to make.

But, the time for talk has passed. The time to act has come.

Two fundamental principles run through the report and the special message: First, we must act now to set aside those lands which will make good parks and recreation areas. The need is especially acute in the Northern and Eastern States where population density is greatest. Second, we must make sure that every public agency, Federal, State, and local, which administers land or natural resources does all it can, consistent with its primary goals, to provide and preserve outdoor recreational opportunities and to protect fish and wildlife values.

Let us first examine what must be done to set aside and preserve recreation lands.

We must establish new national parks and seashores. Areas of truly national significance must be chosen to advance the National Park System plan to preserve for us all the Nation's great scenic wonders; our outstanding examples of plants, animals, and rock and land formations; and the scenes of significant historical events. The President urged creation of three new national parks, four new national seashores, one national monument, and one historic site. We in the Congress are pushing action on these and other proposals. Your support can help make them a reality this year.

Next, we must preserve the wilderness which remains in Federal hands. As you know, I have long been a keen advocate of wilderness preservation and introduced the first bill in 1956. Last year the Senate passed S. 174, a bill introduced by Senator ANDERSON, which would set up a wilderness system. Both the President and the Outdoor Recreation Commission have urged such legislation.

We need, in addition, provision for a new system of national recreation areas to meet the growing demand for opportunities to camp, picnic, hike, fish, swim, and enjoy the forests and wildlife. Such areas could take advantage of opportunities to develop outdoor recreation facilities near centers of population, regardless of their significance in rounding out our National Park System. For example, a magnificent national recreation area can be provided on the reservoir of the proposed Tocks Island Dam on the Delaware River. It will be within easy reach of 30 million Americans and could be one of our greatest national recreation assets. Another such opportunity is afforded by the construction of Barkley Dam on the Cumberland River. A narrow belt of land there divides the Tennessee River from the Cumberland. Nearby, on the Tennessee River, a great lake has long since been created by the Kentucky dam. The area between the two manmade lakes offers one of the most outstanding bases for fresh water recreation on earth. We should actively seek other such opportunities, even on lands which may continue to be used in part for purposes other than recreation, so that our heritage of the outdoors may be available wherever we may live.

A fourth way to set aside and preserve recreation lands is to use to their full advantage most of the lakes created by our multiple-purpose dams. Wonderful opportunities for water-based fun have been opened to people who live far from nature's lakes. Last year 175 million visits—more than half of all the recreation visits recorded on Federal lands—were at the reservoirs built by the Corps of Engineers, the Bureau of Reclamation, and the Tennessee Valley Authority. The TVA perhaps has shown us best what can be done. It has turned the Tennessee River into a summer playland for all of America. Forty-two million recreation visits were recorded on that one river last year.

Let me also take this occasion to offer special praise to the Corps of Engineers and the Bureau of Reclamation. On February 28, 1962, less than 2 weeks ago, these two agen-

cies announced joint agreement on a new policy for land acquisition for recreational purposes at all their projects. Henceforth, at both old dams and new, each agency will buy lands needed to provide public access to the reservoir, to protect fish and wildlife, and to provide sites for outdoor recreation developments such as camp grounds, picnic areas, swimming beaches and boat ramps. I am delighted by this action and intend to support both agencies fully in these efforts to serve all our people.

The national forests also could afford us still greater opportunities for recreation. The Forest Service should be empowered to acquire small quantities of land which would open to public use now inaccessible public forests. New camp sites, new trails, and new scenery could be opened at relatively little cost.

These, then, are the steps we can take to set aside needed recreation lands: We can create new parks and seashores; we can preserve the wilderness; we can establish a new system of recreation areas; we can open up our multiple-purpose reservoir projects; we can permit the Forest Service to acquire lands which will provide access to new forest recreation areas.

All this is easier said than done. Many of these proposals mean that the Federal Government must buy land which private individuals now own. For 185 years, our National Government has been disposing of land—giving it away, selling it at bargain basement rates, and exchanging it for other lands which no one wanted. Now we must change direction and begin to bring back to the people a few key beauty spots which should be preserved for us all, generation after generation.

How to go about getting the new lands has been of concern to many of us in the Congress.

In many Western States, where the Federal Government already holds large acreages, the best policy probably will be to build park and recreation areas by using existing Federal lands and by exchanging suitable Federal lands for lands in private hands. For every dollar's worth of land thus removed from the tax rolls, a dollar's worth would be replaced, and perhaps more acres would actually be put in private ownership than returned to the Government.

But in the East, where the Government owns little land, new parks and recreation areas must be created principally by buying the acres. Because land costs are rising constantly, the part of wisdom is to acquire the lands now, as rapidly as possible, and to develop appropriate facilities on them later, as we can afford them.

To provide funds for land acquisition, the President in his conservation message proposed creation of a land conservation fund. Initially, he proposes that the Treasury advance $500 million for the fund. The money would be repaid by earmarked revenues derived largely from charges made to those using recreational facilities. He also proposes that the fund benefit from a user tax on boats, the unclaimed refundable taxes paid on gasoline used in motorboats, and receipts from the sale of surplus Federal nonmilitary lands.

The user-fee proposal, of course, raises the basic question of whether our out-of-doors ought to remain free for everyone. The Outdoor Recreation Resources Review Commission distinguished between outdoor activities which were made possible by Government development and maintenance of facilities, and activities which require no special investment. The Commission felt that for the use of developed facilities, reasonable charges should be made which would "not prevent or curtail the possible use and enjoyment of basic outdoor recreation opportunities."

The President has adopted the position recommended by the Commission. I support him. Fees are now charged at some 30 percent of the public outdoor recreation areas. It certainly seems reasonable to suggest that all agencies should follow the same policy. It also seems reasonable to expect that those who wish to use developed facilities should contribute to the building of such facilities.

In this connection, perhaps we should recall that hunting and fishing have not been free for many years. The license fees which hunters and fishermen pay have supplied the backbone of State fish and game preservation and development programs, which have made possible the continued enjoyment of those sports.

An excellent example is the Federal Duck Stamp, which is providing the funds to set aside the remaining wetlands for migratory waterfowl.

In some instances, fees collected from fishermen and hunters have been diverted to emergency protection of park and scenic objectives. Sportsmen have given sympathetic support to such aid, but have understandably felt that fees for hunting and fishing should not become an ordinary source of support for general recreational objectives.

The President did not specify what user fees and what methods of collection he would recommend. However, Secretary of the Interior Stewart Udall is considering an automobile sticker which would have to be displayed to enter any Federal recreation area.

Although some have voiced concern that user fees would restrict recreational use, fees need not be large to provide significant aid. Even 10 cents per visit last year would have returned $34 million.

I know that you who camp and hike want to be sure that scenic spots will be preserved for public use and that adequate facilities will be available for you and your families and their families in the years to come. I suspect that most of you would be willing to buy an automobile sticker and even to pay reasonable fees for the use of developed facilities, especially if you could be sure that all of the money collected would be used to make it possibe for you to enjoy the out of doors.

The Congress will have to decide these matters in the coming weeks. I, therefore, earnestly solicit your advice on the matter.

State and local governments also must play a major role in providing outdoor recreational opportunities. Indeed, facilities which a great many camping families will use must be provided by the States. Many States are displaying wisdom and foresight in meeting the needs of their people. New York, New Jersey, and Wisconsin have approved outstanding programs for the acquisition and development of park lands and recreation areas. Pennsylvania will lay "Project 70," a comprehensive statewide outdoor recreation plan, before its voters next November.

West Virginia is exploring ways to take advantage of the recent study by the National Park Service of its recreation potential. The importance of such an effort for a State which is suffering severely from the effects of technological dislocation is obvious. Their courage and determination set an example for us all.

Other States are developing comprehensive recreation programs. We must make every effort to encourage and support them.

To assist the States, the President has offered two immediate measures. He has recommended "that the Federal Surplus Property Disposal Act be amended to permit States and local government to acquire surplus Federal lands for parks, recreation, or wildlife users on more liberal terms." He also has proposed that the Congress provide matching grants to the States for planning the purchase and use of outdoor recreation lands.

I favor such planning grants to the States. I also would like to see grants of financial aid for the purchase of recreation lands. Planning is an important part of the jobs. But the States also need to know that we stand prepared to help them carry out their plans. If the States can set aside suitable recreation lands in the next few years they can be counted on to develop them rapidly in the years thereafter.

Local governments likewise deserve direct aid. They have received a notable beginning in the enactment of the Housing Act of 1961, which provided $50 million in grants to cities for the planning and acquisition of open space. The President has recommended that the authorization be doubled to meet the requests which have flooded into the Housing and Home Finance Agency. I am confident that the Congress will respond to that call.

Now let me turn to my second major theme—doing a better job for recreation by using the agencies and lands we already have.

Recreation should be regarded as a participating partner in Federal resource programs.

The Bureau of Land Management has charge of 180 million acres of reserved public domain lands, largely in the Western States. An even larger acreage is in Alaska.

Although many uses must be made of these lands, including lumbering, grazing, mining, and watershed control, many areas could provide excellent recreational opportunities.

Yet the Bureau has no program to develop and maintain facilities such as campsites on most of its land. Even so, an estimated 11 million visitors used the undeveloped sites last year, often risking serious fire hazard and dangers to public health. It is urgent that funds for adequate facilities be made available.

The Bureau of Sport Fisheries and Wildlife manages 277 wildlife refuges covering nearly 18 million acres. Last year 10 million visitors entered the refuges.

Yet the Bureau has no authority to construct and maintain facilities, even picnic tables, although they could be appropriately provided in many places. Such authority should be granted.

Recreational opportunities could be greatly improved on Indian lands if a program were instituted by the Bureau of Indian Affairs to provide loans to interested Indian tribes to assist in the development of public recreation facilities.

The Forest Service could improve its recreational services if it were authorized to designate areas of special beauty and suitability as forest recreation areas, so that outdoor recreation could be the primary purpose for which they are managed.

The Soil Conservation Service also provides many promising opportunities for local recreational development through its small watershed program. It should be authorized to include recreation as well as fish and wildlife purposes in its projects.

Recreation generally could be better provided by improved coordination among Federal agencies which manage our land resources. To that end the President has approved the Outdoor Recreation Commission's suggestion that he create an Outdoor Recreation Advisory Council, made up of the heads of departments and agencies concerned with recreation. He has also approved establishment of a Bureau of Outdoor Recreation in the Department of the Interior.

One of my special projects—a Youth Conservation Corps—would greatly assist achievement of all these objectives. The President made clear his enthusiasm for establishment of the corps by making it the first item of business in his special conservation message.

Much of the work to be done in developing recreation facilities, in preserving our forests, in reseeding our ranges, in protecting our watersheds, and in conserving our soil requires the devoted labor of healthy young men. The service to the public of the Civilian Conservation Corps in the 1930's still is meeting many needs. A Youth Conservation Corps would aid the young men themselves to build healthy bodies and minds. They would gain useful skills and knowledge of the protection and use of natural resources. And they will have the joy of working out of doors.

There is a huge backlog of conservation work to be done in almost every State—work for which it is frequently impossible to hire regular workers. The corps would give many men work and would displace no man from his job. As you know, I have been a very active sponsor of the bill now before Congress. I look forward confidently to its enactment this year.

Two other significant Federal programs are going to affect the quantity and quality of outdoor recreational opportunities. I have a deep interest in them both.

First, my fellow Minnesotan, Orville Freeman, Secretary of Agriculture, has recently announced a program to adjust farm production by converting 50 million acres of cropland to other productive uses. Among the uses will be recreation. Some land would be converted directly into parks and recreation areas. More importantly, the Extension Service will give farmers tips on how to add to their income by providing opportunities for city dwellers to swim, picnic, fish, hike, camp, and even hunt on their land. In aiding farmers to help meet the recreational needs of their city cousins, and at the same time to help themselves, we can also build better understanding and greater respect among our people.

Second, the Water Pollution Control Act of 1961 will enable us to protect and improve our lakes and streams for public enjoyment. For the first time, the Public Health Service has real authority to reduce overpollution by requiring release of water from Federal reservoirs during periods of low streamflow and to enforce control measures against polluters of all navigable waters. In addition, the program of matching grants to local governments for the construction of municipal sewage disposal plants was increased at a rate which will double assistance by 1964. The immediate result this year has been a new high of $430 million in municipal investment in waste treatment facilities, a very good start toward reaching the necessary level of $600 million each year required to meet national needs.

Thus by many avenues can the cause of outdoor America be served:

The call to action sounded by the President and the Outdoor Recreation Resources Review Commission can be met if we will set aside new lands for recreation in parks, wilderness, recreational areas, and forests. It can be met if we aid the States and local governments to acquire parks and open space now for their future needs.

It can be met if we authorize our executive agencies to protect for recreational use our public domain, our refuge, our Indian lands, our forests, and even our soil conservation projects.

It can be met by a new Youth Conservation Corps, by a sound farm policy, by effective control of pollution, and by improvements in administrative organization.

But, in the larger sense, it can be met by every sound measure to promote the conservation of all our natural resources. For, important though outdoor recreation is to the restoration of our tranquillity, to the building of healthy bodies, and to the enhancement of our knowledge, recreation must remain but one of the many demands we place upon our natural resources.

As President Kennedy reported, much has been accomplished this last year to move the Nation forward in a comprehensive conservation program. A new program for the national forests has been prepared and presented to Congress. A new system of classification has been undertaken to guide the wise conservation and use of the remaining public domain. I could cite many more.

Yet much remains to be done. The President has offered many recommendations and will forward more to us. The States, the local governments, organizations like your own, all must contribute to the stream of ideas and support necessary to the conservation of our natural resources.

In a sense, all such conservation efforts contribute to the goals of those of us who enjoy the out of doors, for recreation depends on the lakes and rivers, the forests, and the land. In the same sense, all of us can contribute to conservation by support for sound public programs, by considerate public conduct, and by the enthusiasm we bring to the use of our heritage.

But it takes action to get action. Outdoor-minded citizens must actively support the objectives they seek. The American Camping Association can play a vital role in achieving a dynamic recreation program as part of sound resource conservation if you will make your voices heard in Washington and in your State capitals. Resolutions are not enough. You must write, call upon and impress both legislators and administrators with the importance of your cause and with the determination which moves you.

Now, let me close with two brief thoughts:

First, an invitation. We in Minnesota are especially proud of our natural vacation land and of our conservation program to preserve it for us all. So, when you're camping this year, let me invite you to our land of 10,000 lakes—to the Lake of the Woods, or perhaps to our Quetico-Superior canoe area—to share them with us and to see what we have done.

Second, a brief quotation from Wallace Stegner's description of "The Wilderness Idea"—for it applies to all we seek:

"We need wilderness preserved—as much of it as is still left, and as many kinds—because it was the challenge against which our character as a people was formed. The reminder and the reassurance that it is still there is good for our spiritual health even if we never once in 10 years set foot in it. It is good for us when we are young, because of the incomparable sanity it can bring briefly, as vacation and rest. It is important to us when we are old simply because it is there—important, that is, simply as idea."

Thank you very much for this opportunity to share with you my enthusiasm for the objectives we seek.

BENNY GOODMAN TO TOUR SOVIET UNION

Mr. HUMPHREY. Mr. President, I was most delighted at the announcement last week of the agreement between the United States and the Soviet Union under our cultural exchange program to permit Benny Goodman and his jazz ensemble to perform in the Soviet Union.

Mr. Goodman, popularly known as the King of Swing, will prove, I know, to be a most effective ambassador of good will. Good music has no national boundaries and the people of the Soviet Union cannot help but be impressed by this great musician and leading exponent of American jazz. It has been my privilege to hear Mr. Goodman on several occasions, the last time being when he performed this past fall in Santiago, Chile, to a large and enthusiastic audience. I can tell Senators that his performance won the hearts of these people and improved their image of Americans.

I wish Mr. Goodman and his group the very best wishes for a most successful trip. We can be proud of him representing us in the Soviet Union.

Mr. President, I mention this particular matter relating to Mr. Goodman because while I was visiting with him I found that the arrangements for Mr. Goodman's visit to the Soviet Union had somehow or other become stalemated; no action was taking place. It was my privilege to contact the State Department and urge that this matter be expedited and that a decision one way or another be arrived at. Of course, I was hopeful that the decision would be as it finally was made, namely, that this type of cultural exchange would be undertaken.

I commend the Department of State for its action in this matter and, indeed, commend Mr. Goodman for his willingness to undertake the trip. I know that it will have a very good effect.

I ask unanimous consent that an article from the New York Times on Mr. Goodman's trip to the Soviet Union, including a biographical sketch of this great American, be inserted at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE KING OF SWING: BENJAMIN DAVID GOODMAN

If music is the real bridge to international understanding, then Benny Goodman must be one of the master toll keepers.

A king is flattered when the tailor's son from Chicago consents to a melodic twosome; concert hall audiences are delighted when he takes up his clarinet, and the less classical-minded sink into happy comas over different sounds from that same instrument; and now the Russians will join the vast personal following of the "King of Swing," who will make a tour of the Soviet Union beginning in May.

Mr. Goodman earned his "King of Swing" title in the 1930's when he assembled a large band and began to play special arrangements in a style that made cheering listeners out of dancers. Youngsters stampeded into such places as the Paramount Theater and Madison Square Garden when his band appeared there, and police had to be called in to restore order.

Riding the tide of his popularity, Mr. Goodman was able to take jazz into the concert halls. He was also one of the first to integrate Negro musicians into a white band.

PRAISED AS PIONEER

According to Lionel Hampton, "what he did in 1937 made it possible for Negroes to have their chance in baseball and other fields. He was a real pioneer and he didn't grandstand about it."

Another factor that has set Mr. Goodman apart is his interest in "long-hair" music. He has played Mozart and Brahms with the Budapest String Quartet. He gave the first New York performance of a Hindemith clarinet concerto with the "Symphony of the Air" under Leonard Bernstein and he commissioned a clarinet concerto from Aaron Copland.

Outside of jam sessions, he likes nothing better than to assemble some long-hair friends for private sessions of classical chamber music at his home in Stamford, Conn.

When he was 40 years old, he went back to studying the clarinet, this time with one of the most distinguished players of the instrument, Reginald Kell.

EIGHTH OF ELEVEN CHILDREN

Benny Goodman was born in one of the major jazz centers, Chicago, on May 30, 1909. He was the eighth of 11 children of an impoverished tailor. He was named Benjamin David.

At Jane Addams' famous Hull House he was able to get lessons on a clarinet that he had bought by mail order, and he played in a boys' band organized by a synagogue.

After gaining experience in Chicago dance bands, Mr. Goodman freelanced in New York, playing with radio and musical comedy orchestras and such popular ensembles as that led by Red Nichols.

The first band he organized, in 1934, did not win immediate popularity. After 2 years, however, his swing style became the vogue and gave a name to an era.

It has been said that between 1936 and 1942 he must have been the most popular musician in the world.

After the war, the enthusiasm for big bands died out. This, and bouts of illness, plagued Mr. Goodman's career from time to time, although he was never out of the public eye. He taught at the Juilliard School of Music and at Boston University.

He kept up his appearances in concerts of classical music, and is still in demand at major summer series, such as those at Lewisohn Stadium in New York and Tanglewood in Lenox, Mass. He has been a steady performer on television.

MET KING OF THAILAND

In the winter of 1956–57 he made a 6-week tour of the Far East, under State Department sponsorship. It was on this trip that he made fast friends with King Phumiphal Adulet of Thailand, an inveterate jazz player himself.

When the King came to this country in the summer of 1960, he joined Mr. Goodman and others in jam sessions at the Goodman New York home and at the Rockefeller estate in Pocantico Hills, N.Y.

Only a year ago, Benny Goodman and a 10-piece band were to be heard at Basin Street East in New York City, back in a swinging groove and being happily discovered by a new generation.

One member of that generation is his daughter, Rachel. In the summer of 1959, when she was 16, she made her concert debut as pianist in a trio with her father and David Dawson, violist. And like father, like daughter: Rachel is as partial to jazz as she is to chamber music.

This is not the first time that Mr. Goodman has gone abroad as a representative of American culture, and his reputation is worldwide. His arrangement of the Burmese national anthem has been adopted as the official version by that Asian country.

When the United States was fighting a cultural cold war with the Russians at the Brussels World's Fair in 1958, it was Benny Goodman and his band that scored the first success for the American side.

INTERNATIONAL TEACHER DEVELOPMENT PROGRAM

Mr. HUMPHREY. Mr. President, I am sure all of us remember the occasion a few weeks ago when President Kennedy received a group of foreign teachers and educators in the White House. Among other things he told them that during their stay in the United States they had given as well as they had received. We had learned from them as much or more as they had learned from us.

These foreign teachers were over here under the international teacher development program, which is part of the educational exchange program administered under contract by the Office of Education. Each year this program affords more than 500 foreign teachers a chance to visit the United States for 6 months. Grants, totaling approximately $3,000 per teacher, are appropriated by the Department of State. The grantees have a remarkable orientation course in Washington followed by special seminars in U.S. colleges and universities. During part of their stay they live as individuals with American families in American communities, and they travel in the United States. It seems to me that this type of cultural exchange program produces the maximum good or the maximum impact.

Mr. President, I have received a letter from Mr. Stuart A. Blackorby, superintendent of Independent School District No. 690 in Warroad, Minn., who was good enough to tell me about his community's experience with a teacher from northern Rhodesia—Mr. Grenson Lukwesa. I ask unanimous consent to have Mr. Blackorby's letter printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

INDEPENDENT SCHOOL DISTRICT NO. 690,
Warroad, Minn., February 8, 1962.

Senator H. HUMPHREY,
Senate Office Building,
Washington, D.C.

DEAR SENATOR HUMPHREY: Since January 8 we have had Mr. Grenson Lukwesa, of Northern Rhodesia, as our guest under the international teacher development program. I can assure you this has been a tremendous experience for our school and community, and there is every indication that it has been an equally tremendous experience for Mr. Lukwesa.

Mr. Lukwesa has been in many of our schools, not only in Warroad but our neighbors as well, such as Roseau, Thief River Falls, Warren, and Stephen. He has had the experience of visiting most if not all of the rural schools in Roseau County. In addition he has spoken to civic groups, PTA's, service clubs, and church groups.

We feel this program is one of the greatest things for understanding between peoples. Mr. Lukwesa has had happy experiences and he has been able to understand how our system works. I'm sure that when he returns to Northern Rhodesia he will do much to create a favorable impression of Americans as human beings as well as a country which is worthwhile imitating.

Mr. Lukwesa is much impressed with the philosophy of our schools whereby students have the opportunity and when they do drop out of school they do not drop out because school officials have weeded them out by arbitrary examinations but drop out because of their own decisions to drop out. In other words, personal and individual responsibility.

We heartily endorse the continuation of this program. I'm sure I speak not only for myself and my faculty but also for the public. We have had many commendable expressions from lay people.

Again I would urge continuation of this program.

Very truly yours,
STUART A. BLACKORBY,
Superintendent.

Mr. HUMPHREY. Mr. President, the letter demonstrates that the international teacher development program is performing a unique service in fostering international understanding. The program is fulfilling its twin objectives: First, foreign teachers are learning at first hand the operation of our educational system, its methods and philosophy; second, they are getting to know representative Americans, and Americans are getting to know them.

As I see it, the only trouble with the program is that it does not go far enough. For instance, I am informed that the annual program includes only some 30 teachers from Africa, despite the fact that a large number of Africans apply for grants each year. I am also informed that the Africans who come here, like Mr. Lukwesa, make truly outstanding records. Also, the program is very limited with respect to the number of teachers who come to the United States from Latin America. Surely we need to stimulate a greater exchange with Latin America. These teachers learn; they make lasting friends; they carry away a sympathy and an understanding for America.

Mr. President, when so many Africans are pounding on our doors for knowledge, for a chance to see us and our way of life, would we lose anything by opening these doors a little wider? I think not. If the underdeveloped countries need anything, they need trained, experienced educators. Education is the key to their ambitions for national development and collective dignity. Indeed the underdeveloped countries are so conscious of their needs that they frequently send top government officials to take part in the international teacher development program. The least we can do is to give them all the encouragement we can. We should not send them into the arms of Friendship University in Moscow.

Mr. President, I was interested to learn today that the number of Latin Americans who have been invited to the so-called Friendship University in Moscow has increased threefold in the past year. I believe something over 300 were in attendance there in 1960 and more than 1,200 in 1961. I remind the Senate that the international teacher development program for the United States provides for the reception of 500 students from all over the world. The Soviet Union now has more than 1,200 students from Latin America alone in attendance at Friendship University in Moscow. Indeed, the Soviet Union is making every possible effort to influence the thinking and the attitudes of those who will teach the young.

The letter I have referred to is a moving one. Not only is it a compliment to the teacher who visited from Northern Rhodesia—Mr. Lukwesa; it is also a compliment to the superintendent of schools at Warroad, Minn., who has had the vision and the understanding that this letter so fully reveals.

A CAMPAIGN FOR SANITY IN MEETING THE COMMUNIST THREAT

Mr. HUMPHREY. Mr. President, earlier this month the National Catholic Welfare Conference published a booklet entitled "Communism: Threat to Freedom," written by the Reverend John F. Cronin. I commend Father Cronin and

the National Catholic Welfare Conference for this extremely timely and valuable publication.

As Senators know, Father Cronin has a well-deserved reputation as one of America's leading scholars in the field of communism. Therefore, what he says deserves the careful attention and consideration of all the American people.

The basic theme of Father Cronin's book is that the basic threat of communism is external not internal, and that anti-Communist extremists are misdirecting their energies by concentrating on internal subversion.

Father Cronin writes:

Speakers and writers for such groups are vigorously fighting problems that were mostly solved in 1950, and neglecting the far greater dangers of Communist subversion in Asia, Africa, and Latin America and the general world Communist offensive.

On the question of what the average citizen can do to fight communism, here is what Father Cronin says:

For the average citizen who asks: What can I do to fight communism? The answer might well be: Devote all your strength and energy, in concert with your fellow Americans, to build national unity and moral strength. Practice your religion, and make it a vital force in your community. Even in dealing with moral evils, concentrate less on denunciation and more on giving leadership and example. Be a man of integrity in your work. Make your family outstanding by the quality of parental love and discipline you show. Unite with your neighbors for a high moral standard in your community. Work for racial justice and harmony. Do your part to make this a better and stronger Nation, and we shall not fear what the Communists plot and scheme against us.

Above all, we must have a broader vision of world needs.

Mr. President, we are indebted to Father Cronin for this excellent booklet. I certainly hope it is one which will be widely distributed and read by all who are concerned about the threat of communism—and it is a very real threat. In dealing with it, we must act in a mature and not an emotional fashion. That is what this distinguished priest so well spells out in this booklet.

Mr. President, I ask unanimous consent that an article relating to Father Cronin's booklet, published in the New York Times of March 2, together with excerpts from the booklet which appeared in the same issue of the New York Times, be printed at this point in the RECORD.

Their being no objection, the article and excerpts were ordered to be printed in the RECORD, as follows:

CATHOLIC BISHOPS ASSAIL RIGHTISTS—CHURCH OPENS DRIVE AGAINST EXTREMISTS—BOOKLET ON ANTICOMMUNISM ISSUED

(By John D. Morris)

WASHINGTON, March 1.—The Roman Catholic Church began a national campaign today to discourage participation in extreme anti-Communist movements such as the John Birch Society.

The drive got under way with publication by the National Catholic Welfare Conference of an 80-page booklet attacking extremists of the right for fomenting a virulent form of disunity that is dangerously weakening the Nation.

The National Catholic Welfare Conference is the central administrative organ of the country's Catholic bishops.

The Reverend John F. Cronin, author of the booklet, said at a news conference that its publication signaled the start of a campaign for sanity in meeting the Communist threat. Father Cronin, a nationally recognized expert on the Communist movement for 20 years, is assistant director of the social action department of the National Catholic Welfare Conference.

For the citizen who asks, "What can I do to fight communism?" Father Cronin suggests in his booklet:

"Devote all your strength and energy, in concert with your fellow Americans, to building national unity and moral strength. Practice your religion, and make it a vital force in your community.

"Even in dealing with moral evils, concentrate less on denunciation and more on giving leadership and example. Be a man of integrity in your work. Make your family outstanding by the quality of parental love and discipline you show.

"Unite with your neighbors for racial justice and harmony. Do your part to make this a better and stronger Nation, and we shall not fear what the Communists plot and scheme against us.

"Above all, we must have a broader vision of world needs."

The conference is distributing 100,000 copies of the booklet to Catholic dioceses throughout the country for use by parish study clubs, parochial school teachers and church publications. Issuance of the booklet was expected to be front-page news in most diocesan newspapers in their weekly editions today and tomorrow. Many of them are expected to serialize its text and base editorials on it. Pastors are expected to use it as a basis for sermons.

BOOKLET'S SIGNIFICANCE

Ultimately, Father Cronin said, from 500,000 to 1 million copies are to be printed and distributed by the conference and the booklet's copublisher, the Paulist Press of New York.

The campaign is regarded as particularly significant in view of the fact that some priests and nuns and many Catholic laymen have been identified with the militantly rightwing anti-Communist movement now brought under attack by their church.

Robert H. W. Welch, Jr., leader of the semisecret John Birch Society, has said that about 40 percent of the members of his organization are Catholics. Father Cronin said that he believed this to be an exaggeration but he conceded that quite a few Catholics belonged to the society.

Altogether, about 50 sizable organizations constitute the extremist forces at which the booklet is aimed, Father Cronin told reporters.

The leadership and membership of most of the others that he named are predominantly non-Catholic. They include the Christian Anti-Communist Crusade, headed by Dr. Fred C. Schwarz of Los Angeles; the Christian Crusade, led by the Reverend Billy James Hargis of Tulsa; the Circuit Riders, Inc., of Cincinnati, and the American Council of Christian Churches, directed by Edgar C. Bundy.

None of the organizations is mentioned by name in the booklet, but it was clear that the John Birch Society was the main target.

The central theme of the Cronin booklet is that "the basic threat of communism is external, not internal" and that anti-Communist extremists are misdirecting their energies by concentrating on internal subversion.

MANY SEEN BEWILDERED

"Speakers and writers for such groups," Father Cronin writes, "are vigorously fighting problems that were mostly solved by 1950, and neglecting the far greater dangers of Communist subversion in Asia, Africa, and Latin America and the general world Communist offensive."

"In many parts of the country," he declares, "hysteria and suspicion are becoming increasingly evident. A virulent form of disunity is weakening us in the world struggle against communism and performing this disservice in the name of militant anticommunism. Many Americans are confused and bewildered by the whole trend."

Father Cronin accuses some anti-Communist extremists of identifying communism with "whatever ideas they happen to dislike," inciting racial and religious prejudice under the guise of fighting subversion and seeking to discredit reputable individuals and institutions with the taint of communism.

He is emphatic in challenging Mr. Welch's contention that 7,000 Protestant clergymen are identified with the Communist movement. He says that Communist influence among the Protestant clergy "is virtually nonexistent."

He attributes the spread of anti-Communist extremism largely to the frustration of impatient Americans who want to do something about communism but who do not realize that the main threat to the United States no longer is subversion here.

He advises citizens to leave the task of combating subversion to experts in the Federal Government who have the training and authority to do the job.

EXCERPTS FROM CATHOLIC BOOKLET ON THE RIGHT WING

WASHINGTON, March 1.—Following are excerpts from the booklet "Communism: Threat to Freedom" by the Reverend John F. Cronin, which was published today by the National Catholic Welfare Conference:

"The Communist Party in the United States dates from 1919. During the 43 years of its existence here, it has varied in strength and effectiveness. For 15 years, 1935–1950, it prospered both in terms of numbers and influence. After 1950, a sharp decline set in. By the 1960's, it reached its lowest ebb in terms of membership, finances, and influence on American opinion and policy.

"The Communists that remain are by no means inactive. But compared with their activities and influence 20 years ago, Communists today are weak and impotent. Yet, in the 1960's strong reaction against domestic communism is sweeping the land. Well-financed and attended crusades, which would have been manna from heaven in 1946, are increasingly evident. Speakers and writers for such groups are vigorously fighting problems that were mostly solved by 1950, and neglecting the far greater dangers of Communist subversion in Asia, Africa, and Latin America, and the general world Communist offensive.

"In many parts of the country, hysteria and suspicion are becoming increasingly evident. A virulent form of disunity is weakening us in the world struggle against communism, and performing this disservice in the name of militant anticommunism. Many Americans are confused and bewildered by the whole trend.

"FALSE PROPHETS MISLEAD

"It is easy to dismiss such events by name-calling. But such an approach is unfair to millions of Americans who desperately want to do something about communism. They have been misled by false prophets, but these ordinary Americans are not extremists or crackpots.

"Their basic problem is frustration and even fear. They have seen the Soviet Union apparently gaining in its struggle to communize the world. Those who would have Americans concentrate on a minor threat of domestic subversion and ignore subversion and Communist pressures in Europe, Asia, Africa, and Latin America are misleading the American people. Whatever their motives, they are effectively aiding the Communist cause.

"They are most effective when they can quote 'experts' to bolster their cause.

"There are three types of experts whose credentials should be scrutinized with care. They are former agents of the FBI (Federal Bureau of Investigation) former informants for the FBI, and persons who have had first-hand contact with the Communist Party, either as members or victims.

"Many of the more vocal anti-Communist groups have connected communism with social philosophies they find unpopular. Many, for example, use the argument expressed by a former high Government official in late 1961. It runs this way: Liberalism (or the Fair Deal or the New Frontier) is the same as the welfare state. The welfare state is socialism. And the Communists say that they are Socialists. Hence, liberalism is communism."

BAD LOGIC IS DISCERNED

"Actually this statement is bad logic and worse history. As logic, it would make the encyclical of Pope John XXIII, 'Mater et Magistra' (Christianity and social progress), a defense of communism. The encyclical advocates or does not reprove many specific items rejected by extremist groups (the use of the income tax to equalize burdens, and to undeveloped natives, Government action to smooth out economic change, social insurance, and to agriculture, housing subsidies, etc.).

"The violent and bitter struggle for racial equality in the United States has often prompted charges that Communists were behind these activities.

"Actually, it is an amazing fact that the Communists have had such little success among the Negroes.

"In fact, Negro leaders and the overwhelming majority of Negro people have rejected Communist influence and have insisted that they are true Americans. Whenever Communist influence is detected by the NAACP (National Association for Advancement of Colored People) or CORE, it is promptly removed.

"Protestant churches, especially the National Council of Churches, have also been a target for attack. Behind these attacks one usually finds opposition to the social Gospel or to alleged modernist trends in organized Protestantism."

PROTESTANT CLERGY DEFENDED

"Communist influence among the Protestant clergy today is virtually nonexistent.

"Some anti-Communist sources are also anti-Semitic. These groups are small and have little influence except among bigots. The organized Jewish community in the United States is strongly opposed to communism.

"Groups opposed to the United Nations often use alleged Communist infiltration or even control as a weapon in attacking this organization.

"Some of these opponents are basically isolationist and use the Communist charge as a handy weapon. Catholics who deny our international responsibilities do so in the face of repeated papal assertions of our moral obligation to seek world order, world prosperity, and world peace.

"The labor movement, and certain labor leaders, have also been the targets of special pleaders. Yet the CIO, Congress of Industrial Organizations wing of the labor movement, expelled its Communist unions well before the general public became excited about the problem. Both wings have been working for years to fight for free labor unions, and against Communist unions, in Europe, Asia, Africa, and Latin America.

"DISTORTIONS ARE OUTLINED

"Offenses charged to Communist infiltration also include fluoridation of water, promoting mental health, and organized peddling of smut. Yet our organized dental profession supports fluoridation of water. The medical profession endorses sound mental health programs. And organized pornography is a commercial venture, with no proven link to the Communist party.

"The menace of communism is much too real and much too worldwide for the American people to tolerate and support the distortions outlined above. Simple honesty and respect for truth should be adequate reasons for avoiding these efforts. But they are more than dishonest, they are also divisive. They show distrust in our Nation at a time when national unity is imperative. They weaken our democracy by spreading suspicions of treason in Government and asking Americans to use Communist tactics against fellow Americans. If carried far enough, these movements would paralyze American diplomacy. When every discussion with the Communist powers is considered a sign of weakness or even treason, then we are left with only two stark alternatives: surrender or war. Surely our commonsense should tell us that we should seek some middle course between these extremes.

"A mature and strong people has the inner strength to live with occasional frustration and failure. It does not cry disloyalty every time its will is thwarted. When honest mistakes of judgment are made, it seeks to correct them through the democratic process. Temper tantrums resulting from frustrations are not welcomed even in young children. In adults, they are signs of serious immaturity. There is much to be done to combat the menace of world communism. It is time for Americans to close ranks and to fight the real enemy on the real battleground with real weapons. If we fail in this, we shall be so weakened internally that Communist conquest will be inevitable.

"For the average citizen who asks: What can I do to fight communism? The answer might well be: Devote all your strength and energy, in concert with your fellow Americans, to build national unity and moral strength. Practice your religion, and make it a vital force in your community. Even in dealing with moral evils, concentrate less on denunciation and more on giving leadership and example. Be a man of integrity in your work. Make your family outstanding by the quality of parental love and discipline you show. Unite with your neighbors for a high moral standard in your community. Work for racial justice and harmony. Do your part to make this a better and stronger Nation, and we shall not fear what the Communists plot and scheme against us.

"Above all, we must have a broader vision of world needs."

APPOINTMENTS BY THE VICE PRESIDENT

The PRESIDING OFFICER (Mr. PELL in the chair) announced that pursuant to Public Law 380 of the 86th Congress, the Vice President reappointed Senator SAM J. ERVIN, JR., of North Carolina, Senator KARL E. MUNDT, of South Dakota, and Senator EDMUND S. MUSKIE, of Maine, as members of the Commission on Intergovernmental Relations.

Also, pursuant to Senate Resolution 33 of the 87th Congress, the Vice President appointed Senator WINSTON L. PROUTY, of Vermont, vice Senator NORRIS COTTON, of New Hampshire, as a member of the Special Committee on Aging.

THE ALEXANDER HAMILTON NATIONAL MONUMENT

The Senate resumed the consideration of the joint resolution (S.J. Res. 29) providing for the establishing of the former dwelling house of Alexander Hamilton as a national monument.

Mr. EASTLAND. Mr. President, the distinguished Senator from Georgia [Mr. RUSSELL] gave notice that he would make a point of order with respect to an amendment to Senate Joint Resolution 29, concerning which a motion to consider has been made. I shall support that point of order.

Mr. President, the pending business before the Senate is the consideration of Senate Joint Resolution 29, which would provide for the establishing of the former dwelling house of Alexander Hamilton as a national monument. Section 3 of this proposal provides:

There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this joint resolution. This joint resolution requires the signature of the President of the United States in the identical manner and fashion as is required of legislative vehicles commonly denominated as "bills."

Thus, Senate Joint Resolution 29 is a legislative vehicle to further the constitutional process of lawmaking as provided for in article I, section 7, clause 2, of the U.S. Constitution. This clause provides in part:

Every bill which shall have passed the House of Representatives and the Senate, shall, before it becomes a law, be presented to the President of the United States; if he approves he shall sign it, but if not he shall return it, with his objections to that House in which it shall have originated, who shall enter the objections it reached on their journal and proceed to reconsider it.

The bill and Senate joint resolution herein described is the legislative process by which the laws of the United States as incorporated in the statutes at large are enacted. Senate Joint Resolution 29 in its present form is consonant with this constitutional and legislative process.

The senior Senator from Florida [Mr. HOLLAND] has now proposed an amendment to Senate Joint Resolution 29 in the nature of a substitute.

The proposed substitute would strike out all of the language after the enacting clause of Senate Joint Resolution 29 and insert in lieu thereof the identical language now contained in Senate Joint Resolution 58. Senate Joint Resolution 58 was introduced on February 28, 1961, and proposed an amendment to the Constitution of the United States relating to the qualifications of electors. This resolution is now pending in the Constitutional Amendments Subcommittee of the Committee on the Judiciary.

In other words, the resolution is now being studied in a subcommittee of the Committee on the Judiciary, of which the distinguished senior Senator from Tennessee [Mr. KEFAUVER] is the chairman. The Senator from Tennessee is a diligent Senator. I know he is studying and working on this question in a careful manner. I certainly think the Senate should not proceed to circumvent his efforts in this field.

The senior Senator from Florida now proposes to be an alchemist, one who would transfer base metals into gold, or a magician so adept that he can drop a

rabbit in a hat and pull out a polecat. His proposal confronts a constitutional barrier that is insurmountable.

Senate Joint Resolution 58 and the language of the amendment now proposed in the nature of a substitute follow the language and procedure required by article 5 of the Constitution, providing for the amendatory process. This amendatory process is not achieved by the enactment of a law described in article I, but is achieved by the mode of amendment set forth in article 5. Article 5 describes the machinery by which amendments to the Constitution are achieved. It is removed and divorced from the legislative machinery of every kind and character that is described in article I, section 7. This fact is pinpointed when we consider that the Supreme Court of the United States as early as 1798, in the case of *Hollingsworth* v. *the United States*, 3 Dall. 378, declared that resolutions of Congress proposing amendments to the Constitution need not be submitted to the President, but can be referred directly to the States for their approval.

Mr. President, this procedure is in violation of the Constitution of the United States; and when the Senator from Georgia makes his point of order, it certainly should be sustained by the Senate.

The interpretation by the Supreme Court in the Hollingsworth case conclusively demonstrates that the legislative machinery to be utilized in implementing article 5 of the U.S. Constitution was completely divorced and entirely apart from the type and character of legislative process described in article I, section 7, of the Constitution.

Neither by the rules of the Senate, the rules of the House of Representatives, nor by any possible statute law, can a vehicle designed as legislation requiring the signature of the President be converted into a proposal for a constitutional amendment which must be submitted to the States without recourse to the President. The cart cannot be put before the horse. If the subject of this proposed amendment in the nature of a substitute is to be put before this Senate for consideration, Senate Joint Resolution 29, by number, must be obliterated from the calendar, and a proper constitutional vehicle to achieve the purpose must be substituted in its place.

Mr. President, 2 years ago, as I recall, when the Senate passed this identical resolution, it was substituted for another amendment—a resolution amending the Constitution—which then was pending on the Senate Calendar.

Mr. HILL. Mr. President, will the Senator from Mississippi yield?

Mr. EASTLAND. I yield.

Mr. HILL. It is a fact, is it not, that it was a resolution to amend the Constitution of the United States?

Mr. EASTLAND. That is correct.

Mr. HILL. And it was added to the resolution to amend the Constitution?

Mr. EASTLAND. Yes.

Mr. HILL. In other words, both propositions—in fact, before the resolution was passed, there were three propositions in it, but all three of them were amendments to the Constitution of the United States—were amendments to the Constitution; not one of the three was legislation. All three were proposed amendments of the Constitution of the United States, were they not?

Mr. EASTLAND. Yes. It was recognised that the only way the Senate can proceed to amend the Constitution of the United States is by means of a joint resolution, which does not have to go to the President of the United States. In fact, we would violate the Constitution of the United States if we tried to proceed to amend the Constitution through legislation. However, that is what is being attempted in this case.

Mr. HILL. Mr. President, will the Senator from Mississippi yield again?

Mr. EASTLAND. I yield.

Mr. HILL. And of course any proposal to amend the Constitution of the United States must be passed by two-thirds votes in both Houses of Congress, whereas a legislative proposal requires only majority votes.

Mr. EASTLAND. That is correct; and the measure which is the subject of the motion to call up, to which it is proposed to hitch the proposed constitutional amendment, requires only a majority vote for passage.

In searching the history of legislative procedures in regard to basic changes in forms of legislative proposals, the only compilation of cited authorities that I have been able to find is contained in Watkins' and Riddick's definitive book on Senate procedure. At page 101 of the 1958 edition it is stated:

> The form of legislative proposals, by unanimous consent or without objection, have been changed after their introduction.

So far as I can determine, the language that opens this paragraph is correct and conclusive. All the citations of actions taken by either the House or the Senate, in regard to a change in the form of legislative proposals, show that they have been achieved by unanimous consent or without objection. And throughout the entire history of the Senate, when constitutional amendments have been substituted or when a legislative proposal has been amended by striking out all after the enacting clause and inserting, in lieu thereof, a proposal to amend the Constitution of the United States, that has been done by unanimous consent of the Senate; and that is the only proper way and the only legal way in which it can be done.

Therefore, I now give notice that under no conditions can unanimous consent be obtained, because I and other Senators will object.

Mr. HILL. Mr. President, will the Senator from Mississippi yield?

Mr. EASTLAND. I yield.

Mr. HILL. The reason why unanimous consent is required is that it is contrary to the rules and in violation of them to proceed in the way described.

Mr. EASTLAND. That is correct.

Mr. HILL. So unanimous consent is required, in order to proceed contrary to the rules.

Mr. EASTLAND. That is correct. Unanimous consent is required; and that is the way it has been done throughout the history of this body.

So, Mr. President, I, for one, do not give unanimous consent; and I emphatically object to having the present amendment in the nature of a substitute attached to Senate Joint Resolution 29. I further register my objections to this procedure on the basis of the point of order, which should be unanimously sustained by the Members of this body.

Since 1791, when the first 10 amendments to the Constitution were ratified, only 12 additional amendments have been added thereto—an average of 1 new amendment for each 14 and a fraction years. Proposed abolition of the poll tax by one form of legislative or constitutional action or another has been a perennial matter for discussion and consideration by the U.S. Congress. The number of poll tax States has diminished to five. Where are the necessity and the urgency for adopting the presently proposed unique and unheard-of procedure to achieve a constitutional amendment? While I am one of those who have always believed that the poll tax was a legitimate prerequisite to exercise of the franchise, and that it was unwise to adopt any constitutional amendments which would deny to a State the right to levy a poll tax if it so chose, I do admit that over a long period of years a great number of persons have disagreed with my personal views in this regard. It is now heartening to see that the pendulum is swinging back to my point of view. No less person than the President of the United States, in a recent message to Congress, wholeheartedly endorsed the principle involved in the poll tax. He said, on January 30, 1962, in a message transmitting to Congress the proposal to appropriate up to $100 million for the purchase of United Nations bonds that:

> It is the opinion of the United States that special assessments voted by a two-thirds majority of the General Assembly are obligatory. We anticipate a decision by early summer of this year. If our view, which is shared by most of the members of the United Nations, is confirmed by the Court (the International Court of Justice), then all members will have to pay their dues or lose their right to vote in the General Assembly. It is only fair that members that participate in the privileges of membership should participate also in its obligations.

The President here is not only stating his opinion, but he purports to speak for the United States. If the United States believes that a nation which does not pay its assessments should be denied the right to vote in the General Assembly of the United Nations, then where is the consistency in saying that a sovereign State cannot require a small per capita or head tax as a prerequisite for its citizens to exercise the privilege of suffrage? Unlike some assessments against member nations in the United Nations, no existing poll tax in any of the States where it exists is onerous or oppressive. They are all modest contributions to help supply the funds necessary to the operations of the State Government. In my State the entire amount of the poll tax—$2—goes to the support of public schools.

The President's opinion as to the United States attitude toward voting

rights in the United Nations was buttressed by the testimony of the Secretary of State, our Ambassador to the United Nations, and practically every individual or organization that appeared before the Senate Foreign Relations Committee testifying in behalf of the United Nations bond issue appropriation. Is there any reason or justification that a separate standard of conduct should be imposed on nations than that which is required of the individuals who make up any sovereignty, be it a State or a nation?

It is the policy of the American Government that no member State of the United Nations that does not pay its dues shall vote in that body. Here it is proposed to tell a sovereign State that it cannot levy a puny $2 or $1.50 poll tax as a requirement for voting. The President of the United States, the Secretary of State of the United States, the Ambassador of the United States to the United Nations have in principle endorsed the theory of the poll tax and have made it the official policy of the United States Government.

While I am one of those who do not feel that either the United States or any State thereof is bound legally by any decision that might be rendered by the International Court of Justice, certainly before any further consideration is given to the domestic matter of a poll tax, it would not be inappropriate to ask that the decision be deferred until such time as we might have the benefit of the decision of the International Court of Justice on the principle involved. At least, whatever the decision is, there is a possibility that the inconsistency inherent in the position taken by the United States in international affairs and the urgency for this proposed constitutional amendment in domestic affairs might be resolved if the Court held that payment of assessments could not be required as a prerequisite for a nation voting in the General Assembly of the United Nations. Personally, I think it would be very appropriate for the Court to hold that a nation should be required to pay its assessments as a prerequisite to voting, and, by the same token, I hold that my State should have the fundamental right to continue to make such a requirement.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield.

Mr. HOLLAND. I point out to him that I see no similarity between the situation in the United Nations to which he has referred and the situation relative to the poll tax. In the United Nations the charter itself provides that a nation which is in default for a certain period of time in the payment of regular annual assessments may not vote. The question being presented to the International Court of Justice, as I understand it, is whether or not these arrearages would be classified as falling within the purview of regular assessments or whether they would be classified as coming under some other category. I see no similarity, no comparison at all, between that situation and the poll tax.

To repeat, the Charter of the United Nations itself, by which every nation who is a member is bound, provides conclusively that a nation which does not pay its regular annual assessment for a fixed period of time—as I remember, 2 years—cannot vote; and this bond issue is not a normal sort of procedure. The question now pending before the International Court of Justice, as I understand, is whether, in the opinion of that Court, the assessments in arrears shall be held to fall within the purview of the regular annual assessment.

Mr. EASTLAND. I am certainly sorry the distinguished Senator from Florida does not see this. It is very similar. It is very plain. Yes, the Charter of the United Nations provides that a nation has to keep up its assessments in order to vote. That assessment can be onerous to a country. It is identically the same principle contained in the State Constitution, that one has to pay a poll tax in order to vote; but that poll tax is not onerous. It is exactly the same principle.

What strikes me is that only in the past few weeks the U.S. Government, has endorsed that principle in the United Nations. It is a policy of the U.S. Government in international affairs.

Mr. HOLLAND. I am afraid that my distinguished friend has not studied the question very carefully, because if he had I think he would find the situation there is not similar to this. The Soviets and the behind-the-Iron-Curtain satellites have been very careful to pay their annual assessments, in order to keep their voting rights, but they have not paid special assessments for operations in the Congo. The U.N. bond issue is supposed to take the place of and take care of the special assessments.

My understanding of the issue before the Court is whether these special assessments are something that fall within the purview of regular assessments.

I notice the Senator from Kentucky [Mr. MORTON] on his feet. He has made a study of the question. I venture only a horseback opinion. That is my understanding. I hope the Senator from Mississippi will yield to the Senator from Kentucky.

Mr. EASTLAND. Certainly.

Mr. MORTON. I think the issue before the World Court has really nothing to do with the bond issue. The issue went to the World Court before the question of the bond issue was passed upon by the General Assembly. The issue before the World Court involves three categories of assessment on members of the United Nations. One is called a general assessment, which goes to the regular operating functions of the United Nations. The second assessment is to take care of the expenses of the security force in the Gaza strip, which went there in 1957 and which has been continued there by the United Nations. The third assessment is to take care of the Congo operations.

The question is, Does article 14 apply to special assessments as it does to regular assessments? If, as anticipated, the Court holds that it does, then I think that makes the Aiken-Hickenlooper proposal a very proper proposal and gives the United Nations 3 years in which to straighten out its fiscal dilemma.

Mr. EASTLAND. Mr. President, I ask unanimous consent that I may yield to the distinguished Senator from Kentucky provided that I do not lose my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. EASTLAND. I had only yielded for a question.

Mr. MORTON. I certainly would want the Senator to retain his right to the floor.

Mr. EASTLAND. Proceed, please.

Mr. MORTON. I merely wished to straighten out one point. I think the Senator from Mississippi has made an interesting point. I trust that someone speaking for the administration, if not this evening, at least tomorrow, will answer as to whether or not the President of the United States is against the poll tax.

Mr. EASTLAND. There is no answer to it. That is the proposal. We have the testimony of the Secretary of State. We have the testimony of the Ambassador to the United Nations. They say, "You cannot vote unless you pay your assessment"; and it can be an onerous assessment.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield for a question.

Mr. HOLLAND. I trust that the Senator will yield for a short statement.

Mr. EASTLAND. Mr. President, I ask unanimous consent that I may yield to the Senator from Florida without losing my right to the floor.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Mississippi? The Chair hears none, and it is so ordered.

Mr. HOLLAND. Replying to the suggestion made by my distinguished friend from Kentucky, I invite his attention to the fact that the record of the hearings in this particular matter shows that the Assistant Attorney General, Mr. Katzenbach, who appeared to testify on various pending constitutional amendments, made it very clear that on this particular amendment he was authorized to speak for the President in these words, as shown on page 388:

> I am authorized on this to speak for the administration and for the President.

That comes after the time he said:

> The Justice Department supports the proposed amendment as a realistic technique which seeks the early demise of the poll tax.

Those statements appear in several other forms during the course of the statement, that the President had given specific support to this and to this alone, of the various proceedings.

Mr. EASTLAND. Will the Senator tell us from what he is quoting?

Mr. HOLLAND. From the printed record of hearings before the Subcommittee on Constitutional Amendments of the Committee on the Judiciary of the U.S. Senate.

The Senator from Mississippi is, of course, the chairman of the full Committee on the Judiciary.

Mr. EASTLAND. Yes.

Mr. HOLLAND. This is a print from one of the subcommittees of his committee. There is no question about it.

In addition to that, Mr. President, further evidence will be offered during the course of the argument.

Mr. EASTLAND. Mr. President, will the Senator yield for a question?

Mr. HOLLAND. The Senator from Mississippi has control of the floor.

Mr. EASTLAND. I yielded to the Senator from Florida, under unanimous consent.

Mr. HOLLAND. I am glad to yield.

Mr. EASTLAND. Does the Senator not know that the Attorney General testified today in favor of abolishing the poll tax by legislation?

Mr. HOLLAND. I had not heard that, but I know what the President wants; and that is not in accord with his wishes, and it is not in accord with the position of the Justice Department, as stated by Mr. Katzenbach. I think we shall be able to show that conclusively.

Mr. EASTLAND. I believe the testimony today was on the literacy test, by legislation, but of course that involves the same principle.

Mr. HOLLAND. If the Senator will yield further, for some reason unknown to me the Justice Department has taken the position that the literacy test is in a different category from the poll tax question. I do not know why.

I certainly do not give the rubber stamp of complete approval to everything coming from the Justice Department, but I say that the Justice Department and the President are both clearly on record before the subcommittee on Constitutional Amendments of the Senator's own committee as supporting the amendment which is proposed, and the feeling that that is the practical and constitutional way to go after the poll tax.

Mr. EASTLAND. Mr. President, there is no question that they so testified, but what does that have to do with what I said? Of course they testified to that, but what I said is that the policy of the U.S. Government has endorsed the principle of the poll tax in international affairs, because we say that no nation shall vote in the United Nations unless it pays its assessments, even though they be onerous.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield for a question.

Mr. HOLLAND. The reason for that statement is that the charter, to which we are bound by treaty, so provides.

Mr. EASTLAND. The State constitutions so provide.

Mr. HOLLAND. The Federal Constitution does not so provide, however, and the Federal Constitution is changeable, and changeable in the method we are seeking to follow. The submission to the jury of the States is a method which existed before the Senator's State and mine came into the Union.

Mr. EASTLAND. Of course it can be submitted properly to the jury of the States, but that does not change the fact that the U.S. Government in international affairs has adopted the principle of the poll tax. The Senator cannot explain it away. The Senator cannot laugh it away. The Senator cannot brush it away. It is there.

Mr. HOLLAND. Mr. President, if the Senator will yield further, I am laughing it away, because I see no possible comparison between the two.

The United States and the other governments are able to pay their assessments. The thing we protest against is the fact that people oppressed by penury and poverty are not always able to pay them, and have not paid them.

Mr. EASTLAND. I defy the Senator to name one individual in my State or in the State of Alabama whom the poll tax has disqualified.

Mr. HOLLAND. Mr. President, I do not care to go into that subject.

Mr. EASTLAND. I defy the Senator to name an individual.

Mr. HOLLAND. I merely invite attention to the fact that the Senator would not let me put in the RECORD this morning—but I am stating it now, with his indulgence—the fact that the 2 States so ably represented by the Senator from Mississippi [Mr. EASTLAND] and the Senator from Alabama [Mr. HILL], both of whom are on the floor, are at the very bottom of the 50 States in respect to participation of their citizens in elections. There must be some good reason for that.

Mr. EASTLAND. Now the Senator has gone far afield. He is quoting from the Civil Rights Commission, and he knows it is not worthy of belief. He has been opposed to it.

Mr. HOLLAND. I am not quoting from the Civil Rights Commission; I am quoting from the Senator's own record, from his own committee, which is based on the report of the Census Bureau, the State officials, and the American Heritage Foundation.

Mr. EASTLAND. The Senator knows that in the South, where we do not have an effective two-party system, the Democratic primary really is the election.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to the amendment of the Senate to the bill (H.R. 5143) to amend section 801 of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901.

RECESS

Mr. EASTLAND. Mr. President, I move, pursuant to the order previously entered, that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 6 o'clock and 26 minutes p.m.) the Senate took a recess, pursuant to the order previously entered, until tomorrow, Friday, March 16, 1962, at 12 o'clock meridian.

NOMINATION

Executive nomination received by the Senate March 15 (legislative day of March 14), 1962:

U.S. PATENT OFFICE

Ezra Glaser, of Virginia, to be an Assistant Commissioner of Patents.

HOUSE OF REPRESENTATIVES

THURSDAY, MARCH 15, 1962

The House met at 11 o'clock a.m.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

I John 2: 17: *He that doeth the will of God abideth forever.*

O Thou who hast given unto us this Lenten season may we diligently examine our minds and hearts to see what kind of a spirit dwells there.

May we hear and heed Thy voice calling humanity to something far higher and nobler than the aimless, indolent, self-centered, and frivolous epicurean way of life.

Show us the insecurity and the vanity of any life that is not founded upon a strong faith in Thee but we penitently confess that we often hold our faith so lightly and loosely.

Grant that we may make a determined and disciplined effort to be crusaders and conquerors in the great adventure of doing Thy will and gaining for ourselves and all mankind a well-ordered inner life, one that is radiant and serene.

Hear us in the name of the Prince of Peace. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

SUNDRY MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Ratchford, one of his secretaries.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed, with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 5143. An act to amend section 801 of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901.

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATION BILL, 1963

Mr. KIRWAN. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight tomorrow night to file a privileged report on the Department of the Interior

and related agencies appropriation bill for 1963.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. FENTON reserved all points of order on the bill.

CALL OF THE HOUSE

Mr. ROOSEVELT. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The clerk called the roll and the following Members failed to answer to their names:

[Roll No. 36]

Alford	Grant	Norrell
Andersen, Minn.	Gray	Rains
	Hagan, Ga.	Roberts, Ala.
Andrews	Haley	St. Germain
Bilitch	Hoffman, Mich.	Shelley
Breeding	Huddleston	Shriver
Celler	Jensen	Smith, Miss.
Coad	Jones, Ala.	Spence
Cooley	Karth	Tupper
Davis, Tenn.	Kitchin	Weaver
Feighan	Lesinski	Willis
Flynt	Macdonald	
Glenn	Moulder	

The SPEAKER. On this rollcall, 397 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

WELFARE AND PENSION PLANS DISCLOSURE ACT AMENDMENTS OF 1962

Mr. POWELL. Mr. Speaker, I call up the conference report on the bill (H.R. 8723) to amend the Welfare and Pension Plans Disclosure Act with respect to the method of enforcement and to provide certain additional sanctions, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 1417)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 8723) to amend the Welfare and Pension Plans Disclosure Act with respect to the method of enforcement and to provide certain additional sanctions, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "That this Act may be cited as the 'Welfare and Pension Plans Disclosure Act Amendments of 1962'.

"SEC. 2. The first line of section 3 of the Welfare and Pension Plans Disclosure Act is amended by striking out '(a)'.

"SEC. 3. Paragraph (1) of section 3 of such Act is amended by striking out the word 'to' after the word 'communicated'.

"SEC. 4. Paragraph (9) of section 3 of such Act is amended to read as follows:

"'(9) The term "State" includes any State of the United States, the District of Columbia, Puerto Rico, the Virgin Islands, American Samoa, Guam, Wake Island, the Canal Zone, and Outer Continental Shelf lands defined in the Outer Continental Shelf Lands Act (43 U.S.C. 1331–1343).'

"SEC. 5. Section 3 of such Act is further amended by striking out paragraph (11) and adding the following new paragraphs (11), (12), and (13):

"'(11) The term "industry or activity affecting commerce" means any activity, business, or industry in commerce or in which a labor dispute would hinder or obstruct commerce or the free flow of commerce and includes any activity or industry "affecting commerce" within the meaning of the Labor-Management Relations Act, 1947, as amended, or the Railway Labor Act, as amended.

"'(12) The term "Secretary" means the Secretary of Labor.

"'(13) The term "party in interest" means any administrator, officer, trustee, custodian, counsel, or employee of any employee welfare benefit plan or employee pension benefit plan, or a person providing benefit plan services to any such plan, or an employer any of whose employees are covered by such a plan or officer or employee or agent of such employer, or an officer or agent or employee of an employee organization having members covered by such plan.'

"SEC. 6. Paragraphs (3) and (4) of subsection (b) of section 4 of such Act are amended to read as follows:

"'(3) such plan is administered by an organization which is exempt from taxation under the provisions of section 501(a) of the Internal Revenue Code of 1954 and is administered as a corollary to membership in a fraternal benefit society described in section 501(c)(8) of such Code or by organizations described in sections 501(c)(3) and 501(c)(4) of such Code: *Provided*, That the provisions of this paragraph shall not exempt any plan administered by a fraternal benefit society or organization which represents its members for purposes of collective bargaining; or

"'(4) such plan covers not more than twenty-five participants.'

"SEC. 7. Subsection (a) of section 5 of such Act is amended by striking out the last sentence thereof and inserting in lieu thereof the following: 'Such description and such report shall contain the information required by sections 6 and 7 of this Act in such form and detail as the Secretary shall by regulations prescribe and copies thereof shall be executed, published, and filed in accordance with the provisions of this Act and the Secretary's regulations thereunder. No regulation shall be issued under the preceding sentence which relieves any administrator of the obligation to include in such description or report any information relative to his plan which is required by section 6 or 7. Notwithstanding the foregoing, if the Secretary finds, on the record after giving interested persons an opportunity to be heard, that specific information on plans of certain kinds or on any class or classes of benefits described in section 3 (1) and (2) which are provided by such plans cannot, in the normal method of operation of such plans, be practicably ascertained or made available for publication in the manner or for the period prescribed in any provision of this Act, or that the information if published in such manner or for such period would be duplicative or uninformative, the Secretary may by regulations prescribe such other manner or such other period for the publication of such information as he may determine to be necessary and appropriate to carry out the purposes of this Act.'

"SEC. 8. Subsection (b) of section 6 of such Act is amended by adding at the end thereof the following new sentence: 'Any change in the information required by this subsection shall be reported to the Secretary within sixty days after the change has been effectuated.'

"SEC. 9. (a) Section 7(a) of such Act is amended by inserting after the word 'plan' the second time it appears the following: 'if it covers one hundred or more participants. However, the Secretary, after investigation, may require the administrator of any plan otherwise covered by the Act to publish such report when necessary and appropriate to carry out the purposes of the Act', and by striking out 'twenty' both times it appears and inserting in lieu thereof 'fifty'.

"(b) Section 7(b) of such Act is amended by striking out the first sentence of the second paragraph and inserting in lieu thereof the following: 'The amount contributed by each employer; the amount contributed by the employees; the amount of benefits paid or otherwise furnished; the number of employees covered; a statement of assets specifying the total amount in each of the following types of assets: cash, Government bonds, non-Government bonds and debentures, common stocks, preferred stocks, common trust funds, real estate loans and mortgages, operated real estate, other real estate, and other assets; a statement of liabilities, receipts, and disbursements of the plan; a detailed statement of the salaries and fees and commissions charged to the plan, to whom paid, in what amount, and for what purposes. The Secretary, when he has determined that an investigation is necessary in accordance with section 9(d) of this Act, may require the filing of supporting schedules of assets and liabilities.'

"(c) Section 7(b) is further amended by adding at the end thereof the following new sentence: 'In the case of reports sworn to, but not certified, the Secretary, when he determines that it may be necessary to investigate the plan in accordance with section 9(d) of this Act, shall, prior to investigation by the Department of Labor, require certification of the report by an independent certified or licensed public accountant.'

"SEC. 10. Subparagraph (B) of paragraph (1) of subsection (f) of section 7 of such Act is amended by striking out 'summary' and by striking out 'broken down by types, such as cash investments in governmental obligations, investments in nongovernmental bonds, and investments in corporate stocks' and inserting in lieu thereof the following: 'as required by section 7(b)'.

"SEC. 11. Subparagraph (C) of paragraph (1) of subsection (f) of section 7 of such Act is amended by striking out 'total fund' and inserting 'total funds', by striking out 'by reason of being an officer, trustee, or employee of such fund', and by striking out 'listed at their aggregate cost or present value, whichever is lower' and inserting in lieu thereof 'valued as provided in subparagraph (B)'.

"SEC. 12. Subparagraph (D) of paragraph (1) of subsection (f) of section 7 of such Act is amended by striking out the words 'by reason of being an officer, trustee, or employee of such fund'.

"SEC. 13. Section 7 of such Act is amended by adding thereto the following new subsections (g) and (h):

"'(g) If some or all of the benefits under the plan are provided by an insurance carrier or service or other organization, such carrier or organization shall certify to the administrator of such plan, within one hundred and twenty days after the end of each calendar, policy, and other fiscal year, as the case may be, such reasonable information determined by the Secretary to be necessary to enable such administrator to comply with the requirements of this Act.

"'(h) The Secretary shall prescribe by general rule simplified reports for plans which he finds that by virtue of their size or otherwise a detailed report would be unduly burdensome, but the Secretary may revoke such provisions for simplified forms for any plan if the purposes of the Act would be served thereby.'

"SEC. 14. Section 8(a)(2) of such Act is amended by striking out 'a summary' and inserting in lieu thereof 'an adequate summary'.

"SEC. 15. (a) Section 9(a) of such Act is amended by striking out 'of sections 5 or 8' and inserting before the period the words ', or both'.

"(b) Section 9 of such Act is amended by striking out subsections (d) and (e) and inserting in lieu thereof the following new subsections:

"'(d) The Secretary may, after first requiring certification in accordance with section 7(b), upon complaint of violation not satisfied by such certification, or on his own motion, when he continues to have reasonable cause to believe investigation may disclose violations of this Act, make such investigations as he deems necessary, and may require or permit any person to file with him a statement in writing, under oath or otherwise, as to all the facts and circumstances concerning the matter to be investigated.

"'(e) For the purposes of any investigation provided for in this Act, the provisions of sections 9 and 10 (relating to the attendance of witnesses and the production of books, records, and documents) of the Federal Trade Commission Act of September 16, 1914, as amended (15 U.S.C. 49, 50), are hereby made applicable to the jurisdiction, powers, and duties of the Secretary or any officers designated by him.

"'(f) Whenever it shall appear to the Secretary that any person is engaged in any violation of the provisions of this Act, he may in his discretion bring an action in the proper district court of the United States or United States court of any place subject to the jurisdiction of the United States, to enjoin such acts or practices, and upon a proper showing a permanent or temporary injunction or restraining order shall be granted.

"'(g) The United States district courts and the United States courts of any place subject to the jurisdiction of the United States shall have jurisdiction, for cause shown, to restrain violations of this Act.

"'(h) Nothing contained in this Act shall be so construed or applied as to authorize the Secretary to regulate, or interfere in the management of, any employee welfare or pension benefit plan, except that the Secretary may inquire into the existence and amount of investments, actuarial assumptions, or accounting practices only when it has been determined that investigation is required in accordance with section 9(d) of this Act.

"'(i) The Secretary shall immediately forward to the Attorney General or his representative any information coming to his attention in the course of the administration of this Act which may warrant consideration for criminal prosecution under the provisions of this Act or other Federal law.'

"SEC. 16. (a) Such Act is further amended by renumbering sections 10, 11, and 12 as sections 16, 17, and 18, respectively, and by adding the following new sections to the Act:

"'REPORTS MADE PUBLIC INFORMATION

"'SEC. 10. The contents of the descriptions and regular annual reports filed with the Secretary pursuant to this Act shall be public information, and the Secretary, where to do so would protect the interests of participants or beneficiaries of a plan, may publish any such information and data. The Secretary may use the information and data for statistical and research purposes, and compile and publish such studies, analyses, reports, and surveys based thereon as he may deem appropriate.

"'RETENTION OF RECORDS

"'SEC. 11. Every person required to file any description or report or to certify any information therefor under this Act shall maintain records on the matters of which disclosure is required which will provide in sufficient detail the necessary basic information and data from which the documents thus required may be verified, explained, or clarified, and checked for accuracy and completeness, and shall include vouchers, worksheets, receipts, and applicable resolutions, and shall keep such records available for examination for a period of not less than five years after the filing of the documents based on the information which they contain.

"'RELIANCE ON ADMINISTRATIVE INTERPRETATIONS AND FORMS

"'SEC. 12. In any action or proceeding based on any act or omission in alleged violation of this Act, no person shall be subject to any liability or punishment for or on account of the failure of such person to (1) comply with any provision of this Act if he pleads and proves that the act or omission complained of was in good faith, in conformity with, and in reliance on any written interpretation or opinion of the Secretary, or (2) publish and file any information required by any provision of this Act if he pleads and proves that he published and filed such information in good faith, on the description and annual report forms prepared by the Secretary and in conformity with the instructions of the Secretary issued under this Act regarding the filing of such forms. Such a defense, if established, shall be a bar to the action or proceeding, notwithstanding that (A) after such act or omission, such interpretation or opinion is modified or rescinded or is determined by judicial authority to be invalid or of no legal effect, or (B) after publishing or filing the description and annual reports, such publication or filing is determined by judicial authority not to be in conformity with the requirements of this Act.

"'BONDING

"'SEC. 13. (a) Every administrator, officer and employee of any employee welfare benefit plan or of any employee pension benefit plan subject to this Act who handles funds or other property of such plan shall be bonded as herein provided; except that, where such plan is one under which the only assets from which benefits are paid are the general assets of a union or of an employer, the administrator, officers and employees of such plan shall be exempt from the bonding requirements of this section. The amount of such bond shall be fixed at the beginning of each calendar, policy, or other fiscal year, as the case may be, which constitutes the reporting year of such plan. Such amount shall be not less than 10 per centum of the amount of funds handled, determined as herein provided, except that any such bond shall be in at least the amount of $1,000 and no such bond shall be required in an amount in excess of $500,000: *Provided*, That the Secretary, after due notice and opportunity for hearing to all interested parties, and after consideration of the record, may prescribe an amount in excess of $500,000, which in no event shall exceed 10 per centum of the funds handled. For purposes of fixing the amount of such bond, the amount of funds handled shall be determined by the funds handled by the person, group, or class to be covered by such bond and by their predecessor or predecessors, if any, during the preceding reporting year, or if the plan has no preceding reporting year, the amount of funds to be handled during the current reporting year by such person, group, or class, estimated as provided in regulations of the Secretary. Such bond shall provide protection to the plan against loss by reason of acts of fraud or dishonesty on the part of such administrator, officer, or employee, directly or through connivance with others. Any bond shall have as surety thereon a corporate surety company which is an acceptable surety on Federal bonds under authority granted by the Secretary of the Treasury pursuant to the Act of July 30, 1947 (6 U.S.C. 6-13). Any bond shall be in a form or of a type approved by the Secretary, including individual bonds or schedule or blanket forms of bonds which cover a group or class.

"'(b) It shall be unlawful for any administrator, officer, or employee to whom subsection (a) applies, to receive, handle, disburse, or otherwise exercise custody or control of any of the funds or other property of any employee welfare benefit plan or employee pension benefit plan, without being bonded as required by subsection (a) and it shall be unlawful for any administrator, officer, or employee of such plan, or any other person having authority to direct the performance of such functions, to permit such functions, or any of them, to be performed by any such person, with respect to whom the requirements of subsection (a) have not been met.

"'(c) It shall be unlawful for any person to procure any bond required by subsection (a) from any surety or other company or through any agent or broker in whose business operations such plan or any party in interest in such plan has any significant control or financial interest, direct or indirect.

"'(d) Nothing in any other provision of law shall require any person, required to be bonded as provided in subsection (a) because he handles funds or other property of an employee welfare benefit plan or of an employee pension benefit plan, to be bonded insofar as the handling by such person of the funds or other property of such plan is concerned.

"'(e) The Secretary shall from time to time issue such regulations as may be necessary to carry out the provisions of this section. When, in the opinion of the Secretary, the administrator of a plan offers adequate evidence of the financial responsibility of the plan, or that other bonding arrangements would provide adequate protection of the beneficiaries and participants, he may exempt such plan from the requirements of this section.

"'ADVISORY COUNCIL

"'SEC. 14. (a) There is hereby established an Advisory Council on Employee Welfare and Pension Benefit Plans (hereinafter referred to as the "Council") which shall consist of thirteen members to be appointed in the following manner: One from the insurance field, one from the corporate trust field, two from management, four from labor, and two from other interested groups, all appointed by the Secretary from among persons recommended by organizations in the respective groups; and three representatives of the general public appointed by the Secretary.

"'(b) It shall be the duty of the Council to advise the Secretary with respect to the carrying out of his functions under this Act, and to submit to the Secretary recommendations with respect thereto. The Council shall meet at least twice each year and at such other times as the Secretary requests. At the beginning of each regular session of the Congress, the Secretary shall transmit to the Senate and House of Representatives each recommendation which he has received from the Council during the preceding calendar year and a report covering his activities under the Act for such preceding calendar year, including full information as to the number of plans and their size, the results of any studies he may have made of such plans and the Act's operation and such other information and data as he may deem desirable in connection with employee welfare and pension benefit plans.

"'(c) The Secretary shall furnish to the Council an executive secretary and such secretarial, clerical, and other services as are deemed necessary to the conduct of its business. The Secretary may call upon other agencies of the Government for statistical data, reports, and other information which will assist the Council in the performance of its duties.

"'(d) Appointed members of the Council shall be paid compensation at the rate of $50 per diem when engaged in the work of the Council, including travel time, and shall be allowed travel expenses and per diem in lieu of subsistence as authorized by law (5 U.S.C. 73b-2) for persons in the Government service employed intermittently and receiving compensation on a per diem, when actually employed, basis.

"'(e)(1) Any member of the Council is hereby exempted with respect to such appointment, from the operation of sections 281, 283, and 1914 of title 18 of the United States Code, and section 190 of the Revised Statutes (5 U.S.C. 99), except as otherwise specified in paragraph (2) of this subsection.

"'(2) The exemption granted by paragraph (1) of this subsection shall not extend—

"'(A) to the receipt or payment of salary in connection with the appointee's Government service from any source other than the private employer of the appointee at the time of his appointment, or

"'(B) during the period of such appointment, to the prosecution or participation in the prosecution, by any person so appointed, of any claim against the Government involving any matter with which such person, during such period, is or was directly connected by reason of such appointment.

"'ADMINISTRATION

"'SEC. 15. (a) The provisions of the Administrative Procedure Act shall be applicable to this Act.

"'(b) No employee of the Department of Labor shall administer or enforce this Act with respect to any employee organization of which he is a member or employer organization in which he has an interest.

"'(c) No more than 260 employees shall be employed by the Department of Labor to administer or enforce this Act for the first two years after the enactment of the Welfare and Pension Plans Disclosure Act Amendments of 1962.

"'(d) Not more than two million two hundred thousand dollars per year is authorized to be appropriated for the administration and enforcement of this Act, for the first two years after the enactment of the Welfare and Pension Plans Disclosure Act Amendments of 1962.'

"(b) Subsection (b) of the section renumbered as section 16 by this Act, is amended by inserting after 'of this section' the following: 'and section 13'.

"(c) The table of contents of the first section of such Act is amended by striking out the last three lines and inserting in lieu thereof the following:

"'Sec. 10. Reports made public information.
"'Sec. 11. Retention of records.
"'Sec. 12. Reliance on administrative interpretations and forms.
"'Sec. 13. Bonding.
"'Sec. 14. Advisory Council.
"'Sec. 15. Administration.
"'Sec. 16. Effect of other laws.
"'Sec. 17. Separability of provisions.
"'Sec. 18. Effective date.'

"SEC. 17. (a) Chapter 31 of title 18, United States Code, as amended, is amended by adding a new section captioned and reading as follows:

"'§ 664. Theft or embezzlement from employee benefit plan

"'Any person who embezzles, steals, or unlawfully and willfully abstracts or converts to his own use or to the use of another, any of the moneys, funds, securities, premiums, credits, property, or other assets of any employee welfare benefit plan or employee pension benefit plan, or of any fund connected therewith, shall be fined not more than $10,000, or imprisoned not more than five years, or both.

"'As used in this section, the term "any employee welfare benefit plan or employee pension benefit plan" means any such plan subject to the provisions of the Welfare and Pension Plans Disclosure Act.'

"(b) The analysis of chapter 31, title 18, United States Code, immediately preceding section 641 thereof, is amended by adding at the end thereof the following new item:

"'664. Theft or embezzlement from employee benefit plan.'

"(c) Chapter 47 of title 18, United States Code, as amended, is amended by adding a new section captioned and reading as follows:

"'§ 1027. False statements and concealment of facts in relation to documents required by the Welfare and Pension Plans Disclosure Act

"'Whoever, in any document required by the Welfare and Pension Plans Disclosure Act (as amended from time to time) to be published, or kept as part of the records of any employee welfare benefit plan or employee pension benefit plan, or certified to the administrator of any such plan, makes any false statement or representation of fact, knowing it to be false, or knowingly conceals, covers up, or fails to disclose any fact the disclosure of which is required by such Act or is necessary to verify, explain, clarify or check for accuracy and completeness any report required by such Act to be published or any information required by such Act to be certified, shall be fined not more than $10,000, or imprisoned not more than five years, or both.'

"(d) The analysis of chapter 47, title 18, United States Code, immediately preceding section 1001, is amended by adding at the end thereof the following new item:

"'1027. False statements and concealment of facts in relation to documents required by the Welfare and Pension Plans Disclosure Act.'

"(e) Chapter 95 of title 18, United States Code, as amended, is amended by adding a new section captioned and reading as follows:

"'§ 1954. Offer, acceptance, or solicitation to influence operations of employee benefit plan

"'(a) Whoever being—

"'(1) an administrator, officer, trustee, custodian, counsel, agent, or employee of any employee welfare benefit plan or employee pension benefit plan; or

"'an officer, counsel, agent, or employee of an employer or an employer any of whose employees are covered by such plan; or

"'(3) an officer, counsel, agent, or employee of an employee organization any of whose members are covered by such plan; or

"'(4) a person who, or an officer, counsel, agent, or employee of an organization which, provides benefit plan services to such plan receives or agrees to receive or solicits any fee, kickback, commission, gift, loan, money, or thing of value because of or with intent to be influenced with respect to, any of his actions, decisions, or other duties relating to any question or matter concerning such plan or any person who directly or indirectly gives or offers, or promises to give or offer, any fee, kickback, commission, gift, loan, money, or thing of value prohibited by this section, shall be fined not more than $10,000 or imprisoned not more than three years, or both: *Provided*, That this section shall not prohibit the payment to or acceptance by any person of bona fide salary, compensation, or other payments made for goods or facilities actually furnished or for services actually performed in the regular course of his duties as such person, administrator, officer, trustee, custodian, counsel, agent, or employee of such plan, employer, employee organization, or organization providing benefit plan services to such plan.

"'As used in this section, the term (a) "any employee welfare benefit plan" or "employee pension benefit plan" means any such plan subject to the provisions of the Welfare and Pension Plans Disclosure Act, as amended, and (b) "employee organization" and "administrator" as defined respectively in sections 3(3) and 5(b) (1) and (2) of the Welfare and Pension Plans Disclosure Act, as amended.

"'(b) Whenever in the judgment of a United States attorney the testimony of any witness, or the production of books, papers, or other evidence by any witness, in any case or proceeding before any grand jury or court of the United States involving any violation of this section, or any conspiracy to violate such section, is necessary to the public interest, he, upon the approval of the Attorney General, shall make application to the court that the witness shall be instructed to testify or produce evidence subject to the provisions of this subsection, and upon order of the court such witness shall not be excused from testifying or from producing books, papers, or other evidence on the ground that the testimony or evidence required of him may tend to incriminate him or subject him to a penalty or forfeiture. But no such witness shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, nor shall testimony so compelled be used as evidence in any criminal proceeding (except prosecution described in the next sentence) against him in any court. No witness shall be exempt under this subsection from prosecution for perjury or contempt committed while giving testimony or producing evidence under compulsion as provided in this subsection.'

"(f) The analysis of chapter 95, title 18, United States Code, immediately preceding section 1951 thereof, is amended by adding at the end thereof the following new item:

"'1954. Offer, acceptance, or solicitation to influence operations of employee benefit plan.'

"SEC. 18. The Welfare and Pension Plans Disclosure Act is further amended by substituting the term 'Secretary' for the term 'Secretary of Labor' wherever the latter term appears in such Act.

"SEC. 19. The amendments made by this Act shall take effect ninety days after the enactment of this Act, except that section

13 of the Welfare and Pension Plans Disclosure Act shall take effect one hundred eighty days after such date of enactment.

"And the Senate agree to the same."

ADAM C. POWELL,
JAMES ROOSEVELT,
JOHN H. DENT,
NEAL SMITH,
Managers on the Part of the House.

PAT MCNAMARA,
WAYNE MORSE,
J. RANDOLPH,
BEN A. SMITH,
CLAIBORNE PELL,
Q. BURDICK,
WINSTON L. PROUTY,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 8723) to amend the Welfare and Pension Plans Disclosure Act with respect to the method of enforcement and to provide certain additional sanctions, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The Senate amendment struck out all of the House bill after the enacting clause and inserted a new text. The House recedes from its disagreement to the amendment of the Senate, with an amendment which is a substitute for both the House bill and the Senate amendment. The differences between the House bill and the substitute agreed upon in conference are described in this statement, except for incidental, minor, and clarifying changes.

Section 8 of the House bill provided that changes in the information required to be contained in the description of a plan must be reported to the Secretary within 60 days after the effective date of the change. The Senate amendment contained the same provision, except that it required such a change to be reported within 60 days after the change has been effectuated. The conference substitute adopts the Senate provision so that the 60-day period will run from the actual date such a change is made where the change is given a retroactive effective date.

Section 9(a) of the Senate amendment amended section 7(a) of the act to provide that annual reports with respect to employee welfare or pension benefit plans need not be published where they cover fewer than 100, but the amendment gave the Secretary of Labor power, after investigation, to require administrators of plans which would otherwise be covered to publish such reports when necessary and appropriate to carry out the purposes of the act. The House bill contained no comparable provision, so that employee welfare or pension benefit plans are subject to the requirements of the act if they cover more than 25 participants. The conference substitute adopts this provision of the Senate amendment.

The House bill, in section 16(a), added a new section 10 of the act providing that the contents of descriptions and annual reports filed under the act will be public information, and that the Secretary could, where it would protect the interests of participants or beneficiaries to do so, publish any information and data which he obtains pursuant to the act. The Senate amendment also provided that descriptions and regular annual reports would be public information but permitted the Secretary to publish only information and data contained in such descriptions and reports. The conference substitute makes the contents of descriptions and regular annual reports public information and permits the Secretary to publish any information and data derived from such descriptions and regular annual reports where to do so would protect the interests of participants or beneficiaries.

Both the House bill and the Senate amendment added a new section 13 to the act requiring the bonding of administrators, officers, and employees of employee welfare or pension benefit plans. In this section the House bill provided that no bond would be required in an amount in excess of $500,000. However, the bill permitted the Secretary, after due notice and opportunity of hearing to all interested parties and after consideration of the record, to prescribe an amount in excess of $500,000. The conference substitute on this point is the same as the House bill except that the authority of the Secretary to prescribe bonds in the amount of $500,000 is so limited as to insure that he will not be permitted to require a bond in excess of 10 percent of the amount of funds handled. It should be made clear that it is the intent of Congress that the Secretary of Labor, in exercising this authority to require a bond in excess of $500,000, may do so by regulation prior to the effective date of the bonding requirements or on a case-by-case basis after the bonding provision becomes effective. That is, the Secretary may, by regulation, establish a schedule of bond amounts for large plans prior to the effective date of the bonding provisions, and he may modify his regulations for any individual plan after such date.

The House bill, in the new section 13(e), permitted the Secretary to exempt any administrator, officer, or employee of a plan from the new bonding requirements when, in his opinion, the plan administrator furnished evidence of financial responsibility adequate to assure protection of the beneficiaries and participants. The comparable provision of the Senate amendment permitted such an exemption only where there were other bonding arrangements required by Federal or State law covering such persons which were adequate for the protection of the participants and beneficiaries. The conference substitute adopts the provisions of the House bill, with the additional provision that the plan could be exempted from the bonding requirements, not only when the administrator offers adequate evidence of financial responsibility but also when he is of the opinion that other bonding arrangements would provide adequate protection for the participants and beneficiaries. That intent is that the Secretary of Labor will, by regulation or by a case-by-case procedure, be empowered to accept other forms of surety to protect welfare and pension funds. He will be empowered to accept bonding arrangements underwritten by a group of individual underwriters of good reputation admitted to provide such arrangements in a State of the United States. He will also be empowered to accept irrevocable escrow arrangements that will provide the same degree of protection offered by other bonds. Thus, the commercial practice of guaranteeing an obligation through a cash bond can be accepted by the Secretary in lieu of other bonds.

The House bill added a new section 15(b) to the act which provided that Labor Department employees whose duties involve the administration or enforcement of this act could not be members of an employee organization if such organization admits to membership, or is affiliated directly or indirectly with an organization which admits to membership, employees other than employees of the Federal Government. The Senate amendment contained no comparable provision. The substitute agreed upon in conference provides that no Labor Department employee may administer and enforce this act with respect to an employee organization of which he is a member or employer organization in which he has an interest. This provision was adopted to insure that the administration and enforcement of the act would be free from any conflict of interest. This language is intended to provide guidelines for individual Labor Department employee participation in the administration and enforcement of the act. It was the intent of the conferees representing both Houses that no member of a labor union or employer organization should work on the plan or report submitted by that union or employer organization. It must be made clear that this language is not intended to bar employees of the Department from belonging to an organization which is affiliated with a parent federation. Thus, an employee of the Department, even though a member of a labor union which is affiliated with a parent federation, would not be barred from working on plans or reports other than those submitted by his local or international union. Similarly, a member of a trade association would not be barred from working on the plans or reports submitted by members of that trade association other than those submitted by the particular employer organization in which he has an interest.

The House bill added a new section 15(c) to the act providing that not more than 260 employees could be employed by the Labor Department to enforce or administer the act. The Senate amendment contained no comparable provision. The conference substitute adopts this provision of the House bill, except that it is made applicable for only the first 2 years after the enactment of these amendments.

The House bill, in section 17(a), added a section to chapter 11 of title 18 of the United States Code making it a crime to give or receive anything of value for influencing the actions, decisions, or duties of persons connected with employee benefit plans. The Senate amendment makes a very similar amendment to chapter 31 of title 18. In addition to differences in location, the Senate amendment differs from the House bill by (1) including agents of plans in the section, (2) officers, counsels, agents, and employees of organizations providing benefit plan services are included, (3) counsels of employers and employee organizations are included, (4) solicitations are expressly included, (5) fees, kickbacks, commissions, gifts, and loans are expressly included, and (6) certain definitions are incorporated by reference. The conference substitute is like the Senate amendment.

The House bill provided that the amendments made by the act would come into effect on January 1, 1963, except that the new bonding requirements would take effect on July 1, 1962. The Senate amendment would provide that the amendments would take effect 90 days after the enactment of this act, except that the bonding provisions would take effect 180 days after the date of enactment. The substitute agreed upon in conference provides for the adoption of the provisions of the Senate amendment in this respect.

ADAM C. POWELL,
JAMES ROOSEVELT,
JOHN H. DENT,
NEAL SMITH,
Managers on the Part of the House.

Mr. POWELL. Mr. Speaker, in September of last year, in the closing days of the first session, our committee brought H.R. 8723, amendments to the Welfare and Pension Plans Disclosure Act, to the floor under suspension of rules. The vast majority of the Members, 245 in number, voted to pass this measure, but we were 12 short of the necessary two-thirds vote. In February of this year, we again brought this bill to the floor and a full debate on its merits was had.

By a better than 2-to-1 vote, the House again voiced its support for these amendments.

We all realized that H.R. 8723 answered a long overdue need to assure the 100 million men and women who are direct and indirect beneficiaries of the welfare and pension plans that their moneys are safeguarded and that the trustees of these funds recognize their fiduciary responsibilities. I believe that the bill which we passed will go a long way toward doing that job. The counterpart bill in the other body was also an effective proposal containing almost identical provisions.

We are now presenting to the House the results of our conference. I believe that we have taken the best of both bills and therefore bring to you now even better legislation than either original proposal. The conference report before you is not greatly different from the bill which passed this House last month.

In the 2 days of conference which were held, all the provisions of H.R. 8723 and S. 2520 were carefully examined. On all but one issue, I can safely say that those conferees from both sides of the House who favored this measure were in agreement that the changes made by the conferees were beneficial. The conferees of the other body receded on more issues than did the House. The House only receded when it was felt that the Senate or compromise language proposed was even more expressive of the House's intent. In this respect, I wish to compliment the conferees of both parties for their willingness, in a spirit of compromise and with constructive effort, to work out a mutually acceptable conference report. Mr. ROOSEVELT will explain to you the changes which were made by the conference.

I would like to conclude by saying that I believe that the Members of this body gave overwhelming support to this measure because they believe, as I do, that it is fundamental in a democracy that the rights of the individual are secured by law—and until this conference report becomes the law of the land the rights of millions of Americans to full disclosure of the operations of their welfare and pension plans are not so secured.

One final word—as I said a few moments ago, there was only one provision of this report on which all our House managers did not agree—although all the Senate conferees who were recorded did vote with the majority—the so-called Ashbrook amendment which was adopted in the House by a teller vote when we debated this bill. A majority of the conferees, from both Houses, believed that this amendment was not only inequitable but would also have harmful, although perhaps unintentional ramifications. We spent a great amount of time on this matter in conference. A member of the minority party, from the other body, proved to be the "Great Compromiser." He suggested a substitute amendment as well as a clarifying statement for use in the statement of managers. These were adopted verbatim and are before you at this time. A majority of the House managers believe that this substitute amendment contained in the conference report will prevent any possibility of conflict of interest in the administration of this act. At the same time, the partiality of the Ashbrook amendment is avoided and rights to join unions of their own choosing that Government workers have enjoyed since 1912 are preserved. Your vote to approve the conference report is requested.

Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. GOODELL].

Mr. GOODELL. Mr. Speaker, may I ask if the gentleman from New York [Mr. POWELL] would yield us half the time, and let us allocate that?

Mr. POWELL. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. POWELL. Mr. Speaker, under the rules it is possible to yield half the time to the other side?

The SPEAKER. The practice is that whoever is in charge of the conference report has control of the time, and he yields the time to others. The gentleman from New York [Mr. GOODELL] has been yielded 5 minutes. The gentleman is recognized for 5 minutes.

Mr. GOODELL. Mr. Speaker, I come to you today as a conferee who favors the purpose of the Welfare and Pension Disclosure Act. I spoke to you as vigorously as I was capable of doing when this first came to the floor, in favor of the provisions which came from the committee.

In the conference we had one difference of opinion that involved the so-called Ashbrook amendment. The Ashbrook amendment, simply put, said that no employee of the Department of Labor who is enforcing this act shall be a member of an employee organization or affiliated with an employee organization that admits to membership individuals other than employees of the Federal Government. We fought for this, the conferees on our side, throughout the conference, and we lost. We refused to sign the conference report on that ground alone.

This issue was first raised, may I say, by our esteemed colleague, the gentleman from Georgia [Mr. LANDRUM] when he testified in the Committee on Rules on the Welfare and Pension Bill. He pointed out the possible conflict of interest that existed with employees of the Labor Department enforcing this act with respect to unions. Actually the Ashbrook amendment will affect 260 specific employees in the Labor Department.

I pay tribute to the experience and background of both the gentleman from Georgia [Mr. LANDRUM], and the gentleman from Michigan [Mr. GRIFFIN]. The gentleman from Michigan [Mr. GRIFFIN] also feels very strongly that in this issue there is a matter of principle involved. I would say to you that I favor the Ashbrook amendment and there will be a motion to recommit this conference report, with instructions to our conferees to insist upon the Ashbrook amendment. I shall favor the motion to recommit.

If we had a situation here where an executive of the Chrysler Corp. had some involvement in the enforcement of an act affecting the Chrysler Corp., I do not think you would have any doubt about there being a conflict of interest. If we had a situation here where a member of the National Association of Manufacturers was enforcing an act affecting prominent and strong members of that organization, I think also that there would be less doubt on the part of some of the people who now oppose the Ashbrook amendment. We are, with the Ashbrook amendment, attempting to clear these employees of exceptional pressures, of the possibility of improper influence being brought to bear upon them, or the possibility of their being subjected to the torsion of divided loyalties. Federal employees will have a difficult job to enforce this act fairly and we should help them be in a sense as pure as Caesar's wife.

There are many opportunities in this act for leaks which will do great harm, immeasurable harm to the parties involved with these welfare and pension plans. No situation of divided loyalty should be permitted to encourage further leaks.

I had one reservation about the Ashbrook amendment and in conference I expressed that reservation and offered a compromise. I felt there was a legitimate question of conflict of interest here but that we should not apply it just to employee organizations, that we should also bar conflict of interest as to those who might be affiliated with employer organizations. I offered this compromise in conference to cover all parties who might have a conflict of interest involving the supervision of these acts. It was summarily rejected.

Mention has been made of the compromise, so-called, that was offered from the other body. That compromise will have virtually no effect upon the enforcement of this act, in my opinion. We all fear the granting of great discretion to administrators downtown, to the so-called bureaucrats. Last week we had an example of it, right after the manpower bill had passed this House. In defiance of our expressed will on this floor, decision was made in the Labor Department to do precisely the opposite of what we intended with reimbursement under the unemployment compensation system. This decision was called to my attention midweek. We called together both Democrats and Republicans in the House and got to work and reversed their decision downtown.

But we have to watch these people constantly. They have great authority and can be influenced to expand that authority beyond the actual intent of Congress. Certainly it is not fair to these employees to be put in the position of having divided loyalties, of having pressures upon them and influences upon them from sources that have nothing to do with the fair and impartial administration of this act.

The SPEAKER. The time of the gentleman has expired.

Mr. GOODELL. Mr. Speaker, would the gentleman from New York yield me more time?

Mr. POWELL. At the expense of other Members who are opposed to this, I yield the gentleman 1 minute.

Mr. LINDSAY. Mr. Speaker, will the gentleman yield?

Mr. GOODELL. I yield to the gentleman from New York.

Mr. LINDSAY. I would like to know whether the conferees took into consideration the conflict of interest bill that was passed by the House of Representatives in the last session. That was a very carefully drafted bill and it will cover this problem if it becomes law. It is along the lines of the Prouty amendment. This was something that the House worked on quite considerably. Did the conferees take this into consideration?

Mr. GOODELL. I considered this personally, but we did not discuss it in detail in conference because the compromise which I offered was rather summarily rejected. I feel, the conflict of interest amendment, which did pass this House was stronger and more effective than the so-called Prouty amendment here. We did not feel we could in this bill properly go into the whole complicated question of conflicts of interest involving monetary gains and things of that sort, but the possibility of behind the scenes pressures or invocation of loyalties in conflict with an administrator's charged duty troubled us greatly with reference to the welfare and pension plans. The Prouty amendment was an attempt to deal with this situation. I much prefer a stronger provision than the Prouty amendment.

Mr. POWELL. Mr. Speaker, will the gentleman yield?

Mr. GOODELL. I yield to the gentleman from New York.

Mr. POWELL. Under the terms of the Ashbrook amendment, is every single labor organization in this country exempted?

Mr. GOODELL. Is every single labor organization exempted?

Mr. POWELL. Is every single labor organization in this country forbidden to organize?

Mr. GOODELL. Oh, no. Under the terms of the Ashbrook amendment, Government employees may join an employee organization but if that employee organization is affiliated with another employee organization which has members who are not Government employees, that is the way it is phrased, then such Government employees cannot enforce this act. The basis for it is that affiliation with nongovernment employee organizations might tend to put them in an awkward position where there might be pressures or influences brought to bear. I felt in my compromise, we would bar the same types of influences and pressure from the employer organizations.

Mr. POWELL. How many such labor organizations are there that you are referring to?

Mr. GOODELL. Well, as a practical matter, what it amounts to is that in the original Ashbrook amendment, it is my understanding that if a government employee union is associated or affiliated with the AFL–CIO, then nobody who is in that union could be involved in the enforcement of this act. They may join an independent union without any problem.

The SPEAKER. The time of the gentleman has again expired.

Mr. POWELL. Mr. Speaker, I yield the gentleman from New York 1 additional minute.

How many such organizations are there in existence now?

Mr. GOODELL. Which organizations are you referring to?

Mr. POWELL. Would the independent unions be allowed to organize under the Ashbrook amendment?

Mr. GOODELL. Yes. Independent unions would not be barred by the Ashbrook amendment.

Mr. POWELL. How about the Teamsters?

Mr. GOODELL. No, government employees could not belong to the Teamsters. The Teamsters admit nongovernment employees to membership.

Mr. POWELL. Is it not true that there is only one union that is favoring the Ashbrook amendment, and is it not true that that union has been the National Federation of Federal Employees?

Mr. GOODELL. There is one major independent union of government employees which favors the Ashbrook amendment.

Mr. POWELL. I thank my colleague.

Mr. GOODELL. I agree with the gentleman on that point.

Mr. POWELL. I thank the gentleman.

The SPEAKER. The time of the gentleman has again expired.

Mr. POWELL. Mr. Speaker, I yield 5 minutes to the gentleman from Georgia [Mr. LANDRUM], a distinguished member of our committee.

Mr. LANDRUM. Mr. Speaker, I was a member of the subcommittee which originally developed this Pension Welfare Reporting and Disclosure Act. I favored its terms. I did not favor the amendments which were before the committee and which came out of the committee this year. But I bow to the majority in what was done in reporting out these amendments and adopting them here with this provision, and that is that the Ashbrook amendment is absolutely essential to avoid a definite conflict of interest that not only can but very likely will develop if we allow this conference report to be adopted without the inclusion of the amendment.

Why do I say that? The executive department issued an order on January 17 providing that all Government employees may become members of labor unions. The Executive order allowed until July of this year for the various departments or cabinet heads to promulgate rules and regulations under which the Government employees could become members of a labor union. The Secretary of Labor, Mr. Goldberg, had his rules and regulations ready the next day. I want to call to the attention of the House what he says, to show the possibility of that conflict of interest. Section 6b of the Secretary's order promulgating these rules says this:

> Union membership: Each employee of the Department has, and shall be protected in the exercise of, the right to form, join, and assist any employee organization or to refrain from any such activity. In the exercise of this right, he shall be free from coercion, restraint, discrimination, or reprisal.

According to this, the Government employees can affiliate with any craft organization, any international union, whether it be the Teamsters, an independent union, or the A.F. of L., if the majority of them want to do so.

To show you that they expect the majority of the members of the Labor Department to become union members, let me quote from an AFL union letter contained in the AFL–CIO News of January 27, 1962. Reporting a speech by Secretary of Labor Goldberg before an AFL–CIO affiliate, the article stated:

> Goldberg spoke at the American Federation of Government Employes banquet marking the 79th anniversary of the Civil Service Act. He announced that he has already extended formal recognition to the AFGE lodge at the Labor Department, to which more than one-third of the Department's employees belong.
>
> The lodge has announced that it soon hopes to petition for exclusive bargaining rights by representing more than 50 percent of the employees. This would give it the right to negotiate a written contract, and the obligation to represent all employees in grievance procedures.

Now, this is Mr. Goldberg:

> He told the AFGE that as their union grows and achieves exclusive bargaining rights, they will have to face up to possible "conflicts of interest" which might arise when supervisory officials serve as union officers.

What we are asked to do is to amend the Reporting and Disclosure Act, the administration of which must be done by employees of the Labor Department so that in the face of these events this year, members of the Labor Department will be also members of an international labor union whose constitutions require certain fealty and loyalty to the unions. That Government employee, paid by the taxpayers of America, has to choose between loyalty or fidelity to a union and loyalty to the taxpayers who are his employers.

The SPEAKER pro tempore (Mr. BOGGS). The time of the gentleman from Georgia has expired.

Mr. POWELL. Mr. Speaker, I yield the gentleman 2 additional minutes.

Mr. LANDRUM. Mr. Speaker, in conclusion, therefore, let me urge the membership of this House in acting upon this conference report to take into consideration whether you want to put an employee of the Federal Government under the responsibility of having to choose between being loyal to a union with which he is affiliated or being loyal to the Federal Government and the taxpayers of America to which he owes his every duty and responsibility for both his job and for the salvation of freedom.

Mr. POWELL. Mr. Speaker, will the gentleman yield?

Mr. LANDRUM. I yield to the gentleman from New York.

Mr. POWELL. How is the gentleman from Georgia recorded on this bill when we passed it out of the full committee?

Mr. LANDRUM. I have stated in my opening remarks that I was opposed to the amendments proposed to the bill although I favored the original bill. I do not oppose it now. I oppose the amendments to the bill because I think it allows enforcement we did not intend originally, and I think we are going into some private funds we have no business to go into.

Mr. POWELL. The gentleman from Georgia is in favor of the National Federation of Federal Employees having the sole right to organize?

Mr. LANDRUM. Will the gentleman repeat that?

Mr. POWELL. Is the gentleman from Georgia in favor of the National Federation of Federal Employees having the sole right to organize?

Mr. LANDRUM. The gentleman from Georgia is opposed to any Government employee belonging to a union which advocates the right to strike against the people.

Mr. POWELL. This amendment applies to the only existing union in the United States of America that organizes only Federal Government employees.

Mr. LANDRUM. I do not agree with that conclusion of the gentleman.

Mr. GRIFFIN. Mr. Speaker, will the gentleman yield?

Mr. LANDRUM. I yield to the gentleman from Michigan.

Mr. GRIFFIN. Is the chairman indicating that under this amendment there could be only one union that could represent employees in this particular unit of the Labor Department?

Mr. POWELL. At the present time there is only one such union. A new one could be formed today or tomorrow.

Mr. GRIFFIN. That is correct, and that is a very important point.

Mr. POWELL. Right now there is only one.

Mr. LANDRUM. In answer to the gentleman's question, may we say we are not opposing their right under the Executive order to organize. All we are saying is if they do organize they cannot administer this law that applies to a union they belong to.

Mr. POWELL. Mr. Speaker, I yield 3 minutes to a distinguished member of the committee from Michigan [Mr. GRIFFIN].

Mr. GRIFFIN. Mr. Speaker, as the gentleman from Georgia pointed out earlier, the need for this amendment was created when the President promulgated his Executive order of January 17, 1962.

It is interesting to note that the President, himself, recognized the principle involved in this Ashbrook amendment when he exempted such agencies as the Federal Bureau of Investigation from his Executive order. He went further than the Ashbrook amendment because, under his order, the Government would not recognize or bargain with any union representing employees in the Federal Bureau of Investigation.

Why did the President exempt the Federal Bureau of Investigation? Obviously, it was because the Federal Bureau of Investigation is an investigating, policing agency of the Government.

I would point out that the conferees recognized the principle involved in the Ashbrook amendment when they accepted a substitute. It is a meaningless and watered-down substitute, but it is interesting to note that the conferees went through the motions of adopting the substitute rather than deleting all reference to this matter.

I would like to go further and remind the House that in the Taft-Hartley Act, Congress previously recognized the principle involved in the Ashbrook amendment.

Section 9 of the Taft-Hartley Act provides, in part, as follows:

> No labor organization shall be certified as the representative of employees in a bargaining unit of guards if such organization admits to membership, or is affiliated directly or indirectly with an organization which admits to membership, employees other than guards.

The language is similar and the principle is the same as the Ashbrook amendment. When the Taft-Hartley Act was enacted, plant protection guards, in many instances, belonged to the same union which represented the production workers, whom the guards were supposed to police.

What happened after Taft-Hartley was adopted? The guards thereafter organized themselves into independent unions which were not affiliated with the unions representing production workers.

At the present time, there are a number of independent unions which represent guards or plant protection personnel. This experience should indicate what could, and probably would, happen under the Ashbrook amendment.

Now, this principle is also recognized as far as policemen in local communities are concerned. Local policemen who belong to unions usually belong to the Fraternal Order of Police or to such an independent labor organization not affiliated with the AFL–CIO, United Mine Workers, or the Teamsters Union. Why? Because if that were not the case, they might be called upon next week to enforce the law against brother union members or union officials, and organizational control and discipline could pose serious conflict-of-interest problems. If policemen want to be represented by a union, then it should be an independent union. This principle is sound and in the public interest.

Why did we pass the Welfare and Pension Plans Disclosure Act? Why do we want it enacted into law? It is because we want to protect rank-and-file union members. Against what? Against having their funds diverted. By whom? Now, are you going to allow the very people against whom this act is directed to look over the shoulder of the policing personnel in the Labor Department who are supposed to administer and enforce this act? That is the question. These people in the Labor Department should be independent. They should not be subject to any discipline or any control from the very people we are trying to regulate.

Mr. POWELL. Mr. Speaker, I yield 5 minutes to the gentleman from Ohio [Mr. ASHBROOK].

Mr. ASHBROOK. Mr. Speaker, on February 7, this House adopted the so-called Ashbrook amendment which would prevent a conflict of interest in the administration of the Welfare and Pension Plan Disclosure Act. In conference, language was substituted which, for all intents and purposes, is meaningless. Why do I say this? Let us look at the facts.

The language inserted in this bill by the conferees which replaced the House amendment reads as follows:

> No employee of the Department of Labor shall administer or enforce this act with respect to any employee organization of which he is a member or any employer organization in which he has an interest.

Note in the first instance that the restraint as far as an employee organization is concerned relates to "membership" but the corresponding restraint regarding an employer organization relates to one "in which he has an interest." Why this difference? Is this a tacit admission that an employee would in effect have "an interest" in an affiliated organization and thus we delimit this by using the word "membership?"

Let us take a look at how this conference committee amendment will operate. On January 20, 1962, in hailing the signing of Executive Order No. 10988, Secretary of Labor Arthur J. Goldberg, speaking before the American Federation of Government Employees, noted that provision was made in the Executive order for "including exclusive recognition comparable in most respects to exclusive recognition in the private sphere of the economy."

He went on to say:

> In this connection, I would like you to know that yesterday I issued an order setting forth the basic policies, principles, and standards to implement the Executive order in the Department of Labor. And this morning, I granted formal, Departmentwide recognition to Lodge 12 of the American Federation of Government Employees, which I am pleased to say is the largest lodge of your union.

Mr. Adrian Roberts, president of Labor Lodge 12, AFGE, issued a statement of January 19 in which he noted:

> We intend to move forward from this point rapidly to recruit many more members into Labor Lodge 12 and expect soon to petition for the holding of an election to designate Labor Lodge 12 as the exclusive bargaining representative of the employees of the Department in Washington.

Now, I think it is fair to assume that this organization will become the exclusive bargaining agent for Department of of Labor employees. Under this circumstance, what effect would the substitute amendment have? It would merely say that these employees shall not administer or enforce this act with respect to their own organization. Welfare and pension plans administered by Federal, State, county, or municipal governments are exempt from the requirements of the present act so, in effect, you are adopting no meaningful conflict of interest amendment whatsoever. Should the International Association of Machinists be certified as the exclusive bargaining agent it is not clear whether the restriction would apply only to the administration of the welfare and pension plans of the employee's local organization or the entire IAM.

Am I saying that the employees of Lodge 12 will consciously endeavor to thwart the intent of the law? Absolutely not. I am saying that good legislating requires us to contemplate situations where conflict of interest appears and this is certainly one. The Congress wisely applied this theory in the Taft-Hartley law to guards because there well could be a conflict of loyalties if the guards whose duty it is to enforce plant rules had to enforce these rules against a fellow union member. In his speech of January 20, Secretary Goldberg noted that conflict of interest could arise in other areas such as having union officials as officers of the local bargaining with themselves and said:

> In the future, however, when union officials will be negotiating written agreements on personnel matters of the first importance with the responsible management officials, it is simply contrary to the public interest for the union to be on both sides of the bargaining table.

It seems to me it is equally not in the public interest to have employees who are affiliated with a non-Federal Government employees organization to be, in effect, on both sides—representing the public on the one hand and affiliated with those whom they are checking.

The application form of the American Federation of Government Employees contains a symbol with the inscription, "Work together, think together, act together." It also contains the clasped hands symbol of the AFL–CIO. Maybe it is entirely possible to work together, think together, and act together and be impartial at the same time but I think the public interest demands that those employees who administer these important funds are not subject to any pressures, direct or indirect, which would almost certainly result from having close, filial ties with employees outside of the Government service.

I will offer a motion to recommit with instructions to the managers on the part of the House to insist on the language of section 15(o) of the House bill, known as the Ashbrook amendment. I urge your support of this motion.

In a release to the Members of the House this week, the AFL–CIO has charged that the amendment which the House accepted on February 7 was "a direct attempt to undermine the right of Government employees to form or join unions of their own choosing as set forth in President Kennedy's Executive Order No. 10988 on employee unions in the Federal service." This is absolutely not the case.

The National Federation of Federal Employees, through its president, Mr. Vaux Owen, has gone on record as saying that the House amendment is in the public interest and should be retained in the bill.

The debate on this conference report today proves most interesting from many standpoints. The majority of the organizations and the Members who have rallied against the so-called Ashbrook amendment were leading the chorus chanting "conflict of interest" when in the past they were calling for Cabinet members and other appointees to divest themselves of stocks, directorships, law firm connections, and anything else which might remotely tie them into some relationship with an organization doing business with the Government. Where is their protest today when we are talking about conflict of interest of another type?

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. ASHBROOK. I gladly yield to the distinguished minority leader, the gentleman from Indiana [Mr. HALLECK].

Mr. HALLECK. I do not want to detain the House any undue length, but I would like, however, to say that I did support the gentleman's amendment when it was proposed here in the House.

I thought then that it would promote the better operation of this proposition that we are now undertaking to write into the law. I still support it. I trust that the gentleman's motion to recommit, when it is offered, will be adopted by the House here today.

Mr. Speaker, I would like to say this: I agree with the arguments that have been made here for the gentleman's amendment on the merits. I would like to say this further thing: Possibly it is because sometimes we are accused of being in the lower body, but I think when we adopt by a decisive vote here in the House of Representatives an amendment such as this, too many times we apparently give up the House position pretty quickly and lose what we have undertaken to write into the bill. This is no criticism of the conferees. I understand that in any conference compromise is a necessity, but sometimes, as I say, it does seem to me that our compromises, as far as we are concerned, undertake to go too far. So I think, besides making this legislation better, the adoption of this motion to recommit would possibly serve to strengthen our position in the months to come, as we go to conference with legislation that is important to the country.

Mr. ASHBROOK. Mr. Speaker, I thank the distinguished minority leader for his statement.

Mr. POWELL. Mr. Speaker, at this time I would like to yield 10 minutes to the gentleman from California [Mr. ROOSEVELT].

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. ROOSEVELT. I will be very happy to yield to the distinguished majority leader, Mr. ALBERT, of Oklahoma.

Mr. ALBERT. Mr. Speaker, I would like to inquire of the gentleman from California if this is not the situation: The Ashbrook amendment was adopted when this bill was before the House. The Senate bill contained no provision in this area at all. The conferees accepted a compromise which was written in during the conference, as is generally done in situations of this kind. Is that not correct?

Mr. ROOSEVELT. Mr. Speaker, I would say to the gentleman from Oklahoma that he has accurately stated the situation.

Mr. ALBERT. If the gentleman will yield further, in this situation is it not true that the language in the conference report applies both to employer organizations and employee organizations, and that the complaint about which the gentleman from New York [Mr. LINDSAY] spoke, has to that extent been provided for in the conference report? Is that not true?

Mr. ROOSEVELT. The gentleman is absolutely correct.

Mr. ALBERT. Mr. Speaker, if the gentleman will yield further, then is it not the view of the gentleman from California, and does not the gentleman believe that in adopting this conference report we are following the usual procedure when there is a difference between bills passed by the two bodies and that we should proceed now to vote down the motion to recommit, adopt the conference report, and get on with the business of the House?

Mr. ROOSEVELT. I would agree with the gentleman and I would say in this instance the House conferees were successful in achieving a majority of what the House wanted. If we ever establish the rule that the House is never going to try to reach a compromise on any bill, then I can see no reason to have a conference committee. Therefore I hope that this House will understand that on this question a great deal of time and thought was put into it. The Senate had no such provision as the House had, as the majority leader has well stated, and a proper compromise was worked out.

I know no other way and if we should go back into the conference with the kind of instructions which we have been told will be offered, there would be absolutely no legislation. It would mean the complete abandonment of the very basic principles which both administrations, the past one and this one, have recognized as being necessary.

I think that this House, however, should also understand that there is a complete agreement amongst all the conferees on all the other aspects of this bill. On this one point, what my friends on the other side of the aisle are saying is that any union of government employees shall not become affiliated with the AFL–CIO. It is as plain as that. It is an antilabor move straight down the line with the hope that it will be a precedent for other actions in the future.

I must say in all candor that I agree with my distinguished friend from Georgia when he quoted the Secretary of Labor as saying, that there might be a conflict of interest where the employee had a direct membership in a union that he belonged to and a plan that was being considered by him was managed by that union. Under such a situation he should not have any part in consideration of such a plan. And that is exactly what we have written into this bill.

On the other hand, you are being asked by my friends on the other side of the aisle to set up a straw man, that there is a conflict of interest simply because a man has belonged to a union that is affiliated with the AFL–CIO. There has been no evidence of such conflict of interest presented at any time.

One of my friends once said to me that he had heard of such a conflict of interest, but there is no evidence at any point, anywhere, of the existence of such a round-the-corner kind of conflict of this kind.

I can only say to my colleagues that if you should vote this kind of instructions, it would be by implication inferred that every man who was affiliated with the AFL–CIO was dishonest. I do not think you want to do that. I hope you do not want to do that. But we have covered the direct conflict-of-interest situation which might arise. And I must say in all candor that I cannot believe that this House would doubt that the Committee on Education and Labor and particularly the subcommittee of which I have the honor to be chairman would pass over for a moment any case which was presented to it showing that a conflict of interest had occurred. No such presentation has ever been made to us in the manner that is envisioned by the Ashbrook amendment. And lacking that, Mr. Speaker, does it not seem obvious what the amendment is really aimed at?

I sincerely hope that all of the work which has gone into this bill, all of the work which my friends on the other side of the aisle agree has made this a better bill to safeguard the billions of dollars that are involved in the interest of the working men and women of this country, should not be obliterated by the one hope that maybe here we can strike a blow at the AFL–CIO.

I would say to my friend that I am in agreement with the gentleman from New York [Mr. LINDSAY] when he said that if there are wholesale areas of conflict of interest, this House has a committee, the Judiciary Committee, which has acted on this proposition. And if the Congress feels that it wants to write a broader conflict-of-interest law then I suggest that it present it to this House for consideration. Why tack it onto a bill that has nothing to do with the broad aspects of conflict of interest, but does have in the bill a very careful provision, incidentally introduced by a good Republican in the other body, which takes care of any specific matter which might come under the provisions of this particular Pension and Welfare Disclosure Act?

Mr. GOODELL. Mr. Speaker, will the gentleman yield?

Mr. ROOSEVELT. I did not interrupt your side, but I am afraid I must yield to my good friend, the gentleman from New York.

Mr. GOODELL. I thank the gentleman from California. He is very gracious. The gentleman will agree, I have worked very hard with him in trying to improve this legislation, and that I am in favor of the legislation and so spoke on the floor of this House of Representatives.

Mr. ROOSEVELT. And I would not like to see you sabotage all the good work that you did.

Mr. GOODELL. Of course, we have a sincere difference of opinion on this point. That is why I asked the gentleman to yield. I would like to point out to my friend the great difference of opinion is as to what effect this amendment would have on the ultimate passage of the legislation. I was sorry to hear the gentleman say, in effect, he would abandon all efforts to pass this legislaton, if these conferees were instructed.

Mr. ROOSEVELT. No, the gentleman did not say that. What the gentleman said was that in view of the absolute irreconcilable opposition of the other body to the so-called Ashbrook amendment, we would have a stalemate and we could not reach any agreement. I did not say I would abandon doing anything that would help in passing this legislation.

Mr. GOODELL. You would agree that the other body never passed on the Ashbrook amendment and that we have never seen this irreconcilability to the Ashbrook amendment particularly. And you will also agree I did offer a compromise in conference to make this apply not only to employee affiliated organizations but employer affiliated organizations.

Mr. ROOSEVELT. I agree with that, and the gentleman will recognize, I am sure, that our other body conferees very clearly said, under no circumstances would they consider the gentleman's suggestion and only then did we work on this compromise provision.

Mr. GOODELL. Well, they did, I agree with the gentleman, reject it summarily. They said absolutely, no, but the gentleman will agree that my compromise was directed to employer affiliated organizations as well as employee affiliated organizations. In that sense, it was my very sincere effort not to make this even by implication an antilabor measure. I disagree with the gentleman when he says that it is an antilabor measure. I believe this amendment is proworkingman. It is to make this law easier to enforce without any possibility of a conflict of interest among those who are charged with the responsibility of enforcing it.

Mr. ROOSEVELT. We refer to the employers as well as the employees. So, unfortunately, what the gentleman is talking about, the essence here, is not a conflict of employers, but it is an inferred conflict that has to do with those who belong to the AFL–CIO by indirection because they are affiliated with it. Therefore, it must be and logically has to be only aimed at the AFL–CIO. And, may I point out to my friend, the facts of life are that there is only one independent Government employee association. You probably have all received a letter from them urging the adoption of the Ashbrook amendment because this is the only hope, of course, that they have of staying alive under the so-called Executive order. So, Mr. Speaker, I urge with all my heart that the conference report be adopted.

Mr. POWELL. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan [Mr. O'HARA], a distinguished member of the committee.

Mr. O'HARA of Michigan. Mr. Speaker, I think it bears repeating that the conference committee report before the House today does include a conflict-of-interest provision. It is a well-known conflict-of-interest provision proposed by a minority conferee from the other body. It states that:

> No employees of the Department of Labor shall administer or enforce this act with respect to any employee organization of which he is a member or employer organization in which he has an interest.

This is a clear, concise and effective conflict-of-interest provision. The Ashbrook amendment, on the other hand, does not contain any language whatsoever with regard to conflicts of interest. Rather, the Ashbrook amendment contains a simple prohibition against AFL–CIO membership by a person working in a part of the Labor Department that handles welfare and pension plan disclosure reports.

The Ashbrook amendment ignores the real conflict-of-interest issue. The Ashbrook amendment also disregards the possibility of employer conflict of interest.

The intention of this bill, Mr. Speaker, is to tighten enforcement of the Welfare and Pension Plans Disclosure Act of 1958. It was requestd by the Secretary of Labor in the Eisenhower administration, and by the Secretary of Labor in this administration. An attempt is being made by a number of organizations outside this House to defeat efforts to tighten up the Welfare and Pension Plans Disclosure Act by raising a totally extraneous issue. What the policy of this Congress shall be toward membership in labor organizations by Government employees is an issue that does not belong in this bill. I think we must direct our attention to the main objective of the bills, which is to enforce the Welfare and Pension Plans Disclosure Act policy of the Congress of 1958. When we concentrate on this objective, I think it is clear that the conference report should be adopted.

Mr. POWELL. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from New Jersey [Mr. JOELSON].

Mr. JOELSON. Mr. Speaker, I rise in support of the committee report, and I wish we would turn back now to the main business before us, which is the protection of 100 million Americans who have interests in pension and welfare funds. I think we should remember that some $60 billion is now in these funds, and it will probably grow to $100 billion before too many years. These funds need protection and safeguarding. That is the purpose of this bill. Here we are talking about improvements, but you know and I know that if this bill is recommitted to conference on this relatively minor matter, it will stay there and very likely die of improvements.

I think we are laboring under a misapprehension as to the management of these funds. Less than 10 percent is administered by the unions; 90 percent is administered by management, or combined groups of management and labor. So the union conflict-of-interest issue is really a very, very weak one, I would think.

Let me say this as gingerly and delicately as I know how, but I am very touched by this concern with conflict of

interest in this body, because we constantly turn our back on it when it comes to ourselves. However, when it comes to labor unions we are very, very zealous about conflict of interest.

This is a good bill; it is a bill that can be enforced. I say to you that if a man is a member of the AFL–CIO, he is a member of a very loose confederation. Unfortunately, the various internationals within the AFL–CIO are not always at peace among themselves. So I do not see how membership by a Labor Department employee in the AFL–CIO could in any way interfere with the enforcement of this act. In fact, it might increase the zeal on the part of those administering the act to see that the best possible pension and welfare system was maintained for members of the various plans.

So I very strongly urge that we support the committee and defeat the motion to recommit this bill to conference.

Mr. POWELL. Mr. Speaker, I yield such time as he may desire to the gentleman from Pennsylvania [Mr. DENT].

Mr. DENT. Mr. Speaker, I ask unanimous consent to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. DENT. Mr. Speaker, I support and urge the Congress to support the conference report on H.R. 724, the Welfare and Pension Plans Disclosure Act.

As one of the conferees, I can assure you that the conferees worked toward strengthening rather than allowing any weakening features to be added to the House version.

It is unfortunate that in reporting the prior actions on this legislation the erroneous statement was made that both the chamber of commerce and the Brotherhood of Teamsters opposed this legislation.—Business Week, February 17, 1962. The article follows:

CLOSER TABS ON PENSION PLANS—BOTH THE HOUSE AND SENATE HAVE PASSED MEASURES THAT WOULD TIGHTEN THE REPORTING REQUIREMENTS FOR OFFICIALS ADMINISTERING EMPLOYEE WELFARE AND PENSION FUNDS

Stricter regulation of the country's swiftly growing employee welfare and pension plans—now estimated to hold $50 billion in assets—became a certainty last week when the House and Senate passed slightly differing versions of a new bill.

The legislation, which has the administration's backing, amends the Welfare and Pension Plans Disclosure Act of 1958 to give Labor Secretary Arthur J. Goldberg new power over some 200,000 plans, involving benefits for some 80 million persons. Assets of the funds are growing at about $4 billion to $5 billion a year, and at that rate would reach $100 billion in another 10 years.

The present law—which the Eisenhower administration sought and got, but found unsatisfactory—merely requires that summary reports on welfare and pension plans be filed with the Labor Department. But beyond making the Department a place for filing such reports, it gives the Secretary little power to force reporting or to investigate reports or plans he suspects are not in compliance with the law.

The new law: The new legislation would make somewhat more detailed reports mandatory, authorize the Labor Department to follow up on inadequate reporting, and provide a staff of accountants and investigators to ferret out complaints about mismanagement or fraud. In 1958, a Senate investigation spotlighted some pension and welfare scandals involving high commissions, excessive administrative fees, high insurance rates, embezzlement, and unscrupulous practices of one kind or another—"shocking * * * cases of dishonesty and fund looting," the report said.

These revelations led to the passage of the original law.

According to the Labor Department, the new reports would call for no more information than is required in any normal audit of welfare funds. All fund officials will use the same forms for reporting that 90 percent of them use right now, Department spokesmen said.

Essentially, the new legislation requires the same kind of reporting that unions provide under the Landrum-Griffin law's provisions on disclosure of union funds, Goldberg said.

Opposition to the measure—from the chamber of commerce and the International Brotherhood of Teamsters, among others—was based on the fear that it would expand the Labor Department's regulatory powers unduly.

Proponents of the new legislation pointed out that there is nothing in it that gives the Government a voice in the actual management of the funds, or the right to pass judgment on the wisdom of their management.

An earlier attempt to amend the 1958 act was made during the Eisenhower administration. Former Labor Secretary James P. Mitchell attacked the law as not worth keeping on the books in its original form and President Eisenhower called for amendments. But the move ran into strong conservative opposition in Congress.

Wide coverage. Of those plans reporting under present law, the welfare plans (those based on Blue Cross, Blue Shield, and similar plans) have an estimated $1.7 billion in assets and cover directly about 25 million employees. The pension plans have about $27.4 billion in assets and cover directly about 17 million employees.

These figures fall short of the actual totals involved. For one thing, many plans also cover employees' families. For another, many plans have never reported to the Labor Department as a result of the law's loose phrasing and enforcement.

About 90 percent of the plans were administered by employers, the remainder either jointly by labor and management or by labor alone.

Budget boost sought. At this stage, the Labor Department hasn't determined exactly how much more staff it will need for the new job, but Goldberg gave the House Labor Committee a preliminary estimate of 117 additional employees. At present, 80 work on the program. The budget would be brought up to more than $2 million from its present $564,000.

As far back as June 1, 1961, the legislative counsel of the International Brotherhood of Teamsters, Sidney Zagri, appeared before the subcommittee on which I served under the chairmanship of the Honorable JAMES ROOSEVELT, in support of this legislation.

His statement contained the following endorsements:

My name is Sidney Zagri. I appear in my capacity as legislative counsel for the International Brotherhood of Teamsters. I appreciate the opportunity of appearing before this subcommitte to present our views regarding H.R. 7234.

First I would like to establish the basis of our interest in the proposed legislation. The Teamsters Union has pioneered in the establishment of health, welfare, and pension funds through collective bargaining.

The Central States southeast and southwest areas health and welfare fund was established by a trust agreement approved by employer and union representatives in March 1950.

The 1,700,000 members of the Teamsters Union, their wives and children, totaling over 5 million individuals are for the most part beneficiaries of over 1,000 health, welfare and pension programs.

These funds range from individual plans covering the membership of a single local union to large multistate programs such as the Central States health, welfare, and pension fund, which covers 118,000 members and over 350,000 wives and children residing in 23 States.

It is to be noted that this fund, as is the case with most other funds, is subject to the following reporting and disclosure regulations by the States and Federal Government.

1. The various States regulate insurance companies which underwrite welfare and pension plans.

2. The States of Connecticut, Massachusetts, New York, Washington, and Wisconsin have enacted State disclosure laws which are comparable to the Federal Welfare and Pension Plans Disclosure Act.

3. The Internal Revenue Service requires the filing of appropriate financial data by pension funds which meet the requirements of sections 401(a) and 501(a) of the Internal Revenue Code.

In addition to the aforementioned supervision and regulation by State law, the operations of the Central States southeast and southwest areas health and welfare fund were thoroughly investigated by the Douglas committee of the U.S. Senate.

The fund was given a clean bill of health by the committee and its operations are described as follows:

"The fund operates from Chicago, Ill., where it maintains a complete bookkeeping system and a visual record card system on each employer and employee. The office has 55 employees. All employer contributions go directly to a bank and no money is handled by the fund office. Monthly and yearly audits are made by separate accounting firms. The fund is completely self-administered with the exception of payment of claims. Administrative expenses run about 2.4 percent of the fund's income. Trustees receive no compensation other than travel expenses and per diem allowance in connection with quarterly meetings. The salaries of the executive secretary of the fund and his assistant are paid by the union, the Central States Drivers Council."[1]

It is clear from the foregoing that the Teamsters Union and its membership have a great stake in this proposed legislation.

At the outset, let me make it perfectly clear that we favor the purposes and objectives of H.R. 7234 for the following reasons:

1. We subscribe to the concept that health and welfare and pension funds are, for the most part, deferred wages, and as such, should receive similar protection afforded other funds of a quasi-public nature. This is particularly true since over 100 million people in America are affected and pension funds alone exceed $40 billion.

2. We favor a Federal reporting and disclosure law as the only sound approach to the problem of multiple filing requirements by the several States of funds covering employees or employers in more than one State.

3. We favor and support implementation of these objectives.

At this point, I want to make it clear that the AFL–CIO also supported the legislation all the way from its introduction, through the hearings and are at present supporting the conference report.

[1] The Douglas committee's final report on welfare and pension plans investigation, p. 129.

There was opposition from the chamber of commerce on certain features of the bill and I presume they are still opposed.

However, in fairness to the House and Senate conferees, the main objectives were aimed—during hearings—at the features which appeared to give the Secretary of Labor unwarranted power to actually interfere in the management of funds and welfare plans.

You will note that the conference report specifically states:

Nothing contained in this act shall be so construed or applied as to authorize the Secretary to regulate, or interfere in the management of any employee welfare or pension benefit plan.

It appears to me that this should clear away any misunderstanding and the Congress can support this legislation without reservations.

Mr. POWELL. Mr. Speaker, I yield 5 minutes to the gentleman from Iowa [Mr. SMITH].

Mr. SMITH of Iowa. Mr. Speaker, the alleged purpose of this amendment is conflict of interest. It is alleged that an employee who belongs to an employee organization affiliated with the AFL–CIO should not administer those funds that are administered by an employee organization which is affiliated with the AFL–CIO.

What are we talking about? We are talking about 2 percent of the funds in the United States. There are $55 billion in these funds and we are talking about only the $1 billion or a little bit more that are administered by unions.

Mr. ROOSEVELT. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Iowa. I yield to the gentleman from California.

Mr. ROOSEVELT. I would like to point out that in the conference we adopted the amendment which eliminated all plans unless they had 100 employees or more; therefore, the number of employees that are managed by labor has gone down to below 1 percent.

Mr. SMITH of Iowa. I thank the gentleman. That is a very good point. Actually there is less than $1 billion affected by the amendment. The Ashbrook amendment is very ineffective because it exempts from the conflict of interest principle $50 billion, or more, out of $55 billion in these funds.

Mr. GOODELL. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Iowa. I yield to the gentleman from New York.

Mr. GOODELL. I would like to point out, in view of what has been said, that this group that was exempted has to make the initial report and the Secretary may in his discretion compel them to report annually. They are not completely exempt. If there is any reason for the Secretary to compel reports which he can justify on a reasonable basis, he may do so.

Mr. SMITH of Iowa. Even to that extent, we are only talking about $1 billion in the fund. We have dealt with that in this compromise amendment submitted by a minority Member of the other body. The substitute provided that if one is a member of a union, he cannot work on funds administered by that union. At the same time, we have covered situations which the Ashbrook amendment does not cover. There are people who are interested in employee groups working down there in the Department. Why they do not want to cover those people too, I do not know. Fifty billion dollars of these funds out of $55 billion are administered by employer organizations, yet the Ashbrook amendment would not prohibit a member of the employer organization from working in the Department on the investigation of the funds administered by that employer organization. The Ashbrook amendment is one that is totally ineffective. I say the committee amendment is the effective amendment in this case. Even though it was submitted by a Republican Member of the other body, House Members on both sides generally should agree that it is the best amendment, and this amendment as a substitute should be adopted.

Mr. POWELL. Mr. Speaker, I yield 5 minutes to the gentleman from California [Mr. HIESTAND].

Mr. HIESTAND. Mr. Speaker, the conference's refusal to accept the House-passed amendment protecting workers from conflict of interest in the supervision and administration of their welfare and pension funds is very serious, enough to condemn this bill.

I oppose the bill as a whole on the grounds:

First. That the need for it has not been shown. In fact, cannot be shown. It is an imaginary need.

Second. It would mean an immense increase of power to the Federal Government, the executive branch, and to the Department of Labor. It would set up another vast bureau and cost more money.

Third. It would infringe upon State legislation. There are adequate laws against embezzlement in all States.

Fourth. It would ignore the provisions of the Internal Revenue Code which now provides effective indirect control of abuses of pension welfare funds.

Fifth. It would disregard the rules of conduct and standards prescribed in the Taft-Hartley Act for jointly administered pension and welfare funds.

These points, together with the fatal weakness of the lack of conflict-of-interest amendment are sufficient to condemn the conference report in my eyes.

The temptation to conflict of interest and the effects of such conflict are even more insidious and more serious under this statute than in many situations where conflict of interest may arise. In many situations, the chief result of a conflict of interest is an unlawful and unethical gain to the Government employee who yields to that temptation. Under the present statute, however, the result in every case would be frustration of the very purposes of the statute.

The purpose is to regulate employee welfare and pension plans for the protection and benefit of employees. All it would take to defeat that purpose with respect to any particular plan would be a decision by the person or persons in appropriate positions of authority that a report on the plan should be accepted and filed without further investigation. It is unlikely that attention would ever be focused later on any single decision among the thousands made. Even if it were, such decision could generally be explained and justified as an exercise of discretion.

Moreover, under the proposed bill, the statute would lend itself peculiarly to temptation to conflict of interest because it would give the Department authority to grant immunity through "any written interpretation or opinion" or any "instructions." Section 12 of the bill, entitled "Reliance on Administrative Interpretations and Forms" would make good faith reliance on any written interpretation or opinion of the Secretary or any forms or instructions a complete defense to any civil or criminal proceedings under the act. This would be true even if such interpretation, opinion, forms or instructions are determined by the courts "to be invalid or of no legal effect, or not to be in conformity with the requirements of this act."

Thus not only could reports be pigeonholed and forgotten after they are filed but also immunity could be granted even before they are filed. If Congress is really concerned about the rights of employees under welfare and pension plans it should not permit enforcement of this act to be carried on in an atmosphere fraught with possibilities and temptations of conflict of interest which would defeat the whole purpose of the act.

While the act speaks of administration by the Secretary of Labor, everyone knows that the thousands of reports, interpretations, opinions, instructions, and other matters cannot be handled personally by the Secretary of Labor and that the administration will necessarily be conducted by staff employees who will be exposed to the conflict of interest inherent in the bill unless the amendment is reinstated.

I oppose the bill as a whole and shall support the instructed vote to recommit.

Mr. GRIFFIN. Mr. Speaker, will the gentleman yield?

Mr. HIESTAND. I yield to the gentleman from Michigan.

Mr. GRIFFIN. The speaker who proceeded the gentleman now in the well defended, or tried to defend, the substitute language in the conference report. Others on the floor may really believe that the substitute would provide some meaningful protection. But let me make it clear that the substitute language does not guard against conflict of interest. In effect, it provides that an employee of the Department of Labor shall not be allowed to police the welfare and pension plans of his own union. All right, but let's consider what that means. Are there any welfare and pension plans covering Labor Department employees that come under this act? Of course not. Their pension programs come under the Civil Service Retirement Act. So, it seems to me that the substitute is meaningless language. But, those who seek to defend it as meaningful are at least recognizing, it seems to me, that there is

a problem and possible conflicts of interests.

It seems clear that those who vote against the Ashbrook amendment today would also vote to repeal that provision in the Taft-Hartley Act which applies the same principle to guards at a plant, and it would seem that they would also allow local policemen to be represented by affiliated, international unions—rather than independent unions.

Some have said that no conflict of interest has yet been shown with respect to this act. Of course not. We are just passing the act. This is new legislation that will go into effect when the President signs it. But the basic conflict of interest principle is just as sound and just as applicable to this act as in the Taft-Hartley Act.

Mr. HIESTAND. I thank the gentleman for his contribution. The fact of the matter is, in my judgment, the substitute wording of the Senate language which has been well described as forbidding a member of a union to have supervision and administration over his own union welfare funds would be a conflict of interest. We had a letter from the Secretary of Labor stating that such a man certainly would be disqualified, anyway, if, indeed, they did not disqualify themselves.

Mr. GRIFFIN. Mr. Speaker, will the gentleman yield further?

Mr. HIESTAND. I yield.

Mr. GRIFFIN. One of the Members earlier in debate tried to argue that a vote for the Ashbrook amendment would constitute an antilabor vote. I want to say as emphatically as I can that a vote for the Ashbrook amendment will not be antilabor—it will be a vote for the rank and file union member. Consider the situation of a rank and file union member who has reason to suspect or believe that money in his union's welfare and pension fund is being diverted. Ten years from now that union pension program, to which he is contributing, will be all important to him. Suppose he thinks that something is wrong with the administration of the pension fund at higher echelons of the union. Suppose he has the courage to go down to the Department of Labor to file a complaint and request an investigation. I think it might be just a bit discouraging for him to look at the coat lapel of the fellow in the Labor Department and find him wearing the same union button as the union leader against whom the complaint would be filed. I don't think that is the kind of protection that rank and file union members want.

Mr. HIESTAND. Mr. Speaker, I urge the acceptance of the motion to recommit.

Mr. POWELL. Mr. Speaker, I yield myself the balance of the time.

Mr. ROOSEVELT. Mr. Speaker, will the gentleman yield?

Mr. POWELL. I yield to the gentleman from California [Mr. ROOSEVELT].

Mr. ROOSEVELT. Mr. Speaker, may I just emphasize that what the gentleman from Michigan [Mr. GRIFFIN] said is not quite accurate. The man who filed or felt he had to file a complaint about his plan would not find the button of his union on the individual that is looking at it, because that is absolutely taken care of and prohibited by the amendment proposed by a minority conferee of the other body and appearing in the language in the conference report.

Second, Mr. Speaker, the report states that not only does this proposed amendment apply to the particular union that the man might belong to, but to the international unions also. So, this covers a much broader area of possible conflict than the gentleman from Michigan [Mr. GRIFFIN], I am afraid, gave the impression.

Mr. POWELL. The gentleman from California is exactly correct.

Mr. Speaker, in these remaining few minutes I would like to clear up some of the cloud of misunderstanding and perhaps even ignorance concerning the conference report. I am sure that the vast majority of our colleagues have not read the conference report. Let us look at the picture.

In the first place, when we went to conference there was no language in the legislation as passed by the other body that covered conflicts of interest at all; none. In the second place, when we went to conference we went to conference with the Ashbrook amendment which covered conflicts of interest only with the AFL–CIO and international organizations. It did not cover conflicts of interest with employer organizations, and allowed one union only in this entire Nation, the National Federation of Federal Employees, to have free rein, thereby monopolizing this entire situation.

Mr. Speaker, we come back to the House with language that covers conflicts of interest in unions—independent unions, AFL–CIO unions, and employer organizations. I will read that to the Members of the House. It is very brief:

> No employee of the Department of Labor shall administer or enforce this act with respect to any employee organization of which he is a member, or employer organization in which he has an interest.

Then, the statement of the managers, which is tantamount to legislation, begins as follows:

> The substitute language in section 15(b) was adopted to insure that the administration and enforcement of this act would be free from any conflict of interest.

Mr. Speaker, that is plain and simple English, and it will be law. If we pass it today, conflict of interest will be covered far more than we would cover it with the Ashbrook amendment.

It will cover conflict of interest with employer organizations, and independent unions as well.

Mr. Speaker, I would like to say that we are casting aspersions and criticism on the integrity of our Government employees if we insist upon this Ashbrook amendment. Or, would we adopt this philosophy and apply it to other legislation such as when we pass legislation concerning the Internal Revenue Service? Would we have conflict-of-interest legislation with reference to the Internal Revenue Service to the effect that no agent in the Internal Revenue Service shall ever look at the income tax returns of another agent? Of course we would not.

Mr. Speaker, when we pass legislation concerning the Armed Forces, would we say that the Army cannot police the Army? Of course we would not. So, we are picking out one area and casting aspersions on the integrity of one department of our Government. I think as Americans we ought to be ashamed of any type of attitude of this nature.

Mr. Speaker, I would like to point out that the gentleman from California [Mr. HIESTAND], who preceded me, and the eminent gentleman from Georgia [Mr. LANDRUM], that these are two of the gentlemen in our committee who opposed this legislation every step of the way—every single step of the way—in subcommittee, full committee, and on the floor of the House.

Mr. Speaker, if we do not accept this conference report, what is going to happen? In the first place, I believe we are going to have a deadlock. I know the temper of the gentleman with whom we dealt in conference for a period of 2 days. That means that we are going to throw into probably one of the worst scandals the pension plans and welfare plans of 100 million American people, the working people in your district. Their plans are going to be in danger.

Mr. Speaker, there is nothing on the statute books today to control any form of corruption that may break out tomorrow and today, as did break out in Pennsylvania just a few weeks ago. It means that you have a callous disregard of the laboring class of this Nation, and you are failing your responsibility as elected Members of this House.

Mr. Speaker, this amendment is not important to the full purpose of this bill. The full purpose of the legislation before us is to guarantee that the 100 million workers of this Nation shall have their $75 billion of pension and welfare funds policed and protected.

Mr. Speaker, on that basis, therefore, I ask for your confidence and your vote in favor of the conference report.

The SPEAKER. The time of the gentleman from New York [Mr. POWELL] has expired. All time has expired.

Mr. KEARNS. Mr. Speaker, as I indicated during the debate on the Pension and Welfare Act amendments, one of the key provisions which we were considering was the provision which dealt with the union membership of the Labor Department employees who would be entrusted with the administration and enforcement of the act. At that time I noted that I would support H.R. 8723 only if this provision was included. I am as convinced now as I was then that this provision, now known as the Ashbrook amendment, is absolutely essential. If we permit this provision to be drastically limited in its application, as has been done by the wording of the compromise provision, we will be performing a terrible disservice to the thousands of employees who must look to this act for help and protection. Moreover, we will be permitting a situation to exist wherein the objectiveness of the Labor Department employees may be questioned. I contend that this result is unnecessary.

I recall that during the debate on H.R. 8723 it was insisted by my colleagues across the aisle that this legislation was absolutely essential for without it thousands of employee pension and welfare plans would be in jeopardy and an untold number of dishonest acts which would adversely affect these plans would go undetected. Now, these same Members are ready to jeopardize this legislation with all of its protective features for the employees of America simply because the Ashbrook amendment would prohibit 260 Labor Department employees from belonging to a labor organization which in turn is affiliated with another labor organization which these employees may be called upon to investigate. Is the sense of urgency now less great?

Certainly it is in order to inquire as to the basic purpose of this legislation. Are we being called upon to pass legislation which will provide ample protection to the thousands of employee pension and welfare plans, or are we primarily interested in the right of a particular union to represent 260 Labor Department employees even when such representation may create an embarrassing conflict of interests and may cause the very people who must look to the act for protection to view its enforcement with suspicion and distrust?

I would like to point out that all of these unfortunate results can be avoided simply by reaffirming the Ashbrook amendment and instructing our conferees to this effect. If we do this, I am confident that the Senate conferees will recede and will accept this amendment. By so doing we are not denying the 260 Labor Department employees the right to belong to a union or to have such a union represent them. We are merely assuring that such membership shall not create a possible conflict of interest or cast an unfair reflection on these dedicated Government employees.

Mr. POWELL. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER. The question is on adoption of the conference report.

Mr. ASHBROOK. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the conference report?

Mr. ASHBROOK. I am, Mr. Speaker.

The Clerk read as follows:

> Mr. ASHBROOK moves to recommit the conference report on the bill (H.R. 8723) to the committee of conference with instructions to the managers on the part of the House to insist on the language of section 15(b) of the House bill, known as the "Ashbrook amendment," which reads as follows:
>
> "(b) No employee of the Department of Labor whose duties involve the administration or enforcement of this Act shall be a member of an employee organization if such organization admits to membership, or is affiliated directly or indirectly with an organization which admits to membership, employees other than employees of the Federal Government."

The SPEAKER. The question is on the motion to recommit.

Mr. ASHBROOK. Mr. Speaker, on that I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 182, nays 218, not voting 36, as follows:

[Roll No. 37]

YEAS—182

Abbitt
Abernethy
Adair
Alexander
Alger
Anderson, Ill.
Arends
Ashbrook
Ashmore
Auchincloss
Avery
Ayres
Bailey
Barry
Bass, N.H.
Bates
Battin
Becker
Beckworth
Beermann
Belcher
Bell
Berry
Betts
Bolton
Bonner
Bow
Bromwell
Broomfield
Brown
Bruce
Burleson
Byrnes, Wis.
Casey
Cederberg
Chamberlain
Chenoweth
Chiperfield
Church
Clancy
Collier
Colmer
Cramer
Curtis, Mass.
Curtis, Mo.
Dague
Davis, James C.
Davis, John W.
Derounian
Derwinski
Devine
Dole
Dominick
Dooley
Dorn
Dowdy
Downing
Durno
Everett
Findley
Fisher
Ford
Forrester
Fountain
Fulton
Garland
Gary
Gathings
Gavin
Goodell
Goodling
Griffin
Gross
Gubser
Hagan, Ga.
Hall
Halleck
Hardy
Harrison, Wyo.
Harsha
Harvey, Ind.
Harvey, Mich.
Hébert
Hemphill
Henderson
Herlong
Hiestand
Hoeven
Hoffman, Ill.
Horan
Hosmer
Jarman
Johansen
Jonas
Judd
Kearns
Keith
Kilburn
Kilgore
King, N.Y.
Knox
Kornegay
Kyl
Laird
Landrum
Langen
Latta
Lennon
Lipscomb
McCulloch
McDonough
McIntire
McMillan
McSween
McVey
MacGregor
Mahon
Martin, Mass.
Martin, Nebr.
Mason
Matthews
May
Meader
Michel
Miller, N.Y.
Minshall
Moore
Moorehead, Ohio
Mosher
Murray
Nelsen
Nygaard
Passman
Pilcher
Pillion
Pirnie
Poff
Quie
Ray
Reece
Reifel
Rhodes, Ariz.
Rivers, S.C.
Robison
Rogers, Fla.
Rogers, Tex.
Roudebush
Rousselot
St. George
Schadeberg
Schenck
Scherer
Schneebeli
Schwengel
Scott
Selden
Short
Sikes
Siler
Smith, Calif.
Smith, Va.
Springer
Stephens
Taber
Taylor
Teague, Calif.
Teague, Tex.
Thomson, Wis.
Tuck
Utt
Van Pelt
Vinson
Waggonner
Westland
Wharton
Whitener
Whitten
Williams
Wilson, Calif.
Wilson, Ind.
Winstead
Younger

NAYS—218

Addabbo
Addonizio
Albert
Ashley
Aspinall
Baker
Baldwin
Baring
Barrett
Bass, Tenn.
Bennett, Fla.
Bennett, Mich.
Blatnik
Boggs
Boland
Bolling
Brademas
Bray
Brewster
Brooks
Broyhill
Buckley
Burke, Ky.
Burke, Mass.
Byrne, Pa.
Cahill
Cannon
Carey
Celler
Chelf
Clark
Coad
Cohelan
Conte
Cook
Corbett
Corman
Cunningham
Curtin
Daddario
Daniels
Delaney
Dent
Denton
Diggs
Dingell
Donohue
Doyle
Dulski
Dwyer
Edmondson
Elliott
Ellsworth
Evins
Fallon
Farbstein
Fascell
Feighan
Fenton
Finnegan
Fino
Flood
Fogarty
Frazier
Frelinghuysen
Friedel
Gallagher
Garmatz
Giaimo
Gilbert
Gonzalez
Granahan
Gray
Green, Oreg.
Green, Pa.
Griffiths
Hagen, Calif.
Halpern
Hansen
Harding
Harris
Hays
Healey
Hechler
Holifield
Holland
Hull
Ichord, Mo.
Inouye
Jennings
Joelson
Johnson, Calif.
Johnson, Md.
Johnson, Wis.
Jones, Mo.
Karsten
Kastenmeier
Kee
Kelly
Keogh
King, Calif.
King, Utah
Kirwan
Kluczynski
Kowalski
Kunkel
Lankford
Lesinski
Libonati
Lindsay
Loser
McDowell
McFall
Mack
Madden
Magnuson
Mailliard
Marshall
Mathias
Merrow
Miller, Clem
Miller, George P.
Milliken
Mills
Moeller
Monagan
Montoya
Moorhead, Pa.
Morgan
Morris
Morse
Moss
Multer
Murphy
Natcher
Nedzi
Nix
Norblad
O'Brien, Ill.
O'Brien, N.Y.
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen
O'Neill
Osmers
Ostertag
Patman
Pelly
Perkins
Peterson
Pfost
Philbin
Pike
Poage
Powell
Price
Pucinski
Purcell
Randall
Reuss
Rhodes, Pa.
Riehlman
Rivers, Alaska
Roberts, Tex.
Rodino
Rogers, Colo.
Rooney
Roosevelt
Rosenthal
Rostenkowski
Roush
Rutherford
Ryan, Mich.
Ryan, N.Y.
St. Germain
Santangelo
Saund
Saylor
Schweiker
Scranton
Seely-Brown
Shipley
Sibal
Sisk
Slack
Smith, Iowa
Smith, Miss.
Stafford
Staggers
Steed
Stratton
Stubblefield
Sullivan
Thomas
Thompson, N.J.
Thompson, Tex.
Thornberry
Toll
Tollefson
Trimble
Tupper
Udall, Morris K.
Ullman
Vanik
Van Zandt
Wallhauser
Walter
Watts
Weis
Whalley
Wickersham
Widnall
Wright
Yates
Young
Zablocki
Zelenko

NOT VOTING—36

Alford
Andersen, Minn.
Andrews
Anfuso
Blitch
Boykin
Breeding
Cooley
Davis, Tenn.
Dawson
Flynt
Glenn
Grant
Haley
Harrison, Va.
Hoffman, Mich.
Huddleston
Jensen
Jones, Ala.
Karth
Kitchin
Lane
Macdonald
Morrison
Moulder
Norrell
Rains
Roberts, Ala.
Shelley
Sheppard
Shriver
Spence
Thompson, La.
Weaver
Willis

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Weaver for, with Mr. Macdonald against.
Mr. Cooley for, with Mr. Breeding against.
Mrs. Blitch for, with Mr. Alford against.
Mr. Haley for, with Mr. Shelley against.
Mr. Harrison of Virginia for, with Mr. Sheppard against.
Mr. Willis for, with Mr. Anfuso against.

Until further notice:

Mr. Spence with Mr. Jensen.
Mr. Karth with Mr. Glenn.
Mr. Morrison with Mr. Andersen of Minnesota.
Mr. Thompson of Louisiana with Mr. Hoffman of Michigan.
Mr. Lane with Mr. Shriver.

Mrs. KEE, Mr. STAGGERS, and Mr. LESINSKI changed their votes from "yea" to "nay."

Mr. SPRINGER changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

The SPEAKER. The question is on the adoption of the conference report.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. GOODELL. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 284, nays, 108, not voting 45, as follows:

[Roll No. 38]

YEAS—284

Adair
Addabbo
Addonizio
Albert
Ashley
Aspinall
Auchincloss
Avery
Ayres
Baker
Baldwin
Baring
Barrett
Barry
Bass, Tenn.
Bates
Battin
Becker
Beckworth
Bell
Bennett, Fla.
Bennett, Mich.
Blatnik
Boggs
Boland
Bolling
Bolton
Brademas
Brewster
Bromwell
Brooks
Broomfield
Broyhill
Buckley
Burke, Ky.
Burke, Mass.
Byrne, Pa.
Cahill
Cannon
Carey
Celler
Chamberlain
Chelf
Clark
Coad
Cohelan
Conte
Cook
Corbett
Corman
Cramer
Cunningham
Curtin
Curtis, Mass.
Daddario
Dague
Daniels
Dawson
Delaney
Dent
Denton
Derounian
Diggs
Dingell
Donohue
Dooley
Doyle
Dulski
Durno
Dwyer
Edmondson
Elliott
Ellsworth
Everett
Evins
Fallon
Farbstein
Fascell
Feighan
Fenton
Finnegan
Fino
Flood
Fogarty
Ford
Frazier
Frelinghuysen
Friedel
Fulton
Gallagher
Garland
Garmatz
Gavin
Giaimo
Gilbert
Gonzales
Goodell
Goodling
Grananhan
Gray
Green, Oreg.
Green, Pa.
Griffiths
Gubser
Hagen, Calif.
Halpern
Hansen
Harding
Harris
Harrison, Wyo.
Hartke
Hays
Healey
Hechler
Herlong
Hosven
Holifield
Holland
Hosmer
Hull
Inouye
Jarman
Jennings
Joelson
Johnson, Calif.
Johnson, Md.
Johnson, Wis.
Jones, Mo.
Judd
Karsten
Kastenmeier
Keith
Kelly
Keogh
Kilgore
King, Calif.
King, Utah
Kirwan
Kluczynski
Knox
Kowalski
Kunkel
Kyl
Langen
Lankford
Lesinski
Libonati
Lindsay
Loser
McCulloch
McDonough
McDowell
McFall
McIntire
MacGregor
Mack
Madden
Magnuson
Mailliard
Marshall
Martin, Mass.
Mathias
Matthews
May
Meader
Merrow
Miller, Clem
Miller, George P.
Miller, N.Y.
Milliken
Mills
Moeller
Monagan
Montoya
Moorhead, Pa.
Morgan
Morris
Morse
Mosher
Moss
Multer
Murphy
Natcher
Nedzi
Nelsen
Nix
Norblad
Nygaard
O'Brien, Ill.
O'Brien, N.Y.
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen
O'Neill
Osmers
Ostertag
Patman
Pelly
Perkins
Peterson
Pfost
Philbin
Pike
Pillion
Pirnie
Poage
Powell
Price
Pucinski
Purcell
Quie
Randall
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Riehlman
Rivers, Alaska
Roberts, Tex.
Robison
Rodino
Rogers, Colo.
Rooney
Roosevelt
Rosenthal
Rostenkowski
Roush
Rutherford
Ryan, Mich.
Ryan, N.Y.
St. Germain
Santangelo
Saund
Schenck
Schneebeli
Schweiker
Scranton
Seely-Brown
Selden
Shipley
Short
Sibal
Sikes
Siler
Sisk
Slack
Smith, Iowa
Smith, Miss.
Springer
Stafford
Stratton
Stubblefield
Sullivan
Thomas
Thompson, N.J.
Thompson, Tex.
Thomson, Wis.
Thornberry
Toll
Tollefson
Trimble
Tupper
Udall, Morris K.
Ullman
Vanik
Van Pelt
Van Zandt
Vinson
Wallhauser
Walter
Watts
Weis
Westland
Whalley
Wickersham
Widnall
Willis
Wilson, Ind.
Wright
Yates
Young
Younger
Zablocki
Zelenko

NAYS—108

Abbitt
Abernethy
Alexander
Alger
Anderson, Ill.
Arends
Ashbrook
Ashmore
Bailey
Bass, N.H.
Beermann
Belcher
Berry
Betts
Bonner
Bray
Brown
Bruce
Burleson
Byrnes, Wis.
Casey
Chenoweth
Chipperfield
Church
Clancy
Collier
Colmer
Curtis, Mo.
Davis, James C.
Davis, John W.
Derwinski
Devine
Dole
Dominick
Dorn
Dowdy
Downing
Findley
Fisher
Forrester
Fountain
Gary
Gathings
Gross
Hagan, Ga.
Hall
Halleck
Hardy
Harvey, Ind.
Harvey, Mich.
Hébert
Hemphill
Henderson
Hiestand
Hoffman, Ill.
Horan
Ichord, Mo.
Johansen
Jonas
Kearns
Kilburn
King, N.Y.
Kornegay
Laird
Landrum
Latta
Lennon
Lipscomb
McMillan
McSween
McVey
Mahon
Martin, Nebr.
Michel
Minshall
Moore
Murray
Passman
Pilcher
Poff
Ray
Reece
Reifel
Rivers, S.C.
Rogers, Fla.
Rogers, Tex.
Roudebush
Rousselot
St. George
Saylor
Schadeberg
Scherer
Scott
Smith, Calif.
Smith, Va.
Staggers
Stephens
Taber
Taylor
Teague, Calif.
Teague, Tex.
Tuck
Utt
Waggonner
Wharton
Whitener
Williams
Winstead

NOT VOTING—45

Alford
Andersen, Minn.
Andrews
Anfuso
Blitch
Bow
Boykin
Breeding
Cederberg
Cooley
Davis, Tenn.
Flynt
Glenn
Grant
Griffin
Haley
Harrison, Va.
Hoffman, Mich.
Huddleston
Jensen
Jones, Ala.
Karth
Kee
Kitchin
Lane
Macdonald
Mason
Moorehead, Ohio
Morrison
Moulder
Morrell
Rains
Roberts, Ala.
Schwengel
Shelley
Sheppard
Shriver
Spence
Steed
Thompson, La.
Weaver
Whitten
Wilson, Calif.

So the conference report was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Anfuso for, with Mrs. Blitch against.

Mr. Karth for, with Mr. Cooley against.

Mr. Lane for, with Mr. Harrison of Virginia against.

Mr. Spence for, with Mr. Weaver against.

Mr. Sheppard for, with Mr. Cederberg against.

Mr. Macdonald for, with Mr. Mason against.

Mr. Shelley for, with Mr. Bow against.

Until further notice:

Mr. Morrison with Mr. Glenn.

Mr. Thompson of Louisiana with Mr. Shriver.

Mr. Haley with Mr. Andersen of Minnesota.

Mr. Whitten with Mr. Hoffman of Michigan.

Mr. Kitchin with Mr. Jensen.

Mr. Breeding with Mr. Griffin.

Mr. Alford with Mr. Moorehead of Ohio.

Mr. Moulder with Mr. Schwengel.

Mr. Davis of Tennessee with Mr. Wilson of California.

Mr. LAIRD changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. ROOSEVELT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the conference report just adopted.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

PERSONAL EXPLANATION

Mr. BOW. Mr. Speaker, I entered the Chamber after my name had been called on the passage of the conference report. If I had been present, I would have voted "nay."

Mr. SCHWENGEL. Mr. Speaker, when the vote was taken on the passage of the conference report, I was unavoidably absent on official business. Had I been present, I would have voted "yea."

Mr. WILSON of California. Mr. Speaker, I was not here when my name was called on the passage of the conference report, so I do not qualify. Had I been present, I would have voted "yea."

MENOMINEE INDIAN TRIBE OF WISCONSIN

Mr. ASPINALL submitted a conference report and statement on the bill (H.R. 4130) to lessen the impact of the termination of Federal services to the Menominee Indian Tribe of Wisconsin.

PUBLIC WELFARE AMENDMENTS OF 1962

Mr. SISK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 563 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 10606 to extend and improve the public assistance and child welfare services programs of the Social Security Act, and for other purposes, and all points of order against said bill are hereby waived. That after general debate, which shall be confined to the bill and continue not to exceed four hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means, the bill shall be considered as having been read for amendment. No amendment shall be in order to said bill except amendments offered by direction of the Committee on Ways and Means. Amendments offered by direction of the Committee on Ways and Means may be offered to any section of the bill at the conclusion of the general debate, but said amendments shall not be subject to amendment. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion, except one motion to recommit, with or without instructions.

Mr. SISK. Mr. Speaker, I yield 30 minutes to the gentleman from Ohio [Mr. BROWN] and pending that, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 563 provides for the consideration of H.R. 10606, a bill to extend and improve the public assistance and child welfare services programs of the Social Security Act, and for other purposes. The resolution provides for a closed rule, waiving points of order, with 4 hours of general debate.

The proposals embodied in H.R. 10606 are designed to improve, redirect, and tighten up the Federal-State cooperative public welfare programs. The bill involves a new, constructive approach which, by taking account of changing conditions and the existence of new rehabilitative skills, will assist the States in meeting their responsibility for the development and administration of realistic and sound public welfare programs, provide the States with much greater flexibility in the development and administration of such programs in the light of their particular needs and conditions. The bill, therefore, provides much broader authority to the States to permit them to take constructive legislative and administrative action in the light of changed conditions so as to correct and prevent abuses.

The new approach embodied in the bill places emphasis on the provision of services to help families become self-supporting rather than dependent upon welfare checks. The bill would make it possible for the States to provide incentives to the recipients of public assistance to improve their condition so as to render continued public assistance for such persons unnecessary. This approach accords due recognition to rehabilitation of recipients so as to restore them as useful productive individuals, and assist them to become self-supporting, independent, and able to care for themselves. This approach also places emphasis on training so as to increase the supply of adequately equipped public welfare personnel. Experience has shown that adequately trained personnel can be one of the largest factors in reducing, ultimately, the cost of the public assistance programs.

Mr. Speaker, I urge the adoption of House Resolution 563.

Mr. BROWN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as the gentleman from California, my colleague on the Rules Committee, Mr. SISK, has explained, this rule makes in order the consideration, H.R. 10606, under 4 hours of general debate and under the closed, or gag rule, which prohibits the offering or consideration of any amendments except those which may be submitted by the Ways and Means Committee itself, from which the bill originates, after waiving points of order.

Mr. Speaker, this bill is designed presumably to improve, redirect and tighten up Federal-State cooperative public welfare programs. It contains quite a number of important provisions and sections. In fact, the bill itself is 81 pages in length.

A great deal of the bill, in my opinion, carries very good legislation and will provide greater authority to the States to control their own welfare program than has existed in the past, something that in my opinion has been badly needed.

However, at the same time this bill would increase the Federal payments to the States under certain circumstances at a cost, I believe, of about $325 million more than at the present time. Certainly there are two sections in the bill that add increased costs without any real reason, in my opinion therefor, of some $140 million annually, which would consist of outright gifts or grants to the States.

If I may, I would like to call your attention now to the good qualities of the bill, because the first part of the measure does carry very helpful and very needed changes in present law that should be approved by the Congress.

However, there are two changes, made by this bill in the present law, that, in my opinion, are not well founded and are actually dangerous and injurious, in view of the situation which confronts us when we have a national debt of about $300 billion, and are running a deficit of somewhere around $9 billion in the present fiscal year; and when we are having difficulties in borrowing money to run the Federal Government, I notice that our Treasury has now again resorted to issuing $1.8 billion worth of tax anticipation bills. These securities will carry interest, up to September 21, which simply means that the taxpayers of the country will be paid this interest if they will pay their Federal taxes in advance by from 3 to 6 months.

These are the two sections to which I wish to call your attention and to which I understand an amendment will be offered in a motion to recommit. In other words, there will be an attempt made to amend and to change this bill by a motion to recommit.

I should pause to say the Rules Committee, by a tie vote, failed to report a special rule which would have made in order the offering, by members of the Ways and Means Committee, the minority members, perhaps, to amend these two sections of this bill, and to consider them separately, so as to give the House an opportunity to work its will.

The first proposed amendment we discussed in the Rules Committee is to section 101. This section would change the Federal contribution to the States, for the cost of preventive and rehabilitation services, from 50 percent, under existing law, to 75 percent.

Then the second cost increase would come in the change provided in the contribution the Federal Government makes to the States for public assistance payments. These payments would be increased from the present rate of $24.80 out of the first $31 of such public assistance, under existing law, to $29 out of the first $35. In other words, the Federal Government would be required to pay $29 out of $35 instead of $24.80 out of $31. There is no provision whatsoever in this bill that would require this additional contribution of $5.20 to each State to go to needy recipients, or to the aged persons, or other persons entitled to help under this provision. But, instead this extra Federal money could be used by the State in any way it might desire, without limitation.

I understand the motion to recommit will deal only with this one section, something the States have not asked for, and something not justified in the hearings before the Committee on Ways and Means according to the information I have received; something which is just an outright gift to the States to use as they see fit and not to be used exclusively for the beneficiaries we are trying to take care of in this bill.

I would like to conclude by saying to you, in my opinion, the general purpose of this bill is very good, and provides turning over to the States the control of their welfare programs, something they have never enjoyed before. Many of us in our own States have had situations where the local or State officials, who have attempted to have persons receiving benefits under these welfare laws do some kind of constructive work which they were able to do. That is public work for the public good, and not to work for private industry. In such cases we have had the Federal officials actually say, and serve notice, "You cannot do that. You just have to give them the money but you cannot require them to do anything that could be of public service."

I remember just a few years ago, when in one of the counties in my district, State and local officials decreed recipients of these welfare benefits should, where they are able to, and where they could pass a physical examination, the men should go into the courthouse and clean the books and records there, and wash down the walls and do certain other helpful work that the taxpayers otherwise would have had to pay for, with such men being given a regular credit, or full pay, for the work they would do, to be charged, of course, against their benefits. These officials also said that women receiving these welfare benefits, are able to do so, should go to the children's home or to the county infirmary and help prepare for winter by canning certain foods, and by repairing bed linens and wearing apparel of the children or elderly inmates. The Federal official promptly served notice—"You will not do that at all. These people do not have to make any such contribution of labor or service. Just give them the money or the Federal Government will not give you anything."

This bill, as I understand it, would correct such situations, and would permit the States and local communities, under State direction, through its welfare department, wherever it is possible for these recipients to make some contribution to the common good, that they do so.

From that angle, this bill is very, very good. From the angle of giving a free gift of $140 million and, perhaps, a little more, to the States, many of whom have not asked for this. In fact, I have had officials from my home State say to me, over the telephone yesterday, they did not approve of the bill as it is, and did not ask for this extra money, for our State was able to meet its own requirements, under the present law, and would do so.

So, it seems to me, that while this bill in part, is a good bill, it would be a much better one if the motion to recommit is adopted.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. BROWN. I yield to the gentleman from Iowa.

Mr. GROSS. What reason was given for the consideration of a bill of this sweeping nature under a gag rule? What reason was given for this kind of procedure?

Mr. BROWN. I wil say to the gentleman, I did not vote for the gag rule. I voted for a rule that would permit the offering of these amendments to various sections, as recommended by the minority members of the Ways and Means Committee. So I cannot answer except to say that we did not have enough votes to have my proposed rule adopted.

Mr. GROSS. It is claimed there is not time to consider the bill under an open rule?

Mr. BROWN. Let me answer the gentleman this way: The statement was made by some of the supporters of the closed or gag rule that if we had a completely open rule this bill would be saddled with all sorts of amendments and all sorts of welfare projects, from medical under social security, up or down. They stated that for that reason they were for a closed rule.

I do think I need state to the gentleman that despite my opposition to closed or gag rules—and I have opposed them many times on this floor—that most bills of this type dealing with welfare services, and bills dealing with the tax matters have been considered under gag rules, and many gag rules have been voted in this body over my opposition. I am rather used to being kicked around, but I did attempt, and made the motion personally, to open up this bill for the offering of amendments.

Mr. GROSS. Mr. Speaker, will the gentleman yield further?

Mr. BROWN. I yield to the gentleman.

Mr. GROSS. Is there an implication in this gag rule that the House is either irresponsible or not capable of full consideration of legislation of this type?

Mr. BROWN. The gentleman from Iowa has heard the gentleman from Ohio go into detail many times as to the reason for his opposition to gag rules. I have long been of the opinion that the House of Representatives is just as able to work out a bill as some other legislative body I will not mention at this time. Nevertheless, the House proceeded many, many times over my opposition to vote closed or gag rules.

I can give no further answer to the gentleman concerning the present situation.

Mr. Speaker, I reserve the balance of my time.

Mr. SISK. Mr. Speaker, I yield to the gentleman from Virginia [Mr. SMITH] chairman of the Committee on Rules, 5 minutes.

Mr. SMITH of Virginia. Mr. Speaker, I think there is much good in this bill. It is the first break we seem to have had to exercise some discretion in the way of stopping abuses in the social security program. I hope those features in the bill will be passed.

I would like to say that I was in favor of the whole bill, and that is what I wanted to say a few words to you about. I think most of us do not like gag rules—I certainly do not like them—but so far as tax bills are concerned and bills of this type, gag rules are what we might term a necessary evil. If we were to turn a tax bill loose here, a bill dealing with the whole tax structure, we just would never get anywhere. To deal with a tax bill satisfactorily we have to adopt a rule like this, but I think we are up against a different situation in this particular case. Here is the situation: I came in while the gentleman from Ohio was speaking, and I did not hear all of his argument, but there was quite some discussion of the bill in the Rules Committee, and I just want to tell you what happened.

We were told by some witnesses that there were two items in the bill for which there was just no excuse. They were not asked for by the administration, and they were not included in the budget. They amount to a burden directly upon the Treasury of $140 million a year. They come about because of two changes, one in the proportion of contributions between the States and the Federal Government, and the second in the matter of the direct contribution by the Federal Government.

I do not think we would violate the necessary part of the closed rule if we would permit in the House a vote on a specific proposition, such as the one I am telling you about.

Here is an item not requested by the administration, not included in the budget, involving a charge of $140 million a year from now on from the Treasury of the United States. Some of us think that is not a good thing to do. Some evidently think it is a good thing to do because the Ways and Means Committee has reported it.

What harm could it do to the logic of the closed rule theory if the House were permitted to say on the one proposition, "We want it" or "We do not want it"? There is no way under our present method of procedure by which that specific proposition can be decided by the House unless the House debates it and expresses its will. I do not think that is logical, and I think that sooner or later the House is going to revolt on the closed rule proposition. In my opinion, the closed rule in certain instances is a very essential part of our procedure, rough as it may be at times.

I am sorry that the Committee on Ways and Means does not agree with me about that because I fear that sooner or later the House may say, "Let us get rid of the gag rule altogether."

I had hoped we would be able to try that procedure out on this bill, but the Committee on Ways and Means and the Committee on Rules did not agree with me. So I take this occasion to lay the matter before the House, because we are going to have a tax bill up for consideration next week. I had hoped that this tax bill was going to involve something which would get some more money for the Treasury to meet the appropriations we are providing every year which are far in excess of the revenues we receive. I thought we were going to tighten up and replenish the Treasury, to a moderate extent anyway. But I find that there is in the bill a matter which is called "tax credits." There is a feature in this bill that instead of raising money for the Treasury will be an outright gift to industry of something in the neighborhood, as estimated now, of $2 billion. The result of that one clause in the bill is going to be to wipe out the gains you make by deducting from people's dividends and deducting from their interest and making them pay in advance. These are features which I am prepared to go along with, hard as it is, in order to raise money for our depleted Treasury. We cannot keep on in this way. We are going to be told, "No, you cannot give the House the opportunity to say whether it wants to give industry a $2 billion gift."

I do not see the logic of it. I do not know that it is going to be discussed in the Rules Committee when the tax bill comes up. But I do mention this as an illustration of the kind of things that we are doing. I do not believe the House believes in it. I think the House should be permitted to work its will. I have always gone along, but I think we are going to sooner or later have to modify things a little bit to meet the logic and the necessity of the situation, instead of gagging the Members of the House unnecessarily.

I wish I could convince some of my friends, but I do not think I can. I just do not think there is any reason in the world for doing that. There would be no trouble at all in letting the House do that in this one specific instance in connection with the present bill, let the House say, "We are in favor of giving them this $140 million that is not budgeted" or "We are not in favor of it."

Now, what is the matter with that? I would like somebody to take the time and answer that question.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Virginia. I yield to the gentleman from Iowa.

Mr. GROSS. I just wanted to ask the gentleman if he thought that any great harm would be done if and when the tax bill comes before the House if we had 4 or 5 days to debate and amend it. What would be wrong with that?

Mr. SMITH of Virginia. Well, I think it would perhaps interfere with some of the extracurricular activities of some of the Members.

Mr. GROSS. Yes, I am sure the gentleman is right.

Mr. SISK. Mr. Speaker, I move the previous question.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

Mr. SISK. Mr. Speaker, on behalf of the gentleman from Arkansas [Mr. HARRIS], I ask unanimous consent that the Committee on Interstate and Foreign Commerce may sit during general debate today.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

CONSUMER INTERESTS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 364)

The SPEAKER laid before the House the following message from the President of the United States, which was read and, together with the acompanying papers, referred to the Committee of the Whole House on the State of the Union and ordered to be printed:

To the Congress of the United States:

Consumers, by definition, include us all. They are the largest economic group in the economy, affecting and affected by almost every public and private economic decision. Two-thirds of all spending in the economy is by consumers. But they are the only important group in the economy who are not effectively organized, whose views are often not heard.

The Federal Government—by nature the highest spokesman for all the people—has a special obligation to be alert to the consumer's needs and to advance the consumer's interests. Ever since legislation was enacted in 1872 to protect the consumer from frauds involving use of the U.S. mail, the Congress and executive branch have been increasingly aware of their responsibility to make certain that our Nation's economy fairly and adequately serves consumers' interests.

In the main, it has served them extremely well. Each succeeding generation has enjoyed both higher income and a greater variety of goods and services. As a result our standard of living is the highest in the world, and in less than 20 years, it should rise an additional 50 percent.

Fortunate as we are, we nevertheless cannot afford waste in consumption any more than we can afford inefficiency in business or Government. If consumers are offered inferior products, if prices are exorbitant, if drugs are unsafe or worthless, if the consumer is unable to choose on an informed basis, then his dollar is wasted, his health and safety may be threatened, and the national interest suffers. On the other hand, increased efforts to make the best possible use of their incomes can contribute more to the well-being of most families than equivalent efforts to raise their incomes.

The march of technology—affecting, for example, the foods we eat, the medicines we take, and the many appliances we use in our homes—has increased the difficulties of the consumer along with his opportunities; and it has outmoded many of the old laws and regulations and made new legislation necessary. The typical supermarket before World War II stocked about 1,500 separate food items—an impressive figure by any standard. But today it carries over 6,000. Ninety percent of the prescriptions written today are for drugs that were unknown 20 years ago. Many of the new products used every day in the home are highly complex. The housewife is called upon to be an amateur electrician, mechanic, chemist, toxicologist, dietitian, and mathematician—but she is rarely furnished the information she needs to perform these tasks proficiently.

Marketing is increasingly impersonal. Consumer choice is influenced by mass advertising utilizing highly developed arts of persuasion. The consumer typically cannot know whether drug preparations meet minimum standards of safety, quality, and efficacy. He usually does not know how much he pays for consumer credit; whether one prepared food has more nutritional value than another; whether the performance of a product will in fact meet his needs; or whether the "large economy size" is really a bargain.

Nearly all of the programs offered by this administration—for example, the expansion of world trade, the improvement of medical care, the reduction of passenger taxes, the strengthening of mass transit, the development of conservation and recreation areas and low-cost power—are of direct or inherent importance to consumers. Additional legislative and administrative action is required, however, if the Federal Government is to meet its responsibility to consumers in the exercise of their rights. These rights include:

(1) The right to safety: To be protected against the marketing of goods which are hazardous to health or life.

(2) The right to be informed: To be protected against fraudulent, deceitful, or grossly misleading information, advertising, labeling, or other practices, and to be given the facts he needs to make an informed choice.

(3) The right to choose: To be assured, wherever possible, access to a variety of products and services at competitive prices; and in those industries in which competition is not workable and Government regulation is substituted, an assurance of satisfactory quality and service at fair prices.

(4) The right to be heard: To be assured that consumer interests will receive full and sympathetic consideration in the formulation of Government policy, and fair and expeditious treatment in its administrative tribunals.

To promote the fuller realization of these consumer rights, it is necessary that existing Government programs be strengthened, that Government organization be improved, and, in certain areas, that new legislation be enacted.

I. STRENGTHENING OF EXISTING PROGRAMS

This administration has sponsored a wide range of specific actions to strengthen existing programs. Major progress has already been achieved or is in prospect in several important areas. And the 1963 budget includes recommendations to improve the effectiveness of almost every major program of consumer protection.

(1) Food and drug protection: Thousands of common household items now available to consumers contain potentially harmful substances. Hundreds of new uses for such products as food additives, food colorings and pesticides are found every year, adding new potential hazards. To provide better protection and law enforcement in this vital area, I have recommended a 25-percent increase in staff for the Food and Drug Administration in the budget now pending before the Congress, the largest single increase in the agency's history. In addition, to assure more effective registration of pesticides, a new division has been established in the Department of Agriculture; and increased appropriations have been requested for pesticide regulation and for meat and poultry inspection activities.

(2) Safer transportation: As Americans make more use of highway and air transportation than any other nation, increased speed and congestion have required us to take special safety measures.

The Federal Aviation Agency has reexamined the Nation's air traffic control requirements and is designing an improved system to enhance the safety and efficiency of future air traffic.

The Secretary of Commerce has established an Office of Highway Safety in the Bureau of Public Roads to promote public support of highway safety standards, coordinate use of highway safety research findings and encourage cooperation of State and local governments, industry, and allied groups—the Department of Health, Education, and Welfare is likewise strengthening its accident prevention work—and the Interstate Commerce Commission is strengthening its enforcement of safety requirements for motor carriers.

In addition, I am requesting the Departments of Commerce and of Health, Education, and Welfare, to review, with representatives of the automobile industry, those changes in automobile design and equipment which will help reduce the unconscionable toll of human life on the highways and the pollution of the air we breathe. Additional legislation does not appear required at this time in view of the automobile industry's action to incorporate in the new model design changes which will reduce air pollution.

(3) Financial protection: Important steps are being taken to help assure more adequate protection for the savings that prudent consumers lay aside for the future purchase of costly items, for the rainy day, for their children's education, or to meet their retirement needs.

Legislation enacted last year has strengthened the insurance program of the Federal Savings and Loan Insurance Corporation.

The Securities and Exchange Commission has undertaken at the request of the Congress a major investigation of the securities market which should provide the basis for later legislation and administrative measures.

The Postmaster General and the Department of Justice have stepped up enforcement of the mail fraud statutes. Arrests for mail fraud last year set an

all-time record; and convictions increased by 35 percent over the previous year.

(4) More effective regulation: The independent regulatory agencies also report increased emphasis on programs directly helpful to consumers.

The Interstate Commerce Commission has instituted proceedings designed to prevent excessive charges for moving household goods in interstate commerce.

The Civil Aeronautics Board has recently taken action to protect air travelers from abuses of overbooking.

The Federal Trade Commission has intensified its actions against deceptive trade practices and false advertising affecting a variety of goods, including refrigerators, house paint, sewing machines, vacuum cleaners, kitchen utensils, food wrapping, and carpets.

The Federal Power Commission is initiating a vigorous program to assure consumers of reasonable natural gas prices while assuring them of adequate supplies—revitalizing all of its regulatory programs in the electric power field—and undertaking a national power survey designed to identify ways of bringing down power costs in the decades ahead by making the best possible use of our capital and energy resources; and I recommend that the Congress enact legislation and make available funds to enable the Commission to provide for 34 million natural gas consumers the information similar to that now provided electrical consumers on typical bills in various areas, thus spotlighting abnormally high rates and stimulating better industry performance.

The Federal Communications Commission is actively reviewing the television network program selection process and encouraging the expanded development of educational television stations; and it will also step up in fiscal year 1963 its enforcement program to prevent interference with air navigation signals, distress calls, and other uses of radio important to public safety.

For all of the major regulatory agencies, I am recommending increased appropriations for 1963 to provide the increased staff necessary for more effective protection of the consumer and public interest.

Of the important changes in agency organizational procedure recommended last year to eliminate delays and strengthen decisionmaking, the great majority have been authorized by reorganization plans or legislation and are being put into practice by agency heads; and, to permit similar improvements in the operations of the Securities and Exchange Commission and the Federal Power Commission through greater delegation of assignments, I recommend enactment this year of legislation along the lines of S. 2135 for the SEC and S. 1605 and H.R. 6956 for the FPC.

(5) Housing costs and quality: The largest purchase most consumers make in their lifetimes is a home. In the past year, significant steps have been taken to reduce the cost of financing housing and to improve housing quality. The level of interest rates and other charges on mortgage loans has been reduced by a variety of Federal actions. Under authority provided by the Housing Act of 1961, new programs have been started (a) to encourage experimental construction methods likely to develop better housing at lower cost, (b) to provide lower interest rates and longer maturities on loans for rehabilitation of existing housing, (c) to provide especially low cost rental housing for moderate income families, and (d) to provide housing for domestic farm labor. The same legislation also authorized demonstration grants to develop better methods of providing housing for low income families.

(6) Consumer information and research—and consumer representation in Government. Government can help consumers to help themselves by developing and making available reliable information.

The Housing and Home Finance Agency will undertake, under the budget proposed for fiscal 1963, new studies to discover ways of reducing monthly housing expenses, lowering the cost of land for homebuilding, and minimizing financing charges.

The Department of Agriculture is undertaking similar research designed to help raise rural housing standards and reduce costs.

The Food and Drug Administration will expand its consumer consultant program which, together with the home demonstration program of the Agriculture Extension Service, now provides valuable information directly to consumers on product trends, food standards, and protection guides.

The Bureau of Labor Statistics is now conducting a nationwide survey of consumer expenditures, income, and savings, which will be used to update the widely used Consumer Price Index and to prepare model family budgets.

Too little has been done to make available to consumers the results of pertinent Government research. In addition to the types of studies mentioned above, many agencies are engaged—as aids to those principally concerned with their activities, in cooperation with industry or for Federal procurement purposes—in testing the performance of certain products, developing standards and specifications, and assembling a wide range of related information which would be of immense use to consumers and consumer organizations. The beneficial results of these efforts—in the Departments of Agriculture, Commerce, Defense, and Health, Education, and Welfare, and in the General Services Administration and other agencies—should be more widely published. This is but one part of a wider problem: the failure of governmental machinery to assure specific consideration of the consumer's needs and point of view. With this in mind, I am directing:

First, that the Council of Economic Advisers create a Consumers' Advisory Council, to examine and provide advice to the Government on issues of broad economic policy, on governmental programs protecting consumer needs, and on needed improvements in the flow of consumer research material to the public; this Consumers' Council will also give interested individuals and organizations a voice in these matters;

Second, that the head of each Federal agency whose activities bear significantly on consumer welfare designate a special assistant in his office to advise and assist him in assuring adequate and effective attention to consumer interests in the work of the agency, to act as liaison with consumer and related organizations, and to place increased emphasis on preparing and making available pertinent research findings for consumers in clear and usable form; and

Third, that the Postmaster General undertake a pilot program by displaying, in at least 100 selected post offices, samples of publications useful to consumers and by providing facilities for the easier purchase of such publications.

II. NEW LEGISLATIVE AUTHORITY FOR ADDED CONSUMER PROTECTION

In addition to the foregoing measures, new legislative authority is also essential to advance and protect the consumer interest.

(A) STRENGTHEN REGULATORY AUTHORITY OVER FOODS AND DRUGS

The successful development of more than 9,000 new drugs in the last 25 years has saved countless lives and relieved millions of victims of acute and chronic illnesses. However, new drugs are being placed on the market with no requirement that there be either advance proof that they will be effective in treating the diseases and conditions for which they are recommended or the prompt reporting of adverse reactions. These new drugs present greater hazards as well as greater potential benefits than ever before—for they are widely used, they are often very potent, and they are promoted by aggressive sales campaigns that may tend to overstate their merits and fail to indicate the risks involved in their use. For example, over 20 percent of the new drugs listed since 1956 in the publication "New and Non-Official Drugs" were found, upon being tested, to be incapable of sustaining one or more of their sponsor's claims regarding their therapeutic effect. There is no way of measuring the needless suffering, the money innocently squandered, and the protection of illnesses resulting from the use of such ineffective drugs.

The physician and consumer should have the assurance, from an impartial scientific source, that any drug or therapeutic device on the market today is safe and effective for its intended use; that it has the strength and quality represented; and that the accompanying promotional material tells the full story—its bad effects as well as its good. They should be able to identify the drug by a simple, common name in order to avoid confusion and to enable the purchaser to buy the quality drugs he actually needs at the lowest competitive price.

Existing law gives no such assurance to the consumer—a fact highlighted by the thoroughgoing investigation led by Senator KEFAUVER. It is time to give American men, women, and children the same protection we have been giving

hogs, sheep, and cattle since 1913, under an act forbidding the marketing of worthless serums and other drugs for the treatment of these animals.

There are other problems to meet in this area:

An extensive underground traffic exists in habit-forming barbiturates (sedatives) and amphetamines (stimulants). Because of inadequate supervision over distribution, these drugs are contributing to accidents, to juvenile delinquency, and to crime.

Two billion dollars worth of cosmetics are marketed yearly, many without adequate safety testing. Thousands of women have suffered burns and other injuries to the eyes, skin, and hair by untested or inadequately tested beauty aids.

Factory inspections now authorized by the pure food and drug laws are seriously hampered by the fact that the law does not clearly require the manufacturer to allow inspection of certain records. An uncooperative small minority of manufacturers can engage in a game of hide-and-seek with the Government in order to avoid adequate inspection. But protection of the public health is not a game. It is of vital importance to each and every citizen.

A fifth of all the meat slaughtered in the United States is not now inspected by the Department of Agriculture, because the coverage of the Meat Inspection Act is restricted to meat products moving across State lines. This incomplete coverage contributes to the diversion of unhealthy animals to processing channels where the products are uninspected and can, therefore, be a threat to human health.

In short, existing laws in the food, drug, and cosmetic area are inadequate to assure the necessary protection the American consumer deserves. To overcome these serious statutory gaps, I recommend:

(1) First, legislation to strengthen and broaden existing laws in the food and drug field to provide consumers with better, safer, and less expensive drugs, by authorizing the Department of Health, Education, and Welfare to:

(a) Require a showing that new drugs and therapeutic devices are effective for their intended use—as well as safe—before they are placed on the market;

(b) Withdraw approval of any such drug or device when there is substantial doubt as to its safety or efficacy, and require manufacturers to report any information bearing on its safety or efficacy;

(c) Require drug and therapeutic device manufacturers to maintain facilities and controls that will assure the reliability of their product;

(d) Require batch-by-batch testing and certification of all antibiotics;

(e) Assign simple common names to drugs;

(f) Establish an enforceable system of preventing the illicit distribution of habit-forming barbiturates and amphetamines;

(g) Require cosmetics to be tested and proved safe before they are marketed; and

(h) Institute more effective inspection to determine whether food, drug, cosmetics, and therapeutic devices are being manufactured and marketed in accordance with the law;

(2) Second, legislation to authorize the Federal Trade Commission to require that advertising of prescription drugs directed to physicians disclose the ingredients, the efficacy, and the adverse effects of such drugs; and

(3) Third, legislation to broaden the coverage of the Meat Inspection Act administered by the Department of Agriculture, to promote adequate inspection—in cooperation with the States and industry—of all meat slaughtered in the United States.

(B) REQUIRE "TRUTH IN LENDING"

Consumer debt outstanding, including mortgage credit, has almost tripled in the last decade and now totals well over $200 billion. Its widespread availability has given consumers more flexibility in the timing of their purchases. But, in many instances, serious abuses have occurred. Under the chairmanship of Senator DOUGLAS, a subcommittee of the Senate Banking and Currency Committee has been conducting a detailed examination of such abuses. The testimony received shows a clear need for protection of consumers against charges of interest rates and fees far higher than apparent without any real knowledge on the part of the borrowers of the true amounts they are being charged. Purchasers of used cars in one study, for example, paid interest charges averaging 25 percent a year, and ranging well above this; yet very few were aware of how much they were actually paying for credit.

Excessive and untimely use of credit arising out of ignorance of its true cost is harmful both to the stability of the economy and to the welfare of the public. Legislation should therefore be enacted requiring lenders and vendors to disclose to borrowers in advance the actual amounts and rates which they will be paying for credit. Such legislation, similar in this sense to the "truth in securities" laws of 1933–34, would not control prices or charges. But it would require full disclosure to installment buyers and other prospective credit users, and thus permit consumers to make informed decisions before signing on the dotted line. Inasmuch as the specific credit practices which such a bill would be designed to correct are closely related to and often combined with other types of misleading trade practices which the Federal Trade Commission is already regulating, I recommend that enforcement of the new authority be assigned to the Commission. The Government agencies most concerned in this area have been cooperating with the subcommittee in developing the information necessary to prepare a workable and effective bill; and in view of the exhaustive hearings already held, I hope that the Congress can complete action on this important matter before it adjourns.

(C) MANUFACTURE OF ALL-CHANNEL TELEVISION SETS

Five out of six home television receivers today are equipped to receive programs on only the 12 very-high-frequency (VHF) channels. As a result, in most areas, stations desiring to operate on any of the 70 ultra-high-frequency (UHF) channels would usually have such small audiences that there is little incentive to make the substantial initial investment and continuing expenditures that effective broadcasting requires. The result is a sharply restricted choice for consumers.

After extensive study, the Federal Communications Commission has concluded that an effective and genuinely competitive nationwide television service, with adequate provision for local outlets and educational stations, is not possible within the narrow confines of 12 VHF channels. Legislation now before the Congress would authorize the Commission to prescribe the performance characteristics of all new television receivers shipped in interstate commerce to assure that they can receive both VHF and UHF signals. I strongly urge its passage as the most economical and practical method of broadening the range of programs available. This step, together with the Federal aid for construction of educational television stations which is nearing final passage by the Congress, will speed the full realization of television's great potential.

(D) STRENGTHEN LAWS PROMOTING COMPETITION AND PROHIBITING MONOPOLY

The most basic and long-standing protections for the right of consumers, to a choice at a competitive price, are the various laws designed to assure effective competition and to prevent monopoly. The Sherman Act of 1890, the Clayton Act of 1914, and many related laws are the strongest shields the consumer possesses against the growth of unchecked monopoly power. In addition to the measure now nearing final passage which would provide subpena powers for civil as well as criminal antitrust investigations, several other improvements are needed:

(1) The Federal Trade Commission should be empowered to issue temporary cease-and-desist orders against the continuance of unfair competitive practices while cases concerned with permanent relief from such practices are pending before the Commission. Under the present law, smaller competitors may be driven into bankruptcy or forced to accept merger on adverse terms long before present remedies become effective, thus reducing the competitive safeguards vital for the consumer. Similarly, deceptive trade practices in consumer goods may do their damage long before the Commission can "lock the barn door." I, therefore, reiterate my previous recommendation that the Congress give prompt consideration to effective legislation to accomplish this purpose.

(2) The consumer's right to a reasonable price can also be adversely affected by mergers of two business firms which substantially reduce effective competition. As in the case of unfair methods of competition, damage once done is often irreparable, and the Government, acting through the courts, cannot readily restore the degree of competition existing prior to the merger. Accordingly,

I strongly recommend enactment of legislation to require reasonable advance notice to the Department of Justice and to the appropriate commission or board of any merger expected to result in a firm of substantial size. This will enable the businessman to obtain advice in advance, without litigation, as to whether a proposed merger would be regarded as contrary to the public interest. In addition, along with the recommended authority for the FTC to issue cease-and-desist orders, it is an essential safeguard against combinations which might cause unwarranted increases in consumer prices.

(3) In view of the potentially anticompetitive abuses to which the use of patents and trademarks are by nature subject, I recommend:

Enactment of legislation requiring publication of the terms of all settlement agreements between different persons applying for patent rights on the same invention—for recent hearings have shown that such agreements may include features designed to weaken future competition at the expense of the consumer; and

Enactment of legislation authorizing the FTC to apply for the cancellation of any trademark which is, or becomes, the common descriptive name of an article and thus should be in the public domain. While a competitor has such a right today, it is important—if the FTC is to have clear authority to halt this kind of unfair commercial advantage—that the Senate insert this provision in its review of trademark legislation (H.R. 4333) already approved by the House.

(E) "Truth in packaging." Just as consumers have the right to know what is in their credit contract, so also do they have the right to know what is in the package they buy. Senator HART and his subcommittee are to be commended for the important investigation they are now conducting into packaging and labeling practices.

In our modern society good packaging meets many consumer needs, among them convenience, freshness, safety, and attractive appearance. But often in recent years, as the hearings have demonstrated, these benefits have been accompanied by practices which frustrate the consumer's efforts to get the best value for his dollar. In many cases the label seems designed to conceal rather than to reveal the true contents of the package. Sometimes the consumer cannot readily ascertain the net amount of the product, or the ratio of solid contents to air. Frequently he cannot readily compute the comparative costs per unit of different brands packed in odd sizes, or of the same brand in large, giant, king size, or jumbo packages. And he may not realize that changes in the customary size or shape of the package may account for apparent bargains, or that "cents-off" promotions are often not real savings.

Misleading, fraudulent, or unhelpful practices such as these are clearly incompatible with the efficient and equitable functioning of our free competitive economy. Under our system, consumers have a right to expect that packages will carry reliable and readily usable information about their contents. And those manufacturers whose products are sold in such packages have a right to expect that their competitors will be required to adhere to the same standards. Upon completion of our own survey of these packaging and labeling abuses, in full cooperation with the Senate subcommittee, I shall make recommendations as to the appropriate roles of private business and the Federal Government in improving packaging standards and achieving more specific disclosure of the quantity and ingredients of the product inside the package in a form convenient to and usable by the consumer.

As all of us are consumers, these actions and proposals in the interest of consumers are in the interest of us all. The budgetary investment required by these programs is very modest—but they can yield rich dividends in strengthening our free competitive economy, our standard of living and health and our traditionally high ethical patterns of business conduct. Fair competition aids both business and consumer.

It is my hope that this message, and the recommendations and requests it contains, can help alert every agency and branch of Government to the needs of our consumers. Their voice is not always as loudly heard in Washington as the voices of smaller and better-organized groups—nor is their point of view always defined and presented. But under our economic as well as our political form of democracy, we share an obligation to protect the common interest in every decision we make. I ask the Congress, and every Department and Agency, to help in the fulfillment of that obligation.

JOHN F. KENNEDY.

THE WHITE HOUSE, *March 15, 1962.*

ENDORSEMENT OF MAJOR PROVISIONS OF H.R. 1235 TO STRENGTHEN FOOD, DRUG, AND COSMETIC ACT

Mrs. SULLIVAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentlewoman from Missouri?

There was no objection.

Mrs. SULLIVAN. Mr. Speaker, the President's message today on consumer interest issues is an excellent outline of some of the vital problems facing the consumer—and I use vital in the literal sense as meaning problems on which life itself depends. I am gratified that he has described the consumer issues before the Congress in such eloquent and persuasive terms; more, I am personally delighted to have his strong endorsement of proposals which constitute the major provisions of my omnibus bill to rewrite the Food, Drug, and Cosmetic Act of 1938, the bill H.R. 1235.

Every proposal suggested by the President dealing with the Food, Drug, and Cosmetic Act is already covered in H.R. 1235. For instance, the bill provides for pretesting of cosmetics for safety of use before marketing; it provides for pretesting of therapeutic devices for safety before they can be sold; it provides for proof of efficacy of new drugs and of therapeutic devices before they can be approved; it provides for tighter factory inspection laws in food, drug, and cosmetic manufacturing and warehousing and distribution; it provides for removal from the market of any previously approved drug or therapeutic device if subsequent information casts reasonable doubt on its safety; it requires drug and therapeutic device manufacturers to maintain facilities and controls that will assure the reliability of their product; it requires batch-by-batch testing and certification of all antibiotics instead of the few now designated in the basic law; it assigns simple common names to drugs; it establishes an enforcible system of preventing the illicit distribution of habit-forming barbiturates and amphetamines—the so-called "pep pills"—and it also gets at the problem the President mentioned but has not as yet suggested a solution for—that of assuring the consumer the kind of informative labels which will tell him what is in the food packages in the stores, and how much, so that the consumer can do some comparison shopping and cost computations in the packaging jungle of supermarket shelves.

All of these provisions, and more—many more—are included in H.R. 1235, which has been pending on the calendar of the House Committee on Interstate and Foreign Commerce since January 3, 1961. As a good Democrat and as a strong supporter of the Kennedy administration, I think I can now say, without being accused of "blasting" the President or attacking his aids, that I have been waiting patiently for more than a year for the official report from the administration to the House committee on H.R. 1235. I discussed with the chairman of the committee, Congressman HARRIS, last year, the matter of scheduling hearings on my bill, and I suggested, and it was agreed between us, that we should wait until the administration filed its report on the far-reaching bill. I did not realize it would take so long—or that it would have to wait for a Presidential message which included so many other unrelated aspects of consumer problems.

But the delays are over and done with now, I hope, so that we should schedule early hearings on H.R. 1235, the only omnibus bill introduced in this Congress to rewrite the Food, Drug, and Cosmetic Act along the comprehensive lines recommended in the President's message today.

Meat inspection does not come under the Food, Drug, and Cosmetic Act, nor does it come before the Interstate Commerce Committee, so my bill does not apply to that section of the Presidential message. Also, recommendations for strengthening the antitrust laws to prevent monopolistic pricing practices in drugs or other products are similarly not within the jurisdiction of the Interstate Commerce Committee or under the Food, Drug, and Cosmetic Act. But since

everything else in the President's message dealing with foods, drugs, or cosmetics can be considered in relation to H.R. 1235—or is already included in it—I hope we can now proceed with this bill expeditiously.

I stated that the President urged adoption of some but not all of the provisions of H.R. 1235. Following are some provisions included in the bill which the President did not refer to in the message, but which I hope the administration will nevertheless support:

First. In addition to pretesting of cosmetics for safety, including an anticancer clause, a requirement that the major ingredients of cosmetics be listed clearly on the label for the protection of consumers allergic to many of the now mysterious contents of cosmetic products.

Second. In addition to stronger inspection laws for factories in this country, a provision that foreign firms exporting large quantities of foods, drugs, or cosmetics into the United States must permit U.S. inspectors the right to conduct the same kind of plant inspections as are carried on in the United States, or lose the right to sell their product in the United States.

Third. Removal of the special exemption for soap in the 1938 act so that the chemicals and color additives used in face and complexion soap can be regulated just as the ingredients in any other cosmetic would be controlled as to safety.

Fourth. Protection of consumers against victimization by high-priced special dietary foods featuring exotic ingredients having no usefulness for the special purposes claimed.

Fifth. Stronger legal weapons to use in the battle to curb fake cancer remedies.

Sixth. Assignment to the Food and Drug Administration of power to subpena information under certain circumstances for administrative hearings on establishment of standards of identity of processed foods.

Mr. Speaker, last May, when the appropriation bill was before us for the Department of Health, Education, and Welfare, I reported to the House that Administration officials had testified in the hearings that there were serious loopholes in the Food, Drug, and Cosmetic Act—loopholes which should be closed. Secretary Ribicoff and Commissioner Larrick in their testimony last year cited all of the loopholes mentioned today in the food, drug, and cosmetic section of the President's message. I feel we have wasted a precious year in consideration of these problems. I do not think action on this matter of Food, Drug, and Cosmetic Act reform should have had to wait until the administration also decided on whether to have a consumer representative in the White House or a Consumers' Advisory Council in the Council of Economic Advisers, or whether television sets should be required to be built to receive all the UHF as well as VHF channels. Fine as these recommendations are—and fine as all the other recommendations in the message are—I think we could have gotten started long before this on the vital issues of this message—those dealing with life-and-death in the manufacture and sale of foods, drugs, and cosmetics.

As the President so well stated, "Thousands of women have suffered burns and other injuries to the eyes, skin and hair by untested or inadequately tested beauty aids," among the $2 billion of cosmetics marketed in this country annually. I know of numerous such cases which have been called to my attention and which I, in turn, have forwarded to FDA. Can we now close these glaring loopholes in our law, which allows our Government to remove dangerous cosmetics from the market only after there is proof of their danger, which means after people have already been burned, scarred, scalped, de-nailed or otherwise maimed or hurt?

The dangerous situation for cosmetic users is by no means the only dangerous consumer problem resulting from glaring inadequacies in the Food, Drug and Cosmetic Act of 1938. Fortunately, they can be corrected.

UNITED NATIONS PARTICIPATION ACT—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 202)

The SPEAKER laid before the House the following message from the President of the United States, which was read, referred to the Committee on Foreign Affairs, and ordered to be printed with illustrations:

To the Congress of the United States:

Pursuant to the United Nations Participation Act, I transmit herewith the 15th annual report, covering U.S. participation in the United Nations during the year 1960.

These activities took place during the tenure of the previous administration. But U.S. support of the United Nations has never been and must never become a partisan matter. The aims of the United Nations—as expressed in the charter—are comparable to the aims of the United States as expressed in the Constitution. Both documents affirm ideals and principles which transcend partisanship.

When all nations adopt as their own—and conduct their affairs in accord with—the objectives of the United Nations Charter, our hopes and expectations for the world organization will be fulfilled.

Until then, the United Nations must serve as a forum for parliamentary diplomacy in which our Nation, in concert with others, can sustain these hopes and expectations. In a dangerous and disorderly world, the United States cannot conduct its foreign policy exclusively through the United Nations. We must—and we do—pursue national aims also through direct diplomacy and negotiations with individual countries and within associations more limited in size and purpose than the United Nations. While doing so, we can continue to demonstrate day by day in the United Nations that our objectives in the world are in broad harmony with those of the great majority of other nations.

This report and the record of 15 previous years prove that the United Nations now makes a major contribution to the maintenance of peace, the welcoming of new nations, the economic and social growth of large areas of the world, the validation of a civilized view of human rights, and the endless adjustments, accommodations, and agreements that are the daily business of a world community.

The degree to which members of the United Nations have adopted as their own the objectives of the charter can be assessed. Each national delegation, in the policies it pursues and the votes it casts, exposes to all its peaceful or aggressive intentions—its candor or its cynicism—its hopes or its fears—its maturity or its immaturity—its capacity for leadership or its weakness in action, and finally, the worth of its word. In the forum of the United Nations, each nation is put to the test; and each reveals its contribution—for good or evil—to human hopes and human expectations.

It is my firm purpose to see to it that in the United Nations, as elsewhere, the United States measures up to the principles of the charter.

JOHN F. KENNEDY.

THE WHITE HOUSE, *March 15, 1962.*

PUBLIC WELFARE AMENDMENTS OF 1962

Mr. MILLS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill—H.R. 10606—to extend and improve the public assistance and child welfare services programs of the Social Security Act, and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from Arkansas.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 10606, with Mr. LANDRUM in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Arkansas [Mr. MILLS] will be recognized for 2 hours, and the gentleman from Wisconsin [Mr. BYRNES] will be recognized for 2 hours.

The Chair recognizes the gentleman from Arkansas [Mr. MILLS].

Mr. MILLS. Mr. Chairman, I yield myself 15 minutes.

Mr. Chairman, the proposals contained in H.R. 10606, as reported by the Committee on Ways and Means, are designed to improve, redirect, and tighten up the Federal-State cooperative public welfare programs. The committee is well aware of the increasing number of comments which are critical of the public assistance program. It realizes that solutions to the problems in this area are not easy and involve delicate relationships. It is convinced, however, that

the Federal Government must grant some latitude to the States to deal with them, particularly as to abuses in the aid to dependent children program. Along with this increased flexibility to deal with misuse of Federal and State funds, the States must have help in providing services in all programs which will cover people on the assistance rolls. In the past the public assistance programs have been too much concerned with the mere dispatching of monthly checks. We believe that it is high time that some concerted effort be made to get people off the rolls who can sustain themselves. It is realized that this process will not be an overnight affair. The provision of really effective rehabilitative services calls for well-trained personnel and concentrated and individualized case effort.

This bill, Mr. Chairman, grew out of discussions in the conference committee last year between the Secretary of HEW and the members of that conference committee. In December and January the Secretary took what administrative action he could under existing law in providing for a more effective method of locating deserting parents, reducing fraud and emphasizing the provision of more effective casework in the difficult aid to dependent children cases, where there was illegitimacy, desertion, and home situations which were rapidly becoming unsuitable. It was acknowledged at that time, however, that further legislative authority would have to be sought as to the public-assistance provisions if they are going to solve the welfare problems of this decade.

Permit me to digress somewhat at this point to comment upon the manner in which the current incumbent in the office of Secretary of Health, Education, and Welfare, the Honorable Abraham Ribicoff, has so effectively discharged his duties since his appointment to that position. Those of us who served with him in the House of Representatives and who have followed his career were, of course, aware of his outstanding legislative and administrative ability, and we were pleased at his selection by President Kennedy to head the Department of Health, Education, and Welfare. I think this was a particularly able and fortunate appointment because in the short space that he has served as Secretary of that Department he has, in my judgment, accomplished a great deal in developing a program which should help remedy, in fact, go a long way toward remedying, many of the abuses in the welfare field which in the past several years have become the subject of increasing criticism from citizens, the press, and on the floor of this House. Secretary Ribicoff has, indeed, as he has stated on several occasions, approached these matters with a "hard head and a compassionate heart."

Secretary Ribicoff is to be highly commended, in my judgment, for the manner in which he has dug into these welfare problems, and brought forward suggestions which, in my opinion, are constructive and will be productive of results. These programs are vast in size and they are costly. I think the administration's recommendations which are embodied in this committee bill will assist in reducing ultimately the cost of these programs.

Almost all parties concerned recognized that there should be substantial modifications of the public assistance law which was enacted in 1935 under wholly different conditions. The committee bill will also help needy people who are legitimately on the public assistance rolls. They should have payments which provide them an austere but decent existence.

The bill would increase the Federal matching for the needy aged, blind, and disabled, so that their payments will more closely reflect this purpose. Payments for the aid-to-dependent-children program will be increased. Now I want you to get this: It will be increased through the matching for both parents in disability and in unemployment cases. Without this provision to which I have just referred, for the benefit of those under the old-age, the blind, and the disabled programs, there would be nothing in here that would in any way give greater guarantee to their austere but meager existence.

The bill would provide various methods, short of denying assistance to the child, that the State could use to see that aid-to-dependent-children payments are used in the best interests of the child. Two provisions are introduced for the first time in the aid-to-dependent-children program to carry out the committee's objectives. The first adds a new provision specifying that without loss of Federal funds the State may, in instances of assistance not being spent in the best interests of the child, give extensive counseling service to the recipients to encourage more acceptable behavior. If that fails, the provisions permit the State to advise the recipient of the possibility of making a protected payment, which I shall describe later, or to notify him that the welfare agency will seek the appointment of a guardian or a legal representative as provided elsewhere in this statute.

In addition, the provision permits the State beyond this to take any other action authorized under State law, which is in the interest of the child, without losing the right to Federal grants. Thus a State could pass legislation authorizing voucher payments in lieu of cash payments, as one State has already tried to do, but was turned down as being not in compliance or in conformity, in those cases where it is determined by the State that the welfare of the child was actually in jeopardy.

The committee recognized that this gives the States broad discretion, or broader discretion than they have had in all of the years of the operation of this program. But the committee did subject this provision to certain general limitations. They said that assistance with respect to the child may not be denied as long as the child is in the home of a relative. The action to be taken by the State must be specifically provided for in the State law and the action taken finally must be in the best interests of the child.

The second provision sets up a new type of payment for needy children whose parents or other relatives are not spending the money in the child's welfare or behalf. The new concept is that of a protective payment; that is, a payment to a person other than the relative with whom the child is living, who has an interest in the welfare of the child.

Under the committee bill the State may choose to provide such payments and if it does so a series of safeguarding provisions must be followed.

Moreover, such payments could not comprise more than 5 percent of all aid to dependent children payments in the State. This provision would be in effect for 5 years, after which a State-by-State study of its operations would be made and the Congress could then determine whether it wanted it continued or not.

The bill would extend for a 5-year period the temporary provision enacted in 1961 which would provide for matching funds to families where the children are in need because of unemployment of the father or of the parent. Prior to May 1961, Federal matching was limited to families in which the children were deprived of financial support by reason of the death, incapacity, or absence of the parent. The committee believed that this experience we have had under this 1-year program justifies the extension, and in view of the testimony that some States had not adopted the program because of the short duration of the temporary provision, the committee bill would extend it for 5 years until June 30, 1967.

The committee believed that the children of unemployed parents who are in need and who are hungry deserve the same treatment as do the children where the father is no longer in the home. This provision is also amended by the bill so as to deny assistance to an unemployed parent if, and as long as, he refused without good cause to undergo retraining. In other words, if he is going to be under this program, and an agency wants him to be retrained, he cannot refuse to take that training except for good cause. This is particularly appropriate in view of the recently enacted and the pending legislation providing training and retraining programs.

In this connection, the committee has in this bill established, beginning on October 1, 1962, and for a period of 5 years, that Federal matching funds will be available in cases where payments are made under work programs which are a part of the ADC program and meet certain standards. This is a recognition of the problem that became known nationwide as in the Newburgh case. Under interpretation of existing law, there can be no matching as to payments made for work by a welfare agency, and such payments are wholly by State and local funds. The amendment treating the children of unemployed parents under the aid to dependent children program introduces for the first time an identifiable group of employable people into the federally aided public assistance program.

The committee is satisfied as to the desirability of aiding the children of unemployed, but recognizes that provisions must be made to deal with the problem of useful work for the unemployed parent.

Mr. Chairman, comment has already been made about the action of the committee in providing for an increase in Federal matching funds in connection with rehabilitation services and training in the public assistance programs to prevent or reduce the dependency and to promote self-sufficiency.

Mr. Chairman, it may not be generally recognized, but the State under existing law—and at its option—can provide services toward this end. Under all the public assistance programs except medical assistance for the aged, the Federal Government at the moment matches these expenditures on a 50–50 basis, under the provisions of existing law. Here we are saying to the State in this bill, that this problem or this matter is no longer left to the option of the State. We are not going to leave it to your discretion as to whether or not you adopt these vocational training and rehabilitation programs within your State and subject these people to these programs—we are telling you that you must, in order to have any part with the public assistance program, be in conformity. In the process of saying that, we are not doing as the minority report suggests and I quote:

The minority report states:

> The proposed increase in the percentage of the Federal contribution to the States for preventive and rehabilitative services results in a windfall of $40 million to the States. There is nothing to prevent the States from using this increase to reduce their budget for these services by one-half—the equivalent of the increase in the Federal contribution. This provision assures neither increased emphasis on preventive and rehabilitative services, nor improvement of these services.

What is the answer? Under existing law, rehabilitative services are completely optional with the State. It varies, moreover, between the States. Very little has been done to provide them in some other States. Under the 50–50 matching some, however, have done an outstandingly good job; and what has been the result? A great number of people as a result of this training have been removed from the rolls as being sufficiently capable of self-care in those States where they have had these services programs.

It is said here that we are for this requirement of public assistance, that we want that, but we are not willing to raise from 50 to 75 percent the Federal contribution for this purpose.

Let me ask you this question: Do you think it is fair for us to require the States by mandate of this Congress to pursue a new course of action that they have not voluntarily assumed to this date, and say to them that we will only match them on a 50–50 basis of the cost of carrying out this program? I have the greatest amount of reluctance to tell the States by Federal law what they have to do. I certainly am not going to subject my State to what we want done here in the way of a vocational training rehabilitation program, and tell them they have got to do the job by putting up 50 percent of the cost. Let me tell you what this bill states: That the State will have to provide at least the minimum services. How can it be said that this provision provides nothing as to increased emphasis on preventive or rehabilitative services or any improvement of these services? How can it be said that under this bill the States receive 50 percent more for this purpose? The States under this provision will have to put up 25 percent of the cost of these special services. In the great majority of States this will be far more than what they are now spending for such service. Clearly those States will have to put up more money. It is argued that the States will be burdened with this increased cost by our own action here, not by action of the States, but we say we will only give you 50–50 matching as under existing law.

I do not think it is fair to impose upon the States these additional burdens without our recognizing that we are bringing them about and recognizing that we are justified in bringing them about. I recognize that we are justified in assuming some greater share of the cost.

Now, Mr. Chairman, let me pass hurriedly on. In this bill there is a provision that was not asked for by the administration. There is in it a provision referred to earlier in the debate, a change in the matching formula for effective participation with the States in developing the program of the Federal Government of old-age assistance, the aid to the blind program, and the disabled program. Under the provisions of existing law $1 of that formula expires on June 30 of this year.

Under the provisions of existing law, including that $1, we say we will match the States in the first $31 of their expenditures for these three categories on the basis of four-fifths Federal money and one-fifth State money.

What we are doing here in this bill is changing that formula so that the Federal Government will match the States on that first $35 for purposes of the three categories on the basis of twenty-nine thirty-fifths Federal money. In other words, $29 Federal, $6 State.

Mr. Chairman, this has been with us for a long time. In 1946 another body adopted an amendment. That body adopted an amendment for a $5 provision by change in this first step of the formula I am talking about. We agreed in conference. In October 1948 another body adopted a $5 provision. We agreed to it in conference. In October 1952 another body adopted a $5 provision. We agreed to it in conference. In each instance the House, without a murmur, took the conference reports. In October 1956 the conferees on the part of the House accepted another Senate amendment modifying this formula to the extent of $3 of Federal money. In October 1958 the Senate adopted another amendment. The conferees accepted it, and the House took it, increasing this formula so as to provide on an average $4.73 of additional Federal money.

Mr. Chairman, we are dealing now with a group of people who are determined by the States to be in "need," not by our own terms of need. We are dealing with a group of people determined to be in need by a State agency. In the process here we are saying, "We will use Federal funds to match the welfare of these people up to a total of $70." That is all we are talking about—up to $70 total. "If you want to go above that, no Federal funds will be involved. Do it on your own."

Mr. Chairman, during the last decade we have increased by only $19 the average payment of people on old-age assistance. Is it too much if we add $4 more? Can it be argued that is too much?

What is the position of a person now, with all of the increase in the cost of living that has occurred? We go up to $70. Does that raise him, in fact, above that austere type of livelihood we are talking about that we intended in this program? I do not think so.

Mr. Chairman, if this amendment is stricken, these people will not have anything in the way of an increase in this bill. But bear in mind that there will remain an increase in the bill for aid to the dependent children program for the reasons I pointed out earlier.

I always try to be fair between the groups and the four categories.

I thought it was necessary for this to be added in order to maintain fairness in our treatment between the people in these categories. They say it does not have to go to this purpose; that it can be used for other purposes. It cannot be used for anything except in the welfare care of these folks.

Now, what is the history of it? Every time in the past when this has happened, have the States taken the money and put it in another pocket and not passed it on? They have not. They have passed it on either in benefits to those on the rolls or by putting other people on the rolls or by increasing their medical care. Do you realize that this money is going to be used for these purposes? It can be used for these purposes. If it happens to release $1 of State money, that dollar of State money is not going to be taken out of this program. It could be, I will admit, but the history of it is that it is not. What might they do with that dollar if they do not want to increase all these benefits? They might add just a little bit more to their package of medical care for the benefit of these people who are economically at the lowest rung of the ladder.

Mr. Chairman, I hope that the House will defeat a motion to recommit which would deprive these people of this meager increase in their subsistence.

Mr. FOUNTAIN. Mr. Chairman, will the gentleman yield?

Mr. MILLS. I yield to the gentleman from North Carolina.

Mr. FOUNTAIN. I just have a question as to legislative intent. It is my understanding that the term "remedial care" wherever it appears in the bill is intended to include optometric services; is that correct?

Mr. MILLS. The intention of the committee with respect to that expression is to maintain, in the event that

there is a consolidation of these programs into one program under title 16, the same treatment which provides at the moment under title 1 or title 10 with respect to this group. We are not providing that the State cannot include them. We are not saying to the State that they must include them. We are leaving the situation exactly as it is at the moment. If the State wants them included in this term, the State can include them in this term.

Mr. FOUNTAIN. I thank the gentleman.

Mr. CHELF. Mr. Chairman, will the gentleman yield?

Mr. MILLS. I yield to the gentleman from Kentucky.

Mr. CHELF. The gentleman has made a very clear and wonderful statement on this subject matter. There is one question that occurred to me as he spoke, and that was that the welfare, the best interests of the child was involved. Who would make that decision as to which would be the best interest of the child, the State or on a Federal level?

Mr. MILLS. The State. You understand, of course, if it is determined that it is in the best interest of the child to take it out of the home, that the State court would be involved in that instance, but if there is a protective payment or voucher payment or something of that sort, the decision would have to be made by the State welfare department.

Mr. CHELF. I thank the gentleman.

Mr. FOUNTAIN. Mr. Chairman, will the gentleman yield for one further question?

Mr. MILLS. I yield.

Mr. FOUNTAIN. With reference to my earlier question, is it not true that many States have included optometric services under this term?

Mr. MILLS. Yes, many States have and they could still do so under this new provision.

Mr. FOUNTAIN. I thank the gentleman.

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield 10 minutes to the gentleman from Missouri [Mr. CURTIS].

Mr. CURTIS of Missouri. Mr. Chairman, I rise in opposition to this bill. Of course, I am for improved welfare programs in our society, and that is the reason that I am in opposition the way the bill is presently written, because, in my judgment, it would actually overall harm and hurt the welfare programs.

There are features in this bill that are good. In fact, there are three specific features in this bill that are good. I want to explain why they are good.

Mr. Chairman, the gentleman from Arkansas has emphasized the features in the bill that are good: On page 4 of the committee report, under item 1, "Additional authority to States to prevent abuses in aid to dependent children payments," then item 5, "Payments to children removed by court order into foster care," and then just one little part of item 2 under the next clause on page 5, section E, "Other improvements in public assistance programs."

Mr. Chairman, why are these three proposals out of the many proposals in this bill in our judgment desirable? It is because they liberalize the programs from the standpoint of what the States can do in this field. In fact, our welfare program in these three areas has been badly damaged because of the Federal standards imposed by the Department of Health, Education, and Welfare on the flexibility and the manner in which the States could operate their own programs, particularly in the area of aid to dependent children. Two of these items refer to that.

Mr. Chairman, we are all well aware of some of the abuses that have come to the attention of the public through the publicity media in this field of aid to dependent children. I was very happy that the Secretary of the Department of Health, Education, and Welfare recognized this problem and that the primary concern should be the welfare of the child, and not the particular mother who might have borne that child. If the child were being brought up in a home that was immoral or unsuitable that there should be an ability or an opportunity to put that child in a proper and good environment.

Mr. Chairman, why is it that the States that wanted to do this have been deterred from so doing by the Federal Government? It is because any State that dared to set up a program to try to relate this matter to the well-being of the child was told that "Your State will be in noncompliance of the Federal regulations, and you will lose all matching funds from the Federal Government."

Mr. Chairman, I am so pleased that in this bill we removed that restriction and now States are permitted to set up their own programs along this line without having the Federal Government refusing them the opportunity of doing so.

Many of us were here in the House a few years ago when we had the problem come up in regard to opening up for inspection, and not to publicize as we said at the time, the welfare rolls in Indiana—not for publicizing them, but for inspecting them by proper people, including, I might say, the press, or anyone who had an open interest in who might be on the welfare rolls. However, we found the Federal Government saying "If you do such a thing, you are cut off from Federal funds."

The State of Indiana had the courage to say "Well, we will be cut off from Federal funds, then." They came down to the Congress and fought their battle here. We permitted the State of Indiana to do this. Incidentally, the record shows that the welfare rolls were cut almost in half merely by having them open to inspection. I am trying to recount what happens when you turn this great power in the welfare field over to the Federal Government, in a way not to help programs, but to restrict them and to conform them in the way of Federal standards.

Mr. Chairman, the third good feature of the bill relates to the treatment of the blind. It happens that the States of Pennsylvania and Missouri, my own State, had developed programs for the blind over a period of many years long before the Federal Government ever thought of getting into the field of welfare. These programs were directed toward rehabilitation of the blind. Yet, when the Federal Government entered the field, and aid to the blind is one of the sections, of course, of this social security bill, those States that did not conform to the concept of the Federal Government as to a correct program for the treatment of the blind, or aid to the blind, could not qualify and could not get Federal money. To the credit of both the State of Missouri and the State of Pennsylvania, they resisted that because they said "Our programs show to be much better programs." Here is why: Because it does relate to rehabilitation. The Federal Government said "No."

The Federal Government said no; and each year ever since I have been in the Congress the Representatives from the State of Pennsylvania and the Representatives from the State of Missouri have had to get through special bills to permit Missouri and Pennsylvania to continue their programs.

I am happy to say that in this bill that exception for the State of Missouri and for the State of Pennsylvania is made permanent. But what I had requested and what is not here is this: Any State that thought it would like to emulate Missouri or Pennsylvania or develop their own kind of program for aid to the blind, which they thought was better or superior, should be permitted to do so. That has not been granted; no. This is just to let Missouri and Pennsylvania continue, even though I think the evidence shows that these are better programs.

Now, Mr. Chairman, let me get back to the bill in its entirety because, if I could take out these three liberalizing clauses which would improve and do improve the welfare programs of our society——

Mrs. CHURCH. Mr. Chairman, will the gentleman yield?

Mr. CURTIS of Missouri. I yield to the gentlewoman from Illinois.

Mrs. CHURCH. I wonder if the gentleman would be good enough to tell us the reasoning behind the committee refusal to grant this permission to the other States.

Mr. CURTIS of Missouri. The reason behind it is the same reason that the Department, regardless of which administration was in power—these are the same people—is the same reason. These are the same people, these are good, sincere people, in my judgment, but they think they know better what is the best way to take care of the blind people and others. And they do not want the States to experiment or change their own programs.

Mrs. CHURCH. Although I congratulate the gentleman from Missouri and also the Representatives from that State and from Pennsylvania on getting this exception for their States, it seems to me that if the bill were open to amendment this privilege might be extended to other States.

Mr. CURTIS of Missouri. I could not agree more with the gentlewoman from Illinois. I wish this bill were open. I think my views on closed rules are pretty well known. I see no revenue

features involved in this kind of bill. Why the great Committee on Ways and Means cannot come to the floor of the House and defend its bills and present its reasons why these are good measures, I do not understand. Yes, I would pause if there were revenue features involved because of the peculiarities of those bills, but certainly open up a bill of this kind to amendment so that the House may consider amendments if they were desirable.

Mr. JENNINGS. Mr. Chairman, will the gentleman yield?

Mr. CURTIS of Missouri. I yield to the gentleman.

Mr. JENNINGS. With reference to the question asked by the gentlewoman from Illinois [Mrs. CHURCH] has any State other than Missouri and Pennsylvania asked for the privilege of changing its program for the blind?

Mr. CURTIS of Missouri. No, but I will say this: Other States had their own programs but bowed down to the restrictions imposed by the Department and changed their programs to conform. It is a very difficult thing for them to dare to move ahead under their own program in the face of the loss of funds. Take the history that I referred to of the State of Indiana. It created, as the gentleman I am sure can imagine, a real political problem; that is, when you turn down hundreds of millions of dollars of Federal money and impose that burden on your own taxpayers.

Mr. JENNINGS. Mr. Chairman, will the gentleman yield further?

Mr. CURTIS of Missouri. I yield.

Mr. JENNINGS. Would it not follow, then, that if some of these States have a better program, and if they in turn make application, this would set a precedent so that they could in turn set up their own programs in the future?

Mr. CURTIS of Missouri. I hope so; I certainly do hope so. You can see how regressive this is.

This does not permit the States nor encourage them to do any experimentation in this field. And they are the ones closest to the welfare programs and they know more about it, I submit, and would be more careful of the funds and be more really sympathetic to the human beings involved than somebody down here in Washington in a Washington agency who never does see the real human misery that goes with this.

Mr. JENNINGS. Would the gentleman not agree that this is a step in the right direction even though it is just one step?

Mr. CURTIS of Missouri. Oh, yes. I was pointing out three features of the bill that I thought were steps in the right direction. Take this problem of aid to dependent children. If these bureaucrats here in Washington, and again I say they are fine people, had to experience the actual situations of children even four or five in a family, illegitimate, and being kept in unsanitary and immoral conditions, and when State or municipal authorities want to do something about it, they are threatened with being taken off the Federal payments, if they dare to try to move forward. That is what happens when you move this program here through Federal control.

Mr. LINDSAY. Mr. Chairman, will the gentleman yield?

Mr. CURTIS of Missouri. I yield to the gentleman from New York.

Mr. LINDSAY. I thank my colleague for yielding. I do not want to dwell too much on this one point and I do not want to ask the gentleman to occupy all of his time on this one point, but I am interested in getting a little more specifically what it was that the State of Missouri was trying to do. What was the nature of the situation there?

Mr. CURTIS of Missouri. The Missouri program is simply this, that the blind got a pension which they did not lose when they went out and got jobs. In other words, when you tie the amount that the blind person receives to their actual earnings, there is a discouragement and I think anyone in the field of rehabilitation recognizes that. There is not the incentive for blind persons to actually get on their own feet. But, if they know they can count on this as a sort of base, and then go out and build on that, that is what they do in Missouri. We have gotten to the point where many of our blind people have gotten themselves to the point where they have jobs and have not only taken themselves completely off of the rolls as a matter of pride and have returned the pensions that they received, but they are taxpayers themselves. It is this unusual human trait of incentive involved in this area that is being shut out by the Federal program.

As to the features of the bill that the chairman of the committee has referred to as liberalizing or helping the program—my colleagues, everyone of them puts further power in the hands of the Federal Government. We cannot do anything otherwise when we increase the share that the Federal Government takes in financing these programs because we have an obligation to our constituents to see that Federal tax money is spent in accordance with certain standards, and when you increase these programs from a 50-percent formula to a 75-percent formula, and I just suggest that you read through the features of the bill and you will see each time, although it is couched in unusual language, or rather I mean very clever language, what it really means is that the Federal Government is going to restrict.

Let me illustrate. On page 10, and this is just one of many things of this kind that could be cited, the language is as follows:

> Your committee's bill encourages the States to provide such services by increasing the Federal share of at least the minimum content of these services, and by setting forth an obligation on the States to provide services at least to applicants and recipients of assistance.

Throughout the bill there are further restrictions on what the States may do in this regard.

Mr. JENNINGS. Mr. Chairman, will the gentleman yield?

Mr. CURTIS of Missouri. I yield to the gentleman from Virginia.

Mr. JENNINGS. As I understand the portion of this bill, which the gentleman is referring to, it is financed not from the social security trust fund, but from the general appropriation funds.

Mr. CURTIS of Missouri. That is correct.

Mr. JENNINGS. And, therefore, any portion that is increased here, which has not been asked for and which is not in the budget, would then, in effect, throw the budget out of balance by that amount; is that not correct?

Mr. CURTIS of Missouri. There is no question about it.

In fact, that, incidentally, is the question involved on the recommittal vote, this extra $140 million. Of course, I know the gentleman from Virginia fully realizes that we all share the same concern. But, this administration did not ask for this amount, and it was just put in gratuitously without any study, I might say, on the part of the committee, and being unbudgeted, it does throw out the budget by $140 million. But it is not the $140 million alone that worries me in this bill. It is the imposition of further Federal standards in this program.

Mr. LINDSAY. If it was not requested by this administration and was put in without any real study, why was it done?

Mr. CURTIS of Missouri. I do not know. I think President Kennedy has always said that he has compassion and has requested all his press writers to be sure that they say that is so. When he proposed this bill without the $140 million I assume, of course, he was doing it with compassion.

Mr. BERRY. Mr. Chairman, will the gentleman yield?

Mr. CURTIS of Missouri. I yield.

Mr. BERRY. Is not the gentleman from Missouri concerned about the provision in this and other bills which expand and extend the section providing that the parents of unemployed children shall be eligible for aid?

Mr. CURTIS of Missouri. Certainly, and I was coming to that particular point presently. I personally think that that has been presented in a way that will rob the Congress of a full understanding. As it was, we extended unemployment insurance temporarily last year and included aid to dependent children. It is not an issue of whether these children are going to go without funds at all, it is whether they are going to get funds given through the ADC program or given through the welfare program. The amounts are the same, except in those States—and mine is one of them I regret to say—where we have a provision of our welfare laws that say that if there is an employable person in the family then they cannot get welfare. I certainly regret that Missouri has that provision, but that is no reason for imposing this burden on other States which have done such a splendid job with their welfare programs.

Mr. BERRY. Mr. Chairman, will the gentleman yield further?

Mr. CURTIS of Missouri. I yield.

Mr. BERRY. To me it seems that this is the nucleus of eroding away the foundation of this Republic.

Mr. CURTIS of Missouri. I feel that government closer to home in the welfare field is the best government; and that is the issue here.

The concluding remark I want to make is this: The program of the federalist is always, "Well, the States cannot get enough to take care of these programs." We get into a very interesting discussion as to whether the real estate property tax is not a more progressive tax, a more efficient and sounder form of tax than the Federal income tax. I submit that a real objective analysis of the two taxes demonstrates quite clearly that the real estate property tax which does finance these programs is close to home and is by far the more practicable and reliable tax, and has stood up beautifully since World War II in providing the funds to finance the programs at the local and State levels. We are talking about financing education, community facilities, sewers, as well as welfare.

Mr. GROSS. If the gentleman will yield, it goes beyond tax, up to the responsibility of the citizen.

Mr. CURTIS of Missouri. Of course it does, and there we get to the private sector.

Mr. HERLONG. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. KEOGH].

Mr. KEOGH. Mr. Chairman, I want at the outset to commend the capable Secretary of the Department of Health, Education, and Welfare for coming to us with these proposals which, in my opinion, provide an efficient and realistic approach in this area.

You have heard and will undoubtedly hear more about the meritorious aspects of the pending bill, but there are two provisions which are particularly praiseworthy in my estimation.

ADC BECAUSE OF UNEMPLOYMENT

The first is the continuation, for an additional 5-year period, of the temporary—1-year—provision which, since May 1961 has allowed States to give aid to dependent children payments to those families which are in need because the breadwinner is unemployed. Prior to our legislation in 1961 authorizing such payments, aid to dependent children had been only available where the father was dead, incapacitated, or had deserted. It seemed to us last year, before the provision was first added, that the Congress was saying to the unemployed father:

> If you stay with your family and try to hold it together during this critical period we can offer you no Federal assistance, but if you happen to desert them, your family will be fully eligible for aid to dependent children.

This seemed then, and it seems to us now, an anomalous and indefensible situation. Moreover, there is evidence which indicates that this new program has already had the effect, in some cases, of returning fathers to their families. A study conducted by the Department of Health, Education, and Welfare for the first 7 months of the program's operation—May to November 1961—shows that of the 66,100 applications allowed at that time 2,900 families which had been receiving aid to dependent children for reasons other than unemployment, became eligible under the new program, usually because an absent father had returned to the home.

Experience with the entire program during the 1-year trial period, I believe, has demonstrated its success and indicates that the program should be extended for the 5-year period as provided in H.R. 10606. By January, 15 States had programs in effect. In December 1961, 220,000 recipients, the great majority children, were receiving payments under this program. In my State of New York, some 54,000 recipients—44,000 of whom were children—were receiving payments which averaged $35 per recipient in December.

I might add that the validity of this provision is also strengthened by the addition of the community work and training programs in the aid to dependent children plan, which allows Federal matching for projects complying with certain health and work standards specified in the bill. Currently States and localities must provide all money if they set up such work projects. Bringing the children of unemployed parents under the aid to dependent children program, introduced for the first time an identifiable group of employable people into the federally aided public assistance program. The community work programs written into this legislation are an effective method of dealing with the problem of providing useful work and training for the unemployed parent so that and until he can reenter the regular labor force.

I have said that experience under the program has already shown its potentials. A review of the aid to dependent children unemployed parent program in effect in 13 States in October 1961, showed that the following general groups of parents were benefiting from this program.

First. Those parents who remained jobless only for short periods. These were fathers under 45, ready to work and with stable work records, who had been unemployed less than 3 months. In some cases, such fathers obtained work before the agency had acted on their assistance applications. Roughly one-fourth of the caseload fell into this group.

Second. Those parents whose chances for returning to work depended upon training or retraining, and other special services. Often these were younger workers, some recently discharged from military service, with limited education and talents. Some older men, 30 to 55 years of age, with large families and education below the eighth grade level, were also in the group. About half of the caseload in the 13 States were believed to be in this category.

One argument advanced for the legislation at the time it was adopted is that it provides protection for the families of workers in hard-core areas of unemployment who have exhausted their unemployment insurance benefits. The experience of one State beset with this problem may suggest the importance of this program for other areas in similar situations. For example, in West Virginia, in December 1961, approximately one-third of the families on the aid to dependent children rolls—10,745 out of 31,037—were families with an unemployed father. Some 34,873 children, who could not otherwise have qualified, were made eligible.

DAY CARE

The second major step forward contained in the bill, in my opinion, is the specific authorization of Federal child-welfare funds for day-care facilities. Under the bill, up to $5 million of the child-welfare funds appropriated above the present $25 million ceiling, would be earmarked for day care in fiscal 1963, and up to $10 million would be allocated in subsequent years. The need for this legislation was succinctly pointed out to the committee by Mrs. Randolph Guggenheimer, president of the National Committee for Day Care of Children, Inc., who said:

> During the last 5 years, there has been an increase in both the number of preschool and school-age children whose mothers work full time. The rate of increase is larger in the school-age group, which indicates that too many young children are joining the so-called latch-key group. These are the children who wander our city streets, or return home to an empty house. Supervision is needed for this highly vulnerable group during their out-of-school hours. Certainly supervision is needed for the preschool children, too many of whom were recorded in a study made in 1958 as being left without any care during the day.
>
> Kindergarten or short-day nursery schools are not the answer. They provide a valuable service but the children who have no one at home to care for them all day long must have not only a full-day program but a special kind of program that compensates for the loss of family life.
>
> Unless Federal aid is available to stimulate day-care programs, we know from experience that such programs will not come into existence—and that child day-care service with damaging and dangerous standards will persist. Other countries throughout the world have made this discovery.

As the report on the bill points out, a study made by the Bureau of the Census, at the request of the Children's Bureau in 1958, showed that 400,000 children under 12, whose mothers were working full time, were caring for themselves without any planned supervision.

To insure that this program will be oriented to State and local needs, and provide a well-rounded approach which reflects the views of public and private agencies in this area, the committee bill would require, as conditions of State plan approval, with respect to day care:

1. For such safeguards as may be necessary that the care is provided only in cases in which it is in the best interest of the child and the mother and the need for such care exists under criteria established by the State; and

2. For giving priority, in determining the existence of the need for such day care, to members of low income or other groups and to geographical areas which have the greatest relative need for extending such care; and

3. For cooperative arrangements with the State health authority and the State agency primarily responsible for State supervision of public schools to assure maximum utilization of such agencies in the provision of health services and education for the children receiving day care; and

4. For an advisory committee, to advise the State public welfare agency on the general policy involved in the provision of day care under the State plan. This committee must include, among its members, representatives of other State agencies concerned with day care or services related thereto and persons representative of professional or civic or other public or nonprofit private agencies, organizations, or groups concerned with the provision of day care.

These are but two of the provisions in this important bill which modernizes our welfare programs. The public assistance and child-welfare programs—which were established in the Social Security Act of 1935—must be given the flexibility to deal with changing social conditions if they are to be the effective legislation they have been in the past.

Mr. Chairman, I urge the support and the passage of the bill. If I may join my distinguished and capable chairman, I urge that a motion to recommit, if one is offered, should be rejected.

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield 20 minutes to the gentleman from Texas [Mr. ALGER].

Mr. ALGER. Mr. Chairman, this particular issue is one that has troubled me considerably because so frequently those of us who oppose particular Federal legislation are accused of being against people and their needs. I can assure my colleagues in this instance that those who are conservative in their leanings also want to take care of the needy. Because others will be presenting specific details of this bill, I would like to present something a little different as background material. As a member of the Ways and Means Committee might be expected to do, who for the first time in 3 years is confronted with a program that directs its interest to the blind, the aged, the disabled, and the people that all of us would want to help, I would like to present in a pro-and-con fashion nine arguments, the presumptions and rationalizations that I have heard over and over for this particular program. This may give the Members of the House some thoughts concerning public assistance's original concept, and why we should or should not now expand it. I submit this in good conscience to my colleagues to think about, in order to see if there might not be reason to actually question not only this bill but the original basis of the program itself, and the reasons for it.

Mr. Chairman, first of all, in presenting the policies and the rationalizations that underlie public assistance and the proposed changes, I would like to present the pro arguments. Then I would say let us study these each in turn. First of all, this is what the proponents on not only this particular section of social security, but the whole field of social insurance, say to us over and over again: "Social insurance should be strengthened and should be the first line of defense against income loss through any of the commonly shared hazards of life, unemployment, old age, death, or disability. Individuals receive benefits as a matter of right and the social insurances are a bulwark against common risk to financial insecurity." In other words, it is a matter of right that our citizens have these benefits whether it be under the contributory part of social security or, indeed, under this section of social security to which we are putting our attention today.

Now, Mr. Chairman, let us look at that from the other side, this way: Social insurance is not insurance legally. It is a gratuity, and has been so ruled by the Supreme Court.

As insurance it would be unconstitutional. Further, any program within the framework of social security is no stronger than the basic program. And at this point, therefore, I come to this particular part of social security which we call public assistance. Since the basic program of social security is actuarially unsound—and at this point I shall ask permission in the House to submit to you the minority report from last year's social security amendments to show you in what a precarious situation the entire social security program is; and I shall cite in that several examples that show its financial insecurity. The program is unsound.

MINORITY VIEWS

We believe in a soundly financed and equitably conceived system of social security that properly seeks to provide a basic floor of retirement and survivorship protection for the American people on a nondiscriminatory basis. The existing old-age, survivors, and disability insurance program falls considerably short of meeting these requirements.

We are opposed to a system of so-called social insurance that (1) discourages individual productivity, (2) impairs individual ability to achieve self-sufficiency, (3) illogically and arbitrarily differentiates among citizens in regard to benefit eligibility and amount, and (4) spends currently the savings of the present generation so that the commitments of the system to one generation will inevitably fall on succeeding generations in increasing magnitude. The present old-age, survivors, and disability insurance program tragically possesses these shortcomings on every count and with seemingly unshakable firmness persists in their retention.

We are opposed to the enactment of H.R. 6027 because it seeks to enact a combination of illy conceived or inadequate modifications in a social security structure that urgently requires much more basic and sweeping reform to be acceptable and workable. There seems to us little merit or future in adding another room to a house built on sand.

We associate ourselves fully with the criticisms in the supplemental views by our Republican colleagues with respect to the proposal to reduce the possible retirement age for men to 62 years. We also tend to support the recommendations of our Republican colleagues to liberalize the retirement test and to end the present unconscionable discrimination against those present aged who through no fault of their own are precluded from a benefit entitlement even though their need is the greatest and even though they may have contributed as much to the OASI trust fund as many present beneficiaries. With respect to the proposed increase in certain dependents' benefits, we can see no reason or rationale for saying to a widow that she can have only 75 percent or 82½ percent or any other percent less than 100 percent of the amount paid to a retired man. We would support a proposal to equate the benefit entitlement between these two classes of beneficiaries.

We should frankly recognize that the present social security system is not insurance and we should end the cruel pretense of maintaining on the basis of an insurance concept that some citizens are deserving of higher benefits than others and some citizens are deserving of no benefits. It serves no useful purpose to characterize as "insurance" what is merely a statutory mechanism combining welfare and insurance characteristics which emerge as a hybrid that is not insurance and that provides welfare only on a hit-or-miss basis. This mechanism is essentially a device for taking the productivity of one group of our citizens to provide for the welfare of another group and these groups may or may not be of the same generation.

We support the portion of the supplemental views of our Republican colleagues expressed in regard to the tax schedule in existing law and proposed in this legislation necessary to finance the OASDI program. In commenting on the tax burden we stress the fact that the OASDI system has not met the critical test of time. We are told that the system will not mature until well into the 21st century. In the interim it is entirely possible that experience will prove the present tax schedule inadequate. We are perhaps not justified in assuming that future generations will acquiesce in tax burdens to which we are now so willing to commit them.

We also join in the supplemental views of our Republican colleagues with respect to concern over the willingness of the administration to utilize the OASDI program for pump-priming purposes. The fact that the administration did not recommend any comparable liberalization of the public assistance programs under the Social Security Act reveals a dangerous inclination to use the OASDI trust funds for fiscal policy purposes to pursue an objective that, if it is to be done at all, should be done through the Treasury general fund route.

Our reservations with respect to the existing social security program and the amendments proposed in H.R. 6027, aside from considerations of equity and fairness are primarily directed to our serious doubts over the financial ability of the program to sustain itself in perpetuity. The assumptions on which the system is pronounced sound are inescapably predicated almost completely on economic and population forecasting. There is less reason to question the actuarial conclusions if the assumed economic and population forecasts are correct. Our concern is that these forecasts may prove to be at substantial variance with experience, with the result that the tremendous obligations already accumulated under the OASDI system will prove an intolerable burden.

The existing system is established on the principle that taxes will be imposed on future earned income of future workers to pay benefits obligations that have been previously incurred. The magnitude of these obligations can be demonstrated by an examination of certain actuarial data:

First, an employee with maximum taxable earnings since the program began in 1937 would have contributed through December 31, 1960, a total of $1,290, so that the combined employer-employee taxes are $2,580. If such an individual reached age 65 on January 1, 1961, and had a wife the same age, the average total amount of benefits that would be paid out in this case would be about $31,200.

Secondly, a similar individual who qualifies for the minimum benefit could have contributed as little as $6.50 (by obtaining 13 quarters of coverage at the minimum rate of $50 of wages per quarter during the period 1937–49, when the contribution rate was 1 percent); in such case, the combined employer-employee taxes would be $13. The total amount of benefits that would be paid out, on the average, in such case (considering that the widow would receive the full

minimum benefit under present law of $33) would be about $9,100.

Third, the total contributions that have been collected by the OASDI system since the inception of the program through 1960 amount to approximately $81.6 billion. The present value of future benefit obligations incurred with respect to existing beneficiaries is estimated at about $95 billion. This latter figure does not take into account the benefit obligations currently being developed for persons who have not as yet reached retirement age or died, or the total benefits paid since the inception of the program through 1960, amounting to $62.9 billion. The combined OASDI trust funds at the end of 1960 amounted to only $22.6 billion.

And, fourth, the present unfunded obligations of the OASDI system are estimated to be approximately $300 billion on the assumption that no new workers enter the system but that only presently covered persons and their employers make contributions and acquire benefit rights.

These actuarial data give some meaning to the magnitude of the future obligations that have already been incurred under the social security program and suggest the compelling reasons why care must be exercised in the evaluation of the existing program and any proposed liberalizations thereof.

We favor a program that is sound in principle and in its financing features. We are opposed to imposing on future generations the obligations that we should be meeting for ourselves. For these reasons we are constrained to express our opposition to the favorable consideration of H.R. 6027.

NOAH M. MASON.
JAMES B. UTT.
BRUCE ALGER.

Admitting that, as a political gratuity subject to vote, it does not need to be sound, does not lessen the danger that a $300 billion deficit poses to the health of the entire program, including this section.

Contributions are not related, therefore, as a matter of right. Congress can vote this entire program out of existence. There is no binding contract as there is in insurance. And it is compulsory, it is not voluntary.

This first pro and con is directed to the basic review of social security, including the contributory section. This bill today, of course, is not a part of the contributory section. And I call your attention also to the minority views of the gentleman from Missouri [Mr. CURTIS] of last year.

Let us go on to the second presumption. Here is the argument for: The Federal-State public assistance programs need to be expanded with new formulas applied, providing a larger Federal share to help more States presumably less able to provide for their people.

Now, let us look at the other side. The bland assumption by Federal authorities that State programs are inadequate by Federal standards does not make them so, even though today's family budgets, diets, and living standards have not been specified by Federal authorities. Certainly, therefore, there is a question whether increasing Federal control is necessary. It is axiomatic that if more money is offered to the States the States will, in effect, be bribed into taking it, because they know that their residents have paid in this Federal tax money to the Government.

It is also true the Federal Government will and must lay down the formulas, regulations, and controls to safeguard the expenditures. Here, then, the States are coerced with bribes and bonuses, even as we tried to have a residence requirement this year forced on the States, and which we knocked out of the bill. The States thus lose administrative control, which the gentleman from Missouri pointed out was the case in all but two or three of the liberalized provisions of the bill.

Now as to presumption No. 3. Here is the pro side: Localities are taxwise the weakest of any level of government. States should bear a greater portion of the cost. But even here, with so many other State programs, States are hard pressed for funds, so the Federal share in the participation should be increased.

Mr. Chairman, I now quote, as I shall do several times, from a statement made by the other body, shown in Document No. 93, January 1960, entitled "Public Assistance." Not having the printed hearings and report of this bill at the time I did my detailed study and homework. This was my source as to the basic premises underlying social security. This is what this study says about this tax matter.

> We believe the National Government should assume that share of assistance cost which demonstrably State and local governments and private sources cannot meet.

And again:

> Many States are burdened today by heavy fiscal responsibilities.

And further:

> We do not find the Federal share of public assistance programs unduly high in relation to the Federal share of other Federal-State programs.

Now let us look at this tax matter on the con side. The Federal share traditionally in Government programs always increases. It is politically expedient and the human thing as politicians for us to do. So much is this true that the Federal participation in highway expenditures went up to 90 percent, much to our present sorrow. This disproves that when you increase the percentage you are always improving the program. Yes, we can increase the Federal percentage but to do this because the States and localities are hard pressed for funds begs the question.

But the Federal Government is much worse off, having no funds, being hundreds of billions of dollars in debt, and with only the taxing power to provide funds which in advance are overcommitted. To compare this participation with other Federal-State programs is hardly enlightening since it might well be that "two wrongs do not make a right."

Next, as to the presumption that national concern over State inadequacies and inequities, must take precedence I quote again from the study of the other body:

> Despite our firm conviction that within broad limits the States should have the freedom to define and administer their public assistance programs as they see fit, for this is in line with the value Americans place on experimentation and diversification, we consider inadequacies and inequities in public assistance a matter for national concern.

Let us look at the other side of that. The differences in State programs will exist so long as there are checks and balances of the Federal-State constitutional relationship. We can by Federal coercion change that at any time we see fit—nonconstitutional, of course, it would be. There are those who would see State differences as a healthy diversification and a competitive situation from which State residents take authorship and pride thinking their way is best.

At this point I might dare to disagree with the Federal coercion and planners. State leaders and residents might also feel this might make a stronger United States than the affirmative federally imposed pattern.

Now as to rationalization number 5. Public assistance spending is and should be "open end," with no limit to the number of local applicants nor to the amount to be spent. The amount of the Federal appropriation should remain "open end." That is, the amount should be the total necessary to match State local expenditures under the formula specified for Federal financial participation, with no limiting predetermination of what the total shall be.

This, too, is taken from the study by the other body, on the nature of public assistance.

Let us look at the other side of that.

Federal spending has always been open-end, since the Federal Government has no limitation on its power to tax, spend and borrow. It may be that this in itself explains why there is not and will not ever be fiscal responsibility at the Federal level and why in Federal spending too often the do good side of human beings runs away with the need for reason and fiscal prudence.

Sixth to go to the next rationalization underlying public assistance.

Implicit, though not often directly stated, is the conviction throughout that misuse of or dereliction in the programs percentagewise is small and inconsequential.

My answer to that on the "con" side of the argument is this: The percentage of dereliction and misuse in giveaway programs is open to dispute since few if any studies are really made to determine and to uncover freeloading and goldbricks. Lack of such studies does not prevent such dereliction and misuse and becomes greater as Federal participation and money control increases.

Seventh. The next rationalization. Implicit also is the belief that people need more than money in Government aid. The people coming to the assistance agencies need more than money. The extreme view was presented of this by Mr. R. E. Bondy, director, National Social Welfare Assembly, this year who said:

> Social services should not be restricted to persons in economic need.

My answer to that is this: Social services not related to economic need are even less the province of the Federal

Government. There is grave doubt in my mind if Federal participation even in cases of need is constitutional by the traditional standards laid down by our forefathers.

Eighth. The next rationalization is this:

> Private agencies are to be used and coordinated with Government agencies. Voluntary efforts by families, churches, and privately supported social agencies meet great areas of need. Federal Government should exercise greater leadership. The Federal Government should encourage each State to utilize services of voluntary organizations and develop coordinated programs.

This year in our testimony, Mr. Mintener of the National Council of Churches said:

> There are 4,000 church related health and welfare agencies in the United States under Protestant and Eastern Orthodox auspices. A number may be in a position to sell service to their State or county. There is general agreement that church related agencies may accept per diem payments on a case-by-case basis for services purchased by Government for individuals.

Monsignor Gallagher, secretary of the National Conference of Catholic Charities, admitted under cross-examination that the church agencies are already accepting Federal-State-local money for charity work, and saw little conflict of church and government—though I suspect he was troubled about this.

My answer to this matter of private agencies and churches getting into Federal subsidy is this:

Church related agencies selling their services is unconstitutional. This violates the separation of church and state. Federal funds must have regulations, controls, and dictation. Followed to its logical conclusion, church agencies, and then the church, indeed, would lose their identity.

More importantly is the loss of the private concept of charity which has marked the course of the Judeo-Christian heritage which underlies Western civilization. Continued and increased contribution by the Federal Government can only change private charity into public charity and this means that in time private charity will be eliminated entirely. I must say that in this bill the churches purportedly are eliminated except for some slight assistance to certain groups, and I suspect that in the other body there will be some increase in the role of the church receiving Federal funds.

Ninth. The final presumption is this:

> The number and qualifications of welfare workers must be increased. One hundred percent Federal funds should be provided for this including graduate schoolwork. Further, public assistance workers should increase public knowledge of public welfare programs since public opinion is a potent force. Citizens of a democracy, in order to be intelligently effective, must be well informed. Too many citizens are ignorant of our vast public assistance programs or have mistaken ideas about them and welfare workers must inform them.

Increasing welfare workers, training them with 100 percent Federal funds will insure Federal indoctrination. Then teaching the public about the vast public assistance programs will complete the total brainwash of our people and elimination of all private, church and charitable efforts in assistance. Such an event will also be a major step in destroying the independence of our people.

Mr. Chairman, now let us look further into the problem, the principles involved and how to solve this ageless problem of caring for human needs.

The needy have been with us always. Hardship and insecurity accompany life. U.S. society will and does provide for the disabled, the blind, the aged and others that genuinely are in need. Demagogs would confuse the issue—saying some are for helping the needy—that others are not. This is not the issue. I assume and now repeat my belief that the needy must be provided for, have been and will be. So what is the question and the controversy? Simply this: How best to do the job in conformity with our fundamental principles which simply stated are twofold and overlapping: First, the Judeo-Christian heritage, and second, the companion form of society, the American plan of a constitutional republic in a democracy, a society of free people.

Is the job done best by expanded help of the Federal Government? Many of the presumptions here previously outlined accompanying public assistance violate these basic American concepts.

Charity is personal, a spiritual dedication of human being aiding human being. The giver is not sanctimonious. The receiver is not debased. The church is the heart of the effort, and private agencies are the administrative means, distributing private contributions.

This definition of charity is the Judeo-Christian heritage Federal Government compulsory taxes—failure to comply punishable by fines and jail—plus Federal bureaucratic regulations and regimentation violates and distorts both this religious heritage and the role of the Constitutional Republic—at the sacrifice of the freedom of those composing a free society. There are no empty generalities. The intangible needs of human being are no less real than the tangible needs, such as food, clothing, shelter, and necessities. The unseen strength of American people is their freedom—spiritual and material. Traditionaly, the church has been at the center of man's vicissitudes and griefs to strengthen a religious-based code of conduct and the strength, through prayer to our God, to face the stark realities of daily life. These realities cannot be dodged or passed to others through additional voted Federal aid.

Now we are reminded in public assistance that the Federal Government can through the broadly based compulsory tax device replace charity by stressing that our people have a Federal right to life's necessities. In this proposed effort the church is asking Federal aid, completely abrogating its independent and primary position in succoring man. Indeed, the bill seeks to coordinate public, Government, private, and church agencies.

Citizens not even students of government know government must dominate and control any public-private cooperation and government will grow from no matter how small a federal part until complete domination. Thus church and private charity will be eliminated, replaced by the materialistic state socialism of federal government regimentation. There can be no other end to this path we travel.

The alternative, the sensible course to follow, will stress church and private agencies with less, not more, Federal participation. It is not too late to make this critical decision. Local efforts are the answer, with the State helping only when necessary. Ideally, we should return entirely to private control without Government funds.

Realistically, we can prevent further centralization and domination of Federal Government at the expense of private and church agencies. To do this we must reduce, not increase, Federal participation, yet at the same time stressing State responsibilities and administrative flexibility. Basic mistakes, inherent in this program, are many. Worthiness of intention in helping the needy is not reason enough further to take money from the taxpayers. The stressing of democracy, the people, belittles our real form of government, a Republic wherein we do not play up expediency for political gain to the needs of the people, but rather as representatives of the people we Members of Congress exercise that self-restraint and self-discipline that goes with fiscal responsibility, a balanced budget and frugality with taxpayers' money. Most important we must remember there is no Federal Government right for people to be federally clothed, housed, employed or provided the basic necessities. This is not the constitutional role of Federal Government. Society can provide help for needy without embracing a form of federal domination which will violate our most sacred beliefs of church and government. The needy can be provided for without the Federal Government.

Mr. Chairman, I am opposed to this bill, and I shall include as a part of my remarks the remarks I made last year on social security, and I ask that the Members take a look, and think about these items whether agreeing or disagreeing. Of course we are all in favor of aid to dependent children; of course we are for aiding the blind and disabled, and unemployed that, and we are going to help them, but we cannot move the Federal Government in without doing more damage than help.

Mr. HERLONG. Mr. Chairman, I yield myself 15 minutes.

Mr. Chairman, perhaps there are not very many bills that come before the House of Representatives of any significance that some of us would not like to vote two-thirds "yes" and one-third "no," or something like that. Maybe sometime a resolution ought to be presented to change our rules, to divide the votes up into tenths and perhaps 3 or 4 days after the vote was taken we may find out how it came out.

Seriously, this is a situation where I find myself in favor of a good portion of

a bill. Some of the sections I do not like. I realize under a closed rule you have to vote for or against the package; but, then, that is no argument in this particular case in favor of an open rule, because I find myself frequently, after a bill has been amended under an open rule, in a situation where I still do not like every section of it and I would like to vote two-thirds "yes" and one-third "no," or something like that. This today is a situation where we have to look at the overall accomplishments or objectives that we are seeking in this bill.

What we are attempting to do is to provide an incentive to get people off the welfare roll.

I want to speak with reference to one or two sections of this program, sections that I think are particularly good and should be added to the law, so good in fact that it would compel me to vote for the entire bill, in spite of the fact there are some sections I would not be enthusiastic about.

Mr. Chairman, what we are trying to do in this bill is to take a long-range look at these welfare programs and reduce, ultimately, their cost, by providing incentives to get people off the welfare rolls.

I would like to mention, in particular, several features of the bill which are especially meritorious.

1. AVOIDING ABUSES IN THE ADC PROGRAM

The first relates to granting States additional authority to prevent abuses which have arisen in payments for dependent children. The second provision would allow the State to make "protective payments," that is, payments on a child's behalf to a person other than the relative with whom the child is living, in cases where the relatives are not using such payments in the child's best interests. We are all aware of the many complaints which have arisen concerning abuses by recipients of aid to dependent children. It has been reported, for example, that in some cases an irresponsible parent or relative caring for the child has used the monthly welfare check to pursue his own interests rather than meeting the needs of the child.

This problem raises the difficult question of how to deal with these instances of abuse of funds without endangering the general principle adopted when the Social Security Act was first passed in 1935 that public assistance recipients should be free to provide for themselves with the assistance they receive in the form of money payments. It also does involve the question of Federal-State relationships, where a large share of the funds is Federal money. The States are now free, in instances of abuse of public assistance payments, to make nonmoney payments; but if they do so, their expenditures are not matched by Federal funds and must be supported wholly from State and local funds. The provisions of the bill recognize that the States should be allowed to use various types of nonmoney payments when this is in the interest of dependent children without being penalized.

The first of the amendments which I mentioned—section 107 of the bill—allows the States to take certain action without losing Federal funds. The States may, in instances where assistance is not used in the best interest of the child, give extensive counseling services to the parent or relative caring for the child to encourage and assist them in providing more adequately for the family's needs. If this fails, the amendment permits the States to advise the recipient of the possibility that direct payments to him will be stopped and that "protective payments"—which I shall describe in a moment—will be made for the family to a third party. The States may also caution the recipient that the welfare agency may seek the appointment of a guardian or representative for the purpose of receiving payments on the child's behalf. The amendment in addition permits the States to take other actions authorized under State law which are in the interest of the child without losing Federal grants. These could include voucher payments under which a recipient would be furnished with a voucher or certificate which enables him to obtain particular goods or services. The recipient could be limited to procuring goods and services for specific purposes, for instance, groceries and rent, instead of receiving a cash payment which would be used for items completely unrelated to the welfare of the child. This expanded authority which the bill would give to the States is subject to three general limitations: first, assistance with respect to the child may not be denied as long as the child is still in the home of the relative; second, the action to be taken by the State must be specifically provided for in State law; and third, the action taken must be in the child's best interest.

The second amendment which I mentioned—section 108 of the bill—sets up a new type of payment for needy children whose parents or other relatives receiving the payments are not spending them on the child's behalf. These are "protective payments," which would be made to a person who has an interest in the welfare of the child other than the relative with whom the child is living. The bill provides that if these payments are used, a number of safeguarding provisions must be followed, including periodic review by the State agency to determine whether the "protective payment" in a given case should be continued. The bill also limits the number of recipients for whom "protective payments" may be made, to 5 percent of all other recipients of aid to dependent children in the State.

These provisions, I am sure, will allow the States wide latitude to take action in protecting the best interests of dependent children, and will at the same time prevent State and Federal welfare payments from being diverted to unnecessary and improper purposes.

2. COMMUNITY WORK AND TRAINING PROJECTS

The bill carries another provision which should be emphasized. This is the section—section 105—which authorizes Federal participation in community work and training programs for relatives with whom dependent children are living. This amendment is particularly reasonable and pertinent in view of the amendment adopted last year and extended by this bill, authorizing payments to children who are dependent because of the unemployment of a parent. When the aid to dependent children program was expanded to include the children of unemployed parents in 1961, federally aided public assistance took in an entire new group of employable persons. It is eminently illogical, it seems to me, to allow the States to make money payments to these persons, but to withhold Federal support if the State or locality chooses to employ them for useful purposes. This is precisely what the Federal law provides. At the present time, work projects for employable persons are conducted under welfare programs financed solely from State and local funds. The bill would recognize that community work and training programs have legitimate application to able-bodied adults who are recipients of payments under the aid to dependent children program. Federal participation will be conditioned upon proof that the work will serve a useful community or public purpose, will not displace regular employees, will not impair prevailing wages and working conditions, and will be accompanied by certain basic health and safety protections. Moreover, the bill would authorize a State to withhold assistance payments to a relative if he refuses without good cause to participate in the work project.

3. REHABILITATIVE SERVICES

Finally, I should like to state that it is my hope and belief that the provisions contained in the bill—section 101—designed to encourage the providing of more and better rehabilitative services to public assistance recipients will bring about savings so far as public assistance money payments are concerned. We hope these services to millions will help many families break the chain of chronic dependency. This dependency in too many cases is perpetuated by the habit of waiting for the monthly welfare check. In place of this dependency the bill provides a road for the relief recipient back into productive work. If he travels this road successfully, we will have one less welfare recipient and one more taxpayer.

I urge adoption of the bill as reported from the Committee on Ways and Means.

Mr. KEOGH. Mr. Chairman, will the gentleman yield?

Mr. HERLONG. I am happy to yield to the gentleman from New York.

Mr. KEOGH. Would the gentleman not agree with me that in these provisions to which the gentleman has addressed himself there is an obvious and significant shift of emphasis to the dependent child in what is best for it?

Mr. HERLONG. I would certainly agree with the gentleman. This is something that in the past we have not paid strict enough attention to. I know of instances that were brought out in the committee hearings by our distinguished chairman where he showed that there were proposed provisions which would have permitted payments to people that

were not for the benefit of the child, which instances were not noticed by all members of the committee. However, our diligent chairman detected them and took them out of the bill. We all should be grateful to him for that.

Mr. CURTIS of Missouri. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan [Mr. KNOX].

Mr. KNOX. Mr. Chairman, I believe the gentleman from Virginia [Mr. SMITH], the chairman of the Committee on Rules, put this matter in proper focus in calling to the attention of this body the impact of the provision which would cost the Federal Treasury an additional $180 million. I believe the gentleman from Virginia [Mr. SMITH] used the figure of $140 million. That is in one sector. The other $40 million is for the increase from 50 to 75 percent of the participation by the Federal Government.

I am reluctant to extend further domestic programs beyond the ability of our Government to pay the bills out of current revenues. I feel very strongly in this field because of the fact that we have just increased the national debt to $300 billion. If the message we have received is correct, the administration will once again appeal to the Congress for an increase in the national debt by some $8 billion more than the $300 billion, which we have just set as a temporary ceiling. This disturbs me greatly.

Then I look back at our committee, of which I am proud to be a member, and which is the revenue-producing committee of the Congress, and find that by an amendment to the bill which was not budgeted we now provide for an additional $180 million of back-door spending. If I really thought this amount of money was going to be channeled into the proper purpose, of relieving some of the aged people of my State and this Nation, I think maybe I could tolerate it, but there certainly is no direction, as far as the $140 million is concerned, that the intended recipients will ever receive $1 of the $140 million.

This legislation certainly has gone a long way to correct some of the abuses that the Federal bureaucracy have brought upon the States. In my fair State of Michigan our legislature deemed it advisable, and I believe they were prudent at the time, when they initiated the law to protect the children who were eligible for aid to dependent children funds; that is, they provided a suitable home provision. If the home were not suitable for the rearing of the child, then that home would not receive any aid to dependent children payment for the care of the child. But the State did not leave the child at the mercy of those who would take from the child its rights of support. They did provide that the family then would start to receive assistance in the form of welfare orders.

Because of these abuses, which existed in the State of Michigan, the recipients receiving the money for the care of the child were using it for purposes other than the care of the child. Now we have overcome this problem in the State of Michigan by an amendment in this legislation which will permit the suitable home provisions still to exist in the State statute. However, the welfare that goes to the child shall go directly to the child in such case where the courts may be able to take the child out of the home and put it in a suitable home. This, of course, would be within the discretion of the probate court and I know that the probate court will act in the best interest of the child.

Practically every section of this bill delegates power to the Secretary of Health, Education, and Welfare where they may promulgate administrative rules which are, in effect, law and the States must conform. I am reminded of the period of time when the Secretary of Health, Education, and Welfare appeared before our committee, and I confronted him with a statement that I had read in the press wherein he made the statement—

> that we expect the State to cooperate. If they do not cooperate and conform, then we get tough and we cut off their funds.

The Secretary said he stood by this statement.

That is the thing that I fear mostly as far as the delegation of power without some guidelines to any secretary, whether it be the Secretary of Health, Education, and Welfare or the secretary of some other agency.

I had requested, but I was not successful in the committee, to give to the States the right to appeal to the district court so that the court may determine whether the Department's regulations followed the intent of the Congress. I was not successful in getting the amendment in the bill, but I did feel that it would be in the best interest of the State if they had a right to go to the judicial branch to get the court's interpretation. We are the legislative branch, the executive is the administrative and, of course, the judicial should interpret the laws. But under this bill there is no appeal by the States to go into the courts to get a determination as to whether or not the administrative rulings go beyond the intent of the Congress. It is my hope that we can keep the Nation solvent. I do not want to see another increase in the national debt. Therefore, without any direction in this legislation that the recipients of old-age assistance shall receive an increase in the amount under this $140 million which is set forth in this legislation, then I shall have to vote to recommit the bill with instructions to strike the $140 million which is not budgeted but which will be somewhat of a windfall to the States. I favor the other provisions of the bill.

Mr. MILLS. Mr. Chairman, I yield to the distinguished gentleman from California [Mr. KING] 10 minutes.

Mr. KING of California. Mr. Chairman, I rise on H.R. 10606 in support of the bill.

The bill before the Committee today implements the basic provisions of President Kennedy's welfare message. It provides a new look at the Nation's welfare legislation. It has been arrived at after months of consideration by the executive branch and hearings and careful consideration by the Committee on Ways and Means.

The President wisely noted in his message:

> Our basic public welfare programs were enacted more than a quarter century ago. Their contribution to our national strength and well-being in the intervening years has been remarkable.
>
> But the times, the conditions, the problems have changed—and the nature and objectives of our public assistance and child welfare programs must be changed, also, if they are to meet our current needs.

These changes are provided in this legislation.

The bill will afford the States more favorable Federal matching to improve and broaden rehabilitation services toward the dual ends of both getting people off the assistance rolls and preventing others from coming on. These funds will also be available for the training of urgently needed social workers in whose hands the success of these rehabilitative efforts ultimately will lie.

The desired results will not be brought about immediately. Some people, particularly the families in the aid to dependent children program, have problems which will take patient and skillful handling if they are to be alleviated. But I believe it is imperative that our public assistance programs continue to evolve so that instead of simply paying money these programs can provide the kind of skilled services which will return individuals to independence and dignity.

Others have pointed out many of the detailed provisions of the bill: Aid to dependent children—ADC—payments on the basis of the unemployment of the parent; increase in Federal matching formula for the aged, the blind, and the disabled; increase in Federal funds for child welfare services, including day care of children; ADC payments for both parents; community work and training programs under aid to dependent children programs.

These are but a few of the more important provisions in this most significant revision of the public assistance and child welfare programs since the enactment of the social security law in 1935. President Kennedy in his message to the Congress on February 2, 1962, said:

> The goals of our public welfare programs must be positive and constructive—to create economic and social opportunities for the less fortunate—to help them find productive, happy, and independent lives. * * * It must contribute to the attack on dependency, juvenile delinquency, family breakdown, illegitimacy, ill health, and disability. It must reduce the incidence of these problems, prevent their occurrence and recurrence, and strengthen and protect the vulnerable in a highly competitive world.

Finally, let me say that we can enact this legislation in the confidence that experience has shown it will bring results. For, as the President pointed out in the conclusion of his message:

> Communities which have tried the rehabilitative road—the road I have recommended today—have demonstrated what can be done with creative, thoughtfully conceived, and properly managed programs of prevention and social rehabilitation. In those communities, families have been restored to self-reliance, and relief rolls have been reduced.

To strengthen our human resources—to demonstrate the compassion of freemen—and in the light of our own constructive self-interest—we must bring our welfare programs up to date.

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. ROBISON].

Mr. ROBISON. Mr. Chairman, I take this time mainly because I find myself caught—and this is not an unusual situation here—caught between two directly opposing points of view concerning the administrative features of H.R. 10606.

The first of those points of view is that expressed in the report accompanying the bill which says:

This bill involves a new, constructive approach which, by taking account of changing conditions and the existence of new rehabilitative skills, will assist the States in meeting their responsibility for the development and administration of realistic and sound public welfare programs and provide the States with much greater flexibility in the development and administration of such programs in the light of their particular needs and conditions.

The other point of view to which I refer is that recently sent to me, and to most of the Representatives from the great State of New York, by the New York State Board of Social Welfare, a nonpartisan board which is the policy-making and supervising body for the New York State public welfare program. That study under date of February 20, 1962, is set forth in the daily CONGRESSIONAL RECORD for Monday of this week, on page A1830; if anyone cares to refer to it. I quote from the statement:

This board has been concerned over the years with the many problems that have stemmed from Federal-State relationships in the public welfare field, especially with the steadily increasing domination by Federal authorities and the consequent loss of State and local autonomy.

Skipping a couple of paragraphs:

Once again this board finds it necessary to express concern, its very real alarm, over another threat to extend Federal dominance in public welfare—the latest welfare proposals of the Federal Department of Health, Education, and Welfare. Here again, this board and the staff of the State department of social welfare do not quarrel with objectives—providing for needy people who must be helped, rehabilitating individuals who can profit thereby, and using every known modern technique for breaking the chain of dependency in sorely deprived families. Our anxiety arises from the specific ways and means proposed to reach these objectives.

These new proposals, if adopted by the Congress, would give the Secretary of Health, Education, and Welfare in Washington full power to dictate in detail to all the States, and therefore to all the thousands of local communities in the Nation that administer public welfare, just how it is to be managed—almost down to the last piece of paper.

The discretion vested in the Secretary is without limitations.

The philosophy implied and inherent is in flat contradiction to the historic concern of New York State and its localities for home rule, and ignores the basic right and responsibility of the State and its localities to decide how they will conduct their public business.

We believe that a stand must be made now, by this State and, hopefully, every other State, to stop and to reverse the trend of increasing Federal domination, of a growing complexity that is getting completely out of hand, and of the constant threats to withhold Federal funds because of alleged nonconformity with Federal regulations.

Mr. Chairman, there are the two contrasting points of view, one from the report and one from the New York State Board. Can a committee member from either side of the aisle—I have no preference—tell me who is right and who is wrong in this instance?

Mr. BYRNES of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. ROBISON. I yield to the gentleman from Wisconsin.

Mr. BYRNES of Wisconsin. I think there is in this bill many areas that tend to project a further Federal control and a Federal domination, and I think that becomes the case as you place greater reliance on the Federal Government in its matching and financing of the program. That is one of the reasons why some of us have been opposed to the proposal which would change the matching formula for all the salaries of social workers in the States from 50 to 75 percent. When that happens, when the Federal Government becomes the dominant supplier of the funds, there will be a more dominant control over the program.

Mr. ROBISON. I thank the gentleman.

Mr. MILLS. Mr. Chairman, will the gentleman yield?

Mr. ROBISON. I yield to the gentleman from Arkansas.

Mr. MILLS. I must admit in the use of this 75 percent Federal matching money there is more direction from the Federal Government with respect to the area of that use. That is by design, for the reason we want it used for purposes that will result in these people becoming self-supporting and capable of self-care. I will agree, therefore, that we are saying that the Secretary can have more latitude in that area. But in other parts of the bill everyone will admit we are giving the States greater discretion, greater control over the operation of the programs in some respects than they ever had in the case of abuses, getting people off the rolls that are not in the opinion of the State entitled to be there. Many people within the States are saying today they cannot get these people off because the Federal laws and regulations will not let them. We are giving them that latitude. So the bill does give this latitude to the States in cases of abuse, and it can be a relaxation of Federal intervention in the program.

Mr. Chairman, I yield 5 minutes to the gentleman from Wisconsin [Mr. ZABLOCKI].

Mr. ZABLOCKI. Mr. Chairman, I would like to commend the chairman and the Committee on Ways and Means for including certain needed changes in the law to curtail abuses under the aid to dependent children and families program. These amendments are contained in sections 107 and 108 of the bill, H.R. 10606.

There have been numerous abuses in the aid to dependent children program. They resulted, primarily, from an intolerable situation created by administrative regulations. On the one hand, the law clearly stated that aid to dependent children was to be spent to meet the urgent needs, and to provide for the welfare of, needy children. On the other hand, Federal administrative regulations, devised by the Department of Health, Education, and Welfare, prevented both the State and local authorities from enforcing the purpose of the law.

In other words, under administrative interpretation of the law, if a State, or a local community, moved to curb abuses and misuse of welfare assistance, the local agency would lose the Federal contribution to the aid to dependent children program.

In order to remedy this situation, early last year I introduced a bill, H.R. 9168. It was my intention to bring some sense into the administration of this program. The remedy I proposed was twofold: First, enabling local authorities to correct abuses and, second, authorizing them—when other methods have failed—to substitute vouchers or commodity payments in lieu of dollar payments in cases in which the adult relative of the child persisted in spending the benefits for purposes other than the child's welfare.

Mr. MILLS. Mr. Chairman, will the gentleman yield?

Mr. ZABLOCKI. I am delighted to yield to the distinguished chairman, the gentleman from Arkansas.

Mr. MILLS. The gentleman from Wisconsin [Mr. ZABLOCKI] is to be congratulated for having brought this matter to the attention of the committee. The gentleman from Wisconsin [Mr. BYRNES] and other members of the committee and I went into it in great detail. We were much impressed with the background and study and the work that the gentleman had done in preparing this example for use in the committee. What we have tried to do is to permit your State to take this action under its State law if it desires to do so, providing for voucher payments. That is included within the phrase "other action taken by the State under State law." I said so in the opening remarks I made on this bill.

Mr. ZABLOCKI. I want to thank the chairman and those on the committee who have agreed and accepted the amendments. In order to clarify a doubt in my mind I would like to ask a question regarding the definition of State agency. It is my understanding that the term "State agency" as used in sections 107 and 108 includes any duly constituted local public welfare agency. As I understand it, the local welfare agency is empowered to make a determination that payments of aid to families with dependent children made with respect to a child are not being used in the best interests of the child and, further, that local authorities can take steps to enforce State law which prohibits the misuse of welfare payments without the State or the locality losing its Federal contribution.

Mr. MILLS. The gentleman is correct. The term means State or local.

Mr. ZABLOCKI. It also means State or local in section 108, providing for protective payment.

Mr. MILLS. The gentleman is correct.

Mr. ZABLOCKI. I thank the chairman.

Mr. BYRNES of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. ZABLOCKI. I am happy to yield to my distinguished friend, the gentleman from Wisconsin.

Mr. BYRNES of Wisconsin. I want to say to the gentleman that in the committee's consideration of this bill I think the information that the gentleman furnished in his appearance at the hearings of the committee and the facts relating to the bill which he had introduced was very instrumental in putting in the protective language that now appears on page 38 of the bill and which was referred to by the chairman. And, I think that the gentleman can take considerable credit for the fact that we here finally recognize the rights of the State to try and keep improper action out of these programs.

Mr. ZABLOCKI. I thank the distinguished gentleman from Wisconsin.

The Committee on Ways and Means has adopted only one-half of my proposal—even this half is much better than nothing because it corrects the condition brought about by executive branch regulation.

Under the committee's bill, local authorities will be able to enforce State laws aimed at the prevention of abuses in welfare programs, including the aid to dependent children program. This is very important. After all, if a locality or a State cannot enforce its own sound laws without losing Federal assistance, then Federal assistance is worthless because it destroys respect for law and order, and undermines the very foundations of our society.

I am glad, therefore, that the committee incorporated the basic intent of H.R. 9168 and I urge the membership of the House to approve this provision.

The committee bill contains another safeguard in the form of "protective payments" which may be made on behalf of a needy child to a third party, if the child's own parents or nearest relatives prove incapable of managing welfare assistance and persist in using public assistance for purposes unrelated to the welfare of the child. I believe, however, that this safeguard will prove of small value. The procedure which must be followed and exhausted before "protective payments" can be made is so cumbersome, and potentially so expensive, that I doubt the value of this remedy. Further, the committee's bill restricts it arbitrarily to 5 percent of the recipients—as if one could accurately predict and confine to statistical tables, human frailties of this kind.

I think that the committee should have also accepted the second part of my proposal, authorizing voucher and commodity payments in lieu of cash payments in really troublesome cases. It provided a much simpler, straightforward, and effective remedy to abuses. I hope that some day this provision will be enacted.

As things stand, I believe that half a loaf is better than none, and I wish to urge the House to approve the committee's recommendations.

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. BALDWIN].

Mr. BALDWIN. Mr. Chairman, a problem has developed in the State of California with regard to the qualification of many of the counties which place children in foster homes for aid under the aid to needy children program. Many of the counties in the State of California follow the procedure of placement of children in foster homes through the probation department at the direction of the juvenile court.

Mr. Chairman, I addressed a letter to the Secretary of the Department of Health, Education, and Welfare on November 24, 1961, asking him this question:

Will you please let me know whether a dependent child who has been placed in a foster home by the county probation department at the direction of the juvenile court can qualify for a Federal grant of aid to needy children funds according to the terms of Public Law 87-31?

Mr. Chairman, I received a reply from the Secretary of the Department of Health, Education, and Welfare, dated February 1, 1962, in which he answered as follows:

Payments with respect to the child who has been placed in a foster home under the conditions which you have described would not meet the requirements for Federal financial participation in the aid to dependent children program.

It seems clear, therefore, that the condition in section 408(a)(2) would be met only if the county social service department is given responsibility for placement and care of the child.

Mr. Chairman, this means that for these counties in California which place children in foster homes through the probation department at the direction of the juvenile court, in order to qualify under the provisions of the aid to dependent children program they would have to change their entire procedure and eliminate the placement through the probation department, and instead make the placement through the social welfare department, which is not the desire of the juvenile courts in the various counties, and not the desire of the people of the State of California.

As the chairman of the committee knows, I appeared before the committee during the hearings to recommend an amendment to section 408 of the Social Security Act which would make it possible for payments to be made when children are in foster homes and when the placement is made by any local agency authorized to place and supervise dependent children under the laws of the State. This would, therefore, make it possible for the California procedure to qualify.

I would like to ask the chairman if he would be willing to comment on the views of the committee on this amendment, and what prospects there may be of getting some amended wording of this kind enacted into law?

Mr. MILLS. If the gentleman from California would yield, the gentleman did call this matter to the attention of the committee in a very forceful manner, and in a very logical manner, during his appearance before the committee. The committee spent some time in executive session in consideration of the problem. As I understand it, in the gentleman's home State the juvenile court may decide that it wants to retain control and supervision of a child and place it in a foster home and not permit the child to be handed over to the control and supervision of the welfare department.

The gentleman's amendment suggested that in that instance Federal funds should be used or permitted to be used in matching State funds in the case of that child. There was objection by the Department of HEW to that particular approach. There was some question in my own mind as to whether or not we should permit Federal funds to be matched for the care of a dependent child not under the jurisdiction, to any extent, of the welfare department, but exclusively and solely under the jurisdiction of the juvenile court. I am sure your juvenile courts do a good job. Perhaps in California in many instances they do a better job of supervision than even the Welfare Department is doing. We directed the Department of HEW to go into this matter, as Mr. KING of California pointed out in his letter to Mr. Dunbar, in the hope that the Department of Health, Education, and Welfare could develop a solution and recommend an amendment to the Senate Finance Committee by the time the bill is considered by that committee. Mr. KING and Mr. UTT did pursue this matter at length in the committee because they both expressed great interest in a solution to the problem.

If a satisfactory solution is found and such an amendment is adopted over there it would be our hope that it would be possible for us to bring it back to you as a part of a conference report.

My own thought is that this matter might be resolved by permitting the juvenile court to retain supervision of the child in the foster home, except that the needs of the child, the question of his needs initially, the question of his continuing need, would have to be under the supervision and jurisdiction of the Welfare Department of the State of California. I think such an arrangement might be worked out between these two State agencies where the welfare department will determine the initial needs of this child in the foster home and continue then to determine whether the child remains in this "needy" situation. Supervision, control, and the rest of the child actions, things of that sort, could be in the hands of the juvenile court. Something like that might be worked out. I think it might be a reasonable solution of this problem between your two State agencies.

Mr. BALDWIN. As I understand the chairman, his view would be that the

placement could continue to be through the juvenile court and the probation department, and the supervision could continue to be through that procedure, although the financial payments and determination whether the child would qualify for financial payments would be under the jurisdiction of the welfare department of the State?

Mr. MILLS. Yes; that is my thought. The gentleman's amendment I think may well have gone beyond the placement in a foster home. As I understood, there is this additional thought; the juvenile court may permit this child under its jurisdiction to remain in the home of his relatives; that is, the father, the mother, or both. In that instance a little bit different problem is posed, as we see it. The court has jurisdiction there, assumes jurisdiction over only this particular child. There may be other children in the household. Also the parents are there. At the moment I do not know how that problem could be resolved, because the Welfare Department of California would have to look at the entire family situation. They would have control over the other children, the parents, the relatives. Maybe that, too, can be resolved.

But the point I was making in my response to the gentleman had reference to the placement in a foster home.

Mr. BALDWIN. Mr. Chairman, I thank the gentleman.

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield 5 minutes to the gentleman from Oregon [Mr. DURNO].

Mr. DURNO. Mr. Chairman, it is not my purpose to come before this body today to discuss the design of this bill which would give greater direction to the Federal authorities and result in greater centralization of power in Washington. But rather I come before this body as a Member and as a doctor who is very much interested in the public welfare problems. In the face possibly of offending the members of this committee and with a full realization that I am going to be talking about something which has been talked about since 1950, I want to direct the attention of this body to title 16, section 1602(a), No. 12, which says:

> Provided, that in determining whether an individual is blind, there shall be an examination by a physician skilled in the diseases of the eye or by an optometrist, whichever the individual may select.

In other words, we are trying to determine from this section whether a person is blind. I consider a careful examination of the eye ground of an individual is most important. From such an examination, glaucoma, high blood pressure, ocular malignancies, vascular diseases, diabetes, nephritis, and many other things may be determined, in the event that the person involved goes to a skilled physician of the eye to have that eye examination.

The problem I know in the committee has been a matter of ophthalmology versus optometry. I would say to you, it requires at least 7 years of training beyond the college level to become a full-fledged ophthalmologist and it requires a much lesser period of training to become an optometrist. The ophthalmologist is concerned basically and primarily with the diseases of the eye, and yet he has been schooled in the general field of medicine. The optometrist is basically concerned with refraction and not with the diseases of the eye, and he has not been trained to the same degree that the ophthalmologist has been trained. I will admit there are only 4,000 ophthalmologists and that there are 18,000 to 20,000 optometrists. But, I do not believe that is an excuse for not having the best kind of examination we can provide for these old people who are losing their eyesight.

Mr. CURTIS of Missouri. Mr. Chairman, will the gentleman yield?

Mr. DURNO. I am happy to yield to my colleague.

Mr. CURTIS of Missouri. I want to state to the gentleman in the hearings, beginning on page 501 and going on for some 40 or 50 pages there is documentation that was submitted to this committee on this subject, I offered an amendment to eliminate this in the Committee on Ways and Means and the Department of Health, Education, and Welfare stated that they were strongly behind this and had been behind it. The argument used, and I thought it was a very sorry argument in the committee, was, "Well, the AMA, that is the American Medical Association, is for this so we are against it because we do not like the American Medical Association."

Now the point is this, and I am glad the gentleman who is a distinguished doctor is calling to the attention of the House the seriousness of this matter in the area of human suffering. To think that this matter would have been decided in our committee on the basis that it was, in my judgment, is a shame. I am very pleased that the gentleman is calling the attention of the House to this matter. It should be eliminated from the bill. It should never have been put in the bill back in 1950. The Department of Health, Education, and Welfare has recommended against it and all professional testimony points to the reason for eliminating it, because of the human values involved, why these people should be examined by a competent eye doctor.

Mr. DURNO. I thank the gentleman from Missouri for his comments.

Mr. Chairman, I just want to say and repeat my oft-repeated assertion, I am not a mouthpiece for the AMA. I am a doctor trying to do a good job on the floor of the House of Representatives. I think I have just as many good friends in the optometric profession as I have in the medical profession. Many of these people realize their limitations, but there are others of them who do not, and two wrongs or three wrongs do not make a right. I am concerned about these aged people. I am concerned about their eyesight. I am very sorry that this committee, in its wisdom, has not seen fit in the determination of blindness to limit this examination to a physician who is skilled in the diseases of the eye.

Mr. ALGER. Mr. Chairman, will the gentleman yield for a question?

Mr. DURNO. I yield to the gentleman from Texas.

Mr. ALGER. Is it not true in the testimony, there were a number of cases given where people lost their eyesight because of improper diagnosis which an ophthalmologist could have prevented?

Mr. DURNO. That is correct. There are a number of cases in the hearings. I have practiced medicine for 30 years before I came to this Congress. On numerous occasions, I saw people, who came to my office who had first gone to an optometrist.

I have had neurosurgical training and know something about the eye. I would refer such patients to an ophthalmologist.

So I would ask this Committee to advise the conferees when this matter goes to conference that they carefully consider eliminating the optometry provisions of this bill.

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, as has been said by many previous speakers, in general the purposes of this bill are very laudable; in fact, I think the time is long past due when this Congress should take action to encourage the States to take appropriate action to put people in a position where they do not need to continue under a public assistance program, to use rehabilitation techniques, to use preventive techniques. In its emphasis on that phase of our public assistance program I think this bill makes a laudable step in the right direction. I think also there is material improvement under this program in the programs for dependent children.

I would, however, at this late hour and since we are practically ready to vote on this measure, put particular emphasis on two phases of this bill with which we on the minority disagree. One, which I will mention briefly, is the change in the Federal contribution to the States for the cost of the preventive and rehabilitative services from 50 to 75 percent. The chairman has suggested we are doing this because we are requiring greater emphasis on preventive and rehabilitative services. Mr. Chairman, I think we can apply that same emphasis without necessarily making the Federal Government the dominant partner in this undertaking. What is wrong, pray tell, with the proposition where the Federal Government matches the State funds on a 50–50 basis? This program, as most of these programs, is considered to be a program of Federal-State, not a Federal program, but a Federal-State program, with the State government having general control and determination as to the direction in which the program moves.

I suggest to the members of this committee that when we move from the 50- to the 75-percent matching formula in any of these programs we invite the further domination by the Federal Government, and we do not in any way necessarily improve the program. I would call your attention to the minority report and the history of the experience we had under the program of specialized training where we matched on a 50–50

basis until 1956. Then we changed the law to where we would match on an 80–20 basis. It was not implemented by the Congress or by the Appropriations Committee.

Then we changed it in 1961 to a 100 percent program. It still has not been implemented. Why? I think the reason was very well expressed by the Senate Committee on Appropriations when that committee said in its report in the 86th Congress:

> Federal financial participation has for many years been available in expenditures for educational leave granted for the purpose of developing and training personnel, such expenditures to be borne equally by the Federal and the State Governments.
>
> The States have made little use of the authority to train their employees with the Federal Government paying one-half of the cost. The amount sought in this item would have been on the basis of 80 percent Federal participation, 20 percent State. It is the committee's view that sufficient authority and sufficient funds are available in the appropriation for grants to States for public assistance to permit the training of each and every individual in the State groups who needs such training.

That is on the basis of a 50–50 matching formula.

As far as I am concerned, Mr. Chairman, I believe that the Appropriations Committee is basically right in the approach it has taken to this matter of matching beyond the 50 percent level.

Let me now address myself to that item of this bill which will be the subject of a motion to recommit. It is my intention at the proper time to offer a motion to recommit, with instructions to strike out that part of this bill which would change the Federal contribution to the States for public assistance payments by increasing from $24.80 out of the first $31 under existing law to $29 out of the first $35 under the bill and increasing the limit from $66 to $70, which would be subject to Federal matching.

Let me point out that this is an aid to the States program, not to the individual, not to any person receiving aid under the public assistance programs.

This item was never justified before the committee, was not asked for by any State appearing before the committee, was not discussed in the hearings, was not brought before the committee until the last day of the committee's consideration of this bill, and, may I add further, is opposed by the administration. This item does not assure that any additional funds will go to public assistance recipients. The chairman in stating his justification for this item on the floor today painted a picture of these poor people on public assistance which, he said, have been shown to be in need, and that we should therefore provide this money for them. He recited the history of the changes made in the Federal participation in this area. But may I recall a part of the history that I think the chairman should have brought to our attention. Every time we have made this kind of an increase, the following year there have been letters to Members of Congress from those on old-age assistance, and other aid assistance programs, to the effect: "I read in the newspaper where you increased by $5 or $4 or $1 the amount that we were supposed to get under our old-age assistance, but we are not getting it."

What did we have to do? We had to write back and say, "I guess that is true, because the State did not do it. There is no way we can force the State to do it." And we cannot. The State can use this $140 million in any way it sees fit. I would also point out that it is a permanent increase. You will never revert back. You will again have the Federal Government paying a greater and greater share of this aspect of the program. Today you are already paying $24.80 out of the first $30 of every State payment.

Mr. ICHORD of Missouri. Mr. Chairman, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield to the gentleman from Missouri.

Mr. ICHORD of Missouri. I am inclined to support the gentleman's motion to recommit. However, does the motion to recommit strike out the section of the bill making a permanent program for the employable unemployed?

Mr. BYRNES of Wisconsin. No. The only thing that the motion to recommit will do will be to strike out that last-minute addition to this bill, which has to do with increasing the Federal contribution to the States for public assistance programs. The motion if adopted would leave the law as it is today in that area. We do not change the $1 temporary addition that was put into the law and which this bill extends and puts on a permanent basis.

Mr. ICHORD of Missouri. I think the most dangerous thing is putting it on a permanent basis.

Mr. BYRNES of Wisconsin. You may be right.

Before we vote let me make one further point. We just recently were called upon to increase the public debt limit by $2 billion because the Government had spent beyond its income. We will shortly be asked to provide a further increase in the debt limit of $8 billion, bringing the debt ceiling to an alltime high of $308 billion. Your vote on this motion to recommit will indicate whether you will not put a stop to bigger and bigger deficits and debt. I trust you will vote for the motion to recommit and remove this unneeded and unbudgeted item of $140 million per year from the bill.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. MILLS. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, I must admit, as I said a few minutes ago, to the general observation of my friend from Wisconsin that there is nothing specific in this bill that requires this $4 additional that is involved in his motion to recommit to be paid by the State agency to people who are on old age assistance, aid to the blind, and aid to the disabled programs, but I want to call his attention to certain experience we have had. The fact is that in the past we have accepted such amendments offered in the other body when we were in conference, and the House has agreed to the conference report, often hardly paying any attention to what the Senate had done or without raising too much objection, let me say, though these matters are always discussed extensively in the conference. But in spite of the fact that in none of these five instances since 1946 has there been any specific direction to the State that these additional dollars had to be paid to these individuals, those moneys have been, in large part, paid to the people who were then on public assistance, aid to the blind, and aid to dependent children programs. I referred to that experience earlier when I spoke.

In October 1946 we increased Federal participation by $5. At the end of 12 months the average payment to the people under old-age assistance had been increased by $4.35. The remaining 65 cents had been used by the State not to reduce its contribution but in all probability to place additional people, found by the State to be in need, on the rolls. We were advised of no instance where the States reduced the amount of money that was made available by their own treasury for this purpose. There was similar experience in 1948, 1952, 1956; and, we get down to October 1958. In that instance we provided $4.73 average increase primarily as the result of the action by the House in that case. In that instance some of that money—not all of it but about $1.73 on the average, I am informed—did not go to the individual recipients of old-age assistance in dollar payments but went in implementation of their medical care. However, even so, 12 months later the average payments had increased by $3.

Now, the gentleman says that the administration downtown is opposed to this amendment. I must admit that the administration did not suggest this amendment. The administration did not ask me to offer the amendment when we were in committee. The administration may be against the amendment, but if the administration is against the amendment, they have not told me so in terms that they have asked me to see that it was defeated.

I will tell those of you who are concerned about other things what this money can be used for.

This money can be used—every dollar of it can be used, if the State wants to use it for that purpose—to provide enlarged medical benefits for these people. Did the gentleman realize that? Every dollar of it could be used for that purpose, but every dollar of it has to be used in behalf of these people and their needs. It cannot be used for any other purpose. The history of it is that when the Federal Government has done this, the States have not withdrawn their amounts of money and merely absorbed these Federal dollars. But the people for whom these programs are established have benefited as a result of the Federal action.

Mr. BYRNES of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. MILLS. I yield to the gentleman from Wisconsin.

Mr. BYRNES of Wisconsin. First, I think maybe we ought to get it clear here whether the administration is for or

against it. I was advised in the committee by the spokesman for the Department of Health, Education, and Welfare that they were against it.

Mr. MILLS. Oh, yes, they said that in the committee, I know. They have not told me from downtown that they are dissatisfied with this amendment.

Mr. BYRNES of Wisconsin. Will the gentleman yield further?

Mr. MILLS. Yes.

Mr. BYRNES of Wisconsin. Has the gentleman ever found the Department of Health, Education, and Welfare dissatisfied when somebody was going to give them some money that they might have control over, or could spend?

Mr. MILLS. Yes; like any other department of Government sometimes they are dissatisfied when somebody in Congress comes up with an idea that they did not conceive.

Mr. BURKE of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. MILLS. Mr. Chairman, I yield such time as he may desire to the gentleman from Massachusetts [Mr. BURKE].

Mr. BURKE of Massachusetts. Mr. Chairman, there are a number of provisions of H.R. 10606 which I believe are particularly important.

This bill extends the highly significant provision we enacted last year, on a temporary basis, which authorized Federal matching as to families where the breadwinner is unemployed. Previous law had restricted Federal participation solely to families in need because of the death, disability, or absence of the parent. The traditional arguments of earlier years did not seem persuasive to us, and we determined that this distinction was not justifiable. The bill before the House today would extend this program for 5 years.

To complement this provision, we are allowing, for the first time, Federal matching as to work and training projects, if they are inaugurated by the States and localities, and provided they comply with certain work and health standards prescribed in the bill. Also of great importance on this broadened concept of the role of the aid-to-dependent-children program is the section of this bill which authorizes Federal matching as to both parents in unemployment and disability cases, and making permanent the foster-care program we established last year.

To provide comparable assistance to the other federally aided programs—those for the aged, the blind, and the disabled—the bill also provides additional matching so that the States could increase payments by as much as $4 a month over what is now provided under last year's temporary legislation which will expire on June 30 of this year.

In addition, the authorization for child welfare services would be increased above the present maximum of $25 million to $30 million beginning in 1963, ascending upward in logical steps consistent with the expansion of this very important program until it reaches $50 million in the year 1969 and thereafter.

Many factors contribute to the need to expand child welfare services as rapidly as possible. Important among them are, first, continued increase in total child population; second, continued urbanization, bringing increased child welfare problems at the same time that there are still critical unmet needs in rural areas; and, third, continued rise in costs of those services.

This expansion of the preventive and protective services for children is urgently needed not only because of its importance to the rehabilitation of families receiving money payments through aid to dependent children, but also because it provides a wider range of constructive welfare services. The provision of such services puts to work the rehabilitative skills we are developing to help people get through the variety of family tragedies which affect the well-being of many children today.

Special attention is also given to the provision of day care services by earmarking $5 million of the child welfare appropriations for fiscal 1963 to be used for this purpose. In subsequent years under the higher authorizations, this earmarked amount would be increased to as much as $10 million a year. I will cite just one example of the need for this provision. The results of a survey conducted by the Children's Bureau in 1958 showed that 400,000 children under 12, whose mothers were working full time, were caring for themselves without any planned supervision.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. MILLS. I yield to the gentleman from Iowa.

Mr. GROSS. I would like to ask the gentleman this: After listening to the debate on this bill all afternoon I would like to ask the gentleman where this additional $140 million each year is going to come from? Who is going to pay the bill? Where is the money going to come from?

The gentleman is going to bring to the House, I understand, yet another bill to increase the debt limit by about $8 billion.

Mr. MILLS. Well, the gentleman from Arkansas is not so advised, I will say to his friend from Iowa, that he intends to come in with it immediately.

Mr. GROSS. Will the gentleman yield further?

Mr. MILLS. I yield to the gentleman.

Mr. GROSS. Where is the $140 million going to come from? The Government is borrowing money now in the billions.

Mr. MILLS. This comes from the general fund of the Treasury, just where all of these other amounts that have been made available to public assistance come from.

Mr. GROSS. Borrowed money? The Government this year is faced with refinancing the staggering total of $56 billion.

Mr. MILLS. That will depend entirely on what the House does with respect to a number of other matters. But I think the gentleman from Iowa would agree with me that we are dealing here with a group of people who are on the lowest rung of the economic ladder. If we are going to start practicing economy on them, there are a lot of other places in which we might practice economy also.

Mr. GROSS. I will say to the gentleman from Arkansas that I think we need to go right across the board with economy if this Nation is to be saved from bankruptcy.

Mr. RYAN of New York. Mr. Chairman, I support H.R. 10606, the administration bill entitled "Public Welfare Amendments of 1962."

This bill contains a number of amendments to the public assistance and child welfare titles of the Social Security Act. I believe that these changes, for the most part, are sound policy in the field of public welfare. Under the bill greater emphasis is placed on positive action in the interests of welfare recipients. The bill provides, among other things, for increased Federal support under the State public assistance programs for rehabilitative services to promote self-sufficiency among applicants and recipients. They will be afforded, as they should be, an opportunity to become productive individuals, able to support and care for themselves.

In order to help furnish rehabilitative services, more and better trained public welfare personnel are needed throughout the country. The bill recognizes this need and provides that the increased Federal matching may be used to train persons who are employed or preparing to work in State or local welfare agencies.

Among the other public assistance amendments of the bill one of the most noteworthy is a provision to increase the Federal matching formula to provide higher payments for the needy aged, blind, and disabled. Under this amendment the monthly checks of recipients may be increased by as much as $4 a month—a small amount in relation to today's prices, but a significant amount in relation to the payments that are now being made.

The remaining provisions of H.R. 10606 include provisions to coordinate the child welfare and dependent children programs and the extension of temporary legislation enacted last year providing aid to dependent children of unemployed parents, Federal support for foster care of dependent children and aid to distressed American citizens returning from abroad.

However, I am disappointed with certain aspects of this bill. Several provisions that were included in the original administration bill, H.R. 10032, were omitted from the clean bill, H.R. 10606, reported out of committee.

The bill that was first introduced carried a provision which would have required the States to reduce their residence requirements for people who apply for benefits under the programs for the aged, blind, and disabled. Under present law the States may impose a residence requirement which excludes an individual who has not been a resident of the State for 5 of the last 9 years and continuously for the year preceding his application for aid. This is inhumane and unconscionable. It fails to meet the needs of our highly mobile population. A person who has lived and worked in a

State for 2, 3, or 4 years who becomes disabled or blind cannot qualify for aid under such a State requirement.

H.R. 10032 would have prohibited the imposition of a residence requirement of more than 1 year. It would also have provided an increase in Federal matching for States which abolish residence requirements in their public assistance programs. Social justice demands an end to retrogressive State residence requirements.

I regret that neither of these provisions is included in the bill under discussion and that the closed rule prevents me from offering appropriate amendments.

I am equally distressed that a provision in H.R. 10032 removing the dollar limitation on Federal patricipation in public assistance payments in Puerto Rico, the Virgin Islands, and Guam was omitted from the reported bill. Instead of complete repeal, H.R. 10606 provides for a modest increase in these dollar limitations.

The repeal of the dollar limitations would, in effect, have afforded Puerto Rico, the Virgin Islands, and Guam equal treatment with the States. There are no dollar limitations applying to the States. But for Puerto Rico, the Virgin Islands, and Guam the Social Security Act in one place establishes dollar-for-dollar matching in the public assistance programs, while in another place it puts a dollar limitation on Federal participation which, if adequate assistance is provided under the programs, prevents the Federal Government from matching local funds on a dollar-for-dollar basis.

The Commonwealth of Puerto Rico, for instance, in fiscal 1961 supplied 53.8 percent of the funds spent on public assistance. The Federal Government, which is supposed to supply 50 percent of these funds, in actual fact supplied only 46.2 percent of them because of the dollar limitation.

The bill under consideration would alleviate this condition somewhat by raising the amount of the dollar limitations. In my opinion the limitations should be abolished completely as H.R. 10032 provided. This in turn would furnish a strong incentive for improved welfare programs.

With these reservations, Mr. Chairman, I support the bill under debate.

Mr. PELLY. Mr. Chairman, this bill, H.R. 10606, is the type of legislation which, so to speak, separates the men from the boys.

To oppose it is to invite a charge that one is opposed to extending and improving public assistance and child welfare.

However, certainly there is no justification for increasing the Federal cost of these programs in the amount of $180 million over and above the budget request of President Kennedy. Also, I would point out that this bill is back door spending in that it is such as to make appropriations mandatory in order to provide funds to the States authorized by the bill.

Furthermore, Mr. Chairman, this bill does not mean an increase to the individual recipient. Rather it undertakes to have the Federal share of the cost of the program increased. So a State can reduce its own contribution, and not pass these funds on to the recipients.

In the case of my State of Washington, the increase in the Federal share would be about $2.6 million, and much as I would like to help out my State I feel such a change in the formula would serve to diminish the incentive to a State to save and prevent waste. Always I find that a State under the difficulty of raising its own money is thereby more careful in spending.

There is much in H.R. 10606 that has merit. If the $180 million over the amount asked by the President is cut out I will probably vote for final passage, but otherwise I will vote "no" in the interest of holding down the national debt and in trying to balance the budget.

Mr. GARMATZ. Mr. Chairman, over the years, Congress has consistently pointed to the old-age, survivors, and disability insurance program as the basic family protection against destitution in a worker's old age, or in case of his death or disability—protection which can be supplemented by other private and public plans as well as by individual thrift.

Today over 16½ million people are receiving social security benefits totaling over $1 billion monthly.

Among these people are over 1 million disabled workers and their dependents who receive over $68 million a month in benefits under the disability insurance program. In Maryland alone nearly 14,000 disabled workers and their dependents are receiving benefits totaling $933,000 monthly.

Today special tribute is being paid to the Bureau of Old-Age and Survivors Insurance, the agency which administers the social security disability insurance program, the newest and in many respects the most difficult social insurance program, from an administrative standpoint.

Newest, in that the protection against the risk of disability was provided nearly 2 decades after the passage of the original Social Security Act in 1935. The most difficult to administer because disability determinations involve many more complicated considerations than does the process of determining eligibility for old-age or survivors benefits. Generally it is easy to find out when a given age has been reached or when death has occurred. However, in making a determination of disability, complex medical and vocational facts must be considered within the framework of the definition of disability in the social security law.

In addition, the disability determination is made by an agency in the State where the worker resides. The Bureau had to establish an effective working basis for this new and unique governmental relationship with the States. This meant bringing into being an administrative framework and assembling the technical skills needs to handle the complex problem of disability evaluation and establishing policies and procedures that lead to uniform treatment of all applicants regardless of where they file their claims. Currently there are 56 State agencies representing all States, the District of Columbia, and Puerto Rico under contract to the Federal Government. Most of these are State vocational rehabilitation agencies. In Maryland the division of vocational rehabilitation makes the disability determinations for workers residing here.

Although Congress had considered adding disability protection to the social security program as early as 1949 it was not until 1954 that the disability freeze provision was enacted. Under this provision a disabled worker's social security earnings record can be frozen so that the period during which he is disabled is not counted against him in computing future benefits or in determining his insured status. To qualify for the freeze a worker was required to meet the same general requirements that he does today to receive cash disability benefits.

In 1956 the social security amendments provided for cash disability benefits for workers 50 to 64 years of age, and cash benefits were provided for adult sons and daughters of retired or deceased workers if their disabilities be gan in childhood, i.e., under 18 years of age.

It was not until 1958, however, that cash benefits were provided for the dependents of disabled workers including those with childhood disabilities, thus bringing the disability provisions more closely in line with the provisions applicable to old-age insurance benefits.

The 1960 amendments removed the age 50 requirement for payment of cash disability benefits, so that now disabled workers of any age and their dependents are eligible for monthly disability payments.

Congress recognized the importance of helping the disabled start back on the road to work. The Social Security Act contains a declaration of policy by the Congress that disabled persons applying for disability benefits be promptly referred for vocational rehabilitation services. Specific provisions in the law also provide incentives for returning to work as well as encouraging the disabled worker to accept vocational rehabilitation services. For example, the 1960 amendments provided a trial work period of 12 months during which beneficiaries who work despite a severe handicap may continue to receive disability benefits. In administering the disability program, the Bureau has worked closely with the Office of Vocational Rehabilitation to facilitate the referral of disability applicants to rehabilitation agencies so that they may be enabled to resume their roles as productive members of society.

The CHAIRMAN. Under the rule, the bill is considered as having been read for amendment and no amendments are in order to the bill except amendments offered by direction of the Committee on Ways and Means.

(The bill is as follows:)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act, with the following table of contents, may be cited as the "Public Welfare Amendments of 1962".

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TITLE I—PUBLIC WELFARE AMENDMENTS

Part A—Improvement in services to prevent or reduce dependency

Services and Other Administrative Costs Under Public Assistance Programs

Federal financial participation in costs of services

SEC. 101.(a)(1) Section 3(a) of the Social Security Act is amended by striking out paragraph (4) and inserting in lieu thereof the following:

"(4) in the case of any State, an amount equal to the sum of the following proportions of the total amounts expended during such quarter as found necessary by the Secretary of Health, Education, and Welfare for the proper and efficient administration of the State plan—

"(A) 75 per centum of so much of such expenditures as are for—

"(i) services which are prescribed pursuant to section 2(a)(10) and are provided (in accordance with the next sentence) to applicants for or recipients of assistance under the plan to help them attain or retain capability for self-care, or

"(ii) other services, specified by the Secretary as likely to prevent or reduce dependency, so provided to such applicants or recipients, or

"(iii) any of the services prescribed pursuant to section 2(a)(10), and of the services specified as provided in clause (ii), which the Secretary may specify as appropriate for individuals who, within such period or periods as the Secretary may prescribe, have been or are likely to become applicants for or recipients of assistance under the plan, if such services are requested by such individuals and are provided to such individuals in accordance with the next sentence, or

"(iv) the training of personnel employed or preparing for employment by the State agency or by the local agency administering the plan in the political subdivision; plus

"(B) one-half of so much of such expenditures (not included under subparagraph (A)) as are for services provided (in accordance with the next sentence) to applicants for or recipients of assistance under the plan, and to individuals requesting such services who (within such period or periods as the Secretary may prescribe) have been or are likely to become applicants for or recipients of such assistance; plus

"(C) one-half of the remainder of such expenditures.

The services referred to in subparagraphs (A) and (B) shall include only—

"(D) services provided by the staff of the State agency, or of the local agency administering the State plan in the political subdivision, and

"(E) subject to limitations prescribed by the Secretary, services which in the judgment of the State agency cannot be as economically or as effectively provided by the staff of such State or local agency and are not otherwise reasonably available to individuals in need of them, and which are provided, pursuant to agreement with the State agency, by the State health authority or the State agency or agencies administering or supervising the administration of the State plan for vocational rehabilitation services approved under the Vocational Rehabilitation Act or by any other State agency which the Secretary may determine to be appropriate (whether provided by its staff or by contract with public (local) or nonprofit private agencies); except that any such services which are defined as vocational rehabilitation services under the Vocational Rehabilitation Act and which are available, from the State agency or agencies administering or supervising the administration of the State plan for vocational rehabilitation services, to individuals under programs for their rehabilitation carried on under such State plan, may be provided only by such State agency or agencies (in the manner described in subparagraph (E)) except to the extent agreed to by such State agency or agencies. The portion of the amount expended for administration of the State plan to which subparagraph (A) applies and the portion thereof to which subparagraphs (B) and (C) apply shall be determined in accordance with such methods and procedures as may be permitted by the Secretary."

(2) Section 403(a) of such Act is amended to read as follows:

"(a) From the sums appropriated therefor, the Secretary shall pay to each State which has an approved plan for aid and services to needy families with children, for each quarter, beginning with the quarter commencing October 1, 1958—

"(1) in the case of any State other than Puerto Rico, the Virgin Islands, and Guam, an amount equal to the sum of the following proportions of the total amounts expended during such quarter as aid to families with dependent children under the State plan (including expenditures for insurance premiums for medical or any other type of remedial care or the cost thereof)—

"(A) fourteen-seventeenths of such expenditures, not counting so much of any expenditure with respect to any month as exceeds the product of $17 multiplied by the total number of recipients of aid to families with dependent children for such month (which total number, for purposes of this subsection, means (i) the number of individuals with respect to whom such aid in the form of money payments is paid for such month, plus (ii) the number of other individuals with respect to whom expenditures were made in such month as aid to families with dependent children in the form of medical or any other type of remedial care); plus

"(B) the Federal percentage of the amount by which such expenditures exceed the maximum which may be counted under clause (A), not counting so much of any expenditure with respect to any month as exceeds the product of $30 multiplied by the total number of recipients of aid to families with dependent children for such month;

"(2) in the case of Puerto Rico, the Virgin Islands, and Guam, an amount equal to one-half of the total of the sums expended during such quarter as aid to families with dependent children under the State plan (including expenditures for insurance premiums for medical or any other type of remedial care or the cost thereof), not counting so much of any expenditure with respect to any month as exceeds $18 multiplied by the total number of recipients of such aid for such month; and

"(3) in the case of any State, an amount equal to the sum of the following proportions of the total amounts expended during such quarter as found necessary by the Secretary of Health, Education, and Welfare for the proper and efficient administration of the State plan—

"(A) 75 per centum of so much of such expenditures as are for—

"(i) services which are prescribed pursuant to section 402(a)(12) and are provided (in accordance with the next sentence) to any relative, specified in section 406(a), with whom any dependent child (applying for or receiving aid to families with dependent children) is living in order to help such relative attain or retain capability for self-support or self-care, or services which are so prescribed and so provided in order to maintain and strengthen family life for any such child, or

"(ii) other services, specified by the Secretary as likely to prevent or reduce dependency, so provided to any such child or relative, or

"(iii) any of the services prescribed pursuant to section 402(a)(12), and of the services specified as provided in clause (ii), which the Secretary may specify as appropriate for any relative specified in section 406(a) with whom any child (who, within such period or periods as the Secretary may prescribe, has been or is likely to become an applicant for or recipient of aid to families with dependent children) is living, or as appropriate for such a child, if such services are requested by such relative and are provided to such relative or child in accordance with the next sentence, or

"(iv) the training of personnel employed or preparing for employment by the State agency or by the local agency administering the plan in the political subdivision; plus

"(B) one-half of so much of such expenditures (not included under subparagraph (A)) as are for services provided (in accordance with the next sentence) to any child who is an applicant for or recipient of assistance under the plan or who requests such services and (within such period or periods as the Secretary may prescribe) has been or is likely to become an applicant for or recipient of such assistance, or so provided to any relative, specified in section 406(a), with whom such a child is living; plus

"(C) one-half of the remainder of such expenditures.

The services referred to in subparagraphs (A) and (B) shall include only—

"(D) services provided by the staff of the State agency, or of the local agency administering the State plan in the political subdivision, and

"(E) subject to limitations prescribed by the Secretary, services which in the judgment of the State agency cannot be as economically or as effectively provided by the staff of such State or local agency and are not otherwise reasonably available to individuals in need of them, and which are provided, pursuant to agreement with the State agency, by the State health authority or the State agency or agencies administering or supervising the administration of the State plan for vocational rehabilitation services approved under the Vocational Rehabilitation Act or by any other State agency which the Secretary may determine to be appropriate (whether provided by its staff or by contract with public (local) or nonprofit private agencies);

except that any such services which are defined as vocational rehabilitation services under the Vocational Rehabilitation Act and which are available, from the State agency or agencies administering or supervising the administration of the State plan for vocational rehabilitation services, to individuals under programs for their rehabilitation carried on under such State plan, may be provided only by such State agency or agencies (in the manner described in subparagraph (E)) except to the extent agreed to by such State agency or agencies. The portion of the amount expended for administration of the State plan to which subparagraph (A) applies and the portion thereof to which subparagraphs (B) and (C) apply shall be determined in accordance with such methods and procedures as may be permitted by the Secretary."

(3) Section 1003(a) of such Act (as amended by section 132(b) of this Act) is amended by striking out clause (3) and inserting in lieu thereof the following:

"(3) in the case of any State, an amount equal to the sum of the following proportions of the total amounts expended during such quarter as found necessary by the Secretary of Health, Education, and Welfare for the proper and efficient administration of the State plan—

"(A) 75 per centum of so much of such expenditures as are for—

"(i) services which are prescribed pursuant to section 1002(a)(13) and are provided (in accordance with the next sentence) to applicants for or recipients of aid to the blind to help them attain or retain capability for self-support or self-care, or

"(ii) other services, specified by the Secretary as likely to prevent or reduce dependency, so provided to such applicants or recipients, or

"(iii) any of the services prescribed pursuant to section 1002(a)(13), and of the services specified as provided in clause (ii), which the Secretary may specify as appropriate for individuals who, within such period or periods as the Secretary may prescribe, have been or are likely to become applicants for or recipients of aid to the blind, if such services are requested by such individuals and are provided to such individuals in accordance with the next sentence, or

"(iv) the training of personnel employed or preparing for employment by the State agency or by the local agency administering the plan in the political subdivision; plus

"(B) one-half of so much of such expenditures (not included under subparagraph (A)) as are for services provided (in accordance with the next sentence) to applicants for or recipients of aid to the blind, and to individuals requesting such services who (within such period or periods as the Secretary may prescribe) have been or are likely to become applicants for or recipients of such aid; plus

"(C) one-half of the remainder of such expenditures.

The services referred to in subparagraphs (A) and (B) shall include only—

"(D) services provided by the staff of the State agency, or of the local agency administering the State plan in the political subdivision, and

"(E) subject to limitations prescribed by the Secretary, services which in the judgment of the State agency cannot be as economically or as effectively provided by the staff of such State or local agency and are not otherwise reasonably available to individuals in need of them, and which are provided, pursuant to agreement with the State agency, by the State health authority or the State agency or agencies administering or supervising the administration of the State plan for vocational rehabilitation services approved under the Vocational Rehabilitation Act or by any other State agency which the Secretary may determine to be appropriate (whether provided by its staff or by contract with public (local) or nonprofit private agencies);

except that any such services which are defined as vocational rehabilitation services under the Vocational Rehabilitation Act and which are available, from the State agency or agencies administering or supervising the administration of the State plan for vocational rehabilitation services, to individuals under programs for their rehabilitation carried on under such State plan, may be provided only by such State agency or agencies (in the manner described in subparagraph (E)) except to the extent agreed to by such State agency or agencies. The portion of the amount expended for administration of the State plan to which subparagraph (A) applies and the portion thereof to which subparagraphs (B) and (C) apply shall be determined in accordance with such methods and procedures as may be permitted by the Secretary."

(4) Section 1403(a) of such Act (as amended by section 132(c) of this Act) is amended by striking out clause (3) and inserting in lieu thereof the following:

"(3) in the case of any State, an amount equal to the sum of the following proportions of the total amounts expended during such quarter as found necessary by the Secretary of Health, Education, and Welfare for the proper and efficient administration of the State plan—

"(A) 75 per centum of so much of such expenditures as are for—

"(i) services which are prescribed pursuant to section 1402(a)(12) and are provided (in accordance with the next sentence) to applicants for or recipients of aid to the permanently and totally disabled to help them attain or retain capability for self-support or self-care, or

"(ii) other services, specified by the Secretary as likely to prevent or reduce dependency, so provided to such applicants or recipients, or

"(iii) any of the services prescribed pursuant to section 1402(a)(12), and of the services specified as provided in clause (ii), which the Secretary may specify as appropriate for individuals who, within such period or periods as the Secretary may prescribe, have been or are likely to become applicants for or recipients of aid to the permanently and totally disabled, if such services are requested by such individuals and are provided to such individuals in accordance with the next sentence, or

"(iv) the training of personnel employed or preparing for employment by the State agency or by the local agency administering the plan in the political subdivision; plus

"(B) one-half of so much of such expenditures (not included under subparagraph (A)) as are for services provided (in accordance with the next sentence) to applicants for or recipients of aid to the permanently and totally disabled, and to individuals requesting such services who (within such period or periods as the Secretary may prescribe) have been or are likely to become applicants for or recipients of such aid; plus

"(C) one-half of the remainder of such expenditures.

The services referred to in subparagraphs (A) and (B) shall include only—

"(D) services provided by the staff of the State agency, or of the local agency administering the State plan in the political subdivision, and

"(E) subject to limitations prescribed by the Secretary, services which in the judgment of the State agency cannot be as economically or as effectively provided by the staff of such State or local agency and are not otherwise reasonably available to individuals in need of them, and which are provided, pursuant to agreement with the State agency, by the State health authority or the State agency or agencies administering or supervising the administration of the State plan for vocational rehabilitation services approved under the Vocational Rehabilitation Act or by any other State agency which the Secretary may determine to be appropriate (whether provided by its staff or by contract with public (local) or nonprofit private agencies);

except that any such services which are defined as vocational rehabilitation services under the Vocational Rehabilitation Act and which are available, from the State agency or agencies administering or supervising the administration of the State plan for vocational rehabilitation services, to individuals under programs for their rehabilitation carried on under such State plan, may be provided only by such State agency or agencies in the manner described in subparagraph (E)) except to the extent agreed to by such State agency or agencies. The portion of the amount expended for administration of the State plan to which subparagraph (A) applies and the portion thereof to which subparagraphs (B) and (C) apply shall be determined in accordance with such methods and procedures as may be permitted by the Secretary."

State plan provisions for services

(b)(1) Section 2(a) of such Act is amended by striking out paragraph (10)(C), by inserting "and" after the semicolon at the end of paragraph (10)(A), by redesignating paragraphs (10) and (11) as paragraphs (11) and (12), respectively, and by inserting

after paragraph (9) the following new paragraph:

"(10) provide that the State agency shall make available to applicants for or recipients of old-age assistance under the plan at least those services to help them attain or retain capability for self-care which are prescribed by the Secretary; and include a description of the steps taken to assure, in the provision of these and any other services which the State agency makes available to individuals under the plan, maximum utilization of other agencies providing similar or related services;".

(2) Section 402(a)(12) of such Act is amended to read as follows: "(12) provide that the State agency shall make available at least those services to maintain and strengthen family life for children, and to help relatives specified in section 406(a) with whom children (who are applicants for or recipients of aid to families with dependent children) are living to attain or retain capability for self-support or self-care, which are prescribed by the Secretary; and include a description of the steps taken to assure, in the provision of these and any other services which the State agency makes available to individuals under the plan, maximum utilization of other agencies providing similar or related services".

(3) Section 1002(a)(13) of such Act is amended to read as follows: "(13) provide that the State agency shall make available to applicants for or recipients of aid to the blind at least those services to help them attain or retain capability for self-support or self-care which are prescribed by the Secretary; and include a description of the steps taken to assure, in the provision of these and any other services which the State agency makes available to individuals under the plan, maximum utilization of other agencies providing similar or related services".

(4) Section 1402(a)(12) of such Act is amended to read as follows: "(12) provide that the State agency shall make available to applicants for or recipients of aid to the permanently and totally disabled at least those services to help them attain or retain capability for self-support or self-care which are prescribed by the Secretary; and include a description of the steps taken to assure, in the provision of these and any other services which the State agency makes available to individuals under the plan, maximum utilization of other agencies providing similar or related services".

Expansion and Improvement of Child Welfare Services

Increase in authorization of appropriations

SEC. 102. (a) Section 521 of the Social Security Act is amended by striking out "there is hereby authorized to be appropriated for each fiscal year, beginning with the fiscal year ending June 30, 1961, the sum of $25,000,000" and inserting in lieu thereof "the following sums are hereby authorized to be appropriated: $25,000,000 each for the fiscal year ending June 30, 1961, and the succeeding fiscal year $30,000,000 for the fiscal year ending June 30, 1963, $35,000,000 for the fiscal year ending June 30, 1964, $40,000,000 each for the fiscal year ending June 30, 1965, and the succeeding fiscal year, $45,000,000 each for the fiscal year ending June 30, 1967, and the succeeding fiscal year, and $50,000,000 each for the fiscal year ending June 30, 1969, and succeeding fiscal years".

Coordination with dependent children program and extension of child welfare services

(b) (1) Section 523(a) of such Act is amended by striking out "each State with a plan for child-welfare services developed as provided in this part an amount equal to the Federal share" and inserting in lieu thereof "each State—

"(1) that has a plan for child-welfare services which has been developed as provided in this part and which—

"(A) provides for coordination between the services provided under such plan and the services provided for dependent children under the State plan approved under title IV, with a view to provision of welfare and related services which will best promote the welfare of such children and their families, and

"(B) provides, with respect to day care provided under the plan—

"(i) for cooperative arrangements with the State health authority and the State agency primarily responsible for State supervision of public schools to assure maximum utilization of such agencies in the provision of necessary health services and education for children receiving such day care,

"(ii) for an advisory committee, to advise the State public welfare agency on the general policy involved in the provision of day care under the State plan, which shall include among its members representatives of other State agencies concerned with day care or services related thereto and persons representative of professional or civic or other public or nonprofit private agencies, organizations, or groups concerned with the provision of day care,

"(iii) for such safeguards as may be necessary to assure provision of day care under the plan only in cases in which it is in the best interest of the child and the mother and only in cases in which it is determined under criteria established by the State, that a need for such care exists, and

"(iv) for giving priority, in determining the existence of need for such day care, to members of low-income or other groups in the population and to geographical areas which have the greatest relative need for extension of such day care, and

"(2) that makes a satisfactory showing that the State is extending the provision of child-welfare services in the State, with priority being given to communities with the greatest need for such services after giving consideration to their relative financial need, and with a view to making available by July 1, 1975, in all political subdivisions of the State, for all children in need thereof, child-welfare services provided by the staff (which shall to the extent feasible be composed of trained child-welfare personnel) of the State public welfare agency or of the local agency participating in the administration of the plan in the political subdivision, an amount equal to the Federal share".

(2) Such section 523(a) is further amended by striking out "costs of district, county, or other local child-welfare services" and inserting in lieu thereof "costs of State, district, county, or other local child-welfare services".

Allotments for day care

(c) (1) Section 522(a) of such Act is amended—

(A) by striking out "The sums appropriated for each fiscal year under section 521" at the beginning of such section and inserting in lieu thereof "All but $10,000,000 of the total appropriated for a fiscal year under section 521, or, if such total is less than $35,000,000, all but the excess (if any) of such total over $25,000,000,";

(B) by striking out "He shall allot to each State $50,000 or, if greater, such portion of $70,000 as the amount appropriated under section 521 for such year bears to the amount authorized to be so appropriated" and inserting in lieu thereof "He shall allot to each State $70,000 or, if the amount appropriated under section 521 for such year is less than $25,000,000, he shall allot to each State $50,000 or, if greater, such portion of $70,000 as the amount appropriated under such section bears to $25,000,000"; and

(C) by striking out "the remainder of the sums so appropriated for such year" and inserting in lieu thereof "the remainder of the sum available for allotment under this subsection for such year".

(2) Part 3 of title V of such Act is further amended by adding at the end thereof the following new section:

"DAY CARE

"SEC. 527. (a) In order to assist the States to provide adequately for the care and protection of children whose parents are, for part of the day, working or seeking work, or otherwise absent from the home or unable for other reasons to provide parental supervision, the portion of the appropriation under section 521 for any fiscal year which is not allotted under section 522 shall be allotted by the Secretary among the States solely for the provision, under the State plan developed as provided in this part, of day care in facilities (including private homes) which are licensed by the State, or are approved (as meeting the standards established for such licensing) by the State agency responsible for licensing facilities of this type, as follows: He shall allot to each State an amount which bears the same ratio to such portion of the appropriation as the product of (1) the population of the State under the age of 21 and (2) the allotment percentage of such State (as determined under section 524) bears to the sum of the corresponding products of all the States, except that the allotment of any State as so computed which is less than $10,000 shall be increased to that amount, the total of the increases thereby required being derived by proportionately reducing the allotments to each of the remaining States (as so computed) having an allotment in excess of that amount, but with such adjustments as may be necessary to prevent the allotment of any of such remaining States from being thereby reduced to less than that amount.

"(b) The amount of any allotment to a State under subsection (a) for any fiscal year which the State certifies to the Secretary will not be required for the purposes for which allotted shall be available for reallotment from time to time, on such dates as the Secretary may fix, to other States which the Secretary determines (1) have need in carrying out such purposes for sums in excess of those previously allotted to them under subsection (a), and (2) will be able to use such excess amounts during such fiscal year. Such reallotments shall be made on the basis of the need for additional funds in carrying out such purposes, after taking into consideration the population under the age of twenty-one, and the per capita income of each such State as compared with the population under the age of twenty-one, and the per capita income of all such States with respect to which such a determination by the Secretary has been made. Any amount so reallotted to a State shall be deemed part of its allotment under subsection (a)."

Definition of child-welfare services

(d) (1) Section 521 of such Act is further amended by striking out "public-welfare services (hereinafter in this title referred to as 'child-welfare services') for the protection and care of homeless, dependent, and neglected children, and children in danger of becoming delinquent" and inserting in lieu thereof "child-welfare services".

(2) Part 3 of title V of such Act is further amended by adding after section 527 (added by subsection (c)(2) of this section) the following new section:

"DEFINITION

"SEC. 528. For purposes of this part, the term 'child-welfare services' means public social services which supplement, or substitute for, parental care and supervision for the purpose of (1) preventing or remedying, or assisting in the solution of problems which may result in, the neglect, abuse, exploitation, or delinquency of children, (2) protecting and caring for homeless, dependent, or neglected children, (3) protecting and promoting the welfare of children of working mothers, and (4) otherwise protecting and promoting the welfare of children, including the strengthening of their own homes where possible or, where needed, the provision of adequate care of children away from their homes in foster family homes or day-care or other child-care facilities."

Welfare Services for Each Child Under Dependent Children Program

SEC. 103. Section 402(a) of the Social Security Act is amended by striking out "and" after the semicolon at the end of clause (11), and by inserting before the period at the end of clause (12) the following: "; and (13) provide for the development and application of a program for such welfare and related services for each child who receives aid to families with dependent children as may be necessary in the light of the particular home conditions and other needs of such child, and provide for coordination of such programs, and any other services provided for children under the State plan, with the child-welfare services plan developed as provided in part 3 of title V, with a view toward providing welfare and related services which will best promote the welfare of such child and his family".

Technical Amendments To Reflect Emphasis on Rehabilitation and Other Services

SEC. 104. (a)(1) The heading of title IV of the Social Security Act is amended to read as follows:

"TITLE IV—GRANTS TO STATES FOR AID AND SERVICE TO NEEDY FAMILIES WITH CHILDREN"

(2) The heading of section 402 of such Act is amended to read as follows:

"STATE PLANS FOR AID AND SERVICES TO NEEDY FAMILIES WITH CHILDREN"

(3) The following provisions of such Act are amended by striking out "aid to dependent children" each time it appears and inserting in lieu thereof "aid to families with dependent children":

(A) clauses (4), (7), (8), (9), and (10) of section 402(a);

(B) section 402(b);

(C) section 403(b)(2)(B);

(D) section 406(b);

(E) clause (2) (B) of section 407;

(F) section 408(b);

(G) section 408(c);

(H) section 1002(a)(7); and

(I) section 1402(a)(7).

(4) The second sentence of section 401 of such Act is amended by striking out "State plans for aid to dependent children" and inserting in lieu thereof "State plans for aid and services to needy families with children".

(5) The following provisions of title IV of such Act are amended by striking out "plan for aid to dependent children" and inserting in lieu thereof "plan for aid and services to needy families with children":

(A) the portion of section 402(a) which precedes clause (1); and

(B) the portion of section 404 which precedes clause (1).

(b) Each State plan approved under title IV of the Social Security Act and in effect on the date of the enactment of this Act shall be deemed for purposes of such title, without the necessity of any change in such plan, to have been conformed with the amendments made by subsection (a) of this section.

(c)(1) The first sentence of section 1 of such Act is amended to read as follows: "For the purpose (a) of enabling each State, as far as practicable under the conditions in such State, to furnish financial assistance to aged needy individuals, (b) of enabling each State, as far as practicable under the conditions in such State, to furnish medical assistance on behalf of aged individuals who are not recipients of old-age assistance but whose income and resources are insufficient to meet the costs of necessary medical services, and (c) of encouraging each State, as far as practicable under the conditions in such State, to furnish rehabilitation and other services to help individuals referred to in clause (a) or (b) to attain or retain capability for self-care, there is hereby authorized to be appropriated for each fiscal year a sum sufficient to carry out the purposes of this title."

(2) The first sentence of section 401 of such Act is amended (A) by inserting "and rehabilitation" after "financial assistance", and (B) by inserting "or retain capability for" after "attain".

(3) The first sentence of section 1001 of such Act is amended (A) by inserting "to furnish rehabilitation and other services" before "to help such individuals", and (B) by inserting "or retain capability for" after "attain".

(4) The first sentence of section 1401 of such Act is amended (A) by inserting "to furnish rehabilitation and other services" before "to help such individuals", and (B) by inserting "or retain capability for" after "attain".

Community Work and Training Programs

SEC. 105. (a) Title IV of the Social Security Act is amended by adding at the end thereof the following new section:

"COMMUNITY WORK AND TRAINING PROGRAMS

"SEC. 409. (a) For the purpose of assisting the States in encouraging, through community work and training programs of a constructive nature, the conservation of work skills and the development of new skills for individuals who have attained the age of 18 and are receiving aid to families with dependent children, under conditions which are designed to assure protection of the health and welfare of such individuals and the dependent children involved, expenditures (other than for medical or any other type of remedial care) for any month with respect to a dependent child (including payments to meet the needs of any relative or relatives, specified in section 406(a), with whom he is living) under a State plan approved under section 402 shall not be excluded from aid to families with dependent children because such expenditures are made in the form of payments for work performed in such month by any one or more of the relatives with whom such child is living if such work is performed for the State agency or any other public agency under a program (which need not be in effect in all political subdivisions of the State) administered by or under the supervision of such State agency, if there is State financial participation in such expenditures, and if such State plan includes—

"(1) provisions which, in the judgment of the Secretary, provide reasonable assurance that—

"(A) appropriate standards for health, safety, and other conditions applicable to the performance of such work by such relatives are established and maintained;

"(B) payments for such work are at rates not less than the minimum rate (if any) provided by or under State law for the same type of work and not less than the rates prevailing on similar work in the community;

"(C) such work is performed on projects which serve a useful public purpose, do not result either in displacement of regular workers or in the performance by such relatives of work that would otherwise be performed by employees of public or private agencies, institutions, or organizations, and (except in cases of projects which involve emergencies or which are generally of a nonrecurring nature) are of a type which has not normally been undertaken in the past by the State or community, as the case may be;

"(D) in determining the needs of any such relative, any additional expenses reasonably attributable to such work will be considered;

"(E) any such relative shall have reasonable opportunities to seek regular employment and to secure any appropriate training or retraining which may be available;

"(F) any such relative will, with respect to the work so performed, be covered under the State workmen's compensation law or be provided comparable protection; and

"(G) aid under the plan will not be denied with respect to any such relative (or the dependent child) for refusal by such relative to perform any such work if he has good cause for such refusal;

"(2) provision for entering into cooperative arrangements with the system of public employment offices in the State looking toward employment or occupational training of any such relatives performing work under such program, including appropriate provision for registration and periodic reregistration of such relatives and for maximum utilization of the job placement services and other services and facilities of such offices;

"(3) provision for entering into cooperative arrangements with the State agency or agencies responsible for administering or supervising the administration of vocational education and adult education in the State, looking toward maximum utilization of available public vocational or adult education services and facilities in the State in order to encourage the training or retraining of any such relatives performing work under such program and otherwise assist them in preparing for regular employment;

"(4) provision for assuring appropriate arrangements for the care and protection of the child during the absence from the home of any such relative performing work under such program in order to assure that such absence and work will not be inimical to the welfare of the child;

"(5) provision that there will be no adjustment or recovery by the State or any political subdivision thereof on account of any payments which are correctly made for such work; and

"(6) such other provisions as the Secretary finds necessary to assure that the operation of such program will not interfere with achievement of the objectives set forth in section 401.

"(b) In the case of any State which makes expenditures in the form described in subsection (a) under its State plan approved under section 402, the proper and efficient administration of the State plan, for purposes of section 403(a)(3), may not include the cost of making or acquiring materials or equipment in connection with the work performed under a program referred to in subsection (a) or the cost of supervision of work under such program, and may include only such other costs attributable to such programs as are permitted by the Secretary."

(b) The Secretary shall submit to the President, for transmission to the Congress prior to January 1, 1967, a full report of the administration of the provisions of the amendment made by subsection (a), including the experiences of each of the States in paying for work under community work and training programs under the provisions of their respective State plans which are in accord with such amendment, together with his recommendations as to continuation of and modifications in such amendment.

Incentives for Employment Through Consideration of Expenses in Earning Income, and Provisions for Future Needs of Dependent Children

SEC. 106. (a) (1) Section 2(a) of the Social Security Act is amended by inserting before the semicolon at the end of subparagraph (A) of paragraph (11) (as redesignated by section 101(b)(1) of this Act) ", as well as any expenses reasonably attributable to the earning of any such income".

(2) Section 1002(a)(8) of such Act is amended by inserting before the first semicolon ", as well as any expenses reasonably

attributable to the earning of any such income".

(3) Section 1402(a)(8) of such Act is amended by inserting before the semicolon at the end thereof ", as well as any expenses reasonably attributable to the earning of any such income".

(b) Section 402(a)(7) of such Act is amended to read as follows: "(7) provide that the State agency shall, in determining need, take into consideration any other income and resources of any child or relative claiming aid to families with dependent children, as well as any expenses reasonably attributable to the earning of any such income; except that, in making such determination, the State agency may, subject to limitations prescribed by the Secretary, permit all or any portion of the earned or other income to be set aside for future identifiable needs of a dependent child;".

Use of Payments for Benefit of Child

SEC. 107. (a) Section 405 of the Social Security Act is amended to read as follows:

"USE OF PAYMENTS FOR BENEFIT OF CHILD

"SEC. 405. Whenever the State agency has reason to believe that any payments of aid to families with dependent children made with respect to a child are not being or may not be used in the best interests of the child, the State agency may provide for such counseling and guidance services with respect to the use of such payments and the management of other funds by the relative receiving such payments as it deems advisable in order to assure of such payments in the best interests of such child, and may provide for advising such relative that continued failure to so use such payments will result in substitution therefor of protective payments as provided under section 406(b)(2), or in seeking appointment of a guardian or legal representative as provided in section 1111, or in other action authorized under State law which is deemed necessary to protect the interests of such child; and any such action taken by the State agency pursuant to such State law, other than denial of such payments with respect to such child while in the home of such relative, shall not serve as a basis for withholding funds from such State under section 404 and shall not prevent such payments with respect to such child from being considered aid to families with dependent children."

(b) Section 404(b) of such Act is amended by inserting before the period at the end thereof the following: ": nor shall any such payment be withheld for any period beginning on or after such date by reason of any action taken pursuant to such a statute if provision is otherwise made pursuant to a State statute for adequate care and assistance with respect to such child".

Protective Payments Under Dependent Children Program

SEC. 108. (a) Section 406(b) of the Social Security Act is amended by inserting "(1)" after "includes" and by inserting before the semicolon at the end thereof: ", and (2) payments with respect to any dependent child (including payments to meet the needs of the relative, and the relative's spouse, with whom such child is living) which do not meet the preceding requirements of this subsection, but which would meet such requirements except that such payments are made to another person who (as determined in accordance with standards prescribed by the Secretary) is interested in or concerned with the welfare of such child and relative, but only with respect to a State whose State plan approved under section 402 includes provision for—

"(A) determination by the State agency that the relative of the child with respect to whom such payments are made has such inability to manage funds that making payments to him would be contrary to the welfare of the child and, therefore, it is necessary to provide such aid with respect to such child and relative through payments described in this clause (2);

"(B) meeting all of the need, as determined by the State, of individuals with respect to whom aid to families with dependent children is paid;

"(C) undertaking and continuing special efforts to develop greater ability on the part of the relative to manage funds in such manner as to protect the welfare of the family;

"(D) periodic review by such State agency of the determination under clause (A) to ascertain whether conditions justifying such determination still exist, with provision for termination of such payments if they do not and for seeking judicial appointment of a guardian or other legal representative, as described in section 1111, if and when it appears that the need for such payments is continuing, or is likely to continue, beyond a period specified by the Secretary;

"(E) aid in the form of foster home care in behalf of children described in section 408(a); and

"(F) opportunity for a fair hearing before the State agency on the determination referred to in clause (A) for any individual with respect to whom it is made".

(b) Section 403(a) of such Act, as amended by the other provisions of this Act, is further amended by adding at the end thereof (after and below paragraph (3)) the following new sentence:

"The number of individuals with respect to whom payments described in section 406(b)(2) are made for any month, who may be included as recipients of aid to families with dependent children for purposes of paragraph (1) or (2), may not exceed 5 per centum of the number of other recipients of aid to families with dependent children for such month."

(c) Paragraph (1)(A) of such section 403(a) (as amended by section 101(a)(2) of this Act) is amended by inserting immediately after "remedial care" the following: ", plus (iii) the number of individuals, not counted under clause (i) or (ii), with respect to whom payments described in section 406(b)(2) are made in such month and included as expenditures for purposes of this paragraph or paragraph (2)".

(d) The Secretary shall submit to the President, for transmission to the Congress prior to January 1, 1967, a full report of the administration of the provisions of the amendments made by this section, including the experiences of each of the States in making protective payments under the provisions of their respective State plans which are in accord with such amendments, together with his recommendations as to continuation of and modifications in such amendments.

Aid for Spouse of Relative With Whom Dependent Child Is Living

SEC. 109. Section 406(b) of the Social Security Act, as amended by section 108 of this Act, is amended by inserting "(and the spouse of such relative if living with him and if such relative is the child's parent and the child is a dependent child by reason of the physical or mental incapacity of a parent or is a dependent child under section 407)" after "relative with whom any dependent child is living" in clause (1) thereof.

Part B—Improvement in administration through demonstrations, training, and public advisory groups

Advisory Council on Public Welfare

SEC. 121. Title XI of the Social Security Act is amended by adding at the end thereof the following new section:

"APPOINTMENT OF ADVISORY COUNCIL AND OTHER ADVISORY GROUPS

"SEC. 1114. (a) The Secretary shall, during 1964, appoint an Advisory Council on Public Welfare for the purpose of reviewing the administration of the public assistance and child welfare services programs for which funds are appropriated pursuant to this Act and making recommendations for improvement of such administration, and reviewing the status of and making recommendations with respect to the public assistance programs for which funds are so appropriated, especially in relation to the old-age, survivors, and disability insurance program, with respect to the fiscal capacities of the States and the Federal Government, and with respect to any other matters bearing on the amount and proportion of the Federal and State shares in the public assistance and child welfare services programs.

"(b) The Council shall be appointed by the Secretary without regard to the civil-service laws and shall consist of twelve persons who shall, to the extent possible, be representatives of employers and employees in equal numbers, representatives of State or Federal agencies concerned with the administration or financing of the public assistance and child welfare services programs, representatives of nonprofit private organizations concerned with social welfare programs, other persons with special knowledge, experience, or qualifications with respect to such programs, and members of the public.

"(c) The Council is authorized to engage such technical assistance as may be required to carry out its functions, and the Secretary shall, in addition, make available to the Council such secretarial, clerical, and other assistance and such pertinent data prepared by the Department of Health, Education, and Welfare as it may require to carry out such functions.

"(d) The Council shall make a report of its findings and recommendations (including recommendations for changes in the provisions of the Social Security Act) to the Secretary, such report to be submitted not later than July 1, 1966, after which date such Council shall cease to exist.

"(e) The Secretary shall also from time to time thereafter appoint an Advisory Council on Public Welfare, with the same functions and constituted in the same manner as prescribed for the Advisory Council in the preceding subsection of this section. Each Council so appointed shall report its findings and recommendations, as prescribed in subsection (d), not later than July 1 of the second year after the year in which it is appointed, after which date such Council shall cease to exist.

"(f) The Secretary may also appoint, without regard to the civil-service laws, such advisory committees as he may deem advisable to advise and consult with him in carrying out any of his functions under this Act.

"(g) Members of the Council or of any advisory committee appointed under this section who are not regular full-time employees of the United States shall, while serving on business of the Council or any such committee, be entitled to receive compensation at rates fixed by the Secretary, but not exceeding $75 per day, including travel time; and while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b-2) for persons in Government service employed intermittently.

"(h)(1) Any member of the Council or any advisory committee appointed under this Act, who is not a regular full-time employee of the United States, is hereby exempted, with respect to such appointment, from the operation of sections 281, 283, and 1914 of title 18 of the United States Code, and section 190 of the Revised Statutes (5 U.S.C. 99), except as otherwise specified in paragraph (2) of this subsection.

"(2) The exemption granted by paragraph (1) shall not extend—

"(A) to the receipt or payment of salary in connection with the appointee's Government service from any source other than the private employer of the appointee at the time of his appointment, or

"(B) during the period of such appointment, to the prosecution or participation in the prosecution, by any person so appointed, of any claim against the Government involving any matter with which such person, during such period, is or was directly connected by reason of such appointment."

Waiver of State Plan Requirements for Demonstrations

SEC. 122. Title XI of the Social Security Act is amended by adding after section 1114 (added by section 121 of this Act) the following new section:

"DEMONSTRATION PROJECTS

"SEC. 1115. In the case of any experimental, pilot, or demonstration project which, in the judgment of the Secretary, is likely to assist in promoting the objectives of title I, IV, X, XIV, or XVI in a State or States—

"(a) the Secretary may waive compliance with any of the requirements of section 2, 402, 1002, 1402, or 1602, as the case may be, to the extent and for the period he finds necessary to enable such State or States to carry out such project, and

"(b) costs of such project which would not otherwise be included as expenditures under section 3, 403, 1003, 1403, or 1603, as the case may be, and which are not included as part of the costs of projects under section 1110, shall, to the extent and for the period prescribed by the Secretary, be regarded as expenditures under the State plan or plans approved under such title, or for administration of such State plan or plans, as may be appropriate.

In addition, not to exceed $2,000,000 of the aggregate amount appropriated for payments to States under such titles for any fiscal year ending prior to July 1, 1967, shall be available, under such terms and conditions as the Secretary may establish, for payments to States to cover so much of the cost of such projects as is not covered by payments under such titles and is not included as part of the cost of projects for purposes of section 1110."

Training Grants for Public Welfare Personnel

SEC. 123. Section 708(a) of the Social Security Act is amended by striking out "for the fiscal year ending June 30, 1958, the sum of $5,000,000, and for each of the five succeeding years such sums as the Congress may determine" and inserting in lieu thereof the following: "for the fiscal year ending June 30, 1963, the sum of $3,500,000, and for each fiscal year thereafter the sum of $5,000,000".

Part C—Improvement of public welfare programs through extension of temporary provisions and increase in Federal share of public assistance payments

Extension of Aid With Respect to Dependent Children of Unemployed Parents or in Foster Family Homes

Extension with respect to children of unemployed parents

SEC. 131. (a) So much of the first sentence of section 407 of the Social Security Act as precedes paragraph (1) thereof is amended by striking out "1962" and inserting in lieu thereof "1967".

Extension with respect to foster family home care

(b) So much of the first sentence of section 408 of such Act as precedes paragraph (a) thereof is amended by striking out ", and ending with the close of June 30, 1962".

Increase in Federal Share of Public Assistance Payments

SEC. 132. (a) Paragraphs (1) and (2) of section 9(a) of the Social Security Act are amended to read as follows:

"(1) in the case of any State other than Puerto Rico, the Virgin Islands, and Guam, an amount equal to the sum of the following proportions of the total amounts expended during such quarter as old-age assistance under the State plan (including expenditures for insurance premiums for medical or any other type of remedial care or the cost thereof)—

"(A) 2/3 of such expenditures, not counting so much of any expenditure with respect to any month as exceeds the product of $35 multiplied by the total number of recipients of old-age assistance for such month (which total number, for purposes of this subsection, means (i) the number of individuals who received old-age assistance in the form of money payments for such month, plus (ii) the number of other individuals with respect to whom expenditures were made in such month as old-age assistance in the form of medical or any other type of remedial care); plus

"(B) the Federal percentage (as defined in section 1101(a)(8)) of the amount by which such expenditures exceed the maximum which may be counted under clause (A), not counting so much of any expenditure with respect to any month as exceeds the product of $70 multiplied by the total number of such recipients of old-age assistance for such month; plus

"(C) the larger of the following: (i) the Federal medical percentage (as defined in section 8(c)) of the amount by which such expenditures exceed the maximum which may be counted under clause (B), not counting so much of any expenditure with respect to any month as exceeds (I) the product of $85 multiplied by the total number of such recipients of old-age assistance for such month, or (II) if smaller, the total expended as old-age assistance in the form of medical or any other type of remedial care with respect to such month plus the product of $70 multiplied by such total number of such recipients, or (ii) 15 per centum of the total of the sums expended during such quarter as old-age assistance under the State plan in the form of medical or any other type of remedial care, not counting so much of any expenditure with respect to any month as exceeds the product of $15 multiplied by the total number of such recipients of old-age assistance for such month;

"(2) in the case of Puerto Rico, the Virgin Islands, and Guam, an amount equal to—

"(A) one-half of the total of the sums expended during such quarter as old-age assistance under the State plan (including expenditures for insurance premiums for medical or any other type of remedial care or the cost thereof), not counting so much of any expenditure with respect to any month as exceeds $37.50 multiplied by the total number of recipients of old-age assistance for such month; plus

"(B) the larger of the following amounts: (i) one-half of the amount by which such expenditures exceed the maximum which may be counted under clause (A), not counting so much of any expenditure with respect to any month as exceeds (I) the product of $45 multiplied by the total number of such recipients of old-age assistance for such month, or (II) if smaller, the total expended as old-age assistance in the form of medical or any other type of remedial care with respect to such month plus the product of $37.50 multiplied by the total number of such recipients, or (ii) 15 per centum of the total of the sums expended during such quarter as old-age assistance under the State plan in the form of medical or any other type of remedial care, not counting so much of any expenditure with respect to any month as exceeds the product of $7.50 multiplied by the total number of such recipients of old-age assistance for such month;".

(b) So much of section 1003(a) of such Act as precedes clause (3) is amended to read as follows:

"(a) From the sums appropriated therefor, the Secretary of the Treasury shall pay to each State which has an approved plan for aid to the blind, for each quarter, beginning with the quarter commencing October 1, 1958—

"(1) in the case of any State other than Puerto Rico, the Virgin Islands, and Guam, an amount equal to the sum of the following proportions of the total amounts expended during such quarter as aid to the blind under the State plan (including expenditures for insurance premiums for medical or any other type of remedial care or the cost thereof)—

"(A) 2/3 of such expenditures, not counting so much of any expenditure with respect to any month as exceeds the product of $35 multiplied by the total number of recipients of aid to the blind for such month (which total number, for purposes of this subsection, means (i) the number of individuals who received aid to the blind in the form of money payments for such month, plus (ii) the number of other individuals with respect to whom expenditures were made in such month as aid to the blind in the form of medical or any other type of remedial care); plus

"(B) the Federal percentage of the amount by which such expenditures exceed the maximum which may be counted under clause (A), not counting so much of any expenditure with respect to any month as exceeds the product of $70 multiplied by the total number of such recipients of aid to the blind for such month;

"(2) in the case of Puerto Rico, the Virgin Islands, and Guam, an amount equal to one-half of the total of the sums expended during such quarter as aid to the blind under the State plan (including expenditures for insurance premiums for medical or any other type of remedial care or the cost thereof), not counting so much of any expenditure with respect to any month as exceeds $37.50 multiplied by the total number of such recipients of aid to the blind for such month; and".

(c) So much of section 1403(a) of such Act as precedes clause (3) is amended to read as follows:

"(a) From the sums appropriated therefor, the Secretary of the Treasury shall pay to each State which has an approved plan for aid to the permanently and totally disabled, for each quarter, beginning with the quarter commencing October 1, 1958—

"(1) in the case of any State other than Puerto Rico, the Virgin Islands, and Guam, an amount equal to the sum of the following proportions of the total amounts expended during such quarter as aid to the permanently and totally disabled under the State plan (including expenditures for insurance premiums for medical or any other type of remedial care or the cost thereof)—

"(A) 2/3 of such expenditures, not counting so much of any expenditure with respect to any month as exceeds the product of $35 multiplied by the total number of recipients of aid to the permanently and totally disabled for such month (which total number, for purposes of this subsection, means (i) the number of individuals who received aid to the permanently and totally disabled in the form of money payments for such month, plus (ii) the number of other individuals with respect to whom expenditures were made in such month as aid to the permanently and totally disabled in the form of medical or any other type of remedial care); plus

"(B) the Federal percentage of the amount by which such expenditures exceed the maximum which may be counted under clause

(A), not counting so much of any expenditure with respect to any month as exceeds the product of $70 multiplied by the total number of such recipients of aid to the permanently and totally disabled for such month;

"(2) in the case of Puerto Rico, the Virgin Islands, and Guam, an amount equal to one-half of the total of the sums expended during such quarter as aid to the permanently and totally disabled under the State plan (including expenditures for insurance premiums for medical or any other type of remedial care or the cost thereof), not counting so much of any expenditure with respect to any month as exceeds $37.50 multiplied by the total number of recipients of aid to the permanently and totally disabled for such month; and".

(d) Section 303 of the Social Security Amendments of 1961 (Public Law 87-64), and section 6 of the Act of May 8, 1961 (Public Law 87-31), are repealed.

Extension of Assistance to Repatriated American Citizens

SEC. 133. Subsection (d) of section 1113 of the Social Security Act is amended by striking out "1962" and inserting in lieu thereof "1964".

Refusal of Unemployed Parent to Accept Retraining

SEC. 134. Paragraph (2) of section 407 of the Social Security Act is amended by inserting "(A)" after "provision" and by inserting before the period at the end thereof ", and (B) for denying aid to families with dependent children to any such child or relative if, and for as long as, the unemployed parent refuses without good cause to undergo any such retraining".

Federal Payments for Foster Care in Child-Care Institutions

SEC. 135. (a) Clause (3) of paragraph (a) of section 408 of the Social Security Act is amended by inserting "or child-care institution" after "foster family home".

(b) Paragraph (b) of such section is amended by striking out "of this section in the foster family home of any individual" and inserting in lieu thereof the following: "of this section—

"(1) in the foster family home of any individual, whether the payment therefor is made to such individual or to a public or nonprofit private child-placement or child-care agency, or

"(2) in a child-care institution, whether the payment therefor is made to such institution or to a public or nonprofit private child-placement or child-care agency, but subject to limitations prescribed by the Secretary with a view to including as 'aid to families with dependent children' in the case of such foster care in such institutions only those items which are included in such term in the case of foster care in the foster family home of an individual".

(c) Clauses (1) and (2) of paragraph (f) of such section are each amended by inserting "or child-care institution" after "foster family home".

(d) The last sentence of such section is amended by inserting before the period at the end thereof the following: "; and the term 'child-care institution' means a nonprofit private child-care institution which is licensed by the State in which it is situated or has been approved, by the agency of such State responsible for licensing or approval of institutions of this type, as meeting the standards established for such licensing".

Certain State Plans Not Meeting Income and Resources Requirements for the Blind

SEC. 136. (a) Section 1002(b) of the Social Security Act is amended by adding at the end thereof (after and below paragraph (2)) the following new sentence: "In the case of any State (other than Puerto Rico and the Virgin Islands) which did not have on January 1, 1949, a State plan for aid to the blind approved under this title, the Secretary shall approve a plan of such State for aid to the blind for purposes of this title, even though it does not meet the requirements of clause (8) of subsection (a) of this section, if it meets all other requirements of this title for an approved plan for aid to the blind; but payments under section 1003 shall be made, in the case of any such plan, only with respect to expenditures thereunder which would be included as expenditures for the purposes of section 1003 under a plan approved under this section without regard to the provisions of this sentence."

(b) Section 344 of the Social Security Act Amendments of 1950 is repealed.

Part D—Simplification of categories

Optional Combined State Plan for Aged, Blind, and Disabled

SEC. 141. (a) The Social Security Act is amended by adding after title XV the following new title:

"TITLE XVI—GRANTS TO STATES FOR AID TO THE AGED, BLIND, OR DISABLED, OR FOR SUCH AID AND MEDICAL ASSISTANCE FOR THE AGED

"Appropriation

"SEC. 1601. For the purpose (a) of enabling each State, as far as practicable under the conditions in such State, to furnish financial assistance to needy individuals who are 65 years of age or over, are blind, or are 18 years of age or over and permanently and totally disabled, (b) of enabling each State, as far as practicable under the conditions in such State, to furnish medical assistance on behalf of individuals who are 65 years of age or over and who are not recipients of aid to the aged, blind, or disabled but whose income and resources are insufficient to meet the costs of necessary medical services, and (c) of encouraging each State, as far as practicable under the conditions in such State, to furnish rehabilitation and other services to help individuals referred to in clause (a) or (b) to attain or retain capability for self-support or self-care, there is hereby authorized to be appropriated for each fiscal year a sum sufficient to carry out the purposes of this title. The sums made available under this section shall be used for making payments to States which have submitted, and had approved by the Secretary of Health, Education, and Welfare, State plans for aid to the aged, blind, or disabled, or for aid to the aged, blind, or disabled and medical assistance for the aged.

"State plans for aid to the aged, blind, or disabled, or for such aid and medical assistance for the aged

"SEC. 1602. (a) A State plan for aid to the aged, blind, or disabled, or for aid to the aged, blind, or disabled and medical assistance for the aged, must—

"(1) provide that it shall be in effect in all political subdivisions of the State, and, if administered by them, be mandatory upon them;

"(2) provide for financial participation by the State;

"(3) either provide for the establishment or designation of a single State agency to administer the plan, or provide for the establishment or designation of a single State agency to supervise the administration of the plan;

"(4) provide for granting an opportunity for a fair hearing before the State agency to any individual whose claim for aid or assistance under the plan is denied or is not acted upon with reasonable promptness;

"(5) provide such methods of administration (including methods relating to the establishment and maintenance of personnel standards on a merit basis, except that the Secretary shall exercise no authority with respect to the selection, tenure of office, and compensation of any individual employed in accordance with such methods) as are found by the Secretary to be necessary for the proper and efficient operation of the plan;

"(6) provide that the State agency will make such reports, in such form and containing such information, as the Secretary may from time to time require, and comply with such provisions as the Secretary may from time to time find necessary to assure the correctness and verification of such reports;

"(7) provide safeguards which restrict the use or disclosure of information concerning applicants and recipients to purposes directly connected with the administration of the plan;

"(8) provide that all individuals wishing to make application for aid or assistance under the plan shall have opportunity to do so, and that such aid or assistance shall be furnished with reasonable promptness to all eligible individuals;

"(9) provide, if the plan includes aid or assistance to or on behalf of individuals in private or public institutions, for the establishment or designation of a State authority or authorities which shall be responsible for establishing and maintaining standards for such institutions;

"(10) provide that the State agency shall make available to applicants for or recipients of aid to the aged, blind, or disabled under the plan at least those services to help them attain or retain capability for self-support or self-care which are prescribed by the Secretary, and include a description of the steps taken to assure, in the provision of these and any other services which the State agency makes available to individuals under the plan, maximum utilization of other agencies providing similar or related services;

"(11) provide that no aid or assistance will be furnished any individual under the plan with respect to any period with respect to which he is receiving assistance under the State plan approved under title I or aid under the State plan approved under title IV, X, or XIV;

"(12) provide that, in determining whether an individual is blind, there shall be an examination by a physician skilled in the diseases of the eye or by an optometrist, whichever the individual may select;

"(13) include reasonable standards, consistent with the objectives of this title, for determining eligibility for and the extent of aid or assistance under the plan;

"(14) provide that the State agency shall, in determining need for aid to the aged, blind, or disabled, take into consideration any other income and resources of an individual claiming such aid, as well as any expenses reasonably attributable to the earning of such income; except that, in making such determination with respect to any individual who is blind, the State agency shall disregard the first $85 per month of earned income plus one-half of earned income in excess of $85 per month; and

"(15) if the State plan includes medical assistance for the aged—

"(A) provide for inclusion of some institutional and some noninstitutional care and services;

"(B) provide that no enrollment fee, premium, or similar charge will be imposed as a condition of any individual's eligibility for medical assistance for the aged under the plan;

"(C) provide for inclusion, to the extent required by regulations prescribed by the Secretary, of provisions (conforming to such regulations) with respect to the furnishing of such assistance to individuals who are residents of the State but are absent therefrom; and

"(D) provide that no lien may be imposed against the property of any individual prior to his death on account of medical assistance for the aged paid or to be paid on his behalf under the plan (except pursuant to the judgment of a court on account of benefits incorrectly paid on behalf of such individual), and that there shall be no adjustment or recovery (except, after the death of such individual and his surviving spouse, if any, from such individual's estate) of any medical assistance for the aged correctly paid on behalf of such individual under the plan.

Notwithstanding paragraph (3), if on January 1, 1962, and on the date on which a State submits its plan for approval under this title, the State agency which administered or supervised the administration of the plan of such State approved under title X was different from the State agency which administered or supervised the administration of the plan of such State approved under title I and the State agency which administered or supervised the administration of the plan of such State approved under title XIV, the State agency which administered or supervised the administration of such plan approved under title X may be designated to administer or supervise the administration of the portion of the State plan for aid to the aged, blind, or disabled (or for aid to the aged, blind, or disabled and medical assistance for the aged) which relates to blind individuals and a separate agency may be established or designated to administer or supervise the administration of the rest of such plan; and in such case the part of the plan which each such agency administers, or the administration of which each such agency supervises, shall be regarded as a separate plan for purposes of this title.

"(b) The Secretary shall approve any plan which fulfills the conditions specified in subsection (a), except that he shall not approve any plan which imposes, as a condition of eligibility for aid or assistance under the plan—

"(1) an age requirement of more than sixty-five years; or

"(2) any residence requirement which (A) in the case of applicants for aid to the aged, blind, or disabled excludes any resident of the State who has resided therein for one year immediately preceding the application, and (B) in the case of applicants for medical assistance for the aged, excludes any individual who resides in the State; or

"(3) any citizenship requirement which excludes any citizen of the United States.

In the case of any State to which the provisions of section 344 of the Social Security Act Amendments of 1950 were applicable on January 1, 1962, and on the date on which its State plan for aid to the aged, blind, or disabled (or for aid to the aged, blind, or disabled and medical assistance for the aged) was submitted for approval under this title, the Secretary shall approve the plan of such State for aid to the aged, blind, or disabled (or for aid to the aged, blind, or disabled and medical assistance for the aged) for purposes of this title, even though it does not meet the requirements of paragraph (14) of subsection (a), if it meets all other requirements of this title for an approved plan for aid to the aged, blind, or disabled (or for aid to the aged, blind, or disabled and medical assistance for the aged); but payments under section 1603 shall be made, in the case of any such plan, only with respect to expenditures thereunder which would be included as expenditures for the purposes of section 1603 under a plan approved under this section without regard to the provisions of this sentence.

"(c) Subject to the last sentence of subsection (a), nothing in this title shall be construed to permit a State to have in effect with respect to any period more than one State plan approved under this title.

"Payments to States

"SEC. 1603. (a) From the sums appropriated therefor, the Secretary of the Treasury shall pay to each State which has a plan approved under this title, for each quarter, beginning with the quarter commencing October 1, 1962—

"(1) in the case of any State other than Puerto Rico, the Virgin Islands, and Guam, an amount equal to the sum of the following proportions of the total amounts expended during such quarter as aid to the aged, blind, or disabled under the State plan (including expenditures for insurance premiums for medical or any other type of remedial care or the cost thereof)—

"(A) 3/4 of such expenditure, not counting so much of any expenditure with respect to any month as exceeds the product of $35 multiplied by the total number of recipients of such aid for such month (which total number, for purposes of this subsection, means (i) the number of individuals who received such aid in the form of money payments for such month, plus (ii) the number of other individuals with respect to whom expenditures were made in such month as aid to the aged, blind, or disabled in the form of medical or any other type of remedial care); plus

"(B) the Federal percentage (as defined in section 1101(a)(8)) of the amount by which such expenditures exceed the maximum which may be counted under clause (A), not counting so much of any expenditure with respect to any month as exceeds the product of $70 multiplied by the total number of recipients of aid to the aged, blind, or disabled for such month; plus

"(C) the larger of the following: (I) the Federal medical percentage (as defined in section 6(c)) of the amount by which such expenditures exceed the maximum which may be counted under clause (B), not counting so much of any expenditure with respect to any month as exceeds (I) the product of $85 multiplied by the total number of such recipients of aid to the aged, blind, or disabled for such month, or (II) if smaller, the total expended as aid to the aged, blind, or disabled in the form of medical or any other type of remedial care with respect to such month plus the product of $70 multiplied by such total number of such recipients, or (ii) 15 per centum of the total of the sums expended during such quarter as aid to the aged, blind, or disabled under the State plan in the form of medical or any other type of remedial care, not counting so much of any expenditure with respect to any month as exceeds the product of $15 multiplied by the total number of such recipients of aid to the aged, blind, or disabled for such month;

"(2) in the case of Puerto Rico, the Virgin Islands, and Guam, an amount equal to—

"(A) one-half of the total of the sums expended during such quarter as aid to the aged, blind, or disabled under the State plan (including expenditures for insurance premiums for medical or any other type of remedial care or the cost thereof), not counting so much of any expenditure with respect to any month as exceeds $37.50 multiplied by the total number of recipients of aid to the aged, blind, or disabled for such month; plus

"(B) the larger of the following amounts: (i) one-half of the amount by which such expenditures exceed the maximum which may be counted under clause (A), not counting so much of any expenditure with respect to any month as exceeds (I) the product of $45 multiplied by the total number of such recipients of aid to the aged, blind, or disabled for such month, or (II) if smaller, the total expended as aid to the aged, blind, or disabled in the form of medical or any other type of remedial care with respect to such month plus the product of $37.50 multiplied by the total number of such recipients, or (ii) 15 per centum of the total of the sums expended during such quarter as aid to the aged, blind, or disabled under the State plan in the form of medical or any other type of remedial care, not counting so much of any expenditure with respect to any month as exceeds the product of $7.50 multiplied by the total number of such recipients of aid to the aged, blind, or disabled for such month;

"(3) in the case of any State, an amount equal to the Federal medical percentage (as defined in section 6(c)) of the total amounts expended during such quarter as medical assistance for the aged under the State plan (including expenditures for insurance premiums for medical or any other type of remedial care or the cost thereof); and

"(4) in the case of any State, an amount equal to the sum of the following proportions of the total amounts expended during such quarter as found necessary by the Secretary of Health, Education, and Welfare for the proper and efficient administration of the State plan—

"(A) 75 per centum of so much of such expenditures as are for—

"(i) services which are prescribed pursuant to section 1602(a)(10) and are provided (in accordance with the next sentence) to applicants for or recipients of aid or assistance under the plan to help them attain or retain capability for self-support or self-care, or

"(ii) other services, specified by the Secretary as likely to prevent or reduce dependency, so provided to such applicants or recipients, or

"(iii) any of the services prescribed pursuant to section 1602(a)(10), and of the services specified as provided in clause (ii), which the Secretary may specify as appropriate for individuals who, within such period or periods as the Secretary may prescribe, have been or are likely to become applicants for or recipients of aid or assistance under the plan, if such services are requested by such individuals and are provided to such individuals in accordance with the next sentence, or

"(iv) the training of personnel employed or preparing for employment by the State agency or by the local agency administering the plan in the political subdivision; plus

"(B) one-half of so much of such expenditures (not included under subparagraph (A)) as are for services provided (in accordance with the next sentence) to applicants for or recipients of aid or assistance under the plan, and to individuals requesting such services who (within such period or periods as the Secretary may prescribe) have been or are likely to become applicants for or recipients of such aid or assistance; plus

"(C) one-half of the remainder of such expenditures.

The services referred to in subparagraphs (A) and (B) shall include only—

"(D) services provided by the staff of the State agency, or of the local agency administering the State plan in the political subdivision, and

"(E) subject to limitations prescribed by the Secretary, services which in the judgment of the State agency cannot be as economically or as effectively provided by the staff of such State or local agency and are not otherwise reasonably available to individuals in need of them, and which are provided, pursuant to agreement with the State agency, by the State health authority or the State agency or agencies administering or supervising the administration of the State plan for vocational rehabilitation services approved under the Vocational Rehabilitation Act or by any other State agency which the Secretary may determine to be appropriate (whether provided by its staff or by contract with public (local) or nonprofit private agencies);

except that any such services which are defined as vocational rehabilitation services under the Vocational Rehabilitation Act and which are available, from the State

agency or agencies administering or supervising the administration of the State plan for vocational rehabilitation services, to individuals under programs for their rehabilitation carried on under such State plan, may be provided only by such State agency or agencies (in the manner described in subparagraph (E)) except to the extent agreed to by such State agency or agencies. The portion of the amount expended for administration of the State plan to which subparagraph (A) applies and the portion thereof to which subparagraphs (B) and (C) apply shall be determined in accordance with such methods and procedures as may be permitted by the Secretary.

"(b) (1) Prior to the beginning of each quarter, the Secretary shall estimate the amount to which a State will be entitled under subsection (a) for such quarter, such estimates to be based on (A) a report filed by the State containing its estimate of the total sum to be expended in such quarter in accordance with the provisions of such subsection, and stating the amount appropriated or made available by the State and its political subdivisions for such expenditures in such quarter, and if such amount is less than the State's proportionate share of the total sum of such estimated expenditures, the source or sources from which the difference is expected to be derived, and (B) such other investigation as the Secretary may find necessary.

"(2) The Secretary shall then pay, in such installments as he may determine, to the State the amount so estimated, reduced or increased to the extent of any overpayment or underpayment which the Secretary determines was made under this section to such State for any prior quarter and with respect to which adjustment has not already been made under this subsection.

"(3) The pro rata share to which the United States is equitably entitled, as determined by the Secretary, of the net amount recovered during any quarter by the State or any political subdivision thereof with respect to aid or assistance furnished under the State plan, but excluding any amount of such aid or assistance recovered from the estate of a deceased recipient which is not in excess of the amount expended by the State or any political subdivision thereof for the funeral expenses of the deceased, shall be considered an overpayment to be adjusted under this subsection.

"(4) Upon the making of any estimate by the Secretary under this subsection, any appropriations available for payments under this section shall be deemed obligated.

"Operation of State plans

"SEC. 1604. If the Secretary, after reasonable notice and opportunity for hearing to the State agency administering or supervising the administration of the State plan approved under this title, finds—

"(1) that the plan has been so changed that it no longer complies with the provisions of section 1602; or

"(2) that in the administration of the plan there is a failure to comply substantially with any such provision;

the Secretary shall notify such State agency that further payments will not be made to the State (or, in his discretion, that payments will be limited to categories under or parts of the State plan not affected by such failure), until the Secretary is satisfied that there will no longer be any such failure to comply. Until he is so satisfied he shall make no further payments to such State (or shall limit payments to categories under or parts of the State plan not affected by such failure).

"Definitions

"SEC. 1605. (a) For the purposes of this title, the term 'aid to the aged, blind, or disabled' means money payments to, or medical care in behalf of or any type of remedial care recognized under State law in behalf of, needy individuals who are 65 years of age or older, are blind, or are 18 years of age or over and permanently and totally disabled, but does not include—

"(1) any such payments to or care in behalf of any individual who is an inmate of a public institution (except as a patient in a medical institution) or any individual who is a patient in an institution for tuberculosis or mental diseases, or

"(2) any such payments to any individual who has been diagnosed as having tuberculosis or psychosis and is a patient in a medical institution as a result thereof, or

"(3) any such care in behalf of any individual, who is a patient in a medical institution as a result of a diagnosis that he has tuberculosis or psychosis, with respect to any period after the individual has been a patient in such an institution, as a result of such diagnosis, for forty-two days.

"(b) For purposes of this title, the term 'medical assistance for the aged' means payment of part or all of the cost of the following care and services for individuals who are sixty-five years of age or older and who are not recipients of aid to the aged, blind, or disabled but whose income and resources are insufficient to meet all of such cost—

"(1) inpatient hospital services;
"(2) skilled nursing-home services;
"(3) physicians' services;
"(4) outpatient hospital or clinic services;
"(5) home health care services;
"(6) private duty nursing services;
"(7) physical therapy and related services;
"(8) dental services;
"(9) laboratory and X-ray services;
"(10) prescribed drugs, eyeglasses, dentures, and prosthetic devices;
"(11) diagnostic, screening, and preventive services; and
"(12) any other medical care or remedial care recognized under State law;

except that such term does not include any such payments with respect to—

"(A) care or services for any individual who is an inmate of a public institution (except as a patient in a medical institution) or any individual who is a patient in an institution for tuberculosis or mental diseases; or

"(B) care or services for any individual, who is a patient in a medical institution as a result of a diagnosis of tuberculosis or psychosis, with respect to any period after the individual has been a patient in such an institution, as a result of such diagnosis, for forty-two days."

(b) No payment may be made to a State under title I, X, or XIV of the Social Security Act for any period for which such State receives any payments under title XVI of such Act or any period thereafter.

(c) Section 1109 of such Act is amended by striking out "sections 2(a)(7), 402(a)(7), 1002(a)(8), and 7402(a)(8)" and inserting in lieu thereof "sections 2(a)(11)(A), 402(a)(7), 1002(a)(8), 1402(a)(8), and 1602(a)(14)" and by striking out "a State plan approved under title I, IV, X, or XIV" wherever it appears and inserting in lieu thereof "a State plan approved under title I, IV, X, XIV, or XVI".

(d) Section 1111 of such Act is amended by striking out "and XIV" and inserting in lieu thereof "XIV, and XVI".

(e) Section 618 of the Revenue Act of 1951 is amended by striking out "or XIV" and inserting in lieu thereof "XIV, or XVI (other than section 1603(a)(3) thereof)".

(f) In the case of any State which has a State plan approved under title XVI of the Social Security Act, any overpayment or underpayment which the Secretary determines was made to such State under section 3, 1003, or 1403 of such Act with respect to a period before the approval of the plan under such title XVI, and with respect to which adjustment has not been already made under subsection (b) of such section 3, 1003, or 1403, shall, for purposes of section 1603(b) of such Act, be considered an overpayment or underpayment (as the case may be) made under section 1603 of such Act.

Part E—Miscellaneous and technical amendments

Increase in limitation on total public assistance payments to Puerto Rico, the Virgin Islands, and Guam

SEC. 151. Effective for fiscal years ending after June 30, 1962, section 1108 of the Social Security Act is amended to read as follows:

"LIMITATION ON PAYMENTS TO PUERTO RICO, THE VIRGIN ISLANDS, AND GUAM

"SEC. 1108. The total amount certified by the Secretary of Health, Education, and Welfare under titles I (other than section 3(a)(3) thereof), IV, X, XIV, and XVI (other than section 1603(a)(3) thereof) for payment to Puerto Rico with respect to any fiscal year shall not exceed $9,200,000, of which $625,000 may be used only for payments certified with respect to section 3(a)(2)(B) or 1603(a)(2)(B); the total amount certified by the Secretary under such titles for payments to the Virgin Islands with respect to any fiscal year shall not exceed $330,000, of which $18,750 may be used only for payments certified with respect to section 3(a)(2)(B) or 1603(a)(2)(B); and the total amount certified by the Secretary under such titles for payment to Guam with respect to any fiscal year shall not exceed $450,000, of which $25,000 may be used only for payments certified with respect to section 3(a)(2)(B) or 1603(a)(2)(B). Notwithstanding the provisions of sections 502(a)(2), 512(a)(2), 522(a), and 527(a), and until such time as the Congress may by appropriation or other law otherwise provide, the Secretary shall, in lieu of the initial (or, in the case of section 527(a), the minimum) allotment specified in such sections, allot such smaller amounts to Guam as he may deem appropriate."

Payments to Relative of Child When Child Is Dependent

SEC. 152. Section 406(b) of the Social Security Act is amended by striking out "for any month" and by striking out "if money payments have been made under the State plan with respect to such child for such month".

Definitions of "State" and "United States"

SEC. 153. (a) Paragraph (1) of section 1101(a) of the Social Security Act is amended by striking out "X, and XIV" and inserting in lieu thereof "X, XI, XIV, and XVI".

(b) Paragraph (2) of such section is amended by striking out ", the District of Columbia, and the Commonwealth of Puerto Rico".

TITLE II—GENERAL

Meaning of Term "Secretary"

SEC. 201. As used in this Act and in the provisions of the Social Security Act amended by this Act, the term "Secretary", unless the context otherwise requires, means the Secretary of Health, Education, and Welfare.

Effective Dates

SEC. 202. (a) The amendments made by sections 101(b), 102(b)(1), 103, 106, and 134 shall become effective July 1, 1963.

(b) The amendments made by sections 102(c) and 123 shall be applicable in the case of fiscal years beginning after June 30, 1962.

(c) The amendments made by sections 101(a), 102 (b) (2) and (d), 122, 135, and 152 shall be applicable in the case of expenditures, under a State plan approved under title I, IV, X, or XIV of the Social Security Act or developed as provided in part 3 of title V of such Act, as the case may be, made after June 30, 1962.

(d) The amendments made by sections 107(a) and 109 shall be applicable in the case of expenditures, under a State plan approved under title IV of the Social Security Act, made after September 30, 1962.

(e) The amendments made by sections 105 and 108 shall be applicable in the case of expenditures under a State plan approved under title IV of the Social Security Act, made during the period beginning October 1, 1962, and ending with the close of June 30, 1967.

The CHAIRMAN. The Clerk will report the committee amendment.

The Clerk read as follows:

On page 64, lines 23 and 24, strike out "who has resided therein for" and insert in lieu thereof "who has resided therein five years during the nine years immediately preceding the application for such aid and has resided therein continuously for".

The committee amendment was agreed to.

The CHAIRMAN. Are there further committee amendments?

Mr. MILLS. Mr. Chairman, there are no further committee amendments.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. LANDRUM, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 10606) to extend and improve the public assistance and child welfare services programs of the Social Security Act, and for other purposes, pursuant to House Resolution 563, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

Mr. BYRNES of Wisconsin. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. BYRNES of Wisconsin. I am, Mr. Speaker.

The Clerk read as follows:

Mr. BYRNES of Wisconsin moves to recommit the bill (H.R. 10606) to the Committee on Ways and Means with instructions to report the same back to the House forthwith with the following amendments:

Page 48, line 18, strike out "29/35" and insert "four-fifths";

Page 48, line 20, strike out "$35" and insert "$31";

Page 49, line 10, strike out "$70" and insert "$66";

Page 49, line 19, strike out "$85" and insert "$81";

Page 49, line 24, strike out "$70" and insert "$66";

Page 50, line 16, strike out "$37.50" and insert "$35.50";

Page 50, line 23, strike out "$45" and insert "$43";

Page 51, line 3, strike out "$37.50" and insert "$35.50;

Page 51, line 25, strike out "29/35" and insert "four-fifths";

Page 52, line 2, strike out "$35" and insert "$31";

Page 52, line 16, strike out "$70" and insert "$66";

Page 53, line 1, strike out "$37.50" and insert "$35.50";

Page 53, line 19, strike out "29/35" and insert "four-fifths";

Page 53, line 21, strike out "$35" and insert "$31";

Page 54, line 11, strike out "$70" and insert "$66";

Page 54, line 21, strike out "$37.50" and insert "$35.50";

Page 66, line 17, strike out "29/35" and insert four-fifths";

Page 66, line 19, strike out "$35" and insert "$31";

Page 67, line 8, strike out "$70" and insert "$66";

Page 67, line 17, strike out "$85" and insert "$81";

Page 67, line 22, strike out "$70" and insert "$66";

Page 68, line 16, strike out "$37.50" and insert "$35.50";

Page 68, line 24, strike out "$45" and insert "$43"; and

Page 69, line 5, strike out "$37.50" and insert "$35.50".

Mr. BYRNES of Wisconsin (interrupting the reading of the amendment). Mr. Speaker, I ask unanimous consent that further reading of the amendment be dispensed with; I believe the amendment is understood.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. MILLS. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

Mr. BYRNES of Wisconsin. Mr. Speaker, on that I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 155, nays 233, not voting 48, as follows:

[Roll No. 39]

YEAS—155

Abbitt
Adair
Alger
Anderson, Ill.
Arends
Ashbrook
Auchincloss
Avery
Ayres
Barry
Bass, N.H.
Bates
Battin
Becker
Beermann
Belcher
Bell
Berry
Betts
Bolton
Bow
Bray
Bromwell
Broomfield
Brown
Broyhill
Bruce
Byrnes, Wis.
Cahill
Chamberlain
Chenoweth
Chiperfield
Church
Clancy
Collier
Conte
Cramer
Cunningham
Curtin
Curtis, Mass.
Curtis, Mo.
Dague
Davis, James C.
Derounian
Devine
Dole
Dominick
Dooley
Dorn
Downing
Durno
Dwyer
Findley
Ford
Frelinghuysen
Fulton
Garland
Gary
Goodell
Goodling
Griffin
Gross
Gubser
Hall
Halleck
Hardy
Harrison Wyo.
Harsha
Harvey, Ind.
Harvey, Mich.
Hiestand
Hoeven
Hoffman, Ill.
Horan
Hosmer
Jarman
Jennings
Johansen
Jonas
Judd
Kearns
Keith
Kilburn
King, N.Y.
Knox
Kyl
Laird
Langen
Latta
Lindsay
Lipscomb
McCulloch
McDonough
McIntire
McVey
MacGregor
Mailliard
Martin, Nebr.
Mathias
May
Meader
Michel
Miller, N.Y.
Milliken
Minshall
Morse
Mosher
Nelsen
Norblad
Nygaard
Osmers
Ostertag
Pelly
Pike
Pillion
Pirnie
Poff
Quie
Ray
Reece
Reifel
Rhodes, Ariz.
Riehlman
Robison
Roudebush
Rousselot
St. George
Schadeberg
Schenck
Scherer
Schneebeli
Schweiker
Schwengel
Seely-Brown
Short
Sibal
Siler
Smith, Calif.
Smith, Va.
Springer
Taber
Teague, Calif.
Thomson, Wis.
Tollefson
Tuck
Utt
Van Pelt
Wallhauser
Weis
Westland
Wharton
Widnall
Wilson, Calif.
Wilson, Ind.
Younger

NAYS—233

Abernethy
Addabbo
Addonizio
Albert
Alexander
Anfuso
Ashley
Ashmore
Aspinall
Bailey
Baldwin
Baring
Barrett
Bass, Tenn.
Beckworth
Bennett, Fla.
Bennett, Mich.
Blatnik
Boland
Boggs
Bonner
Brademas
Brewster
Brooks
Buckley
Burke, Ky.
Burke, Mass.
Burleson
Byrne, Pa.
Cannon
Carey
Casey
Celler
Chelf
Clark
Cohelan
Cook
Corbett
Corman
Daddario
Daniels
Davis, John W.
Dawson
Delaney
Dent
Denton
Diggs
Dingell
Donohue
Dowdy
Doyle
Dulski
Edmondson
Everett
Evins
Fallon
Farbstein
Fascell
Feighan
Fenton
Finnegan
Fino
Fisher
Flood
Fogarty
Forrester
Fountain
Frazier
Friedel
Gallagher
Garmatz
Gathings
Gavin
Giaimo
Gilbert
Gonzalez
Granahan
Gray
Green, Oreg.
Green, Pa.
Griffiths
Hagan, Ga.
Hagen, Calif.
Halpern
Hansen
Harris
Hays
Healey
Hébert
Hechler
Hemphill
Henderson
Herlong
Holifield
Holland
Hull
Ichord, Mo.
Inouye
Jacobs
Johnson, Calif.
Johnson, Md.
Johnson, Wis.
Jones, Mo.
Karsten
Kastenmeier
Kee
Kelly
Keogh
Kilgore
King, Calif.
King, Utah
Kirwan
Kluczynski
Kornegay
Kowalski
Kunkel
Landrum
Lankford
Lennon
Lesinski
Libonati
Loser
McDowell
McFall
McSween
Mack
Magnuson
Mahon
Marshall
Martin, Mass.
Matthews
Merrow
Miller, Clem
Miller, George P.
Mills
Moeller
Monagan
Montoya
Moore
Moorhead, Pa.
Morgan
Morris
Moss
Multer
Murphy
Murray
Natcher
Nedzi
Nix
O'Brien, Ill.
O'Brien, N.Y.
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen
O'Neill
Passman
Patman
Perkins
Peterson
Pfost
Philbin
Pilcher
Poage
Powell
Price
Pucinski
Purcell
Randall
Reuss
Rhodes, Pa.
Rivers, Alaska
Rivers, S.C.
Roberts, Tex.
Rodino
Rogers, Colo.
Rogers, Fla.
Rooney
Roosevelt
Rosenthal
Rostenkowski
Roush
Rutherford
Ryan, Mich.
Ryan, N.Y.
St. Germain
Santangelo
Saund
Saylor
Scott
Scranton
Selden
Shipley
Sikes
Sisk
Slack
Smith, Iowa
Smith, Miss.
Stafford
Staggers
Steed
Stephens
Stratton
Stubblefield
Sullivan
Taylor
Teague, Tex.
Thomas
Thompson, N.J.
Thompson, Tex.
Thornberry
Toll
Trimble
Tupper
Udall, Morris K.
Ullman
Vanik
Van Zandt
Vinson
Waggonner
Walter
Watts
Whalley
Whitener
Wickersham
Williams
Willis
Winstead
Wright
Yates
Young
Zablocki
Zelenko

NOT VOTING—48

Alford
Andersen, Minn.
Andrews
Baker
Blatch
Boggs
Boykin
Breeding
Cederberg
Coad
Colmer
Cooley
Davis, Tenn.
Derwinski
Elliott
Ellsworth
Flynt
Glenn
Grant
Haley
Harding
Harrison, Va.
Hoffman, Mich.
Huddleston
Jensen
Jones, Ala.

Karth
Kitchin
Lane
McMillan
Macdonald
Madden
Mason
Moorehead, Ohio
Morrison
Moulder
Norrell
Rains
Roberts, Ala.
Rogers, Tex.
Shelley
Sheppard
Shriver
Spence
Thompson, La.
Weaver
Whitten

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Rogers of Texas for, with Mr. Boggs against.

Mr. Cederberg for, with Mr. Madden against.

Mr. Moorehead of Ohio for, with Mr. Cooley against.

Mr. Weaver for, with Mr. Sheppard against.

Mr. Mason for, with Mr. Morrison against.

Mr. Shriver for, with Mr. Karth against.

Mr. Ellsworth for, with Mr. Shelley against.

Until further notice:

Mr. Breeding with Mr. Andersen of Minnesota.

Mr. Alford with Mr. Derwinski.

Mr. Haley with Mr. Glenn.

Mr. Macdonald with Mr. Baker.

Mr. Lane with Mr. Jensen.

Mr. COLMER. Mr. Speaker, I walked into the Chamber just after my name was called. Do I qualify?

The SPEAKER. The gentleman must be present and listening, and failed to hear his name in order to qualify.

The result of the vote was announced as above recorded.

The SPEAKER. The question is on passage of the bill.

Mr. BYRNES of Wisconsin. Mr. Speaker, on that I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 320, nays 69, not voting 47, as follows:

[Roll No. 40]

YEAS—320

Abbitt
Abernethy
Adair
Addabbo
Addonizio
Albert
Alexander
Anfuso
Arends
Ashley
Ashmore
Aspinall
Avery
Ayres
Bailey
Baldwin
Baring
Barrett
Barry
Bass, N. H.
Bass, Tenn.
Bates
Beckworth
Bell
Bennett, Fla.
Bennett, Mich.
Blatnik
Boland
Bolling
Bonner
Bow
Brademas
Brav
Brock
Brooks
Brown, Ga.
Broyhill
Burke, Ky.
Burke, Mass.
Burleson
Byrne, Pa.
Cahill
Cannon
Carey
Casey
Celler
Chelf
Chenoweth
Chiperfield
Clark
Cohelan
Colmer
Conte
Cook
Corbett
Corman
Cramer
Cunningham
Curtin
Curtis, Mass.
Daddario
Dague
Daniels
Davis, James C.
Davis, John W.
Dawson
Delaney
Dent
Denton
Diggs
Dingell
Dominick
Donohue
Dorn
Dowdy
Downing
Doyle
Dulski
Duncan
Dwyer
Edmondson
Everett
Evins
Fallon
Farbstein
Fascell
Feighan
Fenton
Finnegan
Fino
Fisher
Flood
Fogarty
Forrester
Fountain
Frazier
Friedel
Fulton
Gallagher
Garland
Garmatz
Gary
Gathings
Gavin
Giaimo
Gilbert
Gonzalez
Goodell
Grabowski
Gray
Green, Oreg.
Green, Pa.
Griffin
Griffiths
Gubser
Hagen, Ga.
Hagen, Calif.
Hallack
Halpern
Hansen
Harding
Harris
Harrison, Wyo.
Harsha
Hays
Healey
Hébert
Hechler
Hemphill
Henderson
Herlong
Hoeven
Holifield
Holland
Horan
Hosmer
Huddleston
Hull
Ichord, Mo.
Inouye
Jarman
Jennings
Jonas
Jones, Mo.
Judd
Karsten
Karth
Kastenmeier
Kee
Keogh
Kilgore
King, Calif.
King, Utah
Kirwan
Kluczynski
Knox
Kornegay
Kowalski
Kunkel
Kyl
Landrum
Langen
Lankford
Latta
Lennon
Lesinski
Libonati
Lindsay
Loser
McDonough
McDowell
McFall
McIntire
McSween
Mack
Magnuson
Mahon
Mailliard
Marshall
Martin, Mass.
Mathias
Matthews
Meader
Merrow
Miller, Clem
Miller, George P.
Miller, N. Y.
Milliken
Mills
Moeller
Monagan
Moore
Moorhead, Pa.
Morgan
Morris
Morse
Moss
Multer
Murphy
Murray
Natcher
Nedzi
Nelsen
Nix
Norblad
Nygaard
O'Brien, Ill.
O'Brien, N. Y.
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen
O'Neill
Ostertag
Passman
Patman
Perkins
Peterson
Pfost
Philbin
Pike
Pilcher
Pirnie
Poage
Poff
Powell
Price
Pucinski
Purcell
Quie
Randall
Reuss
Rhodes, Pa.
Riehlman
Rivers, Alaska
Rivers, S. C.
Roberts, Tex.
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Rooney
Roosevelt
Rosenthal
Rostenkowski
Roush
Rutherford
Ryan, Mich.
Ryan, N. Y.
St. George
St. Germain
Santangelo
Saund
Saylor
Schenck
Schneebeli
Schweiker
Schwengel
Scott
Scranton
Seely-Brown
Selden
Shipley
Sibal
Sikes
Siler
Sisk
Slack
Smith, Iowa
Smith, Miss.
Smith, Va.
Springer
Stafford
Staggers
Steed
Stephens
Stratton
Stubblefield
Sullivan
Taylor
Teague, Tex.
Thomas
Thompson, N. J.
Thompson, Tex.
Thomson, Wis.
Thornberry
Toll
Tollefson
Trimble
Tuck
Tupper
Udall, Morris K.
Ullman
Vanik
Van Zandt
Vinson
Wallhauser
Walter
Watts
Weis
Westland
Whalley
Wharton
Whitener
Wickersham
Williams
Willis
Wilson, Calif.
Wilson, Ind.
Winstead
Wright
Yates
Young
Younger
Zablocki
Zelenko

NAYS—69

Alger
Anderson, Ill.
Ashbrook
Auchincloss
Battin
Becker
Beermann
Belcher
Berry
Betts
Bolton
Bromwell
Brown
Broyhill
Bruce
Byrnes, Wis.
Chamberlain
Church
Cleveland
Collier
Curtis, Mo.
Derounian
Devine
Dole
Dominick
Dorn
Findley
Ford
Frelinghuysen
Goodling
Gross
Hall
Harvey, Ind.
Harvey, Mich.
Hiestand
Hoffman, Ill.
Johansen
Kearns
Kilburn
King, N. Y.
Laird
Lipscomb
McCulloch
McMillan
McVey
MacGregor
Martin, Nebr.
May
Michel
Minshall
Osmers
Pelly
Pillion
Ray
Reece
Reifel
Rhodes, Ariz.
Roudebush
Rousselot
Schadeberg
Scherer
Short
Smith, Calif.
Taber
Teague, Calif.
Utt
Van Pelt
Waggonner
Widnall

NOT VOTING—47

Alford
Andersen, Minn.
Andrews
Baker
Baring
Boggs
Boykin
Breeding
Celler
Cooley
Davis, Tenn.
Derwinski
Elliott
Ellsworth
Flynt
Glenn
Grant
Haley
Harding
Harrison, Va.
Hoffman, Mich.
Huddleston
Jensen
Jones, Ala.
Morrison
Moulder
Norrell
Rains
Roberts, Ala.
Rogers, Tex.
Shelley
Sheppard
Shriver
Spence
Thompson, La.
Weaver
Whitten

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Boggs for, with Mr. Rogers of Texas against.

Until further notice:

Mr. Spence with Mr. Moorehead of Ohio.

Mr. Breeding with Mr. Jensen.

Mr. Alford with Mr. Baker.

Mr. Madden with Mr. Derwinski.

Mr. Cooley with Mr. Weaver.

Mr. Morrison with Mr. Cederberg.

Mr. Lane with Mr. Shriver.

Mr. Shelley with Mr. Andersen of Minnesota.

Mr. Sheppard with Mr. Mason.

Mr. Karth with Mr. Glenn.

Mr. Macdonald with Mr. Ellsworth.

Mr. Montoya with Mr. Hoffman of Michigan.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. MILLS. Mr. Speaker, I ask unanimous consent that all Members desiring to do so may have 5 legislative days in which to extend their remarks in the RECORD on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. McGown, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 8723) entitled "An Act to amend the Welfare and Pension Plans Disclosure Act with respect to the method of enforcement and to provide certain additional sanctions, and for other purposes."

TO ESTABLISH A CODE OF LAW FOR THE DISTRICT OF COLUMBIA

Mr. JAMES C. DAVIS. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill—H.R. 8143—to amend section 601 of the act entitled "An act to establish a code of law for the District of Columbia", approved March 3, 1901, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Resolved, That the bill from the House of Representatives (H.R. 8143) entitled "An Act to amend section 601 of the Act entitled 'An Act to establish a code of law for the District of Columbia', approved March 3, 1901", do pass with the following amendment: Page 3, line 1, after "may" insert "by unanimous vote".

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

LEGISLATIVE PROGRAM

Mr. HALLECK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HALLECK. Mr. Speaker, I take this time for the purpose of inquiring of the majority leader as to the program for next week.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. HALLECK. Yes; I yield.

Mr. ALBERT. Mr. Speaker, on Monday the Consent Calendar is scheduled. There are no suspensions.

For Tuesday the Private Calendar is scheduled. Also scheduled for that day is the Interior Department appropriation bill for 1963.

For Wednesday, H.R. 9751, authorization, Armed Forces, aircraft, missiles and naval vessels, is scheduled.

For Thursday and the balance of the week, H.R. 10650, the Revenue Act of 1962, is scheduled if a rule is reported.

This is subject to the usual reservation that any further program may be announced later, and conference reports may be brought up at any time.

Mr. HALLECK. Mr. Speaker, I thank the gentleman.

Mr. Speaker, I might suggest that it has been my understanding that we will adjourn over until Monday.

ADJOURNMENT TO MONDAY, MARCH 19, 1962

Mr. ALBERT. Mr. Speaker, if the gentleman will yield, there will be no further legislative business this week.

In view of that, Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourns to meet on Monday, next.

Mr. GROSS. Mr. Speaker, reserving the right to object, and I shall not object, I wonder if the gentleman could give us information in regard to the financial condition of the United Nations?

As early as last December we were told that the financial condition of the United Nations was critical; that they had to have a loan and had to have some money. I wonder if the gentleman could give us any idea as to when this so-called loan or bond issue for the United Nations is going to come on for consideration to deal with the critical situation that has existed?

Mr. ALBERT. Mr. Speaker, all that the gentleman from Oklahoma can do is to say that the matter is receiving the consideration of the appropriate committee, and will be on the floor, I am sure, in due course of events.

Mr. GROSS. I thank the gentleman.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

RECEIPT OF MESSAGES AND AUTHORIZATION FOR SIGNING OF BILLS AND JOINT RESOLUTIONS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that notwithstanding the adjournment of the House until Monday next, the Clerk be authorized to receive messages from the Senate, and that the Speaker be authorized to sign any enrolled bills and joint resolutions duly passed by the two Houses and found truly enrolled.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

ADDITIONAL COPIES, REVENUE ACT OF 1962

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I ask unanimous consent for the immediate consideration of House Resolution 566.

The Clerk read the resolution as follows:

Resolved, That there be printed for the use of the Committee on Ways and Means, House of Representatives, four thousand additional copies of the report submitted by that committee pursuant to H.R. 10650, the "Revenue Act of 1962".

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

"ADMINISTERED PRICES, DRUGS"

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I call up Senate Concurrent Resolution 59 and ask for its immediate consideration.

The Clerk read the concurrent resolution as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Committee on the Judiciary two thousand additional copies of Senate Report Numbered 448, Eighty-seventh Congress, first session, entitled "Administered Prices, Drugs", a report issued by the Committee on the Judiciary and made by its Subcommittee on Antitrust and Monopoly pursuant to S. Res. 55, Eighty-seventh Congress.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

ST. PATRICK

Mr. OLSEN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. OLSEN. Mr. Speaker, some undeniably sincere folks keep writing me incessantly that what we need today is a man on horseback, 19th century variety.

I could not disagree more.

But what I am sure we could use is another fifth century St. Patrick.

Just a generous man of quiet courage, not a loudmouth, who, by example and not by slogans and malice, would aid us in winning the battle against the paganism of this day—communism.

Just a humble man, who, loving the oppressed and the enslaved, would champion their human rights and welfare, and not ignore them or begrudge them.

Just a tolerant man, who, by putting real meaning in the Christian words of charity and brotherhood, would bring light, instead of heat, to some of our dark corners, as St. Patrick did for Ireland.

In short, just a man of supreme love.

It would be grand if God would grant us another St. Patrick today.

Even though there would be some, I am afraid, who would be sure to make him out to be a Socialist or worse.

But what would count, of course, is not what today's newspaper would say, but what tomorrow's history books would record.

And history has recorded that St. Patrick was exactly that—a saint. And a pretty remarkable saint at that.

He brought to Ireland the Christian doctrine, and without a war.

His followers kept the doctrine alive and, indeed, radiated it to the Western World during the Dark Ages.

For that we are all thankful—Irish and non-Irish the world over—as we celebrate his day, St. Patrick's Day, Saturday.

THE AMERICAN LEFT AND CUBA

Mr. WALTER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. WALTER. Mr. Speaker, my colleagues in the House are certainly familiar with many statements which have come recently from a variety of sources to the effect that the people of the United States have no reason to fear internal subversion by the Communist conspiracy and its allies on the far left.

To agree with these statements would be, of course, to abandon the defense of the United States on the domestic front where the danger of subversion is clear and present.

There is little realization in the public opinion how wide in scope are the activities of our extreme left wing. In order to bring out a clearer picture of the extent of their publications and the number and names of the writers who supply material to those publications, I invite my colleagues to read an article entitled "The American Left and Cuba," written by Dennis H. Wrong and published

in the February 1962 issue of the magazine Commentary, a publication of the American Jewish Committee. The article follows:

THE AMERICAN LEFT AND CUBA

(By Dennis H. Wrong)

Now that Cuba has become a member of the Soviet bloc and Fidel Castro has proclaimed that he has for some time been a dedicated "Marxist-Leninist," the response of the American left to the Cuban Revolution may be examined without recapitulating the previously contested evidence for these developments. Supporters of the Castro regime, while they will certainly continue to blame the United States for the victory of Cuban communism, can no longer pretend that they are defending anything but a one-party dictatorship which has chosen a totalitarian course in internal politics and has completely forsworn neutralism in the cold war. No doubt many of Castro's American supporters will not draw back from such a defense, but others have had to undergo the only too familiar experience in this century of seeing their half-suppressed doubts about the trend of a new regime transformed into bleak certainties.

The Cuban tragedy of errors has been played out to the full. Events have entirely justified both the original fears of American policymakers about Cuba and of the Cuban revolutionaries about the United States. And the half-wishful nature of the fears on each side has helped make them self-confirming in their action and reaction upon one another. The disastrous American-sponsored invasion of last spring—morally and politically, not merely technically, disastrous—vindicated Castro in his demagogic anti-Americanism, although the violence and paranoia of his attacks on the United States helped bring about the very response he professed to fear. If the shock of the invasion forced liberal critics of Castro to confront the utter bankruptcy and irresponsibility of American policy, those whose willingness to give Castro the benefit of the doubt was strengthened by the invasion, can no longer evade full recognition of his primary allegiance in policy and ideology to the Sino-Soviet bloc. The air has cleared in the harsh daylight of the latest Cuban events, and a post-mortem on the attitudes of the American left toward the Cuban Revolution is now very much in order—and all the more so since the Cuban Revolution has provided the first significant test of the values and political intelligence of that amorphous entity, the "New Left."

In Britain, where the label originated, and to some extent on the European continent, the "new left" refers to a fairly definite grouping of radicals under 40 who possess some organizational unity, journals of their own, and ties to the leftwing of established Socialist Parties. In America it is far harder to identify a coherent movement of youthful political protest. Negro sit-in strikers in the South, northern groups sponsoring active resistance to segregation, young adherents of the peace movement, the essentially apolitical beats, and revived socialist clubs and journals in the big cities and on some university campuses, present a varied picture. Except for their attraction to the young, no single target or common denominator unites these expressions of protest. All of them, moreover, have depended heavily on the ideological and organizational leadership of older men with long records of participation in the crusades and battles of the past three decades. Compared to its European counterparts, the American new left is less fully an autonomous movement of the young generation—even the literary beats are indebted to middle-aged promotors and gurus. Thus any survey of reactions to the Cuban Revolution must also consider various sectors of "old left" opinion as well as the position of the left, old and new, in relation to the major historical developments of the past decade and a half.

Europe, which in the early years of the cold war was the main theater of political conflict, has successfully resisted further Communist expansion and has experienced unprecedented economic progress under moderate conservative governments. The once popular left view that only a Socialist "third force," encouraged by the United States, could prevent the Continent from falling to the Communists has been utterly refuted by events. In America, where there has never been an established left in the European sense, liberal and radical demands have been confined to marginal issues by the requirements of cold war diplomacy and the defense economy. Throughout the western world a parochial lack of concern with foreign policy and a concentration on secondary domestic issues has been the response of much of the left to this frustrating situation which deprives it of an independent political role.

Since the middle 1950's, however, there has been a growing tendency on the left to define the cold war as primarily a struggle over the political and economic destiny of the underdeveloped nations. As old-fashioned anticolonialism has become less relevant, with more and more Asian and African peoples winning national independence, a preoccupation with the economic development of the new nations has begun to replace it. In the political stasis of the cold war and prosperity at home, the politics of economic development are becoming a substitute for the politics of domestic class struggle as a special concern of the left; Asia, Africa, and now Latin America, rather than Europe or the United States, have become the parts of the world for which the left can still claim or possess relevant prescriptions. Essentially, this reorientation of interest represents a sensible and long overdue recognition that we truly live in one world and an awareness that conservatives are unable or disinclined to sympathize with revolutionary change in its underdeveloped half.

But an insistence on the primary importance of the political and economic problems of the underdeveloped world has the additional attraction to some leftists of permitting an ideological end-run around the military frontier of the cold war and the dilemmas of nuclear policy it poses. If it leads to an emphasis on the open, nonmilitary aspect of the East-West conflict, it also permits bypassing the cold war altogether and is easily combined with advocacy of total disengagement in Europe, demands for unilateral disarmament by the West, and an excessive readiness to believe that Khrushchev's Russia is more pacific and reasonable than Stalin's. The obvious irrelevance to the underdeveloped world of the anti-Communist monomania and military mindedness of the conventional American definition of the cold war enables the left to adopt a perspective which is oppositionist at home yet ideologically pragmatic on a world historical scale, and which transcends the weary issues of capitalism and socialism, or new dealism, communism, and anticommunism, as they have been conceived in the context of Western politics. Yet old problems of freedom, revolution, the price of economic progress, and the relevance of democracy reappear, though now at arm's length from the internal life of the Western political community.

The importance of the Cuban Revolution to the American left must be understood against this background rather than as the result of any long-standing interest in Cuba itself or even Latin America. Suddenly the task of overcoming poverty in backward countries was dramatized by a full-fledged social revolution in America's own underdeveloped sphere of influence, long dismissed as a politically hopeless area dominated by corrupt military dictators, where—the symbols of formal independence having been won long ago—even the dynamism of a rising nationalism was lacking. Castro's triumph coincided with the closing years of the Eisenhower administration, whose sterile anticommunism and hostility or indifference to revolutionary movements abroad had been reflected in its tolerance of the deposed Batista. Cuba represents several "firsts": the first successful popular social revolution with a worldwide impact in many years; the first political event in Latin America for decades to have had great repercussions in the United States; the first underdeveloped country to produce a leader capable of moving Western intellectuals to entranced identification with him; the first country geographically remote from the Communist bloc nations to pattern itself internally on them and to give them its full allegiance; the first country to become a victim of an American act of aggression since the beginning of the cold war. (Guatemala was ambiguous at the time, although it has aroused considerable retrospective indignation, particularly in light of Cuba.)

Castro had the almost universal support of American liberals and radicals—as well as of more conservative segments of opinion—for about a year after he came to power at the end of 1958. By the summer of 1959 it was evident that the Cuban Revolution amounted to more than the dramatic overthrow of an unpopular dictator and that its leaders possessed the drive and support to carry out a radical program of land reform and industrial nationalization. Expropriated American business interests began to make common cause with anti-Communist and nationalist American politicians and publicists on the right and with largely pro-Batista Cuban exile groups in attacking the Castro regime. Rising criticism in the United States, most of it emanating from such ignorant and profoundly ill-willed sources, had the effect of increasing American left-wing support of the Cuban Revolution. The Fair Play for Cuba Committee was founded by a number of prominent liberals and radicals in the spring of 1960 and established chapters on some university campuses, attracting the support of left-wing students. In the spring and summer of 1960 visits to Cuba "to see for oneself" by radical intellectuals who had shown little previous interest in Latin American politics became common. Before this period, the main accounts of the Cuban Revolution going beyond day-by-day reporting had come from a few journalists (Herbert Matthews of the New York Times was, of course, the most influential) and several academic specialists in Latin American affairs. Nearly all of them were strongly sympathetic to Castro and the revolution, although a few expressed reservations, less about the influence of the Communists than about the totalitarian implications of Castro's persistent fanning of a ferocious populist mood with diatribes against counter-revolutionaries, ex-Batistianos, and increasingly, "Yankee imperialism."

By the late summer and autumn of 1960, the first lengthy interpretations of the revolution by radical intellectuals, following their visits to Cuba earlier in the year, appeared. These included two books, Leo Huberman and Paul M. Sweezy's "Cuba, Anatomy of a Revolution," and C. Wright Mills' "Listen, Yankee," as well as Jean-Paul Sartre's series of articles, later published in the United States in a volume called "Sartre on Cuba." These writers took note of assertions that the Castro regime was moving in a Communist direction—but only as voiced in vulgar and inaccurate form by the popular American press. They paid little attention to charges of growing internal Communist

influence, except to deny them, and defended Cuba's economic ties with the Soviet Union (for which, of course, a good case could be made) as no more than a sound business proposition necessitated by the American suspension of the Cuban sugar quota. Yet months before these writers had visited Cuba, as early as the autumn of 1959, the growing power of the Cuban Communists had become a major issue within the Castro regime itself, and a number of Castro's closest revolutionary comrades—by no means respectable moderates opposed to basic economic reforms, as Castro's apologists allege—had defected or been forced out of office for opposing Communist gains at the expense of the original Fidelistas. Undeniably, most of the intellectuals who visited Cuba in early 1960 were in no position to observe or even to learn of these developments (for one thing few of them spoke Spanish), but they were scarcely disposed in any case to view the revolution with even a modicum of critical reserve.

Events were moving so quickly in Cuba that by the time the more lengthy analyses of the revolution had appeared in book form in the United States the situation had greatly changed. As a socialist writer, Michael Harrington, observed last August, "Listen, Yankee" is a faithful rendering of the point of view of a 26th of July militant of a year or so ago. * * * One reads, for instance, how his (Mills') militant feels about the Communist Party, and then turns to the most recent statement of the maximum leader. An enormous change has taken place, and Mills had no inkling of it." What is true of Mills' book is even truer of Sarte's existentialist celebration of the revolution as a movement guided by no fixed ideology but defining itself in practice.

Magazines and newspapers, however, can avoid being outdated by events more easily than books. By the end of 1960 and through the following year, division within the ranks of the left over Castro's Cuba became clearly evident and can be followed, especially in their correspondence columns, in Dissent, the Catholic Worker, Liberation, Monthly Review, the Nation, the New Leader, New Politics, the New Republic, Studies on the Left, and the Village Voice. These journals more or less cover the spectrum of left opinion in the United States, excluding official Communist publications and those of the tiny Marxist sects. None of them published articles or editorials defending the American-supported invasion of last April, even in its conception as distinct from its execution, and none of them have taken seriously the ultraright view that the entire Cuban revolution was simply a Communist plot from the beginning.

Articles on Cuba in the New Leader and Dissent have been almost uniformly critical of the Castro regime, expressing reservations even in the early period when left-liberal opinion was unanimously sympathetic. Monthly Review and Studies on the left, on the other hand, have been even more consistently pro-Castro and have increasingly engaged in polemics against the views of the anti-Castro left. The other journals, in varying degrees, have published both pro- and anti-Castro articles; their letters columns, and in the case of Liberation their editorial columns, have been filled with vigorous controversy. This rough lineup of pro and anti views on the trend of the revolution has, as we shall see, some significance, but it should be emphasized that it in no way corresponds to a broader continuum of views from moderate to extreme left—if, indeed, such a classification makes sense at all any longer, which is doubtful. However, the various groupings and ideological positions of both the old and the new left are reflected in reactions to the Cuban situation.

The New Leader and Dissent both represent the old anti-Stalinist left, the former from what was once a rightwing Socialist (or Menshevik) position, the latter from a more radical, often sophisticated Marxist or neo-Marxist, perspective. The New Leader last year published two long supplements on Cuba by Theodore Draper, which have made Draper the Trotsky of the Cuban revolution to Castro's supporters—a critic who is too well informed and formidable to be easily dismissed. Draper is an ex-Communist, the author of two excellent scholarly studies of American communism, whose first visit to Cuba in the spring of 1960 was followed by an article praising the reforms improving living standards initiated by the Castro regime in the first year of the revolution. Other survivors of the old anti-Stalinist left, whether they were formerly Communists, Trotskyites, or Social Democrats, and whether they are today moderate liberals or some species of Democratic Socialist have also—usually more in sorrow than in anger—turned against the Castro regime while continuing to condemn the invasion attempt and America's past record of tolerating rightist dictators and economic colonialism in Cuba and Latin America as a whole. Among those who have expressed themselves forcefully are Robert Alexander and Daniel Friedenberg (both authorities on Latin America long before the Cuban revolution), and Michael Harrington, Michael Walzer, and Sam Bottone. Inevitably, memories of a previous revolution betrayed made veteran anti-Stalinists sensitive to totalitarian tendencies in Cuba from the beginning; their doubts and suspicions were intensified when Castro denounced former comrades as traitors, when Fidelista exiles began to flock to Miami, when the Cuban leaders disparaged democratic institutions and destroyed civil fredoms in the name of the higher democracy of the revolution—and when some American leftists began to indulge in a painfully familiar brand of apologetics for the regime.

Monthly Review, on the other hand, represents that segment of American leftist opinion which, without associating itself in any way with the Communist Party either ideologically or organizationally, has continued to maintain that Russia and China are "Socialist" countries, more "progressive" and therefore more deserving of the sympathy of the left than the "capitalist" West. Monthly Review has often been critical of the Soviet Union since Hungary and de-Stalinization, built its editors and contributors have never abandoned their conviction that Soviet society is bound to become more liberal now that it is fully industrialized and that its economic achievements provide the best model for the underdeveloped countries to follow. Joan Robinson, the well-known British Keynesian economist, recently exulted in Monthly Review that Western capitalism, although undeniably more stable than formerly, could pride itself on being the second-best economic system in the world, the growth rates of Russia and China allegedly having proven the superiority of socialism. Miss Robinson, Paul Baran, and Paul Sweezy (one of the editors), as well as several other regular contributors to Monthly Review, are all professional economists. Their fetishism of economic development, no matter what its political and social costs, curiously parallels the free market fetishism of their opposite numbers, the hard neoclassical economists who advocate abandoning all government welfare programs, including public education, and outlawing trade unions in order to maximize "consumer sovereignty" and "efficient allocation of economic resources," which can only be insured by a pure free market system.

Cuba has provided a heaven-sent ideological opportunity for the fetishists of state-directed economic growth. Since they are forced to concede that Western capitalism has partially resolved its "internal contradictions" and moderated class conflicts, the underdeveloped world now becomes the place where the "fetters of capitalism" prevent economic progress. And when, as in Cuba, a revolution occurs in a backward country directed against a corrupt native ruling class allied with American business interests, "capitalism," and better still American capitalism, can with some plausibility be blamed for underdevelopment, rather than the greed of domestic oligarchs, overpopulation, or the strength of pre-industrial traditions and institutions. Thus worldwide significance can be attributed to Cuba. Huberman and Sweezy and Baran have been quick to interpret the revolution in accordance with their view that "socialism," defined as centralized state planning and nothing more, is the sole road to economic development for backward countries. Dictatorships and the destruction of civil liberties are seen as temporary necessities justified by the long-run goal of economic development and the ruthlessness of the capitalist-imperialist enemy. These writers, not surprisingly, are undisturbed by the Communist take-over in Cuba and are far more ready to concede that there has been such a take-over than other American supporters of Castro. "A stranger arriving in Havana," Prof. J. P. Morray wrote last summer in Monthly Review, "would now have some difficulty distinguishing the official Communist Party newspaper from the others." His explanation, echoing that of Castro and Che Guevara themselves, is that, although there were few replacements of non-Communists by Communists in the top levels of the government, "the necessities of the revolution and the growing contacts with the socialist [read Soviet bloc] countries produced what appears to have been a mass conversion to Marxist-Leninist ideology." He concludes—probably accurately—that "the steady course of the revolution toward Leninist socialism is due to the hand of Fidel Castro, not of the Communist Party, at the helm of the Cuban state."

In effect, the Monthly Review group has adapted past apologias for Soviet totalitarianism to the Cuban situation in the language of a new theory of the requirements of economic development. Isolated by the cold war, disoriented by Hungary and de-Stalinization, they have been enabled by the Cuban revolution to regain some intellectual influence over the various politically inexperienced New Left groups emerging in the past few years. Yet their outlook is scholastic and heavily ideological; the New Left enthusiasts for Castro were, at least in the beginning, more naive, more directly concerned with Cuba as such, and more responsive to the immediate élan of the revolution itself. Sartre and Mills, with their stress on the freedom of the Fidelistas from the rigid ideological formulas of the past, were undoubtedly more in tune with the mood of those who were bored with old battles, who saw both the United States and Russia as bureaucratic managerial societies, and who wished as they listened with vicarious nostalgia to their elders talk of Spain and antifascism for a fresh new cause that their "generation" might embrace. They were anxious to agree with Daniel Friedenberg, one of the earliest of Castro's critics from the left, that "Castro's was a good fight, perhaps the only clean and unequivocal fight since the Spanish Civil War," but they were incapable of adding his immediate qualification: "At least I thought so in 1958 and still do with that part of my heart my mind tells me is unreliable."

This mood was most pronounced in England and received fullest expression in the pages of New Left Review. In America, Studies on the Left, edited by a number of graduate students at the University of Wisconsin, appeared in 1960 and presented itself as an American counterpart of the British New Left—although the association with the

journal of several older men of proto-Stalinist antecedents made its claim to be reviving a Marxist approach free of past commitments somewhat less convincing than in the case of the older English group. An early issue reprinted Sartre and Che Guevara on the Cuban revolution and hailed it in an editorial which, however, devoted more space to attacking American policy, concluding that "Cuba presents us with an urgent task and, at the same time, with the best opportunity to expose and destroy cold war ideology." Cuba was described as a "new humane society" and the conflict between "freedom" and "communism" as a "sham battle."

Studies on the Left represents a more self-consciously ideological tendency than the other youthful "new left" groups in the United States which have been more attracted by direct moral protest than by political analysis, and have valued action and the evidence of vitality over intellectual rigor. But the early issues of Studies on the Left also manifested this spirit in their eagerness to see the Cuban revolution as a new beginning, a new form of "existential" radical distinct both from communism and from liberal democratic reformism. Unhappily much of this spirit has now vanished and recent issues resemble Monthly Review in their doctrinaire defense of Castro and polemical onslaughts against his leftist critics. The current number, for example, contains a ponderous effort by a recent Ph. D. in social psychology employing the jargon of psychoanalysis to discredit "American Anti-Communist Liberals" (the term is the author's), especially their views on Cuba. Their outlook is characterized as a "defensive reaction to political anxiety"; Irving Howe and Lewis Coser, the editors of Dissent, reveal the mechanism of "projection" when they doubt that Khrushchev's Russia has ceased to be totalitarian; Theodore Draper is fixated on the "primitive political assumption" that "to reject capitalism is bad" and thus condemns Castro (nothing is said of his early support of Castro's socialistic reforms); and so on. One wearily recalls talk over a decade ago about the anti-Communist left's "Stalinophobia" and the "reaction formations" of allegedly "guilt-ridden" ex-Communists: the abuse of psychoanalysis as a political weapon is an old story.

Fidel Castro was a natural hero for the New Left from the first. The survival of his tiny group of fighters in the mountains, their brilliant feats of guerrilla warfare, and their amazingly sudden victory when Batista's army simply gave up, made Castro a genuine hero in an age of characterless bureaucratic leaders. Moreover, he and all his men were young and wore unruly beards, the newly publicised symbol of rebellious youth. His air of informality and creative improvisation, so evident on his brief American trip in early 1959, when he casually lit cigars, talked endlessly, and strolled on and off speech platforms in the middle of official receptions for him, stood in delightful contrast to the managed appearances of other politicians in this age of TV. And then it became apparent that he was the leader of a real live social revolution, no mere putsch, and was determined to carry out without delay genuinely egalitarian reforms. Thoughtless, pious, and reactionary voices were too quickly raised against him in the United States, as in the criticisms of the mass trials of Batista's thugs. Sartre and Mills came back from Cuba reporting that here was something new under the sun and pilgrimages from the mainland began in earnest.

Young radicals seeking a cause, like the editors of "Studies on the Left," went. Bohemian poets and painters, previously unpolitical though full of contempt for American middle-class life, went. And others, such as Warren Miller and Marc Schleifer, both young novelists, Lawrence Ferlinghetti, one of the dozens of the San Francisco beat poets, and Leroi Jones, another new Bohemian poet and editor, wrote enthusiastic accounts of what they had witnessed in Cuba. They were caught up in a festive atmosphere, a mass euphoria generated by the revolution, which was alien to their previous experience, and their reports, often written with skill and feeling, are reminiscent of John Reed on Petrograd during the October revolution of 1917 or George Orwell on revolutionary Barcelona in 1937. Most of the literary rebels who thus celebrated the Cuban revolution have been silent for the past year or more, but the quality of their response to Castro was perhaps best expressed in an open letter to the "Maximum Leader" by Norman Mailer, published in the Village Voice just after the collapse of the invasion, but written, Mailer says, several months earlier. "You were the first and greatest hero to appear in the world since the Second War," he wrote. "There has been a new spirit abroad in America since you entered Havana. I think you must be given credit for some part of a new and better mood which has been coming to America." He goes on to warn Castro about his new friendship with Khrushchev, because "Commissars never made a revolution * * * [and] the Communists are used to considering small nations expendable—it is part of their pride that they will sacrifice their followers." In an open letter to Kennedy denouncing the invasion, published at the same time, Mailer tells the President, "You will never understand that the man [Castro] is the country, revolutionary, tyrannical, hysterical, violent, passionate, brave as the best of animals, doomed perhaps to end in tragedy, but one of the great figures of the 20th century, at the present moment a far greater figure than yourself."

Another group of Castro supporters on the left are, rather surprisingly, the "ethical" radicals: pacifists, libertarian anarchists, Catholic Socialists, and advocates of nonviolent resistance. The growing peace movement and the nonviolent campaign against racial segregation have in recent years given them a wider audience, which may account for their readiness to take up the cause of the Cuban revolution. Although most of their arguments and interpretations are similar to those from other pro-Castro sources, the tone of writers on Cuba for Liberation and the Catholic Worker is quite different from both the bland, doctrinaire apologetics of the Monthly Review group and the revolutionary romanticism of the literary Fidelistas. It is far more troubled, groping, and ready to confront, even if in the end to minimize, the evidence of totalitarianism and communism in Cuba. David Dellinger, an editor of Liberation, has written the second best factual and moderately sympathetic appraisal of the Castro regime's achievements in the early period of the revolution. (The author of the best account is Samuel Shapiro, an academic Latin Americanist writing in the New Republic, who has since become somewhat disillusioned with the revolution, though continuing to place major blame for the Communist take-over on the United States.)

Through 1960 Liberation published a large number of articles on Cuba expressing a variety of points of view. The majority were strongly sympathetic, but several were quite critical of internal developments—for instance, pieces by Robert Alexander and Kenneth Boulding, the well-known economist. In early 1961, Roy Finch, one of the editors, impressed by the suppression in Cuba of libertarian anarchists and other independent radicals, concluded that "the revolution has pretty well been taken over by totalitarian-minded people" and "the minuses begin to outweigh the pluses." The other editors were quick to express their disagreement with him and, after publishing a full statement of his point of view, Finch resigned from the editorial board in May on the grounds that the other editors' "continuing and relatively enthusiastic support for the Castro government (though with varying degree of reservations) seems to be at variance with our original policy." Correspondence supporting both Finch and the remaining editors, much of it lengthy, appeared in the magazine.

The April invasion seemed to strengthen the pro-Castro position of Liberation's editors. They published, among other things on Cuba, an excellent critical analysis of the shocking American press coverage of the event. Since then the editors have continued to regard Cuba as the exemplar of a "new humanistic radicalism," but their doubts and misgivings have perceptibly increased. In the December 1961 issue, Sidney Lens, an editor, reports on his latest trip to the island and deplores "bureaucratic tendencies," the arrogance of the secret police, the growing adulation of Castro, and the total absence of any criticism in the controlled press. Yet he is still able to maintain that "at the moment none of this has destroyed the humanism of the revolution." He suggests hopefully—and credulously—that "plans for a new, unified single party may result in the Communists being engulfed and subordinated * * * and perhaps the Communists will no longer be able to function as a tight-knit disciplined group in the broader movement." And he reports without comment the surely preposterous statement of "a prominent Cuban writer" that Kennedy could destroy the Communists "in 10 minutes" by reopening his embassy because "Fidel would agree to it immediately and undercut them."

If the old left has inevitably interpreted the Cuban revolution in accordance with an outlook shaped by the historical and ideological struggles of the past three decades, the revolution has been a new and formative experience for the new left. It is among the younger Castro partisans that one finds the will to believe in its purest form, brusque impatience with the past, and a readiness to attribute sweeping historical significance to Cuba. Unhappily, the ancient symptoms of wishful selection and reading of the evidence, and indulgence in wild and bitter attacks on doubters, especially those who are also of the left, have been quick to reveal themselves. Let us, in order to bear out these statements, look, in closing, at some of the arguments and counter-arguments advanced in Castro's favor.

Cuba is, after all, a small country, necessarily confined to a minor role in world politics and scarcely likely to be the scene of a social transformation that is vitally relevant to the experience of older and larger nations. But some of Castro's supporters are not content to interpret the Cuban revolution as an incident in the larger setting of the cold war or even as a feasible model for the economic development of other relatively poor and backward countries. They must see it as something more earth shaking than that, as an entirely new and unprecedented experience from which, not merely the other Latin American peoples or even the underdeveloped world as a whole, but we westerners ourselves can learn lessons applicable to our own societies. Thus Stuart Hall and Norman Fruchter, editors of the English New Left Review, argue that, far from possessing exclusive relevance to the revolutions in all the backward territories,

the Cuban revolution resumes fully the whole galaxy of questions involved in socialism in our time * * * [and] could be either the axis or the graveyard of socialism in the next decade.

Since, in the eyes of the new left, the world Communist leaders are as rigid, bureaucratic, and lacking in humanity as the leaders of the West, much has been made of the alleged difference between Castro's economic reforms and the priorities of Communist planning. Hall and Fruchter, Saul Landau (an editor of Studies on the Left), and others have pointed out that Castro's initial reforms in land distribution, housing, rent control, education, and public recreation have been directed toward the immediate improvement and equalization of living standards, whereas the orthodox Communist practice is to stress heavy industry and capital accumulation at the expense of consumer goods, thus sacrificing the needs of the living to an economic development which will benefit only future generations. The claim that Castro stands for a new humanist socialism is largely based on this contrast with the Communist pattern of enforced industrialization.

But, as Castro's partisans are only too ready to remind us in connection with other matters, a revolution is a process, and its final achievements outrun and transcend both the aims of its makers and the tendencies present at the beginning. More than two decades of violent struggle within the Bolshevik leadership, the failures of Communist movements in the mature industrial societies of the West, and the expansion of Soviet power as a result of war into the less advanced areas of eastern Europe and Asia, intervened between the Russian revolution and the eventual emergence of communism as a technique for rapidly and ruthlessly industrializing backward societies. Have the new leftists forgotten Lenin's new economic policy of the early twenties with its slogan of "enrich yourselves" addressed to the peasants? May not Castro's humanist reforms look equally remote a decade from now if the Cuban revolution follows its present course? Even where doctrinaire Communist movements triumphed, in eastern Europe and China, the redistribution of land and other popular reforms raising living standards were initiated in the early years of their consolidation in power. It was not long, however, before the peasants were forced into state-controlled collective farms, armaments production took precedence over consumer goods, and heavy sacrifices were demanded for the sake of increasing the tempo of industrialization. Already the same process is repeating itself in Cuba. The maximum leader boasts that Cuba is becoming an armed camp, although the United States could destroy him in a few days if it so wished. And, according to Theodore Draper, the agricultural cooperatives so praised by Castro's American admirers are increasingly being overtaken by granjas or people's farms, closely modeled on the Soviets' sovkhos or state farm system. Since we are urged to take a long view when the question of democracy and freedom in Cuba is at issue, let us do the same for Cuban economic policies and methods of industrialization.

Justifications of the absence of democracy in Cuba are worth examining because the particular arguments employed are highly selective. Castro's new left supporters are concerned not just with defending or excusing Castro, but with expressing a positive faith, a mystique of the Cuban revolution, that goes far beyond mere apologetics. American opinion is accused of having an obsession about elections. The explanations offered for Castro's failure to hold elections are on the whole reasonable: the revolution has been unquestionably popular with a large majority of the Cuban people, and few revolutionary governments, including the one headed by George Washington, have held elections until considerable time elapsed after they came to power. It is also true that the United States is disposed to raise the issue of elections only with reference to dictators who threaten American interests or pursue an independent foreign policy: little fuss was made about Batista, Rhee, Chiang, or Franco (who was recently praised lavishly by Secretary of State Rusk). As David Riesman has remarked, "the word 'freedom' becomes truly Orwellian when we use it to support the landing of Batista officers on Cuban beaches."

Castro's apologists, however, by concentrating on the question of elections, conveniently avoid the more fundamental issues of civil liberties: freedom from arbitrary arrest, the right to a fair and open trial, freedom of the press, the right to maintain free trade unions independent of Government control. It is the suppression of these freedoms, not Castro's failure to hold elections or even to permit rival political parties to organize, which has alarmed such critics as Draper, Friedenberg, and the old antitotalitarians of the left. Nor do Castro's supporters confine themselves to justifying the temporary postponement of elections: Like Castro himself, they now argue that the Cuban people don't want elections, where they were often rigged in the past and were followed by corruption and betrayed promises. Why, then, one wonders, couldn't Castro, in whom the people are said to have such profound faith and who has transformed Cuban society, overcoming tremendous obstacles, hold an honest election, at least when the time seems ripe? But Castro's admirers do not hesitate to take the further step of sneering at elections as such; they frequently write scathingly not merely of past electoral shams in Cuba but of the lack of a real choice in the United States when the voter is asked to opt for a Nixon or a Kennedy. And it now becomes plain that the old Marxist theory of the hoax of bourgeois democracy is being revived in a new guise. Its function is the same as before—to extol economic democracy at the expense of formal political democracy, to minimize the destruction of civil rights and liberties by treating voting and parties as the sole content of Western political institutions, and, finally, to celebrate the superior direct democracy of the single leader, or cadre of leaders, who needs no institutional apparatus to mediate his interpretations of the will of the people.

In an intemperate letter to the Village Voice denouncing "many self-styled American liberals" as men of little faith, Richard Gibson, acting secretary of the Fair Play for Cuba Committee, gives the game away: "For these young men of the east frontier," he writes, "Fidel Castro, Sekou Touré, Kwame N'Krumah, and Dr. Ahmed Sukarno are only dictators, not liberators acclaimed by millions of men and women who see in them the truest expression of their aspirations for a decent life free of the shackles of a cruel and corrupt West." Perhaps it would be useless to remind Mr. Gibson that millions also acclaimed Hitler, Mussolini, and, in Latin America, Peron and Trujillo. Popular dictators are scarcely a novelty in this century. (Why, incidentally, does he omit Gamal Nasser from his list?) But one wonders why the dictatorial leaders of new underdeveloped nations represent the truest expression of popular aspirations for a better life. Are, say, Jawaharlal Nehru, Habib Bourguiba, the late Ramon Magsaysay, José Figueres, and Romulo Betancourt to be regraded as less authentic leaders of the revolution of rising expectations just because they are not dictators with totalitarian inclinations who have eliminated all real alternatives to their own direction of their nations' destinies? And is it pessimistic and defeatist of American liberals and radicals to believe that such men are more deserving of their support and more likely to achieve both economic progress and political liberty than authoritarian demagogs?

Many people have seen a parallel between the totalitarian outcome of the Russian revolution and the far faster movement in the same direction of the Castro regime. Some of Castro's new left supporters in the United States seem in an equally short time to have traveled from a fresh rebellious idealism, sorely needed after the confusions and timidities of the fifties, to a fascination with populist totalitarianism that is scarcely distinguishable from that of the latter-day Communist apologists of the late thirties and early forties. One is forced to be thankful that Castro leads only Cuba and not, as Stalin did, one of the great nations of the world.

ARAB BOYCOTT

Mr. ROOSEVELT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROOSEVELT. Mr. Speaker, a constituent of mine was recently made aware of and suffered from the Arab boycott. In the face of his well-documented case of discrimination, one of many such cases, and some of which you are already familiar with, it seems to me to be timely to introduce a bill to emphasize to the Arab world our opposition to the violation of one of the fundamental principles of the democratic way of life.

The problem of discrimination has gained increasing importance, and our intention must be made clear, not only that we shall uphold our stated principle of nondiscrimination against any American citizen by reason of his race, color, or religion, but intend such implementation as will positively show our opposition to such a policy.

I appreciate the difficulties that may arise with some currently friendly governments when announcement is made of such a course of action. Nevertheless, we must support our beliefs with our program.

To this end, I am today introducing a bill which proposes that we do not assist in any manner any transactions financed by U.S. grants, loans, or any other form of financial assistance in those countries where discrimination is practiced against American citizens.

SENIOR CITIZENS RECEIVING SOCIAL SECURITY PENSIONS

Mr. HOLLAND. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. HOLLAND. Mr. Speaker, again I ask the Members of this House to come

to the assistance of our senior citizens who are receiving social security pensions.

In my previous pleas to the Members I have been asking their support for legislation I cosponsored with Congressman Forand over the years but, since his retirement, have sponsored myself a bill to provide medical care for the aged under the social security system.

My pleas—as you know—did not receive favorable consideration.

Today, I ask the Members of this House to assure the passage of the King-Anderson bill when it is brought to the floor for our consideration.

This is the least we can do.

The King-Anderson bill provides only hospital care, nursing home care, home visits by Public Health nurses or therapists, and some diagnostic care.

There is little doubt that this legislation, sponsored by the administration, is a compromise and the American Medical Association should be clapping their hands, with glee, over their success in having been able to force many of us, and the administration, to exclude medical care in our program.

However, this is not the case.

The AMA—or those of it who direct the policy of that organization—has decided that our social security pensioners shall not receive any help whatsoever unless they accept it from the Department of Public Assistance and be classified the same as a "relief recipient."

This kind of help can be secured under the Kerr-Mills Act—and that is sufficient, says the AMA.

The reasoning of the Medical Association amazes me at times—and this is one of those times.

All of us have heard and read the charges by now that the Forand bill, the Holland bill—and now—the King-Anderson bill will insure the practice of socialized medicine in this country.

We have heard that under any of our proposed programs the elder citizen would lose that personal patient-physician relationship.

Yet those opposing the King-Anderson bill endorse and encourage the use of the provisions of the Kerr-Mills Act.

If the Kerr-Mills Act does not practice socialized medicine, I do not know what you might call it.

Applicants for care, under the Kerr-Mills Act, must apply to the county board of assistance and bring with them papers to prove their age, their residence, the amount of their income, the value of any property they might have. They must also have with them the names and addresses of their husband or wife, their sons and daughters, the amounts of their incomes, the approximate amount of their expenses, and their dependents—grandchildren, if you please.

In Pennsylvania, as in other States, we have a law that requires "your husband or wife, living apart from you, your sons and your daughters to be responsible for your medical care." If such persons say they cannot afford to do so then the applicant is required to go to court and the decision of that court is honored.

For the sake of argument, let us say a pensioner is declared eligible.

He can have his own doctor—but his costs are not covered by this bill—and he can be admitted to the hospital for necessary care—just as a relief recipient. However, after the State department of public welfare pays the hospital for his care, the State then places a lien against his property for the amount of money it "loaned" him for hospitalization, medicines, and medical care while in the hospital.

Or, the applicant can go directly to the hospital and be admitted through the clinic, as are relief recipients, and receive the advice of the doctor on duty at that time. There will be no doctor bills then for the applicant to pay himself, but this will go into the total amount that will be "loaned" to him by the State and for which he will receive a lien against his property.

I cannot say there is much personal patient-physician relationship here.

Still we hear—from the great defenders of personal contact—that the Kerr-Mills Act is the ideal program for our pensioners.

What hypocrites we have among us.

Another point I would like to bring up—and this, too, is shouted from the housetops.

We hear that millions of our elder citizens will be cared for under this act.

This program, I would like to emphasize, is a voluntary Federal-State project.

Up to date, only 18 States have volunteered to enter it.

I cannot say we have such wide coverage for those of our people over 65.

My State of Pennsylvania was the 18th and our estimated cost for the fiscal year, ending June 1963, will be $12 million. The Federal Government will pay approximately $10 million. What will happen, under this act, is that our State and Federal taxes will go up, for in Pennsylvania certain individual counties maintained institutions to care for the aged—these costs now go into the Kerr-Mills program—the counties are relieved of paying, but taxes—local ones—are not reduced because few counties are existing on balanced budgets today. The result is a general increase of taxes for everyone.

The most important feature in the Kerr-Mills Act I have left for the last.

That is the inhuman treatment, or the degrading experience, we afford our pensioners.

Have you Members ever stopped to consider who the people are who receive social security pensions and what sort of people they might be?

I would be glad to wager that 95 percent of our pensioners were industrious, diligent, self-sacrificing and hard-working citizens.

These people struggled to earn a living, raise and educate their families, and buy a small home during their productive years with the hope that they would have a roof over their heads and a place in which they could spend together their declining years. They had contributed, during those years, to the social security program fully expecting the pension, they would receive, to be sufficient to pay their taxes, their utilities, the food and their clothing—and possibly a few extras which they might find necessary.

These are people who—never in their life—accepted charity nor expected to have to look to charity for help.

These are people who—by their sweat, blood and tears—helped our Nation grow into the position we now hold as the leader in the world.

We, the wealthiest Nation in the world, are now telling our elder citizens who made us what we are today, if they need help get it from the department of public assistance; if they need help, go on relief; if they need help, join the ranks of the indigent who contributed nothing to this Nation.

I think our pensioners deserve respect and I feel they should be permitted to retain their well-earned dignity.

Under the King-Anderson bill, our present pensioners could receive much needed hospitalization, nursing home care, home nursing visits and diagnostic services and be treated with the dignity they should have.

The cost of this care would be covered by the increased contributions into the social security system of those now employed and by the employers—many of whom are enjoying their present position because of physical and mental contributions made by the pensioners during their working years.

Their contributions would adequately cover the cost of such care and when they reached their retirement age, this care would be available for them.

The cost of this program: Approximately $1 a month for each person under the social security system now employed and $1 a month for each employee by the employer.

With profits and personal income at their highest in history I do not think either employee or employer would object.

The AMA—with all honesty—cannot object to this bill, for there is no place in it that refers to physicians or surgeons.

The personal patient-physician relationship has been maintained.

The bill provides hospital care, but the patient must pay $10 per day for the first 9 days. That means $90 at least it will cost the patient. And, it has been said, the average stay in the hospital is 9 days.

Nursing home care is provided—without additional cost—180 days.

Home visits of public health nurses are provided—without additional cost—240 visits.

Diagnostic services in outpatient hospital clinics are provided—but the patient must pay the first $20 of the charges.

I do not believe the hospitals need to worry about a sudden influx of patients, should the King-Anderson bill pass. According to a survey I made of the pensioners living in my congressional district, I know of none who have $90 or

even $20 extra to throw away for needless care. And, I do not believe the doctors of the Nation will recommend needless hospitalization—for we all know that, except in emergencies, admission to a hospital cannot be secured without the authorization of need by your own doctor.

With the King-Anderson bill written as it is, there is no valid objection that can be raised by the American Medical Association, the Hospital Association, the chamber of commerce, the National Association of Manufacturers.

These organizations have a record of opposing anything and everything that might benefit the average citizen—old and young.

However, once legislation has been passed it is amazing how they all manage to work, live and flourish under the new laws.

We will find this to be true in this case too.

Again I plead with the Members of Congress to pass the King-Anderson bill and give our pensioners the care they so badly need.

AT THE ROOTS: THE STATE AND THE PEOPLE

Mr. RHODES of Arizona. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. RHODES of Arizona. Mr. Speaker, from a common beginning, realization that overly centralized government can lead to an overly controlled society, "The Liberal Papers" and the Republican policy committee papers move quickly apart in emphasis. On the liberal side there is concentration on government to improve the lot of the underprivileged and secure social justice. On the conservative side there is concentration on traditions, resistance to government, and calls for primary responsibility and accountability at individual and local levels. Material for "The Liberal Papers" in this area was prepared by David Riesman, Harvard professor of social science, and Michael Maccoby, U.S. Public Health research fellow engaged in a social study of a Mexican village. The Republican position paper in this area was by William Y. Elliott, Harvard professor of government:

LIBERAL

American liberalism seeks to combine the historical liberal attitude, which attributes primary value to individual freedom, with the progressive attitude, which is aware of imperfections in any status quo and is always ready to initiate reforms.

In its first aspect, liberalism is opposed to governmentalization—as Jefferson said, "the less government the better"—in its second aspect, liberalism is opposed to conservatism and committed to progress in the spirit of Franklin D. Roosevelt's New Deal.

The American liberal wants to protect the individual from Government impositions, thus looking critically at proposals for Government intervention in business, religion, opinion, and association; but he also wants to improve the situation of the underprivileged, to increase the opportunities for self-realization by all, and to advance social justice and the achievement of social values, thus looking critically at opponents of all social and economic legislation, national or international.

Liberal doesn't fear Government action

The liberal is ready to consider Government action designed to regulate business in the public interest and to open resources to promote public welfare; to provide security for the sick, aged, and unemployed; and to promote equality of opportunity for all by programs of education, economic development, and employment.

The liberal appreciates that this agenda of liberalism, if pushed too far, may result in excessive governmentalization, which will defeat the first aspect of liberalism.

On the other hand, excessive regard for freedom of enterprise, freedom of contract, freedom from taxation, even freedom of speech and association may result in the failure of society to adapt itself to new conditions, to utilize the opportunities presented by technological progress, and to prevent the subversion of liberal values by the propaganda or infiltration of minority agencies.

Liberalism must, therefore, continually seek a balance between the protection of individual freedom from the Government and the need of reform requiring action and appropriation by the Government.

CONSERVATIVE

The ant heap is not humanity's destiny.

The American tradition is a restless, questing tradition, which has the weakness perhaps of being always on the move and looking for new things, sometimes without digesting and settling down in the old: Main Street lies right down the middle of the town, with houses on each side. It marches through and marches on and the people are always on the move. This is disrupting in some ways. Yet it has advantages; it "mixes" us all up in the process so that there are no castes.

But it is a little extreme to compare us to a melting pot or a mixing bowl, or something that shakes us up, that whips us in, and maybe homogenizes us, or sifts us into the sameness of soft flour. We resist this atomizing by our sound habit of protecting the individual and keeping his own richness and flavor.

The great traditions of any society are carried in people who have their roots deep down in home ground, rooted in the unconscious behavior and social heritage of the past as well as the projection into the future.

Conservative looks to the traditional

If we do not want to be windblown by all the passing doctrines, we have to have security in our own background, in our institutions, and in the models that have been set for us—the old men and the old women we have known who have set a model like that—our parents, our friends, our community, our neighborhood, and traditions.

What is considered right is done because in some ways it has been proved to be a good thing for a long time. We are a conservative people, in the best sense, innovating to preserve old values, tested truths, to meet new times.

The free society is being tested by trends in both science and government toward amalgamation into large, more complex systems. But excellence in both derives not from monolithic but from decentralized organization. From outer space to the hometown, America's challenge is to produce scientific creativity and local government responsibility without overreliance upon central support and authority.

WEST'S HISTORIC MISSION: REALISM AND IDEALISM

Throughout the Liberal Papers and the Republican position papers there is constant difference between accepting the world as it is and working for its steady, if slow, improvement—conservative—or rejecting "traditional" reality in favor of actually remaking the world in a better mold—liberal. The tenor of the differences is sounded clearly in these excerpts. Material for the Liberal Papers was prepared in this area by James Warburg, author of "United States in a Changing World," "The West in Crisis," and the other works. The material for the Republican position papers was prepared by Gerhart Niemeyer, of Notre Dame, Paul Peeters, of Iona College, and William Y. Elliott, of Harvard:

LIBERAL

U.S. propaganda coveys an inaccurate impression of what we are. It portrays the United States as an extremely rich country with a government which stands benevolently aside, leaving all planning and all decision to a free-enterprise economy. This picture is not only one with which other people cannot possibly identify themselves; it is also untrue.

It is untrue because the cardinal principle of the great unfinished American experiment in freedom is that which was voiced by Abraham Lincoln, when he said: "The function of government is to do for the people that which needs to be done but which they cannot do for themselves at all or do equally well."

It is on the basis of this principle that our government regulates, stimulates, and protects agriculture, industry, labor, and the public services.

Republicans slow tempo of progress

The principle which Lincoln enunciated has been the dynamic of the American society ever since the Nation was founded, even though in recent years the tempo of progress under it has been slowed down by a Republican administration which suffers from myopic vision and addiction to obsolete economic theory.

This—a Nation conducting a great unfinished experiment in freedom through the cooperation of a people with its government—is what we are; and with this picture of the United States peoples throughout the world could in the past identify their own hopes and aspirations.

To be against change is to be against the hopes and longings of mankind.

Communist appeal identified with change

The appeal of communism is that it has identified itself with change. The fact that communism, once adopted, denies change is not evident to those who have not yet lived under its dominion.

For us to present ourselves as merely being against communism, and not as being, above all, the protagonists of a continuous flow of revolutionary change, is to commit psychological suicide.

To this end we believe that honest self-criticism is better propaganda than criticism of an adversary; that openly expressed interest in other people's ideas and experiments is better propaganda than glorification of achievements.

CONSERVATIVE

There is much room, indeed, for intelligent debate and for self-criticism. At no time

of our history was it more necessary to stress that an informed public opinion is essential to the conduct of government in a modern, pluralistic society.

All political philosophers have stressed, however, that injustice begins with meddling. There is no validity in the notion that systematic criticism is a sign of democratic validity. It is a sign of the moral decadence of a free country.

As a people, we have a pernicious inclination for abstractions, particularly those abstractions that put obstacles in the way of moral progress.

Communist view: West half dead

The Communist view of history has been allowed a virtual monopoly in the modern world. According to that view, we represent the (already half dead) past and the Communists, together with the colonial peoples, the budding and hopeful future. We must restore to the Western World a sense of historic reality. To this end, we must place the Soviet power itself into the perspective of history and begin publicly to envisage a world that has been delivered from the Soviet threat. We must begin to speak of a future beyond communism, of things as they would be when Communists have been toppled from their dictatorial seats of power, of the pursuit of true happiness which Emerson rightly said was achieved by finding and following principles.

Character cannot be had without risks, hardship, and suffering, as we can observe from a great deal of human history which is difficult to refute. Men decay as men when the going gets so soft that there is no challenge.

Whatever else may be said of us, no one will deny that our values are profoundly religious ones, a fact which accounts for one characteristic in our behaviors which is extremely important: It stresses charity or loving kindness in the full Christian sense. It stresses also the concept of duty to offset the idea of rights. And to the degree that we have lost that conception of duty as a balance we have been false to our own tradition. We lose one of the great elements in American character when we stress only a philosophy of "rights."

ECONOMIC DIRECTIONS: MORE GOVERNMENT OR LESS

Inasmuch as "The Liberal Papers" and the Republican position papers are basically philosophical rather than specific political campaign ammunition, their treatment of economic issues is inferential rather than head on. On the liberal side there is confident assurance that the great tool of Government can be the reliable key lever in solving such economic problems as that which eventual disarmament might bring. On the conservative side, there is equal confidence that private energies can and should do the job. Material for "The Liberal Papers" in this area was prepared by Emile Benoit, professor in the graduate school of business at Columbia. Material for the Republican position papers was prepared by John Stambaugh, vice chancellor of Vanderbilt University, and Don Paarlberg, special assistant to President Eisenhower on economic affairs:

LIBERAL

To preserve or replace the more dynamic effects of the defense program is a challenge to initiative, imagination, and the spirit of adventure.

A solid part of any defense savings should be earmarked for expanding higher education and research, especially in the training of scientists and engineers and for subsidies to teaching and research in these fields. This might even lead to the creation of a new "Department of Higher Education and Research."

A further portion of the savings should be earmarked for the rapid development of promising new processes and products, including the building of pilot plants—possibly by endowing public Research and Development Institutes.

Another promising move would be to earmark a part of defense savings to set up productivity centers in this country such as the United States has successfully promoted and underwritten in Europe, and for area and regional development plans for our own underdeveloped or permanently depressed areas. * * *

Fundamental difficulty arises out of congressional and public attitudes toward national debt. * * * About a third of total debt is now public debt. Attempts to reduce this part of the debt structure throw an additional burden on private debt formation * * * since the public debt is now such an important part of the total, attempts to remove it could have a profoundly unsettling effect. * * *

CONSERVATIVE

The Federal Government cannot long force a high rate of economic growth upon us unless basically the people want it. And if we want it, which we should, there are many ways to bring it about besides making it the sole responsibility of the Federal Government.

The business community can enhance economic growth by adopting new techniques, by more competitive pricing and by a more open stance with respect to the entry of new firms.

Labor can promote economic growth by accepting the consequences of technological change and by accepting the responsibilities as well as the benefits of size and power.

The Federal Government can help provide a climate within which enterprise and economic growth can flourish. * * * But the Federal Government cannot, singlehanded, take responsibility for producing a specified rate of economic growth.

The simple fact is that for every dollar of Federal aid, the citizen who believes in State sovereignty forfeits a dollar's worth of States rights. It is entirely logical that Federal control follows Federal funds.

Among our citizens an attitude of dependency on Washington has developed. This trend toward "Let Uncle Sam do it" argues in effect that only Federal bureaucrats and their intellectual associates are wise enough to tell us how we attain "life, liberty, and the pursuit of happiness."

TWO PATHS TO PEACE: MASSIVE GAMBLE VERSUS NATIONAL POWER

Perhaps the most radical departure from existing policies advocated in the liberal papers is in a suggestion for "reciprocal initiative" prepared by Charles Osgood, University of Illinois professor of psychology and director of the Institute of Communications Research. Professor Osgood's thesis is that farsighted unilateral action toward peace by the United States could be accompanied and placed by expectations of equal reciprocal action by the Soviet. The excerpt presented here is an actual timetable of how such actions might proceed. The other side of the picture is from the summary statement of the Republican position papers and from a paper prepared by Robert Neumann, director, Institute of International and Foreign Studies, University of California:

LIBERAL

May 1: We announce that, as of May 15, all discriminatory trade and travel restrictions with respect to Communist China will be lifted.

May 20: We announce a unilateral test ban that will be continued indefinitely and invite reciprocal announcement from Russia, England, and France.

June 1: We announce that at the next convening of the General Assembly of the U.N. (June 20) we will move the seating of Communist China.

June 15: We announce that, as of July 15, one of our oversea bases in Japan will be publicly denuclearized, and we invite U.N. and Russian inspection; reciprocation is invited but left open ended.

August 1: We announce that, as of next September, student exchanges will be offered in proportion to the populations of the countries involved; reciprocation is invited generally. We announce that, as of August 20, the DEW line (early warning system) will be made bidirectional (warning of our flights toward Russia as well as vice versa), and we invite the Soviets to "plug in."

August 15: We announce that, with agreements from some of the major mass media, beginning September 1, material on contemporary world affairs prepared by Russian sources may appear on Sundays in special newspaper sections and certain TV and radio programs without censure; reciprocation in kind invited.

September 1: We announce that, as of January 1, we will be prepared to have all launchings of flights into outer space supervised by a new agency of the U.N. which we propose be established.

September 15: We announce that, as of October 15, the islands of Quemoy and Matsu will be publicly demilitarized and turned over to proper authorities from the mainland, and clear statements about the unchanged status of Taiwan are made.

November 20: We announce that, as of the next meeting of the U.N. (December 1), we will move the substitution of Communist China for Nationalist China on the Security Council—reciprocation in the form of recognition of Taiwan as a soverign country with representation in the General Assembly requested; we announce that, as of February 1, we will open this country unilaterally to inspection and monitoring by authorized U.N. teams, as further evidence that we have no intention of surprise attack—reciprocation in kind is invited from all countries.

CONSERVATIVE

History abounds with examples of nations forced both to fight and surrender because of failure to convince an enemy that it will not only live for its ideals, but is prepared to die for them.

No way has been shown to disengage from this responsibility without also disengaging from freedom.

Nations cannot drift into peace. They can only drift into war. Thus, the national responsibility is to unite in purpose, no matter how divided as to technique. Criticism within such a framework of purpose can be constructive. Criticism oblivious of such purpose can only be destructive.

It is the heavy responsibility of criticism in a republic that it be accompanied by clear and specific alternatives.

It is the responsibility of citizens in a republic to constantly demand this criticism of clear alternatives and to reject those appeals which are simply to disunity, discontent, and discord. The philosopher Ortega y

Gasset has noted that the fall of Rome began when discord outweighed concord.

The decisive battles of history which dramatize the death of nations after centuries of life came as a result and not as the cause of decline and decadence.

National character is the key element of national power.

"Survival only" is unacceptable as the objective of American strength and strategy. Liberty, justice, and open societies are the only goals worthy of our heritage, and these are promoted by the rule of law, by a stable world, and by independent, internally healthy republics.

Since 1953, national policy has renounced any defensive method of meeting aggression on the terms of the aggressor, has embraced a diplomacy of firmness which has deterred a Soviet adventure in Berlin, invasion of Formosa, reinvasion of Korea, and Soviet takeover in the Middle East.

But whether we like it or not, we cannot afford to lose sight of an unpleasant, but nevertheless very real fact; that the uneasy peace of our time, the fact that despite all tension and provocation, full-fledged war is not likely to break out, is primarily due to this balance of terror which has made it very unsafe for an aggressor to unleash atomic war. If, by the same token, disarmament were to be undertaken in such a way as to gravely upset this balance, it would immeasurably increase the fearful danger of war.

TO FORGE A SHIELD OR BEGIN TO DROP IT?

The purpose and nature of alliances and diplomatic recognition in the cold war is a key issue. Material for "The Liberal Papers" was prepared by H. Stuart Hughes, Harvard professor of history. The Republican position papers quoted from were by Representative Craig Hosmer, of California; Arthur Peterson, University of Wisconsin; and Gerhart Niemeyer, of Notre Dame:

LIBERAL

A neutralist or partially demilitarized Germany under Social Democratic leadership would be much more reassuring.

We believe that the time has come when the United States should liberalize its restrictive trade policy vis-a-vis the Soviet Union.

Even if it is by no means certain that the Peiping regime would welcome the establishment of diplomatic relations with the United States, this should not stand in the way of our making the attempt to open the channels of negotiation.

CONSERVATIVE

It must be established at the outset that men do not fight because they have arms. Rather they have arms because they find it necessary to fight.

At all times we must proceed on the premise that any disequilibrium in total military power vis-a-vis the Soviet Union might prove fatal to the free world.

Our defensive will must be guarded by a continued effort to recognize the Soviet threat for what it is, and to beware of all temptations to enter into a summit agreement that would in fact amount to a peaceful acceptance of the Soviet Empire.

HEALTH CARE FOR THE AGED

The SPEAKER. Under previous order of the House, the gentleman from Missouri [Mr. CURTIS] is recognized for 90 minutes.

Mr. CURTIS of Missouri. Mr. Speaker, in view of the lateness of the hour, I ask unanimous consent that on Monday next, after the legislative business and other special orders previously entered, I be allowed to address the House for 90 minutes, to discuss the subject I was going to discuss today, which is health care for the aged, in answer to the remarks on that subject made by the gentleman from California [Mr. KING].

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. DINGELL. Mr. Speaker, will the gentleman yield for a unanimous-consent request?

Mr. CURTIS of Missouri. I yield to the gentleman from Michigan.

Mr. DINGELL. Mr. Speaker, I ask unanimous consent that, following the legislative business and other special orders previously entered, I be permitted to address the House for 1 hour on Monday next, immediately following the distinguished gentleman from Missouri [Mr. CURTIS].

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

THE LIBERAL PROJECT

Mr. ARENDS. Mr. Speaker, will the gentleman yield?

Mr. CURTIS of Missouri. I yield to the gentleman from Illinois.

Mr. ARENDS. Mr. Speaker, tomorrow a paperback edition entitled "The Liberal Papers" will be published by Doubleday. The 12 essays on foreign policy contained therein are selections prepared by scholars, scientists, and so-called foreign policy experts at the direction of a group of House Democrats calling themselves the liberal project. While only 12 Congressmen held active membership in this project, 23 other Democratic Congressmen were "close to the liberal project" and constituted a group which the study refers to as "far to the left."

Granted that these members are not responsible to or leaders of either the Kennedy administration or the House Democratic leadership. However, three are currently in Government service, two in the Agency for International Development and one with the Department of the Interior. The staff director of this study, formerly on the staff of the chairman of the liberal project, is currently on the special staff of the National Security Council. He played "a leading role in the development of the project." One of the study paper authors has been a consultant to the Institute of Defense Analysis when it worked for the State Department's Disarmament Administration on Project Vulcan. Another is on the staff of the Rand Corp. which carries on a good deal of Government contract work.

It has been truly written that "by their fruits ye shall know them." While attempts have been made to paint the Republican Party as an adjunct of the John Birch Society, it appears that there is both thunder and lightning on the left. In order that the American people might know some of the ideas our more liberal Democrats today profess in the vital area of American foreign policy, various Members will today take the floor to sketch excerpts from the portion of this book which most reveals views which most Americans would find either naive or dangerous to our security. They are held by persons to whom an influential segment of the Democratic Party looks for guidance in the field of foreign policy.

Caesar had his Brutus and Charles the First his Cromwell. It now appears that the leaders of our executive and legislative branches of Government should profit by their example and repudiate those in their midst who would advocate suicide on the installment plan.

Mr. Speaker, I ask unanimous consent that my colleague, the gentleman from Illinois [Mr. DERWINSKI] may insert his remarks following my remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, in joining in the criticism of the "Liberal Papers," to be published tomorrow, I would like to elaborate on the ideas held by Mr. Arthur Waskow, who visualizes the theory and practice of deterrence as something completely unlike any policies designed to insure free world supremacy in the cold war. He wishes that we would take Soviet disarmament proposals seriously long enough to find out whether they mean them, and also feels that atomic testing is not vital to American security because it involves only a marginal addition to firepower.

The papers continue in the same vein. Vera Dean warns us not to refuse aid to Communist countries if aid is requested. Professor Whiting, of Rand, writes off the murder of Indian border guards by Chinese Communist troops as "incidents," and feels in essence that Red China evolved strength because of an alleged United States-Japanese rapprochement against her in 1949–50. Professor Hughes feels that the prime problem of our policies depends on assumptions that have long outlived their usefulness as, he implies, have such statesmen as Adenauer, De Gaulle, and Macmillan. Small wonder our administration continues to berate and lose our former European allies right and left. Dangerous signs that these basic policies are being accepted by the administration are evident to us.

Further, Professor Hughes favors a drastic reduction of our military policies in Europe; curtailment of nuclear aspirations of our allies; and encouragement of a "disengaged zone or zones," in Europe. He favors, as does Warburg, the Rapacki plan—a Soviet plan using a satellite spokesman as a front—as "a realistic alternative to the liberation of east central Europe about which Republican politicians have talked so much and done so little." He wants us to begin right now to close down missile and

Polaris bases throughout Europe and the United Kingdom, and to pave the way for the defense of Western Europe "through conventional weapons alone."

Mr. Speaker, I call upon the responsible Democratic leaders of this body and responsible members of the Kennedy administration to repudiate the irresponsible set of concepts above which have been advocated in this study and accepted by some Members of this body. We, on the Republican side of the aisle, must make this a major campaign issue and must alert the American people to this design for destruction.

If these impractical theorists have the degree of influence they claim over present State Department policies and over the President, our position will indeed be precarious. Now is the time for the Kennedy administration to shake off its dangerous left advisers and chart a course compatible to previously successful U.S. diplomatic and military policies.

Mr. WIDNALL. Mr. Speaker, will the gentleman yield?

Mr. CURTIS of Missouri. I yield to the gentleman from New Jersey.

Mr. WIDNALL. Mr. Speaker, one of the more dangerous and native writings in the "Liberal Papers" previously referred to was written by Professor Osgood, who reliable sources indicate was under consideration as a consultant by the Disarmament Agency. He feels that the cold war is really nothing more than a misunderstanding, and that we must take certain unilateral actions in our future foreign policy even though "an opponent may or may not reciprocate in any particular instance." Professor Osgood's program for so-called relaxation of tensions, a sort of ROT program, is as follows: First, make public all medical information concerning man in space; second, set up a unilateral test ban indefinitely; third, remove all discriminatory trade and travel restrictions with Red China; fourth, move the seating of Red China in the U.N.; fifth, invite the Soviets to plug in on the distant early warning line, which will be made bidirectional; sixth, reduce NATO forces in West Germany; seventh, have outer space flights supervised by a new U.N. agency; and, eighth, publicly denuclearize one of our oversea bases in Japan.

Other suggestions are made by Professor Osgood, who believes that "there is nothing more Communist about Castro Cuba than there is democratic about Franco Spain." He hopes his policies will work, but admits a possibility exists that Russia would interpret them as a sign of weakness and thus be encouraged to encroach further on the free world. He admits that we would be brought close to the brink of destruction by these policies, but yet has been active in the preparation of a State Department report on "Arms Control and a Stable Military Environment." The question is, Stable for whom?

Mr. Speaker, this as an example of the shoddy, naive and downright dangerous suggestions and recommendations made by these "liberal" scholars and accepted, supported and even published by Members of this body. The gentleman from California [Mr. ROOSEVELT] edited and wrote the introduction for this edition. The gentleman from Wisconsin [Mr. KASTENMEIER] chaired the group, which included former Representative Wolf—now with AID in Brazil; former Representative Johnson of Colorado, now with AID in the Bureau of Latin American Affairs; and former Representative Meyer, now a consultant to the Department of the Interior as well as a senatorial candidate from Vermont. Two other defeated Congressmen, Representatives Kasem, of California, and Porter, of Oregon, are now seeking once more election to the House. Thunder from the left? Of course. But the gathering storm threatens to cast destruction upon the entire Democratic Party, the administration and the Nation unless responsible members of the opposition rebel against these tactics and views on foreign policy.

Mr. ALGER. Mr. Speaker, will the gentleman yield?

Mr. CURTIS of Missouri. I yield to the gentleman from Texas.

Mr. ALGER. Mr. Speaker, previous speakers have alluded to the "Liberal Papers," which will be published tomorrow. They continue the idolatry with which certain liberals regard verbal abstractions such as "peace," "law," and "disarmament." They continue the hallucinations of a single-world-order approach and ignore the jagged truths of interest and power and struggle. They lose all understanding of what is needed for survival and victory.

Let us examine some of the essays in this publication. One, for example, is written by Riesman and Maccoby, and holds that "as the cold war continues, it becomes increasingly difficult for decent Americans, humane enough to prefer peace to an egocentric national honor, to be outspokenly and genuinely anti-Communist." They contrast our supposed hysteria about communism to the British, whom they envy because of the ease with which they can discuss alternatives to nuclear war, ranging from unilateral disarmament to diplomatic maneuvers "aimed at easing particular points of tension in the cold war."

The next author, Mr. Warburg, continues along the same tack in a supposed "reexamination of American foreign policy." He claims that our alliance with Chiang Kai-shek is an element of weakness, and decries former President Eisenhower's dependence on the Pentagon, the Treasury and the Bureau of the Budget. He pleads for disarmament under world law, which of course would require to his mind a change in our policies with respect to Red China, Outer Mongolia and the presently divided nations of Germany, Korea, and Vietnam. Nowhere in this study is Red China referred to as anything other than the People's Republic of China.

Warburg states that "from the Western point of view, West Berlin is of no particular value." He favors reunification of Germany at the price of its military neutralization. He feels that we should recognize that "withdrawing from Europe and liquidation of our bases is what we eventually want to do." He favors withdrawal of our opposition to Red China's admission to the U.N. and liberalization of our "restrictive trade policy vis-a-vis the Soviet Union."

Mr. Speaker, America's strength and purpose could well be ended for all time by pronouncements such as these. I only trust that the American people are not as naive as several of their elected representatives have been by being taken in by writing of this nature.

Mr. LAIRD. Mr. Speaker, will the gentleman yield?

Mr. CURTIS of Missouri. I yield to the gentleman from Wisconsin.

Mr. LAIRD. Mr. Speaker, continuing with the critical analysis of "The Liberal Papers," I would like to join my colleagues in examining Prof. Quincy Wright's ideas for strengthening the United Nations. He feels that "the worse the behavior of a state the more important that it be a member of the United Nations." He urges "recognition by the United States and admission to the U.N. of Red China, both Germanys, both Koreas and both Vietnams. Self-determination for Taiwan and Berlin and incorporation in mainland China of the offshore islands of Matsu and Quemoy should be provided for, and the way should be left open for eventual union of the now divided states by negotiation between their governments." Perhaps this would strengthen the United Nations, but at whose expense?

Mr. Speaker, the gentlemen responsible for this study may strongly believe in the points it advocates. However, most Members of this body, I trust, join me in opposition to concepts urging, first, unilateral disarmament; second, recognition of Red China and her admission to the U.N.; third, abandonment of West Germany; fourth, unilateral abandonment of atomic testing; fifth, reliance on conventional weapons alone; sixth, increased trading with the enemy; seventh, increased negotiation with the enemy with no adequate preparation; eighth, sharing military secrets with the enemy; ninth, abandoning the hopes of the captive nations; and, tenth, a naive view of Red Chinese as mere agrarian reformers and of the Russian Communists as friendly coexistors, leading to a policy of mere release of tensions throughout the world at any cost to our economic and military security.

Mr. Speaker, I cannot believe that more than a handful of my colleagues feels that the cold war is a misunderstanding. I cannot believe that many share the views of these authors that we are better Red than dead. We can remain alive, and we can remain free. But in this life-or-death struggle there is no room for shyness about our determination to survive regardless of the ambitions of other states. The American people, and their leaders in Government, must rid themselves of bad conscience about the requirements of survival and victory in the cold war and find anew

the confidence to assert American and free-world supremacy.

Mr. Speaker, many of my colleagues have taken the floor today to protest against the schemes of those so-called experts who wrote the papers to be published tomorrow on behalf of the liberal project. We Republicans in the House have a special interest in this technique, since within a month's time the House Republican policy committee's subcommittee on special projects will present on the floor of this House a study on "American Foreign Policy and Free World Supremacy."

It will become a public document and will rely on background study papers by over 50 academic and professional experts on foreign policy. Several of our Members will stand before their colleagues and factually spell out positive recommendations for an effective and practical foreign policy for all Americans. While the contributing experts range from one extreme to the other in philosophy, background, and policy suggestions, we have rejected the impractical and culled the best ideas, criticisms, and proposals from these study papers. We have not accepted willy-nilly every idea, regardless of its effect on the capabilities of the free world in its present struggle against communism. As we did in "American Strategy and Strength" 2 years ago, we will enunciate policies designed to strengthen and not hobble America.

In contrast, the study foisted upon the American public by the leaders of the liberal Democratic Party contains policies which will cause the four horsemen of famine, war, pestilence, and death to once more visit America and the world, if they are adopted. The famine of positive policies in the administration will continue. The pestilence visited upon us by an enemy sworn to bury us will result. The war of a strong enemy against a weakened and divided free world may ensue. And the death of freedom as we know it today could well be the end result.

The papers have been written and the American people can well recognize that their ideas are crippling to the cause of the free world. They represent the combined judgment of a good proportion of our Democratic membership. They were written and approved by various persons now in or close to the administration. If the Democratic Party is to be taken over or has been taken over by appeasers of this ilk, it is well nigh time that the American people be informed so that in the all-important congressional elections of 1962 the party of responsibility in foreign as well as in domestic policies may properly replace them.

We believe that this open, frank type of discussion is important to the two-party system, and we feel that operating through our policy committee we can give the American people a real insight into the basic principles and objects of our Republican Party.

Mr. DINGELL. Mr. Speaker, will the gentleman yield?

Mr. CURTIS of Missouri. I yield.

Mr. DINGELL. Mr. Speaker, I want to commend the gentleman from Wisconsin for his comment. I want to say that the purpose he is serving here today and the purpose that my Republican colleagues are serving in making this information available to the House of Representatives and the public is very valuable. I commend the gentleman in view of the fact that the last time the Republicans in the House of Representatives did this, most of them got beat; and I want to say that is the greatest public service that Members who participated in that particular operation performed for the Congress and for the people of the United States.

Mr. LAIRD. Mr. Speaker, will the gentleman yield?

Mr. CURTIS of Missouri. I yield.

Mr. LAIRD. I would just like to say to the gentleman that I do not believe his remarks are borne out by the facts. He will find that not a single one of the Members who took part in that study of American strategy was defeated; on the contrary he will find that the majority of them increased their margin of support.

Let me further point out that the minority gained 22 seats in the House of Representatives. We are proud of these policy studies that are carried out by the Republican policy committee. I believe that the remarks the gentleman made are certainly out of order.

Mr. BERRY. Mr. Speaker, will the gentleman yield?

Mr. CURTIS of Missouri. I yield.

Mr. BERRY. Mr. Speaker, if fighting Communists defeats any Member we are not afraid of them on this side; maybe they are on the other side.

Mr. CURTIS of Missouri. Mr. Speaker, I think this is a healthy discussion and debate, and I hope that those Members who do not have the opportunity of hearing these papers will take the opportunity of reading them and so advance the debate in that fashion.

Mr. HAYS. Mr. Speaker, will the gentleman yield?

Mr. CURTIS of Missouri. I yield.

Mr. HAYS. I would just like to say to the gentleman who was interested in fighting communism that in my opinion each one of us who fights down here in the well by doing a lot of talking are not doing any effective fighting like some of us do back in the precincts.

Mr. CURTIS of Missouri. I do not know that that was a contribution to the debate.

Mr. Speaker, I yield back the balance of my time.

MEDICAL CARE FOR THE AGED

Mr. COHELAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. COHELAN. Mr. Speaker, I think we all recognize that there is room for an honest difference of views in respect to some of the considerations underlying the administration's proposal to provide health insurance for the aged through the social security system. But, Mr. Speaker, when I hear this proposal subjected to the irresponsible charge that it would impair the quality of medical care of our older people—and eventually for people of all ages—I am impelled to rise to answer that charge.

I am very much concerned about the quality of medical care provided to the people of this country and I believe that every Member of this body has the same concern. None of us would support any measure that would impair the quality of medical care. Therefore, I have been spending some time investigating this proposal. I have carefully read the statements of those who testified—both for and against the bill—when the Ways and Means Committee held public hearings last summer and I have talked with a number of these people.

Mr. Speaker, I am convinced that the proposed health insurance plan would actually improve the quality of medical care. Those who repeat the allegation that the administration's proposal would somehow lower the quality of medical care are quite vague when it comes to specifics. They usually start off by bragging that this country has by far the best medical care in the world. Is this really so? Is the medical care available in this country of such unimpeachably high quality that we can boast about it and even go so far as to be complacent and not seek for improvement? I do not believe so. I do not mean to say that good medical care is not available in this country—certainly some of the best doctors, medical training facilities, and hospitals in the world are located here, but it does not take much comparison of vital statistics to reveal that there are some shortcomings.

Two indications of the quality of care are life expectancy at birth and the infant mortality rate. Unfortunately, in these two basic criteria our country does not stand as high in comparison with other countries in the world as many believe and all would hope. In nine countries for example, a smaller proportion of live-born infants die before they reach age 1 than is true in the United States. Within our own country the infant mortality rates are not by any means uniform for all Americans. One good example of this lack of uniformity is that about twice as high a proportion of Negro babies as white babies fail to live as long as 1 year. As to the second basic criteria—life expectancy at birth—I regret to say that there too we are not the leader. In at least six countries, life expectancy at birth is longer than in the United States.

There are other indications of the kind of care available that could stand a bit of scrutiny. It is no secret that few nursing homes are capable of providing health care of even minimum acceptable quality. According to the State agencies responsible under the Hill-Burton Act for conducting annual inventories of medical facilities, 4 out of every 10 nursing home beds are unacceptable because

of fire or health hazards. A much higher proportion of the nursing home beds would fail to meet even minimal requirements for quality of care if such factors as the adequacy of their food service and nursing services were also taken into account.

Many factors have contributed to the generally low quality of nursing homes. The rapid growth of nursing homes has taken place without the benefit of generally accepted criteria for satisfactory operation and, indeed, without an understanding of the skilled nursing home's role in health care. Patients in nursing homes generally are not able to pay for a higher level of care than they are getting—about half the people in nursing homes are public assistance recipients.

All too frequently there are different standards of hospital service for the rich and the poor. Despite the confident complacency of many people, many indigent persons do not get any care at all or get care of substandard quality. Let us be aware that the majority of people over age 65 are in an income class which is unable to pay for satisfactory care. The median income for an aged couple is only slightly over $2,500 a year and for single aged people—most are widows—the median is only a little over $1,000. It is not hard to understand why aged people may not be getting high-quality medical care. They cannot afford it.

Now let us consider the plan that is said by the gentleman from Missouri and some of its other opponents to seriously threaten the present quality of our medical care. First of all, the provisions of this bill were drafted with the advice and counsel of physicians whose greatest concern is to improve the quality of medical care in the United States. The Public Health Service, which is charged with the responsibility of seeking ways to improve the Nation's health, participated in drafting the measure. The views of eminent physicians in various fields of medicine were sought and are reflected in the bill. If one thing is crystal clear, it is that the objective of those who developed the measure was to improve, not impair, the quality of medical care.

What of the proposed program itself? Just how would it operate to protect or improve quality of care? While the plan would in no way dictate or control how hospitals or other providers of services would operate, it would set up certain conditions that would have to be met by those facilities to which payment could be made.

The administration bill spells out the conditions that an institution must meet if it is to receive payments, but these conditions describe basic elements which responsible professional people insist are necessary for a setting in which adequate care can be provided. The Secretary would have the authority to prescribe conditions of participation in addition to those spelled out in the bill only where they are necessary in the interest of the health and safety of beneficiaries. One of the listed conditions that an institution would be required to meet to receive payment for hospital services is to provide 24-hour nursing service rendered or supervised by registered professional nurses. This is nothing more than a statement of one of the things an institution must do if it is to be called a hospital.

The conditions of participation in the administration bill are necessary to provide assurance that the program would not undercut the efforts of the Joint Commission on the Accreditation of Hospitals—of which the American Medical Association and the American Hospital Association are members—or Blue Cross organizations and State agencies to improve the conditions in hospitals and nursing homes. The bill provides for the States and professional organizations interested in the advancement of quality care to give their advice and to take part in administration.

It seems to me to be very significant that the proposal is endorsed by such an organization as the American Public Health Association—a professional organization which takes a primary interest in the health of the Nation and includes some of the physicians most skilled in this field. Another important supporter is the Group Health Association of America, whose member groups provide care to 5 million Americans. Individual physicians such as Dr. Dean A. Clark, director of the Massachusetts General Hospital, Dr. Martin Cherkasky, director of Montefiore Hospital, New York City, Dr. Paul Dudley White, President Eisenhower's heart specialist, and many others support it. Let me read to you the words of Dr. Philip R. Lee, an eminent member of the California Medical Association, who testified before the Committee on Ways and Means on behalf of more than 70 physicians of the San Francisco Bay area.

Dr. Lee testified that the measure "if passed into law in its present form, will improve the quality of medical care services available to the great majority of our aged because it will: first, remove the fear of catastrophic medical care costs; second, promote earlier utilization of medical care services since the fear of possible high costs will be removed; third, permit continuity and coordination of the aged person's care by his own personal physician; fourth, stimulate improvement in the standards of the care provided in our hospitals and nursing homes; and fifth, make available medical care, such as rehabilitation, presently unavailable to many aged because they cannot pay for it.

Dr. Lee pointed out that the plan will provide the great majority of aged Americans, regardless of their place of residence, access to the available medical care services. It will provide a uniformity of access so that an individual may move from one State to another without losing this privilege.

He stated:

> The method of financing protects the prudent members of our society by requiring practically everyone to have some financial protection after age 65 for certain expensive medical care services, while other available programs require the prudent person who has purchased his own health insurance to pay part also of the cost for the medical care of the less prudent through the general tax mechanism and various public assistance programs.

I am particularly amazed by the notion that health insurance for the aged under social security would have disastrous effects on everybody—young and old alike. People who say such a thing have attempted to base their argument on the assumption that the program—and all the evils they say are in it—will be extended to younger age groups and eventually to people of all ages. As have been so many of the arguments of so many of the opponents of health insurance, this too is an interesting exercise in illogic—an argument with a built-in rebuttal. The health insurance proposal would be a first step toward extending coverage to people of all ages only if first, they were dissatisfied with present private methods of providing medical care not only for the aged but for everyone; and, second, people found the small amount of Government participation and financing of medical care for the aged so much better than what is provided in the private sector that the program would be expanded to cover all of the population and to cover more services. In effect, then, what the opponents say is that the program will be so bad that everyone will want it. Actually, there is no reason to believe that younger people will want or need to be covered by such a program as is proposed for the aged. Private voluntary methods show good indication of being adequate to provide protection for younger people. If private voluntary methods are relieved of the problem of trying to protect the aged against the cost of medical care they can do an increasingly better job for younger people and so avoid any need for a Government health insurance program for everyone.

I invite the opponents of health insurance for the aged to reexamine what they have heard from the gentleman from Missouri and others about quality of care under the proposed health insurance plan. I am very glad they are concerned about the exceedingly important subject of good medical care, and I want them to be assured that the health-insurance program will protect and improve the quality of medical care in this country.

SPECIAL ORDER VACATED

The SPEAKER. Under previous order of the House the gentleman from Michigan [Mr. DINGELL] is recognized for 60 minutes.

Mr. DINGELL. Mr. Speaker, I ask unanimous consent that the special order I have for today be vacated and that I may address the House for 60 minutes on Monday, next, following the gentleman from Missouri.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

MEDICAL CARE FOR THE AGED

The SPEAKER. Under previous order of the House the gentleman from Ohio [Mr. BOW] is recognized for 30 minutes.

Mr. BOW. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include therein a copy of a bill, together with a chart explaining the bill.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BOW. Mr. Speaker, I have introduced today a measure that will provide medical care insurance for every elderly American who wishes protection from the expenses of medical care.

My bill is based upon tax incentives and Government assistance that will permit every American age 65 or over to take fullest advantage of the free enterprise health insurance system of this country and the services of our hospitals and the medical profession.

Unlike any other legislative proposal, my bill will offer protection to every aged American, and each may choose, beyond the broad basic plans spelled out in the bill, the kind of coverage best suited to his circumstances.

If enacted it should remove any apprehension or worry that may trouble our fellow citizens who do not know how they can support the cost of sudden or prolonged illness in their old age.

I am introducing this legislation because I am convinced that we have a problem in America in respect to medical care for older citizens and I am convinced that something must be done to raise that problem out of the political controversy now surrounding it, and expedite its solution.

My mail every day contains an example of how major medical expenses can wipe out the savings of an elderly couple, or leave the surviving spouse unable to discharge the obligations arising from a prolonged illness without stripping himself of all of his assets, including in some cases his home.

Frequently I receive letters that begin like this:

> I am conservative by nature, but I am beginning to believe we must accept President Kennedy's social security approach to medical care because of a problem I have just encountered. My old neighbor is unable to pay her doctor bill.

And there I stop, for it is obvious my well-intentioned friend does not realize that the Kennedy approach to medical care, as embodied in the King-Anderson bill, would not pay his friend's doctor bill.

People who are receiving social security benefits write to me and relate stories of serious and sudden illness which required prolonged treatment and they report that they simply cannot pay out of the pittance they receive. But they do not realize that the provisions of the King-Anderson bill would leave them little if any better off than they are now.

Nevertheless, these letters do reveal the extent of the problem and the very general feeling that the Federal Government must take the lead in doing more than we have done as yet to help the growing number of Americans who reach and live beyond age 65.

This is a problem that has been discussed time and again in the House, and I have yet to see a satisfactory solution that first, is in keeping with the American free enterprise system while second, providing adequate medical care for the special problems of the aging.

Mine is the first suggestion I have seen that provides for everyone, takes fullest advantage of the remarkable growth of our health insurance system, and preserves freedom of choice for the individual.

As we know, the administration proposal to make health insurance a part of the social security system leaves out 2 or 3 million of our most needy citizens, while it includes many in very comfortable circumstances who have no need for this kind of program.

Further, the administration proposal provides only limited hospitalization and nursing services, requiring the individual to pay $10 per day for the first 9 days of hospitalization. I know many elderly people in Ohio whose social security benefit is $50 or $60 per month. How can they be expected to meet this requirement?

Experts tell me that the benefits in the administration proposal would cover only about 30 percent of the annual average medical expenses of a man or woman over 65.

How disappointing it would be to these good citizens if the King bill should be enacted. Can you conceive the extent of of their disillusionment when they found that the legislation so widely publicized and in which they had such faith provided so little.

Finally, with regard to the administration proposal, I am convinced that it is nothing more than the foot-in-the-door, or the nose of the camel under the tent, and that it would lead inevitably to the nationalization of medicine and a decline in the quality of medical care in the United States.

I have seen medical care in the nations of Europe where socialized medicine is the vogue, and in the Soviet Union, and I know from personal observation that it cannot compare with the high standards of American medicine.

PROVISIONS OF THE BILL

My bill creates no new Federal agency. It permits no Federal control of hospitals. It will encourage the medical profession to continue the progress that has made it outstanding in the world. It will take advantage of the free enterprise health insurance system that now covers 53 percent of all Americans over 65 under a variety of insurance programs that permit each of us almost unlimited choice. This is in the American tradition.

I would provide a tax credit for the cost of premiums on an approved medical care insurance, up to $125. This amount would be subtracted from the Federal income tax each individual owed the Government.

The tax credit could be taken by any individual age 65 or over who buys insurance for himself or his spouse, or by any relative who buys the insurance for an individual over 65, or by an employer who buys it for retired employees over age 65.

We would encourage people to look out for themselves and many would wish to buy insurance during their working years which could be carried, with the benefit of this tax credit, on a guaranteed renewable basis.

We would encourage sons and daughters, nephews, sisters and brothers to help their relatives by providing health insurance.

We would encourage what is already a growing practice in American industry—the protection of retired employees on a group basis by their former employers.

These provisions would cover the vast majority of Americans aged 65 or over, but I do not intend to forget 2 or 3 million others who may have no Federal income tax liability, no relatives, no employer enrolled in a program of this kind.

The basis of this bill is that each individual over age 65 who wishes protection will file a Federal income tax return each year.

For those who have a tax credit, there is no problem.

For those whose tax is less than the amount of the allowable tax credit, including those who have no income tax to pay, my bill authorizes issuance of a medical care insurance certificate, by the Treasury Department, which may be used by the individual to pay the premiums on a medical care policy, and which will be redeemed by the Treasury, in an amount not exceeding $125, when presented by the insurance carrier.

Those who have followed the development of this idea since I announced it in January will note that I have eliminated reference to a proposed income limitation. The tax credit will have great significance for the man of low income, and progressively less significance as income increases. Therefore, it seems to me that a tax credit program does not require an income limitation.

BASIC INSURANCE PLANS

My bill outlines two medical care insurance plans.

The first is a plan under which all of the covered expenses are paid by the insurance carrier. There is no deductible feature such as is required in the King bill. An individual in the most dire financial circumstances could have good medical care with this basic plan.

The second is a more extensive plan of the major medical type, involving coinsurance not to exceed 25 percent and a deductible.

I have consulted with many people in the insurance industry, and I have been assured that either of these can be offered to an individual age 65, regardless of his prior medical history, on a guaranteed renewable basis, with a premium cost not exceeding $125.

I am assured, furthermore, that these policies at a premium cost of $125 leave

little, if any, profit for the insurance carrier. The diversity of policies offered by the insurance industry, by various group practice plans and by Blue Cross and Blue Shield can be adapted to these basic plans, and all have shown in the past their willingness to contribute to the solution of the problem of which we speak.

In summing up, my bill offers every aged American the opportunity to have complete and meaningful medical care insurance, including payments for surgery and doctor's services, through the free enterprise health insurance system, using the facilities of an existing Government agency, with no possibility of Government interference in medicine.

The administration proposal, on the other hand, helps only a part of the older population, offers only limited hospitalization and nursing services subject to a deductible item, and is most certainly the first step toward the deterioration of medical services in this Nation.

I wish to include with my remarks the text of the bill and a table comparing its features with those of the King-Anderson bill at this point:

H.R. 10755

A bill to amend the Internal Revenue Code of 1954 to provide for the medical care of the aged through the allowance of a tax credit as an incentive for health insurance coverage

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1954 (relating to credits against tax) is amended by redesignating section 38 as section 39, and by inserting after section 37 the following new section:

"SEC. 38. COSTS OF MEDICAL CARE FOR THE AGED.

"(a) GENERAL RULE.—There shall be allowed to an individual, as a credit against the tax imposed by this subtitle for the taxable year, an amount equal to the aggregate of the premiums paid during the taxable year by such individual under one or more qualified medical care insurance programs for the aged (as defined in subsection (d)), to the extent that the aggregate of such premiums does not exceed $125 for any one person covered by such program or programs, plus—

"(b) INDIVIDUALS ELIGIBLE FOR CREDIT.—The credit under subsection (a) shall be allowable to a taxpayer only if—

"(1) he is the beneficiary of the medical care insurance program involved and is 65 years of age or over, or

"(2) each beneficiary for whom the premiums were paid under such program is a person 65 years of age or over who bears any of the relationships to the taxpayer defined under section 152(a).

For purposes of this section, an individual shall be considered to be 65 years of age or over throughout any taxable year if he has attained such age by the close of such year.

"(c) COVERAGE CERTIFICATE. — Each insurance carrier offering a qualified medical care insurance program for the aged (as defined in subsection (d)) shall issue, to each individual who is covered under such program, a medical care coverage certificate setting forth the name of the insured, the amount of the premium, and a certification that the coverage meets the requirements of this Act. The credit provided by subsection (a) shall be allowed for any taxable year only if such certificate or a copy thereof is attached to the taxpayer's return for such year.

(d) DEFINITION OF CARRIER. — "Carrier" means a voluntary association, corporation, partnership, or other nongovernmental organization which lawfully offers a health benefits plan.

"(e) DEFINITION OF QUALIFIED MEDICAL CARE INSURANCE PROGRAM FOR THE AGED.—As used in this section, the term 'qualified medical care insurance program for the aged' means a program, offered by one or more insurance carriers operating in accordance with State law, providing protection under guaranteed renewable insurance for individuals 65 years of age or over against the costs of medical care (as defined in section 213(e)) through a system of benefits including either—

"(1) a plan providing benefits which may not be less than:

"(A) $12 for hospital room and board charges per day of confinement and $1,080 for all days of confinement in a calendar year;

"(B) $120 for hospital ancillary charges in any calendar year including any such charges in connection with surgery or emergency treatment on an out-patient basis;

"(C) $6 for convalescent hospital room and board charges per day of confinement and $186 for all days of confinement in any one calendar year, immediately following confinement in a general hospital;

"(D) surgical charges according to a fee schedule with a $300 maximum; or

"(2) A plan providing payment at the rate of not less than 75 percent of the following covered medical expenses after a deductible and subject to a maximum as specified in (B) below:

"(A) covered medical expenses must include at least the following:

"(i) hospital room and board charges equal to the hospital's customary charges for semi-private accommodations;

"(ii) hospital ancillary charges including any such charges in connection with surgery or emergency treatment on an out-patient basis;

"(iii) $6 for convalescent hospital room and board charges per day of confinement immediately following confinement in a general hospital and $540 for all days of confinement in any one calendar year;

"(iv) surgical charges according to a fee schedule with a $300 maximum;

"(v) $5 per call for physician's services, other than for surgery or post-operative care;

"(vi) $16 for professional (registered) nursing charges per day and $480 for all days in any one calendar year;

"(vii) charges for drugs and medicines which require a doctor's prescription; diagnostic X-rays and other diagnostic and laboratory tests, X-ray, radium, and radioactive isotope treatment; blood or blood plasma not donated or replaced; anesthetics and oxygen; and rental of durable medical or surgical equipment such as hospital beds or wheelchairs; or

"(B) payment of benefits for the foregoing charges may be subject to either

"(i) a deductible of not more than $100 in a calendar year and a lifetime maximum of not less than $5,000;

"(ii) a deductible of not more than $200 in a calendar year and a lifetime maximum of not less than $10,000;

If a medical care insurance program which is otherwise qualified under the preceding provisions of this section offers protection for individuals under age 65 as well as those 65 and over, such program shall be considered a 'qualified medical care insurance program for the aged' for purposes of this section but only with respect to beneficiaries who are 65 years of age or over.

"(f) CREDIT IN CASE OF CERTAIN EMPLOYERS.—Under regulations prescribed by the Secretary or his delegate, if any employer provides protection against medical costs for its retired employees who are 65 years of age or over, by purchasing coverage for such retired employees under one or more qualified medical care insurance programs for the aged, such employer shall be entitled to a credit against the tax imposed by this subtitle equal to the amount of the credit to which it would be enttiled under subsection (a)(1) if it were an individual taxpayer and such retired employees were persons described in subsection (b)(2).

"(g) INDIVIDUALS NOT DERIVING FULL BENEFIT FROM CREDIT.—In the case of any individual—

"(1) who is 65 years of age or over,

"(2) whose tax under this subtitle for the taxable year will be less than $125 (as estimated in accordance with regulations of the Secretary or his delegate), and

"(3) who is not the beneficiary of a qualified medical care insurance program for the aged,

the Secretary shall upon application by such individual issue to him a medical care insurance premium certificate which may be used by him in purchasing coverage under such a program and will be redeemed for cash by the Secretary when presented by an insurance carrier who certifies that it was accepted in payment of the premiums on such a program. The amount for which any certificate will be redeemed under the preceding sentence shall be the amount of the premiums payable on the program for the year or $125, whichever is less, reduced by the amount (if any) of the individual's tax for such year as estimated under clause (2) of such sentence and further adjusted (unless such an adjustment would be inequitable or impose undue hardship) to take account of any amounts by which benefits made available to such individual under this subsection in previous years were greater or less than they would have been if the estimate under such clause (2) for such years had been correct. No certificate under this subsection shall be issued to any individual for any taxable year unless he furnishes the Secretary with satisfactory proof of his compliance with clauses (1), (2), and (3) of the first sentence.

"(h) CREDIT NOT TO CAUSE REFUND OF TAX.—The credit allowed by this section shall not exceed the amount of the tax imposed by this chapter for the taxable year, reduced by the sum of the credits allowable under sections 33 (relating to foreign tax credit), 34 (relating to credit for dividends received by individuals), 35 (relating to partially tax-exempt interest), and 37 (relating to retirement income).

"(i) REGULATIONS.—The Secretary or his delegate shall prescribe such regulations (including regulations providing for the application of this section in the case of joint returns) as may be necessary or appropriate to carry out the provisions of this section."

(b) The table of sections for such part IV is amended by striking out

"Sec. 38. Overpayments of tax."

and inserting in lieu thereof

"Sec. 38. Costs of medical care for the aged.

"Sec. 39. Overpayments of tax."

SEC. 2. Section 213 of the Internal Revenue Code of 1954 (relating to deduction for medical, dental, etc., expenses) is amended by adding at the end thereof the following new subsection:

"(h) EXCLUSION OF AMOUNTS ALLOWED AS CREDIT.—Any expense allowed as a credit under section 38 shall not be treated as an expense paid for medical care for purposes of this section."

SEC. 3. The amendments made by this Act shall apply only with respect to taxable years ending after the date of the enactment of this Act.

Comparison of Bow and King-Anderson proposals for medical care

	Bow bill		King-Anderson
Who is covered	Everyone who reaches age 65 who wishes health insurance		OASDI eligible persons age 65 and over, including employed aged; also includes railroad retirees; 12.75 million OASDI beneficiaries and 0.5 million railroad retirees.
How many	16.2 million (as of 1962)		14.25 million (as of 1963).
Benefits	Medical care insurance under a choice of policies, the minimum benefits of which are described as plans 1 and 2.		Hospitalization, nursing home and diagnostic care subject to deductible charges enumerated below.
	Bow plan 1 (payment of all charges is made by the insurance carrier)	Bow plan 2 (subject to a deductible feature with not to exceed 25 percent coinsurance) [1]	
Hospitalization	Hospital room and board up to $12 per day, and up to $1,080 in a calendar year; other hospital charges including charges for surgical or emergency outpatient treatment up to $120 in any calendar year.	Hospital room and board equal to charges for semiprivate accommodations; other hospital charges including charges for surgical or emergency outpatient treatment.	90 days per benefit period, with $10 per day deductible required for first 9 days, with a minimum deductible of $20.
Nursing homes	Convalescent hospital room and board up to $6 per day, and up to $186 in any 1 calendar year, following discharge from hospital.	Convalescent hospital room and board up to $6 per day, and up to $540 in any 1 calendar year, following discharge from hospital.	180 days per benefit period, or 2 days for each unused hospital day up to a total of 150 units of service.
Home health service	None	None	240 visits a year; 2½ visits for each unused hospital day; includes therapy and homemaker services; medical social work, etc.; no prior hospitalization required.
Nurses' fees	None	Up to $16 per day for registered nurse, and up to $480 in any 1 calendar year.	None.
Surgeons' and physicians' fees.	Surgical charges according to a fee schedule with a $300 maximum.	Surgical charges according to a fee schedule with a $300 maximum, and $5 per call for other than surgery or post-operative care.	None.
Diagnostic, laboratory, and X-ray services.	When hospitalized as above	Diagnostic X-rays and other diagnostic and laboratory tests; X-ray, radium, and radioactive isotope treatment.	Provides for necessary laboratory tests and X-rays in a hospital, either on inpatient or outpatient basis, but requires $20 deductible for each diagnostic study on an outpatient basis.
Drugs and related requirements.	Drugs used in hospitals	Charges for drugs and medicines which require a doctor's prescription; blood or blood plasma not donated or replaced; anesthetics and oxygen; rental of durable medical or surgical equipment such as hospital beds or wheelchairs.	Only drugs used in hospital.
Financing method	Through tax credits for individuals who pay their own premiums or are covered by insurance paid for by near relatives or former employers, and through issuance of "medical care insurance certificates" for all others.		Increases OASDI taxable wage base from $4,800 to $5,000 beginning with 1962; provides for rate increase beginning in 1963 of ½ of 1 percent of 1st $5,000 of employee wages; ¾ of 1 percent of 1st $5,000 for self-employed.
Total costs (estimate)	Cost estimated to be comparable to other legislation, but difficult to predict because of lack of (a) precise information on amount of deductions now taken by or for individuals over 65 which would be an offset against cost of tax credit; (b) knowledge concerning probable degree of participation.		$1.1 billion, early year cost.

[1] Payment of benefits may be subject to either (1) a deductible of not more than $100 in a calendar year and a lifetime maximum of not less than $5,000; or (2) a deductible of not more than $200 in a calendar year and a lifetime maximum of not less than $10,000.

THE REVENUE ACT OF 1962

The SPEAKER. Under previous order of the House, the gentleman from Ohio [Mr. VANIK] is recognized for 15 minutes.

Mr. VANIK. Mr. Speaker, like every other Member of this body, I have endeavored in the past several weeks to carefully weigh the provisions of H.R. 10650, the Revenue Act of 1962. There is much in the bill that is desirable; there is much more that is not. It is my considered judgment that the bad features of the bill are overwhelming.

At the outset, the work on the bill was dramatized as an effort to close tax loopholes and preserve the integrity of the income tax structure. While efforts were quite obviously made to calk tax seepage in some areas, legislative bulldozers were used in the tax credit sections to break down the tax structure. The estimated tax loss of $1.8 billion is a modest price tag on the tax loss. These provisions pose a potential devastating threat of draining the Treasury of scores of billions of dollars. The loss in tax revenue could equal the Treasury losses from the fast tax writeoffs authorized during the Korean crisis. It is not good for the country on either the long-term or the short-term basis.

The ostensible purpose of the tax credit sections is to "accelerate new investment, to stimulate the production, sale, and use of new machines, new tools, and expanded facilities." If this credit were to be made available as a standby emergency power—available for use when the Executive may deem it necessary in the national security—or in the event of a deep economic recession—it might have some merit.

But how can it be justified as a permanent part of the Nation's tax structure? With the steady improvement of business conditions—it does not appear that the use of the stimulant is now warranted. If this provision becomes law, it would serve to provide the basis for an industrial boom for the next year or two after which the buildup skirmish would settle down to an accepted tax loss with little beneficial effect on the Nation's economy. When industry returns to its normal attitude toward business investment, the tax credit will be of little effect with respect to expansion.

While the tax credit will slash at tax revenues, it will also serve to remove taxpayers from the tax rolls—substantial taxpayers who will be able to completely escape taxation. In any year that a taxpayer spends $1,275,000 for almost any purpose except the acquisition of real property, he will be able to pocket $200,000 or more in tax-free income.

The legal intricacies of this provision should provide the basis of a real tax break. Does new investment include the purchase of entire businesses? What effect will this have upon merger, the steady concentration of industrial power, the weakened status of small business? A large, growing corporate structure can acquire total business operations each year and build the investment credit into an annual tax-saving benefit without contributing an iota to the Nation's economic growth potential. What will preclude the periodic interchange of production facilities between several corporate structures as a permanent part of tax-saving barter?

What real assurance do we have that this measure will make any substantial contribution to the economic growth claimed to be its advantage? As long as the provisions of the section fail to limit new investment to investment in newly created facilities, it is totally defective. The tax credit under this bill will serve as a tax break for mergers and acquisition. The government will, in effect, pay a tax bounty for merger or acquisition of existing property or equipment. This use of the tax credit will not create a single new tool or machine and will not provide an hour's work for a single additional workman.

As the Treasury is subjected to deeper cuts in revenues through the tax credit provisions, the increasing tax losses will

have to be replaced by the imposition of higher taxes upon those least able to pay—those who constitute the tax base.

The sections relating to the withholding of interest and dividends are equally as objectionable. It seems to me that mandatory reporting of such income by the payer to the Treasury Department should be given a trial. If every taxpayer is appraised of the fact that his dividend and interest income has been reported to the Treasury and reported to him at year end, the Treasury should be able to recover all revenues anticipated by the withholding provisions. Taxpayer failure to report such income constitutes a serious violation of the law with severe penalties.

My principal objection to the withholding provision of the bill is that it will result in withholding of small amounts of interest to which the Government has no claim. Although entitled to a refund, millions of depositors with small accounts will not claim refunds of withheld interest. How can they be expected to pay even $10 in fees for the services of a tax expert if the recovery or refund is less. The withholding of interest in these small accounts will result in unjust enrichment to the Treasury.

Over 12 million deposit accounts of less than $100 will earn less than $4 annually of which $1 or less will be withheld. Over 52 percent of the total deposit accounts in banks and savings and loan associations are less than $1,000 of which less than $8 will be withheld.

This type of withholding will create massive opposition to the entire income tax system which may ultimately lead to its demise.

INDEMNITY PROVISIONS OF ATOMIC ENERGY ACT

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Illinois [Mr. PRICE] is recognized for 10 minutes.

Mr. PRICE. Mr. Speaker, I am introducing today a bill to amend the Atomic Energy Act of 1954 so as to extend its indemnity provisions to cover certain nuclear incidents occurring outside the United States under the AEC contractor program.

On September 15, 1961, near the end of the last session, I introduced a similar bill, H.R. 9244, for the purpose of obtaining comments from interested persons. Since then, the Joint Committee on Atomic Energy has received some suggestions and comments from interested persons. This bill incorporates some of these suggested improvements.

Sections 1 and 5 of this bill are identical to the corresponding sections in H.R. 9244. Changes have been made in sections 2, 3, and 4, as described in a brief bill analysis. Without objection, I request that this analysis be inserted in the RECORD at the conclusion of my remarks.

The Joint Committee on Atomic Energy, through its Subcommittee on Research, Development, and Radiation, of which I am chairman, is planning to hold hearings next month on nuclear reactor safety problems and liability and indemnity coverage. I am introducing this bill at this time in order that it may be studied by the AEC and other interested persons prior to the hearings. I hope that this bill, as well as H.R. 9244, will be considered during the April hearings.

BILL ANALYSIS

The general purpose of this bill is to make Price-Anderson Act indemnity coverage available in the AEC contractor program for nuclear incidents occurring outside the United States, with certain limitations as described below.

Section 1 of the bill amends section 11o of the Atomic Energy Act of 1954, as amended, concerning the definition of "nuclear incident." It is identical to Section 1 of H.R. 9244, as described in the bill analysis reprinted in the CONGRESSIONAL RECORD, volume 107, part 15, page 19777.

Section 2 of the bill amends section 11r of the Atomic Energy Act of 1954, as amended, to establish two separate categories of coverage depending primarily upon whether the incident occurs within or outside the United States.

Clause (1) covers nuclear incidents occurring within the United States or in connection with the nuclear ship *Savannah*. It extends coverage to the person with whom an indemnity agreement is executed and to any other person who may be liable for public liability. It is identical to clause (1) in the amendment to section 11r proposed by H.R. 9244.

Clause (2) with respect to nuclear incidents occurring outside the United States has been redrafted to more clearly cover contractors who qualify for indemnification solely on the basis of participating in a joint project.

Section 3 of the bill amends section 170d of the Atomic Energy Act of 1954, as amended, by adding a proviso at the end of the second sentence. This proviso states that in the case of nuclear incidents occurring outside the United States, the amount of indemnity provided by the Commission shall not exceed $100 million.

The act currently provides an indemnity of $500 million to cover incidents occurring within the United States or in connection with the nuclear ship *Savannah*. The figure of $100 million for incidents outside the United States is considered reasonable because this is the maximum amount generally provided by countries other than the United States as indemnity for nuclear incidents within their borders.

Section 4 of the bill amends section 170e of the Atomic Energy Act of 1954, as amended, by adding a similar proviso at the end of the first sentence. This proviso states that with respect to any nuclear incident occurring outside the United States and covered under the AEC contractor indemnity provisions of subsection 170d, the aggregate liability shall not exceed $100 million, together with the amount of financial protection required of the contractor. This limitation corresponds to the $100 million limitation on the indemnity under section 170d, and it is intended that there should be no gaps between the liability exposure under 170e and the indemnity and financial protection coverage under 170d.

The limitation of liability, although lower than the $500 million limitation applicable in the United States, is considered reasonable since it corresponds generally to the highest limitation applicable in any country outside of the United States. Most countries developing atomic energy limit liability for nuclear incidents to a far lower figure.

Section 4 of the bill also amends section 170e of the Atomic Energy Act of 1954, as amended, to establish a single place of venue over all applications for limitations of liability in connection with incidents occurring outside the United States. The place of venue established is the U.S. District Court for the District of Columbia. This change was also included in H.R. 9244.

It is hoped that any foreign court will apply the $100 million limitation on liability provided by subsection 170e. In any event, even if ignored by a foreign court, it shall be applied by the U.S. District Court for the District of Columbia.

Section 5 of the bill provides that as of the effective date of this act, the terms "nuclear incident" and "persons indemnified" as used in existing indemnity agreements with AEC contractors shall have the meaning provided in sections 1 and 2 of this bill. It is identical to section 5 in H.R. 9244.

LET'S KEEP SOYBEANS OUT OF GOVERNMENT BINS

Mr. KEITH. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. FINDLEY] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. FINDLEY. Mr. Speaker, today I introduced a bill which would relate price supports on soybeans to market prices instead of parity. This legislation is needed to keep soybeans out of Government bins. Under present USDA policy, soybeans are headed for the same trouble that now plagues wheat and the other feed grains.

My bill would establish price supports for the 1963 soybean crop, and subsequent crops, at 90 percent of the average market price received by farmers during the 3 preceding years. It would prohibit acreage allotments on soybeans and also prohibit net sales of Government-owned soybeans at less than 115 percent of current support price.

As a result of Secretary Freeman's action last year raising price support from $1.85 to $2.30, soybean production increased so sharply that heavy supplies will be carried over this year, despite costly giveaways of soybean oil.

Secretary Freeman's newly announced rate for 1962—$2.25—is not low enough to keep soybeans out of trouble, and we can expect the economic planners to demand acreage control if stocks continue to mount. This would indeed be a tragic development, because the soybean is the wonder grain that was selling well at

home and abroad and making money for farmers when Mr. Freeman took office.

Mr. Freeman's artificial pricing has soybeans headed for trouble, and the only way to prevent it is to keep price supports at a level which permits the private enterprise marketplace to operate.

There has been a gradual but healthy increase in acreage planted and utilization of soybeans over many years.

Farmers have insisted that soybeans be produced for a market and not for a Government bin or warehouse. They have insisted that price supports be kept at a relatively low level so as to permit the market to function and the product consumed at home and abroad. Soybean producers have insisted that support rates be kept low, relative to the troubled crops: such as wheat, corn, and other supported commodities in heavy surplus.

Until 1961 producers' wishes on price support for soybeans were generally agreed to by responsible USDA officials.

PETER FRANCISCO

Mr. KEITH. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. CONTE] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. CONTE. Mr. Speaker, today, March 15 is the day which we of Massachusetts have set aside in tribute to Peter Francisco, a man who adopted our country as his home and who contributed his heart and soul to defending America's cause as have so many. He is extraordinary, though, for his feats and the circumstances of his life project him as the image of those who came to our shores early in our history and found a way of life worthy of risking their lives to perpetuate.

Despite the relative historical obscurity of this famous Portuguese, Peter Francisco is a moving force in America's drive for independence, a man whose impact upon his times is to be reckoned with, whose imprint upon our history should be properly noted. He is a man whose stature through the years grows, not so much for his deeds performed, as for the admirable trait of American character which he represents—that of a true patriot.

And so, Mr. Speaker, before I came to the Congress of the United States, while I was still serving in the Massachusetts State Senate, I supported the measure which is now law, proclaiming March 15 as Peter Francisco Day throughout the Commonwealth. For it was on this day in 1781 that Francisco put his patriotism to the ultimate test in mortal battle at Guilford's Courthouse in Greensboro, N.C.

Peter Francisco was not a native of his home State of Virginia. Neither for that matter, was he a native-born citizen of the United States. At the age of 6, friendless and alone, Peter was abandoned on a lonely dock at Hopewell, Va. Who left him there is unknown. All that was known about him was that his features and language indicated his Portuguese origin. No more was known or considered. Fate here interceded and saw him adopted by Judge Anthony Winston, uncle of Patrick Henry, whose impassioned and immortal words must surely have inspired young Peter to his enlistment in 1776. For then, at the age of 16, he joined the 10th Virginia Regiment of Continental troops, thereby initiating as extraordinary a military career as can be found in the annals of the American Revolution.

During his convalescence from a battle wound inflicted during the combat at Brandywine, the first of six such wounds, Francisco established his lifelong friendship with General Lafayette, a relationship which further imbued Francisco with his Nation's cause. Twice more, at Monmouth in 1778 and Stony Point in 1779, Peter was wounded in battle only to return once more to the task of American independence. On March 15, 1781, the American and British collided in the famous and bloody battle of Guilford Courthouse in Greensboro, N.C. On this day, Peter Francisco slew 11 British soldiers before he himself was critically wounded and forced from the encounter. The accounts of his efforts at Guilford Courthouse became legendary throughout the American Army. Offered a commission in recognition of his courage, Francisco refused on the grounds that he was not sufficiently well educated. A monument is located on the site of Guilford Courthouse in the National Military Park, and on this tablet are related the exploits of Peter Francisco:

> A giant in stature, might, and courage, who slew in this engagement 11 of the enemy with his own broadsword, rendering himself thereby the most famous private soldier of the Revolutionary War.

After the battle at Guilford Courthouse, Peter Francisco's military career continued, and he added further glory to his enviable record of courage and bravery. There is related an amusing incident at Ward's Tavern which occurred just previous to Yorktown and the war's end. Confronted and surrounded unexpectedly by nine British dragoons, Francisco refused to surrender to their demand for his silver shoe buckles, a cherished gift from his friend, Judge Winston. When one of the troopers dismounted, tucked his sword underarm and prepared to remove the buckles, Peter grasped the hilt of the sword, wrenched the saber free, and in almost the same motion, delivered an awesome blow, thereby splitting the solder's head and neck in half down to his shoulders. The dragoons rushed him. One raised a pistol and fired pointblank at his head, the ball grazed Francisco's side thus inflicting his sixth wound, but one saber thrust severed the hand that fired the shot. Another musket was lowered at his head. It misfired. He grabbed the weapon, knocked the soldier from his horse, mounted the horse himself, and, rising in the stirrups with a great yell, feigned a summons for nonexistent help. The dragoons broke and, with sheer fright at the contemplation of more of the same treatment, scattered throughout the nearby woods in confused panic. Francisco escaped down a back country road and easily eluded his would-be captors. He saw the British surrender at Yorktown soon after.

Peter returned to his beloved Buckingham County at the end of the war and settled down to a relatively quiet life running a small store and tavern. He had made many friends during the conflict. Such great American personages as John Marshall, Patrick Henry, George Washington, Nathaniel Greene, and Henry Clay speak admirably of Francisco in their personal notes, calling him a man of considerable charm and wit and of great valor and strength.

Undoubtedly, he is all of this. He is justly recognized through an engraving which hangs in Philadelphia's Independence Hall and depicts his encounter with Tarleton's British dragoons at Ward's Tavern. Likewise, it is fitting and proper that in Massachusetts, in recognition of his contribution to our struggle for independence, March 15 annually is proclaimed as Peter Francisco Day. As a common soldier of the ranks, we recognize him even further for his representation of a spirit of those times—an admirable and desirous patriotism which is always so vital to a great society and people. As a native son of Portugal, Peter Francisco, like Thaddeus Kosciusko, of Poland, and Lafayette, of France, is respected and admired as an example of American solidarity in time of national crisis. The same fervor of person and unshakable faith in the ideals of independence which motivated this great patriot to give so unselfishly of his soldierly services are typical of the contributions of the many native-born Portuguese Americans in our Nation's proud history. We all, as Americans, are indebted to them as our ancestors were to Peter Francisco, for they, like him, are true Americans as well. True Americans who represent the American strength, fearless courage, and patriotic love of liberty. Mr. Speaker, I salute a great American, Peter Francisco.

LIBERTY AMENDMENT

Mr. KEITH. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. ROUSSELOT] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. ROUSSELOT. Mr. Speaker, on January 23, 1962, Mr. Willis Stone, chairman of the National Committee for Economic Freedom, testified before a committee of the South Carolina Legislature on behalf of House Joint Resolution 23 by Representative JAMES B. UTT of California. This resolution is commonly referred to as the liberty amendment.

Last year I distributed a questionnaire in my congressional district in which I asked:

> The proposed liberty amendment to the U.S. Constitution—the amendment has been introduced in the current session of Congress by Representative JAMES B. UTT, Republican, of California, and is identified as House Joint Resolution 23—would do away

with the need for the Federal personal income tax by eliminating agencies of the Federal Government which compete directly with private enterprise. Elimination of such agencies would decrease the budget needs of the Government by approximately $40 billion annually. Furthermore, proceeds from the sale of the assets of the agencies (the assets would be disposed of over a reasonable period of time) could be used to reduce the national debt—$262 billion is the estimated value of the assets. Do you think I should support the liberty amendment?

The response was yes, 73.7 percent; no, 13.5 percent; no opinion, 12.8 percent.

Believing that Members of Congress will be interested in Mr. Stone's testimony, under leave to revise and extend my remarks, I wish to place it in the body of the CONGRESSIONAL RECORD. Anyone interested in additional comments on the liberty amendment should read a speech by Representative UTT entitled "The Chains of the Constitution," which appeared in the body of the CONGRESSIONAL RECORD on March 16, 1961.

Mr. Stone's testimony is as follows:

Thank you Mr. Chairman and members of the Judiciary Committee of the South Carolina House of Representatives for affording me the opportunity of coming before you to discuss some of the monumental problems of taxing and spending which confront us.

As a matter of identity, I am Willis E. Stone, chairman of the National Committee for Economic Freedom, 6413 Franklin Avenue, Los Angeles, Calif. I am also the publisher of Fact Sheet which analyzes the functions and costs of various Federal agencies, and publisher of American Progress magazine which fosters a better understanding of our American Constitution. Through these activities I have had the opportunity of correlating a great deal of evidence which supports the resolution for the liberty amendment now pending before you as a concurrent resolution identified as House bill 1758.

It has been said that I have accumulated a great deal of data on the subject of the Federal individual income tax, and that I am an advocate of the repeal of the 16th, or income tax amendment. This is true, but it is equally true that we must first comprehend the nature of taxes before we can effectively discuss repeal or even the modification of taxes in any area.

Taxes have a legitimate function—to pay the cost of government. Taxes, unfortunately, have been much too low in recent years to pay the costs of government, despite the fact that taxes have put an inhuman burden on the backs of the American people. This is self-evident as the Federal Government has spent an average $12 billion per year more than it has been able to gather in taxes during the past 20 years. As a result we find the national debt is $240 billion greater than it was 20 years ago.

Taxes are the price we pay for the government we get. If we are ever to solve the tax problem, we must solve it at the spending level. It is evident that if we were to repeal the 16th (income tax) amendment at sunup this morning we would be in deep trouble before sundown. We would be faced with one of three very grim alternatives.

First, we would face immediate national bankruptcy if we were to eliminate half the Nation's revenue while leaving all the obligations in force. This would solve nothing.

Second, we would face the nationalization of all land, business and wealth as government might take over the rest of these items to offset the loss of revenue through the income tax. This would be galloping communism, and certainly is no solution to the problem.

The third alternative would be to quickly levy the same amount of taxes on the same people under a different title, which would solve Government's dilemma without relieving the taxpayers in any way.

There is only one logical solution to the taxing problem—that we should first reduce the costs of Government adequately to accommodate the loss of revenue.

Fundamentally the liberty amendment now under consideration is not primarily involved with taxes. It was first proposed over 17 years ago when, as you will recall, Mr. Sewell Avery was physically removed from his office in Chicago. The then Attorney General of the United States justified that act by stating "the Government can do anything not specifically prohibited to it by the Constitution." This is a philosophy of "implied powers" entirely foreign to our way of life.

One of the most dangerous ways in which the Federal Government has used "implied powers" is in the creation of more than 700 Federal corporate activities which carry on business-type operations in direct competition with private enterprise.

The first section of the liberty amendment was framed to stop this abuse of power. It provides that: "The Government of the United States shall not engage in any business, professional, commercial, financial or industrial enterprise except as specified in the Constitution."

This provision does not add to, nor subtract from, the original Constitution. It does, however, give positive force and effect to terms of the Constitution by stipulation. General terms thus become specific and again enforceable by the American people. All four sections of the liberty amendment are similarly devised to attain this single purpose. There is nothing in the proposal which in any way would alter the basic provisions of the Constitution, but it is designed to plug the loopholes through which power has been usurped. It would restore the Constitution to full force and effect.

It required a lot of research to illustrate the need for the amendment by first discovering the areas in which the Federal Government has usurped powers from the States and from the citizens, and then to document the extent of that usurpation, its cost in taxes and lost liberties, and the benefactions which would flow to Government and people by restoring the Constitution. In this quest we discovered the enormous magnitude of the Federal invasion of private enterprise and the tragic erosion of our historical concept of State sovereignty and jurisdiction over its internal affairs.

We found this departure of Government from the basic functions of governing and regulating vast in scope and so tremendously extravagant that, if we were to invoke the terms of section No. 1 of the liberty amendment we would cut the costs of the Federal Government more than enough to compensate for revenue lost through repeal of the 16th (income tax) amendment. Thus, by applying the terms of the liberty amendment, the expenditures of Government would be reduced more than the present yield of personal income, estate and gift taxes, which are the only taxes involved in the 16th amendment.

Repeal of the income taxes would not strip the Government of revenue. It would leave the Federal Government all the revenue sources it ever had from the very beginning until 1913, such as corporate taxes, excises, imposts, duties, and a host of miscellaneous taxes which have always been within the power of the Federal Government.

The States have a big stake in the liberty amendment. When the Federal Government gained access to the purse and earnings of the individual through the 16th amendment, the individual lost much of his freedom, and the States lost their sovereignty. Every State is today suffering from this preemption of their taxing powers by the Federal Government.

The invasion of the States has many dimensions. The Federal ownership of property within States has reached enormous proportions. In my home State of California the Federal Government holds 48 percent of the land area, so we are, in reality, only half of the State we should be. Our problem is by no means the worst, as we find that Arizona is 75 percent federally owned. Nevada comes close to having no statehood at all, as the Federal Government owns 86.8 percent of the State's land area, letting the Governor, the legislature, and the people hold jurisdiction over only 11.2 percent of their State. This, assuredly, is not statehood in the meaning of the Constitution.

These are some of the problems which affect our States, and your State is not immune from the attack. What has happened in other States inevitably will happen in yours. And the pace at which the Federal takeover of land and wealth is accelerating is awe inspiring. In this last year the Interior Department which, according to page 236 of the 1961–62 Government Organization Manual holds custody of 760 million acres of land, has moved to put 65 million acres into deep freeze through the so-called wilderness bill. This, in effect, would remove this land forever from access by the American people.

At the same time there has been a rash of demands for making national parks out of well developed and well populated areas. This has been noteworthy in Kansas, Michigan, and other States in Midwest, East, South, and West. Your State cannot be immune.

These problems confronting the States have many faces. We cannot encompass all the alarums coming to us through the multiplicity of attacks. Doctors are unconcerned about the real estate problems, builders have little in common with the problems of the insurance business, yet every facet of the many apparently unrelated problems is interlocked and, in greater or lesser degree, threatens the very existence of the individual States and their political subdivisions. Strangely, the common denominator felt by everyone everywhere is taxes. This is where we all hurt, but to remove the agony we must get to the cause.

Through our research we have identified more than 700 Federal agencies which are in direct competition with private enterprise although they have no constitutional authority for so doing. The list of these agencies, published in Fact Sheet, is the product of reading and cross-indexing approximately 50 million words from official records. In this list adequate references make it possible for anyone to check the facts that they have earned a place on the list of agencies competing with private enterprise. If we are to solve the tax problem we must first consider these invalid activities of the Federal agencies and evaluate the potential savings which can be achieved by removing them from direct competition with our citizens, as provided by section 1 of the liberty amendment.

Case histories of the operations of some of these agencies, compiled by Fact Sheet provide shocking examples of the misuse of power which enabled the Federal bureaucracy to undertake this strange business of encroachment upon private enterprise and private property, while compelling the American people to pay for their destruction through the channels of the income tax.

Thirty-seven Federal agencies have been analyzed by Fact Sheet. Every single fact comes directly from the Federal budget and Federal documents of similar authenticity. In summarizing the losses identified by Fact

Sheet in these 47 specific cases we find that, although the Federal agency is not required to pay operating costs as private organizations must do, and are not charged rent for the space they occupy, nor interest for the money they use, and are not required to pay taxes at any level, local, State, or Federal, they have managed to lose a total of $54,870,704,410. We have over 700 agencies still to be analyzed.

The agencies studied by Fact Sheet include names seldom known to the average person. Such a one is Abaca Production and Sales, the first in the series. This agency invaded four central American republics to engage in the agricultural business of growing Abaca, or Manila hemp. Fortunately this has been terminated at a total loss, but this at least terminates the sizable annual losses it incurred.

There is the story of the Cuba Nickel Company in which our Government involved $90 million of our taxes in an attempt to develop a very low-grade nickel deposit in Cuba. Now Castro has it, and it will probably drain him as it did us.

Another involves Eskimo dwellings, a lending program later meshed with several other similar Federal lending programs which have suffered a loss of more than 60 percent of original capital, and the liquidation agony is not yet over. The loss to date in this group of lending programs exceeds a billion and a half of our tax dollars.

Rama Road through the jungles of Nicaragua is another. This might well become a permanent project because we built it once and started rebuilding it immediately after it was declared completed.

The Texas City Tin Smelter, which lost fantastic quantities of our tax dollars in an attempt to corner the world's tin supply has finally been sold to private operators, putting it into profitable operation and paying taxes, local, State, and Federal.

The Sugar Act program is another excursion into the international control of economics by our bureaucrats. By Federal law your farmers may not grow sugar, except under a strict quota to protect the international sugar cartel which supplies 46 percent of our domestic consumption of sugar. The cartel buys sugar on the world market at $64 per ton, selling it on the New York market at $128 per ton, for a net profit to them of $250 million per year. But this is not all. The Castro commotion brought to light the fact that our State Department had been paying the tyrants of Cuba $125 million a year for the privilege of buying Cuban sugar. Add one more item. We pay approximately $80 million a year in taxes to police the American farmer to prevent him from growing sugar for domestic consumption. There can be no pretense of a free economy under these pressures.

The list is long—and disgraceful. It includes the improbable fact of the steam-heated tunnel on the Alaska Railroad, and how more than $10 billion was dissipated in the single year of 1948 by the Reconstruction Finance Corporation. The list includes analysis of the deceptions practiced by TVA and Bonneville to invade private enterprise, involving us in the apparently irretrievable cost of approximately $4 billion to destroy taxpaying enterprises in these two areas alone.

That a single one of these examples exist constitutes a major crime against the intents and purposes of the Constitution. The great number of such examples merely indicates the magnitude of the attack upon the American private enterprise system by Federal bureaucrats. It is one thing to protest these activities, to bemoan the conditions which have restricted personal freedom and State sovereignty, and put upon us the inhuman taxload we now carry. But this business of feeling sorry for ourselves is not an American trait. We believe in action—considered and logical action—to correct that which we regard as a violation of our American tradition, history, and law. It does no good to cry over the recurring tax we must pay to sustain this condition. It is more to the point that we analyze the errors which have developed, devise the proper, legal methods for removing these errors, and evaluating the benefactions which will accrue to us as a result of applying the terms of the liberty amendment.

When the Federal Government sells back to the American people the enterprises it now operates without constitutional authorization, the national debt will be cut more than 20 percent. This is based on the anticipation of a recovery of better than 25 percent of the valuation placed on Federal land and facilities by the Government Operation Committee itself. Cutting $65 billion or more from the national debt while restoring those properties to the tax rolls of communities, States, and the Nation, too, will eliminate interest and amortization charges on that portion of the national debt. This, in itself, would afford a tax saving of about $4 billion per year.

If this vast amount, measured in billions which are beyond our understanding, seems impossible, it might be well to refer to pages 241–246 of the 1961 Federal budget and learn that, as of June 30, 1960, funds already spent on major construction projects incomplete on that date amounted to approximately $65½ billion. This again emphasizes the magnitude of the Federal attack upon private enterprise.

The saving of $4 billion per year in interest and amortization charges just referred to is only the beginning in the savings potential under the liberty amendment. Each year the Federal corporate activities operating in direct competition with private enterprise manage to lose fantastic quantities of our tax dollars. In 1959 these losses amounted to more than $19 billion although the Federal corporate activities operated all year long, in direct competition with taxpaying enterprises, on an interest-free, dividend-free, rent-free, and tax-free basis. These fantastic losses would vanish as the enterprises are restored to private ownership and State jurisdiction.

These Federal corporate activities pay very little of the normal operating costs. It is estimated that more than $4 billion of the payroll of the Federal Government charged to the general fund provides the Federal corporate activities with free services. We have learned that it is "a rule of the thumb" in Government, as in industry, that $3 worth of goods, services, and facilities is required for every dollar of payroll. Thus, by selling these enterprises back to the American people from whom they were taken, more than $4 billion of payroll would be saved each year, and more than $12 billion in goods, services, and facilities, which makes that payroll operative, would also be saved.

The aggregate savings under the liberty amendment in such a year as 1959, the last full year of record we have analyzed, would approximate $45 billion. This is well supported by the evidence accumulated through over 17 years of assembling data.

This potential saving for 1959 of $45 billion is an amount of money $8 billion greater than all the income taxes gathered from all the American people during that same year.

With such data as this it becomes crystal clear that, by getting the Federal Government out of direct competition with its own citizens, we can eliminate the 16th (income tax) amendment entirely, which is provided in section 4 of the liberty amendment.

In the process your State and every State will again become sovereign over your domestic affairs, having jurisdiction of all things and activities within your boundaries, exactly as the Constitution intended when designed by the Founding Fathers.

And your people will be tremendously enriched. No longer will they live in dread of the tax collector. Restored to self-reliance, they will get a full paycheck again, which means, in effect, that the take-home pay of American labor will be increased better than 20 percent without changing the rate of pay by a single penny. This will solve the problem of both producers and consumers, producing the greatest single advance in standard of living ever achieved by mankind.

The liberty amendment pending before you as House bill 1758 can achieve this restoration of Americanism, not because it adds something new to the Constitution or takes anything from it, but because it will give that precious original Constitution new force and effect. Instead of grinding the people down under an inhuman load of individual income taxes, those taxes and the need for them will be abolished.

Instead of the Federal Government operating at an average annual deficit of $12 billion, as it has during the past 20 years, we can balance the budget, amply maintain our defense posture and all other essential and constitutionally authorized functions of Government, plus paying off the national debt at a rapid rate.

Instead of the violent conflict between government and people regarding who shall own and operate the enterprises created by the people, we will have a government devoted to protecting our lives and property.

Instead of the Federal Government being the greatest pauper in history, and going deeper in debt each day, it will be returned to a solvent position and regain the respect of all nations and the affection of the American people—and the affection of the citizen is the greatest asset any government can possess.

This all adds up to the simple equation that—when we stop political competition with the private enterprises of the taxpayers, the tax problems will be solved.

At the same time the sovereignty of the States will be restored, just as the Constitution intended.

It will restore international justice, confidence and honor.

It will reestablish the American ideal of "equal justice under law," with government back at its rightful job of governing and regulating, protecting our lives and property.

This will constitute a great rebirth of freedom, making us free in fact, when we are brave enough to face the issue and do the job.

Even the strife between labor and management will vanish when labor regains the full reward for toil by eliminating the withholding tax. This will put a greater net increase into the pay envelope of labor than any politician or any labor leader ever dared suggest.

These are the rewards which await us when we restore the Constitution. Enormous quantities of evidence, gathered from the official records support the liberty amendment in principle and practice.

It staggers the imagination that so many benefactions to both government and people can arise from the restoration of economic justice and fiscal balance, yet all of our history and tradition verify these facts. We urge your support of the liberty amendment pending in Congress as House Joint Resolution 23 and already approved by the States of Wyoming, Texas, Nevada, and Louisiana. It is in accord with your own history, your own tradition, with Calhoun, and Hayne and the host of great men who faced the same challenge before you today, and brought lustre and fame to your great State and freedom to your people.

(NOTE.—On February 16, 1962, Georgia became the fifth State to approve the liberty amendment.)

CITY OF HUNTINGTON PARK URGES CONGRESS TO INVESTIGATE THE IRREGULARITIES IN SUPPLEMENTAL ACTIVITY

Mr. KEITH. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. ROUSSELOT] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. ROUSSELOT. Mr. Speaker, Senate bill 1969, a bill which would give permanent status to supplemental air carriers in the airline industry, has now gone to conference. As was pointed out to us yesterday when the rule to send the message to conference was under discussion, Public Law 86-661 expired as of midnight last night. Thus supplemental air carriers are now operating on a tenuous ground.

Many of my colleagues from California and other parts of the country have become interested in the legislation as a result of the Arctic Pacific Air Lines crash in Toledo, Ohio, which claimed the lives of 16 members of the Cal-Poly football team—San Luis Obispo campus. The crash can be traced to poor safety practices and unsound financial management, conditions which the Civil Aeronautics Board and Federal Aviation Agency should have taken steps to correct long before the crash occurred.

A resolution of the City Council of Huntington Park, Calif., which was recently called to my attention, so closely relates to S. 1969 that I think it will be of interest to Members of Congress. Under leave to revise and extend my remarks, I wish to insert the resolution at this point in the RECORD:

RESOLUTION 4639

Resolution of the City Council of the City of Huntington Park, Calif., urging Congress to deny passage of S. 1969 and H.R. 7318; to investigate irregularities in administrative procedures of the Federal Aviation Agency and the Civil Aeronautics Board, and to establish adequate operational, financial, and managerial standards for supplemental air carriers

Whereas there is now pending before the Congress of the United States S. 1969 entitled "An act to amend the Federal Aviation Act of 1958, as amended, to provide for supplemental air carriers, and for other purposes," and H.R. 7318 entitled "A bill to amend the Federal Aviation Act of 1958, as amended, to provide for a class of supplemental air carriers, and for other purposes", and

Whereas if enacted in its present form this pending legislation would legalize a class of air carriers now operating on a temporary, interim basis and regularly engaged in nonscheduled or charter passenger flights without previous investigation of financial responsibility, reliability of management, safety of equipment, or previous operation experience; and

Whereas the Federal Aviation Agency and the Civil Aeronautics Board have heretofore exhibited a gross laxity in the granting of temporary certificates of convenience under section 1371 of title 49 of the United States Code by issuing certificates to insolvent and bankrupt persons; to persons with no physical assets, with no aircraft or spare parts, and with insufficient capital to pay operating expenses for even a single flight; and to persons with no previous experience in aircarrier management; and

Whereas the present legal requirements of "fitness, willingness, and ability" for certification of air carriers are totally meaningless in light of recent court decisions and actual Board practice; and

Whereas gross negligence in the administration of inadequate laws has resulted in many unnecessary and senseless deaths, injuries, hardships, and inconvenience to passengers, not the least of which was the tragic crash of an Arctic-Pacific Airlines plane in Toledo, Ohio, which took the lives of 16 members of the Cal-Poly football team, including 2 graduates of Huntington Park High School—Lynn Lobaugh and Guy Hennegan—and permanently and severely maimed many other young athletes:

Now, therefore, the City Council of the City of Huntington Park does resolve as follows:

1. That the Congress of the United States is urged to deny passage of S. 1969 and H.R. 7318 in their present form.

2. That the city council, on behalf of its 30,000 citizens, emphatically asserts that no further operational authority should be granted to supplemental air carriers beyond the March 14 expiration date of Public Law 86-661 until such supplemental carriers have met the same operational, financial, and managerial requirements exacted from regularly scheduled airlines;

3. That this Congress is urged to begin an immediate and thorough investigation of current administrative practices and procedures of the Federal Aviation Agency and the Civil Aeronautics Board, and to recommend adequate legal restrictions upon certificates of convenience which will insure the safety and welfare of the air-traveling public, and the ability of air carriers to respond in damages for negligent operation;

That copies of this resolution shall be forwarded immediately to the President of the United States, to each Senator and Congressman from California, to each member of the Senate Subcommittee on Aviation, to each member of the House Subcommittee on Transportation and Aeronautics, to Budget Director David E. Bell, to Al M Maranai, and to Harold Lobaugh.

A. R. KELLOGG
Mayor of the City of Huntington Park

Attest:

AGNES R. PLATT
City Clerk

CREDIT PROVISIONS FOR H.R. 10010 NEED CAREFUL ANALYSIS

Mr. KEITH. Mr. Speaker, I ask unanimous consent that the gentleman from Maine [Mr. MCINTIRE] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MCINTIRE. Mr. Speaker, the 1962 version of the administration's omnibus farm program is more than 100 pages in length and will have a direct impact on the farmer. It could change substantially existing farm programs to such an extent that benefits intended for farmers and farm families will be diverted to other uses.

One of these diversions is included under section 501 of title V of the new bill which amends the Consolidated Farmers Home Administration Act of 1961 to provide that loans may be made to develop recreational facilities.

This change may seem insignificant, but when one studies this in light of the basic objectives of the farm credit program, there is real cause for concern. The historic pattern established over the past nearly 30 years could be substantially altered to divert credit available for farmers and farm families to uses other than agriculture.

The Farmers Home Administration was established expressly to assist operators of family-type farms. The principal statutory authority for it is the Bankhead-Jones Farm Tenant Act of 1937 which has as its objective the rendering of credit assistance to operators of family-type farms. Other statutory authorities, including the Water Facilities Act, the Housing Act of 1949, and others, authorize loans to farmers, in most cases to operators of family-type farms. One of the greatest needs of the small, family-type farmer is an adequate farm with suitable equipment to cultivate the land. To assist the farmer in acquiring an operational unit with sufficient capital to operate the farm, the Farmers Home Administration was established to provide credit. The objective was to encourage tenant farmers to become owners and for farmers with inadequate farms to expand their productive resources. The purpose of the Farm Home Administration is to provide credit to those farmers who cannot obtain credit elsewhere at a reasonable rate of interest.

The history of the Farmers Home Administration in making such loans is excellent. The loss rate has been low, and substantial benefits have accrued to the farmer. The purpose of these loans has been limited entirely to farm families on farms to increase the farmers' incomes and to provide them with a business operation which would benefit the general economy.

The proposals in H.R. 10010 to amend authorizations broadening Farmers Home Administration lending powers would change this agency into a broad rural redevelopment authority. It would duplicate authority already enacted in law administered by the Area Redevelopment Act and Housing Acts. No attempt is made to limit lending to specific farm operations, which has been the traditional service of Farmers Home Administration.

We should look carefully for sound amendments to assist in supplemental income directly related to the opportunities of the farm family but not weaken a system for farm credit that has been helpful in the past.

The term "Recreational facilities" needs careful definition to make sure that this farm lending by this agency is strictly oriented to the farm family.

The Secretary of Agriculture has just recently released a $50 million contingency fund for use of the Farmers Home Administration to meet the demands placed on the applications for loans for this fiscal year because the authorized funds have already been expended. One of the reasons for the shortage of funds for this year is the rapidly expanding use of funds for the development of housing units in rural areas not especially for farmers, which has created a shortage of funds for farmers' family-type operations.

This is only an indication of what the situation would be if Congress were to adopt the amendments proposed in the new farm program. It would be but a short time before the farmers' interests would be neglected, and programs which historically have been intended to serve their needs would be diverted to other uses and farmers will be left holding an empty credit bag.

FEDERAL GOVERNMENT NOW OPENLY ENGAGED IN BUILDING STEAM ELECTRIC GENERATING PLANTS

Mr. FINDLEY. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. SAYLOR] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. SAYLOR. Mr. Speaker, I note with some interest that on March 5, 1962, the Rural Electrification Administration announced the approval of a loan of $15,602,000 to the Colorado-Ute Electric Association, Inc., Montrose, Colo., to help finance the construction by that cooperative of 150,000-kilowatt steam electric generating plant in western Colorado.

Colorado-Ute is a federated generation and transmission cooperative. Its membership consists of 11 REA-financed distribution co-ops in western Colorado and the Arkansas Valley Generation and Transmission, Inc., of Pueblo, Colo. This latter G. & T. cooperative furnishes wholesale power to three other REA-financed distribution cooperatives in southeastern Colorado.

The loan to Colorado-Ute will be augmented by $6 million to be assigned Colorado-Ute by the Arkansas Valley G. & T., Pueblo, Colo., from a loan previously authorized by REA, and $9,657,000 to be provided by the Salt River Power District, Phoenix, Ariz.

What is contemplated here is that of the initial capacity of 150,000 kilowatts of the proposed plant, 100,000 kilowatts will be marketed to the Salt River Power District in Phoenix, some 750 miles away. The remaining 50,000 kilowatts will be marketed to member cooperatives of Colorado-Ute, including the Arkansas Valley G. & T. at Pueblo, Colo.

This proposed 150,000 kilowatt plant is only the initial unit of what eventually will be a 600,000 kilowatt plant to be constructed by Colorado-Ute. The plant will be interconnected with the Federal transmission system of the Colorado River storage project.

Here is a classic example of REA 2 percent funds being diverted to a purpose far beyond the original intent and purposes of the REA Act. The Salt River Power District serves in and around the highly urbanized Phoenix area and is a non-REA borrower completely capable of financing additional generating facilities of its own without obtaining a subsidy of 2 percent Federal moneys from REA.

It is also reported in that area that the Plains Electric Generation & Transmission Cooperative, Inc., of Albuquerque soon plans to apply to the REA for a $20 million loan to build a 100,000 kilowatt electric plant near Farmington, N. Mex. This plant will also be interconnected with the Federal transmission system of the Colorado River storage project. Ultimate capacity of this plant may be as much as 325,000 kilowatts and it is reported that 225,000 kilowatts of such capacity will be provided for the Salt River project of Arizona.

The argument is made that these proposed plants are needed to firm up Colorado River storage project hydoelectric power. As I understand it the electric companies in the area will soon have a capacity in excess of 4 million kilowatts and if the Colorado River storage project needs firming up by steam generating plants, the existing plants of these companies can be utilized for this purpose. In fact, recently the Secretary of the Interior announced approval of proposals made by the companies to the Bureau for this very purpose.

It seems to me that what we have here is an obvious effort through the backdoor of REA borrowings to build federally financed steam electric generating plants to firm up a Bureau of Reclamation hydroelectric project, where funds on a direct appropriation basis would not be available to the Bureau for such purpose. These REA loans are nothing more than a means of thwarting the will of Congress, since Congress has repeatedly denied appropriations for Federal construction of steam electric generating plants outside the TVA area.

Under regulations formulated by the REA administration, an applicant for an REA generation and transmission loan is required to secure alternative power proposals from other power suppliers in the area. In the case of Colorado-Ute, it is my understanding that Colorado-Ute has not contacted any of the electric companies in the area, which are currently the principal producers of power in the State. In an effort to justify this oversight, Mr. Clapp in a letter to one of the companies in the area states as follows:

> In the particular situation with respect to the proposed applicant, Colorado-Ute Electric Association, because of its status as a preferred user, the logical supplier for additional power other than its own generation is the Colorado River storage project. Our borrower has been working very closely with the Colorado River storage project officials in connection with this matter. We consider that this meets all essential requirements in regard to this matter.

Apparently Mr. Clapp is of the opinion that his only responsibility in considering an application for a generation and transmission type loan is to review alternative proposals of the Bureau of Reclamation. Investor-owned power suppliers in the area can be ignored. This, Mr. Speaker, is a very novel and far-reaching concept, which if allowed to persist would result in millions of dollars of public funds being doled out in the form of 2-percent loans to duplicate facilities which could otherwise be provided by taxpaying business enterprise in this country. The Rural Electrification Administration Act was not intended for this purpose.

It now comes to my attention that this same Plains Electric Generation & Transmission Cooperative has submitted a letter of intent to Secretary Udall to furnish transmission line capacity needed by the Bureau for transmission of Colorado River storage project power between the Farmington area and the Albuquerque area in New Mexico. The letter of intent submitted to Mr. Udall on March 5, 1962, is an obvious effort to underbid the proposal of Public Service Co. of New Mexico to provide the same service under a proposal already approved by the Secretary. I understand that Mr. Clyde T. Ellis, manager of the National Rural Electric Cooperative Association and his partner Mr. Alex Radin of the American Public Power Association are urging cooperatives in Colorado, Utah, and Wyoming to make similar bids.

Here is an obvious scheme to use the 2-percent money provided by the Federal Government under the REA loan program, with the attendant exemption of Federal and State income taxes, enjoyed by cooperatives, to build a completely independent integrated federally financed power system under the guise of water resource development and rural electrification.

This whole situation to me smacks of an unholy alliance between the REA Administration and the Bureau of Reclamation to push further the federalization of the power industry in this country, with Messrs. Ellis and Radin calling the signals from the sidelines.

It was my understanding that when the Congress authorized the Colorado River storage project, one of the arguments advanced was that additional power resources were needed to meet the needs of preference customers in the area. This was a fallacious argument, but in any case, one that was made. It now appears that these preference customers do not need the Colorado River storage project power at all because they can come to the REA Administrator and obtain unlimited amounts of 2-percent money to build steamplants of their own to meet such requirements. And with the 2-percent money, which is less than half of the cost of such money to the Federal Government, they can build generating plants to develop power cheaper than can be obtained from Bureau of Reclamation projects. In addition, they do not need a Federal transmission system to be constructed by the Bureau of Reclamation. They can build their own with the same 2-percent money provided by the Federal Government.

This Congress may soon have under consideration the proposed Fryingpan-Arkansas project. The argument is made here that this project is needed to meet the power requirements of preference customers in the area. I note with some interest, however, that the Arkansas-Valley C. & T. of Pueblo, Colo., is participating in the proposed Colorado-Ute plant. If the Arkansas Valley C. & T. is going to get its power from the Colorado-Ute plant, who is going to take the output of the Fryingpan-Arkansas project? Argument will be made that the preference customers need both sources. If this is the case, why

does not the REA Administrator simply loan more 2-percent money to the co-ops in the area? This is cheaper than the cost of money to the Federal Government and the co-ops will be able to get their power cheaper than from the Fryingpan-Arkansas project.

Mr. Speaker, this whole situation raises many questions in my mind as to the propriety of loans currently being made by the Rural Electrification Administration. This whole program has been shrouded in a cloak of secrecy, and it is not until the horse is out of the barn that this Congress is aware of the loans made by the Administration. I believe that it is time that Congress take a closer look at this program and the interrelationship between the program of the REA and that of the Bureau of Reclamation.

The proponents of public power are making use of two popular programs, the reclamation of arid lands and the electrification of farms, to promote expansion of Federal power. It seems that the men who have been selected to direct reclamation and the REA program are more dedicated to the expansion of Federal power than to the intended purposes of the organizations they head. I opposed the Colorado River storage project because I recognized it at the time as just what it has panned out to be—a public power project. Before we approve any more of these Bureau of Reclamation projects—and I am thinking in particular now of the Fryingpan-Arkansas project which we may be called upon to consider shortly—we had better have a long hard look at their true objectives. If the Bureau of Reclamation is going to make power its primary objective let us change its name to the Bureau of Power.

Since practically all of the farms have been electrified and new users coming on rural cooperative lines are 5 to 1 nonfarm users, the REA program has ceased to be a farm program. It is now interested in building large generating plants and serving industrial loads and in particular it seems interested in promoting more Federal power.

As REA works with the Bureau of Reclamation to promote more Federal power, I see no reason why they should not join up in a Bureau of Power then they could really work together under one director. Then they would not be hiding behind a reclamation or farm program. We could look at them in their true light.

PERSONAL EXPLANATION

Mr. KEITH. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. GRIFFIN] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. GRIFFIN. Mr. Speaker, in order to fulfill a speaking engagement of longstanding, unfortunately, it was necessary of me to be absent from the Chamber earlier in the day when the vote was taken—rollcall No. 38—on the adoption of the conference report accompanying H.R. 8723, the Welfare and Pensions Plan Disclosure Act Amendments of 1962.

However, I should like the RECORD to reflect that if I had been present, I would have voted "aye."

BUREAUCRATIC HARASSMENT

Mr. KEITH. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. MACGREGOR] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MACGREGOR. Mr. Speaker, on March 13 I offered an amendment to S. 167 which was adopted by the House. The purpose of my action was to protect innocent third party witnesses from the possibility of bureaucratic harassment.

It should be borne in mind that this legislation applies to civil actions only. Any opposition arguments referring to criminal violations are simply a smokescreen.

We are giving to the Department of Justice a right not granted to any other civil litigant. We would permit the Department to make use of a portion of the "discovery of evidence" procedures set out in the Federal Rules of Civil Procedure without the requirement that a lawsuit be started. This would be a unique privilege.

We are proposing that the service of a civil investigative demand be authorized without the prior approval of any court or any judge. Such a grant of power should be extended with great concern for its conceivable consequences. As legislators, we have an obligation to consider primarily the possibilities of an abuse of new executive power, rather than the probabilities of its proper exercise.

The case for ultimate approval by the Congress of the MacGregor amendment is spelled out very well indeed in the following editorial from the Washington Post of March 15, 1962:

AID IN TRUST-BUSTING

Antitrust investigations will be facilitated by a bill which the House passed this week, if a satisfactory reconciliation with the similar Senate bill can be worked out. The measure is designed to encourage civil antitrust suits by the Department of Justice in cases where there is little or no evidence of criminal intent. At present the Department is handicapped in bringing such civil suits because it cannot compel a company under investigation to yield pertinent documents. If the company refuses to cooperate in the inquiry, the Department can obtain the documents it needs only by pressing criminal charges before a grand jury.

This situation has encouraged, on one hand, the presentation of frivolous cases to grand juries and, on the other hand, the neglect of investigations that should be pursued in the public interest. The Supreme Court has ruled that grand juries may not be used to compel evidence for use in civil suits. The House logically decided, therefore, to let the Department obtain specified documents from companies under investigation, without pressing criminal charges.

Similar authority has long been used by the Federal Trade Commission and other administrative agencies. The new powers that would be granted to the Department of Justice in the House bill appear to be carefully safeguarded. The Department could make investigative demands on a company, setting forth the alleged violations of the antitrust laws, and describing the documents to be produced. If the company should resist the demand, the Department would have to prove to a Federal judge that the documents sought were relevant and the request reasonable. Privileged documents could continue to be withheld. If the court should decide that some documents should be yielded, the Department could copy them at the company offices but not cart them away. Such papers would have to be kept confidential.

In addition the House added a Republican amendment which would have the effect of limiting the reach of the bill to companies under investigation. This seems to us a wise precaution despite the vigorous opposition it brought from the bill's sponsors. The Department can always broaden the scope of an investigation, if it finds reason to do so, but it should not be allowed to reach into the files of corporations under no suspicion. Apparently this amendment brings the bill into line with the recommendations of the American Bar Association. It ought to be preserved by the House-Senate conference committee.

PARKING FEES AT DISTRICT OF COLUMBIA STADIUM

Mr. KEITH. Mr. Speaker, I ask unanimous consent that the gentleman from Virginia [Mr. BROYHILL] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. BROYHILL. Mr. Speaker, I wish to bring to the attention of the House a problem which I feel is threatening the financial integrity not only of an arm of the District of Columbia government, but of an organization which we hope will become a fixture on the Washington scene, the Senators baseball team. The problem is the $1 fee which the District of Columbia Armory Board proposes to charge to park an automobile during ball games held in the new District of Columbia Stadium.

The Washington Senators are the principal tenant of the new District of Columbia Stadium. The Senators must be highly successful to enable the Armory Board to meet its obligations on the bonds it issued to build the stadium.

The $1 parking fee that the Board wants to charge would arouse much resentment among baseball fans. This resentment would be so great that it would cut down attendance at the Senators' games to the point where they would be unable financially to keep going. If that happened, it would destroy all chance of paying off the stadium bonds. The stadium would become a $21 million monument—expensive, as monuments go, even in Washington.

The $1 parking fee already has caused one organization to call off an exhibition it had scheduled in the District of Columbia Armory, next door to the stadium. If it has this effect on a large, well-financed national organization, think how much resentment the buck parking charge will have on ordinary

people who otherwise would buy a ticket and spend the afternoon or evening watching a major league baseball game.

The resentment could amount to a real boycott and even the ruination of the Senators.

Mr. Speaker, I cannot help but deplore this proposed action. Washington is a good baseball town. For years the loyal fans have suffered under several severe handicaps, not the least of which was the lack of convenient, inexpensive, and safe parking facilities. It has been my understanding, Mr. Speaker, that the facilities at the new stadium were designed to remedy this situation. But I submit that a $1 charge for parking is exorbitant, inconsistent, and will prevent this objective from being achieved. This is striking a real blow at the Senators Baseball Club at a time when maximum support is needed from all lovers of the game.

I suggest, Mr. Speaker, that parking facilities at the new stadium, as is done with similar facilities of the National Park Service at such places as the Carter Barron Theater, be offered to the baseball-loving public free of charge. I am informed, by the president of the Washington Baseball Club that he supports this statement and is willing to assume the expense and responsibility which free parking would involve.

I have also been advised that the stadium parking lot, the largest in the District, unoccupied most of the time, can be utilized effectively for fringe parking for our friends in the bordering Maryland counties. This will contribute to the solution of the District business area traffic problem and plans can be devised for the Washington Transit System to provide transportation from the fringe area lot to downtown.

I am one, Mr. Speaker, who feels deeply that the Nation's Capital should be represented in the national pastime by a top flight team. We have the ball park; this morning's sports columns indicate we have the potential to achieve the eminence the loyal fans of this area deserve. Now the team must have the support of all. No handicaps should be placed in the way of achieving that goal. A $1 parking fee would be a severe handicap.

COMMUNIST BLUEPRINT FOR AMERICA

Mr. KEITH. Mr. Speaker, I ask unanimous consent that the gentleman from Washington [Mr. PELLY] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. PELLY. Mr. Speaker, a widely circulated and prominently played up news item last week had to do with a quotation falsely attributed to Premier Khrushchev. It seems that Mr. K did not say "We cannot expect the Americans to jump from capitalism to communism, but we can assist their leaders in giving Americans small doses of socialism until they suddenly awake to find they have communism."

I can imagine, Mr. Speaker that the spenders and welfare staters were pretty happy to be told that Premier Khrushchev never did say any such thing.

But painful as it is for me to throw cold water on any such allegation, I must remind them that there are other authenticated quotations as to the Communist blueprints for America. For example, William Z. Foster who has been described by our colleague, the gentleman from Pennsylvania [Mr. WALTER] as being the Kremlin's 40-year American branch manager said almost the same thing as the so-called fake Khrushchev statement. Foster, in his book, "Toward Soviet America" said:

From capitalism to communism, through the intermediary state of socialism; that is the way American society, like society in general, is headed.

Mr. Speaker, those who favor a centralized Federal bureaucracy and socialistic programs, cannot avoid the ultimate consequences of their socialization by assailing the veracity of one quotation. Extremist individuals and leftist groups should realize that just because Mr. K. did not say one particular thing that what he did not say is necessarily not so. Spurious or not, the substance if not the identical words of the supposed Khrushchev statement can be correctly attributed to other Communist leaders, including not only William Z. Foster, the one time national chairman of the American Communist Party, but also to Gus Hall, the present secretary of the American Communist Party.

FOOD AND AGRICULTURE ACT OF 1962

Mr. KEITH. Mr. Speaker, I ask unanimous consent that the gentleman from Kansas [Mr. DOLE] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. DOLE. Mr. Speaker, under title II, the Food and Agriculture Act of 1962, it is proposed that title II of Public Law 480 be amended by removing the limitation on what surplus agricultural commodities may be made available for donation to friendly countries or peoples suffering from famine or other extraordinary emergency, to needy peoples for work projects, and to underdeveloped countries for assistance in economic development.

Under the current law, only stocks held by CCC may be made available for donation under this title. The proposed amendment would give the Secretary of Agriculture authority to determine that almost any agricultural commodity is in surplus and made available. In cases where the CCC does not have the designated surpluses in hand, it would have to go into the market and purchase from the private trade, provide for the reprocessing, packaging, and transportation to the country of destination.

When this title was originally enacted, it was deemed appropriate that the President should have authority to donate agricultural surpluses, accumulated by CCC through its price support operations, to needy peoples suffering severe famine or other calamity. I do not believe anyone can object to this kind of humanitarian endeavor. CCC had the stocks and was and still is paying out annually huge sums for storage and handling charges. CCC also continues to accumulate these stocks. Even so, Congress saw fit to put a limitation on the amount, $300 million worth per year, and on what commodities could be made available.

In May 1960, the purposes of this title were expanded to include donations of CCC stocks to needy peoples abroad for work projects, and for the promotion of economic development of underdeveloped countries. This change in the act has expanded the donation program considerably. For the 6 fiscal years, 1955 through 1960, a total of $518 million worth of commodities was obligated under title II or an average of about $86 million per year. With the addition of the authority to donate for the purpose of work projects and economic development, the total for fiscal 1961 was $290 million. A large part of the increase over the average was for economic development in Africa and Asia.

Now, for what purpose does the administration wish to remove the limitation as to the kinds of commodities which may be included in this program? There are ample supplies in stock of those commodities which CCC necessarily must purchase to carry out the price support program. In the last fiscal year, almost all of the annual authorization, $300 million, was obligated. It appears that the prime purpose of the amendment is to enlarge the donation program. It is a part of the plan to change the purpose of the Public Law 480 act from a trade development program to a gigantic giveaway scheme. At the same time it will bring more commodities, more producer groups under the control of the Government. A review of the list of commodities made available under the current law discloses that the products not available are poultry, livestock, tobacco, and fruits and vegetables. These are all relatively high cost products and will add greatly to the total cost of the program.

It seems strange that the administration would make this proposal at this time, because we hear so many complaints that the farm program is already costing the Government too much. In his budget message, the President said that he was going to propose a new farm program which would cost less. How can this policy be made to coincide with the amendment to force CCC to purchase additional commodities in order that the giveaway program can be increased. On the basis of the record, it certainly does not make sense.

CANADIANS READY TO PICK THE BONES OF TAMPA CIGAR INDUSTRY AS RESULT OF GAPING LOOPHOLE ON CUBAN EMBARGO

Mr. KEITH. Mr. Speaker, I ask unanimous consent that the gentleman

from Florida [Mr. CRAMER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. CRAMER. Mr. Speaker, I call to the attention of my colleagues in the House the following editorial in the Tampa Times, Tuesday, March 13, 1962, titled "Canadians Ready To Pick Our Bones," which refers to a matter I have previously called to the attention of the House and that is the gaping loophole in the so-called Cuban embargo which permits foreign countries to ship Havana tobacco products to this country and thus circumvent the embargo.

As I have stated on the floor of the House previously, this results in not only destroying the effectiveness of the embargo but also will eventually put out of business the Havana Tampa cigar industry, of which a thousand cigar workers are already out of work.

It did not take Canada long to realize the loophole exists; and, as a matter of fact, for a Mr. H. W. P. Thompson, of Canada, to appear on the Tampa scene in an effort to attract away some of these cigar workers to Canada. As the article says "like scavengers picking the bones of the victim," in this instance even before the victim is dead.

This is the best evidence of fact that Canada, as do other foreign countries, intends to ship Havana cigars into this country and take advantage of the vacuum of production that will eventually result in curtailment of the industry in Tampa. Yes, like scavengers, the foreign countries that are engaged in the manufacturing business, and that are trading with Cuba and can tool up for such business, are already preparing to raid this industry and to be ready to destroy this $50 million consumer demand in this country that has largely been built up by the Tampa industry. And yet the administration sits idly by with promises of relief if justified, despite the demands for plugging this loophole made by many throughout the country.

What better proof does the State Department and the President need? It is the duty of this administration to put Canada and other countries on notice before they make preparation in reliance on this loophole that Cuban tobacco will not be permitted to be imported in any form from any country, or is the administration going to wait until these countries prepare for production or increased production and then claim it is too late to act?

The article follows:

CANADIANS READY TO PICK OUR BONES

Most scavengers have the good taste to wait until the victim is dead before they begin their feast.

Canada can't wait. A representative of the Canadian consulate in New York City came to Tampa yesterday looking for 1,000 cigar workers for the expanding cigarmaking business in his country. Canada is one of several nations expected to begin heavy purchases of Cuban tobacco embargoed by the United States.

H. W. P. Thompson, the visiting Canadian shed a few dusty tears over the plight of the cigar industry here.

"Although it is regrettable to see an industry leave an area," he remarked unctuously, "it is even more regrettable to see individuals suffer and nothing done for them."

Mr. Thompson's concern might be better directed toward those Canadian communities helped last Christmas by a generous airlift sponsored by MacDill Air Force Base personnel.

Actually, Mr. Thompson may be whetting his knife too soon. The local cigar industry has not yet breathed its last. And even if it does eventually cease the manufacture of Havana cigars, it expects to demand and receive an embargo on all products containing Cuban tobacco. In addition, we expect that any person in the United States smoking imported Havanas will be stigmatized as pro-Castro—just as Canada has stigmatized itself by failing to aid in combating the Communist menace in the Caribbean and by selling goods to Red China.

Mr. Thompson wants 1,000 cigar workers for Canada. Well, perhaps he will find some interested persons who are discouraged by local conditions. However, we would advise those Tampans tempted by his offer to demand two things:

1. An airtight contract spelling out conditions of employment.

2. A round-trip ticket.

FAIR PLAY FOR CUBA COMMITTEE STILL NOT PLACED ON SUBVERSIVE LIST: ANOTHER SIGN OF WEAKNESS AND INDECISION IN FIGHTING CASTRO'S COMMUNISM

Mr. KEITH. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. CRAMER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. CRAMER. Mr. Speaker, beginning in April of 1960 and continuing for a period of some 14 months, the Senate Internal Security Subcommittee held hearings to determine whether the Fair Play for Cuba Committee was a subversive organization and, thus, whether it should properly be placed on the Attorney General's subversive list.

Because large numbers of Cuban citizens have sought refuge in my district and in other areas of my State which, incidentally, lies less than 90 miles from the Castro prison state of Cuba, I have a more than academic interest in our Government's attitude toward the Fair Play for Cuba Committee, and, accordingly, I checked recently with the Department of Justice in order to ascertain the status of the organization and the Department's present attitude toward it.

Imagine my continuing surprise and consternation to learn that the Attorney General has not yet seen fit to list the Fair Play for Cuba Committee as being subversive, in spite of overwhelming evidence to the contrary produced at the several hearings by the Senate subcommittee.

Indeed, I ascertained a certain amount of misguided feeling that this group of rabble rousers had gone underground after Fidel Castro made his open announcement that he had formally embraced communism, and I seemed to gain the impression that the Department of Justice might feel that there no longer remained any need for being apprehensive about what the Fair Play for Cuba Committee has recently been up to.

Because I detect this feeling among those who should be chasing Communists instead of forgetting about them, I should like at this time to bring some vital facts to the attention of the distinguished Members of both branches of the Congress, and to sound an unmistakable warning that the Fair Play for Cuba Committee is still organizing new chapters in order to hasten the fall of our way of life and the spread of Cuba's communism.

To illustrate, I should like briefly to describe the activities of the chapter in Tampa, Fla., the largest city in my district and one which has the largest percentage of persons of Cuban nationality or blood in the United States. Practically all of these people are strongly opposed to Castro or any other dictator, but as in most situations of this type, there is a handful of sympathizers, many of whom probably came to Tampa since the rise of Castro.

But, first, I shall briefly review the background of the parent organization, with headquarters in New York City. It is the same organization that the distinguished chairman of the Senate Internal Security Subcommittee, Senator EASTLAND, and Senator THOMAS DODD, a member of the subcommittee, described as being an obvious Communist operation.

The Senate subcommittee became interested in this outfit shortly after the Fair Play for Cuba Committee was born in the spring of 1960, less than 2 years ago. At the opening hearing on April 29 of that year, a resident of Connecticut named Carleton Beals testified to having received a letter dated February 9 of that year from one Robert Taber, apparently on the letterhead of CBS News, and requesting that Beals take an interest in this new committee, whose objective would be the launching of a counterpropaganda campaign. Later, Beals was asked to become cochairman, but he declined, or so he said.

Speaking of CBS News, later in my remarks I expect to show how this division of the Columbia Broadcasting System and the parent company itself were so expertly duped by this man Taber and by others involved in this nefarious plot to picture Fidel Castro as a regular "salt of the earth."

There is small reason to believe that Beals remained active, or even very interested in this thing for long, but Taber has been the kingpin since its inception, and, so far as is known, is in Cuba right now.

Robert Taber can be described as a disgruntled American, a man who might have gone on to a distinguished career as a broadcasting official or in public information, but somewhere along the line he became caught up in the frenzy to protect the Castro name and image, and so with another man named Waldo Frank, he put together the Fair Play for Cuba Committee.

Waldo Frank, incidentally, as far back as 1932 wrote an article for New Masses

magazine entitled "How I Came to Communism: Symposium."

Soon after the nucleus of a committee had been formed, Taber placed a full-page ad in the New York Times headlined "What Is Really Happening in Cuba?" Cosponsors of the ad were listed in the margin, the left margin, quite appropriately, and included the names of Truman Capote, Norman Mailer, Jean Paul Sartre, all well-known leftwing authors, and a man named Richard Gibson. Of Gibson we shall hear more.

The ad listed Waldo Frank as chairman and Carleton Beals as cochairman of the Fair Play for Cuba Committee.

The Senate Internal Security Subcommittee quizzed both Taber and a prominent New York City physician, Dr. Charles A. Santos-Buch, as to the cost of the ad and the source of the funds used to pay the bill for $4,725. While Taber either refused to testify against himself or, at best, was exceedingly evasive in his answers, Dr. Santos-Buch, on the other hand, proved to be a remarkably candid witness and was most cooperative and revealing. It seems that their efforts to raise the money through private and voluntary subscriptions fell flat, and aside from a few hundred dollars they managed to raise, the funds came to Taber and Santos-Buch from the Cuban Government, specifically from Raulito Roa, the son of Castro's foreign minister and himself a member of the Cuban delegation to the U.N. The tale of how they made contact and rode around Manhattan in a cab, trying to cash the check obtained from Roa, is almost tragically funny, but the thought behind it was far from funny.

Santos-Buch, a graduate of Cornell University and now assistant pathologist at New York Hospital-Cornell Medical Center, freely admitted that the money handed over by Roa was used to pay the New York Times for the ad and, of course, the Times was able to prove that Taber both ordered and paid for the ad.

Santos-Buch, incidentally, is registered as a foreign agent, so I was informed the past week by the Justice Department.

Another interesting witness was a Miss Joanne Grant, at the time a 30-year-old graduate of Syracuse University, a native of upper New York State but with a checkered career that included a long history of hobnobbing with persons of questionable motives, such as Red China's premier, Chou En-lai, with whom she was photographed. Miss Grant took the privilege granted American citizens to travel abroad, but overdid herself by traveling to places and at a time that were not covered by her visa. Her troubles with American passport officials are almost legendary, but her resorting to the first and fifth amendments while being questioned by the Senate subcommittee scarcely hide the well-known fact that she is secretary of the Fair Play for Cuba Committee.

There are others involved in the organization, many of them too small fishes to bother mentioning, but the final one I shall allude to is one Richard Gibson, who seems to be a very mixed-up man, who seemed to be obsessed with his Negro blood and what he felt was prejudice against his race. Gibson is longtime president of the Fair Play for Cuba Committee. Along with Taber, the national secretary, Gibson seems clearly to be the power behind the throne.

Gibson, in fact, along with Taber, is no stranger to the Columbia Broadcasting System family. His interesting career began with 1 year at Kenyon College in Ohio, which he fled without paying his bill. That was in 1950. From there he went on to 1 year at the university in Rome, which was paid for by the John H. Whitney Scholarship Foundation. Four years later he was at the Sorbonne in Paris, and this leg of his schooling was paid for by the U.S. Government under the GI bill.

In addition to kicking around, educationwise, for several years, Gibson spent 3 years in France working as a newsman. He has since testified that there was pressure upon CBS News to hire Negroes, and that since he was qualified, they offered him a job. The pressure, incidentally, was being applied by the Urban League of New York, according to Gibson. Two months after beginning his employment, he became acquainted with Taber, who was also on their payroll.

Gibson testified that during his employment with CBS News he had occasion to prepare news broadcasts dealing with the Cuban situation.

About a year and a half after he was employed by them, Gibson was asked by CBS to submit his resignation, which he blamed on a letter from the distinguished senior Senator from Virginia, Senator BYRD, who brought to the attention of CBS his criticisms of Gibson's actions involving certain Negro causes in the South, as well as his involvement in the Fair Play for Cuba Committee, and because the FBI was investigating him.

One of the strange things about the Gibson-CBS relationship is the comparative ease with which he apparently obtained his job. It seems strange to me that a man with such a checkered and disjointed educational background should have been given the opportunity to prepare broadcasts to be heard by the American people over such a large communications system, but I am not that well acquainted with hiring practices in the radio industry.

However, it does seem strange indeed that upon terminating his services, CBS, through its subsidiary CBS Foundation, thought well enough of Gibson to send him to Columbia University in New York on what is known as a CBS fellowship. Soon after he arrived on campus, Columbia University found itself with an active, full-fledged chapter of the Fair Play for Cuba Committee on its hands.

In his testimony, Gibson admitted to some interesting things, but denied others. For instance, he took the time of the members of the Senate Internal Security Subcommittee by refusing to acknowledge any connection with the placement of another full-page ad in the New York Times, this time one which ran on April 21, 1961, at a cost of $4,536 and which was signed by Richard Gibson, acting national executive secretary. The Senate subcommittee staff had to go to the expense, time, and trouble of bringing in handwriting witnesses to prove that Gibson's signature matched the one on the check for the payment of the cost of the ad to the advertising agency. Later he admitted the connection.

The ad, incidentally, stated that the Fair Play for Cuba Committee has more than 6,000 members, or had at that time, with 21 chapters in U.S. cities and 4 in Canada. And that leads me to mention exactly what is happening in my district, specifically in Tampa.

The ostensible kingpin of the Tampa chapter is one V. T. Lee, self-styled retired sailor, though he is a 35-year-old native of New York City and was born to Mr. and Mrs. Charles Tappin. He has served 2 years in the U.S. Army, and has served as an odd-jobs or maintenance man for a children's home in Tampa. To the best of my knowledge, he founded the Tampa chapter and has been its day-to-day director.

Last December 14 Lee was interviewed by a staff writer of the Tampa Tribune. During their conversation, Lee claimed that he had no interest in Castro, but that his concern was with better relations between Cuba and the United States. He repeatedly ducked answering the questions of the writer, Tom O'Connor, but he did volunteer information that had little bearing on the subject. He admitted getting much of his information from the Havana-published newspaper, Revoluccion, which is a recognized crackpot sheet written at Castro's direction.

Lee himself is unimpressive, confused, ignorant of the basic differences between Cuba and this country and insolently indifferent to the problems of the Cuban people, but he does happen to have confined his efforts to a very sensitive area, the Spanish-speaking center of Tampa, known as Ybor City. Since the coming of Castro, this relatively small section has taken in thousands of displaced Cuban relatives of those already there and, of course, these are people who long for news from home. This makes them a sympathetic target for a radical such as Lee.

And to reach this readymade audience, he began to edit and distribute a bilingual newsletter. I have in my possession the issue of last November, and the masthead identifies it as volume 1, number 3. The trash contained in this issue is not worthy of being repeated here, but two or three references within it should be brought to the attention of the Congress.

First, the newsletter states that "with this edition we will have produced and distributed a total of 1,701 copies of Tampa Fair Play." In the same paragraph, incidentally, he begs for funds, admitting that he desperately needed help in order to continue.

The same issue accuses President Kennedy and Senator EASTLAND of withholding diapers from Cuban babies.

The Senator, in fact, is labeled a hatchetman and a loudmouth in this issue. Reference is likewise made to those "jackasses in Washington." The Cuban exiles now in Miami are called "pimps,

prostitutes, gamblers, thieves, murderers, and the scum of society." In short, claimed the newsletter, "Castro got all the cream and here in Florida are the dregs and scum."

A Tampa Tribune article dated January 27 of this year states that the Tampa chapter is still alive and, in fact, another newsletter was distributed in January. The latter I have not yet been able to obtain, but I am now told that it was probably published somewhere other than in Tampa. The article said that the paper had learned that Lee was at that time in New York, and had been for several weeks. That was less than 1 month ago.

My point, Mr. Speaker, is that the Tampa chapter may be small and its leaders pathetic, but a newsletter of this type can do irreparable damage to our reputation, especially among those who have sought refuge within our borders.

The point, too, is that the Attorney General allows this menace to go unchecked, in spite of overwhelming indications and evidence that the Fair Play for Cuba Committee, and its members or sponsors or devotees, are devoted to Castro, and I think there is small doubt that he is dedicated to communism and the overthrow of our form of government.

The Attorney General's failure to place this group on the subversive list becomes all the more baffling when we consider that the annual FBI report for fiscal year 1961 states, in part:

> FBI investigations also have shown that the Fair Play for Cuba Committee has been heavily infiltrated by the Communist Party and the Socialist Workers Party, and these parties have actually organized some chapters of the committee.

Both organizations, of course, are on the Attorney General's subversive list.

Now we all know that Cuba today is a Communist state. The top people are old-line Commies and have been for years. Recently, Castro himself publicly embraced the Commie cause. Ergo, it is a Communist state, openly wooed and supported by Russia and other Communist countries. Thus, it seems to me that any organization that openly admires and supports this sort of police state, has many known Communist sympathizers supporting it and brazenly and openly defines a duly constituted congressional committee seeking ways and means of combatting communism should be on the Attorney General's subversive list.

The question may be asked: "Why should we put them on the list?" Well, it seems to me that when the Cuban Government, through one of its delegates to the United Nations, sends $3,600 up here so that an anti-United States and pro-Castro advertisement in the New York Times can be paid for, we have a perfect example of a foreign agent. And foreign agents are supposed to register.

If the Attorney General is still reticent about recognizing a Communist state even when it shows itself as one, let me bring another fact or two to his attention. First, we have the very obvious fact that scores of Reds have visited Cuba since Castro came to power. Indeed, a few weeks ago some 30 Yugoslav officers were present at a huge Cuban review of its armed strength on the anniversary of Castro's third year in power. To compound the mystery, last year the United States sold 130 F-86D Sabrejets and 24 jet trainers to Yugoslavia at cut-rate prices. Newspaper reports now tell us that a number of these planes were shipped from this country aboard Yugoslav freighters, and that at least one of these freighters, en route to Yugoslavia, made a 5-day stopover in Havana under a complete blackout and heavy guard.

And reports have persisted for more than 7 months that Cuba now has anywhere from 26 to 100 Mig jets in her forces, all of which were manufactured in Red Czechoslovakia.

Mr Speaker, I have long been concerned with this threat from the south, especially when it comes from a country just 90 short miles from our coastline. In the last session I was sufficiently disgusted with Castro's offer to trade 1,200 Cuban prisoners for 500 heavy-duty tractors to have introduced House Concurrent Resolution 322, in which I urged that this country oppose the "swap." I have long urged a complete embargo against Cuba, and while it was interesting to see the President finally take some action, I am afraid he waited much too long.

To abstain from taking more definitive action against the Castro regime, and to fail to properly list it as a subversive regime, amounts, in my opinion, to fully as great a fiasco as was the Bay of Pigs invasion. We simply do not have a sensible, planned, cohesive approach to this Cuban problem.

In fact, our policy of helping our enemies has gone too far already. After seeing India march in and steal Goa, long a recognized constitutional Portuguese colony, it strikes me that our policy toward so-called neutrals has been a failure. As I stated above, why should we continue to coddle Tito and his Yugoslav Reds?

Then there is Poland, to which we have sent $500 million in surplus wheat under the 480 program and which has used this to keep the Communist government in power rather than to feed the starving Poles. On my recent trip to Poland I saw this with my own eyes, not to mention to have learned of two huge shipyards that they have built in Cuba in exchange for $15 million to $20 million of Cuba's sugar, which Poland does not need and must get rid of, largely to Great Britain.

Not only must we review our policy of assisting Iron Curtain countries, but we must take immediate, strong, positive steps here at home. First, Congress must repeal the Executive order of January 1961, when President Kennedy opened the U.S. mails to Communist propaganda, which had previously been banned since 1957. The House has already passed this amendment in the postal increase bill. This would allow us to keep such Communist propaganda sheets as La Revoluccion from Havana out of circulation, currently being shipped in from Havana. It is obvious this is done on orders from Moscow. As a matter of fact, Czechoslovakia takes and carries out similar orders providing orders to Cuba.

Then, too, we must plug the loophole in the Smith Antisubversion Act by making changes through my bill, H.R. 3247, that would outlaw the organization of Communist cells anywhere in this country, and that would certainly cover the Fair Play for Cuba Committee.

Mr. Speaker, this is not an appeal based on partisanship, but instead is an appeal based upon the merits and the need and the very real threat from both outside and inside our country. I intend to introduce certain remedial legislation to accomplish some of the things I feel need to be done, but nothing is of more immediate importance than to have the Attorney General recognize communism for what it is and take the proper steps to put it out of business.

ADDRESS BY JAMIE L. WHITTEN

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Kentucky [Mr. NATCHER] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. NATCHER. Mr. Speaker, the following is a speech by Representative JAMIE L. WHITTEN, of Mississippi, delivered before the National Rural Electrification Cooperation Association convention at Atlantic City, N.J., on March 7, 1962:

THE REA, KEY TO OUR HIGH STANDARD OF LIVING

(Speech by Representative JAMIE L. WHITTEN, of Mississippi, chairman, Committee on Agricultural Appropriations)

It is a real honor for me to be able to address this national meeting of your organization and to discuss with you a subject close to the hearts of all of us, rural electrification.

My service in Congress and on the Appropriations Committee, 14 years as chairman of the group which authorizes REA loans, has almost paralleled the growth and development of REA. I've watched the program grow; and may I say here it required no effort for me to appreciate this fine program and its contribution to all Americans. Sound and solid, it has proven to be the best investment any government ever made.

I am proud of the job REA has done for the American farmer, but more important the job it has enabled the American farmer to do for all of us. I am proud of the part I have had in the development of the program of REA.

One of the greatest achievements of the last 100 years is the bringing of electrical energy to rural areas. It has enabled a few people on the farms of America to produce food and fiber for our 183 million consumers, while others are freed to meet other national needs.

I serve on the Appropriations Subcommittee which handles the budget for the Defense Department. For the coming fiscal year, we will spend 63 percent of our total Government income for defense and closely

related activities. It is expected that nearly 2.7 million persons will be on active military duty and another 1 million Reserves will be maintained in a state of readiness for recall to active duty. In addition, millions and millions of our people are employed in supporting this vast Army, producing planes, submarines, ships and missiles and all the other things defense requires.

TEN PERCENT OF POPULATION NOW FEEDS 100 PERCENT

Though we have been and are now suffering some inflation, our standard of living has continued to be the highest ever enjoyed by the people of any nation in history.

We have been able to carry such a heavy defense burden, with the resulting inflation, without decreasing our standard of living because fewer and fewer people are producing more and more food, which releases more and more of our population for other purposes.

When this country was young, 90 percent of the people had to produce their own food and fiber with the plow and the hoe. Today, about 10 percent of our people produce enough to feed our entire population.

It now takes so few of us to produce the food, clothing, and shelter for the rest of us, that the rest of us can provide the highest standard of living ever known for all of us.

Because farming efficiency has increased rapidly, food costs have risen much less since World War II than the cost of most other consumer items in the market.

Food is an outstanding bargain in the United States today. It is usual for people in most areas of the world to spend one-third to one-half or more of their total income for food. United Nations figures show the percentage of income spent for food in certain areas as follows: Italy, 46 percent; Japan, 51 percent; Ceylon, 57 percent; Nigeria, 71 percent. In the United States, food costs take 20 percent or less of the disposable income, as compared to over 50 percent in Russia.

American consumers also enjoy the greatest variety and the finest quality of food available anywhere in the world. Further, such food is the most wholesome and healthful in the world. For the first time in the history of man, the terror of famine has been replaced by the problems of feast.

This did not just happen, nor was it an accident. It has been due to the technological revolution in American agriculture, brought on by the needs of a growing national and international economy.

Certainly the availability of cheap electric energy to the American farmer is a basic factor in making this technological revolution possible. REA has provided this energy. There are 400 uses of electricity on the farm and in the home, and at least 250 of them increase production and make farming more profitable.

Let's look at this program of REA and see just what it has done for the American farmer, and how it has accomplished this fine work.

GROWTH OF RURAL ELECTRIFICATION PROGRAM

REA was established on May 11, 1935, and the Rural Electrification Act of 1936 gave it permanent status with a 10-year lending program. In 1944 Congress extended this program indefinitely.

At the time the act was passed some people thought that only a small percentage of farmers would take electricity if offered. Events since 1935 have proved them wrong.

In 1936 only 10.9 percent of the farms had electricity. There were only 7,508 consumers in 1936 being served by 29 REA borrowers. Now 96.8 percent have electricity. Around 1,000 REA borrowers were serving a total of over 5 million consumers in January of this year in 46 States, Puerto Rico, and the Virgin Islands.

In my own State of Mississippi, only nine-tenths of 1 percent of the farms had electricity in 1935; today over 90 percent are receiving electrical service.

Despite the fact that REA had to reach out and provide area coverage to many of the more thinly populated areas of rural America, it has been able to provide excellent service to such areas on a sound financial basis. Average monthly consumption per consumer has increased from 147 kilowatt-hours in 1950 to 357 kilowatt-hours in 1960—an increase of 143 percent in 10 years. Areas served by REA still average only 3 customers per mile as compared to an average of 40 customers per mile served by private companies.

The committee which I am privileged to head has continually urged area coverage as fully as possible, so that every farm needing electricity might receive it to the fullest extent. Those in charge of the program in the Department of Agriculture through the years have also stressed this approach. Together we have been successful.

REPAYMENT RECORD OUTSTANDING

Let's look at the financial record of the REA. One of the most remarkable features has been its excellent repayment record. It is one in which everyone in the Nation can take pride. No bank or other lending agency in the United States can boast a better record of payment.

A total of 1,091 borrowers have obtained financing through the REA program. Sixty-five have repaid their loans in full, leaving 992 active borrowers in the REA program at the present time. The facilities of these borrowers include 1,483,000 miles of line.

Since the inception of the program in 1935, loans have totaled over $4.5 billion. Loan funds advanced to borrowers exceeded $3.8 billion by December 1961. As of last June 30, $874,686,215 of principal had been repaid. In addition, over $422 million of interest has been paid on these loans.

A notable milestone this year was the receipt by REA of the one-billionth dollar repaid on the principal of electric power loans. One of the remarkable things about this program is the amount of funds which has been repaid in advance of the dates required. As of last June 30, over $176 million had been repaid ahead of schedule by REA borrowers. This is truly a remarkable record.

Another achievement of which we can all be proud is the fact that only 1 out of 1,091 borrowers was behind schedule at the end of last year. Less than $95,000 of repayments were overdue more than 30 days as of last June 30. This is a record that few if any credit institutions can match.

This record was so great and the repayment rate so fine that, when I became chairman of my committee, I started the practice of making additional funds available in the form of a contingency fund to meet loan demands beyond those which could be met with the regular amount carried in the bill. We have continued this policy each year since that time and have found it very helpful. If the requirements of the law and standards of REA are met, funds are always available to meet new applications as they come in.

We all know that the REA program proved early that the American farmer is just as much interested in electricity as the next fellow and in later years, electrical energy has become a necessity. He is willing to buy it and he is paying for it. There are some now who would be willing to take him and his highly developed REA system over. I wouldn't mind owning a good system myself. However, we must not let the cream be raked off, for that would let the man in the thinly populated area go without service once again.

FUTURE OUTLOOK

Power requirements of the rural electrification systems are increasing rapidly. The demand for electric energy in rural areas is doubling every 5 to 7 years. It is estimated by REA experts that power requirements of REA borrowers will increase from the present annual level of 32 billion kilowatt-hours to 50 billion kilowatt-hours in 5 years and to around 69 billion kilowatt-hours by 1970.

With the ever increasing demand by rural areas for electric power, due to additional customers each year as well as increased consumption per consumer, the need for loan funds for systems rephasing and improvement will continue to grow. Likewise, additional funds will be needed to develop new sources of power to meet this expanded demand. In 1961, 5.2 billion kilowatt-hours of electricity were generated by REA borrowers, whereas 27.6 billion kilowatt-hours were purchased from outside sources, nearly half from private power companies.

REA must continue to insure that an abundant, low-cost, secure power supply is available to the rural areas of our Nation. It has been this abundant, low-cost supply that has been such an important factor in the agricultural technological revolution which is taking place in this country.

It is significant to note that the cost of electrical energy, something I am concerned with as I know you are, dropped from 4.08 cents per kilowatt-hour in 1945, to 3.34 cents in 1950, to 2.71 cents in 1955. It dropped further from 2.32 cents per kilowatt-hour in 1960 to 2.29 cents per kilowatt-hour in 1961. This gradual reduction of electric rates through the years has been one of the greatest accomplishments of the REA program.

REA BENEFITS OUR ENTIRE ECONOMY

As I have said earlier, one of the greatest achievements of the last 100 years has been the bringing of reasonably priced electrical energy to all sections of the country. We are all dependent upon production on the farm for food and fiber, the necessities of life. Not only can a large share of present abundant production be attributed to electricity in rural areas, but the only reason we have some people on the farm at all is because of this development.

Life on the farm has always had much to offer, but there has been the drudgery and lack of conveniences. Today with electricity, with the automobile, good roads, and other things, people on the farm have many of the comforts enjoyed by people in other walks of life.

The benefits of REA, however, extend far beyond our rural areas. The farmers are just one segment of the population which benefits from REA.

The general public receives many indirect benefits, including more and better food at less cost. In addition, urban workers benefit in a major way by virtue of the fact that the rural demand for machinery, equipment, appliances, etc., which use electricity provide a sizable market for industrial products.

Agriculture uses more steel in a year than is used for a year's output of passenger cars. It uses more petroleum products than any other industry in the country. It uses more rubber each year than is required to produce tires for 6 million automobiles. Its inventory of machinery and equipment exceeds the assets of the steel industry, and is five times that of the automobile industry.

Much of this tremendous rural market is the result of the availability of reasonably priced electrical power to farmers.

The most obvious example of a segment of industry that benefits from REA is the electrical appliance industry.

Surveys by your organization indicate that there is a potential market of over $1 billion for electrical appliances in rural America. For every dollar invested in rural power facilities, the farmer spends from $3 to $4 in wiring, plumbing, and electrical appliances.

Your surveys indicate further that over 1 million rural households now have adequate electrical capacity for most of the new electrical appliances. I would venture to guess that there are as many TV sets in rural America as there are bathtubs. The farm housewife now enjoys the same modern conveniencies as does her urban neighbor.

FINANCIAL RESERVES NECESSARY BUT MUST BE REASONABLE

For several years questions have been raised by critics of the program and others concerning the accumulation of financial reserves by cooperatives and the use of such reserves. My own committee has brought this matter to the attention of REA officials as well as officials of your organization on several occasions. In our report last year on the appropriation bill for fiscal year 1962, we specifically called on the REA to establish standards to be used in determining what should be considered as adequate reserves. We felt that everyone would benefit from such a determination.

I am happy to note that a set of standards has been established by the REA Administrator. While I don't profess to know exactly what level of reserves should be considered adequate, it is obvious that the adoption of such standards is a step in the right direction. The entire program will be strengthened by such action.

Apparently your organization is in accord with the action taken by the Department to establish criteria for the measurement of financial reserves needed by the cooperatives. This represents a healthy and practical realization of your responsibility to the taxpayers of the Nation who, after all, provide the funds to finance the REA systems.

I wish to commend those responsible for this action, which is essential if we are to keep this program sound and free from any possible criticism.

I have always insisted upon maintaining the right of REA to make power generation loans, so that it could make certain power is available at reasonable rates and on reasonable terms. Such right, however, should not be abused. I believe some criteria should be developed in this latter field and I believe some guide rule should be set up by the REA. We must not forget that excesses have caused trouble always; and today in the House of Representatives only 137 Members out of 437 come from rural districts. Our operations should always be sound. Too, one must remember these 300 nonrural House Members of Congress are looking over our shoulder.

Rural electrification has made a major contribution to rural America. It has added much to the comfort of farm people and has made it possible for farmers to stay in business, despite decreasing prices, and increasing costs for seed, fertilizers, insecticides, machinery, and all other items of production. It must be preserved.

I have seen the benefits of this program in my own State and I've seen them nationwide. I want to point out again that it has played a major role in enabling American agriculture to perform a vital service to the Nation with 10 percent of our people providing our entire 183 million people with the best food at the lowest cost in the history of the world.

CONCLUSION

I repeat, I am proud of the part I have had in the expansion of the REA. I take pride in area coverage and the reduction in rates which has been brought about by having the REA and its authority. I am happy that nearly 97 percent of the farms of the Nation are now receiving electrical service.

We have just about reached the point where the future need for the rural electrification program will be primarily in the improvement and rephasing of present systems to provide the additional capacity necessary to meet the ever-increasing demands for power in rural areas, to make up for labor which is not available.

My Committee on Appropriations for Agriculture, and a large majority of Members of Congress have consistently provided adequate funds for the REA program.

We intend to continue to actively support the REA system and to do everything in our power to see that the American farmer continues to benefit from an abundant supply of electrical energy, that he may serve the Nation. I believe that Congress will continue to support us in this effort. We have a wonderful program. We must continue to see that it is operated in a sound and responsible manner.

I know that the National Rural Electric Cooperative Association and all of you will join us in that endeavor.

FEDERAL DEFENSE SPENDING IN VARIOUS STATES

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHLEY] may extend his remarks at this point in the RECORD and include tables.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ASHLEY. Mr. Speaker, during recent weeks I have undertaken a study, based on information from the Department of Defense, the Library of Congress, and other sources, to analyze the trend of the last decade with respect to Federal defense spending in various States.

In making this study, I selected nine key States which I believe reflect a fair geographical distribution—Arizona, California, Florida, Illinois, Massachusetts, Michigan, Ohio, Pennsylvania, and Texas—and 3 key years, reflecting the changed emphasis or pattern in defense spending during the past decade.

Arizona, California, Florida, and Texas in recent years have been enjoying tremendous industrial expansion which to an appreciable extent can be attributed to governmental policy in defense procurement. I selected Massachusetts because it is the anchor State of New England industry, and Illinois, Michigan, Ohio, and Pennsylvania because these States historically represent the backbone of American manufacturing. Together these four Midwestern States accounted for 27.1 percent of total U.S. nonfarm employment in 1950 and 26.1 percent of corporate and individual Federal income tax revenue in the same year; in 1930, for 29.5 and 28.6 percent, respectively.

Nineteen hundred and fifty-two was selected because that was a year in which the United States was engaged in a limited conventional war; 1956 because it was a year in which there came to be reliance upon instant nuclear retaliation as the principal deterrent to war, and 1961, a year in which a new defense policy was evolving which recognized the necessity of preparing for both conventional and nuclear warfare, as well as a year in which there was particular concentration of the U.S. space effort.

My inquiry has been into two principal areas, the first involving military and civilian personnel and payroll in the nine selected States during fiscal years 1952, 1956, and 1961 and the second involving the net value of military procurement actions for these same States during these years and percent change from fiscal year 1952 to fiscal year 1961. It is to be acknowledged, of course, that these figures don't reflect the full story. Complicating factors in defense production defy completely accurate measurement, but I believe these figures do reflect accurately the trends which have taken place during the past 10 years, and furnish a useful indicator of the relative position of the subject States.

With respect to the first area of inquiry, active duty military and civilian personnel and payroll in the United States and selected States for fiscal years 1952, 1956, and 1961—see table I and II attached—it can be seen that Ohio is holding its own, as are Michigan, Illinois, and Pennsylvania. With respect to the much more important area of the net value of military procurement actions in these same States during fiscal years 1952, 1956, and 1961 and the percentage change from fiscal year 1952 to fiscal year 1961, however, the situation is vastly different.

In table II we find that the total civilian and military payroll increased from $9.8 billion in 1952 to $11.6 billion in 1961. Together, Illinois, Ohio, Michigan, and Pennsylvania accounted for 10.7 percent of total U.S. Department of Defense payroll in 1952 as against 10.9 percent in 1961. The most significant fact in table II is that of a total Department of Defense payroll which increased from $9.8 billion in 1952 to $11.6 billion in 1961, approximately 14 percent of this or roughly $1.5 billion each year is attributable to California. By the same token, Texas has enjoyed about 9 percent of the total payroll, averaging something over $900 million a year. Together these two States account for 22 percent of the total, compared to the approximate 11 percent of total Defense Department payroll for the four Midwestern States.

Moving then to the more significant area, namely, the net value of military procurement actions in these nine States for 1952, 1956, and 1961, the picture dims. We find that of the total net dollar value of military procurement throughout the entire United States, California has registered an astonishing increase from 12.6 percent of the total in 1952 to 20.1 percent in 1956 and 23.9 percent in 1961. Texas' share of U.S. defense procurement, though considerably less, showed healthy growth from 3.4 percent of total in 1952 to 5.6 percent in 1956 and 5.1 percent in 1961. Together it can be seen that California and Texas accounted for 16 percent, 25.7 percent and 29 percent of total U.S. defense procurement spending, or $6 billion, $4.2 billion and $6.3 billion, in 1952, 1956, and 1961, respectively.

Turning to the four Midwestern States during the same years we find that Illinois went from 4.5 percent—$1.7 billion—in 1952 to 5.4 percent—$6.8 billion—in 1956, to 2 percent—$6.4 billion—in 1961; Michigan went from 13.5 percent—$5.1 billion—in 1952 to 1.9 percent—$0.3 billion—in 1956 to 2.7 percent—$0.5 billion—in 1961; Ohio went from 6.3 percent—$2.3 billion—in 1952, remained constant percentagewise but dropped more than $1 billion in 1956 and dropped further to 4.5 percent—$1 billion—in 1961; Pennsylvania went from 5.1 percent—$1.9 billion—in 1952 to 4.2 percent—$0.6 billion—in 1956 to 3.6 percent—$0.8 billion—in 1961.

Thus we find that of the total value of all U.S. military procurement in 1961, Illinois, Michigan, Ohio, and Pennsylvania accounted for 13 percent or $2.7 billion, while California and Texas combined accounted for 29 percent or $6.3 billion—a difference of 16 percent or nearly $4 billion.

It is important to note that each of the four Midwestern States since 1952 has registered a steady if not spectacular decline in the years since 1952 while the dramatic increase registered in California and Texas combined has seen these two States practically double their percentage of total defense business in the last 10 years.

As I stated earlier, 1952 was selected as a target year in order to reflect expenditures for Defense Department personnel and procurement during a period of actual hostility. In the intervening years—from fiscal 1952 to fiscal 1961—of so-called peace, Department of Defense military and civilian personnel decreased by 27½ percent. Because of pay increases and other factors, Department of Defense civilian and military payroll increased by 18.8 percent during these same years. Generally speaking, these changes are reflected in the percentage changes of most of the States under consideration. When we compare the net value of defense procurement, however, we again find a significant disproportion—see table IV attached.

Between 1952 and 1961, total defense procurement spending fell by 42.2 percent. During these same years, however, we find that Arizona and Florida, respectively, registered increases of 373.4 percent and 235 percent.

Although total defense procurement spending decreased more than 40 percent between 1952 and 1961, Texas fell off only 11.4 percent and California registered a net gain of 9.4 percent in 1961 over the share of the defense procurement dollar which it received in 1952.

Illinois, Michigan, Ohio, and Pennsylvania, as might be expected, were not so lucky. While the national defense dollar was shrinking by 42.2 percent, defense activity in Illinois fell off by 74.7 percent, in Michigan by 88.6 percent, in Ohio by 58 percent, and in Pennsylvania by 58.9 percent. The above-national percentage decline in defense activity in the four Midwestern States reflects an above average loss in dollar volume which is staggering. If Illinois, Michigan, Ohio, and Pennsylvania had merely suffered a cutback from their 1952 activity equivalent to the 42.2 percent national cutback, the value of their combined defense business in 1961 would have been $4.7 billion. Instead it was $2.8 billion. By suffering a loss averaging nearly 30 percent greater than the national average, these four States thus lost additional defense business in 1961 totaling $1.9 billion. When we consider that a comparable loss was suffered each year since 1952, it is readily apparent that the four Midwestern States in question lost to other areas of the country between $15 and $20 billion in defense contracts during the last decade over and above the 42.2 percent national cutback.

It is my strong conviction, Mr. Speaker, that forceful and effective efforts must be taken to reverse this trend. If defense procurement is to be placed more and more on the basis of climatic conditions, as appears to be the situation, the future of industrial activity throughout our great Middle West and other parts of the country will be bleak indeed. Certainly we must wonder when the Army tells us with a straight face that it is closing down Rossford Ordnance Depot because it cannot meet safety requirements for the storage of solid propellant missile fuels while at the same time our Defense Establishment is directing the expenditure of $5 billion a year—or about 25 cents out of every military procurement dollar—into one single State. Is California blessed with invulnerability in this nuclear age or are we in Ohio considered to be accident prone?

In the final analysis, of course, we support that which is in the national interest. Can it be said, though, that the direction which military procurement has taken since 1952 is, from the military, economic and social standpoints, in the best interest of all Americans? If the truth were told, has not our procurement policy been given credit for judgment and foresight which is largely undeserved? How much planning has there actually been?

TABLE I.—*Active-duty military and civilian personnel in the United States and selected States, fiscal years 1952, 1956, and 1961* [1]

State	1952		1956		1961		State	1952		1956		1961	
	Total	Percent of total	Total	Percent of total	Total	Percent of total		Total	Percent of total	Total	Percent of total	Total	Percent of total
United States (State totals)	3,417,836	100.0	2,703,421	100.0	2,475,325	100.0	Massachusetts	78,898	2.3	63,172	2.3	62,534	2.5
							Michigan	32,864	1.0	23,388	.8	31,039	1.3
Arizona	25,611	.9	30,062	1.1	26,455	1.1	Ohio	73,964	2.2	65,256	2.3	58,411	2.3
California	494,452	14.5	354,946	13.8	341,362	13.8	Pennsylvania	128,678	3.8	93,933	3.4	83,323	3.3
Florida	103,846	3.0	98,800	3.5	79,966	3.2	Texas	283,089	8.6	250,808	9.0	228,014	9.2
Illinois	98,032	2.9	86,331	3.2	71,719	2.9							

[1] Military personnel includes all shore-based personnel. Those in Navy and Marine Corps aboard ship not included. Includes Department of Defense employees only.

Source: Directorate for Statistical Services, Manpower Division, Office of the Secretary of Defense.

TABLE II.—*Estimated civilian and military payroll in the United States and selected States, fiscal years 1952, 1956, and 1961* [1]

[In thousands of dollars]

State	1952		1956		1961		State	1952		1956		1961	
	Total	Percent of total	Total	Percent of total	Total	Percent of total		Total	Percent of total	Total	Percent of total	Total	Percent of total
United States (State totals)	9,802,515	100.0	10,579,953	100.0	11,649,857	100.0	Massachusetts	238,104	2.4	244,268	2.3	304,006	2.6
							Michigan	92,943	0.9	90,251	0.9	151,931	1.3
Arizona	72,937	.7	112,021	1.1	120,721	1.0	Ohio	246,524	2.5	272,393	2.6	300,986	2.6
California	1,434,514	14.6	1,467,268	13.8	1,597,742	13.7	Pennsylvania	417,737	4.3	368,122	3.5	454,314	4.0
Florida	288,230	2.0	368,639	3.5	374,580	3.2	Texas	520,363	5.4	933,224	8.8	1,046,401	9.0
Illinois	294,775	3.0	339,003	3.2	346,315	3.0							

[1] Military data includes allowances. Includes Department of Defense employees only.

Source: Directorate for Statistical Services, Manpower Division, Office of the Secretary of Defense.

TABLE III.—*Net value of military procurement actions for selected States, fiscal years 1952, 1956, and 1961*

[In thousands of dollars]

State	1952		1956		1961	
	Total	Percent of total	Total	Percent of total	Total	Percent of total
United States (State totals)	38,229,233	100.0	16,490,964	100.0	22,112,446	100.0
Arizona	51,719	.1	140,683	.9	244,837	1.1
California	4,823,338	12.6	3,311,203	20.1	5,276,760	23.9
Florida	147,019	.4	153,253	1.1	492,654	2.2
Illinois	1,727,513	4.5	887,053	5.4	437,250	2.0
Massachusetts	937,758	2.5	509,301	3.1	1,072,370	4.8
Michigan	5,153,036	13.5	308,292	1.9	595,480	2.7
Ohio	2,392,051	6.3	1,046,513	6.3	1,004,245	4.5
Pennsylvania	1,959,360	5.1	619,502	4.2	804,389	3.6
Texas	1,285,273	3.4	929,438	5.6	1,138,471	5.1

Source: "Military Prime Contract Awards by State: July 1950, June 1954, June 1959, and September 1961." Office of the Secretary of Defense.

TABLE IV.—*Percent change in net value of military procurement actions, estimated Department of Defense civilian and military personnel and payroll for the United States and selected States, from fiscal year 1952 to fiscal year 1961* [1]

State	Department of Defense civilian and military personnel	Department of Defense civilian and military payroll	Net value of procurement actions
United States	−27.5	+18.8	−42.2
Arizona	+3.3	+65.5	+373.4
California	−31.0	+11.4	+9.4
Florida	−22.9	+27.7	+235.0
Illinois	−26.6	+17.5	−74.7
Massachusetts	−20.6	+27.72	+14.4
Michigan	−5.6	+63.5	−88.6
Ohio	−23.7	+22.1	−58.0
Pennsylvania	−36.0	+8.8	−58.9
Texas	−21.9	+27.6	−11.4

Source: Computed from data supplied by the office of the Secretary of Defense.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. VANIK, today, for 15 minutes, and to revise and extend his remarks.

Mr. PRICE, today, for 10 minutes, to revise and extend his remarks and to include extraneous matter.

Mr. HALPERN (at the request of Mr. KEITH), for 15 minutes, on Monday, March 19.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. CORBETT and to include extraneous matter.

Mr. WICKERSHAM.

Mr. ALGER and to include extraneous matter during debate in the Committee of the Whole.

(The following Members (at the request of Mr. KEITH) and to include extraneous matter:)

Mr. HOSMER in three instances.

Mr. MCINTIRE.

Mr. KEITH.

Mr. BERRY.

Mr. MORSE.

(The following Members (at the request of Mr. ALBERT) and to include extraneous matter:)

Mr. BOLAND.

Mr. ADDONIZIO.

Mr. JOELSON.

Mr. ANFUSO.

Mr. CAREY.

Mr. RODINO in two instances.

Mr. BAILEY.

Mr. KOWALSKI in two instances.

Mr. ELLIOTT in two instances.

Mr. ROSENTHAL.

Mr. GREEN of Pennsylvania.

ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 5 minutes p.m.), under its previous order, the House adjourned until Monday, March 19, 1962, at 12 o'clock noon.

CONTRACTUAL ACTIONS, CALENDAR YEAR 1961, TO FACILITATE NATIONAL DEFENSE

The Clerk of the House of Representatives submits the following report for printing in the CONGRESSIONAL RECORD pursuant to section 4(b) of Public Law 85-804:

MARCH 12, 1962.

The Honorable JOHN W. MCCORMACK,
Speaker of the House of Representatives, Washington, D.C.

MY DEAR MR. SPEAKER: There is forwarded herewith the annual report for the calendar year 1961 of the National Aeronautics and Space Administration of contractual actions taken pursuant to Public Law 85-804 (50 U.S. Code 1431-5).

Sincerely yours,

PAUL G. DEMBLING,
Director, Office of Legislative Affairs.

ANNUAL REPORT OF THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION: CONTRACTUAL ACTIONS TAKEN PURSUANT TO SECTION 4 OF PUBLIC LAW 85-804 (50 U.S. CODE 1434)

During the calendar year 1961, the Contract Adjustment Board of the National Aeronautics and Space Administration granted relief under this statute in two cases presented to it. The total amount of the relief granted in these cases is $396,386. The first case involved the formalization of informal commitments; and the second, an amendment to express the original intent of the parties, and to extend the time and provide the funds required for completion of the contract. The two cases are set forth on the attachment hereto. No other cases were considered by the Board in calendar year 1961.

List of contractual actions with actual or potential cost of $50,000 or more taken pursuant to Public Law 85-804 to facilitate the national defense, January-December 1961

Name and location of contractor	Actual or estimated potential cost	Description of property or service	Justification
(1) Geophysics Corp. of America, Bedford, Mass.	$345,552	Construction and delivery of 19 instrumentation sections for Nike-Asp, Nike-Cajun, and Javelin rockets, participation in field programs for rocket firings and acquisition of data, and reduction and analysis of scientific results.	Formalization of informal commitments adding to existing contract NAS 5-215 following progress and development in problem area, in view of urgency of requirement for the rockets, and the heavy contractual workload.
(2) The Display House, Philadelphia, Pa.	50,834	Design of U.S. technical exhibit on peaceful uses of outer space.	Amendment of contract to express understanding of parties, to extend time, and to provide additional funds required to complete performance.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1812. A letter from the Director, Office of Legislative Affairs, National Aeronautics and Space Administration, transmitting the Annual Report of the National Aeronautics and Space Administration of Contractual Actions Taken for the Calendar Year 1961, pursuant to Public Law 85-804; to the Committee on the Judiciary.

1813. A letter from the Chairman, Federal Communications Commission, transmitting a copy of the report on backlog of pending applications and hearing cases in the Federal Communications Commission as of January 31, 1962, pursuant to Public Law 554, 82d Congress; to the Committee on Interstate and Foreign Commerce.

1814. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated January 29, 1962, submitting a report, together with accompanying papers and an illustration, on a letter report on the Ohio River at and in the vicinity of Pomeroy, Ohio, requested by a resolution of the Committee on Public Works, House of Representatives, adopted June 19, 1952; to the Committee on Public Works.

1815. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders entered in the cases of certain aliens who have been found admissible to the United States, pursuant to the Immigration and Nationality Act; to the Committee on the Judiciary.

1816. A letter from the Under Secretary of Commerce, transmitting a draft of a proposed bill entitled "A bill to provide penalties for certain offenses committed in connection with highway construction"; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ASPINALL: Committee of conference. H.R. 4130. A bill to amend the Menominee Termination Act (Rept. No. 1437). Ordered to be printed.

Mr. HAYS: Committee on House Administration. House Resolution 566. Resolution providing for printing additional copies of the report submitted by the Committee on Ways and Means pursuant to H.R. 10650, the Revenue Act of 1962; without amendment (Rept. No. 1444). Ordered to be printed.

Mr. HAYS: Committee on House Administration. Senate Concurrent Resolution 59. Concurrent resolution authorizing the printing of additional copies of Senate Report 488, 87th Congress, entitled "Administered Prices, Drugs"; without amendment (Rept. No. 1445). Ordered to be printed.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. LANE: Committee on the Judiciary. S. 2018. An act for the relief of Robert B. Kasparek, Robert M. Kearny, Richard A. Stokes, J. R. Whitehouse, Jr., and Herbert A. Wolff, Jr.; without amendment (Rept. No. 1438). Referred to the Committee of the Whole House.

Mr. LINDSAY: Committee on the Judiciary. H.R. 7332. A bill, for the relief of Mrs. Ethel Knoll; without amendment (Rept. No. 1439). Referred to the Committee of the Whole House.

Mr. DONOHUE: Committee on the Judiciary. H.R. 9445. A bill for the relief of Miss Grace Smith, and others; without amendment (Rept. No. 1440). Referred to the Committee of the Whole House.

Mr. MACGREGOR: Committee on the Judiciary. H.R. 3825. A bill for the relief of T. W. Holt & Co. and/or Holt Import & Export Co.; without amendment (Rept. No. 1441). Referred to the Committee of the Whole House.

Mr. SHRIVER: Committee on the Judiciary. H.R. 5061. A bill for the relief of James L. Merrill; without amendment (Rept. No. 1442). Referred to the Committee of the Whole House.

Mr. GILBERT: Committee on the Judiciary. H.R. 7876. A bill relating to the effective date of the qualification of the joint pension plan for employees of Local Unions 645, 1507, and 1511, Brotherhood of Painters, Decorators, and Paperhangers of America as a qualified trust under section 401(a) of the Internal Revenue Code of 1954; with amendment (Rept. No. 1443). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BARRETT:

H.R. 10754. A bill to amend the Small Business Act to provide that the program under which Government contracts are set aside for small-business concerns shall not apply in the case of contracts for maintenance, repair, or construction; to the Committee on Banking and Currency.

By Mr. BOW:

H.R. 10755. A bill to amend the Internal Revenue Code of 1954 to provide for the medical care of the aged through the allowance of a tax credit as an incentive for health insurance coverage; to the Committee on Ways and Means.

By Mr. BROYHILL:

H.R. 10756. A bill to increase annuities payable to certain annuitants from the District of Columbia teachers' retirement and annuity fund; to the Committee on the District of Columbia.

By Mr. CELLER:

H.R. 10757. A bill to provide for the establishment of the Oriskany Battlefield National Historic Site; to the Committee on Interior and Insular Affairs.

H.R. 10758. A bill to provide for audit of accounts of private corporations established under Federal law; to the Committee on the Judiciary.

By Mr. JAMES C. DAVIS:

H.R. 10759. A bill to amend the Subversive Activities Control Act of 1950 to authorize the payment of rewards to persons who furnish information leading to convictions of organizations or individuals of failure to register as required by such act; to the Committee on Un-American Activities.

By Mr. DULSKI:

H.R. 10760. A bill to increase the maximum travel allowance for postal transportation clerks, acting postal transportation clerks, and substitute postal transportation clerks; to the Committee on Post Office and Civil Service.

By Mr. FINDLEY:

H.R. 10761. A bill to support the price of soybeans; to the Committee on Agriculture.

By Mr. GARLAND:

H.R. 10762. A bill to make available to individuals suffering speech and hearing impairments the trained speech and hearing specialists (variously called speech pathologists, audiologists, speech and hearing clinicians, speech correctionists, and so forth) needed to help them overcome their handicaps; to the Committee on Education and Labor.

By Mr. GUBSER:

H.R. 10763. A bill to amend section 1074 of title 10, United States Code, to provide that retired reservists with 30 years of Federal service who performed active duty during World War I and World War II shall have the same privileges with respect to medical care as retired reservists who served 8 or more years on active duty; to the Committee on Armed Services.

By Mr. JOHNSON of Maryland:

H.R. 10764. A bill to authorize a grant to the State of Maryland for rehabilitation of certain coastline areas; to the Committee on Public Works.

By Mr. MONTOYA:

H.R. 10765. A bill to bring certain holders of star route and other contracts for the carrying of mail within the purview of the Civil Service Retirement Act, the Federal Employees' Group Life Insurance Act of 1954, and the Federal Employees Health Benefits Act of 1959, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. PUCINSKI:

H.R. 10766. A bill to amend the Davis-Bacon Act, as amended; the Federal Airport Act, as amended; and the National Housing Act, as amended; and for other purposes; to the Committee on Education and Labor.

H.R. 10767. A bill to amend section 302 of the Labor-Management Relations Act, 1947; to the Committee on Education and Labor.

By Mr. RANDALL:

H.R. 10768. A bill to amend the Subversive Activities Control Act of 1950 to authorize the payment of rewards to persons who furnish information leading to convictions of organizations or individuals of failure to register as required by such act; to the Committee on Un-American Activities.

By Mr. RYAN of New York:

H.R. 10769. A bill to amend section 203 of the Social Security Act to provide that the amount of an individual's medical, dental, and related expenses shall be subtracted from his outside earnings before determining under such section the amount of any reduction in his benefits by reason of such earnings; to the Committee on Ways and Means.

By Mrs. SULLIVAN:

H.R. 10770. A bill to amend the Meat Inspection Act to extend its coverage in certain areas; to the Committee on Agriculture.

By Mr. ANDERSON of Illinois:

H.R. 10771. A bill making appropriation for advance engineering and design on the Freeport Pecatonica River, Ill., flood control project, administered by the Department of the Army for the fiscal year ending June 30, 1963; to the Committee on Appropriations.

By Mr. CELLER:

H.R. 10772. A bill to provide for the establishment, ownership, operation, and regulation of a commercial communications satellite system, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. JOHNSON of California:

H.R. 10773. A bill to provide relief for residential occupants of unpatented mining claims upon which valuable improvements have been placed, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. LOSER:

H.R. 10774. A bill to amend the Subversive Activities Control Act of 1950 to authorize the payment of rewards to persons who furnish information leading to convictions of organizations or individuals of failure to register as required by such act; to the Committee on Un-American Activities.

By Mr. PRICE:

H.R. 10775. A bill to amend the Atomic Energy Act of 1954, as amended, and for other purposes; to the Joint Committee on Atomic Energy.

By Mr. RODINO:

H.R. 10776. A bill to amend section 144 of title 28 of the United States Code; to the Committee on the Judiciary.

By Mr. WICKERSHAM:

H.R. 10777. A bill to authorize the coinage of 50-cent pieces in commemoration of the first U.S. manned vehicle orbital flight around the earth; to the Committee on Banking and Currency.

By Mr. FARBSTEIN:

H.R. 10778. A bill to amend the International Claims Settlement Act of 1949, as amended, relative to the return of certain alien property interests; to the Committee on Foreign Affairs.

By Mr. GARLAND:

H.R. 10779. A bill to make available to children suffering speech impairments the

specially trained speech pathologists and audiologists needed to help them overcome their handicaps; to the Committee on Education and Labor.

By Mrs. HANSEN:

H.R. 10780. A bill to provide for the reopening of the recently closed Veterans' Administration contact offices; to the Committee on Veterans' Affairs.

By Mr. KOWALSKI:

H.R. 10781. A bill to outlaw various devices which are used to deny citizens the right to vote because of their race or color, and for other purposes; to the Committee on the Judiciary.

H.R. 10782. A bill to provide for the equal administration of justice and for protection against violence under color of law; to the Committee on the Judiciary.

H.R. 10783. A bill to provide for the desegregation of all public schools with all deliberate speed. Requires every school board which has failed to achieve desegregation in its schools to adopt and file with the Secretary of Health, Education, and Welfare a desegregation plan providing for first step compliance; to the Committee on Education and Labor.

H.R. 10784. A bill to establish a Commission on Equal Employment Opportunity to encourage and enforce a policy of equal job opportunity in Federal employment, in employment under Government contracts, and in employment in programs supported or in facilities constructed by Federal grants-in-aid; to the Committee on Education and Labor.

H.R. 10785. A bill to provide for relocation of families displaced by the Interstate Highway System, and for other purposes; to the Committee on Public Works.

By Mr. ROOSEVELT:

H.R. 10786. A bill to establish standards for hours of work and overtime pay of laborers and mechanics employed on work done under contract for, or with the financial aid of, the United States, for any territory, or for the District of Columbia, and for other purposes; to the Committee on Education and Labor.

H.R. 10787. A bill to provide that the Government of the United States shall furnish no aid or assistance to any foreign nation or citizen thereof in carrying out any activity under which American citizens will be discriminated against; to the Committee on Foreign Affairs.

By Mr. COOLEY:

H.R. 10788. A bill to amend section 204 of the Agricultural Act of 1956; to the Committee on Agriculture.

By Mr. ABBITT:

H.J. Res. 665. Joint resolution proposing an amendment to the Constitution of the United States providing for the election of President and Vice President; to the Committee on the Judiciary.

By Mr. TOLLEFSON:

H.J. Res. 666. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. GUBSER:

H. Con. Res. 452. Concurrent resolution expressing the sense of the Congress as to a study and investigation concerning a nationwide program of remunerative occupational training for youth; to the Committee on Education and Labor.

By Mr. McVEY:

H. Con. Res. 453. Concurrent resolution to set aside the week beginning November 4, 1962, as National Country Music Week; to the Committee on the Judiciary.

By Mr. FISHER:

H. Res. 565. Resolution authorizing salary increases for the file clerk and assistant file clerk (minority); to the Committee on House Administration.

By Mr. MILLS:

H. Res. 566. Resolution providing for printing additional copies of the report submitted by the Committee on Ways and Means pursuant to H.R. 10650, the Revenue Act of 1962; to the Committee on House Administration.

By Mr. RODINO:

H. Res. 567. Resolution extending the greetings and felicitations of the House of Representatives on the occasion of the 150th anniversary of the establishment of the municipality of Bloomfield, N.J.; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANFUSO:

H.R. 10789. A bill for the relief of Anna Maria Rifilato; to the Committee on the Judiciary.

By Mr. CASEY:

H.R. 10790. A bill for the relief of Rufina Juan Escudero; to the Committee on the Judiciary.

By Mr. GUBSER:

H.R. 10791. A bill for the relief of Charlotte T. van Esteren; to the Committee on the Judiciary.

H.R. 10792. A bill for the relief of Gregorio Alvarez Lopez; to the Committee on the Judiciary.

By Mr. HOFFMAN of Illinois:

H.R. 10793. A bill for the relief of Dimitrios Dagiantis; to the Committee on the Judiciary.

By Mr. KEARNS:

H.R. 10794. A bill for the relief of Dr. Chul Nam Lee; to the Committee on the Judiciary.

H.R. 10795. A bill for the relief of Mrs. Hae Kyong Han, and her minor children, Myong Suk Lee, Ki Dong Lee, and Kyong Dong Lee; to the Committee on the Judiciary.

By Mr. KEOGH:

H.R. 10796. A bill for the relief of Kazimiera Krupinski; to the Committee on the Judiciary.

By Mr. MOSS:

H.R. 10797. A bill for the relief of Koji Kojima; to the Committee on the Judiciary.

H.R. 10798. A bill for the relief of Mrs. M. Orta Worden; to the Committee on the Judiciary.

By Mr. O'BRIEN of Illinois:

H.R. 10799. A bill for the relief of Jean Dimakis; to the Committee on the Judiciary.

By Mrs. PFOST:

H.R. 10800. A bill for the relief of Yu Liao; to the Committee on the Judiciary.

By Mr. RYAN of New York:

H.R. 10801. A bill for the relief of Dr. Enrique Balbastro Silla; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Bent's Old Fort, Colorado

EXTENSION OF REMARKS

OF

HON. JOHN A. CARROLL

OF COLORADO

IN THE SENATE OF THE UNITED STATES

Thursday, March 15, 1962

Mr. CARROLL. Mr. President, in the pageant of our Nation's history, no more colorful era exists than that of the taming of the West and Southwest in the 19th century. Bent's Old Fort, in my State of Colorado, played a significant part in this drama—as a business, social and military center on the Old Santa Fe Trail for both whites and Indians.

Established as a national historic site in 1960, much fine work has been done toward the preservation and development of Bent's Old Fort. However, the work continues, and in connection with this, I appeared before the Senate Appropriations Committee several days ago in support of the National Park Service budget request for Bent's Old Fort.

Mr. President, I ask unanimous consent that my statement before the Senate Appropriations Committee be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

BENT'S OLD FORT, COLORADO

(Statement by Senator CARROLL of Colorado)

Mr. Chairman, I appear this morning in support of an appropriation request of $38,148 by the National Park Service for the preservation and development of Bent's Old Fort National Historical Site, which is located on the bank of the Arkansas River near La Junta, in southeastern Colorado.

Bent's Old Fort, for the information of my colleagues who may not yet be aware of its historical significance, is one of the most famous landmarks on the mountain route of the Old Santa Fe Trail.

Built by the three Bent brothers and Ceran St. Vrain, the Canadian fur trapper, in 1832, Bent's Old Fort was both a business and social center as well as a refuge for travelers and a supply depot for Generals Kearney and Price and John C. Fremont in their expeditions and explorations. As such, Bent's Old Fort is a highly significant landmark in our Nation's expansion in the southern plains area and the Southwest in general.

Since coming to the Senate, I have worked hard to see that Bent's Old Fort be made a national historical site, and in 1957 I introduced a bill (S. 2699) to this effect. In 1959, the National Parks Advisory Board completed its study of various historical sites, and favorably reported Bent's Old Fort. In 1960, both Houses of Congress passed legislation (signed into law June 30, 1960) establishing Bent's Old Fort National Historic Site and authorizing appropriations for its development and maintenance. I supported this legislation.

In 1961, the Colorado State Historical Society generously donated the 5.77 acres containing the fort site and access roadway to the Federal Government. It has long been recognized that an additional 170 acres of privately owned land would be necessary to maintain the integrity of the site and provide adequate space for parking and other facilities necessary to the park's operation.

The National Park Service appropriations for fiscal year 1963 included funds for this land acquisition (as well as for rehabilitation and maintenance of the site) and I am informed that negotiations for the purchase of this land should be completed within the next week or 10 days.

Local interest in Bent's Old Fort has been high. For the past several years the La Junta Chamber of Commerce, cooperating with James Grafton Rogers, president of the Colorado State Historical Society, and many Arkansas Valley groups such as the La Junta DAR and individuals, including Mr. James Baldridge, Mr. Milt Andrus, and Mr. Fred Betz, publisher of the Lamar Daily News, have worked toward the improvement of Bent's Old Fort.

Local and State time, energy and resources have contributed much to this project. As was recognized by the appropriations for Bent's Old Fort in the fiscal year 1963 budget, however, local resources could not be tapped indefinitely.

In supporting and urging support of the Bent's Old Fort appropriations for fiscal year 1963 ($38,148), I would remind my colleagues that this is a small price to pay for the preservation of an important part of our American heritage. Western history has been and will, I'm sure, continue to be a very great part of our national culture.

In underscoring this point, I would close with a quote from a Denver Post editorial of May 29, 1960:

"Bent's Old Fort was to the West what Times Square is to New York or Piccadilly Circus is to London. It was the center of a universe. It deserves restoration and preservation."

The Value of St. Patrick in the World of Today

EXTENSION OF REMARKS

OF

HON. HUGH J. ADDONIZIO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 15, 1962

Mr. ADDONIZIO. Mr. Speaker, we honor today the name of St. Patrick, the patron saint of Ireland, champion of the faith, and a symbol of hope to all the captive peoples of the world. The story of Patrick is no tale isolated in space and time; no saga of a local hero, nor peculiar to any one people or to any one faith. Indeed, the problems faced by Patrick in the 5th century, A.D., were universal problems, as yet unsolved, and the course he followed hewed a path which all good men of all faiths have sought to follow since the day of his death, more than 14 centuries ago.

Carried into slavery in his youth, Patrick was spirited away to Ireland, from which he was not to escape for 6 long years. In the manner of a man born free, he chafed under his bonds and bided his time, awaiting the opportunity to regain the gift of freedom.

Here we have the story of millions upon millions of persons throughout the world in this very century—robbed of their freedom by those who would impose upon them the chains of communism. Yet they, too, in the manner of St. Patrick, bide their time in anticipation of the freedom that will undoubtedly be theirs again some day.

Escaping his bonds, Patrick fled to France, where he took up missionary work, and in the year A.D. 432, returned to Ireland in the role of bishop to give counsel and advice to those who had enslaved him in his youth.

Again we are reminded of his counterparts of the present era: those who have fled from countries overrun with tyranny, yet who plan to return, at the first opportunity, to rebuild what tyranny has sought to destroy.

From the day he reappeared in Ireland, until the day of his death, nearly 30 years later, Patrick worked incessantly in behalf of the Christian faith, against those who hoped to preserve paganism in the hearts of the Irish people. In the manner of a colossus, St. Patrick swept the field before him, instilling the knowledge of the Lord throughout a land where spiritual darkness had for so long prevailed.

In the period embracing Patrick's lifetime, Ireland was but a conglomeration of municipalities ruled by a score of self-designated kings. To these men Patrick appealed until, one by one, they were all converted to Christianity, and ready to recognize their minor standing in the kingdom of the Lord.

Through fables and folk tales we are told of Patrick's genius and ability, and of the many wondrous things he accomplished, to win the confidence of the people. It is said that he drove the snakes and toads from Ireland, for instance; that in contests with the Druid priests he was known to have performed many miracles; that he was able to confound his enemies by bringing darkness upon them, and that when he died the sun shone steadily for 12 days.

From these accounts, the people of Ireland came to revere St. Patrick as they did no other spiritual force, save that of the Lord, Himself; and with the passage of time they would be required to call upon this force to see them through the bitterest period in their national history.

The period in question was, of course, that of a century ago, when the Irish people were driven, helter-skelter, to the four corners of the world. Yet in fleeing their beloved homeland, they kept within themselves the light instilled by St. Patrick; the confidence that God, in His mercy, will ultimately prevail in all things, and that justice—eternal justice—must, in the end, triumph.

It was this knowledge, inculcated by the teachings of St. Patrick, that made of him the most noteworthy of all the saints, so far as the Irish people are concerned. It was this that produced the national love for him which has shone for 1,500 years, without once flickering.

Moreover, it is this love and the power of this love that has spread the interest in St. Patrick far and beyond the confines of Ireland, to lands distantly removed from Patrick's scenes of glory and accomplishment.

So, again, we are entitled to compare the past deeds of St. Patrick with those of the peoples and governments who would work in the same directions today. And once more we are justified in saying that the work of the freedom-loving people of the world plays havoc with the plans and designs of the slavemasters, even when the conflicting interests are separated by hundreds and thousands of miles.

For the spirit of freedom is a powerful force which, in itself, is inclined to create miracles, in the manner of St. Patrick. And one of the miracles is to shake and rattle the foundations of tyranny from afar.

There is an old saying that "words move, example draws." It was Patrick's example that proved the sincerity of his words, in the same manner that the sincerity of the free world proves the meaning of its code today.

And as the Druids fell before Patrick, so, by necessity, must the tyrannies of the world today fall before the impact of freedom in the days ahead.

The writings and deeds of St. Patrick show how splendidly he met the test of true greatness. In the face of the most fierce opposition from the pagan Druids, he boldly declared: "regardless of danger, I must spread everywhere the name of God so that after my decease I may leave a banquet to my brethren whom I have baptised in the Lord."

Such was the courage and the will of this saint we honor today—inspiring throughout the free world the greatest admiration, by persons of every nationality.

It is therefore necessary to advise the Irish people that although Patrick remains their patron saint, they must be ready to yield up the right to claim him exclusively for themselves. Indeed, he is far too popular to permit such an arrangement as that.

As the symbolic enemy of slavery, St. Patrick looms larger today than ever before; and, as always, the slavemaster can be expected to tremble at the sound of his name.

Truly, St. Patrick will stand as a hero of mankind, so long as Christianity endures and the fight for human justice prevails.

Government Must Remain Neutral in Labor-Management Disputes

EXTENSION OF REMARKS

OF

HON. FRANK KOWALSKI

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 15, 1962

Mr. KOWALSKI. Mr. Speaker, Federal subsidy payments to certain air carriers are being misused in a most unjust fashion. In blunt terms, these subsidies are used by air carriers engaged in labor disputes for strikebreaking purposes. I have felt compelled to introduce legislation—H.R. 10697, text of which follows—that will deny Federal subsidies to certain air carriers which do not make every reasonable effort to settle their labor disputes. This bill provides that the Secretary of Labor shall appoint a three-man board which will determine whether such air carrier has made every reasonable effort to settle any dispute with its employees, and whether any payments attributable to the period of a strike should be disallowed because of the failure of the carrier to make such effort. This board would direct the Civil

Aeronautics Board to make any such disallowance.

Legislation such as this will set a favorable climate for fruitful negotiations in labor disputes. The avoidance of strikes is the major objective. However, if the Federal Government indiscriminately continues the payment of subsidies to air carriers who do not make reasonable efforts to settle their labor disputes, settlement becomes virtually impossible. The incentive for management to bargain in good faith is lost, and the basic right of labor to bargain collectively is destroyed. The U.S. Government then finds itself in the untenable position of taking sides. No group of employees can hope to settle a dispute with a management that has access to the Federal Treasury to finance its strikebreaking activities.

Since 1947, 67 work stoppages have occurred in the whole U.S. airline industry. The Civil Aeronautics Board in its history of operation has reviewed only two cases and found in both instances that subsidies were used to pay for unnecessary strike losses. The existing mechanism is ill equipped to handle these labor-management disputes.

The U.S. Government must remain neutral in the field of labor disputes. Public policy dictates that management and labor be free to settle their problems without outside interference. This bill and a companion bill, H.R. 10341, which relates to Government procurement contracts, would assure that the taxpayers' dollars that are presently being paid in subsidies to air carriers will be properly used. And it will enable both management and labor to meet their responsibilities to the general public and to each other.

That this particular situation is one of importance is exemplified by the fact that the President has appointed Dr. Nathan P. Feinsinger as chairman of a Commission on Aviation Matters, to investigate this problem. In addition, the President has appointed Secretary of Labor Goldberg to head a task force to investigate fully this broad and important area.

I would hope that every Member of Congress will critically explore this problem that vitally affects the public interest and the basic rights of the workingman. And I urge my colleagues to support legislation that will protect this interest and these rights.

The text of H.R. 10697 follows:

H.R. 10697

A bill to amend the provisions of the Railway Labor Act, relating to carriers by air, in order to deny Federal subsidies to certain air carriers which do not make reasonable efforts to settle labor disputes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 204 of the Railway Labor Act is amended by inserting "(a)" immediately after "SEC. 204.", and by adding at the end thereof the following new subsection:

"(b)(1) Each carrier by air which is eligible to receive payments under the second sentence of section 406(c) of the Federal Aviation Act of 1958 and is engaged in a labor dispute with its employees or with a representative of such employees shall make every reasonable effort to settle such labor dispute.

"(2) Whenever there is a labor dispute involving a carrier by air described in paragraph (1) of this subsection, the Secretary of Labor shall appoint a board consisting of three members who shall determine whether such carrier has complied fully with the provisions of subsection (a) and whether any such payments attributable to the period of such labor dispute should be disallowed because of failure to so comply.

"(3) If such board determines that such carrier has not fully complied with paragraph (1) of this subsection and that any of such payments should be disallowed, it shall notify the Civil Aeronautics Board, in writing, of such fact and of the amount of such payments so disallowed, and the Civil Aeronautics Board shall not make any such payments, or, if such payments have been made, shall recover the amount thereof from such carrier."

Cooperative Fishery Research Unit for Colorado State University

EXTENSION OF REMARKS

OF

HON. JOHN A. CARROLL

OF COLORADO

IN THE SENATE OF THE UNITED STATES

Thursday, March 15, 1962

Mr. CARROLL. Mr. President, the 86th Congress authorized the establishment of Cooperative Fishery Research Units in conjunction with universities offering fisheries science curricula.

The Department of the Interior, early in 1961, announced it would establish 10 or 12 of these units.

To date, only one has been funded by the Congress.

Several days ago I asked the Senate Appropriations Committee to include $30,000 in the Interior budget in order to establish a Cooperative Fishery Research Unit at Colorado State University in Fort Collins, Colo.

To my mind there is no more logical, deserving nor qualified institution in the United States to harbor a fishery research facility than Colorado State University.

This university, in 1949, originated the Cooperative Fisheries Research Unit.

The cooperators, until 1953, were the U.S. Government, the State of Colorado, and the university.

In 1953 the Federal Government discontinued its participation.

Now that the Congress has established a Federal cooperative fishery research program, I asked the Senate Appropriations Committee to appropriate funds to restore the cooperative relationship that first started in 1949.

Mr. President, I ask unanimous consent that my statement before the Senate Appropriations Committee be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

COOPERATIVE FISHERY RESEARCH UNIT FOR COLORADO STATE UNIVERSITY

(Statement by Senator CARROLL, of Colorado)

Mr. Chairman, Public Law 686 of the 86th Congress gave the Interior Department the authority to establish fishery research units on a cooperative basis with a State game and fish agency and a university offering a curriculum in fisheries science.

The necessary appropriation for a Cooperative Fishery Research Unit in a State is $30,000.

Only one such unit has been funded by the Congress since President Eisenhower signed the authorizing legislation on September 2, 1960. This unit is in our sister State of Utah. However, early in 1961, the Department of Interior announced its intention to establish as many as 12 of these units.

I appear before you today to ask that you include in the bill before you $30,000 for a Cooperative Fisheries Research Unit to be located at Colorado State University at Fort Collins, Colo.

Mr. Chairman, there is no more logical or deserving location in the country for a research project of this type than Colorado State University. Colorado State University originated this concept in 1949. In that year Colorado State University established what was called the Colorado Cooperative Fisheries Research Unit, which was operated in conjunction with the U.S. Fish and Wildlife Service and the Colorado Game and Fish Department.

Federal cooperation in this research project ended in 1953. However the university and the State have continued the program and it is functioning today, ready once again to welcome the Federal Government to participate and avail itself of the vast knowledge and experience accumulated in a 13-year-old program.

If the Department of the Interior moves in any direction on cooperative fishery research, it will be most wasteful not to move first to reestablish its affiliation with Colorado State University, the pioneer in this program.

Dr. William E. Morgan, president of Colorado State University, told me a few days ago that the objectives and functions of his cooperative fisheries research unit are essentially the same as those announced by the Interior Department. As I understand it, the objective of the units proposed in Public Law 86-686 will be to offer improved and expanded training for graduate students in order to provide more and better trained personnel for the management of the Nation's recreational and commercial fisheries resources.

This is precisely what the existing program at Colorado State University is doing.

This program can be immeasurably strengthened by once again joining hands, brains, and resources with the Federal Government.

Dr. Morgan said to me:

"There is a definite need for a vigorous fishery research training program in our part of the United States. The impact of water development projects in Colorado and the surrounding States will present many opportunities for new fishing areas, but associated with these opportunities will be serious fishing problems which will require an expanded fishery research and management effort."

Our existing fisheries unit has a fine record of performance and we view the announced intent of Federal participation in this educational area as an opportunity to expand and strengthen our program in the field of fishery science at Colorado State University.

Colorado State University is one of the few institutions of higher learning offering a degree in fishery science. Our program not only serves the needs of Colorado students but attracts students from nearby States where such courses of training are not available. We need to strengthen and expand our existing program in this area of research.

I ask your committee, Mr. Chairman, to give favorable consideration to my request for designation of $30,000 for Federal participation in the Colorado cooperative fisheries research program. This amount is

sufficient, I am told by Assistant Secretary of the Interior Frank Briggs, to cover costs of salaries, travel costs related to the program, equipment, supplies, and limited funds for student assistance and graduate projects.

If the committee grants this request for $30,000 for cooperation in fishery research with the State of Colorado and Colorado State University, I can assure the committee, Mr. Chairman, that the resulting contributions to fisheries science will be of significance not only to my own State of Colorado, but all the States in the West where sport fishing abounds.

I hope the committee will add this amount to the bill before it.

Our Nation's Fisheries

EXTENSION OF REMARKS

OF

HON. WARREN G. MAGNUSON

OF WASHINGTON

IN THE SENATE OF THE UNITED STATES

Thursday, March 15, 1962

Mr. MAGNUSON. Madam President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD remarks by myself on our Nation's fisheries. I expect to make similar remarks at the convention of the National Fisheries Institute.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

OUR NATION'S FISHERIES

Today's fisheries, like almost everything else in our modern lives, differ greatly from the fisheries of our forefathers. This is true not so much in outward form as in understanding of the resource and in complexity of processing and distribution. Our fisheries are becoming ever more deeply involved in the highly complex and highly competitive world market.

The time has come when the maintenance of our fishing industry depends on the fullest and most cooperative effort at all levels of government and industry. The developing foreign production and planned economic systems differing in every respect from our own almost preclude the go-it-alone approach to fisheries problems.

Speaking as a long-time member of the legislative branch, I want to assure you of our desire to be an active partner with the executive branch and with the industry in a concerted attack on fisheries problems. Our job in the Congress is to pass constructive legislation. The executive branch, through the Bureau of Commercial Fisheries, implements that legislation as a part of its many program responsibilities. You, in industry, have the responsibility to guide us in the formulation of legislation and to advise us as to its effectiveness after implementation.

As most of you well know, the fishing industry for many years was to some degree a stepchild, at least as far as the legislative branch of Government was concerned. There was no well-delineated national policy on fisheries. Major legislation with broad application to fisheries problems was almost nonexistent. The fishing industry lacked a real champion in Government similar to those agencies looking out for the interests of other industries.

The first piece of fisheries legislation, the act of March 3, 1887, authorized the Commissioner of Fisheries to "prosecute investigations and inquiries concerning the supply of food fishes of the coasts and lakes of the United States and the determination of protective, prohibitory, or precautionary measures to be adopted." In the nearly seven decades that intervened between 1887 and 1954 there was other fisheries legislation enacted into the law of the land but it really wasn't until that year, 1954, with passage of the so-called Saltonstall-Kennedy Act, in which your speaker played an important part, that the fisheries began to receive the broad recognition that they deserved. This act, as I am sure most of you know, provided certain moneys from the duty on imports of fishery products for promotion of the flow of domestically produced fishery products in commerce by conducting a fishery educational service and fishery technological, biological, and related research programs. Innumerable worthwhile programs have been conducted under the terms of this act.

Close on the heels of the Saltonstall-Kennedy Act came the comprehensive Fish and Wildlife Act of 1956, a truly monumental piece of fisheries legislation and one on which I am proud to say that I personally did a lot of work during the 2d session of the 83d Congress.

Long prior to the passage of the act of 1956, I was aware of and disturbed by a situation that existed in our relations with other fishery nations. I decided, at that time, that our State Department was not cognisant of the national importance of our industry and as a result we were not properly represented at international meetings. During that time I was present at meetings where our representative could not speak with the same full authority, due to lack of official standing, as did our conferees who usually were of Cabinet status. In company with other Senators—I particularly mention Senator SALTONSTALL—we called upon the State Department and urged that this situation be corrected and that a new position be established in the State Department to represent us with the authority that this vital segment of our industry deserved.

Finally, after many meetings with the Department of State and the passage of too many years, we now have a Special Assistant to the Under Secretary of State for Fisheries and Wildlife in the State Department. Our status at international conferences, due in part, I believe, to our awareness of the need for more authority for our industry, has been strengthened and improved.

Perhaps the most significant accomplishment of the Fish and Wildlife Act of 1956 was the establishment of a firm national fishery policy. That policy is threefold:

1. To increase and maintain forever, for the people of the United States, a fishery resource capable of yielding the maximum annual product.

2. To strengthen and maintain a vigorous fishery industry by assuring full and fair access to its raw material and full and fair access to the American market.

3. To do these things in partnership with the States and in full accordance with our international obligation, and without sacrificing the system of free enterprise.

The act of 1956 did many other things as well. It established the Bureau of Commercial Fisheries as a full-fledged Federal agency to deal exclusively with fishery matters. It created a Commissioner of Fish and Wildlife and an Assistant Secretary for Fish and Wildlife, thus elevating the consideration of fisheries problems to the subcabinet level for the first time in history. The act provided for a a loan fund and for transfer of fisheries functions from other Government agencies, notably the Department of Commerce and the Department of Agriculture, to the Department of the Interior. The systematic preparation and distribution of reports to the public, the Congress, and the President was provided for, and the role of fisheries in international affairs was more clearly spelled out.

The record proves the wisdom of the passage of these two important acts. Among other things, they have resulted in the greatly increased exploratory activities which made available the new shrimp fisheries of Alaska, Oregon, and my home State of Washington, the new royal red shrimp and calico scallop concentrations off our southeastern coast, the new standards development program and the industry-financed $400,000 product inspection and certification program in which we all take pride as a giant step forward in quality improvement.

All of these activities, and many more, stem from these two fundamental expressions of congressional intent and of our Government's continuing interest in and support of your industry.

We have, therefore, a common interest and several other recent congressional actions attest to this fact. For example, the passage of the Fair Labor Standards Act, a piece of necessary and humanitarian legislation, posed special problems for the crabmeat industry, inasmuch as economic studies had indicated strongly that the consumer would not accept the increased labor costs in the form of increased prices for crabmeat. The Congress, thereupon, made funds available to permit studies to increase productivity and efficiency of crabmeat plants through more careful production scheduling and through increased automation. I am informed that this program is already bearing fruit in that recommendations for increased efficiency have already been adopted by several processors.

Another example of the increasing interrelations of Government and industry interests occurred during the recent recession in the fish meal industry. The U.S. Delegation to the International Conference in Rome, which meeting was necessary to resolve the problem of speculation and unwise marketing practices, was led by an official of our State Department. The delegation's position was largely conditioned by the national foreign policy and our antimonopoly laws. Consequently, the delegation's freedom of action and decision was very rigidly limited. The great amount of preparative work done and the constructive leadership shown by the executive branch, nevertheless, brought the Conference to conclusion which was eminently satisfactory to the United States. Your Congress, in turn, again acted promptly to assist the industry. Funds were made available for a program to diversify your market outlets and to resolve some of the pressing problems in transportation rate which had developed. I am informed that one such rate problem, through the cooperative efforts of the National Fisheries Institute and the Government, was settled at an annual saving to the industry of $700,000 per year. Surely this is an indication of the effectiveness of enlightened Government-industry cooperation.

We, in Congress, also are closely following the very interesting findings as to the usefulness of fish body oils in the treatment of excessive amounts of cholesterol in the blood, the usefulness of fish protein concentrate as a supplement to the world's inadequate food protein supply, and the very valuable information on the nutritive value of fish as food.

I am sure that you appreciate that congressional interest in the fisheries is not limited to the enactment of specific, basic legislation. There is the appropriation process, too. Congress has shown great interest in oceanography over the past 3 years. Several Government agencies have an interest in the oceans, and the Departments of the Navy, Interior, and Commerce, and special agencies such as National Science Foundation and Atomic Energy Commission, have been supporting programs of oceanographic research for many years. But until recently these efforts have been far too slight. In 1961, for example, the total Government budget in oceanography was only $60 million. The program proposed for fiscal year 1963 is more than double this amount, and almost half of the increase has been earmarked for the ships and shore-based

facilities needed for an accelerated program. Your interests are most directly concerned with the work of the Bureau of Commercial Fisheries, and I am sure you all understand the prominent part that Don McKernan and his staff are playing. They are stepping up their research on the ocean and its living resources and are deeply engaged in planning and coordinating the Government's program as a whole.

But you have a stake in oceanographic research far greater than the program of this one Bureau. Every piece of research done on the oceans will benefit the fishing industry sooner or later. The Navy supports a very broad series of studies on ocean currents, distribution of dissolved salts, kinds and numbers of marine organisms, composition of bottom sediments, and many other investigations, each of which adds to the basic knowledge necessary to reduce the cost of catching fish and obtain maximum yields from fishery resources. Half a dozen Government agencies are cooperating in financing and operating the National Oceanographic Data Center in Navy's Hydrographic Office. Fishery scientists will draw upon this growing repository of oceanographic data more and more as time goes on, and the results will be to your advantage.

Congress also has passed, or has under consideration, special legislation to broaden the authority of certain agencies where necessary to allow them to play their full part in the national program. Public Law 87-336, enacted last year, expands the functions of the Coast Guard, allowing them for the first time to conduct oceanographic research from their vessels.

The National Science Foundation and Atomic Energy Commission also support broad programs in all aspects of oceanography. Some of these have direct application to fishery problems. Indeed a part of the program at the Biological Laboratory of the Bureau of Commercial Fisheries at Beaufort, N.C., is financed with AEC money. The many activities supported by these agencies at universities and private research laboratories add immeasurably to our knowledge of the oceans.

We have some very special problems in the Pacific Northwest. The big dams, so valuable for electric power and irrigation, are obstacles to fish passage. To reach upstream spawning grounds, salmon must somehow pass over these dams; and their progeny must negotiate these barriers successfully if they are to reach the sea. These problems were brought to a head with recent proposals to build high dams in the Columbia River system. We in Congress were able to secure supplemental financing for such an accelerated fish passage research program. Th... is now underway. It is designed to show by 1964 the direction in which a sound program for both fish and power should go.

Of course, I do not need to tell an audience like this about the effect of foreign fisheries. You know the extent to which our markets have been invaded. You have also heard, I am sure, of the skyrocketing catch of such countries as Japan and Soviet Russia in waters close to American shores. The Japanese catches of American red salmon, the 2 billion pounds of groundfish per year from the Bering Sea, the Russian trawling off Cape Cod, all are cases in point. Here, again, we in Congress have been able to help by providing funds for sharply increased research on the affected fish. Results of this research will strengthen the hand of the United States in negotiations and treaty arrangements with other nations.

Congress is well aware of the catastrophic decline in gulf shrimp production which has caused so much hardship in this area. We recognize that additional knowledge of shrimp biology is badly needed in order that such occurrences may be predicted or avoided. During the current fiscal year funds have been made available for studies in the western gulf. It has been brought to our attention that additional funds are needed, and these requests will be considered by Congress.

Another resource that I know is of interest to many of you is the Atlantic and gulf menhaden. The Bureau of Commercial Fisheries tells me its biologists expect a below-normal menhaden run in 1962. When such fluctuations result from natural conditions of the seas there is not much that we can do about them. Here again, however, increased knowledge and better prediction may ease the strains on the industry.

People of America's breadbasket—the Great Plains of the Midwest—have traditionally not been fisheaters. Far from the coasts, they have in the past been turned against fish by the loss of quality the products suffered before they reached the consumer's hands. Now you have developed new methods which make it possible to bring the products of the oceans and shores great distances with the tang of the sea still in them. Commercial fisheries are also being developed in lakes and reservoirs.

As a Member of the Congress I am particularly proud of a development that started back at the beginning of the 1950's. A Senator secured passage of an appropriation that provided for the first full-scale attack on the predatory sea lamprey of the Great Lakes. In the ensuing years special chemicals and electrical devices have been developed to kill lampreys while leaving food and game fish untouched. The Bureau of Commercial Fisheries tells me that real inroads on the lampreys are beginning. Soon it may be possible to restore the lake trout, prime delicacy of the Great Lakes region until decimated by the lamprey. Other developments in the use of new kinds of fish and the making of new fish products should help introduce the Midwest to the delights of good sea food.

In short, we are moving as rapidly as possible to enlarge the fund of useful knowledge about the seas around us and both inshore and offshore fishery resources. We are training men to do the job, and furnishing financial support as rapidly as possible. Our Government is prepared to meet with those of other nations in solving problems of high-seas fishing. Research teams are moving into regions where food needs exist. The total program cannot solve every problem nor anticipate every contingency, but it can make us stronger than we now are in fishery affairs.

Obviously, we can't stand still. We must move forward. As a member of the lawmaking branch of our Government, I urge you to make your views known when you feel new legislation is needed, or existing laws changed. The purpose of the Congress is to reflect the will of the people. Don't hesitate to let us know what you think.

Richard McArdle, Chief of the Forest Service, Retires

EXTENSION OF REMARKS

OF

HON. CLIFFORD G. McINTIRE

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 15, 1962

Mr. McINTIRE. Mr. Speaker, tomorrow Richard McArdle, Chief of the Forest Service, retires after 39 years of distinguished public service. Chief McArdle has brought honor to his profession of forestry. He has set an example of the highest order to those who find in public service an opportunity for service far above the monetary rewards. He has particularly brought honor to his country because he is known throughout the world for his high professional attainment, his personal integrity and leadership, and understanding of sound relationships between public responsibilities and the opportunities for private development.

During my service in Congress it has been my privilege to continue my deep interest in forestry. This has afforded me an opportunity to know of his effective administration of his responsibilities.

Chief McArdle has richly earned the privilege of retiring from long years of heavy responsibility. We shall miss him. May I extend our warmest best wishes.

The Secretary of Agriculture has appointed a capable career man, Ed Cliff, to succeed Chief McArdle. I commend the Secretary on filling this position from the Forest Service, thus continuing in this high office a man experienced in the problems and opportunities of the Service.

Fish Pesticide Lab for Fort Collins, Colo.

EXTENSION OF REMARKS

OF

HON. JOHN A. CARROLL

OF COLORADO

IN THE SENATE OF THE UNITED STATES

Thursday, March 15, 1962

Mr. CARROLL. Mr. President, the Department of Interior has asked the Congress for $50,000 to fund a site selection survey for a Fish Pesticide Laboratory.

Several days ago I supported that request in a statement to the Senate Appropriations Committee.

At the same time I suggested the most ideal site for this laboratory: Fort Collins, Colo., the home of Colorado State University, one of the most outstanding academic institutions in the United States in scientific research and education in natural resources and wildlife.

I ask unanimous consent that my statement, describing the advantages of locating this laboratory in Fort Collins, be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

FISH PESTICIDE LAB FOR FORT COLLINS, COLO.

(Statement by Senator CARROLL, of Colorado)

Mr. Chairman, I appear before you this morning to support an appropriation request for $50,000 by the Bureau of Sport Fisheries and Wildlife for site selection surveys for a new fish pesticide laboratory.

In supporting this appropriation for study of a new laboratory site, I do so with the strong recommendation that the Bureau give full attention to the advantages of locating the laboratory at Fort Collins, Colo.

The Fish Pesticide Laboratory is presently temporarily located in Denver, Colo. It is in makeshift quarters in the Federal Center.

In this connection, the Bureau is asking for $215,000 to maintain and operate the existing temporary lab. I support this requested appropriation also.

But the lab must soon be relocated and it is to that matter that I address myself this morning.

Colorado State University at Fort Collins has, through its president, Dr. William E. Morgan, already offered to cooperate with the Bureau in selection of a site on or near university property. Dr. Morgan has indicated that, in his opinion, the known site requirements of the Bureau can be admirably met in the Fort Collins area.

I know, for example, that one of the most stringent site requirements is a proper supply of water in quantity, quality, and constancy of temperature.

These water needs can, I am confident, be adequately met at a site near the Bellvue Fish Hatchery, close to Fort Collins. Also, I am advised that sufficient land of a proper type is available near the fish hatchery.

At the same time, the university's own foothills campus, 2 miles west of the academic campus, is also an area ideal for location of a fish pesticide laboratory. This is a growing research campus anchored around a brandnew $1.3 million hydraulics laboratory. Other research being conducted at the foothills campus is as follows: hydrobiology, fisheries management, evaporation retardation, wildlife studies, veterinary science, and forest nursery.

Some of the foregoing research programs are carried out at the giant Bureau of Reclamation Horsetooth Reservoir and at College Lake and other reservoirs, all proximate to the university and the city of Fort Collins. Temperature and water quality studies of the water in Horsetooth Reservoir are in process right now and will soon be made available to the Interior Department.

There are other reasons that make Fort Collins, what to me would seem to be, an irresistibly attractive site for this type of project.

The Colorado Game and Fish Department research laboratories are located on the edge of the Colorado State University campus.

Colorado State University offers a graduate program in fisheries science associated with its department of forest recreation and wildlife conservation.

Add to the foregoing facilities and programs the excellent Colorado State University library and the university's many other research and graduate programs, from pathology to biochemistry and it would seem that no more ideal location than Fort Collins, Colo., could be found for a fish pesticide laboratory.

Thus Mr. Chairman, I support not only the $215,000 requested to keep the temporary fish pesticide laboratory in Colorado functioning, but I also ask that you grant the $50,000 needed for a new site study, and I hope the Bureau of Sport Fisheries and Wildlife will give most thoughtful consideration to the multiple advantages of the sites now offered nearby in Fort Collins, Colo.; sites that have the benefits of good water, fish hatchery and fish science activities, and proximate access to a university (Colorado State) that has a solid, national reputation in advanced scientific achievements in natural resource and wildlife research programs.

Citizens Compliment SBA, FCC, and Navy

EXTENSION OF REMARKS

OF

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 15, 1962

Mr. HOSMER. Mr. Speaker, complaints are common and compliments few for those who have devoted their careers to public service. Within the last few days, three citizens of my constituency have had occasion to compliment various Government officials. I think it proper to make these compliments a matter of record.

On March 8, Mr. John Hutchison wrote me about his contact with the Los Angeles Regional Office of the Small Business Administration. Mr. Hutchison said in part:

Mr. George Rands is the acting head of the department and showed me every courtesy. In fact, I was agreeably surprised to find that every contact I had in their office, from the receptionist to my final conference, was of a most pleasant nature. If this is a sample of Federal bureaucracy, let's have more of it.

Under date of March 9, Mr. Paul Turner wrote me that he had undergone surgery on the U.S. hospital ship *Haven*. His letter said in part:

I found the urologist, Lt. Comdr. D. Wallstreicher, so considerate and such a hard working doctor. He seemed to be around many hours every day, 7 days a week, ever mindful of the fact that his patients needed his personal attention. Of all the doctors I have seen in the Navy, Dr. Wallstreicher certainly would receive the highest commendation were I his superior. To go on I must also praise the nurses and hospital corpsmen thereon—never during my years of service did I ever meet a more efficient staff.

On the date of March 5, Dr. Ira S. Cohen, assistant professor of political science at Long Beach State College wrote me regarding his contact with the FCC local headquarters at 849 South Broadway, Los Angeles, Calif. The service he received from that office was excellent. They acted immediately to solve his problems which he stated could have been solved in no other way. In writing me he said he wished me to know of these circumstances so that the excellent work of the office might not be left hidden and unrewarded.

A Bill To Authorize the Coinage of 50-Cent Pieces Commemorating the Orbital Flight of Lt. Col. John H. Glenn, Jr.

EXTENSION OF REMARKS

OF

HON. VICTOR WICKERSHAM

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 15, 1962

Mr. WICKERSHAM. Mr. Speaker, it was my privilege today to introduce in the House of Representatives a bill authorizing the coinage of 50-cent pieces commemorating the orbital flight of Lt. Col. John H. Glenn, Jr., a member of the U.S. Marine Corps.

This same bill was introduced in the Senate by the Honorable ALAN BIBLE, of Nevada, and the Honorable STUART SYMINGTON, of Missouri.

This House has heard many words spoken by many world and national leaders from its rostrum, but none have been so straightforward and honest as the words of Colonel Glenn when he appeared before a joint session of this Congress.

Patriotism and devotion to this country are not old fashioned. The American people are prepared to stand up and be counted. Communism or any other "ism" had best read the words of Colonel Glenn if they want to know if we Americans will sacrifice to defend our loved ones, our home and our democratic way of life.

Our coins bear the words "In God We Trust." When Colonel Glenn appeared before House Science and Astronautics Committee, he was questioned about his feelings relative to his Maker while in space. The colonel's reply to this question would make the words "In God We Trust" more than appropriate for the coinage this bill authorizes.

I believe the American people want the John Glenn coin, and I hope we can pass this bill in record time.

Libraries for Rural People

EXTENSION OF REMARKS

OF

HON. CARL ELLIOTT

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 15, 1962

Mr. ELLIOTT. Mr. Speaker, hearings on the fiscal 1963 appropriation for the Department of Health, Education, and Welfare are now being held. Included in President Kennedy's budget request for this Department is $7,500,000, the full amount authorized, for grants for public library services under the rural Library Services Act.

A summing up of the accomplishments of this act in its first 5 years well justifies the statement in the report of the House Appropriations Committee in 1961:

For the small amount of Federal funds involved this has been not only one of the most popular, but one of the most worthwhile programs of the Federal Government.

These examples of progress under the act since its inception in 1956 can be cited:

First. Thirty-six million rural people now have new or improved public library service.

Second. Approximately 115 rural counties and more than 120 New England towns have been introduced to library service for the first time.

Third. More than 8 million books and 300 new bookmobiles have been placed at the service of rural communities.

Fourth. The quality of the program has been enhanced by the strengthening of State library agencies, including the addition of some 115 field consultants to carry out the programs under the State plans.

Fifth. Most telling of all, perhaps, is the fact that largely under the stimulation of the Library Services Act, since 1956 State funds for the development of rural public library service have increased approximately 92 percent and local appropriations by some 73 percent.

The total cash grants to local libraries from State revenues in 1956 were $4,365,000; in fiscal 1962, they are $16,766,000, nearly four times as much.

Rural people have responded by using their new and improved library services. In my own State of Alabama, the circulation of books and other library materials has increased from over 6 million in 1955–56 to well over 9 million during 1959–60, a 50-percent increase. With more books and other resources at their disposal, citizens of Alabama are demanding longer hours of library service. Local and State support of public libraries in that State has increased by approximately 70 percent.

In Alabama the improved status of libraries has become a cooperative venture between the State library agency and organized groups such as home demonstration clubs, the Alabama Federated Women's Clubs, the American Association of University Women, Pilot International, and others. The junior chamber of commerce's Operation Library played a direct role in the development of five county library programs.

Shifts in population, greater industrialization, positive bids for tourist trade, mechanized farming and dairying, higher standards for education all indicate that Alabama is not in a state of apathy or lassitude. And public libraries and the Alabama Public Library Service, with the stimulation of the Library Services Act, are a part of, and a leader in, this exciting development.

It has been a source of gratification to me to have been associated with both the original passage and the extension in 1960 of the Library Services Act. That President Kennedy recognizes the important contribution of this program to the Nation is clear from the following letter which I received from him at the time when passage of the extension of the act was pending in the House of Representatives:

U.S. SENATE,
Washington, D.C., August 19, 1960.

Hon. CARL ELLIOTT,
House of Representatives,
Washington, D.C.

DEAR CARL: I should like to congratulate you on the magnificent fight you have made to assure the extension of the Library Services Act. I am confident that when the House acts under a suspension of rules on August 22 the bill will be passed.

As you know, I have long had a similar interest in the extension of this act, and supported it both in committee and when it passed the Senate.

When this program was first inaugurated in 1956, some 76 million people in rural communities had little or no library service. By the stimulus provided by this program, in which 49 of the 50 States now participate on a matching basis, library facilities have been available to even the smallest towns. I understand that some 5 million books have been purchased, and 200 bookmobiles have been put in operation. The program is an important asset to our Nation. It helps provide both recreation for our minds and strength and vitality for our human resources.

With every good wish, I am,
Sincerely yours,

JOHN F. KENNEDY.

Questionnaire Returns

EXTENSION OF REMARKS
OF
HON. E. Y. BERRY
OF SOUTH DAKOTA
IN THE HOUSE OF REPRESENTATIVES
Thursday, March 15, 1962

Mr. BERRY. Mr. Speaker, each year I send out a questionnaire to all addresses and boxholders in my district covering the principal issues that will confront Congress in the coming session.

In January I sent out such a questionnaire receiving back about 11 percent. The results and some of the comments follow:

Questionnaire returns

	Percentage		
	Yes	No	No opinion
1. The administration has requested legislation authorizing the withholding of taxes on dividends and interest by banks and savings institutions. Do you approve?	28	68	4
2. Medical care for the aged will be an important issue in this session. Check the system you favor:			
(a) Compulsory program under the social security system, financed by an increase in social security taxes	16		
(b) Voluntary health insurance for everyone over 65, with Federal assistance where the individual is unable to pay premium	35		
(c) State-administered program of welfare care for medically indigent	49		
3. President Kennedy has requested authority to extend the Reciprocal Trade Agreements Act, with authority to cut all tariffs drastically. He suggests Federal subsidies to industries injured by imports, and retraining for workers losing their jobs as a consequence. Would you favor this lowering of trade barriers?	23	73	4
4. A 1-cent increase in 1st-class postal rates and approximately 25 percent increase in 2d- and 3d-class rates has been requested by the President. Do you favor?	46	52	2
5. The President has asked that this country buy up to $100 million of the $300 million bond issue which the United Nations finds necessary to meet its obligation in the Congo and elsewhere. Do you approve?	20	74	6
6. The establishment of a Cabinet post of Secretary of Urban Affairs and Housing has been proposed by the administration. Do you favor?	16	79	5
7. Should the foreign aid program be retained at its present level?	30	61	9
8. The administration plans to offer farm legislation providing stricter controls through production and marketing quotas and compulsory land retirement. Do you approve?	21	74	5
9. A $2,600,000 program of Federal assistance for college classroom construction and scholarships will be considered this session. Do you favor?	39	57	4
10. Do you favor—			
(a) continuation and expansion of the Peace Corps?	44	44	12
(b) a nationwide fallout shelter program costing $⅓ billion?	19	76	5
(c) providing educational benefits for peacetime veterans?	27	69	3
(d) making labor unions subject to antitrust laws?	86	8	6
(e) increasing the national debt ceiling by $10 billion?	14	84	2
(f) presidential authority to raise and lower income taxes?	9	88	3
(g) admission of Red China to the United Nations?	6	85	9

In 1774 a great British statesman by the name of Edmund Burke described the responsibilities and obligations of both public officials and constituents in these words:

"Certainly, gentlemen, it ought to be the happiness and glory of a representative to live in the strictest union, the closest correspondence, and the most unreserved communication with his constituents. Their wishes ought to have great weight with him; their opinions high respect; their business unremitted attention. It is his duty to sacrifice his repose, his pleasure, his satisfactions, in theirs—and above all, ever, and in all cases, to prefer their interest to his own.

"But his unbiased opinion, his mature judgment, his enlightened conscience, he ought not to sacrifice to you, to any man, or to any set of men living. These he does not derive from your pleasure, no, nor from the law and the constitution. They are a trust from Providence, for the abuse of which he is deeply answerable. Your representative owes you, not his industry only, but his judgment; and he betrays, instead of serving you, if he sacrifices it to your opinion."

I would add to this, however, that your opinion helps in forming the judgment of your Representatives. I would like to quote from some of the many thoughtful statements:

Spending: "Philanthrophies must be governed by the purse." "Am wondering how long the goose will be able to lay the golden egg." "Come down to earth; don't spend so much money." "Let's not try to spend ourselves rich." "The Nation is as optimistic as a couple of teenagers getting married with no income to support extravagant tastes." "The basic law of chemistry is that you cannot make something from nothing." "When someone gets something for nothing, someone else gets nothing for something."

Taxes: One lady said, "My boss can deduct the money he spends for whisky, but my husband can't deduct the gas he uses to drive to work." Another referred to the "Department of back-door spending and contingent liabilities." Another said, "If communism is going to bury us, we should be stubborn enough not to dig our own grave." Another: "Talk about horse and buggy days, we are allowed only a $600 tax deduction and are trying to raise and educate our children under horse-and-buggy deductions."

Farm program: "I trust you will support the President's program." "I prefer a few rough years to socialism." "Struggle made this country." "Mr. Freeman must have misunderstood the President. The President said, 'Let's get the country moving,' and Mr. Freedman thought he said, 'Let's get the country moving into town.'" Referring to the farm message, one said, "Would he still be referring to this country as part of the free world?"

Centralization of power: "I thought it was the responsibility of the people through Congress to levy taxes, tariffs and appropriate funds. That's your job; don't give that right of the people away, too." "I am strongly opposed to increasing the power of the President." "Still the power of socialism everywhere." "One world socialism." "Let's not vest any more power and authority in one man." "Any retaining action that will prevent us from becoming completely socialized under the New Frontier would be in the right direction." "It looks like creeping socialism is now walking." One referred to Attorney General Robert Kennedy as "the ambassador of international interference."

Foreign aid: A number said, "Foreign aid should be sharply reduced." Many others said: "No foreign aid to any Communist country." "If we can't stop communism in this country, at least we can stop the spread of their propaganda at taxpayers' expense." "We should know by now we can't buy friends."

Tariffs: "Better admit 5 million workers into this country. They would at least contribute something to our economy. When they compete overseas, they take the jobs of our workers without any contribution to our tax economy." "The Constitution provides that it is the duty of Congress, not the President, to levy tariffs." "If we must defend the free world, these countries should at least be willing to contribute something to their own defense on the products they sell here."

Conservatism: "In all the talk that is being stirred up over conservatism, it should be remembered there is no threat to the Constitution from conservatism, there is no threat to the free enterprise system from conservatism, there is no threat to individual freedom from conservatism, and certainly there is no threat to the next generation from conservatism."

A Tribute to St. Patrick

EXTENSION OF REMARKS
OF
HON. EDWARD P. BOLAND
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Thursday, March 15, 1962

Mr. BOLAND. Mr. Speaker, there have been only a handful of great teachers in the history of man. And if there is anything to the so-called luck of the Irish, I would say it is mainly that they have had the luck to be taught by two of the greats: Our Lord Jesus Christ and Patrick, the patron saint of Ireland.

The principles, of course, were those of Jesus; the instrument of their teaching: Patrick.

Emerging from slavery in Ireland, Patrick entered the church and, as a bishop, returned to the land of his captivity to serve the Lord and at the same time to serve the Irish, under whom he had suffered slavery.

Here was the first great principle of Jesus, set forth by a loving believer: that to punish those who do wrong is nothing compared to showing them the true light and the path to righteousness. This Patrick was able to do through service to the Irish people, converting them—each and every one—to the cause of Jesus Christ, the Saviour.

In the centuries following the death of Patrick, his followers were able to employ his principles to such an extent as to render Ireland one of the outstanding nations of the earth, in the matter of devotion, courage, and the pursuit of democratic principles. Moreover, St. Patrick imbued in the Irish people a spirit of freedom so all engrossing and so permanent, as to prevent their subjugation by any foreign power. True, they have been required on occasion to yield, temporarily, to the power of superior military force. But so great is the Irish spirit and so firm the resolution of the Irish heart that one fact has been borne out, time and again: that the rulers of Ireland cannot rule according only to their whim; that the people will not stand for it, and will in fact demand a popular government based on principles indorsed by the people as a whole.

This is beyond doubt the result of St. Patrick's work. For just as he could not and would not abide the slaveholding policies of his pagan masters, so his followers today refuse to accept the slightest hint of tyranny.

That is Patrick's legacy to the Irish people; that, and their overall faith in the Christian principles he held so dear.

Recognizing the value of his teaching, in the overall struggle for human decency, the freedom-loving peoples of the earth salute his name today—regardless of their faith, regardless of all, save that here was a man—a saintly man—devoted to justice, to learning, to freedom, and to love.

These are qualities respected wherever the name of God is respected; qualities which have established St. Patrick as one of the greatest of all historical figures in the record of human existence.

George C. Eliades

EXTENSION OF REMARKS
OF
HON. F. BRADFORD MORSE
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Thursday, March 15, 1962

Mr. MORSE. Mr. Speaker, my home city of Lowell, Mass., and yes, the Commonwealth of Massachusetts, suffered a great loss recently in the death of George C. Eliades, a former chief executive of Lowell. George Eliades came to the United States from his birthplace in Asia Minor when he was 21 years old. He knew the hardships of life in the Old World and recognized his responsibilities as a citizen of his adopted land.

He was a graduate of Boston University Law School and practiced in Lowell for over 35 years. He was the first American citizen of Greek heritage to serve as mayor of any city in the United States.

He served the people in almost every capacity of service. He was president of the Lowell Bar Association and one of its most respected members. His work in the Greek-American community was acknowledged by the King and Queen of Greece when he and Mrs. Eliades were their guests at the royal palace in Athens.

My hometown and my State have suffered a great loss in the death of this distinguished citizen. My heartfelt sympathy goes to his devoted wife and family.

The Hungarian Revolution of 1848

EXTENSION OF REMARKS
OF
HON. PETER W. RODINO, JR.
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Thursday, March 15, 1962

Mr. RODINO. Mr. Speaker, today, March 15, is the 114th anniversary of the Hungarian Revolution of 1848. It is appropriate and fitting to observe this anniversary in the United States of America where one of the leaders of the revolution, Lajos Kossuth, was enthusiastically welcomed after he fled from his oppressors following the defeat of the Hungarian Army.

When the news of the February revolt in Paris and the mass demonstrations in Vienna on March 13 reached Budapest, a young poet, Sandor Petofi, was inspired to write a paean to Hungarian nationalism. His fellow conspirators—poets, lawyers, law students, and undergraduates—marched to the Landerer Printing House on March 15, 1848, seized the printing press and printed Petofi's national song. They also printed a list of national demands which had long been pressed by Kossuth in his many stirring articles.

The national demands—the March laws—called for responsible government, equality before the law, universal taxation, popular representation, abolition of serfdom, and union with Transylvania. It is a measure of the reactionary character of the Austrian Empire that such long overdue reforms could be achieved only by outbursts of violence. The Emperor was forced to accede to these demands in April 1848.

Unfortunately, the coalition of political factions which united on the March laws fell apart almost immediately. The diverse nationality groups which made up Hungary pressed for their own narrow goals or reverted to conservatism.

In September of 1848 Hungary was invaded by the Austrian Army. Hungary was placed under martial law, and the Hungarian ministry resigned. Kossuth headed up a committee of national defense.

Under the Emperor Francis Joseph a new constitution was adopted which led the Hungarian Parliament to declare itself an independent state. Kossuth was declared Governor, and the Hungarian generals recaptured the capital in May.

However, the Hungarian victory was short lived. The Emperor called upon Czar Nicholas I for help. Hungary was once more invaded—from the west by the Austrians and from the north by the

Russians. The Hungarian Army was crushed between the two forces of the enemy and surrendered on August 13, 1849.

The Austrian General Haynau, called the Hyena of Brescia for his atrocities in Italy, executed the Hungarian national leader, Batthyany, and 13 of the Hungarian generals who were afterward known as the martyrs of Arad. The poet Petofi had disappeared in battle. Kossuth escaped to Turkey and later went to England and the United States. Thousands of Hungarians fled the country, finding asylum and happiness in our own Nation.

Impressed into the Austro-Hungarian Empire, ruled by the Emperor of Austria, the Hungarian people kept bright the flame of liberty in their hearts and spirits. Finally, with the defeat of the Central Powers in World War I, the dissolution of the short-lived Empire, and the disappearance of the Hapsburgs, the Hungarian people seized the opportunity for self-expression and formed their own government.

Following World War II, in 1947, the courageous nation was again overwhelmed by outside forces, as the Reds moved in and forced President Tildy out of office. With the revered memory of their forefathers of 108 years before as their inspiration, the Hungarian people again revolted against oppression. But again they were crushed by the Russian hordes, even as they had been in the previous century. Again the refugees from this conflict fled their country rather than be killed or forced to live in enslavement. And, once more, thousands found refuge in the United States of America.

On this 114th anniversary of their epic struggle for liberty and freedom, I join with my Hungarian friends, American friends of Hungarian ancestry, and lovers of freedom everywhere in the prayer that liberty and peace will again prevail in this nation where though the land has often been, the minds and hearts of those who live there have never been conquered.

Max Strumpf, Career Man

EXTENSION OF REMARKS

OF

HON. CHARLES S. JOELSON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 15, 1962

Mr. JOELSON. Mr. Speaker, I have learned with much pleasure from the Honorable Stanley O. Styles, able Comptroller of Customs at the Port of New York, of the half century of loyal service of a dedicated public servant, Max Strumpf.

Mr. Strumpf entered the Government service at the customhouse on August 16, 1911, as a messenger boy. He was promoted to the position of clerk in 1917 and advanced to customs liquidator in 1923 and supervisory liquidator in 1949. He was appointed to his present position of Assistant Deputy Comptroller in 1952.

Because of his long experience and wide knowledge, the Bureau of Customs in Washington designated him for special assignments in 1929 to the port of San Francisco, in 1931 to the port of New Orleans, and in 1943 to the port of Laredo. In these districts he assisted the administrative officers in eliminating heavy arrearages in liquidations and was a consultant to establish procedures to expedite the workload.

Mr. Strumpf is a charter member of the National Customs Services Association and the founder of the New York Customhouse Employees Federal Credit Union. He was cited for his efforts in behalf of the U.S. Treasury bond sales program.

A diamond-studded pin for 50 years service was awarded in recognition of his service, presented by Comptroller Styles in the present of his fellow employees on February 28, 1962, at the customhouse.

Mr. Strumpf has lived in the Bronx for over 40 years and presently resides with his wife and family at 1777 Grand Concourse. He is a charter member of the Harvar Society of the U.S. Customs.

Public Opinion Poll

EXTENSION OF REMARKS

OF

HON. ROBERT J. CORBETT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 15, 1962

Mr. CORBETT. Mr. Speaker, I am here reporting the findings of my most recent poll of public opinion in my congressional district. This district comprises most all of northern Allegheny County, including three wards of the city of Pittsburgh. It is largely industrial and residential with some coal mining and farming in the areas farthest removed from Pittsburgh.

There are a few thousand more registered Democrats than Republicans in the district and all were given an equal opportunity to reply. For purposes of accurate evaluation it is safe to assume that a somewhat greater number of Republicans than Democrats responded.

The tabulated results in percentage figures follow without any editorial content:

1. Do you favor a Federal program to create public fallout shelters for up to 50 million persons? Yes, 24 percent; no, 76 percent.

2. Would you vote for the United States to buy $100 million worth of U.N. bonds? Yes, 32 percent; no, 68 percent.

3. Do you favor foreign aid for countries behind the Iron Curtain like Poland and Yugoslavia that show some independence from Russia. Yes, 32 percent; no, 68 percent.

4. Should the Peace Corps be expanded? Yes, 46 percent; no, 54 percent.

5. The President desires the power to adjust personal income taxes up or down subject to congressional veto. Should he be given this right? Yes, 26 percent; no, 74 percent.

6. Are you in favor of Federal aid for public schools below the college level? Yes, 38 percent; no, 62 percent.

7. Would you vote for medical care for the aged financed through social security payments? Yes, 56 percent; no, 44 percent.

8. Do you think that the United States should resume atmospheric testing of nuclear devices? Yes, 74 percent; no, 26 percent.

9. Do you believe that we should set up a Federal Department of Urban Affairs and Housing? Yes, 25 percent; no, 75 percent.

10. Do you share the President's opinion that there will be no important inflation in the next few years? Yes, 22 percent; no, 78 percent.

11. Should the President be given further power to lower tariffs? Yes, 41 percent; no, 59 percent.

12. Do you think the President is doing a good job in domestic affairs? Yes, 47 percent; no, 53 percent.

13. Do you think he is doing well in foreign affairs? Yes, 42 percent; no, 58 percent.

14. Should the United States fight if necessary to retain the freedom of West Berlin? Yes, 80 percent; no, 20 percent.

Voice of Faith and Brotherhood

EXTENSION OF REMARKS

OF

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 15, 1962

Mr. HOSMER. Mr. Speaker, on March 11 an event of significance occurred in the city of Long Beach under sponsorship of the religious community of that city including Catholic, Greek Orthodox, Jewish, and Protestant churches. It was the uniting of all Long Beach church choirs into a gigantic song festival appropriately called the voice of faith and brotherhood.

The idea was conceived several years ago by members of the Long Beach B'nai B'rith Lodge as a suitable observance for Brotherhood Week. Some 30 choirs took part in the festival held at the Long Beach municipal auditorium and attended by large numbers of the area's residents. James Weeks, minister of music at the First Congregational Church acted as musical director of the combined choirs, assisted by Rolla Alford, choir director of the First Methodist Church. Chairmen and coordinators for the event were Mr. Gene Lentzner, president of the Long Beach B'nai B'rith Lodge and Rev. Donald C. Cooke, minister of the North Long Beach Methodist Church and chairman of the Human Relations Committee of the Long Beach Council of Churches.

The church choirs participating in this event, together with the names of their choir directors, were the following:

Bay Shore Community Congregational Church, Helene Allen; Bixby Knolls Christian Church, Carole Smith; Calvary Baptist Church, Rocco Leggett; Calvary Presbyterian Church, Ray

Chace; Christ Presbyterian Church, Mildred Leaman; Cross Roads Community Church, June Sams; East Side Christian Church, Marion Miller; First Church of the Brethren, Robert Walker; First Congregational Church, James Weeks; First Methodist Church, Rolla Alford; First Presbyterian Church, Frank Pooler; Grace Methodist Church, Phil Haynes; Greek Orthodox Church, Nick Karidokis; Lakewood First Presbyterian Church, Mrs. James Lobbett; Los Altos United Congregational Church, Leon Smith; New Hope Baptist Church, Hazel Henderson; North Long Beach Christian Church, Lloyd Todd; North Long Beach Community Presbyterian Church, Gilbert Philo; North Long Beach Methodist Church, Ted Gardner; Second Presbyterian Church, Martha Smith; Silverado Park Community Methodist Church, Robert Goodwin; Starr King United Presbyterian Church, Wallace Schurr; St. Bartholomew Catholic Church, Henry Keating; St. Cornelius Catholic Church, William Schreeweis; St. Matthews Catholic Church, Gardner Roth; St. Timothy's Episcopal Church—Compton, Edgar Carswell; Temple Israel, Mabel Persons; Temple Sinai, Morris Greenfield; Trinity Evangelical Lutheran Church, Harold Agal; and Trinity Methodist Church—Lakewood, Robert Thorpe.

Clergymen participating in the voice of faith and brotherhood program were as follows:

Welcome: Rev. Wendell Tredick, minister, First Presbyterian Church.

Invocation: Rev. Nicholas Billiris, pastor, Assumption of the Blessed Virgin, Greek Orthodox.

Scripture: Rabbi Wolli Kaelter.

Offering: Rev. Donald Cooke, minister, North Long Beach Methodist Church.

Benediction: Rev. John B. Fitzgerald, St. Bartholomew Church.

A Tribute to St. Patrick

EXTENSION OF REMARKS

OF

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 15, 1962

Mr. RODINO. Mr. Speaker, St. Patrick, the patron saint of Ireland, has proven to be as remarkable in death as he was in life. For seldom in history does a man of local prominence and the hero of a single people come to serve as an outstanding symbol to persons of every faith and every clime. Yet this has been the case with St. Patrick, and so it shall be, so long as the qualities he possessed retain the respect of freedom-loving people everywhere.

Enslaved at an early age, St. Patrick escaped his bonds to enter the ministry in France, and when he returned to Ireland, the land of his captivity, he did so in the role of a bishop.

In this capacity he baptized thousands upon thousands of persons, ordained a great many ministers and established the Christian church in a land theretofore dominated by paganism. Moreover, so great was his zeal that Ireland became and stands today as one of the most devout Christian nations of the earth.

No wonder, then, that St. Patrick evolved, in the eyes of the Irish people, into the great symbol of Christian values. It was he, they say, who drove the snakes and toads from Ireland. But far more than that: It was he who brought the light of God to an area where previously there had been no light, but merely superstition.

Nor was that all. He also provided the great example of Christian forebearance, seeking not to punish those who had enslaved him, but to reward them with the kindness of his nature. This he did throughout the full 30 years of his service as bishop in Ireland, notwithstanding the severe treatment he had received there in his youth as a slave.

The example of St. Patrick's love and devotion to the cause of Jesus Christ has won him a fame far outranking that of most other Christian saints, until today his name is known far beyond the confines of Ireland and beyond even the confines of the Christian world.

Indeed, so impressive were his talents as a teacher, philosopher and servant of the Lord, that his day—St. Patrick's Day—is no longer a time for celebration on the part of the Irish people alone. For he has come to be recognized as a universal symbol—the symbol of freedom, education, and the good life; qualities dear to the heart of every member of the civilized world community. The divinity of the principles of St. Patrick renders him one of the outstanding figures in Christian history, today in this era, and tomorrow, in the many eras to come.

Since the 17th of March this year falls on a Saturday, and we shall not be here assembled, I shall take the opportunity and pleasure now of joining with millions of non-Irish people in saluting both St. Patrick and the Irish in tribute to his and their contributions to the improvement of life around us in this and the other Chamber of this building, in another part of the city, across our whole Nation, and in fact everywhere men live on this earth.

Space Effort Spurs U.S. Economy

EXTENSION OF REMARKS

OF

HON. VICTOR L. ANFUSO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 15, 1962

Mr. ANFUSO. Mr. Speaker, I was privileged this afternoon to participate in a panel discussion at the annual space-missile conference held at the Sheraton Park Hotel in Washington, where I discussed the impact of the space program on the economy of the country. I cited several interesting examples where space research is already producing results and benefits for everyday living.

Under leave to extend my remarks, I wish to insert into the RECORD the text of my address at the above conference:

REMARKS BY THE HONORABLE VICTOR L. ANFUSO, REPRESENTATIVE FROM NEW YORK, AT THE ANNUAL SPACE-MISSILE CONFERENCE, THURSDAY, MARCH 15, 1962, WASHINGTON, D.C.

In his message on the state of the Union, delivered to Congress in January of 1962, President Kennedy said that the objective of our national space program "is to develop—in a new frontier of science, commerce and cooperation—the position of the United States and the free world."

Why is this country going all-out into space? You've heard many reasons given: Scientific knowledge, national defense, international cooperation and prestige. These are good reasons. But there are also bread-and-butter reasons, dollar-and-cents reasons, which we're here to talk about today. Basically, the space program is expected to produce a number of valuable payoffs. It's not only expected to do so, it's doing so right now.

Government spending on space programs acts directly as an economic spur. The Government is already spending billions of dollars on space research and development, billions more on space hardware. These sums are growing rapidly year by year. As you know, they are spread across the whole industrial spectrum from plastics to electronics. In addition to creating new jobs—nearly a million already—and virtually new industries such as cryogenics and solid rocketry, this vast national effort has generated a tidal wave of new technology—many new materials, devices, and processes. In a moment, I will give you a number of striking examples.

The future looks even brighter. New scientific knowledge resulting from research always takes time to become useful. Yet historical experience shows that this is the real payoff, that fundamental new knowledge produces an even greater harvest of benefits than even the most spectacular invention.

Of course, no one can predict all the future applications of new knowledge. General Gavin has told us that the developers of the atomic bomb, less than 20 years ago, were unable to foresee the use of isotopes in medicine, industry, and agriculture. So you will excuse me if I merely suggest some general areas where basic space research seems likely to result in widespread economic benefits.

One such area is power sources—power not only from atoms but from fuel cells, plasma, ions, and solar and photoelectric cells. For instance, 10 towns along the Mason-Dixon line are preparing to experiment, and will light themselves by plasma. Another promising area involves the sources and uses of water, including the extraction of valuable elements from sea water. Still others are noise engineering, computer technology, and solid-state physics. A final example is the study of superconductivity, which holds promise of maintaining high magnetic fields with relatively low power.

Some commentators have suggested that this country is now standing at the threshold of the fourth industrial revolution. There is plenty of evidence to support their belief.

If we look back in time to the beginning of the 18th century and before, we see a technology in which the basic materials were wood and iron, and the sources of power were wind and muscle. The first industrial revolution followed and resulted from the widespread introduction of steel and steam. Then, in the 19th century, better and cheaper

steel became available, and electricity and internal-combustion engines came into general use. This may be called the second industrial revolution. A third similar change occurred in World War II and the postwar period with the growing use of synthetics, plastics, and alloys, and the introduction of atomic energy. Today, if we look around us at the new technologies and their applications in transportation, communications, and industry, we find good reason to think that another such major change is in the making.

In the past, each industrial revolution has transformed the world. Each has promoted economic growth and progress by providing new and greater opportunities for investment, enterprise, and employment. We may confidently expect the fourth industrial revolution to produce the same results as its predecessors.

Now let me turn to the space technologies that have already arrived in the sense that we now have, or can soon produce or use, the resulting materials, devices and processes.

Among these, I include the commercial uses of satellites, particularly for long-range communications. Whatever the roles and relations of Government and private industry in this field may turn out to be, there is no doubt of the benefits that will accrue to all the populations of the world. Furthermore, there is good reason to believe that private enterprise will play a major role in operating space systems—not only satellite systems but possibly rocket transport as well. Many people have forgotten the proposal made by the Wiesner report, just over a year ago, that the Government set up a special organization to direct the Federal support of space activities. This proposal envisioned that some important space activities would be conducted by private enterprise. Nothing has happened since to change that basic assumption.

A variety of other processes, materials, and devices resulting from space research are becoming available now, in our own lifetimes. These have already found applications in the home, the factory, the hospital, the marketplace, and on the highway. For example, remote-control television switches enable us to turn a program on or off without moving from our chairs. Pyroceram, a ceramic developed for missile nose cones, is used to make pots and pans that can be taken from the freezer and put immediately on the stove without damage. Many new methods have been applied to metallurgy—one for extruding beryllium, another for making a fluxless aluminum solder, still another for ultrasonic welding of high-temperature metals.

Newly developed tools for doing the work of a wrench or a screw driver are operated with a mere squeeze of the fingers. One of the richest fields of application has been medicine. A drug developed from a missile propellant (hydrazine) is now used to treat mental illness. Two other medical applications are made possible by the greatly reduced size of electronic equipment. One is an "electronic nurse," which monitors heartbeat, temperature, blood pressure and breathing, permits a patient to be watched by remote control, and broadcasts a warning if the patient is in trouble. The other is a Cardiac Pacemaker powered by tiny mercury batteries, which supplies electrical stimulation to keep the heart functioning while the patient leads a normal life. The same electronic techniques can reduce a complete radio to the size of a lump of sugar. These techniques are now applied to a variety of uses, from wrist watches to automobiles.

Perhaps the most dramatic application of space technology to medicine is the use of space suits for victims of strokes and similar afflictions. Space suits were designed to maintain the normal bood circulation of astronauts. Today, they are being used to do the same thing for victims of circulatory disorders. Victims of strokes, such as President Kennedy's father, are often unable to walk or even stand without losing consciousness. But specially adapted space suits can maintain the normal blood pressure of these people, enabling them to sit up, stand or even walk. In the near future, it may not be uncommon to see people walking around in space suits who are not astronauts at all and who until recently would still be bedridden patients.

Hundreds of other examples could be given to show the benefits already produced by the space program for everyday living.

What I have just described are only the first fruits. The full harvest will keep growing, down the length of human history.

Civil Rights Action

EXTENSION OF REMARKS

OF

HON. FRANK KOWALSKI

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 15, 1962

Mr. KOWALSKI. Mr. Speaker, I have introduced today five bills to curb certain discriminatory practices in voting, education, employment, housing, and the administration of justice.

These bills are identical with S. 2979, S. 2980, S. 2981, S. 2982, and S. 2983 which were introduced on Tuesday by Senators KEATING, JAVITS, CLARK, SCOTT, and HART, respectively, for themselves and other Senators. Senator DOUGLAS is the principal cosponsor of these bills.

These bills are based on legislative recommendations of the U.S. Civil Rights Commission, contained in five reports filed by the Commission last fall. The reports of the Commission's 2-year study and investigation present its comprehensive findings and recommendations relating to discrimination in the abovementioned fields because of race, color, religion, or national origin.

The first bill, the Federal Voting Rights Act of 1962, would outlaw practices which are used in some States to deny citizens the right to vote because of their race and color. Under its provisions, such discriminatory devices as the poll tax and property qualifications would be abolished and States employing literacy tests would be required to accept 6 years of formal education as proof of literacy.

The second bill, the Federal Equality of Education Act of 1962, is designed to speed up public school desegregation by requiring school boards that have failed to desegregate to file with the Attorney General within 180 days a plan providing for at least first-step compliance when schools open next fall. It would also provide financial and technical assistance to aid school desegregation and it would restrict Federal aid for segregated public schools and institutions of higher education.

The third bill calls for the establishment of a Commission on Equal Employment Opportunity. The Commission would be charged with halting discrimination in Government employment and in employment connected with Government contracts and Federal grants-in-aid. In addition, it would also make it an unfair labor practice for a labor union to discriminate against its members or against applicants for membership because of race, color, religion, or national origin.

In accordance with the Civil Rights Commission recommendations on equal housing opportunity, I have introduced a fourth bill that would provide relocation assistance to families displaced by highway clearance programs.

The fifth bill seeks to curb police brutality and mob violence with police connivance by holding State and local governments liable under Federal law for the actions of police officers. Another provision is aimed at prohibiting the practice of excluding members of minority groups from serving on juries.

I will at a later date introduce additional legislation based on other of the Commission's recommendations.

Discrimination is a slap in the face of human dignity. It damages the fabric of our entire society. It shadows the lives of millions of Americans. The Civil Rights Commission has suggested a reasonable and proper course of action, and sooner or later Congress will have to grapple with its responsibilities.

I hope and trust that Members of the House will grant these bills the same bipartisan support that so distinguished Tuesday's action in the Senate, and I urge that they may be made law.

The United States at the World's Fair

EXTENSION OF REMARKS

OF

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 15, 1962

Mr. ROSENTHAL. Mr. Speaker, under leave to extend my remarks in the CONGRESSIONAL RECORD, I would like to include herein an editorial which appeared in yesterday's New York Times, entitled "The United States at the World's Fair":

[From the New York Times, Mar. 14, 1962]

THE UNITED STATES AT THE WORLD'S FAIR

President Kennedy asked Congress yesterday for $25 million to build and furnish with exhibits a United States pavilion at the New York World's Fair, which is scheduled to open April 22, 1964. He thus confirmed his earlier promise of support. Now it is up to Congress to do promptly what has been too long delayed: endorse the planning and construction of a showcase that will document before the world our way of life.

It is not easy making a world's fair. But Robert Moses and his organization have dogged confidence in the final success that this enterprise deserves. We are now past the midway point between start of basic planning and the opening day celebration, when an expected 70 million visitors will begin coming through the gates.

The contracts and commitments by nations, by States, by business and industry guarantee an exciting show. It would be unthinkable for the United States to go into this half-heartedly, or fail to provide a

pavilion appropriate to the occasion. Time is wasting. There is no excuse for any serious delay on this question in Congress.

Mr. Speaker, in view of the fact that the New York World's Fair is located in the congressional district I have the honor of representing in Congress, I was naturally very pleased when President Kennedy requested funds of the Congress for the building of a U.S. pavilion and for extensive exhibits. As an endorsement of the request for $25 million for the above-mentioned purposes, I sent similar telegrams to President Kennedy and to Hon. Robert Moses, president of the Fair Corp., offering my cooperation in every way possible in insuring the outstanding success of this forthcoming fair.

A copy of my telegram to President Kennedy follows:

MARCH 13, 1962.

Hon. JOHN F. KENNEDY,
The President,
The White House,
Washington, D.C.:

As the Member of Congress in whose district the New York World's Fair will be situated, I am delighted that you have today requested of the Congress $25 million to build a U.S. pavilion and provide extensive exhibits at the fair. There can be no doubt but that the residents of my district, together with the entire country, are tremendously excited about the forthcoming fair. We recognize that not only will we receive a great deal of personal satisfaction in viewing these exhibits, but we also realize that the fair plays an important role in permitting communications, out of normal diplomatic channels, with foreign countries and their peoples—which is all important in furthering the cause of peace. I sincerely hope that you will call upon me to render assistance in the Congress on behalf of this great project.

Congressman BENJAMIN S. ROSENTHAL.

Hail to James A. Farley on St. Patrick's Day: "We'll All Be in Step With Jim"

EXTENSION OF REMARKS

OF

HON. HUGH L. CAREY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 15, 1962

Mr. CAREY. Mr. Speaker, on Saturday, March 17, the feast of St. Patrick in all of the Americas, Erin's harps shall wake again in rapture from their slumber. In the shadow of the Andes, the specter of Bernardo O'Higgins, son of the Irishman Ambrosio, will tread again the trail of Chilean liberation. The seas that wash the continent will be greener and brighter as the memory of a County Wexford man, Comdr. John Barry of the American Navy stirs in sailors' hearts. Across the plains and along the river banks of Missouri, Minnesota, and Illinois the heroic figure of Gen. James Shields will rise again in magnitude. Senator James Shields of Illinois, the same man was born in Altmore in County Tyrone—yes, "Tyrone among the bushes." Well did Illinois count him its illustrious son and place his image in Statuary Hall of the Capitol. No other American has represented three States, in the U.S. Senate, as did General Shields as Member, not only from Illinois, but later Minnesota and finally Missouri.

But the frame of reference to great Americans of Gaelic origin rests not solely in the past.

On Saturday, March 17, New York City will observe the 200th anniversary of the commemoration of St. Patrick's feast day in our city. From 1762 to 1962 this day has grown in size and significance until we may properly say that on St. Patrick's Day everyone who is Irish is happy and everyone who is happy is Irish. For this celebration unites all New Yorkers regardless of origin. It is fitting on this bicentennial occasion that our grand marshal for the parade up Fifth Avenue will be one of our State and Nation's finest sons, Hon. James A. Farley, former Postmaster General of the United States. "Big Jim" will lead us well, as he has led our people in fairness, faith in God and country, and the exercise of principles of democracy through every day of his manly life. When we are in step with Jim we move toward greatness and on Saturday next we will all be in step with Jim. From on high the corps of O'Higgins, Shields, and Barry should be well pleased to gaze upon the splendor of 100 marching bands, the spectacle of a million parading and watching along the way, and the flags of faith and freedom proudly flying. And Edmund Burke, Thomas Moore, Daniel O'Connell may well join them in approbation for the marshal of the 1962 St. Patrick's parade will one day stand with them in greatness. Until he does, it is my hope that James A. Farley, businessman, politician, philosopher, and patriot will continue to lead us not only on St. Patrick's Day but through the next decade in active participation in the government of our State and Nation.

Public Welfare Amendments of 1962

EXTENSION OF REMARKS

OF

HON. WILLIAM J. GREEN, JR.

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 15, 1962

Mr. GREEN of Pennsylvania. Mr. Speaker, the public assistance and child welfare titles of the Social Security Act provide a Federal-State partnership in public welfare.

I believe that it is important to recognize that this partnership has been highly successful in promoting the general welfare of all the people.

The public assistance programs were developed during the great depression to meet the massive problem of millions of persons without enough money to buy the necessities of life. Therefore, these programs were designed to evaluate an applicant's financial need and give him the amount of money he needed. The design was good. The Federal-State partnership does meet financial need with flexibility patterned upon conditions in each State.

Today, many of our fellow citizens still need financial help. However, the reasons for this need vary from family to family.

Most persons receiving public assistance today are either young children, aged, or disabled. Others are unemployed because their jobs disappeared because of changes in technology.

To meet the needs of our time, the public assistance program must become a public welfare program. It is necessary to continue money payments but we need to help our most unfortunate fellow citizens become independent of public charity.

This requires services to help families become self-supporting, prevention of dependency by dealing with the causes, incentives to the recipients to improve their condition and to the States to improve their welfare program, rehabilitation of recipients, promotion of individual independence through community work and training programs, and training of public welfare personnel to enable them to reach these goals.

This also requires an expansion and improvement of the traditional Federal-State partnership. Public assistance should become true public welfare. Public and private agencies should work together. Agencies for children, for the handicapped, for the aged, for the socially maladjusted are all needed and the work of all of them has to be organized for maximum efficiency.

H.R. 10606 now being considered by the Congress is designed to accomplish these purposes.

On December 17, 1961, the Honorable Ruth Grigg Horting, Pennsylvania secretary of public welfare, endorsed these changes as proposed by Secretary of Health, Education, and Welfare, Abraham Ribicoff.

On February 2, 1962, the Honorable David L. Lawrence, Governor of Pennsylvania, said:

President Kennedy's compassionate and economically sound welfare program presented to Congress yesterday, emphasizing the rehabilitation and prevention phases of public welfare, deserves wholehearted support.

The President's program with emphasis on rehabilitation to restore dignity and independence to the needy is a direct approach to one of the most critical problems of government, and will greatly help our State program already patterned along the same line.

The Pennsylvania State Board of Public Welfare, under the chairmanship of the Honorable Harry Boyer, also endorsed H.R. 10606 by a resolution adopted on March 1, 1962. The resolution follows:

Whereas the Pennsylvania Board of Public Welfare recognizes that the basic purpose of public assistance is to help those in financial need through circumstances beyond their control; and

Whereas after many years of public welfare services which consisted largely of money payments, President Kennedy and Secretary of Health, Education, and Welfare, Abraham Ribicoff, have proposed a new approach

stressing social, health, preventative and rehabilitative services instead of support alone; and

Whereas the Pennsylvania State Board of Public Welfare recognizes the vital impact and the overwhelming importance of the general objectives of this approach as a major turning point in the humanitarian public welfare program as a means of helping the needy toward rehabilitation instead of merely giving them the money which they need; and

Whereas many of the principles of the Kennedy-Ribicoff program have long been recognized in Pennsylvania, and in fact put into experimental operation with such projects as the family rehabilitation program; and

Whereas legislation in the form of House bill 10606 has been introduced in Congress to enable early action to assure that the public welfare program, while recognizing day-to-day needs, will also emphasize the return of individuals to the highest degree of self-sufficiency of which they are capable: Now, therefore, be it

Resolved, That the Pennsylvania Board of Public Welfare go on record in support of the principles and objective purposes of House bill No. 10606; and be it further

Resolved, That copies of this resolution be forwarded to Pennsylvania's Representatives and Senators in the Congress and to other interested parties.

St. Patrick and the Irish

EXTENSION OF REMARKS

OF

HON. CLEVELAND M. BAILEY

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 15, 1962

Mr. BAILEY. Mr. Speaker, two Irishmen shared a cell at Sing Sing, the famous—and equally infamous—prison of the State of New York. They were on death row, and while one of them still hoped for successful appeal of his conviction, the other was scheduled to die very soon. Despite his energetic efforts, the appellant was entirely unable to cheer the doomed man, for the latter was in fear for his soul and in terror of the electric chair. Finally, as the poor fellow was led off to be executed, his cellmate had an inspiration: "More power to you," he called. The humor of this rather grisly joke is due to the combination of two desperate elements of our experience: humanity toward the unfortunate and the grim reality which makes them unfortunate. This is a combination which is particularly Irish, for it is the strength of Irish people that their warmth and charity have never distorted the world around them, while their realism has never destroyed their humanity.

The Irish have ever been conscious of their identity as a people, despite the fact that the size, strength, and location of Ireland has subjected them to difficulties which could easily have been avoided by capitulation. There is a story of three men who were discussing their experiences with racing. "The closest race I ever saw," said one, "was an auto race. Car No. 1 had just been repainted, and it won by the thickness of that coat of paint." The second man claimed to have witnessed a horserace where the winner beat the horse behind him only by sticking out his tongue. But the third man was Irish, and he remarked, "The closest race I ever saw is the Scotch." Any joke of this kind, commonly told by Irishman to Irishman is in part a joke on the Irish. No people has ever been so realistic about its own separateness from the world around it as to accumulate such a body of humor about that very subject. I cannot resist another story about the origin of bagpipes. Any discussion of the invention of so important an item as bagpipes is certain to take up time, and after listening to such a conversation for longer than he could bear, an Irishman spoke up as follows: "Sure, the Irish invented bagpipes and sold them to the Scots for a joke. The Scots just have not seen the joke yet." Of course, the English and French have been as much the subjects of Irish scorn as any other people. "Sir," said the Englishman to the Frenchman, "If I were not English I would indeed be French." "And I, Monsieur," returned the other, "would be English were I not French." "Well as for me," the Irishman said in disgust, "if I were not Irish I would be ashamed."

Now all of this has much more to do with St. Patrick than you might imagine at first. Coherence and solidarity as a people in its own right has always been a characteristic of the Irish. When St. Patrick was born—sometime in the fourth century A.D.—Ireland had a much more complex and well-organized society than is generally credited to it. Seven semi-independent rulers acknowledged the supremacy of the High King, or Ard Ri, who was located at Tara, and shared a common language and a common legal system. Most important, while the culture of the time showed traces of Christian and classical influence, it was basically Irish and completely unique. Ireland was never conquered by the Roman legions and has never really been subdued by anyone else. Its traditions and heritage are rigorously its own and any outside influences have been accepted—even welcome—but never imposed.

The establishment of Irish independence was originally due to its remoteness and to its characteristic of being an island in the sea. Ironically, this ancient strength has been in more recent times, with the streamlining of communications and transportation, a modern weakness. Still, despite their physical isolation and the vulnerability of their shores, the Irish people have maintained that independence of mind and spirit which came more easily to them in the past. That Christianity was the crystallizing force for Irish culture, and that Christianity has been the source of Irish strength and endurance ever since is indubitable. St. Patrick, of course, is therefore responsible for the spine of the Irishman and the backbone of his culture.

The Irish have taken their religion seriously enough, and—more significantly—have understood it well enough, to make it an important part of their humor. When Cornelius Murphy went up to Heaven, he remarked to St. Peter that the venerable saint had been at his job for a long time. "One million years is but a minute here, and a million dollars but a cent," replied St. Peter. "Well then," said Murphy, "since I'm needin' cash, perhaps you'd lend me a cent." "Sure," answered St. Peter; "just wait a minute."

A good Irishwoman who had lost her sense of God remarked to her neighbor that she no longer felt the touch of the Lord. "Ah," said the neighbor, "if you can only close your eyes and raise your head and pray with your heart, why the good Lord'll reach down with His hand and touch you as He used to." The woman did as she was told until she felt a hand upon her sleeve. She opened her eyes and looked, expecting to see the hand of God—and saw her neighbor withdrawing his own hand with a start. "Oh!" she cried. "That was your hand I felt and not the hand of God!" "Of course," the neighbor replied. "Heaven is a long ways off, and the Lord is not one to waste any motion that He could use for beneficent works. He just took the nearest hand and used that."

That religion is important to Irish humor is indicative of the fact that it plays a role of vast importance in the life of every Irishman. Furthermore, when the spiritual nature of God and of the Saints is well understood, and established as other-worldly, there is no blasphemy in jokes of this kind. Irish religious humor, like humor about the Irish people, is based upon a faith too strong to be shaken by jokes or scorn or the attitudes and actions of others. This rockbound individuality and this unshakable patriotism are qualities well adapted to a country with principles such as ours. The United States has recognized this. The days of "No Irish Need Apply" are long gone from this Nation and today an Irishman with all the noble characteristics of Ireland and the Irish people sits in our own White House. We can bestow no greater tribute upon a people which has retained its national identity while blending at the same time with American tradition and culture.

Our celebration of St. Patrick is a gesture of gratitude and affection toward the Irish people. No other figure is so honored except a few of our very great presidents. The virtues of faith, humanity, and strength are epitomized by St. Patrick and by the Irish people. And there are no finer virtues and none more basic to America or to the very human race itself.

The Agricultural Conservation Program Appropriation for Next Year Should Be $250 Million

EXTENSION OF REMARKS

OF

HON. CARL ELLIOTT

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 15, 1962

Mr. ELLIOTT. Mr. Speaker, I believe the budget for 1963, which was recently submitted to the Congress is, on the whole, realistic and I support it. However, there is one phase of the agricultural section dealing with the agricultural conservation program to which I would like to take exception.

The President's budget requested an advance authorization for the 1963 agricultural conservation program of $150 million, which represents a reduction of $100 million in the amount which has been available for this vital program during the recent past. Only last week we read of Mr. Khrushchev's disappointment in the Russian farmer's inability to produce sufficient food and fiber to meet the people's needs. In Russia about 50 percent of the workers are engaged in agricultural pursuits. As a consequence, there are not enough workers available to produce the things that make life very pleasant in that country.

The average output per worker in American agriculture has more than doubled in the last quarter century. This is a record of increased efficiency of which we can be very proud and one which can be matched or surpassed in very few places in our entire economy. Our farmworkers are doing their work so efficiently that over 90 percent of our population is available to produce a wide variety of goods and services that make up the American standard of living.

As a boy, I can remember when gullied hillsides, wornout fields, and abandoned farms were commonplace in our Nation. If these conditions had been allowed to continue, we would probably find ourselves today in a position similar to that which prevails in Russia where it takes too large a percentage of the available workers to produce the food, fiber, and forestry products needed to keep their population going. Fortunately for us, however, in the midthirties the Congress recognized that there was a need to conserve and protect our natural resources of soil, water, and woodland and keep them productive for generations to come. To do this, the Congress enacted legislation which created what is known today as the agricultural conservation program. This program has operated as a vital conservation partnership wherein the Government and the farmer join together to perform needed conservation work on the land that is in the national interest, as well as the interest of the farmer.

The agricultural conservation program is based on the very frank acceptance that while needed conservation pays the Nation in the long run, many conservation measures do not offer sufficient and immediate returns to the farmer that are attractive enough to encourage him to get the needed amount of such conservation applied.

The population in the United States is growing at the rate of 1.7 percent per year. In fact, the total U.S. population has more than doubled since 1910 from 90 to 185 million and is expected to exceed 260 million by 1980. At the same time, increasing amounts of our farmland are being used for building new roads, new housing developments, airports and the endless things we see happen around us every day. These developments take more and more farmland out of agricultural production. With a rapidly growing population, a shrinking farm acreage and a need to maintain or to improve our living standards, conservation takes on a very serious aspect for the future. We must maintain our farmland at the highest production level if we are to be assured that future generations of Americans are to have the food, fiber, and forestry products needed to live comfortably. This can be done only if the agricultural conservation program and our other fine conservation programs are maintained at substantial levels.

This being the case, I would like to go on record in support of a $250 million advanced authorization for the agricultural conservation program in 1963 in lieu of the $150 million requested in the President's budget.

The Case Against Big Government

EXTENSION OF REMARKS

OF

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 15, 1962

Mr. HOSMER. Mr. Speaker, American misgivings about big government are both historical and practical.

Millions have come to our shores to escape big government's domination of their lives. The Revolt of 1776 was against dictatorship of individual lives by big government.

To keep American Government from getting too big, our Constitution reserves many powers to the people. It also divides powers of government between State and Federal Governments and between legislative, executive, and judicial branches of government.

In the United States control over our destiny is in the people. Power and decisions flow from the broad base of a triangle—the people—to the top of the triangle—government.

Millions of private citizens each day make millions of individual decisions, which, when all combined together, determine the economic health and strength of our country.

Not every individual decision is a good one. But experience has shown the good ones cancel out the bad ones with something to spare. Because of this we have grown steadily from 13 struggling colonies to a giant nation.

We have proved this politico-economic system works. It keeps us strong all the time.

In contrast, the U.S.S.R. has big government. Power and decisionmaking are at the top of the triangle, out of the people's hands.

If somebody in the Kremlin makes a bad decision, there is nothing to cancel it out. The whole country suffers.

For instance, suppose Moscow bureaucrats miscalculate and set the country's fuel requirements too low. People all over the U.S.S.R. go cold through the winter. Factories cannot produce enough goods. Even the Red army's strength is weakened.

All that is inconvenient in the U.S.S.R., but it is not fatal. Some other country has not sworn to "bury" the U.S.S.R. the moment it becomes weak.

To the United States such a situation would not be merely inconvenient. It would be fatal. Some other country has promised to "bury" the United States should it ever become weakened for any reason.

This is the practical reason why today, just as in 1776, Americans still have good reasons to be wary of big government.

We simply cannot run the risk, inherent in big government, of having some Washington bureaucrat's miscalculation deliver us to the designs of our enemy.

Yet we have needs which push us toward big government. As our society becomes more and more complex, there are more and more things which people either cannot do for themselves or find it increasingly difficult to do for themselves.

At first blush it seems attractive to have the Federal Government do them. But each time it steps into some new area of authority, power in the United States moves a little closer to the top of the triangle.

The challenge of our times is, with patience and understanding, to find ways of meeting these new needs adequately—without involving ourselves in the fatal hazards inherent in big government.

Peter Francisco: American Hero

EXTENSION OF REMARKS

OF

HON. HASTINGS KEITH

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 15, 1962

Mr. KEITH. Mr. Speaker, today is Peter Francisco Day in Massachusetts. Since 1955 when Gov. Christian A. Herter first proclaimed March 15 as a fitting occasion to pay tribute to the most famous private soldier of the Revolutionary War, Portuguese-Americans have celebrated the heroic courage, and exemplary citizenship of this outstanding patriot.

I would like to inform my colleagues in the House of the deeds of Peter Francisco because I feel that in his life there is a lesson for all Americans who love their country and who would dedicate themselves to its service.

Peter Francisco was not a native of Virginia nor, indeed, of this country. His origin is obscure but he was apparently the victim of a kidnaping in a foreign land. In 1765, at the age of five or six, he was left, friendless and alone, on the wharf at City Point, now Hopewell, Va., by a ship that immediately sailed away. His dark complexion, his features, and his name seemed to point to Portugal as the land of his origin. His rich clothing—although seaworn and showing hard usage—the silver buckles engraved "P.F." that adorned his shoes,

and his courageous bearing and engaging manner encouraged the impression that he was of noble parentage.

It was fortunate for Peter Francisco that, shortly after his arrival, Judge Anthony Winston stopped by City Point on business. Winston was returning home from Williamsburg where he had heard the fiery "Caeser and Brutus" speech of his nephew, Patrick Henry. He was interested in the lad and took a load off the shoulders of the parish authorities by obtaining their readily given permission to take the boy to "Hunting Towers," his home in Buckingham County. There Francisco spent the next 10 years. His formal education seems to have been neglected, but from the discussions of Patrick Henry and other visitors he gained an understanding of the principles of freedom and a zeal for the cause of liberty.

YOUNG PATRIOT

In the fall of 1776, at the age of 16, Francisco enlisted in the 10th Virginia Regiment of Continental troops and joined the army under Washington at Middlebrook. He was a sturdy youth, standing 6 feet 6 inches in height and weighing 260 pounds. He received his baptism of fire with Lafayette at Brandywine. He fought at Germantown and Monmouth. At the storming of Stony Point on the Hudson, he was the first man after Maj. James Gibbons of Richmond to scale the walls of the fort, despite a 9-inch wound in the abdomen. Again, at Powell's Hook, undaunted by a bayonet wound in the thigh, he proceeded into the British lines to kill two grenadiers.

After serving the 3 years for which he had enlisted, he returned to Virginia, but his bold and adventurous spirit and his devotion to the American cause impelled him to return to the army. He enlisted this time in Col. William Mayo's regiment and went with him to serve with Gates in the Carolinas. It is reported that in the Battle of Camden, Francisco, singlehanded moved a 1,100-pound cannon several hundred feet to a new position—the two artillery horses ordinarily required to do the job had been killed by British fire. It was in that battle that he saved Colonel Mayo's life and then made possible the colonel's escape. Francisco with a single bayonet thrust, disposed of the British trooper attempting to capture Mayo, then gallantly gave the Britisher's horse to the fleeing colonel.

HEROIC DEEDS

After the defeat of Gates at Camden, Francisco returned to Prince Edward County, but soon reenlisted, equipped himself with a good horse, and joined Captain Watkins' command under Colonel Washington in the South. It is not recorded how many of the British he killed at Guilford Courthouse before he was wounded "from hipsocket to knee," but afterward, "with his terrible broadsword" he dispatched 11 of the enemy. Left for dead on the battlefield, he was later carried by an old man named Robinson to a nearby farmhouse where he was given medical attention and where he recuperated. On the battlefield at Greensboro, N.C., there stands a monument of granite blocks marking the place where "Peter Francisco * * * killed 11 British soldiers with his own broadsword, and although badly wounded by bayonet, made his escape." At Yorktown the military career of Francisco closed. There, serving under Lafayette, his first commander, he witnessed the surrender of Cornwallis.

WIT AND DARING

Francisco's most famous exploit occurred in Amelia County after his return from Guilford Courthouse. He was at Ben Ward's Tavern when the house was suddenly surrounded by nine of Tarleton's troopers. One of them demanded his watch and another his silver knee buckles. When Francisco pretended to acquiesce, the cavalrymen dismounted and one of them stooped to take the buckles off, placing his sword under his arm. Francisco stepped back one pace, seized the sword by the hilt, and gave the trooper a blow across the skull. Just then Tarleton's troops, consisting of about 400 men, came in sight, and Francisco called aloud as if ordering out his own command of men. The British near him were deceived and fled, leaving their horses behind them. Francisco mounted one of the deserted horses and, driving the others before him, escaped down an obscure road, although Tarleton's troopers were dispatched in all directions in search of him.

TESTS AND REWARDS

Francisco's exploits did not go unnoticed by his commanding officers. General Greene gave Peter a beautiful razor appropriately inscribed, and General Washington, himself, gave Private Francisco a magnificent broadsword, which only a man of Francisco's prodigious strength could wield.

The story is told of a burly backwoodsman named Pamphlett who rode all the way from Kentucky to test his strength against that of Francisco. After Francisco threw him over a 4-foot fence and lifted his horse over after him, the amazed Pamphlett mounted his horse and headed back toward Kentucky.

MARRIED THREE TIMES

In 1781 Francisco met and feel in love with Susannah Anderson, but 4 years elapsed before they could secure her family's consent to the marriage and Peter could take the lovely Susannah to Hunting Towers as his bride. Perhaps he never worked harder than during those 4 long years, with the twofold purpose of obtaining an education and acquiring the means of supporting a wife.

Five years after their marriage Susannah died, leaving him with a little son to whom she left a home, Locust Grove, and the Cumberland County lands inherited from her father.

In 1794 Peter married Catherine Fauntleroy Brooks, a devoted friend and relative of Susannah. They had four children and spent 27 happy years together at Locust Grove before she died in 1821. His third marriage, in 1823, was to Mary Beverly Grymes, the widow West, who survived him. Since she disliked the country they moved in 1825 to Richmond, where during the last 6 years of his life Francisco served as sergeant at arms of the Virginia House of Delegates. His kindness, sincerity, gracious manner, and ever-present wit endeared him to all who knew him.

TRUE AMERICAN

Peter Francisco died in Richmond on January 16, 1831. The house adjourned in respect and joined with the senate, the Governor, and the city council in attending the funeral. The services were conducted in the hall of the house of delegates by Bishop Channing Moore and burial took place with full military honors in Shockoe Cemetery.

From obscurity to immortality, from penniless waif to prosperous planter and respected public servant, a man honored by his contemporaries and revered by us today, Peter Francisco's story is one which makes all Americans proud.

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PROCEEDINGS AND DEBATES OF THE 87th CONGRESS, SECOND SESSION

SENATE

FRIDAY, MARCH 16, 1962

(Legislative day of Wednesday, March 14, 1962)

The Senate met at 12 o'clock meridian, on the expiration of the recess, and was called to order by the Vice President.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

O Thou timeless Lord of life and light, who art the center and soul of every sphere:

Turning aside, for this hallowed moment, from the violence and turbulence of these embittered days, we would hush the words of the wise and the prattle of the foolish.

As Thy presence becomes vivid, our faith is strengthened in the supremacy of ultimate decencies.

In the silence of this Chamber of governance, we would hear the ancient assurance, "Be still and know that I am God."

Come to us, we pray, in the common life that entangles us. Meet us in the thorny questions which confront us amid the tragedies and suspicions that have befallen men and nations.

We ask not that Thou wilt keep us safe in these dangerous times, but that Thou wilt keep us loyal to the starry ideals of this dear land of freedom.

In the Redeemer's name we ask it. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, March 15, 1962, was dispensed with.

ORDER FOR RECESS UNTIL 12 O'CLOCK NOON MONDAY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate concludes its business today, it stand in recess until next Monday at 12 o'clock meridian.

The VICE PRESIDENT. Without objection, it is so ordered.

BIRTHDAY FELICITATIONS TO SENATOR MANSFIELD

Mr. MANSFIELD. Mr. President——

Mr. MORSE. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield.

Mr. MORSE. At the beginning of the session today, I should like to express my very warm birthday greetings to the majority leader.

I do not know from what fountain of youth the majority leader drinks. I should like to have him tell me where that bubbling fount is. But certainly he is a good example, in my judgment, of the teaching of the physiologists—that, after all, both youth and aging are matters of blood chemistry. I suspect that the Senator from Montana has some secret that gives him his wonderful youth and vitality. I would that he would let me in on it.

But, Mr. President, to speak now in all seriousness, I extend to the Senator from Montana my greetings and best wishes for a very happy birthday for him, and I wish him many, many more of them.

I am sure I bespeak the sentiments of the entire Senate when I point out that the Senator from Montana, MIKE MANSFIELD, is beloved on both sides of the aisle, and his leadership and his statesmanship are very greatly appreciated by all of us.

I wish him many, many happy returns of the day.

Mr. DIRKSEN. Mr. President, I was interested in the observations made by the distinguished Senator from Oregon [Mr. MORSE]. When he talks about the mysterious blood chemistry that keeps people looking so youthful, I wish to say that I think the mystery is compounded by the fact that there must have been a strange alchemy at the beginning of the life of our distinguished majority leader, as well as now, because history records that he entered the U.S. Navy at age 14. Exactly how he fooled the recruiting officers at that time is a mystery to me—unless there was an interesting maturity about him at even that early age.

But I concur in the observation that for his age—which I shall not disclose—that alchemy has been operating; and I am glad to note the vigor he possesses as he pursues his responsibilities.

It is also interesting to note that this great Irish colleague of ours observes his birth anniversary just 1 day before the whole wide world pays tribute to St. Patrick. Interestingly enough, we do not observe the birthday of St. Patrick; we observe the day of his departure from this world—because his birthday has been lost in the mists of obscurity.

So I am glad that today and tomorrow there is to be a double celebration—first, in observing the natal anniversary of our distinguished majority leader, the senior Senator from Montana [Mr. MANSFIELD]; and, next, the celebration by us, together with all good Irishmen, in observing tomorrow the departure day of St. Patrick.

We wish Senator MIKE MANSFIELD well; and I was glad to observe that when the newspaper reporters assembled at his desk, before the convening bell rang for the session today, they all had their pipes attuned to the celebrated harp that echoed in Tara's Halls, and that we did manage to sing to him, "Happy birthday to you." [Laughter.]

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of executive business, to consider the nominations on the Executive Calendar, beginning with the nomination to the United Nations.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate a message from the President of the United States submitting the nomination of Earl F. Haffey, of Durango, Colo., to be assayer of the mint at Denver, Colo., which was referred to the Committee on Banking and Currency.

The VICE PRESIDENT. If there be no reports of committees, the nominations on the Executive Calendar, beginning with the nomination to the United Nations, will be stated.

UNITED NATIONS

The Chief Clerk read the nomination of W. Michael Blumenthal, of New Jersey, to be the representative of the United States of America on the Commission on International Commodity Trade, of the Economic and Social Council of the United Nations.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

CAREER AMBASSADORS

The Chief Clerk proceeded to read sundry nominations of career ambassadors.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The VICE PRESIDENT. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

U.S. ARMS CONTROL AND DISARMAMENT AGENCY

The Chief Clerk proceeded to read sundry nominations in the U.S. Arms Control and Disarmament Agency.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The VICE PRESIDENT. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

FEDERAL POWER COMMISSION

The Chief Clerk read the nomination of Harold C. Woodward, of Illinois, to be a member of the Federal Power Commission for the remainder of the term expiring June 22, 1962.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

ASSISTANT SECRETARY OF COMMERCE

The Chief Clerk read the nomination of William Ruder, of New York, to be an Assistant Secretary of Commerce.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

MARITIME ADMINISTRATOR

The Chief Clerk read the nomination of Donald W. Alexander, of Florida, to be Maritime Administrator.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

COAST AND GEODETIC SURVEY

The Chief Clerk proceeded to read sundry nominations in the Coast and Geodetic Survey.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The VICE PRESIDENT. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

U.S. CIRCUIT JUDGE

The Chief Clerk read the nomination of Paul R. Hays, of New York, to be U.S. circuit judge for the 2d circuit.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

U.S. DISTRICT JUDGES

The Chief Clerk read the nomination of Wilfred Feinberg, of New York, to be U.S. district judge for the southern district of New York.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Dudley B. Bonsal, of New York, to be U.S. district judge for the southern district of New York.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of George Rosling, of New York, to be U.S. district judge for the eastern district of New York.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Leo Brewster, of Texas, to be U.S. district judge for the northern district of Texas.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Sarah T. Hughes, of Texas, to be U.S. district judge for the northern district of Texas.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of James L. Noel, Jr., of Texas, to be U.S. district judge for the southern district of Texas.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Adrian A. Spears, of Texas, to be U.S. district judge for the western district of Texas.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of James H. Meredith, of Missouri, to be U.S. district judge for the eastern district of Missouri.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

Mr. LONG of Missouri. Mr. President, the action of the Senate in confirming the nomination of James H. Meredith to be U.S. district court judge for the eastern district of Missouri will be well received by Missourians.

Mr. Meredith is one of our State's most outstanding lawyers. He was admitted to the bar in 1937 and has practiced law both in a small town and in a large metropolitan area. He also served our State government for 3 years in a legal capacity. He is learned in the law and possesses the many other traits which are so essential to being a fine judge.

The President's selection of Mr. Meredith for this judgeship has received bipartisan support. I am confident that Mr. Meredith will render the highest public service to Missouri and the Nation.

U.S. MARSHALS

The Chief Clerk read the nomination of Marion Mathias Hale, of Texas, to be U.S. marshal for the southern district of Texas.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Robert I. Nash, of Texas, to be U.S. marshal for the northern district of Texas.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Tully Reynolds, of Texas, to be U.S. marshal for the eastern district of Texas.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of all of these nominations.

The VICE PRESIDENT. Without objection, the President will be notified forthwith.

Mr. YARBOROUGH. Mr. President, this is a most historical occasion. It is the first time in the history of the United States that the nominations of four U.S. district judges in my home State of Texas have been sent to the Senate by one President, and it is the first time that four such nominations have been confirmed by the Senate in 1 day. Certainly it is an auspicious day—not only for the reasons I have just now stated, but also because of the fact that it is the birthday of our beloved majority leader, Senator MIKE MANSFIELD, of Montana, and it is the day preceding St. Patrick's Day.

Mr. President, the four Texans whose nominations to be U.S. district judges have just now been confirmed by the Senate are very able and and highly qualified.

SARAH T. HUGHES

First, let me state that I desire to point out one particular honor; namely, that Sarah T. Hughes, of Texas, whose nomination to be U.S. district judge for the northern district of Texas was confirmed only a moment ago by the Senate, is the second woman in the history of the United States to be appointed and confirmed as a U.S. district judge.

Judge Hughes is a person of outstanding accomplishment. She was born in the State of Maryland.

Judge Hughes is a descendant of the Tilghman family, of Revolutionary War fame, who settled on the eastern shore of Maryland in the 1660's; and she is a descendant of colonial judges of Maryland and of attorneys general of Maryland.

She received her A.B. degree from Goucher College in 1917, and received her LL.B. degree from George Washington University in 1922.

She moved to Texas after having taught science at Salem College, in North Carolina, and after having served as a policewoman with the District of Columbia Metropolitan Police Department while she was a student at George Washington University Law School.

She has been national president of the Business and Professional Women of America, and she has been a law instructor at Southern Methodist University Law School, at Dallas.

I became acquainted with her about 31 years ago, while she was a member of the Texas Legislature, elected in Dallas County—and elected as a loyal Democrat in a county in which it is very difficult for Democrats to be elected on that kind of a platform—thus attesting to her popularity, her ability, and her fine public performance.

After she had served 4 years in the Legislature of Texas, she was appointed by the late Judge James V. Allred, while he was Governor, as a district judge at Dallas. To the surprise of many persons, she overwhelmingly defeated her male opponent at the next election. This is an elective office in Texas. She has been regularly reelected each 4 years to that office.

She has, during that service on the bench, where there are a number of district judges in Dallas County, because of the large population, had fewer days of absence than any of the seven or eight

men judges serving in the same period of time. She has put in more days a year than has any other district judge in Dallas. She has served in more litigation with fewer reversals than has any other judge on the bench there. She has made one of the most outstanding judicial trial records of any district judge in our State.

Hers was a merited appointment, award, and honor when the President sent to the Senate the nomination of Sarah T. Hughes, who was appointed as a U.S. district judge for the northern district of Texas.

It was a privilege for me, as I am certain it was for the Vice President, who now presides in the chair, when we testified before the subcommittee of the Committee on the Judiciary on her behalf.

I recommend that her nomination be confirmed by the U.S. Senate, feeling sure that this appointment will reflect credit and honor upon the administration, on the Judiciary Committee that unanimously reported her nomination, and upon the Senate that confirmed the nomination.

Mr. President, I ask unanimous consent that a biographical sketch of Judge Sarah T. Hughes be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

SARAH T. (MRS. GEORGE E.) HUGHES

Born in Baltimore, Md., August 2, 1896.

Education: 1913–17, Goucher College, A.B. degree; 1919–22, George Washington University, LL.B. degree.

Bar: 1922, Texas and District of Columbia.

Experience: 1917–19, Salem College, Winston-Salem, N.C., teacher; 1919–22, Metropolitan Police Department, Washington, D.C., policewoman; 1923–24, Priest, Herndon & Ledbetter; 1924–35, Priest, Herndon & Hughes, Dallas, Tex., 1940's, Southern Methodist University, Dallas, Tex., law instructor; 1931–35, member of Texas Legislature; 1935–61, judge of 14th District of Texas (Dallas County); October 3, 1961, appointed U.S. district judge, northern district of Texas (recess appointment).

Marital status: Married.

Office: Dallas, Tex.

Home: 3816 Normandy Avenue, Dallas, Tex.

To be U.S. district judge for the northern district of Texas.

LEO BREWSTER

Mr. YARBOROUGH. Mr. President, among these history-making appointments being approved by the Senate today, four in 1 day being appointed by the President as judges for life, under the Constitution of the United States, to serve in our State, the second one is another judge for the northern district of Texas, in which Judge Hughes serves; namely, Leo Brewster, a native of Fort Worth, Tex.

He served as a practicing lawyer in Texas. It was my privilege to be a classmate of his at the University of Texas Law School. I have had the pleasure of knowing him for something like 38 or 39 years. He has been president of the State bar of Texas. He has been a fine lawyer with an outstanding record in our State. He will make an able trial judge.

He served as president of the county bar association. He served as president of the Fort Worth Junior Chamber of Commerce. He was a member of the board of directors of the State bar of Texas. He was a member of the house of delegates of the American Bar Association. He was a fellow of the American College of Trial Lawyers, which, as my colleagues know, is comparable to the American College of Surgeons in the medical profession.

He has three times been offered appointment as commissioner of the court of criminal appeals of Texas, which is the supreme court in criminal cases in Texas. A commissioner is equivalent of a judge in that court. Each time he has declined.

He has lectured on a number of law programs, including three sponsored by the Federal Judicial Conference.

Mr. President, I ask unanimous consent that a biographical sketch of Leo Brewster be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

JUDGE LEO BREWSTER

Native of Fort Worth, Tex.; resided there all his life.

Father was native of Alabama; mother, of Georgia.

Elementary and high school education in Forth Worth public schools.

Academic and law school education at University of Texas; LL.B., 1926.

Entered general practice in Fort Worth in 1926 and has practiced there ever since.

Assistant State district attorney from 1934 to 1939. Was first assistant or trial attorney for felony cases.

Returned to private practice in 1939 and continued in it until October 1961, when he went on the Federal bench under an interim appointment.

His practice was devoted almost exclusively to trial work in State and Federal courts. For the past 15 years, most of his work has been devoted to trying complicated cases for other lawyers over the State. Result has been that he has had a wide experience in a great variety of cases over the entire State of Texas.

President of Fort Worth Junior Chamber of Commerce, 1932.

President of Fort Worth-Tarrant County Bar Association, 1952.

Member of board of directors of State bar of Texas, 1958–60; chairman of board of directors, 1956–57. President of State bar of Texas, 1958–59. State bar of Texas is second largest State bar association in the United States, with 14,000 members.

Member of house of delegates of American Bar Association.

Fellow of American College of Trial Lawyers, which is comparable to the American College of Surgeons in the medical profession.

Has been three times offered appointment as commissioner on court of criminal appeals of Texas, which is supreme court in criminal cases in Texas. Commissioner is equivalent of judge in that court. Offer is compliment to lawyer because the court itself selects its commissioners.

Has lectured on a number of law programs including three sponsored by the Federal Judicial Conference.

Member of First Presbyterian Church of Fort Worth.

Has been married for 34 years and has two daughters. One is a graduate of the University of Missouri and the other of the University of Texas.

Has two brothers. The older one is eye, ear, nose, and throat specialist in Watertown, S. Dak. He was division surgeon of 36th Division in World War II. The other one is judge of the 67th District Court of Tarrant County, Tex. Has served in that capacity for about 10 years.

FEDERAL POWER COMMISSION

Mr. MANSFIELD and Mr. STENNIS addressed the Chair.

The VICE PRESIDENT. Does the Senator from Texas yield, and if so, to whom?

Mr. YARBOROUGH. I yield to the majority leader without losing my right to the floor.

Mr. MANSFIELD subsequently said: Mr. President, due to an error, I called up the nomination of Mr. Harold C. Woodward to be a member of the Federal Power Commission. I had forgotten that there was at my desk an objection on the part of a Senator to the consideration of that nomination today, because he wanted to get some material on it.

I ask unanimous consent that the nomination be restored and that the action taken in confirming the nomination be reconsidered.

The VICE PRESIDENT. Is there objection? Without objection, the nomination is reconsidered.

JAMES L. NOEL, JR.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. YARBOROUGH. I yield.

Mr. STENNIS. Had the Senator from Texas addressed himself to the nomination of Mr. James L. Noel, Jr.?

Mr. YARBOROUGH. That is the next one.

Mr. STENNIS. The Senator from Mississippi had just walked into the Chamber and had not heard the Senator from Texas.

Mr. YARBOROUGH. The third of the judges whose nominations are being confirmed by the Senate today is Mr. James L. Noel, Jr. He was born at Pilot Point, Tex. His father was five times appointed postmaster of that city. He comes from a distinguished American family. The Noel family settled in the Tappahannock region of Virginia in the 1650's. James Noel is descended from a family which served with distinction in colonial days and through the Revolution. One uncle was a Governor of the State of Mississippi.

I became acquainted with him in 1938. Thereafter, while I served as district judge in my home city of Austin, he was assistant attorney general of Texas. He tried many cases in that court, and I learned then of his outstanding ability.

He served 3 years as assistant attorney general of Texas, at Dallas, and was Commissioner on Government Security, appointed from 1955 to 1957, where he served with distinction, his name having been submitted by the late beloved Speaker of the House, Sam Rayburn.

He was appointed U.S. district judge for the southern district of Texas in a recess appointment by President Kennedy.

I yield now to the Senator from Mississippi, without losing the floor.

Mr. STENNIS. I thank the Senator for yielding to me. I asked him to do so for the purpose of endorsing his high commendation of Mr. James A. Noel, Jr., to be a U.S. district judge. I had the pleasure of serving a few years ago on a commission with Judge Noel. I was very much impressed with him.

I was highly pleased to learn that he was a nephew of former Governor Noel, one of the outstanding Governors of Mississippi. I predict a very fine career for him on the bench, because he has the qualities of learning which will make him outstanding. It is another illustration of the soundness and high qualities of Texas because of the contributions made thereto by the State of Mississippi.

Mr. YARBOROUGH. Mr. President, I ask unanimous consent that a biographical sketch of James L. Noel, Jr., be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

JAMES L. NOEL, JR.

Born: Pilot Point, Tex., October 28, 1909.

Education at Southern Methodist University: 1926–31, civil engineering degree; 1932, B.S. degree; 1938 LL.B. degree.

Bar: 1937, Texas.

Experience: 1937–38, employed in office of Dallas County judge; 1938–39, assistant district attorney, Dallas, Tex.; 1939–43, 1945–46, assistant attorney general of Texas; 1943–45, U.S. Navy, lieutenant commander; 1946–53, Butler, Binien, Rice & Cook, Houston, Tex.; 1953–61, private practice of law, Houston, Tex.; 1955–57, Commissioner on Government Security, Washington, D.C.; October 5, 1961, appointed U.S. district judge, southern district of Texas (recess appointment).

Marital status: Married; five children.

Office: Houston, Tex.

Home: 2417 Stanmora Drive, Houston, Tex.

To be U.S. district judge for the southern district of Texas.

ADRIAN A. SPEARS

Mr. YARBOROUGH. The fourth nominee named to be a U.S. district judge is Adrian A. Spears, of San Antonio. He was born in South Carolina. He is descended from a family of lawyers and a distinguished family that have contributed much to the history of this country.

He attended The Citadel and the University of North Carolina. He received his law degree in 1934 at the University of South Carolina.

Shortly thereafter he removed to San Antonio, Tex., where his older brother was floor leader during the term of the late Governor Allred.

He immediately rose to the forefront of his profession at San Antonio. He has been in private practice. He was appointed by recess appointment, as is true of the other three nominations I have mentioned, being named by the Honorable John Kennedy, President of the United States, in October of last year, and has been serving since.

His appointment has brought more telegrams and letters of approbation than I have ever seen for the appointment of any other person to any office.

I know each of these four appointees. I have known this appointee for years. He was in active practice until 1961.

These are nominations of four of the ablest persons with judicial ability that could be picked in our State. One is proven judge material. The others have proven themselves also. Two of them have been in public service, and one has been in private practice. They have the capabilities, character, family, heritage, background, and have proven to have the scholarly diligence necessary to be great judges, because these four persons were students. Each of them is a book lawyer, as we say, who will study the cases, and will not "shoot from the hip," but will make, in my opinion, judges who will reflect credit upon the appointive power for years to come.

Mr. President, I ask unanimous consent that a biographical sketch of Adrian A. Spears be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

ADRIAN A. SPEARS

Born: Darlington, S.C., July 3, 1910.

Education: 1928–29, University of North Carolina; 1929–30, The Citadel; 1930–34, University of South Carolina, LL.B. degree.

Bar: 1934, South Carolina; 1937, Texas.

Experience: 1934, Samuel Want; 1935–37, Spears & Dennis, Darlington, S.C.; 1937–55, Conger, Low & Spears and subsequent firms, Spears & LeLaurin, San Antonio, Tex.; 1955–61, private practice of law, San Antonio, Tex.; October 5, 1961, appointed U.S. district judge, western district of Texas (recess appointment).

Marital status: Married; five children.

Office: San Antonio, Tex.

Home: 114 Five Oaks, San Antonio, Tex.

To be U.S. district judge for the western district of Texas.

Mr. YARBOROUGH. Mr. President, also confirmed today were the appointments of three U.S. marshals for districts in Texas.

ROBERT I. NASH

The appointment of Mr. Robert I. Nash, to be U.S. marshal for the northern district of Texas, was confirmed.

Mr. Nash was born in Kaufman, Tex., in Kaufman County which adjoins my home county of Henderson. We have known his family for two or three generations.

He attended school there and went to college at the University of the South, in Sewanee, Tenn.

Mr. Nash was born in 1906. Despite his age, he enlisted as a private in the U.S. Army in World War II. He was placed in the military police corps, and he rose to the rank of major.

After the allied forces occupied Naples, during World War II, when the black market gangs operating along the waterfront were seizing the American trucks, he was placed in charge of a special detail of military police to protect those truck convoys, and he did the job successfully and well. He was honored for getting those truck convoys to the front. He had under him several hundred picked military policemen. He has had experience in handling men both as a captain and as a major of the military police in World War II.

Mr. Nash is now the operator of a ranch near Scurry, Tex., in Kaufman County.

He has been a committeeman for the Agricultural Stabilization and Conservation Bureau for many years, elected by the other farmers and ranchers of the area.

Mr. President, I ask unanimous consent to have a biographical sketch of Mr. Robert I. Nash printed in the RECORD at this point.

There being no objection, the biographical sketch was ordered to be printed in the RECORD, as follows:

ROBERT I. NASH

Born: February 13, 1906, at Kaufman, Tex.

Education: 1923–28, University of the South, Sewanee, Tenn.

Experience: 1935–41, Aetna Insurance Co., Dallas, Tex., land appraiser; U.S. Army—February to September 1941, private; January to June 1942, corporal; 1942–46, captain; many years operator of family-owned ranch near Scurry, Tex.; director of Farmers & Merchants National Bank, Kaufman, Tex.; committeeman for Agricultural Stabilization and Conservation Bureau of Kaufman City, Tex.; appointed U.S. marshal, northern district of Texas, October 6, 1961 (by recess).

Marital status: Single.

Office: Federal Building, Fort Worth, Tex.

Home: 104 South Houston Street, Kaufman, Tex.

To be U.S. marshal for the northern district of Texas.

MARION MATHIAS HALE

Mr. YARBOROUGH. Mr. President, the Senate also today confirmed the nomination of Mr. Marion Mathias Hale, of Texas, to be the U.S. marshal for the southern district of Texas. Mr. Hale is from Brownsville, Tex.

Mr. Hale also has had experience in handling men, but in a different capacity from that of Marshal Nash, whose experience was in the military. Mr. Hale was a football star at Baylor University, and in the days when transfers were allowed he transferred to George Washington University of this area and played football there. He received his bachelor of science degree in physical education. Later he was a football coach at Howard Payne College, in Brownwood, Tex. He is now in business in Brownsville, Tex.

Mr. Hale had his experience in handling men first as a high school football coach and then later as a college football coach. I think experience in handling men is a very important attribute of training with respect to qualifying a man to be a successful U.S. marshal.

Mr. President, I ask unanimous consent to have a biographical sketch of Mr. Hale printed in the RECORD at this point.

There being no objection, the biographical sketch was ordered to be printed in the RECORD, as follows:

MARION MATHIAS HALE (BARNEY)

Born: July 12, 1905, Grandview, Tex.

Education: 1925–29, Baylor University, Waco, Tex.; 1930–31, George Washington University, Washington, D.C., junior college student; 1933, B.S. in physical education.

Experience: 1934–35, physical education instructor, 1941–48, teacher and coach, Howard Payne College, Brownwood, Tex.; 1936–40, Rochelle, Tex., High School, teacher and coach; 1936–40, operated a drugstore in Rochelle, Tex.; 1948–61, owner-operator-manager of Grande Theater, Brownsville, Tex.; October 6, 1961, appointed U.S. marshal, southern district of Texas (by recess).

Marital status: Married, two children.

Office: Post Office Building, Houston, Tex.

Home: 4 Robbins Lane, Brownsville, Tex.

To be U.S. marshal for the southern district of Texas.

TULLY REYNOLDS

Mr. YARBOROUGH. Mr. President, the third nomination to be U.S. marshal which the Senate has confirmed today is that of Mr. Tully Reynolds to be U.S. marshal for the eastern district of Texas.

I am glad to note the Vice President is in the chair. As a native of our State and a distinguished citizen, he knows all of these men well. Doubtless if he were on the floor and privileged to speak he would have many more incidents to relate concerning them and their fine capabilities, as he did when he appeared for the judicial appointees before the Senate Committee on the Judiciary.

As I said, Mr. President, the third nominee confirmed as a U.S. marshal is Tully Reynolds, of Gilmer, Tex., a county only one county removed from my native county in the eastern part of the State. At the time of his appointment he was serving as tax assessor and collector for his county. He has been elected and reelected by the votes of the people a number of times. He has shown his capability by serving acceptably and well for his neighbors, and has had his service rewarded by them by reelection.

Mr. Reynolds has shown experience in picking deputies. Since both assessing and collecting duties have been combined, he has shown ability in picking first the proper assessing deputies; and, second, the proper collecting deputies. He has had experience in handling men which I think will fit him well for the duties of U.S. marshal, which are partly, or perhaps largely, bookkeeping and account keeping, under the duties marshals have to perform these days.

Mr. President, I ask unanimous consent to have printed in the RECORD a biographical sketch in respect to Mr. Reynolds.

There being no objection, the biographical sketch was ordered to be printed in the RECORD, as follows:

TULLY REYNOLDS

Born: March 28, 1907, at Gilmer, Tex.

Education: Public schools of Gilmer, Tex.

Experience: 1924–25, Gleason Garage, Gilmer, Tex.; 1925–26, Gilmer Motor Co., Gilmer, Tex.; 1927–31, mechanic; 1926–27, Langford Motor Co., Wichita Falls, Tex., mechanic; 1931–33, Reynolds Repair Shop, Gilmer, Tex., owner-operator; 1933–38, Moody Chevrolet Co., Gilmer, Tex., service manager; 1938, oilfield worker in Atlanta, Tex., area; 1938–41, manager of Upshur County Barn; 1941–44, A. B. Capers & Co., Gilmer, Tex., personal property man; 1944–46, Reynolds-Pounds Buick Co., Gilmer, Tex., owner-operator; 1946–47, Progressive Motor Co., Gilmer, Tex., owner-operator; 1947–49, 1950–54, Reynolds Motor Co., Clarksville and Gilmer, Tex., owner-operator; 1947–50, Magnolia Bulk Oil Co., Gilmer, Tex., operator; October to December 1954, 1955–61, Upshur County, Tex.; deputy sheriff, tax assessor and collector; October 1961, appointed U.S. marshal, eastern district of Texas (by recess).

Marital status: Married, two children.

Office: Post Office Building, Tyler, Tex.

Home: 208 South Montgomery, Gilmer, Tex.

To be U.S. marshal for the eastern district of Texas.

ORDER FOR RECESS TO 11 A.M. MONDAY NEXT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it recess until 11 o'clock Monday next, instead of 12 o'clock, as previously ordered.

The VICE PRESIDENT. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. HOLLAND. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

ENROLLED BILL SIGNED DURING RECESS

Under authority of the order of the Senate of March 15, 1962,

The VICE PRESIDENT announced that on today, March 16, 1962, he signed the enrolled bill (H.R. 8723) to amend the Welfare and Pension Plans Disclosure Act with respect to the method of enforcement and to provide certain additional sanctions, and for other purposes, which had been signed by the Speaker of the House of Representatives.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILL

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that on March 15, 1962, the President had approved and signed the act (S. 1991) relating to manpower requirements, resources, development, and utilization, and for other purposes.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to the concurrent resolution (S. Con. Res. 59) authorizing the printing of additional copies of Senate Report No. 448, 87th Congress, entitled "Administered Prices, Drugs."

The message also announced that the House had passed a bill (H.R. 10606) to extend and improve the public assistance and child welfare services programs of the Social Security Act, and for other purposes, in which it requested the concurrence of the Senate.

HOUSE BILL REFERRED

The bill (H.R. 10606) to extend and improve the public assistance and child welfare services programs of the Social Security Act, and for other purposes, was read twice by its title and referred to the Committee on Finance.

TRANSACTION OF ROUTINE BUSINESS

By unanimous consent, the following routine business was transacted:

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

REPORT ON 1961 SOIL BANK CONSERVATION RESERVE PROGRAM

A letter from the Secretary of Agriculture, transmitting, pursuant to law, his report on the 1961 soil bank conservation reserve program (with an accompanying report); to the Committee on Agriculture and Forestry.

REPORT ON BACKLOG OF PENDING APPLICATIONS AND HEARING CASES IN FEDERAL COMMUNICATIONS COMMISSION

A letter from the Chairman, Federal Communications Commission, transmitting, pursuant to law, a report on the backlog of pending applications and hearing cases in that Commission, as of January 31, 1962 (with an accompanying report); to the Committee on Commerce.

REPORT OF FEDERAL TRADE COMMISSION

A letter from the Chairman, Federal Trade Commission, Washington, D.C., transmitting, pursuant to law, a report of that Commission, for the fiscal year ended June 30, 1961 (with an accompanying report); to the Committee on Commerce.

REPORT OF GOVERNMENT OF THE DISTRICT OF COLUMBIA

A letter from the President, Board of Commissioners, District of Columbia, transmitting, pursuant to law, a report of the government of the District of Columbia, for the fiscal year ended June 30, 1961 (with an accompanying report); to the Committee on the District of Columbia.

REPORT OF U.S. INFORMATION AGENCY

A letter from the Director, U.S. Information Agency, Washington, D.C., transmitting, pursuant to law, a report of that Agency, for the 6-month period ended December 31, 1961 (with an accompanying report); to the Committee on Foreign Relations.

AUDIT REPORT ON GOVERNMENT SERVICES, INC.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the audits of Government Services, Inc., and of Government Services, Inc.'s employee retirement and benefit trust fund and supplemental pension plan, year ended December 31, 1961 (with an accompanying report); to the Committee on Government Operations.

ADMISSION INTO THE UNITED STATES OF CERTAIN DEFECTOR ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered granting admission into the United States of certain defector aliens (with accompanying papers); to the Committee on the Judiciary.

AMENDMENT OF TITLE 39, UNITED STATES CODE, RELATING TO RELIEF OF POSTMASTERS AND OTHER EMPLOYEES FOR CERTAIN LOSSES

A letter from the Acting Postmaster General, transmitting a draft of proposed legislation to amend title 39, United States Code, to authorize the Postmaster General to relieve postmasters and other employees for losses resulting from illegal, improper, or incorrect payments, and for other purposes (with accompanying papers); to the Committee on Post Office and Civil Service.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

Two joint resolutions of the Legislature of the Commonwealth of Virginia; to the Committee on Finance:

"SENATE JOINT RESOLUTION 6

"Joint resolution requesting the Congress of the United States to adopt certain legislation to alleviate certain problems being faced by American railroads

"Whereas the Congress of the United States and many State legislatures and local governing bodies have recognized that circumstances exist which have placed the railroads in this Nation in a position where, due to economic factors, their operations may have to be curtailed to a point which can seriously affect the services they are able to render to the public; and

"Whereas certain suggested remedies have been proposed by the Association of American Railroads in a document entitled 'Magna Carta for Transportation,' and these should be given careful consideration by the Congress of the United States: Now, therefore

"*Resolved by the senate (the house of delegates concurring)*, That the Congress of the United States is requested to give careful consideration to the proposals made by the railroads of America for relief from certain restrictions, regulations, and burdensome taxes, to the end that they may continue to render service to the American public on an economically sound basis, and the Congress is specifically requested to give consideration to the enactment of legislation which will permit any tax reductions made by State or local governments seeking to assure their citizens of adequate service from the railroads, to inure wholly to the benefits of the railroads concerned rather than resulting indirectly in an increase in the tax burden imposed on the railroads by the Federal Government; and

"*Resolved, further*, That the Senators and Representatives of the Commonwealth of Virginia in the Congress of the United States are urged to support such legislation; and

"*Resolved, finally*, That the clerk of the Senate of Virginia is directed to send copies of this resolution to the President of the Senate and the Speaker of the House of Representatives of the United States and to each of the Senators and Representatives of the Commonwealth of Virginia in the Congress of the United States.

"Agreed to March 7, 1962, by house of delegates.

"Agreed to February 1, 1962, by Senate of Virginia.

"A true copy, teste:

"BEN D. LACY,
"Clerk of the Senate."

"SENATE JOINT RESOLUTION 9

"Joint resolution requesting the Congress of the United States to repeal the Federal excise tax on the transportation of persons

"Whereas the Federal excise tax on the transportation of persons was adopted in 1942 for the purpose of discouraging nonessential use of common carrier transportation facilities during emergency wartime conditions; and

"Whereas such excise tax is no longer necessary or desirable for this purpose and its continued imposition is detrimental to the welfare of all common carriers of persons: Now, therefore, be it

"*Resolved by the Senate of Virginia, (the House of Delegates concurring)*, That the General Assembly of Virginia favors the repeal of the Federal excise tax on the transportation of persons;

"That the Congress of the United States is requested to enact legislation to repeal such tax;

"That the Senators and Representatives of the Commonwealth of Virginia in the Congress of the United States are urged to support legislation providing for the repeal of such tax; and

"That suitable copies of this resolution be sent to the President of the Senate and the Speaker of the House of Representatives of the United States and to each of the Senators and Representatives of the Commonwealth of Virginia in the Congress of the United States.

"Agreed to March 7, 1962, by house of delegates.

"Agreed to February 1, 1962, by Senate of Virginia.

"A true copy, teste:

"BEN S. LACY,
"Clerk of the Senate."

A resolution adopted by Lloyd Grubbs Post No. 49, the American Legion, Orange, Tex., relating to the training of Communist military personnel in the United States, and so forth; to the Committee on Foreign Relations.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. ROBERTSON, from the Committee on Appropriations, with amendments:

H.R. 10526. An act making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies for the fiscal year ending June 30, 1963, and for other purposes (Rept. No. 1307).

By Mr. BIBLE, from the Committee on Interior and Insular Affairs, without amendment:

S.J. Res 171. Joint resolution providing for the establishing of the former dwelling house of Alexander Hamilton as a national memorial (Rept. No. 1308).

REPORT OF JOINT COMMITTEE ON REDUCTION OF NONESSENTIAL FEDERAL EXPENDITURES—FEDERAL PERSONNEL AND PAY

Mr. BYRD of Virginia. Mr. President, as chairman of the Joint Committee on Reduction of Nonessential Federal Expenditures, I submit a report on Federal employment and pay for the month of January 1962. In accordance with the practice of several years' standing, I ask unanimous consent to have the report printed in the RECORD, together with a statement by me.

There being no objection, the report and statement were ordered to be printed in the RECORD, as follows:

FEDERAL PERSONNEL IN EXECUTIVE BRANCH, JANUARY 1962 AND DECEMBER 1961, AND PAY, DECEMBER AND NOVEMBER 1961

PERSONNEL AND PAY SUMMARY

(See table I)

Information in monthly personnel reports for January 1962 submitted to the Joint Committee on Reduction of Nonessential Federal Expenditures is summarized as follows:

Total and major categories	Civilian personnel in executive branch			Payroll (in thousands) in executive branch		
	In January numbered—	In December numbered—	Increase (+) or decrease (−)	In December was—	In November was—	Increase (+) or decrease (−)
Total[1]	2,428,691	2,430,998	−2,307	$1,216,623	$1,198,980	+$17,643
Agencies exclusive of Department of Defense	1,368,628	1,371,847	−3,209	705,033	664,425	+40,608
Department of Defense	1,060,063	1,059,151	+912	511,590	534,555	−22,965
Inside the United States	2,264,196	2,267,833	−3,637			
Outside the United States	164,495	163,167	+1,328			
Industrial employment	964,961	969,195	−4,234			
Foreign nationals	169,545	170,110	−565	29,093	[2] 26,629	+2,464

[1] Exclusive of foreign nationals shown in the last line of this summary.

[2] Revised on basis of later information.

CHANGES IN DEPARTMENT OF DEFENSE REPORTING EFFECTIVE IN THIS REPORT

Changes in organizational entities for which the Department of Defense reports Federal civilian employment are to be noted as effective in this report. They will be found in tables I, II, and III.

The changes follow reorganizations directed by the Secretary of Defense under authority of section 3(a) of the Department of Defense Reorganization Act of 1958 (Public Law 85-599).

Since October 1947 civilian personnel employed by the Department of Defense has been reported under the Office of the Secretary of Defense, and the Departments of the Army, Navy, and Air Force.

Effective with his report Federal civilian employment in the Department of Defense will be recorded as certified for—

Office of the Secretary of Defense
Department of the Army
Department of the Navy
Department of the Air Force
Defense Atomic Support Agency
Defense Communications Agency

Defense Intelligence Agency
Defense Supply Agency
Office of Civil Defense
U.S. Court of Military Appeals
Interdepartmental activities
International military assistance

The reorganizations resulting in these changes are documented in the appendix, beginning on page 11; and the personnel transfers incident to the reorganizations are shown in a table on page 12.

Table I, below, breaks down the above figures on employment and pay by agencies.

Table II breaks down the above employment figures to show the number inside the United States by agencies.

Table III breaks down the above employment figures to show the number outside the United States by agencies.

Table IV breaks down the above employment figures to show the number in industrial-type activities by agencies.

Table V shows foreign nationals by agencies not included in tables I, II, III, and IV.

TABLE I.—*Consolidated table of Federal personnel inside and outside the United States employed by the executive agencies during January 1962, and comparison with December 1961, and pay for December 1961, and comparison with November 1961*

Department or agency	Personnel				Pay (in thousands)			
	January	December	Increase	Decrease	December	November	Increase	Decrease
Executive departments (except Department of Defense):								
Agriculture	91,312	91,673		361	$41,842	$45,870		$4,028
Commerce[1]	28,563	28,437	126		16,230	17,102		872
Health, Education, and Welfare	73,347	72,871	476		35,645	35,862		217
Interior	54,026	53,953	73		28,340	29,731		1,391
Justice	30,899	30,862	37		18,683	19,327		644
Labor	8,089	7,709	380		4,234	4,429		195
Post Office	580,433	586,235		5,802	[2] 316,866	256,770	$60,096	
State[3][4]	39,011	39,084		73	18,322	18,830		508
Treasury	80,763	80,193	570		42,745	44,801		2,056
Executive Office of the President								
White House Office	441	439	2		256	254	2	
Bureau of the Budget	455	458		3	361	349	12	
Council of Economic Advisers	43	46		3	37	30	7	
Executive Mansion and Grounds	72	73		1	34	36		2
National Aeronautics and Space Council	16	14	2		11	13		2
National Security Council	43	43			32	35		3
Office of Emergency Planning	476	503		27	380	468		79
President's Commission on Campaign Costs	14	13	1		5	1	4	
Independent agencies:								
Advisory Commission on Intergovernmental Relations	25	30		5	14	12	2	
American Battle Monuments Commission	413	414		1	79	82		3
Atomic Energy Commission	6,783	6,784		1	4,552	4,809		257
Board of Governors of the Federal Reserve System	603	603			373	380		7
Civil Aeronautics Board	787	776	11		532	559		27
Civil Service Commission	3,823	3,833		10	2,149	2,270		121
Civil War Centennial Commission	6	7		1	4	4		
Commission of Fine Arts	6	6			4	5		1
Commission on Civil Rights	56	52	4		30	35		5
Export-Import Bank of Washington	257	259		2	170	180		10
Farm Credit Administration	235	238		3	158	165		7
Federal Aviation Agency	43,315	43,232	83		26,942	27,958		1,016
Federal Coal Mine Safety Board of Review	7	7			4	5		1
Federal Communications Commission	1,360	1,361		1	831	886		55
Federal Deposit Insurance Corporation	1,274	1,275		1	755	788		33
Federal Home Loan Bank Board	1,144	1,139	5		692	718		26
Federal Maritime Commission	145	142	3		96	92	4	
Federal Mediation and Conciliation Service	355	356		1	288	309		21
Federal Power Commission	898	900		2	583	613		30
Federal Trade Commission	1,000	[5] 983	17		665	655	10	
Foreign Claims Settlement Commission	62	61	1		43	44		1
General Accounting Office	4,728	4,767		39	2,792	2,944		152
General Services Administration	30,685	30,601	84		13,814	14,216		402
Government Printing Office	6,889	6,865	24		3,427	3,707		280
Housing and Home Finance Agency	12,401	12,261	140		7,005	7,261		256
Indian Claims Commission	20	20			16	17		1
Interstate Commerce Commission	2,398	2,396	2		1,490	1,543		53
James Madison Memorial Commission	1	1			1	1		
National Aeronautics and Space Administration	19,798	19,130	668		12,424	12,859		435
National Capital Housing Authority	420	420			175	182		7
National Capital Planning Commission	57	56	1		36	31	5	
National Capital Transportation Agency	81	67	14		46	42	4	
National Gallery of Art	308	310	2		127	136		9
National Labor Relations Board	1,841	1,848		7	1,173	1,215		42
National Mediation Board	139	139			126	125	1	
National Science Foundation	786	760	26		478	502		24
Outdoor Recreation Resources Review Commission	42	47		5	27	28		1
Panama Canal	14,508	14,391	117		4,439	4,575		136
President's Committee on Equal Employment Opportunity	33	38		5	22	24		2
Railroad Retirement Board	2,116	2,115	1		1,053	1,102		49
Renegotiation Board	203	250		47	198	203		5
St. Lawrence Seaway Development Corporation	154	155		1	91	97		6
Securities and Exchange Commission	1,210	1,179	31		737	755		18
Selective Service System	6,804	6,791	13		2,020	2,120		100
Small Business Administration	2,923	2,876	47		1,698	1,749		51
Smithsonian Institution	1,163	1,146	17		547	566		19
Soldiers' Home	1,032	1,031	1		345	338	7	
South Carolina, Georgia, Alabama, and Florida Water Study Commission	56	56			41	43		2
Subversive Activities Control Board	27	27			21	21		
Tariff Commission	269	267	2		180	188		8
Tax Court of the United States	149	148	1		106	109		3
Tennessee Valley Authority	18,429	18,545		116	10,338	11,123		785
Texas Water Study Commission	28	30		2	16	17		1
U.S. Arms Control and Disarmament Agency	63	57	6		31	34		3
U.S. Information Agency	11,009	10,994	15		4,330	4,630		300
Veterans' Administration	176,716	176,458	258		72,546	77,327		4,781
Virgin Islands Corporation	585	531	54		121	118	3	
Total, excluding Department of Defense	1,368,628	1,371,837	3,313	6,522	705,033	664,425	60,157	19,549
Net change, excluding Department of Defense			3,209				40,608	

[1] January figure includes 123 seamen on the rolls of the Maritime Administration and their pay.

[2] Includes pay for temporary Christmas employees.

[3] January figure includes 14,982 employees of the Agency for International Development as compared with 14,866 in December, and their pay. These AID figures include employees who are paid from foreign currencies deposited by foreign governments in a trust fund for this purpose. The January figure includes 3,332 of these trust fund employees and the December figure includes 3,396.

[4] January figure includes 415 employees of the Peace Corps as compared with 402 in December and their pay.

[5] Revised on basis of later information.

TABLE I.—*Consolidated table of Federal personnel inside and outside the United States employed by the executive agencies during January 1962, and comparison with December 1961, and pay for December 1961, and comparison with November 1961*—Continued

Department or agency	Personnel				Pay (in thousands)			
	January	December	Increase	Decrease	December	November	Increase	Decrease
Department of Defense:								
Office of the Secretary of Defense [1]	1,801	3,213		1,412	$2,218	$2,297		$79
Department of the Army [1]	387,745	397,509		9,764	182,995	189,948		6,953
Department of the Navy [1]	351,508	352,930		1,422	181,547	[2] 192,444		10,897
Department of the Air Force [1]	366,856	365,509	1,347		144,830	149,866		5,036
Defense Atomic Support Agency [1]	2,050		2,050					
Defense Communications Agency [1]	121		121					
Defense Intelligence Agency [1]	107		107					
Defense Supply Agency [1]	8,627		8,627					
Office of Civil Defense [1]	1,117		1,117					
U.S. Court of Military Appeals [1]	38		38					
Interdepartmental activities [1]	35		35					
International military assistance [1]	48		48					
Total, Department of Defense	1,060,053	1,059,161	13,500	12,608	511,590	534,555		22,965
Net change, Department of Defense			892				$22,965	
Grand total, including Department of Defense [7]	2,428,619	2,430,908	16,813	19,120	1,216,623	1,198,980	60,157	42,514
Net change, including Department of Defense			2,307				17,643	

[1] See appendix, p. 11, for Department of Defense reorganization pursuant to Public Law 85-599.

[7] Exclusive of personnel and pay of Central Intelligence Agency and National Security Agency.

TABLE II.—*Federal personnel inside the United States employed by the executive agencies during January 1962, and comparison with December 1961*

Department or agency	January	December	Increase	Decrease
Executive departments (except Department of Defense):				
Agriculture	90,234	90,618		384
Commerce [1]	27,953	27,835	118	
Health, Education, and Welfare	72,842	72,368	474	
Interior	53,500	53,436	64	
Justice	30,500	30,525	35	
Labor	8,007	7,628	379	
Post Office	579,031	584,832		5,801
State [2] [3]	9,839	9,977		138
Treasury	80,173	79,617	556	
Executive Office of the President:				
White House Office	441	439	2	
Bureau of the Budget	455	458		3
Council of Economic Advisers	43	46		3
Executive Mansion and Grounds	72	73		1
National Aeronautics and Space Council	16	14	2	
National Security Council	43	43		
Office of Emergency Planning	476	503		27
President's Commission on Campaign Costs	14	13	1	
Independent agencies:				
Advisory Commission on Intergovernmental Relations	25	30		5
American Battle Monuments Commission	10	10		
Atomic Energy Commission	6,752	6,753		1
Board of Governors of the Federal Reserve System	693	693		
Civil Aeronautics Board	786	775	11	
Civil Service Commission	3,821	3,831		10
Civil War Centennial Commission	6	7		1
Commission of Fine Arts	6	6		
Commission on Civil Rights	56	52	4	
Export-Import Bank of Washington	257	259		2
Farm Credit Administration	235	238		3
Federal Aviation Agency	42,363	42,281	82	
Federal Coal Mine Safety Board of Review	7	7		
Federal Communications Commission	1,387	1,388		1
Federal Deposit Insurance Corporation	1,272	1,273		1
Federal Home Loan Bank Board	1,144	1,139	5	
Federal Maritime Commission	145	142	3	
Federal Mediation and Conciliation Service	355	356		1
Federal Power Commission	898	900		2
Federal Trade Commission	1,000	1,983	17	
Foreign Claims Settlement Commission	58	58		
General Accounting Office	4,664	4,701		37
General Services Administration	30,082	30,999	83	
Government Printing Office	6,869	6,865	24	
Housing and Home Finance Agency	12,233	12,097	136	
Indian Claims Commission	20	20		
Interstate Commerce Commission	2,398	2,396	2	
James Madison Memorial Commission	1	1		
National Aeronautics and Space Administration	19,785	19,117	668	
National Capital Housing Authority	420	420		
Independent agencies—Continued				
National Capital Planning Commission	57	56	1	
National Capital Transportation Agency	81	67	14	
National Gallery of Art	308	310		2
National Labor Relations Board	1,808	1,816		8
National Mediation Board	139	139		
National Science Foundation	779	753	26	
Outdoor Recreation Resources Review Commission	42	47		5
Panama Canal	158	161		3
President's Commission on Equal Employment Opportunity	33	38		5
Railroad Retirement Board	2,116	2,115	1	
Renegotiation Board	203	250		47
St. Lawrence Seaway Development Corporation	154	155		1
Securities and Exchange Commission	1,210	1,179	31	
Selective Service System	6,647	6,634	13	
Small Business Administration	2,884	2,838	46	
Smithsonian Institution	1,152	1,135	17	
Soldiers' Home	1,032	1,031	1	
South Carolina, Georgia, Alabama, and Florida Water Study Commission	56	56		
Subversive Activities Control Board	27	27		
Tariff Commission	269	267	2	
Tax Court of the United States	149	148	1	
Tennessee Valley Authority	18,423	18,539		116
Texas Water Study Commission	28	30		2
U.S. Arms Control and Disarmament Agency	63	57	6	
U.S. Information Agency	2,976	2,935	41	
Veterans' Administration	175,679	175,420	259	
Total, excluding Department of Defense	1,308,420	1,311,965	3,125	6,610
Net decrease, excluding Department of Defense			3,485	
Department of Defense:				
Office of the Secretary of Defense [1]	1,757	3,155		1,398
Department of the Army [3]	335,739	345,774		10,035
Department of the Navy [3]	327,818	329,513		1,695
Department of the Air Force [3]	278,335	277,486	849	
Defense Atomic Support Agency [3]	2,050		2,050	
Defense Communications Agency [3]	115		115	
Defense Intelligence Agency [3]	107		107	
Defense Supply Agency [3]	8,627		8,627	
Office of Civil Defense [3]	1,117		1,117	
U.S. Court of Military Appeals [3]	38		38	
Interdepartmental activities [3]	34		34	
International military assistance [3]	39		39	
Total, Department of Defense	955,776	955,928	12,976	13,128
Net decrease, Department of Defense			152	
Grand total, including Department of Defense	2,264,196	2,267,893	16,101	19,738
Net decrease, including Department of Defense			3,637	

[1] January figure includes 123 seamen on the rolls of the Maritime Administration.

[2] January figure includes 2,332 employees of the Agency for International Development as compared with 2,278 in December.

[3] January figure includes 369 employees of the Peace Corps as compared with 361 in December.

[4] Revised on basis of later information.

[5] See appendix, p. 11, for Department of Defense reorganization pursuant to Public Law 85-599.

TABLE III.—*Federal personnel outside the United States employed by the executive agencies during January 1962, and comparison with December 1961*

Department or agency	January	December	Increase	Decrease
Executive departments (except Department of Defense):				
Agriculture	1,078	1,055	23	
Commerce	610	602	8	
Health, Education, and Welfare	508	506	2	
Interior	526	517	9	
Justice	339	337	2	
Labor	82	81	1	
Post Office	1,402	1,403		1
State [1]	29,172	29,107	65	
Treasury	590	576	14	
Independent agencies:				
American Battle Monuments Commission	403	404		1
Atomic Energy Commission	31	31		
Civil Aeronautics Board	1	1		
Civil Service Commission	2	2		
Federal Aviation Agency	952	951	1	
Federal Communications Commission	3	3		
Federal Deposit Insurance Corporation	2	2		
Foreign Claims Settlement Commission	4	3	1	
General Accounting Office	64	66		2
General Services Administration	3	2	1	
Housing and Home Finance Agency	166	164	4	
National Aeronautics and Space Administration	13	13		
National Labor Relations Board	33	32	1	
National Science Foundation	7	7		
Panama Canal	14,350	14,230	120	
Selective Service System	157	157		
Independent agencies—Continued				
Small Business Administration	39	38	1	
Smithsonian Institution	11	11		
Tennessee Valley Authority	6	6		
U.S. Information Agency	8,033	8,059		26
Veterans' Administration	1,037	1,038		1
Virgin Islands Corporation	585	531	54	
Total, excluding Department of Defense	60,208	59,932	307	31
Net increase, excluding Department of Defense			276	
Department of Defense:				
Office of the Secretary of Defense [3]	44	58		14
Department of the Army [3]	52,006	51,735	271	
Department of the Navy [3]	23,690	23,417	273	
Department of the Air Force [3]	28,531	28,023	508	
Defense Communications Agency [3]	6		6	
Interdepartmental activities [3]	1		1	
International military assistance [3]	9		9	
Total, Department of Defense	104,287	103,233	1,068	14
Net increase, Department of Defense			1,054	
Grand total, including Department of Defense	164,495	163,165	1,375	45
Net increase, including Department of Defense			1,330	

[1] January figure includes 12,650 employees of the Agency for International Development as compared with 12,588 in December. These AID figures include employees who are paid from foreign currencies deposited by foreign governments in the trust fund for this purpose. The January figure includes 3,332 of these trust fund employees and the December figure includes 3,396.

[2] January figure includes 46 employees of the Peace Corps as compared with 41 in December.

[3] See appendix, p. 11, for Department of Defense reorganization pursuant to Public Law 85-599.

TABLE IV.—*Industrial employees of the Federal Government inside and outside the United States employed by the executive agencies during January 1962, and comparison with December 1961*

Department or agency	January	December	Increase	Decrease
Executive departments (except Department of Defense):				
Agriculture	3,907	3,927		20
Commerce	5,456	5,154	302	
Interior	8,141	8,133	8	
Post Office	252	251	1	
Treasury	5,155	5,147	8	
Independent agencies:				
Atomic Energy Commission	246	246		
Federal Aviation Agency	1,884	1,891		7
General Services Administration	1,674	1,643	31	
Government Printing Office	6,889	6,865	24	
National Aeronautics and Space Administration	19,798	19,130	668	
Panama Canal	7,466	7,379	87	
St. Lawrence Seaway Development Corporation	126	126		
Tennessee Valley Authority	15,542	15,660		118
Virgin Islands Corporation	585	531	54	
Total, excluding Department of Defense	77,121	76,083	1,183	145
Net increase, excluding Department of Defense			1,038	
Department of Defense:				
Department of the Army:				
Inside the United States	[1] 137,950	[2] 142,082		4,132
Outside the United States	[1] 4,750	[2] 4,746	4	
Department of the Navy:				
Inside the United States	204,903	205,484		581
Outside the United States	459	458	1	
Department of the Air Force:				
Inside the United States	138,319	138,958		639
Outside the United States	1,450	1,384	75	
Total, Department of Defense	487,840	493,112	80	5,352
Net decrease, Department of Defense			5,272	
Grand total, including Department of Defense	564,961	569,195	1,263	5,497
Net decrease, including Department of Defense			4,234	

[1] Subject to revision.

[2] Revised on basis of later information.

TABLE V.—*Foreign nationals working under U.S. agencies overseas, excluded from tables I through IV of this report, whose services are provided by contractual agreement between the United States and foreign governments, or because of the nature of their work or the source of funds from which they are paid, as of January 1962, and comparison with December 1961*

Country	Total		Army		Navy		Air Force		National Aeronautics and Space Administration	
	January	December	January	December	January	December	January	December	January	December
Australia	1	1							1	1
Canada	37	35					37	35		
Crete	50	50					50	50		
England	3,322	3,386			72	57	3,250	3,329		
France	21,857	21,912	18,260	18,322	11	11	3,586	3,579		
Germany	80,785	80,663	67,904	67,587	85	84	12,796	12,992		
Greece	276	273					276	273		
Greenland	144	49					144	49		
Japan	53,491	54,130	19,057	19,332	14,517	14,740	19,917	20,058		
Korea	6,185	6,212	6,185	6,212						
Morocco	2,718	2,723			825	828	1,893	1,895		
Netherlands	55	53					55	53		
Norway	24	24					24	24		
Saudi Arabia	2	4					2	4		
Trinidad	598	595			598	595				
Total	169,545	170,110	111,406	111,453	16,108	16,315	42,030	42,341	1	1

FOREIGN NATIONALS

Table V segregates and accounts for certain categories of personal services rendered to the U.S. Government overseas, which cannot be regarded as ordinary direct employment.

This personal service is rendered to U.S. agencies overseas under agreements with the foreign governments. In most cases the employment is indirect. The foreign governments hire the employees. The U.S. military agencies in most cases administer or direct the activity.

Personnel hired and used under such circumstances cannot be properly considered in the same category as regular employment, but they are used and should be counted for what they are.

For this reason the Joint Committee on Reduction of Nonessential Federal Expenditures counts employees of this type along with, but separate from, regular U.S. employment overseas.

APPENDIX

Changes in organizational entities for which the Department of Defense reports Federal civilian employment effective with the certifications for January 1962 are documented as follows:

1. Letter dated March 2, 1962, to the committee from the Department of Defense.

ASSISTANT SECRETARY OF DEFENSE,
Washington, D.C., March 2, 1962.

Hon. HARRY F. BYRD,
Chairman, Joint Committee on Reduction of Nonessential Federal Expenditures.

DEAR SENATOR BYRD: Since its inception, the Department of Defense has made monthly civilian employment reports to the Civil Service Commission and to the Joint Committee on Reduction of Nonessential Federal Expenditures in four component parts—the Office of the Secretary of Defense including the Joint Chiefs of Staff, and the Departments of the Army, Navy, and Air Force.

In section 3(a) "(c)(6)" of the Department of Defense Reorganization Act of 1958 the Secretary of Defense was authorized, whenever he determines it will be advantageous to the Government in terms of effectiveness, economy, or efficiency, to provide for the carrying out of any supply or service activity common to more than one military department by a single agency or such other organizational entities as he deems appropriate. This authority has now been applied to the broad fields of communications, intelligence, supply, and atomic energy matters through the establishment of a Defense Communications Agency, a Defense Intelligence Agency, a Defense Supply Agency, and a Defense Atomic Support Agency.

These agencies are separately organized within the Department of Defense under the direction, authority, and control of the Secretary of Defense but are outside of the Departments of the Army, Navy, and Air Force and the Office of the Secretary of Defense. The Office of the Secretary of Defense includes the Secretary of Defense, the Deputy Secretary of Defense, the Director of Defense Research and Engineering, the Assistant Secretaries of Defense, the General Counsel, and several Special Assistants; in other words, those principal civilian assistants who are prescribed by statute. These civilian assistants serve as the immediate staff to the Secretary of Defense assisting him in the performance of his responsibilities and do not normally perform operating functions as do the Department of Defense agencies referred to above.

Many of the personnel previously included in the monthly reports of the military departments have now been transferred to these Department of Defense agencies and will no longer be reported by the military departments. The Civil Service Commission, to further its improved personnel statistics program, has assigned each of the Department of Defense agencies and other defense activities an agency code for reporting purposes. Therefore, a separate account has been assigned for each of these Department of Defense agencies in order to properly account for their personnel.

Civilian personnel reported separately in January for these agencies are not new additions to the rolls. Heretofore they have been included in the reports of either the Office of the Secretary of Defense, Army, Navy, or Air Force as shown in the enclosed tabulation.

In addition, separate reports are provided for certain other defense, interdepartmental and international military activities which heretofore have been included in the Office of the Secretary of Defense report, such as the Office of Civil Defense, the U.S. Court of Military Appeals, and the U.S. contingent of the Standing Group to the Forth Atlantic Treaty Organization which are not organizational components of the military departments or the Office of the Secretary of Defense. With the exception of the Office of Civil Defense, the numbers of personnel involved in these activities are small. The personnel for the Office of Civil Defense resulted from the transfer of civil defense personnel and functions from the Office of Civil and Defense Mobilization to the Department of Defense in accordance with Executive Order 10952, July 20, 1961.

In recognition of the foregoing situation, discussions were held with members of your staff and with officials of the Civil Service Commission regarding the addition of a fifth component part to the monthly civilian employment report to bring together the agencies and activities described above into a single reporting group and thus provide a more realistic and meaningful report. Therefore, the monthly report for January 1962 is submitted in five parts, as follows:

Office of the Secretary of Defense and Organization of the Joint Chiefs of Staff.
Army.
Navy.
Air Force.
Other defense activities.

Supplemental reports on Standard Form 113 are provided for each of the agencies and activities included in the new reporting group together with a consolidated summary for the entire Department of Defense. As requested by members of the committee staff, enclosed are additional data relating to Internal Department of Defense reporting procedures, establishment of the Department of Defense agencies and the justification of budget estimates for fiscal year 1963 for those agencies.

If we can be of any further assistance on this matter, please let us know.

Sincerely,

CHARLES J. HITCH,
Assistant Secretary of Defense.

2. Civilian employment in "other defense activities" (separately organized within the Department of Defense but outside of the Departments of Army, Navy, and Air Force, and the Office of the Secretary of Defense) as of January 31, 1962.

Agency or activity to which personnel were transferred in January	Agency from which personnel were transferred in January				Other changes, net		SF 113 (line 10) Jan. 31, 1962
	Army	Navy	Air Force	OSD	Gain	Loss	
Defense Communications Agency [1]				116	5		121
Defense Intelligence Agency [1]	9	16	17	49	16		107
Office of Civil Defense [1]				1,119		2	1,117
U.S. Court of Military Appeals [1]				39		1	38
Interdepartmental activities [1]				38		3	35
International military assistance [1]				48			48
Defense Supply Agency [2]	7,640	887	16	2	80		8,625
Defense Atomic Support Agency [3]	2,032				5		2,037
Total	9,681	903	33	1,411	106	6	[4] 12,128

[1] Change in reporting effective January 1962 in accordance with provisions of DOD Instruction 7730.18. Through Dec. 31, 1961, personnel of these agencies or activities were included in the SF 113 totals of the agency from which transferred.

[2] Transfers were effective Jan. 1, 1962, per DSA G.O. No. 2, dated Dec. 20, 1961.

[3] Change in reporting effective January 1962 in accordance with provisions of DOD Instruction 7730.18. Through Dec. 31, 1961, personnel of DASA were included in the Army SF 113 totals.

[4] This total plus 15 intermittents (2 DSA and 13 DASA) equal the 12,143 reported on line 1 of January SF 113, "Other defense activities."

3. Department of Defense instructions, directives, etc., establishing defense agencies and activities within the Department of Defense, but outside of the Office of the Secretary of Defense and the Departments of the Army, Navy, and Air Force, follow:

Department of Defense Instruction 7730.18, February 6, 1962, subject: "Monthly Report of Civilian Employment."

Department of Defense Directive 5105.19, November 14, 1961, subject: "Defense Communications Agency (DCA)."

Department of Defense Directive 5105.22, November 6, 1961, subject: "Defense Supply Agency (DSA)."

Department of Defense Directive 5140.1, August 31, 1961, subject: "Assistant Secretary of Defense (Civil Defense)."

Department of Defense Directive 5105.21, August 1, 1961, subject: "Defense Intelligence Agency."

Department of Defense Instruction 2010.1, March 1, 1961, subject: "Support of International Military Activities."

Defense Atomic Support Agency Charter, section 1, May 1, 1959, subject: "Defense Atomic Support Agency (DASA)."

Title 10, United States Code, section 867, article 67, subject: Court of Military Appeals.

STATEMENT BY SENATOR BYRD OF VIRGINIA

Executive agencies of the Federal Government reported civilian employment in the month of January totaling 2,428,691. This was a net decrease of 2,307 as compared with employment reported in the preceding month of December.

These figures are from reports certified by the agencies as compiled by the Joint Committee on Reduction of Nonessential Federal Expenditures.

Civilian employment reported by the executive agencies of the Federal Government, by months in fiscal year 1962, which began July 1, 1961, follows:

Month	Employment	Increase	Decrease
July 1961	2,435,804	16,700	
August	2,445,078	9,274	
September	2,427,216		17,862
October	2,429,691	2,475	
November	2,437,709	8,018	
December	2,430,998		6,711
January 1962	2,428,691		2,307

Total Federal employment in civilian agencies for the month of January was 1,368,628,

a decrease of 3,209 as compared with the December total of 1,371,837. Total civilian employment in the military agencies in January was 1,060,063, an increase of 902 as compared with 1,059,161 in December.

Civilian agencies reporting the larger decreases were Post Office Department with 5,802 and Agriculture with 361. Increases were reported by National Aeronautics and Space Administration with 668, Treasury Department with 570, Department of Health, Education, and Welfare with 476, and Labor Department with 380.

Inside the United States civilian employment decreased 3,637, and outside the United States civilian employment increased 1,330. Industrial employment by Federal agencies in January totaled 564,961, a decrease of 4,234.

DEFENSE DEPARTMENT REORGANIZATIONS

Previous statements in the RECORD on the committee's series of monthly reports on Federal civilian personnel have carried generally at this point a statement of major Defense Department increases and decreases in the Office of the Secretary and the Departments of the Army, Navy, and Air Force.

Such a comparison must be omitted in this statement relative to January 1962 employment because reorganizations in the Department of Defense have changed the organizational components for which the Department reports civilian personnel.

Recent changes ordered under authority of the Defense Department Reorganization Act of 1958 have established eight agencies and activities in the Department but outside of the Office of the Secretary and the three military departments.

The functions of these agencies and activities were transferred out of the Office of the Secretary and the three military departments which previously reported the civilian personnel. These agencies and activities are now reported as separate components in addition to the Office of the Secretary and the Departments of the Army, Navy and Air Force.

FOREIGN NATIONALS

The total of 2,428,691 civilian employees certified to the committee by Federal agencies in their regular monthly personnel reports includes some foreign nationals employed in U.S. Government activities abroad, but in addition to these there were 169,545 foreign nationals working for U.S. agencies overseas during January who were not counted in the usual personnel reports. The number in December was 170,110. A breakdown of this employment for January follows:

Country	Total	Army	Navy	Air Force	NASA
Australia	1				1
Canada	37			37	
Crete	50			50	
England	3,322		72	3,250	
France	21,857	18,260	11	3,586	
Germany	80,785	67,904	85	12,796	
Greece	276			276	
Greenland	144			144	
Japan	53,491	19,057	14,517	19,917	
Korea	6,185	6,185			
Morocco	2,718		825	1,893	
Netherlands	55			55	
Norway	24			24	
Saudi Arabia	2			2	
Trinidad	598		598		
Total	169,545	111,406	16,108	42,030	1

FEDERAL PAYROLL

(There is a lag of a month between Federal employment and Federal payroll figures in order that actual expenditures may be reported. Payroll expenditure figures in the committee report this month are for December.)

Payroll expenditure figures in the executive branch during the first 6 months of the current fiscal year 1962 totaled $7.1 billion. These payroll expenditures for the first half of the fiscal year, July–December 1961, exclusive of $156 million of U.S. pay for foreign nationals not on the regular rolls, follow:

[*Payroll, in millions*]

Month:	
July	$1,128
August	1,231
September	1,160
October	1,187
November	1,199
December	1,217
Total	7,122

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. ELLENDER (by request):

S. 3006. A bill to amend section 204 of the Agricultural Act of 1956; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. ELLENDER when he introduced the above bill, which appear under a separate heading.)

By Mr. MOSS:

S. 3007. A bill relating to the conservation of wildlife within Dinosaur National Monument; to the Committee on Interior and Insular Affairs.

By Mr. HART:

S. 3008. A bill to establish an agency of the legislative branch of the Federal Government authorized to conduct the elections of Members of the Senate and the House of Representatives; to the Committee on Rules and Administration.

By Mr. HICKEY:

S. 3009. A bill for the relief of Leonard F. Rizzuto; to the Committee on the Judiciary.

By Mr. BIBLE (by request):

S. 3010. A bill to amend the act entitled "An act to provide for commitments to, maintenance in, and discharges from the District Training School, and for other purposes", approved March 3, 1925, as amended;

S. 3011. A bill to amend section 4 of the act of Congress approved March 1, 1899, entitled "An act to authorize the Commissioners of the District of Columbia to remove dangerous and unsafe buildings and parts thereof, and for other purposes";

S. 3012. A bill to amend the act of March 5, 1938, establishing a small claims and conciliation branch in the municipal court for the District of Columbia; and

S. 3013. A bill to amend the act of July 2, 1940, as amended, relating to the recording of liens on motor vehicles and trailers registered in the District of Columbia, so as to eliminate the requirement that an alphabetical file of such liens be maintained; to the Committee on the District of Columbia.

By Mr. SCOTT:

S. 3014. A bill to amend the act of July 15, 1955, relating to the conservation of anthracite coal resources; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. SCOTT when he introduced the above bill, which appear under a separate heading.)

By Mr. BYRD of Virginia:

S. 3015. A bill for the relief of James B. Troup; to the Committee on the Judiciary.

By Mr. MAGNUSON (by request):

S. 3016. A bill to amend the act of March 2, 1929, and the act of August 27, 1935, relating to load lines for oceangoing and coastwise vessels, to establish liability for surveys, to increase penalties, to permit deeper loading in coastwise trade, and for other purposes; to the Committee on Commerce.

(See the remarks of Mr. MAGNUSON when he introduced the above bill, which appear under a separate heading.)

By Mr. PROXMIRE:

S. 3017. A bill for the relief of José Maria Bravo-Jimenez; to the Committee on the Judiciary.

By Mr. DWORSHAK:

S.J. Res. 172. Joint resolution to provide that, for the purposes of the act entitled "An act to provide for the transfer of certain lands in the State of Idaho to the Idaho Ranch for Youth, Inc.," approved July 11, 1952 (66 Stat. A. 150), the Idaho Ranch for Youth, Inc., shall be held and considered to have made payment in full to the Secretary of the Interior for such land; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. DWORSHAK when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. WILLIAMS of Delaware (for himself, Mr. BYRD of Virginia, Mr. BOGGS, Mr. BEALL, Mr. ROBERTSON, Mr. KEATING, Mr. HOLLAND, Mr. BENNETT, Mr. CARLSON, Mr. CURTIS, Mr. CASE of New Jersey, Mr. BUSH, Mr. BUTLER, Mr. ERVIN, Mr. JORDAN, and Mr. WILLIAMS of New Jersey):

S.J. Res. 173. Joint resolution relating to the treatment under the Internal Revenue Code of 1954 of casualty losses in areas designated by the President as disaster areas; to the Committee on Finance.

(See the remarks of Mr. WILLIAMS of Delaware when he introduced the above joint resolution, which appear under a separate heading.)

By Mrs. NEUBERGER:

S.J. Res. 174. Joint resolution to authorize the establishment of a commission to study the harmful effects of cigarette smoking; to the Committee on Labor and Public Welfare.

(See the remarks of Mrs. NEUBERGER when she introduced the above joint resolution, which appear under a separate heading.)

PROPOSED AMENDMENT OF SECTION 204 OF THE AGRICULTURAL ACT OF 1956

Mr. ELLENDER. Mr. President, I introduce, for appropriate reference, a bill to amend section 204 of the Agricultural Act of 1956.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 3006) to amend section 204 of the Agricultural Act of 1956, introduced by Mr. ELLENDER, by request, was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

Mr. ELLENDER. Mr. President, I ask unanimous consent to have printed in the RECORD a letter addressed to the present occupant of the chair dated

March 9, 1962, signed by Edward Gudeman, Acting Secretary of Commerce.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE SECRETARY OF COMMERCE,
Washington, D.C., March 9, 1962.

Hon. LYNDON B. JOHNSON,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: The Department of Commerce urges the introduction and enactment of the enclosed draft legislation "to amend section 204 of the Agricultural Act of 1956."

Section 204 of the Agricultural Act of 1956 authorized the President to negotiate international agreements relating to the export to and the import by the United States of "any agricultural commodity or product manufactured therefrom or textiles or textile products." Because it was drafted primarily with bilateral agreements in mind, the existence of necessary power in the President with respect to nonparticipants in a broadly based multilateral agreement is questionable. In both the 1-year cotton textiles arrangement presently in force and the long-term cotton textiles arrangement, expected to come into force with substantially the same participants on October 1, 1962, provisions permit the United States to take action to prevent trade with nonparticipants in the arrangements from frustrating the purposes of the arrangements. Since countries accounting for 90 percent of the free world trade in cotton textiles are participants, the same authority which the President has already been delegated by section 204 should clearly be extended to nonparticipants to prevent the minority of countries which choose to stay out of the arrangements from thereby gaining an advantage over the countries which participate in them.

By the term "significant" in the draft is meant significant to the national interest of the United States. The term "products" is intended to convey the concept of origin, that is, "products of countries" means articles which are the growth, manufacture, or produce of those countries.

The Bureau of the Budget advises that, from the standpoint of the administration's program, there is no objection to the presentation of this legislation to the Congress.

Sincerely yours,

EDWARD GUDEMAN,
Acting Secretary of Commerce

Mr. ELLENDER. Mr. President, I received a telephone call from Mr. Hodges, the Secretary of Commerce, explaining the urgency of passage of the bill.

The bill would authorize the President, for the purpose of carrying out any agreement under section 204 of the Agricultural Act of 1956, to limit the importation of any agricultural commodity or product covered by such agreement from countries not participating in the agreement. It would be applicable only in the case of agreements where imports from participating countries account for a significant part of the world trade in the article.

Section 204 authorizes the President to enter into agreements with foreign countries limiting the importation of any agricultural commodity. He does not have clear authority at present to limit imports from countries not participating in the agreement, and this bill would provide such authority. At present the only agreement under section 204 is the 1-year cotton textile arrangement in which 19 countries participate. Passage of the bill is urgently needed to prevent anticipated imports from nonparticipating countries vitiating the effect of the agreement.

CONSERVATION OF ANTHRACITE COAL RESOURCES

Mr. SCOTT. Mr. President, I introduce, for appropriate reference, a bill to authorize the United States to participate on a matching fund basis with the Commonwealth of Pennsylvania as part of a previously authorized anthracite conservation program, to seal abandoned coal mines and to fill voids in abandoned coal mines in those instances where it is economically justified and where the work is in the interest of public health or safety.

Mr. President, the anthracite mine drainage law of 1955 established the congressional policy of providing for the control and drainage of water in anthracite mines in order to conserve natural resources, promote the national security, prevent injuries and loss of life, and preserve public and private property. The act recognized that the presence of large volumes of water in the anthracite coal formations involves serious wastage of full resources to the Nation and constitutes a menace to health and safety as well as to the national security. This act established an $8.5 million fund to be expended under a 50–50 matching program with the States, for drainage in the anthracite coal area. It further provided for the purchase and installation of pumps and other machinery and equipment necessary for the pumping of water from the mines. The language in the act prohibited the Federal Government from using any of its funds for operation and maintenance. The funds could only be used for the purchase, supply, and installation of drainage pumps.

As the program progressed, it became evident that in order that it might be fully effective, the sealing of abandoned coal mines and the filling of voids in such mines was also required. It is noted that the present act is not broad enough to encompass this work. Thus, the program has not been effective, because the cost of operating and maintaining the pumps became so expensive that there were no communities, individuals, or companies able to take on this type of expense. It has been indicated by testimony given by Federal, State, and local authorities that there has been some surface subsidence and the large areas of the anthracite region are in danger of subsidence by reason of abandoned mines. This, to a large extent, could be prevented or alleviated by the authorization that would be granted by this legislation.

It is my feeling, Mr. President, that because of the unique situation in the anthracite region of Pennsylvania, an expansion of the basic Anthracite Conservation Act would be amply justified.

Mr. President, I ask unanimous consent that the bill be printed in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 3014) to amend the act of July 15, 1955, relating to the conservation of anthracite coal resources, introduced by Mr. SCOTT, was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to provide for the conservation of anthracite coal resources through measures of flood control and anthracite mine drainage, and for other purposes", approved July 15, 1955 (30 U.S.C. 571), is amended in the following respects:

(1) The second sentence of section 1 is amended to read as follows: "It is therefore declared to be the policy of the Congress to provide for the control and drainage of water in the anthracite coal formations and thereby conserve natural resources, promote national security, prevent injuries and loss of life, and preserve public and private property, and to seal abandoned coal mines and to fill voids in abandoned coal mines, in those instances where such work is in the interest of the public health or safety.";

(2) The preamble clause of section 2 is amended to read as follows: "The Secretary of the Interior is authorized, in order to carry out the above-mentioned purposes, to make financial contributions on the basis of programs or projects approved by the Secretary to the Commonwealth of Pennsylvania (hereinafter designated as the 'Commonwealth') to seal abandoned coal mines and to fill voids in abandoned coal mines, in those instances where such work is in the interest of the public health or safety, and for control and drainage of water which, if not so controlled or drained, will cause the flooding of anthracite coal formations, said contributions to be applied to the cost of drainage works, pumping plants, and related facilities but subject, however, to the following conditions and limitations:";

(3) Section 2(b) is amended to read as follows: "The total amount of contributions by the Secretary of the Interior under the authority of this Act shall not exceed $8,500,000, of which $1,000,000 of the unexpended balance remaining as of June 30, 1961, shall be reserved for the control and drainage of water.";

(4) Section 2(c) is amended to read as follows: "The amounts contributed by the Secretary of the Interior under the authority of this Act and the equally matched amounts contributed by the Commonwealth shall not be used for operating and maintaining projects constructed pursuant to this Act or for the purchase of culm, rock, or spoil banks.";

(5) Section 2(d) is amended by striking out the word "and" after the semicolon;

(6) Section 2(e) is amended to read as follows: "Projects constructed pursuant to this Act shall be so located, operated, and maintained as to provide the maximum conservation of anthracite coal resources or, in those instances where such work would be in the interest of the public health or safety, to seal abandoned coal mines and to fill voids in abandoned coal mines, and, where possible, to avoid creating inequities among those mines which may be affected by the waters to be controlled thereby; and";

(7) Section 2 is further amended by adding a new subsection to read as follows:

"(f) Projects for the sealing of abandoned coal mines or the filling of voids in abandoned coal mines shall be determined by the Secretary of the Interior to be economically justified. The Secretary shall not find any project to be economically justified unless the potential benefits are estimated by him to exceed the estimated cost of the project."

(8) Section 5 is amended by adding a sentence to read as follows: "The Secretary of the Interior shall, on or before the first day of February of each year after the institution of the program for the sealing of abandoned coal mines or the filling of voids in abandoned coal mines, submit a report to Congress of the actions taken under this Act."

Mr. KEATING subsequently said: Mr. President, I ask unanimous consent that a bill which the Senator from Pennsylvania [Mr. SCOTT] introduced today may lie on the table for 3 days for additional cosponsors.

The VICE PRESIDENT. Without objection, it is so ordered.

LOADLINES FOR OCEANGOING AND COASTWISE VESSELS

Mr. MAGNUSON. Mr. President, by request, I introduce, for appropriate reference, a bill to amend the act of March 2, 1929, and the act of August 27, 1935, relating to loadlines for oceangoing and coastwise vessels, to establish liability for surveys, to increase penalties, to permit deeper loading in coastwise trade, and for other purposes. I ask unanimous consent to have printed in the RECORD a letter from the Secretary of the Treasury, requesting the proposed legislation.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the RECORD.

The bill (S. 3016) to amend the act of March 2, 1929, and the act of August 27, 1935, relating to loadlines for oceangoing and coastwise vessels, to establish liability for surveys, to increase penalties, to permit deeper loading in coastwise trade, and for other purposes, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, and referred to the Committee on Commerce.

The letter presented by Mr. MAGNUSON is as follows:

THE SECRETARY OF THE TREASURY,
Washington, March 9, 1962.

Hon. LYNDON B. JOHNSON,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: There is transmitted herewith a draft of a proposed bill, "To amend the act of March 2, 1929, and the act of August 27, 1935, relating to loadlines for oceangoing and coastwise vessels, to establish liability for surveys, to increase penalties, to permit deeper loading in coastwise trade, and for other purposes."

The purpose of this proposal is to amend the laws governing loadlines of U.S. vessels engaged in the oceangoing and coastwise trade to incorporate certain changes found to be necessary from the application of these laws over the past two decades.

Since the loadline laws governing oceangoing vessels are so similar to the loadline laws governing coastwise vessels the changes proposed to each are nearly identical.

Present law prohibits only the departure of an overloaded vessel from a port or place of loading. It does not prohibit the overloading of U.S. merchant vessels at all times when upon the navigable waters of the United States or the high seas or prohibit the overloading of foreign vessels when in U.S. territorial waters. The bill would plug this loophole in the law which permits vessels to operate in dangerous overloaded condition without fear of penalty so long as they are not departing a loading port or place. Since the purpose of the law is to improve and promote safety, it logically should apply to a vessel at all times, inasmuch as the dangers of overloading are always present and not solely when departing a port.

The law currently authorizes any collector of customs to detain a vessel suspected of being overloaded and to require the vessel to be surveyed and examined prior to permitting such vessel to proceed to sea. Although Coast Guard officers are deemed to be officers of the customs (14 U.S.C. 143), this fact is not apparent on the face of the law. When Coast Guard officers initiate action in such cases, it is often necessary for them to explain to vessel owners the basis of their authority. In order to make such authority clearly apparent, the bill would specify Coast Guard district commanders as officials empowered to act under the statutes. Such a change would appear logical since appeals under the law are to the Commandant of the Coast Guard.

These loadline surveys are for the purpose of confirming or refuting the original finding of a violation and for determining suitable corrective action if the vessel is found to be overloaded. Costs of such surveys may run as high as several hundred dollars in a typical case. Existing law does not clearly specify who should pay these costs. With the enactment of the present proposal to apply the loadline laws to arriving vessels in additional to departing ones it is expected that there will be a considerable increase in the occasions for such surveys. The Government should not be required to bear the costs of loadline surveys where the original finding of a violation is confirmed by the survey. Instead such costs should be borne by the vessel owners. This indirect penalty would tend to discourage violations and would intensify enforcement of the law. Consequently, the bill would authorize the collection of costs of surveys from vessel owners where the survey shows the vessel to be in violation of the law.

The present monetary fines and penalties incurred for violations of the law range from $100 for failure to log a vessel's drafts and applicable loadline markings to $1,000 for knowingly permitting or causing a change in a vessel's loadline markings. These fines and penalties are not realistic when they are compared to the monetary gains to be realized through overloading. U.S. penalties are also more lenient than those of other leading maritime nations. The bill would increase the penalties from $100 to $500 for failure to make correct log entries, from $500 to $1,000 for permitting a vessel to proceed to sea overloaded, from $500 to $1,000 plus an additional $500 for each inch of draft in overloading, and from $1,000 to $2,000 for knowingly permitting or causing a change in loadline markings. The increased penalties would enhance enforcement of these laws, discourage deliberate violations, and promote greater safety of vessels at sea.

Vessels engaged in the coastwise trade must by reason of existing law adhere to certain standards in loading prescribed in the International Load Line Convention, 1930. The bill would strike from the Coastwise Load Line Act reference to these standards. With this change, increases in draft could be prescribed by regulations, but such increases could not exceed the actual line of safety for a vessel. Increased drafts for vessels in this trade have been urged by shipping interests repeatedly. Such increases were found satisfactory during World War II. Other maritime countries sanction such departures from the standards of the convention for their domestic trade vessels. Modification of convention standards is not feasible in the foreseeable future due to current international complications. A revision in the Coastwise Load Line Act as proposed would permit the accomplishment of the change desired.

It would be appreciated if you would lay the proposed bill before the Senate. A similar proposed bill has been transmitted to the Speaker of the House of Representatives.

The Department has been advised by the Bureau of the Budget that there is no objection from the standpoint of the administration's program to the submission of this proposed legislation to the Congress.

Sincerely yours,

DOUGLAS DILLON.

TITLE TO CERTAIN LANDS IN STATE OF IDAHO TO THE IDAHO RANCH FOR YOUTH, INC.

Mr. DWORSHAK. Mr. President, there is no more humanitarian or worthy cause we can sponsor than to furnish the proper environment and opportunity for rehabilitation and training of those boys who have no homes or who have been in some kind of minor difficulties. The time, money, and effort we expend in a proper manner will usually be repaid to society a thousandfold.

A group of public-spirited people in the State of Idaho, lead by Rev. James R. Crow and his wife, founded an "Idaho Youth Ranch" with the theme that, "It is better to salvage a citizen than to corral a criminal," and formed a nonprofit organization under the laws of the State of Idaho. On July 11, 1952—66 Stat. A150—an act of Congress made it possible for this group to purchase a 2,560-acre project of raw desertland near Rupert, Idaho. From this they are developing a ranch which will be, in fact is now, a haven for underprivileged boys.

Mr. President, the joint resolution I am introducing at this time would offer the same benefits that Secretary Udall has placed in effect on public parks and playgrounds and on use of lands for school purposes in the purchase of this tract. In fact, this group has already paid $4 per acre for this land, which is $1.50 an acre more than the flat fee now in effect for the purchase of recreation and school sites from the Department of the Interior. I consider the uses of this land the highest for which it can be utilized and feel sure that Members of this Congress will agree with me.

Mr. President, I ask unanimous consent that the joint resolution be printed in the RECORD.

The VICE PRESIDENT. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will be printed in the RECORD.

The joint resolution (S.J. Res. 172) to provide that, for the purposes of the act entitled "An act to provide for the transfer of certain lands in the State of Idaho to the Idaho Ranch for Youth, Inc.," approved July 11, 1952 (66 Stat. A150), the Idaho Ranch for Youth, Inc., shall be held and considered to have made payment in full to the Secretary of the Interior for such land, introduced by Mr. DWORSHAK, was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

Whereas, by administrative order of May 31, 1961, the Secretary of the Interior established a new public land pricing schedule

under which State and local governments may purchase public lands for park and recreational purposes at the rate of $2.50 per acre;

Whereas, by administrative order of July 25, 1961, the Secretary of the Interior announced a new pricing schedule under which State and local governments and nonprofit private organizations may purchase public land sites for school construction at the rate of $2.50 per acre;

Whereas the Idaho Ranch for Youth, Incorporated, a nonprofit organization, has received from the United States certain public lands situated in the State of Idaho under the provisions of an Act of July 11, 1952, and dedicated such lands to public uses; and

Whereas the Idaho Ranch for Youth, Incorporated, has made payment to the Secretary of the Interior amounting to $4 per acre as compensation for such lands under the provisions of such Act: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Act entitled, "An Act to provide for the transfer of certain lands in the State of Idaho to the Idaho Ranch for Youth, Incorporated," approved July 11, 1952 (66 Stat. A150), the Idaho Ranch for Youth, Incorporated, shall be held and considered to have made payment in full to the Secretary of the Interior for the lands received under the provisions of such Act.

TREATMENT UNDER INTERNAL REVENUE CODE OF 1954 OF CASUALTY LOSSES IN AREAS DESIGNATED BY THE PRESIDENT AS DISASTER AREAS

Mr. WILLIAMS of Delaware. Mr. President, the day before yesterday I discussed the possibility of amending the Internal Revenue Code in a manner whereby persons suffering loses in a disaster area—an area which has been declared to be a national disaster area by the President of the United States—can, if the disaster occurred between January 1 and the date on which their taxes would be due—April 15 for individuals—charge such losses against their tax liability in the tax return for the preceding year, which in this instance is 1961. It would work in the same manner as though the disaster had happened in December.

All this proposal would do would be to allow them to claim the losses and get their refunds one year earlier.

As I stated, the disaster on the Atlantic seaboard last week took place after the 1961 tax liability was established, but before the date that these taxes were due to be paid. Many persons who owe balances on their 1961 taxes are destitute today and cannot pay those taxes. It would be most unfair to have these good citizens classed as tax delinquents.

On the other hand, many of them may be able to scrape up the money to pay their taxes. Nevertheless, they too are in desperate circumstances, and need this year the benefit of the tax credit which they would get next year anyway.

I have had discussions with officials in the Treasury Department and with members of our committee and they have drafted a joint resolution which we think will carry out this purpose.

I introduce this joint resolution on behalf of myself, the Senator from Virginia [Mr. BYRD], my colleague from Delaware [Mr. BOGGS], the Senator from Maryland [Mr. BEALL], the Senator from Virginia [Mr. ROBERTSON], the Senator from New York [Mr. KEATING], the Senator from Florida [Mr. HOLLAND], the Senator from Utah [Mr. BENNETT], the Senator from Kansas [Mr. CARLSON], the Senator from Nebraska [Mr. CURTIS], the Senators from New Jersey [Mr. CASE and Mr. WILLIAMS], the Senators from North Carolina [Mr. JORDAN and Mr. ERVIN], the Senator from Connecticut [Mr. BUSH], and the Senator from Maryland [Mr. BUTLER].

If there are any other Senators who wish to join in this joint resolution, I would welcome them as cosponsors.

I send the joint resolution to the desk. I feel confident we can get prompt action in Congress, in order that these people may be given this much-needed relief.

Obtaining these refunds 1 year earlier will not only prevent some of these unfortunate people from becoming delinquent in their taxes but will also give them their refunds now when they need the money with which to rebuild.

The VICE PRESIDENT. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 173) relating to the treatment under the Internal Revenue Code of 1954 of casualty losses in areas designated by the President as disaster areas, introduced by Mr. WILLIAMS of Delaware (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Finance.

Mr. KEATING. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. KEATING. I wish to commend the distinguished Senator from Delaware for this very constructive recommendation. It would help many people yet it would not actually cause any loss to the Treasury over the long run. Those who would qualify to take a deduction would under this amendment take it against their 1961 income, rather than their 1962 income. This is a most appropriate measure that can really provide immediate help to people who have lost their homes or other possessions.

Certainly, if someone with a modest home owed $50 or $60 on his 1961 income tax and was completely deprived of his home, he would be in a good position to use that $50 or $60 right away to try to rebuild and reinstate himself, rather than pay his tax and get a rebate next year. The people struck by this disaster are in need now and the best time to help these people is right away—while they are filling out their tax returns for 1961.

I think the Senator from Delaware has performed a real service in devising this method to meet a most unusual situation. I thoroughly congratulate him, and I am happy to be a cosponsor with him in this measure.

Mr. WILLIAMS of Delaware. I thank the Senator from New York. While I am not in a position at this moment to say exactly that this measure has the endorsement of the Treasury Department, because it has to be cleared through channels, I can say they did cooperate in supporting the principle. All officials, from the Secretary on down, have endorsed the principle. They have expressed an earnest desire to try to work out something. I think we have language in this particular proposal which can do the job. I am confident the committees of the Senate and the House will give it their prompt and immediate attention.

Mr. KEATING. Mr. President, would the Senator from Delaware like to ask unanimous consent that it may lie on the desk until Monday next?

Mr. WILLIAMS of Delaware. Yes. I ask unanimous consent that it be allowed to lie on the table until Monday next for additional sponsors.

The VICE PRESIDENT. The joint resolution will be received and appropriately referred; and, without objection, will lie on the table as requested.

COMMISSION TO STUDY HARMFUL EFFECTS OF CIGARETTE SMOKING

Mrs. NEUBERGER. Mr. President, last Thursday, I spoke to the Senate of the need for remedial measures to treat the smoking problem. The many letters I have received from all over the country in response to that speech have convinced me that concern for this problem is deep and widespread.

Evidence that cigarette smoking causes lung cancer continues to proliferate. Yesterday, in Phoenix, at a seminar in cancer research sponsored by the American Cancer Society, Dr. Michael B. Shimkin, Associate Director for Field Studies of the National Cancer Institute, stated that the causal relationship between smoking and cancer "is as clearly demonstrated as any biological association can be."

If cigarettes were to disappear from the face of this country tomorrow, at least 20,000 people who would otherwise die of lung cancer within a year would survive. Cigarettes are not going to disappear tomorrow nor at any time within the foreseeable future. We could not effectively abolish cigarette smoking even if we wanted to. And we do not want to. We are not a nation of prohibitionists.

Nevertheless, I am convinced that the Federal Government has a vital role to play in eliminating this scourge. In England the Government has launched a massive educational program to alert the public to the causal relationship between cigarette smoking and lung cancer. This program is directed primarily at the youth of the country, in an effort to prevent them from succumbing to the youth-directed appeal of the cigarette advertisements. We can do no less.

Similar recommendations came from nine leading Danish authorities in Copenhagen. Their report also favored raising cigarette taxes in order to fight against smoking. It even suggested a ban on cigarette advertising and public smoking by children under 16.

We are certain that cigarette smoking causes lung cancer, but much research remains to be done to isolate the causative agents in cigarette smoke, and to develop the means to eliminate such agents. Furthermore, any solution of the smoking problem must take into account the significance of the tobacco industry to the economy of tobacco growing areas.

For these reasons, I am introducing a joint resolution calling upon the President to create a Commission on Tobacco and Health and to initiate a program to inform the public of the hazards of cigarette smoking, particularly the relationship between cigarette smoking and lung cancer.

The Commission shall include representatives from the fields of public health, medicine, education, commerce and agriculture.

The Commission will be directed to conduct a full and complete study of the health hazards attributable to smoking and the means to eliminate such hazards. The Commission will also consider the economic and revenue problems, if any, which would result from a market curtailment in the consumption of tobacco.

The study will be conducted by the Commission with a view to recommending to the President appropriate governmental action for the regulation of the manufacture and distribution of tobacco products, and for the regulation of the advertising of tobacco products.

Mr. President, I ask that the joint resolution lay over until March 23 for additional sponsors.

The VICE PRESIDENT. The resolution will be received and appropriately referred and, without objection, the joint resolution will lay over until March 23 for additional sponsors, as requested by the Senator from Oregon.

The joint resolution (S.J. Res. 174) to authorize the establishment of a Commission to study the harmful effects of cigarette smoking, introduced by Mrs. NEUBERGER, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

PURCHASE OF UNITED NATIONS BONDS AND APPROPRIATION OF THE FUNDS THEREFOR—AMENDMENTS

Mr. AIKEN (for himself, Mr. HICKENLOOPER, and Mr. MORTON) submitted amendments, intended to be proposed by them, jointly, to the bill (S. 2768) to promote the foreign policy of the United States by authorizing the purchase of United Nations bonds and the appropriation of funds therefor, which were ordered to lie on the table and to be printed.

THE GREAT RIVER ROAD—ADDITIONAL COSPONSOR OF BILL

Under authority of the order of the Senate of March 12, 1962, the name of Mr. LONG of Missouri was added as an additional cosponsor of the bill (S. 2968) to provide assistance to certain States bordering the Mississippi River in the construction of the Great River Road, introduced by Mr. HUMPHREY (for himself and Mr. MCCARTHY) on March 12, 1962.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. HUMPHREY:

Message by the President of the United States addressed to the American Association for the United Nations, commending that association.

IMAGE

Mr. YOUNG of Ohio. Mr. President, in politics nowadays we frequently hear the phrase "image of the Republican Party," or the "image" of a certain candidate.

Frankly, I am glad we seldom, if ever hear the phrase "image of the Democratic Party." As long as our party advocates sound policies and presents good candidates, we shall not be hearing of the word "image," nor shall there be any need to hear that word. In the dictionary the word "image" is defined as "an imitation or likeness of any person or thing." Americans will not be satisfied with imitations and rosy deceptions. Publicity men and ballyhoo artists will never replace honesty and integrity.

Since August, 1958, I have been somewhat allergic to the word "image" when used in connection with politics. At that time the Louis Harris organization had been conducting a poll in Ohio of the political contest for the election of U.S. Senator in that State. On an August day I listened to the report of the pollster with a heavy heart. Then, for the first time, I heard in that report the word "image" used to imply the viewpoint of the general public regarding a candidate for political office.

The pollster stated that only 18 percent of the citizens of Ohio polled by his organization had any image of YOUNG, but that 78 percent had an image of my opponent, Senator John W. Bricker. Therefore, he concluded that it would take a miracle to bring about my election, and that a miracle had not occurred for nearly 2,000 years.

Having served four terms as a Representative at Large from Ohio previous to the 1958 campaign, it was somewhat of a jolt to me at that time to learn from that pollster that apparently I was entirely unknown or practically unknown to the citizens of the State of Ohio.

I am certain that no miracle occurred in Ohio in 1958, although I left that meeting with a somewhat heavy heart. Frankly, as a result of the reports of the pollster, I also had an empty pocketbook during the ensuing weeks so far as political contributions were concerned.

However, at about 10 o'clock on the following November election night, from certain chambers of commerce offices and from the political headquarters of my State's Grand Old Party, of which I am not a member, the cry went out, "The dam is busted; run for the hills."

I became convinced as a result of that election that the words "political image," about which we hear so much, are not important at all. Let members of the Republican Party work on the word "image" if they wish to do so, but so long as our party continues to advocate policies for the welfare of the people and presents good candidates for office, I feel that we shall not need to be concerned about the word "image."

BILLBOARDS ON MALAYAN HIGHWAYS

Mrs. NEUBERGER. Mr. President, an article in the Malayan Embassy Bulletin of December 15, 1961, which has been brought to my attention, concerns the use of billboards along highways in Malaya. With the coming of modern roads, ugly neon signs and billboards have sprung up there. It seems almost inevitable that this is the price one pays for progress. It is heartening, however, that many Malayans are objecting to the defiling of their countryside by advertising signboards.

Mr. President, I ask unanimous consent that the article from the Malayan Embassy Bulletin be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

BILLBOARD EXPERIMENT RAISES DRIVERS' HEAT

Malayan motorists have taken a dim view of the experimental introduction of billboards along highways. Car drivers prove to be the most clamorous of the antagonists, and are battling the move tooth and nail.

Objections raised centered on the esthetic. Billboards, they say, will sully the beautiful Malayan countryside, and can even prove distracting to the motorist.

But the experiment will be carried out with Government approval. Meanwhile, determined antibillboard protagonists are rallying to the cause and girding themselves for all-out war.

Malaya, after World War II, has become advertising conscious. Chrome and neon have brightened nightlife in the cities. Huge cantilevered signs stab the blue sky.

The effect of the expected rash of billboards, for better or for worse, along the periphery of rubber plantations and tin mines, may be the decisive factor whether or not they will remain as permanent fixtures of the Malayan scene.

SOVIET BRINKMANSHIP

Mr. KEATING. Mr. President, increasing Soviet harassment in the Berlin air corridors, the dropping of aluminum particles to jam radar, and now the flight of Soviet military transports at night are part of a menacing new pattern. The Soviets are deliberately—with premeditation and malice aforethought—creating the possibility of a direct cold war confrontation in one of the hottest points of the conflict. They appear to be daring us to retaliate and consciously to be driving us nearer to the fearful possibility of a nuclear conflict.

What can be their purpose in so doing? What are they trying to accomplish? Not disarmament certainly, not so-called peaceful coexistence and competition in the economic field. And I for one cannot actually believe that they want a direct conflict or nuclear war in Europe at this point, when we are ready and on the alert, and when, we have been assured, the only missile gap favors us.

What they may be driving at—and what President Kennedy may have inadvertently encouraged them to aim at—is a summit conference. What the President said on Wednesday and suggested even before that, when asked under what circumstances he would attend a summit conference at Geneva this spring was this: "I would go there on a brink of a war or a serious international crisis where my presence would make a significant difference."

The Russians may very well be interpreting this position to mean that if they can precipitate a serious enough crisis, if they can drive us to a brink of war situation, then the President would accede to Premier Khrushchev's demand and attend a summit conference. In short, the Russians may be deliberately trying to scare us into a summit conference.

Mr. President, I believe the position of the United States would be greatly strengthened if the President would clarify his statement. I am sure he did not mean to imply that we would consider an artificially fomented, Soviet concocted crisis legitimate cause for a summit conference which would produce no real results and only be a triumph for Soviet propaganda. We must not let the Russians have any opportunity to misunderstand the U.S. position on a summit conference. A vigorous clarification of our stand might have a very salutary effect on Soviet methods and motives of dealing with the Berlin situation and particularly on the air corridor harassment.

SUPPORT FOR CONGRESSIONAL TRADE VETO

Mr. KEATING. Mr. President, last week the National Planning Association issued a report entitled "Foreign Trade and Foreign Policy." This report was written by Dr. Howard S. Piquet, an extremely able and experienced authority in his field. Dr. Piquet's report contains several new and far-reaching recommendations on foreign trade.

Mr. President, I am particularly interested in a proposal which I have urged to give the Congress a broad trade veto authority in the Trade Agreements Act which must be extended before June 30 of this year. Among his several major recommendations, Dr. Piquet includes a two-thirds congressional trade veto. His discussion of this proposal is brief, but I believe that it would be of real interest to those of us in the Congress who feel that some provision for congressional oversight must be included in new trade legislation. I ask unanimous consent that the chapter from this report on the role of the Congress in foreign trade be printed at this point in the RECORD.

There being no objection, the chapter from the report was ordered to be printed in the RECORD, as follows:

GREATER POWER FOR THE PRESIDENT: THE CONSTITUTIONAL PROBLEM

Demonstrated willingness by the United States to pursue an active policy of expanding international trade would be one of the most important international economic phenomena since World War II. Only passivity can be expected, however, if Congress fails to give the President power to lead, for it would be as impossible for Congress to administer the details of an active foreign trade policy as it would be for it to make every detailed decision regarding foreign policy generally.

Although the Constitution is not explicit as to where responsibility lies for formulating foreign policy, beyond the ratification of treaties and the appointment of ambassadors, it became evident early in the Nation's history that the day-to-day posture of the United States in its relations with other countries can be determined only by the Chief Executive. In practice, therefore, foreign policy has come to be made by the President, subject to broad review by Congress. Detailed implementation of policy is the prerogative of the President through the Department of State.

Yet, the powers that the President exercises with respect to foreign trade policy are only those that are delegated to him by Congress since the Constitution clearly gives to Congress the power to regulate foreign commerce. If foreign trade policy is to be used effectively as an instrument of foreign policy, the powers of the President relating to it will have to broadly coordinate with those that he exercises with respect to foreign policy generally.

It would be unrealistic, however, to expect Congress to give the President unlimited powers with respect to foreign trade. Since the Constitution entrusts Congress with responsibility for regulating foreign commerce the only feasible way for the President to acquire the necessary powers is by having Congress delegate them to him.

Although Congress cannot abdicate the powers and obligations given to it by the Constitution, it can delegate them to the President, provided it is clear as to the extent and duration of the delegation, and provided it specifies yardsticks or standards to guide the President in exercising them.

This is the formula that was written into the original Trade Agreements Act of 1934, under which the President was empowered to make Executive agreements with other countries to reduce U.S. tariffs by 50 percent from their 1934 levels, in exchange for equivalent trade concessions by other countries. The purpose of the delegation of power was to expand trade, particularly exports. The tariff-reducing power was limited to 50 percent of existing rates and the yardstick for action was the quid pro quo of concessions obtained from other countries. The agreements do not have to be approved by Congress.

Although several attempts have been made to have the Trade Agreements Act declared unconstitutional it has withstood every such test during the past 27 years.

In delegating the powers that would need to be given to the President to carry out the proposals made in this report it would be necessary for Congress to specify: (1) the purposes for which the powers are delegated, (2) the limits of the powers delegated, (3) the duration of the delegation, and (4) an intelligible principle to guide the President in exercising the delegated powers.[1]

Simple proclamation by the President that actions taken by him under these powers are necessary to implement U.S. foreign policy should be sufficient to satisfy the first requirement.

The limits of the delegation of power would have to be spelled out in the legislation itself. Under certain circumstances there would need to be a reciprocal quid pro quo, as in the case of trade agreements with economically developed countries. Under certain other circumstances, as with respect to trade with underdeveloped countries, there would need to be a specific proposal, or package, certified by the President to be necessary to implement U.S. foreign policy.

The power should remain delegated to the President for a stated number of years, or until revoked by the Congress. The period of delegation should be long enough to allow for continuity of policy, say 5 or 6 years.

Formulation of a guiding principle for the exercise of the delegated powers will be more difficult. The quid pro quo for admitting imports, even in limited quantities, under particularly favorable terms is necessarily general, just as the objectives of foreign policy itself are general. They cannot be specified with mathematical precision. Even the present law is vague in this respect, since the value of tariff concessions obtained from other countries cannot be measured precisely against those granted by the United States.

An approach to an answer to these difficulties has been given by Congress itself. After many expressions of dissatisfaction by individual Members of Congress with the manner in which the administration has enforced, or failed to enforce, the escape clause provision of the law, Congress in 1958 amended the Trade Agreements Act so as to give itself authority to veto the President by a two-thirds vote whenever he fails to implement a Tariff Commission finding of injury under the escape clause.

Giving Congress the power to veto the President should be an adequate substitute for a predetermined yardstick which, by the nature of the case, cannot be precise. From the point of view of the requirements of foreign policy, the power of veto by Congress would be satisfactory, particularly if it is further provided that Congress can veto only an entire agreement, or "package," submitted to it by the President and not individual items in any agreement or contract. It is rather unlikely that Congress would succumb to the logrolling impulse if the President were precise in his proposals and presented them in a realistic world setting. It also might be desirable for Congress to specify that, as in the case of reorganization plans submitted to Congress by the President under the Government Reorganization Acts, proposals under the new Foreign Trade Policy Act would become effective automatically, in the absence of congressional veto, 30 days after submission by the President.

Some purists might object that the return of the ultimate power of decision to Congress would result in a veto of any and all Presidential actions intended to expand imports. This is by no means a foregone conclusion. The requirement that Congress act on an entire "package" of proposals, rather on an item-by-item basis, ought to ensure that proposals presented imaginatively and in the perspective of overall foreign policy will overcome "localism" in Congress. The proposal is at least worth trying, inasmuch as the alternatives are to continue a tired and worn-out policy or to capitulate to those who would protect each and every domestic producing interest regardless of the imperatives of the international political situation.

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[1] The following court cases are pertinent: (1) The *Hampton* case (276 U.S. 394) Taft, 1928; "If Congress shall lay down by legislative act an intelligible principle to which the person or body authorized to fix such rates is directed to conform, such legislative action is not a forbidden delegation of legislative power," and (2) the *Curtiss-Wright* case (299 U.S. 304, 1936). "Congressional legislation which is to be made effective through negotiation and inquiry within the international field must often accord the President a degree of discretion and freedom from statutory restrictions which would not be admissible were domestic affairs alone involved."

SAFETY SEAT BELTS

Mr. KEATING. Mr. President, last year I was privileged to open the Women's Crusade for Seat Belts, sponsored by the National Federation of Women's Clubs, Automobile Industries Highway Safety Committee, and the National Automobile Dealers Association. This is a most worthwhile project that deserves the full support of all Americans. Recently, a most interesting article entitled "Automobile Seat Belts: What They Can Mean for Safety," appeared in the publication State Government. Mr. Pyle quotes the shocking statistics that if you drive a car, the chances are 7 out of 10 that you will have a traffic accident within the next 5 years.

Let me emphasize, Mr. President, that this means within the next 5 years, 70 out of the 100 Senators presently in this body may be involved in automobile accidents. Although I certainly intend to be nonpartisan about this that figure would include every single member of the Democratic Party, and half a dozen or so Republicans as well. Statistics can be wrong, but this one estimate is high enough to make us all stop and think.

The research that has been carried on at the automotive crash injury research project at Cornell has shown that seat belts can reduce serious to fatal injuries by as much as 35 percent. Mr. President, the Cornell study has shown that these figures are not abstract statistics. They have a tremendous significance for every one of us. I only wish it were possible to bring this information forcefully to the attention of every American who enters a car behind the driver's seat, or anywhere else.

Mr. President, the city of Rochester, N.Y., has just decided to install seat belts in nearly 200 city cars and trucks. This measure will offer plausible safety advantages to city employees, including policemen, firemen, public works, and public safety department employees.

Mr. President, I ask unanimous consent to have printed, following my remarks in the CONGRESSIONAL RECORD, the article by Howard Pyle, president of the National Safety Council, and former Governor of Arizona, discussing the value of automobile seat belts.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

AUTOMOBILE SEAT BELTS: WHAT THEY CAN MEAN FOR SAFETY

(By Howard Pyle)

NOTE.—During 1961 at least six State legislatures required that all new automobiles after specified dates, be equipped with anchorage devices for safety seat belts. Another legislature, Wisconsin's, required seat belts themselves for the front seats of new cars. Announcements from the automobile industry have indicated that most new 1962 cars will have standard anchorage points for installation of front seat belts. In these pages, Howard Pyle, president of the National Safety Council, and formerly Governor of Arizona, underscores and documents the value of seat belts. He describes growing organizational campaigns for their adoption and use. In particular he emphasizes the need for much public education henceforth, with the objective of making their actual use by motorists standard procedure throughout the country.)

On the inside back cover of a recent issue of the magazine California Highways and Public Works, there is a vivid example of the lifesaving capabilities of a 2-inch-wide piece of webbing we have come to know as the seat belt. The California article is complete in eight lines, along with two pictures of a State-owned car. The pictures illustrate a before-and-after situation, and tell the real story of what might have been had the driver of the vehicle not been wearing his seat belt. The last few words of the text say that the driver "* * * was able to walk away from his wrecked car." Looking at the picture of the car after the collision, it is nearly unbelievable that the driver was spared at least serious injury, if not death.

This was not the first instance when a seat belt in an automobile proved its worth. Restraining belts and harnesses have been in use in automobiles for many years, almost since their introduction on airplanes. Pilots, racing car drivers, and others early recognized the value of being kept in place during a quick deceleration or crash. So it didn't take long for a few of the belts to appear in cars.

PACKAGES AND SOME LIMITATIONS

Various kinds of restraining devices have been used to keep the human body in place in vehicles. The devices range from the simple lap belt to the elaborate shoulder harness and belt combination. The diversity of these items has resulted in varying opinions as to how a motorist can best be "packaged" in a vehicle to eliminate or reduce injuries in the event of a collision or rollover.

The National Safety Council agrees with most experts that the complete safety package is most desirable in preserving life and limb in automobile collisions. This package includes, besides seat belts, fully padded instrument panels and sun visors, recessed steering column, and safety door locks. We also agree that the best protection afforded a motorist by a restraining device is one that restrains the body completely, very much like an astronaut is restrained during an orbital flight.

However, motor vehicles are not constructed in the same way as a space capsule or rocket ship. There are certain limitations on the amount of restraint possible for the motorist. A driver needs his arms and legs to operate his vehicle. Above all, the average American does not enjoy being completely tied down in anything, let alone being encapsulated in his automobile, the potential danger of which he very dimly realizes.

WHAT A LAP BELT DOES

To illustrate the potential danger, if you were to hit a solid obstruction with your car traveling 10 miles per hour and its front end crumpled just 6 inches, the force generated would be about 7 g.'s (g. being a unit of gravity). In this collision, a man of 200 pounds would need to exert 1,400 pounds of force to remain in his seat, and at a speed of only 10 miles per hour. A lap belt will easily hold a body in its seat at this speed and at much higher speeds.

Col. John P. Stapp, of the U.S. Air Force has demonstrated in rocket sled deceleration tests that the human body can withstand the forces that are generated in short stopping distances from high speeds. Colonel Stapp has also shown in his tests that the 2-inch lap belt does not cause injury to the body if it is properly installed and worn snugly around the pelvic region.

From the work of Colonel Stapp and his group, and from that of Cornell University's aeronautical laboratories and automotive crash injury research project, it has been learned that the lap-type seat belt is an effective means of reducing injuries and deaths due to motor vehicle collisions.

The main value of the lap-type seat belt is in keeping a driver or passenger from being thrown out of a car in a collision or rollover. It is also beneficial in keeping the body from buffeting around inside the car. The belt will not always prevent the head from striking the dashboard in severe head-on collisions, but it will reduce the force of contact with such rigid structures.

Many people complain that a seat belt will trap them in a car in the event of fire or submersion in water. But less than 1 percent of all accidents involve fire or submersion, and in any event a seat belt can be released in an instant. More important, it can hold one in place and make it more likely that he will be conscious following a collision and able to get out of the car.

The following example may serve to dispel doubts about seat belts in the event of submersion. Four men were riding in a Corps of Engineers panel truck in Tennessee early last year. The vehicle ran off the side of the road and into a ditch filled with water about 8 feet deep. All four men wore seat belts, and all four stated that they were able to get out of the truck only because they were held in place and not battered around inside the truck.

ACTION IN SWEDEN

Motorists in Sweden have adopted seat belts to the extent that almost 80 percent of the passenger cars in that country are equipped with them. Moreover, Swedish motorists are installing the combination lap belt and diagonal shoulder strap. There is good reason for them to choose this type of belt, because their small vehicles leave little space for a passenger to move forward in a collision. Most automobiles manufactured in the United States have more space for such forward movement.

One other pertinent factor about the combination belt for Swedish cars is a regulation by the National Swedish Road Board calling for greater webbing elongation (stretch) than webbing used in U.S.-made belts. The short space available in the small cars of Sweden and the greater elongation of webbing precluded use of the lap belt in front seats of the cars.

U.S. MODELS

In the United States, seat-belt manufacturers have been regulated by three sets of specifications: those of the Federal Aviation Agency (formerly the Civil Aeronautics Administration), the Society of Automotive Engineers, and the General Services Administration. The CAA specifications served as a guide to manufacturers prior to 1955. Since then, however, the SAE standard has been widely used. Automotive engineers point out that the differences between the SAE and GSA specifications are relatively slight. Both agree that webbing should not elongate more than 25 percent under full assembly (loop) load.

Studies by Cornell University's automotive crash injury research have shown the seat belt is capable of reducing serious-to-fatal injuries by as much as 35 percent. Studies have also shown that seat belts are not failing in collisions, nor are these lap belts causing injury in them.

Aware of the many facets of the problem of installation and use, the National Safety Council and several other national organizations have chosen to take the advice of the experts, the automotive safety engineers, research scientists, and accident analysis technicians, and agree that the lap-type seat belt is an effective means, readily available to help reduce the consequences of automobile collisions.

The council adopted its policy on the installation and use of seat belts for motor vehicles in 1955. We did not then, nor do we

now, limit the policy to a single type of belt. We encourage motorists to choose what is best for themselves, and emphasize always that the seat belt is no substitute for good driving.

At a special public education session on seat belts held at the National Safety Congress last October, Robert A. Wolf, director of automotive crash injury research at Cornell, stated: "The ability of the safety belt to influence the toll of death and injury on our highways depends on two main factors: the effectiveness of the device, itself, as a safety control measure (our research at Cornell produces the factual evidence), and the extent to which this measure is used by the motoring public."

A PROGRAM GROWS

The extent to which the motoring public uses seat belts will depend upon how well all interested individuals and groups coordinate their efforts to bring about this use. During the early 1950's, after the Cornell Aeronautical Laboratories and the Indiana State Police released their findings on seat belt research, several national organizations publicly announced their endorsement of this protective device. Late in 1958, the American Medical Association and the U.S. Public Health Service joined with the National Safety Council in a national joint program to stimulate installation and use of seat belts. Prior to this, the only nationwide campaign aimed at the public was conducted by one of the automobile manufacturers. In the initial stage of the joint program the three sponsoring organizations concentrated their activities on the education of their respective staffs, members, and related agencies as to the merits of seat belts.

The three sponsors felt it was necessary to set an example before going to the people to ask their cooperation. The work in this phase of the program has been continuing for almost 3 years. Its progress may be illustrated by the following:

1. Several Federal agencies have requested seat belts for staff vehicles and have engaged in promoting the use of belts in personal cars.

2. The American Medical Association has pointed out that nearly 35 percent of responding physicians in a recent survey reported they had belts.

3. In 1959 a survey of National Safety Council member fleet operators showed nearly 25 percent of the total number of vehicles reported were equipped with belts. Continued education has seen many additional fleets become equipped.

Preliminary to an all-out public acceptance campaign, the three organizations sponsored a year-long study in Fort Wayne, Ind., to determine the most effective methods available to motivate people to install and use seat belts. This study was made to serve as a basis for establishment of programs in other communities. The final evaluation of all the methods used in Fort Wayne will be made available to all who are interested in seat belt promotion.

It was determined that about 4 percent of the passenger cars in the Fort Wayne-Allen County area were equipped with belts prior to the beginning of the study. About 8.3 percent of the cars were estimated to have belts installed at its conclusion. Although the percentage increase appears relatively small, we feel this was an effective promotion. It was not an intensive sales campaign, but an educational program.

PUBLIC EDUCATION

The opening of the public education phase of the joint national educational seat belt program may be said to have coincided unofficially with the "CBS Reports" television program, "The Great Holiday Massacre," which was broadcast nationally to some 17 million viewers the day following Christmas of 1960. Seat belts were given prominent mention on this program, and it was noted that public interest in the subject increased considerably after it was shown.

Through the zeal of many individuals, civic groups, and official agencies, a large number of communities held seat belt campaigns during 1961. The General Federation of Women's Clubs aided in this work by its "Crusade for Seat Belts," in which women's groups throughout the country, some 16,000 clubs, hoped to promote the installation and use of one million and one belts during the year. The women were assisted by the Auto Industries Highway Safety Committee and the National Automobile Dealers Association.

Early in 1961, the five major U.S. automobile manufacturers helped the movement with their announcement that all 1962 model passenger cars would have standard anchorage points for easier installation of belts in the front seats. One manufacturer proposed to equip rear seats as well as front.

All these happenings brought the public's attention emphatically to seat belts. Our three sponsoring organizations officially began the public education promotion phase of our program on July 1, 1961, when the advertising council announced it would allot about 70 percent of its public service safety campaign to the subject of seat belts. The Outdoor Advertising Co. also joined in the promotion, with special outdoor posters on belts, and it provided special assistance to the General Federation of Women's Clubs for its crusade.

INSTALLATION AND USE OF BELTS

The increased interest in seat belts was illustrated in one weekend last year when the city of Corvallis, Oreg., sparked by its junior chamber of commerce, conducted a campaign in which 1,700 seat belts were installed in roughly 800 automobiles. In a month-long campaign, Rock Island, Ill., led by its safety council, saw more than 8,000 belts distributed. The U.S. Forest Service has equipped more than 70 percent of its fleet of 8,500 motor vehicles—including trucks, tractors and road graders—in a period of about 5 years. Many industrial firms report 100 percent of their fleet vehicles are equipped with belts.

Additionally, more than 20 State police agencies report their cars equipped with belts and several States have authorized all official cars to be equipped.

Some critics, pointing to Sweden's high acceptance (80 percent) of seat belts, lament the fact that our motorists are so far behind. But it is essential to note that the National Swedish Road Board issued its regulations on safety belts in 1958, and a concerted campaign to bring about their use was instituted at the same time. Passenger car registrations in Sweden amount to nearly 1¼ million units, in a country of almost 8 million people. This means that it now has a total of more than 1 million cars equipped with belts.

In the United States, with no Government regulation of belts, and no intensive public education prior to 1961, we find an estimated 2 million-plus cars equipped with seat belts. This represents less than 4 percent of the total passenger-car registration, which exceeds 60 million. Because of our motorists' different temperament, it is doubtful whether we would have achieved the same results as the Swedish motorists with Government control over manufacture and sale of belts.

We at the National Safety Council believe that everyone working toward the same end will achieve nearly the same results as accomplished in Sweden through more voluntary actions. An aid in this direction has been the legislation passed by several States requiring seat belt anchorages on all new cars sold in the States. Still further, the State of Wisconsin has required that all new cars sold shall have seat belts themselves for the right and left occupants of front seats.

Perhaps the most significant item to come from Sweden is the voluntary announcement from one of the major automobile manufacturers that belts would be made standard equipment on all new cars. We would hope that U.S. manufacturers might also do this in the future—providing the belts themselves.

With all the promotion of seat belts, one of the basic questions asked is: If we are successful in getting all cars equipped with belts, how many motorists will use them consistently? This is the second part of a twofold problem, first, getting the belts installed, then getting them used. If the seat belts are put into automobiles without proper education of the motorists, there is little hope of realizing the lifesaving potential of belts through their general use.

Critics point to a 1960 automotive crash injury research study of rural California accidents, in which it was reported that about one-third of the number of belt users involved in collisions were wearing their belts at the time of the accident. The study by ACIR was conducted prior to 1960, and is a good indication of the lack of education the users had regarding the effectiveness of the belts. The U.S. Forest Service reported in 1960 that its drivers wear belts at least 80 percent of the time. Other surveys indicate similar use, or at least state the belts are used more often than not. We hope that continued education will produce an awareness that will see nearly constant use of seat belts while a vehicle is in motion.

Constant use should bring increased reports of seat belt effectiveness, such as the Forest Service estimate of 100 personnel who were spared injury or death by the use of their belts, or the examples cited at the beginning of this article.

NEEDS FOR THE FUTURE

Although the American motorist is somewhat aware of the case for seat belts a bigger emphasis is more essential now than ever before—not only to encourage 100-percent installation, but also to remind drivers and passengers continually of the necessity to wear their belts at all times.

There is also need to encourage research to determine how better vehicles can be built, in order to help the belts do a better job of restraint. And there must be development of improved devices and methods of restraining human beings, especially children. Still further study is needed to learn what, if any, psychological effect the use of a seat belt produces on the driving habits of a motorist. But perhaps the foremost future need is the cooperation of officials in government, industry and civic organizations to assist in educating the motoring public about seat belts and about their use.

Here are some of the things a government official can very usefully do to encourage the public to install and use seat belts:

1. If you haven't already installed belts in your car, do so immediately, and make it a habit to use them always. Publicize the fact you have had them installed.

2. Set an example to the public by having all State-owned vehicles equipped with belts. Also, publicize this fact.

3. Encourage individual agencies to conduct programs for employees to install belts in their personal automobiles.

4. Encourage communities and organizations within your State to conduct programs in their own areas.

5. Enlist the cooperation of the communications media to concentrate their efforts on building an "image" of seat belts through repeated publicity on the need for them and their effectiveness.

Dr. Luther Terry, Surgeon General of the United States, remarked last June at a seat belt conference we held in New York City: "If you drive a car, the chances are 7 out of 10 that you will have a traffic accident within the next 5 years. Until the odds are better, the wisest thing for you, and me, and everyone else who drives a car, to do is to protect ourselves with seat belts." These words are grounds for sober reflection on the part which each of us plays in providing for the welfare of the public.

HOWARD HANSON AND THE NATIONAL ADVISORY COUNCIL FOR THE ARTS

Mr. KEATING. Mr. President, there is now legislation pending before the Congress to create a National Advisory Council for the Arts. Among those mentioned to head this group, should it ultimately be established, is Dr. Howard Hanson, president of the Eastman School of Music and director of the Eastman Philharmonia. Such a choice would be eminently suitable. Although Dr. Hanson would be sorely missed in Rochester, he could make a great contribution on the national scene. In directing the philharmonia's successful tour of Europe, Russia, and the Middle East, Howard Hanson has already made a substantial national and international contribution. If the National Advisory Council for the Arts is set up, Mr. Hanson would be an ideal candidate for its leadership.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point an editorial from the Rochester (N.Y.) Democrat and Chronicle.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

NEW HANSON ROLE?

We can think of no other American who would be more ideally qualified to head up the proposed National Advisory Council for the Arts than Dr. Howard Hanson. Now before Congress, the suggested Council would recommend ways to increase the Nation's cultural resources and encourage private initiative in arts. The Rochesterian has been mentioned as a likely candidate for its chairmanship.

Dr. Hanson's plans for retirement as director of the Eastman School of Music have not been made known. The amazing vitality he displayed in the philharmonia's recent arduous concert tour abroad stamps him as a man who looks good for many more years of active work. Filling Dr. Hanson's shoes at the Eastman, whenever it happens, will be a king-sized job.

If the new group materializes and the Rochesterian should be interested, his persistent concern for America's failure to adequately support the arts would make him a happy choice to direct the Council. Dr. Hanson has said that in the creative arts the Nation's sense of values is still at an adolescent level. He wants the Nation to grow up, artistically as well as scientifically. The new Council needs that kind of a leader.

HARVARD STUDY SUGGESTS MILK, BUTTER DO NOT CAUSE HEART DISEASE

Mr. PROXMIRE. Mr. President, a study being conducted jointly between the University of Dublin in Ireland and Harvard University compares data on men residing in Boston with data on their blood brothers residing in Ireland. Diet, weight, exercise, work, and smoking habits are among the items checked.

Preliminary findings from studies of 150 pairs of brothers tend to show that diet might not be as important a factor in determining the blood's cholesterol level as some scientists have believed. The men checked in Ireland on the average consumed 300 more calories a day than their brothers in Boston and ate twice as much butter. Yet those checked in Ireland weighed 15 percent less as a group and had cholesterol levels 10 to 20 percent lower than their American counterparts.

One suspected reason for these results is that the men in Ireland get considerably more exercise and generally lead more tension-free lives. Men in Ireland typically walk several miles a day just to get to work and back home. Few persons own autos.

I call this matter to the attention of the Senate and the country because, partly because of loose talk about an alleged connection between consumption of dairy products and heart disease, there has been a very serious drop in the consumption of dairy products, and to point out the fact that at least this very significant study, conducted by authoritative and objective people, indicates that dairy products do not cause heart disease.

DON SLAYTON, ASTRONAUT

Mr. PROXMIRE. Mr. President, I am sure it was very distressing to a Wisconsin hero who had been chosen an astronaut, Donald Kent Slayton, to be informed yesterday that he would not be the next astronaut in orbit because of a heart condition.

This is a source of very serious regret to this fine young man, who had so earnestly hoped that he would have this opportunity to serve his country, at great risk to his life, of course.

Donald Slayton is a native of Sparta, Wis. Sparta is proud of his record. In grade school, Major Slayton won the top grades in his class. He was a fine student and all around boy in high school as a band member and athlete although he worked hard on his family's farm.

I ask unanimous consent that a biographical sketch of Don Slayton, detailing his later life after he left Wisconsin and recently printed in the Washington Star, be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

DON SLAYTON MADE FLYING HIS THEME

SPARTA, WIS., March 7.—"Don was a determined boy who knew where he was going."

That's how his onetime science instructor remembers Donald Kent Slayton who is scheduled to become his country's second man in orbit next month.

And there are many other recollections of the astronaut by family and friends:

He played a trombone for 4 years in the high school band, and was proud of the uniform; he raised a prize sheep and won a blue ribbon, and sometimes he ran the 5 miles from school to his farm home to keep in shape for the track team; he has 3,600 hours in the air, and he told his mother the wildest ride of his life was in a taxicab taking him from one Chicago airport to another.

FLYING HIS DESIRE

For Don Slayton—he did not become "Deke" until Air Force buddies made a nickname of his initials—the urge for wings came early. The Sparta High School yearbook—"The Spartan," naturally—said of him in his junior year that his theme song was "keep 'em flying."

Walter Pribnow, who was Major Slayton's science instructor and now is superintendent of schools at Appleton, Wis., remembered that during Don's senior year he took a special interest in an aeronautical text.

"We made black airplane models for identification," Mr. Pribnow said. "Don was a determined boy, who knew where he was going."

Major Slayton was born, 38 years ago last week, in the Sparta hospital to Charles Slayton and his second wife, Victoria, both of Norwegian stock, and spent his boyhood on the family farm near the town of Leon.

ON TRACK TEAM

He was graduated from the Leon elementary school at the head of his class and entered the Sparta High School in a class of 180. A new $1.5 million high school, just completed, will be named for him in Sparta if, the board said last week, he approves the move.

In high school, he played trombone for 4 years with the band, and there is a picture of him in the band uniform, looking proud, and a little shy. He was out for the track team all 4 years, and played on the school's Future Farmers of America basketball team for 3 years.

Don, his brother Howard, his sisters Beverly and Verna, and Russ and Lloyd Harris made the 5-mile trip to school daily in a model T Ford the Harris boys bought for $26—borrowed from their father, they recall now—and which served them faithfully the whole period.

But during track season, Don sometimes ran the five miles to improve his wind and legs.

It was with the Future Farmers chapter that he raised the prize Oxford sheep, and after winning classes at the Monroe County Fair in Tomah went on to the State fair. A career on the farm, now operated by his brother, beckoned but could not compete with the lure of the wings.

SERVED IN AIR FORCE

Graduated 16th in his class, he enlisted in the Air Force on his 18th birthday. When he was called to duty, it was the first time he had been away from home for more than a day or two.

The National Aeronautics and Space Administration biography of his Air Force career takes up most of a page: 56 combat missions over Germany, 7 over Japan, time out to win an aeronautical engineering degree at the University of Minnesota, a brief tour as a civilian engineer.

"He quit a good paying job at Boeing," his mother says, "because he was grounded."

Then back into service with the Minnesota Air National Guard and an eventual berth as experimental jet test pilot at Edwards Air Force Base.

"If he had not been accepted as one of the seven astronauts," his mother says, "he might be in a more dangerous job, like testing the X-15."

Full name: Donald Kent Slayton.

Claim to fame: Scheduled to be America's second man in orbit.

Home: Sparta, Wis.

Birthday: March 1, 1924.

Education: Sparta High School; degree in aeronautical engineering, University of Minnesota, 1949.

Jobs: Aviation cadet, 1942. During World War II, flew 56 combat missions in Europe and 7 over Japan. Aeronautical engineer with Boeing Aircraft Co. after war until recalled to active duty in 1951. After various assignments became test pilot for Air Force.

Family: Wife, Marjorie Lunney Slayton, and son, Kent, 4. Parents, Mr. and Mrs. Charles S. Slayton of Sparta, Wis.

Hobbies: Hunting, fishing, shooting, archery, and skiing.

Mr. MANSFIELD subsequently said: Mr. President, will the Senator from Wisconsin yield?

Mr. PROXMIRE. I yield.

Mr. MANSFIELD. I had to leave the Chamber while the distinguished Senator from Wisconsin was discussing the withdrawal of a citizen of his State, Major Slayton, from the astronautical seven. I fully agree with his statement that it is unfortunate that this withdrawal has become necessary. I am certain that Major Slayton is just as sorry as he can be. Certainly he gave of his all and is entitled to high commendation and congratulations for his effort and desire to share in the great venture into the outer oceans. I know the Senator from Wisconsin spoke for all of us when he uttered the words he has already spoken this morning. I know that we are all happy that the Major will continue to contribute his abilities to the success of our space effort.

Mr. PROXMIRE. I thank the Senator from Montana for his statement. I ask unanimous consent that his statement follow the statement I made earlier on this subject.

It is a source of deep regret that Major Slayton will not be considered for the next orbital flight. He is an outstanding scholar and a great soldier. He has a magnificent war record. He is a daring test pilot—not only a daring test pilot, but an extremely able test pilot, and he is a man who has done his very best to make the flights of Astronauts Shepard and Grissom, as well as Colonel Glenn, possible. He has played a most important role in connection with those flights. I hope Major Slayton will be able to continue to assist in the space program. I am sure he has much to offer to it.

As I have said before, Wisconsin is mighty proud of "Deke" Slayton.

Mr. MANSFIELD. And we all wish him the very best of success in the years ahead.

Mr. PROXMIRE. I thank the majority leader. I am sure Major Slayton will be grateful for those comments.

PRESIDENT KENNEDY'S BROAD CONSUMER AID PROGRAM

Mr. PROXMIRE. Mr. President, yesterday I was delighted to learn that President Kennedy has proposed something which I have long advocated—a full, broad program to aid the consumer. The essence of the program is that the consumer has a right to be protected, to be informed, to be able to choose freely and effectively, and to be heard. I think this is a very promising effort on the part of the President of the United States. The rights of the consumer were very well summed up in an article entitled "Kennedy Submits a Broad Program To Aid Consumer," written by Joseph A. Loftus, and published in the New York Times of March 15. I quote, in part, from the article:

If all the proposals were enacted and enforced, the average consumer would be able to:

Buy pills or corn plasters and be assured that they were not only safe but would also do all that their makers said they would.

Pay less for medicines by asking for a drug under a simple, common name.

Buy lipstick and face powder without fear of poisoning or skin burns.

Buy meat without concern for its purity, even if it had not traveled in interstate commerce.

Buy a house, an automobile, or a washing machine on the installment plan and know exactly how much it would cost him in the end, above the cash price—

In other words, to know what the interest charge was—

Borrow $100 or more and know the exact rate and amount of interest.

Buy a television set that could tune in a potential total of 82 channels instead of the commonly used 12.

Mr. President, I hope Congress will give the President's consumer program most earnest consideration. Certainly it is in the public interest. The difficulty with this kind of program is that by its very nature special private interest will assail and attack it and few if any will fight for it, it will not receive the direct support it needs unless somehow Americans can be persuaded to realize that all of us are consumers.

THE B-70 BOMBER AND RS-70 RECONNAISSANCE-STRIKE PROGRAMS

Mr. PROXMIRE. Mr. President, the Secretary of Defense, Robert S. McNamara, has made public an extremely important statement concerning the B-70 bomber and the RS-70 reconnaissance-strike programs. He has opposed going ahead in the ambitious way that many Members of Congress feel the Air Force should be allowed to proceed with the B-70 program.

The Secretary of Defense has set forth an extremely cogent and very persuasive series of arguments. He has pointed out that the B-70 program, which was considered last year, is inadvisable for many reasons. Let me list some of them: First:

A careful study of the earlier B-70 proposal led to the conclusion that it was really no more than a manned missile. Indeed, a book about it was published under just such a title. The old B-70 system offered none of the advantages of flexibility generally attributed to manned bombers. It could not look for new targets nor find and attack mobile targets or targets of uncertain location. It offered no option but preplanned attack against previously known targets—a mission that can be effectively performed by missiles.

Second:

Moreover, the B-70 had important disadvantages when compared with ballistic missiles. It would have been vulnerable on the ground to surprise missile attack. It would not have been hardened and dispersed like Minuteman, or continuously mobile and concealed like Polaris. Rather, it would have had to depend on warning and ground-alert response—a method of production far less reliable, in an era where large numbers of missiles exist, than hardening and dispersal or continuous peacetime mobility.

Third:

Further, the B-70 is far less suitable than the B-52 for airborne-alert measures.

Fourth:

Moreover, the B-70 was poorly designed from the point of view of penetration of enemy defenses. The B-70 would present a very large radar cross section, and the higher it flew the earlier it could be picked up by radar.

Fifth:

Furthermore, the B-70 had not been designed for the use of air-to-surface missiles such as Hound Dog or Skybolt, and therefore could not attack while standing off several hundred miles, but would actually have had to fly into the target area to drop its bombs. Finally, the B-70 would have been an extremely expensive aircraft, particularly so in relation to its capability in the straight bomber version.

Mr. President, the B-70 has been revised, modified, and changed to be used primarily as a reconnaissance-strike plane. Secretary McNamara presents some very persuasive arguments against proceeding in such an extremely expensive way at this time with the new reconnaissance-strike RS-70. He points out that while the RS-70 is an improvement over the B-70, nevertheless a number of the materials and refinements which have been developed, have not been proven, and he points out that some of the key elements may well lie beyond what can be done on the basis of present scientific knowledge.

The Secretary shows, in a series of well-documented paragraphs, how very difficult it would be to assure the country that this plane could be operative in 1970, let alone in 1967.

I quote further from the statement:

SYSTEM IS COMPLICATED

The RS-70 would introduce in addition, another new set of subsystems, including reconnaissance sensors, processing systems, display systems, communication systems, all requiring human interpretation and decision within very short times, and air-to-surface missiles. Many of these new subsystems, it should be recognized, have yet to be developed. Indeed, our technical review of this proposal, to date, indicates that some of the key elements may well lie beyond what can be done on the basis of present scientific knowledge.

The most attractive aspect of the RS-70 is its proposed reconnaissance-strike capability in a postattack environment. This capability would require, first, the development of an extremely high resolution radar system—a system which, in combination with an operator could recognize targets from an altitude of 70,000 feet and out to a considerable distance. To appreciate what this involves, consider the fact that to separate visually two points in an area as large as this radar is supposed to observe would require a screen 15 feet by 15 feet to present a television-quality picture. This example is given only to illustrate the problem of display and is not, of course, a solution which anyone would consider.

At the present time we do not know how to specify a system which can gather, process and display the data at the rates and with

the resolution necessary for the RS–70 mission, which involves firing a missile from an aircraft flying at 30 miles a minute before it moves out of missile range. To achieve the capability which would be required to "recognize" or to analyze damage on some important types of targets is beyond any known technique.

Picture the RS–70 flying at 70,000 feet, and moving at 2,000 miles per hour. The proposed mission would required the gathering of radar reconnaissance data on the presence of new targets—or known targets which may not have been destroyed or neutralized, and the prompt processing and analysis of these data in flight. The proposed radar, moving with the aircraft at 2,000 miles per hour, would be seeing new area at the rate of 100,000 square miles per hour or 750 million square feet per second. We cannot state today with any assurance that satisfactory equipment to perform this processing and display function in an RS–70 can be made operational by 1970, let alone by 1967, on the basis of any known technology, or whether the human interpretation job required of the operator can ever be done.

The Air Force proposal would also require the development of new air-launched strike missiles. For use against hard targets, these missiles, because of their limited size and warhead yields, would have to be far more accurate than any strategic air-launched missile now in production or development.

The RS–70 will involve operative problems far more difficult than that of the B–52.

I shall place the entire statement in the RECORD, and I hope Senators who favor the development of the B–70 on the basis that it has been championed so ably in the House will consider the objections that have been raised by the Secretary. I think this kind of debate will be crucial for the Senate, as we come to an informed conclusion about how we should act on this very expensive but extremely important plan.

Mr. President, I ask unanimous consent that the text of Secretary McNamara's statement on the B–70 bombers be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

TEXT OF MCNAMARA'S STATEMENT ON THE B–70 BOMBERS

WASHINGTON, March 15.—Because of the great congressional and public interest in the B–70 bomber and RS–70 reconnaissance strike programs, I have within the last week furnished to interested Members of the Congress our latest analyses of these two aircraft. In line with our policy to keep our citizens informed on major defense issues, I believe as much of this information as security considerations permit should also be made available to the general public.

The B–70, in its long-range bomber configuration, has been a matter of intense controversy for a number of years. In reviewing the history of this project, I was impressed by the fact that the B–70 never enjoyed the full support of the President and his Scientific Advisory Committee, the Secretary of Defense and his principal civilian advisers, or the Joint Chiefs of Staff as a corporate body. In fact, the only consistent supporter of this program was the Air Force itself. The secretaries and chiefs of the other services, whether under this administration or the previous administration, never supported the B–70 for full weapon-system development or procurement and, indeed, many vigorously opposed it. So it is a matter of record that the B–70 has long been considered a very doubtful proposition, with the weight of competent scientific, technical, and military opinion against it for many years.

Nevertheless, I approached the B–70 problem with a completely open mind and without any preconceptions one way or the other. I carefully studied not only all the arguments pro and con but also the specific facts and figures upon which these arguments were based. I was particularly concerned, for example, with the cost and effectiveness of other ways of doing the job proposed for the B–70. And, I would like to emphasize at this point that, in selecting a weapon system to accomplish a particular military task, we are dealing not with absolutes but with comparatives. We must always take into account not only the planned capabilities of the proposed weapon system but also its full cost in comparison to the cost and effectiveness of other weapon systems which can do the same job, perhaps in somewhat different ways. I believe we can all agree that the common objective of both the legislative and the executive branches of our Government is to provide all of the forces we need for our security at the lowest possible overall cost.

ONLY A MANNED MISSILE

A careful study of the earlier B–70 proposal led to the conclusion that it was really no more than a manned missile. Indeed, a book about it was published under just such a title. The old B–70 system offered none of the advantages of flexibility generally attributed to manned bombers. It could not look for new targets nor find and attack mobile targets or targets of uncertain location. It offered no option but preplanned attack against previously known targets—a mission that can be effectively performed by missiles.

Moreover, the B–70 had important disadvantages when compared with ballistic missiles. It would have been vulnerable on the ground to surprise missile attack. It would not have been hardened and dispersed like Minuteman, or continuously mobile and concealed like Polaris. Rather, it would have had to depend on warning and ground alert response—a method of production far less reliable, in an era where large numbers of missiles exist, than hardening and dispersal or continuous peacetime mobility.

In answer to this it was argued that the B–70, like other manned bombers, could be launched subject to positive control on the basis of ambiguous warning—a property not possessed by missiles. But the important point here is not that bombers can be launched under positive control in response to warning; rather it is that they have to be launched under positive control in response to warning; rather it is that they have to be launched on the basis of warning because they are vulnerable and cannot ride out an attack. We don't care whether or not Polaris missiles, for example, can be launched subject to positive control because we are under no great compulsion to launch them until we are ready to make the final decision to destroy their targets.

Further, the B–70 is far less suitable than the B–52 for airborne alert measures. And attempts to maintain it on the ground in a widely dispersed posture and at a very high level of alert would have entailed all kinds of difficult and costly operating problems, problems that have effectively prevented the Air Force from operating any other of its bombers in this way.

CALLED POORLY DESIGNED

Moreover, the B–70 was poorly designed from the point of view of penetration of enemy defenses. The B–70 would present a very large radar cross section and the higher it flew the earlier it could be picked up by radar.

Furthermore, the B–70 had not been designed for the use of air-to-surface missiles such as Hound Dog or Skybolt, and therefore could not attack while standing off several hundred miles, but would actually have had to fly into the target area to drop its bombs. Finally, the B–70 would have been an extremely expensive aircraft, particularly so in relation to its capability in the straight bomber version.

So, it is not surprising that previous Secretaries of Defense and the previous President have had very grave doubts as to the desirability of this particular weapon system. Even the Air Force is now no longer proposing the B–70 in a bomber configuration, implicitly admitting the correctness of many of these reasons.

What the Air Force is currently proposing and has presented to the congressional committees is a new and quite different version of the B–70; namely, a reconnaissance-strike aircraft involving novel components and equipment. While this RS–70, if feasible, would be of considerably greater value to our overall strategic power than the B–70, it would still suffer from some of the same shortcomings, including very high costs; and, in addition, would introduce entirely new problems which we have yet to explore fully.

The B–70, as it was formerly envisaged, was already a more technically complex vehicle than any of the ICBM's we are now developing. Because of its great speed, it required a mass of electronic components for bombing-navigation, for communications and for controlling the environment within the aircraft. In contrast to an ICBM, these subsystems must operate with very high levels of reliability for periods of hours rather than minutes.

SYSTEM IS COMPLICATED

The RS–70 would introduce, in addition, another new set of subsystems, including reconnaissance sensors, processing systems, display systems, communication systems, all requiring human interpretation and decision within very short times, and air-to-surface missiles. Many of these new subsystems, it should be recognized, have yet to be developed. Indeed, our technical review of this proposal, to date, indicates that some of the key elements may well lie beyond what can be done on the basis of present scientific knowledge.

The most attractive aspect of the RS–70 is its proposed reconnaissance-strike capability in a postattack environment. This capability would require, first, the development of an extremely high resolution radar system—a system which, in a combination with an operator, could "recognize" targets from an altitude of 70,000 feet and out to a considerable distance. To appreciate what this involves, consider the fact that to separate visually two points in an area as large as this radar is supposed to observe would require a screen 15 feet by 15 feet to present a television-quality picture. This example is given only to illustrate the problem of display and is not, of course, a solution which anyone would consider.

At the present time we do not know how to specify a system which can gather, process, and display the data at the rates and with the resolution necessary for the RS–70 mission, which involves firing a missile from an aircraft flying at 30 miles a minute before it moves out of missile range. To achieve the capability which would be required to "recognize" or to analyze damage on some important types of targets is beyond any known technique.

Let me try to illustrate the severity of this problem. Picture the RS–70 flying at 70,000 feet and moving at 2,000 miles per hour. The proposed mission would require the gathering of radar reconnaissance data on the presence of new targets—or known targets which may not have been destroyed or neutralized—and the prompt processing and analysis of these data in flight. The proposed radar, moving with the aircraft at 2,000 miles per hour, would be seeing new

area at the rate of 100,000 square miles per hour or 750 million square feet per second. We cannot state today with any assurance that satisfactory equipment to perform this processing and display function in an RS-70 can be made operational by 1970, let alone by 1967, on the basis of any known technology, or whether the human interpretation job required of the operator can ever be done.

TECHNICAL PROBLEMS

Thus, it is clear that there are many very difficult technical problems yet to be solved—and, indeed, yet to be fully understood—before we can have any reasonable expectation that the reconnaissance capability required by the RS-70 can actually be developed and produced within the 1967-70 time period. We have started work on these problems and over $50 million has been separately provided for this purpose in the 1963 budget, but we are 2 or more years away from even a flight test of the reconnaissance subsystems in a form from which operational specifications can be drawn, let alone blueprints for the production of hardware.

The RS-70, as proposed by the Air Force, is also to have the capability of transmitting to home base, processed radar data on important target areas. This capability, if obtainable, would be useful in retargeting followup strikes by other manned bombers or by ICBM's. However, the assured rate of transmission over intercontinental ranges in a wartime environment would be only a minute fraction of the rate at which the data are being acquired and processed by the RS-70 radar.

The Air Force proposal would also require the development of new air-launched strike missiles. For use against hard targets, these missiles, because of their limited size and warhead yields, would have to be far more accurate than any strategic air-launched missile now in production or development. This requirement would entail yet another set of problems.

Finally, the deployment of the RS-70 will involve operating problems far more difficult than that of the B-52.

Although the Air Force has not yet stated the ultimate size of the RS-70 force, a force of about 200 B-70's was proposed at one time. Considering the capabilities the Air Force specifies for this aircraft, we can assume that a smaller number, say 150, would suffice. The Air Force estimates that the first wing of 45 RS-70 aircraft would cost $5 billion. A force of about 150 would probably cost in excess of $10 billion—excluding the cost of the tankers and the annual operating costs.

I think it is clear from the foregoing that:

1. The RS-70, as proposed by the Air Force, is very far from being ready for production or even full weapon-system development. The new subsystems which could provide the RS-70 with its damage assessment capability have been started in development, but we are not sure now that we know how to develop successfully the extremely high data rate, sharp resolution radar system required. Our best estimates now are that we could not have such a system early enough to produce an operational RS-70 force capable of useful reconnaissance strike before 1970.

2. The RS-70, without these subsystems, would be nothing more than a B-70, the production of which it is now agreed would not be warranted.

3. Until we know much more about the proposed system—its technical feasibility, its military effectiveness, and its cost—we have no rational basis for committing this aircraft to weapon-system development or production.

But regardless of whether or not the RS-70 will be ready for production or can be produced substantially as the Air Force describes it, the question still remains: Would the program be worth its cost? This question can be answered only in terms of the total job to be done and the various alternative ways of doing it in relation to their respective costs.

The 1963 and prior year budgets provide for over 1,000 Atlas, Titan, and Minuteman intercontinental ballistic missiles, plus 41 submarines with over 650 Polaris missiles, plus more than 700 B-52 and B-58 bombers. By 1967 the alert portion of the force alone will have three times the destruction capability of the alert force we had last June.

DESTRUCTION CAPABILITY

Now, how large a part of the enemy target system could this force be expected to destroy after absorbing an enemy surprise attack? As I pointed out in my statements to the Congress in January, this calculation involves a number of factors of which the following are the most important:

1. The number of warheads that each type of vehicle can deliver.

2. The proportion of each weapon system expected to survive the initial all-out nuclear attack—the survival rate.

3. The degree of reliability of each system, i.e., the proportion of the ready operational inventory that we can count on getting off successfully within the prescribed time—the reliability rate.

4. The ability of each type of vehicle to penetrate the enemy's defenses—the penetration rate.

5. The warhead yield and degree of accuracy that can be expected of each weapon system.

Utilizing these factors and applying to them values which, on the whole, are thought to be quite conservative, we calculate that the strategic retaliatory forces programed through 1967 could achieve practically complete destruction of the enemy target system—even after absorbing an initial nuclear attack. The addition of a force of either 200 B-70's, which was proposed last year by the Air Force, or the 150 RS-70's now being considered, either of which would cost about $10 billion, would not appreciably change this result.

While calculations of this sort are useful for estimating the adequacy of our programed forces under extreme conditions, it should be pointed out that these forces may not necessarily be used in this manner. Indeed, we are implementing command and control processes at all levels of authority to insure that our response can be graded by degree, by geographical and political area and by target type as would be appropriate to the type and extent of an enemy attack.

With regard to the wartime reconnaissance capabilities of the RS-70, we have other means of performing that function and with any adequate high-processing-rate radar system which may be developed, the B-52's and B-58's could have a considerable reconnaissance and bomb damage assessment capability incident to their principal mission. We think that the B-52's and B-58's, arriving after our missiles have suppressed the enemy's air defense, could penetrate as well or almost as well, as the RS-70.

A decision by the Soviet Union to produce and deploy an anti-ICBM system could not significantly change this overall picture, and in any event would be no less effective against the RS-70 and its missiles. To insure that our missiles can reach their targets even then, we have included a substantial sum in the 1963 budget for a "penetration aid program." We also have the option of increasing the Minuteman program for which extra production capacity has already been provided.

It is clear, therefore, that the RS-70 program, as we see it now, would not add significantly to our strategic retaliatory capability in the period after 1967. Interestingly enough, at the very time the Air Force is urging the production of another aircraft system on the grounds that nuclear-armed missiles are not dependable, one theater commander is requesting the production of a new nuclear-armed missile to replace his aircraft which he says are too vulnerable in a nuclear war environment. And, while the Air Force, in pressing its case for a new bomber, has questioned the dependability of nuclear-armed missiles, it is at the same time urging an aircraft (the RS-70) which itself depends for its strike capability on highly sophisticated nuclear-armed missiles.

While I am fully convinced that it is entirely premature to make any kind of commitment to weapon-system development or production of the RS-70 in fiscal year 1963, I am not prepared to preclude such a commitment at a later date. By continuing our XB-70 program of three prototype aircraft at the cost of $1,300 million and by proceeding with the exploratory development of the key subsystems of the proposed RS-70 for which funds have been included in the 1963 budget, we will have open to us the option of producing and deploying an RS-70 system at a later time if the need for such a system should become apparent. Since the key subsystems have yet to be developed, delaying the decision for 1 year would not postpone the real operational readiness of the first wing at all.

I have just recently reviewed this entire problem with the Joint Chiefs of Staff and again, except for the Chief of Staff of the Air Force, they all support the B-70 development program recommended by President Kennedy.

PRIVILEGES AND RESPONSIBILITIES OF OUR AMERICAN LEGACY

Mr. ERVIN. Mr. President, a high school student from Durham, N.C., Miss Margaret Walker, has beautifully expressed the privileges and responsibilities of our American legacy in a prize-winning essay, "What Freedom Means to Me." Sponsored by the Henry Seeman Post, Veterans of Foreign Wars, the essay won over many other fine entries because of Miss Walker's insight into our fundamental freedoms and the eloquence with which she expressed herself.

I ask unanimous consent that her excellent essay be printed in the body of the RECORD.

There being no objection, the essay was ordered to be printed in the RECORD, as follows:

WHAT FREEDOM MEANS TO ME

(By Margaret Walker)

Freedom has many faces. To some it may mean freedom from hunger, or freedom from slavery and oppression; to others it may mean freedom to choose one's religion or vocation. We Americans enjoy all these liberties and many more; but, it seems to me that our most valuable and important right is freedom of speech.

Since its very beginning, the U.S. Government has assured the right of every individual to speak according to his beliefs. Our forefathers knew that freedom of speech is the cornerstone of democracy. They realized that without free speech all other liberties would vanish.

Our world today is radically different from the world of our forefathers. Freedom of expression is even more vital to our way of life now than it was 200 years ago.

We live in the age of mass communication. With books and newspapers, radio and television, we have the means to spread throughout the world all conceivable ideas and doctrines. The freedom to hear and

read what one pleases has become as important as the freedom to speak and write. In a California newspaper office hangs the motto, "Your right to know is the key to all your liberties."

Unfortunately there are countries where newspapers are suppressed at the whim of the ruling powers—where radios are silent unless they parrot prescribed propaganda—where books are banned and critics exiled. I wonder what freedom means to citizens of those countries.

The U.S. Government does not fear ideological opposition from well-informed citizens. We know that progress is fostered when a government encourages the free circulation of all beliefs in all areas of knowledge and human relations. An American can read "Mein Kampf" at any public library. The U.S. Post Office has delivered the Daily Worker to any subscriber's door.

As 20th century Americans we all enjoy this freedom of man's mind, but what have you and I done to deserve it? I did not fight a revolution for it. I did not escape from an iron-curtain country to gain it. I did not help write the Constitution that assures it. Some have achieved the blessing of freedom; but many of us have accepted it as our birthright.

Now that this incomparable heritage of freedom is ours, however, it is not enough merely to be thankful for it. We must be constantly vigilant that this freedom is denied to none of our citizens, regardless of race, color, creed, or political inclination.

We must exercise not only our right to speak and write our convictions, but also our freedom to hear and read what others think. By keeping an open mind we can exchange our wrong ideas for better ones and strengthen our right convictions by contrasting them with poorer ones. We owe this to our country. It is our duty also to speak out when we disagree with an action of our Government. When we do so, we are not weakening the country; we are strengthening its foundation of liberty.

To me freedom is not just a glorious opportunity to exercise my rights to the fullest extent. It is a binding charge to broaden and preserve for the future. Freedom is not a gift from our forefathers; it is a loan to be paid in full with interest to the next generation.

COST TO UNITED STATES OF PURCHASING U.N. BONDS

Mr. AIKEN. Mr. President, yesterday the Senator from Alabama [Mr. SPARKMAN] inserted tables purporting to show that the purchase of $100 million of U.N. bonds would cost the United States only $54.1 million over the 25-year life of the bonds.

These tables are shown on page 4228 of the CONGRESSIONAL RECORD of yesterday.

These tables, Mr. President, represents more of the weird thinking of our State Department.

The Department simply assumes that the money used to purchase bonds will not cost the United States any interest over the next 25 years because, as they say, it will all be paid for by taxes and not borrowing.

In other words, the administration will take the tax money which would normally be used to pay for such functions of Government as health programs, and payment of Government employees, to buy bonds and then borrow money with which to replace it.

Therefore, the money used to buy U.N. bonds would be interest free.

I am surprised, with the mathematical geniuses they have in the State Department, that they did not sharpen their pencils and find ways to give all agencies interest-free money with which to carry on their business.

This fantastic reasoning would be ludicrous if it were not dangerous.

Coincidentally, the President signed the bill raising the debt ceiling of the United States to $300 billion about the same time that the State Department found a way to get free money for the purchase of U.N. bonds.

I ask unanimous consent to have inserted in the RECORD at this point a table showing the actual cost to the United States should we approve the purchase of $100 million of U.N. bonds.

Mr. President, this table is correct.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

U.S. receipts and disbursements on purchase of ⅓ of $200 million bond issue of the United Nations

	In	Out
Original U.S. subscription		$100,000,000
3.9 percent interest on U.S. borrowing		54,740,400
32 percent of U.N. interest costs		17,966,080
22 percent of U.N. principal repayments		64,000,000
2 percent U.N. interest payments to United States	$28,072,000	
U.N. repayment of principal to United States	100,000,000	
Total	128,072,000	236,706,480
Net U.S. cost		108,634,480

MEDICAL CARE FOR THE ELDERLY

Mr. ANDERSON. Mr. President, in his press conference this week, President Kennedy made it quite clear that he is going to campaign vigorously for the administration's health care for the aged bill. As this campaign progresses, I am quite confident that the need for financing such care through the social security system will be made clear to the American people. This will not be an easy task in many cases because the organized opposition has had years in which to practice sloganeering and deception aimed at convincing the public that a Government-sponsored program of health security for the aged would destroy the private practice of medicine in this country and lead to inferior medical care.

As the Washington Post commented this morning, "a lot of sand has already been thrown" into the eyes of the people by the opposition.

I ask unanimous consent that the editorial containing this comment be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

CALL TO BATTLE

At his news conference on Wednesday, President Kennedy flung down a gauntlet. He indicated plainly that his administration would make an all-out effort to bring medical care for the elderly to a vote in both Houses of Congress during the current session. This is immensely heartening news for all who believe, as this newspaper does, that the country greatly needs a program which will give assured medical care as a matter of earned right to all senior citizens and that such a program can best be organized and financed through the social security system.

Evidently the President means to take his case, as he must, to the American people. He is going to speak next Tuesday at a major rally in Madison Square Garden designed to mobilize enthusiasm for the health care program. He will have an opportunity then to tell the public why the program is needed, why the logical way to finance it is through social security taxation and why this way is as thoroughly consistent with American political and economic principles as any other aspect of social security—or as any other public welfare program.

There is a most pressing need for the President to explain this to the people. For a lot of sand has already been thrown into their eyes. They are being told, through a highly organized publicity campaign, that while it may be all right to provide aid to dependent children and aid to the blind and aid to the unemployed through social security, it would be "socialistic" to provide medical care for the elderly through the same mechanism. They are being told that while the doctor-patient relationship will be unaffected by participation in a privately financed insurance scheme to pay for medical care, the right of a patient to choose his own doctor will somehow be taken away and medicine will be "socialized" if the financing is done through a public agency. They are being told that it is somehow more virtuous and more "American" to rely on the charity of physicians for medical care in old age than to save up during one's working years in order to pay one's own way.

The President is going to have a first-class fight on his hands to get his medical care program enacted into law. The American Medical Association has already launched a kind of religious crusade against it. The National Association of Manufacturers has announced its undying opposition. We believe the President can win this fight—and that if he does so he will at once enhance his own political stature and invaluably promote the general welfare. But to do it he will have to make the White House what Teddy Roosevelt once called it—a bully pulpit—and he will have to treat the Presidency as a position of moral leadership.

THE ALEXANDER HAMILTON NATIONAL MONUMENT — AMENDMENT TO THE CONSTITUTION DEALING WITH POLL TAXES

The Senate resumed the consideration of the motion of the Senator from Montana [Mr. MANSFIELD] to proceed to the consideration of the joint resolution (S.J. Res. 29) providing for the establishing of the former dwelling house of Alexander Hamilton as a national monument.

Mr. STENNIS. Madam President, if there are no other matters in the morning hour, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. HOLLAND. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. NEUBERGER in the chair). Without objection, it is so ordered.

The question is on agreeing to the motion of the Senator from Montana to proceed to the consideration of Senate Joint Resolution 29. Under the order

previously entered, the Senator from Mississippi [Mr. EASTLAND] is recognized.

Mr. EASTLAND. Madam President, the Senator from Mississippi does not believe in meddling in the affairs of the sovereign States. I think it is wrong. I think the States have the power and the right, and it is their duty, to handle their own affairs.

However, if the Senate is determined to meddle in the affairs of my State and other States on the question of the poll tax, it is my judgment that we should go into all phases of that question. If the Senate is determined to adopt such an amendment, then at the proper time the distinguished Senator from Alabama [Mr. HILL] and I shall offer an amendment to the joint resolution which would prohibit the requirement of the payment of a poll tax to operate a motor vehicle on the public highways.

I think the people of the great States of Maine and Vermont should be rescued from such a condition, if Congress proposes to meddle in the affairs of the States.

Today, under the statutes of Maine and the statutes of Vermont, before a person can secure a license to operate a motor vehicle, he must pay a poll tax. Our plan is much more pertinent to those States, because in Maine and Vermont the U.S. Government contributes up to 90 percent of the cost of the construction of highways. Those highways are open to everyone. They are for public use. Yet those States provide that a motor vehicle may not be operated unless the driver has paid a poll tax.

Madam President, at this time I shall read from one of the statutes of the State of Maine—from chapter 91, section 2, entitled "Poll Tax":

SEC. 2. Poll tax.—A poll tax of $3 shall be assessed upon every male resident of the State between the ages of 21 and 70 years, whether a citizen of the United States or an alien, in the place where he resides on the first day of each April, unless he is exempted therefrom by this chapter. No person shall be considered a resident of a place merely on account of being present there as a student in an educational institution (1955, ch. 399, sec. 1. 1961, ch. 59, sec. 1)

In the same chapter, section 61 of the code of the State of Maine, provides:

SEC. 61. Licenses issued when poll tax paid.—No person required by law to pay a poll tax in this State shall be granted a license to operate a motor vehicle until he shall present a receipt or certificate that he has paid his poll tax in the town where he resided or written evidence from the taxing authority of that town that he was legally exempted therefrom or that the tax has been abated. Licenses issued from January 1 through August 31 shall require evidence of the payment of the previous year's poll tax—

And, Madam President, that is the same thing that was brought out yesterday about the State of Alabama—

and licenses issued from September 1 through December 31 shall require evidence of the payment of the current year's poll tax (R.S. ch. 19, sec. 49, 1957, ch. 121, sec. 2, 1959, ch. 84).

Madam President, I read now from one of the statutes of the great State of Vermont—from title 32, subchapter 1, section 3601, which provides:

SEC. 3601. Polls.—Except as provided in section 3801 of this title, listers shall set the polls of all inhabitants of the State, citizens and aliens, over 21 and under 70 years of age, in the grand list of the town wherein such inhabitants reside on April 1 in each year, at $1 each. The provisions of this section shall control in all cases and any provisions in a city charter providing otherwise are hereby repealed.

And in section 604 we find the following:

SEC. 604. Suspension of license for nonpayment of poll taxes.—No person shall be eligible to obtain a license to operate motor vehicles until certification is made on the application for such license that all taxes assessed as poll taxes, for which he is liable have been paid.

That means, Madam President, that they can make a person pay his back poll taxes, extending back for years, before he will be allowed to operate a motor vehicle on a public highway in that State. For instance, a workingman or a farmer, whose only recreation is to take his family for a ride in his car on a Sunday afternoon, is told by the State that he cannot do that unless he pays his poll tax, even though the Federal Government puts up 90 percent of the cost of the Federal-aid highways in that State.

Madam President, I hate to meddle in the affairs of other States; but if the Senate is determined to pass this measure, then I think the amendment which will be offered by the distinguished senior Senator from Alabama [Mr. HILL] and the senior Senator from Mississippi is certainly pertinent, and there is more ground for collecting a poll tax within a State, as a requirement for voting, than there is to collect a poll tax in connection with a public highway which has been built largely with the use of funds provided by the U.S. Government.

Mr. HILL. Madam President, will the Senator from Mississippi yield?

Mr. EASTLAND. I yield.

Mr. HILL. As the distinguished Senator from Mississippi well knows, on yesterday I occupied the floor of the Senate for some hours, and during that time expressed my unalterable opposition to having the Federal Government interfere with or in any way meddle with the affairs of the States in connection with the matter of the poll tax or any other matter of domestic concern to the people of the States. But surely, as the Senator from Mississippi has said, if the Federal Government is to interfere with and meddle with and use its powers of coercion with reference to the poll taxes in Alabama, Mississippi, Virginia, Arkansas, and Texas, then it is logical, is it not, and opens the door, does it not, and invites the same interference in these matters in the States of Maine and Vermont?

Mr. EASTLAND. Of course it does. In fact, it is even more so, because the United States puts up most of the money for the construction of the principal highways.

Mr. HILL. Is it not also true that in connection with interstate highways going through the States of Maine and Vermont, the U.S. Government puts up 90 percent of the cost of those highways?

Mr. EASTLAND. That is correct.

Mr. HILL. And, as the Senator from Mississippi has pointed out in connection with the Maine statute and the Vermont statute, if a citizen of one of those States does not pay his poll tax, he not only cannot drive his automobile, but he cannot even drive his car if he wishes to leave the State, if he sees fit to leave it. Is that correct?

Mr. EASTLAND. That is correct. One who does not pay his poll tax can move out of Alabama or out of Mississippi; but one who does not pay his poll tax cannot even move out of either Maine or Vermont with his family.

Mr. HILL. So, so far as Maine and Vermont are concerned, such a person is absolutely a captive there; he cannot drive in his car out of either of those States, if he does not pay his poll tax, and if he is a citizen of one of those States. Is that correct?

Mr. EASTLAND. Yes, the Senator from Alabama is entirely correct, as he usually is.

Mr. HILL. And if such a person remains in either the State of Maine or the State of Vermont, he cannot drive his car to business or to church or to take his children to school or to seek recreation or to visit his friends or to go to the hospital. Is that correct?

Mr. EASTLAND. It certainly is correct.

Madam President, what is the principal recreation of the average farmer? It is to take his family for an automobile ride on the public highways on Sunday, is it not?

Mr. HILL. That is correct. Furthermore, most of those of whom the Senator from Mississippi is speaking are God-fearing people who on Sunday wish to go with their families to church.

Mr. EASTLAND. That is correct.

Mr. HILL. But unless such a person has paid his poll tax, if he lives in Vermont or Maine he cannot drive his family to church.

Mr. EASTLAND. That is correct. In fact, if a resident of one of those States found that his wife was dying, he could not take her in his automobile to a hospital, unless he had previously paid his poll tax.

So, Madam President, if Senators wish to meddle in the affairs of other States, I think they should go all the way in this connection.

Mr. HILL. And if Senators wish to meddle in the affairs of other States, it follows logically that the Federal Government will take from these States these rights, which they have enjoyed since long before they entered the Federal Union.

Mr. EASTLAND. Of course the Senator from Alabama is eminently correct; and that is a field in which legislation will lie, because a limitation on an appropriation bill could force a State which received such Federal funds to repeal the poll tax; and in those instances it would not be necessary to amend the Constitution.

Mr. HILL. Yes, the 90 percent of the cost of the Federal highways in those States, which today is being paid by the

Federal Government, could be entirely cut off, and no longer would those funds go to those States from the Federal Treasury. Is that correct?

Mr. EASTLAND. It certainly is.

Madam President, I should like to read further from the Vermont statute:

Such certification shall be made under the penalties provided in section 202 of this title. The collector of taxes of any municipality, school district or fire district may, after such taxes become delinquent, submit to the commissioner a typewritten list containing the full name in alphabetical order of surnames and the address of delinquent taxpayers with a request to insert opposite each name on such list the operator's number, if any appears on record. Upon return of such list each such collector of taxes shall, if an operator's license appears of record, submit on forms to be furnished by the commissioner, a request for the suspension of the operator's license of a delinquent taxpayer, furnishing such commissioner with the full name, address and operator license number of the person to be suspended and the reason for the request. The commissioner shall, provided such tax collector certifies in writing that to the best of his knowledge and belief such taxes are unpaid and that a demand for such taxes has been made in person or in writing and that the taxpayer or person liable for payment of the tax neglects and refuses to pay same, suspend the operator's license of such person and shall not reinstate or reissue another license to such person until notified in writing by the collector that such person is no longer delinquent in the payment of such taxes. A collector of taxes shall immediately notify the commissioner, in writing, when payment of such delinquent taxes has been made.

That means they could go back 20 years or 30 years. It means that persons can be disqualified from using the public highways of those two great States.

I do not believe in meddling in the affairs of the great States of Maine and Vermont, but if we are going into this question we should certainly rescue their people and give them adequate access to the highways for which the Federal Government puts up most of the money to maintain.

The distinguished Senator from Alabama and I, if the Senate is so determined, give notice that, at the proper time, we will offer an amendment to this measure.

Madam President, I ask unanimous consent to yield certain time to the distinguished senior Senator from Florida [Mr. HOLLAND] the distinguished Senator from New York [Mr. KEATING] and the distinguished Senator from Vermont [Mr. AIKEN], with the understanding that I do not lose my right to the floor, and with the further understanding that I shall regain the floor at the conclusion of their remarks, and that it not be counted as two speeches or as another speech on this question.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HOLLAND. Madam President, with the approval of the Senator from Mississippi, whom I will endeavor to protect in every way on this question, I yield to the Senator from New York [Mr. KEATING], because his remarks are shorter than mine.

Mr. KEATING. Madam President, I shall be brief, but I want to speak on the subject we are discussing, even though it is not the pending business. I remind the Senate that the pending business is the motion to take up for consideration the resolution to make the Alexander Hamilton home in New York City a national memorial. That motion is the business before the Senate, but we have, for reasons which are apparent gotten into a discussion of the constitutional amendment proposed to be offered by the distinguished Senator from Florida [Mr. HOLLAND].

Madam President, poll tax legislation has been passed five times in the other body but has never been approved by the Senate. On the other hand, the Senate has approved a constitutional amendment to abolish the poll tax, but this has never been approved in the House. Obviously there is overwhelming sentiment in Congress against requiring any American to pay a fee before he can vote. But a difference of views as to the appropriate procedure has prevented final action.

In my opinion it is more important that we break this deadlock than that we continue to wrangle over procedure. I do not believe that a poll tax amendment will set any precedent for dealing with other civil rights problems by constitutional amendment, as some of my colleagues fear. Each issue has its own setting, and I would never concede that those who vote for a poll tax amendment are barred from supporting solutions to other civil rights problems by simple legislation.

To be specific, I would reject any suggestion that because we adopt an amendment to abolish poll taxes we must also adopt an amendment to abolish unreasonable literacy tests. On the basis of the record made by the Commission on Civil Rights, it is evident that literacy tests are being administered in a discriminatory manner to prevent large numbers of Negro citizens from voting. In this setting, it can be argued convincingly that adoption of legislation establishing an objective test of literacy, such as 6 years of schooling, is essential to implement the 15th amendment. The abolition of all literacy tests might raise a more difficult question. A ban on arbitrary literacy tests by statute, however, is not only proper but essential to carry out the guaranty of the 15th amendment against racial discrimination in voting.

In my opinion, we can deal with the poll tax problem either by statute or constitutional amendment. I favor the statutory approach because it is more likely to win House approval than a constitutional amendment and because a statute will not be subjected to the complicated and uncertain ratification process.

I also believe that the statutory approach is constitutional. The poll tax persists in only five States: Alabama, Arkansas, Mississippi, Texas, and Virginia. Whatever may have been its purpose in the early years of our Republic, it is a fact of history that it was instituted in these five States as a method of preventing Negroes from voting. In recent years, the poll tax has become as much an obstacle for voting by poor white citizens as Negroes, and those States which retain the poll tax have among the lowest percentages of voting participation in the Nation. It is clear from the reports of the Commission on Civil Rights that much more effective techniques have been devised to disenfranchise Negro voters, but we do not have to close our eyes to the history of the remaining poll tax provisions in determining the most appropriate method for their abolition.

The argument that the poll tax is a "qualification" for voting under article I, section 2 of the Constitution and therefore beyond control by Federal legislation is too broad. Not all qualifications for voting are lawful. A qualification which is designed to deny the right to vote on racial grounds can no more stand against the 15th amendment than a qualification designed to deny the right to vote to women could stand against the 19th amendment. Moreover, a property qualification for voting, in my opinion, is an arbitrary qualification which is no more entitled to recognition under article I, section 2, than would be a State law that redheaded people could not vote, or those with one arm, or vegetarians.

For these reasons, I will support the substitute proposed to be offered by my colleague from New York and hope that this position will prevail. If we fail to secure a majority vote for this legislation, however, I shall support the constitutional amendment as a feasible alternative for finally resolving this issue. And I express the hope now that the leadership in the other body will not be adamant in its approach and will approve whatever course is necessary to avoid a stalemate and to give the American people results.

Before concluding, let me emphasize that this is only one of the many issues with which we must cope in order to bring our electoral processes up to date. It will affect a relatively small number of Americans compared to the number denied the right to vote by discriminatory literacy tests, by arbitrary residence requirements, and by other obstacles to the exercise of the franchise. Whatever we accomplish today will be only a small beginning in overcoming the myriad of unreasonable impediments to voting which now prevent millions of Americans from going to the polls on election day.

I have asked the chairman of the Subcommittee on Constitutional Rights to broaden the scheduled hearings on literacy tests to include all the voting bills before the subcommittee and other civil rights measures on which action is long overdue. There is no possible justification for limiting our subcommittee's hearings, which begin next Tuesday, to literacy tests or to limit Senate action to poll taxes when so many other related problems also demand our attention. As I have already indicated, it is my intention to offer comprehensive civil rights amendments to the literacy bill when it is before us, amendments based on the specific recommendations of the Commission on Civil Rights. Certainly the

members of this outstanding and dedicated Commission should have an opportunity to appear before our Subcommittee on Constitutional Rights to present their views and findings. We should not insult their efforts by ignoring the vital work they have accomplished. And we cannot do so without breaking faith with the millions of Americans who had every reason to expect meaningful civil rights legislation from this Congress.

Mr. HOLLAND. Madam President, the time of the debate up to now, with the single exception of that just occupied quite briefly by my distinguished friend from New York [Mr. KEATING] has been, I believe, entirely used by those who are opposed to the motion to consider the joint resolution, in order that it may be made a vehicle for the proposed constitutional amendment to outlaw the poll tax as a prerequisite for voting for elective Federal officials; that is, for electors for President and Vice President, for Senators, and for Members of the House of Representatives.

I shall speak on this subject at some length later, but I wish the RECORD to show now I am grateful for this opportunity to discuss the measure.

This is the 14th year I have offered the proposal in the Senate. I have tried not to be discouraged from Congress to Congress. I have had very courteous treatment from members of the Committee on the Judiciary. On five occasions full hearings have been held on the proposed constitutional amendment. On three occasions subcommittees have reported the measure favorably to the full committee. I regret to say that our distinguished friends on the full committee have never been given the opportunity to report the measure. I think there never has been a time when it was not clear that a majority of the membership of the full committee was in favor of reporting favorably the proposed constitutional amendment.

I shall make no further comment on that, except to say I am grateful for the fact that the leadership on both sides of the aisle is now supporting the bringing up of the vehicle measure, in order to see if it may be adapted to the purpose which I have just expressed; that is, that it may become a proposed constitutional amendment of the sort I have described.

I have been edified by the speeches made by my distinguished friends in opposition to taking up the measure and, as they put it, in opposition to the constitutional amendment itself, but I have been particularly edified by the speech made by the distinguished Senator from Alabama [Mr. HILL] because he spent nine-tenths of his time in establishing historically something I probably would have had to establish in the event he had not helped me so kindly; namely, that this is a constitutional question, requiring a constitutional amendment, and that all the first States of the Nation either had a poll tax or much more onerous provisions limiting and restricting the exercise of the voting privilege. I believe the Senator from Alabama went into that subject in detail with respect to all 14 of the States which were in the Union at the time of the adoption of the Constitution; that is, the Original Thirteen States plus the good State of Vermont. I think he went into the question even more fully in discussing what has been done in other States.

Suffice it to say at this time that the last State to knock out a really onerous burden in this field was the great Keystone State of Pennsylvania, which eliminated a taxpaying requirement or a property-ownership requirement only a relatively few years ago; my recollection is, about 1933.

It appeared to me quite clear that the distinguished Senator from Alabama had little confidence in the validity of the point of order which he mentioned, which he said would be brought up when my amendment is offered, because if he had much confidence in it he would have allowed us to make the joint resolution the pending business, and would have allowed the point of order to come up for early disposition. I would think, after listening to his learned and scholarly discussion of 4 or 5 hours yesterday, that he lacks confidence altogether in the validity of any point of order as to the procedure which we are following, and I certainly agree with him in that conclusion if he has reached it.

I also note that my distinguished friend from Mississippi [Mr. EASTLAND] who now has the floor and who has been gracious enough to yield to me, apparently also has little confidence in that point of order, because he has outlined an amendment to the constitutional amendment which he says he will propose in due time, having to do with the good States of Maine and of Vermont and with the fact that they levy a poll tax which has no connection whatever with the voting privilege but is connected with the right of the citizens and residents to get automobile licenses for the operation of cars in those States.

I agree with the distinguished Senator from Mississippi that there is little confidence to be placed in the point of order, and I think we shall note that that is the case a little later in the course of the debate.

May I say also that we are getting in Florida so many good people from Maine and Vermont, and even more good people from Alabama and Mississippi, in the course of our great growth, that it may possibly be that some of the people from the New England States are attracted to us because we have no such condition as that about the issuance of drivers' licenses, which, of course, has no relation at all to the subject of the debate. I am very sure that we are getting many good people from Alabama and Mississippi because they resent the imposition of the poll tax and they resent the political climate that has resulted in some areas of those two grand States because of the poll tax imposition.

I note in passing that whereas each of those good States lost one Representative under the census of 1960, the State of Florida gained four. I am quite willing to say that some of that gain, particularly in connection with the good people of Alabama and Mississippi, who have joined us and who have been very welcome, must have been due to the fact that people were trying to escape from the political aura that surrounds the poll tax.

Yesterday the distinguished junior Senator from Kentucky [Mr. MORTON] addressed an inquiry to the Senate which I shall try to meet at this time, as I told him yesterday I would. He inquired as to the position of the administration on the measure, and said that he hoped that that position would be made clear in the course of the debate. For the information of all concerned, I wish to make it perfectly clear that the position of the administration has been made amply clear during the hearings in this body, during the hearings yesterday in the House of Representatives, and likewise by direct communication from the President himself. I should like to make those points matters of record at this time.

In the hearings of the subcommittee of the Senate Committee on the Judiciary, the Department of Justice was represented by a learned Assistant Attorney General, Mr. Katzenbach, who appeared and, I thought, made completely clear not only the position of his Department, but also the position of the President of the United States on this subject. First, in the printed hearings on this subject, at page 368, will be found the statement:

> The Justice Department supports the proposed amendment as a realistic technique which seeks the early demise of the poll tax.

There is more at that point, and all Senators may read it if they desire.

Later in his appearance the learned Assistant Attorney General had the following to say:

> I am speaking for the President on one point, sir.

The Senator from New York [Mr. KEATING] asked him—and I am glad the distinguished Senator from New York is present in the Chamber:

> Have you reached it yet?
>
> Mr. KATZENBACH. No, not yet.

Then Senator KEFAUVER, the chairman of the subcommittee, said:

> You mean, except for the point you mentioned, you are speaking for the Attorney General?

The answer was in the affirmative.

A little later in the hearing, at page 387, the witness came to the point, and the point was the constitutional amendment sponsored by the Senator from Florida—and now by 67 cosponsors—which is the subject matter indirectly of this debate.

I think it would be well to read the entire statement of Mr. Katzenbach, because while he agrees with the Senator from New York that it may be possible to handle the problem by statute, I think it clearly shows that not only do he and the Department of Justice prefer the amendment method, but at the last of his statement he has made very clear that he is speaking directly for the President. I should like to read

his entire statement as it appears on pages 387 and 388 of the hearings:

> We feel that there is little doubt that Congress may under the Constitution enact legislation to outlaw the poll tax as a condition for voting in elections for U.S. Senators and Representatives.
>
> I call that point particularly to the attention of the distinguished Senator from New York.
>
> However, whether Congress may enact laws to abolish the poll tax as a condition for election of Presidential electors presents a more difficult question. While we think from the recent trend in decisions that the courts would ultimately uphold such a statute, the matter is not free from doubt. In any event, as a practical matter and in view of the widespread support offered by the many sponsors of Senate Joint Resolution 58, the poll tax may possibly be laid forever to rest faster by constitutional amendment than by attempt to enact and litigate the validity of a statute. All of us know that long delays are inherent in litigations generally, and this is particularly true when important constitutional issues are at stake. Accordingly, the Justice Department supports the proposed amendment as a realistic technique which seeks the early demise of the poll tax.
>
> There may have been some justification for the poll tax earlier in American history. You will recall that it was originally imposed not to burden but to liberalize suffrage requirements, because in the 18th and 19th centuries a poll tax was easier to meet than general taxpaying or property qualifications. At that time a serious attempt was made to recognize the qualifications of the voter rather than the property he owned. The purpose of the poll tax, however, was changed in the late 19th century in order to block and discourage the citizen's participation at the polls. Today it operates unduly to restrict the rights of national citizenship by disenfranchising thousands of white and Negro voters. It is an arbitrary condition which bears no reasonable relation to a citizen's fitness to vote. It tends to discredit us abroad.
>
> The President is unequivocally opposed to the poll tax. He earnestly hopes that early action will be taken by the Congress on this measure, and that it will be ratified by the States without delay.
>
> Senator KEFAUVER. I believe President Kennedy when a Senator voted for the constitutional amendment in the 86th Congress to eliminate the poll tax.
>
> Mr. KATZENBACH. I believe that is correct.
>
> Senator KEFAUVER. I am quite sure of that. In fact, I believe he was a cosponsor.
>
> Mr. KATZENBACH. I am authorized on this to speak for the administration and for the President.

Madam President, it could not have been made clearer that last year when the hearings were held before the committee, on June 27, 28, and 29, 1961, the President went on record as favoring the abolition of the poll tax, and by the use of the particular method proposed. I am sure that the Senator from New York will recognize the fact that the question of doubt spelled out by the learned witness, Mr. Katzenbach, is in a different situation from the mere matter of the election of Senators and Representatives, though I disagree entirely that as to them, they could be handled in the States that now have a poll tax without a constitutional amendment being submitted and passed.

Mr. KEATING. Madam President, will the Senator yield? Would it interfere with the continuity of his statement?

Mr. HOLLAND. Not at all. I am glad to yield.

Mr. KEATING. I think it is a fair inference from Mr. Katzenbach's testimony to say that a constitutional amendment was preferred by the President. Yesterday, in appearing before the Judiciary Committee of the House, however, the Attorney General indicated a preference for the statutory approach, although he said the method was a question for Congress to decide as a matter of policy.

Certainly, he gave the impression that he supported the statutory approach, as well as the constitutional amendment, and regarded the statutory method as constitutional.

Mr. HOLLAND. Madam President, in reply I would like to say that the Attorney General did state that he thought the statutory approach could be used. However, he very clearly stated his preference and his approval of the constitutional amendment approach in the next to the last paragraph of his statement, which I shall now read into the RECORD. This statement was furnished to me this morning by the Judiciary Committee of the House of Representatives. It is on the stationery of the Department of Justice. I am told by the clerk of the committee in the House that this is the statement made by the Attorney General yesterday, as it purports to be. I read these words as follows: First I should say I freely admit that the Attorney General had earlier said that, so far as he was concerned, he thought a statute could be used, though he had somewhat the same doubts as Mr. Katzenbach, because he mentioned the fact that, as has already been mentioned by the Senator from New York, that anti-poll-tax bills were passed by the House five times but that it had not been possible to have them approved in the Senate.

Mr. EASTLAND. Madam President, will the Senator from Florida permit me to ask a question of the Senator from New York?

Mr. HOLLAND. I am happy to do so.

Mr. EASTLAND. The Senator from New York knows that the Attorney General on yesterday endorsed the bill to repeal literacy tests.

Mr. KEATING. In the House hearing?

Mr. EASTLAND. Yes.

Mr. KEATING. I understood that he endorsed the bill to establish an objective test of literacy.

Mr. EASTLAND. What is the difference as to that qualification and the poll tax?

Mr. KEATING. He indicated, as I understood his testimony, that he believed it was constitutionally possible to eliminate the poll tax as well as discriminatory literacy tests by statute.

Mr. EASTLAND. But he advocated the elimination of the literacy test by legislation, by bill, not by constitutional amendment. Would not the same reasoning apply to the poll tax?

Mr. KEATING. No, I do not believe it necessarily would——

Mr. EASTLAND. Why?

Mr. KEATING. Although I believe his position was that both could be done by statute.

Mr. EASTLAND. That is right. He took the position that both could be done by statute; that is right. That is all I said.

Mr. KEATING. That is my understanding of his testimony.

Mr. EASTLAND. That the Attorney General approved.

Mr. KEATING. The Attorney General's testimony also indicated that he approved of the constitutional amendment to deal with the poll tax.

Mr. EASTLAND. Yes, but he felt that the proper method to apply to the literacy test was the legislative method. If that is the proper method there why would it not be the proper method in connection with the poll tax?

Mr. KEATING. There is a distinction between the two situations. I favor the statutory method with regard to the poll tax, but I believe a stronger case can be made for the statutory method with regard to discriminatory literacy tests, because of the findings which have been made by the Commission on Civil Rights that literacy tests are being arbitrarily used as a means of denying the right to vote on the grounds of race in violation of the fifteenth amendment.

Mr. EASTLAND. I know of no instance. Can the Senator state an instance where the literacy test has been used to disqualify a person from voting? Can he name any person who has been so disqualified?

Mr. KEATING. The Attorney General——

Mr. EASTLAND. I am talking about the Senator's knowledge. Does he know of any? Does he know what he is talking about?

Mr. KEATING. Yes, I believe I do.

Mr. EASTLAND. Very well. What?

Mr. KEATING. There are plenty of instances cited in the reports of the Commission on Civil Rights.

Mr. EASTLAND. Who are they?

Mr. KEATING. I would respectfully refer the Senator to the reports filed by the Commission which we established to look into these problems.

Mr. EASTLAND. I ask the Senator to name them.

Mr. KEATING. The Commission's reports make it abundantly clear that literacy tests are being used to deny the right to vote to Negroes in certain States of the Union.

Mr. EASTLAND. Name one.

Mr. KEATING. The Civil Rights Commission has volumes of evidence on that, but it is entirely beside the point here.

Mr. EASTLAND. Why? A man who sits on the floor of the Senate——

Mr. KEATING. I do not propose to engage in unnecessary debate upon a subject which has no pertinency to the proposed amendment which relates to the poll tax. The Senator from Florida very kindly yielded to me, but I did not ask him to yield to me for the purpose of engaging in an extended discussion with the Senator from Mississippi about information readily available in the reports of the Commission on Civil Rights.

Mr. EASTLAND. The distinguished Senator from New York is a very intelligent man. This is the world's greatest deliberative body. When a Senator makes a statement on the floor of the Senate he should be prepared to back it up. On this question I ask the Senator to name one living human being whom a literacy test has prevented from voting. He cannot do it. That shows what is behind this whole thing—nothing.

Mr. HOLLAND. Madam President, I certainly could not agree with my distinguished friend from Mississippi that there is nothing behind this. As one who has lived in a former poll tax State, who is familiar with the conditions which prevailed there under the poll tax, which were less onerous than those now existing in Mississippi, I know that many of our citizens were precluded from voting. I have seen at the polls good ladies come in, expecting to vote, and finding that either their husbands had forgotten to pay their poll taxes, or that they themselves had forgotten to pay them.

I have seen literally dozens of people turned away from the voting booth in the precinct where my wife and I vote in those far-away days prior to 1937, when we abolished the poll tax. I do not pretend to be able to name the persons to whom this experience has accrued in the State of Mississippi, because I do not have the pleasure of knowing many people there.

Mr. EASTLAND. That is correct.

Mr. HOLLAND. Or in Alabama. However, I am quite prepared to say that when courts have found in some cases that that has been done, and when I know that that was the experience in my State, to such a degree that it impressed itself on our legislature to where I joined, as a member of the State Senate at that time, in outlawing the poll tax, because I thought it was operating in an extremely offensive and unwise way, I could not agree that I do not know anyone who was barred from voting by the poll tax.

Mr. EASTLAND. I deny that. The Senator has described horrible conditions that he says existed in the State of Florida. I deny categorically that any such thing has happened in the State of Mississippi. I defy anyone on the floor of the Senate to name anyone to whom it has happened. Now the Senator says the courts have so found. No court in Mississippi has so found.

Mr. HOLLAND. Courts in Louisiana have so found.

Mr. EASTLAND. Louisiana has no poll tax.

Mr. HOLLAND. I am referring to the literacy test. That is the subject to which the Senator was addressing himself.

Now, Madam President, if I may, I will proceed to read into the RECORD this quotation, which is the closing endorsement by the Attorney General yesterday, when he testified before the similar committee in the House of Representatives to that which is headed so ably by the distinguished Senator from Mississippi in the Senate. Here are the words of the Attorney General, after having stated that he thought a statute could do the job:

> Nevertheless, a constitutional amendment is a realistic and commendable path to the same goal. There should be little doubt of the speedy ratification of such an amendment, since 45 of our 50 States already do not have such useless legislation. I therefore endorse this method of eliminating the poll tax as a condition for voting in elections for Federal offices.

I do not see how anyone hearing these words, or seeing them in the printed record can doubt what the opinion of the Attorney General is and what he has endorsed, because he is endorsing the constitutional method, which we are intending to use here.

Mr. EASTLAND. He has endorsed the constitutional method. The point we have made here is that his reasoning would apply also to a bill.

Mr. HOLLAND. The Senator may read that into the statement of the Attorney General, if he wishes. I could not find any endorsement in there at all of the statutory method, though I did find a strong statement to the effect that he thought that that could have been used, but he endorses the constitutional method approach.

Let us see what the President of the United States himself thinks about this matter.

On March 6 of this year, I received from the President of the United States the following letter, which was delivered to me by one of his assistants:

> THE WHITE HOUSE,
> *Washington, D.C., March 6, 1962.*
>
> Hon. SPESSARD HOLLAND,
> *U.S. Senate,*
> *Washington, D.C.*
>
> DEAR SENATOR HOLLAND: I share your conviction that the right to vote in Federal elections should not be denied or abridged because of failure to pay a poll tax or to meet a property qualification. As you know, I was one of those who joined with you in cosponsoring a proposal in the 86th Congress to eliminate such restrictions.

I interpolate to say that I was very proud and happy to have the then Senator Kennedy, from the great State of Massachusetts, join with me as one of the cosponsors. I continue to read from President Kennedy's letter:

> In the current Congress, I notice that you have introduced this proposal again. I assure you of my continued support for the principles set forth in that legislation.
>
> Adoption of this proposal would constitute an important contribution to good government. It would encourage wider voter participation in the elections for President, Vice President, Members of the U.S. Senate, and Members of the House of Representatives. Participation is inevitably accompanied by a strengthened sense of civic responsibility. I recall your having said many times that the abolition of poll taxes in Florida contributed to sound government in your State.
>
> It was a source of regret that, although this measure passed the Senate by the overwhelming vote of 70 to 18 early in 1960, it failed to be enacted. I understand that the failure of the House to act was due largely to complicated factors unconnected with the merits of the proposal. This year, a new opportunity to enact this amendment is presented.
>
> I hope it will be considered and approved by the Congress during this session and submitted to the States for ratification.
>
> Sincerely,
>
> JOHN F. KENNEDY.

Madam President, I do not see how the President could have more completely stated his approval of this method of approach and his approval of this particular amendment, of which he had been a cosponsor, and I am honored that he recited that fact in his letter.

I do not think the President of the United States has the right, nor do I think he has tried, to tell any Senator or Member of the House how he should vote; but I think the President has the right, and it is his duty constitutionally, on matters of grave import, to advise Congress on the state of the Nation; as to how he believes the Nation may be better served under our laws. He has certainly done that in the course of this letter, and I am very happy that he has seen fit to do so.

One word more about the speech of the distinguished Senator from Alabama [Mr. HILL], who is now in the Chamber. In his earlier absence, I complimented him as highly as I could compliment anyone for the scholarly way in which he dealt with the subject of the constitutional history of the States of the Nation in his long and exceedingly interesting and enjoyable address yesterday. He saved me the necessity of going into that subject, because certainly a part of our case on the constitutional amendment is to show the history that lies back of it. I compliment him again on the thoroughness of his research. I comment, however, that nine-tenths of his speech, or perhaps more, was spent on that feature of this question which has nothing at all to do with this case, except that he firmly established what I would have otherwise had to establish, namely, that this is a constitutional question and that it can be dealt with properly only by a constitutional amendment. So I thank the distinguished Senator from Alabama for that.

The Senator from Alabama related at some length the limitations and restrictions which existed in the first 14 States—that is, the Original Thirteen and also Vermont, which had come into the Union before the approval of the Constitution; but he did not see fit to say, which he could truthfully have said, that every one of those restrictions and limitations has long since been removed by the States themselves; and that this is also true of their restrictions and limitations on the right of suffrage, which have appeared not only in the constitutions of the States admitted shortly after the formation of our country, but oftentimes in the constitutions or laws of the States which are relatively new in their existence.

The point I am making is this: I listened in vain to hear, although I had hoped to hear it from the eloquent lips of the distinguished Senator from Alabama, who speaks with greater eloquence and command of our common tongue than I, that all the other 45 States, except those 5 in which the poll tax now

exists, have long since done away with those restrictions and limitations upon the right of suffrage. The poll tax did not exist originally in the grand old Commonwealth of Virginia. The only one of the original States that had the poll tax as a condition for voting was New Hampshire, which repealed it a long time ago; but Virginia is the only State of the original group which still has a poll tax that has anything to do with voting, and that tax was approved by the grand old Commonwealth not then, but in relatively modern times.

I should like to dwell for a minute—and I appreciate the courtesy of the Senator from Mississippi in yielding to me—upon the reason why I think it is unsound for these two distinguished Senators to say that the Senator from Florida or, for that matter, the other 67 cosponsors of the amendment are meddling with the affairs of the great States of Mississippi and Alabama, both of which I love—and I do not have to tell that to the Senators from those States. I love their Senators also.

I think that when one looks at the record, one must see that a national question is involved. Why? Because the electors who name the President; the Senators; and the Members of the House—but I dwell particularly on the electors—are elected under that system by such scanty percentages of the people of their States as to give rise to the question what would have happened had there been actual participation in the election by a much greater number of voters.

Let us consider this question for a moment. I have before me not only the list appearing in the records of the Subcommittee on Constitutional Amendments of the Committee on the Judiciary, at page 475, but also the statistics of the presidential and congressional election of November 8, 1960, published, apparently, as a House document. At least, it was prepared under the direction of Ralph R. Roberts, Clerk of the House of Representatives; I assume it is a House document. It is a public print. Clearly those two records show what happened in that particular election.

First, it is shown that the two fine States of Alabama and Mississippi—I make no attack upon them; I am simply talking about something which I believe is of concern, and proper concern, to all the people of the United States—appear at the very end of the list of 50 States, from the standpoint of the percentage of their civilian population of voting age who participated in that election.

The State of Mississippi is shown by these data to have participated in the election to the extent of 25.63 percent of the qualified electors or those who were of qualified age, or just a tiny bit over one-fourth of them.

The good State of Alabama, according to this list, is right at the 31-percent mark. The list shows 30.9 percent, but my able assistant, who has figured it, reports to me that it really should be 31 percent—but there is not enough difference to comment on it—of the citizens of qualified age in the good State of Alabama who participated in that election.

What happened in that election? In the case of the 1960 Democratic primary in the State of Mississippi—and I may say, before I go further, that the Senators from Alabama and Mississippi were both mistaken in their statements on the floor yesterday that the primary is the place where the larger participation in voting takes place in their States. I am sure they were thinking of earlier years, as to which their statements would have been true.

Many times that has been true, but in neither State was it true in 1960.

Mr. EASTLAND. Madam President, will the Senator from Florida yield for a question?

Mr. HOLLAND. I yield.

Mr. EASTLAND. Of course the Senator from Florida knows that many voters do not turn out for a primary election when the candidates in the primary election do not have opposition. Is that not true?

Mr. HOLLAND. They do not turn out to the same degree. I have noticed that in Alabama there was very strong opposition in various races—for instance, in the election for the chairmanship of the public utilities commission.

Mr. EASTLAND. But to be fair—and I know the Senator from Florida wants to be fair——

Mr. HOLLAND. I certainly will be fair.

Mr. EASTLAND. I know the Senator from Florida will be fair; and the Senator from Florida knows, does he not, that it takes the election of county officials to get out large numbers of voters in Alabama, Mississippi, and other States.

Mr. HOLLAND. That certainly promotes a larger turnout.

Mr. EASTLAND. Of course it does.

But last year in Mississippi there were no contests for election to be county officials.

Mr. HOLLAND. Let me say to my distinguished friend that the only reason why I mentioned this point was that in his closing argument on yesterday——

Mr. EASTLAND. But there is no point——

Mr. HOLLAND. In his speech at that time the Senator from Mississippi said the primary is the place where the real votes are cast.

Mr. EASTLAND. Does the Senator from Florida deny that?

Mr. HOLLAND. It was not true in 1960.

Mr. EASTLAND. But in 1960 there was no contest in the primary. However, the Senator from Florida has said that it takes a contest to get out large numbers of voters.

Mr. HOLLAND. But in the general election——

Mr. EASTLAND. But the Senator from Florida was making his point in regard to the primary. He knows that nothing can be more deceiving than a situation in which one does not know the facts; and in this case the Senator from Florida does not know the facts.

Mr. HOLLAND. Well, I know that in the 1960 Alabama primary there was a contest over the question of naming the presidential-elector candidates, and that the contest in that State was close; and the slate of candidates, 11 in number, was divided—6 being independent electors, unpledged; and 5 being what I would call bona fide Democratic electors.

Mr. HILL. Madam President, will the Senator from Florida yield to me?

Mr. HOLLAND. I yield.

Mr. HILL. The Senator from Florida will recall that in that primary there was no race for election to be Governor, and for all practical purposes and effects there was no race for election to the U.S. Senate, and there was no race for election to be sheriff, and there was no race for election to be probate judge, and there was no race for election to be county commissioner—there were no races of that sort—the sort that would draw out large numbers of the electorate.

Mr. HOLLAND. Of course the Senator from Alabama knows that his distinguished junior colleague ran for nomination that year and had a very bitter campaign; but he won by a very large vote.

Mr. HILL. The Senator from Florida is entirely wrong. My junior colleague did not have a bitter campaign at all. He did not make a single speech in that connection; he did not go to the State to campaign. But, as the Senator from Florida has said, my junior colleague was overwhelmingly renominated. But certainly he had no campaign at all. He did not have to campaign and he did not have to enter into a campaign, and therefore he did not enter into one; he did not make a single speech or make a single trip there; he made no campaign at all.

Mr. HOLLAND. Madam President, I hope the distinguished Senator from Alabama will permit me to come to my point.

Mr. HILL. I simply wish to point out that fact.

Mr. HOLLAND. My point is that in the final general election there was a strong race, in Alabama. There were three tickets: a Republican ticket, an unpledged Democratic ticket, as to six electors; and a pledged Democratic ticket, as to five electors. Notwithstanding that, the voter participation was so small as to be what I have already mentioned—namely, roughly 31 percent of the total number of the civilian population of voting age.

Mr. HILL. Madam President, will the Senator from Florida yield again to me?

Mr. HOLLAND. I yield.

Mr. HILL. There was no contest between the six unpledged candidates for elector and the five candidates who were pledged as elector candidates; there was no contest between the six and the five. There was no campaign and there was no fight between the six, on the one hand, and the five, on the other hand. The 6 and the 5 together made the 11 elector candidates—the candidates for the 11 electors to which Alabama was entitled.

Mr. HOLLAND. Madam President, I have before me the statistics in connection with that election, as printed in a House document. It shows rather conclusively that the number of citizens who voted for the prevailing elector candidates was approximately 10 percent of the total number of citizens in that State of qualified voting age.

And with reference to the State of Mississippi, the figures for Mississippi show that out of a total population of 1,171,000 aged 21 or over in that State, less than 10 percent, or 116,248 of those citizens were the ones who determined that there was to be elected an uninstructed group of electors, which later cast their votes for a very good American who I think was one of the best men qualified to run for election as President, but who was not running for election as President—I refer to HARRY BYRD, of Virginia.

Mr. EASTLAND. But let the Senator from Florida be perfectly fair; he should state the number of votes for the other list. He should give all the statistics at the same time. However, he has given only one-third.

Mr. HOLLAND. I shall be glad to do so: 108,000 were for the regular Democratic slate, 116,000—or 8,000 more—were for the unpledged slate; and 73,000 were for the Republican slate—or a total of 297,000 voters out of the total of 1,171,000—which I have already stated is just a shade over one-fourth of the mature, adult citizens of that State. And let me say that the 116,000 were a little less than 10 percent of the total number of such citizens in the State. And, Madam President, if the people in every State do not have a stake in that kind of situation, then I do not know what I am talking about.

Mr. EASTLAND. Madam President, will the Senator from Florida yield again to me?

Mr. HOLLAND. I yield.

Mr. EASTLAND. The Senator from Florida has already stated that it took an election for county officials and State officials to get out a large vote. The Senator from Florida said that was the case in Mississippi and in Alabama and in other States.

But I point out that last year in the State of Mississippi and in the State of Alabama there were no elections for county officials and there were no State official tickets. But the Senator from Florida has admitted that it took that to get out a large number of votes.

Mr. HOLLAND. Madam President, what I stated—I will not call it admitting—was that of course a race for election to be county officials brings out a large vote. But I wish to point out that the general election last year in Mississippi was not a velvet glove affair. I distinctly remember—and it is to the credit of the senior Senator from Mississippi [Mr. EASTLAND] and to the credit of his distinguished junior colleague [Mr. STENNIS]—that both of them were out fighting at every crossroad and corner where they could be heard, fighting for the regular Democratic electors, while at the same time, Madam President, the Governor of that State and certain Members of the House of Representatives from that State were out fighting for the unpledged elector candidates; and instead of its being just a milktoast affair it was a hard fought and very actively fought election; and I am sure the Senator from Mississippi would state that he exerted himself to the utmost of his capacity—and everyone knows his vote-getting capacity and that of his distinguished colleague and also that of his distinguished Governor, who certainly is a very thrilling speaker and a very fine campaigner—they were out working on opposite sides. If there could have been anything to get the attention of his citizens, it was that which was taking place in that race.

I make no reflection on anyone. I know they were doing exactly what they thought was right. I know the Senator from Mississippi who is here in the Senate well enough to know he was fighting for a cause he believed in. The point I am making is that the result of all that was that the full electoral vote of that State was dominated by a little over 116,000, out of a total of 1,171,000 that could have qualified to vote if they had been permitted to qualify under the laws of the State.

Mr. EASTLAND. Again I say there is nothing as deceiving as figures when one does not know the facts. The distinguished Senator has stated it takes the election of county and State officials to get out the vote. One can scream all he wants to, but there has to be that kind of election to get the vote out, and we had no county official election in Mississippi. In addition, we have no Republican organization in the State.

Mr. HOLLAND. The sole reason for bringing up this point is that it will result in giving credit to the Senator. The Senator from Mississippi and the Senator from Alabama have fought for the Democratic cause. The results of that election show very clearly that the other States have a right to be interested in this kind of system, which allows participation of such a limited number of the qualified people.

I do not like to compare States but in that same election, in my State, where nothing like the same degree of campaigning took place the vote was 1,540,000. We are a larger State, of course——

Mr. EASTLAND. How did the Senator's State vote?

Mr. HOLLAND. Our State voted for the Republican nominee.

Mr. EASTLAND. The Senator's State voted for Mr. Nixon.

Mr. HOLLAND. Yes. The Senator's State went for unpledged electors.

Mr. EASTLAND. That is true, but I was fighting for the Democratic ticket.

Mr. HOLLAND. I compliment the Senator. I am not criticizing him for it.

Mr. EASTLAND. So was my colleague. But I would not attempt to pass judgment on the State of Florida, which the Senator has done toward my State and the State of Alabama, when the Senator from Florida knows no more about conditions in those States than the man in the moon. We get back to the proposition that it takes local elections to get out the vote.

Mr. HOLLAND. The only reason why I probe into this tender wound is the fact that I want to state clearly for the record why 68 Senators have thought it to be a matter of public interest, of Federal interest, of the interest of other States in trying to bring about a more wholesome condition in which there will be a larger participation in voting in the 5 States which still have the poll tax requirement.

Mr. FULBRIGHT. Madam President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. FULBRIGHT. From what the Senator has said happened in his own State, does that lead to the conclusion that the more votes there are, the wiser the decision? It seems to me that is not so, from the results in Florida. There may be something to be said for a smaller electorate.

Mr. HOLLAND. Day before yesterday the junior Senator from Mississippi stated that in his opinion the qualifications for voting should be further restricted, instead of enlarged.

Mr. EASTLAND. Why, now.

Mr. HOLLAND. It is in the RECORD. I point out that that philosophy runs upstream, definitely, against the experience of our whole country and the ambition of our whole country to enlarge voting participation.

Mr. FULBRIGHT. Will the Senator yield further?

Mr. HOLLAND. I yield.

Mr. FULBRIGHT. I think that is debatable, in view of the election record made by the people both in Florida and nationally.

Mr. HOLLAND. The Senator is entitled to his opinion. Incidentally, when the Senator from Arkansas was not on the floor, I called attention to the fact that the poll tax States were the ones that had lost population. In the case of his own State, it has gone down to four Representatives. The State of Florida has gone up to 12. When I came to the Senate, our States had the same population.

Mr. FULBRIGHT. I will say to the Senator in reply that it is the quality we are more interested in than the quantity, and in the quality of our States, I think ours has gone up.

Mr. HOLLAND. Certainly ours has gone up, and it has gone up, in part, because of the very fine people who have come from Arkansas, Mississippi, and Alabama, and have swollen our population; and we are grateful to them.

Mr. FULBRIGHT. I think the rise in quality in Arkansas is due to this exodus, because the lowest paid and the most undiscriminating are the ones who leave.

Mr. HOLLAND. I thank the Senator for that observation.

I would state, in closing these brief remarks, I think it is established that other States of the Union have an interest in improving an electoral process which is not bringing, and which cannot be sure of bringing, a representative expression from the States. So far as the Senator from Florida is concerned, from his own experience in this field in living in a State which had poll taxes, and then knocked out poll taxes, and then saw participation in voting jump up and up and up, largely because of that—I am talking about percentage of voting—he knows it does encourage participation. It gives citizens more will to get into elections and I think tends to bring about cleaner government, in the main.

Mr. FULBRIGHT. Will the Senator yield further?

Mr. HOLLAND. I yield.

Mr. FULBRIGHT. Do I draw the right conclusion from his statement that thereby he believes the quality of the government of the State and the representation of the State is superior to those whose voters do not participate in the same percentage? Does the Senator see any connection between the enlarged participation and the quality of the representation of the State?

Mr. HOLLAND. The point the Senator from Florida has made, and the only point he has made, is this. It is not to point any finger of criticism at any State, but simply to point out that it is established, as was stated yesterday, that it is the business of other States, because the States have an interest in the electoral results of other States in seeing that there is a representative expression by those States. That is the only point the Senator from Florida wishes to make.

Mr. FULBRIGHT. I do not quite follow the Senator in his point about the quality of our government, and that goes not only to the quality of its participation but to that of its representatives, whether they be local officials, Governors, Representatives, or Senators. If the Senator is trying to make the point that, because there is a large participation and more people vote, thereby there is a higher quality of Representatives and Senators and Governors, I would like to see the Senator demonstrate it, because I do not follow that point, and I do not believe it. Why else would the Senator have an interest in what we do?

Mr. HOLLAND. In my concluding remarks, I say, regardless of the views of the Senator from Arkansas, that the Senator from Florida has great confidence in the verdict of the people.

What I am trying to do is get the people to give a verdict. Obviously, where only a small percentage of the people are giving the verdict, the Senator from Florida thinks the whole Nation has an interest, and in these 5 States which are trying to swim upstream against the heavy current of expression of the other 45 States, that people should be encouraged and allowed to vote, without putting obstacles in the way, as to whether they can make the payment, or laying down a certain means of collection, or whether they will or will not be intimidated. The Senator from Florida believes in the expression of the people of each State. As a State senator, he voted to give his people full expression, and he expects to vote the same way here.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HOLLAND. Madam President, I ask unanimous consent that further proceedings under the quorum call may be dispensed with.

Mr. EASTLAND. Wait a minute, please.

Madam President, I ask unanimous consent to yield to the distinguished Senator from Arkansas——

The PRESIDING OFFICER. Without objection, further proceedings under the quorum call will be dispensed with.

Mr. HOLLAND. Madam President, it is my understanding that——

Mr. EASTLAND. Wait a minute.

Mr. HOLLAND. The Senator from Mississippi has the floor. I certainly gladly agree that he may yield, with the full right of retaining the floor, to any Senator to whom he wishes to yield.

The PRESIDING OFFICER. The Senator from Mississippi has the floor.

Mr. EASTLAND. Madam President, I ask unanimous consent that I may retain the floor and may yield to the Senator from Arkansas [Mr. FULBRIGHT], and that when I resume speaking following the speech of the Senator from Arkansas it not be counted as another speech on the pending motion.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Mississippi? The Chair hears none, and it is so ordered.

Mr. FULBRIGHT. Madam President, there is little, if anything, new that can be said on the poll tax issue.

We have been up and down the hill on this subject so many times that our discussions are no longer a debate, but a ritual. As Senators will recall, we considered this same proposed amendment in 1960, another election year, and it passed the Senate by an overwhelming vote of 72 to 16. The 65 sponsors of the current amendment include some of the most able and persuasive Members of this body. Although support for the amendment is powerful, it is not overwhelming, and I hope that those of us who oppose it will be able to convince some of the supporters on the merits of our case.

The constitutional authority for the States to require payment of a poll tax as a qualification for voting is well established. The Supreme Court has upheld this right of the States in several cases. I realize that there are many Members of this body who believe the poll tax can be eliminated by statute. Undoubtedly, a move will be made to attempt this approach before this debate is over.

In my opinion, such a statute would be unconstitutional on its face. If the poll tax is to be eliminated on other than a State-by-State basis a constitutional amendment is the correct method. However, I feel dutybound to follow the wishes of the citizens of Arkansas on this proposal, who have in the last 25 years twice rejected attempts to abolish the State poll tax, as required by our constitution.

Our poll tax is only $1 per year and it is not cumulative. Members of the Armed Forces are not required to pay the tax, and those who become 21 after the deadline for paying the tax can vote in the elections during the year covered by the tax. Our poll tax requirements are quite liberal. There are no restrictions for reason of race or color in the application of the tax.

I might also point out that we do not have a registration law in Arkansas and the list of persons who have paid their poll tax serves as a registration list for the election officials. Some form of registration is obviously required, and ours is well established, efficient, and reliable.

Arkansas is a relatively underdeveloped State. We do not have the tax base to support a school system comparable to those in the more industrialized States.

Our people are making great sacrifices in an attempt to build up our school system, and in fact make a far greater effort in relation to ability to pay than the national average. Revenue from the poll tax is devoted exclusively to support of the public schools, and if the tax is abolished by passage of this proposed amendment our already underfinanced school system will suffer. Last year $575,769 in poll tax revenues were collected for our school system. If the Congress would pass a realistic Federal aid to education bill along the lines approved in the Senate last year, the loss of this revenue would not be such a significant factor in my consideration of this issue. However, the possibility of such a bill getting through the House this session is, to put it mildly, remote. Arkansas is in need of more funds for its public schools rather than less, as would be the case if our poll tax is abolished.

It is ironic that although the Congress refuses to enact a Federal-aid-to-education bill, on the other hand it seems eager to deprive a State—in this case my State—of this means of raising revenue from its own people for its schools.

There has been no intimation that the poll tax, or any other device, is used in Arkansas to prohibit Negroes from voting. In fact, the Civil Rights Commission in its recent report on voting reported that there was no racial discrimination in the conduct of elections in my State. The report stated:

> The absence of complaints to the Commission, actions by the Department of Justice, private litigation, or other indications of discrimination have led the Commission to conclude that, with the possible exception of a deterrent effect of the poll tax—it does not appear generally to be discriminatory upon the basis of race or color—Negroes now appear to encounter no significant racially motivated impediments to voting in 4 of the 12 Southern States: Arkansas, Oklahoma, Texas, and Virginia.

I think it is significant that three of the five States which still require a poll tax as a prerequisite to voting were specifically singled out by the Commission. There is nothing in the entire report to indicate that the poll tax is used in the other two poll tax States to discriminate against potential Negro voters. If the Civil Rights Commission was unable to find any evidence of discrimination due to existence of a poll tax requirement I am sure that none exists. Last year 68,970 Negroes in Arkansas qualified to vote by paying the poll tax. Nothing prevented this number from being substantially higher other than failure to pay the small sum of $1 per person for

the privilege of exercising the highest duty of citizenship.

I suppose if this were called a registration fee it might well be considered acceptable even by those who are most fanatically devoted to the proposed amendment.

The citizens of Arkansas are perfectly capable of determining whether they wish to continue to require payment of a poll tax as a qualification for voting. In 1938 they decided by a vote of almost 2 to 1 to retain the poll tax. Again in 1956 a proposal to abolish this tax was on the ballot in the general election, and it was defeated by almost 50,000 votes. As far as I am concerned the people of Arkansas have spoken on this issue and I, as their representative, support their position.

It is inconceivable that a $1 tax is such an overwhelming obstacle that it discourages interested citizens of any color or race from qualifying to vote. This amount would not even keep a smoker in cigarettes for a week, and is infinitesimal when compared to the amounts exacted from individuals by the Federal, State, and local governments in other taxes.

The task of being a responsible citizen in a democracy has never been easy. In this complex age the task is greater than ever and the privilege of voting cannot be taken lightly. If we are to make our Government work as it should, every citizen must give long and careful consideration in exercising his privileges of franchise. Some time ago I read a statement by a very learned man to the effect that if he exercised the privilege of voting as carefully as a citizen in a democracy should, he would spend all of his time weighing the issues and studying the candidates before casting his ballot. Surely, the payment of a dollar poll tax, which Arkansas requires, is a small price to pay for the privilege of being a more responsible citizen. It is inconceivable to me that the caliber of our public officials, and the workings of our governmental system in general, could in any way be improved by the casting of a vote by a person who does not care enough about his Government to pay a $1 poll tax, or as one could correctly call it, registration fee.

This subject has powerful political and emotional overtones and it would be unwise for the Congress to tamper with the Constitution in such an atmosphere. The issues involved here were well stated by Robert G. Storey, former dean of Southern Methodist University Law School, who is Vice Chairman of the Civil Rights Commission. In the recent Commission report on voting he said:

> Proposals to alter longstanding Federal-State relationships such as that incorporated in the Federal Constitution, declaring that the qualifications of electors shall be left to the several States, should not be made unless there is no alternative method to correct an existing evil. Such is not the case today.
>
> The Federal Government has sufficient authority under the Constitution and the existing framework of laws to enable it effectively to deal with denials of the right to vote by reason of race, color, religion, and national origin.

By bringing up this proposal a Pandora's box, filled with every conceivable type of so-called civil rights legislation, will be opened. The Congress has much urgent business to transact this session, and the committees are working on many bills of far-reaching importance which may be delayed indefinitely if we get bogged down in another extended debate over legislation in this field.

This issue, if it were ever an important one, has, because of developments in other fields and because of recent legislation regarding the power of the Attorney General, become obsolete. It is a puny, trifling issue to occupy the time and attention of this body. No doubt in some districts it may still be good for a few votes for its advocates, but as a matter of real importance to the effectiveness of our democracy, it is an illusion and unimportant.

If the poll tax is to be abolished the States should do it. I urge that the proposed amendment be defeated.

Mr. EASTLAND. Madam President, the back-door avenues that are employed in presenting civil rights measures to the Senate are abhorrent to orderly legislative processes. We went through this ordeal in 1957 when a House-passed bill was taken from the table and presented to the Senate without referral to a Senate committee. In 1960 that famous school district in Missouri, which is even today still with us, was the vehicle for the abortive attempt to write a civil rights bill on the floor of the Senate. At the beginning of each Congress for the past 8 years we have been confronted with the attempt to deny that this Senate is a continuing body and to have rule XXII changed or obliterated without referral of the matter in controversy to the proper committee of the Senate for its study and report. It is unfair to say that the Senate Judiciary Committee is the sole committee to which civil rights proposals are referred, for many of them even now pending are not within the confines of this committee, but are before Rules, Labor, and Public Welfare, and elsewhere. When the distinguished majority leader discussed on the floor on January 30, 1962, his bill, S. 2750, proposing to protect the right to vote in Federal elections free from arbitrary determination by literacy tests or other means, he indicated to the Senate that, regardless of whether the committee to which this bill had been referred reported or not, it was his intention to undertake some kinds of action on the proposal in the period between 60 and 90 days.

A study of the long colloquies that took place during the course of this debate in regard to the referral of this proposed bill would indicate that it was the intention of both the majority and minority leaders to have civil rights debated as a package when the move was made to take up S. 2750 on the floor of the Senate. It now appears that every time the workload of the Senate slows down a little bit, the bone of civil rights would be flung into the pit of the Senate, so that time can be again consumed by making Southern States the whipping boy of proposed punitive actions, whether they be by legislative proposals or constitutional amendments. This country is today confronted with many grave and serious problems far reaching in nature. Many observers deeply and sincerely feel that 1962 is a year that will mark a milestone and a developing point in the history of mankind. The nature of these problems demands the greatest possible degree of bipartisan consideration. In many respects the future course of the United States for generations to come is wrapped up in the decisions that must be made in regard to the President's proposed trade development plan. On such an issue as this, there is a great diversity of ideas and interest.

Bitter family and internal squabbles such as that in which we are now engaged cannot help but hurt in resolving these greater and more fundamental problems with which we are confronted. The mere fact that the legislative calendar is as bare as Mother Hubbard's cupboard does not mean that Members of this body cannot most profitably apply their time to the consideration of the issues which must be faced. No good purpose can be served in again making a handful of people—five States—containing less than 12 percent of the population of the United States, the subjects and victims of a proposed constitutional amendment that is unwise, unsound, unreasonable, and contrary to the historic practices and procedures that have existed in this country since the Colonies were first established on the coast of the Atlantic seaboard.

I submit that the point of order to be made against the Holland amendment in the nature of a substitute is well founded. It is no small matter when the framework of the U.S. Constitution is bent and torn to accommodate a transitory purpose, no matter how worthwhile the proponents of that purpose deem the goal they seek to achieve may be. Since human societies were first organized, it became evident that they could not exist as communities without observing the rules and precedents, the mores and the folkways that made living together possible. It is now proposed, in order to lay this intended constitutional amendment before the Senate, to violate not only rules, precedents, and procedures of the Senate and House of Representatives, but to shunt aside those sections of the U.S. Constitution which provide specifically for the manner and means by which congressional bills are to be processed and the manner and means by which congressional resolutions are to be processed. The point of order, when made, should be upheld.

Madam President, I am unalterably opposed to the attempt being made here on the floor today to secure enactment of a constitutional amendment which would abolish the payment of poll taxes as a prerequisite for voting.

Legislation to abolish payment of a poll tax has been kicking around the Congress for the last 25 years, and during this period of congressional debate a number of States, through their own initiative, have proceeded by State action to repeal the poll tax requirement.

I venture to say that if this same question is discussed and discussed in the Halls of Congress for the next several years, State action will undoubtedly be taken in the same direction being attempted here today by way of the constitutional amendment route.

All right-thinking Members of the Senate must realize that State action, determination by the States themselves, is the preferable route to take.

I do not question the sincerity of those who sponsor a constitutional amendment to abolish the poll tax requirement. However, I do very seriously question the wisdom and judgment of the proponents in addressing themselves to this poll tax issue when there are only five States today that require the payment of a poll tax as a prerequisite for voting.

In my judgment, the Congress of the United States, particularly at this time, could devote itself to more constructive legislation directed toward the welfare of the United States as a whole rather than directing its efforts, time, and energies toward a question having to do with only 5 States out of our Union of 50 States.

This question has been before the Congress year in and year out over the last quarter century. We all remember the great hullabaloo raised by some in past years to secure legislation to abolish the poll tax by way of statute rather than by constitutional amendment. I consistently took the position during those debates that this issue could not be resolved simply by legislation; that if it were to be accomplished, the only constitutional way is by a constitutional amendment.

However, I do challenge the wisdom of this approach, in view of the fact that the States themselves under the initiative of their own State legislatures, have repealed the poll tax requirement, and if the remaining five States are left to themselves, their respective State legislatures will take care of the situation.

Mr. HILL. Madam President, will the Senator yield?

Mr. EASTLAND. I yield.

Mr. HILL. Does not the Senator think that there is a good possibility that if there were not all this agitation for the Federal Government to come in and interfere with the States and meddle in the local affairs of the States, and if the States were left alone to proceed in their own calm, cool, deliberate, and wise way, some of these poll taxes would have been abolished by the States which still have them; but it is this agitation by outsiders, who have nothing to do with the States and the affairs of the States, but who continue their agitation, which causes people in the States which have poll taxes to be more resolute in their determination to run their own affairs and to not let some outsiders come in and tell them what they should do about poll taxes or about any other matter concerning the affairs of the people of the State?

Mr. EASTLAND. The distinguished Senator from Alabama is correct. People resent being dictated to by the Federal Government, and they resent being kicked around. That is what this attempt is. It is an attempt to kick around the people in the various States and impose on those States. It is an attempt by other States and pressure groups primarily within those States to impose their will on the people of other States. Of course the people in the States aimed at resent it. In my judgment that is the reason why they have stood fast and retained the payment of poll taxes as a qualification for electors.

I well recall that the chief sponsor of this resolution, the distinguished Senator from Florida [Mr. HOLLAND], in testifying before a subcommittee of the Committee on the Judiciary on a poll tax proposal in the 83d Congress, stated:

> I would like to see the abolition of poll taxes as a prerequisite for voting accomplished as speedily as possible in the five States in which the poll tax requirement still exists, and I would prefer to see that accomplished as a result of action taken by the States themselves.

That is what the distinguished Senator from Florida, the chief proponent of the joint resolution, had to say, that he would prefer to see the action taken by the States themselves. However, he has changed his mind since that time.

I heartily concur in the thought of the distinguished senior Senator from Florida that this should be done by the States themselves. That is the proper way to accomplish this purpose. Let the States themselves handle the poll tax provision. The States have been doing it. Why not let them continue, rather than by way of a constitutional amendment.

The question of the payment of the poll tax has now become such a small one in terms of the area affected that I do not believe that Congress is justified in submitting an amendment to the Federal Constitution.

The poll tax requirement as a qualification remains only in Alabama, Arkansas, Mississippi, Texas, and Virginia. I say, let these five States take action themselves, rather than taking the time of the Congress and the time of the State legislatures of the other 45 States to discuss and debate the question of ratifying such an amendment.

We all know that the payment of a poll tax as a qualification for voting is as old as the United States itself. The matter of the qualification of electors in the several States to vote in the elections of Federal officials is governed first by section 2 of article I incorporated and drafted by the Constitutional Convention of 1787, which provides:

> The House of Representatives shall be composed of Members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

That provision was included in our original Constitution, and remains operative today, spelling out with great clarity that the House of Representatives shall be chosen every second year in the States by the people of those States and that the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

It is crystal clear that that provision means that each State is specifically allowed to retain the power to prescribe the qualifications of the electors of the most numerous branch of its State legislature and the Federal Constitution simply prescribes those same qualifications as the qualifications which shall be applicable to those who are allowed to participate in the election of Federal officials.

In 1912, the Congress of the United States submitted to the various States the 17th amendment, to provide for the direct election of Members of the U.S. Senate. Prior to the adoption of the 17th amendment, U.S. Senators had been elected under the preceding provision of the original Constitution, providing that the legislatures of the several States elected U.S. Senators. The first paragraph of the 17th amendment states:

> The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for 6 years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

Thus, the qualifications clause of the 17th amendment for the election of Senators is the same as the qualifications clause for the election of Representatives. In other words, this means that the States are to determine the qualifications that will apply in elections for Representatives and Senators.

During the course of my remarks in the U.S. Senate on September 14, 1959, addressing myself to this very section of the Constitution, the senior Senator from Georgia [Mr. RUSSELL] observed:

> I point out to the distinguished Senator from Mississippi that that is the only language in the Constitution of the United States which appears in two places in identically the same words. It appears, where the Senator has stated, in section 2 of article I; and in the 17th amendment, providing for the popular election of Senators, the identical language appears again.
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> There are those who like to contend that the 15th amendment somehow was a restriction upon section 2 of article I of the Constitution. That, of course, cannot be true since the 17th amendment, which was ratified some years after the 15th amendment, repeated the earlier language of the Founding Fathers in article I and is the latest expressed of the will of the people in the writing of their Constitution.

LITERACY TESTS AND THE CONSTITUTION

Mr. President, I ask unanimous consent that I may yield to the distinguished senior Senator from North Carolina [Mr. ERVIN] with the understanding that I do not lose my right to the floor, that I will regain the floor at the conclusion of his remarks, and that my yielding to the Senator from North Carolina does not count as a speech on the pending motion.

The PRESIDING OFFICER (Mr. HICKEY in the chair). Without objection, it is so ordered.

Mr. ERVIN. Mr. President, on January 30, 1962, after considerable discussion, S. 2750 was referred to the Committee on the Judiciary. This bill, which would take from the various States their constitutional right and duty to set qualifications for their voters, is now pending before the Subcommittee on

Constitutional Rights, of which I am chairman. This bill is similar to S. 480 which also has been referred to the subcommittee.

The subcommittee will give these two bills its complete and impartial attention. Opinions on all sides of the question are being sought, and each of these opinions will be given judicious consideration. I have requested the attorneys general in all 50 States and the constitutional law professors of every law school in the country to give the subcommittee the benefits of their thinking on the various questions raised by these bills. On March 20, we shall begin hearings, which should produce for the Senate a compilation of testimony of outstanding authorities on constitutional law and thereby provide the Senate an objective appraisal of this legislation.

On March 20, 21, and 22, the subcommittee will hear testimony from Members of Congress, the Attorney General of the United States, and State and Federal officials. On March 27, 28, and 29, testimony will be received from private individuals and organizations. Among the organizations scheduled to testify are the following: American Jewish Congress, the American Civil Liberties Union, Americans for Democratic Action, the National Association for the Advancement of Colored People, AFL–CIO, and the Brotherhood of Electrical Workers.

Mr. President, on January 11, 1962, the President of the United States in his state of the Union message said that his administration had proved as never before "how much could be done through full use of executive powers—through the enforcement of laws already passed by the Congress—through persuasion, negotiation, and litigation, to secure the constitutional rights of all," including specifically the right to vote. The President then went on to advocate abolishing literacy tests. In 1960, the Democratic and Republican platforms advocated essentially the same thing. But nowhere in these recommendations of the President or of the great conventions was it suggested that literacy tests for voting can be eliminated by legislation as proposed by these bills. Rather, it has been consistently maintained that such measures are solely within the purview of the States. And only by constitutional amendment had it previously ever been proposed that the Federal Government be given jurisdiction over voter qualifications.

An examination of the text of these bills shows that this attempt to alter the Constitution actually originated within the Civil Rights Commission last year. In its 1961 report on voting, at pages 139 to 141, the Commission recommended—

> That Congress enact legislation providing that, in all elections in which under State law a "literacy" test, an "understanding" or "interpretation" test, or an "educational" test is administered to determine the qualifications of electors, it shall be sufficient for qualifications that the elector have completed at least six grades of formal education.

It is interesting to note that this recommendation is in opposition to the position taken by the Commission in its 1959 report in which it recommended that the Constitution be amended to accomplish the same stated objectives of these bills. Although I agree with the three dissenting members who indicated in the 1959 report that they felt that such an amendment is undesirable, nevertheless, if the great majority of the people feel that the amendment is necessary, then a constitutional amendment would be the legal and appropriate way to secure their wish and the only constitutional means of doing so.

I do not know what precipitated the Commission's remarkable turnabout from the 1959 recommendation of a constitutional amendment to the 1961 recommendation of a bill such as S. 2750; but I can assure the Senate that the requirements of the Constitution are the same today as they were in 1959. The very first article of the Constitution, which gives to the States the right and duty to prescribe the qualifications of voters, has not disappeared. It has not been repealed; and its meaning is as clear today as it was 172 years ago.

Article I, section 2, of the Constitution, states very clearly that in choosing Representatives in Congress:

> The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

Similarly, amendment 17 adopts the same method of setting qualifications for voters in the popular election of Senators.

The qualifications of voters are fixed and enumerated in the Constitution or laws of each sovereign State; and, for purposes of determining who is entitled to vote in each State for U.S. Representatives and Senators, the Federal Constitution simply adopts such qualifications as the State has fixed for voting for members of that State's legislature.

Also, under the Constitution, the President and Vice President are elected by presidential and vice presidential electors who must be chosen in each State in such manner as the legislature thereof may direct.

In arriving at the article I, section 2, method of disposing of the question of the right to vote for Congressmen, there was a three-way contest in the Federal Convention of 1787. One group wanted a uniform qualification for electors, to be prescribed by the Constitution itself; a second group of delegates advocated that the power to prescribe qualifications be vested in Congress; and still a third group wished the Constitution to adopt the qualifications that the respective States prescribed for their own people. It was the last group which prevailed, and after 2 days of active debate, the delegates left the Constitution in this respect, as it now stands in section 2 of article I.

Probably no other provision written into the original Constitution received a greater approbation from the States ratifying the compact. Certainly, no other provision has been more zealously guarded or highly respected by the courts. Likewise, no other provision of the Constitution can be so read as to render the wording of the qualification clause meaningless.

Probably the most decisive blow to the opponents of the power of the States to fix literacy standards for voters occurred in 1915 in the Supreme Court decision on Oklahoma's literacy law. This was the famous Guinn case, which was brought by the NAACP. The Supreme Court held that the 15th amendment does not destroy the rights vested in the States by article I. The Court said:

> Beyond doubt the amendment does not take away from the State governments in a general sense the power over suffrage which has belonged to those governments from the beginning and without the possession of which power the whole fabric upon which the division of State and National authority under the Constitution and the organization of both governments rest would be without support and both the authority of the Nation and the State would fall to the ground. In fact, the very command of the amendment recognizes the possession of the general power by the State, since the amendment seeks to regulate its exercise as to the particular subject with which it deals.

In 1959, the Guinn case was enfused with a new vitality by the unanimous decision of the U.S. Supreme Court in Lassiter against Northampton County Board of Education, which declared that States can constitutionally impose literacy tests on "all voters irrespective of race or color." The Court pointed out that here is a wide scope for the State's jurisdiction to determine the qualification of voters. Speaking through Mr. Justice Douglas, the Court—whose membership to date has not changed—in one of its rare unanimous decisions concerning civil rights, said:

> Literacy and illiteracy are neutral on race, color, and sex.

The Court further stated:

> We come then to the question whether a State may consistently with the 14th and 17th amendments apply a literacy test to all voters irrespective of race or color. The Court in *Guinn v. United States*, supra, at 366, disposed of the question in a few words. "No time need be spent on the question of the validity of the literacy test considered alone since as we have seen its establishment was but the exercise by the State of a lawful power vested in it not subject to our supervision, and indeed, its validity is admitted."
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> The States have long been held to have broad powers to determine the conditions under which the right of suffrage may be exercised. *Pope v. Williams*, 193 U.S. 621, 633; *Mason v. Missouri*; 179 U.S. 328, 335, absent of course the discrimination which the Constitution condemns. Article I, section 2 of the Constitution in its provision for the election of Members of the House of Representatives and the 17th amendment in its provision for the election of the Senators provide that officials will be chosen "by the people." Each provision goes on to state that "the Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature." So while the right of suffrage is established and guaranteed by the Constitution (*Ex parte Yarborough*, 110 U.S. 651, 663–665; *Smith v. Allwright*, 321 U.S. 649, 661–662) it is subject to the imposition of State standards which are not discriminatory and which do not contravene any restriction that Congress, acting pursuant to its constitutional powers, has imposed.

Earlier during a stay of execution in the case, a three-man Federal court, headed by Chief Judge Parker of the Fourth Circuit Court of Appeals, had declared:

> It is further argued that, if the section be held void, the State has the right to prescribe an educational qualification for suffrage in the exercise of its sovereign power as a State, since the provisions of a State constitution are limitations upon and not grants of power (11 Am. Jur., p. 619). Attention is called to the fact that 19 States of the Union, only 7 of which are Southern States, prescribe educational qualifications for suffrage which are uniformly upheld and that the Supreme Court has approved them, saying in *Guinn v. United States, supra*, 238 U.S. at page 360, 35 S. Ct. at page 929:
>
> "No question is raised by the Government concerning the validity of the literacy test provided for in the amendment under consideration as an independent standard since the conclusion is plain that that test rests on the exercise of State judgment and therefore cannot be here assailed either by disregarding the State's power to judge on the subject or by testing its motive in enacting the provision."

Back in 1904, the Supreme Court gave us eloquent advice on the broad subject of qualification of voters in the case of Pope against Williams, where the Court said, and I quote:

> The privilege to vote is not given by the Federal Constitution or any of its amendments. It is not a privilege springing from citizenship of the United States. It may not be refused on account of race, color or previous condition of servitude, but it does not follow from mere citizenship of the United States. In other words, the privilege to vote in a State is within the jurisdiction of the State itself, to be exercised as the State may direct, and upon such terms as it may deem proper, provided, of course, no discrimination is made between individuals in violation of the Federal Constitution * * * a State, so far as the Federal Constitution is concerned might provide by its own constitution and laws that none but native-born citizens should be permitted to vote as the Federal Constitution does not confer the right of suffrage upon any one, and the conditions under which that right is to be exercised are matters for the States alone to prescribe.

Mr. President, these bills unconstitutionally encroach upon the right of States to decide what the qualifications of voters shall be by prohibiting all tests to determine literacy, no matter how reasonable those tests might be for those who say they have completed a bare 6 years of schooling. But the bill does not stop here. It compounds the unconstitutionality by, in effect, setting up the new standard of a sixth grade education as positive proof of literacy.

This legislation is unconstitutional on its face, Mr. President.

This is the position of the Washington Post, certainly no bastion of constitutional conservatism, which agreed in an editorial on January 29, 1962, that S. 2750 is unconstitutional.

My opposition to these measures is predicated on over 40 years of study of the Constitution. During this period I was judge in courts of North Carolina for approximately 15 years and 6 years of this time was spent on the bench of the State's highest tribunal. During my tenure as a jurist and as a Senator, I have endeavored consistently to be objective regardless of any personal predilection. The Subcommittee on Constitutional Rights will give both proponents and opponents of these measures an adequate opportunity to be heard, and we shall weigh carefully the views submitted to us. I shall, and I hope each of my colleagues in the Senate will, strive to avoid any personal proclivities in considering these measures. The Constitution of the United States is too precious a document to permit its being vitiated. At no time during our history has an attempt been made to take from the States the responsibility which the Constitution gives them regarding voter qualifications. If the Senate should feel that there is merit in these proposals, then let it move in accordance with the law of the land—in providing for it—and this can only be done by amending the Constitution and not by such legislation as has been introduced.

Mr. EASTLAND. Mr. President, I ask unanimous consent that at the conclusion of the remarks of the distinguished Senator from North Carolina [Mr. ERVIN], the Senator from Idaho [Mr. DWORSHAK] be recognized; that it be understood that I shall not thereby lose my right to the floor, and that I shall regain the floor immediately thereafter, and that my yielding to the Senator from Idaho not be counted as a speech on the pending motion.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. EASTLAND. Mr. President, I desire to congratulate the people of North Carolina on the very fine and sound judgment they have used in deciding to return to the Senate, without opposition, their distinguished senior Senator [Mr. ERVIN].

Mr. ERVIN. I thank the Senator from Mississippi. I still have opposition—opposition by Republicans, in the fall—but none from Democrats in the springtime.

Mr. EASTLAND. In other words, the Senator from North Carolina has an opponent, but does not have opposition. Under those circumstances, I am entirely in favor of having Republicans run for election in North Carolina. [Laughter.]

Mr. ERVIN. Mr. President, I am certainly deeply grateful to the North Carolina Democrats for permitting me to be nominated without opposition in the Democratic primary.

Mr. HILL. Mr. President, will the Senator from North Carolina yield to me?

Mr. ERVIN. I am glad to yield to the distinguished Senator from Alabama.

Mr. HILL. Let me say that I have always been proud of the fact that my paternal grandfather and my paternal grandmother were North Carolinians, and I have often realized that no part of my heritage has contributed more or been more important to me than the inspiration and the dedication which have stemmed from that fact.

So I wish to extend the heartiest congratulations to the people of North Carolina. Once again they have shown their wisdom, perception, fine judgment, and devotion to our country by the fact that the distinguished Senator from North Carolina [Mr. ERVIN] will be nominated in the Democratic primary without any opposition; and of course we know that means he will be reelected to this body, for another term.

Mr. ERVIN. Mr. President, I am deeply grateful to the able and distinguished senior Senator from Alabama [Mr. HILL] for his kind remarks; and I am certain that his grandparents were among the great number of fine North Carolinians who helped materially to raise the standards of Alabama to those of North Carolina when they removed from North Carolina to Alabama.

THE ADMINISTRATION'S SUGAR PROPOSAL—A BLOW TO THE DOMESTIC SUGARBEET INDUSTRY

Mr. EASTLAND. Mr. President, I ask unanimous consent that I may yield to the Senator from Utah [Mr. BENNETT], provided I do not lose my right to the floor, and with the understanding that I will regain the floor at the conclusion of his remarks, and that in yielding the floor it does not count as a speech on this question.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BENNETT. Mr. President, on June 30, 1962, only a little more than 100 days from now, the Sugar Act of 1948, as amended, will expire. This legislation is vital to every sugarbeet and sugarcane producer in the United States; yet, as has happened all too often with the sugar bill, it is apparent that we will again not get the bill on the floor of the Senate until the last few days or the last few hours before the bill expires.

It is imperative that we do some thinking about this bill in advance, and I believe the attention of every Senator should be called to the facts concerning the administration's current proposal contained in a tentative nine-point program presented for discussion to a group of sugar industry representatives last week. I am amazed, however, at some of the provisions of this tentative proposal.

The one incredible fact about this plan, in my opinion, is the fact that it would force a 10-percent reduction in domestic sugarbeet acreage next year. This would not be because of any surplus production. Sugar is not a surplus crop, since we produce only half of what we use.

There is insistent questioning from farmers in many States as to why they cannot participate in the sugar market. They are being asked to curtail their acreage drastically in surplus crops, but at the same time they are being told that the acreage of a crop not in surplus is to be cut back.

The basic sugar quota in the administration's proposal would be some 50,000 tons less than the beet sugar industry marketed last year. The proposed basic beet sugar quota for this year would be 200,000 tons less than estimated beet sugar production this year at normal yields of sugar per acre. The Government's tentative proposal, in fact, would inevitably require at least a 10-percent reduction in sugarbeet acreage next year.

I am sure that my distinguished colleagues from Louisiana and Florida are aware that the administration's discussion proposal also includes basic quota and growth provisions which would seriously curtail the forward program of growth now underway in the mainland cane sugar producing areas. I am sure they, also, would be chagrined if the administration's final program would include the provisions the discussion draft now contains for the mainland cane sugar producers.

The administration's tentative program would also write down the quotas for our domestic offshore producing areas, Hawaii and Puerto Rico. It does not recognize, in basic quotas, the genuine production potential of those great areas—where the sugar industry means so much to the economy.

I cannot understand, Mr. President, the administration's apparent downgrading of the domestic sugar producing industry.

Nor does the administration's current proposal recognize the importance of the American cane sugar refining industry. The proposal would provide for importation of 357,000 tons of fully refined sugar annually which were eliminated from our market with the elimination of the Cuban quota. Reinstating foreign imports of this amount of fully refined sugar would seriously affect the operations of the American refiners of raw sugar, with little or no benefit to the foreign producers of the sugar. Foreign refined sugar imports are also a disturbing market influence which detrimentally affects domestic producers as well as the domestic refiners.

I cannot understand, I repeat, the administration's apparent disregard of the domestic sugar industry—refiners as well as producers.

One other point which should be emphasized about the administration proposal is the so-called import fee provision. Stated in its simplest terms, this is an effort by the President to get personal and complete control over sugar imports and sugar production.

Congress has established the program for sugar in the past, and it has worked well. This is no time to change this pattern for a system of import fees, which would give the President complete control over the entire sugar producing industry.

I do not intend to go into detail on other phases of the administration's discussion draft, because I know it is not final, and I am hopeful that the final program to be presented to the Congress will be much more realistic.

I do, however, wish to stress as strongly as I possibly can the urgency of early submission of a realistic program on sugar, and early passage of a satisfactory long-range sugar law. The entire industry is hampered by a law that expires in midyear. It is impossible for the industry now to program its 1962 sales beyond June 30, because its marketing quotas are necessarily limited to the period of the present law, and it does not know what kind of law will govern its marketing beyond that date.

Marketing allotments have been imposed on the individual beet sugar companies because there is much more sugar available than the industry is permitted to sell during this period.

As we know, the Sugar Act includes a small tax levied on the processors and refiners of sugar, and so the legislation must originate in the other body. Last August, we were told by administration leaders that it would be impossible to consider sugar in that session, but that it would have a high priority after the Congress reconvened this year. An adminstration leader in Congress said—and these are his words:

> Sugar legislation will be given preferred treatment when the Congress returns in January.

In a letter made public on the 3d of August 1961, the Secretary of Agriculture gave as one of his reasons for not recommending sugar legislation last year, unresolved issues within the domestic sugar industry. Mr. President, that reason for delay was removed in January, when all the segments of the domestic sugar producing and refining industry, both sugarbeet and sugarcane, did resolve their remaining issues and did unite on a balanced legislative program. The administration was immediately informed of this agreement.

I assume the Secretary of Agriculture has seen this proposal, but for his information, in case he has not, I ask permission to insert, at the end of my remarks, an outline of the industry legislative proposal.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Utah? The Chair hears none, and it is so ordered.

(See exhibit 1.)

Mr. BENNETT. Senators will notice that this proposal is endorsed by the American sugarbeet industry, the mainland sugarcane industry, the U.S. cane sugar refining industry, the Hawaiian sugar industry, and the Puerto Rican sugar industry.

In short, Mr. President, the proposal is endorsed by the entire domestic sugar producing and refining industry. All the differences, all the issues to which the Secretary of Agriculture referred last August, have been resolved since January.

Ever since we took the necessary step of barring Castro sugar from the American market, the domestic industry has labored under the handicap of a series of short-term extensions of the Sugar Act. It is high time we—the administration and the Congress—faced up to the situation and enacted a realistic long-range Sugar Act.

The uncertainties which have attended the series of short-term extensions of the Sugar Act have plagued the entire domestic sugar industry, not the beet sugar industry alone. The cane sugar refiners, for example, are equally hampered in their operations. The largest of those refiners, the American Sugar Refining Co., in its annual report issued last month, said:

> The outlook for 1962 remains unsettled. The temporary extension of the Sugar Act expires June 30, 1962. Although short-term legislation was a necessary expedient following the cutoff of supplies of raw sugar from Cuba, the entire sugar industry needs equitable long-term legislation to remove the uncertainties that have been hampering operations.

Mr. President, this underscores the urgency of congressional action on long-range sugar legislation at the earliest possible time. I am indeed hopeful that an administration recommendation will come to the Congress soon, and that it will realistically recognize the place the domestic sugar industry should have in our sugar market.

EXHIBIT 1

SUGAR LEGISLATIVE PROGRAM OF AMERICAN SUGARBEET INDUSTRY, MAINLAND SUGAR CANE INDUSTRY, U.S. CANE SUGAR REFINING INDUSTRY, HAWAIIAN SUGAR INDUSTRY, AND PUERTO RICAN SUGAR INDUSTRY

1. Term: The new law would be a 5-year act extending from January 1, 1962, through December 31, 1966.

2. Basic quotas: New basic quotas for domestic areas would be established at a consumption estimate level of 9,700,000 tons. These would be as follows:

Beet area	2,665,000
Mainland cane area	900,000
Hawaii	1,150,000
Puerto Rico	1,200,000
Virgin Islands	15,000

3. Growth: Growth (decrease) over (under) the 9,700,000 level of consumption requirements (consumption estimate minus unallocated amounts and deficits in allocated amounts under sec. 408) would be divided 67½ percent to domestic continental areas and 32½ percent to foreign areas. The 67½ percent would be shared 75 percent by the domestic beet sugar area and 25 percent by the mainland cane sugar area. If in any year, Hawaii, Puerto Rico, or Virgin Islands produces more than its basic quota, it may in the following year, upon request, have such quota increased by the amount of such excess: Provided that in no event shall such quota exceed the basic quota (plus growth) under the law before amendment, all such increases being charged to the foreign total. Hawaii's and Puerto Rico's direct-consumption limitations would be 0.342 percent and 1.5 percent, respectively, of the consumption requirements in lieu of the provisions relating thereto in the present act.

4. New beet growers: A special reserve of up to 20,000 acres, out of the total acreage required to produce the beet quota, would be available each year for the expansion of the industry.

5. Domestic deficits: All domestic deficits would go to foreign areas, with the exception that the excess of Hawaiian deficit over 350,000 tons would go to the beet area.

6. Direct consumption sugar: All foreign sugar would be imported in raw form. The Philippines would be given the option of a larger raw sugar quota in place of their quotas under existing law and the treaty between the United States and the Philippines.

7. Personal history: The law would assure continued use of personal history as a basis for allocating proportionate shares in those sections of the beet area in which personal history now is a basis. No change would be made in those areas in which land history is now the basis for allocating proportionate shares.

8. Liquid sugar quotas: All such quotas would be eliminated except provision would be made to permit continued entry of normal quantities of Barbados type molasses.

9. Nontransferability of quotas: Foreign countries assigned quotas under the act could fill such quotas only with sugar they produce. No net importing country would be eligible for a quota.

10. Sugar containing products: The Secretary would be given authority to limit importation of sugar containing products when such importation would be contrary to the intent of the act.

11. Foreign supplies: Price incentives would be maintained in the act to insure that foreign sugar will be available to the U.S. market in the quantities needed at the times required.

THE ALEXANDER HAMILTON NATIONAL MONUMENT — AMENDMENT TO THE CONSTITUTION DEALING WITH POLL TAXES

The Senate resumed the consideration of the motion of the Senator from Montana [Mr. MANSFIELD] to proceed to the consideration of the joint resolution (S.J. Res. 29) providing for the establishing of the former dwelling house of Alexander Hamilton as a national monument.

Mr. EASTLAND. Mr. President——

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. HOLLAND. Mr. President, will the Senator yield? Does the Senator wish to have a quorum call before he begins his speech?

Mr. EASTLAND. No.

Mr. President, thus the distinguished senior Senator from Georgia was affirming the principle that has existed for over a hundred and fifty years, that our Founding Fathers intended and contemplated that it should be the States themselves who have the power to determine the qualifications of their own electors.

The question of whether the States or the Federal Government should determine the qualifications of electors of Representatives was thoroughly debated by the delegates at the Constitutional Convention of 1787. On August 6, 1787, Mr. Gouverneur Morris moved to strike from article IV, section 1, of the existing draft—which became article I, section 2, in the final draft—the words:

> The qualifications of the electors shall be the same, from time to time, as those of the electors, in the several States, of the most numerous branch of their own legislatures.

Gouverneur Morris' purpose was "in order that some other provision might be substituted which would restrain the right of suffrage to freeholders." The motion to strike was defeated.

Gouverneur Morris argued that another objection against the clause, as it stood, was that it made the qualifications of the electors of the National Legislature depend upon the will of the States, which he thought not proper.

Colonel Mason opposed the striking of the sentence, stating:

> A power to alter the qualifications would be a dangerous power in the hands of the Federal legislature.

Mr. Ellsworth argued that he thought "the qualifications on the most proper footing. The right of suffrage was a tender point, and strongly guarded by most of the State constitutions"—5 Elliott's Debates on the Federal Constitution, 285 et seq.

The debates in the Constitutional Convention reveal very clearly that it was the intention of the framers of the Constitution that the States should prescribe the qualifications of electors of Representatives in Congress by section 2 of article I. As Hamilton pointed out in the Federalist, this constitutional provision conformed to the "standard," meaning voting qualifications, established or to be established by the States—the Federalist, No. 52.

The qualifications prescribed by the State constitutions in force in 1787 and which were carried over into the Federal Constitution, demonstrate that the words "qualifications" and "qualified" were directly related to requirements for voting. Thus, each of the original States carried in their respective constitutions fixed qualifications for determining eligibility for the franchise of voting.

Thus, the constitutions of the original States, at the time those States entered the Union, contained either a poll tax requirement or property ownership or taxpaying requirements, and that the words "qualified" and "qualifications" were used in referring to those conditions. Furthermore, that these conditions had to be complied with before a person became eligible to vote. Not all citizens could vote—only those who qualified by meeting requirements specifically set out in the State constitutions. This historical fact was commented upon by Mr. Chief Justice White, speaking for the Supreme Court in *Minor* v. *Happersett* (21 Wall 162) of the qualifications requisite for voting in the various States at the time the Federal Constitution was adopted, who said:

> When the Federal Constitution was adopted all the States, with the exception of Rhode Island and Connecticut, had constitutions of their own. These two continued to act under their Charters from the Crown. Upon an examination of those constitutions we find that in no State were all citizens permitted to vote. Each State determined for itself who should have that power. In this condition of the law in respect to suffrage in the several States it cannot for a moment be doubted that if it had been intended to make all citizens of the U.S. voters, the framers of the Constitution would not have left it to implication. So important a change in the condition of citizenship as it actually existed, if intended, would have been expressly declared.

It is clear that the framers of our Constitution merely carried over into our Constitution of 1789, in section 2 of article I, that the word "qualifications" included requirements for the payment of a poll tax or the payment of a property tax and the ownership of property where such requirements exist under State law.

As a matter of fact, the ownership of property as an indicia for voting was carried over from colonial days on up to the year 1933 by the State of Pennsylvania. Thus, while there are only five States remaining today having the requirement of the payment of a poll tax, since the inception of our Union of States these States at one time or another had in their laws provisions similar to the poll tax provision.

It is still a qualification for voting in municipal and town elections in the State of Vermont.

During the last 150 years one after another of our sovereign States, by the actions of their own State legislatures, have repealed the poll tax provision, so that only five States are left. If it has taken 150 years for the majority of these States to repeal their poll tax provision, is there any great haste, or is there any reason to believe that the five remaining States should not be permitted through their own legislative process to repeal this prohibition, rather than directing the passage of a constitutional amendment specifically at them.

I submit, Mr. President, that wisdom requires that the Congress abstain from this field of legislation, and leave the matter to the action of the State legislatures of these five States.

Mr. President, it is well settled that it is the right of the States alone to determine the qualifications of its voters, and that principle, as I set out earlier in these remarks, was carried over from the charters of the Colonies into the State constitutions of the original States and was incorporated into our Constitution by the drafters of that document.

That same principle has been stated so many times in this deliberative body that I presumed it to be without question. Nevertheless we are faced here again with the task of reestablishing that traditional concept.

During the debates in Congress on the 17th amendment, providing for the direct election of U.S. Senators by the people rather than being selected by the State legislatures, the principle was enunciated time and time again that the States alone are to determine the qualifications of the voters.

During the course of that floor debate it was repeatedly stated and agreed that it is the States alone who are to determine the qualifications of their voters. It is the State who, in the first instance, says who can and who cannot vote, and then after the State determination, the Federal Government guarantees to those whose status has been determined by the States, the right to exercise that franchise. In other words, the Federal Government was not to interfere with any qualifications which the State fixes with reference to the voters.

But what is being attempted here today? The Congress is interfering with a qualification of a voter that has been fixed by the State and has long been observed by the State, that a voter to be qualified must have paid a poll tax.

During the course of the debate on H.R. 1024, a bill providing for the elimination of the poll tax on election of Federal officers, the then senior Senator from Florida, Mr. Andrews, made some interesting remarks on the floor of the Senate November 21, 1942, which are as pertinent today as they were on that day in 1942, and I wish to quote some of Judge Andrews' remarks at this time:

> If any citizen desires to know who are qualified to vote for Representatives and Senators in his State, all he has to do is to look at the constitution of his State and the statutes of his State, and he will find the answer. He will not find it anywhere else.
>
> The paying of a poll tax is inconsequential so far as the mere qualifying of electors in

the States to vote is concerned. The amount is not excessive; in fact, in many States it is only $1 a year. The requirement for the payment of a poll tax has been in vogue in most of the States comprising the Union for many years; in fact, before the Constitution there was a poll-tax requirement in the Colonies. In 32 States of the Union there is now levied a poll tax, but it so happens that in only 7 or 8 States of the Union the prepayment remains a qualification for registration and participation in elections at the polls.

The registration books constitute an honor roll of citizenship; indeed, they evidence the fact that a man or a woman is a member of the great body of interested and responsible citizenship of the United States and thus entitled as a citizen of the United States to express his or her views and wishes at the polls.

Some States have abolished the poll tax as a prerequisite to voting. It happens that my own State of Florida is one of the States which has entirely abolished the poll tax. In 1937 an act was passed by the Florida Legislature repealing the law providing for the payment of a poll tax as a qualification for registration and voting. The next regular session of the legislature in 1939, eliminated all poll taxes entirely.

There were a great number of people who felt that the poll tax should not be repealed because the proceeds, though small, went directly to public education. Originally the poll tax was not levied for public-school purposes. Three-quarters of a century ago the poll tax was collected from persons who did not put in a prescribed number of days work on the public roads.

Since that time, however, public education has been developed and expanded, and the public-school system has become so necessary for the education of our people that, by statute, the proceeds from the poll tax have been devoted to the support of public schools. The repeal of the poll tax in Florida did not have any effect whatsoever on the casting of ballots so far as race, color, or previous condition of servitude were or are concerned.

The registration of voters regardless of race, creed, or party affiliations was greatly increased; but, so far as I am advised, there was no increase whatsoever in the vote cast by our colored people; yet there has been created all over the United States a feeling that if the pending bill could be passed it would have a profound effect upon the number of votes cast by the colored people. What has happened in the State of Florida is sufficient to show that no such result would be brought about. All may vote who are qualified and register in the poll books. There are infinitely more poor white people who probably did not vote by reason of the poll tax than colored.

I was in favor of the abolition of the poll tax in my State not only for the reason I have stated but for another reason. The poll tax requirement for voting afforded designing politicians an opportunity, by collaboration with the heads of great organizations, to provide means whereby people who do not feel able to pay their poll tax had it paid for them, on condition they agree to vote a certain ticket. Such things perhaps have occurred all over the United States.

The question may be asked, Why should a person who believes as I believe, that it was wise to abolish the poll tax in Florida, oppose the pending bill? I have just read from the Constitution of the United States which provides, in clear terms, that the power to provide qualifications for voters was and is a power retained by the States. If the Congress can pass a law doing away with the qualifications now so provided in certain States, it could go further and pass a law providing that there shall not even be registration, which is now the prima facie evidence that one is entitled to vote. If such an attempt had been made during the Constitutional Convention, or during the time the Bill of Rights was under discussion, it would have failed.

In other words, this matter should be left in the hands of the several States, to be decided by the States themselves, instead of the States being coerced by groups in other States.

As Judge Andrews so cogently observed in 1942, if the Congress can pass a law doing away with the voter qualifications now provided in certain States, as is here attempted by way of a constitutional amendment, it can go further and provide that there will not even be voter registration. If this path is pursued by the proponents, there will be no authority left in the States over its own voters and the inevitable result will be Federal preemption of the entire voter field.

I say that if this course is followed by the Congress, the words of Chief Justice Fuller in *McPherson* v. *Blacker* (146 U.S. 1), at page 36, no longer will have meaning. Chief Justice Fuller said:

> The right to vote protected or secured by the Constitution is, and only is, the right to vote as established by the laws and constitution of each State.

If we deprive the States of the power to determine the qualifications of its voters, the right to vote will be only that right conferred by the Federal Government. The States will have nothing to say about its own voters.

Mr. President, if Congress should adopt the resolution, we will be on the high road of the federalization of the qualifications of electors and the Federal control of elections, and we will preempt the whole field to the National Government. That will be one of the gravest steps in the 20th century toward the federalization of the United States, to the destruction of our dual system of government, to the destruction of our States, and to the concentration of all power and all authority in Washington. That is, fundamentally, what the issue is all about. It is a fight against statelsm. It is a fight against the destruction of the dual system of government. It is the fight to retain the powers unimpaired of the 50 sovereign States, and the liberties of the American people. The liberties of the people at the cross roads and at the creek banks of this country are protected through their State government.

In Germany, when Hitler rose to power, he had designs upon a dictatorship. However, before he could crush the liberties of the German people, he had to federalize the German Government and destroy the powers of the States which compose that Government.

Mr. President, in the 83d Congress there was before the Senate, Senate Joint Resolution 53, proposing an amendment to the Constitution of the United States to grant to citizens of the United States who have attained the age of 18 the right to vote. On May 21, 1954, after debate, the Senate rejected that proposed constitutional amendment. It was the considered judgment of the Senate on that day that the power of the States to determine the age at which its citizens may vote is a qualification which should be retained by the States themselves. I believe that the arguments made on the floor of the Senate in the 83d Congress by those opposing a constitutional amendment which would lower the voting age to 18 are equally applicable here today in opposing this constitutional proposal to outlaw the poll tax. It was stated on the floor of the Senate in the debate on the constitutional amendment lowering the voting age to 18 that the States themselves should determine the qualifications of their own voters; that if a constitutional amendment were adopted lowering the voting age to 18 and taking that power from the States—this was 1954—then there would be other attempts by way of constitutional amendments to take other powers concerning voters from the States. The end result of this would be to lodge all power and control over voting requirements in the Central Government rather than in the States where the Constitution properly determined they should be.

Mr. President, that is a great safeguard of a free people, namely the power, through their State government, to say who can vote, to fix the qualifications of the voters.

The Senate in 1954 rejected the reasons for a constitutional amendment to lower the voting age, because it would place us on the highroad to destruction of what is fundamental in our system, the power of the people through their State governments to determine the qualifications of their electors.

During that debate on the 18-year-old amendment, Members of this body echoed and reechoed the statement that the Federal Government should not invade the States and say to those people, "We are going to tell you what to do and we will deny to you the right to legislate in this vital field of maintaining and operating the elective process and deciding the qualifications of your electors."

I appeal to the Senate that it show as much wisdom today as the Founding Fathers showed when they wrote the Constitution of the United States, and as the membership of this great body has shown throughout the entire history of this Republic, when it has protected and preserved the rights of the States to define the qualifications of those who participate in elections.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield.

Mr. STENNIS. I appreciate the Senator's yielding to me. I have not had an opportunity to hear all of his address today, because of the pressure of other matters. However, I have heard enough in the last 40 minutes to find good, solid reasoning in what the Senator has said. I wish to refer the Senator to the matter of the franchise of voting, and to ask him what his ideas are with reference to the situation in the Constitutional Convention. Was it not one of the basic, fundamental foundations that the delegates were finally able to get together on, and made the Constitution possible, that they would nail down in clear, unmistakable language that this matter of the voting franchise would be left to each individual State?

Mr. EASTLAND. The Senator is correct. First there was the qualification in the Colonies. When the Colonies won their independence, they were sovereign States, and they set their own voting qualifications. They put into the Constitution words to retain those qualifications, to retain that power within the States, to fix the qualifications of electors, as the very basic factor in our system of government.

Mr. STENNIS. Does not the Senator believe, as a student of the Constitutional Convention and of the other major parts of American history, as well, that had it not been for that basic agreement, and had it not been for that clear language nailing it down unmistakably, there would not have been an agreement with reference to the Constitution that had the validity and the substance in it which was necessary to form an effective government?

Mr. EASTLAND. There would have been no Constitution unless that right had been preserved to the individual States.

Mr. STENNIS. Is not that conclusion recognized by all scholars and historians of our Government?

Mr. EASTLAND. It is recognized throughout all the debates and is so stated in the debates. Gouverneur Morris offered an amendment relating to Federal qualifications, and his amendment was defeated. Delegate after delegate said that they could proceed to write the Constitution and support it only on the basis that the States would fix the qualifications of their electors. Congress has maintained and preserved that right since the founding of the Republic, and that right is inherent to our liberty.

Mr. STENNIS. Moving forward considerably more than 100 years beyond the Constitutional Convention to the adoption of the amendment which permits women to vote—the adoption of that amendment being the result of more than 100 years of experience in the growth and development of our Nation, which was an experiment, to a degree, when it was started—the woman suffrage amendment provided, in the first place, for the creation of a new group or the granting of a new right, rather than merely passing upon the qualifications of voters, was it not? In other words, a new group altogether were encompassed in this field.

Mr. EASTLAND. That is correct. The franchise to vote was granted to women based upon the same voting qualifications that existed for men.

Mr. STENNIS. That is the point. It was the creation of a new right for a new group; but when it came to the qualifications, the selfsame rule was applied.

Mr. EASTLAND. That is correct.

Mr. STENNIS. And in the same language. Is that not true?

Mr. EASTLAND. That is correct.

Mr. STENNIS. That shows that after more than a century, the language of the Constitution had worn well, was found to have been sound and solid, and was considered as essential as when the Constitution was adopted.

Mr. EASTLAND. That is correct. Consider the 17th amendment, which provides for the popular election of U.S. Senators. There the same language is preserved, namely, that the States shall have the power to fix the qualifications requisite for the election of Senators.

Mr. STENNIS. The 17th amendment applied to the election of a particular office, not the qualifications of electors. But as to electors who would be qualified, the selfsame language again, was brought forward, and that principle was approved again in the light of experience.

Mr. EASTLAND. That is correct.

Mr. STENNIS. That amendment actually preceded the woman suffrage amendment. Even though the present proposal for a constitutional amendment with reference to the poll tax is constitutionally sound as to method, the invasion of the principle will violate the letter and the spirit of the original concept as found in the Constitution, will it not?

Mr. EASTLAND. I agree with the distinguished Senator. The proposal before the Senate is constitutionally sound as to method, but it is an attack upon the ideals and principles upon which the Government was founded.

Mr. STENNIS. In effect, it is the coercion of a State against its will on the sacred ground of voting privilege.

Mr. EASTLAND. The distinguished Senator is eminently correct. The idea of the coercion of a sovereign State by other States is abhorrent to the American system of government.

Mr. STENNIS. Again the Senator from Mississippi has well stated the objection to the proposal. I thank the Senator for yielding to me.

Mr. EASTLAND. I thank my colleague from Mississippi.

Mr. President, the debate in the Senate on the constitutional amendment lowering the voting age to 18 restated principles which are equally applicable in this debate here today. It was the feeling of a majority in the Senate at that time that that amendment should not be passed, for it would place some States in a position if they wanted at some other time to change the voting age from 18 to 19, or 20, if they so found it necessary, they could not do it in the face of a constitutional amendment once passed; and while that lowered age worked well in one State, other States should not be coerced to follow that very same policy, for it might have the opposite effect. In other words, it was tantamount to putting the voters of a State in a straitjacket.

The Constitution provides that the States are to prescribe the qualifications of electors of the most numerous house of the respective legislatures, and within those qualifications is the qualification of age of the voter. In the nature of suffrage there must be the age qualification, and the States by their own constitutions prescribe the age at which a voter is eligible to vote. By constitutional amendment, Congress attempted to limit the power of a State to determine at what age its voters may vote. That attempt was defeated on the floor of the U.S. Senate on May 21, 1954. Another qualification that the States have imposed in the past and which is now observed as a requirement by only five States is the payment of a poll tax as a prerequisite for voting. Here today, is an attempt to limit the power of the States in that area. If that proves successful, then what can be done next? A residence requirement is common and perhaps universal, but the time of residence varies greatly in the different States, and each State, within its own constitution, prescribes a residence requirement as a voting qualification. It follows that there can be next on the horizon a constitutional amendment taking from the States the power to determine the residence requirement for its own electors.

Registration of voters is a commonplace and proper qualification. The several States, by their constitutions, establish registration requirements. Possibly within the near future attempts will be made via the constitutional amendment route to take away the power of the State to determine registration requirements for its voters.

A number of the States have literacy and educational tests as a proper qualification for a voter. A constitutional amendment could be proposed to take that power from the States.

The end result will be, if this action is successful here now, to limit the power of the States to determine its qualifications by way of a poll tax requirement, that all of the other voter qualifications followed by the States today will be taken from them and lodged in the central government.

I say that it is possible that there are those who feel that the States should have no power at all over the qualifications of its own electorate, and if they keep on in their efforts, there will be no State power over the electorate, but everything will be in the hands of the Federal Government. In my judgment, the adoption of this amendment will be but a step in the direction of concentrating all power in the Federal Government over State electors, and if successful in approving this constitutional amendment, those steps will inevitably follow.

Mr. President, the impression has been created that those who oppose legislation to repeal the poll tax are trying to preserve poll taxes as such. Our opposition to this measure is predicated on the basis that any action by way of repeal should come from these States themselves rather than by action of the Federal Government. In opposing the favorable consideration of this amendment, we stand on the principle that fixing qualifications for voting shall continue to be the right of the States and should not be taken over by the Federal Government.

Past history reveals that the poll tax has been, is being, and can be ended by action of the States themselves, thereby making it unnecessary for action by the Federal Government in this field. It is our strong feeling that those who demand action by the Federal Government by way of the constitutional

amendment route indirectly give aid and comfort to those who try to break down our American system of government by taking from the States functions that they should and always have exercised under our constitutional form of government. If efforts are successful in this instance to whittle away part of the sovereignty of the States, it can be accomplished in other fields, and eventually there will be little left of the States as governmental entities.

Over 150 years ago the framers of our Constitution debated at great length in the Constitutional Convention this question of the qualification of electors. After full and unlimited debate, the collective judgment of that great Convention was that the qualifications requisite for Members of the House of Representatives should be the same as those requisite of electors of the most numerous branch of the State legislature. There were in the Convention some who wanted to place in the National Government the power of determining the qualifications. However, the members of the Convention determined that the right of fixing the qualifications should be within the power of the States; and so that power has remained with the States for over 150 years. Today, because five States have on their statute books a qualification pursuant to their own constitutions, some Members are proposing that this Congress reverse the action taken in 1787 by the framers of our Constitution.

Mr. President, I ask unanimous consent that at this time I may yield to the Senator from Vermont [Mr. AIKEN]; that in yielding for that purpose, I shall not lose my right to the floor; that at the conclusion of his remarks, I shall regain the floor; and that my yielding for this purpose is not to be counted as a speech by me on the pending motion.

The PRESIDING OFFICER (Mr. PELL in the chair). Without objection, it is so ordered.

AMENDMENT TO UNITED NATIONS BOND ISSUE BILL

Mr. AIKEN. I thank the Senator from Mississippi.

Mr. President, on behalf of the Senator from Iowa [Mr. HICKENLOOPER], the Senator from Kentucky [Mr. MORTON], and myself, I submit amendments to Senate bill 2768, the so-called United Nations bond issue bill.

The PRESIDING OFFICER. The amendments will be received and printed, and will lie on the table.

THE ALEXANDER HAMILTON NATIONAL MONUMENT — AMENDMENT TO THE CONSTITUTION DEALING WITH POLL TAXES

The Senate resumed the consideration of the motion of the Senator from Montana [Mr. MANSFIELD] to proceed to the consideration of the joint resolution (S.J. Res. 29) providing for the establishing of the former dwelling house of Alexander Hamilton as a national monument.

Mr. EASTLAND. Mr. President, I believe the Senate of the United States would strike a mortal blow at the sovereignty of our individual States if it limited the power of the States to determine the qualifications of its voters.

In the 77th Congress, the Committee on the Judiciary had under consideration Senate bill 1280, concerning the qualifications of voters or electors within the meaning of section 2, article I of the Constitution, and making unlawful the requirement for the payment of a poll tax as a prerequisite to voting. A subcommittee of the Committee on the Judiciary submitted to the full committee an adverse report on this proposal. The adverse report of the subcommittee contained a statement which bears repeating at this point. In its report the subcommittee stated:

> It is acknowledged by the proponents of this bill that Congress has no power to fix or alter the qualifications of voters for State office and so they propose only to abolish the poll tax for election of Federal officials. To do this, they must deny that a poll tax is a qualification. Otherwise, they would be forced to admit an attempt to disregard section 2 of article I. This they cannot do without conceding the unconstitutional character of the bill. So they adopt the ingenious ruse of declaring in the first section of the measure that the poll tax requirement is not a qualification of voters but an interference with the manner of holding a Federal election and as such subject to regulation by Congress under section 4, article I. Here, however, they are met by the historic fact that when the Constitution was adopted all of the original States had property or tax qualifications for voters.
>
> The framers of the Constitution knew, for example, that the actual payment of a State or county tax was a voting qualification in Pennsylvania when the instrument was drawn and that the other States had similar provisions. The framers accepted these qualifications whatever they might have been in all of the States by the language of section 2 of article I and nowhere did they give Congress the power to alter them. They did give Congress the power to alter State regulations governing the times and manner of choosing Senators and Representatives as well as the places of choosing Representatives, but no such supervisory power over voting qualifications was granted. Certainly such power cannot be implied by contending that although the Constitution makers, who were perfectly familiar with property qualifications, did not have them in mind when writing section 2 of article I which deals with qualifications, but did intend to give Congress power to change them, when they wrote section 4 of article I which deals with the manner of holding elections.
>
> It would be difficult to imagine any language more clear than the first clause of section 2, article I:
>
> "The House of Representatives shall be composed of Members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature."
>
> If Congress by law should undertake to provide, as the proponents of this bill urge Congress to do, qualifications for the electors of Members of the National House of Representatives other than and different from those "requisite for electors of the most numerous branch of the State legislature" in any State, it would be acting in direct contravention of the mandate of the Constitution that they should be the same.

It should be noted that the chairman of the subcommittee considering the proposal at that time was the then distinguished Senator from Wyoming, Mr. O'Mahoney, one of the leading constitutional lawyers of all time.

That subcommittee, in considering Senate bill 1280, also stated:

> It is better to await the wise action of the remaining States than by a strained construction of the Constitution to apply by statute the power of the Central Government to force upon any State a particular course of action in a field which the Constitution left to the States.

During the course of the same debate on Senate bill 1280, one of the greatest legal arguments ever made on the Senate floor was delivered by the Honorable Joseph C. O'Mahoney, who has long been recognized as one of the leading constitutional lawyers in this body. Senator O'Mahoney said:

> We now come to the question whether or not the pending bill represents a constitutional attempt to exercise constitutional congressional power. To me the answer to the question is so clear that I wonder how it can be debatable. At the very outset of the hearing on the pending bill I propounded the constitutional questions and asked the advocates of the bill to present arguments in support of their contention that the power to fix the qualifications of voters resides in a majority of Congress rather than in the States. The answer to that question has been merely the ingenious and clever stringing together of words, phrases, and emotional appeals by special pleaders who found themselves confronted by language and history which no person can misunderstand.
>
> Bear in mind the fact that the framers of the Constitution clearly intended to make the States equal, and that they were careful to preserve in the States those powers which were not delegated to the Federal Government. We are confronted with the question of what they did about determining who should be the electors and who should fix the qualifications of the electors.
>
> Let it be remembered that the men who sat in the Constitutional Convention and drew this instrument, which everyone recognizes as one of the most remarkable instruments ever drafted, did not provide for popular election of Senators. They provided that Senators should be elected by the State legislatures; and of course they neither exercised any jurisdiction, nor attempted to exercise any jurisdiction, over the qualifications of members of the legislatures. Their decision was that so far as the Members of the Senate were concerned, the selection should be made by whomever the people of the several States might choose to send to the State legislatures.
>
> Even in the matter of the election of the President, they erected a barrier between the people and the Chief Executive by creating the electoral college. The idea was that a group of wise men should be chosen as electors by the several States—chosen independently in the several States; let us not forget that—that such electors should meet in their own States, that they should not come together in any general body to debate, but that, meeting separately in their several States, they, in the exercise of their judgment, should choose the President. The genius of the people of America for self-government was so great, however, that though we have never changed the electoral college, the electors now, as a matter of course, vote for the candidates chosen by the parties by whom they in turn are nominated.

> Of course, it may be pointed out here with respect to the election of Senators that the 17th amendment made no change in the fundamental concept of the independence of the States of the right of the States to determine the qualifications of the voters.
>
> Bearing in mind that Senators as Federal officials were not to be elected by the people, and that the President was not to be elected by the people, we find the explanation of section 2 of article I, which is the only provision in the Constitution dealing with voters' qualifications. It has already been read during the course of this debate; but for the sake of the continuity of my argument let me read it again:
>
> "The House of Representatives shall be composed of Members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature."
>
> What is the answer? One of the principal advocates of the bill before us, in an article which he prepared for a law journal, acknowledged that for years it was generally assumed that the sole power to fix the qualifications requisite for electors for the House of Representatives resided in the States; and he said there never was any thought otherwise until some bright mind conceived the idea of separating the qualifications requisite for electors of Federal officials from those requisite for electors of State officials, and of arguing that a poll-tax requirement is not a qualification, but merely an interference with the manner of holding an election, because section 4 of the first article provides:
>
> "The times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators."

Mr. President, I ask unanimous consent to suggest the absence of a quorum, provided I do not lose my right to the floor, provided I retain my right to the floor at the conclusion of the quorum call, and provided that it does not count as a speech on the pending motion.

The PRESIDING OFFICER (Mr. PELL in the chair). Is there objection to the request of the Senator from Mississippi?

Mr. HOLLAND. I have no objection, Mr. President.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HOLLAND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRUENING. Mr. President, will the Senator yield?

Mr. EASTLAND. Mr. President, I ask unanimous consent that I may yield to the distinguished Senator from Alaska under the same conditions upon which I have heretofore requested unanimous consent to yield to other Senators.

The PRESIDING OFFICER. Without objection, it is so ordered.

GOLD IS A WEAPON—LET US ARM

Mr. GRUENING. Mr. President, the New York Times today tells us in a news story appearing on page 43 that the gold supply in the United States has shrunk to $16,710 million. This is the lowest our gold reserves have fallen since 1938. They have been falling steadily for two decades. The Times does not report that the Senate Interior Subcommittee on Minerals, Materials, and Fuels yesterday started hearings to determine why this Nation's gold reserves are steadily eroding.

The American people may well ask why no positive steps have been taken or apparently contemplated by our Federal authorities to bolster the gold-mining industry so that the gold miners of this Nation may get back to work producing the metal upon which our economy, and the world's economy is based.

Other nations are not so dilatory. The Soviet Union is hard at work mining gold. One expert appearing before the Senate subcommittee Thursday testified to his belief that the U.S.S.R. was mining between 10 and 17 million ounces of gold a year.

The United States is mining only 1.5 million ounces a year.

The United States is selling to manufacturers in this country 3 million ounces of gold a year which will later be resold to consumers who wish to buy bracelets, rings, or other items.

Think of it, Mr. President, as we bemoan the outflow of gold, we sell more domestically than we mine. This is preposterous. Moreover, it is perilous unless we do something about it.

Now, no one is more concerned than I about our imbalance of payments, as, I am sure, are all of my colleagues.

But, Mr. President, I must regretfully report that the New York Times carried no story about the Interior subcommittee hearing of yesterday. I think this also is of concern. Nor did the Washington Post.

I ask unanimous consent that the Times story on the decline of our gold reserves appear in the RECORD at the close of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. GRUENING. Mr. President, I do not want the hardworking and capable reporters of the New York Times to think that I am concerned only about the omission of the subcommittee hearing story from the news columns of their paper. A story did appear in another national newspaper—though it purports to be a news story it was in fact an editorial—both in headlines and text.

This morning's Wall Street Journal, Friday, March 16, 1962, carries its account on page 13, an appropriate page considering its slant. Here is what the headline tells the reader: "Senate Unit Airs Gold Incentive Payments; But Plan Is Doomed."

Doomed? Come now, there has been only 1 day of hearings, the plan has not yet been discussed by the members of the subcommittee. The assumption of the headline writer, of course, is that the legislation will not pass in the face of administration opposition.

Then the subhead of the story tells us: "Bill's Sponsor Notes Rise in Cost of Output; Western-Dominated Panel Sympathetic to Measure."

Rise in cost of output? Of course—ever since 1934.

Has any other industry been so "cabined, cribbed, confined" by Government repression?

Has any other industry been forced to pay 1962 prices to operate and then by law compelled to receive only the 1934 price payments for its labor?

Of course not.

The first paragraph of the Wall Street Journal story editorializes:

> WASHINGTON.—Gold producers seeking Federal subsidies got plenty of sympathy from a Senate Interior Subcommittee, but their plans still stand no chance of gaining congressional passage.
>
> The western-dominated Senate panel heard testimony from mining interests backing a bill to provide incentive payments of up to $35 an ounce for the production of gold, in addition to the $35 the Government already pays to acquire gold.

I ask unanimous consent that the full text of the Wall Street Journal story appear in the RECORD at the close of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. GRUENING. Mr. President, I ask, did the writer of the story know that gold miners do not have the advantage of a free market in which they may sell their product? They are required to sell their product, the gold they mine, to the Government. They are—in this allegedly free enterprise system of ours—forced to sell it at the same price fixed by the Government 28 years ago.

Yes, the Government pays only $35 an ounce for the production of gold, just as the news stories tell the reader. But they do not say why. It is about time someone came to the defense and rescue of an industry which has ample cause to complain.

The gold mining industry has too long been silent.

I hope the great press of this Nation will look further into this national problem, and delve further into the mystery of what forces, through the years, have sought to repress the gold mining industry. Gold is the backbone of our fiscal security, of our national economy, not just the metal mined in the few mines which are left in operation.

Mr. President, a national industry is dying. We cannot afford to let this happen. If we are to keep ahead of the sinister forces which have promised to "bury" us, we had better get busy and start pumping some lifeblood into the industry which can help keep us strong.

Imagine—we mine less gold in a year than we sell to make bracelets in this country. Is it not about time we corrected this deplorable situation? Why do we sell gold to manufacturers at the controlled price of $35 per ounce so that the manufacturers can make any profit they see fit?

The bill, Senate Joint Resolution 44, on which the first day's hearing was held, was introduced in February 1961. It was sponsored by the Senator from California [Mr. ENGLE] than whom no Member of Congress is more knowledgeable both on the mining and economic

aspects of gold. Chairman of the Interior and Insular Affairs Committee of the House before his election to the Senate and previously chairman of the House Subcommittee on Minerals and Mining, he has previously and repeatedly fought for an understanding of what has now become a grave problem. Senate Joint Resolution 44 was cosponsored by the senior Senator from California [Mr. KUCHEL], the Senator from South Dakota [Mr. CASE], and the Senator from Idaho [Mr. CHURCH], and by me. It has bipartisan support—and indeed there is no element of partisanship either in the support of this approach or in the fact that both Republican and Democratic Secretaries of the Treasury, who make their administration's policies, have opposed the simple formula of paying an adequate subsidy for each ounce of gold mined.

Senate Joint Resolution 44—a tentative approach and not necessarily the final and optimum solution—proposes not to exceed a $35 an ounce subsidy for each ounce of gold mined.

The proposal does not increase the price of gold.

Yesterday's hearing marked the start of Senate action to help a vital industry and I am hopeful that as the subcommittee, ably chaired by the Senator from Colorado [Mr. CARROLL], looks into the problems plaguing the industry, there will be positive action by the Congress. There had better be.

One of the witnesses to appear before the subcommittee was my good friend and able colleague from Alaska [Mr. BARTLETT]. BOB BARTLETT was a gold miner. For 18 years in the Congress he has watched diligently over Alaska's interests. He spoke eloquently before the subcommittee and told us:

> I would say that even if the production were to be quadrupled under this bill that actually the taxpayers are not going to lose any money because in the lifetime of many in this room the price of gold will be $70 or more per ounce. I think it is inevitable.

Later Senator BARTLETT pointed out the deplorable condition of the mining industry in Alaska where production has declined from $26,493,740 in 1940 to $3,972,900 in 1961.

> Here, in this land of free enterprise—

Said he—

> in this land of competition, here is the only industry to the best of my knowledge, where the Government says your ceiling price established in 1933 must prevail. You sell to the Government. You can't sell elsewhere. We won't give you more than $35 an ounce, but you are going to pay all your production costs according to the ordinary standards for every other industry prevailing in 1962. I have never heard of the American Government acting similarly in any other instance and it is unfair, it is wrong and it ought not be tolerated. Merely because there are so few gold miners, merely because the gold mining industry doesn't have a lot of effective lobbyists, merely because the voice of the industry and the miners can't be heard effectively is no sound reason in this country why justice cannot be served, and justice will never be served, I suggest, so long as the Government says, we will give you no more for your product than we did in the days of long ago, during the days of the great depression, and you pay wages and materials according to present-day standards. Aside from everything else there is something terribly basically wrong with that.

Senator BARTLETT summed up the problem admirably. There certainly is something basically wrong. What is behind this inability of the Government to act?

The testimony of Congressman RALPH RIVERS, who has been sponsoring similar legislation in the House, carried with it likewise the effectiveness of long, close experience with gold mining problems.

The agency reports on Senate Joint Resolution 44 are all in opposition to this remedial legislation. I ask unanimous consent that these agency reports be printed in the RECORD at this point of my remarks.

There being no objection, the reports were ordered to be printed in the RECORD, as follows:

TREASURY DEPARTMENT,
Washington, D.C., May 8, 1961.

Hon. CLINTON P. ANDERSON,
Chairman, Committee on Interior and Insular Affairs, U.S. Senate, Washington, D.C.

MY DEAR MR. CHAIRMAN: Reference is made to your letter of February 7, 1961, asking for the views of this Department on Senate Joint Resolution 44, to encourage the discovery, development, and production of domestic gold.

The proposed legislation would provide for incentive payments to domestic gold producers in amounts not exceeding $35 per fine troy ounce. The amounts and terms of such payments would be determined by the Secretary of the Interior. The authority would terminate after 5 years and no payments could be made during any period that U.S. gold reserves equaled or exceeded $23 billion.

The Treasury Department does not believe that the institution of a system of incentive payments to gold producers would represent a desirable approach to the basic problem of our balance of payments. The enactment of a measure providing for such payments would be definitely harmful by encouraging uncertainty and speculation with regard to future gold prices.

Accordingly, the Treasury is opposed to the enactment of Senate Joint Resolution 44.

The Department has been advised by the Bureau of the Budget that there is no objection from the standpoint of the administration's program to the submission of this report to your committee.

Very truly yours,

JOHN M. LEDDY

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., May 11, 1961.

Hon. CLINTON P. ANDERSON,
Chairman, Committee on Interior and Insular Affairs, U.S. Senate, Washington, D.C.

DEAR SENATOR ANDERSON: Your committee has requested a report on Senate Joint Resolution 44, to encourage the discovery, development, and production of domestic gold.

This joint resolution directs the Secretary of the Interior to make incentive payments up to $35 an ounce to domestic producers of gold. The amount of the incentive payments would be determined by the Secretary. The authority to make the payments would terminate in 5 years, or earlier if the gold reserves of the U.S. Government equal $23 billion.

The executive branch is opposed to the enactment of any legislation that would establish or imply a second price for gold, different from the $35 per ounce price now in effect.

As a technical matter, the Department of Interior recognizes that enactment of the joint resolution would provide an incentive for reopening many mines which cannot now operate profitably and might assist in keeping in production some mines now on the margin. It would provide additional revenues to the profitable mines and for the producers of gold as a byproduct in the mining of base metals, the principal sources of our present gold production.

With an incentive of $35 an ounce, gold production might be doubled, but at this doubled rate it would take about 42 years to replace from domestic sources the monetary gold reserve loss since 1957. It can be seen therefore that one of the objectives of this resolution, to augment the gold reserves of the United States, would not be accomplished in an appreciable way.

The payment of incentives of the sort proposed by the resolution would result in a situation that gold costing the Government $70 an ounce would be offered at $35 an ounce to foreign monetary authorities and American industrial users of gold. Enactment of legislation providing for payment of a subsidy of this sort could lead to uncertainty about the U.S. price of gold and the stability of the dollar in world markets, and so could result in an increased drain on U.S. gold reserves.

Although the Department of the Interior recognizes that the resolution would be beneficial to gold miners, the executive branch has concluded, in view of the paramount national interest in the monetary function of gold, that the enactment of this legislation would not be desirable.

The Bureau of the Budget has advised that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely yours,

JOHN M. KELLY,
Assistant Secretary of the Interior.

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D.C., May 8, 1961.

Hon. CLINTON P. ANDERSON,
Chairman, Committee on Interior and Insular Affairs, U.S. Senate, Washington, D.C.

MY DEAR MR. CHAIRMAN: This is in reply to your letter of February 7, 1961, inviting the Bureau of the Budget to comment on Senate Joint Resolution 44, "to encourage the discovery, development, and production of domestic gold."

The resolution provides for incentive payments over a 5-year period of up to $35 per ounce on sales to the United States of domestically mined gold so long as the gold reserves of the U.S. Government are less than $23 billion.

The Treasury and State Departments, in separate reports they are making to your committee, recommend against the enactment of Senate Joint Resolution 44 because of the uncertainty and speculation with regard to future gold prices which would result in foreign countries, where the legislation might be regarded as leading toward a modification of the U.S. monetary system. The bill is regarded as an undesirable approach to the basic problem of our balance of payments.

The Department of the Interior, in the report it is making to your committee, indicates that domestic production could not be sufficiently expanded in the next few years to appreciably affect our reserve position in gold.

In these circumstances, the Bureau of the Budget recommends that this measure not be enacted.

Sincerely yours,

PHILLIP S. HUGHES,
Assistant Director for Legislative Reference.

MAY 11, 1961.

Hon. CLINTON P. ANDERSON,
Chairman, Committee on Interior and Insular Affairs, U.S. Senate

DEAR MR. CHAIRMAN: Your letter of February 7, 1961, requested a report from the Department on Senate Joint Resolution 44, "To encourage the discovery, development, and production of domestic gold." The resolution would provide for incentive payments during a 5-year period of not exceeding $35 an ounce to domestic gold producers on conditions determined by the Secretary of the Interior except that no payments could be made during any period that the gold reserves of the United States equaled or exceeded $23 billion. The resolution states that it shall not be construed to repeal, supersede, or modify existing provisions of law relating to the monetary system of the United States.

While the Department has some doubts about the economic desirability of U.S. Government subsidies for gold production, its comment is limited to the international aspects of the proposal. The Department believes that the enactment of this resolution would be likely to be misunderstood in foreign countries where it might be regarded as a modification of the existing U.S. monetary system. The President and other Government spokesmen have made clear the intention of the United States to maintain the value of the dollar. An action interpreted abroad as a modification of this firmly stated policy could lead to renewed uncertainty about U.S. intentions with consequent speculation against the dollar and conversion of dollar assets into gold, resulting in an increased drain on U.S. gold reserves. The Department does not believe that incentive payments to domestic gold producers would be a desirable method of trying to solve the balance-of-payments problem.

The Bureau of the Budget advises that, from the standpoint of the administration's program, there is no objection to the presentation of this report for the consideration of the committee.

Sincerely yours,

BROOKS HAYS,
Assistant Secretary
(For the Secretary of State).

Mr. GRUENING. Mr. President, each department in its own way has said "No." I will say that the Interior Department is apparently a reluctant bride. The Interior Department admits that mining is a fine thing, but then says it would require 42 years to double present production.

Considering the fact that a few gold mines are still operating this may be so. Present production has become negligible. The point is, however, that there is a crying need for gold mines that have succumbed to be put back into operation. It can be done only if the unjustly throttling restriction on gold mining be removed in one way or another. Senate Joint Resolution 44 points to one way, though maybe not the only way.

The Interior Department also says it is "opposed to the enactment of any legislation that would establish or imply a second price for gold, different from the $35 per ounce now in effect."

The Interior Department should read Senate Joint Resolution 44. Nothing in it changes the price of gold.

Obviously, the negative report from the Treasury Department from which all other departmental opposition stems presents the big stumbling block.

What does Treasury say? Let me quote the report:

> The Treasury Department does not believe that the institution of a system of incentive payments to gold producers would represent a desirable approach to the basic problem of our balance of payments. The enactment of a measure providing for such payments would be definitely harmful by encouraging uncertainty and speculation with regard to future gold prices. Accordingly the Treasury is opposed to the enactment of Senate Joint Resolution 44.

Mr. CHURCH. Mr. President, will the Senator yield?

Mr. GRUENING. I yield with pleasure to my good friend from Idaho.

Mr. CHURCH. First of all I commend the distinguished Senator from Alaska for the speech he is making, in which he gives emphasis to the importance of gold to the economy of the United States and to the many serious problems that will confront us if we permit our gold supply to dwindle away. I was particularly interested in the comment of the Treasury, basing its opposition to the joint resolution which we both cosponsor, on the ground that it would not contribute to the solution of our balance-of-payments problem.

I ask the Senator from Alaska this question: What relationship does the joint resolution have to the balance-of-payments problem? It is not proposed as a solution to the balance-of-payments problem, which results from the fact that we are simply paying out more dollars overseas than we are receiving back from exports of American commodities.

Clearly the joint resolution is not addressed to the balance-of-payments problem, which can be rectified only by increasing American exports.

Mr. GRUENING. That is correct.

Mr. CHURCH. Now, as a result of the deficit in our balance-of-payments position over the past few years, the gold supply in the Treasury has fallen well below the point where it would be sufficient to meet the total outstanding short-term credits against us, and, at the same time, cover the 25 percent gold reserve which the law requires the Treasury to hold as backing for the paper currency.

Mr. GRUENING. Again the Senator from Idaho is correct.

Mr. CHURCH. So the problem is one of increasing our gold reserves in the Treasury, to make certain we have a sufficient amount of gold there to meet any call on these short-term credits, and also to have enough extra gold to satisfy the statutory requirement for the backing of our currency. This can only be done by increasing the production of domestic gold.

Mr. GRUENING. Yes.

Mr. CHURCH. The purpose of the resolution which both of us support is to increase domestic gold production in order that the Treasury can meet its obligations. Therefore the basis of the Treasury's opposition to the joint resolution is entirely irrelevant to the objective sought to be served by the resolution.

Mr. GRUENING. It is not only irrelevant, but it is not at all apposite to the legislation we are sponsoring. I must confess that I was profoundly shocked when I read the report of the three agencies reporting on the bill. I thought they would advance some substantial, cogent, logical reasons for their opposition. Of course the leader of the opposition is the Treasury Department, and the other agencies follow that Department. Its entire opposition is contained in two sentences:

> The Treasury Department does not believe that the institution of a system of incentive payments to gold producers would present a desirable approach to the basic problem of our balance of payments.

The Senator from Idaho has just shown how completely unrelated that is. There is one more sentence—and in this is the entire burden of the argument of the Treasury:

> The enactment of a measure providing for such payments would be definitely harmful by encouraging uncertainty in speculation with regard to future gold prices.

I wonder whether the Senator from Idaho could tell me how that comment constitutes a valid argument of the Treasury against this measure.

Mr. CHURCH. The Treasury Department has not made a case against the resolution. It has failed to present arguments to sustain its position. I am hopeful that the hearings we have recently conducted in the Committee on Interior and Insular Affairs will result in some action to augment our depleting Treasury gold reserves by providing some incentive to open the gold mines, and increase the production of gold in such States as Alaska, Idaho, Nevada, and California, which over the years have produced much gold and now cannot do so simply because the price of gold is still pegged at $35 an ounce, and has been pegged at that figure since 1934, although the cost of mining, the cost of labor, and the cost of equipment has gone up, along with the cost of living, over these many years.

So, unless we provide some special incentive, the gold mines will remain closed; and our reserves of gold will continue to taper off at Fort Knox. I think we must face up to this situation and provide some kind of incentive which will open the gold mines again.

Mr. GRUENING. Does the Senator from Idaho, from his knowledge of American history, long past and recent, know of any similar example where the Government arbitrarily fixes the price of a commodity, restricts its sale under circumstances not of the industry's choosing, and keeps it there for 28 years, while all costs are going up, and this under a supposed free enterprise economy?

Mr. CHURCH. I know of no other example. I think there is none in the economy. The only excuse that has been given for this treatment of gold has been the fear that any change in the pegged price of gold would have the effect of devaluing the dollar. However, as the Senator from Alaska knows, the resolution which he and I are cosponsoring in

support of the able junior Senator from California [Mr. ENGLE], who originally introduced it, has nothing whatever to do with the price of gold. It does not tamper with that price, which would remain fixed at $35 an ounce. The resolution would merely provide an incentive payment on production, which could vary from mine to mine within the limits set by the resolution, but could in no case exceed $35 an ounce. It would not affect the fixed price of gold or the established value of the dollar with respect to gold. Therefore, the resolution is not vulnerable to the objection that it would have the effect of devaluing the dollar.

Mr. GRUENING. I suspect the reasoning behind the opposition is the result of a state of mental confusion, in which a feeling exists that in some way the price of gold would be raised, with whatever dire consequences might be attributable to that. This plays a part in the adverse decisions—as in the Interior Department report—although as the Senator from Idaho points out, and as I have pointed out, the resolution in no wise would raise or change the price of gold.

I wonder if he had not been struck by the fact that in the State of Idaho, where there are both mining and agriculture, there is a total contrast between the policies of this administration and of past administrations in subsidizing agriculture and in the failure to do so in the case of a commodity as necessary as gold.

Mr. CHURCH. I think the reason is, as the Senator from Alaska has well pointed out, that gold has been the forgotten commodity, the commodity left behind since 1933. I know of no other instance in which other commodities so important to the Nation at large have been so treated.

Those who fear that the resolution which the Committee on Interior and Insular Affairs has had under consideration would affect the value of the dollar ought to have their attention called to the situation in Canada, where an incentive plan relating to gold has been in operation for years. So far as I know, that plan has no effect on the value, stability, or integrity of Canadian currency in the world market. I think this very fact indicates that the kind of resolution we have been discussing would not affect the value of the dollar, or its integrity in the marketplaces of the world, but would have, rather, the beneficial effect of providing the incentive now necessary to open the gold mines and bring additional supplies of needed gold into the Federal Treasury.

I again commend the Senator from Alaska for the splendid speech he is making. I am hopeful it will effect some action in the right direction.

Mr. GRUENING. Mr. President, to point up the contrast between what happened in the important field of agriculture and what has not happened in the field of gold, there have been through both administrations—for this is a nonpartisan issue—programs on which the Government has spent a lot of money to support agricultural product prices which have fallen below a certain point. In consequence of this program, the Government has accumulated vast surpluses which are stored at tremendous expense to the Nation. Some of these products are perishable.

But there would be no cost involved in storing gold, except the custodial costs at Fort Knox. Gold is a commodity which not only is not perishable, but will increase in value.

Does not the Senator from Idaho agree that this is a startling contrast in performance, one with a complete lack of logic?

Mr. CHURCH. I do, indeed, since the accumulation of gold reserves in many ways increases the wealth of the Nation and also lends confidence to the dollar itself. Therefore, nothing is to be lost by increasing our gold reserves at Fort Knox. There is no detrimental effect from having enough gold. But there are serious dangers in letting our gold supply fall below the level which is necessary to redeem short-term credits and maintain the required statutory backing for the paper currency.

I must say we are adding still another burden to the fast depleting supply of gold at Fort Knox as the Treasury implements its announced policy on silver, because when the Treasury calls in $5 and $10 silver certificates and replaces them with Federal Reserve notes, the amount of currency to be backed by our depleting gold reserves will be increased, thus enlarging the burden upon our gold reserves, as we take the former silver backing and turn it to coinage uses.

For these several reasons, we ought to be concerned about the need for building up our gold reserves. This cannot be done without the kind of incentive payment which the economic facts of life make necessary if gold is again to be taken out of the mountains of the West. Therefore, I again stress the national interest to be served by the adoption of the kind of resolution to which the Senator from Alaska is addressing his remarks today.

Mr. GRUENING. There are really two barrels to this legislation. Even if we did not have the serious and dangerous situation of the depletion of our gold reserves; if this were merely the case of an important industry which has suffered unjust throttling and discrimination, such as no other industry has suffered—even if that were the only reason—the action proposed by the resolution would be justified on the basis of what the Government does for agriculture. But in addition, there is a great national reason for not letting our gold supply sink steadily, as it has been and as it continues to do.

I have placed in the RECORD today a news story published in the New York Times this morning, which shows again that our gold reserve has dropped to the lowest level since 1938.

The situation is really serious; and I am hopeful that the subcommittee will resume its hearings, will question the authors of these adverse reports, and will find out the real reasons behind their objections, because certainly in the reasoning given the subcommittee there is little that makes any sense.

Mr. CHURCH. I agree wholeheartedly with the Senator from Alaska.

Mr. GRUENING. Mr. President, a moment ago I stated that in the report it is said:

> The Treasury Department does not believe that the institution of a system of incentive payments to gold producers would represent a desirable approach to the basic problem of our balance of payments. The enactment of a measure providing for such payments would be definitely harmful by encouraging uncertainty and speculation with regard to future gold prices. Accordingly, the Treasury is opposed to the enactment of Senate Joint Resolution 44.

Uncertainty?

Mr. President, what could be more uncertain at this moment than our precarious position as the Nation's gold pours out almost daily?

I am convinced the Treasury Department is wrong in saying "No," and that its reasoning has little or no merit.

I think foreign governments are able to know a subsidy for a subsidy. I see no reason to get this uncomplicated matter of helping the mining industry and increasing domestic gold production all confused with balance of payments and foreign policy and such.

Gold is the backbone of our financial stability and, to a large degree, of our economy.

The Department of State, in its negative report, "believes that the enactment of this resolution would be likely to be misunderstood in foreign countries where it might be regarded as a modification of the existing U.S. monetary system."

Misunderstood?

Mr. President, what would be better understood than this Nation's decisive action to make more firm its economic position? I find the Department of State's reasoning as vague and nebulous as that of the Treasury Department.

Our world image is based on our financial and economic strength. We can make that image as strong and as positive as we like by taking simple action to support the gold-mining industry and to build up our gold reserves.

We have, however, helped the gold and other mining industries of other nations.

Mr. President, I should like to insert in the RECORD, and I ask that it be printed at the conclusion of my remarks, a compilation of the funds we have spent overseas since 1955 to help other nations build up their mining and related industries. It totals the staggering figure of $42,203,909.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 3.)

Mr. GRUENING. Mr. President, while we are being called upon to vote billions in U.S. funds annually for foreign aid, the executive departments are adopting a penny wise, pound foolish attitude toward the development of a basic industry vital to the economic stability of the United States. Shortly we shall be called upon to vote to buy $100 million worth of United Nations bonds. Where, may I ask those in the executive departments responsible for these adverse reports on Senate Joint Resolution 44, is the money to come from if the flow of

gold into our Treasury is stopped? What will it profit the United States to buy these United Nations bonds if the flow of gold out of the Treasury continues?

Have we lost all perspective?

Why do not the Nation's newspapers explore the realities of this very grim situation?

In my testimony before the subcommittee, I have suggested that we consider a stabilization operation which would work as follows:

The U.S. Treasury would offer incentive payments for each ounce of newly mined domestic gold. That gold would be set to one side. It would be sold for $35 a troy ounce on the free world market if individual hoarders or one or more nations attempted to increase the world price of gold.

We would, in essence, issue a world declaration stating that this newly mined domestic gold is earmarked to keep the market firm and out of the hands of speculators. I understand this type of stabilization worked successfully in 1934 and 1960. We could, if we care to make this comparison, tell any speculator: "Try to break the world market, and we will break you."

Sometimes it may be necessary to play rough. This might be such a time. We can keep the gold market level, if we use or heads.

Finally, let me point out that gold is not a perishable commodity. We could store it from year to year with no fear that it would spoil. Unfortunately, this is not so with our farm surplus on which we pay close to a million dollars each day in storage charges.

I ask unanimous consent that the full text of my testimony before the Interior Subcommittee on Minerals, Materials, and Fuels be printed in the RECORD at the close of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 4.)

Mr. GRUENING. Mr. President, I hope my comments today have opened a door too long shut. As our gold reserves continue to drop, we must stop evading the issue. The gold mining industry holds the answer. Let us not ignore that answer.

Gold is a weapon. Let us arm.

EXHIBIT 1

[From the New York Times, Mar. 16, 1962]

U.S. GOLD STOCK CONTINUES DROP—$20 MILLION SLIDE IN WEEK IS FIFTH OF 1962—YEAR'S LOSS AT $180 MILLION—QUICKENING DISCERNED—WHILE DECLINE IN 1961 PERIOD WAS LARGER, REVERSAL OF TREND BEGAN BY MARCH

(By Edward T. O'Toole)

The U.S. Treasury gold stock sustained another loss last week, the fifth in the 10 weeks of 1962. The most recent decline, covering the week ended Wednesday, amounted to $20 million, the Federal Reserve Bank of New York reported yesterday.

Total gold loss this year now stands at $180 million, bringing the U.S. monetary gold supply down to $16,710 million.

International monetary experts were discussing yesterday the apparent quickening of gold erosion in recent weeks compared with that of a year ago.

While the total loss during the corresponding period of 1961—that is, from January 1 through the second week in March—amounted to $381 million, the drainage took place during January and February.

REVERSAL OF 1961 RECALLED

In January 1961 gold outflow totaled $324 million; in February, there was a further loss of $68 million. But in March, the tide began to turn

During the first 2 weeks of March, there was a return flow of gold amounting to $11 million. This was the first gain in gold by the United States since August 1959.

But during the first 2 weeks of March 1962, the drainage over the first 8 weeks of the year has continued. In the week ending March 7, the loss was $60 million.

The recovery of gold that began in March 1961, continued during April, May, and June. In all, $191 million was added to the U.S. supply during this period.

However, the erosion in the gold store resumed in July and continued during the year, resulting in a net outflow of $878 million.

Gold is lost by the United States when foreign central banks or official agencies exchange dollars for it. U.S. dollars are accumulated abroad when the total outflow of funds from this country exceeds the total inflow of funds. This gives rise to a balance-of-payments deficit—a chronic condition in the U.S. international economic relationships for more than a decade.

At the end of 1951, U.S. Treasury gold totaled $22,695 million; as of December 31, 1961, the total was $16,890 million.

While Treasury and Federal Reserve officials have been reluctant to speculate publicly on the net change in gold expected for 1962 as a whole, none has stated that expectations are for less of a gold loss in 1962 than last year.

"If the rest of the year pans out like the first 10 weeks, then the loss could approach $1 billion," one foreign exchange specialist said yesterday. "But who knows what will happen between now and Christmas?"

One thing that is likely to happen is some prepayment of debt owed to the United States by one or more foreign countries. This happened during the first half of 1961 and could happen again this year.

West Germany prepaid more than $500 million in 1961. This worked in favor of the U.S. international payments position and thus helped to block some gold outflow.

One country that has been mentioned as a likely prepayment candidate for 1962 has been France, which had a balance-of-payments surplus in 1961.

EXHIBIT 2

[From the Wall Street Journal, Mar. 16, 1962]

SENATE UNIT AIRS GOLD INCENTIVE PAYMENTS; BUT PLAN IS DOOMED—BILL'S SPONSOR NOTES RISE IN COST OF OUTPUT; WESTERN-DOMINATED PANEL SYMPATHETIC TO MEASURE

WASHINGTON.—Gold producers seeking Federal subsidies got plenty of sympathy from a Senate Interior subcommittee, but their plans still stand no chance of gaining congressional passage.

The western-dominated Senate panel heard testimony from mining interests backing a bill to provide incentive payments of up to $35 an ounce for the production of gold, in addition to the $35 the Government already pays to acquire gold.

The hearing was largely a forum for airing mining industry woes. The Budget Bureau, Treasury Department, Interior Department, and State Department are on record against the legislation, which is deemed to kill its chances of enactment.

The Treasury contends the measure "would be definitely harmful by encouraging uncertainty and speculation" in gold prices. Producers, however, say the bill not only would give a needed lift to their ailing industry, but by boosting Treasury gold reserves it would ease the U.S. balance of payments problem.

PRODUCTION COSTS

Senator ENGLE, Democrat, of California, chief sponsor of the bill, said the price of gold has remained constant since 1934 while almost every production cost has risen. He said that the U.S. gold reserves are critically low, and currency devaluation may be necessary, if they are not bolstered. The Treasury has consistently denied any devaluation is being considered.

The gold outflow from the United States continued in the week ended Wednesday: the net loss was $20 million worth. Total outflow since January 1, including the latest week, is $180 million, which is less than the $383 million loss in the comparable period of 1961. Last year the total decrease in U.S. gold stocks was $877 million. The latest loss left the monetary gold stock Wednesday at $16,710 million, lowest since August 30, 1939, when it was $16,638 million.

The Treasury's gold reserve currently totals $16,710 million.

Senator GRUENING, Democrat, of Alaska, contended an incentive program has worked in Canada, where the mining industry benefits from no capital gains tax, a 3½-year exemption from Federal tax for new mines, Government help in building roads to promising mining areas, and direct subsidies for gold miners.

TREASURY COMPLACENCY CHARGED

Merrill Shoup, of Colorado Springs, Colo., representing the American Mining Congress and the Colorado Mining Association, called for a return to the gold standard. Mr. Shoup, who is president of the Golden Cycle Corp. and 10 other gold mining and milling operations, also said Congress should reject suggestions that the 25-percent gold backing behind paper money be eliminated and instead start rebuilding the 25-percent reserve to 100 percent to stop further spread of inflation.

Dr. Elgin Groseclose, a Washington economist, said the Treasury should cease selling gold at $35 an ounce to fabricators of jewelry and industrial users, and require them to buy directly from the miners. He charged that the Treasury has a too reckless complacency regarding our gold stock.

EXHIBIT 3: (21) MINING AND MINERALS

Industry and mining, fiscal year 1955

	Amount
FAR EAST	
China:	
Coal exploration	$5,000
Petroleum exploration, CPC	715,000
Hard rock mining	5,000
Coal production techniques	2,000
Geological techniques	4,000
Mining engineering	2,000
Indonesia: Mining operations	32,500
Philippines:	
Nonmetallic minerals survey	28,000
Strategic minerals survey	37,000
Technical assistance to Bureau of Mines	22,000
Coal surveys	35,000
Thailand: Geological survey	52,500
Vietnam: Coal strip mining survey	7,000
NEAR EAST, AFRICA, AND SOUTH ASIA	
Afghanistan: Mineral resources and coal production	67,000
Egypt:	
Industry and mining—mining and minerals	8,000
Industry and mining—photogeology training	4,500

Industry and mining, fiscal year 1955—Con.

NEAR EAST, AFRICA, AND SOUTH ASIA—con.

	Amount
Greece:	
Technical support to mining industry	$22,624
Study of mining methods and ore dressing	34,300
India:	
Exploratory lignite excavation and development	519,600
Minerals survey and development	83,873
Iran: Mineral resources development plans	17,124
Israel:	
For petrochemistry	4,000
Economic geologists	43,600
For the appraisal and development of mineral resources	12,500
Mineral technologists	38,034
For mineral development	40,000
Mineral resources, potash and salt extraction participantship	3,000
Dead Sea brines survey	15,000
Petroleum exploration methods participantship	8,000
Liberia:	
Mining and minerals exploration	50,000
Mines and geology	20,000
Nepal: Project for mineral deposit surveys	20,000
Pakistan: Metal mining engineering	5,450
Turkey:	
Cobalt recovery processes	10,000
Zonguldak coal basin development, P-1	204,400
Oversea territories:	
United Kingdom: U.S. bituminous coal mining methods	4,000
EUROPE	
Austria: Coal mining experts	10,000
France: Iron mining experts	6,000
Spain: Coal mining study	8,640
LATIN AMERICA	
Bolivia: Geology	10,828
Brazil: U.S. Geological Survey mineral resources investigations	190,213
Chile: Geology	64,400
Colombia: Development of coal resources of Department of Cauca and the Cauca Valley	19,238
Cuba:	
Mineral analysis and development	38,000
Basic geological research	28,700
Honduras: Coal resources survey and development	7,950
Mexico: USGS—Instrument calibration technician	850
Peru:	
Advisory services, mineral resources	78,961
Advisory services, mining and metallurgy	81,905
OVERSEA TERRITORIES	
British Guiana: Mining and minerals project	10,400

Fiscal year 1956 projects

FAR EAST

	Amount
Cambodia: Mineral development	$25,000
China:	
Coal mine improvement	103,000
Solid fuels and minerals exploration survey	10,182
Coal exploration	25,000
Petroleum exploration, CPC	7,000
Coal mine demonstration	100,000
Geological equipment	27,000
Indonesia: Mining operations	154,959
Korea:	
Coal mining operations and management	1,800
Development of Hambaek coalfields	550,000
Test drilling of Hambaek coalfield	500,000

Fiscal year 1956 projects—Continued

FAR EAST—continued

	Amount
Philippines:	
Nonmetallic minerals survey	$53,000
Strategic minerals survey	240,000
Technical assistance to the Bureau of Mines	29,500
Coal surveys	53,000
Thailand:	
Geological survey	45,900
Experimental metal mining operations	10,000
Minerals experimental center	30,500
NEAR EAST AND SOUTH ASIA	
Afghanistan: Mineral resources and coal production	93,000
Egypt:	
Industry and mining—mining and minerals	1,500
Minerals resources development	58,750
Greece: Technical training in the minerals field	13,720
India:	
Exploratory lignite excavation and development	9,100
Minerals survey and development	133,723
Iran: Mineral resources	2,500
Israel:	
Petrochemical research	39,000
Mineral exploration and development	105,200
Department of metallurgy (technion)	40,000
Conservation techniques in oilfield development	45,000
Jordan: Dead Sea mineral resources	51,200
Lebanon: Mineral survey	30,000
Nepal:	
Nepal American Minerals Cooperative Service	5,000
Minerals deposit surveys	74,000
Pakistan:	
Development of Makarwal collieries	502,000
Bureau of Mines and Geological Survey advisory service	53,700
Surveys of chemical and industrial potential of Sui gas	75,000
Turkey:	
Zonguldak coal basin development	661,000
Murgul copper mine expansion program	401,000
Murgul copper mine sulfuric acid sea line	100,000
AFRICA	
Liberia:	
Mining and minerals exploration demonstration and training project	20,000
Mines and geology	23,000
Oversea territories:	
Italian: Mineral survey (contract with World Mining Consultants, Inc.)	485
EUROPE	
Spain:	
Coal mining productivity study	8,840
Coal mining consultants	11,925
Lead and iron ore mining productivity study	12,800
POL laboratory equipment, 1956 fiscal year	100,000
Yugoslavia:	
Nonferrous metals and metallurgy	35,700
Fuels	12,700
LATIN AMERICA	
Bolivia: Mining survey	162,000
Brazil:	
U.S. Geological Survey mineral resources	204,500
Mineral resources development (USBM)	85,400
Chile: Geology	86,500
Colombia: Coal resources development in the Department of Cauca and in the Cauca Valley	23,000

Fiscal year 1956 projects—Continued

LATIN AMERICA—continued

	Amount
Cuba:	
Mineral analysis and development	$32,000
Basic geological research	29,900
Honduras: Industry, mining coal resources survey	29,107
Mexico:	
Minerals technology cooperation (Bureau of Mines)	38,000
Industry and mining (U.S. Geological Survey)	116,800
Peru:	
Advisory services mineral resources	98,338
Advisory services mining and metallurgy	49,390
OVERSEA TERRITORIES	
British Guiana: Mining and minerals	6,000

Industry and mining, fiscal year 1957

FAR EAST

	Amount
Cambodia: Mineral development	$15,000
China:	
Coal mine improvement	782,000
Solid fuels 7 and mineral exploration survey	25,000
Petroleum exploration, China Petroleum Corp	5,000
Indonesia: Mining operations	122,000
Korea:	
Test drilling, Ham Baik coal field	139,000
Test drilling, Han Kook Geological Industrial Co	100,000
Geophysical survey and test drilling, ROK Office of Geological Survey	475,000
Mine development, monazite ore separating plant	150,000
Mine development, Dae Han coal mines	8,247,000
Geophysical survey and test drilling, Hwasun & Eunsung coal fields	136,000
Laos: Mining and minerals survey	8,000
Philippines:	
Nonmetallic minerals survey	41,000
Technical assistance to the Bureau of Mines	25,000
Coal surveys	24,000
Thailand:	
Geological survey	58,000
Minerals experimental center	22,000
Airborne geophysical survey	130,000
Vietnam: Nong Son coal exploration survey	56,000
NEAR EAST AND SOUTH ASIA	
Afghanistan: Mineral resources and coal production	875,000
Ceylon: Minerals exploration	56,000
Egypt: Mineral Resources Department	22,000
Greece: Technical training in the mineral fields	14,000
India: Minerals survey and development	113,000
Israel:	
Minerals development	78,000
Department of Metallurgy	25,000
Conservation techniques in oil field development	2,000
Nepal: Project for mineral deposits surveys	137,000
Pakistan:	
Makarwal collieries	593,000
Bureau of Mines and Geological Survey	50,000
Turkey:	
Zonguldak coal basin development	380,000
Murgul copper mine expansion program	178,000
Western lignite mines	450,000
Private mining development	500,000
Preventive maintenance adviser	20,000

Industry and mining, fiscal year 1957—Con.

	Amount
AFRICA	
Liberia: Mines and geology	$10,000
Libya:	
Minerals investigation	24,000
Minerals investigation	42,000
OVERSEA TERRITORIES	
United Kingdom: Southern Rhodesia, metallurgical chemistry	3,000
EUROPE	
Spain:	
Civil aviation (fiscal year 1957) POL laboratory equipment	90,000
Iron ore mining productivity study	6,000
Yugoslavia: Industry, mining, and minerals	138,000
LATIN AMERICA	
Bolivia: Mining survey	199,000
Brazil:	
U.S. Geological Survey mineral resources investigation (nonferrous project)	44,000
U.S. Geological Survey mineral resources investigation (ferrous project)	209,000
Mineral resources development (U.S. Bureau of Mines)	44,000
Chile: Geology	130,000
Colombia: Coal resources development in the Department of Cauca and the Cauca Valley	13,000
Cuba:	
Mineral analysis and development	18,000
Basic geological research	19,000
Honduras: Industry mining coal resources development	75,000
Mexico:	
Minerals technology cooperation (Bureau of Mines)	35,000
Industry and mining (U.S. Geological Survey)	59,000
Peru:	
Advisory services in mineral resources geology	76,000
Advisory services in mining and metallurgy	42,000

Industry and mining, fiscal year 1958

FAR EAST

	Amount
China (Taiwan):	
Coal mine development	$669,000
Mineral development, other than coal	13,000
Indonesian Republic: Mining operations	154,000
Korea:	
Coal mine development	245,000
Development metals and minerals mining	630,000
Mining and geological training	79,000
Philippines:	
Nonmetallic minerals survey	52,000
Strategic minerals survey	397,000
Technical assistance to the Bureau of Mines	25,000
Thailand: Mining development	52,000
Vietnam: Nong Son coal exploration survey	12,000
NEAR EAST AND SOUTH ASIA	
Afghanistan: Mineral resources and coal production	164,000
Ceylon: Minerals exploration	14,000
India:	
Exploratory lignite excavation and development	18,000
Geological survey, India	279,000
Oil and gas commission	41,000
Assistance to coal industry	10,000
Israel:	
Minerals exploration and development	82,000
Conservation techniques in oil field development	6,000
Nepal: Project for mineral deposit surveys	130,000

Industry and mining, fiscal year 1958—Con.

NEAR EAST AND SOUTH ASIA—continued

	Amount
Pakistan: Geological Survey advisory service	$246,000
Turkey:	
Zonguldak coal basin development	62,000
Preventive maintenance adviser	20,000
AFRICA	
Ghana: Geological training project	8,000
Libya: Minerals investigation	66,000
OVERSEA TERRITORIES	
United Kingdom: Increasing productivity of Wolfram mining industry	15,000
EUROPE	
Spain:	
Civil aviation POL laboratory equipment	12,000
Copper mining productivity study	11,000
Yugoslavia:	
Mining and minerals (coal mining, coke, and coke by-products)	308,000
Mining and minerals (nonmetallic minerals, asbestos)	33,000
Mining and minerals (cement production)	20,000
Mining and minerals (industrial and household ceramics)	3,000
Mining and minerals (nonmetallic minerals, chromium)	33,000
Technical inquiry service support (technical literature and film program)	10,000
LATIN AMERICA	
Argentina: Geology and mining training	24,000
Bolivia: Mining industry improvement program	120,000
Brazil: Geological education project	23,000
U.S. Geological Survey mineral resources investigations (nonferrous project)	62,000
U.S. Geological Survey mineral resources investigations (ferrous project)	246,000
Mineral resources development (USBM)	28,000
Chile: Geology	217,000
Colombia:	
Coal resources development in the Department of Cauca and the Cauca Valley	25,000
Cuba:	
Mineral analysis and development	21,000
Basic geological research	6,000
Honduras: Coal resources development	13,000
Mexico:	
Minerals technology cooperation (Bureau of Mines)	38,000
Geological Survey	19,000
Peru:	
Advisory services, mineral resources	66,000
Advisory services, mining and metallurgy	60,000
OVERSEA TERRITORIES	
British Guiana: Training in prospecting for minerals	2,000

Fiscal year 1959 projects

FAR EAST

	Amount
China:	
Coal mine development	$966,000
Mineral development	27,000
Indonesia: Mining operations	162,000
Korea:	
Coal mine development	963,000
Development metals and minerals mining (other than coal)	1,249,000
Mining and geological training	29,000
Laos: Mining and mineral survey	215,000

Fiscal year 1959 projects—Continued

FAR EAST—continued

	Amount
Philippines:	
Nonmetallic mineral survey	$29,000
Strategic minerals survey	228,000
Technical assistance to the Bureau of Mines	38,000
Thailand:	
Mining development	48,000
Airborne geophysical survey	30,000
Vietnam: Nong-Son coal mine development	1,630,000
NEAR EAST AND SOUTH ASIA	
Afghanistan: Mineral resources and coal production	82,000
Ceylon: Minerals exploration	17,000
India:	
Exploratory lignite excavation and development	8,000
Geological survey in India	137,000
Oil and gas commission	12,000
Assistance to coal industry	27,000
Israel:	
Minerals exploration and development	78,000
Conservation techniques in oilfield development	6,000
Nepal: Mineral resources development	148,000
Pakistan: Geological survey advisory service	164,000
Turkey:	
Undersea coal mining operations	3,000
Institute of applied geology	5,000
AFRICA	
Ghana:	
Geological survey project	168,000
Industrial education project	11,000
Libya: Minerals investigation	74,000
EUROPE	
Spain:	
POL laboratory	2,000
USGC School of Photogeology	4,000
Oil exploration and production study	8,000
Yugoslavia:	
Mining and minerals (coal mining, coke, and coke by-products)	266,000
Mining and minerals (nonmetallic minerals—asbestos)	72,000
Mining and minerals (cement production)	81,000
Mining and minerals (nonmetallic), chromium	18,000
LATIN AMERICA	
Argentina: Geology and mining training	26,000
Bolivia: Increasing and diversifying mining production (supervised mining credit program)	127,000
Brazil:	
Geological education project	120,000
U.S. geological survey mineral resources investigations	93,000
U.S. geological survey mineral resources investigations	198,000
Mineral resources development	31,000
Chile: Geology	274,000
Colombia: Coal resources development in the department of Cauca and the Cauca Valley	19,000
Cuba: Mineral analysis and development	24,000
Honduras: Coal resources survey	18,000
Mexico:	
Minerals technology cooperation	44,000
Geological survey	87,000
Peru:	
Advisory services, mineral resources	71,000
Advisory services, mining and metallurgy	54,000

Fiscal year 1959 projects—Continued

OVERSEA TERRITORIES

	Amount
British Guiana: Phototraining	$2,000
The West Indies and East Caribbean: Preliminary survey—pumice and pozzuolanic earth deposits	4,000

Industry and mining, fiscal year 1960

FAR EAST

	Amount
China (Republic of):	
Coal mine development	$16,000
Mineral development—other than coal	623,000
Indonesia: Minerals advisory services	237,000
Korea:	
Development of coal mines—diamond drilling	1,330,000
Metal and minerals development (other than coal)	1,400,000
Mining and geological training	92,000
Laos: Mining and mineral survey	42,000
Philippines:	
Nonmetallic minerals survey	28,000
Strategic minerals survey	159,000
Bureau of Mines administration improvement	43,000
Thailand: Mining development	86,000
Vietnam: Nong-Son coal mine development	33,000

NEAR EAST AND SOUTH ASIA

Afghanistan:	
Mineral resources and coal production	163,000
Mineral resources and coal production—reobligation	16,000
Ceylon:	
Minerals exploration	22,000
Minerals exploration—reobligation	2,000
India:	
Geological survey of India	124,000
Oil and gas commission	33,000
Assistance to coal industry	30,000
Israel:	
Minerals exploration and development	81,000
Conservation techniques in oil-field development	38,000
Nepal: Mineral resources development	44,000
Pakistan: Bureau of Mines and Geological Survey advisory	143,000
Turkey:	
Preventive maintenance adviser	1,000
Institute of applied geology	20,000
Central Treaty Organization: CENTO regional mineral meetings	7,000

AFRICA

Libya: Minerals investigation	99,000

EUROPE

Spain: POL Laboratory	1,000
Yugoslavia:	
Coal production and utilization	257,000
Mining and minerals (cement production)	135,000
Industrial information service	48,000
Technical inquiry service support	5,000
Minerals development	55,000
Minerals development—reobligation	9,000

LATIN AMERICA

Argentina: Geology and mining training	103,000
Bolivia:	
Minerals survey	25,000
Minerals management and production study	25,000

Industry and mining, fiscal year 1960—Con.

LATIN AMERICA—continued

	Amount
Brazil:	
Geological education project	$145,000
U.S. Geological Survey mineral resources — investigations, nonferrous project	87,000
U.S. Geological Survey resources investigations—ferrous project	201,000
Colombia: Coal resources development	17,000
Cuba: Minerals analysis and development	1,000
Honduras: Coal resources survey	13,000
Mexico:	
Minerals technology cooperation	34,000
Geological survey	49,000
Peru:	
Advisory services, mineral resources	14,000
Advisory services, mining and metallurgy	53,000

Industry and mining, fiscal year 1961

FAR EAST

	Amount
China, Republic of: Mineral development—other than coal	$41,000
Indonesia: Minerals advisory services	193,000
Korea:	
Development of coal mines—diamond drilling	471,000
Metal and minerals development—other than coal	275,000
Laos: Mining and mineral survey	30,000
Philippines: Mineral development	156,000
Thailand: Mining development	195,000
Vietnam: Nong-Son coal mine development	30,000

NEAR EAST AND SOUTH ASIA

Afghanistan: Mineral resources and coal production	472,000
Ceylon: Minerals exploration	18,000
India:	
Geological survey of India	44,000
Oil and gas commission	26,000
Assistance to coal industry	326,000
Israel:	
Minerals exploration and development	39,000
Conservation techniques in oil field development	6,000
Pakistan: Bureau of Mines and geological survey—advisory	441,000
Turkey: Institute of applied geology	29,000
Central Treaty Organization: CENTO regional mineral meetings	14,000

AFRICA

Libya: Minerals investigation	60,000
Malagasy Republic: Minerals survey	13,000
Uganda: Increase productivity of Wolfram mining industry	1,000

LATIN AMERICA

Argentina: Geology and mining training	21,000
Bolivia: minerals survey	131,000
Brazil:	
Geological education	139,000
U.S. Geological Survey mineral resources investigation (nonferrous project)	230,000
U.S. Geological Survey mineral resources investigation (ferrous project)	167,000
Chile: Geology	277,000
Mexico:	
Minerals technology cooperation	50,000
Geological survey	77,000
Peru: Advisory services, mining and metallurgy	17,000

EUROPE

Yugoslavia:	
Coal—production and utilization	45,000
Minerals development	390,000
Geological institute	47,000

EXHIBIT 4

STATEMENT BY SENATOR ERNEST GRUENING ON BEHALF OF SENATE JOINT RESOLUTION 44, MARCH 15, 1962, BEFORE THE SENATE INTERIOR SUBCOMMITTEE ON MINERALS, MATERIALS, AND FUELS OF THE SENATE COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

Mr. Chairman, slightly more than 1 month ago in a speech on the floor of the Senate I discussed the effectiveness of our national measures to stop the outflow of gold. I suggested that it was time to subsidize the Nation's gold mines in the public interest. I repeat that suggestion today, and I urge the enactment of legislation which will help increase our gold bullion reserves and assist a national industry in trouble.

It is a privilege for me to appear before the Subcommittee on Minerals, Materials, and Fuels to urge consideration of Senate Joint Resolution 44 which I believe would provide part of the answer to the perplexing problem of halting the drop in the gold supply of the United States.

President Kennedy in his state of the Union message on January 11, 1962, discussed our balance of payments. As he outlined U.S. efforts to safeguard the dollar, the President expressed his belief that "confidence in the dollar has been restored.

"We did not—and could not—achieve these gains through import restrictions, troop withdrawals, exchange controls, dollar devaluations, or choking off domestic recovery.

"We acted not in panic but in perspective. But the problem is not yet solved."

The President is right. The problem is not solved and there is an urgent need to assist in the domestic recovery of the gold mining industry.

Our gold supply is running out.

The March 5, 1962, figure is nearly $500,000 below that of a month earlier.

The March 8, 1962, figure is $60 million below the February 5, 1962, figure. But let me cite some yearly figures.

The highest our gold bullion reserve figure has ever been came on the day of August 26, 1949. The reserve was $24,613,083,166.66. The reserve has gone down ever since. I will cite specific amounts for 1960, 1961, and 1962, as given to me by the U.S. Treasury Department's Office of Domestic Gold and Silver Operations:

Gold bullion on deposit:	
Jan. 31, 1960	$19,143,560,721.00
Feb. 3, 1961	17,436,295,334.22
Feb. 5, 1962	16,790,080,826.75
Mar. 5, 1962	16,789,592,877.47
Mar. 8, 1962	16,729,503,830.71

From figures such as these we may see clearly that the problem has not been solved.

I think that part of this problem arises because the price of gold has remained at $35 per troy ounce since 1934. This constancy has not helped the Nation's gold industry meet constantly increasing production prices. And this constancy prompted Mr. Alvin Kaufman, mineral economist of the Bureau of Mines, to express the following opinion in the December 1961 issue of Mining Engineering:

"The decline in gold output resulted from a lack of incentive to produce because of rising costs and the fixed price of $35 per ounce, as well as from a decline in reserves."

It so happens that gold is about the only mineral which is conserved after being extracted. All other metals find their way into industry and to a considerable extent their extraction however necessary to the uses of modern civilization and technology constitute a depletion. Not so with gold. Indeed we have gold more certainly and more securely once mined from our subsoil and placed in our reserve. In short, gold extraction is—uniquely among all minerals

and subsoil resources—gold conservation, with all its beneficent strengthening of the United States financially, economically, and psychologically.

Secretary Udall in presenting the 1963 Interior Department budget called for $27 million for conservation and development of mineral resources. How better could this and an additional sum be used than for the extraction of gold. In addition he seeks $14,786,000 to maintain a strong national supply base.

Earlier in this session of Congress I joined as a cosponsor of Senate Joint Resolution 44, which was introduced by Senator ENGLE. This legislation encourages the discovery, development, and production of domestic gold through an incentive payment program for newly mined gold.

The resolution proposes the payment of incentive payments not exceeding $35 per ounce of new gold. I am not certain that this is a sufficient amount, but I do know that mining officials agree that an increase in the price of gold would greatly stimulate State economy so I am glad to have this opportunity to support legislation which would stabilize our national gold mining industry.

Senate Joint Resolution 44 further proposes that there be no payment during any period in which the gold reserves of the U.S. Government equal or exceed $23 billion. That maximum is far above our current gold bullion on deposit which was $16,789,592,877.47 on March 5, 1962.

The resolution would terminate the incentive program 5 years after date of approval. I believe that might not be sufficient time and I urge the subcommittee to consider a more flexible wording. There need be no expiration date fixed at this time.

Mr. Chairman, I am interested in gold mine production figures which appear in the Minerals Yearbook. What was it, for example, which kept Canadian gold production at a plus-4-million-ounce figure while U.S. production dropped from an average of 1,905,511 to 1.5 million (estimated) in 1961?

I looked into the matter. I learned that Canada offers a number of incentives to help its mining industry. Among them are such helps as (1) no capital gains tax; (2) exemption from Federal taxes for the first 3½ years of production for new mines; (3) realistic program of road assistance to promising areas and properties; (4) cheaper mining costs; and (5) a subsidy to gold miners.

Most important in regard to gold mining, of course, is the assistance offered to Canadian gold miners in actual subsidy payments offered per ounce under the Emergency Gold Mining Assistance Act.

So I reply in answer to those persons who cry that a subsidy would upset the U.S. balance of payments that a subsidy has not ruined Canadian economy but on the contrary seems rather to have helped the gold mining industry and the nation's economy.

The Emergency Gold Mining Assistance Act was enacted in 1948 for a period of 3 years and it has been extended.

According to figures supplied by the Canadian Department of Mines and Technical Surveys:

"The amount of money paid to gold mines to March 31, 1961, for the years 1948 to 1960, inclusive, under the provisions of the Emergency Gold Mining Assistance Act, is $144,166,822.96 on a production during these years of 38,578,245.244 ounces."

Similar U.S. production during these years was 24,579,000 ounces. Thus Canadian production is nearly 14 million ounces more than the United States in the 12-year period.

Obviously, Mr. Chairman, an incentive program works.

Under the Canadian formula used today the rate of assistance factor was determined by taking two-thirds of the amount by which the cost per ounce exceeds $26.50, with a maximum rate of $12.33 per ounce. The number of assistance ounces was two-thirds of the total gold produced and sold to the Royal Canadian Mint.

It would be easier, I believe, to administer an assistance plan were it based on a flat rate per ounce of new production.

Our good friends, the Canadians, have met their problems realistically and without shaking repercussions. I see no reason why we may not be equally capable.

The Anchorage Daily News, of February 20, 1962, carried an excellent editorial applauding the fact that Senate Joint Resolution 44 had not been shoved aside. It points out that the legislation "overcomes the objections of the economists who fear to turn our gold market open to the world in Alaska" and that it "* * * would mean a resurgency into the hills and creeks by hundreds of prospectors which Commissioner Phil Holdsworth has said will result not only in discovery of gold deposits but will turn up other valuable metals as well.

"Subsidies, we know, are nothing new for our Government. Why should it not make as much sense to subsidize gold miners (and at far less cost) as to subsidize the farming industry?"

In the case of gold there would be no billion dollar annual storage charge, in fact there would be no storage costs. Gold does not perish and it does increase in value.

I ask that the full text of the editorial be reprinted in the text following my remarks.

I have talked to many experts. They, too, are worried about our gold supply. One of them thought the Federal Government should consider a stabilization operation. Very simply such an operation would work as follows:

The U.S. Treasury would offer incentive payments for each ounce of new domestic gold mined. That gold would be set to one side. It would be sold for $35 a troy ounce on the free world market if individual hoarders or one or more nations attempted to increase the world price of gold.

We would, in essence, issue a world declaration stating that this newly-mined domestic gold is earmarked to keep the market firm and out of the hands of speculators. I understand this type of stabilization worked successfully in 1934 and 1960. We could, if you care to make this comparison, tell any speculator: "Try to break the world market and we'll break you."

Sometimes it may be necessary to play rough. This might be such a time.

I support the resolution, although I feel it can be improved by amendment, not only because it will restore a great national industry which is active in the State of Alaska but because it will go a long way toward correcting our balance-of-payments deficiency.

With me to testify is Mr. James Williams, of Juneau, Alaska, director of the Division of Mines and Minerals of the Department of Natural Resources, State of Alaska. Mr. Williams can report on the condition of the mining industry in Alaska and I know he can suggest ways in which that tragic situation might be improved.

We also have present today Mr. James K. Crowdy, president of the New York-Alaska Gold Dredging Co. Mr. Crowdy is an experienced miner both in Alaska and elsewhere.

In closing, Mr. Chairman, I appreciate this opportunity to discuss legislation which means so much to the economic well-being of our Nation.

I should like to complete my testimony by placing in the hearing record a history of gold production in our Nation from 1792 through 1956 as compiled by the U.S. Bureau of Mines. (Chart not printed in RECORD.)

Total U.S. gold stocks on hand from 1957 through 1961 have been supplied through the Office of Domestic Gold and Silver Operations of the Department of Treasury:

	Amount
Dec. 31, 1957	$22,857,000,000
Dec. 31, 1958	20,582,000,000
Dec. 31, 1959	19,507,000,000
Dec. 31, 1960	17,804,000,000
Dec. 31, 1961	16,947,000,000
Mar. 8, 1962	16,729,503,830

Mr. MOSS. Mr. President, will the Senator from Alaska yield?

Mr. GRUENING. I yield with pleasure to my distinguished friend, the Senator from Utah.

Mr. MOSS. Is it not true that since 1934 we have frozen both the price of gold and the market for gold?

Mr. GRUENING. That is correct.

Mr. MOSS. And that no effort has been made to adjust to changing situations in either the local economy or the world economy?

Mr. GRUENING. That is correct. It is a sad story, but it is true.

Mr. MOSS. So, with gold remaining as the basis of our currency, we now have cut off our own source of supply, by reason of keeping the price of gold depressed; is not that true?

Mr. GRUENING. That is correct.

Mr. MOSS. I understand that, possibly with only one exception, the only new gold which today comes into the Treasury comes as a byproduct from the refining of baser metals.

Mr. GRUENING. That is correct. I understand that occurs in Utah.

Mr. MOSS. That is correct; in Utah, all the gold now produced is produced as a byproduct in connection with the mining and refining of other metals. So at this time we are not mining gold and are not obtaining any gold, except for a little trickle of gold which is obtained as a byproduct.

Mr. GRUENING. And certainly that small amount of gold is not sufficient to keep our gold reserves from sagging steadily, as they now are doing.

Mr. MOSS. Yes. But if the mining of gold in the United States were resumed, we could expect a great increase in the amount of gold which would come into our Treasury, could we not?

Mr. GRUENING. We certainly could. If the Congress were to enact either Senate Joint Resolution 44 or some modification of it—for, after all, I do not contend that its provisions are the optimum ones. To give my personal view, I should like to see its terms improved somewhat, and a larger subsidy than Senate Joint Resolution 44 provides, so as to insure greatly increased gold production. We could thereby certainly build up our reserves of gold. And surely, Mr. President, increased reserves of gold in our Treasury would serve as a weapon of great importance to us. After all, we are reliably informed that the Russians are using gold as a weapon of that sort, and are mining between 15 million and 17 million ounces of gold each year—approximately 10 times as much as we are mining annually. So the Russians are using gold as an essential instrument in the cold war.

Mr. MOSS. Mr. President, I certainly commend the Senator from Alaska for his great interest in this matter and for his intention to have further

committee hearings held on this subject. Do I correctly understand that it is his intention to have the hearings reopened?

Mr. GRUENING. Yes, and particularly so that we may cross-examine the objectors who have filed the adverse reports, which do not seem to make sense under the circumstances.

Mr. MOSS. Mr. President, I thank the Senator from Alaska very much for his most important interest in these vital developments in the field of gold production.

Mr. GRUENING. I appreciate the support of the Senator from Utah.

Mr. President, I now yield to the distinguished Senator from Wisconsin, with the understanding that I do not lose my right to the floor, and that his remarks will appear elsewhere in the RECORD.

DAIRY PRICE SUPPORTS, 1962

Mr. PROXMIRE. Mr. President, I thank the distinguished Senator from Alaska. I am grateful to him for yielding to me.

Mr. President, nothing is more important to the Wisconsin farmer than what happens to the price of milk and the price of dairy products. The fact is that the Committee on Agriculture and Forestry is now considering legislation seriously affecting price supports for dairy products. A few hours ago, the Subcommittee on Agricultural Production, Marketing, and Stabilization of Prices of the Committee on Agriculture and Forestry voted to report to the full committee for its consideration, without recommendation, a resolution recommended by the President and the Secretary of Agriculture.

This resolution would have maintained price supports for dairy products at their current level for the remainder of 1962. If the resolution is not agreed to, the Secretary has indicated that he will be compelled, by his interpretation of the law, to reduce price supports for dairy products by 10 percent.

I earnestly hope that the Committee on Agriculture and Forestry will give this proposal its most earnest and careful consideration. It will be extremely beneficial to the farmers of my State and of many other States. The case for this resolution has been strongly made for this resolution before the subcommittee, and the reason why I am speaking on the subject today is that it is so important to my State.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the testimony given before the Subcommittee on Agricultural Production, Marketing, and Stabilization of Prices of the Committee on Agriculture and Forestry on March 1, 1962.

There being no objection, the testimony was ordered to be printed in the RECORD, as follows:

DAIRY PRICE SUPPORTS, 1962

(Thursday, March 1, 1962)

U.S. SENATE, SUBCOMMITTEE ON AGRICULTURAL PRODUCTION, MARKETING, AND STABILIZATION OF PRICES OF THE COMMITTEE ON AGRICULTURE AND FORESTRY,
Washington, D.C.

The subcommittee met, pursuant to call, at 10:05 a.m., in room 324, Old Senate Office Building, Washington, D.C., Senator WILLIAM PROXMIRE presiding.

Present: Senators PROXMIRE, HOLLAND, TALMADGE, JORDAN, and MUNDT.

Also present: Senator BOGGS.

Senator PROXMIRE. The Subcommittee on Agricultural Production, Marketing, and Stabilization of Prices will come to order. Senate Joint Resolution 150 and the favorable report from the Department of Agriculture will be made a part of the record at this point.

(S.J. Res. 150 and the report are as follows:)

"[S.J. Res. 150, 87th Cong., 2d sess.]

"Joint resolution to continue for an additional nine months the current support prices for milk and butterfat

"*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 201(c) of the Agricultural Act of 1949, as amended, is amended by adding immediately following the first sentence thereof the following: 'Notwithstanding the foregoing provisions, for the period beginning April 1, 1962, and ending December 31, 1962, the price of milk for manufacturing purposes and the price of butterfat shall be supported at $3.40 per hundredweight and 60.4 cents per pound, respectively.'"

DEPARTMENT OF AGRICULTURE,
Washington, D.C., February 9, 1962

Hon. ALLEN J. ELLENDER,
Chairman, Committee on Agriculture and Forestry, U.S. Senate

DEAR MR. CHAIRMAN: This replies to your request of February 1 for a report on Senate Joint Resolution 150, a joint resolution to continue for an additional 9 months the current support prices for milk and butterfat.

Senate Joint Resolution 150 would amend section 201(c) of the Agricultural Act of 1949, as amended, by adding immediately following the first sentence thereof the following: "Notwithstanding the foregoing provisions, for the period beginning April 1, 1962, and ending December 31, 1962, the price of milk for manufacturing purposes and the price of butterfat shall be supported at $3.40 per hundredweight and 60.4 cents per pound, respectively.

The Department of Agriculture strongly recommends the immediate enactment of the resolution.

Such a resolution was recommended by the President in his message to the Congress on January 31 in order to prevent disruption of markets and grave impairment of the incomes of milk producers while the new legislation recommended by him is being considered and implemented. The new legislation would maintain the income of dairy farmers under a supply management program and would reduce budgetary expenditures for dairy price supports.

The reasons for recommending the new legislation are set forth in the President's message and the proposed legislation is contained in the Food and Agriculture Act of 1962 (S. 2786) introduced on February 2. The Department will testify on this bill when hearings are held on it. Therefore, this report is confined to the urgency of immediate enactment of Senate Joint Resolution 150.

In his message, the President pointed out that, under the present law, the Secretary of Agriculture is not authorized to set the price support rate for milk above 75 percent of parity unless he determines it to be "necessary in order to assure an adequate supply;" and that, under this law, in the present supply situation, the reduced support price must be announced for the marketing year beginning next April 1.

Milk production in December 1961 was at a record rate for that month and 2.6 percent greater than a year earlier. The prospects are for a further increase in production in 1962. As yet there are no indications of significant improvement in the consumption of milk and its products in commercial outlets which decreased in 1961.

If the support prices are reduced to 75 percent of parity, there is no question but what market prices will decline and returns to producers will decrease. This will seriously impair the incomes of dairy farmers from sales of milk products which constitute one of our most important sources of food nutrients and are a major source of cash farm income.

The resulting decrease in dairy farmers' cash income probably would be between $250 and $300 million—two or three times the likely decrease in program expenditure.

A temporary decrease in support level also would disrupt the normal seasonal storage and marketing of dairy products. Substantial quantities of dairy products normally are stored commercially during the spring and summer months of seasonally large production, and are moved into the consumer markets along with the lighter production during the winter. It also should be noted that the industry normally carries a large inventory of cheese for proper curing and aging.

We recommend immediate passage of the resolution in order to remove the uncertainty as to the support level after April 1. This also would prevent larger sales to CCC from industry inventories before March 31 than will be the case if the resolution is enacted promptly.

The Bureau of the Budget advises that there is no objection to the presentation of this report and that enactment of the proposal would be in accord with the President's program.

Sincerely yours,

ORVILLE L. FREEMAN, *Secretary.*

Senator PROXMIRE. Our first witness this morning is Mr. Don S. Anderson, Director, Livestock, Dairy, and Poultry Division, ASCS, U.S. Department of Agriculture.

Mr. Anderson, we are happy to have you. I see that you have a very short statement. Why don't you go ahead with the statement.

Is there anybody you would like to have with you at the table?

Mr. ANDERSON. I have with me my Deputy Director, Mr. Harlan Emery.

Senator PROXMIRE. Please come up.

Mr. ANDERSON. And also Mr. Feddersen, who is Deputy Director of the Milk Marketing Orders Division, and Mr. Anthony Rojko, Economic Research Service.

Senator PROXMIRE. I wish you would sit up here also, you two gentlemen.

STATEMENT OF DON S. ANDERSON, DIRECTOR, LIVESTOCK, DAIRY, AND POULTRY DIVISION, AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE, U.S. DEPARTMENT OF AGRICULTURE

Mr. ANDERSON. Senate Joint Resolution 150 would amend section 201(c) of the Agricultural Act of 1949, as amended, in order to extend through December 1962 the current support prices of $3.40 a hundredweight for milk and 60.4 cents a pound for butterfat in farm-separated cream.

The Department of Agriculture strongly recommends the immediate enactment of the resolution. Such a resolution was recommended by the President in his message to the Congress on January 31 in order to prevent disruption of markets and grave impairment of the incomes of milk producers while the new legislation recommended by him is being considered and implemented. The new legislation would maintain the income of dairy farmers under a supply-management program and would reduce budgetary expenditures for dairy price supports.

The reasons for recommending the new legislation are set forth in the President's message and the proposed legislation is contained in the Food and Agricultural Act of 1962 (S. 2786) introduced on January 31. The Department has testified on this bill

at the hearings on it. Therefore, this statement is confined to the urgency of immediate enactment of Senate Joint Resolution 150.

In his message the President pointed out that, under the present law, the Secretary of Agriculture is not authorized to set the price support rate for milk above 75 percent of parity unless he determines it to be "necessary in order to assure an adequate supply," and that, under this law, in the present supply situation, the reduced support price must be announced for the marketing year beginning next April 1.

Total milk production in 1961 was 2.2 percent larger than a year earlier. This was slightly more than the percentage increase in population. Meanwhile total consumption of milk and its products declined. Price support purchases increased.

Milk production in January 1962 was at a record rate for that month and 2.6 percent greater than a year earlier. The prospects are for a further increase in production in 1962. As yet there are no indications of a significant improvement in the consumption of milk and its products in commercial outlets which decreased in 1961.

If the support prices are reduced to 75 percent of parity, there is no question but what market prices will decline and returns to producers will decrease. This will seriously impair the incomes of dairy farmers from sales of milk products which are one of our most important sources of food nutrients and are a major source of cash farm income.

The resulting decrease in dairy farmers' cash income probably would be between $250 and $300 million—two or three times the likely decrease in program expenditure.

A temporary decrease in support level also would disrupt the normal seasonal storage and marketing of dairy products. Substantial quantities of dairy products normally are stored commercially during the spring and summer months of seasonally large production, and are moved into the consumer markets along with the lighter production during the winter. It also should be noted that the industry normally carried a large inventory of cheese for proper curing and aging.

The Department recommends immediate passage of the resolution in order to remove the uncertainty as to the support level after April 1. This also would prevent larger sales to CCC from industry inventories before March 31 than will be the case if the resolution is enacted promptly.

Enactment of the resolution is important even if Congress enacts the Food and Agriculture Act this month, because of the time that would be required to implement the new dairy program.

Senator PROXMIRE. Now, Mr. Anderson, as I understand it, the reasons why you recommend that the price support remain at its present level through December 31 of this year, No. 1, is to maintain farm income.

Mr. ANDERSON. Our main interest is in dairy farmers. That is right, sir.

Senator PROXMIRE. In doing this you recognize that would be an increased cost to the Government of perhaps $100 million. Is that about right, sir?

Mr. ANDERSON. That is right.

Senator PROXMIRE. Has that cost estimate been changed as a result of the increased milk production from January 1960 to over January 1961, which as you point out here was more than 2¼ percent greater?

Mr. ANDERSON. I think, Harlan, when we made that estimate we were anticipating an increase in milk production.

STATEMENT OF HARLAN J. EMERY, CHIEF, DAIRY BRANCH, LIVESTOCK, DAIRY, AND POULTRY DIVISION, ASCS, U.S. DEPARTMENT OF AGRICULTURE

Mr. EMERY. Production in December was up about the same amount as a year earlier.

Senator PROXMIRE. Now, opponents of this proposal have argued that if the price support is maintained at its present level it will do two things. No. 1, they say it will encourage the farmer to produce more or to continue increasing production, that if you lower price supports down to 75 percent of parity, you will get a reduction in production. What is your position on this?

Mr. ANDERSON. Well, our general position, sir, would be that higher prices do have some limited effect on maintaining production. It would not be large, we think, and we can't imagine a decrease in price having any substantial effect on reducing farm production immediately.

Senator PROXMIRE. Now, is that statement made on the basis of any analysis of what has happened in the past when you have had lower or higher price supports?

Mr. ANDERSON. No. It is made mostly on the knowledge, sir, that farmers do not have satisfactory alternatives to turn to at the moment.

Senator PROXMIRE. Well, let's look at it both ways. In the first place, what farmers tell me when I talk to them about this is that if their price is lower, the individual farmer unless he goes out of business, and I want to cover that in a minute, the individual farmer does not produce less. Obviously if his price is down, as you say, he doesn't have much of an alternative. The only way he could maintain his gross income is to produce more, isn't that right? In other words, if a farmer has fixed costs, he has to pay his interest, he has to pay his taxes, he has to earn enough to buy the necessities of life for his family if he is to survive. If his price goes down, what does he do? Does he produce less?

Mr. ANDERSON. If his price goes down and all other prices remain the same, the tendency would be to produce somewhat less; yes, sir.

Senator PROXMIRE. Why? If he has to have this income to live——

Mr. ANDERSON. He may work harder. He may work harder. He may sacrifice his family more to do this, but generally higher prices, all other things remaining the same, would result in some moderate increase in production.

Senator PROXMIRE. Well, I would argue the other way, but I know we could argue on this all day. I call your attention to the statistics that since 1949—I have a record here of what price supports have been and what total production of milk has been and what you find is that in years in which price supports have gone down, production has gone up, and when price supports have gone up, production has gone down.

In other words, you have had this adverse or perverse kind of a situation five times—only twice have you had a consistent relationship since 1949—and the rest of the time you have had a situation in which the price support hasn't changed so that you can't make a judgment. So that I would say on the basis of the record, it is very hard to establish the position that by pushing price supports from 83 percent down to 75 percent of parity, you get a reduction in production. Experience does not indicate that.

Mr. ANDERSON. I tried to make myself clear, sir, that I did not believe that a substantial reduction of production would necessarily follow a decrease in price. I agree with you, sir, because there are many other factors. The price of beef affects what dairy farmers can do. But in the main, if everything else remained the same, and, of course, that does not, I think we would have to argue as farmers generally do argue in the Federal market, in order to get a more adequate supply, we would have to raise prices. I would have to agree with you on the statistics, sir, that statistically I cannot prove this point. If prices of beef—if prices of grain change and many other things——

Senator PROXMIRE. Take the year when we had the sharpest kind of change, 1953 to 1954. As I say, price supports dropped from $3.74 to $3.15. Yet we had a 2-billion-pound increase in milk production. This isn't just an exception. This is the rule, the general situation. If people are going to argue that the way to cut production is to reduce price supports, they just have to argue on the basis of theory and not on the basis of what has been the experience, the hard, tough experience of the farmer and the Department of Agriculture. If the statistics are valid, and I am sure they are—they come from the Department.

Mr. ANDERSON. I will not argue that. The statistics I think are correct insofar as they cover the problem. They do not cover these problems of other things that change, and I do not want to argue——

Senator PROXMIRE. I understand that.

Mr. ANDERSON. I do not want to argue, sir, that a cut in price will necessarily—a cut in support will necessarily reduce production. The Department would not take that position—I am sure of that—and it would be a cruel and hard way to cut production, but it is also hard to take a position that if everything remains the same, which it hardly ever does, that increased prices might not have a minor effect on production.

Senator PROXMIRE. Look at the situation for the dairy farmer if this bill is passed. If it is passed and price supports are dropped to 75 percent of parity, what are his alternatives? You will have a feed grain program which is going to keep him from moving into something else. His alternative is really limited. So what you are doing is you are driving his price down, giving him no real alternative to grow something else on his farm, and it seems to me to accomplish very little.

The President in his message which was delivered on January 31 made it clear in his judgment that you are not going to solve the surplus problem. You are still going to have the Government buying much more than it should. So you are not going to solve the problem for the taxpayer or for the farmer, the dairy farmer, by bringing it down to 75 percent of parity.

Mr. ANDERSON. We are in complete agreement with that. We are not going to solve the problem by dropping price supports.

Senator PROXMIRE. You had a statement?

STATEMENT OF ANTHONY J. ROJKO, HEAD, PRICE RESEARCH AND METHODS SECTION, ECONOMIC AND STATISTICAL DIVISION, ERS, U.S. DEPARTMENT OF AGRICULTURE

Mr. ROJKO. I just wanted to make one additional comment. In looking at the historical statistics you have to take into account that dairy farmers are slow to adjust, that they do not adjust immediately, and you have almost to look in terms of 3 or 4 years in order to take into account the other factors such as what happened to beef cattle and hog prices.

Senator PROXMIRE. Fine. Let's take what happened generally over the past 15 years. There has been a general tendency for price supports to go down. They are lower certainly than they were in World War II or during most of the period right after. They are lower than they were—they were a little lower in 1949 and 1950, but then they went up again in 1951 and 1952, and they are much lower than they were in that period.

You said there has got to be a gradual readjustment. Only recently it came up from $3.06 to $3.40, and yet all during this period we have had a general tendency for production to rise, so although supports have gone down over time, you have had production rising contrary to the direction of supports. Isn't that right?

Mr. ROJKO. It was not a steady rise. Production went in——

Senator PROXMIRE. You are right.

Mr. ROJKO. It went in sort of a step-like fashion in that you had the big rise which started with 1952 and then it tapered off, reached its peak in 1956, and then we had 3 years of decline, and then we again got another push starting in 1960–61. So what I am suggesting is that if you take into account adjustment, that this is where response to price comes slowly and it is the hard way of responding to getting production adjustments, but you eventually do get the adjustments if everything else is constant.

Senator PROXMIRE. Which it never is, and what we are saying is that this is a short-term situation now, isn't it? We are looking forward only to the end of this year. We are positive of this on the notion that Congress is going to do something about the fundamental law.

Mr. ROJKO. Right.

Senator PROXMIRE. So that from a short-term basis and in view of the fact that as you are testifying, this is something that takes a few years to adjust, there isn't much point if we are going to change the law in driving price supports down for the coming year.

Mr. EMERY. I think, Don, it is fairly clear that if you reduced supports to 75 percent on April 1, that we would not expect a decrease in milk production in 1962.

Mr. ANDERSON. Not in 1962. I think what the Senator has emphasized is the great contribution that farmers through their drive for greater efficiency have made to the consumers in the way of cheap food, that largely at the cost of hard work to themselves.

Senator PROXMIRE. I want to come to that next. The other argument that is made is that a little higher price support is going to mean a little more consumption—rather, a little less consumption, and as the farmer's price drops, the housewife's price will drop and she will buy more milk.

Now does that follow; first, in the first place on the basis of theory, and then on the basis of fact? Do you get higher consumption if you lower the price support from 83 percent of parity to 75 percent of parity? Would we expect this would have a significant or substantial influence on consumption?

Mr. ANDERSON. Of course, the change in retail price is a much smaller percentage than the change in farm price, and therefore the small change in farm price would have a very substantial effect on the farmer. We feel a smaller percentage change in retail price would have a very minor effect on consumption, if any, sir.

Senator PROXMIRE. Now, is it not true that even when you have had very, very sharp drops in price supports, that you have not had a significant change in the price the housewife pays at the store? At least, that has certainly been the feeling on the part of farmers throughout the country. Maybe you gentlemen have statistics which would refute that. Generally when you have had a drop, for example, the big drop is 1953–54, in price supports, to my knowledge there is no significant drop in the price the housewife had to pay even that year in the grocery store or for home deliveries. Isn't that right?

Mr. ANDERSON. Historically this is correct, sir.

Senator PROXMIRE. So that you will not have, if you drop the price support from $3.40 down to whatever it is, $3.11, I guess, you will not get a response on the part of the housewife in buying more milk. You won't get more consumption from this drop, is that correct?

Mr. ANDERSON. Well, historically, and it may be an accident, we don't know, margins have tended to increase historically and a lot of this drop in farm prices has been absorbed by wider margins.

I am not at the moment passing judgment on the wisdom or the necessity of these higher margins. I am just pointing out, as you did in connection with this, that historically this has happened and we will not expect—even if we got the full drop from $3.40, the same dollars and cents, we would not get the same percentage drop in retail prices.

Senator PROXMIRE. So if it were a drop from $3.40 to $3.06, this would be a drop of——

Mr. ANDERSON. $3.11.

Senator PROXMIRE. $3.11. This would be a drop of how much per quart? Six and a half down to a little over 6 cents? About half a cent drop? If it were reflected all the way through? And historically the situation is that it is not going to be reported through.

Mr. ANDERSON. Historically that is right.

Senator PROXMIRE. Now, on the basis of the record, you have had a fairly steady—some interruption, little change—drop in consumption and there has been no pattern that I can see in the statistics I have here from the Department of Agriculture which shows that consumption has increased when price supports have dropped or that consumption has decreased when price supports have gone up. Is this your experience, too?

Mr. ANDERSON. Yes, sir.

Senator PROXMIRE. Any difference of opinion on that?

STATEMENT OF HOWARD C. FEDDERSEN, DEPUTY DIRECTOR, MILK MARKETING ORDERS DIVISION, ASCS, U.S. DEPARTMENT OF AGRICULTURE

Mr. FEDDERSEN. I would expect that you would have some influence, of course, over time as a result of declining prices. I would say that probably immediately, because of the inelasticity of the demand on the part of the consumer for milk generally, that it wouldn't have an immediate effect. It would be reflected over time in the housewife's consumption.

Senator PROXMIRE. Well, this inelasticity factor is another factor and a mighty important one, and it is a fact. There is no question that there is a degree of inelasticity for demand for milk. If you increase the price you don't cut the consumption a great deal.

Mr. FEDDERSEN. That is correct.

Senator PROXMIRE. And isn't it also true that in terms of the general cost of living, that in terms of wages, that food is a better bargain now and milk is a better bargain now than it has been in the past? Substantially better?

Mr. FEDDERSEN. An improvement of efficiencies.

Senator PROXMIRE. I am talking about price. I am talking about the fact, for example, from the figures I have seen, that in 1929 it took 12 minutes of work in a factory on the basis of average factory wages to buy a quart of milk and today it takes 6 minutes. In 1929 people were buying 811 pounds of milk per person. Now they are buying 642.

Mr. FEDDERSEN. I think that——

Senator PROXMIRE. So although the real price in terms of work, the real price has gone down sharply, consumption has gone down, too, over time.

Mr. ANDERSON. Yes, sir. It seems to me, Senator, that what is demonstrated by those who oppose this proposition, they are saying that farmers will be assured a substantial decrease in income with no assurance of improvements in other fields, even to consumers, or in reduced production or anything like that.

One thing it seems to me we are sure of, if the Department is compelled to drop price supports, is that farmers' income will be substantially decreased.

Senator PROXMIRE. All right. Fine. I certainly concur in that.

Now I would like to go to the question that has been raised by many people. This is in part a political question and in part it is a question of fact, of legality.

The Secretary and the President have said that there is no alternative, that if the Congress does not pass this resolution, that the law will require the Secretary to reduce price supports for milk to 75 percent of parity. Now, there are those who disagree vigorously with this and say this is exactly the basis on which many Democrats criticized the Secretary of Agriculture, former Secretary of Agriculture Benson, that when he reduced price supports under this same law, which is still on the books, the 1949 Agricultural Act, that he did so because he had to do so and we criticized him at that time.

Of course, he didn't come to Congress and ask for a change in the law, a modification of the law, but nevertheless there was that criticism.

Now, looking at the language of the law, it is not crystal clear. I am wondering if you have gotten advice of the counselor of the Department of Agriculture that the Secretary in fact has no choice.

The language, as I have it here is:

"SEC. 201. (c) The price of whole milk, butterfat, and the products of such commodities, respectively, shall be supported at such level not in excess of 90 per centum not less than 75 per centum of the parity price therefor as the Secretary determines in order to assure an adequate supply."

Now, I can see why they feel the language is fairly strong and it puts them in a position where they cannot go above 75 percent of parity, but I want to button this up as clearly as I can and I want to ask you if you give us the legal basis for the Secretary's determination that he would have to drop price supports.

Mr. ANDERSON. Well, this is it, sir. To assure an adequate supply. And the evidence now is that 75 percent of parity will assure an adequate supply.

Senator PROXMIRE. Well, you can argue this a number of ways. You can argue it the way I tried to argue it here, that there is not much evidence that prices have much to do with supply. You gentlemen have indicated maybe over time they might have something to do with it. They don't have much to do with reducing consumption or recent production if you raise the price. It seems to me the Secretary is on fairly strong ground but not on completely conclusive ground if he contends that this law compels him to reduce the price support from 83 percent to 75.

Has there been an opinion by the legal counsel of the Department of Agriculture?

Mr. EMERY. I am certain the General Counsel has advised the Secretary and the Secretary has testified on that basis that he should not support over 75 percent unless he in conscience feels that over 75 percent support is necessary to get an adequate supply.

Senator PROXMIRE. Has there been a study made of the debate of the Agricultural Act of 1949 to determine the legislative history and determine if this is the firm position of Congress that price support cannot go above 75 percent if there is any prospect or any real likelihood of a surplus?

Mr. EMERY. Well, I am sure that the General Counsel has explored fully the legislative history right on this point. I am not from the General Counsel's Office and am not prepared to——

Senator PROXMIRE. It is my understanding that Secretary Benson got the Solicitor's opinion on this, that it was, however, disputed by Members of Congress at the time. But that there was a Solicitor's opinion by the previous Secretary of Agriculture.

Mr. EMERY. There may have been.

Senator PROXMIRE. Well, I would think that before the Secretary acts, certainly if the Congress fails to act, there would be the most painstaking and thorough and careful researching into this law; because this as you know is a terrible blow to the dairy

farmers, and the President recognized it as such in his January 31 farm message, especially since the President says in his message that this will accomplish nothing, that it is the wrong thing to do and he is against it, and he recommends this resolution. But we certainly don't want to be in the position of having the Department simply feel that in general they have to go along with this vague language without having the most careful legal support for what they are doing.

Will you provide such a legal interpretation for the committee? I think it would be very helpful to Congress. This is likely to be a point of dispute. I know that there are Senators who feel strongly that the Secretary can act, including Senators who are members of this committee.

Gentlemen, I want to thank you very much.

Mr. ANDERSON. Thank you very much, sir.

Senator PROXMIRE. Before the next witness is called, Senator McCarthy, a member of this committee, has a letter supporting this resolution which he has written to the chairman of the subcommittee, and without objection, this letter will be included.

(The document referred to follows:)

U.S. SENATE,
COMMITTEE ON AGRICULTURE AND FORESTRY,
March 1, 1962.

Hon. OLIN D. JOHNSTON,
Chairman, Subcommittee on Agricultural Production, Marketing, and Stabilization of Prices, Committee on Agriculture, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: I am pleased that you are holding hearings on Senate Joint Resolution 150.

I support the resolution that price supports on milk and butter be extended for 9 additional months at the rate of $3.40 per hundredweight for milk for manufacturing purposes and at 60.4 cents per pound for butterfat.

If the Congress does not approve this temporary extension, support prices must be lowered to 75 percent of parity on April 1. This would drop the support price on milk about 30 cents per hundred and the price of butter 3 cents per pound. The price support on cheese would also be adversely affected. This action would severely cut the income of dairy farmers and at the same time might well increase the surpluses.

The dairy producers are in the midst of a most difficult problem resulting from a drop in consumption and an increase in production. The administration has recommended a dairy program. Both the Congress and the dairy farmers need time to study this bill and the alternatives proposed by various farm groups. Under these circumstances to permit a disastrous cut in income is neither equitable to dairy farmers nor will it create a climate in which to adopt sound legislation.

I appreciate your decision to hold hearings on this resolution and your consideration of its merits.

Sincerely yours,

EUGENE J. MCCARTHY.

Senator PROXMIRE. The next witness is Mr. Edwin Christianson.

We are happy to see you. You are the president of the Minnesota Farmers Union, St. Paul, Minn., representing the National Farmers Union. If you will, identify the distinguished gentleman on your right, who is a good friend of this committee and who has testified before.

STATEMENT OF EDWIN CHRISTIANSON, PRESIDENT, MINNESOTA FARMERS UNION, ST. PAUL, MINN., REPRESENTING THE NATIONAL FARMERS UNION; AND REUBEN L. JOHNSON, ASSOCIATE DIRECTOR, LEGISLATIVE SERVICES, NATIONAL FARMERS UNION

Mr. CHRISTIANSON. Mr. Chairman, it is a privilege to have the opportunity of appearing before this committee. And with me, representing the National Farmers Union this morning, is Reuben Johnson, our legislative representative here in Washington.

I have a short prepared statement, and I will go over it quite rapidly if that is all right.

Senator PROXMIRE. Very good. That is fine.

Mr. CHRISTIANSON. In our appearance here today before your committee, National Farmers Union wishes to urge favorable action on the recommendation of President John F. Kennedy for continuation of the existing dairy support level until December 31, 1962, as incorporated in Senate Joint Resolution 150.

It is important to consider President Kennedy's statement pertaining to this recommendation in his agricultural message to the Congress:

"Milk and dairy products constitute one of the most important sources of nutrients. They are also one of our most valuable farm products, bringing twice the cash income of the basic crops.

"Incomes of dairy farmers were improved by the bill passed by Congress late in 1960 to increase the support price for milk from $3.06 to $3.22 per hundred pounds and by the increase in the support price last March to $3.40 per hundred pounds for the current marketing year.

"Unfortunately, milk producers now face a serious setback. An unexpected decline in the consumption of milk during the past year, amounting to nearly 3 billion pounds, will result in Government expenditures this year of approximately $500 million to support the prices of dairy products. There is no evidence as yet that this decline in consumption will be reversed in the year ahead. Under the present law, the Secretary of Agriculture is not authorized to set the price support rate for milk above 75 percent of parity unless, 'necessary in order to assure an adequate supply.' Under this law, in the present supply situation, the reduced support price must be announced for the marketing year beginning next April 1.

"Such a reduction in milk price supports will gravely impair the incomes of milk producers. It will not, however, succeed in reducing Government expenditures to a reasonable and justifiable level.

"New legislation to correct the shortcomings of the present dairy price support laws is, therefore, urgently required, for the benefit of both farmer and taxpayer.

"While this legislation is being considered and implemented, in order to prevent disruption of markets by reduction of price supports to 75 percent of parity as required under the present law on April 1, 1962, I recommend enactment of a joint resolution authorizing the continuation of price supports on dairy products at the current level until December 31, 1962."

Our Farmers Union opinion is that there are several reasons why a reduction of price support levels on manufactured dairy products should not take place, but the principal reason, as the President pointed out, is economic in nature.

He urged action by the Congress to "prevent disruption of markets" and to avoid reduction which "will gravely impair the income of milk producers."

We respectfully call the attention of this committee to the statement made by economists of the Economic Research Service of the Department of Agriculture, as it appeared in the Dairy Situation report released Tuesday of this week, as follows:

"The current price support level of $3.40 per 100 pounds of milk is limiting a decline in the price of manufacturing milk during the first quarter of 1962. Prices after April 1 will depend on the support level to be announced before that date."

The only certainty resulting from allowing the dairy price supports to be reduced, will be a drop in gross and net income of dairy farmers—an income which is already seriously low.

According to studies of typical dairy farms made by the Farm Economics Division of the Economic Research Service of USDA, the typical hourly net earnings for operator and family labor on southeastern Minnesota dairy-hog farms is about 49 cents an hour, and a net earnings figure only a few cents per hour higher applies on typical Wisconsin dairy farms.

Senator PROXMIRE. May I interrupt at that point? This 49-cent-an-hour figure, and you say a few cents an hour higher on Wisconsin farms, that must be based on assuming a return on invested capital of 4 percent instead of 6 percent. The 6 percent is a lot less.

Mr. CHRISTIANSON. Yes.

Senator PROXMIRE. In other words, these are conservative estimates. This 49 cents per hour may well be higher than the actual return which farmers might expect. In other words——

Mr. CHRISTIANSON. Yes.

Senator PROXMIRE. If farmers allowed a 6-percent return on invested capital, their own imputed wage income would be substantially less than the 49 cents an hour.

Mr. CHRISTIANSON. Yes, sir.

Senator PROXMIRE. Thank you.

Mr. CHRISTIANSON. These same economic studies indicate that on a southeastern Minnesota dairy-hog farm it now requires a gross of some $12,000 in sales to provide $3,500 in net operator earnings, a $3,500 salary for the farm family.

Senator PROXMIRE. Stop right there. I don't want to anticipate something you are going to say, but I do want to underline the point you are making that this cut would be approximately a 10-percent cut in gross. If you go from 83 to 75, 8 points on an 83 base, a 10-percent cut in gross. This therefore is a big cut in net. The reduction in net income would be far more than 10 percent.

Mr. CHRISTIANSON. That is right.

Senator PROXMIRE. A reduction of maybe 50 percent in net. It may wipe out that income.

Mr. CHRISTIANSON. That is right.

Senator PROXMIRE. Thank you

Mr. CHRISTIANSON. In other words, the typical Minnesota dairyman is retaining only about 29 percent of his gross as net income, family salary, again an adverse economic trend.

The January parity equivalent on manufacturing milk is $4.14 per hundredweight, which indicates that a 75-percent-of-parity support level would be about $3.10. This would mean a 30-cent-per-hundredweight reduction in the support level.

According to our calculations, such a reduction of 30 cents per hundredweight would result in an income loss of perhaps $200 million or more for the Nation's dairymen, and in our own State, Minnesota, where the proportion of milk used for manufacturing purposes is high, the reduction would involve an income loss of some $22.5 million for our producers. The blend price in the Federal milk order areas would drop from 4 to 30 cents per hundredweight as a result of a reduction to 75 percent of parity in the price-support level.

In a very real sense, action taken by Congress or a failure to act will determine the level of dairy farm net income during this transitional period before a revised dairy program goes into operation.

At the same time, while a severe loss of income would take place as a result of failure of Congress to approve Senate Joint Resolution 150, no substantial advantages would result from such a course.

As President Kennedy said, the reduction in price supports would not succeed in reducing Government expenditures in a significant measure.

Maintenance of present support levels would not result in any needful increase in prices of dairy products to the consumer, while the experience of recent years shows that a reduction in price supports probably would not show up at the consumer level for some time, if at all.

Maintenance of the existing support level would be in line.

We do not believe that any significant improvement can be expected in the dairy supply and surplus situation short of the adoption of a more workable permanent dairy program.

This, in our opinion, is the only real solution. In reducing the price-support levels for the next few months, Congress would not be getting at the root of the problem.

We, therefore, urge that you give speedy approval to Senate Joint Resolution 150 and then proceed with efforts to obtain the best thinking of all interested groups on the form of an improved dairy program as part of the administration farm bill.

I have another sheet here, just documenting some of the statements, and I would ask that that be incorporated as part of the record.

Senator PROXMIRE. How long a sheet is it?

Mr. CHRISTIANSON. It is right on there.

Senator PROXMIRE. Without objection that will be placed in the record at this point. This is very concise.

(The document referred to follows:)

"A $340 SUPPORT LEVEL AIDED INCOME DID NOT CREATE PROBLEMS

"The action of the Congress in 1960 in establishing a price-support level of $3.22 on manufactured dairy products, and the action of the Kennedy administration in 1961 of administratively raising the price-support level to $3.40, resulted in a worthwhile improvement in farm income.

"Adjustments in the dairy industry are notably slow in taking place due to the fact that it takes time physically to expand dairy production.

"The upturn in production which took place in 1961 was actually triggered by conditions which prevailed in 1959 and 1960. These factors created the pressure toward expansion of production:

"1. A large supply of cheap feeds had resulted from the policy of expanding feed grain acres while lowering price-support levels. The large feed supply at low prices brought about an increase in the dairy-feed prices ratios, providing an incentive to dairy expansion.

"2. The relatively unfavorable dairy-beef price relationship discouraged the culling of dairy herds. Nearly 20 percent fewer milk cows were retired from dairy herds in 1960 and 1961 than in 1958 and 1959.

"3. The number of milk cows on farms had been declining by 1 million head a year in 1958 and 1959, but dropped less than 200,000 head in 1960 and 1961.

"4. The price of beef canners and cutters was relatively low, discouraging the sale of dairy animals on the beef market.

"5. Productivity per milk cow reached a record level of 7,200 pounds per cow in 1961.

"6. Most of the expansion of milk production in 1961 was in the areas included in the 68 Federal milk market orders. About 75 percent of the increase in volume took place on farms producing for those markets.

"Even so, the production increase in 1961 would not have become a problem had not there been an unexpected and substantial decline in milk consumption.

"Had milk consumption in 1961 grown in line with the population growth, there would have been no serious surplus problem."

Senator PROXMIRE. Now, you say the only certainty resulting from allowing the dairy price support to be reduced will be a drop in gross and net income of dairy farmers, an income which is already seriously low. There is one other certainty in all fairness, and the other certainty is the cost to the Government will be cut. I agree it won't be cut anything like the drop in the dairy farm income because the dairy farmer gets part of that income in the marketplace, but the cost will be cut.

Do you have an estimate on how much this reduction in cost to the Government would be? Would you concur in the opinion of the Department of Agriculture that it would be perhaps $100 million, whereas the drop in dairy farm income might be $300 million?

Mr. CHRISTIANSON. Well, I would concur, not having the figures available to me, except that I feel that the amount of the additional cost is quite insignificant to the benefits that would be derived through the entire economy, not only the dairy farmer, by maintaining it at this level.

Senator PROXMIRE. Mr. Christianson you are a farmer yourself?

Mr. CHRISTIANSON. I have a farm although I—my job is a full-time job now as officer of the——

Senator PROXMIRE. But you have been a farmer.

Mr. CHRISTIANSON. Yes and I still have my farm but it is rented now.

Senator PROXMIRE. I see. Now, on the basis of your own experience, what do you do when the price support is cut? You have a dairy farm? You have had a dairy farm?

Mr. CHRISTIANSON. I have had a dairy farm.

Senator PROXMIRE. What has been your experience when the price support has been reduced in the past? Do you reduce your production?

Mr. CHRISTIANSON. No. Whenever the prices were lower in any commodity, whether it was dairy or any other commodity, we always strived to produce more in order to arrive at some sort of a comparable figure, even with lower prices.

Senator PROXMIRE. Now, when a dairy farmer under the circumstances decides that he just can't make it and sells out, does the country lose his production? His herd is bought by others, his land is bought, his implements are bought and the production goes on but you just have dairy farms which just may be a little larger?

Mr. CHRISTIANSON. That is correct.

Senator PROXMIRE. So that the actual reduction in the price the dairy farmer receives will not, except as he shifts into some other farm product—and the alternatives under the present law, the law proposed, at least, are going to be practically zero—unless he shifts into some other commodity, you are not going to get a reduction in production.

Mr. CHRISTIANSON. That is right. And historically this has been true all along and it is an established fact among the people out in the rural areas.

Senator PROXMIRE. And we also have, wouldn't you agree, the record that shows that when price supports have dropped, you have not gotten a drop in production. In fact, the years of the biggest drops in price supports, you have got substantial increases in production as a matter of record. And the long term over the years, you have had a general drop, at least in the last 10 or 15 years, in price supports, the price the farmers received, at least, and you have gotten a steady increase in production. So whether you look at it from the short-term basis or the long-term basis, there doesn't seem to be any real correlation between this drop in price supports and any reduction in production.

Mr. CHRISTIANSON. This is correct.

Senator PROXMIRE. You would conclude that this year if price supports are dropped to 75 percent of parity, we are going to still have this problem of increasing production, perhaps, or of production at about the same level.

Mr. CHRISTIANSON. This is right in our opinion.

Senator PROXMIRE. I am a little bit puzzled about one figure you give in here. You say the January parity equivalent on manufacturing milk is $4.14 per hundredweight, which indicates that a 75-percent-of-parity support level would be about $3.10. You are saying 100 percent of parity is $4.14.

Mr. CHRISTIANSON. Right.

Senator PROXMIRE. And therefore the parity level which had been lower than that a year or two ago has now gone up to $3.10 or $3.11.

Mr. CHRISTIANSON. That is right.

Senator PROXMIRE. I see. Well, Mr. Johnson, do you have anything you would like to add?

Mr. JOHNSON. I would just like to add one comment if I may, Mr. Chairman. The annual rate of increase of milk production through November of 1961 was running at about 1.6 percent over the previous year. This percentage increase is approximately the same as the percentage increase in our population growth from 1960 to 1961. And I would like to comment that this illustrates clearly to me that the unexpected decline in milk consumption is a major factor in the buildup of stocks this past year.

Senator PROXMIRE. It is not the fault of farmers producing more as much as it is of people consuming less.

On the other hand, I call your attention to two factors. One is that this drop in per capita consumption has been steady and relentless and somehow the dairy industry has either got to do a far better job, promotional job, or adjust to it. How about that?

Mr. JOHNSON. I agree with you completely but the point I want to make is that I think Secretary Freeman, acting on the best judgment that he had when he increased the price support to $3.40 last April 1, anticipated per capita consumption would remain stable throughout this period, and the fact that consumption went down and the carryover built up in my judgment does not show the faulty judgment on his part in raising the price support.

Senator PROXMIRE. How about this other factor, this more immediate factor that has just been revealed within the last 48 hours, that in February there was an increase in production of 2.6 percent over January of 1962? Would you feel that this 1 month is too brief a period to make a judgment?

Mr. JOHNSON. I would think so. I would not want to draw any conclusions as to what the annual increase would be in these figures.

Senator PROXMIRE. I see. Well, thank you, gentlemen, very, very much.

I am sorry. Senator HOLLAND may have some questions.

Senator HOLLAND, why don't you take over now? You have been here a while. I would feel better.

Senator HOLLAND. I wish you would continue to preside because I am going to have to leave very shortly.

Senator PROXMIRE. All right.

Senator HOLLAND. Mr. Christianson, milk products were not among the price supported articles under the New Deal program prior to the Second World War, were they?

Mr. CHRISTIANSON. No.

Senator HOLLAND. They were brought in as a war measure, brought into the price support structure as a war measure.

Mr. CHRISTIANSON. Yes.

Senator HOLLAND. When all of the other vegetables and perishables and the like which were brought in under the Stegall bill for the duration of the war were cut out shortly after the war, how was it that milk was left under the price support?

Mr. CHRISTIANSON. Well, I would not be qualified to say why.

Senator HOLLAND. Is there any reason that justifies the continued inclusion of milk and milk products under the price support structure that did not apply to the various perishables and other products which were brought in as a war measure during the war and discontinued within a few years after the war?

Mr. JOHNSON. Mr. Chairman—Senator HOLLAND, I would like to comment that one of the primary reasons, I think, for the continuation of price supports on milk following the war period was the fact that the Government had called upon farmers to produce. I think it was Secretary Wickard who said that food will win the war and write the peace. Industry had many benefits when they converted over from defense production during that period. I would think that the sum total of this in dollars has been much greater than the price support that was continued in order to try to help farmers over a very difficult period.

Senator HOLLAND. You remember, of course, that when the Stegall bill came to an end, that a great many perishables passed out of the price support picture. You remember, of course, that Irish potatoes, which were continued for a short period of time, themselves asked to be excluded after they found they had cost the Government nearly half a billion dollars in a limited period of time. You remember both those facts, do you not?

Mr. JOHNSON. Yes. But some of the perishables had other programs which they went to, in some cases marketing orders which have worked very effectively in some of the perishable commodities, including citrus.

Senator HOLLAND. That is true in dairies, too, isn't it? Aren't the marketing orders very helpful in the case of all the major milksheds in the country?

Senator PROXMIRE. If the Senator would yield at this point, I might point out that this is fine in the major milkshed areas but in areas such as ours, where we produce so much for manufacturing, it is murder. It is really tough.

Mr. JOHNSON. I would agree completely with that comment.

Senator HOLLAND. I recall that the Irish potato people came in and when they found they were hurting the whole agricultural program by the excessive amounts which were required to support their product, they asked for it to be stricken out. I remember that when the Secretary of Agriculture found that the egg price support structure was impairing the good will of the country toward the whole agricultural program, he himself cut that out. I have never been able to understand for any reason other than political influence why the dairy program has remained under the price support structure when it was not at all under the structure as originally designed and did not come in except as a war measure. I don't understand and if you can explain it, I would appreciate your doing so for the record.

Mr. CHRISTIANSON. Well, my observation and my knowledge of this would indicate that when the poultry and egg industry received no more protection under a price structure, the production of eggs immediately left the family farm unit and went into larger and larger hands. After the price support on potatoes was eliminated, we found that the potato industry is moving now into larger and larger operations. The family type of operation in those commodities is fast disappearing. If the dairy industry, which covers a very large group of family farmers in the Nation and which is perhaps the last typical type of family operation that we have left, I think it resolves to a question of whether we want the family farmers out there on the land and provide some protection for the dairy farmer or do we want the dairy industry to follow the route of the broiler industry and some of these industries that have already left the family farm operation.

Senator HOLLAND. Well, in the first place, as to Irish potatoes, I haven't noted at all in my own State, which is a heavy producer of early potatoes, any tendency toward getting away from the family farm. The general producer down there is a small unit. And in the case of the poultry people, we have many, many small units of egg producers and meat producers in that business also.

It seems to me that there is absolutely no provable justification for a continuation of the dairy industry in the special position which it has been kept in. It is the only one of the special industries that were brought in during the war that never has been regarded as an acceptable field for a price support, the only one that has been kept in the picture up to now. And may I say that as far as the dairy people of my own State are concerned, I haven't found the first one who wants the program to exist or wants it to continue. How is it that in other areas that does not seem to be the case? And apparently the Farmers Union in general exists in the areas where that attitude is held. Why is that so?

Mr. CHRISTIANSON. Well, in Minnesota, one of the great dairy States, the attitude there is certainly for protection of the dairy farmer. I want to say that the Farmers Union is not in the dairy business at all. We have no Farmers Union plants. We have no Farmers Union handlers at all. And still in Minnesota the farmers generally agree that they need this kind of protection.

Mr. JOHNSON. Senator, I would like to point out that in Florida, class 2 prices are going to go down 30 cents a hundredweight. Class 3 prices will go down 30 cents per hundredweight. And class 4 prices will go down 15 cents per hundredweight. And this means on the basis of blend price to farmers that there will be a reduction of about 4 cents per hundredweight overall. Those farmers——

Senator HOLLAND. Why is it not a single dairy farmer in my State has requested our delegation to support the continuation of price supports for dairies?

Mr. JOHNSON. I have no explanation for that, but I would say to you that if these prices start dropping as a result of not being able to maintain the current price support level, that you will have some unhappy dairy producers, because we have heard quite a bit already from some of our people on this and we are going to hear more from them, I am sure, if the current support level is dropped.

Senator HOLLAND. Might I make this comment, Mr. Chairman, that as to our potato people, they were one of the first groups in the Nation to insist upon the discontinuance of that, and they went from a situation of lack of prosperity at once to one of prosperity under the resumption of private enterprise methods. And every comment I have ever had from the dairy industry of my State is that they want to be back under those methods in general. They are trying out now one milkshed contract for the Miami area, but otherwise they prefer to be under the necessity of producing for the market and trying to figure how they might produce appropriately for the markets.

Senator PROXMIRE. If I could intercede at this point, I would like to say with the Senator's permission, that our dairy farmers want to produce for the markets. They want to see the Government out of it. They would like very much to see something like the marketing orders that we have for fluid milk that have been so beneficial to Florida farmers, New York farmers, and other farmers near great fluid areas.

Senator HOLLAND. We are not under that.

Senator PROXMIRE. You have marketing orders.

Senator HOLLAND. Except for the Miami area, and that is rather new.

Senator PROXMIRE. At any rate, if we could have marketing orders for manufacturing milk, if that could be worked out, wonderful. There is no dogmatic feeling on the part of this Senator or my State for this kind of program. But they do want the kind of opportunity the citrus people have had and others have had to get a fair price for what they produce. Some way in which they can market what they produce at a price that will let them survive as family farmers and continue, and I would agree with you 100 percent. I think most people would agree. The present farm program is completely unsatisfactory. It hasn't worked for the taxpayer, it hasn't worked for the farmer. It has kept his income much too low. He wants something much better, but meanwhile what do we do in the coming year?

Senator HOLLAND. The comment has been made about the citrus industry. The whole citrus industry in the country has never been under a group of marketing agreements. The Florida citrus market has had a marketing agreement for oranges only. California has had a State agreement after having tried a Federal agreement. The other areas have not resorted to that kind of machinery and I think the regional approach such as has been followed there might bring better results to the dairy industry. And I am ready to say that there hasn't been any unified regional approach so far as I can see in that very great and very necessary industry. I don't know why there hasn't been.

Has there been any effort to work out marketing agreement approaches for the dairy industry, for Minnesota, which you mentioned.

Mr. JOHNSON. Well, Senator HOLLAND, the dairy industry tends to center around large metropolitan areas. This is one of the facts I think has accounted for the lack of a regional approach to the problem. The dairy industry is a national program, too. It is very different, I think, from a crop like citrus where you have a rather small geographic area where the crop is grown. This presents a much different problem in the overall way in which you approach it. Now, we feel very strongly that marketing orders are good for milk. We support them. We believe that this approach to the problem of dairy producers should be tried. We also are very, very concerned with the future of the dairy industry in terms of protecting the interests of family producers and we do think, as Senator PROXMIRE has pointed out, that there are some needed changes in the program. We have some changes that have been offered in the bill that Senator ELLENDER has introduced which we hope will be approved by Congress.

Senator HOLLAND. You do not approve the dairy title, the dairy portion of the pending overall bill?

Mr. JOHNSON. Yes, we do support it. There is a need for some change, a further increasing bargaining power for family farm producers in the dairy business, and we feel this approach would help to solve the problem we have of producing in excess of what the market requirements are.

Senator HOLLAND. Thank you, Mr. Chairman.

Senator MUNDT. Mr. Chairman——

Senator PROXMIRE. Yes, Senator MUNDT.

Senator MUNDT. I think in response to what Senator HOLLAND has said, one of the reasons why legislation is needed now to provide adequate price supports is that at least temporarily the dairy business has sort of been the victim of a twin attack upon it, one which I think is rather serious, and that is the spreading discussions suggesting that fallout poisons milk and people are afraid to drink milk. I question very much the validity of that scare. The other one I am not so sure about because doctors disagree, and I am not a doctor, and that is that

there is a fatty content in dairy products that produces fat in the blood which is injurious to the heart. Further tests are being made on this. I don't think it has been proven either way as yet. It is something like probably you fellows have down there with your tobacco, no one knows whether it causes cancer or not.

But certainly there is not nearly as much evidence that drinking milk and eating butter contributes to heart difficulties as there is evidence that smoking cigarettes contributes to lung cancer. These things have continued to be investigated and explored. The dairy industry is presenting its side of the case. I believe that as far as the fallout poisons are concerned, we ought to be able to convince the public on good scientific grounds that this is a spurious scare. But as a bridge to tide the dairy industry over this period of uncertainty and unsettlement and concern, understandable concern on the part of the people, I think that is one reason surely which justifies for the time being passage of legislation to provide adequate price supports until these problems have been resolved. And when people again recognize the wholesome quality of butter and the nutritious value of milk, and that it is free from any deleterious impact, the advertising program and the increasing population I think are going to move toward what we would all like to see ultimately, and that is an open and free market which in itself under the law of supply and demand will provide the dairymen a substantial income. But right now they are in trouble and I think they need some legislative assistance.

Senator PROXMIRE. Could I ask you gentlemen if you can tell me the situation in the various fluid markets throughout the country, whether or not there isn't usually some formula on the price of fluid milk that gears it to the price of manufactured milk? In other words, if you are going to take this cut in manufactured milk, fluid in some areas, not all—Vermont is one of them, Boston—but in most you are going to have a cut in the fluid milk also; is that correct? Not only the blend but I mean the actual fluid price.

Mr. JOHNSON. That is correct in some areas. We have some calculations on this.

Senator PROXMIRE. Very good.

Mr. JOHNSON. We would be happy to have them made a part of our testimony, if you like. They are very brief.

Senator PROXMIRE. They are concise and limited. Very good.

(The document referred to is as follows:)

"EFFECT OF A 30-CENT REDUCTION IN PRICE SUPPORT LEVELS IN FEDERAL ORDER MARKETS, MILK MARKET ORDER DIVISIONS, ASCS, USDA

"1. Cedar Rapids, Iowa City, Des Moines, Nebraska-western Iowa, north-central Iowa, Sioux City: All prices would be reduced 30 cents per hundredweight.

"2. Black Hills, eastern South Dakota, and Sioux Falls-Mitchell, S. Dak.: All prices would be reduced 30 cents per hundredweight.

"3. Louisville-Lexington, Ohio Valley, and Paducah: All prices would be reduced 30 cents per hundredweight.

"4. Boston:

"Class I price: Down; none

"Class II price: Down; 30 cents per hundredweight.

"Blend price to farmers: Down; 14 cents per hundredweight.

"If the New York-New Jersey recommended decision were in effect, the 10-cent lower class I price in New York would be reflected also in the unbracketed Boston class I price and the effect would be as follows:

"Class I price: Down; 10 cents per hundredweight.

"Class II price: Down; 30 cents per hundredweight.

"Blend price to farmers: Down; 19 cents per hundredweight.

"5. Wilmington:

"Class I price: Down; 20 cents per hundredweight.

"Class II price: Down; 30 cents per hundredweight.

"Blend price to farmers: Down; 21 cents per hundredweight.

"Calculations made for January-March 1962 quarter (which is at an annual level) on assumption that current supply-demand relationships will continue. New class I price levels would be written current ceiling of $2.60 over Midwest condensery price, thus no immediate effect from price tie.

"6. Southeastern Florida:

"Class I price: None.

"Class II price: Down; 30 cents per hundredweight.

"Class III price: Down; 30 cents per hundredweight.

"Class IV price: Down; 15 cents per hundredweight.

"Blend price to farmers: Down; 4 cents per hundredweight.

"This is based on 11 percent of total producer receipts used in class II and class III milk and 4 percent in class IV.

"7. Central Mississippi, Mississippi Delta, Mississippi gulf coast, and Memphis: All prices would be reduced 30 cents per hundredweight.

"8. Duluth-Superior, southern Michigan, and upstate Michigan: All prices would be reduced 30 cents per hundredweight.

"9. Cincinnati, north central Ohio, Youngstown-Warren, northeastern Ohio, Toledo, tri-State, Columbus, and Dayton-Springfield: All prices would be reduced 30 cents per hundredweight.

"10. Michigan Upper Peninsula, Muskegon, southern Michigan, and upstate Michigan: All prices would be reduced 30 cents per hundredweight.

"11. Northern Louisiana and New Orleans: All prices would be reduced 30 cents per hundredweight.

"12. Austin-Waco, north Texas, Texas Panhandle, Red River Valley: All prices would be reduced 30 cents per hundredweight.

"13. San Antonio:

"Class I price: Down; 30 cents per hundredweight.

"Class II price: Down; 30 cents per hundredweight.

"Class II-A price: Down; 17 cents per hundredweight.

"Blend price to farmers: Down; 30 cents per hundredweight.

"14. Corpus Christi:

"Class I price: Down; 30 cents per hundredweight.

"Class II price: Down; 30 cents per hundredweight.

"Class II-A price: Down; 17 cents per hundredweight.

"Blend price to farmers: Down; 30 cents per hundredweight.

"Class II-A price is based on 2 cents reduction in cheese support price. Class II-A milk is 2 percent of producer receipts.

"15. Central west Texas:

"Class I price: Down; 30 cents per hundredweight.

"Class II price: Down; 30 cents per hundredweight.

"Class II-A price: Down; 17 cents per hundredweight.

"Blend price to farmers: Down; 28 cents per hundredweight.

"Class II-A price is based on 2 cents reduction in cheese support price. Class II-A milk is 12 percent of total producer receipts.

"16. Fort Smith, central Arkansas: All prices would be reduced 30 cents per hundredweight.

"17. Washington, D.C.:

"Class I price: Down; 20 cents per hundredweight.

"Class II price: Down; 30 cents per hundredweight.

"Blend price to farmers: Down; 24 cents per hundredweight.

"These results might not be immediate on April 1, but would likely occur by May this year.

"18. North central Iowa, Des Moines, Cedar Rapids, Iowa City, Sioux City, Quad Cities, Dubuque: All prices would be reduced 30 cents per hundredweight.

"19. Southwest Kansas, Wichita, Kansas City, Neosho Valley: All prices would be reduced 30 cents per hundredweight.

"20. Ohio Valley, Paducah, Louisville, Lexington: All prices would be reduced 30 cents per hundredweight.

"21. Philadelphia:

"Class I price: Down; 20 cents per hundredweight.

"Class II price: Down; 30 cents per hundredweight.

"Blend price to farmers: Down; 23 cents per hundredweight.

"Calculations made for January-March 1962 quarter (which is at annual level) on assumption that current supply-demand relationship will continue. New class I price level would be within current 'ceiling' of $2.60 over Midwest condensery price, thus no immediate effect from price tie.

"22. Oklahoma metropolitan, Red River Valley: All prices would be reduced 30 cents per hundredweight.

"23. Inland empire, Puget Sound: All prices would be reduced 30 cents per hundredweight.

"24. Memphis, Mississippi Delta, central Mississippi, Mississippi gulf coast: All prices would be reduced 30 cents per hundredweight.

"25. Indianapolis, Fort Wayne, Ohio Valley, South Bend, La Porte, Elkhart: All prices would be reduced 30 cents per hundredweight.

"26. Chicago, Quad Cites, Dubuque, Rockford, Freeport, St. Louis, suburban St. Louis: All prices would be reduced 30 cents per hundredweight.

"27. Nebraska, western Iowa: All prices would be reduced 30 cents per hundredweight.

"28. Eastern South Dakota, Black Hills, Sioux Falls, Mitchell: All prices would be reduced 30 cents per hundredweight."

Senator PROXMIRE. The final question I have is this. Did the Farmers Union ever criticize Secretary Benson or the Solicitor's opinion that under the law he had no alternative except to reduce price supports as he did in 1954, and then at other times? I am not sure what year the Solicitor's opinion was, but it seems to me Secretary Benson based his reduction on legal advice and there were some who criticized him for it. I was one of those who criticized him for the support cut but my criticism wasn't so subtle or perceptive. I wonder if you gentlemen have gone into this. We ought to be consistent with our Secretaries of Agriculture. If we are going to criticize Secretary Benson for this, Secretary Freeman ought to be subject to the same position, it seems to me, unless we can say that Secretary Benson did not come to the Congress and Secretary Freeman did, and unless we asume that the Freeman position and Kennedy position is correct, that under the law they have no choice.

Now, do you gentlemen have a position on this? Give us any help you can.

Mr. JOHNSON. Mr. Chairman, we did criticize Secretary Benson as I recall for his reduction in price support levels. However, I point out, as you have directly pointed

out, that there is one big difference because Secretary Benson did not ask Congress to change the law and Secretary Freeman is requesting Congress to do something about it.

Not only that, but he is proposing a dairy program under which we will be able to rectify some of the shortcomings in the present program over the long run.

I think this is an entirely different situation from that that we had a few years back.

Senator PROXMIRE. You have not gone into the legal position the Department takes.

Mr. JOHNSON. We haven't made any study of the legal aspects of this at all.

Senator PROXMIRE. Any further questions?

Senator HOLLAND. Mr. Chairman——

Senator MUNDT. If we are going to discuss—if there has been no difference between the Secretaries, and in fact the President in his message, and I quote, says:

"Under the present law the Secretary of Agriculture is not authorized to set the price-support rate for milk above 75 percent of parity unless necessary in order to secure an adequate supply."

I don't think there is any argument about the law then or now. The question is, of course, whether or not a price support that is higher than the present law would justify should be continued temporarily for the reasons set out by the witnesses, and I think that is the only question before us. I don't think there is any question about the accuracy of the interpretation of the law in the President's message and by both Secretaries.

I may be inaccurate about this but if my memory serves me right, the witness' statement is wrong when he says that President Eisenhower did not come to Congress to ask us to do something about the dairy products. It seems to me that——

Senator PROXMIRE. Asking us to do something about what?

Senator MUNDT. About the dairy program. It runs in my mind, and as I say, I may be wrong, but I think it is—I think the Eisenhower administration did come to Congress to recommend that price supports be placed at $3.22 at a time when they otherwise would have fallen below that and that Congress responded and we did set the price.

Senator PROXMIRE. Are you referring to the action in 1960 when price supports were raised by Congress from $3.06 to $3.22?

Senator MUNDT. That is correct.

Senator PROXMIRE. That was my bill. I was the author of the bill, as I recall, and President Eisenhower signed that bill with the greatest reluctance. When he signed it, he indicated there were political circumstances that made it mandatory to do it, but he was not at all sure about the principle of signing. So I would say that the situation is considerably different.

Senator HOLLAND. Well, the whole purpose of my comment——

Senator MUNDT. I don't think you can say a man is against a bill when he signs it.

Senator PROXMIRE. No. I didn't want to push that too much.

Senator MUNDT. It seems to me the criticism of the witness is unjust on that point and I don't think we should inject political discussions into something that is basically an economic problem.

Senator HOLLAND. I am not doing that at all; I am just calling attention to the fact that I think both the Secretaries interpreted the law right, and I think the President's message which interprets the law the same way is completely correct in that interpretation and the question before us is a very different one from the interpretation of the present law.

Senator PROXMIRE. Thank you, sir.

Mr. CHRISTIANSON. Thank you very much.

Senator PROXMIRE. Thank you gentlemen very much for your very helpful testimony.

The next witness listed is L. Zalton Denslow, representing the National Grange. He is not present, I understand, and they will file a statement.

(The statement is as follows:)

NATIONAL GRANGE,
Washington, D.C., March 2, 1962.

Hon. ALLEN J. ELLENDER,
Chairman, Committee on Agriculture and Forestry, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: The National Grange appreciates the opportunity to express its views on Senate Joint Resolution 150, a measure to continue present dairy price supports until December 31, 1962.

There was, in our opinion, justification for these levels at the time they were established in the light of conditions which then existed in the dairy industry. While some of these conditions have altered, the fact still remains that dairy farm income remains inadequate, and any lowering of the present support levels could not but further reduce such income.

The Secretary of Agriculture has indicated that it will be necessary to reduce dairy price supports to 75 percent of parity on April 1, 1962, unless the Congress directs continuation of the present levels in order to provide time for consideration as to whether new programs can be devised or existing programs altered which will serve to better protect dairy farm income, bring supplies of milk and dairy products to consumers at reasonable prices in a better balance with demand, and to reduce Government costs.

Under these circumstances the Grange believes that it would be a mistake to disturb the present price structure and present support levels until Congress has had the time to consider and act upon proposed new dairy programs.

We therefore favor the adoption of Senate Joint Resolution 150.

Respectfully,

HERSCHEL D. NEWSOM,
Master.

Senator PROXMIRE. Our final witness this morning is Mr. John C. Lynn, who is the legislative director of the American Farm Bureau Federation.

Mr. Lynn, we are very happy to see you.

Mr. LYNN. Thank you.

STATEMENT OF JOHN C. LYNN, LEGISLATIVE DIRECTOR, AMERICAN FARM BUREAU FEDERATION

Senator PROXMIRE. I see you have a very concise statement.

Mr. LYNN. I have a very brief statement I will read, and then I will make a few supplemental comments, if I may.

The American Farm Bureau Federation is a general farm organization representing more than 1,600,000 member families. These members belong to nearly 2,700 organized county farm bureaus in 49 States and Puerto Rico.

We appreciate the opportunity to present our views regarding Senate Joint Resolution 150 as presented in the President's message and as contained in the Secretary of Agriculture's testimony in support of S. 2786. We are opposed to Senate Joint Resolution 150.

It has been stated by the President in his special message to the Congress that the extension of price supports at the current level for another year would cost approximately $500 million.

Senator PROXMIRE. You wouldn't mind if I interrupted, would you, to ask you whether or not you also recognize that the President also said in his message that if price supports are reduced to 75 percent of parity, the cost would still be $440 million?

Mr. LYNN. Yes, but we do not concur in that estimate.

Senator PROXMIRE. You don't concur in that estimate but you do concur in the $500 million?

Mr. LYNN. Yes. That is right, because we have evidence that the $500 million is true currently.

The Secretary of Agriculture has indicated that he does not have authority under current law to maintain the $3.40 per hundredweight level of price support which he established March 10, 1961, and has requested that the Congress assume the responsibility for continuing the program at the present level of support.

The statute provides the Secretary of Agriculture authority to set the rate of support on dairy products between 75 and 90 percent of parity in order to assure an adequate supply. The Secretary of Agriculture raised the price support from $3.22 per hundredweight, set by Congress, for the period ending March 31, 1961, to $3.40 per hundred pounds (about 82 percent of parity).

When the Secretary raised the price support for the current marketing year about a year ago, it should have been apparent to him that adequate supplies of dairy products would be made available without raising dairy price supports.

National production of milk had been increasing as follows: We simply indicate here that beginning in September 1960, which was the period that would indicate what was happening in the dairy production and the supply, these figures were available, of course, to the Secretary at the time he made the decision. The figures are as follows:

[Increase over same month of previous year]

Month and year:	*Percent*
1960:	
September	0.4
October	1.4
November	2.2
December	1.3
1961:	
January	.4
February	[1] 1.4

[1] Adjusted to compensate for extra day in February 1960.

Price support purchases also were up. This was especially evident in CCC acquisitions of butter and nonfat dry milk. The Secretary decided to ignore this evidence, and, instead, elected to raise dairy support prices. This was a major factor in the increase in production and downturn in consumption which followed.

Direct price support purchases (in terms of contracts to purchase) totaled as follows in recent periods, and this chart simply indicates the increase in stocks of butter, cheese, and nonfat dry milk. The figures are as follows:

[Millions of pounds]

	December		Apr. 1–Dec. 31	
	1960	1961	1960	1961
Butter	4	23	57	262
Cheese		18		124
Nonfat dry milk	81	165	589	779

The Secretary has the authority under current law to reduce the support level for the next marketing year and start in the direction of correcting the mistake of a year ago.

Passage of this resolution would do several things—all of them undesirable. It would: (1) Transfer from the Secretary of Agriculture to the Congress responsibility for the heavy buildup of CCC stocks of dairy products; (2) put the Congress on record in support of an indefensible policy; and (3) provide an open invitation for the imposition of quotas on individual dairy farmers.

We recommend that Senate Joint Resolution 150 be not approved.

Let me just add, Mr. Chairman, that I do not claim to be a dairy expert but I have been connected with agriculture now about 30 years as a practical farmer and as a county agricultural agent. If the reduction in price

supports causes farmers to increase production, it seems to me that the Secretary ought to have moved in that direction last spring if he was trying to insure an adequate supply.

Let me just say categorically that I don't think this is based on facts. Farmers do not increase their production of a commodity because the price is lower if they have any alternative sources to use their facilities.

Now, if you assume that the administration's recommendation on the farm program is going to be enacted into law, then certainly feed grain farmers and dairy farmers would be saddled with a great many controls. We do not operate under that assumption because we do not believe that the Congress of the United States is going to accept or approve these stringent supply management controls that are being recommended by this administration.

Senator PROXMIRE. Might I interrupt at that point? You see, the Congress says this is a recommendation of the President and of the Secretary of Agriculture. We have a big Democratic majority in the House and Senate and while the Senate and House may not pass this bill, there is a good chance they won't, but we are putting the dairy farmer in a very, very difficult position. If the Congress does pass this bill, then the dairy farmer doesn't have any alternative. As you say, under the controls, he cannot shift into something else. He is strapped.

Mr. LYNN. But we aren't——

Senator PROXMIRE. And he pretty much has to stay with his production. If you are going to cut his price, make him stay a dairy farmer and with no alternatives, he will do the same as the record shows he has done under circumstances before, produce more milk.

Mr. LYNN. We aren't going to have this kind of a choice. I don't think the Congress of the United States is going to approve the administration's farm proposals.

Senator PROXMIRE. There is a good chance you might be right, but this is a determination that Congress will make.

Mr. LYNN. I am willing to take this chance.

Senator PROXMIRE. You are not a dairy farmer.

Mr. LYNN. I represent a lot of them. I expect there are more dairy farmers than any other single commodity group of our 1,600,000 members.

Senator PROXMIRE. Has the Farm Bureau made any attempt to see how dairy farmers feel about cutting their milk check 10 percent?

Mr. LYNN. Sure we have. We have been out on two series of meetings.

Senator PROXMIRE. Where have you been?

Mr. LYNN. I was in Dallas Monday. We have been to Memphis, to Atlanta, to Phoenix, to Boise, to Omaha and Chicago, and to Hershey, Pa.

Senator PROXMIRE. I want to tell you that I talked to 10,000 dairy farmers in Wisconsin from February 8 to February 17, and I got a lot of opposition to the omnibus program, to the proposal of the Secretary of Agriculture and the President. There is a lot of opposition but I didn't get one single dairy farmer, not one, who said, "cut our milk check 10 percent," and I brought it up and this was a central part of what I brought up, and we got some questions on it but they are uniformly in favor of maintaining this for a year, and there were plenty of Farm Bureau people there.

Mr. LYNN. If I had asked our Farm Bureau people: "Do you want your milk check cut 10 percent for the next 12 months" they would have said "No" to that.

Senator PROXMIRE. That is what is going to happen.

Mr. LYNN. That is not the alternative.

Senator PROXMIRE. Of course it is.

Mr. LYNN. If the Congress approves this resolution, then we will continue to build up surplus stocks in Commodity Credit Corporation and it will open the door or seem to make more necessary the implementation of title IV of the current overall agricultural bill before you, which is marketing quotas on dairy products, which I think you oppose.

Senator PROXMIRE. Now——

Mr. LYNN. Do you?

Senator PROXMIRE. I have an open mind on this. What I want to do is improve farm income and if this is the only way, I will certainly consider it seriously, but at the present time as I indicate I am very skeptical of it, but now I want to ask you to give me the answer on these figures. You have taken 1 year and you have shown in this 1 year that we had this modest increase in price supports and a modest increase in production. Now, take the year 1949–50. We had a drop in price supports and an increase in production. The following year, 1950–51 we had a substantial increase in price supports, and a very substantial drop in production, a drop of about 2 billion pounds. The next year we had an increase in price supports and production stayed almost the same. In 1953–54 we had the sharpest drop we have ever had, a drop from 3.74 to 3.15 in price supports and a big increase in production.

Now, as you go over these figures, from 1949 to date, you will find that virtually every year, there are two exceptions only, in virtually every year where you had a movement one way in price supports, that is, up, production would go down, not up, and vice versa. In other words, you cannot establish on the basis of the record, you cannot establish a consistent connection here supporting your position, and on the basis of simple reasoning it is logical, why not? You talk to dairy farmers and they say, if my price goes down, I just can't do anything else. I have to produce more. You say some of them will get out of the business. Sure, but their cows don't get out of the business. Their equipment doesn't go out of business. Somebody else steps in and buys it. If they have an alternative, they can move into hogs or something else. Maybe they will do it, but as you have indicated here, because of the feed grain program—and some kind of a feed grain program is likely to continue, we are going to have—as a matter of fact, we are going to continue the present feed grain program during this year—the alternatives are extremely limited and you are just not going to get a drop in production if you lower the price support. I can't see any case that you have made, and I will say this respectfully, that you are going to get an increase in production if you maintain the present price supports.

Mr. LYNN. Mr. Chairman, if you assume that the Federal Government price support program makes the price, then you come to a different conclusion than you do if you take the position that we do, that the price support program does not make the price, and it is evident now with regard to the market price of dairy products.

Now there are many other factors other than dairy price supports that influence production of milk, and as a dairyman from Wisconsin, I am sure that you recognize that artificial insemination is now beginning to have its effect, showing its effect in increased producton. The research with regard to feeding methods——

Senator PROXMIRE. Now we are on exactly the same wavelength. There is no question. Lots of other factors are in here and they are far more important than the price. You are right. This is exactly why I argue that by this misery that you would impose on the dairy farmers——

Mr. LYNN. This is not——

Senator PROXMIRE. Of cutting the price support 10 percent, his milk check 10 percent, and his net income probably 30 or 40 percent, you are not going to accomplish anything.

Mr. LYNN. We do not agree with the figures you use.

Senator PROXMIRE. You agree that because of artificial insemination and various other factors you are going to get a far greater production and you are going to continue to get that. You are not going to get any reversal in the next 8 or 9 months by cutting price supports; isn't that right?

Mr. LYNN. I think a lot of things are taken into consideration when a farmer decides what he does in the dairy business. I think it is a known fact that farmers on anticipation of quotas—the talk that we may have milk marketing quotas—this has been a real factor in continuing to increase dairy production.

Now, we know, I think, based on the Department of Agriculture statistics that farmers have not been culling their dairy cows in 1961 and at the present time as they have historically.

Senator PROXMIRE. I agree. I think that is one of the factors, too, and one of the reasons they don't cull is because their price is low and when their price is low, what do they do?

Mr. LYNN. The price is high. That is the reason they don't cull. You start reducing the price support on this milk and farmers will begin to cull out their less productive cows, and then if this committee and this Congress will say, we aren't going to have marketing quotas on milk, as I hope you will help us get done, then I think this dairy situation will begin to settle down because it is true that farmers are building up their production on anticipation of bases.

Senator PROXMIRE. Well, now, do you favor $3.11 per hundredweight milk?

Mr. LYNN. We are in favor of the Secretary of Agriculture exercising his authority under the law, and the law says it shall not be less than 75 or more than 90, in order to insure an adequate supply.

Senator PROXMIRE. And you say under the law then you think his interpretation is correct, that he has to go down to 75 percent of parity. Would you agree with Senator Holland who says this is what he is required to do?

Mr. LYNN. Well, I am no lawyer. It would seem——

Senator PROXMIRE. Do you think he should? Under your economic situation you say it should compel him, as a matter of proper public policy, to go down to $3.11?

Mr. LYNN. Not the economic situation but the stocks of CCC.

Senator PROXMIRE. Anyway, you favor the $3.11 price?

Mr. LYNN. No. We favor the Secretary of Agriculture carrying out the law, the act of 1949, which provides a limit of 75 percent on dairy price supports and not to exceed 90 percent.

Senator PROXMIRE. In other words, you favor a 75-percent price support at the present time under the present circumstances.

Mr. LYNN. We favor the Secretary of Agriculture taking into consideration the stocks of the CCC and exercising his authority under the law in order to insure an adequate supply.

Senator PROXMIRE. You say this means that he should announce that on April 1 he will lower price supports for dairy products to 75 percent of parity?

Mr. LYNN. No, sir. I don't say that.

Senator MUNDT. Mr. Chairman——

Senator PROXMIRE. Just one minute. You feel that he should not lower price supports to 75. Don't you have that recommendation?

Mr. LYNN. We feel that he ought to, based on the figures that he has, and under the law, exercise his authority.

Senator PROXMIRE. Well, everybody thinks he should exercise his authority, but No. 1, you oppose this resolution.

Mr. LYNN. That is right.

Senator PROXMIRE. No. 2, if this resolution is not passed, you would say he should exercise authority under the law but you are telling the committee you don't know what that authority means.

Mr. LYNN. Between 75 and 90 percent of parity depending upon the supply, in order to insure that the population has an adequate supply of dairy products in 1962.

Senator PROXMIRE. Supposing the Secretary should not change the price. Supposing he maintains it at $3.40.

Mr. LYNN. Well, we think that the evidence seems to be overwhelming that he would not be complying with the law to maintain the price support at the same level. However, there are some of the same evidences that were available last year when he made a similar decision to increase the price support from $3.22 to $3.40. But I think the Secretary will use his judgment in connection with this under the law in order to assure an adequate supply.

Senator PROXMIRE. I am sure he will, but you are saying it should not be $3.40, that that is too high.

Mr. LYNN. I think the supply is——

Senator PROXMIRE. Under the interpretation that the Secretary has given and Senator HOLLAND has concurred in and the President has concurred in, unless Congress establishes this resolution, they have to establish a price of 75 percent of parity, which is $3.11. You don't agree with that?

Mr. LYNN. I don't agree with that because, if this is true, it was true also last year. Perhaps not to the same degree, and the Secretary of Agriculture, using the same provision of law, increased this price support, and I am not prepared to state——

Senator PROXMIRE. You disagreed with his judgment last year as a matter of judgment?

Mr. LYNN. We did.

Senator PROXMIRE. Now, as a matter of judgment, disregarding the law, where would you say the Secretary should set the price support? You have all the facts in front of you and you are the biggest farm organization in the country. Your recommendation is very important to us.

Mr. LYNN. We have a lot of facts, but I wouldn't want to tell the Secretary of Agriculture precisely what he had to do under the law.

Senator PROXMIRE. But it has to be below what it is now. He has to reduce it.

Mr. LYNN. I think the evidence would indicate that he should.

Senator PROXMIRE. Do you think it might be—when your president, Mr. Shuman, was here the other day, he indicated a price around $3.11, $3.14, as I recall, something in that neighborhood.

Mr. LYNN. That is when he was putting forward our recommendation.

Senator PROXMIRE. That is correct.

Mr. LYNN. Yes.

Senator PROXMIRE. You don't have any specific recommendation?

Mr. LYNN. We have not had introduced yet our specific recommendation with regard to price supports on milk and dairy products. When the smoke all clears away, we hope to get this done.

Senator PROXMIRE. Sorry, Senator MUNDT——

Senator MUNDT. I wanted to ask Mr. Lynn: Your answers to the chairman's questions are a bit ambiguous from the standpoint of putting a price tag on it; let me ask you this direct question: If we had before us a proposal to fix the price supports at $3.22, would you be here with your organization opposing that price level?

Mr. LYNN. Well, we think the Congress in 1960 should have allowed the act of 1949 and administration of that to be implemented. We did not agree with the Proxmire bill in 1960. We would, of course, have to take this up with our policymakers to see what our position would be. I don't know what our position would be——

Senator MUNDT. Do you realize a drop of 18 cents is still quite a drop and that $3.22 today is not as much as $3.22 would have been in 1960 because of the insidious processes of inflation that have continued upward. The costs of the dairy farmer have continued to expand so that even a $3.22 price level in 1962 would net the farmer substantially less than it did at the time we passed the legislation in 1960.

Senator PROXMIRE. Just at that point I would like to interject that the first two points that you give in opposition to the resolution you say it would (1) transfer from the Secretary of Agriculture to the Congress responsibility for the heavy buildup of CCC stocks of dairy products, and (2) put the Congress on record in support of an indefensible policy.

I would assume that those reasons would be against the Congress setting any price, modifying the 1949 act at all.

Mr. LYNN. We are for the act of 1949 until the Congress passes some other provisions of law.

Senator PROXMIRE. You are against any congressional resolution to modify or suspend?

Mr. LYNN. Well, if the Congress in its wisdom in order to assure an adequate supply of dairy products sees fit to lower the price support to $3.22, or whatever, I assume that you would be doing it on the basis of the act of 1949 in order to insure an adequate supply.

Senator MUNDT. It would seem to me that it would be compatible with the overall policy of the Farm Bureau which has, I believe, as one of its guidelines that you believe in legislation by law rather than decisions by men, and on this I completely agree with you, that you would be more interested in having Congress establish some reasonable price support level than to just give the Secretary of Agriculture authority to make interpretations as to where he wants to put it.

It was on that basis that I asked if you think $3.40 is too high and has contributed to some dangerous situations down the road ahead, whether you would maintain the same attitude if Congress were to go back to where it was in 1960 and say, well, we don't want to drop clear down to $3.11, $3.10. We will put it at half way house at $3.22 whether you think that would be something you would have to oppose?

Mr. LYNN. We would want to consider it, Senator MUNDT.

Senator MUNDT. Are you not ready to say now you would oppose or approve it?

Mr. LYNN. No, sir.

Senator MUNDT. I take it you would look with more favor on that than you would at $3.40.

Mr. LYNN. We believe the supply is sufficient to insure that the consumer will have adequate supplies of dairy products.

Senator MUNDT. Do you believe the income of the dairy farmer is sufficient?

Mr. LYNN. Is sufficient? No; it is not sufficient for dairy farmers or any farmer that I know of.

Senator MUNDT. We are concerned in this committee not only with the supply which may well be sufficient under the circumstances I developed a little while earlier about these new attacks upon the whole dairy industry which I think are unjustifiable in some instances and perhaps inspired by the margarine interests in others, but I think that we have got to consider also doing something about the income of the dairy farmer and, if the supply is ahead of the demand, we are up against the same problem we had with wheat and small grains and everything else. What are we going to do to help the farmer live through this valley of distress?

Mr. LYNN. I thoroughly agree with the chairman and with the Department of Agriculture witness, that if you are seriously considering the passage of this omnibus bill which will put a ceiling on opportunities for dairy farmers so they will not have alternative uses of their land and resources, then you have got a different situation, but we don't work under that assumption. We don't——

Senator MUNDT. Well, the alternative before us now is the passage of 150 or the passage of the omnibus bill. We are seriously considering it. I think we are devoting serious consideration to how to kill it gracefully and provide some changes and modifications that will make it workable, but it is before us and we certainly are considering it and we are trying to use that as one of the ingredients and trying to develop a new program, but I agree with your "guesstimate" that certainly I wouldn't want to wager very much money that Congress is going to pass it in the form in which it was sent down by the President or by Secretary Freeman.

There is too much opposition that has developed.

I had my office check the outside mail which comes to all Members of the Senate. Most of us can't answer, at least I can't answer all of the out-of-State mail that I get, but once in a while we run a poll on it. I said to my staff, pick out a farm State and see what the reaction is to this new Kennedy-Freeman farm proposal. They picked out Montana. The check we made—there have been 67 letters coming from farmers of Montana against it and only 4 for it, which is pretty overwhelming. And they come from a rather scattered area.

I understand some farmers from Montana were here in town yesterday to testify before this committee. I don't know what they said. I was attending an appropriations subcommittee. Unfortunately we have four meetings simultaneously. So you can't be every place at once. So I don't think anybody, including the chairman, will say there is an overwhelming wave of support behind this omnibus farm bill in its present form.

Senator PROXMIRE. I would like to make a couple of points again. One is that the present feed grain law which I understand will still be in effect through 1962——

Senator MUNDT. For another year.

Senator PROXMIRE. Does impose limitations on the dairy farmer. It does mean that it is going to be harder to shift into something else, or if he does, the expense is going to be higher than it would be without that feed grain bill. This is a fact of life we may regret or favor. But there is nothing we can do about it.

In the second place, the Secretary of Agriculture had not only these figures available to him but two other facts. One was the population increase. He was hopeful that the per capita consumption would remain stable.

No. 2, he knew feed grain costs would be up under the feed grain bill that passed and that means dairy farmer costs are up, and if you don't do anything about the dairy farmer's milk price it means that his net income necessarily has to go down. This is one of the reasons I think why the Secretary did increase price supports for milk. Otherwise, you are going to get all the dairy farmers against the feed grain program, and with good reason, and if the feed grain program passes, which it did, it puts him in the position of having a lower income.

So this was trying to maintain his net rather than give him much more.

Mr. LYNN. I think the Secretary had other reasons other than these because this 82 percent of parity seemed to be a very magic figure. You will recall that he raised price supports on some 13 commodities. I don't disagree with the chairman.

Senator MUNDT. Would you agree, Mr Lynn, that the price that the dairy farmer receives for his product is determined more by the demand for his product than the cost that he has to pay in order to produce it?

Mr. LYNN. Well, there is a very simple little formula that makes net income for dairy farmers as well as any other farmers.

Senator MUNDT. Answer my question if you will, please, and then——

Mr. LYNN. I can't answer your question yes or no.

Senator MUNDT. You can't?

Mr. Lynn. Ask it again and I will see; perhaps I don't understand it.

Senator MUNDT. Would you agree that the price that the dairy farmer receives for his product is determined more by the demand for the product than it is by the cost that he has to undergo in order to produce it?

Mr. LYNN. Well, certainly a farmer's income is greatly dependent on both of these. If he gets a good demand and a good price, then——

Senator MUNDT. I am talking about the price now, not the net income. The price he gets. It seems to me one of the great problems we are confronted with in the farm industry is that the price that the farmer gets in 80 percent of the farm products just has no relationship to the cost that he has to expend in order to produce it. It seems to me that is as simple as black and white.

Senator PROXMIRE. They may include all his costs, including his own labor.

Senator MUNDT. Yes.

Mr LYNN I didn't understand your question. Certainly the cost factor and the Bureau of Labor Statistics announcement yesterday indicated that the cost of things that farmers are buying have reached an all-time high.

Senator MUNDT. And they bear no relationship to the price he receives for his product in most cases.

Mr LYNN. In some cases.

Senator MUNDT. Well, you wouldn't say most cases.

Mr LYNN. Well, I would say that 61 percent would be—maybe 50 and a half. I am not able to judge it.

Senator MUNDT. I can think of only a few farm products where the farmer is able to increase his price because his costs go up. In most farm products, for most products, I would guess and gamble, if I were going to gamble, 85 percent or more of the farm products, poor Mr. Farmer just has no way of passing on to the consumer the extra cost he has to pay.

Mr. LYNN. This is very unfortunate and that is the reason——

Senator MUNDT. But it is a basic difficulty that the farmer confronts, and certainly would you agree that it is true of the dairy industry?

Mr. LYNN. This is the reason Mr. Shuman made the suggestion that he did in our testimony here last week that we ought to be able to improve the bargaining position of farmers, including dairy farmers.

Senator PROXMIRE. Well, he said that and I couldn't agree with him more on the general statement, but again very respectfully, I don't see anything that the Farm Bureau has ever recommended that would improve his position. It is true that the dairy farmer might be better off if you took 65 to 80 million acres out of production. That would improve his bargaining position in a sense, but as far as any specific improvement in his bargaining position, where is your recommendation? He said we have to do it and then I asked him how and got lost in the generalization that followed.

Mr. LYNN. We are setting up in most States now a mechanism to do this. This is something that is not going to come overnight. The cooperative is our best mechanism we have for doing this. It may be necessary to amend the law so that two or more cooperatives can get together and talk about how they are going to operate to get more for their products.

Senator PROXMIRE. Well, certainly the purpose of the Capper-Volstead Act, one of the purposes has been an exemption from the antitrust laws, but this is something we have had for a long time and we haven't made much progress on it.

I would like to ask you on one more point. You have been very patient and a very helpful witness.

Your third point says that if we pass this resolution and maintain price supports at 83 percent of parity, it would be an open invitation for the imposition of quotas on individual dairy farmers.

Now, as a practical matter I want to tell you that nothing will make the farmers in Wisconsin more favorable to quotas than this cut in price supports to 75 percent of parity. The Wisconsin Agriculturalist and Farmer conducted a poll in Wisconsin a year and a half ago and dairy farmers were 4 to 1 in favor of quotas. Then they conducted a poll more recently and found that they were divided 50-50, because their prices were better. When the farmer is distressed and you drive his prices down, he will go for limitation and control. I think the Farm Bureau is taking a position which will drive him in the direction of quotas and make him vote for them.

Mr. LYNN. I don't agree with that, sir, and the point we are trying to make is that if we continue this current level of price support, I think by the end of the year or the beginning of the next Congress we won't have just 6500 million invested in CCC stocks but this program could be costing close to a billion dollars and then the Congress has abandoned the responsibility for continuing this program at an unrealistic level and then I think that would be an open invitation for the Congress to invoke the supply-management control plan for dairy farmers provided in title IV of the overall farm bill, to which we are opposed.

Senator MUNDT. Mr. Chairman, I think there is some validity in what the chairman says. Mr. Lynn. If the dairy industry gets into too serious an economic condition, even the dairy farmer who is independent and a free enterpriser and doesn't want controls ultimately get so desperate that he might go for any kind of program which gives him relief. That was borne out when we had our testimony here about marketing orders last year in the poultry industry. Most of the poultrymen were against setting up marketing orders on poultry but there was a little group of New Jersey poultry farmers——

Mr. LYNN. We know about that situation.

Senator MUNDT. Who were desperate and weren't making any money. I don't know why they were raising poultry, maybe they should have been raising cranberries or something else, but they were raising chickens, and they have that right, and they were serious, that they had a problem and weren't making any money. That was the segment of the whole poultry industry which said we have got to have the marketing orders ready to go. In fact they virtually said to us, we will take any kind of dictatorial procedure to increase our income.

When you are going broke, your judgment is warped and you become desperate. Self-preservation is not only the first law of nature, but of farming and of everything else.

I think what the chairman says is true. If we do the wrong thing or if we do nothing or because of what we do or don't do just let nature take its course, the dairymen really get into such a serious position that they are desperate, I think they will be clamoring for some kind of new controls and extensive controls which I don't like and I know you don't like and I know most farmers don't like, but they like them better than going broke.

Mr. LYNN. We will have to abide by the majority of the farmers who take part in developing Farm Bureau policy and if a situation should develop, which I don't think will, because we have a price-support program and will continue to have one, then we will be perfectly willing to abide by what the farmers decide in this case.

Senator PROXMIRE. Any further questions? I want to thank you very much, Mr. Lynn, for your testimony.

This is the last witness and the subcommittee stands adjourned.

(Whereupon, at 11:50 a.m., the subcommittee was adjourned.)

Mr. EASTLAND. Mr. President, I ask unanimous consent that I may now yield to the Senator from Minnesota [Mr. HUMPHREY] on the same conditions as those heretofore stated in the unanimous-consent agreement.

The PRESIDING OFFICER (Mr. PELL in the chair). Without objection, it is so ordered; and the Senator from Minnesota is recognized.

VOLUNTARY OVERSEAS AID WEEK

Mr. HUMPHREY. Mr. President, there is on the calendar—it is Calendar No. 1257—Senate Concurrent Resolution 61, requesting the President to designate the week of March 25, 1962, as "Voluntary Overseas Aid Week."

I have cleared this matter with the minority; and, therefore, Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of Calendar No. 1257, Senate Concurrent Resolution 61, and that it be understood that this action may be taken without in any way jeopardizing the right of any Senator who may previously have sought unanimous consent for procedural matters here in the Senate.

Mr. HOLLAND. I have no objection to that, provided unanimous consent is given that the action of the Senate on this measure will not set aside the other business.

Mr. HUMPHREY. Yes.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered; and the concurrent resolution will now be considered.

The Senate proceeded to consider the resolution (S. Con. Res. 61) requesting the President to designate the week of March 25, 1962, as "Voluntary Overseas Aid Week," which had been reported from the Committee on the Judiciary, with an amendment, on page 2, line 6, after the word "is", to insert "authorized and"; so as to make the concurrent resolution read:

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress that people-to-people programs administered by nonprofit voluntary agencies registered with the Committee on Voluntary Foreign Aid evidence our friendship for peoples in other lands.

The President of the United States is authorized and requested to issue a proclamation designating the week of March 25, 1962, as Voluntary Overseas Aid Week.

The amendment was agreed to.

The concurrent resolution, as amended, was agreed to.

The preamble was agreed to.

BIRTHDAY OF MIKE MANSFIELD, MAJORITY LEADER

Mr. HUMPHREY. Mr. President, I am sure some of my colleagues have noted that today is the majority leader's 59th birthday. I join with Members of the Senate in wishing Senator MANSFIELD a most happy birthday and commending him not only upon the 59th year of his good and dedicated life, but also upon the work he does here in the U.S. Senate and through his many years of public service.

This is March 16, and I am sure that when the Mansfields celebrated the birthday of MIKE MANSFIELD, it must have carried over to March 17. Senator MANSFIELD's parents both came from Ireland, and since the 17th of March is known as St. Patrick's Day, it seems to me it would be a fair assumption that in the household of the Mansfields on the date of March 16 there was much jubilation and that it was carried forward to the date of March 17—to that day of all days for all good Irishmen.

Again I salute my friend and associate in the Senate, the distinguished, able, dedicated, generous, and gracious majority leader, and to wish him well on this his birthday.

U.S. NEGOTIATORS AT GATT TARIFF CONFERENCE COMMENDED

Mr. HUMPHREY. Mr. President, in recent days there have been some disturbing criticisms and allegations with respect to the outcome of the recent GATT Tariff Conference held at Geneva.

Statements have been made by some critics that our negotiators were too soft and did not strike a hard enough bargain. I know no better way of answering these critics than to call to the attention of my colleagues a statement issued on March 9, 1962, to President Kennedy by the public advisers to the U.S. delegation to the Tariff Conference.

I would like to quote directly from this statement:

The negotiations at Geneva should help to open further foreign markets for our exports at a time when the improvement of our trading position is of key importance to our economy. In return for the limited concessions in U.S. tariffs that our delegation was authorized to offer, the American negotiators bargained diligently and effectively to obtain concessions of value to our export trade. We were impressed by the devotion and competence of all members of the U.S. delegation, representing nine agencies of the Government. In the light of the modest tariff reduction authority provided by the Trade Agreements Act of 1958, and the cumbersome item-by-item negotiation imposed by the requirements of that act, the relatively favorable outcome of the negotiations reflects credit on their diligence and skill.

Now I would like to identify the public advisers who issued this statement and who were an integral part of the U.S. negotiating team.

In all instances the mere mention of their names should be sufficient to inspire confidence, but I will give just a little more background information about these outstanding Americans.

Mr. Andrew J. Biemiller, director, AFL-CIO legislative department: Mr. Biemiller, who is well known and highly respected by Members of this body, formerly served with distinction in the House of Representatives from Milwaukee, Wis.

Mr. Homer L. Brinkley, executive vice president, National Council of Farmer Cooperatives: Besides his distinguished work in the field of agriculture, Mr. Brinkley has a long record as a civic leader in Louisiana and has ably served his country both here and abroad both in civilian and military service.

Alfred C. Neal, president, Committee for Economic Development: Mr. Neal is one of the Nation's leading economists. He was vice president of the Federal Reserve Bank of Boston, and in his present capacity as CED president works closely with many of the Nation's leading business executives.

Mr. Raymond E. Salvati, chairman of the board, Island Creek Coal Co.: Mr. Salvati, besides being president of seven companies, has served as a director of the National Association of Manufacturers, has served as president of the board of governors of West Virginia University, and as president of the American Mining Congress. He also has a distinguished record of service in numerous civic organizations.

Mr. Claude Wickard, former Secretary of the U.S. Department of Agriculture: I will not dwell on the long, well-known record of this distinguished gentleman from Indiana in serving his Government in the field of agriculture for so many years.

Leighton A. Wilkie, president, DoAll Co., Des Plaines, Ill.: Mr. Wilkie has established a long and enviable record in American business and banking and is an authority on industrial technology.

Mr. Donovan Wilmot, former vice president of the Aluminum Co. of America: Besides his long and successful business career with Alcoa, Mr. Wilmot served as director of the Aluminum & Cooking Utensil Co. of New Kensington, Pa., and the Thompson Co. of Oakmont, Pa. He has also served his Government ably in civilian and military posts.

Mr. David J. Winton, president, Winton Lumber Co., Minneapolis, Minn.: I am especially proud of this adviser because he is an outstanding citizen of my own State of Minnesota. He has a long record of serving the forest products industries—both as a businessman and Government official.

I will leave it to the judgment of my colleagues as to whether this group of Americans gave us strong direction and leadership at the GATT conference tables.

Mr. President, I ask unanimous consent that there be inserted at this point in the RECORD the statement by the public advisers to the President.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT TO THE PRESIDENT BY THE PUBLIC ADVISERS TO THE U.S. DELEGATION TO THE GATT TARIFF CONFERENCE, GENEVA, SWITZERLAND

As public advisers to the U.S. delegation to the Tariff Conference at Geneva, we are pleased to report to you our observations on the outcome of that Conference and our conclusions concerning the need for further action to reduce barriers to international trade.

The negotiations at Geneva should help to open further foreign markets for our exports at a time when the improvement of our trading position is of key importance to our economy. In return for the limited concessions in U.S. tariffs that our delegation was authorized to offer, the American negotiators bargained diligently and effectively to obtain concessions of value to our export trade. We were impressed by the devotion and competence of all members of the U.S. delegation, representing nine agencies of the Government. In the light of the modest tariff reduction authority provided by the Trade Agreements Act of 1958, and the cumbersome item-by-item negotiation imposed by the requirements of that act, the relatively favorable outcome of the negotiations reflects credit on their diligence and skill.

We have reviewed our experience at Geneva in terms of the need for future authority to reduce barriers to international trade. We have considered the probable impact of the European Economic Community on our economic and our political interests in the world. We believe that the discrimination inherent in the Common Market's removal of internal tariffs while retaining an average external tariff calls for greater negotiating authority to retain or expand our export position in Europe. We became more aware of the special problems of less developed countries whose need for trade should be increasingly taken into account. Finally, we have taken account of the necessity for linking the countries of the free world more closely together in the face of the long-term challenge to the survival of free institutions that is represented by the Soviet bloc.

With these considerations in mind, we are unanimously of the belief that it is the part of American leadership to continue to move forward boldly to reduce further barriers to trade among the free nations.

We welcome, therefore, your proposals for new trade legislation. The times and the circumstances call for broad changes in the character of our basic trade policy law. In our opinion, passage of an act embodying the basic principles of the proposed Trade Expansion Act is necessary for the strengthening of the U.S. economy for fostering orderly economic development in the poorer nations, and for promoting the unity of the free world.

Our experience convinces us that the broader powers which the new act would provide the President are necessary if we are to continue to lead in bringing down the obstacles that still hamper the exchange of goods and services within the free world. The safeguard provisions in the proposed legislation have been desirably modernized. The hampering features of the expiring legislation have been modified, while at the same time provision has been made for dealing with possible adjustment problems of American labor, industry, and agriculture.

We should like to stress also the importance of other national policies to maintain and strengthen our international competitive position. The trade expansion programs should stimulate and enable American exporters to retain and to develop market opportunities abroad.

It has been a stimulating experience to have participated in the Geneva negotiations as representatives of industry, labor, agriculture, and the general public. We appreciate the opportunity to have served.

Public advisers:

Mr. Andrew J. Biemiller, director, AFL-CIO legislative department.

Mr. Homer L. Brinkley, executive vice president, National Council of Farmer Cooperatives.

Mr. Alfred C. Neal, president, Committee for Economic Development.

Mr. Raymond E. Salvati, chairman of the board, Island Creek Coal Co.

Mr. Claude Wickard, former Secretary of Agriculture.

Mr. Leighton Wilkie, president, DoAll Co.

Mr. Donovan Wilmot, former vice president, Aluminum Co. of America.

Mr. David J. Winton, president, Winton Lumber Co.

The following public advisers were either out of the country or otherwise unavailable and thus did not have an opportunity to participate in the preparation of the statement or to approve it before submission to the President:

Mr. Elliott V. Bell, editor and publisher, Business Week.

Mr. Morris C. Dobrow, executive secretary and treasurer, Writing Paper Manufacturers Association.

Mr. Jacob S. Potofsky, president, Amalgamated Clothing Workers of America.

Mr. Bert Seidman, economist, research department, AFL-CIO.

UNFAIR ATTACK ON COOPERATIVES

Mr. HUMPHREY. Mr. President, the February 1962 edition of Reader's Digest contains a grossly misleading and highly unfair article entitled "Why Should These Co-ops Enjoy Special Tax Privileges?" This article, which does credit only to the imagination of its author, Mr. O. K. Armstrong, contains so many basic false assumptions and misconceptions about farmer cooperatives which do not square with the facts that I feel obligated to comment on it.

I might say first, though, Mr. President, that I feel considerable damage has been done with the publication of this article—damage that cannot be erased by these remarks and the limited distribution they will receive. I cherish our freedom of the press. But I also cherish the truth, Mr. President, and I feel badly that instances such as this illustrate their sometimes incompatibility.

The most fundamental error in Mr. Armstrong's article is the assumption or misconception that the cooperative is something separate and apart from its farmer members and their business enterprises. This is wrong. It is wrong economically and legally.

Any farmer cooperative, be it large or small, is a service corporation set up, owned, and controlled by its farmer members. Thus, where it is true that the cooperative uses the farmer's capital, it does so only because a voting majority of the farmer members of that cooperative have voted to capitalize the cooperative with farmer equity investments. The well-informed farmer is aware of the purpose of his membership in a cooperative. He knows that his cooperative is as much a part of his farming operations as his production facilities. It is either the marketing department, the supply department, or both, that provide necessary farm business services to him at cost. The cooperative must have capital. Because of the service at cost principle, this must be furnished by him, just as he must finance his farm, his farm machinery, his livestock, and his hired help. Obviously, no one else is going to do it for him without a profit incentive to do so. In other words, the primary burden for financing a farmer cooperative must rest on members as owners and users of its services. The absence of growth characteristics in its shares or other equities plus the cooperative equipment that financial benefit must be distributed in proportion to the individual members' use of its services does not attract the outside investor.

How does Mr. Armstrong suppose that a cooperative would come into being, provide marketing facilities, and competent management if the farmers who wish to obtain its services at cost, who own it and who control it, are unwilling or unable to use their own money to keep it going?

It cannot be denied that large size in a cooperative makes membership information and member control more difficult, but it does not make these things impossible. Cooperatives, however, must increase their size and effectiveness to do business with and to compete with other enterprises which are growing at faster rates.

Forms of business organization do not fail per se. It is human beings operating them who sometimes fail. The cooperative form of business organization requires a maximization of human willingness for managers, directors, and members to perform as a team. In cooperatives which succeed, this communication difficulty is mastered and the basic principle of serving farmers is not a thing of the past. How does Mr. Armstrong suppose that cooperatives in some instances merit the support of 80 to 90 percent of the producers in a production area, unless valuable services are being performed for and appreciated by producers? These are voluntary organizations.

No one is compelling any producer to join them.

The second basic false assumption is that farmer cooperatives, primarily because of their tax status, are rapidly driving free enterprise competitors out of business. Let us examine this charge. The only proof ever offered in support of this statement is that in a few isolated instances some cooperatives have acquired competing businesses, either corporate or otherwise. When a corporation set up to make profits by serving farmers acquires competing businesses, this is assumed to be good free enterprise. But when farmers—who also are basic members of the free enterprise economy—acquire a few of these facilities so that they can serve themselves rather than pay someone else for what is frequently a less desirable service, this is regarded by some as not being good for free enterprise.

I remind the Senate that there is no one more clearly identified with free enterprise than a landowner, a farm operator, the family farmer, the American farmer. He is "free enterprise."

No comparison is ever made as to how these few cooperative acquisitions compare in member and market power with the many more numerous acquisitions by investor corporations whose basic object is to serve farmers at a profit for their stockholders, and only incidentally provide a benefit to the farmers served. To get the full impact of the situation as it exists one only has to look at the noncooperative business empires set up in the grain, dairy, or cotton fields, or at the widespread use of consolidations and mergers outside the cooperative field.

A third false assumption is that cooperatives are enjoying a tremendous growth. These facts are significant. Over and over great emphasis is placed by those opposing cooperatives on the large size of cooperative enterprises. As a matter of fact, about 82 percent of the farmer marketing and purchasing cooperatives do an annual business of less than $1 million; 99 percent do less than $15 million; 1 percent do over $15 million. In this day of business giants, these figures speak for themselves in answering critics of cooperatives.

A fourth false assumption, boldly asserted by Mr. Armstrong, is that cooperatives are not subject to the antitrust laws. Some cooperatives who have been sued by the Department of Justice and lost their cases, and some cooperatives involved in suits by third parties for treble damages, would certainly like to know where this gentleman got his information. He would do well to read United States against Maryland and Virginia.

No lesser authority than the Supreme Court of the United States considers that farmer cooperatives are subject to the antitrust laws, the same as any other business corporation.

A fifth myth of the anticooperative writer is that cooperatives are all right for farmers when they are small, ineffective, and have poor management. Once they succeed, and acquire effective status, through economies of scale and sound management so as to provide substantial benefits for their members, they suddenly become something sinister and bad for the "free enterprise system."

To imply that use of the cooperative by farmers should be limited to small, ineffective organizations, presumably at the local level, is wholly unrealistic. It utterly fails to take into account the competitive problems that farmers' organizations face in our present-day economy. It is in effect asking the farmer to use an economic tool almost as antiquated as a yoke of oxen and a wooden plow.

On the matter of taxation, the statement assumes that all businesses are taxed the same. This also is not true.

Implicit in Mr. Armstrong's article is the false assumption or implication that all businesses pay taxes on precisely the same basis, except cooperatives. Individual proprietors, partnerships, and corporations which qualify under subchapter S—corporations with less than 10 domestic stockholders—all pay only a single tax on profits developed through trading operations.

Any difference in taxable margins shows up only in a comparison between incorporated cooperatives and business corporations which are required to pay the corporation income tax, and the only difference there is the right of cooperatives to deduct patronage refunds allocated in cash or noncash form. Any corporation can make these deductions, but it is apparent that most investor-type corporations would prefer to pay tax rather than make these distributions of their profits to their customers.

The Reader's Digest article states:

> Some cooperatives still serve the farmers primarily in marketing and buying, and offer very little threat to investor-owned businesses. But other large combines of farm co-ops, using their tax-free earnings, have expanded into manufacturing, processing, mining, transportation, warehousing.

Statements of this type fail to recognize that cooperatives, like other enterprises, have found it necessary to employ vertical integration to improve their operating positions. To deny that farmer cooperatives have the right to engage in these activities in improving their services to their members implies that businesses other than cooperatives have a sole right to operate in these more complex areas.

I repeat, Mr. President, the tax laws can apply to corporations the same as they do to cooperatives if the corporations are willing to distribute their earnings to their customers. That is exactly what a cooperative does.

Mr. President, it seems to me that in all this opposition to cooperatives there is a gross failure to recognize a fundamental distinction between cooperatives and other forms of business enterprise. Cooperatives are organized, controlled, and operated by those who are both users of their services and recipients of their benefits. Other corporations work toward investor profits derived from business done with third parties. This is surely a legitimate function, and one to be encouraged, but the activities of a corporation are indeed different from those of a cooperative, since the prime purpose of the cooperative is to serve its members and its customers, and the prime purpose of the corporation is to yield a profit upon investment. The corporations do not have this distinctive owner-user relationship.

Cooperatives, Mr. President, not only play an important part in our domestic economy, but also are instruments of freedom the world over. They are symbols of hope.

Mr. President, not only are the cooperatives a symbol of hope but also they make a great contribution at this time in Latin America in the programs of land reform and housing in the great urban areas. In fact, the development of farmer cooperatives—production cooperatives, distribution cooperatives, supply cooperatives, credit cooperatives—is absolutely essential to the success of the Alliance for Progress, particularly in the rural areas of Latin America and, I might add, in other areas of the world, such as Asia and Africa.

These cooperatives are symbols of true hope. If they are to be evaluated—and they should be evaluated—it should be done in a responsible manner and with a sense of fairplay, with a recitation of all the facts and not merely some of the facts which happen to support a particular thesis, based on false assumptions.

THE ALLIANCE'S PROGRESS

Mr. HUMPHREY. Mr. President, in the February 26, 1962, edition of the Washington Post and Times Herald there appeared an editorial entitled "The Alliance's Progress." I bring it to the attention of Senators because of its accuracy in evaluating our Alliance for Progress with Latin America and in prescribing treatment for the agricultural phase of this operation that could be of extreme value.

The editorial suggests the alliance enroll our great State university agricultural colleges in Operation Food Production. It points out that in no area is the contrast greater between Communist and free world achievement than in agriculture. We have long recognized the efficiency of our Nation's farmers and their ever-increasing skill in tilling our fertile soil. And we recently were reminded by none other than Mr. Khrushchev of the ills faced by his country's agricultural economy. I point out a major contribution to the agricultural revolution here in the United States has been the work done in our agricultural colleges. The people who study there are truly doctors of the soil engaged in research of constant benefit to our farmers.

Why, then, cannot these American food-production specialists devote some of their time and energy in studying the problems of Latin American agriculture and in finding solutions to these problems.

The editorial suggests 19 land-grant agricultural schools each "adopt" a Latin American country for this purpose. This could be of benefit not only to Latin American agriculture, states the editorial, but also to the agricultural schools now amidst a restive quest for new fields to cultivate.

Mr. President, we are sharing our food and fiber with those countries less fortunate than we. We should start placing more emphasis on sharing with those countries the minds that contributed to the highly successful story of agriculture in the United States.

The editorial points out that this year is the centennial of the Morrill Act, which established the land-grant colleges. It concludes:

> It would seem a fitting year to begin a new extension service in an educational experiment that has succeeded beyond all expectations.

Mr. President, I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE ALLIANCE'S PROGRESS

How fares the alliance for progress? It is nearly a year since President Kennedy invited Latin America to join in a massive, decade-long, help-for-self-help development plan. In that year, progress in some respects has been good. Two countries—Colombia and Bolivia—have already submitted overall plans to the nine "wise men" who are acting as a panel of reviewing experts. A steady stream of loans is beginning to come from the Inter-American Development Bank for worthwhile projects.

But, it must be quickly added, in other respects, the alliance is running like the proverbial dry creek. Much of the impetus behind the alliance is lost in an organizational miasma. There is not much evidence yet that Latin American governments are showing an excessive eagerness to carry out the land, tax and other social reforms imperative to the alliance's success. Perhaps most disappointing, the alliance has failed to catch the popular imagination in much of Latin America.

To some extent, a fitful start is to be expected. Much of the basic organizational work should have been begun years ago. The mechanical paralysis is in part the price exacted by years of neglect. Moreover, in a decade-long program, the perspective of the first year can be misleading; the Marshall plan, too, was open to the reproach of confusion during its formative stage.

The strangest aspect of the alliance's faltering start has been the failure of communication—despite this administration's penchant for words. Last week, Teodoro Moscoso, the alliance's administrator for AID, spoke eloquently on the need to regard the hemisphere effort as more than a job of bookkeeping and capital investment; it involves a war of ideas as well as flow of bankable loans. Yet there has been lamentably little drama about the alliance.

One suggestion that deserves consideration is that the alliance enroll the great State university agricultural colleges in Operation Food Production. In no area is the contrast greater between Communist and free-world achievement than in agriculture. Surely it would make a good deal of sense to yoke the energy and experience of North American food production specialists to the purposes of the alliance.

This could be done in a compelling way if 19 land-grant agricultural schools each "adopted" a Latin American country. North American experts could, over the decade, educate themselves on the food production problems of the adopted country—and Latin Americans could benefit from short-course instruction. Agricultural colleges now extend a soil analysis service and similar aid to farmers in the States; the same services could be extended to the adopted Latin American country.

Operation Food Production could be useful not only to Latin America, but also to the agricultural schools, now amidst a restive quest for new fields to cultivate. Some contract programs already exist on an ad hoc basis and could be quickly made part of a larger, more formal effort. This year, appropriately, is the centennial of the Morrill Act that established the land-grant colleges. It would seem a fitting year to begin a new extension service in an educational experiment that has succeeded beyond all expectations.

DEVELOPMENT OF HUMAN RESOURCES FOR ALLIANCE FOR PROGRESS

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed in the RECORD an editorial from the Washington Post and Times Herald entitled "School for Managers." The editorial relates to the activities of the Whirlpool Corp. of Benton Harbor, Mich., and a group of Colombian businessmen, who have joined together in a project to supply education to develop business managers for the Republic of Colombia.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

SCHOOL FOR MANAGERS

The Whirlpool Corp. of Benton Harbor, Mich., and a group of Colombian businessmen have joined together in a project that seems both useful and promising. In Latin America, there is an ample supply of unskilled and semiskilled labor. There is also,

in most countries, a well-educated elite qualified to assume top managerial positions. But there tends to be a void in the middle, a lack of trained supervisors who can read a blueprint and carry out a production problem.

To help fill this void, a technical school is being founded in Medellin, Colombia, to offer some 600 high school graduates low-tuition training in mechanical technology. The sponsors assert that this is the first such technical school to be established in Latin America. The development of human resources is vital to the success of the Alliance for Progress; a network of similar schools throughout Latin America could go far to close the worrisome gap between the highly trained few and the untrained many.

The purpose is to establish a technical school to offer approximately 600 high school graduates low-tuition training in medical technology. According to the editorial, the sponsors feel that this particular school will do a great deal for the development of the resources of Colombia. I commend the Whirlpool Corp. and the group of Colombian businessmen referred to.

It was my privilege to meet with some of the Colombian businessmen in the month of November while I was visiting in Latin America, and I found them progressive and fully aware of the problems that their country faces. At the time of that discussion and meeting, one of the points that was emphasized by the Colombian businessmen was the need for training of young Latin Americans—and in this instance, young citizens of Colombia—for the responsibilities of management and training them in the professions, and particularly in the field of technology. I am pleased that what was once an expression of hope has now been made into a reality by the cooperation of one of our large companies and one of our enlightened corporations—the Whirlpool Corp.—which does have a number of activities overseas, and which has demonstrated the capacity to make sound investments in productive facilities in foreign countries and to expand its operations to the credit of the company as well as to the credit and the good of the United States.

COMMENDATION OF THE PRESIDENT'S HEALTH MESSAGE

Mr. HUMPHREY. Mr. President, the President's recent message on health is one which certainly deserves the full support of the Congress. The program he spells out to provide the miracles of modern medicine to all our citizens is both positive and practical. I am hopeful that these proposals will be acted upon favorably by this Congress.

In this message, the President again urges enactment of a health insurance program for the elderly under the social security system. I am proud to be a cosponsor of Senator ANDERSON's bill here in the Senate, and I feel that this measure should have the highest priority.

I was especially pleased to note the President's recommendation to authorize a 5-year program of Federal loans for construction and equipment of group practice medical and dental facilities with priority being given to facilities of smaller communities and those sponsored by nonprofit or cooperative organizations. I have for many years felt we should be doing more to encourage construction of such facilities—especially in the smaller communities which are finding it difficult to attract physicians and dentists.

I have introduced such legislation in this and in prior Congresses to provide long term, low interest rate loans for the construction of such health-service facilities. My bill on this subject, S. 1158, is presently before the Committee on Labor and Public Welfare. I hope that the committee will approve this bill this session.

In conclusion, Mr. President, I ask unanimous consent that the President's health message and a statement by the Group Health Association of America be printed at the conclusion of my remarks.

There being no objection, the message and statement were ordered to be printed in the RECORD, as follows:

To the Congress of the United States:

The basic resource of a nation is its people. Its strength can be no greater than the health and vitality of its population. Preventable sickness, disability and physical or mental incapacity are matters of both individual and national concern.

We can take justifiable pride in our achievements in the field of medicine. We stand among the select company of nations for whom fear of the great epidemic plagues is long past; our life expectancy has already reached the biblical three score and ten; and, unlike so many less fortunate peoples of the world, we need not struggle for mere survival. But measured against our capacity and capability in the fields of health and medical care, measured against the scope of the problems that remain and the opportunities to be seized, this Nation still falls far short of its responsibility.

Many thousands needlessly suffer from infectious diseases for which preventive measures are available. We are still 10th among the nations of the world in our infant mortality rate. Prolonged and costly illness in later years robs too many of our older citizens of pride, purpose and savings. In many communities the treatment of the mentally ill and the mentally retarded is totally inadequate. And there are increasingly severe shortages of skilled personnel in all the vital health professions.

Basically, health care is a responsibility of individuals and families, of communities and voluntary agencies, of local and State governments. But the Federal Government shares this responsibility by providing leadership, guidance and support in areas of national concern. And the Congress last year recognized this responsibility in important ways.

PROGRESS DURING 1961

Our States and communities have responded quickly and with impressive vigor to the invitation to cooperate action extended by the Community Health Services and Facilities Act passed by the Congress and signed into law only 4 months ago. As a result, better care for the chronically ill and the aged will soon be available in many parts of the Nation, both inside and outside the hospitals and other institutions in this program.

There is also visible progress in the effort to control water pollution, resulting from the expanded legislation passed by the Congress in 1961. Last year construction was begun on more waste treatment plants than ever before in our history, 30 percent above the calendar year 1960 level.

There were, in addition, other important forward thrusts taken, with Federal help, in the protection of our Nation's health. Medical research advanced at an accelerated pace. We are now better equipped than ever before to evaluate and deal with radiation perils. The incidence of polio has been reduced to the lowest levels ever recorded. We have engaged our most talented doctors and scientists in an intensified search for the cause and cure of cancer, heart disease, mental illness, mental retardation, environmental health problems, and other serious health hazards.

But, of the four basic improvements in the Federal health program, I recommended to the Congress last year, two urgent needs—health insurance for the aged and assistance to education for the health professions—have not yet been met. The passage of time has only served to increase their urgency; and I repeat those requests today, along with other needed improvements.

I. HEALTH INSURANCE FOR THE AGED

Our social insurance system today guards against nearly every major financial setback: retirement, death, disability, and unemployment. But it does not protect our older citizens against the hardships of prolonged and expensive illness. Under our social security system, a retired person receives cash benefits to help meet the basic cost of food, shelter, and clothing—benefits to which he is entitled by reason of the contributions he made during his working years. They permit him to live in dignity and with independence—but only if a serious illness does not overtake him.

For, compared to the rest of us, our older citizens go to the hospital more often, they have more days of illness, and their stays in the hospital are thus more costly. But both their income and the proportion of their hospital bill covered by private insurance are, in most cases, substantially lower than those of younger persons.

Private health insurance has made notable advances in recent years. But older people, who need it most but can afford it least, are still unable to pay the high premiums made necessary by their disproportionately heavy use of health care services and facilities, if eligibility requirements are to be low and the scope of benefits broad. Today, only about half of our aged population has any health insurance of any kind—and most of these have insufficient coverage.

To be sure, welfare assistance, and Federal legislation to help the needy or "medically indigent," will provide health services in some instances. But this kind of help is not only less appealing, coupled as it is with a means test, it reaches very few of those who are not eligible for public assistance but are still not able to afford the care they need.

I therefore recommend again the enactment of a health insurance program for the elderly under the social security system. By this means the cost of health services in later years can be spread over the working years—and every worker can face the future with pride and confidence. This program, of course, would not interfere in any way with the freedom of choice of doctor, hospital or nurse. It would not specify in any way the kind of medical or health care or treatment to be provided. But it would establish a means to pay for the following minimum levels of protection:

First. Inpatient hospital expenses for up to 90 days, in excess of $10 per day for the first 9 days (with a minimum payment by each person of $20), and full costs for the remaining 81 days.

Second. The cost of nursing home services up to 180 days immediately after discharge from a hospital. By providing nursing home care for twice as long as that in the hospital, the patient is encouraged to use the less expensive facilities when these will satisfy his requirements.

Third. The cost of hospital outpatient clinic diagnostic services in excess of $20. These benefits will reduce the need for hospital admissions and encourage early diagnosis.

Fourth. The cost of community visiting nurse services, and related home health services, for a limited number of visits. These will enable many older people to receive proper health care in their own homes.

It should be emphasized that we are discussing a gap in our self-financed, contributory social insurance system. These are all insurance benefits which will be available to everyone over 65 who is eligible for social security or railroad retirement benefits. They would be entirely self-financed by an increase in social security contributions of one-fourth of 1 percent each on employers and employees, and by an increase in the maximum earnings base from $4,800 a year to $5,200 a year. No burden on the general revenues is involved. I am not unmindful of the fact, however, that none of our social insurance systems is universal in its coverage—and that direct payments may be necessary to provide help to those not covered for health insurance by social security. But the two problems should not be confused—and those who have made no contribution toward such a fund should not be regarded as in the same category as those who have—and because a minority lacks the protection of social security is no reason to deny additional self-financed benefits to the great majority which it covers.

II. HEALTH PROFESSIONS PERSONNEL

The Nation's health depends on the availability and efficient use of highly trained and skilled professional people. These people are in very short supply. Unless we take steps to train more physicians and more dentists, the promise of modern medicine cannot be fully realized.

In an earlier message this year, I repeated my recommendation for Federal aid for the construction and expansion of schools of medicine, osteopathy, dentistry and public health, and for helping talented but needy students pursue their professional education. I recommended: (1) A 10-year program of grants to plan and construct such professional schools in order to increase the Nation's training capacity; and (2) a program of Federal scholarship aid for talented students in need of financial assistance, plus cost-of-education payments to the schools.

The urgency of this proposal cannot be repeated too often. It takes time to construct new facilities and many years for doctors to be trained. A young man entering college this fall will not be ready to start his practice until 1972—and even later if he plans to enter a specialty. The costs of construction and operation are mounting. Only six schools of medicine have been opened in the last decade; and the number of graduates has risen only 15 percent. Over the same period, student applications to medical schools have declined sharply. Our ratio of active physicians to population is less today than it was 10 years ago, and growing worse, and in the next 10 years we shall need to expand existing medical and dental school facilities, and to construct 20 new medical and 20 new dental schools.

We must also provide financial help to talented but needy students. I have previously expressed concern over the fact that medicine is increasingly attracting only the sons and daughters of high income families—43 percent of the students in our Nation's medical schools in 1959 came from the 12 percent of the U.S. families with an annual income of $10,000 or more.

A survey has shown that 4 years in medical school cost each student of the 1959 graduating class an average of $11,600. More than half of them had to borrow substantial sums to complete their education, and one-third of the group had an average debt of $5,000. Many of these students still have from 1 to 7 years of additional professional training, at low stipends, still facing them. Obviously further loans and further debts are not the answer.

Also, modern health care is extremely complex. It demands the services of a skilled and diversified team of specialists and technical personnel.

But there are shortages in almost every category—and the shortages are particularly severe in nursing. Last year I authorized the Surgeon General of the Public Health Service to set up a consultant group on nursing, and a comprehensive study of this field is well underway. I expect to receive their report in the near future.

III. IMMUNIZATION

There is no longer any reason why American children should suffer from polio, diphtheria, whooping cough, or tetanus—diseases which can cause death or serious consequencies throughout a lifetime, which can be prevented, but which still prevail in too many cases.

I am asking the American people to join in a nationwide vaccination program to stamp out these four diseases, encouraging all communities to immunize both children and adults, keep them immunized, and plan for the routine immunization of children yet to be born. To assist the States and local communities in this efforts over the next 3 years, I am proposing legislation authorizing a program of Federal assistance. This program would cover the full cost of vaccines for all children under 5 years of age. It would also assist in meeting the cost of organizing the vaccination drives begun during this period, and the cost of extra personnel needed for certain special tasks.

In addition, the legislation provides continuing authority to permit a similar attack on other infectious diseases which may become susceptible of practical eradication as a result of new vaccines or other preventive agents. Success in this effort will require the wholehearted assistance of the medical and public health professions, and a sustained nationwide health education effort.

IV. HEALTH RESEARCH

The development of these immunization techniques was made possible by medical research, just as it has made possible the new drugs, surgical techniques, and other treatments which have virtually conquered many of the leading killers of a generation ago—tuberculosis, pneumonia, rheumatic fever, and many others.

But conquest of the infectious diseases, by increasing our lifespan, has made us more vulnerable to cancer, heart disease, and other long-term illnesses. Today, two persons die from heart disease and cancer in the United States every minute. Last year, more than 1 million Americans fell victim to these merciless diseases.

They are not merely diseases of old age. Cancer leads all other diseases as the cause of death in children under age 15. Of the 10 million Americans who suffer from heart disease, more than half of them are in their most productive years, between 25 and 64.

Fortunately, medical research, supported to an increasing degree over the past 15 years by the Federal Government, is achieving exciting breakthroughs against both cancer and heart disease as well as on many other fronts. We can now save one out of every three victims of cancer, compared to only one out of four saved less than a decade ago. Our nationwide cancer chemotherapy program is saving many children and adults who would have been considered hopeless cases only a few years ago. And advances in heart surgery have restored to productive lives many thousands, while full prevention of many forms of heart disease seems increasingly within our reach.

We must, therefore, continue to stimulate this flow of inventive ideas by supporting medical research along a very broad front. I have proposed substantially increased funds for the National Institutes of Health for 1963, particularly for research project grants, and the training of specialists in mental health. Expenditures by the Institutes in 1963 are estimated to exceed $740 million, an increase of more than $100 million from the current year and a fourfold increase in the last 5 years. I am also renewing my recommendation that the current limitation on payment of indirect costs by the National Institutes of Health in connection with research grants to universities and other institutions be removed.

In keeping with the broadening horizons of medical research, I again recommend the establishment of a new Institute for Child Health and Human Development within the National Institutes of Health. Legislation to create this new Institute was introduced in the last session of Congress.

We look to such an Institute for a full-scale attack on the unsolved afflictions of childhood. It would explore prenatal influences, mental retardation, the effect of nutrition on growth, and other basic facts needed to equip a child for a healthy, happy life. It would, in addition, stimulate imaginative research into the health problems of the whole person throughout his entire lifespan—from infancy to the health problems of aging.

As a parallel action I am requesting authorization for contracts and cooperative arrangements for research related to maternal and child health and crippled children's services. This legislation, introduced in the last session of Congress, would strengthen the programs of the Children's Bureau in these areas, and foster effective coordination between the research activities of this Bureau and those of the proposed new Institute.

I also recommend that the present Division of General Medical Sciences at the National Institutes of Health be given the status and title of an Institute. This program supports fundamental research in biology and other sciences, and strengthens the research capabilities of universities and other institutions.

Last year, Congress enacted legislation temporarily extending and expanding the program of Federal matching grants for the construction of health research facilities. This program has been very successful, and it should be further extended.

In these and other endeavors, including our new National Library of Medicine, we must take steps to accelerate the flow of scientific communication. The accumulation of knowledge is of little avail if it is not brought within reach of those who can use it. Faster and more complete communication from scientist to scientist is needed, so that their research efforts reinforce and complement each other; from researcher to practicing physician, so that new knowledge can save lives as swiftly as possible; and from the health professions to the public, so that people may act to protect their own health.

V. MENTAL HEALTH

While we have treated the physically ill with sympathy, our society has all too often rejected the mentally ill, consigning them to huge custodial institutions away from the heart of the medical community. But more recently, the signs of progress toward enlightened treatment have been increasing. The discovery and widespread use of tranquilizing drugs over the past 6 years has resulted in an unprecedented reduction of 32,000 patients in the census of our State mental hospitals. But one-half of our hospital beds are still occupied by the mentally ill; and hundreds of thousands of sufferers and their families are still virtually without hope for progress.

I want to take this opportunity to express my approval, and offer Federal cooperation, for the action of the Governors of the 50 States at a special national Governors conference called last November. In accepting the challenge of the report of the Joint Commission on Mental Illness and Health, they pledged a greater State effort—both to transfer treatment of the majority of mental patients from isolated institutions to modern psychiatric facilities in the heart of the community, and to provide more intensive treatment for hospitalized patients in State institutions.

But this problem cuts across State lines. Since the enactment in 1946 of the National Mental Health Act, the Federal Government has provided substantial assistance for the support of psychiatric research, training of personnel and community mental health programs. The Government is currently spending over $1 billion annually for mental health activities and benefits. The National Institute of Mental Health alone will use approximately $100 million this year. Approximately $350 million is budgeted by Federal agencies for the care of the mentally ill; over $500 million is spent annually in the form of pensions and compensation for veterans with neuropsychiatric disorders; and aditional sums for similar benefits are paid by the social security and other Federal disability programs.

But far more needs to be done. Adequate care requires a supply of well trained personnel, working both in and out of mental hospitals. In 1946, there were only 500 psychiatric outpatient clinics in the Nation. Today, there are more than 1,500. More than 500,000 people received treatment in these clinics last year. We are making progress—but the total effort is still far short of the need. It will require still further Federal, State, and local cooperation and assistance.

I have directed the Secretary of Health, Education, and Welfare, the Secretary of Labor, and the Administrator of Veterans' Affairs, with the assistance of the Council of Economic Advisers and the Bureau of the Budget, to review the recommendations of the Joint Commission on Mental Illness and Health and to develop appropriate courses of action for the Federal Government. They have been instructed to consider such questions as the desirable alinement of responsibility among Federal, State, and local agencies and private groups; the channels through which Federal activities should be directed; the rate of expansion possible in the light of trained manpower availabilities; and the balance which should be maintained between institutional and noninstitutional programs.

Meanwhile, we must continue our vigorous support of research to learn more about the causes and treatment of mental illness. We must train many more mental health personnel. We must continue to strengthen treatment programs for Federal beneficiaries through our many existing Federal institutions, including St. Elizabeths Hospital. And I have recommended added funds for the National Institute of Mental Health to increase its program for the training of professional mental health workers and physicians.

VI. MENTAL RETARDATION

The nature and extent of mental retardation is often misunderstood. It is frequently confused with mental illness. While mental illness disables after a period of normal development, mental retardation is usually either present at birth or underway during childhood. It is not a disease but a symptom of a disease, an injury, or some obscure failure of development. It refers to a lack of intellectual ability, resulting from arrested mental development, and manifesting itself in poor learning, inadequate social adjustment, and delayed achievement. Its causes are many and obscure. We are encouraged with each new discovery—but present knowledge of this condition is still so fragmentary that its prevention and cure will require continued and persistent research over an extended period of time. The present limitations of knowledge make diagnosis extremely difficult, particularly since it involves the very young. And a major obstacle to progress is the lack of personnel trained in the special skills required to work effectively with the mentally retarded.

Thus, in spite of the progress made in recent years, mental retardation remains one of our most serious health and education problems. Approximately 5 million people in the United States are mentally retarded; and each year more than 126,000 more babies are born who will suffer from this tragic affliction.

I have asked the Panel on Mental Retardation which I appointed last year to appraise the adequacies of existing programs and the possibilities for greater utilization of current knowledge. It will review and make recommendations with regard to: (1) the personnel necessary to develop and apply new knowledge; (2) promising avenues of investigation, and the means to support and encourage research along these lines; and (3) improvement and extension of present programs of treatment, education and rehabilitation.

I expect the panel's report before the end of this year; and we should then be ready for the next phase of the attack upon this problem. I am confident that the work of this panel will help us chart the path toward our ultimate goal of preventing this tragic condition.

VII. TOWARD A MORE HEALTHY ENVIRONMENT

There is an increasing gap in our knowledge of the impact upon our health of the many new chemical compounds and physical and biological factors introduced daily into our environment. Every year 400 to 500 new chemicals come into use. Many of them will improve the public health. Others, regardless of every safeguard, present potential hazards. Each year there are 2 million new cases of intestinal disease. Hepatitis is at an alltime high. We need to apply additional protection against every new hazard resulting from contamination of the air we breathe or the water we drink.

As I already mentioned, the water pollution control legislation passed by the Congress last year has permitted us to step up our efforts to purify our water. We should make a similarly accelerated effort in parallel fields. I am therefore recommending:

1. Legislation to strengthen the Federal effort to prevent air pollution, a growing and serious problem in many areas. Fresh air cannot be piped into the cities, nor can it be stored for future use. Our only protection is to prevent pollution.

Under the existing Air Pollution Act, the Federal Government is conducting badly needed research on the biological effects of air pollution; developing improved methods for identifying, measuring, analyzing, and controlling pollution; and working with State and local officials to accelerate necessary control programs.

I recommend that the Congress enact legislation to provide: (a) authority for an adequate research program on the causes, effects, and control of air pollution; (b) project grants and technical assistance to State and local air pollution control agencies to assist in the development and initiation or improvement of programs to safeguard the quality of air; and (c) authority to conduct studies and hold public conferences concerning any air pollution problem of interstate nature or of significance to communities in different parts of the Nation.

Legislation along these lines has already passed the Senate, and I urge final favorable action in this Congress.

2. In order to provide a central focal point for nationwide activities in the control of air pollution, water pollution, radiation hazards, and occupational hazards, I recommend the establishment of a National Environmental Health Center. This center will serve as the base laboratory for research and training activities, and as headquarters for Public Health Service personnel concerned with health hazards in the environment. It will facilitate regular and frequent collaboration between Public Health Service scientists and those with whom they should consult in other Federal agencies. The center will serve also to encourage closer cooperation with industrial research and control groups, with universities and private foundations, and with State and local agencies.

3. Finally, I have recommended an increase in the appropriations for the study and control of water and air pollution and for research into protection against radiation peril.

VIII. ENCOURAGEMENT OF GROUP PRACTICE

Akin to the problem of increasing our overall supply of professional and technical health personnel is the problem of making more effective use of the personnel we already have. Experience in many communities has proven the value of group medical and dental practice, where general practitioners and medical specialists voluntarily join to pool their professional skills, to use common facilities and personnel, and to offer comprehensive health services to their patients. Group practice offers great promise of improving the quality of medical care, of achieving significant economies and conveniences to physician and patient alike, and of facilitating a wider and better distribution of the available supply of scarce personnel.

A major obstacle to the development of group practice, however, particularly in our smaller communities, is a lack of the specialized facilities needed. I therefore recommend legislation which will authorize a 5-year program of Federal loans for construction and equipment of group practice medical and dental facilities, with priority being given to facilities in smaller communities and to those sponsored by nonprofit or cooperative organizations.

IX. HEALTH OF DOMESTIC AGRICULTURAL MIGRANT WORKERS

Domestic agricultural migrants and their families—numbering almost 1 million persons—have unmet health needs far greater than those of the general population. Their poor health not only affects their own lives and opportunities, but it is a threat to the members of the permanent communities through which they migrate. The poverty of these migrants, their lack of health knowledge, and their physical isolation and mobility, all tend to limit their access to community health services. To help improve their health conditions, I recommend—in addition to expanding the special Public Health Service activities directed to them—the enactment of legisaltion to encourage the States to provide facilities and services for migrant workers.

X. PUBLIC HEALTH SERVICE REORGANIZATION

Changes in recent years have greatly increased the responsibilities of the Public Health Service. Some major organizational changes are necessary in order to help this agency carry out its vital tasks more effectively. I will shortly forward to the Congress a proposal which will make these reorganizational changes possible. It will permit more effective administration of community health programs and those dealing with the health hazards of the environment.

OTHER HEALTH GOALS

The struggle for improved health is never ending. While we are pressing new attacks in sectors of past neglect and present urgency, we must continue to advance along the entire front.

Health facilities construction: I have asked the Secretary of Health, Education, and Welfare to review the program of federally aided medical facility construction, to evaluate its accomplishments and future course. Through the Federal support provided by this very successful program, general medical care facilities have been constructed in most of the areas of greatest need. There are, however, large and urgent unmet requirements for facilities to provide long-term care, especially for the elderly, and short-term mental care at the community level. In addition, a growing number of existing urban hospitals require modernization so that they may continue to serve the needs of the people dependent upon them.

Health of merchant seamen: Over the past several years funds for the operation of the Public Health Service hospitals have been substantially increased to improve the quality of medical care for merchant seamen and other beneficiaries. A start has also been made on enabling these hospitals to conduct medical research. I have directed the Secretary of Health, Education, and Welfare to develop a plan for providing more readily accessible hospital care for seamen and for improving the physical facilities of those Public Health Service hospitals which are needed to provide such care.

Physical fitness: The foundation of good health is laid in early life. Yet large numbers do not receive necessary health care as infants and schoolchildren. The alarming rate of correctible health defects among selective service registrants highlights the problem. In all 50 States there has been a gratifying response to my call of last year for vigorous programs for the physical development of our youth. Pilot projects stimulated by the President's Council on Youth Fitness proved that basic programs, within the reach of every school, can produce dramatic results. Our children must have an opportunity for physical development as well as for intellectual growth. Our increased national emphasis on physical fitness, based on daily vigorous activity and sound nutritional and health practices, should and will be continued.

International health: Finally, it is imperative that we help fulfill the health needs and expectations of less developed nations, who look to us as a source of hope and strength in fighting their staggering problems of disease and hunger. Mutual efforts toward attaining better health will help create mutual understanding. Our foreign assistance program must make maximum use of the medical and other health resources, skills and experience of our Nation in helping these nations advance their own knowledge and skill. We should, in addition, explore every possibility for scientific exchange and collaboration between our medical scientists and those of other nations—programs which are of benefit to all who participate and to all mankind.

CONCLUSION

Good health is a prerequisite to the enjoyment of "pursuit of happiness." Whenever the miracles of modern medicine are beyond the reach of any group of Americans, for whatever reason—economic, geographic, occupational or other—we must find a way to meet their needs and fulfill their hopes. For one true measure of a nation is its success in fulfilling the promise of a better life for each of its members. Let this be the measure of our Nation.

JOHN F. KENNEDY.

THE WHITE HOUSE, *February 27, 1962.*

GROUP HEALTH ASSOCIATION OF AMERICA HAILS PRESIDENT KENNEDY'S MEDICAL CARE MESSAGE, ASKS SPEEDY CONGRESSIONAL ACTION

WASHINGTON.—Dr. Caldwell B. Esselstyn, president of Group Health Association of America, today issued the following statement:

"The Group Health Association of America, representing prepaid group practice medical plans throughout the Nation, hails the statement on health care presented yesterday to the Congress by President Kennedy.

"The President's statement represents a realistic and forward-looking statement of the Nation's health needs.

"It will get the support, we are confident, of large numbers of doctors and patients who recognize that American medicine must move upward to new plateaus of effective service. The day has gone by when any single physician can hope to provide the best there is in all the fields of medicine to any one patient. In the America of the mid-20th century, medicine—like every other phase of our national life—must be geared to the needs and requirements of space age problems.

"The Group Health Association of America is particularly gratified that President Kennedy has urged Federal loans to establish 'group practice medical and dental facilities' particularly in the smaller communities of the Nation.

"The President's recommendation that priority be given to the creation of group-practice facilities in small communities, and to those sponsored by cooperative or nonprofit groups, fully recognizes the realities of our national health problem.

"America must make the best possible use, on behalf of all its citizens, of the medical talent available to the Nation. Proven experience has shown that the prepaid group medical practice system is, by all odds, the best way of providing comprehensive medical care to people.

"We strongly support the President's urgent plea for congressional action to finance a health insurance program for the aged through the social security system. As a matter of fact, there is no other way of doing this necessary job. Americans should not permit propaganda slogans to cloud their vision about the need for this major step forward toward providing decent medical care for the growing number of our senior citizens.

"We also support the President's plea for Federal aid for the construction and expansion of schools for the teaching of doctors, and scholarship aid for talented and needy students.

"The Group Health Association of America urges the Congress to speedily enact these forward-looking proposals of President Kennedy. We appeal to citizens to call upon their elected legislators to give these measures a high priority in the present session of Congress."

BEFORE IT IS TOO LATE

Mr. HUMPHREY. Mr. President, I invite the attention of my colleagues to an excellent article which appeared in a recent issue of Commonweal magazine written by Prof. Nino Maritano, an economist who is on the faculty of St. Thomas College in St. Paul, Minn.

In this article, Professor Maritano gives his impressions on the situation in Central America. He is convinced from his travels in Central American countries that drastic social reforms are the sole alternative to communism and that such reforms must be made now if we are to avoid disaster.

The people of Central America, Professor Maritano reports, desperately want a better life for themselves and for their children, and they want that life "today," not "tomorrow." Let me quote from Professor Maritano's article:

It is the deep conviction of this writer that the Central American people are not really Communist or communistic, but they do have a deep and increasing desire for social justice. They are not rebellious people, either, but misery and despair, if not drastically curbed, can in the very near future force them to become both rebellious and Communist. The governments of Central America give the impression of being afraid of sound social economic reforms. Some of them let the people believe that any social change will be economically disastrous by invoking the outmoded classical liberal theory of capital formation. This is an old story which no economist would accept today. On the contrary, a minimum of social justice, in terms of honest administration, sound fiscal policy, better redistribution of income, a minimum wage and job opportunity, constitute the very necessary conditions and bases for economic development, growth, and progress.

Mr. President, the impressions that Professor Maritano had from his trip in Central America are the same as I had when I returned from my tour this past fall of South American countries. The answer to communism in these countries is a vigorous program of social reform. Without this reform being put into action the door is being left wide open for the Communists to move in and take over, and as certainly as I stand here today in the Senate, they will take over unless reform programs are put into action, and put in promptly.

I ask unanimous consent to have printed at this point the article referred to.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

BEFORE IT IS TOO LATE

(By Nino Maritano)

When I left Guatemala, the last of five Central American countries I visited, it was my impression that people of Central America are well aware of what is going on in their countries and abroad. Perhaps because of this increasing awareness they are tired of words and promises.

It was made clear to me, by thousands of workers, campesinos (small farmers) and professional men in the Central American nations that changes ought to take place. According to them a radical institutional evolution is necessary to break away from the present feudalistic form of society in which they live. I was told time and again that if drastic changes do not materialize soon, the Communists will have excellent grounds for their own revolution. But the people of Central America do not expect such changes to come from their wealthy present leaders, whom they distrust and hate. Thus communism seems to them as almost the only certain alternative.

Central Americans, like all Latin Americans, have long memories. They remind you of the time when the great fruit companies, by their political and financial intrigues, kept large areas of Central America in turmoil. They did not hide from this writer the fact that even today venality and influence play a disastrous role in the economic development of their countries. They do not expect any improvement from fantastic and vague economic programs. Empty and nonimplemented social legislation can no longer satisfy the hungry and destitute 75 percent of the population of Central America.

Besides, it is written in their eyes, they want a better life for themselves and for their children today, not tomorrow. But with the disparity between wages and prices—when there is a wage and a price—it is simply not possible for most Central Americans to make a living. Prices are high and capricious all over Central America. I

discovered that a cup of coffee in El Salvador, Costa Rica, Guatemala, and Honduras costs from 10 to 12 cents. A bottle of local beer costs from 35 to 50 cents. A decent room in any hotel or pension goes from $5 to $15. A sandwich costs from 45 to 70 cents. The price of clothes is as high as in the United States—always higher than in any country in Europe. I found in El Salvador and Nicaragua, which are among the poorest nations of Central America, that it costs $25 to have a tooth filled, $20 to have it pulled. Any physical examination by any doctor costs from $5 to $20. Local shoes vary from $8 to $15; imported shoes cost from $35 to $50.

Yet wages all over are as low as 30 to 50 cents a day. The average wage for 90 percent of Central American workers is less than 75 cents a day. A waiter or waitress, for example, earns not more than $10 to $20 a month, putting in around 60 hours a week and 10 hours of work a day.

No Salvadorian, Nicaraguan, Costa Rican, or Guatemalan I met accepts such wages as just in countries where members of old Spanish families pad through the halls of mansions costing $3, $4, or $5 million. Moreover, such wages are for those who are lucky enough to get a job. If one adds to all this the chronic unemployment in all cities and towns of the Central American nations, the creeping inflation, the average earnings of many campesinos which amounts to something like $3 or $4 a month, one begins to understand the economic despair of so many of the Central American people, their impatience and bitterness, their readiness to revolt.

Why, they ask you, should a very few in our countries (4 or 5 percent of the population) dance in a sea of gold and light and 90 percent of the people in rural areas huddle at night around a fire outside a one-room hut and wash the only clothes they own at the light of a menger flame? Why, ask a group of young workers from El Salvador, should the sons and daughters of the few rich go to study at the most expensive colleges and universities abroad, touring Washington, Rome, and Paris in Cadillacs, when 70 percent or more of the families from Nicaragua, Honduras, and El Salvador are unable to have their children fed decently and taught how to read and write? I heard the same question echoed in Nicaragua, Honduras, and Guatemala.

The claim of the local aristocracy that the poor in Central America enjoy their way of life and have no desire to improve their social and economic conditions makes them laugh bitterly. Like any other human beings, Central American men and women prefer adequate housing to a hut. All poor young couples wish that they could afford better furniture in their dwellings and decent clothes for their little ones. No destitute Indian in Guatemala, no unemployed worker in El Salvador or Nicaragua, no poor mother from Costa Rica or Honduras I talked to blesses the hunger and death of her children, or wishes them to grow up ignorant and illiterate.

It is also unfair and false to say, as I heard many Europeans and Americans insist, that the average Central American is lazy and does not want to work. I saw thousands of them at work: businessmen, professional people, government employees, skilled and manual workers of both sexes. Those who can find work, work hard—in many instances much harder than we do. No American or European woman could stand the fatigue and hardship of the average Salvadorian or Guatemalan woman in the fields, in a factory, or in a marketplace. The American construction worker would call slave labor the hours and the speed required from a Costa Rican or a Nicaraguan construction worker.

One would have to go back 100 or 200 years in the history of this country or of Europe to find conditions comparable to the inhuman conditions borne by people working for a few absentee barons, landlords, or corporations in Central America. But no matter how bad those conditions are, how meager the reward is, the average Central American wants to work; he is constantly looking for steady employment.

The poor resent, moreover, the fact that even in these abject conditions they are the only people in their countries who pay high taxes. They realize that since the governments themselves are deep in the affairs of business, people in privileged positions of government will not tax themselves. As a matter of fact, this interlocking of government and business is so widespread and so grave in Nicaragua and Honduras that it is difficult to say where private enterprise stops and public enterprise takes over. In too many parts of Central America the governors and senators are the most economically and financially powerful persons. They are owners of banks, plantations, shipping, urban real estate, airlines, railroad companies. On top of this, there is not a progressive but rather a regressive taxation system. For instance, it is impossible for the poor to escape tax eviction, but it is a mere question of routine for the rich to evade millions of dollars in taxation.

Many Central American economists and honest businessmen I talked to are convinced that this abusive system of taxation, among other things, explains a great deal of the backwardness of the Central American economy. Honest fiscal policy and effective public administration of the physical and human resources, they believe, are basic requirements for the economic development of their countries. But honest and effective administrations, according to some able and brilliant Salvadorian public servants, are impossible without a more human social philosophy, which too many political leaders and the wealthy elite alike lack totally.

Without some effective principles of human rights, and of equitable redistribution of wealth, no capital formation for sound investments, they feel, is really possible. No foreign aid will do any good. On this point, it was a shocking experience for me to find out in a survey taken among all groups of Central American people that more than 90 percent of them are against unconditional American aid. President Kennedy's Alliance for Progress will be a failure, they tell you, if every American cent is not supervised by honest American technicians with the help of honest and able Central Americans.

As a matter of fact, as far as I could see, the American dollars which have been poured into Central America have not won for us a single friend among the mass of people. The average Central American dislikes and is suspicious of the gringos. One reason for this, among others, I was told, is the fact that they have never seen any good results from American loans or grants. American money is too often used, or rather misused, for personal advantage. Thus the unemployed in El Salvador, the oppressed in Nicaragua, the poor campesino in Honduras, the underpaid worker in Costa Rica, and the Indian in Guatemala all feel that the American dollars, if they come, serve in fact only one purpose: to keep in power inefficient governments and to perpetuate the startling contrast of economic misery for the majority and extravagant wealth for the few.

The sympathy for President Kennedy found among people of all the Central American nations is, I believe, quite significant in this regard. Kennedy understands our situation, they say. He is realistic, honest and blunt. They think that if the social reform conditions of the Alliance for Progress are carried out, lots of things will be improved. But they all predicted to me that any such clause of conditional help will be opposed by most of their governments.

It is the deep conviction of this writer that the Central American people are not really Communist or communistic, but they do have a deep and increasing desire for social justice. They are not rebellious people, either, but misery and despair, if not drastically curbed, can in the very near future force them to become both rebellious and Communist. The governments of Central America give the impression of being afraid of sound social economic reforms. Some of them let the people believe that any social change will be economically disastrous by invoking the outmoded classical liberal theory of capital formation. This is an old story which no economist would accept today. On the contrary, a minimum of social justice, in terms of honest administration, sound fiscal policy, better redistribution of income, a minimum wage and job opportunity, constitute the very necessary conditions and bases for economic development, growth, and progress.

Drastic social reforms are not only the sole alternative to Castroism or communism in Central America, but also the only way out of the economic backwardness and bankruptcy of a feudalistic system, and the only way that political and economic democracy can appeal to the intelligent Central American.

Let us not label as communistic the elementary aspirations of the citizens of Central America. These aspirations are too human and too Christian to be confused with the brutality of communism. But they are also too urgent to be ignored. The future of much more than Central America itself is at stake; it would be a tragedy for the whole hemisphere if Central America were lost. I must confess, however, that I left Central America with the feeling that if it is already late for some Central American governments, it is too late altogether for the irresponsible Central American aristocracy.

THE ALEXANDER HAMILTON NATIONAL MONUMENT — AMENDMENT TO THE CONSTITUTION DEALING WITH POLL TAXES

The Senate resumed the consideration of the motion of the Senator from Montana [Mr. MANSFIELD] to proceed to the consideration of the joint resolution (S.J. Res. 29) providing for the establishing of the former dwelling house of Alexander Hamilton as a national monument.

Mr. EASTLAND. Mr. President, I was quoting from the committee report a statement by the distinguished former Senator from Wyoming, the Honorable Joseph C. O'Mahoney, who was probably the greatest constitutional lawyer since Daniel Webster. I continue the quotation:

So the argument of the proponents of this bill must be that the poll tax requirement is not a qualification, but an interference with the manner of holding an election.

Can anyone say that that is not a strained construction—so strained, Mr. President, that some of the advocates of the bill are not content to rely upon it, but say that the real basis of the bill lies in the provision of the Constitution by which the United States is required to guarantee to each State a republican form of government. Then we are asked to believe that a poll tax requirement is a violation of the principles of a republican form of government. How can that be contended in the face of the fact that the men who drafted the section, the men who drafted the Constitution, had been

chosen by the people of States in every one of which there was some form of a property ownership or taxpayment qualification?

Mr. President, the poll-tax requirement as a prerequisite for voting was not abolished in the State of Massachusetts—and I speak of Massachusetts because I was born there and because I know that it has been one of the most progressive and liberal States of the Union—until 1892. It was not abolished in the State of Pennsylvania until 1933. So during all that time, from the moment when the Constitution was written by men chosen in States which recognized the the ownership of property and the payment of taxes as qualifications for voting, right down to this decade, the right of the States to impose or to repeal such a qualification had been recognized; and no one sought to question it until the bright idea dawned that, by calling red blue, we could amend the Constitution— a qualification is not a qualification. Let the Congress by a majority vote so declare, and the necessity of amending the Constitution as the Founding Fathers directed us to do in article V would be obviated.

* * * * *

Therefore, it seems to me to be perfectly clear, from the text of the debate in the Constitutional Convention itself, that the men who drafted this instrument knew precisely what they were doing, and when they defeated Gouverneur Morris' amendment to fix the qualifications in the Constitution, they did so precisely because they wanted that right to fix qualifications to remain with the States. This was because, in the words of Mr. Wilson, that it would be disagreeable to have two sets of electors, one voting for State officers and the other voting for Federal officers.

The proposal was voted down in the Constitutional Convention. The proponents of the bill ask us to vote it up by a State. They contend that although the Constitutional Convention said that the qualifications for those who are to choose the only Federal officials who are to be elected by the people shall be the same as the qualifications of those who are to choose the most numerous branch of the State legislature, we should now alter that program, that procedure, that policy, and should make the qualifications different.

Senator O'Mahoney, in engaging in colloquies with the then Senator from Alabama, Mr. Bankhead, and the then Senator from Texas, Mr. Connally, made further observations which, I believe, bear repeating here:

Mr. O'MAHONEY. The Senator is quite right, and that leads me to make this observation. In the light of the debate which I have already read earlier today, it is clear that if the framers of the Constitution had wanted to make a Federal rule of qualification, since it is clear that they knew exactly what the issue was, they would have written it into the Constitution. One member, seconded by another member of the Convention, indeed tried to do that, and the effort was defeated, and then, as the Senator from Alabama has so cogently remarked 125 years later, when the people of the country were providing for the popular election of U.S. Senators, they decreed again that the qualifications of the electors who should choose the Senators should be the same as those of the electors of the most numerous branch of the respective State legislatures. There can be no question, it seems to me, of the meaning of the language. * * *

The drafters of the Constitution, and the States, when they amended the Constitution to provide for popular election of Senators, did precisely what the Senator from Texas said; they decreed that the Federal qualifications in each State should be those which each State adopted for itself. That is not only my view, the view of the Senator from Texas, the view of the minority on the Judiciary Committee; it has been the view of every person who has commented upon the Constitution from the time it was written and adopted down to the hour when the sponsors of the proposed legislation undertook to separate Federal qualifications from State qualifications.

Mr. President, I submit that the statement of the then subcommittee of the Committee on the Judiciary and the remarks of Senator O'Mahoney are as appropriate today as they were 20 years ago. It is my considered judgment that the Congress would be wise today to await the action of the five remaining States, by action of their State legislatures, rather than to whittle away by constitutional amendment a power that was left to the States themselves by the framers of the Constitution.

Throughout the history of our country regulation of voting has been traditionally and appropriately a function of the States. In fact, the intrusion of the Federal Government into the regulation of voting has been generally considered unconstitutional except in those instances precisely defined in the 14th and 15th amendments. In *Minor* v. *Happerset* (88 U.S. 162 (1874)), Mrs. Minor was refused registration to vote for electors for President and Vice President of the United States, and for a Representative in Congress at the general election held in November 1872. She was refused because the Missouri constitution authorized voting by male citizens only. Mrs. Minor contended that the right to vote at elections affecting Federal offices was a right and privilege secured to her by the Constitution of the United States which could not be abridged by the State of Missouri. The Court said:

If the right of suffrage is one of the necessary privileges of a citizen of the United States, then the constitution and laws of Missouri confining it to man are in violation of the Constitution of the United States, as amended, and consequently void. The direct question is, therefore, presented whether all citizens are necessarily voters.

The Constitution does not define the privileges and immunities of citizens. For that definition we must look elsewhere. In this case one need not determine what they are, but only whether suffrage is necessarily one of them.

It certainly is nowhere made so in express terms. The United States has no voters in the States of its own creation. The elective officers of the United States are all elected directly or indirectly by State voters. The Members of the House of Representatives are to be chosen by the people of the States, and the electors in each State must have the qualifications requisite for electors of the most numerous branch of the State legislature. Senators are to be chosen by the legislatures of the States, and necessarily the members of the legislature required to make the choice are elected by the voters of the State. Each State must appoint in such manner, as the legislature thereof may direct, the electors to elect the President and Vice President. The times, places, and manner of holding elections for Senators and Representatives are to be prescribed in each State by the legislature thereof; but Congress may at any time, by law, make or alter such regulations, except as to the place of choosing Senators. It is not necessary to inquire whether this power of supervision thus given to Congress is sufficient to authorize any interference with the State laws prescribing the qualifications of voters, for no such interference has ever been attempted. The power of the State in this particular is certainly supreme until Congress acts.

The amendment did not add to the privileges and immunities of a citizen. It simply furnished an additional guarantee for the protection of such as he already had. No new voters were necessarily made by it. Indirectly it may have had that effect, because it may have increased the number of citizens entitled to suffrage under the constitution and laws of the States, but it operates for this purpose, if at all, through the States and the State laws, and not directly upon the citizen (*Minor* v. *Happerset*, 88 U.S. 162 (1874)).

Finally the Supreme Court said:

Certainly, if the courts can consider any question settled, this is one. For nearly 90 years the people have acted upon the idea that the Constitution, when it conferred citizenship, did not necessarily confer the right of suffrage. If uniform practice long continued can settle the construction of so important an instrument as the Constitution of the United States confessedly is, most certainly it has been done here. Our province is to decide what the law is, not to declare what it should be. (*Minor* v. *Happerset*, 88 U.S. 162, 170 (1874)).

Mr. President, I ask unanimous consent that I may yield to my colleague the distinguished Senator from Mississippi [Mr. STENNIS] with the understanding that I shall not lose my right to the floor; that when I resume the floor, it will not count as a second speech upon this motion; and that the junior Senator from Mississippi will have the floor when the Senate convenes on Monday next.

Mr. HOLLAND. Mr. President, will the Senator from Mississippi yield for a question?

Mr. EASTLAND. I yield for a question.

Mr. HOLLAND. When does the senior Senator from Mississippi expect to resume the floor? I think the unanimous-consent agreement should show that.

Mr. EASTLAND. I do not know when I expect to resume the floor. It will be before the debate is over.

Mr. HOLLAND. Will it be sometime on Monday?

Mr. EASTLAND. I do not know when the junior Senator from Mississippi will finish his speech. I cannot say as to that. He has a right to present his views.

Mr. HOLLAND. Mr. President, I have no objection.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STENNIS. Mr. President, a great deal has been said about the poll tax. A great deal is misunderstood about the poll tax. It is thought of, in some circles, as being a tax on the right to vote, or is loosely called that. A poll tax is a tax on the person. Like other taxes such as a tax on a piece of property, or a tax on income, it is a head tax. The word "poll" comes from the word meaning people. That is the basis of the taxation. It is based on the simple proposition that everyone who enjoys the fruits of the government should pay some tax. That is the origin of the tax—that there should be a tax upon

each person. It is nothing new in American history. It has always been recognized.

Mr. President, it has always been characteristic of our Government to require every person to pay some tax. Many States and many of the Colonies at the time of the American Revolution, and afterward, required the payment of a property tax or poll tax, or some kind of a contribution to the costs of government, before citizens could enjoy the privileges of government.

I never have believed otherwise than that it is a sound principle of government. I do not know that I have had many thrills in life greater than that I felt at the time I cast my first vote. I had the thrill of knowing that I was participating in the government directly, and I was also paying some tax, and therefore was sharing a part of the privileges and had a part in carrying some of the responsibility.

I never have believed otherwise, especially in view of the fact the right to vote is a privilege. Voting is a privilege; it is not a right. It never has been a right. I hope that in our form of government it never will be a pure right. The casting of a vote is a privilege, and that privilege arises from the States of the Union, not from the Federal Government. The Federal Government has never had the power to confer the privilege of voting upon anyone. There is written into the basic law of the Federal Government itself the direct provision that the Congress shall never—shall never—undertake to create the qualifications of electors. The privilege of voting comes from the States, and therefore the Federal Government adopts the qualifications the States prescribe.

I repeat, Mr. President, that voting is a privilege. That privilege arises from the State itself. Therefore the States ought to have control.

Even apart from what is written into the Constitution, logic dictates that the States should have such control. As I have said, it is a privilege to pay something, to pay some kind of a tax or to make some contribution in order to be able to vote. I remember that as a young boy I heard a very fine sermon, the substance of which was, "Salvation is free." I did not believe it then, and I do not believe it now. I am not a theologian, and do not intend to enter into a discussion of theology. We could never earn salvation ourselves. I think in any realm reward requires some kind of effort on my part. I have to live up to something. I have to do something. I cannot be fully worthy; there is something I have to do. I still believe this to be true.

I believe that in our free Government freedom is a two-way street. This should be told to the people. It should be emphasized at every turn, everywhere, every day in every manner. There is something the people must do. The privileges we enjoy simply do not come like rain from the heaven. Privileges and responsibilities go hand in hand.

Mr. HOLLAND. Mr. President, will the Senator from Mississippi yield?

Mr. STENNIS. I yield.

Mr. HOLLAND. I do not wish to interrupt the distinguished Senator, except to say that the majority leader asked me to move to recess the Senate, under the order previously entered, at 6 o'clock or shortly thereafter. At any time it might be convenient to whoever had the floor. Whenever the Senator from Mississippi reaches such a stage, I shall be glad to move that the Senate recess under the previous order.

Mr. STENNIS. I thank the Senator from Florida. I should like to proceed for just a few minutes more, in order to reach an appropriate stopping place.

There should be at least some kind of requirement for some kind of payment on the part of all who go to the ballot box. I know that that is the way it works in my State. The payment of a poll tax has proved to be a very reasonable regulation of the exercise of the high privilege of voting, one within the reach of all; and it is such a small amount that it is certainly easily within the reach of all to pay. But if any person should be crippled or otherwise incapacitated, such person could obtain a certificate of exemption. The tax is only $2 a year per person; and it applies to all alike, regardless of sex, color, or any other consideration.

There is a further provision that persons above 60 years of age are not required to pay the tax, but merely have to be certified that they are exempt, and thereby shall be eligible to vote.

Some say they do not think the poll tax is sound in principle. If its payment is required as a prerequisite to voting, Mr. President, I think it is. It is a very reasonable and a very effective regulation. It requires that a person manifesting an interest in an election shall pay a small amount for the privilege of participating in the election.

Mr. President, I have never seen an illustration of any material or substantial abuse with reference to the poll tax law. Stories are told about some ward politician showing up at the last minute with a pocketfull of poll tax receipts, and getting persons whom he controls qualified to vote. Mr. President, I could not say that such things do not happen sometimes, somewhere; but certainly I know that they do not happen to any appreciable extent in my State, and I do not believe they happen on any extensive scale anywhere. The law requires that the poll tax be paid in advance; and no one can show up at the last minute and pay the poll tax for others, so as to control their votes.

Another feature of the tax in my State is that a citizen has to pay only 1 year's arrears, if he falls behind in his payments. He has to pay only 1 year's arrears of the tax, in order again to become qualified to vote. Clearly there is no stacking up of these delinquencies, or anything of that kind.

Furthermore, Mr. President, the money goes solely and exclusively to public education of all children in all public schools, in our State. As I recall, the money has to be spent in the county where the tax is imposed or where the person lives. The money has to be spent exclusively for the schools in that county; and it cannot be diverted—not under any circumstances—to any other purpose—not to any purpose except that of the general education of all the schoolchildren.

Mr. President, I have now reached a concluding point; and I ask unanimous consent that I may now suspend, pursuant to the understanding which has been reached.

Mr. EASTLAND. Mr. President, a part of the unanimous-consent request is that when the Senate takes a recess at the conclusion of its session today, such action not be regarded as causing my colleague, the junior Senator from Mississippi [Mr. STENNIS], to be charged with making one speech on the pending motion.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS TO MONDAY AT 11 A.M.

Mr. HOLLAND. Mr. President, in accordance with the order of the Senate previously entered, I ask unanimous consent that the Senate now stand in recess until Monday next, at 11 a.m.

The PRESIDING OFFICER. Is there objection?

There being no objection, thereupon (at 6 o'clock and 3 minutes p.m.), under the order previously entered, the Senate took a recess until Monday, March 19, 1962, at 11 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate March 16 (legislative day of March 14), 1962:

ASSAYER OF THE MINT

Earl F. Haffey, of Colorado, to be assayer of the Mint of the United States at Denver, Colo., vice Richard L. Merrill.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 16 (legislative day of March 14), 1962:

UNITED NATIONS

W. Michael Blumenthal, of New Jersey, to be the representative of the United States of America on the Commission on International Commodity Trade of the Economic and Social Council of the United Nations.

CAREER AMBASSADORS

The following-named Foreign Service officers for promotion from the class of career minister to the class indicated:

To be career ambassadors

W. Walton Butterworth, of Louisiana.
Walter C. Dowling, of Georgia.
Miss Frances E. Willis, of California.

U.S. ARMS CONTROL AND DISARMAMENT AGENCY

The following-named persons to the positions indicated:

To be members of the General Advisory Committee of the U.S. Arms Control and Disarmament Agency

Roger M. Blough, of Pennsylvania.
The Reverend Edward A. Conway, of Nebraska.
John Cowles, of Minnesota.
Trevor Gardner, of California.
George B. Kistiakowsky, of Massachusetts.
Robert A. Lovett, of New York.
John J. McCloy, of New York.

Dean A. McGee, of Oklahoma.
Ralph E. McGill, of Georgia.
George Meany, of Maryland.
James A. Perkins, of New Jersey.
Herman Phleger, of California.
Isidor I. Rabi, of New York.
Thomas D. White, of the District of Columbia.
Herbert F. York, of California.

ASSISTANT SECRETARY OF COMMERCE

William Ruder, of New York, to be an Assistant Secretary of Commerce.

MARITIME ADMINISTRATOR

Donald W. Alexander, of Florida, to be Maritime Administrator.

COAST AND GEODETIC SURVEY

Subject to qualifications provided by law, the following for permanent appointment to the grades indicated in the Coast and Geodetic Survey.

To be lieutenant (junior grade)

Peter Aloysius Martus

To be ensigns

David Vincent Sibila.
Eugene Arthur Jones.
Jon Wallace Drosendahl.
Stanley John Ruden.

U.S. CIRCUIT JUDGE

Paul R. Hays, of New York, to be U.S. circuit judge, second circuit.

U.S. DISTRICT JUDGES

Dudley B. Bonsal, of New York, to be U.S. district judge for the southern district of New York.

Wilfred Feinberg, of New York, to be U.S. district judge for the southern district of New York.

George Rosling, of New York, to be U.S. district judge for the eastern district of New York.

Leo Brewster, of Texas, to be U.S. district judge for the northern district of Texas.

Sarah T. Hughes, of Texas, to be U.S. district judge for the northern district of Texas.

James L. Noel, Jr., of Texas, to be U.S. district judge for the southern district of Texas.

Adrian A. Spears, of Texas, to be U.S. district judge for the western district of Texas.

James H. Meredith, of Missouri, to be U.S. district judge for the eastern district of Missouri.

U.S. MARSHALS

Marion Mathias Hale, of Texas, to be U.S. marshal for the southern district of Texas.

Robert I. Nash, of Texas, to be U.S. marshal for the northern district of Texas.

Tully Reynolds, of Texas, to be U.S. marshal for the eastern district of Texas.

EXTENSIONS OF REMARKS

President's Message to the American Association for the United Nations

EXTENSION OF REMARKS

OF

HON. HUBERT H. HUMPHREY

OF MINNESOTA

IN THE SENATE OF THE UNITED STATES

Friday, March 16, 1962

Mr. HUMPHREY. Mr. President, I ask unanimous consent that a message by the President of the United States addressed to the American Association for the United Nations be inserted in the RECORD.

I would like to take this opportunity to salute the American Association for the United Nations for the wonderful job that it is doing to promote a greater understanding in this country of the fine work of the United Nations. The association is performing a most important and valuable service to our country and to the promotion of international understanding.

There being no objection, the message was ordered to be printed in the RECORD.

TEXT OF A MESSAGE TO THE AMERICAN ASSOCIATION FOR THE UNITED NATIONS FROM THE PRESIDENT, MARCH 12, 1962

The 12th annual conference of national organizations called by the American Association for the United Nations comes as a propitious reminder of the range and depth of this country's support of the United Nations.

Both by its promise and by its actions, the U.N. has justified that support over the years.

The 16th session of the General Assembly ended last month with a matchless record of solid accomplishments.

It rejected emphatically a powerful attack against the integrity of the Secretariat and went on to a series of positive steps which are admirably summarized in the theme of your conference "The U.N. Decade of Development."

In the course of its work the 16th General Assembly adopted a set of guiding principles and agreed to the new approach to general and complete disarmament which will get underway in Geneva on Wednesday. It extended the Charter of the United Nations to outer space and established a new Committee on the Peaceful Uses of Outer Space which begins its work next week. It adopted a resolution calling for an expanded and intensified program for economic and social progress in the less developed world in the decade ahead.

We can be proud of our initiatives and of the U.N. response in these three critical areas of disarmament, outer space, and rapid modernization of the emerging nations. If real progress can be made in these three areas, the present decade can be the most exciting and rewarding time in history.

To sustain its present initiative as a force for peace and human progress the U.N., of course, must regain a sound and orderly financial position. The three-point financial plan approved by the General Assembly is the only proposal put forth at the U.N. or elsewhere which will meet the requirements and is the only one which has the approval of the General Assembly. The U.N. bond issue, which is the key part of the financing plan, has become the symbol and substance of support of the United Nations by its members.

Last week Finland and Norway purchased the first of the U.N. bonds. A dozen more nations will follow shortly. The world is now watching to see whether the United States will continue to play its full part in helping the United Nations to make this a decade in which the world moves dramatically toward the peaceful and progressive world foreseen in the charter.

I look forward to meeting with your leaders at the White House tomorrow, and I welcome the evidence offered by your organizations that bipartisan support for the U.N. in its present financial crisis is stronger than ever. Please accept my best wishes for a most productive conference.

HOUSE OF REPRESENTATIVES

MONDAY, MARCH 19, 1962

The House met at 12 o'clock noon.

The Reverend Roy Pfautch, assistant to the president of Princeton Theological Seminary, Princeton, N.J., offered the following prayer:

In the name of the Father, the Son, and the Holy Spirit, one God blessed forever. Amen.

Almighty God, Thou hast made us for Thyself and our rest, purpose, and end are in Thee. Forgive us for the pride in our own works which confuses Thy purpose for us. In Thy love, bless the Members of this Chamber. Let them know themselves in Thee: their talents, skills, and wisdom. So knowing, give them vision and strength to order their lives in Thy light, to the end that this Nation, conceived in Thy love, might prosper to its own welfare and to the cause of peace on earth and good will among all men. Give Thy grace to these whom Thou hast endowed for leadership that they might humbly guide our country with a heart, a mind, a being that cries "Thy will be done." In so doing, grant that our people and these Representatives might mark their days with progress and endeavor in their common pilgrimage to and for Thee through Jesus the Christ, who has given us light that we might see and live. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, March 15, 1962, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed a concurrent resolution of the following title, in which the concurrence of the House is requested:

S. Con. Res. 61. Concurrent resolution requesting the President to designate the week of March 25, 1962, as Voluntary Overseas Aid Week.

The message also announced that the Vice President had reappointed Mr.

ERVIN, Mr. MUNDT, and Mr. MUSKIE as members on the part of the Senate of the Commission on Intergovernmental Relations, authorized by Public Law 380, 86th Congress.

HOUSE BILL ENROLLED

Mr. BURLESON, from the Committee on House Administration, announced that that committee had, on March 15, 1962, examined and found truly enrolled a bill of the House of the following title:

H.R. 8723. An act to amend the Welfare and Pension Plans Disclosure Act with respect to the method of enforcement and to provide certain additional sanctions, and for other purposes.

ENROLLED BILL SIGNED

The SPEAKER. The Chair desires to announce that pursuant to the authority granted him on Thursday, March 15, 1962, he did on March 16, 1962, sign the following enrolled bill of the House:

H.R. 8723. An act to amend the Welfare and Pension Plans Disclosure Act with respect to the method of enforcement and to provide certain additional sanctions, and for other purposes.

CONSENT CALENDAR

The SPEAKER. This is Consent Calendar Day. The Clerk will call the first bill on the Consent Calendar.

METRIC SYSTEM OF WEIGHTS AND MEASURES

The Clerk called the bill (H.R. 2049) to provide that the National Bureau of Standards shall conduct a program of investigation, research, and survey to determine the practicability of the adoption by the United States of the metric system of weights and measures.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

PARTICIPATION IN 1962 FEED GRAIN PROGRAM

The Clerk called the bill (H.R. 8914) to amend subsection (d) of section 16 of the Soil Conservation and Domestic Allotment Act, as amended.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. FORD. Reserving the right to object, Mr. Speaker, it was my impression that on the last call of the Consent Calendar we had obtained a sufficient number of objectors to remove this proposal from the Consent Calendar.

The SPEAKER. The Chair will state that at the last call of the Consent Calendar on this particular bill only one objection was required. At this time it requires three objections.

Mr. FORD. I withdraw my reservation of objection, Mr. Speaker, and object to the consideration of the bill.

Mr. PELLY. I object, Mr. Speaker.

Mr. CURTIS of Missouri. I object, Mr. Speaker.

Under the rule, the bill was stricken from the Consent Calendar.

PRINCE GEORGES COUNTY SCHOOL BOARD, MARYLAND

The Clerk called the bill (H.R. 6759) for the relief of the Prince Georges County School Board, Maryland.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

COMMITTING JUVENILE DELINQUENTS FOR OBSERVATION AND STUDY

The Clerk called the bill (S. 1691) to provide that any juvenile who has been determined delinquent by a district court of the United States may be committed by the court to the custody of the Attorney General for observation and study.

There being no objection, the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5034 of title 18 of the United States Code is amended by adding immediately after the third paragraph thereof the following new paragraph:

"If the court desires more detailed information as a basis for determining whether to place any juvenile delinquent on probation or to commit him to the custody of the Attorney General under the first paragraph of this section, the court may commit such delinquent to the custody of the Attorney General for observation and study at an appropriate classification center or agency. The Director of the Bureau of Prisons, under such regulations as the Attorney General may prescribe, shall, after the delinquent has been so committed, cause a complete study to be made of the delinquent, including a mental and physical examination, to ascertain his personal traits, his capabilities, pertinent circumstances of his social background, any previous delinquency or criminal experience, any mental or physical defect or other factor contributing to his delinquency, and any other factors which the Director may consider pertinent. A full and complete report of the results of such study, together with any recommendations which the Director believes would be helpful to the court in making its determination, shall be furnished to the court by the Director within sixty days after the date such delinquent is ordered committed to the custody of the Attorney General under this paragraph unless the court grants additional time for further study. No delinquent shall be committed under this paragraph for a period exceeding his minority or the term which might have been imposed had he been tried and convicted of the alleged violation for which he was determined delinquent, whichever occurs first."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDMENTS TO NATIONAL SCHOOL LUNCH ACT

The Clerk called the bill (H.R. 8962) to revise the formula for apportioning cash assistance funds among the States under the National School Lunch Act, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. FORD. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

Mr. BAILEY. Reserving the right to object, Mr. Speaker, will the gentleman, if he finds objection to the bill, consider proceeding with the consideration of the bill and state his objections, which perhaps can be answered and the bill can be cleared?

Mr. FORD. A very casual reading of this proposal, and I have done much more than that, indicates it does not qualify for consideration on the Consent Calendar, based on the dollar limitation. We have certain rules on the Consent Calendar, agreed to by both Democratic and Republican Members. Under those criteria this bill does not qualify.

Mr. BAILEY. If the gentleman makes a point that it exceeds the amount of money involved, may I say that it was unanimously reported by the committee and most of the organizations concerned are unanimously in support of it.

Mr. FORD. My only objection is that it does not qualify under the criteria established by the objectors. The bill undoubtedly has considerable merit, but it does not qualify under our rules.

Mr. BAILEY. I thank the gentleman.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

INCLUSION OF MENOMINEE COUNTY IN EASTERN JUDICIAL DISTRICT OF WISCONSIN

The Clerk called the bill (H.R. 10184) to amend section 130(a) of title 28, United States Code, so as to reconstitute the Eastern Judicial District of Wisconsin to include Menominee County, Wis.

There being no objection, the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (a) of section 130 of title 28, United States Code, is amended to read as follows:

"(a) The Eastern District comprises the counties of Brown, Calumet, Dodge, Door, Florence, Fond du Lac, Forest, Green Lake, Kenosha, Kewaunee, Langlade, Manitowoc, Marinette, Marquette, Menominee, Milwaukee, Oconto, Outagamie, Ozaukee, Racine, Shawano, Sheboygan, Walworth, Washington, Waukesha, Waupaca, Waushara, and Winnebago.

"Court for the Easter District shall be held at Green Bay, Milwaukee, and Oshkosh."

With the following committee amendment:

On page 2, line 3, strike the word "Easter" and insert in lieu thereof the word "Eastern."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SETTLEMENT OF CERTAIN CLAIMS

The Clerk called the bill (H.R. 10357) to provide for the settlement of claims against the United States by members of the uniformed services and civilian officers and employees of the United States for damage to, or loss of, personal property incident to their service, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GROSS. Reserving the right to object, Mr. Speaker, during the past week I discussed this bill with members of the staff of the Committee on the Judiciary in the hope we might work out an amendment to the bill, but apparently that is impossible at this time. I understand that the committee has been in communication with various agencies which will be affected by this proposal, and it would be my hope that it may be possible to insert in the RECORD in connection with the passage of this bill the information that has been obtained from the various agencies.

Mr. LIBONATI. Mr. Speaker, the following communications contain the factual data explaining the purpose of this legislation:

DEPARTMENT OF THE NAVY,
OFFICE OF THE SECRETARY,
Washington, D.C., March 9, 1962.

Mr. WILLIAM P. SHATTUCK,
Committee on the Judiciary Staff, House of Representatives, Washington, D.C.

DEAR MR. SHATTUCK: The procedures used within the Department of Defense for the transportation of household effects hinges upon rulings of the Interstate Commerce Commission and decisions of the Comptroller General. In the Department of Defense the Defense Tariff Management Service is in charge of carrying out these procedures.

After passage of the Motor Carrier Act of 1935, various rulings were promulgated in the public interest by the Interstate Commerce Commission to assist in the protection of what was then an infant industry, namely, the carriage of household effects by motor carrier. The ruling which is persuasive in the case of the Department of Defense is MC 19 which requires only a 30-cent liability per pound/per article in the case of uncrated household goods. It is to be emphasized that this ruling applies only to household effects and not to other types of freight.

In a decision by the Comptroller General B-138736 (38 CompGen 768) it was held in 1959 that the Government should take advantage of favorable rates based upon limited liability (excerpts attached).

The Department of Defense has not required any greater liability than that under the rule making proceedings of the Interstate Commerce Commission. At one time the carriers made competitive offers of reducing their liability (for example, 10 cents per pound/per article) as a device to reduce the carriage rate. When this occurred the Department of Defense decided to adhere to the 30-cent minima contained in MC 19; otherwise, it was believed, there might be a tendency for the carrier to become careless in the handling of household effects. Conversely, the carriers have also made an effort to capture an increased share of the Department of Defense traffic by offering to raise their liability on a pound/per article basis, even to the extent of offering full coverage up to $6,500. The Department of Defense again decided to adhere to the 30-cent minima in line with MC 19 because the offers made by the carriers contained many built-in exclusions not normally found in the carrier business. It is also to be noted that it would tend to conflict with the CompGen decision cited above. Further, the raising or lowering of the liability would not have been in keeping with the Interstate Commerce Commission MC 19 ruling.

Eligibility of a carrier for Department of Defense business is determined by the carrier submitting a "tender of service." This is a statement by the carrier that he will abide by the standards established by the Department of Defense which are considerably higher than those applicable to an ordinary household effects shipment. If the carrier is considered qualified by the Defense Traffic Management Service he becomes eligible to carry household effects of Department of Defense personnel. As long as he continues to abide by Department of Defense standards he remains eligible; failure to process claims promptly is one of the grounds for his suspension and resulting loss of traffic.

Whenever a carrier is suspended for any reason (e.g., overweights), he is suspended until such time as he satisfactorily establishes that he will adhere to the Department of Defense standards. Notification of such suspension is made to any parent national organization of which he may be a member, if warranted, or if his suspension continues. The Department of Defense is the largest shipper of household effects which creates a highly competitive field, thereby making this system of suspensions effective.

Of recent interest is the decision of the Interstate Commerce Commission to reopen its rulemaking proceedings. One of these under consideration concerns the liability aspect in MC 19. It has been proposed that the minima be changed from 30 to 60 cents per pound/per article and that there be full liability without regard for the minima for the first $500 loss or damage. The Department of Defense strongly supports this proposal. It has been speculated that this change may eliminate as much as 98 percent of the number of claims now received by the military. The Department of Defense believes that this change in liability would require closer policing by the carrier and would more nearly approach common law carrier liability at a time now when the carriage of household effects industry does not need the protection formerly accorded it. The industry, however, opposes the change for the reason that it believes that this will increase the rates. The conflict, therefore, is reduced to a basic concept of increased liability will improve service versus increased liability will raise rates. The Department of Defense believes that there will be no appreciable increase in rates in the case of responsible carriers. If this rule were to be changed, it is expected that the Department of Defense will then follow the new 60-cent ruling as it has done in the past with regard to the present 30-cent ruling.

The Defense Traffic Management Service is provided a "tender of charges" by the carrier which operates as a contract offer. Copies of these tenders are provided transportation officers in the area in which the carrier is licensed to operate. The transportation officer is bound to use the carrier which offers the lowest rate and at the same time provides satisfactory service. The shipment is made on a Government bill of lading, the form for which is prescribed by GAO.

In the case of household effects it is customary for a Government employee to inspect the shipment in advance and estimate the weight and cubic foot of space required. During the packing process it is customary, where possible, for a Government employee to inspect the carrier's methods to prevent abuses, such as overpacking with materials, so as to increase the weight and cubic footage.

Upon arrival of the shipment the owner is required to inspect the same and make a notation concerning any damage or loss on the receipt he issues the carrier. By regulations he is required to make a demand upon the carrier for the cost of repairs, replacement value, or fair market value of the article, as the case may be before submitting a claim to his military service. If a satisfactory settlement is not received from the carrier, he may submit a claim to the service of which he is a member for his loss. Any claim adjudicated by a military service takes into consideration the amount recovered from the carrier. If the carrier fails to make a settlement, the military service, upon settlement of a claim, is subrogated to the rights of the individual and recovery attempts from the carrier are initiated. In this way the service member is not required to accept a long delay in the settlement of his claim which is a definite morale factor.

Attention is invited to the fact that shipment by motor carrier of articles other than household effects is not governed by MC 19. For this reason the Government uses various types of contracts some of which impose full liability on the carrier while others, notably in the case of very expensive items, have clauses providing for greatly reduced liability.

Sincerely yours,

F. R. DOWNS,
Commander, U.S. Navy.

EXCERPTS FROM DECISIONS OF THE COMPTROLLER GENERAL IN OPINION B-136736 (38 COMP. GEN. 768)

At page 771:

"In this situation, in the absence of a conclusive judicial determination to the contrary, we believe the interest of the Government would best be served by using, where advantageous, carrier's tenders of reduced rates conditioned upon limited liability."

At page 773:

"In the future, where it is determined that it would be advantageous to the Government to accept and use section 22 quotations, whether made heretofore or hereafter, offering reduced rates conditioned upon released valuations, we suggest that Government shipping officers be instructed to comply with any requirements in the quotations for declaring the released valuation of the goods in writing on the bills of lading so that the Government may have the advantage of the lower rates, unless in a particular instance the needs of the Government are such as to require shipments without regard to the lower rate based upon the released valuation."

COMPTROLLER GENERAL
OF THE UNITED STATES,
Washington, March 12, 1962.

Hon. EMANUEL CELLER,
Chairman, Committee on the Judiciary, House of Representatives.

DEAR MR. CHAIRMAN: The bill H.R. 10357 would extend to other agencies of the Government the authority now vested in the military departments (10 U.S.C. 2732) and the Coast Guard (14 U.S.C. 490) to settle claims for loss of or damage to personal property of members of the Armed Forces or civilian employees of those departments when the loss or damage is incident to their Government service. The bill would repeal 10 U.S.C. 2732 and 14 U.S.C. 490. The following information concerning existing practices and procedures under 10 U.S.C. 2732 so far as they relate to recovery of the loss or damage from common carriers when it is determined that the carrier was responsible for the property lost or damaged has been requested by

your committee staff for use in the consideration of H.R. 10357.

Army regulations, representative of other departmental regulations, governing the payment of claims under 10 U.S.C. 2732 of military personnel and civilian employees of the Army for property lost or damaged incident to their service are contained in Army Regulations 25-100, October 1, 1959. Section III of those regulations prescribes the procedure for effecting recovery from third parties, namely, carrier, packer, warehouseman, or any commercial concern other than a carrier who is responsible for the loss or damage of the property. When it is determined that the damage to or loss of property has occurred under circumstances in which the carrier is responsible, the claimant is required to make a demand in writing to the carrier under the Government bill of lading or contract who handled the shipment. Any amount recovered from the carrier is deducted from amounts otherwise allowable under the regulations. The claimant is required to assign to the United States his right, title, and interest in any claim he may have against any carrier, insurer, or other party, arising out of the incident on which the claim against the United States is based. While negligence ordinarily is not a factor in determining a carrier's liability for any loss, damage, or injury to such property, the liability is, of course, limited by the terms of the bill of lading. See section 20(11) of title 49, United States Code, and our decision of May 18, 1959, B-138736, 38 Comp. Gen. 768, copy enclosed. Generally, however, in the absence of contract, the liability of a warehouseman for property lost or damaged is governed by local statute and the Uniform Warehouse Receipts Act. A warehouseman ordinarily is not held responsible for loss of, or injury to, the goods occurring without negligence on his part. See 93 C.J.S. Warehousemen and Safe Depositaries, section 30a.

When the Department concerned pays under 10 U.S.C. 2732 and is subsequently unable to effect recovery from the responsible carrier, after reviewing the record and affirming the carrier's liability, the matter is generally referred to our Transportation Division for the purpose of effecting collection, also following an independent determination of carrier liability.

In addition to the above considerations, the following is suggested for the consideration of the committee. Section 2(1) of the bill defines the term "Agency" as including, among other things, the executive departments and independent establishments. While it would seem that under the provisions of 5 U.S.C. 933a employees of the General Accounting Office would fall within the term "Agency" as defined in section 2(1), this is not entirely clear and we suggest that the bill be amended to specifically include the General Accounting Office. Section 3(a) of the bill would authorize the head of each separate department and agency to prescribe regulations governing the payment of claims arising under the bill. Our view is that there should be uniformity in regulations which apply throughout the Government and, therefore, we suggest that section 3(a), lines 9 and 10, page 2 of the bill be amended to read as follows:

"(a) Under such regulations as the President may prescribe, the head of an agency or his designee may settle and * * *."

Sincerely yours,

JOSEPH CAMPBELL,
Comptroller General of the United States.

Mr. LIBONATI. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include certain communications.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Military Personnel and Civilian Employees' Claims Act of 1962".

SEC. 2. As used in this Act—

(1) "Agency" includes an executive department, military department, independent establishment, or corporation primarily acting as an instrumentality of the United States, but does not include any contractor with the United States.

(2) "Uniformed services" means the Army, Navy, Air Force, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service.

(3) "Settle" means consider, ascertain, adjust, determine, and dispose of any claim, whether by full or partial allowance or disallowance.

SEC. 3. (a) Under such regulations as the head of an agency may prescribe, he or his designee may settle and pay a claim arising after the effective date of this Act against the United States for not more than $6,500 made by a member of the uniformed services under the jurisdiction of that agency or by a civilian officer or employee of that agency, for damage to, or loss of, personal property incident to his service. If the claim is substantiated and the possession of that property is determined to be reasonable, useful, or proper under the circumstances, the claim may be paid or the property replaced in kind. This subsection does not apply to claims settled before its enactment.

(b) If a person named in subsection (a) is dead, the head of the agency concerned, or or his designee, may settle and pay any claim made by the decedent's surviving (1) spouse, (2) children, (3) father or mother, or both or (4) brothers or sisters, or both, that arose before, concurrently with, or after the decedent's death and is otherwise covered by subsection (a). Claims of survivors shall be settled and paid in the order named.

(c) A claim may be allowed under subsection (a) for damage to, or loss of, property only if—

(1) it is presented in writing within two years after it accrues, except that if the claim accrues in time of war or in time of armed conflict in which any armed force of the United States is engaged or if such a war or armed conflict intervenes within two years after it accrues, and if good cause is shown, the claim may be presented not later than two years after that cause ceases to exist, or two years after the war or armed conflict is terminated, whichever is earlier;

(2) it did not occur at quarters occupied by the claimant within the fifty States or the District of Columbia that were not assigned to him or otherwise provided in kind by the United States; or

(3) it was not caused wholly or partly by the negligent or wrongful act of the claimant, his agent, or his employee.

(d) For the purposes of subsection (c)(1), the dates of beginning and ending of an armed conflict are the dates established by concurrent resolution of Congress or by a determination of the President.

(e) The head of each agency shall report once a year to Congress on claims settled under this section during the period covered by the report. The report shall include for each claim the name of the claimant, the amount claimed, and the amount paid.

SEC. 4. Notwithstanding any other provision of law, the settlement of a claim under this Act is final and conclusive.

SEC. 5. Chapter 163 of title 10, United States Code, is amended, effective two years from the date of this Act, as follows:

(1) Section 2735 is amended by striking out the figure "2732", and the comma after the figure "2733".

(2) The analysis is amended by striking out the following item:

"2732. Property loss: incident to service; members of Army, Navy, Air Force, or Marine Corps and civilian employees."

(3) Section 2732 is repealed.

SEC. 6. Section 2 of the Act of June 7, 1956, chapter 376 (70 Stat. 255), is repealed.

SEC. 7. Chapter 13 of title 14, United States Code, is amended, effective two years from the date of this Act, as follows:

(1) The analysis is amended by striking out the following item:

"490. Settlement of claims of military and civilian personnel."

(2) Section 490 is repealed.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING SECRETARY OF THE INTERIOR TO SELL CERTAIN LANDS IN IDAHO

The Clerk called the bill (H.R. 9097) to authorize the Secretary of the Interior to sell certain public lands in Idaho.

There being no objection, the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior, in his discretion, is hereby authorized to sell at not less than their fair market value, as determined by the Secretary by appraisal or otherwise, taking into consideration any reservations specified by the Secretary pursuant to sections 3 and 4 of this Act, any of those lands in the State of Idaho, in the vicinity of the Snake River or any of its tributaries which have been, or may be, found upon survey to be omitted public lands of the United States, which lands are not lawfully appropriated by a qualified settler or entryman claiming under the public land laws, or are not used and occupied by Indians claiming by reason of aboriginal rights or are not used and occupied by Indians who are eligible for an allotment under the laws pertaining to allotments on the public domain.

SEC. 2. Any citizen of the United States who, in good faith under color of title or claiming as a riparian owner has, prior to March 30, 1961, placed valuable improvements upon, reduced to cultivation, or occupied any of the lands subject to the operation of this Act, or whose ancestors or predecessors in title have taken such action, shall, if such lands be offered for sale by the Secretary, have a preference right to purchase such lands at their fair market value (which shall not include any increased value resulting from the development or improvement thereof for agricultural or other purposes by the applicant or his predecessors in interest) under such rules and regulations as the Secretary may prescribe for the operation of this Act.

SEC. 3. All patents issued under the provisions of this Act shall be subject to and contain a reservation to the United States of all the coal, oil, gas, oil shale, phosphate,

potash, sodium, native asphalt, solid and semisolid bitumen, and bituminous rock (including oil-impregnated rock or sands from which oil is recoverable only by special treatment after the deposit is mined or quarried), together with the right to prospect for, mine, and remove the same.

SEC. 4. The Secretary, in his discretion, may reserve in patents issued under this Act the right of access to the public through the lands and such other reservations as he may deem appropriate and consonant with the public interest in preserving public recreational values in the lands.

SEC. 5. The Secretary is hereby authorized to prescribe all necessary rules and regulations for administering the provisions of this Act, including, without limitation, the determination of conflicting claims arising hereunder.

With the following committee amendments:

Page 1, line 5, strike out the words "appraisal or otherwise," and insert in lieu thereof the word "appraisal,".

Page 1, line 11, after the word "lands" add the words "are not within the boundaries of a national forest or other Federal reservation and".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REPEALING OBSOLETE LAWS RELATING TO MILITARY BOUNTY LAND WARRANTS AND PROVIDING FOR CANCELLATION OF RECORDED WARRANTS

The Clerk called the bill (H.R. 9273) to repeal obsolete laws relating to military bounty land warrants and to provide for cancellation of recorded warrants.

There being no objection, the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That sections 457, 473, and 2414–2446, inclusive, of the Revised Statutes, as amended, and the Act of December 13, 1894 (28 Stat. 594), are hereby repealed. Repeal of said laws shall not affect the rights of holders of warrants described in section 2 of this Act, until such rights are extinguished in accordance with said section, to have their warrants receivable in payment or part payment for lands under the Act of December 13, 1894, supra, to assign their warrants pursuant to sections 2414 and 2444 of the Revised Statutes, and to secure a new warrant in lieu of a warrant lost or destroyed pursuant to section 2441 of the Revised Statutes.

SEC. 2. The Secretary of the Interior is hereby authorized and directed to purchase at the rate of $1.25 per acre from the holders thereof and to cancel all valid unsatisfied military bounty land warrants which were issued pursuant to the laws repealed by section 1 of this Act and which are recorded with the Secretary pursuant to, and under the terms and conditions of, the Act of August 5, 1955 (69 Stat. 534), and the regulations issued thereunder. The Secretary will send his offer to purchase by certified mail to the post office address of the holder of record with the Secretary as of the time the offer is made and will require the holder to surrender the warrant as a condition of payment therefor. If the holder of a warrant, within one year from and after receipt of an offer to purchase from the Secretary, shall fail to surrender his warrant and accept payment therefor as provided for in this section, the warrant shall not thereafter be accepted by the Secretary of the Interior for further recordation under the Act of 1955, supra, or as a basis for the acquisition of lands, or for payment under this section: *Provided*, That if within the one year after receipt of an offer to purchase, the warrant is transferred the transferee shall have the remainder of the one-year period or a period of six months, whichever is the longer, within which to surrender his warrant and accept payment.

SEC. 3. Payments under section 2 of this Act shall be made out of any appropriated funds available to the Secretary of the Interior for expenditure by him.

With the following committee amendment:

Page 2, line 12, strike out the word "certified" and insert in lieu thereof the word "registered."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONSTRUCTION AND OPERATION OF BRIDGE ACROSS RIO GRANDE, HEATH CROSSING, TEX.

The Clerk called the bill (H.R. 8982) authorizing the Dow Chemical Co. to construct, maintain, and operate a bridge across the Rio Grande at or near Heath Crossing, Tex.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, reserving the right to object, I should like to ask a few questions in connection with this bill. This is the first of two bills providing for bridges. May I ask the gentleman from Alabama if implicit in this legislation is the establishment of customs officers at these bridges with added expense to the Federal Government?

Mr. SELDEN. The purpose of this bill is to authorize the Dow Chemical Co. to construct, maintain, and operate a bridge across the Rio Grande at or near Heath Crossing, Tex. It is intended that this bridge will replace an existing concrete slab which is now being used for the company-owned ore trucks to pass over.

Mr. GROSS. I understand that.

Mr. SELDEN. Due to high waters the concrete slab has proven inadequate to provide a reliable crossing during all periods of the year. This bridge will run into the company property, and it is my understanding that it will not be necessary to have any customs officers in connection with it.

Mr. GROSS. Then the Dow Chemical Co. will control the bridge. Is that correct?

Mr. RUTHERFORD. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Texas.

Mr. RUTHERFORD. In response to the gentleman's question, there will be no necessity for the customs office located on this bridge. This is a result of the State Department and Customs report. This will be built by the Dow Co. for their exclusive use. There is no community on the Texas side or on the Mexican side. This is for the Dow Chemical Co.'s property themselves.

Mr. GROSS. But this does provide that tolls may be charged, does it not? Is this for future use with the view perhaps to opening it up for public use?

Mr. RUTHERFORD. Possibly; but I would say primarily this is a customary expression in a bridge crossing an international stream. But at the present time, and I will say in the foreseeable future, there are no other companies nor even a community other than the Dow Chemical Co. itself. In other words, this is a convenience for the Dow Chemical Co. themselves.

Mr. GROSS. They have mining property in Mexico; is that the story?

Mr. RUTHERFORD. That is correct.

Mr. GROSS. This will not be used as a bridge to transship oil in bond; to truck it over into Mexico?

Mr. RUTHERFORD. No, sir.

Mr. GROSS. In other words, this will not be used to transport oil in bond into Mexico to avoid the quotas on oil?

Mr. RUTHERFORD. No, sir; there is no connection there.

Mr. GROSS. That is the situation with respect to the bridge connecting Brownsville and Matamoros.

Mr. RUTHERFORD. There is no association with that whatsoever.

Mr. GROSS. While the gentleman from Alabama is on his his feet may I ask the gentleman a question and perhaps we can save a little time with respect to the bill that is to follow. Will that require the establishment of customs facilities?

Mr. SELDEN. The bill next on the calendar is merely an extension of the authority that was granted by the Congress some 2 years ago to construct a bridge across the Rio Grande.

The reason this bridge has not been constructed to date is due to the fact that there has been some difficulty in finalizing the arrangements between our Government and the Government of Mexico. The next bill on the calendar, therefore, merely extends for a period of time the authorization which this company already has to build a bridge across the Rio Grande, and it will require customs officials in connection with it.

Mr. GROSS. This is a bridge that will be open to the public, and will be used on that basis?

Mr. RUTHERFORD. That is correct.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Dow Chemical Company, a Delaware corporation with a permit to do business in Texas, is authorized to construct, maintain, and

operate a bridge and approaches thereto across the Rio Grande, so far as the United States has jurisdiction over such river, at a point suitable to the interests of navigation, at or near Heath Crossing, Texas, located between Stillwell Creek and Horse Canyon, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to (1) the conditions and limitations contained in this Act, (2) the approval of the International Boundary and Water Commission, United States and Mexico, and (3) the approval of the proper authorities in the Republic of Mexico.

SEC. 2. The Dow Chemical Company may fix and charge tolls for transit over such bridge in accordance with any laws of the State of Texas or the United States applicable thereto, and the rates of toll so fixed shall be the legal rates until changed under the authority contained in the Act of March 23, 1906, referred to in the first section.

SEC. 3. Notwithstanding the provisions of section 6 of the Act of March 23, 1906 (33 U.S.C. 496), this Act shall be null and void unless the actual construction of the bridge referred to in the first section of this Act is commenced within one year and completed within three years from the date of enactment of this Act.

SEC. 4. The right to alter, amend, or repeal this Act is hereby expressly reserved.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

THE SAN BENITO INTERNATIONAL BRIDGE CO. TO CONSTRUCT BRIGE ACROSS RIO GRANDE NEAR LOS INDIOS, TEX.

The Clerk called the bill (H.R. 9883) to authorize the San Benito International Bridge Co. to construct, maintain, and operate a toll bridge across the Rio Grande near Los Indios, Tex.

There being no objection the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the San Benito International Bridge Company of San Benito, Texas, is authorized to construct a toll bridge and approaches thereto across the Rio Grande, at a point suitable to the interests of navigation, at or near Los Indios, Texas, and for a period of sixty-six years from the date of completion of said bridge, to maintain and operate same and to collect tolls for the use thereof, so far as the United States has jurisdiction over the waters of such river in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906 (33 U.S.C. 491 to 498, inclusive), subject to—

(1) the conditions and limitations contained in this Act;

(2) the approval of the International Boundary and Water Commission, the United States and Mexico; and

(3) the approval of the proper authorities in the Republic of Mexico;

with respect to the construction, operation, and maintenance of such bridge.

SEC. 2. The San Benito International Bridge Company may fix and charge tolls for transit over the bridge referred to in the first section of this Act in accordance with the laws of the State of Texas, and the laws of the United States, applicable to such tolls, and the rates of toll so fixed shall be the legal rates until changed under the authority contained in section 4 of the Act of March 23, 1906 (33 U.S.C. 494).

SEC. 3. The San Benito International Bridge Company may sell, assign, transfer, or mortgage the rights, powers, and privileges conferred on such company by this Act to any public agency, or to an international bridge authority or commission, and any such agency, authority, or commission is authorized to exercise the rights, powers, and privileges acquired under this section (including acquisition by mortgage foreclosure) in the same manner as if such rights, powers, and privileges had been granted by this Act directly to such agency, authority, or commission.

SEC. 4. Notwithstanding the provisions of section 6 of the Act of March 23, 1906 (33 U.S.C. 496), this Act shall be null and void unless the actual construction of the bridge referred to in the first section of this Act is commenced within three years and completed within five years from the date of enactment of this Act.

SEC. 5. The right to alter, amend, or repeal this Act is expressly reserved.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CODIFICATION OF ARMED FORCES LAWS

The Clerk called the bill (H.R. 10431) to revise, codify, and enact title 37 of the United States Code, entitled "Pay and Allowances of the Uniformed Services."

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The bill reads as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the laws relating to pay and allowances of the uniformed services of the United States are revised, codified, and enacted as title 37 of the United States Code, entitled "Pay and Allowances of the Uniformed Services", and may be cited as "37 U.S.C. § ", as follows:

TITLE 37—PAY AND ALLOWANCES OF THE UNIFORMED SERVICES

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Chapter 1—Definitions

Sec.
101. Definitions.

§ 101. Definitions

In addition to the definitions in sections 1–5 of title 1, for the purposes of this title—

(1) "United States", in a geographic sense, means the States and the District of Columbia;

(2) "possessions" includes the Canal Zone, Guam, American Samoa, and the guano islands;

(3) "uniformed services" means the Army, Navy, Air Force, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service;

(4) "armed forces" means the Army, Navy, Air Force, Marine Corps, and Coast Guard;

(5) "Secretary concerned" means—

(A) the Secretary of the Army, with respect to matters concerning the Army;

(B) the Secretary of the Navy, with respect to matters concerning the Navy, the Marine Corps, and the Coast Guard when it is operating as a service in the Navy;

(C) the Secretary of the Air Force, with respect to matters concerning the Air Force;

(D) the Secretary of the Treasury, with respect to matters concerning the Coast Guard when it is not operating as a service in the Navy;

(E) the Secretary of Commerce, with respect to matters concerning the Coast and Geodetic Survey; and

(F) the Secretary of Health, Education, and Welfare, with respect to matters concerning the Public Health Service;

(6) "National Guard" means the Army National Guard and the Air National Guard;

(7) "Army National Guard" means that part of the organized militia of the several States, Puerto Rico, the Canal Zone, and the District of Columbia, active and inactive, that—

(A) is a land force;

(B) is trained, and has its officers appointed, under the sixteenth clause of section 8, article I, of the Constitution;

(C) is organized, armed, and equipped wholly or partly at Federal expense; and

(D) is federally recognized;

(8) "Army National Guard of the United States" means the reserve component of the Army all of whose members are members of the Army National Guard;

(9) "Air National Guard" means that part of the organized militia of the several States, Puerto Rico, the Canal Zone, and the District of Columbia, active and inactive, that—

(A) is an air force;

(B) is trained, and has its officers, appointed, under the sixteenth clause of section 8, article I, of the Constitution;

(C) is organized, armed, and equipped wholly or partly at Federal expense; and

(D) is federally recognized;

(10) "Air National Guard of the United States" means the reserve component of the Air Force all of whose members are members of the Air National Guard;

(11) "officer" means commissioned or warrant officer;

(12) "commissioned officer" includes a commissioned warrant officer;

(13) "warrant officer" means a person who holds a commission or warrant in a warrant officer grade;

(14) "enlisted member" means a person in an enlisted grade;

(15) "grade" means a step or degree, in a graduated scale of office or rank, that is established and designated as a grade by law or regulation;

(16) "rank" means the order of precedence among members of the uniformed services;

(17) "rating" means the name (such as "boatswain's mate") prescribed for members of a uniformed service in an occupational field; "rate" means the name (such as "chief boatswain's mate" prescribed for members in the same rating or other category who are in the same grade (such as chief petty officer or seaman apprentice);

(18) "active duty" means full-time duty in the active service of a uniformed service, and includes duty on the active list, full-time training duty, annual training duty, and attendance, while in the active service, at a school designated as a service school by law or by the Secretary concerned;

(19) "active duty for a period of more than 30 days" means active duty under a call or order that does not specify a period of 30 days or less;

(20) "active service" means service on active duty;

(21) "pay" includes basic pay, special pay, retainer pay, incentive pay, retired pay, and equivalent pay, but does not include allowances;

(22) "inactive-duty training" means—

(A) duty prescribed for members of a reserve component by the Secretary concerned under section 206 of this title or any other law; and

(B) special additional duties authorized for members of a reserve component by an authority designated by the Secretary concerned and performed by them on a voluntary basis in connection with the prescribed training or maintenance activities of the units to which they are assigned; and includes those duties when performed by members of a reserve component in their status as members of the National Guard, but does not include work or study in connection with a correspondence course of a uniformed service;

(23) "member" means a person appointed or enlisted in, or conscripted into, a uniformed service; and

(24) "reserve component" means—

(A) the Army National Guard of the United States;

(B) the Army Reserve;

(C) the Naval Reserve;

(D) the Marine Corps Reserve;

(E) the Air National Guard of the United States;

(F) the Air Force Reserve;

(G) the Coast Guard Reserve; or

(H) the Reserve Corps of the Public Health Service.

Chapter 3—Basic pay

Sec.
201. Pay grades: assignment to; general rules.
202. Pay grades: assignment to; rear admirals of upper half; officers holding certain positions in the Navy.
203. Rates.
204. Entitlement.
205. Computation: service creditable.
206. Reserves; members of National Guard: inactive-duty training.
207. Band leaders.
208. Furlough pay: officers of Regular Navy or Regular Marine Corps.
209. Members of naval officer candidate programs.

§ 201. Pay grades: assignment to; general rules

(a) For the purpose of computing their basic pay, commissioned officers of the uniformed services (other than commissioned warrant officers) are assigned by the grade or rank in which serving to the following pay grades:

Pay grade	Army, Air Force, and Marine Corps	Navy, Coast Guard, and Coast and Geodetic Survey	Public Health Service
O-10	General	Admiral	
O-9	Lieutenant general	Vice admiral	
O-8	Major general	Rear admiral (upper half)	Surgeon General. Deputy Surgeon General. Assistant Surgeon General having rank of major general.
O-7	Brigadier general	Rear admiral (lower half) and commodore.	Assistant Surgeon General having rank of brigadier general.
O-6	Colonel	Captain	Director grade.
O-5	Lieutenant colonel	Commander	Senior grade.
O-4	Major	Lieutenant commander	Full grade.
O-3	Captain	Lieutenant	Senior assistant grade.
O-2	1st lieutenant	Lieutenant (junior grade)	Assistant grade.
O-1	2d lieutenant	Ensign	Junior assistant grade.

(b) A contract surgeon who is serving full time with a uniformed service is entitled to the basic pay of a commissioned officer in pay grade O–2 with two or less years of service computed under section 205 of this title.

(c) A cadet at the U.S. Military Academy, the U.S. Air Force Academy, or the Coast Guard Academy, or a midshipman at the U.S. Naval Academy, is entitled to monthly pay at the rate of 50 percent of the basic pay of a commissioned officer in pay grade O–1 with two or less years of service computed under section 205 of this title.

(d) For the purpose of computing their basic pay, warrant officers of the armed forces are assigned, by the warrant officer grade in which serving, to the following pay grades:

Pay Grade	Warrant Officer Grade
W–4	Chief Warrant Officer, W–4
W–3	Chief Warrant Officer, W–3
W–2	Chief Warrant Officer, W–2
W–1	Warrant Officer, W–1

(e) An aviation cadet of the Navy, Air Force, or Marine Corps is entitled to monthly basic pay at the rate of 50 percent of the basic pay of a commissioned officer in pay grade O–1 with two or less years of service computed under section 205 of this title.

(f) Unless he is entitled to the basic pay of a higher pay grade, an aviation pilot of the Naval Reserve, Marine Corps Reserve, or Coast Guard Reserve is entitled to monthly basic pay at the rate prescribed for pay grade E–5.

(g) Except as provided by subsections (e) and (f) of this section, enlisted members of the uniformed services shall, for the purpose of computing their basic pay, be distributed by the Secretary concerned in the various enlisted pay grades set forth in section 203 of this title. However, except as provided by section 307 of this title, an enlisted member may not be placed in pay grade E–8 or E–9 until he has completed at least 8 years or 10 years, respectively, of enlisted service computed under section 205 of this title.

§ 202. Pay grades: assignment to; rear admirals of upper half; officers holding certain positions in the Navy

(a) An officer not restricted in the performance of duty on the active list in the line of the Navy serving in the grade of rear admiral is entitled to the basic pay of a rear admiral of the upper half from the date on which the number of officers not restricted in the performance of duty on the active list in the line of the Navy serving in the grade of rear admiral below him on the lineal list becomes equal to or greater than the number of such officers above him on the lineal list. For the purpose of determining the number of rear admirals of the upper half, an officer not restricted in the performance of duty on the active list in the line of the Navy serving in the grade of admiral or vice admiral is considered as having the grade and position on the lineal list he would have if he had not been appointed admiral or vice admiral.

(b) An officer restricted in the performance of duty on the active list in the line of the Navy serving in the grade of rear admiral is entitled to the basic pay of a rear admiral of the upper half from the date on which any officer below him on the lineal list becomes entitled to that pay under subsection (a) of this section.

(c) An officer on the active list of the Navy in a staff corps serving in the grade of rear admiral is entitled to the basic pay of a rear admiral of the upper half from the date on which his running mate becomes entitled to that pay under this section, but not before the date of the vacancy he was promoted to fill.

(d) A rear admiral of the Naval Reserve entitled to basic pay is entitled to the basic pay of a rear admiral of the upper half when any officer on the active list in the line of the Navy junior to him is in the upper half of the grade of rear admiral as determined under subsection (a) of this section.

(e) An officer of the Navy or the Coast Guard holding a permanent appointment in the grade of rear admiral on the retired list who is entitled to the basic pay of a rear admiral of the lower half and who, in time of war or national emergency, has served satisfactorily on active duty for two years in that grade or in a higher grade is entitled when on active duty to the basic pay of a rear admiral of the upper half.

(f) Except for those whose basic pay is otherwise specifically authorized by law, the number of rear admirals on the active list of the Coast Guard entitled to the basic pay of a rear admiral of the upper half is one-half of the number of officers on the active list in that grade. If that division results in an odd number, the odd number shall be placed in the upper half. However, an officer who is entitled to the basic pay of a rear admiral of the upper half may not have his basic pay reduced solely because the number of rear admirals is reduced.

(g) Unless appointed to a higher grade under another provision of law, an officer of the Marine Corps, while serving as Judge Advocate General of the Navy or as Chief of the Bureau of Naval Weapons, is entitled to the basic pay of a major general.

(h) Unless appointed to a higher grade under another provision of law, an officer of the naval service who is serving in one of the following positions is entitled to the basic pay of a rear admiral of the upper half—

(1) Director of Budget and Reports;

(2) Chief of Naval Materiel;

(3) Chief of a Bureau;

(4) Chief of the Dental Division in the Bureau of Medicine and Surgery;

(5) Chief of Chaplains;

(6) Judge Advocate General of the Navy; or

(7) Chief of Naval Research.

(i) An officer of the naval service who is serving in one of the following positions is entitled to the highest pay of his rank—

(1) Assistant Director of Budget and Reports;

(2) detailed to duty as a Deputy Chief of a Bureau;

(3) detailed as Assistant Judge Advocate General of the Navy;

(4) Assistant Chief of Naval Research; or

(5) Assistant Commandant of the Marine Corps.

(j) An officer on the active list of the Navy in the grade of rear admiral who is serving as Deputy Comptroller of the Navy is entitled to the basic pay of a rear admiral of the upper half.

§ 203. Rates

The rates of monthly basic pay for members of the uniformed services within each pay grade are set forth in the following tables.

Commissioned officers

Pay grade	Years of service computed under sec. 205														
	2 or less	Over 2	Over 3	Over 4	Over 6	Over 8	Over 10	Over 12	Over 14	Over 16	Over 18	Over 20	Over 22	Over 26	Over 30
O-10 [1]	$1,200.00	$1,250	$1,250	$1,250	$1,250	$1,300	$1,300	$1,400	$1,400	$1,500	$1,500	$1,600	$1,600	$1,700	$1,700
O-9	1,063.30	1,100	1,122	1,122	1,122	1,150	1,150	1,200	1,200	1,300	1,300	1,400	1,400	1,500	1,500
O-8	953.30	1,000	1,022	1,022	1,022	1,100	1,100	1,150	1,150	1,200	1,250	1,300	1,350	1,350	1,350
O-7	800.28	860	860	860	900	900	950	950	1,000	1,100	1,175	1,175	1,175	1,175	1,175
O-6	592.80	628	670	670	670	670	670	670	690	800	840	860	910	985	985
O-5	474.24	503	540	540	540	540	560	590	630	680	720	745	775	775	775
O-4	400.14	424	455	455	465	485	520	550	570	610	640	630	630	630	630
O-3 [2]	326.04	346	372	415	440	460	480	510	525	525	525	525	525	525	525
O-2 [2]	259.36	291	360	370	380	380	380	380	380	380	380	380	380	380	380
O-1 [2]	222.30	251	314	314	314	314	314	314	314	314	314	314	314	314	314

[1] While serving as Chairman of the Joint Chiefs of Staff, Chief of Staff of the Army, Chief of Naval Operations, Chief of Staff of the Air Force, or Commandant of the Marine Corps, basic pay for this grade is $1,875 regardless of years of service computed under sec. 205 of this title.

[2] Does not apply to commissioned officers who have been credited with over 4 years' active service as an enlisted member.

Commissioned officers credited with over 4 years of active service as an enlisted member

Pay grade	Years of service computed under sec. 205											
	Over 4	Over 6	Over 8	Over 10	Over 12	Over 14	Over 16	Over 18	Over 20	Over 22	Over 26	Over 30
O-3	$415	$440	$460	$480	$510	$535	$535	$535	$535	$535	$535	$535
O-2	370	380	395	415	435	450	450	450	450	450	450	450
O-1	314	335	350	365	380	400	400	400	400	400	400	400

Warrant officers

Pay grade	Years of service computed under sec. 205														
	2 or less	Over 2	Over 3	Over 4	Over 6	Over 8	Over 10	Over 12	Over 14	Over 16	Over 18	Over 20	Over 22	Over 26	Over 30
W-4	$332.90	$376	$376	$383	$409	$416	$435	$465	$486	$504	$516	$528	$543	$575	$595
W-3	302.64	343	343	348	353	380	398	412	427	441	458	470	487	506	506
W-2	264.82	298	298	307	328	342	355	369	381	393	400	417	440	440	440
W-1	219.42	266	266	285	299	313	334	345	354	364	375	390	390	390	390

Enlisted members

Pay grade	Years of service computed under sec. 205														
	2 or less	Over 2	Over 3	Over 4	Over 6	Over 8	Over 10	Over 12	Over 14	Over 16	Over 18	Over 20	Over 22	Over 26	Over 30
E-9							$380	$390	$400	$410	$420	$430	$440	$440	$440
E-8						$310	320	330	340	350	360	370	380	380	380
E-7	$266.39	$286	$286	$350	$350	270	285	300	310	325	340	350	350	350	350
E-6	175.81	200	200	225	235	245	255	265	275	280	290	290	290	290	290
E-5	145.24	180	180	205	210	220	240	240	240	240	240	240	240	240	240
E-4	122.30	150	160	170	180	190	190	190	190	190	190	190	190	190	190
E-3	99.37	124	124	141	141	141	141	141	141	141	141	141	141	141	141
E-2	85.40	108	108	108	108	108	108	108	108	108	108	108	108	108	108
E-1	83.20	105	105	105	105	105	105	105	105	105	105	105	105	105	105
E-1 (under 4 months)	78.00														

§ 204. Entitlement

(a) Except for members covered by section 202(i) of this title, the following persons are entitled to the basic pay of the pay grade to which assigned or distributed, in accordance with their years of service computed under section 205 of this title—

(1) a member of a uniformed service who is on active duty; and

(2) a member of a uniformed service, or a member of the National Guard who is not a Reserve of the Army or the Air Force, who is participating in full-time training, training duty with pay, or other full-time duty, provided by law, including participation in exercises or the performance of duty under section 3033, 3496, 3541, 8033, 8496, or 8541 of title 10, or section 503, 504, 505, or 506 of title 32.

(b) For the purposes of subsection (a) of this section, under regulations prescribed by the President, the time necessary for a member of a uniformed service who is called or ordered to active duty for a period of more than 30 days to travel from his home to his first duty station and from his last duty station to his home, by the mode of transportation authorized in his call or orders, is considered active duty.

(c) A member of the National Guard who is called into Federal service for a period of 30 days or less is entitled to basic pay from the date when he appears at the place of company rendezvous. However, this subsection does not authorize any expenditure before arriving at the place of rendezvous that is not authorized by law to be paid after arrival at that place.

(d) Full-time training, training duty with pay, or other full-time duty performed by a member of the Army National Guard of the United States or the Air National Guard of the United States in his status as a member of the National Guard, is active duty for the purposes of this section.

(e) A payment accruing under any law to a member of a uniformed service incident to his release from active duty or for his return home incident to that release may be paid to him before his departure from his last duty station, whether or not he actually performs the travel involved. If a member receives a payment under this subsection but dies before that payment would have been made but for this subsection, no part of that payment may be recovered by the United States.

(f) A cadet of the United States Military Academy or the United States Air Force Academy, or a midshipman of the United States Naval Academy, who, upon graduation from one of those academies, is appointed as a second lieutenant of the Army or the Air Force is entitled to the basic pay of pay grade O-1 beginning upon the date of his graduation.

(g) A member of the Army or the Air Force (other than of the Regular Army or the Regular Air Force) is entitled to the pay and allowances provided by law or regulation for a member of the Regular Army or the Regular Air Force, as the case may be, of corresponding grade and length of service, whenever—

(1) he is called or ordered to active duty (other than for training under section 270 (b) of title 10) for a period of more than 30 days, and is disabled in line of duty from disease while so employed; or

(2) he is called or ordered to active duty, or to perform inactive-duty training, for any period of time, and is disabled in line of duty from injury while so employed.

(h) A member of the National Guard is entitled to the pay and allowances provided

by law or regulation for a member of the Regular Army or the Regular Air Force, as the case may be, of corresponding grade and length of service, whenever he is called or ordered to perform training under section 502, 503, 504, or 505 of title 32—

(1) for a period of more than 30 days, and is disabled in line of duty from disease while so employed; or

(2) for any period of time, and is disabled in line of duty from injury while so employed.

(i) A member of the Naval Reserve, Fleet Reserve, Marine Corps Reserve, Fleet Marine Corps Reserve, or Coast Guard Reserve is entitled to the pay and allowances provided by law or regulation for a member of the Regular Navy, Regular Marine Corps, or Regular Coast Guard, as the case may be, of corresponding grade and length of service, under the same conditions as those described in clauses (1) and (2) of subsection (g) of this section.

§ 205. Computation: service creditable

(a) Subject to subsections (b)-(d) of this section, for the purpose of computing the basic pay of a member of a uniformed service, his years of service are computed by adding—

(1) all periods of active service as an officer, Army field clerk, flight officer, or enlisted member of a uniformed service;

(2) all periods during which he was enlisted or held an appointment as an officer, Army field clerk, or flight officer of—

(A) a regular component of a uniformed service;

(B) the Regular Army Reserve;

(C) the Organized Militia before July 1, 1916;

(D) the National Guard;

(E) the National Guard Reserve;

(F) a reserve component of a uniformed service;

(G) the Naval Militia;

(H) the National Naval Volunteers;

(I) the Naval Reserve Force;

(J) the Army without specification of component;

(K) the Air Force without specification of component;

(L) the Marine Corps Reserve Force;

(M) the Philippine Scouts; or

(N) the Philippine Constabulary;

(3) for a commissioned officer in service on June 30, 1922, all service that was then counted in computing longevity pay and all service as a contract surgeon serving full time;

(4) all periods during which he held an appointment as a nurse, reserve nurse, or commissioned officer in the Army Nurse Corps as it existed at any time before April 16, 1947, the Navy Nurse Corps as it existed at any time before April 16, 1947, or the Public Health Service, or a reserve component of any of them;

(5) all periods during which he was a deck officer or junior engineer in the Coast and Geodetic Survey;

(6) all periods that, under law in effect on January 1, 1961, were authorized to be credited in computing basic pay;

(7) for an officer of the Medical Corps or Dental Corps of the Army or Navy, an officer of the Air Force designated as a medical or dental officer, or an officer of the Public Health Service commissioned as a medical or dental officer—four years;

(8) for a medical officer named in clause (7) who has completed one year of medical internship or the equivalent thereof—one year in addition to the four years prescribed by clause (7); and

(9) all periods while—

(A) on a temporary disability retired list, honorary retired list, or a retired list of a uniformed service;

(B) entitled to retired pay, retirement pay, or retainer pay, from a uniformed service or the Veterans' Administration, as a member of the Fleet Reserve or the Fleet Marine Corps Reserve; or

(C) a member of the Honorary Reserve of the Officers' Reserve Corps or the Organized Reserve Corps.

Except for any period of active service described in clause (1) of this subsection and except as provided by section 1402(b)-(d) of title 10, a period of service described in clauses (2)-(9) of this subsection that is performed while on a retired list, in a retired status, or in the Fleet Reserve or Fleet Marine Corps Reserve, may not be included to increase retired pay, retirement pay, or retainer pay.

(b) A period of time may not be counted more than once under subsection (a) of this section. In addition, the amount of service authorized to be credited under clause (7) or (8) of subsection (a) of this section to an officer shall be reduced by the amount of any service otherwise creditable under that subsection that covers any part of his professional education or internship.

(c) Notwithstanding any other law, service credited under clause (7) or (8) of subsection (a) of this section may not—

(1) be included in establishing eligibility for voluntary or involuntary retirement or separation from a uniformed service;

(2) increase the retired or retirement pay of a person who became entitled to that pay before May 1, 1956; or

(3) increase the retired pay of a person who is entitled to that pay under chapter 67 of title 10, after April 30, 1956, and who does not perform active duty after May 1, 1956.

(d) The period of service authorized to be counted under subsection (a) of this section shall, under regulations prescribed by the Secretary concerned, include service performed by a member of a uniformed service before he became 18 years of age.

§ 206. Reserves; members of National Guard: inactive-duty training

(a) Under regulations prescribed by the Secretary concerned, and to the extent provided for by appropriations, a member of the National Guard or a member of a reserve component of a uniformed service who is not entitled to basic pay under section 204 of this title, is entitled to compensation, at the rate of 1/30 of the basic pay authorized for a member of a uniformed service of a corresponding grade entitled to basic pay, for each regular period of instruction, or period of appropriate duty, at which he is engaged for at least two hours, including that performed on a Sunday or holiday, or for the performance of such other equivalent training, instruction, duty, or appropriate duties, as the Secretary may prescribe.

(b) The regulations prescribed under subsection (a) of this section for each uniformed service, the National Guard, and each of the classes of organization of the reserve components within each uniformed service, may be different. The Secretary concerned shall, for the National Guard and each of the classes of organization within each uniformed service, prescribe—

(1) minimum standards that must be met before an assembly for drill or other equivalent period of training, instruction, duty, or appropriate duties may be credited for pay purposes, and those standards may require the presence for duty of officers and enlisted members in numbers equal to or more than a minimum number or percentage of the unit strength for a specified period of time with participation in a prescribed kind of training;

(2) the maximum number of assemblies or periods of other equivalent training, instruction, duty, or appropriate duties, that may be counted for pay purposes in each fiscal year or in lesser periods of time; and

(3) the minimum number of assemblies or periods of other equivalent training, instruction, duty, or appropriate duties that must be completed in stated periods of time before the members of units or organizations can qualify for pay.

(c) A person enlisted in the inactive National Guard is not entitled to pay under this section.

(d) This section does not authorize compensation for work or study performed by a member of a reserve component in connection with correspondence courses of an Armed Force.

§ 207. Band leaders

(a) The leader of the Army Band is entitled to the basic pay of a captain in the Army.

(b) The director of music at the United States Military Academy is entitled to the basic pay of a commissioned officer whose grade corresponds to the rank prescribed for him by the Secretary of the Army.

(c) The leader of the United States Navy Band is entitled to the basic pay of a lieutenant in the Navy.

(d) A member of the Marine Corps who is appointed as director or assistant director of the United States Marine Band under section 6222 of title 10 is entitled, while serving thereunder, only to the basic pay of an officer in the grade in which he is serving. However, his basic pay may not be less than that to which he was entitled at the time of his appointment under that section.

(e) The leader of the Naval Academy Band is entitled to the basic pay of the grade the Secretary of the Navy prescribes. The second leader is entitled to the basic pay of a warrant officer, W-1.

§ 208. Furlough pay: officers of Regular Navy or Regular Marine Corps

An officer who is furloughed under section 6406 of title 10 is entitled to pay at the rate of one-half of the basic pay to which he was entitled at the time of being furloughed.

§ 209. Members of naval officer candidate programs

(a) Except when on active duty, a midshipman appointed under section 6904 of title 10 is entitled to retainer pay at the rate of $50 a month beginning on the day that he starts his first term of college work under that section and ending upon the completion of his instruction under that section, but not for more than four academic years.

(b) Except when on active duty, a seaman recruit enlisted under section 6905 of title 10 is entitled to retainer pay at the rate of $50 a month beginning on the day he starts his first term of college work under that section and ending when his instruction under that section is completed.

(c) While in flight training or on flight duty, a midshipman appointed under section 6906 of title 10 is entitled to the pay provided for a midshipman at the Naval Academy and to an additional amount equal to 50 percent of his pay for duty involving flying.

Chapter 5—Special and incentive pays

Sec.
301. Incentive pay: hazardous duty.
302. Special pay: physicians and dentists.
303. Special pay: veterinarians.
304. Special pay: diving duty.
305. Special pay: sea and foreign duty.
306. Special pay: officers holding positions of unusual responsibility and of critical nature.
307. Special pay: proficency pay for enlisted members.
308. Special pay: reenlistment bonus.
309. Reserves; members of National Guard: additional pay for performance of administrative duty.

§ 301. Incentive pay: hazardous duty

(a) Subject to regulations prescribed by the President, a member of a uniformed service who is entitled to basic pay is also entitled to incentive pay, in the amount set forth in subsection (b) or (c) of this section, for the performance of hazardous

duty required by orders. For the purposes of this subsection, "hazardous duty" means duty—

(1) as a crew member, as determined by the Secretary concerned, involving frequent and regular participation in aerial flight;

(2) on board a submarine, including, in the case of nuclear-powered submarines, periods of training and rehabilitation after assignment thereto as determined by the Secretary concerned, and including submarines under construction from the time builders' trials begin;

(3) as an operator or crew member of an operational, self-propelled submersible, including undersea exploration and research vehicles;

(4) involving frequent and regular participation in aerial flight, not as a crew member under clause (1) of this subsection;

(5) involving frequent and regular participation in glider flights;

(6) involving parachute jumping as an essential part of military duty;

(7) involving intimate contact with persons afflicted with leprosy;

(8) involving the demolition of explosives as a primary duty, including training for that duty;

(9) as a low-pressure chamber inside observer;

(10) as a human acceleration or deceleration experimental subject; or

(11) as a human test subject in thermal stress experiments.

(b) For the performance of the hazardous duty described in clause (1), (2), or (3) of subsection (a) of this section, a member is entitled to monthly incentive pay as follows:

Commissioned officers

Pay grade	Years of service computed under sec. 205													
	2 or less	Over 2	Over 3	Over 4	Over 6	Over 8	Over 10	Over 12	Over 14	Over 16	Over 18	Over 22	Over 26	Over 30
O-10	$165	$165	$165	$165	$165	$165	$165	$165	$165	$165	$165	$165	$165	$165
O-9	165	165	165	165	165	165	165	165	165	165	165	165	165	165
O-8	155	155	165	165	165	165	165	165	165	165	165	165	165	165
O-7	150	150	160	160	160	160	160	160	160	160	160	160	160	160
O-6	200	200	215	215	215	215	215	215	215	220	245	245	245	245
O-5	190	190	205	205	205	205	205	210	225	230	245	245	245	245
O-4	170	170	185	185	185	195	210	215	220	230	240	240	240	240
O-3	145	145	155	165	180	185	190	200	205	205	205	205	205	205
O-2	115	125	150	150	160	165	170	180	185	185	185	185	185	185
O-1	100	105	135	135	140	145	155	160	170	170	170	170	170	170

Warrant officers

Pay grade	Years of service computed under sec. 205													
	2 or less	Over 2	Over 3	Over 4	Over 6	Over 8	Over 10	Over 12	Over 14	Over 16	Over 18	Over 22	Over 26	Over 30
W-4	$115	$115	$115	$115	$120	$125	$135	$145	$155	$160	$165	$165	$165	$165
W-3	110	115	115	115	120	120	125	135	140	140	140	140	140	140
W-2	105	110	110	110	115	120	125	130	135	135	135	135	135	135
W-1	100	105	105	105	110	120	125	130	130	130	130	130	130	130

Enlisted members

Pay grade	Years of service computed under sec. 205													
	2 or less	Over 2	Over 3	Over 4	Over 6	Over 8	Over 10	Over 12	Over 14	Over 16	Over 18	Over 22	Over 26	Over 30
E-9	$105	$105	$105	$105	$105	$105	$105	$105	$105	$105	$105	$105	$105	$105
E-8	105	105	105	105	105	105	105	105	105	105	105	105	105	105
E-7	80	85	85	85	90	95	100	105	105	105	105	105	105	105
E-6	70	75	75	80	85	90	95	95	100	100	100	100	100	100
E-5	60	70	70	80	80	85	90	95	95	95	95	95	95	95
E-4	55	65	65	70	75	80	80	80	80	80	80	80	80	80
E-3	55	60	60	60	60	60	60	60	60	60	60	60	60	60
E-2	50	60	60	60	60	60	60	60	60	60	60	60	60	60
E-1	50	55	55	55	55	55	55	55	55	55	55	55	55	55
E-1 (under 4 months)	50													
Aviation cadets	50													

(c) For the performance of the hazardous duty described in clause (4), (5), (6), (7), (8), (9), (10), or (11) of subsection (a) of this section, an officer is entitled to $110 a month and an enlisted member is entitled to $55 a month.

(d) In time of war, the President may suspend the payment of incentive pay for any hazardous duty described in subsection (a) of this section.

(e) A member is entitled to only one payment of incentive pay, authorized by this section, for a period of time during which he qualifies for more than one payment of that pay.

(f) Under regulations prescribed by the President and to the extent provided for by appropriations, when a member of a reserve component of a uniformed service, or of the National Guard, who is entitled to compensation under section 206 of this title, performs, under orders, any duty described in subsection (a)(1)–(11) of this section for members entitled to basic pay, he is entitled to an increase in compensation equal to 1/30 of the monthly incentive pay authorized by subsection (b) or (c) of this section, as the case may be, for the performance of that hazardous duty by a member of a corresponding grade who is entitled to basic pay. He is entitled to the increase for as long as he is qualified for it, for each regular period of instruction, or period of appropriate duty, at which he is engaged for at least two hours, including that performed on a Sunday or holiday, or for the performance of such other equivalent training, instruction, duty, or appropriate duties, as the Secretary may prescribe under section 206(a) of this title. This subsection does not apply to a member who is entitled to basic pay under section 204 of this title.

(g) The Secretary of each military department shall report to Congress before January 3 each year the number of officers of the Army, Navy, or Air Force, as the case may be, above the grade of major or lieutenant commander, by grade and age group, who are entitled to incentive pay under subsection (a)(1) of this section, and the average monthly incentive pay authorized by that section for those officers during the six-month period preceding the date of the report.

§ 302. Special pay: physicians and dentists

(a) In addition to any other basic pay, special pay, incentive pay, or allowances to which he is entitled, each of the following officers is entitled to special pay at the rates set forth in subsection (b) of this section:

(1) a commissioned officer—

(A) of the Regular Army or the Regular Navy who is in the Medical or Dental Corps of the Army or the Navy, as the case may be;

(B) of the Regular Air Force who is designated as a medical or dental officer of the Air Force; or

(C) who is a medical or dental officer of the Regular Corps of the Public Health Service;

who was on active duty on September 1, 1947; who retired before that date and was ordered to active duty after that date and before July 1, 1963; or who was appointed or designated as such an officer after September 1, 1947, and before July 1, 1963;

(2) a commissioned officer—

(A) of a reserve component of the Army or Navy who is in the Medical or Dental Corps of the Army or the Navy, as the case may be;

(B) of a reserve component of the Air Force, of the Army or the Air Force without specification of component, or of the National Guard, who is designated as a medical or dental officer of the Army or the Air Force, as the case may be; or

(C) who is a medical or dental officer of the Reserve Corps of the Public Health Service;

who, after September 1, 1947, and before July 1, 1963, was ordered to active duty for a period of at least one year; and

(3) a general officer of the Army or the Air Force appointed, from any of the categories named in clause (1) or (2), in the Army, the Air Force, or the National Guard, as the case may be, who was on active duty on September 1, 1947; who was retired before that date and was ordered to active duty after that date and before July 1, 1963; or who, after September 1, 1947, was appointed from any of those categories.

However, an officer is not entitled to the special pay provided by this section while he is serving as a medical or dental intern.

(b) The amount of special pay to which an officer covered by subsection (a) of this section is entitled is—

(1) $100 a month for each month of active duty if he has not completed two years of active duty in a category named in that subsection;

(2) $150 a month for each month of active duty if he has completed at least two years of active duty in a category named in that subsection;

(3) $200 a month for each month of active duty if he has completed at least six years of active duty in category named in that subsection; and

(4) $250 a month for each month of active duty if he has completed at least 10 years of active duty in a category named in that subsection.

(c) The amounts set forth in subsection (b) of this section may not be included in computing the amount of an increase in pay authorized by any other provision of this title or in computing retired pay or severance pay.

§ 303. Special pay: veterinarians

(a) In addition to any other basic pay, special pay, incentive pay, or allowances to which he is entitled, each of the following officers is entitled to special pay at the rate of $100 a month for each month of active duty:

(1) a commissioned officer—

(A) of the Regular Army who is in the Veterinary Corps;

(B) of the Regular Air Force who is designated as a veterinary officer; or

(C) who is a veterinary officer of the Regular Corps of the Public Health Service;

who was on active duty on June 29, 1953; who retired before that date and was ordered to active duty after that date and before July 1, 1963; or who was appointed or designated as such an officer after June 29, 1953, and before July 1, 1963;

(2) a commissioned officer—

(A) of a reserve component of the Army who is in the Veterinary Corps of the Army;

(B) of a reserve component of the Air Force, of the Army or the Air Force without specification of component, or of the National Guard, who is designated as a veterinary officer of the Army or the Air Force, as the case may be; or

(C) who is a veterinary officer of the Reserve Corps of the Public Health Service;

who was an active duty on June 29, 1953, as a result of a call or order to active duty for a period of at least one year; or who, after that date and before July 1, 1963, was called or ordered to active duty for such a period; and

(3) a general officer of the Army or the Air Force appointed, from any of the categories named in clause (1) or (2) of this subsection, in the Army, the Air Force, or the National Guard, as the case may be, who was on active duty on June 29, 1953; who was retired before that date and was ordered

or dental officer of the Army or the Air Force, as the case may be; or

(C) who is a medical or dental officer of the Reserve Corps of the Public Health Service;

who, after September 1, 1947, and before July 1, 1963, was ordered to active duty for a period of at least one year; and

(3) a general officer of the Army or the Air Force appointed, from any of the categories named in clause (1) or (2), in the Army, the Air Force, or the National Guard, as the case may be, who was on active duty on September 1, 1947; who was retired before that date and was ordered to active duty after that date and before July 1, 1963; or who, after September 1, 1947, was appointed from any of those categories.

However, an officer is not entitled to the special pay provided by this section while he is serving as a medical or dental intern.

(b) The amount of special pay to which an officer covered by subsection (a) of this section is entitled is—

(1) $100 a month for each month of active duty if he has not completed two years of active duty in a category named in that subsection;

(2) $150 a month for each month of active duty if he has completed at least two years of active duty in a category named in that subsection;

(3) $200 a month for each month of active duty if he has completed at least six years of active duty in category named in that subsection; and

(4) $250 a month for each month of active duty if he has completed at least 10 years of active duty in a category named in that subsection.

(c) The amounts set forth in subsection (b) of this section may not be included in computing the amount of an increase in pay authorized by any other provision of this title or in computing retired pay or severance pay.

§ 303. Special pay: veterinarians

(a) In addition to any other basic pay, special pay, incentive pay, or allowances to which he is entitled, each of the following officers is entitled to special pay at the rate of $100 a month for each month of active duty:

(1) a commissioned officer—

(A) of the Regular Army who is in the Veterinary Corps;

(B) of the Regular Air Force who is designated as a veterinary officer; or

(C) who is a veterinary officer of the Regular Corps of the Public Health Service;

who was on active duty on June 29, 1953; who retired before that date and was ordered to active duty after that date and before July 1, 1963; or who was appointed or designated as such an officer after June 29, 1953, and before July 1, 1963;

(2) a commissioned officer—

(A) of a reserve component of the Army who is in the Veterinary Corps of the Army;

(B) of a reserve component of the Air Force, of the Army or the Air Force without specification of component, or of the National Guard, who is designated as a veterinary officer of the Army or the Air Force, as the case may be; or

(C) who is a veterinary officer of the Reserve Corps of the Public Health Service;

who was an active duty on June 29, 1953, as a result of a call or order to active duty for a period of at least one year; or who, after that date and before July 1, 1963, was called or ordered to active duty for such a period; and

(3) a general officer of the Army or the Air Force appointed, from any of the categories named in clause (1) or (2) of this subsection, in the Army, the Air Force, or the National Guard, as the case may be, who was on active duty on June 29, 1953; who was retired before that date and was ordered to active duty after that date and before July 1, 1963; or who after June 29, 1953, was appointed from one of those categories.

(b) The amount set forth in subsection (a) of this section may not be included in computing the amount of an increase in pay authorized by any other provision of this title or in computing retired pay or severance pay.

§ 304. Special pay: diving duty

(a) Under regulations prescribed by the Secretary concerned, a member of a uniformed service who is entitled to basic pay and who is assigned by orders to the duty of diving is also entitled to special pay at a rate of not more than $110 a month for periods during which diving duty is actually performed. A member may not be paid special pay under this subsection in addition to incentive pay authorized under section 301 of this title.

(b) In time of war, the President may suspend the payment of diving-duty pay.

§ 305. Special pay: sea and foreign duty

(a) Except as provided by subsection (b) of this section, under regulations prescribed by the President, an enlisted member of a uniformed service who is entitled to basic pay is also, while on sea duty, or on duty in any place outside the United States, or in Alaska or Hawaii, entitled to special pay at the following monthly rates:

Pay grade:	*Monthly rate*
E-9	$22.50
E-8	22.50
E-7	22.50
E-6	20.00
E-5	16.00
E-4	13.00
E-3	9.00
E-2	8.00
E-1	8.00

(b) Appropriations of the Department of Defense may not be paid, as foreign duty pay under subsection (a) of this section, to a member of a uniformed service who is a resident of Alaska, Hawaii, Puerto Rico, the Virgin Islands, or a possession unless that member is serving in an area outside Alaska, Hawaii, the Virgin Islands, or a possession, of which he is a resident, as the case may be.

§ 306. Special pay: officers holding positions of unusual responsibility and of critical nature

(a) The Secretary concerned may designate positions of unusual responsibility which are of a critical nature to an armed force under his jurisdiction and may pay special pay, in addition to other pay prescribed by law, to an officer of an armed force who is entitled to the basic pay of pay grade O-3, O-4, O-5, or O-6 and who is performing the duties of such a position, at the following monthly rates:

Pay grade:	*Monthly rate*
O-6	$150
O-5	100
O-4	50
O-3	50

(b) The Secretary concerned shall prescribe the criteria and circumstances under which officers of an armed force under his jurisdiction are eligible for special pay under this section and, when he considers it necessary, may abolish that special pay.

(c) Not more than 5 percent of the number of officers on active duty (other than for training) in an armed force in pay grade O-3, and not more than 10 percent of the number of officers on active duty in an armed force in pay grade O-4, O-5, or O-6, may be paid special pay under this section.

(d) This section shall be administered under regulations prescribed by the Secretary of Defense for the Armed Forces under his jurisdiction, and by the Secretary of the Treasury for the Coast Guard when the Coast Guard is not operating as a service in the Navy.

(e) This section does not apply to a person who is entitled to special pay under section 302 or 303 of this title.

(f) The Secretary of Defense shall report to Congress by March 1 of each year on the administration of this section within each military department during the preceding calendar year. The Secretary of the Treasury shall make a similar report for the Coast Guard when the Coast Guard is not operating as a service in the Navy.

§ 307. Special pay: proficiency pay for enlisted members

(a) An enlisted member of a uniformed service who is entitled to basic pay and is designated as being specially proficient in a military skill of the uniformed service concerned may—

(1) be advanced to an enlisted pay grade that is higher than his pay grade at the time of his designation and be entitled to the basic pay and special or incentive pay of that higher grade; or

(2) in addition to other pay or allowances to which he is entitled under this title, be paid proficiency pay at a monthly rate that is not more than the rate prescribed in the following table for the proficiency rating to which he is assigned:

Proficiency rating:	*Maximum monthly rate*
P-1	$50
P-2	100
P-3	150

(b) An enlisted member who has less than 8 or 10 years, as the case may be, of enlisted service computed under section 205 of this title and who is advanced under subsection (a)(1) of this section to pay grade E-8 or E-9, respectively, is entitled to the minimum amount of basic pay and special or incentive pay prescribed for that pay grade until his years of service computed under that section entitled him to a higher rate of those pays.

(c) The Secretary concerned shall determine whether enlisted members of a uniformed service under his jurisdiction are to be paid proficiency pay either under subsection (a)(1) or (a)(2) of this section. However, he may elect only one of these methods for each uniformed service under his jurisdiction. If he elects to have proficiency pay paid under subsection (a)(1) of this section, enlisted members in a military grade or rank assigned to pay grade E-8 or E-9 may be paid proficiency pay at a monthly rate that is not more than the highest rate prescribed by subsection (a)(2) of this section. If he elects to have proficiency pay paid under subsection (a)(2) of this section, he shall prescribe, within the limitations set forth in that subsection, the pay for each proficiency rating prescribed therein. He shall also designate, from time to time, those skills within each uniform service under his jurisdiction for which proficiency pay is authorized, and shall prescribe the criteria under which members of that uniformed service are eligible for a proficiency rating in each skill. He may, when he considers it necessary, increase, decrease, or abolish proficiency pay for any skill.

(d) This section shall be administered under regulations prescribed by the Secretary of Defense for the uniformed services under his jurisdiction, and by the Secretary of the Treasury for the Coast Guard when the Coast Guard is not operating as a service in the Navy.

§ 308. Special pay: reenlistment bonus

(a) Subject to subsections (b) and (c) of this section, a member of a uniformed service who reenlists in a regular component of the service concerned within three months after the date of his discharge or release from compulsory or voluntary active duty (other than for training), or who voluntarily extends his enlistment for at least two years, and who is

not covered by section 207 of the Career Compensation Act of 1949, as amended (70 Stat. 338), is entitled to a bonus computed as follows:

Reenlistment involved [1]	Col. 1 Take—	Col. 2 Multiply by—
1st	Monthly basic pay to which member was entitled at the time of discharge or release.[2]	Number of years specified in reenlistment contract, or 6, if none specified.[3]
2d	⅔ of the monthly basic pay to which the member was entitled at the time of discharge or release.[4]	Do.[3]
3d	½ of the monthly basic pay to which the member was entitled at the time of discharge or release.[4]	Do.[3]
4th (and subsequent)	¼ of the monthly basic pay to which the member was entitled at the time of discharge or release.[4]	Do.[3]

[1] Any reenlistment when a bonus was not authorized is not counted.
[2] Two-thirds of the monthly basic pay in the case of a member in pay grade E-1 at the time of discharge or release.
[3] On the 6th anniversary of an indefinite reenlistment, and on each anniversary thereafter, the member is entitled to a bonus equal to ⅙ of the monthly basic pay to which he is entitled on that anniversary date.
[4] A bonus may not be paid to a member in pay grade E-1 or E-2 at the time of discharge or release.
[5] A bonus may not be paid to a member in pay grade E-1, E-2, or E-3 at the time of discharge or release.

(b) A member who reenlists—

(1) during his prescribed period of basic recruit training; or

(2) after completing 20 years of active Federal service;

is not entitled to a bonus. A member who reenlists before completing 20 years of active Federal service, but who will, under that enlistment, complete more than 20 years of that service, is entitled to a bonus computed by using as a multiplier only the number of years that, when added to his previous service, total 20 years.

(c) The total amount that may be paid to a member under this section, or under this section and any other law authorizing a reenlistment bonus, may not be more than $2,000.

(d) An officer of a uniformed service who reenlists in that service within three months after his release from active duty as an officer is entitled to a bonus computed under subsection (a) of this section, if he served as an enlisted member in that service immediately before serving as an officer. For the purposes of this subsection, the monthly basic pay, or appropriate fraction if the member received a bonus for a prior enlistment, of the grade in which he is enlisted, computed in accordance with his years of service computed under section 205 of this title, shall be used in column 1 of the table in subsection (a) of this section instead of the monthly basic pay to which he was entitled at the time of his release from active duty as an officer.

(e) Under regulations approved by the Secretary of Defense, or by the Secretary of the Treasury with respect to the Coast Guard, a member who voluntarily, or because of his misconduct, does not complete the term of enlistment for which a bonus was paid to him under this section shall refund that percentage of the bonus that the unexpired part of his enlistment is of the total enlistment period for which the bonus was paid.

(f) The Secretary concerned may prescribe regulations for the administration of this section in his department.

§ 309. Reserves; members of National Guard: additional pay for performance of administrative duty

(a) Under regulations prescribed by the Secretary concerned, an officer of the National Guard or of a reserve component of a uniformed service who commands an organization, and has administrative functions connected with it, is entitled to not more than $240 a year for the faithful performance of those functions, in addition to pay to which he is entitled under section 206 of this title.

(b) For the purpose of determining the amounts to be paid to officers performing the functions described in subsection (a) of this section, the Secretary concerned may, from time to time, divide those officers into classes and fix the amount payable to officers in each class.

(c) This section does not apply to an officer who is entitled to basic pay under section 204 of this title.

Chapter 7—Allowances

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§ 401. Definitions

In this chapter, "dependent", with respect to a member of a uniformed service, means—

(1) his spouse;

(2) his unmarried legitimate child (including a stepchild, or an adopted child, who is in fact dependent on the member) who either—

(A) is under 21 years of age; or

(B) is incapable of self-support because of a mental or physical incapacity, and in fact dependent on the member for over one-half of his support; and

(3) his parent (including a stepparent or parent by adoption, and any person, including a former stepparent, who has stood in loco parentis to the member at any time for a continuous period of at least five years before he became 21 years of age) who is in fact dependent on the member for over one-half of his support and actually resides in the member's household.

However, a person is not a dependent of a female member unless he is in fact dependent on her for over one-half of his support. For the purposes of this section, the relationship between a stepparent and his stepchild is terminated by the stepparent's divorce from the parent by blood.

§ 402. Basic allowance for subsistence

(a) Except as otherwise provided by this section or by another law, each member of a uniformed service who is entitled to basic pay, is entitled to a basic allowance for subsistence, in the amount set forth in subsection (d), as provided by this section.

(b) An enlisted member is entitled to the basic allowance for subsistence, on a daily basis, of one of the following types—

(1) when rations in kind are not available,

(2) when permission to mess separately is granted; and

(3) when assigned to duty under emergency conditions where no messing facilities of the United States are available.

The allowance to an enlisted member, when authorized, may be paid in advance for a period of not more than three months. An enlisted member is entitled to the allowance while on an authorized leave of absence or while confined in a hospital, but not while being subsisted at the expense of the United States. Commuted rations for enlisted members who are on leave, or are otherwise authorized to mess separately, shall be equal to the cost of the ration as determined by the Secretary of Defense. Unless he is entitled to basic pay under chapter 3 of this title, an enlisted member of a reserve component of a uniformed service, or of the National Guard, is entitled, in the discretion of the Secretary concerned, to rations in kind, or a part thereof, when the instruction or duty periods, described in section 206(a) of this title, total at least eight hours in a calendar day.

(c) An officer of a uniformed service who is entitled to basic pay is, at all times, entitled to the basic allowances for subsistence on a monthly basis. An aviation cadet of the Navy, Air Force, or Marine Corps is entitled to the same basic allowance for subsistence as is provided for an officer of the Navy, Air Force, or Marine Corps, respectively.

(d) The basic allowance for subsistence for members of the uniformed services is as follows:

Officers	$47.88 a month.
Enlisted members when rations in kind are not available.	$2.565 a day.
Enlisted members when assigned to duty under emergency conditions where no messing facilities of the United States are available.	Not more than $3.42 a day.

(e) Under regulations and in areas prescribed by the Secretary of Defense, an enlisted member who is granted permission to mess separately, and whose duties require him to buy at least one meal from other than a messing facility of the United States, is entitled to not more than the pro rata allowance authorized for each such meal for an enlisted member when rations in kind are not available.

(f) The President may prescribe regulations for the administration of this section.

§ 403. Basic allowance for quarters

(a) Except as otherwise provided by this section or by another law, a member of a uniformed service who is entitled to basic pay is entitled to a basic allowance for quarters at the following monthly rates according to the pay grade in which he is assigned or distributed for basic pay purposes:

Pay grade	With dependents	Without dependents
O-10	$171.00	$136.80
O-9	171.00	136.80
O-8	171.00	136.80
O-7	171.00	136.80
O-6	136.80	119.70
O-5	136.80	102.60
O-4	119.70	94.20
O-3	102.60	85.50
O-2	94.20	77.10
O-1	85.50	68.40
W-4	119.70	94.20
W-3	102.60	85.50
W-2	94.20	77.10
W-1	85.50	68.40
E-9	67.50	45.00
E-8	67.50	45.00
E-7	67.50	45.00
E-6	67.50	45.00
E-5	67.50	45.00
E-4 (7 or more years' service creditable under section 209)	67.50	45.00
E-4 (less than 7 years' service creditable under section 209)	45.00	45.00
E-3	45.00	45.00
E-2	45.00	45.00
E-1	45.00	45.00

A member in pay grade E-4 (less than seven years' service), E-3, E-2, or E-1, is considered at all times to be without dependents.

(b) Except as otherwise provided by law, a member of a uniformed service who is assigned to quarters of the United States or a housing facility under the jurisdiction of a uniformed service, appropriate to his grade, rank, or rating and adequate for himself, and his dependents, if with dependents, is not entitled to a basic allowance for quarters.

(c) A member of a uniformed service without dependents is not entitled to a basic allowance for quarters while he is on field duty, unless his commanding officer certifies that the member was necessarily required to procure quarters at his expense, or while he is on sea duty. For the purposes of this subsection, duty for a period of less than three months is not considered to be field duty or sea duty.

(d) A member of a uniformed service who is assigned to quarters of the United States or a housing facility under the jurisdiction of a uniformed service may not be denied the basic allowance for quarters if, because of orders of competent authority, his dependents are prevented from occupying those quarters.

(e) Notwithstanding any other law (including those restricting the occupancy of housing facilities under the jurisdiction of a department or agency of the United States by members, and their dependents, of the armed forces above specified grades, or by members, and their dependents, of the Coast and Geodetic Survey and the Public Health Service), a member of a uniformed service, and his dependents, may be accepted as tenants in, and may occupy on a rental basis, any of those housing facilities, other than public quarters constructed or designated for assignment to and occupancy without charge by such a member, and his dependents, if any. Such a member may not, because of his occupancy under this subsection, be deprived of any money allowance to which he is otherwise entitled for the rental of quarters.

(f) Appropriations may not be used to pay a member of a uniformed service without dependents a basic allowance for quarters while he is in a travel or leave status between permanent duty stations, including time granted as delay en route or proceed time.

(g) The President may prescribe regulations for the administration of this section, including definitions of the words "field duty" and "sea duty".

§ 404. Travel and transportation allowances: general

(a) Under regulations prescribed by the Secretaries concerned, a member of a uniformed service is entitled to travel and transportation allowances for travel performed or to be performed under orders, without regard to the comparative costs of the various modes of transportation—

(1) upon a change of permanent station, or otherwise, or when away from his designated post of duty regardless of the length of time he is away from that post;

(2) upon appointment, call to active duty, enlistment, or induction, from his home or from the place from which called or ordered to active duty to his first station; and

(3) upon separation from the service, placement on the temporary disability retired list, release from active duty, or retirement, from his last duty station to his home or the place from which he was called or ordered to active duty, whether or not he is or will be a member of a uniformed service at the time the travel is or will be performed.

(b) The Secretaries concerned may prescribe—

(1) the conditions under which travel and transportation allowances are authorized, including advance payments thereof; and

(2) the allowances for the kinds of travel, but not more than the amounts authorized in this section.

(c) Under uniform regulations prescribed by the Secretaries concerned, a member who—

(1) is retired, or is placed on the temporary disability retired list, under chapter 61 of title 10; or

(2) is retired with pay under any other law, or, immediately following at least eight years of continuous active duty with no single break therein of more than 90 days, is discharged with severance pay or is involuntarily released from active duty with readjustment pay;

may select his home for the purposes of the travel and transportation allowances authorized by subsection (a) of this section.

(d) The travel and transportation allowances authorized for each kind of travel may not be more than one of the following—

(1) transportation in kind, reimbursement therefore, or a monetary allowance in place of the cost of transportation at a rate that is not more than 7 cents a mile based on distances established, over the shortest usually traveled route, under mileage tables prepared by the Chief of Finance of the Army under the direction of the Secretary of the Army;

(2) transportation in kind, reimbursement therefor, or a monetary allowance as provided by clause (1) of this section, plus a per diem in place of subsistence of not more than $12 a day; or

(3) a mileage allowance of not more than 10 cents a mile based on distances established under clause (1) of this section.

(e) A member who is on duty with, or is undergoing training for, the Military Air Transport Service, the Marine Corps Transport Squadrons, the Fleet Tactical Support Squadrons, or the Naval Aircraft Ferrying Squadrons, and who is away from his permanent station, may be paid a per diem in lieu of subsistence in an amount not more than the amount to which he would be entitled if he were performing travel in connection with temporary duty without, in either case, the issuance of orders for specific travel.

(f) The travel and transportation allowances authorized under this section may be paid on the member's separation from the service or release from active duty, whether or not he performs the travel involved.

§ 405. Travel and transportation allowances: per diem while on duty outside United States or in Hawaii or Alaska

Without regard to the monetary limitations of this title, the Secretaries concerned may authorize the payment of a per diem, considering all elements of the cost of living to members of the uniformed services under their jurisdiction and their dependents, including a cost of quarters, subsistence, and other necessary incidental expenses, to such a member who is on duty outside of the United States or in Hawaii or Alaska, whether or not he is in a travel status. However, dependents may not be considered in determining the per diem allowance for a member in a travel status.

§ 406. Travel and transportation allowances: dependents; baggage and household effects

(a) A member of a uniformed service who is ordered to make a change of permanent station is entitled to transportation in kind for his dependents, to reimbursement therefor, or to a monetary allowance in place of that transportation in kind at a rate to be prescribed, but not more than the rate authorized under section 404(d) of this title.

(b) In connection with a temporary or permanent change of station, a member is entitled to transportation (including packing, crating, drayage, temporary storage, and unpacking) of baggage and household effects, or reimbursement therefor, within such weight allowances prescribed by the Secretaries concerned, without regard to the comparative costs of the various modes of transportation.

(c) The allowances and transportation authorized by subsections (a) and (b) of this section are in addition to those authorized by sections 404 and 405 of this title and are—

(1) subject to such conditions and limitations;

(2) for such grades, ranks, and ratings; and

(3) to and from such places;

prescribed by the Secretaries concerned. Transportation of the household effects of a member may not be made by commercial air carrier at an estimated over-all cost that is more than the estimated over-all cost of the transportation thereof by other means, unless an appropriate transportation officer has certified in writing to his commanding officer that those household effects to be so transported are necessary for use in carrying out assigned duties, or are necessary to prevent undue hardship and other means of transportation will not fill those needs. However, not more than 1,000 pounds of unaccompanied baggage may be transported by commercial air carrier, without regard to the preceding sentence, under regulations prescribed under the authority of the Secretary of Defense.

(d) The nontemporary storage of baggage and household effects may be authorized in facilities of the United States, or in commercial facilities when it is considered to be more economical to the United States. However, the weight of baggage and household effects stored, plus the weight of the baggage and household effects transported, in connection with a change of station may not be more than the maximum weight limitations in regulations prescribed by the Secretaries concerned when it is not otherwise fixed by law. The nontemporary storage of baggage and household effects may not be authorized for a period longer than one year from the date the member concerned is separated from the service, except as prescribed

in regulations by the Secretaries concerned for a member who, on the date of his separation, is confined in a hospital, or is in its vicinity, undergoing medical treatment.

(e) When orders directing a change of permanent station for the member concerned have not been issued, or when they have been issued but cannot be used as authority for the transportation of his dependents, baggage, and household effects, the Secretaries concerned may authorize the movement of the dependents, baggage, and household effects and prescribe transportation in kind, reimbursement therefor, or a monetary allowance in place thereof, as the case may be, as authorized under subsection (a) or (b) of this section. This subsection may be used only under unusual or emergency circumstances, including those in which—

(1) the member is performing duty at a place designated by the Secretary concerned as being within a zone from which dependents should be evacuated;

(2) orders which direct the member's travel in connection with temporary duty do not provide for return to the permanent station or do not specify or imply any limit to the period of absence from his permanent station; or

(3) the member is serving on permanent duty at a station outside the United States, in Hawaii or Alaska, or on sea duty.

(f) Under regulations prescribed by the Secretary concerned, transportation for dependents, baggage, and household effects of a member is authorized if he dies while entitled to basic pay under chapter 3 of this title.

(g) Under uniform regulations prescribed by the Secretaries concerned, a member who—

(1) is retired, or placed on the temporary disability retired list, under chapter 61 of title 10; or

(2) is retired with pay under any other law, or, immediately following at least eight years of continuous active duty with no single break therein of more than 90 days, is discharged with severance pay or is involuntarily released from active duty with readjustment pay;

is entitled to transportation for his dependents, baggage, and household effects to the home selected under section 404(c) of this title. In addition, baggage and household effects may be shipped to a location other than the home selected by the member. In any case in which the costs are in excess of those which would have been incurred if shipment had been made to his selected home, the member shall pay that excess cost. If a member authorized to select a home under section 404(c) of this title accrues that right or any entitlement under this subsection but dies before he exercises it, that right or entitlement accrues to and may be exercised by his surviving dependents, or his baggage and household effects may be shipped to the home of the person legally entitled thereto if there are no surviving dependents. However, in any case in which the costs are in excess of those which would have been incurred if shipment had been made to the members' selected home, the surviving dependents or the person legally entitled to the baggage and household effects, as the case may be, shall pay that excess cost.

§ 407. Travel and transportation allowances: dislocation allowance

(a) Except as provided by subsections (b) and (c) of this section, under regulations approved by the Secretary concerned, a member of a uniformed service whose dependents make an authorized move in connection with his permanent change of station, is entitled to a dislocation allowance equal to his basic allowance for quarters for one month.

(b) A member is not entitled to more than one dislocation allowance during a fiscal year unless—

(1) the Secretary concerned finds that the exigencies of the service require the member to make more than one such change of station during that fiscal year; or

(2) the member is ordered to a service school as a permanent change of station.

This subsection does not apply in time of national emergency declared after April 1, 1955, or in time of war.

(c) A member is not entitled to payment of a dislocation allowance when ordered from his home to his first duty station or from his last duty station to his home.

§ 408. Travel and transportation allowances: travel within limits of duty station

A member of a uniformed service may be directed, by regulations of the head of the department or agency in which he is serving, to procure transportation necessary for conducting official business of the United States within the limits of his station. Expenses so incurred by the member for train, bus, streetcar, taxicab, ferry, bridge, and similar fares and tolls, or for the use of privately-owned vehicles at a fixed rate a mile, shall be defrayed by the department or agency under which he is serving, or the member is entitled to be reimbursed for the expense.

§ 409. Travel and transportation allowances: trailers

Under regulations prescribed by the Secretaries concerned and in place of the transportation of baggage and household effects or payment of a dislocation allowance, a member, or in the case of his death his dependent, who would otherwise be entitled to transportation of baggage and household goods under section 406 of this title, may transport a house trailer or mobile dwelling within the United States, except in Hawaii or Alaska, for use as a residence by one of the following means—

(1) transport the trailer or dwelling and receive a monetary allowance in place of transportation at a rate to be prescribed by the Secretaries concerned, but not more than 20 cents a mile;

(2) deliver the trailer or dwelling to an agent of the United States for transportation by commercial means; or

(3) transport the trailer or dwelling by commercial means and be reimbursed by the United States subject to such rates as may be prescribed by the Secretaries concerned.

However, the cost of transportation under clause (2) or the reimbursement under clause (3) may not be more than the lesser of (A) the current average cost for the commercial transportation of a house trailer or mobile dwelling; (B) 36 cents a mile; or (C) the cost of transporting the baggage and household effects of the member or his dependent plus the dislocation allowance authorized in section 407 of this title. Any payment authorized by this section may be made in advance of the transportation concerned.

§ 410. Travel and transportation allowances: miscellaneous categories

(a) The following persons are entitled to such travel and transportation allowances provided by section 404 of this title, as prescribed by the Secretaries concerned—

(1) cadets of the United States Military Academy;

(2) midshipmen of the United States Naval Academy;

(3) cadets of the United States Air Force Academy;

(4) cadets of the Coast Guard Academy;

(5) applicants for enlistment;

(6) rejected applicants for enlistment;

(7) general prisoners;

(8) discharged prisoners;

(9) insane patients transferred from military hospitals to other hospitals or to their homes; and

(10) persons discharged from Saint Elizabeths Hospital after transfer from a uniformed service.

(b) The Secretary concerned shall, in prescribing allowances under subsection (a) of this section, consider the rights of the United States, as well as those of the persons concerned.

§ 411. Travel and transportation allowances: administrative provisions

(a) For the administration of sections 404 (a), (b), and (d)–(f), 405, 406(a)–(f), 407, 409, and 410 of this title, the Secretaries concerned shall prescribe regulations that are, as far as practicable, uniform for all of the uniformed services.

(b) In establishing the rates and kinds of allowances authorized by the sections of this title designated by subsection (a) of this section, the Secretaries concerned shall—

(1) consider the average cost of first-class transportation, including sleeping accommodations, when prescribing a monetary allowance in place of transportation;

(2) consider the current economic data on the cost of subsistence, including lodging and other necessary incidental expenses related thereto, when prescribing per diem rates; and

(3) consider the average cost of first-class transportation, including sleeping accommodations and current economic data on the cost of subsistence, including lodging and other necessary incidental expenses relating thereto, when prescribing mileage rates.

(c) The Secretaries concerned shall determine what constitutes a travel status for the purposes of the sections of this title designated by subsection (a) of this section.

(d) The Secretary concerned shall define the words "permanent station" for the purposes of the sections of this title designated by subsection (a) of this section. The definition shall include a shore station or the home yard or home port of a vessel to which a member of a uniformed service who is entitled to basic pay may be ordered. An authorized change in the home yard or home port of such a vessel is a change of permanent station.

§ 412. Appropriations for travel: may not be used for attendance at certain meetings

Appropriations of the Department of Defense that are available for travel may not, without the approval of the Secretary concerned or his designee, be used for expenses incident to attendance of a member of an armed force under that department at a meeting of a technical, scientific, professional, or similar organization.

§ 413. Chairman of the Joint Chiefs of Staff

The Chairman of the Joint Chiefs of Staff is entitled to the allowances provided by law for the Chief of Staff of the Army.

§ 414. Personal money allowance

(a) In addition to other pay or allowances authorized by this title, an officer who is entitled to basic pay is entitled to a personal money allowance of—

(1) $500 a year, while serving in the grade of lieutenant general or vice admiral, or in an equivalent grade or rank;

(2) $1,200 a year, in place of any other personal money allowance authorized by this section, while serving as Surgeon General of the Public Health Service, or as Director of the Coast and Geodetic Survey;

(3) $2,200 a year, in addition to the personal money allowance authorized by clause (1) of this subsection, while serving as a senior member of the Military Staff Committee of the United Nations;

(4) $2,200 a year, while serving in the grade of general or admiral, or in an equivalent grade or rank; or

(5) $4,000 a year, in place of any other personal money allowance authorized by this section, while serving as Chief of Staff of the Army, Chief of Naval Operations, Chief of Staff of the Air Force, Commandant of the Marine Corps, or Commandant of the Coast Guard.

(b) In addition to other pay or allowances authorized by law, an officer who is serving in one of the following positions is entitled to the amount set forth for that position, to be paid annually out of naval appropriations for pay, and to be sent in his discretion for the contingencies of his position—

(1) Superintendent of the Naval Postgraduate School—$400;

(2) Commandant of Midshipmen at the Naval Academy—$800;

(3) President of the Naval War College—$1,000;

(4) Superintendent of the Naval Academy—$5,200; and

(5) Director of Naval Intelligence—$5,200.

§ 415. Uniform allowance: officers; initial allowance

(a) Subject to subsections (b) and (c) of this section, a reserve officer of an armed force or an officer of the Army, or the Air Force, without specification of component, is entitled to an initial allowance of not more than $200 as reimbursement for the purchase of required uniforms and equipment—

(1) upon first reporting for active duty (other than for training) for a period of more than 90 days;

(2) upon completing at least 14 days of active duty as a member of a reserve component; or

(3) upon completing 14 periods, each of which was of at least two hours' duration, of inactive-duty training as a member of the Ready Reserve.

(b) An officer who has received an initial uniform reimbursement or allowance under any other law is not entitled to an initial allowance under subsection (a) of this section.

(c) An officer who has served on active duty as an officer of a regular component of an armed force may not, on the basis of any duty performed within two years after his separation from that component, qualify for an initial allowance under subsection (a) of this section.

(d) An allowance of $250 for uniforms and equipment may be paid to each commissioned officer of the Public Health Service who is—

(1) on active duty;

(2) required by directive of the Surgeon General to wear a uniform; and

(3) is entitled to the basic pay of pay grade O–1, O–2, or O–3.

An officer is not entitled to more than one allowance under this subsection.

(e) An enlisted member of the Navy, Marine Corps, or Coast Guard who is initially appointed as a temporary officer under section 5596 or 5597 of title 10 or section 435 of title 14, as the case may be, is entitled to a uniform allowance of $250.

§ 416. Uniform allowance: officers; additional allowance

(a) In addition to the initial uniform allowance authorized by section 415(a)–(c) of this title, a reserve officer of an armed force who has not become entitled to a uniform reimbursement or allowance as an officer during the preceding four years, is entitled to not more than $50 as reimbursement for the purchase of required uniforms and equipment, upon completion of each period, after July 9, 1952, of four years of service, as prescribed by section 1332 of title 10, in an active status in a reserve component, including at least 28 days of active duty. However, periods of active duty of more than 90 days may not be included in computing that four years of service.

(b) In addition to the allowance provided by section 415(a)–(c) of this title and subsection (a) of this section, a reserve officer of an armed force, or an officer of the Army, or the Air Force, without specification of component, is entitled to not more than $100 as reimbursement for additional uniforms and equipment required on that duty, for each time that he enters on active duty for a period of more than 90 days. However, this subsection does not apply to a tour of active duty if—

(1) the officer, during that tour or within a period of two years before entering on that tour, received, under any law, an initial uniform reimbursement or allowance of more than $200; or

(2) the officer enters on that tour within two years after completing a period of active duty of more than 90 days' duration.

§ 417. Uniform allowance; officers; general provisions

(a) Subject to standards, policies, and procedures prescribed by the Secretary of Defense, the Secretary of each military department may prescribe regulations that he considers necessary to carry out sections 415(a)–(c) and 416 of this title within his department. The Secretary of the Treasury, with the concurrence of the Secretary of the Navy, may prescribe regulations that he considers necessary to carry out those sections for the Coast Guard when it is not operating as a service in the Navy. As far as practicable, regulations for all reserve components shall be uniform.

(b) Under regulations approved by the Secretary of Defense, or by the Secretary of the Treasury with respect to the Coast Guard when it is not operating as a service in the Navy, and subject to section 415(a)–(c) or 416 of this title, a reserve officer of an armed force who has received a uniform and equipment allowance under section 415(a)–(c) or 416 of this title, may, if a different uniform is required, be paid a uniform and equipment reimbursement upon transfer to, or appointment in, another reserve component.

(c) For the purposes of sections 415(a)–(c) and 416 of this title and subsections (a) and (b) of this section, an officer may count only that duty for which he is required to wear a uniform.

§ 418. Clothing allowance: enlisted members

The President may prescribe the quantity and kind of clothing to be furnished annually to an enlisted member of the armed forces or the National Guard, and may prescribe the amount of a cash allowance to be paid to such a member if clothing is not so furnished to him.

§ 419. Allowances while participating in international sports

(a) Section 716 of title 10 does not authorize the payment of allowances at higher rates than those provided for participation in military activities not covered by that section.

(b) Notwithstanding any other law, a member of a uniformed service is not entitled to travel and transportation allowances under sections 404–411 of this title for any period during which his expenses for travel or transportation are being paid by the agency sponsoring his participation in a competition covered by section 716 of title 10.

(c) Notwithstanding any other law, a member of a uniformed service who has no dependents is not entitled to the basic allowances for subsistence and quarters authorized by sections 402 and 403 of this title for a period during which he is subsisted and quartered by the agency sponsoring his participation in a competition covered by section 716 of title 10.

§ 420. Allowances: no increase while dependent is entitled to basic pay

A member of a uniformed service may not be paid an increased allowance under this chapter, on account of a dependent, for any period during which that dependent is entitled to basic pay under section 204 of this title.

§ 421. Contract surgeons

(a) A contract surgeon who is serving full time with a uniformed service is entitled to the basic allowances, and other allowances authorized by this chapter, of a commissioned officer in pay grade O–2 with less than two years of service computed under section 205 of this title.

(b) A contract surgeon who is serving part time with a uniformed service is entitled to the travel and transportation allowances authorized by this chapter under the same conditions and in the same amounts as are applicable to commissioned officers.

§ 422. Cadets, midshipmen, and naval officer candidates

(a) A cadet at the United States Military Academy, the United States Air Force Academy, or the Coast Guard Academy, or a midshipman at the United States Naval Academy, is entitled to the allowances provided by law for a midshipman in the Navy, and to travel and transportation allowances prescribed under section 410 of this title, while traveling under orders as a cadet or midshipman.

(b) Each midshipman of the Navy to whom a Navy ration is not furnished is entitled to the commuted value of the ration in money for each day that he is on active duty, including each day that he is on leave. The Secretary of the Navy may prescribe regulations stating the conditions under which the commuted value shall be allowed and may prescribe regulations establishing the rates at which the ration shall be commuted.

(c) A midshipman appointed under section 6904 of title 10, or a seaman recruit who is enlisted under section 6905 of title 10, is entitled to the allowances provided for a midshipman at the United States Naval Academy for—

(1) initial travel to the college or university in which matriculated;

(2) travel while under orders; and

(3) travel on discharge.

However, allowance for travel on discharge may not be paid to such a midshipman or recruit who is discharged and who continues his scholastic instruction at the same college or university.

(d) While on flight training or on flight duty, a midshipman appointed under section 6906 of title 10 is entitled to the allowances provided for a midshipman at the United States Naval Academy.

§ 423. Validity of allowance payments based on purported marriages

A payment of an allowance, based on a purported marriage, that is made under this chapter, under the Career Compensation Act of 1949, or under the Pay Readjustment Act of 1942, before judicial annulment or termination of that marriage, is valid, if a court of competent jurisdiction adjudges or decrees that the marriage was entered into in good faith on the part of the spouse who is a member of a uniformed service or if, in the absence of such a judgment or decree, such a finding of good faith is made by the Secretary concerned or by a person designated by him to investigate the matter.

§ 424. Band leaders

(a) The leader of the Army Band is entitled to the allowances of a captain in the Army.

(b) The director of music at the United States Military Academy is entitled to the allowances of a commissioned officer whose grade corresponds to the rank prescribed for the director by the Secretary of the Army.

(c) The leader of the United States Navy Band is entitled to the allowances of a lieutenant in the Navy.

(d) A member of the Marine Corps who is appointed as director or assistant director of the United States Marine Corps Band under section 6222 of title 10, is entitled, while serving thereunder, only to the allowances of an officer in the grade in which he is serving. However, his allowances may not be less than those to which he was entitled at the time of his appointment under that section.

(e) The leader of the Naval Academy Band is entitled to the allowances of the pay grade prescribed for him by the Secretary of the Navy under section 207(e) of this title. The second leader is entitled to the allowances of a warrant officer, W-1.

§ 425. United States Navy Band; United States Marine Corps Band: allowances while on concert tour

While on concert tours approved by the President, the members of the United States Navy Band and the United States Marine Corps Band do not forfeit allowances.

§ 426. Prisoners in naval confinement facilities

(a) A person who is confined in a naval confinement facility under the sentence of a court-martial is entitled to an amount fixed by the Secretary of the Navy, but not more than $3 a month, for necessary expenses.

(b) Appropriations for the pay of the Navy or the Marine Corps, as the case may be, may be used for payments under this section.

Chapter 9—Leave

Sec.
501. Payments for unused accrued leave.
502. Absences due to sickness, wounds, and certain other causes.
503. Absence without leave or over leave.
504. Cadets and midshipmen: chapter does not apply to.

§ 501. Payments for unused accrued leave

(a) In subsections (b)-(f) of this section—

(1) "discharge" means—

(A) in the case of an enlisted member, separation or release from active duty under honorable conditions or appointment as an officer; and

(b) in the case of an officer, separation or release from active duty under honorable conditions;

(2) "child" means—

(A) a legitimate child;

(B) a legally adopted child;

(C) a stepchild, if, at the time of the death of the member or former member, the stepchild was a member of his household;

(D) an illegitimate child, in the case of a female member or former member;

(E) an illegitimate child to whose support a male member or former member has been judicially ordered or decreed to contribute, of whom he has been judicially decreed to be the father, or of whom he has acknowledged in writing under oath that he is the father; and

(F) a person to whom the member or former member, at the time of his death, stood in loco parentis and so stood for at least 12 months before his death;

(3) "parent" means—

(A) a father or mother;

(B) a grandfather or grandmother;

(C) a stepfather or stepmother;

(D) a father or mother by adoption; or

(E) a person who for a period of not less than one year before the death of the member or former member stood in loco parentis to him;

except that not more than two persons may be treated as parents for the purposes of this clause, and preference shall be given to the persons who bore a parental relation at the time of, or most nearly before, the death of the member or former member; and

(4) "brother or sister" means—

(A) a brother or sister of the whole blood;

(B) a brother or sister of the half blood;

(C) a stepbrother or stepsister; or

(D) a brother or sister by adoption.

(b) An officer of the Army, Navy, Air Force, Marine Corps, Coast Guard, or Coast and Geodetic Survey who had accrued leave to his credit at the time of his discharge is entitled to be paid in cash or by a check on the Treasurer of the United States for that leave on the basis of the basic pay and allowances to which he was entitled on the date of discharge. An enlisted member of such a uniformed service who had accrued leave to his credit at the time of his discharge is entitled to be paid in cash or by a check on the Treasurer of the United States for that leave on the basis of the basic pay to which he was entitled on the date of discharge, plus an allowance computed at the rate of 70 cents a day for subsistence, and for an enlisted member in pay grade E-9, E-8, E-7, E-6, or E-5, with dependents, an allowance computed at the rate of $1.25 a day for quarters. However, a payment may not be made under this subsection to a member who—

(1) is discharged for the purpose of accepting an appointment or a warrant, or entering into an enlistment, in his armed force; or

(2) elects to carry over his unused leave to a new enlistment in his armed force on the day after the date of his discharge.

A member to whom a payment may not be made under this subsection, or a member who reverts from officer to enlisted status, carries the accrued leave standing to his credit from the one status to the other within his armed force.

(c) Unused accrued leave for which payment is made under subsection (b) of this section is not considered as service for any purpose.

(d) Payments for unused accrued leave under subsection (b) of this section, in the case of a member or former member who dies after retirement or discharge and before he receives that payment, shall be made upon application, to or for the living survivors highest on the following list—

(1) his surviving spouse and children, in equal shares;

(2) his parents, in equal shares;

(3) his brothers and sisters, in equal shares; or

(4) the children of his deceased brothers and sisters, in equal shares.

If there is no survivor, payment may not be made under this subsection. Payment under this subsection to a survivor who has passed his seventeenth birthday and who has not passed his twenty-first birthday discharges the obligations of the United States under this subsection.

(e) A member of the Army, Navy, Air Force, Marine Corps, Coast Guard, or Coast and Geodetic Survey who is discharged under other than honorable conditions forfeits all accrued leave to his credit at the time of his discharge.

(f) Payment may not be made for leave in excess of 60 days upon discharge or retirement.

(g) An officer of the Regular Corps of the Public Health Service, or an officer of the Reserve Corps of the Public Health Service on active duty, who is credited with accumulated and accrued annual leave on the date of his separation, retirement, or release from active duty, shall, if his application for that leave is approved by the Surgeon General, be paid for that leave in a lump sum on the basis of his basic pay, subsistence allowance, and allowance for quarters whether or not he is receiving that allowance on that date. However, the number of days upon which the lump-sum payment is based may not be more than 60. A lump-sum payment may not be made under this subsection to an officer—

(1) whose appointment expires or is terminated and who, without a break in active service, accepts a new appointment;

(2) who is retired for age in time of war and is continued on, or recalled to, active duty without a break in active service; or

(3) who is transferred to another department or agency of the United States under circumstances in which, by any other law, his leave may be transferred.

In this subsection, "accumulated annual leave" means unused accrued annual leave carried forward from one leave year into the next leave year, and "accrued annual leave" means the annual leave accruing to an officer during one leave year.

§ 502. Absences due to sickness, wounds, and certain other causes

(a) A member of the Army, Navy, Air Force, Marine Corps, Coast Guard, or Coast and Geodetic Survey, who is absent because of sickness or wounds, or who is directed by the Secretary concerned, or his designated representative, to be absent from duty to await orders pending disability retirement proceedings for a period that is longer than the leave authorized by section 701 of title 10, is entitled to the pay and allowances to which he would be entitled if he were not so absent. A member who is absent with leave for any other reason for not longer than the leave authorized by that section is entitled to the same pay and allowances to which he would be entitled if he were not on leave, and to any additional allowances otherwise provided by law for members on leave.

(b) Except as provided in subsection (a) of this section, a member who is authorized by the Secretary concerned, or his designated representative, to be absent for a period that is longer than the leave authorized by section 701 of title 10 is not entitled to pay or allowances during the part of his absence that is more than the number of days' leave authorized by that section.

§ 503. Absence without leave or over leave

(a) A member of the Army, Navy, Air Force, Marine Corps, Coast Guard, or Coast and Geodetic Survey, who is absent without leave or over leave, forfeits all pay and allowances for the period of that absence, unless it is excused as unavoidable.

(b) A commissioned officer of the Regular Corps of the Public Health Service, or an officer of the Reserve Corps of the Public Health Service on active duty, who is absent without leave, forfeits all pay and allowances for the period of that absence, unless it is excused as unavoidable.

§ 504. Cadets and midshipmen: chapter does not apply to

This chapter does not apply to cadets at the United States Military Academy, the United States Air Force Academy, the Coast Guard Academy, midshipmen at the United States Naval Academy, or cadets or midshipmen serving elsewhere in the armed forces.

Chapter 11—Payments to mentally incompetent persons

Sec.
601. Applicability.
602. Payments: designation of person to receive amounts due.
603. Regulations.
604. Determination of Secretary final.

§ 601. Applicability

This chapter applies to—

(1) members of a uniformed service who are on active duty (other than for training) or who are on a retired list of that service; and

(2) members of the Fleet Reserve or Fleet Marine Corps Reserve.

§ 602. Payments: designation of person to receive amounts due

(a) Active duty pay and allowances, amounts due for accrued or accumulated leave, or retired or retainer pay, that are otherwise payable to a member to whom this chapter applies and who, in the opinion of a board of medical officers or physicians, is mentally incapable of managing his affairs, may be paid for that member's use or benefit to any person designated by the Secretary concerned, or by any officer to whom he delegates his authority under this section, without the appointment in judicial proceedings of a committee, guardian, or other legal representative.

(b) The board shall consist of at least three qualified medical officers or physicians, one of whom is specially qualified in the treatment of mental disorders, appointed from available medical officers or physicians under his jurisdiction by the head of whichever of the following is providing medical treatment for the member, or by a person designated by that head—

(1) Department of the Army;

(2) Department of the Navy;

(3) Department of the Air Force;

(4) Department of Health, Education, and Welfare; or

(5) Veterans' Administration.

If the hospitalization or medical care of the member is not provided by the United States, the board shall be appointed by the Secretary of the department having jurisdiction of the member.

(c) A payment made to a person who is designated under this section discharges the obligation of the United States as to the amount paid.

(d) A person serving in a legal, medical, fiduciary, or other capacity, may not demand or accept a fee, commission, or other charge for any service performed under this chapter.

(e) This section does not apply in any case in which a legal committee, guardian, or other representative has been appointed by a court of competent jurisdiction, except as to payments made before the paying agency of the department concerned receives notice of that appointment.

(f) A person who is designated to receive payments under this section shall furnish satisfactory assurance that the amounts received by him will be applied to the use and benefit of the incompetent member, and, where the payments may reasonably be expected to be more than $1,000, shall provide a suitable bond to be paid for out of amounts due the incompetent member.

§ 603. Regulations

The Secretary concerned and the Administrator of Veterans' Affairs shall prescribe regulations necessary to carry out this chapter.

§ 604. Determination of the Secretary final

The determination as to the person authorized to receive a payment under section 602 of this title is final and is not subject to review by an official of the United States or a court.

Chapter 13—Allotments and assignments of pay

Sec.
701. Members of Army or Air Force; contract surgeons.
702. Allotments: officers of Navy or Marine Corps.
703. Allotments: members of Coast Guard.
704. Allotments; officers of Public Health Service.
705. Assignments: enlisted members of naval service.
706. The commissioned officers of Coast and Geodetic Survey.

§ 701. Members of Army or Air Force; contract surgeons

(a) Under regulations prescribed by the Secretary of the Army or the Secretary of the Air Force, as the case may be, a commissioned officer of the Army or the Air Force may transfer or assign his pay account, when due and payable.

(b) A contract surgeon, or contract dental surgeon, of the Army or the Air Force, on duty in Alaska, Hawaii, the Philippine Islands, or Puerto Rico, may transfer or assign his pay account, when due and payable, under the regulations prescribed under subsection (a) of this section.

(c) An enlisted member of the Army or the Air Force may not assign his pay, and if he does so, the assignment is void.

(d) The Secretary of the Army or the Secretary of the Air Force, as the case may be, may allow a—

(1) member of the Army or the Air Force; or

(2) contract surgeon of the Army or the Air Force;

to make allotments from his pay for the support of his relatives, or for any other purpose that the Secretary concerned considers proper. If an allotment made under this subsection is paid to the allottee before the disbursing officer receives a notice of discontinuance from the officer required by regulation to furnish the notice, the amount of the allotment shall be credited to the disbursing officer. If an allotment is erroneously paid because the officer required by regulation to so report failed to report the death of the allotter or any other fact that makes the allotment not payable, the amount of the payment not recovered from the allottee shall, if practicable, be collected by the Chief of Finance (in cases involving the Army) or by the Secretary of the Air Force, from the officer who failed to make the report.

§ 702. Allotments: officers of Navy or Marine Corps

The Secretary of the Navy, under regulations prescribed by him, may permit an officer of the Navy or Marine Corps to make allotments of his pay—

(1) for the support of his family or relatives;

(2) for his own savings; or

(3) for other purposes.

§ 703. Allotments: members of Coast Guard

Members of the Coast Guard may, under regulations prescribed by the Secretary of the Treasury, make allotments from their pay and allowances.

§ 704. Allotments: officers of Public Health Service

Commissioned officers of the Public Health Service who are on active duty may, under regulations prescribed by the President, make allotments from their pay.

§ 705. Assignments: enlisted members of naval service

Each assignment of pay due an enlisted member of the Navy or Marine Corps and each power of attorney or other authority to draw, receipt for, or transfer that pay, is void, unless attested by the member's commanding officer and the disbursing officer having custody of the member's pay record. An assignment of pay shall state the date when the transfer of pay to the assignee is to begin.

§ 706. Commissioned officers of Coast and Geodetic Survey

Under regulations prescribed by the Secretary of Commerce, commissioned officers of the Coast and Geodetic Survey may make allotments or assignments of their pay.

Chapter 15—Prohibitions and penalties

Sec.
801. Restriction on payment to certain officers.
802. Forfeiture of pay during absence from duty due to disease from intemperate use of alcohol or drugs.
803. Commissioned officers of Army or Air Force: forfeiture of pay when dropped from rolls.
804. Enlisted members of Army or Air Force: pay and allowances not to accrue during suspended sentence of dishonorable discharge.
805. Sale of pay by members of naval service to be discouraged by commanding officer.

§ 801. Restriction on payment to certain officers

(a) An officer of the Regular Navy or the Regular Marine Corps, other than a retired officer, may not be employed by a person furnishing naval supplies or war materials to the United States. If such an officer is so employed, he is not entitled to any payment from the United States during that employment.

(b) If a retired officer of the Regular Navy or the Regular Marine Corps is engaged for himself or others in selling, or contracting or negotiating to sell, naval supplies or war materials to the Department of the Navy, he is not entitled to any payment from the United States while he is so engaged.

(c) Payment may not be made from any appropriation, for a period of two years after his name is placed on that list, to an officer on a retired list of the Regular Army, the Regular Navy, the Regular Air Force, the Regular Marine Corps, the Regular Coast Guard, the Coast and Geodetic Survey, or the Public Health Service, who is engaged for himself or others in selling, or contracting or negotiating to sell, supplies or war materials to an agency of the Department of Defense, the Coast Guard, the Coast and Geodetic Survey, or the Public Health Service.

§ 802. Forfeiture of pay during absence from duty due to disease from intemperate use of alcohol or drugs

A member of the Army, Navy, Air Force, or Marine Corps, on active duty who is absent from his regular duties for a continuous period of more than one day because of disease that is directly caused by and immediately follows his intemperate use of alcoholic liquor or habit-forming drugs is not entitled to pay for the period of that absence. However, a member whose pay is forfeited for more than one month is entitled to $5 for personal expenses for each full month that his pay is forfeited. Determinations of periods and causes of absence under this section shall be made as prescribed by the Secretary concerned, and are final.

§ 803. Commissioned officers of Army or Air Force: forfeiture of pay when dropped from rolls

A commissioned officer of the Army or the Air Force who is dropped from the rolls under section 1161(b) of title 10 for absence without authority for three months forfeits all pay due or to become due.

§ 804. Enlisted members of Army or Air Force: pay and allowances not to accrue during suspended sentence of dishonorable discharge

Pay and allowances do not accrue to an enlisted member of the Army or the Air Force who is in confinement under sentence

of dishonorable discharge, while the execution of the sentence to discharge is suspended.

§ 805. Sale of pay by members of naval service to be discouraged by commanding officer

The commanding officer of a naval vessel shall discourage each member of the crew from selling any part of his pay and may not attest a power of attorney for the transfer of pay unless he is satisfied that the power is not granted in consideration of money given for the purchase of pay.

Chapter 17—Miscellaneous rights and benefits

Sec.
901. Wartime pay of officer of armed force exercising command higher than his grade.
902. Pay of crews of wrecked or lost naval vessels.
903. Retired members recalled to active duty; former members.
904. Officers of Navy or Marine Corps promoted under chapter 545 of title 10; effective date of beginning of pay and allowances.
905. Officers of Navy or Marine Corps not covered by section 904 of this title; effective date of beginning of pay and allowances.
906. Extension of enlistment; effect on pay and allowances.

§ 901. Wartime pay of officer of armed force exercising command higher than his grade

In time of war, an officer of an armed force who is serving with troops operating against an enemy and who exercises, under assignment in orders issued by competent authority, a command above that pertaining to his grade, is entitled to the pay and allowances (not above that of pay grade O-7) appropriate to the command so exercised.

§ 902. Pay of crews of wrecked or lost naval vessels

(a) When the accounts of the disbursing officer of a naval vessel are lost as a result of the destruction of the vessel, his return for the last month may, unless there is official evidence to the contrary, be used in computing later credits to and settling accounts of persons, other than officers, carried on his accounts. If the return for the last month has not been made, the pay accounts may be settled on principles of equity and justice.

(b) When a naval vessel is lost or has not been heard from for so long that her loss may be presumed, the General Accounting Office, under the direction of the Secretary of the Navy, may fix the date of loss of the vessel for the purpose of settling the accounts of persons aboard other than officers.

(c) When the crew of a naval vessel is separated from that vessel because of her wreck, loss, or destruction, the pay and emoluments of those officers and enlisted members that the Secretary considers (because of the sentence of a court-martial or the finding of a court of inquiry, or by other satisfactory evidence) to have done their utmost to save the vessel and, after the wreck, loss, or destruction, to have behaved themselves according to the discipline of the Navy, continue and shall be paid to them until their discharge or death, whichever is earlier.

§ 903. Retired members recalled to active duty; former members

A retired member or former member of a uniformed service, or a member of the Fleet Reserve or Fleet Marine Corps Reserve, who is serving on active duty is entitled to the pay and allowances to which he is entitled, under this title, for the grade, rank, or rating in which he is serving. In addition, while on active duty, he is entitled to the pay and allowances, while on leave of absence or while sick, of a member of a uniformed service of similar grade, rank, or rating who is entitled to basic pay.

§ 904. Officers of Navy or Marine Corps promoted under chapter 545 of title 10; effective date of beginning of pay and allowances

(a) An officer who is promoted under any of sections 5751–5774 of title 10 is entitled to the pay and allowances of the grade to which promoted from the date of the occurrence of the vacancy that he was promoted to fill, if he is in one of the following categories—

(1) male line officers of the Navy not restricted in the performance of duty;

(2) male line officers of the Navy designated for engineering duty, aeronautical engineering duty, or special duty promoted to the grade of rear admiral;

(3) male line officers of the Navy designated for engineering duty, aeronautical engineering duty, or special duty who are promoted to the grade of lieutenant commander to fill vacancies in the combined grades of lieutenant commander, commander, and captain and whose promotion was delayed because there were no vacancies for them at the time when they would otherwise have been eligible for promotion under section 5769(b) of title 10;

(4) male line officers of the Navy designated for limited duty;

(5) women line officers on the active list of the Navy promoted to the grade of commander or lieutenant commander;

(6) male officers of the Marine Corps not restricted in the performance of duty;

(7) male officers of the Marine Corps designated for supply duty promoted to the grade of brigadier general;

(8) male officers of the Marine Corps designated for supply duty who are promoted to the grade of major to fill vacancies in the combined grades of major, lieutenant colonel, and colonel and whose promotion was delayed because there were no vacancies for them at the time when they would otherwise have been eligible for promotion under section 5769(b) of title 10;

(9) male officers of the Marine Corps designated for limited duty;

(10) women officers on the active list of the Marine Corps promoted to the grade of lieutenant colonel or major; or

(11) staff corps officers of the Navy promoted to the grade of rear admiral.

(b) A male line officer of the Navy designated for engineering duty, aeronautical engineering duty, or special duty, or a male officer of the Marine Corps designated for supply duty, if not in a category listed in subsection (a) of this section, is entitled, when promoted under any of sections 5751–5774 of title 10, to the pay and allowances of the grade to which promoted from the date on which he became eligible for promotion to that grade.

(c) A woman line officer on the active list of the Navy promoted to the grade of lieutenant or a woman officer on the active list of the Marine Corps promoted to the grade of captain under any of sections 5751–5774 of title 10 is entitled to the pay and allowances of the grade to which promoted from July 1 following the date on which the President approved the report of the selection board that recommended her for promotion.

(d) Except as provided by subsection (e) of this section, a male staff corps officer or a woman staff corps officer who is promoted to a grade below rear admiral under any of sections 5751–5774 of title 10 is entitled to the pay and allowances of the grade to which promoted from the date on which his running mate in that grade became eligible for promotion to that grade.

(e) An officer in the Nurse Corp who is promoted to the grade of captain or commander under any of sections 5751–5774 of title 10 is entitled to the pay and allowances of the grade to which promoted from—

(1) the date of the occurrence of the vacancy that he was promoted to fill; or

(2) the date on which the President approved the report of the selection board that recommended him for promotion; whichever is later.

§ 905. Officers of Navy or Marine Corps not covered by section 904 of this title; effective date of beginning of pay and allowances

(a) The pay of an officer of the Regular Navy or the Regular Marine Corps begins on the date he accepts his initial appointment, except that—

(1) the pay of an officer required to give an official bond begins on the date the bond is approved by proper authority; and

(2) the pay of an officer commissioned within six months after his graduation from the United States Naval Academy begins on the date of rank stated in his commission.

(b) A reserve officer who is promoted under chapter 549 of title 10 to a grade above lieutenant (junior grade) in the Naval Reserve or above first lieutenant in the Marine Corps Reserve is entitled to the pay and allowances of the grade to which promoted for duty performed from the date on which he became eligible for promotion to that grade. However, if an officer has not established his professional and moral qualifications, as prescribed by the Secretary of the Navy under section 5867 of title 10, within one year after the date on which the President approved the report of the selection board that recommended him for promotion, he is entitled to the pay and allowances of the grade to which promoted only from the date he is appointed in that grade.

(c) A reserve officer who is promoted under section 5908 of title 10 to the grade of lieutenant (junior grade) in the Naval Reserve or first lieutenant in the Marine Corps Reserve is entitled to the pay and allowances of the higher grade for duty performed from the date given him as his date of rank.

(d) An officer of the Navy or Marine Corps who is promoted under section 5788 of title 10 is entitled to the pay and allowances of the higher grade from his date of rank in that grade unless he is entitled to them from an earlier date under another law.

(e) A woman officer temporarily promoted under section 5787b of title 10 is entitled to the pay and allowances of the higher grade from the date of her eligibility for that temporary promotion.

(f) An officer appointed in a higher grade under section 5505 of title 10 is entitled to the pay and allowances of the higher grade from the date of his appointment in that grade.

(g) A member of the naval service who is appointed under section 5597 of title 10 is entitled to the pay and allowances of the grade in which appointed from the date that appointment is made. Such a person may not suffer a reduction in the pay and allowances to which he was entitled because of his permanent status at the time of his temporary appointment, or a reduction in the pay and allowances to which he was entitled under a prior temporary appointment in a lower grade.

(h) A member of the naval service who is appointed under section 5787 of title 10 is entitled to the pay and allowances of the grade in which appointed from the date that appointment is made. Such a member may not suffer a reduction in the pay and allowances to which he was entitled at the time of his appointment.

§ 906. Extension of enlistment: effect on pay and allowances

(a) A member of the Army or the Air Force, as the case may be, who extends his enlistment under section 3263 or 8263 of title 10 is entitled to the same pay and allowances as though he had reenlisted.

(b) A member of the Regular Navy or the Regular Marine Corps, as the case may be, who extends his enlistment under section 5539 of title 10 is entitled to the same pay and allowances as though he had reenlisted. For the purposes of determining entitlement to reenlistment bonus and to travel and transportation allowances upon discharge, all such extensions of enlistment are considered one continuous extension.

Chapter 19—Administration

Sec.
1001. Regulations relating to pay and allowances.
1002. Additional training or duty without pay: Reserves and members of National Guard.
1003. Assimilation of pay and allowances.
1004. Computation of pay and allowances for month or part of month.
1005. Army and Air Force; prompt payments required.
1006. Advance payments.
1007. Deductions from pay.

§ 1001. Regulations relating to pay and allowances

(a) A Secretary of a military department may not prescribe a regulation under this title or any other law, relating to the pay and allowances of members of an armed force under that department, unless it has been approved under procedures prescribed by the Secretary of Defense.

(b) Regulations of the Secretary concerned relating to pay matters, similar to those by subsection (a) of this section, for members of the Coast Guard, the Coast and Geodetic Survey, and the Public Health Service, shall, as far as practicable, conform to regulations approved under that subsection.

(c) The Secretary of Defense, the Secretary of the Treasury, the Secretary of Commerce, or the Secretary of Health, Education, and Welfare, may obtain from the Comptroller General an advisory opinion with respect to a proposed regulation especially affecting a department under that Secretary's jurisdiction.

§ 2002. Additional training or duty without pay: Reserves and members of National Guard

(a) A member of the National Guard, or of a reserve component of a uniformed service, may, with his consent, be given additional training or other duty as provided by law, without pay, as may be authorized by the Secretary concerned.

(b) A member who performs training or other duty without pay under subsection (a) of this section may, in the discretion of the Secretary concerned, be authorized the travel and transportation allowances prescribed by section 404 (a)–(d), and (f), of this title for travel performed to and from that training or duty, and, during the performance of that training or duty, be furnished with subsistence and quarters in kind or commutation thereof at a rate to be fixed by the Secretary concerned.

(c) This section does not authorize compensation for work or study performed by a member of a reserve component in connection with correspondence courses of an armed force.

(d) This section does not apply to a member who is entitled to basic pay under chapter 3 of this title.

§ 1003. Assimilation of pay and allowances

Chapters 3 and 5 and sections 402–407, 409–411, and 414 of this title apply equally to persons who are not serving as members of a uniformed service but whose pay or allowances, or both, are assimilated under law or a regulation prescribed under law, to the pay or allowances, or both, of commissioned officers, warrant officers, or enlisted members of any grade, rank, or rating in any uniformed service.

§ 1004. Computation of pay and allowances for month or part of month

A member of a uniformed service who is entitled to pay and allowances under this title for a continuous period of less than one month is entitled to his pay and allowances for each day of that period at the rate of 1/30 of the monthly amount of his pay and allowances. The thirty-first day of a calendar month may not be excluded from a computation under this subsection.

§ 1005. Army and Air Force; prompt payments required

Members of the Army and of the Air Force shall be paid at such times that arrears will at no time be more than two months, unless circumstances make further arrears unavoidable.

§ 1006. Advance payments

(a) Under regulations prescribed by the Secretary concerned, not more than three months' pay may be paid in advance to a member of an armed force upon his permanent change of station.

(b) Under regulations prescribed by the Secretary concerned, a member of an armed force who is on duty at a distant station where the pay and emoluments to which he is entitled cannot be disbursed regularly, may be paid in advance.

(c) Under regulations prescribed by the Secretary concerned, an advance of pay to a member of an armed force who is on duty outside the United States, or other place designated by the President, of not more than two months' basic pay may be made directly to his previously designated dependents who are ordered evacuated by competent authority. An advance of pay under this subsection is not subject to the conditions under which advances of pay may be made under subsection (a) or (b) of this section, and may be made only if all dependents of members of the armed forces are ordered evacuated from the place where the member's dependents are located.

(d) If a person to whom an advance of pay is made under subsection (a), (b), or (c) of this section dies or is separated from his armed force, before liquidation of that advance, the amount remaining unliquidated at the time of his death or separation shall be credited to the account of the disbursing officer concerned. However, the unliquidated amount remains a debt of that person or his estate to the United States.

(e) As far as practicable, regulations for the administration of subsections (a)–(d) of this section shall be uniform for all of the armed forces.

(f) Under regulations prescribed by the Secretary of the Treasury, an advance of pay of not more than three months' pay may be made to an officer of the Coast Guard who is ordered to sea duty or to or from shore duty beyond the seas. In addition, the Commandant of the Coast Guard may direct such advances as he considers necessary and proper to members of the Coast Guard stationed at distant stations where the pay and emoluments to which they are entitled cannot be paid regularly.

§ 1007. Deductions from pay

(a) The pay of an officer of an armed force may be withheld, under section 82 of title 5, only for an indebtedness to the United States admitted by the officer or shown by the judgment of a court, or upon a special order issued in the discretion of the Secretary concerned.

(b) An amount due the United States from an enlisted member of the Army or the Air Force for articles sold to him on credit under section 4621(a)(1) or 9621(a)(1) of title 10, as the case may be, shall be deducted from the next pay due him after the sale is reported. In the case of a member of the Army, the report shall be made to the Chief of Finance. An amount due the United States from an enlisted member of the Army or the Air Force for tobacco sold to him by the United States under section 4623 or 9623 of title 10 shall be deducted from his pay in the manner provided for the settlement of clothing accounts.

(c) Under regulations prescribed by the Secretary concerned, an amount that an enlisted member of the Army or the Air Force is administratively determined to owe the United States or any of its instrumentalities may be deducted from his pay in monthly installments. However, after the deduction of pay forfeited by the sentence of a court-martial, if any, or otherwise authorized by law to be withheld, the deductions authorized by this section may not reduce the pay actually received for any month to less than one-third of his basic pay for that month.

(d) Subject to subsection (c) of this section, an amount due the United States from an enlisted member of the Army or the Air Force may be deducted from his pay on final statement, or from his savings on his clothing allowance.

(e) The amount of any damage, or cost of repairs, to arms or equipment caused by the abuse or negligence of a member of the Army or the Air Force, as the case may be, who had the care of, or was using, the property when it was damaged, shall be deducted from his pay.

(f) If, upon final settlement of the accounts of an officer of the Army or the Air Force charged with the issue of an article of military supply, there is a deficiency of that article, or if an article of military supply with whose issue an officer is charged is damaged, the value of the lost article or the amount of the damage shall be charged against the officer and deducted from his monthly pay, unless he shows to the satisfaction of the Secretary of the Army or the Secretary of the Air Force, as the case may be, by one or more affidavits setting forth the circumstances, that he was not at fault.

(g) An amount due the United States from an officer of the Army or the Air Force for rations bought on credit, and for articles bought on credit under section 4621(a)(1) or 9621(a)(1) of title 10, shall be deducted from the next pay due that officer after the sale is reported.

AMENDMENTS TO TITLE 10, ARMED FORCES

SEC. 2. Chapter 31 of title 10, United States Code, is amended as follows:

(1) The following new section is added at the end thereof:

"§ 517. Authorized daily average: members in pay grades E-8 and E-9

"Except as provided in section 307 of title 37, the authorized daily average number of enlisted members on active duty (other than for training) in an armed force in pay grades E-8 and E-9 in a calendar year may not be more than 2 percent and 1 percent, respectively, of the number of enlisted members of that armed force who are on active duty (other than for training) on January 1 of that year."

(2) The following new item is added at the end of the analysis:

"517. Authorized daily average: members in pay grades E-8 and E-9."

SEC. 3. Title 10, United States Code, is amended as follows:

(1) The following new chapter is inserted after chapter 39:

"Chapter 40—Leave

"Sec.
"701. Entitlement and accumulation.
"702. Cadets and midshipmen.
"703. Reenlistment leave.
"704. Use of leave; regulations.

"§ 701. Entitlement and accumulation

"(a) A member of an armed force is entitled to leave at the rate of 2½ calendar days for each month of active service, excluding periods of—

"(1) absence from duty without leave;

"(2) absence over leave; and

"(3) confinement as the result of a sentence of a court-martial.

Full-time training, or other full-time duty for a period of more than 29 days, performed under section 316, 502, 503, 504, or 505 of title 32 by a member of the Army National Guard of the United States or the Air National Guard of the United States in his status as a member of the National Guard, and for which he is entitled to pay, is active service for the purposes of this section.

"(b) Notwithstanding any other provision of law, a member may not accumulate more than 60 days' leave. However, leave taken during a fiscal year may be charged to leave accumulated during that fiscal year without regard to this limitation.

"(c) A member who retired after August 9, 1946, who is continued on, or is recalled to, active duty, may have his leave which accumulated during his service before retirement carried over to his period of service after retirement.

"(d) Leave accumulated under this section does not survive the death of the member during active service.

"(e) Leave taken before discharge is considered to be active service.

"§ 702. Cadets and midshipmen

"(a) Graduates of the United States Military Academy, the United States Naval Academy, the United States Air Force Academy, or the Coast Guard Academy who, upon graduation, are appointed in a regular component of an armed force, may, in the discretion of the Secretary concerned, or his designated representative, be granted graduation leave of not more than 60 days. Leave granted under this subsection is in addition to any other leave and may not be deducted from or charged against other leave authorized by this chapter, and must be completed within three months of the date of graduation. Leave under this subsection may not be carried forward as credit beyond the date of reporting to the first permanent duty station or to a port of embarkation for permanent duty outside the United States or in Alaska or Hawaii.

"(b) Sections 701, 702(a), 703, and 704 of this chapter do not apply to cadets at the United States Military Academy, the United States Air Force Academy, or the Coast Guard Academy, midshipmen at the United States Naval Academy, or cadets or midshipmen serving elsewhere in the armed forces. The Secretary concerned, or his designated representative, may prescribe regulations relating to leave for cadets and midshipmen.

"§ 703. Reenlistment leave

"Leave for not more than 90 days may be authorized, in the discretion of the Secretary concerned, or his designated representative, to a member of an armed force who reenlists. Leave authorized under this section shall be deducted from leave accrued during active service before reenlistment or charged against leave that may accrue during future active service, or both.

"§ 704. Use of leave; regulations

"(a) Under regulations prescribed by the Secretary concerned, or his designated representative, leave may be taken by a member on a calendar-day basis as vacation or absence from duty with pay, annually as accruing, or otherwise.

"(b) Regulations prescribed under subsection (a) shall—

"(1) provide equal treatment of officers and enlisted members;

"(2) establish to the fullest extent practicable uniform policies for the several armed forces;

"(3) provide that leave shall be taken annually as accruing to the extent consistent with military requirements and other exigencies; and

"(4) provide for the determination of the number of calendar days of leave to which a member is entitled, including the number of calendar days of absence from duty or vacation to be counted or charged against leave."

(2) The chapter analysis of subtitle A and the chapter analysis of part II of subtitle A are amended by inserting the following new item:

"40. Leave ..... 701."

SEC. 4. Section 4338 of title 10, United States Code, is amended—

(1) by amending subsection (a) to read as follows:

"(a) The director of music, who is also the leader of the Military Academy Band, has the rank prescribed by the Secretary of the Army."; and

(2) by striking out the words "counted under subsection (a)" in the first sentence of subsection (b).

SEC. 5. (a) Section 8597(i) of title 10, United States Code, is amended to read as follows:

"(i) Each temporary appointment under this section, unless expressly declined, is, without formal acceptance or oath of office, regarded as accepted on the date made."

(b) Section 5787(g) of title 10, United States Code, is amended to read as follows:

"(g) Each temporary appointment under this section, unless expressly declined, is, without formal acceptance, regarded as accepted on the date made."

(c) Section 6081 (b) and (c) of title 10, United States Code, is amended to read as follows:

"(b) Each midshipman is entitled to a Navy ration for each day that he is on active duty, including each day that he is on leave.

"(c) The Secretary of the Navy may prescribe regulations stating the conditions under which the ration shall be allowed under subsection (b)."

SEC. 6. (a) The following sections of title 10, United States Code, are amended by striking out the words ", pay, and allowances" wherever they appear therein:

(1) 3068(b) (last sentence).
(2) 3071(b) (last sentence).
(3) 3071(c) (last sentence).

(b) The following sections of title 10, United States Code, are amended by striking out the words "and the pay and allowances" wherever they appear therein:

(1) 3069 (last sentence).
(2) 3070(b) (last sentence).
(3) 3070(c) (last sentence).

(c) The following sections of title 10, United States Code, are amended by striking out the words "and is entitled to the pay and allowances of an officer serving in that rank":

(1) 5139(a) (3d sentence).
(2) 5140(a) (3d sentence)).
(3) 5143(a) (2d sentence).
(4) 5206(a) (2d sentence).

(d) Sections 3687 and 8687 of title 10, United States Code, are amended by striking out the words "pay and allowances, pensions," and inserting the word "pensions" in place thereof.

(e) Section 6148 (a) and (b) of title 10, United States Code, is amended by striking out the words "hospital benefits, and pay and allowances" and inserting the words "and hospital benefits" in place thereof.

(f) Title 10, United States Code, is amended as follows:

(1) Section 101(31)(A) is amended by striking out the words "section 301 of title 37" and inserting the words "section 206 of title 37" in place thereof.

(2) Section 555(a) is amended by striking out the words "section 232(a) of title 37" and inserting the words "section 201(d) of title 37" in place thereof.

(3) Sections 564(a)(1), 1166(a), 1167 (a) and (b), 1293, and 1305 are each amended by striking out the words "section 311 of title 37" and inserting the words "section 511 of the Career Compensation Act of 1949, as amended (70 Stat. 114)" in place thereof.

(4) Section 1405(2) is amended by striking out the words "section 233(a)(7) of title 37" and inserting the words "section 205(a)(7) and (8) of title 37" in place thereof.

(5) Section 6033(a) is amended by striking out the words "sections 231-319 of".

(6) Section 6912 is amended by striking out the words "section 251(a) of title 37" and inserting the words "section 402 (a) and (b) of title 37" in place thereof.

AMENDMENTS TO TITLE 14, COAST GUARD

SEC. 7. (a) Section 755 of title 14, United States Code, is amended—

(1) by amending the catchline to read as follows:

"§ 755. Benefits."; and

(2) by striking out the words "pay, allowances, and" in subsection (a).

(b) Section 462a of title 14, United States Codes, is amended to read as follows:

"§ 462a. Retired rear admirals; retired pay after two years' active duty

"Each officer of the Coast Guard holding a permanent appointment in the grade of rear admiral on the retired list who is entitled to the pay of the lower half of that grade, and who, in time of war or national emergency, serves satisfactorily on active duty for two years in that grade or in a higher grade, is entitled when not on active duty to retired pay equal to 75 percent of the basic pay of a rear admiral of the upper half."

(c) The analysis of chapter 13 is amended by striking out the following item:

"462a. Retired rear admirals; active duty pay and retired pay after two years of active duty."

and inserting the following item in place thereof:

"462a. Retired rear admirals; retired pay after two years of active duty."

(d) The analysis of chapter 21 is amended by striking out the following item:

"755. Pay, allowances, and other benefits."

and inserting the following item in place thereof:

"755. Benefits."

AMENDMENTS TO TITLE 32, NATIONAL GUARD

SEC. 8. (a) Section 318 of title 32, United States Code, is amended by striking out the words "pay and allowances,".

(b) Sections 321(a) (2) and (3), (b)(2), and (f)(3), and 715(a)(3) of title 32, United States Code, are amended by striking out the words "section 301 of title 37" wherever they appear therein and inserting the words "section 206 of title 37" in place thereof.

AMENDMENTS TO CERTAIN LAWS APPLICABLE TO COAST AND GEODETIC SURVEY

SEC. 9. (a) Section 3(a) of the Act of August 10, 1956, ch. 1041, as amended (33

U.S.C. 857a(a)), is amended by adding the following new clause at the end thereof:

"(10) Chapter 40. Leave."

(b) The Act of June 3, 1948, ch. 390, as amended, is further amended as follows:

(1) Section 9 [33 U.S.C. 853h) is amended by striking out the words "active-duty pay with longevity credit" wherever they appear and inserting the words "basic pay" in place thereof.

(2) Section 16(a) (33 U.S.C. 853o(a)) is amended by striking out the words "active-duty pay with longevity credit" wherever they appear and inserting the words "basic pay" in place thereof.

(c) Active service in the Coast and Geodetic Survey as a deck officer or junior engineer and active service counted on June 30, 1922, for longevity pay, shall be credited to commissioned officers as active commissioned service for purposes of retirement and retirement pay.

AMENDMENT TO DEPENDENTS ASSISTANCE ACT OF 1950

SEC. 10. Sections 1-4 of the Dependents Assistance Act of 1950 (64 Stat. 795) are amended to read as follows:

"That for the duration of this Act, that part of section 401(3) of title 37, United States Code, which reads 'and actually resides in the member's household' is suspended: *Provided*, That the dependency of the father or mother as required by that section shall be determined on the basis of an affidavit submitted by such father or mother, and such other evidence as the Secretary concerned may deem necessary under such regulations as he may prescribe, and no such father or mother shall be deemed dependent unless—

"(1) the member of the uniformed service claiming such dependency has provided over one-half of the support of such father or mother for such period of time as the Secretary concerned may prescribe; or

"(2) in the case of claimed dependency arising by reason of changed circumstances after the entrance of such member into active service subsequent to the effective date of this Act, such father or mother becomes in fact dependent on such member for over one-half of his or her support.

"SEC. 2. For the duration of this Act, the last sentence of section 403(a) of title 37, United States Code, is suspended.

"SEC. 3. For the duration of this Act, section 403(a) of title 37, United States Code, is amended by striking out that portion of the table therein which prescribes monthly basic allowances for quarters for enlisted members, and inserting the following new table in place thereof:

"'Pay grade	Not over 2 dependents	Over 2 dependents
E-9	$77.10	$96.90
E-8	77.10	96.90
E-7	77.10	96.90
E-6	77.10	96.90
E-5	77.10	96.90
E-4	77.10	96.90
E-3	$51.30	$77.10
E-2	51.30	77.10
E-1	51.30	77.10

"SEC. 4. (a) Subject to section 403 of title 37, United States Code, enlisted members of the uniformed services without dependents shall be entitled to a basic allowance for quarters at the rate of $51.30 per month.

"(b) The payment of the basic allowance for quarters provided in section 403(a) of title 37, United States Code, for enlisted members with dependents shall be made only for such periods as the enlisted member has in effect an allotment of pay not less than the sum of the basic allowance for quarters to which he is entitled plus $40 (or in the case of enlisted members in pay grades E-4 and E-5, $60; or in the case of enlisted members in pay grades E-6, E-7, E-8, and E-9, $80), for the support of the dependent or dependents on whose account the allowance is claimed: *Provided*, That such allotment shall not be required, (1) for the calendar month in which such member enters on active duty in a pay status if the allotment is effective from the following month; (2) for the calendar month in which such member is discharged, if not immediately reenlisted; (3) for the calendar month in which such member is released from active duty; (4) for the calendar month in which dependency ceases; (5) for the calendar month in which dependency commences if the allotment is effective from the following month; (6) for the calendar month in which such member is assigned to quarters for himself and his dependents or for the calendar month in which such assignment is terminated: *Provided further*, That such allotment may be initiated, continued, modified, or discontinued in accordance with such regulations as may be prescribed by the Secretary of the Department concerned: *And provided further*, That the minimum allotment required for any month shall be based on the lowest rate of basic allowance for quarters to which the member is entitled and the lowest pay grade in which the member is serving during such month.

"(c) The allotment required by subsection (b) of this section shall be paid to or on behalf of such dependent or dependents as may be specified by the enlisted member concerned, subject to such regulations as the Secretary concerned may prescribe.

"(d) Any delay in initiating an allotment as required by this section shall not invalidate entitlement to basic allowance for quarters, provided that such allotment is made retroactive for such period as the member may elect to claim the allowance for his dependent or dependents. If the Secretary concerned finds that such delay was caused by the exigencies of the service, he may waive the allotment requirement, or the additional increment thereto, as applicable, for such retroactive period.

"(e) The entitlement to the basic allowance for quarters provided for in this section shall be substantiated in such manner and in accordance with such regulations as the Secretary concerned may prescribe."

AMENDMENTS TO PUBLIC HEALTH SERVICE ACT

SEC. 11. The Public Health Service Act is amended as follows:

(1) Section 206(a) (42 U.S.C. 207(a)) is amended by striking out the words ", with the same pay and allowances,", ", with the pay and allowances thereof", and ", with the pay and allowances thereof,", wherever they appear.

(2) Section 210(g) (42 U.S.C. 211(g)) is amended by striking out the word "pay" in clauses (1) and (2) thereof and inserting the words "basic pay" in place thereof.

(3) Section 208(b) (42 U.S.C. 210(b)) is amended by striking out the first sentence and the words "Such officers," in the second sentence and inserting the words "Commissioned officers on active duty" in place thereof.

SAVINGS AND SEVERABILITY PROVISIONS

SEC. 12. (a) In sections 1-11 of this Act, it is the legislative purpose to restate, without substantive change, the law replaced by those sections on the effective date of this Act. However, laws effective after January 9, 1962, that are inconsistent with this Act, shall be considered as superseding it to the extent of the inconsistency.

(b) References that other laws, regulations, and orders make to the replaced law shall be considered to be made to the corresponding provisions of sections 1-11 of this Act.

(c) Actions taken under the replaced law shall be considered to have been taken under the corresponding provisions of sections 1-11 of this Act.

(d) If a part of this Act is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of this Act is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications.

(e) The enactment of this Act does not increase or decrease the pay or allowances, including retired or retainer pay, of any person.

RESTATEMENT OF SUSPENDED OR TEMPORARILY SUPERSEDED PROVISIONS

SEC. 13. If on the effective date of this act, a provision of law that is restated in this act and repealed by section 14 would have been in a suspended or temporarily superseded status but for its repeal, the provisions of this act that restate that provision have the same suspended or temporarily superseded status.

REPEAL PROVISIONS

SEC. 14. The following laws are repealed except with respect to rights and duties that matured, penalties that were incurred, and proceedings that were begun before the effective date of this act and except as provided in section 12:

SCHEDULE OF LAWS REPEALED

a. Revised Statutes

R.S.	United States Code		R.S.	United States Code	
Section	Title	Section	Section	Title	Section
1189	37	310b	1574	37	243
1288	37	242	1575	37	244

b. Statutes at Large

Statutes at Large			United States Code			
Date	Chapter	Section	Volume	Page	Title	Section
1896						
Dec. 20	2		24	351	37	308a.
1898						
Apr. 26	191	7 (less last proviso)	30	365	37	235a.
1906						
June 12	3078	(10th par. under "Philippine Scouts").	34	248	37	310a.
1907						
Mar. 4	2918	1 (10th par. under "Coast and Geodetic Survey").	34	1322	33	862.
1920						
Mar. 6	94	1 (3d par. under "Public Health Service").	41	507	37	4a.
May 18	190	11 (words before 1st semicolon).	41	603	33	860.
1926						
May 8	274		44	417	37	26a.
1935						
Apr. 9	54	Title I (words before 2d semicolon of 2d proviso of 1st par. under "Pay, and so forth of the Army").	49	125	37	9a, 10a.
1940						
Oct. 17	899		54	1205	37	19a.
1941						
June 3	166		55	240	37	29b.
Aug. 21	360		55	686	37	17a.
1942						
June 5	340	4(e) [added]				Uncodified
1944						
June 22	288	2	58	392	37	117a.
July 1	373	213	58	689	42	214.
Do	373	219(b) [added]			42	210-1(b).
Do	373	219(c) (last sentence) [added].			42	210-1(c).
Do	373	219(d) (as applicable to (c) (last sentence)) [added].			42	210-1(d).
1945						
July 2	227		59	316	37	111a.
July 3	263		59	370	42	206c.
Oct. 6	393	9(c)	59	542	37	298a.
1946						
Feb. 12	6	4	60	5		Uncodified
Feb. 18	30	(1st proviso under "General provision")	60	20	37	118a-1.
June 29	523	6, 7	60	345	37	115a.
Aug. 2	756	3, 20	60	833, 855	37	117a-1, 257.
Aug. 9	931		60	963	37	31a, 32, 33a, 34-37.
1947						
July 26	344		61	510	37	34, 35.
Aug. 4	475		61	748	37	33, 33a, 38.
Aug. 7	512	302(f)	61	830		Uncodified
1948						
Feb. 28	83	5 (e) and (f)	62	40, 41	42	210a.
June 19	541		62	306	37	32, 35.
1949						
Aug. 17	452		63	611	37	30.
Oct. 5	691		63	793	37	310c, 310d.
Oct. 12	681	(Less sec. 202 (proviso of (d)), and less secs. 207, 507, 511, 513, 518, 521, 522, 523, and 531).	63	802	37	231-237, 239-241, 251-256, 256a, 301-305, 308-310, 314, 315, 324.
1950						
Apr. 26	105		64	88	37	34.
June 2	217		64	194	37	31a(c), 308a.
June 21	342		64	249	37	351-354.
June 29	405	102	64	288	37	323.
Aug. 9	654	1, 2 (2d par., last sentence of 3d par., and 4th par., as applicable to last sentence of 3d par.).	64	426	42	210(b), 210-1(b)-(d).
Sept. 8	922	1, 4, 9	64	794, 795, 798	37	231, 252, 315.
1950						
Sept. 23	988		64	978	37	31a.
1951						
Nov. 1	664	1309	65	757	37	323.
1952						
May 19	310	(Less sec. 4)	66	79	37	232, 251, 252, 308, 309, 321, 322.
June 25	499		66	156	37	234.
July 9	608	244	66	494	37	301.
1955						
Mar. 23	8	(As applicable to sec. 102(g) of the act of Oct. 12, 1949, ch. 681 (63 Stat. 893)).	67	6	37	231.
June 29	158	8	67	80	37	234.
Aug. 1	305	605	67	349	5	174a.
Do	305	617	67	352	37	251a.
Do	305	640	67	356	37	253a.
Aug. 7	340	1300	67	437	8	59c.
1954						
June 30	432	729	68	355	37	237a.
July 16	535	2	68	488	37	239.
Aug. 28	1047		68	915	37	372a-372c.
Sept. 1	1211	2 (13th par.)	68	1126	40	491(m).
1955						
Mar. 31	20	(Less secs. 2(15) and 5)	69	18	37	232, 235, 236, 253, 308, 322a.
June 21	172	1	69	169	53	862.
June 30	250	103 (as applicable to secs. 102(g) of the act of Oct. 12, 1949, ch. 681 (63 Stat. 894)), 203.	69	224, 225	37	231, 234.
Aug. 5	571		69	532	37	253.
Aug. 11	800		69	691	37	253.
1956						
Apr. 27	211	2(a)	70	116	42	214.
Apr. 30	223	2, 5	70	121, 122	37	233, 234.
June 13	383		70	275	37	253.
July 24	682		70	625	37	33.
Aug. 10	1041	20, 23	70A	627, 630	37	31a, 232, 251, 254, 255, 301.
1957	*Public Law*					
Aug. 28	85-208		71	484	37	235.
Do	85-272	4	71	597	37	224.
1958						
Mar. 17	85-347		72	73	37	253.
May 20	85-422	1, 5	72	122, 129	37	33, 232, 233, 237, 240, 241, 252, 254.
Sept. 2	85-861	10, 11, 33(d)(2), (f)	72	1558, 1567, 1568	37	38, 251, 255, 256a.
1959						
Mar. 23	86-4	3 (as applicable to sec. 102(g) of the act of Oct. 12, 1949, ch. 681 (63 Stat. 894)), 5.	73	13	37	231, 234.
Aug. 7	86-145		73	297	37	252, 253.
1960						
June 29	86-533	1(9)	74	247	37	37.
June 30	86-559	8	74	282	37	301.
July 12	86-635		74	469	37	235.
Do	86-637		74	471	37	253.
Do	86-638		74	471	37	253.
1961						
July 25	87-163	1 (as applicable to sec. 208 of the act of Oct. 12, 1949, ch. 681, as added (64 Stat. 893)).	75	219	37	239.
Aug. 17	87-140		75	341	37	253(c).
Do	87-145		75	382	37	236, 235(a), (c).
Aug. 25	87-164		75	401	37	301(b).
Aug. 30	87-188		75	416	37	310c-1, 310d.
Sept. 14	87-253	3	75	507	37	254(c).
Sept. 26	87-304	9(b)	75	665	33	862.
Oct. 4	87-374		75	804	37	253(c).

SCHEDULE OF LAWS REPEALED

c. Sections of title 10, United States Code

(1) Section 142(d).

(2) Section 555(a) (column headed "Pay Grade").

(3) Section 2772.

(4) Section 3263(b).

(5) Section 3536(b).

(6) Section 3632.

(7) Section 3633.

(8) Section 3636.

(9) Section 3689.

(10) Section 4837 (less (d)).

(11) Section 5062.

(12) Section 5064(b) (the words ", pay, allowances,").

(13) Section 5064(c) (last sentence).

(14) Section 5111(b) (the words "pay, allowances, and").

(15) Section 5133(a) (last 20 words of 1st sentence, and last 13 words of last sentence).

(16) Section 5134.

(17) Section 5138(b) (the words "pay, allowances, and").

(18) Section 5142 (last sentence).

(19) Section 5145(c) (last 12 words).

(20) Section 5148(b) (the words ", pay, allowances,").

(21) Section 5149(a) (last sentence).

(22) Section 5150(c) (the words ", pay, allowances,").

(23) Section 5150(d) (last sentence).

(24) Section 5202(a) (last sentence).

(25) Section 5505(c).

(26) Section 5507.

(27) Section 5539(b).

(28) Section 5597(h) (last sentence).

(29) Section 5775.

(30) Section 5787(h) (last sentence).

(31) Section 5787b(c).

(32) Section 5788(c).

(33) Section 5907.

(34) Section 5908(a) (last sentence).

(35) Section 6111.

(36) Section 6112.

(37) Section 6141.

(38) Section 6142.

(39) Section 6143.

(40) Section 6144.

(41) Section 6145.

(42) Section 6146.

(43) Section 6147.

(44) Section 6221(b).

(45) Section 6222(e).

(46) Section 6224.

(47) Section 6406(b).

(48) Section 6904 (b) and (c).

(49) Section 6905(b) and (c).

(50) Section 6906(c) (1st sentence).

(51) Section 6915(f).

(52) Section 6969(b) (less last sentence).

(53) Section 8263(b).

(54) Section 8632.

(55) Section 8633.

(56) Section 8636.

(57) Section 8689.

(58) Section 9837 (less (d)).

d. Sections of title 14, United States Code

(1) Section 462.

(2) Section 464.

(3) Section 465.

(4) Section 485(c).

(5) Section 495.

(6) Section 758a(f).

e. Sections of title 32, United States Code

(1) Section 303(c).

SEC. 15. This Act shall take effect on November 1, 1962.

The SPEAKER. The Clerk will report the committee amendments.

The Clerk read as follows:

Page 12, line 5, in paragraph "(6)", strike out "January 1, 1961" and insert in place thereof, "January 10, 1962".

Page 13, line 4 (the first line of paragraph "(d)"), strike out "period" and insert in place thereof "periods".

Page 56, line 32 (the first line of paragraph "(a)" of section 1007), strike out "or" and insert in place thereof "of".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

CODIFICATION OF POSTAL LAWS

The Clerk called the bill (H.R. 10432) to amend title 39, United States Code, to codify certain recent public laws relating to the postal service and to improve the Code.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

(The bill reads as follows:)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the definition of "revenue of the Department" contained in section 1 of title 39, United States Code, is amended by striking out the period at the end thereof and by inserting in lieu thereof a semicolon and the following:

"(v) commissions on toll telephones located in buildings under the custody of the Department;

"(vi) amounts collected from officers and employees of the Department on account of payments to them by courts of witness fees and allowances for expenses of travel and subsistence in cases in which they have been subpenaed to testify in private litigation in their official capacities or to produce official records;

"(vii) money recovered or collected on account of loss of first-class domestic registered matter which is not restored to the original owners."

SEC. 2. (a) Chapter 3 of title 39, United States Code, is amended by inserting immediately following "§ 308. Chief Postal Inspector." the following new section:

"§ 308a. Judicial Officer

"A Judicial Officer, appointed by the Postmaster General, shall perform such quasi-judicial duties as the Postmaster General may designate. He shall be the agency for the purposes of the requirements of the Administrative Procedure Act, as amended (chapter 19 of title 5), to the extent that functions are delegated to him by the Postmaster General."

(b) The analysis of chapter 3, preceding section 301 of title 39, United States Code, is amended by inserting after

"308. Chief Postal Inspector."

the following item:

"308a. Judicial Officer."

SEC. 3. Section 3334(a) of title 39, United States Code, is amended by inserting after "positions" the words "of clerk and carrier."

SEC. 4. Section 3541 of title 39, United States Code, is amended by striking out subsection (h).

SEC. 5. The Postal Field Service Schedule contained in section 3542(a) of title 39, United States Code, is amended to read as follows:

"Postal field service schedule

"Level	Per annum rates and steps						
	1	2	3	4	5	6	7
1	$3,415	$3,545	$3,675	$3,805	$3,935	$4,065	$4,195
2	3,670	3,805	3,940	4,075	4,210	4,345	4,480
3	3,955	4,100	4,245	4,390	4,535	4,680	4,825
4	4,345	4,505	4,665	4,825	4,985	5,145	5,305
5	4,605	4,765	4,925	5,085	5,245	5,405	5,565
6	4,975	5,150	5,325	5,500	5,675	5,850	6,025
7	5,370	5,555	5,740	5,925	6,110	6,295	6,480
8	5,790	5,995	6,200	6,405	6,610	6,815	7,020
9	6,255	6,490	6,705	6,930	7,155	7,380	7,605
10	6,870	7,110	7,350	7,590	7,830	8,070	8,310
11	7,560	7,820	8,080	8,340	8,600	8,860	9,120
12	8,320	8,605	8,890	9,175	9,460	9,745	10,030
13	9,160	9,470	9,780	10,090	10,400	10,710	11,020
14	10,075	10,410	10,745	11,080	11,415	11,750	12,085
15	11,075	11,440	11,805	12,170	12,535	12,900	13,265
16	12,205	12,570	12,935	13,300	13,665	14,030	14,395
17	13,505	13,870	14,235	14,600	14,965	15,330	15,695
18	15,165	15,525	15,885	16,245	16,605	16,965	16,965
19	16,585	16,945	17,095				
20	17,200						

SEC. 6. (a) The Rural Carrier Schedule contained in section 3543(a) of title 39, United States Code, is amended to read as follows:

"Rural carrier schedule

	"Per annum rates and steps						
	1	2	3	4	5	6	7
Carriers in rural delivery service:							
Fixed compensation per annum	$2,053	$2,132	$2,211	$2,290	$2,369	$2,448	$2,527
Compensation per mile per annum for each mile up to 30 miles of route	71	73	75	77	79	81	83
For each mile of route over 30 miles	24	24	24	24	24	24	24
Temporary carriers in rural delivery service on routes to which no regular carrier is assigned:							
Fixed compensation per annum	2,053						
Compensation per mile per annum for each mile up to 30 miles of route	71						
For each mile of route over 30 miles	24						
Temporary carriers in rural delivery service on routes having regular carriers absent without pay or on military leave	(1)	(1)	(1)	(1)	(1)	(1)	(1)
Substitute carriers in rural delivery service on routes having carriers absent with pay	(1)	(1)	(1)	(1)	(1)	(1)	(1)

1 "Basic compensation for the regular carrier."

(b) Subsection (c) of section 3543 is amended by striking out "$5,165 during the period referred to in section 3541(h) of this title, and $5,035 thereafter" and by inserting in lieu thereof "the basic salary for the maximum step in the Rural Carrier Schedule for a route sixty-one miles in length".

SEC. 7. The Fourth Class Office Schedule contained in section 3544(a) of title 39, United States Code, is amended to read as follows:

"Fourth-class office schedule

"Gross receipts	Per annum rates and steps						
	1	2	3	4	5	6	7
$1,300 to $1,499.99	$2,979	$3,078	$3,177	$3,276	$3,375	$3,474	$3,573
$900 to $1,299.99	2,730	2,820	2,910	3,000	3,090	3,180	3,270
$600 to $899.99	2,234	2,309	2,384	2,459	2,534	2,609	2,684
$350 to $599.99	1,737	1,794	1,851	1,908	1,965	2,022	2,079
$250 to $349.99	1,242	1,282	1,322	1,362	1,402	1,442	1,482
$200 to $249.99	993	1,025	1,057	1,089	1,121	1,153	1,185
$100 to $199.99	745	769	793	817	841	865	889
Under $100	495	511	527	543	559	575	591"

SEC. 8. Subsection (b) of section 3551, title 39, United States Code, is amended to read as follows:

"(b) The Postmaster General may appoint any employee of the legislative branch whose compensation is disbursed by the Secretary of the Senate or the Clerk of the House of Representatives, and who has completed two or more years of service as such an employee, and any Member of the Senate or House of Representatives who has completed two or more years of service as such a Member, to any position in the postal field service and may fix his initial rate of compensation at the minimum rate of the appropriate level of the basic salary schedule applicable to the position, or at any step of that level that does not exceed the highest previous rate of compensation received by him during his service in the legislative branch."

SEC. 9. Section 3552 of title 39, United States Code, is amended by adding at the end thereof a new subsection (c), as follows:

"(c) Any increase in basic salary granted by law after July 9, 1960, is not to be an equivalent increase in basic salary within the meaning of subsection (a) of this section."

SEC. 10. Section 4007 of title 39, United States Code, exclusive of the catchline, is amended to read as follows:

"(a) In preparation for or during the pendency of proceedings under sections 4005 and 4006 of this title, the United States district court in the district in which the defendant receives his mail shall, upon application therefor by the Postmaster General and upon a showing of probable cause to believe the statute is being violated, enter a temporary restraining order and preliminary injunction pursuant to rule 65 of the Federal Rules of Civil Procedure directing the detention of the defendant's incoming mail by the postmaster pending the conclusion of the statutory proceedings and any appeal therefrom. The district court may provide in the order that the detained mail be open to examination by the defendant and such mail be delivered as is clearly not connected with the alleged unlawful activity. An action taken by a court hereunder does not affect or determine any fact at issue in the statutory proceedings.

"(b) This section does not apply to mail addressed to publishers of publications which have entry as second class matter, or to mail addressed to the agents of those publishers."

SEC. 11. (a) Section 4157 of title 39, United States Code, is repealed.

(b) The analysis of chapter 57 immediately preceding section 4151 is amended by striking out

"4157. Report to Congress by Postmaster General."

SEC. 12. Subsection (c) of section 4452 of title 39, United States Code, is amended by striking out "six cents" and by inserting in lieu thereof "3½ cents".

SEC. 13. Section 4554 of title 39, United States Code, exclusive of the catchline, is amended to read as follows:

"(a) Except as provided in subsection (b) of this section, the regular third or fourth class postage rates, or the rate of 9 cents a pound for the first pound or fraction thereof and 5 cents for each additional pound or fraction thereof, whichever is the lower rate, is the postage rate on—

"(1) books permanently bound for preservation, consisting wholly of reading matter or scholarly bibliography or reading matter with incidental blank spaces for notations and containing no advertising matter other than incidental announcement of books;

"(2) 16-millimeter films and 16-millimeter film catalogs except when sent to commercial theaters;

"(3) printed music, whether in bound form or in sheet form;

"(4) printed objective test materials and accessories thereto used by or in behalf of educational institutions in the testing of ability, aptitude, achievement, interests, and other mental and personal qualities with or without answer, test scores, or identifying information recorded thereon in writing, or by mark;

"(5) sound recordings;

"(6) manuscripts for books, periodicals and music; and

"(7) printed educational reference charts, permanently processed for preservation.

"(b)(1) Matter designated in paragraph (2) of this subsection may be mailed at the regular third or fourth class postage rates, or at the rate of 4 cents for the first pound or fraction thereof and 1 cent for each additional pound or fraction thereof when loaned or exchanged (including cooperative processing by libraries) between—

"(A) schools, colleges, or universities;

"(B) public libraries, religious, educational, scientific, philanthropic, agricultural, labor, veterans', or fraternal organizations or associations, not organized for profit and none of the net income of which inures to the benefit of any private stockholder or individual, or between such organizations and their members, readers or borrowers.

"(2) The materials mailable under the rates prescribed in paragraph (1) of this subsection are—

"(A) books consisting wholly of reading matter or scholarly bibliography or reading matter with incidental blank spaces for notations and containing no advertising matter other than incidental announcements of books;

"(B) printed music, whether in bound form or in sheet form;

"(C) bound volumes of academic theses in typewritten or other duplicated form;

"(D) periodicals, whether bound or unbound;

"(E) sound recordings; and

"(F) other library materials in printed, duplicated, or photographic form or in the form of unpublished manuscripts.

"(3) Before being entitled to the preferential rates under this subsection, the Postmaster General may require an organization or association to furnish satisfactory evidence to him that none of the net income inures to the benefit of any private stockholder or individual.

"(c) 16-millimeter films, filmstrips, transparencies for projection, slides, microfilms, sound recordings, scientific or mathematical kits, instruments or other devices, catalogs of such materials, and guides or scripts prepared solely for use with such materials may be mailed at the rates prescribed in subsection (b)(1) of this section when sent to or from the institutions, organizations, or associations listed in (A) and (B) of subsection (b)(1).

"(d) The limit of weight on parcels mailed under this section is 70 pounds.

"(e) The postage rates prescribed in this section shall continue until otherwise provided by the Congress."

SEC. 14. Paragraph (5) of subsection (b) of section 4552 of title 39, United States Code, is amended by striking out "the Territory of Hawaii".

SEC. 15. Subsection (a) of section 4553 of title 39, United States Code, is amended by striking out "the Territory of Hawaii."

SEC. 16. (a) Chapter 81 of title 39, United States Code, is amended by adding the following new section:

"§ 5013. Return receipts for certified mail

"The courts shall receive return receipts for the delivery of certified mail as prima facie evidence of delivery to the same extent as return receipts for registered mail."

(b) The analysis of chapter 81, preceding section 5001 of title 39, United States Code, is amended by adding the following item:

"5013. Return receipts for certified mail."

SEC. 17. Section 6202 of title 39, United States Code, exclusive of the catchline, is amended to read as follows:

"This chapter applies to mail transportation performed by a railroad by rail or combination of rail and vessel, or by motor vehicle as provided by section 6213 of this title."

SEC. 18. Subsection (c) of section 6303 of title 39, United States Code, is amended by striking out "the Territory of Hawaii and".

SEC. 19. Paragraph (1) of subsection (a) of section 6409 of title 39, United States Code, is amended by striking out "the Territory of Hawaii,".

SEC. 20. The schedule of laws repealed in section 12(c) of the Act of September 2, 1960, Public Law 86-682 (74 Stat. 709-730), is amended as follows: (1) in the "U.S. Code" title column corresponding to the Act of March 4, 1913, chapter 142, insert "51", and in the "U.S. Code" section of the same item, insert "57"; (2) in the "U.S. Code" section column corresponding to section 1 of the Act of April 9, 1958, Public Law 85-371, insert "272a"; and (3) in the "U.S. Code" section column corresponding to section 7 of the Act of April 9, 1958, insert "272a note".

SEC. 21. The first paragraph of section 8 of title 17, United States Code, as amended, is further amended to read as follows:

"No copyright shall subsist in the original text of any work which is in the public domain, or in any work which was published in this country or any foreign country prior to July 1, 1909, and has not been already copyrighted in the United States, or in any publication of the United States Government, or any reprint, in whole or in part, thereof, except that the Postmaster General may secure copyright on behalf of the United States in the whole or any part of the publications authorized by section 2506 of title 39."

SEC. 22. Orders, rules, and regulations in effect under provisions of law superseded or amended by this Act shall, to the extent they would have been authorized under this Act, remain in force and effect as the regulations and orders under the provisions of this Act and shall be administered and enforced under this Act as nearly as may be until specifically repealed, amended, or revised.

SEC. 23. (a) This Act shall become effective on November 1, 1962.

(b) The sections or parts thereof of the Statutes at Large enumerated in the following schedule are hereby repealed. Rights or liabilities existing on November 1, 1962, under the sections or parts thereof repealed are not affected by this repeal:

Statutes at large					United States Code, 1952 edition	
Date	Chapter	Section	Volume	Page	Title	Section
1872—June 8	335	15	17	287	5	363
1874—Mar. 3	46		18	19	5	363

Statutes at large					United States Code, 1952 edition	
Date	Public Law	Section	Volume	Page	Title	Section
1959—June 23	86-56		73	80	39	290a-1.
July 31	86-122	2	73	[1] 268	39	991.
		3	73	[2] 268		
Aug. 18	86-160	1, 2	73	390	39	782, 784.
1960—June 11	86-507	2	74	204	39	233.
July 1	86-568	101	74	296		
		102	74	296	39	971.
		103	74	296	39	972.
		104	74	297	39	973.
		105	74	[3] 297	39	981.
July 14	86-644		74	479	39	292a.
	86-673		74	553	39	250b, 250c.
	86-676		74	554		

[1] Only subsec. (b) of sec. 2.
[2] Only subsecs. (b) and (c) of sec. 3.
[3] Only subsecs. (b), (c), and (d) of sec. 105.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

CODIFICATION OF ARMED FORCES LAW

The Clerk called the bill (H.R. 10433) to amend title 10, United States Code, to codify recent military laws, and to improve the Code.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

(The bill reads as follows:)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I. AMENDMENTS TO TITLE 10, UNITED STATES CODE, TO INCORPORATE RECENT LAWS

SEC. 101. The second sentence of section 280 of title 10, United States Code, is amended by striking out "513," and "742,".

SEC. 102. (a) Chapter 39 of title 10, United States Code, is amended by adding after section 686:

"§ 687. Non-Regulars: readjustment payment upon involuntary release from active duty

"(a) Except for members covered by subsection (b), a member of a reserve component or a member of the Army or the Air Force without component who is released from active duty involuntarily, or because he was not accepted for an additional tour of active duty for which he volunteered after he had completed a tour of active duty, and who has completed, immediately before his release, at least five years of continuous active duty as a commissioned officer, warrant officer, or enlisted member, is entitled to a readjustment payment computed by multiplying his years of active service, but not more than 18, by one-half of one months' basic pay of the grade in which he is serving at the time of his release. For the purposes of this subsection—

"(1) a period of active duty is continuous if it is not interrupted by a break in service of more than 30 days;

"(2) a part of a year that is six months or more is counted as a whole year, and a part of a year that is less than six months is disregarded; and

"(3) a period for which the member concerned has received severance pay under another provision of law may not be included.

"(b) Subsection (a) does not apply to—

"(1) a member who is released from active duty at his request;

"(2) a member who is released from active duty for training;

"(3) under regulations to be prescribed by the Secretary of Defense, or by the Secretary of the Treasury with respect to the Coast Guard when it is not operating as a service in the Navy, a member who is released from active duty because of moral or professional dereliction;

"(4) a member who, upon release from active duty, is immediately eligible for retired pay or retainer pay based entirely on his military service;

"(5) a member who, upon release from active duty, is immediately eligible for severance pay based on his military service and who elects to receive that severance pay; or

"(6) a member who, upon release from active duty, is immediately eligible for disability compensation under a law administered by the Veterans' Administration and who elects to receive that disability compensation.

However, this subsection does not prevent a member who elects to receive a readjustment payment under this section from becoming entitled to disability compensation based on his service performed after he makes that election.

"(c) A member to whom a readjustment payment is made under this section is not entitled to mustering-out pay under the Mustering-Out Payment Act of 1944 (58 Stat. 8), the Veterans' Readjustment Assistance Act of 1952 (66 Stat. 663), or chapter 43 of title 38. If he was paid mustering-out pay under one of those provisions before he became entitled to a readjustment payment under this section, the amount of that mustering-out pay shall be deducted from the amount to which he is entitled under this section.

"(d) Any readjustment payment to which a member becomes entitled under this section shall be reduced by the amount of any previous payment made to him under this section that he has not repaid to the United States. If he has repaid that amount to the United States, the period covered by it shall be treated as a period for which a payment has not been made under this section.

"(e) A member's acceptance of a readjustment payment under this section does not affect his entitlement to retired pay, retainer pay, or other retirement benefits from the United States."

(b) Chapter 39 of title 10, United States Code, is further amended by adding at the end of the analysis:

"687. Non-Regulars: readjustment payment upon involuntary release from active duty."

SEC. 103. (a) Chapter 41 of title 10, United States Code, is amended by redesignating section 716, relating to the participation of members of the armed forces in international sports, as section "717".

(b) Chapter 41 of title 10, United States Code, is further amended by redesignating item 716 of the analysis as item "717".

SEC. 104. Clauses (11) and (12) of section 802 of title 10, United States Code, are amended by inserting "Guam," after "Puerto Rico,".

SEC. 105. Section 1006(e) of title 10, United States Code, is amended by striking out "section 1391 of title 50" and inserting in place thereof "section 787 of title 14".

SEC. 106. (a) Chapter 53 of title 10, United States Code, is amended by adding after section 1038:

"§ 1039. Appointment of warrant officer to commissioned grade

"A permanent warrant officer may be appointed in any commissioned grade without vacating his permanent warrant officer grade and without affecting any right, privilege, benefit, or promotion status to which he is entitled or eligible as a permanent warrant officer."

(b) Chapter 53 of title 10, United States Code, is further amended by adding at the end of the analysis:

"1039. Appointment of warrant officer to commissioned grade."

SEC. 107. (a) Section 1163 of title 10, United States Code, is amended by adding at the end:

"(d) Under regulations to be prescribed by the Secretary concerned, which shall be as uniform as practicable, a member of a reserve component who is on active duty and is within two years of becoming eligible for retired pay or retainer pay under a purely military retirement system, may not be involuntarily released from that duty before he becomes eligible for that pay, unless his release is approved by the Secretary."

(b) Chapter 59 of title 10, United States Code, is amended by adding after section 1167:

"§ 1168. Discharge or release from active duty: limitations

"(a) A member of an armed force may not be discharged or released from active duty until his discharge certificate or certificate of release from active duty, respectively, and his final pay or a substantial part of that pay, are ready for delivery to him or his next of kin or legal representative.

"(b) This section does not prevent the immediate transfer of a member to a Veterans' Administration facility for necessary hospital care."

(c) Chapter 59 of title 10, United States Code, is further amended by adding at the end of the analysis:

"1168. Discharge or release from active duty: limitations."

SEC. 108. (a) Section 1201, 1202, and 1203 of title 10, United States Code, are amended by striking out "training) under section 270(b) of this title" and inserting in place thereof "training under section 270(b) of this title)".

(b) Section 1211(d) of title 10, United States Code, is amended by striking out ", (2), or (3)" in clause (1) and inserting "or (2)" in place thereof and by striking out "(5)" in clause (2) and inserting "(4)" in place thereof.

(c) Sections 1218 and 1219 of title 10, United States Code, are amended to read as follows:

"§ 1218. Discharge or release from active duty: claims for compensation, pension, or hospitalization

"(a) A member of an armed force may not be discharged or released from active duty because of physical disability until he—

"(1) has made a claim for compensation, pension, or hospitalization, to be filed with the Veterans' Administration, or has refused to make such a claim; or

"(2) has signed a statement that his right to make such a claim has been explained to him, or has refused to sign such a statement.

"(b) A right that a member may assert after failing or refusing to sign a claim, as provided in subsection (a), is not affected by that failure or refusal.

"(c) This section does not prevent the immediate transfer of a member to a Veterans' Administration facility for necessary hospital care.

"§ 1219. Statement of origin of disease or injury: limitations

"A statement against his interests, signed by a member of an armed force, relating to the origin, incurrence, or aggravation of a disease or injury that he has is invalid. In addition, a member may not be compelled to sign a statement relating to the origin, incurrence, or aggravation of a disease or injury that he has."

(d) Section 1220 of title 10, United States Code, is repealed.

(e) Chapter 61 of title 10, United States Code, is amended by striking out of the analysis:

"1218. Explanation of rights before discharge.

"1219. Statement against interest void.

"1220. Location of accredited representatives at military installations."

and inserting in place thereof:

"1218. Discharge or release from active duty: claims for compensation, pension, or hospitalization.

"1219. Statement of origin of disease or injury: limitations."

SEC. 109. Section 1334(b) of title 10, United States Code, is amended to read as follows:

"(b) Time spent after retirement (without pay) for failure to conform to standards and qualifications prescribed under section 1001 of this title may not be credited in a computation of years of service under this chapter."

SEC. 110. Section 1405 of title 10, United States Code, is amended by striking out "6391(h), 6394(g)(2)" and inserting in place thereof "6394(h)."

SEC. 111. (a) Sections 1553 and 1554 of title 10, United States Code, are amended to read as follows:

"§ 1553. Review of discharge or dismissal

"(a) The Secretary concerned shall, after consulting the Administrator of Veterans' Affairs, establish a board of review, consisting of five members, to review the discharge or dismissal (other than a discharge or dismissal by sentence of a general court-martial) of any former member of an armed force under the jurisdiction of his department upon its own motion or upon the request of the former member or, if he is dead, his surviving spouse, next of kin, or legal representative. A motion or request for review must be made within 15 years after the date of the discharge or dismissal.

"(b) A board established under this section may, subject to review by the Secretary concerned, change a discharge or dismissal, or issue a new discharge, to reflect its findings.

"(c) A review by a board established under this section shall be based on the records of the armed forces concerned and such other evidence as may be presented to the board. A witness may present evidence to the board in person or by affidavit. A person who requests a review under this section may appear before the board in person or by counsel or an accredited representative of an organization recognized by the Administrator of Veterans' Affairs under chapter 59 of title 38.

"§ 1554. Review of retirement or separation without pay for physical disability

"(a) The Secretary concerned shall from time to time establish boards of review, each consisting of five commissioned officers, two of whom shall be selected from officers of the Army Medical Corps, officers of the Navy Medical Corps, Air Force officers designated as medical officers, or officers of the Public Health Service, as the case may be, to review, upon the request of an officer retired or released from active duty without pay for physical disability, the findings and decisions of the retiring board, board of medical survey, or disposition board in his case. A request for review must be made within 15 years after the date of the retirement or separation.

"(b) A board established under this section has the same powers as the board whose findings and decision are being reviewed. The findings of the board shall be sent to the Secretary concerned, who shall submit them to the President for approval.

"(c) A review by a board established under this section shall be based upon the records of the armed forces concerned and such other evidence as may be presented to the board. A witness may present evidence to the board in person or by affidavit. A person who requests a review under this section may appear before the board in person or by counsel or an accredited representative of an organization recognized by the Administrator of Veterans' Affairs under chapter 59 of title 38."

(b) Chapter 79 of title 10, United States Code, is amended by striking out of the analysis:

"1553. Review of discharges and dismissals.

"1554. Review of decisions of retiring boards and similar boards."

and inserting in place thereof:

"1553. Review of discharge or dismissal.

"1554. Review of retirement or separation without pay for physical disability."

SEC. 112. (a) Section 2633 of title 10, United States Code, is amended to read as follows:

"§ 2633. Stevedoring and terminal services: vessels carrying cargo or passengers sponsored by military department

"(a) Notwithstanding section 628 of title 31, the Secretary of a military department may, under such regulations as he may prescribe, furnish stevedoring and terminal services and facilities to vessels carrying cargo, or passengers, or both, sponsored by his department.

"(b) The furnishing of services and facilities under this section shall be at fair and reasonable rates.

"(c) The proceeds from furnishing services and facilities under this section shall be paid to the credit of the appropriation or fund out of which the services or facilities were supplied."

(b) Chapter 157 of title 10, United States Code, is amended by adding after section 2633:

"§ 2634. Motor vehicles: for members on permanent change of station

"When a member of the Army, Navy, Marine Corps, or Air Force is ordered to make a permanent change of station, one motor vehicle owned by him and for his personal use may be transported to his new station at the expense of the United States—

"(1) on a vessel owned by the United States; or

"(2) by privately owned American shipping services."

(c) Chapter 157 of title 10, United States Code, is further amended by striking out of the analysis:

"2633. Terminal Services, furnish to commercial steamship companies."

and inserting in place thereof:

"2633. Stevedoring and terminal services: vessels carrying cargo or passengers sponsored by military department.

"2634. Motor vehicles: for members on permanent change of station."

SEC. 113. (a) Section 2672 of title 10, United States Code, is amended—

(1) by striking out "$5,000" wherever it appears and inserting in place thereof "$25,000"; and

(2) by striking out "determines is urgently" in clause (1) and inserting in place thereof "or his designee determines is".

(b) Section 2674(a) of title 10, United States Code, is amended by adding at the end: "However, a determination that a project is urgently needed is not required for a project costing not more than $5,000."

(c) Chapter 159 of title 10 of United States Code, is amended by adding at the end after section 2678:

"§ 2679. Representatives of veterans' organizations: use of space and equipment

"(a) Upon certification to the Secretary concerned by the Administrator of Veterans' Affairs, the Secretary shall allow accredited, paid, full-time representatives of the organizations named in section 3402 of title 38, or of other organizations recognized by the Administrator, to function on military installations under the jurisdiction of that Secretary that are on land and from which persons are discharged or released from active duty.

"(b) The commanding officer of each of those military installations shall allow the representatives described in subsection (a) to use available space and equipment at that installation.

"(c) The regulations prescribed to carry out this section that are in effect on January 1, 1958, remain in effect until changed by joint action of the Secretary concerned and the Administrator.

"(d) This section does not authorize the violation of measures of military security.

"§ 2680. Reimbursement of owners of property acquired for public works projects for moving expenses

"(a) Under regulations approved by the Secretary of Defense and without regard to sections 1001 and 1003—1011 of title 5, the Secretary of a military department, or his designee, may, upon application by the owners and the tenants of land to be acquired for a public works project of his department, reimburse those owners and tenants for those expenses, losses, or damages that he determines to be fair and reasonable and that are incurred by them as a direct result of moving themselves and their families and possessions because of that acquisition. However, application for reimbursement must be made within one year after that acquisition or within one year after the property is vacated, whichever date is later, and be accompanied by an itemized statement of the expenses, losses, and damages incurred.

"(b) The total payments under this section with respect to a parcel of land may not be more than 25 percent of the fair value of that land, as determined by the Secretary of the military department concerned. They are in addition to, but may not duplicate, any other payments that may be made under law as a result of acquisition of that land.

"(c) Any funds appropriated for civil or military public works may be used to make payments under this section."

(d) Chapter 159 of title 10, United States Code, is further amended by striking out of the analysis:

"2672. Acquisition: interests in land when cost is not more than $5,000."

and inserting in place thereof:

"2672. Acquisition: interests in land when cost is not more than $25,000."

and by adding the following at the end of the analysis:

"2679. Representatives of veterans' organizations: use of space and equipment.

"2680. Reimbursement of owners of property acquired for public works projects for moving expenses."

SEC. 114. (a) Chapter 163 of title 10, United States Code, is amended by inserting after section 2734:

"§ 2734a. Property loss; personal injury or death: incident to noncombat activities of Department of Army, Navy, or Air Force; foreign countries; international agreements

"(a) Under an international agreement to which the United States is a party that provides that claims against the United States arising out of the acts or omissions in the performance of official duty in a foreign country of a civilian employee of a military department, or a member of the Army, Navy, Marine Corps, or Air Force, as the case may be, may be adjudicated by that country under its laws and regulations, the Secretary of Defense may—

"(1) reimburse that country for the agreed pro rata share of such amounts as are spent by that country to pay those claims, including the costs of settlement or arbitration; or

"(2) pay that country the agreed pro rata share of claims arising out of damage to the property of that country, including the costs of settlement or arbitration.

"(b) A claim arising out of an act of an enemy of the United States or arising, directly or indirectly, from an act of the armed forces, or a member thereof, while engaged in combat may not be considered or paid under this section.

"(c) A reimbursement or payment under this section shall be made by the Secretary of Defense out of appropriations for that purpose. Those appropriations may be used to buy foreign currencies needed for the reimbursement.

"§ 2734b. Property loss; personal injury or death: incident to activities of armed forces of foreign countries in United States

"(a) Where an international agreement to which the United States is a party provides that claims against a foreign country arising out of the acts or omissions in the performance of official duty in the United States, or a Territory, Commonwealth, or possession, of a civilian employee, or member, of the armed forces of that country, be adjudicated by the United States under its laws and regulations subject to an agreed pro rata reimbursement, those claims may be prosecuted against the United States, or settled by the United States, under then existing laws and regulations as if the acts or omissions upon which they are based were the acts or omissions in the performance of official duty of a civilian employee of a military department, or a member of the Army, Navy, Marine Corps, or Air Force.

"(b) When a dispute arises in the settlement or adjudication of a claim under this section whether an act or omission was in the performance of official duty, or whether the use of a vehicle of the armed forces was authorized, the dispute shall be decided under the international agreement with the foreign country concerned. Such a decision is final and conclusive. The Secretary of Defense may pay that part of the cost of obtaining such a decision that is chargeable to the United States under that agreement.

"(c) A claim arising out of an act of an enemy of the United States may not be considered or paid under this section.

"(d) A payment under this section shall be made by the Secretary of Defense out of appropriations for that purpose."

(b) Chapter 163 of title 10, United States Code, is amended by inserting in the analysis:

"2734a. Property loss; personal injury or death: incident to noncombat activities of Department of Army, Navy, or Air Force; foreign countries; international agreements.

"2734b. Property loss; personal injury or death; incident to activities of armed forces of foreign countries in United States."

SEC. 115. Sections 3034(d), 5081(c), 5201(d), and 8034(d)(4) of title 10, United States Code, are amended by striking out "pursuant to section 202(j) of the National Security Act of 1947, as amended" and inserting in place thereof "under section 124 of this title".

SEC. 116. Section 3853(1) of title 10, United States Code, is amended by striking out "23" and inserting in place thereof "22".

SEC. 117. Chapter 373 of title 10, United States Code, is amended—

(1) by repealing section 4023.

(2) by striking out of the analysis:

"4023. Service club and library services."

SEC. 118. The last two sentences of sections 4337 and 9337 of title 10, United States Code, are amended to read as follows: "The chaplain is entitled to the same allowances for public quarters as are allowed to a captain, and to fuel and light for quarters in kind. The chaplain may be reappointed."

SEC. 119. Sections 4621 (a) and (b) and 9621 (a) and (b) of title 10, United States Code, are amended by striking out "sections 172–172j of title 5" and inserting in place thereof "section 2208 of this title".

SEC. 120. Chapter 447 of title 10, United States Code, is amended—

(1) by repealing section 4748.

(2) by striking out of the analysis:

"4748. Motor vehicles: for members on permanent change of station."

SEC. 121. Section 5081 of title 10, United States Code, is amended by striking out subsection (e).

SEC. 122. Section 5082 of title 10, United States Code, is amended—

(1) by inserting the designation "(a)" before the words "In order that";

(2) by striking out of clauses (1)(A) and (2)(A) "as defined in section 5081 of this title"; and

(3) by adding at the end:

"(b) As used in this section, 'operating forces' means the several fleets, sea-going forces, sea-frontier forces, district forces, and such of the shore establishment of the Navy and other forces and activities as may be assigned thereto by the President or the Secretary of the Navy."

SEC. 123. Section 6033(a) of title 10, United States Code, is amended by striking out "Except for the purposes of sections 231–319 of title 37" and inserting in place thereof "Except as otherwise specifically provided".

SEC. 124. (a) Section 6148(e)(2) of title 10, United States Code, is amended to read as follows:

"(2) section 331 of title 38;".

(b) Section 6157 of title 10, United States Code, is repealed.

(c) Chapter 561 of title 10, United States Code, is amended by striking out of the analysis:

"6157. Motor vehicles: transportation on permanent change of station."

SEC. 125. Section 6954(a)(8) of title 10, United States Code, is amended by striking out "Railroad" and inserting in place thereof "Canal".

SEC. 126. Section 7230 of title 10, United States Code, is amended to read as follows:

"§ 7230. Sale of degaussing equipment

"(a) To promote the installation, repair, and maintenance of degaussing equipment on vessels registered under the laws of the United States, the Secretary of the Navy may, under such regulations as he may prescribe, sell degaussing equipment that is available from Navy stocks, but that is not readily available commercially, to owners or operators of privately owned merchant ships of United States registry.

"(b) Sales under this section shall be at prices representing the current or estimated replacement cost to the Navy.

"(c) The proceeds of sales under this section shall be paid to the credit of the current appropriation or fund concerned."

SEC. 127. Section 8352(a) of title 10, United States Code, is amended by striking out the second sentence.

SEC. 128. The table in section 8991 of title 10, United States Code, is amended by striking out "8962(c)" in footnote 1 and inserting in place thereof "8962(b)".

SEC. 129. Chapter 873 of title 10, United States Code, is amended—

(1) by repealing section 9023; and

(2) by striking out of the analysis:

"9023. Service club and library services."

SEC. 130. Chapter 947 of title 10, United States Code, is amended—

(1) by repealing section 9748; and

(2) by striking out of the analysis:

"9748. Motor vehicles: for members on permanent change of station."

TITLE II. TRANSFER TO TITLE 10 OF PROVISIONS IN TITLE 5 RELATING TO ORGANIZATION OF DEPARTMENT OF DEFENSE

SEC. 201. (a) Chapter 3 of title 10, United States Code, is amended by inserting after section 123:

"§ 124. Combatant commands: establishment; composition; functions; administration and support

"(a) With the advice and assistance of the Joint Chiefs of Staff, the President, through the Secretary of Defense, shall—

"(1) establish unified combatant commands or specified combatant commands to perform military missions; and

"(2) shall prescribe the force structure of those commands.

"(b) The military departments shall assign forces to combatant commands established under this section to perform the missions of those commands. A force so assigned is under the full operational command of the commander of the command to which it is assigned. It may be transferred from the command to which it is assigned only by authority of the Secretary and under procedures prescribed by the Secretary with the approval of the President. A force not so assigned remains, for all purposes, in the military department concerned.

"(c) Combatant commands established under this section are responsible to the President and to the Secretary for such military missions as may be assigned to them by the Secretary with the approval of the President.

"(d) Subject to the authority, direction, and control of the Secretary, each military department is responsible for the administration of forces assigned by that department to combatant commands established under this section. The Secretary shall assign the responsibility for the support of forces assigned to those commands to one or more of the military departments.

"§ 125. Functions, powers, and duties: transfer, reassignment, consolidation, or abolition

"(a) Subject to section 401 of title 50, the Secretary of Defense shall take appropriate action (including the transfer, reassignment, consolidation, or abolition of any function, power, or duty) to provide more effective, efficient, and economical administration and operation, and to eliminate duplication, in the Department of Defense. However, except as provided by subsections (b) and (c), a

function, power, or duty vested in the Department of Defense, or an officer, official, or agency thereof, by law may not be substantially transferred, reassigned, consolidated, or abolished unless the Secretary reports the details of the proposed transfer, reassignment, consolidation, or abolition to the Committees on Armed Services of the Senate and House of Representatives. The transfer, reassignment, consolidation, or abolition concerned takes effect on the first day after the expiration of the first 30 days that Congress is in continuous session after the Secretary so reports, unless either of those committees, within that period, reports a resolution recommending that the proposed transfer, reassignment, consolidation, or abolition be rejected by the Senate or the House of Representatives, as the case may be, because it—

"(1) proposes to transfer, reassign, consolidate, or abolish a major combatant function, power, or duty assigned to the Army, Navy, Marine Corps, or Air Force by section 3062(b), 5012, 5013, or 8062(c) of this title; and

"(2) would, in its judgment, tend to impair the defense of the United States;

"If either of those Committees, within that period, reports such a resolution and it is not adopted by the Senate or the House of Representatives, as the case may be, within the first 40 days that Congress is in continuous session after that resolution is so reported, the transfer, reassignment, consolidation, or abolition concerned takes effect on the first day after the expiration of the 40-day period. For the purposes of this subsection, a session may be considered as not continuous only if broken by an adjournment of Congress sine die. However, in computing the period that Congress is in continuous session, days that the Senate or the House of Representatives is not in session because of an adjournment of more than three days to a day certain are not counted.

"(b) Notwithstanding subsection (a) if the President determines it to be necessary because of hostilities or an imminent threat of hostilities, any function, power, or duty, including one assigned to the Army, Navy, Marine Corps, or Air Force by section 3062(b), 5012, 5013, or 8062(c) of this title, may be transferred, reassigned, or consolidated. The transfer, reassignment, or consolidation remains in effect until the President determines that hostilities have terminated or that there is no longer an imminent threat of hostilities, as the case may be.

"(c) Notwithstanding subsection (a), the Secretary of Defense may assign or reassign the development and operational use of new weapons or weapons systems to one or more of the military departments or one or more of the armed forces.

"(d) In subsection (a)(1), 'major combatant function, power, or duty' does not include a supply or service activity that is performed by more than one military department. The Secretary of Defense shall, whenever he determines it will be more effective, economical, or efficient, provide for the performance of such an activity by one agency or such other organizations as he considers appropriate.

"§ 126. Transfer of funds and employees

"(a) When a function, power, or duty or an activity of a department or agency of the Department of Defense is transferred or assigned to another department or agency of that department, balances of appropriations that the Secretary of Defense determines are available and needed to finance or discharge that function, power, duty, or activity, as the case may be, may with the approval of the President, be transferred to the department or agency to which that function, power, duty, or activity, as the case may be, is transferred, and used for any purpose for which those appropriations were originally available. Balances of the appropriations so transferred shall—

"(1) be credited to any applicable appropriation account of the receiving department or agency; or

"(2) be credited to a new account that may be established on the books of the Department of the Treasury;

and be merged with the funds already credited to that account and accounted for as one fund. Balances of appropriations credited to an account under clause (1) are subject only to such limitations as are specifically applicable to that account. Balances of appropriations credited to an account under clause (2) are subject only to such limitations as are applicable to the appropriations from which they are transferred.

"(b) When a function, power, or duty or an activity of a department or agency of the Department of Defense is transferred to another department or agency of that department, those civilian employees of the department or agency from which the transfer is made that the Secretary of Defense determines are needed to perform that function, power, or duty, or for that activity, as the case may be, may, with the approval of the Director of the Bureau of the Budget, be transferred to the department or agency to which that function, power, duty, or activity, as the case may be, is transferred. The authorized strength in civilian employees of a department or agency from which employees are transferred under this section is reduced by the number of employees so transferred. The authorized strength in civilian employees of a department or agency to which employees are transferred under this section is increased by the number of employees so transferred."

(b) Chapter 3 of title 10, United States Code, is further amended by adding at the end of the analysis:

"124. Combatant commands: establishment; composition; functions; administration and support.

"125. Functions, powers, and duties: transfer, reassignment, consolidation, or abolition.

"126. Transfer of funds and employees."

SEC. 202. Subtitle A of title 10, United States Code, is amended by adding after chapter 3:

"Chapter 4.—Department of Defense

"Sec.

"131. Executive department.

"132. Seal.

"133. Secretary of Defense: appointment; powers and duties; delegation by.

"134. Deputy Secretary of Defense: appointment; powers and duties; precedence.

"135. Director of Defense Research and Engineering: appointment; powers and duties; precedence.

"136. Assistant Secretaries of Defense: appointment; powers and duties; precedence.

"137. General Counsel: appointment; powers and duties.

"§ 131. Executive department

"The Department of Defense is an executive department of the United States.

"§ 132. Seal

"The Secretary of Defense shall have a seal for the Department of Defense. The design of the seal is subject to approval by the President. Judicial notice shall be taken of the seal.

"§ 133. Secretary of Defense: appointment; powers and duties; delegation by

"(a) There is a Secretary of Defense, who is the head of the Department of Defense, appointed from civilian life by the President, by and with the advice and consent of the Senate. A person may not be appointed as Secretary of Defense within ten years after relief from active duty as a commissioned officer of a regular component of an armed force.

"(b) The Secretary is the principal assistant to the President in all matters relating to the Department of Defense. Subject to the direction of the President and to this title and section 401 of title 50, he has authority, direction, and control over the Department of Defense.

"(c) The Secretary shall report annually in writing to the President and the Congress on the expenditures, work, and accomplishments of the Department of Defense during the period covered by the report, together with—

"(1) a report from each military department on the expenditures, work, and accomplishments of that department;

"(2) itemized statements showing the savings of public funds, and the eliminations of unnecessary duplications, made under section 125 of this title;

"(3) a report from the Reserve Forces Policy Board on the reserve programs of the Department of Defense, including a review of the effectiveness of chapters 51, 337, 361, 363, 549, 573, 837, 861, and 863 of this title, as far as they apply to reserve officers; and

"(4) such recommendations as he considers appropriate.

"(d) Unless prohibited by law, the Secretary may, without being relieved of his responsibility, perform any of his functions or duties, or exercise any of his powers through, or with the aid of, such persons in, or organizations of, the Department of Defense as he may designate.

"§ 134. Deputy Secretary of Defense: appointment; powers and duties; precedence.

"(a) There is a Deputy Secretary of Defense, appointed from civilian life by the President, by and with the advice and consent of the Senate. A person may not be appointed as Deputy Secretary of Defense within ten years after relief from active duty as a commissioned officer of a regular component of an armed force.

"(b) The Deputy Secretary shall perform such duties and exercise such powers as the Secretary of Defense may prescribe. The Deputy Secretary shall act for, and exercise the powers of, the Secretary when the Secretary is absent or disabled.

"(c) The Deputy Secretary takes precedence in the Department of Defense immediately after the Secretary.

"§ 135. Director of Defense Research and Engineering: appointment; powers and duties; precedence

"(a) There is a Director of Defense Research and Engineering, appointed from civilian life by the President, by and with the advice and consent of the Senate.

"(b) The Director is the principal advisor to the Secretary of Defense on scientific and technical matters. He shall—

"(1) supervise all research and engineering activities in the Department of Defense;

"(2) direct, control, assign, and reassign research and engineering activities that the Secretary considers need centralized management; and

"(3) perform such other duties relating to research and engineering as the Secretary may prescribe.

"(c) The Director takes precedence in the Department of Defense after the Secretary of Defense, the Deputy Secretary of Defense, and the Secretaries of the military departments.

"§ 136. Assistant Secretaries of Defense: appointment; powers and duties; precedence

"(a) There are seven Assistant Secretaries of Defense, appointed from civilian life by the President, by and with the advice and consent of the Senate.

"(b) The Assistant Secretaries shall perform such duties and exercise such powers

as the Secretary of Defense may prescribe. In addition, one of the Assistant Secretaries shall be the Comptroller of the Department of Defense and shall, subject to the authority, direction, and control of the Secretary—

"(1) advise and assist the Secretary in performing such budgetary and fiscal functions and duties, and in exercising such budgetary and fiscal powers, as are needed to carry out the powers of the Secretary;

"(2) supervise and direct the preparation of budget estimates of the Department of Defense;

"(3) establish and supervise the execution of principles, policies, and procedures to be followed in connection with organizational and administrative matters relating to—

"(A) the preparation and execution of budgets;

"(B) fiscal, cost, operating, and capital property accounting;

"(C) progress and statistical reporting; and

"(D) internal audit;

"(4) establish and supervise the execution of policies and procedures relating to the expenditure and collection of funds administered by the Department of Defense; and

"(5) establish uniform terminologies, classifications, and procedures concerning matters covered by clauses (1)–(4).

"(c) Except as otherwise specifically provided by law, an Assistant Secretary may not issue an order to a military department unless—

"(1) the Secretary of Defense has specifically delegated that authority to him in writing; and

"(2) the order is issued through the Secretary of the military department concerned, or his designee.

"(d) In carrying out subsection (c) and sections 3010, 3012(b) (last two sentences), 5011 (first two sentences), 5031(a) (last two sentences), 8010, and 8012(b) (last two sentences) of this title, the Secretary of each military department, his civilian assistants, and members of the armed forces under the jurisdiction of his department shall cooperate fully with personnel of the Office of the Secretary of Defense to achieve efficient administration of the Department of Defense and to carry out effectively the authority, direction, and control of the Secretary of Defense.

"(e) The Assistant Secretaries take precedence in the Department of Defense after the Secretary, the Deputy Secretary of Defense, the Secretaries of the military departments and the Director of Defense Research and Engineering.

"§ 137. General Counsel: appointment; powers and duties.

"(a) There is a General Counsel of the Department of Defense, appointed from civilian life by the President, by and with the advice and consent of the Senate.

"(b) The General Counsel is the chief legal officer of the Department of Defense. He shall perform such functions as the Secretary of Defense may prescribe."

SEC. 203. The chapter analysis of subtitle A and the chapter analysis of part I of subtitle A of title 10, United States Code, are amended by inserting the following new item:

"4. Department of defense ..... 131"

SEC. 204. Section 141 of title 10, United States Code, is amended by adding at the end:

"(e) After first informing the Secretary of Defense, a member of the Joint Chiefs of Staff may make such recommendations to Congress relating to the Department of Defense as he may consider appropriate."

SEC. 205. (a) Chapter 41 of title 10, United States Code, is amended by adding after section 717:

"§ 718. Secretary of Defense: detail of officers to assist

"Officers of the armed forces may be detailed for duty as assistants or personal aides to the Secretary of Defense. However, the Secretary may not establish a military staff other than that established by section 141(a) of this title."

(b) Chapter 41 of title 10, United States Code, is further amended by adding at the end of the analysis:

"718. Secretary of Defense: detail of officers to assist."

SEC. 206. (a) Chapter 81 of title 10, United States Code, is amended by inserting before section 1581:

"§ 1580. Appointment generally

"Subject to civil service laws, the Secretary of Defense may appoint, and fix the compensation of, such civilian employees as may be necessary to perform the functions and duties, and exercise the powers, of the Department of Defense, other than those of the military departments."; and

(b) Chapter 81 of title 10, United States Code, is further amended by inserting at the beginning of the analysis:

"1580. Appointment generally."

SEC. 207. (a) Chapter 131 of title 10, United States Code, is amended by adding after section 2202:

"§ 2203. Budget estimates

"To account for, and report, the cost of performance of readily identifiable functional programs and activities, with segregation of operating and capital programs, budget estimates of the Department of Defense shall be prepared, presented, and justified where practicable, and authorized programs shall be administered, in such form and manner as the Secretary of Defense, subject to the authority and direction of the President, may prescribe. As far as practicable, budget estimates and authorized programs of the military departments shall be uniform and in readily comparable form.

"§ 2204. Obligation of appropriations

"To prevent overdrafts and deficiencies in the fiscal year for which appropriations are made, appropriations made to the Department of Defense or to a military department, and reimbursements thereto, are available for obligation and expenditure only under scheduled rates of obligation, or changes thereto, that have been approved by the Secretary of Defense. This section does not prohibit the Department of Defense from incurring a deficiency that it has been authorized by law to incur.

"§ 2205. Availability of reimbursements

"Reimbursements made to appropriations of the Department of Defense or a department or agency thereof under section 686 of title 31, or other amounts paid by or on behalf of a department or agency of the Department of Defense to another department or agency of the Department of Defense for services rendered or supplies furnished, may be credited to authorized accounts. Funds so credited are available for obligation for the same period as the funds in the account so credited. Such an account shall be accounted for as one fund on the books of the Department of the Treasury.

"§ 2206. Disbursement of funds of military department to cover obligation of another agency of Department of Defense

"As far as authorized by the Secretary of Defense, a disbursing officer of a military department may, out of available advances, make disbursements to cover obligations in connection with any function, power, or duty of another department or agency of the Department of Defense and charge those disbursements on vouchers, to the appropriate appropriation of that department or agency. Disbursements so made shall be adjusted in settling the accounts of the disbursing officer.

"§ 2207. Expenditure of appropriations: limitation

"Money appropriated to the Department of Defense may not be spent under a contract other than a contract for personal services unless that contract provides that—

"(1) the United States may, by written notice to the contractor, terminate the right of the contractor to proceed under the contract if the Secretary concerned or his designee finds, after notice and hearing, that the contractor, or his agent or other representative, offered or gave any gratuity, such as entertainment or a gift, to an officer, official, or employee of the United States to obtain a contract or favorable treatment in the awarding, amending, or making of determinations concerning the performance, of a contract; and

"(2) if a contract is terminated under clause (1), the United States has the same remedies against the contractor that it would have had if the contractor had breached the contract and, in addition to other damages, is entitled to exemplary damages in an amount at least three, but not more than ten, as determined by the Secretary or his designee, times the cost incurred by the contractor in giving gratuities to the officer, official, or employee concerned.

The existence of facts upon which the Secretary makes findings under clause (1) may be reviewed by any competent court.

"§ 2208. Working-capital funds

"(a) To control and account more effectively for the cost of programs and work performed in the Department of Defense, the Secretary of Defense may require the establishment of working-capital funds in the Department of Defense to—

"(1) finance inventories of such supplies as he may designate; and

"(2) provide working-capital funds for such industrial-type activities, and such commercial-type activities that provide common services within or among departments and agencies of the Department of Defense, as he may designate.

"(b) Upon the request of the Secretary of Defense, the Secretary of the Treasury shall establish working-capital funds established under this section on the books of the Department of the Treasury.

"(c) Working-capital funds shall be charged, when appropriate, with the cost of—

"(1) supplies that are procured or otherwise acquired, manufactured, repaired, issued, or used; and

"(2) services or work performed;

including applicable administrative expenses, and be reimbursed from available appropriations or otherwise credited for those costs, including applicable administrative expenses and costs of using equipment.

"(d) The Secretary of Defense may provide capital for working-capital funds by capitalizing inventories. If this method does not, in the determination of the Secretary of Defense, provide adequate amounts of working capital, such amounts as may be necessary may be appropriated for that purpose.

"(e) Subject to the authority and direction of the Secretary of Defense, the Secretary of each military department shall allocate responsibility for its functions, powers, and duties to accomplish the most economical and efficient organization and operation of the activities, and the most economical and efficient use of the inventories, for which working-capital funds are authorized by this section.

"(f) A purchaser may not incur a cost for supplies drawn from inventories, or services or work performed by industrial-type or commercial-type activities for which working-capital funds may be established under this section, that is more than the amount of appropriations or other funds available for those purposes.

"(g) The appraised value of supplies returned to working-capital funds by a department, activity, or agency may be charged to that fund. The proceeds thereof shall be credited to current applicable appropriations and are available for expenditure for the same purposes that those appropriations are so available. Credits may not be made to appropriations under this subsection as the result of capitalization of inventories under subsection (d).

"(h) The Secretary of Defense shall prescribe regulations governing the operation of activities and use of inventories authorized by this section. The regulations may, if the needs of the Department of Defense require it and it is otherwise authorized by law, authorize supplies to be sold to, or services to be rendered or work performed for, persons outside the Department of Defense. Working-capital funds shall be reimbursed for supplies so sold, services so rendered, or work so performed by charges to applicable appropriations or payments received in cash.

"(i) An annual report shall be made to the President and to Congress on the condition and operation of working-capital funds established under this section.

"§ 2209. Management funds

"(a) To conduct economically and efficiently the operations of the Department of Defense that are financed by at least two appropriations but whose costs cannot be immediately distributed and charged to those appropriations, there is the Army Management Fund, the Navy Management Fund, and the Air Force Management Fund, each within its respective department and under the direction of the Secretary of that department. Each such fund shall consist of a corpus of $1,000,000 and such amounts as may be appropriated thereto from time to time. An account for an operation that is to be financed by such a fund may be established only with the approval of the Secretary of Defense.

"(b) Under such regulations as the Secretary of Defense may prescribe, expenditures may be made from a management fund for material (other than for stock), personal services, and services under contract. However, obligation may not be incurred against that fund if it is not chargeable to funds available under an appropriation of the department concerned or funds of another department or agency of the Department of Defense. The fund shall be promptly reimbursed from those funds for expenditures made from it.

"(c) Notwithstanding any other provision of law, advances, by check or warrant, or reimbursements, may be made from available appropriations to a management fund on the basis of the estimated cost of a project. As adequate data becomes available, the estimated cost shall be revised and necessary adjustments made. Final adjustment shall be made with the appropriate funds for the fiscal year in which the advances or reimbursements are made. Except as otherwise provided by law, amounts advanced to management funds are available for obligation only during the fiscal year in which they are advanced.

"§ 2210. Proceeds of sales of supplies: credit to appropriations

"(a) Current applicable appropriations of the Department of Defense may be credited with proceeds of the disposals of supplies that are not financed by stock funds established under section 2208 of this title.

"(b) Obligations may, without regard to fiscal year limitations, be incurred against anticipated reimbursements to stock funds in such amounts and for such period as the Secretary of Defense, with the approval of the Director of the Bureau of the Budget, may determine to be necessary to maintain stock levels consistently with planned operations for the next fiscal year.

"§ 2211. Reimbursement for equipment, material, or services furnished members of the United Nations

"Amounts paid by members of the United Nations for equipment or materials furnished, or services performed, in joint military operations shall be credited to appropriate appropriations of the Department of Defense in the manner authorized by section 1782(c) of title 22."

(b) Chapter 131 of title 10, United States Code, is further amended by adding at the end of the analysis:

"2203. Budget estimates.
"2204. Obligation of appropriations.
"2205. Availability of reimbursements.
"2206. Disbursement of funds of military department to cover obligation of another agency of Department of Defense.
"2207. Expenditure of appropriation: limitation.
"2208. Working-capital funds.
"2209. Management funds.
"2210. Proceeds of sales of supplies: credit to appropriations.
"2211. Reimbursement for equipment, material, or services furnished members of the United Nations."

SEC. 208. (a) Chapter 139 of title 10, United States Code, is amended by adding after section 2357:

"§ 2358. Research projects

"(a) Subject to approval by the President, the Secretary of Defense or his designee may engage in basic and applied research projects that are necessary to the responsibilities of the Department of Defense in the field of basic and applied research and development and that relate to weapons systems and other military needs. Subject to approval by the President, the Secretary or his designee may perform assigned research and development projects—

"(1) by contract with educational or research institutions, private businesses, or other agencies of the United States;

"(2) through one or more of the military departments; or

"(3) by using employees and consultants of the Department of Defense.

"(b) The Secretary or his designee may engage in such advanced projects as—

"(1) are necessary to the responsibilities of the Department of Defense in the field of basic and applied research and development; and

"(2) relate to weapons systems and military needs; as the Secretary, after consulting the Joint Chiefs of Staff, may determine. The Secretary may assign to the military departments the duty to engage in research and development of weapons systems necessary to perform combatant functions assigned by law to those departments.

"(c) The Secretary shall assign weapons systems that are developed to one or more of the military departments for such production and operational control as he may determine."

(b) Chapter 139 of title 10, United States Code, is further amended by adding at the end of the analysis:

"2358. Research projects."

SEC. 209. (a) Chapter 159 of title 10, United States Code, is amended by adding after section 2680:

"§ 2681. Construction or acquisition of family housing and community facilities in foreign countries

"(a) In addition to family housing and to community facilities that otherwise may be constructed or acquired by the Department of Defense, the Secretary of Defense may, with the approval of the Director of the Bureau of the Budget, construct, or acquire by lease or otherwise, family housing to be occupied as public quarters, and community facilities, in foreign countries by using foreign currencies that have a value of not more than $250,000,000 and that were acquired under sections 1691-1724 of title 7 or through other commodity transactions of the Commodity Credit Corporation.

"(b) The Department of Defense shall pay the Commodity Credit Corporation, from appropriations otherwise available for payment of quarters allowances for members of the armed forces and from appropriate allotments or rental charges for civilian employees, amounts equal to quarters allowances or allotments otherwise payable to, or rental charges collected from, persons occupying housing constructed or acquired under this section, less amounts equal to the costs of maintenance and operation of that housing. However, the total payments so made may not be more than the dollar value of the foreign currencies used for housing constructed or acquired under this section.

"(c) The Secretary of Defense shall report to the Committees on Armed Services of the Senate and House of Representatives on the fifteenth day of January, April, July, and October of each year—

"(1) the cost, number, and location of housing units constructed or acquired under this section during the three-month period covered by the report; and

"(2) the cost, number, and location of housing units that are intended to be constructed or acquired under this section during the following three-month period."

(b) Chapter 159 of title 10, United States Code, is further amended by adding at the end of the analysis:

"2681. Construction or acquisition of family housing and community facilities in foreign countries."

SEC. 210. (a) Chapter 303 of title 10, United States Code, is amended by inserting before section 3011:

"§ 3010. Organization

"The Department of the Army is separately organized under the Secretary of the Army. It operates under the authority, direction, and control of the Secretary of Defense."

(b) Chapter 303 of title 10, United States Code, is further amended by inserting at the beginning of the analysis:

"3010. Organization."

SEC. 211. Sections 3012(b), 5031(a), and 8012(b) of title 10, United States Code, are amended by adding the following at the end thereof: "The Secretary is responsible to the Secretary of Defense for the operation and efficiency of the Department. After first informing the Secretary of Defense, the Secretary may make such recommendations to Congress relating to the Department of Defense as he may consider apropriate."

SEC. 212. The first sentence of section 5011 of title 10, United States Code, is amended to read as follows: "The Department of the Navy is separately organized under the Secretary of the Navy. It operates under the authority, direction, and control of the Secretary of Defense. It is composed of the executive part of the Department of the Navy; the Headquarters, United States Marine Corps; the entire operating forces, including naval aviation, of the United States Navy and of the United States Marine Corps, and the reserve components of those operating forces; and all field activities".

SEC. 213. (a) Chapter 803 of title 10, United States Code, is amended by inserting before section 8011:

"§ 8010. Organization

"The Department of the Air Force is separately organized under the Secretary of the Air Force. It operates under the authority, direction, and control of the Secretary of Defense."

(b) Chapter 803 of title 10, United States Code, is further amended by inserting at the beginning of the analysis:

"8010. Organization."

TITLE III—TECHNICAL PROVISIONS

Amendment to Universal Military Training and Service Act

SEC. 301. Section 4(d)(3) of the Universal Military Training and Service Act, as amended (50 App. U.S.C. 454(d)(3)), is amended to read as follows:

"(3) Each person who, subsequent to June 19, 1951, and on or before August 9, 1955, is inducted, enlisted, or appointed, under any provision of law, in the Armed Forces, including the reserve components thereof, or in the National Security Training Corps, prior to attaining the twenty-sixth anniversary of his birth, shall be required to serve on active training and service in the Armed Forces or in training in the National Security Training Corps, and in a reserve component, for a total period of eight years, unless sooner discharged on the grounds of personal hardship, in accordance with regulations and standards prescribed by the Secretary of Defense (or the Secretary of the Treasury with respect to the United States Coast Guard). Each such person, on release from active training and service in the Armed Forces or from training in the National Security Training Corps, if physically and mentally qualified, shall be transferred to a reserve component of the Armed Forces, and shall serve therein for the remainder of the period which he is required to serve under this paragraph and shall be deemed to be a member of the reserve component during that period. If the Secretary of the Army, the Secretary of the Navy, or the Secretary of the Air Force, or the Secretary of the Treasury with respect to the United States Coast Guard, determines that enlistment, enrollment, or appointment in, or assignment to, an organized unit of a reserve component or an officers' training program of the armed force in which he served is available to, and can, without undue personal hardship, be filled by such a person, that person shall enlist, enroll, or accept appointment in, or accept assignment to, the organized unit or officers' training program, and serve satisfactorily therein."

Separation pay or readjustment pay for reserves on active duty on July 9, 1956

SEC. 302. A member of a reserve component who was serving on active duty on July 9, 1956, under an agreement entered into under section 235 of the Armed Forces Reserve Act of 1952 (66 Stat. 491), if he is involuntarily released from active duty before the expiration of that agreement, may elect to receive either—

(1) the separation pay provided by that section; or

(2) any readjustment payment to which he is entitled under section 687 of title 10, United States Code.

Resolutions relating to transfers, reassignments, consolidations, or abolitions of combatant functions under section 125 of title 10, United States Code

SEC. 303. (a) For the purposes of this section, any resolution reported to the Senate or the House of Representatives pursuant to the provisions of section 125 of title 10, United States Code, shall be treated for the purpose of consideration by either House, in the same manner as a resolution with respect to a reorganization plan reported by a committee within the meaning of the Reorganization Act of 1949 as in effect on July 1, 1958 (5 U.S.C. 133z and the following), and shall be governed by the provisions applicable to the consideration of any such resolution by either House of the Congress as provided by sections 205 and 206 of that Act.

(b) The provisions of this section are enacted by the Congress—

(1) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such they shall be considered as part of the rules of each House, respectively, and supersede other rules only to the extent that they are inconsistent therewith; and

(2) with full recognition of the constitutional right of either House to change the rules (as far as relating to the procedure in that House) at any time, in the same manner and to the same extent as in the case of any other rule of that House.

Compensation of Assistant Secretaries of Navy

SEC. 304. The compensation of each of the Assistant Secretaries of the Navy is $20,000 a year.

Effective dates

SEC. 305. Section 106 of this Act is effective as of August 10, 1956, for all purposes. Section 304 of this Act is effective as of February 6, 1959.

Saving and severability clauses

SEC. 306. (a) Laws becoming effective after January 9, 1962, that are inconsistent with this Act shall be considered as superseding it to the extent of the inconsistency.

(b) References made by other laws, regulations and orders to the laws shall be considered to be made to the corresponding provisions of this Act.

(c) Actions taken under the replaced law shall be considered to have been taken under the corresponding provisions of this Act.

(d) The enactment of this Act, except section 304, does not increase or decrease the pay or allowances, including retired and retainer pay, of any person.

Repeals

SEC. 307. The following laws are repealed except with respect to rights and duties that matured, penalties that were incurred, and proceedings that were begun, before the effective date of this Act:

Schedule of laws repealed

A. STATUTES AT LARGE

Date	Chapter	Section	Volume	Page
1948				
July 3	484		56	645.
1947				
July 26	343	201-204, 302, 308(a) (less applicability to secs. 2, 101-103, 303).	61	499, 500, 507, 509.
1949				
Aug. 10	412	4 (1st 2 pars.), 5, 6, 10(b), 11 (less sec. 411).	63	579-581, 585-590.
1960				
Jan. 6	1213	703	64	1235.
1958				
July 9	608	257(e)	66	497.
July 14	726	401(b)	66	624.
1953				
Aug. 1	305	645 (provisos)	67	357.
1954				
June 30	432	719	68	353.
July 27	579	509(b)	68	562.
Aug. 31	1152		68	1008.
Sept. 1	1210	407	68	1125.
Sept. 3	1257	702(c)	68	1189.
1955				
July 15	368	507, 513(b)	69	350, 352.
1956				
July 9	534		70	517.
Aug. 1	852	23	70	911.
Aug. 3	939	411(a)	70	1017.
Aug. 10	1041	21 (less 1st sentence of sec. 302).	70A	629.

Schedule of laws repealed—Continued

A. STATUTES AT LARGE

Date	Public Law	Section	Volume	Page
1957				
Aug. 30	85-241	405	71	556.
1958				
Feb. 12	85-325	7 (1st par.)	72	13.
Aug. 6	85-599	3(a), (b), 5(b), 9(a) (less last sentence of sec. 202(b)(1)), (b).	72	514-516, 518, 520, 521.
Aug. 20	85-665	510, 511	72	662.
1959				
Sept. 21	86-317	1	73	589.
21	86-324	1	73	596.

B. REORGANIZATION PLAN

Year	Plan No.	Section	Volume	Page
1953	6	4 (1st sentence), 5	67	639.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

Mr. LIBONATI. Mr. Speaker, I ask unanimous consent that these three codification bills be printed in full in the RECORD, in the interest of saving time.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

ADDITIONS TO THE NATIONAL FOREST

The Clerk called the bill (H.R. 9822) to provide that lands within the exterior boundaries of a national forest acquired under section 8 of the act of June 28, 1934, as amended (43 U.S.C. 315g), may be added to the national forest.

Mr. RUTHERFORD. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

DATE OF DISCHARGE FOR FEDERAL PRISONERS

The Clerk called the bill (H.R. 10493) to amend title 18, United States Code, section 4163, relating to discharge of prisoners.

There being no objection, the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4163 of title 18, United States Code, is amended to read as follows: "Except as hereinafter provided a prisoner shall be released at the expiration of his term of sentence less the time deducted for good conduct. A certificate of such deduction shall be entered on the commitment by the warden or keeper. If such release date falls upon a Saturday, a Sunday, or on a Monday which is a legal holiday at the place of confinement, the prisoner may be released at the discretion of the warden or keeper on the preceding Friday. If such release date falls on a holiday which falls other than on a Saturday, Sunday, or Monday, the prisoner may be released

at the discretion of the warden or keeper on the day preceding the holiday."

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

CITY OF PASCO, WASH.

The Clerk called the bill (S. 1756) for the relief of the city of Pasco, Wash.

There being no objection, the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the city of Pasco, Washington, is hereby relieved of all liability to pay to the United States the sum of $3,000, representing the value of approximately 60,000 cubic yards of sand and gravel removed and sold by such city in connection with the development of a portion of a reservoir area (formed by the McNary Dam project) licensed to such city by the United States under the provisions of section 4 of the Act of December 22, 1944, as amended (58 Stat. 889), such city having utilized the total proceeds realized from the disposition of such sand gravel for the construction of a public recreational facility.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The SPEAKER. This concludes the call of the Consent Calendar.

SCROLL AWARDED BY THE NATIONAL COMMITTEE FOR A REPRESENTATIVE CONGRESS TO THE LATE SPEAKER RAYBURN

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, many tributes have been paid our late beloved Sam Rayburn. During his long and active life, countless words of praise were written of him and numberless honors were awarded to this great American. Of all these, I believe those dearest to the heart of this great and simple man came from his friends, the people who knew him as a man, as well as a leader.

Under unanimous consent, I include in the RECORD the text of a testimonial scroll awarded by the National Committee for a Representative Congress to Speaker Rayburn. This is an independent, nonpartisan, citizens' group whose purpose is to recognize and support outstanding public service by Members of Congress. The text was written by Commodore Charles Kress, former mayor of Binghamton, N.Y., and a personal friend of Mr. Rayburn. It reads as follows:

THE NATIONAL COMMITTEE FOR A REPRESENTATIVE CONGRESS, WASHINGTON, D.C.

TO THE HONORABLE SAM RAYBURN—SPEAKER OF THE HOUSE OF REPRESENTATIVES

For an outstanding record of distinguished service as Speaker of the House:

In adhering steadfastly to the principles of representative government;

In rendering highly constructive services to the people of Texas, faithfully and vigorously representing their ideals and objectives, and making many important contributions to the welfare, progress and betterment of that State;

In standing forth as a fighting champion of democracy, determined to make and keep government at all times a true servant of the people; and exercising continual vigilance against legislation not in the best interests of all citizens;

In exerting unceasing efforts to build a strong national defense adequate to protect our Nation against Communist schemes of world conquest, and enable our country to continue leadership in the world struggle for peace, liberty, justice, and a better way of life for all humanity;

In becoming during his congressional career of nearly half a century, the greatest single force in the country for good government, sound legislation, and commonsense in national affairs—exercising vast power wisely, honestly, calmly, making grave and far-reaching decisions always by the simple, forthright rule of what might be good or not be good for America;

In living daily his faith in God, in country, in fellow man, in himself—thus becoming to the Nation a living symbol of America—of America's strength, of America's courage, of America's determination, of America's unselfishness and fair dealing, of America's democracy and individualism. A symbol of all that makes America great—a beloved symbol that makes "Mr. Sam," "Mr. Texas," "Mr. America," all one in the hearts of his fellow countrymen; a living symbol of a good man, a good neighbor, a good citizen, a good public servant, patriotically and wholeheartedly dedicated to faithfully serving America with unselfish disregard of any personal political consequences.

OFFICERS

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Malcolm Currie, secretary, country editor, and publisher.

Fred Hammes, treasurer, CPA, Hammes, Rockefeller & Silloway.

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Dr. Charles R. Wilson, director, Colgate University foreign policy conference.

Commodore Charles Kress, former mayor of Binghamton, N.Y.

LT. COL. JOHN H. GLENN, JR.

Mr. HÉBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. HEBERT. Mr. Speaker, the greatness of man, his wisdom, have a way of emerging from curious quarters. For example, it is quite fitting that greatness should be thrust upon man at lofty altitudes, altitudes such as 200 miles above the crust called earth, from a tiny, metal capsule, man made, and unbelievably containing a man. Here, indeed, was the inherent greatness of man emerging from the cosmos.

Somehow one never ceases to marvel that greatness is by no means confined to the heavens, that it may well spring from comparatively mundane areas. Thus we have learned that the greatness of man is sometimes thrust upon man and it sometimes happens that the aura of the deed itself overshadows the man. And rarely, very rarely, it happens that the man matches the deed. Such was the case of Lt. Col. John H. Glenn, Jr.

None who was present in this Chamber last month when Colonel Glenn addressed us in joint session failed to come away deeply moved by what he heard and saw that day. What we saw was something more than a brave man, yet mortal as you and I. It went without saying that the first American to spin about the earth at 17,000 miles an hour was a man blessed with rare courage, rare skill, and rare devotion to duty.

But I think that perhaps some among us were caught unaware that we would be treated to an extraordinary display of some very basic and quite essential qualities such as the deep-rooted respect of son to his parents, of the unabashed love of a man for his wife, of the deep emotion and warmth that ties a father to his children. What we saw that day was, of course, the emergence of the dignity of man for all to see. Our Nation was moved that day as it has rarely been moved before.

Now from another quarter comes another facet of the greatness of man. This time, however, the quarter is an unexpected one, a comparatively unsung one, a quarter more at the rock bed and grass root level as compared to space.

It starts simultaneously in the news room of a New Orleans newspaper and in the principal's office of a junior high school in that city. An editorial writer has been inspired by the true significance of Colonel Glenn's achievement, and the fertile mind of a junior high school principal gives birth to a priceless idea.

For the RECORD, then, here is an editorial entitled "John Glenn: Symbol of Inspiration," as it appeared in the New Orleans States-Item of March 3, 1962:

JOHN GLENN: SYMBOL OF INSPIRATION

What Lt. Col. John H. Glenn has given to this Nation is turning out to be something considerably more than a great scientific achievement.

The significance in the realm of science of his February 20 orbital flight—a remarkable feat of electronics engineering, technical knowledge, teamwork, training and courage—has been receiving its just attention.

And that significance cannot and should not be minimized.

But along with the success in science scored by Colonel Glenn in his space capsule has come from him another far-reaching contribution to his Nation.

He has given the people of the United States an ideal hero, capturing their affection and firing them with inspiration.

In him they have found a symbol that meets all desirable specifications.

His steely courage, his patience, his physical stamina, his technical skill, his devotion to duty—these traits came home to the Nation as it watched prayerfully the drama of his eventful journey as it appeared on their television screens.

Since successful completion of the mission his ideal qualities have continued to be demonstrated in remarkable abundance.

Though epitomizing bravery, he still had to brush a tear from his eyes when first he greeted his wife after his orbital trip.

To a formal assemblage of the head of his Government's legislative, judicial and executive branches gathered to do him honor, he showed through as a charming, uncomplicated family man, proud of his wife—"the real rock in our family"—and his son and daughter.

A loyal son, he paused in his moment of glory to show respect for his mother and father by introducing them from the audience to the gathering of dignitaries. He said:

"I'd like to have them stand up. If my parents would stand up, please. My dad and mother."

Modest, he has made a point of speaking as "we," always injecting the teamwork of the astronaut group into the picture.

His awareness of patriotism was reflected in his acknowledgment that he gets a "real-hard-to-define feeling down inside when the flag goes by."

Similarly, his religious devotion found expression in the eloquence of his concluding remarks in his address to Congress:

"As our knowledge of this universe in which we live increases may God grant us the wisdom and guidance to use it wisely."

To which we would like respectfully to add: "and grant us more men cast in the mold of John H. Glenn, Jr."

Mr. Speaker, this was the editorial that confirmed the idea churning in the mind of Joseph Abraham, Jr., principal of the Samuel J. Peters Junior High School in New Orleans.

I interject here that Joe Abraham is an American whose dedication to his country is exceeded by no man. He is a man who all his life has felt that "real-hard-to-define feeling down inside" and Joe Abraham is proud of it. Blessed are we indeed to have such a man in the position of teaching and inspiring Americans' hopes for tomorrow.

To those of us in New Orleans who know him well, it came as no surprise that Joe Abraham would send the following letter to the President:

MARCH 9, 1962.

THE PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: John Glenn's space achievement has also placed basic American ideals and sentiments back into proper orbit.

That is the point of view concisely stated by the New Orleans States-Item, March 3, 1962, in an editorial entitled "John Glenn: Symbol of Inspiration."

I take the liberty of attaching, for your perusal, a copy of this excellent article.

I am also sufficiently emboldened by both the adventure and the editorial to suggest that you declare a John Glenn Day for the purpose of allowing the elementary school children and the high school and college youth of America to hear the astronaut express directly to them, via nationwide TV simulcast, the Americanism ideals he has previously stated on various occasions.

It is my belief that the youth of America, already given a spiritual lift by the epochal flight, would benefit immeasurably by uniting across the continent during school hours to listen to "John Glenn: Symbol of Inspiration."

Sincerely and respectfully,
JOSEPH ABRAHAM, Jr.,
Principal.

Mr. Speaker, I commend this wonderful idea to the President.

I envision the day—and the sooner the better—when parents all across our land will carry their portable television sets into every schoolroom in the United States. I envision the day when all the children of America give pause to hear the message of a man who moved a nation.

I call on the best brains of Madison Avenue, on the U.S. Information Agency, on the television networks, on every single television station in the country, to unite so that the greatness of the American ideal can be hammered home into the hearts of our youth as never before.

Never was it more needed and never was this God-given opportunity more at hand. Let us act so that on one chosen day John Glenn can move the boys and girls of America as he moved this Congress.

FEDERAL TRADE COMMISSION'S TACTICS QUESTIONED

Mr. SCHERER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and include a statement and two editorials.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. SCHERER. Mr. Speaker, there has been considerable discussion within recent months relating to the conduct of the business of our administrative agencies. Certain criticisms have been widespread, and indeed the executive branch has, as we know, instituted reviews and studies of the procedures and powers of these agencies with a view toward correcting such abuses and deficiencies as may appear. There are, I believe, pressing problems which touch closely on our liberties and our economy.

My office has been in receipt of several complaints that I cannot ignore, and which appear to be typical of the problems suggested in reports from other sources. Most recently, there has been brought to my attention a situation involving a company in my home district. On March 14, a statement was publicly rendered by Kroger Co., in Indianapolis, Ind., with respect to a Federal Trade Commission investigation involving that company. Kroger Co., one of America's pioneer retail food companies which operates stores in 22 States, maintains its general office in Cincinnati, Ohio, which is a district I have the honor to represent. The Kroger Co. in this matter is supported by strong and thought-provoking editorials from both of Indianapolis' fine newspapers, the Indianapolis Star and the Indianapolis News. I append the Kroger statement and the two editorials following my remarks.

Now I by no means wish to inject myself into the legal merits of this investigation or its proceedings. That is not the purpose of my remarks, nor would I think it proper to do so. I call this statement and these editorials to the attention of the House rather as an illustration or symptomatic of an underlying disorder that is apparently afflicting administrative action. The import of these editorials to which I have referred is serious. Appropriate committees of the House should make further inquiry into the administrative agency procedures, with a view toward determining whether legislation is called for in an effort to solve some of these difficult situations and to put an end to the violations of basic constitutional rights by administrative agencies which are more and more taking over the functions of our courts and in so doing, nonelected employees are acting as prosecutor, judge and jury. The statement and editorials follow:

STATEMENT OF THE KROGER CO. IN FTC INVESTIGATION FILE NO. 621 0823

On the advice of counsel I would now like to read the following statement which represents the position of the Kroger Co. with respect to this proceeding:

I am superintendent of the Kroger Co. Indianapolis dairy. I am appearing as a witness for the Kroger Co. to testify and produce documents, in response to subpena of this Commission. As an individual witness, I am appearing in substitution for Mr. Joseph B. Hall, pursuant to the agreement of the Commission, as stated by its counsel on this record.

The Kroger Co. objects to the conduct of this investigation as prescribed by the presiding attorney and as specified in a press release of February 28, 1962, issued by the Federal Trade Commission, on the following grounds:

1. It is unauthorized by the Federal Trade Commission Act.

2. It is contrary to the rules of practice of the Commission itself when viewed in their full text and is contrary in particular to rule 1.133 of the Commission.

3. It is prohibited by the due process clause of the Bill of Rights to the Constitution of the United States.

4. It is in conflict with the controlling decisions of the courts of the United States, including the Supreme Court of the United States.

5. Apart from the foregoing considerations, there has been no showing of any Commission order purporting to authorize the public conduct of this investigation.

This investigation is expressly described as an inquiry into the legality of the conduct of the Kroger Co., according to the statement of the presiding attorney at this hearing and according to the subpena issued by the Commission in this investigation. Many witnesses are to be heard besides the Kroger Co. The investigation is being conducted in public, although the Commission concedes that it has no reason to believe that Kroger has committed any violation of law. It is therefore a public adversary proceeding in which Kroger is for practical purposes in the position of a defendant.

Yet the presiding attorney insists that Kroger's counsel may not participate in this public proceeding except to the limited extent of advising Kroger witnesses, off the record. He insists that Kroger's counsel may not object to questions on grounds of relevance, competence, or materiality; may not cross-examine or introduce evidence; and may not even make any statements of any kind on the record. On the contrary, when Kroger counsel has attempted to speak, the presiding attorney has directed the reporter to go off the record, while directing that the response of Commission's counsel shall be taken down on the record.

There are no provisions in any statute authorizing the Federal Trade Commission to conduct adversary investigations of this type in public. Nor is there anything in the rules of practice of the Commission itself which permits public exposure of any information obtained in the course of any investigation into the conduct of any person who has not been charged with any violation of law. To the contrary, the Commission's own rules of practice dictate that information so obtained shall be held in confidence and the statute precludes the publication of trade secrets.

Under the governing authorities, therefore, Kroger's counsel advises that the Commission can conduct an adversary investigation concerning the legality of the conduct of the Kroger Co., only in a private proceeding.

The construction of the statute and rules by Kroger's counsel is supported by an unbroken history of 48 years of administration of the Federal Trade Commission Act. That act became law in 1914 and the Federal Trade Commission has existed ever since. But never until the year 1962 has the Commission attempted to conduct an adversary investigation of this type in public.

We emphasize that this reflects a long established interpretation of the act and rules which is in strict accord with the view of the counsel for the Kroger Co.

The Kroger Co. is confident that this investigation could not establish any violation of law on its part.

The records of the Commission will show, and Kroger is convinced Commission representatives will attest, that the Kroger Co. has always cooperated fully with the Federal Trade Commission.

Nevertheless, the Kroger Co. is constrained to protest vigorously of the process which—it is advised by counsel—is being illegally invoked in this investigation. In the light of this advice of counsel, and because of the importance of the principle involved, the Kroger Co. believes that as a responsible corporate citizen, dedicated to the American system of government, it has a duty to object to the administrative abuse and tyranny which are inherent in the novel ground rules laid down by the Commission for this investigation.

It is totally incompatible with the American judicial system to allow charges to be hurled in public against anyone who is simultaneously denied any opportunity for self-defense in public. Such a procedure is characteristic of the police state. It is totally in conflict with the democratic and representative form of free government symbolized in principle and practice by our great Nation.

So far as the Kroger Co. individually is concerned, it is placed by this investigation in the typical position of a defendant in a police state trial. Under the designated procedure evidence may be publicly presented against the Kroger Co. while it is powerless to respond or to defend itself.

Kroger's most precious asset, namely the goodwill of the public, is thereby placed in jeopardy. It has been recognized that a stigma attends the mere indictment of a person, even though he may later be exonerated on full trial. This is justified on the ground that it is an unavoidable consequence of the requirement of a public trial. But such a trial follows a private determination by a grand jury of reasonable cause to believe that there has been a violation of law. And the public proceeding is conducted only with the provision of full rights of self-defense for the accused. Moreover, if no indictment is returned, the subject of investigation has not been publicly stigmatized. There is no warrant for subjecting any American institution or individual to public stigma in the course of any proceeding denying full opportunity for self-defense.

Kroger's counsel points out that the courts, including the Supreme Court of the United States, have likened the Commission's investigatory functions to those of a grand jury. They further point out that the Supreme Court of the United States has declared that grand jury investigations must be pursued in private and has emphasized that the protection of the innocent is one of the fundamental bases for the requirement of privacy in grand jury proceedings. It is especially because Kroger is innocent that it is entitled to the protection of privacy in this investigation.

Apart from every other consideration, Kroger's counsel advise that there is no proof of the lawful institution of this proceeding, even if the position of the Commission's counsel be accepted for purposes of argument. Under the Commission's rule 1.41 all investigations, of whatever kind, must be privately conducted unless otherwise ordered by the Commission.

Yet prior to the institution of this investigation, and on the record of this proceeding, Kroger's requests for a copy of the Commission's alleged order for a public investigation have been refused. There is thus the paradox of Commission insistence that the Kroger Co. be subjected to public inquisition in a totally defenseless posture, while the Commission's own processes in the same proceeding are kept secret. This illustrates the deviation of this proceeding from the American ideal of government conducted under the rule of law as distinguished from the caprice of individuals.

I have brought with me all of the subpenaed records. I am here for the purpose of delivering those records and for the purpose of testifying in a lawful investigative proceeding. Counsel have advised me and the Kroger Co. as well that this investigation as presently conducted is not lawful. Accordingly, upon advice of counsel, I respectfully, for myself and the Kroger Co., decline to furnish documents or testimony in this public investigation.

However, I stand ready to testify and deliver the subpenaed records when and if a lawful and proper private investigation of this matter is undertaken by the Federal Trade Commission. I stand ready to do so now, if the presiding attorney will insure that this investigation will henceforth proceed in private, as required by the applicable statutes and rules and by the Constitution of the United States. Or I will do so upon his assurance that Kroger will be accorded full representation by counsel—including the right to cross-examine, to object to improper matters and testimony, and to present evidence—if the investigation proceeds in public.

I emphasize that the position of the Kroger Co. does not involve any challenge to the exercise of any of the investigatory powers of the Federal Trade Commission, consistently with the procedures which the Commission is authorized to pursue by law. The Kroger Co. is willing to testify and produce the subpenaed records in an investigation so conducted.

Kroger recognized that its resistance to the unfair and illegal process now invoked by the Commission places it in the unfortunate position of appearing to withhold information, when in fact it has nothing to hide. Kroger is willing to suffer that penalty in order to defend the fundamental principles of justice and decency which are violated by the dictatorial methods which the Commission adopted for purposes of this investigation.

[From the Indianapolis News, Mar. 16, 1962]

FTC GO HOME

The Federal Trade Commission hearings conducted here this week on retail milk prices of Indiana grocery chains are yet another example of unwarranted Government interference with free enterprise.

In the first place, Washington functionaries have no business coming into Indiana to tell people how to run their private businesses. In the second place, Government price fixing at any level, State or Federal, is a restraint of free trade. It is an affront to the consumer and the producer as well as to the seller.

The News consistently has fought attempts in the Indiana Legislature to obtain price regulations which would stifle competition in the dairy industry and at the retail level. The News has been at the forefront of opposition to all the discredited fair trade laws which would discriminate against one set of sellers to the profit of another.

Now the FTC apparently attacks the price differentials and consumer-attraction methods used by certain supermarkets in the sale of milk. The bureaucrats want to do away with the time-tested law of supply and demand and to substitute for it a Federal stranglehold on another free American industry.

Moreover, the methods by which the Indianapolis FTC hearings have been conducted should be repugnant to the public as well as to the retailers who are being forced to produce their records and who are being denied the right to make statements. These tactics are typical of Federal "independent" agencies which have set themselves up as their own law.

Where, we wonder, are the so-called liberals who constantly berate the House Un-American Activities Committee—but who seldom have anything to say about this kind of exercise in administrative law?

In Indiana, small merchants as well as supermarkets sell milk according to the fluctuations of supply and demand, in the usual tradition of competitive business. If they want to sell an item for less than cost in order to attract more customers, that is their business, not the business of the Federal Trade Commission.

We hope the examiners sent out here wind up their farce and go back to Washington before they further discredit themselves and their superiors.

[From the Indianapolis (Ind.) Star, Mar. 16, 1962]

REQUIEM FOR OUR RIGHTS

Indianapolis and Indiana again have become the focus of national attention as an arena in which a new form of administrative law is being put to its first test. The results of the action here can be most far reaching. Every citizen in the Nation well might be affected by what happens.

The Federal Trade Commission has begun a public hearing on the sale and pricing of milk in this city. This Federal agency is attempting to find how three national supermarkets and six independent grocers in this area handle the sale of milk. Potentially, there may be a violation of the Robinson-Patman Act which makes it illegal to sell below cost for the purpose of driving out competition.

Actually, the FTC seems to be trying to bring the pressure of public opinion to bear on a quasi-judicial proceeding. This is an example of trying to prove that those being investigated may be guilty of something

without actually charging them with any specific act. The FTC says as much. The Commission Chairman said, "We are determined to make use of every tool our statutes provide to get at the facts while competitors are still alive and in business." Another bureaucrat in this agency added, "Too often the Commission's actions serve only as a requiem for the dead."

At the outset, at least, the Commission's actions give every appearance of serving as a requiem for rights buried by bureaucratic rules.

The companies summoned to this hearing must produce evidence under oath, but company officials are not allowed the normal benefit of counsel. No attorney may make a statement at the hearing. Witnesses may not be cross-examined, even though they make public statements, presumably under oath. A firm that fails to produce evidence required by an FTC order could find its officers under criminal sentence and fine. Attorneys who object to the proceedings, or who make statements during the hearing, may be disbarred before the Commission.

These are the self-announced "ground rules" of Examiner William F. Lemke.

Yet, none of the firms who must appear before Lemke's bench, has been charged with anything. He, and the FTC, seek evidence on their own terms. This smacks of the Tudor kings of England who once used bills of attainder as an extrajudicial means to dispose of uncomfortable subjects.

The Bill of Rights of the U.S. Constitution says no one may be held to answer for crime unless on a presentment or indictment. In a criminal case, no person shall be compelled to be a witness against himself. Broadly, this is the protection given every citizen by the fifth amendment.

Further, the sixth amendment says that the accused in all criminal prosecutions shall enjoy a jury trial, shall be informed of the nature and cause of the accusation, shall confront witnesses against him and shall have the assistance of counsel for defense.

Is the FTC proceeding in Indianapolis a requiem for these constitutional rights? Whatever the merits of milk pricing, this broader question must overhang the entire process. Can an examiner for a Federal agency write his own version of the U.S. Constitution?

If a Federal agency can set aside the protections which have been written into the Constitution for every citizen, then no American sleeps safely tonight. If Examiner Lemke is right, the Nation has reverted overnight to the tyranny of the 18th century, with a Federal bureaucrat being substituted for the agents of George III.

Constitutional government, not the price of milk in Marion County, is at stake.

EROSION OF THE AMERICAN TEXTILE INDUSTRY

Mr. ALEXANDER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to include therein a statement.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. ALEXANDER. Mr. Speaker, one of the most important matters before the Congress today is the question of how we solve our foreign trade relations. The Committee on Ways and Means is at the present time holding hearings on H.R. 9900, the Trade Expansion Act of 1962.

Mr. Speaker, I have been gravely alarmed by the erosion of the American textile industry. I have been distressed by American workers being thrown out of their jobs as a result of the flood of foreign textile imports.

The job of one American worker out of every eight employed in manufacturing in the United States of America is in the balance—depending upon how we solve this problem.

Mr. Speaker, I have just received a statement by Mr. Charles A. Cannon, president of Cannon Mills Co., on this important subject. He is an authority in the field of textiles and one of the most respected businessmen of this country. His statement is so timely and thought provoking that I am sure all of my colleagues will want to read it.

LACK OF PROPER IMPORT QUOTAS HURTS THE AMERICAN TEXTILE WORKERS

(By Charles A. Cannon, president of Cannon Mills Co., Kannapolis, N.C.)

The continued existence of many thousands of business units and the jobs of more than 2,105,000 employees in the American textile industry are threatened by our import policies. Combined, the textile and apparel industries currently employ 2,105,000 men and women—one-eighth of the 16,636,000 persons engaged in all manufacturing enterprises in the United States.

The extent of the damage already done to employers and the employees of the textile industry is shown by the following figures for the industry (excluding 1,213,000 employees in the apparel and related industries):

	1947	1957	1961	Decrease
				Percent
Number of employees	1,335,000	1,000,000	892,200	34
Cotton system spindles	28,800,000	21,200,000	19,600,000	32
Profits on sales (percent)	8.2	1.9	1.9	77
Profits on net worth (percent)	18.0	4.2	4.0	78

Average annual consumption all cotton

[In thousands of bales]

	United States	World	United States as percent of world
1924–30	6,645	24,769	26.8
1930–40	5,902	27,385	21.5
1940–50	9,672	26,646	36.3
1950–60	9,013	41,259	22.1
1959–60	9,025	48,194	18.1
1960–61	8,268	46,919	18.0

Only a small part of the decrease in the United States is explained by the increase in domestic production of manmade fiber products.

These figures show the upward trend in imports and downward trend in exports of cotton products and manmade fiber fabrics:

The cotton content in cotton products

[Units of thousand bales]

	Imports	Exports
1954 (1st year for Public Law 480)	101.0	604.5
1955	181.2	547.5
1956	225.0	530.4
1957	199.1	579.1
1958	233.8	521.0
1959	360.0	492.6
1960	525.5	485.6
Increase percent	420	
Decrease percent		20

Manmade fiber fabrics

	Imports	Exports
	Pounds	*Square yards*
1954	1,174,000	200,846,000
1955	1,641,000	198,882,000
1956	2,773,000	192,743,000
1957	3,284,000	171,429,000
1958	4,865,000	156,767,000
1959	11,012,000	168,004,000
1960	10,215,000	154,449,000

The chief exporters of textile products to our country are Japan, Hong Kong, Portugal, Spain, Egypt, India, France, and Italy.

The increase in textile product imports and resulting loss in domestic production and jobs are explained largely by these factors:

1. Our furnishing modern equipment at low cost or no cost to so-called underdeveloped countries.

2. The low wages paid in the foreign countries range from less than 10 percent to not above 50 percent of the American wage level.

3. The availability of American cotton at no real cost to foreign countries under Public Law 480.

4. Our low tariff rates.

5. Our export subsidy of 8½ cents per pound or $42.50 per bale.

6. Our failure to establish proper import quotas and regulations.

These factors are in addition to the advantage which the foreign spinner has in securing his cotton at one-third less than the American manufacturer. The foreign cotton is excluded from the American market by quotas. The total amount of upland cotton being allowed to come in in any 1 year is less than 1 day's requirement for American spinners.

Our Public Law 480 sales of cotton to so-called underdeveloped countries has hurt the American textile business. Beginning about 1947 we furnished money and equipment to Japan and other countries so that in many places the foreign producer has newer and more effective machinery than we have at home. Beginning in 1954 and through December 5, 1961, under Public Law 480 we have shipped or authorized 6,011,344 bales of cotton valued at $994,564,652 to various countries, all of which is supposed to be in excess of their traditional consumption of American cotton. These 6 million bales, at a value of $1 billion, were not paid for in dollars but in restricted local currencies which could be spent only in the foreign importing country which received the Public Law 480 cotton, all of which contributed to their local economy.

The goods manufactured from American or foreign cotton are available to be exported to the United States and sold to us for dollars which they can readily exchange for gold.

Some of the beneficiaries through Public Law 480 cotton have been:

Burma	$32,000,000
Taiwan	7,000,000
Korea	47,000,000
Pakistan	35,000,000
Colombia	12,000,000
India	157,000,000
Indonesia	58,000,000
Italy	77,000,000
Japan	52,000,000
Poland	94,000,000
Spain	119,000,000
Yugoslavia	82,000,000

Japan, Pakistan, India, Italy, and Spain (as well as Hong Kong, Portugal, and Egypt) have been substantial exporters of cotton goods to the United States and are pressing to increase their shipments at the expense of the American manufacturer.

The following shows price differentials on a number of fabrics in the New York market during December 1961:

Comparative gray goods prices

[Prices per yard]

Construction	American price	Japanese-Free-Chinese price
	Cents	*Cents*
40" 128×68-3.65 (combed)	26	24
47" 136×88-3.10 (combed)	30	29
47" 108×56-2.94	27½	25
39" 72×60-3.43 (combed)	30	28¾
39" 72×44-3.00 (soft filled sheeting)	22	17½-18
39" 72×44-3.50	17¾	14¾-16¼

The above figures readily explain how the foreign competition can quote lower prices than the American mills can possibly afford to make. It is a well recognized fact that many textiles are sold at very close prices. A difference of one-eighth of a cent a yard, which is less than 1 percent of the value, often is the controlling factor as to whether a mill is to continue to operate or run short time.

UNEMPLOYMENT

Unemployment is high in the United States. A continuation of our import policy on textile goods threatens to increase that unemployment. By contrast, we know that many foreign countries have a labor shortage including Japan, West Germany, and Switzerland who are profiting as a result of our failure to protect ourselves against imports from low-wage countries.

In the apparel industry, there are about 1,213,000 employees and, therefore, in the combined textile industries there are about 2,105,000 out of a total of 16,636,000 employed in all manufacturing industries, or 12.6 percent (Labor Department's Monthly Report on Labor Force, November 1961, issued December, table 3).

The administration recognizes that the textile and apparel industries are employers of a large part of our whole manufacturing employees (12.6 percent) and are probably more vulnerable to imports of competing products than any other large industry on account of the foreign countries having lower raw material prices (American cotton available to foreigners at 33⅓ percent under American support price, and cotton represents, in many instances, one-half the cost of American gray goods). The foreign countries have advantage of lower wage costs, their rate being 10 to 50 percent of the American wage rate (the American labor cost frequently runs as high as 50 percent of the sales price of gray goods).

Further decrease in employment in the textile and apparel industries will add to the serious problems of unemployment. In many areas, the textile or apparel workers are a large portion of the entire labor force in the area and State.

In addition to present loss of employment in the textile and apparel industries, the entire future of our cotton farmers, ginners, compressors, and warehousemen (not included in manufacturing industry figures) is threatened. If the domestic mills, which pay the Government support price, or higher, for the greater portion of U.S. cotton consumed, are destroyed, then it follows that new cotton interests must live on the world price plus such additional subsidy or dole that the Government may wish to pay them.

We are familiar with the depressed conditions in the coal mining areas of West Virginia and Pennsylvania. Those same conditions will probably arise within a few years in the many areas in many States where a large proportion of all manufacturing industry employees are those engaged in producing textile products and apparel. In many places this proportion is 50 percent or as high as 80 percent of the total number of employees in the manufacturing industry in the State.

It will be impossible to retrain or to move a large number of the employees, many of whom have made the textile industry their life's work, are skilled employees in the industry, and have established their homes, their families and their expected future, based on the stability of the textile industry. The liquidation of this industry, employing a large number of people and so necessary in time of peace or war, will bring social unrest, family disruption, and heartaches to a great number of people in wide areas of the country where the industry is located.

The suggestion that these people be retrained and possibly moved to other localities is not realistic when we consider that we have not retrained and taken care of some 4 million employees who are now unemployed and, yet, it is proposed that we begin to add to this number an additional 2 million employees. If this program were put into effect today, our unemployment would rise from 6 to 9 percent.

It seems quite clear that our import policy has largely caused this decrease in American jobs. The textile industry is hurt by our cotton pricing controls. But we probably can survive if we get an equalization fee to offset the 8½ cents per pound subsidy on cotton exported to foreign countries, plus protection in the form of fair tariff rates and quotas against excessive importation of fabrics and apparel from low wage countries.

Foreign countries have no just basis to object to any of these procedures. Practically all of them have restrictions which prevent or limit our shipping many items into their borders. There is little reciprocity in practice.

THE COMMON MARKET APPROACH

In his state of the Union message, President Kennedy ties his foreign trade recommendations to his concept of the European Common Market (comprising France, West Germany, Italy, the Netherlands, Belgium, and Luxembourg), which is still in experimental form.

He recognizes we need a new law. The Reciprocal Trade Act has not accomplished true reciprocity and has resulted in our giving up much and getting very little in return.

No one as yet can be sure as to how the Common Market will operate and how it will affect our country. The six European countries in that group along with the United Kingdom form (as the President says) "an economy which nearly equals our own." The Common Market principles will apply, if at all, only to countries of a somewhat similar economy. Therefore, it would be unwise to apply to low-wage countries practices which some persons think will work well with seven nations whose wages and living standards are more like ours than is true with many other parts of the world.

And yet, in his message the President says, "nor are we abandoning our non-European friends or our traditional most-favored-nation principles."

We should insist that the principles of reciprocity and fair dealing be practiced by all the nations with whom we desire to have trade. We certainly should look long and hard before we make commitments which may make a bad situation worse.

RECOMMENDATIONS

The administration recognizes that the textile industry is so important to our American economy and employs such a large proportion of our manufacturing labor force that it must be given special treatment.

I recommend such special treatment through legislation as follows:

1. Collect from importers an equalization fee to offset the advantage given to foreign producers who now buy American cotton 8½ cents per pound under the price paid by American mills.

2. Establish fair quota limitations on imports of textile products, including yarns, based on the average of 1955–59 imports.

3. Insist that many other countries increase their imports from the areas requiring help through increase in exports of the products of those areas and thus relieve the growing pressure on the United States.

These actions are necessary in order to keep our American textile industry healthy and strong—ready for war and other emergencies and meanwhile employing our American men and women.

CHARLES A. CANNON

FEBRUARY 1962

After the above article had been delivered to the printer, I learned through the press some of the details of the international cotton agreement reached in Geneva.

I believe the tentative agreement, subject to the approval of 19 nations, insures a continuing threat to the employment in the textile and garment industries in the United States. I believe that legislation making mandatory my recommendations will be required to protect the American textile industry, recommendation No. 1 calling for an import fee of 8½ cents a pound on cotton and recommendation No. 2 calling for the establishing of ceilings by quotas on imports.

The preamble provides protection for all participating countries except the United States, as follows:

"Recognizing further that such action should be designed to facilitate economic expansion and promote the development of less-developed countries possessing the necessary resources, such as raw materials and technical skills, by providing larger opportunities for increasing their exchange earnings from the sale in world markets of products which they can efficiently manufacture."

I anticipate increasing hardships in and liquidation of the American textile and garment industries if this provision is carried out.

C.A.C.

COMMITTEE ON VETERANS' AFFAIRS

Mr. ALBERT. Mr. Speaker, on behalf of the gentleman from Texas [Mr. TEAGUE] I ask unanimous consent that the Committee on Veterans' Affairs may have until midnight tonight to file sundry reports.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

MEDICAL AID TO THE AGED

The SPEAKER. Under previous order of the House, the gentleman from Missouri [Mr. CURTIS] is recognized for 90 minutes.

Mr. CURTIS of Missouri. Mr. Speaker, in taking this time to discuss the subject of health care for the aged, I notified the gentleman from California [Mr. KING] who is interested in this subject, and also by publicly stating I was going to take the floor at this time to debate this matter with any of my colleagues who might be interested in discussing this issue.

I asked for an hour and a half in case anyone did wish to discuss it. However, my prepared remarks will take only about 30 minutes.

Mr. Speaker, I have taken this hour and one-half special order for two purposes. First, to try to keep the debate on the subject of health care for the aged on a proper plane; second, to discuss the issues involved in this important social problem.

First, this is not a debate between the American Medical Association and the Committee on Political Education of the CIO–AFL, the two groups that have been most politically active in promoting two divergent viewpoints. This is a debate presently focused around the King-Anderson bill sponsored by the COPE of the AFL–CIO and endorsed and recommended to the Congress by the Kennedy administration in which many varied groups have special interests and in which all Americans have a concern.

I have no brief for the AMA or the COPE. I am pleased that both groups show such great interest in our social problems and are politically active. Far from criticizing either one of these groups for their activity, I advise other citizen groups to become similarly interested and similarly politically active.

I do have a concern about the techniques employed by any person or group in being politically active, particularly the techniques which should be designed to forward intelligent public discussion and debate.

It is an old adage, in jury trial work that when you have a weak case try the opposing counsel. By these standards the promoters of the King-Anderson bill have a very weak case, because to date most of their efforts have been spent in trying the AMA, the health insurance industry and other of our private health institutions, who are opposing the bill. One distinguished proponent of the legislation referred to the opponents, the representatives of organized medicine as "motivated by special interest," to the leaders in private insurance as enjoying a siege of schizophrenia" to the representatives of other large organizations as "the last to recognize that times have changed because this requires thought." In other words, those who disagree are lacking in humanity, or are crazy or are just ignorant. Well, this could be, but the facts and the arguments surrounding the issue are what need to be looked at to determine this and indeed what our society's course of action should be.

Mr. DINGELL. Mr. Speaker, if the gentleman will yield, the gentleman makes the allegation that a colleague of ours not present on the floor at this time——

Mr. CURTIS of Missouri. I will yield in just a moment. I will say this, if the gentleman had been here, he would have noticed that I remarked that I had notified the gentleman from California [Mr. KING], that I was going to take the floor and I was going to take exception to what he did. And, he knew the time and the place, and he expressed to me the fact that he probably would not be here at the time. So, now I yield further.

Mr. DINGELL. I appreciate the courtesy of the gentleman yielding to me. The gentleman makes the allegation that specific statements were made in the remarks of the gentleman from California in regard to the AMA in such manner as would reflect upon the integrity of the AMA.

Mr. CURTIS of Missouri. Yes.

Mr. DINGELL. I would like to have the gentleman outline to the House, if he would, in what way he feels the character and the integrity of the AMA were deprecated by the comments of the gentleman from California.

Mr. CURTIS of Missouri. If the gentleman will have patience, that is exactly what I took the floor to do, and that is exactly what I intend to do. The proper thing to do is to notify the parties that you are going to answer the accusation; that you intend to make these charges so that they can be present through representation or otherwise and answer the charges, if they can. I am happy to see the gentleman from Michigan [Mr. DINGELL] here, I presume, as the representative of Congressman KING.

Mr. DINGELL. I am here in my own capacity representing the people of my own district. I do not represent the gentleman from California. I believe he is more than capable of representing himself in the Committee on Ways and Means and on the floor.

Mr. CURTIS of Missouri. I might say this: The gentleman from California [Mr. KING] and I are personal friends, and this matter, I think, is on a high plane. This is the forum and this is the place to express disagreement, and that is really the tenor of what I am saying; that any time we want to attack motives, as we sometimes do, here is the place to do it publicly and do it fairly.

Representative KING, the coauthor of the bill under discussion has employed the try-the-opposing-counsel technique instead of discussing the facts and arguments surrounding his bill.

On March 5, 1962, Congressman KING inserted into the RECORD a lengthy treatise entitled "Comments on Testimony of the American Medical Association." I was on the floor of the House at the time quite by accident. I was there to make some remarks about the progress of a health insurance program available to our people since the hearings held by the Ways and Means Committee in late July and early August 1961. The field of health insurance for the aged and for all of us is so dynamic that studies 6 months ago are already out of date. With my remarks I placed in the RECORD an up-to-date—January 1, 1962—report by the Health Insurance Institute on guaranteed lifetime health insurance for persons over 65—for persons under 65, pages 3416 to 3426 of the CONGRESSIONAL RECORD of March 5, 1962.

To my expressed concern and disapproval, Congressman KING did not read any of his prepared remarks on the floor although it was obvious from the few remarks he made as he introduced the material into the RECORD that it included serious charges against the integrity of the AMA. I do not believe it is fair to attack the integrity of any citizen or group of citizens, or any person by inserting derogatory material in the RECORD and releasing it to the press. The proper thing to do is notify those you are going to accuse that you intend to make these charges so that they can be present through representation or otherwise to answer the charges if they can.

Certainly I was prepared to listen to the charges Congressman KING had in his prepared speech, to comment upon them and dispute them if they appeared to be unfounded.

I subsequently learned that Congressman KING's press release contained a different title for this treatise:

Reply to the attack of the American Medical Association on the administration's health insurance proposal for the aged under social security.

Well, whether the AMA's testimony before the Ways and Means Committee was a discussion of the problems involved in the health care of the aged leading to the conclusion that the King-Anderson bill was ill advised, or was an attack is a matter of semantics best to be determined by the impartial student reading the printed hearings which contain the AMA's presentation.

I believe that most objective students would regard the testimony of the AMA—and I hope the people will read it because it is well worth reading, and that they will write in; I have talked to many—as a discussion which went far beyond mere opposition to the limited proposals for health care contained in the King-Anderson bill.

However, the theme of attack against the AMA is that it is negative and always opposing or attacking. Hence the choice of the term "attack" becomes significant.

Mr. DINGELL. Mr. Speaker, will the gentleman yield?

Mr. CURTIS of Missouri. Yes, I will yield.

Mr. DINGELL. I read the statement of the gentleman from California, and I saw nothing derogatory about the AMA.

Mr. CURTIS of Missouri. If the gentleman will have patience, the gentleman from Missouri is coming right to it, and then the gentleman from Michigan can tell the gentleman from Missouri whether he thinks these words I am now going to read are derogatory:

It is to be noted that Congressman KING and the proponents of the King-Anderson bill continue to use inaccurate words in describing the bill. The bill is described as "the administration's health insurance proposal for the aged under social security." A correct description would be the administration's limited hospital and nursing home insurance proposal for the aged beneficiary of social security insurance, for the King-Anderson bill provides less than 25 percent of the average health costs of a person—see my discussion of this, CONGRESSIONAL RECORD, Tuesday, March 6, 1962, pages 3510 to 3511.

Mr. BECKER. Mr. Speaker, will the gentleman yield?

Mr. CURTIS of Missouri. Yes, I yield to the gentleman from New York.

Mr. BECKER. Mr. Speaker, I wish the gentleman would be permitted to proceed with this without interruption so that we can understand just what the arguments are, and afterward let us discuss it or pick it apart, if we desire. However, Mr. Speaker, if we have these constant interruptions, we will be sitting here going into these arguments before we have actually heard anything.

Mr. CURTIS of Missouri. I thank the gentleman. I do want to yield to the gentleman from Michigan after I have completed the remarks which I specified and which appear at the bottom of the page from which I am reading. If the gentleman will bear with me, I will come to it.

A Gallup poll which is cited from time to time by the proponents of the King-Anderson bill on this subject asked those polled whether they wanted health insurance through the social security system. There was no explanation that less than 25 percent of the health costs would be covered and not the first dollar costs at that, or a catastrophic illness that would require a person to be in the hospital more than 90 days. See my discussion of the Gallup poll, CONGRESSIONAL RECORD, volume 107, part 9, pages 11247–11248.

This constant reference to the King-Anderson bill as health insurance instead of limited hospital insurance, which would be a more descriptive short title if a short title was needed, has led people to write letters to their Congressman saying they needed help to meet their doctor's bills or other medical bills, thinking that the King-Anderson bill would help them. Old people not on the social insurance part of the social security program, who likewise would not be helped, occasionally write in.

Congressman KING's press release and his statement he inserted into the RECORD repeats the unspecified and unproven derogatory remarks about the testimony which the AMA gave on Wednesday, August 2, 1961, before the Ways and Means Committee, and I cite the pages of 1300 to 1469—that is 169 pages of the printed committee hearings. Congressman KING's statement and press release described the AMA statement as follows:

> Unfounded, not objective; completely erroneous and designed to mislead; and has not been objective or honest in its presentation.

Mr. DINGELL. Mr. Speaker, will the gentleman yield?

Mr. CURTIS of Missouri. Mr. Speaker, I submit to the gentleman from Michigan that those are derogatory remarks. Would the gentleman not agree?

Mr. DINGELL. If the gentleman will yield further, no, I do not.

Mr. CURTIS of Missouri. Would the gentleman not agree that they attack the motives and integrity of the association?

Mr. DINGELL. I do not believe those comments make any statement as to motive.

Mr. CURTIS of Missouri. What does the word "honest" mean? What does the words "design to mislead" mean?

Mr. DINGELL. If the gentleman will yield further, I will be happy to tell the gentleman the real facts in the matter.

Mr. CURTIS of Missouri. Yes.

Mr. DINGELL. I appreciate the fact that the gentleman from Missouri is interested in this.

Mr. CURTIS of Missouri. Will the gentleman answer my question?

Mr. DINGELL. I would like to answer the question in my own way.

Mr. CURTIS of Missouri. I am sure the gentleman would; but I would like to have him tell me if he does not believe that the words "designed to mislead," and the words "has not been honest," are words of derogation and attack the motives and integrity of the organization to which they refer. If the gentleman can explain that, I would be quite interested.

Mr. DINGELL. Let me say this. I am in entire agreement with the remarks made by the gentleman from California.

Mr. CURTIS of Missouri. Then I yield no further at this point, Mr. Speaker.

Mr. DINGELL. If the gentleman does not yield, I will have to make a point of order that a quorum is not present.

Mr. CURTIS of Missouri. The gentleman may do that, too.

Mr. DINGELL. I would like to have this discussed and debated fairly. And I can arrange to have a further discussion of it because I have a special order following that of the gentleman from Missouri.

Mr. CURTIS of Missouri. I know the gentleman does, and that is the reason why I think in fairness that the best way to proceed is for me to go ahead and develop these points, as I intend to do. If the gentleman takes the same position, that the statement of the AMA is dishonest and designed to mislead, then I hope that in his time he will specify where that is the case, because that was the point of taking this time. But I think it would serve the cause of debate if the gentleman would listen to what else I have to say and the points I develop. Then he can develop the points he has in mind.

Mr. DINGELL. As I understood it, the gentleman wanted to discuss this matter.

Mr. CURTIS of Missouri. Yes; I do.

Mr. DINGELL. And I came to discuss it. If the gentleman is not interested in a fair discussion of the matter, then I will be very happy to discuss the matter on my own time, immediately following the gentleman. It is a matter of no great concern. If the gentleman wants a fair discussion of it, I am here for that purpose. If the gentleman does not want a fair discussion of it, then I am perfectly content to wait.

Mr. BECKER. Mr. Speaker, will the gentleman yield?

The SPEAKER pro tempore. Does the gentleman from Missouri yield, and, if so, to whom?

Mr. CURTIS of Missouri. Mr. Speaker, I have yielded to the gentleman for the remarks he wanted to make, and asked him some questions. The gentleman has his own time, and perhaps the best way to proceed would be for him to ask me to yield when I reach a specific point; or possibly the better way would be to listen a little bit to the points that I would like to make and then I would be glad to yield. But there is nothing to discuss at this point. The gentleman has said that he agrees with the gentleman from California that the AMA's statement was designed to mislead, was dishonest. To that I say that is fine, if that is the gentleman's viewpoint. But I want to go further and try to point up other areas of this statement.

Mr. BECKER. Mr. Speaker, will the gentleman yield for one question?

Mr. CURTIS of Missouri. I yield to the gentleman.

Mr. BECKER. In view of the discussion we have had here, does the gentleman intend to proceed and point out in his own statement, or does the gentleman from California [Mr. KING] point out in his statement where the AMA's position is dishonest, where it is designed to mislead? In other words, are there specifics that the gentleman brought out in his statement?

Mr. CURTIS of Missouri. That is what I intend to discuss.

Mr. BECKER. That is what I would like to find out.

Mr. O'HARA of Michigan. Mr. Speaker, will the gentleman yield?

Mr. CURTIS of Missouri. I yield to the gentleman from Michigan.

Mr. O'HARA of Michigan. In order to clarify this point, would the gentleman mind repeating the specific statements that he considered were derogatory of the AMA?

Mr. CURTIS of Missouri. I have, and there will be others. The statement of the gentleman from California was in the CONGRESSIONAL RECORD. I was quoting from his press release which is not in the CONGRESSIONAL RECORD, but I have it here. The statement was: "filled with gross misrepresentations"; "unfounded in fact"; "completely erroneous and designed to mislead"; "has not been objective or honest in its presentation."

We may say that certain things are erroneous, or that they are unfounded in fact. We may, indeed, say that they mislead or are designed to mislead or are dishonest, if that is what we believe. But I think, as I shall point out, that then we are required to document what we are talking about.

There are other statements I would also like to point to, which I think likewise are derogatory.

Mr. O'HARA of Michigan. Would the gentleman mind specifying with particularity just exactly what statements of the gentleman from California are derogatory to the AMA? Mr. KING's belief that the AMA statement is misleading or inaccurate does not impugn the AMA's motives.

Mr. CURTIS of Missouri. This does not say "misleading." It says "designed to mislead."

Mr. O'HARA of Michigan. I would be interested in hearing the rest of the gentleman's statement.

Mr. CURTIS of Missouri. Congressman KING's press release and the statement he inserted into the RECORD repeats the unspecified and unproven derogatory remarks about the testimony of the American Medical Association given Wednesday, August 2, 1961, before the Ways and Means Committee—see pages 1300 to 1469, printed committee hearings—Congressman KING's statement and press release describe the AMA statement as follows: "Filled with gross misrepresentations," "unfounded in fact," "completely erroneous and designed to mislead," "has not been objective or honest in its presentation."

On August 2, 1961, after the AMA had presented its testimony, Congressman KING read a similar statement or derogation into the hearings, which also had been given ahead of time to the press in press release form. Congressman KING said:

> It is an interesting statement from the standpoint of how far in my opinion desperate men will go to accomplish their purpose. I am duty bound to defend the bill from such an attack as the AMA statement represents in view of the exceedingly inaccurate and reckless statements made.

Pages 1409 and 1410 of the hearings. Mr. KING interrogated the AMA witnesses at some length, but never specified any part of the AMA prepared statement as inaccurate or reckless. This led me to remark—page 1431:

> The second point, and I am sorry Mr. KING is not here, has to do with the fact that he referred to your statement which is some 80 pages long, or, rather 91, pages, as being inaccurate and reckless in many instances. To date, Mr. KING has referred to one statement in that paper on page 79 and if he was here I would ask him whether he thought that was reckless or inaccurate.
>
> I am sure he did not, because he read it and there was a very good discussion of it. I think Mr. KING owes it to this committee to specify where this statement is inaccurate and is reckless, so that you gentlemen in turn will be able to reply as to why you think those charges are well founded. If there is a specific area in here where Mr. KING or anyone else thinks that there are inaccurate statements or reckless statements, let us get that out in the open. That is one way this committee can get this information. If such a detailed list is not forthcoming in Mr. KING's subsequent questioning, I think, and I hope, he will withdraw his statement. But if time does not permit, I am going to ask you to prepare a list of details where he states there are inaccurate statements and ask you to supply in turn for the record your reasons why you think those charges are not well founded.
>
> I have read this statement and there are some things I do not agree with, I might say, but I see nothing inaccurate in it. That is from the standpoint of being willful. We can disagree on details but certainly it is not reckless.
>
> There is one item on disability insurance. I remember the testimony of the AMA when we went to the idea of including people who were disabled in the social security program. I was concerned about it for the very reasons you all have stated here. It was only after the committee did considerable work in this area of tightening down definitions, and doing one thing that I felt had to be done if we were going to have a sensible program, tie it in to the rehabilitation programs, that I would go along. I did go along and I am glad I did. I think it was a step forward. But I think that you were wise in warning this committee or reemphasizing your judgment that this could, if not carefully controlled and kept within the bounds of what it was intended, could go the way you suggest, which would be to a socialized system of medicine.
>
> I know in that area, even going this far, that your statements that you have expressed are in disagreement with the position I took in this matter, but I think it is important to get that out in the open.

Later when Mr. KING had returned, I told him of my remarks and then made the following remarks, page 1465:

> Mr. Chairman, I want to keep the record open. Mr. KING made a very general charge that the AMA statement was filled with inaccurate and reckless statements, and he said that he was going to come back to ask further questions. I hope he will document that so you gentlemen will have an opportunity to answer.

Mr. KING did not comply. No bill of particulars to back up derogatory remarks were ever given as the printed hearings reveal, although they were not published until the middle of December 1961, more than 4 months after the closing of the hearings.

Now Congressman KING makes these same general charges with even more damning language which he releases to the press and slips them into the printed CONGRESSIONAL RECORD without giving anyone an opportunity for making timely rebuttal.

This is hit and run and it is most unfair. Be that as it may, we now have before us, 7½ months after the AMA testimony what Congressman KING now presents as documentation of these charges.

I have gone over Congressman KING's statement with care. Eliminating all of the statements which beg the question we find that careless and reckless statements merely mean statements which reach different conclusions from those reached by Congressman KING. That is not to say that the AMA's statements are correct or that Congressman KING's statements are in error. It is to say that here in these differences lie the gist of the debate.

So let us get on with the debate and lay off the unproductive technique of attacking the motives and the intelligence of those with whom we disagree.

The problem of health care for the aged, indeed for all of us, is too serious a subject to drive away honest argument and discussion. Vituperation from any side will only adversely affect reaching a proper conclusion of what course of action we should pursue.

The discussion must start from a consideration of what kind of health care program we presently have in our society. We are not starting from scratch. Indeed, I believe most people agree that overall we have the finest system of health care of any society. It is a dynamic system that is continuing to improve in both quality and quantity.

Indeed, as I have often stated, it is the success of the system, not its failure, that has created the health problem for our aged. People are living 10 to 15 years longer than was anticipated at the time of their birth.

Does this dismiss the matter? Indeed, no. It is possible that a system which produced success may not have within it the capacity to meet the problems that the success has created. I think though that a heavy burden of proof must be assumed by anyone who seeks to radically alter our system in the hopes of improving it. This burden must be assumed by the proponents of the King-Anderson bill because it is a radical departure from our present system as I shall undertake to point out in my later discussion. Up to date they have not undertaken to assume this burden of proof.

Mr. DINGELL. Mr. Speaker, will the gentleman yield?

Mr. CURTIS of Missouri. I yield to the gentleman from Michigan.

Mr. DINGELL. While the gentleman has been commenting, I wanted to ask him first of all whether or not he favors the King-Anderson bill, and whether he has arrived at any independent conclusions regarding it?

Mr. CURTIS of Missouri. No. I am very strongly opposed to it; but let me say this, I hope at all times on any issue to keep my mind open on the subject, and I am always looking for further facts and further arguments. I hope and I wish that others on the opposite side will do likewise. I am on the Ways and Means Committee, as the gentleman knows. This subject of health care for the aged has been a subject before us for many years; it is one on which I have sat through untold hours of hearings and have done considerable reading and I have discussed it with people who are knowledgeable in the field.

My conclusions at this time are very strongly along the line that this is ill-advised and will actually damage the health care for the aged. In fact, that is what I am going on to discuss, to give the gentleman and whoever may care to listen the reasons behind it so that you who do disagree have an opportunity to come in and point out where you think I am in error.

Mr. DINGELL. I would like to point out a couple of errors the gentleman has made thus far.

Mr. CURTIS of Missouri. I will be happy to listen.

Mr. DINGELL. All of the literature and all of the comment that have gone out from the proponents of the King-Anderson bill have been abundantly clear that the King-Anderson bill provides no medical care as such. It provides hospitalization, diagnostic care, nursing home services, together with certain other nursing and therapeutic care that is available through specialized services. But at no point have I ever seen anything which would say that this is going to meet doctors' bills.

Mr. CURTIS of Missouri. No, but here is the point, if the gentleman will bear with me: The President in his own message to Congress referred to this as health insurance instead of hospital insurance.

He did not spell this out. As I pointed out, the gentleman from California [Mr. KING] again refers to it as health insurance and not just the 25 percent of health cost.

Now, finally, I wish the gentleman would read my discussion in regard to the Gallup poll, which is cited by the proponents of the King-Anderson bill, showing that some 60 percent of the people are in favor of this. The question posed was: Do you want health insurance through the social security system, not the limited aspects of it?

Mr. DINGELL. In regard to this question that was raised in the Gallup poll, did the gentleman take the trouble to read that question thoroughly?

Mr. CURTIS of Missouri. I did, and I took the floor of the House and discussed it. The gentleman will find my remarks when I referred to that here in the CONGRESSIONAL RECORD at the time.

I also wrote to Mr. Gallup asking what he had to say about my criticism of the manner in which the poll was taken. Mr. Gallup chose not to answer or to explain. I think it was a very poorly worded question.

Of course we are all familiar with the difficulties of conducting public opinion polls so that they are meaningful. That is the reason I directed his attention to it, and that is the reason I call your attention to it.

Mr. DINGELL. Does the gentleman recall that particular question directed to the persons polled went so far as to state categorically of the persons polled, Did they favor an increase in the social security cost and the social security tax to provide health insurance to the aged?

Mr. CURTIS of Missouri. That is correct.

Mr. DINGELL. I am sure the gentleman recalls that under that kind of question the people indicated approximately 61 to 65 percent support, not only the aged, but persons 39 and under also indicated an overwhelming support of this.

I wonder, in view of that, is the gentleman trying to attack the AMA rather than the language of the poll. The AMA is radically out of sympathy with this, according to the particular Gallup poll referred to, which indicates American thinking. The AMA is actually opposed to the bulk of American thinking on this subject.

Mr. CURTIS of Missouri. I do not think so. I do not think the matter was presented to the public in a way to be understood. If the public understood it, there would be no point in the Ways and Means Committee having held 10 days of hearings which are contained in these four volumes I am holding here in my hand, hearings of the printed testimony of experts all over the country, pro and con, on this subject.

The purpose of a congressional hearing is to get information and facts, not out of ignorance to jump at some conclusions. That was one of the subjects of discussion I had with Walter Reuther in the hearings. He quoted the Gallup poll. I said, "Mr. Reuther, the purpose of the hearings today is to get information so that we can reach a conclusion on the basis of facts and knowledge, not on ignorance. Why would you think that representative government should operate through public opinion polls on a subject as complicated as this upon which those who think they are experts admit they have not full information?"

Mr. DINGELL. The gentleman is saying, then, that the Gallup poll on this question is not reliable?

Mr. CURTIS of Missouri. I do say that.

Mr. DINGELL. And the gentleman is also saying that as a matter of fact we can disregard public opinion as expressed through Gallup polls?

Mr. CURTIS of Missouri. Pretty much so. However, we have to evaluate each particular question. Sometimes even the most objective pollsters will find difficulty—I am sure the gentleman realizes this—in couching the questions in a way that is fair and will bring out real objective answers. It is a difficult art. I am not casting any aspersions on the technique of the polls. I am pointing out their limitations and am trying specifically to call attention to the limitations and the inaccurate conclusions alleged in this particular question that was asked of the people.

Mr. DINGELL. I do not agree with my good friend.

Mr. CURTIS of Missouri. That is all right.

Mr. DINGELL. I think my good friend from Missouri has not clearly stressed the fairness of this question.

As a matter of fact, I would have to favor the King-Anderson bill. I feel very strongly that not only does the Gallup poll set forth the question to the American people but asks them crystal clear whether they favor not health insurance for the aged but whether they favor an increase in the social security tax to provide a program of health insurance for the aged. I think that is a very clear enunciation of the question.

Mr. CURTIS of Missouri. Let me suggest to the gentleman that he read my remarks last year at the time this poll was taken, and then we can have a debate on that question. But, that is not the major point here. I am simply answering the inquiry, and so I said there has been this impression created around the country that this was health insurance and not pointing out its limitations. When the gentleman reads my remarks about the Gallup poll he will find that I not only put in the poll on the question but the entire article which cited it, and it was headlined, "This shows 60 percent support for the President's health care program," which was not descriptive at all—and I know the gentleman well realizes that from his remarks—not descriptive at all of the King-Anderson bill which applies to health insurance, as the gentleman has well said, for all of us.

Mr. DINGELL. I wonder if the gentleman would be willing to sit down with me when he finishes his remarks and draft an appropriate question and if he would then abide by the answers that would be made on that poll.

Mr. CURTIS of Missouri. Of course not. I think the gentleman ought to read my reply to Mr. Reuther as to what representative government is. It is important that we have representative government. My people do not have the time nor the facilities to gather together the information they need on these important questions that face the Nation, and it is my duty to come down here and dig into these things in their behalf, and then, on the basis of what I find out, cast my vote; not on their limited knowledge on the subject through public opinion polls. If the gentleman suggests that Congress legislate via public opinion polls, he is certainly correct in saying that there is disagreement. I feel that is a corruption of representative government, and we are negligent in our duties as Congressmen if we do not do this kind of research that the committee did.

Mr. DINGELL. I rejoice in the gentleman's interpretation of representative government. I would like to ask him a question. He mentioned that the proposal does not provide an adequate level of care to receive the distinguished title of "health insurance."

Mr. CURTIS of Missouri. It only provides 25 percent.

Mr. DINGELL. I was wondering if the gentleman would support a proposal if we amended it to provide comprehensive coverage for medical care.

Mr. CURTIS of Missouri. Of course not.

Mr. DINGELL. Then, this is not a valid objection that the gentleman is raising.

Mr. CURTIS of Missouri. The gentleman completely misses the point. I am trying to point out that that is a limitation in the bill. I am also trying to point out, as I will later, if the gentleman will be patient and listen to what I have to say, that there will be no way of confining this program to merely 25 percent of health costs of our people, nor is there any logical way of confining it to older people on social security. It will have to be, in logic and humanity, extended to the disabled on social security, the widows and the orphans, and that is why I say and I believe that this is part of a radical change in the program, and I am willing to discuss it, but I think the radical change is in error.

Mr. BECKER. Mr. Speaker, will the gentleman yield?

Mr. CURTIS of Missouri. I yield to the gentleman from New York.

Mr. BECKER. The gentleman just said that the King-Anderson bill would only provide 25 percent of what is called health insurance.

Mr. CURTIS of Missouri. That is right.

Mr. BECKER. The gentleman from Michigan asked the question, If the bill were amended or changed to provide full coverage, would he favor it? I would like to ask the gentleman from Michigan, Has he any idea what the additional cost would be in taxes to provide that kind of insurance?

Mr. CURTIS of Missouri. I would like to say this, that Secretary Ribicoff said that the reason he cut this bill down from the Forand bill to eliminate medical costs, doctors and other medical costs, and confine it to hospitals was that we could not afford to increase the social security tax beyond 10 percent.

And that this was the ceiling he sought. I am simply quoting him from his statement in the RECORD for this limitation. He assured me that this was by no means a political maneuver simply to try to keep the doctors from opposing it. It was because the social-security tax and the social-security system could not carry this cost. But if I may go on, there will be other points here, many of which the gentleman from Michigan has raised.

Mr. DINGELL. I will be happy to get the gentleman more time if he will yield to me briefly.

Mr. CURTIS of Missouri. I will yield as we go along, but I think the gentleman is getting somewhat in the position of heckling rather than debating. Some of my friends say to me about the King-Anderson proposal, "Well, you cannot provide something with nothing."

My reply is a simple answer: When is the dynamic health care system in our

society nothing? I would be pleased to embark upon an objective study of our system for which, incidentally, these hearings were a good beginning, but nothing more than a beginning, because I do want the details as to how we can improve it. There are many areas where we can improve it.

Let us ask the next pertinent question: Does the continued overall improvement of our health care system relate to any particular age group or economic group in our society?

The studies contained in the committee hearings reveal quite the contrary. In the geographical areas in which we have poorer and less available health facilities for people, all people of all ages bear the brunt of the inferiority. Furthermore, the studies show health care—quality and quantity—relates little to the economic well-being of the individual person. Health care, quality and quantity, seems to be a matter of geography or location. If a community has a high quality of medical care, all people benefit from the higher quality regardless of age or station in life. Conversely, this is an entirely different situation. Does this mean, however, that we have no health programs peculiar to older people? Indeed not. But these problems are best met within the structure of the system we have, lest we damage the system for others in creating an imbalance for a particular age group. Health care for the aged's primary stake is in the advancement of health care for all of us, and that can be said for any age group. Actually, moving ahead with the peculiar problems of the aged means improving our overall knowledge in geriatrics, in rehabilitation techniques relating to older people, and developing our knowledge in the fields of psychiatry and mental health so that we can distinguish between an older person who is merely well and feeble, and one who really has a mental disability. Here is one of the crying areas in which we need to move forward.

We are moving forward, I might say, rapidly in many of these fields. Perhaps if we publicize these problems that we have in geriatrics and the old folks, as we have those of the National Institutes of Health for which Congress appropriates, we might be better off. That might be at the expense of treating cancer, heart disease, multiple sclerosis, infantile paralysis, or whatever else is involved.

Now, note the problems to be created by having the Federal Government instead of the private sector allocate our resources in the health field.

Mr. DINGELL. Mr. Speaker, will the gentleman yield?

Mr. CURTIS of Missouri. Yes, I yield to the gentleman from Michigan.

Mr. DINGELL. I say to the gentleman that he completely misinterprets the purposes of the King-Anderson bill. The King-Anderson bill seeks only to assist the aged in meeting the most pressing medical needs which they have, and that is in financing hospitalization, which I am sure the gentleman realizes is a tremendously costly problem.

Mr. CURTIS of Missouri. If the gentleman will have patience, I have about 11 pages of discussion of the program here, and every question the gentleman has raised to date comes up in here. So I am going ahead, if I may, because I will take that particular matter up.

We have a problem of nursing home facilities, and housing for the elderly.

We have problems of getting enough practical nurses and visiting nurses and other home care techniques so that old people can stay within the bosom of their family.

All of this also bears on the health costs of older people.

To my Republican friends who must always be careful about being able to respond to the unfair attacks of certain Democrats that your party is negative and has no affirmative approach, let me tell you that having the Federal Government do something is not the only way to approach the solution to a problem although it seems to be the only solution our Democratic friends can think up. But let me say further, it was a Republican who conceived the idea of extending FHA guarantees to private nursing homes so that economic health facilities in sufficient number were available to our older people. Republicans pushed the bill to extend Federal vocational education to include practical nurses. I am a Republican. I did these things because my studies revealed that here was a place the Federal Government could help and where we were not moving forward adequately in the private sector or at the level of local and State government.

And I might say that the American Medical Association assisted in getting that legislation through. I lobbied them on that. As I often say, I spend more time, I think, lobbying the lobbyists than they do lobbying me.

The next question that arises is one of finances. Do not older people have a more serious problem of financing health care than any other age group in our society?

Here the answer is partially, yes. It is true that health costs for people over 65 are greater than for any other age group. However, it is also true that every other item in a person-over-65 budget is less than that of any other age group, rent, food, clothing, recreation, education, insurance. Furthermore, older people do not have the burden of financing dependents that the income producing age group has. The total expense budget of the people over 65, even allowing for the greater item of health cost, is less than that of any other age group.

Mr. DINGELL. Mr. Speaker, will the gentleman yield?

Mr. CURTIS of Missouri. I yield.

Mr. DINGELL. Is the gentleman aware of the fact that this is due simply to the extremely limited means of persons in the 65-and-over age group who have, as a group, the most limited financial means of any group in the country?

Mr. CURTIS of Missouri. Mr. Speaker, I am not going to yield further for this simple reason. That is exactly what I am going to take up now, and if the gentleman will bear with me just a little, if he will show just a little patience, I think the points he is trying to make will be covered in my remarks.

It is also true that the income of people over 65 is less than that of any other adult age group. Note the important exception—than any other adult age group—the other references related to all age groups, from birth to death. This is to be expected because more people over 65 are out of the labor market and they are living on pensions and savings. But they unlike the work force age groups do not have to support out of their incomes the children in our society. Furthermore, the people over 65 have more assets than any other age group in our society. A higher percent, 80 percent, own their own homes, and most of these are owned free and clear of all mortgage. The average equity holding of the older age group in our society is $8,300. Their other assets are greater. And this, too, is logical. They have lived longer and so have had more opportunity to acquire assets, to pay for their homes, their iceboxes, their furniture, and so forth.

Furthermore, contrary to the deceptive figures put out about the average income of older people, most older people are still married and their incomes should be computed on the basis of married couples, not single individuals. In most American families the husband is the income producer and I dare say it would be true that 50 percent of our people being women earn less than $1,000 a year while families—meaning the husband and breadwinner—earn over $4,000, which is the fair and meaningful way to discuss incomes.

Mr. BECKER. Mr. Speaker, will the gentleman yield for one brief question?

Mr. CURTIS of Missouri. I yield.

Mr. BECKER. The facts you have just brought out to me are rather fantastic and are certainly enlightening and show the research that the gentleman has done. I know this question will come up later: On what do you base the statements you have just made, and on what statistics, and from what source?

Mr. CURTIS of Missouri. These are from the Bureau of Labor Statistics. They are contained in these hearings. I also asked the HEW, the Department of Health, Education, and Welfare, to bring in statistics and it was interesting to me that they did not have these originally, but I have been asking for them for years. But we now have statistics that will back this up, which the gentleman can find here. I also want to call attention to a very interesting indicator that was started about a year and a half ago by the Department of Health, Education, and Welfare. This was in a monthly publication relating to the various indexes of well-being, education, health, and so forth, of the people in our society.

Mr. BECKER. I want to compliment the gentleman. As is well known by every Member of this House the gentleman never does a job in this House and never takes the floor as he is doing today without having the facts and the figures and statistics to back up the statements he makes. I compliment the gentleman because it is worthwhile for all of us to have these facts, figures, and statistics.

Mr. CURTIS of Missouri. I want to thank the gentleman. I only hope I am as accurate as the gentleman suggests. Indeed, one reason I take the floor is because I am never sure and I want to have this out in the open so that people who might disagree with this might have an opportunity of doing so. This is just as I have done in the hearings, so that anyone can read when the Government witnesses appear before us to present their side of the case.

Mr. COHELAN. Mr. Speaker, will the gentleman yield?

Mr. CURTIS of Missouri. I yield.

Mr. COHELAN. The gentleman from Missouri has been talking about the ability of the aged to meet the costs of medical care and hospitalization. I have in my hand his speech which he inserted in the Appendix of the RECORD on March 14 of this year. I note that in referring to this particular area you cite the Delaware study. The assertion made in the study was along the line that 80 percent of the people over 65 met their hospital bills.

However, may I point out to the gentleman what the study failed to point out, and what has been called to my attention, is that the medically indigent patients constituted 14 percent of those admitted to hospitals. In other words, this report shows that in one of the highest per capita income States in the land one-seventh of the aged being admitted to hospitals cannot pay their bills. I wonder if the gentleman would comment on this?

Mr. CURTIS of Missouri. Yes, I would comment on that. Out of 17 million old people above 65 about 4 million are on old-age assistance; 3.3 million are directly on old-age assistance and about another 700,000 are on social security insurance but have to have their income supplemented by old-age assistance. This is an interesting thing as it pertains to the King-Anderson bill, and, by the way, the King-Anderson bill, of course, does nothing for the old-age assistance people who are not on social security insurance. The gentleman is correct in pointing this out and therefore the Delaware studies relate to these people who are not on old-age assistance—and who are, therefore, being cared for—but rather this group that the King-Anderson bill is directing its attention to. And there, I think the percentage of people who had difficulty in paying their bills is around 3 percent, if I remember that particular study. There were six studies presented to the Committee on Ways and Means among them: Delaware, Oregon—I have listed them here—North Dakota, Vermont. These are very interesting studies of the payment of hospital costs and other medical costs by old people. And I am going to discuss this.

Mr. COHELAN. May I compliment the gentleman for the effort he is making. I think the gentleman knows we are not in agreement on this point or on the overall bill. However, I would like to inform the gentleman I am going to reply as to the quality of those studies in some detail.

Mr. CURTIS of Missouri. I want to thank the gentleman.

Mr. COHELAN. I do not want to take too much of the time of the gentleman.

Mr. CURTIS of Missouri. May I say I think it would be performing a real service, because these studies were made by honorable people. This matter should be subjected to probing examination to see where it is limited and where it might be improved; and I assure the gentleman I have high regard for his approach.

Mr. DINGELL. Mr. Speaker, will the gentleman yield to me briefly?

Mr. CURTIS of Missouri. I yield.

Mr. DINGELL. Very briefly, I am wondering if the gentleman is aware that the Kerr-Mills bill is supposed to meet the problem of persons of extremely limited means.

Mr. CURTIS of Missouri. That is correct.

Mr. DINGELL. And that we are, therefore, considering in the King-Anderson approach the need of persons in the next limited group in our population.

Mr. CURTIS of Missouri. We are exploring the King-Anderson bill. Is the gentleman aware that one of our former colleagues, Aime Forand, is organizing a group of people, and one of their main pleas in their literature is directed against the Kerr-Mills bill, referring to it as requiring a pauper's oath, which I regard as a term of derogation. I would like to see a discussion of that too.

Mr. HOLLAND. Mr. Speaker, will the gentleman yield?

Mr. CURTIS of Missouri. I yield to the gentleman from Pennsylvania.

Mr. HOLLAND. I have great respect for the gentleman's careful attention to detail and the great amount of research he has done on this subject. That was evidenced by his participation in debate on a previous bill we passed.

I, too, have done a lot of research in my own district on this problem, especially in the matter of hospitalization of the aged, and so forth. I have to differ with the gentleman, at least so far as conditions in my district or in the State of Pennsylvania are concerned. Anybody who seeks aid under the Kerr-Mills bill must first of all give an accounting of his holdings, whether he has a television, whether he owns his home, and so forth. At the same time they must call in all their family, their daughters, their sons, and even their grandchildren. If they refuse or do not give an accounting then they are taken to our county court and there under oath they must make an accounting of all the holdings they have. Then if they have a little home a lien is placed against the home. Naturally an aged person hates to have a lien placed on his home. Then, when the home is sold or when the person dies, they close in on the loan.

The Kerr-Mills bill in Pennsylvania today is costing our counties, our cities, and our State government more money because we have that in the public assistance law.

Mr. CURTIS of Missouri. Let me say to the distinguished gentleman from Pennsylvania that I am glad he has brought this out because it gives me an opportunity to go into it and discuss it, something I had intended to do anyway.

The Kerr-Mills bill is an enabling act. The Federal Government is simply saying to the States that we are liberalizing your means test which all States have in the old-age assistance program and welfare program—to liberalize your means test not to say in the State of Pennsylvania what the State law shall be but permit the State to say to the elderly people who have their own little home, a modest pension, but are confronted with a major medical bill, that they do not have to go on relief, they do not have to sell their home, they do not have to cash in their savings. You come before us and we, acting under this authority, take care of your medical bills so you can stay off relief.

That is the message that the Secretary of Health, Education, and Welfare, Mr. Ribicoff, could be telling the people and the States. That is the message that Mr. Forand could be telling the States. That is what they could be telling the State of Pennsylvania they can do. Instead of that, the people who are supporting and pushing the King-Anderson bill are going around the country downgrading this fine piece of legislation, saying it creates paupers' oaths. Mr. Chairman, the paupers' oaths are created by the States under these present welfare laws. The Kerr-Mills Act permits them to liberalize to meet this problem if they seek to do so. I would suggest the gentleman from Pennsylvania do what I am trying to do because my State of Missouri is one that is in default, as I would regard the State of Pennsylvania, in not liberalizing the welfare clauses so that they can meet this problem for people who we know are on relief.

Mr. HOLLAND. It is a constitutional provision which we have in our Constitution.

Mr. CURTIS of Missouri. Well, you will have to repeal or change the Constitution.

Mr. HOLLAND. We have tried to change it, and we have been defeated all the time. It is an impossible thing. We say to a man who has worked all of his life: "You go down to the department of public assistance." He has never been to the department of public assistance. When he gets through the redtape, if he wants to go to the hospital, he will die first.

Mr. CURTIS of Missouri. I know the problem. Our States do have a problem.

Mr. HOLLAND. How many States have taken the Kerr-Mills bill?

Mr. CURTIS of Missouri. There are two aspects to the Kerr-Mills bill, and the Secretary fails to point them out. There is the section that increases the amount that can be paid under the present old-age assistance. The section the gentleman is referring to and the one we have been discussing, I think it is about 28 States that have taken this.

Mr. HOLLAND. Eighteen. We were the 18th State to use the Kerr-Mills Act, and it is costing us more money.

Mr. CURTIS of Missouri. I think the record shows 28.

Mr. HOLLAND. That is the statement I have received.

Mr. CURTIS of Missouri. As of what date?

Mr. HOLLAND. Last Thursday or Friday.

Mr. CURTIS of Missouri. I may say to the gentleman the figure I had in mind, and I think it is accurate, is 28, but I certainly would not rely on my memory.

Mr. DINGELL. Mr. Speaker, will the gentleman yield?

Mr. CURTIS of Missouri. I yield to the gentleman from Michigan.

Mr. DINGELL. Many of the States to which the gentleman has alluded have enacted legislation, but many have not put into effect any authorization or appropriations to carry it out.

Mr. CURTIS of Missouri. That may be the reason for the discrepancy in the two figures. I have pretty well embedded in my mind the 28. The 18 may be those that have actually carried it out.

Mr. KNOX. Mr. Speaker, will the gentleman yield?

Mr. CURTIS of Missouri. I yield to the gentleman from Michigan.

Mr. KNOX. I would like to ask a question relative to the remarks of the gentleman from Pennsylvania. He stated that the State may provide for a lien on the property. That would be a home or the homestead.

Now, it is my understanding of the Kerr-Mills Act that it prohibits any State from having a lien law operate on those who participate under the Kerr-Mills Act; in other words, if you had a lien law in your State, then you could not get funds under the Kerr-Mills Act; is that correct?

Mr. CURTIS of Missouri. I believe that is correct. The Kerr-Mills Act is really a very broad one and enables the States to do a great many things they formerly could not do.

Mr. HOLLAND. Mr. Speaker, if the gentleman will yield, we had our law looked up, the constitution, and we had to put them through the means tests, and so does Massachusetts and a number of other States who under the Kerr-Mills Act must permit people to go through the public assistance. We are doing this now in our State. We do not need any Kerr-Mills bill.

Mr. KNOX. I just wanted to say, so far as the Kerr-Mills Act is concerned, a State cannot force a lien upon the property of those people who are recipients. That is specified in the act.

Mr. CURTIS of Missouri. That is right, if they use Federal funds.

Mr. HOLLAND. We asked Mr. MILLS when the bill came up, and he said if your State has that law, you will have to go through the department of public assistance to get any benefits under the Kerr-Mills Act.

Mr. CURTIS of Missouri. That is right. But, if I may say to the gentleman, the Kerr-Mills bill gives the States broadening authority what they can do and still have Federal funds. The Kerr-Mills bill is a liberalization. Maybe people can argue it is not liberal enough. But, certainly, to hamstring it by hanging around its neck provisions that the various States utilize is not fair.

Mr. HOLLAND. I would like very much to later on insert in the RECORD a letter from our department by the secretary of public welfare.

Mr. CURTIS of Missouri. Would the gentleman like to do it right at the time he made his remarks here?

Mr. HOLLAND. I want to have it copied first. It explains it in detail that this is a pauper's oath.

Mr. CURTIS of Missouri. Well, that is up to the State of Pennsylvania, not the Federal Government, and to call the Kerr-Mills Act a pauper's oath is in complete error.

Mr. Speaker, I had hoped that an hour and a half would take care of the 20-page statement that normally would take about half an hour, and I only have 20 minutes left. I do want to get this in, and then if I have time, I will yield further.

Furthermore, many older people do live with their children or some relative and they are so living happily. The fifth commandment is still not a dead letter as some people in this country would have us believe. Nor do the sons and daughters "resent" having their loved ones with them. Nor does this mean that the grandchildren's education will be sacrificed. It is lack of motivation, not economics, that primarily lies behind the high school and college dropouts, as recent studies show.

The studies contained in the Ways and Means hearings as I pointed out in my correspondence with Dean Brown on this subject—CONGRESSIONAL RECORD, March 13, 1962, pages 4030 to 4033.

Page 550 of the hearings demonstrates that people over 65 as a group pay their hospitals bills more promptly and fully than any other group. These extensive studies from different geographic and economic areas reveal that only 3 percent of the people over 65 need further help to pay their bills.

Does this mean that there is no economic problem facing the aged in the field of meeting health costs? No indeed. The aged have the same problems that all age groups face if confronted with a major medical expense.

We all need insurance against major or catastrophic medical expense. Up until quite recently there was not much medical insurance on the market. The picture in this respect has changed considerably and dramatically for the better. Today there is a variety of choices. I put this list in the CONGRESSIONAL RECORD on March 5, 1962. These premiums are well within the budget of almost anyone.

Mr. Speaker, the greatest need in the field of health insurance, however, is prepaid health insurance. This is health insurance paid for during the working years so that it is paid up at the time of retirement. This insurance is now on the market. Although the promoters of the King-Anderson bill shut their eyes to it and deny it. Princeton's Dean Brown and my not-up-to-date former insurance salesman, my colleague whom I thought was going to be here, Representative HASTINGS KEITH, even state that it is impossible for private insurance companies to offer such policies. The answer is—and this is not theory—they have. These policies are available, not just one company, but through a number of companies. Furthermore, the private sector does not have a limitation in providing this insurance which the governmental sector does. Prepaid insurance requires funding. Funding requires investing the funds. The private companies can invest in stocks and bonds in the living economy where a good return can be made. The Government can only make sterile investments into much lower interest-paying governmental securities. Nor does the argument that government can handle inflation of the future better prevail, because if the private funds are invested as they are to a large degree in equities and real estate, they can be protected against inflation. Government bonds are no protection against inflation. I want to emphasize this point of prepaid insurance, because here is one good feature of the King bill and the Forand bill. There is an emphasis on prepaying your health insurance. But I am trying to point out that this is not peculiar to government. As a matter of fact, the private sector is more qualified and much more able to have this kind of prepaid insurance, and we should not go to the governmental sector. But here we do run into a problem of our people presently over 65. They became 65 before prepaid health insurance or catastrophic health insurance was available to them. Indeed, many of them became 65 before any real health insurance was available. Labor-management contracts did not provide for health insurance after the worker retired, as is the usual case today. Furthermore, Blue Cross and Blue Shield and other private health insurance was not available to them. When it was open to them, it was found that their health costs being so much higher created added health cost problems for the younger people in the programs.

Mr. COHELAN. Mr. Speaker, will the gentleman yield?

Mr. CURTIS of Missouri. I yield to the gentleman at this point, but I am anxious to get through.

Mr. COHELAN. Does not the gentleman feel that with this extension of a program of health insurance under social security would stimulate private insurance programs by way of extending coverage to those areas which would remain uncovered?

Mr. CURTIS of Missouri. No.

Mr. COHELAN. I have reference to those areas that are omitted, and so on. Would the gentleman comment on that?

Mr. CURTIS of Missouri. No; I do not. In fact, this is not going to be like social security which would be normally thought of as a proper analogy where we have done well when we gave people a pension, that this encouraged them to take out additional life insurance or pensions. But here we are talking about a particular expense. Once you are

covered by health insurance, there is no need to take out more. There is such a thing as a complete coverage, but who can say what your company does would be in the way of how much you could retire on? If you had $200 a month, you would want to make it $400 or $500. So social security insurance has been an encouragement to private insurance, as the gentleman, I think, is suggesting. But that same thing would not apply in my judgment in the health insurance field.

Mr. COHELAN. Will the gentleman yield further?

Mr. CURTIS of Missouri. Yes.

Mr. COHELAN. Mr. Speaker, I hope to be able to persuade the gentleman that I believe this would stimulate voluntary private insurance for that very same reason.

Mr. CURTIS of Missouri. No; I think it would do the opposite. But I appreciate the gentleman bringing up this point—a pertinent point.

Fortunately this is in the past. Today practically no Blue Cross or Blue Shield program excludes older people. There are hundreds of private policies of great variety available to older people. Many new programs like the Conn. 65 plan have become available.

We have two problems which the King-Anderson bill seeks to meet. One is for the problem for people now over 65 who as a group did not have health insurance available to them during their earning years. This group will continue to diminish and disappear as people now becoming 65 increasingly are covered by health insurance. Furthermore, the problem itself has declined markedly as health insurance for people over 65 has become available.

Lest there be people over 65 now who are in a financial bind because of health costs the Congress enacted the Kerr-Mills Act with the support of the AMA, certainly not negative in this instance. This act would take care of any older person who was in need because of medical expenses and the medical cost would be covered 100 percent—not just 25 percent as in the King-Anderson bill. Now was this act imposing a degrading means test on the older people? Just the opposite. The Kerr-Mills Act provided that the States could lower the restrictions of the OAA means test to say to older people had a limited pension when confronted with a large medical bill, you do not have to go on relief. You do not have to sell your home and cash in your savings, the program will take care of your medical bill and you just go on living as you have. Is that the story that the HEW officials and the proponents of the King-Anderson bill have been telling the people and the States about the Kerr-Mills Act?

HEW officials deny that they have participated in the campaign stating that the Kerr-Mills Act, whether this can be substantiated or not, requires the pauper's oath, it is certainly true that they have done nothing to counteract the dissemination of this misinformation. Indeed, they are working hand in glove, as is President Kennedy, himself, tonight with the Forand old citizens group which has been disseminating this poison, along with the COPE of the AFL-CIO and other national labor groups.

There is little question that we are on top of the problem of health care for our older people presently over 65. The challenge remains unanswered that there is no person over 65 or any age for that matter in need of health care who is not getting it or could get it if their plight were called to the attention of the proper authorities.

Our problem in the field of health care for our present aged is improving the system we have, getting better facilities, better trained personnel, advancing our knowledge in geriatrics and psychiatry and in rehabilitation of older people.

We can help the economic problem of many older people by liberalizing the work clause in the social security insurance program. Many older people would like to work more, indeed their health would benefit from it. Certainly our society would benefit from their knowledge and skills. We can continue to improve our health insurance coverage and variety of the programs available.

Now, the question is still properly asked, Should we finance what problems there may be of the cost of health care for the aged beyond the individual, the family, the church, the neighbors, capacity through the society insurance system or some other governmental ways?

The King bill would use the social security insurance system. That means using the most regressive tax we have in our Federal tax system, the tax on wages and salaries of our workers up to $5,000. This tax hits the lowest income groups by definition. It eliminates all income from wages and salaries above $5,000.

It eliminates all income from investments, capital gains, real estate, oil royalties and the like. Furthermore, the tax is paid for entirely by the present working force on an ungraduated rate basis. None of the beneficiaries, the people over 65, are to pay a single cent.

Now why should not our entire society pay for whatever governmental cost there may be arising from the need of people now over 65 beyond the capacity of the private sector and that of our local and State governments? Not just our workers with a regressive Federal tax limited to the first $5,000 of income? Furthermore, if we are doing this because people need it, why not include all the people over 65 who might need help and exclude the 80 percent who are over 65 who do not need help? At least we should exclude those who are well to do and there are hundreds of thousands of these. Why should our workers pay for the health care costs of the richest people in our country?

It was this reasoning that led the Ways and Means Committee to reject the Forand bill and pass the Kerr-Mills Act in 1960. It is this same reasoning that leads the committee to emphasize the Kerr-Mills Act and reject the limited King-Anderson bill which is meaningless as far as the present group of people over 65 are concerned.

Well, then, what do we have in the King-Anderson bill that needs further discussion? The gist of the bill and the real purpose of the bill. It really deals with the people who will become 65 from now on. The King-Anderson bill upon analysis does not relate to people now over 65. It leaves 4 million of those who are not social security insurance beneficiaries, those whose incomes as a group would designate them as being the most in need if any group was in need. The only reason attention is being directed to old people is to find arguments to gain support for the bill. It is difficult to make an appeal for compulsory health insurance for people who are not yet 65—young workers 18 years old or in the prime of their lives.

Why not? First. Because people under 65 are increasingly being covered by health insurance. Over 75 percent of them are covered now. Management-labor contracts increasingly provide for health insurance during their working years and on into retirement. Group policies of all sorts and individual health insurance policies are available in increasing numbers, variety, and coverage.

To my Republican friends who want to be for something affirmative. Look at H.R. 10117, the bill I introduced recently to remove the impediment restricting pension trust funds from being put into prepaid health insurance programs for the 15 million workers and their families. There is between $40 and $50 billion in these trust funds which receive Federal income tax exempt status. However, under present Internal Revenue law if the funds are used to provide health insurance prepaid or otherwise they may lose their tax exempt status. If H.R. 10117 becomes law, immediately billions of dollars can be moved into prepaid health insurance for millions more of our people. What has HEW said about this bill? Nothing, this strange silence for people claiming they are interested in helping to solve the problem of health care for our people? Why do they not get behind these affirmative programs? Because Republicans or southern Democrats propose them? Why does not the former Governor of Connecticut, the present Secretary of HEW, hail the Conn. 65 plan which can mean so much to the older people of Connecticut and the rest of the Nation?

What is the gist of the King-Anderson bill that makes its promoters disregard all that is being done in the health care field and refuse to compromise? There is much in the health care field that they will compromise on. There is much they have have compromised on; but there are basic features on which they will not compromise. The proponents of the King bill started in 1948 with the Wagner-Dingell bill. It required compulsory Federal governmental health insurance for all people through the social security insurance system which was designed to have eventually universal coverage. The promoters could not get this bill enacted, so they compromised and went to the Forand bill—compulsory health insurance through the Federal social security insurance program for only social security beneficiaries who were

over 65, not the disabled, not the widows, not the orphans or other dependent social security insurance beneficiary, just those over 65 and not working. They could not get the Forand bill so they compromised and got to the King-Anderson bill which contains the same compulsory system, the same beneficiaries, but cuts the medical benefits to less than 25 percent of the average 65-year-old's health costs.

The promoters of the King-Anderson bill will compromise on cutting the age group back to those over 70 and the benefits back from 25 to 10 percent or less of the health costs if they thought this would insure the enactment of the program, just as long as the system is Federal compulsory and universal.

What is the importance to them of having the system compulsory, Federal and universal? The compulsory, Federal and universal, aspect of the legislation requires that the Federal Government regulate the price and nature of the health services to be rendered. That's why the bills do not increase cash payments to social security insurance beneficiaries or permit the purchasing of health insurance in the private sector. The Forand bill provided in language that you could have the doctor of your choice, but in actual operation it provided that the Federal Government must enter into contracts with the doctor and other purveyors of health in respect to their fee schedules and the type of treatment they would pay for. So there is no real freedom of choice. The King bill says there shall be freedom of choice in respect to the hospital. Yet it provides that the Federal Government shall enter into contracts with the hospital in respect to fees and services and so it denies that which it says it gives.

If your hospital directors disagree with the Social Security Administration in respect to fees or a type of health treatment they think was beneficial to the patient, but which the bureaucracy did not, then you could not use that hospital. By having the plan compulsory it means that we lose our benefits, unless we use a hospital that has bowed down and agreed with the HEW officials. Because the program is universal as far as a class—those over 65—is concerned, what hospital could long operate out of compliance with the dictates of the Department of HEW?

Once the Federal compulsory universal system is begun even with 25 percent of health services covered and only people over 65 years old included, it would be impossible to stop its expansion. That's the King-Anderson bill. Once hospital costs for 90 days' stay are covered, how can we logically keep from extending the time or the type of service? There is nothing logical about covering 25 percent of health costs as the King bill does; logic would move us to slowly cover the 75 percent of costs not covered.

How could we refuse to cover the disabled beneficiary on social security insurance and just limit the benefits to those over 65 percent. The disabled whether 60 or 40 by the very definition are most in need of health care and the most costly group in our society as far as health costs are concerned. How could we in equity and good conscience keep from extending it to the widow and the orphans on social security when the father dies?

There is no logic to its restrictions and Congressman Forand and Walter Reuther, two of the greatest promoters of compulsory health insurance through the Federal social security insurance system, admit that the King bill is merely a foot in the door and that they fully expect to extend the program as rapidly as they can, to cover all social security insurance beneficiaries and as much of all medical costs, including doctors, as possible.

It is for this reason that I have stated this program is designed to radically change the health care system in our society, a system we must keep foremost in our minds, which has produced the greatest health care of higher quality extended to more people than any other system since the beginning of time.

The success of the system has created the problems. Our people are living 10 to 15 years longer. Can the system that produced the success meet the problems that the very success has created? I believe that it can; indeed it is doing so.

It is folly to undermine this system, by radically changing it for one which places a very heavy emphasis on the Federal governmental sector of our society. This will undermine other societies where it has not met with success—experimentation and innovation which is the essence of future progress. It will be governmental medicine, not free medicine.

Mr. DURNO. Mr. Speaker, will the gentleman yield?

Mr. CURTIS of Missouri. I yield to the gentleman from Oregon.

Mr. DURNO. Mr. Speaker, I have listened most attentively to this excellent, meticulous, comprehensive, careful presentation.

I want to compliment the gentleman from Missouri for a very objective report. I may say to the gentleman that I am requesting a special order for next Monday, March 26, of 1½ hours to carry on the discussion of the problems of the aged.

The SPEAKER pro tempore (Mr. THORNBERRY). The time of the gentleman from Missouri has expired.

MEDICAL CARE FOR THE AGED

Mr. COHELAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. COHELAN. Mr. Speaker, I am sure that every Member of this body respects the sincerity of our distinguished colleague from Missouri in presenting his view that we should not provide health insurance protection under our social security system for the older people of our country. It would indeed be remarkable if we did not have some divergence of views as to the approach to be taken in solving a problem of such grave proportions as that which confronts the aged in meeting the mounting costs of their health care.

At the same time I am sure that it must be confusing to many Members to hear the Member from Missouri and other opponents of the President's proposal suggest that perhaps the aged, with few exceptions, are quite able to meet the costs of their health care from their own resources or, in some cases, with help from former employers. On this point, Mr. Speaker, there must be no confusion. Is there or is there not a serious problem? Are the aged, as the honorable Member from Missouri seems to suggest, sufficiently well off so that the threat of expensive illness need not disturb them or the Congress?

The answer to this question need not—and should not—be a matter of opinion. All we need to do is to look at the facts.

Now where do we who support the President's health insurance for the aged measure look for facts? We go to the same sources as does the professional economist, and the social scientist, and the statistician. We look at the findings of studies that have been designed by responsible research specialists who use scientific sampling techniques that preclude bias. We look at those studies that employ a competent field staff that is skilled in interviewing techniques. We look at those studies whose results have been validated after being tested against what is known. There are a number of studies that meet these criteria, and their findings as to the income of the aged are in general agreement. The studies I have in mind include those conducted by the Bureau of the Census, the Survey Research Center of the University of Michigan, the drug industry's Health Information Foundation, and the Federal Reserve Board.

Such studies establish that the income for 1960 for the typical aged couple was only about $2,500, less than half the average income of younger two-member families. They establish that the typical widow had only about $1,000 in income. It has also been established that about two out of every five spending units headed by an older person had liquid assets amounting to less than $200.

We, as responsible representatives of the people of this country, cannot simply reject out of hand this and all the other accepted statistical data because of our political persuasions. There may be room for opinion in deciding between means-test medicine and a health insurance program under social security. But let us at least proceed to a decision on the basis of a clear knowledge of the facts.

What does the honorable Member from Missouri present as his source of the facts? He has referred to six studies which, he declares, strongly refute the findings from reliable sources; findings that show the aged have a serious problem in financing the costs of their health care. I have looked into these so-called studies and find that generally they are

nothing more than hit-or-miss efforts made by people with an ax to grind: efforts made with no attempt at scientific sampling; no validation of questionnaires; no reports on methodology and limitations of the results. In some instances they even deal with questions that are largely irrelevant to the conclusions drawn.

First, let us consider the study conducted by the Vermont Medical Society which purports to show that Vermont's older people can meet the costs of their medical care. In surveying whether, or how well, persons over age 65 in Vermont are able to meet their health care needs, one would assume that a representative sample of all aged in the State would have to be drawn and studied. Yet, the Vermont Medical Society found it satisfactory to report findings about the aged patients seen by a group—about half—of Vermont's physicians who chose to participate in the study in January 1960. No information was obtained concerning those aged persons who were not seen by these Vermont physicians during that month. To generalize from the group surveyed to the situation of all aged in the State is hardly valid unless the doctors involved were a true cross-section of physicians, unless the period of the survey was a typical one, unless information on all health bills—not merely the office visit bill—was collected. None of these conditions is indicated to have been fulfilled. But assuming that one could so generalize, how can the Vermont Medical Society possibly assert—when almost one-third of even the persons who were seen by a physician were unable to pay their own doctor bills in full—that, and I quote, "our older citizens are well able to meet their obligations." I submit that this so-called survey is hardly evidence of what it purported to show but rather one more demonstration—in this case a rather poor one—that the aged in Vermont as all over the Nation are not able to finance their basic health care needs. Think what this study would have shown if the situations of the aged sick enough to require hospitalization had been presented.

The item that our colleague from Missouri has on occasion referred to as the North Dakota study is a comparison of utilization and cost data for Saskatchewan and North Dakota prepared by the North Dakota Medical Association. The report makes no reference to medical care costs of aged North Dakotans—or any other North Dakotans, for that matter, or their ability to meet these costs. With this said I need not go into the further shortcomings of this report.

Next, let us look at a study referred to as the Delaware study. This survey was an attempt to determine whether persons who were hospitalized could pay their hospital bills. It shows that most hospital bills are paid. The study report made the point that 80 percent of the people over 65 among those studied met their hospital bills. However, indigent or medically indigent patients constituted 14 percent of those admitted to hospitals. In other words, this report shows that in one of the highest per capita income States in the land, one-seventh of the aged being admitted to hospitals cannot pay their bills. I submit that the study sought no information on those older citizens who did not seek adequate health care, because those who made the study know that such care will require funds that many people simply do not have. The report says nothing of the hardship faced by some of these people who did manage to pay the hospital. It does not point out the frequency with which people had to call upon their children for aid and what sacrifices had to be made by children and grandchildren as a result. It does not point out that the aged can never recoup savings once spent. It does not report how many aged requested ward care or sought care in the poorest institutions to keep their costs down, and used interns or residents as their physicians giving up their free choice of physician because of the heavy hospital cost they had to meet.

The Texas study was one conducted by the Texas Research League. Its report certainly does not prove our aged population needs no help in financing medical bills. This study covered the public assistance recipients in Texas. It does not show how many of the aged persons on assistance were there because heavy medical bills had exhausted their resources. Furthermore, there are big holes in the analysis. For example, the report finds 8½ percent of the assistance cases with unmet medical needs, but says over half would not respond to governmental action to provide means-test medicine because some, they say, are people who refuse free care. This is further evidence in favor of health insurance, for even some of those on public assistance seem to reject means-test medicine. The surveyors gave no thought to offering care with freedom of choice outside a charity hospital so that the poor could have care like other human beings and not be forced to choose between the understaffed charity county hospital and nothing. The hard-hearted surveyors cite cases where poor health prevented people from receiving needed care and illustrate by mentioning a case where no local specialist was available and the patient was too ill to travel. These surveyors couldn't conceive that a doctor could be brought to him or an ambulance might be used. I could go on and on, citing obvious biases in approach and analysis and concerns about methodology and sampling procedure. It is enough to say that even the Legislature in Texas and the State medical association did not accept the conclusion of the study, for they established a vendor payment program under their old-age assistance program in spite of the fact that the report found it undesirable.

Then there is a study which the Member from Missouri calls the Oregon study. The Oregon study consisted of asking the public health nurses in one county in the State, the one in which the city of Portland is situated, to report cases needing medical attention. After 2 weeks, 11 cases had been reported. In a year, would they have found 25 times as many in that county? How many would they have found if they did a real sample survey throughout the State? This is a State which limits hospital care under its Kerr-Mills program to 14 days per year and has as yet reported no payments at all, despite having 1,500 applicants as long ago as last November.

I might add that if anyone is sincerely interested in discovering cases of unmet medical needs in any State of our Nation, he need look only as far as the nearest inadequate nursing home. Over one-half of the nursing home beds in Oregon fall in the category of unsafe. Others are merely inadequate.

The last of the six studies is one that the Member from Missouri has on occasion referred to as the State of Washington study. The fact is, Mr. Speaker, that this doesn't even pretend to be a study. It is nothing more than a presentation by Dr. Homer Humeston, president of the Washington State Medical Association, of his interpretation of, first, trend of demand by persons covered by medical care plans; and second, effect on quality of medical care when paid for by Government. I hope that the use of vaccines of the future will not be based on studies like the Washington study. Nevertheless, Dr. Humeston presents a strong argument for a tie between benefits and contributions by those who may benefit—a tie that would be present in health insurance for the aged under social security but does not exist in Kerr-Mills legislation—and an argument against State limitations on medical remedies, limitations included in State Kerr-Mills programs but not in health insurance legislation, no matter how hard the doctor strains to show otherwise. Even these facts are not pertinent to the suggestion that the aged as a group do not have a significant problem in budgeting for the costs of medical care.

There is another item which has been made much of by opponents of the social insurance approach and which is still offered as pseudoscientific evidence that the aged have virtually no unmet medical needs. This is the thoroughly discredited Wiggins and Schoeck survey. Members of various medical societies in their testimony on the King-Anderson bill, and recently in the course of a television debate, the junior Senator from Texas [Mr. TOWER] have used this so-called study in an effort to convince the public that the aged are better off than reliable researchers have actually found them to be.

As one example of how inadequate the Wiggins study was, let me cite the fact that they excluded Negroes and old-age assistance recipients from the survey. Lest there be a mistake about the inclusion of old-age assistance recipients in the health insurance proposal, I should point out that half—and the portion is increasing fast—of those now coming on the old-age assistance rolls are also old-age and survivors insurance beneficiaries. Furthermore, a considerable proportion of those aged persons who go on relief do so because their medical expenses helped pauperize them. I commend to your attention a full and careful examination of that study made before the other body by the able junior Senator from Minnesota [Mr. MCCARTHY]—CONGRESSIONAL RECORD, volume 106, part 13, pages 16990 and 16991. This summary of the principal defects of the Wiggins and Schoeck report may be useful to physicians who use the study results on the grounds that the objections to it are professional differences of opinion. This is not the case. The only support for the study comes from Wiggins and Schoeck, and from professional opponents of health insurance for the aged under social security.

I trust, Mr. Speaker, that this will clear up some of the confusion as to what are the facts about the problem of the aged in meeting the cost of their health care. The facts collected by professional researchers who take no sides in this issue show that the problem of the aged is serious, indeed, and this clear finding is not likely to be doubted no matter how many reports which have no pertinence or validity are submitted in refutation.

MEDICAL CARE FOR THE AGED

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Michigan [Mr. DINGELL] is recognized for 60 minutes.

Mr. DINGELL. Mr. Speaker, I was very much interested in the comments of the distinguished gentleman who preceded me, and I intend to seek to refute them.

Mr. COHELAN. Mr. Speaker, I wonder if the gentleman will yield for a moment in order that I may ask a question of the distinguished gentleman from Missouri.

Mr. DINGELL. I yield to the gentleman from California.

Mr. COHELAN. I did not understand clearly from the very fine presentation of the gentleman, who is always an excellent, willing, and worthy adversary, exactly whether or not he favors reporting the bill out of the committee notwithstanding the defects he feels are in the bill.

Mr. CURTIS of Missouri. That is a very pertinent question, particularly in connection with my views on reporting bills out, even though I disagree with them, if I think proper work has been done in the committee. My answer is no, I will not, because—and this is something I have thought a great deal about—of the propaganda efforts that have been conducted around this country, handing out misinformation, and appealing to emotionalism, in a situation where the people of the country have not been permitted to evaluate the full arguments or facts. We held hearings for 10 days, open hearings, at which very valuable information, to my mind, was adduced, but unreported to the people. These hearings were held up in printing for over 4 months, while the President had White House regional conferences conducted all around the country, without this data and information being available. In that kind of atmosphere that has been deliberately created to force through a measure, I will not vote to report it out.

Mr. COHELAN. May I say to the gentleman I heartily disagree with him, and I very sincerely regret the fact he finds it impossible to vote the bill out, particularly since he has been so forthright on previous occasions in pointing out to the House he will vote to move bills to the floor and thereby let the House work its will.

Mr. CURTIS of Missouri. Mr. Speaker, will the gentleman yield briefly?

Mr. DINGELL. I yield.

Mr. CURTIS of Missouri. The answer to that is as I explained it. If I thought the House could legislate under a proper climate, I would love to do it. I would love to have a straightforward debate on these issues and feel that my colleagues had the opportunity to weigh them, and if I were unable to persuade them by fair argument and fair facts, yes, I would respect their judgment. But, with the kind of propaganda that is going out, the House is in no position—and this has been deliberately created—the House is in no position to consider this thing in an objective fashion.

Mr. COHELAN. Mr. Speaker, will the gentleman yield once more?

Mr. DINGELL. I yield.

Mr. COHELAN. I would call to the attention of the gentleman that his usual conscientious effort here today and on previous occasions has certainly made clear his particular point of view. I would add to that fact that there are extensive hearings on this matter——

Mr. CURTIS of Missouri. Unreported. If we can persuade the gentlemen of the press to report merely what I have said here today so that the people can understand it, then I am willing to have a debate.

Mr. COHELAN. I thought the gentleman yielded to me. The point is, of course, that we have had adequate information for the House to act upon, and I would again take this opportunity to plead with the gentleman to help report the bill out.

Mr. CURTIS of Missouri. The plea falls on deaf ears for the reasons I have explained. And I want to compliment the gentlewoman from Michigan [Mrs. GRIFFITHS], for the newsletter she sent to her people, which was placed in the RECORD. She is opposed to my position and I to hers, but she sent out a very factual letter to her people to try to let them know the issues. Any way that we can get the people informed on this issue so that we can legislate openly, then I would be willing to vote the bill out.

Mr. DINGELL. Mr. Speaker, we have heard a great deal about the adequacy of medical care for the aged in this country. We have heard how the aged are the wealthy group, not needing Government interference or not interested or concerned in medical care for the aged or hospitals for the aged within the framework of the social security system. The Gallup poll made not too long ago abundantly rebuts this statement. And, I would point out to the House that this legislation is not backed merely by those who are interested in the old Murray-Wagner-Dingell bill, which was sponsored by my dad, but rather its sponsors who join in supporting it comprise a very representative group in the American economy.

The American Nurses' Association, certainly not a group of rabid Socialists or even pink-tea Fabian Socialists, endorse it in spite of the fact that there has been considerable pressure upon them by organized medicine to oppose it. American Public Health Association, Medical Care Section; American Public Welfare Association; American Veterans Committee; Americans for Democratic Action; Council of Golden Ring Clubs of Senior Citizens; Council of Jewish Federations and Welfare Funds; Family Service Association, Public Issues Committee; Governors' Conference—52d annual meeting, 1960; Group Health Association of America; National Association of Social Workers; National Consumers League: National Council of Churches; National Council of Jewish Women; National Farmers Union; National Federation of Settlements and Neighborhood Centers; National League of Senior Citizens; Nationwide Insurance Companies; Railway Labor Executives' Association; Synagogue Council of America; White House Conference on Aging, Section on Income Maintenance, called by the previous administration, I will say to the gentleman from Missouri.

Now, beyond this, a distinguished group of medical leaders has joined in the support of the administration's program: Dr. E. M. Bluestone, recipient of the 1961 Distinguished Service Award of the American Hospital Association; Dr. Martin Cherkasky, director of the Montefiore Hospital in New York City; Dean A. Clark, M.D., director, Massachusetts General Hospital, Boston; Rt. Rev. Msgr. Edmund J. Goebel, director of hospitals, archdiocese of Milwaukee, Wis.; Basil MacLean, M.D., former president, National Blue Cross Association, and former president of the American Hospital Association. This man recognized that Blue Cross and existing private plans could not meet the needs of our aged. He, therefore, supports this program for that reason. Then we have Mr. Jerome Preston, president of the Massachusetts Memorial Hospitals, Boston, and Leonard S. Rosenfeld, M.D., director, Metropolitan Hospital, Detroit, Mich., together with a large number of distinguished surgeons, obstetricians, gynecologists, doctors of medicine, and responsible practitioners in good standing with their respective medical organizations which vigorously and enthusiastically support it, and defend it so far as to testify before the Ways and Means Committee.

Mr. Speaker, without discussing what the bill provides, I will state to the House that it is only a limited program. It meets only the limited portion of the vast medical needs faced by our aged in this country. But let me say to the House, this is perhaps the most desperately needed piece of social legislation facing this country today. I am deeply saddened that my good friend, the gentleman from Missouri [Mr. CURTIS], chooses to oppose this legislation which is so needed, and so desperately, in the public interest. I am deeply saddened

to see the opposition of, I am sure, sincere Members of this Congress, to legislation which will meet the most pressing single economic need of the age.

Mr. Speaker, the gentleman from Missouri [Mr. CURTIS] has made a lengthy statement in which he said this is a medical problem. I say to the gentleman that this is not simply a medical problem. This is a problem which is devoted to the sociological needs of the aging. It is one which is aimed at meeting the economic needs of the aged. This problem is not a medical problem. Its import is in permitting the aged of this nation to finance the medical care which they so desperately need, and to enable them to live with dignity.

Mr. Speaker, Boris Pasternak, the Russian author of "Dr. Zhivago," said that man does not die in a ditch like a dog, but dies quietly in bed with dignity. This is all we seek to do. We seek to make the declining years of the aged decent and wholesome so that they can exist in dignity, not as public charges, and not subject to means tests, not subject to being a drain and an obstacle upon their children in supporting their own upcoming families, and not to compel the children whom they have raised to have to give them the miserable choice of choosing between educating their own offspring and meeting the medical care needs of their aged parents.

Mr. Speaker, I say to the gentleman from Missouri [Mr. CURTIS], if he would read the bill carefully, he would note section 1601 of the bill which clearly provides:

> Nothing in this title shall be construed to authorize any Federal officer or employee to exercise any supervision or control over the practice of medicine or the manner in which medical services are provided, or over the selection, tenure, or compensation of any officer or employee of any hospital, skilled nursing facility, or home health agency; or, except as otherwise specifically provided, to exercise any supervision or control over the administration or operation of any such hospital, facility, or agency.

Mr. CURTIS of Missouri. Mr. Speaker, will the gentleman yield?

Mr. DINGELL. I yield to the gentleman.

Mr. CURTIS of Missouri. I have read that section. I wonder if the gentleman would go on and read the section which requires the Department to enter into contracts with the hospitals in regard to their fees and services and then answer the question, how can they do that without actually interfering and restricting and, indeed, setting up a system whereby they are the ones controlling the operation?

Mr. DINGELL. I am glad that the gentleman asked that question, because this is an example of the spurious reasoning that the AMA has with regard to their opposition to this bill.

Mr. CURTIS of Missouri. Mr. Speaker, will the gentleman yield?

Mr. DINGELL. I was about to answer the gentleman's question; I will be very happy to.

Mr. CURTIS of Missouri. Mr. Speaker, will the gentleman yield?

Mr. DINGELL. Mr. Speaker, I am going to answer the gentleman's question and then I will be happy to.

Mr. CURTIS of Missouri. Mr. Speaker——

Mr. DINGELL. Mr. Speaker, I ask for the regular order.

The SPEAKER pro tempore (Mr. THORNBERRY). Does the gentleman from Michigan yield?

Mr. DINGELL. Mr. Speaker, I do not yield at this time; I will be happy to yield later.

Mr. CURTIS of Missouri. I think it would be well for the gentleman to yield at this time.

Mr. DINGELL. Mr. Speaker, I decline to yield at this time, because I am busy trying to answer the gentleman's question.

Mr. CURTIS of Missouri. Mr. Speaker, I demand that the gentleman's words be taken down and ask that I may speak to them when they are.

The SPEAKER pro tempore. The Chair would like to ask the gentleman what words he wants taken down.

Mr. CURTIS of Missouri. The words that refer to the argument that I just advanced as the argument of the AMA. It was my argument and the gentleman referred to it as spurious.

The Speaker assumed the chair.

The SPEAKER. The Clerk will report the words objected to.

The Clerk read as follows:

> This is an example of the spurious reasoning that the AMA has with regard to their opposition to this bill.

Mr. CURTIS of Missouri. Mr. Speaker, may I address myself to the point?

The SPEAKER. The Chair will ask the gentleman, are the words taken down the words objected to?

Mr. CURTIS of Missouri. Those are the words.

Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The Chair can only pass on the words that were taken down.

Mr. DINGELL. Mr. Speaker, I make a point of order against a parliamentary inquiry at this time.

Mr. LIBONATI. Mr. Speaker, I demand the regular order.

The SPEAKER. On a matter of this kind the question before the Chair is limited strictly to whether or not the words taken down violate the rules of the House of Representatives. On reading the words taken down the Chair is of the opinion that there was no violation of the rules.

The Chair recognizes the gentleman from Michigan [Mr. DINGELL].

Mr. DINGELL. Mr. Speaker, the gentleman from Missouri makes it a great deal harder for me to yield to him in view of his just past conduct.

Mr. CURTIS of Missouri. Mr. Speaker, will the gentleman yield?

Mr. DINGELL. I decline to yield to the gentleman. I will yield to the gentleman after I have answered his question.

It so happens, for the benefit of the gentleman from Missouri, that the American Hospital Association spokesman, speaking in opposition to the bill, was queried as to each and every one of the points that the gentleman refers to with regard to the making of contracts between the Secretary of Health, Education, and Welfare, as provided in the bill. The American Hospital Association spokesman speaking in opposition to the measure at that time stated that there was no objection to the requirements which were really quite simple, which basically, as a matter of fact, are enunciative of the rules and regulations of Blue Cross with regard to the payment of participating facilities. And for the benefit of the gentleman from Missouri, who apparently has not studied this portion of the matter, I would point out to him that the AMA has pointed to the Blue Cross as being a sterling example of private enterprise and I would call to his attention it has been reliably reported in the daily press here in Washington, D.C., that the American Hospital Association has since endorsed the proposal that we are discussing today.

Mr. CURTIS of Missouri. Mr. Speaker, now will the gentleman yield?

Mr. DINGELL. Now I yield to the gentleman, provided he assures me he will be polite.

Mr. CURTIS of Missouri. I always try to be polite and I try to see to it that others are polite in return. Might I say to the gentleman——

Mr. DINGELL. Does the gentleman desire to apologize, then?

Mr. CURTIS of Missouri. No, I was seeking to——

Mr. DINGELL. Mr. Speaker, I decline to yield——

Mr. CURTIS of Missouri. Will the gentleman yield to me, please?

Mr. DINGELL. I have to decline to yield to the gentleman unless he wants to apologize. Now, Mr. Speaker, with regard to some of the other points covered by the gentleman from Missouri. The gentleman pointed to how private plans are meeting the need. I would point out that at the time the previous administration reported the statistics used by the distinguished gentleman from Missouri to the Congress of the United States under the signature of then Secretary of Health, Education, and Welfare, Flemming, that 40 percent of the people 65 years of age and over were at that time covered by any form of hospitalization insurance. I would point out that today only 42 percent of the people 65 and over are covered by hospitalization insurance. I would point out that the great bulk of the so-called plans made available to persons 65 and over are grossly and completely inadequate. For example, let us take the so-called 65-plus program which has been offered by a group including Continental Casualty, Firemen's Insurance Group, and the senior security plan offered by Mutual of Omaha. The daily room and board offered under these plans is up to $10 a day in the hospital. The maximum is 31 days covered. Miscellaneous extras are $100 for the first two plans and 80 percent of charges up to $1,000 maximum for the third.

Mr. COHELAN. Mr. Speaker, will the gentleman yield?

Mr. DINGELL. I yield.

Mr. COHELAN. I wonder if the gentleman from Michigan could enlarge on this point. Do I understand correctly that this contractual arrangement with HEW is nothing but an extension of the kind of arrangements that are presently made with such groups as Blue Cross, the California Physicians & Surgeons plans and the various health and welfare plans that exist with various labor-management health and welfare groups. Is that not a correct understanding of what is provided in the bill?

Mr. DINGELL. The gentleman is entirely correct in his understanding of the bill. As a matter of fact it is an enunciation of a number of the arrangements that exist between Blue Cross and private hospitals that participate in the Blue Cross plan. Also it is an enunciation of the programs which exist for participation by private hospitals with regard to participation by those who pay into the sundry private plans, including some of the labor-sponsored plans.

Mr. COHELAN. Mr. Speaker, will the gentleman yield further?

Mr. DINGELL. I yield.

Mr. COHELAN. Would the contracting party, in this case the Government, under the social security arrangements exert any greater influence on the doctor-patient-hospital relationship than existing types of health and welfare plans? I am genuinely concerned about this matter.

Mr. DINGELL. As a matter of fact, not only would it have no more impact on the private practice of medicine as exists in relationship to the private plans—as a matter of fact would have a great deal less, because that section which I read to the gentleman from Missouri a little earlier expressly prohibits any interference aside from the portion which they had set forth in their agreement; and, incidentally, there is no such protection available in the charter of the other private plans which operate in this area.

Mr. COHELAN. Just for the sake of argument, let me ask the gentleman this question: What would happen in the case where a fee schedule is obviously way out of line, say, for a certain type of operation for which a very, very substantial fee was provided; what would happen in that kind of situation?

Mr. DINGELL. If the gentleman will permit, there is no provision in the bill sponsored by Mr. KING which provides for payment for operations or which provides for medical care, and so forth. There is no medical care in this bill. This is the point we tried to get across to the doctors who were opposing this on the assumption that it had medical care in it.

Mr. KOWALSKI. Mr. Speaker, will the gentleman yield?

Mr. DINGELL. I yield.

Mr. KOWALSKI. On this same point we have been discussing, we have been assuming the relationship between Blue Cross and their contracts, between Blue Cross and the individual, and the medicare program in the military. This is somewhat similar to what we are providing in this legislation. Does the gentleman know of any case where the Government tries to tell the doctor what to do when those doctors treat the military personnel or their dependents? Does the gentleman know of any such situation?

Mr. DINGELL. That is correct. There is no attempt to control the medical service with regard to the so-called medicare for military dependents. I would recall to the gentleman, however, that this program which has worked so well in providing medical care for dependents of the military personnel was opposed as dangerous and socialistic by the AMA in the same manner they are opposing this King-Anderson bill.

Mr. KOWALSKI. I want to assure the gentleman that the people in the military are very happy about the treatment, benefits, and care they are receiving.

Mr. DINGELL. Mr. Speaker, to continue, I would like to point out that there is no program available on the market today for our aged who wish to go in and contract for such program, which offers any more adequate level of benefits to the projected recipients than does the medical-care-for-the-aged program provided in the King-Anderson bill. As a matter of fact, Mr. Speaker, the King-Anderson bill offers something which is unique, in that it offers the lowest administrative costs available in the insurance field today.

There is no insurance company anywhere which has administrative costs as low as the social security program, which run about 2 percent.

I would point out existing plans set up in opposition to the King-Anderson bill, or in opposition to the previous Forand bill, favor not only staggering costs, but inadequate payments and benefits to the aged who pay in. A large number of them permit cancellations by the recipient of the benefits at the option of the insurance company.

Mr. Speaker, we ought to look briefly at the record of the American Medical Association in this field. I think a close scrutiny of this will be of great help to the record. It is a fact, Mr. Speaker, that the AMA has opposed almost every single step forward in providing additional and better medical care for the aged of this country.

The American Medical Association from 1948 to 1956 opposed extension of social security to provide cash benefits to the permanently disabled at age 50, and repeatedly sent its people to the Hill to testify in opposition to this.

The House of Delegates of the AMA supported the statement of Dr. F. J. L. Blasingame and recommended that each delegate bring it to the attention of his constituent association. The language was as follows:

> The proposed amendment to the Social Security Act, embodied in H.R. 7225, which would establish a cash benefit under the old-age and survivors insurance system for disabled beneficiaries beginning at age 50, constitutes a serious threat to American medicine. It is obviously one important step on the road to a system of complete Federal medical care. No government can long provide cash benefits as a right under a so-called social insurance system without eventually injecting itself into the physician-patient relationship.

Earlier the American Medical Association opposed as "socialistic" in 1953, a Federal regulation requiring that State crippled children's services shall:

> provide that diagnostic services will be made available to any child (a) without charge; (b) without restriction or requirement as to the economic status of each child's family, and (c) without any requirement for the referral of such child by any individual or agency.

The source of this is the proceedings of the house of delegates of the American Medical Association. That body adopted the following resolution:

> Whereas section 200.9 of part 12-4 of regulations for maternal and child health and crippled children's programs, entitled "Crippled Children's Program; Diagnostic Services" states as follows: "State plans for crippled children's services shall provide that diagnostic services under the plan will be made available within the area served by each diagnostic center to any child (a) without charge, (b) without restriction or requirement as to the economic status of each child's family or relatives or their legal residence, and (c) without any requirement for the referral of such child by any individual or agency."

Then comes the resolution:

> *Resolved*, That the board of trustees work through whatever channels may be necessary to eliminate this section of the regulations, the same being a socialistic regulation.

I think there is another point we should remember. The American Medical Association only endorsed and embraced voluntary health insurance when it became clear that there was something else on the horizon. As a matter of fact, the AMA only really relinquished its opposition to the Blue Cross program when they were faced with an interdict of the Federal Court of being convicted for violation of the antitrust laws for their opposition to the Blue Cross system now in Washington, then called Group Health of Washington, and that they were enjoined by the courts from persisting in interference in the plans of those who participated in that program.

Unemployment insurance, the social security program, was labeled in 1939 by the AMA as being a step toward either communism or totalitarianism. Speaking before the American Medical Association in 1939, Dr. Fishbein said as follows:

> A Federal security plan * * * will be the first step in the breakdown of American democracy. Indeed, all forms of security, compulsory security, even against old age, unemployment, represents a beginning invasion of the state into the personal life of the individual, represents a taking away of individual responsibility, a weakening of national caliber, a definite step toward either communism or totalitarianism.

Now, in like manner the AMA opposed the Sheppard-Townsend Act granting Federal funds to appropriate State agencies, and they passed a resolution in opposition to this.

Mr. HOLLAND. Mr. Speaker, will the gentleman yield?

Mr. DINGELL. I yield to the gentleman from Pennsylvania.

Mr. HOLLAND. The gentleman also forgot to mention the fact that the

Workmen's Compensation Act was opposed by the AMA. They said it was going to be socialistic at that time.

Mr. DINGELL. I would say that was in keeping with their views.

Mr. HOLLAND. Mr. Speaker, I ask unanimous consent to extend at the close of the gentleman's speech the forms asked for from the Department of Public Assistance of Pennsylvania and also the setup that we have in Pennsylvania which bears out, as I said before, that this is a pauper's oath that they must take. They must sign many legal papers, with a penalty of upward of $5,000 or go to jail if they make a mistake on those papers.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. DINGELL. Mr. Speaker, the plight of 17 million citizens over 65 is a matter of record. These people need three times as much hospital care as the rest of the population. They are hospitalized for longer periods, an average of 15 days or twice as long as younger people. Their bills are higher in the 65-plus group. The average hospital cost is over $800; for 1 in 20 it is less than $200. They are the least able to pay, and this is a fact which cannot be controverted.

Mr. COHELAN. Mr. Speaker, will the gentleman yield?

Mr. DINGELL. I yield to the gentleman from California.

Mr. COHELAN. As the gentleman knows, I heartily endorse the social security principle involved in this bill. This does not mean, however, that I am entirely uncritical of certain features in the bill. As the gentleman knows, and as we have been reciting from time to time before this House and in the RECORD, the economic plight of the aged is most austere. The President of the United States has repeatedly called this to the attention of the country. So, it is with this in mind that I express great concern over my understanding of the provisions in the bill pertaining to deductible amounts. Now, if I understand the bill correctly—and I hope the gentleman from Michigan will correct me if I am wrong—the bill provides, among other things, a deductible amount paid by the patient of $10 a day for up to 9 days; minimum deductible $20 and maximum $90; is that correct?

Mr. DINGELL. That is correct.

Mr. COHELAN. If, as I have indicated, the plight of the aged population, those 65 and over, is economically depressed, as reliable studies indicate, how can we justify the charge of the deductible cost, and does this not, in fact, violate a basic principle of social security?

Mr. DINGELL. I will say to the gentleman the bill does not violate the basic principle of social insurance so long as it is financed by a traditional social insurance approach.

I would point out to the gentleman that this section was put in the bill specifically to meet the loudly cried objections of the AMA which stated that the original Forand bill in lacking a deductible feature was an invitation to a frightful overuse of medical facilities in so doing, and urged that the committee had to cover, as one of many criteria in the bill, that there be a deductible feature. Now, I cannot look upon the deductible feature with enthusiasm, either, I will say to the gentleman, but this was put in to meet the objection of the AMA.

Mr. COHELAN. In other words, in the course of the committee action on the bill, this was felt to be a necessary requirement in order to get favorable consideration of the bill? Would that be a correct interpretation?

Mr. DINGELL. This was put in to assuage the particular objection that the AMA had to the absence of this very feature.

Mr. COHELAN. If the gentleman will yield further, I would like to express at this time my most vigorous opposition to this particular portion of this bill, and if in the final analysis I vote for this bill, it will be with this strong reservation.

Mr. KOWALSKI. Mr. Speaker, will the gentleman yield?

Mr. DINGELL. I yield to the gentleman from Connecticut.

Mr. KOWALSKI. Mr. Speaker, I want to join the gentleman from California in this objection because, certainly, no sick person could go to a hospital without the approval of a doctor. I do not see how a deadbeat could get in under those circumstances. However, there is some merit in the deductible feature, I have to admit that. Since the bill may come to as high as $35 a day under present costs, a $10 deductible is hard on the individual, but under the circumstances the bill will take care of a considerable number.

Mr. COHELAN. Mr. Speaker, will the gentleman yield further?

Mr. DINGELL. I yield to the gentleman.

Mr. COHELAN. If I may ask a question of the gentleman from Connecticut, I wonder if the gentleman recognizes that we are talking about amounts here, as I understand it, of $10 a day, up to 9 days, and then in addition to that, outpatient diagnostic service, subject to a $20 deductible amount for each diagnostic study?

It seems to me if our aged population is, as we have asserted and as I truly believe, and as these studies will show, in an economically depressed condition for the most part, it would seem to me that this is virtually an unconscionable charge and will seriously affect the most effective administration of the bill.

Mr. DINGELL. I will be happy to agree with the gentleman that I do not care for the principle. The simple fact of the matter that it is in the bill.

Mr. KOWALSKI. Mr. Speaker, will the gentleman yield?

Mr. DINGELL. I yield to the gentleman from Connecticut.

Mr. KOWALSKI. Mr. Speaker, I want to join the gentleman from California in his objection. I only cited for the RECORD those other costs which do show that the bill is considering the individual but not to the degree that you or I would like to see it do.

Mr. DINGELL. I think we must go on to treat the medical care needs of the aged in the light of their income. The average income of an aged couple, two people, is $2,530 a year. For the younger couple it runs better than $5,000 per couple per year. The individual who is not married and who lives alone, over 65, has an income of approximately $1,050 a year. When you consider that the average medical bill in half of the cases is over $800, it becomes clear that a man and wife or an individual man or woman retired under the social security program lacks adequate means with which to face the higher costs that medical care and hospitalization burdens them with.

Mr. Speaker, we have heard a great deal about how the Kerr-Mills Act has been working in the States. It is a fact that there are programs in effect in only 25 States. In some cases the means test in the Kerr-Mills Act faced by the State pursuant to the Federal statute is fixed at as low as $1,000. It is also a fact that in some States the level of benefits afforded is 6 days of hospitalization per year. Three States in the United States provide about 90 percent of the benefits under the Kerr-Mills Act. So it can be said there is a grave imbalance in the way that the Kerr-Mills Act works.

As a matter of fact, there are a number of States which have not implemented the Kerr-Mills program by appropriations; and there are more which have neither appropriated nor have completed the legislative process to authorize appropriations.

The 1961 legislatures in Alaska, Arizona, Colorado, Delaware—even the District of Columbia, where we of the Congress are the city council and the legislative body—Florida, Indiana, Kansas, Minnesota, Missouri, Montana, Nebraska, Nevada, North Carolina, Ohio, Rhode Island, South Dakota, Texas, Wisconsin, Wyoming, and Mississippi all adjourned without implementing Kerr-Mills.

Three States have authority for MAA, but are not expected to implement in 1961–62. They are Georgia, Iowa, and New Mexico. So it can be seen that there is not an adequate measure of coverage coming under the existing Kerr-Mills program.

To return to the private service cost about which we have heard——

Mr. KOWALSKI. Mr. Speaker, will the gentleman yield?

Mr. DINGELL. I am happy to yield to the gentleman.

Mr. KOWALSKI. Before we get off Kerr-Mills, it does have some supplemental value to the program that the gentleman and I and the rest of us here are favoring.

Mr. DINGELL. I agree with the gentleman, but alone it has had a limited measure of value. The Governor of my own State, the distinguished Governor of the State of Michigan, the Honorable John B. Swainson, very recently gave out a public statement in which he pointed out that Kerr-Mills was not working in the State of Michigan. He pointed out that an adequate level of coverage to the people, an adequate number of people within the State, have not been brought under coverage of Kerr-Mills.

Mr. KOWALSKI. We have had some objection on the floor today that not all of the people over 65 will be taken care of under the King-Anderson bill. Would not the Kerr-Mills bill assist in taking care of a large number of those who would not be covered under the King-Anderson bill?

Mr. DINGELL. I agree with the gentleman. As a matter of fact, Kerr-Mills, in my opinion, is merely a worthwhile supplement to a worthwhile program of including people within the framework of medical care for the aged, or hospitalization under social security.

Mr. KOWALSKI. Only, really, if we had a comprehensive program, like the King-Anderson bill.

Mr. DINGELL. The gentleman is correct. I say it was distressing to me to note the distinguished gentleman from Missouri [Mr. CURTIS]—I am sorry he has left the floor—points out on the one hand that he opposes medical care for the aged within the framework of the social security system as set forth under the King-Anderson proposal, and then on the other extreme, within the matter of a paragraph or two of his statement to point out that his objection to the bill is that it will grow and continue to offer other benefits and increased levels of benefits to our aged and others in the community. I would prefer to treat this problem of health insurance for the aged as being simply a question of, "Are you in favor of providing hospitalization to that group in our society which has the highest and most desperate need of hospitalization of all groups in our society and which has, according to every study, the lowest incidence of means of any adult group with which to meet that need?" I think that when this situation is viewed in that light it becomes inescapable that Kerr-Mills is not adequate, that this Nation must have the King-Anderson proposal, which is endorsed by this administration, to meet this highest and most desperate incidence of hospital need and the lowest level of means with which to meet it.

I think the House, in consideration of this matter, should consider that the average per diem cost of hospital care has risen from $9.39 in 1946 to $23.12 in 1955 and to $32.23 in 1960.

As a matter of fact, in some areas in our country the daily cost of hospitalization in a semiprivate room runs to slightly above $49. I point out that the aged, with the median income of $2,500 per couple per year or less do not have the means to enjoy luxury hotels. I would point out that to them hospitalization is fixed at the level of luxury hotels.

I think we should recognize that a study in 1960 showed that 53 percent of persons 65 and over in institutions had cash incomes of less than $1,000, and if we assume as our colleagues who oppose this bill do, that this is an unreliable figure or statistic then we can simply say that 53 percent of persons 65 and over—because 50 percent of them are probably married, or perhaps more—have cash incomes of less than $2,000 and the statistic then becomes irrebuttable and undeniable.

The two-person family figures do not have the weakness that the single-family figure would have in the view of those opposed.

I think it is interesting to note that fewer older people have hospital bills paid by insurance while nearly half of the people over 65 have some form of hospital insurance. Incidentally that figure is 42 percent today whereas it was 40 percent at the time the Department of Health, Education, and Welfare of the Republican Eisenhower Administration reported to the Committee on Ways and Means about 4 years ago. Many of the policies are cancellable at the option of the carrier and frequently provide no protection at all after the first illness.

The payment of three-fourths of the hospital bill presents the minimum standard of adequacy for policies currently enforced.

Existing hospitalization insurance paid three-fourths of the hospital cost in the case of discharges of only 54 percent of persons under 65 who were hospitalized.

In cases of persons over 65 three-fourths of the hospital bills are paid by insurance for only 30 percent of persons discharged from hospitals.

Mr. Speaker, we do not seek to socialize the insurance business. We do not seek to socialize the medical profession. We seek merely to provide an adequate measure paying for the hospitalization of persons 65 and over. I say for the benefit of my colleagues who sit on the other side of the aisle that I will be as diligent in protecting the wages and the salary and emoluments of doctors of medicine as I am in protecting the rights and salaries and emoluments of my constituents who work in the factories for a decent wage. I will point out to them that we do not seek to interfere under the King-Anderson bill in any way with the practice of medicine, but on the contrary we seek only to provide a method of financing which will fill up the slack and the vacancy which is left by the inability of existing programs to meet the medical care needs of the aged.

I point out as I have already pointed out that the average program aimed specifically at the 65-plus age group provides a grossly inadequate level of benefits coupled with a rather high level of cost and premium payments to the aged, approximately $6.50 a month and up to $13 or $18 a month depending upon the specific policy that you are looking at, and in some instances they go significantly higher.

What this bill seeks to do is to absorb that portion of the hospitalization insurance market which is not economically feasible for private insurance companies to enter into and to finance it at the least cost for the benefit of the beneficiaries thereof.

I would point out to my colleagues on the other side of the aisle who make much of the fact that it will bring those already 65 years of age and over into the framework of the social security system that this is not an adequate complaint nor is it an adequate ground upon which this measure can be opposed. I will point out to them that the simple answer is that each time when the social security program has been liberalized and when the social security program has been improved—every time we have done that in the Congress of the United States, with the support of many of our Republican colleagues, we have included in the new benefits persons who are already eligible to receive them and who have contributed little or nothing toward them. We have permitted payments in a large number of cases to persons already eligible at the time the changes in the social security law went into effect.

I would point out last of all to my colleagues on the other side of the aisle and to those who oppose the liberalization of the social security program to be achieved through the King-Anderson bill that even if we were to strike out of this program all but those who are now over 65 and eligible to immediately receive benefits in connection with this program, that we only eliminate 0.06 percent of the payroll in terms of the cost of this bill.

So I say this is the greatest hope of this Nation in terms of meeting the greatest need of our aged, and I hope that at an early date the Congress of the United States will endorse this bill, will enact it into law. If the Congress does so this will be a glory to the Congress, it will be a help to our aged, and it will be a vindication of our belief in the dignity of our aged people in this country.

Mr. KOWALSKI. Mr. Speaker, will the gentleman yield?

Mr. DINGELL. I yield.

Mr. KOWALSKI. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD immediately after those of the gentleman from Michigan who now has the floor.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. LIBONATI. Mr. Speaker, will the gentleman yield?

Mr. DINGELL. I yield.

Mr. LIBONATI. I want to compliment the gentleman for his survey of this subject and his fairness in determining what the bill does in terms of legislative enactment to take care of this problem of people who are not being cared for under other circumstances. I congratulate the gentleman on his speech.

Mr. COHELAN. Mr. Speaker, will the gentleman yield?

Mr. DINGELL. I yield.

Mr. COHELAN. May I take this opportunity to join in complimenting the gentleman from Michigan on this very fine statement and comprehensive analysis of this complex subject matter. I hope it will have the necessary influence on our colleagues on the other side of the aisle to the extent that we can at least get this bill to the floor and argue it before the entire House.

Mr. DINGELL. I thank the gentleman from California, also the gentleman from Illinois [Mr. LIBONATI], and the gentleman from Connecticut [Mr. KOWALSKI], for their very fine contributions to the discussion of this subject.

Mr. Speaker, I yield back the balance of my time.

MEDICAL CARE FOR THE AGED

Mr. HOLLAND. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. HOLLAND. Mr. Speaker, the material which I referred to earlier in response to Congressman DINGELL is as follows:

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE
OFFICE OF PUBLIC ASSISTANCE

MEDICAL ASSISTANCE FOR THE AGED

APPLICATION—DECLARATION OF RESOURCES

INSTRUCTIONS: The patient or person acting for the patient should complete the application and if known the information needed for the declaration of resources

COMPLETED FORM TO BE SENT TO COUNTY BOARD OF ASSISTANCE OFFICE

FOR CBA USE ONLY
Case number .....
Record name .....
County-district .....
Caseworker .....

APPLICATION

I hereby apply for medical assistance for the aged for myself, or on behalf of—
Name of patient ..... Birthday .....
Address ..... Social security number .....
Family:
A. Marital status (check one): ☐ Married, living with spouse ☐ Married, not living with spouse ☐ Divorced or separated ☐ Widow or widower ☐ Single
B. Children: Are any sons or daughters living? ☐ Yes ☐ No
Type of care needed: ☐ Inpatient hospital care ☐ Posthospital care ☐ Home nursing care ☐ Public nursing home care
Assets (if married and living with spouse, include assets of spouse) (Check "Yes" or "No" for each item):

	Yes	No
A. Blue Cross	☐	☐
B. Other medical insurance benefits	☐	☐
C. Cash	☐	☐
D. Stocks, bonds, securities	☐	☐
E. Life insurance	☐	☐
F. Income	☐	☐
G. Own home	☐	☐
H. Other real estate	☐	☐
I. Damage or liability claim pending	☐	☐
J. Other assets not listed above	☐	☐

Signature: .....
(Date) Signature (patient or person acting for patient)

DECLARATION OF RESOURCES

(All items to be completed, if not applicable enter "None")

1. Name of spouse ..... 2. Social security number .....
Address if different than patient .....
3. Dependent children (minor or incompetent):

Name	Address	Age

4. Other children:
Name ..... Age ..... Number of dependents .....
Address ..... Gross monthly income .....

5. Income (specify weekly, monthly, or other period of payment; give amount):

	Period	Amount
a. Social security payments (OASDI)		
b. Other benefit and pension payments (UMWA, railroad, etc.; source and address)		
c. Dividends, interest, royalties, etc. (source and address)		
d. Earnings (gross before deductions; name and address of employer)		
e. Rent income (address of property)		
f. Other income (contributions from children and others, etc.; source and address)		

6. Assets:

	Encumbrances	Amount
a. Cash on hand, at home, in safe deposit box, etc. (list where held)		

b. Bank accounts, check and savings:

Name of bank	Address	Encumbrances	Amount

c. Building and loan accounts for shares:

Name of company	Address	Encumbrances	Amount

d. U.S. Government bonds (current value) .....

e. Stocks and other securities:

Name of company	Encumbrances	Market value

f. Life insurance (if premium is less than $2 monthly or if face value is less than $500, make no entry in encumbrances or amount column):

	Premium	Period covered by premium	Encumbrances	Cash value	Face value
Name of company ..... Address					

g. Nonresident real property:

Address	Company	Encumbrances	Market value

h. Other assets:

Name or source and address	Encumbrances	Market value

7. Damage or liability claims pending (give pertinent information) .....
8. Resident property (list address) .....
9. Last hospitalized on (date) ..... Name of hospital .....

AFFIDAVIT

(To be signed in the presence of a CBA caseworker)

COMMONWEALTH OF PENNSYLVANIA,
County of .....

Before me, a person employed in the administration of public assistance in said county, personally appeared the undersigned who, being duly sworn or affirmed according to law, deposes and says that: the foregoing statements in this declaration of resources are true and correct and complete to the best of his knowledge and belief, that no facts which should have been contained therein have been omitted; that he agrees to give notice to the department of public welfare of any changes in the facts above stated; and that the department of public welfare is authorized to obtain any information that may be needed from any source including the Bureau of Old-Age and Survivors Insurance.

Sworn to and subscribed before me ..... this ..... day of ..... A.D. 19 ....., ... (Seal)
..... (Seal)
(Patient)

Name and address of two witnesses if patient signed by mark:
.....
.....

Sworn to and subscribed before me ..... this ..... day of ..... A.D. 19 ....., ... (Seal)
..... (Seal)
(Person acting for patient)

Reason patient did not sign; relationship to patient of person who signed .....

Record No. .....
Name .....
Address .....

INDEMNITY AGREEMENT

I, the undersigned, have made application to an agency of the Commonwealth of Pennsylvania for assistance, and have signed a statement, or statements, or may hereafter make written application or verbal representations, setting forth my financial status and other facts required by the said agency, to determine whether I am entitled to assistance, and may continue to be entitled to such assistance; and I have agreed to immediately notify the said agency of any changes in the facts set out in my written application.

By this instrument I am firmly bound unto the Commonwealth of Pennsylvania, in the sum of $500, to be paid to the said Commonwealth of Pennsylvania, if I have in the past or shall in the future conceal or misrepresent my financial condition to the agency to which I have applied. In the absence of fraud or misrepresentations and if I shall notify the said agency of all changes in the stated facts which would have rendered me ineligible for all or part of said assistance, then this obligation is to be void; otherwise, to be and remain in full force and effect.

I do hereby authorize the prothonotary, or any attorney, of any court of record of Pennsylvania, or elsewhere, to appear and to enter judgment against me for the sum of $500 with costs of suit, and with 15 percent added for collection fees. I hereby waive the benefit of all appraisement, stay, or exemption laws of any State, now in force or hereafter to be passed.

Signed, sealed, and delivered in the presence of
..... (SEAL)
Dated .....
..... (SEAL)
Dated .....

Case No. .....
Record name .....
County-district .....

INDEMNITY AGREEMENT FOR MEDICAL ASSISTANCE FOR THE AGED

I, the undersigned, have applied for medical assistance for the aged on behalf of ..... because of his inability to make application therefor by reason of his illness or infirmity; and

I, to the best of my knowledge and belief, have furnished the Department of Public Welfare of the Commonwealth of Pennsylvania with all facts of which I have knowledge concerning his financial status and such other facts as were required by the said department of public welfare to determine if he is eligible for such assistance and I have agreed to immediately notify the said department of public welfare of any changes in such facts which would affect the continued eligibility for such assistance.

Be it known to all persons that if I have concealed or misrepresented or shall in the future conceal or misrepresent his financial status or any other facts which have or which shall come to my attention which would have rendered him ineligible for assistance, then I agree to be bound unto the Commonwealth of Pennsylvania in the sum of $500 to be paid to the said Commonwealth of Pennsylvania.

It is understood that the facts or information I have furnished or shall furnish to the Department of Public Welfare of the Commonwealth of Pennsylvania are true and correct to the best of my knowledge and belief. In the absence of fraud or misrepresentation and if I notify the said department of public welfare of all changes in facts as they come to my attention which would render him ineligible for all or part of said assistance, then this obligation is to be void; otherwise, to be and remain in full force and effect.

I do hereby authorize the prothonotary, or any attorney, of any court of record in Pennsylvania, or elsewhere, to appear for and to enter judgment against me for the sum of $500 with costs of suit, and with 15 percent added for collection fees. I agree that my real estate may be sold on a writ of execution. I hereby waive the benefit of all appraisement, stay or exemption laws of any State, now in force or hereafter to be passed.

..... (SEAL)
Witness .....
Date: .....
..... (SEAL)
Witness .....
Date: .....

FOR CBA USE ONLY
Case No. .....
Record name .....
County-district .....
Caseworker .....

MEDICAL ASSISTANCE CERTIFICATION

Instructions: Send original to applicant; duplicate to hospital, institution, agency or

other that will provide the care. Space below is provided for use with window envelope.

☐ Eligible

You are eligible for medical assistance. The type of care for which you are eligible is listed below:

☐ Inpatient hospital care; eligible days____
☐ Post-hospital care
☐ Public nursing home care
☐ Home nursing care; orders:

According to information given the department about your income and assets, and your legally responsible relatives, the amount listed below is available to you to meet the cost of the care.

Total amount $_____
From your income and assets $_____
From your relatives $_____
Date: _____
Signature: _____
(County board of assistance)

NOTE.—This certification is void if the approved care is not stated within 30 days of the date listed above.

☐ Ineligible

You are not eligible for medical assistance. The reason you are not eligible is listed below:

☐ Age
☐ Residence
☐ No more benefit days
☐ Income (explain):
☐ Assets (explain):
☐ Others (explain):

Date: _____
Signature: _____
(County board of assistance)

Notice: If you do not understand why this action was taken, or if you feel that you have not had fair treatment, a staff member of the county board of assistance will be glad to give you further explanation. If you are not satisfied with the decision, you have a right to a hearing.

CONTRIBUTIONS FROM RELATIVES

Name and address of relatives_____
Relationship_____
Amount: $_____

Case No. _____
Record name_____
County-district _____

REIMBURSEMENT AGREEMENT FOR MEDICAL ASSISTANCE FOR THE AGED

I, _____, of _____ County, Pennsylvania, acknowledge that my real and personal property is liable for the repayment of medical assistance for the aged granted or to be granted to or for my spouse. It is understood that this liability does not apply to assistance received before my acquisition of such property. The purpose of this agreement is to give the department of public welfare a lien on any real property owned wholly or in part by me while assistance was received as above.

In order to carry out the purpose of this agreement, I authorize the prothonotary, or any attorney, of any court of record of Pennsylvania, or elsewhere, to appear and to enter judgment against me for the sum of $2,000 plus costs. This judgment shall be a lien on my real property but shall not be collected during the lifetime of myself or my spouse, and the real and personal property comprising my home and furnishings shall not be subject to execution on this judgment during the lifetime of my dependent children. It is further agreed that in the event the sum of $2,000 exceeds the amount required for repayment of assistance as set forth above, my real property shall not be liable for any greater payment than the amount of assistance received, plus costs.

It is agreed that at any time after assistance has ceased, the department of public welfare will, at my written request, furnish me with a stipulation to be filed with the prothonotary of the court having record of this judgment, setting forth the exact amount of assistance received for which my real property is liable, if such amount is less than the sum of $2,000.

Signed, sealed and delivered in the presence of:
Witness _____ (Seal)
Dated _____
Witness _____
Dated _____

Date _____
Name _____
Address _____
_____

DEAR ———: Your _____ has applied for medical assistance for the aged to pay for necessary medical care.

The Pennsylvania support law requires husbands and wives, parents, and children, to support one another if they are financially able. Before we can tell your relative whether we can pay for the medical care needed, we must have the information about your income that we are asking for on the other side of this letter.

In deciding whether you are financially able to help and to what extent, we will compare the information about your income with a reasonable standard of living for a family of your size. This standard takes into consideration the expenses people usually have for food, clothing, housing, medical bills, income tax, recreation, and the like. If your income exceeds this amount, we will notify you of the amount you will be expected to contribute toward the medical care your relative needs.

Will you please complete the other side of this letter and return it to our office within 10 days. A stamped addressed envelope is enclosed for your convenience. Please let us know whether you are giving your relative any help at this time or whether you can help your relative pay for the medical care he needs.

If you would like a personal interview, write or telephone me and I shall be glad to plan a time when we can meet.

Sincerely yours,

_____ _____,
Caseworker.

CONFIDENTIAL INFORMATION

1. My employer's name and address is ____
_____

2. My social security number is _____
Work number is _____

3. My pay is $_____ (give full, not "take home" pay).

4. I am paid every _____
(week, 2 weeks, month, etc.)

5. I have other income of $_____ per month from _____

6. The following members of my household are employed:
Name _____
Relationship to me_____
Employer's name and address_____
Monthly earnings before deductions_____

7. I support the following persons who live with me:
Name _____
Relationship to me_____
Age _____
Monthly income_____

8. I support the following relatives not living with me:
Name _____
Address _____
Relationship to me_____
Amount _____

9. My expenses for transportation to work are (complete one):
_____ I drive my own car and travel _____ miles each week.
_____ I ride in a car pool. Weekly cost is $_____.
_____ I use public transportation. Weekly cost is $_____.

10. I am now assisting my relative in the following amount $_____ monthly.

11. I will give my relative $_____ monthly.

Date: _____
Signature: _____

Case No._____
Record name_____
County-district _____

AGREEMENT TO REPAY MEDICAL ASSISTANCE FOR THE AGED CLAIM

Whereas, in determining eligibility for medical assistance for the aged for _____ _____ real and personal property of myself and/or my spouse have been evaluated in accordance with the requirements of the public assistance law, as amended; and

Whereas, in addition to such property, I have a right or cause of action, to wit, _____ _____ from which the ownership of property may result but the value of which cannot be determined at this time.

Now, therefore, if this right or cause of action results in the acquisition of property which, when added to that previously evaluated, exceeds the statutory limitations of value set forth in the public assistance law, I, in consideration of payment of medical assistance for the aged made for me or my spouse pending the receipt of such property, agree to pay to the Commonwealth of Pennsylvania, department of public welfare, any amount of medical assistance for the aged subsequently found to have been incorrectly paid because of the impossibility of evaluating potential resources at this time.

I direct my attorney or representative to pay to the department of public welfare the money which may come into his hands as a result of the right or cause of action, after deduction of legal fees and costs incident to the recovery of these funds, or as much of the balance of the funds as shall be necessary to satisfy the claim of the department of public welfare. It is understood that this authorization is irrevocable.

In order to carry out the purpose of this agreement, I do hereby authorize the prothonotary, or any attorney, of any court of record in Pennsylvania, or elsewhere, to appear for and to enter judgment against me for the sum of $2,000, with costs of suit, and with 15 percent added for collection fees.

It is further agreed that if the assistance claim, as defined above, is less than $2,000, I shall be liable to pay only the lesser amount plus costs and collection fees. This judgment shall be collected as other judgments. I further agree that my real estate may be sold on a writ of execution. I hereby waive and release all relief from any or all appraisement, stay or exemption laws of any State or of the United States, now in force or hereafter to be passed.

I intend to be legally bound hereby.

Witness _____ (SEAL)
Date: _____
Witness _____ (SEAL)
Date: _____

Case No. _____
Record name _____
County-district _____

ASSIGNMENT OF INTEREST IN DECEDENT'S ESTATE FOR MAA

Whereas _____ died on the ____ day of _____, 19__; and

Whereas I, _____, of _____ County, Pennsylvania, am entitled to a share of said decedent's estate; and

Whereas in determining eligibility for medical assistance for the aged for _____ _____, real and personal property of myself and/or my spouse have been evaluated in accordance with the requirements of the public assistance law, as amended; and

Whereas in addition to such property, I have an interest in an estate as set forth above, the value of which cannot be determined at this time.

Now, therefore, if my interest in this estate as finally determined, when added to the property previously evaluated, exceeds the statutory limitations of value set forth in the public assistance law, I, in consideration of payment of medical assistance for the aged made for me or my spouse, acknowledge that my interest in the estate is liable for repayment of any amount of medical assistance for the aged subsequently found to have been incorrectly paid because of the impossibility of evaluating my interest in the estate at this time.

I do hereby assign, transfer, and set over to the said department, all my right, title, and interest in the estate and direct the personal representative or his attorney of record, to pay to the department or its duly authorized agents, my share of the estate or as much thereof as shall be necessary to satisfy its claim for medical assistance of the aged incorrectly paid.

I do hereby constitute and appoint the said department, as my attorney, irrevocably, for me and in my name, place, and stead, to demand, sue for and recover my share of the estate from the personal representative or other persons responsible therefor, and upon payment of the same or any part thereof, to give such release and receipt as shall be lawful and proper and in accordance with the rules of court.

In witness whereof, I have hereunto set my hand and seal this ____ day of _____ A.D. 19__.

Witness _____ (Seal)

MEDICAL ASSISTANCE FOR THE AGED

Under Pennsylvania law, the State will pay, or help pay, for certain medical expenses for persons aged 65 or over, whose income and other assets are less than the amounts specified in the law.

Eligibility can be decided only by the staff of the county board of assistance.

Only the main points of the law on medical assistance for the aged are given in this leaflet. If you want more information, the staff of the county board of assistance will be glad to talk with you.

What medical care does MAA pay for:

Inpatient hospital care in a ward, for up to 60 days.

Visiting nurse service at home as prescribed by your physician.

Posthospital care provided by the hospital in your home (wherever such care is available).

(MAA also pays for nursing home care in a public institution but the rules for this are different from those given here.)

The department of public welfare makes the payments directly to the hospital or agency that supplied the medical care.

MAA does not pay for:

Doctors' bills, dental bills, hospital clinic services, medicines, appliances, etc.

Who is eligible for MAA?

You may be eligible if you meet all of the following conditions:

1. You are 65 years of age or older.

2. You live in Pennsylvania.

3. The medical care covered by MAA is not covered by Blue Cross, other hospital insurance, health or accident insurance, workmen's compensation, or the like.

4. You and your husband or wife living with you do not have enough income or property to pay for your medical care. In deciding how much of your income and property can be used to pay for your medical care, the following are not counted:

If you are unmarried or separated from your husband or wife (a) Annual income of up to $1,500 plus $500 for each minor or incompetent child living with and dependent upon you; (b) your home, household furnishings, and car; and (c) net value of other property up to $1,500.

If you are living together with your husband or wife (a) Husband's and wife's combined annual income of up to $2,400 plus $500 for each minor or incompetent child living with and dependent upon you; (b) your home, household furnishings, and car; and (c) net value of other property up to $2,400.

If your income or value of your property is more than shown above, whether or not you are eligible for partial MAA benefits depends on how much more, and the cost of your medical care.

5. The relatives who are legally responsible for helping you pay for your medical care are not financially able to do so. The Pennsylvania support law says your husband or wife living apart from you, and your sons and daughters, have a responsibility to help you if they are able to do so.

CONFIDENTIAL

Information about you and your relatives is used only in the administration of the MAA program.

FRAUD

You and your property will be liable in case of defrauding or trying to defraud the Commonwealth. The law also provides fine or imprisonment, or both, for a person guilty of receiving MAA benefits by hiding facts or not telling the truth.

REPAYMENT

No lien or assignment is taken on your property for MAA benefits for which you are eligible. Repayment will be sought from the estate, however, after the death of the MAA beneficiary and surviving spouse.

Mr. KOWALSKI. Mr. Speaker, I rise in this discussion today as a grateful man. A man, who because fortune permitted me to retire from the Regular Army, has been blessed by a generous country with a medical and hospital program which will take care of me to my grave. For the remainder of my life, I shall have the best medical attention this Nation can provide. And most important, I shall always have the great satisfaction of knowing that no matter what misfortune may befall my health, I shall never be a financial burden to my children. Some say this kind of care to the grave makes people lazy, indifferent, and unproductive. I do not think so.

I assure you this is not intended as testimony in support of a recruiting drive. It is rather an expression of awareness of my personal obligation to the millions of my fellow Americans who are paying the cost of this wonderfully human medical program for our service personnel but who themselves have no such benefits. What I have, I want others to have also. Furthermore, I believe that in this great democracy millions of Americans can have equivalent benefits, if we will only provide an effective national health insurance program.

I have campaigned for Forand type of legislation since I entered politics. I have introduced my own supporting legislation. In recent months, during visits to our NATO allies, I have studied their medical care programs. I am convinced that a national health insurance program for our senior citizens is financially sound, philosophically correct, and morally a national obligation.

I think it would be desirable and appropriate in this discussion to summarize briefly why this program is necessary, what it will do and how it will be accomplished.

To begin with, millions of sick elderly Americans will be faced this year with the cruel alternatives of, first, putting off their visits to doctors because they cannot afford to pay the bill; second, paying for medical and hospital care which will wipe out their life's savings; or, third, begging State or welfare authorities to pay the cost of their misfortune.

At the same time, millions of young couples with heavy family responsibilities will be faced this year with financial crisis caused by the illness of their aged parents.

And this is going to happen in a nation which has the greatest medical facilities, the best doctors, and the most advanced miracle drugs the world has ever known.

The plight of 17 million of our people over 65 years of age is a matter of record.

First. They need more hospitalization—three times as much as the rest of the population.

Second. They stay longer in the hospital—at least twice as long as younger people.

Third. Their hospital and doctor bills are much higher—in more than half the cases their hospital bills average $800—a year's income for millions.

Fourth. They do not earn the money to pay these bills. In 1960, 3 out of 5 persons 65 and over, not in institutions, had cash incomes of less than $1,000 a year. The average old-age benefit is $74 a month.

Fifth. Unemployment hits older people hardest—they lose jobs, private pension rights, and support from relatives.

Sixth. Hospital bills have skyrocketed. Average per diem cost of hospital care has risen from $9.39 in 1946 to about $35 today.

Seventh. Millions do not have insurance programs to cover these costs—more than half have no health insurance programs because they cannot afford them on their limited incomes.

Eighth. Those who have insurance programs find these do not afford adequate protection.

No person is so callous as to be unconcerned about an ill parent. But a parent's doctor bill can truly take bread from the mouths of children. A person paying an $800 hospital bill for a parent may find himself unable to send a son to college. These and similar cruel alternatives have faced millions of good, sincere people. The sick parent, too, is not unaware of the burden he places upon his beloved. Surely Americans can find a better way to provide the medical wonders of the space age to its senior citizens in their golden years.

Opponents of the President's proposal point out that the Kerr-Mills legislation will provide adequate medical care for all those who need it, but cannot afford

to pay. I favored the Kerr-Mills bill and support expansion of this program. But this legislation was designed to provide a medical program for a very limited segment of our people. As a supplement program, it has great possibilities, but it has not and cannot meet the needs of the majority of our senior citizens.

First. By the end of 1961, with 19 States participating, only 4 out of 1,000 persons over 65 in the United States were receiving any benefits under this program.

Second. Only the poorest receive any benefits at all.

Third. The sick citizen is subjected to the most humiliating poverty tests. In some States, the children must also face severe means tests.

Fourth. In only 6 States, benefits are being paid to more than 1 out of 100 persons over 65.

Fifth. Benefits are frequently meager and uncertain—often only acute or emergency care is provided.

Sixth. Only the wealthy States can afford to match the Federal funds offered; 92 percent of the funds are being spent in the rich industrial States of New York, Massachusetts, and Michigan.

The Kerr-Mills legislation was not designed to satisfy the needs of 17 million of our citizens who are over 65, nor can it by any stretch of words provide the means of paying the heavy costs of medical and hospital care for these millions. If the great majority of our senior citizens are provided with an effective program of health benefits, then those who need public assistance will be small enough to permit the States to help them adequately. President Kennedy's proposal as embodied in the Anderson-King bill would do this.

Fundamentally, this legislation provides a medical insurance program under the social security system for our senior citizens. It would pay four kinds of health care for all persons 65 and over who are eligible for benefits under old-age and survivors insurance or the railroad retirement system. The care would include:

First. Full hospital benefits—other than doctor services—for up to 90 days.

For the first 9 days, the patient would pay $10 a day with a minimum of $20.

Second. Up to 180 days of skilled nursing home care after hospitalization.

Third. Hospital diagnostic services for outpatients, including X-ray and laboratory tests. The patient would be required to pay the first $20.

Fourth. Home health services up to 240 visits a year, including nursing care, therapy and part-time homemaker service.

It is estimated that this national insurance program for our senior citizens would cost about $1 billion a year initially and about three-fifths of 1 percent of the covered payroll in the years to come. The employers and employees would be required to contribute one-fourth of 1 percent and the self-employed three-eighths of 1 percent additional to the social security contributions they are now making. The taxable earning base would be increased from $4,800 to $5,000 a year beginning in 1962. Wage or salary earners under the program would pay according to their earnings. The average worker would pay about $1 a month, while working, for health insurance benefits for himself and his wife at age 65. A special account, to be known as the health insurance account, would be set up in the Federal Social Insurance Trust Fund.

President Kennedy's proposal is carefully integrated to provide a national health insurance program which together with other existing programs will assure health care for practically all of our citizens 65 years of age and over. It has been estimated that at the beginning of 1963, there will be about 16¾ million people in the United States 65 and over. Of this number 14¼ million would be entitled to benefits under the Anderson-King bill. An additional one-fourth million will be entitled to at least equivalent benefits under the Federal staff retirement system. There will be about one-half million persons receiving benefits under veterans programs. Of the remaining 1¾ million persons not eligible for benefits under the social security, railroad retirement, veterans programs, or staff retirements, more than 1¼ million will qualify for old-age assistance when the State programs become fully operative. In summary, all but about one-half million of the 16¾ million people 65 and over will be covered by effective, democratically inspired health care insurance programs.

There is nothing in the President's proposal which would in any way conflict with established practices for providing health care for our people. This is not Government or socialized medicine. The Government would provide no medical facilities or medical care. The Government would only establish a system for collecting and paying for the insurance program. The patients would continue to choose their own doctors and hospitals. Doctors would continue to be responsible on a personal basis for the patient and would make their own medical judgments for the care of patients, including determination of admittance to and release from hospitals. Hospitals and nursing homes would follow the present established patterns of operation and competing costs. No institution or doctor would be required to participate in the program. Nor would any agency of the Government be permitted to interfere with hospital administration or supervise or control the practice of medicine. The medical profession will continue to be responsible for the quality and care available to all patients. The providers of services would decide what services should be made available. Payment for services would be accomplished in much the same way it is now accomplished for Blue Cross and other large purchases of service. This program would not replace private insurance and public assistance. It would supplement them.

Although the American Medical Association and some of the insurance companies oppose this program, the people who would be the beneficiaries want the program. The supporting mail in my office is heavy. Gallup Poll reveals that two out of three Americans favor a national health insurance program for our senior citizens operated under the social security program.

I am pleased that we have the support of the people for this program. I am proud to join those who believe in the greatness of America—a greatness always capable of improvement. And when a national health insurance program for our senior citizens has become law, America will become a little greater having banished fear from the hearts of those who become sick.

MEDICAL CARE FOR THE AGED

Mr. BONNER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. BONNER. Mr. Speaker, I include the following statement from the Medical Society of the State of North Carolina:

STATEMENT OF THOMAS P. BRINN, M.D., OF HERTFORD, N.C.

Mr. Chairman, Hon. HERBERT BONNER, members of the medical profession of the First North Carolina Congressional District, the purpose of our meeting tonight is that we of the medical profession of the First North Carolina Congressional District and the Honorable HERBERT BONNER, Representative of the First North Carolina District may sit down together and discuss some of the problems which are disturbing to us as doctors as well as plain citizens and taxpayers.

We would like to discuss the pros and cons of the medical care for the aged, as it relates to a program, the Kerr-Mills Act, already passed by Congress; and a proposed program, the King-Anderson bill, that is expected to be debated in Congress early in 1962.

We would begin by saying that the Kerr-Mills Act has the support of the AMA and the North Carolina Medical Society, and that this act could have been implemented in the 1961 North Carolina Legislature had it received even a hands-off blessing of the State government. Somewhere somebody wanted its enactment doomed, and doomed it was.

We would like to outline why we support the Kerr-Mills Act as the only financially safe, sound and medically wise method of care for the senior citizens of North Carolina.

1. First, we submit that the problems of North Carolinians are not always the same as those of citizens of New York or California, or Michigan or Illinois, but are problems somewhat peculiar to North Carolinians, because of economics-in-kind and best managed and handled by North Carolinians. This is not a plea for States rights, but an oversimplification of the fact that those nearest to a problem can best see the needs and come nearer to furnishing the correct answers. The Kerr-Mills law provides legislation under which it is possible for the first time to help every aged North Carolina citizen who needs help to pay for health care. Its benefits, based on need and local determination, are much broader than under proposed King-Anderson type legislation, as we shall presently see.

Already North Carolina provides a wide range of health care services for those in need of financial assistance: For example:

(a) The 1961 general assembly authorized and appropriated funds totaling $7 million annually to meet hospitalization costs for the indigent and medically indigent, regardless of age. An additional $3 million for needy persons is made available through local public funds.

(b) There are other medical care resources available to help those in need through private foundations: Duke endowment, Kate Bitting Reynolds, benevolent organizations and voluntary health agencies.

The need for a thing, an act, a service, and so forth, carries with it first the importance of knowing the truth or falsity of the need. Secondly, it is necessary to know if it is within the abilities of the recipient to meet those needs; the premise of needs carries with it, therefore, both a "means test" to determine if the needy can bear the financial burden, and an agency or agencies that can furnish the services if the personal means to meet those needs is insufficient or lacking entirely. We have both in the Kerr-Mills Act.

The Kerr-Mills Act carries with it a so-called means test which to many of our socialistic minded legislators is a thing of the devil and Scrooge. Yet how often do we apply the means test to ourselves. All of us apply the means test in decreasing the fees or charging not at all for less fortunate people and yet no one says we are degrading our patients in doing so. Desirable scholarships based on academic excellence all have implications of financial need, and the applicants are so investigated. The unemployment insurance benefits are in themselves an application of the means test.

Union officials particularly have adopted a double-headed attitude toward the question of need in providing medical care for the aged on the one hand and in slicing up benefits to union members who are on strike on the other.

They have attacked the Kerr-Mills medical aid for the aged law on grounds it would be shattering to the dignity of the elderly to admit financial need in order to qualify for tax-supported medical care.

How different is their approach to payment of strike benefits. U.S. News & World Report recently pointed out that the Steelworkers Union doled out strike benefits only "When the need is great."

The Portland, Oreg., newspaper strike, is another case in which need was controlling where members of unions were involved. Each member furnished guild officers a detailed financial statement before he could qualify for strike benefits. The size of the weekly benefit check depended on the size of the striker's family and the amount of outside income. No one ever suggested that it might be crushingly undignified for a guildsman to file a financial statement and admit need as a prerequisite to collecting strike benefits.

Veterans with non-service-connected disabilities, for example, must sign an affidavit they are unable to pay for their own medical care before they are entitled to free service in VA hospitals.

Public housing is open only to those with income below a specified figure.

The social security system itself imposes a means test since benefits are geared to income.

Other similar examples can be found within the framework of government programs. And it would be folly for the Government to relax the test of need in distributing the people's tax money for these programs.

Their position, therefore, becomes questionable when they propose that an exception be made in financing health care for the aged, that the program be thrown open to everyone, rich and poor alike, whether the recipient wants the Government help or not, whether he can or cannot pay for his own medical care.

This scheme would be unsound to the point of recklessness and would impose an unnecessary, backbreaking financial burden on the workers of this country who need every penny of their paychecks to provide for their families.

If union leaders assume that a means test is a reasonable condition for paying strike benefits out of union treasuries, their motives are open to suspicion when they cry "Shame" at anyone suggesting the same standard for medical care paid out of the Federal Treasury. Are they really interested in the welfare of their members, are they truly concerned with the plight of the aged, or are they merely interested in the power that flows from the millions they control in union coffers?

2. We support the Kerr-Mills Act because the program is voluntary, not compulsory. It will supplement, not supplant, individual voluntary health insurance or prepayment.

The rapid growth of voluntary health insurance coverage in North Carolina cannot be ignored. Only in recent years have persons 65 and over been able to purchase or maintain previous insurance coverage on an individual policy basis and already 115,000 people 65 and above have voluntary insurance coverage and we can expect this number to increase as more persons reach the age of 65. Another 115,000 people 65 and over in North Carolina are certified as indigent or medically indigent and are therefore provided hospitalization under present Kerr-Mills and local funds. This leaves a markedly reduced number of older persons in North Carolina 65 and over who are not protected by some type of private or public health care coverage. Most of the residue (approximately 84,000) by their own election are not covered or are protected by personal and family resources.

The "blue" plans nationally have always allowed continued coverage regardless of age. As of 1961, 7.2 percent of enrollment was on persons over 65, amounting to 4¼ million Blue Cross and 3¼ million Blue Shield people. Particularly all "blue" plans now have "senior certificate" coverage for original enrollment of persons over 65 which may be markedly expanded by a recent nationally announced Blue Shield coverage. An even more significant development is the increasing practice on the part of labor and management groups to negotiate health insurance programs from management so as to provide continued coverage for retired employees under the same arrangement and conditions established for active employees. This applies to the "blues" and commercial carriers, and this pattern is well illustrated in the plan for active and retired U.S. civil service employees covering approximately 5 million people.

3. We favor the Kerr-Mills Act because it will be administered on a local basis. The Kerr-Mills law gives the States the right to set up their own programs in their own way, on the logical theory that each State knows its own particular problem better than the Federal Government does.

The Kerr-Mills Act is a voluntary, Federal-State matching grant program for medical care for the medical needy and near needy.

The new plan, covered in title VI as provided in the Kerr-Mills Act authorizes Federal participation in approved State plans furnishing medical assistance to aged persons who are recipients of old-age assistance (OAA), and for individuals not on OAA whose income and resources as determined by the State, are not sufficient to meet the costs of necessary medical service.

The program is designed to pay all or part of the following care and services for medical needy and near needy individuals 65 or older:

Inpatient hospital services; skilled nursing home services; physician services; outpatient or clinic services; home care services; private duty nursing services; physical therapy and related services; dental service; laboratory and X-ray services; prescribed drugs, eyeglasses, dentures and prosthetic devises; diagnostic screening and preventive services, and any other medical care or remedial care recognized under State law.

The bill carries no definition or limitations on the above services.

While some requirements of State plans for OAA (which now includes medical care) and those for medical assistance for aged not under OAA will be identical, the bill also establishes specific requirements for each program.

Requirements applying to both programs call for:

A statewide plan; financial participation by the State; administration by a single State agency; a fair hearing for those whose claims for benefits are denied; nondisclosure of information regarding applicants and recipients; reports as required by the Secretary of Health, Education, and Welfare; assistance to be furnished with reasonable promptness.

State plans for OAA programs will have to provide:

That the State agency, in determining eligibility, take into consideration any other income or resources of the individual; reasonable standards for determining eligibility for and extent of assistance; a description of services to be provided, including the utilization of other agencies providing similar services.

If the State plan includes medical assistance for the aged not under OAA, it will have to provide:

For the inclusion of some institutional and some noninstitutional care and services; that no fee or charge will be imposed as a condition of eligibility: for the furnishing of assistance to residents of the State who are temporarily absent therefrom; reasonable standards for determining eligibility for an extent of assistance; that no lien will be imposed on the property of the individual prior to his death and that there will be no recovery until after the death of such individual and his surviving spouse, if any, for any medical assistance correctly paid on behalf of such individual.

Health insurance: As under the existing law, in computing the amount of monthly benefits paid by the State, expenditures for health insurance premiums would be included.

Recently the State of Texas has implemented the Kerr-Mills Act and will proceed to care for its needy citizens over 65 years under the program and administered by Blue Cross.

4. We support the Kerr-Mills Act because the new law is economical. Local administration, local choice of scope of benefits and method of payment, local definition and determination of eligibility, minimum Federal controls—all mean that tax dollars will be spent to best advantage. The use of this approach not only guarantees that we will be helping those who need help, but that we will not be wasting tax dollars on help for the millions who are willing and able to take care of their own health care costs.

5. And lastly we support the Kerr-Mills Act because the quality of medical care under such a plan will be infinitely superior to that possible under King-Anderson-type approach. Under the new law (Kerr-Mills Act) any type of care can be provided if the State determines the need for it. Further, the fact that Federal controls are held to a minimum allows adequate supervision of the program by physicians, and no restraints upon the doctor's medical judgment. The medical profession's basic policy has always been to insure that the needy receive the same high quality medical care as anyone else. Under the Kerr-Mills law, this can be accomplished, whereas it could not be under King-Anderson-type legislation.

This constitutes our being in favor of the Kerr-Mills Act. We believe it meets the needs for medical care of our senior citizens. The act certainly deserves a fair opportunity to

solve the medical assistance it was designed to provide before it is supplanted by another program based on social security coverage and limited in its recipient coverage and services rendered.

Now we would like to outline for you, sir, why we are against the King-Anderson bill.

1. It is unnecessary because the present private care and public supported programs in North Carolina, and the already enacted Kerr-Mills Act, provide adequate medical coverage. The King-Anderson bill emphasizes institutional care with limited outpatient diagnostic services in contrast to the wide coverage of the Kerr-Mills Act, and would tend to unnecessarily flood limited facilities. This overcrowding would prevail despite the well-intended standard settings the Federal Government guarantees will induce the building of long-term-care beds, new hospitals, new operating costs, new taxes. Where will it end? Witness the VA program and hospitalization and the attendant new hospitals for non-service-connected disabilities. The primary need is preventive, supportive, and rehabilitative care on an outpatient and home-care basis for our senior citizens and not the production of a custodial, vegetative older population.

2. The King-Anderson bill provides benefits on the basis of age and social security and railroad retirement enrollment rather than need or financial ability to pay in whole or in part for some of those needs. All North Carolina persons 65 and over are not financially destitute as many have private pensions, annuities, securities, realties, veterans' pensions, plus services provided by State institutions and other public supported agencies and organizations. Twenty-five percent of those of retirable age and above are substantially employed.

Only 60 percent of those over 65 are covered by social security in North Carolina. The King-Anderson is not, therefore, a comprehensive coverage of every North Carolina citizen over 65; the Kerr-Mills covers all the needy.

3. Even if we believe in the social security system for all people we believe that to add a hospitalization tax onto an already overburdened tax system is unwise and unsound financially. By 1969 social security taxes are already scheduled to reach 9 percent of payroll ($432 annually on $4,800 income). In its inception we were never told it would reach this figure—a rate of 6 percent and a base of $3,000 were the maximum amounts. The base is now $4,800, and the rate goes up and up by congressional action.

You are familiar with the tax structure of the King-Anderson bill. Here's what the cost would mean to North Carolina citizens.

I would like us to think on these figures:

(a) In 1960, 1.7 million people in North Carolina contributed $202.1 million to the social security program. Of this amount: $92.4 million came from individual payroll deductions; $92.8 million came from employer contributions; $16.9 million self-employed contributions; of these 1.7 million people paying social security taxes, 200,000 were self-employed, and 1.5 million paid through payroll deductions.

(b) To meet the cost of the proposed provision under King-Anderson the wage base subject to social security taxes would be increased from $4,800 to $5,200 (according to the latest recommendations by the Secretary of HEW), plus an addition of one-half percent increase in tax rate (one-fourth by employer and one-fourth by employee and a three-eighth percent for the self-employed). This is a new outflow of Federal tax dollars from North Carolina. Already it has been estimated that a one-half percent increase on the original wage base of $4,800 would amount to an additional $18 million from North Carolina. It is estimated to be some $20 million with the increased wage base of $5,200.

(c) By the 1961 amendments to the social security program, already there is scheduled for 1962 a one-eighth percent increase in tax rate for employers and employees and one-fifth percent for self-employed. Using the original wage base of $4,800, this will be an additional $6 tax for each employee and employer per year ($12 combined tax contribution), or a gross of $300 per year.

Under the King-Anderson proposal to increase the social security tax rate another one-half percent (one-quarter employee and one-half employer) and increase the wage base to $5,200 would cost an additional $12.80 for the one-quarter percent tax increase per each employee and $13 for the increase from $4,800 to $5,200 as the wage base, or a total of $25 per employee. This combined with the already enacted social security increases as of 1962 would total $31 per employer per year above the percent level of individual contributions or 21 percent increase in an individual's social security tax. Combined employer-employee contributions to the plan would total $62 per year. It is an accepted economic principle that any employer contribution made in behalf of the employee is in lieu of wages paid.

The social security tax increase of 1961 and those proposed under King-Anderson do not include but are in addition to increases already scheduled through 1960 or other Federal, State, and local taxes.

The HEW's first estimate of $1.1 billion has already been increased with no definite predictable cost figure quoted to date. The first nursing home care was $3 million but later was upped to $25 million. Figures for spending seemed to be plucked out of thin air with no guarantee that they will be anywhere near correct and always up—never diminished.

Viewing the Social Security Act nationally there are now in reserve $20 billion.

We owe $300 billion for those already on social security without adding one new member to help the hospital care of those well able to finance their medical needs. A younger person now coming on social security rolls will pay $176 for every $100 worth of benefit received in later life.

4. The King-Anderson concept of care will be administered out of Washington, D.C., with all the attendant evils of Federal bureaucratic controls, with political hacks and lame ducks, with no conception of medical problems in North Carolina, or anywhere else, calling the shots either in the main controls or exercising it through socialistic-minded welfare officers in the various States. The Health Benefits Advisory Council, whose duty it shall be to advise the Secretary of HEW on matters of general policy in the administration and formulation of regulations in the King-Anderson bill, shall consist of 14 persons appointed by the Secretary. Of these 14, "not less than 4 shall be persons outstanding in the fields pertaining to hospitals and health activities." It is left up to the discretion of a politically minded Secretary of HEW to decide what a "health activity" is. It could be anything. They could all be hospital administrators or doctors of medicine, handpicked and representing no part of the rank and file of practicing physicians.

Such administration we believe to be unsound and impractical to administer.

Federal controls are everywhere. Hospitals, doctors, pharmacists, all ancillary services, and so forth, would be under the dictates of a council which at the very most would have perfunctory advisory capacity insofar as medicine is concerned.

Medicine, such as has been practiced in the United States and North Carolina and which has made United States the No. 1 country in medical research and knowledge, will be entering upon a step of socialization from which there will be no turning back.

Let us quote you a few representative thoughts of supporters of the Forand bill, already defeated in Congress. These thoughts apply equally well to the King-Anderson bill:

"We will come back for more and more—and more."

Ted Silvey, AFL-CIO lobbyist, commenting on use of the social security mechanism to finance the cost of health care for the aged. (Statement on what his organization would do if the Forand bill were passed.)

IN FAVOR OF THE FORAND-TYPE APPROACH

"Once the Forand bill is passed, this Nation will be provided with a mechanism for socialized medicine, capable of indefinite expansion in every direction until it includes the entire population. And it is already evident that there will be massive pressures in favor of such expansion."

New America: Official publication of the Socialist Party-Social Democratic Federation, in a special supplement written by R. W. Tucker, chairman of the Socialist Party's Committee on Medical Economics.

"If we can only break through and get our foot inside the door, then we can expand the program after that."

Former Representative Aime Forand, Democrat, of Rhode Island:

"It is no secret that the UAW is officially on record as backing a program of national health insurance. But even if we were against national health insurance, we would favor the passage of the Forand bill.

"A strong case could be made that this bill should go much further into the range of care provided and the duration of its benefits.

"Obviously, the Forand bill will not solve all of the problems that I have enumerated which now face its potential beneficiaries. No initial piece of legislation of this type was ever perfect at its inception."

Walter Reuther, president, United Automobile Workers:

"We would like to bolster our thoughts with opinions that are opposed to the Forand-type approach.

"I'm for a medical program for every aged person not able to provide it for himself or herself. But since whatever we have must be supported by taxation, it should be a general tax, not a limited tax like social security."

Senator ROBERT S. KERR, Democrat, of Oklahoma: "If the time ever comes when large numbers of our citizens turn primarily to the Government for assistance in what ought to remain a private arrangement between doctor and patient, then we shall all have suffered a great loss."

Former President Dwight D. Eisenhower: "I am opposed to * * * compulsory medical service and hospitalization under the social security system. I am convinced this would lead to socialized medicine with the possibility that it would bankrupt the social security trust fund."

Senator HARRY F. BYRD, Democrat, of Virginia: "We certainly maintain that the individual citizen, with proper advice, is capable of budgeting his income and allocating his resources to meet the necessities of living, including payments for his own health care. If the Government maintains that the elderly person is not competent to provide for his health care, would not the same Government be justified also in believing him equally deficient in his ability to budget for food, for rent, for clothing, and the other necessities of life?

"To compel the elderly citizens to accept an additional outlay of dollars in the form of required benefits is to deny him the American right of free choice and the freedom of independent action."

Dr. Ethel Percy Andrus, national president, American Association of Retired Persons; and national president, National Retired Teachers Association:

"From all that I have observed, heard, or read, it is my opinion that the problem of our aged citizens is an overexaggerated one. Reliable authorities appear to be unanimous in stating that the vast majority of those 65 years and over present no especial problem; they can handle their own situations well or have them handled satisfactorily by those near and dear to them.

"More and more has the State and Federal Governments, at least in appearance, shifted the responsibilities of parents and children from the human to the institution. It would appear that only too often paternalism has been the answer or the escape by which responsibilities have been avoided.

"Please regard the aged as ordinary citizens until such time in the lives of the minority that they require financial care, counseling, hospitalization or basic love. Compel (familial) obligation by law. It is done in the case of dependent children and divorcees. But, above all else, let's not rob the individual of his God-given rights to solve his own problems, to think and act for himself, to be as we all were some time back, rugged and responsible individuals. Let's try to solve our filial responsibilities without dragging into the solution governmental agencies. When the Government assumes all these roles, the knell of doom for our Nation has sounded."

Rt. Rev. Msgr. A. A. Dalton, director of Catholic hospitals, archdiocese of Boston:

"The Forand bill could easily be the forerunner of socialized medicine and one more big step toward the total regimentation of American citizens by their own Government.

"Everyone needs hospital insurance, but the national treasury is not the place to get it. When the Government pays the bill, it will ultimately name the doctor and the hospital."

Dr. E. S. James, editor, Baptist Standard: "The Farm Bureau has long opposed programs which may lead to socialized medicine. The proposal to provide for health care of the aged, whether retired or not, and for survivors entitled to benefits, is a long step in this direction."

Keith Wallace, American Farm Bureau Federation: "We are further opposed to the proposed method of handling medical care through the social security method (King-Anderson) because, by implication and by joint community of interests and aims, it will put into one large class a large and growing group of people (now over 16 million, whose interests and aims become the interest and aims of politicians. Another pressure group will be formed similar to other better known pressure groups in our political economy. The vote of the 65 year old will be vitally important to many office-seekers. Promises are easy for the liberal-minded socialistic legislator. Their organized demands may well spell the doom of the social security system. The proverbial "straw that broke the camel's back" may in truth be a "millstone around the neck" of an already bankrupt and unsound financial system.

Respectfully presented for your consideration by your physician constituents of the First North Carolina Congressional District.

PETITIONS TO THE HONORABLE HERBERT BONNER, HOUSE OF REPRESENTATIVES, WASHINGTON, D.C.

As members of Pasquotank, Camden, Currituck, Dare Counties Medical Society, we were collectively aware of the preparation of a letter of fact and information directed to you by Thomas P. Brinn, M.D., in December 1961.

We now individually set forth our signature of endorsement of said letter representing a petition of the physicians residing in and throughout a county composing a part of the First Congressional District of North Carolina. This the 5th day of February 1962.

Signed by Zack D. Owens, M.D., president; Thomas P. Nash, M.D., secretary. Members: J. A. Johnson, M.D.; O. F. Bailey, M.D.; J. S. Shipley, M.D.; F. G. Satters, M.D.; B. D. West, Jr., M.D.; W. Spaeth, MD.; W. A. Peters, Jr., M.D.; Steve C. Pugh, M.D.; H. R. Thomas, M.D.; F. T. Blanchard, M.D.; Jos. C. Gill, M.D.; John ———, MD.; C. H. ———, M.D.; Arthur H. Hetzger, M.D.; C. U. Wright, M.D.; M. H. Bailey, M.D.; Thomas M. Horsley, M.D.; R. Scleorr, M.D.; T. Everett Sawyer, M.D.; H. J. Harrell, Jr., M.D.; W. H. Romm, M.D.; and W. W. Harvey, Jr., M.D.

As members of Hertford County Medical Society we were collectively aware of the preparation of a letter of fact and information directed to you by Thomas P. Brinn, M.D., in December 1961.

We now individually set forth our signature of endorsement of said letter representing a petition of the physicians residing in and throughout a county composing a part of the First Congressional District of North Carolina. This the 5th day of February 1962.

Signed by Edward T. Viser, M.D., president; L. E. Barnhill, Jr., M.D., secretary. Members: A. A. McLean, M.D.; L. M. Futwell, M.D.; T. E. Banker, M.D.; Joe Lee Frank, Jr., M.D.; J. L. Derden, Jr., M.D.; Archie Y. Eagles, M.D.; Samuel J. Calvert, M.D.; Dan P. Boyett, M.D.; Robert A. Anderson, M.D.; J. Buddy Matheson, M.D.; Geo. H. Wadsworth, M.D.; J. B. Ruffin, M.D.

As members of Gates County Medical Society we were collectively aware of the preparation of a letter of fact and information directed to you by Thomas P. Brinn, M.D., in December 1961.

We now individually set forth our signature of endorsement of said letter representing a petition of the physicians residing in and throughout a county composing a part of the First Congressional District of North Carolina. This the 5th day of February 1962.

Singed by John A. Payne, M.D., president. Member: LeRoy Hand, Jr., M.D.

As members of Chowan-Perquimans Counties Medical Society we were collectively aware of the preparation of a letter of fact and information directed to you by Thomas P. Brinn, M.D., in December 1961.

We now individually set forth our signature of endorsement of said letter representing a petition of the physicians residing in and throughout a county composing a part of the First Congressional District of North Carolina. This the 5th day of February 1962.

Signed by Frank Wood, M.D., president; Edward G. Bond, M.D., secretary. Members: T. P. Brinn, M.D.; Richard Hardin, M.D.; Robert L. Paxton, M.D.; Archie D. Walker, Jr., M.D.; L. P. Williams, M.D.; R. H. Vaughan, M.D.

As members of Beaufort, Hyde, Martin, Washington, and Tyrrell Counties Medical Society we were collectively aware of the preparation of a letter of fact and information directed to you by Thomas P. Brinn, M.D., in December 1961.

We now individually set forth our signatures of endorsement of said letter representing a petition of the physicians residing in and throughout a county composing a part of the First Congressional District of North Carolina. This the 5th day of February 1962.

Signed by Rueben John, M.D., president; W. J. Highsmith, Jr., M.D., secretary. Members: Clark Rodman, M.D.; Allen H. Moore, M.D.; S. H. Williams, Jr., M.D.; H. L. Stephenson, Jr., M.D.; Albert B Hawk, M.D.; A. M. Jones, M.D.; Jon C. Tayloe, M.D.; C. D. Edwards, M.D.; David T. Taylor, M.D.; R. L. Sandy, M.D.; Raeford T. Pugh, M.D.; E. G. Svedin, M.D.; Frank Stallings, M.D.; C. T. Patrick, M.D.; John B. Bonner, M.D.; H. J. Highsmith, Jr., M.D.; Claudies McGowan, M.D.; Earl La Sirpy, M.D.; J. S. Rhodes, Jr., M.D.; J. L. Sweeney, M.D.

SUGAR LEGISLATION

Mr. HARDING. Mr. Speaker, I ask unanimous consent to extend my remarks in two instances at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Idaho?

There was no objection.

Mr. HARDING. Mr. Speaker, one of the most important pieces of farm legislation which will be considered by this Congress is the revision and extension of the Sugar Act. All five segments of the domestic industry have agreed upon the following 11-point legislative program:

SUGAR LEGISLATIVE PROGRAM OF AMERICAN SUGARBEET INDUSTRY, MAINLAND SUGARCANE INDUSTRY, U.S. CANE SUGAR REFINING INDUSTRY, HAWAIIAN SUGAR INDUSTRY, AND PUERTO RICAN SUGAR INDUSTRY

1. Term: The new law would be a 5-year act extending from January 1, 1962, through December 31, 1966.

2. Basic quotas: New basic quotas for domestic areas would be established at a consumption estimate level of 9,700,000 tons. These would be as follows:

Beet area	2,665,000
Mainland cane area	900,000
Hawaii	1,150,000
Puerto Rico	1,200,000
Virgin Islands	15,000

3. Growth: Growth (decrease) over (under) the 9,700,000 level of consumption requirements (consumption estimate minus unallocated amounts and deficits in allocated amounts under section 408) would be divided 67½ percent to domestic continental areas and 32½ percent to foreign areas. The 67½ percent would be shared 75 percent by the domestic beet sugar area and 25 percent by the mainland cane sugar area. If in any year, Hawaii, Puerto Rico, or Virgin Islands, produces more than its basic quota, it may in the following year, upon request, have such quota increased by the amount of such excess: *Provided*, That in no event shall such quota exceed the basic quota (plus growth) under the law before amendment, all such increases being charged to the foreign total. Hawaii's and Puerto Rico's direct-consumption limitations would be 0.342 and 1.5 percent, respectively, of the consumption requirements in lieu of the provisions relating thereto in the present act.

4. New beet growers: A special reserve of up to 20,000 acres, out of the total acreage required to produce the beet quota, would be available each year for the expansion of the industry.

5. Domestic deficits: All domestic deficits would go to foreign areas, with the exception that the excess of Hawaiian deficit over 350,000 tons would go to the beet area.

6. Direct consumption sugar: All foreign sugar would be imported in raw form. The Philippines would be given the option of a larger raw sugar quota in place of their quotas under existing law and the treaty between the United States and the Philippines.

7. Personal history: The law would assure continued use of personal history as a basis for allocating proportionate shares in those sections of the beet area in which personal history now is a basis. No change would be made in those areas in which land history is now the basis for allocating proportionate shares.

8. Liquid sugar quotas: All such quotas would be eliminated except provision would be made to permit continued entry of normal quantities of Barbados-type molasses.

9. Nontransferability of quotas: Foreign countries assigned quotas under the act could fill such quotas only with sugar they produce. No net importing country would be eligible for a quota.

10. Sugar-containing products: The Secretary would be given authority to limit importation of sugar-containing products when such importation would be contrary to the intent of the act.

11. Foreign supplies: Price incentives would be maintained in the act to insure that foreign sugar will be available to the U.S. market in the quantities needed at the times required.

Mr. Speaker, at this time I wish to pay tribute to our domestic sugar industry. The fact that the American sugarbeet industry, mainland sugarcane industry, U.S. cane sugar refining industry, Hawaiian sugar industry, and Puerto Rican sugar industry can work together in an unselfish and reasonable manner has been aptly demonstrated by their agreed upon 11-point legislative program.

With the agreement on this program, many people might assume it would be automatically recommended to the Congress. I only wish that this were true. It seems that our sugar experts in the Department of State and the Department of Agriculture are much more concerned with the welfare of the foreign producer than they are with the welfare of the domestic sugar industry.

In order that President Kennedy might be fully aware of the seriousness of the situation and the fact that the Members of the Congress would not agree this year to a program that does not take into consideration the domestic producers of sugar, both beet and cane, we drafted the following letter which I delivered to the President last Thursday. The letter was signed by 50 Members of the Congress from sugarbeet areas and sugarcane areas of the United States, including a majority of the Democratic members of the powerful House Committee on Agriculture.

Mr. Speaker, I wish to state that I am grateful for the understanding and cooperative attitude displayed by the President, and I feel confident that the sugar program the administration sponsors will not contain the serious cuts that have been urged by members of the Department of Agriculture and Department of State but will come closer to the 11-point program of the American domestic sugar industry.

The Honorable JOHN F. KENNEDY,
President of the United States,
The White House,
Washington, D.C.

MY DEAR MR. PRESIDENT: We are disturbed and shocked to learn that the Departments of Agriculture and State are seriously considering revisions of the Sugar Act which would inevitably result in curtailment of sugarbeet production at a time when the national welfare requires greater reliance on domestic sugar production.

These proposals, which have been circulated "for discussion," include a basic beet sugar quota for this year of only 2,560,000 tons out of total anticipated U.S. sugar consumption this year of 9,700,000 tons. The proposed basic beet sugar quota is nearly 50,000 tons less than actual beet sugar marketings last year under the present Sugar Act, and at least 200,000 tons less than expected production from this year's plantings of sugarbeets.

The proposed new basic quota would represent the production of about a million acres of sugarbeets. To cut back to this level would mean a reduction of between 10 and 12 percent from the acreage levels of last year and this year. If this should be enacted into law, this severe sugarbeet acreage reduction would have to be made in 1963. This would not only be against the national interest; it would also be impalatable and indefensible politically.

Since July 1960 we have halted shipments of Cuban sugar to the United States, and rightly so. Yet domestic sugar producers have not been allocated one ounce of the former Cuban quota; it has all been allotted to foreign sugar producing industries. The farmers of this Nation find it increasingly difficult to understand why they cannot be permitted to produce at least a small part of the sugar which Castro has been forbidden to supply. With acreage of all surplus farm crops drastically cut, and further reductions in sight under the administration's general farm bill, farmers in nearly every State are seeking permission to produce sugarbeets, a nonsurplus crop. Their appeals thus far have met the stone wall of the present Sugar Act and regulations. The current proposal of the Departments of Agriculture and State would add barbed wire to that wall.

This proposal would not only curtail present sugarbeet producers, it would also prevent any new growers from entering the industry. Under the "growth formula" of the proposal, only 60,000 tons would be added to the beet sugar quota each year out of the average annual increase of 150,000 in total U.S. sugar consumption. This 60,000 tons would barely provide for the average annual increase in sugar yields per acre which result from scientific advancements in sugar beet production. Thus, after the initial reductions in acreage, inevitable in 1963 under the proposal, present growers would be held at lower acreage levels and there would be no opportunity for new growers. The industry would be at a standstill.

It seems inconceivable that the USDA and State Department would seriously consider offering such a proposal for congressional approval at a time when economic growth is repeatedly recognized as essential to our national welfare.

The beet sugar industry is eminently qualified for the privilege of making a significant contribution to our economic growth for, as you know, American sugarbeet farmers are among the most efficient sugar-crop producers in the world. Tremendous advancements have been made through scientific research, mechanization, development of new varieties, and improved farm practices, particularly in the years since World War II. For example, between 1946 and 1960, American sugarbeet farmers have reduced by more than one-half the amount of labor required to produce the beets for a ton of sugar. We challenge any foreign sugar producer, either beet or cane, to show that he produces his crop with less human labor than our sugarbeet farmer's record of only 22.8 man-hours per ton of sugar. Average wages paid in American beet fields are higher than either the Department of Agriculture's minimum wage requirements or the National Fair Labor Standards minimum. Economists who charge that American sugarbeet farmers are "uneconomic" no doubt base their arguments on the fact that in some tropical countries—where sugarcane is produced under substandard labor conditions, where flagrant economic inequalities invite discontent and revolution, where we are pouring millions of dollars of aid to combat the communism that breeds in such situations—sugar can be produced cheaper in terms of dollars and cents. But at what a price in human values—and in political stability.

The American sugarbeet industry, mainland sugarcane industry, U.S. cane sugar refining industry, Hawaiian sugar industry, and Puerto Rican sugar industry have developed a legislative proposal which includes beet sugar provisions that would recognize the levels of production and marketing reached in the recent past and that would provide for a modest—and only a modest—growth of the industry in the future. It would set a basic beet sugar quota of 2,665,000 tons for the current year at the anticipated level of consumption, and would provide for about 75,000 tons annual increase in the beet sugar quota in following years.

We strongly urge you to recommend an administration proposal which includes the proposals of these fine segments of the domestic sugar industry.

Respectfully yours,

SNAKE RIVER LANDS BILL

Mr. HARDING. Mr. Speaker, I was pleased today that the House acted favorably on my bill H.R. 9097, which will clarify the status of certain public lands along the Snake River in Idaho where titles to the property have been in doubt for some time.

Briefly stated, the problem was this: Most of the land owned along the Snake River was acquired many years ago under patents based on an 1877 survey. Not only did the meander lines not follow the high-water lines of the Snake as exactly as they should have done, but since that survey was made, the river has to some extent altered its course.

Court rulings in Idaho land cases in the past, including a decision rendered by the Idaho Supreme Court in 1927 in the Younie against Sheek case in Bingham County, have stated:

> The meander line run in surveying public lands bordering upon a navigable river is not a line of boundary, but one designed merely to point out the sinuosity of the bank of the stream, and as a means only of ascertaining the quantity of land in the fraction that is to be paid for by the purchaser, and that the watercourse, and not the meander line as actually run on the land, becomes the true boundary line.

U.S. Supreme Court rulings have also supported this position.

As a result of such impressive legal opinions, many owners of lands along the Snake in Bingham, Bonneville, Jefferson, Madison, and Fremont Counties in Idaho have assumed the property lying between the meander lines and the actual banks of the river to belong to them. They had gone ahead with various property improvements and the construction of valuable buildings. They had passed the land on to their families and other persons with the assumption it was their right to do so.

County officials had accepted the fact that the property belonged to these abutting landowners and have even taxed them for it over a long period of time. It is in the Bingham County area that reliable estimates are that over 100 landowners are involved in this title problem.

Many lending agencies have also assumed the property in question along the Snake belonged to the abutting owners.

I would like to quote briefly from a letter from the manager of the Federal Land Bank Association at Blackfoot, Mr. Blair W. Archibald, who states:

> For many years title examiners for the Federal Land Bank of Spokane have considered the title to lands * * * lying between the meander lines and the actual banks of the Snake River to be vested in the individual owners of the various lots abutting on the meander lines, and in reliance upon such legal opinions * * * has made numerous mortgage loans to the owners of such lands and has taken mortgages upon such lands as security for loans.

Mr. Archibald further states that at the present time the Federal Land Bank of Spokane holds approximatly 20 mortgages from owners of such abutting lots which included as security the Snake River lands in question.

What finally brought the whole problem to a head was a recent survey of this property along the Snake River by the Bureau of Land Management which resulted in the property being declared public land.

As the Interior Department pointed out to the House Public Lands Subcommittee in the favorable report filed on my bill:

> Under existing procedures upon acceptance of the plat of survey and publication in the Federal Register of the opening of the lands, the omitted lands become subject to the public land laws.

The Interior Department further reported:

> The provisions of existing law would not * * * enable the Department to resolve all the various claims arising in connection with these lands.

It is for this reason that my bill was introduced—to assure that these riparian landowners who over many years in good faith have assumed the property to be their own, who have paid taxes on it, made improvements, will have a preference right to purchase it.

In order to guard against anyone taking unfair advantage of this provision I would like to point out that in my bill a cutoff date of March 30, 1961, has been included as far as preference purchasers are concerned. Adequate protection is also provided for any Indians who have made settlement upon these lands.

Question has been raised in some quarters over whether my bill would in any way adversely affect hunting and fishing privileges in the area. I can report that it definitely will not, since the Snake River property in question has been regarded as under private ownership for many, many years.

Also, full authority for disposing of this property rests with the Secretary of Interior who will give careful consideration to fishing and hunting rights in making any transfer of this land to private ownership.

LITTLE-PEOPLE-TO-LITTLE-PEOPLE PROGRAM GATHERS SUPPORT

The SPEAKER pro tempore. Under the previous order of the House the gentleman from New York [Mr. HALPERN], is recognized for 15 minutes.

Mr. HALPERN. Mr. Speaker, 2 months ago our distinguished colleague from New Jersey [Mr. RODINO] brought to the attention of the Congress the start of an unusual and most welcomed campaign which was appropriately described as a "little-people-to-little-people program"—a sort of modern version of the children's crusade.

The plan was devised by Mr. RODINO's son, Peter, with the assistance and cooperation of some of his young friends. It involved the communication by exchange of letters between American children and youngsters in Iron Curtain nations. The hope was that this correspondence, on a nongovernmental level, would enhance the prospect of international understanding and the chances for lasting peace through mutual respect and friendship developed by the uninhibited expressions of cordiality between youths on both sides of the Iron Curtain. Indeed, this is a gesture of the highest principle and credits young Peter Rodino and his friends with a degree of wisdom far superior to that which is usually expected from people of such tender age.

Unfortunately, Mr. Speaker, this fine plan has borne little fruit for the young Americans who had hoped to write to their counterparts in Communist countries. The Soviet leaders so far have not been very receptive to the idea of little American people writing to little Russian people or little Czech people or little Polish people. One can only guess why the Communists have so far hesitated on this matter—perhaps they feel that such a project would tend to decrease present international tensions, and this would not be in the best interest of those in power who thrive on discord and global uneasiness.

Nevertheless, Mr. Speaker, this program should not be written off as a hopeless, albeit noble, venture. Despite the cold shoulder given this program from the Red-dominated countries, these energetic young Americans have begun sending letters to children of non-Communist and uncommitted nations of the world. It optimistically shows every prospect of success in these areas where the program is permitted to exist.

Additionally, the letterwriting idea has received the active and energetic support of many of this country's most civic-minded and influential organizations. Among these we find the American Legion, the Veterans of Foreign Wars, the Catholic War Veterans, the Disabled American Veterans, and the Amvets all of whom have given valuable assistance to getting the program established on the State level in New Jersey. I am certain this lead will be followed by the veteran organizations in my own State of New York and the other States in the Union.

On the national scene, the Boys Clubs of America and the Boy Scouts are planning nationwide programs along these very lines. Rotary clubs throughout the country have also expressed interest in the program. Although the U.S. Information Agency is supplying valuable information essential to the children's crusade, official Government involvement in the program has purposely been discouraged in order to keep the idea from being accused of being anything other than what it is—an extemporaneous expression of good will on the part of young Americans. No one could accurately call this a product of U.S. propaganda. It has to be recognized for what it is—a voluntary program of understanding devised by children and to be undertaken by children for the benefit of all mankind. This is to be, and should always be, a grassroots effort.

All Americans should heartily commend these youngsters who have shown us all an example of remarkable citizenship and mature responsibility beyond their years. In spreading the gospel of what America is and what this country stands for in letters to children in many foreign nations, they have acted in behalf of all Americans, young and old. I salute their fine effort and wish them Godspeed in their program and urge that Congress should suitably acknowledge this admirable program.

This once again proves to a significant degree that, when given the opportunity to take important matters into their own hands, the vast majority of young Americans will continue to prove to the older generation that they will come through in magnificent fashion every time.

A BILL TO EXTEND AND STRENGTHEN THE U.S. EXPORT CONTROL ACT OF 1949

The SPEAKER pro tempore. Under the previous order of the House the gentleman from Washington [Mr. PELLY] is recognized for 15 minutes.

Mr. PELLY. Mr. Speaker, I have taken the floor to notify the Members of the House that I am today introducing a bill to extend the Export Control Act of 1949 for 2 additional years beyond June 30, 1962, when it expires.

Especially, I desire to point out that my bill contains a new provision which would prohibit all exportation of agricultural commodities to any foreign country unless the President shall have determined that such country is not dominated or controlled by the international Communist movement.

Thereby, Mr. Speaker, the inconsistency in present law as between aid and trade would be removed so that indirect aid such as exports under Public Law 480 would be treated as they are under section 620(B) of Public Law 87-195 passed last September covering foreign assistance. The language of this latter foreign aid act expressed the will of Congress that no assistance should be furnished to the government of any Communist country.

My bill would terminate the policy of the administration which has been to permit the sale of agricultural products to Communist countries and especially the policy since Secretary of Commerce Luther Hodges last June lifted the ban on shipment of surplus agricultural products to Communist-bloc countries. To date, however, there has been an exception and the complete embargo has been continued on trade with Red China, North Korea, North Vietnam, and Cuba.

Meanwhile, Mr. Speaker, the Government has been licensing shipments to other Communist bloc nations and there has been much public concern that by so doing the United States has been actually helping the Communist system succeed where the Marxist program of collectivist farming has been failing.

The free world and such nations as Canada, Australia, and France have been selling to Red China so that the squeeze on Chinese peasants and consumers has been eased.

Recently, the Economic Commission for Asia and the Far East, a United Nations regional body, has suggested that Red China's leaders may be endangering their own ambitions by this economic squeeze of government planning. Notwithstanding, our allies have seen fit to supply food to help these leaders out. I am glad to say that thus far the United States has stood firm in this respect and has not permitted sale of agricultural products to Red China and North Korea.

Last week, however, the news leaked out that the President has under consideration the issuing of licenses to allow the sale of 10 million tons of American wheat and barley to North Korea and Red China—a $400 million deal.

I contacted the Office of the Secretary of Commerce for specific information and was informed two business firms had made an application for such export licenses, but was told the decision with regard to this application was being made at the White House. Subsequently, through White House sources I was informed that the International Trading Corp. of Seattle had applied and that the matter was under advisement.

Now, Mr. Speaker, this indicates to me a possible pending change in foreign policy, a change with ramifications that could be so far reaching as to stagger the imagination and one which I view with the gravest of alarm. Once the gates of total embargo are breached, the dam will burst and the success of communism in Red China and no doubt eventually throughout the Far East will be virtually assured. Food is high on the list of strategic items in any struggle and if the decision is made to permit the shipment of wheat and agricultural products to the Chinese mainland, it will constitute the second and probably the final betrayal of the Chiang Kai-shek government. It will also set the stage for the admission of this outlaw, atheist government into the United Nations by providing quasiofficial recognition of Red China.

It is hard for me to believe that the administration will approve of the shipment of grain to these countries, but the very fact that it is even being considered and that the request for these export licenses was not summarily rejected is very disturbing. Consequently, Mr. Speaker, I call on my colleagues on both sides of the aisle to urge the President to reassure the American people by immediate rejection of the request for these export licenses, so that they will know beyond doubt the administration has no intention of altering and weakening its foreign policy as it applies to the embargo on trade with Red China, North Korea, Vietnam, and Cuba.

It goes without saying, Mr. Speaker, that prompt consideration of my bill is urgent. In this connection, the cooperation and support of my colleagues will certainly be helpful.

Most of all, Mr. Speaker, the force of public opinion is needed to resolve this question of policy.

The American people must see that this issue is not one of feeding hungry mouths. My heart is filled with pity too. But the harsh reality of this situation is—either we win the cold war or we submit to our humanitarian instinct. The Chinese people under the yoke of Communist rule can win back their freedom from a form of government which disregards the dignity of man and fails in its responsibility by refusing the individual the right to provide for himself. As for those of us who are still free, we, too, must make sacrifices to retain our free way of life—sacrifices such as foregoing the profit of selling surplus grain.

We cannot win the cold war with a soft policy of supplying our enemies out of our own abundance. The United States must stand firm—otherwise the nonslave world is doomed.

Mr. KYL. Mr. Speaker, will the gentleman yield?

Mr. PELLY. I yield to the gentleman from Iowa.

Mr. KYL. I would ask the gentleman from Washington to again point out, as he has so frequently in the past, that our humanitarian instincts might be tempered in the knowledge that while perhaps thousands or millions of Chinese are starving for lack of food, the Red Chinese government is at the same time exporting food to exchange for hardware for military supplies.

Mr. PELLY. I would agree with the gentleman, but often, though, the Red Chinese government was not exporting food. The fact would remain that in effect this grain that we might, and which our allies are, supplying to the Red Chinese government is saving them from failure and thus assuring success of the Communist system as against otherwise assured failure.

ADDITIONAL TAX EXEMPTION FOR TEACHERS

Mr. LIBONATI. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. ZELENKO] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ZELENKO. Mr. Speaker, I have today introduced legislation which will provide much-needed financial assistance for the teachers of this Nation, from the elementary school to the postgraduate level.

Because of poor financial return, teachers are leaving the profession and new recruits are hard to find. Competition with private industry cannot be met by our educational system. Delays in providing Federal assistance because of the complex problem now confronting the Congress have only served to aggravate the situation.

My bill will provide an exclusion from gross income, for tax purposes, for the first $1,500 of salary earned by a teacher in any year. This will result in approximately $300 annual saving for the teacher. The loss of revenue to the Treasury will be more than compensated for by the resultant increase in the overall level of education. Because of the ever-increasing alliance between science and the military, education has joined the front line of our defense. An educated American is the present day Minute Man.

From the standpoint of the defense of our Nation, it is imperative that we provide the teaching profession with a much-needed incentive to remain on the job. Low income for teachers means low morale and the loss of good teachers. The $1,500 exemption, although not the final answer, may be enough to raise morale and save these good teachers.

By way of my bill we can at least make an attempt to help the teacher economically. Small as this incentive may be, if it encourages one teacher to remain in the profession, I will have considered the bill, if passed, a success.

Unlike most proposed legislation in the field of education, this bill is absent any Federal regulation or control; there are no strings attached. It would help every teacher in every community, town, city, county, and State—on the elementary level, secondary, and higher education in our colleges and universities.

It is no secret that business, big and small, is recruiting and attracting highly trained, properly schooled, finely educated persons as assets for their business organizations. These are our children's teachers. They are being recruited daily and are leaving their chosen profession to provide their families with the necessities of life. Most of us remember the postwar crisis that overran the schools and in 1955 was the beginning of a full-scale invasion of higher education. This crisis, born of an explosive rise in the school-age population, is now confronting the Nation's colleges and universities with several new forces:

A dramatic surge in the percentage of the school-age population completing high school and going on to college; an accelerating growth in the quantity and complexity of knowledge to be transmitted to the student to equip him for a world of rapid technological, social, and political change; ever-intensified demands in nearly all fields for manpower educated at the college and university level; finally, the task of teaching more things to more people is being vastly complicated by rising costs; in higher education costs have jumped over 30 percent between 1950 and 1954.

The impact of these forces during the 1950's made it apparent that America had obligated its schools to a momentous educational task, but had failed to provide them with adequate resources. The most immediate and worrisome problem was a growing scarcity of qualified teachers.

It is equally clear that the principal impediment to teaching as a career is chronically low financial reward. Education could win a larger share of the Nation's best talent only by adjusting its salaries to a more competitive position in the Nation's professional marketplace. Teaching must be viewed in relation to other professions—medicine, law, engineering, business management—that are competing for the best people and that require comparable preparation.

A recent study shows that while teachers' salaries have been increased since 1920, they have barely kept pace with the increased cost of living.

What accounts for the paradox that in a competitive society the most learned manpower group should not have been able at least to maintain its relative economic status with other groups? One factor is the social and philosophic precept that teachers exist to serve society. They are nonprofit; monetary gain is neither their incentive nor their goal. Schools, colleges, and universities have always supported this precept; indeed, they are its authors. Unfortunately, in the public mind, it fostered the image of the teacher as an unworldly being, devoted to learning and the young, content with the haven of his study, classroom, and campus—a benign, sacerdotal creature who found his reward in the pursuit and transmission of knowledge.

There is enough validity in this sentimental caricature to make it difficult to dispel. It might not have harmed the teacher's welfare except that it nourished the fallacy that he is a person pleased to work for considerably less than members of other professions.

In 1957, the President's Committee on Education Beyond the High School issued this admonition:

> The plain fact is that the college teachers of the United States, through their inadequate salaries, are subsidizing the education of students, and in some cases the luxuries of their families, by an amount which is more than double the grand total of alumni gifts, corporate gifts, and endowment income of all colleges and universities combined. This is tantamount to the largest scholarship program in world history, but certainly not one calculated to advance education. Unless this condition is corrected forthwith the quality of American higher education will decline. No student and no institution can hope to escape the consequences.

To restore teaching to a competitive position in the professional labor market comparable to that which it occupied before World War II would require an average increase in faculty salaries of something like 75 to 80 percent. And to maintain this position, once restored, would probably require by 1970 an average rise of 100 to 125 percent above present faculty salary levels.

In this space age where the quest for knowledge holds an exalted position among man's desires; where thought gives birth to ideas, today more precious than gold; where knowledge is success, individually and universally, we must not forget the tree from which all this stems, the teaching profession.

I urge my colleagues to give serious and favorable consideration to this legislation.

COMPETITION OF FOREIGN PRODUCTS

Mr. KYL. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. BRAY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. BRAY. Mr. Speaker, from time to time I have remarked on the severe problems being inflicted on American workers and industry by the competition of foreign products. My interest in this problem is shared, I know, by a great many other Members of this body.

I would like to discuss another instance which illustrates the problems we face. It is instances of this type which materially contribute to the drain of gold from the United States, threatening our financial standing in the world.

It is another example in which the high standards of American labor have been measured against the cheap rates of foreign labor, and the decision has been against our own workers—even though in this case the project is partly financed by Federal funds.

Furthermore, it is another occasion when backs have been turned on our own domestic products, which are superior, in favor of imported products which are inferior.

I am referring to the construction of the Lincoln Center for the Performing Arts in New York City, the site of which I recently visited. The project is financed partly by civic organizations and other sources in New York; in addition, the Federal Government has allotted up to $31 million of the taxpayers' money for this urban renewal project.

The buildings in the Lincoln Center are being faced with Italian travertine in preference to American building stone. Furthermore most of the finishing of the stone is being done in Italy before shipment to the United States to avoid paying American workmen in the New York area. It is being shipped in Italian ships.

This choice against an American product results in the loss of millions of dollars to our stone industry, to our workers who would have been employed to quarry and fabricate the stone, and to our railroads which would have transported it.

This travertine stone is not to be confused with the fine Italian marble used for interior decoration and statues. The stone being used is inferior to many American stones, especially Indiana limestone.

I believe we should reconsider a situation which allows us to spend our own taxpayers' money to buy the products of another country in preference to our own. Few countries would allow such a situation. As an example, Canada would not allow stone or any other product or equipment from the United States or any other foreign country to be used in a building in which the Canadian taxpayers' money was used.

I believe it is time we took a more definite stand in behalf of our own interests or one of these days we may end up going around with a tin cup in our hands.

PROBLEM OF MILITARY DEPENDENTS

Mr. KYL. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. BRAY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. BRAY. Mr. Speaker, the handling of the problem of military dependents overseas offers an interesting comparison between the policies of the Eisenhower and Kennedy administrations and one which our servicemen and women are not likely to forget.

In one of the last decisions of his administration President Eisenhower faced up to a very difficult choice and decided to suspend the oversea movement of military dependents as one of the measures for halting the serious outflow of gold. As an old soldier who had spent a lifetime in the service he knew the full impact of this decision on the morale of our Armed Forces. He could have procrastinated and done nothing. He could have passed the buck to the Kennedy administration. There were a dozen excuses—personal and public—for stalling over such an unpleasant and unpopular directive.

Instead, based upon the best information available to him at that time and the recommendations of his advisers, he recognized the seriousness of the situation and did not hesitate in doing what was considered necessary to safeguard our fiscal integrity.

After the inauguration, the problem became one for the Kennedy administration. On February 6, 1961, President Kennedy stated that the travel ban on military dependents was not the best way to save gold and that it was seriously hurting morale and recruiting. He directed that the gold be saved by reducing the spending of the military on tourism and durable consumer goods abroad and rescinded the dependent travel ban.

The armed services had barely begun to unite their separated families when a second ban on the oversea travel of dependents was declared. There was a good reason for this ban, too. The buildup of our fighting strength in Europe required all available transportation and took priority over the movement of dependents. Here was another emergency and another decision our military families could understand. Again they were called upon to suffer the hardship of family separation and again they responded.

In the meantime, in keeping with the President's gold-saving directive, our oversea servicemen and their families had initiated many official and personal programs to reduce the spending of dollars abroad. They were proud of their efforts and considered their programs a success. Well they might have, for it was carefully explained to them that the

second ban was due solely to transportation shortage and had nothing to do with gold saving. As recent as January 24, 1962, Secretary McNamara assured the House Armed Services Committee that the continued ban on dependent travel was for military rather than gold saving reasons. I am very much in favor of preventing an excess of gold from leaving the country, but the Secretary of Defense states that gold saving is not the reason for this ban.

However, it is a well-known fact that all the large-scale troop movements to Europe have long since been completed and the facilities are now available to resume dependent travel. It is not so well known that many studies by our most responsible commanders indicate that the dollar-saving efforts of our oversea military families have accomplished all practical goals and a continuation of the travel ban will be more expensive in many ways and may actually spend—rather than save—gold.

All of this is well known to our servicemen who suffer the separation from their families just as you or I would and they have eagerly awaited the reinstatement of dependent travel authorization.

You can imagine the dismay of our service families who had worked hard to comply with the President's directives when he, at his February 21 press conference, announced that the dependent travel ban will not be lifted and that the reason is the old bugaboo—gold saving. What great fiscal enlightenment occurred between January 24 and February 21 to produce this complete about-face in the administration's position? I know of none. The reason has never been explained to the military, the Congress, or the people.

Mr. Speaker, there is something basically unfair in placing the entire burden of the reduction of the gold flow upon the military. Our tourists, our great business corporations, the State Department, and other governmental agencies spend billions abroad. They and their dependents do not suffer the mental, the moral, and financial stresses of family separation. This burden has been placed solely on the military.

The adverse effects of this policy are now beginning to be felt throughout the services. It is no exaggeration to say the men and their families feel betrayed. They are placed in a difficult situation. No hope is extended. There appears to be only one way out—to get out. Reenlistments are falling off. The most steady and experienced men—those with families—are quitting. Likewise, young officers—our future leaders—are losing interest in making the service a career.

Some members of the military are moving their dependents overseas at their own expense. Since travel on foreign carriers is generally less expensive, they buy their tickets on foreign lines thus increasing the outflow of gold. Instead of living overseas in houses which, in many cases were built at no expense to our Government, they draw their housing allowance in dollars, convert it to local currency and live in substandard and inadequate houses on the economy. Their living expenses under these conditions are high. They spend their savings or go into debt to make ends meet. This, of course, is only human, but results in exactly the opposite of the reason given for the latest travel ban. In other cases the United States guaranteed overseas contractors that their houses, which were built especially for our military families, would be rented. If the ban continues we can expect to pay out gold dollars from the Treasury for the rent of these empty houses. These are but a few of the many ways in which the dependent ban increases rather than decreases the outflow of gold.

Mr. Speaker, there is only one possible justification for this separation of our service families—fear for their safety should there be a war. I understand that the administration does not give that reason—danger from war—for the refusal to allow dependents to go overseas. In modern war, however, degrees of risk will not necessarily parallel proximity to the enemy, and conceivably a family living in Europe might not be more vulnerable—and might be considerably less—than one living in Washington. But the men on the spot have a better answer. Despite the fact that they are free to do so, not one oversea service family has asked to be returned to the States because of fear for safety. There is no more eloquent demonstration of their faith in our strength and our cause than this simple fact. Contrast this to the manner in which the administration chooses to repay them—by continuing the travel ban beyond any limits of fiscal, military, or humanitarian consideration and you have a striking demonstration of the difference between the policies of the Eisenhower and Kennedy administrations.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. DAGUE (at the request of Mr. FENTON) for 3 days, on account of death in the family.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. PELLY, for 15 minutes, today.

Mr. DURNO (at the request of Mr. KYL), for 90 minutes, on March 26.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. OLSEN.

Mr. ALGER.

Mr. FARBSTEIN.

Mr. BROYHILL.

(The following Members (at the request of Mr. KYL) and to include extraneous matter:)

Mr. FINO.

Mr. VAN ZANDT.

(The following Members (at the request of Mr. LIBONATI) and to include extraneous matter:)

Mr. ST. GERMAIN.

Mrs. SULLIVAN.

ENROLLED BILL SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 5143. An act to amend section 801 of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901.

BILL PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on March 16, 1962, present to the President, for his approval, a bill of the House of the following title:

H.R. 8723. An act to amend the Welfare and Pension Plans Disclosure Act with respect to the method of enforcement and to provide certain additional sanctions, and for other purposes.

ADJOURNMENT

Mr. LIBONATI. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 58 minutes p.m.) the House adjourned until tomorrow, Tuesday, March 20, 1962, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1817. A communication from the President of the United States, transmitting proposed supplemental appropriations for the fiscal year 1962 in the amount of $25 million for disaster relief and $10 million for the Small Business Administration (H. Doc. No. 365); to the Committee on Appropriations and ordered to be printed.

1818. A communication from the President of the United States, transmitting an amendment to the budget for the fiscal year 1963 involving an increase in the amount of $158,500 for the Library of Congress (H. Doc. No. 366); to the Committee on Appropriations and ordered to be printed.

1819. A letter from the Secretary of Agriculture, transmitting a report on the 1961 soil bank conservation reserve program, pursuant to Public Law 540, 84th Congress; to the Committee on Agriculture.

1820. A letter from the Deputy Secretary of Defense, transmitting a draft of a proposed bill entitled "A bill to amend section 302 of the Career Compensation Act of 1949, as amended (37 U.S.C. 252), to increase the basic allowance for quarters of members of the uniformed services"; to the Committee on Armed Services.

1821. A letter from the President of the Board of Commissioners of the District of Columbia, transmitting the annual report of the operations of the government of the District of Columbia for the fiscal year ended June 30, 1961, pursuant to an act approved June 11, 1878 (20 Stat. 108); to the Committee on the District of Columbia.

1822. A letter from the Director, U.S. Information Agency, transmitting a copy of the 17th semiannual report of the U.S. Information Agency, for the period from July 1, to December 31, 1961, pursuant to section 1008 of Public Law 402, 80th Congress; to the Committee on Foreign Affairs.

1823. A letter from the Comptroller General of the United States, transmitting a copy of a report on the audits of Government Services, Inc., and its employee retirement and benefit trust fund and supplemental pension plan for the year ended December 31, 1961; to the Committee on Government Operations.

1824. A letter from the Administrator, General Services Administration, transmitting the report of the Archivist of the United States on records proposed for disposal under the law; to the Committee on House Administration.

1825. A letter from the Chairman, Federal Trade Commission, transmitting the 47th annual report of the Federal Trade Commission for the fiscal year ending June 30, 1961; to the Committee on Interstate and Foreign Commerce.

1826. A letter from the Director, Administrative Office, U.S. Courts, transmitting a copy of the annual report of the Director of the Administrative Office of the U.S. Courts for the fiscal year 1961, pursuant to section 604(a)(4) of title 28 of the United States Code; to the Committee on the Judiciary.

1827. A letter from the Postmaster General, transmitting a draft of a proposed bill entitled "A bill to amend title 39, United States Code, to authorize the Postmaster General to relieve postmasters and other employees for losses resulting from illegal, improper, or incorrect payments, and for other purposes"; to the Committee on Post Office and Civil Service.

1828. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders suspending deportation as well as a list of the persons involved, pursuant to the Immigration and Nationality Act of 1952; to the Committee on the Judiciary.

1829. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting a copy of the order suspending deportation in the case of John Seitz, A8018820, pursuant to the Immigration and Nationality Act of 1952; to the Committee on the Judiciary.

1830. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting a copy of the order suspending deportation in the case of Pak Jow Chung, A12086307, pursuant to the Immigration and Nationality Act of 1952; to the Committee on the Judiciary.

1831. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders entered in cases where the authority contained in the Immigration and Nationality Act was exercised in behalf of such aliens, pursuant to the Immigration and Nationality Act; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, pursuant to the order of the House of March 15, 1962, the following bill was reported on March 16, 1962:

Mr. KIRWAN: Committee on Appropriations. H.R. 10802. A bill making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1963, and for other purposes; without amendment (Rept. No. 1446). Referred to the Committee of the Whole House on the State of the Union.

Under clause 2 of rule XIII, pursuant to the order of the House of March 21, 1962, the following bill was reported on March 16, 1962:

Mr. MILLS: Committee on Ways and Means. H.R. 10650. A bill to amend the Internal Revenue Code of 1954 to provide a credit for investment in certain depreciable property, to eliminate certain defects and inequities, and for other purposes; without amendment (Rept. No. 1447). Referred to the Committee of the Whole House on the State of the Union.

[*Submitted March 19, 1962*]

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BONNER: Committee on Merchant Marine and Fisheries. H.R. 4783. A bill to grant constructive service to members of the Coast Guard Women's Reserve for the period of July 25, 1947, to November 1, 1949; without amendment (Rept. No. 1448). Referred to the Committee of the Whole House on the State of the Union.

Mr. BONNER: Committee on Merchant Marine and Fisheries. H.R. 7336. A bill to authorize the Secretary of the Interior to make loans to certain producers of oysters, and for other purposes; with amendment (Rept. No. 1449). Referred to the Committee of the Whole House on the State of the Union.

Mr. BONNER: Committee on Merchant Marine and Fisheries. House Joint Resolution 489. Joint resolution to provide protection for the golden eagle; with amendment (Rept. No. 1450). Referred to the House Calendar.

Mr. FORRESTER: Committee on the Judiciary. House Joint Resolution 628. Joint resolution authorizing the President to proclaim the week in May of each year in which falls the third Friday of that month as National Transportation Week; with amendment (Rept. No. 1451). Referred to the House Calendar.

Mr. FORRESTER: Committee on the Judiciary. House Resolution 505. Resolution extending the greetings of the House of Representatives to the city of Altoona, Pa., on the occasion of the centennial anniversary of the Loyal War Governors' Conference; with amendment (Rept. No. 1452). Referred to the House Calendar.

Mr. TEAGUE of Texas: Committee on Veterans' Affairs. H.R. 852. A bill to amend chapter 3 of title 38, United States Code, to authorize the Administrator of Veterans' Affairs to establish medical advisory panels to resolve conflicts of evidence in questions involving service connection of disabilities or deaths; with amendment (Rept. No. 1453). Referred to the Committee of the Whole House on the State of the Union.

Mr. TEAGUE of Texas: Committee on Veterans' Affairs. H.R. 857. A bill to amend section 4005 of title 38, United States Code, to provide that cases appealed to the Board of Veterans' Appeals shall contain a brief statement of the facts of the case appealed, with a citation and application of the law, together with the recommendations of the office appealed from, and for other purposes; without amendment (Rept. No. 1454). Referred to the Committee of the Whole House on the State of the Union.

Mr. TEAGUE of Texas: Committee on Veterans' Affairs. H.R. 1811. A bill to amend chapter 35 of title 38, United States Code, relating to war orphans' educational assistance, in order to permit eligible persons thereunder to attend foreign educational institutions under certain circumstances; with amendment (Rept. No. 1455). Referred to the Committee of the Whole House on the State of the Union.

Mr. TEAGUE of Texas: Committee on Veterans' Affairs. H.R. 3728. A bill to amend title 38 so as to authorize the Administrator to assign a total rating for compensation to a veteran granted service-connection for blindness of one eye who subsequent to separation from active duty incurs blindness in the remaining eye; with amendment (Rept. No. 1456). Referred to the Committee of the Whole House on the State of the Union.

Mr. TEAGUE of Texas: Committee on Veterans' Affairs. H.R. 4012. A bill to amend section 801 of title 38, United States Code, to provide assistance in acquiring specially adapted housing for certain blind veterans who have suffered the loss or loss of use of a lower extremity; without amendment (Rept. No. 1457). Referred to the Committee of the Whole House on the State of the Union.

Mr. TEAGUE of Texas: Committee on Veterans' Affairs. H.R. 4901. A bill to amend section 904 of title 38, United States Code, so that burial allowances might be paid in cases where discharges were changed by competent authority after death of the veteran from dishonorable to conditions other than dishonorable; without amendment (Rept. No. 1458). Referred to the Committee of the Whole House on the State of the Union.

Mr. TEAGUE of Texas: Committee on Veterans' Affairs. H.R. 5234. A bill to amend title 38, United States Code, to provide for the restoration of certain widows and children to the rolls upon annulment of their marriages or remarriages, and for other purposes; with amendment (Rept. No. 1459). Referred to the Committee of the Whole House on the State of the Union.

Mr. TEAGUE of Texas: Committee on Veterans' Affairs. H.R. 8282. A bill to amend section 3203(d) of title 38, United States Code, to provide that there shall be no reduction of pension otherwise payable during hospitalization of certain veterans with a wife or child; with amendment (Rept. No. 1460). Referred to the Committee of the Whole House on the State of the Union.

Mr. TEAGUE of Texas: Committee on Veterans' Affairs. H.R. 8415. A bill to change the classes of persons eligible to receive payments of benefits withheld during the lifetime of deceased veterans while being furnished hospital or domiciliary care; without amendment (Rept. No. 1461). Referred to the Committee of the Whole House on the State of the Union.

Mr. TEAGUE of Texas: Committee on Veterans' Affairs. H.R. 8802. A bill to amend title 38 of the United States Code to provide for waiver of indebtedness to the United States in certain cases arising out of default on loans guaranteed or made by the Veterans' Administration; without amendment (Rept. No. 1462). Referred to the Committee of the Whole House on the State of the Union.

Mr. TEAGUE of Texas: Committee on Veterans' Affairs. H.R. 8992. A bill to amend certain administrative provisions of title 38, United States Code, relating to the Department of Medicine and Surgery in the Veterans' Administration; without amendment (Rept. No. 1463). Referred to the Committee of the Whole House on the State of the Union.

Mr. TEAGUE of Texas: Committee on Veterans' Affairs. H.R. 9561. A bill to amend section 624 of title 38, United States Code, to authorize the furnishing abroad of hospital care and medical services for wartime service-connected disabilities; with amendment (Rept. No. 1464). Referred to the Committee of the Whole House on the State of the Union.

Mr. TEAGUE of Texas: Committee on Veterans' Affairs. H.R. 10066. A bill to amend title 38 of the United States Code to provide additional compensation for veterans suffering the loss or loss of use of both vocal cords, with resulting complete aphonia; without amendment (Rept. No. 1465). Referred to the Committee of the Whole House on the State of the Union.

Mr. TEAGUE of Texas: Committee on Veterans' Affairs. H.R. 10068. A bill to amend

section 742 of title 38, United States Code, to permit veterans holding U.S. Government life insurance to exchange such insurance for a policy providing death protection only, with correspondingly reduced premiums; with amendment (Rept. No. 1466). Referred to the Committee of the Whole House on the State of the Union.

Mr. TEAGUE of Texas: Committee on Veterans' Affairs. H.R. 10069. A bill to amend section 216 of title 38, United States Code, relating to prosthetic research in the Veterans' Administration; with amendment (Rept. No. 1467). Referred to the Committee of the Whole House on the State of the Union.

Mr. TEAGUE of Texas: Committee on Veterans' Affairs. H.R. 10669. A bill to liberalize the provisions of title 38, United States Code, relating to the assignment of national service life insurance; with amendment (Rept. No. 1468). Referred to the Committee of the Whole House on the State of the Union.

Mr. TEAGUE of Texas: Committee on Veterans' Affairs. H.R. 10743. A bill to amend title 38, United States Code, to provide increases in rates of disability compensation, and for other purposes; without amendment (Rept. No. 1469). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, pursuant to the order of the House of March 15, 1962, the following bill was introduced March 16, 1962.

By Mr. KIRWAN:

H.R. 10802. A bill making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1963, and for other purposes.

[Introduced and referred March 19, 1962]

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BYRNES of Wisconsin:

H.R. 10803. A bill to tax the undistributed earnings of U.S. controlled foreign corporations when such earnings result from the insurance of U.S. risks or from passive investments and when such earnings are unreasonably accumulated; to the Committee on Ways and Means.

By Mr. HALPERN:

H.R. 10804. A bill to amend chapter 3 of title 38, United States Code, to authorize the Administrator of Veterans' Affairs to establish medical advisory panels to resolve conflicts of evidence in questions involving service connection of disabilities or deaths; to the Committee on Veterans' Affairs.

By Mr. McDONOUGH:

H.R. 10805. A bill to establish an advisory committee from the housing industry to advise the Federal Housing Commissioner with respect to the conduct and operation of the programs under his jurisdiction; to the Committee on Banking and Currency.

H.R. 10806. A bill to amend the Small Business Act to provide that the program under which Government contracts are set aside for small-business concerns shall not apply in the case of contracts for maintenance, repair, or construction; to the Committee on Banking and Currency.

By Mr. MATHIAS:

H.R. 10807. A bill making supplemental appropriations for the fiscal year ending June 30, 1962, for payments to local educational agencies under Public Laws 815 and 874, 81st Congress.

By Mr. O'BRIEN of New York:

H.R. 10808. A bill to provide for the establishment, ownership, operation and regulation of a commercial communications satellite system, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. PELLY:

H.R. 10809. A bill to amend the Export Control Act of 1949 to extend such act for 2 additional years and to require the prohibition thereunder of all exports of agricultural commodities to Communist countries; to the Committee on Banking and Currency.

By Mr. PETERSON:

H.R. 10810. A bill to amend section 5 of the Railroad Retirement Act of 1937 to provide that a widow's annuity thereunder shall be not less than $100 or three-fourths of her husband's annuity, at death; to the Committee on Interstate and Foreign Commerce.

By Mr. TEAGUE of California:

H.R. 10811. A bill relating to the interest rates on loans made by the Treasury to the Department of Agriculture to carry out the programs authorized by the Rural Electrification Act of 1936; to the Committee on Agriculture.

By Mr. WILLIAMS:

H.R. 10812. A bill to amend section 416(b)(1) of the Federal Aviation Act of 1958; to the Committee on Interstate and Foreign Commerce.

H.R. 10813. A bill to amend section 406(b) of the Federal Aviation Act of 1958 to limit the right of certain air carriers to receive subsidy payments; to the Committee on Interstate and Foreign Commerce.

H.R. 10814. A bill to amend section 302(i) of the Federal Aviation Act of 1958 to extend the period of time for which individuals may serve as members of advisory committees appointed by the Administrator; to the Committee on Interstate and Foreign Commerce.

By Mr. ZELENKO:

H.R. 10815. A bill to amend the Internal Revenue Code of 1954 to provide an exclusion from gross income for the first $1,500 of salary earned by a teacher in any year; to the Committee on Ways and Means.

By Mr. FRIEDEL:

H.R. 10816. A bill to amend title I of the Housing Act of 1949 to permit loss of goodwill to be taken into account in computing the amount of the relocation payment which may be made to a business concern or nonprofit organization displaced by an urban renewal project, and to increase the maximum amount of such payment; to the Committee on Banking and Currency.

By Mr. ST. GERMAIN:

H.J. Res. 667. Joint resolution requesting and authorizing the President of the United States to officially proclaim the week beginning November 4, 1962, as National Country Music Week; to the Committee on the Judiciary.

By Mr. MORGAN:

H.J. Res. 668. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. PATMAN:

H. Con. Res. 454. Concurrent resolution authorizing the printing of additional copies of the hearings on "Small Business Problems Created by Petroleum Imports"; to the Committee on House Administration.

By Mr. FRIEDEL:

H. Res. 568. Resolution authorizing the employment of three additional mail clerks and two additional laborers, office of the Postmaster of the House of Representatives; to the Committee on House Administration.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Alaska, memorializing the President and the Congress of the United States relative to Federal grants and loans for academic facilities; to the Committee on Education and Labor.

Also, memorial of the Legislature of the State of Alaska, memorializing the President and the Congress of the United State relative to commending the work of the International North Pacific Fisheries Commission; to the Committee on Merchant Marine and Fisheries.

Also, memorial of the Legislature of the State of Alaska, memorializing the President and the Congress of the United States relative to the fishing industry, and requesting a special joint congressional committee and emergency Federal support; to the Committee on Rules.

Also, memorial of the Legislature of the State of Alaska, memorializing the President and the Congress of the United States relative to the construction of the Bradley Lake hydroelectric power project in south central Alaska and the Crater-Long Lakes division of the Snettisham hydroelectric power project in southeastern Alaska; to the Committee on Public Works.

Also, memorial of the Legislature of the State of Rhode Island, memorializing the President and the Congress of the United States relative to requesting enactment of legislation to extend the benefits of library service to urban areas; to the Committee on Education and Labor.

Also, memorial of the Legislature of the State of Virginia, memorializing the President and the Congress of the United States relative to requesting the repeal of the Federal excise tax on the transportation of persons; to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of Virginia, memorializing the President and the Congress of the United States relative to requesting the adoption of certain legislation to alleviate certain problems faced by American railroads; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANFUSO:

H.R. 10817. A bill for the relief of Anna Amar; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.R. 10818. A bill for the relief of Sui Fong King Ying; to the Committee on the Judiciary.

By Mr. OLSEN:

H.R. 10819. A bill for the relief of W. R. Wade; to the Committee on the Judiciary.

By Mr. OSTERTAG:

H.R. 10820. A bill for the relief of Mrs. Catalina Castillo Cantos Savell; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

253. By the SPEAKER: Petition of Diane Keyes, deputy county clerk of Orange County, Santa Ana, Calif., relative to a resolution adopted by the Orange County Board of Supervisors, requesting opposition to any amendment of the Constitution of the United States subjecting the income from State and local bonds to a Federal tax; to the Committee on the Judiciary.

254. Also, petition of Helen V. Barclay, city clerk, Santa Barbara, Calif., relative to the City Council of Santa Barbara opposing action by the Government relative to Federal income taxation of interest from public schools; to the Committee on the Judiciary.

SENATE

MONDAY, MARCH 19, 1962

(Legislative day of Wednesday, March 14, 1962)

The Senate met at 11 o'clock a.m., on the expiration of the recess, and was called to order by the Vice President.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Almighty God, in whose keeping are the destinies of men and nations, endue with Thy wisdom our fallible minds, as the spokesmen of the people here face decisions with the background of fearful forces of nature which, if not harnessed by mutual good will, may destroy us utterly.

We pray for greatness of soul, that the keys of new power may be used to open doors, not of peril, but of plenty for the whole earth.

So distill upon us the dews of quietness and confidence that in simple trust and deeper reverence we may be found steadfast and abounding in the work of the Lord, knowing that in Him and for Him and with Him our labor is not in vain.

So send us forth with serenity and calm, to meet an agitated world with an unruffled tranquillity which is strength and an inner candor which is the courage of the soul. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Friday, March 16, 1962, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Ratchford, one of his secretaries, and he announced that on March 16, 1962, the President had approved and signed the following acts:

S. 201. An act to donate to the Zuni Tribe approximately 610 acres of federally owned land;

S. 1299. An act to amend the act of June 4, 1953 (67 Stat. 41), entitled "An act to authorize the Secretary of the Interior, or his authorized representative, to convey certain school properties to local school districts or public agencies"; and

S. 2774. An act to amend section 8 of the Organic Act of Guam and section 15 of the Revised Organic Act of the Virgin Islands, to provide for appointment of acting secretaries for such territories under certain conditions.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE—ENROLLED BILL SIGNED

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the Speaker had affixed his signature to the enrolled bill (H.R. 5143) to amend section 801 of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901, and it was signed by the Vice President.

ORDER FOR RECESS UNTIL 10:30 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until 10:30 o'clock tomorrow morning.

The VICE PRESIDENT. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. STENNIS, Mr. MANSFIELD, Mr. DIRKSEN, and other Senators addressed the Chair.

Mr. STENNIS. Mr. President, a point of order.

The VICE PRESIDENT. The Senator from Mississippi will state it.

Mr. STENNIS. In order to keep the record straight, Mr. President, will the majority leader make a statement in regard to the order of business? Is it not true that on Friday, when the recess was taken, the Senator from Mississippi had the floor?

Mr. MANSFIELD. Mr. President, that is true. However, the Senator from Mississippi may recall that Senators on both sides of the aisle had concurred in statements made here on the floor in regard to the great amount of storm damage which had occurred on the east coast.

After having cleared this matter with all those concerned, I should like to ask unanimous consent, if I may, to have taken up at this time and passed a measure introduced dealing with that matter.

Mr. STENNIS. Mr. President, reserving the right to object—although I do not expect to object—I merely wish to keep the record straight, by stating that the Senator from Mississippi does have the floor, under unanimous consent given last Friday. But with the understanding that the Senator from Mississippi will not lose the floor by yielding for the purpose requested, and with the further understanding that in yielding for such interruptions, he will not be charged with making a speech on the pending motion, the Senator from Mississippi will be glad to yield to the Senator from Montana and to the Senator from Illinois, for the purposes they have in mind.

The VICE PRESIDENT. The Senator from Mississippi has correctly stated the case, according to the information of the Chair.

Without objection, the Senator from Mississippi may yield at this time to the Senator from Montana and the Senator from Illinois, in accordance with the stipulations the Senator from Mississippi has stated.

Mr. MANSFIELD. I thank the Senator from Mississippi for his usual and unfailing courtesy.

Mr. STENNIS. I thank the Senator from Montana.

FREE ENTRY OF SPECTROMETER FOR USE OF TULANE UNIVERSITY

Mr. MANSFIELD. Mr. President, I ask unanimous consent for the present consideration of Calendar No. 1189, House bill 641, to provide for the free entry of an intermediate lens beta-ray spectrometer for the use of Tulane University.

The VICE PRESIDENT. Is there objection?

There being no objection, the Senate proceeded to consider the bill (H.R. 641) to provide for the free entry of an intermediate lens beta-ray spectrometer for the use of Tulane University, New Orleans, La.

Mr. WILLIAMS of Delaware. Mr. President, I send to the desk an amendment which I ask to have stated.

The VICE PRESIDENT. The amendment will be stated.

The amendment submitted by Mr. WILLIAMS of Delaware, for himself, Mr. BYRD of Virginia, Mr. BOGGS, Mr. BEALL, Mr. ROBERTSON, Mr. KEATING, Mr. HOLLAND, Mr. BENNETT, Mr. CARLSON, Mr. CURTIS, Mr. CASE of New Jersey, Mr. WILLIAMS of New Jersey, Mr. JORDAN, Mr. ERVIN, Mr. BUSH, Mr. BUTLER, Mr. COOPER, and Mr. MORTON, was read, as follows:

At the end of the bill add the following new section:

"SEC. 2. (a) Section 165 of the Internal Revenue Code of 1954 (relating to losses) is amended—

"(1) by redesignating subsection (h) as subsection (i), and

"(2) by inserting after subsection (g) a new subsection (h) as follows:

"'(h) DISASTER LOSSES.—Notwithstanding the provisions of subsection (a), any loss—

"'(1) attributable to a disaster which occurs during the period following the close of the taxable year and on or before the time prescribed by law for filing the income tax return for the taxable year (determined without regard to any extension of time), and

"'(2) occurring in an area subsequently declared by the President of the United States by Executive order to be a disaster area,

at the election of the taxpayer, may be deducted for the taxable year immediately preceding the taxable year in which the disaster occurred. Such deduction shall not be in excess of so much of the loss as would have been deductible in the taxable year in which the casualty occurred. If an election is made under this subsection, the casualty resulting in the loss will be deemed to have occurred in the taxable year for which the deduction is claimed.'

"(b) The amendments made by this section shall be effective with respect to any disaster occurring after December 31, 1961."

Mr. WILLIAMS of Delaware. Mr. President, this amendment carries out the purpose of the joint resolution introduced by myself and several others last week. This proposal is cosponsored by the senior Senator from Virginia [Mr. BYRD] and others, and it will allow those in any disaster area so declared by the

President of the United States to charge off their casualty losses on the preceding year's tax return when the disaster happens after January 1 and before the time prescribed by law for the filing of their income-tax returns.

This proposal has been approved by the Treasury Department.

I ask unanimous consent that my further remarks on this amendment be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR WILLIAMS OF DELAWARE

Under this amendment when a major disaster strikes an area between the date of January 1 and the final date prescribed by law for the filing of income-tax returns and when such area is subsequently declared by the President of the United States by Executive order to be a disaster area, the taxpayers suffering the losses of property as the result thereof can elect to deduct such losses for the taxable year immediately preceding such disaster.

Under the existing law these casualty losses are deductible under a formula as provided by the Internal Revenue Code; however, under existing law such casualty losses are only deductible in the calendar year in which they occur. In this instance it means that the taxpayers would not be able to claim this loss and thereby get their refunds until their returns are filed in 1963.

The purpose of this amendment is to allow these citizens who suffer such casualty losses as the result of a disaster which occurs in the described period to compute their losses as though the loss had occurred in the preceding year.

This will be beneficial in two categories. First and most important, it will give to the taxpayers suffering these losses the refunds and the use of their money 1 year earlier or at a time when they need it most; and second and perhaps of equal importance, it will prevent many good citizens who have always paid their taxes on time but who now, through no fault of their own, are in distressed circumstances, from being classed as tax delinquents on the Treasury Department's records.

In instances where the taxpayers have already filed their returns they can if this bill is enacted file amended returns and claim their refunds and thereby have the use of their money this year.

The language of this bill was worked out in cooperation with the Treasury Department, and they have advised us that they have no objections to its enactment.

I appreciate very much the cooperation of the majority leader in getting this proposal before the Senate at this early date in order that the citizens in these areas who have suffered property losses may obtain their much needed tax relief immediately.

The following is a typical letter from one of the property owners in this disaster area:

"DEAR SENATOR: I just want to thank you and say may the good Lord bless you in all things.

"For most of us struck a body blow and faced with the demand to do something about it immediately—and without the financial resources and the connections to move at once—your proposal would be the lift of a lifetime. In my own case I had saved $325 to pay on income tax over and above the sum already withheld. Now that saving has been eaten into just cleaning up the tide damage and before making any start on reconstruction. What a relief it would be and a chance to tear into the heavy job ahead to know that I could fulfill my obligation on the 1961 tax without having to try to borrow money for it on top of borrowing $1,500 to restore our home.

"I just want you to know how much I appreciate your effort, that's all. No answer is expected.

"Sincerely,

"_____."

The VICE PRESIDENT. The question is on agreeing to the amendment submitted by the Senator from Delaware, on behalf of himself and certain other Senators.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill (H.R. 641) was read the third time and passed.

The title was amended so as to read: "An act to provide for the free entry of an intermediate lens beta-ray sectrometer for the use of Tulane University, New Orleans, La., and to amend section 165 of the Internal Revenue Code of 1954 with respect to treatment of casualty losses in areas designated by the President as disaster areas."

Mr. MANSFIELD. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. WILLIAMS of Delaware. Mr. President, I move to lay on the table the motion to reconsider.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Delaware.

The motion to lay on the table was agreed to.

Mr. COOPER subsequently said: Mr. President, today the Senator from Delaware [Mr. WILLIAMS] very kindly asked me and my colleague [Mr. MORTON] to join in sponsorship of Senate Joint Resolution 173, and of his amendment to H.R. 641 which incorporated the substance of Senate Joint Resolution 173 and was adopted by the Senate. I hope the amendments will be accepted without delay by the House of Representatives, for it will be of great help to individuals struck by floods in the 28 Kentucky counties declared by the President as disaster areas, in others that may be declared disaster areas, and to hundreds of people in other flood-stricken States.

VOLUNTARY OVERSEAS AID WEEK

Mr. MANSFIELD. Mr. President, will the Senator from Mississippi yield further, under the understanding which has been reached?

Mr. STENNIS. I am glad to yield.

Mr. MANSFIELD. Mr. President, last week the Senate adopted Senate Concurrent Resolution 61. My attention has been called by the Parliamentarian to the fact that an amendment to the last paragraph of the resolution should not have been included.

Therefore, Mr. President, I ask unanimous consent that the vote by which Senate Concurrent Resolution 61 was adopted be reconsidered.

The VICE PRESIDENT. Without objection——

Mr. HOLLAND. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. Certainly.

Mr. HOLLAND. What is the subject matter of the concurrent resolution?

Mr. MANSFIELD. It is Senate Concurrent Resolution 61, and it authorizes and requests the President to issue a proclamation designating the week of March 25, 1962, as Voluntary Overseas Aid Week.

Mr. HOLLAND. I have no objection to the request of the Senator from Montana.

The VICE PRESIDENT. Is there objection to the request of the Senator from Montana that the vote by which Senate Concurrent Resolution 61 was agreed to be reconsidered?

Without objection, the vote by which the concurrent resolution was agreed to will be reconsidered; and the concurrent resolution is now before the Senate.

Mr. MANSFIELD. Mr. President, I now ask unanimous consent that the vote, by which the committee amendment on page 2, in line 6, was agreed to, be reconsidered. That amendment inserted the words "authorized and"; and, in view of the fact that the amendment is legislative in character, the amendment should be rejected.

The VICE PRESIDENT. Is there objection to the request of the Senator from Montana that the vote by which the amendment was adopted be reconsidered? Without objection, it is so ordered.

The question now is on agreeing to the committee amendment on page 2, in line 6, to insert the words "authorized and" before the word "requested."

The amendment was rejected.

The concurrent resolution (S. Con. Res. 61) was agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress that people-to-people programs administered by nonprofit voluntary agencies registered with the Committee on Voluntary Foreign Aid evidence our friendship for peoples in other lands.

The President of the United States is requested to issue a proclamation designating the week of March 25, 1962, as Voluntary Overseas Aid Week.

PRINTING OF REPORT ON LATIN AMERICA

Mr. MANSFIELD. Mr. President, if the Senator from Mississippi will yield once more, I should like to call up at this time, if I may, two printing resolutions reported from the Committee on Rules and Administration. One was submitted by the Senator from Arkansas [Mr. MCCLELLAN]; the other was submitted by the Senator from New York [Mr. KEATING].

Mr. STENNIS. Very well.

Mr. MANSFIELD. Then, Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of Calendar No. 1248, Senate Resolution 301, to print with illustrations a report on Latin America submitted by the Senator from Arkansas [Mr. MCCLELLAN].

The VICE PRESIDENT. Is there objection?

There being no objection, the resolution (S. Res. 301) was considered and agreed, as follows:

Resolved, That there be printed with illustrations, as a Senate document, a report

entitled "Special Report on Latin America", submitted by Senator JOHN L. MCCLELLAN to the Senate Committee on Appropriations on February 16, 1962; and that five thousand additional copies be printed for use of that committee.

PRINTING OF SURVEY OF TRADE RELATIONS BETWEEN THE UNITED STATES AND THE EUROPEAN COMMON MARKET

Mr. MANSFIELD. Mr. President, under the same conditions, I ask unanimous consent for the present consideration of Calendar No. 1250, Senate Resolution 308, to print a survey of trade relations between the United States and the Common Market.

The VICE PRESIDENT. Is there objection?

There being no objection, the resolution (S. Res. 308) was considered and agreed to, as follows:

Resolved, That there be printed as a Senate document a survey of trade relations between the United States and the Common Market compiled by Senator KENNETH B. KEATING.

Mr. MANSFIELD. Mr. President, again I thank the Senator from Mississippi.

Mr. STENNIS. I have been glad to accommodate the Senator from Montana.

TAX DEDUCTION FOR CONTRIBUTIONS TO ORGANIZATIONS CONSIDERING REORGANIZATION OF THE JUDICIAL BRANCH

Mr. DIRKSEN. Mr. President, under the conditions stated, will the Senator from Mississippi yield at this time to me?

Mr. STENNIS. Yes; under the conditions stated, I am glad to yield to the Senator from Illinois.

Mr. DIRKSEN. Mr. President, from time to time the American Bar Association and similar groups find it necessary to have studies made in connection with proposals to reorganize the judicial system in any given State. Such studies require contributions by individuals, in order to carry on a campaign of that kind. However, contributions of that sort are not now deductible for tax purposes.

On January 18, I introduced Senate bill 2716, to amend section 170 of the Internal Revenue Code of 1954 with respect to certain organizations for judicial reform. That bill in principle has the endorsement of the American Bar Association, by its resolution adopted on February 20.

I ask unanimous consent that the text of the bill and the resolution adopted by the American Bar Association be printed at this point in the RECORD.

There being no objection, the bill and the resolution were ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 170(c)(1) of the Internal Revenue Code of 1954 (relating to charitable contributions) is amended to read as follows:

"(1) A State, a territory, a possession of the United States, or any political subdivision of any of the foregoing, or the United States or the District of Columbia, or any nonprofit organization created and operated exclusively to consider proposals for the reorganization of the judicial branch of the government of any of the foregoing to provide information, to make recommendations, and to seek public support or opposition as to such proposals, but only if the contribution or gift is made for exclusively public purposes."

SEC. 2. The amendment made by the first section of this Act shall apply to taxable years ending after the date of the enactment of this Act.

RESOLUTION ADOPTED BY THE HOUSE OF DELEGATES OF THE AMERICAN BAR ASSOCIATION, FEBRUARY 20, 1962

Whereas it has long been a primary purpose of the American Bar Association to improve the administration of justice, and

Whereas there is a widespread interest and activity on the part of civic organizations as well as bar associations throughout the United States in reorganizing and modernizing State court systems and making them responsive to present-day needs by adopting legislation and constitutional amendments to that end, and

Whereas to accomplish such purpose it is necessary to conduct extensive research, publicity, and educational programs requiring substantial funds, and

Whereas experience in some States indicates that adequate funds for such activities cannot be obtained unless contributions therefor are deductible for Federal income purposes, and

Whereas there has been introduced in the 87th Congress of the United States legislation amending the Internal Revenue Code which would accomplish such result: therefore be it

Resolved, That the American Bar Association approves in principle S. 2716 (87th Cong., 2d sess.) introduced by Senator DIRKSEN, of Illinois, and H.R. 10080 (87th Cong., 2d sess.) introduced by Congressman YATES, of Illinois, amending section 170(c) of the Internal Revenue Code by allowing deductibility of contributions to any nonprofit organization created and operated exclusively to consider proposals for the reorganization of the judicial branch of governments, to provide information, to make recommendations, or to seek public support of opposition as to such proposals, but only if the contribution is made for exclusively public purposes, and the association favors the adoption of this legislation.

JOSEPH D. CALHOUN, *Secretary*.

IMPORTATIONS OF SOVIET OIL

Mr. DIRKSEN. Mr. President, last year I gave considerable attention to the threat of Soviet oil importations. That matter was discussed at length on the floor of the Senate; and I have carried on some correspondence regarding it with the distinguished Secretary of the Interior, largely because a monograph on that subject was written by one of the personnel of the Department of the Interior. I sought to get the matter clarified, and also to obtain clarifications in regard to other matters in that field.

Accordingly, on March 9, I wrote to the Secretary of Defense, Hon. Robert S. McNamara. My letter was written also because of a statement which had appeared in a news service, and the statement was represented to set forth Government policy.

Under date of March 14, I received from the Deputy Secretary of Defense a letter in which the Department's policy and position are set forth; and the Department is just as anxious as is anyone else to have a clear statement made in regard to the policy and purposes.

Therefore I ask unanimous consent that my letter of March 9, and the letter, dated March 14, from the Deputy Secretary of Defense, be printed at this point in the RECORD, in connection with my remarks.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

MARCH 9, 1962.

The Honorable ROBERT S. MCNAMARA,
The Secretary of Defense,
Washington, D.C.

DEAR MR. SECRETARY: It may or may not have come to your attention that early last year I rather diligently pursued the content of a report which had been issued by the Department of Interior, which bore certain observations with respect to Soviet oil. This matter was subsequently pursued in correspondence between the Secretary of Interior and myself, and I recite this fact to indicate my interest in this field of activity and the impact of Soviet oil upon the economy and well being of the United States and our enterprise in this field.

It has now come to my attention that a recent report on the Soviet oil offensive, which was prepared by the Rand Corp. of Santa Monica, Calif., for the U.S. Air Force, has been summarized and fully publicized in the March 5, 1962, issue of the Platt's Oilgram News Service.

This summary contains a number of assertions, observations, and recommendations which, in my judgment, appear somewhat contrary to the best interests of the United States and the free world.

May I be advised as to whether or not the Rand Corp. report does reflect and represent the policy of the U.S. Government? I would be grateful indeed if I could have a responsive reply at a reasonably early date.

Sincerely,

EVERETT MCKINLEY DIRKSEN.

THE DEPUTY SECRETARY OF DEFENSE,
Washington, D.C., March 14, 1962.

Hon. EVERETT M. DIRKSEN,
U.S. Senate.

DEAR SENATOR DIRKSEN: This is in reply to your letter of March 9, 1962, concerning the Rand Corp. report on the Soviet oil offensive.

Your interest in the Soviet oil offensive is well known and greatly appreciated. I hasten to advise you that the report and publicity to which you referred does not represent or reflect the policy of the Department of Defense or, to the best of my knowledge, the U.S. Government. As stated on the frontispiece of the report, views or conclusions contained in it should not be interpreted as representing the official opinion or policy of the U.S. Air Force. I trust, therefore, that the views and conclusions of this report will be generally understood as being solely those of its author, Harold Lubell, of the Rand Corp.

I appreciate your bringing this matter to my attention, and I hope that you will call upon me if any further information is desired in connection with this matter.

Sincerely,

ROSWELL GILPATRIC.

Several Senators addressed the Chair.

Mr. STENNIS. Mr. President, several Senators wish to put matters into the RECORD, some in the nature of morning

business, and one Senator has a speech. Under the circumstances, I ask unanimous consent that I may yield to the following Senators in the order in which they have requested me to yield: The Senator from Kansas [Mr. CARLSON], the Senator from Utah [Mr. BENNETT], the Senator from Alaska [Mr. BARTLETT], the Senator from New York [Mr. KEATING], the Senator from Minnesota [Mr. McCARTHY], and the Senator from Pennsylvania [Mr. SCOTT] for remarks they wish to make, with the understanding that I will not lose the floor and that my subsequent remarks will not be charged to me as an additional speech on the pending motion.

The VICE PRESIDENT. Is there objection? Without objection, it is so ordered.

TRANSACTION OF ROUTINE BUSINESS

By unanimous consent, the following routine business was transacted:

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

INCREASE OF BASIC ALLOWANCE FOR QUARTERS OF MEMBERS OF THE UNIFORMED SERVICES

A letter from the Deputy Secretary of Defense, transmitting a draft of proposed legislation to amend section 302 of the Career Compensation Act of 1949, as amended (37 U.S.C. 252), to increase the basic allowance for quarters of members of the uniformed services (with an accompanying paper); to the Committee on Armed Services.

SUSPENSION OF DEPORTATION OF CERTAIN ALIENS

Three letters from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders suspending deportation of certain aliens, together with a statement of the facts and pertinent provisions of law pertaining to each alien, and the reasons for ordering such suspension (with accompanying papers); to the Committee on the Judiciary.

TEMPORARY ADMISSION INTO THE UNITED STATES OF CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered granting temporary admission into the United States of certain aliens (with accompanying papers); to the Committee on the Judiciary.

DISPOSITION OF EXECUTIVE PAPERS

A letter from the Administrator, General Services Administration, Washington, D.C., transmitting, pursuant to law, a report of the Archivist of the United States on a list of papers and documents on the files of several departments and agencies of the Government which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The VICE PRESIDENT appointed Mr. JOHNSTON and Mr. CARLSON members of the committee on the part of the Senate.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A joint resolution of the Legislature of the State of Alaska; to the Committee on Commerce:

"SENATE JOINT RESOLUTION 44

"Resolution relating to the fishing industry, requesting a special joint congressional committee and emergency Federal support

"Whereas the fishing industry of Alaska is in imminent danger of being crushed and eventually destroyed as its fisheries are rapidly being depleted and used beyond their capacity by the increasing number of Russian and Japanese fishing vessels and of neighboring American out-of-State fishing vessels into waters adjacent to Alaska; and

"Whereas Alaska recognizes its fisheries are supporting an important element of U.S. foreign policy which seeks to aid the economic development of Japan, thus strengthening our ties of friendship with that nation; and

"Whereas Alaskan fisheries were sadly mismanaged before statehood and are already weakened to the point of exhaustion by out-of-State exploitation, and are now forced to yield their harvest to Russian and Japanese fishing interests; and

"Whereas the decline of Alaska fisheries cannot serve to bolster U.S. foreign policy with Japan nor continue to contribute to the well-being of the people of this State; and

"Whereas the destruction of the fishing industry will result in an enormous rate of unemployment, in the loss of a livelihood to thousands of citizens of this State who have no other trade, plunging the State into a great economic crisis; and

"Whereas the burden of U.S. foreign policy and neighboring out-of-State residents fishing in Alaska falls heavily upon the shoulders of the taxpayers of this State who watch State moneys being drained and siphoned off in a desperate attempt to protect, manage, conserve, and improve the fisheries, one of the God-given natural resources that should instead be expanding and contributing to help build this fledgling State into one of the greatest in the Union; and

"Whereas it is strongly felt by the people of Alaska that a true, realistic and on-the-spot investigation of the fishing industry will convince the Federal Government that the mounting fear of Alaskans for their fishing industry is well founded and that greater control of Japanese fishing and neighboring out-of-State fishing in waters adjacent to Alaska is essential, together with increased financial support to foster the growth of the fisheries: Be it

"*Resolved by the Legislature of the State of Alaska in second legislature, second session assembled*, That the Congress of the United States is urged to appoint a special joint congressional committee to investigate the Alaskan fishing industry and the necessity for Federal financial support; and be it further

"*Resolved*, That the Federal Government is urged to allocate emergency funds immediately, to support intense scientific research programs in Alaska to aid the conservation and improvement of these vital fisheries; and be it further

"*Resolved*, That copies of this resolution be sent to the Honorable John F. Kennedy, President of the United States; the Honorable Stewart L. Udall, Secretary of the Interior; the Honorable Dean Rusk, Secretary of State; the Honorable Lyndon B. Johnson, Vice President of the United States and President of the Senate; the Honorable John W. McCormack, Speaker of the House of Representatives; the Honorable Clinton P. Anderson, chairman, Senate Interior and Insular Affairs Committee; the Honorable Herbert C. Bonner, chairman, House Merchant Marine and Fisheries Committee; the Honorable Harry F. Byrd, chairman, Senate Finance Committee; the Honorable Wilbur D. Mills, chairman, House Ways and Means Committee; the Honorable William A. Egan, Governor of Alaska; and the members of the Alaska delegation in Congress.

"Passed by the senate February 21, 1962.

"FRANK PERATOVICH,
"President of the Senate.

"Attest:

"EVELYN K. STEVENSON,
"Secretary of the Senate.

"Passed by the House March 6, 1962.

"WARREN A. TAYLOR,
"Speaker of the House.

"Attest:

ESTHER REED,
"Chief Clerk of the House.

"Approved by the Governor March 13, 1962.

"WILLIAM A. EGAN,
"Governor of Alaska."

A resolution of the Senate of the State of Alaska; to the Committee on Commerce:

"SENATE RESOLUTION 47

"Resolution commending the work of the International North Pacific Fisheries Commission

"Whereas the recent meeting of the American section of the International North Pacific Fisheries Commission in Juneau has reemphasized to the Senate the magnitude and importance of the work of the Commission; and

"Whereas the work of the Commission is particularly vital to Alaska which depends so much on its fishery; and

"Whereas the Commission acting on the behalf of the Government of Canada, Japan and the United States has made commendable progress in the field of offshore and inshore fisheries research; and

"Whereas this vital service to the Nation and the State of Alaska has been accomplished while operating under great difficulties and with overly modest financial means: Be it

"*Resolved by the Senate in second Legislature, second session assembled*, That it most highly commends the intergovernmental cooperation and accomplishment of the International North Pacific Fisheries Commission in its efforts to conserve and beneficially utilize the North Pacific fishery through fishery and oceanographic research, pledges its full support to the Commission and the Federal Government for the furtherance of its work, and urges that the financial support for its activities be expanded through the efforts of the President and the Congress of the United States; and be it further

"*Resolved*, That copies of this resolution be sent to the Honorable John F. Kennedy, President of the United States; the Honorable Lyndon B. Johnson, Vice President of the United States and President of the Senate; the Honorable John W. McCormack, Speaker of the House of Representatives; the Honorable Dean Rusk, Secretary of State; the Honorable Stewart L. Udall, Secretary of the Interior; the Honorable Edward Allen, Chairman of the International North Pacific Fisheries Commission; the Honorable Milton E. Brooding, Chairman, American section, International North Pacific Fisheries Commission; and the members of the Alaska delegation in Congress.

"Passed by the senate March 13, 1962.

"FRANK PERATOVICH,
"President of the Senate.

"Attest:

"EVELYN K. STEVENSON,
"Secretary of the Senate."

A concurrent resolution of the legislature of the State of New York; to the Committee on Finance:

"RESOLUTION 176

"Concurrent resolution memorializing the Congress to amend the Social Security Act by reasserting its authority over public assistance programs and by limiting the powers delegated to, or assumed by, an administrative agency to promulgate policy and procedure binding upon the States

"Whereas in the State of New York large segments of the public have manifested over the years increasing concern with the administration, effect and cost of public assistance programs; and

"Whereas the State Board of Social Welfare, as the nonpartisan governing body charged with making policy and supervising the administration of public welfare in this State, on February 20, 1962, recommended definitive action in recognition of specific defects in public welfare policy and procedure as follows:

"'STATEMENT BY THE BOARD OF SOCIAL WELFARE

"'This board has been concerned over the years with the many problems that have stemmed from Federal-State relationships in the public welfare field, especially with the steadily increasing domination by Federal authorities and the consequent loss of State and local autonomy.

"'Back in 1951, the Governor of New York State appointed the (Kelly) Commission to Study Federally Aided Welfare Programs and examine the problems of Federal-State relationships and the more immediate threat of withholding Federal funds because of certain variances in assistance standards and practices in local public welfare departments. More recently, the New York State Temporary State Commission on Coordination of State Activities identified the danger of the current situation in this growing complex of Federal-State-local welfare machinery.

"'These and other studies by New York State indicated that there was no disagreement on the fundamental objectives of all modern public welfare—to help people who have no other resources but public aid, and to provide that assistance as promptly, as effectively, and as economically as possible, in accordance with the best self-help practices. What is involved is the bureaucratic network of Federal regulations, reporting, auditing, bulletins, State letters, interpretations, conformity reviews, and a snowstorm of other administrative paper requirements.

"'Once again this board finds it necessary to express concern, its very real alarm, over another threat to extend Federal dominance in public welfare—the latest welfare proposal of the Federal Department of Health, Education, and Welfare. Here again, this board and the staff of the State Department of Social Welfare do not quarrel with objectives—providing for needy people who must be helped, rehabilitating individuals who can profit thereby, and using every known modern technique for breaking the chain of dependency in sorely deprived families. Our anxiety arises from the specific ways and means proposed to reach these objectives.

"'These new proposals, if adopted by the Congress, would give the Secretary of Health, Education, and Welfare in Washington full power to dictate in detail to all the States, and therefore to all the thousands of local communities in the Nation that administers public welfare, just how it is to be managed—almost down to the last piece of paper.

"'The descretion vested in the Secretary is without limitations.

"'The philosophy implied and inherent is in flat contradiction to the historic concern of New York State and its localities for home rule, and ignores the basic right and responsibility of the State and its localities to decide how they will conduct their public business.

"'We believe that a stand must be made now, by this State and, hopefully, every other State, to stop and to reverse the trend of increasing Federal domination of a growing complexity that is getting completely out of hand, and of the constant threats to withhold Federal funds because of alleged nonconformity with Federal regulations.

"'To accomplish this urgently-needed change, this board proposes that:

"'1. Because many of these problems stem from federally required State plans, the Social Security Act should be revised to require that, not a State's plan, but its State laws, should be used as the basis for determining whether a State is in conformity with Federal law.

"'Such a revision would also shift the responsibility for accepting or refusing Federal welfare funds from administrators to legislators. The amount of funds that are now available to a State such as New York, over $200 million annually, is so great that the decision to accept or refuse such funds should be made by those who have the duty to decide the major fiscal policies of the State. After all, the effect of such fiscal decisions goes far beyond the interest or jurisdiction of any single State agency.

"'2. The Federal administrator's powers to review a State's program for conformity should be limited to reviewing a State's welfare laws. This would restrain Federal administrative personnel from continuously stretching Federal requirements and threatening a State agency with withdrawal of Federal funds unless its voluminous State plan is amended again and again to conform to the latest Federal interpretation of its own regulations.

"'3. Determinations stemming from this review procedure should be appealable to an appropriate Federal court, which would render a decision after a hearing in which the facts indicated whether a State did meet the requirements of the Federal law or whether its claims for Federal funds were made in good faith or that it withheld the Federal share of recovery funds from the Federal Government.' Now, therefore, be it

"*Resolved (if the senate concur)*, That the Congress of the United States be and it hereby is memorialized to amend the Social Security Act as follows:

"1. That titles I, IV, X, and XIV be amended to require that a State's laws, instead of a State's plan, conform to the requirements of those titles to qualify the State for Federal funds thereunder; and

"2. That titles I, IV, X, XIV and related provisions of the Social Security Act be amended to make clear that the powers and duties of the Department of Health Education and Welfare be limited to—

"(1) Determining whether a State's laws conform to the requirements of the Federal legislation;

"(2) Determining whether in the administration of the State's laws there be substantial compliance with the Federal legislation;

"(3) Determining whether a State's claims for Federal funds are properly computed and are based on actual expenditures made in good faith, and whether a State has correctly computed and reported the Federal share of amounts recovered from recipients, their estates and relatives;

"(4) Stimulating and assisting States to provide skilled social services for the prevention of dependency and for rehabilitation;

"(5) Stimulating and subsidizing research into the causes of dependency and into methods of effective rehabilitation; and

"(6) On request, to give advice and guidance to States for the better administration of the federally aided programs; and

"3. That titles I, IV, X, and XIV and other related provisions of the Social Security Act be amended to provide that the Department of Health, Education, and Welfare shall not deny or withhold Federal funds made available to the States under any of the Federally aided assistance programs except with the appraisal of an impartial administrative board (comprised, for instance, of three or five persons appointed by the President with the advice and consent of the Senate, and assured of facilities and services adequate to the discharge of its functions), issued after appropriate notice and opportunity to be heard shall have been afforded the State affected; and to provide further that the State affected shall have the right to appeal the determination of such board to an appropriate Federal court; and

"4. That the bill (H.R. 10032 by Mr. MILLS) pending in the 87th Congress, 2d session, be amended to provide:

"(a) For the elimination therefrom of the authority proposed to be delegated to the Secretary of Health, Education, and Welfare and that all programs and procedures therein proposed together with detailed standards for the administration thereof be specified in said bill or by other act of Congress; and

"(b) That wherever said bill requires conformity or other action by the States or any agency thereof as a condition precedent to payments to the States of Federal funds, such State action shall be pursuant to State statute and not by administrative act taken otherwise than specifically pursuant to such statute; and

"5. That temporary aid to dependent children, an extension of the aid to dependent children category adopted at the first session of the 87th Congress, be discontinued for the reason that aid to dependent children is designed for special services for women with children whose fathers are absent from the home to meet a family problem and should not embrace relief to supplement unemployment insurance; also for the reason that families, the fathers of which are living in the home, heretofore have been, and hereafter can be adequately provided for by home relief, or general assistance, a program subject solely to the control of the State and the counties and municipalities thereof; and for the further reason that if the temporary aid to dependent children program becomes permanent it will have the ultimate effect of transferring control of public assistance in all its forms from the States to the Department of Health, Education, and Welfare, an administrative agency; and be it further

"*Resolved (if the senate concur)*, That copies of this resolution be sent to the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States, the chairman of the Committee on Ways and Means of the House of Representatives, the chairman of the U.S. Senate Committee on Finance, and to each Member of the Congress of the United States duly elected from the State of New York, and that such members are urged to apply themselves to achieving the purposes of this resolution.

"By order of the assembly,

"ANSLEY B. BORKOWSKI,
"Clerk.

"Concurred in, without amendment in the senate March 7, 1962.

"JOHN J. SULLIVAN,
"Secretary."

A resolution of the General Assembly of the State of Rhode Island; to the Committee on Labor and Public Welfare:

"HOUSE RESOLUTION 1176

"Resolution memorializing the Congress of the United States to enact legislation to extend the benefits of library service to urban areas

"Whereas, the educational needs of citizens of all ages is constantly increasing; and

"Whereas the need for a well-informed citizenry at the local, State and national levels is a necessity in these days when the social, economic and political structures of the society in which we live are becoming increasingly complex; and

"Whereas an educated population is the best guarantee of a free and progressive Nation; and

"Whereas the success of the Library Services Act of 1956 and its 5-year extension has increased the facilities of library service in the rural areas, not only in increased book stock, more hours of service and more staff and equipment, but also in increased local appropriations for these activities, to meet the educational, informational and recreational needs of students and citizenry; and

"Whereas many libraries in urban areas of over 10,000 population are presently inadequately financed, have insufficient or outdated book stock, and are inadequately housed and staffed; and

"Whereas a constantly increasingly demand for service is being made on libraries which provide more adequate facilities, by patrons living outside their legitimate boundaries, causing a severe strain on the facilities and staff of many urban libraries: Therefore be it

"*Resolved*, That the Congress of the United States enact legislation extending the benefits of library service to urban areas, in an endeavor to improve the facilities and staff for libraries in these urban areas, and to stimulate increased local financial support for urban libraries; and be it further

"*Resolved*, That duly certified copies of this resolution be transmitted forthwith by the Secretary of State to the Vice President of the United States, to the Speaker of the House of Representatives of the United States, and to each of the Senators and Representatives from the State of Rhode Island in the Congress of the United States, earnestly requesting that each use his best efforts to enact legislation which would carry out the purposes of this resolution."

A joint resolution of the Legislature of the State of Alaska; to the Committee on Public Works:

"HOUSE JOINT RESOLUTION 57

"Resolution relating to the construction of the Bradley Lake hydroelectric power project in south central Alaska and the Crater-Long Lakes division of the Snettisham hydroelectric power project in southeastern Alaska

"Whereas President Kennedy said in speeches at Palmer and Anchorage, Alaska, on September 3, 1960, 'We have substituted in this State a program of no new starts. We have failed to recognize the fact which the Soviet Union has recognized, and that is the necessity of (hydroelectrical) power as the key to their national development. I think this is the kind of project which Alaska needs. For the Alaska that I see is not the Alaska of no new starts. It will not come about when * * * water runs useless to the sea'; and

"Whereas the economy of southcentral and southeastern Alaska is in great need of new industries capable of utilizing the abundant natural resources of this area and providing stable, nonseasonal employment; and

"Whereas present and potential developments in the exploitation of natural resources, establishment of industries, and expansion of the population indicate the need for the immediate construction of additional sources of electrical energy; and

"Whereas private power companies have indicated that they cannot or will not undertake the construction necessary to guarantee the comfort or well-being of an enlarged population or the demands of industrial expansion; and

"Whereas the Federal Power Commission has estimated that the electrical power needs of the city of Juneau alone will more than double by 1970 and more than triple by 1980; and

"Whereas the present cost of power is much higher in Alaska than in most areas of the United States, due to the lack of modern power facilities; and

"Whereas feasibility studies have shown that these hydroelectric power projects can be economically constructed and are a necessity to the continued progress of southcentral and southeastern Alaska: Be it

"*Resolved by the Legislature of the State of Alaska in second legislature, second session assembled*, That the Congress of the United States is urgently requested to expedite in every possible way the construction of the Bradley Lake hydroelectric power project and the Crater-Long Lakes division of the Snettisham hydroelectric power project; and be it further

"*Resolved*, That copies of this resolution be sent to the Honorable John F. Kennedy, President of the United States; the Honorable Stewart L. Udall, Secretary of the Interior; the Honorable Kenneth Holum, Assistant Secretary (water and power), Department of the Interior; the Honorable Floyd E. Dominy, Commissioner, Bureau of Reclamation, Department of the Interior; the Honorable Elvis J. Stahr, Secretary of the Army; Lt. Gen. W. K. Wilson, Jr., Chief of Engineers, U.S. Army; the Honorable Joseph C. Swidler, Chairman, Federal Power Commission; the Honorable Harry J. Trainor, Executive Director, Federal Power Commission; the Honorable Lyndon B. Johnson, Vice President of the United States and President of the Senate; the Honorable John W. McCormack, Speaker of the House of Representatives; the Honorable Harry F. Byrd, chairman, Senate Finance Committee; the Honorable Clinton P. Anderson, chairman, Senate Interior and Insular Affairs Committee; the Honorable Dennis Chavez, chairman, Senate Public Works Committee; the Honorable Wayne N. Aspinall, chairman, House Interior and Insular Affairs Committee; the Honorable Charles A. Buckley, chairman, House Public Works Committee; the Honorable Wilbur D. Mills, chairman, House Ways and Means Committee; and to the Members of the Alaska delegation in Congress. Passed by the House February 26, 1962.

"WARREN A. TAYLOR,
"*Speaker of the House*

"Attest:

"ESTHER REED,
"*Chief Clerk of the House*

"Passed by the Senate March 3, 1962.

"FRANK PERATOVICH,
"*President of the Senate*

"Attest:

"EVELYN K. STEVENSON,
"*Secretary of the Senate*

"Approved by the Governor, March 13, 1962

WILLIAM O. EGAN,
"*Governor of Alaska*."

A resolution adopted by the Board of Supervisors, of Orange County, Calif., protesting against the imposition of a Federal tax on income from State and local bonds; to the Committee on Finance.

A resolution adopted by the City Council of the City of Santa Barbara, Calif., opposing any Federal tax on interest from public bonds; to the Committee on Finance.

COMMENDATION OF COAST GUARD IN ALASKA — RESOLUTION OF ALASKAN SENATE

Mr. BARTLETT. Mr. President, I ask unanimous consent that there be printed in the RECORD, and appropriately referred, Senate Resolution 41 adopted in the Senate of the Alaska State Legislature now assembled in Juneau. The resolution is one which will be of particular interest to those Members of the Senate who represent coastal States as it expresses a sentiment which I am certain is shared among all persons who rely upon the dedicated services of the U.S. Coast Guard.

The people of Alaska are especially fortunate in naving the protection and services of the officers and men of the 17th Coast Guard District, Adm. Christopher C. Knapp, commanding. It was in recognition of the excellence of the 17th Coast Guard District that the Alaska Senate unanimously adopted Resolution 41 and it is in further recognition of this excellence that I call to the attention of my colleagues the contents of this resolution.

There being no objection, the resolution was referred to the Committee on Commerce, and, under the rule, ordered to be printed in the RECORD, as follows:

SENATE RESOLUTION 41

Be it resolved by the senate in second legislature, second session assembled:

Whereas the economy of Alaska depends heavily upon the commercial fisheries along its coast, the sport fishing which brings tourists to the State, and the water transportation routes which afford the most important connection with the continental United States; and

Whereas whether by choice or necessity, boats and boating are an integral part of the life of nearly every inhabitant of coastal Alaska; and

Whereas the extreme tides, variable winds, and rugged and uninhabited terrain of much of the coast present hazards to life and property seldom encountered elsewhere; and

Whereas the U.S. Coast Guard is charged with the vital duties of providing aids to navigation, of breaking ice to keep water transportation lanes open, of enforcing compliance with vessel safety laws and regulations, and of providing rescue and assistance to persons and vessels endangered on or near the water; and

Whereas the present administration of the 17th Coast Guard District has been so vigorous and cooperative, and has shown so much understanding of the problems peculiar to Alaska, that the Coast Guard enjoys everywhere in Alaska the unbounded confidence and esteem of the people; be it

Resolved by the senate in second legislature, second session assembled, That the commander, the staff, and all the personnel of the 17th Coast Guard District be highly commended upon their unstinted devotion to duty and unexcelled performance of their mission in Alaska; and be it further

Resolved, That a copy of this resolution be sent to the Honorable Douglas Dillon, Secretary of the Treasury; Adm. Alfred C. Richmond, Commandant, U.S. Coast Guard; Rear Adm. Christopher C. Knapp, commander, 17th Coast Guard District; Capt. Gilbert I. Lynch, chief of staff, 17th Coast Guard District; and Capt. Alfred E. Harned, chief, Operations Division, 17th Coast Guard District

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CHURCH (by request):

S. 3018. A bill to provide for the conveyance of the 39 acres of Minnesota Chippewa tribal land on the Fond du Lac Indian Reservation to the SS. Mary and Joseph Church, Sawyer, Minn.; to the Committee on Interior and Insular Affairs.

By Mr. BEALL:

S. 3019. A bill to provide for the conveyance of certain real property of the United States to the State of Maryland; to the Committee on Interior and Insular Affairs.

By Mr. SPARKMAN (for himself and Mr. YARBOROUGH):

S. 3020. A bill to extend the maximum maturity of VA-direct nonfarm home loans from 30 to 35 years; to the Committee on Banking and Currency.

By Mr. HART:

S. 3021. A bill to amend the Agricultural Marketing Agreement Act of 1937, as amended; and

S. 3022. A bill to amend the Agricultural Adjustment Act, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, and for other purposes; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. HART when he introduced the above bills, which appear under a separate heading.)

By Mr. GORE (for Mr. KEFAUVER):

S. 3023. A bill for the relief of Mr. Demetrious Mallios; to the Committee on the Judiciary.

By Mr. YARBOROUGH (for himself and Mr. SPARKMAN):

S. 3024. A bill to extend the maximum maturity of VA-guaranteed or insured home loans from 30 to 35 years; to the Committee on Labor and Public Welfare.

By Mr. YARBOROUGH (by request):

S. 3025. A bill to supplement certain provisions of Federal law incorporating the Texas & Pacific Railway Co. in order to give certain additional authority to such company; to the Committee on the Judiciary.

By Mr. HARTKE:

S. 3026. A bill for the relief of Jeno Nagy; to the Committee on the Judiciary.

By Mr. CARLSON:

S. 3027. A bill for the relief of Gail Hohlweg Atabay and her daughter; to the Committee on the Judiciary.

By Mr. PELL:

S. 3028. A bill to amend the Immigration and Nationality Act; to the Committee on the Judiciary.

(See the remarks of Mr. PELL when he introduced the above bill, which appear under a separate heading.)

PROPOSED LEGISLATION TO AMEND THE AGRICULTURAL MARKETING AGREEMENT ACT OF 1937

Mr. HART. Mr. President, the marketing of farm products has changed greatly over the past 25 years. It is felt that certain language in the Agricultural Marketing Agreement Act of 1937 is unnecessarily restrictive in terms of present-day conditions.

The two bills I am introducing today deal with changes which have been suggested by a number of organizations specifically interested in expanding the uses to which funds, collected pursuant to a marketing order, may be put to use.

In general, the first bill would amend section 8c(6) of the Agricultural Marketing Agreement Act of 1937 to permit funds collected to be used to, first, establish research projects and, second, to finance domestic and foreign marketing programs. Farmers producing any specific commodity need all the tools of market promotion possible to expand the consumption of their product. Paid advertising is one of the important tools of promotion needed today. The producers of dairy products and the producers of red cherries, peaches, and pears for processing, and the producers of apples, for both fresh and processing use, are especially interested in the availability of this tool to strengthen their private marketing programs.

The second bill which I am introducing seeks to accomplish the same purpose but its applicability is limited to cherries, authorizing the use of funds raised under any cherry marketing order to be used for market promotion, including paid advertising.

The VICE PRESIDENT. The bills will be received and appropriately referred.

The bills, introduced by Mr. HART, were received, read twice by their titles, and referred to the Committee on Agriculture and Forestry, as follows:

S. 3021. A bill to amend the Agricultural Marketing Agreement Act of 1937, as amended; and

S. 3022. A bill to amend the Agricultural Adjustment Act, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, and for other purposes.

AMENDMENT OF IMMIGRATION AND NATIONALITY ACT

Mr. PELL. Mr. President, I rise to introduce a bill which would amend the Immigration and Nationality Act. I have long had a deep and abiding interest in immigration policy based on my experience as a vice consul administering the current basic immigration law, my work as an officer of the American Immigration and Citizenship Conference, and my work with refugees in Austria after the Hungarian revolution as a vice president of the International Rescue Committee. Mr. President, my experience and study have convinced me that there is a vital need for new immigration legislation to meet the responsibilities we face as a leader of the free world in the decade of the sixties.

This bill, I introduce today, permits the admission of 250,000 immigrants annually. Eighty thousand of the visas provided for in this bill would be allotted on the basis of the proportion which each country's population holds to the world population but no one country could be allotted more than 1,500 visas under this provision. An additional 120,000 visas would be allocated according to the proportion each country's annual immigration during the past 15 years to the United States, holds to an average of the total immigration to the United States during the same period.

This formula strikes at the un-American concept that one race is superior to another or that northern and western Europeans make better Americans than do southern and eastern Europeans. For instance, under the present law, Italy, with a population of 49,052,000, has a quota of 5,666, while Germany, with a population of only 3 million larger than that of Italy, presently has a quota of 25,814. Under the formula offered in my bill, Italy's quota would be 15,648 and for instance, countries like Portugal and Greece, who have been discriminated against, would receive more equitable quotas. In the case of Portugal, her quota would be raised from the current 438 to 1,892 and Greece's quota would be raised from 308 to 3,458.

Under this bill, up to 100 percent of each country's quota would be allocated for the reuniting of a family with a family member who has already been admitted to the United States for permanent residence. Moreover, husbands and wives, parents, brothers and sisters of American citizens would be admitted without regard to the quota. Also, because of the pooling of quotas provision, the reuniting of husbands and wives, children and parents with legally admitted aliens, would be considerably speeded up. The medical requirements, in any case, for reuniting families, would be eased. I do not believe that the justice and humanity of such provisions need any explanation.

This bill would also provide that an immigration officer could not question the quota status of an immigrant's visa, although, of course, the Attorney General would retain the power to deport a person admitted for permanent residence if it were proved at a later date that he or she had made fraudulent application to the consul who issued a visa for permanent residence.

That portion of a country's annual quota not needed for reuniting of families would be allocated for "pioneer" immigrants. When considering immigration legislation, we must not lose sight of the need for "pioneer" immigrants who, like their forebears in the past, brought fresh vitality to our national cultural, economic, and political life. We need this new blood today just as much or more than we did in the past.

Because I believe strongly that spirited pioneer immigrants have a great contribution to make, this bill proposes medical standards designed to insure that our pioneer immigrants will be vigorous people in excellent health. This bill also contains provisions for arranging for pioneer immigrants to spend their first 2 years in the United States in an area where they can be best integrated into the economic and cultural life of our country.

Without regard to the total national quota allotment of 200,000 visas, another 10,000 visas would be earmarked for people with skills which we desperately require. I do not need to dwell on the need of our country for certain skills.

A further 40,000 visas would be earmarked for refugees from tyranny. Although America has provided generous financial assistance to these refugees, we have not taken within our borders our fair share of those who have often sacrificed all to live in freedom. Actually, the last set of statistics which I have seen showed that our country ranked 13 in the world when it comes to taking in refugees as measured on the basis of relative population and still further down the scale when measured on the basis of relative wealth.

There has been a great deal of talk about taking the initiative in the cold war. By resettling our fair share of refugees, we would give new hope to those who bear this tragic title and strike a new blow for freedom. No amount of Communist doubletalk can cover up the devastating fact that the people of the so-called peoples' democracies, are continuously fleeing and voting with their feet against their rulers. The proof of this is demonstrated by the detestable wall in Berlin and the cruel Iron Curtain which stretches across Europe. In turn, the least we can do is to insure that we erect no paper wall preventing us from fulfilling our responsibilities to those escapees who deserve our admiration and assistance.

Mr. President, I believe that our country can no longer delay serious consideration of new concepts of immigration. We all know that both parties in their platforms recognized the need for new immigration legislation. It is my earnest hope that this bill will serve to stimulate interest and discussion in the challenging field of immigration.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 3028) to amend the Immigration and Nationality Act, introduced by Mr. PELL, was received, read twice by its title, and referred to the Committee on the Judiciary.

CHANGE OF NAME OF BIG BEND RESERVOIR IN SOUTH DAKOTA TO LAKE SHARPE—ADDITIONAL COSPONSOR OF BILL

Mr. MUNDT. Mr. President, I ask unanimous consent that the name of my colleague, the junior Senator from South Dakota [Mr. CASE], may be added as a cosponsor of Senate bill 2988, at its next printing, which I introduced last week, to change the name of the reservoir behind Big Bend Dam in South Dakota to Lake Sharpe, in memory of a beloved former Governor of our State.

The VICE PRESIDENT. Without objection, it is so ordered.

TREATMENT UNDER INTERNAL REVENUE CODE OF 1954 OF CASUALTY LOSSES IN AREAS DESIGNATED BY THE PRESIDENT AS DISASTER AREAS—ADDITIONAL COSPONSORS OF JOINT RESOLUTION

Under authority of the order of the Senate of March 16, 1962, the names of Mr. COOPER, Mr. MORTON, Mr. JAVITS, and Mr. LONG of Missouri were added as additional cosponsors of the joint resolution (S.J. Res. 173) relating to the treatment under the Internal Revenue Code of 1954 of casualty losses in areas designated by the President as disaster areas, introduced by Mr. WILLIAMS of Delaware (for himself and other Senators) on March 16, 1962.

NOTICE OF HEARINGS ON INDIAN HEIRSHIP LAND PROBLEM

Mr. CHURCH. Mr. President, I announce for the information of the Senate that the Subcommittee on Indian Affairs, of which I am chairman, will hold hearings on S. 2899, a bill relating to the Indian heirship land problem, on Monday and Tuesday, April 2 and 3, beginning at 10 a.m. in room 3110 New Senate Office Building.

I hope that all interested parties who may wish to give testimony or submit statements in connection with the proposed legislation will notify the staff of the Committee on Interior and Insular Affairs in order that an appropriate witness list may be prepared.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. HAYDEN:

Address delivered by Senator Moss at the semicentennial celebration of the State of Arizona, at Phoenix, Ariz., on February 14, 1962.

By Mr. WILEY:

Weekend radio broadcast by himself over Wisconsin radio stations, dealing with the challenges confronting our Nation.

THE NEED FOR A LONG-RANGE SUGAR ACT

Mr. CARLSON. Mr. President, there can be no justification for cutting domestic sugarbeet production by at least 10 to 12 percent, as proposed in the administration's program.

I am amazed that the administration would present such a proposal at the present time. If it should be adopted, it would give no consideration to either our beet and cane producers or our sugar refining industry.

When the 357,000 tons of fully refined sugar annually imported from Cuba were eliminated, our beet producers had a right to expect additional permanent quotas for sugar production.

After several annual extensions of the Sugar Beet Act, we have been unable to secure any definite quotas for our growers. This is a situation that should not prevail. If the administration proposal is adopted, it will not only continue to prevail, but our domestic sugar industry will be further curtailed.

In this session of Congress we should not continue to enact annual or short-term extensions of our Sugar Act, but we should work out a realistic long-range Sugar Act.

Those of us who serve on the Senate Finance Committee are familiar with the procedure that has been followed in the past years regarding the extension of this act, which expires on June 30 of this year.

Generally, 2 or 3 days before the date of expiration, we in the Senate are confronted with a House-passed bill that we are told must be passed before the expiration date. It is a case of either take it or leave it.

In view of the administration's current proposal, which is contained in a tentative nine-point program and was presented to sugar industry representatives recently, it is imperative that we in Congress begin immediate consideration of the new Sugar Act for 1963.

The administration's proposal would require at least a 10 percent reduction in sugarbeet acreage next year, or an estimated 200,000 tons less.

In the State of Kansas we have thousands of acres of soil and large irrigated areas where sugarbeets are, and can be, profitably grown. If our Kansas farmers were assured of permanent sugarbeet quotas, we would be in a position to construct sugar refineries in areas where our sugar could be profitably refined.

Someone will no doubt say that at the present time there are no sugar quotas and the production has not been greatly increased in Kansas. The reason, of course, is that sugarbeets can be grown only where sufficient refining capacity is available, and our growers are producing every ton that can be refined in the refineries that are available.

It seems even more ridiculous to curtail sugarbeet acreage when we have no surplus of sugar, at a time when our Federal Government is insisting on further reductions of farm crop acreage.

We pay farmers to leave land idle, we restrict the acreage that can be used for current crops, and, under the Sugar Act, we prevent them from contributing to the revenues and general welfare of our economy.

Congress has established the program for sugar in the past, and it has worked well.

There are many phases and details in the administration's proposed draft on sugar legislation, and I shall not dwell on them at this time. It is imperative, however, that Congress immediately begin to look at the proposal submitted by the administration that would further reduce the production of beet and cane sugar in this Nation. The early extension of the Sugar Act is in the interest of the President, the Congress, the growers, and the refineries.

MAJOR ACCELERATION NEEDED FOR THE CENTRAL UTAH AND THE DIXIE RECLAMATION PROJECTS IN UTAH

Mr. BENNETT. Mr. President, I have just sent letters to the President and to Secretary of Interior Stewart L. Udall urging an immediate speedup in the planning and construction of the central Utah and Dixie reclamation projects in Utah. In light of the serious, prolonged drought which plagued Utah during the past 3 years, such an acceleration is urgently and vitally needed to assure an adequate water supply for the people of the State.

SUMMARY OF THE PROPOSALS

In my letters I asked the President and the Secretary of Interior to reprogram $6,303,000 already in the President's fiscal year 1963 budget request which is now earmarked to build transmission lines in the State of Utah in connection with the Colorado River storage project.

Of this amount, $5,303,000 should be used as follows:

First. Immediately speed up the detailed advance planning studies and the

final definite plan reports for the Jensen, Upalco, and Bonneville units of the central Utah project.

Second. In connection with the Bonneville unit:

(a) Complete all preconstruction studies and initiate construction of a dike across Provo Bay on Utah Lake.

(b) Complete all preconstruction studies and initiate construction of a test dike at Goshen Bay on Utah Lake.

(c) Speed up and complete studies of further water storage and other development on the Provo River, including all the necessary studies to assure an adequate water supply in Heber Valley.

Third. Immediately initiate studies to extend the Bonneville unit south adding the Sevier River Basin to the project for the benefit of Millard, Juab, Sanpete, and Sevier Counties.

Fourth. Commence studies this year leading to early development of an irrigation project near Ouray to the south in Uintah County.

Fifth. Initiate studies leading to inclusion of additional Uintah Basin Indian lands in the first stage of the central Utah project.

Sixth. Accelerate studies which will assure early completion of irrigation projects to make certain an adequate water supply will be available to white water users in Duchesne and Uintah Counties.

Seventh. Immediately initiate and complete plans to assure much earlier delivery of water than now planned from the Green River into the Uintah Basin, thus completely assuring a sufficient water supply to meet all needs in the basin.

The other $1 million should be allocated to the Dixie project, conditional upon congressional authorization this year. Such action will save at least a year's time in getting construction underway in this important reclamation effort.

WILL NOT ADD TO THE KENNEDY BUDGET

These recommendations which I have proposed will not add to the appropriation requests already made by the Kennedy administration for the Upper Colorado River storage project. On February 20, 1962, the Department of Interior announced its decision on who should build the transmission lines for the Colorado storage project. Under this decision, the Department will use many existing private utility lines, particularly in the State of Utah. This was a wise step, which I supported. I strongly maintained throughout the entire dispute over who should build the lines that many millions could be saved to the taxpayers in initial investment cost and many more millions made available to build the irrigation features of the Colorado storage project if the private utilities' systems were used. This was fully borne out by the Department's decision of February 20.

Secretary Udall said that there would be a $27 million reduction in Federal investment for the transmission grid and that $77 million would be added to the project's basin fund to build irrigation projects above that which would have been available had there been all-Federal construction. Twenty-two million dollars of the $27 million will be saved in Utah, and over $62 million of the $77 million will be added to the basin fund from Utah. It seems only logical and fair, therefore, that a significant portion of these savings be used to accelerate projects in the State of Utah.

President Kennedy submitted his budget request for fiscal year 1963 in the beginning of January of this year, a month and a half before Secretary Udall made his transmission line decision. As a result, there is now included in the President's budget $6,303,000 for transmission lines in Utah that will not be needed. Of this amount, $3,733,000 is allocated to the Glen Canyon to Centerfield, Fillmore, and St. George lines, and $2,570,000 for the Vernal to Hyrum line. I have asked the President and the Secretary of the Interior to transfer this $6,303,000 to the studies and projects as I have already outlined. In addition, I shall appear before the Senate Appropriations Committee to make this same request. Neither the House nor the Senate has yet held hearings on the public works appropriation bill which deals, in part, with reclamation projects.

GREAT NEED FOR SPEEDUP

The recommended speedup in the central Utah project is greatly needed. The 3-year drought which we have just experienced shows that we are only now studying projects which should have been built a decade ago. Moreover, the census experts flatly predict that the population of Utah will reach about 1,400,000 by 1975, just over 13 years from now. Since the 1960 population was 880,000, this indicates that there will be an increase in population of about 345,000 just in this decade. Such explosive population growth is well beyond that of any experienced thus far in the State's history. For example, during the 1950–60 decade, Utah's population increased by 190,000, the largest growth to date. But this is just the beginning. The population experts predict that Utah's population could reach 2 million by the year 2000. That is just 38 years from now.

If the expected 2 million population level is achieved by the year 2000, it means that water resources must be developed to support an average of 280,000 more people for each decade between now and then. We must move swiftly to meet these tremendous new demands on our limited water supply.

CENTRAL UTAH PROJECT—UTAH'S LAST GREAT WATER HOLE

The only way we in Utah can get additional water is to better use and conserve that which is already available. Under the upper Colorado River compact of 1948, Utah is entitled to 23 percent of the upper Colorado River water to use in the State. Our only hope to fully utilize this 23 percent share is the key central Utah project authorized by Congress in 1956, in a bill which I had the privilege to sponsor. If we are to have this precious water when it is needed, it is imperative that preliminary studies be made as soon as possible, so that construction can be completed at the earliest possible date on all units of the central Utah project.

It is estimated that the accelerated urbanizing trend in Salt Lake and Utah Counties alone will bring about a need for an additional 114,000 acre-feet of municipal and industrial water in the two counties between 1975 and the year 2000. Between 1950 and 1960, the population in Salt Lake and Utah Counties increased by 39 percent and 30 percent, respectively. It is expected that this trend not only will continue but also will accelerate.

In addition, water needs are also acute in the Uintah basin, the Sevier basin, and in the agricultural portions of Utah County. All of these areas suffered greatly during the drought.

Under the central Utah project, water will be imported by tunnel from the Colorado River basin into the Bonneville basin, which, together with development of local supplies and reuse of return flows, will provide an average of about 220,000 acre-feet annually for irrigation use; 8,000 acre-feet initially will be available for municipal and industrial use, enough for an average western city of 372,000 inhabitants. Other unit works will permit future diversions from the Provo River to increase the total amount for municipal and industrial uses in Utah and Salt Lake Counties to 100,000 acre-feet annually, enough for a city with 641,000 population. Later on, in the ultimate phase of the Bonneville basin, an additional 400,000 acre-feet annually will be imported from the Colorado basin.

Corresponding benefits will be conferred upon the people of the Uintah Basin through better use of existing water supplies and imported water from the Green River. But it is imperative that work be undertaken much earlier than now planned in Uintah and Duchesne Counties to assure a full water supply for these counties. In particular, studies should be initiated at once leading to construction of the necessary works to bring water from the Green River, probably from the Flaming Gorge Reservoir. Likewise, the Sevier River Basin will be greatly benefited if my recommendations are carried out, for water would flow south much sooner than now scheduled.

SPEEDUP OF JENSEN, UPALCO, AND BONNEVILLE UNITS

Under present Bureau of Reclamation plans, definite plan reports, which are required before construction can be initiated, will be completed as follows:

First. Jensen unit, June 1964.

Second. Upalco unit, June 1964.

Third. Bonneville unit, first stage, June 1963.

Fourth. Bonneville unit, second stage, June 1966.

This pace is not adequate to meet the needs of the people in the areas involved. In saying this, I do not intend to be critical of the Bureau of Reclamation, because I am confident, after carefully studying the situation, that the Bureau is making good progress in light of the present limited funds and personnel available. In my opinion, the Bureau can move ahead much faster if it is given the additional funds I have requested.

In requesting an acceleration of the present pace, I am aware that such a task requires experienced specialists, including engineers, hydrologists, land classifiers, and economists. If the Bureau does not have sufficient trained specialists presently on its staff, top-flight, experienced men can be obtained on a short-term or consultant basis. For example, such men as E. O. Larson, former Bureau of Reclamation region 4 director, who did so much to develop the project, would probably be available. Other specialists could also be readily obtained.

It was my privilege last year to appear before the Senate Appropriations Committee, which in its wisdom approved my request for $100,00 to speed up planning on the Jensen unit. As a result, the definite plan report will be finished in June of 1964 instead of June 1965. A full year will be saved. Equally and even more dramatic results could be obtained if my present recommendations are adopted by the administration and by Congress.

It is my hope that the report on the first stage of the Bonneville unit will be finished in time to start construction late next spring. Likewise, I think it is possible for the definite plan reports on the Jensen and Upalco units to be completed in mid-1963. Admittedly this is a most complex undertaking and involves difficult problems, but the need is of sufficient magnitude to fully justify the additional effort.

UTAH LAKE DIKES AT PROVO AND GOSHEN BAYS

Two key features of the Bonneville unit which should be stepped up are the proposed dikes on Utah Lake at Provo and Goshen Bays. These two dikes are not scheduled for study until the second stage of the Bonneville unit, which means the definite plan reports will not be completed at the present schedule until 1966. However, in view of the great potential benefits which will flow from these dikes, it is my strong conviction that the requisite studies should be undertaken beginning this summer.

On February 15, 1961, I directed a letter to Secretary of the Interior Stewart Udall asking that he immediately initiate studies of the two dikes, leading to early construction. Unfortunately, my request was refused. When the initial central Utah project study was completed in 1951, the Bureau of Reclamation estimated that a great new supply of water would be available as the result of a dramatic reduction in evaporation from the surface of Utah Lake—60,000 acre-feet at Goshen and 30,000 acre-feet at Provo were thus to be saved. The lake is extremely shallow, but fully covers 95,000 acres of land and is only 13 feet deep at its deepest spot. As a result, evaporation consumes half of the lake inflow in normal years.

It is tragic to waste 90,000 acre-feet of water yearly, especially in times of drought. That is 29.4 billion gallons of water which is lost in our water-short area every year. According to public health experts, that is enough water to fully supply an average western city of 577,000 people. That includes not only water for culinary purposes but also for industrial and all other uses combined.

These initial Bureau evaporation estimates have been revised, but even the latest hydrologic studies show that during wet cycles the yield of Utah Lake would be increased up to 65,000 acre-feet annually by diking the two bays and largely drying up the land behind them with drains and sump pumps.

It is my understanding that in the case of Goshen Bay, which is the larger of the two and has a more questionable foundation, it would probably be advisable to construct a test section of the dike before completing the final specifications needed for awarding a construction contract, as was done on Willard Bay.

I hope that the necessary engineering construction can be completed and that this test section, recommended by Assistant Secretary of the Interior Kenneth Holum, can be started during the coming fiscal year, using a portion of the increased funds which I am proposing, which can be transferred from their recommended use in building construction lines to these new purposes.

In addition to saving water from evaporation, 8,400 acres of new land would be irrigated in the Provo Bay area, and supplemental water would be provided for about 2,400 acres of fringe lands. The consumptive use of water with this new irrigation development still would be slightly less than the evaporation and transpiration losses from the bay area under present conditions. Thus the irrigation development of the Provo Bay would not deplete the Utah Lake water supply.

It is expected that equally and probably more beneficial results would come from the Goshen Bay dike. But the Bureau studies are not sufficiently advanced to predict the precise effect at this time.

FURTHER DEVELOPMENT ON THE PROVO RIVER—INCLUDING THE HEBER AREA

Our recommendations call for a major speedup of investigations and engineering to bring further development to the Provo River area. Unfortunately, this Bureau report, too, will be completed with the second stage of the Bonneville unit in 1966. This is doubly regrettable, both because of the delay and because this effort is designed to more fully develop existing water resources on the Provo River, so it need not wait for imported water.

With the provision of added storage on the Provo River, 100,000 acre-feet of water or more could be made available as an increased supply for municipal and industrial diversions from the Provo River. This would arise largely through continued changes from irrigation to other uses in Utah and Salt Lake Valleys.

One of the storage features which the Bureau has under consideration is an enlarged Deer Creek Reservoir. Other alternatives are being considered. Whatever decision is made, it is absolutely mandatory that added storage be available to supply supplemental water to the Heber area. If the Bates Reservoir will best do the job, it should be built. Heber Valley must not be left out of the central Utah project, which is why I have included funds in my present request to rapidly complete an engineering study of storage features to accomplish this important objective.

WATER SUPPLY FOR THE SEVIER RIVER BASIN—JUAB, MILLARD, SANPETE, AND SEVIER COUNTIES

Under present plans, the Bureau of Reclamation will not complete its study of the necessary project works to carry water south to the Sevier River Basin until 1966. This will delay an important water supply in the Sevier River Basin for Juab, Millard, Sanpete and Sevier Counties. The recent drought has clearly shown that a much more rapid program must be undertaken.

The initial phase of the central Utah project should include early delivery of water to the Sevier, Millard, Juab and Sanpete County areas. There appears to be authority in the bill to do so. The future of these counties is dependent upon the project water. The earlier the water can be delivered, the more sure that future development of the counties can be assured. A new water supply would open up new economic vistas in the Sevier Basin. Few areas of the State suffered more than these four counties during the 3-year drought, which we hope is now ended.

WATER TO THE OURAY AREA IN UINTAH COUNTY

The Jensen unit of the central Utah project is presently being studied by the Bureau of Reclamation. That study will be completed, under present plans as I have indicated, in June of 1964. It is my hope that this can be readied much earlier. This project lies near Jensen, Utah. Water could be delivered to about 4,000 acres of supplemental lands and 500 acres of new lands. This land is located to the east of the Fernal unit which will be completed this year, the first participating project to be constructed.

There is another important unit, near Ouray, which should be built under the central Utah project. It is my understanding that the Bureau of Reclamation has authority to study this area so that it, too, may receive an adequate water supply. Therefore, I strongly urge that a portion of the reprogramed funds be used for this purpose.

Another unit under study is the Upalco. It would supply water for a part of the 75,000 acres in the existing Moon Lake project area. Reservoir sites are being considered for storage of the limited, undeveloped water supplies there. Under the present Bureau plans, a definite plan report will be completed in 1964, but I believe it can be finished much sooner.

UINTA BASIN INDIAN LANDS

Water right negotiations are presently being conducted which involve the Indians in the Uinta Basin. Judging from information given to me, it is apparent that the Indians are taking a statesmanlike, long-range view of the situation. Of course, it is certainly understandable that they should wish to fully protect

their interests. It is my hope that these negotiations will be satisfactorily completed in the immediate future. The Indians would no doubt be even more willing to enter into acceptable agreements if project studies were initiated immediately to assure the inclusion of additional Uinta Basin Indian lands in the first stage of the Bonneville unit of the central Utah project.

An assured water supply with appropriate project features would be a great boon to the Uinta Basin Indians and would give them an opportunity to substantially improve their standard of living and enhance their economic situation.

Once these water right adjudication studies are completed, it would be possible to start work to develop the lands on the Duchesne River, both above and below the mouth of the Strawberry. A total of about 48,000 acres can be served. This feature includes such works as the Starvation Reservoir on the lower Strawberry River with a 70,000-acre-foot capacity. But we must get it off the drawing board and into reality.

PROVIDE AN ASSURED AFTER SUPPLY FOR WHITE WATER USERS IN THE UINTA BASIN

The white water users in the Uinta Basin also are understandably concerned about the present water right adjudication studies. They are apprehensive because the Indians have first priority while they have second. In addition they are troubled by the proposed transmountain diversion by tunnel from the Uinta Basin to the Bonneville Basin, fearing possible water shortages although this diversion has only third priority. It is particularly important that project features in the Uinta Basin be initiated at the earliest possible time to make certain that a full water supply is available to the white water users. Such an accelerated program would allay their fears.

STEPUP PLAN TO BRING GREEN RIVER WATER INTO THE UINTA BASIN

The fears of the white water users would be completely allayed, I am sure, if they could be certain that water would be diverted from the Green River into the Uinta Basin at a much earlier date than now planned. This would probably involve bringing water from the Flaming Gorge Reservoir south into the basin. Originally it was thought that water would be pumped from the Echo Park Reservoir, but Flaming Gorge was substituted because certain interests blocked construction of the Echo Park Dam.

In my opinion, water diversion from the Green River must have high priority, higher than that which the Bureau of Reclamation has hitherto been able to give it. The funds which I have recommended should enable the Bureau to give the necessary study and attention which is required by this proposal.

In making these recommendations, I am not in any way critical of the Bureau. My purpose is to give the Bureau the additional tools and resources which will enable it to expand its efforts to increase Utah's water supply and enable our people to drink at our last great waterhole, the Colorado and Green Rivers.

THE DIXIE PROJECT

At the present time, I have a bill pending before the Senate Interior Committee, S. 14, which would authorize construction of the Dixie project in Washington County, Utah. In addition to providing a critically needed water supply in Utah's Dixie, Washington County, it would also furnish 8,000 acre-feet of water to Cedar City in Iron County.

The Bureau of Reclamation has now completed its studies and the proposed report of the Secretary was sent last week to the affected States and Federal agencies for review and comment. The Flood Control Act gives these States and agencies 90 days for the review, but I am hopeful that this can be done much faster. It is my further hope that S. 14 will be authorized by Congress this year. However, there is no money included in the President's budget to start construction. Thus, we shall lose at least a full year's time even if my bill passes unless money is added.

I, therefore, urge that $1 million be included in the public works appropriation bill for the Dixie project, conditional upon congressional authorization. This same procedure was adopted by President Eisenhower in connection with the upper Colorado River storage project in his budgets submitted in both January of 1955 and 1956, even though the project was not authorized until April of 1956. Because of his foresight, construction was started immediately and delay was avoided.

On October 3, 1961, I asked the Secretary of Interior to include $1 million for the Dixie project in the President's budget, but he refused to do so. This was a great disappointment to the local people, particularly since he also refused my recommendation that Interior build a saline water treatment plant at LaVerkin Springs, which would have reduced the cost of the Dixie project by $2 million.

Both the Washington County and the Cedar City areas know what a drought means. Likewise, they know that a ceiling is placed upon their future and their economic growth unless they get the long hoped for water from the Dixie project. It would permit irrigation of 20,100 acres of farmland and provide a 5,000-acre-foot municipal water supply to the city of St. George. I have already mentioned the vital 8,000 acre-feet that would go to Cedar City.

If the Bureau of Reclamation experts feel, after carefully studying my proposals, that all of them can be accomplished with less money than the full $6,303,000, I shall be happy to support the decrease. It should be noted that the crops which will be grown on the farm lands involved are not in surplus. Likewise it must be emphasized that the money for which I have asked will be repaid. It is a loan and in the case of the municipal and industrial water features will be repaid with interest.

These recommendations are so important that I felt compelled to call them to the attention of the Congress and to the President. In making my recommendations, I have not attempted to list them in order of priority. They are all critically needed projects. I sincerely hope that Congress will approve all of my recommendations. The future of Utah hangs in the balance.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, it is my understanding that the Senator from Mississippi has yielded to the Senator from Iowa on the same basis on which he had yielded to other Senators. I therefore ask that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

ESKIMO SCOUTS

Mr. BARTLETT. Mr. President, military preparedness requires that American forces be trained to fight under every conceivable handicap of climate and terrain. In the past I have, from time to time, addressed the Senate on the strategic importance of Alaska in the preparation of American forces for combat in the coldest reaches of the arctic and subarctic north. I know that my colleagues in the Senate will want to read an account of recent military maneuvers in Alaska which demonstrated the potential effectiveness of arctic trained units in the eventuality of a ground action under extreme climatic conditions.

The account describes the "Great Bear" exercise recently concluded in Alaska under the direction of Maj. Gen. J. H. Michaelis, commanding general of the U.S. Army, Alaska. From the very beginning of the action it was apparent that the opposing armies, composed of American and Canadian forces, were without effective defense against small guerrilla trained units described by the Pioneer, a service newspaper at Fort Richardson, as "the invisible force." These small units were composed of members of the 2d Scout Battalion, 297th Infantry, Alaska National Guard. With them were troops of the 7th Special Forces, who had for some weeks trained with the Eskimo units of Alaska to learn the secrets of arctic survival.

The "Great Bear" exercise was declared a draw after the two opposing battle groups had fought over 160 miles of Alaska terrain. I suggest, however, that the result would have been different had the Alaska National Guard not been divided equally between the opposing forces and had instead been made available to one side only.

Mr. President, I ask unanimous consent that the article which appeared in the Pioneer, to which I have made reference and entitled "Eskimo Scouts,

Special Forces, Team Up To Be Maneuver's Silent Enemy," be printed in the RECORD following these remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ESKIMO SCOUTS, SPECIAL FORCES, TEAM UP TO BE MANEUVER'S SILENT ENEMY

Opposing forces in this combat exercise in central Alaska face many enemies: each other in the practice war they were conducting, the 160 miles of wilderness that separated them when the maneuver began, and a climate in which temperatures drop below minus 60° and winds snarl through at more than 50 miles an hour.

But possibly the hardest enemy of all for them to deal with was a small group of invisible men.

The men are real enough. They are hard and tough and skilled in the arts of subarctic soldiering. They are invisible because neither friendly forces nor aggressors have any idea where they are. They may strike from any angle, at any time.

Lone men or small units, already apprehensive because of their insignificance in this wild, cold land, are their favorite target.

The invisible force is made up of Eskimos. Roaming the maneuver area are two small detachments from the 2d Scout Battalion, 297th Infantry, Alaska National Guard. With them are troopers of the U.S. 7th Special Forces, who have been training with the scouts in their home villages since January.

In the maneuver area these groups are working as guerrilla bands. One band is supporting the friendly forces, another the aggressor. Both groups are deep in the maneuver area, working close to their enemy's forward lines.

They began to show their effectiveness almost at once. The maneuver was less than 2 days old when one of the guerrilla leaders reported he was overlooking his enemy's main supply route and had chopped off four big tracked cargo carriers loaded with food and ammunition for advancing infantry.

It was the first combat action of the maneuver.

For the Eskimo scouts the maneuver began in late January when Special Forces teams flew into Bethel, Alaska. Here some of the Special Forces men went to work with the headquarters elements of the 2d Scout Battalion. Others of the Fort Bragg troops flew in short-field Army airplanes to villages on the western coast of Alaska, and one team traveled down the ice of the Kuskokwim River to the village where they would train with the National Guardsmen.

Most western and northern Alaska villages have scout detachments, and most of the men of military age belong.

The Special Forces teams are made up of parachute-trained volunteers, each man expert in one of the fields of weapons, explosives, communications, or field medicine. All are skilled in the arts of unconventional warfare.

The scouts and the troopers trained together until just before Exercise Great Bear kicked off on February 12. Then they were flown to Fort Greely, rapidly transferred to waiting helicopters, and skimmed the treetops into areas deep in the maneuver zone. From them on they were on their own.

On the surface, their job in the maneuver is simple. They seek out and report military intelligence. They interdict supply routes, and make raids against enemy installations. In short, they carry out guerrilla warfare, taking all the advantage they can of their enemy.

But in the wild and frigid maneuver zone of Exercise Great Bear their job is perilous, even though this is only practice combat. The scouts and their Special Forces comrades must keep out of sight of foot troops, protect themselves against aerial observation, prepare their own food, and stay warm.

The Eskimo scouts have never been used in such numbers in an Alaskan maneuver before, and this is the first time they have been used in an unconventional role.

Maj. Gen. J. H. Michaelis, USARAL CG, and maneuver director, said of them, "there are no men in the world more capable of fulfilling the mission we have given them. These men know the country, and can live and move in it with full confidence. They have proven time and again that they are excellent soldiers and proud, loyal citizens."

FRENCH-ALGERIAN CEASE-FIRE

Mr. KEATING. Mr. President, I think the Senate and the people of the United States should today extend to President de Gaulle and to the French nation our heartiest congratulations upon the cease-fire and our prayers and hopes that from this point forward the peoples of France and of Algeria can move forward together in their search for internal peace and economic progress.

It appears that after such a long and bitter period of time, peace in Algeria may be in sight. This is the first time since 1939, 23 years ago, that the French Army has not been engaged in fighting a war. For the majority of the French people, whatever their views on Algeria may be, the cease-fire is a blessing, a period of respite, on which a firm basis of peace must be built, for the security of the entire free world.

There is one development which gives me deep concern. Premier Khrushchev's premature recognition of the provisional Algerian government is calculated to make the task of organizing peace more difficult. It is calculated to incite rightist French still further and encourage leftist Algerians to look to Moscow. It is frankly an effort to bring about a continuing civil war that would benefit only the Communists. The Secret Army terrorist organization can be expected to seize the pretext of Khrushchev's action for further massacres, but loyal Frenchmen and responsible Algerians must unite to stop this murder and mayhem, and establish an ordered peace.

In reaching this momentous accord, President de Gaulle has, one can rightly say, it seems to me, looked neither to the right nor to the left. He has never lost sight of the forest for the trees—and some of the trees which stand both to the right and to the left of Algerian independence are formidable indeed.

So I feel it is entirely appropriate that a word be said in the Senate in recognition of this great achievement.

MISSING: PRESIDENT'S MESSAGE ON TRANSPORTATION

Mr. KEATING. Mr. President, in the first 6 months of his administration, President Kennedy sent twice as many messages to the Congress as did President Eisenhower during the same period in 1953. The pace has been generally steady since then.

I should like to invite attention today to a vital area in which we have been expecting a Presidential message for a long time. I refer to transportation. There has been a great deal of talk about the administration's broad new transportation program, but the message on transportation is among the missing.

The transportation industry in the United States vitally needs a shot in the arm. For one thing, the condition of railroads in the northeast is alarming. I have joined with a number of northeastern Senators and with my colleague from New York urging Presidential action in particular on the New York, New Haven & Hartford Railroad. There are problems affecting our maritime industry which also need immediate attention. This is an area in which fresh thinking and innovations are long overdue. Our airlines are faced with many new challenges. Furthermore, the coordination of our several major modes of transportation, so that they all fit together in an orderly way, is an area in which the Federal Government must show greater initiative. The commuter transportation systems of our great urban areas must be considered in close conjunction with this overall transportation picture.

Mr. President, commerce among the States is clearly an area for affirmative Federal action. We have been admonished by this administration to take action in many areas, some of which are not as clearly the responsibility of the Federal Government. This is an area in which the Federal Government unquestionably has full authority.

There are a number of practical steps which I believe must be taken promptly to relieve our Nation's major transportation problems. For one thing, I favor the repeal of the 10 percent Federal excise tax on passenger fares, which I am glad to see the administration has supported. I also believe that a Cabinet-level department should be created to coordinate our transportation policies. These and other similar recommendations must be given a higher priority. Above all, I strongly urge that the President take immediate action to spell out his transportation program so that the Congress can get down to work on it.

As we all know, while it is perfectly true that the Congress can act, it is not likely the Congress will get down to business until it knows more about the position to be taken by the administration.

RESOLUTIONS OF LAND O'LAKES CREAMERIES, INC.

Mr. McCARTHY. Mr. President, the Land O'Lakes Creameries, Inc., a cooperative organization in the Midwest, has been holding meetings, out of which has come a statement of objectives and fundamentals in the form of a number of resolutions regarding many questions which relate to the farm program in the United States. I ask unanimous consent that the resolutions and observations which relate to national legislation may be printed in the RECORD at this point.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

RESOLUTIONS OF THE LAND O'LAKES CREAMERIES, INC.

1. FUNDAMENTALS AND OBJECTIVES

Gross income to farmers in the United States approximates $38 billion per year. Net income only about $11 billion. Out of every $3 of gross income, more than $2 are paid out to nonfarm persons in the same year. Farm income expands the tax base from which money for payment of price supports is derived.

Falling prices at the farm level have checked inflation. Goods and services purchased by farmers are usually at inflated prices. Production incentives at nonfarm segments of the national economy have not been applied in such a manner as to produce increasing supplies at lower prices. In addition:

1. Exports of farm surpluses have (a) improved the standard of living of persons in other nations, (b) provided a market for surplus farm products, (c) contributed more than $5 billion toward balancing international payments in 1961, and (d) helped check inflation.

2. Farmers have reduced the labor requirement to produce food thus releasing labor for production of other goods and services which contribute to national growth and a higher national standard of living. In nations lacking this supply of food, living standards and national progress have been retarded.

3. The prime necessity for national welfare and growth is food. Farming requires large commitments of capital per man. The efficient farmer, therefore, should reasonably expect, at the least, economic rewards comparable with other efficient users of labor and capital.

4. Restricted production does not contribute to low-cost food either for domestic supply or for export.

5. Excessively high price supports restrict markets and attract nonfarm capital in competition with farm families. Excessively low prices make nonfarm suppliers of essential goods and services the principal beneficiaries of farm operations.

We believe:

(a) The farm family in which the farmer contributes most of the planning, management, capital, and labor is the most efficient producer of food.

(b) Since food surpluses stabilize price levels and assure wide distribution, a price support program with exportable surpluses is justified.

(c) Price supports should be managed to support the efficient farmer. Prices should not encourage invasion of the industry by outside capital for productive purposes, or be so low as to make the efficient farmer powerless to control his own business.

(d) The food-for-peace program, carried to a successful conclusion, must inevitably develop foreign markets for both agricultural and industrial products, and therefore should be supported.

(e) The addition to the national tax base contributed by the farm price support program through the gross national product is sufficient to offset the budget outlays for the price-support program.

2. TAXATION OF COOPERATIVES

For many years Congress has struggled with the question of how to tax net earnings of cooperatives. Representatives of cooperatives have consistently urged the enactment of legislation which would carry out the intent of Congress embodied in the 1951 amendment of the Internal Revenue Code to tax as income to patrons the net earnings of cooperatives distributed as patronage refunds and not to tax these earnings to the cooperatives.

We believe that net earnings of farmer cooperatives should be taxed once by the United States and then only to patrons at the full face amount of the patronage distribution at the time it is received by the patrons regardless of the form thereof: *Provided, however,* That net earnings on purchases of personal living or family items should not be taxed either to the cooperative or to the patron; and

We believe that subjecting the net earnings of farmer cooperatives to full corporate tax rates unless they are distributed to patrons in cash or its equivalent would seriously impair the ability of farmer cooperatives to render to their patrons the services which are so necessary to their welfare; and

We believe that legislation such as that which has been proposed in the Committee on Ways and Means of the House of Representatives would be unfair and clearly punitive taxation of cooperatives: Now, therefore, be it

Resolved, That this association vigorously opposes the enactment of such legislation or substantially similar legislation and urges members of the Committee on Ways and Means, and Minnesota, Wisconsin, North Dakota, and South Dakota Representatives in Congress and our own directors and members to use every proper effort to defeat such legislation and to support legislation which will in a fair and equitable manner give effect to the 1951 intent of Congress by taxing to patrons of cooperatives all patronage distributions regardless of the form in which made.

3. MARKETING AGREEMENTS, FEDERAL ORDERS, AND SANITARY STANDARDS FOR GRADE A MILK

We favor Federal orders for the control of conditions under which milk is produced and marketed for fluid consumption. These orders have brought a degree of stability to marketing within the industry. But regulations should not be localized to the extent which would exclude any efficient producer of milk who has satisfactorily met the quality requirements and is willing, with other producers, to accept responsibility for providing adequate market supplies. Unfair limitation of free movement of milk is not in the best interest of producers or consumers.

The sanitary code of the U.S. Public Health Service provides for pure and wholesome milk. More rigid standards are penalties both to producers and consumers. Producers who supply milk complying with the U.S. Public Health Service sanitary code for grade A milk should not be excluded from participation in any fluid market within the United States or prevented from shipping such milk in interstate commerce.

We recommend the principles above to the Secretary of Agriculture in administering Federal orders.

4. IMPORTS OF FARM PRODUCTS

We have previously and continuously pointed out that one source of farm surplus and excessive price support program cost lies in the administration of section 22 of the Agricultural Adjustment Act under which import quotas are established. Decisions under this section have often been inconsistent. Import quotas have been relaxed with the result that the quantity of surplus as well as the cost of price support was increased.

The decision that an imported product impairs, or is likely to impair, any farm price support program should be the decision of the Secretary of Agriculture alone. Based on that decision, import quotas should be mandatory and should be applied to the extent necessary to relieve the impairment.

A farm program based on production quotas, compliance deposits, deficiency payments, and with surpluses increased by imports is inconsistent. It is inconsistent to permit importation of food products and expect farmers to compete if the prices administered under farm programs encourage importation.

Import quotas will be necessary, and these import quotas may not be administered in the manner used in the administration of import quotas in the past which have encouraged and permitted subterfuge in manufacturing and importing competitive farm products.

We particularly call the attention of the Secretary of Agriculture and the President to imports of Colby cheese in 1961 and 1962.

5. QUALITY STANDARDS FOR IMPORTED DAIRY PRODUCTS

Standards of composition and purity for imported dairy products are often lacking. Imported food products, therefore, may be produced in foreign countries under conditions which would not be tolerated within the United States. This is neither equitable nor justifiable. Inferior quality of imported products may prevent the development of competitive products within the United States under the more costly sanitary standards imposed on domestic producers. The appropriate U.S. Government agencies should insist that competition should be equitable on the basis of standards of purity and composition of products.

We recommend that the Secretary of Agriculture promulgate standards of sanitation, composition and purity for all products of milk, and that such standards be applied to imported products on the same basis as for domestic products both by the Customs Bureau in the Treasury Department and by the Pure Food and Drug Administration of the Department of Health, Education, and Welfare.

* * * * *

7. IMITATION DAIRY PRODUCTS

Food products made from vegetable fats may be valuable and useful. When such products are marketed in such a manner that the color, plasticity, and package are designed for the single purpose of taking advantage of the demand for other well-established food products, we consider such products to be deceptive and such activities are unfair and objectionable marketing practices. We are opposed to the marketing of oleomargarine when manufactured and packaged for the sole purpose of making use of the yellow color and other characteristics customarily associated with butter. This practice is even more objectionable when the natural plasticity or consistency of the product is changed to simulate butter. No advantage is derived from these practices except by manufacturers and merchandisers of yellow margarine. There is no advantage at all to the producers of soybeans and cottonseed, which products are in surplus and priced only on the basis of price programs for the oilseeds, not on the use of the oil. We request the management of Land O'Lakes Creameries to make copies of this resolution available to the members of the legislature of the States of Minnesota, Wisconsin, North Dakota, and South Dakota and to the Secretary of Agriculture and the Members of the House and Senate of the Congress of the United States.

8. INTERNATIONAL RELATIONSHIPS

Our foreign policy should provide for expansion of foreign markets for goods including the products of agriculture. But large populations lack the means to pay for goods purchased in international trade. To rectify this, Public Laws 480 and 665 made it possible to assist by accepting foreign currencies and by other means. This type of

program has helped to develop some self-sustaining economies.

Our foreign market for farm products is now estimated as equivalent to the output of about 60 million acres of harvested cropland, about one-third of which were exported under programs conducted through the authority of Public Laws 480 and 665. Exports of farm products in 1961 exceeded $5 billion. Agriculture has thereby contributed heavily to the creation of trade balances abroad which reduce the drain on our national gold supply.

National economic development in many countries requires provision of schools, buildings, roads, and machinery to increase output of goods. This can be accomplished only with great difficult except in the presence of an adequate food supply. We recommend, therefore, that Public Laws 480 and 665 be vigorously pressed to secure international peace and international equality and international prosperity, with enlarged foreign markets for goods and services.

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11. AGRICULTURAL EXEMPTIONS IN INTERSTATE COMMERCE

Under the Motor Carrier Act of 1935 are three exemptions important to farmers in the procurement of supplies and marketing of their farm products. Farm vehicles owned and controlled by farmers in the transportation of agricultural commodities are exempt from regulation. Motor vehicles used in carrying property consisting of livestock, fish, or agricultural commodities are also partially exempt if such motor vehicles are not used for any other property or passengers for compensation. In addition, motor vehicles controlled and operated by a cooperative organization are partially exempt.

These exemptions make it possible for farmers to manage their own business without filing rates and routes with the Interstate Commerce Commission. It makes them considerably more efficient in the management of their own business and in the marketing of their products.

These exemptions have become established through many court hearings and other litigation with reference to the meaning of the act. At the present, however, there is a movement to redefine these exemptions in such a way that the benefits will be lost. We are opposed to such actions whether on the part of the Interstate Commerce Commission or the Congress.

Private carriers, not now participating in these exemptions, should be permitted to obtain return-trip hauls of exempt products. It is uneconomic and wasteful to impose restrictions on private carriers, preventing them from competing in this business, and such restrictions are not in the public interest.

We favor the regulatory exemptions at present contained in section 203(b)(4a)(5) and (6) of the Interstate Commerce Act for farmers' cooperatives and farm product haulers.

We oppose Federal registration of licensing of exempt or private carriers. This serves no essential purpose and constitutes an opening wedge for more complete regulation. We oppose rate filing by exempt haulers as impractical, costly, and impossible to enforce.

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14. STANDARDIZING EGG WEIGHTS IN THE UNITED STATES

The egg weights for the various grades are different in different States. Eggs, however, are produced in almost every State and must move across State boundaries and be marketed in other States, often with egg weights different from the State in which the eggs were produced. This causes confusion and difficulty in the marketing of eggs.

It is desirable that the several States should adopt standard weights for egg grades which are uniform. We recommend that the commissioner of agriculture of the State of Minnesota undertake reciprocal relations with similar officers in other States, to revise and standardize the weights of eggs sold under the various grades. If uniformity is reached, marketing will be simplified as between producers in one State and consumers in other States to the great benefit of both producers and consumers.

We recommend also that the commissioner of agriculture for the State of Minnesota consult with the appropriate authorities of the U.S. Department of Agriculture in the attempt to get uniform egg grades acceptable for both State and national egg marketing programs.

15. DAIRY PRICE SUPPORTS, 1962-63

At this date, March 9, 1962, announcement of the dairy price support program for the year ahead has not been made. Purchasers of the products of milk anticipate lower prices and markets are weakening. Producers are in urgent need of information upon which to base their plans for the year ahead. Experience in 1959 and 1960 shows that 77 percent of parity for milk leads to unstable production, confusion in primary markets, and higher prices to consumers.

We urge the Secretary of Agriculture to reach a decision quickly with reference to the dairy program for the remainder of 1962. Prices should be announced promptly which will reduce uncertainty in the industry, relieve the effects of demoralizing rumors, and assure farmers that prices will justify plans to convert surplus feed grains into milk in 1962.

U.S. PROBLEMS IN COMPETITION WITH WESTERN EUROPE

Mr. SCOTT. Mr. President, a recent editorial in the Saturday Evening Post presents some interesting points of view on the U.S. problem in competition with the increasing productive strength of Western Europe.

I ask unanimous consent to have the editorial printed in the RECORD at this point as a part of my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

OUR FRIENDS ARE OUR COMPETITORS TOO

Recently one of our correspondents went skiing in Switzerland. He had a pair of American ski boots which, although unworn, were 8 years old. Since they no longer fitted, he bought a new pair. Unwilling to carry the old ones home, he tried to give them away. There were no takers anywhere, not even among the school kids. "They're not the latest model," explained a Swiss villager. "Everybody who skis these days has the very latest kind."

As he toured the rest of Europe, the American found that "the very latest kind" appeared to be an apt slogan for the life Europeans are presently enjoying. Our Western allies, fantastically prosperous and up to date, often make us look backward by comparison.

It seems hard to find an old factory—and this is not altogether due to American generosity after World War II. The architecture is ultramodern, the equipment up to the minute. Apartments, shops, schools, sports stadiums, office buildings, and supermarkets are of the latest design. Passenger and commuter trains are new and attractive, run frequently—and on time. Late-model autos and buses, many of them consuming gas that costs 85 cents a gallon, are clogging new highways, which are beautifully landscaped. In short, the American found Europe riding a boom that has continued merrily for more than a decade. During that same period the United States has suffered three setbacks. And in spite of our standard of living, which is still far and away the world's highest, we have never been able to solve our chronic unemployment problem. Some areas in the United States have been in a state of depression since World War II.

Except for parts of southern Italy, Greece, and possibly the Iberian Peninsula, Western Europe has reported virtually no unemployment. Switzerland, her industries humming profitably, has had to import 400,000 Italians and 50,000 Spaniards, a number equivalent to almost 10 percent of her population. Lately Italy has clamped down on this export of workers. She needs them herself.

As our man packed his new Swiss ski boots and headed for home, he realized he'd heard no talk about 5-hour workdays, compulsory retirement at 65 or other measures that reduce total production. With little or no unemployment in Europe, no recessions, few depressed areas, little obsolete equipment and a booming economy, he wondered what was wrong with America. If our allies could do it, why couldn't we? Are they smarter than we are? Are they working harder?

The answer is simple. They do have newer factories, they are working harder and they are competing harder. While we make ourselves less and less competitive through high wages and prices, they are knocking the spots off us in friendly rivalry for the markets of Asia, Africa, and Latin America. European nations, prostrate from war not long ago, now export between 15 and 52 percent of their total output. We export 5.

Because of our essential economic and military aid programs and our troops stationed overseas, we spend $3 billion or $4 billion more abroad than we take in. The drain on our gold continues. Consequently, we must export more goods to correct this imbalance and maintain our position as a first-class nation. That means we must also import more under lowered tariffs, as we pointed out on this page in the February 10 issue. But many people abroad prefer European products to those made in America.

Why? There are various reasons:

1. Foreigners says U.S. goods are often inferior. They insist they don't stand up. Hard-headed Europeans don't want to waste money replacing products which they feel shouldn't wear out, although they will buy an article if it offers something really new and improved. In short, they're still insisting on high standards and value.

2. To an extent Europeans have been able to turn out top-quality goods more cheaply by putting a greater share of their gross national product back into new plants and equipment. This makes production more efficient and therefore more competitive. West Germany is now investing 23 percent of its output per year in modernizing its plants, the Netherlands 24 percent, France 18. We are putting up only 14 percent. The United Kingdom, which lags behind the Continent, is down to 16 percent.

3. European governments have been more favorable to business expansion than ours. They offer faster tax writeoffs for new investment, low-interest government loans, no capital-gains taxes, and even preferential rates for utilities.

4. In the matter of personal taxes, Europeans have greater business incentive. No country has income taxes as high as ours. West Germany's top is 53 percent, France's 73, Italy's 58, and Belgium's 65. Ours soars to 91 percent.

5. Perhaps our greatest handicap has been the heavy wage-price spiral of the last decade. In general, European wages are still far below ours—an enormous help when you're competing for exports. Shortsighted labor leaders, unable to see beyond the next paycheck, have pushed wages higher and

higher. With each boost, prices for products must rise accordingly. This chokes off demand for our goods and helps our foreign competitors even more in the race for markets.

Far from being afraid of high productivity, Europe welcomes it. During the last few years the output per person in the six nations of the Common Market, for example, has gained 4 percent a year. Ours has run less than 1 percent. And while we grant workers shorter and shorter weeks, decreasing the ratio of our production compared to Europe's, raising the cost of our products and pricing ourselves further out of the world market, our alert competitors abroad prepare to widen the Common Market and make their production greater and more efficient.

At the moment, with only six nations joined in the Market, Western Europe has racked up an annual export trade of $50 billion. Ours is only $20 billion. And as more and more nations join the tariff-free Market, let us remember that their competitive position becomes even more favorable.

In the race to beat Russia and communism, we Americans tend to forget that we are also competing with the 270 million aggressive, well-organized and supremely skillful people who are our own Western allies. Our $20 billion export trade is nothing to be ashamed of. Nevertheless, we've got to do a lot better if we want to maintain our preeminent position in the free world. Unless we get cracking—Congress, labor leaders, management, factory workers and the rest of us—the Yankee trader is going to cut a steadily diminishing figure in the world marketplace. And Americans will have to go on using their outmoded ski boots, as well as a lot of other outworn things, for some time to come.

REPORT TO SHAREHOLDERS OF SCOTT PAPER CO.

Mr. SCOTT. Mr. President, the message of Mr. Thomas McCabe, Sr., in the 1961 annual report of the Scott Paper Co. contains an excellent analysis of the new situation confronting the United States by the growth of the European Common Market.

Mr. McCabe draws upon his experience as a distinguished public servant during his service as Chairman of the Federal Reserve Board, in other governmental service, and as one of America's most thoughtful and enlightened industrialists.

I ask unanimous consent to have the report printed in the RECORD at this point as a part of my remarks.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

REPORT TO SHAREHOLDERS—PRESIDENT THOMAS B. MCCABE URGES AMERICAN TRADING UNION WITH EUROPEAN COMMON MARKET—ASKS FOR BIPARTISAN SUPPORT OF U.S. TRADE EXPANSION ACT—HOLDS THAT MORE LIBERAL TAX POLICIES WOULD SPUR INVESTMENT IN PLANT AND EQUIPMENT AND HELP MAKE AMERICAN BUSINESS COMPETITIVE ABROAD

Intensive activity characterized 1961 in Scott Paper Co., in the Nation, and in the world.

Scott achieved another record year, with earnings and sales reaching new highs. That performance, especially gratifying in the light of general economic conditions early in the year, stemmed from the special efforts of all Scott employees, who worked together with spirit and efficiency. Accomplishments in manufacturing were particularly noteworthy.

Scott's operations in 1961 are covered in the following review of the year. However, it might be well to point out that the results reflect some of the measures that were taken last spring, when it became clear that if the company were to meet its objectives, rebudgeting for the last 7 months of the year would be essential. Careful scrutiny was applied throughout the business, and economies were effected by revising programs and directing constant vigilance toward accomplishing goals at lower costs.

The company further increased its investments abroad. Since it now has substantial interests in foreign enterprises, some comments on world conditions seem pertinent. Also, world trade and international finance are subjects of particular interest to me because of my years of service in lend-lease during World War II, as Foreign Liquidation Commissioner following that conflict and, finally, as Chairman of the Board of Governors of the Federal Reserve System.

For America and the world, 1961 was a troubled period even though the recession ended in the United States and despite the continuation of brisk business in other countries. In north and central Africa and in southeast Asia, open warfare persisted. In our own hemisphere, the abortive attempt to oust Castro from power in Cuba marred the record. Elsewhere, sparring between the Communists and the free world continued with weapons and words. But against that grim backdrop constructive forces were at work.

ATLANTIC COMMUNITY ORGANIZED

In the free world, strong systems of economic cooperation, which stemmed from Marshall plan days, were extended in 1961.

Late in the fall of 1961 the Atlantic Economic Community, known formally as the Organization for Economic Cooperation and Development, was formed on the initiative of the United States. It comprises 20 nations west of the Iron Curtain, including the United States and Canada. Japan, a member of the OECD's Development Assistance Committee, shows an interest in joining the parent organization.

OECD's objectives center around economic cooperation, trade expansion, monetary stability, and joint help to the underdeveloped world. And, in addition to OECD's practical contributions, it constitutes an important political symbol, a clear indication of the increasing economic interdependence of North Atlantic nations. Former Secretary of State Christian A. Herter recently said, "In a world deeply split by ideological differences a closely knit Atlantic Community seems our only hope for eventually establishing world order."

OUTLOOK FOR THE COMMON MARKET

One important development is the strong probability that the European Economic Community, called the Common Market or Inner Six will be enlarged from its present membership of Belgium, France, West Germany, Italy, Luxembourg and the Netherlands. Already, the nations in the European Free Trade Association (Outer Seven) are trying to work out various kinds of relationships with the Common Market. Britain, the leading EFTA country, is actively seeking full membership; the outcome of those negotiations will influence similar applications of Denmark, Norway, and Portugal, as well as Ireland, not a member of EFTA. Austria, Sweden, and Switzerland will try to become associated with the Common Market, but in a way short of full membership. Hence this free trade area could grow from 170 million people to about 270 million.

It is quite understandable that the Common Market should attract new members; the short 4-year life of that galvanic institution has demonstrated how highly profitable business opportunities in its customs union can be. Since the inception of the Common Market, trade among members has increased about 66 percent with gross national product up nearly 19 percent; the rate of growth in gross national product has been 2½ times that of the United States. Mutual tariff reductions, which have now reached 40 percent, and elimination of quantitative restrictions on industrial goods, were important catalysts in establishing that record.

The signing of a common agricultural policy in January 1962 made it possible for the Common Market to move into its second 4-year stage, which will lead almost inexorably to the abolition of all duties between members by 1969 at the latest. Thus a hard core of economic strength is being built in Europe, and a market of unprecedented breadth and opportunity is developing. But whether the tariff wall between the Common Market and other nations will permit Americans to export to that prosperous market will depend importantly on America's foreign trade policy. The United States should unquestionably develop a trading partnership with the Common Market, otherwise tariffs may bar the entry of American products.

President Kennedy has recommended to the Congress a trade expansion act that would make it possible for the United States to trade freely with the Common Market. Extensive hearings will be held, and the proposal will undoubtedly be amended, but in the main the measure deserves strong bipartisan support.

BALANCE-OF-PAYMENTS PROBLEM

American foreign trade policy must be made sufficiently flexible to deal with the rapidly developing pattern of international commerce. Otherwise, exports from the United States will inevitably decrease at a time when an increase is essential. America's presently unfavorable balance-of-payments position is quite serious and unless corrected will result in further reductions of gold reserves and a consequent weakening of the dollar. Improvement of the situation requires that the inflow of funds from abroad at least equal payments from the United States to other nations for things such as goods and services, foreign aid and oversea investments. To that end, other countries, especially those we have been assisting so liberally with financial aid, should reduce their trade barriers at least to the extent of America's tariff cuts since World War II. An important advance in that direction was made recently when the Common Market and the United States agreed to reduce tariffs on a substantial number of products. However, much remains to be done.

In the progress toward unfettered trade some American businesses will be hurt—no one can deny that. As a result, certain workers will be displaced and will have to be retrained, but labor will benefit in the long run because many more American jobs hinge on expansion of this Nation's exports than would be imperiled by free trade. However, in order to avoid undue hardship, the ultimate goal must be accomplished by evolution rather than revolution. Tariffs should be reduced gradually with provision for flexibility to meet unforeseen contingencies. It will also be highly desirable for the Federal Government to provide financial help during the period of readjustment to ease the impact upon the workers and investors in certain industries.

Regardless of tariff reductions, American companies will unquestionably continue to build plants abroad. Experience indicates that over a period of years ventures of that sort result in an inflow of funds greater than the amounts invested in foreign countries. Such operations can establish strong international ties and promote greater unification of the free world.

PRICE, WAGE STABILITY URGED

At the year end, prospects for 1962 in the Nation and in the company appear to be favorable. However, if the general prosperity is to be maintained, it is essential that all steps be taken to prevent inflation and a consequent loss of faith in the dollar here and abroad. Business management and labor must demonstrate a high degree of economic statesmanship in recognizing the vital importance of stability in prices and wages.

The Federal Government must exercise fiscal restraint. Since increases in defense spending would seem to be inevitable, proposed Government expenditures in other areas should be given more critical and thorough appraisals. Unremitting war should be waged on the waste and inefficiency which seem to accompany big government; otherwise sound fiscal operations are impossible.

Congress should take a realistic attitude toward taxes. If depreciation allowances were liberalized and corporate taxes objectively reappraised and modified to stimulate investment, the American economy would be revitalized. Business could quickly modernize and expand its plants and facilities for improved efficiency and competitive strength. With increased commercial activity and higher corporate earnings, the total taxes paid to the Government would be greater than they are now.

Stability of wages and prices and constructive Federal fiscal and tax policies will assure the soundness of the dollar. The competitive position of American business in world markets will be improved and the stature of this country tremendously enhanced in the eyes of the free countries of the world.

Sincerely,

THOMAS B. MCCABE,
President.

FEBRUARY 7, 1962.

ALL-AMERICAN SIOUX CITY

Mr. MILLER. Mr. President, last Wednesday my hometown, Sioux City, Iowa, was named 1 of 11 "All-America" cities by the National Municipal League and Look magazine. The selection of this midwestern city of some 90,000 people is based on a record of substantial community betterment resulting from widespread community action on the part of the citizens of Sioux City, both as individuals and as members of action groups operating under intelligent and dedicated civic leaders.

Ten other cities of varying sizes throughout the United States share in the honors. They are: Anacortes, Wash.; Falls Church, Va.; Galveston, Tex.; Hartford, Conn.; Independence, Mo.; Lynwood, Calif.; Milton-Freewater, Oreg.; Rockville, Md.; Salisbury, N.C.; and Wichita, Kans.

It should be pointed out that Sioux City's achievement came on its second try for an All-America City Award, having been 1 of the 22 finalists and a runner-up in the 1959 contest.

Appropriate editorials on Sioux City's recognition appeared in the March 15 edition of the Sioux City Journal and the March 16 edition of the Des Moines Register. Two news stories appeared in the Sioux City Journal on March 15—one including the congratulatory message received from the President of the United States and the other covering numerous other congratulatory messages received from throughout the United States; and another of March 16 relating the impressive ceremonial accompanying the presentation of the all-America flag to the city. I ask unanimous consent that these editorials and news stories be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Sioux City Journal, Mar. 15, 1962]

ALL-AMERICA SIOUX CITY

The selection of Sioux City as 1 of 11 all-America cities across the Nation is gratifying; the honor is a great one and all Sioux Cityans may be very proud of their community.

Selection is based on a record of substantial community betterment that results from widespread community action in the face of formidable difficulties. In general terms the Sioux City story was written from 1953 to 1961—and the end has by no means come.

This story began, in terms of the presentation, in 1953 with a new form of city government that "ended corruption and incompetency in the city hall and gave us a vision of a better community." It continued in 1955 with a 10-week series of citywide group meetings in which 617 citizens participated, and where the problems of the city were realistically identified and solutions proposed. Seven such problems were pinpointed: Flood control, adequate schools, expanded industry, better transportation, business district improvement, better health and sanitary facilities and development of new civic pride. The story continued with action; all these goals have been realized or the way to their completion is provided.

The strength of the Sioux City story, we think, is to be found in its emphasis upon the continuing interest of the people of Sioux City, both as individuals and as members of action groups. The city's presentation calls this "the persistence of city groups," which describes well the solid core of determination behind the projects completed. There is nothing complacent about the community, either; in addition to the very considerable number of accomplishments already in the book, at least 11 more "things to be done" are listed, with work already being done on them. Again, people's action is the reason for continuing "all-America" performance.

The presentation was excellent; the record made in Sioux City was good enough to win one of the coveted awards. But between the facts of the record and the assembling and presenting of those facts were many hours of time and effort by many dedicated people. To give credit to each individual is impossible; the community can offer only its general thanks. Special commendation is deserved, however, by the chairman of the Sioux City committee, Mrs. Robert B. Howe, and the committee members who, in the final analysis, had the principal responsibility, and whose fine work had much to do with the award this city has received.

[From the Des Moines (Iowa) Register, Mar. 16, 1962]

SALUTE TO SIOUX CITY

Iowa gets most of its nonathletic all-America ratings in the field of agriculture. The State is first in this type of farm production or second in that. This is fine and all Iowans want to keep right on winning that kind of honors.

When an Iowa city gets a top rating it is a more unusual pleasure. This has happened with the selection of Sioux City as 1 of the 11 all-America cities in a civic achievement contest sponsored by the National Municipal League and Look magazine.

The "new community spirit of determination and optimism" for which the award was made began in Sioux City, as it has in many cities, with the adoption of the council-manager form of government in 1953.

This was followed in 1956 with the formation of 27 voluntary discussion groups containing 617 Sioux Cityans to analyze and study city problems.

The Floyd River, source of countless destructive floods, is being relocated at a cost of $18 million, 42 percent locally financed. Construction has begun on a $7,500,000 interceptor sewer and sewage treatment plant. A $4,200,000 urban renewal program is under way.

New industries have been attracted, highway and river transportation facilities have been improved, new schools, churches, and cultural centers have been acquired. Welfare centers have been provided for the ailing, the young and the old. Cultural opportunities have been supplied in a modernized art center and the formation of new musical organizations.

Sioux City certainly should be congratulated on this honor and so should the State of Iowa. In recent years the responsibilities of the cities of Iowa have been increasing. Many of them have not been well prepared to discharge these responsibilities. It is important to the State as a whole that the excellent example of Sioux City be observed and emulated.

[From the Sioux City (Iowa) Journal, Mar. 15, 1962]

HONOR BRINGS CITY A FLOOD OF MESSAGES

Congratulations continued to pour in Wednesday night on Sioux City's selection as an all-America city.

Mayor Merle A. Haynes said Wednesday night: "Representing citizens of South Sioux City, I should like to extend congratulations to our friendly neighbor, Sioux City, for receiving the award of all-America city. We know united effort on the part of your leaders and citizens made this award possible. Our two cities have worked together on many projects for the benefit of both and we know our friendly relationship will continue."

Sioux City's Senator JACK MILLER telegraphed his congratulations from Washington.

A message from the Senator read: "The good news of the recognition of my hometown of Sioux City for its outstanding achievement is most welcome. I extend my most sincere congratulations to the community leaders and indeed to all residents of Sioux City whose hard work and cooperation made this possible."

"The great honor of being designated as one of the all-America cities of these United States has come about through the combined efforts of all of our fine Sioux Cityans," Mayor George Young said. "This energetic and friendly city is indeed proud of this great day of achievement."

From Congressman CHARLES B. HOEVEN, Eighth District of Iowa, "The people of Sioux City are indeed to be warmly congratulated on receiving one of the all-American city awards for 1962, jointly announced by the National Municipal league in cooperation with Look magazine.

"All Sioux City may be justly proud of this achievement which is granted not merely for good government or efficient municipal administration but is based on energetic and purposeful citizen effort.

"The award goes to those connected with the program of civic improvement which sets a high example for others to follow. The fact that Sioux City has been designated as an all-America city by experts in community and government affairs has a bright forecast for its future.

"All citizens of a community have common goals but likewise have common problems. Civic improvements can come only with the

inspiration of local residents to participate in civic affairs and city betterment.

"Sioux City's selection as an all-America city demonstrates that you not only have the ability to recognize and analyze community problems but also have the energy to work toward effective solutions.

"As Sioux City's Representative in Congress, I am particularly proud that you have reached this national recognition which is so well earned and richly deserved. My sincere and hearty congratulations to the all-America city."

Archie Gubbrud, Governor of South Dakota said: "Hearty congratulations to our neighboring city of Sioux City upon receiving the All-America City Award for 1962. This honor is indicative of the progressive forward program which Sioux City has been projecting and neighboring South Dakotans are pleased that your efforts have received national recognition."

Others send messages:

Senator CARL CURTIS, of Nebraska: "May I take this opportunity to extend my congratulations to Sioux City on being chosen all-America city for 1962. The citizens of Sioux City can be justly proud of the outstanding achievements that have been made in city improvement and advancement. This is a well-deserved honor."

Gov. Frank B. Morrison, of Nebraska: "Congratulations upon Sioux City receiving recognition as an all-America city for 1962. As Governor of the State of Nebraska we are proud of this recognition given to our neighbor. Please convey to your citizens our congratulations and best wishes."

Senator FRANCIS CASE, of South Dakota: "Residents of Sioux City can be justly proud of the accomplishment their city attained in being selected as an all-America city for 1962. My hearty congratulations to you on this fine achievement."

Senator ROMAN L. HRUSKA, of Nebraska: "Warm congratulations to Sioux City on being named all-America city for 1962. This is richly deserved recognition of Sioux City's progressive, modern leadership. We Nebraskans are proud to have such distinguished neighbors across the river."

Congressman BEN REIFEL, First District of South Dakota: "Warmest congratulations on our neighboring city's achievement in winning the All-America City Award. We in South Dakota know that civic effort and determination is necessary to qualify for this honor since our own city of Yankton earned similar distinction."

Senator KARL E. MUNDT, of South Dakota: "I want to extend my heartiest congratulation in honor of Sioux City winning the coveted All-America City Award for 1962, a remarkable achievement which is an everlasting credit to the people and public officials and to both public and private community-minded groups and organizations. From your sister State of South Dakota, I know I reflect the feeling of pleasure of our citizens in your being named as the award-winning city. Best wishes for continued success and my kindest regards."

Rodney Smith, president of the South Sioux City Chamber of Commerce: "Congratulations on being awarded all-America city. We are proud to be your neighbor city."

Congressman RALPH BEERMANN, of Nebraska, had this to say: "May I extend my sincerest congratulations to Sioux City upon the occasion of its being selected all-America city for 1962. I know the award is made on the basis of civic improvements in addition to other qualifications, and in this case I want to say the award is certainly merited.

"I can recall some outstanding improvements that Sioux City has added recently. Among them are its wonderful riverfront and Gordon Drive; the new system of Federal highway interchanges that drop motorists within two blocks of downtown businesses and only a step from sufficient parking; and your current project, straightening the Floyd River and the Perry Creek extension.

"Just as recently as this last Christmas season I can remember the downtown merchants exhibiting the most tasteful set of street decorations that I have ever seen. All of this has been possible, of course, because of a rebirth of the public service idea among business and professional groups in the metropolitan area and by your well-integrated civic and service organizations which have given this motivation and direction. All in all, I want to conclude by saying, 'Well done, Sioux City. Your new citation as the all-America city for 1962 is certainly merited.'"

William F. Nutt, president of the chamber of commerce, expressed the pleasure of the entire chamber. "This award indicates to us that our city projects a desirable and impressive community image when measured against the rigid standards of the National Municipal League and Look magazine," he said. "The citizens of Sioux City should be proud of this award inasmuch as one of the major considerations of the all-America city jury is citizen action and participation in government and city improvement."

"Sioux City is fortunate, indeed, to be populated with people who recognize good government and good community facilities, people who are determined to have a first-class community and people who are determined to put their shoulder to the wheel to attain their all-America objectives. We will merit this award only if we recognize this as the beginning of a great future yet to be earned by vigilance and continued effort," Mr. Nutt concluded.

The distinction was credited to "vigorous citizen action which has accomplished miracles in Sioux City" by Mrs. Robert B. Howe, chairman of the all-America city committee which prepared and presented the city's case for the award. "In the last 8 years, many critical problems have been faced and solved through responsible citizenship.

"A new progressive attitude has inspired thousands of persons and dozens of independent groups to work devotedly and persistently toward the betterment of our city on all fronts," Mrs. Howe said. "It is the wide scope of successful civic undertakings of which Sioux Cityans can be justifiably proud. We can see outstanding progress in all areas of our community life. Here in Sioux City, where such a vital and resolute spirit exists, there can be no doubt that future success is assured."

City Manager Conny Bodine called the award "a landmark of past accomplishments by a large number of individuals and citizens in our town. It is also a good omen of achievement to come. It is now nationally recognized that, among American cities, Sioux City has shown outstanding zeal and good sense in meeting the modern challenge of these fast-changing times."

"The good news of the recognition of my hometown of Sioux City, of its outstanding achievement, is most welcome," Senator MILLER said in his telegram. "I extend my most sincere congratulations to the many community leaders and, indeed, to all residents of Sioux City whose hard work and cooperation made this possible."

Woodbury County Sheriff Whitey Rosenberger: "It's a wonderful tribute to all the hard work that has gone into city betterment."

[From the Sioux City (Iowa) Journal, Mar. 16, 1962]

ALL-AMERICA PENNANT FLIES ATOP CITY HALL—BLUE, WHITE EMBLEM PROCLAIMS HONORS AT IMPRESSIVE RITES

(By Robert Gunsolley)

Sioux City Thursday began basking in the glory of national recognition as one of 11 U.S. cities which have done the most to improve community life and facilities.

A festival atmosphere prevailed despite the bone-chilling late winter cold as Sioux City's new all-America city flag—white letters on a bright blue field—was hoisted proudly over city hall.

The flag raising was preceded by a 20-minute program in which city council members, past and present, hailed the All-America City Award as a tribute to the citizen effort responsible for the accomplishments that made it possible.

Mayor George Young received the flag from Mrs. Robert B. (Marjorie) Howe, chairman of the all-America city committee which collected the facts of the city's progress during the last 9 years and gathered them into a dramatic civic success story presented to the all-America city jury in Miami Beach, Fla., last December.

The flag was taken to the flagpole on the roof of city hall and was raised beneath the American flag to climax the ceremony as the East High School band played the national anthem.

PROUD DAY

"This is a proud day for us," Mayor Young declared as he received the flag. "This flag, the badge of our success, is the result of work, planning, and cooperation of all the citizens of our city." The mayor then read the telegram of congratulations received Wednesday from President Kennedy.

Former city councilman Fred Davenport, who served as master of ceremonies and introduced Mrs. Howe, had special praise for the all-America city committee for its good sales job at Miami Beach.

In her response, Mrs. Howe said her committee was only one of many organizations that had been responsible for the progress for which Sioux City has been honored. She introduced each member of her committee, including some that were not present, Oscar F. Broyer, Donald D. Sullivan, and Bromleigh Lamb. City Manager Conny Bodine also was introduced as a committee member.

"Sioux City," Mrs. Howe said, "has received national recognition for responsible citizenship of the kind that names its goals and then works hard to achieve them."

The first day of Sioux City's year of glory started when the all-American city committee, accompanied by wives and husbands, went to the municipal airport to meet Braniff flight 336 that brought the flag to Sioux City. On the nose of the plane was a sign proclaiming Sioux City as an all-American city for 1962.

City, county, and State officials as well as the all-American city committee were seated on the platform as Mr. Davenport introduced a representative of each of the city councils which has served during the 9-year period of progress for which the city was honored.

The past councils were represented by Fred Stillwill, former Mayor W. W. Wilson, and Fred T. Kelly, while Stanley Greigg spoke on behalf of the present council. Other past and present council members also were on the platform.

In introducing the speakers, Mr. Davenport noted that Sioux City has come far from "the atmosphere of dismay and disillusionment that once prevailed here." He cited the establishment of council-manager government in 1953 and the 1955 Sioux City study to diagnose the city's ills as among the major steps responsible for the progress that has been achieved.

RECOGNIZES PROGRESS

The All-America City Award, Mr. Stilwill said, recognizes not only the economic and business progress of the city, but also the things that have been done to make the city a good place in which to live. He gave credit to Sioux City's "honest, sound, and efficient" city government. "This is not the end of the trail," Mr. Stilwill said, "but the beginning of an even brighter day for Sioux City."

"Sioux City wants to go forward," Mr. Wilson said, and gave as an example the successful $2,900,000 school bond election last month. He said he was proud of his part in helping to get the city's two biggest projects underway, the Floyd River flood control project and the sewage treatment system.

Mr. Kelly said two relative newcomers to the city played a big role in Sioux City's achievements. One of these he identified as a composite representing all of the municipal employees. The other one he paid special tribute to was Mr. Bodine. "These two implemented as practically no one else could, the hopes and dreams of progressive citizens."

OUR RESPONSIBILITIES

"This outstanding award brings to light our sober responsibilities," Mr. Greigg said. "To receive such an honor is a marked distinction, but we must be alert. Only will we continue to be deserving of this honor if we approach present and future problems in the same spirit that brought about this award. The vast reservoir of able and imaginative people in our community has scarcely been tapped and yet these people must come forward and give of their time, energy, and talent if we are to cope with these greater and compelling problems."

[From the Sioux City (Iowa) Journal-Tribune, Mar. 15, 1962]

RATE SIOUX CITY AS ALL-AMERICA—PRESIDENT KENNEDY SENDS HIS HEARTY CONGRATULATIONS—AWARD BASED ON PROGRESS ACHIEVED BY EFFECTIVE CITIZENS ACTION

President Kennedy telegraphed congratulations to Sioux City Wednesday for its selection as an all-America city.

In a telegram received by Mayor George W. Young, the President said: "Warmest congratulations to Sioux City, Iowa, as recipient of an All-America City Award sponsored by the National Municipal League and Look magazine. This recognizes the value of strong citizen action at the local community level. Your city has earned this award through citizen initiative and perseverance. I am sure that Sioux City and the other cities which have been selected this year will set patterns for community action throughout the Nation."

Sioux City was selected as a 1962 all-America city along with 10 other communities throughout the United States, it was announced Wednesday.

The coveted award is based on important community progress achieved by effective citizens action. Selection was by a special jury which last December heard 22 finalist cities present their cases for all-America selection during the National Conference on Government in Miami Beach, Fla.

Sioux City gained its victory in its second try for an All-America City Award. It was one of the 22 finalists and a runnerup in the 1959 contest. Previous winners in this area include Yankton, S. Dak., in 1957 and Omaha in 1958.

The all-America city flag will be raised over city hall here during a ceremony at 10 a.m. today. The flag was to be brought to Sioux City by plane earlier today.

An integral part in Sioux City's successful presentation in Miami Beach was testimony concerning a new community spirit of determination and optimism during the last 9 years which replaced what spokesmen for the city termed a previous attitude of defeatism.

Sioux City's case was prepared by a 14-member all-America city committee formed last August and headed by Mrs. Robert B. Howe as chairman.

Mrs. Howe led a delegation of 12 committee members and other officials who went to Miami Beach in December to present the case to a jury of 12 nationally prominent persons, headed by George H. Gallup as foreman. Mr. Gallup is chairman of the National Municipal League and director of the American Institute of Public Opinion. One of 80 contestants in this year's competition, Sioux City submitted its written entry last September, was notified in October that it was one of the 22 finalists.

In its report on 9 years of community progress, the Sioux City delegation at Miami Beach cited the adoption of the council-manager form of government here in 1953 as the event that sparked the new community spirit.

The new form of government, adopted by a referendum election, came "hard on the heels of a shocking scandal at city hall, including the indictment and conviction of three councilmen," Mrs. Howe told the jurors.

The new spirit was further strengthened in 1956 by a unique and original experiment in adult education called the Sioux City study, the all-America city jury was told.

In that project, a total of 617 Sioux Cityans, divided into 27 separate discussion groups, met in 10 weekly sessions throughout the city to pinpoint and discuss the problems of the community.

Identification of problems by these citizens caused a chain reaction of concrete achievements by dozens of independent groups working to solve the problems, it was reported.

The major achievements were outlined in an oral presentation by Mrs. Howe and two other Sioux Cityans, Dr. J. Richard Palmer, president of Morningside College, and Warren Kane, former president of chamber of commerce here.

Mr. Kane cited progress made on three costly, simultaneous projects, Floyd River flood control, urban renewal and a sewage disposal plant.

After a series of 62 floods in 90 years, Sioux City was severely crippled by the 1953 Floyd River flood, which took 14 lives and caused $23 million in damages in an area where firms employing 50 percent of the city's work force are situated, Mr. Kane reported.

"To prevent forever another rampage by the Floyd, the river's channel into the Missouri is now being relocated at a cost of $18 million, 42 percent locally financed," he said.

"A citizen flood control committee performed a vital role in this Federal-city project. A citizen housing relocation committee, the industrial development council and the chamber of commerce have facilitated the relocation of 82 families, 15 industries and 7 railroads affected.

"Concurrent with that relocation is Sioux City's $4,200,000 urban renewal program now underway in a large blighted housing area. This project and an up-to-date housing code have been promoted by a citizen urban renewal advisory committee, and the housing subcommittee of the council of community services.

"Construction began in June 1961, on a $7,500,000 sewage treatement plant and interceptor sewer project to help end Missouri River pollution. One such project would be a major undertaking. Few cities are attempting all three at the same time."

In 1954, Mr. Kane said, the Cudahy packing plant, employing 1,700 persons, permanently closed its doors and 34 smaller Sioux City businesses folded.

FORM COUNCIL

"That year, 15 businessmen formed the industrial development council to promote job opportunities and industrial sites. The 90-acre Tri-View industrial district was purchased and developed to provide desirable sites at reasonable cost. In the 7 years since then, 55 new or expanded industries have located in Sioux City, including 5 new, independent, locally owned packingplants whose combined volume is greater than that of the big plant we lost.

"As a result of citizen committees working with State and local bodies, all major highways entering Sioux City have been modernized to meet present-day traffic demands. Much work has been done on river transportation with the projection of a 6-foot channel for barge line service on the Missouri River by 1963.

"Installation of 605 modern mercury-vapor lights downtown, the inauguation of one-way traffic on eight major streets and a gigantic 'out-of-the-mud' paving program—all resulting from vigorous citizen promotion—have given Sioux City a new look."

Dr. Palmer outlined achievements in the field of health. "In 1952," he said, "the worst polio epidemic in the country took 53 lives and caused 923 cases in Sioux City hospitals, of which 21 deaths, and 278 cases were Sioux City residents. To meet the need of those left crippled, citizens voluntarily contributed $238,000 to build the Siouxland Rehabilitation Center, today serving all types of physically handicapped. It treated 681 patients last year.

"The New Hope Center for trainable backward children was established in 1955. Operated by the Siouxland Association for Retarded Children, this undertaking is supported entirely by public subscription and now cares for 32 children.

"Sioux City's newest venture in the field of health is a national pilot-program, Half-Way House. This is a residential home for the rehabilitation of the mentally ill who are in the half-way stage between the institution and the return to normal community life."

Sioux City's new community pride manifested itself in many other achievements, according to Dr. Palmer. Cultural achievements, he said, include formation of a nationally recognized, 60-member youth symphony orchestra; the Sioux City children's choir; the civic ballet company; acquisition of a new, larger home for the public museum; a modernized civic art center, and an annual United Nations folk festival.

Sioux City's internationally famous Shrine White Horse mounted patrol raised $25,000 in public subscription to appear at this season's East-West football game and the Tournament of Roses Parade in California.

Dr. Palmer summarized other achievements. "We have a youth employment service; five golden age clubs; and expanded Little League baseball program, and a new public golf course and recreation area now under construction.

"Thirty-nine State Department visitors from 22 foreign countries have been honored guests in our city under the auspices of the Mayor's Committee for International Visitors.

"The unique Peace Corps in reverse at Morningside College sponsors 17 African students and their families, who began a 3-year accelerated baccalaureate program last fall.

PASS BOND ISSUE

"Due to concentrated citizen effort, a $2,200,000 school bond issue was overwhelmingly passed after three previous defeats." (The presentation was made before this February's successful election for another $2,900,000 school bond issue.)

"Citizen subscription has made possible more than a score of new church buildings, five new college buildings, a new $1,300,000 YMCA, and the new Sunrise Manor home for the aged."

The all-America city committee was composed of Mrs. Howe, City Manager Conny Bodine, Oscar F. Broyer, Warren S. Kane, Bromleigh S. Lamb, Wiley E. Mayne, Adam Nashleanas, William F. Nutt, John F. Schmidt, Mrs. D. Carleton Shull, E. Harland Soper, Donald D. Sullivan, Elmer S. Swenson and T. M. Whicher.

Others in the Miami Beach delegation included Robert Sweany, manager of the chamber of commerce, and Fred Kelly, then city councilman. Those in the delegation not involved in the direct presentation were available to answer questions asked by the jury.

PROTECTING THE CONSUMER INTEREST

Mr. MILLER. Mr. President, on March 14, the President sent a message to the Congress on protecting the consumer interest, recommending strengthening of existing laws and asking for new legislative authority over food and drugs, packaging, manufacture of all-channel TV sets, monopolistic practices, and credit. The new legislation asked for is far reaching. Improvement in present laws is no doubt required, and new developments can be expected to pose new problems over which the Federal Government has a legitimate interest. However, as in the case of credit information, where a State such as my own—Iowa—has already taken action, it would appear unnecessary for the Federal Government to superimpose more laws and regulations upon already overburdened private business.

In this morning's Washington Post, there appeared a well-thought-through editorial on the antitrust phases of the President's recommendations, wisely pointing out that the cause of competition and of the consumer—and, I might add, private business—will be better served by better enforcement of present laws instead of further multiplying the laws through new legislation.

Also, Mr. President, in this morning's edition of the Wall Street Journal, the lead editorial points out how dangerous it is to rely upon the Federal Government for the answer to all of the problems relating to the consumer interest. Also in this morning's Wall Street Journal there appeared an article entitled "FTC Considers Giving Firms Advance Rulings Legally Binding Agency." The article points out one good way in which enforcement under present laws can be improved to protect consumer interests and also to give private businessmen more information which is necessary for them to have to comply with present laws.

I ask unanimous consent that the Washington Post editorial, the Wall Street Journal editorial and the Wall Street Journal article to which I have referred be printed in the RECORD at this point.

There being no objection, the editorials and article were ordered to be printed in the RECORD, as follows:

[From the Washington Post, Mar. 19, 1962]

NEW ANTITRUST POWERS

The consumer has a vital interest in antitrust enforcement, but it is far from certain that the new powers proposed in the President's consumer message will do him much good. The proposal requiring companies planning a merger to notify the Government in advance has the merit, at least, of making sure that the Government learns what is going on. The present method of searching the newspapers and scanning trade information is haphazard and undignified. But whether advance notification will greatly strengthen the Government's hand is uncertain. The enforcement agencies would not find it easy to build up much of a case during the necessarily brief time between notification and merger. If the parties involved want to get advice on whether their merger will be well received by the authorities, as the President's message suggests, they can obtain it today. Nevertheless, the proposal deserves to be weighed carefully.

The proposal to empower the Federal Trade Commission to issue temporary cease-and-desist orders against unfair competitive practices is of dubious merit. It would allow the Commission to impose upon an enterprise possibly substantial and costly modifications in practices before these practices had been thoroughly examined. After the proper procedures of the Commission had been fully complied with, including a hearing before an examiner, the order might have to be withdrawn. The temporary order is a device that must be used with caution. It should be available for cases involving public health and safety. But it would seem preferable to obtain the order from a court, instead of letting the Federal Trade Commission act as prosecutor and judge.

Ready availability of injunctions, moreover, reduces pressure upon the Commission to push definitive examination of the case to a speedy conclusion. The procedures of the Federal Trade Commission have not been expeditious at best. If the Commission could initiate these procedures with a cease-and-desist order, instead of ending up with one, temptation to procrastinate would mount. The regulatory process would be exposed to further attrition. The cause of competition and of the consumer will be better served by energetic use of existing powers than by multiplication of laws of uncertain effect.

[From the Wall Street Journal, Mar. 19, 1962]

A SMALL CHEER FOR THE CONSUMER

We certainly felt like cheering when we saw President Kennedy come out the other day for that most forgotten of men, the consumer.

As he so rightly said, consumers include us all. "They are the largest economic group in the economy, affecting and affected by almost every public and private economic decision. Two-thirds of all spending in the economy is by consumers. But they are the only important group in the economy who are not effectively organized, whose views are often not heard. The Federal Government has a special obligation to be alert to the consumer's needs and to advance the consumer's interests."

Yet, as we read on through the message, a growing sense of disappointment came over us. Somehow the remarks and the recommendations to Congress just didn't live up to the glowing promise of that opening plug.

Sure, some of the ideas sound fine. Everyone will welcome any further Federal cooperation with other groups to help make air and road travel safer.

And maybe all of us consumers need, as the President says we do, still more protection from our own productive drug industry. It is interesting to note, though, that U.S. drugs must already be among the most highly regulated in the world. In many other places you can buy without prescription drugs that require them here, and we haven't heard such foreigners complaining about health hazards. This situation might possibly have something to do with the high cost of American prescription drugs which the President noted, and with the high cost of medical care generally which his administration is so concerned about.

Then, when the President talks about helping the consumer by making it ever easier for anyone to buy a house, no matter what his financial condition, one can't help but wonder: Is that protecting the consumer or encouraging him to be foolish?

Also, when Mr. Kennedy indicates he wants to make it tougher for business firms to merge, we aren't sure that is necessarily a boon to consumers. Mergers can, after all, make business more competitive and efficient, to the consumer's advantage in price and quality. Anyway, you'd think the laws and regulations in this area are already oppressive enough.

And so on. But the glaring parts of the President's message are its omissions.

Surely all of us consumers, as consumers, are especially interested in prices, and they certainly are affected by what the President calls "public decisions" as well as private decisions.

The Federal farm program, which is so costly to the consumer as a taxpayer, also has been keeping prices high at the grocery store. The special monopoly powers of unions, sanctified in Federal law, help make possible the unreasonable wage increases and featherbedding that have boosted prices so much over the years.

Another large and obvious factor in prices is the inflation which the Federal Government has given us off and on for some decades now. Then there are all those taxes, which not only keep price levels lofty but at the same time reduce the consumer's purchasing power. Somehow it seems a message exclusively concerned with improving the lot of the consumer might have mentioned some of these rather basic facts of the consumer's life.

We aren't complaining, you understand. It was nice of the President to take notice of the consumers, and maybe someday he will have more stimulating thoughts about the Federal Government's obligations to all of us.

It's just that if we consumers are going to "organize effectively," as the President puts it, maybe we had better do it outside the Federal Government.

[From the Wall Street Journal, Mar. 19, 1962]

TRADE CORPS' TIPS—FTC CONSIDERS GIVING FIRMS ADVANCED RULINGS LEGALLY BINDING AGENCY—IT WOULD BAR LATER ACTIONS AGAINST AD, PRICING, LABEL POLICIES; MERGERS EXEMPT—MORE CORPORATE REPORTING?

(By William Beecher)

WASHINGTON.—The Federal Trade Commission, after a busy year of internal streamlining, is now turning its attention toward several innovations designed to improve its policing of the marketplace. One is sure to bring shouts of joy from businessmen.

This plan, if adopted, would enable companies to receive from the FTC clear and definite advance rulings on the legality of contemplated advertising, promotional, pricing, and labeling campaigns. Such advance opinions would be legally binding on the Commission, unless the law or the facts changed. Thus, the companies would be protected from subsequent attack by the antitrusters.

At present, the most a businessman can hope for in the way of an advance ruling from the FTC is an informal opinion from an agency attorney that a particular practice seems okay under the law. But this advice is not final. An advertising claim cleared by an FTC lawyer this month may be the target of a Commission complaint next month.

"BUSINESSMAN ENTITLED TO KNOW"

Operating under such uncertainty has rankled businessmen deeply. Now, their complaints seem to have attracted an important ally—the FTC's new Chairman, Rand Dixon. Says he: "This is what the Trade Commission was set up for: To remove as many areas of uncertainty as possible before

resorting to legal action. I think the businessman is entitled to know what the law is."

Details of the program still must be worked out by the FTC staff before it is brought to a vote of the full five-man Commission. This could be several months away, but a poll of Commission members indicates majority support for the idea.

When the new procedure is officially approved, it probably will cover a wide spectrum of the laws and regulations under FTC jurisdiction. Certainly, it seems sure to embrace advertising claims made for products, promotional arrangements between manufacturers and retailers, all sorts of pricing practices, and the labeling of textile and fur products.

However, the antitrust facet that probably won't benefit from the innovation is corporate mergers. Unlike many of the other laws it administers, the FTC shares responsibility in this area with the Justice Department. So, to make antitrust procedure uniform, any revision of the advance clearance technique by FTC would have to be adopted by the Government's other antitrust arm, too.

WAITING ON MERGER IMPACT

No approach has been made to the Justice Department mainly because the FTC is not at all sure it will ever want to tie its hands on corporate mergers by granting advance approval. Informal opinions now are given by both the FTC and the Justice Department at the request of marriage-minded companies. But, as one top FTC official explains, the difficulty in issuing binding opinions on mergers is that frequently only after a consolidatin has occurred is enough information available on which to assess the competitive impact.

"Often you have to wait awhile to see what actually happens," this official explains. "If we went ahead and blessed a merger only to have it result in serious, unanticipated anticompetitive effects, our faces would certainly be red. And more important, the public interest might suffer because we tied our hands in advance."

While the new advance clearance program—despite the exclusion of mergers—undoubtedly will be greeted warmly by the business community, other innovations being considered by the FTC are likely to receive a more mixed reaction. The others:

A requirement that major corporations under the agency's jurisdiction, thought to number upwards of 8,000, file comprehensive annual financial reports. These would detail such data as the number of acquisitions made in the preceding 12 months, the establishment of new corporate divisions and other expansions, sales volume and promotional policies.

PROBE OF JOINT VENTURES

A probing economic study, hinted at a few days ago by Mr. Dixon, of what is suspected to be a growing inclination on the part of American firms to enter into joint business ventures with competitors, both at home and abroad. Generally, such joint operations are set up to provide the huge amounts of capital needed to exploit raw material sources, to underwrite vast research programs, and to minimize the risks involved in moving into new industrial development.

A new technique of issuing industrywide rules against unfair or deceptive practices which the FTC considers prevalent. Such blanket regulations would be drawn up after consultation with the affected industry, and violators would face stern legal action.

While all these innovations would have an important impact on business, the binding advance clearance would be the boldest change.

More than one Commissioner, in privately discussing the contemplated new procedure, emphasized the view that this wiping away of uncertainty was what President Wilson had in mind in 1914 when he urged the creation of the FTC.

"Nothing hampers business like uncertainty," Mr. Wilson said then. "Nothing daunts or discourages it like the necessity to take chances to run the risk of falling under the condemnation of the law before it can make sure just what the law is."

Commissioners also hark back to the agency's beginnings in talking about the possible plan to require major corporations to file complete financial reports annually. They contend that Congress, in establishing the FTC, wanted the agency to become an expert on the economy with a vast storehouse of information on the workings of industry.

LEGAL, NOT ECONOMIC APPROACH

In practice, however, the FTC has tended to develop information in prosecuting cases against individual firms rather than by gathering and analyzing data from all important sectors of the economy. Thus, the approach has been legal, not economic. An indication: Out of a staff of nearly 1,000, the FTC has only about 30 economists.

Chairman Dixon complains vehemently about the lack of statistical information in Government. He notes that many private outfits compile more and better economic data. "This is a disgrace," he declares, "especially since this agency not only has the right but the duty to get this sort of basic data."

Mr. Dixon is prepared to meet any accusation that such expanded statistic-gathering may be a coverup for ferreting out illegalities. While it is undoubtedly true that the FTC would move against any irregularities uncovered, Mr. Dixon insists that "in my opinion this could not be called witch hunting."

Other Commissioners, while supporting the idea of annual corporate reporting to the FTC, caution that the Commission should be careful not to burden industry with such an immense reporting chore that the public good would be outweighed by the hardships on the corporate community.

In antitrust, the separation of economic from legal considerations is difficult at best. Take the contemplated study of joint corporate ventures, for example. According to present FTC thinking, this would be designed initially as an economic inquiry to provide a broad-gage view of the frequency and reasons for this development.

MORE THAN ACADEMIC INTEREST

But Mr. Dixon implies that the FTC's interest is stirred by more than the academic. He recently likened the formation of a jointly owned enterprise by two large competitors to "the old 'trust' technique in modern dress." The hint was clear: The FTC wants to find out whether corporations use the joint venture, which seldom undergoes antitrust challenge, to avoid legal troubles.

In particular, Mr. Dixon mentioned the growth of joint ventures in the steel, petrochemical, explosives, petroleum and chemical industries. And he said joint ventures in the glass industry have reached a stage of development perhaps unequaled in any other American industry of similar size.

As for industrywide rulemaking, the most active proponent is Commissioner Everett E. MacIntyre. He complains that a case-by-case approach is too time consuming. By calling in representatives of an entire industry and fashioning a set of rules to apply to all, he believes that companies would have a better understanding of the law and would be more likely to comply. Other Commissioners, going even further, suggest that the agency generalize the knowledge developed in particular cases to form rules cutting across industry lines.

These contemplated innovations represent a change of emphasis at the FTC. When the Democrats took over a year ago, their first concern was to break the logjam of pending work. At that time there were 2,519 pending investigations, about an 18-month backlog. Also, the agency's trial machinery was clogged with hundreds of cases that would take an estimated 2 years or more to litigate.

The Commission immediately launched a top-to-bottom reorganization. Out of this a variety of reforms developed. One example: Three enforcement bureaus were set up, and attorneys were given responsibility to stay with cases from beginning to end. Previously, one bureau might investigate a case in the field; its recommendations might bounce back and forth among offices in Washington headquarters; and finally the case would come to rest in the trial bureau. Thus, the attorney who tried the case might have a legal theory quite different from the agent who investigated it; ofttimes, this required a reinvestigation.

NUCLEAR TESTING

Mr. MILLER. Mr. President, in the March 6 issue of the Washington Post there appeared an article by Mr. Walter Lippmann on nuclear testing. Mr. Lippmann made, I believe, a very penetrating analysis of the problems facing the United States, and, indeed, the world, with respect to nuclear test bans and control over nuclear armaments, with regard to which we are presently engaged at Geneva in trying to work out some agreements.

Mr. Lippmann comes to the conclusion that any suitable solution will have to be worked out in the future. Indeed, Mr. Lippmann suggests just about two possible ultimate solutions to this perplexing problem which confronts us in the nuclear arms race. One is that he conceives that sometime in the future there will be a diplomatic breakthrough, as he calls it, through which we would stabilize Germany and the whole of Europe. However, he does not see that this eventuality is in sight.

The other possibility is that he envisions a workable equality might be brought about if each side were able to construct an invulnerable retaliatory or second strike force, one which would survive any kind of preemptive attack.

For a long time I have been pointing out that the last alternative suggested by Mr. Lippmann is one reason why we have to step up our armament program so that we can provide an invulnerable retaliatory or second strike force.

It may seem somewhat anomalous for us to try to secure disarmament by increased armament, but Mr. Lippmann's alternative points out why this is necessary.

Mr. President, I ask unanimous consent that Mr. Lippmann's article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ON NUCLEAR TESTING

(By Walter Lippmann)

Since the middle fifties we have all supposed, and this included the Soviets, that the easiest and simplest of the steps toward better relations would be a treaty to ban nuclear testing. This is no longer the case. On the contrary, it must now be said that on a test ban the deadlock is complete, and that without some kind of scientific or diplomatic breakthrough the issue is not at present negotiable.

This is a bitter conclusion to have to come to. But the controversy has evolved to the point where a treaty is possible only if one side is willing to concede nuclear superiority to the other and to accept nuclear inferiority for itself. If the Soviet Union would agree to the treaty we are demanding, it would have to accept as permanent, enforced by inspection, the existing American superiority in nuclear power. The Soviet Union would have to give up the attempt to overtake us.

And if we were to accept the kind of treaty the Soviet Union is proposing, we would have to accept the risk that they could prepare in secret to overtake us while we could not prepare to keep ahead of them.

The deadlock has developed over the fact that neither of the two Governments will trust the other with nuclear superiority; neither believes it can be secure unless it has nuclear superiority. There is no prospect of a treaty because each side feels compelled to ask the impossible of the other.

As it is impossible for both sides to be superior, a treaty would be negotiable only if there were an equality which both sides believed was real and lasting. We are a long way from that theoretical situation. The nuclear art is young and new and this development is as yet not only unrealized but not predictable.

At bottom this is why the Soviet Union has not only done its series of tests but is rejecting the very idea of the kind of treaty that we would like to have. Without testing, the Soviet Union cannot expect to overtake the United States, and with testing it might be able to gain a decisive lead over the United States at least for a time.

We, for our part, will not accept the risk of being overtaken, and we are asking for a treaty which will in fact freeze the nuclear art where it is today. We are asking that the Soviet Union should not test while we have the lead, and that it should not be able to prepare to test in the future. The Soviet Union, for its part, is asking us not to test any more and is asking us to allow our scientists and technicians to work without being allowed to test their work by experimentation.

In the nuclear race the stakes are so high that both sides are convinced that they must win the race. There may have been a moment in 1958—we cannot know for sure—when Mr. Khrushchev was strong enough politically to agree to a treaty with some inspection which would in fact accept American nuclear superiority. That moment, if it ever existed, passed and since the spring of 1960, since the U-2 revealed the effectiveness of our knowledge of Soviet bases, the Soviet Government has wanted no treaty and has devoted itself to preparing to overcome our nuclear lead.

The President's decision to resume testing is intended to prevent the Soviet Union from getting the lead, and it is based on the conviction—which is also the Soviet's conviction—that there can be no security without supremacy. While those convictions exist, there can be no nuclear test ban treaty.

Thus the race goes on, and we ask ourselves whether it can ever be brought to an end. To answer that question, we must enter the field of speculation.

If we say that the race will end and there is nuclear equality which both sides can accept, then it may be that this condition would exist if both sides invented and discovered an effective antimissile defense. The prevailing scientific opinion is that this is improbable if not impossible, and it would, of course, be a spectacular breakthrough. A workable equality might also prevail if each side were able to construct an invulnerable retaliatory, or second strike force, one which would survive any kind of preemptive attack.

It is also conceivable that sometime in the future there will be a diplomatic breakthrough which would stabilize Germany and the whole of Europe to the Urals and beyond. Nothing like that is now in sight, but it would be a mistake to say that it is inconceivable. We know from history that ideological and religious wars usually end not in victory and defeat but in stalemate and deflation and disintoxication, and that could happen again.

Mr. STENNIS. Mr. President, under the same conditions, I yield to the Senator from New Mexico [Mr. ANDERSON] and distinguished senior Senator from Minnesota [Mr. HUMPHREY].

HEALTH SECURITY FOR THE AGED

Mr. ANDERSON. Mr. President, each day that the debate over how to finance health security for the aged continues, 3,000 more Americans become 65 years old. That, of course, is the age at which 14¼ million persons would be eligible for benefits under the King-Anderson bill. Each day that action on this proposal is delayed makes the problem all the more critical. Time will not be the great healer in this case.

The New York Times has been a continuing advocate of the social security approach to the financing of health care for the aged. I ask unanimous consent that an editorial entitled "Illness Won't Wait," published in the New York Times of March 16, 1962, be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

ILLNESS WON'T WAIT

Millions of elderly men and women will share President Kennedy's hope for a congressional vote this year on his proposal for medical care for the aged under the social security system. The one big bar to realization of their hope is the unwillingness of the House Ways and Means Committee to end its blockade of a measure designed to plug a gaping chink in the structure of self-financed social insurance the country erected a quarter-century ago.

Despite the American Medical Association's efforts to invest the Kennedy plan with some tinge of socialized medicine, the program would not interfere in any manner with the individual's free choice of physician, nurse, or hospital. Nor would it give the Government any voice in determining the kind of treatment to be provided. Its sole purpose is to help pay hospital and nursing home bills through established insurance methods without the humiliating requirement of a means test. Since elderly people go to hospitals more often, and stay longer, and have less current income on which to rely, than most of the rest of us, the desirability of such a program should require little argument.

The President's determination to take his case to the people may help get the bill out of committee. Some signs of life from the somnolent Democratic leadership in the House might help even more.

EXPORT TRADE

Mr. HUMPHREY. Mr. President, the other body is now, in committee, giving consideration to the President's foreign trade program, which I consider to be one of the most important items of proposed legislation before Congress. Surely it is a basic part of the program of national security and deserves the prompt consideration of both Houses of Congress.

I noticed in the Minneapolis Morning Tribune of February 28, 1962, an article entitled "State Farm Exports Top $163 Million." The article refers to the exports from the State of Minnesota, particularly agricultural exports. It states that Minnesota farmers supplied the U.S. export market with products worth $163,700,000 in 1960 and 1961. The main products sent overseas were soybeans, corn, and livestock products.

Minnesota ranked ninth in the Nation in the amount of exports.

Mr. President, I ask unanimous consent that the article to which I have referred be printed in its entirety at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

STATE FARM EXPORTS TOP $163 MILLION

Minnesota's farmers supplied the U.S. export market with products worth $163.7 million in 1960–61.

Main products sent overseas were soybeans, corn and livestock products, according to a survey made by the U.S. Department of Agriculture.

Minnesota ranked ninth in the Nation in amount of exports. The two States with the largest share of agricultural exports were California with $477.5 million and Texas with $446.5 million.

Minnesota received $59,800,000 in agricultural imports from other countries. Much of these are noncompetitive items like coffee, tea, cocoa, spices and bananas.

"Through foreign markets, Minnesota farms and foreign trade are brought closer together," said Luther Pickrel, University of Minnesota extension economist in public affairs.

"Foreign markets give farmers in the State a far better outlet and income than is possible from the home market alone," he added. "But every Minnesota farmer must keep his eyes on events affecting foreign markets because they have a real dollars-and-cents meaning to his income."

Agricultural exports, which make up about one-fourth of all U.S. exports, reached a record of nearly $5 billion in 1960–61. Exports for dollars amounted to $3.2 billion. Of this $1.3 billion in sales received some Government subsidy.

Among the biggest dollar customers for agricultural products were the United Kingdom and the six Common Market countries of Western Europe.

Other upper Midwest States also shared in the export market. North Dakota sent $111.7 million worth of wheat and livestock products; South Dakota farmers supplied $46.4 million worth of wheat, corn and livestock products; Wisconsin exported $54.3 million worth of corn, tobacco and dairy products; and Montana sent $67.9 million in wheat and livestock products.

Mr. HUMPHREY. Mr. President, I call the attention of the Senate to the fact that a Midwestern State which seems quite a long distance from our seaports, where, of course, the export trade flows, is one of the leading States in the Union in terms of export business. Minnesota has a great interest in the adoption and the passage of the President's foreign-trade program. Its interest is not only because of the value of her agricultural commodities which

are exported, but also because of the machine tools, electronic products, chemicals, medical and pharmaceutical supplies, and a host of other commodities which are manufactured, processed, or grown in Minnesota. Of course, I believe every State in the Union can demonstrate this kind of activity.

I have heard many persons say that the United States has priced itself out of the export market. That is the biggest bag of nonsense that has ever been perpetrated upon the public. That is hoax No. 1. A country that exports products valued at more than $20 billion a year has not priced itself out of the export market. No country on the face of the earth can run even a close second to the United States in export business. Our export trade can be expanded by more hard selling on the part of American business. It can be expanded by equipping the President with the Executive authority to negotiate across-the-board tariff reductions. It can be expanded when the people of the United States—the producers, the distributors, the workers, the farmers—become more export minded.

But I wish to set at rest, once for all, the myth that has spread across the land that the United States, in its industrial and agricultural production, has priced itself out of the market. I repeat: A country that does $20 billion worth of business a year in export trade has not priced itself out of the market. The prices of commodities are not related merely to wages; they are related also to the availability of credit; and in the United States, the availability of credit is the greatest in the world. The rates of interest are low. The price of the commodity is related not only to the cost per hour of the worker, but also, more important, to the unit cost of production, the capability of the industrial plant, and the unit cost of the commodity. The price of the commodity is related to the cost of energy; that is, the electrical power, for example, which might be used in the manufacture of a particular product. Fortunately, with its tremendous electrical power production, both by private and public means, the cost of electrical energy in the United States is the lowest in the world.

I suggest that we have many assets in the field of export trade. The trouble is that some persons, in their effort to frighten the American public with respect to wages, have tried to tell the people that we have priced ourselves out of the market. To be sure, on some commodities we may be a high-priced producer. Therefore, what we must do is to find those areas of competition where we can produce quality goods in quantity at the most reasonable price. Again, everyone does not buy cheap. Price is not the only factor. Sometimes people buy quality, and they are generally better off when they do so. One can go downtown and buy a toothbrush for 10 cents, but he cannot brush his teeth with it very well. He may buy a good brush for half a dollar or more. The question is, Is it economy to buy a 10-cent item, or is it economy to buy a $1 item? I think that is a personal judgment as to which the facts will indicate that sometimes a quality item, even at a higher price, is economy.

The purpose of my remarks is to show that the United States is not merely a domestic consumption market. We have a great interest in world trade from the economic point of view if we can compete in those markets—and we are competing.

The United States does more business than any other country in the world in the export field. Furthermore, the expansion of our foreign trade is vital to our national security.

I am happy that the State which I am privileged to represent, in part, in the Senate ranks ninth among the States of the Union in the field of export trade. Minnesota has a great interest in such trade. The St. Lawrence Seaway makes Duluth, Minn., one of the great ports of the Nation. It is one of the largest ports; in fact, it is the second or third largest port in the Nation. This indicates the vital interest which the people of Minnesota and the people of the Midwest as a whole have in the field of export commerce. When our Government equips itself to provide the credit and credit guarantees for the export business which we ought to have, I think we will do even better.

I intended to address the Senate later on the subject of export credit guarantees. I know the Government has such a program underway now through the Export-Import Bank. That program is totally inadequate. It reveals a provincial attitude toward export trade. It reveals what I call international mental retardation in the field of foreign trade. It does not even come close to matching what is being done by our Common Market friends in Western Europe. It has made no headlines. Of course, we are doing something; but if we are really to compete in the world markets—and we can—it will be necessary for us to expand our export trade by 50 percent by moving aggressively into those markets. However, if we expect to do that, we are going to have to have export guarantees worthy of the greatest industrial and financial nation in the world. The export guarantees we have today would not finance a small seed catalog company much less the United States of America. We must have a program related to the financial and industrial business of the country. We have been moving on a cash-and-carry basis. We have been going on the idea that if one buys something, he must pay for it when it is delivered. That is a pretty good idea if one has the cash; but most of the great companies of America have been built on credit. I should hate to think of what would happen to the housing industry of the United States without mortgage guarantees. I should hate to think what would happen to the automobile industry without long-term credit, of the kind of credit which makes available the purchase of large numbers of automobiles. In the United States, a longer term of credit is extended to the purchaser of an automobile than is extended to the purchaser of American exports abroad.

Mr. President, I suggest that it is important that this subject be considered carefully. I hope that the appropriate committees of Congress are doing that. Sometime ago I recommended—and I am asking for action on it—the establishment of a joint committee on export trade. That is the primary business in the United States.

I know that we have a Committee on Finance; that we have a Committee on Commerce; that we have a Committee on Foreign Relations; that all of them are interested in the export trade. But it frequently happens that everybody's business is nobody's business. It becomes monkey business. However, it should become congressional business rather than monkey business. Congress needs a joint committee on export trade, if for no other reason than to keep a watchful eye on the foreign trade program and to keep a watchful eye on developments in the Common Market and the Sino-Soviet bloc economic penetration into the world markets.

I think these matters are of top priority, and should receive continuing cooperation by Congress, rather than to have sporadic consideration given these matters.

I also ask unanimous consent to have printed in the RECORD an editorial entitled "The New Tariff Battle," which was published in the New York Times.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE NEW TARIFF BATTLE

When the foreign ministers of the United States, Britain, and Soviet Russia meet in Geneva Monday an equally decisive battle bearing on the same problem will open in congressional hearings in Washington. This battle will be over President Kennedy's program to liberalize trade as an economic basis for a true Atlantic community and a wider free world community to stand against the Communist challenge.

In preparation for this battle, that is likely to become the greatest tariff debate since Smoot and Hawley, the administration has made two moves to give added impetus to the program. President Kennedy has issued a new appeal, asking support in what he calls one of the most vital issues facing the country. At the same time the White House published the terms of broad tariff-cutting agreements with 24 other countries to show, as the President said, that the advantages of trade liberalization far outweigh any disadvantages.

These agreements, signed in Geneva yesterday after the largest and most complex negotiations in the 28-year history of the Trade Agreements Act, provide for mutual tariff cuts to 20 percent and in some cases up to 26 percent on billions of dollars worth of trade. According to White House calculations, the United States has gained an advantage of 4 to 3. The most important of these agreements was signed with the European Economic Community, or Common Market, not only the fastest growing economic unit in the world but also a solid basis for a political unification that may soon embrace most of free Europe.

In concluding these agreements, started under President Eisenhower, the United States has exhausted all the tariff-cutting powers under the Reciprocal Trade Act that expires this year. But, since the European Economic Community is changing the world's economic and trading patterns, further steps are necessary to expand world trade and to safeguard and expand our own markets abroad. For this reason President Kennedy urges Congress to give him a bold new instrument of American trade policy.

No doubt the congressional battle will be affected by the immediate impact of the new tariff cuts on some industries and localities, but on balance the argument is in favor of the new program. It is, indeed, necessary to safeguard our own economic health and freedom.

THE GENEVA DISARMAMENT CONFERENCE

Mr. HUMPHREY. Mr. President, I wish to refer at this time to the Geneva Disarmament Conference. This Conference has attracted the attention of the world, and of course, the Conference now has the close attention of the President of the United States, the Secretary of State, and other of our high officials.

Mr. President, I wish to submit for the RECORD a number of documents from the New York Times which are certain to be of intense contemporary and historical interest. Since the CONGRESSIONAL RECORD is a prime repository of historical knowledge, it is only fitting that these documents be recorded in accessible and readable form.

In the addresses of Secretary of State Rusk and Soviet Foreign Minister Gromyko, Mr. President, the world can see the full outlines of the disarmament plans proposed by the two greatest powers in the world. As presented, they do not inspire me, at least, with optimism that a solution to the arms race is at hand. A comparison of the two plans indicates that the United States and the Soviet Union are as far apart as ever on such issues as verification of arms control measures, an internationally controlled nuclear test ban, and the mechanics of supervising disarmament. There has been no progress on force levels, the elimination of missiles and bases, and a permanent United Nations international police force.

Despite this impasse, Mr. Max Frankel of the New York Times—a seasoned and responsible reporter—notes some flexibility in the United States and Soviet positions as regards inspection. This, of course, is the major obstacle to any kind of disarmament agreement, and the least evidence of mutual accommodation is welcome news.

However, let me say that the position of the United States at the Geneva talks relating to the necessity of international inspection must be considered to be an absolute minimum requirement of any disarmament agreement. Any other kind of agreement which might be submitted in the form of a treaty to the Senate would not have a chance of approval by the Senate, because I do not think any Member of the Senate would vote for a disarmament agreement which did not lend itself to some form of objective, impartial verification of the arms control measures, the measures which provide for reduction of arms or for prohibition of nuclear testing.

So the talk about inspection by each nation of its own disarmament steps is only talk, and does not relate to anything which would be acceptable.

Certainly the fact that the disarmament conference has managed to avoid invective and needless propaganda is in itself an encouraging sign. It is far better than the atmosphere of recrimination with which the last disarmament conference, in June 1960, broke up. Then the breakup was clearly the work of the Soviet Union, which in turn was still smarting under the U-2 incident. Today, the irritants are present, but not to such a degree as before. As Secretary Rusk and Lord Home made clear to Mr. Gromyko, the dangerous meddling with the air corridors in Berlin certainly could not bring disarmament or any other kind of agreement any nearer. We can only hope that this lesson has been learned. Another failure to speak a common language on disarmament would be a terrible letdown for the world.

Mr. President, I hold in my hand a brief summary entitled "Arms Plans Compared"; also an article to which I have referred entitled "United States and Soviet Arms Plans Differ on Inspection, Sequence, and Policing"—an article written by Max Frankel and published in the New York Times of March 16; and excerpts from two addresses—one by Secretary of State Rusk, and the other by Mr. Gromyko. I ask unanimous consent that these matters be printed at this point in the RECORD.

There being no objection, the summary, the article, and the excerpts from the addresses were ordered to be printed in the RECORD, as follows:

ARMS PLANS COMPARED

GENEVA, March 15.—Following are the basic differences between the three-stage United States and Soviet disarmament proposals:

VERIFICATION

The United States calls for verification of arms destruction measures and troop cuts in each stage and of Armed Forces and armaments retained. The Soviet Union refuses to permit verification of what is retained.

NUCLEAR TEST BAN

The United States wants an internationally controlled nuclear test ban in the first stage. The Soviet Union proposes an uncontrolled moratorium on underground nuclear explosions until a control system is agreed on, and a ban on other tests checked only by national detection systems.

INTERNATIONAL DISARMAMENT ORGANIZATION

The United States wants one administrator, operating subject to policies set by a multination commission. He would supervise and enforce disarmament agreements. The Russians want a multinational executive council with Communist, nonaligned and Western representatives empowered to establish facts and take decisions by a two-thirds majority. Under the Soviet plan, action on the "facts" could be taken only by the veto-bound United Nations Security Council.

FORCE LEVELS

The American plan calls for United States and Soviet Armed Forces to be limited in the first stage to 2,100,000 men and all other military significant states reduced to appropriate levels not exceeding 2,100,000. The Soviet plan provides for reducing United States and Soviet forces to 1,700,000 in the first stage and other nations' forces to fixed levels. Both plans call for further troop reductions to a final point where each nation would retain only enough forces to maintain internal order.

DELIVERY VEHICLES

The U.S. plan provides for the discard of 30 percent of each nation's nuclear delivery vehicles (rockets etc.) in the first stage. The Russians want to abolish all delivery vehicles and bases from which they would operate in the first stage.

FISSIONABLE MATERIALS

The United States calls for a complete cutoff of production of fissionable materials for weapons purposes in the first stage. The Soviet Union favors the cessation of nuclear weapons manufacture and the elimination of nuclear stockpiles in the second stage.

INTERNATIONAL FORCE

The U.S. plan calls for establishment of a permanent international peace force within the United Nations in the second stage. The Soviet plan does not provide for an international force, but proposes earmarking national police units for United Nations Security Council use in stage 3.

[From the New York Times, Mar. 16, 1962]

UNITED STATES AND SOVIET ARMS PLANS DIFFER ON INSPECTION, SEQUENCE, AND POLICING

(By Max Frankel)

GENEVA, March 15.—In the official U.S. view the 17-nation Disarmament Conference is off to a properly sedate beginning without name calling or imputing of motives, and the work, therefore, can proceed.

There are dozens of differences between the Soviet and Western plans for general and complete disarmament, which were submitted today. Three major differences stand out.

Secretary of State Dean Rusk repeated the Western view that disarmament is possible only if it is accompanied by the establishment of reliable procedures for the peaceful settlement of disputes and by the formation of a United Nations peace force to cope with breaches of the peace.

Foreign Minister Andrei A. Gromyko, on the other hand, restated the Communist world's refusal to surrender powers of judgment and action to independent international agencies.

GROMYKO DEMANDS TROIKA

He foresaw little need of police action in a disarmed world. In any case, he said, the Soviet Union would consent only to an international force that was formed when needed from national units, subject to the veto of the major powers in the United Nations Security Council and commanded by a general staff in which an East-West-neutral troika would have to agree on every move.

The U.S. plan would have disarmament proceed slowly for a testing of inspection procedures and the building of confidence.

Throughout a 9- to 12-year process, each side would retain a nuclear striking force. In the first stage, which alone would last 3 years, Mr. Rusk offered a partial discard of delivery vehicles without mentioning foreign bases as such.

The Soviet plan still envisions total disarmament in three stages totaling only 4 years. Mr. Gromyko denounced partial measures. In his proposed first stage anything capable of carrying or firing nuclear weapons would be destroyed and all military bases on foreign soils dismantled, with all troops recalled to their home territories.

FULL INSPECTION DEMANDED

The United States continued to insist not only on verification of specific disarmament measures but also upon inspection of the forces and weapons retained at any stage.

Mr. Rusk explained that such inspection would be designed to corroborate action only on those steps already called for by the treaty, not military installations in general. Anything less, he warned, might make any nation, large or small, the victim of the perfidy of others.

The Soviet plan, more plainly than ever before, insisted that during the disarming process there could be no inspection of forces

or weapons still retained. Mr. Gromyko said controls could be comprehensive and unrestricted only after total disarmament had been achieved.

The inspection issue has been the major obstacle to any kind of disarmament arrangement, and it was in this area that the two sides made faintly conciliatory moves today.

SAMPLING SYSTEM STUDIED

U.S. officials explained, for instance, that they were prepared to consider a 30-percent reduction of delivery vehicles without insisting on immediate inspection of the remaining 70 percent. They said they would take a chance on an unverified inventory at the start, as long as a thorough check of retained delivery vehicles and their production could be achieved at a later stage.

More importantly, Mr. Rusk indicated the United States was now ready for a formal discussion of spot-check inspection systems.

In deference to Soviet nervousness about inspectors running loose on Soviet soil, U.S. mathematicians and probability theorists have been working on sampling techniques that could be applied in limited regions of a country to test the accuracy of its claimed military inventories.

This research, using the techniques of bank auditors and public opinion surveys, has apparently borne fruit and Americans here think it may lead to a breakthrough. Soviet scientists have been intrigued by the idea, but their Government has not.

The Russians argued their views on inspection at length today. Mr. Gromyko's main point was that the nations had no accurate inspection today, so why demand it before disarmament was concluded.

MAJORITY RULE ACCEPTABLE

However, the Soviet diplomat offered some movement. While demanding that the inspection teams consist of representatives of the Western, Communist, and neutral countries, he said the Soviet Union was willing to have them work by majority rule instead of unanimity rule as long as factfinding was their duty.

An assessment of the facts and punishment for violations, he said, would have to be subject to the veto in the Security Council.

Thus the inspection question stood tonight as no greater obstacle than those of balancing disarmament at every stage and simultaneously creating a sense of world law and order for a disarmed world.

Mr. Rusk emphasized the last as the most important, in recognition of the Western view that without laws, courts, and policemen only fools would lay down their weapons.

[From the New York Times, Mar. 16, 1962]

EXCERPTS FROM ADDRESSES BY GROMYKO AND RUSK AT GENEVA ARMS CONFERENCE

ADDRESS BY RUSK

All of us will agree, I am sure, that this conference faces one of the most perplexing and urgent tasks on the agenda of man. In this endeavor, we welcome our association with delegates from countries which have not previously been intimately involved with earlier negotiations on disarmament.

The dreary history of such negotiations shows that we need their help and fresh points of view. The presence of these delegations reminds us, too, that arms races are not the exclusive concern of the great powers.

We are not here dealing solely with a single struggle in which a few large states are engaged, with the rest of the world as spectators. Every state has a contribution to make in establishing the conditions for general disarmament in its own way. Every state has a responsibility to strive for a reduction of tension, and of armaments, in its own neighborhood.

This means that each of us will bear personal responsibility for what we do here. Every speech and every act must move us toward our common objective. At the same time, every one of us brings to the search for disarmament a separate fund of experience relevant to our problem. The United States, for example, has established a major new agency of government to mobilize its skills and resources to seek out and study every useful approach to arms reduction.

What is needed is immediate reduction and eventual elimination of all the national armaments and armed forces required for making war. What is required most urgently is to stop the nuclear arms race.

Moment is critical

All of us recognize that this moment is critical. We are here because we share the conviction that the arms race is dangerous and that every tool of statecraft must be used to end it.

As the President stated on March 2, the United States is convinced that "In the long run, the only real security in this age of nuclear peril rests not in armaments but in disarmament."

Modern weapons have a quality new to history. A single thermonuclear weapon today can carry the explosive power of all weapons of the last war. In the last war they were delivered at 300 miles per hour; today they travel at almost 300 miles per minute. Economic costs skyrocket through sophistication of design and by accelerating rates of obsolescence.

Our objective, therefore, is clear enough. We must eliminate the instruments of destruction. We must create the conditions for a secure and peaceful world. In so doing, we can turn the momentum of science exclusively to peaceful purposes, and we can lift the burden of the arms race and thus increase our capacity to raise living standards everywhere.

A group of experts meeting at the United Nations has just issued an impressive report on the economic and social consequences of disarmament which should stimulate us in our work. The experts, drawn from countries with the most diverse political systems, were unanimously of the opinion that the problems of transition connected with disarmament could be solved to the benefit of all countries and that disarmament would lead to the improvement of world economic and social conditions.

They characterized the achievement of general and complete disarmament as an unqualified blessing to all mankind.

Vast unfinished work

This is the spirit in which we in the United States would deal with the economic readjustments required if we should achieve broad and deep cuts in the level of armaments. The United States is a nation with vast unfinished business.

Disarmament would permit us to get on with the job of building a better America and, through expanded economic development activities, of building a better world.

The great promise of man's capacity should not be frustrated by his inability to deal with war and implements of war. Man is an inventive being; surely we can turn our hands and minds at long last to the task of the political invention we need to repeal the law of the jungle. How can we move to such disarmament?

The fact that the story of the postwar period has forced increased defense efforts upon us is a most grievous disappointment. This disappointment teaches us that reduction of tensions must go hand in hand with real progress in disarmament. We must, I believe, simultaneously work at both.

On the one hand, it is idle to expect that we can move very far down the road toward disarmament if those who claim to want it do not seek, as well, to relax tensions and create conditions of trust. Confidence cannot be built on a footing of threats, polemics and disturbed relations.

On the other hand, by reducing and finally eliminating means of military intimidation, we might render our political crises less acutely dangerous and provide greater scope for their settlement by peaceful means.

I would be less than candid if I did not point out the harmful effect which deliberately stimulated crises can have on our work here. In the joint statement of agreed principles for disarmament negotiations published on September 20, 1961, the United States and Soviet Union affirmed that "to facilitate the attainment of general and complete disarmament in a peaceful world it is important that all states abide by existing international agreements, refrain from any actions which might aggravate international tensions, and that they seek settlement of all disputes by peaceful means."

Shadow cast by crises

Yet we are confronted by crises which inevitably cast their shadows into this meeting room.

The same can be said for the failure of our efforts, so hopefully begun, to conclude an effective agreement for ending nuclear weapon tests.

There is an obvious lesson to be drawn from these considerations. The lesson is that general and complete disarmament must be accompanied by the establishment of reliable procedures for the peaceful settlement of disputes and effective arrangements for the maintenance of peace in accordance with the principles of the United Nations Charter.

For the rule and spirit of law must prevail if the world is to be disarmed. As we make progress in this conference, we shall have to lay increasing stress on this point.

A disarmed world must be a law-abiding world in which a United Nations peace force can cope with international breaches of the peace.

Fortunately there is one sign which can give us hope that this conference will in good time lay the foundation stones for a world without war.

For the first time, a disarmament conference is beginning its activities within an agreed framework—the joint statement of agreed principles—which all our governments have welcomed, along with every other member of the United Nations. The United States considers the joint statement as its point of departure.

The U.S. program for general and complete disarmament in a peaceful world, introduced in the United Nations on September 25, 1961, was presented to give life to the agreed principles. It is comprehensive in its scope and in its description of the subjects suitable for action in the first and subsequent stage of the disarmament process. It is framed so as to avoid impairment of the security of any state. It aims at balanced and verified disarmament in successive stages.

Plan not immutable

It is not immutable, however. It is designed to serve as a basis for negotiation.

This conference also has before it another plan, presented by the Soviet Union. A comparison of the two plans will show some areas of agreement. We believe it is the task of the conference to search for broader areas of accord leading to specific steps which all can take with confidence.

At this meeting the United States wishes to put forward some suggestions and proposals regarding the course of our future activity. First as to objective and procedure; then as to a program of work for the conference.

We believe that the ultimate objective should be the working out in detail of a treaty or treaties putting into effect an agreed program for general and complete disarmament in a peaceful world.

To bring this about we propose that all of our delegations agree to continue our efforts at this conference without interruptions, other than those we all agree to be desirable or necessary for our task, until a total program for general and complete disarmament has been achieved.

As for precedures, we propose that we find means of achieving maximum informality and flexibility. We do not believe that the best way to make progress is to concentrate our time and efforts in protracted or sterile debate.

Reduced schedule sought

Accordingly, the United States will propose that as soon as ample opportunity has been allowed for opening statements, the schedule of plenary meetings be reduced, so that issues and problems can be explored in informal meetings and in subcommittees more likely to produce agreement.

Let me turn now to proposals regarding the work for the conference.

The first proposal is that the conference work out and agree on an outline program of general and complete disarmament which can be included in the report due to the United Nations Disarmament Commission by June 1.

The United States believes that, to fulfill this first objective, the initial aim of the conference should be to consolidate and expand the areas of agreement and to reconcile the differences between the United States and Soviet disarmament plans.

As a first step toward filling in the details of such a program, the United States makes the following proposals:

I

We propose that a cut of 30 percent in nuclear delivery vehicles and major conventional armaments be included in the first stage of the disarmament program. We propose that strategic delivery vehicles be reduced not only in numbers but also in destructive capability.

We estimate that, given faithful cooperation, this reduction might be carried out in 3 years. Similar reductions can, we believe, be achieved in each of the later stages.

It is recognized, however, that, in the words of the agreed principles, "all measures of general and complete disarmament should be balanced so that at no stage of the implementation of the treaty could any state or group of states gain military advantage and that security is insured equally for all."

But agreement on such a reduction and the measures to carry it out would be a significant step forward. It would reverse the upward spiral of the arms race, replacing increases with decreases, and men could begin to gain freedom from the fear of mass destruction from such weapons.

II

The United States has proposed that early in the first stage further production of any fissionable material for nuclear weapons be stopped. We propose now that thereafter the United States and the U.S.S.R. each agree to transfer in the first stage 50,000 kilograms of weapons grade U^{235} to nonweapons purposes.

Such a move would cut at the heart of nuclear weapons production. The initial transfers should be followed by additional transfers in the subsequent stages of the disarmament program. Resources now devoted to military programs could then be employed for purposes of peace.

III

The United States proposes that the disarmament program also include early action on specific worldwide measures which will reduce the risk of war by accident, miscalculation, failure of communications or surprise attack. These are measures which can be worked out rapidly. They are bound to increase confidence. They will reduce the likelihood of war.

We will be prepared to present concrete proposals for action in the following areas:

(a) Advance notification of military movements, such as major transfers of forces, exercises and maneuvers, flights of aircraft, as well as firing of missiles.

(b) Establishment of observation posts at major ports, railway centers, motor highways, river crossings, and air bases to report on concentrations and movements of military forces.

(c) Establishment of aerial inspection areas and the use of mobile inspection teams to improve protection against surprise attack.

(d) Establishment of an international commission on measures to reduce the risk of war charged with the task of examining objectively the technical problems involved.

IV

The United States proposes that the participants in this conference undertake an urgent search for mutually acceptable methods of guaranteeing the fulfillment of obligations for arms reduction. We shall look with sympathy on any approach which shows promise of leading to progress without sacrificing safety.

We must not be diverted from this search by shop-worn efforts to equate verification with espionage. Such an abortive attempt misses the vital point in verification procedures. No government, large or small, could be expected to enter into disarmament arrangements under which their peoples might become victims of the perfidy of others.

In other affairs, accounting and auditing systems are customarily installed so that the question of confidence need not arise. Confidence grows out of knowledge; suspicion and fear are rooted in ignorance. This has been true since the beginning of time.

Let me make this point clear: The United States does not ask for inspection for inspection's sake. Inspection is for no purpose other than assurance that commitments are fulfilled. The United States will do what is necessary to assure others that it has fulfilled its commitments; we would find it difficult to understand why others cannot do the same.

Joint explorations

We are prepared jointly to explore various means through which this could be done. It might be possible in certain instances to use sampling techniques in which verification could take place in some predetermined fashion, perhaps in specific geographic areas, thus subjecting any violator of a disarmament agreement to a restraining risk of exposure, without maintaining constant surveillance everywhere.

The four proposals I have just described are new and realistic examples of the specific measures which we contemplated in the first stage of the U.S. plan of September 25. We can recall that that plan had other specific proposals:

That the Soviet Union and the United States reduce their force levels by many hundreds of thousands of men to a total of 2,100,000 for each.

That steps be taken to prevent states owning nuclear weapons from relinquishing control of such weapons to any nation not owning them.

That weapons capable of producing mass destruction should not be placed in orbit or stationed in outer space.

Finally we call for early action on a matter that should yield priority to none—the cessation of nuclear weapons tests. Here we stand at a turning point.

If a treaty cannot be signed, and signed quickly, to do away with nuclear weapon testing with appropriate arrangements for detection and verification, there will be further tests and the spiral of competition will continue upward.

But if we can reach such an agreement this development can be stopped, and stopped forever. This is why the United States and the United Kingdom have invited the Soviet Union to resume negotiations to ban all nuclear weapons tests under effective international controls.

I had expected that a number of delegates might express here their regrets that the U.S.S.R. and the United States had resumed nuclear testing. But I had supposed that there was one delegation—that of the Soviet Union—which could not have found it possible to criticize the United States for doing so.

The representative of the U.S.S.R. has spoken of the possible effect of U.S. weapons testing on this conference. The statement of agreed principles and this conference were born amid the echoing roars of more than 40 Soviet nuclear explosions. A 50-megaton bomb does not make the noise of a cooing dove.

The Soviet Union has spoken of its readiness to accept inspection of disarmament, though not of armament. We hope that they will agree that the total permanent elimination of nuclear testing is disarmament and that they will accept effective international controls within their own formula.

Let us not permit this conference, like its predecessors, to become frozen in deadlock at the start of its deliberations. Surely it need not do so. The obstacles to disarmament agreements—the forces tending to divide us into rival aggregations of power—might at long last begin to yield to the overriding and shared interest in survival, which alone can unite us for peace.

ADDRESS BY GROMYKO

Long before the rap of the chairman's gavel opened the meeting of our committee, the Soviet Government undertook efforts to guarantee the fruitful nature of the disarmament talks. It is precisely solicitude for the fruitful outcome of the talks that prompted the appeal of the head of government of the U.S.S.R., N. S. Khrushchev, to the leading statesmen of the member states of the 18-nation committee to start the work of the committee at the highest level with the participation of heads of government or state.

Now everybody recognizes the personal responsibility of the heads of government and state for the success of these talks and the necessity of the direct participation of the top statesmen in the work of the 18-nation Disarmament Committee. Of no less importance is the fact that the activities of the Disarmament Committee now are, so to say, in the focus of world public opinion. Those who like to speak about international control should be pleased: The work of the 18-nation committee will proceed under broad and exacting international control—under the control of the peoples.

To prevent the outbreak of another world war whose flames would devour whole countries—such are the hopes of the people. These hopes are justly connected with general and complete disarmament, which is a matter of common concern for all nations, all states, big and small. Therefore the Soviet Government expresses satisfaction at the fact that, in contrast to the past, this time the disarmament talks are attended not only by the states affiliated with the opposing military groups.

Favorable circumstances

The committee is starting its work at a time when there are some favorable circumstances. But they, of course, must not shroud in an optimistic haze the sinister clouds looming on the horizon. No one has the right to close his eyes to the fact that a rather sensitive blow has been dealt to the negotiations even before they started.

Everyone understands, of course, that the point in question is the decision of the U.S. Government to hold, beginning with the

second half of this April, a series of nuclear tests in the atmosphere. And no matter what arguments are adduced in their justification, the U.S. Government will be unable to shrug off responsibility for the consequences of this decision.

As already stated by the Soviet Government, if the United States and its allies add yet another series of nuclear tests to those they have already held to perfect their nuclear arms, the Soviet Union will be faced with the necessity to hold such tests of new types of its nuclear weapons as would be required in these conditions to strengthen its security and to safeguard peace.

The Soviet Government is still convinced that there is every necessary condition to end once and for all the tests of nuclear arms, if the United States, Britain, and also France show a sincere desire to do so, and will not steer toward the whipping up of the nuclear arms race. A decision to end nuclear tests both in the framework of general and complete disarmament and on the basis of a separate agreement, as proposed by the U.S.S.R. on November 28, 1961, is acceptable to the Soviet Union.

The duty of the governments, who turn an attentive ear to the voice of the peoples and strive to satisfy their aspirations, is to prevent the 18-nation committee from sharing the inglorious lot of its predecessors.

What should be the result of the committee's work to enable the governments participating in this committee to say with clear conscience that they have successfully coped with the task entrusted to them? Everyone who does not want to act against his conscience will give only one answer to this question: This work must lead to the conclusion of a treaty on general and complete disarmament.

Soviet offers draft

Guided by the desire to render these talks concrete and businesslike from the very outset, the Soviet Government submits for the committee's consideration a draft treaty on general and complete disarmament under strict international control.

As distinct from former drafts ever considered under the United Nations' roof, this document is a draft treaty that, article after article, item after item, sets forth the program for general and complete disarmament in a precise language of binding formulas. This document covers the entire process of disarmament from beginning to end.

Our draft treaty is based on the principles of general and complete disarmament agreed between the U.S.S.R. and United States and approved by the 16th session of the United Nations General Assembly.

At the same time it takes account of many remarks and wishes of other countries voiced by them in the past while discussing the proposed program of general and complete disarmament.

The draft treaty determines the measures fulfillment of which secures in a comparatively short period the liquidation of all the military machine of states—from rockets to rifles, from armies and divisions to the general staffs.

It envisages three clearly defined stages, each of which is full of concrete commitments of states as regards disarmament and control. The task of the stages is to secure consecutiveness and continuousness in the implementation of the entire program of disarmament and at the same time to create conditions for the transition of the economy of states to peaceful rails.

A look into future

The Soviet draft favorably differs from the other proposals in which, through declaring in general form the agreement to implement general and complete disarmament by stages, the plans of disarmament themselves, however, actually amount only to the remuneration of some, in their majority very vague, measures of the first stage. As to the measures of the other states, at best they are a hazy blueprint which no one can decipher, including the authors themselves.

The carrying out of first-stage measures, made up to the corresponding articles of the Soviet draft treaty, will practically do away with the danger of an attack inarms.

Imagine that we are not at the beginning of the 18 nations' committee work, but on the eve of the disarmament treaty going into force. Then all means of delivering nuclear weapons will have had disappeared from the face of the earth in less than 2 years, meaning that the weapon itself would be actually eliminated. There would be no combat missiles and missile planes, the launching grounds, racks and pads will have been destroyed.

The only rocket to soar up will be heralds of science. War planes, capable of carrying atomic and hydrogen bombs, would no longer buzz in the skies. They will have been demolished, too. It will have been safe on the seas also: the surface craft capable of carrying nuclear arms, as well as the submarines, will have been scrapped.

Only dots on the maps, compiled by general staffs before the conclusion of the general and complete disarmament treaty, will have remained from the foreign war bases now scattered in the territories of scores of countries, countries would be posted only at home and not in foreign territories, as is the case now with many countries. Moreover, the numerical strength of these forces will have been cut considerably, the Soviet and United States armed forces, for instance, having not more than 1,700,000 officers and men each.

The fulfillment of the measures of the second stage of disarmament, set out in the draft treaty, will secure the prohibition of nuclear and other types of weapons of mass destruction, with the liquidation of all stockpiles of them and ending their production. The threat of the breaking out of a thermonuclear war will be fully eliminated. The further substantial curtailment of armed forces of states will decrease the possibility of military conflicts in general.

Cut to 1 million men

I would like to draw attention to the fact that we propose at this stage to cut down the armed forces of the U.S.S.R. and the United States to 1 million men. This figure was named by the United States itself, and that is why the reaching of agreement must not cause difficulties.

After the completion of the liquidation of all armed forces and armaments and the military apparatus, that is in the third stage, as is envisaged by articles 31 to 38 of the draft treaty, war will be practically excluded from the life of human society.

The disarmament measures in the Soviet draft are so distributed by stages that the states will be in the same position as regards security both throughout the process of general and complete disarmament and after its completion, and no one will get any advantages.

Considered from this viewpoint, the other proposals known to the committee obviously suffer from a one-sided approach. How, for instance, can destruction of the means of nuclear delivery be divorced of the liquidation of military bases on foreign territories and the withdrawal of foreign troops from them? Or do some people believe that it would be disarmament to follow the method of "you destroy your rockets and we will retain our military bases along your frontiers?"

No, the efforts to infringe the interests of one side and obtain unilateral military advantages at its expense is a vicious method. It will not do anything good. The Soviet Union stands for reasonable negotiations, for honest disarmament, for honest—if one may say so—partnership in settling questions of disarmament.

The Soviet Union wants to have proper guarantees that the disarmament commitments agreed upon are strictly fulfilled, that there are no loopholes in them for forging weapons of aggression in secret when the process of general and complete disarmament has already begun. Our country is not going to take anybody on trust, least of all the states which have established exclusive military alinements, which follow a policy of building up their armament, and which have built military bases close to the Soviet Union. Nor do we ask anybody to take us on trust either. The Soviet Union is a convinced advocate of strict control over disarmament.

Reliable control

In considering the Soviet draft, it is easy to notice that the Soviet proposals combine disarmament measures at every stage with reliable international control over their implementation. The head of the Soviet Government, Nikita Khrushchev, has explained more than once that the Soviet Union is prepared to accept any proposals for control over disarmament which the Western powers may put forward, provided they accept the Soviet proposals for general and complete disarmament. It is precisely on this that solution of the questions of control is based in the draft of the treaty submitted by the Soviet Government.

Nobody would deny, I think, that the best means of insuring peace and security of states is disarmament itself. When there are no armies, no weapons, no one will in effect be able to start war, to use force in international relations, or threaten to use force.

In the course of past negotiations, some states suggested that it would be desirable to have additional measures to insure security while general and complete disarmament is in progress. This is not at variance with our position. Our draft treaty provides for specific measures to insure peace and national security both in the course of general and complete disarmament and upon its completion, including establishment of international armed forces. It is clear that establishment of institutions to maintain national security can and should be done within the framework of the United Nations.

While regarding agreement on general and complete disarmament to be the committee's main task, the Soviet Government would consider it useful, at the same time, to carry out now—without awaiting for the conclusion of talks on general and complete disarmament—a number of measures which would help ease international tension, strengthen the trust in the relations between states and establish conditions more favorable for disarmament.

The Soviet Union's proposals for such measures were put forward in the Soviet Government's memorandum submitted to the United Nations General Assembly on September 26, 1961. It can be noted with satisfaction that the ideas expressed in these proposals are winning increasing support.

Not just marking time

Every year, every month lost for disarmament are not just marking time at talks but a lightning fast sliding to the red line separating peace from the blast of the rocket nuclear war.

It would be a crime against mankind, against the conscience of peoples, for the governments to follow those small—but exerting great influence on the policy of a number of countries—groups for which the arms race is just a profitable business. But how miserable appear these narrow interests when compared with what is staked by continuing the arms race.

The production of armaments has now been turned into some sort of a cycle, constantly accelerating its speed, and greedily swallowing up even greater branches of industry, science, and technology.

During the war sorrowful lists of those killed at the front were published. But no one publishes lists of victims of the cold war and victims of the arms race. But they are immeasurable. What computing machines will be able to calculate how many people would have been saved from hunger and diseases if only a part of the funds squandered on armaments would be spent for improving the conditions of life in those countries which, not through a fault of their own, have fallen back many decades if not ages from the modern level of technology, education, and medicine?

Allow me, in conclusion, to express the hope that the committee members, on studying attentively and without bias the draft treaty proposed today by the Soviet Government, will find it necessary to use this treaty as a basis for the committee's work. The Soviet Government, as it has already stated, is ready to make everything in its power to secure the success of the talks and to see that the expectations of the peoples, related to the work of the 18-nation committee, would be justified.

Mr. HUMPHREY. Mr. President, I also ask unanimous consent to have printed in the RECORD a reaction statement which I released in regard to these two addresses.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

HUMPHREY URGES U.S. OFFER OF SPACE YEAR PROPOSAL AT GENEVA DISARMAMENT MEETING

Senator HUBERT H. HUMPHREY, Democrat, of Minnesota, today suggested that the United States offer an additional proposal with the disarmament plan submitted by Secretary of State Dean Rusk today in Geneva.

HUMPHREY, chairman of the Senate Disarmament Subcommittee, proposed the designation of 1963 as an International Space Cooperation Year.

The Senate majority whip praised as "constructive and imaginative" Rusk's proposals for major reductions of United States and U.S.S.R. long-range missiles and for a cutoff in production of fissionable materials for weapons. But he added: "Our representatives at the disarmament conference in Geneva should call for another basic and major step—a firm and written agreement for international cooperation for peaceful exploration of outer space.

"The nations represented at Geneva can, at least, assure the world that outer space will be a laboratory of peaceful research and scientific exploration, rather than a battlefield filled with the hideous weapons of mass destruction.

"Today's arms race on earth and exploration race in outer space are separated—but only narrowly. If those two races are combined, the consequences for mankind could be disastrous.

"The current disarmament conference at Geneva can take the first step to assure that outer space will be out of bounds for the arms race. That step is an agreement to establish 1963 as an International Space Cooperation Year."

HUMPHREY said that such an agreement should aim toward permanent demilitarization of outer space.

"We should strive for a firm commitment by every nation to prohibit the orbiting of any nuclear bomb bearing satellite," he added. "We should seek to forbid any space project involving weapons of destruction or aggression."

The Senator cited as a successful precedent to his proposal the International Geophysical Year in 1958, which led to the Antarctica Treaty forbidding military projects or testing and guaranteeing freedom of scientific investigation and exploration on that continent.

HUMPHREY also repeated his proposal for the establishment of an International Space Peace Agency under the auspices of the United Nations. Such an agency, he suggested, could implement an agreement for a 1963 space year and provide the framework for additional agreements on outer space.

COOPERATION ON EXPLORATION OF OUTER SPACE

Mr. HUMPHREY. Mr. President, there has been considerable talk about cooperation between the United States and the Soviet Union on the exploration of outer space and certain other developments relating to the peaceful use and development of outer space. I think all of us were heartened by the letter sent by President Kennedy to Mr. Khrushchev, outlining the program of the United States as a beginning program for cooperation on an international basis—in this instance, with the Soviet Union—for scientific exploration and developments in outer space. I ask unanimous consent that President Kennedy's letter to Premier Khrushchev be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Mar. 18, 1962]

TEXT OF KENNEDY SPACE LETTER TO KHRUSHCHEV

DEAR MR. CHAIRMAN: On February 21 last I wrote you that I was instructing appropriate officers of this Government to prepare concrete proposals for immediate projects of common action in the exploration of space. I now present such proposals to you.

The exploration of space is a broad and varied activity and the possibilities for cooperation are many. In suggesting the possible first steps which are set out below, I do not intend to limit our mutual consideration of desirable cooperative activities. On the contrary, I will welcome your concrete suggestions along these or other lines.

1. Perhaps we could render no greater service to mankind through our space programs than by the joint establishment of an early operational weather satellite system. Such a system would be designed to provide global weather data for prompt use by any nation. To initiate this service, I propose that the United States and the Soviet Union each launch a satellite to photograph cloud cover and provide other agreed meteorological services for all nations. The two satellites would be placed in near-polar orbits in planes approximately perpendicular to each other, thus providing regular coverage of all areas. This immensely valuable data would then be disseminated through normal international meteorological channels and would make a significant contribution to the research and service programs now under study by the World Meteorological Organization in response to Resolution 1721 (XVI) adopted by the United Nations General Assembly on December 20, 1962.

2. It would be of great interest to those responsible for the conduct of our respective space programs if they could obtain operational tracking services from each other's territories. Accordingly, I propose that each of our countries establish and operate a radio tracking station to provide tracking services to the other, utilizing equipment which we would each provide to the other. Thus, the United States would provide the technical equipment for a tracking station to be established in the Soviet Union and to be operated by Soviet technicians. The United States would in turn establish and operate a radio tracking station utilizing Soviet equipment. Each country would train the other's technicians in the operation of its equipment, would utilize the station located on its territory to provide tracking services to the other, and would afford such access as may be necessary to accommodate modifications and maintenance of equipment from time to time.

3. In the field of the earth sciences, the precise character of the earth's magnetic field is central to many scientific problems. I propose, therefore, that we cooperate in mapping the earth's magnetic field in space by utilizing two satellites, one in a near-earth orbit and the second in a more distant orbit. The United States would launch one of these satellites while the Soviet Union would launch the other. The data would be exchanged throughout the world scientific community, and opportunities for correlation of supporting data obtained on the ground would be arranged.

4. In the field of experimental communications by satellite, the United States has already undertaken arrangements to test and demonstrate the feasibility of intercontinental transmissions. A number of countries are constructing equipment suitable for participation in such testing. I would welcome the Soviet Union's joining in this cooperative effort which will be a step toward meeting the objective, contained in United Nations General Assembly Resolution 1721 (XVI), that communications by means of satellites should be available to the nations of the world as soon as practicable on a global and nondiscriminatory basis. I note also that Secretary Rusk has broached the subject of cooperation in this field with Minister Gromyko and that Mr. Gromyko has expressed some interest. Our technical representatives might now discuss specific possibilities in this field.

5. Given our common interest in manned space flights and in insuring man's ability to survive in space and return safely, I propose that we pool our efforts and exchange our knowledge in the field of space medicine, where future research can be pursued in cooperation with scientists from various countries.

Beyond these specific projects we are prepared now to discuss broader cooperation in the still more challenging projects which must be undertaken in the exploration of outer space. The tasks are so challenging, the costs so great, and the risks to the brave men who engage in space exploration so grave, that we must in all good conscience try every possibility of sharing these tasks and costs and of minimizing these risks. Leaders of the U.S. space program have developed detailed plans for an orderly sequence of manned and unmanned flights for exploration of space and the planets. Out of discussion of these plans, and of your own, for undertaking the tasks of this decade would undoubtedly emerge possibilities for substantive scientific and technical cooperation in manned and unmanned space investigations. Some possibilities are not yet precisely identifiable, but should become clear as the space programs of our two countries proceed. In the case of others it may be possible to start planning together now. For example, we might cooperate in unmanned exploration of the lunar surface, or we might commence now the mutual definition of steps to be taken in sequence for an exhaustive scientific investigation of the planet Mars or Venus, including consideration of the possible utility of manned flight in such programs. When a proper sequence for experiments has been determined, we might share responsibility for all the necessary projects. All data would be made freely available.

I believe it is both appropriate and desirable that we take full cognizance of the scientific and other contributions which other states the world over might be able to make in such programs. As agreements are reached between us on any parts of these or similar programs, I propose that we report them to the United Nations Committee on the Peaceful Uses of Outer Space. The Committee offers within the framework of its mandate as set forth in General Assembly Resolutions 1472 (XIV) and 1721 (XVI).

I am designating technical representatives who will be prepared to meet and discuss with your representatives our ideas and yours in a spirit of practical cooperation. In order to accomplish this at an early date, I suggest that the representatives of our two countries who will be coming to New York to take part in the United Nations Outer Space Committee meet privately to discuss the proposals set forth in this letter.

Sincerely,

JOHN KENNEDY.

Mr. HUMPHREY. Mr. President, I note that in 1956 the Subcommittee on Disarmament—at that time a special subcommittee by congressional resolution—had advocated this type of exploration on a multilateral, international basis, within the framework of the United Nations, if possible.

It has been my privilege from time to time to address myself to this subject, when it was at the pioneering stage.

It is gratifying to see now that the proposals which were made by a congressional subcommittee, and which subsequently were supported by the United States at the United Nations, and now mentioned with some favor by the Soviet Premier, are being given new life and new purpose by the President of the United States. It is most gratifying to see these developments. I really believe that in this area we can have some mutual cooperation; and it is my sincere suggestion to the U.S. delegates at the Geneva Conference that since there is an impasse on the major items of disarmament—items which we have discussed for years, but little or no progress has been made—it might be well to reach into the field of outer space and attempt to reach an agreement there, before various nations preempt whole areas of it and have a vested interest in the occupancy of those areas. We set the standard for such cooperation by means of the Treaty on Antarctica; and, as a result, Antarctica is protected, so that the interests of the various nations there are protected, but also in order that further exploration and study may be made there without prejudicing the rights of any country. I believe that in that way we have established a pattern which can be applied to the field of outer space; and I suggest to our delegates at Geneva that, rather than become bogged down on these currently insoluble problems relating to the reduction of arms and the prohibition of nuclear tests, while it may be necessary to continue conferences on those matters, we should move to new ground or, let us say, into outer space; and the officials of our Government at Geneva should seek now to implement the resolution of the United Nations on the exploration of outer space under United Nations auspices; and the United States and the Soviet Union and other countries can now join hands, under treaty agreement, for the exploration and development of outer space as a laboratory, rather than a battlefield—as an exercise of peaceful development, rather than as another expansion of the arms race.

I hope that Secretary Rusk, as our country's chief spokesman at the Conference, will pursue the proposal made by President Kennedy, rather than consider it as only a letter sent to Premier Khrushchev. Let us make this our No. 1 objective at the Geneva Conference, and let us see whether the Soviet Union is willing to follow the suggestions of its own premier. If it is not, then I submit that the possibilities of any success at the Conference are highly remote.

Furthermore, we need to be on guard to make sure that the Soviet Union does not stall these deliberations—as the Soviet Union might very well do—in the fields of nuclear testing and arms reduction. The Soviet Union might seek to stall them in order to limit the effectiveness of the steps proposed by our own country in terms of its own national security; and one area where there are no built-in prejudices and where there are not the problems incident to verification is the area of outer space.

If the Soviet Union has any interest whatever in reducing the tension and lessening the arms race, and if the Soviet Union wishes to give any demonstration of good faith, that demonstration can be made at Geneva in the coming month, by at least partial acceptance by the Soviet Union of President Kennedy's proposals to the Soviet Union, as made over the last weekend.

So, Mr. President, I have asked that these items be printed in the RECORD.

Mr. STENNIS. Mr. President, I ask unanimous consent that, under the same conditions, I may yield to the Senator from Alaska.

The PRESIDING OFFICER (Mr. METCALF in the chair). Without objection, the Senator from Mississippi yields to the Senator from Alaska with the same understanding.

PRESIDENT DE GAULLE'S TRIUMPH

Mr. GRUENING. Mr. President, the heartening news of the hour is the cease-fire in Algeria. It is a triumph for President de Gaulle. It is a triumph for his vision, his courage, his determination, his statesmanship.

Few leaders have faced a problem so complex, so thorny, so involved in apparently irreconcilable conflicting interests, so beset with obstacles, which at times must have seemed insuperable. Seldom has a leader encountered the bitterness, the vituperation, the denunciation—all aggravated by treason and savage violence—that President de Gaulle has had to endure. He rose above all this to carry out a determination and attain an objective which I am confident history will record as one of the great achievements of our time.

The pathway ahead is still rocky, arduous, beset with pitfalls and ambushes. But it is to be hoped, despite the cruelly divisive and intransigent elements which have left little undone to thwart De Gaulle's basic goals of peace and self-determination, that the devastating war in Algeria is at an end and that the shocking campaign of murder recently launched by some European diehards will also subside. The war and that campaign have cost an estimated 160,000 lives of Frenchmen and Algerians, including many wholly innocent and nonparticipating victims. The personal tragedies, the bereft families, predicate deep wounds, long enduring scars, and inevitable hatreds which will require a long healing process of good will, rebuilding efforts, and time to obliterate. If peace is now established, De Gaulle's policies that brought it about and are now contemplated will speed and assist that needed therapy.

In the overall picture, it is gratifying to note that France is effectively ending its role as a colonial power. After the unfortunate developments in what was French Indo-China, France has adopted a policy of amicable release of its other former colonies, just as has the United Kingdom. It should spell a warmer and closer relationship to which the elements of freedom and equality contribute—a warmer and better mutuality than would ever be possible even under the most benevolent colonial rule. Let us hope that the newly liberated colonies appreciate their great heritage of French culture, civilization, training, and language, as well as the continuing ties with this great nation, which has given them a legacy of inestimable worth.

Morocco and Tunisia, formerly French protectorates, became independent 6 years ago; Guinea 2 years later. Madagascar has become the Malagasy Republic. Togo, Camaroon, French West, and Equatorial Africa were given independence 2 years ago. Only French Somaliland, French Guiana, and a few small areas such as Martinique, Guadalupe, St. Pierre Miquelon, as well as other scattered islands, remain to be granted, no doubt under the principle of self-determination, a maximum of local self-government. Despite the heavy cost, it is a heartening picture.

All this carries out President de Gaulle's shining vision of grandeur for France—grandeur not in the extent of terrain under the tricolor, not in the strength of its armies, but grandeur in its materialization, by deeds, of the immortal French devise of "Liberté, Equalité, Fraternité." One cannot but hail with unqualified admiration that great leader, that superlative statesman, that outstanding Frenchman, that protagonist of peace and liberty, that historic world figure—Charles de Gaulle. His star first began to shine in the blackest darkness of France's night—the invasion and occupation of the French Republic—when his actions were imperishably voiced in the ringing declaration:

France has lost a battle but France has not lost the war.

Now, his star is immutably fixed and eternally bright in the firmament of time.

I ask unanimous consent that editorials from today's Washington Post, New York Times, Washington Star, and

Washington News, representing diverse views on the Franco-Algerian agreement, be printed at this point in my remarks.

There being no obection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Washington Post, Mar. 19, 1962]

FINALE IN ALGERIA

The cease-fire that takes place at high noon in Algeria today is a triumph for President de Gaulle who has staked so much on his ability to negotiate an honorable settlement of an impossible problem. But it is more than that. It is a triumph for the good sense of the great majority of Frenchmen and Algerian Moslems who have long ago accepted the fact than an independent Algeria closely linked to France is the only way out of a terrible impasse.

The peace that President de Gaulle is asking his countrymen to support is based on the hope of continued collaboration between Algeria and France. Economic necessity dictates continued cooperation. But more than that, the history of the two peoples is replete with instances of fraternity. The terms of the settlement reflect that long history of mutual collaboration.

In his speech yesterday President de Gaulle appealed to the 1 million Europeans who live in Algeria to stay on and cooperate with the new state when it is formed. Time will tell whether this is possible. Obviously, the Secret Army Organization will do all in its power to frustrate the cease-fire. The barbarous assassination of seven Moslem druggists on Saturday and of three French and three Moslem teachers on Thursday offers a foretaste of what can be expected.

But the OAS has lost its war. The very excesses of its thugs have acted to create a solidarity between the Algerian Moslems and the French. Every act of terror has made clearer the threat the OAS poses not only to the Moslems in Algeria but to the republican institutions of France. By an irony of history, the OAS has served as a catalyst to the negotiations that led to today's cease-fire.

If there is extended violence, the outcome may well be determined by what the French Army does. Yet the circumstances in Algeria are far different than in Indochina, where there also was a 7-year war. There was no Dienbienphu in Algeria; there should be no sense of dishonor about a peace among brave men. The Algerian settlement, as President de Gaulle asserted, was a good-sense solution won over the frenzy of some, the blindness of others, and the agitations of many. The French and Algerians deserve every support in carrying out the terms of the settlement.

[From the New York Times, Mar. 19, 1962]

THE NEWS FROM EVIAN

A tired but still indomitable old man went before the people of France yesterday to announce that a peace treaty had been signed with the Algerian insurgents. So came to an end a long and tragic war, in which both sides had taken and lost thousands of lives, in which there had been much cruelty on both sides and which had destroyed the Fourth French Republic. The Fifth French Republic yesterday spoke valiantly and soberly in the person of Gen. Charles de Gaulle.

In Algeria itself a group of underground conspirators repudiated the DeGaulle government. These men, headed by a former French general officer, represented at most 10 percent of the population of Algeria, 2 percent of the combined populations of Algeria and France. They had been arguing their case, in Algeria and on the mainland, with shocking acts of violence. The Moslem insurgents had also committed shocking acts of violence, but they were finished with that yesterday: they had made peace; so far as they and the legitimate Government of France were concerned the war was over.

The Fifth Republic could fail, as other French Republics have fallen before it. It cannot be brought down, however, by transplanted Europeans whose majority is not even of French ancestry; it cannot be overthrown by the Algerian colons; it would pass into ruin only if there were what we can only call a Fascist majority in France itself.

There is no evidence that such a majority exists. The French in their great moments—and this may be one of them—return to the great ideals of their revolution, to liberty, equality, and brotherhood. They overthrew the fascism of Pétain when they had strength—and help—to do it. They went a certain distance toward the dismal slavery of communism—but never wholeheartedly, and the whole way.

The European extremists in Algeria were ready 4 years ago, and have shown themselves ready since, to bring civil war into France in order to reinforce their own interests. But the time for this is gone. They are creatures of a past age.

General de Gaulle has promised what seems like justice to the native Algerians. He has promised protection to the colons and cooperation in the use and defense of Algerian resources.

The recent Moslem rebels, the French Army in Algeria and the mainland French will doubtlesa know how to deal with those who will not now cease their wanton killing.

[From the Washington Star, Mar. 19, 1962]

ENDING AN AGONY

After more than 7 years of bloody warfare, France and the rebel Algerian National Liberation Front have at last achieved a cease-fire that puts an end to their mutual agony. As both sides have cautioned, however, this does not mean that peace is fully at hand. On the contrary, the prospect of continuing torment still looms large.

This is so because of those traitorous elements described by President de Gaulle as criminal adventurers. They are the diehard European extremists in Algeria and their sympathizers in France. Their chief weapon—as deadly as it is vile—is the terroristic Secret Army Organization led by former Gen. Raoul Salan, who has vowed to fight to the finish against the new peace accord and to carry on the struggle against the Algerian rebellion until its complete annihilation. These words are not to be taken lightly; they come from a source that has already demonstrated a terrible capacity for violence and killings of the most atrocious kind.

It is with this evil force in mind that President de Gaulle has called upon all true Frenchmen and all sane European "colons" to give full support to the cease-fire and the steps that are to be taken in the months ahead to establish Algeria as an independent nation closely associated with France. Similarly, Algeria's French delegate, Gen. Jean Morin, exhorting the Moslems to show patience and prudence, has called upon the colons to recognize the accord as a solution of reality, and he has warned them against a catastrophe of senseless resistance. Meanwhile, General de Gaulle, who has conducted himself with a kind of indomitable grandeur in bringing about the Algerian settlement, has made clear that he will use whatever armed force may be necessary to deal with the treason and menace of Salan's secret army.

In these circumstances, even though acts of terrorism are likely to continue for weeks to come, there is reason to hope that such crimes will prove to be only the last desperate paroxysms of the secret army's death throes. In any event, General de Gaulle can be counted upon to act swiftly and decisively, and he has the full support of the overwhelmingly majority of the French and Algerian peoples. In that sense, Salan has long since lost his barbarous war.

[From the Washington Daily News, Mar. 19, 1962]

THE FRENCH-ALGERIAN AGREEMENT

On paper, the French-Algerian agreement to end the bloody 7-year war is a practical and even mutually generous accord. It promises to let France rid itself of a nagging moral burden and a drain of men and money, and be free to devote its energies to the strengthening of France, the Western European community, and the free world. It provides also for the birth of a new nation of 9 million people who, freed from colonial domination, could get on with the work of building a national state and apply new vigor to the tasks of economic and social progress that are so oppressive.

Finally, the French-Algerian agreement charts a path of cooperation between the two countries that could be a model for relations between former mother countries and their ex-colonies, and standing refutation of the charge made by Communists and doctrinaire new nationists that Western colonialism has no other motive than exploitation.

Unhappily, however, the signing of the cease-fire yesterday in Evian will not bring peace to Algeria, or even to France. The killings will continue. The third party to Algeria's triangular war, the outlawed Secret Army Organization (SAO), will try harder than ever before to wreck the peace that the cease-fire can only promise but not necessarily produce.

The possibility cannot be discounted that ex-General Raoul Salan and his organization of deserter officers, "ultrapatriots" and professional killers can make shreds of the French-Algerian agreement, plunge Algeria into a second war, or even topple the French Republic itself.

The 3,000 or 4,000 members of the SAO present a formidable force in themselves, skilled as they are in methods of war, and inflamed as they are with anger for the man whom they say has betrayed France, General de Gaulle.

But success or failure of the SAO will depend on the degree to which they can keep the sympathy of, and demand sacrifices from, the Europeans who now lend support; on whether many French Army officers will desert their duty and join the ranks of the SAO; and on whether the SAO by increased assaults on Algerian Moslem civilians can provoke the Moslem populace into murderous retaliation that would produce civil war.

But the chances of the SAO are diminished by the evidence in the cease-fire agreement that the French Government and the Algerian Provincial government, now that they have stopped battling one another, will now both turn on the SAO.

Significantly the Algerian negotiators at Evian won what they wanted on this score. The job of maintaining public order will be that of the provisional executive to be set up near Algiers. It will be controlled by the GPRA (Provisional Government of the Algerian Republic) and will be composed of 60,000 Moslem troops. The French Army will remain in Algeria temporarily to backstop the Moslem troops in the last resort.

Both Algerian rebel leaders and the French negotiators are confident that the agreement will work. That, while the whole world watches, now remains to be seen.

Mr. STENNIS. Mr. President, under the same conditions, I ask unanimous consent that I may yield to the Senator from Connecticut [Mr. BUSH].

The PRESIDING OFFICER. Without objection, it is so ordered.

ITEM VETO POWER—THE B-70 FIGHT

Mr. BUSH. Mr. President, in this morning's Washington Post is an article by Roscoe Drummond entitled "The B-70 Fight—Argument for Item Veto Power." I shall ask that at the conclusion of my remarks this article may be printed in the RECORD.

Mr. President, I wish to comment on two matters in connection with the article. First, I want to say that last week I read Secretary McNamara's statement with great interest and with admiration. I thought he made an excellent case for the position which he has taken in connection with the B-70 issue, and my strong inclination is to support the Secretary in connection with the so-called fight on the B-70 if it comes before the Armed Services Committee of the Senate.

I think we are most fortunate, at this very critical time, in having as Secretary of Defense a man of the capacity, quality, and great ability of Secretary McNamara. If we believe we must have civilian control over our military—and certainly, when we are spending $52 billion a year on defense, I think we should—I find it very comforting to be able to look at the Pentagon and realize that in the Secretary's office we have a man who has shown the capacity to deal with the enormous problems of defense.

The article, however, speaks of the item veto. If there were an item veto, it would give the administration an opportunity to use it. The Roscoe Drummond article mentioned the item veto joint resolution which was introduced last year by the Senator from New York [Mr. KEATING]. That measure called for a constitutional amendment to provide for an item veto. His proposal was introduced on January 13, 1961.

On January 5, 1961, I submitted on behalf of myself and the Senator from Virginia [Mr. BYRD] and the Senator from Delaware [Mr. WILLIAMS] an item veto measure in the form of a concurrent resolution.

The difference between my measure and the other resolution is that my proposal calls for a change in the rules of Congress, which would provide for an item veto without going through the long and laborious process of a constitutional amendment.

I believe so strongly in the item veto principle that I am glad it has been brought up in connection with this very important issue.

In each Congress, since I have been a Member, I have introduced an item veto measure. I am very happy about the fact that the distinguished senior Senator from Virginia, who has been interested in this problem for many years, believes that the approach to this matter as contained in Senate Concurrent Resolution 2, in which he has joined me as a sponsor, is a sound and legal approach and will avoid the long process of a constitutional amendment.

I hope Senators will give some consideration to this matter and that Congress will do something about the question of item veto. Everybody says, "It is a good idea," but nothing seems to be done about it. I hope we can get some consideration of these two resolutions for an item veto and let the Senate decide which approach it desires to take.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point the Roscoe Drummond article to which I previously referred; Senate Concurrent Resolution 2, submitted by me for myself and the Senator from Virginia [Mr. BYRD] and the Senator from Delaware [Mr. WILLIAMS]; and Senate Joint Resolution 31, introduced by the Senator from New York [Mr. KEATING].

There being no objection, the matters were ordered to be printed in the RECORD, as follows:

[From the Washington Post, Mar. 19, 1962]

THE B-70 FIGHT—ARGUMENT FOR ITEM VETO POWER

Fortunately there is no easy or automatic solution to the loggerheads deadlock between the House Armed Services Committee and Secretary of Defense Robert McNamara over whether to spend more money on the improved B-70 bombers.

The Congressmen unanimously say they intend to compel the Pentagon to spend $320 million to speed the production of the new style B-70's which they see as the plane of the future.

President Kennedy and Secretary McNamara say they are not going to be compelled to spend this money, even if appropriated, because they believe the new B-70 is the plane of the past, and will be obsolete by the time it is combat ready in 1967.

I say it is fortunate that there is no easy answer to this dilemma because it is part of the genius of our system of divided governmental powers that, when a stalemate is reached, neither side can easily steamroller the other, and an accommodation has to be made.

The constitutional issue is unresolved. Many Presidents, including Mr. Truman, General Eisenhower, and now Mr. Kennedy, have refused to spend money appropriated by Congress. But now the Armed Services Committee votes to appropriate an extra $320 million for the B-70's; it proposes to "direct" the President to spend it. The intention is to leave the administration no choice.

There is no doubt that Congress has exclusive power "to make the laws"—within constitutional limits—which the President must "execute." But there is a difference between a law and an appropriation. The Constitution empowers Congress "to provide and maintain" the Armed Forces of the country. It does not stipulate that Congress shall exclusively determine what the Armed Forces should be provided with—what kind of bombers, what kind of shoes, what kind of missiles, etc.

Congress can put a ceiling on what can be spent. There is no evident way for it to compel the President to spend to the ceiling.

Even if the President cannot be forced by law to spend more money on the B-70's, he can be influenced by the size of the vote behind the appropriation and by the power of congressional advocacy.

It is at this point I venture a suggestion. It seems to me that the deadlock over spending an increased B-70 appropriation presents a sound argument and an ideal time for Congress to give the President the "item veto."

This is a power which the Governors of most of the big States with large budgets already possess. It is a power which all modern Presidents have asked Congress to give them in the interest of prudent Government financing. It enables a President to veto specific items in an appropriation bill without vetoing the whole bill.

I submit that with respect to the controversial B-70 appropriation the item veto, which is a constructive tool of good government in its own right, would strengthen the hand of Congress.

Congress cannot force the President to spend the B-70 money. It can influence the President to spend it by the power of its own advocacy. To increase its influence it must mobilize and focus its maximum majority visibly and decisively upon the B-70 appropriation.

What better way of doing that than to empower the President to veto this B-70 item and then passing it over his veto by a two-thirds majority?

If Congress cannot muster such a majority, it cannot win the argument. If it will give the President the item veto, in line with a bill introduced by Senator KENNETH KEATING of New York, it will provide itself with the best possible means of dramatizing the B-70 issue.

Over the years the item veto would save more money than Congress is asking the President to spend on the B-70's.

S. CON. RES. 2

Resolved by the Senate (the House of Representatives concurring), That effective on the first day of the second regular session of the Eighty-seventh Congress, the joint rule of the Senate and of the House of Representatives contained in section 138 of the Legislative Reorganization Act of 1946 is amended by adding at the end thereof the following new subsection:

"(c) No bill or joint resolution making appropriations or authorizing the borrowing of money directly from the Treasury shall be reported to or considered in either House unless it contains a section which shall read as follows: (1) In the case of any bill (or joint resolution) making an appropriation or (2) in the case of any bill (or joint resolution) authorizing the borrowing of money directly from the Treasury:

"(1) SEC. . When this bill (or joint resolution) shall have been presented to the President as required by section 7 of article I of the Constitution, the President shall have power to disapprove any amount or any provision, whether or not related to an amount, which is contained herein, in the same manner as he may, under said section 7, disapprove as a whole any bill so presented to him. The provisions of said section 7 which relate to reconsideration shall also apply to any amount or provision or part thereof so disapproved to the same extent as they apply to a bill that has been disapproved in its entirety.

"(2) SEC. . When this bill (or joint resolution) shall have been presented to the President as required by section 7 of article I of the Constitution, the President shall have power to disapprove any authorization for borrowing money directly from the Treasury, which is contained herein, in the same manner as he may, under said section 7, disapprove as a whole any bill so presented to him. The provisions of said section 7 which relate to reconsideration shall also apply to any authorization or part thereof so disapproved to the same extent as they apply to a bill that has been disapproved in its entirety."

S. J. RES. 31

Joint resolution proposing an amendment to the Constitution of the United States relative to disapproval of items in general appropriation bills

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States:

"ARTICLE —

"SECTION 1. The President shall have the power to disapprove any item or items of any general appropriation bill which shall have passed the House of Representatives and the Senate and have been presented to him for his approval, in the same manner and subject to the same limitations as he may, under section 7 of article I of this Constitution, disapprove as a whole any bill which shall have been presented to him.

"SEC. 2. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress."

UNITED NATIONS BONDS

Mr. STENNIS. Mr. President, under the same conditions heretofore expressed, I ask unanimous consent that I may yield to the Senator from Vermont.

The PRESIDING OFFICER. Under the same conditions, without objection, it is so ordered.

Mr. AIKEN. Mr. President, in section 5, page 3, of the New York Herald Tribune for Sunday, March 18, 1962, is an article written by Donald I. Rogers entitled "What's Wrong With Capitalism's Methods in Selling U.N. Bonds?"

Mr. Rogers clearly points out that, in its proposed method of selling bonds, the United Nations would completely abandon the capitalistic method of issuing bonds for the support of a government and would adopt the Communist system of financing government, even though the Soviet-bloc countries, which have refused to pay their special assessments to the United Nations, have no intention of purchasing any of the bonds.

Mr. President, I commend Mr. Rogers not only for the accuracy of his reporting, but also for his courage in writing the article, and I ask unanimous consent to have the article printed in the body of the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WHAT'S WRONG WITH CAPITALISM'S METHODS IN SELLING U.N. BONDS?

(By Donald I. Rogers)

Before the Senate is stampeded into approving President Kennedy's proposal to buy $100 million worth of 25-year United Nations bonds at 2 percent, it should consider the fact that the whole proposition may be illegal. It should also consider the possibility that both President Kennedy and Columnist Walter Lippmann may be wrong, or at best, poorly advised.

It takes courage to challenge Walter Lippmann, the distinguished dean of our columnists, who has charged that opposition to the President's bond plan is caused by "personal disgruntlement * * * crude partisanship * * * [and] old-fashioned isolationist hostility to the U.N. as such."

The U.S. Government would be buying these bonds, which means, of course, that the taxpayers of America would be buying them. This makes them, in every sense of the word, a "public issue," as the issuance of any other authority bonds are public issues.

They are necessary, the United Nations says, because some U.N. members refuse to pay their "special" assessments to the organization which are necessitated by the "special" operations in the Congo and the Middle East.

These bonds would be issued to the U.S. Government minus any of the normal prerequisites demanded by law in the issuance of any other bonds. There would be no legal opinion, for instance, such as is required by the Banking Act. There would be no negotiations. There would be no bidding on the interest rate.

The 2 percent rate President Kennedy wants the bonds to bear is the exact current rate Communist countries have affixed to their public authority bonds.

Yet it is the Communist countries, among others, which refuse to pay the special assessments and which will refuse to participate in the bond issue that is made necessary by their refusal to pay the assessments.

The U.S. Government just recently tossed out its own 3½ percent bonds because of the low yield, although they had 10 years to run. It reentered the market with U.S. Government bonds selling up to 4 percent.

As of Friday, 25-year U.S. Government bonds had a rate of 4.1 percent, in the open, free auction market.

Here, then, is the U.S. Government borrowing money at 4.1 percent and using it to buy United Nations bonds at the Communist fixed rate of 2 percent, if the President's will prevails.

This, Walter Lippmann says is necessary if the U.N. is to survive and if the United States is not to lose face before the rest of the world.

A clearer view may be needed.

In the first place, the United Nations does not need the money from the bond issue in a hurry. It has $100 million coming in at the present time, $53 million of it from the United States. So there is no need for the stampede, no excuse for the tremendous pressure the White House has exerted on the Senate in this matter.

Any bond issued by the U.S. Government must bear a legal opinion, attesting to all of the risks involved. It is then subject to negotiation, in which the seller of the bonds spells out how much he expects to get from the issue and the buyer gives a rough idea of how much he will expect in interest yield. Then it is thrown open for public bidding.

A legal opinion on the U.N. bonds might shed some light on whether the U.N. charter entitles the organization to borrow money. This has never been cleared up to the satisfaction of the investing community and since this involves all American taxpayers, perhaps the public has a right to know.

Mr. Lippmann is concerned about the American image as viewed by other countries in this trumped-up crisis.

Is this not the leading capitalistic nation of the world? Why then could not the United States require that U.N. bonds be issued in the same manner that our own Government's bonds are issued, and that they be submitted to the normal scrutinies and pressures of the auction market so that there will be an interest rate commensurate with the risk?

If it's good enough for U.S. Government bonds, the system should be good enough for United Nations bonds.

Then we could stand four-square to the world and proclaim that as a capitalistic nation this is the way we prefer to do business and if other peace-loving nations agree, they can participate in the venture.

If it fails—and only if it fails—then could we resort to the under-the-counter purchasing of the bonds that President Kennedy recommends.

There is time to do this before the U.N. becomes desperate for money, and then, contrary to Mr. Lippmann's opinion, the whole world will know positively where the United States stands on the question of capitalism versus statism.

A-BOMB TESTS AND THE BERLIN QUESTION—STATEMENT BY SENATOR CASE OF SOUTH DAKOTA

Mr. STENNIS. Mr. President, under the same conditions heretofore expressed, I ask unanimous consent that I may now yield to the Senator from South Dakota [Mr. MUNDT].

The PRESIDING OFFICER. Under the same conditions, without objection, it is so ordered.

Mr. MUNDT. Mr. President, I ask unanimous consent that a statement written by my colleague from South Dakota [Mr. CASE], who is temporarily hospitalized, may be printed in the RECORD. The statement embodies some observations my colleague had intended to offer on the floor of the Senate today, relative to two pending international questions.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR CASE OF SOUTH DAKOTA

TWO SUGGESTIONS

This is a time in the history of mankind when one with any sense of responsibility wants to contribute to a solution of epochal problems however minutely. And, among the distinguished students of foreign affairs who are my colleagues in this body, only a desire to help could overcome normal reticence to assume that one could add anything to problems already threshed threadbare.

Two problems plague the world's peace today—a workable approach to A-bomb testing and a livable program for the questions residual from World War II in eastern Europe, centering on Berlin.

Certain past connections with these two problems and a sincere desire to help prompt me to offer a suggestion on each.

ON A-BOMB TESTS

First, with respect to the A-bomb tests: I suggest that the technicians devise and propose a ban supported by "effective controls" or checks rather than so-called inspections—and that the term "effective controls" be used.

This suggestion comes out of the experience of sitting across the table from delegates of the Soviet Union in meetings of the Inter-Parliamentary Union at Rio de Janeiro in 1958, at Nice, France, and Warsaw, Poland, in 1959, and at Tokyo in 1960.

I do not know a word of Russian—but I am convinced that translators interpret the English word "inspection" to mean "espionage." Whether the word "inspection" was used, one could see the hackles rise on the necks of the Russian delegates but that did not happen in my experience when I used the term "effective controls."

In fact the Soviet delegates generally insisted that was what they intended and desired—a ban on testing policed by proper controls to insure there was no cheating.

Atmospheric blasts, of course, are readily subject to appraisal and the breaking of an agreed ban would be evident to the world but the problems presumably arise from underground tests. Granting a certain number of peremptory challenges related to the historical average of natural earthquakes has been, I think, the basis of discussions, but in this day of sensitive electronic gear, it should not be impossible to devise a monitored recording station in each country which would at least record earth tremors and refer those of uncertain origin to an international team for checking.

It was helpful in my working on draft resolutions for the Inter-Parliamentary Union

meetings to remind those at the table that the United Kingdom and the United States did not seek any act of assurance for effective control which we would not concede to the Soviets.

So I venture to suggest that the technicians in this critical period of human history attempt to find a formula for effective controls which will not be confused with the snooping that is espionage.

ON ACCESS TO BERLIN

Second, with respect to the residual problems from World War II in east central Europe, centering on Berlin:

I venture to suggest that the three established and recognized air access routes for the West be exchanged for one three-way route of air, highway, and rail or canal.

Again, my interest in the German situation stems from service on the so-called Herter committee in the fall of 1947 as chairman of its Subcommittee on Germany and Austria and the preparation and writing of the recommendations on Germany at that time.

Without bogging down on details, the world knows that our right to get to Berlin by three air corridors was recognized in the famous airlift but that land and water routes have constantly been challenged and are nowhere firmly guaranteed.

Why not, therefore, exchange two of the recognized air routes for two guaranteed land or land and water routes beneath the third air corridor? It could be highway and rail or highway and canal, depending upon which of the three air corridors was agreed upon for the access.

Of course, any thin corridor is militarily indefensible, whether 3 miles wide or 10 miles wide, but if worst comes to worst and war ensues, there will be no corridors anywhere except where force creates and maintains them.

This suggestion of trading three air routes for one air-land-water route is within the fixed and stated positions of the United States, Great Britain and Soviet Russia. We would remain in Berlin and, perhaps what is more important, have a way to get there and back with heavy goods as well as people, military or civilian, as long as there is peace, and this would give a chance for peace to live.

Whenever the Russians withdraw from East Germany and hand full reins of government to East Germany, the West will have no more to say about it than the West permitted the Russians to say when we encouraged the three Western Zones to form the Federal Republic now established at Bonn.

It seems to me, therefore, that before the Russians write and sign the inevitable treaty with East Germany, we should firm up one air, highway, and rail-or-water route which could insure a viable West Berlin.

I think we may safely leave to the natural competitive instincts of the East Germans, then, the making of suitable arrangements to open other routes for ordinary, commercial, and industrial traffic. Eventually, I believe, the Germans will reunite in their own way. It may not be exactly as before but the people of Saxony and Bavaria, of Hesse and Hannover, of Wurtemburg and Thuringia, and the other provinces have too many ties of blood and language to remain completely apart even though brick walls and barbed wire may temporarily intervene.

ONE STEP LEADS TO ANOTHER

These suggestions are not cure-alls. Other issues exist now and others will arise in the relations of East and West. Heaven is not reached by a single bound but the world moves round by round into the promised land. The sacrifices of two world wars and many ancillary conflicts merit an easing of today's tensions.

I venture these thoughts in the hope that they may light some candle, however dimly, in the dismal darkness which seems to pervade current negotiations.

The destiny of man in the providence of God is not the destruction of His universe. It is the privileged responsibility of everyone to hope and to work for a brighter day for all mankind.

Mr. MANSFIELD subsequently said:

Mr. President, I have read most carefully the statement issued by the distinguished junior Senator from South Dakota [Mr. CASE], relative to atomic bomb tests and access to Berlin. The Senator from South Dakota was kind enough to provide me with an advance copy before it was released on the Senate floor.

Mr. President, it seems to me that in that statement the able Senator from South Dakota has demonstrated once again his ability to put the interest of the Nation above partisan consideration. He has drawn from his wide experience in foreign policy questions and his deep insights, and has produced a constructive contribution to our consideration of two of the most complex, difficult, and dangerous problems confronting the Nation and the world.

I compliment the able Senator and thank him for this excellent contribution. I do not know to what degree his suggestions can be effectively implemented, but I do know that in making them he has performed a distinctive service to the Nation and to the general consideration of these most vital questions of international relations.

TRIBUTE TO CARLOS ROMULO

Mr. MUNDT. Mr. President, I ask unanimous consent to have printed in the RECORD an editorial written by Mr. W. Earl Hall of the Mason City Globe-Gazette of Mason City, Iowa. Mr. Hall pays a very deserved tribute to Carlos Romulo, the retiring Ambassador from the Philippines to the United States.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

ROMULO HAS PROVED A VALUED FRIEND

Carlos Romulo, retiring Filipino Ambassador to United States, has proved a marvelously effective supporter of our country so far as the uncommitted peoples of the world are concerned. He is scheduled to preside over the University of the Philippines.

In a recent appearance on TV and radio with South Dakota's Senator KARL MUNDT, General Romulo painted an impressive picture of the American course in world affairs as contrasted with the crooked path followed by Russia and world communism.

"Unlike victors in the past," Romulo pointed out in referring to our decisive role in two World Wars, "you refused to annex one single inch of territory."

"Not only that," he added, "you proved to be the most generous victor in the history of all wars. * * * You shared your abundance with friends and foes alike."

"Wherever Soviet Russia provokes a crisis anywhere in the world," Romulo asserted, "it is part and parcel of her strategy to conquer the world."

And America in countering this aggression, he emphasized repeatedly, is a defense of freedom and human dignity in our world, in no sense a manifestation of imperialism.

The Philippines themselves, of course, are the choicest example possible that America seeks no empire. Full independence was promised to the Filipinos; full independence was accorded to the Filipinos. That has been a part of the Romulo story for the past 15 years.

Senator MUNDT voiced a prediction that one day he would salute Carlos Romulo as President of the Philippines. That would indeed be a fitting recognition of his distinguished contribution to his country and to the cause of freedom in our world.

CIGARETTE SMOKING AND LUNG CANCER

Mr. STENNIS. Mr. President, I ask unanimous consent that I may yield to the distinguished Senator from Oregon [Mrs. NEUBERGER] without losing my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. NEUBERGER. Mr. President, last Friday I introduced Senate Joint Resolution 174, requesting the President to create a Commission on Tobacco and Health and also to initiate a massive public information program on the hazards of cigarette smoking with particular emphasis on the relationship between smoking and lung cancer. This resolution is the outgrowth of the uncontroverted scientific testimony that cigarette smoking causes lung cancer and that deaths from lung cancer are increasing at an alarming rate.

Today I wish to document this testimony.

The Surgeon General of the U.S. Public Health Service, speaking for the U.S. Government in an article appearing in the Journal of the American Medical Association for November 28, 1959, exhaustively reviewed the scientific data on the smoking-cancer relationship and reached the following conclusions:

The Public Health Service believes that the following statements are justified by studies to date:

1. The weight of evidence at present implicates smoking as the principal etiological factor in the increased incidence of lung cancer.

2. Cigarette smoking particularly is associated with an increased chance of developing lung cancer.

3. Stopping cigarette smoking even after long exposure is beneficial.

4. No method of treating tobacco or filtering the smoke has been demonstrated to be effective in materially reducing or eliminating the hazard of lung cancer.

5. The nonsmoker has a lower incidence of lung cancer than the smoker in all controlled studies, whether analyzed in terms of rural areas, urban regions, industrial occupations, or sex.

6. Persons who have never smoked at all—cigarettes, cigars, or pipe—have the best chance of escaping lung cancer.

Unless the use of tobacco can be made safe, the individual person's risk of lung cancer can best be reduced by the elimination of smoking.

The chairman of the Tobacco Industry's Scientific Advisory Board has consistently deplored efforts to discourage cigarette smoking. It has been his position as stated in an article appearing in the December 1957 issue of the Atlantic:

That the existence in tobacco smoke of substances carcinogenic to the lungs of men

has not been and cannot be proved by statistical associations or by painting the skin of mice of certain specific strains with highly concentrated extracts of tobacco smoke. * * *

That the status of research into lung cancer involves many unresolved differences in concepts about possible causation and also about its relative incidence and increased frequency.

Dr. David D. Rutstein, head of the Preventive Medicine Department of the Harvard Medical School, answered the chairman of the Tobacco Industry Advisory Board in the following issue of the Atlantic Monthly.

In an open letter to the chairman he said:

As a professor of preventive medicine, I have been deeply concerned, as I know you have, by the constantly increasing death rate from lung cancer in the United States and in other parts of the world. Over 25,000 people in the United States die from lung cancer each year, and the number is increasing by about 2,000 every year. This disease now kills more men than any other form of cancer.

What is the evidence that cigarette smoking is responsible for most of this increase? Eighteen studies in five countries show either that patients with lung cancer are predominantly cigarette smokers, or that cigarette smokers have more lung cancer than do nonsmokers. All but 1 of these 18 studies show that the more and the longer you smoke cigarettes (but not pipes and cigars), the more likely you are to get lung cancer.

At some future date I expect to quote further from Dr. Rutstein's letter. However, I remind my colleagues that this was in 1957. In March 1962, there has been no evidence brought forth by the tobacco industry or any other scientific group which refutes any of the claims made or statistics set forth in the letter which appeared in the Atlantic Monthly. It is a statement by Dr. Leroy E. Burney, of our own Public Health Service. This was in 1959. In a paper which he presented to the American Medical Association, he stated:

In the United States, the death rate from lung cancer among white men (age adjusted) was 3.8 per 100,000 population in 1930; by 1956 the rate had risen to 31.0 and more than 29,000 persons died of lung cancer in that year.

Projecting these figures to 1962 we find that this is a problem which is really causing great concern to many doctors and public health officials and scientists.

Dr. Burney goes on to say:

Two years ago I made the following statement:

"The Public Health Service feels the weight of the evidence is increasingly pointing in one direction—that excessive smoking is one of the causative factors in lung cancer."

He proceeds to quote from a scientific study. I shall refer to only one or two of them in this résumé from the important article written by Dr. Burney:

Doll and Hill: The Doll and Hill study is a continuing analysis of 40,701 British physicians. Among male physicians 35 years of age and over, in the initial 4½ years of observation, 1,714 deaths have occurred, including 84 from lung cancer. Deaths from lung cancer increased steadily with increasing amounts smoked; for nonsmokers the age adjusted death rate was 7 per 100,000 of this population; for the light smokers, 47; for moderate smokers, 86; and for heavy smokers (more than 25 cigarettes daily), 166. Giving up smoking reduced the susceptibility of a smoker to subsequent development of lung cancer.

There is one study after another in this report which is not based on mere cursory sampling of population, but over long periods, as much as 30 years in one instance, to show the continued evidence.

Therefore one questions why people in the tobacco industry or people who purport to be at the head of some scientific advisory committee continue to question the findings.

Dr. Burney continues:

There can be no doubt that a significant proportion of the increase in lung cancer is real. * * * If we accept as valid the sequence of pathological changes given above, the prevention of lung cancer, to a large extent, becomes possible.

In other words, we still do not know the cause of cancer, whether it be lung cancer or any other kind of cancer, but there is one kind of cancer about which we do know something so far as preventing it is concerned. It seems to me the evidence is very factual and very impressive.

I have also been interested in preventing the harmful effects of pollutants in the air caused by exhaust fumes of big industries in many of our large cities. Dr. Burney goes on to state:

Most investigators agree that air pollutants probably contribute to the elevated lung cancer death rate. Cancer-producing agents are in the air we breathe.

The cancer death rate in the largest cities is twice as high as that in nonurban areas. The case is not yet proved, but the weight of evidence grows heavier as research progresses.

I point out the difference in the attitude of industry, of the automoblie manufacturers, for example, toward the proven facts, as contrasted with the tobacco industry.

Most of the major cities of the Nation have well-established smoke-control programs.

Obviously, they accept the findings of scientists that there are pollutants in the air.

Industry has done much already to institute better methods of combustion and manufacturing processes and to develop means of extracting pollutants of smoke and vapors before they are discharged into the air. Automobile makers now have devices in the laboratory stage that show promise of controlling the exhaust pollutants produced by the new fuels and the modern, high-compression automobile engines.

Again, the automobile manufacturers did not wait for Congress and Government to put upon them some controls; they have voluntarily established what are called blowby devices; and these are to be installed as required on automobiles in California beginning very soon.

But not so with the tobacco industry, which continues to question the results of these scientific explorations and exhibits:

The group of statisticians and epidemiologists reporting that this study recognized "there are areas where more research is necessary" and that "no single cause accounts for all lung cancer." However, they concluded that "the magnitude of the excess lung cancer risk among cigarette smokers is so great that the results cannot be interpreted as arising from an indirect association of cigarette smoking with some other agent or characteristic."

Dr. Rutstein, in his 1957 articles, answers one of the comments of the tobacco industry, who are always saying, "But we just do not know the cause." He asks:

Why do you insist that we find the cause of lung cancer before the public health authorities be permitted to make any effort to control this disease?

One might say that we still do not know the cause of the common cold, but we supply people with handkerchiefs.

THE ALEXANDER HAMILTON NATIONAL MONUMENT — AMENDMENT TO THE CONSTITUTION DEALING WITH POLL TAXES

The Senate resumed the consideration of the motion of the Senator from Montana [Mr. MANSFIELD] to proceed to the consideration of the joint resolution (S.J. Res. 29) providing for the establishing of the former dwelling house of Alexander Hamilton as a national monument.

Mr. STENNIS. Mr. President, as a preliminary matter, the yielding by the Senator from Mississippi has been primarily because of the need for and the lack of a regular morning hour. Certainly the Senator from Mississippi did not anticipate so many Senators would request time, though they were very rightful in requesting it. The Senator from Mississippi has a situation which will compel him to attend a meeting at 2:30 this afternoon, so certainly he will not have an opportunity to complete his speech even on the major points. Under those conditions, since so much time has passed, I ask unanimous consent that immediately prior to 2:30 p.m. I may yield to the Senator from South Carolina [Mr. JOHNSTON] so that the Senator from South Carolina may make an address, and that I may succeed the Senator from South Carolina without it counting as an additional speech on the pending motion.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Mississippi?

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. HOLLAND. I would have no objection, provided it is understood that the Senator from South Carolina will be considered as having made a speech.

Mr. STENNIS. I think the Senator from South Carolina would expect that, yes.

Mr. HOLLAND. I have no objection.

The PRESIDING OFFICER. The Chair hears no objection, and it is so ordered.

Mr. STENNIS. Mr. President, in resuming my argument, which I was making on the pending motion last Friday afternoon, I wish to make it clear at the beginning that this is a very, very serious

matter to me and to my State. The debate may be long and sharp words may be passed, but I wish to emphasize now that I have the highest of esteem and respect for the sponsors and cosponsors of the proposal. Anything which may be said with reference to them certainly will not impugn their motives or good faith, as responsible Members of this body. Anything which may be said with reference to anyone who makes arguments, including the President of the United States, whose letter has been placed on our desks, certainly will not reflect upon the man or impugn his motives.

I always uphold the dignity of the position of a Senator or of the President of the United States, regardless of how much I may disagree with his conclusions or think that his proposals are not timely.

Mr. President, I think this proposal, at this time, has no particular need. It does not have any need. The country has many, many, many, many other urgent matters of national and international consequences which are being held up and which do need attention.

I came to the floor of the Senate as a Member more than 14 years ago. Soon after I came to the Senate an argument was made on a poll tax bill.

I remember particularly a speech that was made by the Senator from Alabama [Mr. HILL], who also made such a fine, clear and forceful presentation here last week.

I think in its better sense the motion to consider the joint resolution is purely a political move. It is merely a gesture toward something along the line of a so-called civil rights bill. I remember that the proposal now on the floor of the Senate was circulated among Senators earlier in the session last year by some of the Senate attendants. It was signed without any real deliberation. I think the political situation that is developing for the forthcoming election makes at least a debate in order.

However, I think the attempt is merely the opening gun for a debate upon, and, perhaps the effort toward passage, of a series of proposals regarding the franchise. I do not think one can raise his banner and say, "I want to repeal the poll tax by constitutional amendment" without inviting someone else to raise his banner and call upon men to march under his colors to repeal the poll tax by statutory enactment. I do not think those two could keep the issue to themselves. Someone else would raise his banner and say, "I want to pass a statute regarding the educational requirements for exercising the voting privilege"—a subject which, with all deference to the author, I think is clearly unconstitutional.

Only last week the Attorney General appeared before a committee of the House of Representatives and urged the passage of a bill relating to the outlawing of the literacy test, so to speak, by mere statute, when the Constitution of the United States clearly provides, not once, not twice, but three times, that the determination of voting qualifications shall be solely within the power of the respective States.

As the Senator from Alabama brought out last week, it is very clear from reading the debates of the Constitutional Convention on that amendment that there would not have been any Constitution at that time unless the provision to which I refer had been clearly spelled out in the very face of the Constitution itself.

Article I provides:

> And the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

That language was adopted by the Original States. The identical language was used in a constitutional amendment more than 100 years later. After more than 100 years of experience with our form of Government and its constitutional operation, when an amendment was before the Congress and the people of the United States, the identical language was adopted in making Senators of the United States elective.

A few years later the identical language was reappraised, reaffirmed, and again finalized when an additional amendment was passed by Congress and adopted by the States with reference to the privilege of voting by women.

It is not an idle act for us to accept a legislative flat. The debate has already been opened on the proposal introduced by the majority leader, the Senator from Montana Mr. [MANSFIELD]. In his remarks at the time he moved to consider the measure, the majority leader referred to the joint resolution as an administration measure. Last week it was referred to by the Attorney General as being a part of the administration's program. So I want to make clear that we have not merely a debate upon a constitutional amendment with reference to prohibiting five States from using an innocent regulation—and that is all the poll tax requirement is—but an issue opening up a debate on the entire subject matter, with all of its ramifications. Not only are we considering proposed amendments to the Constitution, but also, by legislative flat, we would first declare in the joint resolution that we are going to set the Constitution aside, so to speak, and then pass the joint resolution.

Since the adoption of our Constitution, all of our States at one time or another have carried in their constitutions or on their statute books a poll tax or some form of a property qualification for voting. During that time these requirements have been deleted from their constitutions and statute books by the people of some of the States themselves. It is altogether fitting and proper that these actions be taken by the people of the States rather than by the Federal Government.

It was never expected by the Founding Fathers that the Federal Government should whittle away the rights of the people and of the States either by legislative flat or by constitutional amendment, although the power, of course, to amend the Constitution is written on its face, as it should be. They recognized in that great convention in Philadelphia in 1787 that in constructing the basic document of our American Government they were making major decisions. They had fought through eight long, bloody, desperate years of war to win the independence of the States and of the people from the British Crown. They knew that they represented States that were absolutely independent and free from any other sovereignty on this earth. The sovereignty of the States was full, complete, boundless, and absolute. Whatever portion of that sovereignty they as the delegates to the Constitutional Convention yielded and gave up to the Federal Government, they gave it up carefully, deliberately, painstakingly, and reluctantly.

They carefully wrote into the Constition section 2 of article I, which provides:

> The House of Representatives shall be composed of Members chosen every second year by the people of the several States—

They did not create anything; they clearly reserved—

> and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

Mr. President, I repeat that last clause:

> And the electors in each State—

What electors? We are now talking about an election for Members of the House of Representatives, the same House of Representatives that is mentioned in the resolution—

> and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

That can be changed by constitutional amendment, of course, and that is the only way it can be legally changed. However, that is not my point at this moment. My point is that here is a power which was never granted to the Federal Government. It is a State power and a State prerogative to begin with. It was reserved that way in the Constitution when it was written, and it clearly, positively spelled out exactly what the writers of the Constitution meant.

There has not been any real change in that constitutional provision from that day until this, even though we adopted an amendment changing the method of selecting U.S. Senators, and another amendment making women eligible to vote. Those changes did not go to the qualifications, or to the restrictions, or regulations. It involved a recognition of a new group of people as being eligible to vote. It was kept clear and positive and explicit as to where the reserved power and the prerogative power was as to who would be electors. The Congress and the people reached back and adopted identical language for this section that I have read.

So, for two reasons we should not tamper with it. It was a basic prerogative that was preserved and reserved to each State from the beginning.

Certainly by now it has become a binding covenant, a binding principle, that the other States, even though they have changed their own law, will not move

into the other States and say, "Well, you disagree with us. We are going to make you conform to what we have done in our State."

The second point—and I repeat this—which is involved here is that now it is seriously argued—regretfully, of course—and presented to the Senate that we can circumvent this plain, clear, positive basic language in the Constitution by mere legislative flat, by making certain findings here, as a legislative body, and then outlaw other tests with which we do not agree.

As a matter of naked power, that may be done; but, with all deference, it will never be done constitutionally. It will never be done legally, as the provisions of this basic law so clearly provide.

This provision of the Constitution means that once the qualifications and the status of the voters have been determined by the States, then the voters' right to cast their votes for Congressman or for Senator is a right dependent upon and guaranteed by the Constitution.

Tampering with the right of the States to levy poll taxes can result in revenue losses to the States. The poll tax is a form of revenue collection used in the five Southern States to help operate their public schools. As we know so well, the Federal Government has moved steadily into many tax fields. Today there is little left for the States.

My own State of Mississippi charges a small poll tax, only $2 per year, and no one can be charged more than $4 or 2 years' tax, as a voting prerequisite.

We hear much these days about balancing the Federal budget. I wish we heard more. However, we should not forget that the States also are having budget trouble. Although the revenue derived from the poll tax may seem to some to be small, it is of substantial importance to Mississippi in the support of our public schools. That is the only purpose for which it can be used. It is one of the few taxes which are earmarked from the beginning to be used exclusively for educational purposes.

With all deference to the advocates of this proposal, I believe that when we get right down to the fundamentals of it, it amounts to a serious assault on the reserved powers of the States. That is the practical effect of it. It is probably due in part to the condition of the times.

I know of no sovereign state in the world today which is shown as little consideration as is a State of the United States in connection with such a vital, fundamental function as determining who shall be State electors.

The proposal before the Senate would sweep away this valuable State prerogative. It is ironical to me that the very States which created the United States of America—this Government which has risen in a short time to assume responsibilities and powers in world leadership—should find themselves so forgotten and so trod down and spurned and under attack here. This is an assault upon the States themselves and on their reserved privileges.

I may add with emphasis here that the effect of legislation of this kind, which reaches in and pulls down and casts aside some of the fragments of power that the States still have, in a move to further weaken and take away this small amount of power that is left, is an assault on the sound conservative areas of the United States.

I use the word "conservative" in its better sense, to illustrate a conservatism that believes in responsibilities under our great privileges. It does not think of our Government altogether in terms of rights, but also in terms of responsibilities. It is the kind of conservatism that carries with it the idea of fiscal responsibilities; that carries with it the idea of a reasonably strict interpretation of the basic provisions of the Constitution of the United States; that believes that, unless the conditions are extraordinary, something should be paid upon the national debt, instead of merely blindly saying that we owe it to ourselves and that we are paying ourselves the $9 billion of interest; and that carries with it the idea of a responsibility which says we should not casually keep raising the debt ceiling and going further and further into debt for future generations unless it is for extraordinary and unusual expenses which may happen to occur within a particular year.

We believe they are a responsibility, and a conservatism, to which we simply cannot keep adding by increasing the number of Federal programs and the expense which goes with them, without gradually having a nationalized government and a dependent people. I have never made an attack on the Department of Health, Education, and Welfare, and I do not mean to do so now. However, I learned the other day, during a brief hearing of a subcommittee of the Committee on Appropriations, that that Department of the Government, 7 years ago, had 43,000 employees and a budget of $1,500 million. Now, 7 short years later—and I am giving round figures—the Department has some 80,000 employees and a budget of approximately $5.9 billion. Those 7 intervening years certainly have not been depression years. The cold war is in progress, true; but there has not been a shooting war. Extraordinary, unusual things have not happened. As I understood, there are pending at this session of Congress additional programs which would add, in round figures, $1.5 billion to that budget. Just one item in those pending proposals would add 5,000 employees to that Department. This is simply a graphic illustration of how national programs grow by leaps and bounds, adding to the yearly cost of the Government many billions of dollars.

Furthermore, when we look into the future only a brief span of four more decades, I am told that by the year 2000, at the present rate of population increase, the Nation will have a population of almost 400 million. We must realize that that will mean increased demands upon the services of the Government. The increase in the Federal programs, the increased amount of care which will be sought from the Federal Government for existing programs and the host of proposals which are being added every year, will not only make it far more difficult to have anything that is near sound fiscal policies. In my humble opinion, with the increased number of organizations—and I use that expression in its better meaning—with the increased pressures and demands upon Congress, there will be a serious question of the ability of representative government to function amid such an enormous population with its increased demands.

So I say that any measure, however good its author may consider its motives—any measure which tends to strike at what little remaining power the States have to regulate their affairs—is an assault on the conservative element, the conservative political forces, and the conservative viewpoint of this great Nation. I use that term in its very best sense.

I have not a bit of doubt in my mind that if the so-called voting rights proposal passes, even in the form in which it is presented to the Senate, it will tend to weaken the conservative viewpoint of the Nation, it will prove to be an effective assault on it.

If this proposal ever gets momentum enough to be seriously considered for passage, my humble opinion is that it will be swept aside as the morning dew melts before the rising sun, and this other provision will be substituted, the provision relating to the so-called voting rights and educational qualifications. With all deference, there will be the measure which will become law. Much of the Constitution will be literally swept out of that great document if the Mansfield joint resolution ever passes. With all deference, I think it is a legal monstrosity.

As I have said, in comparing our own States with the new states being created throughout the world, many of the small and weaker states throughout Asia, the Middle East, Africa, and elsewhere are being given more consideration now than are the States of the United States. We are not trying to take any of their powers away.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. EASTLAND. Does the Senator believe that the poll tax disfranchises anyone in the State of Mississippi?

Mr. STENNIS. I am glad the Senator has asked me that question. May I answer with a little background? My colleagues and I have lived in Mississippi all our lives in rural counties. We have been out among the people all those years.

Mr. EASTLAND. Two country boys.

Mr. STENNIS. I am certain in my own mind that the poll tax does not disfranchise a single individual in Mississippi. Anyone who is disabled can get a certificate of exemption. Anyone who is 60 years of age or over, as the Senator knows, is exempt anyway.

Mr. EASTLAND. If the poll tax does not disfranchise anyone, what is there behind the drive to pass the joint resolution except to nationalize elections, destroy the powers of the States, and concentrate power and authority in the Federal Government? It could not be

primarily to protect the voting rights of the people, because the poll tax does not disfranchise anyone.

Mr. STENNIS. The Senator has correctly stated the point. As I said in the beginning of my remarks, before the Senator came to the Chamber, I believe this measure and all others which relate to it are politically inspired. It is an election-year activity. There is no emergency. There is no need for such legislation. It has been before Congress during all of the 14 years I have been a Member of the Senate, and more. The whole effect of the proposed laws would be purely to nationalization of elections.

Mr. EASTLAND. Notice has been given, has it not, that an attempt will be made at this session of Congress to pass other measures which would further nationalize the elections of the Nation, destroy the powers of the States, and concentrate authority in one strong Central Government?

Mr. STENNIS. The Senator is correct. The other bills have been mentioned. One will be offered as a substitute to outlaw the poll tax by statutory enactment. Another one, concerning which the Attorney General has spoken, and which the President mentioned in his state of the Union message, relates to literacy requirements. If either of those was passed, the elections would then be entirely a national affair.

I thank the Senator for his timely questions and the observations which he made.

One further point with reference to the way the States of the Nation are being attacked, are being legislated against, and their powers taken away. Congress is not going to take away any of the powers of the new states which have been created throughout the world; we are trying to help them, to strengthen them. We are trying to give them aid. We are attempting to give them all kinds of privileges in the United Nations. We have sent them the Peace Corps, and for a long time we have been sending them technicians.

At the same time, Congress is asked to consider measures which would, in a measure, cut the jugular vein of the States of the United States, so far as the fundamental powers reserved to them in the Constitution are spelled out.

Mr. President, I cannot reconcile the two approaches to these two matters. Even though this proposal, as now written, for a constitutional amendment is a legal method, nevertheless in large degree it cuts a jugular vein and strikes down vital power of the States of these United States. Other States have seen fit to change their law, and we may change ours. Thirty years ago we struck out all such requirements regarding taxes, except this little poll tax. But today I plead that Alabama, Mississippi, and the other States in this group should have the same privilege that the other States have had.

Mr. EASTLAND. Mr. President, will my colleague yield?

The PRESIDING OFFICER (Mr. HICKEY in the chair). Does the Senator from Mississippi yield to his colleague?

Mr. STENNIS. I yield.

Mr. EASTLAND. It might be legal, but certainly it is not in harmony with our system of government, with its dual functions.

Mr. STENNIS. My colleague is entirely correct. I have already discussed that point, and my colleague has summed it up well. Certainly this measure is not at all in keeping with either the letter or the spirit of this reserved, fundamental power.

Mr. President, further in regard to the poll tax as it applies in the United States, let me state that it has been said here on the floor of the Senate that this measure affects only five States; namely, the so-called poll-tax States. But I respectfully submit to the Senate that we shall go far wrong if we consider that this bill affects only the States which now have poll taxes in effect. In reality, it affects 50 States, because it seeks to amend the suffrage clause of the Constitution of the United States.

I respectfully call the attention of the Senate to the fact that this is one of the most important and one of the most touchy subjects to be found in our form of government.

Mr. President, earlier I obtained unanimous consent to be excused at 2:30 from attendance on the Senate floor today, and to have the Senator from South Carolina [Mr. JOHNSTON] then be recognized to speak on this subject, without having that count as a speech by me on the pending motion. I am now advised that he cannot be in the Chamber at that time. Therefore, I ask unanimous consent that at that time the junior Senator from South Carolina [Mr. THURMOND] may then proceed, instead.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. STENNIS. I thank the Chair.

Mr. President, as I said a moment ago, I respectfully call the attention of the Senate to the fact that this is one of the most important and one of the most touchy subjects to be found in our form of government.

It is a subject matter with relation to which the framers of nearly all our State constitutions and of our own National Constitution have proceeded with great caution. When they came to consider the subject, almost invariably, instead of vesting the legislative bodies of the government with power to prescribe and control what shall be the qualifications of electors, they dedicated that the people, through their organic law, should themselves prescribe those qualifications in their State constitutions.

I desire to make the further point that much more than a matter of States rights is involved. That question is involved, but this issue cannot be dismissed as merely a question of States rights, as such. I think it affects the political integrity of the Nation and the preservation of constitutional government. It is one of the most serious and far-reaching questions ever to come to the floor of the Senate. So it is a sad fact that the question has to be considered in a political atmosphere, with various organized groups—pressure groups, and some other groups with fine intentions, but misinformed—knocking on the door, standing on the steps, we might say, of the major political parties of the Nation, with their demands that this legislation alone be passed at once. I think it is one of the saddest occasions in American history when the Senate of the United States is called upon to pass on this matter under such circumstances.

I do not think it can be dismissed as being merely a matter of civil rights, as such. I know that a great number of us—and, I think, all of us who are opposed to the bill—stand ready and willing at all times to see that the legal civil rights of all persons are not only recognized, but are protected and preserved. I repeat that this is not merely a matter of civil rights, as the term is ordinarily understood. The right to vote is a privilege. It becomes a legal civil right if the person meets the qualifications prescribed by law to become a qualified elector. That is the question. The law respects a person and the law protects him, once he has met the requirements for becoming a qualified elector.

Mr. President, that matter is something which requires specific definition. Specific instructions as to just where that right began are required in the law. All our State constitutions and our Federal Constitution respect that right and protect it.

Mr. President, I ask that we always remember that we are not now considering a political campaign matter. Here, we are dealing with the Constitution of the United States. Let us also remember that we are dealing with one of the most delicate subjects within the Constitution.

I am vigorously opposed to any proposal in the Congress to have the Central Government attempt to prescribe the qualifications for voting. This matter is a State prerogative, and it should remain such. I have repeatedly expressed the view that even though I am opposed to such action in any form, and by any means, alteration of this fundamental States right can be accomplished only by constitutional amendment.

Mr. President, let me say with all due deference to everyone concerned that I believe that basically bound up in this entire matter is the question of the responsibilities of citizenship. I think that for many years we have been gaily going along and, instead of increasing the responsibilities of citizenship in a more complicated society and with more complicated problems to solve, we have been decreasing the responsibility of people—for instance, with reference to their own families and their own parents—and we have decreased the responsibility of the local people with reference to their schools, for instance. I think we have sailed along too easily, when we have taken almost everything for granted and have taken the position that, after all, the Government can and will protect and take care of everything and everyone, and that therefore each one of us does not need to save for the education of his children, but that instead, in some way some provision will be made. I think the impact of all such developments is to create irresponsibility, rather than responsibility. Whatever curbs and regulations there are—and I would not want many—with reference to voting—and voting is a privilege, not a right, for voting is never a right—the matter of exercising this privilege has become more and more casual and more and more ordinary. That is why I say that instead of removing all these restrictions and guidelines, I think the demand of the time is that we must consider increasing some of the responsibilities and increasing some of the reasonable restrictions.

We are holding hearings now with reference to the need and necessity for further drilling, indoctrinating, and instructing men in the armed services, beyond what they have learned in their homes and schools, whatever training they got in those two places. We are seriously considering the matter of further training them and indoctrinating them in American principles, constitutional principles, and privileges of our form of government, which is what I am trying to emphasize.

We can take care of whatever menace is threatened by the Communists if we can get enough Americanism instilled into the people. The military cannot do it all, either. All this shows that something has been happening to slow down the spirit of responsibility. There has not been a slowing down of benefits coming from our Government in a material way, but it must be that somewhere along the line we have not put enough emphasis on responsibilities. I think the privilege of voting is certainly one of the outstanding responsibilities, and it should be emphasized to our people that it is a privilege, that one must do something to earn it, that he must make some kind of a contribution, perhaps pay a little tax, and register, and must live a little while in an area where he proposes to vote, that there must be some kind of a literacy requirement. I have never gotten away from the idea that a voter should be able to speak the English language.

Instead of building up and emphasizing responsibilities, it seems to me we are taking them away and tearing them down and are saying, "After all, everything is going to be all right. Everybody come in and exercise the privilege of government, and none need carry the responsibilities of government."

This is one reason why there has been burned into my heart and soul the need for some kind of regulation of the voting privilege. I did not have to come to the U.S. Senate to learn that. I have felt it for a long time. As I stated awhile ago, I have spent my life among the people in connection with governmental matters. I do not think there is any quicker way to destroy the fundamental privilege of voting than to make it too easy and too simple and too comprehensive, without any kind of regulations, such as the payment of a $2 poll tax. In some States it is a dollar and a half. In one State it is $1.

The requirement of the payment of a small amount of money of that kind and the requirement of registering are certainly a very, very mild tap on the shoulder, but they carry out the lesson of responsibility.

Mr. President, I was somewhat shocked last week to read in the press that in the last few days the Attorney General of the United States is actually urging the Congress to outlaw the poll tax and curb literacy tests in Federal elections. This incumbent of the highest legal office of the executive department of the Federal Government, this top lawyer of the Department of Justice, would have the Congress attempt this drastic violation of States rights or constitutional provisions by a simple legislative act.

I can understand why anyone, in his enthusiasm, could get interested in the subject matter and feel he was justified in proposing that, but how one in a high position of responsibility, who had an opportunity to study the plain, simple, basic provision of the Constitution—written not just once, not just twice, but three times in the Constitution, reserving those rights to the States—could reach the conclusion, after studying it, and particularly one with a legal mind, is far beyond my ability to grasp. I believe many of these persons are overwhelmed by political considerations.

Mr. President, this view is well and soundly supported by the constitutional law and history of this country and is certainly recognized as fundamental by those who, in conscience, must be and are guided by right rather than the might of political pressure.

Nevertheless, Mr. President, there are substantial indications that effort will be made in the Senate to attempt a presumptuous repeal of the States' poll tax law and to set up other strictly constitutional voting qualifications by mere legislative act of the Congress.

Mr. President, the real true question involved is whether or not a mere majority of the Congress of the United States has the constitutional authority to prescribe what shall be and what shall not be a qualification for voting in Federal elections.

Not in the attitude of seeking controversy, but in all sincerity, I challenge the proponents of this measure to come into court and state the book and page and line of any respectable legal authority they have, from whatever source, to sustain their position. I invite them now and ask them now to bring in the evidence, the legal documentary evidence, from the organic law, or from the courts of our land, which will sustain them on a sound basis. I do not believe they have the power or the resources to do that, and I do not believe they will be able to present respectable authority. On the contrary, there is an abundance of authority for the other side of the question.

Mr. President, this matter has frequently been discussed and I have several times made reference to my impression associated with my visit to the scene of the assembly of the makers of our Constitution.

Several years ago I stood in Independence Hall in Philadelphia. I walked around the Chamber there, remembering that was where the Constitution of the United States was written. I tried to picture in my mind where it was that Benjamin Franklin sat. I tried to picture where James Madison sat. I thought of the presiding officer, George Washington, and I felt that a political halo hovered around that place. I thought of the great document those men penned there—how, while the world scoffed, they wrote that instrument; and how it has become the object of admiration of all the world; and how we have grown. That towering city of millions was little more than a village then; and I thought how we have grown into a great nation, the most powerful in the world.

I thought of the city of Washington, D.C., where meet the political leaders of the world. We control the commerce, we control the finance, we control the shipping lanes. We are actually the capital of the world, and have become such within a short span, only a few years relatively speaking.

Soon after being in that atmosphere of reverence and thankfulness, surrounded in my imagination by these towering patriotic intellects, my thoughts shifted back to the scene of the Senate floor. I picked out in my mind the towering personalities in this Chamber, and compared them in my mind with the patriotic personalities who once stood on the floor of Independence Hall. I can say in all sincerity that they compared favorably in intellect, in intelligence, in attainments, and, more than that, I think they compared well in patriotism.

But, thinking further about the Constitution, it seems to me, Mr. President, with all deference, that, instead of trying to respect a sound Constitution and instead of trying to preserve a sound Constitution, this proposal—with reference to the enactment of a statutory law which would set literacy requirements and other requirements as to voting for Members of the House of Representatives, for Members of the Senate, and for the President—would be, in effect, an undermining, a dissolution, and a destruction of that same Constitution. If such a law should be passed, how could anyone with logic and reason stand on the floor of the Senate and point to any other major provision of the Constitution which could not be undermined? How could one protect the Constitution?

Someone said that we must be practical, and that we must adopt a method that is expedient. Let me quote from the words of George Washington himself. In the Constitutional Convention someone suggested that they must propose an expedient form of government, one which would be adopted and which would be sure to meet the popular approval. Trying to do something that will meet popular approval is not a new thing.

I should like to quote what that great man said. When I use the word "great," I reflect that of all the magnificent objects in the city of Washington, the most magnificent to me is the one that is dedicated to the Father of his Country—the Washington Monument. On the floor of the Constitutional Convention, when someone suggested that we

must be expedient and must write a document that would be popular and be accepted, George Washington's reply was:

It is too probable that no plan that we propose will be adopted. * * * If, to please the people, we offer what we ourselves disapprove, how can we afterward defend our work? Let us raise a standard to which the wise and just can repair. The events then will be in the hands of God.

So now, regardless of expediency of action and regardless of how popular it may be on some fronts, let us here raise the standard to which the wise and the just can repair, and then the outcome will be in the lap of the gods.

Mr. President, the measure provides very briefly that the payment of the poll tax shall not be a prerequisite to voting in elections for President, Vice President, Members of the Senate, and Members of the House of Representatives. The very question has come before other deliberative bodies. We are dealing now with the Constitution. My entire argument will be based upon and centered around the great constitutional questions which arise.

The very subject of dealing with the qualifications of electors came before the Constitutional Convention to which I have referred. The men present passed on it. They included James Madison, Benjamin Franklin, George Washington and others. They decided that in our Government we would have a President and a Vice President. They decided further that we would have a U.S. Senate. They decided that we would have a House of Representatives.

The question then arose as to how the Members of the House of Representatives would be chosen. It was a most vital and important question. The members of the Convention decided that they should be elected by the people. Then the question arose—and the question was one of the most serious of all—who shall be the electors? Who shall be the qualified electors?

Three proposals were made. The first was that the question should be left to Congress to decide as to who would be qualified electors. That is the very thing that the bill which was introduced this year with reference to literacy requirements would do. But that plan was rejected. Incidentally, as I recall, the first plan, providing that the Congress should have this authority, had only one sponsor in the Constitutional Convention. Think of it. There was only one sponsor in the Constitutional Convention for a provision that Congress should be allowed to decide who should be qualified electors. Still if the bill were passed—a statutory enactment with reference to literary qualifications—that would mean the breaking down of a wall of provisions that was erected, and the establishment of a new system declaring who are qualified electors. The same plan that had only one vote in the Constitutional Convention would be adopted now, and that plan would be adopted without being submitted to the States or to the people, but adopted by legislative flat.

Returning to the Constitutional Convention, the second plan proposed was that there should be written into the Constitution itself a definition of who would be qualified electors to choose the Members of the House of Representatives. At that time the Senate was not considered because, as everyone recalls, Senators were to be selected by the States. The second plan was also rejected.

The third plan proposed was that definitions should be written into the Constitution to the extent of saying:

This matter being so important, so highly controversial, we prescribe the rule that in all Federal elections in each particular State, those who are qualified to vote in the most numerous branch of that particular State legislature shall be qualified to vote for the Members of the House of Representatives.

Those are the words as to what the plan provided. That is exactly what was adopted after a firm consideration and a sound conclusion. That provision was written into the Constitution itself.

To bring out the point more clearly, I read again the exact words of article I, section 2, of the Constitution:

The House of Representatives shall be composed of Members chosen every second Year by the People of the Several States, and the Electors in each State shall—

Note the word "shall"—

have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.

Who could argue or imagine that Congress by legislative act could change the term of the Members of the House of Representatives from 2 years to 3 years, 4 years or 5 years? Congress has absolutely no power to make any such change, because the words used are "chosen every second year by the People of the several States."

Of course, we must have respect for the English language. We must respect clear meaning.

We would wander far afield without compass, guideline, or direction if we wander away from the clear, plain, and basic provisions of the Constitution.

I have not heard anyone suggest that the Congress should have power to prescribe the qualifications of electors in State elections, or that it should have the power to prescribe the qualifications of electors who are to choose the members of the most numerous branch of the individual State legislatures. I emphasize the point that, as I understand, no one claims that there is authority in Congress to prescribe who shall be qualified electors in the various States in choosing the members of the most numerous branch of their State legislatures.

The Constitution of the United States provides that the electors of the U.S. House of Representatives shall be the same as those provided in each State for the election of members of the most numerous branch of the State legislature.

How can we change here by legislative flat the qualifications of electors for Federal officeholders and not at the same time change it for the electors of the State officeholders, when the plain provisions of the Constitution, clear as a bell, provide that they shall be the same?

If we have no power to change the State list, how do we have that power to change the Federal list of electors, when the Constitution of the United States plainly says that they shall be the same?

With all deference, I do not believe that question will be successfully answered during the course of the debate upon such a bill.

I quote further from the Constitution, section 4, article I, which reads as follows:

The Times, Places and Manner of holding Elections—

Let us get that clear. We are not talking about qualified electors, nor about who shall be qualified electors; we are on another subject entirely.

The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law make or alter such Regulations, except as to places of chusing Senators.

Mr. President, I anticipate that somewhere in the debate upon the Mansfield bill the argument will be made at great length that under section 4 Congress has the authority, and that it has been established by many precedents, to go into all forms of regulating Federal elections, and therefore the argument will be made that that includes the power to go back to article I and change the qualifications of electors. I submit that this would be a mere argument.

However, the provision of the Constitution which applies, article I, section 8, clause 18, reads as follows:

The Congress shall have Power * * *

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers * * *

The foregoing powers. In other words, Mr. President, if there is no power in article I, section 2—which provides that the list of electors shall be the same—to change the qualifications of an elector, then there is no power to be gained from clause 18. It is possible to revert to that portion of the Constitution and say that under it the power of Congress rises higher there than it does under section 2. Just like a stream can rise no higher than its source, clause 18 can rise no higher than is the grant of power, if any, in article I, section 2.

We come back again and again to the proposition that the Constitution of the United States provides that the qualifications shall be the same for electing members of the State legislature as for electing Members of Congress. Congress cannot possibly have any kind of power to prescribe what shall be the qualifications of electors to elect members of the lower branch of the State legislatures. If that be true—and it is undenied, as I understand—how can Congress, under any clause, have the power to say that the Constitution is all wrong, and that we shall establish a list of qualifications for voters for Members of Congress, and that the State legislatures can do what they please under the Constitution with respect to the qualifications of electors of the lower branch of their legislatures? It is proposed that we shall not follow the Constitution with respect to the question of qualifications.

Madam President, I do not see how we can pursue such a course. That is why I say that it is not a question of expediency. It is not a matter of what might be proper under certain circumstances. It is a matter of doing something "to which the wise and the just can repair." Those are George Washington's words, not mine. Then, as he says, affairs will be in the hands of God.

Another provision which has a bearing on this question is amendment 10 to the Constitution. We are still talking about powers:

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

Certainly that means something, particularly when we try to squeeze out an imaginary power from some of the other clauses of the Constitution, especially when we are pressed because of the expediency of the occasion. We might be inclined to lean over the line a little; but amendment 10 calls us back:

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

Madam President, with all deference, it is hard to see how language as clear, as positive, and as explicit as that could be so largely ignored in many instances by Congress and by the courts, especially when it is on a plea of being necessary or acting under expediency.

That brings me around to another proposition. It goes with the idea that I was presenting this morning. The trend of legislation, the trend of constitutional amendments is to take away from the States powers and responsibilities, to take away from the State governments responsibilities that are theirs now.

We have taken away from the people responsibilities that properly belong to them and have been bestowing so many of the so-called benefits on the executive branch of the Government that I fear the burden will become so great that it will not be able to carry the load.

I have another observation, Madam President. According to my experience as a public official, particularly in present times, I believe the Federal Government is not nearly as effective in taking care of some of the problems of government as are the States. In some cases where the Federal Government goes in and takes power away from the States, they do not do anything about it.

I am going to mention something that I have never mentioned before, as I recall, on the floor of the Senate. I have noticed with great alarm the increasing lawlessness which has been built up right here in the city of Washington. I do not want to advertise it any more than it has already been advertised. But the lawlessness and the irresponsibility is already well advertised all over the world. If the representatives of other governments in this country tell their governments back home what goes on—and I am sure they do—I wonder what kind of explanations or what kind of reports they send home with reference to the lawlessness that we have right here in the District of Columbia.

I have been a law-enforcement officer for a brief time elsewhere. I know that if we turn people loose, whether it is in Washington or Wisconsin or Mississippi or wherever it is, without some kind of fairly strict law enforcement, things are going to run away and things are going to become intolerable.

We appropriate and spend great sums of money for the Voice of America and the Peace Corps. I do not refer to them critically at all. We spend great sums of money for good will. We send our technicians to foreign countries. We spend billions of dollars for this work. I think the amount has reached more than $100 billion within the last decade; perhaps a little more. Still, on top of that, we see bursting forth this incessant line of increasing violence and criminality right in the Capitol City itself.

Madam President, what kind of report do you suppose an honest ambassador or minister—and I am sure they are all honest—will give to his country with reference to these happenings? My point is that instead of Congress taking more power from the States, we ought to be doing a better job of exercising some of our own direct responsibility.

About 10 months ago, or a little less, there was the disturbances of the freedom riders pouring down into Alabama and Mississippi. Pictures were published in the press showing the police in Jackson, Miss., trying to cope with some of the situations. They were using dogs. Frankly, I did not realize they had dogs. However, I had heard of dogs being used. Upon investigation, I learned that right here in Washington, D.C., the police had been using dogs for some time. I understand the police department is now requesting an increased number of dogs because more are needed.

Madam President, I have before me a news item published in the St. Louis Globe Democrat of March 8, 1962. The headline reads: "Criminals Getting Bold—Dogs To Stand Guard on Capitol Grounds."

This dispatch was special to the Globe Democrat and reads as follows:

WASHINGTON.—Criminals have become so bold and so cruel in the Nation's Capital that police dogs are to be used to protect Members of Congress and congressional staffs entering and leaving the Capitol Grounds.

For years Washington has been a jungle of rapes, murders, holdups, beatings and purse snatchings, but until recently the neighborhood of the Capitol had been regarded as one of the less dangerous areas.

Madam President, my point is that instead of Congress trying to take powers away from the States, we had better start at home to attend more to the problems already on our desks. We had better demonstrate that we understand the present laws and regulations before we seek to change the laws of the States. I continue to read from the article:

In recent months, however, criminals have invaded the neighborhood. Their most recent victim is Representative MARTHA GRIFFITHS (Republican), of Michigan, whose purse was snatched in daylight near the Senate office building.

Thieves have even made their way into congressional offices. Senator MARGARET CHASE SMITH (Republican), of Maine, found when she wanted to see ceremonies for Astronaut John Glenn on her office television set, it had been stolen.

Thefts of typewriters from the Senate Press Gallery also have been reported.

Dogs from the Police Canine Corps were added to the police squads at the request of the Congressional Secretaries Club.

Madam President, think of that. Let me repeat it:

Dogs from the Police Canine Corps were added to the police squads at the request of the Congressional Secretaries Club.

Here we are debating the question of regulating the voting franchises in Mississippi and Alabama, while the activities I have just cited are taking place on Capitol Hill, a place over which Congress has clear jurisdiction. There is nothing in the Constitution which would create an obstacle for Congress in that respect. Yet we seek to tell others what they should do, when we are leaving our own backyard in this dangerous condition.

Women workers at the Capitol—

That means this Capitol—

now may have police escorts to and from their cars upon request.

Madam President, I certainly did not know that. According to this report, young women who work at the Capitol may now have police escorts to and from their cars upon request. I know nothing more about it except that the inference, it seems, is that young women feel unsafe without such assistance, and have been notified that any woman working at the Capitol who feels unsafe in going from her desk to her car or her office may call upon the police, and an escort will be provided. I continue to read:

The dogs were ordered after robbers adopted a new technique—killing their victims to insure against identification instead of beating them or stabbing.

Last Saturday night, a Washington concert musician was bludgeoned to death in a fashionable neighborhood by killers who got only a few dollars from their crime.

Madam President, some things have happened in my State, as I suppose they have happened in other States, of which I am not proud. We always want to improve conditions. But incidents such as those I have just recited do not happen in Mississippi. They never have been happening there. I do not believe there is any kind of threat to any secretary in the Mississippi State Capitol or any other office building or any other place where, regularly, she must consider whether to call for a policeman to escort her to or from her work. I do not believe such a thing is true in any State which the proposed legislation is seeking to reform.

Madam President, I make this prediction: I do not believe Congress will come to grips with this problem in Washington, because running through all of it is the racial question, the so-called civil rights matter.

Think of it: A musician bludgeoned to death; women assaulted and insulted right here on the Capitol grounds, in the Federal Capital, the capital of the world,

as I said a while ago. All these happenings have occurred here.

We are told that the young women who do our office work cannot leave to go home in safety. I do not know of my personal knowledge that any of them has requested an escort, but I know that after Representative GRIFFITHS had her experience, and others whom we have read about on Capitol Hill, whose names I cannot recall just now, had theirs, protection has now been afforded.

Madam President, I do not like to bring such matters as this to the floor of the Senate. Senators have never heard me discuss this subject before. But it is very pertinent to the subject under discussion. As a Member of this body, I am sick and tired of hearing these demands repeated every year, at every session, to pass legislation directed at some other target. Let us start at home and see what can be done.

I have before me an article published in the Washington Post and Times Herald of March 17, 1962. I dislike to advertise these happenings, but they are a part of the picture; they form the background. If accurate reports of Washington are being sent all over the world, then every government around the world is being advised of these conditions. The headline of the article reads: "Violence in the Streets. Woman Is Robbed, Severely Beaten in Series of District of Columbia Assaults, Thefts."

The article reads:

A Northeast Washington woman was beaten and robbed of $150 in cash and five $1,000 savings bonds in one of a series of robberies and assaults yesterday.

Bernice Kelly, 47, of 236 Massachusetts Avenue NE., was struck in the face repeatedly last night until she surrendered her purse at Third and Fourth Streets NE., police said.

Mrs. Kelly, a reservations clerk at Union Station—

That is only a stone's throw from the Capitol—

was admitted to Casualty Hospital in serious condition with a possible concussion, cuts, and bruises.

Alexander M. Simpson, 71, of 1630 R Street NW., told police he was knocked down and robbed yesterday afternoon in the lobby of his apartment building.

Two assailants took his wallet containing $8, he said.

Allan Hustack, 17, listed at 1630 Park Road NW., was severely beaten in front of his home last night by six youths, police said. Hustack was taken to Washington Hospital Center.

Madam President——

The PRESIDING OFFICER (Mrs. NEUBERGER in the chair). The Senator from Mississippi.

Mr. STENNIS. Let me say that just a little before dark yesterday evening, my wife said she wished to walk to the corner to mail a letter. But I said to her, "Don't go; you can't take that chance."

I now read further from the article to which I have been referring:

Margie Mae Johnson, 36, listed at 241 35th Street NE., told police her purse was stolen by a youth who struck her on the head with a stick on a parking lot behind a Giant Food Store at 3924 Minnesota Avenue NE. She was treated at District of Columbia General Hospital.

Evidently that lady went there, purchased her groceries, went out to get into her car, and was knocked in the head.

I read further from the article:

Daniel Murray, 28, of 1214 Penn Street NE., said he was knocked to the ground near his home by three men who took his billfold containing $2. He was treated at Casualty Hospital.

Homer D. Colbert, 13, of 600 Kensington Place, said a man punched him in the face and stole his transistor radio as he was standing at South Dakota Avenue and Kennedy Street NE.

Katherine Bateman, 48, of 5221 Fisher Drive, Temple Hills, Md., told police someone took a wallet containing $150 from her purse, which her daughter, Ginger, 13, was holding as they were shopping in a store in the 1100 block of G Street NW.

Ronald Stewart, 13, listed at 1536 D Street SE., said a youth took more than $20 from him in front of 1820 Independence Avenue SE.

Sandra Moss, 22, listed at 3725 12th Street NE., told police her purse containing $2 was stolen by two youths in the 100 block of Perry Street NW.

Madam President, all that is set forth in just one article in one morning newspaper. I do not know whether the article gives the complete list, but it is part of the picture.

Madam President, I was not in the city of Washington the week before last; but when I returned, there was much talk—on the radio and elsewhere—about a bus driver who was attacked at 11th and U Streets. I now read from a report—as published on March 12 in the Washington Post—on that attack:

"I THOUGHT ONE OR TWO WOULD HELP ME"

HOODLUMS BEAT AND ROB BUS DRIVER AS 30 PASSENGERS WATCH PASSIVELY

(By Gerald Grant)

Half a dozen young toughs beat up and robbed a bus driver at 11th and U Streets NW., early yesterday while about 30 passengers sat idly watching.

D.C. Transit Driver Page M. Powell, 30, of 6920 Parkwood Street, Hyattsville, said no one made a move to help him as the gang pinned him against the window, struck him in the face with their fists, tore off his shirt pocket containing about $30, and snatched away his change carrier.

Nor was there any offer of assistance as the gang ran off leaving him bruised and bleeding, Powell said.

"I don't know why it was," said Powell. "Even though I am of a different race, I thought one or two of them would come to help me."

The youths did not show any weapons. Five of them boarded the bus, a sixth refused to pay his fare, and then six more shoved their way onto the vehicle and started swinging.

The proprietor of a nearby delicatessen called police. A second bus was summoned. When it arrived Powell asked a half dozen passengers if they would give their names as witnesses.

They just shook their heads, Powell said, and got on the second bus. Finally a 17-year-old boy, seeing that no one else responded, stepped down from the second bus and gave his name.

Deputy Police Chief Edgar E. Scott expressed shock at the incident.

"We can't provide law enforcement in this community unless the citizens want it," Scott declared. In this case, he said, it seemed they didn't.

Powell could describe only one of the six assailants, all Negroes. He said the youth was about 16 years old, short and slight, wearing a green army field jacket.

So far as I know, I believe that account covers the matter. Certainly I do not wish to omit anything of importance in that connection, although at this time I do not have time to discuss the more recent developments with reference to that case.

I did hear on the radio an editorial statement in which an attempt was made to point out that the matter was not nearly as bad as it seemed; and it was stated that only 15 persons were on the bus, and that therefore only 15 refused to give their names and addresses or to intervene in any way on behalf of the bus driver.

Madam President, as I have stated, I am not attempting to advertise these things; but they are well known. They are facts of life; but I do not believe Congress will adequately cope with this problem.

I have tried to find whether someone would propose that something be done about these matters. I hold in my hand a report in that connection. A gentleman at the Department of Corrections said, in referring to these matters:

They are merely racial overtones of a cultural nature.

Madam President, I do not see anything cultural in the matters I have been discussing. So that gentleman must have been referring to something else.

It is stated that he also said: that this trait was first known in the early Irish and the Poles of a few generations ago. He spoke further along that line, and concluded by saying:

I fear it will get worse before it gets better.

Madam President, if that is the only remedy we shall have and if that is all that these people will be told about how to cope with this situation, I am sure things will get much worse before they get better.

I deplore this situation. I have been thinking that certainly some steps would be taken to correct it, for that can be done, I know; and I know from experience with these matters that they can be dealt with in a very humane way, but also a very necessary way. But certainly a penalty must be applied to such conduct, and that fact must be well known and well advertised. Some sort of penalty must be imposed, and there must be some kind of responsibility in connection with such matters. But today we are not coping with them. By means of a few instances of this sort, if they continue over the years, we shall be doing more to ruin our reputation in world opinion than we could accomplish by all the good we could do in other ways and all the money we could spend.

The platforms of the two political parties contain high-sounding and resounding words; but in this case it is proposed that by legislative fiat the plain provisions of the Constitution of the United States be abandoned.

Madam President, I have great respect for the press; but in the press it is said that all of this is tied in with the civil rights bill, and that only a few Southern

Senators are talking for the RECORD, so the folks back home will think they are doing a great deal to protect them.

Madam President, there is not a word of truth in all such mush. This matter has gotten down to the very fundamentals of life; but we, as part of the Government, are failing to cope with such problems, even though our duty is plain and our responsibility is great and our power is unlimited. Instead, Madam President, we are talking about taking some little power from a State—some power to regulate the exercise of the voting privilege—for it is not a right—that goes with citizenship in our great Nation.

It does not take any prophet to foresee that this will all be discounted as merely the mouthings of a southern Senator.

I am no wise man, but I believe I have been talking about fundamentals. I have been talking about fundamentals of human nature and fundamentals of government for which there is no substitute.

So my plea is for responsibility to again take a front seat. My plea is for proper penalties; for conduct in human affairs here in the city of Washington, and elsewhere, to be given its proper place.

My plea is to get down to fundamentals and to use the power we already have, unmistakably and clearly, before we try to take some power away from a State of the United States under the guise of civil rights or of liberating someone.

My colleague and I have already expressed ourselves on the floor. In our humble opinion and on our honor, this little old poll tax does not prohibit anyone from voting in our State. It is a reasonable regulation of the use of a privilege, and I want it applied to all the people, whatever the color of their skin, because I know something along this line is essential for sound government.

We have our shortcomings, but what State does not? I tell the Senate right now that this Congress has more things to do than to use up this time and delay important matters in order to pass on this relatively small, and by comparison, insignificant problem, if it is a problem, which is already being handled in a pretty fine way by the States.

Mr. HOLLAND. Madam President, will the Senator yield for a question?

Mr. STENNIS. Yes; I am glad to yield.

Mr. HOLLAND. The Senator has depicted at considerable length, and with accuracy, the troubles in the field of law enforcement in the District of Columbia, the government of which is committed to Congress. Has the learned Senator from Mississippi proposed any laws or statutes by which this situation would be corrected or cleared up?

Mr. STENNIS. No; I have not. I have not made a special study of it. My impression would be that we already have enough laws on the books. That would be my general impression. I read that one judge said something about penalties. I do not remember his exact words. I simply do not believe that, as a matter of Federal law, the problem can be taken care of. I read where the official said the situation was going to get worse before it got better.

There are many things I have not been able to correct. The Senator from Florida has some matters in his State that need attention. There is some movement on there about reapportioning, so there may be better representation in the big legislature in his State. That is a live question in my State, too. I have not solved it in Mississippi. I do not know if the Senator from Florida has solved it in his State.

My point here now is that we had better attend to matters closest to home; that we do not use the Federal power that we have nearly as well as the States do; that before we take away their power, we had better attend to matters here.

I am not indifferent to crime in Washington. I am ashamed of it. I am a taxpayer here. I have a home here, as well as one in Mississippi. I am proud to be a property owner here. If things keep moving on as they are where I do live here, I am going to get out, because I do not think it will be safe.

I wish to continue now with my prepared text.

Inasmuch as this question was one of the most delicate and one of the most controversial questions which came before the Constitutional Convention, and inasmuch as those men of intelligence, information, and learning were passing on that matter, and were passing in a most serious way upon the vital question as to who shall be a qualified elector to vote for Members of Congress, when they finally settled on these words, "And the Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature," certainly are we not sure in our minds that they knew exactly what they were doing and knew what they were saying? They were not trying to write new language. They were not trying to give an imaginary meaning to the word "qualifications."

I shall be able to show later that the word "qualifications" runs all the way through the law. These men were not trying to write new language. They were creating a new government. They were prescribing one of the most serious tests that was to be laid down. They were prescribing who should be the ones qualified to choose the Members of the House of Representatives.

We know that they used that word advisedly, with all this mass of information before them, and we know they gave that word a practical meaning and a legal meaning. The law was full of it.

Now, later, on some kind of theory, and merely because we do not believe a poll tax should be required, can we in good conscience say that we do not believe the payment of taxes, poll taxes or any other kind of tax, was intended to be included in the word "qualifications"?

As I see it, that is the only point of argument that the opponents of this measure could possibly have, and the door is absolutely closed in their face by the words of the Constitution.

Mr. HOLLAND. Madam President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. HOLLAND. I would like to make it very clear, as one of those who propose the poll tax amendment, that I agree completely with the Senator from Mississippi that the word "qualifications" in the Constitution does embrace such things as poll taxes, payment of property taxes, and the ownership of property. It is for that reason that we propose dealing with this matter, not through statute, but by the enactment of a constitutional amendment. It is not our view that the framers of the Constitution 175 years ago had any greater experience, learning, or understanding of the problems of today than do the men who sit now in the Senate and the House of Representatives. My feeling is that the exact opposite is true.

I have not heard the Senator even question the fact that a proposed constitutional amendment is the only legal way to change the poll tax requirement. Is that his understanding?

Mr. STENNIS. That would be a legal way, clearly so, I think, but, at the same time, it would be an invasion of the reserve powers that were considered, weighed, recognized, and allowed at the time of the Constitutional Convention. They have been kept all these years by at least some of the States, and even though many of the States have changed the law somewhat. My State changed the law about property taxes and provided that there should not be that requirement; but the whole spirit and letter of the entire sentiment was that the matter be left to the States to make these changes when and if they saw fit.

The Senator from Florida and I have discussed this question before, many times. I fully appreciate the Senator's feelings. He will not join in voting for a statutory enactment which would invade his understanding of the Constitution. I know he means it when he says it, but I believe the Senator has put up his banner and has asked everyone who believes as he does to travel under his banner. Some other Senator will put up another banner, and will ask everyone to follow him under his banner. The Senator from Montana wishes to fly a banner which involves a statutory enactment.

The fat is in the fire. The opening of the whole question has started, and the Lord only knows where it will end.

Mr. HOLLAND. Madam President, will the Senator yield?

Mr. STENNIS. I yield to the Senator from Florida.

Mr. HOLLAND. Is it not true that the adoption of the woman's suffrage amendment, from the standpoint of the distinguished Senator, marked the change of the constitutional requirement in this field?

Mr. STENNIS. I do not think it touched on the question we have before us now, other than to reaffirm the original language. That constitutional amendment created a new group of people to whom the voting privilege would apply. Those people then came under the existing law, exactly like everyone else. The law applied to the ladies, and very properly so. They were a new

group, an entirely new group, and applicable law was left as it was, and reaffirmed. I think there is a fundamental distinction.

Mr. HOLLAND. Does the Senator know that each of the 14 States which existed at the time of the adoption of the Constitution has knocked out every single one of the restrictions and limitations upon voting it had at that time?

Mr. STENNIS. I know, as I said before, that the trend has been to remove the restrictions.

Particularly in view of the fact that these are so slight and so small, merely a regulation and thought by those people to be necessary, it does not behoove the Congress to go sniping over into the States on these matters which are so delicate and sometimes so difficult to handle.

We should let the States, in their conscience—the people of the States, in their conscience and their judgment—take such action as they wish.

Mr. HOLLAND. Madam President, will the Senator yield further?

Mr. STENNIS. I am glad to yield to the Senator from Florida.

Mr. HOLLAND. Does the Senator think that the people and the representatives of the other 45 States, all of which have completely eliminated material restrictions on voting, should sit idly by, if in their judgment and their conscience results are flowing out of the poll tax requirement in the five States which have poll taxes which are not conducive to the welfare of the United States as a whole, not conducive to the honor and standing of our Nation in the sight of the world, and not conducive to the expression of a representative verdict, representative of the entire people in each of the five States in which these poll tax requirements exist?

In short, does the Senator think that the representatives of the other 45 States should sit idly by if in their conscience they should take action? I suppose every one of us is entitled to the belief that he is acting according to his conscience and conviction. If in our conscience this procedure is not working out soundly, does the Senator not believe we have the right—and that it is indeed our duty—to recommend a change, in the clearly legal and constitutional way, which would be accomplished under the proposed constitutional amendment?

Mr. STENNIS. I say to the Senator the matter purely of conscience is a personal matter, and one must leave that to each lady or man. I am willing to do so.

I am talking about the question of judgment now, and the question of sound government. I consider myself to be not a wise man but one who has had a little experience. I do not yield to the Senator from Florida or to any other Member of this body in the least bit as to what I believe to be sound, elemental, and fundamental with reference to the affairs in my State. I am a product of more than 30 years of dealing with the problems, at the elected level.

Mr. HOLLAND rose.

Mr. STENNIS. I know the experience the Senator from Florida has had. I have heard of it many times. I am talking about my qualifications as a witness, as an humble witness. I believe I know more about Mississippi and its problems, and about west Alabama, also, because I have practiced law there, than the Senator from Florida or anyone else who has not had any direct responsibility or who has not lived there and has not wrestled with these problems through the years.

Mr. HOLLAND. Madam President, will the Senator yield for a question?

Mr. STENNIS. I am glad to yield.

Mr. HOLLAND. First, I wish to say that it would not for a moment occur to me to question the soundness of conscience or the deepness of conviction of the Senator from Mississippi.

Mr. STENNIS. I understand.

Mr. HOLLAND. I know the Senator has both conscience and conviction. I respect and honor him for it.

Mr. STENNIS. I appreciate the remarks of the Senator from Florida.

Mr. HOLLAND. I invite attention to the fact that each of those who serve in this body is a Senator of the United States. I also invite attention to the fact that many of us in this body have an experience which is at least a little wider than that which the Senator has, in that we have lived in States and still live in States which for part of our time of service have been poll-tax States and which for part of our time of service have gotten away from poll taxes. We certainly are entitled to have opinions based upon a comparison of the results obtained under the two systems.

Mr. STENNIS. Will the Senator yield on that point?

Mr. HOLLAND. It is from that standpoint that the Senator from Florida has a very deep conviction, because he has seen much better government come in his own State and much more active participation in the casting of votes come in his own State since the poll tax was eliminated. Therefore, he asks his distinguished friend to bear with him and to remember that the Senator from Florida is as much entitled to the same assumption, and he believes to the same conclusion, that he is animated by a sound conscience and by conviction as he accords to the Senator from Mississippi.

Mr. STENNIS. I thank the Senator from Florida.

I say to the Senator, I made a little inquiry about some pending questions, and happened to learn incidentally about the reapportionment of the Florida State Legislature, and the problem of a great influx of people in certain areas of the Senator's fortunate State. It is said that some people do not think they have anything like equal representation. I might conclude that a constitutional amendment or whatever might be proposed should be passed, but certainly I would never think of intruding or trying to pass a law, even with valid grounds, to attempt to do anything which would impose upon the people of Florida a so-called solution to their problem.

Those fine people in Florida repealed their poll tax. That was their judgment. I am certainly in agreement that they were entitled to do so.

I plead with those people and with their Senators—I am personally disappointed to get such a cold answer—for the privilege of permitting the people of my State to make their decision as to whatever they think is right and just. I believe, with all deference, we have about as much conscience as the people in the Senator's great State.

Madam President, I wish to go a little further into the historical background with respect to the meaning of the word "qualifications" and with respect to the power of the Congress, and I desire to call certain witnesses to testify on the subject. Perhaps we may waive the oath, by reason of their prestige and reputation over the years as to intelligence and patriotism, which will supply the necessary requirements.

I first call for the benefit of the Senate a witness whose name is George Mason. I ask him a few questions, very briefly, on this point. I wish to ask him if he is the George Mason who wrote the Bill of Rights, and his answer is "I am."

I then ask: "Now, Mr. Mason, what do you say about the Congress regulating or altering the qualifications of electors?"

In reply, reading from Madison's report of the Convention, page 386, George Mason has this to say:

> A power to alter the qualifications would be a dangerous power in the hands of the Legislature.

Meaning the National Legislature. Since the context shows that the subject under discussion was the National Government, when he speaks of the Legislature, the reference, of course, is to Congress. He said, "It would be a dangerous power in the hands of the Legislature."

Mr. President, under the agreement heretofore entered into, the Senator from Mississippi was to be excused at 2:30 p.m. without losing his right to the floor and without the resumption of his speech counting as another speech on the pending motion. It was understood that the Senator from South Carolina [Mr. THURMOND] would be recognized. Is my understanding correct?

The PRESIDING OFFICER (Mr. HICKEY in the chair). What the Senator has stated is the understanding of the Chair.

Mr. STENNIS. Mr. President, I ask unanimous consent that I may suggest the absence of a quorum, after which the Senator from South Carolina will proceed.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. THURMOND. Mr. President, I rise in opposition to the proposed constitutional amendment which would prohibit the imposition of a poll tax as a condition of suffrage by a State.

Let me say at the outset that I find no particular virtue or advantage in a poll tax as a condition to voting. At the

time I was elected Governor of South Carolina in 1946, the constitution of South Carolina contained a provision which made the payment of a poll tax a prerequisite to voting eligibility. I felt then, and I feel now, that the poll tax was not a satisfactory source of revenue for the State, nor was it a suitable or workable prerequisite to exercise of the ballot. I, therefore, proposed to the legislature that a constitutional amendment repealing this requirement be submitted to the people of the State. The legislature concurred in my proposal and submitted the constitutional amendment to the people, who voted favorably thereon. The payment of a poll tax is, therefore, no longer a condition of suffrage in South Carolina.

There have been numerous proposals for Congress to attempt to prohibit poll taxes by enactment of a statute. It is a credit to the Senate that the question we face now is not before us in the form of a proposed statute, for the Constitution gives the Federal Government no authority to act in this field. The very fact that we are now debating a proposed constitutional amendment dealing with this matter is a clear-cut recognition by the Senate that Congress at present has no constitutional authority in the matter of voter qualifications or eligibility. This is, however, about the only encouraging feature of the proposal with which we are confronted.

Mr. HOLLAND. Mr. President, will the Senator yield for a question?

Mr. THURMOND. I am glad to yield to the Senator from Florida.

Mr. HOLLAND. I thoroughly approve of the statement which the Senator from South Carolina has just made. I would not be a party to attempting to deal with this question by statute, as the Senator knows. Regardless of what the Senator will have to say later, with which I may or may not be in accord, because I do not know what it is, it is clear that the Senator recognizes that the Senate proposes now to debate in a thoroughly constitutional and conscientious way the question of whether, in the proper way, this problem should be consigned to the jury of the States for their decision. I thank the Senator for the high ground upon which he is placing his remarks.

Mr. THURMOND. I believe the amendment approach is the proper and only constitutional approach to the matter, if the poll tax is to be repealed. Of course, as I stated, I am opposing the joint resolution.

Mr. President, in the days following the war with England for independence, commonly referred to as the American Revolution, our forefathers inaugurated what historians call an "experiment in democracy." I believe that the historians' characterization is accurate, when properly defined.

Mr. Webster gives two definitions to the word "experiment." One definition defines an "experiment" as "a trial or special observation made to confirm or disprove something doubtful." It appears, Mr. President, that the proponents of the proposed constitutional amendment view the work of our Founding Fathers in light of this definition, and that they particularly dwell in their thoughts on the last word, "doubtful."

There is another definition given by Mr. Webster for the word "experiment," and it is in the sense of this definition that history will affirm that our constitutional federated Republic was an experiment in democracy. The definition which is correct for this use of "experiment" is "an act or operation undertaken to test, establish, or illustrate some suggested or known truth."

The difference in these definitions as applied in this instance is simple. The former suggests that our Founding Fathers were basically ignorant of the principles of government, embarking on an unlighted course without means of navigation or, in modern parlance, betting blindly on a long shot. Our 170 years of glorious history and progress under the Government planned by the God-inspired wisdom of the drafters of the Constitution dramatically demonstrates the inaccuracy of the phrase "experiment in democracy" if defined in such a sense.

Every facet of our daily lives bears unquestionable proof that those who conceived our governmental system were steeped in understanding of the lessons taught by the history of man's struggle to devise a government under which he could enjoy the opportunity to achieve his destiny. Their thinking was balanced by practical experience of the inequities and abuses that inevitably flow from ineptly designed or selfishly administered government. With what could have been no less than divinely inspired wisdom, their experiment in democracy was an operation to illustrate a known truth.

Mr. President, let us examine some of the practical problems and basic concepts which were foremost in the thinking of those who conceived our constitutional federated republican form of government.

There were in America 13 newly independent States, isolated geographically from the rest of the civilized world, and from a contemporary standpoint, weak militarily, individually, and even collectively. Far from being a homogeneous society, they were bound together by no legal bonds—their working relationship having sprung primarily from a common cause against a common enemy. Even the fervor for the common cause varied substantially in degree from one State to another.

The efforts for union of these States was born, not from any feelings of self-identification by the peoples of one State with those of another but from a necessity for survival. There was no desire for equality or similarity of treatment with the peoples of another State, for all of those hearty souls were too fresh in the memory of the suffering which stemmed from an equality of treatment given by England to the several colonies. The experience acquired as colonists inspired an intense desire for self-determination, as well as a well-founded mistrust of any governmental unit which could not be observed and controlled close at hand.

It was undoubtedly this very heterogeneity among the several independent States that emphasized in the minds of the Founding Fathers the historically proven truth that any government worthy of existence must preserve and protect the maximum degree of local self-government, with only the minimum degree of power absolutely essential to military survival and economic progress vested in a central government. This principle of government is a truth, as valid in every respect today as it was in the days following the Revolution, specifically proved once and for all by the constitutional drafters' experiment in democracy.

Mr. President, the federated structure of our governmental system is the principal reason for its continued successful existence. It was not for the primary purpose of protecting basic rights of individuals that the U.S. Constitution was designed. The people of the various States were aware that they could well protect themselves from despotic action by a government within their own State. Each State government is completely capable of protecting individual rights of its citizens with safeguards against the loss of personal liberty and freedom. The governments of the several States served their people well in this respect before the Union was formed, and have continued to do so within the framework of the Union. All of the States do not impose the same requirements on their citizens, nor do all the States provide either the same substantive rights nor the same procedural remedies for their citizens.

The lack of uniformity among the several States is not to be deplored, but rather acclaimed. Conformity is not natural to people of different regions, who enjoy different political, religious, and social heritages, who live under different economic conditions or even who live in different climates. We should constantly keep in mind that conformity is not a goal of our form of government. It is a goal of absolute forms of government, such as communism; and absolute forms of government exist, in the final analysis, by force—not from the support of the people. The advantages we enjoy as contrasted to those enjoyed by people who live under dictatorial regimes stems solely from the individualism nurtured and protected by our Constitution.

Let us be candid. Conformity is despicable, a blight and leech on the progress of society, for it can be attained only at the level of the lowest common denominator.

The federated system of government is designed to thwart conformity. It is a system whereby the peoples of different mores can work together in harmony for their mutual advantage. The federated system is, if you please, an agreement to disagree. Let us not endanger the structure itself by attempting to achieve a greater degree of conformity.

One of the great assets of our federation, Mr. President, is that no one need endure the laws of a particular State if they be repugnant to him. The Constitution provides for a full and free commerce between States. If, for instance, one objects to the poll tax as a condition of suffrage in the States of

his residence, he is perfectly free to remove to one of the 45 States which impose no such qualification.

As I stated in the beginning, my State does not impose a poll tax as a prerequisite for voting. That tax was repealed during my tenure as Governor of South Carolina, upon my recommendation.

When the Union was formed, there was a total of 13 States. There were substantial differences in the economies of the various States, as there were in the areas of political, religious, and social heritages. They were truly heterogeneous, as I have stated. But how much greater the heterogeneity of the various States today, now that there are 50. They are spread from the semitropics of Florida to the arctics of Alaska, from the deserts of Arizona to the Pacific-washed isles of Hawaii. Where the 13 Original States had differences in economy, we now have a dissimilarity which is far greater in degree. Where once a dozen religious beliefs held sway, thousands flourish. The common language which we share has facilitated understanding, but let us not deceive ourselves into believing that it has destroyed our differences. God willing, our individualism will survive forever.

There is no reason, therefore, to change the pattern of nonconformity which has proved successful. We have already endangered the system by our conformity efforts at the Federal level through an abusive expansion of powers of the Central Government. If, indeed, there should be any additional transfer of constitutional powers, it should be in the other direction.

Mr. President, a constitutional amendment is a serious matter and should not be proposed in the absence of compelling reasons. Partisan or political considerations should be put aside, and play no part in this vital area.

How much urgency is there for such drastic action in the form of a constitutional amendment to eliminate the poll or capitation tax as a condition of suffrage? None. It is a matter of small import, blown all out of proportion by overemphasis from politically inspired propaganda.

In the days immediately following the Revolution, the former Colonies, then States, performed a minimum, but adequate for the times, amount of service. The expenses of government were comparatively slight. The burdens of government fell less evenly on the population than is normal in a State today. It was the general feeling that those who bore the responsibilities of government should exercise the ballot. It is not surprising that the ownership of property and the payment of taxes were common and usual prerequisites to the right of suffrage.

In the early days of the Union, there were no direct taxes of any consequence on the populace for the support of the Federal Government. The costs were so slight that they could be and were borne almost entirely by tariffs.

As an expression of the belief that those who bore the responsibility of government should vote, all of the States imposed tax-payment of its equivalent, property ownership, as a condition of eligibility for voting. These voter eligibility requirements were summarized by the U.S. Supreme Court in *Minor v. Happerset* (21 Wallace 162) as follows:

Thus in New Hampshire "every male inhabitant of each town and parish with town privileges, and places unincorporated in the State, of 21 years of age and upward, excepting paupers and persons excused from paying taxes at their own request" were its voters; in Massachusetts, "every male inhabitant of 21 years of age and upward, having a freehold estate within the Commonwealth of the annual income of 3 pounds, or any estate of the value of 60 pounds"; in Rhode Island, "such as are admitted free of the company and society" of the Colony; in Connecticut such person as had "maturity in years, quiet and peaceable behavior, a civil conversation, and 40 shillings freehold or 40 pounds personal estate," if so certified by the selectmen; in New York, "every male inhabitant of full age who shall have personally resided within one of the counties of the State for 6 months immediately preceding the day of election * * * if during the time aforesaid he shall have been a freeholder possessing a freehold of the value of 20 pounds within the county, or have rented a tenement therein of the yearly value of 40 shillings, and been rated and actually paid taxes to the State"; in New Jersey, "all inhabitants * * * of full age who are worth 50 pounds; proclamation money, clear estate in the same, and have resided in the county in which they claim a vote for 12 months immediately preceding the election"; in Pennsylvania "every free man of the age of 21 years, having resided in the State for 2 years next before the election, and within that time paid a State or county tax which shall have been assessed at least 6 months before the election"; in Maryland, "all freemen above 21 years of age having a freehold of 50 acres of land in the county in which they offer to vote and residing therein, and all freemen having property in the State above the value of 30 pounds current money, and having resided in the county in which they offer to vote 1 whole year next preceding the election"; in North Carolina, for Senators, "all freemen of the age of 21 years who have been inhabitants of any one county within the State 12 months immediately preceding the day of election, and possessed of a freehold within the same county of 50 acres of land for 6 months next before and at the day of election," and for members of the house of commons, "all freemen of the age of 21 years who have been inhabitants in any one county within the State 12 months immediately preceding the day of any election, and shall have paid public taxes"; in South Carolina, "every free white man of the age of 21 years, being a citizen of the State and having resided therein 2 years previous to the day of election and who hath a freehold of 50 acres of land, or a town lot of which he hath been legally seized and possessed for at least 6 months before such election, or (not having such freehold or town lot), hath been a resident within the election district in which he offers to give his vote 6 months before such election, and hath paid a tax the preceding year of 3 shillings sterling toward the support of the Government"; and in Georgia, "such citizen and inhabitants of the State as shall have attained to the age of 21 years, and shall have paid tax for the year next preceding the election, and shall have resided 6 months within the county."

Clearly, Mr. President, conditioning suffrage on payment of taxes was the normal and usual practice in the early days of the Union.

As time has passed, the services and misservices of government, both of which are extremely expensive—as is illustrated by the size of the national debt—have increased enormously. In an unsuccessful attempt to pay for these government functions, innumerable taxes at both the Federal and State levels have been levied. As a result, there is almost no one who does not share in the responsibility of government insofar as finances are concerned. With a few exceptions, the burden of taxes is so widespread that a tax-payment prerequisite to suffrage excludes practically no one. Most States have recognized this fact, and have repealed meaningless constitutional and statutory provisions imposing such eligibility requirements. At the present time, there remain only five States which still have such requirements on voting privileges.

As in the States which have abandoned such voting requirements as the poll or capitation tax payment, the requirements in the remaining five are undoubtedly meaningless from a practical standpoint. Such a tax is rarely as high as $5 per year; and, in this inflationary economy, the number of people who cannot pay this low amount is small, indeed.

Mr. President, I do not mean to imply that in the five States which require payment of poll or capitation tax as a condition to voting, there are not substantial numbers of people who do not pay the poll or capitation tax. Although I have no statistics on this matter, I would assume that there are large numbers who are delinquent. It is a known fact that large numbers of the American people are complacent about exercising their ballot. This is amply illustrated by the fact that a substantial percentage of those who register to vote do not participate in the election itself. It is only logical to assume that a major portion of those who do not pay their poll or capitation tax, have the financial ability, but do not have sufficient interest in voting to pay the tax. This is borne out in States which had, but recently repealed, poll tax requirements. There has been no substantial increase in the registration or voting in South Carolina since the repeal of the constitutional provision which made payment of a poll tax a condition of eligibility to vote.

The only logical conclusion to be drawn from an objective analysis of the situation is that we are conducting an exercise in self-deceit and public deceit. There is no real consequence to the issue which has given rise to this proposal. Even were the proposed constitutional amendment passed by the Senate and the House, and ratified by the States, it would have no significant effect on the numbers of persons who have the opportunity to vote, or on the number of persons who fulfill their responsibility by exercising the right of the ballot.

Mr. President, before we take this hasty action in approving another constitutional amendment I think it would be best to discuss the matter in more detail. Many of the constitutional amendments which have been passed in previous years have been highly criticized and it has even been necessary, in the light of experience and calm judgment, to repeal one. One particular one which has received much criticism is the 14th amendment. I think that a general discussion of it would be highly beneficial to us all before final action is taken on the amendment now before us.

The controversy surrounding the 14th amendment is the subject of a very well written article which appeared in the summer, 1959, issue of the South Carolina Law Quarterly by the Honorable Pinckney G. McElwee. I would like to read this article so that we all can have the benefit of his research:

The able and wise patriots who drafted our Constitution were careful to protect its provisions against actions of a temporary majority of the Congress by requiring for its amendment not only a two-thirds approval by both Houses of the Congress, but ratification by three-fourths of the States. A study of the history of the 14th amendment reveals the irregular manner in which these requirements were overcome, and a consideration of the precedents established thereby reveals the danger to our form of government.

The Civil War was fought over the asserted right of the Southern States to secede from the Union. The Southern States claimed they had such a right. The President, the Congress, and the Northern States denied that the Southern States had any such right under the Constitution of the United States. As Mr. Lincoln said, the aim of the Federal Government was to preserve the Union first; to preserve the Union without slavery, to preserve the Union with slavery if it must be, but the Union forever. This issue was decided on the battlefield and the Union Army upheld the position taken by all departments of the Federal Government; i.e., that the Southern States had no right to secede and had never been out of the Union. Incidentally, Mr. Lincoln recognized that his emancipation of the slaves was a war measure and that it would require a constitutional amendment to abolish slavery after the end of the war. Mr. Lincoln was steadfast in his position that the Southern States had never left the Union, although individual officials and soldiers of the South may have forfeited some rights; but not the States whose rights were fixed by the Constitution and thus beyond the power of Congress to add or detract. As stated by George Tickner Curtis in volume II, page 342, of his famous "History of the Constitution":

"After the Civil War was ended, the Constitution was left just as it was before the war began; the United States had just the same sovereign rights as before and no others."

The House on July 22, 1861, and the Senate on July 25, 1861, adopted resolutions both resolving to maintain the Constitution in the rebellious States and to maintain the Union and the rights of the States unimpaired.

In the proclamation of President Lincoln of December 8, 1863, he offered "pardon to all those who swear henceforth to support the Constitution of the United States and that those who, accepting this amnesty, shall have taken the oath of allegiance, each being a qualified voter by the election laws of the several States immediately before the so-called secession and excluding all others, shall reestablish a State government, which shall be republican in form and nowise contravening said oath; such shall be recognized as a true government of the State."

On February 1, 1865, the 13th amendment to the Constitution to abolish slavery was proposed and passed by Congress. On April 9, 1865, Gen. Robert E. Lee surrendered to General Grant at Appomattox Court House. General Johnston surrendered to General Sherman at Durham Station April 26, 1865. In 40 days after surrender of General Johnston there was not a single Confederate soldier in arms. Submission to the authority of the United States was complete. Postal service and tax collections resumed.

On December 18, 1865, General Grant reported to Congress that the South had accepted defeat and had accepted authority of the Federal Government.

President Lincoln prepared a proclamation to restore North Carolina to its proper position as a State but it was not yet issued before his death. At the first meeting of the Cabinet after his death it was read and unanimously adopted as the policy of the administration. Mr. Lincoln was assassinated on April 14, 1865, and died April 15, 1865. Andrew Johnson took the oath and succeeded Mr. Lincoln.

On May 29, 1865, President Johnson issued Mr. Lincoln's proclamation for North Carolina; and through June 30, 1865, similar proclamations were issued by President Johnson setting up the local State government of all Southern States.

The Southern States having been restored to a legal and operational basis by elections and the convening of State legislatures, most of them proceeded to ratify the 13th amendment which was then proclaimed to have been ratified on December 18, 1865. Included in the 27 States then needed for its adoption were Louisiana, Tennessee, Arkansas, South Carolina, Alabama, North Carolina, Georgia, Maryland, Mississippi, Florida, and Texas.

On April 2, 1866, the President, by proclamation, declared: "It is the manifest determination of the American people that no State, of its own will, has the right or power to go out of, or separate itself from or be separated from the American Union, and that therefore each State ought to remain and constitute an integral part of the United States. And whereas the Constitution of the United States provides for constituted communities only as States, and not at territories, dependencies, provinces or protectorates. And whereas such constituent States must necessarily be, and by the Constitution of the United States are made equals, and placed upon a like footing as to political rights, immunities, dignity, and power with the several States with which they are united. I do hereby declare that the insurrection which heretofore existed in the States of Georgia, South Carolina, Virginia, North Carolina, Tennessee, Alabama, Louisiana, Arkansas, Mississippi, and Florida at an end, and is henceforth to be regarded.

On August 20, 1866, a similar proclamation was issued by the President in respect to Texas.

Article V of the U.S. Constitution provides: "No State, without its consent, shall be deprived of its equal suffrage in the Senate." Nevertheless, peace having been restored, the U.S. Senate refused to seat the Senators from all of the Southern States. The House did likewise.

Article V of the Constitution provides the method and manner of amendment, as follows:

"The Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose amendments to this Constitution, or on application of the legislatures of two-thirds of the States, shall call a convention for proposing amendments, in either case, shall be valid to all intents and purposes, as part of this Constitution, when ratified by the legislatures of three-fourths of the several States, or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by the Congress."

The 39th Congress, which proposed the 14th amendment, met on December 5, 1865. There were 72 seats in the Senate for 36 States; 22 seats for 11 Southern States were vacant because of a joint resolution of the House and the Senate which voted not to seat any Senator or Representative from any Southern States until the Congress decided that each of said States was entitled to such representation. In the House there were 240 seats, and 58 seats from the 11 Southern States were vacant. Nebraska was not admitted to the Union as the 37th State until March 1, 1867. One of the new Senators who recently had been elected by the legislature of his State was Mr. John P. Stockton of New Jersey. John P. Stockton was introduced by the senior Senator of New Jersey on December 5, 1866, took the oath and was duly seated.

While H.J. 127 was still in Mr. Thaddeus Stevens' Committee on Reconstruction, there was a private polling of Senators and Representatives to see how they stood on the measure. Mr. Stockton was an outspoken opponent of the proposal. Furthermore, since there were 50 Senators seated, the Constitution would require a 33⅓ vote, or 34, in order to propose it by a two-thirds vote, and a counting of prospective Senate votes showed that there were only 33 who would vote in favor of it. In a maneuver to reduce the Senate to 49 Members in order that a vote of 33 yeas would meet the requirements of the Constitution, a motion was made not to seat Mr. John P. Stockton, in spite of the fact that he had already been seated, on the ground that his election was invalid because he had been elected by a mere plurality and not a majority. It was the law of New Jersey and most of the other States that a plurality determined the election.

The motion not to seat was made because it was impossible to obtain the necessary vote required to expel Mr. Stockton, which was the only legal means available to prevent a Member from voting once he has been seated. In order to expel a Member of the Senate or House a two-thirds vote was required, and this vote of two-thirds simply could not be mustered. However, a refusal to seat is determined by a majority. When this motion was finally called to a vote, after much debate, it was defeated by a vote of 22 to 21. During the night the hard core of Reconstructionists persuaded one of the Senators to change his vote. The next day a motion to reconsider the motion not to seat Mr. Stockton was sustained by a vote of 22 to 21; thus he was removed from the Senate and the number reduced to 49.

The 14th amendment originated in the House of Representatives by House Joint Resolution 127, introduced by Thaddeus Stevens of Pennsylvania, and was referred to the Committee on Reconstruction of which Mr. Stevens was chairman. Two other bills were offered and referred to the Committee on Reconstruction and there consolidated with House Resolution 127 and reported out of the House. It was passed by the House on May 10, 1866, and sent to the Senate. In the Senate, Mr. Wade proposed an amendment by adding what is now paragraph 3. As thus amended, it was passed by the Senate on June 8, 1866, and returned to the House where it was passed on June 13, 1866. In the Senate, the vote was 33 yeas and 11 nays, with 5 not voting. In the House there were 182 Representatives seated and of those the vote was 120 yeas and 32 nays, with 32 not voting.

If the 22 Senators and 58 Representatives from the Southern States who had been arbitrarily and unlawfully refused seats by the Senate and House are counted, the number is 71 Senators and 240 Representatives. The vote in the Senate of 33 for and 11 against by the Members present and voting was two-thirds. But if the two-thirds required had included the 22 arbitrarily and illegally excluded from voting, there was not a two-thirds vote. Likewise, the vote of 120 for and 32 against in the House was two-thirds of those present and voting. But if the 58 Representatives who were arbitrarily and illegally excluded had been counted against, the vote would be 120 for and 90 against,

and the vote would have failed to carry by two-thirds.

In the foregoing state of the record, the proposed amendment was certified to have been passed by a two-thirds vote of each House and transmitted to the Secretary of State for transmission to the 36 States then composing the United States. Twenty-eight were needed to ratify. Ten States could prevent ratification. The process of ratification began. By February 1, 1867, 17 States had ratified and 11 had rejected.

RATIFIED

Connecticut: June 30, 1866.
New Hampshire: July 7, 1866.
Tennessee: July 7, 1866.
New Jersey: September 11, 1866
Oregon: September 19, 1866.
Vermont: October 30, 1866.
New York: January 10, 1867.
Kansas: January 11, 1867.
Ohio: January 11, 1867.
Illinois: January 15, 1867
West Virginia: January 16, 1867.
Michigan: January 16, 1867.
Minnesota: January 17, 1867.
Maine: January 19, 1867.
Nevada: January 23, 1867.
Indiana: January 23, 1867.
Missouri: January 26, 1867.

REJECTED

Texas: October 27, 1866.
Georgia: November 9, 1866.
Florida: December 3, 1866.
Alabama: December 7, 1866.
North Carolina: December 13, 1866.
Arkansas: December 17, 1866.
South Carolina: December 20, 1866.
Virginia: January 9, 1867.
Kentucky: January 8, 1867.
Mississippi: January 29, 1867.
California: March 17, 1868.

The 14th amendment was thus defeated.

An editorial in the Philadelphia Enquirer on Saturday, February 9, 1867, gave a clue to what was to come. It states:

"The constitutional amendments having passed both branches of the Legislature of Pennsylvania will be sent to Governor Geary, who will undoubtedly sign them next week. Thus another State will be added to the list of those who have ratified these amendments. As it is probable that nearly all of the States which sustained the Government during the rebellion will ratify those amendments, and as all of the Southern States we believe have now rejected them, the question arises: What will be done? There is a growing disposition to regard the States which maintained their relation with the Union as the only ones which have a voice in this matter, that a resolution will be brought before the present Congress, or the next, declaring that the consent of three-fourths of those is all that is necessary to give force and validity to an amendment to the Constitution is extremely probable. In that case, we suppose the question will have to be fought over again in some way, and it is probable that it will finally enter the Supreme Court, where the decision, according to present appearances, will be against it.

The editor was not aware that, 4 days prior to his editorial, H.R. 1143 had been introduced using a different scheme to accomplish the desired result.

THE RECONSTRUCTION ACT

On February 5, 1867, H.R. 1143 was introduced in the House. This was a bill whose stated purpose was to provide for the more efficient government of the rebel States. This is what historically was called the Reconstruction Act. Although these so-called rebel States had been functioning as loyal States of the Union in complete peace for nearly 2 years, during which time they had ratified the 13th amendment abolishing slavery, this act began by declaring:

"Whereas no legal State governments or adequate protection for life or property now exists in the rebel States of Virginia, North Carolina, South Carolina, Georgia, Mississippi, Alabama, Louisiana, Florida, Texas, and Arkansas; and whereas it is necessary that peace and good order should be enforced in said States until loyal and republican State governments can be legally established:"

Of course, the State governments were and had been functioning in peace at all times since the surrender of General Johnston.

The bill provided for military occupation of the named Southern States to be conducted without interference from any State authorities. It further provided that the governments of such States were only provisional and subject to the paramount authority of the United States as exercised by the military government, and gave authority to the military commanders to try any persons by military commission. In addition it provided for new rules of suffrage under which a new constitution of each State was to be adopted and a new legislature elected, and disfranchised any person who had engaged in the rebellion or given aid and comfort to the rebels (which effectually disfranchised all white residents of the States). Nor, under the bill, was any Senator or Representative to be permitted to take the oath of office and be admitted to Congress until the new constitution had met with the approval of Congress, the newly qualified electorate of the State had elected a legislature, such legislature had adopted the proposed 14th amendment and the amendment had become a part of the Constitution.

It may be here noted that the U.S. Supreme Court has held that each of the States has the supreme and exclusive power to regulate the right of suffrage and to determine the class of inhabitants who may vote.

Congress passed the bill and President Johnson promptly exercised his veto power. Congress overrode the veto of the President making the Reconstruction Act the law of the land. By this time 3 more States, for a total of 20, had ratified; namely, Rhode Island, February 7, Pennsylvania, February 12, and Wisconsin, February 13, and Louisiana, February 6, and Delaware, February 7, 1867, had rejected, bringing that total to 13. Thus a Northern State had now joined 12 Southern States in rejecting when it was only necessary to obtain 10 rejections in order to prevent adoption of the amendment.

President Johnson's veto message is enlightening and reads, in part, as follows:

"I have examined the bill 'to provide for the more efficient government of the rebel States' with the care and anxiety which its transcendent importance is calculated to awaken. I am unable to give it my assent for reasons so grave that I hope a statement of them may have some influence on the minds of the patriotic and enlightened men with whom the decision must ultimately rest.

"The bill places all the people of the 10 States therein named under the absolute domination of military rules; and the preamble undertakes to give the reason upon which the measure is based and the ground upon which it is justified. It declares that there exists in those States no legal governments and no adequate protection for life or property, and asserts the necessity of enforcing peace and good order within their limits. This is not true as a matter of fact.

"It is not denied that the States in question have each of them an actual government, with all the powers—executive, judicial, and legislative—which properly belong to a free State. They are organized like the other States of the Union, and, like them, they make, administer, and execute the laws which concern their domestic affairs. An existing de facto government, exercising such functions as these, is itself the law of the State upon all matters within its jurisdiction. To pronounce the supreme law-making power of an established State illegal is to say that law itself is unlawful.

"The provisions which these governments have made for the preservation of order, the suppression of crime, and the redress of private injuries are in substance and principle the same as those which prevail in the Northern States and in other civilized countries. They certainly have not succeeded in preventing the commission of all crime, nor has this been accomplished anywhere in the world. But that these people are maintaining local governments for themselves which habitually defeat the object of all government and render their own lives and property insecure is in itself utterly improbable, and the averment of the bill to that effect is not supported by any evidence which has come to my knowledge.

"The bill, however, would seem to show upon its face that the establishment of peace and good order is not its real object. The fifth section declares that the preceding sections shall cease to operate in any State where certain events shall have happened. These events are, first, the selection of delegates to a State convention by an election at which Negroes shall be allowed to vote; second, the formation of a State constitution by the convention so chosen; third, the insertion into the State constitution of a provision which will secure the right of voting at all elections to Negroes and to such white men as may not be disfranchised for rebellion or felony; fourth, the submission of the constitution for ratification to Negroes and white men not disfranchised, and its actual ratification by their vote; fifth, the submission of the State constitution to Congress for examination and approval, and the actual approval of it by that body; sixth, the adoption of a certain amendment to the Federal Constitution by a vote of the legislature elected under the new constitution; seventh, the adoption of said amendment by a sufficient number of other States to make it a part of the Constitution of the United States. All these conditions must be fulfilled before the people of any of these States can be relieved from the bondage of military domination; but when they are fulfilled, then immediately the pains and penalties of the bill are to cease, no matter whether there be peace and order or not, and without any reference to the security of life or property. The excuse given for the bill in the preamble is admitted by the bill itself not to be real. The military rule which it establishes is plainly to be used, not for any purpose of order or for the prevention of crime, but solely as a means of coercing the people into the adoption of principles and measures to which it is known that they are opposed, and upon which they have an undeniable right to exercise their own judgment.

"I submit to Congress whether this measure is not in its whole character, scope, and object without precedent and without authority, in palpable conflict with the plainest provisions of the Constitution, and utterly destructive to those great principles of liberty and humanity for which our ancestors on both sides of the Atlantic have shed so much blood, and expended so much treasure.

"The 10 States named in the bill are divided into 5 districts. For each district an officer of the Army, not below the rank of a brigadier general, is to be appointed to rule over the people; and he is to be supported with an efficient military force to enable him to perform his duties and enforce his authority. Those duties and that authority, as defined by the third section of the bill, are 'to protect all persons in their rights of person and property, to suppress

insurrection, disorder, and violence, and to punish or cause to be punished all disturbers of the public peace or criminals.' The power thus given to the commanding officer over all the people of each district is that of an absolute monarch. His mere will is to take the place of all law.

"It is plain that the authority here given to the military officer amounts to absolute despotism. But to make it still more unendurable, the bill provides that it may be delegated to as many subordinates as he chooses to appoint, for it declares that he shall 'punish or cause to be punished.' Such a power has not been wielded by any monarch in England for more than 500 years. In all that time no people who speak the English language have borne such servitude. It reduces the whole population of the 10 States—all persons, of every color, sex, and condition, and every stranger within their limits—to the most abject and degrading slavery. No master ever had a control so absolute over the slaves as this bill gives to the military officers over both white and colored persons.

"I come now to a question which is, if possible, still more important. Have we the power to establish and carry into execution a measure like this? I answer, 'Certainly not.' If we derive our authority from the Constitution and if we are bound by the limitations which it imposes.

"This proposition is perfectly clear, that no branch of the Federal Government—executive, legislative, or judicial—can have any just powers except those which it derives through and exercises under the organic laws of the Union. Outside of the Constitution we have no legal authority more than private citizens, and within it we have only so much as that instrument gives us. This broad principle limits all our functions and applies to all subjects. It protects not only the citizens of States which are within the Union, but it shields every human being who comes or is brought under our jurisdiction. We have no right to do in one place more than in another that which the Constitution says we shall not do at all. If, therefore, the Southern States were in truth out of the Union, we could not treat their people in a way which the fundamental law forbids. Some persons assume that the success of our arms in crushing the opposition which was made in some of the States to the execution of the Federal laws reduced those States and all their people—the innocent as well as the guilty—to the condition of vassalage and give us a power over them which the Constitution does not bestow or define or limit. No fallacy can be more transparent than this. Our victories subjected the insurgents to legal obedience, not to the yoke of an arbitrary despotism. When an absolute sovereign reduces his rebellious subjects, he may deal with them according to his pleasure, because he had that power before. But when a limited monarch puts down an insurrection, he must still govern according to law.

"This is a bill passed by Congress in time of peace. There is not in any one of the States brought under its operation either war or insurrection. The laws of the States and of the Federal Government are all in undisturbed and harmonious operation. The courts, State and Federal, are open and in the full exercise of their proper authority. Over every State comprised in these five military districts, life, liberty, and property are secured by State laws and Federal laws, and the National Constitution is everywhere in force and everywhere obeyed. What, then, is the ground on which this bill proceeds? The title of the bill announces that it is intended 'for the more efficient government' of these 10 States. It is recited by way of preamble that no legal State governments 'nor adequate protection for life or property' exist in those States, and that peace and good order should be thus enforced. The first thing which arrests attention upon these recitals, which prepare the way for martial law, is this, that the only foundation upon which martial law can exist under our form of government is not stated or so much as pretended. Actual war, foreign invasion, domestic insurrection—none of these appear; and none of these, in fact, exist. It is not even recited that any sort of war or insurrection is threatened. Let us pause to consider, upon this question of constitutional law and the power of Congress, a recent decision of the Supreme Court of the United States in *Ex parte Milligan*.

"I will first quote from the opinion of the majority of the Court: 'Martial law cannot arise from a threatened invasion. The necessity must be actual and present, the invasion real, such as effectually closes the courts and deposes the civil administration.'

"We see that martial law comes in only when actual war closes the courts and deposes the civil authority; but this bill, in time of peace, makes martial law operate as though we were in actual war, and becomes the cause instead of the consequence of the abrogation of civil authority. One more quotation: 'It follows from what has been said on this subject that there are occasions when martial law can be properly applied. If in foreign invasion or civil war the courts are actually closed, and it is impossible to administer criminal justice according to law, then, on the theater of active military operations, where war really prevails, there is a necessity to furnish a substitute for the civil authority thus overthrown, to preserve the safety of the Army and society; and as no power is left but the military, it is allowed to govern by martial rule until the laws can have their free course.'

"I now quote from the opinion of the minority of the Court, delivered by Chief Justice Chase: 'We by no means assert that Congress can establish and apply the laws of war where no war has been declared or exists. Where peace exists, the laws of peace must prevail.'

"This is sufficiently explicit. Peace exists in all the territory to which this bill applies. It asserts a power in Congress, in time of peace, to set aside the laws of peace and to substitute the laws of war. The minority, concurring with the majority, declares that Congress does not possess that power. * * * I need not say to the representatives of the American people that their Constitution forbids the exercise of judicial power in any way but one—that is, by the ordained and established courts. It is equally well known that in all criminal cases a trial by jury is made indispensable by the express words of that instrument.

"The Constitution also forbids the arrest of the citizen without judicial warrant, founded on probable cause. This bill authorizes an arrest without warrant, at the pleasure of a military commander. The Constitution declares that 'no person shall be held to answer for a capital or otherwise infamous crime unless on presentment of a grand jury.' This bill holds every person not a soldier answerable for all crimes and all charges without any presentment. The Constitution declares that 'no person shall be deprived of life, liberty, or property without due process of law.' This bill sets aside all process of law, and makes the citizen answerable in his person and property to the will of one man, and as to his life to the will of two. Finally, the Constitution declares that 'the privilege of the writ of habeas corpus shall not be suspended unless when, in case of rebellion or invasion, the public safety may require it'; whereas this bill declares martial law (which of itself suspends this great writ) in time of peace, and authorizes the military to make the arrest, and gives to the prisoner only one privilege, and that is a trial 'without unnecessary delay.' He has no hope of release from custody, except the hope such as it is, of release by acquittal before a military commission.

"The United States are bound to guarantee to each State a republican form of government. Can it be pretended that this obligation is not palpably broken if we carry out a measure like this, which wipes away every vestige of republican government in 10 States and puts the life, property, liberty, and honor of all people in each of them under the domination of a single person clothed with unlimited authority?

"Here is a bill of attainder against 9 million people at once. It is based upon an accusation so vague as to be scarcely intelligible and found to be true upon no credible evidence. Not 1 of the 9 million was heard in his own defense. The representatives of the doomed parties were excluded from all participation in the trial. The conviction is to be followed by the most ignominious punishment ever inflicted on large masses of men. It disfranchises them by hundreds of thousands and degrades them all, even those who are admitted to be guiltless, from the rank of freemen to the condition of slaves.

"The purpose and object of the bill—the general intent which pervades it from beginning to end—is to change the entire structure and character of the State governments and to compel them by force to the adoption of organic laws and regulations which they are unwilling to accept if left to themselves. The Negroes have not asked for the privilege of voting; the vast majority of them have no idea what it means. This bill not only thrusts it into their hands, but compels them, as well as the whites, to use it in a particular way. If they do not form a constitution with prescribed articles in it and afterwards elect a legislature which will act upon certain measures in a prescribed way, neither blacks nor whites can be relieved from the slavery which the bill imposes upon them. Without pausing here to consider the policy or impolicy of Africanizing the southern part of our territory, I would simply ask the attention of Congress to that manifest, well-known, and universally acknowledged rule of constitutional law which declares that the Federal Government has no jurisdiction, authority, or power to regulate such subjects for any State. To force the right of suffrage out of the hands of the white people and into the hands of the Negroes is an arbitrary violation of this principle.

"That the measure proposed by this bill does violate the Constitution in the particulars mentioned and in many other ways which I forbear to enumerate is too clear to admit the least doubt. It only remains to consider whether the injunctions of that instrument ought to be obeyed or not. I think they ought to be obeyed, for reasons which I will proceed to give as briefly as possible. In the first place, it is the only system of free government which we can hope to have as a Nation. When it ceases to be the rule of our conduct, we may perhaps take our choice between complete anarchy, a consolidated depotism, and a total dissolution of the Union; but national liberty regulated by law will have passed beyond our reach.

"It was to punish the gross crime of defying the Constitution and to vindicate its supreme authority that we carried on a bloody war of 4 years' duration. Shall we now acknowledge that we sacrificed a million of lives and expended billions of treasure to enforce a Constitution which is not worthy of respect and preservation?

"It is a part of our public history which can never be forgotten that both Houses of Congress, in July 1861, declared in the form of a solemn resolution that the war was and should be carried on for no purpose of subjugation, but solely to enforce the Constitution and laws, and that when this was yielded by the parties in rebellion the contest

should cease, with the constitutional rights of the States and of individuals unimpaired. This resolution was adopted and sent forth to the world unanimously by the Senate and with only two dissenting voices in the House. It was accepted by the friends of the Union in the South as well as in the North as expressing honestly and truly the object of the war. On the faith of it many thousands of persons in both sections gave their lives and their fortunes to the cause. To repudiate it now by refusing to the States and to the individuals within them the rights which the Constitution and laws of the Union would secure to them is a breach of our plighted honor for which I can imagine no excuse and to which I cannot voluntarily become a party.

"I am thoroughly convinced that any settlement or compromise or plan of action which is inconsistent with the principles of the Constitution will not only be unavailing, but mischievous; that it will but multiply the present evils, instead of removing them. The Constitution, in its whole integrity and vigor, throughout the length and breadth of the land, is the best of all compromises. Besides, our duty does not, in my judgment, leave us a choice between that and any other. I believe that it contains the remedy that is so much needed, and that if the coordinate branches of the Government would unite upon its provisions they would be found broad enough and strong enough to sustain in time of peace the Nation which they bore safely through the ordeal of a protracted civil war. Among the most sacred guarantees of that instrument are those which declare that 'each State shall have at least one Representative,' and that 'no State, without its consent, shall be deprived of its equal suffrage in the Senate.' Each House is made the 'judge of the elections, returns, and qualifications of its own Members,' and may, 'with the concurrence of two-thirds, expel a Member.' Thus, as heretofore urged, 'in the admission of Senators and Representatives from any and all of the States there can be no just ground of apprehension that persons who are disloyal will be clothed with the powers of legislation, for this could not happen when the Constitution and the laws are enforced by a vigilant and faithful Congress.'

"When a Senator or Representative presents his certificate of election, he may at once be admitted or rejected; or, should there be any question as to his eligibility, his credentials may be referred for investigation to the appropriate committee. If admitted to a seat, it must be upon evidence satisfactory to the House of which he thus becomes a Member that he possesses the requisite constitutional and legal qualifications. If refused admission as a Member for want of due allegiance to the Government, and returned to his constituents, they are admonished that none but persons loyal to the United States will be allowed a voice in the legislative councils of the Nation, and the political power and moral influence of Congress are thus effectively exerted in the interests of loyalty to the Government and fidelity to the Union.

"While we are legislating upon subjects which are of great importance to the whole people, and which must affect all parts of the country, not only during the life of the present generation, but for ages to come, we should remember that all men are entitled at least to a hearing in the councils which decide upon the destiny of themselves and their children. At present 10 States are denied representation, and when the 40th Congress assembles on the 4th day of the present month 16 States will be without a voice in the House of Representatives. This grave fact, with the important questions before us, should induce us to pause in a course of legislation which, looking solely to the attainment of political ends, fails to consider the rights it transgresses, the law which it violates, or the institutions which it imperils.

"ANDREW JOHNSON."

In volume II, page 42 of the "Growth of the American Republic," Samuel Eliot Morison, professor of American history at Harvard University, and Henry Steel Commanger, professor of history, Columbia University, speaking of the Reconstruction Act stated:

"Johnson returned the bill with a scorching message arguing the unconstitutionality of the whole thing, and the most impartial students have agreed with his reasoning. Professor Burgess writing, indeed, that there was hardly a line in the entire bill which would stand the test of the Constitution."

On the same day of the veto, March 2, 1867, the House and the Senate overrode it by a two-thirds vote and the bill became Public Law 68. Although considering the act to be unconstitutional, as expressed in his veto message, President Johnson considered it his duty to enforce the law and proceeded to execute it. He thereupon sent the Army into the South; ousted all State legislatures and governments by military force; disfranchised all those who had participated in the rebellion or who had aided or abetted them (contrary to the constitutional law announced by the U.S. Supreme Court); held elections in which all of the Negroes but practically no whites were eligible to vote. New constitutions were adopted and new legislatures were convened and the latter proceeded to ratify the 14th Amendment. The Army, all the while, was in control.

When the supplemental Reconstruction Act was passed in March of 1867, and then passed over the veto of the President on March 23, 1867, the Baltimore Sun carried the following editorial on March 25, 1867:

"THE LAST VETO

"The message of President Johnson, returning to Congress on Saturday last, the bill supplementary to the act to provide for more efficient government of the rebel state, assigning his reasons for nonapproval, one of the most plain and convincing in argument among the several able state papers he has been called upon to indite in his endeavors to stay the vandal hand of the congressional majority, and conserve the great fundamental principles of the Constitution and Government."

While the military occupation of the South was in progress, Massachusetts and Nebraska ratified, on March 20 and June 15, 1867, respectively. On March 23, by joint resolution, the State of Maryland rejected, becoming the 14th State to reject.

Observing how Congress had taken the Constitution into its own hands and was proceeding in willful disregard of the Constitution, on the 15th of January 1868—Ohio, and then on March 24, 1868, New Jersey, voted to withdraw their prior ratifications and to reject. Thus 16 States had now rejected prior to a full ratification by a three-quarters vote having been reached. Iowa ratified on March 9, 1868. Prior to the proclamation of the Secretary of State, Rhode Island, Pennsylvania, Wisconsin, and Massachusetts, for a total of 23 States, had ratified, but this number was reduced to 21 by the withdrawals of Ohio and New Jersey. The rejections, counting the withdrawals, numbered 16. On October 15, 1868, Oregon withdrew its ratification and became the 17th of 37 States to reject. The count stood: 20 ratifications and 17 rejections (hardly near the three-quarter majority required for adoption). Even without considering the rejection of Oregon, which came after the date of the proclamation of the Secretary of State (July 20, 1868), the 14th amendment had by legal means been overwhelmingly rejected.

After the U.S. Army had moved into the South and taken charge by force of arms and ousted the duly elected and qualified legislatures of all of the Southern States (except Tennessee), disqualified practically all of the white voters (by act of Congress and not by State law), enfranchised all of the Negroes, elected Negro legislatures, and adopted new constitutions by these purported legislatures, the matter of ratification of the 14th amendment as a condition to permission by Congress for the exercise of suffrage of the Southern States (violating article V of the U.S. Constitution) was presented to these newly constituted Negro legislatures of such States. The rejections by the legally elected and constituted legislatures of all of the Southern States were ignored and the newly constituted Legislatures of Arkansas, Florida, North Carolina, Louisiana, South Carolina, Alabama, and Georgia, ratified on April 16, June 9, July 2, July 9, and July 16, 1868, and July 21, 1868, respectively.

At this point, by counting the ratifications of Ohio and New Jersey, who had in the meanwhile withdrawn their ratifications and had rejected, and by not counting the rejections of Arkansas, Florida, North Carolina, Louisiana, South Carolina, and Alabama, who had later by way of illegally established legislatures, ratified under compulsion of the military force of the U.S. Army, the total of 28 States needed to ratify was achieved.

The Secretary of State then proceeded to publish an equivocal proclamation. Therein he stated that whereas under an act of Congress it had been made the duty of the Secretary of State to cause any amendment to the Constitution which had been adopted according to the provisions of said Constitution to be published with his certificate specifying the States by which the same had been adopted, and that the same had become a part of the Constitution of the United States and, whereas neither the act referred to, nor any other law authorized the Secretary of State to determine and decide questions as to the authenticity of the organization of State legislatures, or as to the power of any State legislature to recall a previous act or resolution or ratification, or rejections of any amendment, that if the ratification of the States of Ohio and New Jersey were counted as having ratified, notwithstanding their subsequent rejection; and if the ratifications of the newly constituted and newly established bodies avowing themselves to be and acting as the legislatures, respectively, of Arkansas, Florida, North Carolina, Louisiana, South Carolina, and Alabama, were counted, the 14th amendment was ratified. This proclamation was made on July 20, 1868. Although the question as to whether an amendment of the U.S. Constitution has been properly submitted by Congress and properly ratified by the State in accord with the Federal Constitution, is properly a legal question to be determined by the U.S. Supreme Court, and Congress has no more right to decide this than the Secretary of State, the Senate, and the House 1 day later, on July 21, 1868, by majority voice vote, proceeded by separate resolutions to resolve that the 14th amendment had been adopted and was a part of the Constitution. Then, pursuant to this resolution, the Secretary of State issued a new proclamation on July 27, 1868, reciting resolutions of the House and the Senate which declared the 14th amendment adopted, and he thereby proclaimed it had been adopted.

ATTEMPTS TO OBTAIN A DECISION OF THE SUPREME COURT

Although repeated efforts have been made to get the U.S. Supreme Court to directly pass on the question as to whether the 14th amendment was adopted, the issue has invariably been dodged and no opinion has ever considered or discussed it. There have been several hundred cases in which the Supreme Court has based its holding on the 14th amendment, but all of these have

been based upon prima facie presumption of validity resulting from the proclamation of the Secretary of State, and a majority vote of Congress.

In *Ex parte Milligan*, decided by the Supreme Court on December 17, 1866, the Court held that the trial and conviction of a civilian by a military commission where peace exists and the civil courts were open was null and void as the commission had no jurisdiction, and further that Congress had no authority to apply the laws of war when no war existed. Despite this ruling, William McCardle was arrested and held for trial in Mississippi by a military commission when no war existed and the civil courts were open. This case clearly demonstrated that the Congress of the United States was aware of the unconstitutionality of the Reconstruction Act and was unwilling to permit a decision of the Supreme Court to prevent the carrying out of their known illegal plan. The Members of Congress had read the veto message of President Johnson and recognized its validity and were well aware of what the result would be if the Court were forced to pass on the question.

William McCardle was the editor of the Vicksburg Times. He was arrested by the military authorities in Mississippi for publishing an editorial regarding the validity of the Reconstruction Act, and they proposed to try him before the military commission for impeding reconstruction, inciting disorder and disturbance of the peace. On November 12, 1867, he applied to the U.S. circuit court for a writ of habeas corpus on the ground that the Reconstruction Act was unconstitutional and void and that the military commission was without legal authority to try him. The writ was issued directing the military commission to produce the body of McCardle and to present the cause of his imprisonment. The military authorities delivered McCardle into the custody of the U.S. marshal showing they were holding him under authority of the Reconstruction Act.

Robert A. Hill of Jacinto, Miss., had been appointed judge of said court on May 1, 1866. He was a native of North Carolina, age 54, and an old line Whig. He had had experience as a State court judge in Tennessee and northern Mississippi. Both the judge and McCardle recognized that this case was a means of obtaining from the Supreme Court a ruling on the constitutionality of the Reconstruction Act on appeal. A hearing was held and on November 25, 1867, the court adjudged that McCardle be remanded into the custody of the military authorities from which judgment McCardle appealed to the U.S. Supreme Court. The Supreme Court allowed his release on bond.

In the Supreme Court a motion to dismiss was filed by the Government on the ground that the Court lacked jurisdiction to hear the case, based upon the act of February 1867 relating to suits begun in State courts involving haebeas corpus. On February 17, 1868, the Court decided that it had jurisdiction and denied the motion to dismiss.

Word was passed to the leaders of Congress that the Court would be forced to declare the Reconstruction Act to be unconstitutional. While the case was thus pending Congress acted quickly. A bill was presented to the House to deprive the Supreme Court of jurisdiction to decide the case. Mr. Schenck, chairman of the Ways and Means Committee, in reporting the bill to the House with recommendation that it be passed, stated that the bill was designed to prevent the Supreme Court from passing on the validity of reconstruction legislation.

Congress quickly passed this bill, which was vetoed by the President, and on March 27, 1868, it was enacted over his veto. This statute deprived the Supreme Court of any jurisdiction to decide that type of case. The case was not argued until March 19, 1869, and, on April 12, 1869, the Supreme Court dismissed the case for want of jurisdiction. The Legislature of the United States had thus deliberately and intentionally prevented the Supreme Court of the United States from declaring the Reconstruction Act unconstitutional. If it had done so, the whole military occupation of the Southern States would probably have forthwith terminated and the Legislature of the United States would have been thwarted in its effort to force the adoption of the 14th amendment by such illegal and unconstitutional means.

In *Marbury* v. *Madison*, decided February 24, 1803, the Supreme Court in an opinion by Chief Justice Marshall had held that an act of Congress which was repugnant to the Constitution was invalid and that it was within the judicial powers of the courts to so decide. The contention was made that the act of Congress was a political act and could not be inquired into by the courts. Chief Justice Marshall said: "This doctrine would subvert the very foundation of all written constitutions." And "It would be giving to the legislature a practical and real omnipotence with the same breath which professes to restrict its powers within narrow limits." Again, in *Luther* v. *Borden*, in an opinion by Chief Justice Taney, the Court had said:

"The high power has been conferred on this court, of passing judgment upon the acts of the State sovereignties and the legislative and executive branches of the Federal Government, and of determining whether they are beyond the limits of power marked out for them respectively by the Constitution of the United States."

In March 1867, the State of Mississippi filed a motion for leave of court to file a bill in the name of the State to enjoin President Johnson from executing the Reconstruction Act on the ground it was unconstitutional. It was argued on April 12 and on April 15, the Court held it had no jurisdiction to enjoin the President in the performance of his official duties, as the legislative, executive, and judicial departments of the Government were equal, the President being the Executive.

Later, in *Georgia* v. *Stanton*, argued in April and May of 1867, decided May 13, 1867, but opinion withheld until February 10, 1868, the constitutionality of the Reconstruction Act was directly attacked and an injunction sought in the U.S. Supreme Court to enjoin Secretary of War Stanton and General Grant and others from carrying out the military occupation of Georgia, inasmuch as the execution of this law would totally abolish the existing government of the State of Georgia. The Supreme Court has held on many occasions that the acts of an individual officer of the Government, which are void because of unconstitutionality, even though acting under an act of Congress, are merely acts as an individual and may be enjoined by the courts. Despite these holdings and the holdings of *Marbury* v. *Madison* and *Luther* v. *Borden*, which held the Court had the power and duty to determine whether an act of Congress violated the Constitution of the United States, the Supreme Court dismissed the complaint for alleged lack of jurisdiction on the ground that only a political question was presented. The case of *Mississippi* v. *Stanton* was decided at the same time with the identical opinion.

In volume II of the "Growth of the American Republic," it was said, at page 51:

"Many of the acts which Congress passed to carry into effect its reconstruction policy were palpably unconstitutional, but the attitude of the radicals was well expressed by General Grant when he said of this legistion that 'much of it, no doubt, was unconstitutional; but it was hoped that the laws enacted would serve their purpose before the question of unconstitutionality could be submitted to the judiciary and a decision obtained.'"

Mr. STENNIS. Mr. President, will the Senator yield for a question?

Mr. THURMOND. I am pleased to yield to the distinguished Senator from Mississippi.

Mr. STENNIS. I appreciate the speech the Senator is making. Other duties have compelled me to be absent from the floor until I came in a few moments ago. I understand that the Senator has already undertaken a discussion with reference to the question of the adoption of the 14th amendment and its never having been actually passed on by the Supreme Court of the United States so far as its legal adoption was concerned. Has the Senator covered that part in his speech?

Mr. THURMOND. I have.

Mr. STENNIS. Was the Senator's conclusion that, there never having been any test case, the matter is still an open question and has not been adjudicated?

Mr. THURMOND. The Supreme Court never passed on the constitutionality of the act. As I said a few moments ago, probably before the Senator came to the floor, the Supreme Court was almost at the point of passing on it, when word was passed to the congressional leaders, and a law was passed by Congress prohibiting the Supreme Court from passing on matters pertaining to the Reconstruction Act.

Mr. STENNIS. That is the very point I believe should be underscored and emphasized again, that resort was had to a congressional act, which could hardly be valid itself. Is that the opinion of the Senator from South Carolina?

Mr. THURMOND. I heartily agree with the Senator from Mississippi that the Reconstruction Act could not have been valid itself, and I do not understand why Congress would have passed a law prohibiting the Supreme Court from passing on a question of that nature, unless they were of the opinion that the Court would find it unconstitutional. This case involved a man's appeal to the Supreme Court. He had been arrested by the military in charge and was being held. When the court of appeals turned him back to the military court, he appealed to the U.S. Supreme Court. The indication was that the Supreme Court felt that that would test the Reconstruction Act and that, when tested, it would not stand the test and would be thrown out. That is when the word was passed to the leaders in Congress, and they passed the bill prohibiting the Supreme Court from hearing the appeal under the Reconstruction Act.

Mr. STENNIS. They withdrew the jurisdiction of the Supreme Court in these matters, in other words.

Mr. THURMOND. Yes, that is what they attempted to do.

Mr. STENNIS. That is what the purpose was.

Mr. THURMOND. Yes.

Mr. STENNIS. Was the purpose to withdraw the jurisdiction in favor of a military court?

Mr. THURMOND. They were trying to withdraw the jurisdiction of the Supreme Court from passing upon appeals that might come up from decisions of the military court and also decisions that might come from the civilian court to the Supreme Court, if they arose out of the military courts. In this particular case the man who was being held by the military court appealed the matter, and he was turned back to the military court.

Mr. STENNIS. I thank the Senator very much. I shall avail myself of the opportunity to hear the remainder of the Senator's argument. I will follow it very closely.

Mr. THURMOND. I wish the people in this country would take the time to read the veto message of President Andrew Johnson on the Military Reconstruction Act. It is one of the finest messages, one of the finest legal documents and one of the clearest and most concise state papers that any person in this country has ever delivered. Every lawyer ought to read it and every citizen ought to read it. President Johnson not only pointed out many reasons why this act was unconstitutional, but he pointed out the rights of the citizens of this country. It is a magnificent message. I read the veto message into the RECORD this afternoon.

Mr. STENNIS. If the Senator will yield further, I should like to say that I am glad he did read it into the RECORD. Was that not the message that really proved to be the ground for impeaching President Johnson, and when he finally prevailed by such a narrow margin?

Mr. THURMOND. By one vote.

Mr. STENNIS. I thank the Senator very much.

Mr. THURMOND. It took real courage for him to deliver that veto message, knowing the temper of both Houses of Congress and knowing the action that probably would be taken against him in reprisal. He was a man of great courage. He acted without regard for the consequences as his principles dictated. He stood by the Constitution. Later on, as I stated, editors in the North and other places undoubtedly agreed that he was on sound constitutional ground and that the action he took was the only action that could have been taken.

Mr. STENNIS. Thus this became a landmark, although a neglected one. It was a shining light and a landmark in American history.

Mr. THURMOND. That is exactly right. As time passes I am sure future generations in this country who study the Constitution and who study the laws and who really understand fully the many rights under the Constitution will agree with President Andrew Johnson in the action he took because any student of the Constitution and the laws could not take any other position. In fact, Congress practically admitted that what it was doing was done purely from political motivations. It was trying to do indirectly what it could not do directly.

Mr. STENNIS. I thank the Senator.

Mr. THURMOND. I continue to read:

The 14th amendment contains many desirable provisions as may be observed. It provides:

"SECTION 1. All persons born or naturalized in the United States and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny any person within its jurisdiction the equal protection of the laws.

"SEC. 2. Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice President of the United States, Representatives in Congress, the executive and judicial officers of a State, or members of the legislature thereof, is denied to any of the male inhabitants of such State, being 21 years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens 21 years of age in such State.

"SEC. 3. No person shall be a Senator or Representative in Congress, or elector of President or Vice President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a Member of Congress, or as an officer of the United States, or as a member of any State legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability.

"SEC. 4. The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void.

"SEC. 5. The Congress shall have power to enforce by appropriate legislation, the provisions of this article."

There are also many excellent and highly desirable provisions in the first 10 amendments, commonly called the Bill of Rights and in the amendments adopted before and after the 14th. But, the desirability of an amendment to the Constitution cannot accomplish the adoption thereof, nor can the passage of time override the specific provisions of article V which details the only method by which the Constitution can be changed. The Congress has expended its function in the amending process when it has proposed the amendment to the States. Any further action is completely outside the scope of the amending process.

On July 12, 1909, when Senate Joint Resolution 40 proposing the 16th amendment was under consideration, the Honorable Cordell Hull, in a speech in Congress, referred to the unconstitutionality of the purported adoption of the 14th amendment. He stated:

"While the sole function of Congress with respect to amendments is to propose to the States such amendments as two-thirds of both Houses sees fit, to be ratified or rejected, either of the State legislature or by conventions, yet Congress in this instance did not permit all of the States to act upon this proposed amendment. * * * It must be conceded that the moment three-fourths of the States duly ratify an amendment it becomes a part of the Constitution, the proclamation of the Secretary of State being a mere ministerial act. Hence, it follows that Congress has not power in the premises after it has once proposed an amendment to the States as the Constitution provides, not even of recalling the amendment; therefore, the passage of any resolution by Congress declaring that a given amendment has or has not been duly ratified by the States, such as was done with respect to the 14th amendment, is ultra vires and void."

Many legal questions arise in respect to the existence or not of the 14th amendment. Some of these will be discussed hereafter.

1. Were the Southern States ever out of the Union?

This question is answered in the negative by the U.S. Supreme Court in *Texas* v *White*, which was an original case brought by Texas, filed on February 15, 1867, decided April 12, 1869. It was contended that the State by reason of its act of secession had so changed its status as not to be a State entitled to file suit against the United States in the Supreme Court. In holding that Texas was and always had been a State in the Union from the date of its admission, the Court, after discussing its acts of secession, etc., said:

"Did Texas in consequence of these acts cease to be a State? Or if not, did the State cease to be a member of the Union? * * *

"The Union of the States never was a purely artificial and arbitrary relation * * * It was confirmed and strengthened by the necessities of war and received definite form and character and sanction from the Articles of Confederation. By these the Union was solemnly declared to 'be perpetual.' And when these articles were found to be inadequate to the exigencies of the country, the Constitution was ordained 'to form a more perfect union.' It is difficult to convey the idea of indissoluble unity more clearly than by these words * * *.

"When therefore Texas became one of the United States she entered into an indissoluble relation. All the obligations of perpetual union, and all the guarantees of republican government in the Union, attached at once to the State. The act which consummated her admission into the Union was something more than a compact; it was the incorporation of a new member into the political body. And it was final. The union between Texas and the other States was as complete and perpetual, and as indissoluble as the union between the original States. There was no place for reconsideration, or revocation, except through revolution or through consent of the State. Considered, therefore, as transactions under the Constitution, the ordinance of secession adopted by the convention and ratified by a majority of the citizens of Texas, and all of the acts of her legislature intended to give effect to that ordinance, were null and void. They were utterly without operation of law. The obligations of the State as a member of the Union, and of every citizen of the State as a citizen of the United States, remained perfect and unimpaired. It certainly follows that the State did not cease to be a State, nor her citizens to be citizens of the Union."

2. Were the duly elected and organized bodies, acting as the legislatures in the 11 Southern States, prior to March 2, 1867, duly organized under the Constitution of the United States?

For nearly 2 years prior to March 2, 1867, the Civil War had ended and peace had been

restored. By proclamation of President Johnson of April 2, 1866, the war had been declared ended. Under the Constitution which required that all States be equal, the rebellious States were restored to an equal basis and placed on a like footing as to political rights, immunities, dignities, and power as the remainder of the Union. During the year of 1865, following the surrender of General Lee at Appomattox on April 9, and General Johnston at Durham Station on April 26, legislatures of the Southern States had organized pursuant to President Johnson's proclamation. These legislatures had ratified the 13th amendment abolishing slavery which was proclaimed adopted by the Secretary of State on December 18, 1865. This ratification was recognized by all departments of the Government, executive, legislative, and judicial. Of legal necessity they recognized the then existing legislative bodies of at least the Southern States who had ratified; namely, Tennessee, Arkansas, South Carolina, Alabama, North Carolina, and Georgia. The legislatures of the Southern States were duly organized and existing, and since Congress lacked authority to oust these legislatures by military power or otherwise, they never legally ceased to exist. The new legislatures installed by the Army were, therefore, null and void and all new State officers were likewise usurpers, totally lacking in State authority.

3. Were the two Houses of the 39th Congress organized according to the Constitution? If not, what effect did the failure to seat Senators from the Southern States have upon the proceeding?

Section 5 of article I of the Constitution provides that: "Each House shall be the judge of the elections, returns, and qualifications of its own Members."

While each House is made the sole judge of the elections, returns, and qualifications of its Members, there is no authority granted by the Constitution to refuse to "judge." The whole purpose of this constitutional provision relates to the judging of each individual Member. It contemplates a hearing and the taking of evidence with a right to be heard before being judged. To arbitrarily decide not to seat any of the Senators or Representatives from any specified States without even a hearing was not a judging, but rather an arbitrary deprivation of the equal suffrage of these States in violation of Article V of the Constitution. Upon a hearing and judging the Houses might lawfully have refused to seat all or most of such duly elected persons, or they might have decided to seat any portion of them. But an arbitrary refusal to judge as authorized by the Constitution was an arbitrary refusal to seat in violation of the Constitution, and was therefore unlawful.

4. Is the election of the members of a State legislature, conducted under military force by the U.S. Army, in violation of the laws of suffrage of such State, a valid election?

In the case of *Breedlove* v *Suttle*, the U.S. Supreme Court has held that each of the States has the supreme and exclusive power to regulate the right of suffrage and to determine the class of inhabitants who may vote. The use of the U.S. Army in 1867 to occupy several of the sovereign States, change the State rules of suffrage, and to purportedly elect new State officers and new State legislatures was just as patently illegal as it would be today. If the officers of the Federal Government could in 1867 send the Army into a State, oust its legislators and officers, and elect new ones under their own rules of suffrage, then a political party today could, after coming to power, use the U.S. Army to seize and occupy all States having a predominantly different party, oust its officers and legislators and make its return to self-government conditional on its ratification of an amendment to the Constitution abolishing all other political parties. In other words, if the action of the Congress in the Reconstruction Act and all done under it be valid, then the United States can at any time by a simple majority vote of the Congress establish an absolute dictatorship.

Mr. Thaddeus Stevens, of Pennsylvania, on December 14, 1865, said:

"According to my judgment they (Southern States) ought never to be recognized as capable of being counted as valid States until the Constitution has been so amended as to secure ascendancy of the party of the Union (Republican)."

His plan was twofold: First, to reduce the representation to which the Southern States were entitled under the Constitution; second, to enfranchise the blacks and disenfranchise the whites. This was calculated to keep the Southern States out of the Union until the Constitution had been so amended as to accomplish his objects and after that have control of the Southern States in the hands of the party of the Union (Republican).

If Mr. Thaddeus Stevens could legally accomplish his objects in 1867, and 1868, some political leader fired with personal ambition could make himself dictator and override and destroy the Constitution in 1968 with the support of a majority in Congress and the Army to back him. The pattern is already established and he need but follow precedent.

5. Is the ratification of a constitutional amendment by a legislature elected, as in question No. 4, valid and effective?

The votes of the southern legislatures which were counted as having ratified the 14th amendment by the Secretary of State when he issued his proclamation were not the votes of the duly constituted and existing legislatures of such States, and the certification of ratification by a usurper claiming to be Governor of a State was no certification at all. The acts of Congress asserting that it had been ratified did not add 1 inch to its size. The proclamation of the Secretary of State added no more to the compliance with the requirements of article V of the Constitution than if there had been not a single ratification. By these methods, the Speaker of the House, the President of the Senate, and the Secretary of State, without even a vote of the Senate or House, or a ratification by a single State, could amend the Constitution at will.

6. May a State change its position toward an amendment before there has been a ratification by three-fourths of the States?

Many experts on constitutional law have taken the position and expressed the view that such a change can be made. The Supreme Court of Kentucky, in the case of *Wise* v. *Chandler*, has held that when a State has acted on a proposed amendment to the Federal Constitution, to either ratify or reject, its power further to consider the question has been exhausted without a resubmission by the Congress. Certiorari was granted in this case to the U.S. Supreme Court, but the case was dismissed on the ground that there was no controversy susceptible of judicial determination. The U.S. Supreme Court in *Coleman* v. *Miller*, held that the Supreme Court of Kansas had a right to consider the question as to whether the proposed Child Labor Amendment to the U.S. Constitution had been properly ratified under a claim of members of the State senate that their votes had not been given effect. But the specific question here considered has never been passed upon directly by the U.S. Supreme Court.

7. Is the question of the validity of the 14th amendment a legal or a political one?

Applying the test as announced by the Supreme Court in *Marbury* v. *Madison*, the question as to whether a constitutional amendment has been effectuated is properly a judicial rather than a political one. However, that the question is a political one seems to be so well established as not to afford a contrary view.

Early in April 1867, Georgia and Mississippi filed bills for leave of the Court to enjoin the Secretary of War Stanton and General Grant from carrying out the Reconstruction Act.

In *Georgia* v. *Stanton* and *Mississippi* v. *Stanton* the constitutionality of the Reconstruction Act was directly attacked and the Supreme Court dismissed the complaints for alleged lack of jurisdiction on the ground that only a political question was presented.

In *Coleman* v. *Miller*, the Court discussed the questionable nature of the adoption of the 14th amendment pointing out the incongruity of the failure to recognize the withdrawals of the ratifications by Ohio and New Jersey as compared to the subsequent ratifications of North Carolina, South Carolina, and Georgia, after such States had formally rejected. The Court referred to the dubious first proclamation of the Secretary of State and the following act of Congress which declared the 14th amendment to have been adopted and the second proclamation of the Secretary of State proclaiming adoption. The Court then stated:

"This decision by the political departments of the Government as to the validity of the adoption of the 14th amendment has been accepted. We think that in accordance with this historic precedent the question of the efficacy of ratifications of State legislatures, in the light of previous rejection or attempted withdrawal, should be regarded as a political question pertaining to the political departments, with the ultimate authority in Congress in the exercise of its control over the promulgation of the adoption of the amendment."

In *Leser* v. *Garnett*, it was held that the certificate of the Secretary of State certifying to the ratification of the 19th amendment was binding on the courts. The duty to act in regard to constitutional amendments has now been given to the Administrator, General Services Administration.

That the rulings in *Leser* v. *Garnett*, *Coleman* v. *Miller*, and *Chandler* v. *Wise* are of doubtful wisdom is emphasized by the actions of the legislatures of Oregon and New Jersey. At the time of the proclamation of Secretary Seward, the legislature of Oregon had ratified and such ratification had been duly attested to by the Governor. But, upon investigation it was found that such vote was based upon fraud and that two of the members of the legislature, whose votes were essential to ratification, had not in fact been elected. Their seating had been procured by a fraudulent certification of election of a county clerk. After the facts were discovered, these two members were unseated and the duly elected ones were seated. Upon a demand by them, a new vote was taken in which their legal votes were counted. The amendment was rejected. Nevertheless, Oregon was counted as having ratified the 14th amendment.

At the time of the proclamation, New Jersey had withdrawn its ratification because of the unlawful action of Congress in purportedly unseating Senator John P. Stockton by a majority vote; whereas, having been duly seated, section 5 of article I of the Constitution required a two-thirds vote to expel. Yet we are told that the same Congress by a majority vote in making a so-called political decision will be the sole judge of its own misconduct, in open and flagrant violation of the Constitution, when the rights of citizens and the rights of States reserved by the 10th amendment are involved.

DANGER TO OUR FORM OF GOVERNMENT

Coleman v. *Miller*, *Chandler* v. *Wise*, and *Leser* v. *Garnett*, seem to be decisive of the question as to a lack of authority in the Supreme Court to decide whether an amendment has been legally adopted. If it be so, the whole constitutional structure of the United States is in serious danger and Congress should forthwith initiate the necessary action to give jurisdiction to the courts to determine whether an amendment has been legally adopted. Under the authority of *Coleman* v. *Miller*, *Leser* v. *Garnett*, and *Chandler* v. *Wise*, any political party which came to power in sufficient strength to propose an amendment to the Constitution by a two-third vote could propose an amendment to abolish all other political parties for the style of government we see in many foreign countries. A mere proclamation of one man (Administrator of General Services Administration) that such amendment had been adopted by three-fourths of the States would make it an incontestable amendment despite the fact that not a single State actually ratified. In similar fashion, the provisions of section 1, article II, of the Constitution, which fixes the term of office of the President at 4 years, could quickly be amended to a term for life; thus a dictator could be born. In like manner, it would be a simple matter to withdraw from the courts the power to declare an act of the President or of Congress a violation of the Constitution. An amendment might abolish the sovereignty of the States and leave but one Federal Government. This sort of thing can be anticipated in time of great national stress as the panacea for the Nation's ills.

Perhaps such a bold attempt to change the Constitution by the mere false certification by the Administrator of General Services Administration would be too unpalatable to the public conscience, as would be the military invasion by Federal troops of States having recalcitrant legislatures. But a recourse to a pretense of ratification could more readily be procured by the organization of "rump" legislatures composed of henchmen of the Federal executive. Such ratifications would thereupon be accepted by the political decision of the Congress based on a majority voice vote. There is no legal difference in such action from what was done in respect to the 14th amendment. And the Supreme Court has declined to afford to the citizens or the States protection from such usurpation of power under the pretext that these are "political" questions.

No such ability to change our form of Government through the will of a majority in Congress was ever intended by those who framed the Constitution. Checks and balances should be restored, so this cannot happen.

It may be said by shortsighted persons now that it is preposterous to suggest that some Congress in the future might pass amendments to the Constitution to abolish all political parties other than the one in power and to change the tenture of office of the President to life instead of 4 years, by the simple expedient of Congress by joint resolution declaring the amendments to be adopted followed by a certification to that effect by the Administrator of General Services Administration. However, such unforeseen things have happened before. It would be much wiser to preclude such a possibility now than to regret its occurrence later.

REMEDIES

It would serve no useful purpose to discuss the correctness of the decisions of the Supreme Court in *Leser* v. *Garnett* and *Coleman* v. *Miller* other than to mention that in the latter case there was a dissent by Justices Butler and McReynolds. There is a long line of decisions of the Supreme Court on questions that it considered not to be justiciable because they were political; most of them relating to foreign affairs, but unfortunately it has also construed this particular area as political and will consequently not entertain it as matters now stand.

In order to reestablish the traditional checks and balances in this area between the three departments of the Government, as designed by our Founding Fathers and destroyed by the 39th and 40th Congresses, it is imperative that the legality of the adoptions of constitutional amendments be subjected to judicial scrutiny.

The Congress could, of course, by ordinary act, by majority vote of both Houses, and signature of the President, confer jurisdiction on the courts of the United States and the Supreme Court to make a determination whether an amendment to the Constitution has been adopted.

Whether an amendment to the Constitution has been adopted is actually a mixed question of law and fact, or at worst a mixed question of law, fact, and politics. That the Congress has the power to authorize the courts to determine such question was decided by the Supreme Court in *Luther* v. *Borden*, which related to the provision of the Constitution in which the United States guarantees to each State a republican form of government. In a unanimous opinion, written by Chief Justice Taney, it was said:

"Under this article it rests with Congress to decide what government is the established one in a State. For as the U.S. guarantee to each State a republican government, Congress must necessarily decide what government is established in the State before it can determine whether it is republican or not. * * *

"So, too, as relates to the clause in the above-mentioned article of the Constitution, providing for cases of domestic violence. It rested with Congress, too, to determine upon the means proper to be adopted to fulfill this guaranty. They might, if they had deemed it most advisable to do so, have placed it in the power of a court to decide when a contingency had happened which required the Federal Government to interfere."

The relative ease by which a remedy is obtainable by act of Congress loses its attractiveness, however, when it is realized that such act could be repealed with equal ease by the same willful, shortsighted men against whom protection is sought. The only remedy which would reestablish the checks and balances contemplated by the framers of the Constitution with safety against a willful congressional majority would be an amendment to article V of the Constitution, conferring on the judiciary the authority to determine whether an amendment has been adopted. In my opinion the heritage of our constitutional form of government will be in danger of destruction until such an amendment to the Constitution is adopted.

ORDER OF BUSINESS

Mr. STENNIS. Mr. President, under the unanimous consent previously given, the Senator from South Carolina was to proceed without the Senator from Mississippi losing his right to the floor.

Mr. President, the Senator from Virginia (Mr. BYRD) has some remarks he wishes to make, for about 35 minutes, and I ask unanimous consent that I may yield to the Senator from Virginia under the conditions previously stated without losing my right to the floor.

The PRESIDING OFFICER (Mr. SMITH of Massachusetts in the chair). Is there objection to the request of the Senator from Mississippi?

Mr. HOLLAND. I have no objection, Mr. President.

The PRESIDING OFFICER. The Chair hears none, and it is so ordered.

Mr. STENNIS. I thank the Presiding Officer.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed, without amendment, the following bills of the Senate:

S. 1691. An act to provide that any juvenile who has been determined delinquent by a district court of the United States may be committed by the court to the custody of the Attorney General for observation and study; and

S. 1756. An act for the relief of the city of Pasco, Wash.

THE ALEXANDER HAMILTON NATIONAL MONUMENT — AMENDMENT TO THE CONSTITUTION DEALING WITH POLL TAXES

The Senate resumed the consideration of the motion of the Senator from Montana [Mr. MANSFIELD] to proceed to the consideration of the joint resolution (S.J. Res. 29) providing for the establishing of the former dwelling house of Alexander Hamilton as a national monument.

Mr. BYRD of Virginia. Mr. President, as a Member of the U.S. Senate representing the Commonwealth of Virginia, I oppose the proposal for a so-called poll tax amendment to the Federal Constitution.

The State Constitution of Virginia, in establishing the "qualifications of voters," requires the payment of a capitation tax, and I shall discuss this perfectly legitimate requirement in due course.

But first the record should show that adoption of this proposed amendment to the Federal Constitution would deprive public schools in Virginia of more than $1.5 million a year in much needed revenue.

I state this fact with emphasis for the attention of the proponents of the pending resolution, those responsible for bringing it up, those who are agitating for its passage, and those who vote for it.

The Virginia capitation tax is $1.50 per person, per year. Of this tax $1 must be appropriated in support of the public free schools of primary and grammar grades throughout the State.

The remaining 50 cents is returned for local purposes to the counties and cities where it is collected, and this also is used almost exclusively in the support of public schools.

Reports of the State comptroller show that revenue from the Virginia capitation tax has been running at $1,700,000 a year or more. It is conservatively estimated that $1.5 million goes to schools.

On my own responsibility as a Member of the Senate, I do not hesitate to say there is no significant demand in the State of Virginia for repeal of the nominal capitation levy.

The agitation for Federal action to outlaw this Virginia "qualification of

voters" originates outside of the State—whether it is by constitutional amendment or by Federal statute.

It has been fundamental in our form of government since its beginning that each of the several States shall determine its own qualifications for voting in both State and National elections.

Virginia has never attempted to dictate voting qualifications in other States, or to agitate for their change. And the people of Virginia do not like for others to meddle in their voting affairs.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. BYRD of Virginia. I yield to the Senator from Florida.

Mr. HOLLAND. Is it not a fact that the Senator and his distinguished colleague have, on occasion, joined me in the offering of this particular amendment?

Mr. BYRD of Virginia. That was under conditions which do not exist today.

Mr. HOLLAND. But the Senator did join me?

Mr. BYRD of Virginia. I am not sure that it was on occasions—there may have been one occasion.

Mr. HOLLAND. And the Senator's colleague did so on several occasions, is that not true?

Mr. BYRD of Virginia. I cannot say without checking the record.

Mr. HOLLAND. The reason for my asking the question is my understanding of the statement made by the distinguished Senator from Virginia, that Virginia had never joined in trying to impose this decision on other States. I do not know what was the purpose of my distinguished friend and his distinguished colleague in joining with me, but I thought they were supporting the amendment, or would not have asked to join.

Mr. BYRD of Virginia. I am speaking of Virginia as a State and not of individual Virginians.

From time to time many States have made changes in their voting requirements. They have been permitted to do that when the people of the State wanted change—not by force of the Federal Government.

In further answer to the question of the Senator from Florida, a proposal was submitted to the people of Virginia to repeal the poll tax, and it was defeated.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. BYRD of Virginia. I yield.

Mr. HOLLAND. I understand that was the case. I have also examined that proposal. I thought it was a very weak one, but it was within the judgment of the appropriate officials of Virginia as to what they should submit, and it was within the judgment of the people of Virginia to determine whether or not to accept it.

Mr. BYRD of Virginia. At the recent session of the General Assembly of Virginia, which adjourned only a week ago, a proposal was made to submit again the question of repealing the Virginia poll tax, and I think it received only 1 or 2 votes in the house of delegates, which consists of 100 members.

Mr. HOLLAND. Mr. President, will the Senator yield further?

Mr. BYRD of Virginia. I yield.

Mr. HOLLAND. I understood that the proposal in Virginia was related to the complete elimination of the poll tax, whereas the present proposal, in an undoubted constitutional form, has to do only with the imposition of the poll tax as a requirement for voting for Federal elective officials and does not relate to or interfere with the affairs of the State of Virginia in connection with its State elections.

Mr. BYRD of Virginia. The Senator from Florida well knows that if the voters of Virginia refuse to repeal the State poll tax, and then by Federal enactment in one shape or another the poll tax as related to election of Federal officers is repealed, two lists of voters would be required, which I believe would be a very difficult thing to administer.

In these days of minimum wage laws and inflation it cannot be seriously contended that a capitation tax of $1.50 a year substantially should restrict availability of the voting franchise.

This Virginia tax is the equivalent to little more than the Federal minimum wage rate for an hour's work—the price of a haircut, admission to a ball game, and so forth.

Voting registration in Virginia has been increasing—right along with the population. Latest official figures, as of last October, indicate Virginia registrations now exceed 1 million.

I suspect the registration increase in Virginia, proportionately has kept fairly close pace with the registrations in States which do not require payment of capitation taxes.

This increase in registrations has by no means been confined to the white population. Registrations among the colored people have increased as well—they now number more than 100,000.

No State in the Union has simpler registration laws than does the State of Virginia. All that is necessary to do is to sign an application for registration. No questions are propounded. Nothing is asked of those who would be voters. One registration lasts for a lifetime. If a voter moves from one precinct to another his registration is transferred.

With more than a million registrations in the State, and the revenue from capitation taxes running at $1.7 million a year, it is obvious that the tax is not restrictive on the qualification of voters.

In this connection I quote from a statement by my colleague from Virginia the Honorable A. WILLIS ROBERTSON. When a previous poll tax bill was before the Senate 2 years ago, he said:

> So far as I can ascertain, the poll tax requirement in Virginia has had no effect from a racial standpoint. The accuracy of this statement is shown by comparison of the situation in Virginia which requires the payment of a poll tax, with the situation in adjoining North Carolina which does not require payment of a poll tax.

No State has had more experience with the voting franchise than Virginia. The first elected legislature in the new world was established at Jamestown early in the 17th century.

Virginia's experience was called upon in drafting the Federal Constitution. The right of determining qualifications for voters was deliberately reserved to the States.

It was not by accident that this right was clearly and prominently placed in the Federal Constitution. The fact that it is only one paragraph removed from the preamble is significant.

Article I, section 2 of the Constitution of the United States reads as follows:

> The House of Representatives shall be composed of Members chosen every second year by the people of the several States, and the electors of each State shall have the qualifications requisite for the electors of the most numerous branch of the State legislators.

The position of this section in the Constitution and the choice of its language were not by accident. The framers of the Nation's basic law knew what they were doing, and it was deliberate.

Charles Warren, an eminent student of constitutional history, and author of "The History of the Supreme Court of the United States," in a Library of Congress Memorandum on Poll Tax, stated:

> In arriving at this method (art. I, sec. 2-1) of disposing of the question of the right to vote in Federal Convention of 1787, there was a threefold contest.
>
> The contest was between those members who wished a uniform qualification for electors (freehold property or otherwise) to be prescribed in the Constitution itself, and two other groups.
>
> The second group of delegates wished the power to prescribe the qualifications for voting to be vested in Congress; and in addition to these there was still a third group.
>
> This third group wished the Constitution to prescribe qualifications—not uniform qualifications—but qualifications such as the respective States prescribed for their own people.

It was this last group who prevailed and, according to Warren, after 2 days of active debate they left the constitution in this respect as it now stands.

With this constitutional history clearly in mind Virginia for nearly 100 years has determined that payment of capitation taxes should be a qualification for voting.

This is no relic of Reconstruction days. It was given close study in our constitutional convention of 1902 under the leadership of the late Carter Glass, who was so highly esteemed in Virginia, in the Senate, and throughout the Nation.

Payment of capitation taxes as a prerequisite for voting in Virginia was posed, as I have already said, as a question in a statewide referendum within the past 10 years, and our people voted for its retention in the Constitution.

Article II, section 18, of the Virginia constitution, as it stands today after recent referendum, is headed "Qualification of Voters," and it reads as follows:

> Every citizen of the United States, 21 years of age, who has been a resident of the State 1 year, of the county, city or town, 6 months and of the precinct in which he offers to vote, 30 days, next preceding the election in which he offers to vote, has been registered to vote, has registered, and has paid his State poll tax, as hereinafter required, shall be entitled to vote for members of the general assembly and all officers elective by the people.

This is the provision—with respect to payment of capitation taxes as a requirement for the privilege of voting in Virginia—which stands now in our State constitution.

As of today, it stands reinforced by overwhelming approval in a statewide referendum taken during the period since the proposal now under debate has been pending before the Congress.

There are no grounds for either the Federal Congress or any other State to question the power or authority of the Commonwealth of Virginia to establish voting qualifications within the State.

Retention of this power and authority by each State is fundamental in the body and the soul of the Federal Constitution which the States devised as a means of uniting themselves for national purposes.

Virginia takes pride in the part it played in drafting the Constitution of the United States. Its role was that of the participant with the greatest experience in an elective system of government.

As I view the Federal Constitution, the original articles are its body, and the first 10 amendments are its soul. Virginia's experience helped mold the body, and our Bill of Rights is its soul.

The very second paragraph in the body of the Constitution specifically says that each State shall have the power and authority to determine the "qualifications" for voting in their own elections.

If this language in section 2 of article 1 is not specific enough, the ninth amendment says:

> The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

Certainly, there is nothing in the Federal Constitution which can be construed as delegating power or authority over voting qualifications to the Federal Government.

But the 10th amendment precludes any Federal usurpation of any power or authority in this respect. It says:

> The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

As if this were not enough to settle this matter for all time insofar as Federal jurisdiction is concerned, the 17th amendment, in 1912—some 125 years later—repeated the language of article I, section 2.

Certainly the multiple provisions in the Federal Constitution, deliberately designed to prevent Federal usurpation of power over voting qualifications, cannot be undone except by constitutional amendment.

But frankly, I am at a loss to understand why States which are enjoying freedom with respect to establishing other voting qualifications should wish to open the door for Federal restriction in this area.

Over the years a number of States have exercised this very freedom to repeal the payment of poll taxes as a prerequisite for voting; and under the same freedom they have established other qualifications.

Are the advocates of this proposal prepared to broaden the amendment to impose Federal restrictions against annual registrations, payment of registration fees, or to fix a uniform age limit, and so forth?

I find no reason to think that even our neighbors in North Carolina, Tennessee, Kentucky, West Virginia, and Maryland are deeply concerned over whether Virginia has a capitation tax or not.

There is even less reason to think that the rank and file of people in more removed States wish to impose on Virginia the attitudes of their respective States on voting qualifications.

There is in fact no demand for this amendment among the rank and file of the citizens of this Nation. It is directed at only 10 percent of the States with only 12 percent of the population.

These States are just as responsive to responsible public demand as are any other States. The people of these States are just as capable of achieving their reasonable desires as are people elsewhere.

In this instance their reasonable desires with respect to voting qualifications—and I think they are both reasonable and constitutional—happen to differ from the reasonable and constitutional desires of people elsewhere.

Inflammatory statements by pressure groups and a Federal commission, paid to stir up agitation on anything which can be tarred by the stick of so-called civil rights, do not justify amendment to the Constitution.

I not only question any contention that States wish to open the door to Federal restriction on voting qualifications; I question whether the subject merits the Senate's time and effort on this proposal.

I venture the assertion that the price of the capitation tax does not prevent responsible citizens in Virginia, Alabama, Arkansas, Mississippi, and Texas from voting.

I doubt whether there has ever before been proposed a constitutional amendment which would be applicable in only five States. Certainly, no more useless or unjustifiable amendment has ever been proposed.

The Constitution fundamentally must be an instrument of broad principles and basic law. To start encumbering it with detailed specifics surely will lead to the destruction of our system of government.

Under the Constitution, States retained the broad authority to establish voting qualifications. This amendment would begin chipping away at that authority by Federal restriction on what may be called a qualification.

These are some of the reasons why I question whether consideration of this proposed amendment is worthy of the Senate of the United States, and the expenditure of all this time and effort.

I cannot take too seriously a statement which was made here on the floor of the Senate on Friday, March 16; but as a Senator from Virginia I cannot allow it to go unchallenged.

The last column on page 4370 of the CONGRESSIONAL RECORD for that date contains the statement that "the poll tax States were the ones that had lost population."

If Virginia is regarded as a "poll tax State," this statement requires qualification. Virginia's population in 1930 was 2.4 million; it was 2.7 million in 1940; 3.3 million in 1950; and 3.9 million in 1960.

Statements such as this are frequently subject to erroneous connotation. I know from experience that they are picked up and used to indicate backwardness, or at least lack of progress.

We are proud of our progress in Virginia because it is sound progress. It is progress without the elements of the spectacular. It is the kind of sound and sure progress that this Nation needs. Virginia is one of the few States which is out of debt.

It is the kind of progress which can be documented—chapter and verse—and I am pleased to take this occasion to recite some of these chapters and verses:

Record of progress in Virginia since before World War II

	Percent
1. Total population in Virginia increased	48
Total population in the country as a whole increased	36
2. Rural population in Virginia increased	0.2
Rural population throughout the country decreased	−0.6
3. Urban population in Virginia increased	133
Urban population in the country increased	68
4. Total personal income in Virginia increased	480
Total personal income in the country increased	408
5. Per capita personal income in Virginia increased	297
Per capital personal income in the country increased	273
6. Number of manufacturing plants in Virginia increased	77
Number of manufacturing plants in the country increased	72
7. Value of products manufactured in Virginia increased	466
Value of products manufactured in the country increased	475
8. Employment in manufacturing in Virginia increased	72
Employment in manufacturing in the country increased	68
9. Payroll in manufacturing in Virginia increased	555
Payroll in manufacturing in the country increased	515
10. Kilowatts of electric power generated in Virginia increased	689
Kilowatts of electric power generated in the country as a whole increased	431
11. Electric generation capacity in Virginia increased	512
Electric generation capacity in the country increased	321
12. Cash receipts from farm marketing in Virginia increased	284
Cash receipts from farm marketing in the country increased	306
13. Number of retail establishments in Virginia increased	11
Number of retail establishments in the country increased	1
14. Retail sales in Virginia increased	492
Retail sales in the country increased	375
15. Life insurance purchases in Virginia increased	746
Life insurance purchases in the country increased	620
16. Assets of all operating banks in Virginia increased	358
Assets of all operating banks in the country increased	249

Record of progress in Virginia since before World War II—Continued

	Percent
17. Deposits in all operating banks in Virginia increased	366
Deposits in all operating banks in the country increased	249
18. Number of telephones in Virginia increased	344
Number of telephones in the country increased	239
19. Number of motor vehicle registrations in Virginia increased	180
Number of motor vehicle registrations in the country increased	128
20. Value of mineral production in Virginia increased	344
Value of mineral production in the country increased	204
21. Value of bituminous coal production in Virginia increased	363
Value of bituminous coal production in the country increased	124
22. Tonnage of bituminous coal production in Virginia increased	100
Tonnage of bituminous coal production in the country decreased	−11
23. Nonagricultural employment in Virginia increased	79
Nonagricultural employment in the country increased	90

Virginia is one of the six States which build and maintain the entire system of roads, including the county roads. Virginia's county road mileage is approximately 41,000. In highway mileage under State control, Virginia is exceeded by only two States—North Carolina—which also administers its county roads—and Texas.

Although the land area of Virginia is exceeded by that of 35 other States, in 1959 only 19 States had more surfaced highways. Of Virginia's 56,208 miles of highways, 96 percent or 53,920 miles were surfaced. Only three States—Connecticut, Maryland, and Ohio—showed a higher percentage of surfaced mileage.

Only 8 States in the 50 in 1959 exceeded Virginia in highway mileage of four lanes or more; and 14 States exceeded Virginia in divided highway mileage of 4 lanes or more.

STATE DEBT AND EXPENDITURES

Virginia's favorable debt position over the years has become well known. Virginia's debt—general obligation, full faith and credit—at the end of the fiscal year 1960 was $8,662,000, with a sinking fund of $4,972,000, leaving a net debt of $3,691,000.

EDUCATION

Virginia ranks 16th among the States in total expenditures for education purposes, with expenditures of $157 million in 1960. In capital outlay for education purposes, Virginia's 1960 expenditure of $16 million ranked 17th among the States.

TOURIST BUSINESS

It is estimated that between 35 and 40 million people visited Virginia in 1960, and during the course of their visit they spent approximately $775 million. Virginia has long led the list of States having the largest number of visitors, and the last estimate of the American Automobile Association indicated that Virginia placed second to Florida in this respect.

I doubt very seriously whether repeal of the capitation tax in Virginia would result in greater increase in population than we have had or that it would stimulate our progress.

If it would do either, or both, I suspect the characteristics of the increments traceable to this source would be undesirable—and more of a burden than a blessing.

Under literal reading, the amendment purports to limit its application to elections of Federal officers. This, of course, is impractical in elections which involve more than Federal offices.

In Virginia, and I suspect in most other States, it is not uncommon for candidates to be running for Federal, State, and local offices in the same election; and there may be voting on issues as well as candidates.

To conform with the proposed amendment for the election of Federal officers, and State qualifications for all other candidates and issues would require a double set of election standards.

The people of Virginia have honored me by election to Federal office over a period of nearly 30 years, and to State and local offices for 20 years before that.

I am deeply grateful for the trust placed in me by the Virginia electorate, and I consider myself doubly honored because I have the greatest respect for the caliber of the Virginia electorate; it is second to none.

Excluding myself, I submit that the caliber of the Virginia delegation in Congress has always been outstanding. I make that statement without reservation and without fear of successful contradiction.

For all practical purposes it must be assumed that the pending amendment would have to be applied to State and local elections. I doubt that the people of Virginia would tolerate a dual standard.

On that assumption, I am certain that the caliber of the State government of Virginia would not be improved by the elimination of a capitation tax as a qualification for voting.

Virginia is proud of its State government—all three branches of it. Election to service in the State government is regarded everywhere in Virginia as a signal honor.

The faith and credit of Virginia is unencumbered and unimpaired by State debt. Its State budget is balanced. Service of the State government to the people is efficient and economical by comparison.

The good name of Virginia is unsullied by scandal in its State government since the horrendous days of Reconstruction outrages under the aegis of the Federal Government.

I find it most difficult to believe that the wisdom and judgment of the Virginia electorate, the Virginia government, or the Virginia delegation in Congress would be improved by this amendment.

Mr. HOLLAND. Mr. President, will the Senator from Virginia yield?

Mr. BYRD of Virginia. I yield.

Mr. HOLLAND. The Senator could not say anything more complimentary of his great State, the Commonwealth of Virginia, than the Senator from Florida feels and recognizes. He also knows that the Senator from Virginia has every reason to be proud of that great record, because he has had so much to do with it during the past 40 years.

Mr. BYRD of Virginia. I thank the Senator from Florida.

Mr. HOLLAND. I wished to make that clear for the RECORD. What I feel is of doubtful wisdom is a system which permits, in a highly contested Presidential race, such as in 1960, his great State, the Commonwealth of Virginia, to be among the lowest five in the Nation in percentage of votes cast by those who are of voting age. Virginia's 34-plus percent is a little less than half of the national average, which is 70 percent. It is only of that fact that the Senator from Florida complains. He has every bit of admiration for the State of Virginia and its great Senators that it is possible to have. As a matter of fact, his mother's family lived in Virginia, and he never found a member of that family who was not a strong supporter of the senior Senator from Virginia.

Mr. BYRD of Virginia. I thank the Senator from Florida.

Mr. HOLLAND. So he wishes to make it very plain that the only thing which he believes is subject to question in this whole record, on the part of any person, that could be improved is the question of participation in voting. That is the question which disturbs the Senator from Florida.

Mr. BYRD of Virginia. The Senator from Florida should get the figures with respect to the persons who are qualified to vote—those who pay the poll tax and are registered. He will find an entirely different story. If the people of Virginia do not go to the polls, that is something that they determine for themselves. Official records as of October 1961 show considerably more than a million voters in Virginia are qualified to vote, and the number paying poll taxes ran in the same order.

Mr. HOLLAND. The figures which the Senator from Florida has relied upon are the figures of the Federal Census of 1960, which show that 2,244,000 people in Virginia are of voting age, if they care to qualify, and showing that only 34 percent of them, or 777,000, saw fit to participate in the election.

Mr. BYRD of Virginia. But I think the Senator from Florida should be fair enough to state that more than a million persons are qualified to vote; they have paid their poll tax and they have registered, and they are qualified to vote. If some of them do not choose to exercise their right to vote, I do not think that is any reflection on the Virginia laws—the Senator from Florida has said they are prevented by the poll tax from voting. But that is not correct.

Mr. HOLLAND. The figures show that only 777,000 of them voted. The Senator from Virginia states that 1,200,000 of them, or thereabouts, were qualified.

Mr. BYRD of Virginia. That is correct.

Mr. HOLLAND. Assuming that to be true, it is also true that more than a

million of the people of qualifying age who live in Virginia failed to pay the poll tax.

Mr. BYRD of Virginia. But there is no reason to say the poll tax keeps them from voting. That tax in Virginia is only $1.50, and very few people in Virginia or elsewhere cannot pay $1.50, all of which goes to the public schools. Every dollar of this tax goes to the public schools in Virginia. So when those figures in regard to the situation in Virginia are examined, one must consider how many of those people chose not to vote.

In terms of percentage, I think the number in Virginia who vote is about as great as the number in other States who vote. But certainly the poll tax does not keep Virginians from voting; and I challenge any State in the Union to show a registration procedure simpler than that in Virginia. In Virginia, all one has to do is sign his name, and he is registered for life. Very few States have such a simple procedure.

Mr. STENNIS. Does the Senator from Virginia mean to say that if a Virginian signs his name to the registration papers, he is registered for life?

Mr. BYRD of Virginia. That is correct; a Virginian has only to sign his name to the registration papers; he does not even have to write out his application.

Mr. HOLLAND. Mr. President, will the Senator from Virginia yield further to me?

Mr. BYRD of Virginia. I yield.

Mr. HOLLAND. The same is true in many counties of Florida. In only the newer or the fastest growing counties there is biennial or annual registration required. Furthermore, in our State it is not required that one pass a test based on ability to read or write.

But in the same election, 1,540,000 residents of Florida voted, as compared to less than half that number within the great Commonwealth of Virginia. I simply state that I feel that the influence of the State of Virginia should be more heavily felt in the Nation, in connection with casting votes representative of its great people, than is actually happening under the present system.

I thank the Senator from Virginia for yielding to me.

Mr. BYRD of Virginia. I thank the Senator from Florida. However, all he has said is a matter of opinion. Some persons may have an opinion that the Virginia electorate will be greatly improved by repeal of the poll tax, and that over the years the representation in Virginia would have been better if the poll tax had been repealed. But all that is a matter of opinion.

However, I submit that the poll tax in Virginia, which is only $1.50 a year, has not kept Virginians from voting.

Furthermore, one who registers to vote in Virginia has only to sign his name; he does not even have to write out his application.

Mr. President, what is the pending resolution designed to accomplish which makes it necessary to bypass the rules and orthodox procedure of the Senate? I ask that question in all sincerity.

In one stage or another, this proposal has been before the Senate and the House for some 13 years or more since 1949. As introduced, it is properly before the Senate Judiciary Committee at this moment. But here on the floor we are faced with the most unorthodox procedure for consideration of a resolution proposing to amend the Constitution of the United States. It is proposed that the Senate consider the resolution under the enacting clause of another resolution, which is on the calendar, to establish the home of Alexander Hamilton as a national monument.

The atmosphere in which this resolution is now projected raises the suspicion that the noisy pressure groups which exploit so-called civil rights are influencing the procedure. To misuse a bill for a memorial to Alexander Hamilton for this purpose is reminiscent of the misdirected fate of the Stella school bill in this body in the not-too-distant past.

Mr. HOLLAND. Mr. President, will the Senator from Virginia yield again to me?

Mr. BYRD of Virginia. I yield.

Mr. HOLLAND. I think the Senator from Virginia probably does not have the following information: The organizations which have testified every time, except the last time, against this proposed constitutional amendment—include the Americans for Democratic Action and the NAACP. Since receipt of the news that this bill was to come before the Senate, the ADA has issued a blast, in pamphlet form, to the effect that this procedure is not proper, that the measure should be broader, and that the proposed action should be taken by statute.

So I do not want the Senator from Virginia to think that the radical groups are pressing for the enactment of such legislation, when the facts are quite otherwise.

Mr. BYRD of Virginia. Are they now opposing this measure?

Mr. HOLLAND. Yes, and they have testified against it. As a matter of fact, the only witnesses who ever have testified against this proposed constitutional amendment include a few Senators from the States which have a poll tax, plus representatives of the NAACP and the ADA—and that is all.

Mr. BYRD of Virginia. So far as the NAACP is concerned, its opinion has no influence with me.

Mr. HOLLAND. I understand that.

Mr. BYRD of Virginia. And if that is all the testimony the Senator from Florida can offer in favor of the pending proposal, I do not believe he has made much of a case.

Mr. HOLLAND. Well, a number of witnesses testified in favor of such a constitutional amendment; but I wished to point out to my estimable friend that, instead of being supported by those radical groups—which I have opposed as much as has the Senator from Virginia—the fact is that they have opposed it, because they want to go a good deal further than this proposal would go.

Mr. BYRD of Virginia. Well, Mr. President, the views of neither the NAACP nor the ADA have any influence on me.

Mr. HOLLAND. The NAACP and the ADA have been fighting for years; and since this proposal was made, the ADA has issued quite vocal opposition to it.

Mr. BYRD of Virginia. Well, I hope the day never will come when the ADA will influence the action taken by Congress, whether in the affirmative or in the negative.

Mr. HOLLAND. I thank the Senator from Virginia; but I point out that instead of these radical organizations being on the opposite side from that of the Senator, in this instance they are on the same side.

Mr. BYRD of Virginia. Of course, they have a right to take whatever side they wish to take. But I have no regard for the opinion of the ADA on this issue or on any other issue.

For reasons beyond my comprehension, legislation susceptible to the so-called civil rights brand seems invariably to come before the Senate under the most questionable and unorthodox procedure.

Nothing about this proposal, urgent or otherwise, justifies the disorderly situation which has been precipitated. I suspect that acceptable explanation of the move would be difficult.

I shall not ask for an explanation of what has been done in the way of procedure, but I should like to know whether Senate Joint Resolution 29—if amended as proposed, and passed—will require Presidential signature.

Senate Joint Resolution 29, for a Hamilton memorial, as introduced, considered in committee, and reported to the calendar, unquestionably I think would require the President's signature for enactment.

But the move confronting the Senate is to strike out all after the enacting clause of the Hamilton Monument bill, and insert a resolution submitting a constitutional amendment for ratification.

A resolution submitting a constitutional amendment to the 50 States for ratification does not require signature of the President, and it should not be subjected to his approval.

I should like to know whether Senate Joint Resolution 29 as it is proposed to be amended can be passed by a simple majority of those present and voting in the Senate and the House.

The Constitution provides:

> The Congress whenever two-thirds of both houses shall deem it necessary, shall propose amendments to this Constitution.

Mr. President, I have been honored with membership in the Senate 29 years. If I have learned one lesson better than others, it is that we are in trouble whenever we kick over orderly procedure without urgent reason.

If there is any reason for the pending proposal—and I reject the contention that there is—it is certainly not urgent. There is no justification for the course which has been undertaken.

In fact, this proposal would be ridiculous if it did not uproot fundamental rights which were established and settled in the Constitution as a prerequisite to the founding of this Government.

Numerous States impose poll taxes, head taxes, capitation taxes—or whatever they may be called—for various purposes which would not be outlawed by this amendment. The result would be absurd.

For instance, under the proposal, Virginia could not levy a capitation tax for the high privilege of voting, but a man in Maine could not drive his car to the polls unless he paid a poll tax.

Under the proposed amendment the Federal Government would hold that it is wrong for Virginia to levy a tax for the privilege of voting for officers in domestic governments.

But in the United Nations the same Federal Government would uphold the provision that nations which do not meet their regular assessments should not be allowed to vote.

Certainly the Constitution of the United States provides for its own amendment. The procedure for amendment is spelled out. It requires painstaking care and responsible deliberation.

The procedure is designed to discourage capricious action and useless amendments. The pending proposal would have the Senate indulge in capricious action on a useless amendment.

I shall not be a party to either. I shall oppose both. I hope the move to substitute the poll tax resolution for the Hamilton Monument bill will be killed one way or another.

I trust that the Congress will not submit this poll tax amendment to the States for ratification; but if it does, I have faith that the States in their better judgment will reject it overwhelmingly.

ORDER TO CONVENE AT 9 A.M. ON WEDNESDAY NEXT

Mr. MANSFIELD. Mr. President, will the Senator yield, without losing his right to the floor?

Mr. STENNIS. I yield to the Senator from Montana.

Mr. MANSFIELD. I am about to move that the Senate recess, but before I do so, I wish to ask unanimous consent for an order that after the Senate completes its business tomorrow, it convene at 9 o'clock Wednesday morning.

Mr. STENNIS. Mr. President, reserving the right to object, is it not almost without precedent in the Senate to set the time for convening the second day in advance when the Senate recesses on the following day?

Mr. MANSFIELD. No; it has been done before. I have discussed the matter with several Senators, suggesting it might be better to convene earlier, and they have no objection.

Mr. STENNIS. Very well.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

ANNOUNCEMENT OF NO COMMITTEE MEETINGS, MORNING BUSINESS, OR INTERRUPTIONS OF SPEAKERS, UNTIL DISPOSITION OF PENDING QUESTION

Mr. MANSFIELD. Mr. President, for the information of the Senate, it is the intention of the leadership to object to all committee meetings from now on while the Senate is in session. I have discussed this matter with the distinguished minority leader. Furthermore, it is our intention to object to insertions in the RECORD and interruptions of speakers except for questions, and there will be no morning hours, until the pending question is settled.

I am indebted to the distinguished Senator from Virginia [Mr. BYRD], who I think is the first Member of the Senate in 4 days of debate actually to mention the name of Alexander Hamilton. I point out to my colleagues that the question before the Senate is not as yet the question of a poll-tax amendment, but the question of taking up Senate Joint Resolution 29, introduced by the Senators from New York [Mr. JAVITS and Mr. KEATING], which is a joint resolution providing for the establishing of the former dwelling house of Alexander Hamilton as a national monument.

The joint resolution was reported unanimously by the Committee on Interior and Insular Affairs, with amendments, on March 6, 1962. I express the hope that the Senate will be reasonable and that we will shortly face up to the question of establishing as a national monument the former dwelling house of Alexander Hamilton.

I thank the Senator from Mississippi for yielding.

Mr. STENNIS. I thank the Senator from Montana for letting us know what the purpose was in calling up the Alexander Hamilton Monument measure.

Before the recess, may I have the understanding that it is agreed between the distinguished Senator from Montana and the Senator from Mississippi that when the Senate resumes its deliberations in the morning, the Senator from Mississippi will have the floor? Will the Senator from Montana agree to that?

Mr. MANSFIELD. Yes.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS TO 10:30 A.M. TOMORROW

Mr. STENNIS. Mr. President, in accordance with the order previously entered, I move that the Senate recess until 10:30 a.m. tomorrow.

The motion was agreed to; and (at 6 o'clock and 14 minutes p.m.) under the order previously entered, the Senate recessed until tomorrow, Tuesday, March 20, 1962, at 10:30 a.m.

NOMINATIONS

Executive nominations received by the Senate March 19 (legislative day of March 14), 1962:

U.S. DISTRICT JUDGES

Robert Shaw, of New Jersey, to be U.S. district judge for the district of New Jersey, vice William F. Smith, elevated.

William B. Jones, of Maryland, to be U.S. district judge for the District of Columbia, vice F. Dickinson Letts, retired.

DIPLOMATIC AND FOREIGN SERVICE

The following-named Foreign Service officers for promotion from class 2 to class 1:

Ward P. Allen, of Virginia.
Herbert P. Fales, of California.
Spencer M. King, of Maine.
Walter W. Orebaugh, of Oregon.
Henry C. Ramsey, of California.
Paul B. Taylor, of the District of Columbia.

The following-named Foreign Service officers for promotion from class 3 to class 1 and to be also consuls general of the United States of America:

H. Gardner Ainsworth, of Louisiana.
William O. Baxter, of the District of Columbia.
James D. Bell, of New Hampshire.
Findley Burns, Jr., of Minnesota.
Frank P. Butler, of New Jersey.
John A. Calhoun, of California.
Robert G. Cleveland, of New York.
Stephen P. Dorsey, of the District of Columbia.
Arthur B. Emmons 3d, of Massachusetts.
G. McMurtrie Godley, of New York.
Joseph N. Greene, Jr., of the District of Columbia.
Richard H. Hawkins, Jr., of Pennsylvania.
George Mason Ingram, of Tennessee.
Harold G. Kissick, of Missouri.
John Gordon Mein, of Kentucky.
Sydney L. W. Mellen, of Pennsylvania.
Francis E. Meloy, Jr., of Maryland.
David G. Nes, of Maryland.
Leon B. Poullada, of California.
Richard H. Sanger, of Maryland.
William J. Sheppard, of Kansas.
Ben S. Stephansky, of Illinois.
Leonard Unger, of Maryland.
Harvey R. Wellman, of New York.
Francis T. Williamson, of Virginia.

The following-named Foreign Officers for promotion from class 3 to class 2:

George O. Barraclough, of California.
William D. Brewer, of Connecticut.
William T. Briggs, of Virginia.
James J. Byrnes, Jr., of Pennsylvania.
Philip H. Chadbourn, Jr., of California.
Edward W. Clark, of New York.
Ralph S. Collins, of Tennessee.
John E. Crawford, of Minnesota.
John Hugh Crimmins, of Virginia.
Kennedy M. Crockett, of Texas.
Alfred P. Dennis, of Virginia.
Leon G. Dorros, of New York.
Hermann F. Eilts, of Pennsylvania.
Halvor O. Ekern, of Montana.
Julian P. Former, of New Jersey.
Michael R. Gannett, of Connecticut.
James F. Grady, of Massachusetts.
Joseph A. Greenwald, of Illinois.
Philip C. Habib, of California.
Richard C. Hagan, of Illinois.
William L. Hamilton, Jr., of Maryland.
L. Douglas Heck, of Maryland.
John L. Hill, of Wisconsin.
John D. Iams, of Oklahoma.
George R. Jacobs, of Illinois.
J. Roland Jacobs, of California.
William E. Knight 2d, of Connecticut.
Samuel Owen Lane, of California.
Thomas B. Larson, of Maryland.
John H. Lennon, of California.
Irvin S. Lippe, of Michigan.
Walter Q. Loehr, of California.
David E. Mark, of New York.
Albert F. Mayio, of Michigan.
John A. McKesson 3d, of Florida.
Joseph A. Mendenhall, of Virginia.
Joseph J. Montllor, of Alabama.
Walter J. Mueller, of Connecticut.
Thomas E. Nelson, of Washington.
Horace J. Nickels, of Maryland.
Nils William Olsson, of Illinois.
Givon Parsons, of Texas.
Charles P. Pick, Jr., of Florida.
Mrs. Margaret H. Potter, of the District of Columbia.
C. Hoyt Price, of Arkansas.
Joe Adams Robinson, of Oklahoma.
John Frick Root, of Pennsylvania.
Henry J. Sabatini, of the District of Columbia.
Joseph A. Silberstein, of Maryland.
Eldon B. Smith, of Kansas.
Rufus Z. Smith, of Illinois.
William J. Stibravy, of New Jersey.

James S. Sutterlin, of Maryland.
Emory C. Swank, of Maryland.
Robert Adams Thayer, of Virginia.
John L. Topping, of Virginia.
Oliver L. Troxel, Jr., of Colorado.
Albert S. Watson, of Connecticut.
C. Thayer White, of Texas.

The following-named Foreign Service officers for promotion from class 4 to class 3:

Robert Anderson, of Massachusetts.
Howard J. Ashford, Jr., of Colorado.
Alfred L. Atherton, Jr., of Massachusetts.
John Campbell Ausland, of Pennsylvania.
John George Bacon, of Washington.
Robert J. Barnard, of Wisconsin.
John L. Barrett, of Texas.
Carl E. Bartch, of Ohio.
Williams Beal, of Massachusetts.
Robert M. Beaudry, of Maine.
Slator C. Blackston, Jr., of North Carolina.
William G. Bowdler, of Virginia.
Thompson R. Buchanan, of Maryland.
William A. Buell, Jr., of Rhode Island.
Paul C. Campbell, of Pennsylvania.
William A. Chapin, of Illinois.
Mrs. Anne W. Claudius, of New Mexico.
Richard H. Courtenaye, of California.
John B. Crume, of Kentucky.
Phillip B. Dahl, of Illinois.
Arthur R. Day, of New Jersey.
John B. Dexter, of Maryland.
John R. Diggins, Jr., of Maine.
Paul F. DuVivier, of New York.
Miss Margaret A. Fagan, of Iowa.
Benjamin A. Fleck, of Pennsylvania.
Magdalen G. H. Flexner, of the District of Columbia.
Robert C. Foulon, of Illinois.
A. Eugene Frank, of New Jersey.
Miss Betty C. Gough, of Maryland.
Pierre R. Graham, of Illinois.
Lawrence E. Gruza, of Connecticut.
James C. Haahr, of Minnesota.
William C. Hamilton, of Connecticut.
Robert Whitcomb Heavey, of California.
Martin Y. Hirabayashi, of Washington.
Rogers B. Horgan, of Virginia.
Robert B. Houghton, of Michigan.
Thomas D. Huff, of Indiana.
Elmer C. Hulen, of Kentucky.
Johannes V. Imhof, of California.
Edward C. Ingraham, Jr., of New York.
Charles K. Johnson, of California.
Richard E. Johnson, of Illinois.
Curtis F. Jones, of Maine.
William Kane, of Virginia.
Miss Sofia P. Kearney, of the Commonwealth of Puerto Rico.
Joseph T. Kendrick, Jr., of Oklahoma.
Bayard King, of Rhode Island.
Gordon D. King, of the District of Columbia.
Walter E. Kneeland, of Texas.
Lowell Bruce Laingen, of Minnesota.
Donald E. Larimore, of Illinois.
Earl H. Lubensky, of Missouri.
Michael B. Lustgarten, of New York.
Doyle V. Martin, of Oklahoma.
Edward E. Masters, of Ohio.
James A. May, of California.
Stephen H. McClintic, of Maryland.
Earl R. Michalka, of Michigan.
Kermit S. Midthun, of Michigan.
Carl J. Nelson, of Virginia.
Cleo A. Noel, Jr., of Missouri.
Donald Kaye Palmer, of Michigan.
Stephen E. Palmer, Jr., of New York.
Stephen Peters, of Virginia.
T. Howard Peters, of Washington.
Elmer C. Pitman, of Indiana.
Paul M. Popple, of Illinois.
Francis C. Prescott, of Maine.
Edwy L. Reeves, of Virginia.
Edwin C. Rendall, of Illinois.
John Church Renner, of Ohio.
Robert M. Sayre, of Florida.
David T. Schneider, of New Hampshire.
Talcott W. Seelye, of Massachusetts.
Robert H. Shields, of California.
Richard E. Snyder, of New Jersey.
Karl E. Sommerlatte, of Florida.
C. Melvin Sonne, Jr., of Pennsylvania.
Moncrieff J. Spear, of New York.
William Perry Stedman, Jr., of Maryland.
Lee T. Stull, of Pennsylvania.
Godfrey Harvey Summ, of Virginia.
Malcolm Thompson, of Massachusetts.
Edward J. Thrasher, of New York.
Philip H. Valdes, of New York.
Miss Eulalia L. Wall, of Texas.
Sidney Weintraub, of New York.
Charles S. Whitehouse, of Rhode Island.
Edward H. Widdifield, of California.
J. E. Wiedenmayer, of New Jersey.
Wendell W. Woodbury, of Iowa.
Charles G. Wootton, of Connecticut.
Elmer E. Yelton, of Texas.

The following-named Foreign Service officers for promotion from class 5 to class 4:

Miss Jane S. Abell, of New Hampshire.
Richard H. Adams, of Texas.
James E. Akins, of Ohio.
Robert J. Allen, Jr., of the District of Columbia.
Miss Marion E. Anderson, of Connecticut.
J. Anthony Armenta, of California.
James H. Ashida, of Washington.
Robert A. Aylward, of Massachusetts.
Henry Bardach, of Texas.
Richard W. Barham, of Texas.
Raymond Bastianello, of Texas.
Raymond J. Becker, of California.
John J. Bentley, of California.
Philip B. Bergfield, of California.
Roland K. Beyer, of Wisconsin.
Joel W. Biller, of Florida.
Robert R. Bliss, of Michigan.
Charles W. Brown, of California.
Max R. Caldwell, of Texas.
Alan L. Campbell, Jr., of North Carolina.
Robert V. Carey, of Colorado.
Robert J. Carle, of California.
Roy O. Carlson, of Illinois.
Frank C. Carlucci, of Pennsylvania.
Joseph A. Cicala, of Connecticut.
Walter F. X. Collopy, of Connecticut.
Thomas P. Conlon, of Illinois.
J. Stewart Cottman, Jr., of Maryland.
Robert G. Cox, of New Mexico.
Everett L. Damron, of Ohio.
Allen C. Davis, of Tennessee.
John G. Dean, of New York.
Thomas A. DeHart, of California.
Willard A. De Pree, of Michigan.
A. Hugh Douglas, Jr., of Rhode Island.
J. Fred Doyle, Jr., of Colorado.
Michael E. Ely, of the District of Columbia.
Alfred J. Erdos, of Arizona.
Stockwell Everts, of New York.
Thomas A. Fain, of Oklahoma.
Michael A. Falzone, of New York.
Glen H. Fisher, of Indiana.
Eric W. Fleischer, of Maryland.
Arva C. Floyd, Jr., of Georgia.
Francis L. Foley, of Colorado.
Jack Friedman, of the District of Columbia.
Alexander S. C. Fuller, of Connecticut.
Ramon M. Gibson, of Missouri.
Wayne R. Gilchrist, of Texas.
Howard C. Goldsmith, of Ohio.
John W. Gordhamer, of California.
Ernest B. Gutierrez, of New Mexico.
Frank J. Haughey, of California.
Theron S. Henderson, of Massachusetts.
J. William Henry, of Arizona.
Henry L. Heymann, of Pennsylvania.
Benjamin C. Hilliard 3d, of West Virginia.
Wilbur W. Hitchcock, of New Jersey.
Herbert M. Hutchinson, of New Jersey.
Richard C. Johnson, of Massachusetts.
Wesley E. Jorgensen, of Washington.
Lewis D. Junior, of Missouri.
John M. Kane, of Illinois.
C. Dirck Keyser, of New Jersey.
Lucien L. Kinsolving, of New York.
Leslie A. Klieforth, of California.
Archie S. Lang, of Illinois.
Paul Baxter Lanius, Jr., of Colorado.
Myron Brockway Lawrence, of Oregon.
Edwin D. Ledbetter, of California.
Owen B. Lee, of Massachusetts.
Edward V. Lindberg, of Virginia.
Ralph E. Lindstrom, of Minnesota.
Richard G. Long, of Illinois.
Stephen Low, of Ohio.
Julian P. MacDonald, Jr., of Ohio.
Robert J. MacQuaid, of Pennsylvania.
Kenneth W. Martindale, of Florida.
William G. Marvin, Jr., of California.
Miss Virginia E. Massey, of Ohio.
C. Thomas Mayfield, of Wisconsin.
David H. McCabe, of Virginia.
Franklin O. McCord, of Iowa.
Miss Elizabeth McGrory, of California.
John M. McIntyre, of Illinois.
Frazier Meade, of Virginia.
Miss Gertrude M. Meyers, of Minnesota.
John L. Mills, of Georgia.
Miss Marion E. Mitchell, of New York.
Edwin H. Moot, Jr., of Illinois.
Benjamin R. Moser, of Virginia.
Leo J. Moser, of California.
Ernest A. Nagy, of California.
Philip C. Narten, of Ohio.
Richard D. Nethercut, of Florida.
Marshall Hays Noble, of New York.
Richard W. Ogle, of Indiana.
Joseph E. O'Mahony, of New York.
David B. Ortman, of Maryland.
J. Theodore Papendorp, of New Jersey.
Chris C. Pappas, Jr., of New Hampshire.
James B. Parker, of Texas.
Raymond L. Perkins, Jr., of Colorado.
George R. Phelan, Jr., of Missouri.
Frederick P. Picard III, of Nebraska.
Charles H. Pletcher, of Minnesota.
Sol Polansky, of California.
Richard St. P. Post, of Connecticut.
Harry A. Quinn, of California.
Peter J. Raineri, of New York.
George E. Ranslow, of California.
G. Edward Reynolds, of New York.
W. Courtlandt Rhodes, of California.
Owen W. Roberts, of New Jersey.
Robert E. Rosselot, of Virginia.
Samuel O. Ruff, of North Carolina.
Anthony E. Sega, of New York.
Harry W. Shlaudeman, of California.
Warren E. Slater, of New York.
Michel F. Smith, of New Hampshire.
Benjamin L. Sowell, of Maryland.
Paul K. Stahnke, of Illinois.
Edward H. Thomas, of New Jersey.
Donald R. Toussaint, of California.
Maurice E. Trout, of Michigan.
Nicholas A. Veliotes, of California.
Abraham Vigil, of Colorado.
Jack L. Vrooman, of California.
John P. Wentworth, of Washington.
Merrill A. White, of Texas.
Charles L. Widney, Jr., of Georgia.
Prontis B. Wiggins, Jr., of Georgia.
Arthur H. Woodruff, of the District of Columbia.
Robert C. Wysong, of Indiana.
Charles T. York, of New York.
Dan A. Zachary, of Illinois.

Charles R. Stout, of California, for promotion from Foreign Service officer of class 6 to class 5.

The following-named Foreign Service officers for promotion from class 6 to class 5 and to be also consuls of the United States of America:

Anthony C. Albrecht, of Pennsylvania.
J. Bruce Amstutz, of Massachusetts.
Oler A. Bartley, Jr., of Delaware.
Miss Helene A. Batjer, of Nevada.
Mrs. Erna V. Beckett, of California.
Miss Eleanor Bello, of New York.
David A. Betts, of New York.
Eugene H. Bird, of Oregon.
John P. Blane, of Alabama.
Wesley D. Boles, of California.
H. Eugene Bovis, of Florida.
Arthur E. Breisky, of California.
Everett E. Briggs, of Maine.
Carleton C. Brower, of California.
Bazil W. Brown, Jr., of Pennsylvania.
Thomas R. Buchanan, of Illinois.
Walter S. Burke, of California.

Michael Calingaert, of the District of Columbia.
Charles R. Carlisle, of Florida.
Eugene E. Champagne, Jr., of New York.
Gordon Chase, of Massachusetts.
Don T. Christensen, of California.
Richard D. Christiansen, of Michigan.
Edward M. Cohen, of New York.
Michael M. Conlin, of California.
Edwin G. Croswell, of Ohio.
James C. Curran, of Massachusetts.
Daniel H. Daniels, of Texas.
John G. Day, of New York.
Robert S. Dillon, of Virginia.
Theodore B. Dobbs, of Virginia.
Robert W. Drexler, of Wisconsin.
Miss Sharon E. Erdkamp, of Nebraska.
Fred Exton, Jr., of California.
Charles E. Exum III, of North Carolina.
Thaddeus J. Figura, of Illinois.
Robert L. Flanegin, of Illinois.
Robert L. Funseth, of New York.
Miss Kathryn M. Geoghegan, of Colorado.
Maynard W. Glittman, of Illinois.
Miss Fannie Goldstein, of New York.
Benjamin C. Goode, of Ohio.
Robert Earl Gordon, of Oregon.
Walter V. Hall, of Virginia.
Mrs. Winifred T. Hall, of New Jersey.
Miss Jessie L. Hartnit, of Washington.
Miss Elizabeth J. Harper, of Missouri.
Miss Theresa A. Healy, of New York.
Roger P. Hipskind, of Illinois.
Thomas J. Hirschfeld, of New York.
Wallace F. Holbrook, of Massachusetts.
Robert M. Immerman, of New York.
George W. Jaeger, of Missouri.
James T. Johnson, of Montana.
Donald A. Johnston, of New York.
Adolph W. Jones, of Tennessee.
Ellis O. Jones, III of Connecticut.
George F. Jones, of Texas.
Edward E. Keller, Jr., of California.
Charles S. Kennedy, Jr., of California.
Thomas F. Killoran, of Massachusetts.
James A. Kiemstine, of Pennsylvania.
Robert M. Kline, of Connecticut.
Tadao Kobayashi, of Hawaii.
George B. Lambrakis, of New York.
Peter W. Lande, of New Jersey.
Joseph P. Leahy, of New York.
Herbert Levin, of New York.
Gerald Floyd Linderman, of Ohio.
Robert Gerald Livingston, of Connecticut.
John Lloyd, III, of New Jersey.
Alan Logan, of California.
Peter P. Lord, of Massachusetts.
J. Daniel Loubert, of Maine.
James Gordon Lowenstein, of Connecticut.
Walter H. Lubkeman, of New York.
David A. Macuk, of New Jersey.
Miss Mary Manchester, of Texas.
Charles E. Marthinsen, of Pennsylvania.
Robert W. Maule, of Washington.
Paul B. McCarty, of California.
Mrs. Kathryn Z. McCoy, of Indiana.
Elwood J. McGuire, of Connecticut.
Miss Mary Willis McKenzie, of Virginia.
Miss Charlotte M. McLaughlin, of Washington.
William F. McRory, of Georgia.
Mrs. Marian D. Miller, of New Jersey.
Robert Marden Miller, of California.
Jay P. Moffat, of New Hampshire.
James B. Moran, of Washington.
Richard H. Morefield, of California.
Byron B. Morton, Jr., of New Jersey.
William G. Murphy, of Massachusetts.
Beauveau B. Nalle, of Virginia.
Jay R. Nussbaum, of New York.
John L. Offner, of Pennsylvania.
Charles R. O'Hara, of Maryland.
James A. Parker, of Maryland.
John Marshall Pifer, of Virginia.
Miss Isabelle Pinard, of California.
Mark S. Pratt, of Rhode Island.
Roger A. Provencher, of Colorado.
Charles N. Rassias, of Massachusetts.
Miss Elizabeth J. Rex, of Pennsylvania.
Edward B. Rosenthal, of New York.
James D. Rosenthal, of California.
Charles E. Rushing, of Illinois.
John D. Scanlan, of Hawaii.
Peter Semler, of Virginia.
Spiros A. Siafacas, of Florida.
David E. Simcox, of Kentucky.
Thomas W. M. Smith, of Massachusetts.
Miss Nancy L. Snider, of California.
Richard L. Springer, of Ohio.
Miss Margaret A. Stanturf, of Missouri.
Mrs. Helen S. Steele, of California.
Franklyn E. Stevens, of California.
Roger W. Sullivan, of Massachusetts.
George H. Thigpen, of California.
Francis Hugh Thomas, of Pennsylvania.
Miss Tomena Jo Thoreson, of North Dakota.
Miss Thelma R. Thurtell, of California.
Frank M. Tucker, Jr., of Pennsylvania.
D. Dean Tyler, of California.
Julius W. Walker, Jr., of Texas.
William Watts, of New York.
Norman M. Werner, of Texas.
Mrs. Marguerite G. Whitehead of Washington.
Joseph Charles Wilson, of Ohio.
Raymond S. Yaukey, of Maryland.
Albert L. Zucca, of New York.

The following-named Foreign Service officers for promotion from class 7 to class 6:

Madison M. Adams, Jr., of Alabama.
Daniel W. Alexander, of Washington.
George Aneiro, of Ohio.
Julio Javier Arias, of Arizona.
Terrell E. Arnold, of California.
Thomas H. Baldridge, of Iowa.
David P. Banowetz, of Louisiana.
Thomas J. Barnes, of Minnesota.
John M. Barta, of California.
Norman E. Barth, of Illinois.
Eugene J. Bashe, of California.
Frank C. Bennett, Jr., of California.
Harry E. Bergold, Jr., of New York.
Richard C. Bialock, of Oklahoma.
Carroll Brown, of Alabama.
David W. Burgoon, Jr., of Illinois.
Alanson G. Burt, of California.
Harry A. Cahill, of Virginia.
Robert S. Cameron, of California.
William Clark, Jr., of California.
John R. Clingerman, of Michigan.
Ernst Conrath, of Wisconsin.
Richard T. Conroy, of Tennessee.
Goodwin Cooke, of New York.
Emmett M. Coxson, of Illinois.
Robert P. DeVecchi, of Pennsylvania.
Lloyd L. DeWitt, of California.
Miss Rose M. Dickson, of New York.
Robert B. Dollison, of Florida.
Robert W. Duemling, of California.
Charles E. Duffy, of Iowa.
William L. Dutton, Jr., of Iowa.
William J. Dyess, of Alabama.
Miss Regina Marie Eitz, of Alabama.
Thomas O. Enders, of Connecticut.
Miss Mary L. Eysenbach, of Connecticut.
Miss Margot J. Fellinger, of New Jersey.
Charles E. Finan, of Washington.
Howard V. Funk, Jr., of New York.
George A. Furness, Jr., of Massachusetts.
Herbert Donald Gelber, of New York.
James L. Gorman, of Oregon.
John M. Gregory, Jr., of Virginia.
Philip J. Griffin, of the District of Columbia.
John C. Griffith, of Connecticut.
John O. Grimes, of the District of Columbia.
Brandon H. Grove, Jr., of New Jersey.
Kent H. Hall, of California.
Kenneth O. Harris, of West Virginia.
Douglas G. Hartley, of the District of Columbia.
Ashley C. Hewitt, Jr., of California.
Thomas J. Hill, Jr., of Massachusetts.
Michael P. E. Hoyt, of Illinois.
Edward Hurwitz, of New York.
Robert E. Jelley, of California.
Alton L. Jenkens, of Massachusetts.
Mrs. Lucy N. Johansen, of Oregon.
Peter E. Juge, of Louisiana.
Frederick T. Kelley, of Massachusetts.
Edson W. Kempe, of California.
James E. Kerr, Jr., of the District of Columbia.
John W. Kimball, of California.
Robert Kurlander, of New York.
Frederick H. Lawton, of New Jersey.
Alan F. Lee, of Illinois.
Melvin H. Levine, of Massachusetts.
Wingate Lloyd, of Pennsylvania.
Roger S. Lowen, of New York.
Edward J. Maguire, Jr., of California.
Edward J. Malonis, of Massachusetts.
Miss Barbara J. Marvin, of California.
Wade H. B. Matthews, of North Carolina.
Henry Ellis Mattox, of Mississippi.
James A. Mattson, of Minnesota.
W. Douglas McLain, Jr., of Illinois.
Francis Terry McNamara, of New York.
Noble M. Melencamp, of Kansas.
Alan G. Mencher, of California.
Herbert T. Mitchell, Jr., of North Carolina.
John C. Monjo, of Connecticut.
Richard B. Moon, of Missouri.
John T. Morgan, of Illinois.
Gottfried W. Moser, of New York.
Richard F. Nyrop, of Minnesota.
Robert B. Oakley, of Louisiana.
Oscar J. Olson, Jr., of Texas.
Ronald D. Palmer, of Michigan.
Thomas J. Pape, of Texas.
Lawrence Pezzullo, of New York.
Homer R. Phelps, Jr., of New York.
Dale M. Povenmire, of Ohio.
Frederick D. Purdy, of Pennsylvania.
Walter G. Ramsay, of Virginia.
William E. Rau, of Missouri.
George B. Roberts, Jr., of Pennsylvania.
John T. Rogerson, Jr., of Florida.
Bernard J. Rotklein, of Minnesota.
Valentine E. Scalise, of New York.
Roger C. Schrader, of Missouri.
Glenn E. Schweitzer, of California.
Leslie Andrew Scott, of New York.
Richard C. Searing, of New Jersey.
Arthur P. Shankle, Jr., of Texas.
Robert Lee Shuler, of Virginia.
John P. Shumate, Jr., of California.
William L. Simmons, of Mississippi.
Kenneth N. Skoug, Jr., of Minnesota.
Clint E. Smith, of New Mexico.
Joseph L. Smith, of Indiana.
Walter Burges Smith II, of Rhode Island.
Wayne S. Smith, of California.
C. Richard Spurgin, of Illinois.
Linwood R. Starbird, of Maine.
Andrew L. Steigman, of New York.
Daniel P. Sullivan, of Virginia.
John J. Sullivan, of Massachusetts.
Francis J. Tatu, of California.
John J. Taylor, of Tennessee.
James M. Thomson, of Minnesota.
Donald C. Tice, of Kansas.
Blaine C. Tueller, of Utah.
Louis Villalovos, of California.
Donald B. Wallace, Jr., of Indiana.
Leonard A. Warren, of Nevada.
Ronald A. Webb, of California.
Alfred J. White, of the District of Columbia.
Albert W. Whiting, of Kansas.
Marshall W. Wiley, of Illinois.
James P. Willis, Jr., of California.
Herbert Gilman Wing, of Pennsylvania.
Brooks Wrampelmeier, of Ohio.
Edward E. Wright, of Louisiana.

The following-named Foreign Service officers for promotion from class 8 to class 7:

Morton I. Abramowitz, of Massachusetts.
David Anderson, of New York.
Gustav N. Anderson, of New York.
Robert E. Armstrong, of Illinois.
Rodney E. Armstrong, of California.
James E. Baker, of Maryland.
Carl A. Bastiani, of Pennsylvania.
Richard D. Belt, of Ohio.
Calvin C. Berlin, of Ohio.
Donald P. Black, of California.
Thomas D. Boyatt, of Ohio.
Thomas Stanley Brooks, of Wyoming.
Charles F. Brown, of Nevada.

Robert L. Bruce, of California.
John Allen Bucke, of Indiana.
Garrett C. Burke, of Iowa.
John A. Bushnell, of Connecticut.
Homer M. Byington III, of Connecticut.
Thomas J. Carolan, Jr., of Maryland.
David W. Carr, of Massachusetts.
George F. Carr, Jr., of Texas.
Allen E. Caswell, of New York.
George W. F. Clift, of California.
Temple G. Cole, of Kentucky.
Francis B. Corry, of Wisconsin.
John P. Crawford, of Ohio.
Robert B. Duncan, of New Jersey.
Thomas P. H. Dunlop, of North Carolina.
Ollie B. Ellison, of Illinois.
Ralph Estling, of California.
John A. Ferch, of Ohio.
Harvey Fergusson, of New Jersey.
Richard H. Flanagan, of Massachusetts.
Carroll L. Floyd, of California.
Alec L. France, of Ohio.
Jay P. Freres, of Illinois.
Norman H. Friable, of Massachusetts.
Robert E. Fritts, of Illinois.
Peter F. Frost, of Connecticut.
Robert H. Frowick, of Connecticut.
J. David Geisanliter, of Ohio.
Alan A. Gise, of Indiana.
Philip H. Gray, Jr., of Vermont.
Robert T. Grey, Jr., of Connecticut.
George G. B. Griffin, of South Carolina.
Kurt F. Gross, of Wisconsin.
John B. Gwynn, of the District of Columbia.
Joseph M. Hardman, of Oregon.
Douglas James Harwood, of Connecticut.
Walter A. Hayden, of New York.
Keith M. Heim, of Nebraska.
Peter T. Higgins, of California.
David C. Holton, of Virginia.
Hume A. Horan, of the District of Columbia.
Serge P. Horeff, of California.
Richard H. Howarth, of Pennsylvania.
Richard C. Howland, of New York.
Marvin W. Humphreys, of the District of Columbia.
Dee Valentine Jacobs, of Utah.
Louis E. Kahn, of California.
Robert E. Kaufman, of the District of Columbia.
Geryld B. Krogfus, of Minnesota.
Kenneth A. Kurze, of Rhode Island.
Paul L. Laase, of Nebraska.
John J. LaMazza, of New York.
William E. Landfair, of Ohio.
Norman D. Leach, of California.
Stephen J. Ledogar, of New York.
Mark C. Lissfelt, of Virginia.
Jon S. Lodeesen, of Tennessee.
Arturo S. Maclas, of Wisconsin.
Harry Macy, Jr., of Florida.
Richard R. Martin, of the District of Columbia.
James K. Matter, Jr., of Michigan.
John D. McAlpine, of Illinois.
David W. McClintock, of California.
Howard M. McElroy, of New York.
George A. McFarland, Jr., of Texas.
William G. Miller, of Rhode Island.
Miss Priscilla E. Mitchell, of Indiana.
Robert J. Morris, of Iowa.
André J. Navez, of Massachusetts.
Richard A. Neale, of Michigan.
Edward V. Nef, of the District of Columbia.
Joseph K. Newman, of New Jersey.
Albert W. Noonan, Jr., of Illinois.
William Ophuls, of Florida.
Gerald G. Oplinger, of Pennsylvania.
James Ozzello, of Washington.
Robert P. Paganelli, of New York.
Miss Alison Palmer, of New York.
Jack R. Perry, of Georgia.
Robert F. Pfeiffer, of New York.
Thomas R. Pickering, of Pennsylvania.
William Polik, of New York.
Peter Andrews Poole, of New York.
Henry E. Powell, Jr., of Georgia.
Russell O. Prickett, of Minnesota.
Anthony C. E. Quainton, of Washington.
Kenneth N. Rogers, of New York.
David Rowe, of Maryland.
George L. Rueckert, of Wisconsin.
Thomas J. Scanlon, of California.
Charles W. Schaller, of Wisconsin.
William C. Sergeant, of Florida.
Carl G. Shepherd, of New York.
Pierre Shostal, of New York.
Robert Siegel, of New York.
Michael B. Smith, of Massachusetts.
Richard W. Smith, of New York.
Roger A. Sorenson, of Utah.
Frederic N. Spotts, of Massachusetts.
John W. Stahlman, of Ohio.
Paul E. Storing, of New York.
Donald P. Swisher, of California.
T. Elkin Taylor, of Georgia.
Richard W. Teare, of Ohio.
Nathaniel B. Thayer, of Massachusetts.
Alan R. Thompson, of the District of Columbia.
Richard S. Thompson, of Washington.
George R. Tolles, of Ohio.
Thomas M. Tonkin, of Illinois.
Joseph W. Twinam, of Tennessee.
Matthew H. Van Order, of Minnesota.
Thomas H. Walsh, of Texas.
John A. Warnock, of California.
E. Allen Wendt, of Illinois.
Olin S. Whittemore, of Michigan.
A. Norman Williams, of Michigan.
Roderick M. Wright, of California.
Michael G. Wygant, of Massachusetts.
Joseph R. Yodzis, of Pennsylvania.

The following-named persons, now Foreign Service officers of class 2 and secretaries in the diplomatic service, to be also consuls general of the United States of America:

D. Eugene Delgado-Arias, of Florida.
Henry Clinton Reed, of Ohio.

George D. Whittinghill, of New York, now a Foreign Service officer of class 3 and a secretary in the diplomatic service, to be also a consul general of the United States of America.

Joseph A. Todd, of Alabama, for reappointment in the Foreign Service as a Foreign Service officer of class 3, a consul, and a secretary in the diplomatic service of the United States of America, in accordance with the provisions of section 520(a) of the Foreign Service Act of 1946, as amended.

Miss Geraldine B. Stibbe, of Ohio, for appointment as a Foreign Service officer of class 3, a consul, and a secretary in the diplomatic service of the United States of America.

The following-named persons for appointment as Foreign Service officers of class 4, consuls, and secretaries in the diplomatic service of the United States of America:

Valentin E. Blacque of Minnesota.
Miss Margaret Wiesender, of Wisconsin.

Morris H. Lax, of Maryland, a Foreign Service Reserve officer, to be a consul of the United States of America.

The following-named Foreign Service Reserve officers to be secretaries in the diplomatic service of the United States of America:

John B. Brady, of California.
Frederick P. Jessup, of Connecticut.
Joseph W. Smith, of Maryland.

EXTENSIONS OF REMARKS

Challenges Confronting Our Nation

EXTENSION OF REMARKS
OF
HON. ALEXANDER WILEY
OF WISCONSIN
IN THE SENATE OF THE UNITED STATES
Monday, March 19, 1962

Mr. WILEY. Mr. President, the Nation—if it is to meet the great challenges of survival and progress—must, in my judgment, be aware of the threats to our security; understand and appreciate the scope of our strength; retain a confidence in our ability to meet the threats to our survival; and be ready and willing to dedicate the necessary energies and resources not only to meet the challenges to survival but also to fully exploit the great opportunities of this fast advancing age.

In attempting to keep the promises—as well as the threats of this great age in prospective—I reviewed such facts in a weekend broadcast over Wisconsin radio stations. I ask unanimous consent to have excerpts of this address printed in the RECORD.

CHALLENGES CONFRONTING NATION

(Statement by Senator WILEY, of Wisconsin)

Today we and the Nation live in times of crisis, of unparalleled progress, of real challenge, and of great promise.

Living in such a complex age—recently advanced further by a revolutionary breakthrough into space—we need, then, a new perspective and understanding of the influences, conditions, and forces shaping our destiny.

Realistically, we as individuals, of course, need to—and must—give fundamental consideration to our immediate environment: Our jobs, homes, families and efforts to further improve our ways of life.

In a fast-advancing, rapidly changing world, however, there is also a need—in fact a responsibility—for attempting to understand—and to deal with—the larger scope challenges that confront us. Our success in dealing with these broader problems may well have a determining effect upon not only success in handling personal problems but, indeed, our survival.

What then are these major factors exerting direct, and indirect, influences upon our lives?

PRESERVING THE PEACE

First, let's take a look at the No. 1 challenge—that of preserving the peace, or conversely—preventing world war III.

Around the globe, the Communists control one-third—or about 1 billion—of the people, and one-fourth of the land of the earth.

Fanatically, the Reds are dedicated to conquering the world. For this purpose, they continue to mobilize the controlled people and resources into a gigantic military machine.

As a leader of the free world, the United States—serving also as a front-line anti-Communist force—finds it necessary to (a) maintain a mighty jet-nuclear-missile space defense; and (b) cooperate with free world allies—in military alliances—to prevent the outspreading of communism.

Behind such a protective military shield, we are also attempting to create the economic and political conditions and strength to withstand Red aggression, as well as encouraging cooperation necessary for building a world in which wars will not recur in each generation, and differences among nations can be settled peacefully.

Fulfilling a dual responsibility as protector of freedom and promoter of peace, however, this can be accomplished only by maintaining a healthy economy.

ECONOMIC PICTURE

Let's take a look, then, at the economic picture.

Today, the Nation is surging forward with an ever-increasing output of goods and services—predicated to reach an annual rate of $570 billion in 1962.

Despite record levels of production, there are, nevertheless, serious problems. If unresolved, these may handicap our ability not only to meet the needs of our fast-expanding population but also to win the economic battle against communism.

Consequently, we must undertake realistic efforts to perpetuate a strong, forward moving free economy. Among other things, this means a new hard look at foreign and domestic programs.

The future of Western alliances—as well as our own domestic progress—for example, may depend to a substantial degree—upon the adoption of realistic trade policies.

In agriculture, business, industry, and labor many folks—and rightly so—are deeply concerned with the adverse impact which too large a volume of imports of foreign goods—produced at lower operational and labor costs—may have on our domestic economy.

For this reason, I believe that Congress has a responsibility both for: (1) preserving—and effectually exercising—its constitutional authority on tariffs; and (2) writing in safeguards into any new reciprocal trade law to protect jobs, businesses, and the general economy.

AGRICULTURAL OUTLOOK

On the farm front, also, there are serious challenges. Historically, agriculture has served as a foundation stone of our economy. Unfortunately, the farmer—in dairying as elsewhere—still sweats and labors under the dual handicap of a production-consumption imbalance and a cost-price squeeze.

Consequently, the Nation—through free enterprise and governmental cooperation—must now find a farm program that will (a) better serve the American public; (b) reduce, as possible, the cost of the price-support program to the taxpayer; and (c) brighten the outlook for the dairy industry—an important segment of our agriculture and national economy.

Australia's State-Controlled Lotteries

EXTENSION OF REMARKS
OF
HON. PAUL A. FINO
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, March 19, 1962

Mr. FINO. Mr. Speaker, I would like to bring to the attention of the House Members, another foreign country which has found lotteries most profitable.

Australia has four state-controlled lotteries which brought in gross receipts amounting to over $73 million last year. The net income to these Australian state governments amounted to almost $25 million.

Lottery income earned by all of these Australian states were earmarked for specific charitable purposes, such as hospitals, clothing for the unemployed, mental institutions, and for assisting in the construction of the Sydney Opera House.

The Australians, like most other people, see absolutely nothing wrong with lottery revenues. Why should our Government be less wise in this respect?

Mr. Speaker, if we could only exercise the same kind of wisdom in the United States, we could easily, painlessly, and voluntarily raise over $10 billion a year in additional income which would be used to cut taxes and reduce our gigantic national debt. Why can we not follow the wisdom of our foreign friends?

H.R. 10079: A Bill To Amend the Immigration and Nationality Act

EXTENSION OF REMARKS
OF
HON. FERNAND J. ST. GERMAIN
OF RHODE ISLAND
IN THE HOUSE OF REPRESENTATIVES
Monday, March 19, 1962

Mr. ST. GERMAIN. Mr. Speaker, the recent passage of H.R. 10079 by the House of Representatives is significant in that it gives further impetus to legislation which will help to underline four basic American principles:

First, the United States has a traditional regard for individual dignity and self-fulfillment. It follows that this Nation should continue to be concerned with the problems of free people throughout the world whose lives have been disrupted by adverse political or military conditions.

Second, the reestablishment of refugees who cannot return to their native countries for religious, racial, political, or other reasons is closely connected with our objectives to continue the provision for asylum and assistance to the oppressed, to extend hope in the processes of freedom to the victims of communism, and to exemplify the differences which exist between free and captive societies by our sacrifices and actions in behalf of the less fortunate members of humanity.

Third, provision for assistance to free nations who are harboring refugees but whose economy is not sufficiently strong to support the additional strain.

Fourth, aid to programs for international migration of workers to developing countries which are badly in need of manpower, the most valuable asset of the free world.

The new amendments to the Immigration and Nationality Act provide continued U.S. membership in and contributions to the Intergovernmental Committee for European Migration and for contributions to the Office of the United Nations High Commissioner for Refugees. The bill also gives general authorization for programs to assist refugees, escapees, and other persons who the President may feel should be helped in the best interest of this country.

H.R. 10079 provides flexibility in giving assistance to refugees. This assistance may take such forms as grants, loans, or contracts through U.S., international, or private voluntary organizations. Such aid will help to meet the needs of interim care, housing, welfare assistance, training, rehabilitation, job placement, local reestablishment, and oversea resettlement.

Through the efforts of this and other countries, a great deal has been done to ease refugee and migration problems. However, millions of these unfortunate people are still desperately in need of help. As one of the most favored nations of the world, we have a solemn responsibility to show humanitarian concern for the unwilling victims of war and violence throughout the globe. The enactment of this legislation will be a positive step in that direction, but continuing efforts will be needed. History will be the final judge of our success or failure in this important task.

The 22d Anniversary of the Valley Rural Electric Cooperative, Inc., at Huntingdon, Pa.

EXTENSION OF REMARKS
OF
HON. JAMES E. VAN ZANDT
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Monday, March 19, 1962

Mr. VAN ZANDT. Mr. Speaker, on Saturday afternoon, March 17, 1962, I spoke at the 22d annual meeting of the Valley Rural Electric Cooperative, Inc., held in the gymnasium of Juniata College at Huntingdon, Pa.

This cooperative, headed by Charles L. Packard, as president, and by John H. Denton, as manager, has approximately 8,000 members in Huntingdon, Blair, and Fulton Counties of Pennsylvania.

There were some 3,000 members at the annual meeting Saturday when I delivered the following address outlining the background of REA and explaining the role of atomic energy in the field of electrification:

ADDRESS BY REPRESENTATIVE JAMES E. VAN ZANDT, MEMBER OF CONGRESS, 20TH DISTRICT OF PENNSYLVANIA AT THE ANNUAL MEETING OF THE VALLEY RURAL ELECTRIC COOPERATIVE, HUNTINGDON, PA., MARCH 17, 1962, 2 P.M.

It is a pleasure to be able to accept the kind invitation to address you—the members of the Valley Rural Electric Cooperative—upon the occasion of your 22d annual meeting.

I always enjoy the opportunity to get away from the legislative atmosphere in Washington and mingle with my constituents and neighbors in the central Pennsylvania area.

During my many years in Congress I have followed the progress of REA in our great Keystone State with much pride because Pennsylvania was truly one of the pioneers in the field of rural electrification.

In 1923 Gov. Gifford Pinchot inaugurated a study of our State's power resources and requirements.

This study was directed by Morris L. Cooke—later to be the first administrator of REA and a native Pennsylvanian—who recommended that "our first concern must be with the small user of electricity—particularly with the farmer."

Farm electrification had advanced at a snail's pace during the 53-year period from 1882—when the first central generating system was put into service—to 1935—when REA was created.

Less than 11 percent of all farms in the United States had electricity in 1935.

Since this time, REA has greatly stimulated the extension of electric service into rural areas.

It is estimated by REA that more than 97 percent of the 3.7 million farms recorded in the latest U.S. census of agriculture now have electric service.

More than half of these farms are served by REA-financed systems reaching out into the most sparsely settled sections of the country.

REA borrowers also serve a great number of nonfarm rural residences—schools, churches, business establishments, and industrial plants in rural areas.

More than 5 million rural consumers in 46 States and 2 territories are now receiving electricity from REA borrowers operating approximately 1.5 million miles of line.

Pennsylvania, at the time REA was created in 1935, was slightly above the rest of the Nation in percent of farms receiving central station electric service, with 23.6 percent of her farms electrified.

The first loan in Pennsylvania was approved in May 1936, and the first REA financed line was placed in operation on May 19, 1937.

Here in Huntingdon your own rural electric cooperative's first loan was approved 23 years ago on March 22, 1939.

Eight months later on November 29, 1939, the first line was placed in operation.

Tremendous strides have been made by REA over the years.

For example, by July 1, 1951, REA had advanced more than $42.5 million in electric loan funds in Pennsylvania, and the 13 borrower-cooperatives were operating about 17,491 miles of line serving 79,065 farms and other rural consumers.

Of all Pennsylvania's electrified farms it is interesting to note that REA borrowers were serving 25.5 percent.

The valley REA has utilized $4,741,239 in REA loan funds in building 1,438 miles of line—serving 7,856 consumers in Huntingdon County and surrounding area.

It is estimated that an additional 500 consumers will be served when plans presently underway are completed.

The average monthly consumption of electricity on the valley lines has more than doubled in the past 10 years.

Kilowatt-hour consumption has increased from 157 kilowatt-hours per month per consumer to 354 kilowatt-hours in 1961.

This indicates—at least in part—that you people are enjoying more of the well deserved so-called modern conveniences in your homes.

REA has proved to be a good investment here.

Pennsylvanians have repaid $18.7 million of the $42.5 million in REA funds advanced to them.

Included in this amount repaid is $1,302,840 which was repaid ahead of schedule.

The Valley Co-op has repaid almost $2 million of its advanced loan of $4,741,239 of which $182,027 of this repayment have been repaid in advance.

The outstanding record of accomplishment by REA cooperatives in electrifying the rural areas of our State and country is truly worthy of our pride.

This record could not have been accomplished in any other way except through cooperatives such as the one we have here at Huntingdon.

Rural America waited for 53 years for electricity, but not until REA showed others how the job could be done, could any substantial success be noted.

It is a source of great satisfaction to me that REA is and has been a Federal program enjoying genuine bypartisan support.

The REA program as we know it today had its inception in the bipartisan Rural Electrification Act of 1936, introduced in the U.S. Senate by the late Republican Senator from Nebraska, George Norris, and in the House of Representatives by the late Sam Rayburn, Democrat, of Texas.

The bipartisan nature of REA is further emphasized by an examination of REA gross-loan figures.

Since the founding of the Rural Electric Administration in 1935, $5.4 billion in rural electrification and telephone loans have been approved to REA borrowers.

During the period 1953–60, under the Eisenhower administration, loans amounting to $2.3 billion, or 42 percent of the gross loans, were approved.

Thus both political parties have contributed significantly to the success of REA.

In this connection much credit is due also to the REA co-op leaders for refusing to play politics.

The wisdom of this policy is vindicated when the progress under both Republican and Democratic administrations is reviewed.

Speaking frankly, REA plays no political favorites and as a result both parties back REA.

The importance of REA to this country is such that bipartisan support of the program has been and will continue to be of vital necessity to the success of REA.

Senator MORTON of Kentucky, former national chairman of the Republican Party, credited the rural electrification program as being a primary factor in the development of an agricultural system in America—seven times as efficient per man as Russia's farm system.

I heartily concur with Senator MORTON's words.

In the opening of my remarks, I mentioned that our own State of Pennsylvania was truly one of the pioneers in the field of rural electrification.

It is significant that our State can also take credit for being the site of the world's first atomic power station—located at Shippingport, near Pittsburgh.

This central station nuclear powerplant produces some 60,000 kilowatts of electric energy that is distributed to the consumers in the Pittsburgh area through the power grid of the Duquesne Light Co.

The Shippingport Atomic Power Station, operated jointly by the Atomic Energy Commission and the Duquesne Light Co., is one of 13 civilian atomic reactors now in operation, under construction, or with construction scheduled for the near future.

Among the 13 are REA-supported projects—the Elk River reactor project in Minnesota and the La Crosse reactor project of the Dairyland Wisconsin Cooperative.

In mentioning atomic power, I would like to spend a few minutes in describing its source by pointing to these pieces of ore, taken from mother earth and which contain the energy found in uranium metal.

This 1 pound of uranium can produce as much heat as 1 million pounds of coal—which is equivalent to approximately 10 million kilowatt-hours of electric energy.

To harness the energy stemming from uranium metal, the scientist and the engineer have conceived what is known as a reactor vessel.

With this reactor, heat is developed converting water to steam, which is sent to the turbine from which electric energy is produced.

It must be understood that atomic power is still in its infancy.

It may be as long as 8 to 10 years before this type of power is competitive with conventional power.

To give you some idea of one of the big problems in the atomic power field: In the construction of 1 kilowatt of a conventional powerplant where coal is used it costs $160; while in the atomic powerplant the cost of 1 kilowatt ranges from $280 to $620.

Thus you will note that the construction of coal-fired conventional powerplants from the standpoint of 1 kilowatt of construction is much cheaper at $160 as compared with the minimum cost of $280 for an atomic powerplant.

In the language of the man in the street—1 kilowatt-hour of atomic power costs about 10 mills or about twice as much as conventional electric power.

As previously mentioned—in the matter of 8 to 10 years it is predicted that through technological advancements the cost of 1 kilowatt-hour of atomic power will become competitive with conventional power in certain sections of the United States where the cost of fuel is extremely high.

Living as we do in an area where coal is mined and made available to the power industry, atomic energy, while not displacing the use of coal, could develop simply as another source of fuel taking its place along side other sources of energy—such as hydropower and coal that can furnish a consumer a kilowatt-hour of electric energy at a minimum cost of 4 mills.

With this brief explanation of atomic power and keeping in mind the REA-supported atomic reactor projects at Elk River, Minn., and Lacrosse, Wis., it is an accepted fact that not only is REA supporting research and development in atomic power, but it is destined to play a more prominent role in the utilization and enjoyment of the peaceful benefits of the atom.

In closing—let me stress the fact that the contribution of rural electrification to the great strength of our Nation is recognized by all Americans and especially those of us who have our roots in rural areas.

Therefore all of us can point with pride to our respective roles in developing the REA program to its current high level of effectiveness—in performing its mission of bringing economic blessings to rural America.

Public Welfare Amendments of 1962

EXTENSION OF REMARKS

OF

HON. LEONARD FARBSTEIN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 19, 1962

Mr. FARBSTEIN. Mr. Speaker, H.R. 10606, which the House of Representatives approved last week and which I voted for, is, I believe, one of the significant bills before the Congress this year. In one respect it builds on and improves the present Federal-State public assistance programs which provide payments to the needy aged, blind, and disabled. But in addition it amounts to a new and dynamic approach to the problems of public assistance by encouraging and assisting recipients and their families to achieve self-care and self-support so that they may leave the assistance rolls. The Ways and Means Committee should be applauded for fashioning this excellent bill during a session which finds the

committee extremely busy with three other very important administration measures, the tax reform, trade proposals, and medical care for the aged. I feel sure that the Congress will act favorably on this forward-looking public welfare legislation.

First. Increased Federal share in old-age assistance, aid to blind, and aid to disabled. The bill increases the Federal matching share of old-age assistance, aid to the blind, and aid to the disabled to twenty-nine thirty-fifths of the first $35 of the State's average monthly payment per recipient. It also increases the maximum for matching to $70 per recipient. If the past is any guide these increases in the Federal support will result in higher State payments to individuals under these programs. In September 1961 in New York there were almost 60,000 recipients benefiting from the federally aided old-age assistance program. There were about 36,000 persons receiving aid to the disabled in our State, and about 3,400 being assisted under the Federal-State aid-to-the-blind program.

While we reflect on the fact that the social security insurance system provides income protection for more of our senior citizens each year, we should remember that the public assistance program continues to be a necessary supplement to the insurance system. In the middle of last year of the 17 million persons in this country 65 and over, there were 1,500,000 needy individuals depending on public assistance payments who had no other public source of income. Thus it is incumbent on the Congress to continue to look at the old-age assistance program to make sure that it is doing its job effectively, in terms of today's cost of living. I am sponsoring legislation in this Congress to "blanket in," under the social security insurance system, all persons who have reached retirement age. But until that legislation commends itself to the Congress we have the continuing responsibility to provide for adequate realistic amounts in our assistance payments. The increased Federal matching in the bill should do this.

Second. Rehabilitation services and training as part of the public assistance programs. The bill would also provide for Federal matching at a rate of 75 percent for the costs of certain services, specified by the Secretary of Health, Education, and Welfare, which the States would provide to assistance recipients in order to help these recipients achieve a higher degree of self-care or self-support. Under present law any such services which the States undertake in an effort to reduce dependency on the monthly public assistance check are matched by the Federal Government at a rate of 50 percent, as costs of administration. These provisions of the bill have special relevance to the aid-to-dependent-children program, and would make available social services to assist individual welfare recipients to make use of community resources and to use their own capabilities to resolve the problems which have made them dependent. Where such social services exist, they result in lower caseloads and more effective spending of public assistance payments. In testimony before the Committee on Ways and Means, Secretary Ribicoff gave a striking example of this. In Chicago, an experimental family restoration unit of five topflight caseworkers eliminated 163 families from relief rolls in 7 months—about one-third of their caseloads. And this was by the technique of encouraging and helping the family achieve self-support, the approach which this bill adopts.

Third. Extension of aid-to-dependent-children payments based on parents' unemployment. I should also like to comment specifically on the provision of the bill which would extend for 5 years the federally assisted program of aid to dependent children based on the unemployment of a parent. There is no reason in logic why the aid-to-dependent-children program should omit the family which is needy because of the unemployment of the breadwinner. This program, enacted on a temporary basis last year, has proved its effectiveness. In New York alone, as of December last year, it was bringing financial assistance to 54,000 recipients, 44,000 of whom were children.

CONCLUSION

The bill would also increase Federal funds for child welfare services, provide for the support of day care facilities in the States allowing mothers who want to work to seek gainful employment, would allow the States—with proper safeguards—to incorporate community work programs into the federally aided aid-to-dependent-children program, and would equip the States with additional authority to control aid-to-dependent-children payments and prevent abuses of the program.

I believe that this bill represents a very hopeful and useful set of improvements in our Federal-State public assistance and child welfare services endeavors. As the President put it in his message to the Congress February 2, the emphasis in such programs, "must be directed increasingly toward prevention and rehabilitation—on reducing not only the long-range cost in budgetary terms but the long-range cost in human terms as well."

Relief for W. R. (Bill) Wade

EXTENSION OF REMARKS

OF

HON. ARNOLD OLSEN

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 19, 1962

Mr. OLSEN. Mr. Speaker, today I introduced a bill asking the Congress to approve a $1,039,785.32 check for W. R. Wade of Marysville, Mont. This is an awful lot of money.

But it is exactly the price W. R. (Bill) Wade paid for being an industrious, patriotic, and loyal American.

The story, briefly, is this: In 1941, Bill Wade took a lease on the Drumlummon Gold Mine in Marysville, unwatered it, retimbered it, and got it ready for mining gold ore. At that point, 1 year later, the War Production Board in Washington ordered the mine closed.

The closing order was lifted in July 1945. But now labor and supply costs had doubled and a great number of drifts and tunnels had caved in completely. Much of the previously recoverable ore was ruined by dilution with the caveins of worthless material from the walls.

Bill Wade's losses, broken down, were: $109,893.02, the cost of shutdown and holding mine main entrance open and pumping; $62,662.30, cost of reopening and repair after the War Production Board order was lifted; and $867,230, the lost net profit on ore lost.

The Court of Claims in Montana held that gold mine owners in Wade's position were entitled to recover, but later the Supreme Court reversed the court.

A private bill is now the only way Bill Wade can be compensated, not rewarded, for the terrible price he paid for his industry, patriotism, and loyalty.

Tenth Virginia District Questionnaire Replies Tabulated

EXTENSION OF REMARKS

OF

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 19, 1962

Mr. BROYHILL. Mr. Speaker, under unanimous consent, I include in the CONGRESSIONAL RECORD a tabulation of the votes I have received from the 10th Congressional District of Virginia in response to a questionnaire.

Once again, Mr. Speaker, I wish to pay tribute to the lively and keen interest in governmental and civic affairs among voters in Virginia's 10th Congressional District.

Early in January 1962 I distributed my regular biennial questionnaire to some 70,000 households representing about 150,000 registered voters in that 10th District, which I have had the honor of representing in the Congress since it was created in 1952. It includes Alexandria, Falls Church, and Fairfax city, as well as the counties of Arlington and Fairfax.

Amazingly, about 16,000 of the questionnaires were filled out by the recipients and returned to me. This represents about a 23-percent return, an extremely high rate of return, as my colleagues in the House well know. It demonstrates anew the unusual personal interest felt by 10th District voters in the affairs of their Government, and the valuable awareness they have of the acute problems facing the Nation and their community.

Many thousands of those returning the questionnaires even went to the trouble of expanding their views in letters or in comments appended to the questionnaire forms. Together with their responses to the printed questions, these are extremely valuable to me as their Representative in the House.

The following letter accompanied the questionnaire:

JANUARY 1962.

DEAR NEIGHBOR: Midway of my fifth term as your Representative in Congress, I once again seek your opinion on some of the

major issues of the day—governmental issues which undoubtedly will arise during the 2d session of the 87th Congress.

Your advice on previous questionnaires has been extremely helpful in fulfilling my responsibilities as your Member of the House of Representatives. Similarly your views on the questions listed on the following pages will enable me to better serve you during the critical year 1962. I hope you will take time at your earliest convenience to answer the questions and return your response to me.

I want also to remind you of my sincere desire to be of service to you in any of your problems with the Federal Government. A letter to me at the Capitol, or a telephone call to CApitol 4-3121, extension 5136, will bring prompt action on my part whenever you need such assistance.

With every good wish, I am,

Sincerely,

JOEL T. BROYHILL,
Member of Congress.

[In percent]

Question	Favor	Oppose	No opinion
FOREIGN AND DEFENSE			
Should we continue to withhold diplomatic recognition from Communist China and to oppose its admission to the United Nations?	79.9	12.0	8.1
Do you favor aid to:			
1. Poland and Yugoslavia?	26.2	61.3	12.5
2. So-called neutralist countries such as India and Indonesia?	41.6	46.9	11.4
3. NATO, SEATO and other pro-Western nations?	83.3	8.8	7.9
Should we maintain a strong stand in defense of West Berlin even if it means use of force?	89.2	5.9	4.9
Should an effective inspection system be a prerequisite to any international disarmament agreement?	94.3	2.2	3.5
Should we exert every effort to win the race to place the first man on the moon despite the tremendous cost?	38.3	47.6	14.1
FISCAL			
Is achievement of a balanced Federal budget important enough so that Government spending on welfare and other nonessential domestic programs should be curtailed while the international situation requires such huge expenditures for defense?	52.6	37.7	9.7
Do you think Congress should permit direct Treasury loans—"back-door financing" to provide money for administration programs and thereby give to the Executive the appropriation power specifically placed in Congress by the Constitution?	13.7	74.9	11.4
Do you favor the following points of the Kennedy administration's proposed tax program:			
1. Withholding on dividend and interest payments?	41.3	45.2	13.5
2. Repeal of the existing 4-percent dividend income credit?	26.2	45.6	28.2
3. Low limits on expense account spending?	67.2	17.6	15.2
4. Provide tax credit for businesses increasing their expansion outlays?	61.1	23.6	15.3
5. Tax mutual insurance companies in substantially the same manner as stock companies?	59.8	18.7	21.5
6. Tax mutual savings and loan associations in substantially the same manner as commercial banks?	62.6	18.3	19.1
PRESIDENTIAL POLICIES			
Do you approve of what President Kennedy has done in these fields:			
1. Foreign affairs?	50.0	33.1	16.9
2. Domestic affairs?	42.9	39.2	17.9
DOMESTIC			
In the light of progress now being made, do you think a Federal aid to education program is advisable, in addition to the impacted areas program?	42.9	49.9	7.2
Should employers and employees be compelled to pay additional taxes to provide medical care for social security annuitants regardless of their need or desire?	28.3	62.9	8.8
Should the postal service pay for itself?	77.5	15.5	6.9
Do you favor creation of an Urban Affairs Department, headed by a Secretary with Cabinet rank, to administer housing and other predominantly city programs?	25.9	61.3	12.8
In view of the President's request that the steel industry hold the line on prices, do you think labor should be requested to forgo substantial wage increases?	82.5	10.5	7.0
Do you think military officers should be free to speak their opinions on political issues?	42.6	48.7	8.7
FEDERAL EMPLOYMENT			
(This section to be answered only by Federal employees)			
It is my intention to work strenuously during the coming year for a percentage pay raise for Federal employees. Should this be accompanied by a similar effort for a thorough revision of the basic Federal employee pay schedules?	78.7	10.7	10.5
Which of these proposed changes in the Federal retirement system do you think deserves the highest priority for consideration by Congress? (Please check only 1.)			
1. Full annuity after 30 years service regardless of age	45.7		
2. Full annuity after 25 years service regardless of age	14.2		
3. Reduction from 60 to 55 of the minimum age limit for early retirement without lowering annuity percentage factors	21.5		
4. Increased annual percentage factors for computation of retirement annuities	18.5		
Aside from the retirement system and a pay raise, which of the following Federal employees legislative proposals do you think deserves the most immediate consideration by the Congress? (Please check only 1.)			
1. Increased promotional opportunities across agency lines	47.2		
2. A 35-hour week	17.4		
3. Increased group life insurance benefits	17.2		
4. Increased group health insurance benefits	18.2		
How would you rate the morale of employees in your agency? (Please check only 1.)			
1. Good	40.9		
2. Medium	36.9		
3. Poor	22.1		

Washington Report

EXTENSION OF REMARKS
OF
HON. BRUCE ALGER
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES

Monday, March 19, 1962

Mr. ALGER. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following newsletter of March 17, 1962:

WASHINGTON REPORT

(By Congressman BRUCE ALGER, Fifth District, Texas, March 17, 1962)

The Public Welfare Amendments of 1962, brought before the House increased Federal aid for the needy, including the blind, disabled, aged, dependent children, and unmarried mothers. These are matching Federal-State programs. The rule accompanying the bill provided for a closed rule (no amendments) and 4 hours' debate. The proposed changes in the present law included (1) increase the 50-50 matching formula to 75 percent Federal—25 percent State for the aged, blind, and disabled, (2) make permanent the aid to dependent children of unemployed parents, (3) establish community work and training programs, (4) foster care and day care aid for children, (5) increase the number and training of local welfare workers at 100 percent Federal expense, (6) increase the Federal share $25 of first $29 to $29 of first $35 ($140 million cost).

The acclaimed purpose of stressing preventative and rehabilitative measures in welfare help lost out to the same old Federal practice of burying the problem in more Federal money, thereby assuming the job done.

My specific objections were and are these: (1) Further loading down a fiscally imbalanced social security program with additional deficits is foolhardy, jeopardizing the present program, (2) increasing the Federal share to 75 percent accomplishes nothing for the needy, except further deficits and Federal control at State's expense (witness 90 percent Federal share in highways and resulting scandals), (3) Federal Government not only has no "Federal" money but is terribly in debt and must look to the people; so localities taxwise still foot the bill, (4) conformity of State programs (by Federal mandate) is not necessary; indeed diversity and experimentations are tried, tested, and good, even as localities and their needs differ, (5) fiscally there is real danger since the twin accelerations entice us to ruin, first, the "do good" endeavors of politically expedient politicians and pressure groups and, second, the lack of any limit on the Federal Government's powers to spend, borrow

and tax, (6) misuse and abuse of these programs are not corrected by expanding the outlay, (7) there is no individual right to public assistance from the Federal Government, (8) church agencies cannot constitutionally take Federal-State money, nor can this violation of the separation of church and state result in any end but absorption and control of the church by Government, (9) Federal training of welfare workers with 100 percent Federal funds will result in total brainwash of workers who will think only of Government services and not private charities.

Both our Judeo-Christian heritage (charity is personal, spiritually motivated and voluntary—not government unit, politically motivated, and compulsory by forced taxation with imprisonment and fines for failure to comply), and our constitutional Republic within a democracy, a form of limited government of checks and balances in a society of free people, contradict the present concept and course of Federal-State public assistance, as I see it. This legislation will come back to haunt us if the people and their representatives in government continue to fail to face up to it. The bill passed handily, 319 to 69. The Republicans joined in endeavoring to eliminate the $140 million increase (see proposal change No. 6 above) claiming this was added beyond the budget, with no assurance the money would be passed on by the States to the individuals.

The Revenue Act of 1962, another major bill from the President, handled by Ways and Means Committee, is ready for House debate. The bill would (1) grant an 8-percent investment credit to whatever the Federal Government defines as depreciable, tangible personal property, new and used, (2) withhold 20 percent of all dividends and interest at the source except for those under 18 and those not subject to income tax, (3) increase taxation of American industry abroad, (4) permit as deductions only those business expenses directly related to business, and documented immediately, (5) tax co-ops at either the cooperative or patron level (a single tax, not double as corporate tax), (6) a new tax formula for savings and loan institutions which provides for taxing all earnings, after setting aside a reserve for losses equal either to 3 percent of the net increase in loans, or 60 percent of net income, (7) mutual fire and casualty insurance companies would get a deduction for a loss reserve account equal to 25 percent of underwriting gain, plus 1 percent of incurred losses in an exempt set-aside reserve account and underwriting loss deductible from investment income and special reserve account. At the end of 5 years all but one-half is taken back into income if it has not been used up by losses, (8) business expenses incurred in petitioning government deductible as a business expenses. Republican objection will be primarily against the first three: (1) 108-percent total depreciation makes an 8-percent tax gift and should be replaced by liberalized depreciation, a quicker recovery of cost of depreciable equipment, (2) withholding should not be inaugurated since many will be taxed who do not pay taxes and endless paperwork and detail will result in yearly filing of exemption certificates, enforcement and reporting will be difficult, (3) foreign investment already is taxed abroad by the foreign nations that are developed countries, and where taxes are low in less developed nations it is in the U.S. interest to encourage such profit and expansion, to be taxed further only when brought back to the United States. Basic conflict is obvious with the President's new trade bill seeking to expand, not restrict, U.S. business abroad. The floor fight will be intensified by the "closed rule," not permitting amendments to the bill. The Republicans will endeavor to strike the three provisions of the bill I have mentioned. How inconsistent the administration is may be seen by the "budget busting" spending, followed by this so-called revenue producing measure which loses $500 million or more, while giving certain industries windfalls as investment credits.

The Trade Expansion Act of 1962 is fantastic, a real shocker. The President asks Congress to transfer (for the first time) to him the legislative power over trade and tariffs—so much so that at his discretion (1) 50 percent of the tariffs may be cut on the import of foreign goods on those commodities which the United States, together with the EEC (European Economic Community) total 80 percent of the world export value, (2) remove any tariff that is less than 5 percent, (3) permit the President to subsidize those industries that his tariff reductions hurt by loans, guarantees, free counseling services, etc., and subsidize individual workers laid off by 65 percent of their pay for 78 weeks, plus retraining plus a lump sum of $230, plus moving and relocation expenses. The enacting clause of the bill reads "To promote the general welfare, foreign policy, and security of the United States through international trade agreements and through adjustment assistance to domestic industry, agriculture and labor, and for other purposes." Here we see the economics of trade are not really considered—only social welfare, the State Department's policies, and national defense, in that order. Estimable as these considerations are, it is obvious we are improperly approaching what basically is an economic matter. Already after but 1 week's hearings of the Secretaries of Commerce, State, Labor, Defense, Interior, Treasury, and Agriculture it is apparent that we are far off course.

These objections have arisen: (1) an unconstitutional transfer of power, (2) the Reciprocal Trade Act of 27 years was not reciprocal. The same enforcement problems will face this new bill—so it is not a new bill that is necessary but enforcement of the old bill, (3) GATT (General Agreement on Tariffs and Trade) under whose international instrumentality our tariffs are reduced or removed has never been authorized by Congress, (4) not freer trade, but erection of other trade barriers than tariff, such as cartels, quotas, licenses, etc., are embodied in this bill, (5) this avowed effort to free-up trade is contradicted by the President's tax proposal to restrict our industry abroad, (6) results in price control, (7) labor has monopolistic position in demanding wage increases which will nullify this bill, (8) economic and diplomatic teaming up with the ECC is actually the intended forerunner of political union—subordinating U.S. sovereignty to a federation of Western Europe-United States, similar to the Atlantic Union sought by many liberals, (9) the offer of Federal subsidy (a) to industry weakens industry's incentive to productivity, price reduction, and competition, (b) to individuals weakens human beings' initiative and incentive to work and retrain, (10) Government contracting for private management consultant agencies to advise specific industries with findings secret from Government is unworkable (of course unconstitutional), (11) no one knows how much of our export market is the result of money we give away so others can buy from us.

Presidential messages are coming thick and fast. (1) Foreign aid: once again the people of this Nation are asked to give away $4.878 million (equal 4.878 billion or $4.878 per minute since Christ was born). How utterly incomprehensible it is—to give away money we are borrowing to damage our currency value abroad, inflate our money at home, and further create the imbalance of payments which is causing a disastrous drain of our gold holdings which undergird our entire economy. The world now holds more of our money redeemable in gold than we have gold and here we give away $4.878 billion, to be added to that imbalance which can be claimed in gold. If the world makes a "run on the bank," that's us, we would economically collapse. This would mean the end of freedom for the world. Why must we continue to follow such madcap fiscal policies? We can, we must put our fiscal affairs in order. (2) Protecting the consumer interest. A catchall roundup which included food and drug controls and labeling, meat inspection tightening up, patent and trademark rights, and a White House Consumer's Advisory Council, all sound geared to reinforce the old political posture of being "for the people." No where mentioned is the real need—fiscal responsibility, which would (a) prevent inflation, preserve the value of savings for everyone, including our retired people, (b) reduce the debt to relieve ourselves of yearly interest and our children from paying bills we have charged, (c) reduce the tax burden.

Explanation of H.R. 10770, To Extend Coverage of Meat Inspection Act to Intrastate Shipments Into Major Consuming Areas Under Certain Conditions

EXTENSION OF REMARKS
OF
HON. LEONOR K. SULLIVAN
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES

Monday, March 19, 1962

Mrs. SULLIVAN. Mr. Speaker, on Thursday I introduced H.R. 10770, a bill to amend the Meat Inspection Act to extend its coverage in certain areas. Many people since then have asked me whether this is an administration measure to carry out the objectives President Kennedy referred to in his message that day on consumer issues. I have explained that my bill is not an official Agriculture Department approach to the problem but rather one I have been working on for some time on my own. I feel that it could provide a practical solution to the problem the President described—that is, of assuring the wholesomeness of much of that part of our meat supply not now subject to Federal inspection. The President said one-fifth of our meat supply is uninspected. My bill uses as its basic approach the same one which we incorporated 5 years ago into the Poultry Products Inspection Act.

Briefly, the idea is this: Since Federal meat inspection now applies only to meat sold in interstate commerce, we must make it feasible to assure the wholesomeness of meat slaughtered and sold within the States. Presumably the States already do this, but as a practical matter the States do not have the extensive inspection forces required by the Federal Government in carrying out the responsibilities of the Meat Inspection Act. The problem then is to find a constitutional and acceptable manner of giving to Federal inspectors or to inspectors working under Federal inspection standards, the right to inspect purely intrastate commerce—meat slaughtered and sold within a State. At the same time, it would be impractical to try to station a Federal inspector in every butcher shop doing its own slaughtering,

or in small abattoirs slaughtering only a few head of cattle a week, or a few pigs, for sale in the immediate village or vicinity. In any event, when meat is produced and processed in a small community for sale in the locality only, we have the best control of all over the quality of that meat—and that is the ability of the customer to know exactly who is to blame for bad meat. The real problem is to assure the quality of the meat sold in the cities and larger towns from animals slaughtered within the same State. Unless the consumer has been trained to look for the blue stamp showing the meat was slaughtered under U.S. inspection, she may just assume that a cut of meat in the stores was subject to all of the customary safeguards we have come to expect under the Meat Inspection Act of 1907. But a particular cut may have come from a packer operating solely within the State, and not subject to the Federal law. It is this portion of the uninspected meat supply we are concerned about.

PRECEDENT ESTABLISHED IN POULTRY INSPECTION LAW

In the Poultry Products Inspection Act of 1957, we established for the first time statutory authority for Federal inspectors to pass on the wholesomeness of food items produced and sold exclusively within a State. We did it by establishing the concept of major consuming areas where the intrastate supplies are commingled at the point of sale with interstate supplies to such an extent and in such volume that they affect, burden, or obstruct interstate commerce in poultry. The provision was written in primarily to protect the consumer, but also to protect the processors subject to compulsory Federal inspection from unfair competition in their major markets from noninspected poultry.

The machinery in the Poultry Products Inspection Act for designating a major consuming area in which intrastate as well as interstate shipments of poultry would be subject to compulsory Federal inspection is complex—deliberately so. It cannot be done merely on whim of the Secretary of Agriculture. Designation of an area must be requested by appropriate State or local officials or agencies acting for consumers, or by an industry group; a public hearing must be conducted on the application; the Secretary must then make a finding on it, and if he grants the application, he still has authority to waive any specific requirements of the act he feels justified under the circumstances. The designation cannot take effect until 6 months after the Secretary makes the designation—which should provide ample time for any appeals. Only then can the Federal Government require inspection of all poultry supplies going into that area from intrastate sources.

H.R. 10770 adopts the same language and the same approach to the meat inspection law.

EXPERIENCE SHOWS NO FEDERAL GRAB FOR POWER

For those who might fear that even this represents a Federal grab for power at the expense of the States, I might point out that the major consuming area provision of the Poultry Products Inspection Act of 1957 has not yet been used in the 5 years the poultry inspection law has been in effect. I have urged that St. Louis make appropriate application for designation, but so far it has not done so. I hope it will. I do not know of any other cities which have applied. However, much if not most of the poultry now sold in our cities which is produced and sold only in intrastate commerce is nevertheless federally inspected poultry under a program permitting processors to pay a fee for the inspection service. It is not compulsory. Many poultry processors, however, have found it is good business to sell only federally inspected poultry, even when inspection is not required and even if they have to pay for the inspection.

Regardless of the machinery we finally work out for extending meat inspection to a large part of the 20 percent of meat supplies now escaping Federal inspection, I agree wholeheartedly with the President in his consumer message last Thursday that the consumer is entitled to this protection. I think H.R. 10770 provides a practical approach, based on a concept already part of our food-inspection laws, but if another method proves more feasible or desirable, I shall certainly support it.

SUGGESTED BY CONTROVERSY OVER "WATERED" HAMS

The idea for H.R. 10770 came to me as a result of the uproar last year over the so-called watered hams. Packers shipping in interstate commerce had insisted on the right to add moisture to their processed hams in order to overcome a competitive advantage held by those selling uninspected hams in intrastate commerce. I felt that a fair solution to this dilemma was not to add to the consumer's cost by having to pay for water at ham prices, but rather to try to bring the hams processed and sold only in intrastate commerce under the same regulations applying to hams sold across State lines. I remembered the approach we had used in the Poultry Products Inspection Act in 1957, and asked the House Counsel to draft similar language for amending the meat inspection law. The President's comments Thursday made the idea seem even better, and so I introduced H.R. 10770 that day.

The text of H.R. 10770 is as follows:

[87th Cong., 2d sess.]

H.R. 10770

In the House of Representatives, March 15, 1962; Mrs. SULLIVAN introduced the following bill, which was referred to the Committee on Agriculture:

A bill to amend the Meat Inspection Act to extend its coverage in certain areas

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the portions of the Act of March 4, 1907, which are known as the Meat Inspection Act are hereby amended by adding at the end thereof the following new paragraph:

"Upon application by any appropriate State or local official or agency of a substantial portion of any major consuming area, or upon application by an appropriate local meat industry group in such an area, where the Secretary has reason to believe that meat or meat food products are handled or consumed in such volume as to affect, burden, or obstruct the movement of inspected meat or meat food products in interstate or foreign commerce, the Secretary shall conduct a public hearing to ascertain whether or not it will tend to effectuate the purposes of this Act for such area to be subject to this Act. If after public hearing the Secretary finds that meat or meat food products are handled or consumed in such volume as to affect, burden, or obstruct the movement of inspected meat and meat food products in interstate or foreign commerce and that the designation of such area will tend to effectuate the purposes of this Act, he shall by order designate such area and prescribe which of the provisions of this Act shall be applicable thereto and grant such exemptions therefrom as he determines practicable. Such designation shall not become effective until six months after the notice thereof is published in the Federal Register. On and after the effective date of such designation, all meat and meat food products processed, sold, received, or delivered in any such area shall be subject to this Act. As used herein, the term 'this Act' means the provisions of the Act of March 4, 1907, which is known as the Meat Inspection Act."

Address by Senator Moss at Arizona Semicentennial Celebration

EXTENSION OF REMARKS

OF

HON. CARL HAYDEN

OF ARIZONA

IN THE SENATE OF THE UNITED STATES

Monday, March 19, 1962

Mr. HAYDEN. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a stirring address delivered by the distinguished Senator from Utah [Mr. MOSS] at the semicentennial reunion of the Democratic Party in Arizona, at Phoenix, Ariz., on February 14, 1962.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY SENATOR FRANK E. MOSS, AT SEMI-CENTENNIAL CELEBRATION OF THE STATE OF ARIZONA, PHOENIX, ARIZ., FEBRUARY 14, 1962

To appear as a speaker at this semicentennial reunion of the Democratic Party in Arizona, and at a gathering which pays tribute to your golden anniversary, Congressman and revered dean of the U.S. Senate, CARL HAYDEN, fills me at once with a sense of great pride and humility. As a junior Senator from your sister State of Utah, represented by the 45th star in our national banner, I am honored, indeed, to salute Arizona on the 50th anniversary of the 48th State.

I am in vast company tonight—Senator Hayden, Postmaster General Day, former Governor and former Majority Leader McFarland, Congressman Morris K. Udall, former Congressmen Harless and Murdock, former Governor Garvey, Mrs. Jones, the charming widow of another former Governor, Mrs. Friend, daughter of Arizona's first Governor, George Hunt, and Bob Jones. In short, the most distinguished Democrats of America, as well as Arizona. It is a birthday party, and an occasion to remember.

I share with you your satisfaction in being Westerners and Democrats. We are more proud of being western Democrats than almost anything else, except being Americans.

Being Democrats reminds me of my story about Uncle Dinny who stormed into the

registrar of voters office and demanded that his party enrollment be changed from Democratic to Republican.

The clerk was amased because he knew that Dinny had been a Democratic stalwart all of his life.

"Dinny, why are you doing this?" queried the clerk.

Uncle Dinny, who was just purple with rage, fumed: "I just had a terrible argument with me family and I am so damn mad I want to do something drastic to disgrace them."

We good Democrats can understand how he felt.

I share your satisfaction, also, that this 50th anniversary of Arizona statehood, and this resulting semicentennial reunion of the Democratic Party, is taking place at a time when we again have a great Democratic President in the White House—John Fitzgerald Kennedy.

Arizona was literally a new frontier 50 years ago when we added the 48th star to our flag, and it is now a vigorous and effective part of the Kennedy New Frontier, even to the extent of contributing one of its most illustrious native sons, Stewart Udall, to the Kennedy Cabinet.

We now have a greater interest in the West and its problems, and a deeper understanding of those problems, than we have had in many years in Washington. This is indeed a year for Westerners and Democrats to celebrate.

Some of our Republican friends seem to have forgotten in this 1 short year that they were ever in control of the executive branch of the Government, and, therefore, responsible for the decisions made. They seem to have wiped out the 8 Eisenhower years, and to have reverted back to the wailing and lamentations they developed to such an art during the previous 20 Democratic years.

This Republican criticism reminds me of the story about the psychiatrist who was testing a little boy brought to him by his mother because she was concerned about his premature preoccupation with little girls.

The psychiatrist placed an ink blot before the little boy.

"Now, Johnny," he said, "what does this look like?"

"Two bees making love," came the prompt reply.

Without comment, the doctor showed the boy another ink blot. "How about this?"

Johnny studied it for a moment. "Two birds making love," he said.

A bit perturbed, the psychiatrist showed him a third and larger ink blot. The child frowned, looked at it closely, and finally declared triumphantly, "Two horses making love."

At this, the doctor lost patience. "Young man," he thundered, "I think you're just a little too concerned with sex."

Johnny turned innocent eyes on the psychiatrist. "Why are you hollering at me?" he complained. "They're your pictures, aren't they?"

The fact is that much of what the Republicans are complaining about results from actions they took themselves.

You know, as I prepared this speech, I felt very much like the school boy who when asked to describe Socrates, wrote:

"Socrates was a Greek who spoke very often to the Athenians. They poisoned him."

This is a festive and gay occasion, and the things I am going to say tonight are serious and thought-provoking, but such were my instructions.

My subject is "The Conscience of a Liberal"—and I can think of no more appropriate place to make such a speech than to a group of Arizona Democrats.

It was with some trepedation that I chose this subject, because the very word liberal is one of the most misunderstood and misused words in our vocabulary today. To some it is synonymous with "radical"—and to these people a radical in government is one who advocates great and sweeping changes with the least possible delay. To others, the word liberal simply means a forward-looking attitude, and a willingness to try new remedies for new or old problems.

Similarly, the word conservative has many connotations. It all depends on what you want to "conserve." The American conservative today, by his own admission, wants to return to the forms and usages of the past, even those of the 18th and 19th centuries. To some this attitude can only be labeled by the word "reactionary."

It is with a clear recognition of this problem of labels, of the fact that the very terms I shall be using are equally as controversial as the ideologies they represent, that I approach this discussion.

Political history in this country has never been shaped by abstract doctrines or theoretical dogmas. Original political theory here, as in the mother country of England, has developed chiefly in time of national trouble when thinking men, seeking to solve urgent problems, have been forced to reexamine basic principles.

For example, when we were hammering out our American democracy, we produced statesmen like Jefferson, Adams, Madison and Hamilton, who were also political philosophers.

Then, the debate between the North and the South in the mid-19th century produced Webster and Calhoun. And the problems of the first half of the 20th century gave us Woodrow Wilson and Robert Taft, two very practical political theorists.

Today, as we try to cope with grave situations both at home and abroad, it has again become evident that we must go back to first principles, and in that light examine the problems of the sixties.

You will note that my discussion of political philosophy is not essentially partisan. Both major political parties have liberals and conservatives in their ranks. Perhaps it would make the choice at the polls easier, if all liberals were lumped together in one party and all conservatives amalgamated firmly in the other one. But I doubt that this day will ever dawn. Republican and Democratic parties are both sturdy institutions which show little interest in being dissected, and reassembled.

The lack of consistent philosophies and clear-cut division on issues in our two major political parties has produced some very strange political bedfellows. Lincoln, a Republican, made Jefferson his touchstone in the 1850's. Bryan, a Democrat, appropriated Lincoln in the 1880's. Theodore Roosevelt bolted the Republicans as a Progressive and found his inspiration in the Federalists who were Jefferson's opponents.

This kind of turnabout is powerful testimony to the ingenuity of our political leaders and the vitality of our American procedures. But despite these individual exceptions, as a party, the Democrats have stood for progress and change to meet modern conditions. The Republicans have clung persistently to the past, and have insisted that new ideas were either socialistic or un-American.

In this discussion, I do not propose to define conservatism and liberalism in neat, one-sentence statements. No dictionary definition could ever be adequate, for one thing, and for another, as I have pointed out, the words mean different things to different people. I shall therefore take the essence of brief statements of faith from two liberals—Democrats, President Franklin D. Roosevelt and Gov. Adlai Stevenson, and two conservatives—Republicans, President Herbert Hoover and Senator GOLDWATER.

The statements cover a 25-year period of time. Each spokesman has combined the results of his practical political experience with an awareness of the implications in his own position, and each is an accepted representative of his philosophy.

First Hoover and Roosevelt who struggled for the Presidency in 1932.

In his volume "Twentieth Century Political Thought," Joseph S. Roucek says of President Hoover:

"Herbert Hoover speaks for many modern American conservatives when he identifies the extension of governmental economic controls with the 'regimentation' characteristic of foreign dictatorships, and when he ascribes our high living standards to the American system of free enterprise, he combines almost all of the favorite conservative themes: We must cling to the Bill of Rights; any necessary alterations must be made only by formal constitutional amendment; governments have an insatiable appetite for power; society cannot remain partly 'regimented' and partly free, and even partial regimentation will eventually destroy democracy. To attempt 'to solve the * * * problem of distribution of a hard won plenty by restrictions * * * will abolish the plenty.'"

Moreover, the conduct of business by government would only give us the "least efficiency." States President Hoover: "It would increase rather than decrease abuse and corruption, stifle initiative and invention, undermine the development of leadership, cripple the mental and spiritual energies of our people, extinguish equality of opportunity, and dry up the spirit of liberty and the forces which make progress."

Let us now hear the liberal case as presented by Franklin Roosevelt:

"One great difference which has characterized this division (between the liberal and the conservative groups) has been that the liberal party—no matter what its particular name was at the time—believed in the wisdom and efficacy of the will of the great majority of the people, as distinguished from the judgment of a small minority of either education or wealth. * * *

"The other great difference between the two parties has been this: The liberal party is a party which believes that, as new conditions and problems arise beyond the power of men and women to meet as individuals, it becomes the duty of the Government itself to find new remedies with which to meet them. The liberal party insists that the Government has the definite duty to use all its power and resources to meet new social problems with new social controls—to insure to the average person the right to his own economic and political life, liberty, and the pursuit of happiness."

Now coming 30 years closer to today—

In his book "The Conscience of a Conservative," my distinguished colleague from your State, Senator GOLDWATER, states that the undesirable trends which he finds in our public affairs will be reversed, and I quote:

"When Americans, in hundreds of communities throughout the Nation, decide to put the man in the office who is pledged to enforce the Constitution and restore the Republic. Who will proclaim in a campaign speech:

"'I have little interest in streamlining Government or in making it more efficient, for I mean to reduce its size. I do not undertake to promote welfare, for I propose to extend freedom. My aim is not to pass laws, but to repeal them. It is not to inaugurate new programs, but to cancel old ones that do violence to the Constitution, or that have failed in their purpose, or that impose on the people an unwarranted financial burden. I will not attempt to discover whether legislation is needed before I have first determined whether it is constitutionally permissible. And if I should later be attacked for neglecting my constituents' interests, I shall

reply that I was informed their main interest is liberty and that in that cause I am doing the very best I can.'"

Again, Senator GOLDWATER states:

"Thus, for the American conservative, there is no difficulty in identifying the days' overriding political challenge: It is to preserve and extend freedom. As he surveys the various attitudes and institutions and laws that currently prevail in America, many questions will occur to him, but the conservative's first concern will always be: Are we maximizing freedom?"

In May 1956, Adlai E. Stevenson, one of today's most articulate liberals, gave this classic definition of the modern liberal:

"First, he (the liberal) believes in the existence of the future, and believes that it can be made a good future. If he is my age he may often think of the past, and he may think of it with affection and nostalgia. But he rejects the idea that it was either better or simpler than what we face now. In answer to the conservative's classic question, 'Whither are we drifting' the liberal says: 'We cannot drift, we must go.' Although he respects the past, he has no desire to tinker with the clock or turn it back. He does not try to force it ahead. But he does wind the clock.

"He has never seen from on high any slightest indication that heaven itself wishes to return to the good old days—and so he walks ahead, in courage and steadfastness, and with a minimum of backward glances, into the perpetually obscure, the perpetually dangerous, the perpetually unknown future. No wonder he cannot always tell where he is going. In contrast to this, the reactionary can always tell you where he has been, so he has an air of authority. What he doesn't know is that the political house of his fathers, which he perpetually talks about, but hasn't seen for 40 years, has now been condemned or torn down."

Perhaps the most striking difference between the two liberals and the two conservatives I have just quoted lies in their frame of mind. The conservatives constantly implies that the "good old days" and "good old methods" of doing things were better and that most changes and modifications in our way of life in recent years have been to say the least, unfortunate. With this thesis I most emphatically disagree.

My objection does not arise, however, from a purely personal disposition to like the present and look to the future with optimism. It arises from the lessons of history.

I do not propose to call in the Greeks and the Romans to prove my point. I leave them to the conservatives who seem to like unearthing unsuccessful social experiments, centuries old, which were carried out under conditions as unlike those in modern America as it would be possible to find, to demonstrate that some similar proposal would surely fail in the United States of the 1960's. I will be satisfied to fall back on the history of the United States as a reliable guide for the programs of action we should formulate for today.

Almost from our earliest days our greatest leaders have recognized that we must make use of the instrumentality of government to do what we cannot as individuals do at all, or do so well, for ourselves. It was because it was necessary to do some things on a National, rather than a State, basis that the Constitution was adopted in the first place.

It was obvious, of course, from the day our Nation was born that the Government had to maintain an Army to provide for the common defense, to coin money, and perform other national services. But whether the Government had any responsibility in transporting the mail, for instance, was another question. Even today some cry "socialism."

But the Continental Congress thought the Government did have that responsibility, and in 1775, probably after considerable debate, the Continental Congress passed a resolution and ordinance establishing post offices and post roads.

By 1801, Alexander Hamilton had recognized that "the improvement of the communications between the different parts of our country is an object well worthy of our national purse" and "to provide roads and bridges is within the direct purview of the Constitution."

By 1808, so many internal problems had reared their heads in the new union of States that Albert Gallatin, then Secretary of the Treasury, presented to the Senate a comprehensive plan for an integrated system of internal improvements including post offices and post roads to be undertaken by the Central Government.

I could continue with an almost year-by-year account of the growth of what is now our Federal highway system. Sufficient it is to say that the problems of the times which individuals could not solve were in each case met with solutions of the times, solutions which were often new and untried. Washington and Jefferson and the other great founders of the Nation were moved by the same spirit so eloquently described by Adlai Stevenson in the statement which I just quoted. Undoubtedly these men thought fondly of the "good old days" before they had to fight a revolutionary war and establish a government on the basis of the new and untried principles of political democracy. And yet they walked ahead "in courage and steadfastness, with a minimum of backward glances into the perpetually unknown future."

Do we ever hear today of the Tory Conservative philosophers, the cling-to-the-old-ways boys who were contemporaries of the activist founders of our country? Can you name one of them? Neither can I, although I vaguely remember from my college history courses that there were such authorities.

In the history of our people's growing use of the Government to advance their welfare, I see something quite different from what the conservatives apparently see. I see a steady advance down through the years in a greater acquisition by all Americans of all of the fundamental values for which the country was founded. Without changing the frame of the Government we set up when we became a Nation, we have added immeasurably through constitutional amendments and statutory acts to the liberty as well as the general welfare of all of our citizens.

In the paragraph from the book by the junior Senator from Arizona which I quoted earlier there is one very striking sentence:

"I do not undertake to promote welfare, for I propose to extend freedom."

What does this mean in literal terms?

My idea of promoting welfare includes, as an essential element, the extension of an individual's freedom.

For example, the Federal banking system set by statute gives me the freedom to conduct financial affairs under sound monetary and credit regulations, a freedom my ancestors did not have. Since in this respect I am guaranteed freedom, and not deprived of it, I certainly feel that this contributes to my welfare.

Perhaps the Senator was referring to the type of freedom our older citizens have had, to manage as best they can to meet their medical expenses in old age. No matter that funds are lacking, each is "free" to suffer want and neglect. But the liberal would hold that Federal concern for their welfare, and statutory action, would assure them of that other type of freedom which I feel is more desirable, freedom from the worry of medical bills and hospital bills for care they must have.

The junior Senator from Arizona has proposed that the Federal Government gradually withdraw entirely from the following programs which he describes as being "outside the constitutional mandate," social welfare programs, public power, agriculture, public housing, urban renewal, and, as he states, from "all other activities that can be better performed by lower levels of government or by private institutions or by individuals."

Only by this method, in his opinion, can American people "start making progress toward regaining their freedom."

If I correctly understand the Senator, what are some of the Government services we would be giving up?

One would certainly be the great system of social security insurance which provides most Americans with a minimum income for their retirement years.

Another, I presume, would be our public health system, including the basic research efforts to attack the cause and find the cure for great killers like heart disease and cancer.

Federal aid to education would undoubtedly be on the list, despite the fact that Federal aid to land-grant colleges was first authorized in 1862, and that since that time there have been many other programs reaffirming our national interest in support of our schools.

As Americans, would the Senator from Arizona have us turn our back on slums and decaying cities, with nothing done about these twin evils unless States or communities are able to aid, or when slum clearance and urban renewal can be financed by private capital?

And agriculture, that important segment of our economy that has consumed so much of the thought of Republican and Democratic administrations since President Hoover initiated his farm board, would it be left to sink or swim depending on the farmer's ability to outguess the weather and the market?

What of our great natural power sites, which are part of the people's God-given heritage of natural resources? In many cases their full and comprehensive development is too big and two costly for private enterprise, or for a local community or areas to develop. To turn over to private enterprise the full responsibility for developing electric energy would be, in some cases, to squander the people's heritage.

As I see it, the conservatives really want to use the laws of 1850 to govern the United States of the 1960's. They relish our automobiles, our television, our jet airplanes, our beautiful cities and our comfortable homes, but they want to be as unregulated as though they still lived on a frontier ranch.

Do they seriously want to repeal our national conservation program, the railroad and trust regulations of the late 19th century, the Farm Assistance Program, the Food and Drug Act and its numerous amendments, our water pollution control program, to use a few examples? How many people can possibly have deluded themselves into believing that the "good old days" before the national Government undertook these services were better than the "good new days" of the present, and the even better days of the future?

I've never been sure just when the "good old days" began or ended but let's take a brief glimpse at the status of the average man—at his educational opportunities, his working conditions, his rights as a citizen, and his living standards, during some of the periods which some of our rugged conservatives like to think of as rosy.

When the Republic was founded there was an aristocracy of wealthy landowners, a few well-to-do shipowners, practically no middle class, and a large mass of tenants, small farmowners, frontiersmen, agricultural field workers and slaves.

Illiteracy was common. Before 1827 there were no tax supported schools of any kind.

It was not until the latter half of the 19th century, when the public libraries began to spread across the Nation, when newspapers and periodicals began to achieve mass circulations, and when the chautauqua and lecture platform became popular that there was any real advance in general literacy. Even so, 50 years ago only 1 out of every 17 citizens completed high school.

As far as material wealth was concerned, as late as 1900 only about 71 out of every 1,000 persons had any savings deposits, and only about 42 out of every 1,000 had any ordinary life insurance. Life expectancy for men was about 46 years; for women 48.

Because people were willing to work for anything they could get, the annual average wage in manufacturing in this country in 1909 was only slightly over $500. That would buy more beefsteak or potatoes than $500 would today, but it would not buy decent housing or medical care or education, or enough of anything else.

Is this the golden period of American history to which our conservative friends refer with nostalgia?

It is not easy to contrast living standards in the early 1900's with those of today because the data are clearly not comparable in all cases. There are great differences in dollar values, and many intangibles. However, it is safe to say that the per capita gross national product, based on a constant dollar, has doubled in the last 50 years. This means that in proportion to the population, twice the quantity of goods and services are being consumed today than at the beginning of this century. And the per capita income, estimated in constant dollars, is up from $375 to $2,538. Family income has tripled in just the last 30 years. Despite high taxes we have much more spendable income than ever before.

Total personal savings were only a little over a billion dollars at turn of the century. In 1956 they stood at almost $37 billion. In 1920, life insurance in force in this country added up to about $40 billion. By 1958 the amount was close to $500 billion.

The number of telephones have more than doubled in the last 30 years, and the number of privately owned cars more than tripled.

I could continue for some time to quote statistics to you, people are living much longer, we are losing far fewer babies in their first year, and far fewer women in childbirth, well over half of our citizens are completing high school instead of 1 out of every 17 as was the case in 1900, illiteracy has almost been wiped out, we are eating more and better, we have more leisure because we don't work as long, and we are using that leisure to travel to faraway places.

Does it not seem as though life is richer and more abundant?

But as you may say many of these gains are purely material. What of the constitutional guarantees of freedom and of political and civil liberties? Have they been eroded down through the years?

In partial answer to this, let me point to the recent decision of the U.S. Court of Appeals overturning the Apalachin convictions. It was, we all agree, a complete frustration of the efforts of the law to deal effectively with those who scorn the law. But it was also a stern and impartial protection of the constitutional rights of the individual.

You all remember the details of the Apalachin case. Twenty men, most of whom had underworld police records, were convicted of conspiracy to conceal the purpose of their conclave at Apalachin, N.Y. They all asserted they were simply "visiting a sick friend." No people familiar with the interlocking directorates of racketeering believed this, it made just as much sense as saying that 63 men with underworld reputations had convened in Apalachin to play tiddlywinks.

Yet the court held "no crime proved, no conviction."

"In America," wrote Judge Charles E. Clark, "we respect the dignity of the individual, and even an unsavory character is not to be imprisoned except on definite proof of specific crime."

Most Americans agreed. It was unfortunate that freedoms broad enough to shield the worthy gave shelter to the unworthy, but when freedom is at stake, the course is clear.

We must not curtail freedom. The United States must, within the framework of the Constitution, sharpen its legal powers to deal successfully with the new techniques of crime.

Contrast the sentiment in America today on the Apalachin case, and the language of the decision on it, with the course of the famous Sacco-Vanzetti case of the 1920's. Two Italian radicals were convicted of murder in a payroll robbery in Massachusetts. The case was full of doubts, "doubts that would not down," Walter Lippmann, then an editorial writer on the New York World, called them. "No man," Mr. Lippmann write, "should be put to death where so much doubt exists."

But the men were executed. There was a genuine division of thought between those who thought radicals ought to be strung up on principle and those who felt the test of a country's civilization was the care with which it protected the rights of minorities. When the execution finally took place, many shivered and wondered if justice had been done, and then went on to something else.

And now turn further back to the Salem witch frenzy. What happened then? A company of girls started to bark like dogs and scream. They were accused of being bewitched. The excitement spread, and the jails filled rapidly with suspects. Fifty-five persons suffered torture, and 20 were executed before the frightful period ended. During the entire time it was actually unsafe to express doubt of a prisoner's guilt.

The days of the Salem witch trials, when no voice was raised to question innocence or guilt, the time of the Sacco-Vanzetti trials, and when despite many doubts of guilt two men were executed, or the Apalachin trial of the 1960's when to guard against trampling on basic guarantees 63 underworld characters were set free, in which era was there more viligant protection of the constitutional rights of a citizen?

My friends, I seriously wonder whether those who would turn back the clock would be satisfied with the type of land in which they would live.

The conservatives continually express deep concern about the cost of moving forward. I, for one, have never believed that the best measure of our national progress is the rate or the quantity of our expenditures. I am proud of the fact that much of our high standard of living is a product of a private enterprise system left free and unfettered, and regulated by law only when restrictions or a referee become necessary to assure maximum freedom to the system or proper protection for the people.

But I cannot agree with the theory that every expansion of government machinery is a restriction of freedom or a long step toward national bankruptcy.

It is true that the demands of our society are taking a considerable percentage of our incomes, a percentage we wish was less. But this does not justify the claim of conservatives that all Government spending is bad, per se, and that all private spending is good, per se.

Obviously when we spend for a new car or a new television set we do it as individuals, while we must join together in Government to spend for a new school. We must, in other words, use government as our instrument to build and operate the school system. But does it make the school less desirable, less necessary, less an adjunct of a free society? Does the new car, in Senator GOLDWATER's phrase "maximize freedom," more than does the school?

"Individual responsibilities" mean meeting individual responsibility to the Commonwealth. It is true that we have other responsibilities. We have responsibilities to our families and our friends. But we have no responsibility more important than that to our fellow man.

Those who emphasize individual responsibility sometimes tend to confuse responsibility with interest, so that a person who follows his personal interest is led to believe that, by so doing, he is being responsible when he is only being selfish.

Conservatives sometimes acknowledge that concerted effort to meet a general problem at the community or State level is desirable, but believe that it becomes "socialism" when the National Government seeks a solution. Is this realistic? In this modern age our mobile populations and swift communications are making more and more problems soluble only at the Federal level. It is no longer possible, for instance, to quarantine ignorance or crime behind city walls or State boundaries. Adult workers poorly educated in their childhood, and criminals bred in their youth in city slums, migrate back and forth across the country to become the problem of any community in which they settle.

There is another point which should be made here, also, in behalf of Federal concern for problems which spill over from one section of the country to another. States and local communities depend largely upon the general property tax for revenue, while the Federal tax system is based to a much greater degree upon the ability to pay. There can be considerable justification therefore for using it to meet all problems which are national in scope.

Too many discussions of Federal spending leave the impression that our taxes are high because of the inordinate expense of programs for health, welfare, conservation, resource development and other domestic improvements. This, of course, is not fair. More than half of Federal tax dollars today are going into major national security items, that is, defense, atomic energy, space exploration and military assistance.

Federal expenditures for domestic needs, for health, welfare, conservation, resource development, housing, commerce and general government are less than one-fourth of our budget and they are at a lower level proportionately than they were 20 years ago.

Today, the debate in America over conservative and liberal philosophies of government is more intense than at almost any other time in recent history. As the apostle of conservatism, my colleague and your junior Senator is one of the main and most able debaters.

I welcome this debate. It is as much a part of our way of life as the Constitution itself. I trust that out of it will come the high resolve and unity of purpose which has seen America through her other times of crises.

I am disturbed, however, by the infusion into the conservative movement, and particularly into the most conservative wing of the Republican Party, of what has come to be known as the "radical right."

I am speaking of the professional anti-Communists, the members of the John Birch Society and similar organizations, who have set themselves up as the only true Americans and who label everyone who disagrees with them as Communists or Communist dupes.

These self-appointed patriots are trying to convince the people that we are weakened by an income tax based on the ability to pay, by a social security system which provides funds for food and lodging for our elderly, and by a minimum wage which assures our most lowly paid the necessities of life.

They try to wreck the integrity of the Supreme Court. They stir up resentment against our participation in the United Nations. They say that the clergy is riddled with Communists. They make an effort to block all foreign aid programs. They vilify foreign-born and minority-group citizens. They chip away at our civil liberties and spread hate and suspicion throughout the Nation.

Former President Eisenhower has labelled some of the charges of the super patriots of the right as "rot." President Kennedy has given them clear warning that the damages of Birchism to our free society in the sixties will not, like the abuses of McCarthyism in the fifties, be borne by the President in silence.

Meanwhile, there are millions of well-meaning but unthinking Americans who are embracing these programs as valid solutions for our deeply complex problems. These people are troubled and frustrated, and the simple solutions offered are something they want desperately to accept.

I do not doubt the sincerity of some of the men and women who are leading the radical right. They believe that by fomenting hate they are doing what is best for America. But there is no question but that they are irresponsible and destructive, and that the sensible men and women of America must understand what is happening, must study it, and must consider what can be done about it. In the thunder from the right there is real danger to the liberties that we cherish so dearly in America, danger which our conservative friends either do not, or will not, recognize.

My friends, as I stated earlier, America is again at a point in its history, and in the history of mankind, when we must examine first principles.

In the past, when we have done so, the liberals have carried the day. I believe they will carry it again in the decade ahead. Once more there has come upon the American scene a strong leader who recognizes the new challenge of liberalism, and has moved into a position of commitment to it. I refer, of course, to our great young President—Jack Kennedy.

There is no question in my mind that President Kennedy is standing firmly in the Wilson-Roosevelt-Truman tradition, and what is an even surer test of the durability of his stance, he has surrounded himself with some of the best and most progressive minds of our age.

Each day Jack Kennedy dedicates himself more firmly to the advancement of the Nation's social welfare and economic security as it centers in the family—higher minimum wages, better housing, improved health services, greater protection for the aged. And each day he demonstrates that he is more strongly committed, both by mind and heart, to strengthening civil liberties and civil rights.

He does not consider himself a liberal simply of the new deal stripe. He feels that the liberalism of the new deal and the fair deal has become so intrinsically a part of the American way of life that it is no longer a subject for controversy. Liberalism, he feels, should be "rethought and renewed."

"What we need now in this Nation most of all is a constant flow of new ideas," he said in his campaign. "* * * We cannot obtain new ideas until we have a government and a public opinion which respect new ideas and the people who have them. * * * Our country has surmounted great crises in the past, not because of our wealth, not because of our rhetoric, not because we had longer cars and whiter ice boxes and bigger television screens than anyone else, but because our ideas were more compelling, and more penetrating and more wise and more enduring."

In the Congress and in the Cabinet, Arizona has given President Kennedy three stalwart liberals, the great young-in-spirit-and-heart dean of the Senate Carl Hayden and the Udall brothers, Stew and Moe. You Democrats should be proud of these liberals and you should be ready, willing, and able to plug a couple of gaps in your delegation, which I won't mention.

My friends, President Kennedy and the other American liberals of 1960 are simply seeking to emulate the spirit of those times in our earlier history when new aims and wholly new processes were developed to meet new needs.

Today, as in the past, the conservatives may hamper and delay some efforts and programs, but I am convinced that the fundamental pressure of the American people will triumph in the end. Public opinion polls show that more than 75 percent of the American people are behind President Kennedy—approve of his fresh new approach and his firm hand on the helm.

You know, the Republican reaction to President Kennedy's immense popularity and to the record he is making reminds me of the story about the farmer and his new hunting dog. When he first got him he took the dog out for a test run. Presently he shot a duck. The dog walked out on top of the water, picked up the duck, and trotted back over the waves. The farmer blinked, rubbed his eyes * * * and tried again, with the same result.

Completely overjoyed, he invited a neighbor to go with him the following day, saying nothing about the dog's talent. True to form, when either man hit a bird the dog would walk on the water and retrieve it.

The neighbor said nothing. Finally, unable to hold in a moment longer the owner hinted: "Some dog, eh?"

The neighbor rubbed his chin reflectively. "Yeah," he mumbled, "good dog, but he can't swim."

I predict that the Kennedy hold on the imaginations of the American people will flourish and grow. He has grasped firmly the fact that the liberal Democratic tradition is the American tradition, and that it enlarges the freedom of choice and opens the way for everybody to build his future to his own wishes.

And so, in conclusion, let me sum up:

The conservative likes to quote from the past to strengthen his position, but in the context of American history, the liberal position emerges as the only rational one. Our history is a record of liberal successes.

The conservative is a traditionalist, the liberal is a pragmatist. The former defends the existing state of affairs, be it good or bad, simply because it exists. He doubts the ability of human beings to apply intelligence to the solutions of social problems, and he seems not to trust his government to successfully carry out any program which might be formulated. This he does in the face of overwhelming evidence and the lessons of history to the contrary.

The liberal, on the other hand, is a practical fellow, who believes that change is inevitable, that it is feasible, and that it is wise. Moreover, he wants to be the instrument for guiding the direction and controlling the forces of the movement in the future. He seeks to achieve effective freedom for the individual. This means freedom to think, and to choose for himself. It means freedom to enjoy with equality the benefits of our modern society in business and in private life.

Modern democracies have demonstrated time and again that they have more inner gristle than other types of government and can outlast them—can bury them, if you please, as long as their citizens have the freedom, the education, and the drive to make democracy work.

In some parts of the world today there are serious doubts that democracy can deal with the complexities of the space age. Democracy, it is said, is too loose, too slow, too inefficient, and too dedicated to personal comfort to move with the speed, the concentration and the daring these times demand.

Can a government that rests on will, and not force, meet the challenge?

The history and the achievements of Americans stand as a monument to the personal responsibility of free men. I am convinced that the adventure in democracy which began in 1776 and has carried a people to the greatest heights in history can be sustained and extended if we can reaffirm in each American a sense of individual obligation to meet the challenge.

We cannot compete in a space age with totalitarianism if the dogmas of yesterday remain frozen in the minds of the people. We can compete only if we maintain open, inquiring minds, a sense of purpose, and the courage and foresight to shift when necessary, as our forefathers did, from well beaten paths to bold new courses into the untried and the unknown.

SENATE

TUESDAY, MARCH 20, 1962

(Legislative day of Wednesday, March 14, 1962)

The Senate met at 10:30 o'clock a.m., and was called to order by the Vice President.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

O Thou kindly light, with the encircling gloom about us, lead Thou us on.

We grope forward with uncertain steps in a time tingling with tension and dark with fears.

May the poisoning evils which blight the earth not devastate our inner life, subduing us to its low standards, confusing us by its chaos, or crushing our professed faith under its tragedy.

Help us to face the piercing truth of the question—

"Why build these cities glorious
If man unbuilded goes?
In vain we build the world unless
The builder also grows."

Growing in moral and spiritual stature, give us honesty in dealing with our own besetting sins, humility to confess them, and resolution to overcome them.

Grant us Thy grace to walk circumspectly not as foolish, but as wise, redeeming the time because the days are evil.

We ask it in the Redeemer's name. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Monday, March 19, 1962, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

ORDER FOR RECOGNITION OF SENATOR ROBERTSON

Mr. MANSFIELD. Mr. President, I ask unanimous consent that following the address of the Senator from Mississippi [Mr. STENNIS], the Senator from Virginia [Mr. ROBERTSON] be recognized.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

FREE ENTRY OF SPECTROMETER FOR USE OF TULANE UNIVERSITY

Mr. MANSFIELD. Mr. President, a proposal was passed yesterday which contained an error. I send to the desk a correction and ask for its immediate consideration.

The VICE PRESIDENT. The correction will be stated.

The LEGISLATIVE CLERK. *Ordered*, That in the engrossment of the Senate amendment to the bill (H.R. 641) to provide for the free entry of an intermediate lens beta-ray spectrometer for the use of Tulane University, New Orleans, La., the Secretary of the Senate be, and he is hereby, authorized and directed to make the following change therein; namely, in lieu of the following language in subparagraph 2, under the head of "Disaster losses", reading as follows:

(2) occurring in an area subsequently declared by the President of the United States by Executive order to be a disaster area,

Insert the following:

(2) occurring in an area subsequently determined by the President of the United States to warrant assistance by the Federal Government under section 1855–1855g of title 42.

The VICE PRESIDENT. Is there objection to the immediate consideration of the correction? The Chair hears none.

Did the Senator from Montana intend to speak on the proposed correction?

Mr. MANSFIELD. No, Mr. President.

The VICE PRESIDENT. Without objection, the correction is agreed to.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. If I have the floor, yes.

Mr. WILLIAMS of Delaware. Mr. President, it is my understanding that the proposed technical change being made in the bill passed yesterday will not in any way change the substance or effect of the bill. It is merely a technical correction for purposes of clarification, and the correction is being made upon the request of the Treasury Department.

THE ALEXANDER HAMILTON NATIONAL MONUMENT — AMENDMENT TO THE CONSTITUTION DEALING WITH POLL TAXES

The Senate resumed the consideration of the motion of the Senator from Montana [Mr. MANSFIELD] to proceed to the consideration of the joint resolution (S.J. Res. 29) providing for the establishing of the former dwelling house of Alexander Hamilton as a national monument.

Mr. MANSFIELD. Mr. President, what is the pending business?

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Montana.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, for the information of the Senate, after discussing the question with the distinguished minority leader, I wish again to state what was stated last night. It is the intention of the leadership to object to all committee meetings from now on while the Senate is in session considering the pending business. Furthermore, it is our intention to object to insertions in the RECORD and interruptions of speakers except for questions, and there will be no morning hour until the pending question is settled.

Mr. President, who is entitled to the floor at the present time?

The VICE PRESIDENT. The Senator from Mississippi [Mr. STENNIS] is entitled to the floor.

Mr. SYMINGTON. Mr. President——

The VICE PRESIDENT. The Senator from Missouri.

Mr. MANSFIELD. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. MANSFIELD. Under the agreement entered into, who has the floor?

The VICE PRESIDENT. The Senator from Mississippi [Mr. STENNIS] is entitled to the floor. If he addresses the Chair, the Senator from Mississippi [Mr. STENNIS] can claim the floor because he is entitled to it.

Mr. STENNIS. Mr. President, I thank the Chair.

Mr. MANSFIELD. Mr. President, will the Senator yield briefly for a question?

Mr. STENNIS. I yield.

Mr. MANSFIELD. Is it not correct to state that yesterday and today an announcement was made that, so far as the leadership is concerned, there would be objections to interruptions and insertions except for the asking of questions of the Senator who happens to have the floor?

Mr. STENNIS. The Senator from Mississippi very definitely remembers the announcement, but he could not be certain whether the announcement applied to the proceedings today or those that will begin tomorrow.

The VICE PRESIDENT. The Chair understands that the announcement applied to the proceedings beginning today.

Mr. STENNIS. I am sure the Senator was correct in the announcement that he made today, but I was not certain as to the date.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. STENNIS. Under the circumstances, I can yield only for a question.

Mr. SYMINGTON. Mr. President, I understood that the procedure announced by the leadership would take effect tomorrow. In my State of Missouri we have suffered the death of one of the great citizens of America. Do I understand that no announcement of such a character can be put into the RECORD at this time?

The VICE PRESIDENT. The Senator from Missouri asks unanimous consent that the Senator from Mississippi may yield to him for the purpose of making an announcement of a death in his State.

Mr. STENNIS. Mr. President, I ask unanimous consent that, under the circumstances, I may yield to the Senator from Missouri for that purpose.

The VICE PRESIDENT. Is there objection? The Chair hears none. The Senator from Missouri is recognized.

DEATH OF DR. ARTHUR HOLLY COMPTON

Mr. SYMINGTON. Mr. President, last Thursday America lost one of its greatest scientists and most outstanding citizens, Dr. Arthur Holly Compton.

Dr. Compton's career was a long and distinguished one. He was a winner of the Nobel Prize, a keyman in the development of the atomic bomb, and a leader in the field of education.

In addition, he was a wonderful friend to all who knew him.

Arthur Compton served as chancellor of Washington University in St. Louis, Mo., for 8 years, after which he served there as a professor of natural philosophy—devoting the latter part of his life to investigating the complex problems created by the impact of scientific advances on social institutions and human affairs.

Dr. Compton's contributions in a variety of fields made his community, his country, and the world a better place.

Mrs. Symington and I join in sending deepest regrets to the gracious wife and family of Dr. Arthur Holly Compton.

Mr. President, I ask unanimous consent that editorials from the St. Louis Globe-Democrat, March 16, 1962; the Kansas City Star, March 16, 1962; and the St. Louis Post-Dispatch, March 17, 1962; and an article from the St. Louis Globe-Democrat, March 16, 1962, regarding Dr. Compton, be printed at this point in the RECORD.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the St. Louis Globe-Democrat, Mar. 16, 1962]

ARTHUR HOLLY COMPTON

The most distinguished citizen of St. Louis, Dr. Arthur Holly Compton, died yesterday. He was, indeed, one of the outstanding men of America, or of the entire world.

Arthur Compton was a very great scientist. A winner of the Nobel Prize in physics, and one of the small handful who developed the atomic bomb, his inquiring mind and deep penetration of the mysteries of the

cosmos brought him eminence in his chosen field.

Beyond this, Arthur Compton was an outstanding educator. His 8 years as chancellor of Washington University brought that institution world renown, and raised the hopes, the aspirations and the thirst for knowledge of its students, its faculty, its alumni and its friends.

Most of all, however, Arthur Compton was a splendid human being. He was a scientist who never failed to recognize that all knowledge, all truth, and all wisdom come from God, and that man is created in His image and likeness.

Proceeding from this basic belief, Arthur Compton was profoundly affected by the human and divine elements in science and was totally occupied with man's relationship with God in a scientific world. His compassion for mankind, his love of humanity, his belief in the spirituality of brotherhood, made him a very great humanitarian in the most complete sense of the word.

With all of this, Arthur Compton was a deeply patriotic American. He steadfastly refused the shady byways to which so many scientists are addicted. He believed that his country and mankind were best served by strength, as well as by goodness.

While so many scientists were meandering off in self-apologetic fields of compromise, hesitation and pacifism, Dr. Compton well knew that these illusions could only spell defeat for science, for brotherhood, and for all the accumulated wisdom of the ages which has brought the dignity of man to its present state of fruition in the free world today.

We doubt that there is, or has been, a scientist of such great eminence so firmly dedicated, at the same time, to the spiritual side of man's nature.

This was a unique and noble characteristic of Arthur Compton which made him the more cherished by his friends and respected by the community and the Nation he served so long and so well. It may be that we shall never see his like again.

The Globe-Democrat bespeaks the sorrow of countless people, known and unknown, whose lives were made richer by Arthur Holly Compton.

[From the Kansas City (Mo.) Star, Mar. 16, 1962]

DR. ARTHUR HOLLY COMPTON

The most dramatic moment in the brilliant career of Dr. Arthur Holly Compton occurred on December 2, 1942, on the squash court under the west stands of Stagg field at the University of Chicago. There, at that moment, the atomic age was born, Dr. Compton was the chief obstetrician present.

He and his research staff had already proved on paper that a controlled atomic chain reaction was possible. Putting this first primitive reactor, or pile, into operation was a necessary preliminary to developing the atomic bomb. There was an element of risk, but Compton and his coworkers decided to face the hazard in their laboratory. The vital bomb project would have been delayed 2 months, if the pile had been moved.

Development of the A-bomb was a team effort. But Dr. Compton had one of the principal roles. He had charge of perfecting the metallurgical processes used to construct the first bomb.

A Nobel Prize winner at 35 for his work on X-rays, Dr. Compton was regarded by his colleagues as one of the world's foremost physicists. After the war, he was in the vanguard of the many scientists who have since become heads of colleges or universities. As chancellor of Washington University in St. Louis, Dr. Compton visited Kansas City several times in the late 1940's. His two brothers also became college presidents.

Dr. Compton, who has just died at the age of 69, was a philosopher, good companion and humanitarian, as well as a great scientist. He expressed the key to his own thinking less than a year ago: "For insuring long-term peace, I doubt if there is any alternative as hopeful as the systematic cultivation of an attitude of brotherhood."

[From the St. Louis Post-Dispatch, Mar. 17, 1962]

ARTHUR HOLLY COMPTON

Arthur Holly Compton was one of the few men consciously aware of the dawn of the nuclear age. Under the harsh imperatives of war, they had made it possible. Regrettable though it was that this great leap forward first took the form of a devastating weapon, the Comptons, the Oppenheimers, the Fermis, the Szilards and the Einsteins had to face the fundamental issues of the survival of freemen in a free world.

So at the war's end, after more than two decades at the University of Chicago where his work brought him the Nobel Prize, Arthur Holly Compton declined President Truman's offers of the chairmanship of the Atomic Energy Commission, preferring to be again at Washington University. As its chancellor, he devoted himself less to science than to the furthering of that broad education essential to the governance of science in civilized society.

Not unaware of the Pandora's box that was blown open by the first atomic explosion and the consequent military demands, Arthur Holly Compton devoted his mind to its human implications. And after 8 fruitful years as chancellor, he retired as distinguished service professor of natural philosophy to give his time more fully to the ominous problems of peaceful life in the nuclear world.

We are fortunate in those men of science who are, first of all, great men. They understand that it is not man's destiny to destroy his race. So long as they courageously avow this conviction, they stand as strong exemplars to those whose short-sighted concerns tend to blind them to transcendent values. They are—and ever should be—champions of productive, cultivated, compassionate, human life.

[From the St. Louis Globe-Democrat, Mar. 16, 1962]

DR. A. H. COMPTON RITES HERE SUNDAY—FUNERAL TO BE AT GRAHAM CHAPEL FOR FORMER W.U. CHANCELLOR

Memorial services for Dr. Arthur Holly Compton, 69, world famed physicist and humanitarian, will be held at 3 p.m. Sunday in Graham Memorial Chapel on the campus of Washington University, where he served for 7 years as chancellor.

Dr. Compton died shortly after 5 a.m. Thursday at Alta Bates Community Hospital in Berkeley, Calif. He had entered the hospital on March 1, complaining of dizziness and nausea, and was stricken with a cerebral hemorrhage 2 days later. He never regained consciousness.

Last Saturday, he developed pneumonia and his temperature rose to a high of 107.8 the next day. It had dropped to about 102 in recent days but his pulse had grown progressively weaker.

"His heart just stopped beating. It was as quiet as that," Dr. Compton's physician, Dr. William G. Donald, Jr., of Berkeley, said.

No members of Dr. Compton's family were present when he died.

His wife and two sons were staying at a hotel near the hospital. Dr. and Mrs. Compton had gone to Berkeley last month and he was serving as a professor at large at the University of California when he became ill.

The body will be cremated and the ashes interred at Wooster, Ohio.

The Reverend Dr. W. Sherman Skinner, minister of the Second Presbyterian Church, will conduct the memorial services here Sunday.

The family suggested that friends wishing to do so may send contributions to establish the Arthur Holly Compton Fund, at Washington University, to further work related to the impact of science on man, to which he had been devoted throughout his life.

Messages of sympathy poured in Thursday to the family from leading scientists and educators around the world expressing the deep sense of loss felt at his death.

Washington University Chancellor Carl Tolman issued a statement voicing the sorrow of the faculty members and students who had known him so well:

"The death of Arthur Holly Compton is a deep personal loss to those of us at Washington University. As a teacher, as a scientist, and as chancellor, he was our most eminent colleague.

"He brought the university into a new era, and the impact of his contribution will be felt for years to come.

"The profound personal responsibility he accepted following his work on the atomic bomb gave new meaning to his life. His greatest concern was that science should be in the service of man, and that man should have the courage and humility to strive to live in the image of his God.

"To the moment of his final illness, he dedicated himself to that cause.

"The world has few such men. It can ill afford their loss."

Surviving, in addition to his wife, are two sons, Arthur Alan Compton, a U.S. Foreign Service officer in Manila, and John Joseph Compton, a professor of philosophy at Vanderbilt University, Nashville, Tenn., and a brother, Wilson Compton, who has retired as president of Washington State University and now lives in Wooster.

Dr. Compton had suffered a cerebral vascular occlusion in 1958 while he was serving as distinguished professor of natural philosophy at Washington University. He recovered from the attack and had been in excellent health until stricken in Berkeley.

Dr. Compton was given the Humanities Award for 1961, an honor bestowed annually through the Globe-Democrat by an anonymous donor, to a person whose lifetime best exemplifies the universal ideal of the fatherhood of God and the brotherhood of man.

The award, which carries a $1,000 gift, was announced last Christmas Day and presented to Dr. Compton January 6. The citation described him as a "distinguished scientist, learned teacher, humble servant of God and of mankind," it continued:

"A brilliant scholar who has always known that the truths of science are the revelation of God, and that the mysteries of the universe are the work of His hand, Arthur Holly Compton is one of the world's great humanitarians.

"He has ever taught that science without human understanding is barren, and that the fulfillment of scientific learning is man's harmony with his Creator. In a life well lived, he has constantly advanced the cause of peace and the dignity of man."

Dr. Compton was one of the world's most distinguished men. A top physicist, he held the coveted Nobel Prize for his findings about X-rays.

COSMIC RAYS

He did valuable and dramatic research in cosmic rays. He was in the forefront of the wartime scientists who discovered the key that unlocked the secret of atomic energy and brought to the old world a new era—the atomic age.

Though famed and honored as scientist and educator, many of Dr. Compton's contemporaries felt that some of the most useful work of his life may prove to be his

quiet humanitarian endeavors which reached a worldwide scope.

He believed ardently in the brotherhood of man. To advance this cause and to fight against prejudice, intolerance, and bigotry, he served as Protestant cochairman of the National Council of Christians and Jews from 1938 until 1947, relinquishing this post only because his time had become absorbed by the chancellorship of Washington University.

Chancellor from 1946 to 1953, he served after his retirement as distinguished professor of natural philosophy at the university and was named as honorary director in 1958.

THREE UNIVERSITIES

In May 1961, he retired from his professorship to accept a newly established, three-way professorship to the faculties of Washington University, California University, and the College of Wooster in Ohio.

At each university, he was to present a course dealing with science and the growth of man, a study that had increasingly occupied his attention in recent years. He taught a class on the impact of science on man at Washington University during the fall semester of 1961 and had been at the University of California since February, delivering a series of lectures.

In spite of his dedication and outstanding achievements as an educator, his first love was scientific research. When he resigned as Washington University chancellor in 1953, he expressed his intention of devoting the next 10 years to a study of the relationship between modern science and human affairs.

LOVED RESEARCH

In 1955, he commented, "I've never considered scientific work a chore, administrative work—yes. Research—never. In fact, research is a form of relaxation for me, because I never find enough time to devote to it."

While the dramatic success of his atomic bomb research was still fresh in the public mind, Dr. Compton chose to follow the path of an educator and accepted the chancellorship here. He once headed the physics department (1920–23).

"Only education can help us to see the outline of our world as we want it to be and give us the means of making that vision a reality," he stated when returning to St. Louis in 1946.

Arthur Compton first attracted world attention when in 1927 he shared the Nobel award with Prof. Charles T. R. Wilson of Cambridge. He was honored for discovery of the phenomenon known as the Compton effect.

It was Dr. Compton's theory that X-rays were rapidly moving particles or protons which bounced from electrons, losing energy in the rebound. This accounted for their diminishing wavelengths in extra accord with experimental measurements. His research was conducted in the physics laboratory of Washington University while he headed the department.

GREAT DISCOVERY

He discovered the change in wavelength of X-rays when scattered, the total reflection of X-rays, the complete polarization of X-rays (with C. H. Hagenow), and the X-ray spectra from ruled gratings (with R. L. Doan).

His research in cosmic rays led to the discovery of their electrical character.

During the years from 1915 to 1930 he developed a method of exploring inside atoms. Using X-rays as a probe, he was able to find the arrangement of electrons, negative bits of electricity that make up the atoms of all tangible substances. The electrons were diffused like raindrops in a cloud.

This differed sharply from the old idea that electrons revolved in fixed orbits like miniature planets about a central nucleus.

DEVELOPED A-BOMB

In 1942 he directed work resulting in the first atomic chain reaction at the University of Chicago where he was chairman of the physics department.

Dr. Compton was appointed Chairman of the National Academy of Sciences Committee on Use of Uranium during World War II. In the "Manhattan project," he was designated to handle the program of plutonium production.

Although he directed the experiments that helped make possible the atom bomb and the atomic age, Dr. Compton always was dedicated to the cause of peace and repeatedly called upon commonsense and understanding to bring an end to war.

He worked to hasten the time when nuclear energy, which holds such great benefit for mankind, could be turned from the sword to the plowshare.

He was a trustee of the Atoms for Peace Award suggested by former President Eisenhower, which annually honors those who find new ways to use atomic energy for the benefit of man and not for his destruction.

FOR TESTING

Realistic about the facts of Communist ambition and aggression, Dr. Compton believed firmly that the free world must keep its military strength at a level capable of defeating the forces that would enslave free men.

He also was outspoken in his belief that the United States should continue testing of atomic weapons as long as it is necessary for the free world to be vigilant.

The scientist was born in Wooster, Ohio, September 10, 1892. His father, who died in 1938, was on the faculty of Wooster College for 45 years. His mother, who died in 1944, was once given an honorary degree for being the "Mother of Comptons."

Arthur Compton sold scientific articles to magazines while still in high school. As a youth he invented and patented a gyroscopic airplane stabilizer.

It was his parents interest in his research that encouraged him. Encouragement, plus discipline, he said, was responsible for everything he ever accomplished.

He was graduated from Wooster in 1913 with a bachelor of science degree. In 1916 he received his doctor of philosophy degree from Princeton. During the next year he was an instructor in physics at the University of Minnesota.

His was an illustrious family, often referred to as "America's first family of learning." His father, Elias Compton, a Presbyterian minister, was dean of the College of Wooster for 14 of his 45 years on the faculty there. His brothers, Karl T. and Wilson M. Compton, were college presidents and his sister, Mary Elesa, married a college president.

Fifty degrees were held by his father, his famed brothers, and himself.

In June 1916, he married Betty McCloskey, who had been teaching high school, and then started his carrer with the job at Minnesota University.

STUDIED IN ENGLAND

After a 2-year interlude as a researcher in industry, he studied physics at England's Cambridge University and then became professor and head of the physics department at Washington University. He spent 3 years there, doing the research that won him the Nobel Prize, and then went to Chicago University for the next 22 years.

After his work on the atomic bomb project in World War II, he returned to Washington University as chancellor.

Being the son of a minister, Dr. Compton was called upon frequently to fill church pulpits and his insight into religion reflected his scientific mind. He attended the Second Presbyterian Church in St. Louis.

An elder of the church, he and his wife were such regular churchgoers that if they were not present on Sunday, the congregation knew they were either out of town or ill.

One of his favorite quotations was one in Latin, remembered from his college days, to the effect that science and religion come from the same source.

"They are different aspects of the same truth," he said. "In basic ideas, I find nothing incompatible between the two. Science gives us the tools; religion tells us what to do with them. I have felt that with the advances science is making, it is more important than ever that people take religion seriously."

BROTHERHOOD CHAIRMAN

In 1950, he was a founder and cochairman of the World Brotherhood Organization, established to spread the principles of the National Conference of Christians and Jews.

A leader in the development of educational television in St. Louis, Dr. Compton was named the first executive director of KETC, educational TV station here, in 1955. He resigned the post in 1957 because of his heavy commitments to other organizations such as World Brotherhood.

WON MANY HONORS

His writings include "Secondary Radiations Produced by X-Rays," 1922; "X-Rays and Electrons," 1926; "The Freedom of Man," 1935; "Religion of a Scientist," 1935; "Human Meaning of Science," 1940, and "Atomic Quest," a narrative, in 1956. He contributed many articles on scientific subjects.

He received honorary degrees from more than 20 U.S. and foreign universities, including Harvard, Oxford, Yale, Princeton, San Marcos, and Arequipa (Peru) Universities.

The most important of many honors Dr. Compton received, besides the Nobel Prize and the Humanities Award, include the St. Louis Award, the French Foreign Legion of Honor, the United States Medal for Merit, and the Franklin Medal. The Medal of Merit was granted in 1946 for his work as director of the Government's plutonium research project, 1942–45.

Upon his departure as chancellor of Washington University, Dr. Compton was honored by the university corporation president, Ethan A. H. Shepley, who said that during the 1946–53 period the university had experienced "one of the greatest single periods of progress in its history."

Dr. Compton stated, "The 8 years I have served as chancellor have convinced me of the unique importance of Washington University in American education. The institution is in a sound position and is ready for a firm and substantial new growth."

In another address, Dr. Compton related, "While freedom lives, Washington University is needed, and as St. Louis grows to fulfill its destiny as the Nation's central metropolis, the city needs a greater Washington University."

LIVED ON SKINKER BOULEVARD

Dr. Compton lived at 625 South Skinker Boulevard, a few blocks from the university.

Shortly after World War II he was named on the Technical Advisory Committee of the Atomic Energy Commission, and in 1950 was offered the chairmanship of the Commission but declined in order to remain at Washington University.

In 1951, Dr. Compton declared that America should spend at least $1 billion more a year on education. He spoke of reports that Russian technical schools were graduating twice the number of men American schools are turning out.

The following year he predicted American superiority in the atomic field for the next decade, and said, "I do not consider all-out war with Russia probable. Russia knows such a war would end somewhere in a stalemate."

NOT ALARMED

When Russia launched the first manmade satellite in October 1957, Dr. Compton stated he was not concerned over the feat as it related to world peace. "Certainly the Russians have scored a major technological achievement, which was not entirely unexpected," he commented.

The scientist entered the controversy on the proposed halt to atomic bomb tests in 1958 by declaring it would be "a tragic error of judgment" to stop the testing.

In a letter to U.S. Senator STUART SYMINGTON, Dr. Compton said the danger from atomic tests has been grossly exaggerated by some in comparison to the "so much greater danger of a possible war." He feared that "a slackening of our work on nuclear weapons may so weaken our defensive strength that the world may be baited into the fatal trap of major war."

He offered a resolution which would end atmospheric nuclear bomb testing but permit underground testing since the danger of radioactive fallout in the latter is negligible, and said the United States should unilaterally cease nuclear explosions above the ground, and try to persuade Russia and Britain to follow suit.

While serving as chancellor at Washington University, Arthur Compton's unpretentiousness was illustrated by the notice sent out from his office suggesting that the faculty call him "Mister" and not "Doctor" and that they do the same among themselves.

"Academic degrees are taken for granted on a university campus and there seems no need for professional titles to intrude on social relationships," he explained.

During World War II Dr. Compton, in order to insure complete secrecy of his identity and his travels, often was obliged to use other names, such as A. H. Comas or Dr. Holly.

Once on a transcontinental plane he was approached by the stewardess who was checking seat space and he couldn't remember his name for that particular day. He was more amused than his bodyguard who had to come to the rescue, passing off the incident as the forgetfulness of an absent-minded professor.

Dr. Compton was chosen to present the Terry Lectures of Yale University; the C.R.B. Foundation Lectures in Brussels, Belgium; the Loud Lectures of the University of Michigan; the McNair Lectures of the University of North Carolina; and the Lowell Lectures in Boston.

He directed the World Survey of Cosmic Rays, 1931–34; George Eastman Visiting Professor at Oxford University, 1934–35; member of the National Cancer Advisory Board, 1937–44; a regent of the Smithsonian Institution, 1938 to present; and a member of the President's Commission on Higher Education, 1946–48.

Frequently described as a world citizen because of his extensive travels, he toured other nations annually after he resigned as chancellor, trying to build strength and cooperation and singleness of purpose among the peoples of the free world.

As the moving spirit before the global Organization of World Brotherhood, he had been one of five cochairmen since 1955. The others were West Germany's Konrad Adenauer, India's Madame Vijaya Lakshmi Pandit (sister of Prime Minister Nehru), Gen. Carlos Romulos of the Philippines, and Belgium's Foreign Minister Paul-Henri Spaak.

The name and scope of the organization was changed in 1961, when it became the Council on World Tensions, devoted to easing the frictions which lead to strife between peoples.

Dr. Compton and his wife spent a week in September 1961, at a conference of the council at England's Oxford University, in an endeavor to relieve tensions in Africa, a major spot of unrest in the world.

He said recently the world is passing through its most critical period of the cold war and that tensions soon would lessen.

"I think chances of getting into an atomic war are remote now," Dr. Compton said. "Human understanding is the eventual solution, and human understanding is growing rapidly."

Mr. SYMINGTON. Mr. President, I have several other insertions that I wish to make in the RECORD. Am I to understand that I have received unanimous consent to insert only the one matter?

Mr. MANSFIELD. The Senator is correct, because of the unusual circumstances.

Mr. SYMINGTON. Mr. President, I ask unanimous consent to have printed in the RECORD some other items which I have.

Mr. MANSFIELD. Mr. President, I must object.

The VICE PRESIDENT. Objection is heard.

Mr. SYMINGTON. Mr. President, I wish to thank the majority leader, as well as the able Senator from Mississippi, for permitting me to make a statement with relation to one of the great citizens of Missouri and one of the outstanding citizens of America.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 8982. An act authorizing the Dow Chemical Co. to construct, maintain, and operate a bridge across the Rio Grande at or near Heath Crossing, Tex.;

H.R. 9097. An act to authorize the Secretary of the Interior to sell certain public lands in Idaho;

H.R. 9273. An act to repeal obsolete laws relating to military bounty land warrants and to provide for cancellation of recorded warrants;

H.R. 9883. An act to authorize the San Benito International Bridge Co., to construct, maintain, and operate a toll bridge across the Rio Grande near Los Indios, Tex.;

H.R. 10184. An act to amend section 130(a) of title 28, United States Code, so as to reconstitute the Eastern Judicial District of Wisconsin to include Menominee County, Wis.;

H.R. 10357. An act to provide for the settlement of claims against the United States by members of the uniformed services and civilian officers and employees of the United States for damage to, or loss of, personal property incident to their service, and for other purposes;

H.R. 10432. An act to amend title 39, United States Code, to codify certain recent public laws relating to the postal service and to improve the Code; and

H.R. 10433. An act to amend title 10, United States Code, to codify recent military laws, and to improve the Code; and

H.R. 10493. An act to amend title 18, United States Code, section 4163, relating to discharge of prisoners.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred as indicated:

H.R. 8982. An act authorizing the Dow Chemical Co. to construct, maintain, and operate a bridge across the Rio Grande at or near Heath Crossing, Tex.; and

H.R. 9883. An act to authorize the San Benito International Bridge Co. to construct, maintain, and operate a toll bridge across the Rio Grande near Los Indios, Tex.; to the Committee on Foreign Relations.

H.R. 9097. An act to authorize the Secretary of the Interior to sell certain public lands in Idaho; and

H.R. 9273. An act to repeal obsolete laws relating to military bounty land warrants and to provide for cancellation of recorded warrants; to the Committee on Interior and Insular Affairs.

H.R. 10184. An act to amend section 130 (a) of title 28, United States Code, so as to reconstitute the Eastern Judicial District of Wisconsin to include Menominee County, Wis.;

H.R. 10357. An act to provide for the settlement of claims against the United States by members of the uniformed services and civilian officers and employees of the United States for damage to, or loss of, personal property incident to their service, and for other purposes;

H.R. 10432. An act to amend title 39, United States Code, to codify certain recent public laws relating to the postal service and to improve the Code;

H.R. 10433. An act to amend title 10, United States Code, to codify recent military laws, and to improve the Code; and

H.R. 10493. An act to amend title 18, United States Code, section 4163, relating to discharge of prisoners; to the Committee on the Judiciary.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following communication and letters, which were referred as indicated:

AMENDMENT OF INTERSTATE COMMERCE ACT, RELATING TO THE RIGHT OF EMINENT DOMAIN

A communication from the President of the United States, transmitting a draft of proposed legislation to amend the Interstate Commerce Act to grant to any carrier of coal by pipeline, subject to any of the provisions of part 1 of the act, the right of eminent domain, and for other purposes (with an accompanying paper); to the Committee on Commerce.

STATISTICAL SUPPLEMENT, STOCKPILE REPORT

A letter from the Acting Director, Office of Emergency Planning, Executive Office of the President, transmitting, pursuant to law, a secret statistical supplement, stockpile report, for the period ended December 31, 1961 (with an accompanying report); to the Committee on Armed Services.

AUDIT REPORT ON FEDERAL FACILITIES CORPORATION

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report on the Federal Facilities Corporation, General Services Administration, for the fiscal year ended June 30, 1961, and the final 3-month period ended September 30, 1961 (with an accompanying report); to the Committee on Government Operations.

AMENDMENT OF CHAPTER 13, TITLE 18, UNITED STATES CODE, RELATING TO CIVIL RIGHTS

A letter from the Attorney General, transmitting a draft of proposed legislation to amend chapter 13 of title 18 of the United States Code, relating to civil rights (with an accompanying paper); to the Committee on the Judiciary.

REPORT OF DIRECTOR OF THE ADMINISTRATIVE OFFICE OF THE U.S. COURTS

A letter from the Director, Administrative Office of the U.S. Courts, Washington, D.C., transmitting, pursuant to law, his report, for the fiscal year 1961 (with an accompanying report); to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A joint resolution of the Legislature of the State of Alaska; ordered to lie on the table:

"HOUSE JOINT RESOLUTION 45

"Resolution relating to Federal grants and loans for academic facilities

"Whereas legislation for matching grants and loans for academic facilities is now under consideration by the Congress of the United States; and

"Whereas the public and nonprofit institutions of higher learning of Alaska face extraordinary growth problems to provide minimum essential classrooms, laboratories, library, offices, and other instructional and research facilities; and

"Whereas according to U.S. Bureau of Census projections, Alaska's college age population in the ages of 18 to 21 years will increase during the period 1962 to 1978 from a present 18,262 to a total of 72,241; and

"Whereas Federal grants for public and nonprofit institutions of higher learning academic facilities will greatly aid and facilitate the rapid growth of such institutions; and

"Whereas it is estimated that the public and nonprofit institutions of higher learning of Alaska would receive a minimum of $10 million during the 1960's for academic facilities under the proposed legislation which would greatly aid Alaska in providing to its young people the opportunity to acquire knowledge and develop skills necessary for success in today's complex society: Therefore be it

"*Resolved by the Legislature of the State of Alaska in second legislature, second session assembled*, That the Congress of the United States be respectfully urged to enact the College Academic Facilities and Scholarship Act, H.R. 8900; and be it further

"*Resolved*, That copies of this resolution be sent to the Honorable John F. Kennedy, President of the United States; the Honorable Lyndon B. Johnson, Vice President of the United States and President of the Senate; the Honorable John W. McCormack, Speaker of the House of Representatives; the Honorable A. Ribicoff, Secretary of the Department of Health, Education, and Welfare; and the members of the Alaska delegation in Congress. Passed by the House February 23, 1962.

"WARREN A. TAYLOR,
"*Speaker of the House.*

"Attest:

"ESTHER REED,
"*Chief Clerk of the House.*

"Passed by the senate March 7, 1962.

"FRANK PERATOVICH,
"*President of the Senate.*

"Attest:

"EVELYN K. STEVENSON,
"*Secretary of the Senate.*

"Approved by the Governor March 14, 1962.

"WILLIAM P. EGAN,
"*Governor of Alaska.*"

Resolutions adopted by the Boards of Supervisors of Humboldt and Merced Counties, both in the State of California, opposing any action to impose a Federal tax on the income from public bonds; to the Committee on Finance.

THE ALEXANDER HAMILTON NATIONAL MONUMENT — AMENDMENT TO THE CONSTITUTION DEALING WITH POLL TAXES

The Senate resumed the consideration of the motion of the Senator from Montana [Mr. MANSFIELD] to proceed to the consideration of the joint resolution (S.J. Res. 29) providing for the establishing of the former dwelling house of Alexander Hamilton as a national monument.

CONDITIONS AT FORT POLK, LA.

Mr. STENNIS. Mr. President——

The VICE PRESIDENT. The Senator from Mississippi.

Mr. STENNIS. Mr. President, preliminarily the Senator from Mississippi wishes to make a few remarks concerning conditions he found in a recent visit to Fort Polk, La. The Senator from Mississippi went into that area regarding a question that had arisen pertaining solely to a shortage of training equipment. While I was there, I made a survey with reference to the training equipment and also, during the day and a half that I was in the area, I had a very fine opportunity to get an on-the-ground impression of the true situation at one of our major military installations.

As one who has had some special duties on the Armed Services Committee in connection with the National Guard and other Reserves of the four services, and as one who believes strongly in the citizen-soldier concept, and also believes that it must be a permanent part as well as a major part of our highly important military program, I was highly pleased and, in fact, inspired by what I found at Fort Polk.

I wish to point out to the Senate and to the people of the United States that it is a striking contribution indeed when 21,000 men from civilian life can be gathered together on the very shortest kind of notice, from their civilian pursuits, and take over what had been an abandoned and unfurnished sprawling military installation and within the short time of a few months become an effective, trained, ready military organization, with ratings, according to recent examinations, of excellent on the part of many of these units, and be really ready to go into battle if ordered so to do.

I was pleased by the very high type of intelligence and leadership and talent which is reflected in the faces of these enlisted men, the noncommissioned officers, and the commissioned officers. These men are taken from all walks of life. They are business, industrial, civic and professional leaders in the communities from which they come. Most of them are men with families. They are well established in these communities and are a part of their everyday life. They work under the additional strain or handicap of being taken away from their businesses, their trade, their profession, and taken away from their families. They are taken away from their ordinary pursuits of life as citizens and transplanted, so to speak, into a different area of the country, to live the life of soldiers, when they are not professional soldiers.

I am very slow to praise anyone. However, I feel these men have earned and certainly deserve the great commendation of the people of this Nation. This particular group, I am sure, is typical of the units elsewhere. However, this group especially impressed me in that it totaled in round numbers 21,000 men, from private to general, and because there is not a single Regular Army man in all the group. In other words, here is an outstanding demonstration that the matter of putting together armies in effective striking units must be and has been done by these very National Guard units and Reserve units. Should the command be given and the emergency arise at this very hour, they would virtually be ready to leave. I believe it proves conclusively that this should be a part, can be a part, and is a part of our planning for future military programs.

With reference to the contribution that is being made by these men, it is also being made by their families, their children, their wives, and the other members of their families. It is also being made by their business associates, because professional offices and business concerns and many other enterprises and undertaking had their plans disrupted at considerable hardship because of the absence of these men.

I mention all this because it is the truth and because, due to some demonstrations at other places, there has crept into public opinion the idea that, after all, these units cannot be relied upon because they will demonstrate and they will want to go home, so to speak. Unfortunately, there has been some very mild demonstration at Fort Polk. When I was there, a little over a week ago, it had not gone beyond just a meeting of some men, while they wore civilian clothes, around some of the service clubs. There had been no real outward demonstration except merely gathering and talking.

Incidentally, I looked into that to see if any of the men in the units from Mississippi had been involved in any of that kind of thing, because there had been a matter when men had been displeased with a shortage of training equipment. I found that none had participated.

I see in the morning's press—and I am looking now at the New York Times—that there had been some further mild rallies of that kind down there, and that the commanding officer had issued a very stern warning against it. Up to now I believe it refers to no more than some natural restlessness of these men, who want to be returned home. They feel that they have already gone through their time of training and they have made these records in their inspections, and therefore some of them want more to do, so to speak. It has been said, also, that they would not be kept beyond the year, and there is naturally some reaction to that situation. Certainly it does not go to the fundamentals. Certainly it does not detract from their fine record.

As one who is interested in the future of the National Guard and the Reserves, in the most friendly way I warn that a

continuation of these matters can lead to very adverse public opinion and reflect on their fine record so far, and on their achievements and accomplishments. I certainly hope their fine record will not be marred by demonstrations, which I believe have been more or less harmless so far in the light of the main viewpoint, but which can carry lasting bad impressions as to public opinion.

I repeat that this group at Fort Polk, the 21,000 men, all of National Guard and Reserve units, with not a single regular soldier among them, demonstrates beyond all question the ability to have an effective reserve of this type of very high intelligence and the finest kind of leadership, from the enlisted men right through to the general officers, and to have them on a standby basis, with training almost up to par, and at the same time utilizing their talent, their leadership, and previous military training; that with that organization it is possible, as is shown here, to whip into being an effective military organization which is ready to take its place alongside of the very best units we have in our fine Regular services.

I am sure this is a matter of great pride to the American people, who must feel a spirit of deep appreciation for what these men have demonstrated can be done, and what they have done. I was delighted to be able to find time to make a visit to each of the six units from Mississippi which are at Fort Polk. One is an engineer construction battalion of about a thousand men. Others are smaller units. Some of them are the 223d Engineer Construction Battalion, West Point, Miss.; 156th Engineer Light Equipment Company, Yazoo City, Miss.; 134th Surgical Hospital, Jackson, Miss.; 386th Transportation Company, Medium Tank, Vicksburg, Miss., and the 1065th Transportation Company, Truck, Poplarville, Miss. However, I found each unit to be at the very highest state of preparation. Their officers were men of intelligence. I knew many of them to be outstanding leaders in civilian and professional life. They are demonstrating the finest type of devotion to their duty and great pride in their organizations. Certainly it was a reassuring experience, one which I found offsets some of the loose talk we hear about these units being soft or unwilling, and that when the test comes, the men do not measure up. I commend these men again for their very fine record of achievement.

I point with pride to the fact that America's Reserve program has turned the corner. For the first time in the history of our Nation, when a shooting was not taking place, we have been able to demonstrate on a large scale and in such a fine way the practical value of the National Guard and Reserve units.

Mr. President, I predict for these units a continuation of a very responsible, highly important, and most effective role in our military planning and programs of the future. Certainly we owe these men much for what their talent, time, and generous sacrifice are doing.

THE POLL TAX

Mr. President, I shall resume my remarks at the point where I interrupted them at the time of adjournment yesterday on the subject of the poll tax and related questions of proposed legislation having to do with literacy tests as qualifications for voting. My remarks at this point will be directed primarily to the proposed legislative act which has already been introduced, and which may be offered as a part of the proposal concerning which a motion has been made to have it become the pending business of the Senate. Certainly there is evidence that it will be offered at some time during this session of Congress.

I was speaking yesterday of the validity or the legality of such a measure. In continuing those remarks, I next present another witness from the Constitutional Convention, a man who was destined to become President of the United States, former President James Madison, who is called the father of the Constitution. He was present at the Constitutional Convention and knew what was said and what occurred. I wish to quote Mr. Madison's statement from the Federalist, article 57, in which he raises this point:

> Who are to be the electors of these Federal representatives? Not the rich more than the poor; not the learned more than the ignorant; not the haughty heirs of distinguished name more than the humble sons of obscurity and unpropitious fortune; the electors are to be the great body of the people of the United States.
>
> They are to be the same to exercise the right in every State of electing the corresponding branch of the legislature of the State.

Mr. President, I wish to repeat the last sentence, from the pen of James Madison himself:

> They are to be the same to exercise the right in every State of electing the corresponding branch of the legislature of the State.

That is not my language; it is the language of Mr. Madison. In a lasting testimonial, he said the electors are to be the same, and I emphasize the word "same."

Continuing in the course of bringing in witnesses on the question of the meaning of the word "qualifications" as used and the power of Congress to examine into the question, I now call forth one of the truly great men who graced the Supreme Court of the United States for almost 30 years—the great Justice Story. He was overshadowed, in a way, during many of those years by the illustrious John Marshall. But, in my humble opinion, no man ever made a greater contribution, so far as soundness is concerned, to American constitutional law than did Justice Story. I emphasize that his was a great mind; that he was a truly great person, who served for about 30 years as a member of the Supreme Court. He is largely unknown to history on the run, as the saying goes; but his gems of opinions, his clear expressions, his profound legal learning, as well as his other learning, are unexcelled by those of any other person who ever sat upon that Court.

If we had prevailing in our Government today even a part of the same spirit, measures of the type proposed to be brought before the Senate to make a statutory enactment to cover literacy tests as qualifications for voting would not even be introduced in the Senate, much less proposed by the Attorney General and, apparently, by the President of the United States.

While he was discussing section 4 of article I of the Constitution, which refers to the times, places, and manner of holding elections for Senators and Representatives, Justice Story said:

> There is no pretense to say that the power in the National Government can be used so as to exclude any State from its share of the representation in Congress.

Of course, those words were used prior to the amendments adopted following the War Between the States. Here is the sentence in which I am particularly interested:

> Nor can it be said with correctness that Congress can in any way alter the right or qualification of voters.

Of course, those words were all written after the Constitution was written, with the exception of the amendments following the War Between the States.

This brings to my mind this question: Suppose some State requires electors to have qualifications of various kinds which the Congress might think should not be required because of being too liberal or too extreme. Congress could not change the rule. That is what Justice Story said, and that is what the Constitution says. Congress cannot alter the right or qualification of voters in any way.

Mr. President, I shall not proceed further to develop the same thought. I am merely trying to cover the high points of the main constitutional argument which applies, as I see it. But before proceeding into the other cases, all the way through in all the literature in reference to the Constitutional Convention and in reference to the plans, methods, and efforts in connection with securing its adoption, one of the main themes of the argument was that on this highly important and delicate subject of who should be qualified electors, the States should still have the right to say who would qualify as electors in their own elections; and then the Federal Government, by the Constitution, would adopt the qualifications of electors used by the States in their own State elections. It was not stated that the Congress would adopt it, but it was said that Congress would always be reasonable about it. The statement was made to the people of the States and to those who were chosen for the specific purpose of either adopting or rejecting the Constitution: This is a matter about which you are not running any hazard, you are not taking any chance. I do not think anyone will find that statement controversial; and, Mr. President, to that extent it was a solemn and a serious compact.

Mr. President, in connection with a measure which proposes by statutory enactment to change the qualification of

electors, contrary to what the Constitution provides, I would hate to see the time of the Senate taken up, and taken away from other major matters—as I regret to see occurring in connection with the matter which is proposed to be put over now; but I think a full debate upon this proposal would be a wholesome thing for the country, because I believe the whole act can be torn apart piece by piece, and it can be conclusively shown here that it is not to have one iota of approval from the standpoint of constitutional law or not any semblance of approval by any court, in connection with any case that is in any way in point in all the land. It will even have the express condemnation of a great many of the executive precedents, as well as the congressional actions. So by focusing the fire of scrutiny and exacting debate upon this question, perhaps it will burn into the hearts and minds of the American people how far we are going and how far we have gone in this regrettable, lamentable so-called civil rights contest between the major parties of this Nation, that is tearing down—or tends to do so if it is allowed to move forward—the basic framework and the essential foundations of the Constitution of the United States.

We seem to take these things for granted. When something has come out of a party convention or something is recommended there, even though it be primarily as a prelude to presidential or other election campaigns, we seem to think it has so much sanctity and political purity that it must be taken seriously, even if it is in violation of the basic principles as well as the express words of our Constitution. But, Mr. President, if something is not done to stop this trend and what—with all respect—I call reckless thinking and action, we shall not long have an orderly, basic, organic law which will serve as a guideline for our legislative and executive actions of the future.

So, Mr. President, to that extent, and because of those reasons, I would welcome the debate upon this proposal which I think would nullify completely the plain provisions of one section of the Constitution. Furthermore, once one of them is knocked down or taken out under a tide of political campaigning of that kind, none is secure.

I wish to call the special attention of the Senate to one of the early cases relating to the qualification of electors. I shall refer now to a case decided by the Supreme Court of the United States—ex parte Yarbrough—in 1884, reported in 110 U.S. Supreme Court Reports, beginning at page 651. I invite the attention of the Senate to a reading of that case and the other cases which in the course of this argument I propose to cite.

Under section 4 of article I of the Constitution, the Congress has passed a law with reference to the regulation of elections; and in this case the petitioners were convicted of intimidating a voter in a congressional election. The conviction was under a Federal law against interference or intimidation. The law was upheld by the Court as being valid under section 4 of article I of the Constitution; and the Court used the following language which I shall read now from page 663:

> If this were conceded, the importance to the general government of having the actual election—the voting for those members—free from force and fraud is not diminished by the circumstances that the qualification of the voter is determined by the law of the State where he votes.

That is merely a recognition of the law, and no one disputed it. That is what the Court took to be the law; that was the plain understanding.

This is the main portion of the Court's decision which I wish to quote:

> The States in prescribing the qualifications of voters for the most numerous branch of their own legislatures, do not do this with reference to the election of Members of Congress. Nor can they prescribe the qualification for voters for those eo nomine. They define who are to vote for the popular branch of their own legislatures and the Constitution of the United States—

This is the Supreme Court of the United States speaking—

> says the same persons shall vote for Members of Congress in that State. It adopts the qualification thus furnished as the qualification of its own electors for Members of Congress.

Mr. President, could anything be plainer or simpler than that elemental language in the Constitution of the United States and that clear, unanimous affirmance of that language by the Supreme Court of the United States? But now, in this age, when it seems to be popular to read out language that does not agree with our opinions and to read in language that does agree with our opinions, Senate bill 2750, regarding the qualification of electors, undertakes to have the Congress make a finding of fact as follows:

> Congress finds that it is essential to our form of government that all qualified electors have a chance to participate in the choice of elected officials. Congress further finds that the right to vote in Federal elections should be maintained free from discrimination and other corrupt influence. Congress further finds that many persons have been subjected—

And so forth. Mr. President, that is just an enumeration of a long bill of complaint, and is an attempt to have the Congress find, as a conclusion, that all those things exist; and then, therefore, by the circuitous use of words and language which are inapplicable, this bill undertakes to circumvent, get around, and avoid the plain words and mandate of the Constitution of the United States.

Then some court could—I pray that none would, and I do not believe any court would—come along later and say, "Well, here is a finding of fact by the Congress of the United States, a solemn declaration by them, and a solemn enunciation of another policy. Therefore, we conclude that this constitutional provision, which has been applicable all these years, shall not apply and, in the new order of things, thus and such must be done, if Congress has moved into that field; and we cannot say they are wrong."

The courts have reached conclusions of that kind on far less evidence than the bill to which I have referred provides, and on far less action by Congress. The courts have reached such conclusions on no action by Congress.

So I can see where there is hope in the minds of some persons that, if a bill of this kind could be passed, it might be the basis for a favorable decision.

Mr. President, I am responsible for what I say here, but I am confident that, even among those who believe that S. 2750 would be a valid act if passed, almost all of the membership of this body would be convinced that the bill could not possibly square with the organic law of our land, when the searching light of criticism and debate and analysis were turned on the question in such a way as would come about when that matter came to the floor, if it ever did.

I believe it would be overwhelmingly defeated not only by that evidence, if the bill came to a vote, but would be defeated in the mind of public opinion in this country, which is gradually being aroused to what is happening with the basic law and the light manner in which it is being treated.

Let me get back to my prepared remarks with reference to the case of Yarbrough.

That is where the word "same," to which I have referred, comes in. It was in the Supreme Court decision, rather than in the Constitution itself. But the meaning is logically inescapable that it is the same qualification, and the Court in this case upheld the Federal power. The decision was not adverse to the Federal Government, and in upholding the Federal power, it still laid down the qualification just as clearly as before.

I shall read the last sentence again:

> They define who are to vote for the popular branch of their own legislature, and the Constitution of the United States says the same persons shall vote for Members of Congress in that State. It adopts the qualification thus furnished as the qualification of its own electors for Members of Congress.

It will be noticed, further, how the Court uses over and over again the word "qualifications." All the way through the law, in the constitutions of the States, in the Constitution of the United States, and in the Supreme Court decisions, the word "qualifications" is used.

I have a further case I wish to cite. In doing so, I am skipping over a great number of other cases in order to reach one of the more modern ones. The next case to which I refer was decided in 1937. It was the case of Breedlove against Suttles, found in 302 U.S. Reports, beginning at page 277. The facts were that a Georgia law imposed a poll tax on all inhabitants between the ages of 21 and 60, excepting the blind and females who did not register and vote. The State constitution provided that one could not register and vote unless he had paid the poll tax required. The petitioner sought to require the registrar of elections to permit registration for voting in the State and Federal elections without the petitioner having paid the tax.

Of course, this case was decided before the State of Georgia acted upon and repealed the requirement of a poll tax in that State; but the ruling principles of constitutional law are the same.

Now, let us understand the facts. The petitioner in that case, the man bringing the lawsuit, sought to have the registrar of elections register him to vote in both Federal and State elections without having first paid the tax. That case went to the Supreme Court of the United States. It was decided in 1937. The late Justice Butler rendered the opinion in that case. It was a unanimous opinion.

Getting down to the gist of his actual holdings, he had this to say, speaking for the Court:

> To make payments of poll taxes a prerequisite of voting is not to deny any privilege or immunity protected by the 14th amendment.

We are coming now to the question of the 14th amendment. It has been asserted by some persons that the adoption of this amendment had changed the picture as to what the law was theretofore.

The Court further said:

> The privilege of voting is not derived from the United States.

This is the very point I made yesterday.

> The privilege of voting is not derived from the United States, but is conferred by the State and, save as restrained by the 15th and 19th amendments and other provisions of the Federal Constitution, the State may condition suffrage as it deems appropriate.

Now let us get down to the specific words. What I have heretofore read are rather broad statements. Now we shall get down to the specific words of what Justice Butler said for the Court.

> The payment of a poll tax as a prerequisite to voting is a familiar and reasonable regulation long in force in many States.

Mr. President, those are not my words. Those are the words of Justice Butler, speaking for a unanimous Court in a case actually litigated on the precise point, as late as 1937. The Court said:

> The payment of a poll tax as a prerequisite to voting is a familiar and reasonable regulation long in force in many States.

It is a very familiar regulation, Mr. President, because at one time it existed in many States. It is based on the idea that those who take part in operating the government in a State, if they are able, at least should take some part in supporting the State; not only a monetary part but also an interest in citizenship, an interest in the privileges of citizenship—not the rights, in this case, but in the privileges that go with citizenship. They should go to the trouble of keeping their names on the rolls, although in some States it is necessary to register only once, and that is good for life. They should pay whatever small sum—and it is always a small sum—is required as a prerequisite for voting, and should meet such other reasonable regulations as might be necessary, involving some kind of activity or some kind of responsibility.

The showing of a willingness to assume responsibility is one of the proudest and at the same time one of the most essential expressions of an active citizenship, a sound citizenry, and a strong State.

The Court said it was not only a familiar but also a reasonable regulation. That is the argument I make now, as one who has lived among these problems and who knows how they operate. I say that this is a very, very reasonable regulation.

The payment of such a tax is nothing like as onerous as, and it does not keep a person from voting nearly as much as, the requirement which exists in some States that a person must periodically reregister, or that a board or a legislature or someone can call for a reregistration, with all the confusion and uncertainty which goes with it.

This is a matter of a token payment, something that a person gets in the habit of doing, exactly as that person would pay a privilege license or an automobile tax or whatever it may be called. This pertains to a basic matter of citizenship and participation in the government.

After the new amendment to the Constitution had been adopted with respect to voting privileges for women, after the law had been changed to make Senators elective, after the 14th amendment had long since been adopted and interpreted over and over many times, the Supreme Court of the United States, on the direct issue, only 25 years ago in this year, held:

> The payment of a poll tax as a prerequisite to voting is a familiar and reasonable regulation long in force in many States.

As I say, many States have seen fit to change their laws on this subject, but others have not. Most probably those who live in the State, who are responsible as officers of the State, the people of the State, well know what is the better rule for that State. Although a plea is made in good faith by the Senator from Florida, fine as he is, that his conscience will not let him be still in his seat but he has to go out and slay this dragon, that does not impress me, because there are others capable of having honest opinions. The Senator from Florida is quicker than anyone else to agree with that. There are others who are capable of having consciences. There are others capable of passing judgment, even though their judgment may not be perfect.

The plea of trying to appeal to the conscience of the membership of this body, or the conscience of the people of this Nation, is a lick in the bark. It does not go to the heart of the tree, of this problem.

Mr. President, there are a few things connected with some of the problems of this country—there are a few—that cannot be solved by passing a law in Washington, D.C., however good the intentions may be.

Those of us in these States which have these problems are coming along pretty well. What we need is some understanding from our fellows, some patience from our fellows, and a better opportunity to make progress—not all at one time. It cannot be done. We need a better opportunity to make progress, instead of the hot iron being put to our backs, with the mandate, "You must do so and so." That has never worked. It never will work. I think it hurts the cause to keep raising the issue, with all deference to the membership. It hurts the cause to raise this issue and other so-called civil rights matters and issues. I say they are directly connected with the so-called civil rights program. If it were not tied in with the civil rights program, S. 2750 never would have seen the light of day, never would have been printed, never would have been introduced. I can say that with respect to the authors or anyone else who may be pushing it, because we know that is a part of the picture in American life. That bill represents the extreme view on the subject, which is another reason why I think this proposal ought not be pressed, because it adds fire to the flames, causes trouble, retards progress, and keeps back understanding.

Mr. President, I have other cases from the Supreme Court of the United States and circuit courts of appeals particularly, which I wish to discuss.

Yesterday afternoon when I raised the point that instead of Congress using its time to try to take away powers the States now have it could well be using its time to try to solve problems the Federal Government already has, I illustrated my point by the conditions here in the city of Washington, D.C., which—not according to my evidence but according to the evidence of others—have become intolerable. I had misplaced for the time being a statement I had read and wished to use as illustration of a little brighter side of that picture. It was a statement made by one of the presiding judges in the city whom I do not personally know.

I made the point I thought that there was not going to be enough done about the situation because it is a part of the so-called civil rights picture. I made the point further that probably, though I had not made a study of it, we did not need any additional enactments by the Congress.

Our conclusion on that subject would be reached only after a study. But my idea is that a reversal of playing down of punishment and of the required affirmative action by officials of this city who are not willing to cope with the real problem, and the application of proper remedies, with court sentences, would be felt and would get results.

I had before me a statement of a local judge somewhat along that line which I wanted to quote and put into the RECORD with my utmost approval. I did not think anything short of what he was proposing would do the job. But I cannot locate that statement at this moment. I hope to have an opportunity to address the Senate on this subject again, at which time I shall round out my thoughts on other matters, including the quotation from the judge to which I referred, and including two editorials from the Washington Post and the Washington Evening Star, which, as far as they go, are a little encouraging. The absence of those statements compels me to defer my presentation on that question until I have another opportunity to address the Senate again and present my thoughts on that subject.

Mr. President, I yield the floor.

TAX REFORM

Mr. GORE. Mr. President, the present session of the U.S. Congress may

well be remembered by what it does or fails to do with respect to two very important measures which are now before the Congress. These measures are the tax reform bill and the trade expansion bill.

These two measures are inextricably interwoven. Provisions of both bear on the same problems. Both seek to strengthen the domestic economy and to assist in solving our balance of payments problem. The primary aim of the proposed international trade bill is an increase in exports of U.S. goods and services, while the President, by recommending the repeal of U.S. preferential tax treatment of income earned abroad, seeks to remove an incentive for the export, not of goods and services, but of capital and industry.

Ideally, the two measures should be considered in one single package. But we have become so accustomed to legislating piecemeal that we must, I suppose, continue this fragmentary procedure. Even so, the same legislative committees in both the upper and the lower House have jurisdiction over both measures. Moreover, the tax reform bill is first on schedule in both House and Senate. At the very least, then, we can consider the first in the light of the provisions we expect the other to contain and, in the case of the trade bill, we can determine our position in the light of the tax reform provisions previously enacted.

The preferential tax treatment of foreign income stands at cross purposes with the basic aims of the trade bill. Unless we succeed in repealing this direct tax incentive for the export of capital and production facilities, then the value of the trade bill would be subject to question. Indeed, it is just possible that the end result could be a worsening of current conditions with respect both to balance of payments difficulties and to rate of economic growth.

The trade bill would encourage both exports and imports by removing barriers to the even flow of international commerce. But existing tax laws on foreign income are antithetical to the free flow of international commerce. The continuation of this attraction and preference to the export of capital, while at the same time increasing the liquidity of U.S. corporations, a direct and quick result of the administration's tax credit proposals for business, might encourage U.S. corporations to ship even more funds abroad for the establishment of foreign manufacturing subsidiaries, particularly in Western Europe, which would in part supply the markets on which we hope to increase exports. A one-two punch at our economic growth and at our hope of solving the balance of payments problem would come from the importation into the United States of products from factories built abroad by the funds made available to U.S. corporations through tax reduction via tax credit and encouraged by foreign tax preference to flow into the improvement of production facilities not in our own economy but into U.S. corporate subsidiaries abroad.

The complementary character, then, of the two bills as they relate to international trade and commerce will be readily seen. Even so, some people are undertaking to argue that repeal of the preferential tax treatment of foreign income is economic isolationism. Far from this, the President's recommendation and the bills I have introduced seek to repeal a tax incentive for the export of capital and production facilities and to put U.S. tax law into a neutral position with respect to the international flow of funds and facilities.

No effort is made to penalize foreign investment, but rather to remove the tax preference for foreign investment. No effort is made to close the valve, but rather to replace a one-way valve with an open valve.

CAPITAL EXPORT CONTROL

The changes in the taxation of foreign operations will correct a gross inequity and help correct our adverse balance of payments, but this is not advanced as a solution of all of our international economic problems. It will but move part of the way toward that goal. These tax changes will affect the outflow of funds for direct subsidiary investment, but they will not slow down hot money and portfolio investment flows. These flows can be regulated in a different way.

The world does not stand still. Any betterment of our domestic economic climate will increase imports. Increased liquidity of corporations, increased savings by individuals, together with the continued progress toward European economic integration, may well increase the flow of all types of funds abroad.

It is absolutely vital, then, that we get the best integrated package possible from the trade and tax bills. Even this, difficult of legislative accomplishment as it now appears to be, will not be enough. We should already be considering direct and positive methods of controlling, in the national interest, the outflow of short-term and portfolio funds.

CAPITAL FLOWS AND THE NATIONAL INTEREST

It seems to me that we are in constant need of being reminded that, first, we live in a nationalistic world where the nation-state is sovereign, and that, second, under current conditions cooperation among the nations of the West is the best and surest, if not the only, road to national strength and survival.

What do these conditions have to do with capital flows? Just this. We have no world government, no common customs union among the free nations, no all-encompassing common market. In view of these facts, individuals, corporations, business enterprises and investors must work through their respective national governments in international matters. This does not mean that a mercantilist approach is indicated. Neither is a narrow, isolationist attitude of withdrawal appropriate. What is called for, in the national interest, is some sort of coordination by the Government of all international transactions.

We have no difficulty in interpreting this general observation and translating it into specifics when discussing the movement of individuals among nation-states. We think it not strange, or outside the accepted standards of governmental responsibility, for a sovereign government to lay down some rules and regulations covering the emigration or immigration of persons. Since 1924 the United States has exercised a very tight control over the immigration of persons into this country, even to the exclusion of many refugees who were under extreme pressure. We also have strict provisions regarding the granting of a passport, regarding the exit of people, our own citizens, from their own country.

We do not have too much difficulty in rationalizing the desirability of controlling the flow of ideas. We exercise a certain amount of censorship in selecting the publications we allow to come into the country from abroad. This is nothing new. The power of the printed word has long been recognized. I am sure my colleagues will recall that the Government of Japan, when we were trying to open up that nation to commerce more than a hundred years ago, required all books aboard ships coming into port to be securely locked up.

All of us recognize the right, even the desirability, of the regulation of the flow of merchandise among countries. I know of few who believe in absolutely free trade. Though a majority of Congress believes in varying degrees of freer trade, there is always a residual increment of production which most of us feel must be maintained and protected, in the national interest, in certain key industries and agriculture. We regulate imports. We even, under terms of the Export Control Act of 1949, and other laws, regulate exports of merchandise.

But what is the attitude of the United States toward the control, by Government, in the national interest, of the flow of investment funds among various countries? Although such control is an accepted practice among almost all developed countries except the United States, in this country we find a certain abhorrence to the idea of regulating money flows, even though such flows are adverse not only to our own economy but often adverse, too, to free world economy. Is it that we feel money is more important than people? Is the free flow of money more important to us than the free flow of ideas? Is there any essential difference between regulating the inflow and outflow of investment capital and restricting the importation and exportation of merchandise?

No, I do not think we really attach more importance to money than we do to people, or ideas, or merchandise. It is just that we have never before in our history really had to face up to the problems generated by large amounts of international capital flows. The role of world banker is new to us. We do not seem quite to understand how to handle the problems associated with such large and unregulated flows as we have experienced over the past few years. We have not effectively adjusted our national or international banking machinery to reflect the increased postwar economic activity among Western nations, and our new role of international banker.

Capital must serve national purposes just as must the Nation's citizens, the Nation's productive facilities, its mines,

farms, and factories. Only in the case of capital, though, does our Government stand aside, refusing to grasp the nettle of effective regulation.

I support the freest possible movement of persons, ideas, and merchandise, consistent with the national interest. I have, during my entire 23 years in the Congress, strongly supported reciprocal trade legislation. But I do not now, and never did, support the removal of all Government controls over these international transactions.

Today we need some reasonable regulation—not the prohibition—of capital flows among countries, and I see no objection to our Government exercising reasonable control over the flow of funds into and out of the country. Indeed, in my view, this is necessary.

During the years 1957–60, we had a net outflow, including unilateral transfers, Government capital movements, and private capital movements, of $25 billion. This included $12.3 billion of private capital, about half of which was for direct investment, $3.4 billion net of Government capital outflows, and $9.5 billion of Government unilateral transfers. This capital cutflow is what has caused the tremendous deficit in our balance of payments for the past several years. We must get hold of this outflow and control it in some way.

We have attempted to control the outflow of Government funds by tying some foreign aid grants and loans to domestic purchases of merchandise.

We have tried to slow down short-term outflows by a costly inflation of interest rates, a vain effort to convince foreigners and our own sharp operators that they should keep funds in New York banks instead of shopping around in London, Frankfurt, or Tokyo for higher rates. Our whole domestic economy has paid the price. It has been a heavy price, a costly price. It has been costly to individuals, costly to businesses, and costly to our cities and counties and States, who have sought, by the sale of bonds, to finance improvements in public facilities—hospitals, schools, streets, sewers, water systems, parks, and so forth.

Meanwhile we have steadfastly refused to attack the problem directly or realistically.

I have spoken on many occasions over the past two years about our faulty tax laws and the part they play in drawing investment funds abroad. I hope very much that the Congress will correct these tax laws this session. But the correction of these tax laws, while this will slow down direct subsidiary investment outflows, will have little or no effect on short-term capital flows or on portfolio investment flows. These latter two must be controlled, if they are to be controlled at all, by positive means, by direct regulation.

Every time a dollar moves from a New York bank to a London bank, and every time an American citizen buys a share of stock in a Japanese corporation, the U.S. balance of payments is worsened by just that amount. But all anyone seems to be able to suggest is to run up interest rates and try to increase exports, or more likely both.

I am in favor of increasing exports—of the right type and for a proper purpose. But such exports must serve an economic purpose to be economically helpful to us in the long run. If we continue to increase exports merely to try to keep up with a continuing outflow of capital funds, we will be the loser, both in the short and long run. I shall discuss exports in some detail in a few minutes.

Short-term, partially hot money, flows are now controlled to some extent by all the major trading nations except West Germany and the United States. West Germany has imposed such controls in the past and would, I am sure, impose them again if such controls appeared to be in her national interest. I do not criticize Germany in that regard.

Some controls on our part would probably not be looked upon with disfavor by the other trading nations. Large, unregulated flows of hot money are harmful to both the losing country and the recipient country. Since we have no real international banking system—certainly not an adequate international banking system—a large outflow of hot money is unsettling, somewhat like a run on a small bank which has access to only limited reserves. Also, such flows often work at cross purposes to regulatory measures being taken by the recipient country. For example, when Britain attempts, by monetary policy changes, to slow down a boom which threatens to get out of control, interest rates in Britain are pushed up sharply. An inflow of hot money, by providing excessive investment funds, will partially defeat the ends sought by British monetary authorities.

The hot money outflows from the United States have been persistent, but did not reach really large proportions, at least so far as our recorded transactions show, until 1960. But they are now at a dangerous level and must be brought under control, and soon.

Another type of capital outflow, and one which is almost unique in our history, is the very large amounts of funds which the Government has transferred unilaterally. These transfers have received little discussion in connection with the balance of payments.

What do we mean by unilateral transfers, and what is the significance of these transfers to our economy and to the balance of payments? A unilateral transfer is a one-way shipment of goods, services, or capital funds for which payment or repayment is not expected. In other words, there is no return flow of goods or services.

The significance of our Government's unilateral transfers has not been realized by many who are supposed to deal with the problems such transfers raise. Such unilateral transfers of goods and services, under conditions of high demand, may have an inflationary effect on the domestic economy. They result in the removal of a portion of production from the stream of goods and services available for domestic purchase. The short-run economic effect is the same as taking a barge loaded with say, automobiles, out into the Atlantic and sinking it at the deepest point. The spending stream remains the same, the goods available for purchase are that much less. And there are no corresponding imports to take their place. The economic result is somewhat like, but really less helpful than, WPA-type leaf-raking.

There is the same short-run economic effect when we ship goods overseas on a grant or soft currency payment basis. Domestic production is boosted, payrolls are increased, purchasing power is increased, investment funds are increased. Profits are increased. The short-run effect may be inflationary.

The psychological effect may be harmful. We may be lulled into feeling that we are solving economic problems merely because production and exports are temporarily increased, however artificially.

The longrun effect is harder to assess. We hope it will be helpful in two ways. We hope the recipient country will become politically stable, economically prosperous, and oriented toward the West, and we hope the economy of the recipient country will be strengthened so that it will become a good customer for future normal export-import operations which will prove profitable to them and to the United States. But any real, direct economic benefits to the United States are long range and tentative, except those of a make-work type.

The balance-of-payments effects are more obvious and easier to assess. If a unilateral transfer is in the form of dollars, it adds that much directly to the balance-of-payments deficit. Of course, these dollars will eventually get back to the United States, but we lack the international banking machinery to get them back smoothly. They may come gradually or, if economic circumstances or political disturbances support them, they may come in a flood. Under existing machinery, we must, of course, sell more to Europe to offset such a return flow of dollars, because the greatest holdings of dollars we find to be in Western Europe. It is the artificial restrictions maintained by European countries, not the high prices of American goods, which prevent the export of American goods to Western Europe. If a unilateral transfer is in the form of goods or services, the export surplus we show in our recorded transactions, to that extent, conveys a false impression. This type of export does not operate to decrease our payments deficit. The same thing is true of machinery shipped to Europe to start a new U.S.-owned subsidiary. This type of export does not absorb any of the dollars held by foreigners and already in the international buying-spending stream.

Yet, Mr. President, the statistics of our Government, including those from the Department of Commerce and those I find in the President's Economic Report, treat such unilateral exports in the same way as they treat a normal exchange of goods and services.

Government unilateral transfers are a relatively new development. We have made unilateral transfers in the past, but on an ad hoc basis, and not as a part of a continuing program. Such transfers as the annual tribute we paid to the Barbary pirates in 1794, 1795, and 1796 are classified as unilateral transfers, as are the payments made for the Louisiana

Purchase and the purchase of Alaska. During World War II we made extensive unilateral transfers to our allies, largely in the form of military supplies and equipment.

We have continued these large transfers since the war in connection with foreign aid and pension payments, for example. During the years 1957–60 these transfers amounted to $9.5 billion, exclusive of goods and services under military grant programs. Approximately half this amount—I do not have the exact figure—consisted of cash—that is, dollar credits.

It is not my purpose to be critical of unilateral transfers. Some of these can certainly be justified on noneconomic grounds; and I have found many of them justified, and therefore have supported them. But since, in any event, they are likely to be continued, perhaps for a long time, it becomes imperative that steps be taken to bring under control other outflows which ought to be, and can be, reduced.

For the moment, let me sum up the capital outflow situation. We are sending $6 to $8 billion abroad each year in the form of Government capital outflows, Government unilateral transfers, and private capital. Some of it serves our international political purposes. Some of it serves economic purposes. Some of it does neither. Some of this outflow is necessary, but some of it can be curtailed. We seem to expect increased commercial exports to carry the whole burden of counteracting these outflows. Perhaps this is expecting too much of exports. Certainly it is expecting too much of our current international economic machinery to exchange all these dollars currently for the exports we would like to sell.

EXPORTS AND ECONOMIC HEALTH

I am often perplexed by some of the talk I hear about the place of exports in our economy, and particularly about the need and some of the reasons for increasing exports. Some appear to have the idea that we can increase exports to a degree which will solve all our problems, both domestic and balance of payments.

Let me put this matter in perspective: Exports of merchandise, even including military equipment and supplies given to our friends and allies, amount to less than 5 percent of our gross national product. While this is important to the domestic economy and creates many jobs, it is not of such magnitude that a reasonable increase in exports could be expected to absorb enough of the unemployed to bring unemployment down to an acceptable level.

As for settling the balance-of-payments problem, in my view no level of exports we could reasonably hope to attain would, in the absence of actions to slow down the outflow of capital funds of certain types, stay far enough ahead of imports to carry all the load. While exports must be increased, capital flows must be brought under control, as well.

All too many people, I am afraid, are now adopting something of a neomercantilist attitude. Some seem to feel that increased exports are a goal in themselves. This is not so. No government should encourage the shipment out of its country of a large percentage of its natural resources and labor, in the form of finished products, unless important benefits are received in return. Exportation, per se, does not strengthen the economy of a country; it weakens it. In the absence of a corresponding benefit, exports are worse than worthless, on the purely economic balance sheet.

Countries export because they need or desire to make extensive purchases aroad. Finding the necessary volume of commodities which can be spared from domestic consumption is a very real problem for many countries. The citizens of many of the trading nations must be denied luxuries, denied even what U.S. citizens would regard necessities, and kept on a low standard of living, in order to accumulate a surplus of commodities for export. Domestic purchases are deliberately discouraged, perhaps necessarily so in some cases, in order to build up credits with which to purchase goods and services which the country needs.

In making these observations, I do not imply that exports are not important to the United States or that we should not make an effort to increase exports of a proper type and in a proper proportion to serve our national purposes. What I want to emphasize is the need to consider exports in perspective, the need to consider them realistically in the light of the whole problem of our domestic economy and balance-of-payments difficulty. We must not fall into the trap of thinking that increased exports alone will solve all our problems, or that we can increase exports while continuing to allow investment capital to flow abroad unchecked, or even continue to subsidize and encourage this outflow of investment capital, and thus solve our problem of unemployment at home or the adverse imbalance-of-payments situation. Furthermore, we must see to it that whatever measures we adopt in other legislative areas will further the same ends we are trying to achieve by increasing exports. Otherwise, we may end up by canceling out these actions and perhaps worsen our situation.

There are two considerations I feel we should bear in mind about our own exports. First, although the United States, as compared with other industrial nations, has never needed large amounts of imports, and, therefore, has never needed to concentrate on exports, we have, nevertheless, become the world's banker and biggest trader. Second, a feature almost unique in world trade has been added during this postwar period, that is, unilateral transfers by the Government in large amounts for continuing programs. Both these points should be kept in mind as we proceed to deal with these two extremely important measures at this session of Congress—the tax reform bill and the international trade bill.

Back in the days of the sailing ships, say during the 1830's, we probably exported 8 percent of our gross national product. We have no good estimates for our gross national product that far back, but this would appear to be a reasonable guess. We were interested, from colonial days, in world trade, and continued that interest up until the 1930's. We opened up the hermit nation of Japan to international trade more than 100 years ago.

Following the Civil War, when we were building up our domestic industrial plant quite rapidly and needed heavy investments here at home, we were still export conscious. During the period 1874–95 our exports averaged about 7.5 percent of gross national product.

After the very high export years of World War I we continued to export, although percentagewise they began to fall off. During the years 1923–28 our exports averaged about 6 percent of gross national product. Of course, during the great depression, and particularly after enactment of the Smoot-Hawley tariff, all international trade fell off drastically.

Today, our total exports, even accepting the most unrealistic interpretation of the term as used in Government reports, are running well below 5 percent of gross national product. Actually, it is much less than 5 percent because the statistical figure is artificially bolstered by shipments of military supplies, by subsidized exports of agricultural commodities, and by subsidizing some manufacturing exports indirectly through foreign aid programs and through favored tax treatment of foreign operations. I should point out, however, that a larger part of our gross national product is now in services, so this 5 percent, if we include international transfers, is probably about equal to our historical average.

Though in proportion to its gross national product, United States needs for imports has not equaled that of other great trading nations, such as Great Britain, Japan, Germany, we have long been a trading nation and are now the world's exporter and importer.

Our international economic difficulties, as I have tried to point out, do not arise out of purely economic grounds, out of an adverse exchange of goods and services vis-a-vis goods and services. Instead, the difficulty arises out of an adverse balance that is, in large part, artificially—in many instances justifiably—induced.

Some people who resist the closing of the foreign tax haven loophole, that has induced a great deal of capital outflow from the United States, talk glowingly of solving our national problem entirely by further exports. Some have gone so far as to lead us to the conclusion, if we followed their argument to a logical conclusion, that the way to solve our balance-of-payments difficulties, if not even to balance our national budget, would be to continue, if not increase, the U.S. tax incentives for export of capital and industrial facilities.

Of course, Congress quickly recognizes special pleading, and our experiences facilitate that capacity.

Now, the question I raise, and I raise it purely on economic grounds, is this: How much should we artificially induce

increased exports? How far can we artificially increase exports through measures not economically justifiable without doing positive harm to the economy? Would it not be better, purely on economic grounds, to spread the burden of bringing our international payments into balance between increasing exports of merchandise and services and decreasing outflows of capital? It seems to me we should solve our problem in both ways.

We now have a positive balance in net "exports" of merchandise, not counting military shipments but counting other and equally noncommercial transfers, of about $5 billion annually. In spite of this trade surplus, our total balance of payments for the past few years has shown a deficit of more than $3 billion annually. Can we, or should we, boost the export surplus of goods by another $3 billion by other noncommercial methods or devices?

We could, of course, increase our so-called exports to almost any level if we wished to do so, by gifts, soft currency—printing press—sales and increased subsidies. There are valid reasons for not doing this. In the first place, our economy would come to depend upon such artificialities.

In the second place, we would harm our allies. If we artificially increase agricultural exports unduly, we disrupt markets upon which Canada, Australia, the Scandinavian countries, and other friends and allies depend. If we increase industrial exports drastically in this way, we harm most of our NATO allies and Japan.

Let me remind my colleagues that the exports of most countries of Western Europe, and Japan, although they may not be as large as ours in total quantity, are much more vital to those countries. Their exports amount to a very high percentage of their own gross national product.

The following table shows exports for 1959 for each of the countries listed as a percentage of that country's GNP for that year:

	Percent
Italy	15.5
West Germany	24.7
France	15.0
Netherlands	51.7
Belgium-Luxembourg	33.7
United Kingdom	24.1
Sweden	25.0
Japan	10.0
United States	4.8

As I have already pointed out, exports not generated by real economic needs, and which do not result in corresponding imports of goods or services, may be inflationary. If we were, by subsidies or otherwise, artificially to push exports higher and higher, while at the same time continuing to encourage the export of billions of dollars for new manufacturing plants abroad, and continuing to push up domestic interest rates in a vain effort to keep "hot money" from flowing out of the country, our domestic economy would inevitably quiver on a foundation of sand. And, yet, that is exactly what many persons suggest.

Let us not be misled up this blind alley. Not all exports are economically beneficial. Neither can increased exports alone do the job which must be done in balancing our international payments and restoring health to our already sick economy.

As I said in the beginning, we should look at any problem as a whole and deal with it as a whole, not piecemeal. When it comes to legislating on a matter having to do with international commercial operations, we need to look at the whole picture—exports, imports, private capital flows, government grants and loans, and governmental unilateral transfers—and the effect which any measure dealing with this whole area will have on the domestic economy and on the balance of payments.

High, perhaps first, priority must go to the tools with which to manage capital outflow, whenever necessary in the national interest. The magnitude of this problem can be illustrated by the record in 1960, the last full year for which we have reasonably good statistics. In that year, we made governmental unilateral transfers to other national economies, not counting military supplies and services, of approximately $2.5 billion. We had a net outflow of capital, government and private, of approximately $5 billion, of which $3.9 billion was private. Of this private capital outflow, $1.3 billion was short term. These amounts showed up in the so-called recorded transactions. Several hundred millions of dollars flowed away in addition; how, we do not know specifically.

We can hold outflows of direct subsidiary investment funds to proper proportions, I think, by appropriate tax changes—tax changes which the President has already recommended. I have already addressed the Senate three times this year on this point. We shall soon have the opportunity to act on this matter.

In order to control hot money flows, however, it may be necessary to put some sort of direct controls into effect. Such controls would not, or need not, prohibit the movement of funds for short-term investment, but they would regulate such flows in the interest of our own economy and the economy of our friends and allies.

We should, at the same time, enact and prosecute an effective, hard-bargaining international trade program. Increased trade on an economically justifiable basis would be a boon both to the U.S. economy and to the economies with which we obtain increased trade. I refer now to a trade that is realistically based upon genuine exchange of goods and services, not so-called exports generated by more unilateral transfers or other artificial means.

As I said in the beginning, the first of these two important measures to come before the Senate will be the tax reform bill. It has many provisions and deals with a large, varying subject matter. Among its most important provisions, however, are those dealing with taxation of income earned abroad. In the course of considering this bill, I will offer for the consideration of the Senate measures which, in my opinion, will do equity between taxpayers whose income is earned in our own country, on the one hand, and those whose income is earned in other countries, on the other, and which will remove the tax incentive for the export of capital and productive machinery.

If the Congress should effectively repeal the preferential tax treatment of income earned abroad the Senate can then proceed with the consideration of a liberalized trade bill in firmer confidence that it is dealing realistically with the whole subject and doing so in a manner which will help and not hurt our economy.

Mr. MUSKIE. Madam President——

The PRESIDING OFFICER (Mrs. NEUBERGER in the chair). The Senator from Maine is recognized.

Mr. MUSKIE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

Mr. MUSKIE. Madam President, I withhold the suggestion.

PROHIBITION OF COMMITTEE MEETINGS DURING SENATE SESSIONS

Mr. DIRKSEN. Madam President, yesterday and also this morning the majority leader, I thought, made it very clear to the Senate that there would be no meetings of any committees whatsoever. I understood him to mean, when he spoke of meetings of committees, any kind of meetings; whether they be hearings or informal meetings, or whether it be a committee or a subcommittee. If committees are meeting informally, I would regard that to be in the nature of a circumvention of what the majority leader had in mind.

I thought perhaps the majority leader would like to clarify that situation for the benefit of the Senate.

Mr. MANSFIELD. Madam President, I am in accord with what my distinguished colleague, the minority leader, has said. It is past the hour of 12 o'clock. I think we can understand why, on the first morning, on such short notice, these things might be done, but I think it would be well, on behalf of both of us, to serve notice to all committees, except namely, the Appropriations Committee, which is allowed to meet by consent of the Senate, that from now on informal business, formal business, or other types of meetings will be contrary to the rules of the Senate and that we shall expect all Members to be on call, not in the committee rooms, but in their offices, or, preferably, on the Senate floor ready for business.

Mr. MUSKIE. Madam President, I suggest the absence of a quorum—I withhold the suggestion.

ARAB-ISRAEL NEGOTIATIONS

Mr. DODD. Madam President, the various crises which we have encountered during the past few months—Berlin, Laos, the Congo, the resumption of nuclear testing by Russia—have obscured the very unsettled, and indeed explosive, situation which for the past 14 years has prevailed in the Middle East.

As the Members of this body will recall, there were two cease-fire agreements between the Arab States and Israel, signed June 11 and July 18, 1948; these were followed by a formal armistice signed early in 1949.

Since then, the basic problems between Israel and the Arab States have not been alleviated, as was hoped 14 years ago, but have instead become aggravated. Such issues as the resettlement of the Arab refugees, the use of the Suez Canal by Israeli and Israel-bound shipping, the Gaza strip problem—none of these has come closer to a solution in the intervening years.

The differences between the Israelis and the Arabs at this moment are so deep that the Arabs do not even recognize and seriously dispute Israel's right of existence as a state, while Israel, of course, claims this right not only by her de facto and de jure position, but also because she believes that historically, morally, and legally the family of nations is obliged to recognize and protect her existence as arising from the Balfour Declaration and other documents considered to be binding under concepts of international law.

Meanwhile, the unsettled situation in the Middle East presents serious dangers to the peace not only of that area but also to that of the entire world. Because of Communist infiltration of certain of the Arab States, there is extreme danger that the Russians will gain a foothold in the region, a danger which the British during their long hegemony successfully avoided.

The fact that a state of war still prevails between Israel and the Arab States is occasionally forgotten in this country, because at times no serious incidents occur between the Arabs and the Israelis for several weeks or months.

However, the rancor and hostility between the two parties by no means has ceased to exist. Thus the heated battle which, during the past few days, took place between Syrian and Israeli forces cost scores of lives and further contributed to the tension in the area.

It is thus in the interest of the United States and of the entire free world in general that a normal situation be created in the Middle East, advantageous and satisfactory to both the Israelis and the Arabs.

The differences which divide the two parties, of course, are very considerable at the moment; indeed, they seem to be almost insurmountable. The bitterness which engendered the war originally has increased many times during the past 14 years; the acrimonious insults exchanged between the two camps have intensified in magnitude and frequency.

Yet there are many factors which indicate that a peaceful settlement between the two parties, which technically are still at war, is foreseeable and indeed desirable.

The Israelis and the Arabs share a great many common interests. There is, first of all, the close geographical proximity of these nations. Such geographical proximity always makes for common political and economic interests, and the Middle East is no exception to this general rule.

Furthermore, the two parties have a great deal to offer to each other's welfare and political and economic advancement.

The Israelis have the technical knowledge and resources which might be very welcome in the Arab States, while the Arab countries have many of the raw materials, which, with Israeli cooperation and help, might contribute to the creation of better living standards of the entire area. The political considerations for a rapprochement between Israelis and Arabs are even more powerful.

The true enemy of Israel is not the Arab; nor is the Arab really threatened by the Israelis. The true enemy of both these groups is the Communist international conspiracy, which seeks to dominate the entire area because of its obvious strategic and economic potentialities.

The atheistic bases of communism are diametrically opposed to the historical and philosophical foundations of both Islam and Judaism, both of which are so closely related to the Christian heritage. It is for this reason that the Russian penetration of the Middle East, which already has made some substantial progress, is highly dangerous to both parties; indeed, far more dangerous than the disputes which divide them.

Thus it can be said with absolute certainty that the divisions between the Arabs and the Israelis are far less important than is their true common interest—resistance to Communist infiltration.

It is for these reasons that I submit, for appropriate reference, a resolution for the consideration of the Senate, and I ask unanimous consent that it be printed at this point in the RECORD.

The PRESIDING OFFICER. The resolution will be received and appropriately referred; and, without objection, the resolution will be printed in the RECORD.

The resolution (S. Res. 319), submitted by Mr. DODD, was referred to the Committee on Foreign Relations, as follows:

S. RES. 319

Whereas the continued hostility between the Arab States and Israel represents a grave danger to peaceful development of the Middle East and to the tranquillity and peace of the world at large; and

Whereas the conclusion of two cease-fire agreements and one armistice has not yet contributed toward the pacification of the area; and

Whereas a technical state of war still exists between Israel and the Arab States; and

Whereas responsible Israeli and Arab leaders have often expressed the necessity and urgency of a settlement of outstanding problems in the Middle East; and

Whereas the true interests of the Israelis and Arabs are by no means diametrically opposed, and

Whereas the true enemies of Israel are not the Arabs, nor are the Arab States in irreconcilable conflict with the Israelis; and

Whereas Israelis and Arabs have many spiritual and intellectual aims in common; and

Whereas the true enemy of both Arabs and Israelis is the international Communist conspiracy which would destroy both groups in its advance; and

Whereas the United States is deeply committed to the pacification of the entire Middle East for the benefit of all its inhabitants: Now, therefore, be it

Resolved, That it is the sense of the Senate that the United States should offer its good offices for the resumption of direct negotiations between the Arab States and Israel, with a view toward establishing normal and friendly relations between all peoples in the Middle East and creating the conditions necessary for peace in that area.

Mr. STENNIS. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE ALEXANDER HAMILTON NATIONAL MONUMENT — AMENDMENT TO THE CONSTITUTION DEALING WITH POLL TAXES

The Senate resumed the consideration of the motion of the Senator from Montana [Mr. MANSFIELD], to proceed to the consideration of the joint resolution (S.J. Res. 29) providing for the establishing of the former dwelling house of Alexander Hamilton as a national monument.

Mr. EASTLAND. Madam President, I shall continue my first speech on the motion. I was discussing the cases which bear upon the interpretation of voting rights by the Supreme Court of the United States. The first case to which I wish to refer is the case of *United States* v. *Reece* (92 U.S. 214 (1875)).

In United States against Reece, election inspectors were indicted under sections of a postwar Civil Rights Act for depriving a Negro citizen of the right to vote in a municipal election. The Court held that those sections of the statute were vague and indefinite, therefore unconstitutional, because they did not precisely limit the definition of the Federal crime to deprivation of voting rights protected by the 14th and 15th amendments.

The Court said—*United States* v. *Reece*, (92 U.S. 214, 217–218 (1875)):

The 15th amendment does not confer the right of suffrage upon anyone. It prevents the States, or the United States, however, from giving preference, in this particular, to one citizen of the United States over another on account of race, color, or previous condition of servitude. Before its adoption, this could be done. It was as much within the power of a State to exclude citizens of the United States from voting on account of race, etc., as it was on account of age, property, education. Now it is not. If citizens of one race having certain qualifications are permitted by law to vote, those of another having the same qualifications must be. Previous to this amendment, there was no constitutional guarantee against this discrimination; now there is. It follows that the amendment has invested the citizens of the United States with a new constitutional right which is within the protecting power of Congress. That right is exemption from discrimination in the exercise of the elective

franchise on account of race, color, or previous condition of servitude. Thus, under the express provisions of the second section of the amendment, Congress may enforce by appropriate legislation.

In the case of *Breedlove* v. *Suttles* (302 U.S. 277, 238 (1937)), a Georgia statute making a poll tax a voting prerequisite to Federal and State elections was attacked on the ground that it violated the 14th and 19th amendments. The tax in question applied to all inhabitants of Georgia between the ages of 21 and 60, with an exception for females who did not register for voting. The Court held that the classification of the law, not being an invalid discrimination, did not violate the equal protection clause of the 14th amendment. The Court also held that the exemption for women who did not vote was not in violation of the 19th amendment. In the course of its opinion the Court also stated clearly that the poll tax was not prohibited by the privileges and immunities clause of the 14th amendment and was a proper qualification for voting for the States to impose. I quote from the opinion:

> To make payment of poll taxes a prerequisite of voting is not to deny any privilege or immunity protected by the 14th amendment. Privilege of voting is not derived from the United States, but is conferred by the State and, save as restrained by the 15th and 19th amendments and other provisions of the Federal Constitution, the State may condition suffrage as it deems appropriate (*Minor* v. *Happersett* (21 Wall. 162, 170 et seq.); *Ex Parte Yarbrough* (110 U.S. 651, 664-665); *McPherson* v. *Blacker* (146 U.S. 1, 37-38); *Guinn* v. *United States* (238 U.S. 347, 362)). The privileges and immunities protected are only those that arise from the Constitution and laws of the United States and not those that spring from other sources (*Hamilton* v. *Regents* (293 U.S. 245, 261)).

The question of Virginia poll tax as a prerequisite to voting was reviewed by a special three-judge court as recently as 1951 in *Butler* v. *Thompson* (D.C.E.D. Va., 97 F. Supp. 17, affirmed, 341 U.S. 937). Judge Dobie quoted from an earlier opinion in the case of *Saunders* v. *Wilkins* (152 F. 2d 235, 237), as follows:

> The decisions generally hold that a State statute which imposes a reasonable poll tax as a condition of the right to vote does not abridge the privileges or immunities of citizens of the United States which are protected by the 14th amendment. The privilege of voting is derived from the State and not from the National Government. The qualification of voters in an election for Members of Congress is set out in article I, section 2, clause 1 of the Federal Constitution which provides that the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature. The Supreme Court in *Breedlove* v. *Suttles* (302 U.S. 277, 283, 58 S. Ct. 205, 82 L. Ed. 252), held that a poll tax prescribed by the constitution and statutes of the State of Georgia did not offend the Federal Constitution.

In the case of *Pirtle* v. *Brown* (118 Fed. 2d, 218, 221), the Circuit Court of Appeals of the Sixth Circuit considered this question: "Whether or not the Tennessee constitution and statutes, which make the payment of a poll tax a condition precedent to the right to vote for Members of Congress, are repugnant to any of the provisions of the Constitution of the United States."

Pirtle, otherwise qualified, but having failed to pay the poll tax required by law, attempted to vote. The defendants, judges of election, declined to allow him. In the action brought by Pirtle, the Federal district court rendered judgment for the defendants. Pirtle appealed to the circuit court of appeals. The contention of the appellant, Pirtle, was that article IV, section 1 of the constitution of Tennessee, and section 2027 of the Tennessee code, violated the "privileges and immunities" clause of the 14th amendment to the Federal Constitution. The circuit court of appeals held that this point had been conclusively decided against appellant in the case of Breedlove against Suttles, and that the Tennessee code and constitution did not violate the "privileges and immunities" clause of the Federal Constitution.

Mr. ERVIN. Madam President, will the Senator yield for a question?

Mr. EASTLAND. I yield for a question.

Mr. ERVIN. Does the Senator from Mississippi remember Aesop's fable about the satyr who offered a meal to a man whom he had found out in the forest, freezing? When he found him, the man was blowing on his hands to warm them. After he took him into his house, and set a hot meal before him, he observed the man blowing on his porridge.

Mr. EASTLAND. What?

Mr. ERVIN. On his porridge. The satyr asked the man why he blew on his hands outdoors and on his porridge in the house. The man said, "I blow on my hands to warm them, and on my porridge to cool it."

The satyr told the man he would have to get out of the house because "I am not going to have anything to do with a man who blows both hot and cold."

I should like to ask the Senator from Mississippi if Congress does not blow both hot and cold about taxes. It passes laws to provide for the imprisonment of men who refuse to pay their Federal taxes to the Federal Government, and then, having blown hot in that fashion, it turns around and blows cold by undertaking to amend the Constitution out of solicitude for those who refuse to pay taxes for the support of the State government.

Mr. EASTLAND. That is right; for the support of the school system.

Mr. ERVIN. I should like to ask the Senator from Mississippi if he can reconcile those contradictory actions on the part of Congress with any consistent philosophy of taxation on the part of the Congress.

Mr. EASTLAND. There is no consistent philosophy whatever. It is a part of the tremendous drive, organized, directed, and highly financed, by pressure groups, to federalize the Government of the United States, to destroy the dual system of sovereignty, to destroy the rights and powers of the States and to concentrate all the powers in Washington. That is what is behind it. That is the moving factor behind the agitation for the resolution. Behind it are the people who would destroy our system of government and federalize this country.

Does not the Senator realize that on the creek banks and the branches, where people can make their own decisions, is the greatest safeguard for human liberty in this country?

Mr. ERVIN. Madam President, will the Senator yield for another question?

Mr. EASTLAND. I yield for a question.

Mr. ERVIN. Is the Senator from Mississippi aware of the fact that there are now pending several measures which are designed to establish as a Federal qualification for voting the completion of the sixth grade?

Mr. EASTLAND. That is correct—by statute.

Mr. ERVIN. Is it not true that in Mississippi, North Carolina, and all the other States which have populations composed of the members both of the Caucasian race and the Negro race, the records show that a higher percentage of members of the Caucasian race have completed the sixth grade than have members of the Negro race?

Mr. EASTLAND. That is correct.

Mr. ERVIN. I ask the Senator from Mississippi if the reasoning which is put behind these measures with reference to the literacy test would not condemn the literacy test proposed by those people for the Federal Government if it were adopted by any State, on the ground that the figures would support the argument that it was designed to discriminate against Negroes in voting, in that more Caucasians had completed the sixth grade than had members of the other race?

Mr. EASTLAND. That is correct; but the direction of the effort is by the same groups; it is financed by the same groups; and it is for legislation. It is designed as a step further than this joint resolution would go. However, the point is that it would result in federalization; it would result in the control of the people of the country by Washington. It would result in the destruction of the liberties and the rights of the people at the local level to make their own decisions and to protect themselves. But the first step toward the destruction of our great country is the control by Washington of the electorate of the Nation.

Mr. ERVIN. Madam President, will the Senator from Mississippi yield for another question?

Mr. EASTLAND. I yield for a question.

Mr. ERVIN. Does not section 2 of article I of the Constitution declare, in about as simple words as the English language affords, that the only people who can vote for Senators and Representatives are those who have the qualifications requisite for electors of the most numerous branch of the State legislature?

Mr. EASTLAND. That is correct.

Mr. ERVIN. Does not that make it plain that, for all practical intents and purposes, the sole power to fix the qualifications for voting for Senators and Representatives in Congress belongs to the States, not to the Federal Government?

Mr. EASTLAND. Of course it belongs to the States. One can read what the State qualifications are and can then determine who may vote in an election for President, Senator, and Representative.

Mr. ERVIN. I ask the Senator from Mississippi if he agrees with the Senator from North Carolina that a person can never reach a conclusion that the Federal Government has any power under the Constitution to prescribe any qualifications for any voter unless he first does an intellectual twist and gets himself into a state of mental confusion as a result of his effort to complicate simplicity.

Mr. EASTLAND. That is absolutely correct. I should like to ask the distinguished Senator from North Carolina this question: In the whole history of the Republic, does he know of a single reputable judge who has ever interpreted the Constitution to mean that the Federal Government had any control over fixing the qualifications of electors?

Mr. ERVIN. I would go a little further than that and say that I believe there is no decision to that effect. I will challenge, here and now, every proponent of Federal literacy test measures to point out any decision of any Federal court, handed down at any time since the beginning of the world to this date, which holds that the Federal Government has the power to prescribe any qualification for any voter, even for those who vote for Senators and Representatives.

Mr. EASTLAND. The Senator from North Carolina is exactly correct. The joint resolution and the literacy test bill have the same objective—the destruction of the States, the destruction of the power and liberties of the people at home, and the concentration of authority in one place—the Government in Washington.

Mr. ERVIN. Do not both measures contain symptoms of that disease which we call Potomac fever, a disease which exhibits itself in the conviction of people who come to Congress that the people who sent them here are not capable of managing their own affairs?

Mr. EASTLAND. That is correct.

Madam President, I shall continue to read from the opinion of the court. In holding what I have referred to, the court said:

> But in any event, we are not dealing with the question whether the payment of poll tax as a prerequisite to voting violates some natural right or fancied political right. The inquiry is, whether such provision denied any privileges or immunities protected by the Federal Constitution. We have already seen that article I, section 2 of the Constitution of the United States guarantees to the elector for Members of Congress no other privileges than those accorded him by the State as an elector for the most numerous branch of the State legislature. But appellant goes beyond this. He urges that the quoted provision of article IV, section 1 of the constitution of Tennessee and section 2027 of the code violates the "privileges and immunities" clause of the 14th amendment; that his right to vote for a Member of Congress is not taxable, regardless of whether the amount of the tax imposed is trifling or substantial.

Madam President, I digress a moment to say that there has been no reputable showing by any person that the poll tax has ever disqualified or disfranchised anyone. In my State of Mississippi, the individual $2 poll tax is a trifling matter, but in the aggregate it means a large sum in the operation of our school system. I continue to read from the decision of the Court:

> We need not labor the point. It has been conclusively decided against appellant in *Breedlove* v. *Suttles*, *supra* (302 U.S. p. 283, 58 S. Ct. p. 208, 82 L. Ed. 252), where the Court said:
>
> "2. To make payment of poll taxes a prerequisite of voting is not to deny any privilege or immunity protected by the 14th amendment. Privilege of voting is not derived from the United States, but is conferred by the State and, save as restrained by the 15th and 19th amendments and other provisions of the Federal Constitution, the State may condition suffrage as it deems appropriate (*Minor* v. *Happersett* (21 Wall. 162, 170, et seq., 22 L. Ed. 627); *Ex parte Yarbrough* (110 U.S. 651, 664, 665, 4 S. Ct. 152, 28 L. Ed. 274); *McPherson* v. *Blacker* (146 U.S. 1, 37, 38, 13 S. Ct. 3, 36 L. Ed. 869); *Guinn* v. *United States* (238 U.S. 347, 362, 35 S. Ct. 926, 59 L. Ed. 1340, L.R.A. 1916A, 1124)). The privileges and immunities protected are only those that arise from the Constitution and laws of the United States and not those that spring from other sources (*Hamilton* v. *Regents* (293 U.S. 245, 261, 55 S. Ct. 197, 203, 79 L. Ed. 243))."

I believe that it would be inconsistent for the Congress today to urge the enactment of a constitutional amendment to outlaw the poll tax by such route, in view of the fact that the principle has long been established that the States alone are to determine the qualifications of its voters.

Madam President, throughout the debates when the Constitution was written, and throughout the whole history of the Republic, there has been one fundamental factor; namely, that the control of suffrage, the defining of the qualifications of voters, has been a matter to be handled by the people of the individual States.

And this is the first mass assault on one of the very foundations of the U.S. system of government. It is a deliberate attack upon the liberties of the American people. This joint resolution is a deliberate attack upon the dual system of sovereignty. It is a deliberate attempt to concentrate power in Washington, so that groups of persons who desire to socialize the United States—and, Madam President, I think socialism is behind this entire movement—can take absolute control of the Government of the United States.

Madam President, it is not strange that in Nazi Germany, before Hitler could establish his dictatorship and could crush the liberties of the German people and could set the world on fire, he had to destroy the German federal system. But that he did, and the result was dictatorship.

There are in the United States certain groups of those who call themselves minority groups, who have access to vast publicity and to great sums of money, who want to socialize the United States. But before they can do that, they must control the suffrage, and they must, by exercising control from Washington, be able to say who can vote in the various communities in the United States. In this instance, Madam President, the U.S. Senate is asked to take the first great step in the history of this country which in the last analysis would be a step toward socialism and toward destruction of the capitalistic system, which these groups despise.

This would be the first time that this principle of a State determining the qualifications of its voters has been vitiated on grounds other than race or sex. It is sound reasoning, to me, that Congress should not be spending its time trying to outlaw a qualification for voting required by only five States, and that this State action by so small a minority should not engage the attention of the Congress and the constitutional amendment route. It is my feeling that the proponents of this proposal could better use their time by advocating the abolition of the poll tax through the State legislatures themselves—that is, work on the State legislatures of these States, rather than through the Congress by way of a constitutional amendment.

After all, Madam President, that is the American system.

However, even if only one State still required payment of a poll tax as a qualification for voting, we should not vitiate the right of a sovereign State to determine the qualifications of its own voters. Any action relating to a determination of the qualifications of the voters should come from the sovereign States themselves.

Madam President, I have defied the proponents of this measure to point to even one Negro who has been disfranchised by a poll tax. But that is not the issue before us. The pending issue is the federalization of American institutions. It is my feeling that the State legislatures, through the States themselves, afford the proper route to take.

If this proposal directed at five States is adopted by the Congress and ratified by three-fourths of the States, a pattern and precedent would be set so that subsequent action could be taken to initiate further constitutional amendments which would slash away the power of the States to control the qualifications of their voters. If this constitutional amendment process were adopted, it would be logical for a succeeding Congress to attempt by constitutional amendment to remove from the laws of the States the educational qualifications in various States requisite to voting. Successive steps which could follow would, if carried to their ultimate conclusion, deprive the sovereign States of any control whatsoever over the qualifications of their own electors. I can only repeat that the sensible and logical approach, if these proponents so desire, is to seek repeal of the poll tax provision through the State legislatures, rather than by cluttering up the Constitution with an amendment affecting only five States.

Most constitutional questions concerning poll taxes have arisen in connection with State constitutions, involving the validity under them of particular statutes. In most instances the imposition

of a poll tax as a condition of voting originates either by express constitutional provision, or by express constitutional authority in that regard directly conferred upon the legislature. In such a situation it has been held that the legislature has the power, subject to express constitutional limitations, to impose a reasonable poll tax as a condition of the right to vote, and in connection therewith to prescribe restrictions and regulations reasonably calculated to secure enforcement of the condition, whether it be viewed as in the nature of a revenue measure or as looking to the proper regulation of elections. Legislative regulations of this kind may relate to such matters as payment of all delinquent poll taxes, payment at or within particular times, proper assessment, and the furnishing of proof of payment, an incident of which may be the preparation of official voters' lists.

Subject to applicable constitutional limitations, the power of a State to impose a reasonable poll tax as a condition of voting, and to adopt regulations reasonably calculated to enforce such condition, is generally upheld.

Madam President, I ask unanimous consent to have printed at this point in the RECORD a list of cases in which this right has been upheld.

The PRESIDING OFFICER. Is there objection?

There being no objection, the list was ordered to be printed in the RECORD, as follows:

United States: *Breedlove* v. *Scuttles* ((1937) 302 U.S. 277, 82 L. ed. 252, 58 S. Ct. 205); *Pirtle* v. *Brown* (118 Fed. 2d 218 (CAA 248)).

Alabama: *Shepherd* v. *Sartain* ((1913) 185 Ala. 439, 64 So. 57); *Davis* v. *Teague* ((1929) 220 Ala. 309, 125 So. 51 (appeal dismissed in 1930) 281 U.S. 695, 74 L. ed. 1123, 50 S. Ct. 248)).

Arkansas: *Martin* v. *Gray* ((1936) 193 Ark. 32, 97 SW (2d) 439).

Delaware: *Friesleben* v. *Shallcross* ((1890) 9 Houst. 1, 19 A 576, 8 LRA 337).

Florida: *State ex rel. Lamar* v. *Dillon* ((1893) 32 Fla. 545, 14 So. 383, 22 LRA 124).

Georgia: *McMahon* v. *Savannah* ((1880) 66 Ga. 217, 42 Am. Rep. 65). See *Tatum* v. *Langley* ((1934) 179 Ga. 731, 177 SE 243, infra, IIIa3).

Kentucky: *Buckner* v. *Gordon* ((1884) 81 Ky. 665).

Missouri: *Kansas City* v. *Whipple* ((1896) 136 Mo. 475, 38 SW 295, 35 LRA 747, 58 Am. St. Rep. 657).

North Carolina: *Moose* v. *Alexander County* ((1916) 172 Nc. 419, 90 SE 441, Ann. Cas. 1917E 1183).

Oregon: *Livesley* v. *Litchfield* ((1906) 47 Or. 248, 83, P. 142, 114 Am. St. Rep. 920).

Pennsylvania: *Patterson* v. *Barlow* ((1869) 60 Pa. 54). See *Re Election of Cusick* ((1890) 136 Pa. 459, 20 A 574, 10 LRA 228, infra); *Re Corydon Twp. Election* ((1912) 236 Pa. 588, 84 A 1107, infra, IIc).

Tennessee: *State* v. *Old* ((1896) 95 Tenn. 723, 34 SW 690, 31 LRA 837); *Vertrees* v. *State Bd. of Elections* ((1919) 141 Tenn. 645, 214 SW 737)

Texas: *Solon* v. *State* ((1908) 54 Tex. Crim. Rep. 261, 114 SW 349); *Watts* v. *State* ((1911) 61 Tex. Crim. Rep. 364, 135 SW 585); *Savage* v. *Umphries* ((1909) Tex. Civ. App. 118 SW 893); *Stuard* v. *Thompson* ((1923) Tex. Civ. App. 251 SW 277); *Texas Power & L. Co.* v. *Brownwood Pub. Serv. Co.* ((1937) Tex. Civ. App. 111 SW (2d) 1225). See *Black* v. *Pool* ((1904) 97 Tex. 333, 78 SW 922), and *Ex parte Wood* ((1904) Tex. Crim. Rep. 81 SW 529, both infra, IIa2); *McCharen* v. *Mead* ((1925) Tex. Civ. App. 275 SW 117, infra, IIIb2); *Powell* v. *Baird* ((1939) 133 Tex. 489, 128 SW (2d) 786, infra).

Mr. EASTLAND. Madam President, the fact that I have placed the list in the RECORD, instead of reading it into the RECORD, is conclusive proof that no filibuster is being conducted.

Mr. MANSFIELD. Madam President, will the Senator from Mississippi yield for a question?

Mr. EASTLAND. Yes.

Mr. MANSFIELD. Does the Senator from Mississippi suggest that a filibuster is now being conducted?

Mr. EASTLAND. Of course not, because no filibuster is being conducted. However, the rules of the Senate allow each Senator to make two speeches on any question or motion; and certainly all Senators should be allowed to make those two speeches before any question about long debate is raised. As a matter of fact, I have not yet finished my first speech on this subject.

Mr. MANSFIELD. Will the Senator yield for a question?

Mr. EASTLAND. For a question.

Mr. MANSFIELD. Does not the Senator from Mississippi realize that not only the Senator from Montana, but the rest of the Senate, understands that particular question and that they are also aware of the fact that, very likely, the Senator from Mississippi, who is now speaking, or who now has the floor, probably holds the record for the longest first speech in the history of this body?

Mr. EASTLAND. Well, I disagree with my friend; but I believe, before the debate is over, we are going to convince him, and he will vote with us against his own motion.

Where a State constitution, although not specifically requiring or authorizing either the payment of a poll tax or the procurement of an exemption certificate, contained a provision:

> That any voter who is subject to pay a poll tax under the laws of the State * * * shall have paid said tax before offering to vote at any election in this State and hold a receipt showing that said poll tax was paid before the first day of February next preceding such election.

And by another provision recognized the right of the legislature to make such a requirement and provided that no such poll tax should be levied upon those who paid no property tax for the purpose of paying municipal debts created or assumed by the vote of those who pay property taxes, and by still another provision expressly authorized the legislature to provide for registration of voters in cities having a population of 10,000 or more, and enact other legislation necessary to detect and punish fraud and preserve the purity of the ballot box, the provisions, taken together, were held sufficient to imply that the legislature had power to levy a poll tax, and as an incident thereto, to prescribe that the tax must be paid before February 1 of each year and a receipt obtained as a condition of the right to vote—*Texas Power & L. Co.* v. *Brownwood Pub. Serv. Co.* ((1937); Tex. Civ. App. 111 SW (2d) 1225).

A legislature has been held to have power under constitutional provisions authorizing capitation taxes not to exceed $1 a year, and empowering it to make the payment thereof a prerequisite for voting, to require the payment of all annual capitation taxes remaining unpaid, not exceeding $1 for each year, as a qualification to vote, in *State ex rel. Lamar* v. *Dillon* ((1893) 32 Fla. 545, 14 So. 383, 22 LRA 124). And such a statute, by requiring as a qualification to vote the payment by the elector of the poll taxes of previous year, where he was entitled to qualify himself as an elector at the last State election by registration and the payment of such taxes, but failed to do so, was held not in contravention of provisions of the Florida constitution prohibiting the payment of more than one capitation tax as a qualification, where payment of not more than $1 for each year was required. And the requirement of that statute of payment of delinquent poll taxes more than 2 weeks before an election, as a qualification to vote thereat, was held not void as being unreasonable, unnecessary, and tending to impair and subvert the right to vote, there being no constitutional limitation upon the right of the legislature applicable thereto. See also *Texas Power & L. Co.* v. *Brownwood Pub. Serv. Co.* ((1937); Tex. Civ. App. 111 SW (2d) 1225, supra).

So, the exclusion of a person from the assessment list for 12 months, for failure to pay his county poll tax, in consequence of which he was subject to being precluded from becoming qualified to vote during that year, was held not a violation of a constitutional provision that a citizen, otherwise qualified, who had, within 2 years next preceding the election, paid a county tax which had been assessed at least 6 months before the election should enjoy the rights of an elector, or a further provision that all elections should be free and equal—*Friesleben* v. *Shallcross* ((1890) 9 Houst. (Del.) 1, 19 A 576, 8 LRA 337).

And a statute making the payment of poll taxes for the preceding year a qualification for voting for certain municipal officers was held not to contravene a constitutional provision that every free white male citizen of the age of 21 years, and so forth, shall be a voter, as another article of the Constitution, providing that officers of towns and cities should be elected in such manner and with such qualifications as may be prescribed by law, was deemed to show the intention of the framers of the Constitution that the former provision should not apply to municipal officers, but that they should be left to the legislative will—*Buckner* v. *Gordon* ((1884) 81 Ky. 665).

In re Election of Cusick ((1890) 136 Pa. 459, 20 A 574, 10 LRA 228), under constitutional provisions conferring the right of suffrage and providing that a voter should have paid within 2 years a "State or county" tax, which should have been assessed at least 2 months, and paid at least 1 month, before the election, and another providing that "no elector shall be deprived of the privilege of voting by reason of his name not being registered," it was held that a statute regulating elections and requiring any person whose name was not registered on election day to prove by affidavit certain facts as to when and where the tax claimed to be paid was assessed and when, where, and to whom paid was not unconstitutional, the requirement being a reasonable one, and that the term "elector," as used in the quoted provision, denoted a duly qualified elector, there being no eligibility on the part of an unregistered voter until compliance with the law, even under the pretense that he was at least a prima facie qualified elector.

And a statute providing for and regulating the payment of poll taxes and issuance of receipts therefor, requiring collectors to cease issuing poll tax receipts after a specified date and construed to render the holders of receipts thereafter issued disqualified to vote, even though they had actually paid the tax before such date, was held not to be in conflict with and not to deprive a person of his right to vote under a constitutional provision making eligible to vote, at subsequent elections, only those "who shall exhibit a poll tax receipt or other evidence that they have paid their poll tax at the time of collecting taxes next preceding such election," the Court expressing the opinion that the phrase "at the time of collecting taxes" related to the time determined by legislative enactment when such taxes must be paid, and that since the legislature could determine the time when poll taxes must be paid, it could likewise determine what must be done to accomplish such payment, and that according to the statute "payment of a poll tax" was not consummated, as a condition of voting, until the issuance and delivery of the poll tax receipts prior to the date limited, preceding the election at which they were to be exhibited, all of which was in harmony with the Constitution—*Martin* v. *Gray* ((1936) 193 Ark. 32, 97 SW (2d) 439). See also *State* v. *Old* ((1896) 95 Tenn. 723, 34 SW 690, 31 LRA 837, infra, IIc).

And in *Powell* v. *Baird* ((1939) 133 Tex. 489, 128 SW (2d) 786), a statute requiring persons subject to pay municipal poll taxes to pay them in order to qualify as voters was held constitutional, as being a statutory declaration of the constitutional law as already expounded in previous cases. See also *McCharen* v. *Mead* ((1925) Tex. Civ. App. 275 SW 117, infra, IIIb2).

And it has been held that prohibiting payment of a voter's poll tax by another, in attempting to satisfy the voting condition, is within the power of the legislature—*Solon* v. *State* ((1908) 54 Tex. Crim. Rep. 261, 114 SW 349), and *Watts* v. *State* ((1911) 61 Tex. Crim. Rep. 364, 135 SW 585, both infra, IIc). See also *State ex rel. Lamar* v. *Dillon* ((1893) 32 Fla. 545, 14 So. 383, 22 LRA 124, infra, IIIa3), and *Re Corydon Twp. Election* ((1912) 236 Pa. 588, 84 A 1107, infra, IIc).

It is, of course, a familiar and traditional rule that the exercise of the suffrage, whether deemed as in the nature of a "right" or a "privilege," is neither created nor conferred by the Federal Constitution, although the provisions of any State constitution or statute in regard thereto are subject to the limitations which it prescribes, some of which expressly recognized and embrace voters' rights, privileges, and qualifications. Subject to these limitations, as pointed out in *Breedlove* v. *Suttles* ((1937) 302 U.S. 277, 82 L. ed. 252, 28 S. Ct. 205, infra), and Pirtle against Brown, cited supra, the whole matter rests within the control of the States, to be dealt with in their respective constitutions and statutes.

In *Pirtle* v. *Brown* ((CCA 6th), supra), a State constitutional provision applying to persons entitled to vote for members of the general assembly—embracing the most numerous branch of the State legislature—and making the payment of such poll taxes as should be required by law a condition of voting, construed in connection with a legislative imposition of poll taxes, was held not to violate any Federal constitutional right of a delinquent poll-tax payer seeking unsuccessfully to vote for a Member of the House of Representatives, either under article I, section 2, providing that electors of members of that body shall have the qualifications "requisite for Electors of the most numerous Branch of the State Legislature", or the provision of the 14th amendment relating to privileges and immunities. See also *Breedlove* v. *Suttles* ((1937) 302 U.S. 277, 82 L. ed. 252, 58 S. Ct. 205).

In *Davis* v. *Teague* ((1929) 220 Ala. 309, 125 So. 51, appeal dismissed in (1930) 281 U.S. 695, 74 L. ed. 1123, 50 S. Ct. 248), the Court held that a provision of the Alabama constitution exempting persons in the military or naval service of the United States between January 1, 1917, and November 11, 1918, from the payment of a poll tax in connection with the right of suffrage did not violate the 14th amendment to the Federal Constitution, as a denial of equal protection of the laws to persons not so serving, upon the theory that the right of suffrage is a political privilege or civil right which the State may reasonably and under a proper classification control or regulate in this respect. The Court said:

> The right of suffrage and the right to hold an office under authority of the State, unlike the right of a citizen to engage in a gainful occupation, is not considered, as a general rule, a privilege or immunity belonging to a citizen of the United States, nor an inherent or natural right existing in the absence of constitutional provision or legislative enactment. It is rather considered as a political privilege or civil right under the control of the State, which it may regulate or restrict, so long as the right of suffrage is not denied to any person on account of race, color, or previous condition of servitude. The obligation to pay a poll tax is not an obligation that may be enforced by legal process or otherwise, but is an obligation to be performed voluntarily as a test of good citizenship, leaving to each individual otherwise qualified the right to determine whether he will qualify as a legal voter or not.

In *Savage* v. *Umphries* ((1909); Tex. Civ. App. 118 SW 993), under a constitutional provision which conferred the right of suffrage, and although not specifically making the payment of a poll tax a condition of the exercise thereof, provided:

> That any voter who is subject to pay a poll tax under the laws of the State shall have paid said tax before he offers to vote at any election in this State and holding (hold) a receipt showing (payment of) his poll tax before the first day of February next preceding such election. Or if said voter shall have lost or misplaced said tax receipt, he shall be entitled to vote upon making affidavit before any officer authorized to administer oaths that such tax receipt has been lost. Such affidavit shall be made in writing and left with the judge of the election, and this provision of the constitution shall be self-enacting without the necessity of further legislation.

The Court held constitutional, notwithstanding the self-enacting provision, a statute regulating the determination of how and when a voter should or should not be declared subject to a poll tax, and providing, in creating an exempt class, that those becoming 21 on or before the date of an election and not subject to a poll tax preceding the election, who by reason of minority had not theretofore been subject to a poll tax, and who should possess all the other qualifications of voters, should be entitled to vote upon obtaining a certificate of exemption from the county collector before February 1 preceding the election, which should specify the day of attainment of the age of 21 and contain all other requisites of a certificate of exemption, and also providing that "before the certificate of exemption shall issue the applicant therefor shall make written affidavit of his age to be administered and certified to by the county collector, who shall file and preserve same" upon the theory that the language of the constitution did "not attempt to restrain the legislature from declaring when and in what manner it shall be determined that one offering to vote at an election is not subject to the payment of a poll tax."

And in *Texas Power & L. Co.* v. *Brownwood Pub. Serv. Co.* ((1937) Tex. Civ. App. 11 SW (2d) 1225), it was held that a statutory provision exempting from payment of a poll tax every person more than 60 years of age, and providing that such a person can vote without such payment "if he has obtained his certificate of exemption from the county tax collector when the same is required by the provisions of this title," and a provision expressly requiring, in cities of more than 10,000, that those who are exempted from payment of a poll tax shall procure their exemption certificates before February 1 of the year in which they offer to vote, and making the requirements with respect to exemption certificates the same as those attached to the right to vote in connection with poll tax receipts, were proper, the court considering that inasmuch as the matter of requiring payment of a poll tax as a prerequisite to the right to vote was one determinable solely in the wisdom of the legislature, it followed that the latter could make such exemption regulations as it saw fit, so long as they did not otherwise contravene the Constitution; and that since it undoubtedly could have required payment of a poll tax of all electors as a condition precedent to their

right to vote, it could, as regards the creation of exemptions, validly fix an age limit within which such exemptions should be operative, and likewise, in order to preserve the purity of elections, impose additional safeguards upon cities of more than 10,000, and as an incident to creation of the exemptions it had "equal power to prescribe, as a qualification for voting, equal or similar requirements for those gratuitously exempted from poll tax payments as it does for those who are required to pay the tax"; that it was a necessary implication from the statute that a citizen over 60 years of age, by seasonably paying a poll tax, should be entitled to vote in any event; that if an exempt person desired to take advantage of the exemption afforded him by law, and not pay a poll tax, he could validly be required, as a qualification for exercise of his suffrage rights in cities of more than 10,000 seasonably to obtain an exemption certificate; and that therefore those more than 60 years of age who had not secured such certificates were not qualified voters. And it was held on rehearing, in connection with the statutory requirement upon those 60 years of age or older to procure exemption certificates as a condition precedent to the exercise of their suffrage rights, that the formal act of registration could not be regarded as a mere method of furnishing to the election judge evidence of the right to vote, and not as being a limitation upon the right to vote, inasmuch as if failure in these regards should not be deemed a disqualification, the availability of the requirements to preserve the purity of the ballot would be rendered ineffectual and the constitutional provision authorizing registration rendered nugatory. See also *Breedlove* v. *Suttles* ((1937) 302 U.S. 277, 82 L. ed. 252, 58 S. Ct. 205 infra, IId).

In *Solon* v. *State* ((1908) 54 Tex. Crim. Rep. 261, 114 SW 349), a statute providing, among other purposes, as a condition of voting privileges, for the payment of poll taxes by every male person between the ages of 21 and 60 residing in the State on January 1 of each year, except Indians, insane persons, the blind, the deaf, and the dumb, and those having lost one hand or foot, was held to embrace a proper classification and not to be unconstitutional for inequality and nonuniformity.

In Solon against State, supra, under a constitutional provision that the qualifications of electors should embrace payment of a poll tax before the 1st of February next preceding the election at which an elector should offer to vote, and authorizing the legislature to make regulations to detect and punish fraud and preserve the purity of the ballot, it was held that a statute providing that anyone who loaned money to another knowing it was to be used for paying such other's poll tax should be guilty of a misdemeanor was not unconstitutional as unduly restricting the right of suffrage, or as a deprivation of rights without due process of law, or as an unreasonable abridgment of the right to contract.

And in *Watts* v. *State* ((1911) 61 Tex. Crim. Rep. 364, 135 SW 585), under the general provisions of the Texas constitution under which the legislature was authorized to regulate elections, providing that any voter "subject" to pay a poll tax shall have paid the same before he offers to vote and hold a receipt, and so forth, the court held that a statute penalizing "any person who loans or advances money to another knowingly to be used for paying the poll tax of such person" was not an unconstitutional or unreasonable abridgment of the right to contract, and did not violate any of the privileges and immunities guaranteed by the 14th amendment, or violate the bill of rights of Texas as disfranchising persons without due process of law, or denying to persons of one class public privileges conferred upon others, or denying equal protection of the laws, or unduly abridging the qualifications of voters and placing a burden upon them not authorized by the Constitution.

In *State* v. *Old* ((1896) 95 Tenn. 723, 34 SW 690, 31 LRA 837), under a constitutional provision that every male citizen of the age of 21, a citizen of the United States and a resident of the State and county of voting for certain periods should be entitled to vote for certain officers, and that—

> There shall be no qualification attached to the right of suffrage, except that each voter shall give to the judges of election where he offers to vote satisfactory evidence that he has paid the poll taxes assessed against him for such preceding period as the legislature shall prescribe, and at such time as may be prescribed by law, without which his vote cannot be received. And all male citizens of the State shall be subject to the payment of poll taxes within such ages as may be prescribed by law. The general assembly shall have power to enact laws requiring voters to vote in the election precincts in which they may reside, and laws to secure the freedom of elections and the purity of the ballot box.

The Court held that the legislature was authorized to enact statutory provisions that the "satisfactory evidence" should consist of the original poll tax receipt, or a duly certified duplicate thereof, or the duly authenticated certificate prescribed by another section of the statute allowing a trustee's certificate and providing for its form in cases where the tax was paid to a constable and not to trustee, properly certified by the recipient, or an affidavit of the voter that he paid his poll tax and that his receipt was lost, which should be filed with the election judge, and to these ends to enact that a person voting, or an election judge allowing such person to vote, without compliance should be guilty of a misdemeanor.

In this connection attention is called to *Re Corydon Twp. Election* ((1912) 236 Pa. 588, 84 A 1107), where the Court in approving the view that the vote of one for whom another had paid a "State and county" tax as a condition of voting, contrary to the statute involved, was unlawful, approved and applied the statute, which provided that it should be unlawful for anyone to pay or cause to be paid any poll—State and county—tax assessed against any elector except on the written and signed order of the elector authorizing such payment to be made, and which further provided how it should be presented, and make it "unlawful for any officer, clerk, or other person authorized to collect taxes and receipt therefor, to receive payment of, or receipt for any" such tax, and "unlawful for any person to vote or attempt to vote at any election upon a tax receipt obtained in violation" of the act, the Court considering that at least insofar as it was directed toward regulatory features of the exercise of the franchise and the prevention of fraud and corruption it was proper and designed to such an end, even though it contained a penal provision. The Court said:

> The constitutional requirement is that the elector "shall have paid his State or county tax" before he is qualified to vote. The prime purpose of the legislation creating occupation and poll taxes was to enable persons to become qualified as voters rather than to raise revenue, and the legislature, having afforded this opportunity, may in all reasonable ways prescribe and regulate the manner of the payment of such taxes. The act of 1897 was no doubt passed to remedy a public evil which had come into existence through the wholesale purchase of tax receipts by organized political parties, contrary to the intent of the Constitution that each elector should individually pay a tax. The object of the act was to see to it that each elector should in good faith pay such taxes with his own funds. There is nothing in the statute which serves to disfranchise the citizen, for it rests with each man properly to qualify himself to exercise the franchise of an elector, and the act affords him ample opportunity so to do, without unreasonable restraints.

It comes to this:

> The Constitution requires that each elector shall pay a tax in order to qualify himself. The legislature has afforded that opportunity, at the same time hedging it around with proper and reasonable safeguards, and only payment in the manner prescribed by this legislation constitutes a payment of the tax in a legal sense, so as to give the voter the requisite constitutional qualification.

In *Breedlove* v. *Suttles* ((1937) 302 U.S. 277, 82 L. ed. 252, 58 S. Ct. 205), the Court held that a Georgia statute providing for the collection of a poll tax as a prerequisite to the right to register and vote at any election did not violate the equal protection of privileges and immunity clauses of the 14th amendment because it applied only to persons between the ages of 21 and 60, and to women only if they registered for voting, or because in the case of women, registration was permitted without payment of such taxes for previous years. The Court stated that the equal protection clause did not require absolute equality, and invoked the familiar constitutional rule that the privilege of voting at State elections is not derived from the United States, but conferred by the State, and that except as restrained by the 15th and 19th amendments and other applicable provisions of the Federal Constitution, the State may make any conditions, as regards suffrage, that it deems appropriate, and that the privileges and immunities protected under the 14th amendment are only those that arise from the Constitution and laws of the United States, and not those springing from other sources. And it was particularly considered that the right of male electors to vote was not denied on account of their sex, within

the meaning of the 19th amendment to the Federal Constitution, by a Georgia statute requiring that men between the ages of 21 and 60 should pay all poll taxes, including those of previous years, as a prerequisite of voting, while requiring women to pay a poll tax only if they registered for voting.

I have established, from cases throughout the whole history of this country, that this is a matter which should be adopted by the States, and that the power to fix qualifications of voters should remain absolutely and alone in the State government, where the great wisdom of the writers of the Constitution placed it.

I respectfully urge that the Senate do not create such a precedent as is sought to be created here.

My distinguished colleague from Mississippi [Mr. STENNIS], in his first speech against the enactment of an anti-poll tax amendment, pointed out—and I thought appropriately so—the increase in crime in the Nation's Capital. That is a matter which should be dealt with by Congress. It is a matter that is primarily the duty of the Congress to deal with. We have conditions here, as described by my colleague, of secretaries in the Capitol of the United States and in the offices of Senators who have to ask for police protection in order to get to their automobiles, to go home in the evening, because of the rape and robbery and murder that are committed right here in the District of Columbia and right here on Capitol Hill.

It is a deplorable condition. It is a horrible condition.

That is a matter which is within the duty of Congress. It is the primary responsibility of Congress. Congress should attend to that condition, instead of taking up a two-bit amendment to take away from five States the right to levy the poll tax, when it does not disqualify anyone from voting, and when there is no showing that anyone is disqualified from voting. We should attend to conditions that affect us right here, which are of primary importance to us, rather than playing politics and taking up political measures.

Senator STENNIS has described the situation now developing, in which no person's wife or property is safe anywhere or at any time from the hoodlums, muggers, robbers, murderers, and rapists who roam the streets at every hour of the day and night in the Nation's Capital. Congress could better spend its time in cleaning up a situation in an area where it has the primary responsibility, rather than to be here engaged in an attempt to take more powers away from a handful of States on an insignificant matter such as the poll tax.

Mr. President, why is it that we do not have the courage to come to grips with the rape, the robbery, the murder, and all the other crime in the District of Columbia, including the area around the Capitol of the United States itself?

While we from the South have persistently and rightfully denied that there is any relationship between the poll tax issue and civil rights, proponents of so-called civil rights legislation always equate anti-poll-tax legislation in the civil rights area. The most remarkable single factor concerning the agitation for civil rights legislation generally is that the primary origin for the movement to enact punitive legislation against a handful of Southern States arises in the great metropolitan areas of the United States, including the city of Washington, D.C. God pity the future of this country if civil rights are to mean a license to steal, rob, rape, assault, and murder with impunity. It has even been necessary to station police dogs on Capitol Hill because of the rampant crime. Yet, we in Congress do not have the courage to come to grips with our responsibility and protect the people who govern the country. Yet, the tragic record that is now being written in regard to crimes of violence, both premeditated and unpremeditated, in our metropolitan areas is one that must shock the sensibilities of the civilized world. I wholeheartedly agree with my colleague from Mississippi that Congress should concentrate on activity that would insure to the individual citizen and to the community the right to be safe in both his person and property from the gangsters, hoodlums, and vagrants that roam the streets of Washington and create a reign of terror. Let us examine the record. The complete reports for 1961, prepared by the Federal Bureau of Investigation, on crime figures in the United States have just recently been released. This report states that preliminary crime figures for the calendar year 1961 as reported by American cities with over 25,000 population reveal a 2-percent crime increase over 1960. Increases were recorded in all crime categories except robbery, which was down 1 percent. The year ended with forcible rape up 1 percent over 1960, with cities in the 250,000 to 500,000 population groups reporting a sharp 19 percent increase. Aggravated assaults were up 3 percent, and murder rose another 2 percent over the previous year. Burglary continued an upward trend, with a 3-percent increase. Other crimes against property; namely, larceny of $50 and auto theft, also showed increases of 2 percent. The report concludes with this significant statement:

> Although the crime trends and arrest trends are less sharp than a year ago, it should be kept in mind that these increases, even though appearing to be moderate, were registered on top of the crime peak reached in 1960.

Thus, the FBI reports that 1960 was the peak year in crime trends, and yet, even after the peak was reached, 1961 reflected still another gain of up to as much as 3 percent in the overall register of crime statistics. The greatest area of increase was registered in the larger cities, such as Washington.

Let me quote the bare figures in our larger metropolitan areas. In 1960 New York City reported 390 homicides in the various categories. 1961 showed an increase of murder and manslaughter to the number of 462. Rapes dropped from 841 to 788.

Think of that, Mr. President: More than two rape cases a day in New York City. Yet it is from that area that we hear the howling for law enforcement in the South, which is the most peaceful part of our country.

Robberies in New York City decreased slightly from 6,579 to 5,955, but aggravated assaults increased from 11,021 to 11,976. Burglaries increased from 36,049 to 38,460, and larcenies of over $50 increased from 54,213 to 54,827. Even with a population such as that which is contained in the land area of New York City, these are fearsome totals of crimes of violence. I sat in on hearings the other day involving a judicial appointment in the southern district of New York. A witness testified that the nominee had been the chief judge in a three-judge court that was required to process and adjudicate more than 70,000 juvenile cases in a calendar year. The witness pointed out the difficulty that any judge would have in having to personally hear and determine more than 23,000 cases in a year. That figures out at almost 2,000 cases a month, and this, mind you, is in just one court in the city of New York.

That is where the howl is raised, that is where the agitation comes from, to federalize this country and force the conditions of New York on the people of the Southern States. But let me move on to other areas.

In the city of Philadelphia, murder dropped from 150 to 144; rapes from 529 to 500. Robbery increased from 2,014 to 2,215. Aggravated assaults decreased from 4,041 to 3,842. Burglary remained almost constant at 11,840 to 11,752, and larceny decreased from 4,594 in 1960 to 4,152 in 1961.

The old refrain is being repeated day after day in Philadelphia. I shall read now from an article appearing in the Philadelphia press in 1958. Mr. President, when the article was written in 1958, the crime rates in Philadelphia were not as high as they were in 1960, and not as high as they were in 1961, and not as high as they are in 1962. So we must consider this article in the light of the even milder conditions which prevailed then.

I now read from the article:

> We wonder how long the present public indignation about the murder of a Korean student by a gang of 11 young hoodlums last week will continue. The city has seen somewhat similar atrocious attacks on storekeepers or old women. There have been public outcries. Within a matter of days, however, all is forgotten except by the widows and orphans or families of the beaten and killed. There have been vicious murders before and juries have convicted some defendants as many as five times. Appellate courts have reversed them on technicalities found by slick lawyers. Minuscule errors by judges and prosecutors have resulted in killers being turned loose.
>
> Certainly, every defendant should have all the safeguards of the law but no more. The law should protect the public also.
>
> There was a time when criminal punishment was too severe and there was public revulsion. The pendulum seems to have swung the other way entirely, and now the utmost liberty is given criminals. The "bleeding heart" social workers who make up most of the penal and correctional staffs seem to think that a slap on the wrist is enough for a criminal who uses brass knuckles or a lead pipe on a defenseless old man or woman; that probation, given over

and over again, is the answer and that we musn't hurt the feelings of the poor "underprivileged".

Judges and magistrates with political ties and political fears are only too happy to accept their decisions.

Much of the trouble goes back to the younger generation of the Negro race. It would be nice to be able to pretend it isn't so and hide one's head in the sand, but statistics and facts can't be shrugged off. It is unpopular to discuss Negro crime and the Negroes have done little to help themselves.

Philadelphia, traditional city of brotherly love, opened its heart, its arms, and its purse to the less fortunate from the earliest days. Now the repayment is in crime, terrorism of schools and institutions, and a lessening of standards generally.

Negro youth, boys and girls, almost monopolize many of the recreation centers, not only those in their own neighborhoods but in white areas too. There have been running battles around high schools, in particular, covered up by police, the schools and other authorities. They have frightened schoolteachers and some refuse to work at schools in Negro areas.

The excerpts I have read are from an article written by John C. Calpin, and published on the editorial page of the Philadelphia Bulletin on Sunday May 4, 1958. Every word that he states in this article is equally true of the situation that exists here in Washington, and the crime statistics for the city of Philadelphia have shown an upward increase since that article was written in 1958.

The city of Chicago has only recently installed a system of crime reporting that makes figures available to the public. It now uses standards that are satisfactory to the reporting system of the Federal Bureau of Investigation; and the figures for 1961 reveal that there were a total of 365 murders; 1,481 rapes; 18,993 robberies; 11,410 aggravated assaults; 39,452 burglaries, and 27,678 cases of larceny of $50 or over. It will be interesting to see how the Chicago figures for the year 1962 come out, because this will be the first time that we shall have had an opportunity to make a comparison as to an increase or decrease in its crime statistics.

Detroit, Mich., while losing population between the 1950 and the 1960 censuses, still ranks in fifth place in population of cities. Detroit's comparative crime figures for the period between 1960 and 1961 show a decrease in murder from 150 to 136; forcible rapes from 332 to 315; robberies from 3,988 to 3,397. Aggravated assaults increased from 5,012 to 5,052. Burglaries decreased from 16,500 to 15,300, and larcenies of $50 or over decreased from 4,800 to 4,364.

Los Angeles, Calif., shows the following comparative figures for the period between 1960 and 1961: Murders increased from 154 to 159. Rapes increased from 1,085 to 1,156. Robberies decreased from 6,068 to 5,729. Aggravated assaults increased from 7,565 to 7,973. Burglaries decreased from 36,256 to 35,404. Larcenies of $50 or over decreased from 21,417 to 20,192.

Mr. President, the point is that under our system of Government, the U.S. Government does not have control of the police. The city governments do, under the police power.

ORDER OF BUSINESS

Mr. EASTLAND. Mr. President, I ask unanimous consent that at this time I may yield the floor to the Senator from Alabama [Mr. SPARKMAN], with the understanding that in doing so I shall not lose my right to the floor, that at the conclusion of his undertaking I shall regain the floor, and that my yielding the floor for this purpose will not count as one speech on my amendment, but that it shall be understood that I am still in the process of making my first speech on the amendment.

The PRESIDING OFFICER (Mr. HICKEY in the chair). Is there objection? Without objection, it is so ordered; and the Senator from Alabama is recognized.

VISIT TO THE SENATE BY DR. ERICH MENDE, OF THE FEDERAL REPUBLIC OF GERMANY

Mr. SPARKMAN. Mr. President, I am pleased to inform the Senate that we have with us today a very distinguished visitor. I refer to Dr. Erich Mende, leader of the Free Democratic Party of Germany, and a member of the German Federal Republic's Parliament, the Bundestag. He is visiting the United States at the invitation of Secretary of State Rusk.

Dr. Mende arrived here Saturday. He will be in this country altogether some 12 days to 2 weeks, and then will return to Germany.

In addition to being the leader of the Free Democratic Party, Dr. Mende and Chancellor Adenauer form the coalition government which now holds power in Germany.

Today several Members of the Senate had the pleasure of having lunch with Dr. Mende. We enjoyed very much his answers to our questions and the information he gave us.

It is a great honor to have Dr. Mende with us today; and at this time I am delighted to have the privilege and the pleasure of presenting him to the Senate.

(Applause, Senators rising.)

Mr. President, I ask unanimous consent to have printed in the RECORD at this point, as a part of my remarks, a biography of Dr. Erich Mende.

There being no objection, the biography was ordered to be printed in the RECORD, as follows:

BIOGRAPHY OF DR. ERICH MENDE

Dr. Erich Mende, leader of the Free Democratic Party (FDP) and member of the Federal Republic's Parliament, the Bundestag, is recognized as one of the most influential political personalities of the Federal Republic of Germany. Together with the Christian Democratic Union (CDU), led by Chancellor Adenauer, his party formed the present coalition government of Germany.

The FDP controls 67 seats in the Bundestag against 251 held by the CDU/CSU. Thus the two parties control a majority of the total of 521 seats in the Bundestag, 22 of which are held by deputies representing Berlin, which do not vote in plenary sessions.

Dr. Mende has been a member of the FDP since it was founded and organized in 1945. Though his party has been a member of previous coalition governments of the Federal Republic of Germany since it was established in 1949, Dr. Mende has never held a Cabinet post in any of these. The FDP is regarded as the party which most strongly espouses the economic liberalism regarded as one of the important elements behind the Federal Republic's miraculous economic revivial and growth.

Dr. Mende, a Catholic, lives near the Rhine at Bad Godesberg, a few miles upstream from Bonn. He is married and has two children.

The son of a schoolteacher, Dr. Mende was born on October 28, 1916, in Gross-Strehlitz, a town in Upper Silesia now under Polish administration.

He graduated as an honor student from the humanistic gymnasium in Gross-Strehlitz. Although he had intended to go on to the study of law, at the outbreak of the Second World War, Dr. Mende decided to make a career of military service. He was combat officer throughout the war and served on the eastern front from 1941 to 1945. Twice he was wounded in action. He distinguished himself in battle and was repeatedly decorated. At the end of the war he held the rank of major.

In 1945 he took up the study of law and, for the first time, took an active interest in politics.

In 1948 he was awarded the doctor of jurisprudence degree and continued to study political science at Cologne until 1949.

Dr. Mende has held the following offices in the FDP: In 1947, member of the executive committee for the British Zone of Occupation; since 1949, member of the federal executive committee; in March 1953, deputy chairman for North Rhine-Westphalia; in April 1956, deputy chairman and since January 1960, chairman of the federal executive committee of the FDP.

Since the Bundestag was constituted in 1949, Dr. Mende has held these positions: from 1950 to 1953, FDP whip and member of the executive committee of the FDP parliamentary group; in 1953, deputy chairman and since 1957, chairman of the executive committee.

He is a member of the executive committee of the German council and the parliamentary section of the European movement.

PRODUCTION OF DOCUMENTARY EVIDENCE IN CERTAIN CASES

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 167) to authorize the Attorney General to compel the production of documentary evidence required in civil investigations for the enforcement of the antitrust laws, and for other purposes, which were, on page 2, line 6, after "following);" insert "and"; on page 2, strike out lines 7 through 14, inclusive; on page 2, line 15, strike out "(4)" and insert "(3)"; on page 2, line 17, strike out "or antitrust agency"; on page 2, strike out line 22 and all that follows over through and including line 1, on page 3; on page 3, line 2, strike out "(c)" and insert "(b)"; on page 3, line 2, strike out all after "means" down through and including "or" in line 3; on page 3, line 7, strike out "(d)" and insert "(c)"; on page 3, line 11, strike out "(e)" and insert "(d)"; on page 3, line 14, strike out "(f)" and insert "(e)"; on page 3, line 18, strike out "(g)" and insert "(f)"; on page 3, line 21, strike out "(h)" and insert "(g)"; on page 3, line 25, strike out

"(i)" and insert "(h)"; on page 4, line 7, after "person" insert "under investigation"; on page 4, line 8, strike out "an" and insert "a civil"; on page 7, line 3, after "writing" insert "or as the court may direct, pursuant to section 5(d) of this Act"; on page 7, line 14, strike out all after "General" down through and including "examination" in line 15; on page 7, lines 19 and 20, strike out "or any antitrust agency"; on page 8, line 2, strike out all after "any" down through and including "agency" in line 3, and insert "court or grand jury"; on page 8, line 11, strike out all after "such" down through and including "agency" in line 12, and insert "court or grand jury"; on page 8, lines 19 and 20, strike out "or any antitrust agency"; on page 8, lines 21 and 22, strike out "court, grand jury, or antitrust agency" and insert "court or grand jury"; on page 9, line 9, strike out "or any antitrust agency", and on page 14, line 7, after "person" insert ", including a natural person".

Mr. EASTLAND. Mr. President, on September 21, 1961, S. 167, a bill to authorize the Attorney General to compel the production of documentary evidence required in civil investigations for the enforcement of the antitrust laws, passed the Senate.

On March 13, 1962, the House of Representatives passed this bill, with amendments.

I move that the Senate disagree to the House amendments, request a conference, and that conferees be appointed on the part of the Senate.

The motion was agreed to, and the Presiding Officer appointed Mr. EASTLAND, Mr. KEFAUVER, Mr. JOHNSTON, Mr. DIRKSEN, and Mr. HRUSKA conferees on the part of the Senate.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed, without amendment, the bill (S. 2165) for the relief of Jean L. Dunlop.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 4130) to lessen the impact of the termination of Federal services to the Menominee Indian Tribe of Wisconsin.

The message further announced that the House had passed a bill (H.R. 10431) to revise, codify, and enact title 37 of the United States Code, entitled "Pay and Allowances of the Uniformed Services," in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 1691. An act to provide that any juvenile who has been determined delinquent by a district court of the United States may be committed by the court to the custody of the Attorney General for observation and study; and

S. 1756. An act for the relief of the city of Pasco, Wash.

HOUSE BILL REFERRED

The bill (H.R. 10431) to revise, codify, and enact title 37 of the United States Code, entitled "Pay and Allowances of the Uniformed Services," was read twice by its title and referred to the Committee on the Judiciary.

THE ALEXANDER HAMILTON NATIONAL MONUMENT — AMENDMENT TO THE CONSTITUTION DEALING WITH POLL TAXES

The Senate resumed the consideration of the motion of the Senator from Montana [Mr. MANSFIELD] to proceed to the consideration of the joint resolution (S.J. Res. 29) providing for the establishing of the former dwelling house of Alexander Hamilton as a national monument.

Mr. EASTLAND. Mr. President, as I stated, we do not have jurisdiction over those States, but we have primary jurisdiction over the District of Columbia. The Constitution of the United States places that jurisdiction in the hands of Congress.

Let us go further into this record. Baltimore, Md., has a population of almost 200,000 in excess of Washington, D.C. It is interesting to compare certain of the Baltimore statistics with those of Washington. As bad as the record is in Baltimore, Washington outdoes Baltimore in the vital categories that strike terror so deep into the hearts of those people who live in the Washington area. There were 134 rapes recorded in Baltimore in 1961, and 100 recorded in Washington.

Baltimore is a city with 200,000 more people than reside here. Police officials have told me that, in their judgment, there are as many unreported rapes in the District of Columbia as there are rape cases that are reported to the police.

Baltimore's record of robberies was 1,029 against 1,348 in Washington. In the category of aggravated assault, there were only 1,966 in Baltimore, as compared to 2,955 in Washington. As to burglaries, 4,573 were recorded in Baltimore, while Washington reflects a total of 4,902. In larceny of $50 or over—the common stealing crime—there were 4,460 in Baltimore against only 2,464 in Washington. These figures reflect that the crimes of violence are much more rampant in this Capital city than they are in the near-neighbor city, and it is in these self-same cities that we find the spearheads of the agitation for the abolition of the poll tax and the enactment of civil rights legislation—God spare the day when their culture can be forced upon the Southern States, where peace and tranquillity prevail—all laws that are designed as penal measures against those areas of the United States which crime statistics reveal are the most peaceful and most law abiding in the entire country.

A most interesting editorial in line with the discussion of my colleague from Mississippi [Mr. STENNIS] and my present discussion appeared in the Monday edition of the Evening Star. It states:

Donald Clemmer, district director of corrections, seems to have been right when he predicted that the outbreak of violence in Washington would get worse before it gets better. The recent epidemic of vicious and unprovoked attacks is enough to make decent citizens fearful of leaving their homes.

This is not organized crime in the usual sense. Nor are the thugs responsible for it content to rob and steal. In more cases than not, their victims also are brutally beaten.

Chief Judge McGuire, of the district court, didn't exaggerate when he commented in court that "You can't go out in the street without being hit on the head. You can't ride a bus. You can't close your place of business at night but what thieves get in." And he was right when he said that one thing that can be done is to let it be known that stiffer sentences will be imposed on those who are caught. "When you snatch a pocketbook," he told one offender, "you are just snatching a little time out of your life—you are going to jail. That is the way it is going to be."

District Commissioner John B. Duncan has more or less echoed these sentiments in a companion move against criminals initiated by all three Commissioners.

This move takes the form of an appeal to the House District Committee for speedy action on a bill to authorize the Commissioners to mobilize the city's police reserve corps. If necessary legislation is enacted, this group of some 2,000 men and women would be able to work with the regular police on street patrols and similar assignments. Certainly it should be helpful in dealing with the yokers, the clubbers and the stompers.

Mr. Duncan makes the point, and we think he is right, that public tolerance of crime, indifference to conditions which breed crime and insufficient discipline of young people are major contributing factors to the upsurge of violence in the Nation's Capital.

The immediate problem, however, is that of coping with crime itself, not the conditions which produce criminals. In this connection, more extensive policing of the streets and the severer penalties suggested by Judge McGuire certainly would help. To be avoided is the fuzzy-minded notion that the yokers will go away if we all pretend that they don't exist.

I am in thorough agreement with the remarks made by Chief Judge McGuire that the thing to do with the thugs and hoodlums and the murders and rapists is to put them in jail and see that they stay there. If I had to point my finger at the one agency that must take the greatest share of the blame for creating a climate that allows crime to run so rampant, I am constrained to lay the responsibility on the judges, not so much those who try to sentence the criminals, but the appellate courts and in the hierarchies of the appellate courts. The ultimate responsibility, particularly insofar as the District of Columbia is concerned, must rest squarely and firmly on the shoulders of the Supreme Court of the United States.

The second offender, Mr. President is the Congress of the United States, which refuses to come to grips with murder, rape and robbery in the District of

Columbia. The police of this city are doing a fine job, but the politicians, because of pressure from pressure groups in great northern cities, will not come to grips with the issue. We do not give adequate protection to the employees whom we bring to this city to help carry on the work of the American Congress. We do not give adequate protection to the people who live in the District of Columbia.

Charles J. Bloch, who in my judgment is the greatest living constitutional lawyer, made a masterful speech before the southeast regional meeting of the American Bar Association in Birmingham, Ala., on November 9, 1961. Mr. Bloch not only is a trial lawyer of great distinction, but also he is the author of several books and is recognized as an authority in the great area of conflict of laws between the Federal and State jurisdictions. In this masterful speech he said, in part:

> Perhaps the most frequently cited case in support of the thesis that the Supreme Court is maintaining a soft line toward criminals is *Mallory* v. *United States*, wherein the case of a rapist was reversed and remanded because he had not been taken before a committing magistrate "without unnecessary delay."
>
> I venture to predict that, in the future, Willie Lee Stewart will supplant Mallory in this respect. Willie Lee had been twice convicted of murder and secured reversals on the basis of trial errors. A third trial also resulted in a verdict of guilty and a death sentence. While he was on the stand, the prosecuting attorney asked him, "Willie, you were tried on two other occasions—this is the first time you have gone on the stand, isn't it, Willie?"
>
> By a vote of 5 to 4 this was held to have been erroneous.

The Supreme Court of the United States held that to be reversible error, Mr. President. Think of such a foolish thing. He was asked whether he had been tried twice before and this was the first time he had gone on the stand.

One of the four was Mr. Justice Clark whose opinion commences:

"It may be that Willie Lee Stewart had an intelligence level in the moronic class but he can laugh up his sleeve today for he has again made a laughing stock of the law."

Mr. President, the Supreme Court of the United States has made a laughing stock of the law.

> Another of the four was Justice Frankfurter. He quoted from ex-President, ex-Chief Justice Taft: "When a court of highest authority in the country thus interposes a bare technicality between a defendant and his just conviction, it is not too much to charge some of the laxity in our administration of the criminal law to a proneness on the part of courts of last resort to find error and to reverse judgments of conviction."
>
> A continuation of this policy toward criminals can only lead to the making of a laughing stock of the law—and when a laughing stock of the law is made, assaults on police officers, such as we read of in New York, follow, become more and more frequent. In their wake, anarchy and communism thrive.
>
> Let us hope that the winds may change. If they do not, the present temporary debacle will turn into a rout of our internal security (a quotation from Justice Clark in *Greene* v. *McElroy*).
>
> If, though, those who framed the Constitution could arise from their tombs and speak to the members of the legal profession, they would say: "We furnished the safeguards; you are too cowardly or you are too selfish or you are thinking too much of political situations to see to it that those safeguards are utilized.

It is needless to say how prophetic were the words of my great and good friend, Charlie Bloch. Willie Lee Stewart was tried again and the last jury was hung when one or two members held out for a verdict of not guilty by reason of insanity against the balance of the jury that wanted to find him guilty as charged. Again a laughing stock has been made of the law and, as Mr. Bloch so forcefully points out, the blame can be laid squarely on the shoulders of the Supreme Court of the United States.

Terror in the streets can stop when the courts perform their proper function in protecting organized society against murderers, rapists, muggers, thugs, and hoodlums. If we systematically remove these criminals from the streets there will be none to take their place. The average citizen must be made to feel that it is not only his right but also his duty to aid and abet our duly constituted law enforcement agencies in carrying forth this duty.

Mr. President, this reign of terror is aided and abetted by the Supreme Court of the United States, which will resort to any technicality to free a murderer, to free a rapist, or to turn loose on innocent people a savage who goes around committing crime after crime.

I say to Senators, the next most responsible is the Congress of the United States, for not coming to grips with this question upon Capitol Hill. We should be interested in that field of legislation, rather than conducting an attack upon five States of this Union on a negative matter.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HOLLAND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

SPACE LEADERSHIP

Mr. GORE. Mr. President, in October 1957 the Soviet Union launched the first sputnik. I know that my colleagues in the Senate will recall the enormous impact of this first dramatic venture into space. Then, and in the years immediately following, gnawing doubts were expressed as to the ability of a democracy to meet the challenge of an organized, monolithic society.

It took us a while to get going in the race for space, but now our own accelerated program is beginning to show results. A few weeks ago, our great effort was capped by Colonel Glenn's historic triple voyage around the earth. The acclamation of the world poured in; the Nation was jubilant; a much needed shot in the arm was given to the pride of the American people.

It is my conviction, and I know the conviction of every thoughtful American, that the United States must be preeminent in this new scientific endeavor. How, then, do we attain this position?

Mr. President, in 1958, I introduced a bill that would authorize $1 billion for an accelerated atomic-power program, including the first substantial funds for nuclear rocket propulsion. At that time I indicated what I believed was the path to space leadership when I said:

> If we are to succeed in the race to place into operation a space vehicle subject to control and direction by man, we must proceed with all possible speed in the development of nuclear propulsion.

Today, 4 years later, I hold firm in my belief that another great stride in space leadership lies in the union of space and the atom.

It is true that chemically fueled rockets provide adequate power for the immediately foreseeable missions and those of a satellite nature, but our program for outer space is more far reaching. The President has spoken of an "even more exciting and ambitious exploration of space, perhaps beyond the moon, perhaps to the very end of the solar system, itself."

Mr. President, such voyages require large amounts of power; at the same time, the package delivering this power must have a high energy output at a low weight; moreover, it must have a long term reliability. Perhaps only nuclear energy can fill the bill.

Today, I would like to describe some of the progress that has been made in the field of space applications of nuclear energy; I would also like to identify some of the trouble spots ahead in this program.

There are two principal areas in which nuclear energy can be used to supply power for space exploration. First, it can be used to boost vehicles into space and then provide necessary sustained power for voyages over vast distances, and over long periods of time. Second, it can serve as a source of auxiliary power for a wide variety of miscellaneous functions such as navigation, communications, environmental conditions and guidance.

In the area of propulsion, our work to date has centered around the development of a nuclear rocket engine, called Rover. Very generally, the Rover engine is a nuclear reactor, which has the ability to heat hydrogen, a very efficient fuel, to very high temperatures. When the hydrogen is expelled, tremendous thrust will result.

I have seen tests of the Rover, and I have been visually aware of the enormous thrust that is possible by use of that engine.

Nuclear power as generated by Rover is uniquely suited for space applications. Per ounce of fuel, it will give millions of times the energy of a chemically fueled rocket and even at this early stage of development it will give twice the performance that we can theoretically expect from chemical engines. Moreover, it does not require oxygen for operation.

Taking our first major space mission, the lunar voyage, the addition of only one

nuclear stage on top of the chemical engine, I am advised, would double the potential payload in lunar orbit from 110,000 pounds to 220,000 pounds.

Repeatedly, we have had experts testify before the Joint Committee who have emphasized the essential tie between nuclear rocket development and world space leadership. We have been told that if the United States fails to develop nuclear rocket engines, it will be left a second-class space power. Leading space scientists have emphasized that space will be conquered only by manned nuclear-powered vehicles. I have been impressed that nuclear energy is essential for leadership in space.

But propulsion is only one part of the picture. As I noted earlier, nuclear energy can be used to supply power for a wide variety of functions in the exploration of outer space. Let me give one striking illustration. In June of last year, we launched the Transit IV-A satellite. The navigational system of that satellite was powered by a small, 4½-pound atomic battery known as a SNAP device. It has worked, and is still working, perfectly. The implications for the space program are enormous because this 4½-pound device replaces 5 tons of conventional batteries. In an area where the relationship of weight to necessary thrust is so vital, SNAP represents a significant breakthrough.

The extremely rugged nature of the Transit satellite nuclear power supply is also a very important characteristic. Radiation belts in space and meteorites which seriously interfere with the performation of solar cells have little or no effect on the Transit nuclear power supply.

As these tiny powerhouses have been used for navigation, so can they supply power for a multitude of needs on a manned space mission. The list is infinite: power for water, food, and air supplies are but a few examples. In short, these tiny SNAP devices can play an integral part in providing our astronauts with the earthbound environment they require to sustain life in outer space.

Mr. President, the developments I have just described and the future I foresee for nuclear energy in space are not science fiction. Tests are being prepared and conducted, active research is being pursued in our laboratories and, indeed, some hardware is being designed. We are at last beginning to make some real progress.

It is important, however, to recognize that for all the progress made thus far, we are only at the beginning. We are very much in the "precountdown" stage of our endeavor and already nontechnical problems of a serious nature are emerging. It may be well to identify a few of the more serious warning signs that are beginning to show up.

The first problem we see is a space-age version of the age-old game of interagency rivalry. As an example, in the development of advanced SNAP power units we find the Air Force insisting that it be permitted to perform independent development of at least part of the power system. They persist in this point of view despite the fact that the AEC has done, and is set up to do, precisely this sort of work.

In the development of the atomic submarine, unified direction was achieved by creating a "two-hat office" within the AEC. Admiral Rickover wore both hats, and, I might add, wore them well, thereby representing both organizations and coordinating their respective efforts.

The same type of organization has been created for the Rover nuclear rocket project—an AEC–NASA joint office. Thus we bring to bear the respective talents and capabilities of each agency without sacrificing the need for efficient, unified leadership.

Our nuclear space program is too important; too much of our effort, money, talent, and prestige ride on its outcome to permit it to be plagued by short-sighted rivalries.

Closely related to the infirmity of administrative myopia is the peculiar condition described by physicists as inertia. An example of the tendency to stick to the old tried and true method of doing business arose at our Joint Committee hearings last summer on the satellite test detection project, Vela Hotel. We asked responsible people in the project whether they had thoroughly reviewed the advantages of using SNAP devices. The answer was "no." Committee members were shocked to learn of this failure to take the initiative so shortly after the tremendous success of the Transit-IV satellite only a month before.

It is inexcusable to me, that we should make a significant scientific advance and then fail to realize its full potential when only a new departure or a slight change of plan is required to incorporate the advance.

Lack of boldness is a first cousin of lack of followthrough. In this connection there are two items of a followthrough nature I want to emphasize.

At our July 1961 hearings, Mr. Webb, the NASA Administrator, informed the committee that steps were being taken to design the manned lunar vehicle to permit substitution of a nuclear engine for the upper chemical stages. Clearly, such an objective required a Rover schedule aimed at the earliest possible flight date. We must make sure that this objective is met and that we follow through on our program.

Second, I have already alluded to the failure in developing a coordinated program for advanced high-powered SNAP units. Dr. Seaborg, Chairman of the Atomic Energy Commission, has stated that failure to push ahead with this project could result in a bottleneck in the overall space program. Some progress has been made, but we must follow on and complete the work on this project.

Finally, let me call attention to the core element of any successful scientific program—advance planning. The first 10-year space program promulgated in the last administration by NASA barely mentioned the role of nuclear energy. We anxiously look forward to seeing the new, updated, 10-year program, shortly. Hopefully, the NASA program will give proper recognition to the urgent need for developing nuclear power for outer space.

Mr. President, I express this hope very earnestly. I repeat what I said on the floor of the Senate, that if the United States is ever to possess outer space, the maneuverability and the power of man to change his course and to be the master of his fate, this will be accomplished only through the use of nuclear energy.

I could go on at length arguing the importance of the nuclear space program and highlighting the telltale signs of friction and inertia which forewarn of problems ahead. But no amount of talk will substitute for action. President Kennedy has said:

> That which we do here, that which we are, speaks far louder than what we say.

Leadership in space is ours for the doing, and we must get on with the job.

There is one further point which I should like to make in closing. The Rover program is not new. Work has been in progress since 1955. Much more could have been done. That matter has not been prosecuted with the vigor which it deserves. However, until recently, the entire nuclear space program has suffered from a lack of planning and a concomitant lack of proper funding. Much of the work has been done on a shoestring basis, so to speak.

At last the program is beginning to get proper recognition. Last year, the total AEC–NASA budget for Rover was $89½ million. This year's request is in excess of $200 million—more than double the previous year's request. This is an encouraging indication of this administration's understanding of the importance of nuclear rocket development.

But, I am sure we have not seen the last of the budget fights. Alert people in both the executive branch and the Congress will have to be vigilant lest the program be hamstrung by those who see the handwriting on the balance sheet but not on the wall.

The President of the United States has described outer space as "an ocean we must sail." I submit that the success of our voyage in large measure will ultimately depend upon the common destiny of space and the atom.

FEDERAL TRADE INVESTIGATION IN INDIANAPOLIS, IND.

Mr. CAPEHART. Mr. President, the people of Indiana, particularly Indianapolis, are very much concerned by what seems to have the aspects of a kangaroo court that is being conducted by the Federal Trade Commission in Indianapolis, the Commission being represented by its examiner, Mr. William F. Lemke.

I ask unanimous consent to have printed in the body of the RECORD a letter which I have sent to the Honorable JAMES O. EASTLAND, chairman of the Committee on the Judiciary, with copies to the Senator from Washington [Mr. MAGNUSON], chairman of the Senate Commerce Committee, and the Honorable Paul Rand Dixon, Chairman of the Federal Trade Commission.

I hope every Senator and Member of the House will read the letter, because if this sort of thing can happen in the United States, then I say "God help us."

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
Washington, D.C., March 20, 1962.

Hon. JAMES O. EASTLAND,
Chairman, Senate Committee on the Judiciary,
U.S. Senate, Washington, D.C.

DEAR SENATOR EASTLAND: I am writing this letter to apprise you of a matter arising in Indianapolis, Ind., which, I am sure, will concern you both individually and in your capacity as chairman of the Senate Judiciary Committee. The issues involved in the Federal Trade Commission proceeding described in this letter present to my mind grave questions as to the fundamental rights of individuals to due process of law.

Undertaking an inquiry into alleged law violations in the Indianapolis area, the Federal Trade Commission arbitrarily decided to open the doors of its investigation, normally a secret and confidential proceeding, by conducting a public hearing. National Tea Co., Kroger Co., Marsh Supermarkets, Inc., and six local supermarket concerns were subpenaed to testify and produce cost and price data in public. Yet no specific charges have been filed and the "witnesses" are not informed of the specific complaint which they must defend. The Indianapolis hearing commenced on March 13, 1962, and is scheduled to run for 3 weeks; the details of this extraordinary proceeding are more fully set forth in an FTC news release dated February 28, 1962.

I do not contest the right of the Federal Trade Commission to investigate. I do submit, however, that the conduct of a public investigation:

1. Is not justified or permitted by statute governing the Federal Trade Commission;
2. Is not condoned by Commission rules;
3. Is in direct conflict with the due process clause of the Constitution;
4. Is contrary to orderly judicial procedure;
5. Is not even duly authorized by a formal order of FTC.

Persons required to appear in public before a governmental enforcement agency to testify as to possible law violations of necessity feel the stigma of adverse publicity. Retailers have a direct relationship with the public, and their business reputations depend on public acceptance. In the event of public reprobation, their reputations and, perforce, their business endeavors must suffer.

In the case of an investigational hearing, those called are castigated by many private citizens as having already been proven guilty of unlawful conduct. It is no doubt for this reason that grand jury investigations are conducted off the public record; the rights of persons to privacy and freedom from adverse publicity should be jealously protected until such time as specific charges are brought. No such complaint has been filed by FTC in this case, however, and those subpenaed do not even know the precise nature of the charges to which they must respond. Indeed, the entire proceeding may reveal no unlawful conduct in any respect. It is my belief that the transcript of this proceeding to date will reveal its adversary nature without benefit of charges or the normal protections to which respondents in an adjudicative proceeding are universally entitled. I abhor condemnation through the public relations medium of adverse publicity and consider it a deprivation of individual liberties.

For another very important reason a public hearing of this nature is indefensible. In being required to furnish detailed cost and price data, witnesses are compelled to spread certain important trade secrets open for the scrutiny of the public, including competitors. I cannot overemphasize the adverse consequences which could ensue from this requirement. Although it appears that the Commission has to some extent been forced to limit the disclosure of trade secrets, it is my understanding that this limitation occurred relatively recently in the hearings after at least one of the witnesses had revealed its trade secrets to the advantage of their competitors who were in attendance noting the revelations; and the scope of the limitation is uncertain.

This type of unwarranted public display lacks precedent even at the Federal Trade Commission: in the 48 years that the agency has been in existence never before has this type of investigation been indulged. And even in this case, I am unable to find any Commission order authorizing the proceeding. I fail to see why such a trial by publicity should be tolerated now, particularly in that it does not appear authorized by the Federal Trade Commission Act and in that it does substantial violence to the rights of individuals and individual corporate citizens to due process of law. None of the reasons offered for the investigational public hearing by the Commission in its news release have merit, and even were they meritorious they should not contaminate the basic constitutional rights of citizens.

Nor has the hearing been conducted along lines which indicate that the Federal Trade Commission is at all concerned with the legal rights of witnesses. In this connection, I need but quote from an editorial appearing in the March 16, 1962, issue of the Indianapolis Star:

"The companies summoned to this hearing must produce evidence under oath, but company officials are not allowed the normal benefit of counsel. No attorneys may make a statement at the hearing. Witnesses may not be cross-examined, even though they make public statements, presumably under oath. A firm that fails to produce evidence required by an FTC order could find its officers under criminal sentence and fine. Attorneys who object to the proceedings, or who make statements during the hearings, may be disbarred before the Commission.

"These are the self-announced ground rules of Examiner William F. Lemke.

"Yet none of the firms who must appear before Lemke's bench has been charged with anything. He and FTC seek evidence on their own terms. This smacks of the Tudor kings of England who once used bills of attainder as an extrajudicial means to dispose of uncomfortable subjects."

In view of the history of this astounding proceeding, I must confess apprehension for the rights and protections available to any individual called to appear in any capacity in any proceeding of any nature before a Federal enforcement agency. I doubt that this sort of arbitrary public castigation is part of our American heritage. Certainly this sort of conduct would not be tolerated if engaged in by a duly established court of law: how can it be tolerated when undertaken by an administrative agency?

Inasmuch as this proceeding now transpiring in Indianapolis appears to me to constitute an abuse by the Federal Trade Commission of its judicial function, I think it wholly appropriate that the Senate Committee on the Judiciary inquire into the matter. Moreover, such an inquiry would, in my opinion, advance the basic rights of individuals called before the bar of administrative justice. I am sure that representatives of the companies involved would be pleased to appear before such an investigation. I deeply appreciate your consideration of this matter.

Sincerely,

HOMER E. CAPEHART.

DR. HEINRICH VON BRENTANO: NEW MAJORITY LEADER OF GERMAN PARLIAMENT

Mr. MORTON. Mr. President, with the Berlin crisis still topping the agenda of the Western Powers, and the present Foreign Ministers Conference in Geneva, it is encouraging to see that the new majority leader of the German Parliament is Dr. Heinrich von Brentano, the distinguished former Foreign Minister of the German Federal Republic. Dr. von Brentano's close ties to the United States have been notable ever since he assumed the important role on the side of Chancellor Adenauer.

When Dr. von Brentano retired as Foreign Minister of the German Federal Republic, many of our colleagues regretted his departure from the post, but hailed his election to the more important post of majority leader in the German Parliament.

Dr. von Brentano's ties with the United States have long been established through his forebears, and more recently in his close working relationship with Chancellor Konrad Adenauer. Today I would like to pay tribute to Dr. von Brentano, a great statesman, whose efforts to bring the new Germany firmly into the Western group of free nations will never be forgotten.

Dr. von Brentano always felt a close kinship with the people of our country since his family, many years ago, were among the leaders in the American community. His uncle, Judge Theodore Brentano, served on the bench in Chicago for more than 30 years. During President Harding's administration the judge was appointed American Ambassador to Hungary, and he continued in this post during the administration of President Coolidge.

Judge Theodore Brentano was the son of the famous German-American Lorenz Brentano, close friend of Abraham Lincoln, and one of the founders of the Republican Party. He was also one of the sponsors for Abraham Lincoln's candidacy as the Republican nominee for President.

Announcement of Dr. von Brentano's resignation as German Foreign Minister several months ago was received with great regret and disappointment by much of official Washington. But his friends were happy when they later learned that he assumed the important role of the new majority leader in the German Parliament.

Cables and letters poured into Bonn from all parts of the United States. The late Senator Styles Bridges, former ranking Republican Senator and chairman of the Republican policy committee, was among those who cabled his friend of many years as follows:

With sincere regret I learned of your decision to resign as Foreign Minister of the Federal Republic. It has been a privilege to work with you with the result that your country has joined ours as a bulwark of democracy. Best personal wishes for all success in future endeavors.

On the other side of the aisle, Senator ESTES KEFAUVER, Democrat, of Tennessee, also cabled his regrets to the Foreign Minister, stating:

It was with regret that I learned of your resignation. Your valuable services as Foreign Minister contributed greatly to the reconstruction of Germany as a trusted ally of the free world. I wish you all luck in the future.

Still another of our esteemed colleagues, Senator ROMAN HRUSKA, Republican, of Nebraska, cabled the following message.

I have learned with regret of your decision to step down as Foreign Minister of the Federal Republic. It has been a pleasure to work with you over the years, forging the bonds of friendship between the United States and the new Germany. In your resignation, Germany loses a great statesman. My every wish for your future success in any path you may choose to follow.

Senator JACOB K. JAVITS, the senior Senator from the State of New York—Republican—sent this cable to Dr. von Brentano:

Your decision to leave the Foreign Ministry of the Federal Republic is deeply regretted here. Your many American friends vividly remember your valuable contributions to the policies forged by President Eisenhower in cooperation with Chancellor Adenauer and yourself. Above all, you are thought of as a pillar of Western resolve to unite in defense of freedom, justice and peace for all mankind. I earnestly hope that you will continue to be heard with us in the struggle for these principles and I wish you well in all future endeavors.

There were many other messages, all expressing friendship and regret at the Brentano resignation. Germans all agreed that Dr. von Brentano's resignation as Foreign Minister, tendered in order to ease the way for the formation of a new coalition government, enhanced his prestige. He sought to avoid any political friction that may have caused criticism or that may have produced any awkward or difficult situations for the Adenauer regime, and in so doing greatly increased his stature.

For years Dr. von Brentano was a distinguished member of the Bundestag. He has become the political leader of the Christian Democratic Union's parliamentary group, and now as majority leader of the German Parliament, he has a significant role in German state affairs. Dr. von Brentano is a firm friend of the United States.

As a mark of appreciation, I quote the following excerpt from the German newspaper, Darmstaedter Echo, published in Darmstadt, the home district which Dr. von Brentano represents in the German Parliament. The item, written by the paper's editor in chief, recognized that Dr. von Brentano has heightened the prestige of the Federal Republic in the free world and among the neutral nations, stating:

The Adenauer-Brentano policy has prevented further Communist encroachment on Western Europe. Citizens of the Federal Republic and West Berlin are free and live in an atmosphere of respect for human rights. These people now have the right to determine their own political, cultural, and social systems. Dr. von Brentano and Chancellor Adenauer led the Federal Republic into the community of the free Western World. Now Germany is a member of the North Atlantic community, and hence enjoys a maximum of national security. Still further evidence of Dr. von Brentano's statesmanship is his successful effort in negotiating the return of the Saar.

These achievements would have been unthinkable 12 years ago. They came about through the statesmanship of Chancellor Adenauer and his Foreign Minister. With this in mind, it must be recognized that no country could boast a foreign policy more courageous, more imaginative, and more successful than theirs.

Now Dr. von Brentano has returned to the role of his first love, and our great love; that is, to become a member of the most important branch of any democracy, the legislative branch. There he functions as the very able majority leader. We have seen recently his statements and speeches reaffirming his strong position with the United States and our allies against Soviet imperialism or Soviet political aggression.

I am very glad to tell my colleagues that Dr. von Brentano, in his present important role, will soon visit the United States. This time we will welcome and greet him as our distinguished colleague. He will be accompanied, I understand, by Dr. Wolfgang Pohle, former member of the German Parliament and now a prominent German industrialist who will be Dr. von Brentano's economic adviser.

Those of us—Members of the Senate and the House—who have visited Bonn and the German Parliament recall with pleasure and satisfaction the hospitality and friendship extended to us. I am sure that this same hospitality will be reciprocated when Dr. von Brentano and his party come to Washington, not only as one of our colleagues, but also as an old friend.

In passing, I would like to recall to my colleagues the strong German-United States friendship which Dr. von Brentano, in close collaboration with Chancellor Adenauer, was instrumental in developing during the Eisenhower administration, and of his close alliance with our then Secretary of State, the late John Foster Dulles. The CONGRESSIONAL RECORD for July 14, 1959, carried a speech by the late Senator Styles Bridges which included a statement by Dr. von Brentano, made while he was still Foreign Minister, titled "John Foster Dulles, Idealist and Realist." In his statement, Dr. von Brentano observed:

The German people on this side and the other side of the unfortunate separation line lost in John Foster Dulles one of their most faithful and sincere friends. He represented the legitimate interest of the German people with a passion of the righteous thinker.

Further, Dr. von Brentano went on to say:

John Foster Dulles, was, like all great people, an idealist in the best sense of the word. Idealism in thinking and realism in acting do not exclude each other, but compliment each other.

Mr. Dulles knew, said Dr. von Brentano, that the artificial division of Germany was an expression of world political tension and that he—Mr. Dulles—wanted to eliminate this tension in order to restore and assure world peace. This knowledge, explained Dr. von Brentano, and this desire were the basis for the close political cooperation with the German Federal Government.

This close association with our Government was present during the Truman and Eisenhower administrations and may I say, thank God, it exists today in the Kennedy administration.

In the spring of 1960 while the then Foreign Minister was a visitor in the Nation's Capital, my colleagues were fortunate to have him present as their honored guest at a memorable luncheon where members of the Democratic and Republican Parties gathered. Speaking of the honored guest, the late Senator Styles Bridges said:

Dr. Heinrich von Brentano reflects the political philosophy and the credo of our late Secretary of State, John Foster Dulles, with whom he was on friendliest of terms. They shared a passion for German reunification, a devotion to the ideal of European unity and cooperation, a dedication to their countries' own interests. They admired and respected one another, and met often to discuss the common objectives of West German and American policies. And today, Herr von Brentano is a loyal teammate of our distinguished Secretary of State, Christian Herter.

Let me say that there's no more stanch exponent of the theory of the Western civilization, there's no greater anti-Communist today in the free world than the very able Foreign Minister of the Federal Republic of Germany.

Last April 14, 1 year later, it was my privilege to attend another historical luncheon in the new Senate Office Building honoring two distinguished German visitors—Chancellor Konrad Adenauer and Dr. Heinrich von Brentano. Guests at the luncheon represented a colorful assembly including a cross-section of the legislative, executive, and judiciary branches of our Government, and a number of leading private citizens. All had high praise for our illustrious visitors, and this can be no better stated than in repeating Senator HUMPHREY's remarks when introducing Dr. von Brentano to the guests, as follows:

It is now my privilege to present to this distinguished assembly one of the great statesmen of the free world, a gentleman who has been the strong right arm of the Chancellor of the Federal Republic, one who has worked in close association with our Government—the Government of the United States under the former President, Dwight D. Eisenhower, and the Government of the United States under the present President, John F. Kennedy. And, we in this country, feel that it is fortunate for the free world and for those who love freedom to have in a Federal Republic of Germany, as a Foreign Minister, a man as gifted in the art of diplomacy and as knowledgeable in the affairs of this troubled world as the Foreign Minister whom I have the privilege to present today, Foreign Minister von Brentano.

In Dr. von Brentano's gracious response, he said, in part:

We came here with open minds and open hearts in order to continue these relations that existed between our two countries which have been created in the course of the last few years.

Dr. von Brentano gave Germany's pledge to do everything in her power "to make these relations among the nations of the free world as close as possible and to establish an unqualified solidarity in

order that those who try to attack or intend to attack this free world know right from the beginning that this will not be possible and that they will refrain from taking such action."

One of the highlights of the luncheon was the presence of our distinguished Vice President, LYNDON B. JOHNSON, who welcomed the opportunity to pay still further tribute to Dr. von Brentano and Chancellor Adenauer.

My colleagues in the Senate, it affords me great satisfaction to welcome to the legislative circle, Dr. von Brentano, now a member of the German Parliament.

A new political constellation has been formed in Germany, and although Chancellor Adenauer remained at the helm, Dr. von Brentano stepped out and was succeeded by the very able Dr. Gerhard Schroeder. Dr. von Brentano has now assumed the powerful position as majority leader and thus retains his great influence in the Federal Republic.

It is comforting to know that Foreign Minister Schroeder is now following in the footsteps of his great predecessor, Dr. von Brentano. Minister Schroeder was formerly assistant leader to Dr. von Brentano in charge of parliamentary affairs of the Christian Democratic Party—the Adenauer party to which both statesmen belong.

I find that it is only fair and right that we do not forget our old friends, and that we recognize their past services and loyalty by making this tribute a part of our record.

Therefore, I thank my colleagues for giving me this opportunity.

Mr. JAVITS. Mr. President, I recall with much pleasure the luncheon we gave last May for Dr. Heinrich von Brentano and Dr. Konrad Adenauer, strong champions of the integration of the German people into free Europe. I have therefore noted with great interest the insertion just made in the RECORD by the distinguished junior Senator from Kentucky [Mr. MORTON].

I wish to add my felicitations to Dr. von Brentano upon his now becoming the leader of the majority party in the Bundestag, the German Parliament. I point out that it is the hope of Europe and the hope of the German Federal Republic that that nation shall come within the framework of constitutional parliamentary government; that it shall be a champion of pan-Europism; and that in that way it may give to the world reassurance that the tremendous talents of its people for creativity and productivity will be devoted to the service of freedom and of mankind.

Dr. von Brentano brings new strength and dignity to the institution of the elected Parliament at a time when popular government everywhere is challenged by Communist dictatorship. I have supported the aims and efforts of the West German Government under Chancellor Adenauer to help democracy take root where nazism flourished less than two decades ago. I believe we must allow the German people every opportunity to earn their place in the family of free nations by a demonstration of successful parliamentary government. They should have our help and moral support in establishing democratic rule on a firm basis.

Dr. von Brentano is a stanch champion of democracy and the free world, and his devotion to European unity is well known. Members of the Senate may recall meeting him early last year at the luncheon held in the Capitol when he accompanied Chancellor Konrad Adenauer. I had the honor to be one of the hosts at that luncheon, which was attended by members of all branches of our Government as well as by a number of private citizens, and to hear Dr. von Brentano pledge the German Federal Republic's adherence to the nations of the free world. In his new post as a leader of Parliament, he will have a fresh vantage point from which to strengthen popular government in West Germany and the integration of free Europe.

SOVIET EMIGRATION AND ANTI-RELIGIOUS POLICIES

Mr. JAVITS. Mr. President, I call attention to a situation now developing in the Soviet Union and about which I have had the privilege of speaking before. One is a singular attitude on the part of the Soviet Union with respect to its own emigration policy, a policy which applies a different standard to the Jews in the Soviet Union than to other Soviet citizens, in the sense that the Soviet Union in recent years has permitted the emigration of its citizens on the principle of the reunion of families, it has specifically denied this right to Jews and has in fact persecuted religious and community leaders in an effort to discourage any hopes on the part of Jews that they will have the same privilege enjoyed by other Soviet citizens. This discrimination is part of the study now being made by the United Nations Subcommission for the Prevention of Discrimination and the Protection of Minorities, which is expected to be completed by the end of this year.

Dr. William Korey, director of the New York Bureau of the B'nai B'rith International Council, provides some details on Soviet discrimination against Jews in connection with their emigration. I ask unanimous consent to print in the RECORD his article, entitled "Will Soviets Ever 'Let My People Go'?" which appeared in the National Jewish Monthly, March 1962.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WILL SOVIETS EVER "LET MY PEOPLE GO"?

(By Dr. William Korey)

The post-Stalinist relaxation of controls in the U.S.S.R. has been accompanied by a new departure in the field of emigration policy. During the Stalinist era, the right of "everyone to leave any country, including his own"—the foundation of the Universal Declaration of Human Rights in article XIII—was, like various other human rights, simply observed in the breach in the U.S.S.R. More recently, by giving verbal as well as some practical support for the limited right to leave in order to achieve a reunion of families, the U.S.S.R. has moved a step closer to fulfilling article XIII. A glaring exception is made by the U.S.S.R., however, in the case of Soviet Jews desirous of being reunited with their families in Israel.

WHAT KHRUSHCHEV SAID

At a press conference in Vienna on July 8, 1960, Nikita Khrushchev formally expressed support for the principle of reunion of families through emigration: "We do not object to the reunion of any persons if they want this," he said. Shortly after the death of Stalin, in 1953, the Soviet Government began issuing passports to some of its citizens who were married to Americans and who wanted to join their mates. During the course of the next few years, 55 passports were issued. Then, in 1959, the Soviet Union embarked upon a major initiative to implement the new program of permitting emigration for the purpose of reuniting families.

In June 1959, following the resumption of diplomatic relations between Australia and the U.S.S.R., the latter granted 21 Soviet citizens passports to join their relatives in Australia. The Australian Minister for Immigration stated that the Soviet Government considered this group of emigrants as but a beginning, and that ultimately 1,000 Soviet citizens might come to Australia.

In the fall of 1959, Soviet Foreign Minister Andrei Gromyko wrote Vice President Richard M. Nixon that requests aimed at permitting Soviet citizens to obtain passports in order to be united with their families in the United States will be considered with proper attention as is always the case in consideration of such affairs. Gromyko's letter, in part, constituted a response to one written by Nixon to Khrushchev on August 1, 1959. That letter stated:

"In the interest of a continuing improvement in relations between the United States and the Soviet Union, I believe that matters such as this involving principles of nonseparation of families which we both support should not persist as irritants to larger solutions."

Khrushchev's visit to the United States in the fall of 1959 accelerated the trend toward implementation of the principle of nonseparation. In part, this was accomplished by the direct approach of individuals to Khrushchev while he was touring the country. On his tour of Iowa, the matter of reunion of families was brought to Khrushchev's attention by Adlai Stevenson and Marshall MacDuffie. MacDuffie reported that Khrushchev indicated readiness to agree to permits for compassionate cases, and suggested that a list of such cases be submitted.

ONE THOUSAND WERE RELEASED

By March 1960, Western diplomats in Moscow were able to report that during the previous 6 months the U.S.S.R. had quietly allowed about 1,000 citizens to rejoin families abroad. In addition to the United States and Australia, the other countries to which the Soviet emigrants went are England, Canada, Sweden, and Argentina.

In some instances the U.S.S.R. has gone beyond the principle of family reunion, and endorsed the principle of the reunion of entire ethnic groups. The attitude toward Spaniards living in Russia is one example. In the fall of 1956, the Soviet Government began repatriating Spaniards, most of whom, as youngsters, had been sent to the Soviet Union in the late thirties by the Spanish Republic. A New York Times dispatch on May 30, 1957, reported that four successive groups of repatriates had arrived in Spain since September 1956. On May 4, 1960, the Spanish Government issued a note announcing that 1,899 adults had been repatriated from the Soviet Union between 1956 and 1959. If one adds to this the children who have been repatriated, the total number of Spanish repatriates may come to three or four times that figure.

An article in the important Soviet journal, Literaturnaia Gazeta, in April 1958, explained that many of the Spanish repatriates want

to live with their own people, to share its destiny, its struggle, as hard as it may be. Let us wish them luck.

The Russo-Polish repatriation agreement of March 25, 1957, is another example. It provided for the repatriation of Poles who had been living in the Soviet Union since 1939, together with their children. It is estimated that some 200,000 Poles were repatriated.

U.S.S.R., TOO, WANTS RETURNEES

The Soviet Union itself has encouraged former Soviet citizens, as well as persons who had emigrated prior to World War I from lands now part of the Soviet Union, to "return to the homeland." This campaign was led by a committee founded in March 1955. It published a newspaper, For Return to the Homeland, in Russian, Ukrainian, Byelorussian, and Georgian, urging readers to return to Soviet Russia. Several thousand older pre-World War I emigres—together with their offspring—left for the Soviet Union from Argentina.

Particular attention was given in the years 1946–47 to urging Armenians living abroad to return to Soviet Armenia. During the next 2 years, thousands of Armenians, including many living in the United States, returned to the U.S.S.R.

If the Soviet Government has been sympathetically disposed to the principle of reunion of families and some ethnic groups, it has made an exception in the case of Soviet Jews. In two interviews in 1956–57, Khrushchev revealed the official Soviet position with reference to the right of Jews to leave the U.S.S.R. One interview was with a delegation of the French Socialist Party; the other was with the Quaker leader, Jerome Davis.

During the course of the first interview, one of the members of the French delegation asked: "Is a Jew permitted to go to Israel, either on a visit or to emigrate there?" Khrushchev responded: "I shall tell you the truth. We do not favor these trips." After Dmitri Shepilov, then Foreign Minister, interjected to disclaim the existence of the problem, Khrushchev went on to say: "At any rate, we don't favor them (trips to Israel). We are against it.

In the second interview, Davis asked whether it was true "that Jews are not permitted to go freely to Israel?" Khrushchev answered: "It is true to some extent and to some extent not true." He explained to what extent it was not true by noting that, as part of the Russo-Polish repatriation agreement, the Soviet Government had permitted Polish Jews to return to Poland even though "we knew that many of them would go on to Israel from there." This assertion avoided the issue of the right of Soviet Jews, in contrast to Polish Jews, to emigrate.

CONFLICT IS EMBARRASSING

The inconsistency between the stated general policy on the reunion of families, and the stated (as well as actual) policy specifically toward the reunion of Jewish families, had created an obvious embarrassment. An apparent resolution of the inconsistency took the form of denying that Soviet Jews wanted to leave the Soviet Union to join relatives in Israel. On July 13, 1959, the Cairo newspaper, Al Ahram, printed an exchange of messages between Khrushchev and the Imam of Yemen in which the Premier assured the Imam that no Soviet Jews had ever applied for emigration to Israel. At the press conference in Vienna in July 1960, the following question was put to Khrushchev: "Is the Government of the Soviet Union prepared to agree, within the framework of solving the question of reuniting families, to granting permission to persons of Jewish origin in the Soviet Union to resettle in Israel?" Khrushchev's response was an artful one. He first implied that while Israeli relatives of Soviet Jews may want the latter to go to Israel, the Soviet Jews were reluctant to do so. He then went on to say that the Soviet Ministry of Foreign Affairs has "no requests of persons of the Jewish nationality or of other nationalities wishing to go to Israel."

While the Ministry of Foreign Affairs may not have such requests, the International Red Cross does and so does, undoubtedly, some governmental agency in the U.S.S.R. Mrs. Golda Meir, the Israeli Foreign Minister, reported in the Knesset on August 8, 1960, that 9,236 Jews in the U.S.S.R. had asked relatives in Israel to send them documents asking them to come to Israel. Mrs. Meir further reported that the Soviet Red Cross and the International Red Cross had been asked to intervene on behalf of the applicants. She added:

"We have many replies in our possession from the Soviet Red Cross to petitions from Israeli citizens to intervene with Soviet authorities with a view to make possible the reunion of relations with their families in Israel. The replies are in almost stereotyped form: that the competent Soviet institutions did not see sufficient reason to grant the application."

FACTS CONTRADICT THEORIES

That the Soviet Government is aware that many more Jews desire to leave to go to Israel is indirectly confirmed by the intense and vitriolic campaign conducted in the Soviet press and transparently aimed at discouraging such aspirations. For example, on May 26, 1959, Trud caustically commented on those "innocent and trusting persons" in the Soviet Union and elsewhere who were "deceived" and "fell victim to the sheer lies of the Zionist propagandists." The Trud article carried a letter addressed to former Soviet President Voroshilov from 107 Jews who, according to the letter, had emigrated to Israel in 1946–48 and 1956–57. The letter violently attacked alleged injustices in Israel and appealed to Voroshilov to permit the 107 "to return to our great motherland. * * *"

FISHEL BENDER'S 'REPORT'

The following month (June 23, 1959), Znamia Kommunizma carried a similar article about one Fishel Bender, who was born in Poland, settled in Odessa after the war, and from there, in 1957, went with his family to Israel. His experiences there and the experiences of others—as described in the article—were most discouraging. The article concluded: "But we are sure that the example of unfortunate people cruelly duped by Zionist propagandists will serve as a lesson to all those who still listen to their deceitful and hypocritical verbiage on the Israeli 'Paradise.'"

Similar articles have appeared in the last few years in numerous other publications. Khrushchev himself has repeatedly argued that former Soviet Jews who emigrated to Israel have become disenchanted and desire to return to the Soviet Union.

Logical consideration would tend to raise this question: If Soviet Jews do not wish to go to Israel and, indeed, if Soviet Jewish emigrants in Israel want to return to the Soviet Union, why must the latter single out the Jews for special treatment by refusing to permit them—except in a very few instances—to voluntarily join their relatives in Israel? Actually, policy on the right of Jews to leave appears to be determined by other than logical considerations.

The one factor that has been officially regarded as affecting the Soviet Union's policy on Jewish emigration is the attitude of Arab States. Izvestia on February 21, 1959, referred to rumors that it might permit its Jewish population the right to leave as "provocative fabrications" designed to shake Arab confidence in the friendship of the Soviet Union. The official Soviet newspaper averred that emigration would increase the military and manpower potential of Israel as against the Arab States. Any suggestion, the newspaper commented, that the Soviet Union would tolerate such aid was a "badly smelling concoction."

Again, in July 1959, Khrushchev was quoted as having told the Iman of Yemen the following:

"Rumors circulated by some imperialist circles and their agents abroad that the Soviet Union is preparing to allow the mass emigration of Jews to Israel are completely unfounded. They are tendentious fabrications aimed at creating difficulties in relations between the Soviet Union and the Arab countries."

ARABS WEREN'T WORRIED

The suggestion that the emigration of Soviet Jews would alienate the Arab States by adding to the military potential of Israel would not appear to be a strong basis for policy if one takes into account the role of Arab states themselves in adding to this very potential. Yemen in 1949 authorized the wholesale exodus of its 48,000 Jews to Israel. Iraq, in March, 1950, passed a law which led to the emigration of over 100,000 of its Jews to Israel. Egypt in 1948–52 not only tolerated the emigration of 17,759 Jews to Israel but, under Gamal Abdel Nasser, in November, 1956, permitted the departure of 24,000 more, of whom 13,000 went to Israel. Moreover some Communist bloc countries of East Europe have, since 1945, permitted thousands of their Jewish citizens to emigrate to Israel.

To the extent that the expressed motivation of Soviet policy has a very limited rational basis, one may assume that a change in the policy is not to be excluded. Khrushchev told Jerome Davis: "I am sure the time will come when all (Soviet) Jews * * * who want to go to Israel will be able to do so."

Mr. JAVITS. This is but another evidence of that singularity of treatment of Jews in the U.S.S.R. which is most unfortunate, and toward which I have directed my own protest, and toward which I hope others, too, will protest.

SOVIET BAN ON MATZOH

Mr. President, a decree of the Soviet Government which will seem to many of us who have religious feelings to be grossly unjust is the denial to the Jews of the Soviet Union of the use of unleavened bread for the Passover season. I am now doing my utmost to see if that need cannot be filled from this country, and for this purpose I have enlisted the cooperation of the following American firms which make up the matzoh industry: A. H. Horowitz Bros. & Margareten, Long Island City, N.Y.; A. Goodman & Sons, Inc., Long Island City, N.Y.; B. Manischewitz Co., Inc., Newark, N.J.; and Aaron Streit, Inc., of New York City.

They have assured me that they are prepared to donate a shipment of matzoh to the Jews of the Soviet Union and to send it by air transport as soon as permission is received from the Soviet authorities. I have, therefore, today sent the following telegram to Soviet Ambassador Anatoliy Fedorovich Dobrynin:

Published dispatches from Moscow reported today that matzoh for the observance of the Passover festival will not be available to Jewish citizens of the Soviet Union this year. I have today discussed this problem with representatives of the Passover matzoh industry in the United States and have been assured that the industry will arrange to donate a shipment of matzoh and arrange for the air transportation seasonably before the start of the Passover festival April 13 to

permit the Jewish people of the Soviet Union to observe their religious traditions. I transmit this appeal to the officials of the Government of the U.S.S.R. to permit Jewish religious leaders in Moscow to receive this shipment, and I ask your cooperation in this endeavor.

JACOB K. JAVITS.

DISARMAMENT NEGOTIATIONS

Mr. JAVITS. Mr. President, I should like to say a word about the current negotiations at Geneva with respect to disarmament and an end to nuclear testing. This is a terribly difficult time for our Government and for the American position. The decision to resume nuclear testing in the atmosphere, if no progress can be made in Geneva, must leave us all with very heavy hearts. I know the same is true of the President of the United States. Yet we know that upon these problems of security the President needs and deserves our support. I know the decision to resume nuclear testing was as hard for him to make as it would have been for any of us, had we been in his place. The decision was sincere and genuine, and it must be relied upon by the country. Therefore, the President deserves an expression of support from those of us who do not actually have to make, personally, these awful decisions.

The same is true right now of the situation we face in Geneva. The Government of the United Kingdom, whatever may be its reasons—and again, we have every right to assume that they are sincere and deeply felt—has indicated that it does not regard the strong feelings held in this country, in which I fully share, for an effective system of inspection and control as an absolute condition precedent to any agreement which we can accept for disarmament or for an end of nuclear testing.

This is a very trying hour for our whole Government, especially for the Secretary of State and the President of the United States. Here, too, I think expressions of support must come voluntarily from those of us who feel as we do, in seeing our Government through a difficult hour. This is not the first time we may have differed from the position taken by our British cousins, but at a time such as this, we may very well hold the fate of all mankind in our own hands. By improvidence, a lack of knowledge or a lack of fortitude, the security of the entire free world could be jeopardized by an ill-starred agreement which might be deemed perfectly proper by others, but not necessarily by us.

I sincerely hope our Government will stand by what are its extremely generous proposals in terms of security and of a desire to come to an accord with the Soviet Union on the question of nuclear testing and on all the aspects of disarmament.

For that reason, I am setting forth in these remarks, in detail, proposals which we have made with respect to disarmament and an end to nuclear testing which, it seems to me, represent, on the part of the United States, a great effort and an important step forward. It is an effort to reach an accommodation with the Soviet Union.

I hope our Government will not be swayed from the even tenor of its course with respect to these negotiations by the views, which we must respect and understand, of the United Kingdom. They are the views of the United Kingdom, not necessarily the views of the United States.

I have made these remarks because I feel our President and our Secretary of State are entitled to know that we who feel as they do stand articulately and with commitment back of them in such a trying hour as the one they face in Geneva today.

A fundamental principle is the concern of both the Soviet Union and the United States as expressed in their Joint Statement of Agreed Principles, which was reported by the New York Times on September 20, 1961, "that the continuing arms race is a burden for humanity and is fraught with dangers for the cause of peace."

However, we must never forget a second fundamental principle concerning negotiating with the Russians which we have learned the hard way after 15 years of fruitless negotiations on disarmament—there is no inconsistency between simultaneous Western rearmament and genuine and sincere negotiation for disarmament. The military weakness of the West would diminish the possibility of securing an accord with the Soviet Union on a program which would enhance the security of both the Soviet Union and the West. In this framework, the Presidential decision to resume atmospheric testing may help to bring about an effective agreement to limit and ultimately to end the arms race. Only the President is in a position to answer the question of the effect on our security of the U.S.S.R.'s resumption of nuclear testing and his decision must receive the loyal and unified support of all elements of U.S. Government.

Premier Khrushchev's statements on the nature of the international control and inspection of a disarmament or end of nuclear testing agreement which his government would accept are admittedly discouraging. We must remember, however, that any reciprocal system of inspection applying on both sides of the Iron Curtain would benefit the West more than the Soviet Union, since secrecy, an important element of Soviet strength, is in our type of open society far more difficult to maintain. Therefore, we may assume that the Soviet Union will demand concessions in return for any real inspection behind its Iron Curtain. I am satisfied that the President's proposals to the United Nations of September 1961 are admirably suited for genuine negotiations to achieve the mutually declared objective of the Soviet Union and the West to end the arms race. The proposals are:

First. To achieve agreement on (a) disarmament and (b) procedures for the peaceful settlement of disputes in accordance with the principles of the United Nations Charter.

Second. Insure that states have nonnuclear armaments and forces necessary to maintain internal order and that states shall support and provide agreed manpower for a United Nations peace force.

Third. Complete disarmament shall provide for (a) disbanding of armed forces, dismantling of military establishments, including bases; (b) elimination of all stockpiles of nuclear, chemical, bacteriological, and other weapons; (c) elimination of all means of delivery of weapons of mass destruction; (d) abolishment of the institutions designed to organize the military effort of states and cessation of military training; and (e) discontinuance of military expenditures.

Fourth. The disarmament program should be implemented in an agreed sequence by stages.

Fifth. All measures of disarmament should be balanced so that security is insured equally for all.

Sixth. Strict and effective international control as would provide firm assurance that all parties are honoring their obligations. An international disarmanent organization should be created within the framework of the United Nations. Its inspectors should be assured unrestricted access to all places.

Seventh. Disarmament should be accompanied by measures to strengthen institutions for maintaining peace and the settlement of international disputes by peaceful means.

Eighth. States should seek to achieve and implement the widest possible agreement at the earliest possible date.

The establishment of an effective organization within the U.S. Government should facilitate a continuity of policy which only too often has been lacking during the past 15 years and augurs well for the future, provided of course that the Soviet Government is genuinely interested in ending the arms race, and will give evidence of it.

ROCKVILLE, MD.: ALL-AMERICA CITY

Mr. BEALL. Mr. President, one of our fine Maryland cities, Rockville, has been awarded a citation as an all-America city. The story about this great honor for Rockville will appear in the April 10 issue of Look magazine, which will be on the newsstands next Tuesday, March 27.

This citation is awarded each year to 11 U.S. cities selected by a jury of distinguished citizens and experts impaneled by the National Municipal League and the presentation is made under the cosponsorship of the league and Look magazine.

This past year, the citizens of Rockville, by their outstanding action in bringing about major civic improvements, have earned the coveted title for their community. This is the second time in 8 years that Rockville has been selected for this outstanding honor. This year, Rockville wins the citation for citizen action. The award, according to the sponsors of the nationwide competition, was given to Rockville primarily because, through prompting by citizens planning committees, city services have kept pace with Rockville's rapid growth. A comprehensive recreation program was established, and a new $3 million water system and a modern $1,500,000 sewer system was completed. In addition, this fine Maryland city purchased a civic center, constructed a social center for its teenagers, and built a 500-seat auditorium.

More than 80 cities applied for the current awards. Entries were screened by a committee of experts, and the 22 finalists presented their cases to the all-America cities jury at the National Conference on Government, held last December in Miami Beach, Fla.

The all-America cities jury which selected the winners for 1961 was composed of the following distinguished Americans: Dr. George H. Gallup, director, the American Institute of Public Opinion, and former president, the National Municipal League; W. Scott Christopher, general manager, Greater Tampa Chamber of Commerce, and president, American Chamber of Commerce Executives; Mark S. Matthews, former president, U.S. Junior Chamber of Commerce; Willard V. Merrihue, manager, Community and Business Relations Service, the General Electric Co., and chairman of the board, Effective Citizens Organization; Roy L. Miller, executive secretary, Bureau of Municipal Research of Des Moines, Iowa; Vernon C. Myers, publisher, Look; Miss Katherine Peden, president, the National Federation of Business and Professional Women's Clubs; Mrs. Robert J. Phillips, president, the League of Women Voters of the United States; Paul Schweitzer, chairman of the board, the Layne-Atlantic Co., and city councilman, Norfolk, Va.; Allen H. Seed, Jr., executive vice president, Keep America Beautiful, Inc.; Dr. Donald H. Webster, director, Bureau of Governmental Research, the University of Washington; Dr. Arnold S. Zander, international president, American Federation of State, County, and Municipal Employees, AFL-CIO.

The cities which won awards are: Rockville, Md.; Anacortes, Wash.; Falls Church, Va.; Galveston, Tex.; Hartford, Conn.; Independence, Mo.; Lynwood, Calif.; Milton-Freewater, Oreg.; Salisbury, N.C.; Sioux City, Iowa; and Wichita, Kans.

It is with great pride that I note Rockville, Md., in this distinguished company, and I know that the award is well deserved.

THE ALEXANDER HAMILTON NATIONAL MONUMENT — AMENDMENT TO THE CONSTITUTION DEALING WITH POLL TAXES

The Senate resumed the consideration of the motion of the Senator from Montana [Mr. MANSFIELD] to proceed to the consideration of the joint resolution (S.J. Res. 29) providing for the establishing of the former dwelling house of Alexander Hamilton as a national monument.

Mr. JOHNSTON. Mr. President, in the beginning, I think it would be well to set forth what the Senate is debating at this time. Many persons who are listening to the proceedings do not realize exactly what the situation is.

The Senate will have before it a proposed amendment to the Constitution of the United States. I shall read the entire amendment, since it is very short:

ARTICLE —

SECTION 1. The right of citizens of the United States to vote in any primary or other election for electors for President or Vice President, or for Senator or Representative in Congress, shall not be denied or abridged by the United States or any State by reason of failure to pay any poll tax or other tax or to meet any property qualification.

SEC. 2. Nothing in this article shall be construed to invalidate any provision of law denying the right to vote to paupers or persons supported at public expense or by charitable institutions.

SEC. 3. The Congress shall have power to enforce this article by appropriate legislation.

Mr. President, at the beginning of my remarks I want it clearly understood that the position I take in regard to the pending question is not predicated on a desire to protect the State of South Carolina or to prevent a change in the South Carolina law, for at the present time South Carolina does not have a poll tax requirement. Today, only five of the States have laws which require the payment of a poll tax before a citizen can vote. Therefore I want it distinctly undestood that my reason for opposing this measure is the fundamental belief on my part that the States have the right to determine the qualifications and requirements for voting, in accordance with the Constitution of the United States as it now stands. Furthermore, I believe that if this measure had been proposed at the Constitutional Convention in Philadelphia, and if at that time it had been written into the Constitution, it would have been impossible to get a sufficient number of the States to ratify the Constitution. I make that statement for the reason that it will be remembered that at the time when the U.S. Constitution was being written, there was a great fight over the question of the power of the States versus the power of the Federal Government. One very large group thought that entirely too many States rights would be given to the Federal Government, with the result that the Federal Government would be very large and almost all powerful. For that reason, several of the States hesitated to ratify the U.S. Constitution. So, Mr. President, it is my position that we should not begin to whittle away the rights the States have, as regards stating what shall be the qualifications of voters.

For that reason, Mr. President, I rise to speak in opposition to the proposed constitutional amendment submitted by the senior Senator from Florida [Mr. HOLLAND], which would set into motion the incorporation into the Constitution of the United States of an amendment declaring in essence, that payment of State poll taxes levied by States would become a Federal matter. Such an amendment to the Constitution would make it unconstitutional for a State to require the payment of poll tax as a prerequisite to voting.

The fundamental basis upon which I build my opposition to this proposal is that poll tax legislation is a State matter, and is a matter in which the Federal Government has no business. By "Federal Government," I mean the Congress of the United States, the President of the United States, and all of his officers. In several court rulings it has been clearly declared that the States constitutionally have this authority. The latest decision was rendered by the U.S. Supreme Court on May 28, 1951, in the case of *Butler* v. *Thompson*, 341 U.S., beginning at page 937.

In addition to opposing the amendment per se, I am equally opposed to the methods being used by the proponents of this legislation. Earlier this year the Senate roundly defeated a proposal to circumvent the normal procedures of the Senate; and I had hoped that the procedural issue was dead for at least the rest of this year. The constant hammerings away at the procedural foundations of the Senate endanger the smooth function of this body. The more the Senate votes to bypass committee procedures and normal routes for legislation, the more confused we shall become. Our dignity will disappear with the advent of such disorder. Bad procedures make for bad legislation, and bad legislation makes for bad government. To say the least, the U.S. Senate will be playing the part of a bully if 45 States move to impose upon a minority—5 States—their views on the poll tax by constitutional amendment. Certainly the Senate should have the benefit of a committee report, both majority and minority, containing the legal precedents involved in this proposal.

It is no secret that long ago the State of South Carolina abolished the poll tax as a prerequisite to voting. It is my firm conviction, and it is legally documented, that South Carolina or any other State has the inherent right, guaranteed at the present time by the Constitution, to impose or to dispose of poll taxes, and that the Federal Government has no right in this field. A constitutional amendment may legally make poll taxes the Federal Government's business, but that does not make it right. It would be wrong.

South Carolina has had no poll tax prerequisite for the past 11 years. The people of South Carolina decided that matter by constitutional amendment that was ratified by the general assembly in 1951. Prior to that time we fought, just as bitterly as we fight today, attempts by the Federal Government to repeal State laws requiring payment of poll taxes as a prerequisite to voting in State elections. South Carolinians removed payment of poll taxes as a voting requirement. It was their State right to make such a decision. Other States may not wish to change their poll tax laws; and it is not the rightful business of the Senate to force such a change upon any people or any State. The right to establish certain qualifications for voters has been guaranteed to the individual States by the Constitution ever since we became a nation. Whether any individual Senator believes the payment of a poll tax should or should not be a qualification for voting has nothing to do with the underlying principle which is at stake today.

The principle involved is not the poll tax itself, but the right of the States to control their own election machinery and

to set forth qualifications which their citizens must meet before they are eligible to vote as now guaranteed the States. It has been proven time and time again in the Senate debates that it would be unconstitutional for the Congress to legislate an anti-poll-tax bill. Anyone can propose a constitutional amendment and be legally within his rights, but such an amendment to the Constitution is contrary to the intent of the founders of our Nation. The right of States in this area is outstandingly underscored in the decision of Butler against Thompson, which I have cited previously. It was on May 28, 1951, in this case on appeal from the U.S. District Court, Eastern District of Virginia, that the Supreme Court granted a motion to affirm the lower court's judgment on a poll tax situation. The lower court had stated that the decisions generally held that a State statute which imposes a reasonable poll tax as a condition of the right to vote does not abridge the privileges or immunities of citizens of the United States protected by the 14th amendment.

I want to quote the exact language, in part, from that decision by the Supreme Court of the United States:

> The decisions generally hold that a State statute which imposes a reasonable poll tax as a condition of the right to vote does not abridge the privileges or immunities of citizens of the United States which are protected by the 14th amendment. The privilege of voting is derived from the State and not from the National Government. The qualification of voters in an election for Members of Congress is set out in article 1, section 2, clause 1, of the Federal Constitution, which provides that the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature. The Supreme Court in *Breedlove v. Suttles*, 302 U.S. 277, 283, 58 S. St. 205, 82 L. Ed. 252, held that a poll tax prescribed by the constitution and statutes of the State of Georgia did not offend the Federal Constitution.

Mr. President, the language is clear and explicit: The privilege of voting is derived from the State, and not from the National Government.

Mr. President, there is no clearer way to state the matter. There are legislators in the Senate and in the House who carry around in their hip pockets as bibles to follow, so to speak, the decisions of the Supreme Court. Hardly a day goes by in Washington that some legislator does not cry out about Supreme Court rulings being the law of the land. Certainly they have hammered this home sufficiently in the 1954 school integration decision, which came up from my State. While I do not agree with these legislators, in that any Supreme Court ruling is the law of the land, because Supreme Courts are subject to error as any other human group of people would be; I do wish that these Senators who feel that Supreme Court rulings in cases of integration are laws of the land would be consistent and, in this instance, agree that the decision of Butler against Thompson equally be considered the law of the land. In light of this, I should hope, too, that the sponsors of this amendment would withdraw it since the Supreme Court has stated it is a State matter and that the Federal Government has no business meddling in such State matters. Of course, I imagine this would be too much to expect at this time, concerning this particular amendment.

In the lower court's decision in Butler against Thompson, which was upheld by the Supreme Court, the following language was used, which is as clear as any language anyone can cite:

> To make payment of poll taxes a prerequisite of voting is not to deny any privilege or immunity protected by the 14th amendment. Privilege of voting is not derived from the United States, but is conferred by the State and, save as restrained by the 15th and 19th amendments and other provisions of the Federal Constitution, the State may condition suffrage as it deems appropriate. (*Minor v. Happersett*, 21 Wall. 162, 170 et seq., 22 L. Ed. 627; Ex Parte Yarbrough, 110 U.S. 651, 664–665.)

Surely, this language of the highest court in the land should be clear enough that this is a State matter.

I would like to go into the amendment proposed by the senior Senator from Florida.

As I have said at the outset, we must admit that anyone can offer any amendment to the Constitution and be within the law, so to speak. However, anyone can certainly question the wisdom of any such amendment proposed.

That is what I am doing at the present time. I am questioning the advisability of adopting any amendment which would qualify in any way the rights of any State to fix the qualifications of voters in that State.

In the first place, there are only five States which still have poll tax as a prerequisite to vote. This means 45 other States do not require the payment of poll taxes in order to make one eligible to vote. At this late date, to go through the very expensive and cumbersome procedure to amend the Constitution, in order to force the will of 45 States upon 5 remaining States, is certainly poor sportsmanship and poor business, to say the least.

The great danger in the amendment proposed by the senior Senator from Florida is not just in that it would keep the five remaining States from requiring the payment of poll tax as a prerequisite to vote. The real danger lies in the grotesque form which this amendment to the Constitution would take.

It would become a wedge in the door for further amendments and even unconstitutional legislation to enable the Federal Government to completely control all elections in the United States. If we have the right to pass judgment on a small matter like poll tax provisions in five States, then what will prevent us next year from coming back and proposing the elimination of other, or even all, State prerequisites for voting?

We know that at the present time they are knocking at the door with other amendments with regard to the qualifications of voters.

If States are not allowed to maintain this important right of establishing qualifications for their electors within the safeguards now contained in the Constitution, then those who wish to take away this one constitutional right might well try to broaden the proposed amendment by the Senator from Florida in some future amendment, to include all qualifications.

I think it would be well at this point that we refresh our minds with the provisions of article I, section 2, of the Constitution, which says:

> The House of Representatives shall be composed of Members chosen every second Year by the People of the several States and the Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.

That goes back to each State legislature.

The Congress recognized this reservation of power within the several States when the 17th amendment to the Constitution was proposed by the Congress to the States for their ratification. That amendment in its first paragraph provides:

> The Senate of the United States shall be composed of two Senators from each State—

I am quoting from the constitutional amendment. Senators should bear in mind that Senators were not always elected. It was left up to the States to choose them. For a long while Senators were not elected, but States chose their Senators. I ask Senators to listen to what the 17th amendment provides:

> The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof for six years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

Historically, the voting privilege was extended to inhabitants of a State in all the Original Thirteen States upon the basis of the State laws of those States. Some of them required a specific poll tax. All of them required the ownership of varying amounts of property, either real estate or personal property. Each State had varying other laws: (a) age; (b) residence in the State; (c) residence in the county, district, or precinct; (d) innocence of crime or conviction of crime; (e) and many other provisions; which determined the qualifications for voting.

There are many different qualifications for voting in the various States of the Union at the present time.

It is my contention that we in the Congress have no right to interfere with the time-honored and respected provision of our Constitution that each State has the right to determine for itself who within its borders is qualified to vote. While each of the Original Thirteen States imposed some sort of taxation upon its eligible electors and while the requirement of a poll tax now exists in only five States—namely, Alabama, Arkansas, Mississippi, Texas, and Virginia—we should not by our act attempt to sit in judgment upon a matter exclusively within the wisdom, discretion, and judgment of the people of the States concerned.

It is not too much to suppose that the remaining five States in due time will

dispense with the requirement of a poll tax. But this is a matter solely of their concern. Why then should we set the date for them now, 186 years after our Nation was founded? It is their constitutional prerogative to do with this particular requirement as they see fit.

I think this system has worked pretty well in the 186 years it has been in existence.

It is neither our function nor our duty to impose our will upon the States by even a constitutional provision, for the Constitution already provides authority in this case.

Anyone has the right to propose an amendment, but we have the responsibility to look beyond the immediate effects of such proposals and act wisely.

In this case I think the proper thing to do is to reject it.

If we approve this amendment then what will prevent us from setting the age limits, the residence restrictions, the registration provisions and all the other numberless details which each of the 50 States, acting within its reserved powers, may establish for the exercise of this privilege of voting. The entire purpose of the two constitutional provisions I have set forth can be whittled away so that the entire reservation of a State's power may become meaningless and worthless.

We would then be ready to have set up here in Washington a bureaucracy clothed with power to establish the eligibility of voters in each State. When one creates a vacuum by removing State powers, one invites Federal powers to fill the void. Such action, I contend, would be contrary to the express will of our Founding Fathers. Had such action been taken or proposed in 1787, there would have been no United States of America. The Colonies would have rejected a Union. The debates in the Continental Congress, the Federalist papers, and the minutes taken of the deliberations of the representatives in that Congress prove this fact beyond a reasonable doubt.

I do not believe in the theory of government that all wisdom is here at the seat of our Government. I believe in States rights. I believe we govern too much at the present time from Washington, D.C. I believe, as Jefferson believed that the people governed best are governed least. He also believed that the greatest wisdom for government resided in the people; and when this was removed from the people, bad government usually followed.

The elective process is one of the most vital, sensitive, and important powers remaining with the people of our several States. I would not, as a citizen of South Carolina, wish to impose one of its laws upon the State of New York, or Tennessee, or Florida, or Utah, or any other State through a constitutional amendment if such a law violated a power reserved to any one of these States.

The Federal branches of Government have too often raided our States' powers, usurped them, and imposed Federal will upon them. The time has come to halt this trend. The time has come for us to give back to the States some of the powers the Federal Government ought never to have assumed.

The Federal Government is now top-heavy, and becoming more so.

If anyone does not believe that to be true, he should be a Senator for a while. Then he would learn how the Federal departments come in from every angle, to such an extent that one cannot keep up with what is going on at the present time.

The Federal Government has drained the States of their sources of revenue. It might be news to some, but at this time I am sitting with the subcommittee of the Committee on Appropriations holding hearings. The other day the representatives of the Internal Revenue Service came before us, with respect to the appropriations for the Internal Revenue Service for the year to come. Those representatives said that 95 million people were making income tax returns, and that they would collect this year approximately $98 billion. They said that next year, if everything ran along normally, they believed they would collect over $100 billion. I immediately asked a question. I said, "In the appropriation bill I can find only about $80 billion or so, and that is the figure spoken of most of the time in the newspapers."

The answer was that a great deal of back-door spending does not show up in the record.

As I said a few moments ago, the time has come for us to give back to the States some of the powers that the Federal Government ought never to have assumed. The Federal Government is top-heavy. It has drained the States, so far as revenue is concerned. The facts and figures I gave just now show that.

Laws have been construed so generously and ofttimes so unwisely that in many instances only the imaginary line divides our sovereign States. Thus, sovereignty has been almost absolutely destroyed. The rights of the people are lost. They are in a Federal straitjacket. We lose our greatness as a Nation when the rights of our States are destroyed. This is an eternal truth.

I should think by now that we would have learned that we cannot legislate from the floor of the Senate without becoming embroiled and entangled in time-consuming and effort-wasting debate. This is what would happen in this instance with a constitutional amendment as proposed. I hope the Senate will have the good sense to reject the amendment proposed by the senior Senator from Florida. In doing so, the Senate will be rendering the Nation a tremendously important service.

In July 1948 the late Senator Burnet R. Maybank, my colleague at that time, spoke at great length in defense of retention by States of powers controlling the qualifications for voters. In particular he referred to the requirement of paying poll taxes as a prerequisite to voting. At that time South Carolina still had this requirement but, as I pointed out earlier, it was subsequently repealed by constitutional amendment that was ratified by the State legislature. It was a State constitutional amendment, and not a Federal constitutional amendment.

The late Senator Maybank pointed out some very important facts concerning the history of South Carolina's poll tax. I would like now to quote from what he said at that time on the floor of the Senate:

> The practice, custom, and tradition of levying a poll tax in the State of South Carolina had its origin prior to the American Revolution. In 1702 the general assembly passed an act for the purpose of raising revenue to be used in the defense of Charles Town.

The name has not been changed. It is "Charles Town," not "Charleston."

Continuing to read:

> This act provided that 550 British pounds per annum be raised by a poll tax (spelled p-o-l-e). It provided for the payment of 20 shillings per annum by each man within the bounds of the town who was capable of bearing arms. It is interesting to note that this act also provided for the payment of 20 shillings per annum by every single woman or widow that was a housekeeper within the bounds of the town. Thus we find that from the earliest time the poll tax was used as a revenue measure which, indeed, it is today in South Carolina.

This is proof that the existence of a poll tax came prior to the Constitution and for that very reason was a right retained by the States when the States drafted the Constitution. It is another reason why we should not tamper with this State right. We would be going behind the Constitution and, in a sense, breaking the faith of those who wrote the Constitution if we were to do so.

I wish to quote further from what Senator Maybank said, in the Senate on that particular occasion. I should think by now Senators might have observed that I am opposed to the amendment. Senator Maybank said:

> In 1876 Wade Hampton was elected Governor of the State of South Carolina, thus returning the official leadership of the State back to the citizens of South Carolina. Shortly thereafter the legislature passed an act providing for the collection of a poll tax referred to in the constitution of 1868. This act was ratified on March 22, 1878.

The constitution of 1876 was the radical constitution in South Carolina and was at that time controlled by the colored people in that State.

Quoting further from Senator Maybank's speech:

> That the several county treasurers shall retain all the poll tax collected in their respective counties; and it is hereby made the duty of the said county treasurers in collecting the poll tax, to keep an account on the exact amount of said tax collected in each school district in his county * * * and the poll tax collected therein shall be expended for school purposes in the school district from which it was collected.

It is worthy to note that the poll tax provision was first enacted in South Carolina in the constitution of 1868 under the reconstruction government of South Carolina, and that prior to that time South Carolina had no poll tax provisions.

From this we see that there was a definite purpose and need for poll tax legislation and the requirement that people pay this tax before they could vote was a necessary way to enforce payment of the tax. If a citizen desires

the right to vote, he should carry with that responsibility the support of his State and its institutions, in this instance, the schools.

I do not think it is too much to ask a citizen to pay his fair share of the burden of the cost of government if he is going to have a voice in saying how the government is to function. The late Senator Maybank was discussing the constitutionality of legislation proposed at that time, 1948. Here is what Senator Maybank had to say:

> The proposed legislation is in direct conflict with article I, section 2, of the Constitution of the United States in that it attempts to take from the several States a right guaranteed to the States by the Constitution. This proposed legislation, known and designated as H.R. 29, and entitled "An act making unlawful the requirement for the payment of a poll tax as a prerequisite to voting in a primary or other election for national officers," is in effect changing the qualifications for electors for national officers in violation of article I, section 2, of the Constitution of the United States.
>
> Article I, section 2, of the Constitution of the United States reads as follows:
>
> "The House of Representatives shall be composed of members chosen every second Year by the People of the several States, and the Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature."
>
> This section of the Constitution is clear and unambiguous. The framers of the Constitution wisely decided that the qualifications requisite for electors of the House of Representatives should be left entirely to the several States. It is true that the qualifications of these electors may not be the same in each of the several States, which itself shows that the framers of the Constitution did not desire uniformity.

Mr. President, ever since this speech was made by Senator Maybank the Supreme Court has ruled generally, but in most specific terms, that there is no such thing as Federal suffrage. There is only State suffrage, and the power to create such suffrage was not one granted to the Federal Government in the Constitution but on the contrary, to the several States. This guarantee of State suffrage to the States is the most important single bulkwark against a Federal Government controlling the ballot boxes of the Nation

Several of the States hesitated some years before ratifying the Constitution of the United States because they felt there was insufficient guarantee for preservation of the rights of the States. That was one of the main reasons for their hesitation. If the Constitution, as originally adopted, had contained a provision restraining the States from making their own voting qualifications, whether it be payment of a reasonable poll tax as a requirement or any other reasonable qualifications, the Constitution would not have been ratified and we would not now have constitutional government or a United States.

If Federal control of the ballot boxes of the Nation were to ever come about, we would no longer be a United States, but we would be a Federal institution which could be controlled by a handful of directors sitting in Washington. This is clearly just another move to strip the States of another right. No one can deny it. It is an anti-States rights amendment.

Mr. President, this is not the only attack being made against constitutional government and the State right of controlling election machinery. Now pending in the Senate Judiciary Subcommittee on Constitutional Rights, of which I am a member, are highly unconstitutional measures proposing to force upon the States by Federal intervention a uniform literacy requirement for voting. That is clearly unconstitutional. The proposals pending before the subcommittee on constitutional rights are just another attack launched against the control of elections by individual States.

They are whittling away at every corner of the bill; they are working like termites to take away from the States their rights.

It is another determined effort by the band of liberals to place under the Federal Government complete control of all elections. The proponents of this bill would have the Federal Government force the States to permit every individual to vote regardless of their ability to read, write, and comprehend the candidates and the issues of the day.

In each passing year we see more and more attempts to destroy the foundation of our election system by those who would unconstitutionally legislate away the powers of the individual States. It is my purpose today in addressing the Senate on this subject, to place before the American people the unquestionable, documented legal and historical background why the Congress cannot constitutionally legislate away from the States the right to control their own elections.

Mr. President, the proposed legislation, S. 2750, now pending before the Judiciary Subcommittee on Constitutional Rights, is the latest attack launched against the control of elections by the individual States. The establishment of reasonable and responsible prerequisites to voting is a State right and a State function. This proposed legislation, S. 2750, which would attempt to impose upon the States a uniform literacy test requirement for voting in Federal elections in all the States, is unquestionably unconstitutional.

The very title of the bill is misleading and from every viewpoint there is no just and right argument why the Senate of the United States should not kill this proposal as well as the resolution now being debated.

This bill itself can be said to be comprised of two parts. The first is a preamble that states it to be the finding of Congress that literacy tests and other performance examinations have been used extensively to effect arbitrary and unreasonable denials of the right to vote, denials which may or may not be based on race or color, and that existing statutes are inadequate to assure that all qualified persons shall enjoy the right to vote. There is no proof of this, and from a legal standpoint these tests requirements in the several States from their language apply to all citizens alike without regard to race or color, and have, therefore, been upheld by the U.S. Supreme Court, which in numerous cases has said they are valid so long as they do not discriminate and apply to all alike. These literacy tests statutes have been upheld by the Supreme Court without exception and as late as 1959, with respect to North Carolina in *Lassiter* v. *Northampton County Board of Electors*, 360 U.S. 45.

The second part of this bill is the operative section which amends section 131 (c)(b) of the Civil Rights Act of 1957 (42 U.S.C. 1971(b)).

This provision would add another prohibition in a Federal election against subjecting or attempting to subject any person to the deprivation of the right to vote in any Federal election. "Deprivation of the right to vote" is defined as to "include but shall not be limited to, first, the application to any person of standards or procedures more stringent than are applied to others similarly situated; and, second, the denial to any person otherwise qualified by law of the right to vote on account of his performance in any examination, whether for literacy or otherwise, if such person has not been adjudged incompetent and has completed the sixth primary grade of any public school or accredited private school in any State or territory, the District of Columbia, or the Commonwealth of Puerto Rico."

The bill states that the basis of congressional authority for the enactment of such a measure are set forth as the 14th and 15th amendments, article I, section 4 of the Constitution. I shall rely on these provisions of the Constitution to show that the bill pending in committee is unconstitutional, and the Supreme Court cases affirm my position.

The reason why I am discussing the bill now pending before the committee is that it is an example of the attempt which is being made to whittle away the rights of the States.

A Federal statute attempting to establish a uniform literacy requirement for voting in Federal elections certainly is unconstitutional. The creation of such a qualification for voting would require an amendment to the Constitution of the United States. Of course, we realize that the Constitution provides the method by which the Constitution itself may be amended and the only way in which it may be amended, and certainly Congress has no right by an act to amend the Constitution. The power was left to the States to determine the qualification of its voters.

Concerning the qualification of voters for U.S. Senators and Representatives in Congress the Constitution contains the following provisions. I first quote from article I, section 2, clause 1:

> The House of Representatives shall be composed of Members chosen every second Year by the People of the several States, and the Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.

I now quote from amendment XVII with reference to election of Senators. I do so because there are some that have

maintained that this in some way took away the exclusive rights of the States to set the qualifications of the voters. It does not because the language is simple and clear. Reading from the 17th amendment:

> The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

This is certainly clear language. Certainly we do not deny the right of the States to name the qualifications necessary for the electors of its own State legislature. It is evident from the above provisions that although the States may not prescribe the qualifications of voters of Congress as such, the qualifications prescribed by the States for electors of the most numerous branch of their legislatures are adopted by the Constitution for this purpose.

I would like to point out here that most States, according to these provisions of the Constitution, have adopted a literacy test of their own, the State of New York included. The State of New York has a strict literacy test. No contention has ever been made that they did not have the right to set such qualifications so long as they did not discriminate. It is certainly evident from the provisions which I have quoted that although the States may not prescribe the qualifications of voters of Congress as such, the qualifications prescribed by the States for electors of the most numerous branch of their legislatures are adopted by the Constitution for this purpose. Certainly I say again that no one argues that any authority other than the States themselves have the right to set the qualifications for electors of the most numerous branch of their legislatures.

I shall discuss the last point which I have made, the Supreme Court opinion in Ex parte Yarborough, reported in 110 U.S. 651, 663, stated as follows:

> The States in prescribing the qualifications of voters for the most numerous branch of their own legislatures, do not do this with reference to the election for Members of Congress. Nor can they prescribe the qualification for voters for those eo nomine. They define who are to vote for the popular branch of their own legislature, and the Constitution of the United States says the same persons shall vote for Members of Congress in that State.
>
> It adopts the qualification thus furnished as the qualification of its own electors for Members of Congress. It is not true, therefore, that electors for Members of Congress owe their right to vote to the State law in any sense which makes the exercise of the right to depend exclusively on the law of the State.

However, it clearly leaves it to the States, and this is part of the above case cited, Ex parte Yarborough, supra.

I now quote from the 14th amendment, section 2:

> Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice President of the United States, Representatives in Congress, the Executive and Judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basic representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

So we see that this section does not take away or in any way deny the right of each State to set the qualifications of voters, but still leaves it in their exclusive jurisdiction to provide the qualifications of voters, and provides some penalty for discrimination, but in no way takes away the right of States to set qualifications.

As early as 1898, the U.S. Supreme Court held that the provision of section 244 of the constitution of Mississippi, making the ability to read any section of the constitution, or to understand it when read, a necessary qualification to be a legal voter, does not on its face discriminate between the white and Negro races, and does not amount to a denial of the equal protection of the law secured by the 14th amendment of the Constitution. The constitution of Mississippi and its statutes "do not on their face discriminate between the races, and it has not been shown that their actual administration was evil, only that evil was possible under them." That is the language of the Supreme Court's decision in the case of *Williams* v. *Mississippi*, reported in 170 U.S. 213, 220, and 225.

I quote now from the 15th amendment, because again some have maintained that it might have changed or abridged the right of the States to the exclusive jurisdiction to name the qualifications of voters. The 15th amendment reads as follows, reading from section 1 thereof:

> The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

It says nothing, of course, about the States not having the right to set their own qualifications for their voters, and this provision does not take away that right, but only provides that there shall be no discrimination; and, of course, if the literacy tests provided by the States are the same for all of their voters, as stated, and are fair, then certainly the States have this right, and there is no discrimination. So in the case of Williams against Mississippi, as quoted above, in upholding as constitutional the provisions of the Mississippi statute relative to the literacy test, the Court clearly said that since the States have the right, under the Constitution, to name the qualifications, they have the right to make a literacy test a necessary qualification, the only limitation being that it shall apply to all voters alike, and is valid so long as it does not discriminate.

I quote now from section 2 of the 15th amendment:

> The Congress shall have power to enforce this article by appropriate legislation.

The effect of this amendment is, beyond any doubt, not to take from the State governments, in a general sense, the power over suffrage, which has belonged to those governments from the beginning, and without the possession of which power the whole fabric upon which rest the division between State authority and national authority under the Constitution and the organization of both governments would be without support, and the authority of both the Nation and the States would fall to the ground.

In fact, the very command of the amendment recognizes the possession of the general power by the States, since the amendment seeks to regulate its exercise as to the particular subject with which it deals: that is, that there shall be no discrimination among the races. That is all that it seeks to do. It does not in any sense take away the right of suffrage or the right of qualifications to be set by the States themselves. I now quote from the Court's decision:

> No time need be spent on the question of the validity of the literacy test considered alone since as we have seen its establishment was but the exercise by the State of a lawful power vested in it not subject to our supervision, and indeed, its validity is admitted.

This quotation is from the Court's decision in the case of *Guinn* v. *United States*, 238 U.S. 347, 362, 366.

The decision in Guinn against United States may be summarized by stating that the Court held that the power was left with the States to determine the qualifications of their voters, and that a State may establish a literacy test as a prerequisite for voting, providing that such test applies alike to all citizens of the State, without discrimination as to race, creed, or color.

As stated above, practically all the States, including States in the North and South, among them the State of New York, have provided literacy tests. There has never been any contention that a literacy test was not valid, so long as it did not discriminate. Certainly the amendments and the Court decisions only hold that there shall be no discrimination.

None of these provisions takes away any of the rights of the States—which they have, and have always had—to determine the qualifications of the voters. The States themselves have that right.

Now I shall quote from what was stated by the Supreme Court on the 14th and 17th amendments, in commenting on the principle laid down in *Guinn* v. *United States*, supra and *Lassiter* v. *Northampton Election Board*, 360 U.S., pages 45 and 50. I may point out that this case is as recent as 1959; the Court said:

> We come then to the question whether a State may consistently with the 14th and 17th amendments apply a literacy test to all voters irrespective of race or color.

In *Guinn* v. *United States, supra*, on page 366, the Court disposed of the question in a few words:

> No time need be spent on the question of the validity of the literacy test considered

alone since as we have seen its establishment was but the exercise by the State of a lawful power vested in it not subject to our supervision, and, indeed, its validity is admitted.

I continue to quote from the Court's decision:

The States have long been held to have broad powers to determine the conditions under which the right of suffrage may be exercised.

Cited in support of this is the case of Pope against Williams, reported in 193 U.S., on pages 621 and 633; and Mason against Missouri, reported in 179 U.S., on pages 328 and 335:

Absent of course the discrimination which the Constitution condemns. Article I, section 2 of the Constitution in its provision for the election of Members in the House of Representatives and the 17th amendment in its provision of Senators provide that officials will be chosen "by the people." Each provision goes on to state that "the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

Again I say that certainly no one denies the right of the States to name the qualifications of the members of its legislature. And this quotation is from the Supreme Court, stating again that in interpreting the above named sections of the Constitution, the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

Quoting further from the Supreme Court:

So while the right of suffrage is established and guaranteed by the Constitution (*Ex parte Yarborough*, 110 U.S. 651, 663-665; *Smith v. Albright*, 321 U.S. 649, 661-662) it is subject to the imposition of State standards which are not discriminatory and which do not contravene any restriction that Congress, acting pursuant to its constitutional powers, has imposed.

This is quoting still from the Supreme Court in which it says see *United States v. Classic*, 313 U.S. 299, 315; and I say now, again showing that the only power that Congress has is to pass legislation to see that these qualifications are not discriminatory.

And, as long as they are not, the State has the right to state the qualifications of its voters, applying the same to all of its citizens, this latter being the only restriction.

Further quoting from the Court in this case:

We do not suggest that any standards which a State desires to adopt may be required of voters. But there is wide scope for exercise of its jurisdiction. Residence requirements, age, previous criminal record (*Davis v. Beason*, 133 U.S. 333, 345-347) are obvious examples indicating factors which a State may take into consideration in determining the qualifications of voters. The ability to read and write likewise has some relation to standards designed to promote intelligent use of the ballot. Literacy and illiteracy are neutral on race, creed, color, and sex, as reports around the world show. Literacy and intelligence are obviously not synonymous. Illiterate people may be intelligent voters. Yet in our society, where newspapers, periodicals, books, and other printed matter canvass and debate campaign issues, a State might conclude that only those who are literate should exercise the franchise.

This is also from the Supreme Court. We say, of course, again that certainly States have the right to provide the qualifications according to residents' age, and so forth; and, as the Court has said, it also has the right to state the literacy requirements according to its standards for all voters within the State, and Congress under the Constitution, and these decisions of the Court certainly have no right constitutionally to take away that right from the States or to say that the States would not have the right themselves to state what these literacy qualifications should be in each State.

I continue to quote from the Court:

Of course a literacy test, fair on its face, may be employed to perpetuate that discrimination which the 15th amendment was designed to uproot. No such influence is charged here. On the other hand, a literacy test may be unconstitutional on its face (citing *Davis v. Schnell*, quoted in 336 U.S. 933).

Further quoting:

The great discretion it [the legislation] vested in the registrar made clear that a literacy requirement was merely a device to make racial discrimination easy. We cannot make the same inference here. The present requirement, applicable to members of all races, is that the prospective voter "be able to read and write any section of the constitution of North Carolina in the English language." That seems to us to be one fair way of determining whether a person is literate, not a calculated scheme to lay springs for the citizen.

I maintain again that the 15th amendment provides only that there will be no discrimination as to race, creed, or color, and so forth. It in no way touched on the question of the right of the States to name the qualifications for its voters as long as there was no discrimination; and so, by this constitutional amendment the right of the States to name the qualifications of its voters remains with the State alone.

Mr. HILL. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER (Mr. PELL in the chair). Does the Senator yield?

Mr. JOHNSTON. I yield for a question, with the understanding that I shall not lose my right to the floor.

Mr. HILL. Is it not true that there is no provision of the Constitution which has been more jealously guarded or more highly respected by the courts than section 2 of article I?

Mr. JOHNSTON. That is certainly true.

Mr. HILL. Has not the Senator been citing case after case confirming this fact?

Mr. JOHNSTON. Yes. I shall cite many other cases from the Supreme Court of the United States.

Mr. HILL. Is it not true that all the cases have confirmed and ratified section 2 of article I, leaving to the States the question of fixing the qualifications of voters?

Mr. JOHNSTON. In all sections of the Constitution it is left entirely to the States.

We may summarize Lassiter against Northampton County Board of Elections, to affirm the principle that the application of a literacy test by a State as a qualification for voting is consistent with State power under the 14th and 17th amendments if applied to all voters alike, irrespective of race or color; and if such requirement is not unfair on its face and does not show an intent to effectuate discrimination, it is not violative of the 15th amendment.

ARTICLE I, SECTION 4, CLAUSE 1

We have seen from the aforementioned decisions that a State statute providing literacy as a qualification for voting in a Federal election is not only valid but actually derives its validity from article I, section 2, clause 1, supra, and from the 17th amendment, supra, the provisions of which give recognition to the fact that the States may set requisites for electors of the most numerous branch of the State legislature by adoption of these requisites for electors of U.S. Senators and Representatives.

We come now to the effect which article I, section 4, clause 1 of the Constitution may have upon the question.

The Constitution provides in clause 1 of section 4, of article I as follows:

The Times, Places, and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law make or alter such Regulations, except as to the Places of chusing Senators.

The case of *Ex parte Clarke*, 100 U.S. 399, decided in 1879, involved the constitutional power of Congress to enact a law for punishing a State officer of election for the violation of his duty under a State statute in reference to an election of a Representative to Congress. The Court held that Congress did have this power. This type of statute was considered as covering the "manner of holding" an election.

The case did not involve the qualification of voters. However, Justice Field, in the dissenting opinion, does speak about qualifications of voters and makes the following comment on pages 418-419:

The power vested in Congress is to alter the regulations prescribed by the legislatures of the States, or to make new ones, as to the times, places, and manner of holding the elections. Those which relate to the times and places will seldom require any affirmative action beyond their designation. And regulations as to the manner of holding them cannot extend beyond the designation of the mode in which the will of the voters shall be expressed and ascertained. The power does not authorize Congress to determine who shall participate in the election, or what shall be the qualification of voters. These are matters not pertaining to or involved in the manner of holding the election, and their regulation rests exclusively with the States. The only restriction upon them with respect to these matters is found in the provision that the electors of Representatives in Congress shall have the qualifications required for electors of the most numerous branch of the State legislature, and the provision relating to the suffrage of the colored race. And whatever regulations Congress may prescribe as to the manner of holding the election for Representatives must be so framed as to leave the election of State officers free, otherwise they cannot be maintained. In one of the numbers of the Federalist, Alexander Hamilton, in defending the adoption of this clause in the Constitution, used this language: "Suppose an article had been introduced into the Constitution empowering the United States

to regulate the elections for the particular States, would any man have hesitated to condemn it, both as an unwarrantable transposition of power, and as a premeditated engine for the destruction of the State governments? The violation of principle in this case would have required no comment." By the act of Congress sustained by the Court, an interference with State elections is authorized almost as destructive of their control by the States as the direct regulation which he thought no man would hesitate to condemn. The views expressed derive further support from the fact that the constitutional provision applies equally to the election of Senators, except as to the place of choosing them, as it does to the election of Representatives.

It is apparent from Justice Field's comments that this provision of article I, giving Congress the power to alter such regulations of the times and "manner of holding elections for Senators and Representatives" does not apply to qualifications for voting.

It would seem that if the Constitutional Convention had intended section 4 of article I to authorize Federal legislation concerning qualification of voters, then such intent must have been to nullify, by section 4, the power over qualifications of voters which it had left with the States in section 2 of the same article I. It is difficult to attribute such a motive to that body. Thus, since it is a "most fundamental principle of our constitutional jurisprudence" that "all the provisions of the Constitution are equally binding upon Congress"—and I quote there from Willoughby on the Constitution of the United States, volume 1, page 493—it must be assumed that section 4 of article I means no more than what it says and applies only to the manner of holding elections, leaving the coverage of the qualification of electors to section 2 of said article, which leaves it to the exclusive jurisdiction of the States and to the States only and not to Congress.

Under what authority, then, can Congress enact legislation concerning such qualifications? The answer is clear that Congress has no such power and to acquire it would require a constitutional amendment, which under the Constitution there is only one way as stated above that the Constitution can be amended. And it certainly cannot be amended by act of Congress of the United States which is attempted in the present bill before the Judiciary Committee today.

In further discussing the unconstitutionality and illegality of the attempt in this measure before the committee by such proposed legislation to usurp the constitutional rights of the State, in making my following remarks I shall make some reference to an editorial which appeared in the Wall Street Journal January 30, 1962, and which later appeared in the CONGRESSIONAL RECORD in its entirety. The editor says that now he possesses an official certificate—his voting certificate—from the State of New York testifying that he can read, and he goes on to state that New York requires every voter to be able to read the English language and strangers within its gates are required to show proof by taking a literacy test by the New York Legislature according to the needs of the people of the State of New York. Now, though, we are being told by a number of political leaders that it is a wicked thing to make a literacy test for voting. This, of course, is another fact in the latest in a series of moves, all put forward in the name of "civil rights" to challenge any and all requirements for voting which the Constitution allows the several States to establish, among them a literacy test. And, of course, the immediate cause of this latest attack on literacy requirements is the unhappy fact that among some minority groups there is widespread illiteracy. Many Puerto Ricans cannot speak it, much less read it. And as any Army recruiting officer can tell you, there are many people who cannot read their native tongue well enough to understand the simplest instructions. The politicians' immediate interest is that all these add up to many potential voters who would be grateful to the politician who won them the voting privilege, regardless of whether the voter understood for whom he was voting or what he was voting for, or why. So, therefore, we contend that these, certainly the lawyers, know that it would be unconstitutional to deprive the States of their right to set the qualifications of voters of the States, and accordingly each State must determine the test needed for that particular State, just as it must for age, residence, and other requirements.

According to all the decisions of the Supreme Court of the United States which I have quoted, these literacy tests have been upheld numerous times by the Supreme Court as a valid requisite for voting. Each State must set its own standards and qualifications for voting, but it must be sure that those who vote can intelligently vote and can cast their own ballot. Certainly there is no charge here that any of these are discriminatory. But it seems to us here that this is the way by which such type of legislation as this proposed bill would provide a means for voting and controlling block votes of ignorant ones whose true wishes would be denied. And those people voting would not know how they were voting, for whom they were voting or why. Certain politicians said they could control block votes in this manner. The thing, from a legal standpoint, that is being assaulted in this proposed measure before the committee today is the fact that responsible democracy rests upon responsible voters; the child, the moron, the illiterate, the ignorant, the man who contributes nothing to the commonwealth, the voice of each of these should be counted equally with the voice of the literate, the educated, the intelligent, and the informed, according to these politicians. Certainly that would not make for good government. It would mean that there would be those politicians who could control these ballots; therefore, our forefathers placed in the Constitution the rights of the States to name their own qualifications. The Supreme Court has wisely seen fit in all its cases to uphold the validity of all the literacy tests for each State so long as they did not discriminate according to race, creed, or religion.

It certainly gives the States the right to say that those who vote within the borders of the State shall be able to vote intelligently. By the same token it says plainly that none of those who propose such legislation would attack the fact that each State has the right to state what age a person must be before he is qualified. Following their argument here, why should they not be able to pass a bill which would apply to all States, saying that children 10 years of age could vote? It would make certainly as much sense as this type of legislation. And perhaps children 10 years of age, many of them at least, could vote more intelligently than those who are illiterate, who cannot understand the English language as it is written and who therefore in their voting would not make for good government.

As I say again, constitutionally these qualifications are left to the States; the Supreme Court has upheld the validity of each State in these literacy tests so long as they do not discriminate. Now, society, certainly in this view, must be permitted to protect itself with even the most rudimentary rules to make voting a privilege of those who have at least an elemental understanding of, and make some contribution to, the society in which they are privileged to live. As I say again, some of these references are to the editorial as aforementioned.

It would be fruitless to remind those of this persuasion that the American experiment owes its success to the wisdom of those who, in drawing its basic constitution, knew the dependence of democracy upon a responsible citizenry and wrote in many more voting restrictions than we today would dream of. The reminder would not be persuasive because, among those people, traditional wisdom is hooted at.

They all want the ignorant to vote. They might as well say that the children shall vote, that anyone can vote; therefore, if there are restrictions placed on voting, these literacy tests, I say again, have been upheld by the Supreme Court on all occasions.

Another requisite for voting which is guaranteed the States by the Constitution is the requirement of residence for a certain length of time; this is not being attacked, yet. However, I am sure that if the forces behind this proposed bill are successful in this endeavor, they will be knocking at the Senate door to do away with residency and other State imposed prerequisites to voting. Indeed they will probably want to clear the decks of all prerequisites to voting and allow anyone to vote regardless of how unqualified they are to judge the issues and regardless of how unable they are to reason right from wrong. The reason for the residence requirement is the reason that even if a person is literate and well educated that certainly he is not in a position to cast a ballot in a locality unless he has been there a sufficient time to understand the issues. Then why would it be proper not to have the States establish adequate literacy tests to be sure that those who vote know for whom they are voting and why they are voting. That again I say is why the Constitution

guarantees the right of the States to set the qualifications, among them age, residence and literacy, which have all been upheld by the Supreme Court. And as the editor in the Wall Street Journal said, to cast a ballot is a proud thing, and as a nation we ought to work hard to make the best government possible for all. But the way to do it is to lift up the underprivileged and not to heed those who would debase the privilege.

For the reason that the Constitution guarantees that each State deciding according to its own needs legislates the necessary age, resident requirements and necessary prohibitions for those who have been convicted of certain crimes, it must then necessarily follow that each State according to its own needs is guaranteed under the Constitution and must set its literacy requirements, so long as it applies to all citizens of the State alike. The proponents of this bill do not contend there is any distinction between the rights of States to provide age and residence requirements, nor do they contend that Congress could pass a uniform age and residence voting bill. What is the difference?

Also, we know that it is elementary that any rights not reserved to the Federal Government are left to the States. We have forgotten that section of the Constitution. In this instance we go further because voting qualifications for States are guaranteed to the States by the Constitution; and, therefore, the rights can only be taken away from the States by constitutional amendment and not by act of Congress as is proposed in the bill before the Judiciary Committee.

The argument that the term "manner" is a source of authority for the provision in the bill is thus found to be without substance. There is a clear distinction in the Constitution as between power to regulate the manner of holding Federal elections and regulation of the qualifications requisite for voting at such elections. The one authority is found in article I, section 4, clause 1, and is separately allocated from article I, section 2, clause 1, and from the 17th amendment. "Manner" refers to the mode of voting, the method by which eligible or qualified voters' choices are expressed and determined.

The difference between the power to regulate the manner of Federal elections and the qualifications of voters thereat is as wide as the difference between determining how and who. By no stretch of the imagination can the how of voting be deemed to encompass the who.

All of the Supreme Court opinions in which the Court interfered in elections dealt with fraud, corruption, and preventing someone qualified from voting. In fact, the most extreme definition of the scope of the power to regulate the manner of holding Federal elections, that pronounced in ex parte Siebold in 1880 did not include extension of the authority over voters' qualifications. The Court—page 396—in discussing the scope of power that Congress might exercise if it were, under article I, section 4, to assume the entire control and regulation of the election of Representatives, stated:

> This would necessarily involve the appointment of places for holding the polls, the times of voting, and the officials for holding the election; it would require the regulation of the duties to be performed, the custody of the ballots, the mode of ascertaining the results, etc.

I have cited several cases in which the Court interfered with reference to the manner of holding elections. I have cited numerous cases, including one as recent as 1959, showing that the Court has always upheld the right of the States to determine voter qualifications, and in both lines of cases, those on the manner and those dealing with qualifications, the Court has always distinguished between the manner of holding elections and the qualifications of voters and has said in all of these decisions that while the manner of holding elections may be determined by an arm of the Federal Government, the qualifications of the voters, according to the Constitution, rests solely and exclusively with the States.

The strength of our system is rooted in a balanced, divided, and limited government, and thus far the States, according to the Constitution of the United States and sanctioned by the Supreme Court, have exercised their power to determine voter qualifications on a nondiscriminatory basis, in accordance with the wishes of their own citizens, not as directed from Washington. These qualifications have served for electors of Representatives and Senators as well.

This method of prescribing qualifications was an essential element of our original conception of a balanced, divided, and limited government. The same principles guide us today. But if the balance of the system is weakened, the division erased and the limitations—provided for in the Constitution—on the National Government removed, the necessity of reliance on persuasion and compromise is also minimized and can easily be replaced by reliance on other agents such as force.

We know today how the Federal Government threatens to impose upon the States certain laws that are on the statute books.

Proponents of this bill say that action by means of a statute is all that is necessary to achieve what is really general regulation over voter qualifications. Yet, most of these same Senators in 1960 voted to approve a constitutional amendment prohibiting the imposition of a poll tax as a condition for voting in Federal elections. A poll tax determines eligibility to vote.

It is a voter qualification factor just like a literacy test. How is it then true that those who now assert that voter qualifications can be regulated by Congress by statute were of the opinion 2 years ago that the proper vehicle for this was a constitutional amendment? Because of the clear constitutional question presented, the only proper course then to follow is the procedure of constitutional amendment in establishing uniform literacy requirements for Federal elections. While I must admit it would be legal to establish a so-called uniform Federal literacy requirement for voting by enacting a constitutional amendment to this effect, I say it not only would be wrong, but it would be clearly contradictory to the original understanding reached by the various States when they adopted the Constitution.

It should be remembered that many States hesitated some time before they ratified the Constitution. The reason was that they felt the Constitution did not guarantee strongly enough these rights to the States and did not guarantee enough rights to the individual States. We should not now justify this hesitancy by destroying what was guaranteed in the Constitution.

As I have pointed out, the very men who wrote the Constitution and who urged the confederation of the various States, insisted that the individual States retain the right to establish voting prerequisites and insisted too that the Federal Government be excluded from these rights by the Constitution. Therefore any attempt to take away this right from the States either by constitutional amendment or by this legislative ravishing process would not be extending any freedom to any citizen of our land, but to the contrary would be giving another control over our people by distant, cold Federal regulation.

Another foundation block of our Republic will have been removed and the erosive process conducive to the destruction of our democracy will be stimulated. I earnestly request that each Member of the Senate think hard and long on this question before they decide to vote. I ask them to read and study the pages of history, the court decisions, and the reason which makes it legally prohibitive to take this power away from our States.

I urge that the Senate reject all proposals of this nature, because I fear that to enact any of them would be detrimental to our Government in the years to come.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SPARKMAN. Mr. President, I wish to address myself to the pending business, which is the motion to take up Senate Joint Resolution 58. I shall speak in opposition to the motion. I do not believe the joint resolution should be taken up.

I deplore the proposal to have the Senate consider a measure such as this and allowing it to bottle up all the rest of the Senate's legislative program. Committee meetings have been stopped. The business of the Senate is at a standstill, while we debate whether or not we should consider a joint resolution which

would have the effect of stripping further from the States the powers which our forefathers, who wrote the Constitution, saw fit to give to the States. Not only are these powers which they sought to give the States; they are powers which already existed in many of the Original Colonies.

Mr. HILL. Mr. President, will the Senator from Alabama yield?

Mr. SPARKMAN. I yield for a question.

Mr. HILL. Is it not true that the States were most determined in the Constitutional Convention to retain those powers which they already had?

Mr. SPARKMAN. My colleague is absolutely correct. That is why I brought out that point. I said they were given to the States. I said they previously had been lodged in the Colonies which later became members of the Union.

Mr. HILL. Mr. President, will my colleague yield for another question?

The PRESIDING OFFICER (Mr. MUSKIE in the chair). Does the Senator from Alabama yield to his colleague?

Mr. SPARKMAN. I yield.

Mr. HILL. Do not we know from Madison's notes and from other authoritative sources that probably there would not have been a Constitution if these rights had not been left firm and secure in the States?

Mr. SPARKMAN. My colleague is correct; and, Mr. President, several days ago, when my colleague made the opening speech on this question and on its merits, he made that point in great detail, and made it very forcibly and forcefully. I am sure he is correct in stating that there would not have been a Constitution if it had not been for the fact that those who agreed to the terms of the Constitution recognized that these rights already belonged to the States, the former Colonies, and certainly should not be taken from them.

Mr. HILL. Mr. President, will my colleague yield for another question?

Mr. SPARKMAN. I am glad to yield.

Mr. HILL. Is it not also a fact that not only do the proceedings of the Constitutional Convention in Philadelphia show this very conclusively, but it is also shown very conclusively by the proceedings of the State conventions, which met for the purpose of ratifying the Constitution, that the Constitution itself would not have been ratified if these rights had not been preserved to the States?

Mr. SPARKMAN. That is true, and my colleague made that point in great detail in the course of the speech he made several days ago here on the floor of the Senate. In my brief remarks I shall discuss that point, too.

Mr. President, this subject is not a new one. It has been considered on far too many occasions. Fortunately, the Congress has not seen fit to adopt such a proposal. To do so, in my judgment, would be to sacrifice the traditional privileges and rights of the States, for the sake of an emotional and political issue—that is, the so-called civil rights issue. And, if this is the case, then the sacrifice of these precious rights would have been in vain, for the issue is not civil rights. Instead, the issue is whether the States shall retain the privilege of adopting a reasonable regulation upon the privilege of voting, as many of them do upon the privilege of driving an automobile, operating a business, fishing, hunting, and other such activities which I could easily name.

If it is unreasonable, Mr. President, for a State through its democratic processes to require the payment of a small tax for the privilege of voting, then why is it reasonable for the State to require the payment of a small tax for the privilege of driving an automobile or hunting or fishing or earning one's livelihood or carrying on a business?

The Congress has a responsibility to determine whether the proposed amendment is in the public interest. This is the issue the Senate is called upon to decide.

The proposed amendment is contrary to the public interest. It seeks immediately to usurp the rights of several States—Alabama, Mississippi, Arkansas, Texas, and Virginia. These are the States which will immediately be affected by this amendment. The truth of the matter, however, is that the proposal would directly affect several other States, and would indirectly affect all States. I am informed by the Library of Congress that if the proposed Constitutional amendment were to become effective, it would nullify certain voting laws in Florida, South Carolina, New Hampshire, and Rhode Island.

Mr. HOLLAND. Mr. President, will the Senator from Alabama yield?

Mr. SPARKMAN. I yield for a question.

Mr. HOLLAND. The Senator from Alabama has mentioned the State of Florida. I simply wish to ask him if it is a fact that the constitution of the State of Florida permits the State legislature to impose a poll tax or a capitation tax—for the privilege of voting—of not to exceed $1 a year, but is it not also a fact that long ago the Florida Legislature repealed such tax, and no such tax is now operable? Is not that a fact?

Mr. SPARKMAN. I do not have information on the details in that connection, but I assume that what the Senator from Florida has said is correct. In fact, I intended to ask him what laws in Florida would be affected by the adoption of this amendment. However, the Legislative Reference Service of the Library of Congress has informed me that Florida would be affected by this measure.

I am sure that what the Senator from Florida has stated is correct, for he served as Governor of his great State, and he knows the laws of his State.

Mr. HOLLAND. Mr. President, will the Senator from Alabama yield for a further question?

Mr. SPARKMAN. I yield.

Mr. HOLLAND. Assuming the correctness of the premise I have laid, then it is not correct is it, to state that any Florida State law imposing a poll tax or any other tax or any other qualification on voting would actually be affected by the adoption of this amendment?

Mr. SPARKMAN. No more than the following: I have said it would have an effect. In fact, it would nullify that provision of the Florida Constitution, and therefore it would affect the legislative situation in Florida—not so far as a tax is concerned, but so far as that constitutional provision is concerned.

Mr. HOLLAND. Mr. President, will the Senator from Alabama yield again to me?

Mr. SPARKMAN. I yield for a question.

Mr. HOLLAND. So the Senator from Alabama is saying, is he not, that if this amendment were passed by Congress and were adopted by three-fourths of the States, it would render of no effect a permissive provision of the Florida State constitution—which, however, for many years has not been operative, because the legislature has not acted on that provision, but has taken the opposite position?

Mr. SPARKMAN. I am certainly willing to accept the statement made by the Senator from Florida, who formerly was a very distinguished Governor of Florida, and has long been a very able lawyer, as well as a very able Senator. I am sure he has correctly stated the case. As I have said, I did not go into that matter in detail.

Mr. HOLLAND. I thank the Senator from Alabama.

Mr. SPARKMAN. Mr. President, at this time I should like to refer to an interesting editorial, published in the Montgomery, Ala., Advertiser, commenting on an article published in the Christian Science Monitor. The editorial reads as follows:

PLACE FOR THE POLL TAX

> A correspondent in the Christian Science Monitor drolly requests Congress to make the poll tax illegal in Maine as well as in the Southern States that still retain it.
>
> Maine's poll tax, he writes, is not exacted as a requirement of voting; in fact, it was originally imposed as a church assessment to pay the preachers. Today the poll tax is simply a source of revenue, the same as it is in most of the Southern States that impose it.
>
> But whereas the South attaches it to voting, Maine makes it a prerequisite to buying drivers licenses and getting some hunting and fishing permits. The poll tax applies to males only; women get a drivers license at the regular price.
>
> The poll tax in Alabama contributes several thousand dollars a year to education.

Mr. President, at this point let me state that in Alabama the poll tax each year provides a good many thousands of dollars which are very badly needed to support our schools.

The editorial concludes as follows:

> Should the proposed anti-poll-tax amendment to the Constitution be ratified, Alabama might at least save the revenue by the Maine method. Driving a car is as much a privilege as voting, but it doesn't have the same box-office appeal to the Constitution tinkerers.

That editorial was published in the Montgomery, Ala., Advertiser of March

6, 1962. The editorial is based on a news item—published in the Christian Science Monitor—dealing with the poll tax in the State of Maine.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield for a question.

Mr. HOLLAND. The Senator can see, can he not, from reading the editorial, that the writer apparently was not familiar with the terms of the proposed amendment? It does not deal at all with the right of Alabama or any State to impose a poll tax as a condition for voting in State or local elections, but only in Federal elections.

Mr. SPARKMAN. Yes; I understand that to be the content of the proposed amendment. I think the writer of the editorial understood that. Of course, he did not bring everything out, but I think we all know that the proposed amendment relates to the subject of voting for Federal officers.

The editorial does not deal with any poll tax except that in the State of Maine and the one in the State of Alabama. I must confess that I have not looked up for this occasion some of the provisions I looked up a few years ago when this question was being debated, but I remember that I found then that in one State there was a poll tax, but it was not tied to voting, except that if a person failed to pay the poll tax, he was subject to imprisonment. Of course, if he was imprisoned, he could not vote when election day rolled around. So while it did not admit that the tax was tied to voting, nevertheless, there was that indirect connection. There were a couple of more States that had a poll tax somewhat of that nature.

So it is not merely the five States I have named that have a poll tax that might be affected by the proposed amendment, but other States would be affected, as well as the poll tax that they levy, if it has the result, whether tied to the right to vote or not, of denying or throwing an impediment in the way of voting.

Should we embark upon the road suggested, why are we to limit ourselves to forbidding the tax on voting? Why not extend the taxes on other privileges, such as is suggested by the writer in the Christian Science Monitor.

Of course, to do any of this is ridiculous. These taxes are a source of revenue for the States involved, and it should be a matter left to their judgment as to whether they shall collect the revenue in this fashion. Some States have decided against a poll tax. Some have not. Some States have decided against an extra tax on the privilege of driving an automobile; some have not—as, apparently, is the case in the State of Maine.

In past times, the great majority of the States, if not all of them—at any rate, the older States—had a poll tax, and in earlier days that poll tax was connected with the right to vote. Most of the States have done away with it and, through the decision and action of the States. On their own accord, the poll tax as a prerequisite for voting has been done away with, except in five States. I believe that one State has done away with it so far as Federal elections are concerned, but maintains it so far as local elections are concerned.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield for a question.

Mr. CARLSON. If I may make a short statement on the question of when Kansas repealed its poll tax, it brings back some memories from my youth. We had a poll tax in the State of Kansas for the purpose of highway construction and roadbuilding in the old days, and it was $3 or a day's work for male persons over 21. That tax was repealed in either the 29th or 31st Kansas Legislature, and I voted for the repeal. I well remember when my father would get a notice that on the following day he had to work out his poll tax. He would have to spend the day on the road or pay $3. That time is past, but I remember it. So it is an interesting discussion that the Senator from Alabama has brought up this afternoon.

Mr. SPARKMAN. I am glad to have that contribution from the Senator from Kansas. As far back as I can remember, my State has had a poll tax connected with voting; but, in addition, the tax was for maintenance of public roads. When I was a boy, we lived in the country, on dirt and county roads. The Senator from Kansas knows something about what was involved in the repair and maintenance of such roads. It involved dynamiting through rocks and cutting the roads through. In those days we did it by shovel and pick and such scoops as we had.

Mr. CARLSON. They used slips.

Mr. SPARKMAN. Yes. The scoops were pulled by one mule; certainly never more than a team of mules. I can remember later when scoops were enlarged and put on wheels. There has been quite a change from that day to this day of bulldozers and huge scrapers. When I was a boy I used to work on the roads, because a person over 21 could either pay the tax or work. It seems to me that our tax was $6 or the performance of 8 days' work, or we could hire a substitute. So I used to get a great deal of work as a boy substituting for some of the grownup people and working on the road.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. SPARKMAN. Yes.

Mr. CARLSON. Getting back to the discussion of the days when the poll tax was used for construction of roads, I had the same kind of experience as the Senator from Alabama had, living in the country. I said our poll tax was $3 for each male person over 21, and one had to either pay $3 or work for 1 full day on the road. I have done some of that work. I do not think we improved our highways to any extent, but we got the poll tax paid.

Mr. SPARKMAN. I agree with the Senator's comment about improving the roads, because we did not have highways that stayed together very long with that kind of handwork. However, there were no trucks then. There were only buggies and wagons. I saw roads in our community that were virtually impassable in spite of anything we could do, and we worked hard to keep up the roads.

I am glad the Senator from Kansas has brought the subject up.

A great many States have repealed the poll tax over the years. It has reached the point where only five States now require a poll tax for voting in national elections. However as I said a moment ago, it was the result of action by the States themselves and the people within the States.

Even in the State of Alabama, my colleague will agree that we have not completely repealed the poll tax, but have whittled it down until it is hardly anything at all but a requirement that everybody between the ages of 21 and 45 pay a poll tax of $1.50 a year. I have never known it to be more than that. I suppose it has been that amount all this time, but everybody paid it except the blind, crippled, and persons of that type.

About 1920 or 1921, after the servicemen returned from World War I, our State legislature passed a law to exempt from the payment of the poll tax ex-servicemen returning home. I believe the court held that provision to be unconstitutional, stating that a constitutional amendment would be required; whereupon a constitutional amendment was submitted to the people and was voted into the constitution.

I started voting in 1921. I had brief service in World War I. I paid one poll tax in all my life. That was the first one. I was exempt from that time on.

I believe I heard my colleague from Alabama [Mr. HILL] say that he paid perhaps two or three poll taxes, but certainly he did not pay very many.

Since that time additional exemptions have been provided. A later constitutional amendment was passed which took care of the veterans of any and all wars—the Spanish-American War, from which a few were still living; World War I; World War II; and the Korean war. All those persons in our State are exempt, and it is an exemption without reference to race, creed, religion, or anything else. If a person has a discharge from the armed services during any of those periods of conflict, whatever it might be, he shows it and is free from paying poll taxes from then on.

No one pays the tax after the age of 45. No one ever has. In addition, we have provided an exemption for members of the National Guard, and some other groups.

Not many years ago—probably 10 or 15 years ago—we went further and did away with the cumulative feature, except for 1 year. In other words, in our State regardless of how long a person may have failed to pay his poll tax, he has to pay only for 1 back year plus the current year. That again is for people under the age of 45. No one over the age of 45 has to pay the tax.

Perhaps my colleague knows better than I the figures with respect to percentages of voters in Alabama, but I dare say that not more than one-quarter—certainly not more than one-third—of

the voters in Alabama pay poll taxes. In other words, though we have not gone all the way in repealing the poll tax, the State has acted in such a way as to reduce it to a minimum, and yet to retain a tax for those outside the exempt groups, the money from which is used for school purposes. Every dollar that is collected from the poll tax in the State of Alabama is used in our schools. Goodness knows, we need it badly.

Certainly it is not the function of the Federal Government, whether by legislative fiat or constitutional amendment, to decide for the State whether it shall collect its revenues in these several reasonable ways. It is not for the Federal Government to take action to take this power away from the State. If the State wishes to surrender this power, fine, but it is a matter the State ought to have the privilege of deciding for itself, which has been true in the past.

Before I finish I hope to cite some Supreme Court cases which have held that that was right. Those decisions were given in recent years. The Court has held not once, but several times, that the right to determine this question is one which was left to the States.

If I remember correctly, without looking it up, in the Classic case the Court held, directly on a poll tax question, that it was a matter for the State to decide.

As we know so well, the Federal Government has moved steadily into many tax fields. Today little is left for the States. Why should the Federal Government now undertake to limit further those areas still available to the States? There is no good reason, except to respond to the emotional cry for more so-called civil rights legislation.

As I said a few moments ago, that is a misnomer as applied to this question. This is not civil rights legislation.

In Alabama there is a small poll tax of only $1.50 per year, and no one can be charged more than $3, or 2 years of tax. It is 1 year of back tax plus the tax for the current year. That is the maximum charge as a voting prerequisite. Is this such a terrible burden? Of course not.

The revenue derived from this tax is all applied to the support of the public schools of Alabama. I repeat what I said a few minutes ago: In our State we need every dime we can get for the support of our schools.

The Alabama legislation has been most reasonable in its approach to the poll tax. Many Alabama citizens are exempt from payment of the tax, as I stated before, including the veterans of World War I, of World War II, and of the Korean conflict; and members of the National Guard. In addition, persons over 45 years of age are exempt, as well as the blind, the deaf, and the totally disabled persons owning taxable property not in excess of $500.

I happen to agree with the wisdom of these exemptions. However, whether I agree with the exemptions, or whether any Member of the Senate or of the Congress agrees with them is completely irrelevant, for these are judgments which are to be made by the people of the State through their elected representatives in the State legislature. It is not the place of those of us in the Congress to dictate to the people of Alabama, of Maine, of New York, of California, or of any other State whether such a tax is appropriate.

I include Texas in that group, also. I note the presence in the Chamber of the distinguished Senator from Texas [Mr. YARBOROUGH].

Mr. YARBOROUGH. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield for a question only.

Mr. YARBOROUGH. I trust that the distinguished Senator realizes that the Senator from Texas, now present, is a cosponsor of Senate Joint Resolution 58.

Mr. SPARKMAN. I am fully aware of that.

Mr. YARBOROUGH. While we have a poll tax in my State, I think it has unjustly discriminated against the people of limited means.

The history of the poll tax in my State is not that it was adopted to keep the Negroes from voting. The Negroes were not permitted to vote in the Democratic primaries, anyway. The poll tax was adopted in 1902 to keep the tenant farmers from voting and to keep people of limited means from voting. The property owners feared the tenant farmers would all vote, so they got a poll tax adopted to disfranchise the people of limited means of all races and colors.

I should like to see my State abolish the poll tax entirely. I think we are proceeding with consideration of the proposal in a constitutional manner, by amending the Constitution of the United States, and to make it applicable only to Federal elections.

I regret that the Senator from Florida [Mr. HOLLAND] is not present. He was obliged to leave because of illness. I pay tribute to him for proceeding in this constitutional manner. I think this action is long overdue.

This is a tax on the pocketbook, and is an impediment to voting by putting too heavy a burden on people of limited means, which forces them away from the ballot box.

I say to the distinguished Senator from Alabama that I have a great deal of regard for the rights of States to prescribe the qualifications of electors, but this burden has lasted too long, for too many generations. I think we are forced to take some action.

I believe that once we take Federal action the States themselves will see the munificent results of the action and will, of their own volition, abolish the poll tax in regard to their own State elections.

Mr. SPARKMAN. In response to the question of the Senator from Texas, I certainly have no quarrel with him when he says that he thinks it is time for the State of Texas to get rid of its poll tax. I think it is fine for the State of Texas to do so. My point is that it is a power that was left with the States when the Constitution was adopted. It was one of the conditions upon which the Constitution was adopted, as my colleague from Alabama [Mr. HILL] pointed out a few days ago when he spoke in the Senate, and as he pointed out again today. The Constitution could never have been agreed to if the powers which the Thirteen Colonies already had had not been left with them. My colleague brought out the point very clearly in his very fine and illuminating speech last Thursday, I believe. He made the point very clear. He quoted Madison, the Federalist, and the proceedings of the Constitutional Convention to show that those were among the conditions upon which the Constitution was adopted. I do not believe that the Federal Government ought now to renege on the conditions that were laid down at that time.

While the Senator from Texas was temporarily absent from the Chamber a while ago, in an exchange with the distinguished Senator from Kansas [Mr. CARLSON] I brought up the point that a good many years ago most of the States had a poll tax. Though I am not certain, it may well be that all of the older States had a poll tax of one kind or another, but by action of the elected legislators in the individual States themselves the poll tax had been done away with.

I certainly do not condemn such States. I am glad to see any State take such action. Today only five States retain a poll tax as a condition for voting for Federal officers. Texas is one such State, as is Alabama.

A few minutes ago I also brought out the point that Alabama has operated considerably on the poll tax. I do not know whether the Senator was present when I explained that point. When I was a boy, everyone was required to pay a poll tax in order to vote. The poll tax was $1.50 a year. If one failed to pay it one year, he had to pick up the tax the next year. If he failed to pay for 2 years, the third year he would be required to pay a tax for the 3 years. It was cumulative, until a person who had failed to pay from the time he was 21 until he became 45—45 was the cutoff time—he would have to pay $36 back poll tax in order to vote.

That law became rather onerous. If a poor person was not able to pay the tax for one year, 2 years, or 3 years, the effect would be cumulative.

First, our legislature exempted veterans of all wars. In all my life I paid one poll tax, which was the first year that I voted. Then I was exempted because I was a veteran of the First World War. So all veterans of the First World War, the Second World War, the Korean conflict, and all members of the National Guard, all blind, deaf, and totally disabled persons are exempted, until today I should say that not more than one-third, and possibly not more than one-fourth of the voters of our State, pay the poll tax.

Furthermore, we did away with the cumulative feature except for 1 year. In other words, any person who gets behind now can catch up by paying the current year's poll tax of $1.50 plus only 1 year of tax in arrears, and when he reaches the age of 45, he need not pay any. So it is that a relatively low percentage of people in Alabama pay a poll tax.

The Senator referred to the poll tax in Texas as having been employed for the purpose of keeping poor people from voting. Interestingly enough, only today I read a paper in the Texas Law Review entitled "The Poll Tax and Voter Registration," written by a member of the Travis County Bar of that State named Fagan Dickson. It is a very interesting article. Mr. Dickson made the same point that in the early days a poll tax was provided for the purpose which the Senator stated, and probably had that effect. I do not think that was the purpose for which the poll tax was established in Alabama, though I do not know. That may have been the situation long ago in territorial Alabama—certainly back beyond my day. We had a poll tax, but it was for the purpose of helping the public schools, and it has been of great help in that respect, regardless of what has been said.

Mr. YARBOROUGH. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield for a question. I must protect myself on that point.

Mr. YARBOROUGH. I only wanted to comment on the article contained in the Texas Law Review.

Mr. SPARKMAN. I hope that the Senator will phrase his comment in the form of a question so that I may protect my right to the floor.

Mr. YARBOROUGH. I ask the Senator, since he mentioned the article by Mr. Fagan Dickson, whether or not he knew or has met Mr. Fagan Dickson on his trips to Texas.

Mr. SPARKMAN. I do not believe so.

Mr. YARBOROUGH. Mr. Dickson is one of the distinguished Democratic leaders of our State, a very able attorney in Austin, Tex. He is widely known in the public life of that State. He has been very active in most of the Democratic movements there in the past 18 years. He was formerly the first assistant attorney general of the State under Attorney General Price Daniel, who is now the Governor, and he was a U.S. Senator. Mr. Dickson was top assistant while Senator—now Governor—Daniel was attorney general of the State of Texas. I thought perhaps the distinguished Senator from Alabama knew Mr. Dickson. I merely wished to ask him if he knew him personally. He has attended the National Democratic Conventions.

Mr. SPARKMAN. I am sure that I have met him, but I did not recognize his name in cold print.

Mr. YARBOROUGH. He campaigned very actively for the distinguished Senator from Alabama when the Senator from Alabama was the nominee for Vice President on the Democratic ticket. I wondered whether the Senator recalled having met him.

Mr. SPARKMAN. I am grateful to him.

I read his article with a great deal of interest. He brings out many facts, arguments, and points of law. He is the one upon whom I have relied in my citation of Supreme Court cases and other Federal cases dealing with the question of qualifications of voters and the right of a State to determine the qualifications of voters, including whether or not a tax should be paid for the right to vote.

In all fairness to Mr. Dickson—and I would like the Senator from Texas to hear what I am about to say—he has made quite an objective presentation. He does not argue against an amendment to repeal the poll tax. I may speak a little further on this subject later, but now I wish to say that he argues that the enactment of a statute to deal with the question would probably be unconstitutional.

Mr. YARBOROUGH. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield for a question.

Mr. YARBOROUGH. Does the distinguished Senator from Alabama know that Mr. Dickson is one of the foremost advocates in Texas of the abolition of the State poll tax?

Mr. SPARKMAN. I am not at all surprised to hear that statement.

Mr. YARBOROUGH. He is a statewide leader.

Mr. SPARKMAN. The Senator said in Texas. I think Mr. Dickson would be an advocate for repeal of the poll tax by the Texas Legislature, as I understand his article.

Mr. YARBOROUGH. I think he is advocating the repeal of the poll tax by——

Mr. SPARKMAN. He said in Texas. I believe that is correct.

Mr. YARBOROUGH. I believe he advocates the repeal of the poll tax by constitutional means. I should like to ask the Senator from Alabama whether he contends that the constitutional amendment to be offered would be an unconstitutional constitutional amendment.

Mr. SPARKMAN. Oh, no. I certainly would not make that argument. I am merely saying that I believe the States have shown a willingness and a desire to act on the poll tax situation, as befits each individual case, and the matter ought to be left where the Constitutional Convention left it.

There are only five States left which charge such a tax. I brought out, before the Senator came to the floor, that a number of other States have poll taxes. However, they do not tie them directly to the privilege of voting. I remember a few years ago, when this question was before the Senate—and this question has been before the Senate repeatedly over the years—I had a rather detailed study made of all the States which had a head tax of any kind, or a capitation tax or poll tax, or whatever one wishes to call that kind of tax. I was interested to learn about some of them. I remember one of them, for instance. I mentioned it a little while ago, but I believe it was while the Senator was temporarily detained from the floor.

One State had a poll tax law—and I suppose it still has it today—that did not mention voting at all. It was a very strict tax. It had to be paid. If it was not paid, the person was subject to imprisonment, and he could not get out of prison until he paid it. How could he vote if he were in prison? So there are different ways of doing the same thing.

Mr. YARBOROUGH. Mr. President, will the Senator yield for a question?

Mr. SPARKMAN. I yield for a question.

Mr. YARBOROUGH. Did the distinguished Senator state whether or not the statute specified that the man would be imprisoned the day before election and turned out the day after election?

Mr. SPARKMAN. No. He could be imprisoned at any time he fell into arrears. I do not know about his being imprisoned one day and let out another day. Whenever he was in arrears he could be imprisoned.

I merely wish to show that different States deal with the matter of capitation tax or poll tax or head tax, or whatever kind of tax one wishes to call it, in different ways. Some States use the money derived from the tax for one purpose, and another State uses it for another purpose. In the State of Alabama we have always used it for our schools. That has been of great benefit to the schools in our State. We need all the money for that purpose that we can get. We are having great difficulty—and I presume that is true in most States—in keeping up the schools. I know that there has been no greater friend of schools and education generally in the Senate than the Senator from Texas. Our State is growing in population. We are having a birth increase and the children are growing up, and we do not have a sufficient number of classrooms. In our State we have a law which requires 180 days of school attendance a year for every child. That refers to every child. There is no difference with respect to race, creed, or color.

For perhaps 30 years we have had a law on the statute books which has prescribed a schedule of teachers' salaries, based upon training, length of service, and experience. It does not matter what a teacher's color or creed is. All the teachers' salaries are set on that basis.

Of course this point may be rather irrelevant to the debate at the present time, except that we are talking about education, and I believe the Senator from Texas is interested in this point.

There was a consolidated Negro high school in my county. All of the Negro high schools in the county were consolidated into this high school which, by the way, was located directly across the road from a very fine Negro college in my home county. It is the land-grant college for Negroes in my State. Every teacher in that school had a master's degree, and the principal had a Ph. D. degree. I am sure it was the highest paid faculty in the State of Alabama. Perhaps it was one of the highest paid faculties, relatively speaking, in the country. That is because our law places all teachers' salaries on the same basis, if they have had the same training and the same experience.

So I say to the Senator that we need all the money we can get. In spite of what we have been trying to do—and Alabama is one of the States which has made a great effort in behalf of its schools—last year the outlook—and for the present year it is about the same—we entered into what we call proration.

In other words, we reached the point where we did not have enough money with which to pay the teachers and pay for the upkeep and other expenses for 180 days of school attendance. We were faced with the fact that there would have to be a reduction in school attendance for approximately the past 15 days. Most of that burden fell on the local people. It was the burden of raising money to keep their schools going.

That is one of our difficulties. I am sure other States have had similar experiences in raising school money.

Some people might argue that the repeal of the poll tax in Alabama would not be of great importance. Perhaps it would not be, when one considers the total amount of money brought in by the poll tax. Therefore one might say that it is indeed a very small amount of money. However, any small part of our school funds in the State of Alabama is a very important part. I wished to make that point quite clear.

So far as keeping the poor people from voting, as the Senator has mentioned with respect to the State of Texas, I am pretty sure that under the conditions I described a few moments ago there were poor people in my State who were kept from voting. I am from a family of poor people. However, my father always paid his poll tax. He was proud of the right to vote. I know that in our neighborhood we used to have a saying that a person who did not have enough "get up" or spunk to raise the poll tax money and pay the tax was not a good citizen in the community. That was the feeling in our community. I am certain that many poor people were kept from voting.

Over the years our State has taken care of the situation. I do not believe there are now any poor people who are kept from voting by reason of a poll tax.

The greatest drawback to voting is pure lethargy, a lack of interest, lack of initiative, inertia. That is the big problem with voting. I am sorry to see evidences of it all over this country. By the way, it is not in the ranks of the poor people that we find cases of that kind, of people not voting for those reasons. We find the poor people voting in a higher percentage than people in some of the upper brackets. They are the ones who do not show enough interest in their Government to go out to vote. It is not the poll tax. It is not the $1.50 a year that must be paid for a poll tax that keeps the people from voting. It is a lack of interest. It is that interest that we must stir up, to get our people out to vote. We must get our people interested in Government to the extent that they are willing to help out.

The Constitution clearly provides that voting qualifications are within the jurisdiction of the State, and gives to the several States the right and power to prescribe the qualifications of its electors. I feel certain there is no need of my quoting from the Constitution, but, for the RECORD, I should like to quote article I, section 2, which provides:

> The House of Representatives shall be composed of Members chosen every second Year by the People of the several States, and the Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.

Mr. President, that provision was included in the Constitution in the beginning, when the Thirteen Colonies were surrendering a certain part of their sovereignty in order to establish a Federal Government. It has remained in the Constitution ever since. It has remained there as the Constitution has been amended.

My colleague from Alabama [Mr. HILL], in an exchange with the Senator from Mississippi [Mr. STENNIS] the other day, brought out quite clearly that the provision with respect to the qualifications of electors in the Federal elections in that day provided for the election of the Members of the House of Representatives. Originally, Senators were chosen by the respective State legislatures. Senators did not represent the people; they represented the State governments and were chosen by the State legislatures. But Members of the House of Representatives have always been elected by the people. It is the one office that cannot be filled in any way except by election by the people. Many people have not kept that in mind. They frequently ask, when a Member of the House of Representatives resigns or dies, "whom will the Governor name?" The Governor cannot name a Member of the House of Representatives. No one can name a Member of the House of Representatives under our form of government, which is a representative democracy, except the people. A Representative is elected by the constituency of the district which he represents. The Constitution provides that the people who vote for him shall be the same people who are qualified to vote for the members of the more numerous body of the State legislature.

When the amendment providing for the election of Senators by direct vote was written into the Constitution—I will ask my colleague from Alabama to prompt me if I am wrong—the same provision was carried forward.

So that provision is old to begin with. That provision ought not to be lightly treated.

In the case of *Butler* v. *Thompson* (97 F. Supp. 17, affirmed, 341 U.S. 937), it was held that a poll tax is a valid exercise of the States authority under article I, section 2, of the Constitution. It has also been held that a State statute that imposes a reasonable poll tax as a condition to the right to vote does not abridge the privileges or immunities of citizens of the United States which are protected by the 14th amendment.

The Supreme Court in *Breedlove* v. *Suttles* (302 U.S. 277, 58 S. Ct. 205, 82 L. Ed. 252) held that a poll tax prescribed by the constitution and statutes of the State of Georgia did not offend the Federal Constitution.

I am not in favor of extending to the Federal Government any further control over the States' authority. It does not matter to me whether it is my State or one from the North, East, or West, I am opposed to it.

I am opposed to having the Federal Government strip the States of the powers given to them by the Constitution, particularly in the manner in which these powers are given.

Actually, the powers were not given to the States; they are powers which the States retained and never gave to the Federal Government. They are powers which the colonists had originally. They held them when they entered into the solemn agreement whereby they surrendered certain parts of their sovereignty; but they did not surrender this part. They retained those rights. The Federal Government ought not to strip the States of that power.

Mr. HILL. Mr. President, will my colleague yield for a question?

Mr. SPARKMAN. I yield for a question.

Mr. HILL. Does not the Senator think that if there had not been all this agitation about the poll tax, largely inspired by political expedience and for political purposes, even those few poll taxes which remain would most probably have been repealed by now?

Mr. SPARKMAN. I think my colleague is correct. I know something about the effect of some of the agitation in our own State of Alabama. Many years ago, some people were working for the repeal by the Federal Government of the poll tax. I remember saying to them—

> You ought to be working in the State, at the State level. Get the State to pass on this subject.

In spite of all the agitation in our State, to which my colleague has referred, Alabama has whittled its poll tax down to the point where it has almost disappeared. It might have been abolished completely, except for the fact that the taxes are badly needed for our public schools. The poll tax is one of those things that perhaps we do not delight in having; but sometimes it is necessary to have taxes we do not like in order to maintain institutions which we feel are absolutely essential.

Mr. President, I believe in our dual system of government and the division of responsibilities between the States and the Federal Government. I believe this is the best way to maintain good government. I want to continue that system. I believe strongly that the approval of the amendment which is proposed to be taken up if the motion which is now pending before the Senate shall be agreed to will impair the system and will be one further encroachment in an area which has traditionally been reserved to the States. Such a radical departure from our established system is clearly not justified. I certainly am opposed to the proposal itself and to its being taken up.

I have discussed briefly some of the reasons why I oppose so strongly the proposed constitutional amendment to abolish the poll tax. Senators also know that legislation has also been proposed which would abolish the poll tax by statutory action. Such legislation would be patently unconstitutional. If I were to proceed further this evening, I would

discuss that question, but I see no reason for doing so at this particular time.

Mr. HUMPHREY. Mr. President, will the Senator from Alabama yield?

The PRESIDING OFFICER (Mr. METCALF in the chair). Does the Senator from Alabama yield to the Senator from Minnesota?

Mr. SPARKMAN. I yield for a question.

Mr. HUMPHREY. Has the Senator from Alabama completed his dissertation?

Mr. SPARKMAN. I have, insofar as the poll tax is concerned.

Mr. HUMPHREY. Does the Senator have additional information which he would like to impart to the Senate?

Mr. SPARKMAN. Well, Mr. President, I will say to the Senator from Minnesota, the acting majority leader, that it will be perfectly agreeable to me to have the session for today conclude at this time, if he wishes to have that done. If that is what he has in mind, in that case I shall be glad to yield the floor.

Mr. HUMPHREY. Let me suggest to the Senator from Alabama that perhaps he has just a little more information to impart. Is that correct?

Mr. SPARKMAN. Yes, I have more information; I have a good bit more. But so far as the basic presentation is concerned, I will say to the Senator from Minnesota that I am through with that. So if there is to be a termination point for the session today, this is a good point at which to terminate it.

Mr. HUMPHREY. Mr. President, will the Senator from Alabama yield further to me?

Mr. SPARKMAN. I yield for a question.

Mr. HUMPHREY. Do I correctly understand that now the Senator from Alabama has about completed—under the rule—his first speech?

Mr. SPARKMAN. Yes, it will be my intention soon to complete my first speech.

Mr HUMPHREY. Mr. President, will the Senator from Alabama yield further to me?

Mr. SPARKMAN. I yield for a question.

Mr. HUMPHREY. Is it the intention of the Senator from Alabama at a later hour—and, I suppose, at a later date—to address himself again to this proposition?

Mr. SPARKMAN. That entirely depends on whether the proposed legislation is considered that long by the Senate.

Mr. HUMPHREY. Yes.

Mr. SPARKMAN. I hope it will be laid aside, or that a quick disposition will be made of it, so that I shall not be called upon to make a second speech on it. But I have a second speech ready, in the event it becomes necessary.

Mr. HUMPHREY. Will the Senator from Alabama indicate whether he is informed that any of his colleagues wish to address the Senate at this time, insofar as he knows?

Mr. SPARKMAN. It is my understanding that no Senator wishes to address the Senate this evening. It was generally understood that the Senate would adjourn or would take a recess rather early this evening. For that reason, I think no Senator is now prepared to proceed following my presentation.

Mr. HUMPHREY. Mr. President, inasmuch as the Senator from Alabama has indicated that he has completed his first speech——

Mr. SPARKMAN. Mr. President, let me say that I so indicated only on a conditional basis; namely, on the condition that the Senate was about to conclude its session for today.

Mr. HUMPHREY. In other words, the Senator from Alabama does not wish to have a quorum call at this time?

Mr. SPARKMAN. It would be all right to have a quorum call at this time, provided I do not lose my right to the floor or be charged with having concluded my first speech.

Mr. HUMPHREY. Then, Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. Does the Senator from Alabama yield for that purpose?

Mr. SPARKMAN. I do not yield for that purpose, except on the condition that I shall not lose my right to the floor, and that if and when I resume my remarks, following the quorum call, they will we counted as a continuation of my present speech.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. HUMPHREY. Then, Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SPARKMAN. Mr. President, it is my understanding that the acting majority leader is ready to have the session for today conclude and to have the Senate take a recess or adjourn—or whatever he may propose to do—until tomorrow.

Mr. HUMPHREY. To take a recess.

Mr. SPARKMAN. Yes, to take a recess, I am sure.

Therefore, Mr. President, I yield the floor, with the understanding that this is the end of my first speech.

TRANSACTION OF ROUTINE BUSINESS

By unanimous consent, the following routine business was transacted:

FACING UP TO PROBLEMS—JOINT RESOLUTION OF ALASKAN LEGISLATURE AND RESOLUTION OF ALASKAN SENATE

Mr. BARTLETT. Mr. President, the Legislature of the State of Alaska is to be congratulated again on its alert action in calling attention to the mounting problems facing its fishing industry. The Alaska Legislature has a proud record of being sensitive to the needs of the people of Alaska and of recording clearly its position on matters affecting the State. Recently two Senate resolutions were adopted, one calling for congressional action.

Senate Joint Resolution 44 calls attention to the fact that the fishing industry in the State is in imminent danger from the increasing number of foreign vessels fishing in waters off Alaska. An indication of this increased expansion was reported last week by the Bureau of Commercial Fisheries. The report states that ocean fishing today accounts for about four-fifths of the Russian catch throughout the world, whereas only a decade ago inland fisheries accounted for over one-half of the catch. The Russians are moving onto the high seas in a concerted manner. In February of this year, a Soviet herring fleet was in the Bering Sea. The fleet was led by a fish-locating flagship and two large freezer ships and was operating in the vicinity of the Pribilof Islands. The report indicates that the fleet included approximately 100 medium-sized trawlers that hauled their catches to the refrigerated fish transports. Another Russian fleet began fishing for flounder north of the Alaska Peninsula near Unimak Island on February 14. This fleet included approximately 40 vessels. This matter is of pressing concern and deserves our immediate attention. With a vigorous scientific research program and adequate support as advocated in the resolution, our own fishing industry rather than the Russians can be in these waters reaping this rich harvest.

A second resolution, Senate Resolution 47, commends the work of the International North Pacific Fisheries Commission. When I attended the Tokyo meeting of the International North Pacific Fisheries Commission last year and more recently when I attended the American section of the international commission meeting in Juneau, Alaska, it was apparent that the commission is continuing to move forward but there are problems. We will likely be faced at some time with the question of of whether Russia should be invited to join in the North Pacific fishery compact. We are faced now with what action should be taken to assure that the Japanese do not take an excessive number of salmon spawned in the North American waters, primarily in those wonderful rivers that empty into Bristol Bay. I commend the Alaska Legislature for recognizing that these resources can be preserved forever if man so wills it and that this can be achieved only if we make our points effectively across the conference table relying upon scientific evidence and the validity of our cause.

I ask unanimous consent that the joint resolution and resolution be appropriately referred.

There being no objection, the joint resolution and resolution were referred

to the Committee on Commerce, and, under the rule, ordered to be printed in the RECORD, as follows:

SENATE JOINT RESOLUTION 44

Joint resolution relating to the fishing industry; requesting a special joint congressional committee and emergency Federal support

Be it resolved by the Legislature of the State of Alaska (in second legislature, second session assembled):

Whereas the fishing industry of Alaska is in imminent danger of being crushed and eventually destroyed as its fisheries are rapidly being depleted and used beyond their capacity by the increasing number of Russian and Japanese fishing vessels and of neighboring American out-of-State fishing vessels into waters adjacent to Alaska; and

Whereas Alaska recognizes its fisheries are supporting an important element of U.S. foreign policy which seeks to aid the economic development of Japan, thus strengthening our ties of friendship with that nation; and

Whereas Alaskan fisheries were sadly mismanaged before statehood and are already weakened to the point of exhaustion by out-of-State exploitation, and are now forced to yield their harvest to Russian and Japanese fishing interests; and

Whereas the decline of Alaskan fisheries cannot serve to bolster U.S. foreign policy with Japan nor continue to contribute to the well-being of the people of this State; and

Whereas the destruction of the fishing industry will result in an enormous rate of unemployment, in the loss of a livelihood to thousands of citizens of this State who have no other trade, plunging the State into a great economic crisis; and

Whereas the burden of U.S. foreign policy and neighboring out-of-State residents fishing in Alaska falls heavily upon the shoulders of the taxpayers of this State who watch State moneys being drained and siphoned off in a desperate attempt to protect, manage, conserve, and improve the fisheries; one of the God-given natural resources that should, instead, be expanding and contributing to help build this fledgling State into one of the greatest in the Union; and

Whereas it is strongly felt by the people of Alaska that a true, realistic and on-the-spot investigation of the fishing industry will convince the Federal Government that the mounting fear of Alaskans for their fishing industry is well-founded and that greater control of Japanese fishing and neighboring out-of-State fishing in waters adjacent to Alaska is essential, together with increased financial support to foster the growth of the fisheries; be it

Resolved by the Legislature of the State of Alaska (in second legislature, second session assembled), That the Congress of the United States is urged to appoint a special joint congressional committee to investigate the Alaskan fishing industry and the necessity for Federal financial support; and be it further

Resolved, That the Federal Government is urged to allocate emergency funds immediately, to support intense scientific research programs in Alaska to aid the conservation and improvement of these vital fisheries; and be it further

Resolved, That copies of this resolution be sent to the Honorable John F. Kennedy, President of the United States; the Honorable Stewart L. Udall, Secretary of the Interior; the Honorable Dean Rusk, Secretary of State; the Honorable Lyndon B. Johnson, Vice President of the United States and President of the Senate; the Honorable John W. McCormack, Speaker of the House of Representatives; the Honorable Clinton P. Anderson, chairman, Senate Interior and Insular Affairs Committee; the Honorable Herbert C. Bonner, chairman, House Merchant Marine and Fisheries Committee; the Honorable Harry F. Byrd, chairman, Senate Finance Committee; the Honorable Wilbur D. Mills, chairman, House Ways and Means Committee; the Honorable William A. Egan, Governor of Alaska, and the Members of the Alaska delegation in Congress.

Passed by the senate February 21, 1962.

FRANK PERATOVICH,
President of the Senate.

Attest:

EVELYN K. STEVENSON,
Secretary of the Senate.

Passed by the house March 6, 1962.

MANEN A. TAYLOR,
Speaker of the House.

Attest:

ESTHER REED,
Chief Clerk of the House.

Approved by the Governor March 13, 1962.

WILLIAM A. EGAN,
Governor of Alaska.

Certified true, full and correct.

EVELYN K. STEVENSON,
Secretary of the Senate.

SENATE RESOLUTION 47

Resolution commending the work of the International North Pacific Fisheries Commission

Be it resolved by the senate in second legislature, second session assembled:

Whereas the recent meeting of the American section of the International North Pacific Fisheries Commission in Juneau has reemphasized to the senate the magnitude and importance of the work of the Commission; and

Whereas the work of the Commission is particularly vital to Alaska which depends so much on its fishery; and

Whereas the Commission acting in the behalf of the Governments of Canada, Japan, and the United States has made commendable progress in the field of offshore and inshore fisheries research; and

Whereas this vital service to the Nation and the State of Alaska has been accomplished while operating under great difficulties and with overly modest financial means: Be it

Resolved by the senate in second legislature, second session assembled, That it most highly commends the intergovernmental cooperation and accomplishment of the International North Pacific Fisheries Commission in its efforts to conserve and beneficially utilize the North Pacific fishery through fishery and oceanographic research, pledges its full support to the Commission and the Federal Government for the furtherance of its work, and urges that the financial support for its activities be expanded through the efforts of the President and the Congress of the United States; and be it further

Resolved, That copies of this resolution be sent to the Honorable John F. Kennedy, President of the United States; the Honorable Lyndon B. Johnson, Vice President of the United States and President of the Senate; the Honorable John W. McCormack, Speaker of the House of Representatives; the Honorable Dean Rusk, Secretary of State; the Honorable Stewart L. Udall, Secretary of the Interior; the Honorable Edward Allen, Chairman of the International North Pacific Fisheries Commission; the Honorable Milton E. Brooding, Chairman, American Section International North Pacific Fisheries Commission; and the members of the Alaska delegation in Congress.

Passed by the senate March 13, 1962.

FRANK PERATOVICH,
President of the Senate.

Attest:

EVELYN K. STEVENSON,
Secretary of the Senate.

Certified true, full and correct.

EVELYN K. STEVENSON,
Secretary of the Senate.

EXECUTIVE REPORT OF A COMMITTEE

As in executive session,

The following favorable report of a nomination was submitted:

By Mr. MAGNUSON, from the Committee on Commerce:

Irvin Stewart, of West Virginia, to be an Assistant Director of the Office of Emergency Planning.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MAGNUSON:

S. 3029. A bill to amend the law relating to pay for postal employees; to the Committee on Post Office and Civil Service.

By Mr. ANDERSON (by request):

S. 3030. A bill to provide for the relief of certain oil and gas lessees under the Mineral Leasing Act; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. ANDERSON when he introduced the above bill, which appear under a separate heading.)

By Mr. LAUSCHE:

S. 3031. A bill for the relief of Venson Chu, Miao-Chuen Liu Chu, Jeannie Ju-Yue Chu, Turney Hou-Nan Chu, Paul Tsze-Yuen Chu, and Barbara Chuen-Yue Chu; to the Committee on the Judiciary.

By Mr. CASE of New Jersey:

S. 3032. A bill to amend the act approved July 14, 1960 (74 Stat. 526), as amended, relating to the establishment of a register of names in the Department of Commerce of certain motor vehicle drivers; to the Committee on Commerce.

(See the remarks of Mr. CASE of New Jersey when he introduced the above bill, which appear under a separate heading.)

RESOLUTION

RESUMPTION OF NEGOTIATIONS BETWEEN THE ARAB STATES AND ISRAEL

Mr. DODD submitted a resolution (S. Res. 319) expressing the sense of the Senate that the United States should offer its good offices for the resumption of direct negotiations between the Arab States and Israel, which was referred to the Committee on Foreign Relations.

(See the above resolution printed in full when submitted by Mr. DODD, which appears under a separate heading.)

RELIEF OF CERTAIN OIL AND GAS LESSEES UNDER THE MINERAL LEASING ACT

Mr. ANDERSON. Mr. President, I introduce by request for appropriate

reference a bill to amend section 31 of the Mineral Leasing Act by giving the Secretary of the Interior discretionary authority to reinstate oil leases which have terminated through no fault of the lessee.

Lack of such authority on occasion causes unmerited hardship and inequity to innocent leaseholders.

The text of this proposed amendment to the Mineral Leasing Act was drafted and recommended by the Department of the Interior, and I ask that the letter of Assistant Interior Secretary John Carver transmitting the draft and explaining the need for the legislation be set forth in the RECORD at this point.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the RECORD.

The bill (S. 3030) to provide for the relief of certain oil and gas lessees under the Mineral Leasing Act, introduced by Mr. ANDERSON, by request, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

The letter presented by Mr. ANDERSON is as follows:

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., March 6, 1962

Hon. LYNDON B. JOHNSON,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: Enclosed is a draft of a proposed bill "to provide for the relief of certain oil and gas lessees under the Mineral Leasing Act."

We request that the proposed bill be referred to the appropriate committee for consideration and we recommend that it be enacted.

Section 31 of the Mineral Leasing Act, as amended, 30 U.S.C. 188, provides in pertinent part that "upon failure of a lessee to pay rental on or before the anniversary date of the lease, for any lease on which there is no well capable of producing oil or gas in paying quantities, the lease shall terminate by operation of law." This provision is self-executing. No action on the part of this Department is necessary to effectuate the termination of the lease in the circumstances set out in that section.

After the termination of a lease, the first person who files a proper lease offer for the lands previously in such lease acquires a preference right to a lease under section 17 of the Mineral Leasing Act, as amended, 30 U.S.C. 226. However, under the regulations of the Department, 43 CFR 192.43, no offer is proper or acceptable unless it is filed after the lands are posted as available for leasing.

A number of cases has arisen where the oil and gas lessees' rights in leases have terminated due to failure to pay rental timely in circumstances which appear to warrant equitable consideration and relief.

Several leases requiring relief are presently in producing status. Production was gained after the termination of the leases, the lessees continuing work on the leaseholds with no knowledge of the termination of their leases.

Under existing law, the Secretary of the Interior has no authority to grant any relief even though it patently appears that the termination of the lease was attributable in some measure to improper billings, or other reasons not properly chargeable to the lessee. Without relief, some of the lessees affected would be damaged irreparably.

This proposal would supply the statutory authority to grant equitable relief by reinstating the leases upon payment of all rental obligations. The authority to grant relief under the Mineral Leasing Act under the proposal would be the counterpart to that authority contained in R.S. 2450, 2451, 2456, as amended (43 U.S.C. 1161–1163), relating to "Suspended entries on public lands" and covered by the departmental regulations in 48 CFR, part 107.

We regard this proposal as urgently needed to enable us to cure injustices engendered in some measure by administrative inadvertences. In view of the importance we attach to this measure, we request that hearings on it be scheduled at the earliest possible date.

The Bureau of the Budget has advised that there is no objection to the presentation of this proposed draft bill from the standpoint of the administration's program.

Sincerely yours,

JOHN A. CARVER, Jr.
Assistant Secretary of the Interior

STRENGTHENING OF NATIONAL DRIVER REGISTER SERVICE

Mr. CASE of New Jersey. Mr. President, in 1960 Congress passed Public Law 86–660, providing that the Secretary of Commerce establish and maintain a register containing the names of individuals reported by the States as having had their drivers' licenses revoked for certain reasons. I was a cosponsor of the Senate version of this legislation, and I am today introducing a bill to strengthen the National Driver Register Service established under this 1960 law.

The National Driver Register Service under the direction of Wendell G. Eames has already demonstrated its value in helping to keep unsafe drivers off our highways. For the first time, the States can now learn by checking with a single source whether applicants for drivers licenses are already under suspension for certain offenses in other States. The names of applicants for drivers' licenses are sent in to the Register Service in Washington by State motor vehicle agencies and, through electronic data-processing equipment, these names are checked against the present file of more than 140,000 names of persons whose licenses have been revoked. The "matches" are put in the mail back to the States within 24 hours.

The Register Service also serves an important preventive function. License applicants have been known to cancel their applications on learning that their names would be checked against the register in Washington.

Forty-six States, the District of Columbia, the Commonwealth of Puerto Rico and three U.S. territories are now cooperating with the Register Service. It is estimated that the automatic data-processing equipment used by the Driver Register Service could handle a greatly increased workload without the need for additional appropriations. But the information it can receive and make available is now limited by law to only about one-half of all revoked licenses, those withdrawn for drunken driving and committing a traffic offense resulting in a highway fatality. It is clearly in the interest of better highway safety that the Register Service be allowed to cover all licenses revoked for substantial periods as well as certain serious individual offenses which would in most States lead to license revocation.

My own interest in this matter was aroused following the accident at North Brunswick, N.J., in the fall of 1959 which cost the lives of 11 college girls and their professor. The driver of the trailer-tanker truck which rammed the rear of the bus in that accident had a record of eight moving offenses in three different States, none of which was aware of his total record. Through the development of the National Driver Register Service, complementing and making more effective interstate compacts between neighboring States, I believe we will make this sort of tragedy less likely in the future.

Mr. President, the bill I am introducing today would enable the Driver Register Service to receive from the States and to transmit to them information on all drivers licenses withdrawn for 30 days or more. The law at present limits such information to licenses suspended for one of two reasons: driving while intoxicated or conviction of a traffic violation resulting in a death.

In addition, this bill would permit the Register Service in the Department of Commerce to handle information about convictions for any of five serious offenses. They are: First, negligent homicide resulting from the operation of a motor vehicle; second, driving while intoxicated or under the influence of narcotic drugs or marijuana; third, hit-and-run accidents involving death or personal injury to another; fourth, perjury in connection with the ownership or operation of a motor vehicle; and fifth, three reckless driving offenses committed within a period of 12 months.

I ask unanimous consent, Mr. President, to have the text of this bill printed at this point in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 3032) to amend the act approved July 14, 1960 (74 Stat. 526), as amended, relating to the establishment of a register of names in the Department of Commerce of certain motor vehicle drivers, introduced by Mr. CASE of New Jersey, was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled, That the Act approved July 14, 1960 (74 Stat. 526), as amended, is hereby amended to read as follows: "That (a) the Secretary of Commerce shall establish and maintain a register containing the name of each individual reported to him by a State (1) as an individual with respect to whom such State has denied, terminated, or withdrawn for a period of thirty days or more an individual's license or privilege to operate a motor vehicle, or (2) as an individual who has been convicted of any of the following offenses, if such conviction has become final:

"(A) Manslaughter (or negligent homicide) resulting from the operation of a motor vehicle;

"(B) Driving a motor vehicle while intoxicated or while under the influence of a narcotic drug or marihuana;

"(C) Failure to stop and render aid when directly involved in a motor-vehicle accident resulting in the death or personal injury of another;

"(D) Perjury (or the making of a false affidavit or statement under oath) in connection with the ownership or operation of a motor vehicle;

"(E) Three charges of reckless driving committed within a period of twelve months. For the purposes of this clause, conviction shall be construed to include the forfeiture of collateral or bail.

"(b) Such register shall contain such other information as the Secretary may deem appropriate to carry out the purposes of this Act.

"SEC. 2. The Secretary may, at the request of any State, furnish such information with respect to any individual as may be contained in the register established under the first section.

"SEC. 3. The term 'State' includes each of the several States, Puerto Rico, the District of Columbia, Guam, the Virgin Islands, the Canal Zone, or any political subdivision of any of the foregoing."

RECESS UNTIL 9 A.M. TOMORROW

Mr. HUMPHREY. Mr. President, under the order previously entered, I now move that the Senate stand in recess until tomorrow, at 9 o'clock a.m.

The motion was agreed to; and (at 6 o'clock and 5 minutes p.m.) the Senate took a recess, under the order previously entered, until tomorrow, Wednesday, March 21, 1962, at 9 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate March 20 (legislative day of March 14), 1962:

U.S. MARSHAL

John L. Di Benedetto, of New York, to be U.S. marshal for the southern district of New York for the term of 4 years, vice Thomas J. Lunney, term expired.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Robert M. Ball, of Maryland, to be Commissioner of Social Security of the Department of Health, Education, and Welfare.

BUREAU OF CUSTOMS

Edward J. Gosier, of New York, to be collector of customs for customs collection district No. 7, with headquarters at Ogdensburg, N.Y.

HOUSE OF REPRESENTATIVES

TUESDAY, MARCH 20, 1962

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

From the last book of the Old Testament, Malachi 4: 2: *But unto you that fear My name shall the Sun of Righteousness arise with healing in His wings.*

O Thou who art the source and inspiration of the true, the beautiful, and the good, show us how we may bring all our higher impulses and nobler instincts to fulfillment and fruition.

Grant that we may discipline our wayward desires and perverse tendencies by yielding them to the spell and sway of the spirit of our blessed Lord.

May our wills be more finely tempered so that if the hour of dire and desperate need should come upon us we shall quit ourselves like men, strong and steadfast.

Fill us with true humility and may we open widely the windows of our souls to be illumined by the pure and penetrating light of the Sun of Righteousness whose kindly rays always carry with them health and healing.

In Christ's name we offer our prayer. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 641. An act relating to the treatment under the Internal Revenue Code of 1954 of casualty losses in areas designated by the President as disaster areas.

UNIVERSAL POSTAL UNION

Mr. CUNNINGHAM. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. CUNNINGHAM. Mr. Speaker, I have today introduced a House resolution directing the Committee on Post Office and Civil Service to conduct a full investigation, inquiry, and study of the methods and practices of the international mail-handling arrangement known as the Universal Postal Union, of which the United States is a participating member. This inquiry is necessary in order to determine why the terms and reciprocity provisions of the union are not being honored by the Soviet bloc countries.

The Universal Postal Union agreements supposedly provided for true reciprocity between member nations, which means that if one country delivers mail of another country the other country must do likewise.

Everyone except the most naive knows that there is no reciprocity in the delivery of mail between the United States and the Soviet bloc countries, and therefore the Soviet bloc countries are in violation of the agreement.

Provisions are made for a member nation such as the United States to suspend the postal service of the offending nation, and the House of Representatives took a positive step in that direction by passing an amendment to the postal rate bill barring Communist political propaganda from being delivered free by our Post Office Department. This is a natural and legal step to take. However, the House did not use its full prerogative and suspend completely the delivery of mail and transit matter, as such a serious step is not warranted until such time as the Universal Postal Union convention fails to enforce complete reciprocity.

Mr. Speaker, it is a mystery to me why the U.S. representatives to the Universal Postal Union conventions have not long ago insisted that the Soviet bloc countries live up to the agreement and allow our ideas and information to be delivered and circulate freely within their borders. The investigation which I propose is long overdue.

PROVIDING ASSISTANCE TO MENOMINEE COUNTY, WIS.

Mr. ASPINALL. Mr. Speaker, I call up the conference report on the bill (H.R. 4130) to lessen the impact of the termination of Federal services to the Menominee Indian Tribe of Wisconsin, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 1437)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 4130) to lessen the impact of the termination of Federal services to the Menominee Indian Tribe of Wisconsin, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate to the text of the bill, and agree to the same with an amendment as follows: In lieu of the matter inserted by the Senate amendment insert the following:

"That in order to provide financial assistance to Menominee County, Wisconsin, for a transitional period after April 30, 1961, the Secretary of the Interior is authorized, notwithstanding anything contained in the Menominee Indian Termination Act of June 17, 1954 (68 Stat. 250), as amended, (25 U.S.C. 891–902), and the proclamation of the Secretary of the Interior pursuant thereto dated April 26, 1961 (26 Fed. Reg. 3726), to make grants either to the State of Wisconsin for distribution to the County or Town of Menominee or directly to said county or town, for contributions to joint school district costs, in not more than the following amounts:

"(a) during the year ending April 30, 1962, $220,000;

"(b) during the year ending April 30, 1963, 80 per centum of the amount aforesaid;

"(c) during the year ending April 30, 1964, 60 per centum of the amount aforesaid;

"(d) during the year ending April 30, 1965, 40 per centum of the amount aforesaid;

"(e) during the year ending April 30, 1966, 20 per centum of the amount aforesaid.

"Any grant made under this section shall be made only upon such written assurances relating to control and supervision by responsible State officials to insure that the grant is used for the purpose intended as the Secretary may require. No grant shall serve to diminish the amounts which the County or Town of Menominee is entitled to receive from the State as provided by its laws, except so far as such diminution arises from treating the grants as if they

were taxes raised by said county or town for purposes of determining what amounts, if any, the State is required to pay to said county and town under its laws.

"SEC. 2. The Surgeon General of the Public Health Service, Department of Health, Education, and Welfare, is authorized to construct under the Act of July 31, 1959 (73 Stat. 267, 42 U.S.C. 2004a), such sanitation facilities on the former Menominee Reservation as he finds are reasonable and justified and to expend for this purpose not more than $438,000. The authority granted by this section shall expire at the end of fiscal year 1965.

"SEC. 3. There are authorized to be appropriated such sums, not in excess of $1,098,000, as are required to carry out the provisions of this Act."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate to the title of the bill, and agree to the same with an amendment as follows:

Amend the title so as to read: "An Act to provide assistance to Menominee County, Wisconsin, and for other purposes."

And the Senate agree to the same.

WAYNE N. ASPINALL,
JAMES A. HALEY,
ED EDMONDSON,
JOHN P. SAYLOR,
E. Y. BERRY,
Managers on the Part of the House.

FRANK CHURCH,
CLINTON P. ANDERSON,
ERNEST GRUENING,
BARRY GOLDWATER,
GORDON ALLOTT,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 4130), to lessen the impact of the termination of Federal services to the Menominee Indian Tribe of Wisconsin, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to the amendments to the text and title of the bill:

When the House considered H.R. 4130 it concluded that in order to lessen the impact of the termination of Federal services to the Menominee Indian Tribe on April 30, 1961, pursuant to the Termination Act of June 17, 1954, three sums of money should be made available by the Secretary of the Interior for use as follows: (a) $2,500,000 to Menominee Enterprises, Inc., for expanding and modernizing existing tribal enterprises; (b) $1,674,000 in grants for health, education and welfare services over a five-year period, and (c) $438,000 for the continuation of construction of sanitary facilities.

The Senate reduced the loan provision to $1,500,000, made no allowance for health, education and welfare services and provided the same amount for construction of sanitary facilities as the House had provided.

Inasmuch as Menominee Enterprises, Inc., has indicated it no longer desires to negotiate a government loan and the State of Wisconsin and Menominee County have arranged to take care of the needs of hospital patients and welfare services, grants for these purposes were deleted by members of the Conference Committee. The Committee members agreed to provide the sum of $660,000 over a five-year period for contributions to the Menominee County Joint School District costs.

Since the construction of sanitation facilities is the responsibility of the Public Health Service, rather than the Secretary of the Interior, the Committee members felt that funds provided for construction of such facilities should be under the supervision of the Surgeon General.

An overall sum of $1,098,000 will carry out the provisions of the act. This compares with the $4,612,000 provided for in the bill as it originally passed the House.

The title was amended so as to read "An act to provide assistance to Menominee County, Wisconsin, and for other purposes" in order to describe its purpose more adequately.

It was the consensus of the Committee members that, in view of the particular circumstances in this case, the provision of Federal money to ease the impact of termination on the Menominee Indian Tribe will not set a precedent to be followed in the event of termination of Federal services for other Indian tribes.

WAYNE N. ASPINALL,
JAMES A. HALEY,
ED EDMONDSON,
JOHN P. SAYLOR,
E. Y. BERRY,
Managers on the Part of the House.

The SPEAKER. The Chair recognizes the gentleman from Colorado [Mr. ASPINALL].

Mr. LAIRD. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I yield to the gentleman from Wisconsin.

Mr. LAIRD. Mr. Speaker, I wish to commend the House Members of this conference committee. Each member made a major contribution to maintaining the original position of the House. The people of my district and the Menominee people appreciate their effort.

Last year the House of Representatives passed H.R. 4130 in behalf of the new Menominee County. As you know, the legislation which I sponsored provided permanent low-interest rate loan authority in the amount of $2½ million. It provided for a grant for sanitation facilities in the amount of $438,000; outright grants for health, education, and welfare aids in the amount of $540,000 for the first year following termination; and an additional phased out 5-year program of health, education, and welfare aids for the new Menominee County in Wisconsin. This phased out program of H.R. 4132 as approved by the House Interior and Insular Committee provided that in the first year, $540,000 would be made available for the health, education, and welfare aids; the second year, 80 percent of $540,000; the third year, 60 percent; the fourth year, 40 percent; the fifth year, 20 percent; and the sixth year, 10 percent.

This bill, after passing the House, was sent to the U.S. Senate and by action of the Senate, all health, education, and welfare aids were eliminated from H.R. 4130 and the low-interest rate loan provision was reduced to $1,500,000. When this bill came back to the House of Representatives for action, members of the House Interior and Insular Affairs Committee and I could not accept the action of the U.S. Senate. It was our feeling that it was absolutely necessary that health, education, and welfare aids be made available to the new Menominee County on the same basis as before termination. The House of Representatives sustained this position and rejected the Senate amendment eliminating these health, education, and welfare aids and reducing the loan authority provision.

A conference was requested by the House with the Senate to work out the differences between the position taken by the House and the position taken by the U.S. Senate. Last year two conference meetings were held between the House and Senate conferees. The Senate was adamant in its opposition to making provisions for any health, education, and welfare aids. The impasse between the Senate and House was not resolved during the 1st session of the 87th Congress.

As the 2d session of the 87th Congress approached, representatives of the Menominee enterprises and Menominee County contacted me expressing their deep concern that unless the House was willing to compromise its position on the Menominee Indian legislation, Menominee County could very well end up without any help. The chairman of the Menominee County Board and other representatives of the tribe were asked to prepare a memorandum setting forth the total amounts of health, education, and welfare aids which they could justify for the first year following termination. Such a report was forwarded to the members of the House-Senate conference signed by the chairman of the Menominee County Board. This report indicated that the figure which I had used in my bill could not be justified on the basis of experience. A copy of this report will be made part of the RECORD immediately following these remarks.

The House-Senate conference committee was advised that a compromise would be satisfactory to the officials of Menominee County in the area of Federal aids if $220,000 was authorized for educational purposes. It was further indicated by officials of Menominee County that if this aid were made available on a phased-out basis for 3 years, they would be satisfied. A copy of the Menominee statement to the committee will be included following these remarks. It was still further indicated by the representatives of Menominee County that the $438,000 in sanitation facility grants was necessary but that no loan authority was required because commercial sources were available and the county qualifies for low interest rate loans under the depressed areas legislation which was passed in the latter part of the last session of Congress.

In the House-Senate conference, the Senate conferees accepted the Menominee County memorandum as the basis for their position. The House conferees refused to support this memorandum in its entirety even though it was agreed to by representatives of Menominee County. The House conferees very rightly insisted on authorization of 2 additional years in the phased-out program of Federal educational aids. The House conferees have informed me that this was the very best compromise which they could get under the particular set of circumstances which faced them in the House-Senate Conference Committee.

The conference report which was finally agreed upon provides for the following:

First, $438,000 in a Federal grant for sanitation facilities in Menominee County; second, $220,000 in Federal educational aids for the period ending April 30, 1962; third, a phased-out program for the following 4 years for Federal educational aids in the amount of 80 percent of $220,000, or in the amount of $176,000 for the year ending April 30, 1963; 60 percent, or $132,000 for the year ending April 30, 1964; 40 percent, or $88,000 for the year ending April 30, 1965; and 20 percent of $220,000, or $44,000 for the year ending April 30, 1966.

You will note that the total educational aids made available under the authorization of the conference report are in the amount of $660,000 for educational aids and $438,000 for sanitation facilities. The bill now authorizes an appropriation under the terms of the conference report in the amount of $1,098,000. This compares with the $4,612,000 provided in the original Laird bill which was supported by the House of Representatives.

If the conference report were rejected by the House of Representatives, I believe, because of the position of the U.S. Senate, this would result in no financial assistance to the new Menominee County. I am proud of the position the House of Representatives has taken on Menominee legislation and believe that Menominee County should be grateful to the House Interior and Insular Affairs Committee for trying to do everything in its power to secure needed financial assistance.

MEMORANDUM FOR SENATE AND HOUSE CONFEREES ON H.R. 4130

This report is submitted in response to suggestions that it would be helpful to the conference committee to have a current report on the Menominee situation. It is based on 8 months of experience since termination of Federal supervision on April 30, 1961. It also relates to the Menominee request for so-called phasingout financial assistance contemplated by H.R. 4130 as passed by the House and now pending before a Senate-House conference committee.

H.R. 4130, as passed by the House of Representatives, among other things, would authorize continued Federal assistance to the Menominee community for health (mostly TB control), welfare and education as a transitional aid to termination in a total amount of $540,000 for the first year of termination. Based on the best estimates that could be made during the 1960–61 period, $90,000 was programed for health and sanitation (about $75,000 for TB control), $200,000 for welfare and relief, and $250,000 for public school education. This authorization would decrease by 20 percent annually through the next 4 years and would cease in the 6th year when only 10 percent would be authorized. It would only be available on a showing of real need. The Senate in 1961 disagreed with the authorization for health, welfare, and educational aids.

In consideration of any aids to the Menominee community, some had expressed the opinion that they should first see what Wisconsin would do for the tribe. It must be said immediately that Wisconsin has made a very considerable contribution to the Menominee community during this terminal year, and before.

WISCONSIN CONTRIBUTION

By continuing tubercular care cases adjudicated prior to May 1, 1961, as "State at large cases," Wisconsin absorbed and continues to absorb the sanitarium's cost of Menominee patients still needing attention. Menominee County is responsible for only those new cases arising since May 1, 1961. As of December 28, 1961, Menominee County has a total of 48 cases under treatment or close observation. Ten are in sanitariums and the others are under active State public health attention. This is a considerable improvement over the condition of a year ago, brought about by State assistance. The estimate to cure for State charge backs to Menominee County for TB control, based on 1960 caseloads, was $75,000.

By continuing those child welfare cases adjudicated as "State at Large Cases" prior to May 1, 1961, Wisconsin absorbed and continues to absorb the institutional expense for foster home and delinquent children from the Menominee community. Menominee County is responsible for only those committed since May 1, 1961. The estimate for Menominee County, based on 1960–61 caseloads, was $50,000 annually. This impact is now minimized because of State assistance.

The State and the local school board have not required Menominee County to pay a public school tax for that part of 1961 occurring after termination.

All of the above has been in consideration of the very marginal or financially short condition of the Menominee community in this first year of Federal termination. The three items above can be estimated as an equivalent of at least a $200,000 grant by the State of Wisconsin.

Wisconsin also expended considerable sums and devoted much time to the Menominee problem through activities of the Menominee Indian Study Committee and the associated committees of the University of Wisconsin.

MENOMINEE TOWN AND COUNTY OPERATIONS

As a result of State assistance, Menominee town and County has been able to operate general government, including current obligations for health and welfare, on a levy of $282,939.25 for the period May 1 through December 1961. This amount is substantially less than the prorated levy estimates of at least $400,000 necessary a year ago for the same period. Some of the decrease was achieved by reducing salaries of town and county officers.

There is still, however, a $9,838.12 delinquency in tax collections for the period May 1 through December 1961, due from individuals. Some of this is due from people unable to pay, some is due from a few who refuse to pay—no doubt as a protest against termination. The county anticipates a surplus of $19,000 for this period.

A review of the health and welfare costs of the county for the period May 1 through October 1961, for which we have final figures, reflects that extra medical expense and direct relief cost the county an average of $4,221.95 per month for a total of $25,331.75 for the 6-month period. In addition the town budgeted $19,200 for general relief for the same period, of which about 50 percent has been expended. As of November 30, 1961, 1,310 persons were certified for surplus commodities by the welfare department at an average cost of $600 per month. This represents a minimum of $6,421.95 per month for care and subsistence of needy persons. The public health nurse and relief worker compensation and expense are not included in the above and together average about $1,000 per month. The administrative expense of Shawano Welfare Department for Menominee County averages $1,375 per month and is much cheaper than we could do it.

The two other major items making up the town and county budget are general government and protection of persons and property which bear directly on local taxes for support. On a prorated basis, a year ago, for the period May 1 through December 1961, they were estimated at $105,460. The town and county board reduced these estimates by $16,430. By other trimming and State assistance, the very substantially reduced levy of $282,939, as against $400,000, resulted.

MENOMINEE ENTERPRISES, INC., 1961

Menominee Enterprises paid the interest on its 4-percent income bonds for the period May 1 through September 30, amounting to $50 per capita for all those holding $3,000 bonds. This was only possible because of the elimination of the public school tax for the May–December period and the other State assistance. The payment was badly needed by the larger majority of the people and helped many of them to pay their 1961 taxes. There is another property tax bill due immediately in 1962, in addition to State income taxes for the first time.

Of the $282,939.25 levied for the period May 1 through December 1961, Menominee Enterprises, Inc., paid taxes in the amount of $263,292.40.

The Enterprises has reemployed or contracted with about 400 woods and mill workers. Employment was down to 181 men in May of 1961. Wages have been adjusted to the level prevailing in the area for the industry, in an effort to improve the community and the condition of the people and to help assure increased production.

In addition, the Enterprises has initiated an estimated $600,000 improvement and redevelopment program in the woods and milling operations, gearing to take care of a necessary 30 million board foot production. The best estimates possible indicate that the annual production must be raised from the maximum of 22 million previously authorized to the 30 million now believed possible in order to provide a margin for continued and we hope profitable operations.

It should be noted, in this connection, that maintenance and repair of equipment, fixed and rolling, during these last several years prior to termination has not been adequate. Break down time of 38 to 42 hours per month is being experienced in the mill. All of the rolling equipment, particularly the caterpillars used in logging operations, had been stored without repair necessitating considerable delay before operations could be resumed when Menominee Enterprises, Inc., took over control. Other inadequacies have been amply certified in the record already made in the Congress.

Menominee Enterprises, Inc., has had to continue the operation of public utilities throughout 1961, including electrical, telephone, water, and sewerage facilities because the rehabilitation and transfer program has not been completed. Arrangements have now been made to transfer to others all but the telephone utility.

It has also had to carry on a land-use and disposal program, including the survey and appraisal of private land claims. This has proven to be an extraordinary burden upon the corporation because of the added business expense and tax liability involved before land can be deeded to private ownership. It is one of the programs that ought to have been completed before termination. In this connection, the Bureau of Indian Affairs, in May of 1961, removed a considerable part of the records, including private land claims, bills of sale, family history, vital statistics, and others. This created delay and confusion in this program and has not been completely resolved as yet.

Federal officials were not able to close out the books and complete the transfers of property until about 60 days or more after

May 1. This created delay and confusion. The corporation also inherited quite a sizable group of surplus and practically unusable buildings, including the Menominee Hospital, which are a drain on the corporation because of insurance, maintenance, and some operating expense, including taxes. We are following a program of disposing of these.

On the whole then we anticipate a better performance for the company as we go along.

OUTLOOK FOR 1962

The town, county, school district and State taxes to be levied on Menominee property for 1962 are as follows:

Town of Menominee	$76,874.00
County of Menominee	215,727.00
School district	220,844.99
Real estate assessment for State forest tax	3,271.02
Total	516,717.01

This levy must be spread over a total valuation of $16,354,870, of which $15,217,215 is in Menominee Enterprises, Inc., property. The county has set the tax rate at $31.60 for 1962. Menominee Enterprises will thus be billed for about $480,857 in 1962. There will be some relief on personal and real property taxes for 1963, but none for 1962 as a result of the recently enacted tax law in Wisconsin.

Major items in the town budget are $20,500 for direct relief and $40,774 for utilities and fire department operation. It is anticipated that water and sewer facilities will be transferred from the corporation to the town government within the near future, and an operating loss is anticipated at least in the first year or two of operation. The $15,600 balance is spread through general government operations of the town.

Major items in the county budget are $41,560 for general government, $57,064 for protection of persons and property, $61,908 for charities and corrections, and $53,290 for public roads. Health and education total $20,966 and are much reduced currently because of State assistance mentioned earlier in this report. (The combined total is $234,727). The anticipated surplus of $19,000 from 1961 operations reduces the levy to $215,727.

The 495 Menominee County students in public school are spread through two local public schools, the Shawano Junior High School and the Shawano, Antigo, and Suring High Schools, all at the expense of the Shawano Joint District 8. The local joint district tax levy for 1962 is $935,950.42, of which Menominee County must contribute $220,844.99. This is considerably over the $170,000 estimated last year. This proration is based on the valuation of Menominee property in relation to the total valuation of the district, and not on the cost of educating the children on a per capita basis. In allocating Menominee valuation has been reduced 60 percent by the legislature on the forest because of the sustained yield requirement. This reduction of assessed value is about $18 million. Assuming we could educate and transport this public school student load for $400 per student, our bill would still be $198,000. The above figures indicate that we had a little over 100 students shift from parochial to public schools in this period.

We are aware that some members of the conference committee have expressed the tentative conclusion that it would have been less expensive to attach the Menominee area to another county or counties. We believe, however, that there is a fallacy in that proposition. The university studies on the Menominee problem indicate it would be about $60,000 less expensive if we were attached to another county, rather than be formed in a separate county. That conclusion was based on lesser services and organization expense being required in attachment as against separate organization. It did not take into consideration the valuation of Menominee property in relation to the valuation and rate per thousand of either other county to which we might have been attached, on which ratio personal and real property taxes are levied. We have pointed out that if Wisconsin had enacted no legislation Menominee property would have been taxed well in excess of $600,000 and probably close to $750,000, depending on the attachment and the different rates in the different counties. Nor does the Wisconsin forest crop law furnish an alternative. Everyone in Wisconsin, in and out of government, who understood and has had experience with the Wisconsin forest crop law advised that it was not designed for and did not fit the Menominee situation and this included the then Governor's economic adviser, the then tax commissioner and representatives of the conservation department among many others in local and State government and business.

The Menominee County Board has carefully considered the condition of both Menominee County and Menominee Enterprises, Inc., and the present condition of the people directly affected in relation to the outlook for 1962.

We know that the conference committee is anxious to do what is fair and reasonable so that the Menominee termination program—which may be a pilot for others—will not fail. We are likewise anxious to do our part. Accordingly, we suggest consideration of the following compromise on the differences before the conference committee: (1) adoption of the House figure of a maximum of $2,500,000 for loans to Menominee Enterprises, Inc., and (2) authorization for appropriation of funds to reimburse Menominee County for its share of the educational levy of Joint School District 8, 100 percent the first year, 80 percent the second, 60 percent the third, 40 percent the fourth, 20 percent the fifth, and 10 percent the sixth.

Using a round figure of $225,000, this would mean a decrease, for the first year, of $315,000 from the amounts authorized in the House bill. We believe that Menominee Enterprises, Inc. and the residents of Menominee County will be able to meet the other obligations covered by the House bill.

Considering all that has transpired in the Menominee termination program, particularly during 1960 and 1961, when the entire effort was surrounded and clouded by confusion, uncertainty and economic depression, we believe that the above is a just and reasonable request. We assure you, if you will agree to the suggested compromise, that the elected and appointed officials of Menominee County and Menominee Enterprises, Inc. will do all in their power to make the social and economic future of all Menominee citizens a success.

We do want to suggest, also, that time is of the essence. Taxes are payable on February 28, 1962, and we would hope to have an indication from the Congress somewhat in advance of that date.

Respectfully yours,

BERNARD GRIGMON,
Chairman, Menominee County and Town Board.

GEORGE W. KENOTE,
Assistant to the President, Menominee Enterprises, Inc.

FEBRUARY 5, 1962.

HON. JAMES A. HALEY,
Member of Congress,
House of Representatives,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN HALEY: Responding to your request, incident to H.R. 4130, the following list represents the minimum of aids which we believe necessary to give the county and town of Menominee and Menominee Enterprises, Inc., a fighting chance to attain full and complete self-sufficiency.

1. Continuation and completion of sanitation facilities	$438,000
2. Educational services for the year ending April 30, 1962	220,000
For the year ending April 30, 1963	176,000
For the year ending April 30, 1964	132,000

As passed by the House, H.R. 4130 would provide other aids, including a loan fund for corporation use in modernizing its plant and to provide additional manufacturing facilities for the production of new products. This provision of the House measure, which also was included in the Senate passed measure in a lesser amount, would be helpful if retained, but does not rank in importance with the items listed above. It has been omitted from the list because this was to be a list of "absolute minimums" and to contain no nonessentials.

The problems of town, county and corporation are urgent and pressing. Continuing and constant attention must be given future planning and to the adjustments compelled by unforeseen happenings. The next few years are certain to be critical and crucial, but we believe the challenge can be successfully met. The aids listed, although their total is low, are of vital importance to the area's future and necessary to give it a "fighting chance". Early action is of equal importance and would be a tremendous help.

Sincerely yours,

MENOMINEE ENTERPRISES, INC.,
LEO V. BODINE.

RESOLUTION NO. 41 OF MENOMINEE COUNTY BOARD

Whereas the Menominee County Board in session the 27th day of February 1962, wishes to be recorded regarding bill now proposed in the U.S. Congress, H.R. 4130; Therefore be it

Resolved, That the Menominee County Board concurs in the compromise proposed in said bill H.R. 4130 providing school aids of $220,844.00 for the first year. Eighty percent of the aforesaid amount for the second year and 60 percent of original amount for the third year and which also provides for sewer and water aids of $438,000.00.

LEO KOHLS,
RICHARD R. DODGE,
WILLIAM COX,
JOHN FOSSUM.

Dated this 28th day of February 1962.

GEORGE C. BOWON,
County Clerk, Keshena, Wis.

Mr. LAIRD. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

PRIVATE CALENDAR

The SPEAKER. This is Private Calendar Day. The Clerk will call the first individual bill on the Private Calendar.

MRS. CHOW CHUI HA

The Clerk called the bill (S. 1934) for the relief of Mrs. Chow Chui Ha.

Mr. HEMPHILL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

LEWIS SEWING MACHINE CO.

The Clerk called the bill (H.R. 7549) for the relief of the Lewis Invisible Machine Stitch Co., Inc., now known as Lewis Sewing Machine Co.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay to Lewis Invisible Stitch Machine Company, Incorporated, now known as Lewis Sewing Machine Company, the sum of $27,623.80 belonging to said corporation and held in escrow pursuant to agreements between said corporation and the War Department in March and June 1947, subject to a determination of a claim by the United States for interest, which claim has not been resolved in favor of the United States.

With the following committee amendments:

Line 6, strike out "$27,623.80" and insert "$9,207.93".

Line 11, add at the end thereof the following: ": *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time and passed.

A motion to reconsider was laid on the table.

The title was amended so as to read: A bill for the relief of Lewis Invisible Stitch Machine Company, Incorporated, now known as Lewis Sewing Machine Company.

MARY R. GALOTTA

The Clerk called the bill (H.R. 8946) for the relief of Mary R. Galotta.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

JEAN L. DUNLOP

The Clerk called the bill (S. 2165) for the relief of Jean L. Dunlop.

There being no objection, the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Jean L. Dunlop of Arlington, Virginia, is hereby relieved of all liability for repayment to the United States of the sum of $1,275, representing the amount of erroneous payments of a class Q allotment made to her by the Department of the Army for the period from August 1, 1951, through May 31, 1952, as a result of administrative error.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Jean L. Dunlop, the sum of any amounts received or withheld from her on account of the overpayments referred to in the first section of this Act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDMENT OF PRIVATE LAW 86-339

The Clerk called the bill (H.R. 10242) to amend Private Law 86-339.

Mr. HEMPHILL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

JACINTO MACHADO ORMONDE

The Clerk called the bill (H.R. 1435) for the relief of Jacinto Machado Ormonde.

There being no objection, the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Jacinto Machado Ormonde shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota control officer to deduct one number from the appropriate quota for the first year that such quota is available.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following: "That, the Attorney General is authorized and directed to cancel any outstanding orders and warrants of deportation, warrants of arrest, and bond, which may have issued in the case of Jacinto Machado Ormonde. From and after the date of the enactment of this Act, the said Jacinto Machado Ormonde shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or any such warrants and orders have issued."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FRANZISKA ALOISIA FUCHS (NEE TERCKA)

The Clerk called the bill (H.R. 2833) for the relief of Franziska Aloisia Fuchs (nee Tercka).

There being no objection, the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provision of section 212(a)(3) of the Immigration and Nationality Act, Franziska Aloisia Fuchs (nee Tercka), may be issued a visa and admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of this Act: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said Act.

With the following committee amendment:

On page 1, line 10, at the end of the bill, strike out the period and insert the following: "*Provided further*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice had knowledge prior to the enactment of this Act."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GAIL HOHLWEG ATABAY AND HER DAUGHTER

The Clerk called the bill (H.R. 10643) for the relief of Gail Hohlweg Atabay and her daughter.

There being no objection, the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of section 301(a)(7) of the Immigration and Nationality Act, Gail Hohlweg Atabay, a citizen of the United States at birth, shall be considered to have resided in the United States for five years after attaining the age of fourteen years.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. KIKUE YAMAMOTO LEGHORN AND HER MINOR SON

The Clerk called the bill (H.R. 1701) for the relief of Mrs. Kikue Yamamoto Leghorn and her minor son, Yuichiro Yamamoto Leghorn.

There being no objection, the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Mrs. Kikue Yamamoto Leghorn and her minor son, Yuichiro Yamamoto Leghorn, shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fees. Upon the granting of permanent residence to such aliens as provided for in this Act, the Secretary of State shall instruct the proper quota control officer to deduct the required numbers from the appropriate quota or quotas for the first year that such quota or quotas are available.

With the following committee amendment:

On page 1, line 8, after the words "visa fees," strike out the remainder of the bill.

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MAXIMO B. AVILA

The Clerk called the bill (H.R. 1703) for the relief of Maximo B. Avila.

There being no objection, the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purposes of the Immigration and Nationality Act, Maximo B. Avila shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following: "That, the Attorney General is authorized and directed to cancel any outstanding orders and warrants of deportation, warrants of arrest, and bond, which may have issued in the case of Maximo B. Avila. From and after the date of the enactment of this Act, the said Maximo B. Avila shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or any such warrants and orders have issued."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MISS HELEN FAPPIANO

The Clerk called the bill (H.R. 2687) for the relief of Miss Helen Fappiano.

There being no objection, the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, Miss Helen Fappiano, who lost United States citizenship under the provisions of section 401(e) of the Nationality Act of 1940, may be naturalized by taking prior to one year after the effective date of this Act, before any court referred to in subsection (a) of section 310 of the Immigration and Nationality Act or before any diplomatic or consular officer of the United States abroad, the oaths prescribed by section 337 of the said Act. From and after naturalization under this Act, the said Miss Helen Fappiano shall have the same citizen status as that which existed immediately prior to its loss.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PIERINO RENZO PICCHIONE

The Clerk called the bill (H.R. 5610) for the relief of Pierino Renzo Picchione.

There being no objection the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the child, Pierino Renzo Picchione, shall be held and considered to be the minor natural-born alien child of Nazzareno and Elena Kuhn Picchione, citizens of the United States: *Provided*, That the natural parents of the beneficiary shall not, by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act.

With the following committee amendment:

Page 1, line 4, after "Act," strike out the words "the child."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REPEALING ACT OF AUGUST 14, 1957

The Clerk called the bill (H.R. 6773) to repeal the Act of August 14, 1957 (Private Law 85-160).

There being no objection the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of August 14, 1957 (Private Law 85-160), he, and the same is hereby, repealed.

With the following committee amendment:

On page 1, line 3, after "(Private Law 85-160)," strike out the word "he" and substitute the word "be".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PASQUALE MARRELLA

The Clerk called the bill (H.R. 1599) for the relief of Pasquale Marrella.

There being no objection the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provision of section 212(a)(1) of the Immigration and Nationality Act, Pasquale Marrella may be issued a visa and admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of such Act: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the Immigration and Nationality Act: *Provided further*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice had knowledge prior to the enactment of this Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HENDRIKUS ZOETMULDER (HARRY COMBRES)

The Clerk called the bill (H.R. 6772) for the relief of Hendrikus Zoetmulder (Harry Combres).

There being no objection the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Hendrikus Zoetmulder (Harry Combres) shall be held and considered to have been lawfully admitted to the United States for permanent residence, as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the enactment of this Act, the Attorney General shall reduce by one number the number of aliens who may be issued special nonquota status visas pursuant to sections 1(B) and 3 of the Act of September 2, 1958, as amended (72 Stat. 1712-1713; 74 Stat. 505).

With the following committee amendments:

On page 1, line 6, after the words "permanent residence" insert the following: "pursuant to sections 1(B) and 3 of the Act of September 2, 1958, as amended (72 Stat. 1712-1713; 74 Stat. 505).

On page 1, line 8, after the word "fee" strike out the remainder of the bill.

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. HEMPHILL. Mr. Speaker, I ask unanimous consent that further calling of the Private Calendar be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

CALL OF THE HOUSE

Mr. ANDERSEN of Minnesota. Mr. Speaker, I make a point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll and the following Members failed to answer to their names:

[Roll No. 41]

Andrews	Dawson	Miller,
Ashley	Fogarty	George P.
Blatnik	Fulton	Moulder
Blitch	Granahan	Passman
Boggs	Grant	Pike
Bonner	Green, Oreg.	Powell
Boykin	Griffiths	Rains
Brewster	Hall	Rivers, S.C.
Buckley	Hansen	Roberts, Ala.
Celler	Harrison, Va.	Rogers, Tex.
Collier	Hoffman, Mich.	Rostenkowski
Conte	Huddleston	Smith, Miss.
Cook	Jones, Ala.	Spence
Cooley	Kearns	Tupper
Dague	Kee	Waggonner
Davis, Tenn.	May	

The SPEAKER. Three hundred and eighty-seven Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS, 1963

Mr. KIRWAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 10802) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1963, and for other purposes, and pending that, Mr. Speaker, I ask unanimous consent that general debate on the bill be limited to 1 hour, one-half of the time to be controlled by the gentleman from Iowa [Mr. JENSEN] and one-half by myself.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The SPEAKER. The question is on the motion.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 10802, with Mr. PRICE in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the unanimous consent agreement, the gentleman from Ohio [Mr. KIRWAN] will be recognized for one-half hour, and the gentleman from Iowa [Mr. JENSEN] will be recognized for one-half hour.

The Chair recognizes the gentleman from Ohio [Mr. KIRWAN].

Mr. KIRWAN. Mr. Chairman, I yield myself such time as may be necessary.

Mr. Chairman, a couple of years ago I said on the floor of the House that I was embarrassed because I was about the only chairman of a so-called major committee that did not have a billion dollar bill. It was so humiliating to come before the Congress and not have a bill with at least a billion dollars in it. This year I thought we were going to accomplish that. The budget made a request for $930 million and with just one good supplemental, I would have been among the big-time people with a big bill. But, instead we cut it back $62 million so we are not going to make it this year. But give us time and, I repeat, I think we will accomplish what we started out to do.

Mr. Chairman, every dime of the money appropriated in this bill is going to be spent in and on America and its possessions. There is only a difference of $246 million between the money that we spend under this bill and the money that we take in. If all appropriation bills were like that, we could go back to the turn of the century when cosmetics, tobacco, and alcohol were about the only things that brought in the taxes that were needed to run America. You would not have the great tax burden that we have now.

Mr. Chairman, this a good bill. It is one of the few bills that I know of where we are not trying to destroy something but instead are preserving and developing our great national resources. We are trying to build America. I mean that. And we are doing it in this bill.

Let us see the extent of the activities found within this bill. It involves 767 million acres of Federal land as indicated in the following summary:

First. Conservation and administration of 477 million acres of public domain land involving forest, range, mineral, and water resources.

Second. Provision of educational assistance, facilities, and services to over 53,000 Indian children in Federal day and boarding schools; assistance to over 45,000 Indian children in the public schools; welfare and guidance services to 17,000 needy Indians; management and protection of nearly 50 million acres of Indian-owned forest and range lands; construction, operation, and maintenance of 300 irrigation systems serving about 864,000 acres; and maintenance of over 16,000 miles of roads on Indian reservations.

Third. Management, protection, maintenance, and construction of facilities, including 16,000 miles of roads and trails, in 192 national parks and other areas comprising about 25½ million acres with an estimated 81 million visitors in 1963.

Fourth. Provision under the Geological Survey for topographic surveys and mapping of the United States, of which only about 60 percent of the land area has been mapped; geologic and mineral resource surveys and mapping; water resources investigations; and supervision of 234,000 properties leased for oil, gas, and other minerals valued at $1.33 billion.

Fifth. Conservation and development of our mineral resources under the Bureau of Mines, including inspection of 9,000 coal mines.

Sixth. Management and research to conserve and restore fish and wildlife resources for both recreational and commercial use; operation and maintenance of 97 fish hatcheries and 284 national wildlife refuges consisting of more than 28.5 million acres;

Seventh. The management, protection, and development of 186 million acres of land in the National Forests; an estimated sale of 9.7 billion board feet of timber in 1963 with a value of $121 million; provision of recreation facilities for an estimated 115 million visitors; grazing for 6 million livestock; and cooperation with States in fire control, tree planting, and forest management and processing.

That is the gist of what is covered in this bill.

We listen to radio, and take a look at television, read our daily papers, and think we are the greatest country on earth. That is correct, we are. America is the handwork of God. If you took all the rest of the world and rolled it into one it would not compare with this country. No other nation on earth is so blessed as our country.

But we have made many mistakes and there are many things that we should be doing to more adequately take care of our resources and our territories. That is why the increases in this bill are necessary.

AMERICAN SAMOA

I went to the South Pacific last year after I heard all the criticism about our handling of American Samoa. I went down there to see what it was all about. There is much that we must do to help these people, so we have allowed $13,044,000, an increase of $3,438,600 in the 1962 appropriation. The amount allowed, together with $1,100,000 of local revenues, will provide $5,116,550 for operating expenses, an increase of $1,328,930 primarily for health, education, and welfare and $9,027,450 for construction including $2,828,750 for educational facilities, including 20 consolidated village schools; $272,000 for medical facilities; $2,273,850 for utilities; $600,000 for completion of the jet airfield; $943,000 for the road program; $1,869,000 for installation of a TV educational system, and $240,850 for other facilities.

CONSTRUCTION OF INDIAN FACILITIES

The committee has allowed $52 million for construction of Indian schools, dormitories, quarters, utilities, and other buildings and irrigation systems, an increase of $12,439,000 in the 1962 appropriation and a decrease of $2,765,000 in the budget request. It is estimated that with the present backlog and the projected increase in school population for 1963 that there will be a total of over 7,500 additional Indian pupils requiring seats by September 1963. The amount allowed will provide school facilities for about 4,000 additional students leaving an estimated out-of-school backlog of about 3,500 to be provided for in subsequent years. The appropriation will also provide for replacement of about 3,600 seats in some of the most hazardous, unsafe, and substandard buildings in the existing Bureau school plants. Considering the unobligated balance of over $21 million under this item as of February 1, 1962, it is believed that the reduction recommended of $2,765,000, or 5 percent, will readily be absorbed through slippage in the 1963 construction program.

LAND ACQUISITION

I am very concerned with the budget request we received for additional land acquisition, especially the $3,864,000 asked to buy inholdings in the parks. We cut this down to $2 million. We all know about the $9 billion mineral stockpile. If we do not use caution there is going to be a scandal, and a dandy, in buying land. We have 766 million acres of Federal land now and we do not know what to do with it. We are land poor. Much of it should be on the tax rolls.

We have 50 miles of Joshua trees in California. Instead of taking 45 miles and selling it and taking the best 5 miles to make a beautiful park, the budget comes in for funds to buy 2,455

acres more of these lands at a cost of $110,000. We disallowed this.

The budget requested $500,000 to buy an additional 25,000 acres in the Everglades National Park, Fla. Yet we already own 1,300,000 acres in this park. We denied this request. The budget estimate also included $1,400,000 to buy more Civil War areas when we already own and maintain 84,000 acres of these lands. We cut this back to $400,000.

LAND OPPOSITE MOUNT VERNON

Finally, there has been considerable interest in the propsal to acquire the land across from Mount Vernon. After detailed review we turned it down and have detailed our reasons beginning on page 10 of the report.

Briefly, the sewage treatment plant which sparked this whole question and resulted in the last minute authorization last session will now be located over 3 miles from Mount Vernon where it will be obscured from any view from Mount Vernon. This site has been recommended by the Maryland National Capital Parks and Planning Commission.

The land in question is under adequate planning and zoning controls. The Maryland General Assembly last April approved the extension of the regional jurisdiction of the Maryland National Capital Parks and Planning Commission to include this area in question for purposes of planning, zoning, and subdivision control.

The acreage in question is primarily owned by three families which have held the property (totaling 540 acres) for generations. No evidence was given to the committee that these owners planned to dispose of their property or take any action that was not in keeping with the present rural character of this area or would not give satisfactory scenic easements.

Finally, the Maryland National Capital Parks and Planning Commission has recently announced plans to spend $30 million for some 19,000 acres of park land. So they would be the appropriate ones to buy this land if they think it is desirable. The Federal Government now owns and maintains over 39,000 acres of park land in and around Washington and it is time the local people, who enjoy one of the highest per capita incomes in the Nation, begin to assume some of this burden.

So, Mr. Chairman, I tell you this is a good bill. When you stop to think of it, it is going to take in $100 million more in revenues next year, for a total of $622.8 million. This bill largely pays for itself.

I again repeat, this is the greatest country on the face of the earth; it is the hand of God. Where on the face of the globe can you get the climate, the soil, the minerals, the mountains, and the streams all under one flag? Only in America. I am asking you here today to pass this bill, for I believe it is a reasonable price to pay to preserve and develop our national resources. We have reduced the requests by $62 million, or 7 percent, which I believe is all that is warranted if we are to provide for the many essential additional requirements.

Mr. JENSEN. Mr. Chairman, I yield myself such time as I may need.

Mr. Chairman, it is a pleasure to serve on this committee with our good chairman, the gentleman from Pennsylvania [Mr. KIRWAN], and the other members of the committee. We generally agree, as a whole, on this bill, and I feel that this is a good bill as a whole, but there are some things in the bill that I think should be corrected, and I shall offer an amendment at the proper time to attempt to correct at least one of the mistakes which I think has been made by the committee.

Now, I am also intrigued by what the gentleman from Ohio says about being a little embarrassed because of the fact that he is chairman of the only committee that does not have a billion-dollar bill to bring before the Congress. Well, I am not a bit embarrassed as the ranking minority member of the committee.

In fact, I hope that not only this bill but every appropriation bill will be held down as much as is justified so long as we have a Federal debt and so long as we have almost every year a Federal deficit. No one knows when the breaking point will come, and when our dollar will lose its value.

Mr. Chairman, that time is when America, especially the people on fixed incomes, will suffer.

Mr. Chairman, if we had a balanced budget and we were paying some on our national debt each year, I would not hesitate one minute to vote to appropriate much more than is contained in this bill for America. As the chairman of the subcommittee says, the gentleman from Ohio [Mr. KIRWAN], this bill is for America and America alone. There are some 30 agencies involved. Most of these agencies deal with our natural resources—soil, minerals, forests, oil, and everything that goes toward the enrichment of this great, blessed land of ours. I am always quite disgusted when I see the budget come up to the Congress with such a small amount of money requested for the conservation of our most priceless natural resource, soil. In this bill, for instance, the Bureau of the Budget cut the request for soil and moisture conservation, it cut the request for the Indian Service, and the Forest Service, which was requested by the agencies, to the end that there are only a few pennies per acre for soil and moisture conservation on our public domain. That borders on the criminal, my friends, because when the topsoil of America is gone, everything we hold dear in America is gone.

Look around the world and you will find that in every nation in this world that is now in the throes of hunger and strife and cold wars and revolution, powerful land barons let the soil waste away, blow away, wash away, erode away, until they can hardly raise beans, and beans can be raised on the thinnest and the poorest soil, as you well know.

Mr. Chairman, about 35 years ago a great American instituted the Soil Conservation Service.

We now have over 2,900 soil conservation districts in America conserving our priceless soil on privately owned land. The private landowners of America spend many dollars an acre to conserve their soil, and it has paid off with big returns for every dollar they spent. But we, the keepers of the public domain, spend only pennies per acre to conserve the soil of our public domain.

Many times we have raised the budget requests of the Department of the Interior both in the Indian Service and the Forest Service, and I am not talking partisan politics. But there are too many pepole in the agencies of Government that administer the laws that the Congress passes who have no conception of the value of our priceless topsoil. I hope some day they will wake up to the fact that when our soil is gone America is gone, and that most of the acres of public land will some day be needed to feed this exploding population of America.

We have reduced this budget request to the tune of $62 million, yet we are $72,803,350 above the 1962 fiscal appropriation.

The report that comes with this bill is, in my opinion, the best explanatory report that I have ever had the privilege of reading. You know the party in power in Congress does most of the writing of the reports, but more credit must be given to the clerks of the committee, Eugene Wilhelm and Carson Culp, for the work that has been done.

As I said, at the proper time I shall offer an amendment to correct a certain part of this bill, namely the part that calls for over 3,000 additional employees over and above what they have at the present time in this Department, the Department of the Interior. They now have over 56,000 employees. This bill if enacted in its present form would bring the personnel of the Department up to 59,537 employees, costing how much, do you think? Multiply that figure by $6,000, which is a little less than the Federal employee cost today on an average, and then consider the floor space, rent, travel pay, per diem pay, and everything else that goes along with the cost of the administration.

But figuring this amount of $6,000, we have a tidy sum of about $360 million or over one-third of the total amount of the bill. I shall have more to say about that when I offer the amendment when we read the bill for amendments.

It is true that we have a revenue coming from different agencies in the bill amounting to $622,800,000 for the fiscal year 1963. That is the amount that is estimated. We had $522,100,000 in 1962. But let me remind you, we have something in the neighborhood of 80 million people visiting our parks and they pay on an average about 7 cents per person to enter these parks and enjoy the facilities there. The concessionaires take in millions upon millions of dollars annually. How much do you think we get in revenue from those concessionaires—less than $600,000 per annum. There is where we should collect more dollars to help out in this great need for money in the Federal Treasury of the United States.

Mr. Chairman, I might say in the few more minutes I intend to take that I am

quite proud of a lot of things this committee has helped the agencies of the Department to do. I am quite proud of the fact that because of the appropriations we have made for the hospitals and medical care for the Indians that tuberculosis among the Indians has been almost completely eradicated. It was a terrible scourge in Alaska. The incidence of tuberculosis among the people up there as compared with the people on the mainland was four times greater. We now have almost completely eradicated tuberculosis in Alaska as well as on the mainland among the Indians.

Mr. Chairman, I am proud of the record we have made in furnishing funds for the building of schools and the hiring of teachers which has reduced the number of Indian children of school age who were not in school 10 years ago from 20,000 to around 5,000.

I am sure that within the next 2 years we will have all the Indian children of school age in school. You know Uncle Sam failed to live up to his treaty with the Indians which provided that there should be a school room and a teacher for every 35 children. We failed miserably in living up to that agreement, but gradually the agreement will be lived up to.

There are, of course, many agencies covered by the bill that must have funds to carry on their important functions, and this bill provides I think more than ample money to do a good job for every agency involved.

I thank you, Mr. Chairman.

The CHAIRMAN. The gentleman from Ohio [Mr. KIRWAN] is recognized.

Mr. KIRWAN. Mr. Chairman, I have no further requests for time.

Mr. JENSEN. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania [Mr. FENTON].

Mr. FENTON. Mr. Chairman, H.R. 10802, the appropriation bill for fiscal 1963, was carefully considered by the Subcommittee on Appropriations for the Interior Department and Related Agencies.

The chairman, Mr. KIRWAN, and the ranking minority member, Mr. JENSEN, have explained the bill, generally speaking. All members of your subcommittee were diligent in their attendance at the hearings and contributed in bringing forth what we think is a good bill.

As usual our genial clerks, Gene Wilhelm and Carson Culp, did a fine job for the subcommittee. As a matter of fact the accompanying Report No. 1446 to H.R. 10802 is evidence of the fine work done by them. It is to my mind the finest report on the Interior appropriations bill that I have seen over the years that I have been on this subcommittee. The hearings are contained in a volume of 1,560 pages and give in detail the amounts requested by the Interior Department bureaus and related agencies and their justifications for them.

As has already been noted the Bureau of the Budget requested for fiscal year 1963, the sum of $930,674,000 which is an increase of $72,803,305 over the current year. The committee recommends $868,595,000 for 1963 or a decrease of $62,079,000 from the budget request—a decrease of 7 percent.

It has also been stated that it is anticipated that there will be derived in Federal revenues from the activities produced by the 1963 Interior and related agencies appropriations, $622,800,000. This is an increase over the 1962 Federal revenues of $100,700,000.

It is quite apparent to me that there are a number of outstanding and important jobs to be done by the Interior Department in the areas of conservation of soil, water, minerals, forests, and human resources.

This is not to say that advances have not been made in previous years; yet there is a great deal more to be done.

Year after year we hear the story of soil conservation and what it means to America and the future generations of the United States. Year after year we legislate and appropriate enormous sums of money for soil and moisture conservation in both the Agriculture and Interior Departments, including the Reclamation Service of the Interior Department. It has done a lot of good, but there is still more to be done in this field.

We are told that "water is liquid gold" in some parts of our country and that it is becoming one of our greatest problems throughout the whole United States. While this is undoubtedly true, the Interior Department and we in Congress are legislating to assist our economy on the one hand, yet on the other hand some of our legislation goes completely counter to that which is intended and this means the loss of money in appropriations, a loss of money to employer and employee in industry and a loss in what we intended to conserve.

I would suggest that more attention and proper coordination by the involved bureaus be given to such projects so as to avoid this waste.

Then we have river compacts intended to develop our river basins and we are about to be confronted—in the East—by clashes of our Army Engineers—civil functions—with our industry in the suggestion that power projects be established to enable the justification for such development.

Here again, on the north and west branches of the Susquehanna River we see one branch of our Government contemplating measures that will affect two of our basic industries—coal mining and our private power facilities. The most recent conflict is the proposed Raystown Dam on the Juniata River—a tributary of the Susquehanna.

The conversion of saline water into potable water is one of the great experiments and research that is being done by our Interior Department. The hope of the committee and the whole country, as a matter of fact, is for an early solution to this problem. If we can get the cost of conversion of saline water into potable and usable water down to a feasible figure this country will have done a wonderful service. We are optimistic and the reports are to the effect that we shall succeed.

The Geological Survey and the Bureau of Mines have been doing a commendable job in mapping, water, and mineral research and conservation. The Bureau of Mines is active—as ever—in the health and safety of the men who toil in mines. In the present Bureau of Mines budget there is an allowance for the appraisal of health and safety conditions in noncoal mines.

The committee disallowed a request for the establishment of a new Institute of Water Research in the Geological Survey. It was thought to be desirable to defer this new Institute of Water Research until more complete information is available from a current study being made by a committee under the auspices of the President's Science Adviser and the Federal Council of Science and Technology.

The Bureau of Mines has currently under its supervision the problem of Mine Drainage Water in the anthracite mines. This is one project which enabled the Federal Government by the act of July 15, 1955, 69 Statute 352, 30 United States Code, sections 571 to 576 to cooperate with the Commonwealth of Pennsylvania in controlling mine water in the anthracite mines in order to conserve our coal reserves, life and property.

The Federal Government authorized $8,500,000 to be matched by Pennsylvania, or a total of $17 million. It therefore conforms with the policy of Congress to conserve natural resources, promote national security, prevent injuries and loss of life, and preserve public and private property.

The legislation specifically specified that none of the public funds made available for the program shall be used for operating or maintenance costs.

As of the end of the last year the contracted cost of 25 projects which had been completed was $7,017,555.47 which was shared equally by the Federal and State Governments. It can be seen that there is a little less than $10 million remaining in the mine drainage fund.

It is my hope that most of this fund shall be continued for the purpose that it was intended and not be used for backfilling of voids or strippings—particularly if we are to believe what some authorities are claiming, namely, that the coal industry is going to make a comeback. I am opposed to the depletion of this fund for purposes other than mine drainage. I certainly do not want to learn of miners being drowned from the impounded mine waters breaking through such as we had on July 9, 1952, when three men were caught and drowned at Centralia, Columbia County, Pa.; and, on November 5, 1953, when two men were drowned at Minersville, Schuylkill County, Pa., and a few years ago when five men lost their lives by drowning at the Cano and Martin Mines, Minersville, Schuylkill County, Pa.

And certainly we can all remember when 12 men were drowned near Wilkes-Barre, Pa., when the Susquehanna River broke through, and whose bodies are still in the mines.

Just why there is a move on now to utilize the balance of the mine drainage fund for other purposes I don't know; especially when it is so vital to use it for its original intention.

The matter of acid mine water, which of necessity is pumped into our rivers and streams is another problem which

should be looked into. It should be included in our water—saline water program—because it is causing havoc and death to thousands upon thousands of fish.

Yes, water is one of our greatest problems—scarity, pollution, salinity.

One of the outstanding jobs being done in the conservation area is that being done by the Public Health Service in the Indian Health Activities. The conservation of human lives.

The history of the U.S. Public Health Service since their assignment to this work with the Indian Service shows the remarkable progress made in health and sanitation of that Service.

On pages 1320 to 1326 of the hearings you will find the report and statement of Dr. Shaw, Chief of the Division of Indian Health, on "Indian Health Activities." I am sure you will agree that the accomplishments made in the short time of 7 years is quite encouraging.

There is, however, more work to be done in the Indian health activities.

Conservation of lives, whether it be in the Indian Service or the mining industry or any other vocation such as firefighting, is to my mind not only a challenge but vital to the welfare of our country.

Most of the bureaus of the Interior Department received increases over the 1962 fiscal year appropriations although there were some modest cuts in all instances from the budget estimates.

Every branch of the Department of the Interior has an important role to play in our American life—the all-American department—and they are doing a creditable job.

I would therefore urge the adoption of H.R. 10802. It is a good bill and has, generally speaking, the unanimous approval of your subcommittee.

Mr. JENSEN. Mr. Chairman, I yield 5 minutes to the gentleman from Iowa [Mr. KYL].

Mr. KYL. Mr. Chairman, on page 10 of the report we have the comment from the Appropriations Committee in regard to purchasing of inholdings in the national parks. Now, this is not a problem which can be dismissed quickly, because it is a far-reaching, very important problem. In the first place, so far as the present consideration of this bill is concerned, we should make a definite determination as to whether or not the inholdings are necessary to complete a particular national park complex and, if the land is essential, then there is little point in delaying acquisition while the property values are rising.

But I would call the attention of the House, Mr. Chairman, to the fact that we can, through our legislating, create very serious problems for the future in the matter of inholdings.

Mr. Chairman, may I describe one specific instance in order to illustrate the kind of problem which can arise? Suppose we have an island surrounded by sea water, and the coastal areas would make a very desirable national park, a very beautiful and significant national park. Then through the center of this island there is what might be described a pastoral zone of great beauty. Now, what that amounts to, of course, Mr. Chairman, is a cow pasture. This land is used for dairying. It would be desirable property if the entire island could be purchased as a national park, and if this pastoral zone could be included. But the proposal which we are debating is to exclude that area as a pastoral zone. This is where the problem develops. The landowners who hold this property which is being used for dairying will be permitted to retain that land so long as they use it for that specific purpose, for the purpose of dairying. If they lose their milk market, or if they desire to change occupations, or in any other way relieve themselves of this land, under the provisions of the kind of legislation we sometimes write, they can sell this land only on condition that it be used for the original purpose. So the Government says, "If you want to sell this land at any time we will purchase it. It is our intent to purchase it in order to make it a part of the park."

If the Appropriations Committee is not going to buy these inholdings, when a dairyman wants to dispose of his land, and nobody else wants it for dairying purposes, what is he to do? He is stuck with that land which he cannot use for another purpose, but which the Government will not purchase. In other words, we have created—with the present attitude of the committee—an impossible situation for the people who own this land within the total proposed boundaries of the national park.

Mr. CLEM MILLER. Mr. Chairman, will the gentleman yield at that point?

Mr. KYL. Mr. Chairman, I would be happy to yield to the gentleman from California.

Mr. CLEM MILLER. The gentleman is referring, I believe, to a proposed park to be established in California; is that correct?

Mr. KYL. No; that is not correct, Mr. Chairman. One park is being proposed in California which does fit generally the qualifications I have specified, but the same general procedure is employed now in most of the park areas which we are purchasing, such as at Cape Cod.

Mr. CLEM MILLER. Mr. Chairman, will the gentleman yield further?

Mr. KYL. Certainly.

Mr. CLEM MILLER. Is there any proposal that the gentleman might make to cure this situation? I am sure that those of us who are interested in inholdings and in the establishment of parks would welcome any suggestion that might cope with this. We are just as interested in the deletion of inholdings and dealing fairly with inholdings as is the gentleman from Iowa [Mr. KYL].

Mr. KYL. Mr. Chairman, perhaps the gentleman would be interested in the fact that I have sought cooperation and I am receiving cooperation from the Park Service in the Department of Interior to provide legislation for the purchase of all inholdings which are necessary for the completion of the parks. It also might interest the gentleman, Mr. Chairman, to note that the gentleman from Iowa would much prefer the creation of a total land area park such as has been suggested by the gentleman in California so that we can act fairly with the people who own property in those areas, and so that we can have a well developed park complex in each instance. I think we are fooling ourselves when we legislate otherwise.

Mr. KIRWAN. Mr. Chairman, I yield the balance of the time to the gentleman from Washington [Mr. MAGNUSON].

Mr. MAGNUSON. Mr. Chairman, in recognition of what the gentleman from Iowa [Mr. KYL] has just said, I wish to point out that we did leave in this bill $2 million for the purpose of acquiring inholdings. This was a cut of something less than 50 percent; we cut out $1,864,000. Of course, that still leaves the Park Service in a position to purchase very sizable acreages of inholdings. We object to this inholding proposition, in any case, as being a chronic ailment, shall we say, of all the parks. We think that the Park Service and the Congress should be more careful about setting up complete entities when a park is established and not have this ever-recurring problem of park boundaries with spots of private holdings inside. I do not think the fault is basically that of the Committee on Appropriations but of the Congress and the Park Service in not eliminating this problem in the first place.

Mr. KYL. Mr. Chairman, will the gentleman yield?

Mr. MAGNUSON. I yield to the gentleman from Iowa.

Mr. KYL. In other words, what the gentleman is saying is that we should avoid creating circumstances of this kind in the future; is that right?

Mr. MAGNUSON. Exactly.

Mr. KYL. Mr. Chairman, I should like to say to the gentleman that I am not criticizing the Committee on Appropriations for action in this instance; but I am saying that Members should pay more attention when we vote on these park measures so that we do not continually repeat the difficulty which we have.

Mr. MAGNUSON. We are in complete agreement.

Mr. CLEM MILLER. Mr. Chairman, will the gentleman yield?

Mr. MAGNUSON. I yield to the gentleman.

Mr. CLEM MILLER. Would the gentleman agree that there are park proposals or that there may be park proposals where what is designated as an in-holding, a large area, we will say a dairy ranching area, might be appropriate extension of the entire idea of the park and therefore it might be appropriate to include it within the boundaries of the park? The reason for my question is that while it does not go precisely to the point of appropriations, certainly this is a legislative record which will be considered and referred to in future debate on matters of this kind. Therefore, I would like to understand the gentleman perfectly on that score.

Mr. MAGNUSON. I think there might be cases in which leaving an inholding within park boundaries might be justified.

Mr. CLEM MILLER. And appropriate?

Mr. MAGNUSON. And appropriate, perhaps, to the surroundings of the park, but I do not believe that every park we have should present us with this problem.

The CHAIRMAN. If there are no further requests for time, the Clerk will read.

The Clerk read as follows:

Page 2, line 10:

"CONSTRUCTION

"For construction of access road, acquisition of rights-of-way and of existing connecting roads (other than on the revested Oregon and California Railroad grant lands), and acquisition and construction of buildings and appurtenant facilities, $1,000,000, to remain available until expended."

Mr. KIRWAN. Mr. Chairman, I ask unanimous consent that the remainder of the bill be considered as read and open for amendment and points of order at any time.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

Mr. GROSS. Mr. Chairman, reserving the right to object, several of us were locked out, inasmuch as the Committee took only an hour of general debate on this bill. If we relinquish the right to get in here for a little debate, we could be limited to 5 minutes, perhaps.

Mr. KIRWAN. Mr. Chairman, I made a unanimous-consent request; the matter is up to the gentleman.

Mr. GROSS. I wish the gentleman would let us proceed for a little while and then perhaps ask unanimous consent that the remainder of the bill be considered as read.

Mr. KIRWAN. I shall be happy to do that.

The CHAIRMAN. Objection is heard.

Mr. BETTS. Mr. Chairman, I move to strike out the last word.

I would like to ask the distinguished chairman, the gentleman from Ohio [Mr. KIRWAN] about a question which has come up in correspondence which I have received about the creation of some park lands in Michigan. Is the gentleman able to inform us whether there is anything in this bill which would provide for additional park areas in the upper part of Michigan?

Mr. KIRWAN. There is nothing in the upper part of Michigan provided for in this.

Mr. BETTS. Is there anything for the acquisition of park lands in any part of Michigan?

Mr. KIRWAN. Not that I am aware of.

Mr. BETTS. I thank the gentleman.

Mr. McCULLOCH. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I would like to inquire of our distinguished colleague, the gentleman from Ohio [Mr. KIRWAN] following the question asked by the gentleman from Ohio [Mr. BETTS] whether there is anything in this bill that pertains to any proposed park area known as the Dunes in Michigan, whether it be in the Upper or the Lower Peninsula.

Mr. KIRWAN. No.

Mr. McCULLOCH. I thank the gentleman.

Mr. GRAY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I take this time to commend the distinguished chairman of the subcommittee, the gentleman from Ohio [Mr. KIRWAN] and the members of his committee for an outstanding job on this bill. As the chairman has so ably and forcefully pointed out in his remarks, this is an all-American bill, with all the funds to be spent on America. I know of no better recommendation for any piece of legislation than that.

I want to especially thank the committee for their consideration of items for the U.S. Fish and Wildlife Service. I am fortunate to represent the area of southern Illinois where the Crab Orchard National Wildlife Refuge is located. This facility has been of tremendous help to our area in providing economic benefits. The amount allowed by the committee for operation and maintenance at Crab Orchard will allow us to do an effective job of administration. We also deeply appreciate the amount allowed—$410,000—to complete the network of access roads and other improvements at Devil's Kitchen Lake. This new facility will be of great help to our area in providing cottage sites, swimming, camping, fishing, and boating activity. These facilities at Devil's Kitchen will be a boon to our area and at the same time will bring in an additional revenue to the Government, from many sources at the new lake. The Federal Government has invested many millions of dollars in the Crab Orchard refuge, Little Grassy Lake, and Devil's Kitchen Lake and with the small appropriation being made available in this bill will be able to increase substantially the return on this investment, plus making available to all Americans everywhere the scenic, unequalled recreation facilities and industrial potential the area has to offer. Thank you very much.

Mr. GROSS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, as was the case with the only other regular appropriation bill that has come before the House thus far during this session of the Congress, this bill is almost $73 million above the spending for last year. Yes, it is a reduction—as my colleague, the gentleman from Iowa [Mr. JENSEN], said—it is a reduction in the budget estimate, but the important point is that it is $73 million above the spending for the same general purposes last year. I would like to see one appropriation bill that at least holds spending down to the level of the preceding year in view of the debt, deficit, and inflation that we face in this country. I wonder if we are ever going to get a bill before the House that holds spending at least to what it was in the previous year.

I was interested in hearing the gentleman from Ohio [Mr. KIRWAN] tell of his visit to a steel mill in Japan. I take it that the gentleman was not climbing any mountains when he was over there; is that correct? The gentleman did not indulge in any mountain climbing when he was there; did he?

Mr. KIRWAN. No. But there is one thing in this bill that I know the gentleman would not overlook which could come out on a point of order, and that is $2,000 for the Secretary of the Interior.

Mr. GROSS. That would be for representation allowance?

Mr. KIRWAN. When the Post Office bill was up last week, $6,000 was allowed.

Mr. GROSS. There was also $5,000 for the Treasury Department.

Mr. KIRWAN. When the Secretary was in Japan, he had to buy some extra shoes to go mountain climbing. Now he is down in the Virgin Islands and he has to buy extra clothing to go skin diving. I hope the gentleman is not going to take this out on a point of order.

Mr. GROSS. I appreciate the comments of the gentleman concerning the Secretary of the Interior. But I thought that representation allowances were for something different. I did not know that representation allowances were for the purpose of buying skis, ski shoes, and skin diving outfits. I am learning something every day.

Mr. KIRWAN. That is what our American youth want and he is just showing the way. I hope the gentleman is not going to take that out on a point of order.

Mr. GROSS. I am not going to do that after the House voted $5,000 and $6,000 in the previous bill. I would not deprive the Secretary of the Interior of any of the good things of life.

Mr. KIRWAN. Trying to answer the question the gentleman asked, it will take about $18 million to pay the additional employees. But they are going to take in $100 million. I know the gentleman would sooner see $60 million being paid to employees, if you are going to make $40 million in profits.

Mr. GROSS. That raises a question I wanted to ask the gentleman. Can the gentleman give us some idea, I believe you said in your remarks that either this year or next year we would come within about $200 million of balancing outgo and income as it pertains to this bill.

Mr. KIRWAN. The report tells you very plainly that they had better cut back next year and that they have about gone the limit when it comes to putting on employees.

Mr. GROSS. The committee report says that the activities covered by the bill are forecast to generate $622,800,000 in Federal revenues in the fiscal year 1963 compared with $522,100,000 in 1962 or an increase of $100,700,000 in revenues.

I believe it was the gentleman's statement that in the next fiscal year we would come within about $200 million of balancing the budget insofar as this spending is concerned. Is that correct or approximately correct?

Mr. KIRWAN. Yes, in the coming year.

Mr. GROSS. Will the gentleman tell us where all this revenue is coming from?

Mr. KIRWAN. A great deal of money is taken in from the leasing of oil lands and the role of timber; it is coming in by the millions. Pretty nearly every agency in the Department turns money back to the Government.

Mr. GROSS. I am glad to have that explanation from the gentleman. I did not realize there was that much revenue

coming in. It goes into the general fund of the Treasury, does it not?

Mr. KIRWAN. One thing with which I quarrel is the little amount we get from concessions. The concessionaires took in $48 million last year. But the Federal Government received only $520,000 in franchise fees. We should do something about this as we stated in the report.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. GROSS. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. I would like to ask the gentleman if he does not think that the salaries in some of these agencies are pretty high? Let me call attention to page 19 of the bill, the Office of Coal Research, salaries and expenses. Then let me call attention to page 115 of the hearings, the table of salaries paid in the Office of Coal Research. The average GS salary in fiscal 1962 listed is $10,287—the average salary.

Mr. KIRWAN. But the Appropriations Committee had nothing to do with that. The Civil Service Commission establishes these grades. We have nothing to do with it on the Appropriations Committee.

Mr. GROSS. Does not the gentleman think an average salary of $10,287 is rather high?

Mr. KIRWAN. To give you my honest opinion I have taken the same view as you on that, but I as chairman of this subcommittee do not set up the salary schedules; the Civil Service Commission sets them up.

Mr. GROSS. On page 757 of the hearings, the lead and zinc stabilization program, the average GS salary is $8,026.

Mr. KIRWAN. Again, all I can say to the gentleman is that I do not set up the salary schedules; the Civil Service Commission sets them up. Neither you nor I can get a job with the Federal Government unless we are under civil service.

Mr. GROSS. And does not the gentleman think that there is duplication in the matter of research as between the Bureau of Mines and the work done in the coal research organization?

Mr. KIRWAN. I would say to the gentleman that he is 100 percent correct. But the House voted to set up the new organization, not the Appropriations Committee. It was passed here as an act of this Congress.

Mr. GROSS. Then on top of this $10,000-plus average salary—average salary, mind you—in coal research, I find from the hearings that they are going out and hiring consultants and researchers. They are going to research us out of business in Congress.

Mr. KIRWAN. I am not going to argue with the gentleman on that score, but I would like to see what the gentleman said the day it passed the House.

Mr. GROSS. I say to the gentleman now that we are being saturated with researchers and consultants all over this Government. They are being hired in the Defense Department to tell them how to plan war games, to tell them how to repair tanks, to tell them how to repair military trucks, and still we are spending millions of dollars on the Department of Defense, yet that Department hires counseling firms to tell the experts on the payrolls how to do their work.

Mr. KIRWAN. I am only trying to defend this bill. I am not debating about the rest of the departments. I said this is a good bill. Any bill that will take in $100 million and you spend only $18 million in salaries is a good bill. For every 5,000 people that go into the parks we put 1 man on to handle them. When you and I run for office and they have a clambake, it takes 25 just to handle the cutlery. This is 1 for 5,000.

Mr. GROSS. On page 7 of the bill you have an item of "Ice." I hope this has no relation to the expenditure of $2,000 on page 25 of the bill for the office of the Secretary.

Let me ask the gentleman another question. How long is the Civil War Centennial Commission going to go on at $100,000 per year? That has been with us for quite a while.

Mr. KIRWAN. I will again tell the gentleman that I am of the same opinion as he is, but it passed the House, and that is what we are mandated to do, to put this $100,000 in. We did not do it, but we have got to provide the money.

Mr. GROSS. Again I find that the average salary of ungraded positions in the Civil War Centennial Commission is $17,738. They are pretty plush too, are they not?

Mr. McINTIRE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I refer to the committee report on page 20, where it is evident that the chairman of the committee and other members recognized the need for and my continuing interest in fisheries research. Each year it has been my privilege to appear before the committee to represent my interest in fisheries research and also forestry matters.

I want to take a moment to extend my sincere appreciation to the committee members for the courtesies they have extended me each year and for the consideration which they have given to suggestions that I have submitted to the committee.

Mr. CLEM MILLER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would like to ask the chairman of the committee, if I may, in connection with the access road construction program, a question.

The deletion of the $2 million, pursuant to the Comptroller General's decision does not mean the committee feels this road program should suffer but merely that it should be placed in another portion of the bill; is that correct?

Mr. KIRWAN. That is correct. The Comptroller General told us to cut it out.

Mr. CLEM MILLER. Is it the feeling that this amount will be appropriated in the proper section of the committee, in order to continue the access road program?

Mr. KIRWAN. We allowed the full amount that is authorized.

Mr. CLEM MILLER. And the $2 million will be in the highway program?

Mr. KIRWAN. Yes.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. SAYLOR. Mr. Chairman, as the Members of the House are aware, I have attempted many times in recent years, to call their attention to the preservation of our great natural and historical resources in the valley of the Potomac River.

Last summer, this House approved a bill which I introduced without a dissenting vote.

A companion bill, introduced into the Senate by Senator CLINTON ANDERSON, of New Mexico, chairman of the Senate Interior Committee, also passed without a dissenting vote.

Our efforts were signed into Public Law 87-362 by President Kennedy.

Members of both parties acclaimed this action to preserve the view from Mount Vernon, the home of George Washington.

Now we have before us the report of the Committee on Appropriations of the House. This report disallows in toto the authorization of $937,600 to carry out the provisions of Public Law 87-362, passed less than 5 months ago.

The House Appropriations Committee report correctly states the reasons why the Congress passed Public Law 87-362. From that point the committee report appears to try to make these three points:

First. The present plans of the Washington Suburban Sanitary Commission will not detract from the Mount Vernon view.

Second. Adequate planning and zoning controls now exist.

Third. The cost will be far greater than that estimated when the bill was passed a few months ago.

Before this body votes on this measure, I wish to correct the records on these points, so that the House is voting with true facts at their disposition.

The House Appropriations Committee report cites that the Washington Suburban Sanitary Commission piously states that it will "refrain from further consideration of a site at Mockley Point." But the report fails to quote the next sentence from the Washington Suburban Sanitary Commission publicity release which says:

> The commission believes that a treatment plant can be located at another site on the southern shore of Piscataway Bay.

Nor does the committee read further in the commission's same recent public pronouncement which says:

> The commission will not consider * * * any site which adversely affects the Mount Vernon vista.

Despite this pronouncement the commission testified in the Senate only 10 days ago on the site it now contemplated.

Of course the commission testifies that the two-story structure it will build at the present will be attractive, and that a sewage treatment plant need not be obnoxious. To sanitary engineers they are the most beautiful and utilitarian structures in the world.

The House Appropriations Committee report states that the Maryland National Park and Planning Commission has recommended the new location planned by the commission for the sewage disposal plant in the lower valley of Piscataway Creek.

Again the House Appropriations Committee, in an otherwise commendable attempt to save printing costs, has treated this body to a partial quotation. The report referred to states:

> The long range needs of the [Prince Georges] county will be better met by a plant located at Mattawoman Creek in Charles County.

The report continues:

> It would be our preference that a lagoon system be used rather than a disposal plant [at the Piscataway Bay site] with the thought that when a larger plant is ultimately located in Charles County, those sites could be abandoned as disposal plants and the lands used for park and recreation purposes.

A careful reading of the full Maryland National Park and Planning Commission report shows almost the exact opposite of the House Appropriations Committee report citations.

For example, the House Appropriations Committee report states that the area in question is under "adequate planning and zoning controls."

The same Maryland National Park and Planning Commission report has this to say on zoning controls for the area:

> We do not believe that a proper zoning plan can be developed for this area unless and until an estate and farm zone requiring 2- and 5-acre lot sizes are available.

No such classification now exists in Prince Georges or Charles Counties.

Even if such a zone classification did exist, it could not be applied to prevent a sewage plant here, or any place else. Repeated testimony before the Congress last fall showed that the Washington Suburban Sanitary Commission was not subject to zoning in location of its plant, and that local government in this area has no control and no veto over the location of a sewage plant. As the Members of the House may remember, the Washington Suburban Sanitary Commission in its majesty did not deign to testify before the House last summer, and refused pointblank to give a commitment to the Senate that it would not proceed to build a treatment plant while we considered the matter further. That is why the law was passed. It was the only way to stop this agency of the State, and was resorted to only after all local remedies had been tried and failed.

The House Appropriations Committee report further states:

> The acreage in question is primarily owned by three families which have held property (totaling 540 acres) for generations.

This is not even a half-truth. Public Law 87-362 refers to 1,186 acres of land along the waterfront. One-half is owned by foundations who have offered to donate their holdings to the Government without cost. Despite repeated testimony on these generous gifts, the House Appropriations Committee completely ignores this fact.

In addition, two other major waterfront landowners have told the Department of the Interior since Public Law 87-362 passed that they will donate easements on their property to the Government.

The three cited by the committee in their report are the only waterfront landowners who have objected.

The report states:

> No evidence was given to the House Appropriations Committee that these (the three cited above) plan to dispose of their property or take any action that was not in keeping with the present rural character of this area, or would not give satisfactory scenic easements.

The House Appropriations Committee chose to ignore that the Washington Suburban Sanitary Commission testified before them that it is currently planning to acquire one of the three tracts for its sewage disposal plant and has the power of eminent domain to back up its decision. The owners plans have little to do with this impending change.

The House Appropriations Committee is also unaware that despite the fact that these protesting owners did not testify to this point, they have advised the Department of the Interior that they would not give any easement which would in any way restrict their right to develop their lands as they saw fit.

The House Appropriations Committee questions the adequacy of the $937,600 authorized in Public Law 87-362 and questions the $1,600 per acre estimate on the 586 acres proposed for purchase in addition to the over 500 acres which will be donated outright.

This estimate was made by the Department of the Interior. It was based on the sale of a 50-acre farm in the center of the area along the river opposite Mount Vernon. This sale, which took place last summer, was a private sale between a willing seller and an informed buyer, and was at the price of $1,300 per acre, including the house, barns, and other improvements.

Of course, the objecting families cited by the House Appropriations Committee testified that the acquisition price of their land would be much higher, but I believe that courts would hold that the fair market value is established by recent sales. One of the protesting families' representatives testified before the Senate last fall that the price would be much higher. Close questioning by the chairman of the Senate subcommittee failed to elicit any figure at all from the witness.

The House Appropriations Committee, in making this report on the purported inadequacy of the authorization, was apparently unaware that two of the major waterfront landowners have offered to donate easements on their lands to the Federal Government without cost, since Public Law 87-362 has passed. Another major landowner—note to Mr. SAYLOR—this is the Mount Vernon and Marshall Hall Steamboat Co., who operate slot machines at Marshall Hall—offered to donate easements on his waterfront lands before the bill passed. These easement donations, if accepted by Interior, would be deducted from the estimated cost of acquiring the 586 acres.

In addition, the House Appropriations Committee was apparently not aware that testimony given subsequently in the Senate showed that over one-half of the resident landowners in the Moyaone Reserve in the area covered by Public Law 87-362 have signed statements that they will donate visual easements on their property to the Federal Government without charge. The House Appropriations Committee was also unaware that several hundred acres in the Moyaone Reserve area as covered by this bill are under conservation covenants whose provisions already meet the requirements of this bill. Therefore, even where payments for scenic easements were required, the cost would be very small.

Lastly, the House Appropriations Committee makes the point of its policy that acquisition of park lands in this area is the responsibility of local jurisdictions, and suggests that the local planning commission should acquire the acreage in question "if it is determined desirable or necessary."

This body should be aware that the Interior Committee in considering Public Law 87-362 made very clear in the hearings that this was not a local park bill passed for the local citizens. We, on the committee, recommend this bill unanimously to protect the view from Mount Vernon for the millions of visitors who come to the shrine from all over America and all over the world.

It must not, cannot, and will not be considered a local park bill. The support for this legislation and for the proposed appropriation which has come from all corners of the Nation, is not support of a local park bill. It is support for protection of a national shrine. I cannot believe this country is so poor that we cannot afford to protect that shrine, especially in view of the fact that private individuals are contributing such a large share of the cost.

Mr. BOW. Mr. Chairman, the view from Mount Vernon is one of the most beautiful in America and I believe we should do whatever is necessary to keep it that way.

George Washington chose the site of his mansion with care, and he chose remarkably well.

We are most fortunate that an accident of history permitted the preservation of Washington's view through all of these years, for it is only in recent years that a few interested individuals began consciously to protect the shrine from unsightly developments across the river.

This is one of those rare occasions in America when we have decided to preserve something unspoiled, and have been able to do so, instead of finding that the damage is done and the only possibility, if it is worthwhile, is costly restoration.

It would be difficult to exaggerate the interest of our colleague, the gentlewoman from Ohio [Mrs. BOLTON], in this project.

Her devotion to Mount Vernon merits the gratitude of all Americans now and for generations to come.

Most recent evidence of Mrs. BOLTON's interest was her purchase of approximately one-half the acreage on the

Maryland shore that must be protected if the view from Mount Vernon is to remain unspoiled. This land was acquired at her personal expense, in an amount approaching three-quarters of a million dollars, to be preserved in its present natural condition.

This gift, together with other land already protected, has the effect of matching dollar for dollar the expense of the U.S. Government or any other agency that will acquire the balance of the land.

I am proud of FRANCES BOLTON. Her loyalty and her generosity mark her as a truly dedicated American. I sincerely hope that her goal, the preservation and protection of one of America's most meaningful and most beautiful shrines, will soon be realized.

Mr. ULLMAN. Mr. Chairman, before I discuss some aspects of this measure briefly, I want to take time to pay tribute to the gentleman from Ohio and the members of his subcommittee who have done the work on this bill. The members of the Appropriations Committee are often "in the middle" between those who think that more should have been appropriated for particular programs and those who think that the budget should have been cut back still further. In spite of this, I think all of us here recognize, and I want to say once again for the record, that they do a tremendous job and do it well. Specific points raised regarding individual programs are not intended to detract from the overall commendation of these gentlemen on the long hours of study of these complex budget items and the decisions they reach on them.

The particular appropriation bill before us this afternoon is one of the most important from the standpoint of my part of the Nation. In my district, we have great timber resources in the national forests and we have vast stretches of public domain land under the management of the Bureau of Land Management. Thus, the budgetary actions of the Congress on the programs of the Bureau of Land Management and the Forest Service have direct and critical impact on the people and the economy of my State and my congressional district. Indeed, it is because of this close relationship between the programs covered in this measure and the growth and well-being of my area that I feel that I can and must continue to impress upon all of my colleagues the importance of moving ahead in the management and development of our land and timber resources. Believe me, I am close to these programs on a day-to-day basis and I know the potential for long-range returns from an adequate program and the losses to everyone that result from too little and too late.

For example, I want to discuss the range management situation on our public lands. Ever since my election to the House, I have been fighting for a dynamic program of rehabilitation and coordinated management which would reverse the tragic downward trend of these priceless land resources. I was pleased that the Kennedy administration recommended substantial increases in funds for this type of work. I am gratified that the committee has not cut back the President's requests for soil and moisture conservation and for weed control on the Bureau of Land Management lands. This work is not only investment in the truest sense of the term, it is vital conservation work that has too long gone undone or inadequately done.

As many Members are aware, the problem of deteriorating rangeland has become most critical in recent years. It is resulting in losses of our wildlife, in economic dislocation for our livestock industry, and in unutilized potential for outdoor recreational development. As I have consistently argued, what is essential is a dynamic and imaginative program of rehabilitation of our public lands coupled with coordinated management for full multiple use. Mr. Chairman, I believe that this year we have the potential for a major breakthrough in this field. Following much consultation and study, following conferences between the Bureau of Land Management and users, both livestock operators and other users, and with the full recommendation of the Bureau of Land Management's District Advisory Board, Bureau personnel have developed a pilot program to meet the needs for range rehabilitation and management.

Chosen for the pilot program was the Vale Grazing District of Oregon, a vast area of 6½ million acres with three-quarters of the land being Federal range under Bureau of Land Management administration and management. It is an area in which the problem is particularly acute with almost half of the area either already in the lowest category of condition or in a seriously declining state approaching that classification. At the same time, it is an area with tremendous potential, not only for a more dynamic livestock industry but for other public uses. It has unique scenic attractions, including the newest volcanic flows in the Nation and with superlative hunting areas for deer and for upland birds. The program which has been developed is a long-range plan which can serve as a model for similar conservation work on other public domain lands throughout the Nation.

This program was not completed on a detailed planning basis in time for inclusion in the President's budget request nor in time for presentation to the committee. However, together with the Senators from my State, I will be working for full consideration of this program before the Appropriations Committee of the other body. It is expected that we will receive the full support of the administration in our efforts, and I merely want to urge the Members of this body to give it similar consideration in the event that we are successful in securing action to provide funds to begin this vital program.

I want to turn now to the other major agency affected by the measure before us, the Forest Service. Here, I must express regret that the budget requests of the President have been substantially cut back. Two specific cuts are of great concern to me and to my people. First, the committee has reduced the funds for timber sales administration by $800,000, citing "the depressed timber market." Mr. Chairman, I submit that the reason cited is a primary reason for not cutting back on this program. It is clear to many of us that one of the factors involved in the current crucial situation in our lumber economy is the failure of the Forest Service to program and carry out sales on the national forest on an adequate basis. Obviously, this cannot be done unless we, here in Congress, provide adequate funds to do the job. Therefore, I urge strongly that this budget item be reappraised in the light of the need for an increased timber sales program which will be more in record with the allowable cuts which the Forest Service has established. As I have pointed out again and again, funds appropriated for timber sales are returned and more than returned. Without adequate funds to carry out a sales program, the timber resources of our national forests will suffer and both the revenues of the Forest Service and the people's investment in their standing timber will be reduced.

Similarly, I want to express concern at the deletion of the requested $2 million for the purchase of access roads. While I appreciate the reasoning behind the committee's decision, it seems to me that here again, the critical situation in the lumber industry which the committee has explicitly recognized calls for continuing, at least for another year, the item which has been deleted. As in the case of timber sales management, access road purchase is an item which is repaid in the immediate future. It allows the Forest Service to gain immediate access to timber supplies now unavailable for harvesting. In the absence of such access, this timber and the revenue it represents must be forgone. Moreover, failure to harvest such timber in season can result in its complete loss. It is my understanding that the recommendation of the committee that these appropriations be secured under another authorization will not provide an adequate solution and I urge that this important item also be given continuing study with an eye to its possible inclusion in the final appropriation measure approved by Congress.

Finally, I want to mention briefly the field of forest research. In recent years there has been progress in this area, but more progress is needed if we are to reap the full benefits of our potential timber resources. The Forest Service has proposed construction of research facilities for work in the vital area of range and wildlife habitat research for the Pacific Northwest. These facilities would be located at La Grande, Oreg., where the State board of higher education is providing a site for Forest Service use. The work of the La Grande Laboratory would develop improved techniques and practices for multiple use of our national forest lands. With increased recognition of the importance of utilizing these lands for wildlife and recreational purposes, as well as for timber and grazing, the provision of such improved techniques becomes ever more vital. Only with them can the various uses of forest lands become more fully compatible and the need is an immediate one. I am advised that the initial investment required for the La Grande facilities is $500,000, and I deeply regret that such an item was not included in the President's budget. I know how reluctant the committee is to recommend appropriations not requested by the administration, but I want to reaffirm my belief that this research item should not be further delayed, and I hope that it, too, will receive further study and sympathetic consideration by the House so that we can move forward at the earliest possible date.

In conclusion, I merely want to stress, as I have so consistently, that these various appropriations for resource management—and that is primarily what we have in this bill—are, in reality, investments which bring great returns, both in actual revenues, as in the case of our timber resources, and in increased value of our heritage of land, wood, and water. While many of these programs, as I have indicated, are of particular immediate impact in areas such as my own, their dividends flow to all of the people of the United States.

Mrs. HANSEN. Mr. Chairman, under consent granted by Chairman KIRWAN, of the Interior Subcommittee of the House Appropriations Committee, I would like to take this opportunity to join my colleague from the State of Oregon, Congressman ULLMAN, who so succinctly stated the problem relative to our forest areas and in regard to the appropriations for the Forest Service.

First, I would like to commend and thank and pay tribute to the gentleman from Ohio and the members of his subcommittee who have worked so long and so ably on this entire important appropriation problem, but I would be remiss to my district and remiss to my State where timber is of such importance to the total economy if I did not express regret that the Presidential budget requests have been substantially cut back.

The question has been raised about "the depressed timber market." Like the gentleman from Oregon, I believe it is clear that one of the factors involved in this lumber economy situation is the failure of the Forest Service to program and carry out sales on an adequate basis which cannot be done without adequate congressional appropriations. I am certainly urging that the Members of the Senate in consideration of this bill review these cuts and restore, if at all possible, funds to the Forest Service so that the program may go forward in the most expedient manner and in a manner to benefit our economy.

The entire problem of lumber is complex. It involves many components—forest research, forest management, access roads, and in this latter category I want to express concern at the deletion of the budgetary request of $2 million for these access roads. I do sincerely appreciate the reasoning behind the committee in making their decision, but it seems to me that at this time, with the critical condition of the lumber industry, the program could have been continued for another year, allowing the Forest Service to gain immediate access to timber supplies. I would like also to point out and particularly to call attention to the Senate of the proposed forest research laboratory to be constructed in our own State which is most important to our industry and subsequently to the economy of the district.

So serious has the condition of the forest products industry become that on March 5 I wrote to the President of the United States urging that at the Executive level this industry look toward solutions which will assist the forest products industry to regain its economic health with a subsequent rise in employment from the low level we now know and reflect in our communities a stability not now there. I am repeating at this time some of those conditions:

In the first place, I think we must remember that the lumber industry has gone into a period of reduction in consumption due to a decrease in housing which in itself may not prove too serious. The industry is one of high labor costs and faces a continuous fight for markets because of other substitute materials. Fluctuations in supply and demand are also greater than many other industries. The Canadian Government, particularly British Columbia, a highly productive lumber area, is dependent on foreign markets. In the last few years the Russians have cut the price of lumber to the United Kingdom and European markets that were traditionally Canadian, forcing the British Columbia lumber into U.S. markets. The Russians are expected to take away even more Canadian markets, and British Columbia production is expected to increase so they will take even more of our markets. This would not be serious, except for the Federal restrictions on our producers. These restrictions are substantial and result in a penalty against U.S. producers of 25 percent of the cost of lumber to the consumer. These restrictions are:

(a) Ocean shipping rates—the Jones Act requires our shipments to the eastern markets to go in U.S. ships at rates $10 per thousand board feet higher than Canadian lumber which goes in the most economical tramp steamers available.

(b) The Canadian railroads grant a free layover and diversion service to rail shippers worth about $100 per car. Our railroads recently were forced to stop this free service by the ICC. The Canadians may eventually follow suit but have not yet.

(c) The Canadian Government manipulates the dollar exchange rate by its dealings in foreign currencies so as to maintain the Canadian dollar at a discount. This amounts to a 3- to 4-percent advantage to Canadian lumber.

(d) The British Columbia Government has an even greater monopoly of available timber supply than does the United States. Recognizing the responsibilities of both a government and a monopolist proprietor, the Canadian Government prices its stumpage so as to maintain full employment.

(e) Last summer in our district we had an unusual situation develop relative to the export of large amounts of uncut logs to Japan. The Japanese were able to pay several times over the prices that our mills could offer. There were many claims and counterclaims. There were those who claimed that small and low-grade logs which were not economically milled in the United States were sold. Other smaller mills said they were dependent on this type of log. The result of the sales was that national forest log prices were bid up beyond U.S. mill limits in the few seaport areas open to the Japanese.

(f) The Canadians have tariff restrictions against our lumber imports which we do not have against their lumber coming into the United States. Could there be assistance at the Executive level in equalizing these rates?

On the morning of February 21, I was present at a meeting between representatives of the forest industries from the entire United States with the Secretary of Agriculture. In attendance were Senators and Members of the House of Representatives from widely separated districts, all interested in lumber area economy. Spokesmen for three major lumber-producing regions of the Nation made clear both the gravity of the situation facing the industry and its determination to achieve a satisfactory solution. Secretary Freeman has the report on the entire meeting for his review. Briefly, the proposals presented to him by the industry were:

First. Institute an orderly program of timber sales designed to promote the regular harvest of trees from national forest commercial forest areas, to insure community stability, continuous employment, improved wood products, and a healthy forest industry.

Second. Take cognizance of the monopoly the Government has as the principal seller of timber in large areas, and avoid taking advantage of the dominant position in the setting of rates for timber.

Third. Revise the existing procedure for appealing adverse decisions of the U.S. Forest Service, Department of Agriculture.

Fourth. Revise the existing Federal timber sales contract form, to provide a normal buyer and seller relationship.

Members of the lumber delegation went on to point out in the meeting, and I quote from their report:

> That to insure an orderly program of timber sales, the Chief of the Forest Service should annually report to the Secretary of Agriculture such data, for each national forest, as "the allowable cut limit, the volume of timber under contract, the volume that could be sold considering the accumulated overcut or undercut, the volume of timber sold, the estimated average forest growth potential per acre of commercial forest land in the national forest, and the average volume cut per acre over the entire commercial area." This would provide a balance sheet so that Federal performance can be measured against production and conservation standards.
>
> With respect to the monopoly position of the Government as a timber seller—

The delegation noted—

> the economic well-being and future of numerous communities depend on fairly priced raw materials from the national forests.

It highlighted the fact that in many areas where the Government is the principal seller there is no alternative source of supply.

The lumbermen further noted, and again I quote—

existing procedures for appealing adverse decisions are entirely inadequate, the lumbermen urged that:

A decision that is challenged should be reduced to writing with a recitation of the facts upon which the decision is based.

This writing along with the challenge in writing should be reviewed within the agency at a higher level.

A further appeal at this stage should be to an impartial board or to the courts with a right of hearing and an examination of the evidence.

Various Members of Congress including myself urged that time was of the essence in assisting the economy of the forest products industry. Senator MORSE made a suggestion of a review committee, and I would urge that any such committee have as an integral part of its makeup those who understand thoroughly the timber business.

In closing, I would urge that all facets of the effect of any curtailment of appropriations be considered by the Senate and by my colleagues in the House as legislation appears which could be helpful.

Mr. KIRWAN. Mr. Chairman, I ask unanimous consent that the balance of the bill be considered as read and open to amendment at any point or to points of order at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The CHAIRMAN. Are there any points of order? If not, the Chair will recognize Members to offer amendments.

Mr. BOW. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BOW. Mr. Chairman, I wish to address myself briefly to the item for acquisition of forest lands under the Weeks Act.

The budget request for $500,000 has been reduced to $300,000, the amount available during the current fiscal year.

While all of us appreciate that $300,000 is a considerable increase over the amounts available for this purpose in fiscal years 1957 through 1961, many of us had hoped that there could be a continual and gradual increase in the appropriations, year by year, so that the Forest Service could expedite the important work of consolidating acreages in the eastern national forests.

This item is of considerable importance in Ohio where the Wayne National Forest, authorized in 1939 with an area of 1,455,000 acres, now consists of only 107,769 acres in somewhat scattered tracts.

The Wayne National Forest has enormously valuable potentials for timber production, recreation, watershed protection, and public hunting areas.

These potentials cannot be realized unless we acquire blocks of land large enough for sound forest management practices.

To illustrate the importance with which the Forest Service regards Wayne National Forest, $21,000 of the $100,000 available under the Weeks Act in fiscal 1961 was used to purchase 14 tracts containing 1,600 acres.

Timber production in Ohio is a matter of increasing concern. The Wayne National Forest can contribute greatly to Ohio's timber requirements. I think this is of primary importance. The recreational, watershed, and other benefits are also considerable.

Though I have discussed our Ohio problems, there are equally important areas in other eastern and southern national forests which should be acquired for purposes of consolidation and good management as rapidly as other financial requirements permit.

Like many other resource programs, this program was seriously delayed by the war, prices are rising throughout the country, and to the maximum extent possible, we should proceed now to carry out our original purposes.

Mr. JENSEN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. JENSEN: Page 41, after line 6 insert

"GENERAL PROVISION

"The amounts appropriated in this Act are hereby reduced by $20,500,000 to be applied against increased funds provided over fiscal year 1962 under such amounts for personnel compensation and benefits: *Provided*, That none of this reduction shall be applied to the activities pertaining to Indian Affairs (including health and Indian claims), soil and moisture conservation, or forest firefighting."

Mr. JENSEN. Mr. Chairman, we have at the present time fifty-six thousand and some hundred people employed in the agencies in this bill. The budget requested an additional 4,421. The committee reduced that number of employees by 1,230, leaving about 3,191 additional employees over and above what we allowed in fiscal 1962 under which we are operating today.

There are now employed in all of the agencies of Government approximately 2.5 million people at a total cost to the American taxpayer, in round figures, of $16 billion annually. My amendment seeks to reduce the total number of employees requested for agencies in the bill by approximately 3,000.

Now, there is no law or rule or regulation on the statute books which forbids the transfer or moving of personnel within an agency or department of Government to another position than he now holds if such help is needed in one department and not needed in another department or agency or subagency. I am sure there is not a Member of this House that has not been told by employees of the Federal Government that their department or their agency in which they work could get along very nicely with 75 percent; some of them will tell you 50 percent of the present personnel.

Mr. Chairman, I have exempted from my amendment all personnel of the Indian education, Indian health, Indian Claims Commission, and Soil and Moisture Conservation Service programs.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. JENSEN. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. JENSEN. Mr. Chairman, I have exempted those agencies from my amendment because I would be the last person to hurt the progress which the Indians are making today.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield for a question?

Mr. JENSEN. Yes.

Mr. EDMONDSON. Mr. Chairman, I am very pleased that the gentleman has exempted the Indian programs from his amendment, but do I understand correctly that the gentleman did not exempt the expenditures, for example, in the administration of American Samoa and trust territories where we have very similar problems with relation to people who are in a bad condition from a health and education standpoint?

Mr. JENSEN. The additional personnel requested for American Samoa is minor in this bill, I would say to the gentleman from Oklahoma.

Mr. EDMONDSON. Mr. Chairman, the gentleman is not exempting that provision from his amendment?

Mr. JENSEN. I am not exempting that agency. There are plenty of people already in Government who can be transferred, as I said before, to American Samoa, or to any other agency of Government where needed.

Mr. GARY. Mr. Chairman, will the gentleman yield?

Mr. JENSEN. I would be glad to yield to my friend, the gentleman from Virginia [Mr. GARY].

Mr. GARY. Mr. Chairman, if a straight across-the-board cut of 10 percent is the proper way to legislate on a matter of this kind after it has been thoroughly considered by the committee, why not apply it to all agencies? Why does the gentleman make any exemptions from the operation of the 10-percent cut?

Mr. JENSEN. This is not a 10-percent straight cut at all.

Mr. GARY. If the gentleman will yield further, it is a cut across the board except for the three agencies which the gentleman is favoring.

Mr. JENSEN. All right; conditions alter cases. That is true in most any matter which one cares to mention.

Mr. GARY. If the gentleman will yield further, conditions may also alter cases as to the parts of the bill which the gentleman is seeking to cut.

Mr. JENSEN. No. I explained to my friend, the gentleman from Virginia [Mr. GARY]—and I know my friend is quite conservative because I have watched him make quite severe cuts, and I have gone along with him on such cuts on the departments which his subcommittee covers—that here we have an opportunity to save over $20 million for the taxpayers of America, and it should be saved.

Mr. Chairman, under leave granted I include in the RECORD at this point pertinent material in support of my amendment:

EXTENSION OF REMARKS OF HON. LAURENCE CURTIS, OF MASSACHUSETTS, IN THE HOUSE OF REPRESENTATIVES, THURSDAY, MARCH 15, 1962

Mr. CURTIS of Massachusetts. Mr. Speaker, former Congressman Hatton W. Sumners' indictment of an overgrown Federal bureaucracy made in 1943 deserves rereading today. The forthright title of his address was "American Capacity for Self-Government Is Being Destroyed by Bureaucracy." It was delivered before the Second New England Conference, a semiofficial gathering of representatives of the people and organizations of the New England States, at Boston, Mass., on November 19, 1943, and was printed in the American Bar Association Journal for January 1944. At the time of the address, Mr. Sumners was chairman of the Committee on the Judiciary of the U.S. House of Representatives.

AMERICAN CAPACITY FOR SELF-GOVERNMENT IS BEING DESTROYED BY BUREAUCRACY

"(By Hatton W. Sumners)

"I am deeply grateful for the privilege of addressing this gathering of people from the great States which constitute New England. Great is the history of these States; great the achievement of their people. But we must be convinced that greater than they were, our States must be, and greater our people must be, if we are to preserve free government, and the time is now. That is why I am here. I want to talk to you about it, because you people are the Government. The Government is not in Washington.

"A democracy is an association of private people engaged in the common venture of governing themselves—no king, no hereditary nobility—the people are the Government.

"In our system of government, the States constitute the habitat, and provide the only machinery through which our democracy can function in the discharge of general governmental duties. The Federal organization was never intended to do that job. It cannot do it except as a bureaucracy. After the Revolution, the people wanted one Army, one Navy, one diplomatic corps, one system of coinage, weights and measures, free commerce among themselves, and a relatively small number of other things. So they created the present Federal organization to be their agent, to do for them these few things which these States could not so well do themselves, the States reserving to themselves and their people general governmental duties and powers.

"Bureaucracy reduces States to vassals

"More and more in later years we have been engaged in the perfectly silly undertaking of trying to make this Federal organization function as the general governmental agency of all the peoples. As a result, we have built up at Washington a governmental colossus, a monstrosity utterly beyond human comprehension or democratic control, regardless of which party or group of officials is in power. By the nature of that sort of government, it is inevitable there shall be extravagance, wastefulness, tyranny. It is inevitable that there shall be more and more government by directives, issued by appointed, not elected, personnel working without supervision.

"We have all but reduced the States to the status of governmental vassals. We have gone further and largely dissolved the States by attaching their subdivisions directly to the Federal Treasury through loans and grants. We have made the individual citizens and the businesses in these States directly subject to Federal control by the creation of their financial dependence upon the Federal Treasury. Money which we thought we were getting for nothing we realize now was got by mortgaging the taxpaying power of unborn generations, while at the same time that taxpaying power was also mortgaged to get money to pay the salaries and expenses of the vast army of administrators, directors, and bosses of the people.

"States must regain control of their sources of revenue

"Let us not deceive ourselves. We are now in the initial stages of what will prove to be another of the great battles between concentrated power and democratic government. In this struggle the States must lead. They must regain control over their sources of revenue which the Federal Government has tapped and is using to subjugate the States and their subdivisions by loans and grants from the Federal Treasury. They must reassert and reestablish their sovereignty as responsible agents of general government. They must do this, not only in order to preserve democratic control in matters of general government, but in order that the governmental business of the Federal organization, freed of the business which belongs to the States, can properly take care of the Federal business. That would bring the total of its business within the comprehension of the elected representatives, so that Federal laws may be enacted by the Federal Congress instead of being enacted as directives by an appointed bureaucratic personnel.

"Whoever controls the purse string, controls. No constitutional limitation is effective against that power. It is without limit. We must right about face. We are not only weakening the States, but we are destroying the self-reliance, the courage, the stamina, and the governmental capacity of their people—the most deadly thing that can be done to a democracy. We are doing what the declared enemies of our democracy could not do to the structure of our Government and to the governmental capacity of the people, upon whose capacity to govern our democracy absolutely depends.

"Fortunately for us, we have the States which are not too large for democratic control. They function in the main through smaller units of government. Their chief officers are chosen by the people. They afford the opportunity and provide the machinery for the operation and development of democratic institutions, and the development of the governmental capacity of the people, who are the governors in a democracy.

"No period of concentration of governmental power, of bureaucratic development, of government by edict instead of government by laws, will ever be cited by the historians of the future as a time of democratic progress. Except by conquest, no people privileged to govern themselves ever lost that privilege until they had first lost their capacity for self-government.

"Government cannot do the job for freemen

"Men are not wise enough to guide by their theories the policies of a great democracy. We cannot do this job if we approach it as Democrats and Republicans. We can do it only as patriotic American citizens, determined that this shall remain one place where people have a chance to be free. Then we can do it.

"Progress is slow. Progress is uphill. Progress is difficult. Progress is the road of struggle, but it is the road of strength. Along that road lies the thrill of victory, the fitness to live.

"We have been getting mighty soft in America. We have wanted the easy way, the fast way. We have turned to Uncle Sam. When some difficulties have come to our communities, to the smaller units of government to our States, to challenge us to effort and to reward us with strength for the duties of tomorrow, we have refused the challenge. We have turned our backs upon the opportunity, and have cried out for a supergovernment to come in and do the job for us.

"As a result we not only fail to receive the increased capacity to govern which nature gives as a reward to those who use the capacity already possessed, but we lost capacity. Nature takes from us the capacity which we fail to use. It is the law of life.

"Your ancestors fired shots which were heard around the world. Their duty was to establish democratic government. It is ours to preserve it. Great is our responsibility. Great is our opportunity.

"While our boys are fighting on the battlefields of the world, we must with equal courage, equal patriotism, and equal sacrifice if necessary, reestablish and have for them when they come home, those who do, a democracy worthy of their service and sacrifice. A nation of people, bottle fed and rocked to sleep in the arms of a great Federal bureaucracy, cannot do the job."

[From the Council Bluffs Nonpareil]

BUREAUCRATS NEVER SATISFIED WITH APPROPRIATIONS

No matter how much State legislatures and Congress appropriate it is never enough to satisfy the bureaucrats who compile the requests for more money.

It has been said that Government spending is like feeding a hog. The more he eats, the more he grows. The more he grows the more he eats. It's the nature of the animal.

President Kennedy's programs are eating more taxes than when we were at war.

The President knows this. But, although he promised a balanced budget when he was campaigning in 1960, he keeps asking for more and bigger appropriations. In almost the same breath he asks that the legal debt limit be lifted because the Government cannot pay its bills.

Do you realize how fast the United States is losing its gold reserve? It has fallen to a 22-year low. The $7 billion deficit forecast for the current fiscal year represents more than a third of all the gold we have.

As a matter of fact we wouldn't have any gold left if the nations which have gold balances, and claims for gold, were to demand immediate payment.

Treasury Secretary Dillon has said: "The free convertibility of gold and the dollar is the cornerstone, not only of our military policy, but of the entire international system."

In short, our dollar is the prop which keeps financial chaos from sweeping the free world.

President Kennedy and his New Frontier advisers do not look at it that way. Their viewpoint is like that of the man who says: "Whisky doen't hurt me."

Secretary Dillon has contradicted himself by saying that the deficits are "entirely appropriate." He doesn't say for whom they are appropriate.

In a reckless plunge unparalleled in economic history the New Frontiersmen contend that all this debt and spending shouldn't worry us, because "we owe it to ourselves."

But the British pound had to devalue because the British lost almost all of their gold, and the French franc is worth only an infinitesimal fraction of what it was before World War I. In both instances the countries spent more than they had the money with which to pay.

President Kennedy and his advisers have the idea that if you spend enough it will do some good. That may be true but it is a sure way to go broke, if continued long enough.

If America blows up the whole free world will blow up, Secretary Dillon has said. Then who will pick up the pieces?

Perhaps a man named Khrushchev in Moscow.

Mr. KIRWAN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, in this bill we have already cut 1,230 new permanent positions, or 28 percent of the additional positions requested. We did it the way it should be done—by specifically disallowing the money for each item we felt, after weeks of testimony, could get along with less people.

We cut over $7.5 million in new salaries. However, if we felt we could have cut more and still got the job done, we would have done so. These across-the-board, meat-ax type of amendments are just passing the buck and saying that we do not want to cut anything in particular, but everything in general.

Mr. Chairman, the bill, after our cuts, leaves an increase of 3,191 positions, or 5 percent. The amendment exempts over a third or 37 percent of these increases. But why exempt just these three items—Indians, soil and moisture, and forest fire fighting? They are important, but no more important than the other activities that would be cut.

Mr. Chairman, here is what the amendment eliminates: all new positions for the national parks.

We have already cut 212, allowing only 372 new positions for the national parks. This is less than 2 additional positions for each of the 192 national parks. Just think—we are only putting in two employees in each national park. We cannot authorize new park areas almost every week without providing the employees to take care of them.

Park visitors are up 7 million, or 10 percent, just since 1960, and are expected to go up 2 million more next year to a total of 81 million.

This increase is only 1 additional permanent employee for every 5,000 increase in visitors.

It would wipe out the increase of 321 positions for the Fish and Wildlife Service; we have already cut out 79 positions

Who is going to operate the new and expanded hatcheries and wildlife refuges everybody wants?

Who is going to handle the new wetlands acquisition program that was authorized here last year? There is $7 million in the bill for land, but there would be nobody to buy it under this amendment.

Who is going to make the new studies on blackbirds, salmon, shellfish, fish pesticide problems, and so forth?

It would wipe out all the jobs needed to administer the new lead-zinc program for small producers, yet it was authorized right here last year.

Every State seems to think we should step up the topographic and geological mapping program of the Geological Survey. The United States is only 60 percent mapped. It would take 15 years to catch up even with the new employees allowed in the bill. But the amendment will wipe out 617 new employees. We have already cut out 183, or 25 percent of the request.

It wipes out all the new employees to expand the saline water program; yet last year we authorized a stepped-up program.

It wipes out the additional employees to get the new Office of Coal Research underway. Again, Congress said we need to help the coal industry.

It wipes out any increases for the Forest Service. We have already cut 110, leaving only 365 new employees. This is less than 1 new employee for every 500,000 acres of national forest land that has to be cared for.

They had to take care of 92 million visitors last year and it is expected to go up to 115 million in 1963.

We have serious new insect infestations that have to be controlled. And there is a need to expand forestry research in forest fire protection, forest diseases, and forest products utilization.

Finally, the amendment knocks out all new employees that would help increase the revenues we get from these 766 million acres of Federal lands.

We have serious backlogs in handling the lease and disposal of land, supervision of mineral and oil leases, grazing fees, et cetera. About 350 of the new positions are for this purpose, and I believe it would be shortsighted not to protect the Government's interest and get all the additional revenues we can for the Federal Treasury.

Mr. Chairman, I oppose the amendment.

Mr. FOGARTY. Mr. Chairman, will the gentleman yield?

Mr. KIRWAN. I yield.

Mr. FOGARTY. Is not this the same amendment that was offered in committee last Friday and defeated by a decisive majority?

Mr. KIRWAN. I cannot be sure whether it is the same amendment or not. I will ask the gentleman from Iowa [Mr. JENSEN] if it is the same amendment.

Mr. JENSEN. Yes. It was defeated by a vote of 17 to 12 in full committee.

Mr. KIRWAN. Mr. Chairman, I hope this amendment will be voted down.

Mr. JONAS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, last year—that is calendar year 1961—the Federal Government increased the number of its employees by about 90,000. That is, the Government put about 90,000 new people on the Federal payroll in comparison with the previous year. That costs the taxpayers in salary alone about $450 million a year, to say nothing of fringe benefits.

This bill would increase personnel by approximately 3,000 over last year. And the bill last year increased personnel in this Department by 2,000 over the previous year.

Mr. Chairman, it seems to me that there comes a time when we ought to call a halt to this constant increase in Federal personnel. I do not know that I necessarily favor the type of approach that is taken by this amendment. But if this is the only way to cut down on this extraordinary increase of personnel, I am going to vote for the amendment. If the amendment is not agreed to here today, and if this bill is adopted, it will mean that in the course of 2 years—just 2 years, mind you—we will be increasing the personnel in the Department of the Interior by 5,000 employees. Now Topsy grew pretty fast, but I submit that is a little too fast for me considering the condition of the Federal Treasury and the astronomical public debt and the deficit financing that we are engaged in and the prospective deficit for next year. I am not one who would be inclined to cripple the essential operations of any agency. But I just do not believe we can justify increasing the personnel in the Department of the Interior, even admitting that that Department performs some very valuable services to the country and to the taxpayers—I just do not believe we can justify increasing their personnel by 5,000 people over a period of just 2 years.

The CHAIRMAN. The time of the gentleman has expired.

The question is on the amendment offered by the gentleman from Iowa [Mr. JENSEN].

The question was taken; and on a division (demanded by Mr. JENSEN), there were—ayes 36, noes 85.

Mr. JENSEN. Mr. Chairman, I demand tellers.

Tellers were refused.

So the amendment was rejected.

Mr. DOMINICK. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DOMINICK: On page 17, line 8, after the semicolon, strike out "$26,550,000" and insert "$26,737,000".

Mr. DOMINICK. Mr. Chairman and members of the Committee, this is a very simple amendment, and one which I think is important and which deals with the program of the Bureau of Mines in connection with oil shale research. The purpose of the amendment is to restore the funds amounting to $187,000 which the committee deleted from the request of the Bureau of Mines. These funds represent the sum needed to step up research in order to provide the information which will be required in establishing and conducting an oil shale industry in the United States. The Bureau requested a total of $920,000 to continue the work which it is currently doing and to allow it also to move forward on the discoveries which have been made by previous research. The effect of the deletion of the funds is to deny to the Bureau the means to advance an additional step in order to increase our knowledge and information on the extraction of oil from oil shale.

What are the additional steps to be taken if these funds are provided? The Bureau of Mines report states:

Additional research effort is needed to define kerogen chemically and physically. Kerogen is oil shale's organic component that is converted to oil upon heating; knowledge of the material's makeup is basic to any scientific approach to conversion of oil shale and undoubtedly can provide answers to many practical operating problems.

Also it was stated that with these funds—

A study will be initiated to provide greatly needed guidance to any future oil shale industry in regard to the mechanisms of oil-mist formation in the retorting process. Economic and efficient recovery of the oil product * * * depends upon formation of a fine, stable, oil mist that can be swept rapidly out of the retort without the oil being condensed on shale particles with subsequent degradation and loss.

In addition, the Bureau said:

Increased emphasis is needed to characterize the larger oil shale deposits of Colorado, Utah, and Wyoming. Many potentially important deposits, such as the rather recently located Piceance Creek Basin beds, have not been examined in enough detail to provide more than cursory information about such important factors as their overall richness, and pattern of oil yield with depth and geographical location.

These are quotations from the Bureau of Mines testimony. Piceance Creek Basin is located in that part of Colorado which is represented by my colleague, the distinguished chairman of our Committee on Interior and Insular Affairs. Also located in that area of Colorado, at Rifle, are experimental oil shale facilities which are now being maintained on a standby basis at a cost of $100,000 a year. That standby cost is in this appropriation.

If we add this $187,000—and that is all I am asking for—we will be able to pursue additional research and reporting on some of the new oil shale deposits which have been discovered.

It seems to me it is wrong for us when we have the facilities and known deposits, to stand still especially when resources of oil are so badly needed in this country. We have a nation that is constantly increasing its use of oil. We are the most mobile people on the face of the earth, and at the present time we are using up our oil resources faster than we are locating new ones. Our oil shale deposits are one of our most important natural assets, and unless we locate and continue our research on them it strikes me that we are simply not developing a potential source of oil, a natural resource, which may well prove to be vital to the security of this country at a future date.

Mr. Chairman, I urge that this small amount of $187,000 be added to this appropriation so that we can go ahead and complete the necessary research on this oil shale development.

Mr. ASPINALL. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I rise in opposition to the amendment. I take a back seat to no one in my interest trying to bring about successful oil shale operations in Colorado. May I say that I would have felt a little better had my colleague from the Second District of Colorado come to me and had spoken to me first about this matter which is very important, not only to the States of Utah, Wyoming, and Colorado, but also to the district of the gentleman now speaking.

Mr. DOMINICK. Mr. Chairman, will the gentleman yield?

Mr. ASPINALL. I yield to the gentleman from Colorado.

Mr. DOMINICK. I owe the gentleman an apology on this. I apologize to the gentleman. But I did not realize this had happened until a half hour before this bill came up. I owe the gentleman an apology and I do apologize.

Mr. ASPINALL. I thank the gentleman. He has always been very fair.

Mr. Chairman, this amendment is untimely. The request of the Bureau of Mines of the Department of the Interior for the additional money is untimely. As I understand the situation the Bureau of Mines has not been able to justify their request for these moneys in their appearance before the Committee on Appropriations.

There is on foot at the present time, and has been for many months, a proposed program between the Department of the Navy in the Department of Defense and the Department of the Interior to see whether or not they can arrive at some conclusion as to the operation of the oil-shale demonstration plant facility at Rifle, Colo.

As I understand the request for the appropriation of the moneys which the gentleman from Colorado [Mr. DOMINICK] is trying to place in this legislation it will mean the moving of the small retort at Rifle to Laramie. This small retort is very important, as far as the demonstration program is concerned. It is not really a test-tube operation. It is an advance beyond the test-tube operations which are carried on in the research work at Laramie.

There are many people who live in western Colorado who would like to see this facility reactivated. I would too, provided I thought there was any chance of getting value for the money we spend. However, $187,000 is no amount at all when you consider the approximately $19 million which have been spent on this project with all too few answers found to the problems involved.

I suggest that we defeat this amendment for a most insignificant sum of money, and permit the representatives of the Department of Defense and the Department of the Interior to arrive at their agreement. Then we can present to Congress a proposal for an effective and constructive approach to the whole problem. I feel that when we spend $19 million, or any sizable part of such sum, whether it is in my district, the district of the gentleman from Pennsylvania, or any other district, that we are entitled to get dollar-for-dollar value out of it. We have not got it in this operation, I am sorry to say.

Mr. Chairman, I look forward to the happy day when we shall start the development of our vast oil shale values. Their wise use has much to offer to our national economy as well as to our national security. They constitute great reservoirs of untold wealth. Further research in laboratories and demonstration plants is vitally needed, and, in my opinion, needed now. But what we need is a real program, not necessarily big for bigness' sake, but certainly not so small that its contributions would, without any doubt, be so limited as to be of no real value. Mr. Chairman, I consider that what is proposed in the amendment is of such limited potential that it should not be considered at this time and I ask for the rejection of the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Colorado [Mr. DOMINICK].

The amendment was rejected.

Mr. GROSS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I notice a very substantial increase in the appropriation for the National Capital Transportation Agency. I have always wondered why this agency was in this bill rather than under the District of Columbia appropriations.

I would like to ask the chairman of the subcommittee, Why this increase of $1,790,000 to a total of $3,750,000 for the National Capital Transportation Agency?

Mr. KIRWAN. We cut that agency $2,700,000.

Mr. GROSS. You mean from the budget estimate?

Mr. KIRWAN. Yes.

Mr. GROSS. That is one thing. That was the asking price.

Mr. KIRWAN. I do not know why they are in this bill. The Congress created this agency and act. The Appropriations Committee did not create it. It was created on the floor of the Congress. We cut it $2.7 million.

Mr. GROSS. What is the increase of $1,700,000 for? I have read the hearings, and I find that they, too, are hiring consultants, yet they want an increase in personnel.

Mr. KIRWAN. That is to develop the transit program and report to the Congress in November of this year. I again tell the gentleman I might be of the same opinion as the gentleman who is asking me these questions. But, I did not authorize this agency. I woke up, like the gentleman did, and found it there. The budget wanted $6.4 million. We allowed only $3.7 million. They claim they need many qualified people to make these studies.

Mr. GROSS. Would that account for the fact that they hired $163,000 worth of consultants and researchers?

Mr. KIRWAN. It is not the consultants. They are hiring the best men that they can get hold of. This is not an easy job. The Congress said they have to report back by next November, and they have to do everything to please the will of the Congress.

Mr. GROSS. Would the gentleman agree with me that the House of Representatives ought to have all of the figures on appropriations for the District of Columbia brought together in one place so that Congress may know what they are? We have them in this bill and we have them in the District of Columbia appropriation bill.

Mr. KIRWAN. Yes, in many agencies, and they should not be there.

Mr. GROSS. Yes.

Mr. KIRWAN. But I am not responsible for that.

Mr. GROSS. Since these people are planning transportation, I wonder if I could suggest that some of this money go for use to put men on buses riding shotgun to protect the passengers in the city of Washington. Do you suppose that would be a good use for some of the money?

Mr. MAGNUSON. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Washington.

Mr. MAGNUSON. I think I know why this is not in the District of Columbia appropriation, because it covers an area larger than the District. It is defined

as the National Capital area. And, as for the need for consultants, I think it is a highly specialized field, making transportation plans, and they need experts and specialists.

Mr. GROSS. It was apparently designed for the District of Columbia, that is, an agency to serve the District of Columbia, but your reports and your hearings indicate that this thing is blossoming out over into Maryland and Virginia and doing the work for those States that they ought to be doing themselves; saddling the taxpayers of the entire country to take care of the work that ought to be done by those States. That is what I am protesting. They asked for $6 million-plus and you gave an increase of $1,750,000, to better than $3,400,000. When is this thing going to stop?

Mr. MAGNUSON. I think it is going to stop very soon. They are supposed to report back to the Congress in November.

Mr. GROSS. Like the Centennial Commission, it is going to go on and on until somebody gets busy and takes away the funds.

Mr. KIRWAN. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with the recommendation that the bill do pass.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. PRICE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 10802) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1963, and for other purposes, had directed him to report the bill back to the House with the recommendation that the bill do pass.

Mr. KIRWAN. Mr. Speaker, I move the previous question on the bill to final passage.

The previous question was ordered.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. KIRWAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed, H.R. 10802.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

WORD OF PRAISE FOR OUR LAW-ENFORCEMENT AGENCIES

Mr. TOLL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. TOLL. Mr. Speaker, an incident which occurred in my district last Saturday evening resulted in an immediate investigation by the local police, the FBI, and the Jewish Community Relations Council. A homemade bomb exploded in the entranceway of the Temple Sinai Synagogue in West Oak Lane, which is in my home community. No one was hurt, and there was little damage, although at the time 200 persons were attending a wedding reception in a first floor room and 100 teenagers were attending a dance on the second floor auditorium.

I commend the police commissioner, Albert L. Brown, his associates, the FBI agents and the representatives of the JCRC for their immediate investigation of the incident and the additional efforts which are being made to check on all synagogues and community centers. The comfort which results from such splendid activity on the part of the enforcement agencies and the council is very important to the people of the community. Our enforcement agencies are entitled to praise for their vigilance in protecting life and property, including all religious institutions.

PLIGHT OF THE FOREMEN IN AMERICAN INDUSTRY

Mr. DULSKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DULSKI. Mr. Speaker, under leave to extend my remarks, I should like to bring further to the attention of this honorable body, the plight of the foremen in American industry.

This vast group of people, through the actions of the adoption and amendments to the various pieces of labor legislation, have been placed in the role of second class citizens, without the right to bargain collectively on matters of interest to them with their respective employers.

Every person in this great Nation of ours has the natural right of association. This right of association is being compromised on the part of the foremen in our industry, by the haunting shadow of fear and intimidation that is ever present to jeopardize their employment security by engaging in organizational activities. I rise before this body today to ask that we remove this cloud of fear hovering over this group of people, by guaranteeing them freedom from reprisal for collective activity, and by requiring that employers bargain with them in good faith on their common interests.

This group does not ask that we legislate any economic benefits for them. It does not ask that we force any of their conditions of employment upon their employers. It merely asks us to free them from the shackles that now bind them to the extent of preventing them from exercising their natural right of association, and the ensuing ability to bargain on equal terms with their employers.

The working men and women of this country, in the not too distant past, were under this same sort of restraint, this same sort of fear, this same sort of reluctance, to unite, for fear of losing their means of livelihood. This fear was lifted by this body by the adoption of the Wagner Act which opened the doors to their right of association under the protection of the guiding hand of the Federal Government, and the guarantee that they would not suffer in the exercising of this right. In this legislation, the foremen of America were excluded by legal definition and administrative interpretation from the umbrella of protection to the worker provided in these laws.

The famed poet, Carl Sandburg, was once asked what he thought was the most despicable word in the English language. He immediately replied "exclusive" and said that his reason for choosing this word was that it shut out the whole world, and no such word should have that power of definition. And this is the same word that this body used in shutting out this vast group of people from the same benefits and privileges granted to the production, maintenance, and clerical workers in industry.

To attain this equal rights status for the foremen of American industry, I have introduced H.R. 5662 to permit supervisors to be considered as employees under the provisions of the National Labor Relations Act. This bill accomplishes its purpose by the simple expedient of striking out the definition of "supervisor," which in effect deprives them of all of the benefits provided by this law to employees.

This word "employee" is the definition that the foremen group seeks to have applied to its individual members, and upon close examination of the role of supervisors in industry, they are for all intent and purposes, employees of a company.

At one time in American industry the foreman exercised rights bordering on divine rights, encompassing such powers as the right to hire, fire, assign, promote, transfer, discipline, and to make decisions not of a routine or clerical nature on behalf of the company.

The development of the labor movement, and its subsequent collective bargaining agreements, resulted in severe limitations in the exercise of the above powers by management, and in most instances, the remaining powers were delegated to personnel offices, or labor relations personnel operating as a specialized front office function. Today, the foreman in industry is responsible for the immediate, on the job direction of the working forces, to maintain the production rate, and to control the quality of the product.

The policies and procedures used in industry today are developed at the upper echelon level of corporate management, and the foreman is placed in the role of carrying out, or putting into

effect these policies and decisions. He has no power to alter or rescind these policies, and any effect that he may have on this area of policy would be purely suggestive or advisory.

Because of these limitations on the scope and activities of the foreman in American industry, there can be no due disruption in the balance of power between management and labor, and only good can come from the act of restoring the foreman to his rightful place in our productive system, rather than his present no man's land existence.

Freedom from fear is a definite requirement to the enjoyment of "pursuit of happiness" as outlined in the Declaration of Independence. One hundred and eighty-five years have passed since the adoption of the best known and the noblest of American state papers. It is time for us to make the necessary legislative enactments to provide for the foremen of America these certain inalienable rights to which the laws of nature and nature's God entitle them.

You can redeem this honorable obligation to the foremen of America by your support of H.R. 5662.

MASSACHUSETTS HIGHWAY INVESTIGATIONS: REQUEST FOR WITHHOLDING OF CERTAIN FEDERAL MATCHING FUNDS BECAUSE OF CONTRACTOR'S FALSE BILLINGS

Mr. KYL. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. CRAMER] may extend his remarks at this point in the RECORD, and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. CRAMER. Mr. Speaker, I feel it my duty to call to the attention of the House a matter which came up before our Special Subcommittee on Federal Aid Highways on Thursday last during interrogation of certain witnesses before the committee, at which time the subject matter of possible fraud on the part of a contractor was brought to light, together with certain payments made by that contractor to certain State employees and also information concerning the subcontractor and his paying for a trip to Europe in 1958 for the then resident engineer supervising the particular job involved at State Route 128, Braintree, Mass.

The letter which I have today written to Hon. Rex. M. Whitton, Federal Highway Administrator, is self-explanatory. It also indicates specific and concrete justification for the motion which I made as ranking Republican as the committee closed the right-of-way hearings in Massachusetts for additional Massachusetts investigations into the area of highway construction contracts and consulting engineers. This case, alone, involves the Marinucci Bros. and Mr. U. MacDonald, subcontractor on the Route 128, Braintree, Federal-aid project, and it is estimated involves between $250,000 and $350,000 of false certification and false billing by the contractor on excavation of peat and blackfill with borrow that was not actually accomplished.

The recommended procedure of withholding Federal matching funds, which I propose to Mr. Whitton, has abundant precedent in the Florida hearings where the State took the contractors involved in payola off the bid list and Federal matching funds were withheld until the matter was settled. It appears, in view of Commissioner Jack Ricciardi's position, as testified to before our subcommittee, to the effect that he was unwilling to remove these contractors from the bid list and thus prevent them from bidding on State projects, there remains no alternative, as I announced in public hearing, but to request the Hon. Rex M. Whitton, Federal Highway Administrator, Bureau of Public Roads, to advise the State of such withholding action. The purpose of this letter directed to him is to carry through my announced intention to make such a request officially in writing, which I orally announced during the hearings. In order to facilitate putting this withholding into effect the names of the contractors, together with the State employees who received moneys and gratuities from the contractors, and other available pertinent facts, are necessarily included.

The letter follows:

MARCH 20, 1962.

Re withholding of Federal matching funds on contracts for highway construction of Marinucci Bros., and Mr. U. MacDonald.

Hon. REX M. WHITTON,
Federal Highway Administrator,
Bureau of Public Roads,
Washington, D.C.

DEAR MR. WHITTON: On Thursday last in your presence, during the Massachusetts hearing of the Special Subcommittee on Federal-Aid Highways of the House Public Works Committee, upon my interrogation of Commissioner Jack Ricciardi and yourself, it was brought out in the record and other information has been called to my attention that to my satisfaction provides sufficient proof to justify the Bureau of Public Roads doing in Massachusetts as it did in Florida, and that is notifying the State that the Federal Government will suspend all Federal matching funds for payments to Marinucci Bros., and/or Mr. U. MacDonald, contractor, relating to any work performed or to be performed by those firms until full restitution has been made and until proper action has been taken and consummated by the State.

The record shows that on State route 128 at Braintree, a Federal-aid project, the prime contractor, Marinucci Bros. of Dorchester, was the successful bidder in the amount of $6,104,178.25. The record further shows substantial false certification by the contractors in amounts estimated from $250,000 to $350,000 in that certain excavation of peat was not accomplished, and likewise the backfill with borrow was not accomplished; and, therefore, the contractor has obviously falsified his certification in very substantial sums of money.

Commissioner Ricciardi admitted, also, to knowledge that three department of public works employees had received money from Marinucci Bros. in approximate amounts of $25, $250, and $453, those employees being Schwartz, Hayes, and Keville, in the amounts listed respectively. Likewise, a Mr. Molin, resident engineer on the Braintree contract, had his trip to Europe in 1958 paid for by Mr. U. MacDonald, subcontractor on this particular job.

I am certain you are thoroughly familiar with all the facts relating to this matter, including the 241,000 cubic yard peat excavation overrun and the 300,000 cubic yard borrow overrun, as certified by the resident engineer; namely, Mr. Molin, on March 28, 1960, supposedly on the basis that greater depths were encountered than anticipated, that peat was found in areas overlooked in the original plans and due to a cross-section error as it relates to the peat overrun. Regarding the explanation for the ordinary borrow overrun, it was that additional borrow was needed to backfill where peat excavation exceeded estimated depth, that there was an overrun in rock excavation which necessitated replacing 150,000 cubic yards of rock with borrow to obtain properly compounded embankments and that there was an overrun in excavation due to a change in slopes because rock was found at higher elevations than expected. I understand that the excavations and borings by the Bureau and the State indicate that the peat depths were not substantially greater than originally estimated, and further, that peat in some places was not excavated at all, completely contrary to the overruns for which the State and Federal Government were falsely billed.

As you recall, in certain Florida cases where contractors were found to be making payola to State employees and, in certain limited instances, where there was suspicion of faulty construction, the contractors were suspended from the bidders' list and the Bureau informed the State that it would not participate in any contracts let or to be let until the matter was satisfactorily settled.

I am disturbed and shocked at the attitude of the commissioner, Jack Ricciardi, before our committee when he indicated that he did not feel he would be authorized to do anything concerning the contractor and removing him from the bid list, unless and until an indictment issued, even though the commissioner was familiar with the facts I have just related and was sufficiently convinced that fraud existed that he turned it over, after a 7-month lapse of time, to the attorney general of Massachusetts for prosecution. This being the case, it appears that if action is to be taken to protect the public interest it will have to be taken by the Bureau and I am, therefore, requesting that such action be taken immediately.

With best wishes, I am,

Sincerely,

WILLIAM C. CRAMER,
Member of Congress.

NARCOTICS IS COMMUNIST WEAPON—JUSTIFIES ANTICRIME DRIVE

Mr. KYL. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. CRAMER] may extend his remarks at this point in the RECORD, and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. CRAMER. Mr. Speaker, I offer for insertion in the RECORD the attached editorial from the Tampa Times, Friday, March 16, 1962, entitled "Narcotics Is Communist Weapon."

This editorial comments on recently passed Federal laws, which I cosponsored, not only last year, but for many years preceding, concerning the interstate transportation of syndicated criminals, gambling paraphernalia, broadening of the Fugitive Felon Act, and preventing the transportation of gambling information.

The article further justifies the passage of further anticrime measures,

which are contained in my anticrime bill, H.R. 6909, and subsequent bills, to establish an Office of Syndicated Crime within the Department of Justice to outlaw the deduction as business expenses of the cost of operating criminal transactions interstate, to provide for court supervision and authorized wiretapping and the obstruction of agency and departmental investigation, all related to syndicated crime activities.

As these weapons relate to narcotic traffic this editorial points out how the Red Chinese, through Cuban connections, are using narcotic traffic as a political weapon in an effort to spread the addition and lower the morale and moral fiber of this country. I call this editorial to the attention of the Members of Congress:

NARCOTICS IS COMMUNIST WEAPON

One of the most difficult problems in dealing with Cuban refugees is to decide which are fleeing from Communist Cuba and which are using simulated flight as an excuse to enter this country to serve an ulterior purpose.

This conundrum has been underscored in Miami where narcotic agents discoverd persons posing as refugees operating a narcotic ring. Five arrests have been made and the Narcotics Bureau has pointed a finger of accusation at Red China as the source of dope being smuggled into the United States.

Chinese Communists have played an important part in the Castro revolution since its success. Their presence in Havana is largely represented as providing technical assistance to the Castro government. But latest evidence uncovered by narcotics agents indicates that they have another purpose, also. They are peddling dope, pushing drugs into the United States with the intent of spreading addiction and lowering the morale and moral fiber of this country.

Unfortunately, the Red Chinese have allies here—the organized mob. Call it what you will—the mafia, organized crime or the rackets—no one doubts the existence of a powerful crime combine in the United States. Its principal hoodlum leaders are known; some of their more "respectable partners" are not. The crime monopoly is engaged in gambling, prostitution, narcotics, labor racketeering and certain legitimate businesses where strong-arm tactics can be applied to curb competition.

Congress just recently recognized the inability of local law enforcement to cope with this network of criminal activity by tightening Federal laws governing the interstate movement of criminals, gambling devices and crime profits. Attorney General Kennedy has asked for even broader powers to strengthen his hand against the mob.

Meanwhile, the rackets are still doing business—and they are not above trading with the Communists. The crumb-bum heroes made famous by Damon Runyon would be more than somewhat disgusted with their modern counterparts.

Narcotics officials report that opium from Red China is being channeled into the United States at several major points. Miami is one. The product is moved into the south Florida city from Cuba and is distributed to mobsters in major eastern cities—New York hoods are prominent in this trade, many of them Cubans posing as anti-Castroites.

We are confident that narcotics police units will be able to keep the opium business under control. But, inevitably, some of the drug will find its way into the United States and into the hands of users, both old and new.

The refinement of the narcotics racket as a political weapon suggests a need for effective countermeasures. One step may be in furnishing the Department of Justice with the tools to strike even more swiftly and deeply at the very core of organized crime in the United States. If the machinery of vice and corruption is dismantled, the efficient movement of narcotics will be ended and the profit element in this criminal activity eliminated.

It must be noted, however, that fashioning an anticrime A-bomb is not as easy as wishing for one. Laws must be selective enough to protect rights of legitimate individuals and, at the same time, weed out offenders. The criminal hides behind every wisp of legal technicality available to him and is able to pay for legal advice to locate these straws of survival.

Meanwhile, the Cuban refugee may protect his good name and the good name of his kind by becoming aware of those who abuse the label and reporting them to proper authorities. The business of fighting narcotics peddlers is everybody's business.

BUILDING OF MISSILE BASES IN CUBA RECONFIRMED—IS THE UNITED STATES GOING TO PREVENT COMMUNIST MISSILES FROM BEING SHIPPED TO CUBA?

Mr. KYL. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. CRAMER] may extend his remarks at this point in the RECORD, and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. CRAMER. Mr. Speaker, it has been said by a number of responsible people over a number of months that Communist Castro has been building missile-launching sites on the island of Cuba 90 miles from our shores, and the following article by Robert S. Allen and Paul Scott reconfirms this fact and indicates that time is of the essence and the administration has little time left if it is to act soon enough to prevent live Communist missiles from being housed on these launching sites and thus pose a military threat to the peace of the hemisphere as well as the security of the United States:

THE ALLEN-SCOTT REPORT—MISSILE BASES READIED IN CUBA

(By Robert S. Allen and Paul Scott)

WASHINGTON.—Soviet technicians have completed work in Cuba on four bases suitable for launching intermediate range ballistic missiles against the United States.

These secret rocket installations are located near the Cuban cities of Holguin, Camaguey, Matanzas, and Pinar del Rio—all within a 90- to 175-mile range of the Florida coast.

The completion of these rocket bases is reported in an intelligence estimate now being circulated at the highest level of the Kennedy administration.

The intelligence report spread an almost visible chill through the Defense Department with its conclusion that these bases are ready for the installation of operational IRBM's.

Under construction since Fidel Castro took over in January 1959, these bases now consist of cement launching areas, control blockhouses, and missile and fuel storage areas.

There is one unconfirmed report that Soviet IRBM's already have been installed at the Holguin base in Oriente Province. However, U.S. intelligence agencies have been unable to confirm this report from the Cuban underground.

The unloading of two 60-foot missiles at the Holguin base late in January was reported by a member of the Cuban underground. Numerous U-2 reconnaissance flights over the base by U.S. pilots failed to produce photographs of the missiles. But the flights did confirm information about the base which the same underground informant had provided a U.S. intelligence agency.

The completion of these Cuban missile bases poses a real threat to the security of the United States, according to a study by the Joint Chiefs of Staff.

These military advisers of the President take the blunt position that the United States must take military action, if necessary, to keep Castro from installing operational IRBM's that close to the United States.

This alarming JCS warning has so far brought no affirmative response from President Kennedy.

In addition to their missile base warning, the JCS has sent the White House a third report that Russia has supplied Cuba with poison gas.

The latest information comes from two Cuban Army defectors who told U.S. intelligence agents that they helped unload Czech-made gas shells from a Soviet ship.

The first report came from a reliable informant in Havana. He furnished the defense intelligence agency with the name of the Soviet ship and the date on which the poison gas arrived in Cuba.

The second report was furnished by a Cuban defector. He witnessed the spraying of a liquid-type gas on a small group of anti-Castro freedom fighters in the mountains of central Cuba.

This matter is of grave concern to all freedom-loving people. I have been requesting that the Kennedy administration advise Communist countries that in carrying out the Monroe Doctrine as reiterated at Punta del Este—against the importation of communism into this hemisphere—that the United States should inform Red China and Russia and others that the United States would not permit any further shipment of heavy war materiel into this hemisphere. In so doing the United States would be carrying out the Monroe Doctrine as recently enunciated.

I recently made this matter known again to the White House and it was, of course, shunted over to the State Department, and this inquiry along with others, was answered by Frederick G. Dutton, Assistant Secretary, as follows:

PREVENTION OF THE SHIPMENT OF WAR MATERIEL BY THE SINO-SOVIET BLOC TO CUBA

Underlying an announcement, such as you suggest, that the United States will not permit the shipment of war materiel to Cuba by the Sino-Soviet bloc is, of course, the intention to insure that the terms of the announcement are fulfilled. Effective prevention of these shipments may entail interference with shipping on the high seas, expose the United States and its allies to reciprocal treatment, and thus exacerbate the already tense international situation. You may be assured, however, that close attention is being paid to the military buildup in Cuba, with special reference to the growing Cuban potential for intervention and subversion in Latin America.

This is typical of the vacillating do-nothing attitude of the New Frontier in fighting Cuban communism and the spread of that communism in this hemisphere. If the administration waits until live Communist missiles are on site at these four launching bases then it is obvious that these missiles would provide an almost insurmountable deterrent against any action, even by the Cuban exiles, to rid Cuba of Castro's communism.

I, therefore, renew my request that immediate action be taken and that a Presidential pronouncement be made to serve notice on the Sino-Soviet bloc that the United States will not permit the shipment of heavy war materiel to Cuba. This will give one of the first real tests to Khrushchev's sincerity in his exhortations about peaceful coexistence, and likewise to give meaningful substance, or indicate the lack of it, to other negotiations presently underway with Russia in other fields, including Berlin, nuclear testing, and peaceful uses of outer space.

I am likewise calling upon the administration to advise the Congress on all matters of military buildup in Cuba, including missile launching sites construction, and, further, what the administration intends to do about it.

This military buildup is particularly critical at this time, when it is becoming more and more obvious that Castro is also exporting his communism to other Western Hemisphere countries, and will undoubtedly try to export arms to support those Communist movements some time in the future if he can get away with it. The effectiveness of this menacing effort is best evidenced by the success of the Peronistas in Argentina in the recent election and that they were backed by pro-Castro Communists and successfully threatened government under President Frondizi. It is interesting to note that this happened shortly after a commitment was made of over a $100 million of Alliance for Progress money to Argentina, the Peronistas willing on the cry of intervention. This money was committed even before plans for its usage could be developed, and thus resulted in justified criticism of the Frondizi government, leaving that government without an answer as to what it intended to do with the money. Such slipshod, poor handling of the Alliance for Progress program is bound to undermine American confidence in it, as well as the confidence of the U.S. taxpayers.

AN INFORMED LOOK AT THE STOCKPILE CONTROVERSY

Mr. KYL. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. RIEHLMAN] may extend his remarks at this point in the RECORD, and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. RIEHLMAN. Mr. Speaker, earlier this year the President let it be known to a nationwide radio-television audience that there might be some scandal afoot in connection with our defense stockpiling program. This announcement was of considerable interest to all of us because of some of the implications it carried. I took particular notice because of the interest of the House Military Operations Subcommittee in this field over the years.

Now that some seven weeks have elapsed since the President's revelation, I notice that hearings will get underway tomorrow in the Senate Armed Services Committee on this matter. I am therefore including at this point in the record a timely and informative series of articles on the stockpile controversy. This series appeared recently in the Rochester (N.Y.) Times-Union and was written by Mr. Paul Martin of the Times-Union's Washington Bureau. I have read this series very carefully and I commend Mr. Martin for a thorough bit of research and for an excellent and informative presentation. I recommend these articles to those of my colleagues who might not have had the benefit of such an orderly and thorough presentation of this background material.

OUR STOCKPILE "SCANDAL": SECRET HOARD OF WAR GOODS COSTS $8 BILLION

(First of a series by Paul Martin)

WASHINGTON.—President Kennedy broke the seal of secrecy on a national scandal when he called for a congressional investigation of the great stockpile mystery.

The multibillion-dollar stockpile affects many vital interests—national defense, foreign relations, domestic prosperity, politics, taxpayers and consumers, Government spending, and the national debt.

It also raises grave questions of public policy:

Should the stockpile be sold to help balance the Federal budget?

What amount of power should be vested in Government officials to affect private enterprise by dumping stockpile materials on commodity market?

The Government has many stockpiles, including $8 billion in surplus farm products, a secret hoard of atomic materials, and a new reserve of medical supplies for civil defense. The one under current investigation is called the national stockpile.

It consists of approximately 77 different metals, minerals, or fibers which would be needed for defense industry in event of war, ranging from abaca (manila hemp) to zirconium (a corrosion-resistant metal used in nuclear submarines).

Information about it heretofore has been classified "secret" by the Government. No one seems to know exactly what the stockpile has cost taxpayers.

Kennedy said at his January 31 press conference that it includes at least $7.7 billion worth of materials, "an amount that exceeds our emergency requirements as presently determined by nearly $3.4 billion."

The Joint Economic Committee of Congress headed by Senator HARRY F. BYRD, Democrat, of Virginia, estimates the stockpile at $8.6 billion.

Senator STUART SYMINGTON, Democrat, of Missouri, who was chosen by the White House to direct a congressional investigation, said it "may run over $10 billion."

Senator JOHN J. WILLIAMS, Republican, of Delaware, says the stockpile has turned into a "price support program for producers of minerals and metals," with windfall profits to certain mining companies.

Kennedy promised to remove "the cloak of secrecy which surrounded this program." He pledged his administration would "cooperate fully in any investigation."

The stockpile was born of experience with materials shortages in World War II, when the United States was cut off from oversea sources of supply.

The Government invested $750 million in synthetic rubber plants. Today, synthetics have largely replaced natural rubber. One of the largest items of oversupply in the stockpile, involving more than a billion dollars, is natural rubber.

During the war, stockpiling was conducted on a basis of expediency. It was formalized as a Government program after the war by Public Law 520 of the Democratic-controlled Congress in 1946.

The big boom in materials contracts, under which the bulk of the present stockpile has accumulated, came in the Truman administration during the Korean war under the Defense Production Act of 1950.

This law authorized the Government to make loans, guarantees, and purchase agreements for rapidly expanding industrial facilities, including mines, mills, and smelters.

Privately owned companies were promised 100 percent rapid tax amortization of their new properties. The Government agreed to buy and stockpile all surplus production of these new defense plants for 5 years after they reached full production.

Most of them were completed and went into full production in 1953 or 1954, after the Korean war was over. Peak of output under DPA contracts was reached in 1958. Then there was a "runout period" on delayed action commitments.

Former President Truman and his chief economic adviser, Leon Keyserling, were wedded to the idea of forced expansion of private industry, both for defense purposes and for full employment in the domestic labor force.

Before he joined the Truman administration in July 1945, SYMINGTON was president of the Emerson Electric Co. of St. Louis, a prime defense contractor in World War II.

As Chairman of the National Security Resources Board in 1950–51, SYMINGTON was the administration's top policy planner on the stockpile. He was the first witness as the Senate Banking Committee opened hearings July 24, 1950, on the Defense Production Act.

Congressional Quarterly records that SYMINGTON testified the proposed law was necessary to rush war material to the Armed Forces. He said it would give the President more power than he had in World War II. Symington said the Government could seize any business that failed to cooperate on war production.

The late Senator Robert A. Taft, Republican, of Ohio, led the opposition. Taft told the Senate: "It seems to me that we are abdicating our authority, abdicating our duties, if we leave to the President the question of determining whether we shall turn the United States from a free country into a dictated-economy country."

Later, Truman brought in C. E. Wilson of General Electric as Defense Mobilizer. Wilson hammered out defense production goals with Gen. Lucius D. Clay, now Kennedy's special emissary in Berlin, and Sidney Weinberg, a New York investment banker.

When Wilson differed with Truman over the 1952 steel strike, Wilson quit and left the Government. Truman seized the steel mills under what the White House claimed were "inherent powers." The U.S. Supreme Court ruled the President's action unconstitutional.

The Truman administration planned to accumulate enough critical and strategic industrial materials to see the United States through a war that might last 5 years. A former head of national security planning gave this explanation:

"When we got involved in the Korean war, no one could be sure it would not break over into world war III. We had the atomic bomb, so did Russia, but we assumed it would be a conventional war. The assumptions on which we based defense planning then are

very different from the military assumptions today."

As the nuclear age progressed, stockpile goals were shifted in 1958 by Gordon Gray, a North Carolina Democrat, who was then Defense Mobilizer under President Eisenhower, from a 5-year to a 3-year war basis. That automatically made a lot of materials surplus which had been considered essential.

Meanwhile, production under Korean war contracts continued to pile up, to a point where some stockpile goals last year were 700 or 800 percent overreached.

The stockpile law specifies that the administration cannot sell surplus items without the consent of Congress. This was to prevent Government officials from coercing private industry, or from speculating on their own account, by dumping stockpile materials on commodity markets.

Two Federal agencies are concerned primarily with stockpile management. They are the Office of Emergency Planning, attached to the White House, and the General Services Administration.

An OEP spokesman said: "We set the policy, make the determination of what is needed in the stockpile, and act on requests for essential contracts. GSA handles the actual purchase and storage of materials."

The new OEP director is Edward A. McDermott, 41, a lawyer from Dubuque, Iowa, who formerly served as an investigator for the Senate Elections and Privileges Subcommittee. He succeeded Frank B. Ellis, a pro-Kennedy Democratic committeeman from Louisiana, who was nominated to be a Federal judge.

McDermott investigated the "Hanley letter" episode in the 1950 New York State election, when former Lt. Gov. Joe R. Hanley wrote friends that he had been induced to step aside as a candidate for Governor by Thomas E. Dewey on the basis of certain "ironclad irrevocable" promises of a State job. McDermott's report was never officially released by the U.S. Senate.

First GSA Administrator of the Kennedy administration was John L. Moore of Philadelphia, who resigned November 22 to become business manager of the University of Rochester. He was succeeded by Bernard L. Boutin, who twice ran unsuccessfully as the Democratic nominee for Governor of New Hampshire.

Moore's appointment at GSA was regarded as a patronage plum for Representative William L. Green, Democratic boss of Philadelphia and close friend of Matthew H. McCloskey, Democratic national treasurer who is being appointed Ambassador to Ireland.

GSA also handles all of the Government contracts for construction of Federal buildings.

THE STOCKPILE CONTROVERSY: POLITICS BUDGET PRESSURE SEEN AS FACTORS IN PROBE OF SURPLUS

(Second in a series by Paul Martin)

WASHINGTON.—President Kennedy brought up the great stockpile mystery on his own initiative in a curious manner at his January 31 press conference.

For instance:

1. The President said he was "astonished" at the size of the stockpile, which he said amounts to $7.7 billion, or $3.4 billion in excess of any Government needs.

Item: The stockpile has burgeoned on Government spending approved by Congress during the 14 years that Mr. Kennedy served in the Senate or House, including more than $2 billion in "back-door spending" commitments against the U.S. Treasury.

2. President Kennedy said the glut of industrial materials in stockpile now exceeds the total inventory of surplus farm products on hand at the Agriculture Department.

Item: At least $2 billion of materials in the industrial stockpile have been received as "barter" in exchange for dumping surplus farm commodities overseas under the so-called food-for-peace program.

3. Mr. Kennedy said "the surplus of materials is still growing as a result of contracts negotiated prior to this administration's taking office."

Item: The House Appropriations Committee has determined in current hearings that most of the contracts under which the bulk of materials has accumulated were negotiated by the Truman administration during the Korean war under the 1950 Defense Production Act.

4. The President designated Senator STUART SYMINGTON, Democrat, of Missouri, head of a three-man Armed Services Subcommittee, to conduct a congressional investigation.

Item: The Defense Production Act in section 712 specifically created a 10-member joint committee of the House and Senate to serve as a congressional "watchdog" over the stockpile, headed by Senator A. WILLIS ROBERTSON, Democrat, of Virginia.

SYMINGTON was himself chief policy planner on the stockpile in the Truman administration during the period of intensive negotiation of DPA contracts in 1950-51.

Senator BARRY GOLDWATER, Republican of Arizona, quipped on closed-circuit television at the recent nationwide GOP fundraising dinner: "It's going to be great fun watching STU SYMINGTON investigate Harry Truman."

The urge to publicly investigate the stockpile seemed motivated by (1) politics in the 1962 congressional campaign year, and (2) budget pressures on the Kennedy administration caused by skyrocketing New Frontier spending.

Insiders claimed that the President was led into an awkward position on the basis of incomplete staff work on the part of several young White House assistants who did not know the law or background of the stockpile.

Senator JOHN J. WILLIAMS, Republican of Delaware, who exposed tax scandals of the Truman administration, pointed out that both Kennedy and SYMINGTON voted for mineral and metal subsidies on eight out of nine rollcall votes between 1955 and 1960.

WILLIAMS said of the President:

"His 5-year voting record as a Member of the U.S. Senate has been consistently in support of providing more and more money to buy these minerals which were being piled up in such unnecessary quantities. By his votes as a Member of the Senate, he supported this program which he now denounces as bordering on a national scandal."

Senator CLAIR ENGLE, Democrat, of California, who has since been added to the SYMINGTON investigating committee, defended the President in a reply to WILLIAMS in the CONGRESSIONAL RECORD of February 5.

"The President did not intend by his announcement to attack the mining and minerals industry, as apparently Senator WILLIAMS does," said ENGLE.

"The President's basic point is that in any program involving billions of dollars, as this one does, which has been shrouded in secrecy, there should be public awareness and an opportunity to open up the cold facts on the subject."

The CONGRESSIONAL RECORD indicates that Mr. Kennedy, as a Congressman from Massachusetts, tended to vote up to 1955 against mineral and metal subsidies, and against high farm price supports.

After he developed presidential ambitions starting in 1956, Mr. Kennedy reversed his position. He began voting for subsidies for western mining States, and for high price supports for midwestern agriculture, under which the farm surplus has accumulated.

Mr. Kennedy was not present or voting when the Defense Production Act, key industrial mobilization law of the Korean war and cause of the stockpile glut, passed the House on August 10, 1950.

Western mining interests have lobbied Congress for years to put through a general minerals subsidy bill which would cost taxpayers $300 million to $750 million.

Senator WILLIAMS called it: "One of the boldest raids on the Federal Treasury that has been proposed in recent years."

It was brought up first during the Truman administration. It was pigeonholed by the Senate in 1953. It passed the Senate in 1958, but it was blocked in the House. In both years, it was opposed by the Office of Defense Mobilization under Eisenhower.

Dr. Arthur S. Flemming said in 1955: "There could be no justification in the name of national defense for either extending or enlarging these programs."

The record shows that Kennedy and SYMINGTON both voted for the mineral subsidy bill in 1958, along with the present Democratic leadership of the Senate.

At other times, bills have been added as riders to appropriation measures calling for Government purchases of specific minerals, such as lead and zinc, tungsten, fluorspar, copper, and manganese.

SYMINGTON has been particularly active in promoting Federal subsidies for lead and zinc, which is produced in a small region of southwestern Missouri and northeastern Oklahoma.

Former President Eisenhower vetoed these bills in 1959 and 1960. President Kennedy signed a similar measure last year obligating the Government to spend $16.5 million to peg lead and zinc prices at 14½ cents a pound.

At the time, the stockpile had an oversupply of lead amounting to 447 percent, and of zinc totaling 888 percent, with 100 percent representing all the Government would ever need in event of a 3-year war.

Senator ROBERT S. KERR, Democrat, of Oklahoma, urging passage of the lead-zinc subsidy bill, said in the CONGRESSIONAL RECORD of September 21, 1961:

"The bill has been before Congress for years. * * * It went to the President and he vetoed it. However, on the floor of the Senate last year, it was voted for by the man who is now President."

After the President's January 31 stockpile statement, lead and zinc prices dropped on the New York market to 9½ cents a pound, the lowest level in more than 15 years according to the Wall Street Journal.

President Kennedy on February 9 approved a Tariff Commission recommendation keeping up a special protective tariff on lead and zinc.

THE STOCKPILE CONTROVERSY: WARTIME DECISIONS PILE UP ALUMINUM, NICKEL, RUBBER

(Third of a series by Paul Martin)

WASHINGTON.—President Kennedy called the national security stockpile of strategic minerals and metals a "potential source of excessive and unconscionable profits."

He asked Congress to conduct an investigation of stockpile contracts negotiated by the executive branch of Government "prior to this administration's taking office."

The President indicated he is interested in putting a spotlight on certain "big business" friends of former President Eisenhower in the 1962 congressional election year, notably in New York and Ohio.

With more than 77 materials in the national stockpile, Kennedy singled out only two for specific comment at his January 31 press conference—aluminum and nickel.

He said the amount of aluminum in Government storage "exceeds what we would need for 3 years in event of war by $347 million." He said the "excess supply of nickel is $103 million."

Here is the story on each, insofar as it can be ascertained under Government secrecy restrictions:

ALUMINUM

Aluminum and bauxite, basic aluminum ore, represent one of the biggest surplus items in the stockpile, amounting to a billion-dollar investment.

During the Korean war, STUART SYMINGTON as Chairman of the National Security Resources Board (NSRB) in the Truman administration called a private meeting of aluminum industry representatives.

A company official who was present gave this account:

"SYMINGTON told us we had to double or triple aluminum capacity in America because of the war. He said we would have to meet, as quickly as possible, the Government-estimated requirements in aluminum.

"He said everyone who cooperated would be given 100 percent rapid tax amortization on new plants and facilities. He said Government contracts would be negotiated with Jess Larson, the GSA Administrator.

"We all signed 5-year contracts. We had a right to use this metal at the factory if we could, or put it in the national stockpile for a 5-year period after the new plants got into production.

"Everyone proceeded to build new plants. We overbuilt. There is a glut of aluminum in America today. We were led into this predicament by the Government. We would like to testify. We have a story to tell."

Aluminum industry spokesmen will find themselves testifying before the same man who set the stockpile goals in 1950, since President Kennedy designated SYMINGTON as his choice to conduct a congressional investigation into the great stockpile mystery.

General Services Administration, which buys and stores stockpile materials, said the only Government contract still in force for aluminum under the 1950 Defense Production Act is with the Harvey Co. of The Dalles, Oreg.

Principal owner is Leo Harvey, a Los Angeles Democrat, who became wealthy in real estate, then got into the aluminum business. He hired former Gov. Thomas E. Dewey of New York to represent him in dealings with Government agencies during the Eisenhower administration.

Harvey got a power commitment during the Truman regime from the Government-owned Bonneville Public Power Administration, and sold it to Anaconda Copper Co. for a profit. Then he got another power commitment, and a contract to sell to the Government stockpile.

The Harvey plant got into full production in 1958 or 1959, long after the Korean war ended. GSA says the contract runs to 1964.

As surplus aluminum piled up in Government stockpile, the Eisenhower administration became alarmed in 1958. Gordon Gray, a North Carolina Democrat who was then OCDM Director, called another meeting of aluminum producers.

A company official said Gray told them if they didn't stop putting metal in the stockpile, the Government would have to sell aluminum on the open market.

Former Treasury Secretary Robert B. Anderson said the Government could not continue to pay for surplus aluminum, and would have to get into a disposal program.

NICKEL

A materials expert at the Defense Department called nickel the No. 1 war metal. He said it is "a universal solvent for a lot of metal problems."

The two principal sources of supply were Canada and Cuba. Canada once held a virtual monopoly. Industrial sources claim Canadian interests tried at every turn to block U.S. development of new supplies, either here or in Cuba.

Since the Castro Communist dictatorship took over in Cuba, the United States has been cut off from the Government-owned Nicaro Nickel Mine, and company-owned deposits of the Freeport Nickel Co.

The only domestic source is the ferronickel operation at Riddle, Oreg., of the Hanna Nickel Smelting Co., a subsidiary of the M. A. Hanna Co. of Cleveland.

A defense planner said: "We used to discuss how far we could go in relying on Cuba as a source of supply. The operation in Oregon was the answer."

The former chairman of the board of the Hanna Co., George M. Humphrey, resigned his corporate interests in 1953 to become Secretary of the Treasury under President Eisenhower.

Humphrey is a Republican leader and fundraiser in Ohio, where contests are coming up this year both for Governor and the U.S. Senate.

The General Accounting Office, which investigated the Hanna contract, claims it was negotiated and signed during the Truman administration, before either Eisenhower or Humphrey ever took office.

The House Appropriations Committee, which has been investigating Government officials on this contract, found it was signed 5 days before Eisenhower was inaugurated January 20, 1953.

The Hanna ferronickel smelter in Oregon started producing in 1955. The 10-year contract obligating the Government stockpile runs to 1965.

RUBBER

Another major stockpile item in surplus, amounting to a billion-dollar investment, is natural rubber.

It is obtained primarily from southeast Asia, where the United States is engaged in a substantial undeclared war to prevent Communists from taking over Laos and Vietnam, en route to Thailand, Malaya, and Indonesia.

The first two reports of the old Senate War Preparedness Subcommittee in 1950, formerly headed by Vice President LYNDON B. JOHNSON, called on the Government to urgently expand its stockpile of natural rubber, and to cease selling synthetic rubber plants to private industry.

The Johnson committee reports also urged the Government to stock and plant guayule nurseries, to develop a supply of natural rubber inside the United States and Mexico. Guayule is a rubber-producing plant that can be grown in arid country of Texas and the Far West.

As NSRB Chairman in the Truman administration, SYMINGTON boomed up the market price on natural rubber from around 30 cents to more than 70 cents a pound, by announcing the United States would buy and stockpile rubber for the Korean war.

Since the Kennedy administration took office in 1961, the market has gone down considerably on natural rubber. It was selling last spring in the 40-cent range. Now it is below 30 cents a pound, which is said to be "near the danger point for rubber-producing countries."

Congress passed a resolution in 1960 directing GSA to start disposing of the stockpile surplus by selling 470,000 tons of natural rubber over a 9-year period at a rate of 50,000 tons a year.

A House subcommittee headed by Representative PORTER HARDY, Democrat, of Virginia, has been investigating to determine why the administration is not selling rubber as fast as Congress directed.

"I want to find out whether the State Department actually is running this program," HARDY said.

THE STOCKPILE CONTROVERSY: UNLOADING OF SURPLUS WAR MATERIALS WOULD AFFECT OUR FRIENDS, ALLIES

(Last of a series by Paul Martin)

WASHINGTON.—President Kennedy asked Senator STUART SYMINGTON, Democrat, of Missouri, an administration supporter, to conduct a congressional investigation of the great stockpile mystery.

It seemed peculiar for the White House to be calling on the legislative branch to investigate something that is under control of the executive branch of Government.

A spokesman for the Office of Emergency Planning, which handles stockpile policy and passes on requests for essential contracts, said:

"The President wanted to expose a situation he inherited. He felt it was serious and long neglected. The President wants to establish responsibility for error and profiteering."

SYMINGTON told the press:

"What we want to do is get the facts out to the people about this stockpile. It's something the public ought to know about, especially as the original cost is well over $10 billion. We also would like to see whether the stockpiling contracts are in the public interest."

As chief counsel for his investigation, SYMINGTON named Richard C. Coburn, 59, of St. Louis, known as a good trial lawyer in matters of corporate practice. He was identified as a Republican, who once served as GOP finance chairman for Missouri.

Two other congressional committees agreed to yield jurisdiction but retain a friendly interest in the stockpile investigation.

They are the Joint Committee on Defense Production, headed by Senator A. WILLIS ROBERTSON, Democrat, of Virginia, which was set up in 1950 to serve as a congressional "watchdog" over the stockpile, and the Joint Economic Committee, headed by Senator HARRY F. BYRD, Democrat, of Virginia, which has issued 24 reports on the size and cost of the stockpile in the last 3 years.

The House Appropriations Committee also is taking extensive testimony behind closed doors from various Government officials on defense contracts affecting the stockpile.

Senator SYMINGTON is chairman of a small 3-member Senate Armed Services Subcommittee on the National Stockpile and Naval Petroleum Reserves, which has never been very active before.

The other two permanent members are:

Senator STROM THURMOND, Democrat, of South Carolina, who has been pushing an investigation of alleged "muzzling" of military leaders by the Kennedy administration.

Senator FRANCIS CASE, Republican, of South Dakota, a former newspaper publisher, who blocked a natural gas bill in 1956 by claiming he had been offered a $2,500 "campaign contribution" for his vote by the petroleum industry.

For purposes of the stockpile investigation, the Symington subcommittee was augmented by two western Democrats with mining interests in their States, and an eastern Republican formerly engaged in insurance and real estate.

They are Senators CLAIR ENGLE, Democrat, of California, HOWARD W. CANNON, Democrat, of Nevada, and J. GLENN BEALL, Republican, of Maryland.

As a Member of the House in 1950, ENGLE sponsored an amendment to the Defense Production Act making Government loans, guarantees, and stockpile purchase agreements apply to western mining enterprises.

Senator JOHN J. WILLIAMS, Republican, of Delaware, who contends the stockpile turned into a "price support program for minerals

and metals" with "windfall profits" to various mining companies, declared:

"I want to see the whole picture put out by the investigating committee, no matter whose district or interests it affects. That includes nickel and aluminum, lead and zinc, tungsten and manganese, and all the rest."

Jurisdiction was given to the Armed Services Subcommittee on the basis that it has the power to draft legislation, whereas the Robertson and Byrd joint committees do not.

If the Symington investigating committee is to recommend legislation, it may have to resolve a number of different viewpoints and apparently conflicts of interest on stockpile policy.

President Kennedy announced the stockpile of strategic materials "exceeds our emergency requirements" by approximately $3.4 billion.

BYRD called on the President to sell everything in the stockpile that is not needed for national defense, and apply the proceeds to reducing the national debt.

Under present law, however, the administration is unable to dispose of anything in the stockpile without specific authorization from Congress.

"We have a $14 billion stockpile including surplus crops," BYRD said. "Without the farm commodities, it amounts to more than $8 billion in other materials. We have $3 to $5 billion that ought to be sold.

"The Treasury is paying 4 percent interest on the debt. The cost of the stockpile involves interest charges of more than a half billion dollars a year. The stockpile was never intended as a permanent investment. The sooner we get rid of it, the better."

Dr. Arthur S. Flemming, president of the University of Oregon, who served as defense mobilizer, 1953–57, under Eisenhower, always took the position that the stockpile was one of the liabilities of the cold war like spending billions on bombers and then finding out they weren't needed.

Flemming contended the stockpile should remain intact until there is a genuine national emergency. Otherwise, if the President were given authority in his own discretion to unload the stockpile on commodity markets, it would give the administration tremendous economic power over private enterprise.

President Kennedy said at his January 31 press conference: "We will take no action which will disrupt commodity prices." BYRD claimed: "It can't help but affect the market." The Wall Street Journal reported that the President's mere mention of the stockpile was enough to drive down commodity prices.

In some respects, the President appeared to be working at cross purposes with other administration programs.

In his special message on agriculture, Kennedy cited "four independent studies," including one by Cornell University, purporting to show that if the Government abandoned price supports, farm prices would collapse.

Yet his stockpile anouncement seemed to call for abandoning Government subsidies on minerals and metals, which affect many Western States represented mostly by Democratic Congressmen.

The President has been urging higher foreign aid spending, including $4 billion in economic or military aid, a new $3 billion loan fund for Latin America, and $2 billion more borrowing authority from the U.S. Treasury for the International Monetary Fund.

Government action to unload surplus stockpile materials would affect many friends and allies overseas, such as chromite (Turkey), copper (Chile and the Congo), nickel (Canada), rubber (southeast Asia), tin (Bolivia and Burma), manganese (Brazil), and bauxite (Panama, Haiti, Dominican Republic, and most of Central America).

President Kennedy appointed a Cabinet committee to cooperate with congressional investigators, including the Secretaries of State, Defense, and Interior; CIA Director; and heads of General Services Administration and Office of Emergency Planning. The group held its first meeting February 13.

The leader is Edward A. McDermott, head of OEP, a Dubuque, Iowa, lawyer who investigated the famous "Hanley letter" episode in the 1950 New York State gubernatorial election, when McDermott was an investigator for the U.S. Senate Elections and Privileges Subcommittee.

"No longer are there any valid considerations under national security for complete secrecy on the stockpile," McDermott declared. "We hope to make recommendations to the President soon on declassification. We will continue to study goals for further stockpile legislation."

There are some indications, on the basis of world reaction to the President's announcement, that both the administration and Congress would prefer to forget about the stockpile investigation.

But Senator WILLIAMS said: "Now that this has started, no one in Congress can afford to sit on it. The public will demand action."

STATUS OF RESERVISTS

The SPEAKER. Under previous order of the House, the gentleman from New York [Mr. HALPERN] is recognized for 15 minutes.

Mr. HALPERN. Mr. Speaker, for some time I have been most concerned about the status of reservists who were called up for duty last fall.

I feel that there has been a vacillating and often inequitable policy in regard to these patriotic citizens who have answered their country's call. They have since been subject to the Government's lack of preparation, indifference, indecisiveness and a veritable barrage of conflicting and confusing statements as to the extent of their expected length of service.

A careful examination of the history of this confusing and poorly planned situation demands a clear statement of intent from the Secretary of Defense so that the thousands of families whose lives have been so abruptly disrupted can begin to make plans for their future.

Mr. Speaker, it is high time inventory were taken of the entire Reserve picture and the Department of Defense act to immediately specify the release time for these reservists and that Congress, on behalf of the American people, approve legislation to equitably compensate these citizen soldiers.

I fervently urge an early release of these reservists who were called up last fall and a clarification of the plans for the entire Reserve program.

I also call upon the members of the Armed Services Committee and my colleagues in the House to act quickly and favorably on my bill, H.R. 10733, which would provide a $100 additional monthly compensation in all ranks. This is well-deserved recognition for their patriotic service and as an expression of the Nation's appreciation for their time.

Mr. Speaker, may I briefly analyze the entire Reserve problem which prompts this plea. It reveals a stark reality that calls for the action I recommend.

Some 156,000 reservists from the three major branches of the Armed Forces were called to active duty in 1961 for a period of not more than 1 year. The Reserve callup was motivated by a Presidential decision to strengthen the Nation's military and diplomatic position in negotiations with the Soviet Union over Berlin and Germany. Events since the late summer and early autumn callup of the Reserves have raised serious question about the administration's handling of the Reserve mobilization. Criticism has fallen into two general categories: First, whether the Reserves should have been called to active duty in the first place; and second, whether the administration implemented its decision to mobilize the Reserves poorly.

When the Kennedy administration assumed office, the Army asked that its strength be increased by 2 divisions to 16. Secretary of Defense McNamara opposed this proposal, and the Army received only a token increase in personnel under President Kennedy's revised defense budget for fiscal 1962. As the Berlin crisis grew sharper in early spring, a plan was devised to create six regular Army divisions, send them to Europe, and subsequently replace them with six activated guard divisions. This plan was then scrapped, and the White House adopted a watered-down plan to mobilize two National Guard divisions and some Army Reserve elements as well as a scattering of Air National Guard, Air Reserve, and Navy Reserve units, encompassing a total of about 156,000 citizen soldiers. It was this plan which President Kennedy implicitly referred to in his July 25 speech to the Nation on the Berlin problem.

The administration held firmly to its mobilization decision despite growing criticism of its handling of the defense buildup to meet the anticipated crisis over Berlin. As late as October 21, 1961, Deputy Secretary of Defense Roswell Gilpatric said in a major address that "our present plan is to count on the Ready Reserve as a means of quick force augmentation in emergencies." The Defense Department, moreover, continued to issue public statements that all was going well with the Reserve mobilization.

However, between the issuance of Gilpatric's October statement and President Kennedy's presentation of his fiscal 1963 defense budget, a complete reversal of the administration's Reserve policy developed. Pentagon policymakers for the Reserves now took the position that the Reserves would no longer be relied upon to give the Nation a military blood transfusion, so to speak, in times of international crisis and that the mobilization itself had gone badly. Said Deputy Defense Secretary Gilpatric on December 15:

> I myself was under the belief earlier that we could successfully mobilize and demobilize reservists in this cold war period. I may have been wrong in that. It may be that we might have to have more Regular force to deal with that type of recurrent crisis and use the Reserves for large-scale crises.

About 2 weeks after the expression of Gilpatric's reservations, the President spelled out their military policy implications. A decision was reached at Palm Beach in early January to increase the Regular Army to 16 combat-ready divisions—the very policy which had been rejected less than a year before—and to reduce the size of the Army Reserves from 300,000 to 270,000 by the end of fiscal 1963.

This decision to decrease the Reserves and bolster the Regular Army seems to have been reached, dissenters argue, as hastily as the decision to mobilize the Reserves. In each case the implications of either action were not clearly stated. It should be noted in this context that Army Secretary Stahr and Army Chief of Staff Decker were not present at Palm Beach when the decision to expand the Army was made. One of the major results of this shift in Reserve emphasis is to place the Reserves themselves under a suspicious cloud. Even before the Reserves could prove their worth, a decision was reached that they were not very useful after all and that it might be best to reduce their strength. This change in Defense Department thinking, however, conflicts with the record of the Reserves in the callup and with statements of some administration experts.

The vast bulk of the reservists called to active duty responded promptly and manfully. By mid-December, almost 15,000 reservists had already completed 8 weeks of their intensive combat training period—ICTP—and were voted qualified by Army experts. Moreover, the Army expressed delight with this first proof that the speedup was possible.

These accomplishments set the stage for the conclusion drawn by Gen. Herbert Powell, Chief of the Continental Army Command which directs all training, who said on December 10:

> These are the best we've ever had. There is good reason to hope that by the end of their ICTP they'll be up to the Regular Army divisions. But we don't know until February.

While General Powell spoke, plans were already being laid to downgrade the Reserves.

General Powell's observations were given added weight by those of General Van Fleet who was sent as a special administration representative to inspect progress of the Reserve mobilization. After visiting Fort Bragg, N.C., Fort Knox, Ky., Fort Lewis, Wash., Camp Polk, La., Fort Monroe, Va., and Fort Jackson, S.C., General Van Fleet concluded:

> The spirit of the citizen soldiers in all units and camps visited * * * were magnificent.

He went on to note that the young men who had been called back to service were "mature, well-trained individuals," who displayed qualities "far above [men of] any previous mobilization for World War II or Korea."

Furthermore, it should be recognized that the Army Reserve and National Guard callup released about 45,000 Regular Army troops for deployment to strategic foreign installations. Navy reservists had quietly and quickly reported for duty, and many now serve with newly activated warships in fleet units throughout the world. Indeed, on February 21, 1962, the destroyer *Remey* docked in New York after serving as part of a task force which visited England, Germany, and Spain. More than half of the *Remey's* 275 crewmen were from the New York metropolitan area, and most of them were reservists—some of them had been called once or twice before to active duty. Finally, Air Force Reserve components have shown a high degree of readiness, and the Air National Guard flew more than 200 single-seater jet fighters across the Atlantic. Air reservists flew these fighters, after partial disassembly, in giant C–124 cargo aircraft. Within 8 hours after the C–124's landed in Europe, the F–104's were reassembled and ready for combat.

Despite the impressive achievements of the Reserves, the administration, it may be argued, has now cast doubt on them by downgrading the Reserves, even before they have had a chance to prove themselves. The administration has also called attention to weaknesses in the Defense Department policy process which at the beginning of the year embraced the concept of the usefulness of the Reserves and then rejected this view before the year was out.

A second set of criticisms centers on the administration's handling of its initial decision to mobilize the Reserves. Senator JAVITS' letter primarily touched on this problem. One of the principal mistakes made by the administration was its failure to recognize at high levels, particularly in the Defense Department, the long leadtime required to conduct an efficient mobilization of over 150,000 citizen soldiers. Pentagon planners were simply out of touch with local Reserve problems and with the gigantic logistics, supply, and administrative problems implied by such a large-scale callup. As a consequence, thousands of reservists turned up at training camps and were left idle because plans for using them constructively had not been adequately made. Others were again severely taxed. Not only were they expected to organize and train, but were expected at Fort Chaffee, Ark., and Fort Polk, La., to rehabilitate and reopen these camps. Shortages were discovered in food, equipment, and medical supplies and services. Camps which were ghost installations one month became thriving military centers the next. Equipment, weapons, and military vehicles had to be borrowed from noncalled, low-priority units and from dangerously low Army stocks. This again reduced across-the-board training effectiveness of the Reserve and the Army Establishment, and resulted in the reprehensible administrative practice of robbing Peter to pay Paul. Housing for servicemen and their families was also substandard, and some suffered financial losses because of housing scalpers. These injustices only compounded the losses already suffered by reservists in the callup. While the administration took action to correct many of these deficiencies—note Stahr's letter to JAVITS—they might not have developed in the first place had the mobilization been handled more efficiently and with greater foresight.

Charges have also arisen in the Pentagon that some reservists were confused about their obligations during the callup. Complained Deputy Defense Secretary Gilpatric:

> I don't think our reservists have oriented themselves to the thought that they are called up to prevent a fight rather than to fight.

Reserve advocates voice the effective countercharge that, if any orientation were necessary, it should come first in the Defense Department. Observes the Reserve officers' "white paper" on the Reserve mobilization:

> This callup marked the first time in our country's history that Reserves have been mobilized in peacetime to prevent a war rather than fight one. It represented a radical change in the Reserve concept.
>
> In a free country such as ours, such changes can usually be digested only after careful explanation and indoctrination. Otherwise such an involuntary change in the constitutional status of individuals would precipitate serious and sustained criticisms.
>
> The policy was changed, suddenly and unexpectedly. Nevertheless, our Reserves responded effectively. A few criticisms have been magnified out of all proportion.
>
> The real need for orientation is in the Department of Defense. The impatience expressed with the Reserves reflects a long existing need for greater attention and understanding of their character. Reservists are human beings—not numbers, nor checkers—nor even employees. Sound personnel practices should be applied in their cases as well as for any other segment of our society. (See point 6 of attached white paper of the ROA.)

The administration might have brought its case to the public more clearly if it had used the already established administrative mechanisms for the callup. It should have used the Armed Forces Reserve Act of 1952, as amended, to justify the mobilization. Instead, the Defense Department sought, and received, special authority to call up some 250,000 Ready Reservists for 1 year of active duty. The Reserve Act had, in the opinion of the Reserve Officers Association, become "the bible" of the services and they made their plans upon its many premises. Individual reservists, too, were indoctrinated on the basis of its provisions and in terms of the military contingencies implied by it. Moreover, the Defense Department bypassed consultations with the Reserve Forces Policy Board which was established by law to be the principal policy adviser to the Secretary of Defense on matters pertaining to the Reserve components. Had the Reserve Policy Board been consulted many of the difficulties of the Reserve mobilization might well have been avoided, or at least minimized.

This criticism is particularly relevant to the Defense Department's use of fillers to bring Reserve units and Regular Armed Force components to required strength. Thousands of men who had just completed 2 years of active duty

under the draft and who were not members of Reserve drill-status units were ordered back to duty on very little notice. Others were called to duty and were assigned tasks which were far below their level of capability. Ph. D.'s, engineers, and skilled technicians were given menial jobs. This situation marked a breakdown of the Ready Reserve proficiency rating system. Furthermore, the Army now admits that it made a mistake in calling about 1,000 of 38,827 fillers. It then passed the blame on the men because they had allegedly failed to follow admittedly complicated personnel regulations.

As for "gripers," the great majority of them came from the "filler" class. Among Organized Reserve units called, 0.9 percent of the members asked for a delay and 4.3 percent requested exemption, according to the later reports issued in late November. Among the "fillers," 24.9 percent asked delay and 14.4 percent asked exemption.

John G. Norris, Washington Post military analyst, has ascribed the difficulties arising from the Reserve mobilization to a "leadership deficiency" in the Defense Department. Writing in the February issue of the Officer, Norris concludes:

> If someone had anticipated the problems of calling up unpaid, nonunit ex-servicemen during a cold war demonstration of determination, it would have saved a lot of trouble. That someone could well have been the Assistant Army Secretary for Personnel and Reserves—except that McNamara abolished the post last winter.

Mr. Speaker, these facts point up conclusively the need for immediate clarification by the Department of Defense of the status of these citizen soldiers. I repeat my demand for the immediate announcement of the release date of these reservists, and again I plead for early committee and House action on my bill, H.R. 10733, to provide the justly deserved additional compensation for these patriotic Americans.

THE 25TH ANNIVERSARY OF SOIL CONSERVATION DISTRICTS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina [Mr. KITCHIN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. KITCHIN. Mr. Speaker, I wish to call to the attention of the House the 25th anniversary of soil conservation districts in the United States.

In December of 1936 the standard State soil conservation law was printed and copies were sent, late in February 1937, to the Governors of all States, with a letter from President Franklin D. Roosevelt expressing the hope that each State legislature would adopt legislation to provide for the organization of soil conservation districts as governmental subdivisions of the State.

The North Carolina General Assembly enacted a State soil conservation districts law on March 22, 1937. Earlier in March 1937, the General Assembly of Arkansas was the first State to enact such a law.

On last evening, it was my privilege to attend a banquet at the National Press Club commemorating the 25th anniversary of our soil conservation districts, sponsored by the National Resources Council of America, an organization with which some 37 national conservation groups are affiliated, including the National Association of Soil and Water Conservation Districts. Present at this banquet were many of my distinguished colleagues of the House and Senate, State officials, heads of national farm and conservation organizations and officials of the U.S. Department of Agriculture. The major address was given by the Secretary of Agriculture, the Honorable Orville Freeman.

Two States were signally honored on this occasion, Arkansas and my own State of North Carolina. It was my privilege to accept on behalf of the fine people of the Brown Creek Soil Conservation District, North Carolina, a handsome bronze plaque commemorating the 25th anniversary of the establishment of the first soil conservation district in the United States on August 4, 1937. I take just pride in the fact that the first soil conservation district in the Nation was created in the Eighth Congressional District of North Carolina with headquarters in Wadesboro, Anson County, N.C. The original district covered a portion of Anson and Union Counties in North Carolina and Chesterfield County, S.C. The Brown Creek Soil Conservation District now includes Anson, Union, Montgomery, Richmond, and Stanly Counties in North Carolina. The first cooperator with this soil conservation district was the late Dr. Furman Yates Sorrell of Wadesboro, my close personal friend. Another North Carolinian, Mr. John D. Miller of Newton, N.C., worked closely with Dr. Sorrell in the prepaartion of the first conservation farm plan in the Brown Creek District. I am exceedingly proud that one of the counties in this pilot soil conservation district, Anson County, is the birthplace of that great American and father of soil and water conservation on our Nation's farms and ranches, one of the architects of soil conservation districts, and first Chief of the Soil Conservation Service—the late Dr. Hugh Hammond Bennett.

Dr. Bennett grew up at Wadesboro in my congressional district, graduated from the University of North Carolina at Chapel Hill and came to Washington in 1903 and entered the Federal service as a soil surveyor with the U.S. Department of Agriculture. That was the beginning of a crusade lasting more than 55 years—a crusade for soil and water conservation on our agricultural lands that resulted in the outstanding national program we have had for more than a quarter century and that great self-government movement, soil conservation districts. Big Hugh, as he was affectionately called, received many honors—from State governments, scientific societies, colleges and foreign governments and after his retirement from the Federal service he visited many foreign countries for consultation with government officials on erosion problems and some of the nations he visited have now set up soil conservation agencies.

This great crusader died on July 7, 1960, and was buried beneath a large oak tree in Arlington National Cemetery with full military honors. Wellington Brink wrote of him in Soil Conservation magazine:

> Hugh Bennett lives today in the land he succored and reinvigorated and in the Soil Conservation Service which was his chosen instrument. We see him in the contoured landscape. He is in the song of mountain streams, the call of duck and quail, the rustle of wind in the corner woodlot. He is in the hum of harvester, and in the lighted faces of country people. That is the way it will always be, for the chief left this Nation the legacy of a stewardship that is for tomorrow and tomorrow and tomorrow.

The State of Arkansas was honored by being presented a second bronze plaque commemorating the 25th anniversary of enactment of the first State soil conservation district enabling act in the United States, which occurred in Arkansas on March 3, 1937. Senators MCCLELLAN and FULBRIGHT accepted the plaque for the people of Arkansas.

I salute the people of Arkansas and their legislators for the first districts legislation in the world and for the successful soil and water conservation programs they have developed and maintained for the past 25 years.

Mr. Speaker, in connection with this anniversary, concurrent resolutions have been introduced in the House and in the Senate. My colleagues from North Carolina, Messrs. COOLEY, KORNEGAY, and WHITENER, have joined me in Concurrent Resolutions 445, 446, 447, and 448, commending the State of Arkansas and the Brown Creek Soil Conservation District, N.C., for pioneering activities in soil and water conservation, and commending all the Nation's 2,900 soil conservation districts and their governing bodies. Concurrent resolutions have been introduced in the Senate by our distinguished Senators from North Carolina and Arkansas.

Mr. Speaker, I should like to close by quoting from that resolution:

> *Resolved by the House of Representatives (the Senate concurring)*, that Congress hereby acknowledges the debt owed the soil conservation districts, expresses its appreciation of, its gratitude to, and its pride in these districts which are the custodians of the Nation's agricultural lands, and extends its congratulations to the 15,000 nonsalaried supervisors, commissioners, and directors of soil conservation districts and the thousands of their predecessors who pioneered in this remarkable demonstration of self-government and grassroots democracy.

CHEST X-RAYS FOR MEMBERS AND EMPLOYEES

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, I am happy to take this time to announce to the House that the necessary arrangements have been made whereby all of our colleagues, as well as all of our employees, may have an opportunity to have chest X-rays made during the hours of 9 a.m. to 5 p.m., beginning today and running through the period of March 30 in room 150, Old House Office Building.

Mr. Speaker, I would like to suggest to all of us here that we take advantage of this opportunity.

TRAVEL POLICY OF DEPARTMENT OF STATE

The SPEAKER. Under previous order of the House, the gentleman from Maryland [Mr. MATHIAS] is recognized for 30 minutes.

Mr. MATHIAS. Mr. Speaker, I ask unanimous consent to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. MATHIAS. Mr. Speaker, President Kennedy, during the first year and a half of his administration, has quite rightly emphasized that the foreign relations of the United States are the most important problem facing the Nation and indeed the whole free world. He is reported to spend more of his own time on foreign affairs than on any other single field of problems. Accordingly, we are deeply concerned that the President shall have the very best help available to him as he faces these serious responsibilities which are his. The country fortunately possesses an asset of inestimable value for the President to use in dealing with the day-to-day problems of the cold war. I refer, of course, to that body of dedicated professionals who comprise the Foreign Service of the United States. These men and their families, coming from every State in the Nation and from every background imaginable, serve in every country of the world, providing the President and the Secretary of State detailed and up-to-the-minute information on all the economic and political developments in their countries of assignment.

The President recognized the importance of the career services in the Government, including the Foreign Service, in an open letter published on the inside of the Department of State Newsletter for February 1962, entitled "Goals for 'Lean, Fit, Efficient' Federal Establishment in 1962." In this interesting open letter, the President said, and I quote:

> When I called, at the very outset of my administration, for initiative, responsibility, and energy in serving the public interest, the response from the career service was enthusiastic and eager. * * *
>
> Much has already been accomplished and many things are in the process of change as we move toward the lean, fit, and efficient establishment which I have set as a goal. Some management objectives I would like to stress for the coming year are these: * * * (3) continued efforts to draw forth the best ideas, energies, and performance of all those engaged in Government work through effective manpower utilization and employee-management cooperation. * * *
>
> Today our concern with man's environment ranges from the ocean floor to the stars. Since there are virtually no limits to the physical dimensions of the tasks set for us, we must identify and unshackle limitless creativity in the Government's career service. In every phase of Government operations we must be certain that we provide today's solution to today's problems.

All of us can agree with these words of the President. I am now constrained, however, to point to certain instances of apparent misdirection in the Department of State which seem to me to be inimical to the goals the President sets forth. I have information which leads me to believe that the exact opposite is the truth. I am told that morale in the career Foreign Service has never been lower, and that if drastic improvements in the administration of the Foreign Service are not made soon, the effective operation of the Foreign Service will be endangered.

It is not hard to find out upon inquiry why even men of the stoutest heart wonder how long they can go on serving the Government of the United States in the Foreign Service. I am told that more than 200 Foreign Service officers in the middle grades are presently without assignments. They have been told that there are no present prospects of assignment. I cannot believe that there are no problem areas in the world which could use the skills of these experienced officers. I ask whether this is the "effective manpower utilization" to which the President eloquently refers in his open letter.

The same Department of State Newsletter to which I referred earlier contains on page 32 the following interesting item, and I quote:

> Department defers home leave, travel: The Department has curtailed home leave and other travel in another effort to stretch available funds. The restriction, announced in a message to the field January 31, does not affect the validity of travel orders issued prior to that date. Exceptions will be made in emergency, urgent, or compassionate cases.
>
> The Department has requested a fiscal year 1962 supplemental appropriation which, if approved, will enable the Department to restore travel funds.

In my judgment the announcement is a revelation of misdirection. I submit for the RECORD a copy of the Department's announcement curtailing travel.

Mr. Speaker, the efficient operation of the Foreign Service depends above all on having the right man in the right place at the right time. It is an enormously difficult management job requiring the utmost skill to have available at the right time officers who have the language skills and the necessary knowledge of the political and economic conditions in the areas. Moreover, each officer who is reassigned requires a replacement, and that replacement requires a replacement, and so on; so that it is impossible to interrupt the orderly reassignment of officers without bringing chaos to the service at every one of the posts it staffs. The Department stimpulates this danger in the travel curtailment announcement. In that announcement the Department stated a realization of the "potential impact of this step on post staffing in terms of double incumbencies and/or overlong vacancies and personal plans."

In addition to the needs of the service for efficient reassignment, consider closely the effect on the foreign service families involved. Many have served in hardship posts for long periods of time without rest or recreation, nearly all have children who must be transferred from one school to another when they change posts, many have deferred medical attention which can be gotten only in the United States, plans are made to attend service courses which will increase the officer's skill, perhaps teach him new languages needed at his next post, and plans must be made in advance to house the families while they are here in the United States.

All the careful planning and all the reassignments which were scheduled to take place between January 31 and the new fiscal year beginning July 31, will now have to be scrapped.

I am sure that the Congress last year appropriated enough money to operate the foreign service in the normal way. There seems no question however, that these funds, which were appropriated to take care of the legitimate travel needs of the career foreign service, were spent without any thought for the morrow. Can it be that the Department takes it for granted that we shall always bear the burden for an effective Foreign Service Corps through supplemental appropriations? If we are to make such appropriations to cover unanticipated expenses—that is one thing—but if we are to make them to rectify misdirection and careless planning of appropriated funds that is quite another matter.

A case in point to demonstrate my concern for the lot of the Foreign Service could be the Attorney General's visit abroad. I have noted Secretary Rusk's comment that the visit was made at his request and urging. I have yet to discover the nature of the Attorney General's mission and, more precisely, whether the mission was designed to foster good will among the nations visited or for some other purpose more directly concerned with specific foreign policy.

I have waited until now to voice comment, for it was not my intention to pose possibly embarrassing questions while the Attorney General was abroad. I now sense, however, the need to lay bare the record in an effort to seek the true purpose of the Attorney General's visit. I believe that we are entitled to full knowledge of the purpose of the trip, particularly when we are called upon to

supply new travel funds to "enable the Department to complete programs for the current year."

To date there has been some aura of mystery about the visits of some of our high-ranking officials. The expenses for that trip for the Attorney General and his wife were borne by the State Department and I have a letter here on that matter from the Deputy Attorney General in reply to mine of February 8, 1962. I should like to insert this correspondence in the RECORD.

Is it too much to ask that we be advised of the purpose and results of the Attorney General's trip in view of the fact that appropriated funds financed the mission? Furthermore, is it too much to ask that if the purpose of the trips such as that one and others by high-ranking officials of the administration are to foster good will alone, shouldn't some consideration have been given to the necessity of such trips in the light of the Department's policy of curtailment of official travel for others?

I am advised that hearings on the request for a State Department supplemental appropriation will probably begin tomorrow. I for one hope that speedy action can be taken on the Department of State's request in order to sustain the efficiency and morale of the career Foreign Service. On the other hand, I cannot allow such a justification to overcome misdirection of emphasis. The expense of the Attorney General's trip may not make up much of the difference that prompts this new need for funds. But the collective trips of many high-ranking officials for vague or unstated reasons do make a substantial difference. We are entitled to a few answers and the lot of the career Foreign Service officer deserves less indifference. I hope tomorrow's hearing will provide some of the answers.

In these times of constant international crisis, the American people have a right to expect no less than an efficient Foreign Service, and the Foreign Service has a right to expect no less and asks no more than the tools to do its difficult task.

The material referred to follows:

OFFICE OF THE ATTORNEY GENERAL,
Washington, D.C., February 14, 1962

Hon. CHARLES MCC. MATHIAS, Jr.,
House of Representatives, Washington, D.C.

DEAR CONGRESSMAN: In response to your letter of February 8, the State Department is paying the expenses of the Attorney General and Mrs. Kennedy.

The trip is being made at the request of the State Department and in accordance with established policy governing the travel of wives of Cabinet officers where her presence is deemed important to the success of the mission.

Mrs. Wilson's expenses are being paid by a magazine for which she will write an article about her experiences.

Sincerely,

BYRON R. WHITE,
Acting Attorney General.

FEBRUARY 8, 1962.

Hon. BYRON R. WHITE,
Deputy Attorney General, Department of Justice, Washington, D.C.

DEAR MR. WHITE: I would appreciate your advice as to whether the Justice Department or some other agency of the U.S. Government is paying the expenses of Mr. and Mrs. Kennedy on their current international tour. I should also be interested in knowing in what character Mrs. Donald Wilson is accompanying Mr. and Mrs. Kennedy.

Very truly yours,

CHARLES MCC. MATHIAS, Jr.

A supplemental appropriation has become necessary to enable the Department to complete programs for the current fiscal year. The request for such appropriation is being submitted to Congress within the next few days. Pending action, the Department finds itself compelled to curtail official travel immediately. This restriction will not affect the validity of travel orders already issued.

The Department realizes the potential impact of this step on post staffing in terms of double incumbencies and/or overlong vacancies and personal plans, and intends to be as liberal as possible in interpreting what constitutes urgent or compassionate cases. For example, the Department will give highest priority to travel from extreme hardship posts.

JANUARY 31, 1962.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. PIKE (at the request of Mr. MULTER), on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. HALPERN, for 15 minutes, today.

Mr. BAILEY, for 30 minutes, on Tuesday next, March 27, 1962.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. BURKE of Massachusetts and to include extraneous matter.

Mr. HAYS.

Mr. BETTS.

Mr. MICHEL.

Mr. EDMONDSON and to include extraneous matter.

Mr. ROOSEVELT.

Mr. GILBERT.

(The following Members (at the request of Mr. KYL) and to include extraneous matter:)

Mr. LAIRD.

Mr. HALPERN.

Mr. PELLY.

(The following Members (at the request of Mr. ALBERT) and to include extraneous matter:)

Mr. FLOOD.

Mr. FASCELL.

SENATE CONCURRENT RESOLUTION REFERRED

A concurrent resolution of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. Con. Res. 61. Concurrent resolution requesting the President to designate the week of March 25, 1962, as Voluntary Overseas Aid Week; to the Committee on the Judiciary.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 1691. An act to provide that any juvenile who has been determined delinquent by a district court of the United States may be committed by the court to the custody of the Attorney General for observation and study; and

S. 1756. An act for the relief of the city of Pasco, Wash.

BILL PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on March 19, 1962, present to the President, for his approval, a bill of the House of the following title:

H.R. 5143. An act to amend section 801 of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901.

ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 37 minutes p.m.) the House adjourned until tomorrow, Wednesday, March 21, 1962, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1832. A letter from the Acting Director, Office of Emergency Planning, Executive Office of the President, transmitting a copy of the statistical supplement, stockpile report to the Congress, for the period ending December 31, 1961, pursuant to Public Law 520, 79th Congress; to the Committee on Armed Services.

1833. A letter from the Comptroller General of the United States, transmitting a report on the final audit of the Federal Facilities Corporation, General Services Administration, for the fiscal year ended June 30, 1961, and the 3-month period ended September 30, 1961 (H. Doc. No. 367); to the Committee on Government Operations and ordered to be printed.

1834. A communication from the President of the United States, transmitting a draft of a proposed bill entitled "A bill to amend the Interstate Commerce Act to grant to any carrier of coal by pipeline, subject to any of the provisions of part 1 of the act, the right of eminent domain, and for other purposes"; to the Committee on Interstate and Foreign Commerce.

1835. A letter from the Attorney General, transmitting a draft of a proposed bill entitled "A bill to amend chapter 13 of title 18 of the United States Code relating to civil rights"; to the Committee on the Judiciary.

1836. A letter from the Commissioner, Federal Prison Industries, Inc., U.S. Department of Justice, transmitting the Annual Report of the Board of Directors of Federal

Prison Industries, Inc., for the fiscal year 1961, pursuant to 18 U.S.C. 4127; to the Committee on the Judiciary.

1837. A letter from the Under Secretary of Commerce, transmitting a draft of a proposed bill entitled "A bill to amend section 2 of the act of July 7, 1960, as amended, to continue the 55 percent limit on construction-differential subsidy for construction, reconstruction, and reconditioning of ships for one additional year"; to the Committee on Merchant Marine and Fisheries.

1838. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated January 30, 1962, submitting a report, together with accompanying papers and illustrations, on a review of reports on the Plum Bayou, Ark., requested by a resolution of the Committee on Public Works, House of Representatives, adopted March 16, 1954; to the Committee on Public Works.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MORGAN: Committee on Foreign Affairs. H.R. 10700. A bill to amend the Peace Corps Act; without amendment (Rept. No. 1470). Referred to the Committee of the Whole House on the State of the Union.

Mr. PATMAN: Select Committee on Small Business. Report pursuant to House Resolution 46 pertaining to small business problems in the tomato industry (Rept. No. 1471). Referred to the Committee of the Whole House on the State of the Union.

Mrs. PFOST: Committee on Interior and Insular Affairs. H.R. 8030. A bill to amend the act admitting the State of Washington into the Union in order to authorize the use of funds from the disposition of certain lands for the construction of State charitable, educational, penal, or reformatory institutions; without amendment (Rept. No. 1472). Referred to the House Calendar.

Mr. BONNER: Committee on Merchant Marine and Fisheries. H.R. 1171. A bill to increase the public benefits from the national fish and wildlife conservation areas through their incidental or secondary use for public recreation, and for other purposes; with an amendment (Rept. No. 1473). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BATTIN:

H.R. 10821. A bill to amend section 8(b) of the Soil Conservation and Domestic Allotment Act, as amended, to provide for administration of farm program by duly elected farmer committeemen; to the Committee on Agriculture.

By Mr. CELLER:

H.R. 10822. A bill to provide penalties for certain offenses committed in connection with highway construction; to the Committee on the Judiciary.

By Mr. CURTIS of Missouri:

H.R. 10823. A bill to amend the Tariff Act of 1930 to provide quota limitations on imports of duty-free tapioca and to provide for a tariff on additional imports; to the Committee on Ways and Means.

By Mrs. DWYER:

H.R. 10824. A bill to amend the Small Business Act to make it clear that disaster loans in cases of flood or other catastrophe may be made with respect to property of any type (including summer homes as well as other residential property); to the Committee on Banking and Currency.

By Mr. FORRESTER:

H.R. 10825. A bill to repeal the act of August 4, 1959 (73 Stat. 280); to the Committee on Armed Services.

By Mr. HOEVEN:

H.R. 10826. A bill to amend the Internal Revenue Code of 1954 to allow a deduction from gross income for certain amounts paid for the education of the taxpayer, his spouse, or his dependents; to the Committee on Ways and Means.

By Mr. JOHNSON of Maryland:

H.R. 10827. A bill to provide disaster loans to fishing vessel owners and operators and other boatowners and operators engaged in the seafood industry adversely affected by failure of the seafood resource, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. LESINSKI:

H.R. 10828. A bill to amend title II of the Housing Amendments of 1955 to provide that a public authority established jointly by two or more communities may qualify for a public facilities loan thereunder (regardless of the aggregate population involved) if each of such communities is within the applicable population limitation; to the Committee on Banking and Currency.

By Mr. MCINTIRE:

H.R. 10829. A bill to amend section 6 of the Agricultural Marketing Act, as amended, to reduce the revolving fund available for subscriptions to the capital stock of the banks for cooperatives; to the Committee on Agriculture.

By Mr. CLEM MILLER:

H.R. 10830. A bill to provide for the establishment of the King Range National Conservation Area in the State of California; to the Committee on Interior and Insular Affairs.

H.R. 10831. A bill to amend the Public Health Service Act in order to provide a broadened program in the field of mental health and illness of grants for research, training, salaries, facilities survey, and construction of facilities for the treatment of the mentally ill and the mentally deficient, including rehabilitation facilities; to the Committee on Interstate and Foreign Commerce.

By Mr. NEDZI:

H.R. 10832. A bill to amend the Immigration and Nationality Act; to the Committee on the Judiciary.

By Mr. O'BRIEN of Illinois:

H.R. 10833. A bill to amend the Tariff Act of 1930 to provide quota limitations on imports of duty-free tapioca and to provide for a tariff on additional imports; to the Committee on Ways and Means.

By Mr. RYAN of Michigan:

H.R. 10834. A bill to amend the Immigration and Nationality Act; to the Committee on the Judiciary.

By Mr. MATTHEWS:

H.R. 10835. A bill to authorize the Secretary of Agriculture to encourage and assist the several States in carrying on a program of forestry research, and for other purposes; to the Committee on Agriculture.

By Mr. O'NEILL:

H.R. 10836. A bill to provide Federal cooperation in a program to preserve certain historic properties in the city of Boston, Mass., and vicinity, associated with the Colonial and Revolutionary periods of American history; to authorize the establishment of the Boston National Historic Sites; and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. CUNNINGHAM:

H. Res. 569. Resolution to authorize the Committee on Post Office and Civil Service to conduct an investigation and study of the policymaking procedures, methods, and practices of the Universal Postal Union; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By Mrs. ST. GEORGE: Resolution of the State of New York, memorializing the Congress to amend the Social Security Act by reasserting the authority over public assistance programs and by limiting the powers delegated to, or assumed by, an administrative agency to promulgate policy and procedure binding upon the States; to the Committee on Ways and Means.

By the SPEAKER: Memorial of the Legislature of the State of New York, memorializing the President and the Congress of the United States to amend the Social Security Act by reasserting its authority over public assistance programs and by limiting the powers delegated to, or assumed by, an administrative agency to promulgate policy and procedure binding upon the States; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. HALPERN:

H.R. 10837. A bill for the relief of Winsome Elaine Gordon; to the Committee on the Judiciary.

By Mr. HAYS:

H.R. 10838. A bill for the relief of Mrs. Marion Estoista Schnibbe; to the Committee on the Judiciary.

By Mr. HOLIFIELD:

H.R. 10839. A bill for the relief of Teodoro Chang Sen (also known as Chu Hing Chang), his wife, Chau Yung Tong (also known as Yung Tong Chang), and their son Chi Kon Chang; to the Committee on the Judiciary.

By Mr. INOUYE:

H.R. 10840. A bill for the relief of Mrs. Bartola Maria S. La Madrid; to the Committee on the Judiciary.

By Mr. JARMAN:

H.R. 10841. A bill for the relief of Mrs. Jesse Franklin White; to the Committee on the Judiciary.

By Mr. JOHNSON of Maryland:

H.R. 10842. A bill for the relief of Frank S. and Anna Hutton; to the Committee on the Judiciary.

By Mr. MCINTIRE:

H.R. 10843. A bill waiving the provisions of section 6511 of the Internal Revenue Code in favor of Earl Crandlemire of Vanceboro, Maine; to the Committee on the Judiciary.

By Mr. OSMERS:

H.R. 10844. A bill for the relief of Irene Lucido; to the Committee on the Judiciary.

By Mr. RYAN of New York:

H.R. 10845. A bill for the relief of John K. L. Wang; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

255. Mr. CANNON presented a resolution of the Missouri Department of Veterans of World War I, for the relief of World War I veterans and their widows, which was referred to the Committee on Veterans' Affairs.

EXTENSIONS OF REMARKS

Some Solid Facts on Imported Residual Fuel Oil

EXTENSION OF REMARKS

OF

HON. ED EDMONDSON

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 1962

Mr. EDMONDSON. Mr. Speaker, it is difficult to look objectively at any question involving an imported product which competes directly and often destructively with an American product.

I am sure that my good friends from New England, who in the March 7 CONGRESSIONAL RECORD quoted liberally from the New England Council on the subject of imported residual oil, would want both the President and the Members of this body to look carefully at all aspects of the import quota controversy.

I am equally sure that they are familiar with the testimony given by the New England council—through its fuels committee chairman, Mr. James S. Couzens—before Subcommittee No. 4 of the House Select Committee on Small Business, the chairman of which is the Honorable TOM STEED, of Oklahoma.

I am not so sure that they are familiar with the detailed and persuasive testimony of the Honorable PAT JENNINGS, our able colleague from Virginia, who appeared before the Steed subcommittee to answer, point by point, the testimony previously given by Mr. Couzens.

Because it is a masterful refutation of many points raised on this issue by the New England Council and others who oppose these quotas, I believe it is in the public interest to insert the full text of Congressman JENNINGS' statement in the RECORD, and am so doing.

It is also noteworthy that Chairman STEED, at the conclusion of Congressman JENNINGS' statement, commented upon the great importance of the New England industrial complex, and further asserted:

No one yet has been able to make any substantial showing that New England can hope to get this fuel from these foreign sources in time of emergency.

Congressman JENNINGS' testimony follows:

TESTIMONY OF CONGRESSMAN WILLIAM PAT JENNINGS BEFORE THE SUBCOMMITTEE NO. 4 OF THE HOUSE SELECT COMMITTEE TO CONDUCT STUDY AND INVESTIGATION OF THE PROBLEMS OF SMALL BUSINESS COMMENTING ON THE TESTIMONY OF MR. JAMES S. COUZENS, NEW ENGLAND COUNCIL

The testimony of Mr. James S. Couzens, of the New England Council, before this subcommittee on November 22, contains some rather surprising statements, which must be examined more closely if we are to have a clear understanding of the impact of residual oil controls.

Among them:

1. He states that residual oil appeared on the New England scene "to replace bituminous coal for space heating, process steam, and general use by industry" during the twenties and thirties.

Comment. Actually, the real growth in dependence on residual in New England, did not take place until cheap foreign oil began to come in in volume in the late 1940's. In 1946, for instance, New England used only 30 million barrels of residual, which provided 24.6 percent of her competitive energy requirements. This was only about 9 million barrels more than was used in 1935. However, between 1946 and 1960, total residual use increased to 71 million barrels, and in that year it provided 31.1 percent of her competitive energy. Coal, in the meantime, dropped from 54.7 percent of New England's energy source in 1946 to 17.7 percent in 1960. The big increase in that same period came in distillate oils, largely used for home and commercial space heating and which is not subject to the residual import control program. Indeed, a very small amount of distillates is imported at all. Distillates, as a proportion of the competitive fuel source for New England, increased from 20.8 percent in 1946 to 42.4 percent in 1960. In the same period gas increased from a negligible amount to 8.8 percent.

Note. In the same testimony Mr. Couzens refers to the great loss of the home-heating market by coal in New England, just as residual oil appeared on the scene. This would appear to suggest that the two are related. Although opponents of residual controls have frequently attempted to confuse the facts by implying that residual controls affect the home-heating market, the fact is that residual is not used for such purposes and its price has no effect whatever on the cost of home-heating oils. These are distillate oils, which are not imported except in negligible quantities.

2. Mr. Couzens says that the conversion from coal to residual oil "has now progressed to the point where the New England area is almost completely dependent upon residual oil. The economy could not survive without it."

This calls for two comments:

First, if Mr. Couzens' statement is correct, the threat of residual imports to national security has indeed become critical. As he further points out, current residual demands by New England can now be furnished only from foreign-oil sources. Virtually unlimited imports of cheaper foreign residual have steadily dried up domestic production by making it more and more unprofitable. Thus, by his own testimony, it is clear that a substantial portion of New England is now wholly dependent on a fuel source which would be closed in event of national emergency, or political upheaval in major supplying areas. Certainly all those in Government concerned with defense procurement and production planning must carefully note this crucial situation, and bear it in mind when allocating national defense contracts which would have to be completed under conditions which might see a serious disruption of the flow of foreign oil into that area.

Second, although his warning is ample proof of the grave danger the Nation faces in its need to maintain essential production under emergency conditions, it implies that coal and natural gas are no longer important fuels for any of New England's factories and establishments. Actually, of course, residual oil, despite its cheap dumped price, has only usurped the market along the coast. Inland, where residual is impossible or extremely difficult to deliver, New England is still largely dependent on a healthy coal industry for its industrial fuel. In the past, the difficulty of delivery of this heavy sludge-type oil has prevented its widespread use in inland areas. However, new types of specially heated and equipped trucks are now being used to haul it to markets formerly considered immune, and further damage to the coal and railroad industries serving New England is threatened.

3. The statement is made that the New England area "could never go back to coal, and must have increasing quantities of this product (residual) every year as its economy expands" (p. 3).

Comment. This statement is completely indefensible. New England could certainly return to coal as a major fuel source, and we are convinced that it eventually will have to do so. This switch could be made with little impact on fuel costs, and it would surely be to the advantage of New England in the long run since domestic coal is more likely to remain a dependable, low cost and stable fuel for New England in the future than is imported residual oil. Certainly, if domestic coal and oil sources are dried up because of imported residual competition, there would remain no check on residual prices and they could be expected to soar to previously unreached levels.

4. Mr. Couzens challenges the use of the term "dumped" to refer to imported residual and attempts to deny that it is "cheap" in price by contending that it is not cheap at the point of origin (p. 4).

Comment. The price in Venezuela has been maintained, and thus that nation has suffered no cut in its revenue per barrel on residual shipped to the United States, although the posted price there is considerably lower than the U.S. domestic residual price. However, the price for which foreign residual is sold within the United States has varied many times in recent years, practically always being determined by what price is necessary to capture the market, and this usually means, what price is necessary to undercut coal. In the opinion of the domestic fuels industries, who have seen their markets gradually whittled away by this predatory pricing practice, this method of disposing of a foreign product in American trade channels constitutes "dumping." The reference on page 5 to the cost of shipping residual as against the cost of shipping coal is nothing but an obvious effort to confuse the issue. The only pertinent fact is the price at the point of consumption.

5. Reference is made to table I filed with Mr. Couzens' statement which reports the results of public bidding by 15 public agencies for residual oil in 1960. The conclusion is that there was an increase of 25 cents in posted tank car prices, which affected their prices, from 1959 to 1960, and that changes in the discounts allowed resulted in a weighted average cost increase to these 15 agencies of 48 cents per barrel between 1960 and 1961.

Comment. The statement compares prices between 1959 and 1960, but significantly fails to mention that 1959 was an extremely low price period, being considerably less than the more normal year of 1958, for example. According to the authoritative "Platt's Oil Price Handbook," the average of "lows and highs" for Boston tank car prices in the past 3 years have been:

1958	$2.7138
1959	2.5652
1960	2.6852

Thus, the average posted 1960 prices was 12 cents (rather than 25 cents) higher than 1959, but 3 cents less than 1958.

In all such discussions of prices, however, two basic facts must be kept in mind. First, only the cargo price of imported residual reflects import prices and only an increase at this level, which has not occurred, would be a true reflection of the impact of import controls; and, second, in any comparison of prices in recent years, it must be borne in mind that prices in 1959, particularly in the late winter and early spring, were abnormally low as a result of the tremendous influx of imports which immediately preceded the adoption of import limitations.

We have no way of knowing the accuracy of the statement that discounts decreased an additional 23 cents, but if they did, there again we find opponents of the oil import program using a price change which is not attributable to the controls in an effort to discredit them. Changed discounts, delivery costs, profits and other factors making up sales prices used by importers and sellers after the oil has been delivered by tanker to this country have no relationship to the import restrictions. Also, note that this discussion again falls back on what seems to be an obvious attempt to confuse. It refers to a "posted price" increase of 25 cents between 1959 and 1960, then says that the additional changes in discounts result in a weighted average increase in cost of 48 cents between 1960 and 1961. It is not at all clear just what years are being used for comparison.

6. Mr. Couzens again falls back on a comparison of the cost of bunker C fuel oil for foreign ships' bunkering in U.S. ports with the so-called world price (which any oil expert will admit does not exist) in a further attempt to show that the controls have unduly increased U.S. prices (p. 6).

Comment. Previously, a large portion of foreign ships bunkering in U.S. ports came from nonbonded stocks, or what is now the quota controlled areas. Since the control program, however, this has largely shifted, and most international bunkering is being done from bonded stocks, in order to free the nonbonded to compete in the domestic U.S. market. Residual sold for ships bunkering must compete pricewise with residual prices in other ports of call, and prices for crude and other petroleum products. For example, crude prices in the U.S. average about $1 per barrel higher than they do in most foreign markets. Also, bunker C prices in different world ports vary widely, and obviously not because of U.S. import controls. Platt's Oilgram Price Service reported September 28 that recent average f.o.b. prices paid by Japanese buyers of bunker C ranged from $2.20 at Los Angeles and Singapore to $1.30 in the neutral zone,[1] $1.80 in Venezuela and $1.75 in the Persian Gulf. Thus, it is a fallacy to attempt to use the price differential for ships bunkering oil (with the bonded price for foreign ships established by competition between sellers in U.S. and in foreign ports) to prove any conclusions about U.S. prices for residual imported for use as fuel domestically.

7. The figures used to arrive at a purported increase in residual costs to four utilities (p. 7) are really confusing. The statement attempts to show that these utilities, which use about 10 million barrels of residual per year, have had to pay some $4 million more annually for this fuel, to the detriment of their electric customers to whom the added costs are passed on as rate increases, and this higher cost is blamed on controls on imports.

Comment. This is a razzle-dazzle juggling of figures which is, to say the least, misleading. First, Mr. Couzens says that OEP studies clearly show that between the first quarter of 1959, just prior to import controls, and the first quarter of 1961, the cargo price of residual had increased 16 cents per barrel to New England utilities (line 8, p. 6). Next, he says that the price for residual "for resale" in New England increased 30 cents a barrel between July 1959 and March 1961 (from $1.97 to $2.27), and, finally, he discusses at length the comparative price for bonded and nonbonded bunker C fuel for ships' bunkering. Here, three different price differentials are quoted: 22½ cents a barrel on posted price basis, 30½ cents from "an investigation of price lists of oil companies," and 41 cents as reported by OEP. Then, by some strange reasoning, Mr. Couzens takes the last quoted figure (which, bear in mind, is for bunker C ship fuel) and applies it to the price of residual oil to four New England utilities, which he had already said were forced to pay 16 cents a barrel more in the first quarter of 1961 than in the same quarter of 1959. On this basis, he concludes that these four utilities paid $4 million more for 10 million barrels of oil. He even translates this reported 41 cents difference in domestic and foreign ships' bunkering oil prices to the total New England residual bill, and concludes that it "places the present penalty on New England for this program in the neighborhood of $28 million annually." Thus is added a new figure to the $10 million, $20 million, and $375 million that have previously been used to "prove" damages to New England from residual import controls. Indeed, there seems to be no end to the variety of figures that they use to prove import control damage. Just this week the United Press quoted my esteemed colleague, Representative THOMAS J. LANE, of Massachusetts, as wiring President Kennedy that present restrictions on residual imports cost New Englanders more than $217 million this year, another new addition to the figure-juggling game.

8. The statement is made that because of restrictions on one fuel, the price of competitive fuels "is bound to react," the inference being that the price of coal to New England has risen sharply. A general coal freight rate increase of 7 cents per ton in 1960 is even cited (last line, p. 7 and top of p. 8).

Comment. The 7-cent-per-ton increase relative to the price of fuel in New England is, of course, inconsequential, and added less than 1 percent to the cost of coal to New England users.

As a matter of fact, coal prices to New England consumers have been declining during the operation of the residual import control program. A study of fuel costs to utilities along the east coast, taken from reports to the Federal Power Commission, shows that in every State except one the average price of utility coal declined between 1958 and 1960.

Examples:

State	Price per ton	
	1958	1960
Connecticut	$10.42	$9.71
Massachusetts	10.40	9.55
Rhode Island	11.95	10.18
New Jersey	9.56	9.37
New York	9.95	9.29
North Carolina	8.05	7.23
Florida	8.45	7.41

9. In another attempt to show that the control program has penalized consumers, Mr. Couzens declares that the General Services Administration in Washington "was unable to receive any bids for its fuel requirements for the coming heating season," and that "finally, after great pressure and pleading" they were able to purchase 500,000 barrels at $2.395. Citing a previous purchase of 600,000 barrels at an average cost of $2.16, Mr. Couzens concludes that GSA thus paid a "penalty" of 23 cents a barrel "only because of the import restriction program on residual oil."

Comment. GSA itself presents this picture in a slightly different light. Mr. William Dosse, Chief of the Buying Division of GSA's region 3 in Washington, said Monday (Nov. 27) that GSA had never faced any problem in obtaining the fuel it needed, but that the initial bids asking as high as $2.90 per barrel were considered well out of line and were rejected. On a new request for bids, Mr. Dosse reported, they were able to obtain the 500,000 barrels at a price less than $2.40 per barrel, which GSA considered reasonable, and the contract was signed. It should be noted that this is for oil delivered on a barge level basis, and not on a cargo level, which would be the only one to actually reflect any increase in import prices. The wide variation of domestic prices—which reflect distributor profits, transportation costs and other charges not connected with the price of the residual oil at oversea shipping points or to the cost of shipping—is indicated by the range of bids to GSA, and the fact that the agency was able to purchase its requirements at less than $2.40 per barrel after rejecting original bids of up to $2.90 per barrel.

10. An attempt is made to discount any interest domestic independent crude producers have in maintaining reasonable limits on residual imports. The following three statements, which were, of course, easily available to Mr. Couzens in that they have been previously published, completely contradict any such belief:

Mr. James F. West, president, Texas Independent Producers & Royalty Owners Association:

"Unlimited influx of residual could seriously impair the economics of the entire domestic oil industry and could completely destroy that industry segment which is currently engaged in production of crudes adaptable primarily for residual fuel users."

Mr. George V. Meyers, executive vice president, Standard Oil Co. of Indiana:

"We believe the continued control of residual imports is necessary in the interests of national security. * * * Unrestricted imports would have an adverse effect upon the domestic oil industry."

Mr. Minor S. Jameson, Jr., executive vice president, Independent Petroleum Association of America:

"Reasonable limitations on imports of residual fuel oil serve the interest of national security because unrestricted imports result in * * * reduced funds available for petroleum exploration and development in the United States."

These very clear and convincing comments on the importance of residual import limits to the domestic petroleum industry have been backed up in the strongest manner by a statement presented to this committee just this week by Mr. Alvin C. Hope, president of the Independent Petroleum Association of America. His testimony was subsequently endorsed by Mr. Jack M. Campbell, secretary of the liaison committee of Cooperating Oil & Gas Association, speaking for 17 separate domestic oil and gas associations.

11. Mr. Couzens states residual represents such a small part of the yield from domestic refineries that it is "a little ridiculous" to assign a major role to residual as affecting the price of crude oil.

Comment. Although domestic refineries have greatly reduced the amount of residual oil remaining in a barrel of crude, to about 11 percent on the average, it does not follow that the revenue they receive from that residual is not an important part of their profit situation, or that they would not produce a higher percentage if the market had not been usurped by low-priced foreign residual.

In fact, Representative WALTER ROGERS of Texas, in a speech before the recent session of Congress, stated that there are a great many wells in Texas and Louisiana producing low gravity crude which is suitable primarily for residual fuel and asphalt products.

In a speech on the House floor in August, Representative ROGERS said that a spot check of more than 7,000 wells in Texas showed that approximately one-fourth of them were in this category.

[1] One of the Middle East countries.

Congressman ROGERS further stated: "Texas crude supplies a significant proportion of the Nation's residual supply, and in 1960 Texas refineries yielded a total of 58.6 million barrels of residual fuel. At the same time, under the liberal residual import restriction now in effect, the import of residual oil into our own district III jumped from 3 million barrels in 1959 to more than 14 million barrels in 1960."

From the producer standpoint, every barrel of imported residual oil displaces a barrel of domestic crude from which it otherwise would have been made, or an equivalent amount of natural gas or coal.

If residual quotas were removed, it could only serve to further reduce the amount of domestic crude produced each year.

12. Mr. Couzens' testimony seems somewhat naive when he says that "the only serious and justifiable complaint the domestic producers have in connection with residual imports is that some of this oil might be used as a refinery stock," and then suggests that the remedy for this is to remove all residual controls.

Comment. If residual legally imported to be used only as fuel is now finding its way into refinery feed stocks, it is difficult indeed to see how taking off all controls and letting in as many million barrels of residual as importers want, with no system of controls whatever, would serve to halt such a practice. Actually, of course, this is the serious area in which complete removal of residual controls would jeopardize the crude control program. Mr. Elmer Bennett, who was Under Secretary of the Interior during the unsuccessful voluntary crude control program which preceded mandatory controls, and during the first 22 months of the present mandatory crude and residual programs, has recently disclosed the difficulties of preventing evasions of the intent of the voluntary crude import program through the use of residual and unfinished oils as refinery stocks.

In a letter responding to a question from Mr. Joseph E. Moody, president of the National Coal Policy Conference, Inc., Mr. Bennett suggested that only a large scale Federal police force inquiring into the day-to-day details of oil refineries and administration could prevent serious diversion of residual to refinery feed stock if all import controls on the latter were removed. This, of course, would quickly wreck the crude import control program, and would just about wreck the domestic crude producing industry.

"No one doubts that nearly all the members of the oil industry would comply with the letter and the spirit of the program even if important derivatives were exempted," Mr. Bennett declared. "Nevertheless, only one 'bad apple' could taint the entire industry, and vigorous policing would be necessary to avoid such an unfortunate occurrence. I assume that an exemption for residual fuel oil would not apply to such oil imported for refining purposes. Yet who is to see to it that exempted fuel oil is not further processed through domestic refineries? I was advised that there is available evidence that partially refined crudes and reconstituted crudes composed of residuals enriched with lighter ends were imported as exempted materials, such as residual fuel oils, during the period of voluntary controls. The competitive cost advantage of imported oils is so large that one must assume there will be a few who will seek to avoid controls over imported crudes. In fairness to those who comply with the program, I do not see how elaborate policing can be avoided if any major derivative such as residual fuel oil is exempted from import limitations.

"It therefore follows that, in my personal opinion, the success of the oil import control program would be jeopardized if residual fuel oil were exempted therefrom. I further believe that if the program is to be conscientiously administered, any such revision in the program would require substantial policing not now necessary."

13. Mr. Couzens again brings up and discusses at some length the contention of the New England Council that imported residual oil has not harmed the domestic coal industry, and that all the unemployment in the coal fields today is principally due to mechanization of the mines and not to residual imports. In trying to prove this case, he also asserts that residual could have had little effect on coal mine employment since "there has been practically no increase in the use of residual in the last 10 years" (pp. 10–11).

Comment. The total volume of residual used in the United States has changed but little in the past 10 years, but the volume of residual used in region 1 (the east coast, which is the only area appreciably affected by residual imports) had increased from 208 million barrels in 1948 to 332 million barrels in 1960. Thus, total consumption in this region increased by 124 million barrels during that 12-year period, although consumption in the rest of the country was declining by an almost equal amount. Meantime imports into the east coast were increasing by 160 million barrels a year. It happens that the east coast is the area in which imported residual is so seriously damaging coal, and the above figures on increases during the past 12 years speak for themselves.

As for Mr. Couzens' renewed attempt to blame coal's unemployment problems on mechanization, that has been most effectively answered by Senator JENNINGS RANDOLPH in recent days. In a letter to the editor of the Saturday Evening Post answering an editorial which showed a surprising lack of knowledge and contained a surprising amount of misinformation on the import control program, Senator RANDOLPH did a masterful job of outlining just how residual imports have contributed materially to coal industry unemployment. The Senator sent a copy of this communication to President Kennedy, incidentally, and in his covering letter urged that no action be taken to eliminate or materially change the quota system as it related to crude and/or residual oil "before competent committees of the Congress have completed studies of these matters now underway."

At this point I would like to quote the following pertinent section on coal mine unemployment from Senator RANDOLPH's letter to the magazine editor:

"To state or write that unemployment in the coal industry is wholly attributable to automation and does not result at least in part from residual oil import competition and other considerations reflects a failure to take into account all the facts inherent in the problem of unemployment in the coal-producing regions.

"Certainly mechanization of the mines has resulted in the need for fewer workers to produce coal than before mechanical equipment was installed. But it has likewise been a reason why the coal industry has been able to hold its mine site prices relatively firm for the past 10 years and thus remain reasonably competitive.

"But greater productivity would have been balanced by more market demands for coal and total employment would not have been severely affected by mine mechanization had it not been for two principal developments.

"The first stemmed from technological progress which made inevitable the shift from coal to other fuels by railroads, once coal's leading customer, and for space heating in homes, apartments, and institutions. These changes cost the coal industry millions of tons of production and sales and reduced coal mine employment by thousands of jobs. But they would have been offset in large degree if the industry had been able to realize expected new markets from the investment of billions of dollars in modern mechanical equipment to make possible lower production costs per ton of coal. Why did the new markets not materialize? The answer is that there occurred a dumping of competing fuels at cutrate prices in coal's two remaining large and growing markets, namely, the electric utility and general industrial markets.

"One of these competing fuels is natural gas when sold under interruptible contracts for large boiler use at prices usually set just low enough to undercut the delivered price of coal. The other is imported residual oil, similarly dump priced, and thus enabled to capture millions of tons of coal equivalent markets on the east coast and in New England which coal would otherwise supply," Senator RANDOLPH's letter continued.

"It is an unchallenged fact that every ton of coal replaced would have been produced by an American miner, whatever the rate of productivity at which he worked. To write, as did the editor of the Saturday Evening Post, that 'as is fairly plain to most people, the thing which has cost jobs to miners is automation,' is to avoid other truths and is to indulge in exaggeration and oversimplification.

"Notwithstanding the employment figures quoted in your editorial, the U.S. Bureau of Mines estimates that the total number of men employed in the bituminous coal and lignite mining industry declined from 228,635 in 1957 (when productivity averaged 10.59 tons per man-shift) to 169,400 in 1960 (when productivity increased to 13.25 tons). During this same period, total imports into the United States of foreign residual oil increased from 173 million barrels to 234 million barrels annually, according to Bureau of Mines statistics. I have been unable to find comparable Government reports on the growth of dumped natural gas sales under interruptible contracts. A special study, however, by the American Gas Association of 17 pipeline companies and their customers showed that by 1959 slightly more than 50 percent of all their industrial sales were on an interruptible contract basis."

(The AGA said that such sales totaled 2,645,917 million cubic feet, and this is equal, in total heating value, to approximately 100 million tons of coal.)

"The figures relating to coal mining deal only with direct employment in the mines. They do not include the thousands of men who are employed as a result of the mechanization of mines, namely, the men who must service the equipment above and below ground; those employed by the machinery manufacturers (and here it is interesting to note that the largest payroll in the New England State of New Hampshire is that of a company manufacturing coal mining equipment); the men who mine the iron ore and those who process it into steel; and those in many other industries which supply or depend upon coal.

"Thus, it is not alone a question of employment in West Virginia and other coal mining States; rather, the problem involves a question of employment in virtually all States.

"It seems incredible to me, therefore, that anyone would seek to deny the fact that predatory pricing on the part of (1) the pipeline distributors of natural gas and (2) importers of foreign residual oil has destroyed thousands of jobs in the coal industry. It is unfortunate, unfair, and untrue to charge that all coal mining employment losses have been due to coal mine mechanization alone.

"Consider these facts, too: One ton of coal is equal in heating value, on the average, to 4.162 barrels of residual oil. Thus, the 234 million barrels of residual oil imported in 1960 were equivalent to 56 million tons of coal, which at the present production level of 13.25 tons per man-day, equals the displacement of 4.2 million man-days of labor in the mines.

"It is not understandable how any editor, mathematician, statistician, propagandist, oil importer or anyone else can arrive at any conclusion other than that there is a major foreign intrusion into the fuel markets of the United States, a major part of which could be filled by American coal," Senator RANDOLPH declared.

14. Finally, Mr. Chairman, I would like to conclude these comments on the testimony of the New England Council with a look at a somewhat startling observation Mr. Couzens makes on page 12. In it, he predicts that the eventual increased coal requirements by electric utilities in other portions of the United States will (and I quote his filed testimony) "will more than offset a complete loss of their entire market on the eastern seaboard."

Mr. Chairman, I think the real objectives of the New England Council are now quite plain for all to see. They are not just seeking a free access to residual oil; they are actually looking to a "complete loss" of the entire coal market on the eastern seaboard. I find it incredible that the New England Council can honestly believe this catastrophe would work for the best interests of New England. Certainly, with coal eliminated as a competitive fuel and as a price balance to the cost of oil, there would be nothing whatsoever to stabilize fuel prices to New England's consumers, large and small. Not only would New England be completely dependent on foreign oil (which, you will recall, Mr. Couzens testified she is already), but also she would be completely at the mercy of the oil importers for supplies and prices.

Under such conditions, if the international oil companies decided to raise the price of imported residual oil sold in New England to $3 a barrel, $4 a barrel or even more, there would be absolutely nothing New England's fuel consumers could do but pay it or shut down their plants and heating equipment.

Mr. Chairman, the complete loss of the east coast market by the U.S. coal industry could be of benefit to no one except the few big oil importers to whom it would give a stranglehold on the fuel market and on the economy.

If Mr. Couzens really intends to suggest what his statement implies that coal should be willing to give up its entire east coast market, it raises a real question of for whom does the New England Council speak.

Russia Deals Another Blow Against Religious Freedom

EXTENSION OF REMARKS

OF

HON. JACOB H. GILBERT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 1962

Mr. GILBERT. Mr. Speaker, I am shocked and dismayed over the latest Soviet move in its current campaign of persecution against Jews in Russia—the denial of matzoth, which prevents the Jewish people from carrying out their traditional Passover observance.

I sent a telegram, today, to Soviet Ambassador Anatoly F. Dobrynin which reads as follows:

According to an article which appeared in the press the Chief Rabbi of Moscow has told his congregation that no matzoth would be available from the state operated bakeries this year. Matzoth is the Jews' traditional unleavened bread; eating of unraised bread during the Passover Festival which commemorates the exodus from Egypt by the Jews and their freedom from slavery is a most important part of the observance and Jews have strictly observed this dietary rule all through history. Jews have baked matzoth privately in Russia but this practice was prohibited by your Government as a form of private enterprise. This latest decision by the Soviet affects one-half million Jews in Moscow alone. I strongly protest this cruel and vicious move by your Government. What lies behind the decision to prevent a people from obtaining the unleavened bread—matzoth—which they must have in connection with their religious observance? Surely, denying the Jewish people such a simple and staple commodity is uncalled for and can only be looked upon as one more harassment and bitter blow inflicted upon the Jews in Russia. One can only assume that the increasing reports of persecution of Jews in the Soviet must be true. I urge that you do what you can to bring about a reversal of the order involved so that the Jews in your country will be permitted to follow their religious traditions and observances.

I sent a copy of my telegram to Secretary of State Rusk and urged that he immediately issue a protest to the Soviet Union, in an effort to prevent this latest blow against religious freedom.

Dr. Allene Jeanes Honored by Department of Agriculture

EXTENSION OF REMARKS

OF

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 1962

Mr. MICHEL. Mr. Speaker, Dr. Allene R. Jeanes, one of the six honorees at the Federal Women's Award dinner, February 27, has no measure of the number of lives saved by the research of which she is a leader. The number surely runs into thousands. Her contribution is dextran, a chemical replacement for blood plasma.

Dr. Jeanes is a chemist in the Northern Utilization Research and Development Division of the U.S. Department of Agriculture, Peoria, Ill. She conducts research in carbohydrate chemistry leading to new industrial and medical uses for starches and sugars derived from cereal grains.

The path by which Dr. Jeanes achieved international recognition began in 1943, when she was assigned to study the nature of dextrans, gummy carbohydrates formed in sucrose by bacterial action. She then devised a rapid and reliable technique for identifying and characterizing dextrans.

In 1950 when this country faced a critical need for blood plasma during the Korean conflict, Dr. Jeanes pointed out that dextrans might be used to replace or extend blood plasma.

She led the research team of 50 bacteriologists, biochemists, and engineers that developed dextran as a blood plasma replacement. The success of the research led to the use of dextran as a replacement for blood plasma in Army medical installations.

Before joining the U.S. Department of Agriculture as a research chemist in 1941, Dr. Jeanes held a fellowship from the Corn Industries Foundation for work in the National Institutes of Health for 2 years. Prior to that she served for 5 years as head of the science department of Athens, Ala., College and for 2 years as instructor in chemistry at the University of Illinois, where she earned her Ph. D. Dr. Jeanes is a native of Waco, Tex., and did her undergraduate work at Baylor University.

In presenting the award to Dr. Jeanes, Secretary of Agriculture Orville Freeman said:

Scientists have been bringing honors to the Department of Agriculture throughout its history.

Dr. Jeanes, we are particularly happy to have your work recognized during the Department's centennial year. It gives us an opportunity to recall that USDA was the first great public agency authorized to use science to gain practical ends. Thus the Department has been a prime force back of the scientific agriculture that has enriched our national economy and contributed to the health and well-being of people around the world.

The Department's responsibility for research on food and other questions of consumer interest has drawn a large number of able women scientists to our laboratories.

Dr. Jeanes, you and other women scientists in the Department, have made it quite clear that the ability to excel in the quest for knowledge is a quality of the individual. Your own record is distinguished by the courage, dedication, and high competence that mark the outstanding scientist in every field.

Mr. Speaker, in conclusion, I am extremely gratified to point up Dr. Jeanes' scientific accomplishments and very proud to claim her as one of my constituents.

Foreign Fellowships for Medical Students

EXTENSION OF REMARKS

OF

HON. JAMES ROOSEVELT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 1962

Mr. ROOSEVELT. Mr. Speaker, an increasing amount of attention is being paid by the public today to person-to-person relationships between our citizens and those of other countries. For this reason I was particularly interested to learn the details of the foreign fellowships program administered by the Association of American Medical Colleges through a grant from Smith Kline & French Laboratories of Philadelphia, and I believe my colleagues will also find this information of interest.

In the 3 years since Smith Kline & French Laboratories originated its program, 92 American medical students have received Smith Kline & French fellowships under which senior medical students visit remote areas of the world for a minimum of 10 weeks of work and

study. They learn how medicine is practiced in cultures greatly different from our own, they study diseases not common in the United States, and they gain firsthand experience as to the acute need for medical knowledge in distant lands. In addition, they serve as informal goodwill ambassadors for the United States. The fellowships are, of course, confined to the medical field, for Smith Kline & French Laboratories believe that medicine in all its aspects presents one of the best possible avenues toward increased understanding among nations.

There is no doubt that all concerned benefit immeasurably from this unusual clinical experience.

Address of Hon. Phil Weaver

EXTENSION OF REMARKS

OF

HON. MELVIN R. LAIRD

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 1962

Mr. LAIRD. Mr. Speaker, our colleague, the gentleman from Nebraska, PHIL WEAVER, has for the past 3 years or more been studying the growing threat to the construction industry and the American taxpayers of increased controls in the construction field. These controls are exerted by the Small Business Administration and involve the setting aside of contracts for exclusive bidding by small contractors.

Mr. WEAVER has become known as an outstanding authority on the subject and as such was invited to address the annual convention of the Associated General Contractors of America at Los Angeles, on February 28, 1962. I have received a copy of that address and feel that it is well worth the time it would take for our colleagues to read and analyze. The address follows:

ADDRESS OF HON. PHIL WEAVER OF NEBRASKA

Mr. Chairman, distinguished guests, my colleagues in the House of Representatives who are here today, and members of your organization, it is a real pleasure for me to be present and address this group. As you know, I am from Nebraska and serve on the House Appropriations Committee. It was my privilege last fall during the course of defense subcommittee work, to visit and inspect some of our troop units in Germany as well as some of our other Western European bases. After all, as our committee chairman, GEORGE MAHON, of Texas, says, "We have to know what is being done with the money we handle in various appropriation bills and we want to do what we can toward providing the best possible defense programs for the United States."

In this connection, I'd like to say with pride that the men and women in our defense units are topnotch people. They are dedicated and skilled. You can be absolutely assured our Nation's defense is in good hands, from the privates to the top commanders.

At any rate, while in Berlin, I went over to the eastern sector to visit the Garden of Remembrance. The Russians there have a beautifully set up arena banked with flowers and shrubbery where many Russian soldiers who died in the attack on Berlin are buried. This is to honor their war dead. I was told by a Lieutenant Fitzgerald, who accompanied me, that they knew an American Congressman was coming and were prepared for us. The loudspeaker began to blare out from an adjoining area with a sharp and long tirade in English against the United States, calling us warmongers and worse. After about 10 minutes of this, they put on a musical record of a famous American song, and one which I thought was particularly appropriate since I had just seen the great wall dividing East and West Berlin. The song—"Don't Fence Me In."

Now, I don't want to leave the impression that there is any connection whatsoever between what happened there and what I am going to discuss today. But I was reminded about this incident because I know that you people in the construction industry "don't want to be fenced in" either.

And today I am going to talk to you about a fellow who wants to be big brother to all of you. And in the process, he's going to build a fence around your industry, and one we'll find hard to break down.

This big brother wants to lead you by the hand across the river and into the Promised Land. In this Nirvana of Government subsidy and support, you don't even have to tend the store. Big brother will mind your business for you. Of course you'll pay for it—with more than cash—but it ought to be fun while it lasts.

Other than tax dollars, the only thing big brother wants is your right to grow and expand. You will have to deed over to him your birthright and your heritage. In return you will be assured of Government jobs and you will be shaded from the heat of competition by an umbrella of Government subsidy.

This big brother, patterned after the character of George Orwell's novel, "1984," is the Small Business Administration in Washington. Only this month, SBA issued a new leaflet outlining their plans for you, your industry and your future.

Let's look at what "Big Brother" is offering, and here I quote directly from that leaflet:

"The SBA will guide you in presenting your qualifications to contracting agencies, help you prepare bids and assist you with any questions you may have concerning provisions of contracts or with any problems you may have in obtaining related drawings and specifications. The agency can also guide you in such matters as job scheduling and help you locate qualified subcontractors and sources of materials and equipment."

SBA also says it will provide management services and technical advice if you don't know how to run your construction firm after you get a contract. And if SBA's men fail flat, "Big Brother" is handy with a checkbook to bail you out.

If the Corps of Engineers questions a contractor's responsibility or reliability or ethical standards, he can run to SBA and get a certificate of competency—and a bureaucrat's whim overrules the sound and careful practices of experienced contracting officers.

All this may sound pretty. But let's examine it further.

SBA defines a small construction firm as one independently owned, not dominant in its field and one which did less than $5 million worth of work over a 3-year period on the average.

I'd like to say here that there is no single firm, or group of firms, which dominate construction. There are no Du Ponts in this industry. Not a month goes by but what a big firm loses out on a contract award to a much smaller firm. Every big fellow knows that on every job he is competing not only with other big firms but with every other contractor in the Nation. That's the way this business grew, before SBA imposed its controls, and that's the way it still wants to operate today.

I do not know exactly how SBA got into the act. I have been concerned with this problem since early 1959 and I have found no groundswell of clamor for Federal help from contractors, small or large. SBA by its own admission has polled only 976 of the nearly half million contractors in this country. Only 401 of the 7,300 members of AGC have been polled. This seems a very minute figure upon which to base a Federal control program.

SBA did enter the field, though, in the mid-fifties. Its first effort was canceled by the Comptroller General who still holds to your old-fashioned belief that contracts should be advertised and then let only with open, free and competitive bidding.

But SBA kept working and included repair, maintenance and construction in the 1958 Small Business Act. This, incidentally, was a parenthetical insertion.

SBA then called a hearing to enlarge its authority and issue new regulations. The hearing lasted 20 minutes and only one contractor showed up. The lack of interest was unfortunate but it can be traced to the fact that, up until then, SBA had been talking only in terms of contracts for $50,000 or less. Based on this brief hearing, SBA jumped this figure from $50,000 to $500,000 as automatically being set aside.

At this point, early in 1959, I entered the picture. I protested to the Secreary of Defense and SBA. The Secretary heeded the advice of his construction experts and in July 1959, tossed the program out.

But bureaucrats don't take defeat that easily. They tried again, only this time they approached their hand-picked men who were acting as "small business advisers" to the Secretary.

I have talked with one of these men and I found him totally and blissfully ignorant of construction. He couldn't even understand that there are such items as weather and soil conditions to be considered. I asked this man why, if his program of set-asides was so good, such men as General Itschner and Admiral Peltier were so opposed to it. His reply startled me. He told me simply, "They don't have a social conscience."

Here was a man whose obligation was to help create quickly, effectively and efficiently a strong national defense through military base construction. He also owed the taxpayers at least the courtesy of trying to do this economically. But instead, his main concern was for a social conscience.

With this kind of man to guide him, the Secretary gave in, and in the summer of 1960, set-asides were back. Almost at once some far-fetched thing began to happen.

You know about the Sheppard Air Force Base Hospital, a $4½ million job. A legitimate small contractor bid low, but was knocked out on the basis of technicalities and was declared not responsive because of size. Regardless of the merits of this ruling or whether he was big or small, one grim fact remains—that little bureaucrat's whim cost the American taxpayers—you people here—$165,000, or a waste of 15 percent. There's the Norfolk, Va., dredging case where a big outfit bid $1.00 per cubic yard, but was declared not responsive. A small firm got it, for $2 per cubic yard. That deal cost you $7,280, or a waste of 83 percent.

Despite this kind of evidence, SBA says it just doesn't happen. And yet, based on experience and sound judgment, and years of construction field work, the Corps of Engineers tells me it will cost in excess of 10 percent additional each year. A conservative estimate is that it will cost us $160 million annually.

The very people SBA is supposed to help, find themselves in a pretty weird situation too. There was one small contractor in Washington, D.C. He bid on a job at Dulles International Airport and won the contract. The award was protested and it took him 90 good-weather days of legal wrangling, and

a good deal of expense, to convince SBA he was really small. A week later another award was made to this firm, and again SBA knocked it out. Having just admitted the firm was small, SBA reversed itself, and the net loss to the taxpayers was $192,000.

There was a case in my congressional district in Nebraska. The Stewart Construction Co., of Lincoln, bid low—at about $400,000 on a dam project. The next low bid was $465,000. The second bidder protested and SBA's original ruling was against Stewart. Their grounds were that a man of some means in Lincoln had invested some money in both Stewart and in a big, unrelated company. He was not majority stockholder of either firm. But SBA decided in its infinite wisdom that Stewart was an affiliate of the larger firm. That's like saying that if you invest in Joe Jones' little machine shop down the street and also in General Motors, then Joe and G.M. have become affiliates, and that Joe Jones can no longer qualify as small business.

Stewart finally won. But it took their attorney two expensive trips from Lincoln to Washington and 2 months of good-weather time to fight the case. There has been a resultant and perhaps costly delay in the project.

The SBA hearing on Stewart's appeal was closed to the press. It soon became apparent why this secrecy was invoked. Stewart's lawyer had uncovered the fact that SBA has two sets of rules by which your companies, your industry, and your life are being run. One set is open, published in the Federal Register. The other set is secret and known only to SBA personnel. This secret set of rules, called SBA-400, Policy Manual, was not open for your inspection. In short, you enter the game with only the referee knowing the rules. You don't know whether you've stepped out of bounds or have sent an illegal receiver downfield until after the fact. You can only guess that there are such things as boundaries and illegal receivers. You are bound by a set of secret rules and it's going to cost you a lot of time and money to find out when, where, and how you've violated them.

Not content with this power to control you and your industry, SBA came back last year and won power to interfere between you and your subcontractors. I'm not going to dwell on this, but if you haven't read the new rules and examined the new situation, you are in for a rude shock. I'm sure Bill Dunn and others here will be talking about this problem in much more detail with you during this convention.

I'd like to address myself to one other point. We've already seen that this SBA program is costly and wasteful. We've seen that the people it is supposed to help can find no help from SBA in too many cases. Now we come to another matter. In a press release dated January 31, 1962, SBA states, in part, and I quote:

"It is noted that as of December 31, 1961, only $4,789,000 have been charged off against all business loans made by SBA since the inception of the financial assistance program. This figure represents about one-half of 1 percent of the $909,970,000 disbursed as loans to small business."

What are the real facts, as they affect construction? Well, last summer I asked SBA two questions: How many construction loans they had made, and how many were delinquent in excess of 60 days or were in the process of liquidation. I chose the 60-day delinquency figure on the advice of experts from the General Accounting Office who said that any loan delinquent that long was a bad one.

On September 18, 1961, I received a reply from SBA Administrator John Horne. He enclosed two sets of figures. One sheet showed that as of June 30, 1961, there were 774 construction company loans, totaling $38,364,216. The second set of figures showed that as of June 30, 1961, there were 78 borrowers delinquent in excess of 60 days, another 59 loans in the process of liquidation, for a total of 137 or over 17 percent of all construction business loans made. Total unpaid balance was $4,282,223, or 14 percent of the face value of the original loans. Any commercial bank or bonding company with this kind of record would go broke. Incidentally, there are copies of these figures available for you.

I am wondering if these figures don't provide for us the real clue, the real reason, why SBA is attempting to take control of the construction industry and become big brother to all of you. I believe someone in SBA took a look at the bad balance sheet and decided to do something to hedge these poor-risk loans. They wanted to make sure they looked good to Congress and could continue to build and expand their empire and their power. So they initiated the set-aside program to insure the loans.

I would like to reiterate several points I have touched on today.

First, SBA now is concerned with small contractors. I want you to think a bit about what the future may hold—it may well be that tomorrow SBA will replace this with concern for the teeny-weeny contractors.

Second, SBA is creating for you artificial competition, financed by Government money, supported by Government subsidies, and protected by a new set of Government controls.

In this connection I'd like to point out how easy it would be for anybody to enter the construction field to compete with you under this program. I have a brother in the insurance business in Lincoln. If my brother suddenly decided he'd like to become a construction contractor—believe me, he has no experience in that field—all he has to do is form a corporation, get turned down by the local banks, and then apply to SBA for a loan. He'd be in business.

Third, under this size-ceiling subsidy program, I'd caution you to make no plans for expansion. If you do expand, SBA will make sure you won't get any further Government jobs, and you'll be cut back to size.

The only cure for this is through legislation. There are already bills in both the House and Senate to provide this relief. My suggestion to you is that you write to your Congressman or Senator. If you're in Washington, talk to him about it. If he visits home, buttonhole him. Tell your story. Tell it often. Speak out strongly.

If you don't—if no action is taken, I can assure you, the construction industry is digging its own grave.

Patriot Ledger 125th Anniversary Edition, January 6, 1962, Quincy, Mass.

EXTENSION OF REMARKS

OF

HON. JAMES A. BURKE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 1962

Mr. BURKE of Massachusetts. Mr. Speaker, it is indeed an honor for me to call to the attention of the Members of your House a milestone recently achieved by a great newspaper in the Commonwealth of Massachusetts.

The Quincy Patriot Ledger has just celebrated its 125th birthday, and in the many years of its publication, it has served a noble purpose and met an important need for the residents not only of Quincy but of several neighboring communities south of Boston.

The Quincy Patriot Ledger has lived up to the fundamental goals of a newspaper: it has labored diligently to disseminate fairly the news of our communities, our Nation and the world.

While many newspapers throughout the United States of similar circulation have been threatened with failure or have gone under in the last decade, I am happy to report that the Quincy Patriot Ledger is enjoying good health. This is due, I am led to believe, in no small degree, to the fact that the Quincy Patriot Ledger has always tried to be a good newspaper.

Steeped in the history of our land as Quincy and neighboring communities are, the Quincy Patriot Ledger has always demonstrated a keen awareness of the problems America faces. It has never neglected—but rather has spoken out forcibly as well on—the many local issues affecting the lives and welfare of the residents of its communities.

I would like to cite particularly the anniversary issue itself which contained many outstanding articles of lasting significance. There was a history of the South Shore, by Physician-Historian Henry F. Howe, that was truly a masterpiece. It touched on the events of importance in the district from the precolonial days to the present and must have been extremely valuable to high school and college students because it certainly was exciting for those of us whose classroom days are a little bit behind us. It is, of course, obvious that an American cannot be proficient in the knowledge of his own land unless he is familiar with the history of the South Shore communities in the Commonwealth of Massachusetts. And, Mr. Speaker, the section in the special edition that was devoted to the press—national and worldwide—would buoy the spirit of any skeptic who feels that the days of true journalism are past. The many articles in that section provided us with a clearer understanding of the problems of the press itself and how the leaders in journalism are striving to surmount them.

International contributors included: John W. K. Dumoga, foreign news editor of the Daily Graphic in Accra, Ghana; Eljas Erkko, publisher of the Helsingen Sanomat, Helsinki, Finland; Dr. Alberto Gainza Paz, proprietor and director of La Prensa, Buenos Aires, Argentina; Frank Moraes, editor of the Bombay Express, Bombay, India; Dr. Urs Schwarz, editor of the Neue Zurcher Zeitung, Zurich, Switzerland, and Donald Tyerman, editor of the Economist, London, England. Edward W. Barrett, dean of Columbia University Graduate School of Journalism; Barry Bingham, president of the Louisville Times and the Louisville Courier-Journal; Melvin Bergheim, program officer of the Governmental Affairs Institute; Herbert Brucker, editorial page editor of the Hartford Courant, and Dr. Vannevar Bush, noted scientist; Erwin D. Canham, editor of the Christian Science Monitor; J. Montgomery Curtis, director of the American Press Institute; Louis Lyons, curator of

the Nieman Foundation at Harvard University; Ralph McGill, editor of the Atlantic Constitution, and Michael J. Ogden, executive managing editor of the Providence Journal and the Providence Bulletin.

Two distinguished members of the faculty of Harvard University contributed an entire section on "Planning the South Shore's Future." The findings and recommendations of Profs. Reginald Isaac and Francois C. Vigier will be an immense help to the local, State, and Federal officials who are constantly concerned with the intelligent planning of our public and private services to meet the needs of an expanding and more mobile population.

The Quincy Patriot Ledger knows the history of the South Shore; it knows what must be done in this modern world; and it is prepared to contribute what journalism so ably can contribute to the welfare of our citizens. And so, as it continues its daily service, we wish it success because we realize how vital it is to the retention of our liberties that we have a free and energetic press.

Byelorussian Independence Day

EXTENSION OF REMARKS

OF

HON. SEYMOUR HALPERN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 1962

Mr. HALPERN. Mr. Speaker, this Sunday, March 25, is the 44th anniversary of the proclamation of independence of the Byelorussian Democratic Republic. This nation, populated by one of the oldest Slavic peoples, remained free and independent for a short 3-year period before it was overrun by the trampling boots of the Soviet Red Army in 1921.

We in the free world should never permit these brave, albeit enslaved, people to think that their plight has been forgotten. Especially at this time of the year, when the Byelorussian counterpart to our July Fourth approaches, it is important that we take time out to note this event.

Ever since 1918 when the Byelorussians became an independent nation following the collapse of czarist domination, the tiny nation has been riding a politically rocky road. Its short-lived independence ended with a Soviet promise of greater things, but what developed was more than four decades of oppression, degradation, and complete denial of self-determination.

Mr. Speaker, as we look briefly at the history of these valiant people, we in the U.S. Congress should take this opportunity to hope and pray that someday—we hope soon—Byelorussia can once again join with other nations of the world as a free and independent member.

As far back as 1914, V. I. Lenin, founder of modern international communism, held out to subject peoples the promise to uphold "the full right to self-determination of all nations." This line has been followed by his Red disciples who have viewed the aspirations of racial and national groups as convenient tinder for lighting the fires of international revolution—but not as factors to be considered in the treatment by the Soviet Government of the peoples under its own domination.

If the Byelorussian people were given the right of self-determination proclaimed by Lenin, I wonder if they would elect to stay within the Union of Soviet Socialist Republics? There is much evidence indicating that they would not.

The Soviet Republic of Byelorussia is inhabited by some 10 million White Russians, different in many respects from their compatriots in other parts of the Soviet Union. The central government has sought by every means to wipe out the differences in language, culture, and tradition which distinguish these peoples from their fellow citizens.

The Soviet Government argued in 1945 that all the Soviet republics should have seats in the United Nations General Assembly. It succeeded in obtaining seats for both the Ukraine and Byelorussia. If they, themselves, maintain that Byelorussia is a truly independent, sovereign state—and this is the criterion for a seat in the U.N. General Assembly—then they should allow Byelorussia to be independent. If Byelorussia is not sovereign and independent—and we all know that it is not—then it should not have a seat in the U.N. General Assembly.

We can hope that the self-determination of peoples will some day become a universal reality—in the Soviet Empire as well as in other parts of the world.

Byelorussian Independence Day

EXTENSION OF REMARKS

OF

HON. DANIEL J. FLOOD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 1962

Mr. FLOOD. Mr. Speaker, the Byelorussians are one of the smaller and less known of Slavic peoples. This is partly because they have always been intermingled with more numerous and powerful other Slavic peoples, and partly because for centuries they have been subjected to the oppressive yoke of foreigners. For centuries their far more powerful neighbors, the Russians, have done all in their power to subdue them and assimilate them, while trying to represent them to the world as Russians. But history shows that the Byelorussians—the White Russians, or Ruthenians, as they are sometimes called—formed a distinct national group in their homeland, east of Poland and west of Moscow, long before the formation of the modern Russian state. Since that event, early in modern times, Byelorussia became part of the Russian Empire.

The autocracy of czarist Russia could not eliminate the Byelorussians as an ethnic group. The more the Byelorussians were oppressed by their Russian overlords, the more these sturdy people clung to their ethnic and national ideals and longed for the day of their independence. Finally, this came about in 1918, when the czarist regime in Russia was overthrown. On March 25 of that year the Byelorussian National Republic was proclaimed, with its capital at Minsk. The independence of Byelorussia was recognized by the governments of several countries, and it looked as if the new state was on its way to full sovereignty in historic Byelorussia. Unfortunately the independence thus proclaimed did not last long. Russian Communists attacked it early in 1921, the country was overrun by March of that year, and the Byelorussian independence vanished.

Since then more than 10 million Byelorussians are living under the oppressive Soviet totalitarian regime. During all that time they have suffered under indescribable conditions, and have lost nearly all their worldly possessions. But they have not abandoned their ultimate goal for freedom and independence. There in their historic homeland, while working hard under the almost unbearable Soviet system, they ardently look forward to the day of their liberation and freedom. On this 44th anniversary of their independence day let us all hope for the freedom of the Byelorussian people from Communist totalitarian tyranny.

Student Hostility

EXTENSION OF REMARKS

OF

HON. WAYNE L. HAYS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 1962

Mr. HAYS. Mr. Speaker, under leave to extend my remarks in the RECORD, I include an excerpt from the President's press conference on February 21 concerning foreign students. There is no better way to eliminate the root causes of foreign student hostility toward the United States than by bringing key student leaders here to see for themselves what America is really like and by sending our best graduate students and professors to foreign universities to interpret our society accurately to their students and faculties.

Since 1949–50 the number of foreign countries served by our exchange programs has nearly trebled, whereas the number of exchange grantees has less than doubled. In short, our exchange program at present budget levels is spread so thin over vast and critically important areas of Africa, Latin America, and Asia that we are failing to grasp exceedingly important opportunities to improve America's position in the world. It would be the height of folly for our Nation not to make the modest extra investment to do the job right. With the Fulbright-Hays Act as our base and with the budget the President has asked for, we can make rapid new gains on this frontier of foreign relations in the next year.

The excerpt follows:

STUDENT HOSTILITY

Question. Mr. President, the Attorney General, your brother, sir, has encountered evidence of a certain amount of hostility from student groups in various countries. Inasmuch as this has happened before with other American visitors in the past administration, have you given any thought to what it is about us that students in particular seem to resent?

Answer. One of the reasons that I was anxious to have the Attorney General make the trip was because of this very rather curious factor, because you would feel that students who are intellectually curious would be attracted by a free society which gives that intellectual curiosity a chance to develop rather than a totalitarian society.

Therefore, as you know, in the Attorney General's schedule on nearly every occasion he has spoken at colleges and universities. So I am sure he will have some views of that. What has also interested me is the stereotype of the United States. It is a view of the United States almost 50 years old. There is no doubt that it is Marxist oriented, and even in those cases where they may not be Communist, there are many explanations for it.

In the first place these were colonial areas. They were held under subjugation in many cases by Western powers. The road to revolt was in many cases because the Communists were most active. They dominated the thinking. I don't think that the students have caught up with the tremendous changes which have taken place in the United States in the last 50 years, or with the fallacies in the Marxist system which have become obvious in the last 20 years.

In addition, I don't think we are able to emphasize those facets of American life which should be most attractive. I said yesterday that the University of California has more Nobel Prize winners than the Soviet Union. They find in this country, and there are 40 or 50 of them, a climate which permits them to function most effectively. And all of the cultural efforts here, all of the intellectual efforts, all our great schools and universities, these are the part of the story we ought to tell.

I think the Attorney General attempted to communicate that, but of course, he is one voice. But he is attempting—as you know—it is better to light a candle than to curse the darkness. I do agree with you that this is one of the most serious and I think in many ways stimulating problems we face—how to tell our story in a way that makes it new and exciting to young students and also have them examine objectively under the light of present circumstances the serious failures of the Marxist system, which can be told from the wall of China. I think that is our job. I think the trip has been worthwhile for that purpose alone.

Recommendations to the Joint Committee on Republican Principles

EXTENSION OF REMARKS

OF

HON. THOMAS M. PELLY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 1962

Mr. PELLY. Mr. Speaker, the 1962 joint committee on Republican principles is engaged in drafting a general statement reflecting the party's policies on major issues confronting our Nation.

In this connection, the committee invited counsel and advice from Republican Members of the House of Representatives, including myself.

I was happy to respond and it occurs to me that Republican leaders in the State of Washington and the citizens in the First Congressional District, which I represent, have a right to know my personal views. Therefore, I am making my recommendations public.

It will be obvious from the list of suggestions which I have made to the committee, and which follow, that these policies and views of mine differ sharply from the policies and opinions of the present administration and the majority of the Democrats in the Congress. On the other hand, as I have pointed out to the committee, they offer a positive and constructive base on which to formulate alternatives to the Kennedy program under our two-party system:

First. Support a firm foreign policy with respect to the international communistic movement based on winning the cold war.

Second. Support a strong domestic policy within the framework of the Constitution that will protect every American against loss of individual freedom through socialism and the welfare state.

Third. Support a Federal fiscal policy based on no further peacetime increases in the national debt ceiling and including a planned system for reducing the national debt.

Fourth. Support reduction in the size and cost of the Federal Government as against expanding bureaucracy and centralization of Government in Washington, D.C.

Fifth. Support a policy designed to return Federal aid programs to State and local control.

Sixth. Support an embargo on the sale of all strategic goods including agricultural commodities to any nation unless the President determines such nation is not controlled and dominated by the international Communist movement.

Seventh. Support a foreign trade policy which assures effective protection of American industries distressed economically as a result of cheap foreign imports.

Eighth. Support and reaffirm Republican principles of upholding and defending the Constitution of the United States and maintaining representative government in accordance with the principles set forth in the Constitution, the Declaration of Independence, and the Bill of Rights.

Ninth. Support the return of constitutional responsibilities and powers to the legislative branch of Government as opposed to the ever-increasing growth of power in the executive branch.

Tenth. Support civil rights as related to discrimination because of race, creed, color, or condition of servitude.

Eleventh. Oppose any new back-door spending financed programs together with a gradual elimination of outstanding obligations of Treasury borrowing from public debt receipts which bypass the constitutional appropriation procedure.

Twelfth. Oppose foreign aid to any nation supplying strategic goods including agricultural products to Sino-Soviet nations including Cuba.

Thirteenth. Oppose foreign aid to any foreign country which unfairly and capriciously seizes property owned by American citizens.

Fourteenth. Oppose Federal subsidies in any Government program not related to national defense.

Fifteenth. Oppose further encroachment of the Federal Government into those areas of responsibility guaranteed to the several States under the Constitution.

Operation Amigo—Democracy in Action

EXTENSION OF REMARKS

OF

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 1962

Mr. FASCELL. Mr. Speaker, Mayor Robert King High, of Miami, Fla., has asked me to relate to the Nation the success story of Operation Amigo. I am indeed honored to be able to speak of this fine operation in understanding to my colleagues.

Mr. Speaker, 29 young students from Honduras and Ecuador are presently in Miami, Fla., on Operation Amigo, a program which is an outstanding example of democracy in action.

These students represent the third wave of Latin amigos to visit our country under the sponsorship of the Miami Herald and the Greater Miami schools.

Operation Amigo, which has been commended by world leaders, deserves the fullest attention and support of my colleagues, and I would like to detail the foundation and progress of this outstanding community effort.

Operation Amigo came to life in December 1961 in a small office of one of the country's most outstanding newspapers, the Miami Herald. Operation Amigo is the brainchild of Mr. Don Shoemaker, editor of the Miami Herald, Mr. George Beebe, managing editor of the Herald and Dr. Raul Beraun, a leading Lima attorney and prominent Peruvian civic leader. These three men devised Operation Amigo as a vehicle to offset communism in Latin America to give future Latin American leaders a look at life in a working democracy such as ours.

The program was launched with the Miami Herald sponsoring the program in cooperation with the Greater Miami schools under the guidance of an advisory committee. Offers of help immediately poured in from such sources as former Ambassador William D. Fawley; Ultima Hora and Le Prensa, two of Lima, Peru's leading newspapers; from the Lima television station, channel 13; and from Aerolineas Peruanas, S.A.

Edison senior high school was selected as host for the first pilot group of

amigos, as Miami Herald President and Publisher John S. Knight donated $1,000 to finance the travel expenses of five amigos from Peru.

John McMullan, Miami Herald assistant managing editor, flew to Lima to organize the first group and help select students. He was swamped with Peruvian youngsters who wanted to see the democratic system of the United States in action. McMullan and a Lima committee carefully selected teenagers who were desirous of uniting a visit to the United States with their future Peruvian responsibilities. It is a tribute to the leaders of Operation Amigo that included in the first group were also youngsters with a hostile misunderstanding of the United States.

In Miami, the community immediately responded to the plan of Operation Amigo. The student government president of Edison Senior High School said, "We had more offers of homes for the students to live in than we had actual amigos."

Within a few short weeks of the organization meeting at the Miami Herald, 48 pioneers in inter-American understanding were on their way to Miami. The reaction to Operation Amigo among the inter-American community of nations was thrilling. Government officials, school groups, communities, private citizens all across the American Republics asked to participate.

Each group of amigos spends 2 weeks in the United States participating in Dade County school programs, symphony concerts, picnics, and other programs which transcend the language barrier.

The second group of amigos was hosted at Southwest High School and the present group from Honduras and Ecuador is participating at Curley and Notre Dame, the first Catholic schools to join in this fine hands-across-the-border program.

Five more groups of Latin amigos are scheduled to come to Florida before May 1. These groups will be from Guatemala, El Salvador, Costa Rica, Colombia, and Peru.

President Kennedy, speaking of Operation Amigo, has said:

> It's a wonderful idea. An excellent example of how individual Americans can play a significant role in hemispheric affairs. We need more help of this kind.

Typical of the reaction from our Latin American friends is a statement from the consul general of Peru, Fernando Pastor:

> Operation Amigo will bring together strangers who will become understanding friends.

Operation Amigo, Mr. Speaker, will not be measured by yardstick methods or by dollars and cents, but by a change from revolution to evolutionary democratic governments in the future of Latin America.

An understanding of democracy in action is the goal of Operation Amigo with the vehicle being the hearts and minds of teenagers, both in the United States and in Latin America.

Mr. Speaker, we must not fail our future generations in their desire for friendship, understanding, and peace throughout the world. We, as Members of the U.S. Congress, can and should do everything within our power to foster and support the principles of Operation Amigo.

By their own admission, these amigos, the future leaders of Latin America, have acquired a new understanding of life in a democracy. A few of their statements will suffice to illustrate the understanding which the Miami Herald, the schools of Dade County and the people of Dade County are promoting through Operation Amigo. Statements such as, "There is a great difference between a real democracy and a country that just pretends to have democracy. You have the best democracy and the best country." "Americans are not at all like we picture them in Peru, they actually are warm, generous, and hospitable." "I was all wrong about the United States."

Mr. Speaker, Operation Amigo is a program designed to bridge the language barrier, to wipe out misinformation and to destroy communism's anti-American lie.

The people who have made this program a success deserve the highest official recognition and all of the support possible to make this program not just an operation of Dade County, Fla., but truly an Operation Amigo of the hemisphere. I call upon my colleagues to lend their support.

Is the Treasury Withholding on Withholding?

EXTENSION OF REMARKS

OF

HON. JACKSON E. BETTS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 1962

Mr. BETTS. Mr. Speaker, if the Revenue Act of 1962, H.R. 10650, is enacted into law, the tax complexities of the present tax statute will be greatly compounded for millions of American citizens who have income from dividends and interest. The compounding of these complexities will arise from section 19 of the bill which deals with withholding of income tax at the source on interest and dividends.

A clue to the added complexity that will ensue from the enactment of these withholding proposals is found in the fact that the statutory rules proposed in the bill begin on page 183 thereof and continue through page 229. It must, of course, be realized that these almost 50 pages of complex statutory rules will be followed by an even greater number of pages of regulations to implement the statutory language.

The withholding tax on dividends and interest that is included in this bill will be one of the greatest administrative monstrosities ever inflicted on the Internal Revenue Service and the taxpaying public. Payors of dividends and interest, and the many, many millions of recipients of dividends and interest, and the personnel of the Internal Revenue Service will be forced to wallow through a jungle of difficult and obscure rules.

The income tax structure of the United States is already incredibly complex as anyone brave enough to tackle the job of filling out his own income tax form 1040 each year knows.

To all these existing complexities and burdens the bill proposes to add this perfectly unnecessary withholding tax on dividends and interest.

One of the foremost reasons why this complex withholding system is unnecessary is that the Internal Revenue Service is shifting to the use of the new electronic data-processing machines. The membership of this House is generally familiar with the steady progress of the Internal Revenue Service toward putting every taxpayer's tax accounts on tape and keeping his complete tax history on tape. This conversion of the Internal Revenue Service to automatic data processing is moving rapidly. When it is completed there will be no room on the Federal statute books for a blunderbuss type of collection apparatus like the proposed withholding tax on dividends and interest.

That the new automatic data-processing installations of the Internal Revenue Service can cope with the problem of the underreporting gap on dividends and interest, is shown by a speech made as early as April 1961 by a senior administrative official of the Internal Revenue Service. Speaking to the Tax Institute he said that electronic automatic data-processing equipment gives to the Internal Revenue Service, and I quote: "a tool for a much more effective matching of information documents—particularly forms 1099—with tax returns so as to enable us to tighten up enforcement and thereby reduce very substantially the gap between dividend and interest payments, on the one hand, and the amounts of such income reported on returns."

He further noted this, and I quote:

> One of the important changes needed to make the information system an effective substitute for withholding is to obtain taxpayer account numbers on all forms 1099 and similar documents.

That important change has taken place. In October 1961, H.R. 8876 became law. This act authorizes the use of account numbers for taxpayers. And the Ways and Means Committee report on H.R. 8876 said:

> The bill is designed to improve enforcement and collection of internal revenue taxes by facilitating the expanded use of automatic data processing equipment by the Internal Revenue Service and by enabling the Service to match information returns now filed with tax returns.

In discussing the taxpayer account number bill on the Senate floor, on September 23, 1961, the distinguished chairman of the Senate Finance Committee said:

> This legislation, the Treasury testified, would result in closing loopholes so that those who are now avoiding the payment of taxes would be compelled to pay by operating this new number system through computing machines.

He further said:

> The tax revenue, the Treasury testified, would be increased by $5 billion.

And he added:

> The Treasury has told me it is the largest loophole closing bill that has ever been proposed.

It is, thus, clearly shown that the Internal Revenue Service has the working tools now in its hands to close any gap on the underreporting of dividends and interest: Automatic data processing and the authority to use taxpayer account numbers with this electronic equipment to trace, automatically, any underreporting of income.

It is beyond belief that instead of using these presently at hand modern tools to check underreporting of dividends and interest, the Victorian administrative monstrosity of a withholding tax system is also to be imposed as a millstone on the necks of both taxpayers and the Internal Revenue Service. A new relatively inexpensive administrative enforcement tool is to be abandoned, and huge administrative expense burdens are to be imposed on the taxpaying public, on payors of dividends and interest and on the Internal Revenue Service. The accounts and records of all taxpayers and the Internal Revenue Service are to be scrambled. The Service is to be forced to process and clear many, many millions of tax credit claims each year and to process, clear and write checks on many, many millions of refund claims each year.

The administrative waste will be fantastic in scope—just because this administration refuses to use, or even admit the existence of, the tools it now has in hand—electronic automatic data processing and taxpayer account numbers.

This is the same administration that told the Senate Finance Committee, in order to secure the taxpayer account legislation, that that statute would be the biggest loophole closer in history—by tracing quickly under-reported income.

What I have just said will probably be countered with this type of argument:

Our automatic data processing installations are not yet complete and we just started the use of taxpayer account numbers when the new law was passed in the fall of 1961.

But suppose several years do elapse before the Internal Revenue Service has these collection and enforcement tools fully installed, oiled, and operating.

These withholding taxes on dividends and interest are not to begin until January 1, 1963. Income tax returns for the year 1963 are not required to be filed until April 1964. Internal Revenue Service has 3 years from April 1964—that is, until April 1967—to use its electronic machines for the purpose of automatically and almost instantly tracing underreporting of dividends and interest by every taxpayer.

And if it be argued that the machines will not be geared to do this job as to dividend and interest payments in the year 1963, there is a perfect counter to such a position.

Let us assume, to be very extreme, that the machines will not be geared up to automatically and quickly trace underreporting until payments are made in the year 1965. Certainly as to any taxpayer "apprehended" by the machines for the year 1965 for failing to report dividends and interest it is a simple matter to then pick up his 1963 and 1964 returns and check the completeness of his income reporting for those years.

Just the wide public knowledge that taxpayers from now on will have to combat these machines will be an administrative weapon operating in terrorem to force scrupulous care in the reporting of dividends and interest.

Mr. Speaker, here is a very simple way to avoid the multitude of evils of a withholding tax system on dividends and interest—and a very inexpensive way. Why do we not accept it and use it? Why must we further complicate and confuse the life of the American taxpayer? Why must we further complicate and confuse the already very difficult individual income tax return form 1040?

That automatic data processing makes withholding taxes unnecessary is further shown by Commissioner Caplin's February 16 Dallas speech in which he reported that the ADP installations will all be in and functioning by January 1, 1965.

He said:

> Automatic data processing is being installed at an accelerated rate, and we expect to have all nine service centers operating by January 1, 1965. * * * Early evidence from our pilot Atlanta installations indicates that tax administration has the greatest tool in its history.

The proposed withholding taxes would not be effective until the year 1963—and tax returns for those years are due April 15, 1964. The period for making additional assessments on returns filed in April 1964 does not expire until April 1967.

Two years before that date the ADP—taxpayer account numbers system of IRS—will be functioning on a nationwide basis. The IRS Commissioner has just said this.

In April 1961 Assistant Commissioner—now Deputy Commissioner—of Internal Revenue, Bertrand Harding, stated that automatic data processing plus the use of taxpayer account numbers would give a perfect simple substitute for withholding taxes. He stated:

> One of the important changes needed to make the information system an effective substitute for withholding is to obtain taxpayer account numbers on all forms 1099 and similar documents.

H.R. 8876 enacted in October 1961 authorized the use of taxpayer account numbers. So IRS now has all the tools it needs to avoid the cumbersome collection method of a withholding tax.

And Commissioner Caplin, as noted above, has just stated that January 1, 1965, the system will operate on a nationwide basis.

The fact that the IRS is developing its automatic data-processing plant is already having its persuasive effect on taxpayers who may have been cavalier in any way on underreporting items of income. It will assuredly catch them on omission of income items like dividends and interest.

The withholding tax provisions in the Revenue Act of 1962 are not the same that were presented by the Treasury last spring. The Treasury was then urging what they called a simplified system which would not require payors to give payees receipts for tax withheld, and would not permit payees to file any exemption certificates with payors.

In particular, the Treasury made the point that the withholding tax system the administration wished to sell would be made unduly complex if payees were permitted to file exemption certificates to claim exemption from the withholding tax.

This original Treasury position in opposition to exemption certificates can be found in the administration statements on pages 11, 39, and 277 of the hearings of the Committees on Ways and Means. Yet the bill in its present form would provide for several forms of exemption certificates to be used by different types of payees to escape tax withholding. How the payors of dividends and interest and the Revenue Service can possibly keep the administration of this tax, and their records, in any semblance of order with these exemption certificates circulating, is beyond my powers of comprehension.

The only relationship that exists between the payors of interest and dividends and the more than 30 million recipients of dividend and interest income is a mail relationship. Payees are often just strange names on a mailing list.

Under the bill as reported by the Committee on Ways and Means, the payees will be entitled to an automatic credit of tax withheld, and entitled—in theory at least—to receive refund checks for tax overwithheld without too much difficulty and redtape delays—if they file refund claims. Payors are made personally liable for the tax to be withheld. Yet in that picture, exemption certificates, without any administrative control whatsoever are to be allowed to circulate.

A payor company which may be a bank paying interest or a corporation paying dividends, to many thousands of people in each case, is supposed to enter into an elaborate correspondence with people who wish to file the new exemption certificate and then separate its payments of interest or dividends between those on which tax is withholdable and those not subject to withholding tax.

The payee who has received a payment under an exemption certificate on which no tax has been withheld is supposed to be honest enough to report that payment in full and not also claim an automatic credit on the ground that 20 percent has been withheld. He can potentially claim both an exemption and a refund because there will be absolutely no Government records showing whether any tax has been withheld. The payee is given a marvelous enticement both to escape the 20-percent tax withholding by his payor and then pick up another 20 percent by claiming an automatic credit, or by filing a claim for refund—both of which the Treasury assures us will be processed practically automatically. I do not believe that taxpayers will deliberately resort to such a dodge

but it would seem inevitable that such a result would frequently prevail through innocent act.

It is well known that the payors of interest and dividends in most cases have been forced in recent years to turn the entire payment operation over to modern machinery. Any large paying agent will tell you that machines now available to him can barely take the present traffic, and that if they have to be worked twice to separate exempt from nonexempt payments, the administrative chore becomes almost impossible. The paying agents will also tell you that they have difficulty getting these machines and to the extent that they must secure new equipment just for their present needs they have to wait months or years for it.

Expanded provisions permitting the use of exemption certificates were hastily added by the Committee on Ways and Means on the eve of reporting the bill. Apparently they are intended as a sop to the national clamor from millions of people who are going to be the victims of over-withholding, people who could either owe no tax at all or considerably less than the amount of tax withheld. This involves also the millions and millions of senior citizens in this country who are living on small sums of invested income—usually dividends and interest. Twenty percent of their support money is to be collected and put into the public till and then doled out to them much later in the forms of refunds or credits—at the mercy of the red tape mill of a Federal agency. During the interim they must figure out some other way to meet their rent and food obligations.

The exemption certificate rules in the bill are a poor sop in this regard. They are limited to children under 18 and to persons who are willing to state that they will owe zero Federal income tax. But the vast majority of people who will be affected by over-withholding of tax on dividends and interest are people who have some tax liability. They cannot avoid withholding by making a statement that they will owe no income tax. They are still left to the meat-grinder process of this antiquated tax collection device.

The situation is an absurdity. The limited rules for exemption certificates that have been put into the bill complete the task of making the withholding provisions an administrative monstrosity, and confusing the accounts and records of payors, payees and the Internal Revenue Service. And—these provisions still do not give the broad relief from over-withholding for which their sponsors are aiming. Probably no more than 10 percent, probably as low as 5 percent, of the people on whom there will be over-withholding of tax are completely immune to income tax. The remaining 90 to 95 percent are people who cannot file an exemption certificate and honestly state that they will owe no income tax. As to these people, including the many millions of senior citizens, as to whom tax will be over-withheld, and whose standard of living is to be contracted by this weird tax collection device—they are to be surrendered to the administrative jungle of an antiquated and completely unnecessary tax collection device.

Mr. Speaker, this recitation of facts pertaining to the withholding provisions of H.R. 10650 raises serious questions as to the need for interest and dividend withholding in view of the development in the automatic data processing field. Section 19 of the bill should not become a part of our tax structure.

SENATE

WEDNESDAY, MARCH 21, 1962

(Legislative day of Wednesday, March 14, 1962)

The Senate met at 9 o'clock a.m., on the expiration of the recess, and was called to order by the President pro tempore.

Rev. Oscar Muspratt, vicar of Penn, Buckinghamshire, England, offered the following prayer:

The prayer is adapted from William Penn's prayer for Philadelphia, in 1684:

O Almighty God, our Heavenly Father, we commend this Nation to Thy merciful care. Grant that her people may be kept from the evil that would overwhelm them; that faithful to the God of all mercies, they may stand in the day of trial; that their children may be blest of the Lord; and that their people, saved by His power, may be preserved to the end.

Bless Thy servants, the President of the United States and all others in authority. Grant that ever conscious of their accountability to Thee, they will always faithfully fulfill their duty to support power in reverence with the people, and so secure the people from the abuse of power that they may be free by their just obedience, and the magistrates ever be honorable for their just administration. Through Jesus Christ, our Lord. Amen.

And from St. Francis of Assisi:

Lord, make us instruments of Thy peace. Where there is hatred, may we bring love; where there is injury, may we bring pardon; where there is discord, may we bring unity; where there is doubt, may we bring faith; where there is despair, may we bring hope; where there is darkness, may we bring light; where there is sadness, may we bring joy; for Thy mercy and for Thy truth's sake. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, March 20, 1962, was dispensed with.

ORDER FOR RECESS UNTIL 9 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until 9 o'clock tomorrow morning.

The PRESIDENT pro tempore. Without objection, it is so ordered.

OPENING PRAYER BY REV. OSCAR MUSPRATT

Mr. CLARK. Mr. President——

Mr. MANSFIELD. Mr. President, I yield briefly to the Senator from Pennsylvania.

Mr. CLARK. I appreciate the courtesy of my friend, the majority leader, in yielding briefly to me, so that I may say just a word for the RECORD.

Mr. President, Rev. Oscar Muspratt, vicar of Penn, of Buckinghamshire, England, who delivered the morning prayer, which I thought most appropriately was adapted from the famous prayer of William Penn, of whom we Philadelphians and Pennsylvanians are so proud, has come to this country to complete his research on the history of the Penn family.

Penn, in Buckinghamshire, England, is where the Penn family originated, and from which eventually William Penn came to Pennsylvania.

I should like to thank Reverend Muspratt for being with us; and, through the CONGRESSIONAL RECORD, I wish to call the attention of my colleagues and the attention of all the people of the country to this happy historical link between England and the United States of America, to which Reverend Muspratt has come to complete his research on the ancient home of the Penn family overseas.

ANNOUNCEMENT OF COMMITTEE HEARING ON NOMINATIONS OF JOHN K. REGAN AND JOHN W. OLIVER FOR APPOINTMENT TO THE FEDERAL JUDICIARY

Mr. SYMINGTON. Mr. President——

Mr. MANSFIELD. Mr. President, I yield to the Senator from Missouri.

Mr. SYMINGTON. I thank the majority leader.

Mr. President, at the request of my colleague from Missouri [Mr. LONG], I announce, for him, that there will be a meeting of the subcommittee of the Judiciary Committee to consider the nominations of the Honorable John K. Regan and the Honorable John W. Oliver, for appointment to the Federal judiciary, at 6 o'clock this evening or as soon thereafter as, based on the situation in the Senate, the subcommittee can meet. The meeting will be held in room 2300 of the New Senate Office Building.

I thank the majority leader for his courtesy in yielding.

REPORT OF BOY SCOUTS OF AMERICA

The PRESIDENT pro tempore laid before the Senate a letter from the Chief Scout Executive, National Council, Boy Scouts of America, New Brunswick, N.J., transmitting, pursuant to law, a report of that organization, for the year 1961, which, with the accompanying report, was referred to the Committee on Labor and Public Welfare.

THE ALEXANDER HAMILTON NATIONAL MONUMENT — AMENDMENT TO THE CONSTITUTION DEALING WITH POLL TAXES

The Senate resumed the consideration of the motion of the Senator from Montana [Mr. MANSFIELD] to proceed to the consideration of the joint resolution (S.J. Res. 29) providing for the establishing of the former dwelling house of Alexander Hamilton as a national monument.

Mr. MANSFIELD. Mr. President, what is the pending business?

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Montana [Mr. MANSFIELD] that the Senate proceed to the consideration of Senate Joint Resolution 29.

Mr. ROBERTSON. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. METCALF in the chair). Without objection, it is so ordered.

CONFISCATION OF AMERICAN PROPERTY

Mr. SYMINGTON. Mr. President, as we move into consideration of foreign aid to South America, some of the news from that part of this hemisphere is not reassuring.

I refer to the expropriation of U.S. property in Brazil—the arbitrary confiscation by part of the Government in that country of American property, with an offer by the Government of about 5 percent of the value of the property.

In that connection, Mr. President, I ask unanimous consent to have printed at this point in the RECORD a chronological fact sheet of background information concerning the expropriation of Companhia Telefonica Nacional, a telephone operating subsidiary at Porto Alegre, Rio Grande do Sul, Brazil, of the International Telephone & Telegraph Corp.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

CHRONOLOGICAL FACT SHEET

(Background information concerning the expropriation of Companhia Telefonica Nacional, telephone operating subsidiary at Porto Alegre, Rio Grande do Sul, Brazil, of International Telephone & Telegraph Corp., February 19, 1962)

(A) For several years, the State of Rio Grande do Sul has fixed the company's rates at a level which would not permit the recovery of depreciation, let alone a fair return on the investment. The company has tried on numerous occasions to work out a proper basis of rate regulation which would permit a fair return on investment and give the company the ability to raise funds for the expansion of the service.

(B) This was never possible and the rate base presently permitted the company is less than one-sixth of replacement value.

(C) In 1960, the Governor, Leonel Brizola, proposed an appraisal of the property to determine its fair value in connection with his suggestion that we consider the formation of a mixed company. This appraisal was carried out by two appraisers, one appointed by the company and one by the Governor.

(D) The value, agreed to by the two appraisers, converted at the then existing rate of exchange, was $7,300,000.

(E) The Governor, on June 12, 1961, proposed to the company that the appraisal be accepted by both parties as a basis for the formation of a mixed company. However, he did not indicate the basis on which the mixed company would be formed, who would control it, or what the State's contribution would be. (The Governor did announce to a radio audience that the ITT subsidiary would have no more than a 25-percent interest in the mixed company.)

1. June 22, 1961: The company replied that it could neither agree nor disagree to formation of a mixed company until it knew the terms. It also offered five alternative solutions, including sale of the company at fair value to the State. The company also requested that certain obvious deficiencies in the appraisal be corrected, such as the understatement of land values. No reply has been received to date from Gov. Leonel Brizola.

2. July 28: Governor Brizola, in radio broadcasts, announced plan for a pilot company (mixed company with State control), stating: "It is expected that equipment from Iron Curtain countries will be obtained and installed * * * the State no longer wants anything to do with the present telephone company or the holding company * * * the State is not going to expropriate the CTN, nor does it consider it convenient to buy it out with the State holding its obsolete materials."

3. August 19: Governor Brizola in a 2-hour-long conference before law students, declared that "if the United States is really interested in helping Latin Americans, I advise the U.S. Government to help Brazil expropriate and expel the foreign companies now exploiting its people."

4. August 25: President Quadros' resignation resulted in profound politico-military disturbances. Three military ministers in Quadros' cabinet opposed Joao Goulart as president because of his extreme leftist leanings. The third army in Rio Grande do Sul, Santa Catarina and Parana States, joined a movement led by Governor Brizola in support of his brother-in-law, Vice President Goulart.

5. September 2: Goulart arrived in Porto Alegre in an atmosphere of near civil war. Frantic negotiations were being conducted in Brasilia, the nation's capital, negotiations which resulted in changing the powers of the president by a constitutional amendment from presidentialism to parliamentarianism. The memorandum was approved September 3 and Goulart accepted the new formula and went from Porto Alegre to Brasilia.

6. September 22: Governor Brizola in radio and television broadcasts at Rio de Janeiro talked again to students and journalists with the theme song: "Without pretending to declare the Soviet Union innocent of what it is accused, we must have the courage to affirm that the problem of our liberation is linked to the need for elimination of the spoliatory process exerted on our people by the capitalist world, with its polarizing center, today, in the United States."

7. September 27: In the absence of Brizola, Acting Gov. Helio Carlomagno told a group of U.S. consultants that their proposal "would not be accepted as the negotiations with countries of the Socialist bloc, especially East Germany, had more chance for a satisfactory conclusion, as we (the State government) do not hold anything against them, while we have grave reservations regarding the North American capitalists."

8. October 13: The Porto Alegre archbishop, Dom Vincente Scherer, in two letters to Brizola, denounced Communist infiltration in the State government and similarly denounced statewide distribution given to a pamphlet on guerrilla warfare prepared by the Cuban Communist leader "Che" Guevara. State Agriculture Secretary, Alberto Hoffman publicly admitted the archbishop's denunciations were justified.

9. October 24: Brizola, continuing his activities in support of the National Front of Liberation, called it an action group to "emancipate Brazil." Meantime, one of the largest communities which would be affected by the proposed mixed company proposal—the community of Novo Hamburgo—began expressing doubts as to execution of the project. They began publishing weekly reminders of their telephone needs, talked of government apathy and evasiveness.

10. November 20: Incorporator of mixed company appointed by Brizola.

11. December 10: Brizola, in meeting with four U.S. Senators, made bitter attack on the behavior of American companies operating public utilities in Brazil. The Senators were CLAIR ENGEL, California, STEPHEN YOUNG, Ohio, FRANK EDWARD MOSS, Utah, and GALE W. MCGEE, Wyoming. But he assured them there was no danger of communism in South America, only restlessness created by poverty and underdevelopment. Shortly afterward, he signed a telegram to the Federal Senate expressing his full support of legislation controlling remittances of funds to foreign countries. This legislation requires nationals and foreigners to register all foreign holdings, requiring government authorization for all future transfers, and allowing banks to operate only if their respective governments give reciprocal privilege. This has been approved by the Chamber of Deputies.

12. December 13: Luis Carlos Prestes, Brazilian chief of the Communist Party, was quoted in a Sao Paulo newspaper as declaring in Moscow that the "birth of the FLN (National Front of Liberation) is a logical culmination of the integration of forces which arose recently in my country * * * the Communists were the ones who demanded that the constitution be respected and that Goulart be anointed as Brazil's legitimate president * * * the creation of the FLN proposed by Brizola * * * and other progressive elements opened the way for a patriotic, democratic, ample and firm movement which will conduct us to a complete national liberation * * * the reestablishment of diplomatic relations with Hungary, Bulgaria, Rumania, and now with the Soviet Union, is an excellent omen"

13. December 22: Solicitations of subscriptions for the mixed company announced to start January 2, with incorporation of mixed company to be completed within 30 days.

14. January 23: Sale of subscriptions in mixed company extended to February 15 because of relatively poor response, despite heavy full-page propaganda in Porto Alegre newspapers.

15. February 4: Reports in Rio Grande do Sul indicate public support for the mixed company was very poor, with only 27 percent of the shares offered subscribed.

16. February 15: Brizola issued decree of expropriation of the Companhia Telefonica Nacional for $400,000, or about 5 percent of its value.

Mr. SYMINGTON. Mr. President, in a letter of March 16, from Mr. Edward J. Gerrity, Jr., vice president of the International Telephone & Telegraph Corp., Mr. Gerrity states that for 9 years the company has been unable to negotiate with Governor Brizola. Mr. Gerrity further states:

We feel that the Brazilian Federal Government should assume responsibility for prompt action and should guarantee payment of the final indemnity within a mutually agreed-upon period. On that basis the company is ready to arbitrate as to the value of the property.

Mr. President, the people of the United States have come a long way to express their friendship for and their interest in the people of Brazil, and it would seem most unfortunate that a matter of this character at this time cannot be handled on a just basis.

I ask unanimous consent that the letter from Mr. Gerrity be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

INTERNATIONAL TELEPHONE & TELEGRAPH CORP.,
New York, N.Y., March 16, 1962.

The Honorable STUART SYMINGTON,
Senate Office Building,
Washington, D.C.

DEAR SENATOR SYMINGTON: Since the Brazilian Government through its Embassy in Washington has seen fit to issue a press release concerning the expropriation of U.S. property in Brazil, we thought you would be interested in the company side of the matter.

We do not challenge the right of Brazil to expropriate our property if done under proper legal procedures and so long as prompt and adequate compensation is paid. But in this case we have challenged the very method of procedure under Brazilian law and have, in fact, filed suit in Porto Alegre, capital of Rio Grande do Sul, for an injunction compelling Gov. Leonel Brisola to return our property, the Companhia Telefonica Nacional (CTN). Our suit is based, among other things, on the fact that in violation of Brazilian law no notice of impending seizure was given and, again contrary to Brazilian law, no hearing on the petition to expropriate was held.

It is indeed true that our company did not accept as final an appraisal of our property which estimated the value at $7,300,000 in 1960.

Among the reasons the company objected to the appraisal was the inclusion of a parcel of real estate at Porto Alegre at $250,000 when the company had been offered $750,000 for the land only 2 months earlier. The press release carries an implication that CTN would have been paid this amount had it accepted the appraisal. The fact is that no offer of payment was made and the appraisal was only made in connection with the possibility of forming a so-called mixed company. Neither prior to nor subsequent to the appraisal was CTN informed of the essential elements of the proposed mixed company.

The company suggested that the appraisal serve as a basis for negotiation and so wrote the Governor, offering five alternatives toward a solution.

The Governor has failed to this day even to acknowledge the offer.

It is also true that the company's concession to operate had expired, but that occurred in 1953, and the company in good faith continued to render service. CTN also continued to make considerable new investments in the hope that the State authorities would adopt a reasonable attitude.

Unfortunately, it proved impossible to obtain tariff adjustments, and without a concession contract, it was impossible to attract the large amounts of capital needed to expand to meet the demand for service. Governor Brizola rejected in 1960 a company proposal made in 1959 providing for expansion of telephone service on the basis of a concession contract. Instead he suggested the mixed company in which CTN would join but he was vague on the details of how the company would operate. He ignored subsequent inquiries.

The company is willing, as it has been from the start, to participate in negotiations—if they have a chance of succeeding. We have been unable in 9 years to negotiate with Governor Brizola and so are requesting that the Brazilian Federal Government at least assume responsibility for negotiations that have a chance of success. We feel that the Brazilian Federal Government should assume responsibility for prompt action and should guarantee payment of the final indemnity within a mutually agreed-upon period. On that basis the company is ready to arbitrate as to the value of the property.

Enclosed for your information is a fact sheet outlining the history of this matter. I will be glad to supply additional information.

Sincerely,

E. J. GERRITY.

A GREAT EDITORIAL ON THE FLIGHT OF COLONEL GLENN

Mr. SYMINGTON. Mr. President, of all the written reactions to the epochal orbit flight of Lt. Col. John Glenn, one especially appealed to me as representative of the reaction of the people of this Nation and of all peoples.

The morning after the flight, we woke up proud to be Americans; and it was left to Dr. Max Ascoli, in the March 15 issue of the Reporter magazine, to express that pride in words I shall always remember.

How could one forget the line:

The Russian people were told the tale; they did not live it.

I ask unanimous consent that Dr. Ascoli's editorial entitled "February 20, 1962," be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

FEBRUARY 20, 1962

(By MAX ASCOLI)

What one felt during the long hours of John Glenn's adventure must be written down before time blurs the quality of those hours. It had nothing to do with that mass exhilaration that makes one lose his identity. Rather, those were intensely personal hours in which each one of us, I suppose, felt the burden of his loneliness, in no way like that lonely man in outer space, but certainly because of him. With him, we knew at every moment that the adventure might end in disaster. But the risk was all his.

Each one of us was a spectator, safely attached to his speck of land here on earth, made self-conscious and certainly awed by his distance from him. But deep inside each one there was a stirring, a tenseness that was just the opposite of a spectator's detachment. A heroic action was being performed that we kept following minute by minute, never losing our contact with the hero, constantly fearing that the contact would break, never relieved of the awareness that he was acting for us.

Each of us, I suppose, reacted differently throughout those hours; and the thoughts or prejudices we might have had before the adventure and about the adventure itself came back, though somehow tuned down: like the irritation, for instance, over the enormous publicity surrounding all the Cape Canaveral experiments, the merciless coverage by the radio and TV networks, and the why, oh, why, has the whole thing to be done, this whole outer-space competition with the Russians. Yet at the moment the capsule was launched into space, who did not feel like praying, or wish he knew how? It was so until we were told that Colonel Glenn was safe: an intimate yet unanimous emotion, personal yet collective, shared by the whole Nation and well beyond its borders.

To understand better what has happened, to establish some link between this latest adventure and similar ones in the past, the mind goes back to other deeds that gave the Nation and the world a sense of proud cohesiveness. One thinks, of course of Lindbergh's flight. I remember, as if it were yesterday, when the news came to the little Italian university town where I was teaching. People felt stirred there, as everywhere in the world, by what that clean-cut, sober young American had done. He is such a typical American, people said, such an honest and daring puritan. Never to that degree before had I felt that modesty and daring were among the typical characteristics of the country which, a few years later, was to become mine.

Each one of these great, individual, immensely representative deeds is unique in itself, although their list makes a continuity of greatness. John Glenn's orbital flight owes its uniqueness both to the appalling technological complexity of the devices which made it possible and to the means of communication which gave us and will forever give to future generations some knowledge of his flight from the go to the landing.

For what was given us during that time, and for what we felt inside, we owe an enormous debt of gratitude to our radio and TV networks, to our free institutions, and to the men of Project Mercury. These men themselves insist on telling us how limited and tentative their knowledge of space travel is; how, as John Glenn himself put it, they have just started scratching the surface. They, the experts, in a new, fantastically esoteric branch of technology, tell us of their comparative ignorance. But what about us, the vicarious participants in their exploits? What do most of us know about the TV sets we were glued to during those 4 hours, or the transistor radios we clutched? We will never forget the mystery of John Glenn's adventure and our closeness to him. He and his colleagues have made us feel that man may have extended a bit his reach into the skies, but is not likely to dislodge God.

The people on the other side; the countrymen of Gagarin and Titov, certainly rejoiced and danced when they were told the great news and the two live heroes were exhibited to them. Yet the Russian people deserve some better compensation for their hard work and their drab life. But between the people and their heroes there is the government that rations the news and decides what is good for the public to know. The Russian people were told the tale; they did not live it.

There is no possible comparison between the Russian conquests in orbit and ours. Gagarin and Titov may be as brave and as skillful as our John Glenn, just as the human qualities of the Russian people are as good as ours. But there is no possible comparison between the two systems of doing things. The way our system operated in the case of John Glenn's flight is even more important

than the results of that flight. Indeed, it has been its main result: we have felt united, but as persons who have lived through a great day. We have felt humbled by John Glenn's trial, close to each other, proud of our free institutions and of John Glenn. It has been a very good feeling.

Mr. SYMINGTON. Mr. President, I thank the majority leader for his courtesy in yielding to me.

THE ALEXANDER HAMILTON NATIONAL MONUMENT — AMENDMENT TO THE CONSTITUTION DEALING WITH POLL TAXES

The Senate resumed the consideration of the motion of the Senator from Montana [Mr. MANSFIELD] to proceed to the consideration of the joint resolution (S.J. Res. 29) providing for the establishing of the former dwelling house of Alexander Hamilton as a national monument.

Mr. ROBERTSON obtained the floor.

Mr. MANSFIELD. Mr. President, will the Senator from Virginia yield briefly to me, if it is understood that in doing so he will not lose his right to the floor?

Mr. ROBERTSON. I yield.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Virginia has the floor.

Mr. ROBERTSON. Mr. President, at the outset of my remarks, I wish to make it crystal clear that we of the South who have been debating the issue of a poll tax regret that in these critical days an issue which to many persons appears to be inconsequential has been forced upon us—whether or not five States may impose a poll tax. The issue, however, is not inconsequential. This issue affects the sovereignty of the States that compose this Union.

But for the assurance given by James Madison, Alexander Hamilton, and others who participated in the Constitutional Convention in 1787, the Constitution would never have been ratified.

Even then, such grave doubts about the protection of the States were expressed in the State ratifying conventions, that several States adopted resolutions, to accompany the vote to ratify, which called for a clarification of the rights of the States.

The Virginia ratifying convention recommended 12 safeguarding amendments, and James Madison, in the first Congress, offered all 12 of them. The Congress adopted 10 of the 12, and one of those 10 is the 10th amendment, which provides that the rights not delegated to the Central Government nor prohibited to the States are reserved by them or the people thereof.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. HOLLAND. May I ask respectfully of the distinguished Senator if it is not true that he joined the Senator from Florida in introducing an antipoll tax amendment——

Mr. ROBERTSON. Well, certainly it is true. I had to choose between the lesser of two evils. On the one hand was an effort to abolish the poll tax by an act of Congress, which required only a majority of votes and the signature of the President, which might have been forthcoming, even though the measure was clearly unconstitutional. So the Senator from Virginia thought, well, a constitutional amendment requires a two-thirds majority of each House of Congress, and then it must be ratified by three-fourths of the States. By supporting the amendment—a lesser of two evils—we may then be able to gain the necessary time with which to present a case to the Congress showing that, while the amendment would affect the laws in only five States, it would set a precedent for undermining one of the sacred rights which was reserved to the States when they agreed to ratify the Constitution; namely, the right set out in section 2 of article I of the Constitution, that the States should fix the qualifications of their electors provided——

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. ROBERTSON. No, I do not yield until I finish my answer to the Senator's question.

Mr. HOLLAND. The Senator did not permit me to finish asking my question——

Mr. ROBERTSON. The Senator asked me if I joined him on the proposed amendment once. I said that I joined him once but that I have not joined the Senator in recent years, because the situation has changed.

Therefore, the Senator from Virginia replies, "Yes, I did say 'Well, if I must choose between an unconstitutional bill and the Holland amendment,' I will take my chances on the amendment." That proved to be good judgment, for neither measure has yet passed both Houses.

The Senator from Virginia feels that he was well justified at the time, in choosing between the lesser of two evils, to go along with this proposed amendment.

Mr. HOLLAND. Mr. President, will the Senator permit me to finish my first question?

Mr. ROBERTSON. I am sorry. I thought the Senator had completed his question—a question, I might add, which he has asked my distinguished colleague from Virginia [Mr. BYRD] and every other Senator who has taken the floor to oppose his amendment.

Mr. HOLLAND. I merely asked the Senator whether he joined in the 81st Congress. I was going to ask whether he joined also in the sponsorship of this particular amendment in the 82d Congress and in the 83d Congress.

Mr. ROBERTSON. I do not remember; however, if I did support the proposed amendment, it was to block congressional action and not because I favored the measure for any other reason.

The Senator from Florida must know that what we really face here is the Javits bill, not his proposed amendment. Those who want to get political credit for opposing the poll tax know that they cannot get any political credit from an amendment to the Constitution, because the States amend the Constitution. The Congress cannot. All we can do is to submit an amendment to the States. Then, if the States ratify, the States have changed the Constitution.

Those who are seeking the votes of the NAACP cannot get much political mileage out of that. What they want to do, in effect, is to amend the Constitution by congressional action.

A man should have some stake in government and some intelligent understanding of government before he acquires the right to vote.

We of the South deeply deplore the fact that this poll tax proposal is considered in a period of crisis, when we ought to be concerned about the Communist aggression in South Vietnam; when we ought to be concerned over the Berlin issue; when we ought to be concerned as to what new weapons must be added to our arsenal to prevent a shooting war; when we ought to be concerned over the financial crisis which America presently faces.

The United States will furnish this fiscal year, in a period of the greatest prosperity in the history of the Nation, with a budget deficit that the President says may not be less than $7 billion. The President has predicted a budget surplus approaching $500 million for the next fiscal year. But it now seems extremely unlikely that we will have any surplus at all.

Already we find that the "boom" predicted for early this year has not been so big as was expected. Our gross national product is now running below the level that was anticipated only a few months ago.

We are not in any depression. We are having good times. The predictions are that we shall continue to have good times. But the fact remains that we may not, in the coming fiscal year, receive all the budget revenue that was predicted last January. In order to do so, we would have to receive about $11 billion more next year than in this fiscal year, and that is quite a large increase.

Mr. BENNETT. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield for a question. The Senator understands that we are being subjected to tight restrictions.

Mr. BENNETT. Yes.

Mr. ROBERTSON. We shall have to make it clear that if I yield it will be for a question, or else some Senator may make a point of order that I have lost the floor. So, for a question only, I yield to the Senator from Utah.

Mr. BENNETT. The Senator has referred to the fact that in order to balance the budget there must be an increase in revenue of about $11 billion. Is it not true that in order to get that increase, particularly out of the tax on corporations, there would have to be an increase of about $22 billion in corporate profits before taxes?

Mr. ROBERTSON. The Senator is correct. The top corporate rate is 52 percent. We would have to have an increase of about $22 billion in corporate profits in order to get a $11 billion increase in taxes from corporations.

Mr. BENNETT. Is it not also true that for the past 10 years, corporate profits before taxes have been very stable, and have been running around $45 billion a year?

Mr. ROBERTSON. The Senator is correct.

Mr. BENNETT. Is it not true, then, that in order to balance the budget on that basis, we would have to have an increase of more than 50 percent in corporate profits before taxes?

Mr. ROBERTSON. The Senator is correct. For that and other reasons, I do not think there will be any surplus in the budget.

Mr. BENNETT. I thank the Senator.

Mr. ROBERTSON. In my opinion, the issue is not whether there will be a budget deficit in the next fiscal year, but rather how large the deficit will be. Yet in 1962, we shall have by far the largest gross national product in our history and by far the largest personal income in our history. The President has estimated that the former will be close to $570 billion, and the latter will be about $448 billion.

Even so, it is said that we cannot balance the budget. If we cannot balance the budget now, will we ever balance it? That, to me, is a serious question. If we cannot balance the budget this year and next year, will we ever balance it—unless, of course, God changes the hearts of the Politburo, and its representatives suddenly say, "Let us disarm. We will give you free and full inspection everywhere. Let the lion and the lamb lie down together." If such an unlikely eventuality took place, we could reduce the $50 billion or more that we appropriate for our defense establishment. We might then balance the budget. But if a large reduction in defense expenditures was made at once, we would probably have a severe depression for some time after that spending stopped.

So, Mr. President, I say that we are living in critical times. Yet because five States exercise a constitutional right which they have had ever since the Union was formed, a right to fix the qualifications of the electors in their States, the Senate is plunged in debate. We come in at 9 o'clock in the morning and remain until 7 o'clock in the evening. Perhaps the sessions will eventually run until 9 o'clock in the evening. No committees can function. I am privileged to be chairman of the Appropriation Subcommittee on Treasury and Post Office, which has reported what is supposed to be a minor bill, although it involves $6 billion or $7 billion.

We have the bill ready for action on the floor of the Senate. But we cannot take up an appropriation bill. We must discuss poll taxes.

Yesterday the House of Representatives passed the appropriation bill for the Department of the Interior. We should proceed and complete action on that bill right away. But proposals to limit States' rights must take precedence.

I wonder if Senators have forgotten that not until midnight on the last day of the first session of this Congress did we complete action on the appropriation for foreign aid amounting to over $3 billion, and the appropriation for public works amounting to over $1 billion. Since time was of the essence, nobody knew exactly what was contained in the conference report when it was finally acted upon.

After a conference on the public works bill had been agreed to, the House removed some provisions that were in the conference report, and we had either to accept the report or have Congress called back into special session.

This year is an election year. Presumably we will adjourn early for that very reason. Yet the Senate has not passed a single appropriation bill.

There are a number of very important bills in the offing. In particular, we will consider a tax bill and a foreign trade bill. No one should be under any illusion about the time which debate on these bills will consume.

Nevertheless, we are forced to appear in the Senate and spend hour after hour—doing what? Opposing attempts to dispossess the States of their constitutional rights. I am sure all Senators remember that years ago, when Lord Macauley was in our country—and I paraphrase his remark—he said, "Your Constitution is all sail and no anchor. You will come to the time when there will be more feeding out of the Treasury than there will be those paying money into the Treasury. That is when your Government will be wrecked."

We have never had in this country a greater or wiser group of men than the men who assembled in Philadelphia to write the Constitution. Lord Gladstone did not overpraise the Constitution when he said that it was the greatest instrument ever struck off by the brain and purpose of man. It is the only instrument which has kept a representative democracy together as long as ours has been held together. Our Government, in its present form, is older than any other government in the world today.

What are we doing? We are gradually pulling out the foundation stones of a superstructure that unites national sovereignty with States rights.

Mr. President, it seems that we cannot hold a session of Congress without the Senate's consideration of proposals which, in one form or another, would withdraw powers from the sovereign States—powers that are guaranteed to them by the Constitution and by the 10th amendment, which provides:

> The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

Today I am rising to oppose two such proposals, Senate Joint Resolution 58 and S. 478.

Both of the proposals to which I am referring would prohibit the use of a poll tax or any property requirement as a voter qualification in Federal elections.

Proposals of this type are not, of course, new to Senate debate. On January 28 of 1960 I discussed at length on the floor the doubtful constitutionality of S. 2868, a bill which is similar to S. 478. On February 1 of that year I argued against a proposed constitutional amendment—similar to Senate Joint Resolution 58—which, if approved by the required three-fourths of the State legislatures, would have accomplished the same result.

Although the proposals presently before the Senate have similar objectives, Senate Joint Resolution 58 would amend the Constitution in accordance with the requirements of article V. Unfortunately, the Congress and the courts have not always resorted to constitutional means in their fervor to change the structure and principles of our Government. S. 478 represents an attempt of this type. Recent history abounds with similar examples of this lapse in constitutional procedure, two of the most prominent being the Supreme Court's Brown against Board of Education decision of 1954 and the so-called Civil Rights Act of 1960.

Nevertheless, even though Senate Joint Resolution 58 would follow a constitutional avenue, both this resolution and the bill suffer from a common defect: Their reliance upon the false premise that every citizen of the United States has an inherent right to vote.

In support of Senate Joint Resolution 58, its author, the learned senior Senator from Florida [Mr. HOLLAND] recently said on the floor:

> In my opinion every citizen should, as a matter of right, be entitled to vote for President, Vice President, and Senators and Representatives; and that is all that is involved in this case.

I would like to remind the Senate that every American has a dual citizenship in that he is a citizen both of our Nation and of his particular State. The rights of individuals are clearly defined in the Bill of Rights which consists of the first 10 amendments to the Constitution. These amendments are substantially what George Mason proposed in his immortal Virginia Declaration of Rights, and nowhere in the first 10 amendments is there any guarantee of a right to vote.

There is a guarantee in the 15th amendment that no citizen can be denied the right to vote because of race, creed, or color. In the 19th amendment it is provided that no citizen shall be denied the right to vote on account of sex.

However, we are not to conclude from these amendments that every citizen of the United States has a right to vote. He may vote only if he meets the qualifications set by his State under article I, section 2, of the Constitution within the limitations of the 15th and 19th amendments.

Suffrage, therefore, is basically a privilege. It becomes a right only if it is denied under the guarantees of the 15th and 19th amendments. Or, as the Supreme Court said in *Minor* v. *Happersett*, 21 Wall. 162 (1864):

> The Constitution of the United States does not confer the right of suffrage on anyone.

New York chooses to require that its voters be able to read and write English. Georgia extends the franchise to those who have reached the age of 18. Alabama has a residence requirement of 2 years. The constitution of North Dakota provides that the legislature shall establish an educational test as a qualification for voting. Mississippi requires that its citizens be able to give a reasonable interpretation of any section of the Constitution. And Virginia through its duly elected representatives has provided that its citizens must pay a poll tax of $1.50.

Who is better qualified than the elected representatives of each State to determine what voter qualifications are in that State's best interest? No one in the Virginia General Assembly, for example, would presume to tell his Georgia colleagues that the voting age in that State should be raised to 21, for he realizes that the Georgia legislators are much better qualified than he to decide what is best for Georgia.

Mr. President, it is also worth noting that an inherent right to vote was as nonexistent in colonial times as it is today. Indeed, the early legislatures set qualifications which were more stringent than those prescribed by present State legislatures. The qualification that the voter must be a freeholder, for example, was prominent in early State constitutions and charters.

It is appropriate at this time to review the voter qualifications prescribed by the constitutions and legislatures of the Thirteen Colonies:

NEW HAMPSHIRE

The Senate shall be the first branch of the legislature, and the Senators shall be chosen in the following manner, viz: Every male inhabitant of each town and parish with town privileges in the several counties in this state, of twenty-one years of age and upwards, paying for himself a poll tax, shall have a right at the annual or other meetings of the inhabitants of said towns and parishes, to be duly warned and holden annually forever in the month of March; to vote in the town or parish wherein he dwells, for the Senators in the county or district whereof he is a member.

And every person qualified as the constitution provides shall be considered an inhabitant for the purpose of electing and being elected into any office or place within this state, in that town, parish, and plantation where he dwelleth and hath his home.

The Members of the House of Representatives shall be chosen annually in the month of March, and shall be the second branch of the legislature.

All persons qualified to vote in the election of Senators shall be entitled to vote within the town district, parish, or place where they dwell, in the choice of representatives.

MARYLAND

ARTICLE II. That the House of Delegates shall be chosen in the following manner: All freemen, above twenty-one years of age, having a freehold of fifty acres of land, in the county in which they offer to vote, and residing therein—and all freemen, having property in this state above the value of thirty pounds current money, and having resided in the county, in which they offer to vote, one whole year next preceeding the election, shall have a right of suffrage, in the election of Delegates for such county; and all freemen, as qualified, shall on the first Monday of October, seventeen hundred and seventy-seven, and on the same day in every year thereafter, assemble in the counties, in which they are respectively qualified to vote, at the courthouse, in the said counties, or at such other place as the Legislature shall direct; and, when assembled, they shall proceed to elect, viva voce, four Delegates, for their respective counties, of the most wise, sensible, and discreet of the people, residents in the county where they are to be chosen, one whole year next preceding the election, above twenty-one years of age, and having, in the State, real or personal property above the value of five hundred pounds current money; and upon the final casting of the polls, the four persons who shall appear to have the greatest number of legal votes shall be declared and return, duly elected for their respective counties.

NEW JERSEY

ARTICLE IV. That all inhabitants of this Colony, of full age, who are worth fifty pounds proclamation money, clear estate in the same, and have resided within the county in which they claim a vote for twelve months immediately preceding the election, shall be entitled to vote for Representatives in Council and Assembly; and also for all other public officers, that shall be elected by the people of the county at large.

ARTICLE XIII. That the inhabitants of each county, qualified to vote as aforesaid, shall at the time and place of electing their representatives, annually elect one Sheriff and one or more Coroners; and that they may reelect the same person to such offices until he shall have served three years, but no longer, after which, three years must elapse before the same person is capable of being elected again. When the election is certified to the Governor, or Vice President, under the hands of the six freeholders of the county for which they were elected, they shall be immediately commissioned to serve in their respective offices.

SOUTH CAROLINA

The qualification of electors shall be that every free white man, and no other person who acknowledges the being of a God, and believes in a future state of rewards and punishments, and who has attained to the age of one and twenty years, and hath been a resident and an inhabitant in this State for the space of one whole year before the day appointed for the election he offers to give his vote at, and hath a freehoold at least of fifty acres of land, or a town lot, and hath been legally seized and possessed of the same at least six months previous to such election, or hath paid a tax the preceding year, or was taxable the present year, at least six months previous to the said election, in a sum equal to the tax on fifty acres of land, to the support of this government, shall be deemed a person qualified to vote for, and shall be capable of electing, a representative or representatives to serve as a member or members in the Senate and House of Representatives, for the parish or district where he actually is a resident, or in any other parish or district in this state where he hath the like freehold. Electors shall take an oath or affirmation of qualification, if required by the returning officer.

NEW YORK

ARTICLE VII. That every male inhabitant of full age, who shall have personally resided within one of the counties of this State for six months immediately preceding the day of election, shall, at such election, be entitled to vote for representatives of the said county in assembly: if, during the time of aforesaid, he shall have been a freeholder, possessing a freehold of the value of twenty pounds, within the said county, or have rented a tenement therein of the yearly value of forty shillings, and been rated and actually paid taxes to this State: *Provided always*, That every person who now is a freeman of the City of Albany, or who was made a freeman of the City of New York on or before the fourteenth day of October, in the year of our Lord one thousand seven hundred and seventy-five, and shall be actually and usually resident in the said cities, respectively, shall be entitled to vote for representatives in assembly within his said place of residence.

ARTICLE XII. That the election of Senators shall be after this manner: That so much of this State as is now parceled into counties be divided into four great districts: the southern district to comprehend the city and county of New York, Suffolk, Westchester, Kings, Queens, and Richmond Counties; the middle district to comprehend the counties of Duchess, Ulster, and Orange; the western district, the city and county of Albany, and Tryon County; and the eastern district, the counties of Charlotte, Cumberland, and Gloucester.

That the Senators shall be elected by the freeholders of the said districts, qualified as aforesaid, in the proportions following, to wit: In the southern district, nine; in the middle district, six; in the western district, six; and in the eastern district, three. And it be ordained, that a census shall be taken, as soon as may be after the expiration of seven years from the termination of the present war, under the direction of the legislature; and if, on such census, it shall appear that the number of Senators is not justly proportioned to the several districts, that the legislature adjust the proportion, as near as may be, to the number of freeholders, qualified as aforesaid, in each district.

MASSACHUSETTS

ARTICLE II. There shall be a meeting on the first Monday in April, annually, forever, of the inhabitants of each town in the several counties of this commonwealth, to be called by the selectmen, and warned in due course of law, at least seven days before the first Monday in April, for the purpose of electing persons to be Senators and Councilors; and at such meetings every male inhabitant of twenty-one years of age and upward, having a freehold estate within the commonwealth of the annual income of three pounds, or any estate of the value of sixty pounds, shall have a right to give in his vote for the Senators for the district of which he is an inhabitant. And to remove all doubts concerning the meaning of the word "inhabitant," in this constitution, every person shall be considered as an inhabitant, for the purpose of electing and being elected into any office or place within this State, in that town, district, or plantation where he dwelleth or hath his home.

The selectmen of the several towns shall preside at such meetings impartially, and shall receive the votes of all the inhabitants of such towns present and qualified to vote for Senators.

PENNSYLVANIA

SEC. 6. Every freeman of the full age of twenty-one years, having resided in this state for the space of one whole year next before the day of election for representatives, and paid public taxes during that time, shall enjoy the right of an elector: provided always, that sons of freeholders of the age of twenty-one years shall be entitled to vote although they have not paid taxes.

GEORGIA

ARTICLE IX. All male white inhabitants of the age of twenty-one years, and possessed in his own right of ten pounds value, and liable to pay tax in this State, or being of any mechanic trade, and shall have been resident six months in this State, shall have a right to vote at all elections for representatives, or any other officers herein agreed to be chosen by the people at large; and every person having a right to vote at any election shall vote by ballot personally.

NORTH CAROLINA

ARTICLE VIII. That all freemen of the age of twenty-one years, who have been inhabitants of any one county within the State twelve months immediately preceding the day of any election, and shall have paid public taxes, shall be entitled to vote for the members of the House of Commons for the county in which he resides.

ARTICLE IX. That all persons possessed of a freehold in any town in this State, having a right of representation, and also all freemen, who have been inhabitants of any such town twelve months next before, and at the day of election, and shall have paid public taxes, shall be entitled to vote for a member to represent such town in the House of Commons: *Provided always*, That this section shall not entitle any inhabitant of such town to vote for members of the House of Commons, for the county in which he may reside, nor any freeholder in such county, who resides without or beyond the limits of such town, to vote for a member for said town.

VIRGINIA

The constitution of Virginia of 1776 simply incorporated the right of suffrage as it existed under the ancient charter and the acts of the assembly which had been passed prior to that time, under these words:

"The right of suffrage in the election of members for both Houses shall remain as exercised at present; and each House shall choose its own Speaker, appoint its own officers, settle its own rules of proceeding, and direct writs of election, for the supplying intermediate vacancies."

The acts of the earlier assemblies under the colonial charter had prescribed not only taxpaying requirements but also property-owning requirements.

COLONIAL CHARTER

Delaware, Rhode Island, and Connecticut were all operating under colonial charters and had not adopted new constitutions. The qualifications of their electors were fixed by statute.

CONNECTICUT

That the Town Clerks in the several Towns in this Colony, shall enroll in their respective Offices, the Names of all such Persons in their respective Towns as are or shall be admitted Freemen of this Corporation, which enrollments shall be made by the direction of the Authority and Selectmen of the Town, in the open Freemen's Meeting, legally Assembled.

That all such inhabitants in this Colony as have accomplished the Age of Twenty-one Years, and have the Possession of Freehold Estate to the value of Forty Shillings per Annum or Forty Pounds personal Estate in the General List of Estates in that Year wherein they desire to be admitted Freemen; and also are Persons of a quiet and peaceable Behaviour, and civil Conversation, may, if they desire it, on their procuring the Selectmen of the Town wherein such Persons inhabit, or the major Part of them, to certify that the said Persons are Qualified as abovesaid, be admitted and made Free of this Corporation, in case they take the Oath provided by Law for Freemen; which Oath any one Assistant or justice of the peace is hereby impowered to administer in said Freemen's Meeting.

DELAWARE

SEC. 2. *Provided always*, That no inhabitants of this government, shall have right of electing or being elected, as aforesaid (election for members of assembly), unless he or they be natural born subjects of Great Britain, or be naturalized in England, or in this government, or in the province of Pennsylvania and unless such person or persons be of the age of twenty-one years or upwards, and be a freeholder or freeholders in this government, and have fifty acres of land or more well settled, and twelve acres thereof cleared and improved, or be otherwise worth Forty Pounds lawful money of this government clear estate, and have been resident therein for the space of two years before such election: And that every man who shall give his vote without being questioned as aforesaid, or that shall receive any reward or gift for his vote, or that shall give, offer or promise any reward to be elected, or shall offer to serve for nothing or less allowance than the law prescribes, shall forfeit Five Pounds, the one-half thereof to the Governor, and the other to him or them who will sue for the same in any court of record within this Government; and the person so elected shall be incapable to serve for that year.

RHODE ISLAND

SECTION 1. *Be it enacted by the General Assembly, and by the authority thereof it is enacted*, That the freemen of each respective town in this State, at any of their town meetings, shall and they hereby have full power granted them, to admit so many persons, inhabitants of their respective towns, freemen of their towns, as shall be qualified according to this act.

SEC. 2. *And be it further enacted*, That no person whosoever shall be permitted to vote or act as a freeman in any town meeting in this State, but such only who are inhabitants therein, and who at the time of such their voting and acting are really and truly possessed, in their own proper right, of a real estate within this State, to the full value of one hundred and thirty-four dollars, or which shall rent for seven dollars per annum, being an estate in fee-simple, fee-tail, or an estate in reversion which qualifies no other person to be a freeman, or at least an estate for a person's own life, or the eldest son of such a freeholder: And that no estate of a less quality shall entitle any person to the freedom of this State.

Mr. President, by the proposals presently before the Senate, the States would be prohibited from levying poll taxes. Enactment of either the joint resolution or the Javits bill would lay the foundations for corresponding proposals designed to deprive the States of the power to determine all other voter qualifications.

The so-called literacy test bill—S. 2750—is already very much with us. However, at a later date I shall discuss my objections to that.

The Senate must know by now the dangers involved in permitting the "Federal camel" to get its nose under the "State tent." We have witnessed, for example, the interstate commerce clause stretched beyond recognition and the general welfare clause given a scope it never was intended to have.

Nevertheless, I want to emphasize that today we are not debating the merits of a poll tax, any more than we are debating the advisability of Georgia's extending the franchise to 18-year-olds or New York's requiring that its voters be able to read and write the English language.

Rather, we are debating whether a State is to have the power to determine its voter qualifications. The issue is clear.

Whatever conceivable evils a poll tax could spawn, I submit that there are far greater evils in forcing increased uniformity on the States, by transferring piecemeal to the Federal Government the power to determine voter qualifications at a time when our national leaders should be concentrating on measures which, to the contrary, would increase initiative and discourage uniformity.

Our Founding Fathers knew that uniform voter qualifications would not be satisfactory. They realized, as the Convention debate shows, that a provision limiting suffrage to freeholders, for example, would not receive every State's approval. As George Mason remarked:

> Does no other kind of property but land evidence a common interest in the proprietor? Does nothing besides property mark a permanent attachment? Ought the merchant, the moneyed man, the parent of a number of children whose fortunes are to be pursued in his own country, to be viewed as suspicious characters, and unworthy to be trusted with the common rights of their fellow citizens? (Elliot's Debates, vol. 5 p. 387.)

Unfortunately, there is a parallel between the erosion of the power of the States and the increase in the percentage of those Americans who ask not what they can do for their country but what their country can do for them. Indeed, it is not unnatural that as power becomes centralized, individual initiative wanes; conformity increases; and tyranny—which our Founding Fathers understood so well—stands at the gates of our republican form of government.

I do not argue that there are no outmoded State statutes. I do, however, take issue with the proposition that, whatever the problem involved, the Federal Government is best qualified to bring about its solution. The framers of our Constitution, after crushing one tyranny, were not so naive as to lay the framework for the establishment of another.

As I have indicated, both Senate Joint Resolution 58 and Senate bill 478 are founded on the false premise that every citizen should have the right to vote. Clearly suffrage is, and must remain, a privilege subject to the qualifications which each State, in the best interest of its citizens, may elect. Furthermore, as I have pointed out, the abolition of poll tax requirements is a step in the direction of uniform voting qualifications to be imposed and enforced by the Federal Government. The unfortunate trends toward uniformity and Federal encroachment upon the rights of the States should not be encouraged.

Although both measures are objectionable on policy grounds, the bill, S. 478, has the particularly detrimental aspect of being clearly unconstitutional.

This bill would conflict with article I, section 2, of the Constitution, which provides that the qualifications of electors are to be prescribed by the States. Here are the provisions of the Constitution of the United States which are involved:

ARTICLE I

SEC. 2. The House of Representatives shall be composed of Members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

SEC. 4. The times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators.

If the imposition of a poll tax is a matter of the qualifications of a voter, it is controlled exclusively by the State under article I, section 2, and the Federal Government cannot under article I, section 4, prohibit the imposition of a poll tax under the guise of regulating the manner of the election. Accordingly, article I, section 4, of the Constitution is not a proper basis for S. 478.

Section 3 of this bill defines the imposition of a poll tax as an interference with the manner of holding elections and also states that poll taxes shall be deemed an abridgment of the right and privilege of citizens of the United States to vote for such officers, meaning Federal officials. This may be a reference to the 14th, 15th, and 19th amendments.

Court decisions have held that the 14th and 19th amendments do not preclude the imposition of a poll tax. Moreover, since the case of Butler against Thompson, below, has held that the Virginia poll tax is a valid exercise of the State's authority under article I, section 2, of the Constitution, neither in its terms nor its application violating the 15th amendment, S. 478 would be clearly unconstitutional.

Fortunately, the framers of the Constitution left us in no doubt on that subject, as the exclusive control of the States over voter qualifications is clearly shown in the Constitutional Debates and Federalist Papers.

DIFFERING QUALIFICATIONS OF THE STATES

A. THE CONSTITUTIONAL CONVENTION

At the outset, we should take note of the fact that in 1789 the States had rigorous and widely differing requirements for voting. These were summarized by Chief Justice Waite in his opinion in *Minor* v. *Happersett*, 21 Wall. 162 (1874) at page 172.

For example, the general requirement was ownership of property, usually real estate. In 1789 Georgia liberalized its requirements by extending the vote to those who had prepaid taxes, even though they did not qualify by property ownership. Other States followed suit. As the usual course men of 21 years of age enjoyed the franchise. Residence restrictions sometimes existed.

These differences occasioned many debates in the Constitutional Convention on the possibility of uniform qualifications for voters. The dispute centered on whether the Constitution should limit the franchise to landowners or whether limitations should be left to the individual States. James Madison and Gouverneur Morris of Pennsylvania favored the former position. The argument was that landowners would be the safest depository of republican liberty. Moreover, they feared making qualifications dependent on the will of the States not because the States would unduly restrict the electorate, but because they would be too generous in extending the privilege.

As presented by Oliver Ellsworth, of Connecticut, James Wilson, of Pennsylvania, and George Mason, of Virginia, the argument on the other side related to the diversity of existing State qualifications. They warned that the right of suffrage was a tender point carefully guarded in the State constitutions, and that tampering with it might wreck the new Government. They pointed out that it would be difficult to settle on a uniform rule for all States and that it would be awkward if the electors of the State legislatures and Congress were not the same—volume 5, Elliott's Debates, 385, 1866.

At this point I would like to comment on a statement made last Monday by the distinguished author of the proposed constitutional amendment when my able colleague, the senior Senator from Virginia [Mr. BYRD], was speaking on the Senate floor against both the resolution and the bill.

The distinguished Senator from Florida said that his amendment would apply only to the election of a President, a Senator, or a Member of the House of Representatives; it would not in any way disturb the qualifications of the electors for all State officers. Of course, the senior Senator from Virginia promptly replied that it would be utterly impractical to have a dual voting list, one group qualified to vote for Federal officers and a different group qualified to vote for State officers.

As I have said, the very awkward, cumbersome nature of dual voting lists, to which the senior Senator from Virginia referred, was apparent to the Convention delegates and indeed figured prominently in the Convention's rejection of the dual voting list alternative.

In addition, during the Convention debates, Ellsworth, Wilson, and Mason argued also that a power to alter the qualifications of voters would be a dangerous power in the hands of the National Legislature. Once the principle is established that the Congress can make such changes, the power used at one time to expand the electorate might be used at another to restrict it, and, theoretically at least, the restriction could be carried so far that there would result a despotism.

Mr. President, here I would like to refer to the fact that the proposal of the distinguished Senator from Florida [Mr. HOLLAND], to alter the Constitution by constitutional means has been criticized by the NAACP and the Americans for Democratic Action as being too slow and too cumbersome. They contend that the result could be accomplished much more quickly by an act of Congress, passed, of course, by a majority, and signed by the President.

I say, Mr. President, we are dealing with a provision which was very maturely discussed before it became an integral part of the Constitution; namely, the provision to leave the determination of voter qualifications to the States.

As I have indicated, the members of the Constitutional Convention were conscious of the need to satisfy the people of the various States sensitive on the subject of suffrage rights. It was, therefore, one of the subjects which received close attention in the Federalist Papers written at the time to convince State conventions to adopt the Constitution.

B. THE FEDERALIST

In No. 52 of the Federalist, it was pointed out that the Constitution made the qualification for Federal electors the same as those of the electors of the most numerous branch of the State legislature:

> The definition of the right of suffrage is very justly regarded as a fundamental article of republican government.

The Federalist author continued:

> It was incumbent on the convention, therefore, to define and establish this right in the Constitution. To have left it open for the occasional regulation of the Congress would have been improper for the reason just mentioned. To have submitted it to the legislative discretion of the States would have been improper for the same reason, and for the additional reason that it would have rendered too dependent on the State governments that branch of the Federal Government which ought to be dependent on the people alone.

The following words of the paragraph should be noted:

> To have reduced the different qualifications in the different States to one uniform rule would probably have been as dissatisfactory to some of the States as it would have been difficult to the Convention.
>
> The provision made by the Convention appears, therefore, to be the best that lay within their option. It must be satisfactory to every State because it is conformable to the standard already established, or which may be established, by the State itself. It will be safe to the United States because, being fixed by the State constitutions, it is not alterable by the State governments, and it cannot be feared that the people of the States will alter this part of their constitutions in such a manner as to abridge rights secured to them by the Federal Constitution.

Then in the 54th Federalist, it was remarked:

> The qualifications on which the right of suffrage depend are not, perhaps, the same in any two States. In some of the States the difference is very material.

C. RATIFYING CONVENTIONS

Later, at the Massachusetts ratifying convention, in answer to a query as to whether Congress might prescribe a property qualification for voters, Mr. Rufus King, a member of the Federal Convention, said:

> The idea of the honorable gentleman from Douglass transcends my understanding; for the power of control given by this section extends to the manner of elections, not the qualifications of the electors.

And James Wilson, who had warned in the Constitutional Convention of the difficulty that might result if qualifications of State and National electors were different, had this to say in the Pennsylvania convention:

> In order to know who are qualified to be electors of the House of Representatives, we are to inquire who are qualified to be electors of the legislature of each State. If there be no legislature in the States, there can be no electors of them; if there be no such electors, there is no criterion to know who are qualified to elect Members of the House of Representatives. By this short, plain deduction, the existence of State legislatures is proved to be essential to the existence of the General Government.

Those familiar with the Virginia ratifying convention know that Patrick Henry opposed the ratification of the Constitution on the ground that it gave

the Federal Government too much power. One issue was whether the Federal Government could pass on the qualifications of the voters or whether Virginia, as in the past, could fix those qualifications. If the latter, the Federal Government would merely determine the times, places, and manner, if it wished to do so, of holding those elections, but those who had the right to vote under the State law would then freely participate.

Wilson Nicholas, a member of the Virginia convention, gave the members positive assurance that the Federal Government could not and never would undertake to pass upon and fix the qualifications of voters.

Virginia agreed to ratify only on the assurance that the first session of the Congress would propose bill-of-rights amendments to the Constitution and even went a step further when the Convention named a committee headed by Gov. Edmond Randolph and including James Madison and John Marshall, to draft a form of ratification that would include certain reservations as to States rights.

The resolution reported by that committee and adopted by the Convention said:

> The powers granted under the Constitution, being derived from the people of the United States, be resumed by them whensoever the same shall be perverted to their injury or oppression, and at their will * * *

In explaining the voting plan to the North Carolina convention, John Steele, like Wilson Nicholas, said:

> Can they, without a most manifest violation of the Constitution, alter the qualifications of the electors: The power over the manner of elections does not include that of saying who shall vote. The Constitution expressly says that the qualifications are those which entitle a man to vote for a State representative. It is, then clearly and indubitably fixed and determined who shall be the electors; and the power over the manner only enables them to determine how these electors shall elect—whether by ballot, or by vote, or by any other way.

The significance of this history is reinforced by the fact that as late as 1912, when the 17th amendment was proposed by Congress, providing for popular election of Senators, language was used identical to that of article I, section 2. This amendment says:

> The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

It should be noted that these words were adopted after more than a century of experience with the suffrage provisions contained in the Constitution and also after there had been ample time to observe operations of the newer poll taxes which were imposed between 1875 and 1908.

D. FEDERALIST INTERPRETATION OF "MANNER"

The fourth section of article I reads:

> The times, places, and manner of holding elections for Senators and Representatives, shall be prescribed in each State by the legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators.

The main purpose of this section was to enable both the State and Federal Governments to preserve themselves by the regulation of elections—see Nos. 59 and 60, Federalist Papers.

Also, discussing article I, section 4, in the Virginia ratifying convention, Mr. Madison explained:

> It was found impossible to fix the time, place, and manner of the election of Representatives in the Constitution. It was found necessary to leave the regulation of these, in the first place, to the State governments, as being best acquainted with the situation of the people, subject to the control of the General Government, in order to enable it to produce uniformity and prevent its own dissolution.
>
> And, considering the State governments and General Government as distinct bodies, acting in different and independent capacities for the people, it was thought the particular regulations should be submitted to the former and the general regulations to the latter. Were they exclusively under the control of the State governments, the General Government might easily be dissolved. But if they be regulated properly by the State legislatures, the congressional control will very probably never be exercised.

This, it should be remarked, deals only with the times, places, and manner of holding elections and not with qualifications of voters since, under the provision of article I, section 2, a State could not attempt to dissolve the General Government by disqualifying voters without automatically dissolving its own government. It is essentially a distinction between substance and procedure. This distinction was made by a concurring opinion in *Newberry* v. *U.S.*, 256 U.S. 232, 280 (1920).

Arguments have been made that "manner" does not refer merely to procedure of elections; but to accept that premise is to agree to what the entire thrust of the constitutional debates refute, that the Central Government could impose uniform franchise qualifications. Rather, Hamilton argues that once the States set up a qualification, the Central Government could insist that it be carried out, i.e., that elections be held. Hamilton's analysis was reinforced by the majority opinion in Newberry against United States where Justice McReynolds states that "manner" of holding elections does not mean power broadly to regulate them—at 256.

Moreover, this clause has been used as the author foresaw, to protect a Federal election from corruption, later referred to.

The foregoing history is convincing evidence that the members of the Constitutional Convention and the Ratifying Conventions intended the Constitution to give to the States and to the States only the authority to prescribe qualifications for voters. The courts have consistently followed this interpretation.

COURT INTERPRETATION OF SECTIONS 2 AND 4 OF ARTICLE I

In *Ex parte Yarbrough*, 110 U.S. 651 (1884), the court said, after quoting section 2, article I:

> The States in prescribing the qualifications of voters for the most numerous branch of their own legislatures, do not do this with reference to the election for Members of Congress. Nor can they prescribe the qualifications for voters for those eo nomine. They define who are to vote for the popular branch of their own legislature, and the Constitution of the United States says the same persons shall vote for Members of Congress in that State. It adopts the qualification thus furnished as the qualification of its own electors for Members of Congress (at 663).

See also *Swafford* v. *Templeton*, 185 U.S. 487 (1902), following Yarbrough and pointing out once more that it is the Constitution, not Congress, that adopts the qualifications of State electors. *McPherson* v. *Blacker*, 146 U.S. 1, 27, 35 (1892), reaches the same conclusion.

State power over definition of voter qualification was again affirmed by the Supreme Court as recently as June 8, 1959. In Lassiter against Northampton County Board of Elections, upholding a North Carolina illiteracy test, Justice Douglas said:

> The States have long been held to have broad powers to determine the conditions under which the right of suffrage may be exercised (at p. 6).

The main discussion of the court in Yarbrough was interpretation of section 4, article I, Congress' power over the "manner" of holding elections. The theory of protection against corruption of qualified voting was fully developed in this case.

Yarbrough and others were prosecuted for interfering by physical attack with the exercise of the right to vote of certain qualified voters in an election of a Member of Congress from Georgia. After holding that Congress under the quoted section could pass an act prohibiting such violence, Justice Miller wrote:

> Can it be doubted that Congress can by law protect the act of voting, the place where it is done, and the man who votes from personal violence or intimidation and the election itself from corruption and fraud? (at 661).

Or a suppression of voting rights by electors who refuse to accept payment of a poll tax prerequisite may be protected by congressional action under section 4, article I. *United States* v. *Munford*, C.C.E.D. Va. 16 Fed. Rep. 223, 228 (1883).

It is here in the realm of protection that *United States* v. *Classic*, 313 U.S. 299, 320 (1941) is appropriate. It points out that section 4 of article I is supplemented by Congress' power to pass implementing legislation under the "necessary and proper" clause, article I, section 8, clause 18. The case does not stand for a general regulation of qualifications, for the holding of the case was that a primary was part of a general election.

The foregoing authorities demonstrate that the Federal Government may protect the purity of its elections—but to equate all poll tax statutes with corruption is to miss the point. Those who believe corruption is the result have power to pass Federal legislation specifically outlawing such abuses as the purchase of poll tax receipts.

I have endeavored to show that the purpose of the two sections of the Constitution when written and as judicially

interpreted does not admit of any restriction on State power to define voter qualifications. Nowhere in the body of the original Constitution will be found a restriction on the discretion of the States in fixing the qualifications of voters. However, restrictions were later added by the 14th, 15th, and 19th amendments. I point out that they were made effective by amending the Constitution, which is the only proper approach that should be taken by those who seek to eliminate the poll tax requirement.

What is the nature of these restrictions? Do they forbid a poll tax qualification?

THE MEANING OF THE 14TH AND 19TH AMENDMENTS

The 14th amendment provides:

> SECTION 1. All persons born or naturalized in the United States and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

In *Minor* v. *Happersett*, 21 Wall. 162 (1874), following the adoption of the 14th amendment, a woman argued that a Missouri law which limited the franchise to men deprived her of citizenship rights which the amendment gave her. The court denied her claim, because the right to vote before the amendment was not necessarily one of the privileges or immunities of citizenship, and the amendment did not add to them. It simply furnished an additional guarantee for the protection of such as she already had—at 171. The court concluded with the statement that it was "unanimously of the opinion that the Constitution of the United States does not confer the right of suffrage upon anyone, and that the constitutions and laws of the several States which commit that important trust to men alone are not necessarily void"—at page 178. See also *U.S.* v. *Cruikshank*, 92 U.S. 542, 554 (1875).

In the case of *Breedlove* v. *Suttles*, 302 U.S. 277, 238 (1937), a Georgia statute making a poll tax a voting prerequisite to Federal and State elections was attacked on the ground that it violated the 14th and 19th amendments. The tax in question applied to all inhabitants of Georgia between the ages of 21 and 60, with an exception for females who did not register for voting. The court held that the classification of the law, not being an invalid discrimination, did not violate the equal protection clause of the 14th amendment. The court also held that the exemption for women who did not vote was not in violation of the 19th amendment. In the course of its opinion the court also stated clearly that the poll tax was not prohibited by the privileges and immunities clause of the 14th amendment and was a proper qualification for voting for the States to impose.

> To make payment of poll taxes a prerequisite of voting is not to deny any privilege or immunity protected by the 14th amendment. Privilege of voting is not derived from the United States, but is conferred by the State and, save as restrained by the 15th and 19th amendments and other provisions of the Federal Constitution, the State may condition suffrage as it deems appropriate. *Minor* v. *Happersett*, 21 Wall. 162, 170 et seq. *Ex Parte Yarbrough*, 110 U.S. 651, 664–665. *McPherson* v. *Blacker*, 146, U.S. 1, 37–38. *Guinn* v. *United States*, 238 U.S. 347, 362.
>
> The privileges and immunities protected are only those that arise from the Constitution and laws of the United States and not those that spring from other sources. *Hamilton* v. *Regents*, 293 U.S. 245, 261.

There have been attempts to distinguish the Breedlove case on the grounds that the voting registration was for both State and Federal elections, and thus the necessity for a State to control its own election dictated the result.

But the distinction appears without merit since a later case solely involved a Federal election. *Pirtle* v. *Brown*, C.A. 6 (1941) 118 F. 2d 218, cert. den. 314 U.S. 621. A citizen of Tennessee otherwise qualified was refused the right to vote in a special election to fill a vacancy in the House of Representatives because he had not paid the poll tax. The reasoning of Breedlove was followed, and the Supreme Court denied a petition for review.

These two cases also serve to destroy the notion, sometimes advanced, that a poll tax is a tax on a national function, that of voting, and hence unconstitutional.

THE MEANING OF THE 15TH AMENDMENT

The restrictions of the 14th and 19th amendments have been studied. I should now like to examine that of the 15th, which reads:

> SECTION 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.
>
> SEC. 2. The Congress shall have power to enforce this article by appropriate legislation.

In *United States* v. *Reese*, 92 U.S. 214 (1875), the Court construed a statute passed under Congress' power of section 2 to enact appropriate legislation. The act was invoked by the applicant because his failure to pay a poll tax enabled the inspectors to prohibit his voting in a municipal election. In the opinion of Chief Justice Waite the following statement is made:

> Rights and immunities created by or dependent upon the Constitution of the United States can be protected by Congress. * * *
>
> The 15th amendment does not confer the right of suffrage upon anyone. It prevents the States, or the United States, however, from giving preference, in this particular, to one citizen of the United States over another on account of race, color, or previous condition of servitude. Before its adoption, this could be done. It was as much within the power of a State to exclude citizens of the United States from voting on account of race, etc., as it was on account of age, property, or education. Now it is not.

See also *Guinn and Beal* v. *United States*, 238, U.S. 347, 362 (1915) where Chief Justice White stated for the Court that the States retained the power under article I, section 2, to establish qualifications of voters, "except of course as to the subject with which the 15th amendment deals and to the extent that obedience to its command is necessary."

VIRGINIA POLL TAX HELD VALID

The question of Virginia poll tax as a prerequisite to voting was reviewed by a special three-judge court as recently as 1951 in *Butler* v. *Thompson*, D.C.E.D. Va., 97 F. Supp. 17, affirmed, 341 U.S. 937. Judge Dobie quoted from an earlier opinion in the case of *Saunders* v. *Wilkins*, 152 F. 2d 235, 237, as follows:

> The decisions generally hold that a State statute which imposes a reasonable poll tax as a condition of the right to vote does not abridge the privileges or immunities of citizens of the United States which are protected by the 14th amendment. The privilege of voting is derived from the State and not from the National Government. The qualification of voters in an election for Members of Congress is set out in article I, section 2, clause 1 of the Federal Constitution which provides that the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature. The Supreme Court in *Breedlove* v. *Suttles*, 302 U.S. 277, 283, 58 S. Ct. 205, 82 L. Ed. 252, held that a poll tax prescribed by the constitution and statutes of the State of Georgia did not offend the Federal Constitution.

Then followed the quotation from Breedlove against Suttles, which I quoted earlier.

In the latter part of the decision in the case of Butler against Thompson the Court discussed the general principle that a statute may be administered in such a fashion as to be unconstitutional even though it is fair on its face, under the 14th amendment, as in *Yick Wo* v. *Hopkins*, 118 U.S. 356 or under the 15th amendment as in *Lane* v. *Wilson*, 307 U.S. 268. Judge Dobie reviewed the administration of the poll tax in Virginia, and came to the conclusion, on the basis of the evidence presented to him, that it was being fairly administered, without discrimination on the basis of race.

Accordingly, Judge Dobie, speaking for the unanimous three-judge court, held that the Virginia poll tax statute did not violate either the 14th amendment or the 15th amendment, and was valid under article I, section 2 of the Constitution of the United States.

Mr. President, Butler against Thompson shows clearly that the administration of the poll tax in Virginia has not been used as a vehicle of discrimination against voters on account of race or color. As the senior Senator from Virginia stated earlier in the week, Virginia's modest $1.50 poll tax approximates the compensation, these days, for 1 hour of work. Virginia now has more than 100,000 qualified persons who pay the poll tax and vote. It is true that many colored people do not pay it; but it is likewise true that many white persons do not pay it either. Those people are simply not interested enough in government to pay the $1.50. Nor do they wish to take the trouble to register, although as my colleague from Virginia observed, our State has permanent registration.

The requirement in some States, for example, in New York, that voters register before each general election disqualifies far more persons than are disqualified in Virginia by our $1.50 poll tax. Yet the finger of scorn is pointed at Virginia and the four other Southern

States which have a poll tax as though we were engaging in some immoral action. Nothing could be further from the truth.

Mr. STENNIS. Mr. President, will the Senator from Virginia yield for a question?

Mr. ROBERTSON. I yield for a question.

Mr. STENNIS. From the Senator's study of the Constitutional Convention, does he not believe that one of the most important considerations during the Convention related to the very strong debate on the question of the qualifications of electors and how they were to be designated?

Mr. ROBERTSON. Absolutely. The Convention delegates knew that the question of determining the qualifications of voters was a tender one with each of the States. They deliberately left it within the State's power provided that no State could set a voter qualification for Federal officials which was different from those qualifications set for electors of the most numerous branch of the State legislature. That provision was clearly explained in the State conventions. It was frankly admitted by many that the Federal Constitution would not have been ratified if there had been an attempt to impose uniform qualifications.

James Madison and Gouverneur Morris thought, and not without some merit, that unless a man owned property or, at least, had income from it; he should not be permitted to vote. However, that proposal was rejected.

As the Senator from Mississippi has stated, it was stressed that the power to determine voter qualifications was a cherished right of the sovereign States, they did not intend that the Federal Government should take it away from them.

Mr. STENNIS. Is it not true that article I, section 2 of the Constitution means that there can be no Federal qualifications for electors? It does not mean that there can be anything such as a Federal test, does it? Does it not clearly show that the drafters of the Federal Constitution adopted State tests as the sole and only tests?

Mr. ROBERTSON. Absolutely; and time after time our Supreme Court has held that, with the exception of the amendments relating to race and to sex, there are no Federal restrictions upon the States with respect to determining the qualifications of voters, except the requirement of article I, section 2 and the 17th amendment that the qualifications of voters in Federal elections shall be the same as for the most numerous branch of the State legislatures.

Mr. STENNIS. I am sure the Senator will recall that in the first debate on this subject after the Senator from Mississippi came to the Senate, the Senator from Virginia raised this point. Is it not true that in the Senator's research on qualifications, he has found that, after all, the poll tax came into being as one of the qualifications used by the various States as a liberalizing measure, as a milder requirement than the demand of a property tax?

Mr. ROBERTSON. That is correct.

Mr. STENNIS. Or the ownership of property. Is not that true?

Mr. ROBERTSON. Yes. Many of the States insisted on very large property holdings or on rent from very large property holdings.

Mr. STENNIS. Yes.

Mr. ROBERTSON. And some said, "A merchant who has a stock of goods, accounts payable, and all that, should be allowed to vote"; so merchants were allowed to vote.

Others said, "If a resident pays a mere poll tax, to show his interest in government, we will let him vote."

So, as I have stated, the poll tax was a liberalizing influence in some instances.

My colleague from Virginia [Mr. BYRD] pointed out, this week, in his remarks on the Senate floor that from this tax more than $1,500,000 a year is obtained for the schools.

Mr. STENNIS. I thank the Senator from Virginia for yielding.

ENABLING LEGISLATION OVER POLL TAXES PREEMPTED BY COURT DECISION

Mr. ROBERTSON. Mr. President, Senate bill 478 and similar bills would make unlawful all poll taxes as a prerequisite for voting, presumably as a violation of the 14th or 15th amendment. On its face, S. 478 would prohibit the Virginia poll tax as a prerequisite for voting. But the Court in its decision in the case of Butler against Thompson above, has held that the Virginia poll tax is a valid exercise of the State's authority under article I, section 2, of the Constitution, and neither in its terms nor in its application violates the 14th or 15th amendment. Senate bill 478 purports to make a congressional finding of a fact which the Supreme Court has held not to be a fact. It exceeds the power of the Congress under the 14th or 15th amendment to enforce those amendments by appropriate legislation.

REPUBLICAN FORM OF GOVERNMENT

Not more than passing attention need be given to argument based on section 4, article IV. This section provides:

> The United States shall guarantee to every State in this Union a Republican Form of Government, and shall protect each of them against Invasion; and on Application of the Legislature, or of the Executive (when the Legislature cannot be convened) against domestic Violence.

Under this section it is contended that Congress may pass appropriate legislation under the necessary and proper clause to outlaw the poll tax, because it reduces the size of the electorate, therefore denying a republican form of government. It is added that this legislation will not be unconstitutional, since the Supreme Court historically has refused review of such a political question.

The short answer to this approach is that the definition of a republican form of government may be found only by examining those of the States when they adopted the Constitution. Among the qualifications which prohibited universal suffrage were tax statutes, including poll taxes. I refer to the explanation of this section by Madison in No. 43 of the Federalist Papers. Moreover, such is the judicial interpretation in Minor against Happersett, at pages 175–176.

The poll tax proposals represent another attempt to transfer to the Federal Government a power which our forefathers, after great debate, determined must remain with the States. Today, authority is sought to prohibit one type of voter qualification. Tomorrow, authority may be sought to determine all. I do not accept the principle that the Federal Government is better qualified to determine voter qualifications for all citizens than is each of the individual States for its own citizens, nor do I believe that a strong central government is in our national interest if its strength must be acquired by a corresponding weakening of the sovereign States.

Mr. President, I have read into the RECORD the voting qualifications of the Thirteen Original States. I now hold in my hand a compilation of the present voting requirements of all the States in the Union at the present time. This compilation may be found in part 5 of the supplemental hearings on Senate Joint Resolution 58 and Senate Joint Resolution 81, concerning poll taxes, of August 25 and 30 and September 8, 1961, when similar issues were under consideration in the hearings before a subcommittee of the Judiciary Committee. Mr. President, I believe it pertinent to call attention to some of these voter requirements, in order to show how varied they are in the different States.

Referring to them in alphabetical order, I shall start with the requirements in Alabama:

ALABAMA

Unless otherwise designated, references are to Code of Alabama, Recomp. 1959, and to the 1959 supplement thereto—title 17.

VOTERS' QUALIFICATIONS (CONSTITUTION OF ALABAMA 1901, AMENDMENT XCI TO SECTION 181)

Age: 21 years.

Citizenship: Must be citizen of the United States.

Residence: 2 years in State, 1 year in county, 3 months in precinct or ward immediately preceding election (constitution of 1901, amendment XCVI to sec. 178).

Literacy: Must be able to read and write in English any article of the Constitution of the United States which may be submitted to him by board of registrars (also code sec. 32).[1] Those persons who were registered as voters before 1903 are still qualified and need not register again (constitution of Alabama, amendment XCI to sec. 181).

Character: Must be of good character and embrace the duties and obligations of citizenship under the Constitution of the United States and Alabama (also code sec. 32).

Poll tax: Must have paid by February 1, next preceding election, all poll taxes due from him for the last 2 years (constitution of 1901, amendment XCVI to sec. 178).

Exemption: Blind and deaf persons and persons who honorably served in the military service of the United States during hostilities, are exempt from the poll tax payment as a prerequisite to voting (constitution of 1901, amendments XC (90) and CIX (109)).

[1] Prior provision, amendment No. 55, was declared to be unconstitutional—*Davis* v. *Schnell* (336 U.S. 933 (1949)). Present provision, amendment No. 91, was adopted in 1951.

DISQUALIFIED FROM VOTING (CONSTITUTION OF 1901, SEC. 182)

1. Idiots and insane persons.

2. Those who by reason of conviction of crime were disqualified at the time of ratification of constitution of 1901.

3. Those who shall be convicted of treason, murder, arson, embezzlement, malfeasance in office, larceny, receiving stolen property, obtaining property or money under false pretenses, perjury, subornation of perjury, robbery, assault with intent to rob, burglary, forgery, bribery, assault and battery on wife, bigamy, living in adultery, sodomy, incest, rape, miscegenation, crime against nature, or any crime punishable by imprisonment in the penitentiary, or of any infamous crime or crime involving moral turpitude.

4. Any person who shall be convicted as a vagrant or tramp, or of selling or offering to sell or buy his vote or the vote of another, or of making or offering to make a false return in a general or primary election to procure the election or nomination of any person to office, or of suborning any witness or registrar to secure the registration of any person as an elector.

REGISTRATION

Registration is permanent (code sec. 36) and must be made in person only (supp. sec. 31; code sec. 27(1)).

Registration application: Applicant shall fill out a questionnaire in his own writing, duly signed and sworn to, in the presence of the board of registrars, without assistance unless physically handicapped. Application is not a public record. If denied, must be preserved by board for 30 days, after which, if no appeal has been taken, they shall be kept with the records of the board or disposed of in such manner as the board may direct (supp. sec. 31).

Contents: The form and contents of the questionnaire shall be prescribed by the Supreme Court of Alabama and filed with the secretary of state and shall be so worded that the answers will give the board of registrars the information necessary to pass upon the qualifications of the applicant (constitution 1901, amendmend XCI; code supp. sec. 31).

Loyalty oath: Questionnaire shall contain an oath to support and defend the Constitutions of the United States and of Alabama, and a statement disavowing belief in or affiliation at any time with any group which advocates the overthrow of the Federal or State Government by unlawful means (constitution 1901, amendment XCI; code supp. sec. 31).

Other data: Applicant may be required to state under oath his name, addresses, and employers for the past 5 years (code, 1940, sec. 43).

PENALTY FOR VIOLATIONS

Perjury: Any person, in registering, who willfully makes a false statement as to his name, address, or employment for the last 5 years, or who falsely takes the registration oath, shall be guilty of perjury and shall be imprisoned in the penitentiary for not less than 1 year nor more than 5 years (code, title 17, secs. 309, 323, 334; title 14, sec. 378).

Illegal voting: A vote cast at a place other than the voting place at which the voter is entitled to vote shall be illegal (sec. 90 (3)). Any person who votes more than once at any election, or deposits more than one ballot for the same office, or knowingly attempts to vote when he is not entitled to do so, or is guilty of any kind of illegal or fraudulent voting, shall be imprisoned in the penitentiary for not less than 2 nor more than 5 years, at the discretion of the jury (sec. 302).

Voting without registration and oath: Any person voting at any county or State election who has not registered and subscribed to the registration oath shall be fined from from $100 to $1,000 or imprisoned in the county jail, or sentenced to hard labor for the county for from 1 to 6 months (sec. 303).

Unlawful registration: Any person who registers for another, or who knowingly registers or procures the registration of any person not possessing the qualifications of a voter, or who registers more than once shall be guilty of a felony punishable by imprisonment in the penitentiary for from 1 to 5 years (sec. 308).

There are 1½ printed pages of laws under the constitution and on the statute books for just 1 of the 50 States of the Union—Alabama—and one of the relatively minor provisions in the Alabama law relates to the poll tax, which the proposal we are discussing seeks to nullify.

The hearings to which I have referred contain 62 pages of State laws relating to the qualifications of voters. As I have said, that is more than 1 printed page for each State, containing State laws which, under the Constitution, the States have legally adopted.

Now it is proposed to start taking away from the States the power to fix voter qualifications, and to confer that power on the Congress.

As I have said, Mr. President, I shall not encumber the RECORD with 62 pages of State voter qualifications. I have referred to Alabama, which is a southern State, for which the provisions took a page and a half. Now let us review the voter qualifications of the most populous State in the Union, New York.

I was particularly interested in reading the qualifications of voters of New York, because the Senators of New York have been in the forefront of those who have been complaining so bitterly about unfair restrictions:

VOTERS' QUALIFICATIONS

Age: 21 years on election day.

Citizenship: Must be U.S. citizen at least 90 days prior to election.

Residence: 1 year in State, 4 months in county, city, or village, 30 days in election district next preceding the election.

Literacy: Unless he became entitled to vote prior to January 1, 1922, must, in addition to above qualifications, be able to read and write English unless prevented by physical incapacity.

DISQUALIFIED FROM VOTING

1. Persons who shall pay or receive or offer to pay or receive money or thing of value for giving or withholding a vote at an election, or for registering or refraining to register as a voter, or who shall make any promise to influence the giving or withholding of any such vote or registration—

I ask Senators to listen to this disqualification:

> [Persons who] * * * shall make or become directly or indirectly interested in any bet or wager depending on the result of an election shall not vote at such election.

Anybody in New York who bets on an election or who becomes directly or indirectly interested in such a bet, is disqualified from voting. The big bookmakers in New York quote the odds on a presidential election right up to election day; but a person who bets is not allowed to vote. Paradoxical? Yes, indeed.

Nevertheless, the State of New York has the unqualified right to put such a requirement in its law. I do not know of any other State which has such a requirement, and, as I say, State authorities apparently do not pay any attention to it, but Congress has no right to dictate otherwise.

I continue to read:

2. Persons convicted of a felony pursuant to laws of New York shall not have the right to register or vote at any election unless previously pardoned or restored to civil rights of citizenship by the Governor or unless awarded a certificate of good conduct granted by the board of parole pursuant to the provisions of the executive law to remove the disability under the section because of such conviction. The Governor, however, may attach as a condition to any such pardon a provision that any such person shall not have the right of suffrage until it shall have been separately restored to him.

3. Persons convicted of a felony in a Federal court if offense would constitute felony under laws of New York unless pardoned or restored to the rights of citizenship by the President of the United States.

4. Persons convicted of a felony in a Federal court for an offense of which such court has exclusive jurisdiction unless pardoned or restored to the rights of citizenship by the President of the United States.

5. Persons convicted in another State for a crime which would constitute a felony under the laws of New York unless restored to the rights of citizenship by the Governor or other appropriate authority of such other State.

6. Persons who have been adjudged incompetent or committed to a mental institution by judicial authority unless thereafter adjudged competent or found to have recovered and discharged from the institution.

REGISTRATION

Voter must register in person before every general election in cities or villages having 5,000 inhabitants or more.

I would conservatively estimate that more people are prevented from voting in New York City by failing to register every 2 years than are disqualified for failure to pay poll taxes in all the five Southern States which still have such a payment as a prerequisite for voting. That again, however, is the privilege of New York. We in Virginia prefer permanent registration. It is more simple. It is easier to enforce.

> In election districts outside of cities and villages of 5,000 or more inhabitants registration is permanent, subject to cancellation for failure to vote at a general election within a 4-year period.

Think of that provision. In the small towns the registration is permanent, but if a person does not vote for 4 years he loses his registration.

I think that is a rather complicated provision, but if that is what New York wants, I say that is what New York has the right to have.

Mr. STENNIS. Mr. President, will the Senator yield for a question on the point he has made?

Mr. ROBERTSON. I yield.

Mr. STENNIS. Is it not true, with reference to any State having either one or more qualifications, conditions, or provisions as to electors, that is a matter for the State to decide, and so far as the qualifications for Federal electors are concerned, they are automatically adopted and accepted?

Mr. ROBERTSON. The Senator is correct. As I say, I hold in my hands 62 pages of State laws dealing with qualifications of voters. The States have

always had the right to set them, provided they do not discriminate as to race, color, sex, or previous condition of servitude, and provided they do not require a different qualification for voting for a Federal officer from that required for voting for a member of the most numerous branch of the State legislature. In other words, the State can require anything it pleases. That has always been the right of the State.

As I said before, the Constitution would not have been ratified if it had not left to the States their right to fix qualifications of electors.

Mr. STENNIS. I believe the Senator said there are 62 pages of such laws.

Mr. ROBERTSON. That is correct.

Mr. STENNIS. Is it not true that even though there are the 62 pages of qualifications, the proposal before the Senate relates to only 1?

Mr. ROBERTSON. And a relatively minor one.

Mr. STENNIS. A relatively minor one; and it applies to only a few States.

Mr. ROBERTSON. Yes. However, once the trend to Federal control begins, it is difficult to stop.

As I pointed out, the framers of the Constitution said at times the drive might be to liberalize the right to vote and at other times it might be to restrict the right to vote to the point of despotism.

If Congress can broaden voting qualifications, it can also restrict them until only a select few may vote. Then there would be a despotism.

Mr. STENNIS. Is it not true that already there is pending, not yet on the calendar but before the Senate, a proposed statutory enactment?

Mr. ROBERTSON. I have heard that such a provision is to be brought up, dealing with the subject of a literacy test.

Mr. STENNIS. Is it not true that the records already show the Attorney General has advocated it, and the floor leader has introduced the bill and made the statement that it is the administration bill? Has not the procedure already gone that far?

Mr. ROBERTSON. Undoubtedly, but let us read some more about New York:

> Veterans and their spouses, parents, or children, who are inmates of a veterans' bureau hospital in the State may be registered by inspectors of election who will call at the hospital. If the hospital is located outside the State, the signing of his name to an application for an absentee ballot by a veteran, spouse, parent or child of such veteran accompanying him shall constitute personal registration. A voter who expects to be unavoidably absent from his residence on the day of the next general election by reason of being in Federal service, a member of the Armed Forces, a teacher or student in an institution of learning outside the county, or outside the county on business may register by mail.
>
> Permanent registration. The city of New York, the city of Plattsburgh, the city of Watertown, and any country or any city of over 5,000 outside the city of New York may, by local law, elect to adopt a permanent registration system. In such cases registration shall be in person except for absentee veterans.

In the hearings from which I am reading, two printed pages are devoted to New York's voting restrictions. As I have said, there is hardly a State in the Union that has placed more restrictions on voting than has New York State. It so happens that New York State does not have a poll tax; and, therefore, its representatives are on safe ground in advocating the abolition of the poll tax in the five Southern States which still have it.

In closing, I wish to emphasize that the right to vote is derived from citizenship of a State and not of the Nation. It is a privilege that is extended under certain conditions. As the Supreme Court has said, the Constitution conferred no right to vote upon anyone.

I think it is unfortunate in these days of stress, storm, and peril that we must stand here hour after hour debating the question of the preservation of the rights of the States and how important it is, if our Republic is to survive, that we do not tear down these landmarks.

The Bible states:

> Remove not the ancient landmark, which thy fathers have set.

This Biblical reference has a broad meaning. It warns us to hold dear the fundamental principles of ethics, morality, and principles of government that were handed down to us by our forefathers and which have been tested by time. Our Constitution has survived many storms. It has been often tested, and under it we now have the oldest form of government of any nation in the world. Whether or not it will survive when our population becomes twice 185 million I do not know. Certainly it cannot survive if we fail to preserve the rights of the States as they were intended to be preserved in the Constitution and as they are specifically spelled out in the 10th amendment.

The right of a State to fix the qualifications of its electors is the only right that is spelled out twice in the Constitution. Mr. President, we should be very zealous in maintaining that right. The Holland joint resolution should be rejected. I assume that when the poll-tax measure introduced by the Senator from New York [Mr. JAVITS], S.478, comes before the Senate, a motion will be made to lay that bill on the table. Naturally, I hope that motion will be carried.

Mr. STENNIS. Mr. President, will the Senator yield for a question?

Mr. ROBERTSON. I yield for a question.

Mr. STENNIS. I invite the attention of the Senator to one of the outstanding cases decided by the Supreme Court of the United States, Ex parte Yarbrough, decided in 1884, and reported in 110 U.S. Supreme Court Reports, beginning at page 651, on the subject of the qualifications of electors. My question of the Senator is whether he thinks it is sound law and is still the law. I now quote from the opinion of the Court:

> The States in prescribing the qualifications of voters for the most numerous branch of their own legislatures, do not do this with reference to the election of Members of Congress. Nor can they prescribe the qualification for voters for those so nominee. They define who are to vote for the popular branch of their own legislatures and the Constitution of the United States says the same persons shall vote for Members of Congress in that State. It adopts the qualifications thus furnished as the qualification of its own electors for Members of Congress.

Mr. ROBERTSON. The Supreme Court has consistently followed that opinion. The opinion was handed down more than 75 years ago and is as sound today as it was in 1884. It is still the law of the land. It has never been repudiated.

Mr. STENNIS. Has not the principle been reaffirmed by constitutional amendment, which had to be proposed in Congress, passed by a two-thirds vote, and then adopted by the necessary three-fourths of the States?

Mr. ROBERTSON. The Senator is correct. Ex parte Yarbrough was confirmed by *Swafford* v. *Temple* (185 U.S.), and later in Lassiter against Northampton County Board of Elections, when Justice Douglas passed on the question.

Mr. President, there can be no question whatever about the clear meaning of the Constitution and about the interpretation given the language by those who wrote it and by the Court which interprets it.

Those who would change our Constitution regarding the qualifications of voters, are disputing both wisdom and tradition.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KUCHEL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McCARTHY. Mr. President, the poll tax should really be no subject for extended debate in 1962. It is a primitive and undemocratic requirement. It is the last vestige of old property-holding limitations on the right to vote. It should be quickly abolished.

I do not believe that there is any real support for the principle behind the poll tax. Even the amount of the tax is usually no problem in those places still requiring this tax, although in some places because of cumulative features in the tax, the amount might become a real barrier to voting.

I do not believe that a constitutional amendment is necessary to eliminate this tax. Simple legislative action is enough. But if it is impossible to enact legislation on this subject, then I believe that we should pass the constitutional amendment provided that section II denying the right to vote to persons supported at public expense or by charitable institutions is stricken from the bill.

Along with the consideration that the poll tax, which is an unwarranted obstacle to participation in full citizenship, there is another problem which deserves the attention of the Congress. This is the problem of residency requirements which in almost every State are a serious obstacle preventing millions of people from exercising the right to vote.

I am preparing a resolution asking for congressional study of this problem in

the hope that procedures can be worked out so that by the use of absentee ballots many of those who are currently deprived of the right to vote may have this right restored.

It has been estimated by the U.S. Census Bureau and the American Heritage Foundation that State or local residency requirements prevented about 8 million citizens from voting in the presidential election of 1960. Another 2,600,000 were traveling for reasons of business or health and were unable to obtain absentee ballots. Another 500,000 citizens were living or traveling abroad and were unable to vote in 1960.

This is a most serious problem and one which should be considered by the Congress of the United States.

THE RS-70 WEAPON SYSTEM

Mr. GOLDWATER. Mr. President, this Nation's changing strategic posture has many implications which are not often recognized. With the development of advanced weapons of great firepower and the increasing capability of Communist nations, the requirement for human judgment and actions will be at its greatest premium in history. However, our planned strategic force is approaching an inflexible state with a much reduced capability for exercising trained human judgment and control.

There is a grave concern that we are abandoning to the enemy the development and production of the flexible weapon system which has successfully kept the peace for many years. Although there is clear need for a manned strategic reconnaissance-strike aircraft, no continuing manned strategic aircraft system is planned for development or production in the entire free world. The United States is the only Western nation with the capability to meet the challenge.

As our missile force grows, the role for manned strategic aircraft shifts more toward observing, reporting, evaluating, and exercising on-the-spot judgment and action. Incorporation of recent state-of-the-art advances in missiles, communications, and reconnaissance sensors in the B-70 can provide an advanced reconnaissance-strike system which is ideally suited for operation in the missile era. The system, designated the RS-70, would have numbers of long-range missiles, long-range standoff reconnaissance sensors, and advanced communications equipment.

Unlike ballistic missiles, the RS-70 will not have to rely primarily on high speed, high altitude, and low radar cross section for penetration. It will have other important advantages—it is maneuverable; it can carry large quantities of countermeasures; it can employ tactics; it does not have to fly over or into the target; it has its own defense suppression weapons; and finally, it has a man aboard to exercise judgment to adjust to a changing environment.

The remarkable reconnaissance aids would allow the RS-70 crew member to study targets in detail, report condition, and release an air-to-surface missile only if the requirement or further destruction was verified. All of this can be accomplished while well away from the target and out of range of most of the defenses. The air-to-surface missiles can be used to destroy the remaining defenses from hundreds of miles away.

Four essential tasks would be performed by the RS-70—observe and report the condition of the enemy during and after the initial strikes; increase assurance of destruction of priority targets; seek out and destroy unique targets—the extremely hard, the mobile, and those not precisely located; and provide the precision, discrimination, and flexibility which must be an inherent part of our strategic capability.

The specific roles defined for the RS-70 would complement the future ballistic missile force. It would fill a serious void by adding vision, strength, flexibility, and human judgment which is so essential to our strategic posture. Failure to provide this capability may result in an inflexible force which cannot cope with the unexpected.

The concept of employment of the RS-70 has many advantages not previously attainable. It can observe the condition of the enemy, take on-the-spot action as required, and report to command authority the information essential for competent force management. In the absence of firsthand knowledge of the results of our strikes, further effort is keyed only to the mathematical probabilities used in the development of the strike plan. The RS-70 will be the eyes of the national command element.

The speed of delivery of modern weapons requires the elimination of any time delay between identification of a threat and the neutralization of that threat. The ability to destroy a large number of targets coupled with the ability to seek out targets with minimum exposure to enemy defenses increases the assurance of destroying the critical targets.

Some targets are likely to be hardened to the extent that precise accurate delivery is the only method of neutralizing them. This same accuracy and precision increases the range of possible responses to threats through the ability to use discriminate nuclear weapons which limit the area of destruction to the immediate vicinity of the target.

This is a point which is seemingly overlooked by the IBM machines in the Pentagon—that is by the civilian part of the Pentagon. When we talk about hardened targets, we are talking about targets which are possibly as large as a football field, but, probably no larger than half the size of a football field.

While our ICBM's have built into them remarkable accuracy—an accuracy which I once described as being a higher accuracy than that possessed by a rifle, if it were possible to make a rifle which could send its missile some 5,000 miles—expecting a missile to travel 5,000 to 6,000 miles and hit a target the size of a football field is really expecting a great deal. It might take six or eight missiles to accomplish one mission. It might take only one, of course, but six or eight might do it completely.

Therefore the RS-70 or the B-70—whichever we come up with—will be the type of weapon which will be needed if we are to really get at the enemy offensive capabilities which are those targets which are placed under a hardened head.

The RS-70 as a weapons system which our country should or should not have is now in the midst of a controversy of a constitutional nature. It is the point whereby an important segment of the House of Representatives, the House Armed Services Committee, is challenging the Executive as to whether or not the Congress has the authority to require the expenditure of funds authorized and appropriated.

In my opinion, the Constitution does not give the legislative body direct authority to require expenditures of funds appropriated by that body, but this possibly could be established by the rather dangerous negative approach whereby concessions would have to be made by both sides. The whole matter should be determined on the basis of whether or not this weapons system is needed to protect our country.

This is another fact that the IBM group in the civilian offices in the Pentagon choose to overlook. During World War II, the Soviets flew fewer than 200 strategic bombing sorties against the enemy. During World War II the U.S. Air Force flew hundreds of thousands of sorties. One does not perfect the art of aerial bombing by flying fewer than 200 strategic missions during a war.

The fact that the Strategic Air Command of the U.S. Air Force has the greatest ability in the world, or the greatest ability the world has ever known, to hit targets of any size, from any altitude, at any speed is what makes our deterrent force a real need. It has not been opposition to the missiles; it has been opposition to men—the men who understand the dreadful art of bombing. No power in the world, or no combination of powers, has the ability which the men in the Strategic Air Command have. It is a dreadful ability, an ability in which we all insist they must remain skillful.

There is evidence that the ability of the Soviets in strategic bombing was enhanced by the experiences of World War II. Neither is there anything to lead us to believe that they have improved their techniques at all since World War II. In fact, in the important field of air-to-air refueling, there is great question as to their ability. There is great question as to their ability even to sustain such an effort long enough to accomplish a successful attack on this country.

The little black boxes, the electronic gadgets, the inertial guidance systems are fine and wonderful devices, and they will accomplish what is intended, provided they work all the time. This is where man enters the picture, for it is of no avail to start a missile toward a target and have it miss. If there is a miss, I do not feel for one moment that the enemy is going to immediately communicate with us and tell us whether or not our weapons hit the target. The arguments for full development of the 70 system, whether it be a bomber or a reconnaissance strike, are many, but I am afraid that the Secretary is tending to ignore them in favor of those who see no further need for man in the sky.

I am very hopeful, as one interested in our offensive ability, whether it be surface or air, that this argument between the legislative and executive branches can come to an end in the immediate future, with an understanding that we will go ahead with the full development of this weapons system.

Mr. President, this week's edition of Newsweek contains a very interesting article entitled "R-70: Doomed by Non-Military Computers?" The article was written by Gen. Thomas D. White, U.S. Air Force, retired. General White is a former Chief of the Air Force. I urge Senators to read the article, because General White gets at the real problem—the fact that the Air Force has not been consulted about the use of this plan or other plans for these planes. We hear astronomical figures of $10 billion tossed around by the Secretary of Defense. The Air Force has never supplied those figures. To my understanding, the Air Force has not made a public declaration as to what it will do with these planes.

Before any judgment is passed by Members of this body, I think the men who are charged with the responsibility of attack and defense should be heard. I have high respect for the academic mind when it applies itself to academic problems; but I do not believe the academic mind can solve military problems as well as military personnel can.

My suggestion to the Secretary of Defense would be to turn a little away from the mechanical IBM's and the human IBM's and start to listen to the men of our Strategic Air Command who make it possible for the United States to keep peace in the world, not with gadgets, but with men.

Mr. President, I ask unanimous consent that the article to which I have referred may be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

RS-70: DOOMED BY NONMILITARY COMPUTERS?

(By Gen. Thomas D. White, USAF, retired)

The House Armed Services Committee has taken almost unprecedented action in claiming for Congress the right to positive and not merely negative action in defense matters. It has directed an executive element of the Government to develop, as a weapons system, the 2,000-m.p.h. RS-70 or B-70 bomber.

The action reflects more than a dispute on an individual weapon. It is a sign of a growing schism between the intellectuals and some military men.

Aside from some disputed technical aspects, it appears to be the contention of the Department of Defense that the required size and composition of our strategic forces can be computed with almost mathematical accuracy. There are scientists who claim that missile effectiveness can be predicted electronically with such accuracy that no requirement exists for a weapon to meet unforeseen contingencies. It is considered in the Defense Department that, in this age of missiles, the RS-70 need not now be developed as a weapon, and that the present program of building three test model aircraft retains an option to go ahead with production at a later date.

The House Armed Services Committee, on the other hand, wants to build three additional RS-70's, the last of which would be a complete weapons system, thereby advancing considerably the date on which an option to go into production would be available. Highly experienced military airmen agree. Aside from the fact that nuclear-armed missiles have never been used in war, nor even fully tested in peace, modern warfare would be fraught with uncertainty and utter confusion and cannot be solved by mathematical equations. It is claimed our knowledge of enemy capabilities is and will be inadequate to provide the vital factors needed in mechanical solutions of such equations and which in any case would require the application of critical judgments based on experience.

Therefore, they say, a highly mobile manned and versatile weapon such as the RS-70 is vitally needed and should be developed to deal with the unexpected and to provide the flexibility which would cause an enemy enormous defensive problems.

The Joint Chiefs of Staff are cited as being in disagreement on the matter, as is too often the case in major programs, notably in such examples as the aircraft carrier and the Nike-Zeus missile. Like the B-70/RS-70, almost every major bomber program in the past has suffered from controversy, with costly delays and setbacks.

The B-70 controversy is unique only because it is the first bomber that has been "computed" out of full development. This decision was influenced by studies performed largely by a nonmilitary intellectual community with the aid of high-speed computers in integrating military and nonmilitary factors of both our own and enemy capability.

BLENDING

This community is composed of scientists and other experts working for the more than 350 nonprofit corporations. But another vital component of national power is our vast body of military experience. If we are to realize maximum benefit from the emergence of this new community, we have to insure that the talents of these two components are blended to support each other.

Congressional action not only joins the issue of legislative versus executive authority, but also highlights divergence among nonprofessional and professional military opinions. It is to be hoped that this and other controversial defense matters can be settled, not on the basis of jurisdiction, but by the thorough integration of all competent views.

REHABILITATION OF NAVAJO AND HOPI TRIBES OF INDIANS

Mr. GOLDWATER. Mr. President, for myself and on behalf of the senior Senator from Arizona [Mr. HAYDEN], the senior Senator from Utah [Mr. BENNETT], the senior Senator from Colorado [Mr. ALLOTT], the senior Senator from New Mexico [Mr. CHAVEZ], and the junior Senator from Utah [Mr. MOSS], I introduce a bill and ask that it be referred to the Committee on Interior and Insular Affairs.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3033) to amend the act of April 19, 1950, relating to the rehabilitation of the Navajo and Hopi Tribes of Indians, to authorize certain additional highway projects, introduced by Mr. GOLDWATER (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDING OFFICER laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

FACILITATION OF SCHOOL DESEGREGATION

Mr. DODD. Mr. President, I introduce for appropriate reference a bill that would, if enacted, authorize the Secretary of Health, Education, and Welfare to make grants to local school districts to cover the cost of drawing up desegregation plans, the cost of training school personnel in the many problems incident to desegregation, and the cost of employing specialists who are equipped to advise local school districts on these problems.

The decision of the Supreme Court that segregation in schools is unconstitutional and that desegregation should proceed with all deliberate speed was handed down in 1954. I believe that progress toward desegregation should have been made far more swiftly than has been the case, but I am fully aware of the difficulties involved in securing full compliance with this Court mandate by all local school districts.

Desegregation of schools is the law of the land. Equally important, it is the inevitable and proper policy for a nation which was founded upon the principles of freedom and equality of opportunity.

Desegregation can be delayed by the bitter hostility of those who oppose it; it can be delayed by the rashness and the injudicious zeal of those who favor it. But it cannot be stopped, and it must not be stopped. It should, rather, be helped forward by reasonable proposals.

The effort for desegregated schools must be waged against habits of mind and social attitudes that are deeply ingrained and have a long history. The past 8 years have taught us that desegregation can come about peacefully and successfully, or it can be accompanied by violence and disorder. This violence and disorder can be avoided, and it is the purpose of the bill to assist in establishing those conditions under which desegregation can take place peacefully and lawfully.

The Federal Government can help in a very positive way. It can do so by extending financial aid to local school districts to assist them in drawing up realistic school desegregation plans and to provide trained counselors and advisers who can help to minimize dangers and pitfalls.

It may well be asked, "Isn't this the responsibility of the local authorities?"

Since desegregation is brought about by a decision of the Federal judiciary, based upon its interpretation of the Federal Constitution, I think there can be no doubt that there is a Federal responsibility to do all that can be done to effect this vast social change in cooperation with local authorities.

We are all aware of the present economic plight of our school districts and of their need for funds both for the construction of new schools and for teachers' salaries. I do not think that the costs of desegregation should have to compete with school construction and teachers' salaries for the funds now available to school districts. At the same time we must recognize that the desegregation of our schools is a constitutional necessity, and we cannot permit it to be slowed simply for lack of money.

I should like to add a few words of comment on the text of the bill.

First. It would expressly bar any grant from being used for school construction or teachers' salaries, and hence there is no possibility that the bill would become a device for granting aid to education generally. Though I favor Federal aid for both purposes, and though I feel there is a particular Federal obligation to help local authorities meet the expenses for school construction and teachers' salaries which will be caused by a revamping of their school system, I do not wish to encumber this bill with controversial proposals which should be dealt with in more general legislation.

Second. The bill would authorize the Secretary of Health, Education, and Welfare to grant financial aid only. The bill expressly states that it shall not be construed to authorize any Federal agency or officer to exercise any direction or control over local school instruction or administration, and hence there is no danger that the bill would become a device for Federal intervention in local education.

Third. Since it is impossible at this time to determine how long Federal financial assistance to desegregating school districts will be needed, or in what amount each year, the bill is silent as to the duration of the Secretary's authorization and as to the amount he shall be permitted to expend each year, because I think both these questions should be left to the appropriation process.

Mr. President, I am under no illusions that this bill will bring about instantaneous school desegregation. As I have indicated, the fight for desegregated schools is one that must be waged against deep-rooted, ancient habits of mind and social attitudes. But where there is some will for desegregation on the part of a local school district, Federal financial aid may prove to be of considerable help in permitting school desegregation to be accomplished more speedily and with less friction and less ill will between the races than otherwise would be the case. This is the justification of this bill, and I urge favorable consideration by the Senate.

Mr. President, I ask unanimous consent that the bill which I am introducing today be printed at this point in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 3034) to authorize grants to local school boards to assist in defraying certain costs incident to the elimination of segregation in public elementary and secondary schools, introduced by Mr. DODD, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Secretary of Health, Education, and Welfare (hereinafter referred to as the "Secretary") is authorized to make grants, from sums appropriated therefor pursuant to section 6, to local educational agencies to assist in eliminating segregation in public elementary and secondary schools.

(b) For purposes of this Act, the term "local educational agency" means a board of education or other legally constituted local school authority having administrative control and direction of public elementary or secondary schools in a city, county, township, school district, or other political subdivision in a State; and includes any State agency which directly operates and maintains public elementary and secondary schools.

SEC. 2. Grants under this Act may be made by the Secretary to assist any local educational agency to defray, in whole or in part—

(1) the costs of preparing plans and programs for desegregating public elementary and secondary schools over which the local educational agency has control and direction;

(2) the costs of giving to teachers, school administrators, and other school personnel inservice training in dealing with problems incident to desegregation;

(3) the costs of employing specialists in problems incident to desegregation and of providing other assistance to develop understanding by school children, their parents, and the general public of plans and efforts for desegregation of the public elementary and secondary schools over which the local educational agency has control and direction; and

(4) other costs which the Secretary determines are directly occasioned by the desegregation of such schools.

No grant may be made under this Act to defray any part of the cost of construction, enlargement, or alteration of any school facility, and, except as provided in paragraph (3) of this section, no grant may be made under this Act to defray any part of the cost of employing any teacher or other employee of a local educational agency or of any public elementary or secondary school over which it has control and direction.

SEC. 3. (a) Grants may be made under this Act by the Secretary only upon application therefor made by local educational agencies. Each application shall provide such detailed breakdown of the measures for which financial assistance is sought as the Secretary may prescribe by regulations.

(b) Each grant under this Act shall be made in such amounts and on such terms and conditions, not inconsistent with the provisions of this Act, as the Secretary shall prescribe. In determining whether to make a grant and in fixing the amount thereof and the terms and conditions on which it may be made, the Secretary shall take into consideration—

(1) the amount available for grants under this Act and the applications which are pending before him;

(2) the financial condition of the local educational agency making application, and other resources available to it;

(3) the nature, extent, and gravity of its problems incident to desegregation; and

(4) such other factors as he finds relevant.

SEC. 4. Payments of grants under this Act may be made in advance or by way of reimbursement and may be made at such intervals as the Secretary may determine. Payment of any grant under this Act shall be made to the local educational agency making application therefor, if such local educational agency has authority to receive and expend the funds constituting such grant. In any other case, payment of such grant shall be made to the local government which has authority to receive and expend funds on behalf of such local educational agency, but only if the Secretary is satisfied that such local government will expend such funds solely for the purposes for which the grant is made.

SEC. 5. Nothing contained in this Act shall be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any public elementary or secondary school or of any local educational agency.

SEC. 6. There are authorized to be appropriated for each fiscal year such sums as may be necessary to carry out the provisions of this Act.

INSTRUCTION OF TWO BELGIAN CITIZENS AT U.S. NAVAL ACADEMY

Mr. SALTONSTALL. Mr. President, I introduce a joint resolution authorizing the Secretary of the Navy to admit for instruction at the U.S. Naval Academy two citizens and subjects of the Kingdom of Belgium. Four Belgians have previously been admitted to the Academy. Two were graduated in 1959 with outstanding records, and were succeeded by two other Belgian citizens, who presently are studying there. The joint resolution which I am introducing at this time makes it possible for Belgium to send two more young men to the Academy when the present Belgian midshipmen graduate.

Belgium, which has no naval academy of its own, has been pleased by the training received by its nominees to Annapolis, and desires to continue the program. The favorable reaction of the Departments of State and Defense to this desire reflects the interest of the United States in cooperating in this worthwhile project. An undertaking of this nature provides unusual opportunities for establishing personal bonds of friendship between United States and Belgian naval officers, and strengthens the feeling of good will which presently exists between the peoples of our two countries.

The joint resolution (S.J. Res. 175) authorizing the Secretary of the Navy to receive for instruction at the U.S. Naval Academy at Annapolis two citizens and subjects of the Kingdom of Belgium, introduced by Mr. SALTONSTALL, was received, read twice by its title, and referred to the Committee on Armed Services.

MANAGEMENT OF THE NATIONAL DEBT

Mr. SALTONSTALL. Mr. President, I now introduce a bill relating to the total national debt of the United States.

Our national debt limit has recently been increased to $300 billion, and there is discussion to the effect that it should be increased to $308 billion. We receive

regular reports on the public debt, which is subject to statutory limitation; but in our consideration of that problem, I feel that the Congress is less than fully informed. The contingent liabilities—guarantees and insurance programs to which the United States is a party—have multiplied sharply in the last few years. These are programs which have helped stimulate the economy, but which also have an effect on the credit picture of the Treasury and of the dollar in our foreign trade.

The Federal Government is making greater use of leases of Post Offices, Federal office buildings, office space, warehouses, and even ships, as a substitute for direct Federal investment therein. This activity has cut down the necessity of issuing Treasury bonds within the public debt limit; nevertheless it places on the Treasury a fixed obligation which, to my knowledge, at least, is rarely, if ever, accounted for and measured against the alternative of direct debt. We also receive reports when considering the appropriations of funds which the executive departments and agencies have been authorized to spend, but which as yet remain unspent. These reports come to us in piecemeal form, and we seldom have an opportunity to see the total spending power of the Federal Government.

In order to provide the Congress with this information on a regular basis, I am introducing this bill to clarify by regular reports these components of the national debt and thereby to assist in its management. The senior Senator from Virginia [Mr. BYRD] has joined me in cosponsoring this measure; and I hope that it may be referred to the Finance Committee, where it may be considered with the national debt proposals before that body.

The bill (S. 3035) to clarify the components of, and to assist in the management of, the national debt, introduced by Mr. SALTONSTALL (for himself and Mr. BYRD of Virginia), was received, read twice by its title, and referred to the Committee on Finance.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 1435. An act for the relief of Jacinto Machado Ormonde;

H.R. 1599. An act for the relief of Pasquale Marrella;

H.R. 1701. An act for the relief of Mrs. Kikue Yamamoto Leghorn and her minor son, Yuichiro Yamamoto Leghorn;

H.R. 1703. An act for the relief of Maximo B. Avila;

H.R. 2687. An act for the relief of Miss Helen Fappiano;

H.R. 2833. An act for the relief of Franziska Aloisia Fuchs (nee Tercka);

H.R. 5610. An act for the relief of Pierino Renzo Picchione;

H.R. 6772. An act for the relief of Hendrikus Zoetmulder (Harry Combres);

H.R. 6773. An act to repeal the act of August 14, 1957 (Private Law 85-160); and

H.R. 10643. An act for the relief of Gail Hohlweg Atabay and her daughter; to the Committee on the Judiciary.

H.R. 10802. An act making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1963, and for other purposes; to the Committee on Appropriations.

RELIGIOUS PERSECUTION IN THE SOVIET UNION

Mr. KEATING. Mr. President, the refusal of the Soviet Government to permit the baking of the traditional unleavened bread, or matzoth, during Passover is a deliberate affront to the Jewish people of the Soviet Union and an attack upon religious freedom. In the past the Soviet Government has cloaked its anti-Semitism with the excuse of combating black marketeers and speculators. It has even implied that the Government is not responsible for such actions.

Now, Mr. President, the mask is off. It is clear that the Soviet Government is directing the campaign against the Jewish religion, against the Roman Catholic religion, and, in fact, against all religion.

Moreover, at the same time when the Soviets are trying to strangle Judaism in Russia, they are also refusing to permit Soviet Jews to emigrate to Israel.

Mr. President, life under communism is a prison, not only for the human body, but also for the soul. Nothing could indicate that more clearly than these policies. I am extremely concerned over these developments and over the failure of our Government, in the United Nations and elsewhere, to mobilize the pressure of world opinion against these outrages.

Mr. President, I have contacted Ambassador Stevenson, our Ambassador to the United Nations, and have urged that he call on the United Nations Human Rights Commission and urge an immediate hearing and investigation into these developments. The full force of enlightened world opinion should be directed upon this persecution right now, during the Passover and Lenten seasons, when free peoples are worshipping God with renewed dedication.

Mr. President, I ask unanimous consent to have printed in the RECORD, following my remarks, two articles from the New York Times. One, written by Theodore Shabad, details Soviet refusal to provide matzos during the Passover season. The other indicates the efforts being made by Rabbi Maurice N. Eisendrath, president of the Union of American Hebrew Congregations, in urging the Soviet Government to permit free emigration of Jews from the Soviet Union.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

SOVIET CURBS SALE OF MATZOTH FOR JEWISH PASSOVER FESTIVAL—GOVERNMENT BAKERIES WILL NOT MAKE UNRAISED BREAD THIS YEAR—ORTHODOX EASTER CAKE ALSO MAY BE BANNED

(By Theodore Shabad)

MOSCOW, March 19.—The chief rabbi of Moscow was reported today to have told his congregation that no matzoth would be available from the State-operated bakeries this year.

The rabbi, Yehuda-Lieb Levin, made the announcement last Saturday in the city's central synagogue, according to Jewish sources.

He was reported to have told the congregation that in view of the Government ban on the Jews' traditional unleavened bread, they would not be held to strict observance of dietary rules during the Passover festival, which starts April 18.

The Passover is celebrated by Jews in commemoration of the Exodus from Egypt. The celebration involves a family feast on the first evening and abstention from leaven during the 7 days of the festival. The eating of unraised bread during this period is believed to reflect the haste with which the Jews left Egypt.

In the absence of official comment tonight, it could not be determined whether the ban on matzoth baking was directed specifically against the Jewish religion or whether it was part of the general antireligious campaign of the Soviet regime.

There have been reports that the traditional Russian Orthodox Easter cake, known as kulich, will not be available in state-operated bakeries this year. The sale of this cake in bakeries last year was criticized by Soviet newspapers, which charged that a religious item was being sold under the name of "spring cake."

In past years matzoth was available at some Moscow bakeries during the Passover season. Jews also baked matzoth privately for sale, but this practice was prohibited as a form of private enterprise.

About a fourth of the Soviet Union's 2,500,000 Jews live in Moscow. Only a small percentage of elderly people are believed to follow Jewish religious traditions, including the dietary laws. The majority of the Jews in the Soviet capital, according to one Jewish source, would not be aware of the presence or absence of matzoth.

The source commented that, in addition to the specific problem of matzoth, there were no public eating places in Moscow that provided kosher food which is ritually prepared according to Jewish law.

Visiting foreign Jews who adhere to such food laws have found that Intourist, the official Soviet tourist agency, does not arrange for restaurants to prepare kosher food.

PLEA TO SOVIET ON JEWS—U.S. RABBI ASKS MOSCOW TO ALLOW EMIGRATION TO ISRAEL

WASHINGTON, March 18.—The Reverend Dr. Maurice N. Eisendrath, president of the Union of American Hebrew Congregations

appealed to the Soviet Union Sunday to allow Jews there to emigrate to Israel.

In a statement issued on the eve of the Jewish festival of Purim, which begins at sundown tomorrow, Rabbi Eisendrath said:

"As we begin the celebration of a holiday commemorating the struggle of the Jews against the Persians for the right to worship in freedom, we cannot ignore the continued suppression of our bretheren in the Soviet Union."

He said that if the Soviet Union could not allow its Jews religious freedom it "should at least open the doors of the Iron Curtain to permit these people the right to leave."

REQUEST FOR HEARINGS ON DOPE SMUGGLING

Mr. KEATING. Mr. President, the arrest of several Cuban nationals in Miami on opium smuggling charges in my opinion has significance beyond this instance. For many years Red China has attempted to push heroin and opium into the United States, to undermine the physical and moral strength of our people.

Red China may now be using her Communist base in Cuba for these operations. Mr. Henry L. Giordano, Acting Commissioner of the Narcotics Bureau, has informed me that the opium picked up in Miami, in all probability, came from Yunnan Province, in Communist China, a prime world source of opium.

The Narcotics Bureau believes that the opium arrived in this country by way of Cuba. The Bureau is especially interested, because this is one of the few seizures of crude opium in recent years.

This is a concrete sign and a serious warning signal of Red efforts to use Cuba as a way station for expanding its narcotics traffic to the United States. The evil can serve the Communists in two ways: First, it could help provide Cuba with badly needed American dollars. Second, it could effectively sap the courage and intelligence of its victims.

The extent to which the Communists have engaged in narcotics traffic here has been examined previously. But new facts are emerging. The developments I have described point to new Communist tactics and, therefore, new hazards.

I have asked the Internal Security Subcommittee of the Judiciary Committee to explore the situation fully. I am hopeful that executive session hearings will begin shortly.

The Narcotics Bureau is to be commended for its fine work on this case.

RESOLUTION OF THE ALBANY COUNTY CENTRAL FEDERATION OF LABOR

Mr. KEATING. Mr. President, recently I met with a delegation of New York hotel and restaurant workers, including Mr. Nick Campus, secretary-treasurer of local 471 in Albany of the Hotel and Restaurant Employees and Bartenders Union. One of the major topics of discussion was giving tipped employees tax credit for tip income for social security purposes. Although this matter must orignate in the other body, I believe that action is long overdue to permit waitresses, bellboys, and other tipped personnel to obtain full social security credit for both salary and tip income.

Mr. President, I ask unanimous consent today to have a resolution on this subject adopted by the Albany County Central Federation of Labor printed at this point in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Whereas hundreds of thousands of waiters, waitresses, bellmen and other workers who earn a considerable portion of their income through the receiving of tips are paid a low wage; and

Whereas, the Internal Revenue Service of the Treasury Department considers these tips earned as wage and requires the payment of income tax on these moneys; and

Whereas under the present social security law the tips earned by these workers are not considered wages and no credit is given for them when the workers retire; and

Whereas this situation creates an injustice to the worker upon retirement when he collects only about half of what he should in old-age benefits; and

Whereas the Hotel and Restaurant Employees and Bartenders International Union, AFL-CIO, has been urging Congress to amend the social security law to correct this injustice: Therefore be it

Resolved, That the Albany Central Federation of Labor endorse the position of the Hotel & Restaurant Employees & Bartenders International Union on this question; and be it further

Resolved, That the Albany Central Federation of Labor inform U.S. Senator JACOB K. JAVITS and Senator KENNETH B. KEATING, U.S. Senators from New York State, and Congressman LEO W. O'BRIEN of this action; and be it further

Resolved, That copies of this resolution be sent to U.S. Senators JACOB K. JAVITS and KENNETH B. KEATING and to Congressman LEO W. O'BRIEN.

NO SUBSTITUTE FOR VICTORY

Mr. THURMOND. Mr. President, the Henry Regnery Co. of Chicago, Ill., has published many great books which have made valuable contributions toward enlightening the American public on the nature of the enemy we face in the cold war and the need for facing the many facets of the threat posed to our Nation by the forces of world communism with realism, strength, determination, and the will to win. This company has just published one of the best books on this subject. It is entitled "No Substitute for Victory" and was written by Mr. Frank J. Johnson, a former officer in the Office of Naval Intelligence, who has established himself as a specialist on all aspects of Soviet political and military strategy.

Because of his concern that the American people do not yet fully understand the true nature of the Communist challenge and how to meet it, Mr. Johnson left Government service in February 1961, in order to be able to write this book. His belief in a philosophy of victory over communism is not just an abstraction. He presents a specific program to bring it about.

At the present time, Mr. Johnson is editor of the Washington Report for the American Security Council, and in this capacity is continuing his diligent efforts to awaken the American public and our leaders to the need for victory in the cold war.

The foreword for "No Substitute for Victory" has been written by a distinguished American military leader, Adm. Arleigh Burke, another strong advocate of instilling in our national policies the will to win over the forces of world communism in the cold war. I ask unanimous consent that the foreword to the book as written by Admiral Burke be printed at the conclusion of these remarks together with an excellent review of this book, which has been printed in the Greenville (S.C.) News of March 19, 1962. This review was written by Col. W. D. Workman, a noted and respected columnist for a number of daily newspapers in the Southeast.

I also ask unanimous consent to have printed at the conclusion of my remarks a statement about the book as printed on the flyleaf. I commend this book to all Americans as being vital reading material in the most critical period of our national history.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

FOREWORD OF BOOK ENTITLED "NO SUBSTITUTE FOR VICTORY"

(By Adm. Arleigh Burke)

The people of the United States are concerned.

The world is in a state of turmoil.

It is evident that strife will increase in many areas of the world. Berlin, Latin America, southeast Asia, Africa, the Middle East and even in Europe. The United States will be confronted in the immediate future with a whole series of crises, any one of which may determine whether the United States will continue to be a great Nation.

Why is this?

This is because the Soviet Union is attemping to carry out her avowed aim of 40 years to dominate the world. Her recent scientific successes in missiles and space, her political advances in Cuba and Asia, have served to replace the old inferiority complex with arrogance and inflated self-confidence. Our own forbearance and reluctance to take action promptly are interpreted by the Communists as loss of moral stamina and virility. Khrushchev's recent speeches and actions indicate his intention to force issues on the West at an ever-increasing rate. He appears bent on testing his premise that the Western World in general, and the United States in particular, no longer have the will to win.

This is grim competition for supremacy, for survival, in all fields and in all areas, and it will last until either the Western World or the Communists win.

The United States is the leader of the Western World. What happens to the free world is largely dependent on what the United States decides to do, and on what she does do.

We are the most powerful Nation on earth. We have the greatest military power, the greatest economic power, the most brilliant scientists in the world. We have developed a system of government which has been remarkably successful in maintaining the rights of individuals and the dignity of man. We lead the world in technology. We have the highest standard of living, greater individual opportunity, more educational facilities than any other nation. We have nearly everything that other nations are striving for.

Yet the trend of events in the last few years has not been in our favor. We are not winning.

We are losing because we have not resolved to win.

This is the basic premise of this provocative book.

We may be losing because vast numbers of our people are not even conscious that that race is on, let alone the consequences of failure to win. This is why Mr. Johnson's book has a claim on the thoughtful and patriotic citizen of this country.

In strong, simple language, Mr. Johnson analyzes past events, the Russian moves and U.S. moves and comes to the conclusion in each case that where we acted with determination and strength, communism has been stopped. When we have displayed fear or indecision, it has advanced. What might be if the United States were to act with the bold determination to win in the cold war is projected convincingly.

In direct, clear language, he searches the future of this century of conflict and rightfully concludes that if the United States stands ready for action instead of reaction, more peoples of the world will have real peace, real freedom, and real liberty. If the United States does not implement the will to win, the world will become a police state, ruled by ruthless Communist tyrants, and mankind will have lost its freedom.

Not everybody, including me, will agree with all the points made by the author nor on the various factors he uses to determine who will win and who will lose; but everybody will agree that the United States must win this struggle for survival and that this will take will to win and all that expression implies. The vital "will to win" means we must compete in every field with all the strength, all the skill, all the imagination and all the courage that our forefathers demonstrated when they formed this great Nation.

The future of this country is in the hands of its citizens. The country will go where our citizens will it to go. Our future is in our hands. We can mold it in the forge of industry and strong desire. There is truly "no substitute for victory."

[From the Greenville (S.C.) News, Mar. 19, 1962]

NATIONAL FIGURES INSIST ON VICTORY IN ANY KIND OF WAR

(By W. D. Workman)

Gen. Douglas MacArthur, Senator Strom Thurmond, and Frank J. Johnson are highly diverse individuals, but they have one thing in common—they are all dedicated to victory over international communism.

Day by day in Washington, Senator THURMOND is lashing out at what he terms the "no win" policy of the United States.

Back in April of 1951, General MacArthur had this to say before Congress: "War's very object is victory, not prolonged indecision. In war there is no substitute for victory."

And today, March 19, Frank Johnson unveils (through the Henry Regnery Co.) a forthright book which takes its title from General MacArthur's congressional address of 11 years ago: "No Substitute for Victory."

Johnson is a youngish man, but he served for 6 years as a specialist on Soviet political and military strategy following his graduation from the Naval Intelligence School in 1954.

Last year he left Government service in order to present to the reading public his ideas of winning the war against communism.

He prescribes strong medicine for the United States, but the real secret of his prescription is moral rather than physical. Reduced to its simplest terms it simply is the will to win.

Johnson is considerably more frightened by the current American mentality than by Russian military might (which he feels is greatly overrated in every category except intercontinental ballistic missiles). He presents a persuasive case of American superiority in military hardware and capabilities—but he is pessimistic about the willingness of the United States to flex its muscles.

His continuing thesis is not only that Soviet Russia does not want war, but that it will back down whenever it is faced with American willingness to risk war.

"The subjugation of the United States," Johnson says, "will only come after we have been thoroughly defeated and isolated in the cold war and corrupted from within by the argument that communism is not so bad after all, and anyway it is certainly better than death. * * * It is but a short step philosophically from saying that victory is not worth the possibility of war to saying that defeat, perhaps sugarcoated as 'compromise,' is preferable to the certainty of war."

Johnson traces much of our trouble back to the Korean war, which he terms significant for these reasons:

"First, it [the Korean war] reaffirmed the doctrine of containment, and promoted the fatal belief that there is a substitute for victory. Second, we made a false estimate of Soviet military power and an unrealistic assessment of Soviet willingness to fight the United States which continues to this day. Third, we failed to seize the opportunity to discredit, and possibly bring down, the Chinese Communists by destroying the cream of their armies in Korea.

"In fact, we boosted Communist China's prestige by allowing her to boast that she had successfully met America on the field of battle. Fourth, by accepting less than our goal of a reunited Korea, we suffered a loss of face in Asia. Fifth, we began the policy of allowing our allies and the United Nations to exert undue influence on American policy."

Johnson goes on to call for a tough-minded, openly declared, and power-backed American policy which would serve blunt notice on Russia—and the rest of the world—that the United States is determined to win in its battle against international communism.

More specifically, Johnson calls for:

1. A naval blockade of Cuba to seal off any further Soviet aid.

2. Support of a liberation movement in Albania (the most exposed of the Communist nations in Europe).

3. The development of continuing paramilitary warfare in the Communist satellites of Eastern Europe.

4. The withdrawal of U.S. blessings and support from the so-called neutrals.

5. The limiting of foreign aid to those expenditures which are clearly and directly in support of our objective of defeating world communism.

"This means," he adds, "that we must recognize who our friends are and support them, rather than our enemies or the neutrals. * * * As it stands today, a neutral may get as much or more aid than an ally. Let us take the profit out of neutralism. If we are really for freedom, then let us cease contributing to the coffers of those governments whose policies support the enemies of freedom."

As Adm. Arleigh Burke states, in a foreword to Johnson's book, "Not everybody will agree with all the points made by the author * * * but everybody will agree that the United States must win this struggle for survival. * * * There is truly 'no substitute for victory.'"

STATEMENT

"The United States is at war, not at peace. We are losing, not winning, the struggle for survival which the Communists have forced upon us. We are losing because we have, so far, not resolved to win. In order to win, we must change our foreign policy. We must take the offensive."

This is the theme through which an intelligence expert on the Soviet Union exposes the facts behind the cold war.

It is the author's contention that we have unnecessarily subordinated our policy and national interests to the views of our allies, the United Nations, the neutrals, and world opinion. The author believes that our Nation, the bastion of freedom in the free world, is in mortal danger. But it is in danger, not because we face an enemy possessing greater military power—we are far stronger than Russia, the author believes, but because we have abandoned the will to win.

The importance of "no substitute for victory" rests not only on its theme, but on relentless marshaling of the facts. The author knows, from his own experience with the Office of Naval Intelligence, the real nature of Soviet military strength and the crisis confronting the free world in our time. The reader of this book will know not only what we face but what we can do about it.

CENSORSHIP OF STATEMENTS BY MILITARY PERSONNEL

Mr. THURMOND. Mr. President, on Wednesday, March 14, 1962, the Senate Special Preparedness Subcommittee heard the most interesting, informative and candid witness to appear before our subcommittee this year. He testified on all phases of the investigation into censorship of anti-Communist statements from military speeches and articles, troop information and education programs, and participation of military personnel in cold war seminars. This witness was Lt. Col. William E Mayer, who is currently stationed at Brooke General Hospital at Fort Sam Houston, Tex. He is the famous and highly regarded Army neuropsychiatrist who interviewed 1,000 American prisoners of war upon their return after the Korean war.

The testimony of Colonel Mayer has drawn much attention and interest. The Chicago Daily Tribune of March 19 has printed an excellent editorial on the colonel's testimony. I ask unanimous consent, Mr. President, that this editorial and a newsletter I prepared on the subject of Colonel Mayer's testimony both be printed in the RECORD at the conclusion of these remarks.

Mr. President, it would require too much space to print in the RECORD all of Colonel Mayer's eloquent testimony and his forthright answers to all of the questions put to him during his day-long appearance before the subcommittee. In lieu of this, Mr. President, I have a copy of a news article which gives an excellent summary on a memorandum which Colonel Mayer presented to the subcommittee following an interview with staff investigators on November 7, 1961. This article was written by Cecil Holland and appeared in the Evening Star of March 13, 1962. I ask unanimous consent that this article also be printed at the conclusion of my remarks.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Chicago Daily Tribune, Mar. 19, 1962]

BRAINWASHED AT HOME

Lt. Col. William E. Mayer, an Army psychiatrist who studied the failure of training and character which led one American soldier out of three taken prisoner by the Communists in Korea to collaborate with the enemy, reported an even more distressing discovery to a Senate Armed Services Subcommittee.

Colonel Mayer said that not only do the same weaknesses appear in today's soldiers, who have never been in combat or held as prisoners of war, but that they are endemic among the American people as a whole.

What is wrong with us? Colonel Mayer's answers were blunt, and they will not endear him to his superiors, either in the Military Establishment or in Government.

The basic cause of this sickness of the soul, the colonel said, is the warped objectives of contemporary society. The schools, the home, and the churches all are not doing their job, and it does not require a Communist to brainwash an American—to empty his mind and refill it with compliance to Communist purposes—for the Government of the United States is brainwashing the populace in advance of any contest with the enemy.

When, as it has in recent years, the Government is forever emphasizing and advancing the goals of the "welfare state," said Colonel Mayer, it is robbing the people of personal responsibility, of initiative, of the will to resist and stand on their own feet. When it promises them total security and undertakes to minister to all their needs—health, welfare, education, thought itself—it is enfeebling their vitality and debilitating their strength and resolution.

In his analysis of the Korean prisoners, and of another thousand soldiers he examined in 1960, Colonel Mayer found that the prevalent philosophy could be expressed in the phrase, "What's in it for me?" And that attitude, encouraged from Washington, has spread out through the majority of the people. Everyone is more dependent on outside authority and lacking in responsibility to fend for himself.

The permissiveness of progressive education contributes to the softening process. Soft courses are substituted for hard discipline, and everybody passes upward, regardless of poor marks. It does not require accomplishment to get by. There is a regrettable ignorance among many young people about their country's history and institutions, and about the values and liberties of their society and of Western civilization.

The Army's training program cannot make up these accumulated deficiencies. The character of the man in uniform has been formed by the time he is subject to service indoctrination, and the indoctrination is faulty because the noncommissioned officers who are responsible for its presentation are not equipped by education and training to mold the men under them.

When the recruiting posters offer good pay, training in some craft, and pensions for staying a required time, the point is blurred that a man is in service out of loyalty and respect for his country, that he must expect to suffer hardship and exposure to danger, and that he must be willing to lay down his life.

The Communists may not be admirable persons. They may be dedicated to the defense of a slave system. But we know from Russian fighting qualities in World War II and from the performance of the Red Chinese in Korea that they are adversaries not to be despised. If we're going to survive in this world, we must get iron back into the American soul. We will not do it as long as grasping politicians and shortsighted schoolmen are directing all their exertions toward the creation of a mollycoddle society.

A LESSON FOR AMERICA

(By Senator STROM THURMOND, Democrat, of South Carolina)

The Senate's Special Preparedness Subcommittee investigating muzzling of the military has turned to troop information and education programs of the armed services. Sometime within the next few weeks the investigation will focus again on censorship of anti-Communist statements when the State Department returns with its package of alibis about its heavy hand in censorship.

This second phase of the investigation has already revealed some glaring deficiencies in preparing our military personnel to face the Communist enemy and his devious methods in either a hot or cold war. As evidence of this Defense Department witnesses have revealed a new comprehensive program which was put together after the investigation was authorized.

The most interesting, informative and candid witness to come before our subcommittee thus far has been Lt. Col. William Mayer. He is the famous Army neuropsychiatrist who interviewed more than 1,000 Americans who became captives in the Korean war.

Colonel Mayer testified on all three phases of the investigation—censorship, troop information, and cold war seminars. On censorship he favors this be done only for security purposes. On Army troop information programs he said they had been more often than not a failure, useless or even negative in their effect, in many instances. As to military participation in seminars, he supported the position that the military should share such of its observations and expertise with the public as is possible.

The overall message Colonel Mayer delivered to the subcommittee was addressed to all Americans. Simply stated it was this:

The cooperation given the enemy by approximately one-third of the POW's—and Mayer says most of this was done without torture or particular duress—reflects "aspects of our individual and national character that deviate significantly from what is generally believed to be the standard of morally responsible behavior required of freemen in a free society."

He added: "Soldiers are not a separate species. Most of them are typical Americans, somewhat above the average in physical and mental health and education. If a code [of conduct] is needed for these young men, then the ideas in it are needed by all Americans, and needed as working, vital, active standards for the self-regulation, self-discipline, and individual honor required of the citizens of a State which would govern itself by the intelligent consent of the governed.

"I believe that our phenomenal comfort and success and apparent security in this country, among other things, are leading to the languishing of our basic principles, and can lead ultimately to our destruction, whether Communists or other tyrants exist in the world or not. And I believe that values and principles must be enunciated, clearly defined, and actively taught—not just once by the authors of the Federalist Papers or the Constitution, but by each succeeding generation of parents and teachers, preachers and Governors. I think that, if we fail to do this, we live in a fool's paradise, whose days are numbered."

In effect the colonel said we have gone soft in America, and until we toughen up we're not going to solve the novel and frightening problems we discovered about our national character in Korean POW camps. The job is one for all Americans, and revolves around very basic American principles—individual personal responsibility and initiative.

[From the Washington (D.C.) Evening Star, Mar. 13, 1962]

INDOCTRINATION FAILS IN ARMY, SENATORS TOLD

(By Cecil Holland)

An Army psychiatrist who has made an extended study of Communist brainwashing of American prisoners in Korea has labeled the military's troop indoctrination program "more often than not a failure, useless, or even negative in its effects."

A large part of the blame, according to Lt. Col. William E. Mayer, falls on commanders down to the company and unit level who are responsible for administering the program. Too often, he said, they are not interested and not equipped for the task.

Colonel Mayer, who has spoken widely on Communist techniques in handling prisoners, also said that speeches by military leaders should be screened only for security reasons.

Policy reviews, the Army doctor said, represent "a prior prohibition on what is both a requirement and a privilege of the citizen: free expression of his honest belief."

PRESENTS MEMORANDUM

He expressed his views in a memorandum prepared for the Senate Armed Services Subcommittee which is investigating military censorship, troop education programs, and participation by the military in public seminars on the dangers of communism.

Colonel Mayer is expected to be a witness when the hearings resume, probably tomorrow, on the troop information phase of the inquiry.

In his 20-page statement, Colonel Mayer related some of the difficulties he had encountered in getting his speeches on Communist brainwashing cleared by military censors. He indicated that in recent months he had been given more freedom to address both military and civilian groups—a period covered largely by the subcommittee's inquiry.

CLEARANCE REQUIRED

Both before and since returning to active duty in 1960, Colonel Mayer said, he has been required to obtain clearances of a speech, even before military groups, which he had given scores of times before and which has been widely reprinted, including in the CONGRESSIONAL RECORD.

He said he was led to return to the service by the urging of high military friends and by disturbing findings in a survey he made covering 1,000 troops in the Army in the Pacific.

"I had become convinced," he wrote, "that many of the characterological defects which were dramatized by the stresses of captivity during the Korea conflict had not been remedied among our people or among our citizen-soldiers * * * and that many defects were, in fact, becoming more serious."

Colonel Mayer said the defects partook of what psychiatrists once diagnosed as "psychopathic personality." Such defects, he said, are marked, by a lack of values except "what's in it for me."

MORE LIKE PSYCHOPATHS

"We are by no means yet 'a nation of psychopaths,'" Colonel Mayer continued, "but we appear to be far closer to that than would have seemed possible a few years ago, and there is no guarantee that we are immune."

Colonel Mayer was a member of a board which questioned and studied the American prisoners after they were released by the Chinese Communists at the end of hostilities in Korea.

He said the board classified its report only as "confidential" in hopes that it would be widely disseminated among Army officers. He said the board later learned that all copies except one, which was sent to Washington, were destroyed. The explanation given, he added, was that "the public wasn't ready to hear this sort of thing."

Because of this, Colonel Mayer said, he began speaking before military groups in the Far East about the Communist methods of handling prisoners and about troop morale and leadership. His speaking was extended to public groups after his return to the United States and his assignment to the 4th Army Headquarters in Texas.

FOR WIDER KNOWLEDGE

"I am convinced that Americans need to know far more than they do about the nature of communism as it is practiced today in much of the world," Colonel Mayer said. "I am further convinced that horror-story or name-calling approaches to the subject do not lead to understanding, and can create hatreds * * * which accomplish nothing and can be dangerous."

He said that what was revealed in the prisoner-of-war study had their roots far outside the prison camps and related to things learned or not learned at home.

Colonel Mayer, who disclaimed any connections with such organizations as the John Birch Society, said that contrary to the beliefs of many, the Communists did not resort to violence or torture with the prisoners. Moreover, he added, they were not interested in converting them to communism.

What they undertook to do, the psychiatrist said, was to create in them a passive, acquiescent state. This was done by the application of the principle of divide and conquer, with prisoners being encouraged and rewarded for reporting on one another. Unlike American captives in the past, Colonel Mayer said that in Korea there was no organized effort to escape, no effective assumption of command by one prisoner and an almost total lack of effort to care for those who became ill.

CITES COLLABORATION

He described as utterly misleading statements by defense leaders, saying that men performed as well in Korean captivity as they have in similar circumstances, and citing as a fact of this that only 14 were tried for misdeeds and 11 convicted.

Only 14 were tried, Colonel Mayer said, because of the difficulty of obtaining proof. He added that many hundreds collaborated with the enemy in one way or another and 1 in 10 of more than 900 who were questioned admitted telling on fellow prisoners.

The psychiatrist said that present indoctrination methods are not reaching the troops. He cited a survey he made last year which indicated that the indoctrination hour usually was looked forward to as a chance to "goof off."

He advocated better presentation of programs, better instructors and other means of indoctrination.

Mr. STENNIS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. HICKEY in the chair). The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

[No. 27 Leg.]

Aiken	Eastland	Long, Mo
Allott	Ellender	Long, Hawaii
Anderson	Engle	Long, La
Bartlett	Ervin	Magnuson
Beall	Fong	Mansfield
Bennett	Fulbright	McCarthy
Burdick	Goldwater	McClellan
Bush	Gore	McGee
Butler	Gruening	McNamara
Byrd, Va.	Hart	Metcalf
Byrd, W. Va.	Hartke	Miller
Cannon	Hayden	Monroney
Capehart	Hickenlooper	Morse
Carlson	Hickey	Morton
Carroll	Hill	Moss
Case, N.J.	Holland	Mundt
Chavez	Hruska	Murphy
Church	Humphrey	Muskie
Clark	Jackson	Neuberger
Cooper	Javits	Pastore
Cotton	Johnston	Pearson
Curtis	Keating	Pell
Dirksen	Kefauver	Proxmire
Dodd	Kerr	Robertson
Douglas	Kuchel	Russell
Dworshak	Lausche	Saltonstall
Scott	Stennis	Wiley
Smathers	Symington	Williams, N.J.
Smith, Mass	Talmadge	Yarborough
Smith, Maine	Thurmond	Young, N. Dak.
Sparkman	Tower	Young, Ohio

Mr. HUMPHREY. I announce that the Senator from Nevada [Mr. BIBLE] and the Senator from North Carolina [Mr. JORDAN] are absent on official business.

I further announce the Senator from West Virginia [Mr. RANDOLPH] is necessarily absent.

Mr. KUCHEL. I announce that the Senators from Delaware [Mr. BOGGS and Mr. WILLIAMS] are absent on official business to attend a funeral in the State.

The Senator from South Dakota [Mr. CASE] is absent because of illness.

The Senator from Vermont [Mr. PROUTY] is necessarily absent.

The PRESIDING OFFICER (Mr. BURDICK in the chair). A quorum is present.

ORDER OF BUSINESS

Mr. TOWER obtained the floor.

Mr. YARBOROUGH. Mr. President, will the Senator yield to me for the purpose of introducing a bill, without losing his right to the floor?

Mr. TOWER. I yield to my colleague from Texas for a question only.

The PRESIDING OFFICER. The Senator declines to yield.

Mr. YARBOROUGH. I ask only to introduce a bill, and that the Senator yield to me without losing his right to the floor.

The PRESIDING OFFICER. Is there objection?

Mr. STENNIS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. STENNIS. Under the announcement of the majority leader, would the junior Senator from Texas yield the floor, or would his statement be counted as the beginning of a speech on the bill if he yields?

Mr. HOLLAND. Mr. President, in order to avoid any question at that point——

Mr. YARBOROUGH. Mr. President, I withdraw the request in order not to cause confusion. I shall introduce the bill later.

Mr. MORSE. Mr. President, will the Senator from Texas yield to the Senator from Oregon on a privileged matter, with the understanding that he will not lose his right to the floor? I am sure the matter I wish to present will not take more than 30 seconds. It is a unanimous-consent conference report on the District of Columbia Unemployment Compensation Act; early action on which is important, so that it may take effect.

Mr. STENNIS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. STENNIS. The Senator from Mississippi has no intention of objecting. My only concern is—and I ask the question—if the Senator from Texas yields under the circumstances, would his yielding be charged as a speech against the joint resolution?

Mr. MANSFIELD. Mr. President, may I be heard on that point?

The PRESIDING OFFICER. The Chair recognizes the Senator from Montana.

Mr. MANSFIELD. I am quite sure the understanding was that it would not be charged as a speech against the Senator from Texas, and certainly there was no intention or idea of that sort in the mind of any Senator.

Mr. STENNIS. If that is clear——

Mr. TOWER. Under those circumstances, I yield to the Senator from Oregon.

Mr. MANSFIELD. Mr. President, in view of the fact that a conference report is a privileged matter, and in view of the fact that consideration of the conference report will not be charged against the Senator from Texas as a speech, I am in favor of the report being considered at this time.

AMENDMENT OF DISTRICT OF COLUMBIA UNEMPLOYMENT COMPENSATION ACT — CONFERENCE REPORT

Mr. MORSE. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 5968) to amend the District of Columbia Unemployment Compensation Act, as amended. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report. (For conference report, see House proceedings of March 22, 1962.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. MORSE. Mr. President, the conference report had the unanimous approval of both the Senate conferees and the House conferees. When such approval takes place on a District of Columbia matter, it is something to take note of, and I ask that the report be agreed to.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

Mr. MORSE. I ask unanimous consent that an explanation of the amendments be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

AMENDMENTS TO THE DISTRICT OF COLUMBIA UNEMPLOYMENT COMPENSATION ACT AS APPROVED BY CONFEREES

Section 1 extends the coverage and protection of the District of Columbia Unemployment Compensation Act to employees of scientific, educational, literary nonprofit, and humane organizations.

Section 2 provides a new definition of insured work which is necessary because of

the flexible maximum weekly benefit amount established elsewhere in the act.

Section 3 contains a provision requiring the District of Columbia Unemployment Compensation Board to credit all of the interest earned by the trust fund to the employer's experience rating accounts. Presently, all of the interest is not credited because of the fact that some of it is earned by out-of-business accounts.

Section 4 lowers the requirements for reduced contribution rates for employers by one-tenth of 1 percent in each rate step.

This section also allows employers to make voluntary contributions within 30 days of their contribution (tax) rate in order to reduce their rate for the calendar year in question.

Section 5 establishes the maximum weekly benefit amount each year as 50 percent of the average covered wage in the District of Columbia. It also establishes an individual's weekly benefit amount as one twenty-third of his high quarter wages in his base period. This permits the maximum weekly benefit amount to increase year by year in accordance with the economy without congressional action. In order to qualify for any benefits an individual must have received wages of not less than $130 in one quarter of his base period and been paid wages of not less than $276 in at least two quarters of his base period. In addition, in his base period he must have received at least 1½ times his high quarter wages. An individual not receiving the last requirement may receive benefits of $1 less per week if he is within $85 of this requirement or may receive benefits of $2 less per week if he is within $70 of this requirement.

This section also prevents an individual from drawing benefits for 2 successive benefit years without additional work after his first benefit year commenced, and thus would prevent individuals from drawing benefits for 2 years in a row based on one separation from work. This requirement is that the individual must earn at least 10 times his original benefit amount to qualify for the second benefit year.

In addition, this section contains a provision designed to prevent retirees from drawing unemployment compensation benefits. The provision is identical to the one contained in the temporary Federal unemployment program now in operation. It provides that any retirement contributed to by a base-period employer shall be deducted from the individual's benefits. The provision excludes disability and old-age and survivors insurance benefits.

Finally, the section increases the duration of an individual's benefits to the lesser of 34 times his weekly benefit amount or 50 percent of the wages received by him in his base period.

Section 6 contains a technical amendment removing the old $30 maximum weekly benefit amount and includes in lieu thereof the established maximum benefit amount.

Section 7 also contains a technical change. The change is necessary because the benefit table has been replaced in the act by a flexible provision establishing the maximum weekly benefit amount.

Section 8 denies individuals who refuse training courses approved by the District of Columbia Unemployment Compensation Board from receiving benefits. Under existing law this section is limited to individuals under 21 years of age.

The section affirmatively provides that individuals taking a training or retraining course approved by the Board or the Employment Service shall be deemed available for work and thus eligible for benefits.

Comparison of amendments to the District of Columbia Unemployment Compensation Act as passed by the House and Senate and proposed agreement

Provision	Existing law	House bill	Senate bill	Agreement
1. Maximum benefit amount.	$30 a week maximum. Table is based on 1/23 of high quarter wages.	Increases maximum to $38. Benefits up to $30 based on a 1/23 table, benefits from $31 through $35 based on a 1/24 table and benefits from $36 through $38 based on a 1/25 table.	Sets the maximum weekly benefit annually as 50 percent of the average covered wages in the District of Columbia. The individual's weekly benefit amount would be 1/23 of his high quarter wages. This would presently set the maximum at $47.	Senate version.
2. Duration	Variable: 26 weeks or ¼ of base period wages, whichever is the lesser.	Variable: 26 weeks or ¼ of base period wages, whichever is the lesser.	34 weeks uniform	34 weeks or ⅓ of base period wages, whichever is the lesser. (This takes 1 feature from each the House and Senate bills.)
3. Disqualifications: Voluntary leaving without good cause, misconduct, refusal of suitable work.	Individual disqualified from 5 to 10 weeks commencing in the week in which the act occurred and his total benefits reduced by an amount equal to the number of weeks disqualified times the weekly benefit amount.	Individual to receive no benefits for as long as he remains unemployed and until he earns wages of 8 times his weekly benefit amount (approximately 4 weeks' work).	Deletes the provision for reduction of benefits but retains the variable disqualification period.	Existing law. (Is somewhere between the House and Senate bills.)
4. Exemptions	Sec. 1(b)(5)(G): "(G) service performed in the employ of a corporation, community chest, fund, or foundation, organized and operated exclusively for religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private shareholder or individual."	No provision	Extends coverage to employees of nonprofit organizations (except ministers, members of religious orders, and handicapped in sheltered workshops).	Extends coverage to employees in educational, literary, and scientific nonprofits.
5. Training	Individuals under age 21 disqualified in respect to any week in which they refuse training to which they are referred to by the Board or manager of the Employment Service.	do	(1) Removes age level of present provision and (2) provides that benefits will not be denied any otherwise eligible individual who is in a training program with the approval of the Board.	Senate version.
6. Pension or retirement disqualifications.	No provision. Covered by usual requirements that an individual be able and available for work.	Individual's weekly benefit amount reduced by the amount of pension received from any public or private plan or fund to which a base period employer contributed, except (A) disability pension or annuity or (B) OASDI.	Individual who voluntarily leaves employment without good cause and has applied for or is receiving a pension to which a base period employer contributed cannot use the wages from that employer as a basis for unemployment benefits.	House version.
7. Requalification (double dip).	No provision	Precludes an individual from receiving benefits in successive benefit years, though otherwise qualified, unless after the beginning of the benefit year, he has earned at least 10 times his weekly benefit amount, of his 1st benefit year (approximately 5 weeks' work).	No provision	Do.
8. Qualifying requirements.	Permits unlimited stepback	Limits stepback to 2 steps	Substantially the same as House bill but geared to the Senate benefit amount formula rather than House schedule.	Limits stepback to 2 steps as in both bills.
9. Financing changes: Reduction in rate requirements.		Reserve ratio requirements reduced 1/10 of 1 percent in each contribution rate step.	No provision	House version.
		Both bills would also permit employers to retain or protect favorable ratings by voluntary contributions and the House bill contains a provision, sought by employers, that would credit active employers all interest earned by the fund. Under existing law they receive only the interest earned by their reserve ratios.		Both provisions.

GOVERNMENT COMPETITION WITH PRIVATE BUSINESS

Mr. TOWER. Mr. President, there is a great deal of talk these days about the necessity of expanding American markets abroad. To this end it is proposed that we lower tariffs and therefore stimulate American markets abroad by making domestic markets in this country more attractive for foreign goods.

We are the most productive people in the world. We have the greatest industrial power that any nation has ever mustered. We are potentially capable of competing with any nation or nations in the world on a favorable basis in the sale of goods and services in the international market.

Mr. President, I believe that American business can compete with any nation or nations in the world. We have the greatest productive facilities. We have the necessary technology. We have the methods of salesmanship that would enable us to compete favorably with any other country in the world, were it not for the fact that in this country production costs are well above competitive levels in many areas.

For that reason, we have tariffs to protect our domestic industry.

There are several reasons why production costs in this country are above competitive levels. For example, very often the Government sponsors wage increases not tied to per man productivity. The Government is in the money market, bidding up interest rates and competing with private business for capital. There is an intensive tax and regulatory burden imposed on business.

There is one particular element that I should like to discuss on the floor of the Senate this afternoon with reference to our production levels being above competitive levels, and that is the fact that the Federal Government is in many areas and on many fronts in active competition with private business.

One of the greatest of many opportunities for substantial savings in Federal expenditures lies in the termination or curtailment of Government business type activities that are in direct competition with private enterprise.

The scope and magnitude of these activities has become so great that no one actually knows the total number of them, the capital investment in them, the total number of their employees, or the gross value of the goods and services they produce or provide.

They are found in every agency of Government, and they reach into every segment of the American economic structure.

It should be understood at the outset that the expression "Government competition" means Government ownership and operation of facilities producing or providing products and/or services that are readily available from commercial sources. It does not necessarily mean readily available at the same price because, in most instances, there is no valid basis for a realistic comparison of industry and Government costs. Furthermore, whether or not the Government can or thinks it can do it cheaper should not even be a consideration whenever there is competitive bidding.

It also should be understood that there are three major classifications of Government competition; namely, facilities providing: First, products and services for the Government's own use; second, products and services for the use of Government employees; and, third, products and services to be sold or given to the general public.

HISTORICAL BACKGROUND

Detailed congressional studies of the Government competition problem date back to 1933 when a special committee of the House of Representatives made an exhaustive investigation. It found 232 such activities started during World War I still in operation, and commented:

> The evidence in general indicates that the operations of the Federal Government in the field of private enterprise has reached a magnitude and diversity which threatens to reduce the private initiative, curtail the opportunities, and infringe upon the earning powers of taxpaying undertakings while steadily increasing the levies upon them.

The next major congressional study of the problem began in 1947, when the second Hoover Commission was instructed to look into this matter. In March 1949, the Commission submitted a detailed report to Congress. The introduction to that report stated:

> There are about 100 important business enterprises which the Federal Government owns or in which it is financially interested. These concerns engage directly or indirectly in lending money, guaranteeing loans and deposits; writing life insurance; the producing, distributing, and selling of electric power and—
>
> Of all things—
>
> fertilizers; the operation of railways and ships; the purchasing and selling of farm products; and the smelting and sale of metals.
>
> The Government's direct investment in these enterprises is in excess of $20 billion, and there are further authorized commitments to supply about $14 billion to them. In addition, the Government guarantees directly and indirectly about $90 billion of deposits or mortgages, and the life insurance written by Government agencies approaches $40 billion.

The first Hoover Commission did not attempt to say how much could be saved by adopting and implementing its recommendations regarding Government business enterprises, but emphasized that the savings to the taxpayers to be made in these agencies are very large.

The next significant investigation of the Government competition problem took the form of a 1954 House Government Operations Subcommittee study under the chairmanship of Representative Cecil M. Harden, Republican, of Indiana. This study resulted in four volumes of hearings and a report that stated:

> Though economy in Government operations may be proved in a given case or the necessity for the Government to operate a service may be proved at one time, it is essential to develop competitive industries as soon as possible and the Government should step out of the picture at the earliest possible date.

The most recent and most comprehensive study of this complicated and controversial subject was completed in May 1955, when the Second Hoover Commission submitted its report on business enterprises. During the approximately 2 years that most of the Commission's task forces were at work, so much information on Government competition was uncovered that it was necessary to discuss the problem in some detail not only in the wrap-up report on business enterprises but also in the separate reports on lending agencies, transportation, water resources, and depot utilization.

In spite of the voluminous data it accumulated, the Commission would not even attempt a Government-wide estimate of the Government competition problem, explaining that it was unable to discover the full extent of such activities. However, the Commission was able to determine that in the Department of Defense alone, there were 2,621 commercial and industrial-type activities, in 48 categories, employing an estimated 600,000 persons and involving an initial capital investment of more than $15 billion. The Commission said at least 1,000 of these 2,621 activities could and should be discontinued without adversely affecting our national security program.

EXECUTIVE AGENCY HISTORICAL BACKGROUND

The Eisenhower administration's Govment-wide effort to close or curtail unnecessary business-type activities and prevent the establishment of new commercial-industrial activities that were unnecessary was formalized with the issuance, on January 15, 1955, of Budget Bureau Bulletin No. 554. This bulletin stated:

> It shall be the general policy of the administration that the Federal Government will not start or carry on any commercial activity to provide a service or product for its own use if such product or service can be procured from private enterprise through ordinary business channels.

It should be noted, however, that the Department of Defense, as early as November 17, 1952, had inaugurated its own so-called decompetition program with the issuance of DOD Directive No. 4000.8, which directed a survey of all military business-type activities to determine the need for their continued operation and retention.

Approximately 1 year later—November 24, 1953—the Defense Department issued DOD Directive No. 4100.15, which laid down detailed policy guidelines with respect to the ownership and operation of commercial and industrial-type facilities. This directive, issued by Secretary Charles E. Wilson, stated in part:

> The Department of Defense supports the basic principle that free competitive enterprise should be fostered by Government. Therefore, privately owned or Government-owned and privately operated commercial and industrial-type facilities will be used by the Department of Defense to the greatest extent practicable, recognizing the basic military necessity for integrated, self-sustaining units responsive to command and the necessity for operating anywhere in the world. It is the policy of the Department of Defense not to engage in the operation of commercial-type facilities unless it can be demonstrated that it is necessary for the Government to perform the required work or service.

The Pentagon then issued DOD Directive No. 4100.16, on March 8, 1954, in which a comprehensive review of specific categories of commercial-industrial activities was ordered. The directive covered 1,679 such activities. Between the date of its issuance and January 1, 1958, 268 activities were discontinued, 57 were curtailed, 127 were earmarked for closing, and 133 were earmarked for curtailment.

During the 18 months immediately following January 1, 1958, the Defense Department resurveyed 695 activities. Of this number, an additional 63 were closed, curtailed 13, decided to close 77 more, and decided to curtail 11 more.

Two other significant Department of Defense actions should be noted here before discussing the Government-wide implementation of Budget Bureau Bulletin No. 55-4.

On April 27, 1955, the Department of Defense revised and reissued DOD Directive No. 4100.15, which was first issued in November of 1953. The revised directive stressed that the use of Government-owned and operated commercial-industrial-type facilities would not be authorized except when it can be clearly demonstrated that private enterprise cannot perform the service or provide the products needed to meet current and mobilization requirements, or that in the execution of the military mission, operation by the Government is a necessity. The revised directive also permitted the continued use of or establishment of Government-owned activities in those instances when the product or service cannot be obtained from private sources at a reasonable price.

But less than a year later, on January 31, 1956, the Assistant Secretary of Defense for Supply and Logistics found it necessary to issue a clarifying directive in which he explained that a commercial price will be considered reasonable when the commercial price to the Government is not greater than the price paid by other purchasers considering the existence of adequate competition, volume of purchases, and quality of products and/or services obtained.

Reverting now to the issuance of Budget Bureau Bulletin No. 55-4, this policy directive called upon Government agencies to do two things: First, report their commercial-industrial activities; and second, evaluate their Government-operated manufacturing activities to determine which ones should be continued or terminated in accordance with the general policy.

The reports received in response to this directive were compiled in an inventory of certain commercial-industrial activities of the Government, issued in May 1956. This inventory disclosed the existence of 19,711 activities with capital assets of nearly $12 billion and employing 258,425 civilians and 8,096 military personnel. All of these activities were in one category—providing products and services for the Government's own use.

As the next phase in this decompetition program, Budget Bureau Bulletin No. 57-7 was issued on February 5, 1957. This bulletin restated the general policy and included instructions for the evaluation of commercial-industrial activities classified as services.

After reviewing the responses to this directive, the need for clarification of the data published in the Bureau's 1956 inventory became evident, so it was decided to spell out more specific and uniform criteria for determining the application of the Government's general policy in specific situations. At the same time, the Bureau recognized a need for better criteria for making decisions where cost differentials were an important consideration.

After full discussions with the principal agencies concerned, the President approved a revised directive which was issued on September 21, 1959, as Budget Bureau Bulletin No. 60-2 and is still in effect. Its stated purpose was: First, to clarify the program based upon experience; and second, to complete the evaluations of all remaining activities. The general policy remained essentially unchanged, pointing out that because the private enterprise system is basic to the American economy, the general policy establishes a presumption in favor of Government procurement from commercial sources.

Bulletin No. 60-2 also recognized that there are factors which may make it necessary or advisable for a Government agency to produce goods or services for its own use; but it placed the burden of proof squarely on the agency. Guidelines and criteria were provided for determining whether compelling reasons existed due to, first, national security; second, relatively large and disproportionately high costs; or third, clear unfeasibility.

In a May 12, 1960, progress report, Deputy Budget Bureau Director Elmer Staats told the Senate Select Committee on Small Business that, as of July 31, 1959, the civilian agencies of Government had taken action to discontinue 1,516 of the activities listed in the Budget Bureau's 1956 inventory. He also said an additional 226 had been curtailed. Elsewhere in his testimony, he also said:

> Most of the more than 19,000 activities were not competitive with private enterprise.
>
> Between January 1957 and July 1959, 236 new commercial-industrial activities were established by civilian agencies.

CONGRESSIONAL ACTION

While the Budget Bureau and other executive agencies were attempting to implement the administration's Government competition policy directive, Congress grappled with the recommendations made in the Second Hoover Commision's Report on Business Enterprises. Hearings were held on numerous bills and several were approved. These included disposal of the Texas City, Tex., tin smelter, and authorization for a 5-year lease of the Alaska Railroad to private interests. But there was no final action on the most important Government competition bill—the so-called Anti-Government Competition Act, introduced by six Senators and four Members of the House. Even worse, Congress caused the Pentagon's decompetition program to grind to a virtual halt, by inserting in the 1956 Defense Appropriations Act a rider—section 638—requiring congressional approval of every Pentagon proposal to close or curtail an activity at least 5 years old and employing 10 or more persons.

The Anti-Government Competition Act would have:

First. Put Congress on record as directing all Federal agencies to get out and stay out of most business-type activities. It would have limited such activities to those that are necessary for the Government itself to perform in the public interest or in furtherance of national programs and objectives established by statute.

Second. Required the Department of Defense to investigate business complaints of unfair competition.

Third. Required the Budget Bureau to review each proposed Government activity that might be competitive with private enterprise.

Fourth. Instructed the President to submit an annual report on actions taken pursuant to the legislation.

The section 638 veto power over proposed Pentagon decompetition actions originated with the House Appropriations Committee, and caused the Defense Department virtually to discontinue its campaign to close or curtail its business-type activities. In 1956, Congress refused to extend the veto authority, in spite of strong Appropriations Committee pressure in favor of such action. In 1957, the House Appropriations Committee did not even recommend such a provision, but the House Armed Services Committee attempted to insert a similar rider in the military construction authorization bill. The House approved the proposal but a vigorous campaign to have it deleted in the Senate was successful. Since then, Congress has made no further efforts to enact such restrictive language.

Another congressional committee that has interested itself in the Government competition problem is the Senate's Select Committee on Small Business. In its 1957 annual report, the committee recommended:

> That all Government agencies abstain from initiating any commercial activity and expedite the discontinuance of any such activity already engaged in which provides a product or service for Government use when such product or service may be obtained, with reasonable convenience, in like quality and quantity at a fair and reasonable price, through ordinary business channels. Exceptions should be made only when it is clearly demonstrated that the public interest is better served.
>
> That the Defense Department accelerate the rate at which its competitive commercial enterprises are being closed.

Two years later, in the select committee's eighth annual report, it repeated both of the above recommendations, and also observed as follows:

> The Congress should carefully consider the possibility of enacting legislation to require greater action in this field.

The most recent expressions of congressional concern regarding Government competition involve research and development generally and the experimental space satellite communications system.

During the last session of Congress, the House Government Operations Committee and the House Appropriations Committee were very critical of the large and ever-increasing number of organizations which have been established, mostly on a nonprofit basis, to do business solely or primarily with the Government in the research and development area. Because of this criticism, President Kennedy, on August 5, instructed a five-member ad hoc committee, headed by Budget Director David Bell, to make a comprehensive review of the Government's so-called contracting out policies. The Bell Committee report was due December 1, but has not as yet been delivered.

The House Committee on Science and Astronautics, in a recent report on commercial applications of space communications systems, called upon NASA to harness and utilize the demonstrated extraordinary capacity of private enterprise to the maximum extent practicable in the Nation's space programs. A statement by President Kennedy indicated he also strongly favors this course of action.

But shortly thereafter, when a group of nine international common carriers proposed the organization of a nonprofit corporation to develop, construct, operate, maintain and promote the use of a commercial satellite communications system, a group of Congressmen warned against possible monopolistic results and the proposal was sharply criticized at a Senate Small Business Subcommittee hearing chairmaned by the distinguished junior Senator from Louisiana [Mr. LONG]. Since then, the distinguished Senator from Oklahoma [Mr. KERR], chairman of the Senate Space Committee, sponsored legislation and held hearings on this subject. The Kerr proposal would authorize private ownership of the U.S. part of a global communication satellite system.

EXAMPLES

Because any such undertaking would be futile, I shall not attempt to measure, or present an inventory of, the scope and magnitude of current Government owned and operated business-type activities. However, it is possible to identify some of the more glaring current examples of unfair and unnecessary Government competition with privately owned, taxpaying enterprises. They are as follows:

First. The Postal Savings System, which outlived its usefulness many years ago, continues to compete with commercial savings institutions in urban areas.

Second. The Military Air Transport Service, in spite of repeated congressional criticism, continues to operate excessive numbers of flights on routes served by the commercial airlines.

Third. The Alaska Communication System is still Government owned and operated, in spite of the availability of a number of buyers.

Fourth. The Tennessee Valley Authority, which got into the fertilizer production business on an experimental basis, now sells about $20 million worth annually, at less than cost, and now wants to get into the coal mining business.

Fifth. The Navy is currently assigning more than 75 percent of its repair, alteration, and conversion work on naval vessels to its own shipyards, in spite of its admission that costs are as much as 15 percent higher in the naval shipyards than in private yards.

Sixth. The Federal Government, in 1960, generated 112,305,000 kilowatt-hours of electric energy, an increase of nearly 200 percent over the 40,387,000 kilowatt-hours it generated in 1950.

Seventh. Loans, guarantees, and insurance in Federal lending agencies, plus the authority to obtain additional capital from the Treasury, exceeds $250 billion.

Eighth. The Federal Supply Service uses its own warehouse facilities almost exclusively. The Defense Materials System uses its own facilities primarily, but only a limited number of commercial warehouses.

Ninth. The Navy continues to do a large percentage of its aircraft overhaul and maintenance work in its own shops, while the Army and Air Force place much greater reliance upon the aircraft service industry.

Tenth. The Defense Department still owns and operates more than 100 local telephone systems that it would rather dispose of but has found it difficult to dispose of because of congressional restrictions on their sale by negotiated contracts.

Mr. President, on March 1 I introduced Senate Resolution 303, to authorize the Committee on Government Operations to investigate Government competition with private business and to determine means and methods by which such functions can be transferred to private enterprise.

I respectfully call attention to this resolution and ask unanimous consent to have it printed in the RECORD at this point.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

S. RES. 303

Resolved, That the Committee on Government Operations, or any duly authorized subcommittee thereof, is authorized under section 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to make a full and complete study for the purpose of determining—

(1) the extent to which departments and agencies of the Government are engaged in the production or furnishing of goods and services which can be supplied by private enterprise;

(2) the extent to which necessity or the national security require that such goods and services be produced or furnished by departments or agencies of the Government; and

(3) the means and methods by which the function of producing or furnishing such goods and services may be transferred at the earliest practicable time and to the greatest practicable extent to private competitive enterprise within the United States.

SEC. 2. For the purposes of this resolution, the committee, from February 1, 1962, through January 31, 1963, is authorized to (1) make such expenditures as it deems advisable; (2) employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized at its discretion to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,200 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings upon the study and investigation authorized by this resolution, together with its recommendations for such legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1963.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $125,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

Mr. TOWER. Mr. President, our productive capacity is based on a system of free enterprise and profits. No government exists for profits; it exists by profits. The earnings of industrial enterprises are the basis for most of our taxes that enable the Government to obtain appropriations for those functions it is constitutionally authorized to perform.

There is in America today, from diverse sources, an almost constant pressure to inject more government into our daily lives, including competitive activities with the very productive enterprises which largely support government in the first place.

Some of the functions performed by the Federal Government in competition with private enterprise, however, have a sound basis of economic necessity. I am sure we will all recognize that this is especially true in the Department of Defense and some related agencies, such as the Atomic Energy Commission.

Even here, however, there is a need for continuous vigilance as defense production changes to meet new military and security requirements, especially in the area of space exploration.

We find the Federal Government today still engaged in the telephone and related communications business; in producing and distributing electric power; in building and repairing seagoing vessels; in loaning money; in storing surpluses; in warehousing; in commercial transportation; and in financing homes, office buildings, stores, and other retail outlets.

There is competition between Government and industry in the area of patents, in forestry, in mining, in water power, in chemicals—yes, even in amusement and entertainment.

More important than individual instances that deprive the Government of tax revenues is the overall perpetuation of the philosophy that private enterprise is inadequate, that Government largess is endless and costless, and that any

economic system can be improved by constant tampering and redirection.

The facts are that a system of free enterprise has its own built-in levers for purging the unwanted, the unnecessary, the costly, and shoddy.

In our economy, what the people want determines what is produced.

Mr. President, there is no democracy like the democracy of the marketplace. The consumer in this country determines what goods and services he wants produced. In the United States, I would say, management and proprietors are the employees of the consumers.

The Federal Government has reached the point that it takes more and more money from the pockets of the taxpayers. I hope the taxpayers of this country realize that the more money the Federal Government takes from them the less democracy of the marketplace we shall have. Of course, the dollar might not mean only material things to the individual—in any case, it should not mean only material things, but should recognize freedom of choice. The more of the dollar that Uncle Sam takes away from the individual the less freedom of choice he will have, and then democracy of the marketplace will operate less well.

Our people are fortunate to live in an economy in which they cast ballots in the marketplace to determine what is to be produced.

Under Federal control, political, military, and propaganda considerations influence what shall be produced.

Under Federal guidance, risk is largely eliminated, with a consequent leavening of skills and economic adventures by individuals willing to invest in the new and untried.

Today's industrialist in America must compete for workers. Under Government control of production, a worker would be told where to work and under what conditions.

Today we have a freedom of choice in how we spend our money, for a radio or automobile of one manufacturer or another; tomorrow we may pay a controlled price for a single product, produced at Government specifications with attendant lethargy over improvements and performance.

I had the privilege of living in Great Britain for a time. I lived there not too long after the Socialist government of that country had nationalized the railroads. Gone was the competition of the private enterprise system that had developed Britain's great network of railroads. Gone with it was the fine service that had always been connected with the various privately owned British railroads. Gone was the esprit de corps of the worker who used to take pride in the company for which he worked—very much, I suppose, like a soldier has pride in his flag and his unit. Now all the employees of the British railway system have been reduced to the status of Government employees. The consumer is the one who suffers in such a situation.

It seems to me that a broad-scale approach to this subject is the obligation of the Congress and of extreme necessity at this moment in our history, when we are witnessing a realinement and resurgence of the economic growth both here and abroad.

All of us, every American, be he a worker, owner, investor, or Government administrator, has a stake in a calm appraisal of trends of Federal activity and control in this and other areas of our economic and social life.

If I may digress a moment, in connection with my statement that all of us—workers and owners—have a stake in appraisal of current trends, we should never recognize the fallacy which holds that the interests of management and ownership and the interests of labor are contrary and incompatible with each other. I believe that what is good for business is good for everyone. If business does not prosper in the United States, labor cannot prosper.

And when it is proposed to stimulate the economy by creating the freest possible climate for the conduct of business, that is not only a probusiness movement, but it is also a prolabor movement as well. The American workingman has been the big beneficiary of our system of private enterprise. It has produced for him the highest standard of living enjoyed by working people anywhere in the world.

As a dramatic example, I note that the 18 million American Negroes who have not had the educational, job, and economic opportunities that others in our land have had, have, I must frankly admit, been discriminated against and mistreated. As a result they have tended to be low on our socioeconomic scale. Yet the 18 million American Negroes own more automobiles, more television sets, more refrigerators, and more homes than all of the 200-plus million people in the Soviet Union. I think that is a good illustration of what the free enterprise system has done for everyone in our society. We are a highly productive, comfortable, and yet self-reliant and resourceful people. I think we should determine that the system of private enterprise must be preserved in this country.

It is the avowed aim of the Communists to destroy capitalism. It should therefore be our participating goal to defend and sustain capitalism with a new vigor and intelligence if we are to survive and flourish.

Many of us forget that the weapons being used by the Communists in this economic onslaught against us are ostensibly innocuous.

Communists divide and confuse; they smile, then frown, placate then growl defiance, spoon feeding diplomatic, economic, and propaganda dismay to nations and individuals, creating disruption, stirring the irrational, and confusing the world.

And for what purpose? To pave the way for conquest by arms or by default. And part of the master plan is, in lieu of outright military conquest, to nibble away at the foundations of capitalistic, free enterprise strength with subtle urgings among our intellectuals and doers that centralism is a cure-all and can be arrived at painlessly if only we will be patient.

Many years ago Marx said:

I can tell you in a word—

In describing communism—

that it is the confiscation of private property.

The whole target of the Communist effort is the destruction of the capitalist system. It is my hope that we shall not be well intentioned but unwitting allies in their efforts to destroy us.

Let us take a look at the thinking of Marx and Engels and Lenin and their peculiar twisted and distorted interpretations of history. They hold that the history of human society has been characterized by class warfare, and that class warfare has always existed. This is the basic premise on which they proceed. They hold that eventually the proprietors of wealth, because they are basically avaricious, greedy, and cannibalistic, will diminish their own numbers, so that the number of proprietors of wealth will diminish, and the number of the "have nots," the people without wealth, the workers, will increase. Because the proletariat will ultimately grow exceedingly strong numerically, by sheer weight of numbers they will overcome the capitalists, the owners of property, and will destroy them and establish the dictatorship of the proletariat. They say this is historically inevitable.

Once the dictatorship of the proletariat has been established, it will use the coercive power of the state to bring about the nationalization of all the means of production, distribution, and exchange.

They frankly say that all opposition must be ruthlessly and brutally suppressed, if necessary, because of the end that they seek to achieve. They do not hold that government ownership of the means of production, distribution, and exchange is an end unto itself but is a means to an end.

At this point the Marxist proffers to the world a utopia, which he calls the promised society. The promised society will be a happy place. Everyone will work for the good of the community. There will be no more avarice and no more greed; the trappings of the State will wither away gradually; the trappings of capitalism will be used until they can be destroyed; there will be no currency; there will be no government; there will be a sort of anarchical syndicalism, under which everyone will be happy. That is what they say.

Of course, this is an idealistic goal that conceivably appeals to many of the downtrodden and gullible.

However, I believe most of us have enough good sense to know that this type of promised society would be impossible to achieve, because, although we are all created equal in the eyes of God, whereas in this country we are all equal in the eyes of the law, and our votes count equally at the polling place, we are not equal.

We are different. We are separate individuals. We cannot all be measured by the same yardstick. I found out that

we are not all equal when I tried out for the basketball team. Each of us has different capacities, different abilities.

Therefore, once the dictatorship of the proletariat is established, it must use the coercive authority of the state to force everyone into the same mold, for if that coercive authority were ever removed, we would not have the Marxist promised society, but we would ultimately return to the type of society that we have in the United States, if the people were allowed to be free.

However, this is an attractive goal to the unenlightened, and this is what we compete with. Therefore we must show the rest of the world, by precept and example, that we believe in the capitalist system and intend to preserve it. This system offers man the best opportunity, not merely for comfort, not merely for things, but for spiritual and intellectual and social progress.

I do not charge that many of our economic planners have adopted Marxism; I say only that what may appear to us to be innocuous today may be deadly tomorrow.

Men of noble intention and lofty aims, dissatisfied with society as they see it, may feel that by planning, society can be reordered to provide a better life for everybody. So they set about doing grand things. The function of the government then becomes no longer just that of preserving order in society, but of ordering and regimenting society. The planners inevitably set out simply to control things; but when their plans are implemented, they end by controlling the people, and we do not want our people controlled. This is not the function of government.

In our society, government should be the servant of the people, not the master of the people. So our system of a free economy really serves as a buffer between the people and the inclination of those in power in the political sphere to gather more power unto themselves, because it prevents the peoples being reduced to a state of dependency upon and subordination to the central government.

Mr. President, there are many ways to confiscate private property or to replace it with government-run operations. Inequitable and excessive taxation is one way. Attempts to cure the threat of bankruptcy by more spending is another. Stringent government controls are another. Government ownership is the most direct way, and it is this method that should be examined and corrected by Congress as soon as possible.

THE ALEXANDER HAMILTON NATIONAL MONUMENT — AMENDMENT TO THE CONSTITUTION DEALING WITH POLL TAXES

The Senate resumed the consideration of the motion of the Senator from Montana [Mr. MANSFIELD] to proceed to the consideration of the joint resolution (S. J. Res. 29) providing for the establishing of the former dwelling house of Alexander Hamilton as a national monument.

Mr. TOWER. Mr. President, the Senate is now debating a motion to consider a joint resolution to which will be offered an amendment calling for the submission to the States, for ratification, of a constitutional amendment which will prohibit the collection of a poll tax as a requirement for voting in a Federal election. I approve of the manner in which the able, distinguished, and responsible senior Senator from Florida [Mr. HOLLAND] has approached this problem. He has taken a statesmanlike approach. If, indeed, we are to act to prevent the States from imposing a poll tax, then it should not be by the enactment of a statute; it should be done by constitutional action, because the conduct of elections comes within the peculiar purview of the functions, the rights, and the responsibilities of the States.

But, however much I admire the statesmanlike and sound legal approach of the distinguished Senator from Florida, I am compelled to say that, in my estimation, such an amendment is not necessary. Only five States currently have the poll tax: my own State of Texas, the State of Virginia, the State of Arkansas, the State of Mississippi, and the State of Alabama. Technically speaking, the poll tax is not a qualification for suffrage. The poll tax is a tax which is levied, in my State in any case, on every individual. Admittedly, it is not enforced. But the payment of a poll tax is an evidence of residence; and residence is a generally accepted requirement for suffrage. It is not a qualification. Everyone who is a resident is entitled to pay his tax and to vote. That is his privilege.

I point out, further, that the poll tax does not really operate to prevent people from voting. The amount of the tax is so low that it does not really deter anyone from voting, regardless of his socioeconomic or financial status. In Texas, we have a good record of not only permitting, but actually encouraging, minority ethnic groups to participate in the political process. My State has a number of Negro citizens and citizens of Latin American origin. They vote in substantial numbers, and no effort is made to prevent them from voting. The poll tax in Texas does not serve to prevent people from voting.

I think the poll tax is a nuisance. I can see not much reason for continuing the poll tax. But, again, the poll tax exists in only 5 States out of the 50. It does not really serve to prevent people from voting. I cannot understand, then, why we should concern ourselves with a constitutional amendment on the subject. If I were to venture a prognostication, I would predict that, probably by the time such an amendment were ratified, two or three of the States which currently have the poll tax would have abolished it on their own initiative. I can testify that in Texas there is considerable sympathy for the abolition of the poll tax; and I believe that in my State it will be done away with before too long a time.

Evidence of interest in the matter is found in the fact that the Republican State Executive Committee of Texas recently had the issue placed on its primary ballot for a referendum as to whether the poll tax should be continued; and I believe that in my State the sentiment for abolition of the poll tax is so strong that ultimately it will be abolished, regardless of whether there is any Federal action.

Madam President (Mrs. NEUBERGER in the chair), since the poll tax is operative in only five States, let me say at this point that I wish to emphasize that I believe every citizen should have the right to participate in the political process, through voting, and no citizen should be denied that right. I think it reprehensible that in a few areas of our country some men are denied this constitutional privilege because of their ethnic background, and I make no apology and raise no defense for anyone who would deny an American citizen his right to vote, regardless of the coloration of his skin or his views.

But, Madam President, why should we attack the poll tax or single out the poll tax, when only five States have it? In the various States of the United States, there are many different types of qualification for suffrage; but if we are going to impose some arbitrary Federal standard on the five States which have a poll tax, why not go into some of the other little oddities and strange qualifications for suffrage which we find in many other States, and then establish uniform Federal standards for suffrage? Believe me, Madam President, I do not favor such a course; but there is more logic in such a proposal than there is in the proposal that we worry about the poll tax and the literacy tests. I do not think we should adopt any uniform standard, because I believe ultimately that would mean that we would destroy the State electoral machinery, and then we would have to create some Federal electoral machinery.

But now let us consider some of the variations in voter qualifications under various State election laws. For instance, there is quite a wide range of requirements as to residence. The length of State residence required in order to vote varies from 6 months to 2 years. The length of county residence required for voting purposes varies from 30 days to 1 year; and the length of residence in a precinct varies from zero days to 1 year.

The minimum age required differs in various States. Two States have given the suffrage to 18-year-olds. One State has given the suffrage to 19-year-olds. The remaining 47 States still cling to the old Anglo-Saxon legal concept of majority age, and require one to be 21 years of age before one is qualified to vote.

Madam President, so long as we must establish an arbitrary age for maturity, I believe 21 years is as good as any. But if we are talking about liberalizing the suffrage, why not propose a constitutional amendment which would affect 47 States, and would compel them to lower their voting-age requirement to 18 or 19 years of age—if we are really talking about liberalizing the suffrage.

And, Madam President, what about citizenship requirements? All States require a person to be a citizen if he is to vote; but one State requires such citizenship for 1 month before the election is held; and four States require such citizenship for 90 days or 3 months before the election is held; and one State requires U.S. residence for 5 years prior to the election. So we could go on and on into that matter.

Madam President, what about the literacy tests? Twenty-one States have literacy tests. This information might come as a surprise to a great many persons, for probably in these United States there are a great many persons who think that the only States of the Union in which certain minimum requirements or qualifications are imposed on suffrage are the States south of the Mason-Dixon line—States which use such qualifications or requirements, so some think, as a means of preventing a substantial segment of the citizenry from voting. However, Madam President, that is not true. As a matter of fact, the voting requirements in many of the Southern States, in many of the States south of the Mason-Dixon line, are less stringent than are the voting requirements in some of the States in other parts of the country which are supposed to take a more enlightened position in regard to these matters.

Now let us consider the literacy-test problem. Such tests may vary from merely requiring one to be able to sign his name to some very complex ones. Twenty-one States have literacy tests. These States include Alaska, California, Connecticut, Hawaii, Massachusetts, New Hampshire, New York, North Dakota, Oklahoma, Oregon, and Washington—and these are States which are outside of what we traditionally regard as "the Solid South."

For example, in Alaska it is required that one be 19 years of age in order to be allowed to vote—a very liberal requirement, insofar as age is concerned—and he must also be a citizen of the United States, and must be a resident of Alaska for 1 year, and a resident in the election district for 30 days immediately preceding the election.

What about the literacy aspect? One who wishes to vote there is required to be able to read or speak the English language, unless he is prevented from complying with this requirement because of physical disability only, or unless he had legally voted at the general election of November 4, 1924.

Madam President, it might be interesting to note who are disqualified from voting: Persons convicted of a felony involving moral turpitude, unless their civil rights have been restored judicially; persons who are determined to be of unsound mind, unless such disability has been removed. It seems to be a general tendency in the various States to punish one who has been a convicted felon by denying him suffrage and to punish persons who are declared to be mentally unsound by pretty unsound methods by declaring them to be unfit for voting. Perhaps this provision will provide an area of interest to those persons who are desirous of liberalizing suffrage requirements in the various States.

Very often the various requirements are tailored to suit the local conditions extant in the State. Let us take, for example, our newest State, Hawaii. In Hawaii one must be able, except for physical disability, to speak, read, and write the English or Hawaiian language. Of course, that is a valid requirement for Hawaii, where there is a multilingual situation.

I am aware that in some States literacy tests are used as a means of denying certain persons the vote for considerations other than literacy, and are unfairly administered; perhaps not so much in some States as in some localities. I think we should pin it down further. Again, I do not think that fact makes it urgent or necessary that we provide some sort of uniform standards of literacy to be applied. Again, it would not apply to all States, because not all of them have literacy tests. Twenty-one States have literacy tests. Actually, there are adequate remedies available in the courts for those who are denied their constitutional privilege of suffrage.

What are some of the other requirements or qualifications that exist in various States?

Seven States require a loyalty oath. Those States are: Alabama, Connecticut, Florida, Idaho, Mississippi, North Carolina, and Vermont. It is easy to see that those States are pretty well spread out geographically. It is a pretty good geographic cross section of the United States. Those various States require a loyalty oath.

Looking further for reasons for disqualifying persons from voting, 45 States disqualify idiots, the insane, and persons under guardianship. Only five States have no such requirement.

Forty-four States disqualify voters on the ground of commission of a felony or infamous crime. There is very wide and diverse variation as to what constitutes such a crime. Six States have no such qualifications.

Nine States disqualify paupers: Delaware, Maine, Massachusetts, New Hampshire, Rhode Island, South Carolina, Texas, Virginia, and West Virginia.

I wonder if we should not raise the question as to whether it is right to deny the vote to paupers. I would say persons who are paupers are not, for the most part, paupers by choice. I do not think anyone aspires to be impoverished. Paupers are very often persons who are paupers because of circumstances over which they have no control. I wonder if we should not consider a constitutional amendment that would prohibit the States from denying paupers the right to vote in Federal elections.

I would point out that the poll tax is a qualification in only five States. Paupers are denied the vote in nine States. If it is desired to liberalize suffrage, why do we not look at the stringent qualifications that exist in the greatest number of States?

Here are some very interesting odds and ends of requirements. In some States vagrants and others cannot vote. Aliens ineligible for citizenship cannot vote. Persons in prison cannot vote nor can persons convicted of election offenses or persons who have been disfranchised for 10 years.

In Florida, anyone interested in an election wager cannot vote.

Now, I wonder if one should be denied the vote in the great and sovereign State of Florida just because he has made a bet on an election. That is a provision of Florida.

Chinese and Mongolian descendants not born in the United States cannot vote in Idaho.

So there are a number of different types of requirements. Why do we have to pick the poll tax?

In one State dishonorably discharged soldiers or those who have been convicted of bribery cannot vote.

An inmate of a charitable institution cannot vote in another State.

Anyone who is guilty of corrupt election practices is disfranchised for 3 years in another State.

In some States Indians are denied the right to vote.

And so it goes. I cannot quite understand why we should single out the poll tax for action at this time. I cannot see how the poll tax precludes anyone from voting.

As a matter of fact, conceivably, it assures that those persons who are interested in public affairs will vote.

In my State the poll tax is $1.75. Anybody can afford $1.75. That seems to be a pretty small price to pay just to establish one's legal residence in the State, which is the qualification. It is not the payment of the money, but the establishment of the legal residence in the State that is the qualification, and it is established by payment of the poll tax. If anyone does not think that a vote is worth a dollar and six bits, he probably does not have any intention to vote, anyway.

Mr. RUSSELL. Madam President, will the Senator yield?

Mr. TOWER. I will yield for a question.

Mr. RUSSELL. Does the Senator know that it costs more than that to procure a driver's license in order to drive an automobile in most of the States?

Mr. TOWER. I was not aware of that. I appreciate the receipt of that information from the distinguished Senator from Georgia. I think perhaps it should be made a little more costly to get permission to drive an automobile.

I think a person who exercises his voting privilege irresponsibly is perhaps as dangerous a citizen to have in our society as someone who gets out on the highway in an automobile without knowing how to properly operate that automobile.

Madam President, I should like to get some reflections of editorial opinion on this matter into the RECORD. As I say, in Texas we are not rabid on this subject. The poll tax is pretty much of a nuisance, and eventually we shall do away with it, but there is a principle involved.

From the Fort Worth Star-Telegram of March 19, 1962, I read the editorial entitled "Complications in Barring Poll Taxes":

The administration seems interested this year in passing only token civil rights legislation in Congress. It has made known that it will press for nothing more than action to eliminate the poll tax as a qualification for voting—a requirement that applies in only five States—plus the abandonment of all literacy tests for would-be voters.

Attorney General Bobby Kennedy, testifying before the House Judiciary Committee, has called for a constitutional amendment to outlaw use of the poll tax in the election of Federal officials. This is a method that certainly is within the purview of the Constitution, and the method that should be followed if it is considered that there is urgent need for Federal action on the subject. There is considerably more doubt about the validity of the Attorney General's view that the same purpose could be accomplished by a simple act of Congress, though past decisions of the courts and the opinions of past attorneys general might have no bearing on what would be held now.

We hold no special brief for the poll tax, nor do we view it as the thing of iniquity that some contend it is. Doing away with it would have more the appearance than the reality of eliminating a restriction on the right to vote. However, barring the poll tax requirement in voting for Federal officials would cause Texas either to follow suit in all its elections or to maintain a double system of voter qualification. The complications of the latter would make it almost intolerable.

Certainly if Federal action on the matter is to be taken, it should be by submission to the States of a constitutional amendment. And the time required for that would give Texas—one of the remaining poll tax States—a chance to decide for itself whether to remove this requirement for voting. If it is done, that is the way it should be done, and Texas may already be moving in that direction.

Mr. EASTLAND. Madam President, will the Senator yield for a question?

Mr. TOWER. I am glad to yield to the distinguished Senator from Mississippi for a question only.

Mr. EASTLAND. The distinguished Senator knows, does he not, that the present administration has adopted the policy that in the United Nations a state should not vote unless it has paid its dues? In other words, in the United Nations the international policy of the United States is, "If you vote you must pay." Is there any difference between that and the principle of the poll tax?

Mr. TOWER. I cannot see a great deal of difference. The poll tax is something which is required of everyone. It is an evidence of residence. It is not a qualification for suffrage, because anybody can pay a poll tax, so it does not become a qualification for suffrage.

Perhaps the fact that the administration is a little bit lax with respect to the paying by some of the member nations of their obligations to the United Nations, and does not seem to be quite as concerned about that as it should be, is an explanation of why the administration takes a singularly cavalier position toward the idea of a citizen of a State being required to pay a tax to show his legal residence and then to have the right to vote, having met his responsibilities of citizenship.

Mr. EASTLAND. The distinguished Senator knows, does he not, that a poll tax is not onerous and does not mean anything, yet dues to the United Nations could mean something to certain member nations?

Does the Senator know that the President of the United States has taken the position that those nations must pay up before they are entitled to vote; and that representatives of this Government—the Secretary of State, the Ambassador to the United Nations, and other officials of this Government—have taken that same position, that these nations must pay their assessments before they can vote? Is that not an endorsement of the principle of the poll tax?

Mr. TOWER. I appropriate the lucidity of the distinguished Senator's argument. I am moved by it. I concede it would certainly appear to be a position on the part of the administration in favor of having a person pay his obligations before he can exercise his privileges.

Mr. EASTLAND. It means, does it not, that we have an international policy which endorses a poll tax and a domestic policy which is diametrically opposed?

Mr. TOWER. Which, I suppose, demonstrates we should not have a double standard in this matter. We should have a uniform standard.

Mr. EASTLAND. But the administration has a double standard, does it not?

Mr. TOWER. It appears to me that the administration does have a double standard on this particular issue, because it is insisting that individuals not be required to fulfill their responsibilities.

I think one of the most serious things which is wrong with the American people is that too many of us tend to think only in terms of our privileges and immunities as citizens and not enough of us think in terms of the responsibilities of citizenship.

Because a State wishes to make sure that an individual citizen is really interested in his vote and because there must be money available in some way to finance the electoral machinery of the State, are we to say that the State is discriminating against an individual?

Mr. RUSSELL. Madam President, will the Senator yield for a question?

Mr. TOWER. I yield to the distinguished Senator from Georgia for a question.

Mr. RUSSELL. Madam President, does not the Senator think, over and above all the very cogent arguments he has been making, that the great danger in or the great vice of a proposed amendment to the Constitution relating to a matter so small, which has been blown up all out of proportion to its real effect on the people of the States, lies in the fact that it is an effort to use the power of a majority to coerce a minority in respect to the Constitution on a matter of form and not of substance? Does not the Senator know that every one of the Original Thirteen States—up to the time there were 28 States in this Union—had a poll tax or else more rigorous qualifications for voting? Most of the States required the voters to be freeholders and to own land in their own right before they could vote. The Senator, I am sure, observes that we have reached the stage that we are asked to move all power to the banks of the Potomac, to say, "The Federal system must not endure any longer. We must coerce every State that is not willing to conform. This must be the day of the conformist."

Does not the Senator believe that what made ours the greatest Nation on earth and the American way of life the envy of the other peoples of the earth was the fact that we did not have a central power to make people conform to a single set of standards and one mold into which all could be poured? The trend toward socialism and centralization results in measures such as the one proposed. They are measures which are not of such vast importance in themselves, but represent blow after blow at our Federal system of a Union of States having their own rights, powers, and responsibilities. The thinking is that the bureaucrat on the banks of the Potomac has more knowledge, is wiser, and can give better advice as to how Georgia or the Senator's hometown in Texas should be operated than can the people who live in those States and communities. That is the great danger of legislation of the kind proposed which is forced into Congress by minority pressure groups in this country.

Mr. TOWER. I concur wholeheartedly in what the distinguished Senator from Georgia has said. I thank the distinguished Senator for bringing those points out, because they are points upon which we need to reflect, particularly as concerns the protection of a minority. Thomas Jefferson said that though the will of the majority in all cases is to prevail, that will, to be right, must be reasonable. That the minority have their rights cannot be denied.

Furthermore, what is one of the major functions and purposes of the Senate of the United States? What is one of the major functions of almost unlimited debate? It is to protect the minority against the precipitate and emotional tyranny of the majority. Why are we asked to single out five States that have a poll tax and submit a constitutional amendment to all the States, that would affect those five States? What will come next?

Mr. HILL. Mr. President, will the Senator yield for a question?

Mr. TOWER. I yield to the distinguished Senator from Alabama for a question.

Mr. HILL. Is it not true that unlimited debate in the Senate is really a part of the checks-and-balances system of our Government?

Mr. TOWER. By all means. When Mr. Jefferson returned from France, after the Constitution had been adopted, he visited George Washington and said to him:

George, why did you establish a bicameral legislature instead of a unicameral legislature?

Mr. Washington said:

Tom, why are you pouring coffee from your cup into the saucer?

Mr. Jefferson's reply was:

To cool it, sir.

Mr. Washington said:

That is why we established a bicameral legislature. We pour the legislation from one House into another to cool it.

I believe that the proposed action is ill advised. It is one that stems from an emotional approach to a problem as much as anything else. I am inclined to think that perhaps it was intended to be symbolic and not substantive. Nine States deny paupers the right to vote. Why not add to the proposed constitutional amendment, or submit in another form, a provision that would prohibit States from denying to paupers the right to vote?

I cannot understand why we are merely asked to assault the poll tax. I wish that more Americans would become concerned, not so much about their rights, privileges, and immunities, but about their responsibilities. The distinguished Senator from Georgia pointed out a while ago that the Government is becoming more and more powerful. More and more power is being concentrated in the hands of the Central Government.

It is not only a question of power being concentrated in the hands of the Central Government. The tendency is even to transfer such power from the Congress into the executive branch. As power begins to concentrate in Washington, the ever decreasing concentric circle will not stop at the city limits. It will continue to bore in. What will happen? We shall leave more and more to the arbitrary rule and discretion of a few individuals.

We may think that we could never have a totalitarian system in this country. But I point out that Mr. Hitler came to power in a free election. It could happen here.

Why has the present trend been allowed to develop? It is because the people have let it develop, because people have very often thought too much in terms of the question, "What can the Government do for me?" and not so much in terms of, "What can I do for my country?" It is because people have arrived at the notion that they can accept the bounty of the Federal Government; that they can accept various welfare benefits; that they can be born in a Federal hospital and be subsidized through life, die, and be buried in a Federal box, and not give up anything. But the people must realize that they are giving up their individual liberty and freedom of choice.

A while ago we noted that there is no democracy like the democracy of the marketplace. The consumer determines what goods and services will be produced in this country. If the consumer is going to insist on certain federally sponsored benefits, he will have to pay for them. The money must come out of his pocket.

The more the Government takes from the consumer, the less he has to spend for himself, and the less freedom of choice he has. It is my hope that the citizenry of the great Republic will come to realize that we do not get something for nothing. We must pay for it; and it not only costs money, but it costs the right and privilege of making one's decisions.

I still believe that people can and will accomplish for themselves on the local level what is necessary, so long as Uncle Sam does not reduce them to a state of abject dependency upon and subordination to the Central Government.

Mr. RUSSELL. Mr. President, will the Senator yield for a question?

Mr. TOWER. I yield to the distinguished Senator from Georgia for a question.

Mr. RUSSELL. Does not the Senator from Texas place in that category efforts like the one proposed, which would place the States in a Federal straitjacket and require them to adopt exactly the same policy? The Senate is the last forum of local self-government. If the Senate is to be bemused by such issues as the one before us—as I have said, only five States are involved—and strike blows at local self-government, does not the Senator agree that by eliminating laws in the various States that are different from those of the majority of the States, we could soon have so uniform a system that city law would emanate from Washington, including even parking laws in every community in the land? That is what makes the sort of legislation proposed so vicious. Does not the Senator agree with me?

It so happened that my State was the first State to adopt an 18-year-old voting age. During the war we provided that those citizens who reached the age of 18 might vote. It has worked out very well in my State. However, when a constitutional amendment was proposed to require the same thing of all other States, I opposed it on the floor as vigorously as I knew how, and I will do so again, because I believe this cult of conformity, to make all conform to the views of the busy beavers who do not have anything else to do but to try to reform everyone else and who sit down and devise theories and philosophies of government, is a greater danger than the dread missiles the Soviets are supposed to possess. Does not the Senator agree?

Mr. TOWER. Yes; I do agree with the distinguished and able Senator from Georgia, that if we pursue this course to its logical conclusion we will be establishing uniform laws for every State, and we will have destroyed the Federal system and established a unitary system in this country. The Federal system, as it operates in the United States, is the envy of all the world.

I am sure that the distinguished Senator from Georgia is aware of the fact that our Constitution is the oldest written constitution still in force and effect in this world, and yet we are one of the younger nations; but ours is the second oldest Government in the world, second only to that of Great Britain, currently in force and effect.

Why is this so? What has given our system its durability? Its durability comes from the fact that our system is not rigid and inflexible. It is resilient to change. It is responsive to people wherever they are, and whatever their station in life is, because the Government is close to the people.

If we ever destroy the federal system, if the Government ever moves farther away from the people and is concentrated in the city of Washington, then this great system which has been so durable because of its resilience and flexibility will become rigid and will crack from within; and I do not believe it could survive under those circumstances.

It was plainly the intent of the framers of the Constitution to preserve the federal character of this Republic. They created the Senate of the United States, to give every State as a corporate entity equal representation regardless of its size. They insisted that certain powers be retained to the States, and they only surrendered certain of the concomitants of national sovereignty to be exercised by the Central Government. It must always be thus.

I know we can add any amendment we please to the Constitution. However, is there any point to adding an amendment which tends to be destructive of the federal character of this system? I believe we should maintain the federal system as a model for others to follow. Let us look at the Congo. In the Congo the people are tribally oriented; they are not nationally oriented. Some sort of federal arrangement will have to be set up if they are to create a national government. Is it not wonderful that we have this great working model of federalism here in the United States for others to emulate and to copy? If our system could be successfully copied, it might mean stability in many areas where there is now chaos with an established and strong unitary government rigid by nature and unresponsive to the needs of the people.

Madam President, I should like to have printed in the RECORD an editorial published in the Dallas Morning News of March 15, entitled "Poll Tax 600 Years Old." I believe the editorial accurately reflects the opinion on the poll tax and what it does in the way of providing for financing in my State. I ask unanimous consent that the editorial may be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

POLL TAX 600 YEARS OLD

Poll taxes are under fire again, as they have been for most of their 600-year history. This time, there's a double-barreled attack—a proposal in Congress to submit a constitutional amendment to ban the tax, and a referendum to be held in the Texas primaries on poll-tax abolition.

England initiated poll taxes in 1377. The objective was to tax everyone, and the name comes from the old English word "poll,"

meaning head. Since this is a per capita tax, it also has been called a capitation levy.

Bloody rebellion, led by Wat Tyler, was the peasants' answer to the English poll tax in 1381. But the English continued to use this method to raise revenue, often for wars against the French.

Although designed to tax everyone, English poll taxes usually were graduated according to presumed ability to pay, as our income taxes are. For example, in 1379, the English rate ranged from 1 groat poll tax per peasant upward to 10 marks for John of Gaunt, Duke of Lancaster.

Introduced in the English colonies here in the 17th century, the poll tax was unpopular in North America. It was one of the primary causes of the 1775 Mecklenburg Declaration of Independence, predecessor of the July 4, 1776, action at Philadelphia.

Very few American States levied a poll tax for the period from the Revolution until the War Between the States.

Texas was among the former Confederate States that levied a poll tax after the 15th amendment to the U.S. Constitution enfranchised Negroes. Texas ratified a poll tax amendment to its own constitution in 1896 and adopted the present poll-tax amendment in 1902. This was amended again in 1921 and in 1954, but without changing the basic provisions.

In the North and East, the impression is widespread that a poll-tax requirement to vote was adopted to keep Negroes away from the polls. In 1902, when the present law became a requirement in Texas, the reason was not racial; it was to prevent mass "buying" of votes by political machines.

Only five States (Texas, Arkansas, Mississippi, Alabama, and Virginia) now have poll taxes. Texas voters on November 8, 1949, rejected a proposed constitutional amendment to abolish the poll tax. The vote was close, 160,012 to 127,200, and many observers at the time thought that this amendment was defeated because so many voters opposed an amendment to raise legislative salaries and require annual legislative sessions. Eight out of ten proposed amendments lost in this election.

Public schools get most of the poll tax revenue in Texas. The law provides for $1.50 tax per person, with counties given an option of levying 25 cents more, so that the total is $1.75 in most counties. Schools get $1, the State's general fund 50 cents, and counties 25 cents for general expenses.

Texas, in the fiscal year ended August 31, 1961, received $2,156,310.56 revenue from poll taxes. This was 0.0018 cent out of each $1 of State revenue.

About 2 million Texans, or approximately 1 out of 5, usually pay their poll taxes, the figure varying greatly from general election to off years. In 1960, the total was 2,239,189, but only 1,525,790 in 1959.

Dallas County has 248,749 persons who paid their poll tax or received exemptions qualifying them to vote in 1962. This is 21,554 fewer than the record high reached in the presidential election year of 1960.

Mr. TOWER. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. YARBOROUGH. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

Mr. STENNIS. I object.

The PRESIDING OFFICER. Objection is heard. The clerk will continue the call of the roll.

The Chief Clerk resumed and concluded the call of the roll, and the following Senators answered to their names:

[No. 28 Leg.]

Aiken	Fulbright	Miller
Allott	Goldwater	Monroney
Anderson	Gore	Morse
Bartlett	Gruening	Morton
Beall	Hart	Moss
Bennett	Hartke	Mundt
Burdick	Hayden	Murphy
Bush	Hickenlooper	Muskie
Butler	Hickey	Neuberger
Byrd, Va.	Hill	Pastore
Byrd, W. Va.	Holland	Pearson
Cannon	Hruska	Pell
Capehart	Humphrey	Proxmire
Carlson	Jackson	Robertson
Carroll	Javits	Russell
Case, N.J.	Johnston	Saltonstall
Chavez	Keating	Scott
Church	Kefauver	Smathers
Clark	Kerr	Smith, Mass.
Cooper	Kuchel	Smith, Maine
Cotton	Lausche	Sparkman
Curtis	Long, Mo.	Stennis
Dirksen	Long, Hawaii	Symington
Dodd	Long, La.	Talmadge
Douglas	Magnuson	Thurmond
Dworshak	Mansfield	Tower
Eastland	McCarthy	Wiley
Ellender	McClellan	Williams, N.J.
Engle	McGee	Yarborough
Ervin	McNamara	Young, N. Dak.
Fong	Metcalf	Young, Ohio

The PRESIDING OFFICER. A quorum is present.

What is the pleasure of the Senate?

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House insisted upon its amendments to the bill (S. 167) to authorize the Attorney General to compel the production of documentary evidence required in civil investigations for the enforcement of the antitrust laws, and for other purposes, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. CELLER, Mr. RODINO, Mr. ROGERS of Colorado, Mr. MCCULLOCH, and Mr. MEADER were appointed managers on the part of the House at the conference.

The message also announced that the House had agreed to the amendments of the Senate to the bill (H.R. 641) to provide for the free entry of an intermediate lens beta-ray spectrometer for the use of Tulane University, New Orleans, La.

ENROLLED BILL SIGNED

The message further announced that the Speaker had affixed his signature to the enrolled bill (S. 2165) for the relief of Jean L. Dunlop, and it was signed by the Vice President.

FINANCIAL STATUS OF UNITED NATIONS

Mr. AIKEN. Madam President, one of the most difficult tasks I have undertaken during recent weeks is to attempt to get before the American public and Members of Congress a few basic facts with respect to the financial status of the United Nations.

Driving a four-horse hitch through the Berlin wall would be easy compared to getting the facts of United Nations financing before the American public.

Facts are hard to come by; half-truths come easy.

I should now like to provide a few facts for the columns of the CONGRESSIONAL RECORD.

First, let us look at the record to see how many United Nations members voted for U.N. action in the Congo, and then compare that figure with the number of members who have paid their Congo assessments.

The General Assembly resolution of September 20, 1960, which endorsed United Nations action in the Congo and appealed to "all member governments for urgent voluntary contributions to a United Nations fund for the Congo," received the affirmative votes of 70 members. At that time the United Nations had 82 members.

Although 70 members voted for this resolution, 62 members of the United Nations have not paid anything on their assessments for the Congo operations.

Furthermore, the only United Nations member which in 1961 responded to the request for voluntary contributions was the United States.

Second. Ninety-nine members were assessed for payments to the Congo account covering the period from January 1 to October 31, 1961. Only 25 members have paid their assessments for that period in full.

I wish to read the names of these states into the RECORD, because they comprise a sort of international honor roll: Australia, Burma, Canada, Ceylon, Dahomey, Denmark, Finland, India, Ireland, Israel—paid in March—Ivory Coast, Japan, Liberia, Luxembourg, Netherlands, New Zealand, Nigeria, Norway, Pakistan, Senegal, Sweden, Thailand, Turkey, United Kingdom—paid in January—and the United States.

In other words, one out of four United Nations members has taken the Congo operation seriously enough to have paid its assessments in full.

Sixty-two members have paid nothing, according to the Department of State—this will be found in the report of the hearings, at page 278—and an additional 12 members have not yet paid their 1961 assessments in full.

The third fact I wish to present is this. Members of the Senate should be cautioned against using the table supplied by the Department of State which appears on page 33 of the joint Foreign Relations-Foreign Affairs Committee print. That table lists the assessments on the Congo accounts, and the balances due.

If one examined that table for the year 1961, he would be led to believe that 19 members had paid their assessments in full, and that practically all the remaining members had made some payments on the Congo account.

That is not true. The fact is that the United States made a voluntary contribution during 1961 totaling $15,305,596.

That contribution was used, pursuant to the terms of a General Assembly resolution—which will be found on page 39 of the committee print—to reduce the

assessment of certain states by 80 percent, and the assessments of other states by 50 percent.

According to information which the Department of State supplied to me on specific request, the U.S. voluntary contribution made it possible for 75 members, out of the 99 assessed, to reduce their assessments for the Congo operation by 80 percent.

I am going to read into the RECORD the names of the member states for whom we paid 80 percent of the Congo assessment for 1961. They are as follows: Afghanistan, Albania, Argentina, Bolivia, Brazil, Bulgaria, Burma, Cambodia, Cameroun, Central African Republic, Ceylon, Chad, Chile, Colombia, Congo—Brazzaville, Congo—Léopoldville, Costa Rica, Cuba, Cyprus, Dahomey, Dominican Republic, Ecuador, El Salvador, Ethiopia, Federation of Malaya, Gabon, Ghana, Greece, Guatemala, Guinea, Haiti, Honduras, Hungary, Iceland, Indonesia, Iran, Iraq, Ireland, Israel, Ivory Coast, Jordan, Laos, Lebanon, Liberia, Libya, Luxembourg, Madagascar, Mali, Mexico, Morocco, Nepal, Nicaragua, Niger, Nigeria, Pakistan, Panama, Paraguay, Peru, Philippines, Portugal, Saudi Arabia, Senegal, Somalia, Spain, Sudan, Thailand, Togo, Tunisia, Turkey, United Arab Republic, Upper Volta, Uruguay, Venezuela, Yemen, and Yugoslavia.

Our contribution to the Congo fund has enabled these nations to reduce their assessments by 80 percent. Further than that, because of our generous contribution, the following additional four states had their Congo assessments reduced by 50 percent: China, Poland, India, and Japan.

In addition to making a voluntary contribution to the Congo operations, we made another generous contribution to UNEF—that operation in the Middle East, at the Gaza Strip—which was also used to reduce the assessments of other nations.

Madam President, I am aware that making facts of this kind public it unpalatable to Americans committed to the proposition that the United States must now purchase $100 million of 25-year, 2-percent United Nations bonds in order to rescue the U.N. from bankruptcy. If we go that route we should do so with our eyes open.

We should realize that the United States has already assumed the lion's share of the burden. We not only have paid our assessed 32 percent of the Congo operations and UNEF, but also we have made additional voluntary contributions which have been applied to the scale of assessments in such a way as to reduce the assessments of a total of 79 of the total assessed membership of 99 states.

The reason why this number is not 104 is that the first year a state becomes a member, usually late in the calendar year, it is not assessed. Therefore, only 99 states are now assessed, instead of 104.

The sickness of the U.N., which is not financial sickness alone, runs far too deep to be cured by spreading a $200 million borrowing over 25 years.

This sickness can only be cured by drastic action at an early date—action which will continue the United Nations as a truly multilateral organization, and not permit it to become constantly dependent upon the beneficence of the United States.

It is for this reason that I have urged Congress to support a short-term loan to the United Nations.

This would bring home to United Nations members in a realistic fashion the fact that the American people are interested in assisting an organization which is multilateral in meeting its obligations.

But the American people are fed up with supporting an organization which is willing to vote its convictions, but not willing even to give token support to the action which it has voted.

Madam President, before I conclude, I wish to pay my respects to the junior Senator from Washington [Mr. JACKSON] for the speech he made yesterday before the Press Club, in which he pointed out some very pertinent situations which exist in the United Nations. I wish to congratulate the reporters who wrote up his speech as it was delivered. I noticed that Marguerite Higgins of the New York Herald Tribune wrote a completely factual and fair analysis. I noticed that whoever wrote the story for the New York Times did the same.

I congratulate the Senator from Washington [Mr. JACKSON] for the great good he did in calling attention to the conditions which ought not to exist in the United Nations.

Mr. LAUSCHE. Madam President, will the Senator yield for a question?

Mr. AIKEN. I yield to the Senator from Ohio.

Mr. LAUSCHE. It is my understanding, on the basis of what has been said by the Senator from Vermont, that our national assessment for these special operations is between 32 and 33 percent.

Mr. AIKEN. The Senator is correct.

Mr. LAUSCHE. That applies both to the Gaza Strip operation and to the Congo operation?

Mr. AIKEN. The Senator is correct.

Mr. LAUSCHE. In addition, the United States has made voluntary contributions. I think the Senator from Vermont has said that in the last year there was a contribution of $15 million to the Congo operation.

Mr. AIKEN. To the Congo.

Mr. LAUSCHE. When the United States made that $15 million contribution, the obligation of some 72 nations was reduced by 80 percent?

Mr. AIKEN. Seventy-five nations.

Mr. LAUSCHE. Seventy-five nations?

Mr. AIKEN. The obligation was reduced 80 percent for 75 nations: Cuba, Albania, Hungary, and 72 others.

Mr. LAUSCHE. Will the Senator from Vermont again state how many nations have contributed their full assessment to the Congo operation? Does the Senator have that information immediately at hand?

Mr. AIKEN. Twenty-five out of 99 have paid their full assessments, up to November 1, 1961. Of those nations assessed for 1962, only Finland and Norway have paid their assessments. These assessments have been due for some time but only Finland and Norway have paid those assessments toward the Congo.

I understand the United States owes a substantial amount, 32 percent of about $68 million, and has not paid. I believe it is claimed an appropriation will be necessary by the Congress before payment can be made.

Only two nations have paid the 1962 assessments for the Congo operations.

Mr. LAUSCHE. Seventy-nine out of 99 have not paid their full assessments on the Congo operation?

Mr. AIKEN. The correct number for the 1961 assessment is 74.

Mr. LAUSCHE. Has the same principle been applied to the Gaza Strip operation; that to the extent the United States contributes voluntarily, to that extent the obligations of the other nations are reduced?

Mr. AIKEN. That is true. In the fall of 1960 the United States contributed to UNEF, as I recall, slightly less than $2 million, which was used to reduce the assessments of other countries. In 1961 the appropriation was larger.

The countries which pay on the Congo operation and which pay on the Gaza Strip operation are not exactly identical. Two or three are different. I point out that Yugoslavia pays the full assessment for the Middle East operation, or the Gaza Strip operation, but has not paid for the Congo operation.

Mr. LAUSCHE. Would the Senator mind again reading the list of those nations whose obligations have been reduced by 80 percent as a result of our voluntary contribution?

Mr. AIKEN. There are 75 of them. I am willing to read them.

Mr. LAUSCHE. Will the Senator read the names of the nations the Senator previously read?

Mr. AIKEN. The nations which had their assessments reduced by 80 percent, by reason of our voluntary contribution, were Afghanistan, Albania, Argentina, Bolivia, Brazil, Bulgaria, Burma, Cambodia, Cameroun, Central African Republic, Ceylon, Chad, Chile, Colombia, Congo—Brazzaville, Congo—Leopoldville, Costa Rica, Cuba, Cyprus, Dahomey, Dominican Republic, Ecuador, El Salvador, Ethiopia, Federation of Malaya, Gabon, Ghana, Greece, Guatemala, Guinea, Haiti, Honduras, Hungary, Iceland, Indonesia, Iran, Iraq, Ireland, Israel, Ivory Coast, Jordan, Laos, Lebanon, Liberia, Libya, Luxembourg, Madagascar, Mali, Mexico, Morocco, Nepal, Nicaragua, Niger, Nigeria, Pakistan, Panama, Paraguay, Peru, Philippines, Portugal, Saudi Arabia, Senegal, Somalia, Spain, Sudan, Thailand, Togo, Tunisia, Turkey, United Arab Republic, Upper Volta, Uruguay, Venezuela, Yemen, and Yugoslavia.

Those are the 75 nations which had their assessments reduced 80 percent as a result of the U.S. special contribution.

The four countries which had their assessments reduced 50 percent as a result of our contribution were China, Poland, India, and Japan.

When I asked the State Department for certain data, I hoped I would find that several other countries also had made voluntary contributions toward this cause; but, lo and behold, the United States of America was the only one.

Mr. LAUSCHE. Is it the opinion of the Senator from Vermont that to the extent we, in a panicky state of mind and a stampeded state of mind, provide these additional moneys practically to that same extent we dissuade the other countries from carrying their honest share?

Mr. AIKEN. If we show a willingness to pick up the tab for every project for which the 104 members, or the majority of the 104 members, of the United Nations see fit to appropriate, then we shall have a permanent job so long as the United Nations lasts, and we shall be expected to pay those costs indefinitely.

What is being done now is that the United Nations is proposing to use money from the sales of bonds instead of assessments for the paying of the costs of United Nations' operations.

To show how determined the proponents of the bond issue are, I point out that they have made no assessment to carry the costs of the Congo operations or the Middle East operations after July 1 of this year. In other words, they throw the bond proposal at us and say, "Now it is up to you."

I am surprised at the type of propaganda that has been put out. Yesterday morning I read in a reputable newspaper a statement that Iceland had agreed to purchase $80,000 worth of bonds. The newspaper reported, "This makes $147 million—and some odd thousand—which has now been pledged." The writer of the article included the $100 million that we have not pledged, and which no one except the Congress has the right to pledge in making up the total stated. That is a sample of the misrepresentations and half-truths that are going out all over the United States today.

Mr. LAUSCHE. Madam President, will the Senator yield further?

Mr. AIKEN. I yield.

Mr. LAUSCHE. I listened with attention to what the Senator from Vermont stated because I know that throughout the whole life of the United Nations the Senator has been a believer in it.

Mr. AIKEN. Yes.

Mr. LAUSCHE. I have implicit faith that the course which the Senator from Vermont is taking is motivated not by a purpose to destroy the United Nations, but to give it strength through inducing its members to perform their honest obligations, and thus giving stature, instead of indifference and instability, to that institution.

Mr. AIKEN. Madam President, I thank the Senator from Ohio for his remarks. At the beginning of my remarks I said that it would be easier to drive a four-horse hitch through the Berlin wall than to get information regarding U.N. functions before the American people. I wish now to say that some information is beginning to trickle through. The speech that was made yesterday by the Senator from Washington [Mr. JACKSON] will be helpful. The report on that speech, which appeared in some newspapers, will be helpful. The column of Doris Fleeson in yesterday's issue of the Washington Star was also helpful. I commend that article to anyone who wishes to go into the subject.

Mr. YARBOROUGH. Madam President, will the Senator yield?

Mr. AIKEN. Madam President, I do not know whether it is permissible to yield for any purpose other than a question. If I may yield to the Senator from Arkansas [Mr. FULBRIGHT] and the Senator from Texas [Mr. YARBOROUGH] in order to make insertions in the RECORD, without losing my right to the floor, I shall certainly be glad to do so.

Mr. JAVITS. Madam President, reserving the right to object, I would like the Senator from Vermont to add to his unanimous request that certain remarks I wish to make may follow the insertion that the Senator from Arkansas [Mr. FULBRIGHT] wishes to make in the RECORD.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. FULBRIGHT. Madam President, I ask unanimous consent to have printed at this point in the RECORD a very perceptive speech delivered by the Senator from Washington [Mr. JACKSON]. There is much good sense in his speech, and I commend it to the attention of Senators.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE UNITED STATES IN THE U.N.: AN INDEPENDENT AUDIT

(Address before the National Press Club, March 20, 1962, by Senator HENRY M. JACKSON)

Mr. Chairman, distinguished guests, and members of the National Press Club, the place of the United Nations in American foreign policy is now receiving a good deal of attention. Unfortunately, the debate seems to be polarized around extreme positions. On the one hand, there are those who say, "The U.N. is the only source of hope; let's leave everything to the U.N." On the other hand, there are those who say, "The U.N. is the source of catastrophe; let's get out of the U.N." Each view is like the distorted reflection in a carnival mirror—one too broad, the other too narrow. Neither view is really helpful.

No doubt the quiet, steadying majority of the American people have a more balanced view of the United Nations, and see it for what it is: an aspiration and a hope, the closest approximation we have to a code of international good conduct, and a useful forum of diplomacy for some purposes.

The United Nations is, and should continue to be, an important avenue of American foreign policy. Yet practices have developed which, I believe, lead to an undue influence of U.N. considerations in our national decisionmaking. Indeed it is necessary to ask whether the involvement of the U.N. in our policymaking has not at times hampered the wise definition of our national interests and the development of sound policies for their advancement.

The test of the national security policy process is this: Does it identify our vital interests and does it develop foreign and defense policies which will defend and promote these interests? In our system, two men must bear the heaviest responsibility for giving our national security policy focus and structure. One is, of course, the President. The other is his first adviser, the Secretary of State.

The United Nations is not, and was never intended to be, a substitute for our own leaders as makers and movers of American policy. The shoulders of the Secretary General were never expected to carry the burdens of the President or the Secretary of State. But do we sometimes act as though we could somehow subcontract to the U.N. the responsibility for national decisionmaking?

At the founding of the United Nations there was the hope that all its members shared a common purpose—the search for a lasting peace. This hope was dashed.

The Soviet Union was not and is not a peace-loving nation. Khrushchev has announced his support for wars of liberation. He has threatened to bury us. In their more agreeable moments the Russians promise to bury us nicely, but whatever their mood, the earth would still be 6 feet deep above us.

We must realize that the Soviet Union sees the U.N. not as a forum of cooperation, but as one more arena of struggle.

The maintenance of peace depends not in the United Nations as an organization but on the strength and will of its members to uphold the charter.

The truth is, though we have not often spoken it in recent years, that the best hope for peace with justice does not lie in the United Nations. Indeed, the truth is almost exactly the reverse. The best hope for the United Nations lies in the maintenance of peace. In our deeply divided world, peace depends on the power and unity of the Atlantic Community and on the skill of our direct diplomacy.

In this light, some basic questions need to be asked:

First, are we taking an exaggerated view of the U.N.'s role?

In one way and another the conduct of U.N. affairs absorbs a disproportionate amount of the energy of our highest officials. The President and the Secretary of State must ration their worry time; and the hours spent on the U.N. cannot be spent on other matters. All too often, furthermore, the energies devoted to the U.N. must be spent on defensive actions—trying to defeat this or that ill-advised resolution—rather than on more constructive programs.

The Secretary of State has called the United Nations a forum in which almost every aspect of our foreign policy comes up. The fact is correctly stated, but does it reflect a desirable state of affairs? Should we take a more restricted view of the organization's capacity for helpfulness?

I think we should. The cold war may destroy the United Nations, if that organization becomes one of its main battlegrounds, but the United Nations cannot put an end to the cold war.

As a general rule, might it be more prudent, though less dramatic, not to push the U.N. into the fireman's suit unless we are sure the alternatives are worse and, above all, that we are not seeking to evade our own responsibilities.

I believe the United Nations can best gain stature and respect by undertaking tasks which are within its capabilities, and that its usefulness will be diminished if it is impelled into one cold war crisis after another and

asked to shoulder responsibilities it cannot meet.

With these thoughts in mind, I read with some concern proposals to increase the executive responsibilities of the organization. Also, I have serious doubts about current suggestions to provide more pervasive and efficient U.N. presences to help halt infiltration of guerrillas across frontiers; and to help halt internal subversion instigated by a foreign power.

Dag Hammarskjold, who was a brilliant and devoted servant of the United Nations, clearly saw the dangers in overrating the peacekeeping power of the organization. In a letter to a private citizen, he once decried the tendency to force the Secretary General into a key role in great power disputes through sheer escapism from those who should carry the responsibility.

Second, may not the most useful function of the United Nations lie in serving as a link between the West and the newly independent states?

Most international business is best handled through normal bilateral contacts or through regional arrangements among the states concerned.

However, the United Nations provides a useful meeting ground for many new governments with other governments. These relationships may be of mutual benefit.

The U.N. affords good opportunities to explain Western policies, to correct misrepresentations of the Western position, and to expose the weaknesses in the Soviet line. In fact, the Soviet singing commercials themselves offend the most hardened ear. They inspire a healthy skepticism about Russian three-way cold war pills—guaranteed to end the arms race, relieve colonial oppression, and ease poverty, if taken regularly, as directed.

The U.N. and its specialized agencies may be of great usefulness in supplying technical assistance for economic development, in providing financial aid, and in preparing international development programs.

The organization may sometimes be helpful in reaching peaceful settlements of certain issues and disputes of concern to the newly independent states—especially if it is used to seek out areas of agreement rather than to dramatize conflicts of interest.

In this connection there has been too great a tendency to bring every issue to a vote. Indeed, there are too many votes on too many issues in the U.N.—and too much of the time and energy of every delegation is spent in lobbying for votes.

A vote requires a division of the house, a sharpening and even an exaggeration of points at issue, and it emphasizes the division of opinion rather than the area of agreement. Not every discussion needs to end in a vote. The purposes of the members might be better served if the U.N. forum becomes more often a place where diplomatic representatives quietly search for acceptable settlements of issues between their countries.

Voting has a way of raising the temperature of any body, and I think that we should be doing what we can to keep the temperature of the United Nations near normal.

Third, in our approach to the U.N., do we make too much of the talk and too little of the deed?

New York City is the foremost communications center of the United States, if not of the world. Once the decision was made to locate the headquarters of the United Nations in New York, it was inevitable that what went on there would receive attention disproportionate to its significance. Newsmen and photographers have to produce news stories and pictures, and politicians from any land rival the celebrities of stage and screen in their hunger for free publicity.

The United States is of course host to the United Nations. Day in and day out we are conscious of the presence of the organization in our midst. And the role of host entails special obligations. Consequently, it is often difficult to keep one's sense of proportion. There is, for example, a tendency, to which the press itself is not immune, to believe the U.N. makes more history than it really does.

A Secretary of State—responsible for policy—must weigh his words carefully. For that reason he seldom makes good copy. One of the reasons for the extensive coverage of the United Nations is that the right to the floor of the General Assembly is not subject to the sobering influence of responsibility for action.

I have been struck, for example, by the serious disproportion in the press, radio, and television coverage of our U.N. delegation and the coverage of the Department of State. The space and time devoted to the former does not correctly reflect the relative importance of what is said in New York against what is said in Washington.

If the U.N. were used less for drumbeating on every nerve-tingling issue, and if its energies were quietly devoted to manageable problems, there might be fewer headlines from the U.N. but more contributions to the building of a peaceful world.

Everyone talks too much. It is a worldwide disease. Sometimes it seems that the appropriate legend to place above the portals of the U.N. might be: "Through these doors pass the most articulate men and women in the world."

Fourth, should our delegation to the United Nations play a larger role in the policymaking process than our representatives to NATO or to major world capitals?

I think the answer is no, and the burden of proof should lie with those who advocate a unique role for our Embassy in New York.

Our delegation to the United Nations is, of course, frequently and necessarily involved in promoting or opposing particular actions by the United Nations which may have an important bearing on our national security policies. If it is not to commit the United States to positions inconsistent with our national security requirements, the delegation must be kept in closest touch with, and have a thorough understanding of, these requirements. Furthermore, the President and Secretary of State require information and advice from our U.N. delegation.

This is not to say, however, that the requirements of sound national policy can be more clearly seen in New York than elsewhere, or that our Embassy in New York should play a different role in policymaking from that played by other important embassies.

The precedent set by President Eisenhower in this matter, and continued by this administration, seems unfortunate. The Ambassador to the United Nations is not a second Secretary of State, but the present arrangement suggests a certain imbalance in the role assigned to the U.N. delegation in the policymaking process.

The problem is not to give the U.N. delegation a larger voice in policymaking but to give it the tools to help carry out the policy.

Rational, effective negotiation on complex and critical matters, like the reduction and control of armaments, requires unified guidance, and instruction to those conducting the negotiations. This is a basic principle of sound administration and avoids the dangers of freewheeling. The unified source of instructions should be the Secretary of State, acting for the President, or the President himself, not others in the White House or the Executive Office, not lower levels in State, certainly not the U.N. delegation itself.

The U.N. delegation in New York should not operate as a second foreign office. Such confusion of responsibility reinforces a tendency to give undue weight in national policy formulation to considerations that seem more important in New York than they ought to seem in Washington, D.C. The effect of decisions on something called our relations in the U.N. may receive more weight than their effect on, say, the strength, and unity of the Atlantic Community. The result may be a weakening or dilution of policy positions in deference to what is represented in New York as world opinion.

The concept of world opinion has been, I fear, much abused. Whatever it is and whatever the importance that should be attached to it, I doubt that it can be measured by taking the temperature of the General Assembly or successfully cultivated primarily by currying favor in New York. To hide behind something called world opinion is all too often the device of the timid, or the last resort of someone who has run out of arguments.

Fifth, is our U.N. delegation properly manned for the diplomatic and technical tasks we require of it?

We have established the tradition of choosing for top U.N. posts Americans of considerable prestige—prestige acquired, furthermore, not in the practice of diplomacy but in national politics, business, the arts and sciences and other fields of endeavor. For the most part, these people have served us well, in effective advocacy of America's concerns, and in persuasive championship of progress toward a world of good neighbors.

A start has been made in staffing the U.N. mission more as other embassies, with experienced diplomats and experts in technical fields in which the United Nations may be able to make quiet but useful contributions. Further progress in this direction should be encouraged.

The sum of the matter is this:

We need to take another look at our role in the United Nations, remembering that the U.N. is not a substitute for national policies wisely conceived to uphold our vital interests. We need to rethink the organization and staffing of our Government for United Nations affairs.

For this purpose, we should have a top-level review conducted under the authority of the President and the Secretary of State. The review should, of course, be handled in a nonpartisan manner.

Debate over the United Nations is now centered on the U.N. bond issue. This debate reveals some of the symptoms of the basic disturbance. Congress has been requested to approve the purchase of U.N. bonds up to a total of $100 million to help cover the cost of two controversial peacekeeping operations. The money in question has been spent and it would be a serious mistake to prolong the financial crisis. I trust the Congress can help find a wise way to help cover the deficit.

But the fundamental questions will still remain, and will plague us until they are answered:

Do our present relations with the United Nations assist the wise definition of our vital interests and the establishment of sound policies? Are we sometimes deferring to the United Nations in the hope that we may somehow escape the inescapable dilemmas of leadership? Are we failing to make the most of the United Nations by encouraging it to attempt too much?

Mr. Chairman, I close as I began: The United Nations is, and should continue to be, an important avenue of American foreign policy. But we need to revise our attitudes in the direction of a more realistic appreciation of its limitations, more modest hopes for its accomplishments, and a more mature sense of the burdens of responsible leadership.

Mr. JAVITS. Madam President, in view of the speech made by the Senator

from Washington [Mr. JACKSON], which was put in the RECORD a few minutes ago by the Senator from Arkansas [Mr. FULBRIGHT], I wish to make some points with respect to it, although at this time I do not desire to engage in a full-dress debate on the matter because, first, the Senator from Washington is not present, and, second, undoubtedly he will want to talk about the matter himself.

However, it does seem to me that a speech of this character, the key to which is, let us not rely too heavily on the U.N., is unfortunate, though I am sure, and I need have no reassurance on this score, Senator JACKSON supports the U.N., as I believe he has shown throughout his career. But, nevertheless, coming at this time in the frame of reference of the attack by the Soviet Union on the U.N. and on its administration, of the controversy over the U.N. bond issue, and of the attack on the U.N. by the radical right in the United States it could be very worrisome. I would hope, therefore, that Senator JACKSON himself might take action to clear up some of the points in his speech.

I do not believe it is necessary that we should try to relegate the U.N. to second place and say that we are going to rely primarily in first place on our military alliances. It is unfortunate, therefore, that this speech should concern itself with the supposition that we are placing too much reliance on the U.N.

I refer now to two speeches which were made in the great bipartisan tradition of our country, by President Eisenhower and President Kennedy, both of whom addressed themselves specifically to the same subject to which the Senator from Washington addressed himself. President Eisenhower, in a speech to the U.N. General Assembly, said:

> The first proposition I place before you is that only through the United Nations organization can humanity make real and universal progress toward the goal of peace with justice. I believe that to support the United Nations organization and its properly constituted mechanisms and selected officers is the road of greatest promise in peaceful progress. To attempt to hinder or stultify the United Nations or to deprecate its importance is to contribute to world unrest and, indeed, to incite the crises that from time to time so disturb all men. The United States stands squarely and unequivocally in support of the United Nations and those acting under its mandate in the interest of peace.

In almost the same historic commitment, just about 1 year later, on September 21, 1961, President Kennedy, also addressing the U.N., said:

> That is why my Nation—which has freely shared its capital and its technology to help others help themselves—now proposes officially designating this decade of the 1960's as the United Nations decade of development.

He then again pledged the great faith and confidence and strength of the United States to the activities of the U.N.

Senator JACKSON'S speech is a provocative and thoughtful one, and it comes from a man whom I respect very greatly. I was a member of his Subcommittee on National Policy Machinery and I believe the Senator drew upon his experiences in that subcommittee in expressing these views. Indeed, I have some sympathy with the fact that this problem of policymaking machinery troubles the Senator from Washington.

The difficulty, however, that I find with the speech is that it is likely to be taken in the context of today as a depreciation of the importance of the United Nations as a world force. I believe it would be most unfortunate if we were to try to assign number one importance or number two importance to it, because the fact is that the U.N. is the world forum which is the world's great hope for peace.

Again, it is not necessary to say that it should be secondary to our alliances, upon which we will primarily rely. The fact is that our alliances are there, and they are important and we do rely on them. I yield to no one in my support of NATO, and everything that that support means, including economic and other forms of cooperation. But it is not necessary to apply to NATO a number one or a number two label—or to the U.N. either. The U.N., I say, can stand on its own. We have every interest in supporting it strongly.

It would be most unfortunate if the Russians should get the idea that the U.N. was to be written down somewhat in importance in this country, and that thereby the door would be opened for them to step in, because the Russians would gladly, I believe, take over the role of preeminence in the U.N. held by the United States, primarily because the United States has pledged itself heavily to the support of the U.N.

I believe that it is of great importance to us in terms of the peace of the world that we do not rock that boat.

It is true that the Senator from Washington is only one Senator. However, he is an important Senator. I bring this matter up at this time not in criticism, but in the hope that by a composite of our thinking—mine, Senator JACKSON'S, and other Senators—we can contribute to an understanding of the true policy of the United States with respect to the United Nations, and that it may be made clear to the world.

That view may be summarized as follows: We do not expect miracles. This is not the millennium. The U.N. will not solve everything. But we do expect that this world organization, to which we have pledged our full support, will maintain its place of preeminence in seeking to preserve the peace of the world.

It is unnecessary to place it in first or second place so far as its importance is concerned as an instrument of our foreign policy. This approach of not writing it down as being in first place or in second place is not being woolly-headed but rather being hardheaded. By placing the U.N. in the frame of reference of its world importance as a means of maintaining the peace we enable it to stand on its own, we respect fully the historic pledges of support we have made to it, and we give the proper assurance of substance and authority to the many nations—especially the newer and smaller nations—to which the U.N. represents their major participation in world affairs.

Mr. AIKEN. Madam President, under the same condition stated, I yield to the Senator from Texas.

Mr. YARBOROUGH. Madam President, I desire to wait until the Senator from Vermont yields the floor.

Mr. MORTON. Madam President, will the Senator yield?

Mr. AIKEN. I yield under the same conditions stated.

Mr. MORTON. Is it not true that some of the propaganda, as the Senator from Vermont has described it, is beginning to flow into certain patterns, although fallacious patterns? First, there is the implication that by going the bond issue route, Russia, its satellites, and those nations not paying their share would be forced to pay their share of the Congo expense.

Mr. AIKEN. I have noticed that phase of the propaganda. Of course, that is not correct.

Mr. MORTON. Of course it is not correct. I have had some experience in these problems. In fact, I sat at the conference table with Mr. Molotov, who has more or less fallen from grace, but his successor is little different from him in being a shrewd and ruthless trader.

Mr. AIKEN. He is as sharp as Mr. Molotov was.

Mr. MORTON. By withholding 4 percent, 5 percent, or 6 percent of their annual assessment and saying, "None of our payments shall be used for servicing or the retirement of the bonds," Russia could go for 20 years before it would be 2 years in arrears in its general assessment, or it would require 20 years before it would in any way jeopardize its own vote. Is that statement correct?

Mr. AIKEN. The Senator from Kentucky is correct.

Mr. MORTON. Secondly, we are told that the Gaza Strip and the Congo incident were special operations, and that nothing like them would ever occur again. The Gaza problem began in 1957, is that correct?

Mr. AIKEN. I believe the Senator is correct.

Mr. MORTON. The problem is still with us now, 5 years later.

Mr. AIKEN. The Senator is correct.

Mr. MORTON. It probably will be with us 5 years from now. We do not know how long the Congo expense will continue. I cannot tell, nor can any other man, what will happen in 1965, 1966, or 1967. But as surely as we are today in the Senate Chamber, the U.N. can be called upon for some sort of emergency operation somewhere on our planet.

Mr. AIKEN. If the U.N. should succeed in selling $200 million of bonds, it would have to call for further methods of financing within 2 years' time.

So far as the Congo is concerned, when Prime Minister Adoula was here a couple of weeks ago and visited with the Committee on Foreign Relations, he

indicated that it would be a long time—and he would not be willing to predict when—before it would be possible to withdraw United Nations forces from the Congo.

It is my impression that 10 years would be a minimum length of time, and probably 20 years would be more likely the case.

So far as the Gaza Strip is concerned, 5,100 men are reported to be stationed there. I have been told that there are actually about 5,600 men there. The cost is almost $20 million a year. That operation has been built into the economy of the area. It would be virtually impossible to withdraw those troops, even if we could get a vote today to do so. But I was told when I was at the United Nations in the fall of 1960 that 2,000 men would probably suffice there.

Mr. MORTON. In any event, we cannot predict what might happen in the future that would require the U.N. to go into some special operation. But we do know that once we start on a funded debt, and a long-range bond issue for financing it, it will become standard operating procedure.

Mr. AIKEN. It certainly will be. We cannot tell how many places in the world the United Nations might vote to establish police or military operations. Such operations could be established even in the Western Hemisphere. The situation in Argentina does not look too good. The United Nations could intervene in Cuba or in any other part of the world, and every time they would intervene they would increase the costs of the United Nations by so many additional millions or hundreds of millions of dollars, assessing us to bear the lion's share of the cost, or else expecting us to purchase the lion's share of the bonds if the U.N. goes permanently and completely into a deficit financing program.

Mr. MORTON. One other argument that is being raised today is that the Secretary General cannot borrow money. Therefore the plan of the Senator from Vermont will not work. If selling bonds is not borrowing money, what is it?

Mr. AIKEN. Yes. An article appeared in the New York Herald Tribune last Sunday written by Don Rogers which set forth the fact that in undertaking the issue bonds, the United Nations was completely discarding the capitalist method of issuing bonds or borrowing money and adopting completely the Communist method of issuing bonds for government support, even though not a single member of the Soviet bloc is expected to buy a single dollar's worth of the bonds.

Mr. MORTON. I thank the Senator from Vermont and commend him on his remarks.

THE NEED FOR AN INFORMED PUBLIC ON THE TRADE ISSUE: THE STAND OF LABOR

Mr. JAVITS. Mr. President, some weeks ago I addressed the Senate on the need for a personal campaign by President Kennedy to explain the issues underlying the trade policy debate. No such initiative has been taken as yet but I wish to call the attention of the Senate to the public spirited efforts being undertaken by labor unions and various other groups to get the facts across to the American people.

I have already placed in the RECORD excerpts from the January 1962 Focus on Trade issue of Intercom, a monthly publication of the Foreign Policy Association-World Affairs Center, which is a nonprofit organization supported by private contributions. The League of Women Voters is conducting a great national campaign of education and discussion on the trade issue. The U.S. Chamber of Commerce is sending teams across the country in order to bring information to local communities and to mobilize a thoughtful public opinion. Business groups, port associations, and trade groups throughout the Nation are making their position known in the service of the national interest.

Individuals have also taken their stand. I have had the honor to place in the CONGRESSIONAL RECORD a remarkable speech on the subject of foreign trade delivered by Henry Ford II. Others in private life, such as former Secretary of State Herter, former Under Secretary of State Clayton, and former Governor Landon are engaged in this vital effort.

Two days ago I received a letter from a very courageous and patriotic woman who lives in my State. She writes that her husband, a chemist, had received from his employers a letter asking that he request me to vote against the new trade policy which, in my opinion, is essential to the welfare of the United States and to the survival of freedom in the world. She writes:

> Well, Senator, here is one family that does not wish you to protect its livelihood by such means. I think that as world markets open, many segments of American industries will need help in adjustment to the new economic situations, and that means of sustaining people who will be put out of work will be needed and ways to retrain them for new jobs, and research for new jobs for them will be needed.
>
> I would much rather see you and my other representatives in my Government work for such constructive means, than to have you pile the sand higher around the ostriches' necks.

Mr. President, that is a rather interesting expression from the wife of a man whose ox may be gored in the trade struggle.

The voice of labor, I am pleased to see, which should certainly support forward-looking trade policies, is being heard with increasing strength and frequency. Among others, George Meany, president of the AFL-CIO, and Alfred Hayes, president of the International Association of Machinists, have spoken often and eloquently.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD an editorial and an article from the Machinist, of February 22, 1962, directed to the members of the International Association of Machinists in the service of public information. They present the kind of background which is vital to the balanced judgment of our people.

There being no objection, the editorial and article were ordered to be printed in the RECORD, as follows:

CATS' PAW

Union members in some cities are being used as cats' paws to pull chestnuts out of the fire for their employers. There's a propaganda campaign underway to line up labor in opposition to legislation needed to help expand U.S. world trade.

This is to warn every union member to be on guard against misinformation, distortions and exaggerations about this problem of exports and imports. Unless we know the facts, we may find ourselves cheering for the wrong team and wind up lobbying ourselves out of work.

This world trade subject is tricky because it is complicated and because we are conditioned to use the boycott to solve a problem like foreign competition. In this case, the boycott will hurt no one as much as it does union members.

Here are three basic facts to keep in mind:

1. More jobs in the United States depend on the sale of U.S. goods in other countries than are affected by the import of foreign goods to this country. The ratio is usually put at 5 to 1. We want to increase the volume of U.S. goods sold overseas.

2. Some employers argue that they cannot sell in foreign markets because wage rates are higher. The records show clearly, however, that higher wages in the United States are more than made up for by the higher productivity of American workers. Higher wages will not prevent the expansion of U.S. world trade.

3. Other nations cannot pay for goods from the United States unless they can sell their own products inside the United States. In some instance, foreign producers can undersell U.S. producers even in American stores. Where this happens, there is usually a better answer than higher tariffs. Proposals now before Congress would provide financial assistance from the Federal Government for workers, plants and communities that are hurt by competition from imports. A few Americans should not have to pay the entire cost of expanding U.S. world trade.

Watch out for propaganda on this world trade issue. Keep yourself informed. Several publications are available. If you have questions about a specific industry, have your lodge officers write directly to IAM headquarters in Washington. Meantime, this newspaper will continue to keep union members up to date on developments.

FOREIGN TRADE: ROUTE TO JOBS

American labor is convinced the United States now needs a new, more effective world trade law for these four major reasons:

The present Reciprocal Trade Agreements Act expires June 30. This is the law that gives the President power to negotiate agreements with other countries cutting the tariffs (taxes) on goods we ship them and they ship us. Over the years since 1934 when it was first adopted, the law has helped the United States increase exports and jobs considerably.

Six European nations have formed a Common Market which, by 1970, will eliminate all tariff barriers between them—like the States of the United States and the provinces of Canada. The six countries are Germany, France, Italy, Belgium, Holland, and Luxembourg. Indications are that Britain, Switzerland, the Scandinavian nations and others will join.

This highly industrialized area of 250 million people can be (1) a vast market for U.S. products; or (2) the graveyard for a

lot of existing U.S. jobs if we can't negotiate reciprocal agreements to lower trade barriers at their borders and ours. If they can't sell profitably to us, they will produce in Europe the products they normally buy from us.

The United States urgently needs to maintain trade lines with Japan and some of the newly emerging nations that are particular targets of the Communists. We must continue to buy their goods or lose them to the Reds.

Continuing high unemployment here demands that the number of jobs in manufacturing be increased. The foreign market offers the brightest hope for increasing sales and jobs.

WORLD TRADE HAS TO FLOW TWO WAYS

As the name implies, a reciprocal trade agreement is a double-edged tool. To negotiate agreements with the Common Market permitting more of our goods to be sold in Europe, we will have to let them sell more of their goods here.

Inevitably, some of these imports will compete with products made in the United States. The problem is to increase exports—and jobs producing goods for export—with the least possible impact on jobs in U.S. industries that compete with imported goods. It's estimated that more than 3 million Americans now work at jobs producing for export and about half a million others—one-sixth the number—have been displaced by competitive imports.

TRADE ADJUSTMENT CUSHIONS IMPACT

The new device sought by labor to cushion the impact of increased imports on U.S. jobs is a trade adjustment program. Here's how it would work:

Employees who suffered layoffs or cutbacks in hours would be entitled to readjustment allowances of about two-thirds of their pay up to 52 weeks. The allowances would be reduced by the amount of any unemployment compensation due the employees and by half of any wages they earned.

Example: A worker earning $90 a week is cut back to half time and makes $45 weekly. In addition to his pay, he receives a readjustment allowance of 65 percent of $90 or $58.50, minus 50 percent of $45 (his part-time pay), or $22.50 for a total of $36. With his part-time pay of $45, he draws a weekly total of $81.

Workers hurt by imports would also be eligible for retraining to give them the skill to get another type of job. Those receiving training would be eligible for up to 78 weeks of readjustment allowances.

Heads of families who can't find jobs in their present community could obtain a relocation allowance to pay for moving where there are jobs.

Businesses and farms hurt by imports would be eligible for special aid. This would include technical assistance to help develop more profitable production, tax relief, and loans for modernization or switching to another line.

The program also calls for international fair labor standards to prevent exploitation of workers abroad and unfair competition here from sweatshop goods. In addition, U.S. labor wants to plug the tax loophole which encourages U.S. plants to run away abroad. This would halt the export of U.S. jobs.

WHAT YOU CAN DO

Your most important task in this complex field is to keep informed so that you will not be misled by propaganda and misstatements (see editorial.) To help you, the AFL-CIO has three recent publications that are available without charge. Write to Pamphlet Division, AFL-CIO, 815 16th Street, Washington, D.C. Ask for: "Why More Trade," "An Analysis of the Kennedy Trade Program," and "The Common Market and the United States."

If your employer says your industry needs higher tariffs, find out the facts before you take any action. Have your lodge officers direct specific questions to IAM headquarters in Washington.

If your company is not selling overseas, find out if management has taken advantage of assistance available from the Bureau of Foreign Commerce, Commerce Department, Washington, D.C.

NATIONAL LUTHERAN COUNCIL, 44TH ANNUAL MEETING

Mr. JAVITS. Mr. President, the National Lutheran Council, at its 44th annual meeting held in Atlantic City, N.J., from January 30 to February 1, 1962, adopted two resolutions dealing with issues of national interest.

More than 10 years ago the council adopted a resolution supporting participation by the United States in the United Nations. Because of various pressures throughout the country to alter or weaken such support, the council at this annual meeting reaffirmed its earlier statement.

In its resolution concerning the Peace Corps, the council gave general endorsement to the objectives of the Peace Corps and encouraged qualified Lutherans to participate in it. At the same time, it expressed the judgment that the council itself, as a church agency, should not enter into any contractual relationship with the Peace Corps.

I ask unanimous consent to have printed in the RECORD the two resolutions adopted by the National Lutheran Council.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

RESOLUTION ON PEACE CORPS

Whereas the Peace Corps has been established by the U.S. Government "to help the people of interested countries and areas in meeting their needs for skilled manpower" as well as "to promote a better understanding of the American people on the part of the peoples served and a better understanding of other peoples on the part of the American people"; and

Whereas the Peace Corps provides a creative opportunity for citizens of good will and competence to serve human need, and to demonstrate the power of disciplined service given without prospect of pecuniary advantage; and

Whereas the Christian's call into the fellowship of the Church is at the same time a call to active participation, under the sign of the cross, in the world recognized as a realm in which God is active in creation, judgment, and redemption: Therefore be it

Resolved, That the National Lutheran Council—

1. Register its general endorsement of the objectives of the Peace Corps.

2. Commend the President and the Congress for the inauguration of a Peace Corps program which has already given evidence of high standards of performance.

3. Commend the administration of the Peace Corps for its announced policy of not approving churches and religious agencies as sponsors of Peace Corps projects and express the hope that this policy will be maintained.

4. Encourage qualified Lutherans to participate in the Peace Corps program as a significant opportunity for service.

RESOLUTION ON UNITED NATIONS

Whereas Christians everywhere in a divided and strife-torn world continue to proclaim the power of love and justice, and seek peace for all men and nations; and

Whereas the United Nations has been under increasing pressures both here in America and abroad from those who have become impatient when its political and diplomatic efforts toward world peace have achieved less than perfect results in an imperfect world; and

Whereas the United Nations has achieved noteworthy results in preserving a degree of peace in a series of military crises, and has established praiseworthy advances in fields that include health, education, labor, trade, relief, rehabilitation, resettlement and human rights; and

Whereas this organization presents to mankind, under the providence of God, a most hopeful opportunity for sharing the benefits of civilization, and using man's new powers to enhance the dignity and freedom of individuals and nations: Now, therefore, be it

Resolved, That the National Lutheran Council hereby reaffirms its 1951 statement of confidence in the usefulness of the United Nations, and expresses the hope that the Government of the United States, maintaining a place in the family of nations in a way which seeks to cooperate for the good of all rather than to exercise domination for achievement of narrowly self-centered purposes, may continue to contribute leadership and support to this agency of international cooperation; and be it further

Resolved, That a copy of this resolution be sent to the Secretary General of the United Nations and the Secretary of State of the United States of America.

ORDER OF BUSINESS

Mr. ELLENDER obtained the floor.

Mr. MANSFIELD. Mr. President, will the Senator from Louisiana yield, so that I may propound a unanimous-consent request, with the understanding that he will not lose the floor?

Mr. ELLENDER. I yield.

Mr. MANSFIELD. Mr. President, while what I am about to say may seem to be in conflict with the statement made by the leadership yesterday that Senators would be called to account if they yielded for anything but questions, I think this is a special circumstance; therefore, I shall make this request on that basis, but with the other statement still holding.

I ask unanimous consent that when the Senate recesses at 6 o'clock this evening, the Senator from Louisiana [Mr. ELLENDER] be allowed to continue his first speech tomorrow, with the proviso that upon the convening of the Senate tomorrow morning at 9 o'clock, the Senator from Arkansas will be recognized in the meantime for his speech.

The PRESIDING OFFICER (Mr. SMITH of Massachusetts in the chair). Is there objection?

Mr. JAVITS. Mr. President, reserving the right to object——

Mr. MANSFIELD. Mr. President, I withdraw my request.

Mr. JAVITS. I do not understand the Senator.

Mr. President, may I be recognized?

Mr. ELLENDER. Provided I do not lose my right to the floor.

Mr. MANSFIELD. Mr. President, if the Senator from New York does not wish to ask a question, I must object.

Mr. JAVITS. I do wish to ask a question; but in asking the Senator from Louisiana to yield for a question, I desire to propound my question to the majority leader. May we know what is the plan of the majority leader in connection with this proposal?

Mr. MANSFIELD. There is no plan; I am trying to accommodate two Senators for reasons which are, in a sense, personal but very understandable. I have made this specific request, first, so that I could notify the Senate that the session would terminate at 6 o'clock this evening; and second, so that the Senator from Louisiana, who has a long speech, might be protected. He cannot be here at 9 o'clock tomorrow morning because of a prior commitment over which he has no control. In the meantime, another Senator would be allowed to make his second speech. My request is for the purpose of protecting the Senators concerned.

Mr. JAVITS. Mr. President, I have such high respect for the majority leader—and I see my own leader here—that I have no objection if my own leader has no objection.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana? The Chair hears none, and it is so ordered.

THE ALEXANDER HAMILTON NATIONAL MONUMENT — AMENDMENT TO THE CONSTITUTION DEALING WITH POLL TAXES

The Senate resumed the consideration of the motion of the Senator from Montana [Mr. MANSFIELD] to proceed to the consideration of the joint resolution (S.J. Res. 29) providing for the establishing of the former dwelling house of Alexander Hamilton as a national monument.

Mr. ELLENDER. Mr. President, the question at issue has been discussed by this body on many occasions. As a matter of fact, I covered the ground in 1938, after I had been a Senator for only about a year, and I engaged in my first long debate.

Once again a small group of us stand before the Senate in an attempt to halt a further move to gnaw away at the founding precepts of this Nation—the sovereign and precious rights of the individual States.

Today we see a blatant attempt to push down our throats a piece of legislation which would be the opening foot in the door to establishing Federal voting requirements.

This move, in the form of an amendment to a noncontroversial measure, would take away from the individual States the rights to charge a poll tax; then I fear a move to write in educational qualifications would be presented, to be followed by other moves designed to further weaken the rights of the individual States to set forth their own voter qualifications. Some Senators may ask why I oppose this measure when my State of Louisiana does not charge a poll tax, but has other qualifications covering other aspects of a citizen's right to vote.

Mr. President, the poll tax issue is not the whole story. At stake is not whether the State of Alabama should charge a $1.50 poll tax. The issue before the Senate today is whether the Federal Government shall have the power to tell the State of Alabama, or the State of Louisiana, or the State of New York what its voting qualifications shall be, down to the crossed "t" and dotted "i".

The debates of the constitutional drafting period show very clearly that if the right to determine voter qualifications had not been left in the hands of the individual sovereign States, the Constitution never would have been ratified.

I believe that in the past this question has been discussed thoroughly. There is no doubt that our early history shows that from the time of the creation of the Colonies and before we became the United States, even the Colonies zealously guarded their right to fix the qualifications for voting. At the very beginning there were all sorts of qualifications.

For instance, in the State of Georgia a citizen could not vote if he belonged to the Catholic Church. In New York, Jews were prevented by statute from voting. There were many other qualifications of a similar nature throughout the Colonies. Those qualifications were aside from property taxes or, at least, the ownership of property as a requirement for the right to vote, or the imposition of some kind of poll tax. So such taxes have been imposed as a condition for voting from the early formative period of our Nation. They were continued in effect when the Colonies became the United States.

Mr. President, as I have just now pointed out, some of the main debates regarding ratification of the Constitution centered around the proposition of whether the Federal Government or the States should fix the qualifications for the right to vote. Judging from the debates which then occurred, there is no doubt that if it had not been for the fact that the States reserved to themselves the right to provide for the qualifications of voters, our great Constitution never would have been ratified.

Section 2 of article I of the Constitution provides:

> The House of Representatives shall be composed of Members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

Section 4 of article I of the Constitution provides:

> The times, places and manner of holding elections for Senators and Representatives shall be prescribed in each State by the legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators.

Mr. President, I have no apologies to offer when I say that on several occasions in the past, when there was introduced a joint resolution dealing with abolishment of the poll tax, I thought the manner in which the distinguished Senator from Florida desired to settle the question was a proper one, and on two or three occasions I joined him in sponsoring such a measure. But in so doing, it was my hope and belief that that would be the end of all civil rights legislation. However, now we are faced with a situation which could see the opening gun in a battle to abolish all rights of the States to set forth voter qualifications.

Mr. HOLLAND. Mr. President, will the Senator from Louisana yield for a question?

The PRESIDING OFFICER. Does the Senator from Louisana yield to the Senator from Florida for a question?

Mr. ELLENDER. I yield for a question.

Mr. HOLLAND. I appreciate the fact that on several occasions the Senator from Louisana joined me in sponsoring such a measure; I wish to ask him if it is true that he joined me as a cosponsor of this measure or a similar one in the 81st Congress, the 82d Congress, the 83d Congress, the 84th Congress, and the 85th Congress.

Mr. ELLENDER. I am sure the Senator from Florida is correct. I did, and I have no apologies to make for doing so. But the Senator from Florida may recall that I often expressed the hope that passage of the legislation he refers to would be the end of all civil rights legislation—in other words, that if we passed legislation providing that payment of a poll tax is not a condition to voting, that would be the end of such matters. I said that with that understanding, I was willing to follow that course.

However, as I have said before, I have been in the Senate for 26 years, and I do not know of one session in which Senators were not confronted with some type of proposed civil rights force legislation affecting the right of Negroes to vote. Furthermore, during the past 26 years, Congress has passed many measures which to some extent, have clarified the ways and means by which citizens would be permitted to vote. So, in my humble judgment, we need simply to have enforcement of the laws which now exist covering the field of voting rights—not only the Federal statutes, but also State laws.

Mr. HOLLAND. Mr. President, will the Senator from Louisiana yield again to me?

Mr. ELLENDER. I yield for a question.

Mr. HOLLAND. The Senator from Louisiana spoke of giving the Negroes the right to vote. Is it not true that this proposed constitutional amendment applies equally to white people and to colored people—to all the citizens of the several States?

Mr. ELLENDER. Yes; but primarily it is being brought about to satisfy a few minority groups, including Negroes. That is why some Members of Congress each year come forward with some new type civil-rights legislation. I feel definitely now that nothing will ever satisfy these Members in their desire to attract support of minority groups. It is true that in the State of Louisiana there have been quite a few parishes in which there

has been considerable objection to the registration of Negroes. The simple truth is that in four or five of our parishes, over 70 percent of the population are Negroes; and, of course, the whites have tried to protect themselves from the possibility of the election of Negro officials.

But, Mr. President, conditions all over the South have changed. I feel confident that conditions affecting equal voting rights would improve if only we were let alone. That is why I no longer support measures designed to do away with the poll tax by Federal legislation. Many persons are advocating these measures merely to satisfy just a few minority leaders in their States. As I said earlier, if we did not have so much agitation in the South from the North, it is my firm belief that the Negroes in the South would fare much better. As a matter of fact, I have had occasion to talk to many Negroes who had wandered from the South to the North; and on many occasions they admitted they were always better treated in the South than they were in the North. I am satisfied that conditions would be progressively better if the matter were left in the hands of those who had the problem directly confronting them. These agitators will never be satisfied, and I intend to oppose them with all the strength at my command. I now return to my prepared text.

Mr. President, there are also the two amendments which have to some extent contracted the otherwise unqualified right of the States, as guaranteed in section 2 of article I, to establish the qualifications of voters. I refer to the 15th amendment, which provides that a citizen of the United States may not be denied the right to vote on account of race, color, or previous condition of servitude; and the 19th amendment, which establishes the same protection against discrimination based on sex. And then, of course, there is the 17th amendment, adopted in 1913, whereby the right of the States to establish the qualifications of electors was again reaffirmed, this time with respect to the choosing of U.S. Senators.

Mr. President, our Nation has profited greatly from the rich heritage of learning left to us from the great constitutional lawyers of years gone by. One of the greatest of those illustrious pioneers of American constitutional history was George Ticknor Curtis. Mr. Curtis' name will live forever in the annals of American history, for many reasons; first and foremost, of course, because he was the author of two monumental works; the first, which was to become a standard authority, ranking alongside of Justice Storey's "Commentaries on the Constitution," was published in 1854 in two volumes and entitled "History of the Constitution of the United States." The second of this great constitutional lawyer's legal compositions was entitled "Constitutional History of the United States," published in 1896, 2 years after his death. Mr. Curtis also will be remembered by students of American history for his able and successful defense of President Andrew Johnson in the impeachment proceedings instituted against the American Chief Executive in 1867; George Ticknor Curtis is remembered, too, for the brilliant and cogent argument he presented to the U.S. Supreme Court on December 18, 1856, in the famed Dred Scott case.

During the course of his presentation to the Supreme Court, in the Dred Scott case, Mr. Curtis made this significant statement as a preface to his analysis and interpretation of the constitutional provisions in issue in the Dred Scott case—that is, the provisions of our Constitution relating to the status and government of American territories:

> I wish, in the next place, to say, may it please your Honors, what indeed is obvious to every one—that this is eminently a historical question. But I shall press that consideration somewhat further than it is generally carried on this subject, and much further than it has been carried by the counsel for the defendant in error; for I believe it to be true of this, as it is of almost all questions of power arising under the Constitution, that when you have once ascertained the historical facts out of which the particular provision arose, and have placed those facts in their true historical relations, you have gone far toward deciding the whole controversy. So true is it that every power and function of this Government had its origin in some previously existing facts of the national history, or in some then existing state of things, that it is impossible to approach one of these questions as one of mere theory, or to solve it by the aid of any merely speculative reasoning. Hence it is eminently necessary on all occasions to ascertain the history of the subject supposed to be involved in a controverted power of Congress, and, above all, to approach it with the single purpose of drawing that deduction which the constitutional history of the country clearly warrants. ("Constitutional History of the United States," George Ticknor Curtis, p. 502.)

Mr. President, keeping these words of George Ticknor Curtis in mind, I shall ask the indulgence of the Senate while I embark upon the task of reviewing the circumstances surrounding the genesis of the constitutional provisions at issue in the right-to-vote legislation now before the Senate. It is with the utmost humility that I undertake the enormous assignment of refreshing the memories of Members of the U.S. Congress, and the public at large, with the historical backdrop against which the language of article I, sections 2 and 4, of our Constitution was framed.

It was no easy job, I can assure Senators, to research and assemble the vast amount of data that I am about to present to the Senate. It was a monumental task, but it will be well worth the effort if it helps to awaken in Senators a better understanding and awareness of the precarious, perilous ground we are about to tread upon—to point up the misguided, imprudent, unwise course that is being urged upon us.

It is sheer folly, Mr. President, for the Congress of the United States to seek to enact laws aimed at undermining and destroying our one great constitutional bulwark against despotism—our time-tested system of local elections controlled and operated by the 50 sovereign State governments, free from coercion or subversion from a Federal bureaucracy. Heaven help us if this precious birthright is lost forever to us and to our posterity because we here today are unable to distinguish between political expediency and commonsense.

Mr. President, a study of colonial history reveals that regulation of suffrage was one of the first tasks to concern the American pioneers. From their inception, the colonies maintained qualifications of voters. As I shall point out during the course of these remarks, when the colonies formed the Original Thirteen States of our Union, they still jealously and zealously guarded their right to prescribe qualifications for voting. Even a cursory reading of the discussions that took place during the Constitutional Convention at Philadelphia, and of the debates in the Thirteen States while the proposed Constitution was up for ratification, leads to the inescapable conclusion that a majority of the Thirteen States would never have formed a union and bound themselves under the Federal Constitution if clear and unmistakable language had not been included to guarantee to the respective States the right to establish qualifications of electors. Nor is there any doubt, Mr. President, that the Thirteen Colonies did not intend to surrender to the Federal Government their primary right to control the time, manner, and places of holding elections; all evidence points to the unmistakable conclusion that they intended to vest in the Central Government only secondary authority to regulate elections, limited to those situations in which extraordinary circumstances prevailed or when the States refused to conduct elections for Members of the House of Representatives and thereby threatened the very existence of the Federal legislative branch.

Later during these remarks I shall discuss more fully the meaning given to section 4 of article I by the framers of our Constitution. Now I want to direct the attention of Senators to the interpretation placed by our Founding Fathers on the language found in section 2 of article I—the requirement that "the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature."

As early as 1750 there were different qualifications for voting in the different Colonies. I quote from "Formation of the Union," 1750–1829, by Hart, page 15:

> In each there was an elective legislature; in each the suffrage was very limited; everywhere the ownership of land in free-hold or other property, or the occupancy of a house was a requisite, just as it was in England for the country suffrage. In many cases there was an additional provision that the voter must possess a specified large quantity of land or must pay specified taxes. In some Colonies there was a religious requirement.

All these requirements I have just mentioned were prerequisites for the exercise of the voting privilege.

While there were few specific provisions concerning suffrage in the charters of the Colonies, popular elections existed in each of the Colonies from the earliest date down to the Revolution. Popularly elected assemblies carried on local government. Virginia had a House of Burgesses as early as July 30, 1619.

And what was the first consideration of these colonial groups who were fiercely protective of their rights?

> One of the first tasks of these colonial assemblies was to regulate the elective franchise. (See McCulloch, Suffrage and Its Problems, at p. 18.)

While the qualifications were vague and indefinite, there were many requirements, each a proof of the local regulation of voting qualifications. Even the Crown and the English Parliament made no serious attempt to modify or harmonize the various suffrage regulations. I quote from the same volume, page 19:

> This left each colony practically free to pass its own laws providing for the franchise. By the time of the Revolution this practice became thoroughly established, thus allowing each Commonwealth to make suffrage laws to fit its peculiar electoral problem.

Down to 1776 there were seven qualifications for the elective franchise. The outstanding one was the landed property qualification, which probably arose because of the business corporationlike nature of the early Colonies. A piece of land was considered as giving a person the freedom of the company, as provided by Massachusetts in 1621, exactly as a block of stock entitles its holder to vote in a corporation.

Porter, "History of Suffrage in the United States," pages 3 and 4:

> But this very simple test of property holding could not long hold out alone, although it was the first and the dominating consideration for almost 200 years following. The population became so complex, the interests of colonists expanded so far beyond mere commercial enterprise that other standards of fitness for participation in the affairs of the community were sought out and established. Strict limitations had been put upon the right to join the company, and after the companies ceased to exist and the Colonies became exclusively political institutions, the same limitations were carried over for the suffrage with some elaboration. They dealt with all the various things which are supposed to determine capacity to take intelligent interest in community affairs. Race, color, sex, age, religion, and residence were now investigated before the applicant was admitted to the suffrage. The theory was that only those who clearly had an interest in the colony—measured in terms of tried standards—should exercise the right of suffrage.

There we find a yardstick or a method of providing qualifications for voters during colonial days.

Virginia had varying requirements. In 1655 a voter had to be a habitant and a householder; in 1699 he had to be 21 years of age, a male habitant and freeholder, papists barred. By 1762 this had been further refined by the freeholder being particularly required to own 50 acres, or 25 acres and house 12 by 12.

Massachusetts first required religious standards, Puritan and Orthodox, in 1631. By 1691 Massachusetts required a voter to be English and to own 40 shillings freehold or 40 pounds of property.

Connecticut in 1638 required a voter to be a habitant, a Puritan and a freeman, and varied this by 1702 to specify that he have 40 shillings freehold or 40 pounds of property.

Rhode Island, as early 1665, required a competent estate and barred Christian papists. By 1767 Rhode Island added to this the requirement of living in a town, plus owning 40 shillings freehold or 40 pounds of property.

New Hampshire in 1680 required that a voter be 24 years of age, English, Protestant, and have an estate of £20. By 1728 the last requirement was increased to £50 in realty.

North Carolina in 1669 required a voter to be a deist and to have a 50-acre freehold. By 1760 this had varied. The qualifications were 21 years of age, 1½ years residence, British nationality and a 50-acre freehold.

South Carolina in 1669 required a person to be a deist and to have 50 acres freehold. By 1759 a South Carolina voter had to be white and 21 years of age, Protestant, and have a settled freehold.

Georgia demanded a man to be 21 years of age and to have 50 acres of land, papists barred. In 1775 the land requirement took on a subtle change. It was replaced by the word "taxpayer," plus one-half year's residence required, and papists barred.

Pennsylvania in 1683 required a voter to own 100 acres—10 cultivated; or 50 acres—20 cultivated; or taxes. In 1700 Pennsylvania required a man to be 21 years of age, a 2-year resident, English, and own 50 acres—12 cultivated; or £50 in property.

Delaware, in 1701, had a 2-year residence requirement, 21-year age requirement, and land ownership of 50 acres—12 cultivated; or £50 in property. By 1733 British citizenship had been added to the list.

Maryland's only requisite in 1637 was that voters be freemen. In 1718 Maryland had barred Catholics and required 50 acres or £40 property.

New York in 1683 accepted a vote from any freeholder. In 1701 21 years age requisite and £40 realty was necessary, and papists and Jews were barred.

New Jersey in 1668 allowed any freeholder to vote. In 1725 that freeholder had to be a 1-year resident, and must own 100 acres or £50 of property.

It is interesting to regard some of the varying reasons for the above requirements, keeping in mind that the very fact they have varied in each State, with the particular conditions of growth and the existing population, adds undeniable power to the case I am presenting for each State in the Union, for their own continued right to judge their own needs and provide therefor.

I read from Porter, "History of Suffrage in the United States," pages 4 and 5:

> Standards of character and fitness varied from one part of the country to another. In Massachusetts the Puritans believed that only by restricting suffrage to men in their churches could the future well-being of the colony be insured. The problem of the right to vote became distinctly subordinate. They restricted the suffrage for the good of the community. The fact that their standard of good character (church membership) was narrow is not at all surprising. The character of the man's employment was often considered a criterion of his ability to vote intelligently, and thus college men and clerical officers were presumed to be especially fit for the suffrage.
>
> The philosophy of suffrage has always been more or less opportunistic, if the word is permissible. Suffrage qualifications are determined for decidedly materialistic considerations, and then a theory is evolved to suit the situation. In the early days riot and disorder might accompany an election. The authorities would thereupon fix the qualifications so that the disorderly people could not vote next time. Then would come the theory to justify it—only those owning a certain number of acres would be considered fit to vote, only those of a certain religious faith, etc.
>
> Unquestionably this has happened in times of stress, for theory did not come to be the preliminary determining factor until complete peace and order prevailed, and even then theory was not uncolored by materialistic considerations. Suffrage limitations were bound to adapt themselves to social and economic conditions. In rural Virginia the freehold requirement of 50 acres excluded very few of the best type of men. But such a requirement in an urban community would have been intolerable. Obviously an absolute criterion could not obtain. It became necessary to adopt whatever criterion was calculated to embrace the best men.
>
> Moral qualifications were restricted almost exclusively to New England. It was sometimes necessary for the voter to show proof of his good character. At other times if one were accused of improper conduct it would cost him his vote, although the particular offense was not mentioned in the law. In the South there were restrictions against men of certain race—foreigners and Negroes were excluded.

I read further from Porter, "History of Suffrage," bottom of page 5 and all of page 6:

> All of the restrictions and qualifications can be seen to support one of two fundamental principles: One may be called the theory of right and the other the theory of the good of the State. Every qualification imposed had one of these two principles in view. Either it was established in order to fulfill the right which certain people were supposed to have, or else it was established simply in order to serve the best interest of the State. It might have been said that a man had a right to vote because he owned property, or because he was a resident, or because he paid taxes, or simply because the right to vote was a natural right. And this would be the guiding consideration without regard to the effect it might have on the well-being of the community. Thus in some places nonconformists were allowed to vote because their property right was recognized. Nonresidents were permitted to vote where they owned property solely because they were supposed to have a right to vote on account of their holdings. This theory of right was the first to appear and has always persisted. Each generation would seek to add a new subhead to the title, as it were, and base a right to vote on some new ground.
>
> The other great principle or theory had to do with the good of the state. It developed as soon as the narrow business-corporation concept was abandoned, and it was most emphasized by the Puritans. It continues to the present day but has never been entirely divorced from the theory of right. Under this theory of the good of the state men were excluded because they were not church members, because they were criminals, because they had not been residents a long-enough time. It is not always possible to classify every restriction definitely, but it may be said that one of these

two theories controls every modification of the suffrage.

In the North, there were no race qualifications, because the few free Negroes scattered through the northern Colonies seemed to have caused little alarm along suffrage lines. North Carolina, Georgia, South Carolina, and Virginia were the only colonies which disfranchised Negroes before the time of the Revolution, showing that either very few of them tried to vote or there was little aversion to it, the former probably being correct. At any rate, there was no race issue injected generally into the suffrage regulations. Another generation saw a marked change.

There was in none of the Colonies except Pennsylvania the rigid residence requirement of 2 years. And why the particular need there, true locally, yet not present elsewhere? Probably because of the conservative proprietor's desire to limit the influence of the many recent immigrants.

The property test was the most frequent and weightiest qualification. The cheapness of land led to the requirement above stated, in some instances, that the land be worth a certain sum in money or produce a certain income. Again we see the ever-present variations in the different Colonies. In Georgia there could not be the same money value requirement as in more thickly populated New England, and conversely, a voter in crowded New England could not have been required to own the same quantity of land as the voter in sparsely settled Georgia. In Virginia the varying standard of 50 acres of land, or 25 acres of land being worked and occupied by a house 12 feet square, or a town lot with a house of similar dimensions, was the answer to the rural versus urban problem. The city dwellers could not acquire land to a broad extent, and the rural dwellers resented a value fixation being set on the land to be held.

Five of the Colonies allowed the substitution of personal property for real estate:

This indicates a distinct concession of the urban communities, and it is significant that four of these States are in the small New England group, where the supply of real estate was limited. This adaptation of the suffrage qualification to the particular economic situation illustrates the willingness of men to adjust their ideas of what is fundamentally right to the needs of the dominant group. (Porter, "History of Suffrage in the United States," p. 9.)

The next breakdown in this type requirement is from personal property to taxpaying. As condition change, a trend emerges, the picture alters, and the statutory machinery with which we are equipped permits each State to shift or vary its position with the times.

Religious tests were decisive in New England, and common everywhere except in Pennsylvania. In the South, papists were usually specifically barred, New York barred Jews. Maryland also barred Catholics.

Massachusetts supplemented the religious tests by moral character qualifications. Later a property qualification was inserted as an alternative. Later the religious test disappeared. South Carolina, with her requirement that a voter acknowledge the being of God, was the last State to have the statutory religious standards for suffrage and religion as a qualification for voting passed out with the colonial period.

Citizenship and residence were of comparatively little importance in a new country, predominantly British.

Before turning to the Articles of Confederation and our Constitution, the following words concerning voting qualifications in the Colonies seem particularly appropriate:

It is of moment to note that there were no efforts at uniformity in the regulation of suffrage. In each Colony by charter, or more often by acts of the assembly, the elective franchise, was controlled independently. This commonwealth treatment of suffrage was the natural result of colonial history. So thoroughly grounded was this policy that when the Colonies seized sovereignty and organized a Federal Government the suffrage program was undisturbed.

It continued as the basic foundation on which all Federal elections must rest. (See McCulloch, "Suffrage and Its Problems," p. 29.)

The truth of the proposition that each State best knows its own conditions, and is best equipped to handle them, is shown by the direction of the Continental Congress, on May 10, 1776, following the outbreak of the Revolution, to each of the Colonies to "adopt such governments as shall best conduce to the happiness and safety of their constituents in particular, and America in general." Hart, "Formation of the Union, 1750–1829," at page 89. Following these instructions, the Colonies had already begun, before July 4, 1776, to draw up written instruments of government. I now desire to read a few paragraphs from McCulloch on "Suffrage and Its Problems." I read from page 30, the first paragraph:

With the separation from the mother country came very little change for the Colonies severally. The Union took the place of the Crown, while the various Commonwealth governments went on very much as before. Therefore, suffrage regulations were not disturbed at all; each Commonwealth continued to regulate the elective franchise independently. The several States sought directions of the Continental Congress as to framing constitutions to replace the old charters which had been granted by the King.

But after this had been done, the two sets of governments moved along independently. The central government under the Articles of Confederation interfered with the States as little as possible, and they do not seem to have looked to it even for advice.

The only point at which the two governments could touch even indirectly on suffrage matters was article V, which provided that the delegates to the Confederation Congress should be appointed in such manner as the legislatures of each State should direct.

Also, quoting directly from the Articles of Confederation, and to demonstrate the doctrines that remained ever uppermost in the minds of the founders of our country, I quote article II:

Each State retains its sovereignty, freedom, and independence, and every power, jurisdiction, and right which is not by this confederation expressly delegated to the United States in Congress assembled.

I now read from the Federalist Articles of Confederation, article V, the first paragraph:

For the more convenient management of the general interest of the United States, delegates shall be annually appointed in such manner as the legislature of each State shall direct, to meet in Congress on the first Monday in November, in every year, with a power reserved to each State to recall its delegates, or any of them, at any time within the year, and to send others in their stead, for the remainder of the year.

Also:

In determining questions in the United States in Congress assembled, each State shall have one vote.

The above provisions show clearly that matters of voting qualifications were to be left strictly to each State. The Articles of Confederation were inadequate and hurried, and later proved insufficient to cope with the changing United States and its manifold problems. A new and farsighted instrument was needed, a considered and well-debated structure built on a framework with a future. But, it is noteworthy, before we turn from the Articles of Confederation, that even though the country was in the midst of revolution, torn by varying doctrines and lacking in all organization at the time they were written, there was one thing that was not left out.

Many important things were left out, much was left a blank, but even in a time of crisis these men who were struggling for a workable governing organ to suit their needs and their hopes, kept one thing before them, the inviolable right of each State to determine the qualification of its voters and to control its own elections. They did not fail to preserve this right in the articles they drafted.

When the Articles of Confederation, which were adopted in time of stress without full cognizance of the problems to be solved and with the States themselves ill defined geographically and politically, proved unsatisfactory and insufficient, it was suggested by Hamilton in 1780, and later by Tom Paine, that a convention be called to revise the Articles of Confederation, and to draft a Constitution of the United States of America.

Let us go back to that Convention. There is drama in the air. Vital provisions for the constitutional structure of a new country are in the making. Each delegate has his own theories, his own pet beliefs to advance. All are filled with a desire for the best in government for their new country.

Maj. William Pierce, of Georgia, made some notes on the membership of the Convention. Among those historically well known to us today who were prominent in drafting provisions affecting voting qualifications was Rufus King, about whom Major Pierce said:

Mr. King is a man much distinguished for his eloquence and great parliamentary talents. He was educated in Massachusetts, and is said to have good classical as well as legal knowledge. He has served for 3 years in the Congress of the United States with great and deserved applause, and is at this time high in the confidence and approbation of his countrymen. This gentleman is about

33 years of age, about 5 feet 10 inches high, well formed, a handsome face, with a strong expressive eye, and a sweet high toned voice. In his public speaking there is something peculiarly strong and rich in his expression, clear, and convincing in his arguments, rapid and irresistible at times in his eloquence but he is not always equal. His action is natural, swimming, and graceful, but there is a rudeness of manner sometimes accompanying it. But take him tout ensemble, he may with propriety be ranked among the luminaries of the present age. ("United States Formation of the Union, Documents," p. 96.)

There was Nat Gorham, about whom it is said:

Mr. Gorham is a merchant in Boston, high in reputation, and much in the esteem of his countrymen. He is a man of very good sense, but not much improved in his education. He is eloquent and easy in public debate, but has nothing fashionable or elegant in his style; all he aims at is to convince, and where he fails it never is from his auditory not understanding him, for no man is more perspicuous and full. He has been President of Congress, and 3 years a member of that body. Mr. Gorham is about 46 years of age, rather lusty, and has an agreeable and pleasing manner. ("United States Formation of the Union, Documents," p. 96.)

One of the highlights was Alexander Hamilton.

Colonel Hamilton is deservedly celebrated for his talents. He is a practitioner of the law, and reputed to be a finished scholar.

To a clear and strong judgment he unites the ornaments of fancy, and whilst he is able, convincing, and engaging in his eloquence the heart and head sympathise in approving him. Yet there is something too feeble in his voice to be equal to the strains of oratory; it is my opinion that he is rather a convincing speaker, than a blazing orator. Colonel Hamilton requires time to think, he inquires into every part of his subject with the searchings of philosophy, and when he comes forward he comes highly charged with interesting matter, there is no skimming over the surface of a subject with him, he must sink to the bottom to see what foundation it rests on. His language is not always equal, sometimes didactic like Bolingbroke's, at others light and tripping like Stern's. His eloquence is not so defusive as to trifle with the senses, but he rambles just enough to strike and keep up the attention. He is about 33 years old, of small stature, and lean. His manners are tinctured with stiffness, and sometimes with a degree of vanity that is highly disagreeable. ("United States Formation Union, Documents," p. 98.)

From Connecticut came Oliver W. Ellsworth, who was on the committee of detail charged with forcing the provisions affecting elections:

Mr. Ellsworth is a judge of the supreme court in Connecticut; he is a gentleman of a clear, deep, and copious understanding; eloquent, and connected in public debate, and always attentive to his duty. He is very happy in a reply, and choice in selecting such parts of his adversary's arguments as he finds make the strongest impressions, in order to take off the force of them, so as to admit the power of his own. Mr. Ellsworth is about 37 years of age, a man much respected for his integrity, and venerated for his abilities. ("United States Formation," supra, p. 98.)

From Pennsylvania, on this committee, came Mr. James Wilson:

Mr. Wilson ranks among the foremost in legal and political knowledge. He has joined to a fine genius all that can set him off and show him to advantage. He is well acquainted with man, and understands all the passions that influence him. Government seems to have been his peculiar study, all the political institutions of the world he knows in detail, and can trace the causes and effects of every revolution from the earliest stages of the Grecian commonwealth down to the present time. No man is more clear, copious, and comprehensive than Mr. Wilson, yet he is no great orator. He draws the attention not by the charm of his eloquence, but by the force of his reasoning. He is about 45 years old. ("United States Formation," supra, p. 101.)

From Virginia came James Madison and Edmund Randolph:

Mr. Madison is a character who has long been in public life; and what is very remarkable, every person seems to acknowledge his greatness. He blends together the profound politician with the scholar. In the management of every great question he evidently took the lead in the convention, and though he cannot be called an orator, he is a most agreeable, eloquent, and convincing speaker. From a spirit of industry and application which he possesses in a most eminent degree, he always comes forward the best informed man of any point in debate. The affairs of the United States, he perhaps, has the most correct knowledge of, of any man in the Union.

He has been twice a Member of Congress, and was always thought one of the ablest Members that ever sat in that council. Mr. Madison is about 37 years of age, a gentleman of great modesty, with a remarkable sweet temper. He is easy and unreserved among his acquaintances, and has a most agreeable style of conversation. ("United States Formation," supra, p. 104.)

Mr. Randolph is Governor of Virginia, a young gentleman in whom unite all the accomplishments of a scholar and a statesman. He came forward with the postulate, or first principles, on which the convention acted, and he supported them with a force of eloquence and reasoning that did him great honor. He has a most harmonious voice, a fine person, and striking manners. Mr. Randolph is about 32 years of age. ("United States Formation," supra, p. 105.)

Robert Morris, with James Wilson, Benjamin Franklin, Gouverneur Morris, and others, represented Pennsylvania:

Robert Morris is a merchant of great eminence and wealth, an able financier, and a worthy patriot. He has an understanding equal to any public object and possesses an energy of mind that few men can boast of. Although he is not learned, yet he is as great as those who are. I am told that when he speaks in the Assembly of Pennsylvania, that he bears down all before him. What could have been his reason for not speaking in the convention I know not, but he never once spoke on any point. This gentleman is about 50 years old. ("United States Formation," supra, p. 101.)

On May 29, 1787, Edmund Randolph presented the following resolution:

Resolved therefore, That the rights of suffrage in the National Legislature ought to be proportioned to the quotas of contribution, or to the number of free inhabitants, as the one or the other rule may seem best in different cases.

Resolved, That the National Legislature ought to consist of two branches.

Resolved, That the Members of the first branch of the National Legislature ought to be elected by the people of the several States every (blank) for the term of (blank). ("United States Formation," supra p. 116.)

Mr. ELLENDER. Mr. President, I now yield the floor upon the conditions which were agreed upon before I began to speak.

Mr. MANSFIELD. Mr. President, do I correctly understand that when the Senate convenes at 9 o'clock tomorrow morning, the Senator from Arkansas will have the floor for a speech which he intends to make on the pending motion; that at the conclusion of that speech the floor will once again be taken by the distinguished Senator from Louisiana [Mr. ELLENDER]; and that the speech which the Senator from Louisiana will make then will be considered to be a part of the first speech he is making this afternoon?

The PRESIDING OFFICER (Mr. PELL in the chair). The Senator's statement is in accordance with the previous order, and is correct.

TRANSACTION OF ROUTINE BUSINESS

By unanimous consent, the following routine business was transacted:

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. YARBOROUGH, from the Committee on Labor and Public Welfare, with amendments:

S. 2697. A bill to amend chapters 33 and 35 of title 38, United States Code, to preserve the rights of reservists and National Guardsmen called or ordered to active duty on or after August 1, 1961 (Rept. No. 1309).

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. GOLDWATER (for himself, Mr. HAYDEN, Mr. BENNETT, Mr. ALLOTT, Mr. CHAVES, and Mr. MOSS):

S. 3033. A bill to amend the act of April 19, 1950, relating to the rehabilitation of the Navajo and Hopi Tribes of Indians, to authorize certain additional highway projects; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. GOLDWATER when he introduced the above bill, which appear under a separate heading.)

By Mr. DODD:

S. 3034. A bill to authorize grants to local school boards to assist in defraying certain costs incident to the elimination of segregation in public elementary and secondary schools; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. DODD when he introduced the above bill, which appear under a separate heading.)

By Mr. SALTONSTALL (for himself and Mr. BYRD of Virginia):

S. 3035. A bill to clarify the components of, and to assist in the management of, the national debt; to the Committee on Finance.

(See the remarks of Mr. SALTONSTALL when he introduced the above bill, which appear under a separate heading.)

By Mr. BEALL:

S. 3036. A bill for the relief of Max Kahn; to the Committee on the Judiciary.

By Mr. CHURCH:

S. 3037. A bill for the relief of Noreen Joyce Baden; and

S. 3038. A bill for the relief of Eng Ton Ho; to the Committee on the Judiciary.

By Mr. FONG:

S. 3039. A bill for the relief of Bartola Maria S. La Madrid; to the Committee on the Judiciary.

By Mr. SMATHERS:

S. 3040. A bill for the relief of Paul Griffith; to the Committee on the Judiciary.

By Mr. YARBOROUGH:

S. 3041. A bill to authorize the conveyance of certain lands in Harris County, Tex., to the State of Texas or the county of Harris; to the Committee on Government Operations.

By Mr. SMITH of Massachusetts:

S. 3042. A bill for the relief of Mr. Giuseppe Abbatiello; to the Committee on the Judiciary.

By Mr. HART (for himself, Mr. KEATING, Mr. HUMPHREY, Mr. JAVITS, Mr. MCNAMARA, Mr. LONG of Missouri, Mrs. NEUBERGER, Mr. CLARK, Mr. PROXMIRE, Mr. LONG of Hawaii, and Mr. DOUGLAS):

S. 3043. A bill to amend the Immigration and Nationality Act; to the Committee on the Judiciary.

(See the remarks of Mr. HART when he introduced the above bill, which appear under a separate heading.)

By Mr. MAGNUSON (by request):

S. 3044. A bill to amend the Interstate Commerce Act to grant to any carrier of coal by pipeline, subject to any of the provisions of part I of the act, the right of eminent domain, and for other purposes; to the Committee on Commerce.

(See the remarks of Mr. MAGNUSON when he introduced the above bill, which appear under a separate heading.)

By Mr. EASTLAND:

S. 3045. A bill to provide for the conveyance of all interests of the United States in certain land in Jefferson County, Miss., to the holders of record of the fee interest in such land; and

S. 3046. A bill to provide for the conveyance of certain mineral rights to D. C. Smith of Fayette, Miss.; to the Committee on Interior and Insular Affairs.

By Mr. MOSS:

S. 3047. A bill to amend the act of June 14, 1926 (44 Stat. 741), as amended, to provide that conveyances under such act for State park purposes shall be made without consideration;

S. 3048. A bill to amend the act of June 14, 1926, as amended, to provide that lands conveyed under such act for State park purposes shall not be subject to the 640-acre limitation contained in such act, and to provide that conveyances for such purposes shall be without consideration; and

S. 3049. A bill to authorize the Secretary of the Interior to take possession of the experimental oil-shale demonstration facility near Rifle, Colo., and through contract or lease to a public or private organization to encourage the use of the plant for further research in the mining and utilization of oil shale; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. MOSS when he introduced the last above-mentioned bill, which appear under a separate heading.)

By Mr. SALTONSTALL:

S. J. Res. 175. Joint resolution authorizing the Secretary of the Navy to receive for instruction at the U.S. Naval Academy at Annapolis two citizens and subjects of the Kingdom of Belgium; to the Committee on Armed Services.

(See the remarks of Mr. SALTONSTALL when he introduced the above joint resolution, which appear under a separate heading.)

RESOLUTION

ANDREW J. METCALF—REFERENCE OF BILL TO COURT OF CLAIMS

Mr. MAGNUSON submitted the following resolution (S. Res. 320) to refer a private bill to the Court of Claims; which was referred to the Committee on the Judiciary:

Resolved, That the bill (S. 1460) entitled "A bill for the relief of Andrew J. Metcalf", now pending in the Senate, together with accompanying papers, is hereby referred to the Court of Claims; and the court shall proceed with the same in accordance with the provisions of sections 1492 and 2509 of title 28 of the United States Code and report to the Senate at the earliest practicable date.

AMENDMENT OF IMMIGRATION AND NATIONALITY ACT OF 1952

Mr. HART. Mr. President, on behalf of myself, and Senators KEATING, HUMPHREY, JAVITS, MCNAMARA, LONG of Missouri, NEUBERGER, CLARK, PROXMIRE, LONG of Hawaii, DOUGLAS, WILLIAMS of New Jersey, SCOTT, and DODD, I introduce for appropriate reference, a bill to amend the Immigration and Nationality Act.

A decade has passed since Congress enacted the Immigration and Nationality Act of 1952 to replace the act of 1924. By consolidating a number of statutes into a single law and favorably modifying some of the nationality and racial discriminations, the act of 1952 marked an advance over previous legislation. Unfortunately, however, it also perpetuated many of the old discriminations and added some new ones. President Truman vetoed the act, but Congress passed it over his veto.

Since 1952, the act has engendered severe criticism from many American citizens. The nature of this criticism is given eloquent expression in the 1960 platforms of both the Democratic and Republican Parties.

The Democratic Party plank on immigration in pertinent part states:

> We shall adjust our immigration, nationality and refugee policy to eliminate discrimination and to enable members of scattered families abroad to be united with relatives already in our midst.
>
> The national-origins quota system limiting immigration contradicts the founding principles of this Nation. It is inconsistent with our belief in the rights of man.
>
> The revision of immigration and nationality laws we seek will implement our belief that enlightened immigration, naturalization, and refugee policies and humane administration of them are important aspects of our foreign policy.

The Republican Party plank on the present immigration quota system reads as follows:

> Immigration has been reduced to the point where it does not provide the stimulus to growth that it should, nor are we fulfilling our obligation as a haven for the oppressed. Republican conscience and Republican policy requires that—
>
> The annual number of immigrants we accept be at least doubled.
>
> Obsolete immigration laws be amended by abandoning the outdated 1920 census data as a base and substituting the 1960 census.
>
> The guidelines of our immigration policy be based upon judgment of the individual merit of each applicant for admission and citizenship.

The strictures in the present quota system have made the reunion of families difficult and sometimes impossible. In the conduct of our international relations, the act's discriminatory provisions on national-origins quotas and the Asia-Pacific triangle increasingly come in conflict with our position in world affairs.

The United States need not, however, apologize for our immigration record since 1952. It is a commendable one. Over 2½ million immigrants have been admitted to this country, including nearly 1 million displaced persons, refugees, and escapees. Much progress has also been made in the reunion of families. But this record has not been achieved under the Immigration and Naturalization Act of 1952. It has been achieved in spite of it. The purpose of this bill is to set the record straight, and to bring our immigration statutes in line with our national goals.

The present national origins quota system has not worked. Congress has periodically recognized its shortcomings and has repeatedly enacted special, short-term immigration and refugee legislation. The cumulative effect of this special legislation has so modified our immigration practice that the act of 1952 no longer represents our immigration quota policy. Of the 1½ million quota immigrants authorized during the 1950's, only a million actually entered the United States. However, 1½ million nonquota immigrants were admitted during the same period. In short, out of a total immigration of 2½ million, 3 out of 5 persons were admitted outside the quota provisions of the Immigration and Naturalization Act of 1952.

Through special legislation, the Congress has drastically revised the pattern of immigration envisioned by the act of 1952. Nations with very small quotas have been among the most substantial contributors to recent immigration. Italian immigration, for example, has been three times greater than its quota allotment. Japanese immigration has been over 20 times greater. Immigration from Greece and China has been 16 times the very small number permitted by their quotas.

This transformation of our immigration practice has most desirable results. Thousands of families are reunited, hundreds of thousands of refugees from political and religious persecution are finding an opportunity to create new lives in a free land, and this country profits greatly through the addition of thousands of skilled and talented persons who are contributing to our social and economic growth.

We have demonstrated the vitality of our democratic society and its ability to respond to human needs, but the discriminatory quota provisions of the Immigration and Naturalization Act of 1952 still remain on our books giving offense to peoples of many nations who

are our friends. America's role of leadership in the free world is one of great sensitivity and our position is not enhanced by an immigration policy which implies that some nationalities and some races are less desirable members of the family of man than are others.

Just as world events of 25 years ago forced us to abandon splendid isolation the events of today must move us toward an immigration policy consistent with our philosophy as a free and democratic nation.

America's struggle with totalitarianism is far more than a contest for dominance in world power politics. Above all, it is a struggle for the vindication of democracy's belief in the individual worth of human beings as opposed to the totalitarian concept that individuals have no identity except as components in the political and economic structure of society.

The incongruities of our basic immigration statute deeply trouble those of us who join in the introduction of this new proposal. Until those provisions of our immigration laws which discriminate against certain national and racial groups are eliminated, our laws needlessly provide grist for the propaganda mills of Moscow and Peiping.

The bill which we offer today is not a general revision of the Immigration and Nationality Act. It is concerned only with the number of immigrants to be admitted and the distribution of their selection. It is the result of careful and painstaking study of our immigration practice and experience over the past 15 years. In preparing the bill, we had the invaluable counsel and experience of the American Immigration and Citizenship Conference and its affiliated organizations—the voluntary service agencies and community, civic and labor organizations.

Particular acknowledgment should go to an ad hoc committee of these organizations which has given intensive study to this problem for almost 2 years.

In July 1961 these organizations submitted a statement to the President of the United States which was also circulated to Members of Congress. Mr. President, I ask unanimous consent that this statement, with the names of the participating organizations, be inserted in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

JULY 21, 1961.

To the PRESIDENT OF THE UNITED STATES:

We, the undersigned agencies, having a long and continuing interest in American immigration policy, wish to urge you to take the lead in developing a nondiscriminatory, humanitarian immigration policy consistent with and in fulfillment of the immigration plank adopted by the Democratic Party in July 1960 and in harmony with the spirit of the Republican plank also adopted in July 1960. These planks implicitly acknowledge the fact that the present law is discriminatory and impedes the achievement of our national purposes.

We respectfully call your attention to the following goals as being in the national interest:

1. A total number of admissions of quota immigrants based upon one-seventh of 1 percent of the total population of the United States according to the most recent census rather than the present basis of one-sixth of 1 percent of the white population of the United States according to the 1920 census, while retaining nonquota status for the Western Hemisphere.

2. The replacement of the national origins quota system and the Asia Pacific triangle by some formula such as that based on the relative populations of the countries of the world, combined with such factors as actual admissions under the basic immigration law and special immigration legislation during the postwar years.

3. A greater emphasis in legislation on family reunion in the United States by extending nonquota and preference quota status to family members abroad seeking to join their families in the United States.

4. Permanent provision in the basic immigration law for the allocation of a percentage of the total proposed quota to refugees from any refugee area and to persons with special skills needed by our economy.

In view of your long record of concern for better immigration policy, we feel confident that as Chief Executive you will effectively pursue these goals.

Respectfully submitted by the following:

Allegheny County Committee on Immigration and Naturalization.
Amalgamated Clothing Workers of America.
American Council for Emigres in the Professions.
American Council for Nationalities Service.
American Committee on Italian Migration.
American Friends Service Committee.
American Fund for Czechoslovak Refugees.
American Jewish Committee.
American Jewish Congress.
Anti-Defamation League of B'nai B'rith.
Brethren Service Commission.
Church World Service, National Council of Churches of Christ.
Commission on Human Relations, City of Pittsburgh, Pa.
Community Church of New York, Social Action Committee.
Congregational Christian Service Committee.
Council for Christian Action of the Congregational Christian Church.
Governor's Commission on Refugees, Massachusetts.
Immigrants' Service League, Chicago.
International Institute of Gary, Ind.
International Institute, Jersey City.
International Institute of Los Angeles.
International Institute of Minnesota.
International Institute of Providence.
International Institute of San Francisco.
International Institute of Toledo.
International Rescue Committee.
International Social Service, American Branch.
International Union of Electrical, Radio and Machine Workers.
Iuliu Maniu American Romanian Relief Society.
Italian Welfare League.
Japanese American Citizens League.
Jewish War Veterans.
Methodist Committee for Overseas Relief.
Michigan Committee on Immigration.
National Community Relations Advisory Council.
National Conference of Catholic Charities.
National Council of Jewish Women.
National Council, Protestant Episcopal Church.
New York Association for New Americans.
New York Protestant Episcopal City Mission Society.
Polish American Immigration and Relief Committee.
Selfhelp of Emigres from Central Europe.
The United Presbyterian Church in the U.S.A., Committee on Resettlement Services.
Tolstoy Foundation.
Union of American Hebrew Congregations, Social Action Commission.
United Automobile Workers of America, AFL–CIO.
United Hias Service.
United States Committee for Refugees.
United Steelworkers of America.
Young Women's Christian Association of the U.S.A.

Mr. HART. Mr. President, our bill closely follows the recommendations in the above statement. Its major provisions are as follows: 250,000 quota visas are authorized per year, of which 50,000 are to be made available to refugees and/or escapees without regard to quota areas. The remaining 200,000 quota visas are to be allocated to countries under a two-part computation.

First, 80,000 quota visas are to be divided among countries in proportion to the size of their population to world population, but no one country is to get more than 3,000 numbers under this category.

Second, 120,000 quota visas are to be allocated to countries based on the proportion of their immigration to the United States over the past 15 years to total of all immigration to the United States for the same period.

No quota area shall get less than it got under the old law, except that the maximum is 25,000. The minimum quota is 200.

Quotas are allocated to applicants either by country of birth or by country of citizenship, provided he has been domiciled for 10 years or more in the place of citizenship.

All unused quota numbers at the end of the year are pooled and divided among quota areas having a backlog of applicants waiting for immigrant visas. No quota area shall get from this pool a number of visas greater than its regular annual quota and no more than 100,000 numbers may be used from the pool in any one year.

Quotas under the bill will be revised every 5 years based on latest data. Within the quotas 60 percent are available to "blood relatives of a citizen or of an alien lawfully admitted for permanent residence through the third degree of consanguinity, their spouses and children." The remaining 40 percent is available to other qualified immigrants.

Persons born in the Western Hemisphere remain nonquota. Also nonquota status is expanded to include the parents of a U.S. citizen and persons with special skills, including spouse and children.

The bill automatically eliminates the Asia-Pacific triangle provisions.

To provide a more precise understanding of how the proposal would operate, the Visa Division of the Department of State has made a computation of the proposed new quotas.

Mr. President, I ask unanimous consent that a table be printed in the RECORD at this point which sets forth the

present immigration quotas, average actual immigration by countries over the last 10 years, the new quotas provided under this bill, and the present number of registrants in oversubscribed quota areas. The table includes those countries which have been the principal contributors to immigration to this country from 1951 to 1960.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Comparative table of recent immigration levels and oversubscribed quotas to existing quotas and quotas proposed under 1962 bill, principal countries contributing to recent immigration

	Present quota	Average immigration, 1951-60	Proposed quotas	Immigrants registered oversubscribed quotas
Europe:				
Austria	1,405	2,968	2,595	4,590
Belgium	1,297	1,292	1,710	
Czechoslovakia	2,859	2,980	3,857	
Denmark	1,175	1,370	1,293	3,071
Finland	569	999	792	2,992
France	3,069	3,302	6,172	7,756
Germany	25,814	34,545	25,000	
Greece	308	4,844	3,458	105,659
Hungary	865	6,455	4,556	17,470
Ireland	17,756	6,455	17,756	
Italy	5,666	18,708	15,648	268,773
Latvia	236	1,914	2,292	1,709
Lithuania	384	1,186	1,841	2,290
Netherlands	3,136	4,719	3,902	8,666
Norway	2,364	2,467	2,364	
Poland	6,488	12,708	13,848	57,657
Portugal	438	2,943	1,892	30,559
Rumania	289	1,743	2,441	14,892
Spain	250	1,072	2,614	16,396
Sweden	3,295	1,886	3,295	
Switzerland	1,698	1,719	1,698	3,392
Turkey	225	664	2,365	18,129
United Kingdom	65,361	20,887	22,000	[1] 48,573
U.S.S.R.	2,697	4,650	6,487	8,613
Yugoslavia	942	5,866	5,295	79,732
Asia:				
China	105	3,274	5,335	[2] 2,860 [3] 22,000
India	100	314	3,233	14,067
Indonesia	100	1,012	3,790	8,576
Iran	100	291	1,586	10,384
Iraq	100	190	458	7,320
Israel	100	935	810	15,196
Japan	185	4,467	5,378	8,862
Jordan	100	511	507	3,194
Korea	100	702	2,616	1,192
Lebanon	100	437	565	5,358
Philippines	100	1,809	2,913	8,124
Africa:				
Morocco	100	216	964	5,278
Tunisia	100	137	259	4,518
Union of South Africa	100	232	1,243	3,296
United Arab Republic	100	618	1,670	11,966
Oceania:				
Australia	100	500	1,344	4,982
New Zealand	100	189	397	1,586

[1] Subquota areas:

Antigua	583
Bahamas	782
Barbados	2,923
Bermuda	178
British Guiana	2,827
British Honduras	2,686
British Virgin Islands	886
Grenada	952
Hong Kong	510
Jamaica	25,614
Malta	5,644
Montserrat	424
St. Christopher	1,043
St. Lucia	114
St. Vincent	496
Trinidad	2,931

[2] Whites.
[3] Chinese.

Mr. HART. Mr. President, an examination of the table illustrates that the bill is responsive to demonstrated immigration requirements, and provides increases to a number of countries whose present quotas are totally unrealistic and who previously have been dependent on the special short-term enactments of Congress.

It is my firm belief that this proposal is an equitable and completely practicable approach to immigration policy and practice.

Mr. President, I ask unanimous consent that the bill be printed in full at this point in the RECORD and that it lay on the table for 1 week so that other Senators who wish to join in cosponsorship may have an opportunity to do so.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD and will lie on the desk, as requested by the Senator from Michigan.

The bill (S. 3043) to amend the Immigration and Nationality Act, introduced by Mr. HART (for himself and other Senators), was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph (27) of section 101(a) of the Immigration and Nationality Act is amended—

(1) by amending subparagraph (A) to read as follows:

"(A) an immigrant who is the child, spouse, or parent of a citizen of the United States;";

(2) by amending subparagraph (C) to read as follows:

"(C) an immigrant who was born in Canada, the Republic of Mexico, the Republic of Cuba, the Republic of Haiti, the Dominican Republic, the Canal Zone, an independent country of Central or South America, or any of the adjacent islands which becomes an independent country, and the spouse or the child of any such immigrant, if accompanying or following to join him;";

(3) by striking "or" at the end of subparagraph (F);

(4) by striking the period at the end of subparagraph (G) and inserting in lieu thereof a semicolon and "or"; and

(5) by adding the following new subparagraph at the end thereof:

"(H)(i) an immigrant whose services are determined by the Secretary of Labor to be needed urgently in the United States because of the high education, technical training, specialized experience, or exceptional ability of such immigrant and to be substantially beneficial prospectively to the national economy, cultural interests, or welfare of the United States; and (ii) the spouse or the child of any such immigrant, if accompanying or following to join him within a period of one year after he is admitted to the United States for permanent residence.".

SEC. 2. Section 201 of the Immigration and Nationality Act is amended to read as follows:

"NUMERICAL LIMITATIONS; REFUGEE VISAS; ANNUAL QUOTAS; MINIMUM AND MAXIMUM QUOTAS

"SEC. 201. (a) The number of quota immigrants visas to be issued in any fiscal year, except for any such visas to be issued under subsection (e) of this section, shall not exceed two hundred and fifty thousand, of which number (1) fifty thousand immigrant visas shall be made available for issuance in each fiscal year, without regard to the quota of each quota area for such year and the limitations of subsection (c) (1) and (2) of this section, (A) to qualified quota immigrants in a country or area which is neither Communist nor Communist-dominated, who because of persecution, fear of persecution, or military operations are out of their usual place of abode and unable to return thereto, and who have not been firmly resettled, and (B) to the spouse or the child of any such immigrant, if accompanying or following to join him within a period of one year after he is admitted to the United States for permanent residence; (2) eighty thousand visas shall be allotted among the annual quotas of the separate quota areas on the basis of the proportion which the number of inhabitants in each quota area represents of the world population exclusive of those countries specified in section 101(a)(27)(C) of this Act; except that the maximum quota for any quota area allotted under this distribution shall be three thousand; and (3) one hundred and twenty thousand visas shall be allotted among the annual quotas of the separate quota areas on the basis of the proportion which the average annual number of quota and nonquota immigrants admitted to the United States from any such quota area during the period of fifteen consecutive years immediately prior to the effective date of the Immigration and Nationality Act of 1962 represents of the average annual number of quota and nonquota immigrants admitted to the United States during such period: *Provided*, That the minimum annual quota under this Act for any quota area shall be two hundred, and the maximum annual quota under this Act for any quota area shall be 25,000: *Provided further*, That subject to the limitations of the maximum annual quota, in no case shall the annual quota for any quota area allotted under this subsection be less than the annual quota for such area as heretofore determined under the provisions of the Immigration and Nationality Act prior to the effective date of the Immigration and Nationality Act of 1962.

"(b) The determination of the annual quota of any quota area shall be made by the Secretary of State, the Secretary of Commerce, and the Attorney General, jointly. Such officials shall, jointly, report to the President the quota of each quota area, and the President shall proclaim and make known the quotas so reported. Such determination and report shall be made and such proclamation shall be issued as soon as practicable after the date of enactment of the Immigration and Nationality Act of 1962. Quotas proclaimed therein shall take effect on the first day of the fiscal year, or the next fiscal half year, next following the expiration of six months after the date of the proclamation, and until such date the existing quotas proclaimed immediately prior to the effective date of the Immigration Act of 1962 shall remain in effect. After the making of a proclamation under this subsection the quotas proclaimed therein shall continue with the same effect as if specifically stated herein and shall be final and conclusive for every purpose, except (1) insofar as it is made to appear to the satisfaction of such officials and proclaimed by the President, that an error of fact has occurred in such determination or in such proclamation, or (2) in the cases provided for in section 202(d).

"(c) Except as otherwise provided in subsections (a)(1) and (e) of this section, there shall be issued to quota immigrants chargeable to any quota of a quota area (1) no more immigrant visas in any fiscal year than the quota for such year for such quota area, and (2) in any calendar month of any fiscal year, no more immigrant visas than 10 per centum of the quota for such year for such quota area; except that during the last two months of any fiscal year immigrant visas may be issued without regard to the 10 per centum limitation contained herein.

"(d) Nothing in the Act shall prevent the issuance (without increasing the total number of quota immigrant visas which may be issued) of an immigrant visa to an immigrant as a quota immigrant even though he is a nonquota immigrant.

"(e) All quota numbers available in any fiscal year, but not actually used during such fiscal year, shall be assigned to a general pool and made available for distribution in the next following fiscal year for use by qualified quota immigrants of those quota areas which, at the close of the fiscal year immediately preceding the year of authorized distribution, had immigrants registered on quota waiting lists. Each such quota area shall be entitled to a number of the quota numbers assigned to the general pool for use during any fiscal year in the same proportion as the number of immigrants registered, at the close of the preceding fiscal year, on quota waiting lists of such quota area bears to the number of immigrants registered, at the close of the preceding fiscal year, on quota waiting lists of all such quota areas. In no case shall (1) more than 100,000 quota numbers be made available in any fiscal year for distribution from such pool, and (2) the quota numbers distributed to any quota area in any fiscal year from such pool be in excess of the annual quota for such quota area for such year under paragraphs (2) and (3) of subsection (a) of this section. Such quota numbers distributed among such quota areas in any fiscal year shall be made available within each quota area, first for the issuance of immigrant visas to the class specified in paragraph (1) of section 203(a), and second for the issuance of immigrant visas to the class specified in paragraph (2) of section 203(a).

"(f) In the issuance of immigrant visas under clause (1) of subsection (a) of this section, due consideration shall be given to equal distribution as determined by the registered demand."

SEC. 3. Section 202 of the Immigration and Nationality Act is amended to read as follows:

"DETERMINATION OF QUOTA TO WHICH AN IMMIGRANT IS CHARGEABLE

"SEC. 202. (a) Each independent country, self-governing dominion, mandated territory, and territory under the international trusteeship system of the United Nations, other than the United States and its outlying possessions and the countries specified in section 101(a)(27)(C), shall be treated as a separate quota area when approved by the Secretary of State. All other inhabited lands shall be attributed to a quota area specified by the Secretary of State. For the purposes of this Act, the annual quota to which an immigrant is chargeable shall be determined by birth within a quota area, or citizenship of a quota area acquired by such immigrant if he has been domiciled within such area for at least ten years immediately preceding his date of registration on a consular waiting list, except that—

"(1) an alien child, when accompanied by or following to join his alien parent or parents may be charged to the quota of such parent or of either such parent if such parent has received or would be qualified for an immigrant visa, if necessary to prevent the separation of the child from the parent or parents, and if the quota to which such parent has been or would be chargeable is not exhausted for that fiscal year;

"(2) if an alien is chargeable to a different quota from that of his spouse, whom he is accompanying or following to join, the quota to which such alien is chargeable may, if necessary to prevent the separation of husband and wife, be determined by the quota of the spouse, whom he is accompanying or following to join, if such spouse has received or would be qualified for an immigrant visa and if the quota to which such spouse has been or would be chargeable is not exhausted for that fiscal year;

"(3) an alien born in the United States shall be considered as having been born in ject, or if he is not a citizen or subject of the country of which he is a citizen or subany country then in the last foreign country in which he had his residence as determined by the consular officer;

"(4) an alien born within any quota area in which neither of his parents was born and in which neither of his parents had a residence at the time of such alien's birth may be charged to the quota area of either parent.

"(b) Any immigrant born in a colony or other component or dependent area of a governing country for which no separate or specific quota has been established, unless a nonquota immigrant as provided in section 101(a)(27) of this Act, shall be chargeable to the quota of the governing country.

"(c) The provision of an immigration quota for a quota area shall not constitute recognition by the United States of the political transfer of territory from one country to another, or recognition of a government not recognized by the United States.

"(d) After the determination of quotas has been made as provided in section 201, revision of the quotas shall be made by the Secretary of State, the Secretary of Commerce, and the Attorney General, jointly, (1) after each period of five years on the basis of the most current authoritative data, and (2) whenever necessary, to provide for any change of boundaries resulting in transfer of territory from one sovereignty to another, a change of administrative arrangements of a colony or other dependent area, or any other political change, requiring a change in the list of quota areas or of the territorial limits thereof. In the case of a revision of quotas after each period of five years, the Secretary of State, the Secretary of Commerce, and the Attorney General shall, jointly, report to the President the quota of each quota area, and the President shall proclaim and make known the quotas so reported. Such determination and report shall be made and such proclamation shall be issued as soon as practicable after the termination of each period of five years. Quotas proclaimed therein shall take effect on the first day of the fiscal year, or the next fiscal half year, next following the expiration of six months after the date of such proclamation, and until such date the existing quotas proclaimed under the immediately preceding proclamation shall remain in effect. After the making of a proclamation under this subsection the quotas proclaimed therein shall continue with the same effect as if specifically stated herein and shall be final and conclusive for every purpose, except (A) insofar as it is made to appear to the satisfaction of such officials and proclaimed by the President, that an error of fact has occurred in such determination or in such proclamation, or (B) in the cases provided for in this subsection. In the case of any change in the territorial limits of quota areas, not requiring a change in the quotas for such areas, the Secretary of State shall, upon recognition of such change, issue appropriate instructions to all consular offices concerning the change in the territorial limits of the quota areas involved. Whenever one or more colonies or other component or dependent areas overseas from the governing country, or one or more quota areas have been subject to a change of administrative arrangements, a change of boundaries, or any other political change, the annual quota of the newly established quota area or the number of visas authorized to be issued under section 202(b), notwithstanding any other provisions of this Act, shall not be less than the sum total of quotas in effect or number of visas authorized for the area immediately preceding the change of administrative arrangements, change of boundaries, or other political change."

SEC. 4. Section 203 of the Immigration and Nationality Act is amended to read as follows:

"ALLOCATION OF IMMIGRANT VISAS WITHIN QUOTAS

"SEC. 203. (a) Immigrant visas to quota immigrants under section 201(a) (2) or (3) shall be allotted in each fiscal year as follows:

"(1) The first 60 per centum of the quota of each quota area for such year, plus any portion of such quota not required for the issuance of immigrant visas to the class specified in paragraph (2), shall be made available for the issuance of immigrant visas first to qualified quota immigrants who are the spouse, children, or parents of an alien lawfully admitted for permanent residence; and any portion of the quota of each quota area for such year available to such immigrants but not required for the issuance of immigrant visas to such immigrants shall be

made available for the issuance of immigrant visas (A) to qualified quota immigrants who are the blood relatives of a citizen or of an alien lawfully admitted for permanent residence, through the third degree of consanguinity, and (B) to qualified quota immigrants who are the spouse or children (including adopted children) of any immigrant described in clause (A) if accompanying or following to join him within a period of one year after such immigrant is admitted to the United States for permanent residence.

"(2) The next 40 per centum of the quota for each quota area for such year, plus any portion of such quota not required for the issuance of immigrant visas to the classes specified in paragraph (1), shall be made available for the issuance of immigrant visas to other qualified quota immigrants chargeable to such quota.

"(b) Quota immigrant visas issued to aliens in the classes designated in paragraphs (1) and (2) of subsection (a) shall, in the case of each quota, be issued to qualified quota immigrants strictly in the chronological order in which such immigrants are registered in each class on quota waiting lists which shall be maintained for each class in accordance with regulations prescribed by the Secretary of State.

"(c) In determining the order for consideration of applications for quota immigrant visas under subsection (a), consideration shall be given first to applications under paragraph (1) and second to applications under paragraph (2).

"(d) Every immigrant shall be presumed to be a quota immigrant until he establishes to the satisfaction of the consular officer, at the time of application for a visa, and to the immigration officers, at the time of application for admission, that he is a nonquota immigrant. Every quota immigrant shall be presumed to be a quota immigrant under paragraph (2) of subsection (a) until he establishes to the satisfaction of the consular officer and the immigration officers that he is entitled to a quota status under paragraph (1) of such subsection."

SEC. 5. (a) The heading of section 204 of the Immigration and Nationality Act is amended by striking "or section 203(a)(1)(A)" and inserting in lieu thereof "101(a)(27)(H)(i)".

(b) The text of section 204 of such Act is amended by striking "section 203(a)(1)(A)" wherever it appears therein and inserting in lieu thereof "101(a)(27)(H)(i)".

SEC. 6. Section 205 of the Immigration and Nationality Act is amended to read as follows:

"PROCEDURE FOR GRANTING NONQUOTA OR QUOTA STATUS BY REASON OF RELATIONSHIP

"SEC. 205. (a) In the case of any alien claiming in his application for an immigrant visa to be entitled to a nonquota immigrant status under section 101(a)(27)(A), or to a quota immigrant status under section 203(a)(1), the consular officer shall not grant such status until he has been authorized to do so as provided in this section.

"(b) Any citizen of the United States claiming that any immigrant is his spouse, child, or parent and that such immigrant is entitled to a nonquota immigrant status under section 101(a)(27)(A), or any alien lawfully admitted for permanent residence claiming that any immigrant is his spouse, child, or parent and that such immigrant is entitled to a quota immigrant status under section 203(a)(1), or any citizen of the United States or any alien lawfully admitted for permanent residence claiming that any immigrant is his relative within the third degree of consanguinity and that such immigrant is entitled to a quota immigrant status under section 203(a)(1)(A), may file a petition with the Attorney General. No petition for nonquota immigrant status in behalf of a child as defined in section 101(b)(1)(F) shall be approved by the Attorney General unless the petitioner establishes to the satisfaction of the Attorney General that the petitioner and spouse will care for such child properly if he is admitted to the United States, and (1) in the case of a child adopted abroad, that the petitioner and spouse personally saw and observed the child prior to or during the adoption proceedings, and (ii) in the case of a child coming to the United States for adoption, that the petitioner and spouse have complied with the preadoption requirements, if any, of the State of such child's proposed residence. The petition shall be in such form and shall contain such information and be supported by such documentary evidence as the Attorney General may by regulations prescribe. The petition shall be made under oath administered by any individual having authority to administer oaths, if executed in the United States, but, if executed outside the United States, administered by an immigration officer or a consular officer.

"(c) After an investigation of the facts in each case the Attorney General shall, if he determines the facts stated in the petition are true and that the alien in respect of whom the petition is made is eligible for a nonquota immigrant status under section 101(a)(27)(A) or for a quota immigrant status under section 203(a)(1), approve the petition and forward one copy thereof to the Department of State. Not more than two such petitions may be approved for one petitioner in behalf of a child as defined in section 101(b)(1)(E) or (F) unless necessary to prevent the separation of brothers and sisters. The Secretary of State shall then authorize the consular officer concerned to grant the nonquota immigrant status, or quota immigrant status, as the case may be. Notwithstanding the provisions of this subsection, no petition shall be approved if the alien previously has been accorded, by reason of marriage determined by the Attorney General to have been entered into for the purpose of evading the immigration laws, a nonquota status under section 101(a)(27)(A) as the spouse of a citizen of the United States or of an alien lawfully admitted for permanent residence.

"(d) Nothing in this section shall be construed to entitle an immigrant, in respect of whom a petition under this section is approved, to enter the United States as a nonquota immigrant under section 101(a)(27)(A) if upon his arrival at a port of entry in the United States he is found not to be entitled to such classification, or to enter the United States as a quota immigrant under section 203(a)(1) if upon his arrival at a port of entry in the United States he is found not to be entitled to such classification."

SEC. 7. Section 212 (a) of the Immigration and Nationality Act is amended by striking, in paragraph (14), the following: "(i) those aliens described in the nonpreference category of section 203 (a) (4), (ii)".

SEC. 8. Section 201 of the table of contents of the Immigration and Nationality Act is amended to read as follows:

"Sec. 201. Numerical limitations; refugee visas; annual quotas; minimum and maximum quotas."

SEC. 9. Section 204 of the table of contents of the Immigration and Nationality Act is amended to read as follows:

"Sec. 204. Procedure for granting immigrant status under section 101(a)(27)(F)(i) or 101(a)(27)(I)(i)."

SEC. 10. Section 205 of the table of contents of the Immigration and Nationality Act is amended to read as follows:

"Sec. 205. Procedure for granting nonquota or quota status by reason of relationship."

SEC. 11. This Act may be cited as the "Immigration and Nationality Act of 1962."

Mr. MANSFIELD subsequently said: Mr. President, I ask unanimous consent that the bill to amend the Immigration and Naturalization Act, introduced today by the Senator from Michigan [Mr. HART] be held at the desk for 1 week for additional cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

RIGHT OF EMINENT DOMAIN TO CARRIERS OF COAL BY PIPELINE

Mr. MAGNUSON. Mr. President, by request, I introduce, for appropriate reference, a bill to amend the Interstate Commerce Act to grant to any carrier of coal by pipeline, subject to any of the provisions of part 1 of the act, the right of eminent domain, and for other purposes. I ask unanimous consent that a letter from the President of the United States requesting the proposed legislation be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the RECORD.

The bill (S. 3044) to amend the Interstate Commerce Act to grant to any carrier of coal by pipeline, subject to any of the provisions of part 1 of the act, the right of eminent domain, and for other purposes, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, and referred to the Committee on Commerce.

The letter presented by Mr. MAGNUSON is as follows:

MARCH 20, 1962.

Hon. LYNDON B. JOHNSON,
President of the U.S. Senate,
Washington, D.C.

DEAR MR. PRESIDENT: I am transmitting for the consideration of the Congress a draft bill to facilitate the construction of pipelines to transport coal slurry in interstate commerce. The proposed legislation grants the right of eminent domain to the builders of any carrier of coal by pipeline which is subject to any of the provisions of part 1 of the Interstate Commerce Act and which the Secretary of the Interior has found to be required by public convenience and necessity.

The coal resources of our Nation constitute one of our greatest assets. They launched our industrial development and they provide a great reservoir of energy. They can be a stimulus to our economic growth.

In recent years, however, many of our coal mine communities have suffered from reduced operations flowing from the decline in coal consumption. This new method of transportation offers possibilities for renewed vigor and hope for increased economic strength for the coal industry. If costs can be lowered in this fashion, all segments of the economy will benefit.

I understand that plans have already been made for a pipeline that will carry coal from the West Virginia coalfields to the eastern seaboard. However, unless a right-of-way can be obtained, these plans will be postponed and may ultimately have to be discontinued. The legislation will permit the prompt implementation of those plans.

Pipeline transportation of coal may also play an important role in the economies of areas other than West Virginia. It is being studied in the Rocky Mountain region for use in west coast markets. Already coal is being transported by a 100-mile long pipeline in Ohio. The technical problems are being overcome; the economics of operation are known; private enterprise stands ready to invest the necessary capital. The power to acquire the right-of-way is needed. This legislation will grant to the carrier of coal by pipeline the same privilege of eminent domain that the carrier of natural gas already has.

I urge that favorable and prompt consideration be given to this legislation.

Sincerely,

JOHN F. KENNEDY.

OPERATION OF EXPERIMENTAL OIL-SHALE DEMONSTRATION FACILITY NEAR RIFLE, COLO.

Mr. MOSS. Mr. President, I introduce, for appropriate reference, a bill to authorize the Secretary of the Interior to take possession of the experimental oil-shale demonstration facility near Rifle, Colo., and through contract or lease to a public or private organization to encourage the use of the plant for further research in the mining and utilization of oil shale. Because of a jurisdictional dispute between the Department of the Interior and the Department of the Navy, this facility is now standing idle, and the country is being deprived of the valuable information which could be developed there on the economic potential of our oil-shale reserves.

It has been estimated that the oil-shale deposits of Colorado, Utah, and Wyoming contain more than 1,100 billion barrels of petroleumlike material which can be converted into products similar to petroleum. They represent a tremendous supplemental source to the present supply of natural crude oil—and a source we may some day need.

It was recognized in World War II that this Nation did not have an inexhaustible supply of domestic petroleum reserves, and could not continue indefinitely to meet liquid fuel requirements. In 1944, therefore, the Congress passed the Synthetic Liquid Fuels Act—30 U.S.C. 321–325—which authorized the Bureau of Mines of the Department of the Interior to conduct research on and develop methods for producing liquid fuel from oil shale and coal. Since the oil-shale deposits in Wyoming, Colorado, and Utah are considered to have the greatest economic potential in the country, the Bureau of Mines located their oil-shale experimental station at Rifle, Colo., and their research center for laboratory studies in Laramie, Wyo.

A good background of technology for mining and producing shale oil and usable products was developed in the Rifle experimental plant between 1945 and 1955, but in 1955 the act and its extensions expired, and the mining phases of the work at Rifle were terminated. Research has been continued at the Laramie Laboratory by the Bureau of Mines under its regular appropriations.

With no agency authorized to encourage experimental work in oil shales at Rifle, the plant was placed in standby condition, where it now remains. There are other bills pending before the Senate which would break the jurisdictional void, but because they deal with other aspects of the oil-shale problem, they enter additional areas of controversy, and no action has taken on them. My bill is designed only to remove the Rifle plant from this jurisdictional void, and clear the way for the Department of the Interior, subject to the approval of the President, to make the Rifle facility available for further research in the mining of and the utilization of oil shale through contract or lease to public or private organizations. I believe we must move off dead center.

I am hopeful that once the installation is cleared, private industrial organizations will be interested in using it. Many of them cooperated with the Bureau of Mines when the experimental work at Rifle began, and are now conducting or sponsoring research and development on their own.

I ask unanimous consent to have printed in the RECORD information developed for me by the Department of the Interior, and specifically in most instances by the Bureau of Mines, on the technology of oil-shale mining and refining, on the uses and byproducts of oil shale, and on estimates of Green River oil-shale reserves, those with which the Rifle installation would deal. I believe this information will be invaluable in assessing the bill I am introducing.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the information will be printed in the RECORD.

The bill (S. 3049) to authorize the Secretary of the Interior to take possession of the experimental oil-shale demonstration facility near Rifle, Colo., and through contract or lease to a public or private organization to encourage the use of the plant for further research in the mining and utilization of oil shale, introduced by Mr. MOSS, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

The information presented by Mr. MOSS is as follows:

TECHNOLOGY

MINING

Mining methods developed by the Bureau at its oil shale mine near Rifle, Colo., are applicable to cliff-face locations, which are numerous in the Colorado and Green River drainage areas. Experimental mining with commercial-size equipment was demonstrated on a 73-foot section of the mahogany zone. Preliminary to the mine development, physical tests were made on the rock to determine design factors. A specially instrumented test room, 80 by 200 feet, was mined out directly under the selected roofstone to confirm these data. The Bureau then devised a system of mining 60-foot rooms on three levels with 60-foot-square shale pillars to support the roof. The three levels were an advance heading 27 feet high followed by two 23-foot-high benches. The method later was modified to a 2-level system with a 39-foot advance heading and a 34-foot bench to achieve lower costs and a more uniform shale grade.

The wide rooms and high roof permitted the use of efficient mechanized, large-scale equipment. Several specialized machines were developed, including a mobile air compressor, multiple-percussion-drill heading and benching jumbos, and mobile units for loading blast holes and for scaling operations. Rotary drilling studies showed results superior to percussion drilling for vertical holes and indicated similar possibilities for horizontal drilling.

One induced and two unintentional roof falls demonstrated the need for caution in mining oil shale. The test room data indicated a progressive deterioration in the roof that can end in its failure. This condition may be aggravated in weathered areas (less than about 200 feet from the cliff face). The minimum roof life to date has been over 2 years, and in a normal commercial operation, a large unit area would be mined out in less than 60 days, and then closed off to entry.

Extensive information developed and reported by the Bureau serves as a basic foundation for oil-shale mining. The information has been applied directly by many companies in evaluating the economics of a possible oil-shale industry.

CRUSHING

The Bureau and several cooperating industrial companies made crushing tests on Green River oil shale using crushers of the jaw, gyratory, impact, and roll types. These experiments provided design data and defined some of the crushing problems. This shale is a tough, elastic material that tends to form slabs that present screening and handling problems. Some studies were made of fine grinding—to supply a thousand tons of minus three-sixteenth-inch shale to the Standard Oil Co. for the fluidized retort tests, which the Bureau did cooperatively with that firm.

RETORTING

Retorting of Green River oil shale was done experimentally by the Bureau staff at Rifle on N-T-U, Royster, gas-flow, Hayes, counterflow, and gas-combustion retorts. The entrained-solids retorts, and a thermal solution process studies were conducted at Laramie. The gas combustion process was the subject of an intensive development program at Rifle. This retort has a vertical, refractory-lined vessel into the top of which crushed shale is charged and moves downward as a bed by gravity. This proved to be the most promising of all the retorts investigated. In the gas combustion retort heat is furnished by internal combustion and is transferred by direct gas-to-solids heat exchange.

The novel combination of the functions of retorting, combustion, and heat exchange results in a high retorting rate and excellent thermal efficiencies. Two unique features of this process are the recovery of oil as a cooled mist and no requirement of water as a coolant. This is important in the water-scarce western oil shale areas. The process was studied in three sizes of pilot plants, the largest at rates slightly over 200 tons of shale per day, and the others 30 and 6 tons per day respectively.

Much was learned about equipment design, effects of process conditions, and internal mechanisms of retorting, combustion, and oil-mist formation. However, the work was not brought to completion and extensive additional work would be necessary to complete the development and have a process of large commercial size that would be reliable.

Other organizations also have studied retorting. The Socony Vacuum Oil Co. (now Socony Mobil) studied the application of the Thermofor catalytic cracking equipment to oil-shale retorting. Standard Oil Co. (New Jersey) conducted retorting tests on a modified two-vessel, fluid catalytic cracking pilot plant. In 1957–58 the Union Oil Co. of California erected a large pilot model of a continuous, underfed, countercurrent, internal combusion retort near Grand Valley, Colo. This company reported a throughput of 1,200 tons of shale per day. The Oil Shale

Corp. through the Denver Research Institute has conducted tests with the Aspeco process, devised in Sweden. Only limited technical data have been released by these companies.

Hundreds of other retorting processes have been patented, but few have reached a pilot-plant stage of development. Large quantities of shale were mined and crushed by the Union Oil Co. of California in its Grand Valley, Colo., project. Some of these crushing data have been made available.

Oil shale customarily is considered only as a petroleum supplement, but some research has been conducted on producing high British thermal unit gases by hydrogasification of its organic matter. This process would fit oil shale into that part of the energy use pattern now supplied largely from natural gas and currently accounting for about 30 percent of the total energy consumed in the United States.

As mining, crushing, and retorting oil shale make up about 60 percent of the cost of producing shale oil, consideration has been given to retorting the shale in place. Sinclair Oil and Gas Co. conducted a field test on such a process. In Sweden an electrothermal method has been in operation for many years.

Numerous patents have been issued on other in situ methods. The Bureau of Mines has proposed a cooperative experiment with the Atomic Energy Commission and industry wherein a nuclear device would be used to fracture large tonnages of shale, and attempts would be made to produce shale oil by in situ combustion of the fractured shale.

Problems and costs involved in refining shale oil produced by thermal retorting encourage study of other methods for converting shale organic matter to oil of better quality. The Bureau of Mines is investigating the use of micro-organisms for obtaining beneficial changes in the organic matter and is participating in a cooperative experiment to determine the effects of nuclear and other radiations on the organic matter.

REFINING

Crude shale oil from retorts designed to obtain a maximum yield of oil contains only a small quantity of distillate in the gasoline-boiling range. However, fuel oils, both distillate and residual, can be prepared readily from this type of crude, although the distillate fuels usually require chemical or other treatment to meet specifications.

Gasoline and diesel fuel in satisfactory yield and quantity to meet specifications for such products were obtained by thermal cracking and low-temperature chemical treatment in the Bureau's experimental refinery at Rifle, Colo. Poor yields of gasoline were obtained by catalytic cracking in the laboratory because of the poisoning effect on the catalysts of shale oil nitrogen compounds.

Hydrogenation is a good process for removing the sulfur, nitrogen, and oxygen from the oil, saturating it, and producing excellent yields of jet, diesel, and distillate fuels of high quality. Hydogenated oils also are satisfactory charging stocks for catalytic cracking and reforming processes and may be suitable for use in manufacturing lubricants.

Waxes having properties similar to petroleum waxes can be separated from shale-oil fractions by conventional processes. Some treatment may be required to obtain products of desired specifications.

Asphalts prepared from shale oil differ from straight-run petroleum asphalts. However, satisfactory road-surfacing materials were prepared by reduction of cracked residuum and used with excellent results on roads at the Bureau's Rifle, Colo., installation.

Shale-oil pitch and coke were found to be suitable and additives to coking coal to improve the quality of blast furnace coke. These materials were of interest also to manufacturers of electrodes and carbon brushes.

USES

Shale oil will be utilized in much the same manner as petroleum, with the major portion consumed in producing heat and power. The present use pattern for petroleum, suggests the wide range of possible outlets for shale-oil products.

BYPRODUCTS

Because shale oil differs in composition from most petroleums, converting it to some products may result in byproducts not commonly obtained from petroleum, at least in as large quantities. Among these may be phenols, pyridines, and ammonia. Others, also commonly obtained from petroleum, may be hydrogen sulfide or sulfur, and olefinic and aromatic hydrocarbons.

In addition to byproducts from shale-oil processing, others will result from the retorting process. From internal-combustion retorts, large volumes of low British thermal unit gas will be obtained. Other retorts will produce gases rich in hydrogen, hydrocarbon gases, carbon dioxide, and hydrogen sulfide. Among the hydrocarbon gases, ethylene, propylene, and other olefins of interest to the petrochemical industry may be found. All retorting processes will discharge spent shale, which consists largely of the inorganic components of oil shale. This material may find uses in special situations.

RESERVES

Recent estimates of the Green River oil-shale reserves, the principal oil-shale deposits in the United States, are as follow: Continuous sections of these oil shales in Colorado that are at least 15 feet thick and average 15 gallons of oil a ton represent about 1 trillion barrels of oil in place; included in these 15-gallon-a-ton sections are richer sections averaging 25 gallons of oil a ton representing 400 billion barrels of oil in place; in Utah, the 25-gallon-a-ton sections, 15 or more feet thick, represent 120 billion barrels of oil in place, and those in Wyoming represent about 12 billion barrels of oil in place. It should be noted that the ultimate recovery of shale oil from the deposits may be less than the indicated potential reserve, depending upon the methods used in mining and processing.

By cooperative effort, extensive information has been obtained on the size and oil-yield potential of part of the Green River oil shales. This cooperation involved the determination of oil yields by the Bureau of Mines on about 60,000 oil-shale samples provided by companies engaged in evaluating their oil-shale properties or drilling for oil and gas. The Geological Survey of the Department of the Interior uses these data for resource evaluations. As a result, reliable information is available on the extent and thickness of oil-shale sections averaging 25 and 15 gallons of oil per ton in Garfield County, Colo., and along the eastern edge of Uintah County, Utah. Additional sampling and geologic data are needed to appraise the more deeply buried Green River oil shales in Uintah County, Utah; Rio Blanco County, Colo.; and Sweetwater County, Wyo. Similarly, additional studies are necessary to estimate the oil-yield potential of oil shales of other deposits in the United States.

EXPENDITURES

In the fiscal years 1945 to 1956, inclusive, the expenditure from Federal appropriations on the Rifle oil shale mining, crushing, retorting, and shale oil refining research and development studies was a total of $17.82 million. Expenses for maintenance and standby since cessation of work at the Rifle facilities from the beginning of fiscal year 1957 and estimated to the close of the current fiscal year (1962) amount to $739,000. Of this amount, $204,000 was funds supplied by the Navy Department in fiscal year 1957.

Since 1956, normal deterioration of the Bureau's installation at Rifle has occurred, and reconditioning would be required before any experimental program could be resumed. During the past few years much basic information about oil shale and shale oil has been acquired through the Bureau's laboratory-scale research at Laramie, Wyo., and modest technologic advances have been made through oil-shale research by industry, but no commercial application has been made to utilize the vast potential of the Nation's oil-shale resources. During the same period, considerable strides have been made in the petroleum refining and process industries on the science and technology upon which shale oil processing is most closely based.

CIVIL AIR PATROL IN ALASKA

Mr. BARTLETT. Mr. President, twice during the month of February 1960, I addressed to the attention of the Senate the problems of air safety, search, and rescue in Alaska. On the second of these two occasions I introduced legislation which would have given permanent legal status to the Air Rescue Service of the U.S. Air Force, assigning to it the responsibility of rendering assistance to persons who are in distress as the result of military and nonmilitary aircraft accidents.

This bill, S. 3122, of the 86th Congress failed of enactment. As a result, the announced plan of the Department of the Air Force to deactivate four of the six operational units of the Air Rescue Service was carried out. One of these four deactivated units, the 71st Air Rescue Squadron, was based in Alaska. The loss of its service to the military and civilian flying community in the 49th State was seen by the airminded population of Alaska as a serious threat to safety.

It was seen by some, however, as a challenge as well.

Meeting this challenge was the singular goal of the officers and men of the Alaska wing, Civil Air Patrol. The manner in which they have met it exemplifies the finest tradition of community service. The record shows that the CAP in Alaska, with unbelievable speed, moved to meet the unattended needs apparent after the withdrawal of official military rescue operations forces.

In 1959, the Civil Air Patrol in Alaska flew only 71 missions while the Air Force and other individuals flew 244. The following year—the year in which the 71st Air Rescue Squadron was deactivated—the CAP flew 191 missions while others flew 163. In 1961, the number of CAP missions soared to 239, nearly as many as the U.S. Air Force flew while its rescue squadron was fully operational. In the same year 232 missions were flown by the Air Force and others.

The CAP does receive Federal assistance. Surplus property is made available through the Department of Defense and the Government supplies fuel to these volunteers for Air Force authorized search and rescue flights. But much of the expense is borne by the members themselves with some additional financial aid by the State of Alaska. During 1961, CAP members raised $25,000 through special fundraising activities.

This amount was matched with an equal amount made available by the Legislature of Alaska. Dues paid by the members of the Alaska wing added $7,000 to the CAP treasury.

Mr. President, Alaskans may be justly proud to observe that the rescue missions flown by the Alaska Civil Air Patrol equalled about one-third of all the missions flown by CAP units nationally. And, as if these missions were not enough of an accomplishment, search and rescue is not the only area in which the members of the 32 local units of the Alaska wing have distinguished themselves.

The organization sponsored an aerospace workshop in 1961 with Air Force and State support; 82 adult students, representing 9 States and Newfoundland attended the 4-week school, receiving graduate credit from the University of Alaska. The course concerned current aerospace developments and included such topics as "Aircraft in Flight"; "Power for Aircraft"; "Airports"; "Airways and Electronics"; "Navigation and the Weather"; the "Problems of Airpower"; and the "Dawning Space Age."

Dr. Roland Spaulding, of New York University, directed the workshop and among distinguished guest lecturers was space expert, Dr. Wernher von Braun, Director of the George C. Marshall Space Flight Center at Huntsville, Ala.

In every possible way, the CAP is doing a vital job in the development of Alaska flight safety and Alaska community improvement. The 365 teenage boys and girls in the cadet program of the Alaska wing have performed every sort of community service. Cadets at Kotzebue even arranged for rubbish collection and disposal in the local community while the Elmendorf Air Force Base cadets helped to construct a demonstration fallout shelter in downtown Anchorage. These and other services—far too numerous to mention—have flowed from CAP training in community responsibility and citizenship.

Alaskans are not simply proud of the Alaska wing of the Civil Air Patrol. They are grateful as well to the 1,000 members of this Alaska organization which has dedicated itself to service and air safety in the 49th State, under the command of Col. James E. Carter.

I ask unanimous consent that there be printed, immediately following these remarks, a list of the men and women who command units of the Alaska wing, CAP, along with a letter written Wing Commander Carter by Alaska Gov. William Egan.

There being no objection, the list and letter were ordered to be printed in the RECORD, as follows:

LIST OF MEN AND WOMEN WHO COMPOSE THE ALASKA WING OF THE CIVIL AIR PATROL

Alaska wing headquarters: Col. James E. Carter, commander; Lt. Col. Roman Malach, executive officer; Lt. Col. Robert Livesay, USAF liaison officer.

Alaska wing unit commanders: Ralph Warren, southeastern group; Clyde Lewis, Anchorage senior squadron; Sam Richards, Anchorage cadet squadron; R. Farnsworth, Bethel senior squadron; Marian Nilsson, Big Delta composite squadron; James Walker, Clear senior squadron; Francis Fallert, Copper Valley composite squadron; Victor Rhine, Cordova composite squadron; Anton Merly, eagle flight; Don DeFoe, Elmendorf cadet squadron; H. Hughes, Ben Eielson cadet squadron; Gordon Wear, Fairbanks composite squadron; Wil Russell, Galena, senior squadron; Charles Hilbish, Homer composite squadron; John Benson, Juneau cadet squadron; Glenn Kipp, Kenai composite squadron; Verlyn Geriene, Kodiak composite squadron; Harold Lie, Kotzebue composite squardon; John Spikes, Mount Edgecumbe composite squadron; M. Boslet, Northway senior squadron; R. Workman, Orion cadet squadron; Howard Luther, Palmer composite squadron; Roald Norheim, Petersburg senior squadron; Russ Painter, Seward composite squadron; Walter Trent, Sitka senior squadron; Frank Ryman, Yakutat senior squardon.

JUNEAU, ALASKA, *December 24, 1961.*

To: Commander of Civil Air Patrol, Alaska, Col. James E. Carter:

In no other State in the Nation is the mission of the Civil Air Patrol as important as it is in Alaska. Almost daily we read that the courageous men and women of the CAP have been on a mission of mercy, rescue, or service, sacrificing their time and energies for the good of someone in distress.

I want to extend to all of the men and women of the CAP the heartfelt thanks of all Alaskans and my personal best wishes for the holiday season.

WILLIAM A. EGAN,
Governor of Alaska.

THE TRADE EXPANSION PROGRAM

Mr. SMITH of Massachusetts. Mr. President, in considering the President's trade program, all of us in Congress are interested in its impact on our State and region. I am happy to say that for New England we are beginning to get hard answers to this question.

The New England Council for Economic Development has for several months been conducting a study on the impact of foreign trade on New England. The council includes in its membership almost all of the important industries in our region. The council has always been most zealous in protecting and enhancing our region's interest.

The council, made up of practical businessmen, can certainly not be considered idealistic or unaware of the practical realities of day-to-day business. For these reasons, I think it is most significant that the research advisory committee of the New England council predicts that New England has more to gain than other regions from the expansion of exports contemplated by the President's program. The committee also concludes that the President's program will have little adverse effect on those New England industries, particularly vulnerable to import competition, because of the fact that their products are not on the dominant suppliers list.

The research advisory committee, after making case studies of representative New England firms in various fields, says:

The striking conclusion which emerges from our study is that parts of the woolen, footwear, and silverware industries in New England are not especially vulnerable to competition from imports. This is because a part of their business is a fashion and merchandising business, which present major difficulties to the foreign manufacturer.

Because of the importance of this report to our region, I ask unanimous consent to insert the most significant excerpts of this report in the CONGRESSIONAL RECORD.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

THE TRADE EXPANSION PROGRAM AND ITS MEANING FOR NEW ENGLAND

FOREWORD

The "Trade Expansion Program and Its Meaning for New England," written by Harold van B. Cleveland, represents an analysis of available data by a special foreign trade task force under the auspices of the New England Council's research advisory committee.

Last fall, the New England Council's executive vice president, Gardner A. Caverly, asked the research advisory committee to prepare a report on the impact of the European Economic Community and of the newly proposed foreign trade legislation on the New England economy. The chairman of the research advisory committee, Richard M. Alt, director of research, New England Mutual Life Insurance Co., asked the following members to serve with him on a special task force to fulfill this assignment: Harold van B. Cleveland, counsel, John Hancock Mutual Life Insurance Co.; Robert W. Eisenmenger, acting director of research, Federal Reserve Bank of Boston; Richard E. Ward, international economist, Federal Reserve Bank of Boston; and Rudolph W. Hardy, director of economic research, New England Council. In addition, Prof. Don D. Humphrey, of the Fletcher School of Law and Diplomacy, Tufts University, served as a consultant.

* * * * *

III. The economic impact of tariff reduction

If the United States and the Common Market make major tariff concessions to each other, what will the effect be on the national economy? What effect on the economy of New England?

A selective lowering of tariffs and an expansion of trade with Europe would be generally beneficial to U.S. industry and to the American consumer. The effect of tariffs and other artificial barriers to trade is to cause labor, capital, and management to be used less efficiently, thus reducing the Nation's real output and income. Likewise tariffs tend to limit the consumer's choice, causing him to accept a less desired and possibly inferior domestic product in place of the foreign product he might have bought if the tariff had not raised its price.

The productivity of each worker in the 65 principal U.S. exporting industries is 50 percent higher (measured in terms of value added per worker) than in the industries which face serious competition from imports and which are protected by high tariffs.[1] Wages in the exporting industries are also somewhat higher than in the highly protected industries, and the exporting industries are generally faster growing and technologically more progressive. The Nation's economy will therefore be substantially better off to the extent that employment in the exporting industries expands at the expense of employment in the protected industries as the result of a tariff agreement with the Common Market. The American consumer's range of choice will also be wider and he will get more for his money.

Of course, industrial efficiency and the satisfaction of consumers' wants are not the only considerations in making tariff policy. Some tariffs may be needed to protect industries important to national defense. Some may be needed, on a temporary basis at least, to avoid serious reduction of output and

[1] Beatrice N. Vaccara, "Employment and Output in Protected Manufacturing Industries" (Brookings Institution, Washington, D.C., 1960), p. 71.

employment in industries which face competition from imports and whose manpower is unable to find alternative employment. Yet there is no avoiding the fact that the main effect of tariffs is neither to strengthen national defense nor to prevent hardship, but to protect inefficiency.

Many American businessmen seem hardly aware of the existence and importance of export markets. Yet exports already play a large and growing role in our economy. Labor Department figures for 1960 show that 7.7 percent of all employees in manufacturing produce directly or indirectly for export.[1] Indeed, the majority of our industries share directly or indirectly in exports. Reductions in the Common Market tariff and increased European dollar earnings due to tariff concessions by the United States would therefore benefit a wide segment of American manufacturing.

From the figures we have been able to obtain, it appears that New England would share more than proportionately in these gains. The proportion of New England manufacturing employment which is engaged directly or indirectly in exports is larger (8.4 percent) than for the Nation as a whole (7.7 percent). Moreover, manufacturing is substantially more important in New England than in the country at large. Reduction of Common Market tariffs on manufactured goods would therefore increase wage payments, employment and production in New England at least as much as, and possibly more than, in the country as a whole. The following table shows some of these relationships.

Manufacturing employment directly and indirectly related to exports in 1960: United States and New England

	United States	Northeast	Northeast as percent of United States
Total manufacturing employment thousands	16,654.7	1,446.0	8.7
Manufacturing employment directly attributed to exports thousands	640.6	60.2	9.4
Percent of manufacturing employment directly attributed to exports	3.8	4.2	
Manufacturing employment indirectly attributed to exports thousands	647.0	60.8	9.4
Percent of manufacturing employment indirectly attributed to exports	3.9	4.2	

Source: U.S. Department of Labor, Bureau of Labor Statistics, "Domestic Employment Attributable to U.S. Exports, 1960" (January 1962), and Federal Reserve Bank of Boston, except the figures for indirect manufacturing employment in New England attributed to exports, which are the writer's estimates.

What industries would be primarily affected by increased export opportunities and by new competition from imports under the trade expansion program?

The central feature of the program and the first step in carrying it out, according to present indications, will be the negotiation with the Common Market of a general tariff reduction for products on the dominant supplier list. A hypothetical dominant supplier list based on 1960 trade figures appears on page 50. [Not printed in RECORD.] The table suggests that a general reduction of the Common Market tariff would benefit American exporters of aircraft, coal and coke, organic chemicals, metal working machinery, other industrial machinery, electric machinery, automobiles and trucks, office machinery, and medical and pharmaceutical products. These are products we already sell in large quantities to Western Europe and would doubtless sell in still larger quantities if the Common Market's tariffs were substantially reduced. New England industry is well represented in most of these categories.

A list of 57 New England exporting industries may be found in the table below. In 1958, these 57 industries employed some 330,000 persons in New England—nearly a quarter of New England's total employment in manufacturing.

Within the broad product categories of the dominant supplier list the particular things we produce more cheaply than Europe, or in which we produce superior products owing to technological leadership or more rapid product innovation, will be the chief beneficiaries of reductions in the Common Market's external tariff. Conversely, where our costs are higher, our European competitors will usually be the stronger in their own markets and, if the U.S. tariff is reduced sufficiently, in our markets as well.

Some of these items are in the product categories in which we are also strong exporters. The table on page 50 [not printed in RECORD] shows that our main imports from Western Europe in the dominant supplier categories were automobiles, paints and pigments, office machinery, agricultural machinery, industrial machinery, and electric machinery.

American wages are two to four times wages in Britain and western continental Europe. Nevertheless, our industries produce a wide range of manufactures at cost substantially below European costs. For labor costs are not determined by wage rates but by the relation between wages and the productivity of labor. And the average productivity of European labor is as much lower, proportionally, than the average productivity of American labor as European wages are lower than American wages.

In fact, this relationship appears to hold true among all the industrial countries, and the reason is not far to seek. For a country's general wage level is determined by the average productivity of its labor. Or to put it a little differently, the productivity of a nation's labor determines what wages employers can afford to pay.

It follows that no country has a general competitive advantage for all or most of its exports over other countries, however low its wage level. The argument which always crops up in tariff debates that a general reduction of tariffs would produce a flood of cheap imports of all kinds is thus without foundation in economic theory or experience.

The productivity of labor varies widely in all countries from industry to industry, and within industries from product to product. Wages, on the other hand, are more uniform. This is the main reason why the United States (or any other country) produces some goods (those in which its productivity is relatively high) more cheaply than foreign competitors, while other industries (those in which labor productivity is relatively low) are vulnerable to foreign competition unless protected by tariffs. If, then, one would assess the effect of tariff reduction, something must be said about the causes of differences in labor productivity among our own industries and in comparison with those of Western Europe.

The productivity of labor is, of course, affected by many things but above all by the amount of capital plant and equipment used, and by its technological level. In the high wage American economy, management has a strong incentive to substitute capital for labor and to introduce improved equipment as rapidly as it becomes available, in order to keep labor costs down. Firms which do this consistently generally have little to fear from imports and are usually strong competitors abroad.

Of course, all industries are not equally able to substitute capital for labor and to improve continually the technical level of their equipment. Some industries seem to have exhausted the possibilities of advance in production techniques. In others, markets may be static or declining or profits may be too low to make modernization feasible.

In general, however, our large markets make mass-production methods possible, which in turn makes possible the use of the more expensive, specialized, high-speed equipment which cuts labor costs per unit of output way down. Large markets which are also growing encourage the rapid replacement of older equipment with more advanced and productive machinery. Because we have the largest national market and the highest living standards in the world, we are therefore able to produce many products at costs lower than our European competitors. Automatic electrical household appliances are one among a great many examples. They are mass produced in this country at costs well below European costs. Automatic appliances are still a luxury in Europe and the market is too small to permit mass-production techniques.

The European market for some products, however, is large and growing fast. The Common Market already produces more bicycles, motorcycles and small cars than the United States. It will soon exceed the United States in total production of automobiles. Portable typewriters are produced in Italy and Switzerland on a volume basis. Thus, despite Europe's substantially lower income per capita, certain European manufacturers are already sold to mass markets and are produced by mass-production techniques.

Given Europe's lower wages, products of this kind can be sold at prices below American prices, as shown by increasing U.S. imports of the items mentioned. Tariff cuts would result in further increases. Japan, too, now produces a number of products on a volume basis, including radios and transistors, and sells them here in substantial quantities, and would sell more if our tariffs were lower.

As European incomes grow and as the Common Market creates a single continental market in place of several national markets, new opportunities to introduce volume-production techniques in Europe will appear. As this happens, the Common Market's competitive strength will increase in some lines. But at the same time, rising income means rising wages and rising labor costs in other lines, where productivity happens to be growing less rapidly than the average. This will open up new opportunities for U.S. exporters who are alert to them.

Thus, as Europe's income and wages continue to rise the character of our mutual trade will also change. It will consist less than at present of the exchange of mass-produced American products for labor-intensive European goods and more of the exchange of specialties between trading partners more nearly equal in technology. The composition of our trade with Western Europe in the dominant supplier categories, as shown in the table on page 50, suggests the extent to which this is true already.

The major part of the manufactured goods we import from Europe are still not mass produced, however. They are sold here at competitive prices (if the tariff is not too high) because the production methods used by competing producers in this country are not sufficiently labor saving as compared with European methods to offset lower European wages. Such tariff-protected industries as

[1] See U.S. Department of Labor, Bureau of Labor Statistics, "Domestic Employment Attributable to U.S. Exports" (January 1962), table 5.

textiles, footwear, canned seafood, leather products, wood products, cutlery and silverware (to name only products which compete with products of New England industries) are of this kind. In the main, however, these imports are not included in the dominant supplier list and may not therefore be the subject of tariff negotiations with the Common Market, at least for the present.

We import other goods because nothing really comparable is made here—Italian handicrafts and British sports cars, for example. In these cases no competing domestic producer is directly affected. Similarly, a large and growing part of U.S. exports consists of goods which are not produced in comparable quality abroad. These are mainly the result of technological leadership. The aircraft engine industry, which employs some 42,000 persons in New England, is a good example. American aircraft engines owe their competitive strength in foreign markets not to price but to technical excellence and advanced design. Many similar examples can be found in most of the dominant supplier categories. Reduction of European tariffs would mean an increase in many U.S. exports of this kind.

Here again it is our own mass markets and high consumption which help create export opportunities. Our larger domestic markets make it economical for manufacturers to install new and more productive kinds of industrial machinery, such as high-speed, automatic machine tools and electronic computers. New kinds of industrial equipment tend therefore to be developed first in the United States, which gives American manufacturers of such equipment a solid export lead as demand develops abroad.

Likewise, our consumer goods industries develop every year hundreds of new products, some of which find ready export markets. Another unique characteristic of American industry is the stress on continuing service to customers. American firms doing business abroad frequently find that they have a competitive edge over European rivals for this reason.

In sum, an agreement with the Common Market to reduce tariffs on dominant supplier products will tend to raise productivity and wages in American and New England manufacturing and to improve the variety and quality of our standards of living. Our mass-production industries and those which emphasize technological leadership and rapid product innovation will be particularly benefited.

New England, it appears, will benefit more than proportionally, because the New England economy has a somewhat larger stake than the Nation as a whole in exports of manufactures, and because of the stress on research and product innovation so characteristic of the newer New England industries. At the same time, most New England industries which are particularly vulnerable to imports and which are now protected by high tariffs would, it appears, be little affected by the trade expansion program, at least for the present, because their products are not on the dominant supplier list.

IV. The competitiveness of New England industries in foreign trade

In the preceding chapter, three broad categories of U.S. industries were distinguished in terms of their competitiveness in foreign trade. One was the older manufactures such as textiles and footwear, in which labor costs in this country run generally higher than abroad, so that these industries tend to be vulnerable to competition from imports. A second category includes mass-produced items which have cost advantages over foreign competitors because of our larger domestic markets.

A third category includes science-based industries and industries producing specialized producers goods for an advanced industrialized society, whose competitive strength in foreign trade comes from the technological lead of their products and not from any advantage in costs.

To help make these general economic categories come to life so far as New England is concerned, case studies have been made of representative New England firms in the first and third of these categories, which are generally considered to be typical of manufacturing in New England. Firms in the older industries—woolens, footwear and silverware (including stainless steelware)—were examined. Among the specialized producer goods industries, firms making machine tools, industrial instruments and textile machinery were chosen. Interviews were held with executives and the conclusions which follow were drawn in part from more extensive reports of these interviews.[2]

The striking conclusion which emerges from our study is that parts of the woolen, footwear, and silverware industries in New England are not especially vulnerable to competition from imports. This is because a part of their business is a fashion and merchandising business, which present major difficulties to the foreign manufacturer.

In producing for a fashion market, a manufacturer takes serious risks. Fashions change rapidly and what will sell is difficult to foresee. Thus a manufacturer of women's styled fabrics or shoes, for example, can produce in only relatively small lots and must keep inventories under careful control, or he will suffer inventory losses which will put him out of business. He must balance the manufacturing economies of longer production runs, plus the sales advantage of being able to deliver quickly from stock, against the risk of being caught with large stocks that cannot be sold.

The problem is serious enough for the domestic producer of fashion goods, but it is a good deal more serious for the competing foreign manufacturer because of his distance from the American market. Italian manufacturers of woolens for women's wear can make rapid deliveries, and their merchandizers in this country are usually skilled stylists.

Yet the greater distance from factory to market and the less intimate contact between the manufacturer and the distributor or retailer mean that the Italian manufacturer must produce in much smaller lots than his New England competitors. In consequence, Italian styled woolen fabrics are no cheaper than competing American fabrics despite much lower wages in Italy.

Apart from cost considerations, the foreign producer of style goods also faces a formidable merchandizing problem. For the interest of distributors and retailers must be retained and this requires not only consistent success in bringing out new designs but the offering of a wide line and a sustained level of advertising and selling. Foreign producers of style goods in the industries under consideration have been generally unable to meet these requirements.

The only way a foreign manufacturer of fashion goods can overcome these cost and merchandising problems is to produce to order for a large American merchandiser, such as a chain store or a large department store, which is close to the American market and is able to assume most of the inventory risks. This has proved practical to a limited extent in fashion shoes, but not in the other industries examined.

On the other hand, the staple (standardized), nonfashion items produced by the New England woolen, shoe and silverware industries are vulnerable to foreign competition and would doubtless be more so if our tariffs were lowered. Rubber and canvas footwear and women's flats, for example, are relatively standardized and are now imported in substantial quantities despite the tariff. The fashion risks and delivery timing problems are small in comparison with men's and women's fashion shoes. The product changes little from season to season, so that problems of design and merchandizing are minimized and the foreign manufacturer can produce in runs long enough to realize the cost advantage of the lower wages he pays, bringing his labor costs substantially below those of his American competitors.

The same is generally true in worsteds for men's wear, such as sharkskins, glens, and herringbones. (The foreign cost advantage in worsteds is more marked in the high quality worsteds than in the lower grades, because the labor content is higher.) Hence the New England worsted mills have been in trouble, while the mills making women's style fabrics have not. The woolen firm interviewed has concentrated most of its New England production on fabrics for women's wear, with the result that its employment in New England has expanded in recent years, although total employment in the New England woolen industry has been declining.

In the silverware business, the inexpensive grades of stainless steel flatware are the main staple. Unlike stainless flatware of higher quality, which is retailed in jewelry stores and department stores and is distinctly a fashion product, stainless flatware of the lower qualities is sold mainly to chainstores, discount houses and mail-order houses, where design and marketing problems are at a minimum and the main consideration is price. In this market, Japanese competition has been strong. Indeed, in 1958 the Japanese captured 40 percent of the American market for these grades. (The Japanese industry is understood to have accepted in 1960 a voluntary quota equivalent to 30-35 percent of the American market.)

Lower labor costs are not the only reason for the competitive strength of foreign producers of worsteds, staple shoes and stainless flatware, however. The New England woolen manufacturer pays about $1.15 a pound for raw wool as compared with the 80 cents his foreign competitor pays, because of the high U.S. tariff on raw wool. The price of stainless steel in Japan is about $420 a ton, as compared with the American price of about $950 a ton, the difference being apparently due to differences in pricing policies. The Japanese practice of selling some articles abroad at prices below the Japanese domestic price is believed to be responsible for some part of Japan's competitive strength in worsteds and rubber and canvas shoes.

These specific points suggest a more general conclusion: there are many factors apart from comparative labor costs which must be considered before conclusions are drawn about the international competitive position of a New England industry.

Our study of New England firms making machine tools, textile machinery and industrial instruments shows how the exacting competitive requirements of the American market, particularly the constant demand for new, cost-saving machinery, lead to competitive success abroad in these highly technical capital goods industries.

The machine-tool company had until quite recently been producing standard machine

[2] The interviews were conducted through a research grant from the Federal Reserve Bank of Boston, and the interview reports were written by Mr. Raphael W. Hodgson, of the Arthur D. Little, Inc., of Boston. Mr. Hodgson also collaborated in the preparation of this chapter. The firms to be interviewed were selected in consultation with the research department of the Federal Reserve Bank of Boston.

tools. Three years ago the company decided to make a major change in its product line. The decision was dictated by the state of the American machine-tool market. With heavy excess capacity in the metalworking industries (which are the machine tool industry's customers), the only way a machine-tool company could expect to sell its products was to develop new machines that would cut the buyer's costs of production substantially.

The company therefore initiated a major research and development effort and brought out a class of automatic machine tools which have short setup times, making the machines very economical for use in production of short runs.

The high rate of innovation achieved is shown by the fact that 60 percent of the company's output in 1961 consisted of products introduced since January 1, 1959.

The company's change in business policy and product line has increased costs substantially. Research and development expense has doubled. Expenses of product engineering have increased 50 percent. Indirect shop and tooling costs have also increased substantially, because of the many new models. A great deal more sales engineering and customer service work is now necessary. But despite higher costs, the company now has a product line which is developing new business in this country and is so unique abroad that it has a promising export potential. It is also immune to foreign competition in the American market.

Competing European producers of machine tools offer standardized machines. Their costs are lower because they do little product development and run a steady production line, allowing a large backlog of orders to develop to make this posible. Their delivery times are therefore slow (1½ to 2 years). Their customer servicing is not good. And they are vulnerable to competition by American firms such as the one examined which are strong in product development and customer servicing and which offer more rapid delivery.

The same characteristics distinguish the New England textile machinery firm and the industrial instruments firm examined. Large expenditures on research and development leading to the rapid introduction of new products have been the basis of sales success both at home and abroad. The firms do not compete with their European competitors in terms of price. Sales emphasis is on the technical excellence and reliability of products, on sensitivity to the customer's special requirements, on rapid delivery and on superior servicing.

57 New England exporting industries[1]

Industry[2]	New England employment in 1958 (estimated)	Estimated exports as percent of domestic shipments[3]
Aircraft engines and parts	42,300	10
Shipbuilding and repairing	21,300	11
Fabricated plastics products n.e.c.	8,000[4]	6
Textile machinery	16,400	20
Ball and roller bearings	15,500	6
Machine tool accessories	14,000	6
Radio, TV communication equipment	13,200	10
Mechanical measuring devices	12,500	9
Metal cutting machine tools	12,100	18
Aircraft propellers and parts	10,400	8
Narrow fabrics	9,700	7
Valves and pipe fittings	9,600	9
Steam engines, turbines, turbogenerators and parts, and internal combustion engines n.e.c.	9,400	9
Electric measuring instruments	8,000	5
Typewriters	7,400	8
Special industry machinery n.e.c.	7,000	22
Abrasive products (part)	6,400	7
Electron tubes, transmitting	6,400	7
Hand and edge tools, except machine tools, and handsaws	6,300	10
Electron tubes, receiving type	5,800	5
General industrial machinery n.e.c.	5,700	9
Plastics materials (part)	5,700	6
Switchgear and switchboards	5,300	6
Electric housewares and fans	4,600	5
Office machines n.e.c.	4,400	9
Refrigeration machinery	4,300	7
Power transmission equipment	4,000	6
Scientific instruments	4,000	9
Photographic equipment	3,800	8
Paper industries machinery	3,800	18
Pumps and compressors	3,600	15
Food products machinery	3,100	16
Metalworking machinery n.e.c. (part)	2,800	26
Surgical appliances and supplies	2,800	6
Blowers and fans	2,600	5
Engine electrical equipment	2,400	6
Metal forming machine tools	2,300	25
Automatic temperature controls	2,200	9
Optical instruments and lenses	2,100	11
Sewing machines	2,100	27
Pulpmill products	2,000	15
Handsaws, saw blades, and accessories	1,900	8
Painting trades machinery	1,800	14
Boat building and repairing	1,800	11
Canned and cured seafoods	1,900	5
Surgical and medical instruments	1,800	22
Nonferrous metals, rolled, drawn, and extruded n.e.c	1,700	7
Woodworking machinery	1,600	10
Medicinals and botanicals	1,500	9
Phonograph records	1,200	8
Industrial furnaces and ovens	1,000	13
Scales and balances	1,000	11
Measuring and dispensing pumps	900	7
Industrial trucks and tractors	900	12
Pens and mechanical pencils	600	13
Commercial laundry equipment	400	11
Animal and marine oil mill products	200	8
Total (57 industries)	330,000	

[1] An "exporting industry" is here defined as one whose national exports were equal in value of 5 percent or more of its total shipments in 1958, and which had 6 percent or more of total U.S. employment located in New England.

[2] Listed in order of size of employment in New England.

[3] These export ratios apply to the national industry rather than to the New England industry. Export ratios for New England industries are not available at this time.

[4] Detail will not add to total because of rounding.

NOTE.—Detail will not add to total because of rounding.

Source: Federal Reserve Bank of Boston

See footnotes at end of table.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, March 21, 1962, he presented to the President of the United States the following enrolled bills:

S. 1691. An act to provide that any juvenile who has been determined delinquent by a district court of the United States may be committed by the court to the custody of the Attorney General for observation and study;

S. 1756. An act for the relief of the city of Pasco, Wash.; and

S. 2165. An act for the relief of Jean I. Dunlop.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. JACKSON:

Address delivered by Senator MUSKIE to a luncheon meeting of the Electronics Industries Association Seminar on the New Look in Defense Planning, March 13, 1962.

RECESS UNTIL 9 O'CLOCK A.M. TOMORROW

Mr. MANSFIELD. Mr. President, in line with the agreement entered into earlier today, I move that the Senate now stand in recess until 9 o'clock tomorrow morning.

The motion was agreed to; and (at 5 o'clock p.m.) the Senate took a recess, under the order previously entered, until tomorrow, Thursday, March 22, 1962, at 9 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate March 21 (legislative day of March 14), 1962:

U.S. DISTRICT JUDGE

George Templar, of Kansas, to be U.S. district judge for the district of Kansas. (A new position.)

IN THE ARMY

The following-named officers under the provisions of title 10, United States Code, section 3066, to be assigned to positions of importance and responsibility designated by the President under subsection (a) of section 3066, in rank as follows:

Lt. Gen. Barksdale Hamlett, O18149, Army of the United States (major general, U.S. Army), in the rank of general.

Lt. Gen. Paul Lamar Freeman, Jr., O17704, Army of the United States (major general, U.S. Army), in the rank of general.

The following-named officer under the provisions of title 10, United States Code, section 3066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 3066, in rank as follows:

Maj. Gen. Frank Schaffer Besson, Jr., O18662, U.S. Army, in the rank of lieutenant general.

The following-named officers for appointment in the Regular Army of the United States to the grades indicated, under the provisions of title 10, United States Code, sections 3284, 3306 and 3307:

To be major generals

Lt. Gen. Hamilton Hawkins Howze, O18088, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Thomas Weldon Dunn, O18157, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. James Lowell Richardson, Jr., O18232, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Theodore William Parker, O18369, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. William White Dick, Jr., O18384, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. William Frew Train, O18415, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Francis Thomas Pachler, O18486, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Tom Robert Stoughton, O18156, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Charles Hartwell Bonesteel, 3d, O18655, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Stephen Read Hanmer, O18346, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Marshall Sylvester Carter, O18369, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Tom Victor Stayton, O18417, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Rush Blodget Lincoln, Jr., O18656, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Horace Freeman Bigelow, O18775, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Isaac Sewell Morris, O18806, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Albert Watson, 2d, O18105, Army of the United States (brigadier general, U.S. Army).

Lt. Gen. John Phillips Daley, O18358, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Robert Hackett, O18380, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Mervyn MacKay Magee, O18478, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Gunnar Carl Carlson, O18515, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Ernest Fred Easterbrook, O18537, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Curtis James Herrick, O18538, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Andrew Joseph Adams, O18579, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Frank Hamilton Britton, O18703, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. James Karrick Woolnough, O18709, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Robert Augur Hewitt, O18713, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Dwight Benjamin Johnson, O18722, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Harvey Herman Fischer, O18832, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. George Thigpen Duncan, O18878, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. John William Bowen, O18904, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Ray Joseph Laux, O42102, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Jean Evans Engler, O19196, Army of the United States (brigadier general, U.S. Army).

Brig. Gen. John Joseph Davis, O18530, U.S. Army.

Maj. Gen. George Wilson Power, O18691, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Harrison Alan Gerhardt, O18697, Army of the United States (brigadier general, U.S. Army).

Brig. Gen. Ashton Herbert Manhart, O18773, U.S. Army.

Maj. Gen. Lawrence Joseph Lincoln, O18968, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Theodore John Conway, O19015, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Charles Henry Chase, O19095, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Edgar Collins Doleman, O19131, Army of the United States (brigadier general, U.S. Army).

To be major generals, Medical Corps

Maj. Gen. Joseph Hamilton McNinch, O18645, Army of the United States (brigadier general, Medical Corps, U.S. Army).

Brig. Gen. James Hedges Forsee, O18265, Medical Corps, U.S. Army.

To be brigadier generals, Medical Corps

Brig. Gen. George Merle Powell, O19340, Army of the United States (colonel, Medical Corps, U.S. Army).

Brig. Gen. Howard William Doan, O20057, Army of the United States (colonel, Medical Corps, U.S. Army).

Maj. Gen. James Leslie Snyder, O19627, Army of the United States (colonel, Medical Corps, U.S. Army).

To be brigadier general, Dental Corps

Col. Charles Max Farber, O20473, Dental Corps, U.S. Army.

IN THE MARINE CORPS

The following-named officers of the Marine Corps for permanent appointment to the grade of colonel:

Knapp, Horace E., Jr.
Demosthenes, Theodore A.
Stimson, Elwyn M.
Boyd, Clay A.
Low, Stanley D.
Carey, Roland E.
Kuns, Charles M.
Lundin, William M.
Myking, Brenten G.
Amerine, Richard R.
North, Royal E.
Roach, Maurice E.
Poggemeyer, Lewis E.
Caputo, Anthony
Bross, Robert W. L.
Grider, Robert Q.
Kramer, Vincent R.
Rhoades, Jack R.
Platt, Frank M., Jr.
Jensen, Oscar T., Jr.
Wagner, Laverne W.
Gunter, Howard G.
Hayes, Harold A., Jr.
Beck, Donald M.
Spiker, Theodore F.
Cave, Thomas F., Jr.
Ross, John F., Jr.
Siegel, Eugene A.
Olson, Harry C.
Bachhuber, Arthur J.
Morris, Warren
Stewart, Frank R., Jr.
Conger, Jack E.
Riley, Russell R.
Mueller, Elton
Cereghino, Alexander D.
Harris, Lawrence P.
Jones, Albert L.
Glick, Jacob E.
Callender, James M.
Williams, John E.
Hill, John T.
Stegemerten, Walter W.
Armstead, Robert C.
Raymond, Herbert D., Jr.
Richards, Robert M.
Woessner, Henry J., II
Casserly, Frank G.
Hedesh, Andrew
Carlson, Evans C.
Berteling, John B.
Railsback, Eldon H.
Cupp, James N.
Lund, Arnold A.
Sabatier, Henry S.
Warren, Joe L.

The following-named officers of the Marine Corps for permanent appointment to the grade of lieutenant colonel:

Wilson, Frank E.
Jones, States R., Jr.
Truesdale, Marion G.
Atkins, Wade W.
Sollom, Almond H.
Frankovic, Boris J.
Dressin, Sam A.
Rushlow, Bruce A.
Stanford, Norman R.
Beckett, John W., Jr.
Challacombe, Arthur D., Jr.
Wilkinson, John H.
Anderson, Roy L.
Johnson, Wayne
Tulipane, Thomas T.
Driftmier, John F.
Corman, Otis W.
Brown, Charles S.
Simmons, Robert L.
Farish, George B.
Gray, Roy C., Jr.
Daniels, Elmer R., Jr.
Miller, Edward J.
Bruce, Henry K.
Dyer, Phillip G.
Dewees, Raymond, Jr.
Hamm, Norman L.
Magill, James H.
Merchant, Clark E.
House, Charles A.
Melin, Ernest I.
Greenfield, Gaylord C.
McDaniel, James
Harmon, Lester G.
Morrison, Gene W.
Clapp, Archie J.
Rushlow, Ray D.
McBarron, Alden
Witt, William T., Jr.
McManus, John
Wilker, Dean
Mawyer, Ralph P.
Johnston, John C.
Vance, Johnnie C., Jr.
MacQuarrie, Warren L.
Dellamano, Albert F.
Hepler, Frank M.
Guss, William F.
Johnson, James K.
Ross, John D.
Felton, James A.
Barber, William E.
Hemstad, Robert S.
Barnhill, Claude O., Jr.
Austen, Philip N.
Sevier, Charles B.
Leogue, John J.
Keller, Karl T.
Millenbine, Otis E.
Reed, Herbert C.
Sigler, William M., Jr.
Cass, Bevan G.
McGraw, Thomas F., Jr.
Swinford, David G.
Ewers, Norman G.
Kern, Richard H.
McGraw, William C., Jr.
Ezell, Dee E.
Rutledge, Rockwell M.
Flinn, Norman W., Jr.
Le Faivre, Edward N.
Adams, Harold W.
Pond, Darwin B., Jr.
McCaleb, Alfred F., Jr.
Payne, Ernest W.
Gould, William R.
Schmagel, Arthur O.
Ward, Richard A.
Quillian, Stone W.
Ray, Grady W.
Francke, Donald E.
Conroy, Donald
Jackson, Owen G., Jr.
Andres, Russell A.
Gribbin, Thomas A., II
Collins, George J.
Panska, Donald A.
Matthews, Merlin T.
Warren, Robert F.
Painter, Harry F.
McLaurin, John M., Jr.
Lees, Urban A.
Bolts, Lewis E.
Mileson, Donald F.
Robinson, Robert B.
McRay, Harold G.
Newport, Richard B.
Graham, Robert J.
McMahon, John F., Jr.
Atwater, William L., Jr.
Simlik, Wilbur F.
Derryberry, Donald G.
Holland, Dan C.
Hughes, Thomas H.
Durnford, Dewey F., Jr.
Beck, Noble L.
Corbett, Leroy V.
Bruce, James P.
Caswell, Dean
Mulvey, William H.
Panchision, Walter
Pritchett, Clarence H.
Petty, Douglas D., Jr.
Berge, James H., Jr.
Kew, George D.
Cronin, James T.
Pedersen, Poul F.
Jillisky, Leo R.
Jones, James R.
Estey, Ralph F.
Eubanks, Fred F., Jr.
Daigle, Adlin P.
Smith, James W.
Joslyn, William G.
Harp, Dene T.
Price, Elbert F.
Murphy, John J.
Parnell, Robert L., Jr.
Jensen, Harvey L.
Nichols, Thomas H., Jr.
Miner, Ross R.
Wosser, Joseph L., Jr.
Higgins, William B.
Doswell, James T., II
Harris, Donald R., Jr.
Hovatter, Eugenous M.
Bohn, Robert D.
Stawicki, Theodore A.
Airheart, William C.
Dodenhoff, George H.
Hughes, Orlin A. P.
Crossman, Ralph B.
Brooks, Donald H.
Mize, Charles D.
Doehler, William F.
Mobley, Warren L.
Leader, Samuel F.
Davis, Merle C.
Powell, J. B.
McKean, Edgar A.
Vroegindewey, Robert J.
Grimes, Doyle
Youngs, Clifford A.
Asmd, Albert J.
McGuire, James L.

The following-named officers of the Marine Corps for permanent appointment to the grade of major:

Kirstein, Lee A.
Butner, John C., III
McCutchan, Robert C.
Spicer, Raymond B.
Dyroff, William F.
Fenton, Clayton C., Jr.
Downen, Robert E.
Dowd, John J., Jr.
Uskuralt, Robert H.
Freeman, Thomas R.
Mosher, Charles M.
Rann, Louis A.
Peck, William H.
Draper, William H.
Westcott, Charles T.
Condra, James E.
Wilcox, Edward A.
Vance, Robert N.
Demas, John G.
VanMeter, Jo M.
Sims, John B.
Roland, Harold E., Jr.
Harris, Frank W., III
Bednarsky, Vincent H.
Kletzker, Robert L.
Rice, Knowlton P.
Vuillemot, Floyd I.
McCreight, James K.
Haigwood, Paul B.
McIntosh, John C.
Cummings, William M.
Meyers, George F.
Herod, Jack
Phelan, Don G.
Bodley, Charles H.
Larsen, Robert J.
Noble, Richard F.
Paris, Euclid P.
Calvert, Robert W.
Kelly, James P.
Nesbitt, Cleon E.
DeNormandie, Frank R.
Cummings, James M.
Taves, Alfred C.
Barr, James C.
Keller, Gene S.
Ammer, Henry G.
Fischer, Henry, Jr.
Smith, William L.
Benskin, George H., Jr.
Eslinger, Dean E.

Holicky, Joseph J.
Dzialo, Edward W.
Porter, Robert H., Jr.
Johnson, Tracy N.
Overmyer, Gerald D.
Hayes, James M.
Field, Francis J.
Geiser, Edward D., Jr.
LaRouche, Charles R.
Johnson, Robert L.
Chambers, Franklin R.
Hoff, Frank X.
Lewandowski, Thaddeus F.
Wallace, Charles M., Jr.
Lahr, Robert J.
McMahon, Clare R.
Lynk, Edward H. P.
Reid, James H., Jr.
Hagarty, Patrick J.
Hargett, Ernest C.
Powell, David D.
Clark, Allen B.
Lewis, Elmer M., Jr.
Rodney, Glenn W.
Westphall, Howard A.
Butler, Jack H.
Cashman, James G.
Boyd, Clarence W., Jr.
McNeely, Robert L.
Breckinridge, James T.
Judge, Clark V.
Burroughs, Charles R.
Shea, James F., Jr.
Summers, Theodore
Walden, Denail E.
Keith, John H., Jr.
Stewart, Howard D., II
Johnson, Russell E.
Dindinger, Jack W.
Mills, Neil B.
Jones, Edward H.
Wallace, William T.
Roothoff, John J.
Duane, Marion J.
Kirby, Edward K.
Duffy, LeRoy M.
Edwards, Paul M.
Silva, Donald A.
Rose, Maurice
Merrill, George A.
Pollon, Arthur J.
James, Curtis A., Jr.
Humphreys, Richard D.
Hicks, Norman W.
Sullivan, Charles H.
Harmon, Autrey B.
Smith, Robert A.
Hendricks, Clayton V.
McGuigan, John R.
Thomas, Robert J.
Dahl, Clarence G.
Smith, Richard E.
Kearney, Jack R.
Turpin, Charles A.
Parrish, Robert G.
Pottebaum, Linus F.
Winn, Robert D.
Kiser, Harrol
Dresbach, Earl C., Jr.
Dillard, Jack N.
Harris, Robert G.
Killian, Edwin W.
VanCantfort, Rollin F.
Larson, Harold V.
Morin, Donald E.
Stevens, Thomas J.
Miles, Jack L.
Parsons, Harold L.
Wood, Ralph C.
Spencer, Donald E.
Martin, Reginald G.
Rieder, Alvin R.
Yount, Vance L., Jr.
Alison, James C.
Goss, Joseph A.
Randolph, Richard J., Jr.
Johnston, Howard J.
Spaulding, Jack D.
Connolly, Martin F.
McNaughton, George C.
Young, Robert F., Jr.
Haney, James M.
Ebert, James R.
Harris, Howard H.
Easter, Edward V.
Boles, Jack F.
Jones, David G.
White, Jack D.
Green, Melvin K.
Badger, Guy O.
Kuhlmann, Fred D.
Blair, George G., II
Barrett, Roscoe L., Jr.
Estes, Donald E.
Ford, Truett W.
Pagan, William S.
Frye, Robert W.
Phillips, Jack B.
Bey, Robert T.
Keyes, Edward B., Jr.
Barrett, Wallace C.
Carr, Ira T.
Gumienny, Leo
Pineo, Ray D.
Hunter, Clyde W.
Baites, Lonnie P.
Russ, Donald M.
Darracott, Charles M.
Knight, Frederic S.
Kerrigan, William E.
Selvitelle, Benjamin B., Jr.
Bullard, Lyle W.
McLennan, Kenneth
Thomas, John C.
Linn, Joseph W.
Worley, Kermit M.
Owens, Thurman
Olson, Fredric O.
Holt, Thomas J.
Derning, Edmund G., Jr.
Warshawer, Alan J.
Michaud, John B.
Mader, John P.
Dixon, Frank L., Jr.
Thomas, Jay J., Jr.
Kleppsattel, Frederick M., Jr.
Schultz, Gerald F.
Critchett, Edward W.
Valdes, Edmund
May, Donald L.
Bollinger, William D.
Scharfen, John C.
Fees, Fred J., Jr.
McColm, Harry A., Jr.
Dant, James K.
Walton, Leo E., Jr.
Johnson, Robert T.
Buchanan, Fitzhugh L., Jr.
Meeker, Ermine L.
Wachter, John A.
Diugos, Thomas S.
Showalter, Charles E.
Santee, Robert E.
Ambrosia, Eugene J.
Butler, Harrison M.
Mackey, Harold R.
Good, George F., III
Reid, Ernest H., Jr.
Shepherd, Lemuel C., III
Stephens, Reuel W., Jr.
Blagg, Russell E.
Eschholz, Theodore S.
Gover, Robert L., Jr.
Blough, Foster W.
Babe, George A.
Koler, Joseph, Jr.
Young, William F.
Bradley, Lawrence J.
Shanahan, Thomas C.
Coon, Elvin R., Jr.
Hillmer, Donald F.
VomOrde, Ewald A., Jr.
Foyle, Robert A.
Rump, William S.
VanZuyen, William M.
Lerond, Jack M.
Hall, Donald L.
Munn, Charles R., Jr.
Beverly, Arthur C.
Reese, Howard E.
Smith, Donald H.
McNicholas, Robert J.
Baerlswyl, Louis, Jr.
Taylor, Wilber F.
Taylor, Roma T., Jr.
Macklin, William H.
King, Charles F., Jr.
Pryor, Bertram H.
Kurowski, Anthony R.
Heffernan, Neal E.
Davis, Joseph L.
Hansen, Jack R.
DeLong, Earl R.
Snyder, Joris J.
Webb, Lewis R.
Miniclier, John F.
Langley, Charles F.
McClelland, William A.
Hickman, William T.
Horn, James A.
Barde, Robert E.
Flood, James H. A.
Runyan, Clair F.
Anderson, Robert V.
Selmyhr, Garlen L.
Magruder, Bruce, Jr.
Martin, Lee D.
Blyth, Charles W.
Yingling, James M.
Gately, William F., Jr.
Bentley, Loren D.
Barry, Richard S.

The following-named officers of the Marine Corps for permanent appointment to the grade of captain:

Windsor, Billie W.
Maxwell, Glenn K.
Read, William A.
Cassedy, Logan
Matheson, John R.
Allweiler, Joseph O.
Wers, Francis J.
Myers, Donald A.
Schremp, George R., Jr.
Berglund, Warren T.
Gormley, John D.
Vey, Willis D.
Shoemake, Loyd R.
Carothers, James H., Jr.
Henson, William E.
Shaffer, Raymond A.
Harris, George C., Jr.
Phillips, Jimmie R.
Toms, Edward H.
Kain, Edward W.
Sanborn, Earle L., Jr.
Soper, Melvin A., Jr.
Rutherford, Robert J.
Spencer, Ralph B.
Stein, Alfred F.
Sloan, Richard E.
Gregory, Malcome G.
Corbet, Jimmy A.
White, Jean P.
Ison, Lee F.
Morgan, William H.
Turner, Charles F.
Rappe, J. C.
Backus, Edward E.
Hamby, Ronald L.
Eggleston, Joseph N.
Ledbetter, Archibald C.
Fauver, Ronald E.
Cook, Marcus H.
Kneale, Charles R.
Scharnberg, George R.
Montague, Paul B.
Ludwig, Verle E.
Robinson, Dayton, Jr.
Bennett, Nalton M.
Stavridis, Paul G.
Barr, John F., Jr.
Owens, Owen L.
Wildey, Robert L.
Coffman, John W.
Wessel, Wallace
Pegley, James E.
Pearcy, Eddie E.
Stowers, Robert M.
Corn, Clifford D.
Grier, Samuel L.
Witkowski, Henry J.
Kessler, Paul
Keating, Weldon L.
Leidy, Alfred L.
McCain, Gene M.
Vrabel, Michael J.
Brent, Joseph M.
Miller, Richard R.
Barnard, John R.
Harris, William A.
Alexander, John C.
Elledge, Raymond J.
Tucker, Chester E.
Palmer, Kenny C.
Emma, Carl J.
Marusak, Andrew V., Jr.
Nilsen, George H.
O'Connell, John P.
Redman, Charles B.
Perrich, Robert J.
Carpenter, Stanley H.
Wilson, Harold B.
Stephenson, Charles R., III
Gilman, Donald E.
Blaha, Herbert J.
Patton, William C.
Moak, Stanley T.

The following-named officers of the Marine Corps for permanent appointment to the grade of captain:

Johnson, Herschel L., Jr.
Walters, Raymond D.
Himmer, Donald R.
Bradberry, Joe E.
Resnik, Edward D.
Welch, Homer L.
Clark, James E.
Rishel, Austin C.
Ritter, Otto W.
Nielsen, William J.
Adams, Sammy T.
Gambrel, James E.
Duncan, Billy R.
Cronk, Robert A.
McConnell, Warren M.
Simmons, Jack A.
Arquiette, John B.
Irons, Milton E.
Marques, Preston P., Jr.
Evans, Donald C.
Koppenhaver, Howard M.
Klein, Robert D.
Thurber, William M.
Sparks, John A.
Cantieny, John B.
Cox, Donald L., Jr.
Julian, Martin D.
Brindell, Charles R.
Palmer, Charles B.
Ryan, James, Jr.
Powers, William T.
Cook, Edward C.
Dunn, Walter F.
Friberg, James W.
Bomgardner, George I.
Jerabek, Milton H.
St Clair, Fred W.
Bray, Richard P.
DesJardines, Lawrence J.
Hines, Jack D.
Bottorff, Harry J.
Lugger, Marvin H.
Carruthers, Robert E.
Harp, James J.
Glasgow, Harold G.
Cawthon, Walter C., Jr.
Fites, Malcolm V.
Studt, John C.
Hatch, Richard L.
VanSant, Frederick N.
Garrett, Donald J.
Duck, John E.
Heisher, Paul M.
Maxwell, Hurdie L.
Tighe, Paul J.
Kehoe, James P.
Eckert, John F., Jr.
Shuttleworth, James E.
Wonhof, Alan E.
Warren, Frank R.
Montague, James H.
Seiler, David F.
Fritschi, George W.
Smith, Bernard B., Jr.
Owen, Billy M.
Piamondon, Robert A.
Henry, Clark G.
Young, Dale E.
Daly, Daniel C.
Hauck, Walter R.
Tayntor, Charles E.
Gradl, Herbert M.
Miller, John H.
Realsen, Arvid W.
Coffin, James H.
Mann, Bennie H., Jr.
O'Brien, Charles H.
Harvey, Donald L.
Dunbaugh, Charles R.
Statzer, Merlin V.
Hutchinson, Robert N.
Walker, Joe G., Jr.
Smilanich, William E., Jr.
Rhine, Wesley E.
Murphy, Donald L.
Drennan, Lawrence T., Jr.
Smith, Kenneth L.
Gragan, David E.
Dickey, David K.
Thompson, Robert B.
Sails, Carroll E.
Horne, Ivan F.
Poittevent, Walter O.
Fridell, John R.
Koelper, Donald E.
Guay, Robert P.
Fisher, Farris C.
Calder, James D.
Conrado, James S., Jr.
Chailgren, Stanley A.
Solliday, Robert E.
Needham, Michael J.
Reilly, Donald J.
Courtney, Richard G.
Folck, Chester A.
Danielson, Donald C.
Raines, Thomas E.
Liddle, Chester A., Jr.
Parish, Lowell W.
Kelly, John F. J.
Slack, Gerald J.
Mann, John W.
Rainbolt, Richard E.
Beal, Don D.
Clark, Fred E., Jr.
Ratcliff, Percy D.
Dutton, Thomas A.
Barton, Willis W., Jr.
Holt, Ralph P.
MacDonald, Herman A., Jr.
Wahlfeld, Howard W.
Dockstader, Richard W.
Bell, George N.
Sanford, Herbert C.
Medis, James W.
Frisbie, H. Reed, Jr.
Smigay, Daniel B.
Sutt, Charles L.
Peres, Richard
Rapp, John M.
Cooke, Richard M.
Fennell, Patrick J., Jr.
Wagner, David H.
Daley, John J., Jr.
Hammel, Charles F.
Hieber, George A.
Jacobs, Merrill M.
St Amour, Paul A. A.
Duff, John C.
Hendricks, Robert G., Jr.
Fritzlen, James W.
Pagano, Vincent B.
Morris, Loyd E., Jr.
Kent, Brian B.
Gallagher, John H.
Nelson, Robert C.
Murray, Francis R.
Forrey, Wilmer H.
Porter, George A.
Treble, Charles
Morgan, Donald C.
Rueckel, Frederick A.
Clatworthy, John
Whalen, Robert P.
Cavallo, Louis J.
Bartlett, Stephen W.
McAdams, Donald J.
Pitchford, Charles F.
Davidson, Darrell U.
Sayce, Donald H.
Twining, David S.
Craig, Winchell M., Jr.
Rowlands, Cledwyn P.
Campbell, John W.
Christy, Robert A.
Eagan, Arthur J.
Caudill, Curtis E.
Percy, Stephen
Layne, Donald Q.
Wells, Ullis C.
Jones, Robert W. G.
Smith, Joseph N.
Blair, John H.
Ballus, David H.
Conlin, John C.
Burke, Edward J.
Simpson, Thomas H.
Leftwich, William G., Jr.
Johnson, Clifford H.
Truesdale, Bruce A.
Ferrington, George B., Jr.
Comfort, Clayton L.
Watson, LeRoy E.
Hearn, Thomas M.
Wiltale, Russell E.
Stephens, Ray A.
Hoch, Louis A., Jr.
Smith, Kenneth E.
Williams, Robert G.
Pollard, Jack G.
Delcuze, Godfrey S.
Baker, Clarence M.
Bradley, William C.
Heering, David P.
Coyle, Thomas J.
Lee, Richard J., Jr.
Clark, Bernard E.
Sinclair, John E.
Boyd, Frank M.
Cain, Thomas L.
Rovegno, Donald C.
Sulik, Richard A.
Sullivan, William M.
Hutchins, Walter P.
Madden, Byron E.
Greer, Roger W.
Bowen, James T.
Darron, Robert B.
Kennedy, Thomas L.
Spurlock, David A.

Savoy, Ernest R.
Salzman, Frederick P., Jr.
Nelson, Ronald E.
Smith, Craig S.
Nugent, Thomas F. E.
Cockey, John M.
Greene, John W.
Houston, Stanley S.
Smith, Haywood R.
Haskins, Francia W.
Ayers, Thomas J.
Prebihalo, Robert G.
Foster, Richard M.
Pitcher, Bert R., Jr.
Miller, William S., Jr.
Starnes, Cullen G., Jr.
Jenks, Harry E., II
Christensen, Don R.
Ringler, Jack K.
Brown, Guy L.
Muhlig, John R., Jr
Platea, Anthony P., Jr.
Pate, Gerald S.
Ganey, Thomas P.
O'Toole, John L.
Slack, Thomas W.
Blair, Richard R.
Bloom, Allan H.
Johnson, Mannon A., Jr.
Thompson, Robert H.
Boyd, Daniel Z.
Pfeifle, Richard C.
Smith, John H.
Cook, Walter T.
Haviland, Harold D.
Tyksinski, William A.
Maas, Bertram A.
Tiede, Herbert R.
Bujan, Charles D.
Selby, Donald F.
Poindexter, John E.
Vibberts, John L.
Martin, Robert W., Jr.
Swinney, James T.
Marts, Austin M.
Lawrence, Rodney O.
Hillyard, Gordon L.
Dresely, John W.
Rivard, Ronald I.
MacDonald, Robert E.
Jaksins, Stanley C.
Lockard, Edwin W.
White, Robert D.
Sullivan, William J.
Jacobson, Douglas T.
Dininger, Charles F., Jr.
Hansen, Gunnar O.
Deem, Richard G.
Andersen, Andrew E., Jr.
Roe, John M., Jr.
Simpson, William A.
Allen, Thomas H., Jr.
Andersen, Ernest J.
Bany, John B., Jr.
McDonald, Daniel V.
Teague, Charles E.
McCreight, Jack D.
Dorffeld, Charles E.
Eitel, Robert J.
Eleazer, William R.
Stanton, Thomas P.
Hyatt, John K., Jr.
Andersen, Eugene W.
Ryan, Philip J.
Walling, Robert P.
Burk, Thomas K., Jr.
Simpson, Donald R.
Zimolzak, Frank
Peterson, Bob K.
Durhan, John A., Jr.
Strain, Donald H.
Malovich, Arthur D.
Newman, Buel B., Jr.
Bird, Neale E.
McDermott, Arthur T.
Wolcott, Frank B., III
Rojo, Manuel, Jr.
Morris, Clark S.
Binney, Douglas C.
Duphiney, Randall W.
Alm, Richard A.
Emmons, Charles D.
Wood, Charles D.
Chace, Frank C., Jr.
Lippold, Orville V., Jr.
Litzenberger, Earle D.
Glidden, Thomas T.
Hamilton, John A.
Manhard, Albert H., Jr.
Kraynak, John P.
Cahill, John J.
Hower, Raymond R.
DeNors, John
Alves, Edward R., Jr.
Dumont, Thomas J.
Walker, James H.
Sullivan, Thomas L.
Goodin, James C.
Stoffelen, Peter L.
Faro, Eugene E., Jr.
Yelek, Don L.
O'Neill, John E.
Stiffler, Charles R.
Brekenridge, Floyd S., Jr.
Leisy, Robert R.
Martin, Richard L.
Orr, Arnold J.
Sears, Walter E., Jr.
Goodall, Robert L.
Eversole, Carl J.
Lunsford, William T.
Palmer, Richard L.
Nyland, William T.
Palmer, Robert P.
Eddy, James R.
Williams, Frank P., Jr.
D'Arco, Anthony J.
Mitchell, Frank H., Jr.
Beauchamp, Glen T.
Limbach, Walter R.
West, Frank K., Jr.
O'Connell, Patrick J.
Egger, Charles H. F.
Vidano, Albert J.
Crews, Duane D., Jr.
Brooks, Thomas D.
Mayer, Donald F.
Franklin, Quentin I.
Sheahan, Robert R.
Viers, Willard G., Jr.
Sherlock, John, Jr.
Jarman, Lewis W.
Connolly, James J.
Dunn, Hollis T.
Leavitt, Edward J.
Shauer, Walter H., Jr.
Rogers, Lane
Chaney, Earl D., Jr.
Zimmerman, Eugene H.
Merrill, Will A.
Flanagan, John H.
House, William E., Jr.
Somers, Allen H.
Palmer, Kenneth P.
Snead, Douglas L.
Bladergroen, Charles H.
Alber, John W.
McMonagle, James J.
Carpenter, Donald R.
Kittler, Simon J.
Lono, Luther A.
Ogden, Bruce F.
Donovan, Orval E.
Vanderaluis, Jan P.
Bitner, Daniel S.
Walker, John B., Jr.
Bright, Ray E., Jr.
Skipper, Kenneth J.
Thatcher, John L.
Costello, Thomas L.
Gallagher, Edward W.
Brower, Joseph P.
Standish, Cameron
Hunter, Earl R.
Herron, David G.
Foster, David L.
Chester, John W., Jr.
Salter, Martin E., Jr.
Waters, George J.
Elam, David L.
Wood, Donald E.

The following-named officers of the Marine Corps for permanent appointment to the grade of first lieutenant, subject to qualifications therefor as provided by law:

Letchworth, Rodney R.
Mead, William H.

The following-named officers of the Marine Corps for temporary appointment to the grade of first lieutenant, subject to qualifications therefor as provided by law:

Lutton, John M., Jr.
Salmon, Lawrence R.
Slater, John H.
Sloan, Robert W.
Weaver, Robert F., Jr.
Stone, Alan C.

HOUSE OF REPRESENTATIVES

WEDNESDAY, MARCH 21, 1962

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Isaiah 55: 7: *Let the wicked forsake his way, and the unrighteous man his thoughts; and let him return unto the Lord, and He will have mercy upon him; and to our God, for He will abundantly pardon.*

Almighty God, in this meditative season of the Christian year may we be filled with a mood that is befitting to its solemnity and significance.

Gird us with renewed strength and courage to rise above everything that defiles our character and darkens the window of hope and of aspiration.

Grant that there may be in our inmost being a passion for purity, a power to master every self-indulgent desire, and a prayer to pursue the more excellent way.

We pray that Thou wilt put Thine arms of love about the sorrowing and all whose heads are bowed low by the blows of adversity and who mourn in secret behind a smiling face.

Hear us in His name who is of all friends the nearest.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate disagrees to the amendments of the House to the bill (S. 167) entitled "An act to authorize the Attorney General to compel the production of documentary evidence required in civil investigations for the enforcement of the antitrust laws, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. EASTLAND, Mr. KEFAUVER, Mr. JOHNSTON, Mr. DIRKSEN, and Mr. HRUSKA to be the conferees on the part of the Senate.

TULANE UNIVERSITY, NEW ORLEANS, LA.

Mr. MILLS. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 641) to provide for the free entry of an intermediate lens beta-ray spectrometer for the use of Tulane University, New Orleans, La., together with amendments of the Senate thereto and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

"SEC. 2. (a) Section 165 of the Internal Revenue Code of 1954 (relating to losses) is amended—

"(1) By redesignating subsection (h) as subsection (i), and

"(2) By inserting after subsection (g) a new subsection (h) as follows—

"'(h) DISASTER LOSSES.—Notwithstanding the provisions of subsection (a), any loss

"'(1) attributable to a disaster which occurs during the period following the close of the taxable year and on or before the time prescribed by law for filing the income tax return for the taxable year (determined without regard to any extension of time), and

"'(2) occurring in an area subsequently determined by the President of the United States to warrant assistance by the Federal Government under sections 1855–1855g of title 42,

at the election of the taxpayer, may be deducted for the taxable year immediately preceding the taxable year in which the disaster occurred. Such deduction shall not be in excess of so much of the loss as would have been deductible in the taxable year in which the casualty occurred. If an election is made under this subsection, the casualty resulting in the loss will be deemed to have occurred in the taxable year for which the deduction is claimed.'

"(b) The amendments made by this section shall be effective with respect to any disaster occurring after December 31, 1961.

Amend the title so as to read:

An Act to provide for the free entry of an intermediate lens beta-ray spectrometer for the use of Tulane University, New Orleans, Louisiana, and to amend section 165 of the Internal Revenue Code of 1954 with respect to treatment of casualty losses in areas designated by the President as disaster areas.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

Mr. BAKER. Mr. Speaker, reserving the right to object, will the chairman explain the bill?

Mr. MILLS. Mr. Speaker, as Members of the House will recall, H.R. 641 passed the House of Representatives unanimously on August 23, 1961. The purpose of the bill was to provide for the free entry of an intermediate lens beta-ray spectrometer for the use of Tulane University.

The Senate made no changes in the bill which would affect this purpose. However, the Senate did add an amendment, cosponsored by Senator BYRD, of Virginia, chairman of the Finance Committee, and Senator WILLIAMS, of Delaware, ranking member of the Senate Finance Committee, the purpose of which, as stated by Senator WILLIAMS, is to "allow those in any disaster area so declared by the President of the United States to charge off their casualty losses on the

preceding year's tax return when the disaster happens after January 1 and before the time prescribed by law for the filing of their income tax returns."

Mr. Speaker, in addition, permit me to suggest that I am asking the House to agree to this Senate amendment with the understanding that:

First. It applies only in the case of a casualty loss (a) attributable to a major disaster—within the meaning of section 2(a) of the act of September 30, 1950—and (b) sustained in an area for which the President directs Federal agencies to provide assistance for such major disaster under section 3 of such act.

Second. In the case of such a casualty loss, if the disaster occurred after the close of the taxpayer's taxable year and before the date prescribed by law for filing his return for such taxable year, the taxpayer may elect to treat such loss as sustained in the taxable year immediately preceding the taxable year in which the disaster occurred.

Third. In any such case, the amount which is allowable under section 165(a) of the 1954 code for such preceding taxable year with respect to such loss is to be the amount which would be allowable under such section 165(a) for the taxable year in which such loss is sustained.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. BAKER. I yield to the gentleman from Indiana.

Mr. HALLECK. Mr. Speaker, this matter was called to my attention some days ago by the Senator from Delaware [Mr. WILLIAMS]. I told him at the time that I thought such action as this was highly desirable.

I had occasion the other day to go to the Atlantic coast of New Jersey to take a look for myself at the damage that was done there. I was taken on an inspection tour by local officials. The only way we could get through was by a caterpillar-equipped vehicle. I must say that the damage done not only to public facilities but also to private homes and private businesses is just completely unbelievable unless you see it for yourself.

It does seem to me that this measure is only equitable and fair. It will not ultimately result in any loss of revenue to the Government but will be of immense help to people in the disaster area who have suffered very seriously from the terrific storm that struck them.

I might say also, Mr. Speaker, I understand there are other actions being considered in the Congress of the United States that would afford additional relief to these people. As I say, I have seen something of the situation at firsthand. I want to say at this point that anything reasonable that can be brought before the Congress to aid in this situation I shall be glad to move along as fast as I can.

Mr. CAHILL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. CAHILL. Mr. Speaker, I rise to compliment and thank the distinguished minority leader, Mr. HALLECK, for the interest, sympathy, and understanding he has demonstrated for those affected by the tragic storm that struck with such fury along the New Jersey coast and brought such suffering and loss to the people of my State. When the gentleman from Indiana took time from his busy schedule to travel to New Jersey and spend his entire weekend viewing and evaluating the scene personally, he again demonstrated the deep concern and real interest he has as one of our national leaders in the general welfare of all of the people of this country. As a result of his personal interest and support the amendment passed in the other body will, I believe, receive unanimous approval in the House.

As one who has also personally viewed the destruction and who has personal knowledge of the great loss of life and of property resulting from this storm I join the gentleman from Indiana in supporting this amendment and urge its unanimous adoption by the House.

Mr. BOGGS. Mr. Speaker, will the gentleman from Tennessee yield?

Mr. BAKER. I yield.

Mr. BOGGS. Mr. Speaker, the bill of which I was the author was the vehicle for this amendment, which I am very happy to support. I come from an area which is occasionally subject to hurricanes and the damage resulting from them. I think this is a very fine amendment and one which will give some degree of relief to people who suffered a very great disaster. I hope the House will concur in the Senate amendment.

Mr. BAKER. Mr. Speaker, the minority members of the committee are agreed that we should concur in the Senate amendment.

Mr. McDOWELL. Mr. Speaker, I rise in support of the bill, H.R. 641, as amended, now before the House. The amendment as adopted by the Senate provides for an amendment to the Internal Revenue Code which would allow taxpayers in my State who have suffered severely from the recent coastal storm to take credit for this damage on their 1961 income tax returns rather than having to wait to take such tax credit a year from now. This will greatly aid in providing cash for the purpose of rebuilding for those who have lost their homes and businesses in this disaster.

The change as contemplated by this amendment will not result in any loss in revenue to the Federal Government.

Mr. HARDING. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Idaho?

There was no objection.

Mr. HARDING. Mr. Speaker, I represent a State which has just suffered an estimated $13,320,000 damage from floodwaters which swept through homes, businesses, and farms in southern Idaho last month.

Having personally witnessed the devastation wrought these people by elements over which they had no control, I can strongly endorse the tax aid amendment attached to H.R. 641 in the Senate Monday which would aid flood victims in their economic recovery.

The amendment makes it possible for those living where the President has declared it a disaster area to claim their losses on their current tax return rather than waiting to deduct the losses until the next year.

This would mean disaster victims would have available this additional tax revenue assistance at the time when they most desperately need it. Present tax law provides that such losses can be deducted only in the calendar year in which they occur, so persons hard hit financially by the Idaho flood would get no tax relief until 1963.

Those who have already filed their tax forms can send amended returns to take advantage of this change in the law if the amendment is adopted.

Since this amendment had the support of the Senate and was drafted in cooperation with the Treasury Department, I hope the House will take immediate action to grant this tax relief.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

PRODUCTION OF CERTAIN EVIDENCE

Mr. CELLER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 167) to authorize the Attorney General to compel the production of documentary evidence required in civil investigations for the enforcement of the antitrust laws, and for other purposes, together with House amendments thereto, and agree to the conference requested by the Senate, and that conferees be appointed.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from New York?

The Chair hears none, and appoints the following conferees: Messrs. CELLER, RODINO, ROGERS of Colorado, MCCULLOCH, and MEADER.

DISTRICT OF COLUMBIA UNEMPLOYMENT COMPENSATION ACT

Mr. JAMES C. DAVIS submitted a conference report and statement on the bill (H.R. 5968) to amend the District of Columbia Unemployment Compensation Act, as amended.

THE 150TH ANNIVERSARY OF THE ESTABLISHMENT OF THE MUNICIPALITY OF BLOOMFIELD (N.J.)

Mr. RODINO. Mr. Speaker, I ask unanimous consent for the immediate consideration of House Resolution 567.

The Clerk read as follows:

Whereas the year 1962 marks the one hundred and fiftieth anniversary of the establishment of the municipality of Bloomfield, which took place on March 23, 1812, through an act of the Legislature of the State of New Jersey; and

Whereas the town of Bloomfield was named for Joseph Bloomfield, who served his country as a Member of this House, as a brigadier general in the War of 1812, as a Governor of the State of New Jersey, and as a major in the Revolutionary War; and

Whereas, in observance of the sesquicentennial, the town of Bloomfield and its citizens are conducting ceremonies and other appropriate activities in the current year: Now, therefore, be it

Resolved, That the House of Representatives extends its greetings and felicitations to the citizens and government of the town of Bloomfield, New Jersey, on the occasion of the one hundred and fiftieth anniversary of the establishment of the town of Bloomfield.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

Mr. HALLECK. Mr. Speaker, reserving the right to object, and I shall not object, the ranking member of the Committee on the Judiciary on our side of the aisle spoke to me this morning about this measure and indicated he is in favor of it.

Mr. GROSS. Mr. Speaker, further reserving the right to object, this simply extends felicitations. It does not cost any money?

Mr. RODINO. It does not cost any money.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The resolution was agreed to, and a motion to reconsider was laid on the table.

Mr. RODINO. Mr. Speaker, a century and a half of progress and productivity is nothing to be ignored. Indeed, it must be hailed as a matter of foremost importance. That is why, throughout the State of New Jersey, tribute is being accorded the city of Bloomfield, on the occasion of its 150th anniversary—an event well worth the time and effort of everyone concerned.

About the year 1700 a sturdy race of people began to settle in the Bloomfield area. The lay of the land was inviting. There was a fertile plain covered with virgin forests and flanked by tillable uplands. Two small rivers watered the region, giving promise of numerous mill sites. All that was needed to turn the countryside into an outstanding community was hard work and perseverance. These the earliest settlers were more than willing to provide. They worked not only for themselves but for their descendants. They came to stay.

In short time the people of Bloomfield had erected for themselves a community to be proud of, not only in the economic sense but in a spiritual and patriotic sense as well. The settlement of that part of Bloomfield formerly called Watsesson Plain became in time the most important section of the town. The first major improvement thereabouts was a wooden highway, constructed for the purpose of overcoming the perils of the mud season. Here and there along the course of the road, log houses and frame Flemmish cottages were quickly erected. And when the growth in population and produce warranted mills in the neighborhood, they were built. The first sawmill went into business as early as 1702.

Copper mines were discovered in the area before long, and a small copper industry came into existence, attracting additional settlers.

During the Revolutionary War there were no battles fought on Watsesson Plain, but the section was able to supply forage and supplies to Washington's troops when they encamped at Newark, in 1776. There is a story that Washington came here once for a night's lodging, only to leave when he found that the traitor, Benedict Arnold, was quartered nearby.

Following the war, in 1796, it was decided in town meeting to adopt the town name of Bloomfield, in honor of Gen. Joseph Bloomfield, a Revolutionary hero destined later to serve as Governor of the State, and a Member of Congress.

Yet not until 16 years later was Bloomfield enabled to separate herself from Newark Township. When that was brought about by legislative fiat, in the year 1812, Bloomfield came into her own and promptly began to thrive, as one of the outstanding communities in Essex County.

In time the town was to be cut down in size, to make way for the creation of four new neighbors: the towns of Montclair, Belleville, Glen Ridge and Nutley—formed from an area of 20 square miles formerly part of the Bloomfield domain.

But this in no way prevented Bloomfield from thriving, even under conditions of reduced size. The fact is evident today, through the existence of a substantial community, some 50,000 strong, and industry on a grand scale.

Not only is Bloomfield the site of a Westinghouse plant, a division of American Machine & Foundry and a General Motors parts unit, but also factories manufacturing nationally known and used electrical appliances and equipment, aluminum products, cosmetics, candy, pharmaceuticals, porcelain enameling, precision tools, and a variety of other industrial and scientific components and instruments. In addition, numerous research laboratories seek ways today to make easier and healthier our living tomorrow.

Two Bloomfield banks, moreover, record deposits of more than $150 million—a million for each year of the existence of this thriving town.

Local educational facilities include the venerable Bloomfield College and Seminary, founded in 1810.

Indeed, there is little in the way of industrial, educational, spiritual, and patriotic tradition that is not somehow accorded a place in the annals of Bloomfield, N.J., a town to be proud of, on this, the 150th year of its memorable existence. For here, beyond question, is the kind of community that can truly be called the backbone of the American Republic. It is fitting and proper, therefore, Mr. Speaker, that the House of Representatives has on this day adopted House Resolution 567, extending greetings and felicitations to the citizens and government of the town of Bloomfield, N.J., on the occasion of the 150th anniversary of the establishment of their town.

COMMITTEE ON RULES

Mr. SMITH of Virginia. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file a privileged report.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

AMENDING SECTION 9 OF THE McSWEENEY-McNARY FOREST RESEARCH ACT OF MAY 22, 1928

Mr. MATTHEWS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. MATTHEWS. Mr. Speaker, I have introduced today for appropriate reference, a bill to amend section 9 of the McSweeney-McNary Forest Research Act of May 22, 1928. This bill would remove the annual limitation on appropriations for forest resurveys. Adequate control over amounts appropriated annually, as in the case of other forestry research of the Department, then may be maintained through the usual budgetary review and the annual appropriation process in Congress.

In 1949 the Congress provided an authorization of $1,500,000 annually for conducting resurveys of the Nation's forest land and timber resources. During the past 12 years the costs of conducting forest surveys, like most other costs, have risen materially. As a result, a change in the authorization for resurveys, as proposed in this bill, has become necessary.

The Forest Survey provides the only comprehensive source of information on one of our most important natural resources. It is a source of basic statistics on the area and condition of forest lands, the volume, quality and location of remaining timber resources, the growth of timber, losses to fire and other destructive agents, and the current timber cut and prospective trends in requirements for forest products.

Every forestry agency requires such up-to-date facts on timber resources and uses to determine the effectiveness of our forestry efforts and the need for forestry programs. Forest industries need survey information in reaching business decisions on such problems as plant location and wood procurement programs.

This bill is necessary to enable the Department of Agriculture to conduct the nationwide forest survey on an adequate basis. This work is an essential part of the total forestry research program that is needed to support our large and growing forest economy.

AUTHORIZING APPROPRIATIONS FOR AIRCRAFT, MISSILES, AND NAVAL VESSELS

Mr. COLMER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 562 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 9751) to authorize appropriations during fiscal year 1963 for aircraft, missiles, and naval vessels for the Armed Forces, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed four hours, to be equally divided and controlled by the chairman and the ranking minority member of the Committee on Armed Services, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. COLMER. Mr. Speaker, I yield the customary 30 minutes to the gentleman from Ohio [Mr. BROWN], and pending that I yield myself such time as I may consume.

Mr. Speaker, House Resolution 562 provides for the consideration of H.R. 9751, a bill to authorize appropriations during fiscal year 1963 for aircraft, missiles, and naval vessels for the Armed Forces, and for other purposes. The resolution provides for an open rule with 4 hours of general debate.

We believe that today our strategic retaliatory forces are fully capable of destroying the Soviet target system, even after absorbing an initial nuclear surprise attack.

However, we do not know how large a strategic retaliatory force and what combination of weapons system we will need over the next several years to continue to deter the Soviet Union; or, if deterrence fails, to be able to strike back decisively even after absorbing an initial nuclear attack.

The size and kind of forces the country will need in the future will be influenced, in large part, by the size and kind of long-range nuclear forces the Soviets could bring against us and our allies and by the effectiveness of their defensive system. Assuming that the Soviet Union will eventually build a large ICBM force, then we must concentrate our efforts on the kind of strategic offensive forces which will be able to ride out an all-out attack by nuclear-armed ICBM's in sufficient strength to strike back decisively.

Steps must also be taken to improve our defenses against the growing threat of submarine-launched missiles. The Soviet Union probably already has some missile-firing submarines, a few of which may be nuclear powered. This fleet may be expected to grow in numbers and in capability, and new measures will have to be devised to counter that threat.

Finally, there is the possibility farther out in the future of a satellite-borne threat. In fact, the problem of detecting, tracking, and identifying satellites is already with us.

Mr. Speaker, up until a few moments ago I had intended to address myself at some length on what I understood was to be the most controversial issue posed by this bill, namely, whether the provisions of the bill with reference to the so-called RS-70 bomber planes versus the executive department's opposition thereto would prevail. This has been heralded as a contest between the executive and legislative departments of our Government. However, I have learned since I have come upon the floor that this has been resolved; and that the Armed Services Committee, under the leadership of the very able chairman, has agreed, or possibly compromised would be a better word, with the executive department and an appropriate amendment will be offered to put into effect that agreement.

However, I do want to say, Mr. Speaker, that as members of the legislative branch of our Government, most of us applaud the distinguished chairman, Mr. VINSON, and his efforts to preserve the integrity of the Congress by maintaining its independence of the executive department. For, if I understand the Constitution, and I think I do, the Founding Fathers provided that the Congress as a legislative body had the privilege and the duty to raise and support armies, and otherwise provide for the armed defense of the country. While, on the other hand, the President was set up as the Commander in Chief of the Armed Forces.

Therefore, it is the judgment of this Member of the Congress that the Committee on Armed Services is unquestionably within its right in insisting that the moneys it authorizes for particular weapons should be expended by the executive department for that purpose. In this connection, I should like to emphasize here that we in the Congress and in the country generally are indebted to the great chairman of the Armed Services Committee of the House, the Honorable CARL VINSON, for the substantial contribution which he has made throughout the many years that he has been chairman of this important committee, to the defense of our country.

However, Mr. Speaker, I should also like to applaud another public servant, one whom I know only by reputation, the Honorable Robert S. McNamara, the Secretary of Defense, who has differed with our distinguished chairman in this case of the B-70's. I am sure that Mr. McNamara is a distinguished public servant. His phenomenal career in industry has demonstrated his ability. His unselfish sacrifice made by him in order to undertake the important post that he now holds demonstrates his patriotism and dedication to country.

Mr. Speaker, I would be foolish indeed to set myself up as an arbiter in what appeared to be a controversy between these two great Americans. I am no expert in this or any other field, but I do have certain convictions which I have repeatedly stated from this floor over a period of the past 15 years. These are that Russia wants neither war nor peace, but the Communists set out deliberately at the conclusion of World War II to destroy its chief potential enemy, the United States of America, not by force of arms but by the destruction of the value of our dollar, and thereby our economy. Then, in turn, when we are a bankrupt nation and the hungry bellies ensue, to take over through infiltration, subversion, and the other now-known Russian devices without even firing a Russian gun. Mr. Speaker, I repeat, I am more concerned about the fiscal stability of this country than I am fearful of a Russian invasion. Therefore, while we must maintain a reasonably adequate defense posture, we must at the same time see to it that our fiscal house is kept in order, lest we play into the hands of the Communists.

In this connection I recall that in 1949 we had a somewhat similar situation when the construction of a large number of B-36 bombers was under consideration. At that time, I had a rather extended colloquy with the distinguished chairman of the Armed Services Committee in which I made the same point that I am making here today. On that occasion I pointed out that the B-36 bombers would be obsolete before the last came over the assembly line. Of course, that prediction proved to be true. Finally, Mr. Speaker, I am happy that sober judgment has prevailed and the additional $2.5 billion will not be expended at this time. I repeat my apprehension of spending ourselves into bankruptcy, and in this connection I should like to again point out that we owe $300 billion, that we are still engaging in the modern but false liberals' pastime of spending ourselves into bankruptcy. In 24 of the past 26 years we have had an unbalanced budget. We have raised the debt limit $2 billion this year and will be called upon to raise it another $8 or $10 billion before this Congress adjourns. The interest alone on the national debt is now better than twice the amount which was required to run the whole Federal Government 30 years ago.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. COLMER. I yield to my distinguished friend from Iowa, who always is alert to the situation which I am now discussing.

Mr. GROSS. The gentleman is very kind. I rose to commend the distinguished gentleman on the statement he is making. In view of the fact that this is a $13 billion authorization bill, Mr. Speaker, I make the point of order that a quorum is not present. We should have more Members present to hear the gentleman's very fine statement.

Mr. VINSON. Will not the gentleman wait until the rule is adopted, and then make his point of order?

Mr. GROSS. I would like the Members here to hear the gentleman's statement.

Mr. COLMER. I appreciate the gentleman's gesture. Under the assurance that I have said my little piece for the umpteenth time on the floor of the House, will the gentleman not withhold his motion a couple of more minutes?

Mr. GROSS. I defer to the wishes of the gentleman.

Mr. COLMER. The gentleman always is most gracious, and I thank him.

I am going to do just what I said I was going to do, I am going to cease this useless dissertation here because nobody pays any attention to this type of reasoning. But you are going to have to pay attention to it in just a few more years. You had better wake up and pay some attention to it now while you have an opportunity.

We must not only be reasonable in the area of national defense but we must also be prudent in domestic expenditures. These new authorizations for more welfare programs must be stopped. As surely as we gather in this Chamber today, there is a day of reckoning ahead. We had better apply the brakes and reverse the trend now while there is possibly still time or else we shall become the serfs of the Communist masters—not through armed invasion but by our own lack of discretion and self-control.

I reserve the balance of my time, Mr. Speaker.

Mr. BROWN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as the gentleman from Mississippi, my colleague on the Rules Committee, Mr. COLMER, explained, this resolution makes in order the consideration of the bill H.R. 9751, an open rule with 4 hours of debate, to authorize appropriations, for fiscal year 1963, "for aircraft, missiles, and naval vessels for the Armed Forces, and for other purposes." In other words, this is a military authorization bill.

This bill was reported unanimously by the Armed Services Committee, and this rule was also reported unanimously by the Rules Committee. There has been only one controversial provision in this bill, although there may be some discussion as to the total amount of funds involved. That provision appears in line 2 of page 2, where the bill reads:

> The Secretary of the Air Force is "directed to utilize authorization in an amount not less than $491,000,000 during fiscal year 1963 to proceed with production planning and long leadtime procurement for an RS-70 weapon system."

Since that time some changes have been made.

Yesterday was a beautiful day, a wonderful spring day. In fact, spring finally arrived, late yesterday evening about 9 o'clock. On yesterday two of the most distinguished Americans of our time met together and took a little stroll in the Rose Garden behind the White House down at 1600 Pennsylvania Avenue and discussed some of the provisions of this bill.

As a result, the Committee on Armed Services of the House, which has usually been unanimous in its actions, because of the great leadership it has had, agreed to accept an amendment to change the wording of line 2 on page 2, so as to eliminate the word "directed" and to substitute therefor the word "authorized." Somehow or other that little change seems to have taken most of the steam out of the R-70 controversy which has been brewing here on Capitol Hill during the last few days.

Mrs. ST. GEORGE. Mr. Speaker, will the gentleman yield?

Mr. BROWN. I yield to the gentlewoman from New York.

Mrs. ST. GEORGE. I would like to ask the distinguished gentleman from Ohio if he would give me a ruling on what the word "authorized" actually means?

Mr. BROWN. My dear colleague, I am not sure I can give you a ruling that would be entirely official because there has been a great deal of discussion throughout the years as to what the word "authorized" really means, in connection with legislation, when the President is authorized to do something. But the usual conclusion is that the will of the Congress is expressed in using the word "authorized," and it also expresses the desire of the Congress. So if that particular interpretation of the word "authorized" is correct the very distinguished gentleman, the chairman of the House Committee on Armed Services, did not give up too much.

Mrs. ST. GEORGE. In other words, it means a pious hope—and sometimes—"Hope deferred, maketh the heart sick"; is that correct?

Mr. BROWN. It goes a little further than that. I would suggest, if you check the records, that while we authorize many expenditures, the money is not always appropriated, and even if so, the expenditures are not always made by the President. But usually when the word "authorized" is used in legislation, the Chief Executive accepts it as more or less expressing the desire and the will of the Congress, and quite often he goes along with that.

Mrs. ST. GEORGE. I thank the gentleman for the explanation.

Mr. BROWN. Of course, that is one of the things that makes life in our Nation's Capital interesting—they do change the use of the words and the rules of the game now and then to meet changing circumstances.

Mr. VINSON. Mr. Speaker, will the gentleman yield?

Mr. BROWN. I yield to the distinguished gentleman from Georgia, the chairman of the Committee on Armed Services.

Mr. VINSON. In view of the statement of the gentleman from Ohio and the statement of the gentlewoman from New York [Mrs. ST. GEORGE], I want to say that the word "authorized" in this particular instance means more than ever before.

Mr. BROWN. As I pointed out, the gentleman from Georgia, the distinguished chairman of the Committee on Armed Services, usually has his way in the end.

Mr. CANNON. Mr. Speaker, will the gentleman yield?

Mr. BROWN. I yield to the gentleman from Missouri [Mr. CANNON].

Mr. CANNON. The gentleman will recognize, I am certain, as all Members of the House understand, that the word "authorized," as used in this connotation, means "permitted"—and nothing more.

It does not direct; it does not commit the House to affirmative action so far as appropriations are concerned.

Chairman Nelson Dingley, of Maine, disposed of that question for all time when he rendered an opinion on January 17, 1896, in which he said:

> The House has the right to refuse to appropriate for any object which it may deem improper, although that object may be authorized by law.

Mr. BROWN. Now we have had two completely different opinions expressed by two of the deans of this House, by two of the most learned men in the House of Representatives, both of whom are chairmen of very, very important committees of the House of Representatives. So decide for yourselves, if you please, just what the word "authorized" means.

Mr. Speaker, I would like to say in conclusion, in connection with this bill, of course, it is only an authorization bill, that is true; but, yet, it is a very, very necessary piece of legislation. All of these items that are authorized in this bill will have to be considered later by the House Committee on Appropriations.

But, I wish to go just a bit further, if I may, although I am not going to get into this argument over the B-70's.

I have been around here for a long, long time, some 24 years; but I am still very much of a junior to both the gentleman from Georgia and the gentleman from Missouri. In the years I have been here, however, I have learned that there has never been in the history of this country—and I mean exactly what I say—there has never been any individual in this country who had as great a grasp or knowledge of military matters and our military needs as the gentleman from Georgia [Mr. VINSON], chairman of the Armed Services Committee. I believe this has been agreed to by a great many qualified observers, all over this country, as well as our greatest military experts, and others. He has been honored many, many times by many patriotic organizations for the contributions he has made to our national defense. Like the gentleman from Mississippi, I have not always agreed with everything the gentleman from Georgia has said, or done, yet I do recognize his great knowledge and his great ability; and I believe that his judgment is as sound as that of anyone who may move from civilian life into the swirl of governmental affairs down here and, in a few weeks, or a few months, or a few years, have suddenly become an expert.

I recall we had a witness from one of the departments before a committee on which I sat not long ago. I noted in the paper that he had been confirmed by the Senate a day or two before, but he was appearing before the committee as an expert because he was an Assistant Secretary in that department. I asked him when he took office. He said he had been sworn in that morning before he came to Capitol Hill. I mention that because sometimes I think we had better base our judgment upon knowledge and information gained by men in this Congress who, through long years of service, are often in a far better position to know and to judge the right thing to do than some of those who may serve a much shorter time in other capacities of Government.

Mr. FORD. Mr. Speaker, will the gentleman yield?

Mr. BROWN. I yield.

Mr. FORD. May I say to the gentleman from Ohio that I join with him

wholeheartedly in the complimentary things he has said about the fine gentleman from Georgia. He is not only an expert in all aspects of the military, but also he is an exceedingly fine gentleman.

In the light of the previous discussion here regarding the word "authorized" and its definition, perhaps I can clarify it somewhat—or maybe muddy the waters.

Mr. BROWN. I am very happy to have the gentleman's contribution. I want to call the gentleman's attention to the fact that the gentleman from Ohio held a very flexible position regarding what the word "authorized" actually means.

Mr. FORD. We do have some history in this body in reference to the meaning of this word. Back on May 27, 1950, the distinguished gentleman from Georgia brought a proposal to the floor of the House. It was H.R. 7764, a bill to authorize the construction of modern naval vessels, and for other purposes. The bill in part—and I quote from the CONGRESSIONAL RECORD of that date, read:

"Be it enacted, by the Senate and House of Representatives in Congress assembled, That the President of the United States is hereby authorized and directed to undertake the construction of not to exceed 50,000 tons of modern naval vessels in the following categories:".

And the categories are subsequently set forth. The House of Representatives passed that bill. It went to the other body. In the meantime the then President, Mr. Truman, and his then Secretary of the Navy, Mr. Matthews, became concerned about the use of the word "directed" in an authorization bill. Apparently in conference the conferees on the part of the House agreed to the deletion of the word "directed."

When the conference report came back to the House on July 31, the gentleman from Georgia [Mr. VINSON], when asked some questions by Mr. MARTIN of Massachusetts, had the following to say:

Mr Speaker, one Senate amendment strikes out the words "and directed."

The Senate did not like the word "direct."

Mr. VINSON went on to say, and I read again from the RECORD:

The words "authorization" and "authorize" and "direct" are practically the same thing.

I do not know whether the dictionary will agree with that interpretation or not, but we do have some legislative history on the meaning of the words "authorization," "authorized," and "directed." Personally I firmly believe that there is a distinct difference between the words "authorize" and "direct." I respectfully say they are not "practically the same thing" and any dictionary will agree with my observation.

Mr. BROWN. I thank the gentleman very much.

The gentleman from Michigan has indicated that the gentleman from Georgia is still of the same mind as he was back in 1950. The gentleman from Ohio is completely aware of the fact that we have authorized various Presidents, of all types, stripes, and breeds, to do many things that they have failed or refused to do. Of course I know of no particular method or means the Congress of the United States, as the legislative branch, has to compel or to force any President to expend any funds which may be authorized and appropriated. That situation has existed many times in the past, and nothing was ever done about it.

I presume that first of all, in connection with this bill, under the gentle direction of the gentleman from Missouri, [Mr. CANNON], chairman of the Committee on Appropriations, that committee will scan this measure very carefully and decide, in its own innate wisdom, what particular changes should be made in connection with the authorizations carried in this bill.

Finally, the other body will take a look at this legislation and probably add some more to it in the way of appropriations and authorizations. Then finally it will all go down to the White House and be signed into law, both this authorization bill and the appropriation bill. In the end usually the President, the bureaucrats, and the other officials who serve under him, will do what they please about it anyway. So perhaps this has all been more or less a tempest in a teapot.

Mr. COLMER. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore (Mr. SELDEN). The question is on the resolution.

The resolution was agreed to and a motion to reconsider was laid on the table.

CALL OF THE HOUSE

Mr. PRICE. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 42]

Andrews	Diggs	Pasaman
Ashley	Fogarty	Pfost
Ayres	Gary	Powell
Baring	Grant	Rains
Battin	Griffiths	Rivers, S.C.
Blatnik	Harrison, Va	Roberts, Ala
Blitch	Hoffman, Mich	St. Germain
Boykin	Jones, Ala	Sheppard
Buckley	King, Calif	Spence
Collier	McMillan	Whitten
Cooley	Mason	Widnall
Dawson	Moulder	

The SPEAKER. On this rollcall, 398 Members have answered to their names, a quorum.

By unanimous consent further proceedings under the call were dispensed with.

AUTHORIZING APPROPRIATIONS FOR AIRCRAFT, MISSILES, AND NAVAL VESSELS

Mr. VINSON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 9751) to authorize appropriations during fiscal year 1963 for aircraft, missiles, and naval vessels for the Armed Forces, and for other purposes.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 9751, with Mr. KARSTEN in the chair.

The Clerk read the title of the bill.

By unanimous consent the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule the gentleman from Georgia [Mr. VINSON] will be recognized for 2 hours and the gentleman from Illinois [Mr. ARENDS] for 2 hours.

The gentleman from Georgia is recognized.

Mr. VINSON. Mr. Chairman, I yield myself such time as I may consume.

The CHAIRMAN. The gentleman will proceed.

Mr. VINSON. Mr. Chairman, this bill authorizes appropriations for the procurement of missiles, aircraft, and naval vessels.

The committee's authority to legislate in this area is based upon section 412(b) of Public Law 86-149.

Pursuant to the authority granted by that law, the committee recommends a bill authorizing appropriations in the following amounts: Missiles, $4,052,182,000; aircraft, $6,034,390,000; and naval vessels, $2,979,200,000.

This is a grand total of $13,065,772,000.

The committee began its hearings on January 24 and concluded them on March 1.

The committee had before it every conceivable detail with respect to the programs. We looked at the inventory of each individual aircraft, missile, and ship—we compared the inventory to the requirements of the department—and we then studied each individual item of the 1963 program to see how it fitted into the whole picture.

With respect to each item, we know how many the department has—the individual cost of each item—we know who the manufacturers are—the capabilities of the particular missile, airplane, or ship—and every other thing of any importance whatsoever.

Of course, much—perhaps most—of the information is classified and I regret that it cannot be spread on the record.

AMENDMENTS

The committee made a total of six amendments to the bill. I will speak briefly about each of these at this time and refer to them again when dealing with the individual programs later in my remarks.

The first amendment added $55,290,000 for Army aircraft. For the most part, this amendment represents authority for more airplanes of the same kind which were in the program last year and which are in the program this year.

The other Army amendment adds $31,182,000 for missiles. The story here is virtually identical to that with respect to airplanes. It is more of the same—trying to get the Army a little bit closer to its actual requirements.

In the case of the Navy, the committee made only one amendment. It reduced the Navy shipbuilding authorization by $2.8 million.

MILITARY STARTS

The larger and more important amendments to the bill were in the Air Force portion. There were three of them.

First, the committee added $10 million for a start on 100 additional Minuteman missiles. It is only a start, but it is an important step toward the kind of intercontinental ballistic missile position which the country must achieve.

The other two Air Force amendments relate to the B-70 bomber, or as it is called today, the RS-70—RS means reconnaissance strike.

The first of these amendments added $491 million for the RS-70 and the second of them amended existing law to place all aspects of the RS-70 within the provisions of section 412.

Now, those are the amendments. I will speak at length about the RS-70 at a later point in my remarks.

It is my intention now to speak about the individual military department programs as they are reflected in this bill.

ARMY

Let us look at the Army first.

The bill authorizes $273,790,000 for aircraft for the Army. A list of the aircraft to be bought and a description of each airplane appears on pages 17 and 18 of the report.

Briefly, the Army plans to buy three kinds of helicopters—the Chinook, the Iroquois, and observation helicopters of the Sioux and Raven types.

The bill authorizes also three kinds of fixed wing airplanes. The Caribou, the Mohawk, and the Seminole.

A glance of pages 17 and 18 of the report will give you a good picture of these aircraft.

And I might say that the aircraft used by the Army is, of course, the kind that is flown within the battlefield area.

There is no conflict or duplication at all here with the Air Force.

The Air Force provides the tactical support but the Army needs aircraft for surveillance and to enable the commanders to travel from unit to unit, to evacuate the wounded, and operate generally within the restricted battle area. The planes are also used to move a squad of soldiers from one place to another as the battle situation might dictate.

Today, there are about 22,000 people in Army aviation of which 7,000 are pilots. The Army has about 5,631 airplanes in its inventory.

In the field of missiles, the bill authorizes $589,482,000 for Army missiles.

These missiles are the Hawk, the Nike-Hercules, the Redeye, the Honest John, the Little John, the Pershing, and the Sergeant. And also some target missiles and some antitank missiles.

Of these, the Hawk, Nike-Hercules, Honest John, and Little John are operational.

And the Nike-Hercules, as you know, is the surface-to-air missile that defends many of the great metropolitan areas, industrial complexes, and military bases throughout the country.

Again, a glance at pages 17 and 19 of the report will give you the picture of these missiles.

NAVY-MARINE CORPS

For the Navy and Marine Corps, the bill authorizes $2,134,600,000 for aircraft.

The Navy and Marine Corps are buying the Skyhawk, the Intruder, the Vigilante, the Phantom, and a number of others all listed on page 20 and all described on pages 20, 21, and 22.

The bill authorizes missiles for the Navy in the amount of $930,400,000 and missiles for the Marine Corps in the amount of $22,300,000.

These missiles include the Sparrow, the Sidewinder, the Terrier, the Tartar, and a number of other missiles which are listed on page 20 and described on pages 22 and 23.

You will note from that list that Sparrow, Sidewinder, Terrier, Tartar, Talos, Bullpup, Polaris, and Hawk are operational.

NAVAL VESSELS

The bill provides $2,979,200,000 for the construction and conversion of naval vessels.

The program covers the construction of 37 new ships and the conversion of 35 other ships. The larger and more important areas of the shipbuilding program involve an aircraft carrier at a cost of $310 million—and I might say that this is a conventionally powered carrier.

Also, there is one guided missile frigate at a cost of $190 million—eight nuclear powered submarines of the attack kind at a cost of $510 million—and six Polaris submarines at a cost of $720 million.

These are the biggest, more important portions of the shipbuilding program but every one of the ships in the program is set out on pages 23, 24, and 25 of the report with a description of the ship and its cost.

AIR FORCE

For the Air Force, the bill authorizes $3,626 million for Air Force aircraft.

These aircraft include the KC-135 jet tanker—the F-105 fighter-bomber—the F-110 tactical fighter—and a number of other airplanes which are listed on page 26 and described on pages 26, 27, and 28.

In the field of missiles, the bill authorizes $2,510 million for Air Force missiles.

These include the Atlas, the Titan, the Minuteman, Bullpup, and others, which, again, are listed on page 26 and described on pages 29 and 30.

You will note that Atlas, Bullpup, Firebee, and Sidewinder are operational.

As you know, the ICBM's are the Atlas, which is operational today, the Titan, which will be operational in the very near future, and the Minuteman, which will be operational later on.

The Atlas and Titan are liquid fuel missiles while the Minuteman will use solid fuel.

Now, Mr. Chairman, I want to talk to the committee with reference to the amendment relating to the RS-70, heretofore referred to as the B-70. After this program gets underway it will be designated and known as RS-70.

Mr. Chairman, I want to announce at this point that it is my intention at the appropriate time, when the amendments are being considered, to offer an amendment by direction and by unanimous vote of those who were present at the Armed Services Committee this morning to delete from the bill the word "direct" and substitute the word "authorize." This may come as a surprise to many of you, but I do not think it will be a surprise to those of you who have followed the logical progress of this whole controversy.

Now, let us look at what lay behind the language "directed that the Secretary of the Air Force use the $491 million." It is a realistic and a natural conclusion of the whole matter.

It was simply this: I and the whole committee felt that we were getting out of the bomber business. How strongly we felt about this is clearly reflected in the committee report.

How could we change the course being followed by the Department of Defense? Merely authorizing the additional funds, as heretofore happened in the past, was not enough. This has been tried. Most of the time it has not worked. So some other course had to be found which would impress the Department of Defense that we meant what we said: that we were not going to stand idly by and see ourselves heading down the road that had nothing at the end but missiles. What course could we follow to see that this did not happen? It had to be something drastic, something unusual, something that had not been tried before. That "something" turned out to be a direction that the funds would be spent.

I realized that there were some constitutional questions involved, questions that had never been answered. But there seemed to be nothing else we could do. So we put in the word "direct." What happened? Exactly what could be expected to happen. A great controversy in the press, some taking one side and some taking the other, and none of this was lost on the Secretary of Defense. He saw we were going to get something done.

Mr. Chairman, from here on I am in the field of conjecture. But there can be little doubt that this is what happened: The Secretary of Defense was worried about two things: First he was worried about flying directly in the face of the Congress, because this was a war he could never win—even if he did win a battle now and again. This was his first worry. His second worry was that maybe he was wrong about the RS-70. Maybe he was going too slowly on this bomber. So, what could he do? He did not want to fly in the face of the Congress, and he had an honest concern that he was wrong about the bomber, and about the RS-70. He could do only one thing. He could only seek some compromise which would dispel both of these facts. And, what compromise could he make to take care of that? This had to be something firm and at the same time

well reasoned. It had to be something that an aroused Congress will accept.

Well, he arrived at the right answer—and I, for one, am very glad that he did. Because, we were engaged in a controversy that if allowed to go on could only result in a disruption of relations that would be harmful to both sides—and harmful to the country.

The kind of a fight that nobody wins.

What did he do? This is what he did. I am now going to read to you two letters. One is from Secretary McNamara and the other is from the President himself. This is what they say.

Mr. Chairman, I ask unanimous consent that the Clerk be permitted to read these letters.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The Clerk read as follows:

THE SECRETARY OF DEFENSE,
Washington, March 20, 1962

Hon. CARL VINSON,
Chairman, Armed Services Committee,
House of Representatives,
Washington, D.C.

DEAR MR. CHAIRMAN: While the President is writing to you directly concerning the constitutional problems raised by the present language of H.R. 9751, I want you to know that we are anxious to work with you, your committee and the Congress in the spirit which a Government of divided powers such as ours must maintain in order to function successfully. Consequently we are initiating immediately a new study of the RS-70 program in the light of the recommendations and the representations of the Armed Services Committee. This study will give full consideration to the magnitude of the committee program and the depth with which the committee has emphasized this. Furthermore, if technological developments related to sideview radar, and associated data processing and display systems, advance more rapidly than we anticipated when the fiscal 1963 Defense budget was prepared, we will wish to take advantage of these advances by increasing our development expenditures; and we would then wish to expend whatever proportions of any increases voted by the Congress, these advances in radar technology would warrant.

Again let me express my continued friendship and admiration for you personally, and our gratitude for the work you are doing on behalf of our national defense.

Sincerely,

ROBERT S. MCNAMARA,
Secretary of Defense

THE WHITE HOUSE,
Washington March 20, 1962

Hon. CARL VINSON,
Chairman, Armed Services Committee,
House of Representatives,
Washington, D.C.

DEAR MR. CHAIRMAN: With the profoundest respect for your leadership in national defense and congressional affairs, I must take this opportunity to urge your reconsideration of the language added by your committee to H.R. 9751. The amendment to which I refer states that the Secretary of the Air Force is "directed" to utilize not less than $491 million of this authorization (fiscal year 1963 funds for aircraft, missiles and naval vessels) to proceed with production planning and long leadtime procurement for an RS-70 weapons system. I would respectfully suggest that, in place of the word "directed," the word "authorized" would be more suitable to an authorizing bill (which is not an appropriation of funds) and more clearly in line with the spirit of the Constitution.

Each branch of the Government has a responsibility to "preserve, protect and defend" the Constitution and the clear separation of legislative and executive powers it requires. I must, therefore, insist upon the full powers and discretions essential to the faithful execution of my responsibilities as President and Commander in Chief, under article II, sections 2 and 3, of the Constitution.

Additionally implicit in the Constitution, of course, is the intent that a spirit of comity govern relations between the executive and legislative. And while this makes unwise if not impossible any legislative effort to "direct" the Executive on matters within the latter's jurisdiction, it also makes it incumbent upon the Executive to give every possible consideration in such matters to the views of the Congress. For that reason, Secretary McNamara has indicated to you in a separate letter his willingness to reexamine the RS-70 program and related technological possibilities.

Your devotion to our continued military effectiveness is admired and appreciated, and I look forward to working with you and receiving your counsel for many years to come.

Sincerely,

JOHN F. KENNEDY

Mr. VINSON. Now, if my colleagues will bear with me while I make some observations as to what this letter of the Secretary says. Let me emphasize what the letter said:

Consequently we are initiating immediately a new study of the RS-70 program.

I ask my colleague to listen to these words:

In the light of the recommendations and the representations of the Armed Services Committee, this study will give full consideration to the magnitude of the committee program and the depth with which the committee has emphasized this. Furthermore, if technological developments * * * advance more rapidly than we anticipated * * * we will wish to take advantage of these advances by increasing our development expenditures; and we would then wish to expend whatever proportions of any increase voted by the Congress these advances in radar technology would warrant.

Now let us see what the President said. The President said:

It makes it incumbent upon the Executive to give every possible consideration in such matters to the views of the Congress. For that reason, Secretary McNamara has indicated to you in a separate letter his willingness to reexamine the RS-70 program and related technological possibilities.

Now what is the sum and substance of these letters? Well, the first thing they mean is that the Congress has made its point and has won the fight—or maybe I should not say "won the fight," but maybe I should just say we caused the Department of Defense to see the error of their ways. Reasonable people don't go bumping into each other and having difficulties that can be avoided. There is always room for a little give and take. That is what makes our kind of government work. We are not infallible, they are not infallible. There is room for differences. We are all headed for the same goal. We have just been disagreeing as to how we would get there. So here we are—reason and commonsense have won out. The committee has made its position crystal clear. The Department is now going to take a good, hard look at that position. It would be an unreasonable man, indeed, who would object to this kind of solution. We want an adequate Military Establishment with all of the things that such an establishment needs. We want bombers and, certainly, we have no objection to taking a good hard look at how we will get them. We would be in a pretty shaky position if we said, "Go ahead, spend this money and never mind any more thought on the subject, just spend these dollar bills."

Now the Department is going to turn their whole solution to the RS-70. They have gotten the message. They know that the Congress is not just talking. They know we mean business. So we can congratulate ourselves that although we had to raise a good ruckus and a good fuss, we got our point across. We are on the right road now. I might say this: We are going to watch this new study by the Department every step of the way from this point on. I advised the Committee on Armed Services this morning that periodically I was going to respectfully request these people who are dealing with this new study to come before the Committee on Armed Services and give a report on the progress of the study.

We are going to make sure that every advance developed by this study will be translated—and immediately translated—into the expenditure of funds for the most rapid development possible of the RS-70.

Let me say that I am completely satisfied with what we accomplished by the sensible approach that was taken yesterday in an hour and a half conference at the White House.

I mean every single word I am saying.

I feel that any reasonable man is willing to abide by the results of a thoroughly objective study such as that which is now going to be made by the Department—and with the full, personal support of the President.

The President is interested now.

He has injected himself right into the middle of this whole matter.

And another thing, the committee will get a full assurance that the group making this study will have not only scientists and representatives of the Secretary of Defense in it, but will have people from the Air Force, not only the technical ones but the policy ones; and not only civilians, but military people whose background and experience in the development and operation of bombers gives them special understanding of the problem that we are talking about.

Just what is the net effect of this whole action?

First. In the first place, this committee has expressed a complete unwillingness to place this Nation in a position where its sole method of warfare would be massive retaliation.

The committee's concept on this matter is preserved by this action.

Second. This committee had expressed its total unwillingness to junk manned bomber systems as a weapon in our future defense arsenal.

That position is respected in this action.

Third. There have been no indications that the Secretary of Defense was in the least concerned with the size of the

program which this committee approved or the depth of its conviction in approving that program.

The Secretary states in his letter that the study which he will promptly institute will take into full consideration not only the size of the program recommended by the committee but the depth of the committee's conviction in approving that program.

Fourth. The Secretary has publicly stated that he could not and would not spend any more money in fiscal 1963 for the development of the RS-70 than the $171 million which he requested.

He now states that if technological developments advance more rapidly than was anticipated when the fiscal 1963 defense budget was prepared, he will wish to take advantage of these advances by increasing development expenditures. He also states that, in that event, he would wish to expand whatever proportion of the increase voted by the Congress these advances in technology would warrant.

The foregoing represents the four major points which have been stressed by this committee. In view of the results which have been achieved and the assurances now given to the committee, I have no hesitancy in concluding that the committee's program remains intact and that the committee has achieved its objectives in a far more logical way than was provided in our initial approach.

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. VINSON. If the gentleman will withhold his question for a moment, for I wish now to talk about the justification of asking the Appropriations Committee to follow the modern version of what "authorized" means. The correct version was quoted by the gentleman from Michigan [Mr. FORD] from a proceeding that took place some 12 years ago. But time changes everything, and so we will now accept the modern version.

I hope the committee will bear with me patiently here. This is very important. As I say, this is the turning point. You are either going to have bombers or you are not going to have bombers. Where does it lead you? It leads you down but one road, massive retaliation.

It would lead to defeat if intercontinental ballistic missiles were to be outlawed.

Mr. Chairman, now that is the picture of the whole aircraft, missiles, and naval vessels program for fiscal year 1963.

RS-70

Mr. Chairman, of course there will be differences of opinion between the Department of Defense and the Congress as to just exactly what should be done in particular areas of defense.

This is a healthy situation.

I do not believe that after the Armed Services Committee has held extended detailed hearings that we have only engaged in an exercise of self-improvement in the area of knowledge.

To me, knowledge is something to be used, not merely to be possessed.

Now, the committee was briefed in the greatest detail about the RS-70. We obtained the knowledge we wanted. And it is on the basis of the knowledge gained that we amended the bill in the fashion we did.

Last year, the Congress authorized $525 million for manned bombers. The Appropriations Committee found itself in complete agreement with this action and recommended an appropriation of $515 million against this authority. The Congress accepted this recommendation.

And the same thing is true of the B-70. Last year there were $220 million in the bill for the B-70 and the Congress raised this by $180 million to a total of $400 million.

I have mentioned the strong position taken by the Appropriations Committee last year in increasing by $180 million the amount requested by the Defense Department.

This was a courageous act. I congratulate the Appropriations Committee for adding this $180 million, and the Congress approved it. The Appropriations Committee has been the trailblazer in the field of the B-70. Indeed, I can say in a very real sense the Armed Services Committee is following the leadership which has been furnished by our great Appropriations Committee.

I think it might be well to review Congress' action last year in providing $525 million for manned bombers.

This is the history of it. As I said, the Armed Services Committee was very concerned that we are getting out of the bomber business entirely. With this in mind, the committee added $337 million for B-52 or B-58 or a mixture of both. And the bill passed the House this way.

The Senate committee felt that we should not designate what kind of airplanes—and that the amount should be $525 million which is, incidentally, just about the cost of one wing of B-52's.

In conference the House agreed to the Senate figure and the Senate language—and that is how the law came to read $525 million for manned bombers. And as I have said the Appropriations Committee appropriated $515 million.

Now, let us look at the money situation with respect to the B-70. The first funds were appropriated in 1955—7 years ago. And funds have been appropriated every year since that time for a total of over $1 billion to date.

All of the funds so far have been appropriated for a B-70 which was a bombing airplane exclusively.

These funds have been used and are being used for the three basic airplanes which, of course, could become either a B-70 or constitute steps toward the system which is now called the RS-70. These first three are experimental planes and constitute the basic structure of whatever plane finally would be decided on.

None of this money has been wasted. Nor will the additional $300 million, which will make a grand total of $1.3 billion, be wasted since proper experimental models will be provided.

However, the concept today is not to have a plane which is just a bomber, but to have an airplane which is a bomber and a lot of other things, too.

It will be used as a plane for observing, reporting, evaluating, and exercising on-the-spot judgment and action. It will have unusual communications equipment and a number of other facilities and capabilities which are classified.

So, this is a very different kind of airplane than the B-70 as it was first conceived—not different in appearance, but different in the great number of functions it can perform.

The $491 million added by the committee does one immediate thing: It is a major step toward three additional airplanes so that there will be a total of six.

But it does something perhaps even more important than that. It raises the level of progress so that instead of acquiring only three flying laboratories, we will be acquiring in addition something very close to a complete fighting machine. So close indeed that should the program be pursued completely, the second three airplanes would become an actual part of the inventory.

The Department of Defense feels that the present program of $1.3 billion will permit the exercise of an option as to whether to continue on after the third plane.

I have serious doubts as to whether this is actually so—because the present program has its sights set too low and the program will produce only basic prototype airplanes which will prove little more than that they can fly.

The committee's program more clearly preserves the exercise of an option since it will produce an airplane configured as a combat aircraft which is a very far thing, indeed, from a flying laboratory.

I would also like to say this. Mr. McNamara is quoted as saying that in view of the size of our existing forces, ICBM's, Polaris submarines, B-52's, and so forth:

> It does not appear wise at this time to make a final commitment to a $10 billion B-70 production program. To do so would in my opinion be a serious waste of the Nation's resources.

The committee's action is by no means a commitment to a $10 billion program.

It is designed, however, to give us an opportunity to decide what commitment should be made in the area of an advanced follow-on strategic bombing system.

I join Mr. McNamara in his objection to the waste of our Nation's resources. I do not join him in his belief that the B-70 should be pursued at the low level that it is today.

It is a human trait—to oversimplify issues. I think that is exactly what has happened here. The problem has been presented in black and white. Mr. McNamara says we are committed to $10 billion if we do anything at all, other than follow the present plan which is to build only three planes.

This is not the case at all. And I would like to set the record straight.

The actual issue that is presented to us is whether we should go along with a policy that would result, in the long run, in the extinction of bomber aircraft, or whether we should provide a reasonable option for the continuation of bomber aircraft as a part of our strategic force. This is the sole issue.

I cannot stress this point too much: The $491 million which the committee recommends is not directed toward production which would lead to a large number of aircraft.

What it would do is to provide development that will maintain a true option for a subsequent decision to go ahead with a full weapon system program.

To reach the $10 billion figure quoted by Mr. McNamara you would have to include cost of design, development, testing, and you would have to procure and operate a large number of these aircraft for an extended period of time.

Now, what happens if the $491 million is not made available? We will find ourselves at the end of fiscal year 1963 with a 3-year lag in engine deliveries, about a year lag in the important areas of honeycomb panels for the airframe, a real possibility that critical tools will be disposed of, the plant facilities being used for other purposes, and a concentrated skilled labor force scattered throughout the country in other jobs.

Now, that is what would happen if we do not raise the level of funding to $491 million.

But if we do grant this authority and these funds, we will permit the start of development of reconnaissance-strike subsystems, we will permit the third airplane to change over from a B-70 type to an RS-70 type. The additional authority would also allow long leadtime commitments for the fourth, fifth, and sixth aircraft, and very importantly, permit a wide range of options in 1965.

Then in 1965, we will determine what course to follow—whether to produce airplanes or not—and we would be doing it on the basis of true factual knowledge.

These options range all the way from completion of the sixth aircraft to going ahead to a full weapon system development leading toward a force of actual fighting planes.

As is clear from what I have said, we are buying more than three additional airplanes. We are buying the critical element of time, perhaps as much as 3 years.

It is said that much of the equipment for the RS-70 still has to be developed.

This is true. There is no doubt about it. It is for this very reason that we need the larger program for the RS-70.

Why should we wait until the third plane is built before starting on the subsystems which need further developing. Let us save time which is so valuable to our Nation.

It is said that further research must be done on some of these elements before they are far enough along to initiate a development program aimed at actual operational use.

This is not the case. These elements are within the current state of the art.

For example, a very important part of the RS-70 is the "high resolution radar." Now, this radar, which concededly is a very complicated device, had its first working model made by the University of Michigan years ago. One company has even built and demonstrated in flight a system very similar to the one that would be used in the RS-70.

I can say, and this is important, that the quality of the radar picture obtained today is such that the radar operator can see and identify targets that cannot be seen at all with current systems.

We can all recall that very much the same arguments were made against the Polaris submarine years ago. If the Congress had not taken up for Admiral Rickover's ideas and supported him in his fight, we would have no Polaris submarines today.

What the committee has been trying to get across now for 2 years is simply this: We think it is dangerous to get out of the bomber business entirely.

Consider this: Where would we have been 5 years ago if we did not have bombers? Where would we be today if we did not have bombers? In all probability, we would have been attacked and would have been unable to strike back.

Today's B-47's, B-52's, and B-58's have kept the peace, have been the one weapon which has deterred an enemy from attacking us. There is no doubt about the accuracy of this statement.

This is no special plea for the RS-70. If it were some other advanced bomber, the committee would feel exactly the same way. The whole point of the committee's action is that we don't want to be entirely dependent on missiles—whether they be ICBM, IRBM, Polaris, or any other kind.

And the very simple reason for this is that it permits us only a single way to fight a war.

A missile cannot look at something and report back. It cannot turn around once it is shot off. It cannot do anything but go and explode its nuclear warhead.

Let me make my position clear.

The last B-52 and the last B-58 will come off the production line this year in August and October. We have over 1,200 bombers today. These bombers will wear out. If we do not start out on a new bomber, then the time will soon come when we will have no bombers.

A complicated weapon system such as the bomber cannot be bought off the shelf.

Perhaps some Members do not realize that from the beginning of a bomber to the time they are in the inventory covers a period of 10 years. It is this very consideration—the element of time—which could threaten our national security.

Now, let us look at the argument that in a few years the country will be bristling with intercontinental ballistic missiles—and for that reason, we would not need bombers.

What does this mean? It means that we have a massive deterrent which we do need, and a capability for massive retaliation which we may never need.

Our hands are tied. We have no flexibility. We can fight a nuclear war, but we cannot fight a general war in which nuclear weapons would not be used. It is all or nothing.

Now, just suppose that nuclear weapons are banned by international agreement. This would eliminate the intercontinental ballistic missile entirely because no one would ever use an ICBM to carry a mere high explosive warhead.

If this should come to pass—or if we engaged in a general war in which by mutual agreement nuclear weapons would not be used—as we did with respect to poison gas—then the side that has the bomber force is a winner by that very fact alone.

Perhaps the view of the Armed Services Committee is an overly conservative one—perhaps the bomber has lost its glamour—but if the committee is going to push hard on one side or another, it is going to be on the side of having too much rather than too little, having a strong conventional capability such as the bomber with a man's brain guiding it rather than an electronic device which purports to have all the answers but which cannot ask a question.

Today our bomber force is made up of B-47's, B-52's, and B-58's. The B-47's are already rather old airplanes. They will start to fade out of the force in the not too distant future. Then the B-52's will start to fade out. And finally the B-58's will go out, too.

I am logical when I say that when the only bombers we have are gone, then we will be out of the bomber business. And this is an absolute certainty if there is no new bomber coming along to take their place.

Let me say to you—the Soviet Union is by no means following this course. The Soviet Union is developing newer and faster bombers right today.

The Soviets have had three bombers in their inventory since 1954. They are known as the Badger, the Bison, and the Bear. Altogether the Soviets have over 1,000 medium and heavy bombers in operational units.

Most important is the fact that their long-range air arm is capable of delivering nuclear weapons to targets anywhere in the United States.

But have they stopped developing new bombers as we propose to do? The answer is "No."

They have a new supersonic heavy bomber, known as the Bounder. And another supersonic bomber—roughly comparable in size to our B-58 medium bomber—known as the Blinder. And I might mention that the Blinder most probably has the capability of our B-58 which last year set a record of 3 hours and 20 minutes from New York to Paris—about 3,700 miles.

It does not make much sense to me for us to go out of the bomber business while the enemy is getting more and better ones.

So, here we have a problem made up of two elements: One of the elements is a thing and the other element is a principle. I have already dealt with the thing, which is the RS-70, and as for the principle I will simply say this:

I ask you—What is Congress' function in defense? Is it a partner? Does it have a voice? Or is it just Mr. Moneybags, to give or to withhold funds?

That is not what the Constitution says; the Constitution grants the Congress the exclusive power to raise and support and make rules for our military forces. The language of the Constitution is clear.

Congress does not want to run the Department of Defense—Congress just

wants to sit at the table and get across an idea once in a while.

I say the country loses something if it loses the voice of Congress in Pentagon deliberations.

I simply do not like the idea of Congress being thought of as a kindly old uncle who complains but who finally, as everyone expects, gives in and raises his hand in blessing, and then rocks in his chair for another year, glancing down the avenue once in a while wondering whether he has done the right thing.

This is not the kind of picture that I have of the Congress.

I think of the Congress as an active participant in the direction of policy, and as a partner in the achievement of adequate defense for the Nation.

Mr. BOGGS. Mr. Chairman, will the gentleman yield?

Mr. VINSON. With pleasure.

Mr. BOGGS. Mr. Chairman, I should like to say that the gentleman from Georgia has just made a magnificent presentation dealing with the defense of the United States of America. I think that those of us who have had the privilege of serving with him for a short time or for a long time may feel very confident of the security of our country as long as he is directing the affairs of this great committee. I think the fact that his committee time and time again has supported him unanimously, the fact that the leadership of the House time and time again has supported him unanimously, speaks more eloquently than anyone can for his devotion to our country, for his understanding of its problems.

I read some time ago where some columnist had described the gentleman from Georgia as "the Fox." I think if it requires the knowledge and the cunning of a fox to succeed he will succeed; but I would rather think that he has the courage of a lion and the vision of an eagle; and I commend the speech that he has just made.

Mr. GAVIN. Mr. Chairman, will the gentleman yield?

Mr. VINSON. I yield to the distinguished gentleman from Pennsylvania.

Mr. GAVIN. It is quite evident how much interest they had in this bomber when they only asked for $171 million and we had to add $320 million to bring it to $491 million to get prototypes of this RS-70. Why is it necessary for you as chairman of the Committee on Armed Services to go to the Secretary of Defense and to the President of the United States to get them to acquiesce in this, and to permit the Department of the Air Force to proceed with the development of this development program which, in my estimation, is the most important matter that this committee can consider here today?

Mr. VINSON. Let me suggest to my distinguished colleague, the gentleman knows when it is necessary to act, the Committee on Armed Services acts. We felt it was necessary in this instance to act. We did not think $171 million was sufficient so we added $491 million.

Mr. GAVIN. Well, when we run out of the $491 million how are they going to get the money to expedite this project?

Mr. VINSON. The Congress will meet again next year and, if they can spend $491 million this year toward getting the three RS-70's we will be ready to give them more money—and we will get the planes.

Mr. GAVIN. Would the gentleman care to make an estimate of what the three RS-70's will cost?

Mr. VINSON. Yes. I think I should tell the House this. While this item is only for $491 million—to get these three additional planes in the next 3 years or so, it will cost a total of $1,200 million to $1,300 million. Now bear in mind we have already committed ourselves to spend $1,300 million and we get nothing but a prototype airplane that I classify as a flying laboratory. That is all you get for that money. But if you add $1,300 million more, we will get a modern bomber of the kind and capability that the country and the world has never seen produced.

Mr. GAVIN. What has me disconcerted is the fact that your committee, and with you with 48 years of experience behind you, must go to the Secretary of Defense and the President of the United States, to get something done.

Mr. VINSON. I have tried to point out that the Department of Defense and the executive branch, with these letters in the RECORD, are going to have a little different viewpoint on things that the Congress wants done and on the determination of the Congress to get them done.

Mr. GAVIN. I think it is about time we took a determined stand. When the committee arrives at a conclusion that certain materiel or hardware is needed, they should pay more respect and attention to our conclusion. It is quite evident, Mr. Chairman, that after the committee had arrived at a decision, you still had to go down and talk to the Secretary of Defense and to the President. If you had not this RS-70 might not have been given any consideration.

This should not be necessary for a man who is concededly the greatest leader in the field of defense the Congress has ever seen. Here we have a man who represents to the country their own personal leader in the area of defense. CARL VINSON is elected by the people of the Sixth District of Georgia. So far as defense is concerned, he represents not only that district but the whole of the United States and every person in it. The word of this kind of man should be listened to just because he said it.

Mr. ARENDS. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, as always, the distinguished gentleman from Georgia [Mr. VINSON], the chairman of our Committee on Armed Services, has presented to you a complete explanation of the contents and purpose of this bill. I shall not take up your time merely to repeat the details he has so ably presented. As a matter of fact, neither he nor I could go into much more detail than embodied in the committee report itself without risking a breach of security.

I shall, however, risk repetition to what the chairman has said and what is set forth in our committee report solely to emphasize certain salient facts in connection with the defense measure now before us. I should like to make one or two observations which I hope will be persuasive with you in giving your full support to our Committee on Armed Services.

In the first place, we present this bill to you without a dissenting vote in our committee. Every single member of our committee has had the benefit of all the data available, secret and nonsecret, military and civilian, diplomatic and domestic, to enable him to arrive at sound conclusions. The bill before us is based on the knowledge and recommendations of our best military minds of all the services, and the recommendations of our brilliant Secretary of Defense.

The measure now before you represents the considered judgment of your Committee on Armed Services in the discharge of our constitutional responsibility for size and kind, in men and weapons, of a national defense we shall have. We present this to you as our conviction of what we must undertake in our defense planning and procurement that we may have a national defense second to none. We have such a defense today, and we intend to keep it that way.

When I say that this bill is the unanimous considered judgment of our Committee on Armed Services, there is another point I believe might justly be emphasized. Whenever, in this bill, the committee departs from the recommendation of the Secretary of Defense the capacity of the committee to make such a military decision is inevitably brought into question. Who are we to be so presumptuous as to substitute our judgment for that of the Secretary of Defense who is advised by the Joint Chiefs of Staff?

There is no denying that we have an extremely able man serving as Secretary of Defense. He is a dedicated man of remarkable ability and limitless energy. As able and knowledgeable as he is, it is hardly possible that in the brief period of a little more than a year his capacity to evaluate our overall defense needs exceeds that of our own committee chairman who has been dealing with such matters for almost 48 years. Or go down the committee roster and reflect on how many Secretaries of Defense and Joint Chiefs of Staff members have appeared before the committee over the years.

Reflect on the number of military questions, in peacetime and in war, upon which the members of the Armed Services Committee have had to pass judgment. Reflect on the questions the committee has had to resolve when, as in this instance, there is a difference of opinion among the members of the Joint Chiefs of Staff themselves.

And so, Mr. Chairman, when I refer to the bill as reported by our committee as being the considered judgment of our Committee on Armed Services there is involved more than a few weeks of hearings and briefings. Into the decision made by the committee went the composite of years and years of hearings, briefings, and study of each and every phase of our national defense.

We do not claim that our committee judgment is infallible. By the same token, we do not believe that any such claim can be made for the Secretary of Defense nor for the Joint Chiefs of Staff. If military judgment were infallible we would not have had the case of Billy Mitchell as an object lesson. Nor would we have had in more recent years before World War II the controversy over the wisdom of constructing more battleships rather than carriers and aircraft, with the administration then insisting upon more "battlewagons," as battleships were called. If military judgment and executive judgment were infallible, we would not have had the construction of the carrier *Forrestal* stopped. And we would not have found ourselves so unprepared for the Korean war.

I am not trying to fix blame on any one, any President, or any Department of Defense Secretary. I am doubtless laboring my point. I am simply trying to emphasize that while our Committee on Armed Services can be wrong, it is not wrong—ipso facto—because the Secretary of Defense is always right and he, and he alone, can be right.

There is only one feature of the pending bill that is in issue. That is, as Chairman VINSON has pointed out, with respect to the B-70 bomber, now called the RS-70. This is a supersonic aircraft in the development stage. It is an aircraft that can be much more than a bomber. Fully equipped it will be capable of detection or reconnaissance to the extent almost unbelievable. At the same time this new plane will carry an enormous bombing power, so that it can not only report what our missiles may have missed but can also proceed to make its own strike on target. That is the meaning of the symbol RS—reconnaissance-strike—that we now call this advanced B-70 the RS-70. It does considerably more than drop bombs.

It is the considered judgment of our committee that if we are to maintain a national defense second to none in the foreseeable future, we must proceed with the development of the RS-70 weapon system program as a supplement to our missile program.

That was our decision last year, in which the Committee on Appropriations and the Congress as a whole concurred. For fiscal 1962 we authorized and appropriated additional funds for manned bombers and for a prosecution of the RS-70 weapons system program. The Committee on Appropriations itself added $180 million to the $220 million requested for the B-70 development program.

Those funds were impounded. The Secretary of Defense for reasons not convincing to me decided not to use the funds. Other Secretaries of Defense have impounded funds, and we find no satisfaction in having to say that subsequent developments vindicated the judgment of the Congress over that of the Defense Secretary.

You will recall how disturbed the American people and the Congress were to discover suddenly with the launching of "sputnik" by Russia how far behind we were in the development of missiles. It was an alarming awakening to learn that immediately following the end of the war, Russia proceeded with a missile program while we did practically nothing in this field. We can congratulate ourselves on the remarkable strides that have been made in the field in the last few years. We have since brought into being missiles of destructive power beyond imagination.

But it would be folly for us to put complete reliance on an arsenal of missiles as our deterrent force. It must be borne in mind that the ICBM's and other missiles carrying nuclear warheads is an untried weapon. Its component elements have been tested. We have every reason to believe our missiles will be operationally successful in actual combat. But we do not really know whether they will do all the things we believe they will.

When we launched Lieutenant Colonel Glenn into orbit we had every reason to believe from all the tests made that it would be a successful flight. But we did not actually know whether, and to what extent the flight would be successful until it was actually made. And were it not for the fact that it was a manned flight, with adjustments made by Colonel Glenn, the flight probably would not have succeeded.

But even assuming that our complete missile system to be everything we expect it to be under combat conditions, it must also be borne in mind that it has its limitations. Once the decision is made to launch a missile there is no turning back. On the launching an irrevocable, unchangeable military decision has been made. This type of weapon is indispensable in an all-out war, but it is of questionable value in any other type of warfare.

To place all our reliance on the ICBM's and a huge arsenal of such missile would be tantamount to the same mistake France made in placing all its reliance on the Maginot line. Our committee has always taken the position that we must have a balanced flexible defense establishment, one that can be effectively employed anywhere, everywhere, in whole or in part, to meet any emergency whenever and wherever it may arise. A bomber program in process is essential for this continued flexibility. A man operated bomber itself has the flexibility that the automation of missiles cannot possibly have. As we pointed out in our committee report last year, unlike missiles the bombers "can go part of the way and wait; it can go part way and turn around; it can proceed or not proceed in any fashion whatsoever since it is at all times under the intelligent control of a human being."

There is an old adage: "Do not put all your eggs in one basket." But that is what the Department of Defense would have us do by refusing to recognize the need for developing the RS-70. They contend we have on hand a great and powerful force of bombers. That is true. Surely we are not so unimaginative and so shortsighted that we intend to stop there.

We delayed until it was almost too late in developing a missile program. We cannot afford to delay proceeding with the development of the intricate RS-70 weapons system. A single year lost can never be regained in our determination to have a defense second to none now and in the years ahead. We are not proposing that we put RS-70's in our military inventory next year or the year after. We are not committing ourselves to any vast RS-70 procurement program. We are merely proposing that we proceed in an orderly manner with the development of such a program and to explore its great potentials.

There is a military adage that you should never plan an attack unless you plan a retreat, that you should always base your military strategy on alternatives that if plan A does not prove successful you can immediately adjust to plan B. If our missile weapons system does not work according to plan, what is our alternative? What perchance would be our situation if nuclear warfare should be outlawed just as poison gas was outlawed as an instrument of warfare? How prepared will we be for the day that no one would dare employ ICBM's?

What is our defense alternative? Will we have nothing more than a fleet of outmoded bombers which will be no match to the type of manned aircraft our enemies may have developed? We are far ahead of Russia in bomber know-how, both in operation and production technique. The only way for us to make certain we stay ahead for our own security and the peace of the world is to develop this unique RS-70. We must explore its potentials to keep ahead, we must always be developing. We must recognize the need for trial and error.

That, in substance, is the considered judgment of our Committee on Armed Services. We make that decision in the exercise of our responsibility under the Constitution as to the size and nature of the Armed Forces we shall have. That is our responsibility and we seek to discharge it. We have no intention to transgress upon the constitutional duties and responsibilities of our President, as Commander in Chief. We shall give him our fullest cooperation. We ask of him and of his Secretary of Defense that they cooperate with us.

It unfortunately took extraordinary action by our committee to get assurance from the President and the Secretary of Defense that they would give the Congress some recognition in what we consider necessary for our defense. While somewhat belatedly, we now have an expression from them that they will give attention to what we believe to be a weapon we may sorely need in this long cold war.

There are some who believe that our Committee on Armed Services has surrendered, that we have capitulated in not insisting upon the provision we originally proposed to incorporate in the bill. I, for one, have not capitulated nor have I surrendered. I, for one, shall insist that this President and every other President recognize the constitutional responsibility—a right as well as a duty—of the Congress to determine the size and nature of our Armed Forces.

The chairman says we have won our point in this respect. But why should it have been necessary to rally forces prepared to do battle on this constitutional principle at all?

If we have won, it is a paper victory. I shall await the translation of the assurances we now have into affirmative action. The President forced us to get ready to make a fight we should never be forced to make.

As to the great victory claimed by my chairman, future events will determine.

Mr. VAN ZANDT. Mr. Chairman, will the gentleman yield?

Mr. ARENDS. I yield to the gentleman from Pennsylvania.

Mr. VAN ZANDT. Mr. Chairman, I arise in support of H.R. 9751. As has been mentioned by Chairman VINSON and my colleagues on the House Armed Services Committee, the purpose of the bill is to authorize appropriations in the amount of $13,065,772,000 for the procurement of aircraft missiles and naval vessels for our Armed Forces.

In discussing the bill, I wish to point out that the Military Construction Act of 1959 in section 412(B) states as follows:

> No funds may be appropriated after December 31, 1960, to or for the use of any Armed Forces of the United States for the procurement of aircraft, missiles, or naval vessels unless the appropriation of such funds has been authorized by legislation enacted after such date.

Mr. Chairman, the Committee on Armed Services of this House has conducted extensive hearings to determine the requirements of the military departments for new equipment under this provision. H.R. 9751 represents the unanimous opinion of this committee as to the program for fiscal year 1963 which should be pursued by the Department of Defense and funded by fiscal year 1963 appropriations.

The programs of the Navy Department and the Marine Corps coming within the purview of section 412 include aircraft, missiles and ships in the total amount of $6,066 million. For the fiscal year 1963, the Navy has requested procurement authority to permit the continuation of readiness to meet assigned responsibilities around the world, to apply the fruits of research and development to the fleets, and to compensate for obsolescence of older equipment.

The aircraft authorized by this bill for the Navy and Marine Corps total $2,134,600,000 and will provide a versatile combination of capabilities for conventional and nuclear attack, reconnaissance, air defense, antisubmarine warfare, early warning, and amphibious warfare. Aircraft procurement this year is about 16 percent higher than in fiscal year 1962 and will enable the purchase of 887 new aircraft and related equipment as compared with 803 aircraft for the previous year. Of this 887 aircraft, 562 will be combat types.

Fifteen different types of aircraft are being authorized. The most important of these is the F-4H Phantom, which recently joined the fleet. This remarkable carrier-based aircraft holds the world's speed record for combat aircraft and is also being bought by the Air Force. Admiral Anderson, the Chief of Naval Operations, has characterized the F-4H as the best all-around fighter aircraft in the world today.

Another high-performance aircraft in the Navy budget is the A-3J-3 Vigilante, which also is already augmenting our carrier attack capabilities. This aircraft is effective at very high altitudes or on treetop level missions, and is capable of more than twice the speed of sound.

The program also contains follow-on procurement of the A-4D-5 Skyhawk and the A-2F-1 Intruder carrier- or land-based attack aircraft, and the F-8U-2N Crusader all-weather fighter. These five aircraft comprise the bulk of combat procurement. Other aircraft for which continued procurement is authorized include the W-2F Hawkeye, an improved carrier aircraft for early-warning and fighter control; the P-3V-1 Orion, a long-legged antisubmarine warfare patrol aircraft; and the S-2F-3 Tracker, a versatile carrier-based ASW aircraft. The HSS-2 Sea King, and ASW helicopter, for which the Navy would be authorized additional numbers, set several world's speed records over the last year.

Further procurement of the HRB transport helicopter and introduction of an improved assault support helicopter are authorized for the Marine Corps. A utility helicopter, navigational trainer, and two tactical reconnaissance versions of aircraft now in production complete the aircraft program.

The Navy has requested authorization for missiles, drones, and related equipment, totaling $930,400,000, which is about 10 percent more than in the previous fiscal year. Continuation of procurement is authorized by the bill for the Sparrow III and Sidewinder air-to-air missiles and the air-to-surface Bullpup missile. Initial procurement of the air-to-surface Shrike, the Subroc, the underwater-launched ASW missile, and a training version of Bullpup, is provided. The program will continue to furnish the Terrier, Tartar, and Talos antiaircraft missiles to destroyers, cruisers, and carriers in the active fleet. The procurement of Polaris missiles is phased with the construction schedule of ballistic missile submarines.

Authorization is also provided for the funding of shipbuilding and conversion, in the amount of $2,982 million, an increase of about 1½ percent over the previous year. The 1963 construction program of 37 ships includes 6 fleet ballistic missile submarines, a conventionally powered attack aircraft carrier, 8 nuclear powered attack submarines and a nuclear powered frigate to be armed with the Typhon missile system.

The 6 additional Polaris submarines will raise the number of that type to a total authorized of 35; we are also authorizing long leadtime procurement for 6 additional SSBN's for a program of 41. The authorization for 8 more nuclear powered attack submarines will raise the total for that type to 38. The aircraft carrier will allow the Navy to maintain its carrier forces at the requisite level of modernity. Representing a new advance in an integrated antiair missile and radar system, the Typhon frigate will be in the first ship to be armed with this powerful equipment.

A conventionally powered carrier is provided rather than a nuclear powered one on several grounds of professional judgment. Firstly, it has been estimated that a nuclear powerplant would increase the construction, operation, and maintenance costs of a carrier to 30 to 50 percent. Such greater cost could more advantageously be allocated to other shipbuilding which the Navy very urgently needs. Secondly, nuclear power has been applied to surface ships for only a very short time so that broad experience with the operation and maintenance of a nuclear powered force is essentially very limited. With the technological progress being achieved in nuclear power, it would thus seem prudent to more closely observe the performance of the nuclear surface ships now in commission and to afford sufficient time for developments in the field of nuclear reactors to enable us to reduce cost and weight, and to increase efficiency. This does not mean that there is not every expectation of success in the operation of nuclear surface vessels, just as there has been with nuclear submarines, but simply a well founded decision to defer construction of additional nuclear powered carriers at this time.

Other ships in the program are four amphibious transport docks, an amphibious assault ship for Marine helicopter assault operations, five escort ships and three guided missile escort ships, and two new-design gunboats. There is also included a fast combat support ship, a tender for Polaris submarines, two oceanographic research ships, a surveying ship, and a roll-on roll-off cargo vessel.

The conversion of 35 ships is authorized, as against 22 conversions in fiscal year 1962. Twenty-four of the conversions in the current bill will continue the modernization of World War II destroyers to extend their lives as well as to improve their effectiveness. The other 11 conversions authorized will transform 2 old light aircraft carriers into a major communications relay ship and a command ship; will provide a mine countermeasures support ship, 2 fast ammunition ships, 2 jumbo or large oilers, and 2 technical research ships, in addition to a Polaris resupply ship and a Typhon guided missile development ship.

The provisions of H.R. 9751 reflect extremely thorough exploration into the detailed requirements of the Navy Department by our committee. I am convinced that the Secretary of Defense, the Secretary of the Navy, the Chief of Naval Operations, and the Commandant of the Marine Corps have exercised sound judgment in their recommendations to us. This bill will provide the Navy and Marine Corps, within the limits of funds which can reasonably be made available, with the best new aircraft, missiles, and ships, as well as the maximum degree of modernization of older vessels. In conclusion, this bill, H.R. 9751, is entitled to unanimous support because it concerns the security of

the Nation which depends solely upon an adequate national defense.

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. ARENDS. I yield to the gentleman from Texas.

Mr. MAHON. As the gentleman well knows, I was among those who were disturbed by some of the language in the original bill, especially by the language designed to direct the expenditure of certain funds by the Secretary of the Air Force. I want to say that I am highly pleased with the way the Committee on Armed Services has resolved this matter in the settlement today. You have not surrendered, in my judgment. I think you have done a magnificent job in dealing with this matter and in finding a way to resolve differences. You have dramatized for the Congress, for the executive branch, and for the country a very vital and important matter.

I want to commend the gentleman from Illinois [Mr. ARENDS], and I want to especially commend the gentleman from Georgia [Mr. VINSON], chairman of the committee, for the matchless way in which he has handled this very difficult situation. I think we are on the right road in the steps being taken today.

Mr. ARENDS. I thank the gentleman.

Mr. VINSON. Mr. Chairman, I yield 10 minutes to the distinguished gentleman from Illinois [Mr. PRICE.]

Mr. PRICE. Mr. Chairman, at the outset I want to assure my colleagues in the House that I am in full support of the position taken by our distinguished Chairman [Mr. VINSON] and the full Committee on Armed Services.

Mr. Chairman, Mr. VINSON and Mr. ARENDS have, and others will, cover the bill as reported by the Armed Services Committee, and will deal at length with the RS–70.

In the light of the Defense Department's attitude toward the RS–70, I would like to outline briefly just what the Soviet Union is doing in the field of manned bombers.

The U.S.S.R. has made phenomenal progress in creating air power needed to support the drive toward world domination. They have built a large and powerful tactical aviation organization and an effective military transport service. They have created an air defense system equal to any in the world, and, most important of all, they have created a long-range air arm which is capable of delivering nuclear weapons to targets anywhere in the United States.

Soviet long-range aviation is organized into long-range air armies, with the bulk of aircraft based in western U.S.S.R.; the remainder are based in the Soviet Far East. These long-range air armies have over 1,000 medium and heavy bombers in operational units.

When the Korean war ended in July 1953, long-range aviation consisted of a force of approximately 1,200 copies of our old B–29.

Since then the Soviets have demonstrated their ability to develop a modern, effective strategic bomber force with a nuclear capability. They began this demonstration with the June 1954 Moscow air show by displaying nine swept-wing jet bombers similar in performance to the U.S. B–47.

These aircraft, which we have designated Badger, have an estimated gross weight of 150,000 pounds, and a speed of about 500 knots. The Badger is powered by two turbojet engines, each developing an estimated 18,000 pounds of thrust. It has a radius of over 2,500 nautical miles with one refueling and with a 3,300-pound payload.

Also displayed in the 1954 air show was a large bomber comparable to the U.S. B–52. This aircraft, designated Bison, has four jet engines which are probably similar to those installed in Badger. It has an estimated weight of over 350,000 pounds, a wing span of 170 feet, and a radius of over 4,000 nautical miles with refueling and a maximum speed on the order of 500 knots. This aircraft, in spite of its size, can be accommodated by over 200 airfields within the U.S.S.R.

Another long-range bomber, the Bear, first appeared in April 1955. The Bear is powered by four turboprop engines, each developing approximately 12,000 equivalent shaft horsepower and turning counterrotating propellers. It is approximately midway in size between the Badger and the Bison. It has an estimated combat radius of around 4,200 nautical miles, and a maximum speed of approximately 495 knots.

Although the Bear, Bison, and Badger all appeared initially prior to 1956, modification of existing units and production of new aircraft has continued until very recently.

We have seen that resurgence of Soviet long-range aviation began with the dramatic demonstrations of new bombers in the 1954 air show. Now the operational equipment derived from the showpieces are obsolete. Just at the time that the developmental life was passing from the 1954 series of bombers there has begun a new resurgence. In the summer of 1961 was another spectacular demonstration of new Soviet bombers.

The display of Soviet military aviation at Moscow on July 9, 1961, indicates that the U.S.S.R. has again made major progress in the development of all types of aircraft despite Premier Khrushchev's statement on January 14, 1960, that, "We have been curtailing sharply production of bombers and other obsolescent equipment."

A new supersonic, heavy bomber research vehicle known as the Bounder was displayed in public for the first time, although it had been under development for a number of years. The Bounder is powered by four turbojet engines and is obviously a supersonic design with its highly swept delta wing configuration. It is about 200 feet long and has a wing span of about 80 feet.

The Soviets also displayed 10 new Blinder bombers. The Blinder is a supersonic aircraft roughly comparable in size to the U.S. B–58 medium bomber. The B–58, as you know, on May 26, 1961, set a record of 3 hours, 19 minutes, and 51 seconds from New York to Paris, a distance of 3,652.97 statute miles.

In addition to the previously mentioned conventionally powered aircraft, the Soviets are known to be interested in a nuclear powered bomber, a development in which I have always had a strong personal interest. I regret to say that my experience with the nuclear powered airplane is very much the same as that being experienced with respect to the RS–70. In my opinion the Defense Department is being equally shortsighted about both of them.

There is no doubt that Soviet long-range aviation crews regularly undergo extensive training and can navigate adequately to any point within their aircrafts' range under all weather conditions. Their bombing accuracies are undoubtedly compatible with requirements to place high-yield nuclear weapons on target from all altitudes.

The Soviets are evidently continuing the design and development of new and advanced long-range bombers. They are thereby in a position to introduce into their operational units new models as well as improvements in existing designs during the next several years.

So that is what the Soviets are doing. But in the face of the rapid advance that the Soviets are making, our Defense Department apparently proposes to let the bomber die on the vine. I support my chairman, Mr. VINSON, and the Armed Services Committee wholeheartedly in urging that the House exercise its constitutional right to insist that the unimaginative, shortsighted, and dangerous direction in which the Defense Department is leading us with respect to manned bombers be reversed—and reversed by an affirmative vote on H.R. 9751 as reported with authorization for $491 million for the RS–70 program in lieu of the $171 million requested by the Defense Department.

Mr. OSMERS. Mr. Chairman, will the gentleman yield?

Mr. PRICE. Yes, I yield to the gentleman from New Jersey.

Mr. OSMERS. Mr. Chairman, I want to say that I am in full support of the bill.

Mr. Chairman, the distinguished chairman of the Committee on Armed Services, Mr. VINSON, has made an excellent and complete statement with respect to the need for the enactment of the H.R. 9751. He has also explained in great detail the reasons why it is of the greatest national defense importance for us to continue the development of the RS–70 weapons system at least for the coming fiscal year. The outstanding leader of the minority members of the committee, Mr. ARENDS, has also explained several important aspects of the measure before us.

We need the weapons authorized in this bill even though, in my opinion, an all-out nuclear war between the U.S.S.R. and the United States is extremely unlikely. Both nations have too much to lose and too little to gain from such a war. Only the development of a really effective antimissile missile would change this situation and the development of such a weapons system does not seem likely in the near future.

Within the next 5 or 10 years, however, Communist China can reasonably

be expected to acquire a nuclear-weapons capability. It is from Red China that the United States, and even the U.S.S.R., could expect such an attack. The heartless, cynical attitude toward human life that seems to motivate China's leaders, coupled with their failure to either develop their nation's economy or even feed its people, might well cause them to launch a nuclear attack. The powers-that-be in Peiping might reasonably figure they would gain more than they would lose considering their huge population and low state of development.

It is my earnest hope that the statements in the President's letter to Chairman VINSON about the RS–70 weapons system will not be forgotten by the President in the fiscal year ahead. Many of us are suspicious about the sincerity of the President with respect to any defense statement. The President's attitude on defense is likely to be affected by the great success with which he used the "big lie" technique in his 1960 campaign. All will recall how he charged that the Eisenhower administration had been derelict in permitting a missile gap to develop between Russia and the United States. It was probably the greatest single factor in his winning the election by a few thousand votes. There are those, of course, who will argue, with some cause, that phony promises made to Negro voters with respect to civil rights were the dominating factor in providing his 1960 narrow margin. It is important to the Nation that the RS–70 program be better remembered than the missile gap.

Mr. Chairman, because we are discussing national defense, it might be well to take a look at the so-called disarmament negotiations now going on at Geneva which may have great impact on our defense future. The scientific community that is associated with our missile and nuclear programs is almost unanimous with respect to the need for U.S. nuclear atmospheric testing at the earliest moment. There have been grave doubts that our Nation will ever obtain the scientific benefits expected from these tests simply because the President left the door open for cancellation of the tests at the very moment he announced them. There has been considerable evidence in the newspapers that leads one to believe that the Russians may succeed in talking us out of our much-needed test program by giving us empty promises of possible future inspection privileges. Such a result at Geneva would indeed be a national calamity.

While not directly related to this authorization bill, it seems appropriate while discussing defense to make comments about the callup of the Reserves last October. On the news ticker a few minutes ago, it was stated that plans are under consideration by the Secretary of Defense to release the reservists, called to active duty last fall, between August and September of this year. The reserve callup may have served a domestic political purpose last year when the administration wanted so much to pep up our citizens after the depressing Cuban fiasco and the unchallenged building of the Berlin wall. However, there was no proven need then, or now, for the Reserves called, and, neither adequate plans for effective training nor proper facilities were available for most of those who were called to duty. This is true of the Army in particular. The decision apparently was political, not military. Intransigent and stupid decisions at the highest level with regard to releasing those men, who were suffering great hardship, have caused distress for families in every area of the country.

The Department of Defense should permit those reservists who want to return to civilian life to do so now. Why wait until August or September? Vacancies created can be filled by volunteers and draftees where necessary.

Mr. GRAY. Mr. Chairman, will the gentleman yield?

Mr. PRICE. I yield to the gentleman from Illinois.

Mr. GRAY. Mr. Chairman, I congratulate the gentleman on a very forthright statement and associate myself with him in his remarks.

Mr. PRICE. I thank the gentleman.

Mr. GAVIN. Mr. Chairman, I yield 10 minutes to the gentleman from Massachusetts [Mr. BATES].

Mr. BATES. Mr. Chairman, if there is anything that really characterizes the world in which we live today it is change and transition. Time has been telescoped in the last 20 years as never before in the history of our country or, indeed, the history of the world.

I remember about 10 or 12 years ago we had a bill before our committee, under which a general was asking for more money. All of us became a little aggravated at the request of this particular general and a member of the committee pointed his finger at him and said, "General, if we let you, you would fortify the moon."

Now, Mr. Chairman, how far are we really from that today? A concept, an idea, a hope of today becomes practically a reality of tomorrow. Those of us who work on the Committee on Armed Services are considering to a lesser extent what we have today, but instead most of our thoughts are projected 5 and 10 years hence as we move ahead at this tremendous pace. Associated with this is the question of things becoming obsolete even before they become a reality. There was a time, Mr. Chairman, when we could dip back into the archives or mothballs and withdraw from our fleet, for instance, ships that had been built 25 and 30 years before. That is what we did during World War II with the *Nevada* and the *Texas* and the *Arkansas* and the *Pennsylvania*, and all the destroyers that we gave to Great Britain likewise were ships that had been built during World War I. But those days are gone. We no longer have time on our side. We no longer have that great army of France upon which we once depended. No longer is England the Queen of the Waves. No longer is the Atlantic and the Pacific with the great protection to us that they once afforded us. Today we are within a half hour's time of potential destruction either for ourselves or for others. Time is of the essence and we must move with tremendous speed and dispatch. That, of course, Mr. Chairman, was the sum and substance of the controversy that arose with respect to the RS–70 which our committee considered at great length.

As we make this transition from that which is tried and proven and tested and move into a new field of missiles, where we have never actually fired a missile with a warhead along its full and complete course, there is some question in our minds, Mr. Chairman, even though military authorities assure us they have perfected these missiles. But as I remember, and as all of us here today remember, prior to World War II when we had the assurance that we would sink the Japanese fleet in 2 weeks and that day never came to pass as we well know. So our committee, properly concerned for the defense of this Nation, saw to it that we put into this bill an amount of money which might be necessary in the event that certain developments were forthcoming. We wanted to make certain, if those developments did come to pass, that the money would be available so that we could proceed full speed ahead with the RS–70. I think that decision on the part of the committee was a wise one. I support it wholeheartedly and I believe that the Secretary of Defense, prompted as he will be by members of the Committee on Armed Services, will see to it that until that day comes to pass when we can proceed with absolute certainty, at least this Nation will have a weapons system in the form of the RS–70 that can operate effectively against any enemy no matter where he might be found. So I am in accord, Mr. Chairman, with the action taken this morning on the part of our committee. We have indicated to the Pentagon and to the Secretary of Defense and to the President of the United States and to the world at large that as we wean ourselves away from the manned bombers and enter into the field of missiles, we want to make certain that at least we have in our inventory a bomber upon which we have depended so much in the past, until such time as we know absolutely and positively and definitely that these missiles will work without fail. We owe that much to our country and we cannot give our people less.

Mr. Chairman, there is one question I would like to bring up which has not been discussed by any of the preceding speakers.

That is the question of the future of the U.S. Navy. Today we have some 900 ships; 75 percent of our ships are of World War II vintage. When we consider that the life of the average naval vessel is only 20 to 25 years we must contrast it with the authorization in this bill today of but 37 new naval vessels. As we look ahead 5, 6, or 7 years we see mass obsolescence of our Navy. Because of that situation and the concern that has been expressed by myself and the chairman of the committee and others, we are undertaking an investigation of this whole subject that we shall pursue in the very near future. If we do not take action now, if we do not chart our course, if

we do not know exactly how many ships we need or the various sizes and types there will be a bill presented to this Congress and the American people in about 5 or 6 years that will approximate $25 billion. So we must set ourselves to the task for a normal buildup of the number of ships that might be needed and look forward and correct the situation.

The gentleman from Virginia [Mr. HARDY], is working hard on this.

Mr. HARDY. Mr. Chairman, will the gentleman yield?

Mr. BATES. I yield

Mr. HARDY. Let me commend the gentleman for his presentation of this most important subject. I would like to associate myself with his remarks. I feel certain that as our subcommittee begins to function under the chairmanship of the gentleman from South Carolina we will produce results that will show clearly what our Navy needs.

Mr. BATES. There is just one other thing, Mr. Chairman, that concerns me. As I said, we are living at a tremendous pace and in an age of transition. So we must do the things this committee feels need to be done to protect our own security. We place great reliance on our Navy, yet today we have no program for a buildup. In my own thinking I am sure that in the long run, if we ever have a long run, our form of government will win, but in a short run no one knows what will happen. I was gratified when the President of the United States indicated he would proceed with nuclear tests, because from the results of recent Russian tests it is clearly indicated that we must go ahead in that same field if we are to remain supreme. If the Russians should come up with a new breakthrough, some things that we did not have, we would be in a very difficult situation indeed. If they should develop, as we developed in the forties, a new type of atomic bomb, I know they would blackmail us immediately. There are many countries, so-called neutral and uncommitted countries, throughout the world who caution us against such a course of action as nuclear testing, but I want to say to them, Mr. Chairman, and to you that we should do the things that are necessary for our own protection. Let us hope that these other nations of the world will go along with us, but if they do not, Mr. Chairman, let us still do the things we must do for our own security.

Mr. HIESTAND. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HIESTAND. Mr. Chairman, in the middle of this discussion of the constitutionality of this bill, I think we want to be sure and not lose sight of the tremendous importance of its substantive content—namely, the continuation and stepping up of the great B-70, now RS-70, program.

The Defense Department has announced that the B-52 and B-58 production will be phased out this year. Thus, unless we reactivate the RS-70, by 1964 we shall have no planned bomber program and will, in effect, be creating a bomber gap.

Now, Mr. Chairman, there are a great many reasons why we need manned aircraft. Although tremendous progress has been made in the development of missiles, we all must agree that they have not been successfully tried in actual warfare. Manned bombers have and their success is a matter of record.

But we must have better and faster manned bombers, certainly better and faster and more capable than the Soviets.

Now, the Soviets have delta-winged manned bombers of great size and capability. We have seen photographs of them as flown over Moscow in Soviet air displays. I believe we are substantially ahead of them with our B-52 operation, especially since we have kept it improved and up to the minute. But why be content when we know full well the great B-52 and probably the B-58 will be well on their way to obsolescence within 2 years? In fact, previous delays on the RS-70 may lead to a bomber gap in spite of any immediate action we take today.

Mr. Chairman, let us not repeat the missile gap folly and the procedure which created it, from 1946 to 1952. At that time despite the demands of the then General Eisenhower, we had practically no missile program. It required 5 or 6 years since 1952 to close that gap.

But when we start a program let it be one far in advance of anything today.

Let us bear in mind that although the proposed RS-70 program will be expensive, the important thing is it will cost potential enemies 10 times as much to devise a defense against such an advanced weapons system.

The Secretary of Defense declares that we shall need a breakthrough in radar and other electronic equipment and contends that this cannot occur for the next 2 or 3 years. But supposing it does take 3 years—need we sit on our heels waiting for it to happen, thereby setting our defenses back another 3 years? Of course not. We must prepare for the future today.

Why not take the expert advice of the professions, the military experts, who have made the military their life careers? They are practical men skilled in military science and tactics. They have scientists there who have worked on these problems for years. The theorists have their value, but the practical men whose careers are at stake have pleaded for this program for years.

Great progress was being made when the B-70 program was originally cut back from some 18 major subcontractors. Might not that breakthrough have already occurred if we had been pushing the project the past 3 years?

Mr. Chairman, this could well be the most important action this Congress will take this year. The whole safety, the entire defense of this Nation, depends upon it. It is vitally important, almost tragically so. Let us be sure and not lose sight of the value of this program in our discussion of rights of the Congress to make laws for all departments, including the executive. Here we can take a giant step forward—if we remain firm and back up our committee.

Mr. Chairman, I am heartily in support of the bill.

Mr. ROUDEBUSH. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. ROUDEBUSH. Mr. Chairman, this Nation's defensive posture is of extreme interest to all of us.

I think without exception every Member of this body wants to do everything possible and provide every means to assure the safety of our citizens—and to provide the military with weapons of retaliation in the event of nuclear war.

Therefore, I do not consider the proposition before this House today to have any partisan-political significance. Rather, any discussion results from two different opinions or ideas as to how we can best provide this safety and assurance to our Nation.

I submit to you here today that the investment requested by the Armed Services Committee to get the RS-70 program moving is most essential and certainly justified.

I feel that the decision we must make here today could well be the most important and the most decisive that Congress must make during this session. It affects the future security of our Nation.

Many of you know that I serve on the House Space Committee, and I feel I am familiar with our present level of excellence in missilery. With this in mind, I have carefully analyzed the potential of the so-called massive retaliation by missiles alone.

I have analyzed both the reliability and the failures of the long-range missile practice firings accomplished by the various agencies of our Government.

With what knowledge I have on this matter, I am completely unwilling to see this Nation depend solely on missiles for retaliation. I say this whether these missiles are borne by nuclear submarines—are launched by manned aircraft—launched from foreign lands by our troops or friendly allies—or are of the nature of the huge projectiles capable of interoceanic flight and guided by mechanical brains.

I am also unwilling for this Nation to be placed in a position of failing to compete in the field of manned bombers. I think we all know that the B-52 program is being phased out—and even with skybolt-type missiles, rapidly approaches obsolescence.

The B-52 first was placed in service in 1955—7 years ago. This aircraft, now rapidly facing obsolescence, forms the very backbone of the striking power of our SAC forces.

In my judgment, the RS-70 is the most awesome weapon ever conceived by any nation. It travels faster than a rifle bullet at an altitude of nearly 14 miles.

The RS-70 would provide us a striking force that is necessary in limited warfare, yet it would be a tremendous asset in case of massive retaliation.

Most nations still would have to rely on water transports to move large numbers of troops. The RS-70 could travel 5,000 miles while a troop transport traveled 50 miles or less at sea.

After leaving its base here in America, if orders were changed it could do a flyover and still return to base.

We have nothing which compares to it in our arsenal of weapons—and neither does any other nation.

I believe one of the best demonstrations of the capabilities of man was by John Glenn. I am sure one of the most valuable lessons coming from his flight is that there is no substitute for man's ability to make decisions and perform tasks under extreme conditions of speed and weightlessness.

A missile cannot think—nor can it change its mind after launch. It cannot even be safely destroyed in flight should a change in plans occur.

I hope that this tremendously important program will be approved.

Mr. GAVIN. Mr. Chairman, I yield 10 minutes to the gentleman from Indiana [Mr. BRAY].

Mr. BRAY. Mr. Chairman, the issue before us today goes far beyond the RS-70 program. At stake is the future of the manned bomber in the American Air Force. Not only is the Secretary of Defense rapidly downgrading the RS-70 program, but he is "phasing out" all bombers.

Last year the Armed Services Committee, over the objections of the Department of Defense, included in the authorization bill one wing of B-52 bombers and one wing of B-58 bombers. The Department of Defense refused to allow these planes to be built and has now begun to close down all Air Force bomber production lines. By October, if the McNamara plan holds, all production on Air Force bombers will be finished. We are going out of the manned-bomber business.

Today we are well ahead of Russia in manned bombers and intercontinental ballistic missiles, but Russia is proceeding with the development of new and better bombers. If the Department of Defense persists in its present line of thinking and acting it will soon be the old story of the tortoise and the hare. We will be the hare and Russia will be the tortoise. As the bombers we have today gradually wear out and become obsolete, Russia will become superior to us in the air—the tortoise will pass the hare.

When this will happen I do not know. The time will surely come, however, unless our planning changes. We will be behind Russia in manned bombers. Some will say that we should buy bombers as needed. They fail to realize that we cannot go down to the hardware store and buy them. The bombers which we will have in 1966 and 1967 are the ones we plan today.

I do not claim to be an authority on the efficiency and capabilities of the RS-70, but I assure you that I have studied it carefully and have discussed it with the best authorities in the world. Its potential as a bomber and reconnaissance craft is enormous. Whether it will live up to all of the expectations of its designers, no one knows of a certainty, and the technical matters involved are too complex to adequately discuss on the floor. However, I do know that the RS-70 as planned unquestionably will be the finest bomber in the world in speed, altitude, range, carrying capacity, reconnaissance capability, and versatility. However it will not be in operation for several years. Its capabilities are well recognized by practically all authorities on aviation.

Do we want to be first or do we want to "phase out" of the entire bomber program? President Kennedy recently stated that he does not want America to depend altogether on massive retaliation. That is, he does not want the United States to be entirely dependent upon massive destruction alone to resist aggression. Yet today, if we follow the course that is being developed by the Department of Defense, we will have only two answers to aggression. We must say that we are helpless to resist or we must destroy our enemy by using nuclear warheads by means of intercontinental ballistic missiles. I want us to have another alternative—the ability to stamp out small "brush wars" without resorting to total destruction.

A good example of the importance of having strong conventional forces to take care of limited aggression occurred 4 years ago this July when President Eisenhower sent forces into Lebanon and stopped Communist aggression there. This operation did more for American prestige than any other incident in recent years, without the loss of an American life. Firing an intercontinental ballistic missile into Lebanon certainly would not have been considered by any responsible government, yet unless we had done something at that time the entire Middle East might now be lost to the Kremlin. Without a powerful air force and an ability to resist limited aggression by land, sea, and air, we could never have another Lebanon.

If we desire only to be strong in massive retaliation, the path now being followed by the Department of Defense would be the correct one. We are developing an intercontinental ballistic missile capability which together with the Polaris submarine can destroy Russia or any other country at will. I want us to have such a capability but I certainly do not want our defense strength to reach such a condition that we must totally rely on such a capability. While such massive retaliation may some day be necessary, we shudder to think of such a day coming. We can contemplate a situation arising, however, where strong bomber forces backed by strong conventional forces could stop limited aggression before it reached the point of our having to resort to full nuclear defense.

Last year I took the lead in the committee fight to restore the RS-70 program to the status that it had in the Eisenhower budget. President Kennedy, in the 1960 campaign, criticized Eisenhower three times for not pushing the RS-70 program, yet when Kennedy presented his budget to the Congress in February 1961, for fiscal year 1962 it was $138 million less than the amount submitted in the budget for fiscal year 1962 by President Eisenhower. We lost this fight in the committee, to restore the $138 million that Kennedy had deleted, by two votes, but after reconsideration the Congress finally did raise this amount. President Kennedy never used the additional money authorized.

There has been a growing belief in America, and one of its strongest proponents has been President Kennedy, that our defense should not be totally dependent upon nuclear bombs carried in intercontinental ballistic missiles. Yet, the course that the Department of Defense is pursuing is directly contrary to the goals announced by President Kennedy; that is, not to rely wholly on massive retaliation. Rather we should build up our conventional forces and maintain our superiority in manned bombers for possible conflicts in which massive retaliation with nuclear missiles certainly could not be used. This is why we insist upon the importance of the RS-70 program.

Mr. VINSON. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from Louisiana [Mr. HÉBERT].

Mr. HÉBERT. Mr. Chairman and Members of the Committee, there still seems to be some confusion as to exactly who won what and who lost what. I think it quite necessary that an effort be made to clear the atmosphere now and present to the committee exactly the situation in which we find ourselves.

The distinguished gentleman from Georgia [Mr. VINSON], chairman of the Committee on Armed Services, has made the statement here in the well that today we make history. We certainly do make history, because for the first time this Congress has come to grips with the executive department as to each one's responsibility related to the other. The resolution is long overdue. It should have come to pass 12 years ago when the Congress authorized the building of the flush-deck carrier *United States* and the funds were refused by the Secretary of Defense. If we had come to grips with the problem then, we would not be discussing it here today. But, through the succeeding years the will of the Congress has been cast aside; the will of the Congress has not been adhered to, and nothing has been done about it until this present situation arose.

In past years the Congress has authorized the full strength of the Marine Corps to 200,000. It was not adhered to. It authorized funds for the modernization of our Army. It has not been adhered to. It authorized money for the extension of the B-52 program. It has not been adhered to. In other words, to put it in simple language that we all understand, this situation of the RS-70 is the straw that broke the camel's back, and some vigorous and direct action had to be taken, some vigorous and direct language had to be used, and that language was the word "direct" in the amendment offered to this bill by the committee.

Mr. Chairman, I think we should know some of the background. I think we should understand exactly the events

which have led up to this situation, and this exercise which I think has been a most healthy one, and one which I think will have its effects in future days to come. I want to say here right now that in the 22 years I have been here I have seen many Secretaries of Defense, and great ones, including Forrestal, Lovett, and Gates. I do not know of any one individual that I have seen come here with the genius for administration and the ability to act as an effective administrator as the present Secretary of Defense. In the field in which I am most knowledgeable—in the area of procurement—he has done things in the last year that we have been asking to be done at the Pentagon for certainly 12 or more years. He is a master administrator. He is a dedicated individual. He is perhaps the most unique man to occupy the Office of Secretary of Defense in the last two decades. But here let us pause and examine exactly what his qualifications are to make military decisions. If I operated a huge hospital, I would have the gentleman as my administrator, and he would do an excellent job. But if it came to operating on a patient, I would call on a doctor and follow his advice.

Mr. Chairman, the Committee on Armed Services did not come to this decision on the RS–70 program without the advice of high military authorities. We had a full and complete briefing by the Air Force. We had the benefit of the knowledge and experience of men who actually have worn the uniform, the men who know what the military needs. Backed up with that, we had the judgment and the wisdom of a committee which reflects its seniority in the 48 years during which the chairman, the gentleman from Georgia [Mr. VINSON], has served in this House. I submit that in view of this experience we are in just as good or better position to judge or to make a judgment upon the needs of the military as related to an individual who came here shortly more than a year ago. Washington is a bad place for a man to attempt to play God, even if it be the Secretary of Defense. I think as a result of what has happened in this matter the Secretary of Defense has learned a lesson, and I hope he has. He has learned the lesson that this Congress does stand for something; that the Committee on Armed Services does have a responsibility and will not hesitate to discharge it. It has been a long time coming, but I congratulate Secretary McNamara on the position which he has now taken, though belatedly. I think all of us should know this because it is most important: This is the first time that the Secretary of Defense has given any indication of acknowledging that other people can make decisions and do not have to use an IBM machine to do it. It has been said of him, and I think in a critical though charitable vein, that he is as inscrutable as the sphinx, and twice as inflexible. That observation was before yesterday afternoon.

Mr. Chairman, I want to pay particular tribute to the President of the United States in this instance. When he came into this picture, he came into the picture with the knowledge that he had acquired through the years as a Member of this body, and as a Member of the other body. He came in with the full affection and understanding of the problems which we have here. In order to give an indication of how this whole thing has been misrepresented to the public, I will cite one instance, or two instances: Every time the Secretary of Defense has talked to the American people, and he has given his views on many occasions on the subject, the rejection of the RS–70 has always been referred to as "the President's program," and the press has picked it up and said "The President backs Mr. McNamara, the Secretary of Defense."

Now, actually what did the President say publicly, and that one time was in a news conference, when he said that he relied on Mr. McNamara, and had full confidence in him, but suggested there was some compromise available. That is all he said. That was the President's position. The President has never assumed responsibility for this program per se, but his name has been bandied about as though indicating that he was in full accord with the abandonment of the RS–70 program.

There is another facet to this controversy which I think you should know about. Unfortunately, those of us on the Committee on Armed Services have been unable to get our story over to the public because we are under the compulsion of security. We have had meeting after meeting under top secret direction. The last time Mr. McNamara appeared before us, his speech was stamped "Top Secret." We could not discuss that speech nor could we discuss the questions which were asked him, nor even now can we discuss what went on in that meeting. I think it would be very enlightening if you knew the colloquy, but we are still under the compulsion of security and secrecy. The presentation which Mr. McNamara made to us, every page of it, marked "Top Secret" was given out almost in toto the next day at a hurriedly called press conference in the Pentagon.

I think this is serious business when we cannot discuss these matters in public. As a matter of fact, and I think parenthetically, I should inform you of this rather amusing incident. A very articulate and able young colonel was testifying before us during the hearings that were in secret and his biography was stamped "Secret." We could ask him where he was born, and he could tell us within the confines of the committee room, but outside of that none of us could open our mouths if we were going to respect the stamp of secrecy.

So I think it quite necessary that everybody in this body should understand exactly what the situation is.

I compliment the distinguished ranking member of our committee, the gentleman from Illinois [Mr. ARENDS], who certainly made a very lucid explanation of the problem today. Of course, it is not necessary to add more laurels to the crown now worn by my distinguished chairman, the gentleman from Georgia [Mr. VINSON]. He and I have differed on many occasions, as many of you know. But my devotion and affection and respect for him have never been diminished. I might almost paraphrase what the President has said, that he had confidence in his Secretary of Defense; I may say that I, too, have confidence in the Secretary of Defense; and not that I have less confidence in the Secretary of Defense, but I have more confidence in my chairman, the distinguished gentleman from Georgia.

So today this is not a battle won or lost, or something we should gloat over. This has been a constructive exercise. This has been an exercise which has focused the attention of the Nation on a serious problem of conflict in approach to problems.

The President wisely has pointed out his powers under the Constitution, but we, too, must point out that under article I, section 8, we have the responsibility and the backing of the Constitution to raise and maintain armies and navies, and to appropriate moneys for their upkeep; and also to make the rules and regulations for the control of those bodies.

The Department of Defense is much in the position, I think I would say, as that of a baseball manager; or perhaps I should say the Secretary of Defense is. He is in full command and charge on that field. But he has got to play according to the rules. He may not change the size of the ball or shorten the distance between the bases. Nor do I think he is in a very enviable position when he tells you, as the gentleman from Indiana has pointed out so well, that we are at the end of the road in bombers. It means that when the B–52 and the B–58 go out we have no other bombers on the drawing boards to replace these manned weapons. The Secretary of Defense gives out great figures. I cannot compete in his realm with numbers, statistics and figures, other than to approve them if they are on my side. But it is like the football coach who said that in 1967 he is going to have the greatest team he has ever had in history.

He will have reached his peak and he can defeat any team against him.

But, I submit, what will happen after 1967, if they have nobody on the bench to come up and fill the ranks of the seniors when they go out, and that is the situation in which we find ourselves in this particular instance, unless there is a weapons system, a manned bomber weapons system on the drawing boards and ready to replace the deficiencies in the inventory, at the end of 1967 we will be absolutely lost in the field of retaliation in this particular atmosphere. Up to this time the Secretary has been writing the obituary of the RS–70 in installments. Today, I hope his letter retracts those words and that he will begin to take a constructive and progressive view. His language is clear in his letter. There is absolutely no doubt in the world that this Committee on Armed Services has not capitulated. It has won a very distinct and very deserving victory in the interest of representative government and in the interest of

the American people. We have a responsibility to meet from here on out. I agree with the gentleman from Illinois in referring to that. This may be a paper victory. It can only be a paper victory, however, if we, in the Congress, allow it to become a paper victory.

Mr. GAVIN. Mr. Chairman, will the gentleman yield?

Mr. HÉBERT. I yield to the gentleman from Pennsylvania.

Mr. GAVIN. It must be remembered, we have to get ourselves elected every other year and when we express ourselves, we are expressing the sentiments of our people back home whom we are proud and honored to represent.

Mr. HÉBERT. I thank the gentleman. I think his remarks are well chosen because we do have a representative form of government, and here is being demonstrated one of the advantages of representative government. I think this point should be stressed right here, sir, that when the vote comes later today the resounding and solid vote of this House will reflect what the people of America believe when it comes to the RS–70 program. And I hope the Secretary of Defense will be impressed with the decision not of one lone man backed by dubious authorities on military weaponry, but the decision of millions of Americans reflected in the vote today of their constitutional representatives.

Mr. GAVIN. Mr. Chairman, I yield 10 minutes to the gentleman from California [Mr. WILSON].

Mr. WILSON of California. Mr. Chairman, I am entering this controversy today not as a constitutional lawyer, but rather as an aviation historian. Progress in aviation has been a fascinating thing. Even within my lifetime, which incidentally is less than the 48 years that our distinguished Chairman, CARL VINSON, has served—even within my lifetime, the airplane has progressed from a flimsy, unpredictable, sputtering toy, literally nothing more than a box kite with a motor, into the greatest defensive weapon and deadliest instrument of war ever devised by man, and a magic carpet of worldwide transportation.

The airplane we know today did not just appear like magic. It is the result of generations of applied imagination and effort, from glider pioneers like John Montgomery and others to the scientists and engineers of today. Each new airplane, with its own improvements, added a building block to the structure we know today as the Air Force and as our commercial airline system.

Before World War I only the dreamers could visualize the airplane as anything more than an exhilarating experiment. The first airplane dogfight in battle was between pilots with pistols. But as airplanes became faster and more maneuverable, it was inevitable that they would be armed with machineguns and later rockets. The first load that a military airplane carried was an observer who spotted for artillery forces. Later on messages were carried by airplanes from headquarters to the frontlines. And, of course, inevitably the obvious advantage developed for using the airplane as a means of delivering destructive explosive power on the enemy. The first bombs were little more than glorified hand grenades, and from there, through progression, the means of dropping blockbusters and later nuclear bombs developed into the ultimate and awesome capability of the latest SAC aircraft, which today in the form of the mach II B–58 is capable of flying 1,200 miles per hour and flying from Los Angeles to New York and back to Los Angeles nonstop in a period of some 4 hours.

It is an ill wind that blows nobody some good. Certainly the greatest instrument of war has also resulted in the greatest instrument of peacetime transportation known to the world. The modern airlines today exist only because of the initial development of military aircraft. We would not have our network of airlines had it not been for the billions of dollars that have been poured into the development of military aircraft in the period since World War I. The first airmail and passengers were carried in surplus World War I airplanes. The workhorse of the airlines after World War II, the famous DC–3, was a direct outgrowth of a military airplane produced by Douglas. The modern jet transports produced by three leading companies, Convair, Boeing, and Douglas, had their design origination and early development based on the B–47 and later the B–52 bombers.

Progress in aviation has not always been easy. There have always been the doubters and the scoffers who were willing to tell why it could not be done. Many scientists and engineers at the time of the Wright brothers, using their slip sticks and their equivalents of Univac and IBM, whatever they were in those days, had it all figured out that it was physically impossible for man to fly. They could prove it with statistics. Yes, and there were plenty of doubters within the military, too. The Secretary of the Navy in 1912 made the statement "If you can demonstrate to me that the aeroplane is capable of taking off and flying out to a battleship, landing alongside and capable of being lifted aboard, then I shall believe it to be of some value to the military."

Our own distinguished chairman of the Armed Services Committee, participated in the 1920's in the investigation of the rather absurd proposal by Col. Billy Mitchell, that the airplane was capable of sinking a battleship. Perhaps that is one of the reasons why this distinguished gentleman believes so strongly in the RS–70.

Bombers, in particular, have always had to fight hard for their existence. I mentioned the Billy Mitchell controversy. In more recent times we have seen the B–36 controversy, when many people felt the long-range intercontinental bomber was unnecessary as long as other forces were available today. Well, I say, thank God for the visionaries and the experts of their day who provided us with the B–17 and the B–24 and the B–36 and the B–47 and the B–52 and the B–58. This country has been safer because of them and without them I think it is no overstatement to say we would not be here today as freshmen in a free nation.

These are the thoughts that have been running through the minds of many of us who serve on the Armed Service Committee today. This is the reason for the apprehension we indicated through our unanimous vote in favor of the continuation and extension of the B–70 or RS–70 program. These are the reasons why we reject completely the contention by the Secretary of Defense and his subordinates that we can phase out the bomber program and rely in the future on missiles for our defense. All of the Univac's and the IBM's in the Pentagon, had they been available back at the beginning of World War I and World War II, could not have predicted the fantastic development in uses and capabilities that grew out of these early aircraft. I submit to you that all of the Univac's and the IBM's and the thinking machines that are available to the modern Pentagon are incapable of predicting with infallibility the forces and materiel that might be necessary to protect this country in the future.

For the first time in our history we are laying down our tools that have helped to forge the greatest protective force and the greatest peacetime transportation force in history. No, my friends, I cannot believe that the people of this country are willing to legislate man out of the air. Yet in effect, that is what the throttling of the B–70-RS–70 program means. It means we have no faith in the future of aircraft. It means we are putting our entire reliance on the little black boxes that may be electronic marvels, but that even today have been known to blow a fuse.

Now I have no personal quarrel with the Secretary of Defense. I am willing to rate him as a genius, as many people have called him today. I think he is probably the closest equivalent to a real live flesh and blood thinking machine that modern industry has ever produced. Yet he would be one of the first to tell you that a computer is valueless if you do not have enough input. In other words, you have got to take all the factors into consideration when you press a button and ask a computer to make a decision for you. You have got to crank in all the possible variations and information into the machine before you can get an answer out the other end on a roll of printed tape. Until these thinking machines at the Pentagon get cranked into them the factors of unpredictable future needs and the supplemental benefits that derive from continued development of the aircraft, I am sure they are going to continue to get the answers that say we do not need airplanes for the future.

Certainly, the chairman of the Armed Services Committee, Mr. VINSON, our distinguished colleague from Georgia, has a sense of history. His championing of a stronger Navy, of nuclear-powered submarines, of a modernized expanded Air Force, are factors that are rather hard to crank into a Univac. As for me, I would rather put my faith in a hunch of CARL VINSON's than in the

punches on all of Mr. McNamara's IBM cards. Yet today we see the Congress in conflict with the Secretary of Defense and with the President of the United States, a man who was highly touted during the 1960 campaign as having a sense of history. I think that Mr. Kennedy, the candidate, probably did have more of such a sense then than he has now. He was in favor of an expanded B–70 program at that time, before he started listening to the experts and their printed tapes. Listen to what he said on November 2, 1960, in my own hometown of San Diego. Here is what he said:

> I endorse wholeheartedly the B–70 manned aircraft. We could not get the administration to release the funds until this week.

That does not exactly jibe with the recommendations he has been sending up to Congress through the Secretary of Defense, does it?

How about the Vice President; where does he stand? I have been reading a rather remarkable document. It is called the investigation of the preparedness program by the Preparedness Investigating Subcommittee of the Committee on Armed Services of the U.S. Senate, printed in 1960, the 2d session of the 86th Congress. LYNDON JOHNSON, the chairman of the subcommittee, conducted a sweeping investigation into the B–70 and he came out with some remarkable recommendations. In the first place, he proved that the B–70 would be of tremendous use to the military in limited war. He pointed out its efficiency for the rapid support of troops and the delivery of missiles and equipment. He pointed out, for example, that it would take 10 days for 25 turbojet airplanes to airlift 4,000 tons of cargo over a 3,500-nautical-mile range and this same job could be done, not in 10 days, but with the RS–70, or the transport equivalent of the RS–70, in 2½ days.

Can an IBM machine predict that some time in the future it may be important to get 4,000 tons of vital war material up to the frontlines of some remote fighting front of the future? You know it cannot. Well, let us just read for a minute what Mr. JOHNSON recommends to the Congress of the United States. These are the conclusions of the Senate Investigating Preparedness Subcommittee. I like the title of that "Preparedness." We need that.

First. The advent of the ICBM does not preclude the necessity for continued development and use of advanced, manned weapon systems.

Second. Manned weapon systems—such as the B–70—could strongly complement other strategic weapon systems.

Third. There is a need to develop a bomber beyond the capabilities of those presently in being, since a bomber-missile or mixed-forces concept is essential to our defense posture.

Fourth. There is a continuing requirement for a manned bomber with supersonic and intercontinental characteristics.

Fifth. The Nation possesses the necessary resources to build a B–70 type weapon system.

Sixth. The technology required to build a B–70 type weapon system is at hand and is not dependent upon technological breakthroughs.

Seventh. Successful development of a weapon system such as the B–70 program, could also advance the age of supersonic commercial and industrial transport and represent an essential link in the chain of continuous advances in controlled flight.

Eighth. Because of its size and basic configuration, the B–70 is suited to possible adaptation as a supersonic, nuclear-powered air vehicle.

Ninth. A B–70 type system, because of its planned altitude and speed capabilities, has potential application as a recoverable booster space system to perform recurring heavy payload orbital launches.

Tenth. Unless an operational supersonic bomber is developed now, there will be no replacement for the B–52 at the time at which it enters its period of obsolescence—mid-1960's—and experience has demonstrated that stretching out an essential military development program not only increases ultimate total cost but loses valuable time.

So here we have additional testimony indicating the value of the B–70. This, in effect, is the testimony of LYNDON JOHNSON, the chairman of the Senate Preparedness Subcommittee. Has Mr. JOHNSON changed his mind today? I don't believe he has.

I can easily understand a man changing his mind; I have done it many times myself. But normally when this happens, it is a question of the scales tipping slightly in one way under one set of circumstances, and tipping slightly the other way in another set of circumstances.

However, with respect to the B–70 this condition does not obtain at all. Nothing could be more precisely, directly or forcefully stated than the position of the Preparedness Subcommittee—Mr. JOHNSON, chairman—with respect to the B–70. This was no slight tipping of the scales in favor of this weapon system. This was an outright and aggressively stated recommendation—and one made without equivocation of any kind.

A person of Mr. JOHNSON's intelligence and obvious capability does not whimsically arrive at a particular conclusion. Nor does a person like Mr. JOHNSON capriciously change a decision on a fundamental issue.

Mr. JOHNSON does not speak out in this controversy over the B–70 today, but his voice is heard—loud and clear—in the decision of his subcommittee from whose report I have just read.

Mr. Chairman, I support the expanded program for the RS–70. I do so in the certainty that the RS–70 is not in itself the ultimate weapon of ultimate aircraft. It is another step forward in man's conquest of the air. It is just a prelude to such fantastic airplanes of the future—as Convair's proposed space plane, which will make even the RS–70 as old fashioned as the Jenny of World War I.

Mr. GAVIN. Mr. Chairman, I yield 10 minutes to the gentleman from California [Mr. GUBSER].

Mr. GUBSER. Mr. Chairman, I would like to commend our chairman of the Committee on Armed Services, the Honorable CARL VINSON, for his vigorous leadership in a fight which is designed to gain the respect of the Congress which the Constitution intended.

The committee report states on page 7:

> The role of Congress in determining national policy, defense or otherwise, has deteriorated over the years. In the place of joint formulation of national policy by the Congress and the President we have seen an acceptance of the principle that in some matters, defense in particular, government should be by "expert."

This is the greatest mistake that can befall a republic.

The German Reichstag made the mistake in 1933 and it did not get the chance to live to regret it.

In our republic we do not have a dictator of defense, we have a Secretary of Defense who holds no power except that which flows to him through the President.

Our entire system is based upon opposition to the concentration of absolute power in the hands of one man, regardless of his expertise, because, as the committee states, "expertise is not infallibility."

Experts are human and no human is infallible. So, we dare not trust one man with making the decision which determines whether we shall survive.

Men make mistakes. It was some man, an expert—I do not know which one—who decided to build the Edsel, and the stockholders of Ford Motor Company know it was a mistake.

I am greatly impressed with the outstanding ability of Secretary McNamara, but he is only a man and, as such, bears some human limitations.

It was Secretary McNamara, an expert, who opposed me as a novice, when, last year on the floor of this House, I proposed an amendment to authorize six more Polaris submarines. He was wrong, and has now admitted it by his action to do administratively what I tried to do legislatively.

It was a man who said on January 23, 1960, that "America had become second in missiles" and it was the same man who worried all through 1960 about the effect of this missile gap on our national prestige.

To many, authenticity and expertise is the automatic windfall of presidential candidacy, so many thousands of people believed that we were second in missiles. As one member of the Committee on Armed Services I repeatedly said the missile gap did not exist, but nobody listened—I was not an expert.

Here again is another case where an expert, a man, was wrong. It is now admitted that there never was a missile gap.

We cannot afford to ignore the time proven constitutional formula for cooperation between Congress and the Executive. Thanks to Chairman VINSON, this issue has now been spotlighted to the extent where the Executive can no longer ignore it. We have won all we could expect to win and more than could have been won without the committee amendment striking the word "directed." Admiral VINSON has won our battle for us.

This morning a question was asked in a session of the Committee on Armed Services as to whether the letters from the President and Secretary could be interpreted as an intention by the administration to request all necessary funding up to $491 million in fiscal year 1963 for the RS–70 program. The answer was affirmative and unequivocal.

With this battle the deterioration of the role of Congress is now at an end, and the American people will be the beneficiaries.

Mr. GAVIN. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. BECKER].

Mr. BECKER. Mr. Chairman, it would seem to me that after the executive meeting we had of the Armed Services Committee this morning we are now proceeding in what I would call an exercise in futility. A great many words are being expressed about what we are doing here today—who has won and who has lost; who has capitulated and who has not capitulated. We have made quite a reversal in the discussion made here today about why we are doing this, and the concession made by the Secretary of Defense in the fact that now he has conceded to make a study.

Well, anyone who heard the reading of the letter from the Secretary of Defense before our committee this morning in executive session and those who heard the reading of that letter on the floor of the House today know that this is an old legislative trick—that when you want to get rid of something, agree to a study. This is the surest way to brush something under the rug that you want to get rid of. This is all the Secretary of Defense agreed to do in his letter.

Mr. Chairman, studies have been going on for years in this program, and for these studies we have appropriated over $1.3 billion, and will agree to appropriate another $1.3 billion to complete the additional RS–70 planes.

Mr. Chairman, we have heard the statement of our good chairman, the very distinguished chairman of the Armed Services Committee, the gentleman from Georgia [Mr. VINSON]. While we heard his statement today, I wonder how many read the statement in the report of the Armed Services Committee on the bill authorizing some $13 billion, and dealing specifically with the RS–70 program? Let me read one paragraph of that report. I think it is quite different than that which we are getting today in this exercise in futility:

> To any student of government, it is eminently clear that the role of the Congress in determining national policy, defense or otherwise, has deteriorated over the years. More and more the role of the Congress has come to be that of a sometimes querulous but essentially kindly uncle who complains while furiously puffing on his pipe but who finally, as everyone expects, gives in and hands over the allowance, grants the permission, or raises his hand in blessing, and then returns to his rocking chair for another year of somnolence broken only by an occasional anxious glance down the avenue and a muttered doubt as to whether he had done the right thing.

Mr. HÉBERT. Mr. Chairman, will the gentleman yield?

Mr. BECKER. I will be happy to yield to my colleague from Louisiana.

Mr. HÉBERT. May I say to the gentleman that the excerpt he just read from the report is probably one of the most accurate descriptions of the Congress today. There has been a change, however.

Mr. BECKER. I agree with the gentleman wholeheartedly. That is why I have used it here, in the light of what has been said in the previous statements before this House. Nothing could be clearer than this. Let me call attention to what we are doing in Congress, not only in the picture of our national defense, with which our committee is charged, and sits month in and month out in trying to design a program for the defense not only of the United States of America, but of the free world, we are again giving up our constitutional rights to provide a Military Establishment for this country.

In doing so let me bring this to the attention of the Members of the House. Are we doing differently than that which we are being asked to do? There is legislation proposed from the "Avenue" that is coming before the House to give up other constitutional powers this year in the fields of tariff and trade, and turn this over to the executive branch of the Government. This is the proposal of the administration. In article I, clause 3 of the Constitution, this is clearly empowered to the Congress of the United States.

Mr. Chairman, there is another piece of legislation to be considered this year wherein we are being asked to again give up our constitutional powers, and that is in the field of taxes wherein we are being asked to give the President and the executive branch of Government the right to lower taxes 5 percent, if he deems it advisable to do so.

Mr. Chairman, again in the same identical clause in the Constitution, these powers are spelled out to be the powers of Congress.

In another piece of legislation we are being asked to give the executive branch of the Government $1 billion to spend at will on public works, in the event the executive branch feels it is necessary and advisable. This again dilutes the power of Congress to authorize and appropriate for specific projects as we deem advisable.

I say to you, Mr. Chairman, that what we are doing here is not a matter of yielding, or a matter of being unwilling to compromise with the executive branch of the Government, but we are yielding to the so-called civilian experts of the executive branch of the Government, who are telling the Committee on Armed Services and telling our Military Establishment—our Air Force, who came before our committee with every intent and with every means at their command to impress upon us why the RS–70 is vitally necessary. We agreed with them unanimously because over the years we have come to understand what they were really trying to do.

Why do I go along with Curtis LeMay, this great general, with the great record, and his advisers in the Air Force? I will tell you why I do and why I am willing to; because, in the history of the United States of America it has been our military leaders who have led us to victory in every war. It has been our civilian experts who have put the world in the mess in which it is today. I say that our military leaders are men who are dedicated to the defense of this Nation and who have proven that beyond any shadow of doubt. That is why I am willing so many times to go along with their reasoning; because of their great experience and their great dedication.

I think Mr. McNamara is a great, a wonderful man. I have nothing against him as an individual or as a personality. But when Mr. McNamara goes before the American people day after day to try to get the press, the news media on his side, as against the will of the Congress of the United States, I say that is wrong. It does not comport with the intent of having three equal branches of Government, each equal in its powers under the Constitution. I do not believe that any Secretary of Defense is carrying out his duty as he should when he uses those methods. The President of the United States as an elected official has a duty, and I have no criticism of him when he takes any means at his command to prepare legislation on those things he desires, because he has that responsibility under the Constitution. But we who are the elected representatives of the people—and I close on this note—have to take this position. I say this to you, that when I go back home and see what is reflected in the mail that I receive, there is a great disturbance in the minds of the American people as to the effectiveness of the Congress today. What are we doing to offset the many things that are happening in our Nation and the world? I think today is a good example. In all conscience I must vote for this bill. I have no alternative than to provide for the national defense. I do so with a full appreciation of what is necessary. I can only hope, and express the fervent prayer, that the Secretary of Defense will wake up to the will of Congress. And as to our good chairman, I am sure he will do what he said he will do, see to it that we get regular reports of what this study is going to do, and not have the matter brushed under the rug. So many studies that we have asked for in the years that I have been a member of the committee I never heard of again. This may be just another one.

So I say, Mr. Chairman, that while I certainly must vote for this legislation, because I must vote for it as others do, I do so with a great reservation insofar as the great need of bombers is concerned, one which the Committee on Armed Services has marked for study year in and year out. We know that this is a vital, an essential part of the defense weapons system of this great country of ours.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. BECKER. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Chairman, I have been waiting all afternoon to hear someone tell us, under this agreement that has been reported, how much of the $491 million is going to be spent for the purpose for which it is intended.

Mr. BECKER. You heard the letter of Mr. McNamara. He did not say he would spend any, but he said if the study proved that technological advances in certain fields in the way of a weapons system of the RS–70 proved in the course of the year essential or moving ahead, he would spend part or all of it that was deemed necessary.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HALL. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HALL. Mr. Chairman, this bill, H.R. 9751, would authorize appropriations during the next fiscal year for aircraft, missiles, and naval vessels for the Armed Forces. The total amount of authorization is over $13 billion. It constitutes the largest single authorization bill to come before the Congress during this session. It involves nothing, except the defense and security of our country since it includes authorization for everything from missiles to revolvers; in short, all the military hardware and weapons which comprise our military deterrent.

It is no easy responsibility, to sit in judgment on matters which result in such a heavy burden on the American taxpayer, and yet to realize that these are decisions on which our very lives may depend. The Armed Services Committee has been in almost daily session, listening to posture briefings by our military chiefs, hearing highly classified intelligence estimates of the military capabilities of the Communist bloc, and considering all the evidence which must form a basis for our decisions.

Bills which are reported out of the Armed Services Committee are unique in that much of the basis for committee action is highly classified and cannot be discussed in open debate on the floor of the House. Therefore, the Congress must rely on the judgment of the committee, to a far greater extent than they rely on other committees; whose recommendations can be fully discussed during debate, and any particular bill amended, and so forth.

I can report to you that the recommendations of our committee on this particular bill were originally unanimous. Party affiliation did not enter into our decisions, as indeed it should not on matters affecting our Nation's defense.

The major controversy on this defense authorization bill occurs between the Armed Services Committee and the administration's Secretary of Defense; and then only on two of our major weapons systems. One involves the Minuteman intercontinental ballistic missile. As you may know, several counties in the Seventh Congressional District of Missouri are included in the Minuteman-complex which has its headquarters at the Whiteman Air Force Base, Knobnoster, Mo. SAC has already contracted for the construction of underground firing sites, several of which will be located in our northern tier of counties.

Twelve squadrons totaling 600 hardened and well dispersed Minuteman missiles have been funded through fiscal year 1962. Funds for four more squadrons are included in the 1963 budget and are included in the bill approved by our committee. This represents $10 million more than the amount requested by our executive branch. It was the opinion of our committee that a larger force of Minuteman missiles should be initiated at this time in order that the ultimate number procured and placed will move us closer to the capability which our country must have in the years ahead. The first Minuteman missile was fired in February 1961 and was completely successful. Numerous tests since then have also been successful. In view of the rapid strides which Communist Russia has and is making in the field of missiles, the committee believed our Nation had no choice but to develop a strong deterrent capability in this area.

The other area of controversy involves the B–70 or RS–70 bomber. This supersonic bomber—or space capable platform—is still in the development stage and a high degree of secrecy is attached to its intended capabilities. The committee believed it has a very special place in our defense structure because it possesses the potential to do many things in the areas of reconnaissance, strike, and communications. Furthermore, unlike a missile, a bomber of this type give us greater flexibility. Once a missile is fired from its launching pad we have reached the point of no return. A nuclear explosion is as certain to follow as day follows night. A bomber with the capabilities of the B–70 would provide us with the option of waiting until the last possible second before making the fateful decision of whether to touch off a nuclear holocaust in the event of war. It can be recalled.

For the last 3 years, the Congress has authorized the expenditures necessary to produce three experimental types. But in each case the recommendations have not been carried out in full by the Secretary of Defense.

The bill finally, but not unanimously, voted out by the Armed Services Committee authorizes the Secretary to utilize an additional $491 million to proceed with production planning and long lead-time procurement of the B–70 weapons system. The debate taking place this week undoubtedly would have dealt with interpretation of the Constitution as to whether the Congress has the authority to so instruct the administrative branch of Government. This question was sold out by the leadership and chairman, and majority party, after a White House conference of 3:30 Tuesday afternoon. I am on record—May 23, 1961—as urging more and firmer policy of the Armed Services Committee to the chairman.

In respect to our ability to finance the additional B–70 authorization, I might point out that the foreign aid which we are now extending to Communist and so-called neutralist or nonalined countries, would finance our entire B–70 development program. I certainly believe that this expenditure of tax funds will serve a far better investment in our defense posture and for civilian flight development and progress than in supporting and building up those countries, who would be likely to side with the Communist bloc in the event of war. When the foreign aid bill comes up again this year, I certainly will vote in accordance with these beliefs and convictions.

In all fairness, I want to point out that our committee, as a whole, has the highest regard for Defense Secretary McNamara. I personally believe he is capable, and dedicated to carrying out the enormous responsibilities which are his. The areas of agreement between the Defense Secretary and our committee are far more numerous than the areas of disagreement. This is as it should be. I regret the issue was not joined and that in the interest of expediency, principle was forgotten. Perhaps only time will tell whether the vaunted courage of the Armed Services Committee has served our country well, protected it faithfully, and lived up to our constitutional responsibilities. Certainly, the proverbial "walk" in the White House rose garden, changed things abruptly. I find it difficult to yield by altering the House's "direction," and still support unwanted, and unneeded, further spending, even for defense; when we are already completely deterrent capable and annihilatory. It would seem more appropriate to strengthen the demands and will of our total people and defend them by expediting an antimissile missile, through not only the "whiz kids" and their ideas under control; but, also by utilizing the grizzled and tried and true knowledge and experience of our military leaders.

Mr. GAVIN. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan [Mr. CHAMBERLAIN].

Mr. CHAMBERLAIN. Mr. Chairman, I rise in support of the bill before the House and to say that when the chairman in his statement today stated that the Members of the House would be surprised at the news he was going to bring, I assure you, I, too, was greatly surprised, when I heard this news just an hour or so before. But though I have reservation about what has been done to the RS–70 program, I can say in all good conscience, I do not disagree with the decision that has been made with respect to striking the directive words in this bill. But, as we heard in a colloquy earlier in the debate as to what the word "direct" might mean or "authorize," I think now we should turn our attention, as my colleague from New York has pointed out, to what the word "study" means. So often when we reach a dead end here with these problems, we throw the legislative machine into neutral

and stop for a study. When the Secretary of Defense says, "Consequently, we are initiating immediately a new study"—I would like to ask when he says, "Consequently, we—" who is we? Who is going to be the head of this study or is it going to be composed entirely of those in the Department of Defense that had a negative attitude toward this B–70 program? Are we going to call in some people from the Air Force who might believe there is some merit to the RS–70 and listen to what they have to say?

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. CHAMBERLAIN. I am happy to yield to my colleague from Iowa.

Mr. GROSS. I have an idea you will see the hiring of some kind of management or consulting firm to come up with the answer that the Secretary of Defense wants in this matter.

Mr. CHAMBERLAIN. I would not be surprised, nor would I be surprised if it took a couple of years. Are we going to have a stacked committee to study this problem? I think that is something we should inquire into and I want to serve notice on my chairman that I am going to be making some inquiries as to who will be making this study in the weeks and months ahead.

Mr. HÉBERT. Mr. Chairman, will the gentleman yield?

Mr. CHAMBERLAIN. I yield to my colleague, the gentleman from Louisiana.

Mr. HÉBERT. I would refresh the gentleman's memory as to what the distinguished chairman of our Committee on Armed Services said originally when he was speaking as to who would be on the study committee and who would participate in the study. He said:

> And another thing, the committee will get a full assurance that the group making this study will have not only scientists and representatives of the Secretary of Defense in it, but will have people from the Air Force, not only the technical ones but the policy ones; and not only civilians, but military people whose background and experience in the development and operation of bombers gives them special understanding of the problem that we are talking about.

Mr. CHAMBERLAIN. I am glad that my colleague has pointed that out. I hope he will join me in making certain that a stacked committee is not created.

Mr. HÉBERT. I am sure, and the gentleman knows my record when it comes to matters of that kind and knows of my persistence in that respect that I will be on your side to see that that promise is carried out.

Mr. CHAMBERLAIN. There is one other thing that I want to point out. In the next paragraph in the Secretary's letter, he said:

> Furthermore, if technological developments advance more rapidly than we anticipate, we will wish to take advantage of these advances by increasing our development expenditures.

Which raises the question of which came first, the chicken or the egg?

I think it is the will of this Congress to spend more money right now to make certain that we do everything we can to bring about technological advancement and get this program going, and get this plane off the ground.

I would like to say in conclusion that I share wholeheartedly the statement that was made by my colleague from Louisiana, about the testimony of Secretary of Defense classified top secret, yet the morning papers have had much of the same information spread in the press reports. Having failed for 2 years to convince the committee, in top secret sessions, of the soundness of his position the Secretary of Defense elected to take this complex issue to the people in an apparent attempt to have it decided on the front pages of the newspapers with unclassified information. This every Member of Congress should resent.

While I question that any funds that may be appropriated in excess of budgetary recommendations will ever be spent, I certainly share the view of my distinguished chairman and my colleagues on your Armed Services Committee that the time has come to speak up and find out whether we do have any voice in determining the level of our national security programs. It is my hope that the vote on this issue will cause our able Secretary of Defense to reflect about the mutuality of our responsibilities to the Nation. I urge your support of the recommendations of your Armed Services Committee.

Mr. HÉBERT. Mr. Chairman, I yield such time as he may desire to the gentleman from Florida [Mr. BENNETT].

Mr. BENNETT of Florida. Mr. Chairman, the Committee on Armed Services has wisely resolved the RS–70 legislative debate by providing for joint legislation and executive scrutiny of this development program. I was glad to hear the chairman of our committee announce that the research and development of this plane and its subsystems will have continuing periodic investigation by the committee to assure that progress is made in the maximum degree; so that when opportunities arise for pushing ahead to the prompt and possible final production that this will be done in fact.

Now I would like to turn to another aspect of this bill.

Aggression, of any magnitude, at any location, must be met with the proper force at the right time. Airlift helps to make this possible. Without it, our ability to meet aggression would be greatly reduced.

It was never more important that we do everything possible to reach our national objectives across the entire spectrum of conflict and international relations. Airlift has the power to support this country and free world aims to such an extent that it holds a unique position as a tool of national policy. A quick look at the past will show just how flexible airlift can be as a tool of national policy and just how important it is as a cornerstone of our strategy.

The Berlin airlift of 1948–49, Lebanon in 1956, and Taiwan in 1958 are three examples of how airlift supported our national effort in times of emergency. The recent deployment of forces to Europe is another more current example of the need and effectiveness of airlift.

Rapid airlift in proper quantities, using equipment designed for the job, can help stem possible aggression. Failing in this, it can put the forces in place and continue to support them as required. Timely airlift can often keep outbreaks of violence limited.

In my judgment, the case for airlift is made by just these examples, but there are more. Our strategic retaliatory force depends in part upon airlift support, as does our Mobile Strategic Army Corps and our Tactical Air Forces. The very mobility of these latter forces is given meaning only through the use of airlift.

The unique role which airlift plays today is best exemplified by the nature of U.S. support to the United Nations today. In the past 18 months, some 31,000 troops and 7,000 tons of cargo from 17 different U.N. member nations have been airlifted into the Congo in furtherance of the U.N.'s efforts to maintain order and provide for democratic development.

Now, if we can do all these things with today's forces, why is there still more needed? A brief review of today's force and its posture is perhaps the best way to seek an answer and identify some limitations.

Today, there are over 1,800 transport aircraft including some 230 of the Civil Reserve Air Fleet which are available to the Air Force during times of emergency. This is a sizable force, but one which has many demands made upon it, most of which can be met separately but which, taken together, create shortcomings in timeliness or method of delivery or mission accomplishment itself. In other words, there isn't enough airlift today to meet in quantity or quality all wartime airlift requirements. There are some requirements, such as missiles and certain Army equipment, which are heavier or larger than present aircraft are capable of airlifting and yet which require transportation by air. More importantly, the majority of the strategic airlift force is obsolescent and piston-type, operating in the 200 to 250 knot range. Also, the force is made up largely of converted passenger-type aircraft which lack flexibility because they can perform airlanded missions only and have no outsize cargo carrying capability. The latter is true of the entire CRAF fleet. In addition, the capability of the piston engine force is predicated on the existence of island bases en route to Europe and the Far East.

The Air Force has developed a program for airlift modernization both interim and long range which, when implemented, will reduce or eliminate most of the limitations I have just mentioned.

This Congress by its fiscal year 1962 authorizations enabled the program to continue when last year it authorized 93 C–130 aircraft, 15 additional C–135's and funds to proceed with a positive development and procurement program for the C–141—the most vital step to date toward a truly modern transport force. The items we see in this year's

budget request and which we are being asked to authorize represent the coming year's share of the total force, which will require 5 more years to build. This point bears emphasizing: The 16 C–141 aircraft to be authorized are merely the first increment and the 136 C–130 aircraft only a part of the total force of over 400 which modernize both the Tactical Air Command and Military Air Transport Service and provide a versatile aircraft for support of the Army. Each year some procurement of the C–141 aircraft will be requested until over 200 are bought and the program goal is attained. We must appreciate that the total objective force is required even though it is to be achieved by a year-by-year procurement program. Each year, in other words, we must be prepared to authorize 1 year's share of the ultimate force.

What are the objectives of the Air Force in projecting a force of the most modern transport aircraft the "state-of-the-art" can provide? Broadly speaking, they are to achieve complete flexibility in airlift forces so that support for all types of missions can be provided from any operating location and to permit the accomplishment of all the airlift requirements of cold, limited, and general war. Specifically, the aim is to relieve our dependence on island bases; to acquire the ability to deploy strategic Army forces up to several divisions, plus mobile strike forces anywhere in the world in the shortest possible time; and above all, to be able to undertake simultaneously airlift tasks of some magnitude to more than one theater of operations.

I am convinced by what I have seen of this program that the airlift force of the future will have impressive capabilities, distinguished by flexibility and versatility. It has my support and I am convinced it merits the continuing support of the Congress.

Before closing, I should allude to some requirements of the future which are not now a part of the airlift program I have just discussed, but which when presented to us will deserve our most thoughtful consideration.

I have reference to three items. First, a follow-on aircraft is required to replace the C–133 as an outsize cargo carrier capable of handling all missiles and space boosters now being planned or developed. The Air Force is currently preparing a specific operational requirement for this aircraft. Second, a light transport aircraft with true vertical or short-field takeoff and landing capabilities which will carry 8- to 10-ton payloads to provide support and combat zone mobility to the ground forces in the future. We can expect to see a specific operational requirement for this essential aircraft in the near future. The Army has already expressed its view in the form of a qualitative material requirement and the Joint Chiefs of Staff are now studying the matter. Last, and looking to the 1970's, we should expect to see a valid requirement expressed for a supersonic transport—1,500 miles per hour or faster. Technology will inevitably permit its development and future strategy will dictate its acquisition. One dramatic example should illustrate this: Today's battle group could be delivered in Europe with little warning, in less than 10 hours and with approximately 43 sorties.

Economic considerations alone will probably determine our position in this matter but we could ill afford on the one hand to see another nation develop this aircraft first and become the world's supplier and on the other to surrender our historical position in the forefront of aircraft development.

Mr. HÉBERT. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. STRATTON].

Mr. STRATTON. Mr. Chairman, a good deal has been said on this controversy already and I shall address myself to just one or two points. Much has been said this afternoon as to who is winning and who is losing in the compromise that has been worked out by the committee. I think there is some confusion on this issue. In fact we are presented with two issues as I see it. The first is the constitutional issue, the question of whether the Congress has the right to direct the Executive to spend any particular sum of money. Many people have been interested in this particular issue and some perhaps have looked forward to a head-on clash between the Legislature and the Executive on this particular point. This clash has now of course been avoided by the action of the committee.

In this connection I am reminded of a story that a former Governor of the State of New York, Al Smith, used to like to tell, about a young man who was taking an examination to be a railroad crossing guard on the New York Central Railroad. He passed his written examination with flying colors, but when it came to the oral examination they asked him this: "Suppose there is a train coming from one direction on a one-track line and then you look the other way and you see another train coming in the opposite direction on the same line. You wave your lantern but the wind blows it out. You wave your red flag but the wind blows it away. What would you do then?" The young man looked up and said: "I would go and call my wife." The examiner said: "No, no, this is a serious matter. I do not think you understood the question. I will repeat it: "'There are two trains on the same track coming from opposite directions; the wind blows your lantern out and tears your flag off the stick. What would you do?'" He said again, just as emphatically: "I would go call my wife." They asked him: "But why would you call your wife?" And he replied: "I'd call her to come and see the darnedest railroad wreck she'd ever seen."

Well perhaps this is what some folks had hoped to see here today.

But the real issue here is not the constitutional issue, the real issue is the progress of the B–70 or the RS–70 weapons system. Will it be expedited as rapidly as possible? And on this point I do not think there is any question but what the committee has won its point and that the Congress in adopting the legislation as proposed by our committee will also be winning its point.

Last week Defense Secretary McNamara appeared before our committee, as has been mentioned. Later on he held a press conference and presented publicly at least a great portion of the material he had presented to the committee.

The interesting thing about the Secretary's appearance and his subsequent press conference is that on the basis of the information he gave us the B–70 or the RS–70 was a complete waste of money and a completely worthless weapon system.

The Secretary is a brilliant man, as has already been testified to here earlier, but his testimony before the committee proved too much, because in his own budget there is set aside the sum of $171 million to promote an aircraft which he was trying to tell us last week, on the basis of his computers, was completely worthless and a complete waste of money. That $171 million was in the budget, of course, because the President of the United States and his officials in the Defense Department had already very wisely recognized that you cannot base the future of the Nation solely on what a computer tells you. Any computer has to have certain assumption fed in to get started. The fact of the matter is that the Defense Department, in spite of Mr. McNamara's analysis, has been proceeding, but proceeding all too slowly in the judgment of our committee, toward the development of a new manned plane, a new manned bomber, in case the time should ever come when it might be needed.

So all that our committee was doing was to tell the Defense Department that it should proceed more rapidly on this advanced plane than the Secretary wanted to proceed. The point at issue is whether we are going to proceed at $171 million worth or whether we are going to proceed as rapidly as humanly possible to develop this new aircraft so that it might be ready even sooner in the event it is needed, that is, as the gentleman from Louisiana [Mr. HÉBERT] said a moment ago, be ready when the seniors on the team have graduated, and when we are looking at the bench for somebody else to replace them to carry on the battle.

Our committee is not willing to put all our defense eggs into the missile basket. So we have insisted that the new generation, the mach 3 bomber, be prepared more rapidly. The result of the letters that have been read into the committee record this afternoon is to demonstrate that the President and Secretary of Defense are now both in complete accord with the committee, that money shall be spent on this system just as rapidly as it can be effectively used.

We are not asking here to spend $10 billion. We just want six of these planes instead of three. That is the real difference and that is the real measure of the concession that has been granted to us. It may well be that our country will never have to use the B–70. We did not

have to use the B–36, either, as you recall. We might not even have to use any of the money we are providing today in this great bill for missiles, tanks, guns, ships, and all the other things. But this committee is charged with the defense and the security of the Nation, and we would be doing less than our solemnly pledged duty if we did not do everything possible to guarantee our security in the years to come, when the decision will not rest on the IBM computers, but on a situation that we can only guess at today will be upon us.

I want to commend the chairman of our committee for the action he has taken. I fully support the amendment he will offer this afternoon, and I congratulate the members of the committee because I am sure we will all go along with an action that will not, it is true, result in any great railroad wreck, but will protect the security of our Nation as we believe it needs to be protected in the face of Communist challenges and aggression from abroad. I support the committee's position on this bill.

Mr. GAVIN. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. PIRNIE].

Mr. PIRNIE. Mr. Chairman, what constitutes adequate military preparedness for our Nation? The better informed one becomes as to the nature and scope of the threats to our security and the technological problems involved in modern weapons to meet these threats, the less inclined one should become to assert an arbitrary opinion. However, the Armed Services Committee has a direct responsibility to prepare and submit to this body measures which in its well-considered judgment support our Defense Establishment at the level of military preparedness the current world situation requires. Balancing factors of economic and military requirements, we have unanimously brought to the floor H.R. 9751. In it is embodied the results of weeks of briefings, hearings, and detailed presentations during which we have heard our leading military authorities, uniformed and civilian. The bill embodies all basic recommendations of the Department of Defense and adds a further important item which has become a subject of considerable controversy. It is vital to the Nation that the dispute be kept in perspective.

Our able Secretary of Defense early demonstrated a surprising grasp of the vast program he directs. Our committee has great respect for his sincerity, diligence, and ability. The bill before you gives him the tools he requested to do the job, but it goes beyond his request by authorizing additional funds for the development of the RS–70 weapons system—the reconnaissance version of the mach 3 bomber. The development of this aircraft was first authorized in 1955. Funds have been appropriated in each fiscal year since that date until now we have approximately $1 billion invested in the program. The Department of Defense recommended that a follow-on sum of $171 million be expended for the fiscal year 1963. The question before the committee and now before the House is whether instead of $171 million, the sum of $491 million be provided to expedite the prototype development of this unique weapons system. The Secretary of Defense has consistently maintained that the additional funds are not required, but in the opinion of our committee, the Air Force made a convincing case for the authorization of this additional sum.

Knowledge of the background of this difference in opinion is helpful. Last year the Congress voted funds for additional conventional bombers. That action was prompted by a conviction that the missile program has not proceeded to the point where complete reliance could be placed upon its capabilities to the exclusion of the manned bomber. Despite approval by the Congress, the Secretary of Defense declined to make use of the funds so appropriated, and the assembly lines on these bombers—our most advanced operational types—have ground to a halt. The best intelligence available makes clear that the Soviets have not taken similar action but instead are adding and developing new manned bomber strength.

It may well be, and we sincerely hope it to be so, that our program for 1963 will be effective without the addition we propose. We would like to feel that provision for 1,000 Atlas, Titan, and Minuteman intercontinental ballistic missiles, plus 41 submarines with over 650 Polaris missiles, plus our existing great bomber fleet would constitute sound protection for the Nation. Nevertheless, we believe that nothing has transpired to cause us to ignore the potential of the RS–70; that it is vital to our interests to develop and fly the best manned weapons system modern technology can devise. Time is of the essence. We must avail ourselves of the technical miracles which this flying laboratory will provide. Its survivability, its reconnaissance potential, and its weaponry will reflect scientific achievements yet to be placed in a flying configuration.

The sum of $491 million made available now will move this program faster and more efficiently. It would be false economy not to make full use of the latest advances in sophisticated communications and manned weaponry. A short time ago, Col. John Glenn indicated the significant advantages of man-directed systems. Furthermore, approval of the committee's action in this instance in no way constitutes an irrevocable commitment to a later multi-billion dollar production program—but only buys valuable leadtime should mass production be required. Whether its prototype performance and later developed counterweapons will dictate squadron procurement, time will tell, but if we are to have any bomber program, and I believe we should, it should proceed now and with all possible speed and efficiency.

Surely Congress was intended by the Constitution and is expected by our people to have more than a veto power over military programs. In this bill we are not trying to usurp prerogatives of the Executive, but are solemnly exercising our constitutional duty "to raise and maintain the armed force necessary for the preservation of our Nation." If Congress has a firm conviction that any affirmative action is necessary or desirable, it should give full expression to that conviction. This is our duty. Although we may change the language of the bill so as to eliminate the word "direct," our intent is clear and we have the assurance of the President and the Secretary of Defense that our concern will not be ignored. Our able chairman has detailed this measure. Our committee unanimously brought this bill to the floor. It represents our best judgment.

Mr. HÉBERT. Mr. Chairman, I yield such time as he may consume to the gentleman from South Carolina [Mr. DORN].

Mr. DORN. Mr. Chairman, I am for this bill. I wish to thank the distinguished Committee on Armed Services of the House for the work it has done on the bill. I hope the RS–70 program can proceed as expeditiously as possible.

Mr. Chairman, it is with particular pleasure that I rise to support the distinguished, able, and farseeing chairman of the Armed Forces Committee, the gentleman from Georgia [Mr. VINSON], and his great committee.

Mr. Chairman, when war comes to the United States, it will begin in the Far East. Red Communist China, seething with unrest and seeking a foreign scapegoat, will attack Quemoy and Matsu or Formosa. Red China will launch her overwhelming land juggernaut into South Korea or into South Vietnam, Burma, Thailand, or India. China may decide to attack all of these objectives simultaneously. In any case, the United States will be involved in war. The Far East is the key area of the world. The road to Paris is still the road through Peiping. The road to Latin America and the soft underbelly of the United States is the road from the Far East through the Near East and through Africa. Red China is anxious for war. Her population is increasing rapidly and in a few years will reach a billion people. She can afford to lose a half billion population to win a war. The United States cannot possibly win a ground war with the millions of Red Chinese soldiers.

Mr. Chairman, by 1970 the only deterrent to Red Chinese aggression could be a powerful RS–70 strategic bomber command. With the outbreak of war, a powerful RS–70 command might be our only means to stop such an avalanche of manpower pouring into southeast Asia. It is quite possible that in such a struggle Russia may remain neutral. She may deny Red China the use of her air defense forces. It will be many years before China will or can develop adequate defense against strategic bombing. In addition to a lack of technicians, China does not have the billions of dollars necessary to create the air defense necessary to even remotely challenge the RS–70. We must not fall into the fatal error of being hypnotized by the bombast of Khrushchev. We must not permit our whole attention to be attracted by him and his dazzling feats in space. All of this may just be designed to divert

our attention while the Red Chinese amass their forces to conquer southeast Asia. We must prepare for the almost certain war with China while at the same time be prepared for possible conflict with Russia.

I might remind the House that Herman Goering, commander and chief of the German Luftwaffe, boasted before the entire world that no bomb would fall on Berlin. He boasted that the antiaircraft defenses of Berlin and of Germany were impregnable and could not be pierced. Herman Goering based his fallacious belief on the calculations of a mathematical "quiz kid," Dr. Ludwig, who was serving on his staff. Dr. Ludwig had informed Goering that no bomber could get over Berlin as he could prove by slide rule, mathematical deductions, and computations that the bombers simply could not pass the antiaircraft batteries. I greatly fear that some of our "quiz kids" in America today have figured out on paper and by mathematics that they have all the answers against air attack. They may have, but we still need the RS–70 for insurance. The chances are your house will not burn; but it may; therefore you have fire insurance. During the initial period of our conquest of space, bases on the moon and on planets, we will need something to protect us while we get there. The answer is the RS–70.

Mr. Chairman, I was in this House when we passed a 70-group Air Force. The year was 1947. It was a bitter struggle, but this Congress looking ahead, looking to the future, appropriated money for a 70-group Air Force. It was a tragic mistake when the first Secretary of Defense and the President impounded the money and refused to carry out the wishes of the Congress and the American people. Three years later the bloody Red forces of North Korea crossed the 38th parallel and launched another world war. Again, we were tragically unprepared. We had to appropriate billions of additional dollars, and place new plans on the drawing board. We now had to build a 124-group Air Force. I have wished many times that this 70-group Air Force had been built promptly. Had this happened, I believe the Korean war would have been averted, 33,000 American lives saved, and billions of American dollars, not to mention the other hundreds of thousands killed and wounded in Korea.

Sometimes men are so close to their profession that they cannot see some of the simple, basic, elemental truisms. I believe this was true of many of our great military leaders following World War I when the great and incomparable Billy Mitchell was court-martialed for pointing out obvious facts about the future role of aircraft in war. Back through the history of this great Nation, many Members of Congress were ahead of the time and could see into the future with uncanny accuracy relating to future instrumentalities of war. One Member of this Congress expressed great shock when conferring with the President in the late thirties he noticed miniature battleships and cruisers on the President's desk. This Congressman trembled with fear for the future security of our country and told the President that airplanes could sink those battleships and cruisers. The President laughed and said impossible. A few years later, America learned the hard and tragic way early one Sunday morning, December 7, the place Pearl Harbor. The Congress was right in 1947; the experts and the executive branch were dead wrong. Billy Mitchell and many Congressmen were right; the experts and executive leaders were dead wrong. I believe today that we must conquer space. We cannot predict future military science and tactics on concepts of the past. We must prepare for war in space. We must master pushbutton warfare; but, Mr. Chairman, while we are preparing for this war of the future, we must be prepared for the war of the immediate future. We must be ready during this transitory period. We must bear in mind Red China and the Far East.

Mr. HÉBERT. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. PIKE].

Mr. PIKE. Mr. Chairman, I thank the gentleman from Louisiana for yielding me this time to speak on this highly important bill. No one knows better than our able and eloquent chairman, the gentleman from Georgia [Mr. VINSON], that I do not like this bill. On the contrary, I dislike it thoroughly—for a most primitive reason. It is going to mean serious economic dislocation for the district I represent. A very major procurement which the so-called experts at the Pentagon were talking about speeding up as recently as last fall is being cut back by this legislation. So I do not like this bill one bit. But I respect this bill. I will offer no amendments seeking to continue production of a wonderful aircraft. The fight was made in the committee. Anyone who cares can find it in the hearings, but the fight was lost. The fight was not made on any political considerations or on any economic considerations or on any consideration other than what I believe would provide the best defense for America at the least cost to America. I lost. So, I rise in support of a bill that I do not like, a bill that may mean that I shall not survive to support next year's military appropriation bill. I do so glady because there is at issue in this bill a principle far more important than the survival of any number of freshmen Congressmen. The question is this: Can Congress only say that we have too much strength, or can it also say we have too little? Can it only pull up on the reins or can it apply the spurs? Those who say that Congress has no greater power than to say "no" occasionally base their position on one of two theories: First, is the constitutional question; and, second, there is the argument that no one should question the experts at the Pentagon.

Mr. Chairman, as to the first, there are better qualified constitutional lawyers than I among the Members to challenge the constitutional lawyers who apparently abound in the Pentagon. A reading of the language: "Congress shall have the power to raise and support armies" has, to this simple country lawyer, a fairly clear meaning. Raise means get the men—support means get them the equipment they need. It does not mean to tell them where, or how, or when to use it; that would be the responsibility of the Commander in Chief. But the constitutional issue is being bypassed, which brings us to the experts.

The experts in the Defense Department say they do not need the money and cannot spend the money to further the development of the RS–70 aircraft. The experts in the Air Force say they can use the money advantageously; not waste it, not squander it, not spend it uselessly, but spend it usefully toward the day when a new generation of manned strategic aircraft will come into being. If there is anything which the magnificent exploit of John Glenn taught me, it is that in the most advanced of systems, man is not yet obsolete.

As between the experts who will have to fly the plane and those who will simply watch it go by, I will cast my lot with those who are prepared to risk their lives in manning it. I have learned, to my sorrow, that no experts are infallible. This year's experts are next year's experts.

Two years ago, the experts called a plane being built in my own district the best fighter-bomber available. Today they are saying that a plane which has been available for 4 years was really better all along. It just took the experts 4 years to find out. So I am not overwhelmed by the word "expert." I am impressed by the fact that in a nation where we feel obliged to produce new models of every make car every year for the pleasure of our people, we have not produced a new strategic aircraft since the B–58 for the benefit of those who risk their lives daily to keep us free.

If we pass this bill and spend the money authorized we will still not have a new bomber until 1967 or 1968. By that time our newest bombers will be 6 or 7 years old. I hope that regardless of the semantics involved, the RS–70 project is pushed forward as rapidly as possible.

I urge the support of this bill, and state that I would have been happy to support it in its stronger language.

Mr. GAVIN. Mr. Chairman, I yield 5 minutes to the gentleman from Vermont [Mr. STAFFORD].

Mr. STAFFORD. Mr. Chairman, I rise to urge the passage of H.R. 9751. I recognize that it authorizes the expenditure of an enormous sum—$13,065,772,000 for ships, planes, and aircraft for the fiscal year beginning July 1, 1962. I feel certain that all of us regret the necessity for devoting so much of our treasure, our energy, and our intelligence to the production of military hardware in the next 12 months. I am certain that there is no one in this body who would not prefer, if the safety of the country permitted it, that this money and these efforts be devoted to activities forwarding the peaceful advance of human society.

But the present state of the world precludes such action on our part and requires the action that we must take here today. The refusal of the Soviet Union to agree to any meaningful provisions for international disarmament make it necessary that we authorize the program this legislation encompasses.

In a word this bill represents a major part of the price of freedom during the next 12 months. Anything else, any reduction of the level of effort provided in this bill would make it impossible for us to reasonably guarantee so far as we can the security and freedom of our country and her ability to meet commitments to friendly nations.

The fiscal year 1963 request for total new obligational authority for the entire Department of Defense totals over $50 billion. Of this amount, the administration, as has been indicated to you, requested $12,481 million under section 412(b) of Public Law 86149. The committee, as my colleagues have already outlined in detail, has increased this request by $584,672,000 a very substantial sum of money even in these times and even for this great Nation.

I regret to find myself in a position of advocating that any aspect of this or any other budget recommendation be increased. I would rather be a party to a cutting of the budget recommendations. Indeed, we hope that cuts may be possible in other aspects of the Department of Defense allocation which will balance out this half billion dollar increase in the present bill.

As a matter of fact, unbalanced budgets and deficit spending represent, in my opinion, a threat to the future of this country which is second only to the danger of our encountering a military disaster should our deterrent power be allowed to lag. Accordingly, it is only because I am convinced that the safety of my country requires it that I can bring myself in the belief there is no alternative but to say that we must pass this bill with the additional $584 million included. The extra money will expedite the modernization and mobility of our Army. It will provide the necessary research, development, test and evaluation to enable us to substantially expedite the time when we can exercise the option to build a fleet of RS–70 aircraft, if that seems desirable.

Mr. Chairman, I urge the passage of the bill with these authorizations intact.

Mr. GAVIN. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio [Mr. CLANCY].

Mr. CLANCY. Mr. Chairman, I rise in support of H.R. 9751, which provides for the authorization of $13,065,772,000 for the procurement of aircraft, ships, and missiles. This amount is $584,672,000 more than was provided for in the bill that was originally presented to Congress. The greatest part of this addition, $491 million is for the RS–70 program.

The adoption of this legislation will assure the people of this Nation that we are intent upon maintaining a military posture that is more than sufficient to deter aggression on the part of the adversaries of freedom.

The adoption of this legislation will further insure that the United States has the capability of deterring the use of mass destruction weapons that our potential enemies possess at this time.

In evaluating and reappraising our defense posture, we are concerned with the threat to our security which exists as a result of the tremendous progress that has been made in the technology of mass destruction.

We must have in our military inventory sufficient weapons and force that will survive an initial massive nuclear attack and be capable of delivering a decisive counterblow. We have the capability of doing this today.

We should make every effort that can reasonably be made to strengthen these vital retaliatory forces that we now have at our command. This bill will contribute greatly to the defense posture that is necessary and one which we should maintain in the best interests of this Nation.

It is imperative, however, that we have a mixed striking force of proper proportions. It is for this reason that I wholeheartedly support the committee action with respect to the RS–70 program. The capabilities and tremendous value of manned bombers have been demonstrated time and time again, and we should not neglect the manned bomber program in the future.

I disagree with the administration that the RS–70 should not be carried forward at this time as a full scale weapon system development.

Military experts recognize important advantages in a mixed missile and bomber force. The principal advantage of the RS–70 is its ability to operate under positive control and to deliver a large number of nuclear weapons in a single sortie. It is highly maneuverable, can employ tactics, and does not have to fly over or into the target. It also possesses the advantage of having a human being aboard to exercise judgment consistent with changing environment.

It will have extraordinary reconnaissance aids which will permit the study of targets in detail and report the condition of same after an ICBM strike. It could then go in to finish a job. Its tremendous capabilities are vital to and will greatly complement our strategic military posture.

The budget that was submitted to us by President Eisenhower in January of 1961 provided that the then B–70 program be continued as a full weapons system development.

We shall continue to make every effort to have the present administration recommend the RS–70 development as a full weapons system. We sincerely hope that the study which is to be conducted by the Defense Department will result in an acceleration of the day in which the RS–70 becomes operational and part of our inventory.

Mr. GAVIN. Mr. Chairman, I yield 5 minutes to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Chairman, I have listened attentively to all of the discussion this afternoon with the exception of about 5 minutes for a sandwich and a cup of coffee. I have heard repeatedly of a wonderful compromise that has been worked out on the bill by the House Armed Services Committee and how the House is winning its point. I guess I subscribe to and read too many newspapers. I had been reading for days about the struggle to the death between the colossus of the South and the colossus of the Northeast on the subject of the big bomber. But I found when I arrived on the House floor this noon that although the House Armed Services Committee had voted unanimously originally to direct the Secretary of Defense to spend $491 million for the RS–70 that this was not the last word. I learned that overnight the gentleman from Georgia had trod the primrose path to the White House and the signals had been changed. I am not aware of another all night twist party at the White House last night. At any rate I came to the House floor this noon and found that the word "direct" would no longer be used in this legislation to force the Secretary of Defense to spend $491 million for development of the RS–70 bomber.

I went to the dictionary a little while ago, for it was apparent the alleged compromise has been worked out on the basis of two words. I went to the dictionary to look up the difference between "direct" and "authorize." "Direct" is absolute; "authorize" is discretionary, as we all know in the House when we vote authorizations for appropriations. There is nothing mandatory upon the Appropriations Committee to provide the amount suggested in any authorization bill. One is absolute; the other is completely discretionary.

Then there was a letter from the President read into the RECORD this afternoon. Let me read just a few words from this letter from the President.

"I must, therefore, insist upon the full powers and discretions," and so on.

Is there anything mandatory about that? Of course there is. "I must insist upon the full powers of the executive branch of government," is what the President is saying in effect.

What kind of a compromise are we engaged in here this afternoon? What kind of fight is the Committee on Armed Services winning? What kind of fight is the House of Representatives winning, for this involves all of us?

Then I read the report accompanying this bill, and I found this:

To any student of government, it is eminently clear that the role of the Congress in determining national policy, defense or otherwise, has deteriorated over the years.

I agree with the distinguished gentleman from Georgia, the chairman of the Committee on Armed Services, that is absolutely true. You can scarcely turn a page of H.R. 8400, the foreign giveaway bill, last year, but what you find powers delegated to the executive branch

of the Government that ought to have been retained by Congress.

The concluding paragraph entitled, "Deterioration of the Role of Congress," reads:

Perhaps this is the time, and the RS–70 is the occasion, to reverse this trend. Perhaps this is the time to reexamine the role and function of Congress and discover whether it is playing the part that the Pounding Fathers ordained that it should.

Those are beautiful words, those are significant words. What now? Will you, before the afternoon is over, ask that these words be expunged from the report? I think that would be most fitting. I do not believe they belong in this report under any such compromise with the executive branch as is being suggested.

I say that Members of Congress and the public had been led to believe that here was a fight that would settle the question of separation of powers as between Congress and the executive branch of government.

I intend to support the bill for I believe this country must have incomparable defenses, but I deeply regret that this fight was started, for it is apparent now that it has been lost.

This is not a compromise; it is a defeat for the entire House of Representatives.

Mr. GAVIN. Mr. Chairman, I yield 10 minutes to the gentleman from Michigan [Mr. FORD].

Mr. FORD. Mr. Chairman, in all of the debate that I have listened to this afternoon I have not heard anybody quote the precise language which is in basic controversy, or was in basic controversy I should say, up until this morning.

This language on page 2 of H.R. 9751, which was in controversy, reads:

For the Air Force, $3,626 million, of which the Secretary of the Air Force is directed to utilize authorization in an amount not less than $491 million during fiscal year 1963 to proceed with production planning and long leadtime procurement for an RS–70 weapon system.

I want to go on record, as I have in the past, as being unalterably opposed to that language. I do agree there was no harm in the Committee on Armed Services recommending an authorization of $491 million for the RS–70 program. Such a dollar authorization would not be objectionable. But I want it to be very clear that the language directing the Secretary of the Air Force, and in effect the Commander in Chief, is wrong for a number of reasons.

First, it would have invaded the responsibilities and the jurisdiction of the Commander in Chief, the President of the United States. This would have been, in my judgment, an unconstitutional invasion of the responsibilities of the Chief Executive. Secondly, the language would have usurped the appropriating authority of the Committee on Appropriations. Thirdly, this language would have created inflexibility in the management of the RS–70 program which undoubtedly would have led or conceivably would have led to harm and detriment to the program rather than helping and assisting it. Inflexibility in such a complicated weapon system would hamstring the responsible management in the Air Force.

May I say to my highly respected friend, the gentleman from Georgia [Mr. VINSON], that if he is going to make a change in this committee amendment, to just change the word "directed" to "authorized" the result will be an awkward sentence.

Mr. VINSON. I grant you that is true. We are trying to make as little change as possible.

Mr. FORD. It is a very awkward sentence. If the gentleman makes that change, could the gentleman in his wisdom and good judgment revise the language of that sentence so we at least will have a decent-sounding sentence in any law?

Mr. VINSON. Well, I think in view of the letter from the President, when he uses a word, that is the word I adopt. Of course, there are different words we could adopt. We could just put a period after the figure and strike out the balance, but I do not want to do that, because I wanted the relationship of the RS–70 to the money figure to be reflected. It may not be exactly accurate from a grammatical standpoint, but nevertheless it is good enough from a legal standpoint, so I hope, therefore, that the gentleman will not be too technical and concur in the amendment.

Mr. FORD. I am always proud of the handiwork we do on the floor of the House and in committee, and I am very disappointed, I will say to my friend, when we do something that is awkward, that does not meet the standards that he and others establish in the drafting of legislation. If you just change the word "directed" to "authorized," it leaves a very awkward sentence.

Mr. VINSON. Well, that may be true. Let me read it: "of which the Secretary of the Air Force is authorized to utilize authorizations."

Mr. FORD. That does not sound very well.

Mr. VINSON. Well, that might not be exactly up to the latest and most proper phraseology, but nevertheless if I do it the other way, then I lose entirely the connection of the $491 million with the RS–70.

Mr. FORD. May I respectfully suggest that you write it this way: "of which the Secretary of the Air Force is authorized $491 million during fiscal year 1963 to proceed with the production, planning, and long-time procurement for RS–70 weapon systems."

Mr. VINSON. This question was raised in the committee this morning, and all that the gentleman says was under consideration. The thought of the committee was that we wanted to tie this in, that is, the $491 million, with the RS–70 program. I trust that the gentleman will go along with the committee. I cannot now change the committee amendment without calling the committee back and going into the matter further.

Mr. FORD. I will rely entirely on the wisdom of the chairman in conference to correct this very awkward sounding sentence.

Mr. VINSON. Yes; it might be corrected in conference, I will say, before it becomes law. I assure you there I will try to improve on the sentence.

Mr. FORD. I thank the gentleman.

Mr. Chairman, I would like to take exception to some remarks made in the committee report. I earnestly request that members of the committee read this report, starting on page 3, under the heading "Manned Bombers" and running through page 9.

The committee report says in one heading on page 5: "Disregard of Congressional Will." On page 6 the committee cites 13 instances, beginning with fiscal year 1956, and running through fiscal year 1961, where the Executive has refused to do what the Congress has directed.

Mr. Chairman, I do not question the validity of those figures. But on the other hand I made a check to see how many times during this same 6-year period the Executive has followed the direction of the Congress on military matters. It is interesting to see, if one will look at the record, that during this same period of time the executive branch of the Government has followed the recommendations of the Congress 28 times in toto. In nine cases out of this same period of time the executive branch of the Government followed the recommendations of the Congress more than 50 percent. So, Mr. Chairman, the Chief Executive, whether it was former President Eisenhower, or President Kennedy, far more times has followed the recommendations of Congress on military matters than he has not. So, I am not convinced at all as to the validity of the statement made on page 6 of this committee report on the conclusion made therefrom.

Mr. Chairman, I must say that I agree in other portions with the committee report. Nothing is more obnoxious in my opinion than to have someone in the executive branch of the Government, whether he is in the Defense Department or the Department of Agriculture, place a halo over his head and decide on his own that all the wisdom in the world exists in his Department.

Mr. Chairman, this Congress does have a good record, and the facts which I recited before prove it. They have followed our recommendations, in toto, 28 times in this 5- or 6-year period. They have followed our recommendations substantially in nine more instances.

Mr. Chairman, I think that the Congress would have been unwise to approve the language "directs" because it would have caused trouble between two great committees, the Committee on Armed Services, and the Committee on Appropriations. I am very jealous of the prerogatives of my committee, the Committee on Appropriations. I am very anxious that the Committee on Armed Services exercise to the fullest its prerogatives. I do not want those of us who are members of the Committee on Appropriations drafting legislation on an appropriation bill. I opposed it in every instance that I can recall. On the other hand, I do not think it is the prerogative of the Committee on Armed Services to invade the jurisdiction of the Committee on Appropriations. This language, if it had been approved in its original form, would have been an invasion of the authority of the Appropriations Committee.

I am just as jealous that the Congress not invade the jurisdiction of the Chief Executive. Mr. Chairman, the gentleman from New York [Mr. BECKER] earlier pointed out that President Kennedy has sought by one means or another to gain greater authority over the raising or lowering of taxes. The President currently wants some authority in a standby fashion to institute a vast public works program. I strongly disapprove of this authority in either of those cases, and I will not vote for them.

On the other hand, I do not want the Congress to usurp and take from the Chief Executive authority that is his. And so the amendment to this language, as originally proposed, is sound.

Now I should like to ask my good friend, the chairman of this committee, when he offers this amendment to change the language from "direct" to "authorize," whether or not he will agree that this part of the language in the committee report is also revised; and let me read it from page 9:

Lest there be any doubt as to what the RS–70 amendment means let it be said that it means exactly what it says; i.e., that the Secretary of the Air Force, as an official of the executive branch, is directed, ordered, mandated, and required to utilize the full amount of the $491 million authority granted "to proceed with production planning and long leadtime procurement for an RS–70 weapon system."

Are you changing this when you change the language by the amendment?

Mr. VINSON. Of course, when you use the word "direct" that argument is sound and logical. When you use the word "authorize" it would not be applicable to the section the gentleman has just quoted.

Mr. FORD. I am delighted to hear the gentleman say that when you change the language from "direct" to "authorize" that this part of the committee report is no longer applicable.

Mr. VINSON. I trust the distinguished gentlemen of the Committee on Appropriations. I am pleased at the high compliment the gentleman paid the report. I do think it is a very fine report and I point with lasting pride to the reports of the Armed Services Committee. I trust there is enough of information in the report to cause him to continue to give his strong and loyal support to the RS–70 concept.

Mr. FORD. I do agree with the RS–70 concept. Our House subcommittee on military appropriations last year, as the gentleman may remember, did not accept President Kennedy's cutback in the program. We stuck with former President Eisenhower's dollar amount of $358 million.

Mr. VINSON. That is right.

Mr. FORD. I must say I have not passed judgment on whether we should have $171 million or $491 million for the fiscal year 1963. Our committee has not marked up our bill and it would be premature on my part to make any such decision at this point.

Mr. VINSON. Yes; but I was referring to the fact that in last year's debate, the gentleman so clearly pointed out the justification for a continued appropriation for the then B–70. I trust he will follow the same logical course this year with the RS–70. I think he was right then and I hope he will continue on the beaten path he has already laid out.

Mr. FORD. May I comment on this letter from Secretary McNamara to the chairman. This letter is a very carefully drawn letter. May I read it so there is no misapprehension on anybody's part who heard it earlier:

This study will give full consideration to the magnitude of the committee program and the depth with which the committee has emphasized this.

Here is the real guts of the letter:

Furthermore, if technological developments related to sideview radar, and associated data processing and display systems, advance more rapidly than we anticipatd when the fiscal 1963 Defense budget was prepared, we will wish to take advantage of these advances by increasing our development expenditures; and we would then wish to expend whatever proportions of any increase voted by the Congress these advances in radar technology would warrant.

There is not a scintilla of evidence in this letter that the Secretary of Defense is going to recommend the procurement of aircraft four, five, and six in either the B–70 or the RS–70 configuration. All he has said is we are taking a look to see whether in the radar and subsystem components program we should spend more money in fiscal year 1963.

All the testimony before our committee is to the effect that if there is an expanded program in this area, all they will spend is an additional $10 million to $30 million in fiscal year 1963. This they can easily get from the emergency fund or from the contingency fund, $30 million in the contingency fund and $150 million in the emergency fund.

Mr. COHELAN. Mr. Chairman, will the gentleman yield?

Mr. FORD. I yield to the gentleman from California.

Mr. COHELAN. The gentleman understands, however, that the Secretary intends to spend that money provided the breakthroughs in this radar area should come through. What is wrong with that?

Mr. FORD. Nothing is wrong with that, but some people got the impression and some people said to me after the letter was read that the Secretary, in effect, was saying that he was going to push with aircraft four, five, and six. He did not say that.

Mr. COHELAN. That is quite correct. The gentleman would not, certainly, as a member of the Appropriations Committee suggest that the House burn dollar bills just to get this program going.

Mr. FORD. Not at all. As a matter of fact, I think I am saying quite the contrary. I just want to clarify what this letter said.

I want to commend the committee for making the change, and I will support them despite the awkwardness of the sentence because I think we are now doing what this committee and this House ought to do at this time.

Mr. ARENDS. Mr. Chairman, I have no further requests for time.

Mr. HÉBERT. Mr. Chairman, I yield such time as he may require to the gentleman from Oklahoma [Mr. WICKERSHAM].

Mr. WICKERSHAM. Mr. Chairman, as a member of the House Armed Services Committee, I have, for a long period of time, urged the continuation of the research, development, and actual production of the B–70, and later, the RS–70 on a 24-hour-a-day, round-the-clock basis.

The passage of this measure means continued life, rather than an approaching death, not only to the RS–70 program and the manned bomber program, but the life of the Air Force itself. Also, a much longer life for our valuable SAC bases.

The overwhelming majority of the committee not only favored this measure but favored the continued production line of the B–52 until sufficient RS–70's are available to replace them.

The result of the agreement that has been reached means increased stature for Gen. Curtis LeMay and Secretary of the Air Force, Eugene Zuckert.

The enactment of this well-considered bill means more security and less insecurity for the free world.

Furthermore, it means that the President, in his wisdom, has remembered some of the lessons he learned while a U.S. Representative and as a Senator, and, consequently, has followed to a great degree, the wishes of the legislative branch—the Congress,

Our action here today, and the understanding that has been reached, will enhance the future of the Nike-Zeus production.

This measure will act as a further deterrent to the Communist world.

Mr. HÉBERT. Mr. Chairman, I yield such time as he may require to the gentleman from California [Mr. DOYLE].

Mr. DOYLE. Mr. Chairman, I rise to express my approval of the proposed change of the text of the bill before the House by striking the word "direct" at line 2, page 2, from the text of the bill and substituting the word "authorize." This I believe is in accord with the actual situation as it exists under our constitutional form of government because the Commander in Chief, who is always the President of the United States, is the sole elective officer who can actually direct what shall be done with the money which we in Congress authorize to be expended. It is his constitutional responsibility to do that; it is our constitutional responsibility as the Armed Services Committee to authorize an amount, and which authorizing action by our Armed Services Committee must then go to the House Appropriations Committee.

I respectfully suggest that in my humble judgment the wording of the bill in line 2, page 2, would be in substantial contravention of the jurisdiction of the

House Appropriations Committee, unless the word "direct" is stricken. The very honorable, timely, and constructive adjustment made yesterday afternoon late by the President of the United States and the Secretary of Defense in conference with our distinguished Armed Services Committee chairman, the gentleman from Georgia, the Honorable CARL VINSON, all of whom met at the White House on yesterday, is very pleasing and inspiring to me. This is because this important incident in the history of our legislative and executive department responsibilities again gives crystal-clear evidence of the fact that our constitutional form of government can and does work efficiently and with utmost accord between these departments set up by our constitutional frameworkers when there is an actual emergency arising either by way of important differences of opinion, or by way of any other emergency which should be cooperatively understood and honorably adjusted.

Having sat all through this important debate from the very beginning until this minute in the debate, and with the closing of the debate within the next few minutes, it appears to me there will be a very sparse number of votes "nay." This is as I believe it should be; as it must be, and in the best interests of our national defense. Therefore, I shall vote to approve the bill on its merits and on the deletion of the word "direct" on its merits. I cordially compliment our distinguished committee chairman, the gentleman from Georgia, the Honorable CARL VINSON, who has served in this great legislative body for 48 years last past.

I repeat, I compliment all in connection with this timely adjustment of sincere and responsible differences of opinion. I believe my Armed Services Committee has achieved its purposes in maintaining its responsibilities in the premises and I honor the executive department of our Government for maintaining its constitutional responsibilities likewise.

Mr. COHELAN. Mr. Chairman, I want to take this opportunity to offer my high compliments to our distinguished chairman, the gentleman from Georgia [Mr. VINSON], for the wisdom and judgment he has once again demonstrated in the handling of this most complex and difficult problem.

Our country is blessed in these difficult times with outstanding leaders in every branch of our remarkable system of government. The President and his most brilliant and distinguished Secretary of Defense, Mr. Robert McNamara, have acted with discretion and restraint in keeping with their awesome responsibilities.

I congratulate all parties to this great public debate for their superb leadership.

Mr. HÉBERT. Mr. Chairman, I yield such time as he may require to the gentleman from Massachusetts [Mr. BOLAND].

Mr. BOLAND. Mr. Chairman, I ask unanimous consent to revise and extend my remarks at this point.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. BOLAND. Mr. Chairman, I am very pleased to hear from the distinguished chairman of the Armed Services Committee, the gentleman from Georgia [Mr. VINSON], that an agreement has been reached with respect to the B–70 bomber, now known as the RS–70. Otherwise, I would be opposed to the Armed Services Committee's original recommendation, which, in effect directs the President of the United States to build the bomber. Here we get into a deep constitutional question.

President Kennedy has said that this aircraft is too costly, with a price tag conservatively estimated at over $10 billion, and it will be obsolete for military purposes before it is ready to fly.

Mr. Chairman, the Congress should not command nor should the Congress direct the President on how to arm the military forces for the missions the President decides are in the national interest. The President is the one person in government and in the Nation with all of the facts and intelligence at his fingertips. He is the man who has to make the big decisions on weapons. He is the man who knows whether or not it is worth the cost of billions of dollars for a weapon which may be obsolete before it is placed in the national arsenal. And the President is the man who has access to secret information which may be the cornerstone of his final decision.

I am sure my colleagues will agree with me that no President will gamble our national security and preservation to save dollars. Neither does any President want to embark on a crash program of bomber construction when he knows the weapon will be obsolete in a few years hence. Yet, the Armed Services Committee originally recommended in its report "that the Secretary of the Air Force, as an official of the executive branch, is directed, ordered, mandated, and required to utilize the full amount of the $491 million authority granted to proceed with production planning and long leadtime procurement for an RS–70 weapon system."

Mr. Chairman, I believe that Congress should carry out the intent of the Founding Fathers who drafted the Constitution, and that we limit our activity to the traditional and time-tested role of "advise and consent" and "to investigate and propose."

President Kennedy and Secretary of Defense McNamara, after taking office last year, approached the B–70 bomber controversy with an open mind. Their investigation showed that the B–70 never enjoyed the full support of President Eisenhower, his Secretary of Defense, his principal civilian advisers nor the Joint Chiefs of Staff as a corporate body. In fact, the only consistent supporter of the B–70 program was the Air Force. The secretaries and chiefs of the other services, whether under the Kennedy administration or the Eisenhower administration, never supported the B–70 for full weapon system development or procurement and, indeed, many vigorously opposed it. So, it is a matter of record that the B–70 has long been considered a very doubtful proposition, with the weight of competent scientific, technical and military opinion against it for many years.

President Kennedy and Secretary McNamara have not closed their minds to the B–70, or RS–70, problem. They feel that by continuing our XB–70 program of three prototype aircraft and by proceeding with the exploratory development of the key subsystems of the proposed RS–70 for which funds have been included in the 1963 budget, they will have open to them the option of producing and deploying an RS–70 system at a later time if the need for such a system should become apparent.

Mr. Chairman, since the key subsystems of the aircraft have yet to be developed, delaying the decision for 1 year would not postpone the real operational readiness of the first wing at all. But, President Kennedy and Secretary McNamara, after thoroughly reviewing all aspects of the problem, have decided that the RS–70 program will not add significantly to our strategic retaliatory capability in the period after 1967.

Therefore, I am extremely pleased that a compromise has been worked out and the original committee recommendation has been substituted.

Mr. HÉBERT. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. PUCINSKI].

Mr. PUCINSKI. Mr. Chairman, I rise in support of the bill H.R. 9751, as I understand it will be amended by the committee. I congratulate the chairman of the committee, the distinguished gentleman from Georgia [Mr. VINSON], and the members of his committee for calling to the attention of the American people the tremendously important consequence of a successful development of the RS–70 weapons system. I think the American people owe this committee a debt of gratitude for bringing this subject to the attention of the entire Nation. But with equal conviction, Mr. Chairman, I think the President of the United States deserves a great deal of credit and the Nation owes him a debt of gratitude for proposing a compromise formula and a solution which, indeed, will move this important program forward. Earlier, Mr. Chairman, during debate today, some doubt was cast upon the wisdom of the compromise language which was agreed upon by the chairman of the Committee on Armed Services and the President. It is my judgment that President Kennedy and Chairman VINSON have demonstrated that reasonable men can reach reasonable agreements under the democratic processes in our Republic. The compromise proposed by President Kennedy will in no way deter or delay the successful development of the RS–70 program.

Earlier in debate, an effort was made to create the impression that Mr. Kennedy supported the RS–70 program as a candidate for the Presidency, but has now reversed his position. The President has not changed his position. The

President believes in the development of this RS–70 program. The question involved here is whether or not $491 million can be spent in this fiscal year. It was the judgment of the President's advisers that this money could not be spent at this time because the entire program is not sufficiently advanced to justify this large appropriation at the time and that, therefore, there was no sense in throwing the budget out of balance for fiscal 1963. For these reasons I think both these men have reached an excellent compromise which will actually speed up basic research and development in this program.

I believe, Mr. Chairman, that the long-range manned bomber is still our first line of defense. The Strategic Air Command has provided for our Nation and the entire free world, the greatest deterrent to war that we ever had. There is no question in my mind that if Mr. Khrushchev is twisting and turning today and starting all sorts of local provocations and has not touched off a third world war, it is only because he is mindful of the awesome strength, the defense, the retaliatory power that the United States has in its manned bombers in the Strategic Air Command. Let there be no mistake. Our manned bombers can obliterate the Soviet Union if Mr. Khrushchev is foolish enough to violate the peace at this time. No one knows this better than Mr. Khrushchev himself.

It was my honor to lead my bomber group in the first B–29 raid over Tokyo in World War II. It was also my privilege to serve under General LeMay who was commanding general of the 20th Global Air Force in World War II. I think that General LeMay is one of the greatest military leaders this country has ever produced. Millions of American soldiers were spared the horror of invading Japan's rocky shores because General LeMay helped bring the war in Japan to a successful conclusion with massive bombing raids under his personal leadership and supervision. The Defense Department will be wise in seeking his continued counsel. Like him, I believe we must go forward with this long range manned bomber program. We should make all the progress we can in missilry, but we cannot for one moment weaken our manned bomber program.

Reference has been made here today to Colonel Glenn and the fact that he stated right from this podium that if human beings had not been in the space vehicle he controlled, the mission might not have been successfully accomplished. Perhaps we should also recall another incident last year when we launched the spy-in-the-sky satellite, Tiros. It was designed to give us information about weather and to give us other information that we need about various parts of the world from a military standpoint. You will all recall that on that particular flight, somebody had forgotten to properly activate one of the lenses in that space capsule, and the mission failed to get the information it was designed to produce. Tiros failed because we relied exclusively on electronic devices.

This business of relying completely on the marvels of electronics is not, in my opinion, serving the best interests of this country. We will need human manpower for many years in our struggle for survival. And it is for this reason that I am glad the Committee today has brought before the House this subject. It is most important that research and development go ahead on a manned bomber that will have the flexibility, that will have the maneuverability that it is needed in our first line of defense. I am sure that every single American wants to have a strong Defense Establishment, not because it is an instrument of war but because it serves as the greatest bulwark for peace. There is no question in my mind but that Hitler would not have dared start World War II in 1939 if the United States and the rest of the free world had had anywhere near the retaliatory power that we have today. Therefore I think that every Member of Congress who has worked on this bill and who will support this legislation is indeed making one of the most profound contributions for the preservation of peace, because Khrushchev understands only one language, the language of strength.

An orderly development of the RS–70 program will make a most significant contribution to our defense network and help increase our retaliatory strength to new heights of perfection. For this reason, Mr. Speaker, I hope H.R. 9751 will be approved overwhelmingly with the amendment suggested by President Kennedy and accepted by Chairman VINSON.

Mr. ALFORD. Mr. Chairman, as I see it, the principal question confronting the House in debate here today is whether the RS–70 weapons system shall be produced as speedily as possible or whether we shall abandon perhaps our one most important weapon in the defense posture of the United States.

We hear great wails about economy every time the RS–70 is mentioned. And all of this at a time when we have thousands and thousands of well-trained men, called back into duty, who are spending their time policing up the grounds and engaged in other nonessential activities.

As a man of medicine, I know that when we are ill we consult a doctor. By the same token, I say that when we are considering the military might of this Nation we should consult military men who are in a position to know. We cannot hide behind the cloak of penny-pinching when the entire future of our country may be at stake.

For me, I need turn back only a few months to the inspiring and forthright testimony of our Air Force chiefs on the role of the RS–70. Hear well the words of Gen. Thomas D. White, then Air Force Chief of Staff, when he said:

> I am deeply concerned with the need to maintain a proper mix of manned and unmanned weapon systems in our future aerospace program. There is no question, for example, that this country's defense posture will be greatly improved by the phase-in of effective and reliable ballistic missiles. They are exceptional weapons. Nevertheless, they cannot perform all essential combat tasks.

Again, this is General White speaking:

> We will have to rely upon manned weapon systems to perform vital war functions which require on-the-spot, trained human judgment. * * * In any future war, there is almost certain probability that events will not unfold exactly as planned. Thus, there will be a tremendous premium on systems which can look, and find, and report, and attack, and return to attack again. We will always need systems which can search out and destroy mobile targets as well as fixed or rapidly developing targets whose positions are unknown or uncertain until observed.

What more powerful a recommendation for the RS–70 than that? What greater reason could we give for the House to issue a mandate that work on the RS–70 be pushed forward as rapidly as possible to completion?

Further consultation with military experts—with men who ought to know—reveals what a wondrous weapon the RS–70 actually will be. We learn that because of its design, this powerful weapon will be able to utilize existing military and civilian air fields. The aircraft will have intercontinental range which can be expanded to global capacity with the use of refueling tankers. The RS–70 will have all the guidance features of an intercontinental missile—and more. The navigation system can automatically navigate the aircraft to any point on earth. The digital computer provides a rapid solution to both the bombing and navigation equations. It can handle more than one target at a time and switch targets in a fraction of a second. The RS–70 will have the capability of carrying a multiple and varied weapon load. The flexibility of weapon loads offered by the RS–70 insures us the advantage of selection of the proper weapon for each target.

Are not these powerful arguments that should persuade anyone of the vital role of the RS–70 in our defense scheme?

The problems that confront the RS–70 today are nothing new. General White is the authority for this statement:

> Throughout our history, all bombers have had a hard life. Every system I can think of—the B–17, the B–29, the B–36, the B–47, and the B–52—have almost died on the vine, and yet I submit that each one of those systems has been the thing that has saved this Nation. I ask you to think where we would be today if we didn't have the B–52's and B–47's.

General White further declares that he is absolutely convinced that the same kind of situation is likely to confront us in the future. And he adds:

> Therefore, I say manned weapons systems are required from here on out in some proportion. That being the case, I would say that the B–70 is the necessity because it is the latest thing in the state of the art.

It is General White's expert opinion that a delay in producing the RS–70 is the difference between whether we ought to produce it or not. Just that time sensitive is this project. It is likewise the consensus of much military thinking that our enemy's potentialities for the future are such that it would be wise to

get the RS–70 weapons system into our inventory just as soon as possible.

This House cannot afford to let the RS–70 die on the vine. I repeat: we must issue a mandate that it be put into work fully and promptly.

It has been said by civilians in the Department of Defense that the financial resources are not adequate to provide us with sufficient ground forces, to modernize the weapons of the ground forces, to provide an adequate airlift, to implement the RS–70 program in the proper manner, or to embark full speed ahead on the development and production of an antimissile missile.

But, as I see it, instead of maintaining adequate ground forces and obtaining essential weapons, the United States has been devoting a great portion of its financial resources to foreign aid.

The cost of this great weapon is infinitesimal when contrasted with the billions upon billions of dollars we have squandered in lands scattered all around the globe. We say we want to hem in the Communists. There is no better way than to build the RS–70.

And it is my observation that Americans would be much more content to see their tax dollars being used for projects that will provide for our own safekeeping in time of need.

This, the military tells us, the RS–70 will do.

It has been estimated it will cost the Russians 40 billions of dollars to prepare a defense against the RS–70, if they wanted to tackle the job at all. This weapons system would give America a tremendous military show of might at any spot on the globe in less than 5 hours' time. And, more importantly, it will have a man at the controls.

I am persuaded that there will never be a thinking machine that could be substituted for the human mind in the accurate and flexible maneuvering of an air vehicle. We saw a near classic example of this in the recent space orbit by Colonel Glenn.

As a part of my remarks, Mr. Chairman, I wish to include a statement that was made by a professional soldier in whom I have the utmost confidence. This statement is by Brig. Gen. Bonner Fellers, U.S. Army, retired. General Fellers has had an outstanding career, including a tour of duty as chief of planning under Gen. Douglas MacArthur in the Pacific in 1943–44. General Fellers' statement is as follows:

The only effective free world military shield is U.S. nuclear striking power. This is the only decisive force which stands between freedom and slavery. It is the only military force which the Kremlin fears.

Despite these obvious facts, our 1963 defense budget fails to insure continuance of U.S. supremacy in nuclear capability. Instead of continuing superior nuclear striking power—a wholly inadequate conventional warfare capability is gradually to be substituted. This conventional warfare program is no threat whatsoever to the vast Red Army, submarine fleet, and air force. Here is the plan as reflected in the fiscal year 1963 defense budget:

The Minuteman missile production program is to be cut from 600 to 100 a year. The mobile (railway) Minuteman production is to be cut from 300 to 100. This reduces the total production from about 3,300 to 900.

The B–70 bomber program is being reduced to three—more likely to one—transport type aircraft with no usefulness as a weapon. The B–70 would be the most destructive and versatile weapon ever developed. In 5 hours it could find and destroy any target, anywhere. Traveling at 2,000 miles per hour and above 70,000 feet, its probability of penetrating enemy defenses is nine times that of the B–52.

It has been calculated that were a B–70 bomber force in existence, it would cost the Soviets $40 billion to build a defense against it.

No more B–52 bombers (the backbone of our present striking power) will be built after the current contract runs out in 1962.

No more B–58's are to be built.

The F–106 supersonic fighter production was canceled last year (1960). The F–106 now in production will be discontinued upon completion of the present small contract.

The F–100 was scheduled to be retired in 1965. Now it will be retained until 1970 and used for delivery of conventional bombs.

Funds for the Dynasoar X–15, which has already proved that it can orbit and then reenter the atmosphere under manual control—an advance over Russian development—have been cut from $185 to $65 million.

No more advanced aircraft are to be produced. Inferior subsonic aircraft will be substituted; 585 such craft are to be built. For arming them $500 million is to be spent annually on old-fashioned conventional bombs.

The atomic warhead production for Nike missiles is being cut back.

Air Force research and development for fiscal year 1963 is cut in half—a $2 billion cut.

Turning from nuclear to conventional warfare weapons could be suicidal for us. We and the free world are not equipped either to deter or to win a war against the Soviets with conventional weapons. On the other hand, we can build better planes; we have better trained crews to fly them; we are not committed to a vast land army as is Russia.

As a consequence, it is readily within our capability to create and maintain superior nuclear striking forces.

Despite these well-known facts, within 3 years, present Pentagon planning will provide almost no new U.S. aircraft or missile production. By then, and with our gradual shift from nuclear to conventional capability, we shall be at the mercy of the Kremlin.

Could it be that we are deliberately permitting our striking power to fall into second place? Will we next be told that since the Soviets have become stronger and have the power to destroy us, our only hope for survival is to join a world order?

Only the Congress can correct this alarming situation. All funds for the executive branch should be withheld until a sound defense program is instituted.

Mr. Chairman, this statement by General Fellers along with statements of distinguished general officers of our Air Force is why I am more persuaded than ever that we need the RS–70 and we need it now.

Mr. RANDALL. Mr. Chairman, the debate on H.R. 9751 being the bill to authorize appropriations for fiscal year 1963 for aircraft, missiles, and naval vessels was heralded earlier as certain to result in a collision between the legislative and executive branches of Government. Comment was heard that the President, as Commander, was in complete command over his forces and that he should not be likened to a general who has command but cannot dictate the precise weapons with which his forces will be armed. On the other hand, comment was heard that the Congress should not be restricted to simply a passive role or to supine acquiescence in programs handed to it by the Department of Defense. In preliminary considerations of this bill there were such comments heard as "Congress has deteriorated over the years." In news analyses printed in the press and elsewhere, the Constitution was quoted and particularly article I, section 8, wherein the Congress was granted powers relating to the armed services which all turned upon whether the Congress could direct the executive branch, and in this case the Secretary of the Air Force, to utilize an authorization in an amount of not less than $491 million during fiscal year 1962, to proceed with production planning and long leadtime procurement for the RS–70 weapon system.

But as is so often true of so much good legislation, a compromise was at the last moment agreed upon and the word "authorized" was substituted for the word "directed."

The final vote reflected the temper of the House and the complete agreement of every Member present and voting that the substitution of words was a wise choice. A collision was averted and a favorable result was reached. The final vote was 403 yeas, and the nays, 0. No one voted against the authorization bill on a rollcall vote.

The only reason we are asking that our comments be spread upon the RECORD is that in connection with an official trip to the Pacific Missile Range at Vandenberg Air Force Base during December, we visited the North American Aviation plant at Los Angeles and had the privilege of looking at the B–70 mockup, which is the principal component of what is now described as the RS–70 weapon system. There are many details which the Air Force would prefer not be commented upon, and some of course are strictly classified, but it can be said that when one leaves the great hangar where the mockup is housed, he has the impression that he has seen something almost unbelievable in terms of size and in terms of potential accomplishments.

We do not profess to know whether or not further development can quickly be accomplished in the necessary high resolution radar which would be required to provide capability as a post-attack weapon to recognize, seek out, and destroy any unknown enemy missiles after a nuclear exchange and which objectives would be completely out of eye range. Further, we do not profess to know whether or not additional money now could speed development of the RS–70 and have it ready earlier than the 1970 estimate. But we believe that the House exercised sound judgment in providing for the authorization and leaving it to the Air Force to determine in the year ahead if we have an adequate stock of ICBM's and Polaris-based missiles, and also, B–52's and B–58's, as to give us a powerful nuclear striking power. The determination has rightly

been left to the Department of Defense with authority to act, and not under a compelling directive, to determine whether or not we need this plane to send into enemy territory in the event some of our missiles are off target, or in any event, to determine if this weapon system is needed to go in and take a look after our missiles have been fired.

Finally, apart from the great cost which is being charged to the military, we learned from our visit to the North American plant at Los Angeles, and a personal inspection of the B–70 mockup, that much knowledge has been gained as a result of the research on this faster-than-sound bomber which will yield a dividend and have great value in the field of supersonic commercial aircraft for the future.

Mr. ZABLOCKI. Mr. Chairman, we are once again addressing ourselves to the controversy that has arisen concerning the pace of development of the RS–70, the Air Forces' reconnaissance-strike superbomber. Until recently, this plane has been known as the B–70.

The issue at hand is the speed with which we propose to develop this new and revolutionary weapon.

I am acquainted with arguments presented by the administration, and I am still of the opinion that the development of the RS–70 could be accelerated in accordance with the recommendations of the Committee on Armed Forces. I will try to explain why I have taken this position.

Our Nation, and the free world, continues to be faced with a determined and aggressive adversary—the Communist monolith. The Communist leaders of the Soviet Union, and of Red China, have not abandoned their plans for world domination. They are determined to achieve this objective—by every means possible, particularly they propose to do this by gaining control of space.

Just last week, when Soviet Russia orbited its latest satellite, Khrushchev boasted that the Soviet's are developing—or have already developed—a global missile which can annihilate opposition on any continent.

Obviously, therefore, the race for the control of space is of utmost importance to our own security and the survival for our civilization.

In this race, the development of the RS–70 can play a very important part. It can enable us to achieve and maintain military superiority in one vital area.

The RS–70 is a new airplane which will operate higher and faster than any combat aircraft the world has ever known. It is expected to insure that the Air Force and the Strategic Air Command will have the proper military vehicle to carry out their combat responsibilities in the post-1965 time period.

Mr. Chairman, the opponents of the program recommended by the House Armed Services Committee argue that we cannot speed up the rate of development of the RS–70. Mr. Chairman, similar arguments were used on many occasions in the past with respect to many types of weapons. Arguments were and are used with respect to the development of missiles. And yet, when the chips were down, we proved that the development of our spacecraft could be accelerated beyond original estimates.

Everyone agrees that RS–70 will constitute an important addition to our defense posture. I believe that we can accelerate the development of this weapon if we put our minds to it. I will, therefore, support the recommendations of the House Armed Services Committee on this vital issue.

Mr. PETERSON. Mr. Chairman, on August 29, 1961, I directed attention to the abandonment and scrapping of the Bomarc manufacturing and deployment program after the program had been authorized and funded by Congress, and I urged military leaders to review our whole defense posture as it related to the Bomarc.

The production center of the Bomarc engine was established in my congressional district, Ogden, Utah, nearly 6 years ago at a Marquardt facility. Two years later the facility was doubled and a 184 acre test facility was established nearby on the shore of our Great Salt Lake.

The first Bomarc A missile was phased-out in 1960 and production was started on the new Bomarc B missile. A year later this missile was phased-out completely by the military.

Today we learn from the chairman of the Armed Services Committee that by June 1, 1962, the United States will have 12 squadrons of 50 Minuteman missiles each, or a total of 600; that the Defense Department asked for 4 more squadrons in fiscal 1963 at a cost of $2½ billion; that the committee felt this was not adequate and added another $10 million for a long-lead start on additional Minuteman missiles.

Today we also learn that by June 1962 the Navy will have 29 Polaris submarines missile equipped; that Defense officials asked to add 6 in 1963 and stated they plan to ask for another 6 in 1964 for a total of 41. The House Committee, according to the able chairman, feels there should be more.

Again today we learn Defense officials insist on plans to phase out manned bombers in favor of intercontinental ballistic missiles. The House committee questioned the reliability of the ICBM last year. Defense officials requested at that time $220 million for B–70's; the Congress gave them an additional $180 million, suggesting that the resulting increase in manned bombers was essential to the defense of this Nation until such time as the workability of the ICBM's got out of the textbooks and the laboratories. Defense officials did not carry out the mandate of the Congress in fiscal 1962. None of the additional funds was spent.

This year Defense officials requested $3.135 billion and the House committee in its wisdom increased that amount by $491 million; at first they directed and then by amendment authorized that this "be utilized in fiscal 1963 to proceed with production, planning and long-lead procurement for the RS–70 weapon system," which is the current nomenclature for the B–70 manned bomber.

As the chairman of the House committee has so cautiously pointed out to us: If our hopes are realized and nuclear weapons are outlawed by international agreement, we would be in an untenable position with no conventional defense capability.

I again urge review and reevaluation of the entire Bomarc program, particularly in light of the importance of manned bomber program to the defense of this Nation.

Mr. BASS of New Hampshire. Mr. Speaker, I am in opposition to the provision that the Secretary of the Air Force is directed to spend $491 million for the RS–70 bomber program.

My objection goes beyond the merits of the bomber program itself. But it is worth noting that when the B–70 program was considered last year by the Science and Astronautics Committee, of which I am a member, there were differences of opinion by experts on our national defense about the program—differences which still have not been resolved. As of now, the program has been modified and is now redesignated as the RS–70 program.

My objection is based on my concern for the separation of powers in our governmental system as specified in our Constitution.

This legislation proposes to direct the executive department to spend money which the President—right or wrongly—had decided not to spend. I do not believe Congress has the right to so direct the executive, nor should it presume to take that right.

The President of the United States is Commander in Chief. It is inconceivable to me that Congress should tell a Commander in Chief what weapons system to develop any more than it should attempt to tell a general in the field which weapons to fire. These are the rights and duties of the Executive. We in Congress should neither attempt to assume executive powers nor should we relieve the President of the responsibility for making the right decisions.

Throughout my 7 years in Congress, I have fought attempts by the President to usurp powers that belong in Congress. I have voted in favor of annual—rather than 5-year—appropriations for foreign aid and I have voted against many agriculture programs because, among other reasons, I believed that the action proposed by the administration would put too much power into the hands of the Executive. This argument works both ways. I believe that the legislation we are considering today would assume powers which properly belong to the President.

Mr. HÉBERT. Mr. Chairman, I have no further requests for time on this side.

Mr. ARENDS. Mr. Chairman, I have no further requests for time.

Mr. HÉBERT. Mr. Chairman, I ask that the Clerk read the bill.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That funds are hereby authorized to be appropriated during fiscal year 1963 for the use of the

Armed Forces of the United States for procurement of aircraft, missiles, and naval vessels, as authorized by law, in amounts as follows:

AIRCRAFT

For aircraft: For the Army, $218,500,000; for the Navy and the Marine Corps, $2,134,600,000; for the Air Force, $3,135,000,000.

MISSILES

For missiles: For the Army, $558,300,000; for the Navy, $930,400,000; for the Marine Corps, $22,300,000; for the Air Force, $2,500,000,000.

NAVAL VESSELS

For naval vessels: For the Navy, $2,982,000,000: *Provided*, That effective July 1, 1962, restrictions on the fund authorization contained in Public Law 87-53, approved June 21, 1961, for the procurement of aircraft, will no longer apply.

The CHAIRMAN. The Clerk will report the committee amendments.

The Clerk read as follows:

Page 1, line 8, strike "$218,500,000" and insert "$273,790,000".

The committee amendment was agreed to.

The Clerk read as follows:

Committee amendment: Page 1, line 10, strike "$3,135,000,000" and insert "$3,626,000,000", and add the following language: "of which the Secretary of the Air Force is directed to utilize authorization in an amount not less than $491,000,000 during fiscal year 1963 to proceed with production planning and long leadtime procurement for an RS-70 weapon system."

Mr. VINSON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Committee amendment offered by Mr. VINSON: On page 2, line 2, strike out the word "directed" and insert in lieu thereof the word "authorized".

The CHAIRMAN. The question is on the amendment to the amendment.

The amendment to the amendment was agreed to.

The CHAIRMAN. The question now recurs on the committee amendment, as amended.

The committee amendment, as amended, was agreed to.

The Clerk read as follows:

Committee amendment: On page 2, line 2, strike "$558,300,000" and insert "$589,482,000".

The committee amendment was agreed to.

The Clerk read as follows:

Committee amendment: Page 2, line 4, strike "$2,500,000,000" and insert "$2,510,000,000".

The committee amendment was agreed to.

The Clerk read as follows:

Page 2, line 6, strike "$2,982,000,000," and insert "$2,979,200,000".

The committee amendment was agreed to.

The Clerk read as follows:

Committee amendment: Page 2, line 17, insert:

"SEC. 2. Section 412(b) of Public Law 86-149 is amended to read as follows:

"'(b) No funds may be appropriated after December 31, 1960, to or for the use of any armed force of the United States for the procurement of aircraft, missiles, or naval vessels, unless the appropriation of such funds has been authorized by legislation enacted after such date: *Provided, however*, That no funds may be appropriated after December 31, 1961, to or for the use of any armed force of the United States for research, development or procurement of the RS-70 weapon system unless the appropriation of such funds has been authorized by legislation enacted after such date.'"

The committee amendment was agreed to.

Mr. MAHON. Mr. Chairman, I move to strike out the last word.

DEFENSE AUTHORIZATION BILL

Mr. Chairman, I have felt that the language originally incorporated in the pending military authorization bill, which directed the executive branch to utilize a $491 million authorization for the planning and production of the RS-70 aircraft was very unwise. The language raised serious constitutional questions and tended to bypass the regular procedures which call for direct action by the Congress on funds recommended by its Appropriations Committees before authorized programs can be executed.

I am very happy over the masterful way the gentlemen of the committee and their distinguished chairman have resolved this problem. It will now be possible for the matter to be handled in the usual orderly way, and in keeping with traditional procedures. The gentleman from Georgia has dramatized an interesting and important matter, yet he has done no disservice to relationships between congressional committees and between Congress and the executive branch.

ACTION REQUIRED BY APPROPRIATIONS COMMITTEE

The great Committee on Armed Services has brought to bear its best judgment, after many hearings and much deliberation, on the RS-70 airplane matter and on the many other important procurement matters pending in the President's budget.

I know that this great committee, and the House as well, will expect the Appropriations Committee to bring to bear its very best judgment also in determining what funds shall be recommended under the pending authorization bill for the RS-70 and other procurement items. It is, of course, impossible to predict today just what action the Appropriations Committee will take. The Subcommittee on Defense Appropriations is still conducting hearings on the various programs which are authorized in this bill and the other details involved in the regular annual appropriations.

The members of the Committee on Appropriations always do their best to handle defense appropriations to the best of their ability. I think our actions are usually reasonably satisfactory to the Committee on Armed Services, to the House, and to the country as a whole. I am glad to see this system of checks and balances, between the authorizing committee and the Appropriations Committee, preserved. This is good for the Congress and the country, and the course followed is in keeping with constitutional precedents.

COMMENDATION OF DEFENSE OFFICIALS

In the heat of controversy, we are often inclined to make critical remarks in haste that may not be fully justified.

I want to say, after long years of dealing with the civilian and military leaders of the Department of Defense, I have found them, on a whole, to be men of ability and dedication who seek to serve the best interest of the country and who seek to be cooperative, as a general rule, with Congress.

I think we have excellent leadership in the Pentagon, with Mr. Robert S. McNamara as Secretary of Defense; Mr. Elvis J. Stahr, Secretary of the Army; Mr. Fred Korth, Secretary of the Navy; and Mr. Eugene Zuckert, Secretary of the Air Force.

The Chairman, General Lemnitzer, and members of the Joint Chiefs of Staff are men of high quality and dedication. They are not men who agree on all subjects. It is a normal and wholesome situation in a free country such as ours.

COOPERATION BETWEEN CONGRESS AND DEFENSE DEPARTMENT

I have asked the members of the staff of the Appropriations Committee to help me assemble some information in regard to examples of cooperation by the Defense Department with Congress during the past few years. It is true that Defense officials and the President do not always comply to the letter with the recommendations of Congress in defense matters. However, as a general proposition, the President and officials in the Department of Defense do seek to carry out the will of Congress. There are some notable exceptions which have been referred to in the debate today, and I shall not dwell upon them. I should now like to extend my remarks at this point in the RECORD and recite some of the examples having to do with actions by the executive branch on specific recommendations of the Congress during recent years.

INFLUENCE OF CONGRESS ON DEFENSE PROGRAMS

Congress has exercised a strong influence on the character of Defense programs. Some of these influences can be summarized briefly:

In fiscal year 1956, Congress increased funds by $46.7 million for two purposes. The lesser increase was used, the major increase for the Marine Corps strength was not used.

In fiscal year 1957 Congress increased four specific programs by a total of about $930 million, all of which was used. This was the year in which the B-52 program was given a substantial boost, forming the character of our Strategic Air Forces as of today.

In fiscal year 1958, funds totaling $35.3 million were added for the Army National Guard and the VORTAC air navigation system, and were all utilized.

In fiscal year 1959 increases voted by Congress totaled $1.3 billion for 15 specific purposes. About $730 million was utilized, including $550 million of $609 million voted for Polaris. Funds were not used in 1959 for Army modernization, the Hound Dog missile, and tanker and airlift aircraft, but the Department in later years fully adopted the policies urged by Congress.

In fiscal year 1960, $650 million was used out of congressional add-ons of $922 million. The principal items used were $140 million to support the strength of the Army Reserve and National Guard, $200 million for Army modernization, $137 for ASW, and $172 million for Atlas and Minuteman.

In fiscal year 1961, Congress voted $1.8 billion additional funds, of which $1.6 billion was used for such major programs as Polaris, Atlas, Minuteman, airlift aircraft, and satellite programs.

DETAILS BY FISCAL YEARS

The influence of Congress has been exerted not only in negative ways, that is by cutting funds, but also in positive ways, by adding funds for specific programs.

Let us look at the record, year by year.

FISCAL YEAR 1956

The Congress made two increases in that year: First, $250,000 for the promotion of rifle practice, which was utilized in full; second, $46.4 million for an increase in Marine Corps strength, which was not utilized.

There were two add-ons, one minor and one major. The minor one was used; the major one was not. And the position of Congress on the major matter did not prevail.

FISCAL YEAR 1957

The Congress increased the President's budget in four principal areas in that fiscal year:

First, $15 million for Army Reserve Forces military construction—utilized in full.

Second, $14 million to increase the strength of the Army National Guard and the number of its civilian technicians—utilized in full.

Third, $800 million to increase the procurement of Air Force heavy bombers, tankers, and other essential weapons—utilized in full.

Fourth, $100 million to expedite the Air Force's overall research and development program—utilized in full.

Thus, in fiscal year 1957, increases totaling almost $930 million were voted and all were utilized in full as desired by the Congress. This was the year where the Congress gave the B-52 program a big boost forward, thereby shaping the character of our Strategic Air Forces to this present day.

FISCAL YEAR 1958

In this year the Congress made two increases: First, $13.8 million for the Army National Guard, which was utilized in full; second, $21.5 million for the Air Force for transfer to the Civil Aeronautics Administration for VORTAC, which was also utilized in full.

Here again, the add-ons made by the Congress were fully utilized.

FISCAL YEAR 1959

In that fiscal year the Congress made a large number of increases, aggregating over $1.3 billion, of which about $730 million was actually applied as desired by the Congress.

First, $65 million for the OSD emergency fund to take care of breakthroughs in research and development—utilized in full.

Second, $99 million to increase the Army strength from 870,000 to 900,000—only about $19.1 million was utilized.

Third, $41 million to increase Army Reserve drill pay strength from 270,000 to 300,000—$27.7 million was utilized to achieve that goal.

Fourth, $55.7 million to increase Army National Guard drill pay strength from 360,000 to 400,000 and maintain the civilian technicians program—$38.6 million was utilized to meet that objective.

Fifth, $5 million to increase Army mapping—utilized in full.

Sixth, $37 million for Army modernization—not utilized in that year.

Seventh, $6 million for Army Reserve Forces military construction—not utilized in that year.

Eighth, $45.2 million to increase Marine Corps strength from 175,000 to 200,000—about $10.6 million was utilized.

Ninth, $609 million to increase the Polaris program—about $550 million was subsequently utilized. This includes about $241 million released in fiscal year 1959 to permit letting of contracts early in July 1959 for Polaris submarines 7, 8, and 9.

Tenth, $11 million to speed work on Regulus submarines—not utilized. This program was later terminated in favor of the Polaris.

Eleventh, $13 million for two destroyer escorts—utilized in full.

Twelfth, $48 million for Hound Dog—not utilized in that year.

Thirteenth, $90 million for Minuteman—although these particular funds were not utilized, the Air Force, through the reprograming of funds no longer required for other projects, did carry on a program in that year on the expanded scale desired by the Congress. The House Armed Services Committee report, while technically correct in showing this $90 million as not utilized, leads to the wrong conclusion.

Fourteenth, $55.6 million for KC-135 tankers—not utilized in that year.

Fifteenth, $140 million for airlift aircraft—not utilized in that year, although, here again, the program was increased through reprograming of other funds.

Thus, in fiscal year 1959, most of the increases were utilized in whole or in part for the purposes intended by the Congress. But it is interesting to note that although the Department did not choose to use some of these increases in 1959—such as for Army modernization, Hound Dog, KC-135 tankers and airlift aircraft—the Department in later years fully adopted the policies urged by the Congress and increased these programs very substantially. Moreover, the Congress, in that year, laid a very substantial foundation for our Polaris submarine program upon which the executive branch was able to build in later years.

FISCAL YEAR 1960

In that year the Congress added about $922 million, of which the Defense Department utilized almost $650 million.

First, $147.2 million was added to maintain the Army Reserve and National Guard at 300,000 and 400,000 drill pay strength, respectively—$140.2 million was utilized to accomplish that purpose.

Second, $43.1 million was added to provide a Marine Corps strength of 200,000—this sum was not utilized.

Third, $375 million was added for Nike-Zeus and/or Army modernization—$200 million was used for Army modernization.

Fourth, $137.3 million was added to increase the ASW capability—all of which was fully utilized.

Fifth, $35 million was provided for advanced procurement for a nuclear-powered carrier—none of this money was utilized.

Sixth, $85 million was added for Atlas—all of which was utilized for Atlas-Titan.

Seventh, $87 million was added for Minuteman—all was utilized.

Eighth, $12 million was added for Army National Guard construction—the funds were not utilized in that year.

Thus, in fiscal year 1960, most of the items added by the Congress were utilized in whole or in part and, here again, the executive branch eventually followed the direction pointed by the Congress and later increased the Marine Corps strength and Army procurement.

FISCAL YEAR 1961

In this year the Congress again made a number of important additions to the program, some of which were requested by the Department of Defense. The net increase totaled over $1.8 billion, of which over $1.6 billion was utilized.

First, $105 million was added to maintain the Army Reserve and Guard strength—all of which was utilized.

Second, $5 million was added to increase the Army National Guard technicians program—all utilized.

Third, $201,000 was added for the promotion of rifle practice—all utilized.

Fourth, $158 million was added for Army modernization—over $113 million was utilized.

Fifth, $382 million was added for Polaris—over $345 million was utilized.

Sixth, $105 million was added for ASW—all of which was utilized.

Seventh, $194 million was added for airlift aircraft—almost $172 million was utilized.

Eighth, $97 million was added for air defense aircraft—not utilized.

Ninth, $82.9 million was added for an airborne alert capability—all of which was utilized.

Tenth, $184.3 million was added for the B-70—all of which was utilized.

Eleventh, $83.8 million was added for Samos—utilized in full.

Twelfth, $26.2 million was added for Minuteman—utilized in full.

Thirteenth, $26.4 million was added for Midas—utilized in full.

Fourteenth, $35 million was added for Discoverer—utilized in full.

Fifteenth, $132 million was added for interceptor aircraft improvements—utilized in full.

Sixteenth, $131.9 million was added for Atlas—utilized in full.

Seventeenth, $34 million was added for Bmews—utilized in full.

Eighteenth, $16.2 million was added for the surveillance program—utilized in full.

Nineteenth, $15 million was added for the Gar-9 air-to-air rocket and ASG-18 fire control programs—utilized in full.

Twentieth, $20.4 million was added for Reserve and National Guard construction—almost all was utilized.

Here, again, was a year in which the Congress exerted a major influence on the pace and character of the defense program. The Polaris program was again accelerated, Army modernization was speeded up, the antisubmarine warfare effort considerably expanded, the airlift aircraft program was finally gotten off dead center, an airborne alert capability for our heavy bombers was firmly established, the reorientation of our air defense program was begun, and a sharp impetus was given to our military satellite programs. Even the B-70 program was moved forward in that year. It cannot be said with accuracy that the Congress has litttle or no influence on the defense program.

FISCAL YEAR 1962

This brings us to the current fiscal year. For this year the Congress provided a total of about $1 billion above the President's amended budget, of which the Department presently plans to use about $230 million. Increases were made in over 20 items, of which the Department plans to carry out all but three. These three, however, are the big ones—the B-12, the B-70, and the Dynasoar add-ons—totaling a little over $780 million.

The arguments, pro and con, on these three items are well known to all. But some of the Members may not realize that the Department is following the desires of the Congress on a number of other quite significant items. These include maintaining the Army Reserve and Guard strength at 300,000 and 400,000, respectively, to the extent possible under the present circumstances; substituting one nuclear-powered frigate for one conventionally powered frigate—this is an item of about $41 million; installing turbofan engines in 15 of the C-135's—an item of about $21 million; procurement of a long-range jet passenger transport—$7.8 million; a $7½-million increase in the development effort on special forces equipment; and, finally, an increase in Reserve Forces construction—an item of $16.1 million. And the year is not yet over.

It is important that we continue the spirit of good will and cooperation which exists between Congress and the executive branch in defense matters. There is room for improvement, but I would not want to minimize the fine spirit of cooperation which has been typical in the past.

Mr. GROSS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I take this time to ask the question as to whether the funds appropriated for naval vessels may be used for renovation or whether this is entirely for new construction?

Mr. VINSON. I may say to the distinguished gentleman that the bill authorizes 37 new ships, and 35 conversions, all set out in the report and referred to in my remarks in a more limited way earlier. I will put in the RECORD at this point a complete breakdown of each one of the new ships and in addition the conversion of some 35 ships.

The matter referred to is as follows:

One attack aircraft carrier—CVA; cost, $310 million: This ship is the prime offensive unit in an attack carrier striking force—the Navy's major weapon for control of the seas.

The carrier provides a continuously ready modern airfield capable of operating all types of aircraft in any navigable waters of the world. These characteristics of versatility and mobility are unique to sea service forces and are equally applicable in general, limited, or cold war.

The carrier in this program will replace an old *Essex*-class carrier. This attack carrier will be an improved *Forrestal* and the eighth ship in this class.

One guided missile frigate—DLG(N); cost, $190 million: This guided missile frigate is the only nuclear-powered surface ship in this year's program. It is also the first ship to receive the new Typhon weapons system incorporating many significant improvements including greater target-handling capability, greater range, shorter reaction time, and almost complete immunity to countermeasures. The Typhon weapons system will provide this ship with an air-control, antiaircraft, and antimissile capability which hitherto have not been approached by any naval weapons system. In addition to the greatly improved weapons systems, this ship will have the extended range and endurance at sustained speed resulting from nuclear power.

Twenty-eight conventional and 2 nuclear-powered guided missile frigates have been authorized in previous programs, 10 of which have joined the fleet.

Eight nuclear-powered submarines—SS (N); cost, $509.9 million: These fleet attack submarines are designed for optimum operations against enemy submarines and surface ships.

They are essentially repeats of *Thresher* class included in previous programs.

These submarines will be the first to include the capability of firing the submerged launched rocket weapon, Subroc. This weapon is capable of carrying a nuclear warhead, and is designed to destroy submarines or ships.

Combined with previous new construction, these 8 will give the Navy a total of 40 nuclear-powered attack submarines, 16 of which have joined the fleet.

Six fleet ballistic missile submarines—SSB (N); cost, $720.3 million: These fleet ballistic missile submarines are a vital addition to our national deterrent forces. These six Polaris submarines are essentially the same as those in prior programs incorporating improvements which have been dictated by experience.

Twenty-nine fleet ballistic missile submarines have been authorized in previous programs. These 6 will give the Navy a total of 35, carrying 560 ballistic missiles. Six have joined the fleet.

Four amphibious transport, dock—LPD; cost, $181.6 million: These ships will increase the effectiveness of modern amphibious operations.

These ships each carry 930 troops, 2,500 tons of cargo and equipment, plus 6 helicopters and various combinations of landing craft.

Six of these ships have been previously authorized. The first two are scheduled to be commissioned this year.

One amphibious assault ship—LPH; cost, $60 million: The amphibious assault ship (LPH) in conjunction with the LPD is capable of combat loading, transporting, and landing a battalion landing team. This ship carries 2,000 troops and 30 HUS helicopters.

Four ships of this type have been approved in prior programs. One, *Iwo Jima*, has reported to the fleet.

Five escort ships—DE; cost, $128.2 million: These ships are all repeats of similar types contained in previous programs and are designed for effective performance in locating and destroying enemy submarines. These ships are fitted with the latest and best ASW weapons systems including Asroc, Dash, and homing torpedoes.

Twenty-four ocean escorts have been authorized in previous programs. Seventeen have joined the fleet.

Three guided missile escort ships—DEG; cost, $93.9 million: These 3 DEG's are similar in all respects to the escort ships except that the after 5-inch, 38-caliber gun mount has been replaced by a Tartar missile battery (16 missiles). Three of these ships were authorized in the 1962 program.

Two motor gunboats—PGM; cost, $4.1 million: These are the first of a new class specifically designed for operations in restricted waters, such as coastal patrol blockade and paramilitary warfare. The final armament is still to be decided; however, 20 tons have been reserved for this purpose.

One fast combat support ship—AOE; cost, $67 million: This is the second ship of this design combining the essential features of both the fleet oiler and ammunition ship. Having a top speed of 26 knots, this ship will be capable of staying with the fast task forces and providing most replenishment services on a one-stop basis. One has been authorized in previous programs.

One submarine tender—AS (FBM); cost, $73 million: This is the third new construction tender designed primarily to support the Polaris submarines. It will be equipped to provide logistic support for nine submarines and complete alongside services to three at any one time. These ships also have the capability to check out, maintain, and issue missiles and missile components. The first new construction tender will join the fleet later in the year.

Two oceanographic research ships—AGOR; cost, $8.8 million: These are relatively small ships of about 1,300 tons and are designed to conduct basic and applied oceanographic research in support of the national oceanographic program. They will be civilian manned. Five ships of this type have already been authorized. The first two are scheduled for completion during the fourth quarter of this year.

One surveying ship—AGS; cost, $9.4 million: This ship is about twice the size of the oceanographic research ship and will be equipped to conduct hydrographic surveys and collect other oceanographic, acoustic, and meteorological data under the direction of the Navy oceanographer. This is the first ship of its class. Like the preceding oceanographic research ship, it will be civilian manned.

One cargo ship—MSTS roll-on/roll-off; cost, $20 million: This Military Sea Transportation Service ship is similar to the very successful *Comet*, roll-on/roll-off ship now in regular service between New York and St. Nazaire. It is designed to transport and deliver wheeled and tracked vehicles, troop equipment, and general cargo. Its configuration of internal ramps will provide for quick loading or unloading. This is the first ship to be funded under this appropriation for Military Sea Transportation Service.

The Navy authorization also provides funds for 45 service and landing craft, the rehabilitation and modernization of 24 World War II destroyers and the conversion of 1 major communication relay ship, 1 command ship, 1 mine countermeasures support ship, 2 ammunition ships (FAST), 2 oilers (Jumbo), 2 technical research ships, 1 cargo ship (FBM), 1 guided missile ship, and 1 service craft, a floating drydock.

Mr. GROSS. Then the bill does provide for such conversion or renovation. The gentleman might be able to answer the question whether funds are provided in this bill——

Mr. VINSON. No; that comes before the Committee on Appropriations.

Mr. GROSS. I mean funds authorized. Let me correct the statement.

Mr. VINSON. Yes, authorized.

Mr. GROSS. "Authorize." That is a good word around here today.

Mr. VINSON. That is right; it is a good word.

Mr. GROSS. Whether funds are authorized in this bill for the taking of a yacht out of mothballs, air conditioning the yacht, and giving it to Emperor Haile Selassie of Ethiopia; does the gentleman know?

Mr. VINSON. Well, I will say the distinguished gentleman from Texas developed that fact. All we are doing today is authorizing these things. He would not give his approval to anything that would be converted without having some military value to the country.

Mr. GROSS. Well, would the gentleman think that a yacht, an air-conditioned pleasure yacht, is intended to have military value?

Mr. VINSON. No; I do not know what the gentleman has reference to, but I can tell you that conversions in this bill are for military purposes.

Mr. GROSS. Well, then, can the gentleman tell me this: The bill provides for the construction of helicopters; is that right?

Mr. VINSON. In another part of the bill, yes.

Mr. GROSS. This bill authorizes funds for the construction of helicopters?

Mr. VINSON. That is right, and we are increasing it in that respect by raising the amount about $55 million.

Mr. GROSS. How many of these new helicopters will be assigned to the White House?

Mr. VINSON. Well, I do not know about that.

Mr. GROSS. Did the military not justify the construction of helicopters when they came before your committee?

Mr. VINSON. I cannot reveal the number involved.

Mr. GROSS. Someone here indicates there may be 10 new helicopters assigned to the White House. Now, my question is this: Will these helicopters continue to be used at the rate of two flights in 2 days to transport the First Lady, Mrs. Kennedy, to go fox hunting down in Virginia? Does the gentleman have any idea?

Mr. VINSON. The gentleman will have to do like I do in a press conference. I ask the questions and then I answer them. The gentleman will have to do the same thing.

Mr. GROSS. I thank the gentleman.

Mr. EDMONDSON. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I support H.R. 9751 and particularly appreciate the initiative of the Committee on Armed Services in seeking a speedup in development and production of the RS-70.

Under date of February 20, 1962, I wrote Secretary of Defense McNamara urging such a speedup, in the light of my own understanding of the need and justification for such a weapons development.

The Assistant Secretary of Defense who replied to my letter, on March 15, cited many of the arguments for proceeding slowly with the RS-70 program, and brought to my attention for the first time several factors of admitted importance in this matter.

Nonetheless, the reasons for expediting development and production of the RS-70 continue to outweigh, in my judgment, those reasons advanced for the Defense Department position, and I am greatly pleased by the Secretary's announced decision to reexamine the Department's conclusion in the light of congressional recommendations.

This bill is another major step forward in substantially strengthening our country's defense and I am confident it will be overwhelmingly approved, in further testimony, to the resolution and determination of the Congress and the American people to provide preparedness second to none in the world today.

A strong and prepared America continues to be the world's best guarantee of peace, and we add significantly to that guarantee by today's action.

The CHAIRMAN. Without objection, the committee amendment is agreed to.

There was no objection.

The CHAIRMAN. Are there any further amendments? If not, under the rule the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. KARSTEN, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 9751) to authorize appropriations during fiscal year 1963 for aircraft, missiles, and naval vessels for the Armed Forces, and for other purposes, pursuant to House Resolution 562, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. VINSON. Mr. Speaker, on that I demand the yeas and nays. The yeas and nays were ordered.

The question was taken; and there were—yeas 404, nays 0, not voting 32, as follows:

[Roll No. 43]

YEAS—404

Abbitt
Adair
Addabbo
Addonizio
Albert
Alford
Alger
Andersen, Minn.
Anderson, Ill.
Anfuso
Arends
Ashbrook
Ashley
Ashmore
Aspinall
Auchincloss
Avery
Ayres
Bailey
Baker
Baldwin
Baring
Barrett
Barry
Bass, Tenn.
Bates
Becker
Beckworth
Beermann
Belcher
Bell
Bennett, Fla.
Berry
Betts
Bielasik
Bilitch
Boggs
Boland
Bolling
Bolton
Bonner
Bow
Brademas
Bray
Breeding
Brewster
Bromwell
Brooks, Tex.
Broomfield
Brown
Broyhill
Bruce
Burke, Ky.
Burke, Mass.
Burleson
Byrne, Pa.
Byrnes, Wis.
Cahill
Cannon
Carey
Casey
Cederberg
Celler
Chamberlain
Chelf
Chenoweth
Chiperfield
Church
Clancy
Clark
Coad
Cohelan
Colmer
Conte
Cook
Corbett
Corman
Cramer
Cunningham
Curtin
Curtis, Mass.
Curtis, Mo.
Daddario
Dague
Daniels
Davis, John W.
Davis, Tenn.
Dawson
Delaney
Dent
Denton
Derounian
Derwinski
Devine
Diggs
Dingell
Dole
Dominick
Donohue
Dooley
Dorn
Dowdy
Doyle
Dulski
Durno
Dwyer
Edmondson
Elliott
Ellsworth
Everett
Evins
Fallon
Farbstein
Fascell
Feighan
Fenton
Findley
Finnegan
Fino
Fisher
Flood
Flynt
Ford
Forrester
Fountain
Frasier
Frelinghuysen
Friedel
Fulton
Gallagher
Garland
Garmatz
Gathings
Gavin
Giaimo
Gilbert
Glenn
Gonzalez
Goodell
Goodling
Granahan
Gray
Green, Oreg.
Green, Pa.
Griffin
Gross
Gubser
Hagan, Ga.
Hagen, Calif.
Haley
Hall
Halleck
Halpern
Hansen
Harding
Hardy
Harris
Harrison, Va.
Harrison, Wyo.
Harsha
Harvey, Ind.
Harvey, Mich.
Hays
Healey
Hébert
Hechler
Hemphill
Henderson
Herlong
Hiestand
Hoeven
Hoffman, Ill.
Holifield
Holland
Horan
Hosmer
Huddleston
Hull
Ichord, Mo.
Inouye
Jarman
Jennings
Joelson
Johansen
Johnson, Calif.
Johnson, Md.
Johnson, Wis.
Jonas
Jones, Mo.
Judd
Karsten
Karth
Kastenmeier
Kearns
Kee
Keith
Kelly
Keogh
Kilburn
Kilgore
King, Calif.
King, N.Y.
King, Utah
Kirwan
Kitchin
Klucynski
Knox
Kornegay
Kowalski
Kunkel
Kyl
Laird
Landrum
Langen
Latkford
Latta
Lennon
Lesinski
Libonati
Lindsay
Lipscomb
Loser
McCulloch
McDonough
McDowell
McFall
McIntire
McMillan
McSween
McVey
Macdonald
MacGregor
Mack
Madden
Magnuson
Mahon
Mailliard
Marshall
Martin, Mass.
Martin, Nebr.
Mathias
Matthews
May
Meader
Merrow
Michel
Miller, Clem
Miller, George P.
Miller, N.Y.
Milliken
Mills
Minshall
Moeller
Monagan
Montoya
Moore
Moorehead, Ohio
Moorhead, Pa.
Morgan
Morris
Morrison
Morse
Mosher
Moss
Multer
Murphy
Murray
Natcher
Nedzi
Nelsen
Nix
Norblad
Norrell
Nygaard
O'Brien, Ill.
O'Brien, N.Y.
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen
O'Neill
Osmers
Ostertag
Passman
Patman
Pelly
Perkins
Peterson
Pfost
Philbin
Pike
Pilcher
Pillion
Pirnie
Poage
Poff
Powell
Price
Puciński
Purcell
Quie
Randall
Ray
Reece
Reifel
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Riehlman
Rivers, Alaska
Roberts, Tex.
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Rogers, Tex.
Rooney
Roosevelt
Rosenthal
Rostenkowski
Roudebush
Roush
Rousselot
Rutherford

Ryan, Mich.	Springer	Van Pelt
Ryan, N.Y.	Stafford	Van Zandt
St. George	Staggers	Vinson
St. Germain	Steed	Waggonner
Santangelo	Stephens	Wallhauser
Saund	Stratton	Walter
Saylor	Stubblefield	Watts
Schadeberg	Sullivan	Weaver
Scherer	Taber	Weis
Schneebeli	Taylor	Westland
Schweiker	Teague, Calif.	Whalley
Schwengel	Teague, Tex.	Wharton
Scott	Thomas	Whitener
Scranton	Thompson, La.	Wickersham
Seely-Brown	Thompson, N.J.	Widnall
Selden	Thompson, Tex.	Williams
Shelley	Thomson, Wis.	Willis
Sheppard	Thornberry	Wilson, Calif.
Shipley	Toll	Wilson, Ind.
Shriver	Tollefson	Winstead
Sibal	Trimble	Wright
Sikes	Tuck	Yates
Siler	Tupper	Young
Sisk	Udall, Morris K	Younger
Slack	Ullman	Zablocki
Smith, Iowa	Utt	Zelenko
Smith, Va.	Vanik	

NAYS—0

NOT VOTING—32

Abernethy	Downing	Rivers, S.C.
Alexander	Fogarty	Roberts, Ala.
Andrews	Gary	Schenck
Bass, N.H.	Grant	Short
Battin	Griffiths	Smith, Calif.
Bennett, Mich.	Hoffman, Mich.	Smith, Miss.
Boykin	Jensen	Spence
Buckley	Jones, Ala.	Whitten
Collier	Lane	
Cooley	Mason	
Davis, James C.	Moulder	
	Rains	

So the bill was passed.

The Clerk announced the following pairs:

Mr. Cooley with Mr. Schenck.

Mr. Alexander with Mr. Hoffman of Michigan.

Mr. Spence with Mr. Bennett of Michigan.

Mr. James C. Davis with Mr. Collier.

Mr. Fogarty with Mr. Bass of New Hampshire.

Mr. Lane with Mr. Smith of California.

Mr. Downing with Mr. Short.

Mr. Abernethy with Mr. Mason.

Mr. Gary with Mr. Battin.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND REMARKS

Mr. VINSON. Mr. Speaker, I ask unanimous censent that all Members may have 5 legislative days in which to extend their remarks in the RECORD on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. McGown, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 5968) entitled "An act to amend the District of Columbia Unemployment Compensation Act, as amended."

SPENDING, DEFICITS, DEBT, AND TAXES

Mr. McSWEEN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. McSWEEN. Mr. Speaker, the President's foreign aid message of March 13 in which he asked Congress for $4.9 billion in foreign aid for next year has prompted me to rise to comment about our economic strength.

I am deeply concerned about the high rate of spending which causes budget deficits and inflation, an increasing national debt, and pressures for even more taxes. We will be obliged to borrow this money to spend on foreign aid.

Since World War II U.S. foreign aid has exceeded $101 billion and will rise above $106 billion next year. Net foreign aid, after allowing for loan repayments and foreign currency credits received for surplus farm products, totals $91 billion.

We pay interest of about $2.75 billion annually on this $91 billion portion of the national debt. So our actual total foreign aid cost for next year will be over $7.5 billion.

The enormity of the foreign aid tab is one of the reasons why I have never supported this program since I have been in Congress. While I certainly realize that some military assistance is essential to our security I feel strongly that we are squandering our national heritage at a rate beyond the danger point.

Our military might is vital to the free world, but this depends upon our solvency. Our fiscal situation is vulnerable. In the 15 fiscal years since World War II there have been 6 surplus years and 9 deficit years with a net deficit of $28 billion. The current fiscal year deficit will increase this figure to over $35 billion.

The Federal budget cannot be balanced in the foreseeable future unless the rate of increase in expenditures indicated by present proposals is curtailed. Nondefense expenditures have increased by 48 percent in the last 6 years until this year, while defense expenditures have increased only 15 percent.

I have been voting "no" on many bills having merit, not because I necessarily otherwise oppose these programs but because I am more concerned about our overall financial condition.

On February 20 I also voted against the bill to increase the national debt limit ceiling by $2 billion to $300 billion, although it passed 251 to 144. I understand there will be another proposal this year to increase the ceiling even higher.

I have concluded that the only way to reduce the debt is by a systematic and mandatory plan under which the budget must contain a specific item for an appropriation for debt retirement. I again call the House's attention to my bill, H.R. 6670, which would require as a start an annual 1 percent debt retirement appropriation. I find that the people back home are as concerned and disturbed about spending, deficits, debts, and taxes as I am.

PROGRAM FOR BALANCE OF THE WEEK

Mr. KYL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. KYL. Mr. Speaker, I take this time to ask the distinguished majority leader what legislative matters are scheduled for the remainder of this week.

Mr. ALBERT. Mr. Speaker, if the gentleman will yield, in response to the inquiry of the gentleman, tomorrow the conference report on H.R. 5968, amendments to the District of Columbia Unemployment Compensation Act, will be called up; and the bill S. 2533, a bill to amend the requirements for participation in the 1962 feed grain program, will be on the calendar. I know of no other business for the balance of the week.

Mr. KYL. Could the gentleman inform the House at this time when we might expect to vote on the major revenue bill?

Mr. ALBERT. Well, if the gentleman will forbear, I think the bill will come up next week, but I would prefer to wait until tomorrow to announce the program.

Mr. KYL. I thank the gentleman.

THE AMERICAN PEOPLE ARE NOT GENERALLY AWARE THAT THEY HAVE TWO GOVERNMENTS—AN ELECTED GOVERNMENT AND A BANKERS' GOVERNMENT

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, the Committee for Economic Development in a widely distributed statement has said that the lack of proper teaching of economics in our high schools and colleges has resulted in an "economic illiteracy" that is a growing national concern.

If it were not for this widespread illiteracy the American people would not tolerate for very long the present arrangement whereby their economic livelihoods are regulated through the money and banking system.

As to some aspects of the influence of governmental policy over economic activity in this country the general public does have some information. Most people are aware that the Government's fiscal policies have a great influence over their economic lives. They know that the Government's tax and spending policies can stimulate economic activity or dampen economic activity, and the national income, the level of business

profits, and the number of jobs available are affected thereby.

FED EXERCISES DISCRETIONARY CONTROL OVER SUPPLY OF MONEY

The general public is not generally aware, however, that the Federal Reserve authorities have complete discretionary control over the supply of money and the prices which will be paid for the use of money and that they exercise this discretion also to influence the level of economic activity, the rate of investment, the rate of consumer spending, and the percentage of the labor force which shall remain unemployed. In a money economy such as ours, those authorities who control the money supply and interest rates have the upper hand in regulating the economy.

IN NO OTHER MAJOR INDUSTRIAL COUNTRY DOES THE EXECUTIVE HAVE SO LITTLE INFLUENCE OVER OPERATIONS OF CENTRAL BANK

In the United States today we have in effect two governments regulating levels of economic activity. We have the duly constituted Government carrying out laws enacted by the Congress and the President and reviewed by the judiciary. Then we have an independent, uncontrolled, and uncoordinated government in the Federal Reserve System, operating the money powers which are reserved to Congress by the Constitution.

In no other major industrial country in the world today does the duly constituted government—the Chief Executive—have so little say and so little influence over the operations of the Nation's central bank.

How did this second government come about? Did Congress ever give the Federal Reserve authority to exercise discretion over the supply of money which the Nation will have or the level of interest rates which will be paid for the use of money? Did Congress ever give the Federal Reserve authority to try to influence levels of economic activity—either to try to dampen booms or to stimulate economic activity in periods of recessions? The answer is "no."

FED HAS USURPED POWERS

When the Federal Reserve System was set up under the act of 1913 Congress intended that the Federal Reserve would provide a system whereby the supply of money would be automatically determined by the volume of economic activity taking place, not by any discretion on the part of the Federal Reserve authorities, either currently or on the basis of the Federal Reserve people's forecast as to what the trend in business activity will be.

True, the Federal Reserve Act has been amended many times, but in none of these amendments has the basic conception of an automatic, nondiscretionary money system been changed. You will not find in the statute anywhere any words giving the Federal Reserve any authority to try to regulate the rate of investment, the level of consumer spending, the number of jobs available, or anything else. The Federal Reserve people have simply usurped this power. The Congress may appropriate money and the President may carry out policies to try to stimulate economic activity and reduce the large percentage of unemployment in the country. But the Federal Reserve can, and does at times, veto these policy decisions by the Congress and the President, adopting monetary policies which undo everything the policies adopted by the Congress and the President are intended to do.

More recently, the Federal Reserve people have gone further and usurped certain executive powers in the field of foreign policy. Let me give two instances.

FED SPECULATING IN FOREIGN CURRENCIES; MEETS WITH FOREIGN CENTRAL BANKERS

Last year, the Treasury instituted the program of speculating in foreign currencies. The purpose is to stabilize the value of the dollar abroad and to use these foreign currencies to relieve pressures on the dollar in any foreign country where such pressures may develop.

Beginning early this year, the Federal Reserve announced that it also is instituting a program to do the same thing. I am not finding fault with the purpose of either of these programs. They are for a good purpose and they may be successful. But I do point out that the President and the Secretary of the Treasury have responsibility for the international economic and financial policies of the United States, not the Federal Reserve System. The Federal Reserve System has moved into the field to duplicate and possibly conflict with the Treasury's program without any authority for doing so.

Secondly, the Federal Reserve authorities now meet regularly with representatives of certain large central bankers of other countries and agree on what is called a coordination of monetary policies. In brief, our Federal Reserve representatives meet monthly at Basel, Switzerland, and in cooperation with other central bankers decide what the monetary policies of the principal industrial countries of the world are to be. So the central bankers of Western Europe have a voice, and a kind of vote, in deciding such questions as what the supply of money, the level of interest rates, and consequently the level of economic activity in the United States, shall be.

I do not know how much longer the American people will tolerate this condition of having two governments of the United States, one authorized and one unauthorized. It has always seemed to me that there should be some way to coordinate the policies of these two governments, rather than having each go its separate way. I strongly suspect that if the American people gain some of the economic wisdom which the Committee for Economic Development is proposing they gain, steps will then be taken either to coordinate these two governments, or to put one over the other with proper responsibility for achieving a coordinated policy.

U.S.-FLAG CARRIERS

Mr. JARMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. JARMAN. Mr. Speaker, for years we have heard warnings that the U.S.-flag carriers are steadily being eased out of their position of preeminence in the field of aviation. Figures just released by the International Civil Aviation Organization, which are the latest available statistics, demonstrate alarmingly just how grave this situation actually is.

In 1946, just after the war, American-flag ships accounted for 60 percent of international airline traffic. By 1960—a scant 14 years later—foreign competition had taken such giant bites out of our share of international traffic that the morsel left for us had dwindled to an alarming 31.7 percent of the total. Latest figures just released show that in 1 year since, our share has again decreased by two whole percentage points—in just 1 year, mind you.

Down, down, down we go, not slowly and imperceivably, but in drastic, year by year, reductions so that soon, if the trend continues, we may be "also rans" in a field we pioneered, developed, and nurtured into a thriving multibillion-dollar enterprise.

No one can deny that once aviation, especially international aviation, got on its feet on a commercial basis, foreign competition was inevitable and we welcome it as a healthy stimulus. But we do ask not to be put at such disadvantage by lateral treaties and giveaway State Department policies so as to allow foreign carriers to overpower us and beat us over the head with American manufactured aircraft which they utilize to such prosperous advantage as they fly into, across, up and down, around, and out of our country on landing privileges we so gleefully grant them.

This, Mr. Speaker, is not necessarily the beginning of the end of our international air carriers. Given solid backing from their own Government, given more freedom to operate without homemade restrictions, our airlines can do the job according to the best tested American principles.

Indeed, Mr. Speaker, if our American-flag international carriers get the cooperation they need from their own Government—for more forceful representation in bilateral negotiations, for rapid consideration by the Civil Aeronautics Board of pending route cases, for a more sensible and tolerant appreciation of the gigantic task our oversea carriers perform—this could very well be the end of the beginning.

THE PEOPLE-TO-PEOPLE PROGRAM

Mr. ADDONIZIO. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. ADDONIZIO. Mr. Speaker during these times of anxiety and stress, we are keenly aware of the need for an increase in the contacts and cooperation between and among peoples all over the world. In launching the people-to-people program in September 1956, President Eisenhower called upon private citizens "to get together and to leap governments—if necessary, to evade governments—to work out not one method but thousands of methods by which people can gradually learn a little bit more of each other." Communication between ordinary private citizens of the United States and those of countries abroad—particularly those peoples who are enslaved by Communist governments—grows steadily more important in this diminishing planet.

A remarkable 10-year-old friend of mine, Peter W. Rodino III, has perceived with the wisdom of the young the imperative need for developing the sense of world community. Peter knows that peace and disarmament are problems too vast and too final to be adequately managed by governments alone. He believes that men should be peaceful and cooperative for the good of all, and he has concluded that a little-people-to-little-people organization would be effective in promoting international understanding and friendship.

Peter, like his distinguished father, our esteemed colleague, possesses vision and dynamism. He promptly conceived a plan of action for carrying out his idea. In his own words:

> Maybe Mr. Khrushchev does not believe the ordinary people in America and other countries really want him to stop the bombing. Maybe if a lot of children wrote him, he would believe it. If he gets a fallout of letters, he might stop the fallout of bombs.

Congressman RODINO has described his son's progress this way:

> So Peter wrote to Mr. Khrushchev. He talked about it with his chums. They wrote, too. And, as the idea spread, other children from beyond our neighborhood heard about it, and now many of them are writing. Parent teacher associations, Boy Scout groups and veterans' organizations are encouraging still more children to write. It is beginning to take shape as a real children's crusade.

I would like to express my support for the idea and for the expanded program which Congressman RODINO suggested and I congratulate father and son for their efforts to help men learn to live together in peace and harmony.

Our children, and the children of all the other countries, will inherit the earth. No adult, regardless of his or her claims to wisdom, has a greater interest in peaceful cooperation and mutual welfare than any child. And no adult has a greater responsibility than that of encouraging children to help shape the world which one day they will control. Nothing could be more basic to human nature, regardless of the nature of the society into which one is fortunate or unfortunate enough to be born. Knowledge, of course, is power. The greater our children's knowledge of the world becomes, the greater will be their opportunities and abilities not just to resolve international problems but to work out the difficulties of domestic living as well. Perspective breeds vision, and vision builds a better world; the program initiated by Peter Rodino III already demonstrates vision and is encouraging about the prospects of the future.

In his address before the Congress, Colonel Glenn told the story of Faraday when the great inventor was asked about the benefits of electricity. "What good is a baby?" Faraday replied. The question of course is unanswerable, because there is no measure of human value; it is one of our ultimates. There is no measure of the value of young Peter Rodino, either; he has expressed the hopes of all mankind and he is the hope of all mankind. Let us express our thanks to him and our faith in the human race, by supporting the little-people-to-little-people idea and helping him to make of it a saving reality.

DEPARTMENT OF STATE

Mr. WHITENER. Mr. Speaker, I ask unanimous consent to address the House for one minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. WHITENER. Mr. Speaker, there has been much criticism of the State Department in recent years. The American people have been more critical of the Department and certain foreign policy decisions it has made during this decade than at any other period in modern times.

The diplomatic reverses we have had and the constant pressure being exerted by the Communist bloc have, I regret to say, caused many Americans to lose confidence in the Department of State. This, of course, is a deplorable situation and indirectly plays into the hands of our enemies.

It is my belief, Mr. Speaker, that much of the criticism leveled at the Department of State would be eliminated if each national administration had the authority to place within the Department policy-level employees who would be immediately responsive to the philosophy of such administration in international relations.

We live in an era of rapidly shifting and changing economic, political, and social trends. The Secretary of State should have within his Department people who reflect his views on all international problems. I do not believe it is fair for a Secretary of State to be criticized for decisions made by a bureaucracy that has existed within the Department for many years and over which he, as the responsible officer, has no effective means of control. Hundreds of State Department officials are carried over from one administration to the other, and although they may not be in agreement with certain policy decisions of the Secretary of State, there is not much the Secretary can do about it.

In order to give the Secretary of State the authority to create the kind of organization that will reflect his foreign policy decisions I have introduced a bill that would permit the Secretary to make such changes in policymaking personnel of the Department of State as he deems advisable.

In general, my bill will permit the Secretary to select the personnel of the Department of State without regard to the Foreign Service Act or the Classification Act of 1949. The Secretary would be permitted to employ persons within the Department of State at his own discretion whose compensation is in excess of $8,000 per annum.

I do not believe that the enactment of my bill would do violence to the general application of our civil service system. The State Department is now concerned with nearly every facet of American economic, social, and political life. In addition to the conduct of our political relations with foreign nations, the Department is engaged on a wide front in trade, cultural, and economic assistance programs.

The very nature of the work in which the Department is engaged requires a great degree of latitude and flexibility on the part of the Secretary of State in selecting personnel for his Department. In order to give the Secretary the means whereby he can fulfill his responsibility to the American people we should permit him to have the authority of selecting people who will faithfully translate his directives into action. It is my hope, Mr. Speaker, that my colleagues in the House will join me in the support of the bill which I have introduced.

ARCHBISHOP WILLIAM D. O'BRIEN

Mr. LIBONATI. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. LIBONATI. Mr. Speaker, the calling to follow the churchly life of God's servants on earth was fully answered by Archbishop William D. O'Brien throughout his vocation. He rightfully belonged to it, embracing every one of its religious facets of knowledge and mastered in growing strength the splendor of Christian truths. It was through his efforts that the religious light of Christianity spread its doctrines over the masses living in the spiritual darkness of paganism.

Such a man was our archbishop, who walked in this new world to spread the gospel to the ignorant and untutored spiritually in the Western World. He answered the divine voice of Christ and carried his message into strange lands throughout the Northern Hemisphere. His brothers of the missions went everywhere in the United States and its possessions seeking to instill in others the acceptance of the teachings of the Savior. The religious of the home missions were the very heart and soul of Catholic education dedicated to bring "the Word" to mankind in fulfilling the request of Jesus Christ to the Apostles.

He was the backbone of the Catholic Church Extension Society movement for many years—as its leader since 1925. His was the severe responsibility of raising the alms to finance its operations. His love of this work imbued in others a burning desire to support its purposes—it was like a contagion, arisen from the threshold of his sacristy. Those who joined with him in this sacred mission knew that each was carrying out the most worthy of Christ's instructions for the sowing of the seed of Christianity.

If the human heart could be likened to Heaven, his many kind deeds had expanded its limitless capacity as a spaceful Heaven with no limit in harboring the increasing multitude of angels.

He fostered a larger Christian faith than that fixed by his worthy Catholic trust. He knew the future would reveal truths to us that would enlarge our understanding of the glories to come. He felt that all Christians would unite behind Christ's teachings; that the soul was our real self; that we would increase our religious knowledge of true divinity through our longings to attain the promise of heavenly grace in afterlife.

The archbishop, for many years, celebrated the Soldiers' Mass at Mount Carmel Cemetery, Hillside, Ill., on Memorial Day.

The veterans organizations assembled at the cemetery, marching together—unit after unit—to the mass site. The guard of honor, 4th degree Knights of Columbus, in uniformed attire, added dignity and luster to the military setting. The Youth Corps—Boy Scout Troops, Girl Scouts, the high school bands, and St. Phillip's Choir—under the direction of the Sisters religiose, contributed to this testimonial to patriotic and religious deliverance. The entire setting, typical of our patriotic American heritage, was realistically impressive.

Throughout these many years it was my privilege and honor, after the celebration of the holy memorial mass, to give the memorial address at the veterans memorial grave plot nearby.

The touching military ceremonies at the grave site, lowering of the colors, the resounding rifle shots breaking the absolute silence in honor of the dead and the scintillating notes of the bugler sounding "taps" at the graves, with the smothered echoes and soft lippings of the bugler in the distance, gave an eerie feeling of hollowness in one's entire being. And yet, the pride of being an American, to be able, with humility, to show deference and respect to the memory of the men who made possible the continuation of our way of life and the existence of the Republic.

And it stirred in one great pride in being an American and enjoying the protection of our institutions in a liberty-loving Nation whose leadership and strength protects all the liberty-loving nations of the world. These ceremonies meant so much to the archbishop. His patriotic devotion to his country was reflected in his every sermon throughout the years. His veneration of the honored dead gave an intense patriotic sparkle to his every word of praise. His feeling for their relatives and families in their saddened loss was cloaked in expressions of condolence and prayer. He asked that prayers be given for all the dead. That honor of the dead was like honoring themselves.

And now his death, on Monday, February 19, 1962, marks the passing of a great bishop in the life history of the Chicago diocese, covering almost a half century of activity in church affairs.

The people of the Central West loved this famous religionst. Regardless of faith, people contributed generously to the support of his missions. He was truly a great leader of humanitarian causes.

He grew up with the city of Chicago. For many years, since 1924, as pastor of St. John's Catholic Church, at 18th and Wentworth Avenue, he served his parishioners, among whom were numbered some of the early Catholic families of the Chicago archdiocese. He was born and raised on the near North Side, just across the Chicago River, north of the Loop. He enjoyed the respect and friendship of men both in high and low estate. He was a true Christian and loved mankind. He served the sinner and the respectable alike. He was a stickler for truth and could spot a phony at every turn. He was a loyal and understanding friend. The Roman Catholic Church and the people of the city of Chicago, State of Illinois, and the Nation, have lost a worthy bishop, a true servant of Christ and a compassionate religious leader of mankind.

The Members of the Congress from the State of Illinois lament the passing of a true Christian and a beloved leader, who preached and practiced the true values of Christian faith in mankind.

[From the Chicago Tribune, Feb. 20, 1962]

W. D. O'BRIEN, PRELATE, 83, DIES; RITES SET—EXTENSION UNIT HEAD SERVED 59 YEARS

Archbishop William D. O'Brien, 83, auxiliary archbishop of the Chicago Roman Catholic Archdiocese and president of the Catholic Church Extension Society of the United States, died yesterday in Little Company of Mary Hospital in San Pierre, Ind.

He entered the hospital January 30 after suffering a fall in the rectory of St. John's Church, 100 West 18th Street, where he lived. Associates said he became seriously ill Saturday night.

Funeral services for him will be held at 11 a.m. Saturday in Holy Name Cathedral.

Cardinal Albert G. Meyer, Roman Catholic archbishop of Chicago, in Rome for a Vatican conference, said: "His passing leaves all of us, particularly those of us close to home missions, with a sense of a great void. Because of his unique personality, he seems to be irreplaceable. For seemingly countless years, he symbolized the work of the home missions through a long priestly lifetime of devoted and dedicated service to the Catholic Church Extension Society."

DE PAUL PRESIDENT

Mayor Daley expressed his sorrow at the death of Archbishop O'Brien by saying: "The people of Chicago have lost a distinguished religious leader and a devoted Chicagoan, with the passing of Archbishop O'Brien. He was known throughout the world for his dedication to the service of his fellow man. His generosity, kindness, and enthusiasm made him loved by all."

The Very Reverend Comerford J. O'Malley, president of De Paul University, in a statement mourning the death of the archbishop, said: "His indefatigable labors were responsible for the building of hundreds of chapels throughout the United States and for bringing spiritual consolation to hundreds of thousands of persons. De Paul University appropriately considered him its most distinguished graduate."

Archbishop O'Brien's career linked some of the most important persons and events in the Chicago archdiocese's history.

Born on the near North Side, he attended the Kinzie School and the Brothers school of the cathedral. In 1899 he was one of a class of two members who received the first baccalaureate degrees conferred by St. Vincent's College, now De Paul University. Eleven years later De Paul granted him an honorary doctor of laws degree.

RISES THROUGH RANKS

The late Archbishop Quigley, for whom the archdiocese's preparatory seminaries are named, ordained Archbishop O'Brien in 1903 and named him assistant to the late Reverend Thomas Cox, founder of St. Basil's Parish, 1850 Garfield Boulevard.

Shortly after the Catholic Church Extension Society was organized in 1907 in Chicago, Archbishop O'Brien was made assistant to its founder, Msgr. Francis C. Kelley. As the society grew to become the largest home mission agency of the Roman Catholic Church in this country, he rose through its ranks to its presidency, which he assumed in 1925.

At his elevation to the dignity of papal chamberlain with the title of monsignor in 1924, he became the first priest to receive papal honors from the archdiocese's first cardinal, the late Cardinal George Mundelein.

The cardinal served as consecrator when Archbishop O'Brien was made a bishop in 1934 in his home parish, Holy Name Cathedral. In addition to being named an auxiliary bishop of the Chicago archdiocese, he was appointed titular bishop of Calinda, an ancient see, no longer in existence, that was believed to have been situated on the Indos River in Asia Minor.

ONLY ONE PASTORATE

During the celebration in 1953 of the 50th anniversary of his ordination, Pope Pius XII made Bishop O'Brien a titular archbishop, the first in this country of that rank who was not the head of a diocese.

The pastorate of St. John's Church was the only one he ever held. He was appointed to it in 1924 by Cardinal Mundelein.

Founded in 1859, the parish is one of the oldest in Chicago. The present church was built in 1877. Archbishop O'Brien often expressed pride in its architecture and history.

Although in recent years Archbishop O'Brien had relinquished the editorship of Extension magazine, the largest periodical of its kind in the country, and had given up other tasks as head of the society, he followed its activities closely and was in his office nearly every weekday until he entered the hospital.

Archbishop O'Brien is survived by a brother, Michael, of 5259 Sunnyside Avenue, and seven nephews and nieces, among them Sister Alice Rita, a teacher at Immaculata High School.

ARCHBISHOP O'BRIEN IS DEAD AT 83

The Most Reverend William D. O'Brien, president of the Catholic Church Extension Society and a near-legendary figure in the U.S. Roman Catholic hierarchy, died Monday at San Pierre, Ind.

The 83-year-old archbishop, who also served as auxiliary bishop of the Chicago archdiocese and pastor of St. John's Church at 18th and Clark, had been a patient for 3 weeks at the Little Company of Mary Hospital in San Pierre.

Until he was well past 80, the prelate had continued traveling throughout the United

States to dedicate the small chapels which the extension society erects for Catholic mission congregations.

A PRIZED WIT

With a long memory for humorous incidents in the lives of his church colleagues and an Irish wit to help in the telling, he was a sought-after speaker for clergy dinners and other events which added to his travels.

Advancing age had curtailed his activities recently and he underwent surgery for an intestinal disorder February 17, 1961, at Mercy Hospital, 2537 South Prairie.

He was hospitalized at San Pierre after he injured his elbow in a fall 3 weeks ago in the rectory adjoining St. John Church, where he had been pastor since 1924.

The Indiana institution was chosen to prevent the aging prelate from dressing and walking home in defiance of his physicians, as he had done occasionally while a patient at Mercy Hospital.

MASS AT CATHEDRAL

Requiem Mass will be offered at 11 a.m. Saturday in Holy Name Cathedral, State and Superior. Entombment will be in the chapel vault for archbishops of the archdiocese at Mount Carmel Cemetery in Hillside. Some years ago, Archbishop O'Brien had selected for himself a crypt there next to that of Samuel Cardinal Stritch, with whom he had served the church.

Albert Cardinal Meyer, now in Rome to attend a meeting of the central preparatory commission for the Second Vatican Council next autumn, will return to offer the funeral mass Saturday. The sermon will be given by the Most Reverend William E. Cousins, archbishop of Milwaukee.

Cardinal Meyer, archbishop of the Roman Catholic archdiocese of Chicago, said Archbishop O'Brien "because of his unique personality seems to be irreplaceable."

"He would wish no eulogy for himself," the cardinal added, "but rather would have us place our own lives continuously in the focus of that faith which he himself kept so well and would have us bring into the lives of others."

GRAVESIDE RITES

Because a large number of bishops from throughout the Nation are expected to attend, graveside rites will be in the mausoleum of Queen of Heaven Cemetery, across the road from Mount Carmel Cemetery where the entombment will take place.

The archbishop's body will lie in state Wednesday in St. John's Church, where a requiem mass will be offered at 10:30 a.m. It will lie in state Thursday and Friday at Holy Name Cathedral.

Surviving are a brother, Michael O'Brien, of 5359 West Sunnyside, and seven nieces and nephews.

The achievements of Archbishop O'Brien caused his name to be known in almost every U.S. town and village that has a Roman Catholic altar.

In recognition of his work in behalf of struggling parishes and mission chapels, he received in 1953 a papal honor never before accorded an American priest.

Pope Pius XII elevated him to the personal rank of archbishop. It was the first time in the history of the Roman Catholic hierarchy in the United States that the title was given an auxiliary bishop without a diocese of his own.

Archbishop O'Brien was born on the near North Side 83 years ago. He was baptized at Holy Name Cathedral; as a youngster served there as altar boy. Later, he was ordained there and still later the cathedral was the scene of his elevation to the episcopate.

His mother died when he was an infant and he was reared by a foster mother. She was present in a wheel chair in the cathedral in 1934 when her foster son was consecrated a bishop. When Bishop O'Brien was elevated to archbishop, Samuel Cardinal Stritch recited his early struggles to gain an education.

In 1899 he was one of the first two graduates of St. Vincent's College, now De Paul University. He prepared for the priesthood at Kenrick Seminary, St. Louis, and was ordained in 1903.

DECISION OF 1907

Archbishop O'Brien's career in the church was shaped by a decision he made in 1907. He was at the time on a 2-week vacation from the church to which he had been assigned. He was interested in the work of the Catholic Church Extension Society of America, which had been organized in Chicago 2 years earlier to raise funds for chapel missions in sparsely settled areas.

He decided to spend his vacation working in the society's office. The impression the young priest made resulted in his appointment to the staff.

In 1926, Pope Pius XI named the then Monsignor O'Brien president of the society. Subsequently he was reappointed by papal direction six times to 5-year terms and was serving the post at the time of his death.

He was also editor in chief of Extension magazine, official publication of the society.

Archbishop O'Brien was widely known abroad. The village of Saint Angelo Lodigiano in Italy, where Mother St. Frances Cabrini was born, was in 1960 renamed "O'Brien Cabrini" in recognition of the archbishop's efforts to gain canonization for the Chicago nun.

And because of his association with the Scalabrini Fathers in Chicago, the order's educational institution at Milan bears the name "College Scalabrini-O'Brien."

When he was elevated to the episcopate he was named auxiliary bishop of the archdiocese of Chicago and titular bishop of long-vanished Calinda, once a city in Asia Minor.

(When a prelate becomes an assistant to an archbishop it is the custom to also give him title to a diocese of ancient times. Pope Pius XII later elevated him to titular archbishop of Calinda.)

[From the Chicago Tribune, Feb. 21, 1962]

MEYER COMING HOME TO LEAD O'BRIEN RITES—FUNERAL SERVICES TO BE HERE SATURDAY

(By Richard Philbrick)

Scores of Roman Catholic bishops and other church dignitaries from throughout the country will attend the funeral of Archbishop William D. O'Brien at 11 a.m. Saturday in Holy Name Cathedral.

Archbishop O'Brien, auxiliary Roman Catholic archbishop of Chicago and for 37 years president of the Catholic Church Extension Society, died Monday in Little Company of Mary Hospital, San Pierre, Ind. He was 83 years old.

CARDINAL TO OFFICIATE

Cardinal Albert G. Meyer, Roman Catholic archbishop of Chicago, will return from Rome, where he has been attending a Vatican meeting, to be celebrant at the mass. The sermon will be delivered by Archbishop William E. Cousins of Milwaukee, vice chancellor of the Church Extension Society and a former Chicago pastor.

A mass for the archbishop which the society's staff, clergy, and other close friends will attend, will be held at 10:30 a.m. today in the archbishop's parish, St. John's Catholic Church, 100 W. 18th Street. Msgr. Joseph B. Lux, a vice president of the society, will be celebrant. Archbishop O'Brien had been pastor of the church since 1924.

The wake for him will begin immediately afterward and continue until 9 o'clock tonight. It will be resumed tomorrow in the cathedral and will continue until time for the funeral.

OFFICERS OF MASS

Among the officers of the requiem mass will be Monsignor Lux and Msgr. Kenneth O. Stack, another society executive, assistants at the throne; Msgr. Patrick Molloy, pastor of St. Leo Catholic Church, archpriest at the throne; Msgr. William J. Mulhollands of the society staff, master of ceremonies; the Rev. John L. May, another staff member, deacon; and the archbishop's secretary, Msgr. Joseph Cusack, subdeacon.

Entombment will be in a crypt next to that of the late Cardinal Samuel A. Stritch in the chapel vault for archbishops of the archdiocese at Mount Carmel Cemetery, Hillside.

THE GRAVESIDE PLANS

Cardinal Meyer will preside at the graveside rites. They will be held in the mausoleum of Queen of Heaven Cemetery across the street from the place of interment.

Messages from hundreds of church leaders and Chicago civic officials yesterday paid tribute to the devotion and skill of Archbishop O'Brien in carrying out missionary work of the church.

Cardinal Meyer said of him that "he symbolized the work of the home missions through a long priestly lifetime of devoted and dedicated service * * *. To his brother bishops he was Extension."

[From the Chicago Daily News, Feb. 2, 1962]

ARCHBISHOP O'BRIEN REQUIEM OFFERED—CARDINAL MEYER TO GIVE SECOND MASS FOR SATURDAY

A solemn requiem mass was offered for Archbishop William D. O'Brien Wednesday at the altar of old St. John's Church where the archbishop has said mass and served as pastor since 1924.

Another solemn mass will be offered at 11 a.m. Saturday in Holy Name Cathedral by Albert Cardinal Meyer.

"I will go to the altar of God, to God the joy of my youth," Msgr. Joseph B. Lux intoned as he began the mass for his longtime associate.

The children's choir of St. Anthony's elementary school sang at the mass.

Also present were Archbishop O'Brien's brother, Michael, his seven nephews and nieces, the Most Reverend Cletus O'Donnell, auxiliary bishop and vicar general of the Chicago archdiocese, and about 75 children clad in the blue and white uniforms of the St. Teresa's Chinese Mission elementary school.

Archbishop O'Brien, who died Monday at the age of 83, was auxiliary bishop of Chicago and president of the Catholic Church Extension Society.

He will lie in state at St. John's, 100 West 18th Street, until Wednesday night when he will be moved to the Cathedral to lie in state until the mass Saturday.

Archbishop O'Brien will be interred, after the mass Saturday, in the chapel vault for archbishops at Mount Carmel Cemetery in Hillside.

[From the Register, Mar. 4, 1962]

ARCHBISHOP WAS HEART OF EXTENSION SOCIETY

CHICAGO.—The late Auxiliary Archbishop William D. O'Brien was "the living breathing heart that ceaselessly pumped energy into" the Catholic Church Extension Society of America, Archbishop William E. Cousins of Milwaukee declared at the pontifical requiem mass offered for Archbishop O'Brien in Holy Name Cathedral, where he was baptized, confirmed, ordained a priest, and consecrated a bishop.

Cardinal Albert Meyer, Archbishop of Chicago, flew home from Rome to officiate at the mass.

"His love for the home missions was not a sterile, unproductive thing," said Archbishop Cousins. "His enthusiasm for the cause generated a similar feeling in those with whom he associated."

BEGGAR FOR CHRIST

He never stepped out of his favorite character, that of "beggar for Christ," the Milwaukee prelate said.

A message of condolence was sent in behalf of Pope John XXIII by Cardinal Amleto Cicognani, Papal Secretary of State.

Pope John recalled Archbishop O'Brien's "many selfless years dedicated to intense apostolic activity in behalf of the home missions," and extended his sympathy and blessing to the people of the Chicago Archdiocese.

Cardinal Cicognani expressed his "personal condolences" and prayers "for one * * * who served the church so well and so devotedly for so long a time."

Archbishop O'Brien had been president of the Catholic Church Extension Society since 1925 and an active worker in its efforts since 1907.

The Catholic Church Extension Society assists rural and mission areas in the United States and its possessions with the building of churches, chapels, schools, convents, and other institutions.

"Humanly speaking," said Cardinal Meyer, "his passing leaves all of us, particularly those of us close to the cause of the home missions, with a sense of great void. Because of his unique personality, he seems to be irreplaceable. For seemingly countless years, he symbolized the work of the home missions through a long priestly life of devoted and dedicated service to the Catholic Church Extension Society. To his brother bishops, he was Extension."

Archbishop O'Brien died at the age of 83 in the Little Company of Mary Hospital in San Pierre, Ind.

THE UNHEALTHY AGED AND WHAT WE CAN DO ABOUT THEM

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MULTER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. MULTER. Mr. Speaker, the Congress has been asked to consider a bill—H.R. 4222—which would provide health benefits for the aged under the social security system. There is no question in my mind that this is the proper approach to a problem that is growing worse daily and one which we must do something about now.

It is not surprising that approximately 70 percent of all of those polled in any single one of the many opinion surveys taken on this subject are in favor of some plan for assisting our aged population in paying for their medical expenses without losing their dignity and self respect. It is interesting to note that about the same percentage was also in favor of paying increased taxes, if necessary, to support such a program.

On February 5, 1962, the New Republic published an article by Christopher Jencks called "The Unhealthy Aged." In this article Mr. Jencks says:

In Aldous Huxley's brave new world geriatric problems were to be solved by putting the aged out of the way with pills when they reached 65. But timid old America is too soft-hearted for that; we may resent the aged as burdens on our pocketbooks and our consciences, but we find it easier to ignore these unproductive citizens than to liquidate them.

Ignoring the aged is, however, becoming increasingly difficult. In the good old days back around the turn of the century most people died of natural causes before reaching retirement or senility. Only 4 percent of the population was over 65, and most of these individuals lived either on farms where they could milk cows, watch babies, and tell tall tales, or else in immigrant ghettos where younger brothers, sisters, children, nephews, or even grandchildren felt obliged to take care of them.

But today the farm and the ghetto are vanishing. Young men move out of their parents' home when they marry, to settle in new neighborhoods in keeping with their youthful, middle-class, all-American self-portrait. Few want to carry their crochety and unadaptable parents up the social ladder on their backs. And if, as often happens, their climb ends in a suburb thousands of miles from their hometown, many find their parents unwilling to follow even if invited.

What happens to those superfluous and unwholesome individuals who outlive their economic usefulness? Those who will not, like the Eskimos, go out in the snow to die? Today they number 9 percent of the population—nearly 17 million individuals. About 2 million live on farms. Another 2 million or so live with younger relatives in the cities. For the great majority, however, these traditional accommodations are not available. Eight million old people are married and living with their husbands or wives. Nearly 4 million live alone or with nonrelatives. Half a million are institutionalized.

How do they support themselves? About 12 million are now covered to some extent by social security, providing benefits up to $30 a week. Several million have some kind of company pension—usually $15 to $25 a week. Several million receive public assistance. Several million still have jobs. Half have $1,000 or more salted away in the bank against an emergency. (It takes about $1,000 to get buried in most American cities.) All these arrangements, however, only produce a per capita weekly income of slightly over $20 among those over 65. Unfortunately, the Bureau of Labor Standards estimates that if a retired couple is to rent an apartment with hot water and a toilet that flushes, eat a balanced diet, pay typical medical bills, and meet other unavoidable expenses, they will need from $50 a week (in Houston) to $65 a week (in Chicago). Few retired couples have that much money, and still fewer widows have enough to keep going. As a result 5 million old people live in substandard housing—although many have the satisfaction of owning their own slum. More than 5 million are malnourished—although few are actually starving. An estimated 4 to 6 million have untreated medical symptoms—although few critically ill individuals are denied hospital care for lack of funds.

What can be done for these men and women, the unwanted byproducts of national health and affluence? Ideally, many should be given jobs as babysitters, custodians, apartment house switchboard operators, and at a dozen other inactive posts which would at once provide something to do and something approaching an adequate standard of living. But old people can't find jobs. Today even the young and healthy cannot find jobs unless they have skills and a future. The old usually have neither.

Alternatively, social security could be substantially increased. It is preposterous that a steelworker should take home $120 a week until he is 65 and then be suddenly reduced to $45 a week.

Mr. Jencks then asks us here in Congress if we are willing to allow these conditions to continue when the social security approach would solve most of these problems and predicts that passage of the King-Anderson bill will be most difficult. Because of the failure of Congress to act in this area, Mr. Jencks points out that social agencies and others concerned with the aged have attempted to provide at least medical care. It is not, however, available to the majority of these people.

Continuing, Mr. Jencks writes:

The average person over 65 spends 12 percent of his annual $1,000 income on doctors, dentists, drugs, and so forth. If he gets so sick that he has to go to the hospital, which he normally does at least once during his retirement, he will get an average bill of $700. That puts quite a hole in his savings. In fact, it liquidates his savings in almost half the cases, so that he must beg from relatives or borrow from banks. In about one case out of five, he (or more often, she) must go to public welfare or charity agencies for help.

Some people spread these costs out over the years by buying health insurance. But such insurance obviously cannot be cheap. Insurance companies are in business to help the stockholders, not the aged, and adequate hospitalization policies cost about $100 per person. Only about a third of the aged can afford such a policy. Another sixth have cheaper and less adequate coverage, which pays less than three-quarters of their hospital bills. Eight million people have no insurance, and of course these 8 million also have the most meager private resources.

If the 8 million uninsured turned to charity or public assistance, there would be relatively little cause for alarm. But they don't. The forms are long and complex, the welfare workers often unpleasant, the means test frequently unreasonable, and the charity wards crowded. Many who lack insurance simply don't see doctors or enter hospitals until it is too late to help them. Uninsured old people now get a third less care than those who are insured. The American Medical Association, however, endorses estimates that if hospital care were free the aged would eventually require nearly twice as much attention as they now get. To the American Medical Association this indicates that free care is impractical, but others understandably draw different conclusions. (There is much talk about unnecessary medical care, but not even the worst hypochondriac can be admitted to, or remain in, an American hospital unless a doctor certifies that he needs treatment there.)

What can be done? As already indicated, there are, broadly speaking, two alternatives. We can either try to create the kind of society in which the aged have enough money of their own to take care of themselves privately, like most younger people, or we can let their children take care of them through social security, general taxes, or charity. The American Medical Association, the private insurance companies, and most conservative legislators would like to see us work toward the day when every retired man and woman could afford private medical care. Unfortunately that day is not just around the corner. Adequate noncancellable hospital insurance, plus typical doctors', dentists', and druggists' bills are about $250 a year for those over 65. These individuals' income is now only $1,000 per year, and it is not rising as fast as the cost of medical care. It will be a very long time before most old people can afford to devote a quarter or more of their incomes to medical care. In the meantime a lot of our parents and grandparents will have suffered and died needlessly. Is the principle of private enterprise worth that much unnecessary grief? Doctors, inured over the years to pain and death, may think so. But those who see the aged primarily

as friends and relatives, rather than temperature charts, may feel otherwise.

The only way to avoid this suffering is to provide free insurance or free care for those who can't afford to pay. This is the aim of the Kerr-Mills Act, passed in 1960, which offers matching funds to States which provide free care to the "medically indigent." (Almost all States already provide free care to those completely indigent individuals who receive old-age assistance.) Unfortunately, only about half the 50 States have taken up the Kerr-Mills offer. And most of these States provide benefits only to the very very poor, and inadequate benefits even to them. Furthermore, there are many old people who would rather suffer than turn to public assistance. The number of people whose diseases are still not being properly treated runs into millions.

The King-Anderson bill, currently supported by the administration, would be an extension of the Social Security Act. It would be financed initially by increasing the taxable wage from $4,800 to $5,000 (or $5,200 under revised estimates), and by raising the social security tax for both employers and employees by 0.25 percent. As medical costs climb, as poor people get used to seeing doctors and entering hospitals when sick, and as charitable organizations and local governments shift their support to other areas of need, the social security rate might have to be increased another 0.1 or 0.2 percent for both employers and employees. The bill would cover 80 percent of those now over 65, and 95 percent of those reaching 65 in the future. (Farmers, teachers, shopkeepers, and others who retired before social security was extended to their jobs would, for no very good reason, be excluded. Federal and local government employees, who are not covered by social security even today, are never expected to benefit.) The payments for hospital bills would be generous, although not generous enough to solve the problems of those with really catastrophic prolonged illnesses. (Unlimited coverage would probably increase the social security rate another 0.1 percent.)

IS THE KING-ANDERSON BILL SOCIALIZED MEDICINE?

If passed, the bill would increase the Federal share of the Nation's $23.5 billion annual medical bills from $6.9 billion to $9 billion, and would mean that the average hospital drew more than 20 percent of its income from the Federal Treasury. The Social Security Administration would acquire a voice in setting hospital and sometimes doctors' fees. But no change in the relationship between doctors and patients, their free choice of doctors and hospitals, or the control of the doctors over medical methods, is foreseeable. This may or may not be socialized medicine. The only certainty is that if socialized medicine, in this sense of the word, works as badly as the American Medical Association claims, it will never, as the American Medical Association fears, be extended to those under 65. If, on the other hand, the experiment cuts the mortality rate among the aged as low as it is in Canada and Scandinavia (the myth that America has the best medical care in the world applies, unfortunately, only to the rich), then perhaps the scheme will be extended.

After this discussion of the supposed socialistic tendencies of the social security approach, Mr. Jencks suggests that President Kennedy go on nationwide television and appeal to the public for support of this program. He discusses possible compromises that may come out of the Ways and Means Committee if that committee does report a bill this session:

Compromises have also been suggested, aimed at placating the American Medical Association, the big insurance companies, and the hospital administrators. The American Hospital Association has urged, for instance, that the social security tax be increased in order to buy everyone a Blue Cross policy.

"Yet even the passage of the King-Anderson bill would barely scratch the surface of the real problem: what can be done to make the years after 65 something more than a dreary anticlimax to the years before? Proponents of medical care should remember that the largest single medical problem confronting the aged is mental illness. What the aged need, more than any quantity of free surgery and drugs and beds, is a way of life which makes survival and health seem worthwhile."

A practical discussion of a practical program to provide medical assistance where it is most needed: among our aged and aging populations.

Mr. Jencks' defense of the proposed Health Insurance Benefits Act, to give the King-Anderson bill its proper name, evoked a response which was quite predictable.

On March 12, 1962, the New Republic published that response with Mr. Jencks' reply. The American Medical Association's vehement opposition to this bill has not lessened one bit even in the face of the obvious support of the American public.

I commend the American Medical Association president's comments on Mr. Jencks' article, and Mr. Jencks' reply, to the attention of our colleagues, Mr. Speaker, in the belief that if we give the widest possible publicity to this issue we will find that our constituents—the American people themselves and not the American Medical Association—will support the President and the leadership in the Congress. The March 12, 1962, article follows:

MEDICAL CARE FOR THE AGED

(By Leonard W. Larson, M.D.)

I would like to make a few comments about Mr. Christopher Jencks' February 5 article in the New Republic, "The Unhealthy Aged." The American Medical Association's opposition to using the social security system as a mechanism for supplying medical care to the aged is not based on any indifference to the health needs of our older citizens. We believe that existing needs can be met, and met fully, without recourse to a program that could lower the high standards of American medicine and financially drain both the social security system and the wages of every working American.

As Mr. Jencks points out not all the aged are ill and not all the aged are indigent. We do not see great wisdom in a blanket increase of social security taxes to assist millions who need no assistance at all. Instead, we see political expediency. If the King-Anderson bill were passed the taxable wage base for every working American would be raised from $4,800 to $5,200. By 1963, social security taxes would total $406, a 30.9 percent increase over 1961's $288. By 1968, under existing provisions for social security increases, the annual bill would jump 76 percent to $507. And these figures are firm only if the Department of Health, Education, and Welfare's cost estimates hold true. HEW pegs the initial cost of King-Anderson legislation at a little over $1 billion annually; non-Government actuaries say it could easily cost twice as much.

Another factor ignored by proponents of the bill concerns some important changes in our population makeup. Now, 1 out of 12 persons is over 65; 10 years from now 1 out of 10 will be in this age group. Furthermore, Government population projections predict a serious imbalance in our labor force within the next decade. Today, about 57 percent of the population is between the ages of 20 and 64; but in 20 years only 43 percent will be in this age group.

Thus, there will be fewer working Americans paying taxes to social security to support a greater number of retired persons. By how much more will social security taxes have to be increased to cover existing benefits plus the additional financial drain for medical care? HEW and the administration have never told us. Instead, we are led to believe that the increases outlined now will suffice for future generations.

What, then, are alternatives to social security? One is the Kerr-Mills bill passed in September 1960 and now being implemented in 38 States. This legislation is designed to provide comprehensive medical coverage for all persons over 65, regardless of their social security status, who need help. Kerr-Mills supplies medical assistance through two channels. One is the medical assistance to the aged (MAA) program which provides help for those aged persons who can meet normal living expenses but have trouble with medical expenses. The second phase of the law provides Federal matching funds to States wishing to expand the scope of medical benefits for the aged already on the old age assistance rolls.

Another medical aid supplement is voluntary insurance. Over 53 percent of the elderly now have some type of health insurance, and by 1970 insurance actuaries estimate that 80 to 90 percent will be covered. Since Mr. Jencks' article went to press, the American Medical Association and the National Association of Blue Shield Plans announced a comprehensive, nationwide Blue Shield program of surgical and medical benefits for the aged. The program should be operative by this spring at an estimated $3.20 monthly premium. Other private insurance companies are also offering multi-benefit programs at moderate costs.

Mr. Jencks and the American Medical Association are in firm agreement on the most important facet of helping our senior citizens. As he points out, "What the aged need is a way of life which makes survival and health worthwhile." We need to find ways of making the aged's life more meaningful and more productive. We do not need to make them dependent on a paternalistic government for subsistence and care and we cannot afford to tie their health needs to a system traditionally controlled by politicians.

REPLY BY MR. JENCKS

Although Dr. Larson is in a better position than I to know what will and what will not lower the standards of American medicine, I have seen no evidence, and he offers none, that the passage of the King-Anderson bill would do what he predicts. I would not have thought that a physician's standards of competence would be influenced, one way or another, by how medical care is financed. Moreover, no one is proposing that doctors become state employees. Hospital bills of aged patients would be paid in much the same way under King-Anderson as they are paid under Blue Cross. And although organized medicine once frowned on Blue Cross, it does not now.

Neither do I see how the passage of the administration's bill would drain the social security system, since actuarial estimates by the Social Security Administration indicate that the proposed 0.5-percent increase in social security taxes and $4,800 to $5,200 increase in the social security tax base would make the program self-supporting. If the program costs more than anticipated, which it certainly might, further rises in social security taxes will be authorized, but the social security account will not be drained.

To say that passage of the King-Anderson bill would drain the wages of every working American also seems to me misleading. It is hospital bills themselves which drain pocketbooks. I believe that most Americans would rather have their wages drained $1 per week throughout their working lives, in what amounts to an obligatory savings plan, than have $500 to $1,500 at a time drained from their retirement-depleted bank accounts. I may be wrong in this judgment of the popular temper, but Dr. Gallup's inquiries support me.

Dr. Larson conveys the impression that the King-Anderson bill would cost much more than a dollar a week; he alludes to a social security rise from $288 to $403 per year. Most of this increase, however, has nothing to do with the King-Anderson bill; it will be caused by paying higher retirement and disability benefits to more people. Furthermore, only the 29 percent of the working population earning $100 or more per week will pay even a dollar per week for King-Anderson benefits; the more typical American wage earner, getting $70 per week, would pay only an additional $0.35 per week for coverage. And of course only half this contribution will come from the worker's wages; the other half will come from employers.

There is no doubt that the growing proportion of the population over 65 will increase the cost of social security as Dr. Larson says; indeed, much of the 76 percent increase between 1961 and 1968 mentioned by him stems from just such trends. Medical care for growing numbers of old people will be expensive. But it will be no more expensive to finance this care through the King-Anderson bill than privately—unless, of course, private care saves money by discouraging some people from seeking treatment they need. There is considerable evidence that this now happens, but I am sure Dr. Larson is as unhappy as I am about this kind of economy.

Although Dr. Larson says that the Kerr-Mills Act is now being implemented in 38 States, most of these States contemplate wholly inadequate programs. In some States, enabling legislation has not even passed the legislature; in some, no appropriation has been made to implement legislation; in some, the means test is so severe that only a few hundred people benefit; in some, benefits are so meager that beneficiaries still have to borrow from children or charity to pay hospital bills. Only in Massachusetts, New York, and Michigan does the Kerr-Mills legislation now approach adequacy, and it seems to me unlikely that more than a dozen States will ever match these three.

Although there are millions of old people who now buy private hospital insurance, it is an overstatement to say that they do not need coverage under King-Anderson. In the first place, the bill would provide broader and better coverage than the private insurance policies most elderly people can afford (especially because King-Anderson coverage could not be canceled when the beneficiary got sick). In the second place, even those who now have private policies which give them more protection than the King-Anderson bill proposes would in most cases be only too happy to cancel these policies, pay for hospital care through social security, and spend the saved income in other ways. (One way they might spend the money is on Blue Shield coverage for doctor's bills, referred to by Dr. Larson. The King-Anderson bill would, like Blue Cross, cover only hospital bills.) There are, of course, some retired people who really don't need any help if they become sick, people who have so much money that they do not find private insurance a burden. But even they will lose nothing by the passage of the bill, since they would buy hospital insurance anyway. The only real losers will be those few private insurance companies which now deal extensively with retired clients.

Private insurance will probably cover a growing percentage of the aged population if the King-Anderson proposal is killed. But unless social security payments increase sharply, or insurance salesmen begin to push policies paying only a fraction of hospital bills, the insurance industry seems to me unlikely to corral 90 (or even 80) percent of the over-65 market by 1970, as Dr. Larson predicts. If there were convincing evidence from either American or European experience that private insurance worked better than government insurance, it might be worthwhile to sacrifice the uninsurable and the impoverished for the general welfare. But I have been unable to find any proof that federally financed insurance (that is for military dependents and retired Federal employees) works any less satisfactorily than private insurance. Why should it be expected to work out badly in this case? Is a system controlled by politicians really less likely to meet public requirements than a system controlled by the directors of insurance companies? If so, an important new principle of political science has been discovered.

CHRISTOPHER JENCKS.

THIS RECORD I HAVE MADE—I STAND ON IT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. DOWDY] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. DOWDY. Mr. Speaker, for some time I have observed the "rating" of Members of Congress by certain organizations, particularly ADA and COPE. These radical leftwing groups condemn the voting records of myself and other Members of Congress.

I feel that the people of the United States should have an opportunity to see in one place, the example of a voting record which those self-appointed critics say is totally wrong. Any Member of Congress could do the same, but I will use only my own record. Each reader can judge for himself that my votes are in the interest of the people, and pause to consider just whose interests the ADA, and so forth, are really serving. It should be borne in mind that these radicals claim the following record to be 100 percent wrong:

I was House author of the bill to prevent sabotage of national defense communication facilities. This was on President Kennedy's 1961 must list, and became Public Law 87-306.

I cosponsored legislation, also on the must list and enacted, providing penalties for hijacking aircraft.

I authored one and cosponsored others of a series of anticrime and antiracketeering bills on the must list.

I have consistently fought for an invincible national defense, believing we should be fully prepared to repel any combination of enemies.

I have opposed all proposals which would disarm us, or weaken our defense posture.

I support the highway program, as aiding the defense effort.

I support the airport program, as aiding the defense effort.

I have opposed back-door financing, on the conviction that Congress should control the purse strings.

I supported the missile and antimissile missile programs, and the space program under the National Aeronautics and Space Administration, and appropriations therefor. Under these programs, our advanced system of missiles and space probings have rapidly progressed. I believe our national defense would be well served by the development of an antimissile missile, to intercept enemy missiles before they could reach us.

I voted to prevent the distribution of Communist propaganda through the U.S. postal system.

I consistently vote against giving assistance to Communist countries through foreign aid gifts, or otherwise.

I consistently vote against granting recognition to Red China.

I support the House Committee on Un-American Activities, and vote against every attempt to abolish it. I do not court popularity with the anti-anti-Communists.

I voted against packing the Rules Committee.

I supported extending unemployment compensation for the alleviation of need during the recessions.

I voted for the minimum wage bill passed by the House.

I voted for the improvements in the social security program, and to improve old-age assistance and disability programs.

I supported the resolution to impose sanctions on Castro's Cuba.

I supported the authorization for new missiles, aircraft, and naval vessels for the Armed Forces.

It was on my request that Congress appropriated the money for the comprehensive survey of the Trinity River for overall planning to fully develop the Trinity.

I continually and consistently oppose the surrender of congressional powers to the executive, as being detrimental to the interest of the people.

I oppose Federal control of education.

I support separation of church and state.

I support local control of local affairs; consequently, I oppose attempts to impose Federal controls over such affairs.

I oppose the foreign aid programs. It wastes our resources, and also does more harm than good. The excuses given for foreign aid are that it buys friends and that it buys peace. Peace cannot be bought, but can only be guaranteed by a strong defense capability. Friendship cannot be bought with gifts or bribes. The failure of foreign aid is evident; when we started the program, communism controlled about 6 percent of the world's population; now, after $135 billion of foreign aid, communism controls about 35 percent of the world's people—and many of those Communist-controlled countries are still receiving our gifts, and using them adversely to our interests. Furthermore, we have reached the point in our financial condition that we are now borrowing from foreign countries some of the money that we are giving to them.

I sponsor legislation to ban obscene and indecent literature, and several of my proposals dealing with mailing obscene matter have been enacted into law.

I support equal rights for women.

I voted for the resolution to veto the proposed Department of Urban Affairs; such a bureau would have established Federal control over all actions and decisions of every city, town, and hamlet in the United States. I support local controls.

I support permitting American farmers to produce as much as they can of the sugar we use, rather than paying a premium for imported sugar. It would take hundreds of thousands of acres out of the production of surplus crops in the United States.

I supported and voted for the appropriations for aircraft, missiles, and vessels for the Armed Forces.

I voted to repeal the transportation tax on people. Many folks do not have automobiles and must travel by bus or other public transportation. The 10 percent tax on the bus fare is a tax on poor people, and should be repealed.

I support and vote for the bills which would protect local and States' rights, as well as individual rights, from being overridden by the U.S. Supreme Court. The judiciary should not be permitted to legislate.

I am opposed to deficit spending, and vote against the annual, and often twice-annual increase in the national debt limit. Fiscal responsibility demands that the Government live within its income, yet year after year, the debt increases. A family could not get away with such extravagance—neither can a government.

I voted for the law to provide a program for the nationwide eradication of hog cholera.

I voted for the act to permit farmer participation in the development of farm programs.

I voted for the 2-year extension of the impacted area school act and the National Defense Education Act.

I voted to strengthen the Subversive Activities Control Act by requiring the registration of persons disseminating political propaganda as agents of a foreign principal.

I support and vote for bills to provide more equitable compensation, pensions, and hospital care for our veterans.

I support the REA, which has made electricity available to farm homes.

I support the FHA and the veterans' loan programs, so more people can own their homes.

I supported and voted for the Landrum-Griffin labor bill, after my amendment was adopted to limit the powers granted to Federal bureaucracy which would have been injurious to the honest rank-and-file union members.

This law protects union members and the general public from tyranny, exploitation, racketeering, and embezzlement by unscrupulous labor bosses who have bludgeoned their way into the union movement, and gives the members a voice in their union affairs. Since its enactment, exconvicts have been removed from positions of union leadership.

I supported and voted for the bill to establish rules of interpretation which would be binding on the U.S. Supreme Court in cases concerning questions of the effect of acts of Congress on State laws. This bill would have protected State laws from the whims of the members of the Supreme Court.

I voted for the bills to set aside the Mallory rule adopted by the U.S. Supreme Court, under which rule self-confessed murderers, rapists, and other offenders are set scot free to repeat their offenses.

I voted for the use of farm surplus foods to assist needy Americans. This is in line with my voting for the people, and my belief that we should take care of our own.

I voted for the program of disposal of our agricultural surplus through barter with foreign nations, trading it to them for something we could use, rather than giving it to them.

I oppose and vote against proposals to grant more powers and controls to Federal bureaucracy and centralized government.

I oppose and vote against proposals to give bureaucratic control over individuals and localities. Controls destroy the God-given freedoms which have made us a powerful and strong nation.

I voted for the bill to provide for the development and modernization of navigation and traffic control facilities to serve the needs of civil and military aviation.

I voted for the adjustments of the basic compensation of officers and employees of the Federal Government.

I voted to establish the Air Force Academy, and also strongly supported the effort made by some of us to have it located in Texas.

I voted for adjustments of basic pay for officers and enlisted members of the uniformed services.

I voted for the law to improve and strengthen the national transportation system.

I support and vote for the special milk program for children.

I support and vote for the school lunch program.

I voted for the bills to establish rules governing questions of the effect of acts of Congress on State laws, the purpose being to protect the rights of the several States to enact and enforce their own internal laws.

I voted for the bill to relieve farmers from excise taxes on gasoline and fuels used for farming purposes, in line with my policy of voting for the benefit of people.

I consistently vote for funds for expenses of the Committee on Un-American Activities, to further its efforts to protect our Nation from communism and subversion.

I vote for the bills to take the Government out of competition with people in business.

I support the bills to require uniformity of procurement practices in the armed services, to eliminate duplication, waste and exorbitant prices.

I voted for the brucellosis eradication program.

I support the bills to strengthen the antitrust laws, to preserve competition, and to secure equal opportunity of all persons to compete in trade or business.

I voted for the bill requiring an annual review of military personnel requirements.

I voted for the bill to return Texas title to the Tidelands, thus setting aside the effort of the Supreme Court to take from us the property we had dedicated to our Texas schools.

I supported and voted for the effort to amend the Trade Agreements Extension Act to provide adequate protection for American workers, miners, farmers and producers; again, I was voting for the people, and against special interests.

I voted for the act having for its purpose to preserve small business institutions and free, competitive enterprise.

I consistently vote to preserve the Walter-McCarran Act, in order to keep undesirable aliens from flooding our country, and taking American jobs.

I voted to keep the Texas national forests intact. Proceeds from timber sales help support school districts and county governments, making tax rates lower on individuals.

I voted to increase the personal and dependency exemptions for income tax purposes. The bill lost, but I followed my policy, and voted for the people.

I voted to authorize use of information intercepted in national security investigations in the trial of subversives.

I voted to increase the amount of earnings permitted without loss of social security benefits.

I voted for social security benefits for the disabled.

I voted for the provisions to permit men and women to elect to draw social security benefits at age 62.

I support strengthening the laws relating to espionage and sabotage.

I supported and voted for education and training benefits for veterans.

I supported and voted for the bill which repealed many of the so-called nuisance excise taxes. This was a vote for the people.

I voted for the bills to improve the Railroad Retirement Act.

I voted for the manpower and training bill, to relieve unemployment.

I voted for the bill to outlaw the Communist Party and to prohibit members of Communist organizations from serving in certain representative capacities.

I supported the bill to prohibit payments of Government annuities and pensions to any person convicted of an offense against the security of the United States. Alger Hiss was a prime reason for the act.

I opposed the creation of a Disarmament Agency while we are trying to build an invincible defense force. We should not be dissipating our energies and resources by creating conflicting forces in our Government.

I supported the grants to the States to provide assistance for construction of nursing homes and health services for the aged and chronically ill.

I supported the program to provide more trained teachers for deaf children.

I support the programs for soil, water, and other resources, conservation, and flood control.

I vote for the people, and against the alien philosophies, by whatever name their adherents call themselves, which are adverse to the interests of America.

I voted to guarantee the right of trial by jury in Federal courts.

I have responded to every community request for assistance in its economic development, and its dealings with the Federal Government.

I have aided thousands of individuals in the presentation of their claims and problems to departments of governments.

The above list could be multiplied, but will be concluded with a few general principles. I support a realistic foreign policy based on the interests of America, rather than trying to "buy" friends; I vote for economy in Government: for curbs on inflation; for military procurement by competitive bid to save billions of dollars for the taxpayers; I oppose unwise spending, high taxes, and a big public debt that mortgages our children's future.

I support the right to own property, even if it is just the clothes I wear. The disciples of the alien thought, which says I am 100 percent wrong, would deny any of us the right to own our property, little though it might be.

This record I have made. I stand on it.

WILLARD EDWARDS

Mr. KYL. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. DERWINSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, on Saturday night, March 17, in the National Press Club, the "30" Club, an organization made up of former employees of the Washington Times-Herald and the International News Service, held its eighth annual reunion. As is usual at these reunions, the club, in cooperation with the Royal McBee Corp., made its annual award for excellent reporting. I am happy to report that the winner of the award this year is an outstanding Washington correspondent for the Chicago Tribune, Willard Edwards.

Mr. Edwards, who has covered Capitol Hill for more than 30 years and is well known by most of us in this body, joins a list of "30" Club winners which includes Bob Considine, of the Hearst Headliner Service; Edward T. Folliard, of the Washington Post; the late Ed Koterba of Scripps-Howard; and Richard Fryklund, of the Washington Evening Star.

Mr. Edwards long has been nationally famous and has won several journalistic citations for his coverage of communistic activities and espionage matters. His award this year is in recognition of his work in this field. Particularly cited were his articles on attempts by left-wing elements to influence thinking on the campus of Knox College in Galesburg, Ill., and his successful thwarting of that campaign. In addition, Mr. Edwards was cited for his clear and factual reporting in articles concerning the State and Defense Departments' censorship of anti-Communist statements by members of the military.

I have been informed that Mr. Edwards was chosen over more than 30 other nominees for this year's award. Certainly it is heartening at this time, when so many awards are based upon the so-called interpretive style of reporting, to find that an organization made up entirely of former working members of two great staffs—the Washington Times-Herald and International News Service—selected as the winner of their annual prize a man whose stories, although dealing with a highly controversial subject, were objective and accurate and contained no degree of "slanting." That these articles laid bare the deceit of the campaign to subvert our youth and clarified an otherwise murky picture on at least one American campus is, in my opinion, worthy of the highest commendation.

I am sure it is the hope of all patriotic Americans that Mr. Edwards and those of his colleagues who so long have worked to combat Communist subversion will continue their efforts in this direction.

THE STORY OF CONNECTICUT 65 PLAN—HEALTH CARE FOR THE AGED

Mr. KYL. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. CURTIS of Missouri. Mr. Speaker, in my remarks last week on health insurance for our people, I noted the startling success of the Connecticut 65 plan—see CONGRESSIONAL RECORD, March 5, 1962, page 3416 and earlier references, CONGRESSIONAL RECORD, volume 107, part 8, pages 10715–10717. This plan is a breakthrough in catastrophic insurance for people over 65 and is currently being studied by other States and groups throughout our country. I promised at that time to place in the RECORD an up-to-date report of the plan.

Mr. Speaker, I should like to point out at the outset the significance of the Connecticut 65 plan to the debate on medical care for the aged. The proponents of the King-Anderson bill have argued that the private sector cannot finance an adequate system of health insurance. By ignoring or minimizing the progress that is being made in private insurance they build up their case for utilizing the social security mechanism. I shall not at this time go into the arguments for and against the social security approach. I would refer my colleagues instead to the excellent statement of Robert A. Forsythe, former Assistant Secretary, Department of Health, Education, and Welfare, placed in the RECORD by my colleague, ANCHER NELSEN—see daily CONGRESSIONAL RECORD, February 12, 1962, pages A1019–A1020. I shall, however, answer the charge that private insurance is incapable of meeting the health needs of our people. I ask only that we look at the record, especially at the breakthrough represented by Connecticut 65.

There are two distinct problems in providing health care for the aged: First, we have the immediate problem of that part of the population over 65. This group has had limited opportunity to benefit from the new forms of prepaid, noncancellable insurance which are becoming increasingly available to the public at large.

This group has a lower percentage of health insurance coverage compared with the total population. In 1952, 31 percent of those over 65 had coverage as against 59 percent for the total population. By 1959 the comparable figures were 53 percent versus 73 percent—a remarkable growth. I have commented previously on the rapid growth of the private sector—see CONGRESSIONAL RECORD, March 7, pages 3580–3581. The Kerr-Mills Act was passed to fill this gap. Given the growth of private insurance this part of our problem is steadily phasing out.

The second problem is to see that people over 65 in the future have health insurance, that is that we build up a permanent program of prepaid noncancellable health insurance fully paid up at age 65. The proponents of the King-Anderson bill have recognized that this is the only adequate long term solution to our problem of financing medical care. I would argue, however, that the private sector is better able to provide this form of insurance and that it is doing so. See CONGRESSIONAL RECORD, March 5, 1962, pages 3416–3426.

Connecticut 65 is aimed at solving the first problem—providing adequate insurance for the group over 65. It represents the cooperative venture of 32 participating companies to provide insurance against major—catastrophic—medical expenses for Connecticut residents 65 and over—without a physical examination—and at a low cost. The Connecticut 65 plan is designed to help people from becoming medically indigent. It pays so that the Kerr-Mills program will not have to pay.

The program has had an outstanding initial success. In the first open enrollment period—September 1 to September 30, 1961—22,000 individuals were enrolled in the program. This figure represents 20 percent of the real market—see below section IV statistics concerning Connecticut's aged population. A new open enrollment period is being planned. The average age of those insured is over 70. As of February 7, 1962, benefit payments had totaled about $160,000 with a substantial number of claims pending.

The following description of the plan, its chronology, presentation to the public, and statistics have been excerpted from the "Story of Connecticut 65 Extended Health Insurance," published by the Associated Connecticut Health Insurance Cos., 650 Main Street, Hartford 3, Conn. The complete memorandum and supporting exhibits may be obtained upon request:

THE STORY OF CONNECTICUT 65 EXTENDED HEALTH INSURANCE

FOREWORD

On November 14, 1961, the board of directors of the Health Insurance Association

of America adopted as policy a recommendation that its 285 member insurance companies make every effort to stimulate the adoption throughout the United States of plans comparable to the Connecticut 65 plan. Any such effort may be assisted by a basic understanding of the Connecticut 65 plan itself, the reasons behind its development, the problems encountered and how they were solved.

This memorandum is designed to answer these primary questions in summary form. The annexed exhibits, copies of actual key documents on which the plan is based and marketed, speak for themselves and should be valuable as guides to an understanding of the program.

It is also hoped that the memorandum will be helpful to newspaper editors, golden age groups, State insurance commissioners, Congressmen and State legislators, as well as other insurance companies, who have requested information about Connecticut 65.

It should be made clear at the outset that Connecticut 65 is but one more demonstration of the flexibility and ingenuity of the competitive voluntary health insurance business in its constant effort to meet public needs and demands. While it constituted a major breakthrough in major medical insurance for the elderly in 1961, the participating companies are confident that, with continued freedom to experiment, similar breakthroughs will occur frequently in the future.

I. SUMMARY OF THE PLAN

Connecticut 65 is the short name for Connecticut 65 extended health insurance. Its purpose is to make major medical insurance available without physical examination to individual elderly residents of the State. It is underwritten by 32 insurance companies authorized to write health insurance in the State of Connecticut. It is marketed through a voluntary unincorporated association called Associated Connecticut Health Insurance Cos., which originally consisted of 10 Connecticut-domiciled companies which were joined by 22 others domiciled elsewhere but writing health insurance in Connecticut.

Coverage is provided under a policy issued to a trustee bank, and is available to Connecticut residents age 65 or over. However, a Connecticut resident who moves away can maintain his coverage if he keeps up the premium. If one spouse is eligible and elects the coverage, the other is also eligible if not less than 55 years old and not working more than 30 hours a week. Coverage is available without physical examination or health questions, but to be eligible an applicant must not have been confined in a general, special, or convalescent hospital during the 31 days prior to his enrollment.

Much thought and study was given to the plan of benefits to be offered. Not only was the experience of the companies used for this purpose, but valuable suggestions were received from medical society officials and others.

The applicant has a choice of four optional plans:

Option 1 costs $10 a month and provides a lifetime major medical benefit limit of $10,000, of which no more than $5,000 may be used in a single year.

Option 2 costs $7.50 a month and provides a lifetime benefit limit of $5,000, with a $2,500 limit in a single year.

Option 3 costs $17 a month and provides the $10,000 major medical plus a plan of basic hospital and surgical benefits.

Option 4 costs $14.50 a month and provides the $5,000 major medical plus a plan of basic hospital and surgical benefits.

The basic hospital and surgical benefits of options 3 and 4 are designed to complement the major medical benefits and to be available only to those who do not have other basic benefits.

Basic benefits

The basic hospital-surgical benefits of options 3 and 4 pay hospital room and board charges up to $12 a day for a maximum of 31 days in each calendar year; other hospital charges up to $125 per calendar year; surgical charges up to the maximum under a schedule of surgical procedures with a maximum benefit of $360 in any one year.

Major medical benefits

The major medical benefits contain a deductible which is applied on a calendar-year basis. The deductible is a variable sum consisting of $100 plus the amount of benefits provided under Connecticut 65 basic, whether the insured had Connecticut 65 basic or not.

Major medical expenses are classified into type I and type II. Type I expenses are hospital expenses; type II expenses are covered medical expenses other than hospital expenses. After the deductible, the plan pays 100 percent of all type I covered expenses up to $250, and then 80 percent of the remainder. It pays 80 percent of the type II covered expenses.

Type I expenses, under the $10,000 plan (options 1 and 3), are hospital room and board charges up to $18 per day and charges for other hospital services and supplies; or, after 5 days in a general or special hospital, room and board in a convalescent hospital up to $10 a day, for as long as 90 days in a year.

Type II expenses under the same options include surgical fees up to one and two-thirds times the amount shown on the basic schedule; anesthesia fees up to 20 percent of the surgical fee allowance; charges for nursing by registered nurses in or out of the hospital up to $18 per day; doctors' calls up to $6; and the usual range of drugs, diagnostic services, and other medical services and supplies.

Under the lower $5,000 major medical plan, the specified limits on type I and type II expenses are somewhat less, but the principle is the same. For example, the limit on hospital room and board is $15 a day.

Detailed examples of how the benefits work out will be found on pages 8 to 10 of the "Answers to Your Questions" booklet in exhibit 8. A few examples will suffice. In one case, for total expenses of $1,587 for a heart attack, Connecticut 65 option 3 would have paid $1,216. In another case, for total expenses of $630 for gallbladder removal, benefits would have been $530. In a third case, for total expenses of $2,587 for lung cancer, benefits would have been $2,022.

II. BRIEF CHRONOLOGY OF CONNECTICUT 65

One of the most extraordinary things about the Connecticut 65 plan is that the idea was not even in being 11 months before the beginning of the enrollment period on September 1, 1961. Between October 1, 1960, and September 1, 1961, the idea became crystallized; permissive legislation was requested and enacted; 32 health insurance companies were participating in a newly formed voluntary association; and an intensive promotion campaign was underway.

In September 1960, it was obvious that, while at least three out of every four of Connecticut's elderly population were covered for basic protection against health care costs, nevertheless, many were unable to obtain major medical insurance to protect them against the cost of catastrophic illness.

In the first weeks of October 1960, an ad hoc committee of representatives from five Hartford insurance companies convened, and a working committee of six began frequent sessions that still continue. It was the consensus that the Connecticut companies represented should explore thoroughly the possibility of meeting needs in the major medical area for those 65 and over. The ad hoc committee directed the committee of six to develop the entire program in detail and report back by the end of the year 1960.

In November and December 1960, drafts of the Connecticut 65 plan itself, the necessary legislation, and the framework of a voluntary association had been completed, plus programs for all-important liaison with such as: legislators, doctors, nursing homes, hospitals, agents of all lines, newspaper editors, social welfare authorities, etc. Drafting and redrafting of the basic documents continued for months.

In January 1961, the initial announcement of the plan was made and legislation was introduced in the 1961 session of the Connecticut General Assembly. Meetings were held with representatives of agents' associations.

In March, the proposal was presented to the insurance committee of the general assembly in support of the permissive legislation. The Connecticut State Medical Society, the Connecticut Chamber of Commerce, the Connecticut Association of Insurance Agents, and the Connecticut Association of Life Underwriters all supported the bill at the hearing.

In April, the bill passed both houses of the general assembly. It was signed by the Governor on May 3, 1961, as Public Act 95 (exhibit 1). Also in May, 10 Connecticut companies accepted invitations to join the proposed Associated Connecticut Health Insurance Cos. Claims, policy forms, and promotion subcommittees were appointed, and an advertising agency and a direct-mail agency were retained.

In June and July 1961, the drafting and revision continued. The subscription agreement (exhibit 2) was signed by 10 Connecticut companies, which were soon joined in the next few months by 22 companies domiciled elsewhere but writing a substantial volume of health insurance in Connecticut. The policy forms and the enrollment booklet were filed with the Connecticut Insurance Department which was kept advised of developments.

The direct-mail campaign began August 18 and lasted until September 21. Education of agents through slide films and flip charts was under way. During this period, an agreement was also executed with a trustee bank as policyholder of the Connecticut 65 plan.

III. PRESENTATION TO THE PUBLIC, AND RESULTS

Early in April 1961, a subcommittee on promotion was formed, whose first duty was to determine the budgetary needs of a campaign to market Connecticut 65.

It was determined that a budget of $190,000 was indicated, and, upon authorization of this amount by the executive committee of the association, two separate firms were employed; one, an expert specializing in newspaper, radio, and TV advertising; and another, specializing in direct-mail advertising.

The advertising program comprised a series of full-page and half-page ads in all Connecticut daily and Sunday newspapers beginning August 20, 10 days prior to the beginning of the enrollment period, and continuing through the month of September. During this same period, 337 spot announcements were made over 36 Connecticut radio stations and 33 spot announcements per week were aired over the three Connecticut TV outlets.

This program developed 12,805 inquiries, of which 2,034 were converted into enrollments. It also brought in 1,463 direct enrollments through enrollment coupons which were an integral part of the advertising copy. The value of this program cannot be measured only by the immediate results attributed to it, since the communication problem involved demanded a very widespread impact upon the entire Connecticut citizenry, whether part of the actual market for Connecticut 65 or not.

The direct-mail program included promotions to agents, to employees, and policyholders of the participating companies, and to people of influence in business, professional, and civic circles. Heavy mailings were, of course, directed to two major prospect groups—those 65 or over and those 40 to 65, the latter representing the sons, daughters, and others concerned in the welfare of their elders.

Agents received a comprehensive promotional kit which included enrollment forms, sales aids, instructions, and reorder forms for all the materials furnished; 9,906 enrollments came in through agents.

Several of the large participating companies made mailings to their Connecticut employees and policyholders. Centers of influence mailings to doctors, lawyers, bankers, and State and municipal leaders included complete information about Connecticut 65 in booklets: 2,280 enrollments resulted from these combined activities.

A prospect mailing of 380,000 reached the primary market of those 65 and over and the secondary market of those 40 to 65.

As inquiries came in from these mailings and from the newspaper, radio and TV campaign, appropriate additional material was mailed to those inquiring, including enrollment forms. In all, some 600,000 pieces were mailed, developing 30,000 inquiries which resulted in 8,201 enrollments.

Backing up this intensive promotion was a continuous publicity campaign undertaken by the Insurance Information Office of Connecticut. This campaign started with newspaper releases in January 1961, when the original bill was introduced in the legislature, and continued through the legislative hearings. This was followed by pictures of the Governor signing the enabling bill into law, and news stories on all phases of the organization and progress of the program, including the final results.

The program was the subject of frequent favorable editorial comment in the Connecticut press. This was most welcome to the participating companies. The information office also arranged for many meetings with Connecticut State agents' associations, at which time the plan and the marketing program were presented graphically through liberal use of visual aids. These meetings were largely responsible for the interest and enthusiasm of the agents in endorsing and promoting the plan.

No opportunity for promotion was overlooked. The toll-free telephone number for inquiries at headquarters was Enterprise 6565. The appearance of the insurance policy itself, copies of which have been widely circulated, was given professional attention, as was that of the enrollment booklet. Even the enrollment form was revised to reflect suggestions made from the marketing point of view.

As stated elsewhere, all promotional releases and devices were reviewed by qualified advisers and cleared for conformance with all regulatory requirements. The development of a sympathetic working relationship between the promotion people on the one hand, and the underwriting and legal teams on the other, was essential to the development of a successful marketing procedure. Successive enrollment periods are contemplated, the first in 1962. This, too, will be marked by advertising and direct mail promotion commencing shortly before the enrollment period opens. It is not anticipated that this enrollment period will involve the large-scale operation believed to have been necessary initially, since the momentum gained during September is being maintained by a low-key advertising program to keep Connecticut 65 before the public.

Enrollment results

The first enrollment period was restricted to 1 month—September 1961. During that period the number actually enrolled was 21,850. This was a gratifying percentage of the real market among Connecticut's elderly, as the statistics in the next section will show.

At the headquarters of the Associated Connecticut Health Insurance Cos. in Hartford, by mail and telephone during September 1961, there were 45,122 inquiries processed.

Under Connecticut 65, the insured does not have to sign the enrollment form. All promotional material emphasized this fact. As a result, almost 30 percent of the 21,850 enrollees were enrolled by sons, daughters or others who felt morally or legally responsible for them.

Thirteen thousand seven hundred and seventy enrolled for option 1, $10,000 maximum, major medical only; 4,891 enrolled for option 2, $5,000 maximum, major medical only. Thus, 85 percent did not enroll for basic benefits. This confirmed the belief of the participating companies that a great preponderance of Connecticut's elder citizens already had basic medical and hospitalization protection.

Three thousand one hundred and eighty-one enrolled for one of the major medical options plus the Connecticut 65 basic benefits.

The average age of those enrolling was almost 75 years.

Fourteen thousand nine hundred and four of the enrollees were females.

The period of a fixed 1-month enrollment was selected and adhered to for two reasons. First, there was the obvious underwriting reason: To prevent antiselection by those who might otherwise defer enrollment until the time they knew they would be hospitalized. More important was the human foible of procrastination, with action spurred only by a categorical deadline. For example, on September 25, 5 days before the close of the enrollment on midnight of a Saturday, only 7,193 enrollments had been received. More enrollments were received during the last day of the enrollment period than during the first 3 weeks.

Almost 50 percent of the enrollment was received as the result of the activities by agents. The Connecticut Insurance Department permitted any resident Connecticut agent, licensed to write health insurance, to participate in the Connecticut 65 plan, whether or not the company with which he held a contract was a participating company in that plan. Commissions for agents ranged from $5 for the $5,000 major medical (option 2) to $10 for the larger major medical combined with basic (option 3). Thus, an agent could earn as much as $20 for a sale to a couple. Commissions are payable only at the inception of the coverage. However, it was the expressed intention of the Associated Connecticut Health Insurance Cos., if commissions on all policies not received through agents had exceeded advertising expenses, to allocate the difference among agents in proportion to their writings.

As far as marketing is concerned, our experience indicates that a short but intensive communications campaign is the proper approach, and that the promotional team should be organized early and be kept fully advised as to the development of the program. Representatives of the agency forces of the State should be brought into the picture as soon as practicable and their active support secured, not only for the purposes of seeking their endorsement of the necessary legislation, but also for communication of the program to the insuring public.

IV. STATISTICS CONCERNING CONNECTICUT'S AGED POPULATION

The companies developing the plan considered it feasible for other reasons, which included the economic standing of Connecticut's elderly population; the fact that three out of four already had some sort of basic health insurance; and the compact size of Connecticut.

Connecticut is a small State, 49th in area, any part of which can be reached in little over an hour's drive from Hartford.

Its population totals 2,535,000. Of this number, about 10 percent, or 242,615, are age 65 and over. The real market, however, for the plan was in reality far below this figure. For example, 25,000 of the elderly are confined to State and Veterans' Administration institutions. Fourteen thousand receive medical care and living payments through the old-age assistance program. Another 55,000 are still employed (with their wives, this total swells to some 92,000), and certainly a very large percentage of this group is covered under employer-sponsored group insurance programs. Furthermore, an increasing number of group plans are continuing major medical coverage for retired employees.

In addition, Connecticut has implemented the Federal Kerr-Mills program and, effective April 15, 1962, it is expected that there will be an additional 35,000 persons whose income and asset status makes them eligible for the payment of a considerable part of their medical-care expense through tax funds. After application of a $100 deductible under the Connecticut Kerr-Mills Act (Public Act 578, 1961), the actual claimants in any one year are expected to number some 11,000.

Thus, after eliminating those who may not have a need for coverage of the type provided under the Connecticut 65 program, the real market was about one-half the total of age 65 and over in the State. Therefore, the number enrolling during the initial 1-month enrollment period represents 20 percent of the real market.

Connecticut is also a wealthy State. Its average social security benefits are at the highest level in the country, and the income and assets, including home ownership, of its elderly population are also well above the national average.

The drafters of Connecticut 65 felt that this program could help many persons from becoming medically indigent under the Connecticut Kerr-Mills program. This in turn would lower tax costs of the State of Connecticut.

Consequently, there is no exclusion under the Connecticut 65 plan for expenses which otherwise would be payable under the Kerr-Mills program in the absence of this insurance. In other words, Connecticut 65 will pay so the Kerr-Mills program will not have to pay.

TARIFFS ON TAPIOCA

Mr. KYL. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. CURTIS of Missouri. Mr. Speaker, yesterday I introduced, together with the gentleman from Illinois [Mr. O'BRIEN], a bill relating to tariffs on tapioca. These bills are H.R. 10823 and H.R. 10833. An explanation of these bills follows:

PROBLEM TO WHICH LEGISLATION IS DIRECTED

Tapioca starch was placed on the free list under paragraph 1781 of the Tariff Act of 1930. It has been bound on the duty-free list by subsequent trade agreements. Tapioca starch was the only major starch which was not subjected to duty under the Tariff Act. All other competitive starches are dutiable. The United States is the only major starch producing country which does not impose a duty on tapioca starch.

It has been reported that the European Common Market will impose a 28-percent ad valorem duty on tapioca starch. Brazil, the negotiating country on whose behalf tapioca is presently bound free under the GATT agreement, imposes a duty of 80 percent ad valorem on both tapioca and corn starch. Thailand, the major producer of tapioca, imposes a duty of the equivalent of 4.75 U.S. cents per pound, or 27½ percent ad valorem, whichever is higher.

As a result increasingly large quantities of tapioca starch are being imported into the United States. These imports are replacing domestic corn, potato, and wheat starches in the major uses, the paper and textile fields. The domestic starch producers are in a vulnerable position because the United States has no tariff while the other major countries do have a tariff. Imports of tapioca in 1961 were approximately 307 million pounds as compared with approximately 65 million pounds per year in 1952, 1953, and 1954.

PROPOSED REMEDY

The proposed legislation would continue duty-free imports of tapioca in an amount equal to the average annual imports for the years 1958, 1959, and 1960. It would subject imports over these quotas to the statutory rate of duty of 1½ cents per pound, the lowest statutory rate applicable to the other competitive starches.

PROPOSED LEGISLATION DOES NOT CONFLICT WITH TRADE AGREEMENT PROGRAM

The proposed legislation does not seek an exemption from either the present or the proposed trade agreement program. The rate of duty imposed would be subject to any applicable trade agreement action. Instead, the proposed treatment is consistent with purpose of H.R. 9900. Tapioca starch is a tropical product under section 213 of that bill. The report of the Joint Economic Committee to the Congress points out that the United States has a strong interest in seeing that the underdeveloped countries have access to the Common Market as well as to the U.S. market. (See p. 16 of report.) The imposition of the proposed duty would make the imports of tapioca into the United States in excess of the quotas subject to dutiable treatment approximately the equivalent of that now imposed by the E.E.C. countries. These duties would be subject to trade agreement negotiation as are any other duties.

H.R. 10823

A bill to amend the Tariff Act of 1930 to provide quota limitations on imports of duty-free tapioca and to provide for a tariff on additional imports

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Paragraph 1781, Tariff Act of 1930 (U.S.C., 1958 edition, Title 19, Sec. 1201, Par. 1781), is amended by substituting a colon for the period at the end thereof and inserting the following: "*Provided*, That the aggregate quantity of tapioca, tapioca flour, and cassava which may be entered, or withdrawn from warehouse, for consumption, free of duty, shall not exceed in any calendar year 228,260,266 pounds, of which not more than 167,674,115 pounds may have been imported from Thailand, not more than 51,217,502 pounds may have been imported from Brazil, and not more than 9,368,649 pounds in the aggregate may have been imported from Taiwan, France, Cuba, Federation of Malaya, French West Africa (Togoland), Argentina, Malagasy Republic, Hong Kong, India, Jamaica, Indonesia, Dominican Republic, Singapore, Philippine Republic, Paraguay, Netherlands, Uruguay, Kuwait, Mexico, French Equatorial Africa, Ecuador, Sweden, Colombia, West Germany, Guatemala, and Italy; That tapioca, tapioca flour, and cassava may not be imported free of duty from a country, island, or territory not one of the countries, islands, and territories specified above; That any tapioca, tapioca flour, and cassava not entitled to be entered, or withdrawn from warehouse, for consumption, free of duty, shall be dutiable at 1½ cents per pound: *And provided further*, That tapioca, tapioca flour, and cassava may not be imported if it was produced or processed in, or transshipped via, a country, island, or territory which has been determined under Section 5, Trade Agreements Extension Act of 1951 (U.S.C., 1958 edition, Title 19, Sec. 1362), to be a nation or area dominated or controlled by the foreign government or foreign organization controlling the world Communist movement; That, if any country, island or territory which has been assigned an exclusive duty-free quota herein is determined to be a nation or area dominated or controlled by the foreign government or foreign organization controlling the world Communist movement, the yearly duty-free quota assigned to such country, or so much thereof as remains unfilled when such determination is made, may not be filled by the remaining countries, islands, and territories, but any such country's, island's, or territory's quota shall be reinstated automatically at the beginning of the year next following any year in which it has been determined that such country, island, or territory is no longer a nation or area dominated or controlled by the foreign government or foreign organization controlling the world Communist movement."

SEC. 2. The amendments made by this Act shall be effective with respect to merchandise entered, or withdrawn from warehouse, for consumption, on or after January 1, 1962.

A REPORT ON THE ADMINISTRATION'S FARM BILL

Mr. KYL. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. LATTA] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. LATTA. Mr. Speaker, the House Committee on Agriculture has now completed public hearings on H.R. 10010, formally cited as the "Food and Agriculture Act of 1962" but better known as the administration's farm bill. The opponents of this legislation are labeling it with a diversity of descriptive titles such as "The Farmers' Jail Act of 1962," "The Farmers' Strait-Jacket Act," "The Death Sentence for the Family Farmer," and so forth.

The Secretary of Agriculture refers to it as a supply-management bill. Call it what you will, I have come to the conclusion after listening to scores of witnesses before our committee that the farmers of the Nation and of the Fifth Congressional District of Ohio should be aware of its contents, should know of its mandatory features, and be advised of the sweeping authority sought by the Secretary of Agriculture. The bill is in keeping with the theory running rampant in Washington that it is now necessary for the benefit of the farmer to have a planned agricultural economy in America. Such a theory is so inconsistent with the free enterprise system that made America great that it is needless for me to say that I disagree with it.

Last year, in H.R. 6400, the administration requested virtual blank-check legislative authority to write its own programs for all agricultural commodities. This requested authority was not granted as Congress firmly believed that it still should exercise its constitutional authority of writing and passing legislation. This year's bill seeks supply-management control over only four—but major—commodity groups: feed grains—corn, oats, barley, grain sorghums—wheat, dairy products, and turkeys. Unlike last year's bill, H.R. 10010 makes no allusion that it is to "strengthen the family farm." In fact, it seems consistent with the thinking reported by the Wall Street Journal—December 18, 1961—to be found in the Secretary's 84-page confidential staff report that many farmers will have to "get off their farms" and that "the suspicion is bound to arise that this whole positive food policy for the United States is aimed more at luring the city vote than at capturing the Farm Belt."

TITLE I. LAND-USE ADJUSTMENT

This title permanently extends the ACP program and repeals present law calling for development of State ACP plans. Authorizes long-term—up to 15 years—agreements for land retirement, cropping, land uses and practices, including soil and water conservation, forestry, wildlife, and recreation development.

No limitations as in present law on distribution of funds to States, size of payments, acquisition of property rights, payments to producers, and so forth.

The title authorizes the Secretary to purchase, sell, lease, and acquire rights-of-way and easements over untold millions of acres of farmland for public purposes and "more economic uses." The Secretary has testified that under the bill whole farms could be removed from production and that some 50 to 60 million acres would not be needed for production over the next 18 years. The most important issue raised here involves the power of eminent domain by the Federal Government to condemn and seize land from farmers unwilling to sell. Also raised is the question of the disastrous effect large purchase of farmland by the Federal Government would have on local communities now hard pressed for school and other revenues.

TITLE II. AGRICULTURAL TRADE DEVELOPMENT

This title amends Public Law 480 to permit overseas donation of commodities administratively deemed to be in surplus although not in actual inventory of CCC. Amends Public Law 480 by transferring from the Secretary of Agriculture to the President the discretion as to which friendly foreign nations may participate in long-term dollar sales.

The most sweeping provision found in this title would commit the United States to an international food program directed by the United Nations. Under this bill, commodities to be furnished by us to the United Nations would be under the exclusive control of that body for disposal as it sees fit. It is interesting to note that it is reported that Secretary Freeman promised the Food and Agricultural Organization of the United Nations $40 million in funds and commodities for its first year of operation while attending its annual meeting in Rome, Italy, last November. There are no reservations or safeguards in the bill for the United States to prevent the United Nations from disposing of this food in a manner inconsistent with our national policy.

TITLE III. MARKETING ORDERS

This title authorizes compulsory check-offs for market research and promotion for milk after separate referenda. Authorizes quotas and allotments on individual producers of turkeys and turkey hatching eggs. It also authorizes the establishment of producer quotas and allotments under Federal milk marketing orders. Under present law, marketing orders apply only to processors.

Evidence shows that turkey production increased sharply in 1961—25 percent over 1960—as turkey producers sought to establish a historical record of production in anticipation of controls.

This section presents a serious threat to the successful operation of our present milk-marketing orders in Ohio as we would be forced to cut back production while other areas not covered by marketing orders would not be required to cut their production. However, section IV of the bill would make this section meaningless if it stays in the bill as it would apply allotments and quotas to all milk producers.

TITLE IV. COMMODITY PROGRAMS

This is the real bonecrusher in the bill. It deals with new programs for wheat, feed grains, and dairy products.

One basic fact has emerged from my examination of these proposed compulsory programs. They would make it extremely difficult for the small- and medium-sized family farmers to survive. They all impose strict control programs and grant broad discretionary powers to the Secretary of Agriculture in the areas of price support, diversion payments, and in establishing sharp cuts in production. They make no distinction between different areas of the country or the type product being produced. This is of vital importance to our Soft Red wheat farmers in Ohio who are producing a class of wheat having less than a 2-month carryover of surplus stocks. Some of them impose heavy fines and prison terms in Federal penitentiaries for farmers.

And finally, none of them give the small farmers any real opportunity to vote in the so-called referendums which decide their economic fate the same as it does the large producer.

WHEAT

The administration is apparently abandoning the idea of fixed or rigid price supports. It is interesting to note that the 1960 Democratic platform and Candidate Kennedy promised farmers supports at 90 percent of parity. It is, instead, requesting that the Congress give the Secretary of Agriculture wide latitude in fixing price supports. The bill requests authority for a three-price support system for wheat. That portion of a farmer's wheat crop determined by the Secretary of Agriculture to be for export would be supported from 0 to 90 percent of parity; that portion determined by the Secretary to be the farmer's share of the domestic market would be supported from 75 to 90 percent of parity; that portion of the farmer's crop determined by the Secretary to be his share of the wheat used for feed purposes would be supported at a price related to the world price and in relation to the feed value of wheat to other feed grains. The world price of Soft Red Winter wheat is now $1.64 per bushel on the east coast. What the farmer would lose through such a program would probably go to pay the untold thousands of additional personnel needed to administer such a program.

The consumer would dislike such a program as much as the farmer. Wheat would cost more for human consumption than it would if you were feeding it to the hogs.

The bill repeals the present 30-acre wheat-for-feed exemption and the present 55-million-acre national minimum wheat allotment. It would instead give the power to the Secretary of Agriculture to decide how much the Nation and each farmer could produce. The amount of land to be diverted from wheat production and the rate of payment for such diversion would be determined by the Secretary.

Those producers staying within their allotments, and not taking advantage of the 15-acre exemption, would be entitled to vote in wheat referendums. However, the choice in such a referendum would be between what the Secretary of Agriculture was offering and no supports whatsoever; plus the right contained in section 409 of the bill for the Secretary to dump up to 200 million bushels of Government wheat on the market in any one marketing year.

The penalty sections applicable to wheat farmers seem unduly severe. These penalties range from a $5,000 fine for failing to keep proper records or violating a Department of Agriculture regulation to 10 years in the Federal penitentiary and/or a $10,000 fine for forging or altering a wheat marketing certificate.

FEED GRAINS

The feed-grain provisions of the bill would impose compulsory acreage allotments and marketing quotas on all farmers who were fortunate enough to have been producing corn, oats, barley, or grain sorghums in 1959 and 1960. The unfeasibility of such a proposal has been twice recognized by the Congress. In 1954, Congress repealed marketing quotas on corn and in 1958, it repealed acreage allotments.

In order to be assured that such an unthinkable and unworkable proposal would be approved by the feed-grain farmers voting in a referendum, the bill for all practical purposes eliminates the small farmers operating under a so-called 25-acre exemption from participating in the referendum. Oh, sure, the supply-management advocates make the bill appear democratic by providing a vote for these small farmers if they agree in writing to commit themselves to stay within their allotment—which could be much less than 25 acres—in addition to taking a reduction as proposed by the Secretary plus subjecting themselves to the cross-compliance features of the bill. The small feed-grain farmers would be faced with the same situation which faced the small wheat farmer—do I vote or do I feed my family?

For those farmers voting in a referendum, there is no choice. The bill threatens those farmers who are permitted to vote by saying that should you decide not to take what the Secretary wants to give you, you will get no price supports whatsoever and the Government will dump up to 10 million tons—one-third billion bushels—of feed grains on the market in 1 year. Curiously enough, this dumping provision has now been called a protection by Mr. Freeman. I need not tell the farmers in my district how this kind of protection affected their corn prices last year and the protection given them in 1961 was considerably less than what he proposes to afford them each year under the terms of this bill.

DAIRY PRODUCTS

The bill would establish milk allotments and quotas for farmers—including those in milk deficit areas and in Federal milk-marketing order areas—based on their 1961 production—or such other 12-month period as the Secretary may deem appropriate. Allotments would be based on quarterly or monthly periods with adjustments for abnormal conditions and for deficient production areas. Farmers could sell or rent their dairy bases. However, if you did not produce milk in 1961, you are out of business unless you can purchase or rent one from another farmer. The Secretary could also purchase and cancel these bases. In addition to the criminal penalties, the bill would also set marketing quota penalties for overproduction up to $2.75 per hundredweight.

During his television debate with Senator HICKENLOOPER, of Iowa, recently, Secretary Freeman blamed the insertion of the provision in the dairy section to give prison sentences to dairy farmers for failing to keep records as desired by the Department on some unidentified overenthusiastic subordinates in the Department. Since the Secretary has attempted to avoid responsibility for this unsavory provision, many members of the committee are wondering why individuals with such uncontrollable enthusiasm for imposing jail sentences and the controls provided for in H.R. 10010 on the American farmer would be permitted to occupy positions of leadership in the Department.

Probably the most fantastic revelations by Department witnesses made before our committee on the dairy section was their uncertainty and indecisiveness on the vital details of such a proposal. For example, the committee has not heard as yet from the Department as to, first, the approximate level at which the Secretary would set dairy price supports should the bill be enacted—0 to 90 percent; second, the level of price supports if quotas were turned down—0 to 90 percent; third, the percentage of cut to be required from the 1961 base; fourth, the definition of a "deficit" area; fifth, the size of minimum allotments; and sixth, how dairy farmers would be permitted to buy milk bases from each other while simultaneously competing with the Government to purchase the same.

It remains a mystery to me as to who concocted such a proposal for the dairy farmers of America as virtually all dairy groups appearing before our committee opposed the sections of the bill applicable to them. One co-op group from New York State described the milk referendum "as meaningless as a Russian election."

TITLE V. GENERAL PROVISIONS

This title deals with a number of miscellaneous amendments to the Farmers Home Administration and the Rural Electrification Administration.

In conclusion, Mr. Speaker, I wish to say that the American farmer has done nothing to call for the enactment of such punitive legislation. It is our duty to see that it is not enacted.

PUBLIC WELFARE AMENDMENTS OF 1962

Mr. KYL. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. MACGREGOR] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. MACGREGOR. Mr. Speaker, all of us would like to see improvements in our public assistance programs. H.R. 10606, passed by the House on March 15, had the laudable aim of preventing and reducing dependency. Many of us could not support the bill, however, because of the last-minute addition of $140 million in funds which we do not have. There is no assurance that any of this money will reach a single welfare beneficiary. The increase goes to the States, not to those eligible for public assistance. The Kennedy administration did not suggest the increase and does not support it. No provision is made in the 1963 budget for the increased cost. There has been no showing of need or justification for the increase.

The following editorial in the New York Times of March 20 presents these and other observations on H.R. 10606:

CONGRESSIONAL OPENHANDEDNESS

In a sudden surge of beneficence the House of Representatives has voted to give President Kennedy $140 million more than he asked to liberalize welfare payments to the needy. The money will make available an additional $4.20 a month in Federal assistance for each of the 2.8 million persons now receiving aid to the aged, blind, and disabled under State-administered relief programs. Since the national average for most such payments is less than $70 a month, no valid complaint can be made that this will mean pampering those on the welfare rolls.

However, the manner in which the House donned the robe of Lady Bountiful does raise two objections. One is that there is no assurance that the extra funds will actually reach the needy.

The States will be free to use the money solely to reduce their own share of welfare costs. The second objection is that no similar provision is made for a blanket liberalization of Federal payments for aid to dependent children, the biggest program of all. The national average of these benefits is only a little over $30 a month, and in Mississippi the monthly rate comes to less than $10.

The fact that the new law will for the first time make it possible for the unemployed fathers of dependent youngsters to share in Federal assistance does not justify excluding children from the general increase in appropriations. To compound the unfairness, a "sleeper" provision in the House bill apparently will open the door wide for a return to such degrading practices as the distribution of relief through vouchers for food, rent, and other items. All this is at the opposite pole from the rehabilitation goal, which underlies the basic administration approach to a long-term solution of the welfare problem.

THE LIBERAL PAPERS

The SPEAKER. Under previous order of the House, the gentleman from New York [Mr. RYAN] is recognized for 5 minutes.

Mr. RYAN of New York. Mr. Speaker, during the past week the Republicans launched a two-pronged attack on both the political and cultural fronts. The focal point of this spring offensive is a volume entitled "The Liberal Papers," published as a Doubleday anchor book on March 16. Politically, the attack took the form of little talks on the floor of Congress, all apparently based on the same set of excerpts from the book.

It is difficult to take this sound and fury seriously. Indeed, it would be best to ignore it if, as it appears on its face, it actually signified nothing. The manner of this attack does, however, raise a problem which calls for comment.

Unfortunately, our Republican colleagues have seen fit to open the discussion of the proposals made in "The Liberal Papers" on the level of personalities with innuendo and labeling.

There is talk, with an alarmingly reminiscent ring, of "Brutus," of "dangerous left advisers," of "a gathering storm" accompanied by "thunder from the left," of "appeasers," and even of "a subversive force," albeit a force that has been created by ignorance more than anything else.

It is regrettable that members of the Republican Party, itself bereft of program or policy for the 20th century, have mounted this kind of attack on a collection of essays which aims, as the gentleman from California, Congressman ROOSEVELT, says in his introduction:

To reopen the political forum and reinstitute the dialog of politics in our attempt to lead to new directions in public policy.

The gentleman from California [Mr. ROOSEVELT] was indeed farsighted, if overly optimistic, when he stated his hope that such controversy which might be attendant to the publication of "The Liberal Papers" will not be ad hominem but will be related directly to the arguments themselves.

At a time of such peril for ourselves and for the world, at a time when intelligent and serious analysis of the problems of foreign policy is needed as never before, and when the creative imagination of the American people is so vital to the solution of vexing problems, an attempt at serious discussion should not have been greeted in this fashion. I am not now considering the merits of the various policy suggestions which are set forth in the essays. I am talking about the proper atmosphere for free debate of the most crucial issues of American policy in the 1960's. Attempts such as those made last week to cast the discussion into the nether realms of innuendo and name calling can only indicate a contempt for the processes of rationality in discussion.

I believe that rational, dispassionate, free, and courageous discussion of the issues offers our best hope for developing effective policies. I eagerly await responsible criticism of the ideas expressed in this or any other book. Arguments must be met with arguments, not mere appeals to slogans; facts must be met with facts, not pious pronouncements of our virtue. Ideas are the most valuable natural resource of a democracy. They are a resource which should not be squandered through disrespect.

Mr. Speaker, the inquiring spirit of Americans will not be daunted by last week's attack.

THE SERVICES TO OLDER PERSONS ACT

The SPEAKER. Under previous order of the House, the gentleman from Illinois [Mr. YATES] is recognized for 10 minutes.

Mr. YATES. Mr. Speaker, I am reintroducing today the bill I filed in previous Congresses known as the "Services to Older Persons Act." It lays the foundation for an excellent cooperation between the States and the Federal Government for dealing with many of the problems of our senior citizens.

I have been working on this problem since 1951 when the plight of our older citizens first came to my attention. At that time I filed a bill for the appointment of a special committee to investigate the plight of our older citizens and to recommend steps which should be taken. Unfortunately, the House took no action on that bill. Subsequently, the investigation contemplated by that bill was in measure undertaken by a special Senate subcommittee under the chairmanship of the senior Senator from Michigan, Mr. MCNAMARA.

A significant forward step was taken in 1955, when a flagrant example of discrimination in employment because of age was brought to my attention. It was the case of a machinist in St. Louis, who was laid off from his work. In order to qualify for unemployment compensation he had to try to obtain employment. He learned of a job opening as a tax collector for the Federal Government and he made application for the job. He was turned down because he was 36 years of age. Yes, the Federal Government limited applications for the job of tax collector to those between the ages of 21 and 35. Here was a man 36 years of age and already too old to work for his Government.

As a result of this case, I offered an amendment to the appropriations bill coming out of the Appropriations Subcommittee of which I am a member; namely, the Independent Offices Appropriations Subcommittee, which prohibited the Civil Service Commission from using age as a qualification for Federal

employment. That amendment is the law today, and as a result, applicants for Federal employment are judged on the basis of their ability and their qualifications, not their age. It was hoped that this action by the Federal Government would spur private industry to take similar steps to eliminate discrimination in employment because of age.

With the passage of time, I gave up the idea of filing a resolution for the appointment of a Commission To Study the Problems of the Aging, because the problems had become too acute. We knew a little more about the problems as a result of the fine work that had been done in many of the States, and I felt that the time had come for action, rather than for continued investigation. And so in the 84th Congress, I filed H.R. 8863, which is the predecessor to the bill I am filing today, which provided for the establishment of a Bureau of Older Persons in the Department of Health, Education, and Welfare; to authorize Federal grants to assist in the development and operation of studies and projects to help older persons; and for other purposes.

The time for action is now. Our modern society offers more years of life to most of us along with shorter hours of work and greater freedom to enjoy our rising standard of living. But to most of our people aged 65 and over these are hollow achievements.

The bill I have filed today, the Services to Older Persons Act, is specifically designed to stimulate the kind of action at the State and local level which will actually come to grips with the very many and very real problems older people face today.

Briefly, my bill provides Federal grants-in-aid to States, localities, and nonprofit organizations so that they can set up projects which will get action at the grassroots level. The declaration of policy contained in the bill suggests the broad scope of these problems, and the type of activity which could be authorized. Projects may be instituted which will help, as the bill states:

(1) to assure to older persons an equal opportunity with others to engage in gainful employment which they are physically and mentally able to perform;

(2) to enable older persons to achieve a retirement income sufficient for health and for participation in community life as self-respecting citizens;

(3) to provide older persons, so far as possible, with the opportunity of living in their own homes or, when this is not feasible, in suitable substitute private homes; and in the case of such persons who need care that cannot be given them in their own or other private homes, to provide them with the opportunity to live in institutions that are as homelike as possible and have high standards of care;

(4) older persons to receive adequate nutrition, preventive medicine, and medical care adapted to the conditions of their year;

(5) to rehabilitate and to restore to independent, useful lives in their homes, to the fullest extent possible, older persons who are chronically ill, physically disabled, mentally disturbed, or incapacitated for other reasons;

(6) to assist older persons to have access to social groups and to participate with those of other ages in recreational, educational, cultural, religious, and civic activities;

(7) to assure that older persons, in planning for retirement and in meeting the crises of their later years, will have the benefits of such services as counseling, information, vocational retraining, and social casework; and

(8) to relieve the problems of older persons through an increase of research on the various aspects of aging and the development of special courses in schools and departments of medicine, nursing, clinical psychology, and social work to train professional workers in the field of aging.

Mr. Speaker, for these purposes the bill authorizes an expenditure of $2 million on a one-third matching basis for a planning period so that States may explore and correlate their particular needs—a method which has proved its effectiveness in the Hill-Burton Hospital Construction Act, as well as in other similar legislation. And, for the following 4 years, it authorizes grants to the States for approved projects of $2 million for the first year, $3 million for the second, $4 million for the third, and $5 million for the fourth, with a flat grant of $25,000 to each State. The balance of the Federal funds will be distributed in accordance with a weighted formula based on per capita income and the percentage of people 65 and over within the State. This method is in recognition both of the need for such projects and the ability of the State to finance them. Also included in my proposal is an authorization of $500,000 per year for similar research by private nonprofit institutions. Finally, the bill calls for a National Conference on Problems of Older People at the end of the 5-year period to report on the experience of the community projects and to make appropriate recommendations.

Mr. Speaker, I believe that my bill provides the method which will encourage action where it is needed. It will encourage the kind of activities which are already in the planning stage in hundreds of communities throughout the country, but which cannot get off the ground because of a lack of sufficient funds. It will enable us to determine the kinds of projects which can truly benefit our senior citizens. It will provide an opportunity for the exchange of information between communities through the Federal Government. And it will recognize, finally, that although the current problems of our older people are in the first instance the concern of the States, they are national problems as well and problems that can only be given significant assistance by the Federal Government.

SOVIET UNION HARASSMENT OF ITS JEWISH CITIZENS CONTINUES

The SPEAKER. Under previous order of the House, the gentleman from New York [Mr. FARBSTEIN] is recognized for 10 minutes.

Mr. FARBSTEIN. Mr. Speaker, recently I addressed this body about the apparent Government-sponsored program of harassment being conducted against Soviet citizens of the Jewish faith.

There have been, as many of us are now aware, a series of incidents which give ample evidence of the truth of these reports—ranging from the victimization of Jews in the Soviet Union's antispeculation campaign to the closing of synagogues in several cities.

Now come reports of the cruelest act of all—the denial of matzohs for Soviet Jewry for the observance of the Passover festival which begins April 18. The absence of matzohs, which are the very symbol of this ancient Jewish festival commemorating the deliverance of Jews from bondage, makes the celebration virtually meaningless.

I am further seriously disturbed by reports that not only will Russian state-operated bakeries be prohibited from baking matzohs for the Passover festival observance this year, but that the private baking of matzohs in Jewish homes will also be prohibited on the grounds that such baking would be regarded as an illegal form of free enterprise.

Mr. Speaker, this newest Soviet action in denying its Jewish citizens this vital symbol and necessary ingredient for the celebration of one of the most important holidays in the Jewish calendar, is another step in the process of "deculturization" to which I referred in my speech earlier this month. It is another clear demonstration that the Soviet Union is bent on the destruction of all things Jewish.

I call upon my colleagues to join me in supporting my request to the Secretary of State that he appeal to the Soviet Government, through the appropriate diplomatic channels both here and abroad, to allow the shipment of American-baked matzohs which five companies have generously indicated they will make available if the Soviet Government gives assurance that such a shipment will be permitted.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. SCHENCK (at the request of Mr. HALLECK), for March 22 and 23, 1962, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. RYAN, for 5 minutes, today.

Mr. HEMPHILL (at the request of Mr. HECHLER), on Tuesday, March 27, for 1 hour.

Mr. YATES, today, for 10 minutes.

Mr. WHITENER (at the request of Mr. HECHLER), for 1 hour on March 27.

Mr. FARBSTEIN (at the request of Mr. ALBERT), for 10 minutes, today, to revise and extend his remarks and include extraneous matter.

Mr. ROSENTHAL (at the request of Mr. ALBERT), for 30 minutes, on March 28.

Mr. SCHWENGEL (at the request of Mr. KYL), for 60 minutes, on March 23, 60 minutes on April 4, and 60 minutes on April 11.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL

RECORD, or to revise and extend remarks, was granted to:

Mr. FINO.

Mr. PHILBIN and to include extraneous matter.

(The following Members (at the request of Mr. KYL) and to include extraneous matter:)

Mr. SHRIVER.

Mr. LIPSCOMB.

Mrs. MAY.

Mr. GAVIN.

Mr. FULTON.

(The following Members (at the request of Mr. ALBERT) and to include extraneous matter:)

Mr. DINGELL.

Mr. ANFUSO.

Mr. BREEDING.

Mr. MULTER.

Mr. MORRIS.

Mr. ROSTENKOWSKI.

Mr. ST. GERMAIN.

ENROLLED BILL SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 641. An act to provide for the free entry of an intermediate lens beta-ray spectrometer for the use of Tulane University, New Orleans, La., and to amend section 165 of the Internal Revenue Code of 1954 with respect to treatment of casualty losses in areas designated by the President as disaster areas.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 2165. An act for the relief of Jean L. Dunlop.

ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 21 minutes p.m.) the House adjourned until tomorrow, Thursday, March 22, 1962, at 12 o'clock noon.

REPORT OF EXPENDITURES OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS INCURRED IN TRAVEL OUTSIDE THE UNITED STATES

Mr. BURLESON. Mr. Speaker, section 502(b) of the Mutual Security Act of 1954, as amended by section 401(a) of Public Law 86-472, approved May 14, 1960, and section 105 of Public Law 86-628, approved July 12, 1960, require the reporting of expenses incurred in connection with travel outside the United States, including both foreign currencies expended and dollar expenditures made from appropriated funds by Members, employees, and committees of the Congress.

The law requires the chairman of each committee to prepare a consolidated report of foreign currency and dollar expenditures from appropriated funds within the first 60 days that Congress is in session in each calendar year, covering expenditures for the previous calendar year. The consolidated report is to be forwarded to the Committee on House Administration which, in turn, shall print such report in the CONGRESSIONAL RECORD within 10 legislative days after receipt. Accordingly, there are submitted herewith, within the prescribed time limit, the consolidated reports of the following committees of the House of Representatives: Government Operations, Science and Astronautics, Merchant Marine and Fisheries, Ways and Means, Judiciary, Public Works, Foreign Affairs, and House Administration.

Report of expenditure of foreign currencies and appropriated funds by the Committee on Government Operations, U.S. House of Representatives, expended between Jan. 1 and Dec. 31, 1961

RECAPITULATION

[U.S. dollars equivalent or U.S. currency]

Committee	Lodging	Meals	Transportation	Miscellaneous	Total
Full committee	$1,507.49	$1,321.53	$4,790.64	$555.90	$8,175.56
Executive and Legislative Reorganization Subcommittee	256.44	117.28	2,107.16	34.68	2,515.56
Military Operations Subcommittee	767.27	819.41	804.45	111.64	2,502.77
Foreign Operations and Monetary Affairs Subcommittee	1,595.72	1,569.34	9,507.59	2,335.70	15,008.35
Special Government Information Subcommittee	1,665.07	1,967.58	3,616.95	435.83	7,685.43
Grand total	5,791.99	5,795.14	20,826.79	3,473.75	35,887.67

RECAPITULATION

	Amount
Foreign currency (U.S. dollars equivalent)	$35,887.67
Appropriated funds:	
H. Res. 70, 87th Cong	572.20
Government Department: Defense (MATS) TWA	399.40
Total	36,859.27

WILLIAM L. DAWSON,
Chairman, Committee on Government Operations.

FULL COMMITTEE

Name and country	Name of currency	Lodging: Foreign currency	Lodging: U.S. dollar equivalent or U.S. currency	Meals: Foreign currency	Meals: U.S. dollar equivalent or U.S. currency	Transportation: Foreign currency	Transportation: U.S. dollar equivalent or U.S. currency	Miscellaneous: Foreign currency	Miscellaneous: U.S. dollar equivalent or U.S. currency	Total: Foreign currency	Total: U.S. dollar equivalent or U.S. currency
Christine Ray Davis:											
Austria	Schilling	1,302.50	49.50	750	28.50	487.50	18.53	460.00	17.48	3,000	114.01
Denmark	Kroner	253.45	36.78	200	29.08	140	20.36	186.05	27.04	779	113.27
England	Pound	15-8	46.08	6-8	17.98	49-13	139.52	9-16	27.54	82-5	231.12
France	Franc	1,412.10	281.01	869.40	173.01	1,632	324.77	315	62.69	4,228.50	841.48
Germany	Deutsche mark	277.40	69.30	259.40	64.85	395	98.91	122	30.55	1,053.80	263.67
Italy	Lire	117,870	188.23	119,900	188.02	4,381	6.92	11,209	17.71	252,460	398.88
Spain	Pesetas	2,856	46.45	1,850	30.25	617	10.06	577	9.41	5,900	96.17
Transportation [1]							856.00				856.00
James A. Lanigan:											
France	Franc	723.40	147.65	763.30	155.79	1,954.43	398.90	295.30	60.27	3,736.43	762.61
Germany	Deutsche mark	159.10	39.82	103	25.78	395	98.87	67.90	17.00	725	181.47
Denmark	Kroner	210	30.53	195.30	28.40	280.70	40.81	114	16.58	800	116.32
England	Pound	12-13-0	35.54	5-7-2	15.03	78-7-0	211.73	9-17-0	27.68	103-4-2	289.98
Austria	Schilling	1,219.50	47.44	807.50	31.41	492	19.13	711	27.66	3,230	125.64
Italy	Lire	37,720	60.92	63,410	102.41	47,710	77.05	20,760	33.53	169,600	273.91
Spain	Pesetas	1,677	27.34	2,436	39.70	670	10.92	1,509	24.60	6,292	102.56
Transportation [1]							856.00				856.00

[1] Round-trip steamship transportation purchased by U.S. State Department before departure via United States Lines (88 *United States*) reading "New York-LeHavre, France, and return." Return portion of ticket turned in to Embassy in France and applied against return transportation via air.)

Report of expenditure of foreign currencies and appropriated funds by the Committee on Government Operations, U.S. House of Representatives, expended between Jan. 1 and Dec. 31, 1961—Continued

Name and country	Name of currency	Lodging: Foreign currency	Lodging: U.S. dollar equivalent or U.S. currency	Meals: Foreign currency	Meals: U.S. dollar equivalent or U.S. currency	Transportation: Foreign currency	Transportation: U.S. dollar equivalent or U.S. currency	Miscellaneous: Foreign currency	Miscellaneous: U.S. dollar equivalent or U.S. currency	Total: Foreign currency	Total: U.S. dollar equivalent or U.S. currency
Miles G. Romney:											
France	Franc	784	156.41	662	131.74	1,761	350.44	109	21.69	3,315	660.28
Germany	Deutsche mark	175	43.82	131	32.80	407	101.91	107	26.79	820	205.32
Denmark	Kroner	210	30.53	197	28.64	84	12.21	74	10.76	565	82.14
England	Pound	12-14-0	35.69	7-9-0	20.93	23-5-0	65.31	4-18-0	13.77	48-6-0	135.72
Austria	Schilling	1,219	46.32	708	26.90	779	29.60	855	32.49	3,561	135.31
Italy	Lire	39,700	62.73	65,900	103.17	75,340	119.04	23,400	36.97	203,740	321.91
Spain	Pesetas	1,677	27.33	2,892	47.14	4,149	67.63	840	13.69	9,558	155.79
Transportation [1]							856.00				856.00
Total			1,507.49		1,321.53		4,790.64		555.90		8,175.56

RECAPITULATION

Foreign currency (U.S. dollar equivalent)	$8,175.56
Appropriated funds: H. Res. 70, 87th Cong	471.00
Total	8,646.56

WILLIAM L. DAWSON,
Chairman, Committee on Government Operations.

SUBCOMMITTEE ON EXECUTIVE AND LEGISLATIVE REORGANIZATION

Name and country	Name of currency	Lodging: Foreign currency	Lodging: U.S. dollar equivalent or U.S. currency	Meals: Foreign currency	Meals: U.S. dollar equivalent or U.S. currency	Transportation: Foreign currency	Transportation: U.S. dollar equivalent or U.S. currency	Miscellaneous: Foreign currency	Miscellaneous: U.S. dollar equivalent or U.S. currency	Total: Foreign currency	Total: U.S. dollar equivalent or U.S. currency
Elmer W. Henderson:											
Senegal	Franc	4,220	17.54	1,700	7.08	175	0.77	80	0.33	6,175	25.76
Ghana	Ghana pound	20.5	57.10	11	30.80	3	8.40	1.12	3.14	35	99.44
Nigeria	Nigeria pound	36.12	102.30	13	36.40	33	92.40	4.8	11.44	87	242.54
Sudan	Sudan pound	5.276	14.50	1	2.80	1	2.80	1	2.80	7	20.30
Kenya	East African shilling	194.70	27.16	120	16.80	21	2.94	39	5.46	374	52.36
Uganda	do	75.40	10.50	70	9.80	10	1.40	19	2.66	174	24.36
United Arab Republic	Egyptian pound	12.14	27.30	6	13.50	2	4.75	3.85	8.75	25	56.30
Transportation [1]							1,994.50				1,994.50
Total			256.44		117.28		2,107.16		34.68		2,515.56

[1] Air transportation, Washington, D.C., to Dakar, Accra, Lagos, Khartoum Nairobi, Kampala, Cairo, and return via Pan American Airlines. Ticket purchased by U.S. Department of State out of counterpart funds.

RECAPITULATION

Foreign currency (U.S. dollar equivalent)	$2,515.56

SUBCOMMITTEE ON MILITARY OPERATIONS

Name and country	Name of currency	Lodging: Foreign currency	Lodging: U.S. dollar equivalent or U.S. currency	Meals: Foreign currency	Meals: U.S. dollar equivalent or U.S. currency	Transportation: Foreign currency	Transportation: U.S. dollar equivalent or U.S. currency	Miscellaneous: Foreign currency	Miscellaneous: U.S. dollar equivalent or U.S. currency	Total: Foreign currency	Total: U.S. dollar equivalent or U.S. currency
Hon. R. Walter Riehlman:											
England	Pound	6	22.42	13	36.23	5	14.05			26	73.06
Denmark	Kroner	208	41.68	100	14.54	105	15.27			453	71.49
Germany	Deutsche mark	105.15	26.32	205.15	51.37	292	73.12	200	50.08	803.30	201.15
Austria	Schilling	7103	79.91	1,019	38.72	640	24.32			3,762	142.95
Italy	Lire	207,642	170.07	80,800	143.46	30,650	16.83			269,092	330.36
Greece	Drachmas	426	141.86	647	215.45	142	47.29			1,215	404.60
Egypt	Egyptian pound.	12.525	28.18	10.250	23.06	1.925	4.33			24.700	55.57
Lebanon	Lebanese pound.	63.90	21.23	51	16.94	17.10	5.69			132.00	43.95
Israel	Israeli pound	26.100	23.06	42.900	198.03	21.000	97.23			84.000	388.92
Jordan	Jordanian pound.			2.000	5.60	12.000	33.60			14.000	39.20
France	Franc	712.60	145.97	377.25	75.07	280	55.72	209.35	61.86	1,680	334.32
Total			767.27		819.41		504.45		111.64		2,202.77

RECAPITULATION

Foreign currency (U.S. dollar equivalent)	$2,202.77
Appropriated funds:	
H. Res. 70, 87th Cong	101.20
Government Department:	
Defense (MATS) TWA Oct. 16, 1961	96.00
Defense (MATS) TWA Dec. 18, 1961	151.70
Defense (MATS) TWA Dec. 22, 1961	151.70
Total	2,703.37

Report of expenditure of foreign currencies and appropriated funds by the Committee on Government Operations, U.S. House of Representatives, expended between Jan. 1 and Dec. 31, 1961—Continued

FOREIGN OPERATIONS AND MONETARY AFFAIRS SUBCOMMITTEE

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Hon. John Monagan:											
Brazil	Cruzeiro	12,200	36.63	3,980	11.95	18,285	54.91	12,163	36.53	46,628	140.02
Argentina	Peso	7,936	93.61	2,738	33.02	2,898	34.95	1,221	14.72	14,793	178.30
Chile	Escudo	61.80	58.80	9.92	9.44			27.77	26.42	99.49	94.66
Peru	Sol	2,300	85.82	938.00	35.00	607	22.64	102	3.80	3,947	147.26
Panama	Balboa								16.30		$16.30
Venezuela	Bolivar								76.05		$76.05
Curacao	Guilder								33.48		$33.48
Puerto Rico	Dollar								53.31		$53.31
Hon. George Meader:											
Brazil	Cruzeiro	12,200	36.63	15,614	46.89	18,285	54.91	13,543	40.67	59,642	179.10
Argentina	Peso	3,224	38.89	2,919	35.21	2,898	34.95	976	11.77	10,017	120.82
Chile	Escudo	61.80	58.80	31.24	29.72			24.77	23.57	117.81	112.09
Peru	Sol	1,841	68.59	1,364	50.89	607	22.64	67	2.50	3,879	144.72
Panama	Balboa								16.30		$16.30
Venezuela	Bolivar								76.05		$76.05
Curacao	Guilder								33.48		$33.48
Puerto Rico	Dollar								53.31		$53.31
Hon. Henry Reuss:											
Argentina	Peso	1,612	19.44	1,475	17.79	2,898	34.95	406	4.89	6,391	77.07
Chile	Escudo	61.80	58.80	23.46	22.32			28.92	27.52	114.18	108.64
Peru	Sol	1,841	68.59	1,455	54.29	607	22.64	296	11.04	4,199	156.56
Panama	Balboa								16.30		$16.30
Venezuela	Bolivar								76.05		$76.05
Curacao	Guilder								33.48		$33.48
Puerto Rico	Dollar								53.31		$53.31
John T. M. Reddan:											
Brazil	Cruzeiro	12,200	36.63	7,692	23.10	18,285	54.91	12,953	38.93	51,140	153.57
Argentina	Peso	2,728	32.90	3,214	38.76	2,898	34.95	1,126	13.58	9,966	120.19
Chile	Escudo	61.80	58.80	50.37	47.93			25.77	24.52	137.94	131.25
Peru	Sol	1,150	42.91	1,625	60.63	607	22.64	347	12.94	3,729	139.12
Panama	Balboa								16.30		$16.30
Venezuela	Bolivar								76.05		$76.05
Curacao	Guilder								33.48		$33.48
Puerto Rico	Dollar								53.30		$53.30
Lanham Connor (reporter):											
Brazil	Cruzeiro	12,200	36.63	7,264	21.81	18,285	54.91	12,408	37.26	50,157	150.61
Argentina	Peso	2,728	32.90	520	6.27	2,898	34.95	298	3.57	6,442	77.69
Chile	Escudo	61.80	58.80	78.23	74.43			26.17	24.90	166.20	158.13
Peru	Sol	660	25.74	1,339	49.96	607	22.64	212	7.91	2,818	106.25
Panama	Balboa								16.29		$16.29
Venezuela	Bolivar								76.05		$76.05
Curacao	Guilder								33.47		$33.47
Puerto Rico	Dollar								53.30		$53.30
Leslie Grant (ICA):											
Brazil	Cruzeiro	10,400	31.23	12,593	37.82	18,285	54.91	17,296	51.94	58,573	175.90
Argentina	Peso	3,224	38.89	2,200	26.53	2,898	34.95	261	3.14	8,583	103.51
Chile	Escudo	61.80	58.80	34	32.35			23.57	22.42	119.37	113.57
Peru	Sol	1,150	42.91	1,225	45.70	607	22.64	128	4.77	3,110	116.02
Panama	Balboa								16.29		$16.29
Venezuela	Bolivar								76.05		$76.05
Curacao	Guilder								33.47		$33.47
Puerto Rico	Dollar								53.30		$53.30
Frank Hill (Navy Department):											
Brazil	Cruzeiro	7,800	23.42	33,889	101.77	18,285	54.91	16,263	48.80	76,237	228.90
Argentina	Peso	3,224	38.89	2,836	34.20	2,898	34.95	366	4.41	9,324	112.45
Chile	Escudo	61.80	58.80	66.89	63.64			23.77	22.62	152.46	145.06
Peru	Sol	660	25.74	1,020	39.06	607	22.64	32	1.19	2,249	87.63
Panama	Balboa								16.29		$16.29
Venezuela	Bolivar								76.05		$76.05
Curacao	Guilder								33.47		$33.47
Puerto Rico	Dollar								53.30		$53.30
John Robinson (ICA):											
Brazil	Cruzeiro	12,200	36.63	12,623	38.51	18,285	54.91	16,593	49.83	59,701	179.88
Argentina	Peso	2,976	35.89	3,340	40.28	2,898	34.95	316	3.81	9,530	114.93
Chile	Escudo	61.80	58.80	57.34	53.10			35.92	34.18	154.06	146.08
Peru	Sol	1,074	40.07	1,968	73.06	607	22.64	481	17.94	4,130	153.70
Panama	Balboa								16.29		$16.29
Venezuela	Bolivar								76.05		$76.05
Curacao	Guilder								33.47		$33.47
Puerto Rico	Dollar								53.30		$53.30
Melvin Sinn (State Department):											
Brazil	Cruzeiro	10,400	31.23	44,180	132.67	18,285	54.91	18,236	55.08	91,201	273.87
Argentina	Peso	3,224	38.89	4,209	50.77	2,898	34.95	348	4.17	10,677	128.78
Chile	Escudo	61.80	58.80	52.28	49.74			26.77	24.99	140.85	133.53
Peru	Sol	660	24.62	1,387	51.75	607	22.64	162	6.04	2,816	105.05
Panama	Balboa								16.29		$16.29
Venezuela	Bolivar								76.05		$76.05
Curacao	Guilder								33.47		$33.47
Puerto Rico	Dollar								53.30		$53.30
Transportation [1]								8,550.00			8,550.00
Total			1,506.72		1,589.34		9,807.59		2,335.70		15,038.35

[1] Only summary figures available from Department of State.
[2] 9 round-trip airline tickets via Pan American Airways at $950 each.

RECAPITULATION

Foreign currency (U.S. dollar equivalent) $15,038.35

WILLIAM L. DAWSON,
Chairman, Committee on Government Operations.

Report of expenditure of foreign currencies and appropriated funds by the Committee on Government Operations, U.S. House of Representatives, expended between Jan. 1 and Dec. 31, 1961—Continued

SPECIAL SUBCOMMITTEE ON GOVERNMENT INFORMATION

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Samuel J. Archibald:											
United Kingdom	Pound	27-2-6	76.38	23-4-1	65.00	42-10-0	119.00	2-3-5	6.07	95-0-0	265.65
France	Franc	841	171.66	821	167.73	290	59.15	236	48.15	2,118	446.69
Germany	Deutsche mark	224	53.23	423	100.70	316	75.25	37	8.80	1,000	237.98
Italy	Lire	71,371	114.93	105,766	170.30	22,511	36.25	10,836	17.45	210,474	338.93
Greece	Drachma	484	16.15	786	26.19			30	1.00	1,300	43.34
Egypt	Dollar							75	1.69	75	1.69
Philippines	Peso	60.48	18.90	66.08	20.65	26.78	8.37	10.06	3.14	163.40	51.06
Hong Kong	Dollar	205.00	50.00	408.12	71.60	145.06	25.45	20.80	3.65	858.98	150.70
Japan	Yen	40,320	112.00	51,318	142.55	17,352	48.20	5,130	14.25	114,120	317.00
Transportation [1]							934.80				934.80
Phineas Indritz:											
United Kingdom	Pound	25-6-0	70.84	15-3-4	42.47	8-3-8	22.91	2-5-0	6.30	50-18-0	142.50
France	Franc	700	142.57	708.20	144.24	89.20	18.17	366.58	74.66	1,863.98	379.64
Germany	Deutsche mark	185.25	46.43	160.55	40.24	153.50	38.47	69	17.29	568.30	142.43
Italy	Lire	68,896	78.73	52,190	84.04	22,000	35.43	22,995	37.03	146,074	235.23
Greece	Drachma	450	15.00	860	28.67	90	3.00	563	19.43	1,962	65.40
Egypt	Egyptian pound			40	.90			.45	1.01	.85	1.91
Philippines	Peso	50.10	18.22	62.75	22.82	7.40	2.69	25.70	9.35	145.95	53.08
Hong Kong	Dollar	210	36.91	100.50	17.67	28.60	5.03	32.10	5.64	371.20	65.25
Japan	Yen	21,860	60.72	29,517	81.99	5,425	15.07	5,333	23.15	65,135	180.93
Transportation [1]							934.80				934.80
Jack Howard:											
United Kingdom	Pound	25-6-0	70.90	29-13-4	83.07	16-13-5	46.69	9-15-11	27.42	81-8-8	228.08
France	Franc	822.45	169.82	857.75	174.98	253.35	51.68	181.45	37.02	2,125	433.50
Germany	Deutsche mark	181.80	43.28	257.33	61.28	487.57	116.09	105.05	25.72	1,034.75	246.37
Italy	Lira	68,325	110.05	91,290	147.09	17,505	28.06	8,380	13.52	185,500	298.72
Greece	Drachma	377	12.53	621	20.70	123	4.10	78	2.60	1,199	39.93
Egypt	Egyptian pound.			.70	1.57			.35	.79	1.05	2.36
Philippines	Peso	50.10	15.60	74.60	23.37	28.20	8.81	10.40	3.25	163.30	51.03
Hong Kong	Dollar	255	44.74	295	51.75	59	10.35	38.00	6.66	647	113.50
Japan	Yen	41,500	115.28	63,300	175.71	12,360	34.33	7,500	20.79	124,660	346.11
Transportation [1]							934.80				934.80
Total			1,665.07		1,967.58		5,616.95		435.83		7,665.43

[1] Round-trip air transportation purchased by U.S. State Department before departure via Pan American Airways System, reading "Washington-New York-London, etc., and return."

RECAPITULATION

Foreign currency (U.S. dollar equivalent) $7,665.43

WILLIAM L. DAWSON,
Chairman, Committee on Government Operations.

Report of expenditure of foreign currencies and appropriated funds by the Committee on Science and Astronautics, expended between Jan. 1 and Dec. 31, 1961

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Geo. P. Miller:											
France	New franc	1,364	272.80	336.30	67.86			126.70	25.34	1,830	366.00
Switzerland	Franc	364	62.72	320.85	73.68	275.00	63.25	115.65	26.60	975	224.25
Netherlands	Guilder	350	91.00			283.00	73.58			633	164.58
Denmark	Krone	720.75	107.27	300.25	43.54	365.00	52.92	110.00	15.40	1,515	219.13
United Kingdom	Pound	105.3	294.42	47-6	132.44	7-8	20.72	5-9	15.26	165-6	462.84
Total			826.21		317.52		210.47		82.60		1,436.80
William K. VanPelt:											
France	New franc	859.5	171.90	668	133.60	220	44.00	282.5	46.50	1,980	396.00
Switzerland	Franc	314.75	50.66	230.25	50.66	300	66.00	200.0	46.00	1,085	216.32
Netherlands	Guilder	172.97	44.97	200	52.00	283	73.58	29.53	7.68	685.5	178.23
Denmark	Krone	612.85	88.86	610	88.45	365	52.92	242.15	35.11	1,830	265.34
United Kingdom	Pound	86	240.80	60	168.00	32.7	231.56	24	67.20	202.7	707.56
Total			597.19		492.71		471.06		202.49		1,763.45
C. F. Ducander:											
France	New franc	307.60	61.52	432.90	86.58			389.5	77.90	1130	226.00
Switzerland	Franc	144.60	23.26	263.70	60.65	275	63.25	151.70	34.89	835	192.05
Netherlands	Guilder	115.00	29.90	61.52	15.99	283	73.58	90.37	26.11	560	145.58
Denmark	Krone	311.60	46.18	410.60	59.54	365	52.92	147.80	21.31	1235	179.95
United Kingdom	Pound	39.0	109.20	33.3	92.82	56.7	164.56	57.7	160.58	187.4	527.16
Total			280.06		315.58		354.31		320.79		1,270.74
P. B. Yeager:											
France	New franc	620	124.00	480	96.00	110	22.00	450	90.00	1,660	332.00
Switzerland	Franc	301	46.23	150	34.50	275	63.25	259	59.57	885	203.55
Netherlands	Guilder	180	31.80	68	11.68	293	76.18	77	18.02	336	137.68
Denmark	Krone	412	59.74	178	25.81	365	52.92	145	21.02	755	159.49
United Kingdom	Pound	54.6	152.04	33.1	92.64	65.3	182.84	35.74	100.00	186.7	528.22
Total			413.81		260.63		397.19		289.41		1,360.94

Report of expenditure of foreign currencies and appropriated funds by the Committee on Science and Astronautics, expended between Jan. 1 and Dec. 31, 1961—Continued

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Victor L. Anfuso:											
Italy	Lire	328,552	529.00	304,290	490.00	201,625	325.00	24,840	40.00	[illegible]	1,284.00
Germany	Mark					4,248.98	1,064.90				1,064.90
			528.00		490.00		1,389.90		40.00		2,448.90
Total											
Olin E. Teague:											
New Zealand	Pound	6.0.0	16.80	12.0.0	33.60	2.0.0	5.60			20.0.0	55.00
Australia	do	16.0.0	36.00	12.0.0	27.00	4.0.0	8.90	3.0.0	6.75	35.0.0	78.65
Singapore	Dollar (Malayan)	73.60	25.00	98.00	30.00	30.00	10.00	5.00	1.67	206.60	66.67
Hong Kong	Dollar (Hong Kong)	226.00	39.82	250.00	44.27	100.00	17.69	23.00	4.42	699.00	105.20
Total			117.02		134.87		42.19		12.84		307.52
David S. King:											
United Kingdom	Pound	34.14.8	97.39	4.12.0	12.92	22.10	63.00	6.4.4	17.76	65.12.2	191.27
France	New franc	851.0	173.69	206.0	42.04	30.0	6.12	85.0	17.34	1,172.0	239.19
Total			271.28		54.96		69.12		35.10		430.46
Total			3,038.17		2,058.17		2,934.24		983.23		9,013.81

RECAPITULATION

	Amount
Foreign currency (U.S. dollar equivalent)	9,013.81

GEORGE P. MILLER,
Chairman, Committee on Science and Astronautics.

MAR. 9, 1962.

Report of expenditure of foreign currencies and appropriated funds, Committee on Merchant Marine and Fisheries, U.S. House of Representatives, expended between Jan. 1 and Dec. 31, 1961

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Edward A. Garmatz:											
England	Pound	81/13/6	228.70	18/7	43.80	16/10	46.70	27/2	77.10	149/12	396.30
Sweden	Kroner	434.85	86.97	510	102.00	80	16.00	65	13.00	1,089.85	217.97
West Germany	Deutsche mark	296.70	74.18	153	38.00	75	18.75	90	22.50	574.70	153.43
France	Franc	1,638.85	328.00	850	170.00	1,695	339.00	140	28.00	4,314.85	863.00
Italy	Lire	52,500	84.45	46,750	75.40	23,390	37.70	15,950	25.07	138,450	222.62
Belgium	Franc	3,600	72.00	1,860	37.20	2,000	40.00	1,100	22.00	8,560	171.20
Stanley R. Tupper:											
England	Pound	45/7/6	127.25	16/6	46.20	14/10	40.70	24/6	67.90	102/11/6	288.15
Sweden	Kroner	274.90	54.98	360	72.00	206	41.00	75	15.00	914.90	182.98
West Germany	Deutsche mark	227.70	56.93	165	41.25	155	38.75	50	12.50	597.70	149.43
France	Franc	1,050	210.00	810	162.00	300	60.00	125	25.00	2,285	457.00
Belgium	do	3,050	61.00	2,120	42.40	5,315	106.30	1,150	23.00	11,635	232.70
Milton W. Glenn:											
England	Pound	32/12/6	91.70	14/9	41.10	14/10	40.70	24	67.20	87/11/6	248.70
Sweden	Kroner	197.70	39.52	410	82.00	80	16.00	65	13.00	752.70	150.52
West Germany	Deutsche mark	124.20	31.05	180	45.00	199	49.75	40	10.00	543.20	135.80
France	Franc	576	115.20	875	175.00	300	60.00	100	20.00	1,851	370.20
Belgium	do	3,600	72.00	1,980	39.60	2,000	40.00	1,150	23.00	8,730	174.60
Thomas N. Downing:											
England	Pound	31/2/6	87.20	45	126.00	20/5	56.70	31/6	87.85	127/13/6	357.55
Sweden	Kroner	196.08	39.21	595	119.00	52	10.40	410	82.00	1,253.08	250.61
West Germany	Deutsche mark	82.80	20.70	132	33.00	75	18.75	267.20	66.80	557	139.25
Belgium	Franc	1,800	36.00	3,500	70.00	2,535	50.70	2,802.50	56.05	10,637.50	212.75
Bernard J. Ziesske:											
England	Pound	45/7/6	127.40	14/4	40.90	14/10	40.70	34/10	102.80	113/11	317.00
Sweden	Kroner	271.65	54.33	415	83.00	82	16.40	65	13.00	833.65	166.73
West Germany	Deutsche mark	230.40	55.20	175	43.75	199	49.75	140	37.25	743.40	185.95
France	Franc	1,039.35	207.87	860	172.00	1,461	292.20	875	175.00	4,235.35	847.07
Italy	Lire	51,160	82.52	43,425	70.04	42,350	68.30	16,965	27.36	153,900	248.22
Belgium	Franc	1,800	36.00	1,990	39.80	2,000	40.00	1,100	22.00	6,890	137.80
John D. Dingell: France	do	722.80	144.56	475.40	95.08	126	25.20			1,324.20	264.84
Paul S. Bauer:											
France	do	1,152.25	230.45	1,050	210.00	75	15.00	410	82.00	2,687.25	537.45
Denmark	Kroner	1,363.35	194.76	1,150	157.85	100	14.28	515	73.57	3,128.35	440.47
Italy	Lire	49,190	79.32	51,120	82.45	10,500	16.94	20,010	32.27	130,820	210.98
John M. Drewry:											
England	Pound	37/6	104.30	31/2	87.20	10/6	29.70	5	14.00	83/14	234.20
France	Franc	660	132.00	675	135.00	96	19.20	127	25.40	1,558	311.60
Total			3,365.73		2,778.12		1,772.58		1,349.52		9,265.95

RECAPITULATION

	Amount
Foreign currency (U.S. dollar equivalent)	9,265.95
Appropriated funds	
Total	9,265.95

HERBERT C. BONNER,
Chairman, Committee on Merchant Marine and Fisheries.

MAR. 8, 1962.

Report of expenditure of foreign currencies and appropriated funds, Committee on Ways and Means, U.S. House of Representatives, expended between Jan. 1 and Dec. 31, 1961

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Hon. John W. Byrnes:											
France	Franc			60	12.15					60	12.15
Germany	Deutsche mark	180	45.62	135	35.41	582.14	145.90	30	7.14	927.14	234.07
Italy	Lire	80,700	81.12	35,300	58.23	62,481	100.61	7,000	11.20	185,481	251.16
Switzerland	Franc	230	54.30	121	30.16			50	11.55	410	96.01
Belgium	do					5,060	102.07			5,060	102.07
Hon. James B. Frazier, Jr.:											
Belgium	do			2,751	55.80	6,758	135.05	1,250	25.00	10,754	215.85
Denmark	Kroner	510	74.04	300	43.65			70	9.42	880	127.11
France	Franc			455	92.58			235	50.00	690	142.58
Hon. Cecil R. King:											
England	Pound	60	168.00	34	95.00			6	16.00	100	280.00
Germany	Deutsche mark	514	124.10	354	93.00	4,715	1,181.70	90	26.00	5,573	1,421.80
Italy	Lire	126,000	202.01	124,000	200.00	117,679	189.50	30,700	50.00	398,379	641.51
France	Franc	800	166.32	650	131.00	369	75.00	181	35.00	2,000	407.32
Switzerland	do	1,000	232.00	700	160.00	258	60.02	42	12.00	2,000	464.02
Hon. Herman T. Schneebeli:											
France	do	416	85.87	280	55.79	60	12.15			756	153.81
Italy	Lire	38,400	61.44	40,000	64.00	113,436	182.58			191,836	308.02
Switzerland	Franc	525	122.67	450	105.00	55	16.95			1,030	245.63
Germany	Deutsche mark	180	45.25	200	51.00	5,212	1,240.30			5,592	1,336.55
Hon. Al Ullman:											
Switzerland	Franc	146	33.58	130	29.90	170	39.10	71	16.23	517	118.81
Belgium	do	910	18.20	860	17.20	700	14.00	470	9.40	2,940	58.80
Denmark	Kroner	210	30.45	199	28.86	72	10.44	59	8.55	540	78.30
England	Pound	10	28.00	9.1	25.32	2.2	5.84	3.1	8.32	24.4	67.68
Germany	Deutsche mark					4,230	1,007.75			4,230	1,007.75
Hon. James B. Utt:											
Switzerland	Franc	146	33.58	108	24.84	160	36.80	84	19.32	498	114.54
Belgium	do	910	18.20	988	19.75	565	11.30	528	10.55	2,991	59.80
Germany	Deutsche mark	152	38.00	121	30.25	4,403	1,046.80	30	7.50	4,706	1,122.55
England	Pound	10	28.00	10.10	29.40	2.10	7.00	3.4	8.88	25.6	73.28
Alfred R. McCauley:											
Switzerland	Franc	120	27.60	120	27.60	164	37.72	89	20.47	493	113.39
Belgium	do	910	18.20	955	19.10	935	18.70	820	16.40	3,620	72.40
Denmark	Kroner	210	30.45	180	26.10	62	8.99	89	12.91	541	78.45
England	Pound	10	28.00	9	25.20	2.3	5.96	4.1	10.32	25.4	69.48
Germany	Deutsche mark					4,230	1,007.75			4,230	1,007.75
Total			1,795.00		1,555.29		6,699.99		402.36		10,482.64

RECAPITULATION

	Amount
Foreign currency (U.S. dollar equivalent)	$10,482.64
Appropriated funds	
Total	10,482.64

WILBUR D. MILLS,
Chairman, Committee on Ways and Means.

Report of expenditure of foreign currencies and appropriated funds, Committee on the Judiciary, U.S. House of Representatives, expended between Jan. 1 and Dec. 31, 1961

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Hon. Emanuel Celler:[1]											
Germany	Deutsche mark					4,387.80	[2] 1,099.70			4,387.80	1,099.70
Italy[3]	Lire	261,213	420.62	490,913	790.51	254,767	410.24	164,107	264.25	1,171,000	1,885.62
Herbert N. Maletz:[4]											
Germany	Deutsche mark	100	25.00	33.88	8.47	4,556.80	[2] 1,141.95	170.59	42.74	4,861.27	1,218.16
Italy	Lire	212,290	341.90	163,619	263.36	162,836	262.26	46,755	75.29	585,500	942.81
France	New franc	1,108.32	223.90	559.15	114.46	713.85	145.40	92.28	21.08	2,473.57	504.84
England	Pound sterling	37/6/8	104.68	18/13/0	52.37	1/1/0	2.94			57/8/0	159.99
Hon. Francis E. Walter:											
France	New franc	376.08	76.75	660.02	134.70	5,707.72	1,164.84	174.69	35.65	6,918.51	1,411.94
Switzerland	Swiss franc	399.53	85.54	600.72	92.76	272.16	63.00			1,042.41	241.30
United Kingdom	Pound sterling	84/11/9	236.84	93/3/3	260.86	46/4/4	129.40	22/5/0	62.30	246/4/4	689.40
Walter M. Besterman:											
France	New franc	350.91	73.45	679.38	138.65	5,707.72	1,674.84	171.50	35.00	6,918.51	1,411.94
Switzerland	Swiss franc	361.24	83.62	621.86	143.95	364.87	84.46	155.52	36.00	1,503.49	348.03
United Kingdom	Pound sterling	43/15/-	122.52	47/5/2	132.43			8/19/10	25.00	100/0/0	280.00
Italy	Lire	71,427.52	115.02	78,568	126.52	51,139	82.35			201,135	323.89
Hon. Michael A. Feighan:											
Argentina	Peso	5,306	64.05	7,432	90.00	4,119	49.60	1,727	20.43	18,584	224.08
Brazil	Cruzeiro	25,179	85.35	48,074	162.98	28,910	98.00	5,222	18.04	107,485	364.35
Hon. Peter W. Rodino:											
Italy[3]	Lira	199,640	322.00	187,240	302.00	95,480	154.00	28,220	45.30	510,580	823.30
England	Pound sterling	7/13/0	21.85	11/4/0	32.00	7/14/0	22.04	3/17/0	11.00	30/8/0	86.89
Switzerland[4]	Swiss franc	1,060	246.40	955	222.40	500	111.60	21	4.69	2,536	585.09
Germany	Deutsche mark					4,387.80	1,099.70			4,387.80	1,099.70
Hon. Byron G. Rogers:											
Switzerland	Swiss franc	530	123.20	425	98.60	104	24.00	86	20.00	1,135	265.80
Italy	Lira	21,310	33.98	25,100	40.58	179,647	288.00	1,075	11.40	179,400	374.88
Greece	Drachma	1,430	40.70	960	33.00	3,845	128.16	350	11.06	6,585	212.92
France	New franc	312	81.30	300	75.00			3,800	22.00	700	178.30

Footnotes at end of table.

Report of expenditure of foreign currencies and appropriated funds, Committee on the Judiciary, U.S. House of Representatives, expended between Jan. 1 and Dec. 31, 1961—Continued

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Hon. William C. Cramer:											
Austria	Schilling	2,791.85	108.54	4,713.45	183.26	2,739.96	106.53	1,131.08	44.00	11,376.73	442.33
Denmark	Danish kroner	298.94	43.45	600.96	58.28	195.90	28.62	103.20	15.00	1,002.00	145.35
France	New franc	1,386.61	264.41	1,180.96	236.93	1,119.26	228.42	416.01	84.90	3,991.82	814.66
Germany	Deutsche mark	297.20	74.30	458.12	114.53	143.20	35.80	104.00	26.00	1,002.52	250.63
Poland	Zloty	3,490.85	62.47	4,770.15	86.73	4,114.00	74.80	1,375.00	25.00	13,749.00	250.00
United Kingdom	Pound sterling	56/1/2	157.96	101/12/5	283.44	49/10/0	138.60	22/15/5	64.00	230.00	644.00
Hon. Basil L. Whitener:											
Germany	Deutsche mark					7,387.80	1,860.91			7,387.80	1,860.91
Hong Kong, British Crown Colony	Hong Kong dollar.	819	142.47	980	170.36			201	35.00	2,000	347.83
Japan	Yen	47,077	130.77	61,488	170.80	53,075	147.42	18,360	51.00	180,000	500.00
William H. Crabtree:											
Hong Kong, British Crown Colony	Hong Kong dollar.	362	62.92	477	82.84	209	36.34	121	21.00	1,169	203.30
Japan	Yen	13,032	36.20	15,936	44.27			7,200	20.00	42,968	119.17
Germany	Deutsche mark					7,291.84	1,818.00			7,291.84	1,818.00
Hon. Roland V. Libonati: [1]											
Italy [1]	Lire	304,290	490.00	372,000	600.00	20,045	145.00	149,040	240.00	915,975	1,475.00
Austria	Schilling	1,534	59.00	1,300	50.00	650	25.00	1,040	40.00	4,524	174.00
Denmark	Danish kroner	392	56.00	420	60.00	245	35.00	175	25.00	1,232	176.00
United Kingdom	Pound sterling	34.4	97.00	53.2	150.00	14.2	40.00	39	110.00	140.8	397.00
Germany	Deutsche mark					6,288	1,572.00			6,288	1,572.00
Cyril F. Brickfield: [1]											
France	New franc	490	99.00	265	53.00	360	72.00	225	65.00	1,440	288.00
Italy	Lire	170,775	275.00	82,592	133.00	404,892	652.00	138,726	223.00	797,985	1,285.00
Germany	Deutsche mark					4,400	[1] 1,100.00			4,400	1,100.00
Hon. J. Carlton Loser: [1]											
Italy	Lire	30,000	62.79	24,000	38.64			15,000	24.15	79,000	125.58
Switzerland	Swiss franc	196	45.60	140.50	32.70	20	4.65	30	6.98	386.50	89.93
France	New franc	450	90.00	210	42.00	200	40.00	55	11.00	915	183.00
England	Pound sterling	27/4/6	76.66	15	42.00	8	22.40	10	28.00	60/4/6	169.06
Hon. Arch A. Moore, Jr.:											
Germany	Deutsche mark					7,502.04	1,871.15			7,502.04	1,871.15
Hong Kong, British Crown Colony	Hong Kong dollar.	814	141.70	1,138	197.95	749	130.28	299	52.00	3,000	521.93
Japan	Yen	30,117	83.66	47,022	130.62	28,224	78.40	11,539	32.00	116,902	324.68
Hon. William T. Cahill:											
Egypt	Egyptian pound.	12.12	27.37	15.44	34.86	6.14	13.00			33.70	75.83
France	New franc					4,343.30	884.56			4,343.30	884.56
Israel	Pound	96.40	44.17	91.71	42.43	30.67	14.20	27.22	12.60	245.00	113.40
Italy	Lire	12,420	20.00	17,580	28.31	40,542	65.45			70,542	113.76
Lebanon	Lebanese pound.	53.15	17.60	60.96	20.15	52.55	17.40	18.44	6.10	185.00	61.25
Syria	Syrian pound	75.60	21.20	80.68	22.60	22.13	6.20			178.80	50.09
Turkey	Lira	291.60	32.40	336.15	37.35	185.85	20.65	86.40	9.60	900.00	100.00
United Kingdom	Pound sterling	11/10/-	33.48	7/3/-	19.72			2/-/-	5.60	21.00	58.80
Hon. Francis E. Walter:											
France	New franc	651.42	132.90	701.48	143.16	384.46	78.40	262.64	53.60	2,000.00	408.06
Germany	DM	531.78	132.94	894.24	223.56	4,699.40	1,174.85	174.00	43.50	6,299.40	1,574.85
Switzerland	Swiss franc	358.14	82.44	410.14	94.94	407.59	94.35	123.12	28.50	1,298.99	300.23
Walter M. Besterman:											
France	New franc	620.49	126.63	707.51	144.41	315.07	64.30	156.80	32.00	1,799.87	367.34
Germany	DM	517	129.25	809	202.25	4,699.40	1,174.85	174.00	43.50	6,199.40	1,549.85
Switzerland	Swiss franc	628.13	145.40	610.11	141.23	426.04	98.62	182.44	42.00	1,845.72	427.25
Total			6,534.27		7,431.95		21,717.77		2,283.18		37,967.17

[1] $370.49 personal check refunded to State Department.
[2] Unused portion of air ticket to be refunded to State Department.
[3] On special Presidential mission for celebration of 100th anniversary of unification of Italy.
[4] $188.40 personal check refunded to State Department.
[5] Funds expended for use of Representative Byron G. Rogers as well.
[6] $450.00 personal check refunded to State Department.
[7] $35.00 personal check refunded to State Department.
[8] Unused portion of air ticket to be refunded to State Department.
[9] $328.19 personal check refunded to State Department.

EMANUEL CELLER,
Chairman, Committee on the Judiciary.

MAR. 12, 1962.

Report of expenditure of foreign currencies and appropriated funds, Committee on Public Works, U.S. House of Representatives, expended between Jan. 1 and Dec. 31, 1961

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Frank M. Clark:											
Australia	Pound	26.5	59.05	16	36.00	41	92.25	80	180.00	163.5	367.30
Hong Kong	Dollar	105	18.00	130	22.60	130	22.50	700	121.80	1,065	184.90
Japan	Yen	4,680	13.00	5,760	16.00	5,400	15.00	9,180	25.50	25,020	69.56
Cambodia	Reil			1,112	32.00	1,845	53.00	1,545	44.18	4,502	129.18
Greece	Drachma	662	22.00	450	15.00	1,020	34.00	870	29.00	3,002	100.00
Italy	Lire	33,700	54.00	22,500	36.00	24,300	40.00	44,300	71.00	126,800	201.00
Singapore	Dollar			36.36	12.00	28.27	9.00			68.63	21.00
Thailand	Baht			315	15.00	262	12.55			577	27.55
Turkey	Lira	180	20.00	135	15.00	360	40.00	315	35.00	990	110.00
	Deutsche mark [1]					5,306.13	2,142.60			5,306.13	2,142.60
W. R. Hull, Jr.: Chile	Escudo	170	161.00	103	98.00	134	128.00	110	105.00	517	492.00
	Deutsche mark [1]					3,900	950.00			3,900	950.00

See footnote at end of table.

Report of expenditure of foreign currencies and appropriated funds, Committee on Public Works, U.S. House of Representatives, expended between Jan. 1 and Dec. 31, 1961—Continued

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Robert E. Jones, Jr.:											
Australia	Pound	26.5	59.05	16	36.00	31	69.75	41	92.25	114.5	257.05
Hong Kong	Dollar	110	19.30	90	15.60	200	34.80	380	66.00	780	135.70
Japan	Yen	4,680	13.00	6,480	18.00	4,320	12.00	9,146	25.40	24,626	68.40
	Deutsche mark [1]					8,506.13	2,142.60			8,506.13	2,142.60
Gracie Pfost: Belgium	Franc	3,462	69.25	1,600	32.00	2,515	50.30	702	14.05	8,280	165.60
Frank E. Smith:											
Australia	Pound	26.5	59.05	23	51.75	52	117.00	60	135.00	161.5	362.80
Hong Kong	Dollar	105	18.00	120	20.80	250	43.40	500	86.90	975	169.10
Japan	Yen	4,680	13.00	7,200	20.00	3,600	10.00	11,000	30.50	26,480	73.50
France	Franc			261	53.00	739	150.00			1,000	203.00
	Deutsche mark [1]					8,506.13	2,142.60			8,506.13	2,142.60
Richard J. Sullivan:											
Australia	Pound	73.10	114.25	14	31.50	68	153.00	90	202.50	245.10	501.25
Hong Kong	Dollar	300	52.00	400	69.00	1,800	260.00	880	153.00	3,380	534.00
Japan	Yen	7,200	20.00	32,400	90.00	7,214	20.00	31,753	88.50	78,567	218.50
	Deutsche mark [1]					8,506.13	2,142.60			8,506.13	2,142.60
Total			783.95		735.25		10,887.84		1,505.64		13,912.68

[1] Transportation paid in German currency.

RECAPITULATION

Foreign currency (U.S. dollar equivalent) $13,912.68

CHARLES A. BUCKLEY,
Chairman, Committee on Public Works.

MAR. 10, 1962.

Report of expenditure of foreign currencies and appropriated funds by the Committee on Foreign Affairs, U.S. House of Representatives, expended between Jan. 1 and Dec. 31, 1961

FULL COMMITTEE

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Hon. Thomas E. Morgan:											
France	Franc	1,572.72	320.31	943.70	192.20	276.92	56.40	335.50	68.33	3,128.84	637.24
Germany	Deutsche mark			62.64	15.70	11.16	2.80	26.18	6.56	100.00	25.06
Hon. Clement J. Zablocki:											
France	Franc	81.25	16.57	65.00	12.26	12.00	2.45	41.00	8.36	199.25	40.64
Poland	Zloty	2,740	49.50	5,600	101.50	4,300	78.50	5,610	102.00	18,150	331.50
Germany	Deutsche mark					4,698.4	1,174.60			4,698.4	1,174.60
Hon. Dante B. Fascell:											
Italy	Lire	97,114	156.39	84,418	135.93	63,815	102.76	37,675	60.99	283,222	456.07
Germany	Deutsche mark					4,179.53	1,047.50			4,179.53	1,047.50
Hon. Leonard Farbstein:											
France	Franc	1,248.60	254.29	568.01	115.69	171.85	35.00	67.74	13.80	2,056.20	418.78
Germany	Deutsche mark			60.85	15.25	9.20	2.31	29.95	7.50	100.00	25.06
United States	Dollar				2.25		528.00		3.00		533.25
Hon. D. S. Saund:											
Belgium	Franc			4,835.7	97.20	3,085.0	62.01	656.7	13.20	8,577.4	172.41
Germany	Deutsche mark	167.98	42.10	192.24	48.18	76.81	19.25	49.48	12.40	486.41	121.93
Switzerland	Franc	222.74	54.00	343.94	79.80	137.06	31.80	103.96	24.12	817.70	189.72
France	do	265.14	54.00	338.30	68.90	171.36	34.90	128.84	26.24	903.63	184.04
Hon. Cornelius E. Gallagher:											
France	Franc	475.23	96.90	489.15	99.74	157.89	32.20	399.86	81.58	1,522.13	310.42
Germany	Deutsche mark	182.10	45.64	228.00	57.00	12,781.13	3,200.55	512.00	128.00	13,703.23	3,431.19
Spain	Peseta	5,375.40	169.24	6,273.60	195.10	929.40	34.30	992.46	34.37	13,570.86	433.01
Italy	Lira	42,265.26	68.06	31,733.10	51.10	16,934.67	27.27	10,743.30	17.30	101,676.33	163.73
Hon. Robert B. Chiperfield:											
Japan	Yen	44,550	123.75	54,151	150.42	13,327	37.02	11,236	31.21	123,264	342.40
Taiwan	New Taiwan dollar.	1,200.0	30.00	172.8	43.20	794.0	19.85	43.6	10.90	4,158.0	103.95
Hong Kong	Hong Kong dollar.	180.00	26.31	269.10	47.21	119.70	21.00	111.36	19.50	650.16	114.02
Philippines	Peso	30.00	10.90	42.35	15.40	25.99	9.45	23.92	8.70	122.26	44.45
United States	Dollar		32.00				1,824.61				1,856.61
Hon. Frances P. Bolton: France	Franc	635.40	129.41	762.00	159.27	3,044.75	620.11	241.00	49.08	4,703.15	957.87
Hon. Chester E. Merrow:											
Germany	Deutsche mark	836.87	209.22	429.67	107.42	3,488.50	872.12	92.95	23.24	4,847.99	1,212.00
Denmark	Kroner	113.85	16.55	308.82	44.88	30.00	4.36	40.88	5.94	493.55	71.73
Austria	Schilling	993.60	38.52	536.05	20.84	45.00	1.75	152.40	5.92	1,727.05	67.15
Greece	Drachma	1,980	66.00	1,348.67	44.96	240.00	8.00	851.00	18.37	4,119.67	137.33
France	Franc	405.00	82.65	108.55	22.15			40.25	8.22	553.80	113.02
England	Pound	33.15.0	94.50	6.4.1	17.39	4.7.0	12.25	2.14.3	7.59	47.0.10	131.72
Laurence Curtis:											
France	Franc	446.40	90.92	410.97	83.70	2,969.40	604.77	81.02	16.50	3,907.79	795.89
Israel	Pound	43.92	20.80	36.55	17.06					80.47	37.86
Jordan	do	60.08	16.93							60.08	16.93
Lebanon	do	72.48	24.00	52.86	17.50	83.05	27.50	16.61	5.50	225.00	74.50

Report of expenditure of foreign currencies and appropriated funds by the Committee on Foreign Affairs, U.S. House of Representatives, expended between Jan. 1 and Dec. 31, 1961—Continued

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Hon. William S. Broomfield:											
Germany	Deutsche mark			138.00	34.50	11,655.34	2,918.59	207.96	51.99	12,001.30	3,005.08
France	Franc	197.45	40.30	151.75	30.97	69.10	14.10	63.70	13.00	482.00	98.37
Japan	Yen	16,000	44.45	28,757	79.88	14,400	40.00	15,559	43.22	74,716	207.55
Korea	Hwan	38,720	20.11	79,098	41.09	53,900	28.00	50,531	26.25	222,249	115.45
Taiwan	New Taiwan dollar	812.4	20.31	1,061.6	26.54	301.6	7.54	263.6	7.34	2,439.2	61.73
Hong Kong	Hong Kong dollar.	270.00	47.37	376.03	65.97	256.50	45.00	272.06	47.73	1,174.59	206.07
Philippines	Peso	74.00	26.91	66.00	24.00	47.74	17.36	41.26	15.00	228.99	83.27
United States	Dollar				3.00		11.25		9.25		23.50
Hon. Robert R. Barry:											
France	Franc	521.93	106.30	380.53	77.50	9,276.95	1,889.40	92.06	18.75	10,271.47	2,091.95
Germany	Deutsche mark	113.03	28.53	25.94	6.50	4,031.50	1,019.40	53.12	8.30	4,223.59	1,053.53
Spain	Peseta	7,365	122.75	17,373	289.55	14,166	236.10	4,618	80.30	43,722	728.70
Lebanon	Pound	69.46	23.00	79.31	26.26	17.52	5.80	14.89	4.93	181.18	59.99
Pakistan	Rupee	209.95	44.48	281.03	59.54	39.65	8.40	35.87	7.60	566.50	120.02
India	do	141.60	30.00	187.62	39.75	237.98	50.42	37.76	8.00	604.96	128.17
Thailand	Baht	564.30	27.00	872.58	41.75	296.33	13.70	156.75	7.50	1,879.96	89.95
Hong Kong	Hong Kong dollar	139.65	24.50	155.04	27.20	30.32	5.32	17.10	3.00	342.11	60.02
Taiwan	Taiwan dollar	500.0	14.00	648.0	18.20			78.8	1.97	1,226.8	32.17
Japan	Yen	18,180	50.50	15,552	43.20	5,346	14.85	4,122	11.45	43,200	120.00
United States	Dollar						292.00				292.00
Hon. J. Irving Whalley:											
France	Franc	1,116.00	227.29	562.29	114.52	165.00	33.60	390.15	79.46	2,233.44	454.87
Germany	Deutsche mark			59.05	14.80	16.00	4.01	24.94	6.25	100.00	25.06
Marian Czarnecki:											
France	Franc	81.25	16.57	65.00	13.26	10.00	2.04	14.50	3.00	170.75	34.87
Poland	Zloty	945	17.50	5,000	90.00	4,150	75.00	3,355	61.00	13,450	243.50
Germany	Deutsche mark					4,608.4	1,174.00			4,608.4	1,174.00
Irene Lewis: France	Franc	635.40	129.41	728.00	148.27	3,044.75	620.11	232.00	47.25	4,640.15	945.04
Total			3,400.65		3,394.44		19,052.98		1,280.97		27,229.04

RECAPITULATION

Foreign currency (U.S. dollar equivalent)	$24,523.68
Appropriated funds: H. Res. 60, H. Res. 61, 87th Cong	2,705.36
Total	27,229.04

THOMAS E. MORGAN,
Chairman, Committee on Foreign Affairs.

SUBCOMMITTEE ON FAR EAST AND THE PACIFIC

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Hon. J. L. Pilcher:											
Japan	Yen	12,080.00	33.54	24,061.00	66.85	3,100.00	8.78	3,230.00	8.98	42,531.00	118.15
Taiwan	New Taiwan dollar.	1,356.00	33.90	374.70	9.36			574.00	14.35	2,304.70	57.61
Hong Kong	Hong Kong dollar.	530.70	93.15	526.79	92.42	146.00	25.71	225.98	39.74	1,430.07	251.02
Vietnam	Piaster	3,103.00	42.52	1,559.00	21.35			1,465.50	20.08	6,127.50	83.95
Thailand	Baht	909.00	43.23	361.74	17.09	1,234.62	59.50	224.00	11.20	2,729.36	131.02
Pakistan	Rupee	85.80	18.76	22.20	4.74			111.00	23.62	219.00	47.10
India	do	143.60	30.55	89.30	19.83	58.80	14.64	104.00	22.13	395.70	87.15
Lebanon	Pound	137.10	45.70	156.50	38.16			52.00	17.33	345.60	101.19
Cyprus	do					.31	.86			.31	.86
Israel	do	150.73	69.77	77.57	35.91	134.53	62.25	94.65	43.82	457.48	211.75
Jordan	do			.89	2.48	3.00	8.40	.14	.39	4.03	11.27
Turkey	Lira	402.00	44.66	697.15	77.46			106.50	11.83	1,205.65	133.95
Spain	Peseta	2,862.00	47.70	6,733.00	102.21			1,470.00	24.50	11,065.00	174.41
Portugal	Escudo	1,190.40	41.64	1,252.00	43.82			435.25	15.25	2,878.25	100.71
Hon. Harris B. McDowell, Jr.:											
Japan	Yen	12,760.00	35.45	11,234.00	31.20	2,800.00	7.78	1,030.00	2.86	27,824.00	77.29
Taiwan	New Taiwan dollar.	1,360.00	34.00	1,109.90	27.75	200.00	5.00	334.00	8.35	3,003.90	75.10
Hong Kong	Hong Kong dollar.	437.40	78.74	1,570.30	275.49	535.35	93.92	572.22	100.39	3,115.27	546.54
Vietnam	Piaster	3,342.00	45.78	4,981.81	67.97			604.44	8.28	8,928.25	122.03
Thailand	Baht	909.00	43.23	2,115.80	105.79	1,871.20	93.56	988.80	49.44	5,884.80	292.02
Pakistan	Rupee	81.80	17.40	310.39	66.04	42.75	7.50	84.18	15.12	519.12	106.06
India	do	143.60	30.55	855.78	182.08	177.96	35.74	230.10	46.82	1,397.46	295.20
Lebanon	Pound	131.65	43.88	455.97	151.99	31.50	10.50	51.99	17.33	671.11	223.70
Israel	do	159.01	73.60	178.68	82.72	134.53	62.28	100.05	46.32	572.27	264.92
Cyprus	do					.31	.86			.31	.86
Jordan	do			7.32	20.48	3.00	8.40	3.71	10.39	14.03	39.27
Turkey	Lira	584.15	68.91	1,336.58	148.74	91.80	10.20	150.21	16.69	2,164.74	244.54
Spain	Peseta	2,874.00	47.90	5,658.00	94.30	606.00	10.10	1,441.80	24.03	10,579.80	176.33
Portugal	Escudo	1,353.00	47.35	3,433.97	120.19	635.55	22.30	966.15	33.90	6,388.67	224.04

Report of expenditure of foreign currencies and appropriated funds by the Committee on Foreign Affairs, U.S. House of Representatives, expended between Jan. 1 and Dec. 31, 1961—Continued

SUBCOMMITTEE ON FAR EAST AND THE PACIFIC—Continued

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Hon. Thomas F. Johnson:											
Japan	Yen	11,223	31.17	19,170	53.25	1,720	4.78	9,097	25.27	41,210	114.47
Taiwan	New Taiwan dollar.	1,605.50	40.10	1,854.80	45.87			1,614.80	40.37	5,065.10	126.34
Hong Kong	Hong Kong dollar.	456.20	80.04	1,138.09	199.77	303.30	53.21	900.37	157.96	2,798.96	490.98
Vietnam	Piaster	3,781.50	51.90	4,171.95	57.15	620.50	8.50	1,168.73	16.01	9,742.78	133.56
Thailand	Baht	909.00	43.23	1,364.30	68.21	1,234.62	59.50	1,116.60	55.83	4,624.42	226.77
Pakistan	Rupee	91.30	19.42	197.08	42.06			188.24	40.05	477.22	101.54
India	do	143.00	30.42	456.80	97.21	68.80	14.68	296.33	63.05	965.23	205.36
Lebanon	Pound	119.25	39.75	237.93	79.31	64.50	21.50	106.18	52.06	527.86	192.62
Cyprus	do					.31	.86			.31	.86
Israel	do	117.70	54.48	69.21	32.04	173.41	80.28	128.91	59.68	489.23	226.48
Jordan	do			.89	2.48	3.00	8.40	7.30	20.00	11.28	31.57
Turkey	Lira	602.45	66.94	891.90	99.10	103.50	11.50	215.19	23.91	1,813.04	201.45
Spain	Peseta	2,203	36.73	3,651	60.85	4,992	83.20	2,859	47.65	13,705	228.43
Italy	Lira	39,636	63.93	83,601	134.62	38,454	61.99	28,912	46.72	190,603	307.16
Switzerland	Franc	76.55	15.44	140.66	33.42	199.93	46.49	3.00	.69	420.14	96.21
Belgium	do	5,104	102.08	5,383	107.66	1,050	21.00	1,312	26.24	12,849	256.98
Germany	Deutsche mark	239.15	59.79	183.77	77.07	532.00	135.00	54.00	13.50	1,008.92	283.36
France	Franc	413.18	87.03	680.70	143.19	836.85	175.54	184.90	38.92	2,115.63	444.68
England	Pound	47.8.0	132.00	26.2.0	72.96	127.7.6	358.64	12.11.4	36.86	213.18.0	599.06
Hon. Walter H. Judd:											
Korea	Hwan	21,500	16.60							21,500	16.60
Japan	Yen	11,390	31.64	6,974	18.37	2,163	6.01	1,002	3.04	21,619	59.06
Taiwan	New Taiwan dollar.	1,326	33.15	80	2.00	10	.25	438	10.96	1,854	46.35
Hong Kong	Hong Kong dollar.	574.90	100.86	284.99	49.99	6,589.34	1,156.03	67.91	11.91	7,517.11	1,318.79
Thailand	Baht	909.00	43.23	311.74	14.59	1,167.94	56.16	64.00	3.20	2,456.68	117.18
Pakistan	Rupee	87.55	18.62	11.90	2.53	5.88	1.25	39.00	8.10	144.33	30.50
India	do	143.60	30.55	60.00	12.60	23.50	5.00	5.30	1.13	232.40	49.28
Israel	Pound	114.95	53.20	42.10	19.49	173.41	80.28	90.20	41.76	420.66	194.73
Jordan	do			.89	2.48	3.00	8.40	.14	.39	4.03	11.27
Turkey	Lira	281.00	31.22	365.90	40.66			66.00	7.33	712.90	79.21
Germany	Deutsche mark					7,625.08	1,906.27			7,625.08	1,906.27
Hon. E. Ross Adair:											
Japan	Yen	13,340	37.06	13,394	37.20	2,440	6.78	2,870	7.98	32,044	89.02
Taiwan	New Taiwan dollar.	1,299.00	32.25	456.20	11.40			574.00	14.35	2,320.20	58.00
Hong Kong	Hong Kong dollar.	473.00	83.06	434.58	76.25	146.60	25.71	225.98	39.64	1,280.76	224.66
Vietnam	Piaster	3,925.80	45.15	1,775.00	24.31			1,465.50	20.08	6,536.30	89.54
Thailand	Baht	909.00	43.23	361.74	17.09	1,234.62	59.50	224.00	11.20	2,729.36	131.02
Pakistan	Rupee	81.80	17.40	7.00	1.49			92.20	19.62	181.00	38.51
India	do	143.60	30.55	79.90	17.00	87.60	18.64	104.00	22.13	415.10	88.32
Lebanon	Pound	104.50	34.84	106.75	35.58			52.00	17.33	263.25	87.75
Cyprus	do					.31	.86			.31	.86
Israel	do	112.92	52.38	13.26	6.14	173.39	80.28	16.48	7.63	316.05	146.43
Jordan	do			.89	2.48	3.00	8.40	.14	.39	4.03	11.27
Turkey	Lira	433.50	48.17	596.15	68.23			106.50	11.83	1,136.15	128.23
Spain	Peseta	2,263.35	38.72	6,131.65	102.19			1,470.00	24.50	9,865.00	166.41
Portugal	Escudo	939.00	32.84	1,555.20	54.41			435.25	15.25	2,929.45	102.50
Germany	Deutschemark					2,171.76	544.30			2,171.76	544.30
Albert C. F. Westphal, staff consultant:											
Japan	Yen	15,235	42.32	10,428	28.96			1,070	2.98	26,733	74.26
Taiwan	New Taiwan dollar.	412.50	10.32	501.00	12.51			407.00	10.18	1,320.50	33.01
Hong Kong	Hong Kong dollar.	390.30	68.47	493.00	86.49	75.84	13.31	65.00	11.40	1,024.14	179.67
Vietnam	Piaster	3,220.20	45.51	2,790.00	38.22			320.00	4.38	6,430.20	88.11
Thailand	Baht	891.03	42.73	813.74	40.69	580.65	27.91	50.00	2.50	2,335.42	113.83
Pakistan	Rupee	64.00	13.62	15.94	3.40			15.47	3.29	95.41	20.31
India	do	100.00	21.28	87.00	18.51	72.00	15.32	76.00	16.17	335.00	71.28
Lebanon	Pound	104.15	34.72	86.85	28.95			13.00	4.33	204.00	68.00
Cyprus	do					.16	.44			.16	.44
Israel	do	83.76	38.76	129.01	59.73	89.95	41.64	90.17	41.74	392.89	181.87
Jordan	do			.91	2.55	3.00	8.40	.09	.25	4.00	11.20
Turkey	Lira	477.00	53.00	527.50	58.61			41.00	4.56	1,045.50	116.17
Spain	Peseta	2,325.00	38.75	3,503.00	58.37	51.00	.85	1,091.00	18.18	6,970.00	116.15
Portugal	Escudo	950.50	33.27	2,250.70	78.76			300.00	10.50	3,501.20	122.53
Henry J. Sandri, State Department escort officer:											
Japan	Yen	14,250	39.59	5,673	15.75			2,285	6.34	22,208	61.68
Taiwan	New Taiwan dollar.	412.50	10.32	764.50	19.11			427.00	10.68	1,604.00	40.11
Hong Kong	Hong Kong dollar.	372.80	65.40	482.10	84.58	53.02	9.30	90.90	15.96	998.82	175.24
Vietnam	Piaster	2,801.20	38.37	818.60	12.01			678.00	9.29	4,297.80	59.67
Thailand	Baht	891.03	42.73	395.87	19.29	647.31	31.25	22.00	1.10	1,956.21	94.37
Pakistan	Rupee	60.00	12.77	53.19	11.33			15.55	3.31	128.74	27.41
India	do	100.00	21.28	25.38	5.40	72.00	15.32	26.02	7.66	223.40	49.66
Lebanon	Pound	100.00	33.63	70.90	23.64	27.30	9.10	24.00	8.00	222.10	74.37
Cyprus	do					.14	.43			.14	.43
Israel	do	75.74	35.05	29.57	13.69	89.95	41.65	86.66	40.13	281.92	130.52
Jordan	do			.89	2.50	3.00	8.40	.07	.20	3.96	11.10
Turkey	Lira	296.75	44.08	263.25	38.14	26.20	2.96	108.20	11.47	673.40	96.69
Spain	Peseta	2,111.0	35.18	2,188.0	36.46	186.0	3.10	1,251.0	20.85	5,736.0	95.59
Portugal	Escudo	833.50	29.87	618.75	21.69	102.60	3.60	410.85	14.40	1,965.70	69.56

Report of expenditure of foreign currencies and appropriated funds by the Committee on Foreign Affairs, U.S. House of Representatives, expended between Jan. 1 and Dec. 31, 1961—Continued

SUBCOMMITTEE ON FAR EAST AND THE PACIFIC—Continued

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Marvin Cox, USIA, escort officer:											
Japan	Yen	14,880	41.34	5,744	15.95	2,916	8.10	1,007	2.79	24,547	68.18
Taiwan	New Taiwan dollar.	436.50	10.92	646	16.15	44.00	1.10	437	10.92	1,563.50	39.09
Hong Kong	do	294.10	69.14	317.50	55.70	141.30	24.80	216.87	38.06	1,069.87	187.70
Vietnam	Piaster	2,863.20	39.62	1,115.00	15.28			1,003.00	13.74	5,011.20	68.64
Thailand	Baht	891.03	44.55	344.87	17.25	749.31	37.47	195.00	9.75	2,180.21	109.02
Pakistan	Rupee	79.25	16.86	8.44	1.80			169.24	36.00	256.93	54.66
India	do	100.00	21.28	125.00	26.60	77.00	16.42	92.00	19.58	394.00	83.88
Lebanon	Pound	125.00	41.53	82.25	27.42	3.30	1.10	43.25	14.42	254.30	84.77
Cyprus	do					.16	.43			.16	.43
Israel	do	73.09	33.83	41.54	19.23	96.14	44.05	94.83	43.96	304.70	141.07
Jordan	do			.89	2.50	3.00	8.40	.07	.20	3.96	11.10
Turkey	Lira	502.75	55.86	400.60	44.51	21.00	2.40	82.98	9.22	1,007.33	111.99
Spain	Peseta	472.25	7.87	4,970.75	82.85	426.00	7.10	960.00	16.00	6,829.00	113.82
Portugal	Escudo	1,651.00	57.79	1,705.36	59.69	98.57	3.45	476.00	16.66	3,930.93	137.59
James R. Ames, lieutenant colonel, USAF, Defense Department escort officer:											
Japan	Yen	15,110	41.96	9,290	25.81	720	2.00	1,365	23.08	26,585	92.85
Taiwan	New Taiwan dollar.	412.50	10.32	484.00	12.10			410.00	10.25	1,306.50	32.67
Hong Kong	Hong Kong dollar.	404.90	71.03	541.01	91.47	71.20	12.40	71.10	12.47	1,088.21	187.44
Vietnam	Piaster	2,904.80	39.79	1,635.00	22.40			340.00	4.66	4,879.00	66.85
Thailand	Baht	891.03	42.73	1,010.90	50.54	647.40	32.37	164.00	8.20	2,713.33	133.84
Pakistan	Rupee	60.00	12.77	33.19	7.06	5.00	1.06	30.55	6.50	128.74	27.39
India	do	100.00	21.28	228.50	48.62	77.00	16.25	75.00	15.96	480.50	102.11
Lebanon	Pound	96.25	32.06	113.30	37.77			31.50	10.50	241.50	80.33
Cyprus	do					.14	.43			.14	.43
Israel	do	80.81	37.40	26.98	12.02	89.95	41.64	83.16	38.49	279.90	129.55
Jordan	do			.89	2.50	3.00	8.40	.07	.20	3.96	11.10
Turkey	Lira	443.85	49.32	506.70	52.93			63.00	7.00	1,073.55	119.25
Spain	Peseta	2,074	34.57	3,954	65.90	1,290	4.83	1,690	28.17	8,008	133.47
Portugal	Escudo	992.50	34.74	1,218.00	42.60	30.00	1.05	300.00	10.52	2,530.10	88.90
Total			4,640.49		5,615.48		6,101.66		2,385.65		18,803.28

RECAPITULATION

Foreign currency (U.S. dollar equivalent)	$18,803.28

J. L. PILCHER,
Ranking Majority Member, Subcommittee on Far East and the Pacific.

Report of expenditure of foreign currencies and appropriated funds by the Committee on Foreign Affairs, Subcommittee for Review of the Mutual Security Programs, U.S. House of Representatives, expended between Jan. 1 and Dec. 31, 1961

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Roy J. Bullock:											
Japan	Yen	18,467	51.29	14,307	39.74	3,083	8.56	1,333	3.71	37,190	103.30
Korea	Hwan	138,076	106.21	25,096	19.28	13,500	10.38	15,166	11.66	191,838	147.53
	U.S. dollar				103.55						103.55
Hong Kong	Hong Kong dollar.	208.00	36.55	179.00	30.82	15.00	2.63	33	5.84	435.00	75.84
Vietnam	Piaster	13,693	191.52	6,053	84.66	733	10.25	770	10.77	21,249	297.20
Thailand	Baht	297	14.24	106	5.11	20	.96	40	1.92	463	22.23
Turkey	Lira	2,547.98	283.11	386.68	42.96	156.66	17.40	40	4.48	3,131.32	347.95
	U.S. dollar				92.81						92.81
France	New franc	406.25	82.91	194.50	39.69	41.66	8.50	10	2.04	652.41	133.14
United States	Dollar						2,227.45	(1)	112.45		2,339.90
Robert F. Brandt:											
Japan	Yen	18,465	51.29	14,307	39.74	3,084	8.56	1,334	3.69	37,193	103.30
Korea	Hwan	138,077	106.21	25,067	19.28	13,500	10.39	15,167	11.67	191,811	147.55
	U.S. dollar				103.55						103.55
Hong Kong	Hong Kong dollar.	200	36.55	179	30.82	15.00	2.63	34.00	5.85	427.00	75.85
Vietnam	Piaster	13,694	191.52	6,054	84.66	734	10.26	770	10.77	21,252	297.21
Thailand	Baht	297	14.25	107	5.12	20	.96	40	1.92	464	22.25
Turkey	Lira	2,547.99	283.11	386.69	42.97	156.67	17.41	40	4.48	3,131.35	347.97
France	New franc	406.25	82.91	194.50	39.70	41.67	8.51	10.00	2.04	652.42	133.16
United States	Dollar						2,232.71	(1)	74.10		2,306.81
Harry C. Cromer:											
Japan	Yen	18,468	51.29	14,308	39.74	3,083	8.56	1,334	3.71	37,193	103.30
Korea	Hwan	138,077	106.21	25,067	19.28	13,500	10.39	15,167	11.67	191,811	147.55
	U.S. dollar				103.55						103.55
Hong Kong	Hong Kong dollar.	208.00	36.55	179.00	30.82	15.00	2.63	33	5.85	435.00	75.85
Vietnam	Piaster	13,693	191.52	6,053	84.66	733	10.25	777	10.77	21,249	297.20
Thailand	Baht	297	14.25	107	5.11	20	.96	40	1.92	464	22.24
Turkey	Lira	2,547.98	283.11	386.68	42.96	156.67	17.41	41	4.48	3,132.33	347.95
	U.S. dollar				92.82						92.82
France	New franc	406.25	82.91	194.50	39.69	41.67	8.50	10	2.04	652.42	133.14
United States	Dollar						2,227.45	(1)	113.80		2,341.25
Total			2,297.51		1,375.91		6,863.73		421.62		10,958.78

(1) Per diem.

Report of expenditure of foreign currencies and appropriated funds by the Committee on Foreign Affairs, Subcommittee for Review of the Mutual Security Programs, U.S. House of Representatives, expended between Jan. 1 and Dec. 31, 1961—Continued

RECAPITULATION

	Amount
Foreign currency (U.S. dollar equivalent)	$3,381.72
Appropriated funds: House resolution	7,577.06
Total	10,958.78

THOMAS E. MORGAN,
Chairman, Subcommittee for Review of the Mutual Security Programs.

Report of expenditure of foreign currencies and appropriated funds by the delegation, Canada-United States Interparliamentary Group, U.S. House of Representatives, expended between Jan. 1 and Dec. 31, 1961

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Broomfield, Hon. William S.: Canada	Dollar		64.26		19.55		2.50		19.45		105.76
Cunningham, Hon. Glenn: Canada	do		53.55		35.95		110.88		18.49		218.87
Curtis, Hon. Laurence: Canada	do		61.20		14.74				2.15		78.09
Donohue, Hon. Harold D.: Canada	do		55.08		17.07		33.00		21.74		126.89
Dulski, Hon. Thaddeus J.:											
Canada	do		56.61		27.02		17.49		4.39		105.51
United States	do		20.00		6.20				3.26		29.46
Gallagher, Hon. Cornelius:											
Canada	do		136.17		13.58				16.06		165.81
United States	do		26.00		5.40				4.62		36.02
Harvey, Hon. James: Canada	do		90.27								90.27
Kelly, Hon. Edna F.: Canada	do		64.26		15.06				17.99		97.31
Murphy, Hon. William T.:											
Canada	do		90.27						1.28		91.55
United States	do		14.00		2.50						16.50
Phillips, Hon. Philip J.: Canada	do		61.20		35.60		33.25		21.35		161.40
Stratton, Hon. Samuel S.: Canada	do		90.27		20.87				10.05		121.19
Tupper, Hon. Stanley R.:											
Canada	do		90.27		50.81		5.00		15.10		161.18
United States	do		24.00		11.00						35.00
Westphal, Albert C. F.:											
Canada	do		56.61		38.65				7.50		102.76
United States	do		16.00		3.15						19.15
O'Brien, Mary L.:											
Canada	do		67.32		3.87		1.20		9.27		81.66
United States	do		14.00		1.40						15.40
Delegation expenses (February 1961 meeting): Canada	do								341.83		341.83
Delegation expenses (June 1961 meeting): United States	do								2,881.90		2,881.90
Total			1,151.34		322.42		203.32		3,396.43		5,083.51

RECAPITULATION

	Amount
Appropriated funds: Public Law 86-42	$5,083.51

CORNELIUS E. GALLAGHER,
Chairman, House Delegation, Canada-United States Interparliamentary Group.

Report of expenditure of foreign currencies and appropriated funds by the delegation, Mexico-United States Interparliamentary Group, U.S. House of Representatives, expended between Jan. 1 and Dec. 31, 1961

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
D. S. Saund: Mexico	Dollar		77.96		82.08				26.08		186.12
J. T. Rutherford: Mexico	do		46.32		64.16		1.76		14.24		126.48
Joseph M. Montoya: Mexico	do		53.92		81.21		5.92		17.32		168.37
Robert N. C. Nix: Mexico	do		46.32		89.68		4.80		45.18		185.98
Harris B. McDowell, Jr.: Mexico	do		52.32		87.24		8.40		26.17		174.13
Daniel K. Inouye: Mexico	do		53.92		78.08		6.56		25.60		175.06
Walter Norblad: Mexico	do		53.92		90.56		7.92		25.85		188.25
William L. Springer: Mexico	do		53.92		57.77		5.12		20.08		136.89
Joel T. Broyhill: Mexico	do		53.92		81.51		4.88		21.19		171.50
Edward J. Derwinski: Mexico	do		53.92		69.88		5.20		10.08		159.08
Ancher Nelsen: Mexico	do		46.96		69.24		142.63		13.96		272.79
Albert C. F. Westphal: Mexico	do		46.32		62.44		5.76		22.84		137.36
Helen L. Hashagen: Mexico	do		46.32		46.83		3.50		10.16		106.81
Delegation expenses	do								599.35		599.35
Total			748.04		961.58		202.45		878.10		2,788.17

RECAPITULATION

	Amount
Appropriated funds: Public Law 86-420, 86th Cong	$2,788.17

D. S. SAUND,
Chairman, House Delegation, Mexico-United States Interparliamentary Group.

Report of expenditure of foreign currencies and appropriated funds by the delegation to 50th Conference, Interparliamentary Union, Brussels, Belgium, U.S. House of Representatives, expended between Jan. 1 and Dec. 31, 1961

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Harold D. Cooley: Belgium	U.S. dollar		74.93		58.73				28.06		161.72
Hale Boggs: Belgium	do		106.54		69.85				15.38		192.77
John W. Byrnes: Belgium	do		80.30		118.03		1.70		8.60		208.63
Hugh L. Carey: Belgium	do		108.54		245.87		5.80		48.51		408.52
Gerald R. Ford, Jr.: Belgium	do		108.54		300.72		2.80		15.27		427.33
James B. Frasier, Jr.: Belgium	do		120.60		143.21		5.10		25.66		294.56
Charles B. Hoeven: Belgium	do		120.60		267.72		9.10		28.65		426.07
Paul C. Jones: Belgium	do		117.56		94.57		3.85		10.90		226.88
Gordon L. McDonough: Belgium	do		120.60		155.15		6.50		9.98		292.23
Gracie Pfost: Belgium	do		63.32		112.48		3.15		30.15		209.10
Alexander Pirnie: Belgium	do		70.35		185.07		11.10		149.97		416.49
Katharine St. George: Belgium	do		241.20		46.23				28.46		315.89
D. S. Saund: Belgium	do		108.54		110.47		1.50		14.93		235.44
Christine S. Gallagher: Belgium	do		63.32		15.70				1.01		80.03
Total			1,486.94		1,834.80		50.30		415.02		3,771.06

RECAPITULATION

	Amount
Appropriated funds:	
Other Public Law 87-264	$3,777.06
Government department: Department of Defense	218.50
Total	3,995.56

Report of expenditure of foreign currencies and appropriated funds by the delegation to NATO Parliamentarians' Conference, U.S. House of Representatives, expended between Jan. 1 and Dec. 31, 1961

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Victor L. Anfuso:											
France	French franc	1,376.29	280.30	659.19	134.25	245.47	49.99	1,553.04	316.20	3,833.99	780.84
United States	Dollar						85.00				85.00
Leslie C. Arends:											
France	French franc	1,376.29	280.30	649.19	132.21	245.47	49.99	1,553.04	316.20	3,823.99	778.80
United States	Dollar						99.88				99.88
Clifford Davis:											
France	French franc	1,376.29	280.30	637.03	129.74	245.47	49.99	1,553.04	316.20	3,811.84	776.23
United States	Dollar		32.00				128.81				160.81
Samuel L. Devine:											
France	French franc	1,376.29	280.30	659.19	134.25	245.47	49.99	1,553.04	316.20	3,833.99	780.84
United States	Dollar		32.00				54.05				86.05
Wayne L. Hays:											
France [1]	French franc	2,256.29	459.53	835.71	170.20	245.47	49.99	1,678.04	341.76	5,015.51	1,021.48
	Dollar						2,302.11				2,302.11
United States [2]	do						699.95				699.95
Canada [1]	do		20.00		12.70						32.70
John V. Lindsay: France	French franc	1,376.29	280.30	618.11	125.89	245.47	49.99	1,553.04	316.20	3,792.91	772.48
Frank E. Smith:											
France	do	1,376.29	280.30	622.04	126.72	245.47	49.99	1,552.04	316.20	3,796.84	773.21
United States [2]	Dollar		76.75				234.72				311.47
Canada	do		15.00		6.00						21.00
Homer Thornberry:											
France	French franc	1,376.29	280.30	659.19	134.25	245.47	49.99	1,553.04	316.20	3,833.99	780.84
United States	Dollar						215.16				215.16
Jack Westland:											
France	French franc	1,376.29	280.30	636.11	127.51	245.47	49.99	1,553.04	316.20	3,803.91	774.10
United States	Dollar						341.47		3.00		344.47
Philip B. Billings:											
France	French franc	1,376.29	280.30	637.08	129.75	245.47	49.99	1,551.63	316.02	3,810.47	776.06
United States [2]	Dollar						473.14		132.00		605.14
Canada	do		15.00		5.75						20.75
Boyd Crawford: France	French franc	1,376.29	280.30	644.14	131.08	245.47	49.99	1,552.04	316.20	3,818.94	777.67
Whitney Ann Gordon: France	do	1,376.29	280.30	621.11	126.50	245.47	49.99	844.12	181.09	3,086.99	637.88
Mary Hrutak:											
France	do	1,376.29	280.30	628.17	127.94	245.47	49.99	752.04	154.20	3,002.97	612.43
United States	Dollar						55.00				55.00
Patricia E. Peak: France	French franc	1,376.29	280.30	616.06	125.55	245.47	49.99	826.12	170.29	3,023.94	626.13
Total			4,204.18		1,882.29		5,379.18		4,145.26		15,700.93

[1] Includes attending meeting as U.S. member, NATO Parliamentarians' Conference Standing Committee.
[2] Includes NATO Parliamentarians' visit, U.S. military bases.

RECAPITULATION

	Amount
Foreign currency (U.S. dollar equivalent)	$10,671.41
Appropriated funds: Public Law 689 of 84th Cong	5,029.52
Total	15,700.93

WAYNE L. HAYS,
Chairman, House Delegation to NATO Parliamentarians' Conference.

Report of expenditure of foreign currencies and appropriated funds by the Committee on House Administration, U.S. House of Representatives, expended between Jan. 1 and Dec. 31, 1962

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Hugh L. Carey:											
Belgium	Franc	3,299	65.80	3,385	67.20	12,611	254.17	1,803	38.00	21,188	425.17
France	do	335	67.05	265	53.06	610	122.04	195	39.02	1,405	281.17
Ireland	Pound	8	22.40	14	39.20	12	33.60	4	11.20	38	106.40
Italy	Lira	25,802	39.92	25,729	39.79	76,942	119.59	16,643	25.88	145,116	225.18
United Kingdom	Pound	16	45.60	13.5	38.00	44.5	126.00	8	22.40	82	232.00
Total			240.77		227.25		655.40		136.50		1,259.92

RECAPITULATION

	Amount
Foreign currency (U.S. dollar equivalent)	$1,259.92
Personal check to Treasury Department for reimbursement of nonofficial transportation	84.00
Personal check to Treasury Department for reimbursement of nonofficial expenditures	267.80
	351.80

This report supplements the report of the delegation to the 50th Interparliamentary Union Conference, Brussels, Belgium, and sets forth the expenditure of foreign currencies authorized for attendance to the Conference.

OMAR BURLESON,
Chairman, Committee on House Administration.

SUMMARY OF REPORTS OF HOUSE COMMITTEES ON TRAVEL OUTSIDE THE UNITED STATES IN 1961

The following committees of the House of Representatives have filed reports of expenditure of foreign currencies and appropriated funds during the calendar year 1961, which have been printed in the CONGRESSIONAL RECORD on the dates indicated:

Banking and Currency, January 23, 1962.
Post Office and Civil Service, January 23, 1962.
Veterans' Affairs, March 8, 1962.
Appropriations, March 8, 1962.
Rules, March 8, 1962.
Armed Services, March 8, 1962.
Government Operations, March 21, 1962.
Science and Astronautics, March 21, 1962.
Merchant Marine and Fisheries, March 21, 1962.
Ways and Means, March 21, 1962.
Judiciary, March 21, 1962.
Public Works, March 21, 1962.
Foreign Affairs, March 21, 1962.
House Administration, March 21, 1962.

The following committees, not having members or employees traveling outside the United States in 1961, are not required to report:

District of Columbia.
Interior and Insular Affairs.
Un-American Activities.
Select Committee on Small Business.
Select Committee on Export Control.

The following committees have expended funds for oversea travel, but have failed to report expenditures as required by law:

Agriculture.
Education and Labor.
Interstate and Foreign Commerce.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1839. A letter from the Comptroller General of the United States, transmitting a report on the audit of the Federal Crop Insurance Corporation for the fiscal year 1961 (H. Doc. No. 368); to the Committee on Government Operations and ordered to be printed.

1840. A letter from the Comptroller General of the United States, transmitting a report on the audit of the Trust Territory of the Pacific Islands, Department of the Interior, for the fiscal years 1957 through 1960; to the Committee on Government Operations.

1841. A letter from the Chairman, Advisory Commission on Intergovernmental Relations, transmitting an information report relating to tax overlapping in the United States, 1961, pursuant to Public Law 380, 86th Congress; to the Committee on Government Operations.

1842. A letter from the Postmaster General, transmitting a draft of a proposed bill entitled "A bill to permit the Postmaster General to extend contract mail routes up to 100 miles during the contract term"; to the Committee on Post Office and Civil Service.

1843. A letter from the Secretary of the Air Force, transmitting the Air Force report entitled "Semiannual Research and Development Procurement Actions Report," covering the period from July 1 through December 31, 1961, pursuant to Public Law 557, 82d Congress; to the Committee on Armed Services.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. JAMES C. DAVIS: Committee of conference. H.R. 5968. A bill to amend the District of Columbia Unemployment Compensation Act, as amended (Rept. No. 1474). Ordered to be printed.

Mr. RUTHERFORD: Committee on Interior and Insular Affairs. H.R. 8484. A bill to authorize establishment of the Theodore Roosevelt Birthplace and Sagamore Hill National Historic Sites, N.Y., and for other purposes; with amendment (Rept. No. 1475). Referred to the Committee of the Whole House on the State of the Union.

Mr. TRIMBLE: Committee on Rules. House Resolution 572. Resolution providing for the consideration of S. 2533, a bill to amend the requirements for participation in the 1962 feed grain program; without amendment (Rept. No. 1476). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ADDONIZIO:

H.R. 10846. A bill to amend the Small Business Act to provide that the program under which Government contracts are set aside for small-business concerns shall not apply in the case of contracts for maintenance, repair, or construction; to the Committee on Banking and Currency.

By Mr. ANDERSON of Illinois:

H.R. 10847. A bill making supplemental appropriations for the fiscal year ending June 30, 1962, for payments to local educational agencies under Public Laws 815 and 874, 81st Congress; to the Committee on Appropriations.

By Mr. CAHILL:

H.R. 10848. A bill to amend the Small Business Act to make it clear that disaster loans in cases of flood or other catastrophe may be made with respect to property of any type (including summer homes as well as other residential property); to the Committee on Banking and Currency.

By Mr. CELLER:

H.R. 10849. A bill to amend chapter 13 of title 18 of the United States Code relating to civil rights; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 10850. A bill to provide coverage under the old-age, survivors, and disability insurance system (subject to an election in the case of those currently serving) for all officers and employees of the United States and its instrumentalities; to the Committee on Ways and Means.

By Mr. HARRISON of Wyoming:

H.R. 10851. A bill to provide for the establishment of a regional office of the National Park Service at Cheyenne, Wyo.; to the Committee on Interior and Insular Affairs.

By Mr. KEOGH:

H.R. 10852. A bill to continue for a temporary period the existing suspension of duties on certain classifications of spun silk yarn; to the Committee on Ways and Means.

By Mr. MATTHEWS:

H.R. 10853. A bill to amend the act of May 22, 1928, relating to the comprehensive survey of timber and forest products required to be made by the Secretary of Agriculture; to the Committee on Agriculture.

By Mr. MONTOYA:

H.R. 10854. A bill to authorize the disposal of surplus property to State agencies regularly engaged in the operation of annual fairs and similar expositions; to the Committee on Government Operations.

By Mr. RIVERS of Alaska:

H.R. 10855. A bill to amend part IV of subtitle C of title 10, United States Code, to authorize the Secretary of the Navy to develop the South Barrow gasfield, Naval Petroleum Reserve No. 4, for the purpose of making gas available for sale to the native village of Barrow and to other communities and installations, and for other purposes; to the Committee on Armed Services.

By Mr. HALPERN:

H.R. 10856. A bill to provide that the Government of the United States shall furnish no aid or assistance to any foreign nation or citizen thereof in carrying out any activity under which American citizens will be discriminated against; to the Committee on Foreign Affairs.

By Mr. TEAGUE of Texas (by request):

H.R. 10857. A bill to amend chapter 31 of title 38, United States Code, to provide vocational rehabilitation for certain blinded veterans; to the Committee on Veterans' Affairs.

By Mr. TRIMBLE:

H.R. 10858. A bill to authorize the Secretary of the Army to construct Pine Mountain Dam on Lee Creek, Ark.; to the Committee on Public Works.

By Mr WHITENER:

H.R. 10859. A bill to enable the Secretary of State to make such changes in the higher ranking personnel of the Department of State as he deems advisable; to the Committee on Foreign Affairs.

By Mr. PERKINS:

H.R. 10860. A bill to assist the States in providing necessary instruction for adults not proficient in basic educational skills through grants to States for pilot projects, improvement of State services, and programs of instruction, and through grants to institutions of higher learning for development of materials and methods of instruction and for training of teaching and supervisory personnel; to the Committee on Education and Labor.

By Mr. BAKER:

H.R. 10861. A bill to assist in alleviating the effects of unemployment resulting from Federal tariff or trade policy by establishing a temporary program of supplementary grants for States which provide for liberalization of their unemployment compensation payments to persons unemployed because of Federal tariff or trade policy; to the Committee on Ways and Means.

By Mr. GLENN:

H.R. 10862. A bill to amend the Federal Trade Commission Act, to promote quality and price stabilization, to define and restrain certain unfair methods of distribution and to confirm, define, and equalize the rights of producers and resellers in the distribution of goods identified by distinguishing brands, names, or trademarks, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mrs. GRANAHAN:

H.R. 10863. A bill declaring Good Friday in each year to be a legal public holiday; to the Committee on the Judiciary.

By Mr. HARRIS:

H.R. 10864. A bill to amend the Interstate Commerce Act to grant to any carrier of coal by pipeline, subject to any of the provisions of part I of the act, the right of eminent domain, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 10865. A bill to amend the Federal Power Act; to the Committee on Interstate and Foreign Commerce.

H.R. 10866. A bill to amend the Natural Gas Act; to the Committee on Interstate and Foreign Commerce.

By Mr. McSWEEN:

H.R. 10867. A bill to support the price of soybeans; to the Committee on Agriculture.

H.R. 10868. A bill to provide for a survey of the ring levee around Simmesport, La.; to the Committee on Public Works.

By Mr. GRAY:

H.R. 10869. A bill to authorize the modification of the flood-control project for the Saline River and tributaries, Illinois; to the Committee on Public Works.

By Mr. YATES:

H.R. 10870. A bill to authorize Federal grants to assist in the development and operation of studies and projects to help older persons; and for other purposes; to the Committee on Education and Labor.

By Mr. FRELINGHUYSEN:

H.J. Res. 669. Joint resolution proposing an amendment to the Constitution of the United States relative to disapproval and reduction of items in general appropriation bills; to the Committee on the Judiciary.

By Mr. MULTER:

H.J. Res. 670. Joint resolution proposing an amendment to the Constitution of the United States to abolish the requirement that a poll tax or other tax be paid as a qualification for voting in any election; to the Committee on the Judiciary.

By Mr. BROOMFIELD:

H.J. Res. 671. Joint resolution providing for the establishment of an annual Youth Appreciation Week; to the Committee on the Judiciary.

By Mr SCHWENGEL:

H. Res. 570. Resolution amending the rules of the House of Representatives relating to the appointment of professional and clerical staffs of the committees of the House; to the Committee on Rules.

By Mr. POWELL:

H. Res. 571. Resolution authorizing the printing of additional copies of parts 1, 2, 3, and 7 of the hearings held before the Committee on Education and Labor on the impact of imports and exports; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDONIZIO:

H.R. 10871. A bill for the relief of Giovanni Abbondandola; to the Committee on the Judiciary.

By Mr. BOGGS:

H.R. 10872. A bill relating to the transportation facilities operated by New Orleans Public Service Inc., a corporation organized under the laws of the State of Louisiana and operating in the city of New Orleans, La., and all the shares of whose common stock are owned by Middle South Utilities, Inc.; to the Committee on Interstate and Foreign Commerce.

By Mrs. BOLTON:

H.R. 10873. A bill for the relief of Lubomira Chodakiewicz; to the Committee on the Judiciary.

By Mr. CAREY:

H.R. 10874. A bill for the relief of Dr. Joseph Giovanniello; to the Committee on the Judiciary.

By Mr. GOODELL:

H.R. 10875. A bill for the relief of Sister Enrica (Pasqualina Filippo) and Sister Antonia (Ida Conforto); to the Committee on the Judiciary.

By Mr. HÉBERT:

H.R. 10876. A bill relating to the transportation facilities operated by New Orleans Public Service Inc., a corporation organized under the laws of the State of Louisiana and operating in the city of New Orleans, La., and all the shares of whose common stock are owned by Middle South Utilities, Inc.; to the Committee on Interstate and Foreign Commerce.

By Mr. MILLIKEN:

H.R. 10877. A bill for the relief of Dr. Julio S. Suarez; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 10878. A bill for the relief of Nisir K. Sen; to the Committee on the Judiciary.

By Mrs. REECE:

H.R. 10879. A bill for the relief of James W. Bowery; to the Committee on the Judiciary.

By Mr. RIEHLMAN:

H.R. 10880. A bill for the relief of Dr. Chi Tien, Julia Lai-chu Cheng Tien, and Anita Tien; to the Committee on the Judiciary.

By Mr. SAUND:

H.R. 10881. A bill for the relief of Major Singh Sunga; to the Committee on the Judiciary.

By Mr. WILLIAMS:

H.R. 10882. A bill to provide for the conveyance of certain mineral rights to D. C. Smith, of Fayette, Miss.; to the Committee on Interior and Insular Affairs.

H.R. 10883. A bill to provide for the conveyance of all interests of the United States in certain land in Jefferson County, Miss., to the holders of record of the fee interest in such land; to the Committee on Interior and Insular Affairs.

By Mrs. GRANAHAN:

H. Res. 573. Resolution providing for sending the bill H.R. 10752, for the relief of the O'Brien Dieselectric Corp., to the Court of Claims; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

256. The SPEAKER presented a petition of Henry Stoner, Fort Wayne, Ind., relative to reapportionment in the U.S. House of Representatives, which was referred to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

The Federal Power Commission

EXTENSION OF REMARKS

OF

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 1962

Mr. DINGELL. Mr. Speaker, it appears that the change of administration and the appointment of new members to the Federal Power Commission has resulted in little more than new faces presiding over the gouging of the consumers in the Federal Power Commission charged with responsibility of protecting consumers from unreasonable price gouging at the hands of pipelines and producers. It is difficult to assign responsibility within the Federal Power Commission for the latest action, highly reeking of impropriety, by the membership of that agency. The so-called area-pricing decision of the Federal Power Commission was a sufficiently scandalous continuance of the long-established policies in that body to bring about a loud outcry on the part of consumers over the continued manifest unconcern for the consumer interest, and thorough disregard for sound regulation.

However, the Federal Power Commission has now reached either a new high or a new low in its record of disregard

for the consumer. The Chairman of the Federal Power Commission announced the appointment of a National Gas Advisory Council to hold its first meeting in Washington March 20 and 21. There is no section in the act establishing the Federal Power Commission authorizing establishment of a National Gas Advisory Council. Moreover, it is interesting to note that many of the backers of the infamous natural gas bills are listed as members of that body. Included in the agenda for the first meeting are a number of subjects vitally affecting gas prices and consumer interests, including: "Is there a basis in the public interest for allowing pipelines a higher rate of return on producing properties than on other properties?" "Is the 12-year supply requirement for pipelines reasonable?" "How does it affect pipelines and consumers?"

Also included prominently in the agenda are the questions:

"What are the effects of take-or-pay clauses on pipeline reserves and finances? Expansion programs?"

"What, if any, modifications are desirable in these clauses?"

"How would modification of take-or-pay clauses aid purchasers, producers, consumers?"

This smacks of ex parte communication on a grand scale sanctioned by the imprimatur of the Federal Power Commission. If the Federal Power Commission is to regulate in the public interest it should buckle down to the solution of its vast backlog of cases and to elimination of its huge reservoir of pipeline rate increases under bond. If that agency will devote itself to its responsibility under law it has more than enough to keep itself occupied.

The Irish Sweepstakes

EXTENSION OF REMARKS

OF

HON. PAUL A. FINO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 1962

Mr. FINO. Mr. Speaker, while we in Congress continue to refuse to recognize and capitalize on the natural gambling spirit of the American people and while we keep our eyes closed and ignore the tremendous revenue-producing features of a national lottery, millions of dollars continue to leave our shores every year in support of foreign-run lotteries.

This week, Mr. Speaker, the official drawing for the Irish Sweepstakes will take place in Dublin, Ireland. Hundreds of thousands of American citizens across the country will be anxiously awaiting the results which, in some cases, will mean the happy fulfillment of a dream.

Ireland is one of the 50-odd foreign countries where lotteries are legal and proper and where the gambling urge of their inhabitants is tied in with the need for revenue. Last year, the total gross receipts from worldwide sale of Irish Sweepstakes tickets were a record high of $48,976,859—an increase of about $3 million over the year before. I would say that at least $40 million of this amount comes from the good old United States of America.

Mr. Speaker, we can shut off the flow of billions of dollars now siphoned off by the underworld in the United States and by foreign-run lotteries by adopting our own national lottery. A national lottery in this country would bring into the U.S. Treasury $10 billion a year in new revenue which could be used for a tax cut and reduction of our big national debt.

Charles W. Beckman: Good Citizen and Patriot

EXTENSION OF REMARKS

OF

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 1962

Mr. FULTON. Mr. Speaker, Charles W. Beckman, burgess and mayor of the borough of Mount Oliver, Pa., for a quarter century died unexpectedly on October 31, 1961, at the age of 70, concluding a life devoted to his family, community, its people, and his country.

Mr. Beckman, son of Ernest and Sophia Beckman, was a lifelong resident of Mount Oliver where his grandparents had settled on a farm in the 1800's. He married Marie Elizabeth Sullivan in 1919 and had four children.

Like his father, he chose public life. He was elected burgess of the borough of Mount Oliver in 1934 and held the office continuously, with the exception of a 4-year period, until his death on the eve of his anticipated reelection for a seventh term which he had been importuned to seek through the persuasion of his friends. On several occasions, he was a Republican candidate for county and State offices. He held the unique distinction in Pennsylvania politics of twice being elected—in 1949 and 1953—to the office of burgess as a write-in and sticker candidate, defeating both Republican and Democratic opponents.

Mr. Beckman was widely known as a successful businessman, pioneer automobile dealer, real estate developer, sportsman and above all, he was known to his community as a friend in need.

Among his notable efforts during his long career of public service was his unflagging interest in promoting commercial aviation.

In the early days of this industry, fraught as it was with physical and financial hazards, he owned and operated commercial airplanes, which demonstrated his faith in this then new mode of transportation.

His recognized activities as a sportsman included both playing and promoting semiprofessional baseball and basketball, the training and owning of trotting and running horses, and the development of a national reputation as a pigeon fancier.

In an age of status symbolism, Charles Beckman was a man without pretensions—warmhearted, kind and generous and always considerate of the problems of less fortunate people.

Over the years he was the friend in need to hundreds of distressed families in Mount Oliver and other communities in the South Hills area of Pittsburgh. For a decade or more he was the unidentified "good Samaritan" of a community newspaper to whom families in distress wrote for and received help, particularly at the Thanksgiving and Christmas season.

Charles Beckman left to his family, his friends, and the community a legacy of public service and good will toward all men for new generations to emulate.

Address by Hon. Oren Harris

EXTENSION OF REMARKS

OF

HON. DANIEL D. ROSTENKOWSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 1962

Mr. ROSTENKOWSKI. Mr. Speaker, I want to call the attention of the House to an address of Hon. OREN HARRIS, chairman, House Interstate and Foreign Commerce Committee, before the Chicago Western Railway Club at their annual executive night's dinner at the grand ballroom, Sherman Hotel, in Chicago, on March 19, 1962.

The message concerns an important component part of our Nation's progress and economy. For this reason, I am inserting into the CONGRESSIONAL RECORD, the text of Congressman HARRIS' address and commend it to the attention of all my colleagues.

The address follows:

ADDRESS OF HON. OREN HARRIS, CHAIRMAN, HOUSE COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE, BEFORE THE WESTERN RAILWAY CLUB, CHICAGO, MARCH 19, 1962

Mr. President, ladies and gentlemen, it is a pleasure to be with you again tonight.

I recall most warmly my visit with you here 3 years ago last November. At that time Congress had recently completed its work on the Transportation Act of 1958 and I recall discussing with you three railroad problems which had been developed in the course of our hearings on that legislation dealing with surface transportation, namely, competition, ratemaking principles, and diversification.

Tonight we are just a month away from Lieutenant Colonel Glenn's epochal flight. All of us followed closely his descriptions of what the earth looked like from a great distance. Thus it has seemed appropriate in these times to engage in a look at our Nation's railroads as they might be viewed from afar off.

Several weeks ago in New York, in speaking to the Transportation Association of America, I presented some views relating to the transportation industry as a whole, and expressed the opinion that we had a strong privately owned and privately operated transportation system, and that while I recognized some signs of weakness here and there, the

present condition of the transportation industry could not be characterized as being in a crisis. There apparently has been some reaction to this talk, with some still adhering to a position of gloom and doom.

So, since I am here in Chicago before your Western Railway Club where most of our great railroads are represented, I intend tonight to be more specific and to speak more about individual railroads than railroads as a whole.

We have now had 3½ years' experience since the passage of the Transportation Act of 1958 and it is fitting to look at today's picture.

There are several puzzling aspects in the present railroad picture. I should like tonight to discuss two of them—each is provocative and challenging.

The first puzzlement is the very heterogeneous and opposite ways in which individual railroads have come out of the 1960–61 recession. Some railroads now have peak earnings. Others are abysmally bad.

However, in order to analyze correctly the trend in railroad earnings, it is necessary to take into account the effect in the last 10 years of the temporary tax savings resulting from accelerated amortization of emergency facilities. This is so because net railway operating income, the measure used in determining the results of a railroad's operation, includes Federal income taxes as well as operating revenues and expenses.

Since these certificates of accelerated amortization generally were last issued in 1955, their effect in increasing net railway operating income has about run out. Indeed, more than half the railroads serving Chicago already show a deficit in this account, and are paying higher taxes than they otherwise would, and by this year, or by 1963 all railroads will be in this situation. Thus, from this one feature alone, individual railroads would have shown a declining net railway operating income these past few years, even though all other things were equal, and they had identical revenues and expenses each year.

For example, in 1961, the Southern, Seaboard, and Norfolk & Western reported decreases from 1960 in net railway operating income. However, if the effect of these tax savings is eliminated, all three would show an increase. (I do not know, therefore, whether the current accounting treatment is exactly fair to the operating departments of the railroads.) During the past 10 years the temporary tax savings for individual railroads have averaged 10 to 20 percent of railway net operating income, and for many railroads has amounted to as much as 30 percent in a given year.

In going back through annual reports since 1948 of some of the major railroads in the country, I find that if the effect of accelerated tax amortization were eliminated we would have the following situation as to 1961 net railway operating income.

Atlantic Coast Line and Norfolk & Western, highest in these 14 years; Louisville & Nashville, and Union Pacific, highest since 1951 except for 1 year; Missouri Pacific, highest since 1952 except for 1 year; Southern Pacific, highest since 1953 (and perhaps earlier, as Moody's Manual for 1960 may not have given a correct estimate of 1961 tax savings); Frisco, and perhaps the Cottonbelt, highest since 1956; Burlington, Milwaukee, and Illinois Central, highest since 1956 except for 1 year; Wabash, highest since 1957; Southern, highest since 1957 except for 1 year; and Rio Grande, highest since 1958.

On the other hand, the Santa Fe, Chicago & Eastern Illinois, Rock Island, Gulf, Mobile & Ohio, and Pennsylvania merely were higher in 1961 than 1960; and the Baltimore & Ohio, Chesapeake & Ohio, Great Western, Great Northern, New York Central, Nickel Plate, and Northern Pacific were the poorest in the past 14 years.

I do not wish to say that this listing has been set forth in anywise to support a proposition that net railway operating income has been adequate these past 14 years whether or not we take into account this temporary tax savings feature, or that net railway operating income should not have grown commensurate with the growth of the country. Nor am I making any argument whether or not the accounting treatment by the railroads and the Interstate Commerce Commission should have been different and like that of other utilities under regulation should have provided for the creation of a reserve to equalize these temporary savings over the years in the future when they act in reverse. Nor has there been any failure by the railroads to disclose to their stockholders what President March of the Santa Fe described in our 1958 hearings as a temporary inflation in earnings that does not represent the true situation.

I simply have offered this list to show that one of the puzzling features in the railroad picture today is that many railroads do not appear to be facing acute crisis, although it is all too clear that some are in trouble and others seem to be hurting.

The second puzzlement I wish to discuss is the condition of the eastern railroads.

For some time, naturally, I have been aware that the eastern railroads were not doing as well as those in the South and West. To some extent I suppose over the years my mind had attributed this to the fact that the East relatively had not been growing as rapidly as the South and the West.

More recently, however, I have had occasion to be brought face to face with the truth that whereas during the forties perhaps the East did not grow as rapidly as the rest of the country, this was not true during the fifties. I became well aware of this fact for as you may know, down in Arkansas, we have been experiencing a little problem of congressional redistricting. There is nothing that so clearly emphasizes to some of us the relatively changing population of the country as the change in the number of seats in the House of Representatives which each State has.

Thus, in the past months I have had reason to become somewhat familiar with the 1960 census which shows a nationwide population increase of 18½ percent over the 1950 census. I could not help noticing the drop in population experienced by our many large cities since the 1950 census. New York, Chicago, Philadelphia, Detroit, Washington, Baltimore, Cleveland, Boston, St. Louis, Pittsburgh, Buffalo—every one of these lost population in this decade. On the other hand, Los Angeles, Houston, Milwaukee, Dallas, New Orleans, Memphis, Denver, Atlanta, all grew substantially.

In 1950, there were 18 cities with a population of 500,000 or more. The Pennsylvania Railroad serves 11 of these. Every one lost population. The New York Central serves nine. Every one lost population.

In 1950, there were 32 cities with a population between 200,000 and 500,000, and 56 cities with a population between 100,000 and 200,000. The Pennsylvania served 23 of these. Eleven of these 23 lost population. The New York Central served 22 of these. Nine of these 22 lost population.

In total, the large cities over 100,000 served by each of these railroads lost population although the territory served by each of them grew around 16 percent in population during the decade. The net railway operating for each of these railroads for the years 1959, 1960, and 1961 averaged some 60 percent less than for the 10 previous years 1949, 1950, and 1951.

I commenced to wonder if there might be some correlation between railway earnings and the growth of cities served by the railroads. The territory served by the Southern Railway grew only at a rate of about one-half that of the territory served by the New York Central and the Pennsylvania, but its cities grew some 8¼ percent. Southern's net railway operating income increased some 30 percent during the 10 years. The Missouri Pacific territory increased about the same as that of the aforementioned eastern railroads but the cities over 100,000 which it served grew 26 percent and its net railway operating income has remained fairly constant.

The Norfolk & Western and the Chesapeake & Ohio to some degree serve similar territory. The Chesapeake & Ohio's large cities lost population during the decade while the Norfolk & Western increased 17 percent. Net railway operating income of the Chesapeake & Ohio increased only 2 percent while that of the Norfolk & Western increased 78 percent.

The large cities served by the Illinois Central increased only some 2 percent while those of the Louisville & Nashville increased 8 percent. The Illinois Central net railway operating income is off 49 percent while that of the Louisville & Nashville is up slightly. The Southern Pacific and the Santa Fe both experienced great growth in the territories served by them. The large cities served by the Santa Fe increased only 20 percent while those served by the Southern Pacific increased 32 percent. Santa Fe earnings are off more than those of the Southern Pacific during the past 10 years.

I do not wish to state that there is a complete statistical correlation between the growth or decline of the large cities served by a railroad and its net earnings for too many assumptions or adjustments would have to be made relating to such matters as management, traffic composition, length of haul, number of industrial sidings, maintenance of property, et cetera, but it is clear that where the large cities are losing population (whether in the East, here, or in the West such as Chicago, Detroit, St. Louis, Cincinnati, Minneapolis, San Francisco, Oakland, or Portland) railroads are not doing so well.

It would seem that the railroads have a substantial stake in these large cities. It may be that the decline of the city, even though the metropolitan area grows, means loss of traffic to the railroad. This was suggested by an official of the Pennsylvania Railroad in connection with a discussion in 1957–58 of the Philadelphia commuter plan on the ground that its experience was that location of people and industry on the periphery of cities was not equally accompanied by railroad sidings and increased traffic. It may be that the tax situation in these declining cities is much different from that in one which is expanding. From whatever the cause, I would think it behooves railroad management to be most energetic in its attention to its urban centers.

Today we seem to be living in an age of "zations." To all of the "zations," including "centralization," we now are adding "urbanization." There can be no question about the country's trend from rural to urban population. We all are familiar with the tremendous growth of our large metropolitan areas. What apparently is being overlooked, however, is what has been happening to the principal city at the heart of these areas, what are the railroad's interests in this central city compared with its interests in the new cities which are springing up around it?

This is a puzzlement to the legislator who is confronted with the requirements of the modern age, for there seems great dissimilarity in the approach to the problem which is made by individual railroads.

Some seem energetically to be attempting to rebuild and vitalize their cities. I have noted with interest not only what is going

on in your city here as to the commuter traffic but such innovations as that of the water taxi which Mr. Heineman is putting on the Chicago River.

Others seem to take the position that this matter should be turned over completely for Federal treatment. Such position is most perplexing in the face of a situation where the cities, their citizens, and those who stand to gain or lose do not seem certain as to what they want to do about their own cities. This uncertainty is reflected in such treatises as those of the Committee for Economic Development which have titles like "Changing Economic Functions of the Central Cities" and "Metropolis Against Itself"; in Robert Moses' recent article in the Atlantic Monthly "Are Cities Dead?"; and in Lewis Mumford's book, "The City of History," to name a few.

Cinderella's character never recovered, one supposes, from the disastrous intervention of her fairy godmother. Having once discovered how far her problems could be solved by that wand, she, no doubt, stopped trying to solve them herself and adopted the slogan, "Leave it to grandmother."

I am not yet fully convinced that the time has arrived when the Federal wand should be waved to bail out the railroads from some of these local problems. Certain it is that the data I have given with respect to large city growth and railroad earnings would seem to suggest that a railroad's freight traffic is involved and that the railroad itself has an immense stake in maintaining the city's population and in facilitating transportation to the city from the suburbs.

This year marks the 75th anniversary of the passage of the Interstate Commerce Act. It is fitting that we note this anniversary, for under the regulation provided by this act, as amended, we have maintained in this country a system of railroads which have been privately operated. The tradition of this type of free enterprise seems to me to be worth keeping.

In this orbital age, all of our practices, our institutions, our laws, and our businesses naturally come under the necessity of continuous examination as to how best they serve the public interest. It is the duty of all of us to consider the extent to which regulation needs to be strengthened or relaxed best to meet the public convenience and necessity of our times and of the future.

I have attempted to outline for you tonight some of the perplexities which confront a legislator as he considers today's railroad picture and various legislative proposals. What the eventual answers to these, or to other matters may be, I do not know. I trust, however, that from groups like yourselves there will come the results of thoughtful consideration which will lead to the maintenance of a vital, growing, and adequate national railroad system.

It is encouraging to be here in Chicago where the railroads seems to be keenly alert to the situation. It is good to note the recent rundown in the Traffic World of what officials like Mr. Quinn of the Milwaukee, Mr. Heineman of the Northwestern, Mr. Murphy of the Burlington, our toastmaster, Mr. Johnson of the Rock Island, Mr. Marsh of the Santa Fe, Mr. Budd of the Great Northern, and others are doing to stimulate passenger business. It is good to note also that the Santa Fe now is proposing a petroleum products pipeline on its right-of-way from Anaheim to San Diego. This, like the products line of the Southern Pacific, is progress, even though this kind of progress and utilization of rights-of-way has been a long time coming. I have been tremendously impressed too, by Wayne A. Johnston's recent message to Illinois Central territory showing what his and other railroads have done to improve their efficiency so that today's railroads have "stronger muscles than ever."

So, finally, I close using Mr. Johnston's closing words: "I have always been an optimist about railroading."

Net railway operating income, 1951–60, 1960, and 1961, as reported and as adjusted to deduct temporary tax benefits arising from accelerated amortization of emergency facilities

[In thousands of dollars]

	Net railway operating income reported, 1951–60 average	Temporary tax benefits, 1951–60 average	Net railway operating income adjusted, 1951–60 average	Net railway operating income as reported		Net railway operating income as adjusted	
				1960	1961	1960	1961
New York Central	20,218	6,023	31,190	16,108	493	[1] 16,108	[1] 493
Pennsylvania	49,135	4,728	44,407	4,227	17,833	4,227	[1] 17,833
Baltimore & Ohio	34,648	3,683	30,965	15,107	[2] 17,411	13,387	----------
New York, Chicago & St. Louis	19,758	1,206	18,552	15,285	12,590	13,849	11,923
Wabash	10,751	1,782	8,969	6,008	6,701	5,721	7,568
Chesapeake & Ohio	61,011	8,809	52,202	48,405	37,793	40,605	33,043
Norfolk & Western	50,854	4,400	46,454	66,497	65,484	61,426	62,804
Illinois Central	26,064	2,399	23,665	13,722	16,880	13,018	17,258
Louisville & North	24,506	3,888	20,878	17,745	23,652	18,488	24,827
Gulf, Mobile & Ohio	7,727	736	6,931	3,304	4,770	3,515	5,090
Chicago & Eastern Illinois	3,251	621	2,630	304	372	173	1,400
Southern	38,861	3,239	35,622	26,108	25,771	24,228	25,154
Atlantic Coast Line	10,290	2,471	7,819	9,876	10,811	9,141	11,217
Seaboard Air Line	21,055	3,343	17,712	15,463	14,594	14,549	13,410
Chicago, Burlington & Quincy	25,226	3,563	21,663	16,632	18,918	14,948	18,648
Chicago, Rock Island & Pacific	18,134	2,194	15,940	8,341	10,191	6,624	10,986
Chicago Great Western	3,806	404	3,402	2,258	1,769	1,908	1,536
Missouri Pacific	34,542	3,359	31,183	30,941	30,954	30,744	32,213
St. Louis Southwestern	10,541	(1)	10,541	10,321	10,412	10,321	10,412
St. Louis-San Francisco	14,401	2,320	12,281	13,085	12,508	10,896	10,992
Atchison, Topeka & Santa Fe	64,207	6,504	57,703	48,744	49,118	40,238	48,835
Southern Pacific	54,906	10,724	44,184	60,378	53,103	42,944	46,436
Union Pacific	36,480	7,275	29,205	32,535	31,814	31,150	[1] 31,814
Denver & Rio Grande	13,236	842	12,394	12,979	11,129	10,954	11,240
Great Northern	28,477	2,842	22,635	18,435	16,782	17,088	14,947
Northern Pacific	15,949	1,392	14,557	10,116	8,340	9,771	8,357
Chicago, Milwaukee, St. Paul & Pacific	15,171	2,044	13,127	9,654	14,112	9,555	14,086

[1] Effect of temporary tax savings not shown in Moody's manuals.

[2] Deficit.

Temporary tax savings arising from accelerated amortization of emergency facilities in excess of recorded book depreciation

[Thousands of dollars]

	1951–60 average	1958	1959	1960	1961 [1]
New York Central	6,070	----------	----------	----------	----------
Pennsylvania	4,744	----------	----------	----------	----------
Baltimore & Ohio	3,683	2,766	2,014	1,720	43
New York Central & St. Louis	1,206	1,835	909	1,436	667
Wabash	1,782	2,111	1,794	296	[2] 967
Chesapeake & Ohio	8,809	9,000	7,916	7,800	4,750
Norfolk & Western	4,400	7,125	5,699	5,071	2,680
Illinois Central	2,399	2,910	1,957	704	[2] 378
Louisville & North	3,888	1,842	86	[2] 743	[2] 1,275
Gulf, Mobile & Ohio	736	275	349	289	[2] 310
Chicago & East Illinois	621	336	148	131	[2] 28
Southern	3,239	3,919	2,493	1,860	817
Atlantic Coast Line	2,471	1,305	224	735	1,670
Seaboard Air Line	3,343	2,847	1,777	847	[2] 876
Chicago, Burlington & Quincy	3,563	4,389	2,754	1,786	269
Chicago, Rock Island & Pacific	2,194	664	110	[2] 283	[2] 796
Chicago Great Western	404	488	346	350	160
Missouri Pacific	3,359	2,478	2,630	197	[2] 1,248
St. Louis Southwestern	(1)	(1)	(1)	(1)	(1)
St. Louis-San Francisco	2,320	3,526	2,653	2,489	1,514
Atchison, Topeka & Santa Fe	6,504	6,915	4,244	2,918	291
Southern Pacific	10,724	13,294	9,525	6,431	7,667
Union Pacific	7,275	9,608	5,382	1,676	(1)
Denver & Rio Grande Western	842	1,260	239	115	[2] 113
Great Northern	2,842	3,015	2,174	1,375	533
Northern Pacific	1,392	1,209	671	345	197
St. Louis Southwestern	2,044	2,348	786	99	27

[1] Estimated, Moody's Transportation Manual, 1960.

[2] Deficit.

[1] Data not given in Moody's Transportation Manual, 1960.

Comparison of change in population of cities (over 100,000 population in 1950) and territory served and of net railway operating income 1950–60

	Cities over 100,000			Change, 1910–60	Area population change, 1950–60	Adjusted net railway operating income [1]		Change
	Number, 1950	1950 census	1960 census			1949–51	1959–61	
	(Thousands)	(Thousands)	(Thousands)	Percent	Percent	(Thousands)	(Thousands)	Percent
Chicago & Eastern Illinois	3	4,507	4,442	−3.5	13.2	2,959	1,317	−55.5
Baltimore & Ohio	21	15,856	15,413	−2.8	13.0	32,617	7,326	−77.5
Wabash	11	8,482	8,279	−2.4	15.9	9,381	5,760	−38.6
New York Central	32	22,920	22,072	−2.0	16.1	35,672	[2] 13,598	−62.0
Pennsylvania	34	25,673	25,187	−1.9	16.3	50,900	[2] 17,298	−65.6
New York, Chicago & St. Louis	11	7,332	7,198	−1.8	17.9	20,149	14,172	−29.7
Chesapeake & Ohio	12	9,190	9,098	−1.0	12.3	39,388	40,227	+2.1
Chicago, Burlington & Quincy	9	6,724	6,679	−.67	13.5	28,700	16,738	−41.7
Chicago Great Western	7	5,470	5,455	−.27	13.1	3,140	2,250	−28.4
Gulf, Mobile & Ohio	9	6,575	6,482	−1.6	10.9	8,589	4,631	−44.6
Illinois Central	12	7,311	7,496	2.5	12.1	31,000	15,699	−49.4
Chicago, Milwaukee, St. Paul & Pacific	11	6,853	7,064	3.1	14.0	15,902	12,199	−23.3
Northern Pacific	7	2,086	2,163	3.7	14.4	17,600	10,750	−39.2
Great Northern	7	2,086	2,163	3.7	14.5	23,517	18,446	−21.6
Chicago, Rock Island & Pacific	16	8,477	9,021	6.4	12.1	18,506	10,448	−43.5
Louisville & Washington	13	4,147	4,187	8.2	6.1	20,567	20,794	+1.1
Southern	18	5,679	6,159	8.5	9.1	27,028	35,493	+31.3
Denver & Rio Grande Western	2	508	563	14.2	31.3	9,917	10,963	+10.8
St. Louis Southwestern	6	2,194	2,554	16.4	9.9	[3] 9,900	[3] 10,271	+3.7
Norfolk & Western	3	1,694	1,279	16.9	14.9	34,545	61,550	+78.2
Union Pacific	11	4,747	5,568	17.7	26.0	32,940	31,116	−5.2
St. Louis-San Francisco	10	3,472	4,143	19.3	10.2	13,567	10,800	−20.4
Atchison, Topeka & Santa Fe	21	10,948	13,188	20.5	27.2	68,969	48,322	−30.0
Central of Georgia	5	1,015	1,241	22.3	10.8	1,591	2,388	+50.0
Missouri Pacific	17	5,278	6,648	26.1	15.6	31,113	31,175	+.2
Atlantic West Line	8	1,658	2,112	27.4	18.4	8,444	9,870	+16.9
Seaboard Air Line	9	2,041	2,606	27.7	28.6	15,240	15,752	+3.3
Southern Pacific	18	6,928	9,122	31.9	36.3	51,443	43,906	−14.6

[1] Adjusted to eliminate effect of temporary tax savings arising from accelerated amortization of emergency facilities.

[2] Unadjusted, deductions for older projects terminated. There may be new projects now being covered.

[3] Unadjusted, data not shown in Moody's manuals.

Communist Political Propaganda

EXTENSION OF REMARKS

OF

HON. CATHERINE MAY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 1962

Mrs. MAY. Mr. Speaker, for the benefit of my colleagues, I would like to include at this point in the RECORD an excerpt from a letter I have received from a constituent who has found himself to be on a mailing list to receive some of the propaganda material the Soviet Union and its satellites are shipping into this country and the U.S. postal service obligingly distributes at the cost of the taxpayers. My constituent received an envelope and brochure which is printed in Latvian. The origin of the brochure is attributed to a certain Committee for Sponsoring Repatriation and Cultural Ties With Countrymen Abroad.

The following is quoted from my constituent's letter of protest:

The contents of the brochure is a vicious, criminally inspired slander. If such material were mailed in the United States the sender would be subject to prosecution and would face a libel suit. The author is attacking six Latvian pastors two of whom reside in Canada and the other four in the United States. All six of them are called bloodthirsty murderers, Gestapo agents and the like using the entire assortment of the established Soviet jargon in names calling. It fits nicely into the whole array of personal attacks on former citizens of the Baltic countries launched after World War II and stepped up recently in an effort to discredit and cast a shadow upon them, to create distrust among immigrants from these countries, and to stir up resentment within American people against them. The reason is obvious—they are live witnesses of the Soviet atrocities committed in their countries against people and their church.

This body, Mr. Speaker, took strong action against the free and subsidized delivery of Communist propaganda at the time it passed the postal rate bill in January, and I was pleased to give my full support to this amendment. I am hopeful action will be finalized without delay.

The Public Welfare Amendments Bill of 1962

EXTENSION OF REMARKS

OF

HON. FERNAND J. ST. GERMAIN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 1962

Mr. ST. GERMAIN. Mr. Speaker, the public welfare amendments bill of 1962 which has passed the House and been sent to the Senate is a sound measure aimed at correcting present welfare abuses and helping people to get off the relief rolls.

This legislation is a 5-year extension of the program to aid dependent families throughout the country. The extensive provisions of the bill which grant aid to both parents in unemployed families, give the States considerable freedom in the expenditure of funds, provide programs for the support of children in foster homes and for day nursery care, afford work opportunities to welfare recipients, and allow the guardians of children of irresponsible parents to receive welfare funds in behalf of such children, will greatly contribute to our national well-being.

The Public Welfare Amendments of 1962 are vitally necessary for a number of reasons. First of all, while the number of needy recipients on old-age assistance has declined—largely due to the increased protection provided by the old-age survivors and disability insurance system—the adequacy of payments to those remaining on the rolls has diminished.

On the other hand, the program for aid to dependent children has shown a substantial increase over the past 22 years. In 1940, 41.6 percent of this type of assistance was given because of the death of a parent, and 30.3 percent was given because of the parent's absence from the home. However, by 1960, these figures had changed positions with 9.6 percent of the funds being used because of the death of a parent, and the large figure of 62.2 percent being expended because of a parent's absence from the home. This change has come about because of the variety and complexity of the social problems affecting many modern families. It takes a great deal more to solve these problems than simply sending a welfare check.

The need for more effective public welfare programs is brought about in great part by reason of hard-core unemployment in some areas which is the result of changes in the economic structure and industrial climate. Also, changes in the agricultural economy which have caused the migration of unskilled farmworkers to urban areas have had a pronounced effect.

It is an unfortunate fact that the number of illegitimate births is increasing and that family breakup by reason of divorce, separation, and desertion is also on the rise. It has been shown that these situations can be helped by well-trained, qualified welfare personnel. This fact is further evidence of the value of the public welfare amendments of 1962.

For these and many other reasons, the bill recently passed by the House is sensible, realistic, and forward-looking legislation. It is a conscientious attempt in the direction of dealing more adequately with the great problems which face the United States in assisting all our people to become productive and worthwhile citizens.

Recreation Development at the Allegheny River Reservoir and the U.S. Forest Service

EXTENSION OF REMARKS

OF

HON. LEON H. GAVIN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 1962

Mr. GAVIN. Mr. Speaker, in commenting on a recent resolution adopted by the Pennsylvania Federation of Sportsmen's Clubs, I released the following statement:

I have watched with much interest the gradual development of plans for the Allegheny Reservoir. As this project takes on more definite form, many collateral influences and benefits become a matter of deep concern to the public. Opportunities for outdoor recreation development are especially promising. It is doubtful if any section of the country has a greater public interest in hunting, fishing, and other forms of outdoor recreation. We have several public agencies that possess high competence in the field of recreation development. Each has its major areas of expertness.

In the case of the upper Allegheny region, the maximum returns from the valuable forest lands, now enhanced by a water impoundment of great significance, will require integration of many uses if the public interest is to be best served. The agency with specific competence in this field is the Forest Service.

I have observed the multiple use management program of the Allegheny National Forest for many years. Under this program, timber resources are supplying raw material for local industry. Thinning and weeding operations carried on in the forest provide pulpwood for nearby mills. Under this pattern of wise use, wildlife production is stimulated to provide the maximum opportunity for thousands of sportsmen who flock to this area each fall for healthful outdoor recreation. The dollar value of this use to the local economy is important. Other forms of outdoor recreation—camping, picnicking, swimming—have been developed on the national forest. Each of these uses is a facet of a planned area development.

The Allegheny National Forest is already set up for business. It has long-range plans for developing the upper Allegheny region. It has a staff of skilled people on the job. It is financed to move ahead promptly, and indeed it has already started to work on lands under its control. While other agencies are equipped to take on certain portions of the recreation development program, none is engaged in the multiple-use operation which characterizes the national forest. Any other approach would require setting up new headquarters and new administrative staffs, involving duplication. I hope the air will be cleared in the near future and the Allegheny National Forest can move ahead with its plans for full development of the shoreline resources associated with the Allegheny Reservoir.

John McCuish, Journalist, Politician, Civic Leader

EXTENSION OF REMARKS

OF

HON. GARNER E. SHRIVER

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 1962

Mr. SHRIVER. Mr. Speaker, it was with deep regret last week that those of us from Kansas learned of the sudden passing of John B. McCuish, of Newton, Kans., at the relatively early age of 55.

I counted John McCuish among my personal friends. He had been active in politics in Kansas for more than a quarter of a century. I respected his counsel and his friendship.

Mr. McCuish loved politics. He started at the precinct level and rose to a number of influential positions in the Republican Party including a brief tenure as Governor of his State. He served as Harvey County Central Committee chairman for several years, and was the first chairman of the Kansas Commission of Revenue and Taxation. He served as treasurer of the Republican State Committee two terms, and was a delegate to the party's national conventions in 1936 and 1948.

One of the early supporters of Dwight Eisenhower for the Presidency, he was director of the Eisenhower for President campaign in Kansas in 1952.

In 1954 Mr. McCuish was elected to serve as Lieutenant Governor of Kansas, and in January 1957, he became Governor for a period of 11 days permitting the then Governor to take a seat on the Kansas Supreme Court.

John McCuish served our Nation during World War II as a combat infantryman in the European theater. Following the war he spent 90 days in Japan on a War Department assignment supervising the establishment of the first weekly newspapers in smaller cities. Its purpose was to spur the growth of democracy in Japan. He was the only American newsman on the mission.

His journalistic talents extended to the publishing of weekly newspapers in Hillsboro, Kans., and his hometown of Newton, Kans.

Mr. McCuish also devoted himself to the many worthy civic causes within his community and State. At the time of his death, he was active in planning the preliminary steps toward building a new library in Newton.

He is survived by his beloved wife and lifetime partner, the former Cora Hedrick.

Under the leave to extend my remarks, I would like to include the following editorial published in John McCuish's hometown newspaper, the Newton Kansan, upon which he had served as a reporter:

JOHN B. MCCUISH

Harvey County lost the man who had been its top Republican leader for more than three decades with the death early Monday morning of John McCuish.

Mr. McCuish continued to guide the strategy of the GOP in Harvey County even as he became a State political figure and was well along the road to his eventual election to Lieutenant Governor and finally to become Governor for a short period after the resignation of Gov. Fred Hall early in 1957.

Friends say that the Newton man had one of the greatest number of acquaintances in and out of political circles as any political figure in the State. He included among those friends and acquaintances not only persons among the top figures in the State's political life, but also among the ordinary persons in all walks of life.

While he was actively engaged in State politics, he never forgot his hometown.

When worthy projects came to his attention he was ready to go to bat for them, and, on the human side, it can be noted that he also was ready to help Harvey "countyans" who sought his aid in solving their problems that arose with governmental units.

He kept up his interest in civic affairs to the last. He had been included during the last few days in the formation of a group that plans to "carry the ball" to secure authorization for a bond issue to finance construction of a new library here.

Anniversary of Byelorussian Independence

EXTENSION OF REMARKS

OF

HON. VICTOR L. ANFUSO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 1962

Mr. ANFUSO. Mr. Speaker, this Sunday, March 25, as every year on this date, Americans of Byelorussian origin and their kinsmen in other free countries will observe the 44th anniversary of the proclamation of independence of the Byelorussian Democratic Republic. On this eventful day 44 years ago the Byelorussians established a free republic with high hopes that their nation had at last gained its freedom and independence.

Unfortunately, their freedom was shortlived. A short time later it was destroyed by Moscow, and the Byelorussian people became one of the captive nations suffering under the tyrannical yoke of communism. Although the Byelorussian people have known no freedom in more than four decades, the spark of freedom and their desire for independence has never died out.

This quest for freedom must be kept alive and vibrant in the hearts of the Byelorussian people, just as we are endeavoring to keep it alive and give hope to all other captive nations of Eastern Europe. In these dark days of a world

yearning for true peace and freedom, it is urgent that all of these peoples must not despair or think that they have been forgotten by the rest of the world. To do so would be suicidal for them and a great loss for the free world.

We must continue to exert all possible pressure and to focus the spotlight of world attention on their desperate situation in order to encourage them and to help them survive their ordeal. In a showdown with communism, there is no doubt in my mind that these captive nations would render a great service to the cause of democracy.

I extend greetings on this day to all Americans of Byelorussian descent and join with them in prayer for the early liberation of their ancestral homeland and their kinsmen who live there.

Statement in Support of H.R. 10141 To Eliminate Discriminatory Literacy Tests as a Qualification for Voting

EXTENSION OF REMARKS

OF

HON. ABRAHAM J. MULTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 1962

Mr. MULTER. Mr. Speaker, last week on March 14–15, the subcommittee of the Judiciary Committee which is chaired by my distinguished colleague, the gentleman from New York [Mr. CELLER] held a hearing on my bill, H.R. 10141.

I commend to the attention of our colleagues my statement in support of this most important legislation:

STATEMENT IN SUPPORT OF H.R. 10141 BEFORE SUBCOMMITTEE 5 OF THE JUDICIARY COMMITTEE, HOUSE OF REPRESENTATIVES, MARCH 15, 1962

Mr. Chairman, I am very happy to have the opportunity to speak in support of my bill H.R. 10141, to protect the right to vote in Federal elections free from arbitrary discrimination by literacy tests or other means.

This is legislation that has been needed for many, many years. In modern America there is no justification whatever for the kind of discrimination practiced in some States of our Nation to effectively prevent citizens of those States from exercising their constitutional privilege and responsibility at the polling booths.

Our society, Mr. Chairman, is one that is based on consent: the citizens give their consent to the various governments of the nation to make decisions affecting their welfare. These governments—local, State, and national—are in turn responsible to the citizens.

This system cannot be said to truly work, however, when the consent to govern is given by only a part of the citizens who are eligible under the Constitution.

Let us reflect for a moment about those citizens who do not vote. We have, first of all, a large number of citizens who cannot be adjudged competent to assume their responsibility in this regard because of their age. These are our children. They are no less affected by the decisions of government, but they do not, and rightly so, participate in the selection of their leaders. We then have the insane and those unfortunate enough to have lost their voting rights because of criminal acts.

This segment of our citizens, then, cannot exercise the right to vote for various good reasons.

What about the rest of our citizens—those over the age of 21 (or 18 in two States) who are not insane and who have not become criminals. As we all know these citizens are guaranteed the right to vote by the Constitution of the United States. Nothing should be allowed to prevent them from exercising that right. Unfortunately, some of them are denied that right by the imposition of discriminatory laws such as those we have under consideration here today.

This bill would protect the right to vote in Federal elections of those of our citizens who have been discriminated against by literacy tests.

There are a large number of citizens who do not come from an English-speaking background and who, therefore, have been excluded from voting; there are other Americans who have been excluded because of the color of their skin on the pretext that they are not literate.

This bill, however, will set an excellent standard by insisting that no one be prevented from voting who has achieved a sixth-grade education.

I cannot think of any more worthy piece of legislation presently before the Congress than this one, Mr. Chairman. Any bill which enfranchises people by removing arbitrary discriminatory provisions in the law deserves our wholehearted support and I trust that we will have the opportunity to act on it in the House in the very near future.

Thank you.

The Spirit of St. Patrick

EXTENSION OF REMARKS

OF

HON. PHILIP J. PHILBIN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 1962

Mr. PHILBIN. Mr. Speaker, throughout the whole world today, wherever the sons and daughters of Erin are, Irish hearts are happy and the world is gay in hailing the great patron saint of the Emerald Isle who brought the Christian God to Ireland.

There is an eternality about St. Patrick, because the influences of supreme faith, undaunted courage, and untiring work for his cause has shone down through the ages with a gleaming fervor that has thrown off shackles and brought unimagined glory and triumphs to the Irish people all over the world.

As the great Irish churchman and scholar, Bishop Philbin said:

St. Patrick's holiness was of no common measure. He not only transformed a people in the course of a few decades; he transformed them with a permanence that has endured until this day.

Such was the influence of his preaching that the faith he imparted to the Irish has ever since remained, not merely as a feature of their character, but as their characteristic feature—intense love of home, appreciation of the supernatural, emphasis on prayer and works of devotion, not only in devotional life, but in literature and folklore.

No other personality has so impressed itself on the Irish people and across all the divisions and controversies that history has imposed on the Irish, St. Patrick remains to this day their single undisputed center of unity.

More perhaps than any other race, the Irish owe their faith to God, not to the gradual influence of many workers and the play of many forces, but to one man. Through and through the Irish are Patrick's children.

St. Patrick braved many challenges and his life was full of hardships. Exiled, enslaved, disowned, condemned to the roughest life, he experienced famine and privation.

He was seized, beaten, and imprisoned and denied even the privilege of writing and speaking.

Such sufferings as Patrick underwent were to become the hallmark of Irish history, whose origin was in unyielding fidelity to faith.

For this offense, throughout the years, the Irish have been robbed of their homes and lands, denied livelihood in their own country, deprived of the protection of the law that is the right of every freeman.

Hardship, poverty, and hunger were inseparable from the profession and practice of the faith; the great famine was only the climax of many like experiences to which the race was subjected in centuries of persecution.

Exile has been a prominent part of Irish history, and it has spread Irish people all over the world, so that now there are vastly more people of the Irish race living abroad than in the homeland.

Through heartbreak and bitterness, the Irish people have cherished their traditions, including their love of native literature even when this love was degraded, suppressed, and denied. Suffering and hardship often have compensating graces, and the fact that the Irish have emerged unshaken in their allegiance notwithstanding agelong cruelties and persecutions, remains one of their greatest glories.

Irishmen and women thank the Lord with overflowing heart for the gift of steadfastness which Patrick gave to the Irish race. It is said that as a consequence of St. Patrick's inspiration Irish scholars kept the lamps of learning and knowledge burning in Europe throughout the Dark Ages. The work of Irish missionaries in the centuries immediately after St. Patrick is perhaps the most famous episode in Irish history but it is not the only one, and it may not have been the greatest, but it lives with us today, as we view this sick, disordered world, beckoning us to stand firm and indomitable in our unflinching determination to preserve our heritage of freedom under God.

We need a St. Patrick today to stir, arouse, and restore the faith of millions of people in our own Nation and throughout the world who are victims of modern materialism and paganistic philosophies and godless, dictatorial systems of government. We need the zeal of St. Patrick to protect the precious, free heritage of America in whose defense so many

great Irishmen paid the supreme sacrifice.

Here, today, in this blessed, free land, we need to summon the strength, the courage and tenacity of purpose of the Irish sages who signed the Declaration of Independence, the Irish heroes of the Revolutionary War and every other war in our history.

We need the voice of another St. Patrick throughout the land and throughout the world sounding a clarion call in the defense of liberty, that men everywhere may be free of the cruel chains which bind them to intolerable tyranny, that true freedom and brotherhood may dwell on this earth and all people may be spared the lash of the tyrant's whip.

This is the spirit of St. Patrick and his noble followers, this is the spirit of the great American patriots who fought to sustain our free institutions. This is the spirit we need in this land today, as we joyously celebrate the birthday of the great patron saint of Ireland.

Let us be thankful for the contributions of his sons and daughters on American soil and throughout the world who have fought and died for liberty.

Let us resolve to carry his banner of faith and courage wherever our great destiny may lead us in the quest of peace, freedom, and brothehood for all men.

Foreign Visitors

EXTENSION OF REMARKS

OF

HON. J. FLOYD BREEDING

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 1962

Mr. BREEDING. Mr. Speaker, I believe my colleagues may be interested in learning what some of our foreign visitors think of their hosts here in the United States. I would like to revise and extend my remarks to include a letter which I have written to the Secretary of State bringing to his attention the accomplishments of my good friend, Mr. John McCormally, executive editor of the Hutchinson News, Hutchinson, Kans., in entertaining foreign visitors. I especially want to call to the attention of this great body the article written by Mr. Oscar S. Villadolid, staff reporter of the Phillippines Herald, after his visit to this country as a member of a SEATO journalists project. Mr. Villadolid was entertained by Mr. McCormally and Mr. Jack Harris, publisher of the Hutchinson News. He speaks in glowing terms of Mr. Harris and Mr. McCormally as being the type of Americans who could easily win Asians as friends to our cause. I indeed think these two gentlemen should be commended for their wonderful contribution in serving our Nation.

The letter and article follow:

MARCH 21, 1962.

The Honorable DEAN RUSK,
Secretary of State,
U.S. Department of State,
Washington, D.C.

DEAR SECRETARY RUSK: I feel that one of my constituents, Mr. John McCormally, has made quite an outstanding contribution in furthering the cause of international understanding, and I would like to bring to your attention a summary of his achievements.

Mr. McCormally, who is executive editor of the Hutchinson News, of Hutchinson, Kans., has for several years been active as a host to foreign visitors coming here under the various exchange programs.

For most of these visitors, their trip to Hutchinson, which has a population of 38,000, is their only exposure to a smaller American community and to an agricultural area. Not only has Mr. McCormally's work given them a true, memorable picture of real, down-to-earth American life; at the same time it has provided their hosts, the people of my district, a fine opportunity to learn firsthand the personalities, feelings, and thinking of these important foreign visitors.

Having a large family and a moderate income, he does not entertain lavishly, but goes far beyond the perfunctory duties of an official host, in providing genuine American hospitality. His wife Peggy and their seven children play an important role. The guests are always invited to the McCormally home for at least one meal, and while there, have an opportunity to romp with the children, poke through the pantry, and in this informal atmosphere, ask all the intimate questions about grocery bills, family budgets, taxes, worries, and hopes which one must ask in order to learn about people in another land.

Other arrangements include visits with farmers, workers, teachers, students, and glimpses of the community's small industries, retail businesses, and cultural centers.

Mr. McCormally emphasizes that participation in the programs reflects the interests of his employer, Mr. John P. Harris, chairman of the board of Harris newspapers, a widely traveled student of world affairs, and a highly successful editor.

Mr. McCormally is a native Kansan, 39, a Marine veteran of World War II, a former Democratic member of the Kansas Legislature, a former Neiman fellow at Harvard, and has worked his way up from reporter to executive editor of the News in the past 10 years.

I understand that these visitors invariably list Hutchinson, Kans., as a high spot in their American tours. I am attaching a copy of one such report by Mr. Oscar Villadolid, of the Philippines Herald, in which he expresses first his reluctance and even fear at entering the heartland of our big country and then his delight at meeting the McCormally family and having an opportunity to become acquainted with typical, hardworking Americans—people who are vastly different from wealthy, sophisticated tourists who are virtually the only Americans traveling in the Philippines.

I am sure that Mr. McCormally is eager to continue his efforts and that you will be interested in his contributions and in their effects upon the people of my district.

Sincerely yours,

J. FLOYD BREEDING,
Member of Congress.

WINNING THE COLD WAR

(By Oscar S. Villadolid)

America may be dragging her feet in the cold war, but she is definitely making long, deliberate strides in trying to win the hearts of Asians through her $20.8 million cultural and educational exchange programs.

Though little known, sometimes even unheard of, in the awesome East-West power struggle, this battle for the minds of peoples has contributed immensely to a better understanding of America, and what she stands for. Yet, a great many politically minded Americans have, ironically, failed to place more emphasis on the very weapon that can someday make them win the cold war without firing a shot.

How is this? one may ask. What possible benefits can a gigantic cultural and educational exchange program secure that subtle military diplomacy or lavish economic aid cannot?

Not long ago, we winged our way into the American south, deep into the land that has become so well known to Asians as "Little Rock." When we left Washington, D.C., for the "notorious land," we were apprehensive, felt that, perhaps, it was not wise after all to have asked that we see the soft underbelly of the great United States. What was there to see than what had already been printed in Life and Look magazines, pictures of southern "whites" spitting at the faces of helpless "blacks" and inflicting on them physical harm merely because a few innocent colored schoolchildren wanted to take full advantage of an education which they are entitled to under the laws we mused. Being an Asian, and thus colored, there was really nothing much to think about, except of Little Rock all the way.

Looking back, the situation was not as bad, as hopeless and as reprehensible as it appeared 2 months ago. On the contrary, we left the South with the inevitable verdict that the conditions were much better than we had expected them to be. For the first time, we really began to appreciate what a complicated and ticklish problem school integration was in a southern community—too provincial in its prejudices and too raw in its emotions. Indeed, there was much to be desired in trying to uplift the standing of the Negroes; but, on the whole, we were impressed by the progress being made in this direction. We left the United States deeply convinced that a hard-working Asian could find his place under the sun in America, too.

This understanding of the true facts in the American South could not have come about without the Fulbrights and the Smith-Mundts, as they are popularly known here. So with an understanding of American life and government one goes home from a trip to the United States highly elated by the experiences of American civilization. One also gathers these impressions; America has a culture distinctly her own, her women are hard working despite all the kitchen aids and mechanical gadgets not available in the distant East, her family ties, with obvious exceptions, are still firm and her religious life strong. The so-called westerners are even hospitable people, and nowhere in the vastness of America did we sample a brand of hospitality as the kind dished out to us by the Texans.

Feeling the pulse of America this way does not only leave a lasting imprint in the minds of those who have been there but they may also help mature their thinking on matters affecting the United States. By no means will they be expected to act like puppets upon their return, subverting their convictions to new found ones, or laying aside their nationalistic aspirations for alien considerations. But, with the proper background of American life and government seen firsthand, they will act with acute deliberation and sobriety on delicate matters affecting the United States and the ideals which she stands for. Undoubtedly, these are tangible acquisitions which could greatly enhance closer and better understanding between Asians and Americans in this era when the peace is being delicately balanced through terror.

Unlike the disinterested group which has cast its lot with the pre-Sputnik type of diplomacy of "might makes right," there are, in the U.S. State Department in Washington, D.C., silent workers who firmly believe that the world's differences could be aptly bridged through cultural and educational exchanges.

With 10 years experience with international exchange programs, these officials

have incessantly tried to hammer home the point that military and economic strength are not the only two weapons that could shape a world of friends. And there can be no disagreement on this. For intellectual and social attainments, the knowledge of which can be spread only through the exchange of opinion-forming individuals, are very important, too, if not as vital as economic and military power.

Even in this part of the world, it is becoming increasingly clear that the two big powers, on whose hands the survival of the world depends, have locked themselves in a titanic struggle for global intellectual leadership. And while they are at it in an increasing and oftentimes disquieting momentum, the rest of the world's peoples—the committed and the uncommitted—are an interested audience.

What exactly is the U.S. State Department's role in this increasingly important playground of cultural and educational exchange programs? How has it fared during the 10 years since it launched the program?

Robert Dollison, one of the many soldiers in America's battle for the minds of peoples throughout the world, has given us a clear picture of the setup: 6,000 persons a year are involved in the program, two-thirds of whom are foreigners getting into the United States from 80 countries. Since the program was launched by the American Congress 10 years ago, 60,000 exchanges had taken place, 40,000 of whom are foreigners and the rest Americans who have gone abroad to various countries of cultural interest to them. These numbers include the two categories of the Department's current exchange activity—the Fulbright program for teachers, lecturers, research scholars and graduate students, and the Smith-Mundt leader specialist program for influential individuals and experts in particular fields.

State Department officials concede that the leader-specialist program, concentrating on the exchange of influential adults, is generally agreed to be a marked success. This is not surprising. For the opinion formers who have gone on 60-day visits to the United States, numbering more than 800, exert a lot of influence in their respective countries. These influential tourists, upon their return home, pour forth their impressions in speeches, books, articles, and personal discussions.

But one thing has been of utmost importance to this program: the recipients had gone to America and returned to their homeland content in the thought that they had been granted complete freedom to make their choice of places to see, to visit, and persons to talk with.

What, perhaps, has contributed greatly to the success of this leader-specialist program is the private sponsor system which could be found in more than 1,000 American communities, from the big cities of New York and Chicago to the rural districts of Tennessee and Kansas. This is one of the surprises of the great United States, where, to the eyes of an outsider, every American is too busy engaged in raising his standard of living to bother with people from the outside. But not every American is engaged in the rat race, a good number of them—businessmen, social workers, farmers, editors, publishers, and so forth—have been giving their precious time to the visitor who has come to the United States for the first time to discover America.

We discovered the real America this way. In Dallas, Tex., after a tiring day touring newspaper offices and TV stations, we were farmed out, by people who took care of our program of activities, into the homes of average Americans. Mr. and Mrs. Ray Johnson, a middle-aged couple with a son in the Armed Forces, took us in that evening. Time flew so fast that before we knew it it was already past midnight. There were still a lot of things to discuss about each other's country, but time was running out, and so were the 60 days for the trip that carried us through Washington, D.C.; New York; Knoxville, Tenn.; New Orleans; Dallas, Tex.; Kansas City; Hutchinson, Kans.; Chicago; Detroit; Buffalo; Niagara Falls; Quincy and Cambridge (Boston); Easton, Pa.; Seattle, Wash.; Minneapolis, Milwaukee, and San Francisco, Calif.

But the most pleasant experience we had in the big, vast United States was not in New York, Washington, D.C., or Chicago, but in a small town in Kansas with the funny name of Hutchinson. We had wanted to visit a small town and sample life in such a community when we made out our itinerary with the help of Mr. Melvin Bergheim, a programing expert of the Governmental Affairs Institute, in Washington, D.C., but little did we realize that it would afford us our most pleasant and memorable experience in America. What made our stay there most pleasant and worthwhile was the kind of hospitality John McCormally, his wife, and their four children afforded us. They are simple people, though John is the managing editor of the town's newspaper, the Hutchinson News (circulation 48,000), and a former Neiman fellow; but there was warmth and sincerity in the way they received us—like old friends separated by miles of ocean. And we got a kick out of eating hamburgers, salad, and French fried potatoes for lunch beside an old fireplace that barely kept the 36° cold out of the living room. His publisher, Jack Harris, was swell, too. He was the kind of American, soft spoken and understanding, that, we thought, could win Asians easily on the side of the United States.

Our concept of the typical American, as a sophisticated tourist with too much money to throw away while strutting around the Philippines—an impression shared by many—was effectively disproved by John and Jack and a number of other hardworking Americans we met in the United States. They impressed upon us the fact that a good many Americans are, after all, people, too, who share a genuine feeling with Asians and understand that they, also, have a role to play in shaping the course of the future. Their understanding of us and the problems we face made the world seem like a golf ball.

It was like, in Hutchinson, home in America.

Perhaps, the critics will argue that this is an isolated case; after all, no two individuals, as in nationalities, can be alike. But the widespread popularity in the Philippines of the Smith-Mundt and Fulbright grants seem to belie the critics. With the exception of a numbered few, visits to the United States on these grants have brought about a general feeling of enlightenment among the recipients on delicate subjects which, at one time, had seemed incomprehensible to them. As intellectual enlightenment is understanding, it would, therefore, not be difficult to expect that better and closer understanding between nations would follow.

Doubting Thomases who seem more disposed toward the old-type diplomacy that characterized Britannia when she ruled the waves may well profit from the experiences of Filipinos in cultural and educational exchange programs. The results are certainly more tangible, although they may not be proclaimed before the whole world with the same brazenness and intensity of a cannon's roar.

To the "have not" Asians, whose world has just started to emerge from the nightmare of poverty and isolationism, the fight is not by the number of guns, tanks, or planes, but by the amount of bread heaped into the empty breadbaskets of waiting millions. Knowledge, to them, will be the propelling force to achieve this end, not sporadic economic doleouts that oftentimes lead to a false sense of economic security and national stagnation. Of course, this approach to the ailing millions of Asians will entail a long process that will surely hurt the pocketbook, but it will represent more than a gesture of friendship; it is friendship for friendship's sake.

LIST OF RECENT FOREIGN VISITORS TO HUTCHINSON, KANS.

John McCormally, host: June 1957, Mr. Walter Pollak, editor and chief, "Oberoesterreichische Nachrichten," Linz, Austria; March 1958, Messrs. Olivera, Angeles, and Villadolid, Manila, P.I.; July 1958, Ali Khan Mansur, Lahore, Pakistan; October 1958, Ugger Sain, editor, the Hindustan Times, New Delhi, India; November 1958, Takeo Kayama, "Chubu Nippon Shimbuu," Tokyo; January 1959, Aatos Erkko, Finland; April 1959, Ramapillai N. Sivapirakasam, Ceylon; November 1959, Koh Jai-wook and Wohn Kyung-soo, of "Dong a Ilbo," Seoul, Korea.

June, July, 1960, J. A. Kelleher, the Dominion, Wellington, New Zealand; June 1961, Mohamed Isnaeni, Djakarta, member of Parliament and chief editor, Suluh, Indonesia; July 1961 (members of resident correspondent's tour, arranged by Governmental Affairs Institute and financed by the Ford Foundation)—George Celiz, Argentina; Heinz Ohnesorge, Germany; T. V. Parasuram, India; Antonio Barolini, Italy; Euchai Kimura, Japan; Bogdan Chylinski, Poland; Levon Keshishian, United Arab Republic; Miss Evelyn Irons, United Kingdom; Rudolf Stajduhar, Yugoslavia; Bert Van Velsen, the Netherlands; F. Demokan, Turkey.

The Interdependence of Political, Scientific and Military Planning

EXTENSION OF REMARKS

OF

HON. HENRY M. JACKSON

OF WASHINGTON

IN THE SENATE OF THE UNITED STATES

Wednesday, March 21, 1962

Mr. JACKSON. Mr. President, I believe a recent speech by Senator MUSKIE entitled "The Interdependence of Political, Scientific, and Military Planning," should be given further circulation. The Senator has commented on a number of the critical issues in the staffing and organization of the national security policy process following on his work as a member of the Subcommittee on National Policy Machinery of the Government Operations Committee. This speech was delivered to a meeting of the Electronics Industries Association seminar on March 13, 1962. I hope that Members of Congress will read Senator MUSKIE's most helpful statement.

I ask unanimous consent to have the speech printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD as follows:

THE INTERDEPENDENCE OF POLITICAL, SCIENTIFIC, AND MILITARY PLANNING

(Remarks by U.S. Senator EDMUND S. MUSKIE, Democrat, of Maine, to a luncheon meeting of the Electronics Industries Association seminar on the New Look in Defense Planning, Statler-Hilton Hotel, Washington, D.C., March 13, 1962)

Two weeks ago, President Kennedy spoke to the Nation on his decision to resume nuclear weapons testing. No single issue, and no single decision illustrates more clearly

the dilemmas confronting the President and his policy advisers in coordinating political, scientific, and military planning. In retrospect the decision appears to have been inevitable. But in the preparation for that decision, nothing could be treated as inevitable except the paramount importance of the security of the free world.

The remarkable feature of that decision was the balance it achieved in giving proper weight to the three factors involved in our overall national security—domestic and foreign policy, scientific advancement, and military planning.

Politically, the President had to recognize the deep emotional biases on both sides of the issue inside the United States. There were those who would have us test, whatever the effects of such tests on health, national and world opinion, or long-term disarmament goals. There were those who would oppose all tests, whatever the effects of such a decision on our defensive capacity and the balance of power. There was a large group without opinions, but with vague and disquieting fears over what might happen if we should resume tests.

As the leader of the free world, the President had to take into account the attitude of our allies and friends and the reaction of the uncommitted nations. We could not have our policies determined by them, but neither, in the contest for men's minds, could we afford to ignore their opinions.

I do not need to detail the scientific and military requirements which enforced the need to resume the tests. This is an age when military technology holds the key to the balance of power, when the scientific advances of today forecast the potential strength of tomorrow, and when the force of weapons threatens broad scale devastation.

Until we have found the political and scientific means of controlling the development, possession, and use of weapons, we cannot avoid our responsibility for maintaining and expanding our defensive and offensive capacity. Our Secretary of State is, this week, testing whether or not such control is possible.

All of this implies a deep and lasting struggle, one in which the free nations and the Communist bloc are deeply involved, and one from which the uncommitted nations are trying desperately to escape. There is no visible end to the struggle. Although it resembles war in so many ways, the cold war does not offer the immediate and decisive choices which make war palatable to some and bearable to others. In the cold war there is the constant threat of intellectual frostbite, frozen attitudes, and apathy. A cold shower braces; but the penetrating cold of a long winter's night threatens to drain the resources of the hardiest among us.

How, in such a protracted struggle does a free society retain its vitality, provide for its defense, and give leadership against an implacable and resourceful foe?

Or, as Senator JACKSON put it in his final statement for the Subcommittee on National Policy Machinery: "Can free societies outplan, outperform, outlast—and if need be, outsacrifice—totalitarian systems? Can we recognize fresh problems in a changing world and respond in time with new plans for meeting them?"

In this forum, you are wrestling with the problem of coordinated planning. As manufacturers of electronic devices, you have banded together, in part, "to advance the defense of our country, the growth of our economy, the progress of technology, and all interests of the electronics industry compatible with the public welfare." This is a worthy objective.

It would be presumptuous of me to set myself up as an expert on military and technological planning. Even my service on the Government Operations Committee and the National Policy Machinery Subcommittee does not give me the authority to lecture you on the difficulties of coordinating the scientific and military aspects of our defense planning effort.

What I can do, as one versed in public policy, is to offer you an approach to the problem of coordinating and integrating specialized disciplines, which are increasingly interrelated on a policymaking level, which, in turn, is the domain of nonspecialists.

There are three ways in which we may approach the problem: structure, personnel, and public response.

The first question is that of structure. Do we need to set up special committees or to overhaul our Government in order to get the job done as it should be done?

Whenever freemen encounter a problem they form a committee or an association. This town is filled with committees, associations, organizations, societies, and study groups, in and out of government. Their rise and fall can be plotted and predicted according to the ebb and flow of crises in every field of human endeavor from aeronautical technology to the zoology of Afghanistan.

Such combinations of interested parties are inevitable. In a free society they are desirable. But in government the temptation to form a committee whenever an apparently new problem arises should be treated with great caution and restraint.

As Senator JACKSON said in his final statement on the deliberation of the National Policy Machinery Subcommittee:

"Properly managed, and chaired by officials with responsibility for decision and action, committees can be useful in helping make sure that voices that should be heard are heard. But a very high percentage of committees exact a heavy toll by diluting the authority of individual executives, obscuring responsibility for getting things done, and generally slowing decisionmaking."

Government by committee is no government at all, since it is the antithesis of the action on which forceful and effective government depends.

The other temptation in dealing with changing problems of a democracy in our present age is to engage in radical overhauling of the actual framework and structure of government.

The National Policy Machinery Subcommittee received many suggestions for governmental reorganization, ranging from the constitution of a supercabinet with a First Secretary to the proposed establishment of a Department of Science and Technology. The subcommittee rejected both suggestions, noting that "faulty machinery is rarely the real culprit when our policies are inconsistent or when they lack sustained forward momentum. The underlying cause is normally found elsewhere. It consists in the absence of a clear sense of direction and coherence of policy at the top of the Government." Organization is no substitute for leadership.

The subcommittee rejected the concept of a supercabinet and a First Secretary because, in its opinion, the results of such a reorganization would be to hamper the President in the exercise of his responsibilities. In addition, it would tend to cut him off from his principal policymakers and departmental advisers through the imposition of a new bureaucratic organization on one which in many respects is already swollen.

The plight of the National Security Council, as revealed in the subcommittee study, is instructive. The Council was established originally in 1947 to advise the President "with respect to the integration of domestic, foreign, and military policies relating to the national security so as to enable the military services and the other departments and agencies of the Government to cooperate more effectively in matters involving the national security."

Over the years, the Council developed a dual role, that of the Council itself acting as adviser to the President, and that of the Council system in which the Council staff and a complex interdepartmental committee substructure were designed to undergird the works of the Council. The Council system had become, in other words, an institution, another facet of bureaucracy.

As a result of the growth of the Council as an institution, much of its effectiveness had been diluted. It produced "policy papers," adjusted departmental differences at the staff level rather than defining and sharpening issues, and established a system which had burdened the members of the Council and hindered the implementation of policy.

The National Policy Machinery Subcommittee concluded that the organization of the Council should be loosened, that its function as a relatively small group of top advisers to the President be emphasized, and that the President rely heavily on a flexible staff of personal assistants.

Essentially, this is the approach which President Kennedy has taken. He has been criticized by some as being too "free wheeling" to his approach to the policymaking machinery. His method tends to disrupt and cut across traditional concepts of administrative procedure and neat lines of authority, but his approach does emphasize flexibility, the relentless probing and testing of ideas, the competition of new proposals, and the ultimate responsibility of the President.

President Truman had a sign on his desk: "The buck stops here." This is always true. The danger in establishing too elaborate a staff system around the executive is that the buck will be trimmed beyond recognition before it reaches the President for his decision.

The question of structure and coordination is not limited to the President and his advisers, it extends to the coordination of scientific and military development.

Earlier I alluded to the problem of science and technology and its relationship to the national security. This problem was of great concern to the subcommittee, as it is central to your deliberations as participants in scientific and technological development and productions.

As the subcommittee's January 1960 interim report put it:

"There is growing awareness that scientific, military, and political planning must go forward together. Some argue that our defense planners, particularly at top civilian levels, have as a group not appreciated fully enough the future military implications of crucial technical programs in the developmental state. It is also held that our research and developments effort too often suffers from a lack of adequate guidance concerning weapons systems of maximum utility. As a group, our foreign policy planners have also not concerned themselves enough with the future political consequences of weapon systems in the laboratory state. Similarly, it is argued that our research and development programs would benefit from clearer guidelines concerning projects which might best help further our foreign policy goals.

"How, without straightjacketing technological development, can State and Defense furnish those concerned with development more useful guidance concerning the paths of technological exploration which might best enable us to further our overall political and military objectives?"

One of the continuing recommendations for meeting this problem of coordination of scientific effort with foreign policy and military goals is the proposed establishment of a Department of Science and Technology. Such proposals ignore the fact that science is not a definable jurisdiction, it is a tool.

Furthermore scientists are professional experts, not necessarily possessing the broad perspective which is required at the level of departmental responsibility, especially if such a department were to encompass the whole realm of science.

In his testimony before the subcommittee, Mr. James Perkins, of the Carnegie Corp., warned:

"We are inclined to translate important special authority into authority in general. A specialist on atomic energy does not necessarily speak with equal authority on infrared devices or jet propulsion. Even less does he speak with authority on problems of strategic deterrence or on the probable outcome of the cold war.

"We are in some danger, it seems to me, of repeating the mistakes of the thirties when the fears of depression produced an overvaluation of the general skills of the economist."

The staff report of the subcommittee further noted that scientists "are not exempt from the human tendency to allow these beliefs to color their technical judgments, and to become ardent pleaders for special causes."

While we recognize the nature of science and the limitations of scientists, we must acknowledge the need for more effective means of advising the President and the Congress on scientific developments and their implications, and of integrating such developments with policy planning. Without adequate understanding there will be no intelligent action.

The President has a Special Assistant for Science and Technology and a Science Advisory Committee. They have been extremely useful to the President as professional experts and advisers within a flexible framework of authority.

The principal shortcomings of the present arrangement are the lack of sufficient staff, particularly for advance planning, and the fact that the President's advisers are not available to testify before Congress. They cannot provide the same service the Budget Bureau Director gives in overall policy briefings and specific testimony on the relationship of individual programs to the overall aims of the administration.

Serious consideration should be, and I understand is being, given to the subcommittee recommendation calling for the establishment of an Office of Science and Technology within the Executive Office of the President. Such an office, adequately staffed, would help the President look ahead in the field of scientific development; it would help coordinate the activities of the various Government agencies; and it would be available as a source of expert advice to the Congress.

In calling for such a staff, we should remember that the chief strength of the existing science arrangement in the President's Office is its flexibility. It would be essential that the new office follow a flexible mode of organization and operation. We are not looking for a new bureaucracy.

Such a step would supplement, but would not supplant, the need for more adequate recognition of scientific planning within the various departments. The administration has made substantial gains in this area, particularly in the Department of Defense through the Division of Defense Research and Engineering.

Ultimately, of course, our success in coordinating scientific development and national policy planning depends upon the recruitment of qualified personnel and the full utilization of the talent we have available to us. This is true not only at the operating level, but also at the policymaking level. Nowhere is the upgrading of personnel more important than in the Department of State.

The studies of the National Policy Machinery Subcommittee emphasized the prime importance of the Office of Secretary of State as the First Secretary to the President. The nature of his contribution will vary acording to his individual talent and the working relationship he is able to establish with the President. But whatever that relationship, the Secretary of State must bear the full burden of leadership across the full range of national security matters, as they relate to foreign policy.

Such leadership cannot be achieved if the Secretary is constantly preoccupied with what Dean Acheson has called the thundering present. This will require constant improvement in and upgrading of the Policy Planning Council, better executive management within the Department, and improved training programs for career personnel. The State Department must make a constant effort to outgrow antiquated concepts of its role, many of which date from the era of 19th century diplomacy.

The State Department's greatest single need remains imaginative and competent executive managements. Every shortcoming in this area cannot help but limit the effectiveness of the Secretary of State.

In addition, the Secretary of State must maintain close cooperation with the Secretary of Defense in foreign policy planning. Here again, we return to the imponderables of personal relationships supported by rational, competent, and imaginative departmental support.

Obviously the two Secretaries cannot achieve such cooperation, without full cooperation and understanding between the operating levels of the two departments. I have been pleased with the development of close rapport between the two departments in the past year. Such cooperation cannot be achieved through the establishment of more interdepartmental committees. Indeed, it may require fewer such organizations.

As in the case of the National Security Council the danger of the interdepartmental committee is that it will adjust all differences out of existence, without giving the Secretaries or the President the clearly defined issues and alternate policy proposals on which to base sound policy decisions.

Clear organization and effective support depend ultimately on good staff. What government needs above all is outstanding public service people. This is where we must concentrate our effort.

Better career training will aid greatly in such an effort. More effective use should be made of the National War College and the Foreign Service Institute in training civilian personnel within the respective departments and in providing educational opportunities for officials from other agencies and departments.

Further assets in the struggle for improved personnel would be easier interagency transfer, job exchange programs, and improved salary scales to help reduce turnover, particularly at upper levels. The problem of recruitment for topflight management personnel would be eased considerably with the updating and reform of our conflict of interest laws. Without violating the objectives of these antiquated statutes we can encourage the participation in public service of able men and women from the ranks of private business.

A revision of the conflict of interest statutes is now before Congress, but many of the critical issues are yet to be resolved. Change is desirable, but the changes we make must represent an improvement over present laws.

From what I have said it must be clear to you that I am offering no simple, well-ordered master plan for policy coordination and execution. This is not because I distrust or reject the concept of experimentation or reorganization in Government structure.

My approach is based on my belief that the structure of Government must adjust to changing requirements, changing as functions change but not changing functions.

The absence of theoretical perfection in structure leads to tension. But tension is the secret of great art. And, government, I submit, is an art.

One of the chief problems in the art of democratic government is that of informing and enlisting the support of the general public for national policy decisions. In our first great effort to make the structure of government conform to the functions it had to perform—the substitution of our Constitution for the Articles of Confederation—the Federalist papers performed yeoman service. Today the President utilizes the press, radio, and television to explain decisions and to exhort citizens.

Similarly, the members of his administration are exposed to the public view, and appear before the Members of Congress to justify the policies, programs, and actions of the administration.

The principal concern of the National Policy Machinery Subcommittee was the adequacy of the executive branch in meeting the demands of our age, but in the course of our studies it was evident that Congress has serious internal problems in dealing with the multitude of national policy questions. Congress is fragmented and it is difficult for individual Members and committees to grasp the full implication of national security decisions and programs.

The difficulties individual Members of Congress have in gaining a meaningful understanding of national security questions are mirrored and magnified in their constituents. One hundred years ago the average citizen could understand the ordnances of armies and navies without much strain. Tactics and grand strategy were comprehensible. Even the developments of military technology in World War I were within the grasp of the layman.

But with the development of radar, nuclear weapons, missiles, and spacecraft, to say nothing of the intricacies of biochemical warfare, even the above-average layman has found the scientists and the military programers moving beyond his imagination.

When the weapons are unbelievable, their implications are often incomprehensible. And yet, in a democracy, wise decisions can only be made on the basis of knowledge and understanding. We will gain very little by advancing our weapons technology, even with the best coordination between scientists and military personnel, and between military personnel and foreign policy experts, if Congress and the citizenry are not able to put such developments into the context of national security requirements.

The executive branch, through improved methods of presentation, better budget organization, and greater participation by the Secretaries of State and Defense in hearings before congressional committees, can aid Congress greatly in its responsibilities.

But Congress also must put its house in order. Congress should explore ways and means of coordinating consideration of authorizing legislation in the foreign policy and defense field, the appropriation and tax fields, and the scientific and defense and space fields. Consideration should be given also to the establishment of joint committees, wherever feasible, to oversee the work of our national security agencies and departments. The Joint Economic Committee and the Joint Atomic Energy Committee offer excellent precedent for action in this field.

Recently we had a pertinent, although limited, illustration of the inadequacy of the present committee system in dealing with national security questions. When the Senate received the nomination of John McCone to be Director of the Central Intelligence Agency, the nomination was referred to the Armed Services Committee. This was entirely proper, but it did not give the Committee on Foreign Relations an opportunity to examine Mr. McCone on important questions bearing on his Agency's activities as they relate to foreign policy.

The process in Congress, as in the executive branch, is one of constant adjustment to change, recognizing that the structure of our institutions must be modified to free us from the dead hand of the past, but also keeping in mind that the structure must never be allowed to overshadow the men who make and implement our policies. Furthermore, there must be a full and free flow of information from government to the people.

Can a democracy meet this challenge? I think it can. In World War II the totalitarian states assumed they could overwhelm us, but the free nations managed to overcome the greatest odds and inflict a devastating defeat on the Axis war machine. We cannot wait for such a holocaust to stir us to action, but we can continue to reshape our approach to policymaking and coordination as freemen, with an understanding of the dangers we face, but without fear.

In the words of Robert Lovett:

"While the challenges of the moment are most serious in the policymaking sense, I see no reason for black despair or for defeatist doubts as to what our system of government or this country can do. We can do whatever we have to do in order to survive and to meet any form of economic or political competition we are likely to face. All this we can do with one proviso: We must be willing to do our best."

Oil Imports

EXTENSION OF REMARKS

OF

HON. THOMAS G. MORRIS

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 1962

Mr. MORRIS. Mr. Speaker, the United States is the only major nation in the free world that is self-sufficient in petroleum. Adequate domestic oil supplies are vital to national security.

A worldwide surplus of low-cost foreign oil has resulted in increasing U.S. oil imports which threaten national security. Foreign oil comes into the United States at more than $1 per barrel or more than one-third under domestic prices.

As a result, U.S. oil imports have increased in relation to domestic production as shown by the following data from the U.S. Bureau of Mines:

	U.S. crude oil production (thousand barrels daily)	U.S. petroleum imports (thousand barrels daily)			Percent of U.S. production	
		Crude oil and products (excluding residual fuel oil)	Residual fuel oil	Total	Imports (excluding residual)	Total imports
1946	4,734	255	122	377	5.4	7.9
1956	7,164	998	445	1,436	13.9	20.1
1961	7,178	1,260	630	1,890	17.5	26.3

Mr. Speaker, increasing oil imports, decreasing U.S. exports of oil and overseas purchases of oil by U.S. Armed Forces have resulted in an unfavorable trade balance of about $1.25 billion in oil alone. This accounts for approximately one-third of the $3 to $4 billion adverse balance of payments that poses a critical problem.

Government studies have determined that excessive reliance on imports could result in higher costs or even unavailability of oil to consumers. A vigorous, expanding domestic industry has been, and will continue to be, our best assurance of sufficient oil and gas supplies at reasonable prices.

Since 1956, imports have been restricted—under a voluntary program in 1957 and 1958 and by mandatory Government controls during 1959–61. These restrictions have prevented complete chaos in the domestic industry by slowing down but not arresting the increase in imports.

In the last 5 years, free world countries outside the United States have increased production by more than 4 million barrels a day, or more than 50 percent, while crude production in the United States has remained virtually static.

Increasing imports have been a major factor in the continuing decline of the domestic producing industry. From 1956 to 1961, there was a decrease of more than 30 percent in the number of U.S. exploratory crews, rotary drilling rig activity, and the number of "wildcat" or exploratory wells drilled. Employment in the domestic industry has decreased by about 10 percent. Wages and the cost of materials have increased from 10 to 20 percent while oil prices have been reduced.

Three-fourths of the Nation's total energy requirements are supplied by oil and gas. The value of domestic petroleum production is almost $10 billion per year, exceeding the combined value of all other U.S. minerals. The domestic industry supplied 6 of the 7 billion barrels of oil needed by the United States and its allies to win World War II. The availability of domestic oil was the key factor in preventing war during the 1956–57 Suez crisis.

A substantial reduction in oil imports and a stabilization of imports in relation to domestic production are essential to the general welfare and national security.

Byelorussian Independence Day

EXTENSION OF REMARKS

OF

HON. GLENARD P. LIPSCOMB

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 1962

Mr. LIPSCOMB. Mr. Speaker, once again the anniversary of Byelorussian Independence Day is at hand. March 25 marks the date 44 years ago that this gifted and gallant people, after centuries of work and hope, realized their goal of independence.

Of ancient heritage, the Byelorussians have shared the miseries and misfortunes of other East European peoples. Being relatively less numerous—barely 10 million—than their powerful neighbors, they were long subjected to oppressive rule.

Their modern history is almost totally overshadowed because during nearly all that time their country—east of Poland and west of Moscow—was part of Russia's czarist empire.

But these sturdy descendants of their stout-hearted forebears, always aware of their own history as a nation, were never willing to forgo and forget their distinct identity. They have always yearned for their freedom and independence. For centuries they struggled for their national goal and patiently waited for the opportune moment. At last that moment came in 1918.

The Russian Revolution of 1917 resulted in the overthrow of their rulers and freedom for many subject peoples. With the Communists in control, it is obvious, however, that this freedom was destined to be tragically short-lived.

For the time being, freedom reigned from the Baltics to the Caucasus. Many national groups asserted their freedom and independence. The Byelorussians did this early in 1918, by proclaiming the establishment of the Byelorussian National Republic on March 25, 1918.

It was then hoped that these 10 million Byelorussians, having attained their independence in their historic homeland, would be allowed to enjoy their freedom in peace. Unfortunately that was not to be; they were destined to enjoy peace and freedom for only a short time, and then suffer even more under the tyrannical yoke and blood-stained hands of the Communists.

Early in 1921 Communist forces attacked and overran Byelorussia, putting an end to the Byelorussian National Republic. Since then, for 41 years the country has been part of the U.S.S.R., working for the benefit of its Soviet rulers.

The people, however, have not given up their hope for their freedom. Even in the face of the ruthless tyranny of communism they continue their struggle for liberty. It is the wish of many that these people may one day free themselves from Communist totalitarian tyranny and enjoy the blessings of freedom in their historic homeland.

HOUSE OF REPRESENTATIVES

THURSDAY, MARCH 22, 1962

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Psalm 139: 23: *Search me, O God, and know my heart; try me, and know my thoughts.*

O Thou God of all grace and goodness, we thank Thee for these Lenten days when we feel the urge to search our heart and cast away the spectacles of unreality and pretense.

We are daily being constrained and challenged to look at ourselves, as in a mirror, to see what we are and what we ought to be.

Grant that by exercising and cultivating our faculties of effort and lofty endeavor may we strive to part company with everything that is alien to and incompatible with the attainment of a nobler character of soul.

Give us the faith that never falters, the hope that never yields to despair, and the love that abides forever as we carry on in our quest for the life that is abundant and eternal.

Hear us in His name who is our Lord and Saviour. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

LABOR, AND HEALTH, EDUCATION, AND WELFARE AND RELATED AGENCIES APPROPRIATION BILL, 1963

Mr. FOGARTY. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight tomorrow night to file a report on the Labor, and Health, Education, and Welfare and related agencies appropriation bill for the fiscal year 1963.

The SPEAKER. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. LAIRD reserved all points of order on the bill.

DISTRICT OF COLUMBIA UNEMPLOYMENT COMPENSATION ACT

Mr. JAMES C. DAVIS. Mr. Speaker, I call up the conference report on the bill (H.R. 5968) to amend the District of Columbia Unemployment Compensation Act, as amended, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 1474)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 5968) to amend the District of Columbia Unemployment Compensation Act, as amended, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "That subsection (b)(5)(G) of the first section of the District of Columbia Unemployment Compensation Act (D.C. Code, sec. 46-301(b)(5)(G)) is amended by striking out 'religious, charitable, scientific, literary, or educational purposes,' and inserting in lieu thereof 'religious, or charitable purposes,'.

"SEC. 2. The first section of the District of Columbia Unemployment Compensation Act (D.C. Code, sec. 46-301) is further amended by adding at the end thereof the following:

"'(v) The term "insured work" means employment for employers.'

"SEC. 3. Section 3(c)(1) of the District of Columbia Unemployment Compensation Act (D.C. Code, sec. 46-303(c)(1)) is amended to read as follows:

"'(1) The Board shall maintain a separate account for each employer, and shall credit his account with all of the contributions paid by him after June 30, 1939, with respect to employment subsequent to May 31, 1939. Each year the Board shall credit to each of such accounts having a positive reserve on the computation date, the interest earned from the Federal Government in the following manner: Each year the ratio of the credit balance in each individual account to the total of all the credit balances in all employer accounts shall be computed as of such computation date, and an amount equal to the interest credited to the District's account in the unemployment trust fund in the Treasury of the United States for the four most recently completed calendar quarters shall be credited prior to the next computation date on the pro rata basis to all employers' accounts having a credit balance on the computation date. Such amount shall be prorated to the individual accounts in the same ratio that the credit balance in each individual account bears to the total of the credit balances in all such accounts. In computing the amount to be credited to the account of an employer as a result of interest earned by funds on deposit in the unemployment trust fund in the Treasury of the United States to the account of the District, any voluntary contribution made by an employer after June 30 of any year shall not be considered a part of the account balance of the employer until the next computation date occurring after such voluntary contribution was made. Nothing in this Act shall be construed to grant any employer or individual in his service prior claims or rights to the amounts paid by him into the fund either on his own behalf or on behalf of such individuals.'

"SEC. 4. Section 3(c)(8)(i) of the District of Columbia Unemployment Compensation Act (D.C. Code, sec. 46-303(c)(8)(i)) is amended to read as follows:

"'(i) If as of the computation date the total of all contributions credited to any employer's account, with respect to employment since May 31, 1939, is in excess of the total benefits paid after June 30, 1939, then chargeable or charged to his account, such excess shall be known as the employer's reserve, and his contribution rate for the ensuing calendar year or part thereof shall be—

"'(A) 2.7 per centum if such reserve is less than 0.8 per centum of his average annual payroll;

"'(B) 2 per centum if such reserve equals or exceeds 0.8 per centum but is less than 1.3 per centum of his average annual payroll;

"'(C) 1.5 per centum if such reserve equals or exceeds 1.3 per centum but is less than 1.8 per centum of his average annual payroll;

"'(D) 1 per centum if such reserve equals or exceeds 1.8 per centum but is less than 2.8 per centum of his average annual payroll;

"'(E) 0.5 per centum if such reserve equals or exceeds 2.8 per centum but is less than 3.3 per centum of his average annual payroll;

"'(F) 0.1 per centum if such reserve equals or exceeds 3.3 per centum of his average annual payroll.'

"SEC. 5. Section 3(c)(8) of the District of Columbia Unemployment Compensation Act (D.C. Code, sec. 46-303(c)(8)) is further amended by adding at the end thereof the following:

"'(iv) Any employer, at any time, may voluntarily pay into the unemployment compensation fund an amount in excess of the contributions required to be paid under the provisions of this Act, and such amount shall be forthwith credited to his reserve account. His rate of contribution shall be computed, or recomputed, as the case may be, with such amount included in the calculation. To affect such employer's rate of contribution for any year, such amount shall be paid not later than thirty days following the mailing of notice of his rate of contribution for such year, and not later than one hundred and twenty days after the commencement of such year. Such amount, when paid as aforesaid, shall not be refunded or used as a credit in the payment of contributions in whole or in part.'

"SEC. 6. Subsections (b), (c), and (d) of section 7 of the District of Columbia Unemployment Compensation Act (D.C. Code, sec. 46-307 (b), (c), and (d)) are amended to read as follows:

"'(b) An individual's "weekly benefit amount" shall be an amount equal to one twenty-third (computed to the next higher multiple of $1) of his total wages for insured work paid during that quarter of his base period in which such total wages were highest, with such other following limitations. If an individual's weekly benefit amount is less than $8, it shall be $8. The Director shall determine annually a maximum weekly benefit amount by computing 50 per centum of the average weekly wage paid to employees in insured work, and shall on or before January 1 of the calendar year in which it shall be effective announce by publication in at least one newspaper of general circulation in the District, the maximum weekly benefit amount so determined. Such computation shall be made by determining total wages reported as paid for insured work by employers in each twelve-month period ending June 30, and dividing said total wages by a figure resulting from fifty-two times the average of midmonth employment reported by employers for the same period. For the period from the effective date of this Act to December 31, 1962, the maximum weekly benefit amount shall be determined and announced by the Director in accordance with the foregoing formula on the basis of wages and employment in the twelve-month period ending June 30, 1961. The maximum weekly benefit amount so determined and announced for a calendar year shall apply only to those claims filed in that year qualifying for maximum payment under the foregoing formula. All claims qualifying for payment at the maximum weekly benefit amount shall be paid at the maximum weekly benefit amount in effect when the benefit year to which the claim relates was first established, notwithstanding a change in said amount for a subsequent calendar year. If the maximum weekly benefit amount is not a multiple of $1, then said maximum weekly benefit amount shall be computed to the next higher multiple of $1.

"'(c) To qualify for benefits an individual must have (1) been paid wages for employment of not less than $190 in one quarter in his base period, (2) been paid wages for employment of not less than $276 in not less than two quarters in such period, and (3) received during such period wages the total amount of which is equal to at least one and one-half times the amount of his wages for the quarter in such period in which his wages were the highest. Notwithstanding the provisions of clause (3), any otherwise qualified individual, the total amount of whose wages during such period is less than the amount required to have been received during such period under such clause, may qualify for benefits if the differences between the amounts so required to have been received and the total amount of his wages during such period does not exceed $70, but the amount of his weekly benefit, as computed under section 7(b), shall be reduced by $1 if such difference does not exceed $35 or by $2 if such difference is more than $35. Wages received by an individual in the period intervening between the end of his last base period and the beginning of his last benefit year and paid by employers who were his base period employers in such last base period shall not be available for benefit purposes in a subsequent benefit year unless he has, subsequent to the commencement of such last benefit year, received remuneration for personal services, whether or not such services were performed in employment as defined in this Act, in an amount equal to at least ten times the weekly benefit amount for which he qualifies in such last benefit year. Benefits payable to an individual with respect to a week shall be reduced, under regulations prescribed by the Board, by any amount received with respect to such week as a retirement pension or annuity under a public or private retirement plan or system provided, or contributed to, by any base period employer. An amount received with respect to a period other than a week shall be prorated by weeks. No reduction shall be made under the preceding two sentences for (A) any retirement pension or annuity received by reason of disability, or (B) any amount received under title II of the Social Security Act.

"'(d) Any otherwise eligible individual shall be entitled during any benefit year to a total amount of benefits equal to thirty-four times his weekly benefit amount or 50 percent of the wages for employment paid to such individual by employers during his base period, whichever is the lesser. Such total amount of benefits, if not a multiple of $1, shall be computed to the next higher multiple of $1.'

"SEC. 7. Subsection (f) of section 7 of the District of Columbia Unemployment Compensation Act (D.C. Code, sec. 46-307(f)) is amended by striking out '$30' and inserting in lieu thereof 'the established maximum benefit amount'.

"SEC. 8. Clause (b) of section 9 of the District of Columbia Unemployment Compensation Act (D.C. Code, sec. 46-309) is amended to read as follows:

"'(b) that he has during his base period been paid wages for employment by employers equal to those required by subsection (c) of section 7.'

"SEC. 9. Subsections (d) and (e) of section 10 of the District of Columbia Unemployment Compensation Act (D.C. Code, sec. 46-310 (d) and (e)) are amended to read as follows:

"'(d) (1) Benefits shall not be denied to any otherwise eligible individual for refusing to accept new work under any of the following conditions: (A) If the position offered is vacant due directly to a strike, lockout, or other labor dispute; (B) if the wages, earnings, hours, or other conditions of the work offered are less favorable to the individual than those prevailing for similar work in the locality; (C) if as a condition of being employed the individual would be required to join a company union or to resign from or refrain from joining any bona fide labor organization.

"'(2) Compensation shall not be denied to any otherwise eligible individual for any week during which he is attending a training or retraining course with the approval of the Board and such individual shall be deemed to be otherwise eligible for any such week despite the provisions of section 9(d) and subsection (c) of this section.

"'(e) If any individual otherwise eligible for benefits fails, without good cause as determined by the Board under regulations prescribed by it, to attend a training or retraining course when recommended by the manager of the employment office or by the Board and such course is available at public expense, he shall not be eligible for benefits with respect to any week in which such failure occurred.'

"SEC. 10. The amendments made by this Act shall take effect on the first day of the first calendar quarter which begins after the date of enactment of this Act."

And the Senate agree to the same.

GEORGE HUDDLESTON, JR.,
JAMES C. DAVIS,
FERNAND J. ST. GERMAIN,
CARROLL D. KEARNS,
JOEL T. BROYHILL,
Managers on the Part of the House.

WAYNE MORSE,
ALAN BIBLE,
WINSTON L. PROUTY,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 5968) to amend the District of Columbia Unemployment Compensation Act, as amended, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

NEW COVERAGE

The District of Columbia Unemployment Compensation Act as it is now in effect provides that the term "employment" does not include service performed in the employ of a corporation, community chest, fund or foundation organized and operated exclusively for religious, charitable, scientific, literary, or educational purposes or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private shareholder or individual.

The House bill contained no provision to increase the present scope of the coverage of the District of Columbia Unemployment Compensation Act.

The Senate amendment proposed to revise the present provision relating to the exclusion of certain nonprofit organizations to limit the exclusion to handicapped in sheltered workshops, ministers, and members of religious orders.

The proposed conference substitute would restrict the present exclusion to those organizations organized and operated exclusively for religious or charitable purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private shareholder or individual.

MAXIMUM WEEKLY BENEFIT AMOUNT

The present law provides a maximum weekly benefit of $30 per week. Weekly benefits are based upon a table contained in section 7(b) of the District of Columbia Unemployment Compensation Act. The House bill amended this table to provide eight additional steps raising the maximum weekly benefit to $38 per week.

The Senate amendment would substitute for the fixed amounts provided in the table in section 7(b) a formula which would provide for the annual determination of the maximum weekly benefit by computing 50 percent of the average weekly wage paid to employees in insured work to be announced on or before January 1 of the calendar year in which it is to be effective. Thus, the maximum weekly benefit would vary from year to year, depending on the average weekly wages paid during the preceding 12-month period ending June 30. It is presently estimated that if this formula were now utilized the maximum weekly benefit amount would be set at $47 per week.

The proposed conference substitute would adopt these provisions of the Senate amendment.

The table of benefits in section 7 in existing law is based upon a formula which would result in the benefit being equal to an amount equal to one twenty-third of the total wages for insured work paid during the highest quarter of the base period.

The eight additional steps to this table provided in the House bill were based upon a formula resulting in the benefit in some instances being equal to one twenty-fourth or one twenty-fifth (rather than one twenty-third) of the total wages in the high quarter of the base period.

The Senate amendment provided that the benefit would be equal to an amount equal to one twenty-third of the total wages for insured work paid during the highest quarter of the base period.

The proposed conference substitute would adopt these provisions of the Senate amendment.

Under existing law, a person may draw unemployment compensation benefits based on base period earnings and after exhausting these he may, without further earnings, refile his claim at the expiration of his benefit year and again draw benefits based on the portion of the same base year which had already been used.

The House bill requires a person must return to work and earn at least 10 times his weekly benefit amount before he can file a second claim.

The proposed conference substitute contains this House provision.

RETIREMENT PENSIONS AND ANNUITIES

The House bill as well as the Senate amendment both contain provisions denying benefits under certain conditions to retired employees. The language of the House bill is almost identical with the language contained in section 7(e)(1) of the Temporary Extended Unemployment Compensation Act of 1961.

The proposed conference substitute contains the provisions of the House bill.

DURATION OF BENEFITS

The present law provides that benefits will be paid for 26 weeks or until benefits equal one-third of the base period wages, whichever is the lesser.

The House bill proposed to amend this to provide that benefits will be paid for 26 weeks or until benefits equal 50 percent of base period wages, whichever is the lesser.

The Senate amendment provided that benefits would be paid uniformly for 34 weeks.

The proposed conference substitute provides that benefits be paid for 34 weeks or until benefits equal 50 percent of the base period wages, whichever is the lesser.

TRAINING OR RETRAINING COURSES

The present law provides that a person under 21 years of age who without good cause fails to attend courses at vocational or other schools available at public expense when recommended by the Board shall be

disqualified for benefits with respect to any week in which such failure occurs.

The Senate amendment would make claimants of any age subject to disqualification for refusal to attend training or retraining courses available at public expense when recommended by the Board. The Senate amendment further would provide that benefits could be paid to an otherwise eligible individual for any week during which he is attending such a training or retraining course.

The House bill contained no such amendments to existing law.

The proposed conference substitute is the same as the Senate amendment.

TECHNICAL AMENDMENTS

All other differences between the House bill and the proposed conference substitute not specifically referred to are technical or clerical amendments made necessary to carry out the policy embodied in the proposed conference substitute.

GEORGE HUDDLESTON, Jr.,
JAMES C. DAVIS,
FERNAND J. ST. GERMAIN,
CARROLL D. KEARNS,
JOEL T. BROYHILL,
Managers on the Part of the House.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

IMPROVE FEDERAL RETIREMENT

Mr. OLSEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. OLSEN. Mr. Speaker, I feel retirement should mark the beginning of a well-earned better life for our Federal employees, not an undeserved tougher one.

In this spirit, last week I introduced a bill, H.R. 10706, to bring about some much needed improvements in the Civil Service Retirement Act.

Basically, the bill would provide: An automatic cost-of-living increase for retired Federal employees each year, if the increase exceeds 1 percent; a corresponding increase in the annuities of retired civil servants when currently employed Government workers get a pay raise; stabilization of civil service retirement with social security benefits.

I believe these changes are vital to the strengthening of the current Civil Service Act.

In this rapidly changing world of ours, the value of the dollar has not remained constant. Accordingly, those who depend upon fixed annuities for their income suffer when the value of the dollar decreases.

Without these changes, I feel we are penalizing, rather than rewarding, a Federal employee at his retirement for his long service to his country.

The Honorable JOSEPH CLARK, of Pennsylvania, has introduced the same bill on the Senate side, where I hope it will meet with success.

It is because I feel so strongly about the merits and the justice of the bill that I am now calling it to the attention of the entire Congress.

PERSONAL ANNOUNCEMENT

Mr. GARY. Mr. Speaker, I would like to state for the RECORD that on yesterday I was in Richmond attending a dedication of a new Federal office building in that city and, therefore, missed rollcalls Nos. 42 and 43. Had I been present, I would have voted in the affirmative on rollcall No. 43.

A NATIONAL LOTTERY WOULD MEAN TAX RELIEF FOR MR. AND MRS. TAXPAYER

Mr. FINO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FINO. Mr. Speaker, I wonder how the American taxpayers feel every time predictions are made here in Washington regarding future Federal spending.

I am certain that our taxpayers must have been greatly disturbed when our Budget Director recently estimated that "within a few years" our budget will be $100 billion. They should have been stunned when another alarming prediction indicated that by 1965 our Federal spending could very well rise to $125 billion a year.

Mr. Speaker, our heavily burdened taxpayers are entitled to know exactly where they stand. They are entitled to know what they can expect for the future. As for the President, he has already said a tax cut in the next few years depends on continued prosperity.

None of us, Mr. Speaker, has to be a fiscal expert to know that more spending will mean higher taxes and increased debts. In the last year, our national debt has risen to over $298 billion which figures out to $17,700 every minute, $25,888,000 every day and about $9.4 billion a year in interest charges alone.

Therefore, Mr. Speaker, we can tell our taxpayers to forget whatever hopes or dreams they had about tax relief. We can tell them that the future looks dismal unless, yes, unless this Congress has the guts to face the fiscal facts of life, unless we have the intestinal fortitude to tax a lucrative industry which can produce more than $10 billion a year in additional revenue.

The American gambling spirit in this country has made this business a $50 billion a year industry which remains untapped. We can easily, through a national lottery, tap this new source of revenue and pump into our Treasury more than $10 billion a year in additional income.

Mr. Speaker, as far as our taxpayers are concerned, only through a national lottery can they find an avenue of relief. Only through a national lottery can we raise, voluntarily and painlessly, enough money to provide Mr. and Mrs. American taxpayer with a tax cut and start to reduce our gigantic national debt.

PERSONAL ANNOUNCEMENT

Mr. BATTIN. Mr. Speaker, I was unavoidably absent yesterday. Had I been present, I would have voted "yea" on the military authorization bill.

S. 1969—ADDITIONAL CONFEREES

Mr. HARRIS. Mr. Speaker, I ask unanimous consent that the Speaker be authorized to appoint two additional conferees on the part of the House to the conference with the Senate on the bill S. 1969.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

Mr. WALTER. Mr. Speaker, reserving the right to object, how many conferees has the Senate?

Mr. HARRIS. I do not know.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

Mr. BROWN. Mr. Speaker, reserving the right to object, what was the request? We could not hear it on this side.

The SPEAKER. The gentleman from Arkansas has asked unanimous consent that the Speaker be authorized to appoint two additional conferees in connection with a bill that is now in Congress.

Mr. BROWN. Inasmuch as we had no opportunity to learn what was going on, I withdraw my reservation of objection.

The SPEAKER. Is there objection?

The Chair hears none and appoints the following additional conferees: Messrs. JARMAN and DEVINE.

The Clerk will notify the Senate of the action taken by the House.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

Mr. HARRIS. Mr. Speaker, I ask unanimous consent that the Committee on Interstate and Foreign Commerce have until midnight Saturday to file a report on the bill H.R. 4999, and that the minority members, if they wish to do so, have until midnight Saturday to file minority views.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

Mr. BROWN. Mr. Speaker, reserving the right to object, what is the subject of the legislation?

Mr. HARRIS. It is a report by the Committee on Interstate and Foreign Commerce in connection with construction aid for medical and dental schools, and so forth.

Mr. BROWN. I thank the gentleman; and I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

COMMITTEE ON DISTRICT OF COLUMBIA

Mr. ALBERT. Mr. Speaker, on behalf of the gentleman from South Carolina [Mr. MCMILLAN] I ask unanimous consent that the Committee on the District of Columbia have until midnight tomorrow to file a report on the bill H.R. 10573, to grant the American Numismatic Association perpetual succession.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

ITEMIZED EXPENSE ACCOUNTS OF MEMBERS TRAVELING ABROAD

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, since the plugging of loopholes seems to be the order of the day I have today introduced a bill to plug and eliminate a couple of loopholes dealing with the expense accounts of Members of Congress who go on foreign junkets.

The bill I have introduced today would compel those who take foreign junkets to itemize their miscellaneous expenses and would provide that they also report in the CONGRESSIONAL RECORD how many days they are junketing outside of this country.

I hope to have the unanimous support of the Members of the House if and when this bill comes to the floor.

FILING OF REPORTS BY COMMITTEE ON RULES

Mr. TRIMBLE. Mr. Speaker, by direction of the Committee on Rules, I ask unanimous consent that the committee may have until midnight Saturday to file sundry reports.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

PARTICIPATION IN 1962 FEED GRAIN PROGRAM

Mr. TRIMBLE. Mr. Speaker, by direction of the Committee on Rules, I call up the resolution—House Resolution 572—and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 2533), a bill to amend the requirements for participation in the 1962 feed grain program. After general debate, which shall be confined to the bill, and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Agriculture, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. TRIMBLE. Mr. Speaker, House Resolution 572 provides for the consideration of S. 2533, a bill to amend subsection (d) of section 16 of the Soil Conservation and Domestic Allotment Act, as amended. The resolution provides for an open rule with 1 hour of general debate.

The purpose of S. 2533 is to permit wheat farmers in the summer fallow wheat area who also produce feed grains to participate in both the wheat and the feed grain reduction program for 1962 on an equitable basis.

In areas where wheat is planted on a summer fallow rotation, land had already been fallowed in preparation for seeding wheat before the enactment of the 1962 wheat program, which requires a reduction of 10 per cent in wheat acreage. Unless the land which has been fallowed this year is seeded to a cover crop this fall, it is subject to serious wind erosion. In much of this summer fallow area, farmers also produce feed grains, chiefly grain sorghums, which are planted in the spring. The bill will permit a farmer who produces both wheat and grain sorghum and who wants to participate both in the wheat reduction and the feed grain reduction programs for 1962 to plant his acreage which has been prepared for wheat but cannot be planted to wheat this fall in barley and to count that as part of his feed grain planting for 1962, in lieu of the feed grain which would normally be planted next spring.

Mr. Speaker, I urge the adoption of House Resolution 572.

Mr. Speaker, I yield 30 minutes to the gentleman from Ohio [Mr. BROWN] and reserve the balance of my time.

Mr. BROWN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I ask unanimous consent to speak out of order and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BROWN. Mr. Speaker, I am following the rather unusual procedure of taking part of the time that is allotted to me as ranking member of the Committee on Rules to speak out of order on a matter which I and the members of the Ohio Republican delegation believe is of the utmost importance, not only to our own State, but also to the people and the government of every State in the Union, and to all the employers and employees throughout the Nation who may be covered by various State unemployment compensation laws.

I have been requested and instructed by my delegation to bring this matter, which I believe is a very serious one, to the attention of the House of Representatives, and through this forum to the attention of other Federal officials.

The U.S. Department of Labor has threatened to cut off $17 million which it annually grants to the Ohio Bureau of Unemployment Compensation unless the bureau's appellate tribunal agrees to change two of its procedural rules. This $17 million, derived entirely from the $30 million annually contributed by Ohio employers, is used by the bureau to administer Ohio's statewide employment security program. If Washington makes good on its threat, Ohio's $200 million annual program to aid the unemployed will grind to a halt.

The board of review, operating under laws passed by the Ohio Legislature, formulates rules of procedure for the orderly disposal of cases before it. In 1959, the board after holding public hearings published a new set of rules in accordance with legislation enacted by the legislature in that year. The Federal Labor Department failed to make timely objection to those rules at the public hearings. But, shortly thereafter, it began to barrage the board of review with suggestions for rule changes on the ground that the present rules did not afford a claimant a "fair" hearing as required by Federal law. These requests rather amazed the board since it had disposed of hundreds of thousands of cases over its 22-year reign without one complaint of procedural denial of a fair hearing. Therefore, the board urged that it defer any rule changes for the time being unless the Labor Department considered them absolutely necessary.

Washington's initial response to this request was to assure the board that it was merely seeking clarity of the board's operations. But, attempts to satisfy the Department only proved partially successful.

As time passed, the Department became increasingly insistent that the board make 10 changes in its rules. The fact that these changes were not authorized by Ohio law or were already incorporated into the board's practice did not deter the Federal's demand.

Finally, after additional meetings and correspondence, the Department of Labor told the board that unless the changes were immediately made, the grant of funds to administrate the State's program would be cut off. Efforts to modify this demand until the legislature next met in its 1961 session met to no avail.

Having no alternative, the board scheduled a new public hearing and promulgated the 10 rule changes albeit many objections were raised by attorneys who regularly practiced before the board.

Following these changes, suit was brought in the Court of Common Pleas, Franklin County, to set six of the rule changes aside as being in contravention of Ohio law. In his decision of October 1961, Judge Draper ruled that four of the changes were valid, but that two went beyond the State statutes.

The Department of Labor is not satisfied with the result, however. As late as March 6 of this year, it has informed the members of the board that the Labor Department will discontinue paying

the State's grant unless the two rules are put into effect.

The result of this fiasco is that the State of Ohio presently faces an impossible situation. If it fails to comply with Washington's mandate, it will have to close down its unemployment compensation program. But if it does comply, it places the board of review in the position of being in contempt of the Franklin County court's decision.

Mr. McCULLOCH. Mr. Speaker, will the gentleman yield?

Mr. BROWN. I yield to the gentleman from Ohio [Mr. McCULLOCH] who for many years was speaker of the Ohio State House of Representatives.

Mr. McCULLOCH. I thank the gentleman from Ohio. Has the State of Ohio ever been penalized for failing or refusing to adopt a rule by a Federal agency, and, if so, when and what was it and in what amount were we penalized and when were we paid back, if ever?

Mr. BROWN. I believe at one time, a number of years ago, a Mr. Hopkins, who held an official position, or some sort of a position, here in Washington, refused to give the State of Ohio some $2 million due it from a Democratic administration. Ohio is now under a Democratic State administration, by the way, so there is nothing partisan about this matter. But, despite the efforts of the State of Ohio, despite a law passed by the Congress ordering that this $2 million be paid to the State, which it was entitled to under law, the money was never forthcoming. I do not remember the exact year, but it was back in the administration of President Roosevelt.

Mr. McCULLOCH. Martin L. Davey, a former Member of this body, was Governor of the State of Ohio at the time, and he stood against the bureaucratic orders issued from Washington, and Ohio was penalized.

Will the gentleman yield for one further question?

Mr. BROWN. Yes.

Mr. McCULLOCH. Would the gentleman please tell the House for what purpose that money would have been used had Ohio received its lawful allocation?

Mr. BROWN. That money would have gone for aid to the aged at that time.

Mr. McCULLOCH. That is right.

Mr. BROWN. It was for the benefit of the needy aged.

Mr. McCULLOCH. Sometimes called old age pension benefits.

Mr. BROWN. That is right. But, Ohio never has received that money despite the fact the Congress took action by law ordering it be paid.

Mr. McCULLOCH. Will the gentleman yield for one more question?

Mr. BROWN. Certainly.

Mr. McCULLOCH. Does the gentleman feel that this is a pattern in a course of action by which the Federal Government is attempting to and is from time to time assuming jurisdiction in State affairs to the detriment of the State?

Mr. BROWN. I certainly agree with the gentleman wholeheartedly. I think it is another one of these grasps for power we see so continuously exercised by the bureaucracy here in the great Central Government of Washington.

Of course, I want to point out, as I attempted to do originally in my statement, that this is not just an Ohio matter. If this can be done in the case of Ohio, it can be done as far as the unemployment compensation agencies of every State in the Union are concerned.

Mr. McCULLOCH. Would the gentleman yield for one more question?

Mr. BROWN. Yes; I yield.

Mr. McCULLOCH. Is the gentleman aware of the fact that the Department of Health, Education, and Welfare, in the immediate past, put this very same kind of pressure on the State of Michigan, and possibly on the State of Louisiana?

Mr. BROWN. I do not have detailed information on it, but I have been told that that same action is taking place through a different agency of Government, the Department of Health, Education, and Welfare, in a situation affecting Michigan.

I have taken this time to discuss this matter because, as I said a moment ago, it is of such great importance to every State in the Union, as well as Ohio. Sooner or later each Member of the House will be up against this same proposition.

Mr. Speaker, I shall conclude my remarks before I yield to the gentleman from Ohio [Mr. HARSHA], by presenting a memorandum to the House which will substantiate, section by section, the laws and the situations I have described here as far as this particular matter is concerned.

The memorandum referred to follows:

Section 303(a)(1) of the Social Security Act requires that a State's unemployment compensation law include provisions for: "Such methods of administration * * * as are found by the Secretary of Labor to be reasonably calculated to insure full payment of unemployment compensation when due."

Section 303(a)(3) of this act provides that a State's unemployment compensation law include provision for: "Opportunity for a fair hearing, before an impartial tribunal, for all individuals whose claims for unemployment compensation are denied."

The above two sections are the sole legal provisions that have been relied upon by the Department of Labor in threatening to withhold administrative grants to the State of Ohio for use in administering its $200 million unemployment compensation program.

Employers within the State of Ohio pay $30 million to the Federal Government every year for the administration of the program. Of this, $17 million is returned annually to the State unemployment compensation administration for the administration of the program. It is this $17 million annual grant which the Department of Labor now threatens to withhold if the board of review for unemployment compensation in Ohio fails to adopt two procedural rules.

The Ohio unemployment compensation administration has been in operation for over 22 years. During this time, hundreds of thousands of cases have been decided by the board of review without one complaint being filed that the board's procedure denied an opportunity for a fair hearing. In the past 5 years alone, the board has disposed of 95,884 cases without a complaint. The Department of Labor itself admits the accuracy of these statements and indicates that its threatened action is only based on a hypothetical situation which might occur in the future. Furthermore, to the best of the Ohio board's knowledge, the action being threatened Ohio is not being threatened against any other State in the Union, although it is believed many other States have existing provisions which the Department of Labor has found objectionable in Ohio.

The Ohio board of review held public hearings on October 5, 1959, to promulgate proposed rule changes in its procedure in conformance with statutory changes made in the law by the Ohio Legislature during its 1959 session. The Department of Labor was notified 30 days in advance of these hearings, but failed to make any comments or issue any objections until a few minutes prior to the opening of the hearings. Since it was mandatory that the board certify the new rules to the Secretary of State on the following day in order to have them go into effect on October 16, 1959 (the effective date of the new legislation), the Labor Department's comments could not be carefully considered.

Thereafter, on October 16, 1959—the day the new rules became effective—the regional director of the Bureau of Employment Security, U.S. Department of Labor, wrote the chairman of the Ohio board a lengthy letter. In this letter, he mentioned 17 items within the board's rules which were found to be objectionable. He requested that the board chairman comment upon these items so as to assure the Department of Labor that they were not being used to deny a claimant a fair hearing. In addition, this letter contained suggested changes in some of the board's existing rules. The majority of these proposed rule changes, it may be added, were quite trivial in nature. None went to the substance of the grant of unemployment compensation and only a few could reasonably be considered of procedural importance.

In response, the board stated that since it had already held public hearings and promulgated new rules, it did not wish to make any additional changes at that time unless the Labor Department considered it absolutely necessary.

Following this response, the Department of Labor sent a number of additional letters to the board and held personal conferences both in Cleveland and in Washington with the board chairman. Initially, the Labor Department indicated that it had no intention of making the board introduce new rule changes—that it was only seeking the board's comments. But, as the months passed, the Department became more insistent that changes be made. In the process of becoming more insistent, it continued to barrage the board with lengthy suggestions as to how its rules should be changed.

In June 1960, the department informed the board that it should change the rules when the legislature next met in 1961.

In August, 1960, the Under Secretary of Labor approved the grant of administrative funds to Ohio for the following quarter provided that the board changed one of its rules. This was the only rule, it may be added, that the Under Secretary found objectionable.

In September 1960, the department requested that 10 rule changes be made in order for Ohio to qualify for further grants. By this time the board had satisfied the Department that the other seven items, as formerly proposed by the Department, were already covered by existing rules.

In November 1960, the Department told the board that it was necessary to initiate the 10 rule changes promptly if Ohio were to continue to receive administrative grants.

In December 1960, the chairman of the board informed the Department of Labor that it was prepared to make the rule changes. The chairman suggested, however, that the scheduling of the public hearing to discuss the changes, as required under Ohio's Administrative Procedure Act, be postponed until after the legislature met in its 1961 session.

In February 1961, the Department of Labor informed the board that it would be appropriate to delay the rules revision until after the action by the legislature had been made clear.

On May 1, 1961, the Secretary of Labor approved the following recommendation directed to the board by the Labor Department's regional director:

"In view of the possibility of legislative action and the board's need for time to make any revisions necessitated thereby, we recommend that the administrative grants for Ohio for the current quarter not be withheld but that the State be advised that we expect that the State will initiate its procedures for revising the rules of the board of review by the issuance of a notice of public hearing on the proposed rules before the end of June."

The effect of this ultimatum was modified, however, at the end of this letter by the regional director stating that public hearings should be held before the end of June if it became apparent that the legislature did not intend to take any action.

Then, on May 15, 1961, the Department in a letter to the board changed the conditional language contained in its May 1 letter to read as follows:

"We interpreted the Secretary's action to mean that we expect the board to issue notice of public hearings as soon as the results of legislative action can be ascertained, but in no event later than the end of June."

In a letter of June 22, 1961, the board chairman informed the Department of Labor that the Ohio House had passed certain bills containing changes in the State's unemployment compensation laws. The matter was pending in the Senate, he indicated, and the results should be known soon since the legislature planned to adjourn at the end of the week. Moreover, the Governor had only 10 days to act upon such legislation after its passage. The chairman then suggested that the proposed public hearings be postponed a short while until the action of the legislature became apparent.

The following day, June 23, 1961, the Department of Labor instructed the board to "proceed as originally planned with the June 30 call for a public hearing on the known pending changes."

On June 30, 1961, the board met and issued notice for a public hearing to be held on August 7, 1961.

On July 7, 1961, the Department of Labor forwarded a "Notice of Grant" for funds for the month of July. This notice contained the following warning:

"This grant has been made for July 1961, pending fulfillment by the Ohio board of review of its agreement to issue a notice of hearing as the initial step to amend its rules to meet the requirements (of the Social Security Act). Further grants will depend upon the progress made in adopting the necessary amendments."

Then, on August 2, 1961, the Labor Department informed the board that "action has been taken to release an additional grant of administrative funds for the month of August pending completion of necessary rules revisions." The letter went on to state: "Accordingly, we are instructed to advise you that this Department will expect prompt action following the public hearing so that the outstanding conformity questions may be resolved before the end of August 1961."

On August 7, 1961, the board conducted the public hearings, as demanded by the Department of Labor, and adopted all 10 rule changes as required by the Department. As will be seen, the majority of the rules were highly insignificant and could not be considered to deny a claimant a fair hearing under any stretch of the imagination.

At the hearings, 6 of the 10 proposed changes were objected to by outside counsel. When the board, under compulsion, promulgated all the rules in fear of facing a cutoff of funds, a taxpayer brought suit in the court of common pleas, Franklin County, Ohio, to have these six rules declared invalid. The other four rules, it may be added, which were not objected to involved: (1) permitting the referee to reopen a hearing if the appellee could demonstrate good cause for his failure to have appeared at the original hearing before the referee; (2) the deletion of the word "remand" and the substitution of other language to make it clear that a hearing by a referee on remand by the board of review would be a full hearing; (3) making clear that the board must keep a complete record of all proceedings before it (although the board had always done so in the past), and (4) permitting a party to request or allowing a referee or the board on its own motion to issue subpenas in less than 5 days before a hearing for good cause shown (although the board and referees had always followed this practice).

The six rules that the court of common pleas had before it and the court's ruling on each are as follows:

1. The removal of the requirement that an applicant who seeks review of a referee's decision must state his reasons for the review. (The court held that the legislature never intended to prohibit an applicant's appeal for failure to state reasons thereof. The rule was therefore declared valid.)

2. The promulgation of a new rule permitting an interested party to challenge the interest of a board member. (The court held this rule to be invalid since the Ohio statute deliberately requires one member to represent labor, one employers, and one the public. Since each member is supposed to represent a particular interest, the right to challenge would make the board inoperative—especially since Ohio law does not provide for the appointment of alternate members. Furthermore, Ohio law permits the Governor to remove a member for misfeasance or malfeasance of office, while a court on appeal may reverse a decision if partiality is shown. Such partiality, by the way, has never been raised against a board member.)

3. Permit an interested party to cross-examine all adverse parties whether they are normally required to attend the hearings or not and to cross-examine in connection with the evidence and testimony introduced at a hearing. (It was the position of the board that this was a bad rule since it would tend to make a hearing far more complicated than it was originally intended and that it would require a claimant or other interested party to be subpenaed although Ohio law specifically exempted such individuals from the necessity if they so chose, to be present at the hearing. In addition, the board pointed out that it was the Department of Labor itself which 2 years previously had insisted upon the rule change so that only persons "present at the hearing" could be cross-examined. This was instituted so that a claimant need not appeal at a hearing if he did not wish to. Now, at the 1961 hearing, the Department of Labor changed its position and requested that the phrase be removed. Needless to say, the board had to go along in order to avoid having the funds cut off. The court held that the rule was valid on the ground that a fair hearing should embrace the right to subject every facet of the hearing to the scrutiny of cross-examination.)

4. (a) The removal of the requirement that an applicant seeking an appeal of a referee's decision was required to state the reasons for introducing additional evidence on appeal which he had not introduced before the referee; (b) the reopening of a hearing by a referee if the appellee for good cause shown had failed to appear at the original hearing. (The court held the rule valid since it did not detract from a fair and impartial hearing, did not place additional burdens on any parties, and did not deprive any party of any right. It might be said, however, that the court ruled in favor of 4(b), although Ohio law was changed in 1959 to delete the right on the ground that it unduly delayed the adjudication of the cases.)

5. The requirement that the board reopen a hearing at the appeal level if the appellee for good cause shown had failed to appear at the original appellate hearing. (The court held this invalid since it could delay the final adjudication interminably, it would require a hearing de novo, and it would permit the appellee to demand a reopening even though he had already had a hearing before the referee.)

6. (a) The removal of the requirement that an interested party who desires to inspect the unemployment compensation records must include in his application the class of information to be examined and the reasons for same; (b) also to include provision that such records may be inspected by an interested party at the time and place of the hearing. (The board objected to this rule because it had always made the records available at the hearing and because the elimination of the requirement for stating the reasons for examining the records would permit the examination for improper purposes—not related to the hearing. Nevertheless, the board was forced to promulgate the rule in order to satisfy the Department of Labor. The court, in turn, found the rule change to be valid.)

Thus, out of the 17 proposed rule changes originally urged upon the board of review, all but 2 were incorporated into the board's procedures. The two that failed to be incorporated were not the fault of the board, however. As was seen the court of common pleas declared these to be invalid under Ohio law.

Did this action satisfy the Department of Labor? It did not. On January 26, 1962, the Department wrote the board, as follows:

"As to the remaining two [rules], which were broader in scope than necessary to meet the requirements of the Social Security Act, the problems are again brought forward unless substitute rules are adopted which will at the same time conform to the decision of the Court and to the requirements for certification under the Social Security Act."

What the Department of Labor is saying here is that the two rules that the court declared invalid need not have been drawn so broadly by the board. This was said, it is to be remembered, by the same Department which encouraged and approved the two proposals that eventually were declared invalid. In regard to the first rule, the Department stated that the rule should be redrawn so that it would only apply to appellees who had not had a hearing before a referee below. With respect to the second rule, the Department indicated that challenges to the interests of a board member could be limited to situations in which the member has "an interest in the controversy" immediately under consideration.

The Department concluded this letter of January 26 with the following admonition: "Since the next grant certification period will be near the end of March 1962, it would be desirable for the board to take action as soon as possible." During a conference on March 9, 1962, the Department repeated the warning by indicating that unless the two rules were adopted as it proposed, the Department would hold up the funds.

Thus, it may be asked what is the board to do? If it promulgates the two rules as ordered by the Department it places itself in possible contempt of the court of common pleas. If it does not promulgate the rules the $200 million a year unemployment compensation program in Ohio may

grind to a halt. This is particularly so, since short of seeking a Federal court injunction, there are no rules or regulations within the Department of Labor which permit the Ohio board to appeal an internal decision of the Department to the Secretary of Labor or to the courts.

Mr. HARSHA. Mr. Speaker, will the gentleman yield?

Mr. BROWN. I yield to the gentleman.

Mr. HARSHA. Would the gentleman answer this question, please? If this precedent is not stopped or quashed right now is this a precedent that could be established in programs such as Federal aid to elementary or secondary education, no matter how cleverly the initial legislation may be drafted?

In other words, could rules and regulations be adopted to bring about such a situation with reference to Federal aid to elementary or secondary education?

Mr. BROWN. I will say to my colleague that this same type of an operation, this same type of bureaucratic blackmail, if you want to call it that, because that is all it is, against a State or of an educational institution, or of any other agency or government, whether it be State, or city, or county, could be used, of course, not only in the field of education but in every other field of activity with which the Federal Government has any connection whatsoever, even though the law definitely says that it comes under State and local jurisdiction only.

Mr. HARSHA. Would the gentleman yield further?

Mr. BROWN. I do.

Mr. HARSHA. Would the gentleman agree also that if local and State governments are to have any autonomy at all that this precedent must be stopped forthwith?

Mr. BROWN. It is my opinion, sir, that unless the Congress takes some definite stand, and unless the States take some definite stand against these kinds of threats and blackmail tactics on the part of Federal bureaus, agencies, and departments, that in the end, of course, all State rights, and all local rights, will go down the drain, so, in the end, of course, we will have complete control of all local State activities through the Central Government here in Washington.

Mr. McCULLOCH. Mr. Speaker, will the gentleman yield?

Mr. BROWN. I yield to the gentleman.

Mr. McCULLOCH. And, when that time comes and when the State and local governments are paralyzed, we will no longer have the Federal system which has been the greatest government known to mankind, will we?

Mr. BROWN. That is correct. Of course, what it does is to continue and stimulate these efforts to destroy State and local rights. I think every Member of this Congress, and every State in this Union, should be interested in what is going on in this particular Ohio case, as an example of what can and will eventually happen to them.

Mr. ASHBROOK. Mr. Speaker, will the gentleman yield?

Mr. BROWN. I yield to the gentleman from Ohio.

Mr. ASHBROOK. The gentleman certainly knows if we go down the line that is being advocated in the bill which is coming up supposedly to help unemployment compensation in this country, the so-called King bill, we will probably find all of the other States in the Union knuckling under even further to Federal regulations. In the State of Ohio, for example, we have the regulation that one is not allowed to come under unemployment compensation unless one is actually out of work and is available for work. If we continue the trend which the gentleman is so ably pointing out, sooner or later the Federal Government will be telling Ohio that it cannot set up these restrictions.

Mr. BROWN. Of course, if the Department of Labor can tell Ohio what it must do in this particular field, where the Ohio law and the Ohio courts have already acted, as they are authorized to do by Federal law, then, of course, Federal agencies can do anything they want in connection with the amounts which may be paid for unemployment compensation, or the persons who may receive them, or anything else, under the threat they will cut off the return to the States of moneys their citizens have paid in to the Federal Treasury. This is not money that belongs to anybody else but the State of Ohio. The fact of the matter is that Ohio employers have paid in twice as much, in these taxes, as the Federal Government sends back for unemployment compensation administrative purposes only.

Mr. ASHBROOK. The gentleman is completely correct. I certainly want to associate myself with him in his remarks and commend him for pointing this out. It certainly is a signal that we should be looking at and consider, lest we go further down the path of even more Federal control.

Mr. BROWN. I thank the gentleman very much.

Mr. McCULLOCH. Mr. Speaker, will the gentleman yield further to me?

Mr. BROWN. I yield to the gentleman from Ohio.

Mr. McCULLOCH. Mr. Speaker, I was particularly pleased to note the gentleman from Ohio remark that this was not a partisan political matter. I am sure the gentleman from Ohio knows that the senior Senator from Ohio is much concerned about and has spoken out against the tentative order of the Federal Department of Labor, in this case.

Mr. BROWN. The senior Senator from Ohio, of course, of the opposite political party to mine, was five times the Governor of the State of Ohio, elected as Governor more often than any other individual in our State's history. He knows the effect of this order, and, of course, is opposed to it. I do not know of a single individual, attorney or otherwise, who has read and studied this action in Ohio and this threat made by the Department of Labor, who does not insist that it is completely wrong, it is illegal, it is morally improper, and is a violation of concepts of good government and endangers unemployment compensation administration on a sound basis everywhere.

Mr. Speaker, I reserve the balance of my time.

GENERAL LEAVE TO EXTEND

Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the subject which I just discussed on the floor, the unemployment compensation situation in the State of Ohio.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mrs. BOLTON. Mr. Speaker, because of an unwarranted demand by the U.S. Department of Labor for two procedural rule changes on the part of the Ohio Board of Review for Unemployment Compensation, there is a grave danger that Ohio's $200 million annual program to aid the unemployed will be stopped. This results from the Department's threat to cut off $17 million which it grants annually to the Ohio Bureau of Unemployment Compensation to administer Ohio's statewide employment security program. This $17 million is derived entirely from the $30 million employers, within the State of Ohio, pay to the Federal Government for the administration of the program.

The Board of Review for Unemployment Compensation, operating under laws passed by the Ohio Legislature, formulates rules of procedure for the orderly disposal of cases before it. In 1959, the board after holding public hearings published a new set of rules in accordance with legislation enacted by the legislature in that year. The Federal Labor Department failed to make timely objection to those rules at the public hearings. But, shortly thereafter, it began to barrage the board of review with suggestions for rules changes on the ground that the present rules did not afford a claimant a "fair" hearing as required by Federal law.

This was rather amazing to all persons familiar with the operations of the board. The Ohio Unemployment Compensation Administration has been in operation for over 22 years. During this time hundreds of thousands of cases have been decided by the board of review without one complaint being filed that the board's procedure denied an opportunity for a fair hearing. In the past 5 years alone, the board has disposed of 95,684 cases without a complaint.

Nevertheless, in 1961 the board of review scheduled a new public hearing and promulgated 10 rule changes suggested by the Department of Labor. At the hearing many objections were raised by attorneys who regularly practiced before the board.

Following these changes, suit was brought by an Ohio taxpayer in the court of common pleas, Franklin County, Ohio, to set six of the rule changes aside as being in contravention of Ohio law. In his decision of October 1961, Judge Draper ruled that four of the changes were valid, but that two went beyond the State statutes.

However, the Department of Labor is not satisfied with the result. As late as March 6 of this year it has informed the members of the board that the Labor Department will discontinue paying the State's grant unless the two rules are put into effect. The result of this fiasco is that the State of Ohio presently faces an impossible situation. If it fails to comply with Washington's mandate, it will have to close down its unemployment compensation program. But if it does comply, it places the board of review in the position of being in contempt of the Franklin County court's decision.

The Department of Labor has admitted the accuracy of the statements that in its 22 years of existence, no complaint has ever been filed that the board's procedure denied an opportunity for a fair hearing. Instead, the Labor Department indicates that its threatened action is based only on a hypothetical situation which might occur in the future. Furthermore, to the best of the Ohio board's knowledge, the action being threatened against Ohio is not being threatened against any other State in the Union, although it is believed many other States have existing provisions which the Department of Labor has found objectionable in Ohio.

I urge the Department of Labor to reconsider their decision in the light of all the facts and not penalize the great State of Ohio until it has been proven to be guilty of some overt act justifying such action. The record certainly does not show that it is guilty. The board of review has a wonderful record of extreme fairness in the more than 200,000 cases it has decided.

Mr. BROWN. Mr. Speaker, I yield the remaining time to the gentleman from Kansas [Mr. AVERY].

Mr. AVERY. Mr. Speaker, and Members of the House, I will not consume the 11 minutes.

It would seem appropriate that the attention of the House should be directed back to the pending matter of business and that is, of course, House Resolution 572 which makes in order the consideration of a bill from the Committee on Agriculture, the Senate bill, S. 2533. I would merely point out further, Mr. Speaker, that this bill should not be construed as authorizing or bestowing any special benefit on any special area or to any special group of farmers. It merely provides that, due to the lateness in the passage of the wheat program for 1963, farmers in the Great Plains area who planted winter barley as a cover crop on some wheat ground to prevent wind erosion may harvest that barley under certain conditions.

Perhaps you can remember back during the Dust Bowl days, the great devastation that took place in the high plains area in the spring of the year when the ground was not covered with some kind of vegetation that would prevent this wind erosion. The farmers this year went ahead and planted barley for a cover crop on ground retired from wheat production under the 1961 act. This bill merely provides that they may proceed to harvest the barley since they went to the expense of planting it and preparing the ground. But they must take from their feed grain allotment for this one year the number of acres that will be harvested from this fall planted barley. It is just as simple as that. It will not cost the Department of Agriculture anything, in my opinion. It will not increase the feed grain supply by any measurable amount of bushels at all. So I certainly urge the adoption of the rule and favorable consideration of the bill. I do not know why there has been so much delay and why this failed once under suspension of the rules and failed once on the Consent Calendar. But I am sure if the Members of the House fully understood the provisions of this bill, they would be as enthusiastic in its support as is the gentleman in the well and the other Members of the delegation who are urging you to act favorably on this bill today.

Mr. BECKER. Mr. Speaker, will the gentleman yield?

Mr. AVERY. I now yield to my friend, the gentleman from New York, who I am sure has had time to more fully understand the provisions and the intent of this legislation.

Mr. BECKER. I might say to the gentleman, I have had considerable time since last year to try to understand this legislation. But I think when we get into debates on farm bills, I do not find anybody who understands it, with all the years that they have been here.

First, I would like to ask you a simple question and I am asking you as a member of the Rules Committee now and I know you will give me a straightforward answer. And this was not answered last year. Will this process of this change you are making in this bill add anything to the cost of the price supports or the land going into the soil bank or the change from barley to wheat and vice versa? Will this cost any more money?

Mr. AVERY. The answer is "No." If this land goes in, some other land has to come out. It is merely just an exchange of acres.

Mr. BECKER. I might say to the gentleman, I have not had a chance to read this report entirely, but I will read it within the next few minutes because the report last year contained considerable doubletalk as to the additional costs that might be involved in this program.

Mr. AVERY. Since the gentleman from New York has brought up the subject of the Rules Committee, I would like to remind him that there was a bill up there this morning seeking an authorization to the city of New York for a repayment of $3 million alleged to be the cost of extra police protection needed during the 15th Assembly of the United Nations in the fall of 1960.

The Rules Committee in their generosity, and only in their generosity, and further due to the persuasion of the gentlewoman from New York [Mrs. KELLY], granted a rule on that bill. I can assure the gentleman that the cost of this bill would not amount to one-half of 1 percent of the cost of the bill for the relief of the city of New York.

Mr. BECKER. I do not know why the gentleman calls to my attention the bill for the relief of the city of New York to take care of part of the United Nations expenses, for I do not represent the city of New York and am not involved with the taxes of the city of New York. I represent suburban areas.

Mr. AVERY. I do not represent the farmers largely covered by this bill, but I consider it in the public interest, as did the Rules Committee when it granted a bill for the relief of the city of New York.

Mr. BECKER. I would say that the gentleman always has the public interest at heart.

Mr. AVERY. I could not disagree with the gentleman.

Mr. Speaker, I yield back the balance of my time.

Mr. TRIMBLE. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

Mr. POAGE. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 2533) to amend the requirements for participation in the 1962 feed grain program.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill S. 2533, with Mr. HALEY in the chair.

The Clerk read the title of the bill.

By unanimous consent the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Texas [Mr. POAGE] will be recognized for 30 minutes and the gentleman from Minnesota [Mr. QUIE] for 30 minutes.

The gentleman from Texas is recognized.

Mr. POAGE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this bill relates to a rather complicated and rather technical exchange of acres which normally would be devoted to wheat and which under the act of 1961 must be retired, but which under this bill can be devoted to barley. It is effective by its terms only in those areas where "summer fallow" is a common farming practice. I think that in order to understand the bill the membership should understand something about the practice of summer fallowing, and while I do not live in a summer fallow area, so that we can all understand what it is I will try to explain it.

In those areas where rainfall is very slight, where they need 2 years' rainfall to make 1 year's crop it becomes necessary to leave a portion of the land out of cultivation each year. To "fallow" that land normally means to keep it pulverized, and keep the weeds down so that whatever moisture does fall is retained in the land.

The common practice in most of this area is to sow wheat on approximately half of the cultivated land and to fallow the other half of the land, or to plant part of the land in feed grains and part in wheat and to fallow a portion of the land. This bill is applicable only on farms which grow both wheat and feed grains.

I think, therefore, that we might understand this fallow situation if we

would assume that we have a farm of, let us say, a section of land—640 acres. We will assume that the farmer has had a wheat allotment of approximately 200 acres of this 640 acres. In some places he is growing feed grain, and this bill will be effective only where he has both a feed grain and a wheat allotment. In some areas he will grow only wheat and fallow the remainder of his land. In other areas he will grow some feed grain as well as wheat. In such a case this bill will be important, so let us follow our one section farmer. In addition to his 200 acres of wheat history he has, we will assume, been growing another 200 acres of feed grain, leaving some 240 acres of fallow land and land around the house. Every farm, of course, has some land that is not actually occupied in crops.

In many of those areas the man has been planting 200 acres of wheat. Under the law as this Congress passed it late last fall, this man must make a reduction of 10 percent or 20 acres of his wheat land out of production. That must be left out of production under the law as it was passed by this Congress. If he is to participate in the feed grain program, he must retire at least 20 percent or 40 acres of his feed grain land. In other words, he would have to have at least 60 acres of his total grain lands—that is wheat and feed grain land—out of production in order to be in compliance on his feed grain and on his wheat.

Now, let us understand this fallow situation. This farmer has probably fallowed this 200 acres that he planned on planting in wheat. That certainly is the normal practice. He would have had this land laying out last year. He would have cultivated it probably with a one-way plow. He would have kept all plant growth off of it. He would have it pulverized ready to plant in wheat in the fall of the year. Normally that land would all be planted in wheat. There would be a cover on it during the winter which would prevent blowing. But when he finds that he cannot plant but 180 acres of wheat—and that is the present law—he has 20 acres that was prepared for planting on which he has prepared his seed bed, a situation which will invite blowing of the most destructive nature. If he leaves this 20 acres laying out without putting anything on it, the winter and spring winds are almost certain to cause severe wind damage on that land. But looking beyond this one farm; when started over a wide area this blowing results in your dust storms and finally results in your dust bowl, a situation of dire consequence to the whole Nation, and one which certainly involves the welfare of the whole Nation.

So we need a cover on this 20 acres. How does the farmer go about getting a ground cover? He normally would plant barley on that 20 acres because in that area barley is the only crop which will stand the winter and at the same time produce a crop, other than wheat. You may ask, Why can he not plant wheat? He can plant wheat and plow it up. But the committee did not think that plowing up wheat was a very intelligent procedure to require.

Neither do we think it is intelligent to ask him to plow up the barley. On the other hand, it is important that he not be allowed to increase the total feed grains to be produced from that section of land.

So, we turn now to the feed grain section of this farm. We find that he is growing normally some 200 acres of feed grain and that he must lay out 40 acres of feed grain to comply with the feed grain program. We say, "Mr. Farmer, if you do plant this 20 acres in barley under the terms of this bill, we allow you to come over onto your feed grain land and take out an additional 20 acres here, which you will not be allowed to plant in anything during the year 1962. When you have done that we will not hold that you are in violation of the regulations for having planted this 20 acres which you took out of your wheat allotment. But, you have got to take the same number of acres out of that feed grain base which you planted in barley on your retired wheat acres. You cannot increase the total number of acres you plant to feed grains."

Mr. ALBERT. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield to the gentleman from Oklahoma.

Mr. ALBERT. It really amounts to transferring a spring feed crop to a fall crop.

Mr. POAGE. That is exactly what it amounts to, and the reason for it is to prevent serious blowing of the land. The winter and early spring account for most of the serious wind damage of unprotected land.

Now I call your attention to the fact that we have here 240 acres of fallow land. You say, Why does not that land blow just as the land which is retired from wheat? Why does it make any difference whether this is out of your wheat land or out of your fallow land? The difference is this, my friends. This was his wheatland last year. In the rotation of this farm program, this was the wheatland last year. It is left with stubble on it; it is not disked up; it is not prepared for a seedbed in the fall. That land will not blow nearly so readily as this land which was prepared for seeding later on in the fall. That is the difference between the two pieces of land, and that is a rather important difference.

Under the normal fallow situation the farmer leaves the stubble of the previous year's crop to protect that land throughout the winter season, so the place where he has to put a green vegetative cover on is on the land which was prepared for the seedbed. Remember that he prepared this 200 acres in good faith last summer, because at the time he prepared it the law allowed him to plant 200 acres to wheat, which it does not allow today. The law makes it impossible for him to put a green coverage on this land as he had planned, so we say by this bill, "Go ahead and put the best cover on that you can, barley, but do not increase the sum total of your grain production, because if you are going to take advantage of the terms of this bill, you must reduce your feed grain acres next summer by the same amount that you increased them during the winter."

Now, actually—of course, it varies from farm to farm—but on the average actually he is going to grow more tonnage or poundage of feed during the summer period on this feed grain land than he is going to grow during the winter period on this barley. You can understand that there is more growth and a larger production during the summer than during the winter, and probably we are going to wind up with less and not more total feed grain produced as the result of this authority to transfer from a summer feed to a winter feed, and all that this bill does, is to authorize that kind of transfer. It does not authorize an additional acre in grain.

It keeps your acreage just as low as it has been. I think it is clear that it will probably result in some slight reduction in the total production of these feed grains. It cannot cost the Government one penny. There are no additional payments to be made as a result of this program. It seems to me, and it seemed to the Committee on Agriculture, that it was a fair proposition. The Committee on Agriculture brought this bill to the floor of the House at the end of the last session after we passed the wheat bill, believing that we should do this sort of thing in order to be fair. It was objected to at that time, and at that time we tried to bring it up under a suspension of the rules. It received 213 votes to 149 votes against it. I am sure that most of those who voted against it then did so because they did not understand it.

Mr. Chairman, this bill is not a partisan measure in any sense of the word. The bill being considered is a Senate bill. Senator CARLSON, of Kansas, is the author of the bill we are considering. The bill that the House considered was a House bill which had been introduced by Representative BREEDING. Representative BREEDING and Senator CARLSON are not of the same political party, but they are both interested in maintaining a fair and equitable situation in this area of American agriculture. It is with that in mind, and with no effort to give anybody any political advantage, that the Committee on Agriculture of the House of Representatives has brought this bill before you. We bring the Senate bill simply because by so doing we can get action more promptly than we could were we to act on the Breeding bill. We plead with you that you give to these farmers who are put in a difficult position the opportunity to save not only their land, but all the land of America, in order to prevent the development of further dust bowls.

Mr. Chairman, we do not ask you to spend any money to do it. We do not ask you to undertake any additional obligations on the part of the Government. We do not ask you to give any special privileges to anyone. But we do ask that you think of America, and that you prevent as far as you can the repetition of the dust bowl days.

Mr. Chairman, I reserve the balance of my time.

Mr. QUIE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I have withdrawn my objection to this legislation. The situation is different now that spring is here. We have the wording of Senator CARLSON'S bill before us, which makes the meaning of this legislation abundantly clear. Farmers have made their decision on the land in their fall plantings. Last year, I felt that the bill which we considered was an inducement for a farmer to plant additional barley and thereby create additional competition for the historic barley growers. However, they have made their decision, but some have planted winter barley on the acres to be diverted from wheat. If we do not pass this bill they will have to plow under that barley and go to the expense of putting in grain sorghums. In order to save the farmers that cost and at no greater governmental expense, we have this legislation now pending before us. If we save the farmers that cost, undoubtedly more of them will want to take part in the 1962 feed grains program and the feed grain program will then be more of a success.

Mr. Chairman, I might point out, however, that the farmers who chose to plant their diverted acres to wheat in order to prevent the land from blowing will have to plow under that wheat, whether this is sensible or not. For those who chose to plant barley this bill comes as a real break. This is not in any way going to add to the total acreage of feed grains, but only substitutes barley for grain sorghum. I think that the objection I had last year, and the objection of others, should be withdrawn this year, and that this 1-year bill should be passed.

Mr. Chairman, I yield 5 minutes to the gentleman from Kansas [Mr. DOLE].

Mr. DOLE. Mr. Chairman, I think both Mr. POAGE and Mr. QUIE have made it very clear this is a noncontroversial bill. It is a nonpartisan bill, as it has the support of both sides of the House. We are now considering the Senate bill of Senator FRANK CARLSON, of Kansas.

Mr. Chairman, I want to make it amply clear that this measure will not cost any additional money. The Carlson bill provides relief only for those farmers who had a wheat and feed grain base and certainly there should be no serious objection to it.

Mr. Chairman, as Mr. POAGE so well illustrated on the blackboard, only certain farmers can qualify. A farmer without a feed grain base cannot benefit from this bill and as Mr. QUIE so ably stated, the incentive to plant great quantities of barley is gone now. This will protect only those farmers who planted winter barley last year and who are about to be required to dispose of this barley unless some action is taken by the House today.

The bill is designed to permit farmers, without plowing up their barley, to receive barley and grain sorghum price supports. They can participate in the grain and sorghum diversion program but in order to do so they must reduce their feed grain acreage to the extent necessary to bring their acreage of corn, grain sorghum, and barley down to not more than 80 percent of the 1959–60 average acreage of these three crops.

I am certain Mr. BREEDING will probably agree that enactment of this program will increase the signup in the 1962 feed grain program. I have had many, many letters, and perhaps other Members who represent summer fallow areas have heard from farmers who say they will not sign up because of this barley confusion.

If this bill is enacted, signup in the feed grain program will be increased which should help reduce feed grain surpluses.

The subject matter in this bill is not new, for during the course of considering the Agricultural Act of 1961 on the House floor last year, an amendment was offered by the gentleman from Montana [Mr. BATTIN] which would have accomplished essentially the same thing as the Carlson bill now before us. The House adopted the Battin amendment; however, it was lost in conference.

In addition, a somewhat similar House bill had been unsuccessfully considered and I have made repeated efforts to obtain relief by administrative order through the USDA. The Carlson bill, as passed, is different from the House version and as shown in the committee report the Department of Agriculture has given its approval contingent on adoption of a clarifying amendment. This was done in the other body and I trust the bill will now receive unanimous support in the House.

Mr. SHORT. Mr. Chairman, I yield 3 minutes to the gentleman from Montana [Mr. BATTIN].

Mr. BATTIN. Mr. Chairman, first of all I should like to compliment the House Committee on Agriculture for bringing this bill before us today. If you will recall, when we considered the Agricultural Act of 1961 which was before the House at the last session, an amendment was offered on the floor by the gentleman from Montana which would do basically what is being done now. The House at that time adopted the amendment that I offered and, as a matter of fact, through the courtesy of the chairman of the committee, Mr. COOLEY, and the gentleman who has control of the time today, Mr. POAGE, and through the efforts of the gentleman from Oklahoma [Mr. ALBERT], and others, the amendment was accepted. At the time the bill left the House there was a difference between the House bill and the Senate bill and it was necessary to go to conference. The conferees on the House side I am informed did all they could to retain my amendment; but, as often happens in conferences, the amendment was lost. We now find the Senate passing virtually the same bill and sending it over to the House. The only thing I have to say is that I hope the attitude of the House now will be the same as it was in the last session and that we will be able to secure this very needed legislation and send it to the President in order to do justice and equity to the people engaged in the production of barley.

Mr. POAGE. Mr. Chairman, I yield 5 minutes to the gentleman from Kansas [Mr. BREEDING].

Mr. BREEDING. Mr. Chairman, I want to tell you a little bit about the history of this legislation. On August 23, last year, I introduced this bill in the House. On August 28, a week later, I reintroduced it because of a correction in a date on the previous bill. The bill was known as H.R. 8914. Then again on January 10, 1962, I introduced this bill. Senator CARLSON, of Kansas, introduced the same bill in the Senate on September 12, last, and reintroduced it this year on February 8. The Senate has acted upon his bill and today we have accepted the Senate bill S. 2533; our rule here today applies to the Senate bill.

Certainly, I think the Senate bill does exactly the same thing as the House bill which I introduced and I am certainly willing to accept the Senate bill. What Congressman POAGE has told you is exactly how this bill would work. He has certainly done an excellent job so that all of us should understand plainly how it operates.

I want to make this remark about Congressman BATTIN of Montana when he said he introduced this measure last year in the omnibus farm bill. He did, and I supported him on the House floor. I made a short talk in behalf of that legislation and when we voted on the bill in the House, the bill went out with Congressman BATTIN'S amendment in it. His amendment would have done practically the same as the bill we are now considering. But in the processing of this legislation, the other body did not have it included in their bill. Later it was taken out in conference and that is the reason for the introduction of H.R. 8914 on August 28, 1961.

I appreciate the help we have had from the committee on this bill. I appreciate the help we have had from both sides of the political aisle here. I appreciate the support from the gentleman on the north side, Mr. DOLE, who represents practically the same area of Kansas as I do. We are both in unity on this bill and we both support it.

Mr. BECKER. Mr. Chairman, will the gentleman yield?

Mr. BREEDING. I am glad to yield to the gentleman from New York.

Mr. BECKER. I am quite sure that all the farm Representatives here on the floor are in unity. As a matter of fact, it sounds like hearts and flowers being played here during the last half hour. But I am wondering where the consumers of the country come in when we talk about these farm programs. The point I want to make to the gentleman from Kansas, and the point I made last year when I objected to this legislation, as I do today, is to raise this question which I asked before. Is this program going to cost the taxpayers any more money? I have been told no.

Mr. BREEDING. And the answer is still no.

Mr. BECKER. I know that, but we get the doubletalk now with reference to the same paragraph which I read last year from the report on your bill. I

would like to read it again. This is as to the cost. This means something to me. This language is as follows:

The committee is not aware of any additional direct cost to the Government as the result of the enactment of this legislation, but it believes it will bring about a wider participation in the feed grain reduction program in which case—

In which case, I repeat:

There would be the additional cost to that program resulting from the additional participation.

Now if that does not mean there is going to be additional cost, then I do not know what this means, and this has not been changed since last year.

Mr. BREEDING. Does the gentleman not believe that if there is more participation in the feed grain program, there would be less surplus and less cost to the taxpayer?

Mr. BECKER. Then why have more participation, if we are having too much now? In that case, your legislation is basically wrong?

Mr. BREEDING. That is a matter of opinion.

Mr. BECKER. If there is too much feed grain now, and if there is too much wheat now, and you are going to permit more participation, this is going to cost more money so all we are going to do is aggravate a farm situation that we have been aggravating for 20 years.

Mr. BREEDING. I do not agree with the gentleman from New York because I think this kind of legislation most certainly will cut down the oversupply and cut down the extra production. It seems to me, if the gentleman from New York is representing the taxpayers, he would be interested in cutting down production and relieving all of us on extra taxes.

Mr. BATTIN. Mr. Chairman, will the gentleman yield?

Mr. BREEDING. I yield to the gentleman from Montana.

Mr. BATTIN. First of all, I think if the gentleman from New York would examine the bill and follow the explanation given by the gentleman from Texas as to this involving nothing more than an actual exchange of acreage, it would answer the question.

Further, I want to thank the gentleman from Kansas for the kind remarks he made concerning my efforts in behalf of this legislation.

Mr. BECKER. In reply to the statement just made by the gentleman from Montana, I have listened to the explanation for many, many years on the floor of the House. I have seen the farmers on the Democratic side getting into arguments amongst themselves. I have seen the Republican farmers or the farmers on the Republican side getting into arguments amongst themselves. I have seen both sides getting into arguments and they cannot agree. How are we supposed to agree to a program like this?

Mr. BREEDING. Well, I suggest to the gentleman from New York that he follow the farm leadership in the House.

Mr. DOLE. Mr. Chairman, will the gentleman yield?

Mr. BREEDING. I yield to the gentleman from Kansas.

Mr. DOLE. I think I can answer the gentleman from New York. I might point out that the other body did make one minor change and it does prevent any possibility that the farmers will reap any windfall on this, and you avoid any possibility of any extra cost. There were a few sentences added on the Senate side which I think should answer any question the gentleman may have on that point.

Mr. BREEDING. Mr. Chairman, I urge Members to adopt this legislation.

Mr. Chairman, I yield back the balance of my time.

Mr. SHORT. Mr. Chairman, I yield 2 minutes to the gentleman from New York [Mr. BECKER].

Mr. BECKER. Mr. Chairman, I am trying to bring out this matter of additional cost which seems to be inherent always in these farm programs. Let me say that I come from a consumer area where there are millions of people. I realize that they are subject in the first instance to the taxes—together with people generally throughout the Nation—that support the farm surplus program, the soil bank program, and others. Second, because they pay these taxes on crops to keep them out of production which raises the price of the produce they have to buy, and the greatest part of the income of low-income families is spent on food. I side with the consumer, especially those from the low-income families.

In this connection let me refer you to the subcommittee hearings of the 87th Congress, pages 111 and 112 where the gentleman from Minnesota [Mr. ANDERSEN] is interrogating Secretary of Agriculture Freeman:

Mr. ANDERSEN. Now, you say it is proving to be costly or will prove to be too costly in the future. Is that it?

Secretary FREEMAN. It has been costly.

Mr. ANDERSEN. Has been?

Secretary FREEMAN. Yes, sir; it has been costly. But we were able, so long as we had substantial stocks on hand, to offset expenditures for it through the medium of payments in kind. But the program has been costly and the savings involved have been in relation to what it would have cost under the permanent law we now have on the books.

He goes on further and says that it would have cost more in this fiscal year, at least $75 million more under the old program.

Do these statements mean what they say?

I have not seen a farm program yet that did not cost the consumer and the taxpayers more money, and I cannot conceive of this program not costing more money to the taxpayers.

Mr. SHORT. Mr. Chairman, I yield 3 minutes to the gentleman from Colorado [Mr. DOMINICK].

Mr. POAGE. Mr. Chairman, I understood the gentleman a few minutes ago to say he had no further speakers.

Mr. SHORT. I said that at the moment I had no further requests for time.

Mr. POAGE. I am just wondering now whether you are going to debate this whole thing anew.

Mr. SHORT. I would say to the gentleman from Texas that I do not believe the gentleman from Colorado is going to say anything in opposition to the bill.

Mr. DOMINICK. Mr. Chairman, I want to congratulate the Committee on Agriculture on coming up with a bill that I think provides equity to the farmers of the country without increasing the costs, in spite of what my friend from New York said.

I take this opportunity, if I may, to inquire of the gentleman from Texas regarding a few matters, principally about summer fallowing, which I think may be of some importance to his area and mine, and this has not any particular connection with the barley section.

We have a provision in the act now which permits any farmer to grow oilseed crops on diverted acreage if they give up their payments for the lands which have been retired. It has come to my attention that, in certain sections in any event, the Department of Agriculture has taken the position that if you plant oilseed crops on fallow land and actually go ahead and harvest you are then in danger of being declared not in compliance with this program. Does the gentleman have any knowledge of this? In other words, is there any provision in this act or any other that the gentleman knows of which prohibits a farmer from being in compliance and still planting oilseed crops on fallow land?

Mr. POAGE. I think I know what the gentleman is talking about. I do not live in a summer fallow area. It is academic as far as my particular acres are concerned because we have no summer fallow land.

There is a requirement in the present law that there must be an overall reduction, there must be as much land left out of cultivation this year as there was last year. In other words, if on a farm a man had failed to farm 50 acres last year, he has to leave that much land out of production this year if he meets the requirements of the feed grain or the wheat provision. I think that is what the gentleman is talking about, where someone has not been cultivating this land or did not do it last year, and he now comes along and puts it into a crop. When the gentleman uses the term "oilseed crops" that is too inclusive because the law refers only to certain crops that are not in surplus and that are being imported into the United States. In other words, it does not apply to soybeans and cottonseed.

Mr. DOMINICK. I was thinking of four crops.

Mr. POAGE. There are five: namely, safflower, sunflower, sesame, castor beans, and guar. I think where the gentleman's confusion lies is in the fact that the law does require that the cooperator shall have as much fallow land this year as he had last year. It is not a matter of putting a penalty on the oilseed crops. It is a matter of failing to comply with the requirements on land. You can understand, if I have not been farming but 100 acres and if I put 50 in, then take 50 out of my 100 acres that I farmed

last year, I have not brought about any total reduction in land. That is what that relates to.

Mr. DOMINICK. I would suggest we have been trying nationwide to find some method by which nonsurplus crops which will bring in cash can be made available to the dry land areas, where you have only one cash crop now. I would certainly hope that if you think the action of the State Department is correct in saying you cannot use these crops on summer fallow land that consideration be given by the Agriculture Committee to fixing up an amendment which will provide an additional source of income for these people without creating a surplus problem.

Mr. POAGE. Just yesterday or the day before the subcommittee considered the Purcell bill. This bill would authorize the planting of any of these five-named crops which are more restrictive than the oilseed crops, the five deficit crops, let us call them. That bill would provide you may plant those crops on the retired acres and draw only 50 percent of the normal payment. If you can get these crops planted, and we need the crops, if they are planted on the retired the retire acres and draw only 50 percent, and the Government will get all of the retirement of land it otherwise would get. There has been no action on that bill as yet, but the committee has it under consideration, and had a hearing on it day before yesterday.

Mr. DOMINICK. I certainly thank the gentleman from Texas. I am glad action is being taken on this.

The CHAIRMAN. If there are no further requests for time, the Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 105(c)(4) of the Agricultural Act of 1949 is amended by changing the parenthetical statement in the first sentence to read as follows: "(except in the case of a producer of malting barley as hereinafter described and except in the case of a producer of barley on a summer-fallow farm as hereinafter described)", and by changing the period at the end of such section to a colon and adding the following: "*Provided further*, That no producer of barley on a farm where summer fallow is the normal practice shall be required to participate in the special agricultural conservation program for 1962 for barley if he (i) does not knowingly devote an acreage on the farm to barley in excess of the average acreage devoted on the farm to barley in 1959 and 1960 plus the acreage devoted to summer fallow in 1961 which is diverted from the production of wheat under the special 1962 wheat program, and (ii) does not knowingly devote an acreage on the farm to corn, grain sorghums, and barley in excess of 80 per centum of the average acreage devoted on the farm to corn, grain sorghums, and barley in 1959 and 1960."

SEC. 2. Section 16(d)(1) of the Soil Conservation and Domestic Allotment Act is amended by changing the parenthetical statement in the second sentence to read as follows: "(other than a producer of malting barley as described in section 105(c)(4) of the Agricultural Act of 1949, or a producer of barley on a summer-fallow farm as described in such section)", and by inserting after the second sentence a new sentence reading as follows: "The excess, if any, of the acreage devoted to barley in 1962 on a summer-fallow farm as described in section 105(c)(4) of the Agricultural Act of 1949 over the average acreage devoted to barley on such farm in 1959 and 1960 shall be considered as planted to corn and grain sorghums for the purpose of determining extent of participation and payments under the special agricultural conservation program for 1962 for corn and grain sorghums."

Mr. BERRY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I have been listening to the debate on this bill with a great deal of interest. The question arises on this bill as it arises on every bill dealing with agriculture, and that is the question of why we need a farm subsidy.

In the brief time allotted to me, I would like to just point out again that American agriculture actually needs no subsidy. We have no farm surplus problem arising from overproduction. We have a farm surplus, to be sure, but it is not a surplus created by the American farmer. It is a surplus created by foreign imports.

Agriculture is simply the first industry to feel the drastic results of foreign imports. The President has recommended severe cuts in import quotas and tariffs. He recognizes that such tariff reductions will have a disastrous effect upon many industries. He recommends a subsidy program similar to the farm program to salve the industry thus affected.

The President also recognizes that when industries are put out of business, labor will seriously be affected, and he recommends a subsidy program similar to the farm subsidy program to salve affected labor.

Already our mining industry has practically been put out of business by foreign imports, and rather than protect the American mining industry, Congress has provided subsidy programs similar to the farm subsidy program to cushion the ill effects of imports, and has established a mineral stockpile program by way of subsidizing this industry.

The farm program is simply the first industry to be universally affected by imports. If the President's trade bill is passed, we will have dozens of similar programs subsidizing dozens of other industries and the labor from those industries.

My purpose today is to give to this House an example of what I mean when I say there is no farm problem, but simply an import problem.

The Department of Agriculture estimates that on a nationwide basis it requires the production of 20 acres to produce a beef and put it on the market. Last year our live beef imports were 910,000 head. If this 910,000 head of beef had been produced in this country, the production of 18,200,000 acres would have been required to produce that number of beef. In other words, Mr. Chairman, the production of 18,200,000 American acres were displaced by live beef imports.

In addition to the live beef, we imported 527.5 million pounds of beef. According to the formula used by the Department of Agriculture, the carcass equivalent of this 527.5 million pounds is 1,376,775 head of beef. At 20 acres per head, it would have required the production of 27,535,500 acres to put this beef on the market, or, if you please, beef imports alone last year displaced the production of 45,735,500 American acres.

Now, let us take a look at the other side of the coin. Last year we exported 24,012 head of live beef which required 480,240 acres to produce. We exported 29.9 million pounds, or the carcass equivalent of 72,657 head, which required 1,453,140 acres to produce. The acreage required to produce our total beef exports last year was 2,932,390 acres.

In order to get a complete picture, we must deduct the acres required to produce our exports from the acres displaced by imports, and we find that the difference is 42,803,120 acres. This, Mr. Chairman, is the American acreage displaced by beef imports alone. In his message on agriculture, the President indicated that in order to help solve the farm problem, he wanted to buy and take out of production 50 million acres. Permitting the American farmer to produce just the beef that went onto the American tables last year would have required the production of within 7 million acres of the 50 million acres he recommends taking out of production to solve the farm problem.

Mr. Chairman, would it be more sensible to permit the American farmer to produce the beef that is consumed in this country and make the greatest use of the production from our farmland, or is it better to open our borders to beef imports and ask the taxpayer to buy up and take out of production 50 million acres?

Mr. Chairman, beef is only one example of the millions of acres of American productive land that are displaced by foreign imports. Wool, sugar, pork, and lamb imports displace many more millions of acres. During the past 10 years, the disappearance of oats, barley, and rye have been greater than the American production, and yet we have in storage today more than 400 million bushels of these feed grains costing us some $20 million per year in storage costs.

Before going into a vast program of tariff reductions that will similarly affect dozens and dozens of industries creating dozens of similar headaches, it might be well to take a firm look at the headache created by competitive agricultural imports alone.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. HALEY, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (S. 2533) to amend the requirements for participation in the 1962 feed grain program, pursuant to House Resolution 572, he reported the bill back to the House.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the third reading of the bill.

The bill was ordered to be read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

A similar House bill, H.R. 8914, was laid on the table.

FREE ENTRY OF CERTAIN STEEL FOR CHIPPEWA COUNTY WAR MEMORIAL HOSPITAL, SAULT STE. MARIE, MICH.

Mr. MILLS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 9778) to provide for the free entry of certain steel and steel products donated for an addition to the Chippewa County War Memorial Hospital, Saulte Ste. Marie, Mich., which was unanimously reported favorably by the Committee on Ways and Means without amendment.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

Mr. ARENDS. Mr. Speaker, reserving the right to object, and I shall not object, I would appreciate it if the chairman of the Committee on Ways and Means, the gentleman from Arkansas [Mr. MILLS], would give a short explanation of what the bill involves.

Mr. MILLS. Mr. Speaker, I would be glad to do so. Mr. Speaker, the purpose of the bill, H.R. 9778, is to authorize and direct the Secretary of the Treasury to admit free of import duties any steel and any steel products donated by the Algoma Steel Corp., Ltd., Sault Ste. Marie, Canada, and imported for use in the construction of an addition to the Chippewa County War Memorial Hospital, Sault Ste. Marie, Mich.

The Chippewa County War Memorial Hospital, located in Sault Ste. Marie, Mich., is a public, nonprofit hospital which serves the people of Sault Ste. Marie, Mich., and Sault Ste. Marie, Ontario, Canada. This hospital is planning to build an addition to its existing facilities and the Committee on Ways and Means is advised that the funds for each addition are being raised by public subscription.

The Algoma Steel Corp., Ltd., of Sault Ste. Marie, Ontario, Canada, has undertaken to donate approximately 120 tons of high tensile strength structural steel for use in the construction of this addition to the hospital. In the absence of legislation such as H.R. 9778, any steel so donated, when the same enters the United States, would be subject to duty.

Your committee feels that the circumstances of this case are such that the steel in question donated by a Canadian company for use in building an addition to a public, nonprofit hospital in the United States, should be admitted free of duty.

The Committee on Ways and Means is unanimous in recommending passage of H.R. 9778.

Mr. MILLS. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. KNOX] may extend his remarks at this point in the RECORD, and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. KNOX. Mr. Speaker, I rise in support of H.R. 9778 which provides for the free entry of 120 tons of high tensile strength steel which the Algoma Steel Corp. of Sault Ste. Marie, Ontario, Canada, has donated as a gift for the construction of an addition to the Chippewa County Memorial Hospital, a public institution in Sault Ste. Marie, Mich.

The enactment of this legislation would make possible the starting of construction this coming year.

The unanimous vote accorded the passage of the bill is deeply appreciated by the residents of Sault Ste. Marie, Mich.

Mr. ARENDS. Mr. Speaker, I withdraw my reservation.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WITHHOLDING OF TAX ON DIVIDENDS AND INTEREST

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. KEOGH] may extend his remarks at this point in the RECORD, and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. KEOGH. Mr. Speaker, there is considerable misunderstanding as to the operation of the withholding provisions in the proposed Revenue Act of 1962. Some claim withholding is unnecessary because the Internal Revenue is installing new electronic automatic data processing—ADP—machines. Others say that the burden of the withholding system on payers of dividends and interest would prove unmanageable and that the exemption procedure contained in the pending legislation—designed to protect the current income of individuals with no tax liability—is unworkable.

I say each of these arguments is incorrect.

As to the claim that automatic data processing machines, coupled with the use of taxpayer account numbers and information returns filed by business, would collect the tax due on unreported interest and dividends which are now escaping tax in amounts of more than $800 million annually, some say that a tax administrative official, Deputy Commissioner Harding, made a speech in April 1961—actually the speech was made on September 29, 1960—to the effect that ADP would be effective in this area. At that time the Internal Revenue Service was in the preliminary planning stage of an ADP system and had not had the opportunity and experience which it has since had to study exhaustively the relative gains and the relative costs of ADP and withholding as alternative systems.

The Internal Revenue Service has now carefully studied the application of ADP and withholding to the problem of unreported dividend and interest income. It is the unequivocal conclusion of the IRS, which is charged with the administration and enforcement of our tax laws, that withholding would be less costly to the Government and to payers generally than the less effective alternative of ADP. Automatic data processing would have to be coupled with a vast increase in IRS enforcement personnel in order to be effective.

The significant point is this: automatic data processing does not and cannot collect a single dollar in taxes. What ADP can do is identify possible tax evaders. Once such identification has been made, the normal IRS followup procedure through audits and agents is still required. IRS Commissioner Mortimer Caplin, after a comprehensive study of the problem, has concluded that without withholding it would require the addition of thousands to IRS enforcement staff to insure collection of only $300 million of the $800 million in taxes currently owed but not being paid on interest and dividend income. This is because followup agent calls could reasonably be made on only the largest suspected evaders of this tax—once they had been identified by ADP. The total cost of use of ADP and increased enforcement activity to collect only this $200 million has been estimated by Mr. Caplin at $27 million.

In contrast, the withholding system will capture $650 million in taxes annually at a cost to IRS of only $19 million. At the maximum no more than $200 million of the over $800 million could be recovered by an ADP system without withholding.

What many fail to see is that with all the requirements and costs of an ADP system, it would, at the most, only do a small part of the job that withholding can do more cheaply. It is difficult to understand why some people keep pressing for a system that the administrative experts regard as ineffective.

With a withholding system to collect the taxes owed by the great majority of interest and dividend recipients, ADP and enforcement personnel will be free to concentrate on collecting the remaining $150 million of unpaid taxes on interest and dividends received by high income individuals. In addition, they will be able to concentrate on other areas of unreported income where there is no automatic collection device such as withholding at source.

Furthermore, the Service concludes that an expanded information return system would be more costly to dividend and interest payers than withholding and would be unworkable on some types of interest. Information returns are presently required for interest payments over $600 and for dividend payments over $10. No information returns are required in the case of corporate bond interest. According to the Internal Revenue Service, without withholding it would be necessary to require 250 million

information returns with respect to interest and dividend payments, if a substantial part of the dividends and interest now escaping tax is to be collected with the help of automatic data processing; at present with the $600 floor on reporting of interest, only 100 million returns are filed annually. A low floor for interest reporting may be expected to add considerable costs and burdens to payers because of the large volume of such interest transactions. Payers have pointed this out to the Treasury.

What happened in 1951 is indicative of attitudes toward extended information returns. The Congress in that year gave discretionary authority to the Treasury to require information reporting of interest of any amount. The protests of payers of interest, largely because of costs, were so great that the Treasury had to abandon the plan to lower the $600 reporting floor on interest despite the existence of clear-cut authorization from the Congress to lower the floor.

On the other hand, a definite attempt has been made to offset the additional costs to interest and dividend payers under withholding. H.R. 10650 permits payers to remit withheld amounts 30 days after the quarter in which those amounts were withheld. In effect, this permits payers to retain withheld amounts for up to 4 months and to make productive use of those funds. This provision was specifically designed to compensate dividend and interest payers for the additional burdens of withholding.

It is argued that withholding would involve tremendous amounts of overwithholding. According to Treasury estimates, $3 billion will be withheld on individuals, of which only $170 million would be overwithheld. This is a mere 5 percent overwithholding. Withholding on wages, on the other hand, has an overwithholding factor of over 14 percent. It is safe to say therefore that the withholding system for dividends and interest will be considerably more efficient from an overwithholding standpoint than the wage withholding system.

The comparison of the dividend and interest withholding system with the wage withholding system on the basis of numbers of people who would be overwithheld also indicates that the former will produce far less overwithholding.

At present, 37 million wage and salary earners are overwithheld, out of a total of 51 million subject to withholding. The dividend and interest withholding system under H.R. 10650, on the other hand, would overwithhold only 2 million taxpayers. Thus, 73 percent of wage and salary earners are overwithheld while only 13 percent of dividend and interest recipients subject to withholding would be overwithheld. Moreover, for half of these recipients the amount overwithheld will be $10 or less for the year.

IRS' experience with refunding the overwithheld portion of wage and salary income also provides a compelling answer to the charge that those to whom refund payments are due will be "at the mercy of the redtape mill of a Federal agency." IRS has, in fact, made the refund payments to the 37 million wage and salary taxpayers now entitled to them within 1 month in most cases.

Moreover, as a general rule, taxpayers appear delighted to receive tax refunds. The average refund paid to the taxable wage and salary earner overwithheld on is $143. In fact, many taxpayers voluntarily have their employers overwithhold on their wages as a form of saving. As you can see, some have tried to make a monster out of overwithholding when in reality the problem is largely nonexistent.

The incidence of overwithholding on interest and dividends will be relatively small because the bill has provided a reasonable and fair exemption system for those who have no tax liability at all. This system is also a simple one—contrary to the charges of its critics. For those who pay interest and dividends, it will be far less complex than the withholding system in effect for 20 years on wages and salaries, which encompasses multiple withholding tables because of variations in the claims for personal exemptions. Only one withholding rate will apply to dividends and interest. Taxes will either be withheld or they will not.

Payments of withheld taxes on dividends and interest will be made by the withholding agent to the Government in one lump sum quarterly. Business will not be required to maintain records of amounts withheld on an individual basis. The individual taxpayer not subject to tax will likewise find an absence of complexity. He will file a simple exemption notice annually with those from whom he receives interest or dividend income, certifying his exempt status.

As for the alleged opportunities for fraud under the exemption procedure—which some cite as potentially troublesome—there is no area of tax law in which deliberate fraud is not possible. We know that people claim dependents who do not exist, list charitable contributions they never gave, and medical expenses they did not have—and that some of this goes undetected. But deliberate tax fraud, happily, is relatively rare. Specifically, deliberate claims for unjustified refunds under withholding could never even approach, in either dollar volume or numbers of individuals involved, the tax evasion now taking place in the absence of a withholding system.

Mr. Speaker, I do not contend that the withholding system will prove a painless cure-all. Obviously, there will be an additional administrative burden on business; obviously, some taxpayers may experience inconvenience. But the alternative is clear-cut—and totally unacceptable. It is continuation of lawless evasion of more than $800 million in taxes each year. As a nation, we cannot afford this loss. It is not only our budget which cannot afford it: it is a fundamental right of every taxpayer to expect without question that our inescapable tax burden is being fairly shared by all. Only extension of our time-tested withholding system will insure wage and salary earners that taxes are being paid by their fellow citizens on their dividend and interest income. To permit continued flagrant evasion of taxes on interest and dividend income is to damage the very moral fiber of our Nation.

Mr. Speaker, I mentioned earlier in my speech the conclusions of the Internal Revenue Service following its exhaustive study of withholding and automatic data processing as alternative systems. At this point, under leave to extend my remarks, I wish to insert in the RECORD excerpts from a recent speech by the Commissioner of Internal Revenue in which he details the Service's conclusions:

EXCERPTS FROM A SPEECH ENTITLED "AUTOMATIC DATA PROCESSING AND WITHHOLDING FOR DIVIDENDS AND INTEREST" BY COMMISSIONER OF INTERNAL REVENUE MORTIMER M. CAPLIN DELIVERED BEFORE SECTION ON TAXATION, NEW YORK STATE BAR ASSOCIATION ANNUAL MEETING, NEW YORK, THURSDAY, JANUARY 25, 1962

Because we expect ADP to be such an extremely valuable tool in tax administration, we frequently are asked why it won't eliminate the need for a withholding system for income tax on dividends and interest. * * *

Those who favor the former and who oppose withholding urge that we go after the $850 million [revenue loss] with machine and muscle. The structural underpinning for this proposal consists of information reporting tied in with and reinforced by automatic data processing. Payers of dividends and interest, the argument goes, report these payments to the Service on forms 1099. We then feed the 1099 data into our ADP system, along with what is reported on individual tax returns, and compare them. If a discrepancy turns up—if the 1099 shows that he received more dividends or interest than he reported—we go after him.

Up to now, the argument continues, we've been unable fully to exploit information reporting because we didn't have ADP and we didn't have taxpayer account numbers to enable the machines to distinguish one John Smith from thousands of others. Now however, we're beginning to move on ADP, and we are in the process of assembling taxpayer account numbers. Thus, for the first time, we will have the capability to take on a full matching operation of 1099's against 1040's.

Why, then, do we need withholding? * * * The answer to this question, as we shall see, is that an information reporting system alone, even a well-developed one, would be burdensome and expensive to business and Government out of all proportion to the effect it would have on the reporting gap.

Under such an approach sound information reporting would require:

(1) Maintaining dividend-reporting requirements at the present $10 floor. (This means about 100 million 1099's on dividends each year.)

(2) Lowering the interest-reporting floor. (There is wide agreement that the current interest-reporting floor of $600 would have to come down substantially. If it were dropped to $10, the number of 1099's on interest would go from the present half-million to $150 million—$50 million on savings accounts, $60 million on series E bonds and $40 million on Federal and corporate coupons and registered bonds. Counting dividend 1099's, it would amount to 250 million 1099's in all. The 1099's on coupon bonds, incidentally, would not necessarily cover those sold between interest payment dates, and the value of these particular 1099's, as you might suspect, would be questionable because they would not reflect the

true allocation of interest between the man who redeems the coupon and the man he bought the bond from.)

(3) Encouraging notices from payers to payees. Such reminders and stimulants to voluntary compliance would have to be introduced into a sound information-reporting system.

These are some of the "paper" consequences of the information-reporting alternative to withholding. The cost of simply processing 250 million 1099's into our ADP system, incidentally, would come to $5.5 million a year. And, after we finished the processing, the entire operation would have directly produced for us in tax not one dollar. We could, however, expect the psychological effect of broader information reporting and electronic matching to bring about some improvement in voluntary compliance.

A match of the 1099's against tax returns would only identify the individual who apparently hadn't properly reported all dividend-interest income. It would only show us where the potential tax was. Information reporting and ADP obviously do not collect the tax. Further positive action would be required of us—through correspondence, office auditors, internal revenue agents and revenue officers.

I am not sure that those who favor this approach over withholding fully appreciate its formidable dimensions and effects. Let's consider for a moment what's involved in a system combining full information reporting and ADP, along with full enforcement followup on leads:

(1) Administrative problems: In the first place, it's one thing to think in terms of the capacity for 100 percent matching and follow-up enforcement operation and quite another thing, as a practical administrative proposition, to go forward with an undertaking of such heroic proportions in terms of paper, machines, and manpower.

(2) Huge correspondence: This kind of a saturation approach, with full matching and enforcement followup, could be expected to produce several million underreporting leads. Most of these leads, individually, would involve small amounts of a level that would entail exorbitant collection costs—even if we went after them with correspondence. Collectively, however, they add up to a great deal of tax. Going after these small amounts by correspondence would mean dropping a small blizzard of paper on the country—and inviting a similar response in return.

(3) Doubled office audit: At the same time, for larger amounts of underreporting, we would use office auditors. This would mean asking taxpayers to leave their work and come into Revenue Service offices for an accounting and explanation of apparent discrepancies between 1099's and tax returns. A full office audit followup, incidentally, would require us to more than double our office auditor force.

(4) Expanded field audit: Returns indicating the largest amounts of dividend-interest underreporting, and possibly other inadequacies, would be assigned to the internal revenue agents for followthrough investigations in taxpayers' homes and offices. This would mean at least a 10-percent increase in our agent force.

(5) Collection difficulties: Finally, as part of this system, we would have to hire more revenue officers to locate individuals who received dividend-interest income, but who apparently failed to file returns.

To do this job right—to produce an appreciable effect on the revenue gap—we would have to bring to bear so much muscle on dividends and interest alone that our overall enforcement program would be thrown far out of kilter. And this is not to mention the unrealistic cost of this kind of approach.

SELECTIVE PROGRAM

To reduce the scope and costs of a system of information reporting and ADP to more realistic, manageable limits, we would have to cut it back drastically. This would mean restricting our audits generally to the most productive leads, the big amounts, and letting most of the rest go. Even this kind of a trimmed-down approach, however, would cost us about $21 million in enforcement manpower alone—manpower which would have to be diverted from other areas where it might be much more productive in terms of revenue yield and in stimulating voluntary compliance.

Now let's see what the combination of information reporting and ADP would produce for us in revenue—what it would do to the $850 million gap. We have no solid platform of experience with enforcement drives on dividends and interest alone from which we can build reliable estimates. We do, however, have estimates of how much revenue is produced by office audit and field examination. We also can project how many of these audits and examinations we could make with $10 reporting floors. On these bases, we estimate, very roughly, that an information reporting ADP system of realistic dimensions would close the revenue gap by less than one-fourth, leaving more than three-fourths unclosed. This estimated pickup, incidentally, represents the total additional tax from enforcement—from adjustments which would include items in addition to dividends and interest. Once we undertake an audit from a dividend or interest lead, we naturally go on to a scrutiny of other items. Assuming, however, that the entire pickup is from dividends and interest alone, as most of it probably would be, that would still leave us more than 75 percent short of the ultimate goal—with well over one-half billion dollars of gap still remaining.

One-fourth is better than nothing, but I do not believe it is good enough. For that reason we have taken a look at what withholding would do to close the gap and what it would cost. Because so much has been said about the effects of withholding on business and on individuals, we also have studied its probable impact—how it would work.

WITHHOLDING

I have been taking a hard look at withholding for about a year. We have examined the subject in broad outline and in depth. We have gone into it on our own and with industry. We have read and heard some hard truths on both sides of the subject, and some half-truths, too. During this process I have reached some judgments on withholding which I want to pass on to you now.

At the outset, let me say that ADP complements withholding—one does not replace the other.

At the same time, we recognize that withholding presents problems, just as information reporting-ADP does. I do not intend to sugarcoat withholding and pass it off as a palatable, easy-to-take remedy for a serious fiscal ailment. One item obviously is costs to payers. There is not much doubt that withholding on dividends and interest would add something to payers' processing costs. They would be offset in some measure, however, by the lower information reporting costs under withholding than would be needed under full information reporting. Also, under the draft bill, payers may retain the withheld tax until the end of the month following the quarter in which the dividends or interest involved are payable.

I do not believe, therefore, that costs to payers are the significant problem. The principal problems to payers, instead, are mainly administrative in character—of a kind associated with getting any new show on the road. Once we got it moving things would fall into place, and the problems would diminish.

I give you wage withholding as a case in point—an operation of much greater magnitude and complexity which, within two or three years after its inception, became a smoothly functioning fact of our fiscal life—a fact for which we all can be grateful.

ADMINISTRATION

On the administrative or operational side of the subject, withholding is not all minus. It has some plus features, too. A conspicuous plus feature of withholding is its much lower enforcement costs—about $2.4 million compared to $21.3 million under information reporting. The reason is simple: withholding, is, almost by definition, self-enforcing, especially at the small-amount levels where our enforcement costs are disproportionately high in terms of yield. Withholding is tailor-made to pick up these small amounts which add up to a large portion of the $850 million gap.

A somewhat related consideration is that a withholding structure is essentially a mechanical operation; and machines and the complementary clerical force are relatively easy to acquire. Information reporting, on the other hand, represents not only a machine, paper-pushing operation of staggering proportions, but calls for the deployment of large numbers of highly technical manpower for a massive followthrough on leads generated by machines. These technicians—internal revenue agents and office auditors, for the most part—are not easy to come by, and it takes at least 2 to 3 years to train them to journeymen proficiency.

A third consideration is that withholding would free much of our enforcement personnel now pinned down on dividends and interest for assignments to areas which require more audit attention and where withholding is not feasible. So much for administration.

REVENUE EFFECTS

In terms of revenue effects, the two competing systems, as you might expect, present striking differences. We estimated that information reporting would close one-fourth of the gap. Withholding, in sharp contrast, would close two-thirds—about 65 percent, according to Treasury estimates * * *.

This arithmetic alone adds up to a rather compelling argument in support of withholding. More is collected at a much lower operating cost.

EFFECT ON TAXPAYERS AND TAX SYSTEM

Now that we have translated withholding in terms of dollars and cents, I want to examine it in terms of its effect on taxpayers and on the tax system.

Broadly, the plan is designed to withhold and retain tax on dividend and interest income only from people who would have to pay the withheld tax. For a closer look, let's examine a few blows—some high and some low—that have been thrown at withholding. It is said:

"Withholding would be burdensome to payers."

Withholding, of course, would put some burden on payers of dividends and interest. It is a burden, however, which is not as great in terms of magnitude and complexity as wage withholding—and it is one which can generally be undertaken without much difficulty by our industrial and financial communities. To the payer, withholding means fewer information returns than would be involved in a full information reporting-ADP system, and no reminders to payees would be necessary. Finally, the single withholding rate * * * would do much to simplify the operation for payers.

"Withholding would create refund headaches."

Refunding presents no real problems. We would have quarterly refunds, which would be new, but we could accomplish this with relatively little break in stride under our existing refunding program. In fiscal 1961, we distributed over 40 million refunds under wage withholding—far more than we would ever be called on to process under dividend-interest withholding. (A great many of these 40 million refund cases were due, I might add, to the deliberate understatement of exemptions by taxpayers who wanted a refund instead of a tax bill at their annual reckoning.)

"Withholding would impose a tax on dividends and interest which, it is suggested, have not heretofore been subject to tax."

The simple answer to this, of course, is that the dividends and interest we are talking about are already taxable. Withholding legislation would not impose the tax; it would simply provide a more efficient way of collecting it.

"Withholding would impose hardships on people with limited incomes, people living exclusively or mainly on dividends and interest."

The House Ways and Means Committee has introduced into the draft bill a variety of relief provisions calculated to minimize these hardships and virtually eliminate them in a great many cases.

The serious criticisms leveled at withholding have been thoroughly considered. Many of them, I am pleased to say, have found expression in the draft bill on withholding which was released by the House Ways and Means Committee last summer for public study and comment.

EQUITY OF WITHHOLDING

This leads me now to the equitable side of withholding—the element of justice that I mentioned earlier. All taxpayers—individuals, corporations, trusts—voluntarily assessed themselves and paid 97 percent of the $94.4 billion in revenues collected last year. The other 3 percent came from direct enforcement. This is part of the very conspicuous evidence that the heavy majority of our taxpayers pay their full tax liability.

They pay their taxes in full measure under a deeply engrained tradition of voluntary compliance—the most valuable asset we have in our tax system. If that asset ever begins to deteriorate, we would be in deep serious fiscal trouble. It is essential, therefore, that voluntary compliance be kept strong and flourishing and be pushed to even higher levels. In this connection, all of us are under an obligation to those who pay their taxes faithfully to see that others pay theirs, and under similar conditions.

An individual whose income is exclusively from wages and salaries is withheld on. Why, in the name of common justice, shouldn't dividend-interest income also be withheld on? We do not promote voluntary compliance by tolerating a condition, year after year, under which most people pay and watch others, similarly situated under the tax laws, get a free ride—or ride at a reduced fare. Such a condition is not only fiscally unsound—it is equitably and morally unsound.

Other nations have decided in favor of withholding taxes on dividends and interest. For example, Belgium, France, Japan, and West Germany withhold on both dividends and interest. In the Netherlands, withholding extends to dividends alone. Italy and the United Kingdom withhold only on interest. This foreign experience—like that found in depreciation and investment credits—provides helpful comparisons in appraising the advisability and feasibility of such a new tax program.

To sum up, our essential, immediate problem is the dividend-interest tax gap—$850 million. Related, but equally critical, problem is the strain that the very existence of this gap puts on voluntary compliance.

On balance, I see withholding as the most workable, businesslike approach for narrowing this gap. Further, I see withholding as a measure which will stimulate better voluntary compliance and help strengthen our entire Federal tax system. And I see withholding as an opportunity to produce revenues critically needed to meet the heavy revenue demands on us generated by unavoidable domestic and global forces.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Carrell, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 4130) entitled "An act to lessen the impact of the termination of Federal services to the Menominee Indian Tribe of Wisconsin."

COMMITTEE ON GOVERNMENT OPERATIONS

Mr. SMITH of Iowa. Mr. Speaker, I ask unanimous consent that the Committee on Government Operations may have until midnight tomorrow to file certain reports.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

COMMERCE DEPARTMENT TRADE REPORT IS MISLEADING

Mr. TOLLEFSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. TOLLEFSON. Mr. Speaker, I wish to register a vigorous protest against the so-called information emanating from departments of Government in support of the President's foreign trade proposal. It is in the nature of pure propaganda and is filled with half-truths and misleading information designed to enlist support for the pending trade proposal. I view such activity as morally wrong.

Over the years congressional committees and Members of Congress have requested from Government departments information and reports concerning measures and proposals pending before them. They have expected, and were entitled to receive, full information bearing upon the particular issues involved. Seldom have they received unsolicited propaganda in support of legislation. But that is apparently the course taken in connection with the trade proposal.

If the data voluntarily given to individual Congressmen in connection with the trade bill supplied complete information and was not misleading, I would not complain. As a matter of fact, I would probably welcome it because I want all the data I can get before reaching a decision as to how I shall vote on the proposal.

Here is an illustration of the sort of thing that bothers me: The Department of Commerce, in a very obvious effort to solicit support for the trade bill, sent a brochure to every Congressman pointing out the export highlights for his particular State. The one sent to me was devoted to the State of Washington and stated that exports of manufactured goods from Washington amounted to $582.8 million in 1960. Now the implication is that unless Congress adopts the President's proposal that export figure will be reduced.

Included in that export figure is the sum of $397.2 million worth of airplanes manufactured by Boeing. These planes have nothing whatsoever to do, in my opinion, with the problem created by the European Common Market, which gave rise to the trade proposal. These planes were largely purchased by Mexico, Canada, Brazil, France, and Venezuela. They were purchased simply because they were the best planes made in the world. The tariff or duty situation had nothing whatsoever to do with the transactions, which should not have been used as an argument in favor of freer trade.

Let me cite another illustration: The Commerce Department brochure states that the total value of exports of lumber and wood products from the State of Washington in 1960 was $14.6 million. But the brochure conveniently omits mention of the fact that during the period 1951–61 the British Columbia lumber producers' share of our U.S. eastern market grew from 7 to 57 percent. This meant a loss of about 8,000 lumber and timber jobs to Oregon and Washington. Will a reduction in our tariffs correct this situation? Hardly. Nor does the brochure make mention of the fact that we are not only losing our eastern domestic markets for lumber but also markets abroad.

A further example of incomplete information is to be found in the brochure's reference to exports of food products from the State of Washington in the amount of $30.2 million in 1960. The item included fish products but the amount was evidently so small that the value was not even set forth. No mention whatever was made with regard to the amount of fishery imports and their extensive injury to our fishing industry. Nothing was said about the fact that over 60 percent of Canadian fishery exports was shipped to the United States. Nor was anything said about imports of canned tuna and salmon from Japan or canned crab from Russia.

The brochure fixed the value of exports of metal products from the United States at $56.6 million in 1960. It made no reference to the fact that the smelter at Tacoma, Wash., had reduced its work force from 1,200 to about 600 because of competition from Japanese copper smelters which, because of tariff advantages, were able to corner the available supply of copper ore.

The Commerce Department tariff highlights utilized only those facts and figures which tended to attract support for the pending trade proposal. It used none which would have created any opposition to it. It did not supply full information on this very important issue as it should have. Therefore, I condemn it as a piece of pure propaganda. It contains half-truths and is thus deliberately misleading. I urge the Members of the House to carefully examine the brochures which were mailed to them before accepting them at face value.

AMERICAN TRAGEDY: TECHNICALITY IN REGULATIONS THREATENS TO DESTROY DAIRYMAN JESSE STALKER

Mr. RIEHLMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RIEHLMAN. Mr. Speaker, I would like to bring a tragic situation to the attention of the House. I would not have thought it could happen in America, this great land of self-reliance, individual liberty, and private enterprise.

There is a dairy farmer up in Ravena, N.Y., by the name of Jesse Stalker. Mr. Stalker is what is known in dairy parlance as a producer-handler. He processes the milk which his dairy herd produces and retails it to homes and restaurants in his vicinity. Now the Government recognizes that a producer-handler like Mr. Stalker is a sort of independent economic unit and it exempts him from the milk-pooling requirements of the Federal marketing order. It also regulates him very closely and with a small exception, prohibits him from handling any dairy products which he does not produce himself.

It seems that Mr. Stalker's customers need more cream than his herd produces, so it is necessary for him to procure cream from an outside source for distribution. He did so, but it turns out that he made one big mistake. What got him into trouble was not the fact that he bought the cream from an outside source. Our benevolent laws permit him to do this in small quantities and he stayed well within the limits. He made his big mistake by buying it in 20-quart cans. That is right. Twenty-quart cans. Somewhere amongst the tangled maze of regulations which the Department of Agriculture puts out for the benefit of the American farmer is one which told Mr. Stalker, in effect, that it would have been all right if he had bought that extra cream in pint or quart containers. But in 20-quart cans? Never. Now, maybe some of my learned colleagues can understand why it is all right to buy 20 quarts of cream in 20 containers but not in 1, but I do not think that I will ever be convinced.

As if this is not bad enough, take a look at what happened next. Because of the fact that Mr. Stalker bought his cream in 20-quart cans rather than small containers over a period of 3 months back in 1958, the Department of Agriculture has taken his producer-handler exemption away from him and levied a fine against him amounting to $20,899.90. What is the practical effect of this? Because Mr. Stalker was unaware of this small technicality in the law, it is likely to cost him most of what he and his wife have spent a lifetime of hard work building up. He will be forced to sell his entire dairy herd or he will be forced to mortgage his farm. Incidentally, the regulations will only let him sell his herd between the months of June and November.

What kind of government, what kind of law, what kind of regulation is it that will cause a man to give up the fruits of a lifetime of labor and will extract a small fortune from a working man with four children because he bought his cream in big cans instead of small ones? To me this is the height of bureaucratic idiocy.

In dealing with producer-handlers in the dairy industry, the Department of Agriculture, in a fit of boundless generosity, takes into consideration the fact that the producer-handler may not have the processing facilities to provide his customers with the variety of dairy products which they may want from time to time, and grants him the "privilege"—that is their word, not mine—to buy from other sources limited quantities of either skim milk or cream in packaged form. Once the law recognizes, as it does here, that the producer-handler might have a limited need to procure dairy products from outside sources, for the life of me I cannot see what difference is made by the kind and size of the container in which these products are delivered to him.

I cannot imagine a more tragic situation. I am sure it has occurred in other instances. This should stand out like a red flag for those persons who advocate further regimentation of the farmer. This is the sort of thing that could happen to anyone whose economic future is turned over to the planners in Washington.

Here is a man who contributes not one iota to the surplus of dairy products. Everything he produces, he sells at the retail level. He is not affected by price supports. He does not look to the Government for financial assistance. He would like nothing better than to be left alone. Yet along comes an interpretation of a regulation out of Washington which tells him that dairy products which he bought to retail to his customers should have come in little packages rather than in big cans and cuts a lifetime of hard work right out from under him.

This is the product of three decades of misguided effort to regulate the farm economy. I suppose that this sort of thing is to be expected of such a system as we have concocted, but I cannot read of an instance such as this without wondering how it could happen in America, the land of the free.

POTATO MARKETING QUOTA BILL

Mr. McINTIRE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and include a copy of a bill.

The SPEAKER. Is there objection to the request of the gentleman from Maine?

There was no objection.

Mr. McINTIRE. Mr. Speaker, I am today introducing to the Congress a potato marketing quota bill.

This legislation seeks to equate potato supply with potato demand through a program of managed production, without price supports. The program would be managed by an Advisory Board, and it would be administered on an across-the-Nation basis.

In operation, the Secretary of Agriculture would determine what is the normal national demand for Irish potatoes, and this volume figure would then be converted into terms of acreage and apportioned out as allotments to the various States and for individual farms.

Any farmer producing in excess of his acreage allotment would be subject to a severe penalty, this penalty being arrived at by taking the hundredweight that normally would be produced on such acres as are in excess of the acreage allotment, multiplying this by 2, and then multiplying this product by $3.

Before the program could become operative, however, it would have to be approved by a substantial majority of the potato farmers throughout the United States. It would go into effect only if approved by two-thirds of those voting or one-half of the farmers voting and representing two-thirds or more of the total acreage represented by the farmers voting in the referendum. Only those farmers raising in excess of 2 acres of potatoes would be eligible to vote in such a referendum.

This legislation represents an effort on the part of the potato industry to institute an effective method of control for potato production. Under present conditions, heavy reliance for production control is placed on the potato goal schedules established by the Department of Agriculture. Compliance with these goals is not, however, compulsory, and producer response has proved, for the most part, to be erratic.

This year, for instance, surplus potato supply has prompted demoralized price schedules across the country, and in the State of Maine for this 1961 period prices have, in relation to costs, been as low, or lower, than at any time in the history of the Maine potato industry.

These depressed prices have prompted representatives of the potato industry to meet with officials of the Department of Agriculture to devise a plan to correct the potato surplus situation, and the legislation I have introduced today is an outgrowth of this coordinated effort.

I would like to say that the State of Maine has been well represented on the advisory committee responsible for drafting this legislation, with Perrin Edmunds and Luman P. Mahany having ably served on this committee. It is also interesting to note that Maine potato growers have, in their meetings, registered considerable interest in and approval of this legislative approach. It is, then, in behalf of the potato growers of Maine that I have introduced the potato marketing quota bill.

I am hopeful that early hearings will be programed for this highly deserving legislation.

The following detailed comment deals with provisions of the bill:

POTATO MARKETING QUOTA BILL

1. This bill acts to amend the Agricultural Adjustment Act of 1938.

2. A National Potato Advisory Board or the Board administering a national marketing order would be established to manage this program, membership of which would consist of potato growers or their representatives.

3. State and area advisory committees would be set up to govern the operations of the marketing quota programs at the State levels.

4. When the supply of Irish potatoes is likely to exceed the demand for domestic consumption and export (normal supply), the Secretary of Agriculture shall, prior to January 1 of any marketing year, proclaim a national marketing quota for potatoes, and he shall, at the same time, establish the amount of such quota. The quota shall represent an amount which, when added to estimated imports and production on farms under 2 acres, would equal the supply requirement for potatoes in the marketing year.

5. The Secretary may in addition, at the time of the proclamation of a national marketing quota, announce a special marketing quota for one or more of the seasonal groups of potatoes, subject to certain restrictions. National, State, and county acreage allotments shall not be determined for such seasonal group or groups. Farmers to whom this special marketing quota is applicable shall vote in a referendum to determine (1) whether they favor such special quota and (2) whether they approve the national marketing quota in addition.

6. On February 1, following the issuance of a proclamation for a marketing quota for a given year, the Secretary shall conduct a referendum, with those producing more than 2 acres of potatoes being eligible to vote. In addition, the Secretary may also submit in the referendum the question of whether such farmers approve or disapprove a national marketing quota for the 3 marketing years beginning with the marketing year for which the quota was proclaimed.

7. A national marketing quota shall be in effect for the pertinent marketing year or years when approval is voted by two-thirds or more of the farmers voting or one-half of the farmers voting and representing two-thirds or more of the total acreage represented by the farmers voting in the referendum.

8. The national marketing quota shall be converted into a national acreage allotment by dividing the quota by the national average yield per acre of potatoes during the 2 years of highest yields of the 3 crop years immediately preceding the crop year in which the national marketing quota is proclaimed.

9. Apportionment of acreage allotments to States shall be administered by the Secretary on the basis of the acreage planted to potatoes in each State during the 2 years in which the highest acreage was planted of the 3 years immediately preceding the crop year in which the national program is proclaimed, except that in determining the 3-year period, the 1961–62 crop year in the case of early spring, late spring, and early summer seasonal groups and the 1962–63 crop year in the case of other seasonal groups shall be excluded.

10. Apportionment of acreage allotments to the counties shall be apportioned by the Secretary, through county committees, in the same manner as acreage allotments were apportioned to the State, and no allotment shall be established for farmers producing under 2 acres of potatoes.

11. A reserve will be set aside, this to accommodate farms that previously did not produce potatoes, and this reserve shall not be in excess of 1 percent of the national acreage allotment.

12. The farm marketing quota would, in effect, be the volume of potatoes that could be produced on a farm's acreage allotment, and this could be appraised by multiplying the farm acreage allotment by the normal yield per acre. Farmers working on acres over and above their acreage allotment would be producing a "farm marketing excess."

13. A penalty would be imposed for those farmers who sell potatoes from the "farm marketing excess," that which is produced on acres in excess of the farm acreage allotment. The penalty would be arrived at by taking the hundredweight that normally would be produced on such acres that are in excess of the acreage allotment, multiplying this by 2, and then multiplying this product by $3.

14. Excess acreage production shall not be penalized if (1) potatoes have been used for human food, (2) potatoes have been used for livestock feed, or if (3) the grower has made adequate effort to comply with the provisions of the program.

15. The acreage allotment or quota program may be revoked whenever the Secretary determines that its function interferes with a normal supply of potatoes.

PROGRAM FOR WEEK BEGINNING MARCH 26, 1962

Mr. ARENDS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ARENDS. Mr. Speaker, I take this time to ask the majority leader if he will kindly advise us as to the program for next week.

Mr. ALBERT. This is the program for next week:

Monday is District day. There is one bill to be taken up, H.R. 10573, to grant the American Numismatic Association perpetual succession.

On Tuesday there will be considered the Departments of Labor and Health, Education, and Welfare appropriation bill for 1963.

For Wednesday and the balance of the week there is H.R. 10650, the Revenue Act of 1962.

I make the usual reservation that conference reports may be brought up at any time, and that any further program may be announced later.

May I say further that the House has now finished the legislative business for the week.

ADJOURNMENT UNTIL MONDAY, MARCH 26, 1962

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday, next.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

CALENDAR WEDNESDAY BUSINESS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule for Wednesday, March 28, and Wednesday, April 4, may be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

POWER REVENUES FROM RECLAMATION PROJECTS

Mr. KYL. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. LANGEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. LANGEN. Mr. Speaker, I am today introducing a bill designed to give all American taxpayers a break and put a stop to certain practices in our national reclamation program that I have observed grow to questionable proportions.

Over 50 years ago the Congress allowed public power revenues to be used for purposes other than strictly power purposes. This was understandable, since power was in actuality an incidental to reclamation projects. But power is no longer incidental. In fact, the Bureau of Reclamation has become the largest marketer of hydroelectric power in the country. It is now big business. And it should be treated as big business and be forced to give a strict accounting of its activities to the stockholders, the American taxpayers.

I have detected a growing deception as I observed the activities of the House Interior Committee, of which I am a member. Reclamation project after reclamation project has been paraded before us; each in the questionable interest of developing new acres of land for agricultural purposes. Some of the crops to be grown on these new irrigated acres are the very same crops the taxpayer is now paying some areas of the country not to grow. In fact, some of the new-start reclamation projects would put new acres into production, growing the same crops that were taken out of production within the same State. The farmers who will work these new acres are not expected to be able to pay the costs. They could not. So the American taxpayer actually subsidizes most of the operation, although it is not called a subsidy as such. The deceptive feature of these reclamation projects is in the sections attempting to designate so-called surplus power revenues from nearby power projects. This practice has grown to such proportions that we now note proposals to use these power revenues for irrigation projects hundreds of miles from the power project itself; indeed, completely outside the power project's service area. This is a direct subsidy in its boldest form and it is time the taxpayers were told about it. In fact, it is time the taxpayer starts to reap this windfall of public power profits. As the situation now exists, this Government pays millions of dollars to take land out of production and then turns around and pays millions more to put unneeded acres into new production.

My bill would earmark those public power profits. It would return those profits to the owner of this big business, the public. This is hardly a new theory, even though we seem to have forgotten the principles involved. Two Senators, both leading Democrats, and both ardent

reclamation supporters, recognized the growing problem back in 1938. The Hayden-O'Mahoney amendment set aside net revenues derived from the sale of power and had such revenues transferred to the General Treasury as "miscellaneous receipts." Senators HAYDEN and O'MAHONEY recognized that public power projects belonged to the taxpayers and believed all taxpayers should benefit from the profits.

My bill progresses an additional step from the Hayden-O'Mahoney amendment. I propose that these public power revenues be used exclusively for the reduction of the public debt.

On February 20 of this year we were reminded that deficit spending had reached the point where it was necessary to again enlarge the national debt by $3 billion. We are expected to face an additional increase in the near future. If we in the Congress are to express any kind of fiscal responsibility, here is an area in which we have a real opportunity to practice prudence with the taxpayer's dollar. These public power profits would not only work to reduce the public debt, but might effect further saving of tax moneys when questionable reclamation projects are forced to stand on their own merit without under-the-table help from the taxpayer-owned hydroelectric power sources.

My bill is as follows:

A BILL TO PROVIDE FOR THE APPLICATION OF POWER REVENUES FROM RECLAMATION PROJECTS TO THE REDUCTION OF THE PUBLIC DEBT

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the revenues derived from the sale of power developed in connection with any project, heretofore or hereafter constructed by the Secretary of the Interior pursuant to the Federal reclamation laws as defined in the act of August 4, 1939 (53 Stat. 1187), shall be used only for the repayment of the costs of such projects until such costs shall have been repaid; and after such costs shall have been repaid, such revenues, after the close of each fiscal year, shall be transferred to and covered into the General Treasury as "miscellaneous receipts" and shall be applied only for the reduction of the public debt of the United States.

FORTY-FOURTH ANNIVERSARY OF THE DECLARATION OF INDEPENDENCE OF BYELORUSSIA

Mr. KYL. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. DERWINSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, I call to the attention of the House the 44th anniversary of the Declaration of Independence of Byelorussia on March 25. The people of this Communist-dominated land are victims of Soviet colonialism and constitute, as do the other peoples of Eastern Europe, a continual source of irritation to their Red rulers who keep them under subjugation by force of arms.

It is customary in these days for individual Members of Congress to address the House, calling the attention of the Members to the great history or traditions of a given nation or its people. I wish to depart from this normal procedure at this point to insert into the RECORD with my remarks excerpts from a letter I have received from the Byelorussian-American Youth Organization in the State of Illinois, which effectively dramatizes a current situation that deserves our attention. I quote in part from this letter:

The Americans of Byelorussian descent, whose kinsmen are still kept in bondage in their homeland occupied by Soviet Russia, believe that it is our duty not only to revive and demonstrate the hope for freedom which our kinsmen still cherish in their occupied homeland, but also to constantly:

1. Remind our American people in general and our local, State, and National Governments in particular that the Byelorussian nation is still subjected to brutality by Communist Russia, to ruthless suppression of its freedom, liquidation of its national independence, destruction of its culture and religion, the genocidal policies practiced against its people with untold losses of human lives and severance of all contacts with the free world.

2. Inform our American leaders and the public that despite Russia's attempts to eradicate all Byelorussian traditions and national traits, the Byelorussian people were never willing to forgo and forget their distinct national identity, their language and their history of struggle, and that they have always wanted to regain their freedom and national independence.

3. Appeal to our American leaders to declare their sympathy for the people of Byelorussia and pledge themselves to constantly remind the people of the world, including Russian Communists, that the American people have not forgotten and shall not forget the efforts of the Byelorussian people to gain their rightful place among the free nations of the world.

We also wish to bring to your attention at this time the fact that the American citizens of Byelorussian descent have been greatly disturbed and terrified by the increased inflow of the Communist propaganda in the Byelorussian language not only in the form of printed matter but also by means of radio broadcasts to this continent recently. The newsletter is called the Voice of Homeland and is aimed at every Byelorussian immigrant in the free world. Its purpose is twofold: To lure the Byelorussian immigrants in the free world by deceitful methods to return to their Communist-occupied homeland and to smear the Byelorussian leaders in the free world so that they would lose support of their kinsmen abroad. As stated below the title of the newsletter, it is published by the Byelorussian section of the Committee for the Return to Homeland and the Development of Cultural Ties Among Byelorussian Kinsmen Abroad. It has been published for the eighth consecutive year upon approval by the Communist Party of the Soviet Union and is a weekly publication, consisting of four pages of the finest grade paper.

We are enclosing copies here, one showing the title of the Byelorussian language newsletter and another, which appears on the last page of this same paper, being always page 4, showing time of broadcasts and other information pertinent thereto to Western Europe and the United States and Canada with those in the Byelorussian language circled in red by the undersigned along with our translation of broadcast information from Byelorussian into English. We would greatly appreciate your action along this line either to completely stop the inflow of Communist propaganda to this country in the Byelorussian language or demand that the Russians allow free flow of publications in the Byelorussian language to Byelorussian Soviet Socialist Republic from the free world.

Also, we wish to request you to make your inquiries as to the possibility of initiating at the present time Byelorussian language broadcasts over the networks of the Voice of America to counter the Communist propaganda broadcasts directed to the United States and Canada in the Byelorussian language to a small number of Byelorussian immigrants here.

Being of Byelorussian descent, we are deeply concerned because of omission of the Byelorussian language by the Voice of America administration in the past. Inquiries made of the Voice of America administration directly by the Byelorussian-American organizations and by various lawmakers on behalf of Byelorussian language in recent years indicate its omission has been justified only by lack of funds. It is interesting to note, however, that there are sufficient funds for broadcasts to the Soviet Union in the languages of nationalities much smaller than Byelorussians, as, for example, Georgian (spoken by 2.5 million people), Armenian (spoken by 3 million), and the languages of the Baltic Republics of Estonia, Latvia, and Lithuania.

Since the Byelorussian language, which is spoken, according to Soviet official statistics, by 8 million people is still being disregarded by our Government as perhaps unimportant it cannot but lead the Byelorussian-American community to believe that our Government is still opposed to application of the principle of self-determination to Byelorussians, when at the same time this principle is upheld by the U.S. Government and guides its foreign policy.

Mr. Speaker, the proper way for us to commemorate historical anniversaries of nations such as Byelorussia is to reaffirm our determination to develop an effective foreign policy that will ultimately provide the freedom that these people desire and to which they are entitled.

THE 44TH ANNIVERSARY OF THE INDEPENDENCE OF THE BYELORUSSIAN DEMOCRATIC REPUBLIC

Mr. FEIGHAN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. FEIGHAN. Mr. Speaker, March 25 will commemorate the 44th anniversary of the Independence of the Byelorussian Democratic Republic. With the breakup of the Russian Empire in 1918, that great nation "of the marshes" which stopped the westward movement of Genghis Kahn, Byelorussia established its own national government, having won its freedom and independence from the despots of Moscow. Unfortunately, that era of independence was short lived because, by trickery, deceit, and the might of the Red Army, the tyrants of the new colonialism, of Russian imperialism, deprived them of their rewon independence. It is significant that Stalin, recognizing the strong nationalistic spirit of the Byelorussian people, insisted that Byelorussia be given membership in the United Nations. We know that such membership is just a

sham because the Russian-imposed puppets are in control of Byelorussia, backed up by the might of the Russian Army. During World War II, by the terms of the Atlantic Charter and other agreements entered into by the Allied Powers, all nations large and small, were to be given the right of national self-determination.

It is most unfortunate that the victorious governments did not insist that the Russians live up to their commitments.

It is incumbent upon the United States and the other free nations of the world to insist that the Russians live up to their agreements and permit all submerged nations to exercise their right of self-determination by free and unfettered elections under the supervision of the United Nations. The United States, upon whom the mantle of world leadership has been placed, should take the lead in this insistence. The United States has advocated a policy of Africa for the Africans. It should also adopt a policy of Russia for the Russians. By standing firm on this policy of Russia for the Russians, the Russian Empire would be dismantled as is proper and right and all nations submerged by the Moscow tyrants would then be able to emerge as free and independent nations and take their rightful place in the family of nations of the world.

I strongly urge President Kennedy to insist that the agenda of the United Nations specifically take up the issue of the right of self-determination for all nations submerged by the new colonialism of Russian imperialism.

COMMITTEE ON BANKING AND CURRENCY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on Banking and Currency may have until midnight Saturday to file a report on the bill H.R. 10162.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

MENTAL RETARDATION

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Rhode Island [Mr. FOGARTY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. FOGARTY. Mr. Speaker, just a few years ago, mental retardation was something one didn't talk about. Parents who had a mentally retarded child were ashamed to mention it. There was practically no research on the various forms of mental deficiency and an almost complete lack of training programs.

In 1955, I was asked to address a small organization in Rhode Island composed of the parents of mentally retarded children. On that occasion, I learned that there were five million mental defectives in this country, and that 300 were born each and every day to American mothers.

We have come a long way since that time. Currently, we are spending approximately $25 million at the Federal level in the field of mental deficiency. Research aided by the Public Health Service has already developed corrective treatment for several types of mental deficiency previously regarded as hopeless. We now have a 10-year program for the training of teachers of the mentally retarded. We have aided also in the establishment of diagnostic clinics for evaluation of the mentally retarded and it is most heartening to note that there are 80 of these clinics today, whereas there were none less than a decade ago.

The States have moved even more rapidly than the Federal Government in this area. Forty-eight States now have legislation providing for special classes for the mentally retarded in the public schools—double the number of State programs which existed only a decade ago. In 1950, no State had passed legislation requiring local school districts to provide for the trainable mentally retarded—those who were not capable of receiving formal education but who could be trained for a special vocation. Today, more than 20 States provide such training for these children.

I cannot emphasize too strongly the point that none of these efforts would have come to fruition without a strong citizens' movement. In 1950, when the National Association for Retarded Children held its organization meeting, there were 40 parents of retarded children present. Today, there are more than 50,000 members of this organization in 1,000 local associations in every State in the country.

We have not licked the problem of mental retardation. We have just made a beginning.

I am therefore delighted that President Kennedy is devoting so much leadership to this area of mental retardation.

On October 11 of last year, President Kennedy appointed a President's Panel on Mental Retardation to map an all-out attack on the problems of mental retardation. In the statement appointing the Panel, President Kennedy noted that there are 5 million mentally retarded persons in the United States and that the number was expected to rise to 6 million by 1970.

Mental retardation disables 10 times as many as diabetes, 20 times as many as tuberculosis, 25 times as many as muscular dystrophy, and 600 times as many as infantile paralysis—

President Kennedy told the Nation.

Setting as an ultimate scientific goal the prevention of retardation, President Kennedy noted that "we as a nation have far too long postponed an intensive search for solutions to the problems of the mentally retarded. That failure should be corrected."

The Chairman of the President's Panel on Mental Retardation is Dr. Leonard W. Mayo, who is executive director of the Association for the Aid of Crippled Children. Named as special consultant to the Panel was Mrs. Eunice Kennedy Shriver.

The appointment of Mrs. Shriver to this Panel was most appropriate. She has worked in this area for a number of years and many of us remember her excellent services to the White House Conference on Children and Youth.

She has also worked with her husband in developing the magnificent program of the Joseph P. Kennedy, Jr., Foundation in the field of mental retardation. When the President's father was setting up this foundation in memory of his oldest son who was killed in the European theater during World War II, he conferred with Cardinal Cushing of Boston on the greatest needs in the health and welfare field. Cardinal Cushing had been interested for many years in the problems of children and youth and mental retardation in children was his major concern in the medical field. He advised the President's father that no foundation existed to support research in mental retardation and very little money was available for treatment and care.

The Kennedys—father, sons, and daughters—embraced the idea in memory of Joe, Jr., and the foundation that bears his name has already given about $15 million to some 75 institutions around the Nation for work in the field of mental retardation.

On March 5, 1962, Mrs. Shriver gave a magnificent address on mental retardation to the National Leadership Conference on Action for Mental Health here in Washington. I insert the text into the CONGRESSIONAL RECORD because it is a beautiful exposition of the enormous challenges facing the Nation in the coming years in the conquest of mental retardation:

REMARKS BY EUNICE SHRIVER BEFORE THE NATIONAL ASSOCIATION FOR MENTAL HEALTH, MARCH 5, 1962, STATLER HILTON HOTEL, WASHINGTON, D.C.

Two weeks ago, all Americans were thrilled when Col. John Glenn, Jr., successfully completed his orbital flight. Last week, we were thrilled again when he made his memorable speech to Congress.

From that speech, many will remember Colonel Glenn's quotation from Caroline:

"Where's the monkey?"

But in this era of the bomb shelter and the bomb test, too few, I fear, will recall his eloquent affirmation of faith in the future.

Remember how he said it?

"We're just probing the surface of the greatest advance in man's knowledge of his surroundings that ever has been made * * * we are now on the verge of a new era."

Today, before this distinguished audience, we might paraphrase his words by saying, "in mental retardation research we are just probing the surface of the greatest advance in man's knowledge of himself as a living organism. We, too, are on the verge of a new era."

These possibilities opened with the great discoveries by Kornberg and Ochoa, Watson and Crick, Sanger and, most recently here in Washington, D.C., with the relevations of Marshall Nirenberg at the National Institutes of Health. What $E=MC^2$ meant to physics 35 years ago, the synthesis of DNA and RNA means to the life sciences today.

For the first time in history via the techniques of the biochemist, the molecular biologist, the neurologist and the geneticist, we are on the threshold of discoveries that may truly reveal the life processes themselves. It's no surprise that a Nobel Prize

winning physicist, Dr. Harold Glaser, has deserted physics for biology. It's no overstatement to say that the biological sciences are opening up vistas of knowledge as intricate, detailed, unknown and exciting as those in outer space. And in this process, science is revolutionizing our understanding of mental retardation, its causation and its cure.

This fact is of immense importance.

It means: First, that we now have overwhelming scientific justification for concentrating time, money and people on the biological and medical causes of mental retardation in addition to the psychiatric, educational and psychological.

Second, it means that the most common single cause of mental retardation, Mongolism, may be preventable. Ten to twenty percent of all admissions to public institutions for the retarded are Mongols.

Third, it means that the specific causes of many other diseases which produce mental retardation may soon be isolated.

And, fourth, that from such discoveries we may find hidden biological factors which have silently and mysteriously prevented thousands, even millions, of people from achieving their full intellectual development.

Thus, out of the biological sciences and medical arts may well come part of the explanation and the treatment for the familial defective.

These are facts of immense importance—not only for mental retardation—but for all of medicine. Discoveries in mental retardation research can have enormous application to other fields. We already have specific evidence that this is true. The discovery of chromosomal defects in Mongolism has led to the knowledge that cancer cells are similarly affected. This is only the beginning of the insights which research on mental retardation will bring to all of medicine.

To understand the significance of these new scientific advances for mental retardation it is necessary, I believe, to distinguish between mental retardation and mental illness.

Heretofore many people, even many experts, confused mental retardation with mental illness. Even in a speech to this well-informed audience, it may be helpful to explain that mental retardation refers to intellectual inadequacy resulting from inherited or constitutional characteristics, or from injury or damage to the central nervous system in prenatal or postnatal development. The term implies incapacity to learn, not simply lack of education. It is different from the psychopath who suffers from inability to adjust as a result of moral as opposed to intellectual incapacity. Retardation differs also from mental illness in which the individual has demonstrated adequate intellect, but is unable to perform because of motivational or emotional disturbance.

Mental retardation encompasses a wide range of conditions which differ greatly in respect to cause, severity and quality of intellectual defect. It is a pragmatic term. It means that individuals with intellectual inadequacy need special programs of treatment, education, rehabilitation and management. And the field itself needs research, basic and applied.

The President understood these facts, both scientific and social, when he established his national committee to undertake a comprehensive and coordinated attack on the problem of mental retardation. He saw the opportunity to apply the newest advances of science to the current problems of life. He seized this unique chance to help all Americans affected by the burden of retardation.

In the United States today that means the 5½ million persons who are mentally retarded. By 1970 the figure will be at least 6½ million. In our public institutions alone there are more than 130,000 mentally retarded persons. Their care costs more than $300 million a year in State taxes. Mental retardation is the principal cause of disability among all Americans 21 to 35 receiving help under the Federal program for aid to the permanent and totally disabled.

The very existence of every one of these mentally retarded people casts a heavy burden on both family and friends. Mental retardation thus becomes an important personal problem to 1 out of every 12 Americans.

It afflicts 5 times as many people as epilepsy, 10 times as many as diabetes, 20 times as many as tuberculosis, 25 times as many as muscular dystrophy, and 600 times as many as polio.

Yet less than 10 years ago the problem was being virtually ignored. Not a single department of health in any State offered special services, before 1954, to mentally retarded children and their families. By 1956 there were only four special programs.

Only one scientist in the National Institute of Mental Health, as recently as 1955, was engaged in research of the problems of mental retardation.

The first Federal funds for a specific research program in the education of the mentally retarded were appropriated in 1957. Until 1960 the Federal Government did nothing to train teachers to take care of retarded children.

Only 3 or 4 foundations out of 15,000 bothered with the problems of the retarded.

The story of neglect by Government was matched by indifference in the scientific community. In 1956 research on cancer and on the heart was being conducted in every leading university and every medical school in the United States. But few were doing any research at all on mental retardation, and none had a comprehensive program.

Not often in our national history have we suffered from such a tragic paradox. The need was profound, urgent, overwhelming. The response was timid, tentative, tiny. It almost seemed as if the very size and importance of the problem became an excuse for evasion and an apology for inaction. If this philosophy had dominated American thinking in other areas of our national life, we would not now be the chief defender of the world's endangered freedom. It is high time that we regarded the vast problem of mental retardation as an incentive to action, a spur to achievement, and not as an invitation to retreat before the difficulties that face us.

A shadow once rested on the study of tuberculosis or venereal disease. The pioneers and prophets of psychiatry can still remember their lonely martyrdom. Now it is mental retardation that must disarm popular prejudice, enlist scientific support, and win the victories that will open new perspectives of hope for the disabled and the afflicted.

It is easy to recall examples of antagonism between those working on the problems of retardation and those devoted to psychiatry. But it is more instructive and rewarding today for us to concentrate on the hopes of future cooperation than to dwell on the sour memories of old grievances. We believe that there is work for all and need for all; that the psychologist and the psychiatrist must join hands in the common endeavor; and we trust that this overture to unity and cooperation will receive a generous and enduring response. The response must be direct and specific, not tangential and vague.

First of all, there must be a change of attitude toward mental retardation. The spirit of hopelessness must be replaced with a new optimism based on the challenging new knowledge now available. Smart young scientists must be shown that the new breakthroughs are coming here—on this earth—inside human cells. If "space is a new ocean on which we must sail," the human mind is a whole universe whose depths no one has yet sounded.

Second, there must be equal acceptance of responsibility for the retarded by all segments of society. Today 98 percent of the public responsibility for the retarded rests with State governments. The Federal Government has done little. Before 1954-55 it was doing practically nothing. Business and industry (with a few notable exceptions) still see no relevance of the retarded or even of the uneducated, to their problems. Foundations have largely ignored the retarded, also.

All this must change. As a starter I suggest that each State should try to double its investment in the retarded, and that the Federal Government, private foundations, and business and industry should match this expanded effort by the States.

Third, it is interesting to recall that the report of the Joint Commission on Mental Illness and Health endorsed more basic research as its primary recommendation. No one can be against basic research. We endorse it and hope that large percentages of all money available for mental retardation will go into basic research.

There can be too much vague comfort, however, in the promise of new knowledge, too much soothing of conscience for inaction now. There must be some arrangement by which money for research can be received only when some proportion of present knowledge is put to effective use. I don't know what that arrangement is, but I am impatient with our failure to do the best we can with what we already know.

We know that some kinds of mental retardation can be prevented, using present knowledge and available techniques—phenylketonuria, for example.

Although this disorder accounts for a small percentage of the total number of the retarded, there are two compelling reasons why we must institute uniform procedures for its early detection: First, saving only a few people from a life marred by mental subnormality is worth much more in dollars alone than the effort and the cost; second, we must train people to realize that mental retardation can sometimes be prevented in order to gain ready acceptance and application of discoveries that will be forthcoming.

The application of existing knowledge will require more people. If research produces new breakthroughs, the need for qualified personnel will increase precipitously.

Faced with these facts, our first responsibility is to discover ways of multiplying the effectiveness of highly trained and expensive specialists in the traditional disciplines concerned with mental retardation. The 1-to-1 relationship that characterized much of contemporary pediatrics, psychiatry, clinical psychology, and social work is a luxury we cannot afford. When needed professional services are limited largely to members of the urban, educated, middle class, often with the additional requirement that they can afford to pay a substantial fee, the system for the use of personnel is clearly outmoded. There is little justification for the use of general tax funds to train professional people for such limited service. It seems to me that professional associations, particularly, have a responsibility for remedying this maldistribution of services.

The need is urgent because we are actually losing ground. Population growth and increasing numbers of mentally retarded will overwhelm all the trained people. We must invent new professions and new kinds of aids for professional people.

For example, the Educateur of France and other European countries, is a professional group unknown in America. But in European countries this group plays a central role in programs for children. We need people like them.

We need, as another example, technicians to give blood and urinary tests to expectant mothers in a concentrated effort to prevent premature delivery, a problem which I mentioned earlier.

To accomplish this and to fill all the other jobs, we must harness the energies of thousands of Americans on a volunteer basis. Otherwise, we'll never be able to do what's needed. There's not enough money or highly trained personnel. And there never will be. A national program for voluntary service could solve this problem. The Red Cross, the Gray Ladies, the Junior Leagues could combine to train young women for this volunteer work. With a shorter workweek even men could find time to serve. Bowling, bridge, TV, and golf should not consume all the leisure time of intelligent, socially conscious Americans.

Another 5 percent of our expenditures for the care of the retarded should be invested to develop training programs such as these.

Finally, I should like to note that mental retardation does not recognize national boundaries. People of other countries—Sweden, Denmark, Holland, Great Britain, France—often with resources far less than ours, have done in some instances a far better job than we have. We should expose ourselves to the best of what is being done elsewhere, and resolve not to be surpassed. At the same time, we should make available to people everywhere any new understandings that we are able to achieve.

We need to look beyond our own borders for guidance and inspiration. At the President's initiative, we have already brought a distinguished Japanese authority on mental retardation to this country. The President's Committee intends to bring experts from other countries to the United States. And we also intend to send our doctors and scientists to France, Denmark, Holland, Belgium, England, Australia, and possibly to Russia. For we have much to learn, in the great tradition of scientific inquiry, from other lands. Holland and Belgium have more effective methods than ours for keeping children out of institutions and in the communities where their parents can care for them. Russia has developed an important program for giving special attention to the problems of the low-grade defective. Its system of care and education deserves the respect and study of our scientists. Sweden, Norway, Denmark, and Holland all have useful lessons for us in providing communal programs that return the mentally retarded to useful lives in the community with a minimum amount of supervision and care.

A few weeks ago the NARC brought two small sisters to see the President. One of them, Sheila McGrath, had phenylketonuria. She was retarded. The other, Kammy McGrath, did not have the disease. She was normal—because her doctors had changed her diet when she was just a few days old.

The President said then, and he repeated the other day, that it was most satisfying for him to see how the life of this one child had been completely changed by these new medical discoveries.

Ten years ago, it was most unusual for anyone to discuss this problem in terms of hope. There was a general belief that mental retardation had to be accepted in a spirit of weary fatalism. But this attitude is no longer justified. The years of indifference and neglect, the years of callous cynicism and entrenched prejudice, are drawing to a close. The years of research and experiment, the years of faithful study and sustained advance, are upon us now with all their promise and challenge.

The tasks before us are great, and our work will not be done without difficulty and discouragement. But at least we have resolved to make a brave beginning, in unity and in hope, and to carry forward our campaign against mental retardation, no matter what the disappointments may be, until our work has brought new light into many lives now darkened and in misery.

We ask your help in this great endeavor. "Let us go forward together in all parts of this land. There is not a week nor a day nor an hour to be lost."

RURAL DEVELOPMENT

The SPEAKER. Under previous order of the House, the gentleman from West Virginia [Mr. STAGGERS] is recognized for 5 minutes.

Mr. STAGGERS. Mr. Speaker, lately we have been hearing a great deal about rural development, rural renewal and other approaches to the very serious economic problems of the Nation's rural areas. These discussions are valuable. They serve to focus the attention of Americans everywhere on the forgotten people who dwell on the small, marginal farms, in the declining small towns and rural areas hard hit by problems they did not cause and cannot do much about without some outside help.

We in West Virginia are well aware of this problem. Folks in some of the communities I represent are often hard pressed to find work either on farms or in the few local rural industries. For this reason I support wholeheartedly the administration in its heroic efforts to get more opportunities out into rural America.

In the race to develop dramatic new programs that will put rural America back in business, however, we should not ignore some of the rural development agencies that have been in the field for many years, and are doing a sound and solid job of helping small farmers and other rural people. A remarkable record has been chalked up by the Department of Agriculture's Farmers Home Administration not only in my own district and West Virginia, but in farming areas all over the Nation.

The Farmers Home Administration makes loans to family farmers for the purpose of helping them become successful farm operators. Of particular importance, the agency assists those families most in need of credit. Families on small farms who need additional resources, including land, to do a better job. Young farmers who cannot secure the large amounts of capital they must have for successful farming. Farmers who have to undertake major adjustments to keep up with the competition in agriculture today. Farmers who have suffered major loss due to a catastrophe of some sort, a drought or flood.

A notable feature of the Farmers Home Administration credit program is what the agency's officials call supervised credit. Farm families receiving a loan also have available farming experts who help them make the best use of land, labor, and other resources. These Farmers Home Administration county supervisors serve every farming county in the United States. There are 20 in West Virginia. County supervisors in my district are: Robert L. McKown, Martinsburg; James D. Junkins, Petersburg; Donald A. Robey, Romney; Clyde E. Snyder, Kingwood, and John D. Jones, Elkins. You would be hard pressed to find a harder working, more dedicated group of Federal workers anywhere.

In addition to its on-farm credit programs, Farmers Home Administration has an impressive record of supplying funds for the improvement of rural community facilities. This is a facet of the agency's work that receives too little publicity. How many of us realize that Farmers Home Administration is already in the field, with rural renewal programs of first-rate importance? Very briefly these include a housing loan program that is building new homes and remodeling old ones all over rural America, and credit to help conserve soil and water resources on farms, to finance water systems for farming and other rural communities, to pay construction and other costs in small watershed projects.

Plainly the dynamic programs of the Farmers Home Administration add up to rural development and rural renewal. These programs are helping reverse the trend of economic deterioration in many communities. They are putting farm communities back on the road to economic growth and improved opportunities for their people.

I bear witness that the Farmers Home Administration program in West Virginia is indeed helping improve opportunities for farming people. I receive many favorable reports about the agency firsthand from my friends and neighbors. I have visited a number of farm families utilizing the agency's credit program, and have seen what they are able to accomplish with supervised credit. Recently, I asked A. James Manchin, State director of the Farmers Home Administration, to give me some figures on his program.

All types of Farmers Home Administration loans

Amount loaned since inception of program to Jan. 1, 1962	$30,498,688
Amount due and collected (principal and interest) to Jan. 1, 1962	$19,439,147
Amount written off to June 30, 1961	$137,671
Percent of writeoff in relation to amount loaned	0.4

Only six State offices in the entire Nation have a lower percent of delinquency in operating loans, only nine in farm ownership loans, and only two in rural housing loans.

While the overall increase in loans for Farmers Home Administration in West Virginia from July 1, 1961, through January 15, 1962, is 99 percent, it is important to note that the increase in rural housing loans has been 283 percent. It is clear by this increase that the Farmers Home Administration is meeting a need of our rural people which has not had full consideration in the past.

Now behind each of these cold statistics stand flesh and blood human beings, families on small farms in West Virginia, folks out in isolated rural areas needing homes for themselves and their children. The measure of the Farmers Home Administration is not to be found in its balance sheets and credit and collections statements, but in the many thousands of families put on the road to a better, more successful existence. The agency deals in the success and

progress of families. Its loans are just a means to this end.

The record made by Farmers Home Administration in West Virginia can be matched throughout most of rural America. Between July 1, 1961, and January 31, 1962, a total of $354,580,000 was loaned for all purposes; this is approximately a 70 percent increase over the same period last fiscal year. We need not look far to find the reason for this remarkable increase in lending by the agency.

The need has always been there. In the past decade farm families, particularly those on small units, have been squeezed by falling prices on the one hand and rising costs on the other. Their margin of profit has fallen sharply or been wiped out altogether. To stay competitive, they simply must have credit to finance improvements. For many of them no longer have a reserve for this purpose.

Now with the new administration, Farmers Home Administration has a group of officers who understand fully this need for assistance among family farmers—and are trying their best to provide some assistance. This willingness to help on the part of Farmers Home Administration, this compassionate awareness, is the new element in the credit situation. Applications for initial loans received by the agency this fiscal year are running nearly 70 percent above the figure for a similar period last year. Farm families are once again turning to the agency, aware that it is again in the active lending business.

I hope and trust that all my colleagues will familiarize themselves with the record of the Farmers Home Administration. I hope further that they will give such outstanding agricultural leaders as Secretary Freeman, Howard Bertsch, National Administrator of the Farmers Home Administration, and our own Jim Manchin in West Virginia every possible measure of support in their dynamic program of renewal—renewal of the agency's mission, renewal of hope and opportunity for thousands of our farm and other rural families.

BILL TO ESTABLISH A CABINET POST FOR VETERANS' AFFAIRS

The SPEAKER. Under previous order of the House, the gentleman from New York [Mr. HALPERN] is recognized for 10 minutes.

Mr. HALPERN. Mr. Speaker, I believe there are few of us in this country who during these most recent several decades of stress—which in the past 45 years have included two major wars, the Korean conflict and the postwar years of the cold war—are not aware of the magnitude and importance to which the Veterans' Administration has grown.

When we are required because of international tension and the uncertainty of the times, to recruit as well as conscript, a large standing military force, we are automatically doing a second thing as well. We are increasing our veterans population as well. It is as certain as spring following winter. A youth in the Army, Navy, or Air Force today becomes the veteran of tomorrow. And it appears, as the need for us to take adequate military measures in order to guarantee the protection of our precious liberties continue, that this growing veteran population will continue to grow for years to come.

It is in this regard that I propose legislation which will establish a Cabinet post for veterans' affairs. I feel it is high time that suitable recognition be given in high government echelons to the millions of veterans of the Armed Forces of the United States, who, together with their immediate families, constitute nearly half the Nation's population.

The bill would transfer all activities of the Veterans' Administration, which happens to be the largest independent executive agency in the country, into the new Cabinet-level Department. This Department would also assume all veterans' functions handled by other Government agencies.

A Department of Veterans' Affairs would put the operation of the Veterans' Administration on a broader horizon and in closer touch with existing departments which unquestionably would prove mutually advantageous to all concerned, especially to all those the Veterans' Administration serves, and, above all, to the American people.

As you no doubt already know, Mr. Speaker, as I know by virtue of my membership in the House Veterans' Affairs Committee, the Veterans' Administration's programs affect virtually every segment of the Nation's population and are inextricably related to the economy and welfare of the United States.

To bring these facts into focus, allow me to outline some of the wide variety of functions of the Veterans' Administration.

Only the Department of Defense and the Post Office Department have more employees than the Veterans' Administration's 173,000, and the agency is responsible for administering some 300 laws through 279 field stations in every State of the Union, Puerto Rico, the Canal Zone, and the Republic of the Philippines.

Its budget of $5.3 billion in fiscal 1962 was surpassed only by the Departments of Defense, Agriculture, and Treasury and ranks among the top three only because it has to pay interest on the national debt.

In terms of monetary outlay, it not only vastly surpasses most of the Cabinet departments, but its budget is larger than every one of the 32 independent agencies in the executive branch.

The agency is responsible for servicing the benefit needs of more than 22,326,000 living veterans, and, in addition, provides service to eligible dependents of veterans.

The Department of Medicine and Surgery of the agency operates the largest single medical program in the United States. Last year it provided 42 million days of hospital care, costing about $780 million, to 648,000 veterans.

Its chain of 170 hospitals is the world's largest. Veterans' Administration researchers are engaged in over 6,600 individual medical research projects.

Three out of every seven men and women who receive medical degrees in the United States each year receive training in Veterans' Administration hospitals, as well as 1 out of every 10 who train as professional nurses.

The in-force life insurance administered by the Veterans' Administration represents about one-fifth of all ordinary insurance in force in the United States. There are 6 million life insurance policies with a face value of $41 billion handled by the agency.

The Veterans' Administration has underwritten nearly 6 million home, business and farm loans amounting to more than $27 billion. It is estimated the outstanding indebtedness on GI home loans is equal to about 25 percent of the total outstanding residential mortgage debt in the United States.

The agency's payment of disability and death compensation to more than 4 million veterans and dependents exceeds the total budgets for 8 of the 10 departments now represented in the Cabinet.

The Veterans' Administration, the Nation's "godfather," operates the largest guardianship program in the United States, taking care of the estates of nearly 400,000 children and incompetent beneficiaries.

These are only some of the vast functions of the Veterans' Adiministration. It is obvious to me from this ubiquitous activity that the agency's role is not sufficiently emphasized in its present organizational status.

The magnitude of its administrative functions, the scope of its interest, as well as the proper recognition to America's fighting men and women and their families fully justify the establishment of a Cabinet post on veterans' affairs.

Mr. Speaker, it would be in line with all reasonable and logical thinking that a mammoth agency of this kind and importance, should be represented by a member of the President's Cabinet.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. STAGGERS, for 5 minutes, today.

Mr. HALPERN (at the request of Mr. KYL), for 10 minutes, on Thursday, March 22.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. FENTON and to include a letter.

Mr. GATHINGS and to include extraneous matter.

Mr. MONTOYA.

Mr. ROOSEVELT.

Mr. BOLAND.

(The following Members (at the request of Mr. KYL) and to include extraneous matter:)

Mr. HOSMER.

Mrs. MAY.

Mr. MCDONOUGH.

(The following Members (at the request of Mr. ALBERT) and to include extraneous matter:)

Mr. MULTER in two instances.

Mr. CELLER.

Mr. FARBSTEIN.

Mr. CHELF.

Mr. MORRIS.

BILL PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, a bill of the House of the following title:

H.R. 641. An act to provide for the free entry of an intermediate lens beta-ray spectrometer for the use of Tulane University, New Orleans, La., and to amend section 165 of the Internal Revenue Code of 1954 with respect to treatment of casualty losses in areas designated by the President as disaster areas.

ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 33 minutes p.m.), under its previous order, the House adjourned until Monday, March 26, 1962, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1844. A letter from the chief scout executive, Boy Scouts of America, transmitting the 62d Annual Report of the Boy Scouts of America for 1961, pursuant to a Federal charter granted by Congress (H. Doc. No. 369); to the Committee on Education and Labor and ordered to be printed with illustrations.

1845. A letter from the Secretary of the Army, transmitting a draft of a proposed bill entitled "A bill to amend the act providing for the economic and social development in the Ryukyu Islands"; to the Committee on Armed Services.

1846. A letter from the Acting Director, Office of Emergency Planning, Executive Office of the President, transmitting a report on borrowing authority for December 31, 1961, pursuant to the Defense Production Act, as amended; to the Committee on Banking and Currency.

1847. A letter from the Comptroller General of the United States, transmitting a report on the review of programing and procurement of selected operational equipment and communication services and the utilization of certain technical personnel by the Department of the Air Force in the semi-automatic ground environment (SAGE) system; to the Committee on Government Operations.

1848. A letter from the Comptroller General of the United States, transmitting a report on the review of policies and procedures for controlling and sharing the costs of slum clearance and urban renewal projects, Urban Renewal Administration (URA), Housing and Home Finance Agency (HHFA), June 1961; to the Committee on Government Operations.

1849. A letter from the Administrator, Housing and Home Finance Agency, transmitting the annual report of tort claims paid within the Housing and Home Finance Agency and its constituents for the calendar year 1961, pursuant to Public Law 601, 79th Congress; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. COOLEY: Committee on Agriculture. H.R. 8050. A bill to amend the act relating to the importation of adult honeybees; without amendment (Rept. No. 1477). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAWSON: Committee on Government Operations. Twelfth report on Cuba's expropriation of U.S.-owned nickel plant at Nicaro, Cuba (Rept. No. 1478). Referred to the Committee of the Whole House on the State of the Union.

Mr. RUTHERFORD: Committee on Interior and Insular Affairs. H.R. 10098. A bill to authorize the exchange of certain lands at Antietam National Battlefield site; without amendment (Rept. No. 1479). Referred to the Committee of the Whole House on the State of the Union.

Mr. RUTHERFORD: Committee on Interior and Insular Affairs. H.R. 9805. A bill to change the name of Whitman National Monument to Whitman Mission National Historic Site; without amendment (Rept. No. 1480). Referred to the House Calendar.

Mr. DELANEY: Committee on Rules. House Resolution 575. Resolution for consideration of H.R. 4441, a bill to authorize the appropriation of $3,063,500 as an ex gratia payment to the city of New York to assist in defraying the extraordinary and unprecedented expenses incurred during the 15th General Assembly of the United Nations; without amendment (Rept. No. 1482). Referred to the House Calendar.

Mr. O'NEILL: Committee on Rules. House Resolution 576. Resolution for consideration of H.R. 10650, a bill to amend the Internal Revenue Code of 1954 to provide a credit for investment in certain depreciable property, to eliminate certain defects and inequities, and for other purposes; without amendment (Rept. No. 1483). Referred to the House Calendar.

Mr. SPENCE: Committee on Banking and Currency. H.R. 10162. A bill to amend the Bretton Woods Agreements Act to authorize the United States to participate in loans to the International Monetary Fund to strengthen the international monetary system; without amendment (Rept. No. 1484). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. McMILLAN: Committee on the District of Columbia. H.R. 10573. A bill to grant the American Numismatic Association perpetual succession; without amendment (Rept. No. 1481). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ADDONIZIO:

H.R. 10884. A bill to change the names of the Edison Home National Historic Site and the Edison Laboratory National Monument, to authorize the acceptance of donations, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BAKER:

H.R. 10885. A bill to authorize and direct the Atomic Energy Commission to convey to the city of Oak Ridge certain real estate for the establishment of a public park at Oak Ridge, Tenn.; to the Joint Committee on Atomic Energy.

By Mr. BONNER:

H.R. 10886. A bill to amend the act of March 2, 1929, and the act of August 27, 1935, relating to load lines for oceangoing and coastwise vessels, to establish liability for surveys, to increase penalties, to permit deeper loading in coastwise trade, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. COOLEY:

H.R. 10887. A bill to amend the Agricultural Adjustment Act of 1938, as amended, to provide for marketing quotas on Irish potatoes through establishment of acreage allotments; to the Committee on Agriculture.

By Mr. JAMES C. DAVIS:

H.R. 10888. A bill to provide for a reduction in the workweek of the Fire Department of the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. GALLAGHER:

H.R. 10889. A bill to promote the foreign policy of the United States by authorizing the purchase of United Nations bonds and the appropriation of funds therefor, and to afford an opportunity for the people of the United States to participate in the purchase of such bonds; to the Committee on Foreign Affairs.

By Mr. GROSS:

H.R. 10890. A bill to amend the Mutual Security Act of 1954 relating to certain reports required of expenditures by committees, Members, and employees of Congress, and for other purposes; to the Committee on Foreign Affairs.

By Mr. KEARNS:

H.R. 10891. A bill to establish standards of hours of work and overtime pay of laborers and mechanics on work done under contract for, or with the financial aid of, the United States, for any territory, or for the District of Columbia, and for other purposes; to the Committee on Education and Labor.

H.R. 10892. A bill to amend the Davis-Bacon Act, as amended; the Federal Airport Act, as amended; and the National Housing Act, as amended; and for other purposes; to the Committee on Education and Labor.

By Mr. LANGEN:

H.R. 10893. A bill to provide for the application of power revenues from reclamation projects to the reduction of the public debt; to the Committee on Interior and Insular Affairs.

By Mr. McINTIRE:

H.R. 10894. A bill to amend the Agricultural Adjustment Act of 1938, as amended, to provide for marketing quotas on Irish potatoes through establishment of acreage allotments; to the Committee on Agriculture.

By Mr. MOSS:

H.R. 10895. A bill to establish a system for the classification and compensation of scientific and professional positions in the Federal Government, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. PERKINS:

H.R. 10896. A bill to assist the States in providing necessary instruction for adults not proficient in basic educational skills through grants to States for pilot projects, improvement of State services, and programs of instruction, and through grants to institutions of higher learning for development of materials and methods of instruction and for training of teaching and supervisory personnel; to the Committee on Education and Labor.

By Mr. ROUSSELOT:

H. Res. 574. Resolution to authorize the Committee on Post Office and Civil Service to conduct an investigation and study of the policymaking procedures, methods, and practices of the Universal Postal Union; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ASHLEY:

H.R. 10897. A bill for the relief of Joseph Hammond; to the Committee on the Judiciary.

By Mr. BOGGS:

H.R. 10898. A bill relating to the transportation and gas distribution facilities operated by New Orleans Public Service, Inc., a corporation organized under the laws of the State of Louisiana and operating in the city of New Orleans, La., and all the shares of whose common stock are owned by Middle South Utilities, Inc.; to the Committee on Interstate and Foreign Commerce.

By Mr. BRUCE:

H.R. 10899. A bill for the relief of Roscoe S. Brown; to the Committee on the Judiciary.

By Mr. GILBERT:

H.R. 10900. A bill for the relief of Yuen Kum Wing; to the Committee on the Judiciary.

By Mr. HÉBERT:

H.R. 10901. A bill relating to the transportation and gas distribution facilities operated by New Orleans Public Service, Inc., a corporation organized under the laws of the State of Louisiana and operating in the city of New Orleans, La., and all the shares of whose common stock are owned by Middle South Utilities, Inc; to the Committee on Interstate and Foreign Commerce.

By Mr. SHIPLEY:

H.R. 10902. A bill for the relief of Leonidas Athanasakos; to the Committee on the Judiciary.

H.R. 10903. A bill for the relief of Anastasios Galanopoulos; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

257. By the SPEAKER: Petition of Linda Danes, deputy county clerk, Merced, Calif., relative to opposing any action that would have the effect of subjecting the income from public bonds to any form of Federal taxation; to the Committee on Ways and Means.

258. Also, petition of Eunice U. Creason, city clerk, El Segundo, Calif., relative to opposing any amendment to the Constitution of the United States which would have the effect of subjecting the income from State and local bonds to a Federal tax; to the Committee on the Judiciary.

259. Also, petition of Mrs. Jean Pullan, clerk of the board, Santa Clara County, San Jose, Calif., relative to opposing any amendment to the Constitution of the United States which would have the effect of subjecting the income from State and local bonds to a Federal tax; to the Committee on the Judiciary.

SENATE

THURSDAY, MARCH 22, 1962

(Legislative day of Wednesday, March 14, 1962)

The Senate met at 9 o'clock a.m., on the expiration of the recess, and was called to order by the Vice President.

Rev. Constantine Kazanas, of the Greek Orthodox archdiocese, New York City, offered the following prayer:

As we begin the deliberations of this day, we pause for a moment, O Lord, to recall the heroic witness to liberty and freedom that was proclaimed 141 years ago this week by the people of Greece. When, on March 25, 1821, the Hellenic Nation declared itself free and sovereign under God, it received further inspiration and courage from the Congress and our Government, so that, after a struggle of 9 long years, it emerged triumphant into the new world of independent nations.

We offer humble thanks for their accomplishments, O Lord, and remain ever grateful for Thy continued blessing upon our Nation; for this Republic has never once refrained from extending its assistance to all peoples on earth who seek freedom, liberty, and justice in order to labor and pursue happiness. With the same deep sense of humility, we bow our heads before Thee, Almighty and Everlasting God, as we beseech Thy blessing upon the Senate of the United States of America, so that, on this day, each Member of the highest legislative body of our country may fulfill his appointed tasks with wisdom and prudence, in keeping with the confidence and trust of the people here represented, for the perpetuation of our form of government and for the prosperity of the Nation, which acknowledges with reverence its dependence upon Thee, the Lord, our God, whom we glorify now and forever. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of yesterday be dispensed with.

The VICE PRESIDENT. Is there objection? The Chair hears none. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE—ENROLLED BILL SIGNED

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the Speaker had affixed his signature to the enrolled bill (H.R. 641) to provide for the free entry of an intermediate lens beta-ray spectrometer for the use of Tulane University, New Orleans, La., and to amend section 165 of the Internal Revenue Code of 1954 with respect to treatment of casualty losses in areas designated by the President as disaster areas, and it was signed by the Vice President.

ORDER FOR RECOGNITION OF SENATOR TALMADGE

The VICE PRESIDENT. The Parliamentarian informs the Chair that under the unanimous-consent agreement, the Senator from Arkansas [Mr. FULBRIGHT] is entitled to the floor.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unanimous-consent agreement be rescinded, and that the place allocated to the Senator from Arkansas [Mr. FULBRIGHT] be given to the distinguished Senator from Georgia [Mr. TALMADGE].

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at this time I may make an announcement and may proceed with some requests.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

ORDER FOR RECESS UNTIL 9 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate takes a recess tonight, it take a recess to meet at 9 o'clock tomorrow morning.

The VICE PRESIDENT. Without objection, it is so ordered.

LEGISLATIVE PROGRAM

Mr. MANSFIELD. Mr. President, I should like to have the attention of the Senate for the purpose of making a few brief remarks.

It is the intention of the leadership to call the Senate into session at 9 a.m. on Friday, and very possibly, and quite likely, at the same time on Saturday.

It will be necessary in view of developments, not only to convene at an early hour, but also to remain in session considerably later than we have up to this time.

I feel that I should make this statement in fairness to those who are interested in this proposed legislation, and that includes all Members of this body.

I realize that there is a good deal of feeling about the proposal we are attempting to bring before the Senate for consideration; but I believe it should be pointed out that we have been as patient as we possibly could be, in accordance with the rules of this body and in recognition of the feelings and the rights of all Members. I believe also that the Senate should know that it is not the intention of the leadership to withdraw the pending motion; that, on the contrary, it is the intention of the leadership to endeavor to stay with it until action is taken on it one way or another.

I should further notify the Senate that each Senator will be allowed, under the rule of Jefferson's Manual, only two speeches on the pending motion. I am quite certain there are a number of Senators who already are aware of that fact, because it has been emphasized on numerous occasions.

This, I am sure some of my colleagues will recognize, is in reality an early form of cloture. Generally I do not look with favor on the invoking of cloture, as it is understood in the modern sense; and I would hope that it will not be necessary to file a petition for cloture, but the Senate should recognize that up to today we have spent 6 days on the motion to take up Senate Joint Resolution 29, and that in those 6 days, to the best of my knowledge, the name of Alexander Hamilton has been mentioned only once, and then by the distinguished senior Senator from Virginia [Mr. BYRD]. That, let me say, is within the rules; but it is a use of the rules which I most sincerely hope has not begun to approach the point of abuse.

In this connection, Mr. President, I would point out that there is another route, equally within the rules, which could have been taken to move this measure before the Senate. It would have been more expeditious; it would have saved a great deal of time; it would also have shut off the discussion which has ensued for the last few days on the question of taking up this measure. The leadership did not pursue that course; it did not do so in deference to those who are vitally interested in this particular proposal, because it had no desire to deny them the fullest opportunity to express their views. It did not do so, because even as it is interested in safeguarding the rights of all Members, it assumes that all Members are interested in safeguarding the functions of this body and in observing the individual and reciprocal restraints in the use of the rules which are essential in connection therewith.

The leadership will continue to proceed in this fashion on this issue. It will always try to protect the rights of every Member; and at the same time it will most certainly always try to uphold the dignity and the functions of this body; and I would hope that every individual Member would do the same, as I am sure he or she will.

Mr. KUCHEL. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield.

Mr. KUCHEL. The issue is clear, Mr. President; and if I may be permitted to speak for the Republican minority, let me say we are prepared to vote now on the issue. No obstruction of any kind will be coming from the minority side of the aisle.

Mr. MANSFIELD. Mr. President, let me say to my distinguished friend, the acting minority leader, that to the best of my knowledge there has been no obstruction yet; and I am delighted with his assurance that there will be no obstruction in the future.

Every Senator who has spoken has spoken within his rights; and, as I recall, every speech which has been made by those who are vitally interested in this proposal has been germane to the subject which is connected with the motion to take up.

I think I should also notify the Senate that Senators can expect to have the Senate remain in session until perhaps around midnight tonight, because I should like to get on with the business of the Senate; I should like to attempt to carry out the responsibilities which my colleagues have entrusted to me; and I should also like to assume that I shall receive their cooperation.

Mr. President, I thank the Senator from Georgia for yielding to me.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

AUDIT REPORT ON FEDERAL CROP INSURANCE CORPORATION

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report on the Federal Crop Insurance Corporation, Department of Agriculture, fiscal year 1961 (with an accompanying report); to the Committee on Government Operations.

AUDIT REPORT ON TRUST TERRITORY OF THE PACIFIC ISLANDS

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report on the Trust Territory of the Pacific Islands, Department of the Interior, for the fiscal years 1957–60 (with an accompanying report); to the Committee on Government Operations.

REPORT OF DIRECTORS OF FEDERAL PRISON INDUSTRIES, INC.

A letter from the Commissioner, Federal Prison Industries, Inc., Department of Justice, transmitting, pursuant to law, a report of that agency, for the fiscal year 1961 (with an accompanying report); to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, and referred as indicated:

By the VICE PRESIDENT:

A resolution adopted by the board of directors of the Coleman Chamber of Commerce, Coleman, Tex., protesting against the farm plan of the present administration, and so forth; to the Committee on Agriculture and Forestry.

A resolution adopted by the City Council of the City of El Segundo, Calif., protesting against the enactment of legislation to impose a Federal income tax on interest derived from public bonds; to the Committee on Finance.

Mr. HILL. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The absence of a quorum has been suggested; and the clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. PELL in the chair). Without objection, it is so ordered.

THE ALEXANDER HAMILTON NATIONAL MONUMENT — AMENDMENT TO THE CONSTITUTION DEALING WITH POLL TAXES

The Senate resumed the consideration of the motion of the Senator from Montana [Mr. MANSFIELD] to proceed to the consideration of the joint resolution (S.J. Res. 29) providing for the establishing of the former dwelling house of Alexander Hamilton as a national monument.

Mr. TALMADGE. Mr. President, S. 2750 would amend title 42, United States Code Annotated, section 1971(b), which presently provides:

> No person, whether acting under color of law or otherwise, shall intimidate, threaten, coerce, or attempt to intimidate, threaten, or coerce any other person for the purpose of interfering with the right of such other person to vote or to vote as he may choose, or of causing such other person to vote for, or not to vote for, any candidate for the office of President, Vice President, presidential elector, Member of the Senate, or Member of the House of Representatives, Delegates or Commissioners from the Territories or possessions, at any general, special, or primary election held solely or in part for the purpose of selecting or electing any such candidate.

As amended, this paragraph would read:

> (b) No person, whether acting under color of law or otherwise, shall intimidate, threaten, coerce, or attempt to intimidate, threaten, or coerce any other person for the purpose of interfering with the right of such person to vote or to vote as he may choose in any Federal election, or subject or attempt to subject any other person to the deprivation of the right to vote in any Federal election. "Deprivation of the right to vote" shall include but shall not be limited to (1) the application to any person of standards or procedures more stringent than are applied to others similarly situated and (2) the denial to any person otherwise qualified by law of the right to vote on account of his performance in any examination, whether for literacy or otherwise, if such other person has not been adjudged incompetent and has completed the sixth primary grade of any public school or accredited private school in any State or Territory, the District of Columbia, or the Commonwealth of Puerto Rico.
>
> "Federal election" means any general, special, or primary election held solely or in part for the purpose of electing or selecting any candidate for the office of President, Vice President, presidential elector, Member of the Senate, or Member of the House of Representatives, Delegate, or Commissioner from the Territories or possessions.

In addition to some minor changes in terminology, it will be noted that S. 2750 adds language relating to subjecting "any other person to the deprivation of the right to vote in any Federal election."

"Deprivation" is then defined to be first, the application of standards or procedures more stringent than applied to others similarly situated, and second, the denial of the right to vote because of performance by the applicant in any literacy or other examination, when the applicant has completed the sixth primary grade in any public or accredited private school.

Insofar as regards the application of standards and procedures more stringent than applied to others similarly

situated, S. 2750 does not add anything that is not already the law under existing decisions—*United States* v. *Alabama*, 192 F. Supp. 677, D.C. Ala. 1961; *United States* v. *Association of Citizens Councils of Louisiana*, 196 F. Supp. 908, D.C. La. 1961; *United States* v. *McElveen*, 180 F. Supp. 10, D. C. La. 1960, aff'd sub. nom.; *United States* v. *Thomas*, 362 U.S. 58, 4 L. Ed. 2d 535; *Sellers* v. *Wilson*, 123 F. Supp. 917, D.C. Ala. 1954.

Consequently, to this extent, S. 2750 is not necessary.

However, with respect to the matter of literacy tests, S. 2750 undertakes to effectuate a revolutionary innovation in the law. Never before has Congress attempted to prescribe the qualifications for electors in Federal elections. S. 2750 now seeks to do exactly that.

In essence, S. 2750 would outlaw the use of literacy or other tests as to anyone who has completed the sixth grade, regardless of such person's individual qualifications. The applicant could be a moron or raving lunatic, and so long as he had not been adjudged incompetent and could show completion of the sixth grade, he legislatively would be declared competent to exercise the elective franchise.

The Constitution, article I, section 2, clause 1, provides:

> The House of Representatives shall be composed of Members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

Article I, section 4, clause 1 provides:

> The times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators.

Article II, section 1, as amended by amendment 12, provides for election of the President and Vice President by a "number of electors equal to the whole number of Senators and Representatives to which the State may be entitled—", and it is provided that these electors shall be appointed by "each State" "in such manner as the legislature thereof may direct."

The 14th amendment, section 1, provides:

> All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

Section 5 provides:

> The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

The 15th amendment declares:

> SEC. 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.
>
> SEC. 2. The Congress shall have power to enforce this article by appropriate legislation.

The 17th amendment, insofar as relevant, provides:

> The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

The 19th amendment states:

> The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex.
>
> Congress shall have power to enforce this article by appropriate legislation.

Congress is without power to prescribe qualifications for electors.

Every inquiry involving an assertion of Federal power by Congress must begin with a recurrence to certain fundamental propositions concerning the Federal system.

Ours is a dual or Federal system, wherein the members of the organized society possess dual citizenship. Consequently, the individual acquires certain rights by virtue of his National citizenship, and other rights by virtue of his State citizenship. *United States* v. *Cruikshank*, 92 U.S. 542, 23 L. Ed. 588. The case was handed down by the Supreme Court in 1876.

In ascertaining whether any particular right springs from Federal or State sources, it is a cardinal rule, ably expressed by the U.S. Supreme Court in *United States* v. *Harris*, 106 U.S. 629, 27 L. Ed. 290, 292 (1883):

> The Government of the United States is one of delegated, limited, and enumerated power. (*Martin* v. *Hunter*, 1 Wheat., 304; *McCullock* v. *Maryland*, 4 Wheat., 316; *Gibbons* v. *Ogden*, 9 Wheat.; 1. Therefore, every valid act of Congress must find in the Constitution some warrant for its passage. This is apparent by reference to the following provisions of the Constitution; section 1, of the first article, declares that all legislative powers granted by the Constitution shall be vested in the Congress of the United States. Section 8, of the same article, enumerates the powers granted to the Congress, and concludes the enumeration with a grant of power "To make all laws which shall be necessary and proper to carry into execution the foregoing powers and all other powers vested by the Constitution in the Government of the United States, or in any department or officer thereof." Article X, of the amendments to the Constitution, declares that "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively or to the people."

Mr. Justice Story, in his commentaries on the Constitution, says:

> "Whenever, therefore, a question arises concerning the constitutionality of a particular power, the first question is, whether the power be expressed in the Constitution. If it be, the question is decided. If it be not expressed, the next inquiry must be, whether it is properly an incident to an express power and necessary to its execution. If it be, then it may be exercised by Congress. If not, then it may not exercise it."

Applying these principles to the present question, what do we find?

In the plainest language possible, article I, section 2 declares that electors for Members of the House of Representatives "shall have the qualifications requisite for electors of the most numerous branch of the State legislature."

When the method of selecting Senators was changed from election by the State legislatures to election by the people in the 17th amendment, section 1 thereof adopted language identical to article I, for it was provided:

> The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

The effect of this language is clearly stated in Willoughby, "The Constitutional Law of the United States," pages 540–541:

> A distinction is to be made between the right to vote for a representative to Congress and the conditions upon which that right is granted * * * the right to vote is conditioned upon and determined by State law. But the right itself, as thus determined is a Federal right. That is to say, the right springs from the provision of the Federal Constitution that Representatives shall be elected by those who have the right in each State to vote for the members of the most numerous branch of the State legislature. The Constitution thus gives the right but accepts, as its own, the qualifications which the States severally see fit to establish with reference to the election of the most numerous branch of their several State legislatures.

Similarly, in Mathews, "The American Constitutional System," second edition, page 363, 1940, it is said:

> Two provisions of the Constitution other than section 2 of article I and the 17th amendment indirectly leave to the States powers over voting qualifications. The first is section 1 of article II which grants to the States the right to choose the manner of appointing Presidential electors. If elections are designated as the manner of appointing electors, the States have authority to determine what shall be the qualifications of voters in these elections. The second provision is the second section of the 14th amendment. This section of the amendment clearly recognizes the right of a State to adopt suffrage qualifications which exclude certain of its adult male citizens from voting. By this section the State is penalized for denying the right to vote to male citizens of 21 years of age for reasons other than participation in rebellion or other crime; but the right to deny the suffrage, meaning ordinarily the right to establish qualifications restricting the right to vote, is legally sanctioned.

In *Minor* v. *Happersett*, 21 Wall. 162, 22 L. Ed. 627, 629 (1875), decided prior to adoption of the 19th amendment, it was said, in upholding a Missouri statute denying the right of suffrage to women:

> The Constitution does not define the privileges and immunities of citizens. For that case we need not determine what they are, but only whether suffrage is necessarily one of them.
>
> It certainly is nowhere made so in express terms. The United States has no voters in the States of its own creation. The elective officers of the United States are all elected directly or indirectly by State voters. The Members of the House of Representatives are to be chosen by the people of "the States, and the electors in each State must have the qualifications requisite for electors of the most numerous branch of the State legislature (Constitution, arts. 1 and 2). Senators are to be chosen by the legislatures of the States, and necessarily the members of the legislature required to make the choice are elected by the voters of the State (Constitution, arts. 1 and 3). Each State must appoint in such manner as the legislature thereof may direct, the electors to elect the President and Vice President (Constitution, arts. 2 and 2). The times, places, and manner of holding elections for Senators and Representatives are to be prescribed in each State by the legislature thereof; but Congress may at any time, by law, make or alter such regulations, except as to the place of choosing Senators (Constitution, arts. 1 and 4).

The rationale behind this choice of language can be determined from an examination of contemporary authorities.

In the debates which took place in the constitutional conventions held in the original States for the purpose of ratifying the Constitution, it was pointed out that since elections for Congressmen would likely be held at the same time and as a part of elections for State officers, a hard and disagreeable situation would arise; an elector could vote for State officers, but would be held ineligible to vote for Congressman—a situation which would possibly arise had the Constitution sought to prescribe uniform voting qualifications or to authorize Congress to do so—5 Elliot's Debates, page 385.

Mr. Nichols of Virginia had this to say concerning article I, section 2, to wit:

> I will consider it first, then, as to the qualifications of the electors. The best writers on Government agree that, in a republic, those laws which fix the right of suffrage are fundamental. If, therefore, by the proposed plan, it is left uncertain in whom the right of suffrage is to rest, or if it has placed that right in improper hands, I shall admit that it is a radical defect; but in this plan there is a fixed rule for determining the qualifications of electors, and that rule the most judicious that could possibly have been devised, because it refers to a criterion which cannot be changed. A qualification that gives a right to elect representatives for the State legislatures, gives also, by this Constitution, a right to choose representatives for the general government. As the qualifications of electors are different in the different States, no particular qualifications, uniform through the States, would have been politic, as it would have caused a great inequality in the electors, resulting from the situation and circumstances of the respective States. Uniformity of qualifications would greatly affect the yeomanry in the States, as it would either exclude from this inherent right some who are entitled to it by the laws of some States at present, or be extended so universally as to defeat the admirable end of the institution of representation (3, Elliot's Debates, p. 8).

Similarly, in the Federalist, No. 52, it was said:

> The definition of the right of suffrage is very justly regarded as a fundamental article of republican government. It was incumbent on the Convention, therefore, to define and establish this right in the Constitution. To have left it open for the occasional regulation of the Congress, would have been improper for the reason just mentioned. To have submitted it to the legislative discretion of the States, would have been improper for the same reason; and for the additional reason that it would have rendered too dependent on the State governments that branch of the Federal Government which ought to be dependent on the people alone. To have reduced the different qualifications in the different States to one uniform rule, would probably have been as dissatisfactory to some of the States, as it would have been difficult to the Convention. The provision made by the Convention appears, therefore, to be the best that lay within their option. It must be satisfactory to every State, because it is conformable to the standard already established, or which may be established, by the State itself. It will be safe to the United States, because, being fixed by the State constitutions, it is not alterable by the State governments, and it cannot be feared that the people of the States will alter this part of their constitutions in such a manner as to abridge the rights secured to them by the Federal Constitution.

Beyond question, Hamilton considered that article I, section 4, conferred no authority on Congress to prescribe qualifications of electors. In the Federalist, No. 60, in combating the argument that Congress might exercise its power under this provision so as to secure the franchise only to the rich by discriminate selection of places in which to hold elections. Hamilton replied:

> The truth is, that there is no method of securing to the rich the preference apprehended, but by prescribing qualifications of property either for those who may elect or be elected. But this forms no part of the power to be conferred upon the National Government. Its authority would be expressly restricted to the regulation of the times, the places, the manner of elections. The qualifications of the persons who may choose or be chosen, as has been remarked upon other occasions, are defined and fixed in the Constitution, and are unalterable by the legislature.

Another reason behind article I, section 2, was said to be the desire to achieve a mixed representation, which could not be obtained had uniform qualifications for electors been prescribed by the Constitution. In this regard, 1, "Story on the Constitution" fourth edition sections 585, 586, page 420, says:

> Without, therefore, asserting that such a mixed representation is absolutely and under all circumstances the best, it might be safely affirmed that the existence of various elements in a composition of the representative body is not necessarily inexpedient, unjust, or insecure, and, in many cases, may promote a wholesome restraint upon partial plans of legislation, and insure a vigorous growth to the general interest of the Union. The planter, the farmer, the mechanic, the merchant, and the manufacturer might thus be brought to act together, in a body representing each; and thus superior intelligence, as well as mutual good will and respect, be diffused through the whole of the collective body.

Some confusion on the question may arise from statements in numerous decisions concerning whether the right of suffrage with respect to Members of Congress is derived from State or Federal sources.

For example, in *Minor* v. *Happerset*, 21 Wall. 162, 22 L. Ed. 627 (1875), it was said that the right of suffrage was not a privilege and immunity of national citizenship—page 171—and "the Constitution of the United States does not confer the right of suffrage upon anyone"—page 178.

Similar statements were made in *United States* v. *Cruikshank*, 92 U.S. 542, 23 L. Ed. 588, 592 (1876); *Mason* v. *Missouri ex rel. McCoffery*, 179 U.S. 328, 335, 45 L. Ed. 214 (1900); *McPherson* v. *Blacker*, 146 U.S. 1, 37, 36 L. Ed. 869 (1892); *Breedlove* v. *Suttles*, 302 U.S. 277, 283, 82 L. Ed. 252 (1937).

On the other hand, apparently contradictory statements may be found in such cases as *Wiley* v. *Sinkler*, 179 U.S. 58, 62, 45 L. Ed. 84 (1900); *Swafford* v. *Templeton*, 185 U.S. 487, 46 L. Ed. 1005 (1902); and *U.S.* v. *Mosley*, 238 U.S. 383, 59 L. Ed. 1355 (1915).

In the Wiley case, the Court declared:

> The right to vote for Members of the Congress of the United States is not derived merely from the constitution and laws of the State in which they are chosen, but has its foundation in the Constitution of the United States.

Actually, the cases are not in conflict. They must each be read in the context of their particular facts. The cases were all harmonized in *Ex Parte Yarbrough*, 110 U.S. 661, 28 L. Ed. 274 (1884), which was a petition for habeas corpus attacking convictions under sections 5508—similar to 42 U.S.C.A. 1985—and 5520—now 18 USCA 594—of the Revised Statutes, the indictment alleging that defendants assaulted and beat a Negro citizen for having exercised his right to vote in an election for Representative to Congress. The Court upheld these statutes as applied to persons interfering with electors voting for Federal officials, as against the argument that since, as it was claimed, the right to vote was derived from the States, Congress could not protect it. In rejecting this contention, it was said:

> But it is not correct to say that the right to vote for a Member of Congress does not depend on the Constitution of the United States.
>
> The office, if it be properly called an office, is created by that Constitution and by that alone. It also declares how it shall be filled, namely: by election.
>
> Its language is: "The House of Representatives shall be composed of Members chosen every second year by the people of the several States, and the electors in each State shall have the same qualifications requisite for electors of the most numerous branch of the State legislature" (art. I, sec. 2). The States in prescribing the qualifications of voters for the most numerous branch of their own legislatures, do not do this with reference to the election for Members of Congress. Nor can they prescribe the qualification for voters for those eo nomine. They define who are to vote for the popular branch of their own legislature, and the Constitution of the United States says the same persons shall vote for Members of Congress in that State. It adopts the qualification thus furnished as the qualifications of its own electors for Members of Congress.
>
> It is not true, therefore, that electors for Members of Congress owe their right to vote to the State law in any sense which makes the exercise of the right to depend exclusively on the law of the State.

Counsel for petitioners, seizing upon the expression found in the opinion of the Court in the case of *Minor* v. *Happersett*, 21 Wall. 178 (88 U.S. XXII, 631), that "the Constitution of the United States does not confer the right of suffrage upon anyone," without reference to the connection in which it is used, insists that the voters in this case do not owe their rights to vote in any sense to that instrument.

But the Court was combating the argument that this right was conferred on all citizens, and therefore upon women as well as men.

In opposition to that idea, it was said the Constitution adopts as the qualification for voters of Members of Congress that which prevails in the State where the voting is to be done; therefore, said the opinion, the right is not definitely conferred on any person or class of persons by the Constitution alone, because you have to look to the law of the State for the description of the class. But the Court did not intend to say that when the class or the person is thus ascertained, his right, to vote for a Member of Congress was not fundamentally based upon the Constitution, which created the office of Member of Congress, and declared it should be elective, and pointed to the means of ascertaining who should be electors.

In other words, the right to vote for a candidate for Congress is derived from Federal sources in the sense that the Federal Constitution creates the office, provides for election by the people, and authorizes Congress in article I, section 4, to alter the "times, places and manner of holding elections for Senators and Representatives." On the other hand, the right is a State right in the sense that the Constitution itself, in article I, section 2, and the 17th amendment, has referred the question of qualifications for elector to State law.

In the Yarbrough case, the Court expressly recognized that—

The importance to the General Government of having the actual election, the voting for those Members, free from force and fraud is not diminished by the circumstance that the qualifications of the voter is determined by the law of the State where he votes (p. 663).

Article I, section 2 expressly declares that electors for Congress shall have the same qualifications as electors for members of the most numerous houses of the State legislature—page 663.

Substantially the same explanation was given in *United States* v. *Classic*, 313 U.S. 299, 85 L. Ed. 1368 (1941), where indictments were returned against Louisiana election officials for having altered and falsely counted votes cast in a primary election for nomination of candidates for Congress. The prosecution was brought under what is now title 18, United States Code Annotated, sections 241 and 242.

Observing that Louisiana statutes incorporated primaries as an integral part of its election process, the Court held the statutes applicable to the Louisiana primary, in effect disapproving a contrary holding in the Newberry case.

It was said:

The right of the people to choose, whatever its appropriate constitutional limitations, where in other respects it is defined, and the mode of its exercise is prescribed by State action in conformity to the Constitution, is a right established and guaranteed by the Constitution and hence is one secured by it to those citizens and inhabitants of the State entitled to exercise the right.

While, in a loose sense, the right to vote for Representatives in Congress is sometimes spoken of as a right derived from the States, (see *Minor* v. *Happersett*, 21 Wall. (U.S.) 162, 170, 22 L. Ed. 627, 629; *United States* v. *Reese*, 92 U.S. 214, 217, 218, 23 L. Ed. 563–565; *McPherson* v. *Blacker*, 146 U.S. 1, 38, 39, 36 L. Ed. 869, 878, 879, 13 S. Ct. 3; *Breedlove* v. *Suttles*, 302 U.S. 277, 283, 82 L. Ed. 252, 256, 58 S. Ct. 205); this statement is true only in the sense that the States are authorized by the Constitution, to legislate on the subject as provided by section 2 of article 1, to the extent that Congress has not restricted State action by the exercise of its powers to regulate elections under section 4 and its more general power under article 1, section 8, clause 18 of the Constitution to make all laws which shall be necessary and proper for carrying into execution the foregoing powers.

And since the constitutional command is without restriction or limitation, the right, unlike those guaranteed by the 14th and 15th amendments, is secured against the action of individuals as well as of States.

At page 317, however, it was clearly stated that this authority was derived from article I, section 4, and see page 310, holding that the right to vote for Members of Congress is defined in article I, section 2, declaring that Representatives are to be chosen by the people, etc., subject to regulations prescribed by section 4.

However, the question as to qualifications for electors is not seriously disputed today.

In *Ventre* v. *Ryder*, 176 F. Supp. 90, 94 (D.C. La. 1959), the Court held:

Under our constitutional system, the qualifications of voters is a matter committed to the States, subject only to Federal constitutional restraints prohibiting discrimination on account of race, color, sex.

The question of whether or not a voter is a qualified elector is a State matter to be determined by State law and State courts (p. 97).

In *Tullier* v. *Giordano*, 265 F. 2d 1 (C.A. 5th, 1959), an injunction was sought against a Louisiana registrar, the charge being that he refused to register, by means of the literacy test imposed by State law, all voters not friendly to his political faction. The Court declared:

Under our Federal system the qualification of voters is left to the several States subject to some limitations imposed by the U.S. Constitution. As originally adopted, the Constitution contained few provisions on the subject of voting rights.

The Court then referred to article I, sections 2 and 4; article II, section 1, and the 12th, 15th, 17th, and 19th amendments.

In *Darby* v. *Daniel*, 168 F. Supp. 170 (D.C. Miss. 1958), in upholding the Mississippi literacy test, it was said:

Any consideration of the constitutionality of the challenged portions of the amendment begins with the fundamental fact that, under our constitutional system, the qualification of voters is a matter committed exclusively to the States (p. 176).

See also *Pirtle* v. *Brown*, 118 F. 2d 218 (C.A. 6th, 1941), certiorari was denied by the Supreme Court, and that is reported in 314 U.S. Supreme Court Reports, at page 621.

The question as to presidential electors was settled in *McPherson* v. *Blacker*, 146 U.S. 1, 36 Law Edition, page 869 (1892), which involved mandamus by nominees for presidential elector against the Michigan secretary of state, seeking to have declared unconstitutional a recent Michigan statute governing election of presidential electors. The new statute provided for the election by districts of presidential and vice presidential electors, and plaintiffs contended that the Constitution required the State to act as a unit, and not delegate to subdivisions the right to select electors.

The Court rejected this attack, holding that "the appointment and mode of appointment of electors belong exclusively to the States under the Constitution of the United States, referring to article II, section 1, clause 2—page 35.

No violation of the 14th or 15th amendments was found, as the right of suffrage was held to be derived from State citizenship—pages 37 and 38.

Cooley, writing on constitutional limitations, volume 11, pages 1360 and 1361, declares:

The whole subject of the regulation of elections, including the prescribing of qualifications for suffrage, is left by the national Constitution to the several States, except as it is provided by that instrument that the electo s for representatives in Congress shall have the qualifications requisite for electors of the most numerous branch of the State legislature, and as the 15th amendment forbids denying of citizens the right to vote on account of race, color, or previous condition of servitude.

It is also interesting to note that when the Constitution was being drafted, the committee on detail originally proposed giving Congress the power to fix the qualifications of electors in the following language:

The qualifications of electors shall be the same (throughout the States, viz.) with that in the particular States unless the legislature shall hereafter direct some uniform qualifications to prevail through the States: Citizenship, manhood, sanity of mind, previous residence for 1 year; or possession of real property within the State for the whole of 1 year, or enrollment in the militia for the whole of a year.

See Farrand, "The Records of the Federal Convention," volume 2, pages 139–140.

However, this provision was later deleted. See volume 2, pages 155, 613.

In Curtis, "History of the Constitution of the United States," volume 2, pages 194–200, it is said that the committee on detail evolved article I, section 2, so as to avoid the situation whereby an elector in one State could vote for highest State officers but not for Members of Congress, viz.:

Another difficulty which attended the adjustment of the right of suffrage grew out of the widely differing qualifications annexed to that right under the State constitutions, and the consequent dissatisfaction that must follow any effort to establish distinct or special qualifications under the National Constitution. In some of the States, the right of voting was confined to freeholders; in others—and by far the greater number—it was extended beyond the holders of landed property, and included many other classes of the adult male population; while in a few, it embraced every male citizen of full age who was raised at all above the level of the pauper by the

smallest evidence of contribution to the public burdens. The consequence, therefore, of adopting any separate system of qualifications for the right of voting under the Constitution of the United States would have been that, in some of the States, there would be persons capable of voting for the highest State officers, and yet not permitted to vote for any officer of the United States; and that in the other States persons not admitted to the exercise of the right under the State constitution might have enjoyed it in National elections.

The committee of detail, after a review of all these considerations, presented a scheme that was well adapted to meet the difficulties of the case. They proposed that the same persons who, by the laws of the several States, were admitted to vote for members of the most numerous branch of their own legislatures, should have the right to vote for the Representatives in Congress. The adoption of this principle avoided the necessity of disfranchising any portion of the people of a State by a system of qualifications unknown to their laws. As the States were the best judges of the circumstances and temper of their own people, it was certainly best to conciliate them to the support of the new Constitution by this concession (p. 200).

Mr. HILL. Mr. President, will the Senator yield?

Mr. TALMADGE. I am delighted to yield to the distinguished Senator from Alabama for a question.

Mr. HILL. Can the Senator conceive of a committee composed of more learned lawyers and more profound students of government or more distinguished and patriotic citizens of our Government than the Committee of Detail to which he has just referred?

Mr. TALMADGE. I do not think that at any time in the history of our Republic has there existed a more able group of men than those who drafted the Constitution. I will say, in further reply to my friend and colleague from Alabama, that, in my judgment, in most of the instances in which the Constitution has been changed it also has been weakened.

Mr. HILL. Was not that Committee of Detail composed of men who had made great contributions toward winning the Revolutionary War and the winning of our independence?

Mr. TALMADGE. Yes. All of them were patriots of the highest order who had had prominent roles in the winning of independence from the mightiest nation on earth at that time. In the history of our country there has been no group of men more learned in the science of government and law than the framers of the Constitution of the United States.

Mr. HILL. Will the Senator yield further?

Mr. TALMADGE. I yield for a question.

Mr. HILL. Did not these men also realize that it would avail them little to win their independence from the British Crown if we were to establish here in Washington some form of totalitarian government, and not retain the power, the responsibility, and the duty of government in the people in the several States?

Mr. TALMADGE. I answer that question in the affirmative. In my judgment, our Founding Fathers were determined to preserve for themselves and their posterity for all time to come the liberties for which they had fought. In my judgment, that is the reason they created the dual system of government, which we seek to preserve; that is, the system embracing a federal government of limited jurisdiction and State governments exercising all power not delegated to the National Government.

Every time we adopt constitutional amendments and enact laws which transfer more power from the city halls, county courthouses, and State capitals of the Nation to Washington, D.C., we centralize our Government to a greater degree and take an additional step toward destroying the liberties our foreparents wrested from the British Crown for us.

Mr. HILL. Will the Senator yield for another question?

Mr. TALMADGE. I yield for a question.

Mr. HILL. Is it not true that when the rights and liberties of the people in the communities and small centers of population are destroyed and we move into centralized government, we are moving more and more toward totalitarianism?

Mr. TALMADGE. That is correct. I am sure my able colleague from Alabama will agree with me that there are hundreds of laws on the statute books of the respective States of which he and I would have disapproved had we served in the enacting legislatures. Notwithstanding that fact, I am likewise sure we would not have attempted to initiate constitutional amendments to make those States conform to our philosophy.

For example, I do not think we should try to adopt uniform divorce laws or a uniform system of taxation. The States themselves are quite competent to make those judgments, for what might be wise in one State might be unwise in another. The people who reside in the individual States are better qualified to judge what is in their best interests than are persons living elsewhere.

I am sure the Senator from Alabama would know better what would be desirable in Alabama than would I, a resident of Georgia, despite the fact that we come from neighboring States, and our people have the same origin, and, in fact, once belonged to the same State. I think it would be presumptuous indeed for me, being from Georgia, to say to Alabama, "I think you did something wrong, and I am going to Washington to seek a constitutional amendment to compel Alabama to change its laws to conform to my notions of what they should be."

Mr. HILL. Is it not a fact that the Constitution of the United States as written by the Founding Fathers has been the word of life to our dual system of government?

Mr. TALMADGE. There is no question about it; and every time we weaken the Constitution, we weaken our dual system of government. Every time we transfer more power to Washington, we take power away from Georgia, Alabama, New York, Alaska, Hawaii, and every other State in the Union. What we do is transfer power from the people who reside in the States and understand their problems and needs to a group of persons in Washington who do not understand those problems and needs.

Mr. HILL. Mr. President, will the Senator yield for another question?

Mr. TALMADGE. I am delighted to yield for a question.

Mr. HILL. Is it not true that the more power is vested in the people the more conscious the people will be of the duties, responsibilities, and obligations of citizenship, and that, therefore, the better citizens they will be?

Mr. TALMADGE. That is certainly true. I am sure the Senator knows of the problems which are encountered in trying to give a republican form of government to people who have lived under a totalitarian form of government. Some of the newly emerging nations have never known freedom and do not know how to handle liberty.

Government at the local level maintains the interest of the people in determining solutions to their problems. They better know what their problems and needs are than someone who is far distant from the scene and has not lived with them.

When we try to substitute centralized power for the rights of the people, we make a tragic mistake.

If the trend which has been going on in this country for the last quarter century continues, I shudder to think of the consequences. I think of the prediction of Lord Macauley a century ago that in the last half of the 20th century the American Government would be destroyed, not from without, but from within, as the result of the demands and machinations of motivated pressure groups.

Mr. HILL. Mr. President, will the Senator yield further?

Mr. TALMADGE. I am delighted to yield for a question.

Mr. HILL. What the Senator had in mind was the surrender and the yielding and the destruction of local self-government, concentrating all power in one supergovernment?

Mr. TALMADGE. The Senator is entirely correct, and I thank him for his great contribution to this debate.

The power of the States to prescribe qualifications has not been abrogated by any amendment to the Constitution.

The 14th amendment prohibits any State from denying equal protection. The 15th prohibits a State from abridging the right to vote because of "race, color, or previous condition of servitude."

The 17th amendment provides for election of Senators by the people, but in section 1 expressly adopts as qualifications for electors, the qualifications prescribed by State law for electors of the most numerous branch of the State legislatures.

Mr. HILL. Mr. President, will the Senator yield for another question?

Mr. TALMADGE. I am delighted to yield for a question.

Mr. HILL. Is is not true that there is no provision in the Constitution which the courts, in the past, have more jealously guarded or more highly respected than the provision in section 2,

article I, that the fixing of the qualifications shall be in the States, in the hands of the people of the States?

Mr. TALMADGE. That is certainly true. I am sure the distinguished senior Senator from Alabama shares my view that the present Supreme Court is not the greatest Supreme Court in the history of our Republic, nevertheless, as recently as 1959, it handed the decision Lassiter against the Northampton County Board of Elections in which every member held that the State of North Carolina has a right to prescribe literacy qualifications for voting. Justice Douglas cited a number of cases establishing that that has been the law of our country from its beginning.

It is incomprehensible to me how anyone who ever has been exposed to a lawbook could believe that we could pass legislation to run roughshod over the Constitution of the United States and set up a Federal literacy standard for voting. In order to do that we would have to strike down many decisions of the Supreme Court, including the present one. We would have to fly into the very teeth of the Constitution of the United States—article I, section 2 thereof, as well as the 17th amendment. That amandement, as the Senator from Alabama knows, restates the language found in article I.

There is no principle of law in America today clearer than that providing that the qualifications for voters shall be determined by the States.

Mr. HILL. Mr. President, will the Senator yield for a question?

Mr. TALMADGE. I yield to my friend from Alabama for a question.

Mr. HILL. Is it not true that the 17th amendment was adopted in 1913?

Mr. TALMADGE. The Senator is correct. It was proposed, I believe, in 1912, and ratified in 1913.

Mr. HILL. Mr. President, will the Senator yield for another question?

Mr. TALMADGE. I am delighted to yield for a question.

Mr. HILL. Is it not true that that was some 126 years after the adoption of the original Constitution, and that the people, after 126 years, reaffirmed and ratified and reemphasized the proposition that the qualifications of electors should be fixed by the States?

Mr. TALMADGE. The Senator is entirely correct. I also would point out that that was some 50 years subsequent to the adoption of the 14th and 15th amendments which some of our "bleed-in hearts" like to cite as authority for Congress passing any legislation it sees fit in that field.

If we take the fundamental premise of law that the later law prevails, then it follows that the 17th amendment would prevail if it were in conflict with the 14th or 15th. But it is not in conflict because the 14th amendment was written merely to prohibit discrimination, and the 15th amendment to enfranchise the former slaves. There is no conflict between any of these provisions because they relate to totally different things.

Mr. HILL. Mr. President, will the Senator yield for another question?

Mr. TALMADGE. I am delighted to yield to my friend for a question.

Mr. HILL. Is it not true, as the Senator has made very clear and emphasized, that even before the 17th amendment was adopted, the courts, in a great number of cases, had held that neither the 14th amendment nor the 15th amendment took away from the States their right to prescribe qualifications, except in the very limited sense of the 14th amendment and the 15th amendment? It is not true that the general power to fix the qualifications was in the States and remained in the States?

Mr. TALMADGE. The Senator has stated it correctly. In fact, the landmark Happersett case went directly to that point. The case arose when a lady from Missouri sought to invoke the 14th amendment as authority for women to vote. The Supreme Court held unanimously that the Federal Government has no voters of its own, but rather adopts State voters qualified under State law. What I have stated has been the law ever since. It has never been overruled by any Supreme Court, either the modern or the old version thereof.

The 19th amendment declares that the right to vote shall not be denied or abridged by the United States or any State on account of sex.

Mr. HILL. Mr. President, will the Senator yield?

Mr. TALMADGE. I yield for a question.

Mr. HILL. Is it not true that many fine and honorable men and women fought the battle for women's suffrage, but in no instance did any of them suggest that the battle could be won by legislative enactment? Rather, all recognized that the only way it could be won was by constitutional amendment.

Mr. TALMADGE. No attempt was ever made to win the battle through legislative enactment. It was clear that the only way to enlarge the list of electors within the respective States was to amend the Constitution of the United States, and the fight proceeded on that basis from its inception. Its advocates knew that no statutory method could be deduced from the 14th amendment or any other provision of the Constitution, because the language was clear in two places that the voters should be those who were authorized to act as electors for the most numerous branch of the legislature in the respective States.

These amendments do not confer the right to vote on anyone. They are negative in character only, and merely declare that certain things cannot be considered in defining the right to vote.

In *Newberry* v. *United States*, 256 U.S. 232, 248, 65 L. Ed. 913 (1921), the Supreme Court held that prior to the 17th amendment, article I, section 4, defined the sole authority of Congress over elections for Congress and the Senate. It was said:

> We find no support in reason or authority for the argument that because the offices were created by the Constitution, Congress has some indefinite, undefined power over elections for Senators and Representatives not derived from section 4. The Government, then of the United States, can claim no powers which are not granted to it by the Constitution, and the powers actually granted must be such as are expressly given, or given by necessary implication.

Insofar as the Newberry case held Federal law inapplicable to primaries, it undoubtedly has been superseded by *United States* v. *Classic*, 313 U.S. 299, 85 L. Ed. 1368 (1941), but the principle just enunciated was not affected, the decision in the Classic case having been predicated upon the fact that State law had there made the primary an integral part of the State election machinery, and in practice, it had become the only meaningful election.

In *Minor* v. *Happersett*, *supra*, decided after adoption of the 14th amendment, an attack on Missouri statutes denying women the right to vote was upheld as against claim that such law was in violation of the amendment, the Court declaring that the right of suffrage is not a privilege and immunity of national citizenship (p. 171), and it was further said:

> The Constitution of the United States does not confer the right of suffrage upon anyone (p. 178).

Ex parte Yarbrough, *supra*, decided in 1884, the Court recognized that the matter of qualifications of voters was still left to the States (110 U.S. at 663).

Mr. HILL. Mr. President, will the Senator yield for a question?

Mr. TALMADGE. I yield for a question.

Mr. HILL. Is it not true that the decisions to which the Senator has referred are predicated on the absolute fact that after the Colonies won their independence from the British Crown, all powers were in the people in those Colonies?

Mr. TALMADGE. That is entirely correct.

Mr. HILL. There was no Federal Government, and it was only when representatives of the Colonies, the delegates, met in the Philadelphia Convention to write our Constitution, that the Colonies gave to the Federal Government certain very limited and specific powers, reserving to themselves, as clearly emphasized by the 10th amendment, that all powers not expressly delegated to the Federal Government were reserved to the States and to the people; is that not true?

Mr. TALMADGE. The Senator from Alabama and I are in complete agreement. In fact, there was no Federal Government at all until the 13 sovereign States which had won their independence met in convention and created it, delegating to it the limited powers it could exercise. Then, as the Senator stated, by the 10th amendment the power that was not expressly delegated was further limited.

Mr. HILL. Mr. President, will the Senator yield further for another question?

Mr. TALMADGE. I yield for a question.

Mr. HILL. Is it not evident from a study of a report of the proceedings of the various State conventions which were held to ratify the Constitution that the paramount question was, "We want to know how much power you are giving to the Federal Government. How much power are we delegating now? We want to keep most of the power in our own States, in the hands of our own people."

Was that not the paramount question?

Mr. TALMADGE. The Senator is entirely correct. Not only was that one of the principal questions, but also another one was who should have the right to vote. The question was clarified in every State ratifying convention.

I am sure that the Senator is aware of the fact that even after the drafters of the Constitution went to great lengths to provide a limitation on Federal power, there was considerable dissension throughout the country about its adoption. One of the dissenters was Patrick Henry who maintained that there had been too much delegation of power. The question was resolved by men like George Mason, who agreed that the objections of Patrick Henry and others should be met by submitting a bill of rights at the very first Congress. Had it not been for that fact, there would never have been a United States of America.

Mr. HILL. Mr. President, will the Senator yield for another question?

Mr. TALMADGE. I yield to my friend from Alabama.

Mr. HILL. Is it not true that Patrick Henry was joined in his opposition to the Constitution by George Mason of Virginia, who was the author of the Virginia bill of rights, from which came the Bill of Rights for our Federal Constitution and the bill of rights which we find in practically all State constitutions today?

Mr. TALMADGE. The Senator is entirely correct. George Mason was the father of the first 10 amendments. Whenever I contemplate these so-called civil rights controversies, I recall that George Mason settled them all by guaranteeing our rights in the Federal Constitution's Bill of Rights.

Mr. HILL. Mr. President, will the Senator yield further?

Mr. TALMADGE. I yield for a question.

Mr. HILL. Is it not true that Woodrow Wilson, a great scholar and student of government, said that he would rather have been the author of the Virginia Bill of Rights than any other document penned by the hand of man?

Mr. TALMADGE. My recollection is that Woodrow Wilson did make that statement. The fact that he was one of our greatest historians makes his assertion all the more significant.

Every legitimate right known to man is written in the Constitution of the United States, primarily in the first 10 amendments. They are rights which are all inclusive and are enforcible in the courts.

In *U.S.* v. *Munford*, 16 F. 223 (C.C. Va. 1883), it was held that Congress power under the 15th amendment was limited to matters involving racial discrimination.

In *Lackey* v. *United States*, 107 F. 114, cert. den. 181 U.S. 621, section 5507 of the Revised Statutes, derived from the Enforcement Act of 1870, was declared unconstitutional. This statute sought to make unlawful the bribing of voters in a purely State election, without any requirement that such action be based on race or previous condition of servitude. The Court noted that Congress power under the 15th amendment was limited to State action. It was said that the amendment confers no right to vote on anyone, but merely forbids discrimination by the State based upon race (p. 118). Moreover, the amendment does not protect the Negro against any obstruction of his right to vote, unless such obstruction was because of his race.

Similarly, in *United States* v. *Cruikshank*, 92 U.S. 542, 23 L. Ed. 588, 592 (1876), it was held:

> In *Minor* v. *Happersett*, 21 Wall. 178 (88 U.S. XXII, 631), we decided that the Constitution of the United States has not conferred the right of suffrage upon anyone, and that the United States have no voters of their own creation in the States. In *U.S.* v. *Reese* just decided (ante, 563), we hold that the 15th amendment has invested the citizens of the United States with a new constitutional right, which is, exemption from discrimination in the exercise of the elective franchise on account of race, color, or previous condition of servitude. From this it appears that the right of suffrage is not a necessary attribute of national citizenship; but that exemption from discrimination in the exercise of that right on account of race, etc., is. The right to vote in the States comes from the States; but the right of exemption from the prohibited discrimination comes from the United States. The first has not been granted or secured by the Constitution of the United States; but the last has been.

In *United States* v. *Reese*, 92 U.S. 214, 23 L. Ed. 563 (1876), an indictment was brought under section 4 of the Enforcement Act of 1870 (16 Stat. 140) against Kentucky election officials for refusing to receive and count the vote of a Negro in an election for municipal officials, section 4 providing for the punishment of anyone who by force, bribery, threats, et cetera, hinders, delays, or obstructs a citizen from doing any act required to be done in order to qualify him to vote. Upon argument, the Government abandoned consideration of all claims not dependent upon the 15th amendment. Noting that the 15th amendment does not confer the right of suffrage on anyone (p. 594), the Court concluded that section 4 was not limited to the authority of the 15th amendment; that is, obstructions based upon race, color, et cetera, but purported to apply to any obstruction. So being, section 4 is unconstitutional, and the Court finds itself unable to limit it to deprivations based on race, as its terms do not admit of separability, and any attempt to so do would render it so vague as to leave the accused uncertain of its scope.

In *Guinn* v. *United States*, 238 U.S. 347, 362, 59 L. Ed. 1340 (1915), the Oklahoma "grandfather clause" was declared unconstitutional, which in effect imposed a literacy test against Negro voters, but exempted white voters. The Court was clear to point out, however, that neither the 14th nor 15th amendment had affected the power of the States to prescribe qualifications not dependent upon race. It was said:

> Beyond doubt the amendment does not take away from the State governments in a general sense the power over suffrage which has belonged to those governments from the beginning, and without the possession of which power the whole fabric upon which the division of State and National authority under the Constitution and the organization of both governments rest would be without support, and both the authority of the Nation and the State would fall to the ground. In fact, the very command of the amendment recognizes the possession of the general power by the State, since the amendment seeks to regulate its exercise as to the particular subject with which it deals.
>
> Thus the authority over suffrage which the States possess and the limitation which the amendment imposes are coordinate and one may not destroy the other without bringing about the destruction of both.

The effect of the 14th, 15th, 17th, and 19th amendments is well stated in an article entitled "Voting Rights," 3 Race Rel. L. R. 371, 372 (1958), viz:

> The effect of these constitutional provisions, however, it not to confer on any person a Federal right to vote. The State, not the Federal Government, is still primarily responsible for voting rights; but once the State purports to give any person or class the elective franchise, the Federal constitutional and statutory provisions immediately and automatically operate to limit the power of the State to determine whether it will withhold the franchise from any person or groups of persons. Thus, upon the adoption of the 19th amendment, all State constitutional and statutory provisions withholding the elective franchise from women solely because of their sex were immediately null and void. See People ex rel. (*Murray* v. *Holmes*, 341 Ill. 23, 173 N.E. 145 (1931); Annot., 71 A.L.R. 1332 (1931)). It would seem, therefore, that the States are free to establish any requirement they may deem wise, as long as these requirements are not discriminatory nor based on sex, race, color or previous condition of servitude. As a consequence, voting rights may, and often do, vary from State to State.

Congress possesses no power to prescribe qualifications by virtue of article I, section 4, clause 1. This clause provides:

> The Times, Places, and Manner of holding Elections for Senators and Representatives shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law make or alter such Regulations, except as to the Places of Chusing Senators.

It would be enough to say that since article I, section 2 makes express reference to qualifications of electors by adopting those applicable to State legislatures, and since the 17th amendment makes similar provision as to Senators, these specific provisions will necessarily control over the more general language of article I, section 4, even assuming the latter to be otherwise applicable, which as will be hereafter shown, it definitely is not. See 50 Am. Jr. 371, section 367, setting forth the rule that specific provisions of a document control as against more general ones, which, without the specific, would be included in the general.

Certainly, the reference to "time" and "place" in article I, section 4, has no relevancy here.

With respect to "manner," this word generally has reference to the procedure or the way of doing a thing, and does not define who is qualified to do it. In re *Koelhoffer's Estate*, 25 A. 2d 638, 644, 20

N.J. Misc. 139; *State* v. *Adams*, 2 Stew. 231, 242 (Ala.).

People v. *Guden*, 75 N.Y.S. 347, 349 (1902), holds:

The manner of election does not go to the question of what body of electors shall elect.

Livesley v. *Litchfield*, 83 P. 142, 144, 47 Or. 248, 114 Am. St. Rep. 920 (1905), held:

The authority given by section 7 of article 6 to prescribe the time and manner in which municipal officers may be elected or appointed does not, we think, include the power to determine what shall constitute a legal voter.

The Court then quoted from *People* v. *English*, 139 Ill. 622, 29 N. E. 678 (1892):

The Constitution having thus made provision for such officer, and for his and her "election", and having prescribed, in section 1 of article 7 (Ill. Const.), the qualifications essential to entitle a person to vote at any election, it must be presumed that it was and is the true intent and meaning of the instrument that no person shall have the right to vote for a county superintendent of schools who does not possess such qualifications. * * * Said section 5 (art. 8) provides, not only that the qualifications, powers, duties, compensation, and term of office of the county superintendent of schools shall be prescribed by law, but also that the time and manner of election of such superintendent shall be prescribed by law. What is meant by the expression manner of election? Was it intended thereby to give to the legislature the power of prescribing the qualifications which would entitle persons to vote at any election for such county superintendent? The word "manner" is usually defined as meaning way of performing or executing, method, custom, habitual practice, etc. * * * (It) indicates merely that the Legislature may provide by law the usual, ordinary, or necessary details required for the holding of the election.

In *Newberry* v. *United States*, 256 U.S. 232, 250, 257, 65 L. Ed. 913 (1921) the Court, in speaking of article 1, section 4, stated:

Sundry provisions of the Constitution indicated plainly enough what its framers meant by election and the manner of holding them.

Following which the Court enumerated a list of provisions, all of which were purely procedural in nature. Reference was made to Hamilton's statement in the Federalist, No. 60, to the effect that the qualifications of electors, unlike other matters, could not be altered.

Mr. ROBERTSON. Mr. President, will the Senator from Georgia yield for a question?

Mr. TALMADGE. I yield for a question.

Mr. ROBERTSON. The distinguished Senator from Georgia has just referred to the discussion in the Federalist Papers concerning whether the section dealing with the time and manner of holding elections extended to the qualifications of electors. Is it not true that Alexander Hamilton and all others who had any part whatever in framing the Constitution and procuring its ratification made it crystal clear that the section relating to the time and manner of holding elections had nothing whatever to do with the retained powers of the State over the electors?

Mr. TALMADGE. The Senator is entirely correct. As a matter of fact, I was just before reading Alexander Hamilton's very words on that subject. In dealing specifically with the language as to "manner of holding," Hamilton wrote in the Federalist, No. 60:

Many things are prerequisite to elections or may affect their outcome—voters, education, means of transportation, health, public discussion, immigration, private animosities, even the face and figure of the candidate; but authority to regulate the manner of holding them gives no right to control any of these.

Nothing could be clearer. The point of law not only was established by the framers of the Constitution but also every court in the United States, both Federal and State, passing on the language, has held time after time that the language of section 4 of article II, relating to the time and manner of holding elections, goes to procedure only, and not to who shall vote in the election.

Mr. ROBERTSON. Mr. President, will the Senator from Georgia yield for another question?

Mr. TALMADGE. I yield to the Senator from Virginia for a question.

Mr. ROBERTSON. Is it not true that in the Federalist it was made clear that the reason for inserting this provision in the Constitution, while leaving to the States exclusive jurisdiction, under section 2 of article I, on qualifications, was that it would enable Congress to say to the States, "You qualify the voters; you set up the voter lists; but we will tell you when we will have an election for Federal officials." Otherwise, it was felt the States might refuse to have an election for Federal officials.

Mr. TALMADGE. That is correct.

Mr. ROBERTSON. The only purpose was to give Congress a little control, so as to create and perpetuate itself.

Mr. TALMADGE. That is entirely correct: because without that power, if the States had seen fit to do so, they could have refused to hold elections, and the National Government would thereby have died.

Mr. ROBERTSON. Mr. President, will the Senator from Georgia further yield for a question?

Mr. TALMADGE. I yield for a question.

Mr. ROBERTSON. Is it not also true that in the Yarbrough case, decided in 1884, and confirmed in the Swofford case and all subsequent cases, it was held that the Constitution clearly left to the States the right to fix the qualifications of voters, provided restrictions were not imposed on the basis of race, previous condition of servitude, or sex, and provided restrictions were not imposed upon voting for Federal officials which were different from those required for voting for the most numerous branch of the State legislatures?

Mr. TALMADGE. This is entirely correct.

Mr. ROBERTSON. Have not the courts consistently held that?

Mr. TALMADGE. Nothing is clearer in American history and law than that the qualifications of voters shall be determined by the States. The National Government has merely adopted as the yardstick for voting for Federal officials the requirements which have been adopted by the States. That has been true from the time of the formation of our Republic down to the present time.

Now I shall read what the Supreme Court of the United States held in the case of *Smiley* v. *Holm*, 285 U.S. 355, 76 L. Ed. 795 (1932).

The Court specified some of the things which properly might be included within the term "manner," to wit:

The subject matter is the "times, places and manner of holding elections for Senators and Representatives."

It cannot be doubted that these comprehensive words embrace authority to provide a complete code for congressional elections, not only as to times and places, but in relation to notices, registration, supervision of voting, protection of voters, prevention of fraud and corrupt practices, counting of votes, duties of inspectors and canvassers, and making and publication of election returns; in short, to enact the numerous requirements as to procedure and safeguards which experience shows are necessary in order to enforce the fundamental right involved.

In the constitutional debates, the discussion relative to article I, section 4, centered principally around the reference to "place and time." See 3 "Elliot's Debates," pages 60, 175, 366, 403–404; Id. volume 2, page 32.

Mr. Madison stated that this authority in Congress was necessary; and he gave several examples, all of which involved procedural matters—5 Elliot, pages 401–402. See also 2 Elliot, pages 22–34; 48–49; 325; volume 4, page 104.

Mr. Steele, a delegate from North Carolina to the Convention, stated the issue very succinctly, viz:

Every man who has a right to vote for a representative to our legislature will ever have a right to vote for a representative to the general government. Does it not expressly provide that the electors in each State shall have the qualifications requisite for the most numerous branch of the State legislature? Can they, with a most manifest violation of the Constitution, alter the qualifications of the electors? The power over the manner of elections does not include that of saying who shall vote; the Constitution expressly says that the qualifications which entitle a man to vote for a State representative. It is, then, clearly and indubitably fixed and determined who shall be the electors; and the power over the manner only enables them to determine how these electors shall elect—whether by ballot, or by vote, or by any other way (4 Elliot's Debates, p. 71).

In a disputed election case before Congress in 1842, it was declared that the purpose of article I, section 4, was to authorize Congress to act in case the States did not. It was pointed out that seven of the Thirteen Original States protested against this section, and it was finally approved with the understanding that Congress would act only where the States had failed to do so. 1 Bart. El. Cas. 47 (1842).

Mr. ROBERTSON. Mr. President, will the Senator from Georgia yield for a question?

The PRESIDING OFFICER (Mr. METCALF in the chair). Does the Senator

from Georgia yield to the Senator from Virginia?

Mr. TALMADGE. I yield to my friend, the Senator from Virginia, for a question.

Mr. ROBERTSON. The distinguished Senator from Georgia is making it just as clear as can be what those who framed the Constitution said the year thereafter it meant.

Mr. TALMADGE. The able Senator is right.

Mr. ROBERTSON. But now, more than a century and a half after that event, we have an Attorney General and some Members of Congress who are trying to say it meant something different from what those who wrote it said, a year after they wrote it, that it meant. Is not that a fact?

Mr. TALMADGE. That is wholly correct. There is no clearer point in the history of American jurisprudence than the meaning of the provisions on voting in the National Constitution. But, Mr. President, as the distinguished Senator from Virginia knows, in recent years it has become very popular in some circles just before an election to create a strawman, slay him, and then point with pride to the body. That is the object of the contrived issue before us at the present time.

Mr. ROBERTSON. And is it not also a fact that, under the rules of the Senate, when we refer to this strange construction of the Constitution, we are not at liberty to explain exactly what is behind it all; under the rules of the Senate, protocol is required, and language unbecoming or impugning certain things is not permitted. In short, we cannot do that under the rules of the Senate, can we?

Mr. TALMADGE. Yes; the rules are clear on the point of raising questions of motive. However, I have no hesitancy in stating that we are considering a political issue. The junior Senator from Virginia knows it. The junior Senator from Georgia knows it. And I am quite certain those who bring forth legislation of this type know it, too.

Mr. ROBERTSON. Mr. President, let me say that the Senator from Georgia is making a very fine speech.

Mr. TALMADGE. I thank the Senator from Virginia.

Mr. President, similar views were expressed by Hamilton in the Federalist, No. 59, where it was said:

It will not be alleged, that an election law could have been framed and inserted in the Constitution, which would have been always applicable to every probable change in the situation of the country; and it will therefore not be denied, that a discretionary power over elections ought to exist somewhere. It will, I presume, be as readily conceded, that there were only three ways in which this power could have been reasonably modified and disposed; that it must either have been lodged wholly in the national legislature, or wholly in the State legislatures, or primarily in the latter and ultimately in the former. The last mode has, with reason, been preferred by the Convention. They have submitted the regulation of elections for the Federal Government, in the first instance, to the local administrations; which, in ordinary cases, and when no improper views prevail, may be both more convenient and more satisfactory; but they have reserved to the national authority a right to interpose, whenever extraordinary circumstances might render that interposition necessary to its safety.

Nothing can be more evident, than that an exclusive power of regulating elections for the National Government, in the hands of the State legislatures, would leave the existence of the Union entirely at their mercy. They could at any moment annihilate it, by neglecting to provide for the choice of persons to administer its affairs. It is to little purpose to say, that a neglect or omission of this kind would not be likely to take place. The constitutional possibility of the thing, without an equivalent for the risk, is an unanswerable objection. Nor has any satisfactory reason been yet assigned for incurring that risk.

From another standpoint, it is clear that article I, section 4, does not support the validity of S. 2750, insofar as it would illegalize literacy tests. The words "times, places and manner" appear in that sequence. "Times" and "places" are specific in nature, and precede the more general term "manner."

Consequently, under the rule of interpretation known as ejusdem generis, the meaning of "manner" is restricted by "times" and "places"—50 Am. Jur. 244, sec. 249. As stated in *Cutler* v. *Rouns*, 110 U.S. 720, 728, 28 L. Ed. 305 (1884):

The rule of interpretation correctly stated is, that where particular words of a statute are followed by general, the general words are restricted in meaning to objects of like kind with those specified.

See also *United States* v. *Salen*, 235 U.S. 237, 59 L. Ed. 210 (1914), and *Cleveland* v. *United States*, 329 U.S. 14, 18, 91 L. Ed. 12 (1946).

Since "times" and "places" deal only with the physical or procedural aspects of an election, it is clear that "manner" must likewise be limited, and cannot be held to embrace such substantive matters as the qualifications of electors. To construe it otherwise would not only violate the rule of ejusdem generis, but likewise completely nullify so much of article I, section 2, and section 1 of the 17th amendment, as adopt the qualifications prescribed by State law. Even as to the original Constitution, that is, article I, section 2, all provisions must be construed so as to give effect to each, 50 Am. Jur. 361, section 358, and to harmonize all parts and avoid inconsistencies—50 Am. Jur. 367, section 363. To assert otherwise here would require that we go even further and assume that section 1 of the 17th amendment, although a later expression of the people than article I, section 4, was nevertheless subordinate to the latter.

The extent of congressional power is also indicated to some extent by congressional interpretation thereof as evidenced by statutes enacted by Congress in the past. Some of these statutes are as follows: 2 U.S.C.A. 1, as amended, "Time for election of Senators, and certification of results"; 2 U.S.C.A. 2 and 2a, "Number, apportionment, and reapportionment of representatives"; 2 U.S.C.A. 3, "Election of Representatives by districts"; 2 U.S.C.A. 4, "Representative at Large following increase due to reapportionment"; 2 U.S.C.A. 5, "Nomination of Representative at Large"; 2 U.S.C.A. 6, "Reduction of representation following census"; 2 U.S.C.A. 7, "Time of election"; 2 U.S.C.A 8, "Vacancies"; 2 U.S.C.A. 9, "Voting by written, printed ballot, or voting machine"; 2 U.S.C.A., chapter 7, "Contest of elections"; 2 U.S.C.A., chapter 8, "Corrupt Practices Act." See *U.S.* v. *Foote*, 42 F. Supp. 717 (D.C. Del. 1942), upholding 2 U.S.C.A. 250, penalizing expenditures to influence voting, the Court predicating its decision on article I, section 4.

Mr. HILL. Mr. President, will the Senator yield?

Mr. TALMADGE. I yield for a question.

Mr. HILL. The Senator has cited a number of statutes enacted by Congress. Is it not a fact that in none of them whatever is there any attempt in any way, shape, or form, to cast any shadow of doubt upon the power of the States insofar as fixing the qualifications of of electors is concerned?

Mr. TALMADGE. The Senator is entirely correct; and in the history of the country, from the adoption of the Constitution down to the present time, Congress has not passed a single statute to prevent the States from determining the qualification of electors in any election.

Mr. HILL. In other words, Congress has recognized, from the beginning, from the adoption of the Constitution down to this good hour, that the matter of fixing the qualifications of electors was a power completely in the hands of the several States. Is that correct?

Mr. TALMADGE. The Senator is absolutely right.

See also title 18, United States Code Annotated, sections 591, and the following, defining penal offenses relative to elections, such as intimidation of voters—section 594—and expenditures to influence voting—section 597.

On the civil side, existing section 1971 (a), title 42, United States Code Annotated, designed to implement the 14th and 15th amendments, is limited entirely to discrimination based on race. Section 1971(b), quoted at the beginning hereof, deals exclusively with Federal elections, and while it, unlike paragraph (a), is not limited to State action or discrimination based on race, it does deal exclusively with the process or conduct of the election itself, in that it refers to "intimidation," threats, or coercion.

So strongly has the matter of voter qualifications been considered a State function, that section 2003 of the Revised Statutes, title 42, United States Code Annotated, section 1972, provides:

No officer of the Army, Navy, or Air Force of the United States shall prescribe or fix, or attempt to prescribe or fix, by proclamation, order or otherwise, the qualifications of voters in any State, or in any manner interfere with the freedom of any election in any State, or with the exercise of the free right of suffrage in any State.

As pointed out in *Ex parte Yarbrough*, 110 U.S. 661, 28 L. Ed. 274 (1884), and in *United States* v. *Classic*, 313 U.S. 299, 85 L. Ed. 1368 (1941), Congress can legislate so as to regulate the conduct of Federal elections so as to protect them against

fraud, violence, and the like, even as against the acts of private individuals, but as stated in the Yarbrough case:

> The importance to the General Government of having the actual election, the voting for those members, free from force and fraud is not diminished by the circumstances that the qualifications of the voter is determined by the law of the State where he votes (p. 663).

In the Classic case, in speaking of Congress authority under article I, section 4, it was said:

> And since the constitutional command is without restriction or limitation, the right, unlike those guaranteed by the 14th and 15th amendments, is secured against the action of individuals as well as of States.

At page 317, however, it was clearly stated that this authority was derived from article I, section 4, and see page 310, holding that the right to vote for Members of Congress is defined in article I, section 2, declaring that Representatives are to be chosen by the people, and so forth, subject to regulations prescribed by section 4.

At page 320, it was said:

> Not only does section 4 of article I authorize Congress to regulate the manner of holding elections, but by article I, section 8, clause 18, Congress is given authority "to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States, or in any department or officer thereof." This provision leaves to the Congress the choice of means by which its constitutional powers are to be carried into execution. "Let the end be legitimate; let it be within the scope of the Constitution, and all means which are appropriate which are plainly adapted to that end which are not prohibited but consist with the letter and spirit of the Constitution, are constitutional."

But in this respect, it is clear that the Court was referring to the process of the election itself, in the sense that unless Congress could regulate primaries, State law could in effect completely destroy Congress power under article I, section 4, by incorporating primaries into its election machinery to such an extent, as was done here, as to make the primary the real election and the general election only a formality. The Court obviously was not concerned with the substantive qualifications of electors.

In Christensen, "The Constitutionality of National Antipoll Tax Bills," 33 Minn. L.R. 217 (1949), the author declares that the States prescribe qualifications subject only to the 15th and 19th amendments, dealing with race and sex. He discusses the Classic case and concludes that at pages 307, 310, 314, the Court was saying that it is only the right of qualified voters—under State law—that is a national right.

Other cases have recognized Congress power as to Federal elections in similar terms. See *Ex Parte Siebold*, 100 U.S. 383, 25 L. Ed. 717 (1880); *United States* v. *Gale*, 109 U.S. 1, 27 L. Ed. 857 (1883); *United States* v. *Munford*, 16 F. 223 (c.c. Va. 1883); *United States* v. *Mosley*, 238 U.S. 383, 59 L. Ed. 1355 (1915); *United States* v. *Belvin*, 46 F. 381 (c.c. Va. 1891); *Larche* v. *Hannah*, 177 F. Supp. 816 (D.C. La. 1959), reversed, 363 U.S. 420, 4 L. Ed. 2d 1307 (1960); and of *Logan* v. *United States*, 144 U.S. 263, 36 L. Ed. 429 (1892).

On the other hand, Federal legislation governing State elections is limited by the 14th and 15th amendments to discrimination arising from State action, and Congress is powerless to legislate regarding State elections with respect either to private individuals, or interferences not concerned with race. *Lackey* v. *United States*, 107 F. 114, cert. den., 181 U.S. 621; *United States* v. *Cruikshank*, 92 U.S. 542, 23 L. Ed. 588 (1876); *United States* v. *Harris*, 106 U.S. 629, 27 L. Ed. 290 (1883); *Baldwin* v. *Franks*, 120 U.S. 678, 30 L. Ed. 766 (1887); *United States* v. *Reese*, 92 U.S. 214, 23 L. Ed. 563 (1876).

Moreover, the mere fact that Members of Congress are also voted on in a State election confers no power on Congress to regulate the latter. *Ex Parte Siebold*, *supra* (100 U.S. at 393); *Ex Parte Perkins*, 29 F. 900 (c.c. Ind. 1887).

Mr. EASTLAND. Mr. President, will the Senator yield for a question?

Mr. TALMADGE. I am delighted to yield to my friend from Mississippi for a question.

Mr. EASTLAND. Is it not apparent, throughout all the constitutional debates, that the foundation of this Government was the power of the people in the States to determine the qualifications of their own electors? Is it not true that our whole government is built upon that principle?

Mr. TALMADGE. The Senator is entirely correct. That is true not only with respect to the constitutional debates but also with respect to all Federal court decisions down to and including the present time. The qualifications of voters is a matter to be determined by the laws of the respective States.

Mr. EASTLAND. Is it not true that the proposal is a step toward federalization?

Mr. TALMADGE. There is no doubt about that. It would transfer power from 50 States to Washington, D.C. It would limit State power and increase Federal power. That is the purpose of the measure.

Mr. EASTLAND. What would be the first step necessary in concentrating power and destroying the rights of the States?

Mr. TALMADGE. It would be necessary to change the system of voting so that the voters would be controlled on a national level.

Mr. EASTLAND. Is not the present system basic to our whole system of government?

Mr. TALMADGE. It certainly is. The power of a State to determine its electors cannot be denied without destroying of the right of all States to determine who shall elect their officials, both State and Federal.

Mr. EASTLAND. Does the Senator think that if the proposal is enacted it will be followed by others which would completely nationalize the voters?

Mr. TALMADGE. I am sure this is only the forerunner of a great many election-year proposals which will seek to transfer what few powers the States, counties, and cities have left to Washington.

Mr. EASTLAND. Is it not true, if that is done, the liberties of the American people will have been crushed?

Mr. TALMADGE. There is no doubt that the trend is in that direction and has been so for a number of years. Some people object to the exercise of governmental power in the city halls, county courthouses, and State capitols. Those people would like to see all the power transferred to Washington, D.C., and given to some bureaucrat who does not know the problems to say nothing of the solutions.

Mr. EASTLAND. Is it not true that the best custodian of liberty and the best custodian of the American system of government is the power of people in their own communities, speaking through their State governments, to control their local affairs?

Mr. TALMADGE. That is entirely correct. I could not agree more. When power is removed from the local level it is almost impossible for the average citizen even to have a right to be heard, let alone to exercise that right.

Mr. EASTLAND. Can we ever have a dictatorship in this country when the power is exercised at the local level?

Mr. TALMADGE. No, we cannot. It is the greatest possible guarantee of a republican form of government. Whenever the power of government is transferred to one central level, it then becomes very easy for some dictator to take control of the machinery of government.

Mr. EASTLAND. Does the Senator think that this proposal is a direct attack on the American system of government?

Mr. TALMADGE. Certainly it is to the extent that it would substitute the regimentation of a central government for the right of local self-government.

Mr. EASTLAND. Is that not an attack on the present American system of government?

Mr. TALMADGE. I would say that it is an attack on the rights of States to determine who shall be their electors.

It is also interesting to note that in the 1959 report of the U.S. Civil Rights Commission, Commissioners Hannah, Hesburgh, and Johnson recommended adoption of a constitutional amendment which would outlaw use of literacy tests. See report, page 143; 4 Race Rel. L.R. 791 (1959). It is significant that even such partisans who obviously favor abolition of literacy tests believe that a constitutional amendment will be required to accomplish it. Commissioners Storey and Carlton, who opposed the proposal, agreed in this respect, for they declared:

> On principle, proposals for constitutional amendments which would alter longstanding Federal-State relationships, such as the constitutional provision that matters pertaining to the qualifications of electors shall be left to the several States, should not be proposed in the absence of clear proof that no other action will correct an existing evil. No such proof is apparent (4 Race Rel. L.R., 793).

S. 2750 is not appropriate legislation to enforce the 14th and 15th amendments.

Section 5 of the 14th amendment, and section 2 of the 15th amendment, authorize Congress to enforce those amendments by "appropriate legislation."

Under these amendments, Congress is limited to legislating against State action discriminatory in nature. *Civil Rights* cases, 109 U.S. 3, 13, 27 L. Ed. 835 (1883); *Lackey* v. *United States*, 107 F. 114 (c.c. Ky. 1901), cert. den., 181 U.S. 621; *United States* v. *Cruikshank*, 92 U.S. 542, 23 L. Ed. 588, 592 (1876). In this respect, it is important to recall that Congress power under the 14th and 15th amendments is in a sense more restricted than its power to legislate as to the "manner" of Federal elections under article I, section 4. Under the latter, if the subject matter is legitimately concerned with the "manner" or conduct of the election process itself, Congress can legislate even as against private individuals, *United States* v. *Classic*, 313 U.S. 299, 315, 85 L. Ed. 1368 (1941), and such legislation is not limited to proscribing discrimination. *United States* v. *Munford*, 16 F. 223 (c.c. Va. 1883); *United States* v. *Foote*, 42 F. Supp. 717 (D.C. Del. 1942). Under the 14th amendment, however, Congress can legislate only so as to prevent discrimination, and under the 15th amendment, only as against discrimination based upon race or previous condition of servitude. *United States* v. *Reese*, 92 U.S. 214, 23 L. Ed. 563 (1876).

Applying these principles, it necessarily follows that any effort by Congress to outlaw literacy tests cannot be predicated upon either of these two amendments. Literacy tests uniformly have been upheld as against claims that they constituted discrimination. *Williams* v. *Mississippi*, 170 U.S. 213, 42 L. Ed. 1012 (1898); *Trudeau* v. *Barnes*, 65 F. 2d 563 (CC5th 1933); *Darby* v. *Daniel*, 168 F. Supp. 170 (D.C. Miss. 1958); *Williams* v. *McCulley*, 128 F. Supp. 897 (D.C. La. 1955); *Lassiter* v. *Northampton County Board of Elections*, 360 U.S. 45, 3 L. Ed. 2d 1072 (1959).

These cases are all in accord that the qualifications of electors is a State matter and only a State matter, and that the National Government must adopt the State yardstick for the qualification of electors to vote for Federal officers.

Therefore, since literacy tests do not constitute discrimination, they cannot be reached under either the 14th or 15th amendments.

Moreover, the proposition goes even further here. To uphold S. 2750 in this regard would require a holding that the general reference in these two amendments is sufficient authority for Congress to supersede the specific language of article I, section 2, remitting all questions of qualifications to State law, and that such authority is also paramount to similar, specific language adopted subsequent thereto in the 17th amendment. In other words, the Government necessarily must contend that despite the rule that the latest expression of the lawmaking body controls, the plain language of the 17th amendment cannot be given effect because of the enforcement clauses of the earlier 14th and 15th amendments.

While Congress has a wide choice in selecting means to implement its powers, *United States* v. *Classic*, 313 U.S. 299, 320, 85 L. Ed. 1368 (1941), the means sought to accomplish even a legitimate end must not be unreasonably broad, and may in no event themselves be violative of the Constitution. *Shelton* v. *Tucker*, 364 U.S. 479, 5 L. Ed. 2d 231 (1961); *Smith* v. *California*, 361 U.S. 147, 4 L. Ed. 2d 205 (1959); *Speiser* v. *Randall*, 357 U.S. 513, 2 L. Ed. 2d 1460 (1958). As an example, in the Shelton case, Arkansas had enacted a law requiring public school teachers to list annually all organizations to which they had belonged or contributed within the preceding 5 years. In striking down this statute the Court recognized that a State has a legitimate interest in the fitness of its schoolteachers, and it was further recognized that the associational relationships of the teachers would have some bearing on this question. However, considering the adverse consequences likely to flow from disclosure of membership in certain organizations which the Court considered legitimate, that is, the NAACP, the Court held that the means selected by Arkansas were too broad to accomplish the legitimate end, which the Court said could be more narrowly achieved. It was said:

> The breadth of legislative abridgement must be viewed in the light of less drastic means for achieving the same basic purpose.

The less "drastic" alternative to outlawing literacy tests altogether is simply what is now being done, and that is to seek court relief against discriminatory administration of such tests, as was done in such cases as *United States* v. *Alabama*, 192 F. Supp. 677 (D.C. Ala. 1961), and *Sellers* v. *Wilson*, 123 F. Supp. 917 (D.C. Ala. 1954).

Nor is it any answer to say that the proof is difficult in such cases. This argument, if valid, could be used to justify legislation authorizing imprisonment without trial.

The whole problem simply gets back to the proposition that the Constitution adopts the qualifications of electors prescribed by State law. Legislation which would in effect abrogate the Constitution in this respect can hardly be called appropriate for any purpose.

Literacy tests are constitutional.

The earliest case is *Williams* v. *Mississippi*, 170 U.S. 213, 42 L. Ed. 1012 (1898), where a Negro indicted for murder in Mississippi moved to quash the indictment on the ground that under Mississippi law, qualification to serve on juries is dependent upon qualification as an elector, and as to the latter, Mississippi law imposed a literacy test and other procedures of such nature as to invite discrimination against the Negro race.

The holding of the Court denying this contention is summarized in the syllabus; namely:

> The equal protection of the laws is not denied to colored persons by a State constitution and laws which make no discrimination against the colored race in terms, but which grant a discretion to certain officers, which can be used to the abridgment of the right of colored persons to vote and serve on juries, when it is not shown, that their actual administration is evil, but only that evil is possible under them.

In *Trudeau* v. *Barnes*, 65 F. 2d 563 (C.C. 5th 1933), a Negro brought action against a Louisiana registrar to recover damages for refusing to register plaintiff because of his inability to read and interpret a clause of the Constitution, as required by State law.

The Court upheld the law, declaring that it violated neither the 14th nor 15th amendments, as it lays down but one test, that of intelligence, which is applicable equally to all.

In *Tullier* v. *Giordano*, 265 F. 2d 1 (C.A. 5th 1959), also involving the Louisiana literacy test, the Court declared:

> The qualification of voters is left to the several States subject to some limitations imposed by the U.S. Constitution.

The Court then enumerated these limitations as being article I, sections 2 and 4; article II, section 1; and the 14th, 15th, 17th, and 19th amendments. Reviewing the evidence, the Court concluded that while plaintiff was discriminated against in the registration process, it was not on racial grounds, and hence did not fall within Federal protection.

The leading case today is *Lassiter* v. *Northampton County Board of Elections*, 360 U.S. 45, 3 L. Ed. 2d 1072 (1959).

This case was an appeal from a three-judge Federal court, brought by a Negro seeking to have declared unconstitutional a provision of the North Carolina constitution imposing a literacy test as a requisite for voting, as being contrary to the 14th, 15th, and 17th amendments.

At the outset, the Court, in a unanimous opinion by Douglas, disposed of a question concerning a "grandfather clause" in the same State constitutional provision, not pertinent to the present inquiry.

As to the literacy test, it was said:

> We come then to the question whether a State may consistently, with the 14th and 17th amendments, apply a literacy test to all voters irrespective of race or color. The Court in *Guinn* v. *United States*, *supra* (238 U.S. at 366), disposed of the question in a few words, "No time need be spent on the question of the validity of the literacy test considered alone, since, as we have seen, its establishment was but the exercise by the State of a lawful power vested in it not subject to our supervision, and indeed, its validity is admitted."

The States have long been held to have broad powers to determine the conditions under which the right of suffrage may be exercised. *Pope* v. *Williams*, 193 U.S. 621, 633, 48 L. Ed. 817, 822, 24 C. Ct. 573; *Mason* v. *Missouri* (179 U.S. 328, 335, 45 L. Ed. 214, 220, 21 S. Ct. 125), absent, of course, the discrimination which the Constitution condemns. Article I, section 2, of the Constitution in its provision for the election of Members of the House of Representatives and the 17th amendment in its provisions for the election of Senators provide that officials will be chosen "by the people." Each provision goes on to state that "the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature." So while the right of suffrage is established and guaranteed by the Constitution (*Ex. Parte Yarbrough*, 110 U.S. 651, 663-665, 28 L. Ed. 274, 278, 279, 4 S. Ct. 152; *Smith* v. *Allwright*, 321 U.S. 649, 661, 662, 88

L. Ed. 987, 995, 996, 64 S. Ct. 757, 151 ALR 1110), it is subject to the imposition of State standards which are not discriminatory and which do not contravene any restriction that Congress, acting pursuant to its constitutional powers, has imposed. See *United States* v. *Classic*, 313 U.S. 299, 315, 85 L. Ed. 1368, 1377, 61 S. Ct. 1031. While section 2 of the 14th amendment, which provides for apportionment of Representatives among States according to their respective numbers counting the whole number of persons in each State (except Indians not taxed), speaks of the right to vote, the right protected "refers to the right to vote as established by the laws and constitution of the State." *McPherson* v. *Blacker*, 146 U.S. 1, 39, 36 L. Ed. 869, 878, 13 S. Ct. 3.

We do not suggest that any standards which a State desires to adopt may be required of voters. But there is wide scope for exercise of its jurisdiction. Residence requirements, age, previous criminal record (*Davis* v. *Beason*, 133 U.S. 333, 345–347, 33 L. Ed 637, 641, 642, 10 S. Ct. 299), are obvious examples indicating factors which a State may take into consideration in determining the qualifications of voters. The ability to read and write likewise has some relation to standards designed to promote intelligent use of the ballot. Literacy and illiteracy are neutral, on race, creed, color, and sex, as reports around the world show. Literacy and intelligence are obviously not synonymous. Illiterate people may be intelligent voters. Yet in our society where newspapers, periodicals, books, and other printed matter canvass and debate campaign issues, a State might conclude that only those who are literate should exercise the franchise. Cf. *Franklin* v. *Harper*, 205 Ga. 799, 55 S.E. 2d 22, app. dismd. 339 U.S. 946, 94 L. Ed. 1361, 70 S. Ct. 804. It was said last century in Massachusetts that a literacy test was designed to insure an "independent and intelligent" exercise of the right of suffrage *Stone* v. *Smith*, 159 Mass. 413, 414, 34 N.E. 521. North Carolina agrees. We do not sit in judgment on the wisdom of that policy. We cannot say, however, that it is not an allowable one measured by constitutional standards (360 U.S., at pp. 50–53).

In footnote 7, the Court noted that 19 States now impose some sort of literacy test, including Georgia.

The Court noted, however, that literacy tests may be administered unfairly, or as held in *Davis* v. *Schnell*, 81 F. Supp. 1093, aff'd. 336 U.S. 933, they may be void on their face when they confer such broad discretion in their administration as to indicate, in the light of persuasive legislative history, that they were intended and calculated to be an instrument of discrimination.

It was concluded:

> The present requirement, applicable to members of all races, is that the prospective voter "be able to read and write any section of the constitution of North Carolina in the English language." That seems to us to be one fair way of determining whether a person is literate, not a calculated scheme to lay springs for the citizen. Certainly we cannot condemn it on its face as a device unrelated to the desire of North Carolina to raise the standards for people of all races who cast the ballot (pp. 53–54).

Further consideration should be given to some of the cases cited by the Court.

The case of *Guinn* v. *United Sttaes*, 238 U.S. 347, 59 L. Ed. 1340 (1915), cited by the Court in the Lassiter case, concerned an indictment under what is now 18 U.S.O.A. 241, against Oklahoma election officials for having refused to permit Negroes to vote. The State law contained a so-called grandfather clause, whereby persons qualified to vote in January 1866, were automatically qualified to vote, whereas all other persons were required to undergo a literacy test.

The Court concluded that the grandfather clause itself was void as being contrary to the 15th amendment, in that it set up a discrimination based on race. But it was expressly held that the 15th amendment's grant of power as to racial discrimination did not destroy the authority of the States over suffrage; namely:

> (a) Beyond doubt the amendment does not take away from the State governments in a general sense the power over suffrage which has belonged to those governments from the beginning, and without the possession of which power the whole fabric upon which the division of State and National authority under the Constitution and the organization of both governments rest would be without support, and both the authority of the Nation and the State would fail to the ground. In fact, the very command of the amendment recognizes the possession of the general power by the State, since the amendment seeks to regulate its exercise as to the particular subject with which it deals.
>
> * * * * *
>
> Thus the authority over suffrage which the States possess and the limitation which the amendment imposes are coordinate and one may not destroy the other without bringing about the destruction of both (p. 362).

And again, at page 366:

> No time need be spent on the question of the validity of the literacy test, considered alone, since, as we have seen, its establishment was but the exercise by the State of a lawful power vested in it, not subject to our supervision, and, indeed, its validity is admitted.

Mr. STENNIS. Mr. President, will the Senator from Georgia yield for a question?

Mr. TALMADGE. I yield to the Senator from Mississippi for a question.

Mr. STENNIS. Does the Senator from Georgia think the following quotation from Willoughby, in "The Constitutional Law of the United States," pages 540 and 541, to which I call his special attention, is sound historically as well as legally on the important point he has been discussing:

> A distinction is to be made between the right to vote for a Representative to Congress and the conditions upon which that right is granted * * * the right to vote is conditioned upon and determined by State law. But the right itself, as thus determined, is a Federal right. That is to say, the right springs from the provision of the Federal Constitution that Representatives shall be elected by those who have the right in each State to vote for the members of the most numerous branch of the State legislature. The Constitution thus gives the right but accepts, as its own, the qualifications which the States severally see fit to establish with reference to the election of the most numerous branch of their several State legislatures.

To repeat my question: Does the Senator, from his learning and research, agree with the soundness and substance of this quotation from Willoughby; and if he does not, why does he not?

Mr. TALMADGE. I heartily agree with the quotation cited by the distinguished Senator from Mississippi both as a wise governmental provision and as sound law. The almost identical language was used by the Supreme Court in both the Yarbrough and Happersett cases. Cooley in his "Limitations on Constitutional Law" also uses almost the same quotation.

Mr. STENNIS. Is it not true that not only is the rule just expressed by the Senator from Georgia clearly spelled out in the Constitution; but that the whole soul and spirit that permeated the atmosphere at the time these provisions were finally agreed upon, as well as the history, as it has come down through the years and the decades, was that that principle would be left to the States, and that the States would make those decisions? Does not the Senator think that that principle should continue?

Mr. TALMADGE. Indeed, I do. In my opinion, there is nothing clearer than that. As the Senator from Mississippi, who is a capable historian, so well knows, our foreparents, who devised the dual system of government, knew that a delegation of power to the National Government was necessary for many things that could best be handled on the national level. Examples are the control of navigable streams, the operation of the postal service, the coining of money, and the administration of national defense. However, they determined to reserve for the States all powers not delegated to the National Government. I do not believe anything is more fundamental to local self-government or home rule than the right to say who shall or shall not vote.

Mr. STENNIS. Is it not true also, in keeping with both the rule and the spirit of the written Constitution, that it is highly probable that had not such an agreement been so clearly spelled out, the Constitution would never have been written and agreed to—certainly not at that time?

Mr. TALMADGE. The Constitution never would have been ratified had its framers demanded that the National Government have the right to determine the qualifications of voters.

Mr. STENNIS. Is it not also true that only a few days—perhaps 10 days or 2 weeks—before the Constitution was finally drafted, wise men like Benjamin Franklin and others, said it was probable that there would not be a Constitution?

Mr. TALMADGE. The Senator is entirely correct.

Mr. STENNIS. I thank the Senator from Georgia.

Mr. TALMADGE. As the Senator from Mississippi also knows, someone asked Ben Franklin, as he was leaving the Constitutional Convention, "What type of government have we, Dr. Franklin?"

Franklin replied, "A republic, if we can keep it."

Ben Franklin undoubtedly knew that erosion would set in against the Constitution if an effort were made to federalize the franchise and that was the

reason he said, "A republic, if we can keep it."

Mr. STENNIS. Then am I correct in judging, from what the Senator has said, that it is absolutely essential, if we are to maintain the Republic, to keep the fundamental law of the land?

Mr. TALMADGE. I could not agree more with the Senator from Mississippi. I thank him for his interrogation and contribution to this discussion.

Mr. STENNIS. I thank the Senator from Georgia for yielding to me.

Mr. TALMADGE. Mr. President, the Government of the United States has enacted nine civil and six criminal statutes guaranteeing the right of everyone to vote. In other words, Congress has enacted 15 statutes which are available to every citizen of the country to enforce his right to vote. Under some of the statutes passed by Congress, the citizen does not even have to engage his own lawyer; the Attorney General of the United States will give him counsel at the taxpayers' expense.

If there is anything which Congress has made abundantly clear, it is that every citizen of the United States is entitled to vote, provided he meets the standards of the respective States to exercise that right. It is clear that no further legislation is needed on that score.

Mr. President, when the Congress of the United States proceeds to legislate in the field of voting, it must walk a narrow constitutional line.

The Constitution very clearly delineates between the responsibilities of the Federal Government and those of the State governments in this field, and there is an impressive and unbroken body of legal precedent sustaining that delineation.

Simply stated, the dividing lines between Federal and State responsibility for voting are these:

In all elections except those for President, Vice President, and Members of Congress, the State is sovereign within the limitations of the 15th and 19th amendments both as to voter qualifications and as to the times, places, and manner of holding the elections.

In all elections for Members of Congress, the State is sovereign within the limitations of paragraph 1, section 2, article I, and the 15th and 19th amendments as to qualifications and the Congress of the United States is sovereign as "to the times, places, and manner of holding the elections."

In all elections for President and Vice President, the State is sovereign as to the manner of selection and the places of meeting of the electors and the Congress of the United States is sovereign as to the times of their selection and meeting.

The controlling provisions of the Constitution in this regard are these:

Paragraph 1, section 2, article I:

> The House of Representatives shall be composed of Members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

Paragraph 1, section 4, article I:

> The times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the legislature thereof; but the Congress may at any time by law make or alter such regulations.

Paragraph 2, section 1, article II:

> Each State shall appoint, in such manner as the legislature thereof may direct, a number of electors equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress; but no Senator or Representative or person holding an office of trust or profit under the United States shall be appointed an elector.

Paragraph 3, section 1, article II:

> The Congress may determine the time of choosing the electors and the day on which they shall give their votes, which day shall be the same throughout the United States.

Article XV:

> The right of the citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

Article XIX:

> The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex.

Mr. SPARKMAN. Mr. President, will the Senator yield for a question at that point?

Mr. TALMADGE. I am delighted to yield to the Senator from Alabama.

Mr. SPARKMAN. I have listened carefully as the Senator has read those provisions in the Constitution. I wish to ask the Senator if those are the only instances in the Constitution in which this matter is discussed?

Mr. TALMADGE. That is correct.

Mr. SPARKMAN. I may say that was my understanding.

Is it not true that when we speak of qualifications of voters, at no place in the Constitution is the qualification of voters treated with except as being within the jurisdiction of the States, save the two prohibitions contained in the 15th and 19th amendments?

Mr. TALMADGE. The Senator is indeed correct. As the able Senator knows, article I, section 2, and also the 17th amendment provide that the qualifications of voters in Federal elections shall be the same as those provided for the most numerous branch of the legislatures of the respective States. That is still the law at the present time. The only limitations thereon have been the 15th and 19th amendments, which permitted the newly freed slaves to vote without discrimination and gave the right of the ballot to women.

Mr. SPARKMAN. If the Senator will yield further for a question, is it not true that the first provision the Senator referred to, relating to qualifications for voters, was in the original Constitution?

Mr. TALMADGE. That is entirely correct.

Mr. SPARKMAN. Then the 17th amendment related to the election of Senators by direct vote.

Mr. TALMADGE. That is right.

Mr. SPARKMAN. When the 17th amendment was written, it carried forward the identical provision in the Constitution with reference to the qualification of electors. Is that correct?

Mr. TALMADGE. The Senator has stated it accurately; and, so far as I know, there are only two places in the Constitution where the identical language is used verbatim. That would indicate to me that the framers of the amendment wanted that point nailed down for all time to come.

Mr. SPARKMAN. If the Senator will yield for one more question, I shall not impose on him further.

Mr. TALMADGE. I am delighted to yield for a question.

Mr. SPARKMAN. Is it not also a significant fact that when the original Constitution was drawn up and carried that provision in it, it was not stating something new; it was simply safeguarding a right that already existed in the Original Thirteen Colonies, one the Colonies insisted upon retaining, and not surrendering to the Central Government, just as they had enjoyed that right all along; and there would not have been a Constitution on any other condition?

Mr. TALMADGE. The Senator is entirely correct. As the able Senator knows, an effort was made in the Constitutional Convention to require uniform voting qualifications throughout the 13 States. That effort met great objection, and it was rejected for the provision that is in the Constitution at the present time.

Had they not reached agreement on the yardstick of State standards, there would not have been a Constitution to ratify.

Mr. SPARKMAN. If the Senator will yield for one more time, I referred to the Colonies. Of course, at the time of setting up the Constitution, they were States under the Articles of Confederation. Naturally, under the Colonies, each Colony was supreme within its sovereignty, and it remained so until after the Articles of Confederation. The Colonies gave a certain amount of power to the Confederation of States. Then later on, those States gave a certain amount of sovereignty to the Central Government; but the matter of qualification of voters was one thing that was never surrendered, and any thought of surrendering that power was contested by the representatives of the several States in the Constitutional Convention. Is that correct?

Mr. TALMADGE. Yes. I earlier pointed out that while Congress has passed 15 statutes, 6 criminal and 9 civil, guaranteeing the right to vote; it has never attempted to enact any statute to determine the qualifications of electors.

Mr. SPARKMAN. I thank the Senator.

Mr. TALMADGE. I thank the able Senator from Alabama for his contribution.

Mr. President, it should be clear beyond all misunderstanding to all who understand the English language that those provisions mean that the States

have exclusive power to fix voter qualifications within certain limitations and the Federal Government can police those qualifications only to the extent of those limitations.

And those limitations are that voter qualifications prescribed by a State cannot deny or abridge the right of anyone to vote on account of race, color, previous condition of servitude, or sex, or differentiate in any way between those who vote for members of the most numerous branch of the State legislature and those who vote for Members of the U.S. House of Representatives.

Outside of those specified limitations, Mr. President, the Federal Government has the last word only with respect to when, where, and how elections for Members of Congress are held and when presidential electors are selected and meet to cast their votes.

To those who would contend otherwise, the unanswerable answer is that the only two instances in which restrictions have been placed upon the discretion of the States to fix voter qualifications have in both cases had to be accomplished through the amendatory process.

Congress has no more power under the Constitution to legislate in the field of voter qualifications, outside the authority to implement existing amendments and to submit proposed new amendments for ratification or rejection by the States, than it does to change the boiling point of water from 212° to 150° F.

Mr. President, I submit that there is no historical fact more clearly documented than that that the original States of this Union definitely understood that each State would have the guaranteed authority under the Constitution to fix the qualifications of the electors of the most numerous branch of its legislature and that those electors would be the same electors who name the Members of Congress. While it is true that Congress under the Constitution has final authority over the times, places, and manner of holding elections, no exercise in semantics can get around the fact that the determination of voter qualifications is inherent in the registration process and registration consequently is an exclusive State function.

That this also was the understanding of succeeding Congresses throughout the years of our existence as a nation is evidenced by the facts that the 17th amendment providing for the direct election of Senators brought forward the identical language of paragraph 1, section 2, article I, and that the two limitations since placed upon this guarantee were accomplished by constitutional amendments—the 15th and the 19th.

Those who would upset this balance of power which has served our Nation so well for these 170 years of its existence attempt to read into other sections of the Constitution meanings which are not there either by content or implication.

There are those who claim authority to work their will through the combined provisions of paragraph 1, section 4, and paragraph 18, section 8 of article I.

The former, which I previously have cited, vests ultimate authority over the "times, places, and manner of holding elections" in Congress. The latter empowers Congress "to make all laws which shall be necessary and proper for carrying into execution the foregoing powers and all other powers vested by this Constitution in the Government of the United States, or in any department or officer thereof."

They like to cite the dictum contained in the case *United States* v. *Classic* (313 U.S. 299) as sustaining their contention. Let us examine it and see for ourselves whether that is the case.

The Supreme Court in its ruling written by Mr. Justice Stone said:

> While, in a loose sense, the right to vote for Representatives in Congress is sometimes spoken of as a right derived from the States, see *Minor* v. *Happersett* * * * this statement is true only in the sense that the States are authorized by the Constitution, to legislate on the subject as provided by section 2 of article I, to the extent that Congress has not restricted State action by the exercise of its powers to regulate elections under section 4 and its more general power under article I, section 8, clause 18, of the Constitution "to make all laws which shall be necessary and proper for carrying into execution the foregoing power."

They fail to mention the fact that Mr. Justice Stone also declared in that same decision, as follows:

> Such right as is secured by the Constitution to qualified voters to choose Members of the House of Representatives is thus to be exercised in conformity to the requirements of State law subject to the restrictions prescribed by section 2 and to the authority conferred on Congress by section 4, to regulate the times, places, and manner of holding elections for Representatives.

Nor do they go on to quote his further assertion that:

> Pursuant to the authority given by section 2 of article I of the Constitution, and subject to the legislative power of Congress under section 4 of article I, and other pertinent provisions of the Constitution, the States are given, and in fact exercise, a wide discretion in the formation of a system.

Mr. President, I have pointed out repeatedly in my remarks that the provisions of the Constitution and the decisions of the courts, both Federal and State, have repeatedly held that the qualifications of electors is a matter to be determined by the respective States.

Congress has passed many statutes, both civil and criminal, to guarantee to every citizen the right to vote. No further legislation is necessary to carry out those provisions. The laws are being enforced in the Federal and State courts, to guarantee to every citizen the right to vote in this land of ours. No legislation is needed. None is necessary. None is desirable.

Mr. President, I challenge anyone to show this Senate where in the Constitution of the United States any general power is given to Congress, either expressly or by necessary implication, to say who shall be qualified to vote in the elections of any State.

Such authority simply does not exist and cannot exist, Mr. President, until an amendment purporting to grant it is submitted by two-thirds of the Members of both Houses of Congress and ratified by three-fourths of the legislatures of the 50 States.

Mr. President, I turn now to the question pending before the Senate and to the proposal which the Senator from Florida [Mr. HOLLAND] has announced he will offer as an amendment, if the Senate makes the joint resolution relating to the preservation of the home of Alexander Hamilton the pending business of the Senate.

Mr. President, I shall vote against the proposed amendment, not because I favor the poll tax, but, rather, because I feel quite strongly that the question of whether such a tax should be levied is one which properly addresses itself to each individual State.

I do not object to any particular State removing the poll tax. As a matter of fact, my State of Georgia did so in 1945. The results have been good, and the people of Georgia have had no reason to regret the change.

However, Mr. President, let me emphasize that Georgians would not presume to advocate or recommend that other States should do what has been done in our State in eliminating the poll tax.

The people of Georgia believe the framers of the Constitution of the United States were correct in reserving to each State the power to determine voter qualifications, and they feel that anything which dilutes or circumscribes that right results in a weakening of our cherished Federal-State system and the time-proven constitutional checks and balances which serve to preserve it and keep it vital.

In a nation so vast and diverse as ours, it is impossible to prescribe uniform rules which will serve the best interests of all States. Attitudes, conditions, and circumstances vary from State to State, and it must be recognized that what is good for one State is not necessarily good for all other States. On questions such as the one under consideration, for example, it is possible for two neighboring States to have totally opposite views, and yet both be correct.

Mr. President, the proposed amendment is another example of the alarming trend to substitute compulsion from Washington for the wisdom and good judgment of the elected representatives of the people serving in their respective State legislatures. I submit that the experience of the past has proved that it is impossible to enforce from the national level conformity of human thought and action, and that compulsion is not an answer to any question embracing public policy and governmental philosophy.

The question of whether a poll tax should be required as a prerequisite for voting is one which should be answered by each legislature.

Mr. President, if I were a member of the Legislature of the State of Maine, I do not think I would vote for a bill which would require a poll tax to be levied upon each individual citizen as a prerequisite to the use of the highways of that State. But, Mr. President, as the junior Senator from Georgia, I do not think I have a greater degree of wisdom than the collective judgment of the members of the Legislature of the State of Maine; and I would not come to the U.S. Senate, as a representative of the State of Georgia, and propose a constitutional amendment which would provide that the State of Maine could not levy a poll tax as a prerequisite to the right to drive an automobile on the highways of Maine. It is presumed that the members of the General Assembly of the State of Maine have a greater degree of judgment as to their own affairs than has the Senator from Georgia; and if the people who reside within the State of Maine do not like the way their legislators handle their business, their remedy is at the ballot box in that State.

The poll tax is an issue with which State legislators are better acquainted and, therefore, better qualified to deal. I, for one, intend to vote to leave it in their able hands.

I will say, Mr. President, that I consider it to the credit of Congress that it has at last recognized that a proposed constitutional amendment is the only constitutional vehicle through which it can act on this subject. I hope the consideration of this question in the form of a constitutional amendment will serve as a precedent for any other proposals for congressional action in the field of voting.

Mr. President, I suggest the absence of a quorum.

Mr. MANSFIELD. Mr. President, will the Senator withhold that suggestion, and yield the floor?

Mr. TALMADGE. Mr. President, I withhold my suggestion of the absence of a quorum and I yield the floor at this time, for the consideration of a conference report.

Mr. MANSFIELD. Mr. President, has the Senator from Georgia yielded the floor?

Mr. TALMADGE. I have yielded the floor.

TERMINATION OF FEDERAL SERVICES TO MENOMINEE INDIAN TRIBE, WISCONSIN—CONFERENCE REPORT

Mr. CHURCH. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 4130) to lessen the impact of the termination of Federal services to the Menominee Indian Tribe of Wisconsin. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of March 20, 1962, pp. 4591–4592, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. CHURCH. Mr. President, this legislation, as it originally passed the House, provided post-termination aids to Menominee Enterprises, Inc., and to Menominee County in the amount of $4,612,000. The Senate amended the House bill by reducing the amount of assistance to the Menominee Corp. and by deleting any grants to the State or the county for health, education, and welfare services, but retaining the $438,000 authorization for the continuation of the construction of sanitary facilities which the House bill had also authorized.

On March 7, the conferees met and agreed that loans to Menominee Enterprises would be deleted from the legislation because the corporation no longer desires to negotiate a loan from the Government. The State and county are able to take care of the health and welfare services; therefore, we have recommended that the bill provide only for educational assistance to Menominee County. The conferees agreed to authorize $660,000 over a 5-year period in contributions to the county for joint school district costs. The conferees also agreed to retain the authorization for continuation of the sanitation system that had been partly constructed prior to termination of Federal supervision over the Menominee Tribe on April 30, 1961.

The Senate and House conferees have agreed that, in view of the particular circumstances in this case, the provision of Federal money to ease the impact of termination on the Menominee Tribe will not set a precedent to be followed in the case of other tribes that may be terminated.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The conference report was agreed to.

ADDITIONAL CONFEREES ON S. 1969, THE SUPPLEMENTAL AIR CARRIERS BILL

Mr. MANSFIELD. Mr. President, on request of the chairman of the Committee on Commerce [Mr. MAGNUSON], I ask unanimous consent that the following Senators be added as conferees on S. 1969, the supplemental air carriers bill: The Senator from Washington [Mr. MAGNUSON], the Senator from California [Mr. ENGLE], and the Senator from Pennsylvania [Mr. SCOTT].

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana? The Chair hears none, and it is so ordered.

FITNESS REPORT: HUSBAND AND WIFE TEAM

Mr. YOUNG of Ohio. Mr. President, there is something new in the Navy Department. It appears that some supercolossal public relations man in the Pentagon or some underworked, overpaid bureaucrat, or perhaps some civil servant who was just bored one day, has proposed a section termed the "husband and wife team," in the Navy's new officer evaluation form which is used in rating naval officers for promotions and in determining their efficiency and assignments.

This proposal is presently under personal consideration by the Secretary of the Navy. This new directive would establish a duty upon the reporting senior officer in grading subordinate officers. He would be expected to comment on the "officer-wife team." In other words, a superior officer or officers constituting the promotion board could refuse promotion to an officer if they did not like his wife. In simple language, this means that the little woman had better go out of her way in "sweet talking" the commanding officer and his wife, or hubby may be denied a promotion.

The senior officer may check his choice of two categories. One box referring to the officer's wife says "particularly suitable," the other simply "suitable." If this directive is allowed to go into effect, Davy Jones help the officer who does not have a check in at least one of these two boxes on his evaluation form.

An officer in this situation could lament:

They said I have demonstrated efficiency
For a long, long while
But no promotion for me,
My wife's dress is out of style.

This rhyme is not without reason. This proposed directive establishes a duty of the superior officer to comment on the so-called officer-wife team. Conceivably, an officer could be denied a promotion or an assignment important to his career because his superiors did not like his wife's cocktail manners.

It will be a sad day for our country when a capable officer is denied promotion because his wife did not pass tea-pouring or sandwich-dispensing inspection. The Secretary of the Navy would be well advised to toss this new officer-wife team rating out of the window and without delay.

We recently had the privilege of observing Mrs. John H. Glenn, Jr., who demonstrated that we can all be proud of the wives of officers of our Armed Forces. Let us not degrade fine and wonderful women by subjecting them to childish report cards passed out by senior military officers acting like charm school professors.

Mr. President, in the Washington Post and Times Herald of March 12, 1962, there appeared an excellent and cleverly written editorial on this subject entitled, "Men Overboard." I commend it to my colleagues, and ask unanimous consent that it be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

MEN OVERBOARD

The U.S. Navy, with a long tradition of creditable and sometimes heroic service behind it, has plainly gotten too big for its breeches. It very much needs to be rubbed down to size. And we have no doubt at all that it has picked just the right instrumentality to perform that philanthropic and salutory service for it.

Out of the inflated and overpolished brass in the Pentagon has come a notion that senior officers in the Navy should—er—pass judgment on the fitness—that is to say, on the social graces and personal charm—possessed by the wives of junior officers. In fact, they've figured out, as of course the Navy would, a special form for the purpose. We

suppose it provides space for ratings all the way from "adorable" at the one end to "Xanthippic" at the other.

We'd like to be standing by some balmy evening when that weatherbeaten old sea dog, Captain Crusty, with his weatherbeaten old consort, Mrs. Crusty, looking over his shoulder, undertakes to fill out a fitness form on young Lieutenant (jg.) Fotheringay, whose bride, the conspicuously unweatherbeaten former Miss Linda Ann McAllister of Baton Rouge, so charmingly buttered up and generally undermined the crusty old captain at that delightful little cocktail party last Sunday. At that point, we expect, there will come a simple choice: one or the other will have to go—the female fitness form or the U.S. Navy. And we hope the Navy will then have the simple mother wit to recognize that it is better to be red in the face than dead.

It is a fact, of course, that in every walk of life—from the giant corporation to the Foreign Service to the pulpit to politics—a man's chances of advancement are bettered by having a helpmeet who remembers "what every woman knows" about what so many women so often and so inopportunely forget. Of course, they are the making of us all. God bless 'em. But for the Navy to come right out and say so is to display a lamentable want of reticence and to disclose how abysmally unfit the Navy is for judging female fitness.

One way or the other, naturally, the Navy wives will go right on running the Navy. They are like that inestimable jewel of a woman in Dickens' "Bleak House," the wife of Sergeant Bagnet, to whom he used to turn whenever sagacity and decisiveness were needed and say, "Tell them what I think, old girl." But Sergeant Bagnet always had the sense to put her in her place then and observe loftily, "Discipline must be maintained."

Has the Navy gone out of its mind, we wonder?

THE CIVIL AERONAUTICS BOARD'S FOLLY

Mr. GRUENING. Mr. President, among Alaska's basic problems none is more crucial than transportation. Geography and history are at its roots.

The 49th State is Uncle Sam's farthest north and west. It is the only part of America which extends into the Eastern Hemisphere. Few realize, unless they look at a globe, that its westernmost limit is on the same meridian of east longitude as Aukland, New Zealand. It is the only State of the Union that extends deep into the Arctic. It lies within naked eye view of Soviet Siberia. Alaska was the last inhabited portion of this planet to be discovered by Western man, and until the invention of the airplane, less than 60 years ago, and the subsequent development of commercial air service in the last brief 20 years, perhaps as remote and little known an area as any in the Western World. So much for geography.

Alaska's history first as a district and then as a territory under the American flag is one of repeated discrimination and persistent neglect by a distant Federal Government and Congress. An unprecedentedly restrictive Organic Act, more restrictive than that of any other territory, was followed by discriminatory legislation and repeated exclusion, both legislative and in appropriations, by a remote and uninterested Congress. Alaska, was, for 92 years, a colony and suffered all the consequences of colonialism. Those consequences persist despite statehood. Nowhere is the evidence thereof more clear than in the field of transportation. While transportation made our country the great Nation that it is, such transportation was not extended to Alaska.

In the second half of the 19th century, our States and western territories were connected by railways. Steel rails spanned the continent from east to west and from north to south, making the abstraction of E Pluribus Unum a reality. In Alaska restrictive policies imposed by the Interior Department from the earliest days of Alaska's rediscovery by the American people through the gold rush of the late nineties prevented private enterprise from developing railroads there. In consequence, after a decade and a half of frustration of Alaska's pioneering efforts, the Federal Government felt obliged to build the one and only railroad which now exists in Alaska, a mere 470 miles of line which links three communities—Seward, Anchorage and Fairbanks. The rest of the State is railroadless.

Alaska for 40 years, from 1916 to 1956, while paying all Federal taxes, was totally denied the benefits of Federal aid highway legislation. Thus, while with Federal aid, to which Alaskans contributed, a magnificent system of highways was constructed in the 48 States, Alaska continued to be largely roadless, so that today not merely a few but a majority of Alaska's communities are unconnected with any other community by highway, a situation unimaginable in the 48 States. The Alaska Highway, a still unpaved road built through Canada in 1942 as a war measure, merely connects the few cities in Alaska now linked by highway with each other, leaving the vast remainder of the territory without any connection with the continental highway system.

The Merchant Marine Act of 1920, known in Alaska as the Jones Act, after its sponsor, Senator Wesley Jones, of Washington, placed Alaska in the straitjacket of a Seattle steamship monopoly, with the resulting highest freight rates in the world, with these rates steadily rising, year after year, over the unceasing protests of Alaskans, to intolerable heights. Passenger service ceased in 1954.

The one bright aspect of Alaska's transportation dilemma has of late been found in the airways, though there, too, Alaska suffered discrimination in administrative exclusion from the benefits of the first comprehensive legislation—the Air Commerce Act of 1926—and faced the repeated subsequent obstacles placed in the way of Alaska commercial aviation by the oft-mistaken rulings of a distant and ill-informed Federal regulatory agency.

The initiative and effort of private enterprise finally, and only recently, surmounted these difficulties.

To begin with, Alaskans are the most airminded of all our fellow citizens. They fly from 30 to 40 times more than other Americans. Their pioneering spirit carried them into the air. So the intra-Alaskan airways were developed by the early bush pilots who have written an epic of courage, adventure and accomplishment which has finally brought to Alaska a fine air transportation.

Where service lagged, it was when it encountered the obstruction of a distant Federal bureaucracy. That was in the linking of Alaska and the older 48 States. In this essential field, Pan-American Airways was the pioneer. As early as 1931, Colonel Lindbergh, in Pan-Am's employ as its technical adviser, made the first survey flight over the Great Circle route from New York, to Alaska, to Asia—a flight immortalized in Ann Morrow Lindbergh's book "North to the Orient." In the early thirties Pan-Am likewise developed an intra-Alaskan service between Juneau, Fairbanks and Nome, and elsewhere. In 1940 it established its first service between the States and Alaska—the daily runs from Seattle to Ketchikan and Juneau by clippers—flying boats. From Juneau, passengers traveled north and west to western Alaska on Pan-American's already established service.

So much needed, and so well patronized, was this connecting service with the States, that others were bound to follow.

Alaska Airlines, developed from bush service and star routes into an intra-Alaskan agency, received a certificate to add a Fairbanks to Seattle and Portland run.

Pacific Northern, developed from another bush operation by Art Woodley, was certificated to fly from Anchorage, Kodiak, and other western Alaskan points to Seattle-Portland by way of Juneau and Ketchikan.

Northwest Airlines established direct flights between Seattle and Anchorage, and also an extension of the service to the Orient.

In consequence, within the last few years Alaska enjoys at least one form of adequate transportation—intra-Alaskan and interstate commercial aviation. The service is good, essential and virtually the only transportation that Alaska enjoys. It is important not merely to Alaska but to the Nation, furnishing passenger, air freight and mail service over the Great Circle route and providing a crossways of the air between Europe and Asia, for not fewer than 10 foreign airlines now use the Polar route by way of Anchorage.

Like a bolt from the blue, we are now confronted with a shocking and incredible effort on the part of the Civil Aeronautics Board to destroy the one good transportation service which Alaska has at long last secured. In order No. E-18120, issued on the 19th of March 1962, the CAB proposes to ban Pan-American totally from service in Alaska. It proposes that, unless Pacific Northern and Alaska Airlines merge, their routes will be drastically cut. It proposes to allow Northwest Airlines to serve Alaska only as a stopover on its way to the Orient. It proposes to eliminate the connection between Portland and Alaska points now served by both Alaska Airlines and Pacific Northern.

I wonder how the people affected would react if an area one-fifth as large as the lower 48 States were suddenly to be told that they were to be limited to

one carrier, and that an intercontinental carrier might, on the occasion of its transworld flights, pause to take on or to discharge passengers.

It is a disgraceful proposed order, and it is almost unbelievable that this agency would propose to commit such a blunder, although it has long been evident that the Board has had little understanding of Alaska's needs and problems. The proposed elimination of Pan-American, which is a nonsubsidized carrier, is particularly ironic, since it has been the outstanding pioneer of commercial aviation both within Alaska and of service connecting Alaska with the other States. As noted above, it was the first to link Alaska with the States. It has established jet service between Seattle and Fairbanks. As recently as last month, it established the first jet flight between Seattle and Juneau, the capital, the delay in establishing it being wholly due to the need of installing adequate facilities at the Juneau aiport and lengthening its runway. Ketchikan is now also included.

The CAB's proposed order, if carried out, would totally abolish Pan-Am's excellent service to and in Alaska, limit the routes of two well-functioning airlines, Alaska Airlines and Pacific Northern, virtually forcing them into an unwilling marriage, and limit Northwest to serving Alaska only as an incident to its Orient service.

What the CAB proposes is to create a virtual monopoly by elimination and fusion, and to destroy what has been painstakingly built up through the years by pioneering enterprise and effort. Alaskans are, through painful experience, aware of the evils of transportation monopoly in the maritime field. They do not wish it established by bureaucratic flat in the airways. They likewise resent the elimination of Portland from the service.

The importance of Alaska—strategically, economically, and otherwise—makes such proposed folly incomprehensible. It runs diametrically counter to President Kennedy's publicly declared policy to "meet the challenge of Alaska—the challenge to reap its abundance, build its strength, and provide a reservoir of natural wealth for a growing America." The CAB's proposed order must be fought vigorously and this ill-advised effort nipped in the bud.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call may be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE ALEXANDER HAMILTON NATIONAL MONUMENT — AMENDMENT TO THE CONSTITUTION DEALING WITH POLL TAXES

The Senate resumed the consideration of the motion of the Senator from Montana [Mr. MANSFIELD] to proceed to the consideration of the joint resolution (S.J. Res. 29) providing for the establishing of the former dwelling house of Alexander Hamilton as a national monument.

Mr. KEATING. Mr. President, while it would not be my purpose to raise a point of personal privilege, I wish to call attention to a remark made by the distinguished majority leader in his opening statement this morning wherein he said that the distinguished Senator from Virginia [Mr. BYRD] was the only one who had mentioned Alexander Hamilton during the debate. I call his attention to the fact that on two occasions I have reminded the Senate that the motion before us is a motion to consider the resolution to make the home of Alexander Hamilton a national monument. I am sure there was no intention upon the part of the majority leader to slight the junior Senator from New York in saying that Alexander Hamilton had not been mentioned. I think we must always remember that Alexander Hamilton is very much in this debate, and it is that matter which is pending before us.

Mr. MANSFIELD. Mr. President, before the Senator proceeds to that subject, will he yield?

Mr. KEATING. I am happy to yield to the majority leader.

Mr. MANSFIELD. I apologize for not mentioning the intense and undeviating interest of the Senator from New York in the welfare of the home of Alexander Hamilton.

Mr. KEATING. I appreciate the Senator's remarks, and I understand, of course, that he cannot be cognizant of every word that is said by every Senator, but I did not want to yield to the Senator from Virginia in my desire to see Alexander Hamilton properly honored during the debate.

Mr. President, we have been witnessing for several days another dramatic demonstration of the ineffectiveness of the Senate's rules.

The provocation for this performance is the notice that a poll tax amendment will be offered to the Alexander Hamilton resolution if it is made the pending business.

But this same process could be applied to a declaration of war, an appropriation bill, ratification of a treaty, or any other issue with which the Senate may be confronted. No matter how serious a crisis faced our Nation, the Senate's work could be brought to a complete halt for as long as a relatively few Members desired to hold the floor.

The filibuster already has exacted its toll in the field of civil rights. Its ever-present threat has discouraged consideration of important measures in this field or pressured acceptance of watered-down bills. In my opinion, we have yielded to the filibuster threat too readily. The success enjoyed by those who oppose civil rights has encouraged them to make each test more difficult.

An even more important concern, however, is the peril in which this instrument can place our country in time of emergency. I respect the good faith and motives of all my colleagues, but the only sure protection is that guaranteed by the system under which we function, rather than the will of a few men. A system under which harassment and physical endurance can take the place of debate and decision gives little assurance to a people who believe in a government of laws not of men.

The circumstances which have developed this week are serious enough, but they are even more significant as a warning of what could happen at some future time of calamity. I hope the Senate does not have to be subjected to a shock treatment before it takes decisive action to reform its rules and reestablish orderly procedures in this Chamber.

Last September when proposals to amend rule XXII—the cloture rule—were before the Senate, a motion for cloture was filed by the majority leader before the debate had begun. I am not privy to any decision he has made on this occasion as to how long the Senate should be stymied before this endurance contest is limited. As a practical matter, we all know that a cloture move is not likely to succeed unless it has the initiation, or at least the blessing of the majority leader. In my opinion, we have already passed the line between debate, even extended debate, and filibuster—and a cloture motion at any time would certainly be justified.

Next January another move will be made to adopt a reasonable rule on Senate debate—a rule which will give every protection to the processes of debate but allow a majority of the Senate to act on the business before this body. At that time I hope the Senate will remember the committee meetings canceled, the problems neglected, the long sessions required, and the generally stultifying impact which has resulted from the failure to adopt an antifilibuster rule during this session. I hope my colleagues at that time will search their souls to determine how much enlightenment they have received from this week's ordeal by vocal chords and how much their positions have been swayed by the arguments they have heard endlessly repeated.

We should not need any more demonstrations of how easy it is to hamstring the Senate before we take action to remedy this situation.

I believe in full debate. I respect orderly procedures. The rules changes I advocate would not weaken but strengthen reverence and confidence in the Senate's ability to continue as the greatest deliberative body in the world.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

Mr. JAVITS. Mr. President, will the Senator withhold his suggestion of the absence of a quorum for the moment?

Mr. MANSFIELD. Briefly.

Mr. JAVITS. Of course I could be recognized after the quorum call.

Mr. MANSFIELD. That is correct.

Mr. JAVITS. I can do that, if the Senator prefers.

Mr. MANSFIELD. That is correct. I would like to proceed on the basis of

orderly procedure. If the Senator wishes me to wait, I will do so.

Mr. JAVITS. I do.

Mr. President, I should like to join in this discussion which I have just heard, in part, engaged in by my distinguished colleague from New York, as to exactly what we are doing here and why.

I have had the feeling, which, I am sure, is shared by other Members of the Senate, that it is not satisfactory to just amble along in the Chamber in a debate which to the country must seem insignificant, considering the issue which is before us. I believe we should explain to the country what we are about and why, what the consequences are, and what ought to be done.

This does not mean that it ought to be done this afternoon. Nonetheless, I believe it is time to begin to get the subject in focus. We are debating a joint resolution to make the Alexander Hamilton home a national historical monument. We all know, of course, because the majority leader has informed us, that this joint resolution will be the vehicle for the repeal of the poll tax either by a constitutional amendment or by a bill. I hope it will be by a bill, and certainly I shall move toward that end when the opportunity is presented.

In the meantime, what we are dealing with is a motion to take up the Alexander Hamilton measure. We are not dealing with any substantive element of the measure. We are dealing with a question which is most susceptible of agreement.

Therefore, so that the country will understand, I believe that we might ask whether what is occurring now is notice to Congress that, if it can be prevented by extended debate, as what is occurring now is euphemistically called, there will be no civil rights legislation at this session of Congress. If this activity is undertaken at this early date, as it obviously is—and a leading newspaper in New York has stated that a filibuster is building up on the floor of the Senate—then the country ought to understand that a profound issue is involved, and that if cloture does ensue, there was a profound reason why cloture did ensue, and why such a move should be sustained, and why this may be the time to "shoot the cat." If this is the time chosen by those who oppose civil rights legislation to institute extended debate or a filibuster, then this is the time to deal with it and this is the time to end it, if we can.

I call to the attention of the Senate and to the attention of the whole country, and I believe the country should note it, that we have never adopted a cloture motion on a civil rights bill, and it is my deep conviction that if one is adopted it will mark a historic breakthrough on the part of the Senate. We have tried many times to amend rule XXII of the Rules of the Senate. I hope we will try again and again and again until it is done, because that rule continues to be very definitely a block to the functioning of Congress, particularly in the field of civil rights. The filibuster and the threat of the filibuster conditions all legislation which goes through Congress. That fact is never more evident than at a time like this. It is a time to speak out. I am indeed pleased that I can join my colleague from New York, who entertains the same feelings on this subject that I do, and who has so vigorously and eloquently spoken out against what is occurring.

My purpose in speaking out is that I believe we have a duty to call to the attention of the country what is going on; namely, the fact that a filibuster is building up on a measure which will apparently serve as the vehicle for the elimination of the poll tax as a condition of voting; and that what is going on represents notice to the country that we will be bitterly fought in our effort to enact any civil rights legislation.

Therefore, the cloture motion, when, as, and if it comes, will be a critically important question. It may present the first, historic breakthrough of cloture on civil rights.

I should like to say a word about the role of the President of the United States in this matter. It is perfectly true that the President of the United States does not control the procedure of the Senate or control what individual Senators do. But it is also incontrovertible that the President of the United States is the leader of his party; that his party has a 2-to-1 majority in this Chamber; that there is a very heavy responsibility on that party to demonstrate its leadership in enacting civil rights legislation; and that that question is squarely presented by this issue. As my colleague from New York [Mr. KEATING] has pointed out, because of the powerful places held by the members of that party on committees and in chairmanships, the Senate can literally be brought to a halt by the fact that Senators from the South feel so strongly opposed even to any effort to take up a measure which they define as a civil rights measure.

In such a situation, I think the President has a duty. The President did not hesitate to move into the situation in the other body concerning the important question of the Committee on Rules blocking activities. Let us remember that the President has been most reluctant to bring any civil rights measures to Congress. I say this advisedly. He was put in a position where he had to do something about it, at long last, at this session of Congress. It seems to me that he, as the leader of his party, has a responsibility toward the vigor and the drive with which the measures which he has now recommended to Congress are undertaken by us and whether they are acted upon.

I do not believe we can remain disinterested spectators of the scene in Congress at a time when we are in contemplation of a situation such as we are facing today.

Again, I repeat that my reason for speaking today is only to emphasize, so that the people may begin to appreciate it, what is occurring in the Senate in terms of grinding the work of Congress to a halt. As I say, this may not be the day or the hour to call the turn on it; but that time will come; and in order for it to come and for action to be successful, the country should be alerted to what is occurring, what it means, the reasons for it, and to those who have a responsibility to it.

I ask unanimous consent that there be printed in the RECORD at this point in my remarks a statement issued late yesterday by a number of leading civil rights groups, relating to the merits of the issue which the Senate should be debating and can debate only when the necessary step has been taken to end the present delaying action.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT ON POLL TAX LEGISLATION

(By American Jewish Congress, American Veterans Committee, Americans for Democratic Action, Anti-Defamation League, International Union of Electrical, Radio, and Machine Workers, National Association for the Advancement of Colored People, International Union, United Automobile, Aircraft, and Agricultural Implement Workers of America)

The above organizations unequivocally oppose any constitutional amendment to abolish the poll tax. We urge defeat of any such proposal and immediate abolition of the tax through Federal legislation.

It is a travesty to call a constitutional amendment a civil rights measure when Congress has the constitutional power to abolish the poll tax by legislation as the Attorney General has testified. To approve a constitutional amendment under these conditions would be a blatant slap at civil rights for it would provide an immutable precedent for shunting all further civil rights legislation to the amendment procedure. There is no more reason for proceeding in the civil rights field by way of constitutional amendment when there is ample legislative authority than there is to proceed by way of constitutional amendment in any other field. Yet that is exactly what is being done here. To proceed by way of constitutional amendment under these circumstances is to inaugurate a new form of discrimination against the entire civil rights movement.

The cynicism of this approach becomes all the more apparent when it is realized that such an amendment would have little chance of ratification: the 11 southern States which have refused to ratify the 23d amendment (presumably because they believed that Negroes should not be allowed to vote even in the District of Columbia) would likely be joined by at least 2 others, and the defeat of the amendment would be assured even without the action of the many other States which might oppose the amendment to protect the functioning of their own voting laws. We state flatly that a vote for a constitutional amendment here is a vote against civil rights.

Any constitutional amendment against the poll tax would be an anti-civil-rights measure. But the particular amendment now before the Senate would not only harm civil rights for the general reasons given above; it would also give unprecedented endorsement in our Constitution, the basic document of American Government, to the principle of disenfranchisement for poverty. Section 2 of Senate Joint Resolution 58 states: "Nothing in this article shall be construed to invalidate any provisions of law denying the right to vote to paupers or persons supported at public expense or by charitable institutions." To place such a provision in our Constitution would give this antidemocratic concept a respectability

which it has never had before, and which we regard with the greatest abhorrence.

Furthermore, the enactment of this provision would open a Pandora's box of legislative pettifogging, and the litigation which would be required to block attempts to disenfranchise the poor by legislative redefinitions of the words "paupers or persons supported at public expense" would jam court calendars for years. How could the amendment accomplish its purpose if a State redefines a "pauper" as a man who is unable to prove his solvency by the payment of $5 to a named State official? It is all well and good to say that the Supreme Court would not allow a State to accomplish by the back door what is forbidden by the front. But with an endorsement in the Constitution of the principle of suffrage for all but the poor, would not the Supreme Court's hands be tied when faced with subtle attempts to enforce this kind of discrimination? There is no justification in a democracy for denying a citizen the right to vote because he is poor; citizens in a democracy vote their interest in liberty, freedom and human dignity, and the preservation of their right to do so is absolutely essential to the future health of our Nation.

Section 2 of the amendment is dangerous because it introduces into the Constitution a principle fundamentally alien to the American way of thought. Section 1, however, which allegedly seeks to abolish the poll tax as a qualification to vote may prove worthless, for a small change in State law could result in a complete circumvention of its provisions. The section prohibits poll taxes "in any primary or other election for electors," but it does not prohibit poll taxes in a direct election. A State need merely abolish the electoral system of voting in favor of direct election in order to completely evade the amendment. Nor would legislative history demonstrate that Congress intended otherwise, for Senate Joint Resolution 58 is one of the few bills before Congress on this subject which is framed in this narrow and restrictive language.

For the reasons stated, which are only the most immediate anti-civil-rights aspects of the constitutional amendment theory of abolishing the poll tax, we oppose this procedure and urge immediate action to abolish the poll tax through Federal legislation.

THE UNITED NATIONS

Mr. JAVITS. Mr. President, I wish to allude to my discussion of yesterday with respect to the statement of the distinguished junior Senator from Washington [Mr. JACKSON] about the United Nations. I refer to the question asked of the President yesterday at his press conference and his reply concerning the United Nations. First, I ask unanimous consent that that portion of the press conference be printed at this point in the RECORD.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

Question. Mr. President, Senator HENRY M. JACKSON, Democrat, of Washington, said that the—this administration and the last have been putting too much stock in the United Nations and that the—a strong Atlantic community offered the best avenue to peace. What is your view on this?

Answer. I see nothing contradictory in a strong Atlantic community and the United Nations. Nor is there anything contradictory in a strong Organization of American States and the United Nations.

In fact, the United Nations in—when it was written in 1945, gave room for these regional organizations of which there are a great many and of which the United States is a member.

I support the United Nations very strongly and I think the American people do—not because its power is unlimited and not because we commit our policy to the United Nations so much as because we believe that it serves the interests of the United States, and the interests of the United States are in an association of free people working together to maintain the peace.

Now I would be very unhappy if the United Nations were weakened or eliminated. We would have a great increase in the chances of a direct concentration in some place—the Congo—between the great powers. It might involve the United States directly, and perhaps the Soviet Union on the other side of the United Nations serves as a means of channeling these matters, on which we disagree so basically, in a peaceful way.

But that doesn't suggest that we have to choose between the Atlantic community and the United Nations.

We believe in the Atlantic community. We are committed to strengthening it. We are attempting, for example, in a number of ways—and in fact our association is constantly growing more intimate, and we also support the United Nations.

Senator JACKSON is a very valuable Senator. He's done very effective work and anything that he says deserves a good deal of attention.

I do want to point out that on this matter, certainly, there's no disagreement between us.

Mr. JAVITS. Mr. President, the President of the United States says—and quite properly—that he strongly supports the United Nations. He said:

I support the United Nations very strongly and I think the American people do.

Then he goes on to define his view on that score. He ends as follows—and this is the point to which I wish to address myself:

I do want to point out that on this matter, certainly, there's no disagreement between us.

The President was there referring to Senator JACKSON and himself.

Mr. President, this is not a subject upon which anyone can be fuzzy. I said yesterday that I admire Senator JACKSON greatly; I say so again today. However, within the present context of the situation, I think the Senator from Washington has raised a very serious question, one which is seriously prejudicial and dangerous to the United Nations. The Senator from Washington said, in effect, that the United Nations must be downgraded, in terms of American foreign policy, from first to second place, and that what must take first place is our regional alliances and our fundamental strength, which implies our fundamental economic and military strength. It seems to me that once that thesis is put before the country, when the United Nations is under sharp attack, we cannot fuzz the question. It seems to me that the President must say unequivocally just where the United Nations stands in respect to American foreign policy.

Therefore, I respectfully say that what I think ought to be made clear is that we will continue the policy which Eisenhower set forth in his address to the General Assembly of the United Nations, which I quoted yesterday, and which President Kennedy said was in his address to the General Assembly of the United Nations, namely, that the United Nations has our full backing and support as the prime instrument for the preservation of peace in the world; and when we define it as that, then we do not have to say it is No. 1, No. 2, and No. 3. That will be it. It will stand, as we lawyers say, sui generis—an organization in and of itself, and in which we have great confidence; an organization which we support fully, as both Presidents have said, as the main instrument in which we will endeavor to maintain and retain the peace of the world. I think that is extremely important.

I wish the President had not qualified his remarks yesterday by saying, "There is no disagreement between us." I think there is a disagreement between the President and the Senator from Washington [Mr. JACKSON]. I think I have expressed the terms of that disagreement, especially in view of the context in which the speech of the Senator from Washington was cast. I believe thoroughly in NATO, SEATO, and the other regional organizations of which the United States is a member, and I favor implementing them fully. I have shown that in all my actions and votes in Congress. But those organizations are essentially alliances in respect to regions or areas of the world. They have been organized for specific purposes and to serve specific areas. The United Nations is the one overall instrument for the preservation of peace in the world. I therefore believe that our adherence to the support of the United Nations can have no qualification, and I trust that the President will make that very clear.

Let us remember two things: First, the United Nations is our principal link with all the new and underdeveloped nations of the world. The United Nations is where those countries realize their status as nations. That is the dividend which they get by being sovereign and independent in terms of having a voice in the determination by the world of its own destiny. Second—and I cannot reiterate this often enough—if we give the slightest opening for the idea that we intend to surrender what I consider still to be our position of preeminence in the United Nations, I can assure the President that the Soviet Union will step in and take that position away from us in a minute. This is a real danger in being fuzzy about any such presentation of view as was made by the Senator from Washington [Mr. JACKSON]. The real danger is that we will serve notice upon the nations of the world, which I think, on the whole, are inclined to follow our leadership in the United Nations, that we do not hold that leadership in the prime position we have always said we hold it, and that perhaps they had better look elsewhere.

Mr. President, this is an important question for the United States. It is a question upon which the policy of our Government is unquestioned. I do not believe—and I say this unilaterally—that

the President agrees with any such thesis. I think he ought to make it absolutely plain and clear that he does not.

I think the President should reiterate what has been said before by President Eisenhower and by himself with respect to the support by the United States of the United Nations and the vital place which the United Nations occupies in our foreign policymaking machinery.

Mr. President, I express my gratitude to the distinguished majority leader for his always generous courtesy in yielding to me.

Mr. MANSFIELD. Mr. President, I appreciate the courtesy of the Senator from New York.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. NEUBERGER in the chair). Without objection, it is so ordered.

THE ALEXANDER HAMILTON NATIONAL MONUMENT — AMENDMENT TO THE CONSTITUTION DEALING WITH POLL TAXES

The Senate resumed the consideration of the motion of the Senator from Montana [Mr. MANSFIELD] to proceed to the consideration of the joint resolution (S.J. Res. 29) providing for the establishing of the former dwelling house of Alexander Hamilton as a national monument.

Mr. BYRD of Virginia. Madam President, the Federal Constitution of the United States, including the first 10 amendments, certainly was one of the greatest national instruments ever written. It is the basic law of this Nation.

Its amendment should be neither useless nor capricious. The Constitution itself prescribes the only manner in which it may be amended. The Senate should not shortcut the procedure at any point.

Yet today we have before us a proposed amendment which would have no direct application in 45 States; and we are confronted with an effort to employ most unorthodox procedure to bring it before the Senate.

The amendment would undermine a fundamental right guaranteed by the Constitution—the right of the respective States to establish their own qualifications for voting.

Senators representing the 45 States which do not have poll tax qualifications for voting may regard the proposed amendment—and the proposed procedure in the Senate—as of little importance to them.

I urge them to consider the fact that their States do have other qualifications for voting. If poll taxes can be struck down as a qualification for voting, so also may qualifications of some other nature.

This proposal should not be taken lightly. The seriousness of reserving to the States the right to establish voting qualifications—and the legitimacy of poll taxes as a qualification—are easily demonstrated.

In the situation which has been developed in the Senate, these facts may best be demonstrated by a review of the reason and the logic of both poll taxes and the pertinent constitutional provisions.

One of the best reviews on these subjects I have ever seen was presented in the form of a brief in the relatively recent past by the late Abram P. Staples, of Roanoke, Va. Justice Staples enjoyed the reputation of being among the foremost constitutional lawyers in the country. He served Virginia well for years—in the State senate, as attorney general, and on the State supreme court.

He wrote the brief as Attorney General of Virginia, and at the outset he summarized its reason and logic in six concise propositions. I quote these propositions from the Staples' brief, as follows:

1. The Constitution reserves in the States the exclusive power to determine the manner of choosing its electors to vote for President or Vice President of the United States, and confers no power whatsoever on Congress to legislate on this subject.

2. Article I, section 2, of the Constitution, and the 17th amendment, reserve unto the States the exclusive power to prescribe the qualifications of the electors for Members of the Senate and House of Representatives, and this power is in no way modified or impaired by the power delegated to Congress by article I, section 4, to regulate the time, place, and manner of holding elections.

3. The requirement of the payment of a poll tax as a prerequisite to the right to vote is a qualification of an elector within the meaning of article I, section 2, of the Constitution and of the 17th amendment.

4. Even if the requirement of the payment of a poll tax be deemed not to be a "qualification" of electors it is nevertheless a proper exercise of the reserved powers of the States over suffrage, as well as of the taxing powers of the States.

5. The Constitution protects the right to vote of only those who are qualified to vote under State statutes.

6. Whether a State has exercised its constitutional power to prescribe the qualification of electors in an unconstitutional manner so as to deprive citizens of rights guaranteed to them by the Constitution is a judicial question, and is for the courts, not the Congress, to determine.

Justice Staples then proceeded to take up the foregoing propositions in the order set out. His first proposition was that—

1. The Constitution reserves in the States the exclusive power to determine the manner of choosing its electors to vote for President or Vice President of the United States, and confers no power whatsoever on Congress to legislate on this subject.

On this proposition Justice Staples said:

> The only provision of the Constitution relating to the power of appointment of electors is contained in article II, section 1, of the Constitution, by which the States reserved unto themselves and conferred upon their own legislatures plenary power over the subject except as to the time of choosing the electors.

The second clause of the section provides, as follows:

> Each State shall appoint, in such manner as the legislature thereof may direct, a number of electors, equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress: but no Senator or Representative, or person holding an office of trust or profit under the United States, shall be appointed an elector.

The fourth clause is as follows:

> The Congress may determine the time of choosing the electors, and the day on which they shall give their votes; which day shall be the same throughout the United States.

Nothing can be clearer than the effect of these quoted provisions. In drafting and adopting the Constitution, the States were not conferring powers on themselves, they were reserving powers already possessed and conferring them upon their own legislatures. By these provisions the States delegated to Congress the power only to determine the time of choosing the electors, while they conferred on their own respective State legislatures the exclusive power to direct the manner in which said electors shall be appointed. There is no requirement that they shall be elected by the people, or, if so elected, what qualifications the legislature may prescribe for those privileged to vote for them. In fact, in the first presidential election, in 5 of the 11 States which had then ratified the Constitution, the appointment of electors was made by the State legislatures. *McPherson v. Blacker*, 146 U.S. 1, 36 L. Ed. 869, 875. In construing the second clause in the cited case, Mr. Chief Justice Fuller said:

> The Constitution does not provide that the appointment of electors shall be by popular vote, nor that the electors shall be voted for upon a general ticket, nor that the majority of those who exercise the elective franchise can alone choose the electors. It recognizes that the people act through their representatives in the legislature, and leaves it to the legislature exclusively to define the method of effecting the object.

And Chief Justice Puller said further:

> In short, the appointment and mode of appointment of electors belong exclusively to the States under the Constitution of the United States. They are, as remarked by Mr. Justice Gray in *Re Green*, 134 U.S. 377, 379 (33: 951, 952) "no more officers or agents of the United States than are the members of the State legislatures when acting as electors of Federal Senators, or the people of the States when acting as the electors of Representatives in Congress." Congress is empowered to determine the time of choosing the electors and the day on which they are to give their votes, which is required to be the same day throughout the United States, but otherwise the power, and jurisdiction of the State is exclusive, with the exception of the provisions as to the number of electors and the ineligibility of certain persons, so framed that congressional and Federal influence might be excluded.

The opinion also quotes with approval from a report of the Senate Privileges and Elections Committee made in 1874, in which it is stated that "It is no doubt competent for the legislature to authorize the Governor, or the supreme

court of the State, or any other agent of its will to appoint these electors."

And referring to the provision of the 14th amendment penalizing the State representation in the House of Representatives where the right to vote at any election is denied or abridged except for crime, the Court said further:

> The first section of the 14th amendment does not refer to the exercise of the elective franchise, though the second provides that if the right to vote is denied or abridged to any male inhabitant of the State having attained majority and being a citizen of the United States, then the basis of representation to which each State is entitled in the Congress shall be proportionately reduced. Whenever presidential electors are appointed by popular election, then the right to vote cannot be denied or abridged without invoking the penalty, and so of the right to vote for Representative in Congress, the executive and judicial officers of a State, or the members of the legislature thereof. The right to vote intended to be protected refers to the right to vote as established by the laws and constitution of the State. There is no color for the contention that under the amendments every male inhabitant of the State being a citizen of the United States has from the time of his majority a right to vote for presidential electors (36 L. Ed. 878).

The 14th amendment applies to State officers as well as Federal, and, while it penalizes the States for the exercise of their power to deny or abridge the right to vote, it at the same time recognizes the existence of that power. It certainly does not prohibit its exercise. The only power conferred on Congress is to reduce the State's representation.

It is clear, therefore, that nowhere does the Constitution confer on Congress any power to supervise or in any manner interfere with the State legislatures in directing the manner of appointment of a State's presidential electors, or in saying who may vote in elections to choose them, if the legislature directs that method of appointment and prescribes who may vote therein.

Justice Staples now discusses his second proposition, which was that—

2. Article I, section 2, of the Constitution, and the 17th amendment, reserve unto the States the exclusive power to prescribe the qualifications of the electors for Members of the Senate and House of Representatives, and this power is in no way modified or impaired by the power delegated to Congress by article I, section 4, to regulate the time, place, and manner of holding elections.

On this subject, Justice Staples said:

> "Article I, section 2, clause 1, provides: 'The House of Representatives shall be composed of Members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.'
>
> "The 17th amendment, clause 1, is as follows: 'The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for 6 years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.'
>
> "Article I, section 4, reads thus: 'The times, places, and manner of holding elections for Senators and Representatives, shall be prescribed in each State by the legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators.'
>
> "The 10th amendment provides that 'The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people'."

It is not contended that the States delegated to Congress the power to prescribe the qualifications of electors for the most numerous branch of the State legislatures. That power, then, was undoubtedly reserved by each of the several States unto itself. This automatically, as a matter of law, resulted in vesting in each State the power to determine the qualifications of electors for its Senators and Representatives in Congress, because the qualifications are fixed by article I, section 2, as the same as the electors for the State legislature. It is obvious, therefore, that a congressional power to prescribe qualifications for electors for Senators and Representatives would necessarily carry with it the power to fix the qualifications for voters for the State legislatures, since they must be the same.

It is a fundamental and universally accepted principle governing the interpretation of the Constitution, where the respective powers of the State and Federal Governments are the subject of inquiry, that the States, in creating the Constitution, reserved all legislative powers which they did not grant to the Congress. If the Constitution had merely provided that each State should have the right to be represented in Congress by two Senators and a number of Representatives, without any provision at all as to their method of selection, each State would have possessed complete power to select its representatives in any manner it might see fit. When the Constitution was being drafted each State had unlimited sovereign powers with respect to the selection of any representatives it might send anywhere. Since the States already possessed this power, it is wholly inaccurate to speak of their conferring such power upon themselves. The situation was analogous to that in which the United States would find itself if a constitution of a League of Nations were being drafted. Would it be necessary for such a constitution to provide a method of selection of our representatives in such a League? If the League constitution should entitle us to certain representatives, the Congress possesses ample power to determine the method of their selection. It need not derive it from the League constitution. If the League constitution did provide a particular method of selection of our representatives in the League, it would clearly operate as a restriction upon the powers of Congress, not as a grant of power.

It is likewise undoubtedly true that article I, section 2, of our Constitution was not a grant but a restriction upon the power of the States, in that it prohibited them from prescribing different qualifications for electors for Representatives in Congress than for those voting for the most numerous branch of their State legislatures. The States would clearly have had the right to fix different qualifications if the Constitution had been silent on the subject.

At this point Justice Staples turned to the interpretation by framers of the Constitution, and he said:

> Alexander Hamilton, who took a leading part in drafting the Constitution and in expounding its meaning to the State legislatures then considering its adoption, emphasized the wisdom of the suffrage provision in article I, section 2.

The provision, he explained, necessitated the placing of the voting qualifications in the State constitution and removed it from State legislatures, for the obvious reason that there could be no election for members of a State legislature until the State constitution had provided for their election and the qualifications of their electors.

> The provision made by the convention appears, therefore, to be the best that lay within their option—

He said.

> It must be satisfactory to every State, because it is conformable to the standard already established, or which may be established by the State itself. It will be safe to the United States, because being fixed by the State constitutions, it is not alterable by the State governments.

Hamilton also said that to have left the right of suffrage "open for the occasional regulation of the Congress, would have been improper."—the Federalist, No. LII.

It is significant that the initial power to regulate the "time, place and manner of holding elections" is lodged by article II, section 4, in the legislatures of the States. But as Hamilton explained, these legislatures would have no power to prescribe qualifications of their electors, because necessarily this must be done by the State constitution. It follows, then, that the power of Congress to make or alter such regulations is necessarily limited to the regulations which the State legislature could make; and prescribing the qualifications of their own electors is not one of them. Article I, section 2, does not purport to vest any power at all in the State legislatures. It contemplates that the voting standards shall be fixed by the States themselves, in their constitutions, but the power to regulate the time, place and manner of holding such elections is vested in the State legislatures, and this power is paramount to a conflicting State constitutional provision to regulate same. *McPherson v. Blacker*, 146 U.S. 1, 36 L. Ed. at page 874.

That it was the intention of the States to reserve to themselves complete control of suffrage is manifest from contemporaneous discussions of the subject. Objections were urged by those opposing the adoption of the Constitution that the power conferred on Congress of final control over the place of holding such an election would enable Congress to designate places so located that the wealthy and wellborn as they are called would dominate the choice of Representatives. Hamilton pointed out that people of that class were not segregated

in particular localities, and that no such discrimination could be successfully practiced. He then added this significant statement:

The truth is, that there is no method of securing to the rich the preference apprehended, but by prescribing qualifications of property either for those who may elect, or be elected. But this forms no part of the power to be conferred upon the National Government. Its authority would be expressly restricted to the regulation of the times, the places, and the manner of elections. The qualifications of the persons who may choose or be chosen, as has been remarked upon another occasion, are defined and fixed in the constitution; and are unalterable by the legislature. (The Federalist No. LX.)

In the debates concerning the adoption of the Constitution at the Massachusetts convention, in discussing this question, it appears from page 28 of volume II of Elliot's Debates (2d ed.) that Mr. White expressed the view that Congress might prescribe "that none should be electors but those worth 50 or a 100 pounds sterling." To which it appears from page 51 of said volume that Mr. King, who with Hamilton was also a member of the style drafting committee, replied as follows:

The idea of the honorable gentleman from Douglass, * * *, transcends my understanding: for the power of control given by this section extends to the manner of election, not the qualifications of the electors.

See also to the same effect the statement of Mr. Nicholas, chairman of the Virginia convention, as reported in volume III, page 8, Elliot's Debates.

At page 71 of volume IV, Elliot's Debates, Mr. Steele, of North Carolina, referring to the election of Representatives in Congress, stated the following:

Who are to vote for them? Every man who has a right to vote for a representative to our legislature will ever have a right to vote for a representative to the General Government. Does it not expressly provide that the electors in each State shall have the qualifications requisite for the most numerous branch of the State legislature? Can they, without a most manifest violation of the Constitution, alter the qualifications of the electors? The power over the manner of elections does not include that of saying who shall vote: the Constitution expressly says that the qualifications which entitled a man to vote for a State representative. It is, then, clearly and indubitably fixed and determined who shall be the electors; and the power over the manner only enables them to determine how these electors shall elect—whether by ballot, or by vote, or by any other way. Is it not a maxim of universal jurisprudence, of reason and commonsense, that an instrument or deed of writing shall be so construed as to give validity to all parts of it, if it can be done without involving any absurdity?

At page 61 of the same volume, Mr. Davis, of North Carolina, in support of the granting of the power, stated the following:

If gentlemen will pay attention, they will find that, in the latter part of this clause, Congress has no power but what was given to the States in the first part of the same clause. They may alter the manner of holding the election, but cannot alter the tenure of their office. They cannot alter the nature of the elections; for it is established, as fundamental principles, that the electors of the most numerous branch of the State legislature shall elect the Federal representatives, and that the tenure of their office shall be for 2 years; * * * Here, in the first part of the clause, this power over elections is given to the States, and in the latter part the same power is given to Congress, and extending only to the time of holding, the place of holding, and the manner of holding, the elections. Is this not the plain, literal, and grammatical construction of the clause? Is it possible to put any other construction on it, without departing from the natural order, and without deviating from the general meaning of the words, and every rule of grammatical construction. Twist it, torture it, as you may, sir, it is impossible to fix a different sense upon it.

Justice Staples then turned to decisions by the U.S. Supreme Court, and here he found that there is an unbroken line of decisions of the Supreme Court which recognize the exclusive power of the States to prescribe the suffrage qualifications of their electors, except insofar as they are restricted by the 15th and 19th amendments which forbid discriminations only because of race, color or previous conditions of servitude, or of sex. In *Breedlove* v. *Suttles*, 302 U.S. 277, 283, decided less than 5 years ago, the Supreme Court in a unanimous opinion said:

To make payment of poll taxes a prerequisite of voting is not to deny any privilege or immunity protected by the 14th amendment. Privilege of voting is not derived from the United States, but is conferred by the State and, save as restrained by the 15th and 19th amendments and other provisions of the Federal Constitution, the State may condition suffrage as it deems appropriate. *Minor* v. *Happersett*, 21 Wall. 162, 170 et seq., 22 L. ed. 627, 629; Ex parte Yarbrough, 110 U.S. 651, 664, 665, 28 L. ed. 274, 275, 4 S. Ct. 152; *McPherson* v. *Blacker*, 146 U.S. 1, 37, 38, 36 L. ed. 869, 878, 13 S. Ct. 3; *Guinn* v. *United States*, 238 U.S. 347, 362, 59 L. ed. 1340, 1346, 35 S. Ct. 926, L.R.A. 1916A, 1124. (82 L. ed. 256.)

After taking up U.S. Supreme Court decisions, Justice Staples moved to decisions in State courts. In this respect he said:

There have been numerous State court decisions sustaining the validity of the poll tax qualification. It would unduly prolong this statement to undertake to review them. However, in the last volume of American Law Reports, Annotated (vol. 130) the case of *Pirtle* v. *Brown*, last above referred to, is reported, and in an annotation thereto, beginning on page 572, this proposition is stated: "The courts are unanimous in holding that failure to pay a valid poll tax imposed as a condition of voting has the effect of disqualifying the voter and rendering his vote invalid." In support of the statement, the annotation cites the Breedlove case, also *Pirtle* v. *Brown*, and innumerable decisions from the following States: Alabama, Arkansas, Delaware, Florida (five cases), Georgia, Kentucky, Louisiana, Massachusetts, Mississippi, North Carolina, Oregon, Pennsylvania, South Carolina, Tennessee, Texas, and Virginia.

From the "History of Judicial Decisions," Justice Staples reviewed congressional and State action as follows:

Congress has proposed two previous amendments to the Constitution, the purpose of each of which was to restrict the unlimited reserved power of the States over suffrage. The 15th amendment prohibits denial of the right to vote on account of race, color, or previous condition of servitude, while the 19th amendment prohibits such denial on account of sex. If Congress considered that it possessed the power to prohibit such denial, there would have been no necessity or reason for submission of these amendments. A prohibitory statute would have been sufficient in each case. Furthermore, the 14th amendment expressly recognizes the full power of the States over suffrage qualifications by conferring on Congress power to reduce the basis of representation of any State which may abridge or deny the right to vote of male citizens 21 years of age, except for participation in rebellion, or other crime. This provision, the Supreme Court, referring to the State's power over suffrage, held, recognizes the possession of the general power by the State, since the amendment seeks to regulate its exercise as to the particular subject with which it deals. (*Guinn* v. *United States*, 238 U.S. 362.)

Thus, by submitting these amendments, the Congress has construed the Constitution as reserving in the States full power over suffrage requirements, and the States, by ratifying same, have placed a like construction on same.

Summarizing what has been said on this second proposition, it is clear beyond debate that, under the construction placed on sections 2 and 4 of article I of the Constitution, first, by the cotemporaneous statements of the framers of the Constitution; second, by the unanimous decisions of the Supreme Court of the United States and of the highest courts of the States; and third, by the actions of Congress and the States with respect to constitutional amendments regulating in certain particulars the State's exercise of its powers over suffrage, the States reserved unto themselves full and unlimited powers to prescribe who may vote at all elections, except as restricted by the provision that the qualifications to vote for their Senators and Representatives in Congress, should not be different from those prescribed for voters for the popular branch of the State legislatures.

Justice Staples' third proposition was:

3. The requirement of the payment of a poll tax as a prerequisite to the right to vote is a "qualification" of an elector within the meaning of article I, section 2, of the Constitution and of the 17th amendment.

And in this connection he said it has been contended that a requirement of payment of a poll tax as a prerequisite to voting for President or for a State's Senators and Representatives in Congress, is not a "qualification of voters or electors" in elections for these officers, but is "an interference with the manner of holding" such elections. Much of the testimony before the committees of Congress is to the effect that the great majority of those who do not pay the tax are too poor to do so. Their poverty would in most, though not all, cases also have reasonable relation to "intelligence, ability, and character," though recitals in the preambles of certain bills introduced in Congress deny this to be a fact. It might with greater truth be said that length of residence, or even citizenship itself, has no reasonable relation to intelligence, ability, wealth, character, and so forth.

The word "qualification" is thus defined in Webster's Dictionary:

A condition precedent that must be complied with for the attainment of a status, the perfection of a right, etc.; as the qualification of citizenship.

"Qualified voter" is defined as "one who possesses certain specific qualifications for voting, especially as to citizenship, age, and residence, and sometimes also as to literacy and ownership of property."

Alexander Hamilton, in his statement heretofore quoted herein, used the expression in connection with suffrage, "prescribing qualifications of property." Mr. Steele, in the North Carolina convention, in his statement also above quoted, interpreted the power of the State to prescribe qualifications of electors as the power to determine "who shall be the electors." Mr. Davie, in the same convention, in a statement also heretofore quoted herein, said that "it is established, as fundamental principle, that the electors of the most numerous branch of the State legislature shall elect the Federal representatives." He obviously construed the word "qualifications" as embracing all suffrage requirements. But under relatively recent bills before Congress, the Virginia electors for members of its legislature would not be the same as those for Virginia's U.S. Senators and Representatives.

And the Supreme Court itself has interpreted the State's power to prescribe suffrage qualifications as embracing the entire field of determining who may vote. In the Yarbrough case, supra, the Court said the States "define who are to vote for the popular branch of their own legislature, and the Constitution of the United States says the same persons shall vote for Members of Congress in that State. It adopts the qualification thus furnished as the qualification of its own electors for Members of Congress." It was after this judicial interpretation of the language used in section 2 of article I that the same language was employed in the 17th amendment with respect to the qualification of voters for U.S. Senators. It is an elementary principle of the law that Congress is absolutely bound by this judicial interpretation of language afterward adopted in amending the Constitution. It cannot enlarge its own powers by changing the judicially fixed meaning of words.

As before pointed out, the Yarbrough case, in which the language quoted was used, was cited with approval in the recent Breedlove and Classic cases, and in Swafford against Templeton, supra—decided in 1902—and the language itself was quoted with approval in the year 1900 in Wiley against Sinkler, supra. It cannot be successfully denied that the Supreme Court has repeatedly held that the States have the absolute and exclusive right to prescribe who may vote in such elections.

Justice Staples continued by saying:

The word "qualification" with respect to suffrage has from and before the foundation of our Government continued at all times to be used in the sense of defining the class or classes of persons who are entitled to vote. As pointed out above, the word was so interpreted by the framers of the Constitution, and those debating its adoption in various State conventions. In addition to those above mentioned, in the 1937 edition of "Elliot's Debates," volume 5, supplement, page 385, it appears that in the discussion in the Constitutional Convention concerning the adoption of what is now section 2 of article I, Mr. Gouverneur Morris moved to amend it by striking out "beginning with the words 'qualifications of electors'" so as to "restrain the right of suffrage to freeholders." "Give the votes to people who have no property," he said, "and they will sell them to the rich, who will be able to buy them." Mr. Wilson thought "it would be difficult to form any uniform rule of qualifications for all States"; and that "it would be very hard and disagreeable for the same persons, at the same time, to vote for representatives in the State legislature, and to be excluded from a vote for those in the National Legislature." Colonel Mason observed that some of the States had "extended the right of suffrage beyond the freeholders," and that "a power to alter the qualifications would be a dangerous power in the hands of the Legislature" (Congress). He thought property qualifications should not be confined to ownership of land. Mr. Ellsworth found difficulty in defining the freehold and favored giving to "every man who pays a tax" the right "to vote for the representative who is to levy and dispose of his money." "Taxation and representation ought to go together," he said. James Madison was undecided "whether the constitutional qualification ought to be freehold," but said the right of suffrage ought not to be left to be regulated by the Legislature (Congress). Mr. Rutledge opposed "restraining the right of suffrage to the freeholders." Mr. Morris' proposed amendment was defeated and the section in its present form was adopted by the Convention.

It is obvious from the discussion by the members of the convention that the words "right of suffrage" were considered by them as synonymous in meaning with "qualification of electors" as used in section 2 of article I.

And this interpretation of "qualifications" of voters or electors has persisted to the present time. Volume 29 of Corpus Juris Secundum—1941—in the article on "Elections," carries as its second main heading the words "Qualifications and Disqualifications of Voters." Under this there are various requisites of qualification discussed. Section 28, page 50, under the subheading "Property," states that "unless required by the constitutions or by valid statutory regulations the ownership of property is not a qualification for voting." Section 29, page 51, has the subtitle "Payment of Taxes," and states that "unless required by the constitution or statutes payments of taxes is not a qualification for voting." And note 37, page 52, contains this statement: "Constitutional amendment qualifying electors who have paid poll taxes to vote 'at any election' was held to include municipal elections." And likewise, in 18 American Jurisprudence—1938—in the article on "Elections," under the main heading "Electors," and the subheading "Qualifications," the article treats of the various requisites of voting qualifications, among them being citizenship, age, sex, and residence. The 7th requisite considered is entitled "Ownership of Property," and in section 70, page 225, it is stated that, unless prohibited by the constitution of the State, its "legislature may prescribe property qualifications." The eighth requisite considered in said article is entitled "Payment of Taxes," and in section 72, page 227, appears this sentence: "Whether the adoption of the 19th amendment to the Federal Constitution had the effect of rendering women subject to a poll tax qualification theretofore applicable to men only is a question which has been answered in the affirmative in some jurisdictions and in the negative in others." The word "qualification" is used in this article in referring to the payment of poll taxes and other taxes as a prerequisite to the right to vote.

It is clear, therefore, that from the time of the foundation of our Government and up to and including the present, the requirement of payment of a tax as a prerequisite to the right of suffrage has been deemed a suffrage "Qualification." But the power of the State to so condition suffrage is not dependent upon the meaning of the words "Qualifications of Electors," as will appear from the following discussion of the fourth proposition.

Justice Staples' fourth proposition was:

4. Even if the requirement of the payment of a poll tax be deemed not to be a "qualification" of electors it is nevertheless a proper exercise of the reserved powers of the States over suffrage, as well as of the taxing powers of the States.

His brief in this regard said:

It is essential in determining the power of the States over suffrage—that is, on what classes of persons the State will confer the privilege of voting—to keep in mind the nature of the action taken by the several States in formulating and adopting the Federal Constitution. It is elementary that the States were not conferring powers on themselves. They already possessed absolute sovereign powers. Some of these powers they were contemplating surrendering or granting to the proposed Federal Government. Such as they would not grant, obviously they would retain, but, to remove any possible doubt on this point, they adopted the 10th amendment expressly providing for such reservation of powers not delegated. When the Constitution was adopted, each State possessed and exercised unlimited power over suffrage, generally prescribing some qualification or condition such as ownership of property or payment of taxes. In *Minor* v. *Happersett*, 88 U.S. (21 Wall.), 162, 22 L. ed. 627, 629–630, Mr. Chief Justice Waite thus stated the suffrage requirements contained in the various State constitutions at the time of the adoption of the Federal Constitution:

"Upon an examination of those constitutions we find that in no State were all citizens permitted to vote. Each State determined for itself who should have that power. Thus, in New Hampshire, 'Every male inhabitant of each town and parish with town privileges, and places unincorporated in the State, of 21 years of age and upwards, excepting paupers and persons excused from paying taxes at their own request,' were its voters; in Massachusetts 'Every male inhabitant of 21 years of age and upwards, having a freehold estate within the Commonwealth of the annual income of 3 pounds, or any estate of the value of 60 pounds'; in Rhode Island 'Such as are admitted free of the company and society' of the Colony; in Connecticut such persons as had 'Maturity in years, quiet and peaceable behavior, a civil conversation, and 40 shillings freehold or 40 pounds personal estate,' if so certified by the selectmen; in New York 'Every male inhabitant of full age who shall have personally resided within one of the counties of the State for 6 months immediately preceding the day of election * * * if during the time aforesaid he shall have been a freeholder, possessing a freehold of the value of 20 pounds within the county, or have rented a tenement therein of the yearly value of 40 shillings, and been rated and actually paid taxes to the State'; in New Jersey 'All inhabitants * * * of full age who are worth 50 pounds, proclamation

money, clear estate in the same, and have resided in the county in which they claim a vote for 12 months immediately preceding the election'; in Pennsylvania 'Every freeman of the age of 21 years, having resided in the State 2 years next before the election, and within that time paid a State or county tax which shall have been assessed at least 6 months before the election'; in Delaware and Virginia 'as exercised by law at present'; in Maryland 'All freemen above 21 years of age having a freehold of 50 acres of land in the county in which they offer to vote and residing therein, and all freemen having property in the State above the value of 30 pounds current money, and having resided in the county in which they offer to vote 1 whole year next preceding the election'; in North Carolina, for Senators, 'All freemen of the age of 21 years who have been inhabitants of any one county within the State 12 months immediately preceding the day of election, and possessed of a freehold within the same county of 50 acres of land for 6 months next before and at the day of election,' and for members of the House of Commons 'All freemen of the age of 21 years who have been inhabitants in any one county within the State 12 months immediately preceding the day of any election, and shall have paid public taxes'; in South Carolina 'Every free white man of the age of 21 years, being a citizen of the State and having resided therein 2 years previous to the day of election, and who hath a freehold of 50 acres of land, or a town lot on which he hath been legally seized and possessed at least 6 months before such election, or (not having such freehold or town lot) hath been a resident within the election district in which he offers to give his vote 6 months before said election, and hath paid a tax the preceding year of 3 shillings sterling toward the support of the government'; and in Georgia 'Such citizens and inhabitants of the State as shall have attained to the age of 21 years, and shall have paid tax for the year next preceding the election, and shall have resided 6 months within the county.'

"In this condition of the law in respect to suffrage in the several States, it cannot for a moment be doubted that if it had been intended to make all citizens of the United States voters, the framers of the Constitution would not have left it to implication. So important a change in the condition of citizenship as it actually existed if intended, would have been expressly declared."

Thus were the various States exercising their sovereign powers with respect to conferring the right of suffrage upon their citizens. Whether the requirements to be met in each State be termed a "qualifications of electors" or be referred to by any other term or word or words, the States possessed and exercised the unlimited power over suffrage and the granting of the voting privilege. In adopting the Federal Constitution, the States did not grant to Congress any of their powers over suffrage. They did, however, in article I, section 2, restrict their own powers over suffrage requirements of electors for their congressional representatives so that they could not prescribe for such electors "qualifications" different from the ones prescribed for those entitled to vote for the popular branch of their own legislatures. If the payment of a tax as a prerequisite to the right of suffrage is a "qualification," then the States must prescribe the same requirement for both classes of electors referred to in section 2. If, however, it is not a qualification, then the States undoubtedly have the power to require the payment of the tax for those voting for their Members of Congress and Senators, without requiring it of those voting for members of their legislatures. It is obvious that the broader the meaning of the term "qualifications of electors" the greater the restriction imposed on the suffrage powers of the States by section 2, because the restriction applies only to "qualifications." The power of the States to impose conditions or requirements of suffrage other than "qualifications" is in no way restricted by section 2, or by any other provision of the Constitution as originally adopted. And this interpretation of section 2 merely as a restriction upon State power was adopted in the Classic case, supra, as appears from the following language in the opinion:

"Such right as is secured by the Constitution to qualified voters to choose Members of the House of Representatives is thus to be exercised in conformity to the requirements of State law subject to the restrictions prescribed by section 2 and to the authority conferred on Congress, by section 4, to regulate the times, places, and manner of holding elections for Representatives." (313 U.S. 310.)

The absolute power of the States over suffrage requirements, except as restricted by article I, section 2, and by the 15th and 19th amendments, has been repeatedly asserted by the Supreme Court, and never questioned in any of its decisions. The powers of the States are thus stated in *United States* v. *Reese*, 92 U.S. (2 Otto) 214, 23 L. ed. 563, 564:

"The 15th amendment does not confer the right of suffrage upon anyone. It prevents the States, or the United States, however, from giving preference in this particular, to one citizen of the United States over another, on account of race, color, or previous condition of servitude. Before its adoption, this could be done.

"It was as much within the power of a State to exclude citizens of the United States from voting on account of race, etc., as it was on account of age, property or education. Now it is not. If citizens of one race having certain qualifications are permitted by law to vote, those of another having the same qualifications must be. Previous to this amendment, there was no constitutional guarantee against this discrimination; now there is."

And this principle is likewise clearly reaffirmed in *Breedlove* v. *Suttles*, *supra*, the Court saying: "Privilege of voting is not derived from the United States, but is conferred by the State and, save as restrained by the 15th and 19th amendments, the State may condition suffrage as it deems appropriate." The only constitutional provision restricting the State's power over suffrage other than the two amendments referred to is section 2 of article I, and if the requirement of a poll tax payment is not a "qualification," then that section has no application.

But the requirement of payment of the poll tax as a prerequisite to the privilege of voting is the valid exercise of the taxing power of the State, as well as the suffrage power. In the Breedlove case the Court said: "'Exaction of payment before registration undoubtedly serves to aid collection from electors desiring to vote, but that use of the State's power is not prevented by the Federal Constitution.' The proponents of legislation on this subject do not point out any power conferred on Congress thus to interfere with the States' exercise of their taxing powers. Alexander Hamilton did not consider that Congress was being given any such power, for he said, in No. XXXIII of the Federalist, that a law passed by Congress—"abrogating or preventing the collection of a tax laid by the authority of a State (unless upon imports and exports) would not be the supreme law of the land, but an usurpation of a power not granted by the Constitution."

The proceeds from poll taxes in Virginia are used for the purpose of operation of public schools, and there are many persons whose children are in the schools who pay no other tax or make any other contribution to them. The obstruction to the collection of these revenues cannot be justified by any power conferred on Congress by the Constitution.

It is clear, therefore, that Congress possesses no power to regulate or interfere with the exercise by the States of their power to prescribe suffrage requirements, or of their power to lay and collect the poll tax.

The fifth proposition in Justice Staples' brief will next be considered. It held that:

5. The Constitution protects the right to vote of only those who are qualified to vote under State statutes.

His reasoning was as follows:

The excerpts from the opinions in the Classic case, supra, and the four cases therein cited, and from the Breedlove case, which have been heretofore quoted in this statement, conclusively show that, so far as decisions of the Supreme Court can be considered an authoritative interpretation of the Constitution, the right of a person to vote for his State's Representatives and Senators in Congress depends upon whether the State has conferred upon him the privilege of voting for members of the most numerous branch of the legislature of the State. When that privilege has been so conferred on him, then, and not until then, does the Constitution give him the right to vote for these Federal Representatives and Senators. It is, therefore, unnecessary to repeat what has already been so clearly expressed in the opinions referred to, but attention is again directed to the fact that within the last year the Supreme Court has, in effect, reaffirmed those decisions by its refusal to grant a writ of certiorari in the case of *Pirtle* v. *Brown*, supra.

Justice Staples' last proposition, the sixth, was:

6. Whether a State has exercised its constitutional power to prescribe the qualifications of electors in an unconstitutional manner so as to deprive citizens of rights guaranteed to them by the Constitution is a judicial question, and is for the courts, not the Congress, to determine.

While such a proposal is not directly before us at this time, there are those who currently contend that the Federal Government can outlaw State qualifications for voting by statute.

On this general proposition, Justice Staples said:

Those arguing in favor of the constitutionality of Federal statutory restraint in this area lay much emphasis upon the fact that the right to vote for a State's Senators and Representatives in Congress is derived from the Constitution. This principle is not new, but, as above pointed out, was laid down in the Yarbrough case in 1884. It has been seized upon, however, as the basis of a claim that it constitutes a new source of congressional regulatory powers over suffrage. But this contention is not new. It was thus answered in *Newberry* v. *United States*, 256 U.S. 232, 249:

"We find no support in reason or authority for the argument that because the offices were created by the Constitution, Congress has some indefinite, undefined power over elections for Senators and Representatives not derived from section 4. The Government, then, of the United States, can claim no powers which are not granted to it by the Constitution, and the powers actually granted must be such as are expressly given, or given by necessary implication."

That Congress may enact laws to protect the right to vote for Federal representation

of persons entitled to vote for State legislators is not denied by anyone. But protecting the right to vote and conferring such a right are essentially different powers. The first has to do with regulating the machinery for holding elections, the latter relates solely to suffrage. The first power was by the Constitution conferred by the States on their own legislators in section 4 of article I, subject to the supervisory regulation of Congress, while the right of suffrage was wholly reserved to the States to be controlled primarily by State constitutions, subject only to the restriction that the qualifications of voters for State legislators and Federal representatives be the same. The Constitution conferred no supervisory power on Congress over the actions of the States in prescribing suffrage requirements. And there was no reason why it should. The representatives sent by a State were to be its own representatives, not those of other States, so why should the latter dictate the suffrage requirements of the former? The debates of the convention show that it was the intention that the Senators, especially, should represent the interests of the States, as such, and safeguard against Federal usurpations of power or encroachments on the powers reserved to the States. The Supreme Court has emphatically stated that U.S. Senators "cannot properly be said to hold their places 'under the Government of the United States.'" *Burton* v. *United States*, 202 U.S. 344, 360. The reason Congress was given supervisory power over the time, place, and manner of holding elections for representatives was that it was feared some of the State legislatures might fail to provide election machinery and the Congress might die for want of adequate membership. The debates clearly show this, and that the fear arose from the action of the Rhode Island legislature in failing to provide for the selection of its Members in the Congress of the old confederation.

It is also argued by some that the poll tax qualification results in fraud, in that some persons buy up poll tax receipts for others and thus influence their votes. This may or may not be true. But even if it is, buying up fraudulent receipts and presenting them at elections is not a compliance with the laws here sought to be annulled, but is a violation of same. Furthermore, it is an act committed in the holding of the election, and Congress possesses ample power to prevent and punish such acts under section 4. Is it not common knowledge that fraudulent acts in connection with elections occur on a much larger scale in States other than those here under attack?

If the State laws under attack operate as a fraud on the United States, the courts have ample jurisdiction so to find and apply the appropriate remedy. But the courts have unanimously held exactly the opposite, including the Supreme Court (in denying certiorari in *Pirtle* v. *Brown*, supra). Protection of constitutional rights is primarily a judicial function and it is for the courts to say whether they have been violated.

It is argued that James Madison was in favor of universal suffrage at the time of the convention. The argument is not supported by his statements, and his native State of Virginia at that time a property qualification which he seemed to favor in the convention, as above pointed out. In the Virginia Constitutional Convention of 1829, in advocating the extension of suffrage to housekeepers and heads of families, he said:

"It would be happy if a state of society could be found or framed, in which an equal voice in making the laws might be allowed to every individual bound to obey them. But this is a theory which, like most theories, confessedly requires limitations and modifications. And the only question to be decided, in this as in other cases, turns on the particular degree of departure, in practice, required by the essence and object of the theory itself." (Elliot's Debates, vol. V, p. 583.)

Another argument advanced by some in denial of the State's exclusive power over suffrage is that they might say that only Democrats or only Republicans may vote, or that only a certain religious sect could exercise that privilege. Such arbitrary action would be an obvious denial of the equal protection of the laws (14th amendment), and the courts would undoubtedly so hold. But the courts have unanimously held that the poll tax qualification does not deny equal protection.

Extravagant statements are made to the effect that it is necessary for Congress to possess the power of supervising suffrage in order to preserve the existence of the Government. The answer is that the Government has existed and prospered since its beginning without any such congressional power and has grown into the richest and most powerful one in the world, although during a large part of that time a great number of States had poll tax or similar voting qualifications.

The argument is made to the effect that although the States formerly possessed the power to prescribe a property qualification or one requiring payment of taxes, the Constitution has undergone a metamorphosis in recent years and this power has disappeared. They would reverse the time honored principle that the long undisputed exercise of powers is the best test of their possession and substitute in its place a rule that the sovereign powers of the States have but a lifespan and perish with age, instead of becoming more firmly fixed and rooted.

Madam President, I have read to Senators the remarkably fine statement made by one of the leading members of the Supreme Court of Virginia, Justice Staples.

Mr. STENNIS. Madam President, while the Senator is on that point, will he yield to me for a question?

Mr. BYRD of Virginia. I yield.

Mr. STENNIS. In connection with article I, section 2, of the Constitution, I should like to ask the Senator whether he believes that if the proposed amendment becomes a part of the Constitution, he thinks it would be possible to have two sets of electors, that is, a list of electors for State elections and another list of electors for so-called Federal elections?

The reason I ask the question is that, as the Senator knows, it has been argued that having two such lists would be practicable. Does the Senator think that it would; and, if so, why?

Mr. BYRD of Virginia. I think it would be very impracticable. I would not say that it would be absolutely impossible, but it would so confuse the voters, in my opinion, that we would not obtain the direct expression from the people that we should get. It would be confusing to have two lists of voters—one set of electors for Federal officials and one set for local and State officers.

Mr. STENNIS. Is it not true that it would be very disconcerting and confusing, not only at the election itself but in the campaigns, for the people to have two such lists, with the attendant uncertainty as to who would be eligible to vote in each election?

Mr. BYRD of Virginia. I do not think it would be practicable at all. As the Senator knows, I have been in public life for almost 50 years. To have two sets of voters I think would be thoroughly confusing to the people of the State. It would interfere with the judgment of the people in their attempt to indicate by their ballots their choices. Certainly they would be confused if there were two lists of electors.

Mr. STENNIS. Is it not true that the resulting confusion would detract from good government and clear understanding on the part of the people rather than make for strong Government?

Mr. BYRD of Virginia. I agree with the Senator.

Mr. STENNIS. I should like to ask the Senator another question. It is not a legal question but a question of logic. Article I, section 2, of the Constitution now states:

The Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.

If the State of Virginia had a so-called State list, under the direct language and mandate of the Constitution, would that not be the sole and only legal list, since the provision states:

The Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.

Mr. BYRD of Virginia. The Senator from Mississippi is a very great lawyer. Of course, I am not a lawyer, but I can certainly agree with him. I think it would be utterly confusing to have two lists of voters. There probably would be litigation, and in other respects it would be exceedingly confusing to elect the members of the General Assembly of Virginia with the use of one list and then elect a U.S. Senator or a Representative through the use of another list.

Mr. STENNIS. I do not mean to be personal about this point. I shall put what I have to say in the form of a question. I am sure that the Senator well remembers that when he was Governor of Virginia, he proposed a consolidation of many of the powers of government and the elimination of others from the State constitution. In effect, the voters of Virginia rewrote the constitution of Virginia and made it plainer and clearer, with more limited issues to be presented to the people. Is that not correct?

Mr. BYRD of Virginia. The Senator is correct.

Mr. STENNIS. Viewing the situation from a distance, does not the Senator think that time has proven the move was a most salutary one, that the people approached the question in a sound, capable way, and that they can approach the present problem, and whatever goes with it, in the same satisfactory and logical way?

Mr. BYRD of Virginia. I would not want to compliment my own administration as Governor.

Mr. STENNIS. Under the rules of the Senate I am not permitted to do so at this moment, but I wish the Senator from Virginia would comment on the subject.

Mr. BYRD of Virginia. The fact is that the State of Virginia is one of the few States in the Union that have ever adopted a constitution by submitting to

the people for vote 87 proposed changes in an outmoded constitution that was adopted in reconstruction days, rather than through a constitutional convention. We were very successful in that procedure. The electorate understood what was being done. It was discussed, and I think the procedure was a much more democratic way of amending or changing the constitution than the calling of a constitutional convention, which would have sole power, as the Senator from Mississippi knows, to do what it pleased without being controlled by the electorate.

The process worked very successfully.

If confusion results through our being required to have two lists of voters, I think an intolerable condition will result.

The poll tax was reenacted in Virginia by a very large majority in 1928. It is my frank opinion that if the question of repealing the poll tax in Virginia for the right to vote for State and local officers, were submitted now to the people of Virginia, the proposal would be defeated.

The money received from the poll tax, which is more than $1,600,000 goes to the operation of the public schools. Every cent of it goes to the public schools. A list of voters is provided, which prevents any question of improper registration and things like that. The procedure has worked very successfully with reference to the poll tax. I do not think it is unreasonable to ask a man or woman to pay $1.50, which goes to help educate his own children, for the privilege of voting. As the Senator from Mississippi has mentioned, we have no restrictions on registration.

While there is much talk about having 2 lists of voters, we know that we cannot control what the people back home will do. We do not know whether or not they would repeal the poll tax for the right to vote for local, county and State officers.

Mr. STENNIS. Is it true or not that in the Senator's State considerably more people pay the poll tax than vote in some of the elections in Virginia?

Mr. BYRD of Virginia. The Senator is correct.

As the distinguished Senator from Florida pointed out, there is a small vote in Virginia. But I think the real test about the voting restrictions, if there be such in Virginia, is with respect to those who are qualified to vote. There are 1,200,000 who are qualified to vote. It is true that they do not all vote, and I doubt that all who are qualified in other States to vote do so. Approximately 125,000 colored people in Virginia pay the poll tax. There is not the slightest effort to keep them from voting. A total of approximately $1,800,000 is collected through the poll tax, every dollar of which goes to the public schools.

Mr. STENNIS. Madam President, will the Senator yield for one more question?

Mr. BYRD of Virginia. I yield.

Mr. STENNIS. I put my statement in the form of a question in order to comply with the rules. Does the Senator know that one of the great good fortunes in the life of the Senator from Mississippi was that while the Senator was Governor of Virginia, the Senator from Mississippi was a law student at the University of Virginia and received the inspiration of the Senator's leadership, guidance, and sound doctrine at that time?

Mr. BYRD of Virginia. I am glad that the University of Virginia had the honor of having the Senator as a student.

Mr. STENNIS. I thank the Senator from Virginia for yielding to me.

Mr. BYRD of Virginia. I continue with my statement.

In this connection, a very informative brief on the subject of the rights of individual States to establish their own voting qualifications was prepared some years back by the Honorable Frank J. Looney, of Louisiana.

Mr. Looney, at the time he prepared the brief, was chairman of the Democratic State Central Committee of Louisiana, and I am informed that he enjoyed the reputation of being a fine, able, and distinguished member of the Louisiana bar.

Mr. Looney's brief went to the very point of the present proposal to abolish the poll tax as a prerequisite for voting by constitutional amendment.

It is significant that Mr. Looney's brief was prepared after Louisiana had, by its own determination, eliminated the poll tax as a prerequisite in that State for voting. As a foreword to his discussion of the subject, Mr. Looney said:

QUALIFICATIONS OF VOTERS

FOREWORD

Very recently a southern Member of the United States Senate appeared on the radio to champion his bill to abolish the poll tax as a qualification for voting in Federal primaries and general elections. He made two statements for which he offered no proof in law, logic, or fact, except *United States* v. *Classic*. The first statement was: There are three ways to abolish the poll tax (or was it to fix Federal qualifications for electors?)—the first by the State constitution; second, by State legislature; third, by Congress. The other statement was that there were two viewpoints as to whether or not Congress could fix qualifications for voters in State or local elections.

As to the first statement, he showed his preference by advocating Federal enactment of his bill. On the other proposition he expressed no opinion.

The purpose in this pamphlet is not to challenge the patriotism or intellectual qualifactions of any Senator, but to attempt to provide data to set straight on a fundamental matter all who may entertain these ideas.

The Constitution of the United States, article I, section 2, clause 1; said:

"SECTION. 2. The House of Representatives shall be composed of Members chosen every second Year by the People of the several States, and the Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature."

This section was in the original Constitution, as adopted in convention September 17, 1787, and has never been amended in any way. On the contrary, it has been fortified by the seventeenth amendment, the first clause of which reads:

"The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures."

The identity of the language as to qualifications shows no intention of changing one iota from the purposes of 1787. So that the same standard is to be understood as being accepted in 1787 and in 1912–13, or during and after 126 years. This is significant; especially in view of the fact that suffrage occupied the public and national mind as of utmost importance in 1869–70, as is evidenced by the fifteenth amendment, which did not pretend to fix qualifications for voters, but denied the State and the United States the power to abridge or deny the right of citizens to vote on account of race, color, or previous condition of servitude. There is no suggestion that a State should be prohibited from denying the right to vote for nonpayment of a tax.

We furthermore find language in the fourteenth amendment, 1866–68, which recognizes the right of States to deny the right to vote to male citizens, but penalizes those States by reducing the basis of representation. See section 2, fourteenth amendment. Section 3 of this amendment distinguishes between electors and elected and imposes a disability (which could be and has been removed by Congress) merely against officials.

The nineteenth amendment prohibits denial or abridgement of the right to vote on account of sex. This is the last constitutional provision dealing with suffrage, and again omits all reference to nonpayment of taxes.

The original Constitution in article II, section 1, clause 2, goes even further in delegating power to the States over selection of electors for President and Vice President.

It reads:

"Each State shall appoint, in such Manner as the Legislature thereof may direct, a Number of Electors."

Clause 3 of the same article thus deals with the power of Congress in this matter, and in a limitative manner:

"The Congress may determine the Time of chusing the Electors and the Day on which they shall give their Votes; which Day shall be the same throughout the United States."

The 12th amendment provides the manner in which these electors evidence their votes, and, in event no person shall have received a majority, requires the House of Representatives to choose by ballot, from the three highest voted for by the electors, the President. It preserves the original language, changing only the spelling of "chusing," and provides, "But in choosing the President, the votes shall be taken by states, the representation from each state having one vote."

The 20th amendment, which deals with the power only of the President and Vice President, Senators, and Representatives, amends portions of article II, section 1, clause 2, of the Constitution, but nowhere touches on the qualification of voters who should choose electors.

It is interesting and proper to note the accuracy of the language employed, both in the original Constitution and in the amendments, and especially where the word "manner" is used.

The 12th amendment provides the manner in which these electors evidence manner as the legislature thereof may direct, a number of "electors." The word "elect" is nowhere used, and the manner of making the appointment and all matters incidental thereto, except as to times and days heretofore mentioned, are left to the discretion of the State legislatures. The selection of electors is a function of the State, and the State is the recognized unit where the selection of a President is left to the House of Representatives. This has been emphatically asserted by the Supreme Court of the United States and will be shown in another part of this discussion.

The word "manner" has a different application in article I, section 4, clause 1, which reads, as in the original:

"SECTION 4. The Times, Places, and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law make or alter such Regulations, except as to the Places of chusing Senators."

This clause refers to "holding elections" only. In no way does it deal with the qualification of voters. Obviously, the members of the Constitutional Convention saw and made a clear distinction between what may be called the mechanics of elections, or rather, the mechanism, and the persons of electors.

Article I, section 5, clause 1, still as originally written, reads: "Each House shall be the Judge of the Elections, Returns, and Qualifications of its own Members." Again distinguishing between the electors and the elected, as to qualifications. In another chapter the congressional interpretation of these sections will be treated.

Mr. Looney reviewed qualifications of voters in the Thirteen Colonies, as follows:

A reference to any standard encyclopedia will show the investigator that in the Colonies, both at the time of holding the Constitutional Convention and anterior thereto, provision was made as to qualification of voters. There were property qualifications in Connecticut, Massachusetts, Rhode Island, Delaware, New Jersey, New York (except in New York City and Albany), Pennsylvania, Maryland, Virginia, North Carolina, South Carolina, and Georgia; religious qualifications in Massachusetts, New York, and some others at times; limitation of suffrage to native-born subjects of England in Pennsylvania; to Englishmen or descendants and French Huguenots in South Carolina; and male suffrage only, in Virginia.

In 1787 all of the States required payment of taxes on real or personal property, and most of them required the ownership of a fairly valuable estate as a qualification for Governor, senator, or representative in the State legislature. A rather full statement of these provisions as to property and taxpaying qualifications is to be found in *Minor* v. *Happersett* (21 Wall. (U.S.) 162, 172–173).

There was nothing in the Constitution as adopted to abridge or add to qualifications of voters in any State, but this subject was left in the hands of the States, with a full knowledge of the members of the Convention as to the different requirements in the different States.

In regard to the Articles of Confederation, Mr. Looney said:

For the reason that the Constitutional Convention distinguished between the manner of holding elections or making appointment of electors, or "chusing" Senators by legislators, attention is directed to the provision in the Articles of Confederation which were adopted July 9, 1778.

"Article v. For the more convenient management of the general interest of the united states, delegates shall be annually appointed in such manner as the legislature of each state shall direct, to meet in Congress on the first Monday in November, in every year, with a power reserved to each state, to recal its delegates, or any of them, at any time within the year, and to send others in their stead, for the remainder of the Year."

* * * * *

"In determining questions in the united states, in Congress assembled, each state shall have one vote."

This in the midst of war, shows how jealously each State guarded its right to provide the qualifications of those who voted and who represented it and its people, and the phraseology served as a guide, and in at least one instance as a model, to be followed in preparing the Constitution. Compare article II, section 1, clause 2: "Each State shall appoint, in such Manner as the Legislature thereof may direct, a Number of Electors, * * *."

Mr. Looney then summarized the proceedings in the Constitutional Convention, as follows:

When the Convention assembled, several members of the body offered drafts of constitutions. In order to provide a ready reference, the following citations will be of pages of Formation of the Union, a Government publication issued in 1927 under House Concurrent Resolution No. 23 of date May 10, 1926.

1. Edmund Randolph's plan, presented May 29, 1787 (p. 116):

"4. *Resolved*, That the members of the first branch of the National Legislature ought to be elected by the people of the several States every ——— year for the term of ———, etc."

Alexander Hamilton's plan presented June 18, 1787 (p. 979) after providing for an "assembly" and a senate as the legislature of the United States:

"11. The assembly to consist of persons elected by the people to serve for 3 years."

In Charles Pinckney's draft, article III, read: "The members of the House of Delegates shall be chosen every ——— year by the people of the several States; and the qualifications of the electors shall be the same as those of the electors in the several States for their legislatures." (This language is not found in Formation of the Union, where the plan is skeletonized, p. 664, but in Elliott's Debate, 2d ed.) The language as to qualifications seemed to have influenced the phraseology used in the Constitution which substituted "electors of the most numerous branch of the State legislature" for "their legislatures."

After considering different plans and proposals affecting the qualifications of electors, the Committee of Detail to whom the plans and resolutions had been referred, on August 6, submitted its report (p. 471). Under article IV, section 1, they recited, "The Members of the House of Representatives shall be chosen every second year by the people of the several States comprehended within this Union. The qualification of the Members shall be the same from time to time, as those of the electors in the several States, of the most numerous branch of their own legislatures." A comparison with article I, section 2, clause 1, shows the above idea abbreviated and made more concise.

The Committee of Detail were: Rutledge, of South Carolina; Edmund Randolph, of Virginia; Nathaniel Gorham, of Massachusetts, who was chairman of the Committee of the Whole; Oliver Ellsworth and James Wilson, of Pennsylvania. John Rutledge was offered a place on the first U.S. Supreme Court and was afterward appointed Chief Justice. Edmund Randolph was Washington's first Attorney General. Oliver Ellsworth was Chief Justice of the Supreme Court. James Wilson was a member of that Court. The legal ability of their fitness to distinguish between shades of meaning in words employed to state a legal requirement cannot be questioned.

In the convention notes of Rufus King of date August 7 ("Formation of the Union," p. 873), when the phrase "Electors to be the same as those of the most numerous branch of the State legislature," King quotes Morris, who offered as an alternative, "to add a clause giving to the National Legislature powers to alter the qualifications." Whereupon Ellsworth said, "If the Legislature (i.e., Congress) can alter the qualifications they may disqualify three-fourths, or a greater portion, of the electors. This would go far to create aristocracy—the States have staked their liberties on the qualifications which we have proposed to confirm."

John Dickinson wished to confine the electors to freeholders, saying, "not from freeholders but from those who are not freeholders, free governments have been endangered" (pp. 873–874); and Madison said, "I am in favor of entrusting the right of suffrage to freeholders only" (p. 874).

On August 8 the discussion being continued, Gorham spoke as follows: "The qualifications (being such as the several States prescribe for electors of their most numerous branch of the legislature) stand well. * * * There is no risk in allowing the merchants and mechanics to be electors, they have been so time immemorial in this country and in England. We must not disregard the habits, usages, and prejudices of the people" (pp. 815–816).

In Madison's own notes, August 17, 1787 (p. 487), he reports Mr. Gouverneur Morris, "Another objection against the clause as it stands is that it makes the qualifications of the National Legislature depend on the will of the States, which he thought not proper." On this same date he reports James Wilson as stating. "This part of the report was well considered by the committee, and he did not think it could be changed for the better. It was difficult to form any rule of qualifications for all the States. Unnecessary innovations, he thought, too, should be avoided. It would be hard and disagreeable for the same persons at the same time, to vote for representatives in the State legislature and to be excluded from a vote for those in the National Legislature" (p. 487). Madison also reports, "Mr. Ellsworth thought the qualifications of the electors stood on the most proper footing. The right of suffrage was a tender point, and strongly guarded by most of the State constitutions. The people will not readily subscribe to the National Constitution if it should subject them to be disfranchised. The States are the best judges of the circumstances and temper of their own people" (p. 487).

Dr. Franklin said among other things: "He did not think the elected had any right in any case to narrow the privileges of the electors" (p. 491). "Mr. Rutledge thought the idea of restraining the right of suffrage to the freeholders a very unadvised one" (p. 491).

There may be those who will insist that these arguments are based on the fear that the power vested in the National Legislature, or in other words "the elected," might disfranchise, rather than enfranchise, but it is plain that the sword is two-edged, and Congress being without the power by fixing qualifications to diminish the number of electors, is equally without power to increase the electorate.

The Attorney General of the United States and these three appointees to the Supreme Court of the United States being of one mind in understanding the phrase "electors to be the same as those of the most numerous branch of the State legislature," how can a contrary interpretation be honestly accepted by any intelligence, 155 years thereafter?

Mr. Looney quoted from Federalist Paper No. 52, as attributed to Alexander Hamilton, as follows:

"I shall begin with the House of Representatives * * * The first view to be taken of this part of the Government, relates to the qualifications of the electors and the elected.

"Those of the former are to be the same with those of the electors of the most numerous branch of the State legislatures. The definitions of the right of suffrage is very justly regarded as a fundamental article of republican government. It was incumbent on the Convention, therefore, to define and establish this right in the Constitution. To have left it open for the occasional regulation of the Congress would have been improper for the reason just mentioned. * * * The provision made by the

Convention appears, therefore, to be the best that lay within their option. It must be satisfactory to every State; because it is conformable to the standard already established or which may be established by the State itself" (p. 290).

The above was written by Hamilton, according to that best of authorities, General Washington. Hamilton believed not only in centralized government but in monarchical government, and we cannot charge him with States rights which influenced his explanation of the clear language of the Constitution and its exclusive—its properly exclusive—meaning.

In contrast to the provision for electors, the Federalist, No. LII, discusses the "elected": "The qualifications of the elected, being less carefully and properly defined by the State constitution, and being at the same time more susceptible of uniformity, have been very properly considered and regulated by the Convention" (p. 291).

Continuing, Mr. Looney said:

In the State conventions held to consider adoption of the Constitution, there were no resolutions criticizing the phrase, "the Electors in each State shall have the Qualifications requisite for Electors in the most numerous Branch of the State Legislature." There were, however, evidences of dissatisfaction with the concluding language of article I, section 4, clause 1, referring to times, places, and manner of holding elections, and which read, "but the Congress may at any time by Law make or alter such Regulations, except as to the Places of chusing Senators."

Massachusetts, on February 7, 1788, recommended "That Congress do not exercise the powers vested in them by the fourth section of the first article, but in cases where a State shall neglect or refuse to make the regulations therein mentioned, or shall make regulations subversive of the rights of the people to a free and equal representation in Congress agreeably to the Constitution." (Elliott's Debates, 2d ed., p. 54.)

South Carolina, on May 27, 1788: "And whereas it is essential to the preservation of the rights reserved to the several States, and the freedom of the people, under the operations of the general government, that the right of prescribing the manner, time, and places of holding the elections to the Federal legislature, should be forever annexed to the sovereignty of the several States: This Convention doth declare, that the same ought to remain to all posterity, a perpetual and fundamental right in the local, exclusive of the interference of the general government, except in cases where the legislatures of the States shall refuse or neglect to perform and fulfill the same, according to the tenor of the said Constitution." (Elliott's Debates, 2d ed., p. 350.)

New York on July 26, 1886, "in full confidence * * * that the Congress will not make or alter any regulation in this State, respecting the times, places, and manner of holding elections for Senator or Representative, unless the legislature of this State shall neglect or refuse to make laws or regulations for the purpose, or from any circumstance be incapable of making the same" (Elliott, 2d ed., p. 363).

Rhode Island, on May 29, 1789, copied without change the New York declaration, and added after the final word there, a comma and the words "and that in those cases such power will only be exercised until the legislature of this State shall make provision in the premises."

Decisions of U.S. courts were reviewed by Mr. Looney to the following extent:

Bradley, Circuit Justice, in Federal Case No. 14, page 897, *U.S.* v. *Cruikshank*, speaking of the 15th amendment, declares, "It does not confer the right to vote. That is the prerogative of the State laws. It only confers a right not to be excluded from voting by reason of race, color, or previous condition of servitude, and this is all the right that Congress can enforce. It confers upon citizens of the African race the same right to vote as white citizens. It makes them equal. This is the whole scope of the amendment. The powers of Congress, therefore, are confined within this scope."

And again, "It is not the right to vote which is guaranteed to all citizens. Congress cannot interfere with the regulation of that right by the States except to prevent, by appropriate legislation, any distinction as to race, color, or previous condition of servitude. The State may establish any other conditions and discriminations it pleases, whether as to age, sex, property, education, or anything else." (Of course, "sex" has been added by the 19th amendment.) This case was decided in 1874.

In 1875, the case of *U.S.* v. *Reese* (92 U.S. 214) was decided by the Supreme Court of the United States, wherein, on page 217, the Court said, "The 15th amendment does not confer the right of suffrage upon anyone * * *." This case is of particular interest because of the discussion of the capitation tax in the dissent of Justice Clifford. Justice Clifford thus states the Kentucky law, "Such citizens, without distinction of race, color, or previous condition of servitude, in order that they may be entitled to vote at any such election (i.e., a municipal election) must be free male citizens over 21 years of age, have been a resident of the city at least 6 months, and of the ward in which he resides at least 60 days prior to the day of election, and have paid the capitation tax assessed by the city on or before the 15th of January preceding the day of election * * *" (92 U.S., p. 226). "Payment of the capitation tax on or before the 15th of January preceding the day of the election, is, beyond all doubt, one of the prerequisite acts, if not the only one referred to in that part of the section." The section referred to is section 3 of the Enforcement Act of Congress of May 31, 1870, 16 Statutes at Large 140. Section 3 of the Enforcement Act is explained by Judge Clifford, page 228, and by the Court's opinion, page 216, as providing, "Whenever, under the constitution and laws of a State, or the laws of a Territory, any act is or shall be required to be done by any such citizen as a prerequisite to qualify to entitle him to vote, the offer of any such citizen to perform the act required to be done as aforesaid shall, if it fail to be carried into execution by reason of the wrongful act or omission aforesaid of the person or officer charged with the duty of receiving or permitting such performance or offer to perform, be deemed and held as a performance in law of such act." Judge Clifford further states, page 229, "Obviously, the payment of the capitation tax on or before the time mentioned is a prerequisite to qualify the citizen to vote." And again, page 231, "Had Congress intended by the third section of that act to abrogate the election law of the State creating the prerequisite in question, it is quite clear that the second section would have been wholly unnecessary."

Judge Hunt in his dissent, page 247, says: "By the 2d section of the 14th amendment, each State had the power to refuse the right of voting, at its elections, to any class of persons, the only consequence being a reduction of its representation in Congress, etc. * * * This was understood to mean, and did mean, that if any one of the late slaveholding States should desire to exclude all its colored population from the right of voting at the expense of reducing its representation in Congress, it could do so." Judge Hunt quotes the act of Congress, pages 239–240, and quotes from the indictment in this case, which specifically alleged "that by the statute of Kentucky to entitle one to vote in an election in that State the voter must possess certain qualifications recited and have paid a capitation tax assessed by the city of Lexington; that James F. Robinson was the collector of said city entitled to collect said tax; that Garner, in order that he might be entitled to vote, did offer * * * to pay any capitation tax, etc."

There is a recognition after the passage of the 15th amendment, by the Department of Justice and the courts, as well as by Congress, of the States right to make a capitation or poll tax a prerequisite to voting.

In 1884, in the *Ku Klux* cases (110 U.S. 651), after quoting article I, section 2, the Court said: "The States in prescribing the qualifications of voters for the most numerous branch of their own legislatures do not do this with reference to the election for Members of Congress, nor can they prescribe the qualifications for voters for those so nominee. They define who are to vote for the popular branch of their own legislature, and the Constitution of the United States says the same persons shall vote for Members of Congress in that State." Later in this decision the Court said: "It is as essential to the successful working of the Government that the great organisms of its executive and legislative branches should be the free choice of the people, as that the original form of it should be."

In 1914, in *Guinn* v. *U.S.* (238 U.S. 347), speaking of the 15th amendment, the Court said: "It is true also that the amendment does not change, modify, or deprive the States of their full power as to suffrage except, of course, as to the subject with which the amendment deals and to the extent that obedience to its command is necessary. Thus the authority over suffrage which the States possess and the limitation which the amendment imposes are coordinate and one may not destroy the other without bringing about the destruction of both" (p. 362). In stating the Government's contentions, the Court had just previously said: "It (the United States) says State power to provide for suffrage is not disputed, although, of course, the authority of the 15th amendment and the limitation on that power which it imposes is insisted upon" (p. 359).

In 1916, in *U.S.* v. *Gradwell* (243 U.S. 476), the Court reviewed the acts of Congress in regulating the conduct of congressional elections, and said of this (p. 483): "It will be seen from this statement of the important features of these enactments that Congress by them committed to Federal officers a very full participation in the process of the election of Congressmen, from the registration of voters to the final certifying of the results, and that the control thus established over such elections was comprehensive and complete."

In 1919 in *Hawke* v. *Smith* (253 U.S. 221), on page 227, the Court said: "A legislature was then (i.e., in 1787) the representative body which made the laws of the people. The term is often used in the Constitution with this evident meaning. Article I, section 2, prescribes the qualifications of electors of Congressmen as those 'Requisite for Electors in the most numerous Branch of the State Legislature.'" And on page 228: "There can be no question that the framers of the Constitution clearly understood and carefully used the terms in which that instrument referred to the action of the legislatures of the States. When they intended that direct action by the people should be had, they were no less accurate in the use of apt phraseology to carry out such purpose. The Members of the House of Representatives were required to be chosen by the people of the several States" (art. I, sec. 2).

In 1920, in *Newberry* v. *United States* (256 U.S. 232), on page 249, we read, "We find no support in reason or authority for the argument that because the offices were created by the Constitution, Congress has some indefinite, undefined power over elections for Senators and Representatives not derived from section 4."

The decision then quotes from Judge Iredell (afterward of this Court) in the North Carolina Convention of 1788, "* * * the same observation may be made as to the House of Representatives, since as they are to be chosen by the electors of the most numerous branch of each State legislature, if there are no State legislatures, there are no persons to choose the House of Representatives" (p. 249). On page 255, the Court said, "Section 4 was bitterly attacked in the State conventions of 1787–88, because of its alleged possible use to create preferred classes and finally to destroy the State. * * * Mr. Hamilton asserted, 'The truth is that there is no method of securing to the voter the preference apprehended, but by prescribing qualifications of property either for those who may elect or be elected. But this forms no part of the power to be conferred upon the National Government. Its authority would be expressly restricted to the regulation of the times, the places, and the manner of elections. The qualifications of the persons who may choose or be chosen, as has been remarked upon another occasion, are defined and fixed in the Constitution and are unalterable by the legislature.' (The Federalist, LX.) The history of the times indicates beyond reasonable doubt that if the Constitution makers had claimed for this section the latitude we are now asked to sanction, it would not have been ratified." (See Story, Constitution, secs. 814, et seq.) It is highly noteworthy that the two authorities above cited, Alexander Hamilton and Justice Story, were perhaps, with Chief Justice Marshall, the most prominent proponents of a strong National Government and in no wise equally strong advocates of State sovereignty.

In 1931, in *Smiley* v. *Holm* (285 U.S. 355, p. 366), Chief Justice Hughes (Cardozo took no part): "The subject matter is the times, places, and manner of holding elections for Senators and Representatives. It cannot be doubted that these comprehensive words embrace authority to provide a complete code for congressional elections, not only as to times and places, but in relation to notices, registration, protection of voters, prevention of fraud and corrupt practices, counting of votes, duties of inspectors and canvassers, and making and publication of election returns; in short to the numerous requirements as to the procedure and safeguards which experience shows are necessary in order to enforce the fundamental rights involved. * * * All this is comprised in the subject of times, places, and manner of holding elections and involves lawmaking in its essential features and most important aspect." This case involved the power of the Governor to veto a congressional redistricting act passed by the legislature. There the Court said, "At the time of the adoption of the Federal Constitution it appears that only two States had provided for a veto upon the passage of legislative bills. * * * But the restriction which existed in the case of these States was well known."

In the same year, in the case of *Koenig* v. *Flynn* (285 U.S. 375), the argument of Henry Epstein, late candidate for attorney general and his brief, cosigned by John J. Bennett, contained authorities to sustain their contention that fixing the boundaries of congressional districts "calls for the exercise of the lawmaking function." And the brief of James A. Farley, filed by Robert F. Wagner and John J. O'Connor, argued that "the phrase 'prescribed in each State by the legislature thereof' means legislation in each State by whomsoever each State has determined to be its lawmaking power."

It is true that the question of qualifications is not raised in these cases, but the language of the U.S. Constitution which gives the Congress the power to make or alter such regulations is specifically explained in *Smiley* v. *Holm*, which is given as the basis for the Supreme Court's decision in the Koenig case. It is to be noted that not only are qualifications for voters distinguished from the time, places, and manner of holding elections, but these latter provisions are in section 4 while the former are in the first clause of section 2 and are part of the same sentence that creates the House of Representatives.

This brings us to the case of *United States* v. *Classic* (313 U.S. 299), which has been declared by the U.S. Senator first referred to as an authority for his position. An examination of the facts on which this case was founded refutes any contention that it even suggests an interference with the right of the States to fix qualifications for voters. Mr. Justice Stone, now Chief Justice, states that "The questions for decision are whether the right of qualified voters to have their ballots counted is a right secured by the Constitution within the meaning of sections 19 and 20 of the Criminal Code, and whether the acts of appellees charged in the indictment violate those sections" (p. 307). On page 308, "The charge * * * was that the appellees conspired * * * to injure and oppress citizens in the full exercise and enjoyment of rights and privileges secured to them by the Constitution and laws of the United States; namely (1) the right of qualified voters who cast their ballots in the primary elections to have their ballots counted as cast for the candidate of their choice." It is obvious that the qualifications of voters was not an issue in this case, but the voters involved were unquestioned qualified voters, and the question was fraud in holding a primary election.

On the other hand, in the Classic case, the Court said, "That the free choice by the people of representatives of Congress subject only to the restrictions to be found in sections 2 and 4 of article I and elsewhere in the Constitution, was one of the great purposes of our constitutional scheme of government cannot be doubted" (p. 316). Again, the Court said, "As we have said, a dominant purpose of section 2 so far as the selection of representatives in Congress is concerned, was to secure to the people the right to choose representatives by the designated electors, that is to say, by some form of election." The restrictions, of course, are those imposed by the phrase, "The Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature," and "the designated electors" are the electors designated in the same phrase.

We may add that as far back as the 14th Congress (1815–17) in the case of *Potterfield* v. *McCoy* (C. and H. 267, 270), where there had been an agreement between the two candidates as to the classes of voters that were to be admitted, the committee to whom the contest was referred, held that the agreement of parties could not enlarge or diminish the rights of voters and decided the votes to be legal or illegal according to the Virginia law and the House adopted the report of the committee.

In conclusion, Mr. Looney said:

The other question raised was as to the right of Congress to fix qualifications for voters in State or local elections. This matter should be set at rest by the authorities heretofore cited, but the exact matter has been dealt with in a definite manner. First, there is nothing anywhere in the Constitution itself fixing the qualifications for voters in State elections; second, in three places we find provisions in the Constitution that leave to the State or its governmental agencies the determination of the electorate:

(a) Article I, section 2, "The Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature," to vote for Representative;

(b) Article I, section 3, clause 1, "The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for six years; and each Senator shall have one vote."

(c) "Each State shall appoint, in such manner as the legislature thereof may direct, a number of electors, etc.," to vote for President and Vice President.

(d) The first and third cited provisions have never been changed.

Article I, section 3, clause 1, has been changed by the 17th amendment and made to conform to article I, section 2, clause 1, by making the same qualifications, to wit: "Electors of the most numerous branch of the State legislatures," the electors of U.S. Senators.

In *Hawke* v. *Smith* (253 U.S. 221), the Court said, page 227, "It is not the function of courts or legislative bodies, National or State, to alter the methods which the Constitution has fixed."

In *United States* v. *Cruikshank* (92 U.S. 542), page 556: "The right to vote in the States comes from the States; but the right of exemption from the prohibited discrimination comes from the United States. The first has not been granted or secured by the Constitution of the United States; but the last has been." This decision was rendered by Chief Justice Waite in 1876.

The same Court at the same term, the same Justice speaking, in *United States* v. *Reese* (92 U.S. 214), on page 218, said, "The power of Congress to legislate at all upon the subject of voting at State elections rests upon this amendment." These decisions were rendered during the days when factions pressed hard for legislation and adjudication that would make the Congress supreme and give it full jurisdiction over the situation in the South, and the above two cases arose in Louisiana and Kentucky, respectively.

In *McPherson* v. *Blocker* (146 U.S. 1), decided in October 1892, the Court considered a Michigan statute requiring electors for President to be elected by districts instead of the State at large, and held it valid. In the course of its decision, the Court said, "The right to vote intended to be protected refers to the right to vote as established by the laws and constitution of the State." These comprehensive words, "the right to vote," necessarily preclude intervention by Congress and conclude all discussion, so that views contrary to the Supreme Court's continual rulings as to State elections cannot be treated as resting upon logic or law.

Madam President, I yield the floor.

VISIT TO THE SENATE BY DELEGATION OF MEMBERS FROM BRAZILIAN PARLIAMENT AND THE AMBASSADOR OF BRAZIL

Mr. MANSFIELD. Madam President, I ask unanimous consent that the distinguished senior Senator from Oregon [Mr. MORSE], chairman of the Subcommittee on American Republics Affairs of the Committee on Foreign Relations, be recognized for the purpose of introducing a number of distinguished colleagues from a neighboring, friendly, and close country so far as its ties with the United States over many decades is concerned.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. MORSE. Madam President, I ask unanimous consent that the Ambassador from Brazil to the United States be permitted the privilege of the floor today.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORSE. Madam President, this noon the Committee on Foreign Relations was privileged and honored to have as its guests the Ambassador from Brazil to the United States, His Excellency Roberto De Oliveira Campos, and a group of parliamentarians from the Brazilian Chamber of Deputies.

Madam President, it was a delightful luncheon from the standpoint of those of us who represented the Senate of the United States, for we gained much from this association with our Brazilian neighbors. We carried out again a recommendation which the Committee on Foreign Relations made to the Department of State some years ago that it should endeavor to increase the number of exchanges of parliamentarians between the United States and the countries of Latin America, and vice versa.

This able group of Brazilians exchanged their views with us at luncheon this noon.

It is now my honor and privilege to present to the Senate of the United States His Excellency, the Ambassador of Brazil, and the group of parliamentarians from the Brazilian Chamber of Deputies. I have assured them that their names will be inscribed in the CONGRESSIONAL RECORD of this day's proceedings, and I ask unanimous consent that that may be done.

There being no objection, the names of the visiting members of the Education and Culture Committee of the Brazilian Chamber of Deputies were ordered to be printed in the RECORD, as follows:

VISITING MEMBERS OF THE EDUCATION AND CULTURE COMMITTEE OF THE BRAZILIAN CHAMBER OF DEPUTIES

The Honorable Francisco Bardaro, Jr., Federal Deputy from Minas Gerais, Social Democratic Party (PSD).

The Honorable Dirceu Cardoso, Federal Deputy from Espirito Santo, Social Democratic Party (PSD).

The Honorable Lauro Monteiro da Cruz, Federal Deputy from São Paulo, National Democratic Union (UDN).

The Honorable Euripedes Cardoso de Menezes, Federal Deputy from Guanabara, National Democratic Union (UDN).

The Honorable Abel Rafael Pinto, Federal Deputy from Minas Gerais, Popular Representation Party (PRP).

The Honorable Yukishique Tamura, Federal Deputy from Sao Paulo, Social Democratic Party (PSD).

The Honorable Lenoir Vargas, Federal Deputy from Santa Catarina, Social Democratic Party (PSD).

Accompanied by Jose Augusto Nacimento Guerra, Chief Clerk, Education and Culture Committee.

AID escorts: Isabel S. Galloway, Division of International Training; Walter O. Kemmsies, interpreter; Sylvia Moraes, interpreter; Leda Duncan Thier, interpreter.

Mr. MORSE. Madam President, the Ambassador of Brazil and the group of parliamentarians from Brazil.

[Applause, Senators rising.]

Mr. JAVITS. Madam President, I am sure the minority would wish to join with the distinguished Senator from Oregon [Mr. MORSE] in welcoming our fellow parliamentarians from Brazil to this Chamber and to the Nation. Especially at this time in the affairs of the area of the world in which they are located it should be impressed upon the mind and heart of every American that our friendship with Brazil is indispensable to peace, progress, and freedom in South America and to the future development of our world.

Therefore, it is with a feeling of special pride and sincere hospitality in appreciation for the enduring ties of friendship between our Nation and Brazil that I join with the distinguished Senator from Oregon, to whom we are grateful for the opportunity, in welcoming to the Chamber, in the name of the minority, our fellow parliamentarians from Brazil.

Mr. MORSE. I thank the Senator from New York.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, informed the Senate that the Speaker had appointed Mr. JARMAN, of Oklahoma, and Mr. DEVINE, of Ohio, as additional managers on the part of the House at the conference asked by the Senate on the disagreeing votes of the two Houses to the bill (S. 1969), to amend the Federal Aviation Act of 1958, as amended, to provide for supplemental air carriers, and for other purposes.

The message announced that the House had passed, without amendment, the bill (S. 2533) to amend the requirements for participation in the 1962 feed grain program.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 5968) to amend the District of Columbia Unemployment Compensation Act, as amended.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 7549. An act for the relief of Lewis Invisible Stitch Machine Co., Inc., now known as Lewis Sewing Machine Co.;

H.R. 9751. An act to authorize appropriations during fiscal year 1963 for aircraft, missiles, and naval vessels for the Armed Forces, and for other purposes; and

H.R. 9778. An act to provide for the free entry of certain steel and steel products donated for an addition to the Chippewa County War Memorial Hospital, Sault Ste. Marie, Mich.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred as indicated:

H.R. 7549. An act for the relief of Lewis Invisible Stitch Machine Co., Inc., now known as Lewis Sewing Machine Co.; to the Committee on the Judiciary.

H.R. 9751. An act to authorize appropriations during fiscal year 1963 for aircraft, missiles, and naval vessels for the Armed Forces, and for other purposes; to the Committee on Armed Services.

H.R. 9778. An act to provide for the free entry of certain steel and steel products donated for an addition to the Chippewa County War Memorial Hospital, Sault Ste. Marie, Mich.; to the Committee on Finance.

INCREASED SALARIES FOR MEMBERS OF FEDERAL JUDICIARY

Mr. DODD. Madam President, in order that we may attract the ablest lawyers to the Federal judiciary and properly recognize the responsibility which they bear in our system of Government, I introduce for appropriate reference a bill that would raise the salaries of all members of the Federal judiciary by $5,000. The present salary range for the Federal judiciary is from $22,500 for Federal district judges to $35,500 for the Chief Justice of the United States.

The purposes of this bill are to compensate more justly the present members of the Federal judiciary and to help make it possible to attract many brilliant legal minds who cannot now make the financial sacrifice involved in leaving lucrative private practice to serve on the bench.

We all recognize the degree of responsibility borne by Federal judges in our tripartite system of Government. They are called upon to decide cases of the most profound constitutional significance and of the utmost economic complexity. Their decisions can and do affect the very fabric of our society, and it is a clear duty of Congress to do whatever it can to attract the Nation's ablest lawyers to the Federal judiciary.

For many years I have been aware of the difficulty in attracting the cream of our Nation's legal talent to the Federal judiciary, particularly to the district courts. One of the barriers to securing our finest lawyers for the Federal bench is the relatively low salary offered.

It is not simply that an outstanding lawyer can earn considerably more in private practice than he can as a Federal judge; an appointment to the Federal bench will always demand some financial sacrifice for most lawyers, and this is readily accepted. But at the same time we should recognize that a judgeship carries with it many financial burdens incident to public life, and the sacrifice demanded should not be so great that many lawyers are reluctantly forced to decline appointment to the bench because their future salary will not permit them to discharge both these extrajudicial obligations and their personal family obligations.

I am aware of the unwritten tradition that the salaries of the Members of Congress should match those of Federal district judges. This tradition should be breached because there is a basic difference between members of the judiciary and Members of Congress. Members of Congress can supplement their salaries in a number of ways; for example by engaging in a part-time practice of law or in limited business activities. Such avenues are not open to Federal judges, and I think the time has come to break with tradition that Congressmen and Federal district judges should receive equivalent salaries.

Hence, the bill that I am introducing, which is confined to the salaries of the Federal judiciary, should not be misread as an invitation to increase the salaries of Members of the Congress.

A bill identical to the one I am introducing is H.R. 8667, which was introduced in the House during the last session by Representative EMANUEL CELLER, of New York. I urge favorable consideration of this program legislation by both Houses of Congress.

Madam President, I ask unanimous consent that the bill be printed at this point in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 3058) to provide for an increase in judicial salaries, introduced by Mr. DODD, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 5 of title 28, United States Code, relating to the salaries of the Chief Justice of the United States and of the Associate Justices of the Supreme Court of the United States, is amended by striking out "$35,500" and substituting therefor "$40,500", and by striking out "$35,000" and substituting therefor "$40,000".

(b) Section 44(d) of title 28, United States Code, relating to circuit judges, is amended by striking out "$25,500" and substituting therefor "$30,500".

(c) Section 135 of title 28, United States Code, relating to district judges, is amended by striking out "$22,500" and substituting therefor "$27,500", and by striking out "$23,000" and substituting therefor "$28,000".

(d) Section 173 of title 28, United States Code, relating to judges of the Court of Claims, is amended by striking out "$25,500" and substituting therefor "$30,500".

(e) Section 213 of title 28, United States Code, relating to judges of the Court of Customs and Patent Appeals, is amended by striking out "$25,500" and substituting therefor "$30,500".

(f) Section 252 of title 28, United States Code, relating to judges of the Customs Court, is amended by striking out "$22,500" and substituting therefor "$27,500".

(g) Section 7443(c) of the Internal Revenue Code of 1954 (68A Stat. 879), as amended, relating to judges of the Tax Court of the United States, is further amended by striking out "$22,500" and substituting therefor "$27,500".

(h) Section 867 of title 10, United States Code, relating to judges of the Court of Military Appeals, is amended by striking out "$25,500" and substituting therefor "$30,500".

IS THE UNITED NATIONS WORTH SAVING?

Mr. DODD. Madam President, in the very near future, Congress will be called upon to vote approval of the administration's proposal to purchase $100 million worth of the projected United Nations bond issue. Before we do so, I consider it natural and proper that we should want to take stock of the recent record of the United Nations in world affairs, of the tendencies at work within it, of how well it has served the cause of peace, and how well it has served, or can be made to serve, our national interests.

In increasing numbers, people are beginning to ask themselves whether the United Nations is worth saving. I, myself, believe that the United Nations is worth saving, and that is why I cast my vote in the Senate Foreign Relations Committee in support of the revised proposal that we purchase outright $25 million worth of United Nations bonds and authorize matching purchases up to a total of $100 million, subject to matching commitments by other nations.

But I also believe that the United Nations requires saving, because I fear it will doom itself if certain of the tendencies apparent in recent years are permitted to develop unchecked and if certain essential reforms are not instituted.

It is in this spirit, Madam President, that I propose to examine the record and present status of the United Nations.

When the United Nations was founded, there were absolutely no limits to the enthusiasm and optimism of its sponsors. The high sounding principles of the United Nations Charter were accepted at face value, and the adherence of the founding nations to these principles was taken for granted. The United Nations was to usher in an era of peace and international order, an era in which the rights of nations, big and small, would be protected, and disputes between nations would be settled by conciliation. War was to be banished as an instrument of policy; and the Security Council was authorized to take whatever action might be necessary, including military measures, against nations guilty of aggression or of violating the peace.

Today, this dream lies shattered by events in the Congo, by India's forcible annexation of Goa, and by the Pandora's box of unilateral threats that this action has already opened—Indonesia's threats against Dutch New Guinea, Iraq's threats against Kuwait, India's renewed threats against Kashmir, and so on.

Today, people throughout the free world are asking themselves whether the United Nations can be saved, and, for that matter, whether it is really worth saving.

They are profoundly disturbed by the United Nations role in the Congo—by its seeming tolerance of Lumumbaism, by the brutal military intervention in Katanga, by its extreme tardiness in taking action against the pro-Communist forces of Vice Premier Antoine Gizenga, by the dangerous encouragement to racism implicit in the removal of white mercenaries and advisers.

They are disturbed by the failure of the United Nations to take any action to prevent or condemn India's attack on Goa and by the estimate that had the matter been taken to the General Assembly, almost two-thirds of the present Assembly would have supported India's action. Ambassador Stevenson, I am convinced, spoke for the American people when he warned that this failure by the United Nations might be "the first act in a drama that could end in its death."

People are also worried over the implications for the future of the rapidly escalating membership of the United Nations.

When the United Nations was founded at San Francisco, there were exactly 50 members. Today, in consequence of the rapid liquidation of the European colonial empires, 104 nations are represented in the General Assembly, and the chances are that at least another 20 newly emergent nations will be added to this number over the next several years.

Many of the new Afro-Asian member nations were ill prepared or hardly prepared at all for independence. They do not understand the meaning of freedom or the fundamental issues involved in the conflict between the free world and the Communist world; and too often they are prone to follow the lead of the Communist world because of their residual resentment against Western colonialism and because they have been led to believe that violent attacks against Western colonialism pay off in the form of increased foreign aid, while attacks on Soviet colonialism are best avoided, because the Soviets are quick to respond in anger, and to take political and economic countermeasures.

The Soviets have always exercised a negative control over the actions of the Security Council, through the uninhibited application of the right to veto. In 1952, under the pressure of the Korean war, the United States was able to get the General Assembly to place an apparent curb on the abuse of the veto, through the enactment of the so-called uniting for peace resolution. Under the terms of this resolution, a Security Council veto can be overridden by a two-thirds majority of the General Assembly whenever a breach of the peace is involved. This victory, unfortunately, has proved to be a transitory one.

Today, thanks to the rapid increase in United Nations membership, the Soviets have virtually achieved de facto veto power over the actions of the General Assembly.

There are today few conceivable issues on which the Communist nations could not rally enough support to prevent the two-thirds majority vote required to override a Soviet veto. And when the 11 Communist nations—including Cuba—can persuade the 46 Afro-Asian nations to vote with them, they have the simple majority required to get their own way on procedural matters. If another 20 new nations were to enter the United Nations, the day may not be too far distant when the Soviets will be able to muster in the Assembly the two-thirds majority necessary to override a Western veto.

It is understandable, Madam President, that the Western nations should be worried over the present situation in the General Assembly, and even more worried over the prospect for the immediate future. It is understandable that doubts should now be expressed about a voting procedure that gives an African nation of 500,000, still emerging from tribalism, precisely the same vote as the United States and the Soviet Union. In this grotesque United Nations calculus, one African bushman becomes the equivalent of 100 Frenchmen or 400 Americans.

And although many plans have been advanced for weighting votes by population and other factors, there is not the remotest chance that the jealous, sensitive nations of Asia, Africa, and Latin America will agree to anything less than the present formula of "one nation, one vote."

There is also widespread concern over the declared Soviet intention of extending the power of the veto to the United Nations Secretariat, through the establishment of the so-called troika or three-man Secretariat.

Given their veto power in the Security Council and their increasing ability to prevent any majority directed against their interests in the General Assembly, the establishment of a Soviet veto power over the Secretariat would, in effect, turn the United Nations into a captive instrument of Soviet foreign policy.

The Western nations were able to mobilize sufficient support to defeat the Soviet troika proposal. But, without abandoning their basic proposal, the Soviets have been able to place certain limitations on the powers of the Secretary General through the compromise establishment around the Secretary General of an inner cabinet of eight principal advisers.

In accepting the general concept of an inner cabinet the United States had argued for a 5-member body in which the United States, the Soviet Union, Western Europe, Africa, and Latin America would be represented. The Soviets had held out for a larger body in which the Communist bloc, the Western bloc, and the neutrals would be equally represented. Finally, it was decided to leave the composition of the inner cabinet to the discretion of Secretary General U Thant.

On December 30, it was announced that the Secretary General had completed the selection of his inner cabinet. In this cabinet three Western nations are represented—the United States, France, and Brazil; two Communist nations—the U.S.S.R. and Czechoslovakia; and three Afro-Asian nations—India, the United Arab Republic, and Nigeria. This comes very close to the 3-3-3 formula proposed by the Soviets. Actually, counting U Thant as a member of the cabinet, we have four Afro-Asian and two Communist representatives against the three Western bloc representatives.

The principal advisers do not have the power of veto. But the establishment of this inner cabinet unquestionably dilutes the authority of the Secretary General, while its composition can hardly be considered a victory or an augury of victory for the free world.

Once again the Soviets have demanded the moon, settled for half the moon—and persuaded the free world that they were being generous in compromising on their original demand. But let there be no mistake about it, the Soviets will be back for the rest of the moon when the Secretary General's term expires 2 years from now.

There is another situation that has many people worried, although little is said about it. I refer to the double standard of values that governs the employment of U.N. personnel.

The Security Council, the General Assembly and the Secretariat are the direct instruments of power in the United Nations. But power in any organization is transmitted through its personnel. In the process of transmitting or executing directives, their intent can be so modified by employees with strong ideological convictions that, for all practical purposes, personnel must be considered a fourth instrument of power within the U.N.

Employees of the U.N. Secretariat are recruited according to agreed ratios from the member states of the United Nations. Theoretically, all of these employees, at the point of joining the United Nations, abandon their national loyalties and ideological convictions and become "international civil servants." In practice this absurd concept has favored those who are neutral in the struggle between East and West and militated against applicants with strongly anti-Communist views.

On the other hand, in the case of employees from the Communist bloc, it is taken for granted by everyone but the willfully blind, that all of them are Communists by conviction and that a very substantial percentage of them are espionage and secret police agents. The "Expose of Soviet Espionage" prepared in May 1960 by Mr. J. Edgar Hoover, Director of the FBI, presented details concerning 10 Soviet nationals employed by the U.N. who had been obliged to leave the United States when the FBI established that they were engaged in espionage activities. This situation was most dramatically highlighted in the trial of Judy Coplon, whom the FBI caught in the act of turning over classified Government documents to Valentin Gubitschev, a Soviet citizen employed by the U.N.

Since the U.N. is not an anti-Communist organization, a record of pro-Communist associations or other evidence which would preclude applicants from employment by the U.S. Government or by the British Government or by any free and sensible government, does not, in itself, preclude an applicant from employment by the U.N.

In the course of 1952, the Senate Subcommittee on Internal Security called before it 33 Americans employed by the United Nations in various capacities. Twenty-six of these invoked the fifth amendment when questioned about Communist activities, and these were subsequently dismissed by the United Nations. Many of those dismissed held very high rank. Perhaps the best known was Frank Coe, Secretary of the International Monetary Fund and onetime assistant to Harry Dexter White in the Treasury Department. Coe refused to answer on grounds of possible self-incrimination when he was asked: "Are you a Soviet agent, Mr. Coe?" Mr. Coe has now provided us with the answers to this question, because he is today working as an expert for the Chinese Communist Government.

The hearings also developed the information that the United Nations had previously ignored adverse information concerning nine of these employees which had been submitted to it by the State Department Security Clearance Board.

The very great majority of the Western nationals employed by the United Nations are certainly not pro-Communist. Very many of them do combine dedication to the ideals of the U.N. with dedication to the cause of freedom. At the worst, they suffer from the affliction of ideological neutralism which is supposed to be a virtue in the "international civil servant." But there is no question that the employment policies of the U.N. make things relatively easy for Communist infiltrees; and there is every reason to believe that the Communist infiltration among the quotas of the other non-Communist nations is at least as great as it has been demonstrated to be in the case of the American quota.

Needless to say, a single Communist infiltree, in a situation like the Congo, or in any other crisis situation, can do an infinite amount of damage.

I know that our intelligence community has had serious reason to believe that the U.N.'s former No. 2 man in Katanga, Michel Tombelaine, a Frenchman, was, at the very least, a Communist sympathizer. And Tombelaine was one of the men primarily responsible for embittering relations between the U.N. and the Katanga government, and for launching the September action in Katanga without the approval of Dag Hammarskjold and his U.N. superiors.

The Soviets have, over the past year, been demanding a larger quota of Secretariat employees for the Communist countries. This is a demand that will prove difficult to resist because, on a pro rata basis, they unquestionably are entitled to greater representation in the Secretariat staff.

Finally, there is concern over the U.N.'s seemingly hopeless financial plight and over the fact that the United States has not merely been footing 40 percent of the U.N.'s bills, but may be left holding the bag for the better part of its accumulated deficit.

France, the Soviet Union, and many of the Afro-Asian nations have refused to pay any part of the Congo operation. The Soviet Union and other nations have refused to contribute to the cost of the U.N.'s operation along the Israeli frontier. Most of the member nations are heavily in arrears on all of their obligations to the United Nations, even where they have not formally indicated an intention to withhold payment. British Foreign Secretary Lord Hume, in his recent statement on the U.N., charged that the refusal by so many members to bear a share of the cost of the U.N. brings the prospect of "power without responsibility."

The result is that the United Nations is $120 million in debt; and, in consequence of the Congo operation, it is running into deeper debt at the rate of another $10 million each month. Secretary General U Thant, in desperation, has made an internal loan of $12 million from the U.N.'s Children's Emergency Fund—in my opinion, a highly questionable measure—and he has now proposed an international bond issue of $200 million.

The crisis of the United Nations is therefore fourfold. It is simultaneously a crisis of principle, a crisis of structure

and personnel, a financial crisis, and a crisis of public confidence.

Unfortunately, Madam President, there has always been a tendency for opinions on the U.N. to polarize.

On the one hand, there have been those who have credited the U.N. with almost miraculous powers and who look upon the U.N.—and not upon the strength and courage and wisdom of the free nations—as the "last great hope for peace."

On the other hand, there have been those who have never been able to see anything good in the United Nations, who deny it any positive accomplishments, who are convinced that the United Nations has always worked and will continue to work in the interests of the Kremlin, and who feel that we should encourage its demise rather than attempt to delay it.

Surveying the unbroken panorama of crisis and chaos in the U.N., even its stanchest friends now agree that the U.N. is very sick and that we must do some serious rethinking on its structure and on our role within the international organization.

In deciding whether the United Nations can be saved and should be saved, it might be well first of all to establish what the U.N. is and what it is not, what it can do and what it cannot do, the situations in which it has succeeded and the situations in which it has failed.

In my opinion, the United Nations has never had the miraculous powers claimed for it by its utopian supporters.

On the other hand, there have been a number of situations in which it has clearly served the cause of freedom and the national interests of the United States.

The United Nations has played a positive role in those situations where we have frankly accepted its limitations.

There have been other situations where the United Nations unquestionably could have performed more effectively if we had displayed more vigorous leadership within the United Nations and more vigorous diplomacy outside the U.N.

Finally, there have been situations in which we have completely closed our eyes to the United Nations limitations and weaknesses and have made it the custodian and executive of our foreign policy.

For my own part, I believe that the U.N. can play a truly vital role in the preservation of peace, in the conciliation of disputes, and in the development of harmonious relations between the nations of the world. Given time, given patience, and given some basic changes in the world in which we live, the U.N. may some day begin to function as a limited parliament of man. But the U.N. is doomed if we continue to indulge in illusions concerning its nature, functions, and powers at this moment in history.

The chief of these illusions is that the U.N. today represents a true community of nations, united in spirit and purpose, and sharing the principles espoused by the U.N. Charter.

If we wish the United Nations to live, and if we wish to live with it, we must first of all face up frankly to the fact that there has never been any such community of nations; that the United Nations, instead, has been from the beginning a two-headed organism—a composite organization embracing two mortally antagonistic camps, the Communist world and the free world; and that the Communist world is out to bury this free world by subversion, by infiltration, by guerrilla operations, by direct aggression where they can get away with it, by indirect aggresion where this seems safer.

The existence of the veto is a reflection of this fundamental division within the U.N.

My argument is that, once we frankly accept the fact of this fundamental cleavage within the U.N. and once we recognize its limitations, the U.N. can, on balance, usefully serve the community of free nations and the cause of world peace.

Madam President, I think it would be useful to examine several of the most significant case histories of U.N. action by way of indicating both its limitations and its potentialities.

In the immediate postwar period there were two dramatic examples of how the U.N. could be used to serve the cause of freedom and to supplement an independent foreign policy conceived from the standpoint of national interest.

IRAN

In January 1946, the Government of Iran filed charges with the Security Council that the Soviet Union was interfering in Iran's internal affairs by refusing to withdraw the troops that had been permitted to enter the Province of Azerbaijan during the war, and by fostering the creation in Azerbaijan of a quisling separatist regime. The ensuing discussion in the Security Council served to place the facts before world opinion, even though the Council went no further than recommending that the Soviet and Iranian Governments endeavor to resolve the dispute by direct negotiations.

In early May 1946, President Truman addressed a strongly worded note to Stalin on the question of Iran, warning that the United States would not stand idly by while Azerbaijan was annexed to the Soviet Union. On May 9, leaving behind their puppet government, the Soviet troops were evacuated. Six months later, on November 14, 1946, the Iranian Army, backed up by President Truman's note, moved to reoccupy Azerbaijan. The hated quisling regime collapsed like a house of cards—and the Red army did not lift a finger to intervene.

GREECE

In December of the same year, the Government of Greece asked the Security Council to investigate the evidence that its Communist neighbors to the north—Albania, Yugoslavia, and Bulgaria—were actively supporting the Communist guerrillas in Greece and were directly involved in the ruthless terror practiced by the guerrillas, including the abduction of thousands of Greek children.

To investigate this situation, the Security Council set up a body which paralleled its own membership, with the euphonious title "Commission of Investigation To Ascertain the Facts Relating to Alleged Border Violations Along the Greek Frontier." The Soviet Union and Poland, as members of the Security Council, were included in the Commission; and the Deputy Secretary of the Commission, by agreement, was a Pole.

The composition of the Commission was a serious handicap, especially in taking the testimony of anti-Communist Greek villagers. Moreover, with Poland and the Soviet Union represented in the Commission, everything the Cominform may have wished to know about the workings of the Commission was automatically available to it. But despite these limitations, the Commission, in balance, rendered an important service to the free world. The majority report, with only Poland and the Soviet Union dissenting, implicated Yugoslavia heavily in the guerrilla attacks and Albania and Bulgaria to a lesser degree.

In the Security Council the Soviet Union repeatedly vetoed Western resolutions calling upon Yugoslavia, Bulgaria, and Albania to desist from supporting the Communist guerrillas; and when the matter was finally taken up by the Assembly the Soviets were able, by the sheer violence of their oratory, to prevent the Assembly from adopting a simple resolution condemning Communist aggression against Greece.

Greece was saved primarily by the Truman doctrine, American assistance, and Tito's expulsion from the Cominform. But the massive factual evidence accumulated by the U.N. Commission gave important support to our rescue operation by effectively indicting the Communist satellites in the eyes of world opinion.

In both Iran and Greece the United Nations played a highly useful role. But it was able to do so, in both instances, first, because we had an affirmative national policy, backed up by power or show of power; second, because we were realistic in our appraisal of the U.N.'s capabilities and limitations and used it primarly as a factfinding instrument and as a forum for enlisting the support of world opinion.

In neither case did we turn the situation over to the U.N. and abdicate our own responsibility.

KOREA

The Korean war marked the high point of the U.N.'s activities. It marked, at the same time, the turning point of our policy toward the U.N., so that what began as an affirmative act of national policy was transformed, in its final stages, into passive submission to the fears and desires of the U.N. majority.

United Nations intervention against Communist aggression in Korea has often been held up as an example of what the U.N. can do. But it was a fluke which will probably never again occur, and a greatly overrated fluke, to boot.

In the first place, the Soviets had 4 months previously, in February 1950, pulled out of the Security Council and other U.N. organs, and there was open

talk that they would formally abandon the U.N. Their motives for doing so are still obscure and subject to debate. But the immediate significance of their absence was that the Security Council was free to act without being frustrated by Soviet vetoes. The Soviets returned to the Security Council 2 months after the Korean war began, in August 1950, and immediately set about frustrating and vetoing further U.N. action.

It can virtually be taken for granted, Madam President, that the Soviets will never again make the mistake of absenting themselves from the Security Council when a critical matter is being discussed.

In the second place, the initial decision to intervene in Korea was made by President Truman and not by the U.N. Had President Truman waited for the U.N. to authorize intervention, it would, at the worst, never have been authorized; or, at best, it would have been authorized too late to do any good.

President Truman's action was a supreme example of the difference that affirmative leadership can make. Without waiting for the U.N., he ordered American troops in the Far East into action. With American intervention a fait accompli, he then asked the U.N. for a resolution condemning Communist aggression in Korea and calling upon the member nations to render all possible support to South Korea. The resolution won overwhelming support.

There was unquestionably a great moral advantage to waging a war that was sanctioned by 53 member nations of the U.N. and actively supported by 16 of them. But it was a moral advantage that carried with it a serious political liability. Although the bulk of the fighting in Korea was done by American and South Korean troops, the participation of other nations in the military effort—the fact that it was a United Nations war—made it necessary to share the military and political direction of the Korean war with our United Nations allies.

It was in deference to our United Nations allies that we refrained from bombing the Yalu River bridges, across which the Chinese Communists were supplying their 1-million-man army in Korea. Because they feared that the war might be enlarged, we refrained from attacking staging areas or airfields in Communist China and even gave up the right to pursue Chinese aircraft to their privileged sanctuary across the frontier. And when the tide of war turned against the Chinese Communists and they went reeling back in defeat, it was primarily in deference to our allies that we consented to an immediate cease fire instead of pressing our military advantage until the Communists had accepted certain basic conditions.

The result was that a war that could and should have ended in a decisive triumph for the free world, wound up, instead, in an armistice agreement that enabled the Communist negotiators to rush from the tent in Panmunjom shouting: "We have won. We have won."

The Communists had lost a small chunk of North Korean territory. But they had saved themselves from total military disaster; they had humiliated the West through the protracted negotiations at Panmunjom; they had obtained a prisoner of war agreement much closer to their point of view than that of the West; and, finally, the Korean armistice had not even imposed the simple condition that they terminate their guerrilla activities in Vietnam.

The result was that in 1954, 1 year after the conclusion of the Korean armistice, the free world found itself obliged to sign over the 15 million people of North Vietnam to Communist control. And this was only the first installment we have had to pay for our failure to grasp the victory which was ours in Korea. We are still paying for this failure in Laos today, in the bitter war we shall have to fight for many years if South Vietnam is to be saved, and in the danger which now threatens the whole of southeast Asia.

But before we blame the outcome of the Korean war on the U.N., we must, in fairness, ask ourselves whether things might not have turned out differently if we had continued to provide the resolute leadership with which we embarked on the war, instead of following supinely after the opinions of our U.N. allies.

HUNGARY AND SUEZ

The Hungarian revolution and the Suez crisis, which took place concurrently, constituted a dramatic demonstration of the U.N. double standard in practice.

On the one hand, having abjured military force as an instrument of international policy, the United States sided with its enemies against its friends in sponsoring a resolution demanding the immediate withdrawal of the British and French forces from Suez and of the Israel forces from Sinai. The threat of sanctions seemed implicit in the resolution.

Britain, France, and Israel complied with the demand that they withdraw.

On the other hand, the U.N. proved itself completely impotent to prevent or to deal with Soviet aggression against the people of Hungary. In its brutal suppression of the Hungarian revolution, the Kremlin openly flouted world public opinion; and it subsequently defied more than half a dozen U.N. resolutions calling upon it to withdraw its forces from Hungary. No sanctions of any kind were imposed or, for that matter, suggested as punishment for this defiance.

And, although their credentials have never been formally approved, the representatives of the Communist quisling regime which—so said the U.N. resolutions—was imposed by Soviet bayonets, continue to sit in the General Assembly with full voting powers.

For the U.N.'s many failures in the case of the Hungarian revolution, the United States must accept a very large portion of the blame. Once again, instead of providing vigorous leadership, we submitted supinely to the majority belief that nothing must be done to thwart the will of the Kremlin in Eastern Europe because any such action would gravely imperil peace.

There were many actions, short of war, that we could and should have taken to support the Hungarian revolution during the several brief days of Hungarian freedom.

We could have made it emphatically clear from the first minute that we recognized the government of Imre Nagy as the legitimate government of Hungary. We never did it.

We could have moved immediately to make certain that his representatives were properly accredited to and seated by the U.N.

We could have urged and obtained the immediate dispatch of a corps of U.N. observers to Budapest or, alternatively, we might have urged the appointment of a group of non-Communist ambassadors as a U.N. observation committee.

We could have warned that the reentry of the Red army into Hungary would have grave and unpredictable consequences, that it would, among other things result in the immediate imposition of stringent economic and diplomatic sanctions against the Soviet bloc.

But we did none of these things.

The failure of the U.N. in the case of Hungary was, in short, a reflection of our own failure.

THE CONGO

The U.N.'s ability to uphold its charter impartially has declined with the growth of the Afro-Asian bloc and the weakening of the authority of the Secretary General. Yet for some strange reason, in proportion as the Western ability to influence the U.N. becomes weaker and the Soviet ability greater, we seem to be relying more heavily on the U.N. for the solution of cold-war problems.

In the case of the Congo crisis, we have witnessed for the first time a total abdication of national policy. In the Congo we have made the sorry experiment of substituting the U.N. for an independent foreign policy, giving our passive assent to the will of the U.N. majority.

What this has meant in practice is that our policy in the Congo has been determined by such illustrious champions of freedom as Krishna Menon, Gamel Abdel Nasser, Haile Selassie, Kwame Nkrumah, Sekou Toure—yes, and at certain points, by Khrushchev and his satellite lackeys.

The history of the Congo since independence provides an interesting contrast between the rigid, blindly utopian attitude of the United States toward the U.N., and the flexible, ruthlessly utilitarian attitude of the Soviet Union.

In its blind desire not to do anything to frustrate the U.N., the United States has gone along with U.N. resolutions on the Congo even when it had grave reservations about their wisdom or when these resolutions lacked amendments that we had once considered essential. But whenever U.N. policy on the Congo has not completely satisfied the Kremlin, it has resorted to violent attacks, the use of the veto, and even threats of withdrawal.

It has been pointed out by defenders of U.N. actions in the Congo that Khrushchev bitterly assailed the U.N.'s Congo policy in the General Assembly and demanded Dag Hammarskjold's dismissal or his replacement by a troika, or three-man Secretariat. A careful examination of the record, however, will reveal that the Soviets have at various times supported U.N. actions in the Congo when they felt that these actions served their interests; and when U.N. policies have fallen short of the Kremlin's optimum requirements, the Communists have fumed and threatened, and have finally wound up by getting somewhat more of their own way.

The Soviets supported the original Security Council resolution on the Congo in July 1960, because they saw in this resolution a means for forcing out the majority of the Belgian technicians and administrators and promoting a condition of general anarchy and chaos on which communism thrives.

When Colonel Mobutu in September 1960, overthrew the government of Lumumba and ordered the Communist embassies out of the country, the Kremlin charged that Mobutu's action was illegal and it blamed the U.N. for countenancing this action. Khrushchev assailed Hammarskjold at the U.N. General Assembly in vitriolic terms for this affront to Soviet dignity and he banged his shoe on the desk.

Colonel Mobutu has publicly accused the U.N. of opposing his coup and undercutting his regime at every point. The record bears out Colonel Mobutu's allegations. The U.N. representative in the Congo, Rajeswal Dayal, was openly sympathetic to Lumumba and later showed a strong indifference to or partiality for Gizenga. The one thing that the U.N. could not do, however, was to overthrow the Mobutu government by force or prevent it from expelling the Soviet bloc embassies.

Khrushchev's attacks on Hammarskjold had very tangible results. Sensitive to the need for keeping his organization together, Hammarskjold offered certain concessions. He refused to dismiss Dayal, despite the complaints of the Leopoldville government and the American Embassy. He ignored the pleas of the Leopoldville government in ordering the dispatch of Indian troops to the Congo. He authorized, or condoned, a policy of tolerance and inaction vis-a-vis the illegal rival government which Gizenga set up in Stanleyville. He committed the U.N. to press for an early return to government by the Lumumbaist-dominated national assembly.

Hammarskjold's concessions were not sufficient to satisfy the totalitarian appetite of the Kremlin. But as U.N. policy in the Congo began to conform to Soviet requirements, Soviet support again became manifest. The Soviets did not oppose the Security Council resolution of February, 1961, which called for the expulsion of foreign mercenaries and advisers from Katanga, and which at the same time protected the Gizenga regime by instructing the U.N. forces to prevent clashes between the rival Congolese factions.

Finally, the Soviet Union joined the United States in actively supporting the Security Council resolution of November 24, 1961, which was directed specifically and exclusively against Katanga and which was, in fact, intended as a green light for all-out military action against the Tshombe government.

As for the story that the U.N. is saving the Congo from communism, I would point out that the U.N. forces until recently took no action against the illegal government which Gizenga established in Stanleyville; took no action to round up or to punish the Gizenga soldiers who massacred the 13 Italian airmen; took no action to punish the soldiers responsible for the massacre of the 20 Catholic missionaries at Congola; and, in fact, took no action of any kind against the leftwing extremists for almost 18 months.

Mr. RUSSELL. Madam President, will the Senator yield?

Mr. DODD. I am glad to yield to the distinguished Senator from Georgia.

Mr. RUSSELL. I hope the Senator does not overlook the fact that no action whatever was taken against the persons responsible for the very brutal beating of the 26 American airmen who were in the Congo at a very early date. They were American troops and were supposed to have some protection from our flag. Americans on some occasions have had protection, when it served the purposes of those who direct foreign policy to give that protection. At other times, Americans have not had any protection, either by their uniform or from their flag.

There were a number of American technicians, who were trying to install a communications system there. They were brutally beaten, without the slightest justification or excuse. So far as I have been able to learn, no formal protest even has been made up until this good hour.

I was further interested to hear the Senator say that the Soviet Union supported the position of the United States in the November U.N. resolution. I was of the opinion that it was the other way around.

We finally reluctantly supported Mr. Zorin, who was at that time President of the Security Council, in his demands that the United Nations launch a military attack on Katanga without even exhausting the process of negotiation that the United Nations is supposed to represent. I have read the minutes of the Security Council for that period. It was evident that Valerian Zorin, the Russian representative and President of the Security Council, offered the resolutions which resulted in the attack. He also wrote a letter to U Thant, the Acting Director General of the United Nations, to the same tenor and effect.

Our representative, Mr. Adlai Stevenson, finally offered an amendment to include Gizenga as an object of United Nations action inasmuch as he had indicated some separatist ideas. Mr. Stevenson's amendment was vetoed and he then declared that he voted with reluctance for the resolution, which had the effect of a declaration of war, but that he did so to keep his very good friend, the Prime Minister of the Congo, from returning home emptyhanded.

At the time, that seemed to me to be a very poor reason for abandoning peaceful negotiation for military action. Many representatives of our country have made thousands of trips that were unproductive, trips from which they not only returned emptyhanded but almost without their shirts. It is my impression that, instead of the Communists supporting the United States in provoking the second military aggression against Katanga, this attack was largely inspired by Mr. Zorin and I believe that the minutes of the Security Council of the United Nations will sustain this conclusion.

Mr. DODD. I thank the Senator for his remarks.

Mr. RUSSELL. I have been unable to understand how we had aborted Russian policy and had won a great victory from the Russians in the Congo, when the action was the product of the demand of Mr. Zorin or U Thant, who was the Acting Director General of the United Nations.

Mr. DODD. I thank the Senator. I always like to have his observations on any subject. I say that out of a genuine respect for the Senator. There is no member of the Senate of whom I have a higher opinion than I have of the distinguished Senator from Georgia. The Senator is quite right. I overlooked the 24 American airmen who had been badly mistreated and beaten.

Mr. RUSSELL. That happened to be the first incident. I have always believed that the fact that the United Nations or the United States made no effort to protect its own in that instance had a great deal to do with some of the others, particularly the death of the 13 Italian airmen whose flesh, it was reported, was sold for edible purposes in the market of the town where they were murdered.

Mr. DODD. Yes; I believe that is the fact, and I am confident it is the fact. If I said the Soviet Union supported the United States on the Security Council resolution, it was a slip. The Senator has correctly pointed out that it was the resolution favored by the Soviets and the Afro-Asian bloc.

I have heard that some of our own people in our consulates in other parts of the Congo have been beaten and mistreated.

I think this is a grave and serious matter. I do not remember very much having been said about it when it happened. I do not know how often that has happened; but once is too often. The ignoring of such incidents is, of course, a dreadful thing.

Unless we can succeed in emancipating ourselves from total subservience to U.N. policy, there will be no way of coping with the mounting extremist threat in the Congo.

So long as we accept the United Nations as the only instrument of policy in the Congo, so long as we abdicate our right to an area policy which reflects our national interest, so long as we back the U.N. in actions which please the Kremlin and the Afro-Asian extremists but which clearly violate its Charter—so long as we do these things, the situation in the

Congo will remain perilous and unpredictable.

The beginning of wisdom in the Congo would be a public affirmation that the free world will not under any circumstances permit the Kremlin to take over in the Congo, either directly or through crypto-Communist agents. Such an affirmation would lay the basis for a concerted economic and political policy designed to keep the Congo free.

THE CONDITIONS OF SURVIVAL

The issue of how much control over our foreign policy should be surrendered to the mercies of unpredictable U.N. majorities really goes to the heart of the question of whether the U.N. can survive and whether it is worth saving.

The U.N. is worth saving as an area of contact between the Communist world, the free world, and the uncommitted nations; as a forum from which we can plead the cause of freedom and solicit the support of the world community for the objectives of our foreign policy; as a medium for the conciliation of disputes; as a vehicle for cooperative nonpolitical activities like the World Health Organization; as an organization whose functions may be progressively enlarged if the world situation improves.

The U.N. can be saved, and should be saved, if we are prepared to conceive of it in these limited terms and participate in it on this limited and realistic basis.

The U.N. will not be saved if we continue to ascribe to it virtues which it cannot possibly possess and assign to it executive tasks that it is functionally incapable of fulfilling. It will not be saved if we continue to sweep its misdemeanors and weaknesses under the rug instead of airing them frankly.

The U.N. cannot save the Congo from Communist subversion because it is precluded, both by charter and by composition, from saving any country from Communist subversion.

The U.N. cannot be used as a protective apron to prevent a direct confrontation between the Communist bloc and the Western bloc, because, U.N. or no U.N., the Communist bloc will confront when it is prepared to confront and will strike when it has the ability to strike.

The U.N. will prove as powerless to prevent further aggression by the Soviet bloc or by the Afro-Asian nations as it proved in the cases of Hungary and Goa. In fact, the Security Council veto and the composition of the General Assembly make it inconceivable that the U.N. will ever again take adverse action that seriously affects the Communist bloc.

The U.N. cannot, except at the gravest peril, be used as a substitute for an independent foreign policy or, as an excuse for not having one. Where our vital national interests are at stake, we cannot submit passively while a Communist-Afro-Asian coalition imposes its will on the Congo or on any other area.

Khrushchev has publicly announced that the Kremlin does not intend to pay the least attention to the U.N. when U.N. resolutions run counter to Soviet interests. Apart from the brazenness of the statement, there was really nothing new about it; the Kremlin has after all exercised the veto against 91 Security Council resolutions, and it has flouted resolutions of the General Assembly on both Hungary and Korea. Now India and the majority of the Afro-Asian nations have made it clear that they have just as little regard for the U.N. Charter.

The United States and the other Western nations have, up until now, observed the rules of the game prescribed by the United Nations Charter. They have abstained or backed away from the use of force, and have shunned the use of the veto in the Security Council.

There is only one way in which this dangerously unbalanced situation can be corrected: The United States and its allies must reserve for themselves precisely the same freedom of action as Khrushchev and Nehru have claimed for themselves when they felt their own interests were directly involved.

If air support is required to assure the success of a landing by Cuban freedom fighters, then air support must be given, despite the hysterical and hypocritical protests that unquestionably will be heard in the United Nations.

If Valerian Zorin vetoes Ambassador Stevenson's amendments to the Congo resolution, then Ambassador Stevenson should be encouraged to respond by imposing the veto on the version desired by the Kremlin.

In the debates in the United Nations, Soviet emphasis on colonialism, racial discrimination, and economic welfare has thus far given them both the initiative and the spotlight.

But we can make the initiative ours, Madam President, by challenging the Soviets on every issue; by repeatedly counterposing the issue of Soviet colonialism to the dying issue of Western colonialism; by demanding the right of self-determination for the captive nations of Europe and Asia, not by soft-pedaling it; by presenting the facts about the massive Soviet antisemitism of today whenever the Communists talk about the Nazi antisemitism of yesterday; and by pursuing policies, within and without the United Nations, designed to promote the welfare and freedom of all peoples.

The adoption of such an affirmative policy would inevitably involve certain other important adjustments in our foreign policy.

Among other things, it would require a strengthening of the community of free nations, perhaps working through the existing mechanism of NATO.

It would also involve a complete overhaul of our foreign-aid policy so that we would no longer be in the preposterous position of giving billions of dollars to countries like Yugoslavia and Indonesia and Ghana, which vote with the Soviet bloc on virtually every issue in the United Nations, while we grant aid on a very slim basis to stanch little allies like the Philippines and Thailand. Once we decide to make the scale of our foreign aid somehow commensurate with the attitude and voting records of recipients, there will, I am convinced, be a decided improvement in our voting strength in the U.N. General Assembly.

The present success of the Communist bloc within the United Nations is in large measure due to the fact that the uncommitted nations, both new and old, believe communism to be the wave of the future. They see hostility toward the West overlooked, or rewarded by more generous aid programs, while votes adverse to the Soviets are not soon forgotten.

A policy such as I have here outlined would, I am convinced, bring many of the newly independent nations to our side and automatically fortify our position within the councils of the United Nations.

So, in taking the stand that the United Nations is worth saving and that we should make the effort to keep it alive and to work within it along the lines I have indicated, there are several conditions that I feel must be observed.

Condition No. 1 is that we must permit no further curtailment of the authority of the Secretary General. The Kremlin's proposal for a troika, or three-man Secretariat, would, if it is ever accepted, give them the power to veto within the Secretariat any proposal which was not to their liking.

Condition No. 2 is that we must not again submit to Communist blackmail as we recently did in swapping the admission of Mauritania for the admission of Outer Mongolia—the most miserable and the most dependent of all the Soviet puppet states. Each time we submit to such blackmail, we lose something of our own integrity and the United Nations loses something of its affirmative meaning.

Condition No. 3 is that we should put the United Nations on firm notice that we will never reconcile ourselves to the admission of Red China to its ranks. Red China stands guilty of so many crimes against humanity that it is preposterous that this criminal regime should even be considered for membership in the United Nations. If the U.N. should ever seat the representatives of this criminal regime, it would be tantamount to going over a moral precipice. Then, I believe, nothing could save it, because it would, by its own act have forfeited the respect and confidence of honest men everywhere.

Under these conditions and with these reservations, recognizing its limitations but not ignoring or underestimating its very great potentialities for peace and conciliation, I believe that we should make every effort to save the United Nations.

Madam President, in the current issue of Harper's magazine there is an article by William S. White, the distinguished columnist and journalist. I have always looked upon Mr. White as one of our ablest analysts of foreign affairs, as a man whose writings merit our most serious attention.

So I earnestly recommend to my colleagues that they read his article entitled "Which Friends Come First?" which is published in the March 1962, issue of Harper's magazine. I believe they will agree that it is, indeed, a very great piece of work.

Therefore, Madam President, I ask unanimous consent that this article by William S. White be printed at this point in the RECORD, in connection with my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From Harper's magazine, March 1962]

WHICH FRIENDS COME FIRST?

(By William S. White)

(Responsible critics have an obligation to back Kennedy in a moderate stand on Africa—and to help him hang on to the Western alliance—in spite of the pressures from dedicated "anticolonialists.")

WASHINGTON.—The first administration of John F. Kennedy now faces decisions on foreign policy no less immense than those which the second administration of Franklin D. Roosevelt faced in turning the Nation away from a century and a half of isolationism.

Roosevelt's problem, and the Nation's, suddenly thrust before us by fascism, was whether and how to commit the United States to a participation in world affairs which it had never really wanted and for which it was historically totally unprepared.

Kennedy's problem, and the Nation's, is more subtle and, if possible, even more fateful. It is to make a fair and prudent selection between the increasingly urgent—and often destructively greedy—demands of the new states in Africa and Asia and the often competing requirements of a Western alliance which, in my view, remains the one indispensable to national safety and honor. We stand poised on this knife edge of history: How to accommodate and wisely shape the inevitable end of all vestigial forms of colonialism without on the one hand alienating these peoples of the future and without on the other hand destroying the Western association which was our salvation in the past and is our central hope for the long future.

No more terrible challenge to statesmanship has been thrown down before any leader. Roosevelt's task in retrospect can be seen as actually far simpler. The strategic objective then was not really an arguable one, save in its details. No one then—not even the then-isolationists like Chester Bowles—could quarrel with the country's manifest duty to help put an end to Hitlerism. Only tactics were in dispute.

Now, however, in Kennedy's time, ambiguous clouds lie over considerations both of strategy—the harsh complications in avoiding either Africa first or Europe last—and of tactics. In this decade the area of tactics has become almost as restrictive as the area of strategy. In the late thirties and early forties we had in tactics, at least, an open field. We had no formal allies then with the power to protest or in effect to veto our decisions.

More significantly, we had no United Nations possessed of both these powers of check and veto—plus, as matters now stand, the power not only to outvote us in a forum of the world but also to affirm the rightness of acts of naked aggression (e.g., India in Goa) whenever the new U.N. majority may so choose. For the postwar world has brought us a most melancholy innovation: An extraordinary occasional alliance, in some very critical matters, of neutralism and Soviet communism against the interests not only of the West but also of freedom and ordered justice itself.

As I have said, our present strategic problem involves the exquisite choice between new Africa and old Europe—with infinite care being required not to give new Africa too much and not to leave old Europe with too little. But at heart, tactics is no less complicated. For the necessity here is to avoid destroying the U.N.—that is, to prevent a suicide of the U.N. resulting from the contagious madness of the Communists—and at the same time not to permit the U.N., under its new neutralist and Soviet pressure-bloc management, to destroy both the ancient values and the present reality of the Western alliance.

KATANGA FEVER

It is within the context of this maze of somber truths that Kennedy must work his way forward to a new national policy. That policy must be blended so as neither to throw away Western safety on behalf of the nonalined and hostile states, nor to allow the Russians to seize the U.N. lock, stock, and barrel on the claim that a reactionary West has abandoned the enterprise. Within this context our national debate must be conducted with decency and responsibility—lest we find ourselves in a witches' Sabbath of oversimplifications, name calling, and suspicions.

At this moment, while the crisis of Katanga is at the forefront of my mind and of the minds of many others, the top figures of the Kennedy administration have wisely recognised this danger. They have moved to restrain their own lower placed extremists. I do not intend to rehash here the pros and cons of the U.N. action in Katanga, except for its bearing on the central point of this piece.

I was one of those who opposed that action—not because I thought Katanga's secession was a good thing, or Moise Tshombe a prince of good fellows, but because I believe that a sensible order of priorities cannot permit us forever to go against the interests of our old Western allies, in obedience to African wishes. (Moreover, in the specific action against Katanga, we found ourselves in unhappy company with Russia—although the Soviets have, of course, bitterly opposed all other phases of the U.N. operation in the Congo.)

Those of us who took this position were called rightwing extremists and other such rubbish, sometimes by night-club commentators in their vast wisdom. Lower level State Department functionaries took up this sort of nonsense. The responsible people there slapped them down, not because they relish criticism of American support of the U.N. in the Congo but because they are aware that this debate must have the dignity of honest, adult dispute over issues of almost preternatural gravity.

We on our side—that is, we who are Western alliance firsters—must be equally sensible and generous if and when any responsible people may suggest that John Kennedy and Dean Rusk and such are going along in the Congo because they are soft on communism. (At this time, to be sure, I know of no responsible critic who has made any such absurd accusation.)

There is no reason why those who must bear the burden of this complicated policy search—Kennedy, Rusk and company—should be forced into some either/or position here. They will never be forced into it so long as national discussion does not descend to the gutter or rise to a scream. The adult critics on both sides have the deepest obligation to see that it doesn't.

THE MISSION WITHIN

These are the outlines of this vast policy problem: what are the administration's present human facilities for handling it? As I see it, the position is about as follows: All at the apex of the administrative pyramid—Kennedy himself, Rusk, Under Secretaries George Ball and George McGhee, and so on—are not as much Western alliance first as people like me would like. But they are also not nearly so close to Africa first as people like us might fear. They are pragmatic men, desperately trying to put one foot precisely after the other in walking a high wire between the urgent demands of the one side and the indispensable requirements of the other. The President, while he does not intend to become an ally of colonialism in any form, also has no slightest intention of liquidating the Western alliance.

When one looks below this top group of moderates, however, the story is very different. It is my belief, based upon studious observation, that the second level at the White House and State Department is on the whole so emotionally committed to anticolonialism that the President will need to show great force lest they carry his policies outside his own viable, middling position by sheer evangelical seal and, finally, wreck the alliance.

These are men of decency and, it goes without saying, of unimpeachable patriotism and good intentions. They are, however, men seized with holy mission, almost as zealous as the abolitionists who so plagued the fair and reasonable and practical Lincoln. Despite their disclaimers, they have on the whole become so preoccupied with Africa and with anticolonialism as almost to forget what are to me two cardinal truths: (1) The Western alliance is still the free world's one real shield from the brutally aggressive Communist imperialism; and (2) that alliance cannot forever endure in strength if a majority of its members continually find their vital interests ignored or opposed and if they feel themselves the chosen whipping boys of the United Nations—an instrumentality which they themselves largely created and for which they have made substantial sacrifices.

It therefore follows that even if Africa first is "right" in the academic sense—I concede this only for the sake of argument—it is still not "right" enough if we are to carry it to the point of outlawing our oldest and strongest friends. It is palpable that divisions among the Western nations over Africa and in the U.N. will be tolerated only at frightful risk. Take a single example, the Common Market. All Europeans understand, if Americans do not, that the whole underpinning of the Kennedy administration's new, bold, and desperately needed world trade policy is imperiled by the anger and alienation felt by both the French and Belgians at our course to date in the U.N.

This becomes a matter of the highest practical importance, surely, when one recalls this simple but gut fact: The United States badly needs Britain's entry into the Common Market as an essential element of our own new program to make common cause with that market. But Britain cannot enter the Common Market without receiving exemption hatches of various kinds, mainly in order to protect her Commonwealth ties. These exemptions will simply not be forthcoming without a good deal of hospitable generosity by France and Belgium.

UNTIL READY

Allied diplomats of distinction and of long-proved loyalty to the West and to political liberalism have told me in confidence of extraordinary confrontations they have had with the Africa-first mind in the lower echelons at State. These diplomats are neither hysterics nor extremists. But more than one of them, to my personal knowledge, have gone out from visits to the State Department with the terrified conviction that some of its functionaries are so obsessed with the very word "Africa" they have all but forgotten that there is a place called Europe and a thing called the North Atlantic Treaty Organization.

True enough, most of these people were hired specifically to work on African problems. They include G. Mennen Williams, the Assistant Secretary of State for African Affairs; some members of his staff; and Mr. Bowles, who is now a special adviser to the President on our dealings with underdeveloped areas, including Africa. Consequently it is their job to see that proper attention is paid to African needs, and points of view, in the top councils of government. No one

can quarrel with that—so long as they recognize that other interests have to be considered as well, notably those of our European friends.

These men are mostly able, and they are universally dedicated. But universally also, in my opinion, they lack the sophistication to see that the United Nations cannot any longer be allowed to dominate American policy, or Western policy, though this is surely no recommendation for its destruction. They lack, generally, a respect for power, even power rightfully used—that decent power which Pascal once said must rule the world until the right was ready. They are so caught up in the myths of the evils of colonialism—as well as with the undoubted evils themselves—that they are not inclined, in their indiscriminate anticolonialism, to safeguard much else that is good and right.

So stands Kennedy's—and this Nation's—great and unexampled problem: to find a sure path through the jungles not merely of Africa and of a compromised U.N., but also through the jungles of emotionalism; to help make ready the new world without destroying what is irreplaceable in the old; to make true, calm choice between what in the Western alliance is really expendable and what can never be regarded as expendable if we wish to live in strength and freedom.

Mr. DODD. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BURDICK in the chair). Without objection, it is so ordered.

THE ALEXANDER HAMILTON NATIONAL MONUMENT — AMENDMENT TO THE CONSTITUTION DEALING WITH POLL TAXES

The Senate resumed the consideration of the motion of the Senator from Montana [Mr. MANSFIELD] to proceed to the consideration of the joint resolution (S.J. Res. 29) providing for the establishing of the former dwelling house of Alexander Hamilton as a national monument.

I

Mr. FULBRIGHT. Mr. President, the procedure being pursued in connection with this poll tax proposal does violence, I think, to the traditional processes of the Senate.

A. It is rather strange, to say the least, to use a proposal to establish Alexander Hamilton's birthplace as a national memorial as a vehicle for amending the Constitution.

B. The point of order which will be raised by the senior Senator from Georgia is, I believe, well taken. Although the rules of the Senate with respect to amending legislation are very broad, they are not broad enough to permit submission of a constitutional amendment as a substitute for an ordinary piece of general legislation.

C. Year after year the traditions and rules of the Senate are stretched beyond recognition when so-called civil rights legislation is considered. Our rules operate very well for every conceivable type of legislation, but for some reason proponents of so-called civil rights bills are never content to abide by the standard practices. They nearly always insist on special treatment, or seek special priority for their measures.

II

During the course of this debate, nothing has been said to justify this unusual parliamentary procedure.

A. Efforts to eliminate the poll tax either by statute or by constitutional amendment have been coming before the Congress from time to time ever since I have been a member of this body. Yet it has never been shown that the poll tax is used as a device to prevent anyone from voting.

B. The constitutional amendment proposed by the senior Senator from Florida [Mr. HOLLAND] has been before a subcommittee of the Senate Judiciary Committee since February of last year. Five of the six members of this subcommittee are listed as cosponsors of the resolution; however, it still has not been voted out, for consideration, by the full committee.

C. If the committee members who are cosponsors are so concerned about elimination of this tax, I would assume that the measure would long ago have been reported for full committee action.

D. I understand that there are now 68 sponsors of the proposed constitutional amendment. In spite of the fact that the sponsors number far more than a majority of the Members of this body, I know of no move on their part to discharge the committee from further consideration of Senate Joint Resolution 58 under the procedure of rule 26.

This, it would seem to me, if they have due regard for our rules, would be a proper approach to this problem.

III

Mr. President, I would like to review some history in connection with the question of qualifications of voters.

A. The question of whether the qualifications of electors of Representatives should be decided by the States or the Federal Government was thoroughly considered by the delegates to the Constitutional Convention. The distinguished junior Senator from Virginia, only yesterday, I believe, or the day before, reviewed at considerable length and in a most revealing and incisive manner the nature of the discussion of the debate on this matter in the Constitutional Convention. The major dispute was on the question of whether a provision would be included in the Constitution that would allow landowners only to vote or that establishment of voting qualifications would be left to the individual States. The advocates of limiting the privilege of franchise to landowners was defeated by a vote of seven States to one, and the plan of the Committee on Detail was adopted without a dissenting vote. After a slight change in language, it became that part of section 2, article I, of the Constitution which reads:

The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

IV

The delegates to the Constitutional Convention were obviously quite familiar with qualifications required by the individual States, then Colonies, as a prerequisite to voting. They knew full well what they were doing when they agreed on the language in section 2, article I, leaving the establishment of qualifications of electors up to the individual States.

A. The qualifications for voters prescribed by the States at the time of the adoption of the Constitution are rather interesting in the light of the hue and cry made today about the oppressive effects of the poll tax.

NEW HAMPSHIRE

The senate shall be the first branch of the legislature, and the senators shall be chosen in the following manner, viz:

Every male inhabitant of each town and parish with town privileges in the several counties in this State, of 21 years of age and upwards, paying for himself a poll tax, shall have a right at the annual or other meetings of the inhabitants of said towns and parishes, to be duly warned and holden annually forever in the month of March; to vote in the town or parish wherein he dwells, for the senators in the county or district whereof he is a member.

And every person qualified as the constitution provides shall be considered an inhabitant for the purpose of electing and being elected into any office or place within this State, in that town, parish, and plantation where he dwelleth and hath his home.

The members of the house of representatives shall be chosen annually in the month of March, and shall be the second branch of the legislature.

All persons qualified to vote in the election of senators shall be entitled to vote within the town district, parish, or place where they dwell, in the choice of representatives.

MARYLAND

That the house of delegates shall be chosen in the following manner: All freemen, above 21 years of age, having a freehold of 50 acres of land, in the county in which they offer to vote, and residing therein—and all freemen having property in this State above the value of 30 pounds current money, and having resided in the county, in which they offer to vote, 1 whole year next preceding the election, shall have a right of suffrage, in the election of delegates for such county. * * *

NEW JERSEY

That all inhabitants of this Colony, of full age, who are worth 50 pounds proclamation money, clear estate in the same, and have resided within the county in which they claim a vote for 12 months immediately preceding the election, shall be entitled to vote for representatives in council and assembly; and also for all other public officers, that shall be elected by the people of the county at large.

SOUTH CAROLINA

The qualification of electors shall be that every free white man, and no other person, who acknowledges the being of a God, and believes in a future state of rewards and punishments, and who has attained to the age of 1 and 20 years, and hath been a resident and an inhabitant in this State for the space of 1 whole year before the day appointed for the election he offers to give his vote at, and hath a freehold at least of 50 acres of land, or a town lot, and hath been legally seized and possessed of the same at least 6 months previous to such

election, or hath paid a tax the preceding year, or was taxable the present year, at least 6 months previous to the said election, in a sum equal to the tax on 50 acres of land, to the support of this government, shall be deemed a person qualified to vote for, and shall be capable of electing, a representative or representatives to serve as a member or members in the senate and house of representatives, for the parish or district where he actually is a resident, or in any other parish or district in this State where he hath the like freehold. Electors shall take an oath or affirmation of qualification, if required by the returning officer.

NEW YORK

That every male inhabitant of full age, who shall have personally resided within one of the counties of this State for 6 months immediately preceding the day of election, shall, at such election, be entitled to vote for representatives of the said county in assembly: if, during the time of aforesaid, he shall have been a freeholder, possessing a freehold of the value of 20 pounds, within the said county, or have rented a tenement therein of the yearly value of 40 shillings, and been rated and actually paid taxes to this State. * * *

MASSACHUSETTS

There shall be a meeting on the first Monday in April, annually, forever, of the inhabitants of each town in the several counties of this Commonwealth, to be called by the selectmen, and warned in due course of law, at least 7 days before the first Monday in April, for the purpose of electing persons to be senators and councilors; and at such meetings every male inhabitant of 21 years of age and upward, having a freehold estate within the Commonwealth of the annual income of 3 pounds, or any estate of the value of 60 pounds, shall have a right to give in his vote for the senators for the district of which he is an inhabitant.

PENNSYLVANIA

Every freeman of the full age of 21 years, having resided in this State for the space of 1 whole year next before the day of election for representatives, and paid public taxes during that time, shall enjoy the right of an elector; provided always, that sons of freeholders of the age of 21 years shall be entitled to vote although they have not paid taxes.

GEORGIA

All male white inhabitants of the age of 21 years, and possessed in his own right of 10 pounds value, and liable to pay tax in this State, or being of any mechanic trade, and shall have been resident 6 months in this State, shall have a right to vote at all elections for representatives, or any other officers herein agreed to be chosen by the people at large; and every person having a right to vote at any election shall vote by ballot personally.

NORTH CAROLINA

That all freemen of the age of 21 years, who have been inhabitants of any one county within the State 12 months immediately preceding the day of any election, and shall have paid public taxes, shall be entitled to vote for the members of the house of commons for the county in which he resides.

That all persons possessed of a freehold in any town in this State, having a right of representation, and also all freemen, who have been inhabitants of any such town 12 months next before, and at the day of election, and shall have paid public taxes, shall be entitled to vote for a member to represent such town in the house of commons. * * *

VIRGINIA

The right of suffrage in the election of members for both houses shall remain as exercised at present; and each house shall choose its own speaker, appoint its own officers, settle its own rules of proceeding, and direct writs of election, for the supplying intermediate vacancies. (The acts of the earlier assemblies under the colonial charter had prescribed not only taxpaying requirements but also property-owning requirements, and that same were in existence and were incorporated in the setup of the new State when that constitution was adopted.)

Colonial charters

Delaware established qualifications for voting in her constitution of 1792. That came just after the adoption of the constitution. Connecticut and Rhode Island did not adopt constitutions until 1818 and 1842, respectively.

CONNECTICUT

In 1769, in Connecticut, separate qualifications were established for voting for deputies or representatives to the general court (legislature), Governor, and Deputy Governor (laws 1769, pp. 45, 301), and for voting for town officers (laws 1769, p. 240). Only freemen were eligible to vote and "An act relating to freemen" set forth the requisites to become a freeman, as follows:

"That all such inhabitants in this Colony as have accomplished the age of 21 years, and have the possession of freehold estate to the value of 40 shillings per annum or 40 pounds personal estate in the general list of estates in that year wherein they desire to be admitted freemen. * * *"

DELAWARE

Persons be of the age of 21 years or upwards, and be a freeholder or freeholders in this government, and have 50 acres of land or more well settled, and 12 acres thereof cleared and improved, or be otherwise worth 40 pounds lawful money of this government clear estate, and have been resident therein for the space of 2 years before such election. * * *

RHODE ISLAND

In Rhode Island prior to admission in the Union a person in order to vote had to be admitted as a freeman and be enrolled as such. In order to be admitted as a freeman the following statutory requirement had to be met:

"That no person whosoever shall be permitted to vote or act as a freeman in any town meeting in this State, but such only who are inhabitants therein, and who at the time of such their voting and acting are really and truly possessed, in their own proper right, of a real estate within this State, to the full value of $134, or which shall rent for $7 per annum, being an estate in fee simple, fee tail, or an estate in reversion which qualifies no other person to be a freeman, or at least an estate for a person's own life, or the eldest son of such a freeholder: And that no estate of a less quality shall entitle any person to the freedom of this State."

B. The poll tax is certainly a minor prerequisite to voting when compared with these requirements of the original States.

V

It is, I think, interesting to note that the five States commonly listed as being the only ones which require the payment of a poll tax have something in common with the New England States. The Library of Congress has prepared an enlightening study of poll taxes as they are levied in New England States. I would like to review the application of these taxes in the various New England States for the information of my colleagues:

MAINE

Upon whom levied: Males whether citizens or aliens who are inhabitants of the State who are above the age of 21 years.

Exemptions:

(1) No person shall be considered an inhabitant of a place on account of residing there as a student in an educational institution.

(2) Indians, blind persons, and persons under guardianship.

(3) Persons in active service in the Armed Forces.

(4) Persons aged 70 and over; persons who are veterans of World Wars I and II and the Korean war; and persons who by reason of age, infirmity, or poverty are in the judgment of assessors unable to contribute toward the public charges.

(5) Veterans of the Civil War; veterans receiving a State pension; veterans of the Indian and Spanish Wars; veterans of the Philippine Insurrection; disabled veterans of World Wars I and II.

Rate, $3.

Payment a prerequisite: Payment is a prerequisite to: (1) granting of a motor vehicle operator's license and registration of a motor vehicle; (2) issuance of a resident hunting or fishing license.

That is quite interesting. It goes considerably further than the provision in my own State. I continue to read:

Collection: The tax is collected principally by local officers from each taxable person in the place where he is an inhabitant on April 1 in each year. With certain exceptions, proceeds of this tax are paid into the State treasury. Remedies for collection include the imposition of interest and the levy by distress and sale upon the real and personal property of the delinquent as well as arrest of the latter. Delinquent taxes also may be sued for in an action of debt against the party liable.

As a matter of fact, the $3 poll tax in Maine is enforced, I would say, much more vigorously, and without any reasonable possibility of escaping it, than is the tax in my State.

I continue:

Relation of payment of poll tax to voting: Boards of registration entrusted with the function of preparing lists of eligible voters are assisted in this task by the receipt annually from tax assessors of lists compiled by the latter by house-to-house canvass and containing the names, age, addresses, and occupations of males aged 21 and over and liable to pay a poll tax and of females eligible to vote. The boards in completing their voting registers rely upon such lists; but any eligible voter whose name did not appear on the lists thus transmitted may be registered by applying in person to such boards. However, the registration boards exchange information with the tax assessors, and supply to the latter the names of all registered voters which did not appear on the voting lists submitted by the assessors. The assessors are thus apprised of persons liable to pay the poll tax whose names hitherto have been omitted from the tax lists.

I would say, as a practical matter, that the $3 poll tax in Maine is very effectively imposed. For all practical purposes, it is a prerequisite to voting, even though in form it is not stated in the law itself. In substance and in fact certainly it would clearly prove to be, inasmuch as a person could not either

register an automobile or have a driver's license, among other things, without paying it.

I read further:

MASSACHUSETTS

Upon whom levied: On every male inhabitant above the age of 20, whether a citizen or an alien (Gen. Laws Ann. (West, 1958) ch. 59, section 1).

Exemptions: (1) Male inhabitants who are 65 years of age or over, or who, during the preceding calendar year, were recipients of old age assistance or of aid furnished by municipalities from funds appropriated by them for the relief, support, maintenance, and employment of the poor shall be assessed for, but shall be exempt, at their request, from the payment of a poll tax. Such request, when filed in any year, shall continue in effect with respect to poll taxes assessed in subsequent years, unless such inhabitant in writing shall otherwise direct. (2) Persons who by reason of age, infirmity, and poverty are in the judgment of the assessors unable to contribute fully toward public charges. In the event that a person so relieved of poll taxes dies leaving a net estate in excess of all his debts, said estate shall be charged with the amount of taxes from which he is so relieved with interest at 6 percent from the date when such taxes except for such relief, would have been due. (3) Veterans of the Civil War, Spanish War, Philippine Insurrection, and Chinese Relief Expedition shall be assessed for, but shall be exempt at their request from payment of a poll tax. (4) Members of the Armed Forces are unconditionally exempt during their services (Gen. Laws Ann. (West, 1958) ch. 59, secs. 5 (17A, 17B, 18, 23), 5A).

Collection: Poll taxes are assessed by local assessors on each person liable thereto in the town of which he is an inhabitant on January 1 in each year. Minors liable to taxation are assessed to and in the place of residence of the parents or guardians. If a person liable to a poll tax, who is in a town on January 1, refuses to state his legal residence, he shall be deemed a legal inhabitant thereof. If he designates another town as his legal residence, the assessors of the latter town are notified and thereupon complete the assessment.

Bills for poll taxes are distributed not later than October 1 of the year in which they are assessed, and are dated January 1 of the year to which the tax relates. Poll taxes are due and payable at the expiration of 30 days from the date upon which the bill was distributed. Remedies available to the local collectors to enforce collection include the seizure and sale of real and personal property sufficient to pay the taxes including the fees chargeable upon delinquency; or, in the event that the debtor has no tangible assets, imprisonment in jail for not more than 7 days. On poll taxes unpaid when due, interest shall be paid at the rate of 4 percent per annum, computed from the date when such taxes become due. The receipts including interest are paid over to the city or town treasurer (Gen. Laws Ann. (West, 1958) ch. 59, secs. 9–10, 57; ch. 60, secs. 2–5, 29, 35 (Supp. 1959), ch. 60, sec. 18A).

Relation of payment of poll tax to voting: As an aid in determining the residents of cities and towns who are entitled to vote, town and city registrars, by a house-to-house canvass, compile annually in January and February lists containing the name, age, occupation, citizenship, and residence on January 1, in the preceding and current year of every person, 20 years of age and older, residing in their respective cities and towns. On or before April 15 in each year, they transmit to the assessors from the lists thus compiled the names of all male persons, 20 years of age and older; and thereafter they furnish promptly to the assessors notice of any subsequent addition to or correction of their lists insofar as such changes relate to male persons aged 20 or over.

The registrars compile their annual registers of qualified voters by transferring thereto from the aforementioned lists of residents the names of all persons whom they can identify as having been included in the voting lists employed in the election held during the previous year. Persons omitted from registration lists thus prepared must appear in person and petition the registrars to correct the omission, and, if necessary, prove to the satisfaction of the registrars that the applicants are qualified and entitled to be registered. A male applicant may offer, as proof of his residence, a tax bill or notice from the assessor showing that he was assessed as a resident of his city or town. Tax assessors are apprized of all changes made in correcting the registration lists (Ann. Laws (1953), ch. 51, secs. 5–6, 8–9, 11, 34–35, 37–39, 42–43 (Supp. 1955), ch. 51, secs. 1, 4, 7. Gen. Laws Ann. (West, 1958) ch. 51, secs. 1–6, 8–9, 11, 34–35, 37–39, 42–43 (Supp. 1959), ch. 51, sec. 7).

NEW HAMPSHIRE

Upon whom levied: On every inhabitant of the State, from 21 to 70 years of age, whether a citizen of the United States or an alien. A husband shall be liable for the payment of his wife's poll tax if, when it was assessed, they were living together as man and wife (Rev. Stat. Ann. (1955) ch. 72, secs. 1, 5).

Exemptions: Paupers, insane persons, the widow of any veteran who served in the Armed Forces in wars which the United States was engaged, the widow of any citizen who served in the armed forces of an ally, veterans of any war in which the United States has been engaged, and veterans of any ally, provided such veterans record with the selectmen or assessors of the town in which they live their pension certificates or their certificates of honorable discharge. The term "veteran" includes members of any woman's auxiliary service which was subject to and under military law (Rev. Stat. Ann. (1955) ch. 72, secs. 1–4 (Supp. 1957), ch. 72, sec. 1–a).

Rate, $2.

Collection: Poll taxes are assessed before June 1, unless the time is extended, by town selectmen or city assessors and are payable to the collector on demand and without previous notice. Interest at 6 percent is charged on all taxes not paid on or before December 1 after assessment. The proceeds of such taxes are retained by the respective towns, cities, or counties. Remedies for collection include the seizure and sale of personal property sufficient to pay said taxes, or, if no personal property can be found, the arrest and commitment of the delinquent taxpayer to the county jail or house of correction. When any person is so committed to the county jail or house of correction where there is a workshop connected, he shall be credited for his labor therein at the rate of $1.50 per day, to be applied on the amount of his tax and costs of commitment. He shall be required to pay the jailor of the institution board at the rate of $2.50 per week, the same to be earned in the employ of said institution. Suit may also be instituted against a delinquent taxpayer for the amount of any taxes owed; and wages may be attached for payment (Rev. Stat. Ann. (1955) ch. 54, sec. 6; ch. 73, sec. 1; ch. 74, sec. 1; ch. 76, secs. 2–5, 13; ch. 80, secs. 1–2, 8–11, 13–15, 50; (Supp. 1957) ch. 76, sec. 12; ch. 80, sec. 12).

Payment a prerequisite: Every applicant for a permit to register a motor vehicle or for a hunting, fishing, or trapping license must first submit an affidavit that he has paid his poll tax for the preceding year or was relieved of payment by exemption or abatement; but the permit or license may be issued if the selectmen or assessors certify that the same should be granted notwithstanding failure to pay said tax.

The tax collector, after making demand of a delinquent by a registered letter and receiving no payment within 14 days thereafter, shall identify the delinquent taxpayer on a form provided by the commissioner of motor vehicles or the director of the fish and game department; and upon receipt thereof the commissioner or the director shall revoke the registration or the license of the delinquent taxpayer and refuse to restore the same until the delinquent tax has been paid (Rev. Stat. Ann. (1925) ch. 80, sec. 3, ch. 214, secs. 10, 12 (Supp. 1957), ch. 214, sec. 11, ch. 266, secs. 4–8).

VERMONT

Upon whom levied: Upon all inhabitants of the State, citizens and aliens, over 21 and under 70 years of age.

A husband living with or supporting his wife shall be held liable for the payment of a poll tax and an old-age assistance tax assessed against his wife. A wife who is supporting her husband shall be held liable for said taxes assessed against her husband (Stat. Ann. (1959) title 32, secs. 3601, 5011).

It strikes me that this is a very unusually harsh requirement.

I continue:

Rate, $1 plus an additional levy of $6 for old age assistance.

(2) Incorporated villages are empowered, by vote, to levy additional poll taxes of their own (Stat. Ann. (1959) title 24, sec. 1369).

Exemptions: (1) Veterans of the Civil War, Spanish War, Philippine Insurrection, Boxer Rebellion, World Wars I and II, the Korean war, or Federal emergency service and their wives and widows, and the wives and widows of members who died in such service, if the veteran is receiving disability compensation and if application for such exemption is made on or before May 1 of each year and a Veterans' Administration certificate is offered. Receipt of retirement pay defeats the exemption; (2) members of State militia or of fire companies, if the town wherein they reside so votes; (3) persons actually poor; (4) persons receiving old age assistance; (5) persons serving in the Armed Forces during their period of service (Stat. Ann. (1959) title 32, sec. 3801).

Collection: Poll taxes and old-age assistance taxes are collected locally in the same manner as other State and local property taxes. Receipts from the poll tax are retained by the town treasurers; but 90 percent of the proceeds of the old-age assistance tax is remitted to the State. Towns and their municipalities, by vote, may fix dates of payments, and may allow a discount, up to 4 percent, on payments made in advance. Similarly, by vote, a town may collect interest at the rate of one-half percent per month on poll taxes that are delinquent as of December 1. Remedies to enforce collection include the following: (1) Distraint and sale of personal property; (2) arrest and commitment to jail, until the costs and taxes are paid, of a delinquent taxpayer who has no personalty available for seizure and sale; (3) suit in court for delinquent taxes, with attachment of assets in the hands of the delinquent taxpayer's debtors or of salary exceeding $10 in the hands of his employer. If wages in excess of $10 are attached, only $2 per week shall be withheld therefrom to be applied toward payment of the delinquent taxes (Stat. Ann. (1959), title 32, secs. 4002, 4062, 4111, 4152–4153, 4646, 4731, 4734, 4771–4774, 4791–4793, 5011–5023, 5071–5076, 5091–5093, 5136–5141, 5161–5164, 5191–5194, 5221–5227).

Payment a prerequisite:

(1) The commissioner of motor vehicles, on written notice from the collector of taxes

of any municipality, including school districts, shall suspend, for the unexpired term of the license, the operator's license of any person who fails to pay all taxes for previous years, excepting property taxes, for which he is liable.

(2) Payment of poll and old-age assistance taxes, unless a person is otherwise exempt, is a prerequisite to voting in town elections. Payment must be made prior to January 1 preceding the town meeting. A person who is qualified to vote in a town meeting shall be qualified to vote in all other municipal meetings.

The collector of town, town school district, or incorporated village taxes, annually on January 15, shall make a list of taxpayers whose poll taxes are unpaid and deliver same to the clerk to be used by the board of civil authority at an annual or special meeting to determine who are not legal voters in such meetings (Stat. Ann. (1959), title 17, sec. 207; title 23, sec. 601; title 24, sec. 701; title 32, sec. 5161).

Mr. HILL. Mr. President, will the Senator yield for a question?

Mr. FULBRIGHT. I yield to the Senator for a question.

Mr. HILL. Is it not true that under the statutes of Vermont a person must pay the poll tax before he can get a driver's license?

Mr. FULBRIGHT. That is correct.

Mr. HILL. Is it not true that no matter what the emergency may be for driving a car, a person cannot drive a car and cannot get a driver's license, and if he does drive a car without the license he is in violation of the law, if he has not paid the poll tax?

Mr. FULBRIGHT. That is absolutely true. He is also subject to being put in jail. It is a rather unusual provision in these days in any State, to put a man in jail for failing to pay either his debts or his taxes. Nevertheless he is subject to arrest and commitment to jail until the costs and taxes are paid.

Mr. HILL. Mr. President, will the Senator yield further for a question?

Mr. FULBRIGHT. I yield.

Mr. HILL. Is it true that there is no such penalty provision with reference to the very small poll tax required to be paid by Arkansas, Alabama, Mississippi, Virginia, and Texas?

Mr. FULBRIGHT. In my State it is $1. It is noncumulative. I have never heard of any one being put in jail because he did not pay it, or of any other effort being made to force the person to pay it.

Mr. HILL. Is it not true that there is no provision in any statute in any one of these five States for anyone to be put in jail for failure to pay the poll tax?

Mr. FULBRIGHT. The Senator is quite correct. I have great respect, of course, for the wisdom of the New England States. It has always been my impression that their affairs, especially at the local, town meeting level, are well run. This poll tax requirement may account for or contribute to that happy result.

Mr. HILL. Mr. President, will the Senator yield further?

Mr. FULBRIGHT. I yield.

Mr. HILL. Is that not basically what the Senator from Arkansas and the Senator from Alabama are fighting for; namely, to let these people make their own determination at the local level and to let them determine their own affairs?

Mr. FULBRIGHT. That is exactly right. I think it is a shame to intervene or interfere in the affairs of Maine, Vermont, Massachusetts, and New Hampshire. These provisions have been in their laws for many years. It would be a great injustice and very shortsighted by this method to attempt to intervene in their affairs.

Mr. HILL. Mr. President, will the Senator yield further for a question?

Mr. FULBRIGHT. I yield.

Mr. HILL. Is it not true that the more power that is vested in the people and in the towns and in the communities and local habitats the more conscious they are of their responsibilities and of their duties as citizens?

Mr. FULBRIGHT. There is no doubt about it. I believe the provisions which I have read may very well account for the political consciousness and astuteness that these people in New England have shown. While we have had certain differences in certain economic and political matters, nevertheless, the basic character of their democracy, as exemplified by their town meetings, has always been admired by the people of this country. I was rather surprised by the nature of the provisions which still exist in these States.

Mr. HILL. Mr. President, will the Senator yield further?

Mr. FULBRIGHT. I yield.

Mr. HILL. Is it not true that the town meeting symbolizes the very essence of democratic government of the people, by the people, and for the people?

Mr. FULBRIGHT. The Senator is right. As we have noted before—and I know the Senator from Alabama has said it, because I have heard him say it—one of the great merits of our system as it was originally conceived is the diversity which it allowed in the States. None of us knows the answer to all these questions. Here, in a sense, we have 50 different laboratories. Each of these States varies considerably from the other States, even in New England, which has a common heritage, and where the States have been very closely allied from the very beginning by race and culture.

Yet they have their differences; and we learn, if we have any sense at all, from the experiences in these different political laboratories. However, in my opinion, to try to make the laws uniform would be the height of stupidity.

Mr. HILL. Mr. President, will the Senator yield for another question?

Mr. FULBRIGHT. I yield for a question.

Mr. HILL. Is it not true that the States have their differences as to climate, differences as to natural resources, differences as to agriculture, differences as to industry, and differences as to economies?

Mr. FULBRIGHT. Absolutely.

Mr. HILL. Mr. President, will the Senator yield for another question?

Mr. FULBRIGHT. I yield.

Mr. HILL. Does not that raise different problems in the different States?

Mr. FULBRIGHT. Yes; those differences, and even greater differences, arose as the country developed. There were also differences in the human resources of the various States. As the Senator knows, the original States were settled to a great extent by Anglo-Saxons. In the latter part of the last century there was a wave of immigration from non-Anglo-Saxon countries. Those immigrants were fine people, but they had different traditions and different political experiences. They were subject to entirely different conditions, it strikes me, suitable to their own backgrounds.

I think one of our mistakes domestically—and I have noticed that even in our foreign relations we tend to make the same mistake—is that we have the feeling that every other country ought to be made to conform to our model of democracy. That is a great mistake.

Many of our people have been extremely critical of other countries whose system of government varies slightly from our own. We have looked down our nose at various types of authoritarian governments and have called them dictatorships. Sometimes they were. Sometimes they merited criticism. But there was the implication of superiority; the idea that we had the answer to everybody's problems; that if everybody would do just as we do, everything would be fine. Of course, nothing could be further from the truth.

There are diversities among nations just as there are among the States of our Union.

Mr. President, the passage of the proposed constitutional amendment will have a broader effect than the mere abolishment of the poll tax required in the five States that have been mentioned.

A. According to a recent Library of Congress study it would, in addition, have the following effects:

VI

The proposed amendment would also nullify a permissive poll tax provision in Florida's constitution, even though the legislature of this State has repealed the levy.

A provision in South Carolina's constitution permitting a person to qualify either through ownership of property or meeting the educational requirement would be nullified.

The proposed amendment would possibly require new legislation in certain New England States. The constitution of New Hampshire, article 28, states that a person excused from paying taxes at his own request is disqualified from voting. The proposed resolution would appear to nullify this provision.

I emphasize that this is a provision in the constitution of New Hampshire.

I continue to read from the study made by the Library of Congress:

In Maine, voting registers are made up in reliance on lists prepared by tax assessors. However, any eligible voter whose name did not appear in the tax list, thus transmitted, may be registered by applying in person to such boards.

In Massachusetts, a similar method is used to draw up the voting register, and the persons omitted must then show proof of their qualifications to vote.

In Vermont, payment of poll taxes and old-age assistance taxes is a prerequisite to voting in town meetings (no mention of general elections).

It is questionable whether the laws of Maine, Massachusetts, and Vermont would be affected by the proposed resolution.

In Rhode Island, constitutional and statutory provisions reducing the length of residence required for persons owning real estate would also be eliminated.

Several of the States have constitutional provisions disqualifying for voting "Indians not taxed" or "persons under guardianship." Indians have been granted citizenship by an act of Congress, and, though that does not grant them the right to vote, through State court decisions Indians are generally no longer disqualified from voting. Nevertheless, those provisions relating to "Indians not taxed" and such provisions relating to "persons under guardianship" when construed to mean "Indians not taxed" would violate the proposed amendment.

B. I can speak from personal knowledge about the ramifications of abolishing the poll tax in my own State. It would not only deprive Arkansas of a substantial source of revenue for the public schools but it would abolish our registration system since the list of persons who have paid their poll tax serves as a registration list for the election officials.

VII

Throughout this debate there have been no direct charges that the poll tax is used to discriminate against potential Negro voters. The Senator from Florida in his testimony before the Subcommittee on Constitutional Amendments last year in effect said that the poll tax is not a deterrent to voting in the poll tax States. He said:

It has been accorded far greater importance than it deserves. The fact of the matter is that the amount of poll tax now required to be paid in the several States is so small as to impose only a slight economic obstacle for any citizen who desires to qualify to cast a ballot. This requirement operates, of course, equally on citizens of all races and colors and is generally subject to important exemptions which limit its application, such as the exemption of veterans, women, and citizens beyond a certain age. Nevertheless, the question has remained a vexing one.

A. The poll tax requirements in the five States which require payment of this tax as a prerequisite to voting have been liberalized substantially in the last 20 years. I wish to review some of these changes for the information of the Senate.

However, before I do so, I should add that the difference between these five States—of which my own State of Arkansas is one—and the situation in New England, which I have just described, concerning the prerequisites for voting, is largely one of form and not of substance, because, as a practical matter, under the enforcement provisions, in States like Maine and Vermont there is just as much pressure, if not more pressure, upon a person to pay the poll tax in order to vote at all as there is in my State. This is largely a play with words. I do not think there is much difference in substance.

I think it would be wise to place in the RECORD some of the provisions which are in effect at present in the five Southern States concerned, so that they may be compared with the requirements in the New England States. As I said a moment ago, there is much in common among the various States.

I cite, first, for example, the law as it existed with reference to the poll tax in Alabama in 1940. This will indicate how these taxes have been liberalized. They are far more liberal than some of those in the New England area:

ALABAMA

(Unless otherwise designated, references are to code of Alabama, 1940, recompiled 1958)

As the law existed in 1940, a poll tax payment of $1.50 was required of every person over the age of 21 years and under the age of 45 years, who was not exempted by law from paying same (title 51, sec. 237; constitution, sec. 194).

Exemptions: The following persons were exempted from paying a poll tax:

1. All persons permanently and totally disabled from following any substantially gainful occupation with reasonable regularity, and whose taxable property does not exceed $500 (title 51, sec. 238).

2. Veterans who served honorably in the military or naval service of the United States between January 1, 1917, and November 11, 1918, from all poll taxes which have accrued or may hereafter accrue (title 51, sec. 238; amendment 14 to constitution).

3. Every officer and enlisted man of the National Guard or Naval Militia of Alabama during his active membership and forever, after he has actively served an aggregate of 21 years (title 51, sec. 238; title 35, sec. 11).

Elections: To entitle a person, otherwise qualified, to vote at any election, he shall have paid on or before the 1st day of February next preceding the date of the election at which he offers to vote, all poll taxes due from him for the year 1901 and for each subsequent year (constitution, section 178).

Since the poll tax is $1.50 per year, a person who has not voted before and wished to vote in 1940 could conceivably have to pay a tax as high as $36 for 39 years would have elapsed since 1901 and in that period a person could have become 21 years old and already passed his 45th birthday, a period of 24 years. Of course $36 would be the maximum that could possibly be required of anyone. The fact remains, however, that anyone offering to vote at an election would have to make up his back poll tax of $1.50 for each year since he attained the age of 21 even though he had not voted before.

In 1944 the exemption of veterans from the poll tax requirement (of taxes which have accrued or may thereafter accrue) was extended to cover all persons who served honorably in the military service of the United States at any time, past, present, or future, when the United States was, is, or shall be at war with a foreign state (amendment 49 to the constitution).

In 1945, exemption from the poll tax requirement was extended to every officer and enlisted man of the Alabama State Guard during his active membership, and forever, after he has actively served an aggregate of 21 years (title 35, sec. 214).

In 1951, the exemption of veterans from the poll tax requirement (of taxes which have accrued or may thereafter accrue) was extended to veterans who served honorably in the military services of the United States when the United States is engaged in hostilities whether as a result of declared war or not (amendment 90 to the constitution).

In 1955, an amendment to the constitution was approved requiring, as a prerequisite for voting, the payment of poll taxes for the 2 years preceding the election. Thus the maximum requirement at any election could only be $3 (amendment 96 to the constitution).

In other words, that was a very important reduction, let us say, in the severity of the tax, in that thereafter it could not be accumulated for more than 2 years. I continue:

In 1954 a constitutional amendment exempted blind and deaf persons from the payment of poll taxes (amendment 100 to the constitution).

In 1960 as of today, $1.50 poll tax payment is required as a prerequisite for voting. The maximum such requirement, including arrears, is—

As I have said—

a payment of $3. Exempted from payment of poll tax, including arrears, are all veterans who served honorably in the military service of the United States whenever the United States is engaged in hostilities whether as a result of declared war or not. Also exempted from payment of poll tax are blind and deaf persons, all persons permanently and totally disabled from following any substantially gainful occupation and whose taxable property does not exceed $500, and every officer and enlisted man in the service of the National Guard, the naval militia, or the Alabama State Guard during his active membership, and forever, after he has actively served an aggregate of 21 years.

So from this recitation, Mr. President, we see that progressively over the years between 1940 and 1960, there has been a great amelioration of what was never a very severe burden; and certainly it is now a very minor burden on anyone, and is much less than the actual poll taxes in several of the New England States to which I have referred.

Mr. HILL. Mr. President, will the Senator from Arkansas yield for a question?

The PRESIDING OFFICER (Mr. HICKEY in the chair). Does the Senator from Arkansas yield to the Senator from Alabama?

Mr. FULBRIGHT. I yield.

Mr. HILL. Did the Senator from Arkansas bring out the fact that in Alabama no person over 45 years of age has to pay a poll tax?

Mr. FULBRIGHT. Yes, I did. That is why I said the maximum which ever could have been due was $36; but today the maximum is $3. So this change constitutes a very great liberalization—if one wishes to use that term in regard to it.

Insofar as the use of the word "liberalization" is concerned, I am not sure that this change has made any great improvement, in terms of voting. However, that is another matter. But from the point of view of those who object to poll taxes, this change certainly constitutes a great liberalization.

Mr. HILL. Yes.

Mr. FULBRIGHT. Mr. President, let us consider the situation in my own State of Arkansas:

ARKANSAS

(Unless otherwise designated, references are to Arkansas Statutes 1947, Ann., 1956 Replacement and to 1957 Supplement thereto)

As the law existed in 1940, a poll tax payment of $1 was required of every person as a prerequisite for voting, except of those

who reached the age of 21 after the period of assessment (constitution, art. 3, sec. 1; as amended by amendment No. 8; Ark. Rev. Stats. sec. 3-103, since then repealed and superseded by sec. 3-104.2; sec. 3-123).

In 1941, a law was enacted prohibiting the collecting of penalties for delinquent poll tax assessments (secs. 3-110.3-111).

In 1943 a law was enacted permitting men and women discharged from the armed services after the period for poll tax assessment has expired, to pay the $1 tax without the additional penalty (1957 Supp. sec. 3-113).

In 1944 Arkansas adopted a constitutional amendment permitting members of the armed services, if otherwise qualified, to vote in any election without having paid a poll tax (amendment No. 36 to the constitution).

In 1960, as the law exists today, a poll tax payment of $1 is required as a prerequisite for voting, but members of the Armed Forces of the United States, while in service, are exempted from this requirement. A person who has become 21 years old after the assessment may vote that year without paying the poll tax.

As I have stated before, it is not cumulative. If one has not paid his tax for 5 years, but still wishes to vote, he can do so after paying $1; and there is no law which provides for imprisonment because of failure to pay the tax—although imprisonment is provided for by law in some of the other cases I have mentioned, if one fails to pay the tax. So this matter in Arkansas is left to the choice of the citizens.

I submit that under this system there has been a very satisfactory participation, in my opinion, on the part of the people in my State in political activities. I would not wish to be personal about the matter; but I shall say that I do not see any great distinction or difference between the quality of the product under this system and the quality of the product under the systems in some of the States which do not have a poll tax. As a matter of fact, from the point of view of constituting a prerequisite for voting, the pressure—or the "penalties," if we wish to use that term—upon the people of Arkansas to pay this tax does not seem to me to be quite as great as is the pressure or the penalty in Maine in connection with the payment of the Maine poll tax, because in Arkansas one can obtain a driver's license or a hunting license even if he has not paid the $1 poll tax.

Mr. HILL. Mr. President, will the Senator from Arkansas yield again to me?

Mr. FULBRIGHT. I yield for a question.

Mr. HILL. Is it not true that today there are in the United States very, very few able-bodied adults who do not wish to have an automobile driver's license? In fact, is it not also true that under present economic conditions in the United States, today most adults feel it necessary to have a driver's license?

Mr. FULBRIGHT. Yes, indeed. Certainly, today in the United States there are very few adults who do not regard it as necessary to have an automobile driver's license. I would say that about the only persons who, today, in the United States do not have a driver's license are paupers. As I recall, the other day I read a statement to the effect that there are now approximately 60 million automobiles in the United States; and that means that almost every able-bodied adult in the United States is able to own an automobile.

Mr. HILL. Is it not also true that practically every family in the United States today has, at the very minimum, one automobile, and a very large percentage of the families in the United States today own two automobiles?

Mr. FULBRIGHT. Yes, that is quite correct.

Mr. President, I continue with Mississippi:

MISSISSIPPI

In 1940, as a prerequisite for voting, a person was required to pay on or before February 1 of that election year poll taxes due for the 2 preceding years (constitution sec. 241; code sec. 3160). The poll tax is $2 per year (constitution sec. 243).

Exempted from this poll tax requirement are persons over 60 years old, persons who are deaf, dumb, or blind, or who are maimed by loss of hand or foot (constitution sec. 243; code sec. 3163).

In 1944 Mississippi repealed the poll tax requirement for persons in the armed services, and allowed them to vote by absentee ballot, without payment of such poll tax (sec. 3196-07).

In 1952, a law was enacted permitting any member of the Armed Forces or any honorably discharged member of the Armed Forces to vote at any election without payment of any poll taxes which they have not had the opportunity to pay (sec. 3163-02).

In 1960, today, the law is the same as it was in 1940 but includes the exemptions enacted in 1952.

TEXAS

As the law existed in 1940 and as it exists today, the payment of a poll tax paid before February 1 of the year, is a prerequisite for voting (const. art. 6, sec. 2; election code arts. 5.02, 5.09).

All officers and men of the active militia of the State are exempted from payment of this poll tax except the poll tax prescribed for support of public schools (annotated statutes, art. 5840).

The poll tax required is $1.75 of which $1 goes to the support of the schools (const. art. 6, sec. 2, interpretive commentary).

Article 6, section 2a of the constitution was adopted in 1945 which waived the poll tax of any citizen of Texas who within 18 months prior to election has served in the Armed Forces (including the maritime service and merchant marine). It applied "during the time the United States is engaged in fighting a war or within 1 year after the close of the calendar year in which said war is terminated."

On November 2, 1954, article 6, section 2a, above, was repealed.

Exemptions

As the law read in 1951, the following persons were exempted from payment of poll tax: Persons over 60 years old, Indians not taxed, persons insane, blind, deaf or dumb, those who have lost a hand or foot, those permanently disabled, and all disabled veterans of foreign wars, where such disability is 40 percent or more (election code 1952, art. 5.09).

Article 5.09 of the election code was amended, omitting deaf or dumb persons from the above exemption (election code, 1960 supp. art. 5.09).

VIRGINIA

As the law provided in 1940, and as it is in effect today, a person, as a prerequisite for voting shall pay, at least 6 months before election his State poll taxes assessed against him during the 3 years next preceding the year of the election at which he offers to vote (constitution, sec. 21; code of Virginia, 1958 supp., secs. 24-120).

Exempted from this requirement are persons who served in the Army or Navy of the United States or the Confederate States during the War Between the States, and the wife or widow of such person (constitution sec. 22), and those pensioned by the State for military services (constitution sec. 173).

The amount of the tax is $1.50 per annum (code of 1950, secs. 58-49).

In 1944 Virginia created the armed services poll tax fund to be drawn upon for paying a poll tax for an individual in the armed services who applies for such payment at least 6 months before election. The act expired on July 1, 1946 (Laws, 1944, ch. 287).

So I would say it is quite clear, from this recitation, that the poll taxes in our Southern States have been very greatly liberalized in the last 20 years.

B. The Civil Rights Commission has apparently been unable to find any evidence that the poll tax is used as a device to prevent Negroes, or any one else for that matter, from voting. If the Civil Rights Commission was unable to find any evidence of discrimination due to existence of the poll tax requirement, I am sure that none exist. The Commission, in its recent report on voting, stated:

The absence of complaints to the Commission, actions by the Department of Justice, private litigation, or other indications of discrimination have led the Commission to conclude that, with the possible exception of a deterrent effect of the poll tax—which does not appear generally to be discriminatory upon the basis of race or color—Negroes now appear to encounter no significant racially motivated impediments to voting in 4 of the 12 Southern States: Arkansas, Oklahoma, Texas, and Virginia.

Senators will note that three of the five poll tax States are singled out in this statement. At no place in the report is there any charge that the poll tax is used in the other two poll tax States as a discriminatory prerequisite to voting.

VIII

The present era has been appropriately called the age of conformity by many commentators on national trends. New studies of this tendency to sameness come to our attention practically every day. In this age of rapid communications and travel, when the many facets of our economy and our political and social life are so closely interrelated, there is a grave danger that we will lose the diversity that was such a significant factor in the growth of our national character. We are extending this same tendency to conformity to the very foundation of our governmental system when we attempt to eliminate a right which the States have enjoyed since the founding of the Republic.

The abolition of the poll tax will be only another step. In a short time the Senate will be asked to consider a bill establishing a uniform test for literacy. If the Congress accepts the philosophy that the States should no longer have the right, written into the Constitution, to establish qualifications for voters, there is no reason why a constitutional amendment, or even a statute, cannot be passed establishing uniform requirements for residency, or any other qualification for voting. Once the door is

opened and the precedent has been set, there is nothing to stop the movement.

The issues involved here were well stated by Robert G. Storey, former dean of Southern Methodist University Law School, who is Vice Chairman of the Civil Rights Commission. In the recent Commission report on voting he said:

> Proposals to alter longstanding Federal-State relationships such as that incorporated in the Federal Constitution, declaring that the qualifications of electors shall be left to the several States, should not be made unless there is no alternative method to correct an existing evil. Such is not the case today.
>
> The Federal Government has sufficient authority under the Constitution and the existing framework of laws to enable it effectively to deal with denials of the right to vote by reason of race, color, religion, and national origin.

IX

If the Congress wants to homogenize the States, this is a step in that direction.

During this critical period in the Nation's history, unity is needed more than ever. By unity I mean a strong consensus of national effort in solving some of the critical problems which face us both at home and abroad. I do not mean uniformity with the connotation of mediocrity and adjustment to the lowest common denominator. The pending issue is one which tends to divide us and divert our attention from the real problems that must be faced during this session of Congress. This is an issue of no practical consequence to the Nation, and it is a tragedy that the Senate is forced to waste valuable time on such a question. The future of democratic governments will in the long run be determined by the ability of their citizens to make wise decisions, not by the mere act of casting a ballot by every adult in the Nation. Hitler rolled up an almost unanimous vote of approval from the German people, and the Communist Party candidates do it today in Russia and the satellites.

And I suppose the same could be said of some of the more underdeveloped nations, so far as the mere numbers of voters is concerned. The mere existence of the right to vote in no way guarantees a democratic system.

The Nation's Founding Fathers were acutely aware of the importance of education in a democracy. It strikes me education is of far more importance to the quality of government than is unfettered universal suffrage.

George Washington wrote:

> Knowledge is in every country the surest basis of human happiness. In one in which the measures of government receive their impressions so immediately from the sense of the community as in ours, it is proportionately essential.

Thomas Jefferson also had a unique understanding of the necessity for an educated and informed citizenry in a free society. Jefferson correctly said:

> If a nation expects to be ignorant and free in a state of civilization, it expects what never was and never will be.

He was as proud of his role in founding the University of Virginia as of his authorship of the Declaration of Independence.

God has not ordained that our form of government will succeed; nor is there any evidence from history to support the thesis that democracy is a natural form of society. Our form of government is the product of great human effort. It was created by our forefathers with the realization that man is potentially good, but also potentially a beast. Wise actions by our people will always be needed to keep the beast from seizing control. Through education we strive to bring out the good in our young people and to cultivate in them a desire to preserve and protect the values of our society. A good education is basic to good citizenship.

The exercise of the right to vote by one who is incapable of weighing the issues and making a rational decision does not contribute to the ultimate survival of this Nation. I can think of nothing better calculated to hasten our downfall than the casting of a ballot by a person who does not have the intellectual capacity to vote wisely. James Madison once said:

> Popular government without popular education is a prolog to a farce or tragedy.

The problem of education for citizenship was well stated in a comment by a noted scholar which appeared in a magazine some months ago. He said, in effect, that if he exercised his right to vote as carefully and thoughtfully as a citizen in a democracy should, he would spend all his time studying the candidates and the issues. This is a fair commentary on the awesome responsibilities of a citizen in a democracy in this complex and ever-changing world.

The frustrations of the cold war and the general complexity of life today prompt our people to look for easy solutions to complex problems. It is difficult for the shallow thinker to resist the impulse to believe those who have a knack for making complex problems seem simple. The apparent widespread interest in organizations such as the John Birch Society is symptomatic of a natural desire to find an easy answer to the difficult problems facing our Nation and the world. To blame all our difficulties on the Communists is simple enough to do.

It is much harder to face reality and to accept the world we live in, and then do something constructive to make it more to our liking. We can blame the Communists for our troubles from now until doomsday, but this will not contribute to the solution of our problems. A genuinely educated citizenry will not be deluded by crackpots and demagogs from within, or by alien doctrines from without. In the long run, the quality of our educational system and the intellectual capacity of our citizens will determine how well our heritage is enriched and preserved.

A short time ago I came across a very interesting essay by Harry D. Gideonse, president of Brooklyn College and former president of the Woodrow Wilson Foundation. In this essay, Dr. Gideonse gave a very lucid explanation of the need for education in a free society. His comments on the meaning of freedom are particularly pertinent at this time when there is a growing tendency for the individual to look at a public issue with the attitude of "what is in it for me."

I am taking the liberty of quoting extensively from this essay for the information and enlightenment of my colleagues. Dr. Gideonse wrote:

> The greatest single cause of our confusion in the discussion of a national philosophy of education for citizenship in a free society lies in the fact that we no longer understand our own tradition. Our liberals and progressives talk of freedom as if individual rights can be separated from the common disciplines which free men must accept if a free society is to be sufficiently strong to make its guarantee of rights meaningful. Our relaxed grip on the fundamental principles of free society is perhaps the greatest single cause of our weakness as we confront an ideological alternative in which every social and cultural activity is direcdy related to a dogmatic faith.
>
> Freedom, however, is rooted in the responsibility of men as men, and not merely as specialized splinters of men. In our specialized pursuit of the development of free society we may easily drift into so intense a splintering of the total personality in which free society is anchored and rooted, that the quality of individual responsibility may vanish as the fruits of our specialization increase.
>
> The American conception of freedom is not merely the selfish expression of whim. It is not merely self-expression. Freedom is self-control as contrasted with control by others. The cultivation of inner directedness is therefore the core of the educational problem of a free society. The sources of responsibility are not cultivated by drift, nor by the pervasive advertising in press, radio, and television that promotes an ever-increasing diversity of material wants, nor by a journalistic overemphasis on news which is defined as the unusual, the pathic or the exceptional, nor by a sport page's systematic confusion of the reading public's ability to distinguish among commercial sports, spectator values and an educational interest in students who play rather than in athletes who register. Neither are they clarified by a view of freedom that stresses the removal of inhibitions, because the very essence of civilized society is defined by the presence of an appropriate selection of inhibitions, and this is merely another way of saying that freedom is self-control.
>
> The sense of responsibility from which this self-control is to spring is rooted in a disciplined life of mind as well as of emotion, a balanced grasp of frequently conflicting values; it is rooted in a sensible, realistic picture (to which reason and intellect can contribute) of the nature of man. The nature of man is not just intellect. Some of the biggest swine in human history have been great intellects. Some of the weakest spots in Western free society are due to excessive preoccupation with intellect, with analysis, and it is healthy to recognize this in the face of the fact that the great achievements of Western society also are rooted in the cultivation of intellect and reason.
>
> The hazard is in lopsidedness. The hazard is in doing only one thing and letting the rest go by drift. For if the rest goes by drift, the man on horseback may come along to exploit this drift. Whether he is a demagog from the right or one from the left makes no difference—the consequences to the freedom are just as serious in the one case as in the other. Typically, he is an expert in exploiting undisciplined emotion. And when it comes to that kind of challenge in a period in which national survival is

> at stake, you can trust the expert in the exploitation of emotion, whose only rationality consists in his rational exploitation of the irrational in man, to win—unless there is a systematic strengthening of the subjective factor in free society by the use of education in all of its broad ramifications.
>
> Now, in the matter of free government we can look the whole world in the face. Whatever they may say abroad about immature, young America, our written Constitution is the oldest one by a wide margin now operating in the world, and it was not written on the basis of a philosophy of faith in man. It was written on the basis of a realistic conception of the nature of man, wholly aware of the fact that man is potentially good—that's why we trusted ourselves with free Government institutions—but also deeply aware of the fact that man who is potentially good is also potentially a beast. Therefore, we would not trust the Government we set up with unqualified power. Therefore, we established governmental institutions that separated power and dispersed control. The reason we separated power and dispersed control is that we did not trust man with unqualified power, power that was not dispersed. In other words, we had a realistic theory of the nature of man. We saw him not just as mind, but we saw him as potentially evil in character; we saw even the potentially angelic element in man as, under the trust of complete power, most vulnerable indeed to the temptations and the lusts for power that bring out the bestial.
>
> The Greeks had, as they often did, a word for it. The word "idiot" as we use it today describes, technically, a type of feeble-minded person and, popularly, a person who is very stupid and incapable of intellectual effort, one who has an idiotic way of doing things. The Greek word, of course, meant something very different, although it is the word from which we drew ours. The Greeks used the word "idiot" for a man who might have very keen analytical capacity, who might be a scholar, but who had no interest in the whole of things. The Greek idiot was an altogether private man. He had no public spirit, as we might express it. He had no awareness of his being part of a larger whole. In that sense, we can say that the American college and university, with all of its specialists who know only one thing and are very little interested in the total impact of all these separate things on the whole of the young personality for which they are responsible, contains—in the original Greek use of the term—a larger percentage of idiots than the population of the country as a whole.
>
> And the whole of public life is full of idiocy in the Greek sense of the term, because all of public life is rooted in the assumption that the determining fact of all public policy is its bearing on the pursuit of higher standards of material living. This is taken for granted on the right as well as on the left. Presidential candidates differ in the United States not in their acceptance of this objective, but in methods of achieving that objective. Some Democrats will say that we can achieve it with a little more public action, some Republicans with a little less public action, but they will all agree that the purpose should be the increase of material standards of living. But increasing material standards of living implies more specialization, more division of labor, more conveyor-belt, doing-just-one-thing-all-the-time action, because that's the way in which analytical man has demonstrated that he can increase material returns per individual involved in production.
>
> If there is anything to the picture I have presented here, it will be observed that the implications of the public drive toward increased productivity, toward applied science and technology, toward specialized, conveyor-belt production, is a sharper drive toward increasingly specialized use of only a small part of man's whole personal endowment. The danger of increasing unawareness of the need for cultivating the whole of a balanced human personality is implicit in the temptation to increase vocational and specialized pressures directly related to economic as well as to defense needs.
>
> Historically and morally we know that freedom is anchored in a realistic view of the nature of responsible man, and in his nature as a whole. And this has challenging educational implications especially in a time in which family, church and community have in varying ways lost a good deal of their effectiveness as educational agencies. Man has a body as well as a mind, man has glands as well as a brain, and free man has a need for disciplined emotions as well as for a disciplined mind. It may be a fatal gap in our total defense of free society to overlook the role of disciplined emotion, trained imagination, the significance of rhythm, tradition and ceremony, the cultivation of the subjective and the valuational in our exclusive pursuit of intellectually and economically productive byproducts of specialized competence.
>
> There is great peril in a blind continuation of present educational tendencies to serve existing vocational needs in our rapidly shifting economic order. Automation and modern scientific developments have given a special urgency to Woodrow Wilson's warning more than 50 years ago that "the man of special skill can be changed into an unskilled laborer overnight." If public education is to be genuinely in the Nation's service it should be deeply concerned with the erosion of community values and all the other unplanned and unintended cultural byproducts of the proliferating variety of economic and technical interests which are part of the mainstream of our economic life. We should increasingly think of education as concerned with the total of the formative influences that are brought to bear on our youth by the American community. The content of formal education should be modified in accordance with observable shifts in the formative impact of other social activities such as those of the church, the family and the increasingly more significant influence of competitive advertising in the press, in the movies, in radio and in television.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I will yield for a question.

Mr. CARLSON. I wish to inquire of the Senator from Arkansas if he is quoting the views on education of someone else; or are they his own views? Personally I think it is a very fine statement.

Mr. FULBRIGHT. I am reading from a statement by Dr. Harry D. Gideonse, president of Brooklyn College, and former president of the Woodrow Wilson Foundation. I shall comment on his observations in a few moments.

I continue to quote from Dr. Gideonse:

> There is a sense in which freedom will ultimately be preserved or lost in this Nation's educational establishments. No amount of technological productivity and no increase of professional military proficiency can overcome the vital fact that the effectiveness of a nation's total performance in the world community will be finally determined by the disciplined will and purpose of its youth, and by their commitment to and their experience with the values of free men and women. These qualities are not byproducts of specialized or vocational scholarship, and they are not supplied by a program of supplementary verbal indoctrination as if they could be finally added to the program of instruction much in the manner in which a fudge sauce is poured over a dish of ice cream.

That ends the quotation from Dr. Gideonse's essay.

Mr. CARLSON. Mr. President, will the Senator from Arkansas yield?

Mr. FULBRIGHT. I yield for a question.

Mr. CARLSON. I should like to inquire again who Dr. Gideonse is and what his background in the educational field is.

Mr. FULBRIGHT. He is president of Brooklyn College. He is a distinguished scholar. I met him some time ago. He has been a leading educator in this country for a number of years and has always taken a very enlightened interest in public affairs, which not all academic people do. But I think he was especially qualified to comment upon the subject.

One of the reasons why—and I shall refer to it later—I believe it is especially appropriate here is that we are spending hours, as we do every year, and days, and sometimes weeks, arguing about a matter such as the poll tax, which I think, as I have already stated, has no real, significant impact upon our democracy. Yet we have been unable to pass in Congress—although the Senate has passed it four times—a bill to aid education. Members of Congress who are interested in improving the quality of our democratic processes can help bring it about through better education, just as Dr. Gideonse has stated. I have already quoted George Washington and Thomas Jefferson to the same effect. They were all quite aware of it.

While it is not a time for pessimism, it is not difficult to see that there is need for improvement in the functioning of our democratic system. This need will not be met by eliminating the poll tax. My point is, as it is also Dr. Gideonse's, that if we are going to do anything about it, the obvious, clear, and fundamental way is to do something about the quality of education in this country.

Mr. CARLSON. Would not the Senator from Arkansas agree that so long as we are discussing the poll tax issue, we are at least not enacting legislation which might not be in the public interest of this country, and that this might give us a little breathing spell to think about it?

Mr. FULBRIGHT. I must agree with the Senator from Kansas that in view of the rather unjustified and unwarranted measures, in my view, that have been passed time and time again, there is something in what the Senator says, although I am not sure that we would be passing something that would do more harm to the country than the measure under discussion. The particular measure we are discussing affects the educational system in my State. The money derived from the poll tax in Arkansas is devoted to the public schools. I represent a materially poor State. It is a much poorer State than the State represented by the Senator from Kansas. Approximately $600,000, the amount taken in by the poll tax in the traditional way, is devoted to school purposes.

There has been no complaint about it. The people in my State submitted this question to a referendum some 8 years ago. It was done to find out what they thought about it. The question was whether they wished to repeal it. They voted by a very large majority to retain it. Ordinarily when the people have an opportunity to repeal a tax, 9 times out of 10 they will vote to repeal it, no matter what the tax is.

I believe the Senator will agree with me that taxing is not one of the most popular functions of government. In this case the people of my State voted to keep the tax as it was. It is a tax from which a substantial amount of money is derived for the schools. I do not like to include the Senate in this statement, because in my opinion the Senate has performed very well on aid to education. It has passed an aid to education bill four times. It passed a good education bill last year. So I do not believe that we in the Senate should bear any blame. We passed such a measure four times. The other body has failed each time. It has always been able to tie it up or kill it. In the light of that action it seems the height of absurdity and indefensible to deprive a State that needs the money, as does mine, of this source of revenue. If we are not going to get the kind of assistance we ought to have from the Federal Government, we ought not to deprive the State of the right to collect taxes from its own people.

If the Members of this body sincerely want to improve our society and make our Government more effective in the long pull, we should be discussing the status of our educational system and what can be done about it rather than this emotional issue which will have no bearing on the success or failure of our democracy. I received a letter a day or so ago from Mr. C. C. Stuart, Arkansas City, Ark., who is president of the county school supervisors association in my State. I quote this letter for the information of the Senate:

DESHA COUNTY BOARD OF EDUCATION,
Arkansas City, Ark., March 17, 1962.

Re poll tax bill.
Hon. J. W. FULBRIGHT,
U.S. Senate,
Washington, D.C.

DEAR SIR: The county school administrators of Arkansas requested me, as their president, to express to you our hope that the school funds lost by this legislation, should it pass, will be replaced by some form of amendment.

It has been our experience that election rights are not affected by our poll tax requirements.

We take this opportunity to express to you our deepest appreciation for the support you have given to securing a wider financial support for our schools in Arkansas.

Yours truly,

C. C. STUART,
President, Arkansas County School Supervisors Association.

I believe that the very least that the sponsors of the amendment should do is to join to it a provision providing for the States the money that they will lose by the passage of the amendment. In our case it approximates $600,000.

I hope the senior Senator from Florida [Mr. HOLLAND], if he intends to press the amendment, and the other 67 sponsors, will support an amendment making up to the State of Arkansas the money that it will be deprived of by adoption of this proposal.

I believe that Mr. Stuart makes a very good point. He suggests that some form of amendment should be added. I have been thinking about what kind of amendment can be offered under the present parliamentary situation. It is a rather difficult problem, when we have before us a bill creating a memorial for Alexander Hamilton, and the proposed constitutional amendment will be offered as a substitute. Under the circumstances I am not quite certain how I could go about adding a provision which would replace the $600,000 which will be taken away from the schools of my State. I would solicit some advice from my colleagues as to how we might make up this loss.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield for a question.

Mr. CARLSON. I am wondering whether the Senator from Arkansas could inform us if we are again to consider the Stella School bill, which I know is still on the calendar.

Mr. FULBRIGHT. I do not know. I get the Senator's point. We find ourselves in a similar parliamentary situation.

I note that the Senator from Florida has returned to the Chamber. I have read a letter from the president of the Arkansas County School Supervisors Association, which reads as follows:

DESHA COUNTY
DEPARTMENT OF EDUCATION,
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We take this opportunity to express to you our deepest appreciation for the support you have given to securing a wider financial support for our schools in Arkansas.

Yours truly,

C. C. STUART,
President, Arkansas County School Supervisors Association.

I have just said that the complex parliamentary situation is bothering me a little. I believe that in all fairness the Senator from Florida, being the principal sponsor of the resolution, ought to find a way to help me discover how to replace the $600,000 of which his amendment, if it is adopted, will deprive our school system. We are not a rich State, like the great State of Florida, which siphons most of its accumulated wealth from all of the other States.

We are very hard up for money for schools. I hope the Senator will give consideration to finding a way by amendment to replace the $600,000 which will be taken from the Arkansas schools if his proposal is enacted.

Mr. HOLLAND. Mr. President, will the Senator from Arkansas yield for a question?

Mr. FULBRIGHT. I yield for a question.

Mr. HOLLAND. Does not the Senator know that the enactment of this amendment and its ratification by the States would not interfere in the slightest with the present law of Arkansas or with the present collection of the poll tax in Arkansas? Does he not know that the only result of the adoption of the amendment would be to lift the requirement of poll tax payments as a prerequisite for voting for electors for President and Vice President and for Senators and Members of the House of Representatives? Does he not know that his great State of Arkansas could still have its poll tax; that its people could still pay it; that its teachers could still get it; and that the requirement of the poll tax payment, so far as this measure is concerned, could still exist with reference to voting for Governor and all other State, county, and local offices? Does not the Senator from Arkansas know that?

Mr. FULBRIGHT. I know that; but before the Senator came into the Chamber, I said the people of Arkansas had voted on this question. It was submitted in the form of an initiated amendment only 6 years ago. It was one of the few instances I can recall in which the people are asked if they wish to continue a tax upon themselves or to do away with it. The people voted by a large majority to continue the tax.

I agree that it would always be possible to adopt some other tax or try to get the revenue in some other way. But to abolish the poll tax would cause difficulties. Its abolition through the passage of this measure would upset a traditional way to raise revenue for schools.

Arkansas does not have, as many States I have mentioned do have, a provision by which a person can be put in jail if he does not pay the poll tax. As I understand the law in Vermont and New Hampshire, if a person does not pay the poll tax there, he can be put in jail. That is a very effective way of increasing tax collections.

If a person in Arkansas does not pay the poll tax, no one will come around to attach his property, arrest him, or put him in jail. In Arkansas a person who does not pay is left alone. The payment of the poll tax is voluntary. One does not have to pay it unless he wishes to vote. I was surprised to learn in my research that one could be put in jail in some New England States for not paying the poll tax.

Mr. HOLLAND. Mr. President, will the Senator from Arkansas yield for another question?

Mr. FULBRIGHT. I yield for a question.

Mr. HOLLAND. Does not the Senator know that the proposed amendment which the Senator from Florida hopes he will have an opportunity to offer does not affect in the slightest the right of the State of Arkansas, under its present

poll-tax law, to continue to collect the poll tax and to continue to require the payment of a poll tax as a condition for voting for State, county, and local offices? Does not the Senator think it is almost unkind of him to allow the official in Arkansas who has written him to believe that this amendment really affects him in that way at all?

Mr. FULBRIGHT. If I understand what the Senator from Florida is saying, it is that if the proposed amendment were enacted, it would have no effect whatever upon the operation of the Arkansas poll tax since payment of a poll tax could still be made a prerequisite to voting for State and local officials. However, voting for Federal officials is one of the greatest incentives to voting, as the Senator from Florida well knows. The Senator can look at the record of the payment of the Arkansas poll tax in national elections and learn that the income from that tax is always substantially higher—and I am sure it is higher in other States—in the presidental election years.

The poll tax provides a substantial sum for the school fund. I think the proposal to abolish the poll tax is an attempt to intervene in the affairs of Arkansas and deprive us of that amount of revenue.

Mr. HOLLAND. Mr. President, will the Senator further yield for a question?

Mr. FULBRIGHT. I yield for a question.

Mr. HOLLAND. Does not the Senator recall that while he was speaking the other day in response to questions asked by the Senator from Mississippi [Mr. EASTLAND] and the Senator from Alabama [Mr. HILL], it was made abundantly clear that it was not elections for presidential and other national offices that brought out the heavy votes, but elections for courthouse candidates, local candidates, and State candidates that resulted in heavy turnouts? Does he not recall that it was in those years that the poll-tax receipts were the heaviest? Does not the Senator remember that?

Mr. FULBRIGHT. I do not think that is entirely true. Very often in special county races that is true. But the situation varies from year to year. Some elections are held with very little interest; but at another time the issues and the candidates stimulate a large turnout. In Arkansas, there is always a heavy vote in the general election in a presidential election year.

My State is a little different from the Senator's State, as all States are different. Thank God they are not all the same. Arkansas does not have as many Republicans as does the Senator's State of Florida; but we still have a good number of them. They get busy and vote in large numbers in a national election. They do not vote in such large numbers in what we call strictly local elections. But every 4 years, when the presidential election is held, the Republicans turn out in threateningly larger numbers. Recently they came pretty close to winning—too close for comfort. In any case, they vote in very large numbers in presidential election years.

The Civil Rights Commission has not found any evidence that the poll tax is used as a discriminatory device. Certainly that is true in my State.

I predict that the poll tax States will be called upon to institute a new source of revenue if the proposed amendment is enacted. Something different will have to be done. I do not know what the solution will be, but it will necessary to raise more money. It will be necessary to have another tax, or else to do without the revenue which is now being received.

As I see it, the poll tax does no harm to our democracy or to voting in the States. At the same time, it provides a substantial sum of money for our educational system.

I do not wish to repeat it, because I do not for a moment want to reiterate my argument. However, I have already described the same situation in Texas. The $1.75 poll tax in Texas goes to the schools.

Mr. President, Mr. Stuart, in his letter, has pointed out one of the major considerations which has influenced my attitude toward this proposed amendment. I certainly agree with him that Congress should, if it approves this proposal, enact some measure which would replace the school revenues which will be lost in Arkansas and other poll-tax States by the adoption of this amendment. Of course, I hope that Congress will go much further and will approve a realistic general Federal aid to education proposal at this session. In spite of the substantial majority which approved the Federal aid to education bill in the Senate last year, as evidenced by the 49 to 34 vote, the House of Representatives appears to be hopelessly bogged down, and the outlook for final passage of a bill this session is rather dim.

Mr. HOLLAND. Mr. President, will the Senator from Arkansas yield for a question?

Mr. FULBRIGHT. I yield for a question.

Mr. HOLLAND. Did the Senator give any thought to the financial question when he so kindly joined with the Senator from Florida in introducing this amendment in the 82d Congress, the 83d Congress, and the 84th Congress, over a period of 6 years, during which he evidently thought the amendment would be good for his State and for the whole Nation?

Mr. FULBRIGHT. I certainly gave thought to this aspect of the question. In practically every measure that comes before the Senate there are some plusses and some minuses. Nevertheless, if it were to be done, I thought then that this was a better method than to accomplish it by mere approval of a statute. It would do much less violence to the Constitution.

Mr. President, I believe that before the Senator from Florida entered the Chamber, I had made the point that even though we are faced with an overwhelming majority—as apparently we are, at least judging from the number of sponsors of this proposal—in favor of the proposal now under discussion—at least the Senator from Florida is proposing to follow the constitutional method by which this matter could be changed in contrast to proposing that the change be made by means of an ordinary statute. As he knows, several former sponsors of the Senator's proposal were faced with the alternative of either sponsoring and supporting a proposed constitutional amendment or having a statute passed to abolish the tax. Such a statute would clearly be unconstitutional.

Of course, having so little respect for recent decisions of the Supreme Court of the United States, we did not wish to take the chance of hoping that the Supreme Court would declare such a statute unconstitutional, although it clearly would be.

However, today all we are faced with is a proposed constitutional amendment. Of course, if the Senator from Florida has the good sense to withdraw or drop his proposal—and I think he should do so—and if the Senate were then to proceed to the consideration of a bill dealing with this subject, I would oppose the bill, too.

At any rate, I am trying to point out that the real danger to our democracy is not the poll tax which is imposed in only five States. Instead, the real danger lies in our general neglect, as a nation, of education over the past 50 years.

I am sure the Senator from Florida has no idea how difficult it is to find new tax funds in a State as poor as my State is. The other day I read that lots at Cape Canaveral or at Cocoa Beach, or at some other place in that area, which 15 years ago sold for $10 each, are now selling for $50,000, or some such figure. I am sure the Senator from Florida knows all about those matters. In Florida, the money is pouring in so rapidly and in such great quantities that the people there have difficulty finding places or ways to spend it. However, that is not at all the case in Arkansas; and it would be a blow to our schools to be deprived of this revenue.

So I hope the Senator from Florida will give sympathetic consideration to some way to replace or make up for the loss of the funds which enactment of the constitutional amendment he proposes would force upon my State. At least, I solicit his sympathetic consideration in that connection.

Mr. President, the Congress should be concerned with the quality of the electorate; but the failure to pass a Federal-aid bill over all of these years that such a bill had been considered indicates that this concern is not very deep. Admiral Rickover, the father of the atomic submarine, and one of the Nation's most incisive commentators on our educational system, in a speech in Chicago last October made some very cogent comments on education in a democracy.

Mr. President, Admiral Rickover is, I believe, one of the few persons for whom the Congress itself intervened and, we might say, overrode the military brass, by conferring upon him a great honor; and that action was entirely nonpartisan, and was an innate, instinctive recognition by Congress of his great ability.

In the speech which Admiral Rickover made last October in Chicago he said:

I suggest that political education should consist of a carefully planned course of studies in history, government, geography, economics and literature, continuing through elementary and secondary school and designed to awaken youth to an appreciation of the value of democracy and of its meaning. Children who are familiar with the tragic story of mankind's long and bitter struggle for political freedom, so rarely crowned with success, are not likely to take their privileges for granted. They will recognize them for the priceless heritage they are and wish to pass them on to future generations. These studies also help youth shed the childish notion that one can go through life demanding rights without recognizing the necessity of giving something in return. A child takes his first step toward political maturity when he understands that in the adult world right and obligation are correlative ideas. The next step is to rise above infantile dreams that look upon government as a cow that magically produces milk without being appropriately nourished. In reality all public disbursements come out of the pockets of the people. The account will be balanced either in a fair and orderly way through taxes or in a cruel and inequitable way through inflation.

The student will have attained full political maturity when he realizes that he is personally responsible for making democracy work; that he has no alibi if his country is badly governed; when he overcomes the myopia that afflicts persons who are wholly centered on self; when he attains the long-range vision that lets him see that the national interest is part and parcel of his own personal interest. There can be no real conflict between national and private interest when sovereignty is vested in the people. Only badly educated voters willingly turn their nation into a weak pressure group state.

Mr. President, that passage brings to mind what is likely to be the next step if this misbegotten measure is passed—and that is to try to establish a uniform literacy test for voting. I think the entire passage I have read just now from the speech made by Admiral Rickover has considerable pertinence to that issue. And the passage of the measure now being urged upon us would amount to the removal of a further link in our constitutional system, which has served us quite well.

In his speech, Admiral Rickover continued as follows:

Our schools are much concerned with developing democratic and friendly attitudes in children and familiarizing them with parliamentary procedure; this is all to the good. But it is even more important to develop in them an attitude combining firm devotion to basic political principles, with flexibility toward means for attaining them. If we want to preserve our political principles, we must periodically reexamine and bring up to date the machinery through which these principles are put into effect.

Any program of political education for our children must keep in mind that the public virtues we must nurture in American youth are on the one hand self-reliance and independence of spirit, on the other hand readiness to cooperate, to accept the verdict of the polls, and if it goes against you, to act as a loyal opposition. Central to our concept of a free society is the autonomous individual who uses government as a means whereby he joins with fellow citizens in the pursuit of common ends. Government is not an alien "they" to him. He cannot indulge in the luxury of blaming what they do, for sovereignty is vested in him and it is he who has voted into office the men who govern him.

Nor should he fear or mistrust his Government for it is the only agency in his society over which he has effective control, and this is as true of Federal as of local or State government. There should be no conflict in his mind between the dependence of government on his consent and the power of government to enforce the law. He must obey the laws. If he deems them unjust, he is free to combine with like-minded citizens and elect men who will change bad laws. He must submit to being governed by persons who have been entrusted with legislative, executive, or judicial powers of government, but he reserves the right to scrutinize their performance and to criticize it in public.

This right to scrutinize and criticize extends to all agencies of government, including tax-supported public schools and universities. Educators sometimes forget that they are public officials, as when they deride criticism or claim that only professional educators have a right to judge the performance of the school. In our free society no public agency may demand to be exempt from public judgment. Were this not so, our liberties would soon vanish. Citizens in free societies safeguard their freedom in private life by their very participation in public life. The people themselves are the guardians of their several inalienable rights, each citizen being in truth the keeper of his brother's liberties. The Nation's business is the business of every one of us. It is our right and duty to talk on public issues after we have examined them and thought about them to our best ability. Schools that provide life or group adjustment instead of genuine education, people and institutions who attempt to degrade free, self-determining citizens into conforming organization men and vilify critics of the status quo—whether they know it or not, they all are busily at work eroding the very foundations of our free society.

Mr. President, there is a pressing need for improvement at all levels of our educational system. In May of last year in the Senate I made some remarks on the Federal aid to education bill, which I wish to recall:

Our people must not only be trained in ever increasingly difficult technical skills, but also in the development of those human traits which make up the political, economic, and social man. It is not enough if our scientists are experts in their technical field but know nothing outside and beyond their specialty. The degree of development in technical skills will not be the factor that determines our future. Our society's future will be molded by our success in creating self-discipline in our young people and imbuing them with an understanding of American traditions and institutions. According to Herbert Spencer, the overall object of education is the development of character. The quality of the character developed by our educational system in turn determines our national character.

The need for an educated citizenry is more crucial today than ever before. The world has entered an era of great instability filled with both dangers and promises. Great changes are taking place daily which are shaping the future world which our children will inherit. Remarkable advancements are being made in all fields of science—from the development of the power to split the atom to a cure for polio. Scientists have opened new vistas of knowledge which can be applied either to destroy civilization or to cure many of the problems of mankind. At the same time, our capacity for understanding and getting along peacefully in the world has not kept pace and—if anything—has deteriorated. Whether we use this fund of knowledge for mankind's benefit or his doom will, in large measure, be determined by what kind of educational system we have.

If our youth are to be equipped to cope with this complex world, we must improve our educational system at all levels. It is not enough to educate them for adjustment to present conditions. They must be armed with knowledge which will enable them to shape and master the future.

Charles E. Silberman has summed up the requirements of a modern education system, as follows:

"To be practical, an education now must prepare a man for work that doesn't yet exist and whose nature can't even be imagined. This can be done only by teaching people how to learn, by giving them the kind of intellectual discipline and the depth of understanding that will enable them to apply man's accumulated wisdom to new conditions as they arise."

The demands on our educational system were never greater and, if they are to be met, we must have a drastic revision in our sense of values.

In our society we must make sure that every individual has the means to develop his full intellectual potential. A quality education should be available to every boy and girl, whether he or she is from Arkansas or California. Waste in human resources is too costly in a democracy. The uneducated or undereducated man is not only incapable of being an effective participant in the democratic process, but also does not make his fair contribution to economic progress.

Education and economic progress go hand in hand. Each is essential to the other. Education more than any other factor raises the productivity of a nation—and of the individual. Industry today is more dependent on education than ever before. Automation—and technological progress in general—dramatized the vulnerability of the uneducated man to machine competition. In order to meet the challenge of this new industrial era, our educational system must be revised and updated.

The makeup of our labor force is changing rapidly, reflecting new technological developments. Occupations requiring a high educational level are expanding rapidly, while those requiring little education are contracting. The reasons for this trend were well stated by Dean Francis Chase of the University of Chicago when he said:

"The qualities essential to employability and productivity are coming closer and closer to the characteristics that have long been attributed to the educated person."

In 1910, considerable education was required of only a third of the labor force. This has now risen to one-half the labor force. The day is approaching rapidly when the man with only his energy to sell will have nothing to sell. Obviously, it would be a waste of time and money to give every young person a college education. But we can insure that every person has a chance, and is encouraged to develop his full intellectual capacity. If we do less, we shall be wasting the Nation's most valuable asset—the brainpower of its youth.

Mr. President, it goes without saying that the primary responsibility for operation and administration of the schools must continue to remain with the State and local governments. This fact, however, does not detract from the need for more attention to education on the national level. In 1960 almost 21 percent of those taking the selective service mental test failed to pass. I am sorry to report that 47 percent of the young men from Arkansas failed this test. This is a shockingly high percentage. It indicates not only the need for a renewed effort nationally in the field of education, but also the tremendous job that must be done in bringing the school systems of the underdeveloped States, such as Arkansas, up to a par with the national average. We have a long way to go in this country in bringing the educational level of our citizens up to where it should be in a representative form of government such as ours.

At this point I invite the attention of my colleagues to an interesting article which appeared in the May 7, 1961, issue of the Washington Post. This article, entitled "The Anatomy of Unemployment," clearly shows the relationship between lack of education and the unemployment problem. The subtitle, "Our Technology Outruns Education," is well chosen. Senators, especially those from the more industrialized States, will, I believe, be interested in some of the points brought out in this article. I read from the article:

THE ANATOMY OF UNEMPLOYMENT—OUR TECHNOLOGY OUTRUNS EDUCATION

(By Frank C. Porter)

In the play "Tobacco Road," Jeeter Lester let a handful of arid, wornout soil trickle through his fingers.

It was worthless land, he said—couldn't even grow turnips on it anymore. But it was his land, the land on which he had grown up and his daddy before him. Jeeter would be damned if he'd ever leave it.

If Jeeter Lester couldn't hoe turnips, anymore, what could he do? Operate a turret lathe, design missile parts, program a computer, manage a laundromat? No, none of these. He was too old to retrain for even the most simple semiskilled jobs. And even if he were younger, the training might not take.

Most of America's 4.9 million unemployed are not Jeeter Lesters. But for a great many of them, his quandary is theirs. And it illustrates the lack of human mobility and skills which underlie this Nation's chronic unemployment problem.

With most economists agreed that the recession bottomed out in February or March, the unemployment picture has brightened somewhat. The jobless total is down from 5.5 million 2 months ago and the unemployment rate of 6.8 percent is off slightly from the 6.9 percent recorded in the recession trough.

But no matter how bright the economic skies become, a hard core of substantial unemployment is expected to remain. After each of three preceding recessions, U.S. unemployment has leveled off on a progressively higher plateau—at approximately 2.5 percent of the labor force in 1952–53, at 3.8 in 1956–57, at about 4.7 in 1959–60.

The Kennedy administration has made unemployment countermeasures its first order of domestic business. But its approach is two-pronged. Part of today's joblessness—but only part—has been caused by the economic downturn from which we are just emerging, it believes. The remainder is chronic and the result of longer term influences.

Idle workers can be broken down into a number of groups:

Unemployables, who for various reasons—alcoholism, recurrent illness, laziness, a compulsion to punch every foreman on the nose—simply can't hold down a job for long.

The so-called frictionally unemployed—mostly those workers who are between jobs.

Cyclically unemployed—victims of the business cycle who are let go when the consumer slows his buying pace and when inflated inventories call for production cutbacks.

Those affected by a shift in demand. As the public changes its buying habits—purchasing more boats and fewer automobiles, say—a particular industry may have to lay off employees permanently by the thousands.

Those affected by a geographical shift. Textile firms, in pursuit of lower taxes and cheaper labor, deserted New England for the South, leaving thousands of unemployed in their wake.

The technologically unemployed.

The latter three factors are generally considered responsible for the bulk of chronic or structural unemployment.

And of the three, the technological factor is the most disquieting. Experts disagree over automation. Some, notably labor economists, feel that it is bringing a net decrease in the number of jobs available to industrial workers. Others insist that it will create more jobs than it destroys.

But no one can argue against its current impact. In 1947, for example, 649,000 production workers turned out 4.8 million motor vehicles; last year 612,000 workers produced 7.9 million.

Ten years ago the steel industry needed 540,000 men to produce 96.8 million tons of raw steel; last year 99.3 million tons were turned out with only 462,000 workers.

Machines will eliminate some 4 million office and clerical jobs in the next 5 years, according to a report compiled by Representative ELMER J. HOLLAND, Democrat, of Pennsylvania, for President Kennedy last February.

Robots which will displace thousands of assembly line and packaging workers are already in production. Computers run entire oil refineries and chemical plants with only a few men needed to handle the controls.

The vending machine industry has put its ingenuity to work developing devices that eliminate theater ticket sellers, parimutuel window operators, department store clerks, lunch counter personnel, cashiers, mutual fund salesmen, and a great many others.

Front loaders are eliminating the man with the shovel; mechanical crop pickers are displacing field hands; bootblacks are losing out to mechanical shoe cleaners.

And yet, in the midst of all this, jobs go begging, go begging by the thousands.

A knowledgeable report by the Wall Street Journal last week told how the Illinois State Employment Service is having trouble filling eight clerical vacancies on its own staff. Its counterpart in Cleveland says it is unable to fill 1,000 jobs each month, mainly in the clerical and sales fields.

The motel industry is sounding an urgent call for at least 90,000 new employees during 1961.

The United States is short at least 250,000 auto mechanics and nobody is training anyone, the Good Car Keeping Institute complains, despite thousands of laid-off auto production workers who could easily be converted.

The fast-growing computer services industry clamors for programers and is training high school students to relieve the shortage. In the next decade, more than 200,000 more programers will be needed, it is estimated.

The same conditions obtain in a dozen fields: In teaching, in engineering, in top level executive positions, in sales.

The paradox is easily answerable. Most of today's unemployed are not qualified to fill the hundreds of thousands of unfilled jobs.

The Wall Street Journal offered statistics showing that the rate of unemployment among professional and technical personnel in March was only 1.6 percent, less than the amount usually attributed to frictional unemployment alone.

The rate among clerical personnel was 4.9 percent; among skilled workers, 9.1; the semiskilled, 12.1; and unskilled workers, 19.1 percent.

This would tend to show that the chances of unemployment are inversely proportional to a worker's educational level.

Officials within the Kennedy administration have been discussing ways and means of training, retraining, and even relocating displaced workers. A concrete step was taken a few weeks ago when Labor Secretary Arthur J. Goldberg set up an Office of Automation and Manpower, one job of which would be to help relocate and retrain workers for new jobs.

The task may be too monumental, however, for any single agency or even for the massed resources of the entire Federal Government. The root of the problem is in the very heart of our educational system and in the aims and attitudes of 180 million Americans.

As the Wall Street Journal suggests, the problem of school dropouts is a major factor contributing to the serious shortage in specialized skills. Until recently, the dropout was considered the special province of the sociologist; now he has become the concern of the economist.

The Labor Department estimates that of the 26 million persons from 14 to 24 entering the labor force in the 1960's, some 7.5 million or 30 percent will not have completed high school. And of these, 2.5 million won't even have a grade school education.

These 7.5 million youths will find jobs increasingly tough to come by. Most of the work they could have done a generation ago will not longer exist; much of it will be done by machine. Meanwhile, as many of them join the ranks of the unemployed, the need for qualified persons to design and build and run and program the machines will become more and more acute. Far from being just a sociological problem, the dropout will prove a drag on the Nation's economy and its potential for growth.

In essence, this Nation's technology has outrun its education. We have built a machine that promised to save us labor and create more leisure. Now we must work and think harder than ever before to keep it going.

Mr. President, the retraining bill recently signed into law indicates that Congress is concerned about the human displacements caused by our growing technology. But it does not go to the root of the problem, which is education geared to meet the needs of a highly complex economy.

In recent weeks there has been much public discussion about school dropouts. A recent report by the Arkansas State Department of Education indicates that about 70 percent of the Arkansas students entering the first grade do not complete high school. This is a frightening situation which cannot help but act as an oppressive drag on Arkansas efforts to build a more prosperous economy.

The problems of meeting the demands on our educational system will get worse before they get better. The school age group since 1950 has grown twice as fast as the total population. Public school enrollment last fall reached a new high of 37.5 million and is expected to go up by more than 1 million next fall. President Kennedy, in his recent message on education, said that by 1970 the Nation must provide facilities for 14 million more elementary, secondary school, and college students.

In 1949 an estimated $5 billion was spent for public elementary and secondary education. This increased to almost $17 billion in the last school year.

Although expenditures have tripled in a little over 10 years, it is expected that more than $30 billion will be required in the 1968–69 school year just to maintain existing standards. The Rockefeller report on education pointed out that, in spite of the fact that educational expenditures are rising rapidly, the percent of gross national product devoted to education has remained relatively constant at about 3.5 percent since 1930. The net result has been that there is a smaller expenditure of the GNP per pupil proportionately today due to the rapid rise in enrollments. We still spend as much on tobacco and alcohol and over twice as much on purchase and operation of automobiles as we do on public elementary and secondary education. It would be interesting to know what historians several centuries from now will say about a nation that spends three times as much on its military establishment as on its public schools.

The status of teachers in our public schools is a national disgrace. They are woefully underpaid and overworked. It is not surprising, in view of the low status of teachers, that we have such serious difficulties in attracting and retaining qualified teachers. An Office of Education report stated that 89,700 or 6.1 percent of the teachers in public elementary and secondary schools did not meet full certification standards this year. It is surprising that the number is not larger, in view of our complacency toward the teaching profession. Until we give teachers true professional status and salaries commensurate with their positions, we cannot hope to attract the best talent available.

I have spent considerable time today discussing education because I firmly believe that this is a subject that should receive priority attention from the Congress this year, although there is little hope that it will be accorded this status. The question of whether or not five States are to be deprived of their right to levy a poll tax is an inconsequential issue in comparison to the Nation's educational problems. Although the Southern States, which are still suffering from the effects of the Civil War, need financial assistance for the schools more than any other section, there is still an obvious need for the improvement in the educational systems of the more prosperous States—particularly those in the North whose representatives in the Congress are so quick to find fault with the people from my section. There is a particularly urgent need to bring about better education in the North on the meaning of the Constitution.

The poll-tax issue is only a Trojan horse which will inevitably lead to demands for passage of other measures aimed at the South. We are already on notice that an effort will be made to abolish the poll tax by statute. In a few weeks the Senate will be confronted with a proposal to establish a uniform literacy test. No doubt a multitude of other unconstitutional and unwarranted measures designed to embarrass the people of the South and curry votes from minority groups in the North will be presented during the course of that debate.

I, for one, am weary of the meaningless ritual which so-called civil rights proponents force this body to go through every year. It is a waste of time, effort, and the taxpayers' money—and the public business suffers. But there seems to be no escaping this annual effort to purge the South of supposed evils and bad habits. I submit, Mr. President, that the people of the South are no more or no less pure at heart than citizens in any other section of our land. Every section of the Nation has its peculiar problems of human relations. But these problems cannot be solved by passage of a law but only through passage of time and a constantly improving educational system.

As I have said before, there is no evidence that the poll tax is used as a device to prevent Negroes from voting. Even if it were used in this manner, the Federal Government has more than ample authority to protect the constitutional rights of any citizen who has been wronged. Even before passage of the voting rights laws of 1957 and 1960 there was a multitude of statutes on the books which were designed to guarantee enforcement of every individual's constitutional rights. Discrimination and bias cannot be legislated away. As long as human beings act like human beings there will be discrimination and bias. The Members of this body would do well to remember that we cannot legislate goodness.

In closing, I refer again to Dean Storey's comment in the recent report of the Civil Rights Commission on voting. He said:

> Proposals to alter longstanding Federal-State relationships such as that incorporated in the Federal Constitution, declaring that the qualifications of electors shall be left to the several States, should not be made unless there is no alternative method to correct an existing evil. Such is not the case today.
>
> The Federal Government has sufficient authority under the Constitution and the existing framework of laws to enable it effectively to deal with denials of the right to vote by reason of race, color, religion, and national origin.

I hope that Members of the Senate will heed his advice.

Mr. President, I certainly hope the Senate will not consider the joint resolution.

STOCKPILE INVENTORIES

Mr. WILLIAMS of Delaware. Mr. President, several weeks ago the President of the United States in his press conference called our attention to the fact that the Nation has an unnecessarily large inventories in its stockpile. The President made the statement that he thought when all the facts concerning its acquisition had been fully exposed to the American people it would border on a national scandal. He inferred that there had been many instances of unconscionable profits and abuses.

I complimented the President at that time on the fact that he was going to roll the wraps of secrecy from this program. I think the time is long overdue when the American people should be told since in many instances hundreds of millions of dollars have been spent for unnecessary items accumulated in the stockpile. Prices for items many times have been far in excess of market value and far in excess of the prices which were necessary to be paid.

In an effort to get more information on this program, under date of February 9, 1962, I directed a letter to Mr. Bernard L. Boutin, the Administrator of General Services Administration. In the letter I asked for an itemized breakdown showing the amounts of Government inventories of items in the so-called strategic stockpile which are in excess of that amount which has been certified as essential for defense requirements.

I emphasized in the letter that in the report I wished to have not only the quantity and the cost to the Federal Government of the commodities when procured but also an estimate of the annual storage cost. I asked for the report to show how much of each commodity was currently under contract for future procurement and the present price being paid.

In the request for information I emphasized to the Administrator of General Services Administration that I was asking only for this information on those items in our national stockpile which were in excess of our stockpiling needs. Therefore I saw no reason why such information should be classified. Certainly the committee which has been set up by the U.S. Senate upon the request of the President to investigate this program cannot do a good job until at least the committee and the Senate know how much of these inventories there are on hand in excess of our needs. The Congress cannot plan an intelligent program of selling these commodities which are in excess of our national defense needs until there is some knowledge as to how many of these commodities are on hand.

I have been officially advised that there is no reason why there should be any classification of secrecy on this information.

Under date of March 6, I received a complete report from the Administrator of General Services Administration in which he answered the questions I had asked and in which he gave a complete breakdown of the inventories in excess of our stockpiling needs. This report shows the quantities on hand in the national stockpile, the quantities under the Defense Production Act, that which is under the Commodity Credit Corporation barter agreement, that which is under the supplemental program, and some left over from the RFC. The report also gives a detailed breakdown of the cost along with the present market values.

All of these different programs must be taken into consideration when one figures how much there is on hand of each item. To release the information on that which is held under only one part of the stockpile program would give the wrong impression not only to the Congress but also to the American people. All of this information concerning all the programs should be released at one time so that when we speak of how much aluminum, lead, zinc, or other item there is on hand we shall know how much there is on hand as a total, not merely a total for one particular agency.

I have all this information and wish it were possible to put it in the RECORD. Much to my regret, however, the information is marked "secret," even to the extent that it is considered dangerous if Mr. Khrushchev should find out how much castor oil there is on hand over and above what we need.

Perhaps it is thought the small fry of our country will feel more secure knowing that the Government has an excessive stockpile of castor oil to take care of any emergency needs.

To show the complete absurdity of the classification, they have even classified the storage costs on the items.

I have talked with officials in the executive branch, including officials of GSA. They agree that the information could be properly declassified and insist it will be done. For the last several days they have been saying, "Tomorrow I think it will be declassified."

I noticed on the ticker this afternoon that information on our stockpiling program has been declassified, but I quote from the wire service report:

> The information will be made public later at the first meeting of the Symington committee.

In this same release several items are listed which are proposed to be removed from the cloak of secrecy. I supported the establishment of the Symington committee. I think that this investigation is needed. I was glad that the President was interested in telling the American people all of the facts. I still support the committee. But I do not see why, when we as Members of the Senate obtain information, a cloak of secrecy should be placed on such information with instructions that we can discuss it only after it has been officially released through a congressional committee.

I do not think we have to set up a congressional committee and waste the time of the staff and the members of the committee to call a special hearing in order to make available to the public information which could be incorporated in the RECORD by unanimous consent. We have all of that information here, and it certainly does not require a congressional committee to make it available to the public.

Certainly the ability of the members of the committee can be put to a better use. We do not need a congressional investigation to find out how much of these items we have on hand. I have all this information available, right to the dollar and the quantities of each material on hand. If that is all the President had in mind to disclose when he asked for the establishment of the committee I think there will be great disappointment on the part of many of us.

I shall not violate this request for secrecy as absurd as I think it is, but I do express the hope that the President, who has asked for the investigation and who has emphasized the need for letting the American people know the facts, will, by the stroke of a pen, remove all this unnecessary cloak of secrecy and permit us to put the information in the RECORD. Then we can proceed to determine who has been making the unconscionable profits to which reference has been made. I hope the President will take notice of this procedure and then take prompt action to remove the cloak of secrecy. Again I compliment him on the fact that he has expressed concern about the size of this huge stockpile and pledge to him my continued interest and support in exposing all the facts concerning any abuse found in the procurement.

I am glad to note that the chairman of the committee, Mr. SYMINGTON, is present in the Chamber. I repeat, publicly what I have said to him privately, by pledge to give my wholehearted support to his committee in obtaining the facts and placing them before the American people. But I will not be satisfied if when information is obtained in my office a stamp of secrecy is placed upon it solely on the argument that they want to release the information to the public through the committee.

If the information must be classified, if revealing the information would jeopardize the security of our country, I will support the order to keep it secret. But I do not go along with the idea that it can be declassified through the committee hearings. I am sure the chairman of the committee will agree with me that if it is going to be declassified, it should be declassified now regardless of whether or not there may be hearings before a Senate committee.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I am glad to yield to the majority leader.

Mr. MANSFIELD. Mr. President, I think in all fairness to the chairman of the special committee, the distinguished senior Senator from Missouri [Mr. SYMINGTON], it ought to be pointed out that he had made extensive arrangements to open hearings before the Stockpile Committee yesterday morning.

I am assuming, though I do not know, that very likely the same information which was sent to the distinguished Senator from Delaware was also sent to the chairman of the special committee to look into the stockpile situation. However, the committee could not meet yesterday morning because of the fact that the leadership stated that it would object to any committee meetings during the present consideration of the proposal to take up Senate Joint Resolution 29. I would assume that as long as that committee was charged with the responsibility under the direction of the Senate, that it would very likely have been given that information, and that if the information was to be released, it would be released in that manner. But it was not the committee's fault. If there was any fault to be attached to that situation, I think it was the fault of the leadership of this body, because we announced several times we would object to any committee meetings. It has not been easy. I must say that the distinguished Senator from Missouri has been like a bulldog in trying to get the inquiry underway. So I must apologize for the action taken by us in that respect.

Mr. WILLIAMS of Delaware. I thank the majority leader. I wish to emphasize that my criticism of what I consider to be an unnecessary cloak of secrecy being put on the amount of inventories which we have in excess of our needs was not in any way intended as criticism of the majority leader, the Senator from Missouri, or his committee. I wish to emphasize that point; in fact, as I understand it, the same cloak of secrecy has been put on him until his committee meets.

I should like to emphasize again that my criticism was not directed against either the majority leader or the leadership.

The point I am making is that the information which I think would be very important to all members of the committee, including the chairman, the Senator from Missouri, has been readily available since the 6th day of March 1962.

In my conversations with representatives of the General Services Administration from the beginning I agreed that they send to the Senator from Missouri a copy of the information which I had personally requested, because I thought that his committee would be interested in it and it would be of assistance. I am not complaining about it. What I am complaining about is that we go through a great deal of shadowboxing about "releasing it tomorrow." We are told, "It will be released tomorrow," but tomorrow never comes. There is no reason why it should be kept secret, and yet it is still kept secret.

Several weeks ago the President of the United States said that he wished to get all of this information before the American people. I wholeheartedly agree with that statement. I congratulated him then. I congratulated the Senator from Missouri for getting his committee organized promptly. We have the information which I wanted. This information in which I think every Senator will be interested, and information which I am confident will be released in the next few days if we can find out when "tomorrow" is coming. That is what I am complaining about. If there is information in the report which would in any way jeopardize the security of our country I shall be the first man to say, "Take it out."

This is not my first criticism of this cloak of secrecy nor is it the first time that the Senator from Missouri has criticized it. Both of us for years under the preceding administration were asking for the removal of this secret classification.

Much to my regret we were unsuccessful in our efforts.

Neither of us want to release anything that should not be released. But I have been told that there is nothing in this report that, being released, would violate any of the rules of the game. It is information they agree should be released to the public, yet since March 6 I have been waiting. I am confident

that the Senator from Missouri is as anxious as I am to get the information released before the people so that he and the members of his committee can get down to the business of establishing the facts as to how the material has been procured and whether or not excessive prices have been paid. I am confident that the Senator from Missouri is as anxious as I am to get the information released. I am only making this statement now because I have become a little impatient of being put off again with statements that, "Tomorrow we will release a little of it." Today we have been told that the cloak of secrecy is being removed from certain commodities. I am asking that all of the information be released and put in the RECORD.

If we do not have a meeting for another week or so, if the debate on the floor of the Senate continues as it has been going, it will mean that we shall have to wait for another week before we can release the information. My criticism is not against the majority leader or against the chairman of the committee, because the chairman is under the same wraps under which I am at the present time.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. SYMINGTON. I express my appreciation to the distinguished senior Senator from Delaware and I have been working for a long time to get out to the people information with regard to this stockpile. In 1955 I was made chairman of the Subcommittee on the National Stockpile of the Senate Armed Services Committee. Since that year I have done my best to have all of this stockpile declassified which would not help a possible enemy.

On June 2, 1955, I presented my position to the full committee, stating at that time that this classifying, this secrecy, could only cost the taxpayers hundreds of millions of dollars. Nevertheless, it was not possible under the previous administrations to obtain declassification. We tried long, without success.

Finally I went to President Kennedy, and he decided, after the long years of waiting, to take action.

I know that the majority leader will not object to my stating that I pleaded with him not to adopt this unique method of trying to break a filibuster, not permitting hearings; we had long made our plans for yesterday morning.

I believe we have arrived at a method by which we can have a meeting. All it will cost is the pay of a reporter, which cost I shall be glad to assume.

As the distinguished senior Senator from Delaware knows, the items involved are large. These 12 represent about three-fourths of the entire stockpile. I am sure he has at least as much knowledge of this subject as any other Senator, and therefore knows that is true.

Copper has been specifically mentioned, because this stockpile situation is so involved to the average layman, that we decided to take a particular item and run through that item as a start, just to give an idea as to what is involved in this gigantic stockpile problem.

There are some items which cannot be declassified because of national security.

Mr. WILLIAMS of Delaware. I agree.

Mr. SYMINGTON. There are not many such items. However, we must be careful to respectfully present to the Senator this proposition: not later than next week we shall declassify everything, except the relatively few items important to security. As mentioned, the 12 items to be declassified represent three-quarters of what is involved. I ask him to be patient. He and I have worked together on this problem for some time, and it is President Kennedy who now has given approval to what we tried so long and so unsuccessfully to achieve. I say to the Senator in public what I have said to him in private. He has been diligent in this connection. He understands the problem as few of us do. I know we can work together on it, although I must say the other Senators on his side of the aisle who are members of the subcommittee, Senator CASE and Senator BEALL, are worthy additions.

I ask him tonight to be patient, after this long wait, and not object for a few more days. Within the next 10 days, after these many years, I understand the President will approve placing this complete picture in the public domain, except for those very few items which involve national security.

Mr. WILLIAMS of Delaware. I thank the Senator from Missouri. I emphasize the fact that there is no difference of opinion between him and me with respect to the need for classifying certain information. I will go along with him at any time in supporting classification of such information. The Senator from Missouri is correct—he has been critical of what he and I consider to be unnecessary secrecy. I agreed with him in his criticism of too much secrecy in previous administrations. We have tried many times to remove the unnecessary cloak of secrecy.

What was beginning to disturb me was that since March 6 we have encountered a situation in which we have been told that this information is classified, but that it would be released the next day, or the day after. It was always tomorrow. However, tomorrow has never come.

Earlier this afternoon I was told again that the information would be released tomorrow. I have also been advised that aluminum, chromite, cobalt, copper, lead, magnesium, nickel, rubber, tungsten, tin, and two or three other metals are to be declassified. I was told that it was determined that it is not necessary to keep them classified. The decision has already been made that such items are to be declassified, but still we are asked to keep the information secret until someone else tells the story. This is not a game of who makes the release.

Mr. SYMINGTON. It was the attempt of the committee counsel and myself that care should be taken in the first presentation in an effort to set up the problem clearly. This is no fault of the administration whatever. If anybody is at fault, it is I, because we felt so strongly it would be advisable to explain as clearly as possible and in detail what I am sure the Senator will agree is a very complicated situation, especially with respect to these major items. We must be careful, because, as the Senator knows, there are many more stockpiles involved than just the one.

Mr. WILLIAMS of Delaware. That is correct.

Mr. SYMINGTON. All the information should be put out together, in a package, so the people will not be confused—rather, will have an understanding of the many stockpiles. What we have been going through with respect to this situation on the floor of the Senate is the reason we are confronted with this problem, as the able Senator has expressed it. I say "unfortunate" because anything is unfortunate to me when the able Senator from Delaware and I do not agree on matters incident to these various stockpiles.

Mr. WILLIAMS of Delaware. I am not critical of the Senator from Missouri. I know the situation with which he is confronted. To be frank, at first I was not disturbed by the fact that when I received this letter I was told to wait a few days. I did not care whether the information was released through the Senator's committee or through my office. I am not concerned about that one way or another. However, all I have been getting is the promise that it will be "tomorrow, tomorrow, tomorrow." I have the information—so why not let it be released now. The Senator has stated that it is important that it be released all at one time. The information has been accumulated under five different programs.

I do not think it makes any difference who publishes the information. I am perfectly in agreement with the Senator from Missouri and will go along with him because I know from past experience—not only recently, but for several years—that he has been as diligent as any other Member of this body could be in trying to publish the information. He is just as intent upon getting it to the public as I am. I hope that he can obtain a complete declassification not only of these 10 or 12 items but of all the items which can properly be declassified without jeopardizing the national security.

I am willing to accept the Defense Department's judgment as to what should be declassified; I would not venture to use my judgment. But once the determination has been made that the information can be declassified, let the restrictions be removed from all Members of the Senate at the same time. Let us put it out in the open and get on with the rest of our investigation. Again I pledge to the Senator from Missouri my cooperation in helping him to get all the facts before the people.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD my letter of February 9, 1962, to Mr. Bernard L. Boutin, Administrator of the General Services Administration, and his reply to me dated March 6, 1962. I do not ask that the enclosures be printed in the RECORD, because they are classified. However, the letters themselves are not classified.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

FEBRUARY 9, 1962.

Mr. BERNARD L. BOUTIN,
Administrator, General Services Administration, Washington, D.C.

DEAR MR. BOUTIN: Will you please furnish me with a complete report showing an itemized breakdown, with amounts, of the Government's inventory of all items in the so-called strategic stockpile which are in excess of that amount which has been certified as essential for defense requirements.

With this report I want not only the cost to the Federal Government of these commodities when procured, but an estimate of the annual storage charges. In each instance report how much of each item is currently under contract for future procurement and the present price being paid.

You will note I have eliminated from this inquiry requests for any information concerning that part of our strategic stockpile which has been certified as essential from a national defense standpoint, and confine this inquiry to only that portion of our national stockpile which is in excess of our defense requirements.

Yours sincerely,

JOHN J. WILLIAMS.

GENERAL SERVICES ADMINISTRATION,
Washington, D.C., March 6, 1962.

Hon. JOHN J. WILLIAMS,
U.S. Senate, Washington, D.C.

DEAR SENATOR WILLIAMS: The enclosed exhibits furnish the information requested in your letter of February 9 concerning the acquisition cost and estimated annual storage costs for strategic and other materials in the national stockpile and other inventories in the custody of General Services Administration which are excess to current maximum objectives.

The statistics furnished are not classified except as follows:

Exhibit II, part A.1, "Specification Grade Materials in the National Stockpile"; and

Exhibit IV, the column showing national stockpile storage costs.

Parts of these exhibits have been classified "Secret" since the data shown contain information affecting the national defense of the United States.

The "Summaries of Raw Materials on Hand and on Order" (exhibit I) and "Storage Costs" (exhibit III) are furnished to provide you the cost and market value of all strategic materials and the cost of storing such materials in custody of GSA.

Sincerely yours,

BERNARD L. BOUTIN,
Administrator.

Mr. SYMINGTON. Mr. President, I thank the Senator from Delaware. I wish to say to him, before the Senate, that I am counting on him to give us help because of his extensive knowledge of this subject. If we had not had the problem which now confronts us on the floor of the Senate, it is my opinion that by now everything in the stockpile would have been declassified. One must be clear about the Defense Production Act stockpile, which is vast; the supplemental stockpile, which is tremendous; and the national stockpile, which is even greater. We intended to try to make this clear, I assure the Senator.

Mr. WILLIAMS of Delaware. Mr. President, I am delighted to have that assurance from the Senator from Missouri. I am glad to know that it will not be necessary for us to wait until we have paid our poll tax in order to have this information published.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE ALEXANDER HAMILTON NATIONAL MONUMENT — AMENDMENT TO THE CONSTITUTION DEALING WITH POLL TAXES

The Senate resumed the consideration of the motion of the Senator from Montana [Mr. MANSFIELD] to proceed to the consideration of the joint resolution (S.J. Res. 29) providing for the establishing of the former dwelling house of Alexander Hamilton as a national monument.

Mr. THURMOND. Mr. President, I welcome the opportunity once again to express my opposition to the proposed constitutional amendment which would abolish the poll tax as a prerequisite for voting. As I said earlier this week in my first talk on this proposal, if the poll tax is to be abolished on the national level, this is the only way in which it can be done consistent with the Constitution. Even though I do not, and cannot, agree with my colleagues who are advocating this amendment, I must admit that their procedure is correct. However, recognizing the correctness of the procedure and agreeing with the end sought to be achieved are two entirely different matters. My opposition to this proposal stems from other considerations.

As I pointed out previously, Mr. President, South Carolina has done away with the poll tax as a condition of suffrage. During my term as Governor, and upon my recommendation, a constitutional amendment was submitted to the people and approved, thereby doing away with the poll tax as a prerequisite to voting. Even though I have opposed the poll tax as a prerequisite to voting in my own State, it does not follow that I must advocate its abolition on the national level, even by a proper device. Many people would argue that to oppose a proposal on the national level which one has advocated on the State or local level is inconsistent. Nothing could be more absurd. Such an argument reveals an abysmal ignorance of our Constitution and the principles for which it stands.

This is also an area in which the terms "liberal" and "conservative," as used to characterize a person's political philosophy, can be terribly misleading. It must be kept in mind that our Founding Fathers delegated specific realms of authority to the Central Government, and these were severely limited. All other powers not specifically delegated were reserved to the States or to the peoples thereof. It should logically follow, therefore, that the individual States were the repository of the majority of those powers normally exercised by governing bodies. Those were in addition to the powers specifically reserved to the States, such as that to require certain qualifications for voters. These qualifications were adopted by the Central Government as necessary for suffrage in the election of national officials.

Strict adherence to the Constitution would allow a thoroughly dedicated legislator to advocate many proposals on the State level which would be unconstitutional on the national level. This might earn for him the label "liberal" in its generally accepted sense today. And, from all indications, a "liberal" is one who advocates more and more governmental action and intervention in almost every conceivable field of endeavor. The same elected official, if elevated to a position in the Central Government, and still adhering strictly to the same Constitution, would be labeled a "conservative." This follows as a matter of course, because he would necessarily oppose measures which, while within the realm of power of the State, would be unconstitutional on the national level.

This is why the use of the terms "liberal" and "conservative" has no meaning, as those terms are applied in and of themselves. They must be construed within a proper framework of reference, with the Constitution always being considered as the focal point.

It is deplorable that the trend in government today is toward a stronger and more powerful Central Government. Many reasons are advanced in an attempt to justify this current trend. Upon close examination, however, these reasons are found to be of no consequence. The proposal presently before us, although being considered in its proper perspective, is but further evidence of this trend. If the rights of the States continue to be chipped away, our Constitution will have little, if any, meaning left. The danger of encroachment upon States rights was so important to our Founding Fathers that they went to great lengths to dispel the fright which it occasioned. No. XVII of the Federalist papers, which was written by Alexander Hamilton, was devoted to this very question. I should like to read that timely and timeless document, so that we may have the benefit of this wise man's counsel:

> An objection, of a nature different from that which has been stated and answered, in my last address, may perhaps be likewise urged against the principle of legislation for the individual citizens of America.
>
> It may be said that it would tend to render the Government of the Union too powerful, and to enable it to absorb those reciduary authorities, which it might be judged proper to leave with the States for local purposes. Allowing the utmost latitude to the love of power which any reasonable man can require, I confess I am at a loss to discover what temptation the persons intrusted with the administration of the General Government could ever feel to divest the States of the authorities of that description. The regulation of the mere domestic police of a State appears to me to hold out slender allurements to ambition. Commerce, finance, negotiation, and war seem to comprehend all the objects which have charms for minds governed by that passion; and all the powers necessary to those objects ought, in the first instance, to be lodged in the national depository. The administration of private justice between the citizens of the same State, the supervision of agriculture

and of other concerns of a similar nature, all those things, in short, which are proper to be provided for by local legislation, can never be desirable cares of a general jurisdiction. It is therefore improbable that there should exist a disposition in the Federal councils to usurp the powers with which they are connected; because the attempt to exercise those powers would be as troublesome as it would be nugatory; and the possession of them, for that reason, would contribute nothing to the dignity, to the importance, or to the splendor of the National Government.

But let it be admitted, for argument's sake, that mere wantonness and lust of domination would be sufficient to beget that disposition; still it may be safely affirmed, that the sense of the constituent body of the national representatives, or, in other words, the people of the several States, would control the indulgence of so extravagant an appetite. It will always be far more easy for the State governments to encroach upon the national authorities, than for the National Government to encroach upon the State authorities. The proof of this proposition turns upon the greater degree of influence which the State governments, if they administer their affairs with uprightness and prudence, will generally possess over the people; a circumstance which at the same time teaches us that there is an inherent and intrinsic weakness in all Federal constitutions; and that too much pains cannot be taken in their organization, to give them all the force which is compatible with the principles of liberty.

The superiority of influence in favor of the particular governments would result partly from the diffusive construction of the National Government, but chiefly from the nature of the objects to which the attention of the State administrations would be directed.

It is a known fact in human nature, that its affections are commonly weak in proportion to the distance or diffusiveness of the object.

Upon the same principle that a man is more attached to his family than to his neighborhood, to his neighborhood than to the community at large, the people of each State would be apt to feel a stronger bias toward their local governments than toward the Government of the Union; unless the force of that principle should be destroyed by a much better administration of the latter.

This strong propensity of the human heart would find powerful auxiliaries in the objects of State regulation.

The variety of more minute interests, which will necessarily fall under the superintendence of the local administrations, and which will form so many rivulets of influence, running through every part of the society, cannot be particularized, without involving a detail too tedious and uninteresting to compensate for the instruction it might afford.

There is one transcendent advantage belonging to the province of the State governments, which alone suffices to place the matter in a clear and satisfactory light—I mean the ordinary administration of criminal and civil justice. This, of all others, is the most powerful, most universal, and most attractive source of popular obedience and attachment.

It is that which, being the immediate and visible guardian of life and property, having its benefits and its terrors in constant activity before the public eye, regulating all those personal interests and familiar concerns to which the sensibility of individuals is more immediately awake, contributes more than any other circumstance, to impressing upon the minds of the people, affection, esteem, and reverence toward the government. This great cement of society, which will diffuse itself almost wholly through the channels of the particular governments, independent of all other causes of influence, would insure them so decided an empire over their respective citizens as to render them at all times a complete counterpoise, and, not unfrequently, dangerous rivals to the power of the Union.

The operations of the National Government, on the other hand, falling less immediately under the observation of the mass of the citizens, the benefits derived from it will chiefly be perceived and attended to by speculative men. Relating to more general interests, they will be less apt to come home to the feelings of the people; and, in proportion, less likely to inspire an habitual sense of obligation, and an active sentiment of attachment.

The reasoning on this head has been abundantly exemplified by the experience of all Federal constitutions with which we are acquainted and of all others which have borne the least analogy to them.

Though the ancient feudal systems were not, strictly speaking, confederacies, yet they partook of the nature of that species of association. There was a common head, chieftain, or sovereign, whose authority extended over the whole nation; and a number of subordinate vassals, or feudatories, who had large portions of land allotted to them, and numerous trains of inferior vassals or retainers, who occupied and cultivated that land upon the tenure of fealty or obedience to the persons of whom they held it. Each principal vassal was a kind of sovereign within his particular demesnes. The consequences of this situation were a continual opposition to authority of the sovereign, and frequent wars between the great barons or chief feudatories themselves. The power of the head of the nation was commonly too weak, either to preserve the public peace, or to protect the people against the oppressions of their immediate lords. This period of European affairs is emphatically styled by historians, the times of feudal anarchy.

When the sovereign happened to be a man of vigorous and warlike temper and of superior abilities, he would acquire a personal weight and influence, which answered for the time, the purposes of a more regular authority. But in general, the power of the barons triumphed over that of the prince; and in many instances his dominion was entirely thrown off, and the great fiefs were erected into independent principalities or states. In those instances in which the monarch finally prevailed over his vassals, his success was chiefly owing to the tyranny of those vassals over their dependents. The barons, or nobles, equally the enemies of the sovereign and the oppressors of the common people, were dreaded and detested by both; till mutual danger and mutual interest effected a union between them fatal to the power of the aristocracy.

Had the nobles, by a conduct of clemency and justice, preserved the fidelity and devotion of their retainers and followers, the contests between them and the prince must almost always have ended in their favor, and in the abridgment or subversion of the royal authority.

This is not an assertion founded merely in speculation or conjecture. Among other illustrations of its truth which might be cited, Scotland will furnish a cogent example. The spirit of clanship which was, at an early day, introduced into that kingdom, uniting the nobles and their dependents by ties equivalent to those of kindred, rendered the aristocracy a constant overmatch for the power of the monarch, till the incorporation with England subdued its fierce and ungovernable spirit, and reduced it within those rules of subordination which a more rational and more energetic system of civil polity had previously established in the latter kingdom.

The separate governments in a confederacy may aptly be compared with the feudal baronies; with this advantage in their favor, that from the reasons already explained, they will generally possess the confidence and good will of the people, and with so important a support, will be able effectually to oppose all encroachments of the National Government. It will be well if they are not able to counteract its legitimate and necessary authority. The points of similitude consist in the rivalship of power, applicable to both, and in the concentration of large portions of the strength of the community into particular deposits, in one case at the disposal of individuals, in the other case at the disposal of political bodies.

A concise review of the events that have attended confederate governments will further illustrate this important doctrine; an inattention to which has been the great source of our political mistakes, and has given our jealousy a direction to the wrong side. This review shall form the subject of some ensuing papers.

Mr. President, it is indeed significant that this proposed constitutional amendment is to be substituted for a joint resolution to establish Alexander Hamilton's only home as a memorial to his memory. It creates a perplexing state of affairs when a proposal to honor this man, who wrote so eloquently in defense of States rights, is used as a vehicle to further encroach upon them. It is a sad commentary to the memory of Alexander Hamilton that this bill which would establish a memorial to his memory must be shunted aside for this purpose, even temporarily.

Before the Senate gives its approval to another constitutional amendment, we must discuss every facet involved. This, of course, requires an investigation into the circumstances surrounding the enactment of other constitutional amendments. It ill becomes Congress to act irrationally or without proper consideration of other amendments which have been the object of much criticism. In my previous remarks on this proposal, I discussed at length the circumstances surrounding the enactment of the 14th amendment. Another excellent discussion of the dubious origin of the 14th amendment is contained in an article by Walter J. Suthon, Jr., which in effect is an amplification of an address Mr. Suthon delivered to the Louisiana Bar Association in 1953. This article appeared in the Tulane Law Review previous to the Supreme Court's decision in the school desegregation cases which were based on the 14th amendment. The article approaches the question more from a historical standpoint than from a legal standpoint. Mr. Suthon has this to say about the origin of the 14th amendment:

THE DUBIOUS ORIGIN OF THE 14TH AMENDMENT

The 14th amendment to the Constitution of the United States has loomed large in recent years in litigation before the U.S. Supreme Court involving contentions for restriction of State regulatory power and enlargement of Federal regulatory power. Under this amendment—and its companion, or satellite amendment, the 15th—the U.S. Supreme Court, in the past approximately 15 years, has repeatedly rendered decisions aimed at coercing racial integration and breaking down established systems of racial segregation in political, educational, social, economic and other fields in the Southern States—and in some instances outside the South.

It is not the purpose of this article to discuss the merits of segregation—or of its

antitype, racial integration. These are questions upon which each of us has his or her own individual view, belief, and conviction, based on what we think and how we think. What is to be discussed relate to the use of the 14th amendment by the U.S. Supreme Court as an implement for invading the areas formerly reserved to State regulation, or to individual or group action, and for breaking down established systems of racial segregation and setting up compulsive racial interassociation—in effect compulsive racial integration. In this field, the "equal protection of the laws" clause and the "privileges or immunities" clause of the 14th amendment are those most frequently invoked in support of those legal attacks upon our fundamental way of life.

SCHOOL SEGREGATION CASES

There are now pending in the U.S. Supreme Court a group of cases involving attacks upon the constitutionality of our system of segregated public schools, and presenting demands that the segregation feature of this system shall be destroyed by judicial fiat. These cases seek the overruling of the established jurisprudence, predicated in a large measure upon a leading decision of the Supreme Court of Massachusetts, that a segregated system of public schools is constitutional, provided the educational facilities for each race are substantially equal.

The U.S. Supreme Court, after hearing arguments in these school segregation cases, and after several months of study and consideration following these arguments, has entered orders refixing these cases for further argument, now scheduled to take place in December. The orders for reargument specify certain issues on which the Court desires to hear discussion and to receive briefs. From this course of events, it appears quite possible that this Court is closely divided on these cases, and that the ultimate outcome may be determined by the presentation on reargument and in the additional briefs to be filed thereon.

The specification of issues, on which discussion is requested at the reargument, includes inquiries as to events contemporaneous with the framing, submission and ratification of the amendment. These specifications were probably prepared without any particular intent to invite exposure or discussion of the dubious origin of this amendment. Be that as it may, they involve study, consideration and evaluation of the legislative history of the amendment, and its dubious origin—one may justifiably say its worse than dubious origin—is an inseparable part of its malodorous legislative history.

AMENDMENT PROCEDURE ESTABLISHED BY ARTICLE V

Article V of the Constitution sets forth the procedure for amendment proposals and ratifications. The portion of article V pertinent to the amendment machinery utilized in this instance reads as follows:

"The Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose amendments to this Constitution * * * which * * * shall be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three-fourths of the several States."

As will be observed, this amending process is a two-step process. Congress takes the first step—submission. The next step—ratification—must be the act of the States—the act of at least three-fourths of the States concurring in ratifications passed by their respective legislatures.

When the amendment procedure set forth in article V of the Constitution is carefully analyzed, it will appear that the States have the primary or major and final function in the amending process, and the role of Congress therein, although substantial and important, is definitely of a secondary and preliminary nature. Indeed, an amendment proposal defeated in Congress may nevertheless be adopted exclusively by State action. This would occur upon the legislatures of two-thirds of the States applying for the calling of a convention to propose such an amendment, and upon the ratification of that amendment proposal by three-fourths of the States.

Even when the amendment proposal is the product of a two-thirds vote of Congress, the final say-so rests entirely with the States. After the initial step of voting the amendment proposal, the only remaining function in the ratification procedure allocated to Congress by the Constitution is a minor one—the function of determining whether the States, in voting on ratification, shall act through their respective legislatures, or through conventions.

EVOLVEMENT OF ARTICLE V IN FEDERAL CONVENTION

The record of the evolution of article V, in the proceedings of the Federal convention of 1787, fully supports the view that Congress has no function at all to perform in that stage of the amending process which comes after submission of the proposal, i.e., during consideration of ratification by the States, and action thereon by the States. It is significant that, in the convention, a proposal for excluding the "National Legislature" entirely from the amending process, and leaving the whole of that process to the States, was seriously made and considered. There was never any corresponding proposal that the States be excluded entirely from the amending process or that this process should be entrusted entirely to Congress.

Mason argued, in support of excluding the "National Legislature" entirely from the amending process, that "they may abuse their power, and refuse their assent on that very account." Of course, that view in precisely that form did not finally prevail. However, it is significant that article V, as evolved and adopted, contains a safeguard against what Mason apprehended—a power in Congress to completely block an amendment proposal. This safeguard against possible congressional obstruction appears in the provision that two-thirds of the States may bypass a refusal of Congress to submit a particular amendment proposal, by voting through their legislatures for a convention to propose such an amendment.

As the proposed language of the provision for amendments began to take form, the sole method at first for initiating amendments was to be an application by the legislatures of two-thirds of the States for the calling of a convention for that purpose, the "Legislature of the United States" having merely the ministerial function of calling the convention upon such an application by the required number of State legislatures.

Hamilton had a leading part in changing the language so as to permit Congress to have a power to propose a constitutional amendment. In arguing in favor of giving this power of initiating an amendment proposal to Congress, he said: "There could be no danger in giving this power, as the people would finally decide in the case."

How remote was this Hamiltonian concept from the events of 1867 and 1868, when a rump Congress arrogated to itself the power to force ratification of a rejected amendment, through coercing ratifications by several of the rejecting States.

After Hamilton had made his point that Congress could be safely invested with a power of initiating amendment proposals, since that would not give it power of final decision on these proposals, the language of this provision was then and there worked out in substantially the final form of what later became article V. This was done under the leadership of Madison and Hamilton, who thus collaborated on giving Congress a power (but not even an exclusive power) to initiate amendment proposals, with power of final decision as to ratification or rejection reserved to the States.

A power in the States to initiate amendment proposals, through action to that end by the legislatures of two-thirds of the States, was retained in this product of the joint work of Madison and Hamilton. As already noted, this affords a possibility for completely bypassing Congress on a constitutional amendment proposal, and prevents a congressional power to initiate amendment proposals from becoming a veto power.

It should also be noted that, on this same occasion, the rather general language, which would apparently have required unanimity of action by the States for ratification, was amended so as to fix the proportion of the whole number of States required for ratification. Rejecting a motion to fix this proportion at two-thirds, the convention voted to require ratification by three-fourths of the States in order to effectuate an amendment. The significance of this choice of the larger of two proposed proportions as to the State action requisite for ratification is that the right to defeat an amendment proposal was thereby vested in a smaller proportion of rejecting States. It was this constitutional right of a group of rejecting States, sufficient in number to defeat ratification of the 14th amendment, which was infracted by the unconstitutional action of Congress in coercing ratification by several of the rejecting States through the compulsions of the Reconstruction Act.

Evidently to safeguard, as far as possible, against the risk of an obstructive attitude on the part of Congress, the provision for Congress submitting amendment proposals on the applications of the legislatures of two-thirds of the States was changed to a requirement that Congress should call a convention for that purpose upon such an application from State legislatures. This proposal was made by Gouverneur Morris and Gerry, following a warning by Mason that Congress could be expected to use its power relating to the proposing of amendments to prevent the States from having an opportunity to ratify proper amendments.

It is also interesting to note that the final change, in the provision which was about to become article V of the Constitution, was the insertion, on motion of Gouverneur Morris, of the prohibition against depriving any State of its equal suffrage in the Senate, without its consent. As pointed out elsewhere in this article, a gross and wholesale violation of this plain constitutional provision, through the exclusion from the Senate of all persons holding credentials as Senators from the 10 Southern States, made it possible for the advocates of the amendment proposal to obtain in the "rump" Senate the two-thirds vote required to submit to the States the proposal for the 14th amendment.

PROPOSAL OF THE AMENDMENT

The 14th amendment was proposed by Congress to the States for adoption, through the enactment by Congress of Public Resolution No. 48, adopted by the Senate on June 8, 1866, and by the House of Representatives on June 13, 1866. That Congress deliberately submitted this amendment proposal to the then existing legislatures of the several States is shown by the initial paragraph of the resolution.

This submission was by a two-thirds vote of the quorum present in each House of Congress, and in that sense it complied with article V of the Constitution. However, the submission was by a "rump" Congress. Using the constitutional provision that "Each House shall be the judge of the elections, returns, and qualifications of its own Members * * *" each House had excluded all persons appearing with credentials as Senators or Representatives from the 10 Southern States of Virginia, North Carolina,

South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, Arkansas, and Texas. This exclusion, through the exercise of an unreviewable constitutional prerogative, constituted a gross violation of the essence of two other constitutional provisions, both intended to protect the rights of the States to representation in Congress.

Had these 10 Southern States not been summarily denied their constitutional rights of representation in Congress, through the ruthless use of the power of each House to pass on the election and qualifications of its Members, this amendment proposal would doubtless have died aborning. It obviously would have been impossible to secure a two-thirds vote for the submission of the proposed 14th amendment, particularly in the Senate, if the excluded Members had been permitted to enter and to vote. Of course, that was one of the motives and reasons for this policy of ruthless exclusion.

Assuming the validity of the submission of this amendment by a two-thirds vote of this "rump" Congress, there is no gainsaying the obvious proposition that whatever "contemplation" or "understanding" this "rump" Congress may have had, as to the intent, or the scope, or the effect, or the consequences of the amendment being submitted, was necessarily a "rump" contemplation or understanding. The 10 Southern States, whose Senators and Representatives were all excluded from the deliberations of this "rump" Congress, could have had no possible part in the development or formation of any "contemplation" or "understanding" of what the consequences and effects of the proposed amendment were to be.

If the Supreme Court now finds that the Congress submitting the proposed amendment understood and contemplated that it would abolish segregation in the public schools, either immediately or ultimately, one naturally wonders whether the Supreme Court will then enforce this necessarily "rump" contemplation or understanding against the 10 Southern States who were deliberately and designedly excluded from any possible participation in these "rump" submission proceedings.

When the 14th amendment was submitted, these 10 Southern States, which had been excluded from representation in Congress, had existing governments and legislatures. Congress had sought to avoid extending any recognition to these existing State governments, and the legality of these governments, in what the radical majority in Congress termed the "rebel States," was disputed in some quarters. However, in practically all of these 10 States, these governments were the only governments then in existence and these legislatures, being the only legislatures then existing in these States, were in June 1866 the only legislatures in these States to which the 14th amendment could be then submitted under the directive in the proposal resolution that the amendment be submitted "to the legislatures of the several States."

These State governments had received Presidential recognition and, through their legislatures, they had participated actively in the then recent ratification and adoption of the 13th amendment abolishing slavery. Indeed, ratification of that amendment by these legislatures in these Southern States had aided in making up the ratification of that amendment, abolishing slavery, by the required three-fourths of the States.

REJECTIONS OF THE AMENDMENT

When the proposed 14th amendment was submitted to the legislatures of the several States, it needed to have ratification by 28 States, being three-fourths of the 37 States. While it was ratified rather promptly by most of the States outside the South, it was never ratified by California and it was rejected by the three border States of Kentucky, Delaware, and Maryland. It was also rejected, during the latter part of 1866 and the early part of 1867, by the legislatures of the 10 Southern States, including Louisiana, whose Senators and Representatives have been excluded from seats in Congress.

This created a situation which made impossible the ratification of the amendment unless some of these rejections were reversed. With 37 States in all, 10 rejections were sufficient to prevent the adoption of the amendment proposal. The 13 rejections, by the 10 Southern States and 3 border States, were more than sufficient to block ratification even if all other States finally ratified.

The Louisiana Legislature, which rejected the 14th amendment early in 1867, had been elected under the Louisiana constitution of 1864, and functioned under this constitution. It should be remembered that this constitution was not a product of the Confederacy, or of a reorganization of the State government by former Confederates after cessation of hostilities. The Louisiana constitution of 1864 was adopted by a convention held in New Orleans under the auspices of the Federal authorities, acting largely on suggestions and directions from President Lincoln. It was clearly a reestablishment and continuation of the Louisiana State government as it had existed before secession.

The rejection of the 14th amendment by this Louisiana Legislature is embodied in act 4 of 1867, a joint resolution adopted by both houses declaring "That the State of Louisiana refuses to accede to the amendment of the Constitution of the United States proposed as article 14."

This is the only action ever taken on the 14th amendment by a Louisiana Legislature exercising free and unfettered and uncoerced judgment and discretion as between ratification or rejection of the amendment proposal. The subsequent purported ratification of this amendment in Louisiana was by a legislature of a puppet government, created by the radical majority of Congress to do the bidding of its master, and compelled to ratify this amendment by the Federal statute which had brought this puppet government into existence for this specific purpose.

It is most interesting to read the proceedings of the Louisiana House of Representatives on February 6, 1867, whereby that body adopted the joint resolution ordaining the refusal of Louisiana to ratify the proposed 14th amendment—the joint resolution which became act 4 of 1867. This journal shows, by the roll call, that 100 members voted out of a total House membership of 110—and that the unanimous vote was 100 against ratification and none in favor of it. This was the last opportunity for a free and uncoerced expression of views on this amendment proposal by the duly elected representatives of the people of Louisiana.

THE RECONSTRUCTION ACT

The scene shifts back to Washington. The Radicals have a majority, by over a two-thirds vote, in the "rump" Congress from which all representation of the 10 Southern States is excluded. They accomplish the passage of the Reconstruction Act of March 2, 1867. This act had, as one of its major objectives, the attainment of ultimate ratification of the 14th amendment through compelling and coercing ratification by the 10 Southern States which had rejected it.

The act dealt with these 10 Southern States, referred to as "rebel States" in its various provisions. It opened with a recital that "no legal State government" existed in these States. It placed these States under military rule. Louisiana and Texas were grouped together as the 5th Military District, and placed under the domination of an Army officer appointed by the President. All civilian authorities were placed under the dominant authority of the military government.

This act, as supplemented by subsequent amendments, completely deprived these States of all their powers of government and autonomy, until such time as Congress should approve the form of a reorganized State government, conforming to rigid and extreme specifications set out in the act, and should have recognized the States as again entitled to representation in Congress.

The most extreme and amazing feature of the act was the requirement that each excluded State must ratify the 14th amendment, in order to again enjoy the status and rights of a State, including representation in Congress. Section 3 of the act sets forth this compulsive coercion thus imposed upon the Southern States.

The most apt characterization of this compulsive provision, placing these States under military authority, there to remain until they complied inter alia with this requirement of ratifying the rejected 14th amendment, is found in a speech by Senator Doolittle, of Wisconsin, a northerner, and a conservative Republican. During the floor debate on the bill, he said:

"My friend has said what has been said all around me, what is said every day: the people of the South have rejected the constitutional amendment, and therefore we will march upon them and force them to adopt it at the point of the bayonet, and establish military power over them until they do adopt it."

Surely, the authors of our Constitution never contemplated or understood that ratification of a constitutional amendment proposal by a State could lawfully be compelled "at the point of the bayonet," and by subjecting all aspects of civil life in the recalcitrant State to continued military rule, until this State recanted its heresy in rejecting the proposed amendment, and yielded the desired ratification to the duress of continued and compelling force.

President Johnson vetoed the Reconstruction Act in an able message, stressing its harsh injustices and its many aspects of obvious unconstitutionality. He justifiably denounced it as "a bill of attainder against 9 million people at once."

Notwithstanding this able message, the act was promptly passed over his veto by the required two-thirds majority in each House. Military rule took over in the 10 Southern States to initiate the process of conditioning a subjugated people to an ultimate acceptance of the 14th amendment.

JUDICIAL REVIEW UNSUCCESSFULLY SOUGHT

Relief from the oppressive and unconstitutional features of the Reconstruction Act was sought in vain in the courts. Three times the Supreme Court found some reason for not deciding these constitutional issues. Unlike the present Court, which was alert to protect three minor Government officials against salary-blocking legislation by Congress, interpreted as constituting a bill of attainder against these individuals, the Court of 1867–68 seemed to feel no urge to review the constitutional merits of the solemn charge of President Johnson that the Reconstruction Act constituted a bill of attainder against 9 million people. This is all the more amazing since the two leading precedents on the enforcement of the constitutional prohibition of bills of attainder, cited and followed in *United States* v. *Lovett*, were decisions of the Court of 1867–68.

The decisions wherein grounds were found for avoiding a ruling on the constitutionality of the Reconstruction Act leave the impression that our highest tribunal failed in these cases to measure up to the standard of the judiciary in a constitutional democracy. If the Reconstruction Act was unconstitutional, the people oppressed by it were entitled to protection by the judiciary against such unconstitutional oppression.

In *Mississippi* v. *Johnson*, the Court expressed definite apprehension that an injunction against the execution of the Reconstruction Act by the President, on grounds of unconstitutionality, might result in congressional impeachment of the President for obeying the mandate of the Court.

In *Georgia* v. *Stanton*, the Court declined to entertain a suit assailing the constitutionality of the Reconstruction Act on the ground that the issues raised were political and not justiciable. The opinion frankly describes in the language below the issues as to which the Court held that a State is without any protection in a court of law.

In ex parte McCardle, the Court permitted Congress to evade a judicial determination of the constitutionality of the Reconstruction Act, by repealing a statutory provision as to appellate jurisdiction after the appeal had been lodged, and even after the case had been argued and submitted for decision. Again the opinion leaves the impression that the Court preferred not to be obliged to pass on the merits of the constitutional issue.

COERCED RATIFICATIONS OF THE AMENDMENT

As a result of these decisions, enforcement of the Reconstruction Act against the Southern States, helpless to resist military rule without the aid of the judiciary, went forward unhampered. Puppet governments were founded in these various States under military auspices. Through these means, the adoption of new State constitutions, conforming to the requirements of Congress, was accomplished. Likewise, one by one, these puppet State governments ratified the 14th amendment, which their more independent predecessors had rejected. Finally, in July 1868, the ratifications of this amendment by the puppet governments of 7 of the 10 Southern States, including Louisiana, gave more than the required ratification by three-fourths of the States, and resulted in a joint resolution adopted by Congress and a Proclamation by the Secretary of State, both declaring the amendment ratified and in force.

It is interesting to speculate upon what might have been the course of events if our Supreme Court of 1867–68 had met these charges of unconstitutional action in the enactment and enforcement of the Reconstruction Act in the direct manner which characterized the judicial performance of the Supreme Court of the Union of South Africa in the recent "Coloured Vote Case." The Malan Government had enacted certain legislation restricting the rights of colored voters, which clashed with the assertedly "entrenched clauses" of the Constitution of South Africa. Twice the case went to the Supreme Court of South Africa, and twice that Court upheld the constitution on the merits of the issues and pronounced the unconstitutionality of the offending legislation. For this fine judicial work, it has been highly commended.

When *Georgia* v. *Stanton* is compared with the recent South African decisions, one cannot escape the impression that the difference between the cases is the difference between meeting and evading (even though the evasion be perhaps unconscious) an issue which ought to be met and decided.

ATTEMPTED JUSTIFICATIONS OF COERCION

The supposed constitutional justification of the Reconstruction Act, most frequently asserted by its supporters, was the view that such legislation would come within the power of Congress under the guarantee of "a republican form of government" to each State by the United States.

Whatever justification for other portions of the Reconstruction Act may or may not be found in this constitutional provision, there could clearly be no sort of a relationship between a guarantee to a State of "a republican form of government" and an abrogation of the basic and constitutional right of a State, in its legislative discretion, to make its own choice between ratification or rejection of a constitutional amendment proposal submitted to the State legislatures by the Congress of the United States. To deny to a State the exercise of this free choice between ratification and rejection, and to put the harshest sort of coercive pressure upon a State to compel ratification, was clearly a gross infraction—not an effectuation—of the constitutional guarantee of "a republican form of government."

Beyond this, the whole idea that article IV, section 4, could confer upon Congress power to alter the governmental structure of a State—particularly a governmental structure of the general type existing in the Thirteen Original States at the time of the adoption of the Constitution—has been most effectively refuted by Madison. Writing in the Federalist, No. 43, Madison poses two questions respecting the provision for a guarantee to each State of "a republican form of government":

"It may possibly be asked, what need there could be of such a precaution, and whether it may not become a pretext for alterations in the State governments, without the concurrence of the States themselves."

He then proceeds to give his answers to these questions, and he answers the second question:

"The authority extends no further than to a guarantee of a republican form of government, which supposes a preexisting government of the form which is to be guaranteed. As long, therefore, as the existing republican forms are continued by the States, they are guaranteed by the Federal Constitution. Whenever the States may choose to substitute other republican forms, they have a right to do so, and to claim the Federal guarantee for the latter. The only restriction imposed on them is, that they shall not exchange republican for antirepublican constitutions; a restriction which, it is presumed, will hardly be considered as a grievance."

Elsewhere in the same number of the Federalist, Madison reiterates his basic concept that article IV, section 4, unquestionably recognizes the then existing State governments as republican in form, and protects them against innovations or changes of a nonrepublican character.

It is interesting to note that the Supreme Court, in *Minor* v. *Happersett*, enunciated a doctrine completely in accord with Madisonian ideology that the type of government, existing in the original States when the Constitution was adopted, established a standard for the meaning of the term "republican form of government" in this constitutional provision.

COERCED RATIFICATION IN LOUISIANA

The enactment of the legislature of the puppet government of Louisiana which ratified the 14th amendment is embodied in Act 2 of 1868. The legislative journals of that session reflect the presence and dominance of the military, all as provided for and contemplated by the Reconstruction Act.

The House Journal shows that on June 29, 1868, Colonel Batchelder opened the session by calling the roll and reading an extract from the order of General Grant. The Senate Journal for the same date shows the reading of instructions from General Grant to the commanding officer of the 5th Military District emphasizing the supremacy of the power of the military over the provisional civilian government. It was under these auspices that the coerced ratification of the 14th amendment in Louisiana was accomplished.

Even under the puppet government, created in Louisiana pursuant to the Reconstruction Act, the ratification of the 14th amendment in Louisiana was not unanimous. In the Senate on July 9, 1868, the vote on ratification was 20 yeas and 11 nays. The record contains a protest by Senator Bacon against voting upon ratification under duress imposed by the Reconstruction Act, and an unavailing appeal by that legislator for an opportunity for a free and unrestrained vote.

FORCED RATIFICATION REQUIRES REEXAMINATION OF PURPORTED ADOPTION OF THE AMENDMENT

The fact that ratification in the Southern States came finally, as a coerced result, through the legislatures of the puppet governments created by the Reconstruction Act, after rejection of the amendment by the prior State legislatures, can pose a very serious question in relation to one of the issues upon which the Supreme Court invited discussion on the reargument. This of course refers to the request by the Court for discussion of what understanding or contemplation of the scope of the amendment was had by the State legislatures which ratified it.

Such an inquiry may be proper as to a legislature which, free to ratify or reject, determined of its own volition to ratify. But to give effect, as against the Southern States now, to whatever extreme and sweeping notions of the broad scope of the 14th amendment may have been expressed by the puppet legislators, who used their power under the Reconstruction Act to vote in favor of ratification States really opposed to ratification, would be a perversion of history and a contradiction of plain fact.

Even if plain coercion, under the Reconstruction Act, be not regarded as nullifying the ratification votes of the Southern States, recorded by puppet legislators obeying the orders of their masters, these puppet legislatures have no power to speak on matters of legislative intent, ex post facto, for the States which they misrepresented in voting for ratification. These States, as soon as they were free of Federal coercion, repudiated and disestablished these puppet governments, and all that went with them.

But the attack upon the legality of the coerced ratifications of the 14th amendment by the Southern States, under the compulsions of the Reconstruction Act, goes beyond the question of whether the puppet governments, which went through the form of voting these enforced ratifications, were authorized to authentically express the "contemplation" or "understanding" of the Southern States as to the scope and operative force of the amendment. The question arises—upon an analysis of the provisions of article V and upon a study of the history of the evolvement of this article in the Federal Convention of 1787—whether these coerced ratifications should be decreed null and void, as the product of an usurpative incursion by Congress into an area—the ratification-or-rejection process—from which it is clearly excluded by article V.

To permit Congress to have a decisive and controlling part in the final decision on ratification or rejection of a constitutional amendment proposal, after Hamilton had secured the reluctant assent of the Convention to letting Congress have merely a power to initiate amendment proposals, on his solemn representation that "the people would finally decide," would constitute a clear disregard of the plain intent of the Founding Fathers concerning the meaning and effect of article V. Beyond this, congressional coercion, intruding into and upon the ratification process, amounts to a gross breach of faith with the obvious understanding had between Madison and Hamilton when, following Hamilton's frank avowal that the power of final decision in an amendment proposal should be vested in "the people," these two great statesmen cooperated in setting up the amendment procedure whereby, on an amendment proposal submitted by Congress to the legislatures of the several States, the people of each State, speaking through its legislature, have the "final decision" on ratification or rejection.

One who says that such questions are political and not justiciable, must necessarily mean that a political body, actuated by political motives and effectuating political objectives, should have and exercise a final power, not judicially reviewable, to change the plain meaning of a constitutional provision, and to disregard its obvious intent and purpose, as demonstrated by the history of its evolvement.

The adversary or the skeptic might assert that, after a lapse of more than 80 years, it is too late to question the constitutionality or validity of the coerced ratifications of the 14th amendment even on substantial and serious grounds. The ready answer is that there is no statute of limitations that will cure a gross violation of the amendment procedure laid down by article V of the Constitution.

Precedents are not wanting for the successful assertion of constitutional rights which have been flouted or ignored over long periods of time. In *Erie Railroad Company v. Tompkins*, the Court, on a constitutional point, reversed its jurisprudence of more than 90 years standing, dating back to *Swift v. Tyson*. This was done on the expression of the view that a doctrine involving statutory construction would not be reexamined and upset after that lapse of time, but that the true doctrine on the constitutional point, once resolved, must be given effect regardless of lapse of time.

This principle should apply here. If the coerced and enforced ratifications of the 14th amendment by the Southern States in 1868, compelled by congressional duress offending against the Constitution itself, constitute an infraction of the amendment procedure ordained by article V of the Constitution, these enforced ratifications are just as violative of the provisions of article V in 1953 as they were in 1868.

Also worthy of note in this connection is the holding in 1895 that the levying of an income tax by the Federal Government without apportioning that tax among the States as a direct tax, violated the taxing-power provisions of the Constitution of the United States—although, 30 years prior to this judicial vindication of what the majority of the Court deemed to be fundamental and true constitutional provisions, the Federal Government had levied and collected income taxes for several years on a large scale, and had financed a major and successful war of vital consequences to a very considerable extent out of revenues so obtained.

In a recent case terminating the exclusion of Negroes from restaurants in the District of Columbia, the Court found still operative, and ordered enforced, a statutory enactment dating back to the early 1870's, which had lain dormant during practically the whole period of time since its enactment, and which had been variously regarded by lower courts in the case as having been repealed by codification or implication in 1877 or in 1901. Upon a demonstration now that article V of the Constitution was violated and flouted by the 1868 coerced ratifications of the 14th amendment, the true rule for this amendment process, ordained by article V, is entitled to receive from the judiciary the same respectful consideration and orderly enforcement as was recently accorded the revivified 1873 enactment of the short-lived local legislature of the District of Columbia.

Mr. HILL. Mr. President, will the Senator yield?

Mr. THURMOND. I yield for a question.

Mr. HILL. Is it not true that no provision of the Federal Constitution has been more jealously guarded or highly respected by the courts than the provision of section 2 of article I?

Mr. THURMOND. I concur with the able and distinguished Senator from Alabama on that expression.

Mr. HILL. Is it not also true that 126 years after the adoption of the Constitution with section 2, article I, the people again adopted the exact provision of section 2, article I, in the 17th amendment to the Constitution, which is the amendment providing for the direct election of U.S. Senators?

Mr. THURMOND. The Senator is precisely correct. I think his statement promulgates the idea and substantiates the thought that the people must have intended the law to be as it appears in the Constitution.

Mr. MANSFIELD. Mr. President, has the Senator concluded his speech?

Mr. THURMOND. Yes.

TRANSACTION OF ROUTINE BUSINESS

By unanimous consent, the following routine business was transacted:

REPORT OF JOINT COMMITTEE ON REDUCTION OF NONESSENTIAL FEDERAL EXPENDITURES—FEDERAL STOCKPILE INVENTORIES

Mr. BYRD of Virginia. Mr. President, as chairman of the Joint Committee on Reduction of Nonessential Federal Expenditures, I submit a report on Federal stockpile inventories as of January 1962. I ask unanimous consent to have the report printed in the RECORD, together with a statement by me.

There being no objection, the report and statement were ordered to be printed in the RECORD, as follows:

FEDERAL STOCKPILE INVENTORIES, JANUARY 1962

INTRODUCTION

This is the 26th in a series of monthly reports on Federal stockpile inventories under the Department of Agriculture, General Services Administration, Department of Defense, and the Department of Health, Education, and Welfare. It is for the month of January 1962.

The report is compiled from official data on quantities and cost value of commodities in these stockpiles submitted to the Joint Committee on Reduction of Nonessential Federal Expenditures by the agencies involved.

The four agencies reported that as of January 1, 1962, the cost value of materials in their stockpile inventories totaled $14,112,690,000 and as of January 31, 1962, they totaled $13,901,886,000, a net decrease of $210,804,000 reflecting acquisitions, disposals, adjustments, etc., during the month.

Different units of measure make it impossible to summarize the quantities of commodities and materials which are shown in tables 1, 2, 3, and 4, but the cost value figures are summarized by agency and program, as follows:

Summary of cost value of stockpile inventories

[In thousands]

Agency and program	Beginning of month, Jan. 1, 1962	End of month, Jan. 31, 1962	Net change, reflecting acquisitions, disposals, adjustments, etc.
Department of Agriculture: Price support program:			
Agricultural commodities	$5,189,485	$4,964,387	−$225,098
Exchange commodities—strategic and critical materials	58,991	78,249	+19,258
Total, Department of Agriculture	5,248,476	5,042,636	−205,840
General Services Administration: Strategic and critical materials:			
National stockpile	6,098,152	6,082,482	−4,670
Federal Facilities Corporation: Tin inventory	2,907	1,634	−1,273
Defense Production Act program	1,482,772	1,484,125	+1,353
Supplemental stockpile	1,037,931	1,037,891	−40
Supplemental stockpile inventory in transit	60,369	60,370	+1
Total, General Services Administration	8,672,130	8,667,501	−4,629
Department of Defense: Civil defense stockpile	21,094	21,537	+443
Department of Health, Education, and Welfare: Civil defense medical stockpile	170,990	170,212	−778
Grand total	14,112,690	13,901,886	−210,804

NOTE.—Figures are rounded and may not add to totals.

Detailed tables in this report show opening inventories at the beginning of the month in quantity and cost, transactions during the month, and the closing inventories at the end of the month. Each inventory is shown by commodity except the national stockpile, for which commodity detail is classified.

Pertinent information and explanation are set forth in notes accompanying the respective tables. Statutory authority and program descriptions are shown in the appendix to the report.

The inventories covered by the report are tabulated in detail as follows:

Table 1: Agricultural price-support program inventories under Commodity Credit Corporation, Department of Agriculture, January 1962: Including agricultural commodities and strategic and critical materials acquired by exchange or barter.

Table 2: Strategic and critical materials inventories under General Services Administration, January 1962: Including materials in the national stockpile, Federal Facilities Corporation tin inventory, Defense Production Act purchase program, the supplemental stockpile of materials acquired by exchange or barter of agricultural commodities, etc., and inventory in transit from Commodity Credit Corporation to the supplemental stockpile.

Table 3: Civil defense stockpile inventory under the Department of Defense, January 1962.

Table 4: Civil defense medical stockpile inventory under the Department of Health, Education, and Welfare, January 1962.

TABLE 1.—*Agricultural price support program inventories under Commodity Credit Corporation, Department of Agriculture, January 1962: Including agricultural commodities, and strategic and critical materials acquired by exchange or barter*

EXPLANATORY NOTES

The Department of Agriculture defines the content of the columns as follows:

Program and commodity: Lists each commodity in the form in which it exists. In some instances, commodities have been processed after acquisition by the Corporation, to increase marketability or to make them suitable for program outlets. The commodities are grouped under the appropriate statutory subclassifications as "Basic," "Designated nonbasic," "Other nonbasic," and "Exchange."

Unit of measure: The applicable unit used in the accounting records and reports of the Corporation.

Inventory, beginning of month: Quantity: In number of units. Cost value: Represents acquisition cost plus cost of any packaging or processing performed after acquisition. Acquisition cost for commodities stored in commercial warehouses, acquired from price support loans or purchase agreements, is generally the amount due on the loan, excluding interest, or the purchase agreement settlement value of the commodity, plus any accrued warehouse charges assumed by the Corporation. Acquisition cost for commodities stored on farms, acquired from price support loans or purchase agreements, is generally the loan or purchase agreement settlement value of the commodity plus any additional costs of obtaining delivery in storage or on board cars for shipment to storage. For purchases from commercial vendors, acquisition cost is the purchase price. Acquisition cost of materials acquired through barter is the exchange value of the materials stated in the contracts.

Adjustments: Warehouse settlements, processing and/or packaging costs, exchanges and transfers (net): Warehouse settlements include the net differences in quantity and/or value represented by the net of overdeliveries, premiums, underdeliveries, and discounts arising from movement of commodities. Processing and/or packaging costs include only such costs incurred by the Corporation after acquisition of commodities. Exchanges represent the net change in quantity and/or value for inventories exchanged or in process of exchange. On completed exchanges, the change in value represents differentials due to location, quality, and quantity. Unprocessed commodities removed from inventory for conversion or processing (on a contractual or fee basis and excluding conditional sales) are included as a reduction of inventory. Processed commodities acquired as a result of this conversion or processing are included as an addition to inventory.

Acquisitions: As reflected in accounting records and reports; and includes commodities acquired by delivery of collateral securing loans, commodities purchased under terms of purchase agreements, commodities purchased directly from producers or processors as a part of the support operation but not under purchase agreements; and processed commodities acquired by purchases which offset conditional sales of unprocessed commodities from inventory. The cost value of acquisitions is described under the explanation of the cost value of inventory.

Disposals: As reflected in accounting records and reports. Inventory transactions generally are recorded on the basis of transfer of title. Disposition commitments are not reflected in the accounts. Cost value: Represents acquisition cost plus cost of any packaging or processing performed after acquisition, computed on the basis of average unit cost. Cost allocated to commingled commodities removed from price-support inventories is computed on the basis of national average unit cost of the commodity acquired from the oldest crop year for which any quantity remains in the inventory accounts. Cost allocated to identified commodities is computed on the basis of average unit cost for the identified crop year as reflected in the records of the office accounting for the inventory.

Inventory, end of month: Closing inventory after transactions for the month have been applied to the inventory at the beginning of the month.

[In thousands]

Program and commodity	Unit of measure	Inventory, beginning of month, Jan. 1, 1962		Transactions during the month						Inventory, end of month, Jan. 31, 1962	
				Adjustments		Acquisitions		Disposals			
		Quantity	Cost value	Quantity	Cost value	Quantity	Cost value	Quantity	Cost value	Quantity	Cost value
Agricultural commodities:											
Basic commodities:											
Corn	Bushel	1,412,193	$1,782,775	−513	−$755	4,594	$4,999	109,190	$162,076	1,307,084	$1,624,943
Cornmeal	Pound					39,745	1,317	39,729	1,316	16	1
Cotton, extra long staple	Bale	18	5,083					(1)	27	18	5,056
Cotton, upland	do	1,449	245,294			(1)	−6	(1)	7	1,449	245,281
Peanut butter	Pound			+4,332	+1,096			4,332	1,096		
Peanuts, farmers' stock	do	18	2			8	1	26	3		
Peanuts, shelled	do	13,650	2,181	−4,527	−725	2,103	313	3,265	499	7,961	1,270
Rice, milled	Hundredweight	477	4,820		−10	225	2,031	434	4,140	268	2,701
Rice, rough	do	2,154	10,036		−1			528	2,445	1,626	7,590
Tobacco	Pound					10,449	6,206	10,449	6,206		
Wheat	Bushel	1,130,280	2,236,971	−18	−160	10	21	21,375	45,743	1,108,897	2,191,089
Bulgur	Pound			+129	+7			129	7		
Wheat, rolled	do					9,330	761	9,330	761		
Wheat flour	do					178,588	9,659	178,550	9,657	38	2
Total, basic commodities			4,287,162		−548		25,302		233,983		4,077,933
Designated nonbasic commodities:											
Barley	Bushel	39,503	34,562	−7	−7	78	62	4,023	3,843	35,551	30,774
Grain sorghum	Hundredweight	341,404	651,627	−9	−13	43	84	12,728	27,077	328,710	624,621
Milk and butterfat:											
Butter	Pound	205,680	124,264	+9	+270	32,240	19,487	18,583	11,469	219,346	132,552
Cheese	do	59,709	22,740	+191	+67	18,179	7,057	19,996	7,698	58,083	22,166
Milk, dried	do	354,917	57,563	−35	+4	111,675	20,419	71,738	12,836	394,819	65,150
Milk, fluid	do					74,852	3,256	74,852	3,256		
Oats	Bushel	7,852	4,851	−2	−1	18	9	338	207	7,530	4,652
Rye	do	3,231	3,198	+4	+1		(1)	2	2	3,233	3,197
Tung oil	Pound	289	61	−2	−1			168	35	119	25
Total, designated nonbasic commodities			898,866		+320		50,374		66,423		883,137
Other nonbasic commodities:											
Beans, dry, edible	Hundredweight	403	2,549		+4			22	144	381	2,409
Turpentine	Gallon	1,730	908							1,730	908
Vegetable oil products	Pound					57,291	9,987	57,291	9,987		
Total, other nonbasic commodities			3,457		+4		9,987		10,131		3,317
Total, agricultural commodities			5,189,485		−224		85,663		310,537		4,964,287
Exchange commodities: [2]											
Strategic and critical materials:											
Antimony, metal	Pound	1,796	553			1,029	345			2,825	898
Asbestos, amosite	do	4,394	522			1,000	120			5,394	642
Asbestos, crocidolite	do	2,996	377			1,000	125			3,996	502
Bauxite	do	1,968,345	12,398			648,690	4,238			2,617,035	16,636
Bismuth	do	32	69			222	478			254	547
Boart	Carat	500	1,379							500	1,379
Cadmium	Pound	505	772			96	147			601	919
Chrome ore, chemical grade	do					69,418	565	(1)		69,418	565
Chrome ore, refractory grade	do						(1)	(1)			
Chrome ore, metallurgical grade	do	21,230	394			10,743	199			31,973	593
Diamonds	Carat	1,413	14,571			311	2,916			1,724	17,487
Ferrochrome, high carbon	Pound						−1		−1		
Ferrochrome, low carbon	do	1,311	269			2,034	427			3,345	696
Ferromanganese	do	33,783	3,063			35,244	3,225			69,027	6,288
Fluorspar, acid grade	do	68,124	1,128			25,744	427		−2	93,868	1,557
Iodine	do	99	102			461	480			560	582
Lead	do	48,244	4,274			31,148	2,777			79,392	7,051
Manganese ore, chemical grade	do	51,156	1,630							51,156	1,630
Manganese ore, metallurgical grade	do	196,006	3,691			98,281	1,882		−1	294,287	5,574
Manganese ore, natural, battery grade	do	117,715	5,753			−7,852	−410			109,863	5,343
Mica	do	713	1,281			121	261	1	1	833	1,541
Palladium	Troy ounce	20	451							20	451

See footnotes at end of table.

TABLE 1.—*Agricultural price support program inventories under Commodity Credit Corporation, Department of Agriculture, January 1962: Including agricultural commodities, and strategic and critical materials acquired by exchange or barter*—Continued

[In thousands]

Program and commodity	Unit of measure	Inventory, beginning of month, Dec. 1, 1961		Transactions during the month						Inventory, end of month, Dec. 31, 1961	
				Adjustments		Acquisitions		Disposals			
		Quantity	Cost value	Quantity	Cost value	Quantity	Cost value	Quantity	Cost value	Quantity	Cost value
Exchange commodities [1]—Continued											
Strategic and critical materials—Continued											
Platinum	Troy ounce	25	$1,994							25	$1,994
Quartz crystals	Pound	150	2,030							150	2,030
Silicon carbide	do	4,161	390							4,161	390
Thorium nitrate	do					264	$387			264	387
Titanium sponge	do	1,090	1,308			160	192			1,250	1,500
Tungsten carbide powder	do	240	592			106	275			345	867
Total, strategic and critical materials			58,901				19,255		−83		78,249
Total, Department of Agriculture			5,248,476		−$224		104,918		310,534		5,042,636

[1] Less than 500.
[2] See appendix, p. 16, for notes relating to reporting of strategic and critical materials acquired by exchange or barter of agricultural commodities.

NOTE.—Figures are rounded and may not add to totals.

TABLE 2.—*Strategic and critical materials inventories under General Services Administration, January 1962: Including materials in the national stockpile, Federal Facilities Corporation tin inventory, Defense Production Act purchase program, the supplemental stockpile of materials acquired by exchange or barter of agricultural commodities, etc., and inventory in transit from Commodity Credit Corporation to the supplemental stockpile*

EXPLANATORY NOTES

The General Services Administration defines the content of the columns as follows:

Program and commodity: Identifies the program and the minerals, metals, fibers, and oils acquired under the program.

Unit of measure: The standard weight or measure of minerals, metals, fibers, and oils determined to be the stockpile unit of measure.

Inventory, beginning of month: Opening inventory represents quantity and cost of material in storage at the beginning of the accounting period.

Adjustments: Represents increases (+) or decreases (−) of materials in inventory other than increases from acquisitions or decreases from disposals. Decreases occur from theft, loss incurred while in transit to stockpile location, repacking from one type of container to another, beneficiation of a low-grade material to a higher grade, and the removal of material for sampling and testing purposes. Increases occur from return of material previously removed for sampling and testing purposes and from quantities received at storage locations in excess of quantities billed by the contractor. A new chemical analysis of the materials may cause an increase or decrease where the weights are based on chemical and moisture content. Increases or decreases are also made from findings of audits of inventory and accounting records.

Acquisitions: For the National Stockpile and Defense Production Act acquisitions include open market purchases at contract prices; intradepartmental transfers at market or appraised value at time of transfer; transportation to first permanent storage location; and beneficiating and processing cost in upgrading materials. For the supplemental stockpile acquisitions include the market value or CCC's acquisition cost whichever is the lower at time of transfer from CCC.

Disposals: Cost of disposals are calculated at the average unit price of inventory at time of removal from inventory. For the national stockpile inventory disposals consist of sale of materials that by their nature would deteriorate if held in storage for lengths of time; and sale of materials that have been determined to be obsolete or excess to the needs of Government. For the Defense Production Act inventory disposals consist of sale of materials that have been determined to be obsolete or excess to the needs of Government.

Inventory, end of month: Closing inventory represents quantity and cost of material in storage at the end of the accounting period.

[In thousands]

Program and commodity	Unit of measure	Inventory, beginning of month, Jan. 1, 1962		Transactions during the month						Inventory, end of month, Jan. 31, 1962	
				Adjustments		Acquisitions		Disposals			
		Quantity	Cost value	Quantity	Cost value	Quantity	Cost value	Quantity	Cost value	Quantity	Cost value
National stockpile: Total (classified omitted)			$6,088,152		−$20		$854		$5,505		$6,083,482
Federal Facilities Corporation: Total, tin	Long ton	1	2,907					1	1,273	1	1,634
Defense Production Act:											
Aluminum	Short ton	807	409,369			6	2,780			813	412,149
Asbestos, chrysotile	Short dry ton	2	2,103							2	2,103
Bauxite, metal grade, Jamaica type	Long dry ton	1,370	18,168							1,370	18,168
Beryl	Short ton	2	1,291			(1)	5			2	1,296
Bismuth	Pound	23	52							23	52
Chromite, metallurgical grade	Short dry ton	986	35,880							986	35,880
Cobalt	Pound	25,208	52,103							25,208	52,103
Columbite	do	10,624	51,736	−7	−4					10,617	51,731
Copper	Short ton	123	68,648					1	304	123	68,344
Cryolite	do	35	9,738					(1)	112	35	9,626
Fluorspar, acid grade	Short dry ton	20	1,394							20	1,394
Lead	Short ton	8	3,036							8	3,036
Manganese, battery grade, synthetic dioxide	Short dry ton	4	2,524							4	2,524
Manganese, metallurgical grade	do	3,125	180,328					(1)	1	3,125	180,327
Mica, muscovite block and film	Pound	6,392	38,841			23	358			6,415	39,199
Nickel	do	104,164	91,002					2,210	1,319	101,954	90,683
Palladium	Troy ounce	8	177							8	177
Rare earth residue	Pound	6,086	658							6,086	658
Rutile	Short dry ton	18	2,725							18	2,725
Tantalite	Pound	1,531	9,734							1,531	9,734
Thorium	do	849	42							849	42
Titanium	Short ton	22	172,808					(1)	48	22	172,820
Tungsten	Pound	79,791	325,460	−17	−1					79,775	325,459
Subtotal, DPA commodities			1,478,767		−6		3,143		1,784		1,480,120
Machine tools inventory:											
On lease	Tool	(1)	3,966							(1)	3,966
On loan	do	(1)	39							(1)	39
Subtotal, DPA machine tools			4,005								4,005
Total, Defense Production Act			1,482,772		−6		3,143		1,784		1,484,125

See footnotes at end of table.

TABLE 2.—*Strategic and critical materials inventories under General Services Administration, January 1962: Including materials in the national stockpile, Federal Facilities Corporation tin inventory, Defense Production Act purchase program, the supplemental stockpile of materials acquired by exchange or barter of agricultural commodities, etc., and inventory in transit from Commodity Credit Corporation to the supplemental stockpile*—Continued

[In thousands]

Program and commodity	Unit of measure	Inventory, beginning of month, Jan. 1, 1962		Transactions during the month						Inventory, end of month, Jan. 31, 1962	
				Adjustments		Acquisitions		Disposals			
		Quantity	Cost value	Quantity	Cost value	Quantity	Cost value	Quantity	Cost value	Quantity	Cost value
Supplemental stockpile: [2]											
Aluminum oxide, fused, crude	Short ton	178	$22,716		+$28					178	$22,744
Antimony, metal	do	13	6,984		+20					13	7,004
Asbestos, amosite	do	9	2,156		−16					9	2,140
Asbestos, chrysotile	Short dry ton	5	3,739		(1)					5	3,739
Asbestos, crocidolite	Short ton	8	2,310		−66					8	2,244
Bauxite, metal grade, Jamaica type	Long dry ton	3,189	49,299		+78					3,189	49,377
Bauxite, metal grade, Surinam type	do	1,847	28,560		+45					1,847	28,605
Beryl	Short ton	11	22,337		+4					11	22,341
Bismuth	Pound	1,497	3,348		(1)					1,497	3,348
Cadmium	do	6,609	10,967							6,609	10,967
Chromite, chemical grade	Short dry ton	279	14,476		−17					279	14,459
Chromite, metallurgical grade	do	1,394	217,361		+238					1,394	217,599
Chromite, refractory grade	do	177	4,961		−1					177	4,960
Cobalt	Pound	1,077	2,169							1,077	2,169
Colemanite	Long dry ton	68	2,636		+17					68	2,653
Columbite	Pound	369	782							369	782
Copper	Short ton	11	7,398							11	7,398
Diamond, industrial, bort	Carat	3,524	9,836		+21					3,524	9,857
Diamond, industrial, stones	do	11,497	147,313		−452					11,497	146,861
Fluorspar, acid grade	Short dry ton	570	29,645		−235					570	29,409
Fluorspar, metallurgical grade	do	43	1,500		+8					43	1,508
Graphite, natural, Ceylon, amorphous lump	do	1	341							1	341
Iodine	Pound	242	231							242	231
Lead	Short ton	222	58,676							222	58,676
Manganese, battery grade, natural	Short dry ton	70	7,349							70	7,349
Manganese, chemical grade, type A	do	39	2,788							39	2,788
Manganese, chemical grade, type B	Short ton	56	4,020							56	4,020
Manganese, metallurgical grade	Short dry ton	2,307	174,302		+37					2,307	174,339
Mercury	Flask	16	3,446							16	3,446
Mica, muscovite block, stained and better	Pound	263	698							263	698
Mica, muscovite film	do	27	212							27	212
Mica, muscovite splittings	do	4,826	6,226							4,826	6,226
Mica, phlogopite splittings	do	503	485		+6					503	491
Palladium	Troy ounce	548	9,872							548	9,872
Quartz crystals	Pound	82	1,099							82	1,099
Rare earths	Short dry ton	2	2,427							2	2,427
Ruthenium	Troy ounce	15	560							15	560
Rutile	Short ton	10	1,007		−56					10	951
Selenium	Pound	157	1,071							157	1,071
Silicon carbide, crude	Short ton	116	23,221		+168					116	23,389
Tantalite	Pound	8	21							8	21
Thorium nitrate	do	4,080	9,966							4,080	9,966
Tin	Long ton	8	16,404							8	16,404
Titanium	Short ton	8	27,799		+134					8	27,933
Tungsten	Pound	4,493	15,627							4,493	15,627
Zinc	Short ton	224	79,592		(1)					224	79,592
Total, supplemental stockpile			1,037,931		−40						1,037,891
Supplemental stockpile inventory in transit: [2]											
Antimony, metal	Short ton	1	403							1	403
Asbestos, amosite	do	2	502							2	502
Asbestos, chrysotile	Short dry ton	1	240							1	240
Asbestos, crocidolite	Short ton	2	527							2	527
Bauxite	Long dry ton	751	9,377							751	9,377
Beryl	Short ton	(1)	469							(1)	469
Chromite, chemical grade	Short dry ton	124	2,024							124	2,024
Chromite, metallurgical grade	do	13	498							13	498
Chromite, refractory grade	do	3	73							3	73
Chromium metal	do	(1)	104							(1)	104
Diamond, industrial, bort	Carat	1,000	2,758							1,000	2,758
Diamond, industrial, stones	do	966	10,106							966	10,106
Ferrochrome, high carbon	Short dry ton	2	543							2	543
Ferrochrome, low carbon	do	2	669							2	669
Ferromanganese	do	42	7,645							42	7,645
Fluorspar, acid grade	do	32	1,129							32	1,129
Manganese, battery grade, natural	do	12	1,263							12	1,263
Manganese, chemical grade	do	27	1,729							27	1,729
Manganese, metallurgical grade	do	137	5,390							137	5,390
Mica	Pound	760	2,055			1	$1			761	2,056
Palladium	Troy ounce	80	1,804							80	1,804
Platinum	do	25	1,993							25	1,993
Rare earths	Short dry ton	5	3,100							5	3,100
Rutile	Short ton	1	96							1	96
Silicon carbide, crude	do	14	2,597							14	2,597
Titanium	do	1	2,051							1	2,051
Tungsten	Pound	501	1,225							501	1,225
Total, supplemental stockpile inventory in transit			60,369				1				60,370
Total, General Services Administration			8,672,130		−65		3,998		$8,562		8,667,501

[1] Less than 500.
[2] See appendix, p. 16, for notes relating to the reporting of strategic and critical materials acquired by exchange or barter of agricultural commodities.

NOTE.—Figures are rounded and may not add to totals.

TABLE 3.—*Civil defense stockpile inventory under the Department of Defense, January 1962*

EXPLANATORY NOTES

The Department of Defense defines the content of the columns as follows:

Commodity: Composite groups of many different items.

Unit of measure: Shown only for engineering supply units; not feasible for other composite groups.

Inventory-quantity: Shown only for 1 item; namely, engineering supply units. It is not feasible to furnish quantity figures on the other commodity groups because they are composite groups of many different items. To report quantities, it would be necessary to list numerous different items.

Inventory-cost value: Dollar value figures on commodities in the stockpile inventory essentially reflect their actual cost. The stockpile inventory is generally augmented by acquisition of Government excess property without reimbursement to the several holding agencies. The value assigned to these materials is (1) original acquisition cost if known, (2) estimated current market value of items in similar condition, or (3) average unit cost of identical or similar items purchased in the open market for stockpiling. Government excess property acquired by reimbursement is assigned a value equal to the amount of the fair-value reimbursement required.

Adjustments: Represent inventory pricing adjustments resulting from reculculation of fixed average unit prices, transfers of commodities from one composite group to another, etc., during the month.

Acquisitions: Materials placed in inventory during the month, including return to inventory of items previously released from inventory for reworking, etc. Value stated in terms of actual costs of the commodities.

Disposals: Materials removed from inventory during the month, including items released from inventory for reworking, etc. Values shown are based on average unit costs.

Inventory, end of month: Closing inventory after transactions for the month have been applied to the inventory at the beginning of the month.

[In thousands]

Commodity	Unit of measure	Inventory, beginning of month, Jan. 1, 1962		Transactions during the month						Inventory, end of month, Jan. 31, 1962	
				Adjustments		Acquisitions		Disposals			
		Quantity	Cost value	Quantity	Cost value	Quantity	Cost value	Quantity	Cost value	Quantity	Cost value
Engineering stockpile (engine generators, pumps, chlorinators, purifiers, pipe and fittings).	10-mile units	(1)	$10,150		+$28		$70			(1)	$10,248
Chemical and biological equipment			1,980		−12		39		[2] 2		2,005
Radiological equipment			8,964		+11		420		[2] 110		9,285
Total, civil defense stockpile, Department of Defense			21,094		+27		528		112		21,537

[1] Less than 500.

[2] Grants to other Federal agencies and to State.

[3] Grants to other Federal agencies and to States in the amount of $108,717 and inventory writeoff of $1,445.

NOTE. Figures are rounded and may not add to totals.

TABLE 4.—*Civil defense medical stockpile inventory under the Department of Health, Education, and Welfare, January 1962*

EXPLANATORY NOTES

The Department of Health, Education, and Welfare defines content of the columns as follows:

Commodity: Composite groups of many different items.

Unit of measure: Shown only for hospital functional units; not feasible for other composite groups.

Inventory cost value: The dollar value figures in the civil defense medical stockpile inventory reflect essentially the average acquisition costs per unit of the commodities. No transportation, delivery, or storage costs are included.

Adjustments: Represents increases (+) or decreases (−) of materials in commodity groups other than increases from acquisitions or decreases from disposals. Normally these transactions result from inventory pricing adjustments due to reculculation of fixed average unit prices, transfers of commodities from one composite group to another, removal of material for sampling during testing or reworking, etc., during the month.

Acquisitions: Materials placed in inventory during month, including new procurement and acquisition of Government excess property.

Disposals: Materials removed from inventory during the month. Costs of disposals are calculated on a basis of the average unit price of items in inventory at the time of removal. Disposals consist principally of items no longer suitable for stockpiling due to deterioration and of samples consumed through testing.

Inventory at end of month: Closing inventory after transactions for the month have been applied to the inventory at the beginning of the month.

[In thousands]

Commodity	Unit of measure	Inventory, beginning of month, Jan. 1, 1962		Transactions during the month						Inventory, end of month, Jan. 31, 1962	
				Adjustments		Acquisitions		Disposals			
		Quantity	Cost value	Quantity	Cost value	Quantity	Cost value	Quantity	Cost value	Quantity	Cost value
Medical bulk stocks and associated items at civil defense mobilization warehouses			$111,472		−$1,762		$89		[1] $19		$109,780
Medical bulk stock at manufacturer locations			4,054		+1,430				(2)		5,484
Civil defense emergency hospitals	Each	2	38,287		+170				[1] 1	2	38,456
Replenishment units (functional assemblies other than hospitals)			17,177		−685						16,492
Total, civil defense medical stockpile, Department of Health, Education, and Welfare			170,990		−847		89		20		170,212

[1] Inventory writeoff, certificate of destruction.

[2] Less than $500.

NOTE.—Figures are rounded and may not add to totals.

APPENDIX

U.S. DEPARTMENT OF AGRICULTURE

Commodity Credit Corporation

The Price Support Program

Price support operations are carried out under the Corporation's charter powers (15 U.S.C. 714), in conformity with the Agricultural Act of 1949 (7 U.S.C. 1421), the Agricultural Act of 1954 (7 U.S.C. 1741), which includes the National Wool Act of 1954, the Agricultural Act of 1956 (7 U.S.C. 1442), the Agricultural Act of 1958 and with respect to certain types of tobacco, in conformity with the act of July 28, 1945, as amended (7 U.S.C. 1312). Under the Agricultural Act of 1949, price support is mandatory for the basic commodities—corn, cotton, wheat, rice, peanuts, and tobacco—and specific nonbasic commodities; namely, tung nuts, honey, milk, butterfat, and the products of milk and butterfat. Under the Agricultural Act of 1958, as producers of corn voted in favor of the new price support program for corn authorized by that act, price support is mandatory for barley, oats, rye, and grain sorghums. Price support for wool and mohair is mandatory under the National Wool Act of 1954, through the marketing year ending March 31, 1962. Price support for other nonbasic agricultural commodities is discretionary except that, whenever the price of either cottonseed or soybeans is supported, the price of the other must be supported at such level as the Secretary determines will cause them to compete on equal terms on the market. This program may also include operations to remove and dispose of or aid in the removal or disposition of surplus agricultural commodities for the purpose of stabilizing prices at levels not in excess of permissible price support levels.

Price support is made available through loans, purchase agreements, purchases, and other operations, and, in the case of wool and mohair, through incentive payments based on marketings. The producer's commodities serve as collateral for price-support loans. With limited exceptions, price support loans are nonrecourse and the Corporation looks only to the pledged or mortgage collateral for satisfaction of the loan. Purchase agreements generally are available

during the same period that loans are available. By signing a purchase agreement, a producer receives an option to sell to the Corporation any quantity of the commodity which he may elect within the maximum specified in the agreement.

The major effect on budgetary expenditures is represented by the disbursements for price support loans. The largest part of the commodity acquisitions under the program result from the forfeiting of commodities pledged as loan collateral for which the expenditures occurred at the time of making the loan, rather than at the time of acquiring the commodities.

Dispositions of commodities acquired by the Corporation in its price-support operations are made in compliance with sections 202, 407, and 416 of the Agricultural Act of 1949, and other applicable legislation, particularly the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1691), title I of the Agricultural Act of 1954, title II of the Agricultural Act of 1956, the Agricultural Act of 1958, the act of August 19, 1958, in the case of corn meal and wheat flour, and the act of September 21, 1959, with regard to sales of livestock feed in emergency areas.

GENERAL SERVICES ADMINISTRATION

Strategic and critical materials stockpiling and related programs

1. National Stockpile

The Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98–98h) provides for the establishment and maintenance of a national stockpile of strategic and critical materials. GSA is responsible for making purchases of strategic and critical materials and providing for their storage, security, and maintenance. These functions are performed in accordance with directives issued by the Director of the Office of Emergency Planning (formerly Office of Civil and Defense Mobilization). The act also provides for the transfer from other Government agencies of strategic and critical materials which are excess to the needs of such other agencies and are required to meet the stockpile objectives established by OEP. In addition, GSA is responsible for disposing of those strategic and critical materials which OEP determines to be no longer needed for stockpile purposes.

General policies for strategic and critical materials stockpiling are contained in DMO V–7, issued by the Director of the Office of Emergency Planning (formerly Office of Civil and Defense Mobilization) and published in the Federal Register of December 19, 1959 (24 F.R. 10309). Portions of this order relate also to Defense Production Act inventories.

2. Tin Received From Federal Facilities Corporation

Public Law 608, 84th Congress (50 U.S.C. 98 note), provided, among other things, for the continuation of operation of the Government-owned tin smelter at Texas City, Tex., from June 30, 1956, until January 31, 1957. It provided also that all tin acquired by the Federal Facilities Corporation by reasons of such extension should be transferred to GSA.

3. Defense Production Act

Under section 303 of the Defense Production Act of 1950 (50 U.S.C. App. 2093) and Executive Order 10480, as amended, GSA is authorized to make purchases of or commitments to purchase metals, minerals, and other materials, for Government use or resale, in order to expand productive capacity and supply, and also to store the materials acquired as a result of such purchases or commitments. Such functions are carried out in accordance with programs certified by the Director of the Office of Emergency Planning (formerly Office of Civil and Defense Mobilization).

4. Supplemental Stockpile

As a result of a delegation of authority from OEP (32A C.F.R., ch. I, DMO V–4) GSA is responsible for the maintenance and storage of materials placed in the supplemental stockpile. Section 206 of the Agricultural Act of 1956 (7 U.S.C. 1856) provides that strategic and other materials acquired by the Commodity Credit Corporation as a result of barter or exchange of agricultural products, unless acquired for the national stockpile or for other purposes, shall be transferred to the supplemental stockpile established by section 104(b) of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1704(b)). In addition to the materials which have been or may be so acquired, the materials obtained under the programs established pursuant to the Domestic Tungsten, Asbestos, Fluorspar, and Columbium-Tantalum Production and Purchase Act of 1956 (50 U.S.C. App. 2191–2195), which terminated December 31, 1958, have been transferred to the supplemental stockpile, as authorized by the provisions of said Production and Purchase Act.

DEPARTMENT OF DEFENSE

Civil defense stockpile program

This stockpiling program, conducted pursuant to section 201(h) of Public Law 920, 81st Congress, as amended, is designed to provide some of the most essential materials to minimize the effects upon the civilian population which would be caused by an attack upon the United States. Supplies and equipment normally unavailable, or lacking in quantity needed to cope with such conditions, are stockpiled at strategic locations in a nationwide warehouse system consisting of general storage facilities.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Civil defense medical stockpile program

As authorized under Public Law 920, 81st Congress, and following the intent of Reorganization Plan No. 1, 1958, the Director, Office of Emergency Planning (formerly Office of Civil and Defense Mobilization) has delegated responsibility to the Department of Health, Education, and Welfare to plan and direct operation of the medical supply portion of the OEP stockpile. The warehousing of the medical stockpile is principally within the OEP warehouse system; in addition, the medical stockpile includes a program designed to preposition emergency hospitals and other treatment units in communities throughout the Nation.

EXPLANATORY NOTES RELATING TO THE REPORTING OF STRATEGIC AND CRITICAL MATERIALS ACQUIRED BY EXCHANGE OR BARTER OF AGRICULTURAL COMMODITIES

Surplus agricultural commodities in the Commodity Credit Corporation's price-support inventory may be exchanged or bartered for strategic and critical materials under the Agricultural Trade Development and Assistance Act of 1954 (Public Law 480), and other basic legislation including the CCC Charter Act, as amended, the Agricultural Act of 1954, and the Agricultural Act of 1956.

Except for small amounts which may go to the national stockpile, the strategic and critical materials acquired by Commodity Credit Corporation under the barter program are transferred to the supplemental stockpile.

Direct appropriations reimburse Commodity Credit Corporation for materials so transferred from the price-support inventory.

The General Services Administration is charged with the custody and management of strategic and critical materials, and becomes the responsible reporting agency when title to these bartered materials is placed in the supplemental stockpile.

For purposes of this report, strategic and critical materials acquired by barter may appear in three inventories, reflecting the stages of the transfer of title.

1. The Department of Agriculture reports those to which the Commodity Credit Corporation still has title, prior to transfer to the supplemental stockpile.

2. The General Services Administration reports those which have been transferred from the Commodity Credit Corporation exchange inventory in two parts:

A. Materials for which title is "in transit" from Commodiy Credit Corporation to the supplemental stockpile.

B. Materials for which title has passed to the supplemental stockpile.

STATEMENT BY MR. BYRD OF VIRGINIA

The cost value of materials in nine Federal stockpile inventories as reported by the Agriculture Department, General Services Administration, Department of Defense, and Department of Health, Education, and Welfare on January 31, 1962, totaled $13,901,886,000. January activity in these stockpiles resulted in a net decrease of $210,804,000.

Net change in these stockpile inventories reflects acquisitions, disposals, and adjustments. January activity and end-of-the-month totals are summarized:

[In thousands]

Inventories by agency and program	Cost value, January 1962	
	Net change during month	Total, end of month
Department of Agriculture:		
Price support program:		
1. Agricultural commodities	−$225,098	$4,964,387
2. Exchange, strategic and critical materials	+19,258	78,249
Total, Department of Agriculture	−205,840	5,042,636
General Services Administration:		
Strategic and critical materials:		
3. National stockpile	−4,670	6,083,482
4. Federal Facilities Corporation, tin inventory	−1,272	1,634
5. Defense Production Act program	+1,353	1,484,125
6. Supplemental stockpile	−40	1,037,891
7. Supplemental stockpile inventory in transit	+1	60,370
Total, General Services Administration	−4,629	8,667,501
Department of Defense:		
8. Civil defense stockpile	+443	21,537
Department of Health, Education, and Welfare:		
9. Civil defense medical stockpile	−778	170,212
Grand total	−210,804	13,901,886

These figures are from reports certified by the agencies involved as compiled by the Joint Committee on Reduction of Nonessential Federal Expenditures.

INCREASES AND DECREASES

The major net decreases in cost value during January were $158 million in corn, $46 million in wheat, and $27 million in grain sorghum. This was partially offset by net increases including $15 million in milk and butterfat, and $7 million in aluminum.

AGRICULTURAL COMMODITIES

Of 19 agricultural commodities in Commodity Credit's $5 billion price support inventory on January 31, 1962, those leading in cost value include wheat, with 1.1 billion bushels at a cost of $2.2 billion; corn, with 1.3 billion bushels at a cost of $1.6 billion; and grain sorghum, with 329 million hundredweight at a cost of $625 million.

STRATEGIC AND CRITICAL MATERIALS

Strategic and critical materials are shown in six inventories totaling $8.7 billion, including the $6.1 billion national stockpile for which itemized detail is classified. Combined figures from the other five inventories show materials (in all grades and forms) leading in cost value as follows: Aluminum, bauxite, etc., with 9.5 million tons at a cost of $557 million; manganese (and ores), with 6.1 million tons at a cost of $406 million; and tungsten, with 85 million pounds at a cost of $343 million.

CIVIL DEFENSE SUPPLIES AND EQUIPMENT

Supplies and equipment in two civil defense stockpile inventories total $192 million. Nearly 90 percent is in the medical stockpile valued at $170 million.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS

Mr. HAYDEN. Mr. President, in accordance with the Mutual Security Act of 1954, as amended, I ask unanimous consent to have printed in the RECORD the report of the Committee on Appropriations, the report of the Committee on Interior and Insular Affairs, and the report of the Joint Committee on Atomic Energy concerning the foreign currencies and U.S. dollars utilized in 1961 in connection with foreign travel.

There being no objection, the reports were ordered to be printed in the RECORD.

Report of expenditure of foreign currencies and appropriated funds by the Committee on Appropriations, U.S. Senate, expended between Jan. 1 and Dec. 31, 1961

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Gordon Allott:											
Belgium	Franc			1000	20.00	250	5.00	342.50	6.85	1,592.50	31.85
Germany	Deutsche mark			309	76.36	64,109	1,297.99	52	13.48	64,470	1,387.83
Total					96.36		1,302.99		20.33		1,419.68
Senator Alan Bible:											
Argentina	Peso	3,222.60	38.87	1,770.90	21.36	5,294.73	63.87	397.80	4.79	10,686.03	128.89
Brazil	Cruzeiro	13,092.40	36.36	12,530.80	34.80	9,545.45	26.51	18,376.40	51.04	53,545.05	148.71
Chile	Escudo	30.51	29.03	10.89	10.36			4.99	4.75	46.39	44.14
Mexico	Peso	799.97	64.04	392.00	31.39	444.77	35.61	115.90	9.27	1,752.64	140.31
Peru	Sol	320.07	11.95	24.00	.89	327.27	12.21	621.70	23.19	1,293.04	48.24
Venezuela	Bolivar	120.01	26.49	160.75	35.48			24.95	5.50	305.71	67.47
Panama	Dollar		3.50		8.50				1.00		13.00
Bermuda	do		32.00		18.50				5.50		56.00
Total			242.24		161.28		138.20		105.04		646.76
Senator Henry C. Dworshak:											
Argentina	Peso	3,222.60	38.87	267.00	3.22	5,294.73	63.87	33.80	.41	8,818.13	106.37
Brazil	Cruzeiro	12,991.20	36.08	8,920.00	24.77	9,545.45	26.51	5,200.00	14.44	36,656.65	101.80
Chile	Escudo	30.51	29.03	4.14	3.94			3.10	2.94	37.75	35.91
Mexico	Peso	799.97	64.04	405.00	32.51	444.77	35.61	92.00	7.36	1,742.74	139.52
Peru	Sol	320.07	11.95	175.27	6.53	327.27	12.21	128.00	4.77	950.61	35.46
Venezuela	Bolivar	120.21	26.49	20.80	4.60			4.00	.88	144.81	31.97
Panama	Dollar		3.50		8.50				1.00		13.00
Bermuda	do		26.00		19.50				5.00		50.50
Total			235.96		103.57		138.20		36.80		514.53
Senator Allen J. Ellender:											
Japan	Yen									[2] 25,387	68.36
Taiwan	New Taiwan dollar									[3] 1,118	28.00
Hong Kong	Hong Kong dollar									[1] 1,000	174.80
Saigon	Piestre									[3] 4,065	55.30
Thailand	Baht									[3] 2,000	96.92
Germany	Mark					8,399.2	2,099.80			8,399.2	2,099.80
Russia	U.S. dollar						[1] 1,517.50				[1] 1,517.50
Total							3,617.30				4,039.68
Senator Roman L. Hruska:											
Argentina	Peso	3,222.60	38.87	2,958.60	35.69	5,294.73	63.87	5,983.60	72.18	17,459.53	210.61
Brazil	Cruzeiro	12,991.40	36.08	16,722.60	46.46	9,545.45	26.51	8,758.00	24.32	48,017.45	133.37
Chile	Escudo	30.51	29.03	4.30	4.09			4.39	4.18	39.20	37.30
Mexico	Peso	799.97	64.04	73.00	5.84	444.77	35.61	339.90	27.21	1,657.64	132.70
Peru	Sol	320.07	11.95	281.00	10.48	327.27	12.21	455.90	17.01	1,384.24	51.65
Venezuela	Bolivar	105.01	23.19	118.55	26.17			60.00	13.24	283.56	62.60
Venezuela	Deutsch (sp) marks.					1,834.20	459.70			1,834.20	459.70
Panama	Dollar		3.50		8.50				1.00		13.00
Total			206.66		137.23		597.90		159.14		1,100.93
Senator Hubert H. Humphrey:											
Belgium	Dollar				28.40				16.34		44.74
Jordan	do								14.20		14.20
Greece	do								4.96		4.96
Poland	do				55.60				32.50		88.10
Switzerland	do				42.00				36.00		78.00
Counterpart											
Belgium	Franc			231.60	4.64					231.00	4.64
France	Franc (new)	780.00	182.75	179.60	36.58			70.40	14.34	1,000	203.67
Germany	Deutsche mark	588.75	147.56	1,086.20	272.28	8,498.20	2,124.55	418.45	108.72	10,591.60	2,653.06
Lebanon	Lebanese pound.	180.00	59.60	452.45	149.82	189.00	62.58	628.55	208.13	1,450	480.13
Jordan	Dinar			9.82	27.70	24.36	68.70	.82	2.30	35.00	98.70
Israel	Israeli pound	258.82	119.82	213.22	98.71	775.75	359.14	325.16	150.59	1,572.95	728.26
Greece	Drachma	6,566.00	218.86	3,591.90	119.73	10,280.00	342.66	174.40	5.83	19,612.30	687.08
United Kingdom	Pound	54-10-6	152.67	32-8-6	90.79	147-18-0	414.12	2-3-2	6.07	232-10-4	663.65
Poland	Zloty	1,620.00	29.45	1,228.80	22.34	2,882.10	52.40	331.20	6.02	6,062.10	110.21
United Arab Republic	Pound					36	.81			36	.81
Switzerland	Franc					91.80	21.25			91.80	21.25
Total			880.71		948.54		3,446.21		606.00		5,881.46

See footnotes at end of table.

Report of expenditure of foreign currencies and appropriated funds by the Committee on Appropriations, U.S. Senate, expended between Jan. 1 and Dec. 31, 1961—Continued

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Hubert H. Humphrey:											
Colombia	Peso	756.25	86.33	306.60	35.00	270.40	40.00	304.32	34.74	1,637.57	196.07
Ecuador	Sucre	2,604.52	90.50	537.50	25.00	763.25	35.50	860.00	40.00	4,765.27	197.0
Peru	Sole			1,072.00	40.00			1,072.00	40.00	2,144.00	80.00
Chile	Escudo	90.74	86.33	84.08	80.00	63.06	60.00	104.20	99.03	342.08	325.36
Argentina	Peso	8,054.30	97.15	2,487.00	30.00	9,070.00	109.40	15,190.40	180.71	34,801.76	417.26
Brazil	Cruzeiro	37,664.80	104.62	27,000	75.00	86,400	240.00	65,707.20	182.52	216,772	602.14
Airline tickets							1,064.18				1,064.18
Total			464.93		285.00		1,549.08		583.00		2,882.01
Senator Estes Kefauver:											
England	Pound	38-8-11	107.66	39-13-17	111.30	4-0-0	11.20	38-16-8	108.72	121-0-0	338.88
Israel	Israel pound	185.25	92.62	174.40	87.20	18.00	9.00	181.03	90.51	558.68	279.33
Greece	Drachma	3,393.0	113.10	2,380.0	79.33	655.0	21.83	3,088.0	102.93	9,516.0	317.19
France	Franc	1,652.5	330.50	1,226.5	245.31	29.1	5.83	838.9	167.79	3,747.0	749.43
Transportation	Franc					4,959.5	991.90			4,959.5	991.90
Total			643.88		523.14		1,039.76		469.95		2,676.73
Senator Mike Mansfield:											
Argentina	Peso	7,686.60	92.72	2,932.45	35.37	5,294.73	63.87	413.80	5.00	16,327.58	196.96
Brazil	Cruzeiro	16,146.20	44.85	13,366.00	37.12	9,545.45	26.51	13,801.00	38.33	52,858.65	146.81
Chile	Escudo	47.97	45.64	14.93	14.21			15.00	14.57	77.90	74.42
Mexico	Peso	799.97	64.04	1,093.00	87.51	444.77	35.61	102.05	8.18	2,439.79	195.34
Peru	Sol	320.07	11.95	680.50	25.40	327.27	12.21	550.12	20.52	1,877.96	70.08
Venezuela	Bolivar	260.01	57.39	105.15	23.22			7.00	1.54	372.16	82.15
Panama	Dollar		4.00		8.50				1.00		13.50
Bermuda	do		32.00		22.00				8.95		62.95
Total			352.59		253.33		138.20		98.09		842.21
Senator John L. McClellan:											
Argentina	Peso	7,686.60	92.72	2,888.85	34.84	5,294.73	63.87	1,166.60	14.07	17,036.78	205.50
Brazil	Cruzeiro	14,991.20	41.65	29,020.00	80.62	9,545.45	26.51	5,674.00	15.76	59,230.65	164.54
Chile	Escudo	47.97	45.64	11.52	10.96			5.00	4.76	64.49	61.36
Mexico	Peso	1,079.97	86.47	1,044.00	83.59	444.77	35.61	221.00	17.70	2,789.74	223.37
Peru	Sol	320.07	11.95	236.00	12.53	327.27	12.21	398.77	14.87	1,382.11	51.56
Venezuela	Bolivar	280.01	61.81	91.75	20.25			48.50	10.70	420.26	92.76
Panama	Dollar		4.00		8.50				1.00		13.50
Bermuda	do		32.00		18.00				6.30		56.30
Total			376.24		269.29		138.20		85.16		868.89
Senator Gale McGee:											
Venezuela	Dollar		13.79		3.55				3.67		21.01
Peru	do		22.32		12.71			9.83	8.00		52.86
	Sol			1,215	45.00	2,153	79.74	492.75	18.25	3,860.75	142.99
Bolivia	Dollar		17.26		1.19		1.90				20.35
	Boliviano			160,000	13.27					160,000	13.27
Chile	Dollar		37.42		9.15				2.85		49.42
	Escudo			25.20	24.00	21.71	20.68	19.66	18.72	66.57	63.40
Argentina	Dollar		47.55		17.37		24.27				89.19
	Peso			889	10.84	2.880	35.10	632	7.74	4,401	53.68
Paraguay	Dollar		10.34		3.49						13.83
Brazil	do		57.89		14.75		3.07		30.08		105.79
	Cruzeiro			63,945	172.82	15,000	40.54	18,000	48.64	96,945	262.00
Barbados	Dollar		37.80		1.98						39.78
Total			244.37		328.14		217.11		137.95		927.57
Senator Karl E. Mundt:											
France	Franc			434	91.85	25	5.00	323	54.55	782	151.40
Germany	Mark			115	28.75	4,556.60	1,139.60	125	31.25	4,796.60	1,199.60
Turkey	Lira	253	27.83	413	85.43	20	2.22	214	23.52	900	139.00
Lebanon	Pound	111	31.63	221	57.85	45	15.00	143	37.12	520	141.60
Egypt (UAR)	do	21	47.25	7	15.75	4	9.00	24	44.00	56	116.00
Jordan	Dinar	7.3	20.44			11.6	27.48	15.1	42.28	34.0	90.20
Israel	Pound	30.8	15.40					44.2	22.10	75.0	37.50
Greece	Drachma	2,600	75.80	899	30.33	100	3.30	901	29.57	4,50	148.10
Italy	Lira	18,400	19.44	39,000	72.40	2,000	3.20	27,600	34.16	87,000	129.20
Spain	Peseta	910	15.10	1,090	18.09	120	1.99	880	14.62	3,000	49.80
Portugal	Escudo	399	20.96	85	14.76	60	2.10	756	26.46	1,500	64.28
Total			273.85		424.21		1,208.89		359.73		2,266.68
Senator Margaret Chase Smith:											
Argentina	Peso	3,224.00	38.89	163.00	1.96	5,294.73	63.87	279.50	3.37	8,961.23	108.09
Brazil	Cruzeiro	13,092.00	36.36	889.00	2.46	9,545.45	26.51	2,588.00	7.19	26,114.45	72.52
Chile	Escudo	30.54	29.06					1.67	1.59	32.21	30.65
Mexico	Peso	680.00	54.44	33.00	2.64	444.77	35.61	119.00	9.52	1,276.77	102.21
Peru	Sol	320.00	11.95	159.00	5.94	327.27	12.21	89.45	3.33	895.72	33.43
Venezuela	Bolivar	120.00	26.49	67.40	14.88			28.50	6.30	215.90	47.67
Panama	Dollar		3.50		8.50				.50		12.50
Bermuda	do		26.00		13.00				3.90		42.90
Total			226.69		49.38		138.20		35.70		449.97
Group expenses:[4]											
Argentina	Peso	15,952.60	192.43	26,350.50	317.86	63,492.70	765.89	15,608.00	188.27	121,413.80	1,464.45
Brazil	Cruzeiro	56,178.00	156.05	213,921.00	594.23	114,545.00	318.19	44,469.00	123.52	429,113.00	1,191.99
Chile	Escudo	91.55	87.10	48.78	46.42			291.56	277.41	431.89	410.93
Mexico	Peso	2,080.00	166.53	471.50	37.75	5,337.30	427.33	1,082.59	86.68	8,971.39	718.29
Peru	Sol	1,350.40	50.38	847.80	31.63	3,927.30	146.54	1,483.81	55.36	7,609.31	283.91
Venezuela	Bolivar	480.00	105.96	303.20	66.94			520.30	114.85	1,303.50	287.75
Panama	Dollar		4.00		8.50		3.50		3.50		19.50
Bermuda	do		26.00		55.00		5.50		16.00		102.50
Aboard aircraft	do				366.80						[5] 366.80
Total			788.45		1,525.13		1,666.95		865.59		4,846.12

See footnotes at end of table.

Report of expenditure of foreign currencies and appropriated funds by the Committee on Appropriations, U.S. Senate, expended between Jan. 1 and Dec. 31, 1961—Continued

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Group expenses:[4]											
Italy	Lira	89,424	144.00	94,082	151.50			84,580	136.20	268,086	431.70
France	New franc							1,052.71	213.10	1,052.71	213.10
Switzerland	Swiss franc	367.20	85.00	361.39	83.65	150.00	34.72	321.41	74.41	1,200	277.78
United Kingdom	Pound			32-5-0	90.30			28-12-8	80.17	60-17-8	170.47
Israel	Israel pound	346.68	100.50	101.78	47.12			432.04	200.02	880.50	407.64
Greece	Drachma			3,431.10	114.37			2,706.60	90.22	6,137.70	204.59
Germany	Deutsche mark							306.60	73.00	306.60	73.00
Chile	Escudo							127.02	120.97	127.02	120.97
Argentina	Peso							8,489.60	106.12	8,489.60	106.12
Brazil	Cruzeiro	33,498	93.05							33,498	93.05
Equador	Sucre	2,767.43	136.10							2,267.43	136.10
Total			618.65		486.94		34.72		1,094.21		2,234.52
Mr. William Connell:											
Belgium	Dollar				15.00				32.00		47.00
Poland	do				26.00				27.03		53.03
Germany	do				48.47						48.47
England	do				21.50						21.50
Counterpart:											
France	New franc	400.00	80.97	565.90	114.56	268.40	54.36	313.29	63.80	1,547.59	313.69
Germany	Deutsche mark	235.75	58.94	38.00	9.72	8,428.00	2,107.10	192.78	48.20	8,896.03	2,223.96
United Kingdom	Pound	50.00	140.00	40-4-3	112.50			9-15-9	27.41	100-0-0	280.00
Italy	Lire	124,276	200.12	43,796.71	70.52	100,122	161.23	93,986	151.35	362,052	583.22
United Arab Republic	Pound			66,660	150.00	11,110	25.00	22,230	50.00	100,000	225.00
Total			480.03		568.36		2,347.69		399.79		3,795.87
Mr. Paul J. Cotter:											
Mexico	Peseta 12.50 to $1	475.00	28.00	387.50	31.00	56.25	4.50	86.25	6.50	1,000	80.00
Colombia	Peso 8.70 to $1	462.50	53.12	91.35	10.50			27.49	3.16	581.44	66.78
Peru	Sol 28.6 to $1	721.90	25.24	800.80	28.00	171.00	5.95	445.02	15.56	2,020	75.45
Chile	Peso 1.05 to $1	46.17	43.97	30.90	38.00	18.90	18.00	22.03	20.98	127.0	120.95
Argentina	Peso 82.97 to $1	3,115	38.00	3,024.75	36.50	1,284.49	15.50	876.77	10.58	8,245	100.58
Uruguay	Peso 10.95 to $1	397.94	36.25	347.06	31.75	32.85	3.00	100.84	9.20	879.29	80.20
Brazil	Cruzeiro 450 to $1	43,527.20	96.73	25,100	58.00	8,910.00	19.80	6,187.50	13.75	84,750	188.28
Airline ticket, Pan-American	Deutsche mark 4 to $1					4,923.60	1,230.90				1,230.90
United States			19.74		12.00		14.00		3.00		48.74
Total			351.75		245.75		1,311.65		82.73		1,991.88
Mr. William A. Creech:											
Egypt	Pound							12.000	27.00		27.00
Greece	Drachma			30.36	101.20	250	8.33	940	31.33		140.86
United States	Dollar						1,149.31		5.00		1,154.31
England	do		53.13		34.19		15.56		12.26		115.14
Switzerland	do		22.58		14.08		3.24		4.76		46.06
UAR	do				6.40						6.40
Lebanon	do		41.75		55.38				7.92		105.05
Jordan	do						3.75				3.75
Total			118.86		211.25		1,180.19		88.27		1,598.57
Mr. John J. Flynn:											
Peru	Sol			375.20	14.00			375.20	14.00	750.40	28.00
Chile	Escudo	45.81	43.60	10.51	10.00			31.53	30.00	87.85	83.60
Argentina	Peso	3,358.30	40.51	1,243.30	15.00			1,900.07	22.92	6,501.87	78.43
Brazil	Cruzeiro	21,867.00	60.75	7,200.00	20.00			10,800.00	30.00	39,867.00	110.75
Airline tickets	Mark					3,900.00	950.00			3,900.00	950.00
Total			144.86		59.00		950.00		96.92		1,250.78
Mr. Joe E. Gonzales:											
Venezuela	Dollars		13.79		6.76						20.55
Peru	do		23.35		10.87		11.67		8.00		53.89
	Sol			1,215	45.00	2,153	79.74	492.75	18.25	3,860.75	142.99
Bolivia	Dollars		8.04		1.19		1.90				11.13
	Boliviano			160,000	13.27					160,000	13.27
Chile	Dollars		24.93		7.33				4.23		36.49
	Escudo			25.20	24.00	21.71	20.68	19.66	18.72	66.57	63.40
Argentina	Dollars		46.31		40.97		24.27				111.55
	Peso			880	10.84	2,880	35.10	632	7.74	4,401	53.68
Paraguay	Dollars		10.34		3.49						13.83
Brazil	do		18.81		15.59		3.07				37.47
	Cruzeiro			36,638	99.02	192,617	525.80	7,808	21.21	237,063	646.03
Total			145.57		278.35		702.23		78.15		1,204.28
Mr. William J. Kennedy:											
Salvador, Brazil	Cruzeiros			6,541	21.10	4,960	15.75	3,100	5.50	14,602	42.35
Rio de Janeiro, Brazil	do	5,890	19.00	4,650	15.00	3,177	10.25	1,937	6.25	15,654	50.50
Brasilia	do			3,797	12.25	22,475	72.50	852	2.75	27,124	87.50
Recife, Brazil	do			3,177	10.25	39,370	127.00	1,488	4.80	44,027	142.05
Santos, Brazil	do			2,567	8.25	1,240	4.25	620	2.25	4,340	14.75
Sao Paulo, Brazil	do			2,325	7.50	12,400	40.00	1,007	3.25	15,732	50.75
Buenos Aires, Argentina	Pesos	3,157	38.00	2,335	28.00	1,845	22.50	389	4.75	7,726	94.35
Montevideo, Uruguay	do			984	12.00	765	8.60	185	2.25	1,874	22.85
Belle Horizonte, Brazil	Cruzeiros			2,976	9.60	20,227	65.25	1,937	6.25	25,140	81.10
San Juan, P. R.	U.S. dollars				21.50		8.90		5.25		35.65
Round-trip ticket	Cruzeiros					930,800	2,680.00			930,800	2,680.00
Total			87.50		145.05		3,055.00		43.30		3,301.85

See footnotes at end of table.

Report of expenditure of foreign currencies and appropriated funds by the Committee on Appropriations, U.S. Senate, expended between Jan. 1 and Dec. 31, 1961—Continued

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Mr. William J. Kennedy:											
Panama	U.S. dollars		36.00		45.00		180.00		27.00		288.00
Haiti	do				31.50		15.00		3.00		49.50
Total			36.00		76.50		195.00		30.00		337.50
Mr. William Lewis:											
Argentina	Peso	2,976.00	35.90			5,294.73	63.87	6.00	.01	8,276.73	99.78
Brazil	Cruzeiro	13,092.00	36.36	843.00	2.35	9,545.45	26.51			23,480.45	65.22
Chile	Escudo	30.54	29.06							30.54	29.06
Mexico	Peso	800.00	64.05	33.00	2.64	444.77	35.61	118.00	9.44	1,395.77	111.74
Peru	Sol	320.00	11.95			327.27	12.21	63.20	2.35	710.47	26.51
Venezuela	Bolivar	120.00	26.49	7.15	1.57					127.15	28.06
Panama	Dollar		3.50		8.50				.50		12.50
Bermuda	do		26.00		15.00				2.75		43.75
Total			233.31		30.06		138.20		15.05		416.62
Mr. Robert L. McCaughey:											
France	Franc	610	112.00	736	147.20						
Germany	Mark			120	30.00	2,900.90	725.90	462	88.40	1,808	347.60
Turkey	Lira	363	39.93	889	87.79			128	32.00	3,148.90	787.90
Lebanon	Pound	88	29.04	84	27.75	15	5.00	368	40.48	16.20	168.20
Egypt (U.A.R.)	do	21	47.25	8.75	19.68			43	14.11	230	75.90
Jordan	Dinar	7.4	20.72					24.25	49.57	54	116.50
Israel	Pound	30.8	15.40					3.6	10.08	11.0	30.80
Greece	Drachma	840	22.72	2,190	82.26	40	1.32	24.2	12.10	55.0	27.50
Italy	Lira	18,400	24.44	9,530	35.25	2,000	3.20	2,430	75.20	5,500	181.50
Spain	Peseta	889	14.76	311	50.16			20,070	32.11	50,000	95.00
Portugal	Escudo	606	21.21	90	14.93			700	11.62	1,900	76.54
								1,354	47.39	2,050	83.53
Total			347.47		495.02		735.42		413.06		1,990.97
Mr. Harold E. Merrick:											
Argentina	Peso	3,222.60	38.87	1,314.60	15.86	5,294.73	63.87	504.00	6.08	10,335.93	124.68
Brazil	Cruzeiro	12,991.20	36.08	10,724.20	29.78	9,545.45	26.51	6,222.00	17.28	39,482.85	109.65
Chile	Escudo	30.51	29.03	4.72	4.49			10.19	9.70	45.42	43.22
Mexico	Peso	799.97	64.04	466.20	37.33	444.77	35.61	173.20	13.87	1,884.14	150.85
Peru	Sol	320.07	11.95	759.00	28.32	327.27	12.21	418.02	15.59	1,824.36	68.07
Venezuela	Bolivar	120.01	26.49	127.60	28.16			198.47	43.81	446.08	98.46
Panama	Dollar		3.50		8.50				1.00		13.00
Bermuda	do		26.00		18.50				4.50		49.00
Total			235.96		170.94		138.20		111.83		656.93
Margie Nicholson:											
Argentina	Peso	2,976.00	35.90	275.00	3.32	5,294.73	63.87	446.00	5.38	8,991.73	108.47
Brazil	Cruzeiro	13,092.00	36.36	2,319.00	6.45	9,545.45	26.51	2,030.00	5.63	26,986.45	74.95
Chile	Escudo	30.54	29.06	2.41	2.29			2.00	1.90	34.95	33.25
Mexico	Peso	800.00	64.05			444.77	35.61	524.85	42.02	1,769.62	141.68
Peru	Sol	320.00	11.95	224.00	8.35	327.27	12.21	156.95	5.85	1,028.22	38.36
Venezuela	Bolivar	120.00	26.49	4.00	.88			14.00	3.09	138.00	30.46
Panama	Dollar		3.50		8.50		.50		.50		13.00
Bermuda	do		26.00		14.50				3.00		43.50
Total			233.31		44.29		138.70		67.37		483.67
Mr. Francis R. Valeo:											
Argentina	Peso	2,728.00	32.91	4,617.80	55.70	5,294.73	63.87	1,620.40	19.55	14,260.93	172.03
Brazil	Cruzeiro	10,092.00	28.03	22,652.00	62.93	9,545.45	26.51	13,000.00	36.12	55,289.45	153.59
Chile	Escudo	30.54	29.06	23.00	21.39			27.77	26.42	81.31	76.87
Mexico	Peso	800.00	64.05	1,028.00	82.31	444.77	35.61	106.20	8.50	2,378.97	190.47
Peru	Sol	320.00	11.95	857.00	31.97	327.27	12.21	477.45	17.81	1,981.72	73.94
Panama	Dollar		3.50		8.50				2.00		14.50
Total			169.50		262.80		138.70		110.40		681.40
Mr. Rein J. Vander Zee:											
Columbia	Peso	194.75	22.23					87.60	10.00	282.35	32.23
Ecuador	Sucre	789.05	35.30	322.50	15.00			322.50	15.00	1,404.05	65.30
Peru	Sole			402.00	15.00			402.00	15.00	804.00	30.00
Chile	Escudo	47.39	45.09	12.61	12.00			43.05	40.96	103.05	98.05
Argentina	Peso	4,133.80	49.86	1,243.50	15.00			2,487.00	30.00	7,864.30	94.86
Brazil	Cruzeiro	117,360.80	131.56	7,200.00	20.00			10,800.00	30.00	65,360.80	181.56
Airline tickets							958.90				958.90
Total			284.04		77.00		958.90		140.96		1,460.90

[1] $131.40 in addition reimbursed to U.S. Treasury by personal check.
[2] Lodging, meals, and transportation.
[3] Includes expense of Russian guide required by Intourist regulations.
[4] Represents expenses of escort officers, communication charges, transportation for Senators and staff members and other official incidental expenses for the trip of Senators McClellan, Mansfield, Bible, Smith, Dworshak, Hruska, and staff members Harold Merrick, William Lewis, Francis R. Valeo, and Margie Nicholson.
[5] Represents costs of inflight meals furnished Senators and staff members and other expenses incurred by U.S. Department of the Air Force.
[6] Represents group expenses of trip of Senator Hubert H. Humphrey and party.

RECAPITULATION

Foreign currency (U.S. dollar equivalent)	$44,050.02
Government department (appropriated funds):	
Defense Department	3,871.61
State Department	2,847.33
Total	50,768.96

CARL HAYDEN,
Chairman, Committee on Appropriations.

MAR. 15, 1962.

Report of expenditure of foreign currencies and appropriated funds by the Committee on Interior and Insular Affairs, U.S. Senate, expended between Jan. 1 and Dec. 31, 1961

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Moss, Frank E.:											
Venezuela	Dollar		13.79		3.55				1.27		18.61
Peru	do		24.09		12.71		9.83		8.00		54.63
Do	Sol			1,215	45.00	2,153	79.74	492.75	18.25	3,860.75	142.99
Bolivia	Dollar		9.25		1.86		1.90				13.01
Do	Boliviano			160,000	13.27					160,000	13.27
Chile	Dollar		20.77		2.65						29.68
Do	Escudo			25.20	24.00	21.71	20.68			66.57	63.40
Argentina	Dollar		46.00		17.37		24.27				88.08
Do	Peso			880	10.84	2,880	35.10			4,401	53.68
Paraguay	Dollar		10.34		3.49						13.83
Brazil	do		37.61		16.03		3.07				77.61
Do	Cruzeiro			61,045	167.41	15,000	40.54			96,945	262.00
Barbados	Dollar		37.80				1.98				39.78
Total			219.65		319.08		217.11		114.73		870.57
Miller, Jack:											
France	Franc					323.20	65.83			323.20	65.83
Switzerland	do	60	13.92	65	14.08	15	3.48	140	31.48	280	63.96
Italy	Lira	30,842	49.35	29,680	47.50	84,102	134.56	1,400	2.24	146,029	233.65
United Kingdom	Pound sterling	38	106.40	16	44.80	8.12	24.08	2	5.60	64.12	180.88
Sweden	Kroner	160	31.04	60	11.64			5	.97	225	43.65
Denmark	do	87.25	12.75	86.84	12.59					174.09	25.34
Belgium	Franc	600	12.06	850	17.09	1,284	25.21 [1] 390.20			2,704	54.36
Total			225.52		147.70		639.88		12.29		1,025.36

[1] Partial refund uncredited.

RECAPITULATION

	Amount
Foreign currency (U.S. dollar equivalent)	$1,560.73
Appropriated funds: Department of the Army	335.23
Total	1,895.96

CLINTON P. ANDERSON,
Chairman, Committee on Interior and Insular Affairs.

MAR. 9, 1962.

Report of expenditure of foreign currencies and appropriated funds by the Joint Committee on Atomic Energy, U.S. Senate, expended between Jan. 1 and Dec. 31, 1961

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
C. Holifield:											
Switzerland	Swiss franc	259.00	60.09	198.09	39.00	86.20	20.00	129.30	30.00	642.59	149.09
France	New franc	319.00	65.20	196.00	40.00	4,991.40	[1] 1,016.58	98.00	20.00	5,604.00	1,141.78
J. O. Pastore:											
Germany	Deutsche mark	48.75	12.18	19.85	5.00	4,406.80	[1] 1,111.70	10.00	2.50	4,485.40	1,131.38
Austria	Schilling	408.20	15.62	340.01	13.22					748.21	28.84
France	New franc	397.40	79.48	240.00	48.00			40.00	8.00	677.40	135.48
Italy	Lira	15,625.00	25.16	25,461.00	41.00			4,539.51	7.31	45,625.00	73.47
C. P. Anderson:											
Switzerland	Swiss franc			200.00	50.00			100.00	25.00	300.00	75.00
France	New franc					4,991.40	[1] 1,016.58			4,991.40	1,016.58
W. H. Bates:											
Austria	Schilling	860.20	33.04	395.80	15.00			119.30	4.64	1,364.30	52.68
France	New franc	326.85	66.37	291.50	58.30			50.00	10.00	668.35	134.67
Germany	Deutsche mark	48.75	12.18	20.70	10.00	4,357.80	[1] 1,099.70	25.00	6.25	4,501.25	1,128.13
Italy	Lira	15,325.00	24.69	24,840.00	40.00			5,160.00	8.31	45,325.00	73.00
B. B. Hickenlooper:											
Switzerland	Swiss franc	60.80	14.10	28.00	6.54			10.60	2.56	100.00	23.20
France	New franc	68.40	13.96	55.20	11.27	4,991.40	[1] 1,016.58	19.90	4.06	5,134.90	1,045.87
C. Hosmer:											
Austria	Schilling	2,731.75	109.27	1,628.80	40.00	257.20	10.00	525.97	20.45	4,543.72	179.72
Germany	Deutsche mark	241.12	60.28			205.32	51.33			446.44	111.61
M. Price:											
Switzerland	Swiss franc	289.20	67.10	222.61	51.65	86.20	20.00	134.88	31.25	732.89	170.00
France	New franc	377.85	77.10	301.98	61.63	4,991.40	[1] 1,016.58	172.15	35.10	5,843.38	1,190.41
J. E. Van Zandt:											
France	do	124.10	24.82	75.00	15.00	4,991.40	[1] 1,016.58	50.00	10.00	5,240.50	1,066.40
Austria	Schilling	800.20	31.12	128.80	5.00					937.60	36.12
Germany	Deutsche mark	124.50	31.12	40.00	10.00			5.00	1.25	169.50	42.37
Tokyo	Yen	16,071	44.64	7,500	22.22	9,800	27.07	654	1.81	34,025	95.74
Taiwan	New Taiwan dollar.	824	20.60			108	2.71			932	23.31
New Zealand	Pound	3	8.40	6	16.80	1	2.80			10	28.00
J. F. Van Zandt:											
Hong Kong	Hong Kong dollar.	202	35.75	138	24.42	86	15.20	100	17.68	526	93.05
Singapore	Malayan dollar.	46	15.33	79	26.33	35	11.66	15	5.00	175	58.32
Australia	Pound	15	33.75	7.5	16.86	2.5	5.62			25	56.23
West Germany	Deutsche mark					8,815.20	[1] 2,203.80			8,815.20	2,203.80
J. T. Ramey:											
Switzerland	Swiss franc	274.65	68.66	279.76	64.90	86.20	20.00	300.00	75.00	940.61	228.56
France	New franc	328.00	66.93	300.49	61.53	5,091.40	[1] 1,035.58	197.00	35.00	6,015.89	1,219.04

See footnote at end of table.

Report of expenditure of foreign currencies and appropriated funds by the Joint Committee on Atomic Energy, U.S. Senate, expended between Jan. 1 and Dec. 31, 1961—Continued

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
E. J. Bauser:											
Tokyo	Yen	16,071	44.64	7,500	22.22	9,800	27.07	654	1.81	34,025	95.74
Taiwan	New Taiwan dollar.	824	20.60			108	2.71			932	23.31
New Zealand	Pound	3	8.40	6	16.80	1	2.80			10	28.00
Hong Kong	Hong Kong dollar.	202	35.75	138	24.42	86	15.20	100	17.68	526	93.05
Singapore	Malayan dollar.	46	15.33	79	26.33	35	11.66	15	5.00	175	58.32
Australia	Pound	15	33.75	7.5	16.86	2.5	5.62			25	56.23
E. J. Bauser: West Germany	Deutsche mark					8,815.20	[1] 2,203.80			8,815.20	2,203.80
J. T. Conway:											
France	New franc	492.60	98.52	240.00	58.00			320.65	64.13	1,053.25	220.65
Germany	Deutsche mark	56.10	14.02	50.00	12.50	4,395.80	[1] 1,111.70	9.93	2.50	4,511.83	1,140.72
Italy	Lira	21,210.00	34.15	20,865.00	38.50	20,865.00	38.50	10,000.00	16.10	72,940.00	127.25
Austria	Schilling	719.40	27.66	257.20	10.00			514.40	20.00	1,491.00	57.66
G. F. Murphy, Jr.:											
France	New franc	1,090.90	220.49	764.07	154.54	5,500.23	[1] 1,120.37	792.60	159.74	8,147.80	1,655.14
Switzerland	Swiss franc	377.85	87.67	586.00	135.96	1,972.40	457.53	366.15	84.95	3,302.40	766.22
Italy	Lira	11,600.00	18.67	20,865.00	38.50	98,076.00	162.83	10,000.00	16.10	140,541.00	236.10
Austria	Schilling	1,466.90	56.41	643.00	25.00			308.64	12.00	2,418.54	93.41
Germany	Deutsche mark	68.57	17.14	29.77	7.50	4,387.00	[1] 1,099.70	27.79	7.00	4,513.13	1,131.34
Grand total			1,849.14		1,400.90		16,979.66		768.19		20,997.89

[1] Includes commercial air ticket.

RECAPITULATION

	Amount
Foreign currency (U.S. equivalent)	$20,997.89
Appropriated funds: United States—Europe—return, MATS	339.80
Grand total	21,337.69

CHET HOLIFIELD,
Chairman, Joint Committee on Atomic Energy.

MAR. 15, 1962.

EXECUTIVE REPORTS OF A COMMITTEE

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. JOHNSTON, from the Committee on Post Office and Civil Service:

Sidney W. Bishop, of California, to be an Assistant Postmaster General; and

One hundred and fifty-five postmaster nominations.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MUSKIE:

S. 3050. A bill to amend the Agricultural Adjustment Act of 1938, as amended, to provide for marketing quotas on Irish potatoes through establishment of acreage allotments; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. MUSKIE when he introduced the above bill, which appear under a separate heading.)

By Mr. SMITH of Massachusetts:

S. 3051. A bill for the relief of Mr. M. N. Karandikar; to the Committee on the Judiciary.

By Mr. BUTLER:

S. 3052. A bill for the relief of Tonino Di-Jullio; to the Committee on the Judiciary.

By Mr. CLARK:

S. 3053. A bill for the relief of Paul Dacut (also known as Paul Datuk); to the Committee on the Judiciary.

By Mr. BARTLETT:

S. 3054. A bill for the relief of Joseph T. Flakne; to the Committee on the Judiciary.

By Mr. BARTLETT (for himself and Mr. GRUENING):

S. 3055. A bill to authorize the coinage of 50-cent pieces in commemoration of the 100th anniversary of the purchase of Alaska from Russia; to the Committee on Banking and Currency.

(See the remarks of Mr. BARTLETT when he introduced the above bill, which appear under a separate heading.)

By Mr. ANDERSON (for himself and Mr. CHAVEZ):

S. 3056. A bill to amend the act of October 31, 1949 (63 Stat. 1049); to the Committee on Interior and Insular Affairs.

By Mr. MAGNUSON (by request):

S. 3057. A bill to amend section 208(c) of the Interstate Commerce Act, as amended; to the Committee on Commerce.

(See the remarks of Mr. MAGNUSON when he introduced the above bill, which appear under a separate heading.)

By Mr. DODD:

S. 3058. A bill to provide for an increase in judicial salaries; to the Committee on the Judiciary.

(See the remarks of Mr. DODD when he introduced the above bill, which appear under a separate heading.)

By Mr. HART:

S. 3059. A bill to amend chapter 13 of title 18 of the United States Code relating to civil rights; to the Committee on the Judiciary.

AMENDMENT OF AGRICULTURAL ADJUSTMENT ACT OF 1938, RELATING TO MARKETING QUOTAS ON IRISH POTATOES

Mr. MUSKIE. Mr. President, I introduce, for appropriate reference, a bill to amend the Agricultural Adjustment Act of 1938, as amended, to provide for supply management of Irish potatoes through establishment of acreage allotments.

Mr. President, the bill which I am introducing today is part of a two-pronged attack on the very serious economic problems confronting the potato industry. This approach is the result of recommendations by the National Potato Advisory Committee, a 29-member group drawn from all segments of the potato industry in all areas of the country. The fact that the industry has reached substantial agreement on a national potato program is a remarkable achievement in and of itself.

I want to take this opportunity to commend Secretary of Agriculture Freeman for establishing the committee and the potato industry for its cooperation in working out a proposal for the potato economy. I am proud of the role my State's representatives have played in its deliberations.

There are, as I have said, two basic ingredients in the advisory committee's program. The first is the expansion of the marketing agreement program, which helps insure the improvement of the quality of potatoes sold consumers and which helps protect the market from the adverse effects of the dumping of excess, low grade or undersized potatoes. The second part of the program involves supply management through acreage allotments—if approved by farmers in a referendum. The bill which I have introduced today is the supply management part of the package. Hearings are being held in different parts of

the country on the proposed marketing agreements.

Two points should be stressed in connection with this program: First, it involves industry self-help; and second, it does not include price supports.

My concern for the potato industry is quite natural. Potatoes represent a major factor in Maine's agricultural economy; and they are the dominant commodity in Aroostook County, Maine. But the potato industry is a boom and bust economy, marked by wide variations in prices paid to farmers from year to year and within a marketing year. The last 2 years have been particularly difficult for Maine farmers, and for farmers in other parts of the country.

Last June I asked the Department of Agriculture to undertake an economic study of the potato industry. I had been concerned to find that there was no general analysis available of the industry and its problems.

In response to my request, Secretary Freeman directed Agricultural Economics Director Willard W. Cochrane to make such a study. That study has now been published. It is most instructive.

During the past 50 years there have been massive changes in the potato industry, involving, as the USDA study points out, "sharply declining per capita consumption, rapidly increasing specialization and concentration of production, greatly improved breeding and cultural methods, and significant changes in utilization and marketing practices."

In the period between 1920 and 1961 yield per acre almost tripled; at the same time acreage declined almost 60 percent. The result was an almost stable trend in total production. Production increased from 223 million to 274 million hundredweight, or less than one-fourth.

We might have assumed that with our rapidly expanding population there would have been a corresponding increase in the consumption of potatoes. There was no such increase. In 1910, per capita consumption of potatoes was 198 pounds. By 1950, per capita consumption had dropped to 105 pounds. Total consumption for food dropped from 180 million hundredweight for a population of 92 million in 1910 to 165 million hundredweight for a population of 150 million in 1950.

In the past decade the downward trend in per capita consumption has been halted, and there has been a modest increase in total consumption. But the inelasticity of demand for potatoes has resulted in wide fluctuations in prices.

The Department's economic report points out, as follows:

> During the last decade a 1-percent change in production of potatoes resulted on the average, in a 4- to 5-percent change in prices to growers. Because of this highly inelastic demand for potatoes, year-to-year variations in production, although usually moderate, exert tremendous influences on prices and income. These variations in production during the last decade average about 8 percent. About 60 percent of the year-to-year variation in production was due to changes in acreage, and 40 percent was due to variation in yield.

When we compare the price variations in potatoes with other commodities, we can see how serious the problem is. Again I refer to the departmental study:

> During the last decade, year-to-year variations in prices received for potatoes around the general farm price level averaged 47 percent. This was five to eight times the price variation for most field crops, and compared with 16 percent for hogs, and 11 percent for beef cattle. The problem of sharply fluctuating and frequently low prices and income has been more serious as farms have become larger and more highly capitalized.

The large capital investment and operating capital requirements of today's larger farms have greatly increased the risks for individual farmers in years of low prices.

It should be noted that low farm prices do not mean substantially lower consumer prices. The Agriculture Department study indicates that a 10-percent drop in retail prices will result in a 30-percent drop in the price to the grower.

Obviously it is to the advantage of the grower, the processor, the marketer, and the consumer of potatoes to stabilize prices.

One means of price stabilization involves increased demand through quality improvement, processing a variety of potato products, and aggressive marketing techniques. This is being done by the industry, with some success.

The second technique involves the use of marketing agreements to control the quality of table-use potatoes and to introduce a measure of supply-management. This is being done by a large segment of the industry. An effort is being made to extend marketing agreements to cover the entire country.

The third approach is the potato acreage allotment bill. This is the legislation I have introduced today.

The bill provides for the appointment by the Secretary of Agriculture of a National Potato Advisory Board, representing commercial potatogrowers. In addition, the Secretary may appoint State or area advisory committees of commercial potatogrowers.

Under the terms of the proposal, the Secretary of Agriculture, when he determines that the total supply of potatoes is likely to exceed in the next marketing year the normal supply of potatoes, shall proclaim, prior to January 1, a national marketing quota for the purpose of computing the national acreage allotment. Prior to February 1, the proposed national quota would be submitted to farmers for a secret ballot referendum.

In order for the acreage allotment to take effect, at least two-thirds of the farmers voting, or 50 percent of the farmers voting and representing two-thirds or more of the acreage planted by the farmers voting, must approve the national quota.

The national acreage allotment under this legislation would be determined by dividing the quota by the national average yield per acre in the 2 highest yield years of the 3 crop years preceding the year in which the quota is proclaimed. Area, State, county, and farm acreage allotments would be established on the basis of the 2 highest production years of the 3 preceding crop years. A 1 percent acreage reserve would be established for new producers. Minimum acreage allotments would be set at 2 acres.

Farmers would be permitted to market all potatoes produced on their acreage allotment, but would be assessed a $3 per hundredweight penalty on the farm-marketing excess. The farm-marketing excess would be computed as twice the average yield per acre for the farm and would be applied to those acres planted in excess of the acreage allotment.

Mr. President, this legislation would establish a supply-management program based on farmer approval, and geared to the needs and marketing opportunities of the industry. I want to stress the fact that the central feature of this bill is the acreage allotment. The marketing quota referred to in the bill is simply a statistical device designed to set the basis for acreage allotments. Farmers would not be told how much they could market.

I believe this proposal represents a new and reasonable approach to the potato problem which deserves thoughtful consideration. I hope that we will be able to hold hearings on the legislation in the near future. I shall welcome the support and assistance of my colleagues who wish to cosponsor the bill with me.

Mr. President, I ask unanimous consent that the bill be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk and be printed in the RECORD, as requested by the Senator from Maine.

The bill (S. 3050) to amend the Agricultural Adjustment Act of 1938, as amended, to provide for marketing quotas on Irish potatoes through establishment of acreage allotments, introduced by Mr. MUSKIE, was received, read twice by its title, referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title III of the Agricultural Adjustment Act of 1938, as amended, is amended by inserting after part VII of subtitle B thereof the following new part:

"PART VIII. MARKETING QUOTAS—IRISH POTATOES

"Legislative findings

"SEC. 360m. Potatoes are a basic source of food for the Nation and are produced throughout the United States on nearly seven hundred thousand farms. Potatoes are marketed on a nationwide market and owing to causes beyond their control, farmers producing the commodity and persons engaged in the marketing thereof are unable to regulate effectively the orderly marketing of the commodity.

"Potatoes are produced and marketed in six distinct seasonal groups. Of these, the winter, early spring, late spring, and early summer crops are highly perishable and must be marketed upon harvest. The fall crop can be stored for eight to ten months and to some extent the late summer crop can be stored for several months. Demand for potatoes is relatively inelastic so that a small change in supply has a large effect on producers. Thus, even a moderate oversupply in a particular season seriously depresses prices to growers in that season, and often in the succeeding season or seasons. Under such conditions, prices received by producers often are below the cost of production.

"The marketing of abnormally excessive and abnormally deficient supplies of potatoes acutely and directly affects, burdens, and obstructs interstate and foreign commerce. Abnormally excessive supplies overtax the facilities of interstate and foreign transportation, congest terminal markets, depress the price of potatoes in interstate and foreign commerce, and otherwise disrupt the orderly marketing of such commodity in such commerce. Such surpluses also result in disastrously low prices of potatoes to producers, destroy the purchasing power of such producers for industrial products, and reduce the value of the agricultural assets supporting the national credit structure. Abnormally deficient supplies result in an inadequate flow of potatoes and potato products in interstate and foreign commerce with accompanying injurious effects to the instrumentalities of such commerce and with excessive increases in the price of potatoes and potato products in interstate and foreign commerce. Such shortages also result in unreasonably high prices for potatoes and potato products to consumers and the loss of market outlets for potato producers.

"It is in the interest of the general welfare and the purpose of this part VIII to protect interstate and foreign commerce in potatoes and potato products from such burdensome surpluses and distressing shortages, and to make potatoes available in adequate volume to meet domestic consumption and export requirements without impairing or wasting the soil resources of the country.

"The entire production of potatoes is available for marketing in interstate and foreign commerce. All marketing of potatoes is either in the current of interstate or foreign commerce or directly burdens, obstructs, or affects such commerce. The marketing of that portion of such commodity which enters directly into the current of interstate and foreign commerce cannot be effectively regulated without extending the regulation, in the manner provided in this part, also to that portion which is consumed within the State of production.

"Advisory boards

"SEC. 360n. (a) The Secretary shall appoint a national advisory board to be designated as the 'National Potato Advisory Board', the membership of which shall consist of commercial potato growers or their representatives. The Secretary shall prescribe such regulations as are necessary relating to the nomination of candidates for appointment, the functions of the Board, and the terms of office of the members. If a national potato administrative board is appointed for use in connection with a national potato marketing order, such board, or a part of the members thereof as determined by the Secretary, may be utilized as the National Potato Advisory Board. The National Potato Advisory Board shall meet at the call of the Secretary no less than twice a year, and shall advise with and make recommendations to the Secretary with respect to the administration of this part.

"(b) The Secretary may appoint State and area advisory committees of commercial potato growers to advise State committees with respect to the administration of the potato marketing quota programs in the States. The Secretary shall prescribe such regulations as are necessary relating to the nomination of candidates for appointment, the functions of the committees, and the terms of office of the members.

"(c) The Secretary is authorized to pay members of the National Potato Advisory Board and of State and area advisory committee for each day's attendance at meetings and while traveling to and from such meetings, transportation expenses, and, in lieu of subsistence, a per diem in the amount authorized under the Travel Expense Act of 1949 for Federal employees. No salary or other compensation shall be paid.

"National marketing quota

"SEC. 360o. (a) Whenever prior to January 1 of any marketing year the Secretary determines that the total supply of potatoes for the next marketing year will, in the absence of a national marketing quota, be likely to exceed the normal supply of potatoes for such marketing year by such amount as will make a marketing quota necessary to effectuate the purpose of this part VIII, the Secretary shall proclaim a national marketing quota for such year. Such quota shall be applicable to the crop of potatoes produced for marketing in such marketing year. The crop of potatoes produced for marketing in any marketing year shall be deemed to be the crop of potatoes produced in the crop year beginning immediately prior to the beginning of such marketing year from the six seasonal groups of potatoes known as late summer, fall, winter, early spring, late spring, and early summer. Potatoes of a crop to which a national marketing quota for any marketing year is applicable shall be subject to the quota notwithstanding that they may be marketed prior to the beginning of or subsequent to the close of such marketing year.

"(b) If the Secretary proclaims a national marketing quota for any marketing year, he shall also determine and specify in such proclamation the amount of such quota. The amount of the national marketing quota for any marketing year shall be an amount of potatoes, which when added to the estimated imports and the estimated production of farms producing not in excess of two acres of potatoes will make available a supply of potatoes of the crop to which the quota applies equal to the normal supply of potatoes for such marketing year.

"(c) Notwithstanding any other provision of this Act, the Secretary may, at the time of the proclamation of a national marketing quota for potatoes produced in the 1963–1964 crop year under this part, in addition proclaim a marketing quota to be applicable to one or more seasonable groups of potatoes which will be produced in the 1962–1963 crop year, excluding the late summer and fall crops, to which he determines it will be administratively feasible to apply the provisions of this part: *Provided*, That the marketing quota proclaimed in such additional proclamation shall not be applicable to any seasonal group listed below unless such proclamation is issued on or before the date indicated below for such group and unless the referendum under section 360p is held not later than one month following such date:

"(a) Winter: May 1, 1962;
"(b) Early spring: September 1, 1962;
"(c) Late spring: September 1, 1962; and
"(d) Early summer: October 1, 1962.

"If such an additional proclamation is issued, National, State, and county acreage allotments shall not be determined for the seasonal group or groups to which the marketing quota proclaimed in such additional proclamation is applicable, but for the purposes of such quota the acreage allotment for any farm which produced one or more of such seasonal groups during the base period used for establishing allotments for the purpose of the marketing quota for potatoes produced in the 1963–1964 crop year shall be the same as the acreage allotment established for the farm under section 360r of this Act for the purpose of such marketing quota: *Provided*, That if more than one seasonal group was produced on any such farm during such base period, the acreage allotment for such farm for potatoes produced in the 1962–1963 crop year shall be such proportion of the farm acreage allotment for potatoes produced in the 1963–1964 crop year as the average acreage planted on the farm to the seasonal group or groups covered by the marketing quota proclaimed in the additional proclamation bears to the average acreage planted on the farm to all seasonal groups during the two years of highest acreage of the three base years used to establish the farm acreage allotments under section 360r for potatoes produced in the 1963–1964 crop year. The referendum held under section 360p for the national marketing quota proclaimed for potatoes produced in the 1963–1964 crop year shall be limited to the question whether the farmers favor such quota and also the national marketing quota proclaimed in such additional proclamation.

"Referendum

"SEC. 360p. Not later than February 1 following the issuance of a proclamation under section 360o, the Secretary shall conduct a referendum, by secret ballot, of farmers who were engaged in the production of more than two acres of potatoes during at least one of the two crop years immediately preceding the crop year in which the referendum is held (excluding from any such two-year period the 1961–62 crop year in the case of early spring, late spring, and early summer seasonal groups and the 1962–63 crop year in the case of late summer, fall, and winter seasonal groups) to determine whether such farmers approve or disapprove the national marketing quota so proclaimed. In addition, the Secretary may also submit in the referendum the question of whether such farmers approve or disapprove a national marketing quota for the three marketing years beginning with the marketing year for which the quota was proclaimed. A national marketing quota shall be in effect for the marketing year or years for which a quota has been or later is proclaimed under section 360o if the Secretary determines that such quota was approved by two-thirds or more of the farmers voting in the referendum or at least 50 per centum of the farmers voting and two-thirds or more of the total acreage represented by the farmers voting in the referendum based upon the acreage planted in the immediately preceding crop year (excluding the 1961–62 crop year in the case of early spring, late spring, and early summer seasonal groups, and the 1962–63 crop year in the case of late summer, fall, and winter seasonal groups). If a national marketing quota for three marketing years was so approved by farmers no referendum shall be held for the second or third year for which a marketing quota is proclaimed by the Secretary under section 360o(a). The Secretary shall proclaim the results of any referendum held hereunder within thirty days after the date of such referendum.

"National acreage allotment

"SEC. 360q. The national marketing quota for any marketing year shall be converted to a national acreage allotment for the crop of potatoes produced for market in such year by dividing such quota by the national average yield per acre of potatoes during the two years of highest yields of the three crop years immediately preceding the crop year in

which the national marketing quota is proclaimed, with such adjustments in such yield as the Secretary determines necessary to correct for current trends in yields and for abnormal conditions affecting yields in such period.

"Apportionment of national acreage allotment

"SEC. 360r. (a) The national acreage allotment for any crop of potatoes, less the reserve established under subsection (g) hereof, shall be apportioned by the Secretary among the several States on the basis of the acreage planted to potatoes in each State during the two crop years in which the highest acreages were planted of the three crop years immediately preceding the crop year in which the national marketing quota is proclaimed, except that in determining such three-year period the 1961–1962 crop year in the case of early spring, late spring, and early summer seasonal groups and the 1962–1963 crop year in the case of other seasonal groups shall be excluded.

"(b) The State acreage allotment for any crop of potatoes shall be apportioned by the Secretary among the counties in the States on the basis of the acreage planted to potatoes in each county during the two crop years in which the highest acreages were planted of the three crop years immediately preceding the crop year in which the national marketing quota is proclaimed, except that in determining such three-year period, the 1961–62 crop year in the case of early spring, late spring, and early summer seasonal groups and the 1962–63 crop year in the case of other seasonal groups shall be excluded.

"(c) The county acreage allotment for any crop of potatoes shall be apportioned by the Secretary, through the county committee, among the farms in the county on which potatoes have been planted during one or more of the three crop years immediately preceding the crop year for the crop for which the allotment is determined on the basis of the planted acreage of potatoes during the two crop years in which the highest acreages were planted of the three crop years (excluding the 1961–62 crop year in the case of early spring, late spring, and early summer seasonal groups and the 1962–63 crop year in the case of other seasonal groups) immediately preceding the crop year in which national marketing quota is proclaimed, with such adjustment as the Secretary determines appropriate for land, labor, and equipment available for the production of potatoes, crop-rotation practices, abnormal conditions affecting acreage, hardship, and such other factors as the Secretary determines should be considered in order to establish fair and equitable farm acreage allotments. In counties where potatoes of more than one seasonal group are produced, separate farm quotas and acreage allotments may be established hereunder for each such seasonal group.

"(d) If the Secretary determines that the establishment of separate production areas in any State will facilitate the effective administration of the Act and if separate data are available for such purpose, he may establish separate production areas in such State, and the word 'State' as used in this part shall be deemed to mean 'production area', wherever applicable.

"(e) In lieu of apportionments under subsections (b) and (c) hereof, upon recommendation of the State committee, the Secretary may apportion the State acreage allotment through the State and county committees among farms owned or operated by persons who have produced potatoes in the State in any one of the three crop years immediately preceding the crop year for the crop for which the allotment is determined on the basis of the average production of potatoes in the State by the producers on the farm in the two highest of the three crop years (excluding the 1961–1962 crop year in the case of early spring, late spring, and early summer seasonal groups and the 1962–1963 crop year in the case of other seasonal groups) immediately preceding the crop year in which the national marketing quota is proclaimed, with such adjustments as he determines necessary for land, labor, and equipment available for the production of potatoes, crop-rotation practices, and such other factors as the Secretary determines should be considered in order to provide fair and equitable allotments, including such allotments for farms owned or operated by persons receiving new allotments for prior years under subsection (g) hereof. If allotments are determined in any State pursuant to this subsection, county acreage allotments shall not be determined in such State pursuant to subsection (b) hereof, or if county allotments have been so determined they shall become ineffective.

"(f) The provisions of section 112 of the Soil Bank Act shall be applicable to the determination of State, county, and farm acreage allotments under this section.

"(g) The Secretary shall establish a reserve of not in excess of 1 per centum of the national acreage allotment, which may be used to provide acreage allotments for farms or producers, as the case may be, producing no potatoes during any of the three crop years (excluding the 1961–62 crop year in the case of early spring, late spring, and early summer seasonal groups and the 1962–63 crop year in the case of other seasonal groups) immediately preceding the crop year in which the national marketing quota is proclaimed. Such allotments shall be based on any one or more of the following factors: The suitability of the land for the production of potatoes; the past experience of the farm operator or producer in the production of potatoes; the dependency of the farm operator or producer on income from farming for his livelihood; the production of potatoes on other farms owned, operated, or controlled by the farm operator or producer; and such other factors as the Secretary determines should be considered in order to establish fair and equitable allotments for such new farms or producers.

"(h) Notwithstanding any other provision of this part—

"(1) The acreage of potatoes planted on any farm in the 1961–62 crop year in the case of early spring, late spring, and early summer seasonal groups and the 1962–63 crop year in the case of other seasonal groups or on any noncommercial farm shall not be considered in establishing eligibility for an allotment as an old farm under subsection (c).

"(2) No noncommercial farm shall be considered to have produced potatoes for the purpose of determining the size of an acreage allotment under subsection (c) and no producer on a noncommercial farm shall be considered to have produced potatoes for the purpose of establishing eligibility for a producer allotment under subsection (e).

"(3) No allotment shall be established for any farm or producer under this section which if established would be two acres or less.

"(4) A noncommercial farm shall be a farm on which the average acreage planted to potatoes during the two crop years in which highest acreages were planted of the three crop years used in determining farm allotments is two acres or less.

"(5) Any acreage planted to potatoes on any farm in excess of the farm acreage allotment shall not be considered in establishing future State, county, farm, or producer allotments, and

"(6) The provisions of section 377 of this Act shall not be applicable to this part but any farm on which an acreage of potatoes equal to 75 per centum or more of the farm acreage allotment was planted (or was regarded as planted under the provisions of the Soil Bank Act or the Great Plains program) shall be considered to have produced potatoes on the entire farm acreage allotment for the purpose of establishing future State, county, farm, or producer allotments.

"Amount of farm marketing quota

"SEC. 360s. The farm marketing quota for any crop of potatoes shall be the actual production of the acreage planted to such crop on the farm less the farm marketing excess. The farm marketing excess shall be an amount equal to twice the normal yield of potatoes per acre established for the farm multiplied by the number of acres of potatoes of such crop on the farm in excess of the farm acreage allotment for such crop. For the purpose only of determining the farm marketing quota and farm marketing excess, a farm for which no allotment is established shall be considered to have a minimum allotment of two acres.

"Compliance

"SEC. 360t. (a) Whenever farm marketing quotas are in effect for any crop of potatoes, the producers on the farm shall be subject to a penalty on the farm marketing excess at a rate equal to $3 per hundredweight of potatoes: *Provided*, That beginning with the crop of potatoes produced in the 1963–64 crop year, if the parity index as of June 1 of the crop year in which such crop of potatoes was produced exceeds the parity index as of June 1, 1962, such rate of penalty shall be increased by the amount (adjusted upward to the nearest whole cent) determined by multiplying $3 by the percentage by which the parity index as of June 1 of the crop year in which such crop of potatoes was produced exceeds the parity index as of June 1, 1962.

"(b) The farm marketing excess shall be regarded as available for marketing, and the penalty shall be computed upon twice the normal production of the excess acreage.

"(c) Each person entitled to share in the crop of potatoes on which the penalty was incurred or in the proceeds thereof shall be jointly and severally liable for the entire amount of the penalty on the farm marketing excess.

"(d) Until the producers on any farm pay the penalty on the farm marketing excess of any crop of potatoes, the entire crop of potatoes produced on the farm and any subsequent crop of potatoes subject to marketing quotas in which the producer has an interest shall be subject to a lien in favor of the United States for the amount of the penalty.

"(e) Until the penalty on the farm marketing excess of potatoes is paid, each hundredweight of potatoes produced on the farm shall be subject to the penalty specified in subsection (a) of this section, and such penalty on each hundredweight of potatoes which is sold by the producer to any person within the United States shall be paid by the buyer, who may deduct an amount equivalent to the penalty from the price paid to the producer. If the buyer fails to collect such penalty, such buyer and all persons entitled to share in the potatoes marketed from the farm or the proceeds thereof shall be jointly and severally liable for such penalty.

"(f) The persons liable for the payment or collection of the penalty on any amount of potatoes shall be liable also for interest thereon at the rate of 6 per centum per annum from the date the penalty becomes due until the date of payment of such penalty.

"(g) The Secretary, upon application made pursuant to regulations prescribed by him, shall exempt producers from any obligation to pay the penalty on the farm marketing excess for any crop of potatoes on the following conditions:

"(1) That none of the potatoes of such crop produced on the farm for which such farm marketing excess is determined is sold or exchanged for goods and services or otherwise marketed from such farm or removed from the farm except for use as human food by the producer or members of his family or household;

"(2) That such entire production on such farm of such crop of potatoes is used by the producer or members of his family or household for human food or used on the farm for seed or feed for livestock owned by any such producer or a subsequent owner or operator of the farm; and

"(3) That such producers and their successors comply with all regulations prescribed by the Secretary for the purpose of determining compliance with the foregoing conditions.

"Failure to comply with any of the foregoing conditions shall cause the exemption to become immediately null and void unless such failure is due to circumstances beyond the control of the producer as determined by the Secretary. In the event an exemption becomes null and void the provisions of this Act shall become applicable to the same extent as if the exemption had not been granted. No producer exempted under this subsection shall be eligible to vote in the referendum held under section 360p with respect to a marketing quota applicable to potatoes produced in the next subsequent crop year.

"Adjustment and termination

"SEC. 360u. Notwithstanding any other provision of this part, if after the proclamation of a national marketing quota for potatoes for any marketing year, the Secretary has reason to believe that farm marketing quotas in effect for potatoes will cause the amount of potatoes which is free of marketing restrictions to be less than the normal supply for the marketing year then current, he shall cause an immediate investigation to be made with respect thereto. If on the basis of such investigation the Secretary finds the existence of such fact, he may proclaim the same forthwith and may specify such increase in, or termination of, existing quotas on a seasonal group basis or for the entire crop to which the quota applies as he finds necessary to make the amount of potatoes which is free of marketing restrictions equal the normal supply. In case of any increase under this section, the Secretary shall provide for such increase by increasing acreage allotments by a uniform percentage.

"Applicability of part

"SEC. 360w. This part VIII shall apply only to the forty-eight contiguous States of the United States and the District of Columbia."

SEC. 2. Section 2 of the Agricultural Adjustment Act of 1938, as amended, is hereby amended by striking out the word "corn" and inserting in lieu thereof "potatoes".

SEC. 3. Subsection (b) of Section 301 of the Agricultural Adjustment Act of 1938, as amended, is amended as follows:

(1) Paragraph (6)(A) is amended to read as follows:

"(6)(A) 'Market', in the case of cotton, rice, tobacco, wheat, and potatoes, means to dispose of, in raw or processed form, by voluntary or involuntary sale, barter, or exchange, or by gift inter vivos, and, in the case of wheat, by feeding (in any form) to poultry or livestock which, or the products of which, are sold, bartered, or exchanged, or to be so disposed of."

(2) Paragraph (7) is amended by adding thereto the following:

"Potatoes: August 15 to August 14."

(3) Paragraph (9) is amended to read as follows:

"(9) 'Normal production' as applied to any number of acres of cotton, rice, wheat, or potatoes means the normal yield for the farm times such number of acres."

(4) Paragraph (10) is amended by adding a new subparagraph (D) as follows:

"(D) 'Normal supply' of potatoes for any marketing year shall be (i) the estimated domestic consumption for the marketing year for which such normal supply is being determined, plus (ii) the estimated exports of the commodity for such marketing year, adjusted for surplus or deficiencies caused by changes in marketing conditions or carryover of potatoes and potato products. In determining normal supply the Secretary shall make such adjustments for current trends in consumption and for unusual conditions as he deems necessary."

(5) Paragraph (13) is amended by adding a new subparagraph (H) as follows:

"(H) 'Normal yield' for any farm in the case of potatoes shall be the average yield per acre for the farm during the two crop years immediately preceding the year in which such normal yield is determined, adjusted for abnormal weather conditions, for current trends in yields, and for changes in cultural practices. If for any such year the data are not available or there is no actual yield, then the normal yield for the farm shall be appraised in accordance with regulations of the Secretary, taking into consideration abnormal weather conditions, the normal yield for the county, and the yield in years for which data are available."

(6) Paragraph (16) is amended by adding a new subparagraph (D) as follows:

"(D) 'Total supply' of potatoes for any marketing year shall be the estimated production of potatoes in the United States during the crop year in which such marketing year begins, plus the estimated imports of potatoes into the United States during such marketing year, plus the carryover of potatoes including potatoes carried over in the form of potato products at the beginning of such marketing year."

(7) New paragraphs are added as follows:

"(17) 'Potatoes' means all varieties of Irish potatoes."

"(18) 'Normal yield' for any county in the case of potatoes shall be the average yield per acre for such county during the two crop years immediately preceding the crop year in which such normal yield is determined, adjusted for abnormal weather conditions, for current trends in yields, and for changes in cultural practices."

"(19) 'Seasonal groups', in the case of potatoes, are:

"(A) 'Late summer': The crop the bulk of which is usually harvested in the period August 16 through September 30.

"(B) 'Fall': The crop the bulk of which is usually harvested in October, November, and December.

"(C) 'Winter': the crop the bulk of which is usually harvested in January, February, and March.

"(D) 'Early spring': The crop the bulk of which is usually harvested in the period April 1 through May 15.

"(E) 'Late spring': The crop the bulk of which is usually harvested in the period May 16 through June 30.

"(F) 'Early summer': The crop the bulk of which is usually harvested in the period July 1 through August 15."

"(20) 'Crop year,' in the case of potatoes, means the period, beginning with the planting of late summer potatoes, in which the six seasonal groups are produced and shall be designated by the two calendar years in which the potatoes planted in the crop year are harvested."

SEC. 4. Section 361 of the Agricultural Adjustment Act of 1938, as amended, is amended to read as follows:

"SEC. 361. This part shall apply to the publication and review of farm marketing quotas established for tobacco, wheat, cotton, peanuts, rice, and potatoes, established under subtitle B."

SEC. 5. Subsection (b) of section 371 of the Agricultural Adjustment Act of 1938, as amended, is hereby amended by striking out the words "or tobacco" and inserting in lieu thereof the language "tobacco or potatoes".

SEC. 6. Subsection (a) of section 372 of the Agricultural Adjustment Act of 1938, as amended, is hereby amended by adding "potatoes," after "cotton,".

SEC. 7. Sections 373, 374, and 375 of the Agricultural Adjustment Act of 1938, as amended, are hereby amended by deleting "corn" wherever it appears and by inserting in lieu thereof "potatoes"; and subsection (c) of section 374 of the Agricultural Adjustment Act of 1938, as amended, is further amended by striking out the words "to any basic agricultural commodity on the farm" and inserting in lieu thereof the words "on the farm to any agricultural commodity for which acreage allotments or marketing quotas are established under this subtitle."

Mr. MANSFIELD subsequently said: Mr. President, I ask unanimous consent that the bill to amend the Agricultural Adjustment Act of 1938, as amended, relative to Irish potatoes, introduced today by the Senator from Maine [Mr. MUSKIE] be held at the desk through April 2, for additional cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

COINAGE OF 50-CENT PIECES IN COMMEMORATION OF 100TH ANNIVERSARY OF THE PURCHASE OF ALASKA.

Mr. BARTLETT. Mr. President, for myself and the junior Senator from Alaska [Mr. GRUENING] I introduce a bill and ask that it be appropriately referred. The purpose of the bill is to authorize the coinage of 50-cent pieces in commemoration of the 100th anniversary of the purchase of Alaska from Russia. I would like to assure my colleagues that I would refuse to introduce any measure authorizing the striking of a commemorative coin if I were not deeply convinced that the commemorative event is of signal importance and if I were not convinced also that the President considers the acquisition of Alaska and its economic and political resources of signal importance.

Congressional documents tell us that when the Treaty of Cession was before the U.S. Senate for ratification in April 1867, Senator Charles Sumner, of Massachusetts, spoke for 3 hours describing in detail the colorful history of the territory, carefully sketching the geographic picture of the vast area as then recorded, reviewing its economic and sociological base and extolling Alaska's potential in trade and commerce with the East and particularly with China. I, of course, would be prepared to do no less today, but with true Alaska patience will await the arrival of a more appropriate date.

I do think it is appropriate on the occasion of the introduction of this bill to note that our acquisition of Alaska from Russia was negotiated and accomplished in peace and without any aggressive intent. As evidence of the friendly relationship that existed then between the two countries, the President, through the Secretary of State, had invited the Emperor of Russia to send a representative to visit the United States just 3 years earlier. And this was a time when state visits from foreign emissaries were not arranged on a week-by-week basis.

I think also that it would be fitting to mention today the important part the Legislature of the Washington Territory played in pressing for an early agreement to purchase Alaska from Russia. In February 1866, a memorial was received by the President of the United States from the Legislature of the Washington Territory which alerted the President to the fact that an "abundance of codfish, halibut, and salmon, of excellent quality, have been found along shores of the Russian possession." With economic enthusiasm that is characteristic, there was a desire to gain access to these fishery resources.

We have all gained from the rich resources which the legislators of the territory of Washington sought and which the Russians peacefully traded. This peaceful acquisition was an important occasion. It should be commemorated. It can be upon the enactment of this legislation.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3055) to authorize the coinage of 50-cent pieces in commemoration of the 100th anniversary of the purchase of Alaska from Russia, introduced by Mr. BARTLETT (for himself and Mr. GRUENING), was received, read twice by its title, and referred to the Committee on Banking and Currency.

AMENDMENT OF SECTION 208(c) OF INTERSTATE COMMERCE ACT

Mr. MAGNUSON. Mr. President, I introduce, by request for appropriate reference, a bill which would amend section 208(c) of the Interstate Commerce Act. This measure is designed to provide greater stability in the field of interstate motorbus operations. The proposed amendment is introduced at the request of the National Association of Motor Bus Operators.

The association has provided me with a statement of justification for the proposed legislation, which I ask unanimous consent to have printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the statement will be printed in the RECORD.

The bill (S. 3057) to amend section 208(c) of the Interstate Commerce Act, as amended, was received, read twice by its title, and referred to the Committee on Commerce.

The statement presented by Mr. MAGNUSON is as follows:

REPEAL OF AUTOMATIC CHARTER RIGHTS FOR MOTOR CARRIERS OF PASSENGERS

INTRODUCTION

The intercity bus industry, represented by its national trade association, National Association of Motor Bus Owners, urges amendment of part II of the Interstate Commerce Act to abolish automatic charter rights. The effect of the proposal would be to require future applicants for passenger certificates to prove public convenience and necessity for charter operations. Grandfather rights would be accorded existing certificates.

The proposal is to substitute for the present section 208(c) of the act the following provision:

"(c) Any common carrier by motor vehicle transporting passengers under a certificate issued under this part on or before 180 days following the effective date of this section, or under any reissuance of the operating rights contained in such certificate may transport in interstate or foreign commerce to any place special or chartered parties under such rules and regulations as the Commission shall have prescribed."

Similar legislation was recommended by the Interstate Commerce Commission in each of its annual reports from 1955 through 1959. It was omitted from the 1960 and subsequent reports because, it is understood, the Commission felt the bus industry itself must assume the burden of pressing for enactment.

S. 1459, embodying this proposal, was passed by the Senate in the 85th Congress. H.R. 5660 was introduced in the same Congress and hearings were held before the House Interstate and Foreign Commerce Committee. However, the bill was not reported out of committee.

REASON FOR LEGISLATION

There has been widespread abuse of the present provision of section 208(c) of the act relating to charter operations, as the Interstate Commerce Commission pointed out in its legislative recommendations for 1955 through 1959. Application for regular-route motor passenger certificates, particularly over short routes, have frequently been made solely or primarily for the purpose of securing these incidental unlimited charter rights. In many instances only token service is offered on regular routes in order to keep alive the charter rights automatically granted with the regular route certificate.

This situation is of particular concern to the established regular route carriers which render bona fide essential services to thousands of communities which are entirely dependent upon intercity buses for their only means of public passenger transport. Much of this service tends to be noncompensatory, particularly over short routes, and a very significant portion of it is actually supplied at a loss to the carriers. In many cases the service would necessarily be discontinued if it were not for the revenues received from charter business which offset the losses on the regular route service.

Charter services were only a small part of common carrier passenger operations at the time section 208(c) of the act was passed. They were then truly incidental to regular route operations. Accordingly, proof of need for regular route authority was sufficient safeguard to protect the public from the destructive consequences of overcrowding in the charter field. For that reason the provisions of section 208(c) granting charter rights as an incident to regular route authority were sufficient to assure the integrity of the principles contained in the national transportation policy for an orderly development of an adequate transportation system.

However, the situation has undergone a radical change since that time. Charter services have increased many times in amount and they have become essential as a support for regular route operations. They are an important part of our transportation system. They are no longer merely incidental to regular route services.

Despite the importance of charter services, there has not been a controlled development such as we have had for regular route operations. The result is that the field is tremendously overcrowded. A grossly wasteful duplication of charter facilities exists which has led to destructive competition for charters contrary to the basic purposes of the Interstate Commerce Act. The proposed amendment of section 208(c) would tend to correct this situation.

In view of the present growth and importance of charter services, they should not be authorized except upon proof of need in the same way that a need must be shown for regular route authority. The proposed amendment would accomplish this objective. The amendment would not bar bona fide applicants for charter services and it would reduce the existing effects of overcrowding in the field.

The financial plight of the established regular route carriers would now be less serious if they had not been confronted with this condition of overcrowding. The proposed amendment would tend to restore the bus transportation industry to the sound economic conditions for which the Motor Carrier Act was originally enacted.

INCREASE IN POSTAL RATES

Mr. LAUSCHE. Mr. President, this morning, Mr. Zoltan Gombos, editor and publisher of the Szabadság—Liberty—Hungarian Daily of Cleveland, Ohio, the Nepszava—People's Voice—Hungarian Daily of New York City, and the Jo Pasztor—Good Shepherd—Hungarian Weekly of Cleveland, Ohio, appeared before the Senate Post Office and Civil Service Committee to present his views on the postal rate increase bill on which hearings are presently being conducted by the committee.

He called to the attention of the committee the problems which would be faced by small dailies averaging from 6 to 12 pages if they were required to pay the same surcharge as the big metropolitan dailies and magazines containing many more pages.

Additionally, Mr. Gombos pointed out in a most enlightening manner the major role played by the foreign language press in advancing the best interests of the United States, particularly in combating the Communist propaganda which is today flooding our country in many languages and in many forms.

Mr. President, I ask unanimous consent to have Mr. Gombos' entire statement inserted into the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY ZOLTAN GOMBOS

Senator JOHNSTON and members of the Senate Post Office and Civil Service Committee, my name is Zoltan Gombos. I am from Cleveland, Ohio, and I appear before you as the editor and publisher of the Szabadság (Liberty) Hungarian Daily of Cleveland, Ohio. The Nepszava (People's Voice) Hungarian Daily of New York City and the Jo Pasztor (Good Shepherd) Hungarian Weekly of Cleveland, Ohio.

The Cleveland daily is 73 years old, the New York daily has been in existence 63 years, the weekly paper is 42 years old.

During the past 15 years we have merged into our papers a number of Hungarian weeklies that had been published in South Bend, Ind., Buffalo, N.Y., Youngstown, Ohio, Newark, N.J., Bridgeport, Conn., Philadelphia, Pa., and Detroit, Mich. The reason for these mergers has been that we are squeezed between constantly rising costs of publishing in metropolitan areas of high union wages on one hand and at the same time being in a field of declining revenues. We pay the same wages and fringe benefits as the English language dailies, while getting only a fraction of their advertising rates and volume. The papers owned by my company, the Liberty Publishing Co., like the great majority of the foreign language papers published in the United States, have rendered outstanding public service during the last 70 years.

Our papers, like the foreign language press in general, helped the immigrant masses to easier adapt themselves to their new world and to the American way of life. They helped them to overcome the language barriers, to learn about the laws and customs of our country, encouraged them to become citizens and exercise their right to vote and to become useful members of their community. Without the help of the privately owned foreign language papers it probably would have been necessary for the Government of the United States to spend almost as many millions to inform and enlighten the immigrant masses that have been streaming into our country during the last 75 years, including the recent Spanish language groups, as they are currently spending on the Voice of America, Free Europe, and the Peace Corps in order to enlighten the people behind and outside the Iron Curtain about the American way of life. During the two World Wars the foreign language press, including the papers I represent, played a major role in counteracting the enemy propaganda that was flooding the country.

We greatly helped the war efforts by assisting in the war bond campaigns of both wars, by printing important publicity releases from the different governmental agencies, by helping to recruit foreign language specialists and operators for the Office of Strategic Services and other equally important sections of our national defense.

After the Second World War the influx of displaced persons and more recently of the Hungarian freedom fighters posed new responsibilities and problems for our papers. With our limited resources, we have lived up to these responsibilities without asking any tax or postal rate relief in the face of ever-increasing costs of publishing. Just one example: When Camp Kilmer in New Jersey was set up for the temporary accommodation of the Hungarian freedom fighters, we sent thousands of copies every day and dictionaries for free distribution among the refugees, who could only read in Hungarian. Today Communist propaganda is flooding the country in many languages in the form of publications, pamphlets either printed outright or subsidized by the Communist governments and delivered by our postal system. If the Communists would not consider the nationality groups important in their plans they would not take the trouble of propagandizing not only the immigrants from the Iron Curtain countries, but the Spanish-speaking groups as well. Counteracting the Communist propaganda again we find the loyal foreign language press as our most effective medium and this medium is costing our Government not one penny.

While the foreign language publications have been rendering service of national interest just as essential as the one rendered by the Voice of America or Free Europe for that matter and more measurable in results than either one, we have never asked for help from our Government and we are not asking now. We do not want to be exempted from our just share of postal rates. But we consider the proposed surcharge unfair and a threat to our very existence. It would be a tragedy if as a result of exorbitant postal charges, our Government inadvertently would help the Communists and their subsidized publications by weakening the militantly anti-Communist foreign language papers. You can not ask a small daily averaging from 6 to 12 pages to pay the same surcharge as the big metropolitan dailies and magazines containing many more pages. I am sure that in the light of previous testimonies on the subject of postal rates, the advocates of the surcharge realize that national interest and public service are more important than balancing the budget of one department.

If the Federal and local governments would have to pay for every item of public interest that is printed daily in the English and foreign language press, involving vital information and statistics on immigration, naturalization, taxation, and even on postal services, we would not have to worry about postal charges. But we do not want to be reimbursed for rendering public service. And this brings up the question: If it is admitted that the U.S. Postal Service is just as essential to public welfare and public safety as police, fire, health, and other services, and if it is granted that it plays as important although indirect role in safeguarding our national interests as say flood control or the Voice of America, does it have to create enough revenue to make money or to break even or should it be provided for in the overall tax structure?

I want to thank Senator JOHNSTON and the members of his committee for granting me this opportunity to be heard.

COL. JOHN GLENN

Mr. BUTLER. Mr. President, as the first flush of our enthusiasm and pride in Col. John Glenn subsides, I believe it most appropriate that we proceed to reflect more philosophically about the man and his meaning to the United States. In the largest city of my home State, Baltimore, an outstanding civic leader, Dr. Iain Wilson, of the Franklin Street Presbyterian Church, has put down on paper some second thoughts about John Glenn.

What is John Glenn? He is a choice human being. What are his attributes? He is the epitome of the normal virtues. It is familiar and even commonplace qualities, such as reliability, diligence, friendliness, commonsense, and loyalty—in which we all may, and in our degree do, share—which have been triumphantly heightened, purified and unified in him.

What is his importance to our country? Thank God that we can still be recalled from the hothouse of petty-mindedness, flippancy and strife, to the fresh and timeless virtues. Thank God for using a man to remind us of what we truly are, and where we truly belong.

Mr. President, I ask unanimous consent to have the sermon by Dr. Iain Wilson placed in the RECORD following my remarks.

There being no objection, the sermon was ordered to be printed in the RECORD, as follows:

SECOND THOUGHTS ON JOHN GLENN

(Sermon by Dr. Iain Wilson)

The text is in the epistle to the Romans, chapter 13, verse 7, where Paul urges Christians to pay "honor to whom honor is due"; and that is exactly what we now propose to do.

What has taken place within the last days has moved this Nation to its depths. Yet perhaps it is only now that we are beginning to grasp either its full importance or its full meaning; and that is why I gave this sermon the title "Second Thoughts on John Glenn."

What are these second thoughts? Essentially they are the same as the first thoughts, the thoughts that took shape through the awe, the gratitude and the admiration aroused by the events of February 20. They are the same, only more so, the same, but gaining in clarity and meaning with the passage of the days.

We can grasp more clearly, for example, that on Tuesday, February 20, we as a people lived through a great, unifying moment; and that in this moment which bound us together, we were simultaneously involved with millions of the men and women of other countries, in what was perhaps the most intensely shared concentration of attention ever experienced in the history of the world. From the President in the White House, to the poor criminal in the penitentiary; from the wealthy and illustrious, to the obscure and the weak and the aged; from Negro and white man, from Catholic, Protestant, and Jew, there arose simultaneously such a pure surge of prayer as defeats the imagination; from the prayer of the Pope in the Vatican, to that of the hard-boiled scoffer, who would never voluntarily cross the threshold of any church, who would later deny that he had prayed—but who, for all that, was reaching out instinctively, as the countdown proceeded, for some power greater than our own to make this adventure succeed. Thus, we were overtaken by one tremendous moment of concern and intercession.

What an experience it was. Who can ever forget the sheer exultation that came, after the first seconds of desperate anxiety, with the report that John Glenn was now in orbit? Who will ever forget the indescribable emotion as we first heard that firm, vigorous, competent voice coming to us from outer space, with the word that all was going well, and that "the view is magnificent"?

It was at that moment, seen in retrospect, that I believe something began to grip us, which since then has gripped us more and more firmly. There had been all the weeks of waiting and disappointment, an endless din of newspaper, magazine, and television coverage, with reams of descriptive material, speculation and analysis; and now, suddenly, we heard John Glenn himself speaking to us and to the world's millions, from outer space. In that very instant, it seems to me, something began to appear, which has since become steadily and splendidly clearer. Beyond the immense drama of those weeks and their epic final hours, and even beyond the brilliance of the achievement of the Project Mercury team, something else has with increasing power commanded us, stirred us, and encouraged us.

What is that something else?

I think that its nature is well suggested in the reply given by a woman spectator of Glenn's Washington parade, when she was asked by a television reporter for her estimate of the occasion's significance. She said, "We were waiting for a hero."

Exactly. Our people—you and I—were waiting, perhaps without knowing it, for a hero, for a man through whom the heroic dimension in human affairs could be simply and surely apprehended. This accords with the nature of the American people, who are capable of different levels of response: the abstract idea, such as "freedom" or "democracy" has a power to move us; with greater positiveness, we respond to a deed—consummate performance always thrills Americans, but it is to a person, above all, that we can and do respond with unambiguous definiteness, and when in one person we are presented both with the force of the idea and the fulfillment of the deed, and this on a heroic scale, then we are held in a grip from which we shall never be extricated.

This generation, bedeviled by a thousand problems, feverish and confused, has indeed been starving for a renewed justification and demonstration of the heroic. And because this is so, it is with all the greater vigor that we say, "Honor to whom honor is due," when we think of John Glenn. We see in him more than a daring idea, and more than a brilliant achievement. We are at one with the people. In a deep and sure sense that what we have been given, what we have witnessed, is a heroic man.

It is impossible to say how thankful we are for this. It means a very great deal that from time to time a man appears, to whom we may pay honor, without any reserve and with divine encouragement. Above all, precisely because we believe that Jesus Christ has laid His hands on us to fulfill our manhood, we Christians should know what it is to take a positive delight in paying honor to whom honor is due, to one who can receive our honor without being corrupted by it.

We say that this is a heroic man. But immediately we must ask ourselves, What kind of a hero is he?

The question is important. It is not so much the fact of courage that concerns us—courage is not a rare virtue, it is found plentifully in the daily lives of ordinary people—as the quality, the source, and the effects of courage.

The courage of John Glenn repays very close thought. It is absolutely not to be identified with isolated, unpremeditated, or impulsive acts of bravery. It is a courage nurtured strictly in the line of duty. He is an officer in the armed services of his country, and, as such, is doing what he does. Because this is so, Glenn's courage is characteristically untheatrical, cool and sustained in quality; it is rooted not so much in emotion as in a habit of thought and a set of the will. It is tough enough to withstand protracted strains and repeated frustrations, as we have seen with some awe. It is also supple enough to make him superbly adequate for moments of crisis. We remember how he describes his feelings, at an instant when he faced the imminent possibility of being incinerated, as being those of "cautious apprehension," and that seems to be as near as he gets to the kind of mortal terror which some of us have experienced, when faced in battle by the extreme likelihood of violent and painful death.

Courage of this order is not accidental. When he was showing the capsule to his parents, Glenn's mother asked him how he was able to cope with its complex instruments, and his reply was the one word "training." It is training, too, that has made possible the sustained and ceaselessly intelligent bravery that we recognize in John Glenn.

A further quality that is very evident in the makeup of this hero, and one which we relish deeply, is that of a modesty which could be described as translucent. One will research in vain, either in his bearing or in his speech, for any trace of self-congratulation or self-complacency. On the contrary, he seems to have fully understood that counsel of Jesus: "When you have done all that is commanded, say * * * we have only done what was our duty" (Luke 17: 10). It is clear that his main satisfaction consists in being part of that team of scientists and astronauts to whose skill he so constantly refers. Personal modesty and a strong esprit de corps form a perfect combination.

In the understandable and glowing exultation of the period immediately following his victorious return to the earth, it was impressive to see that the formidable commonsense and balanced judgment of this man never wavered. Firmly and pictorially he pointed out that we have only penetrated an infinitesimal distance into the immensities that extend about us, that we have barely lifted ourselves beyond the earth's surface, and he did this with ease, good temper, and courtesy. A direct human warmth, whose unforced sincerity is inescapable, and which our experience of human nature tells us is only possible in a character of authentic unselfishness and deep inner integrity, has promptly and inevitably captured the hearts of millions. In short, it is not flattery but simple truth for us to say that John Glenn is a choice human being.

I have used the phrase "a choice human being," and this is indeed a very strong description to apply to any man. It seems to me, though, that one of the most telling facts in the situation is this: That what we see in John Glenn are not some exotic, abnormal or supernatural qualities, nor even that mysterious reality signified by the word "genius." He is, rather, the epitome of the normal virtues. It is familiar and even commonplace qualities, such as reliability, diligence, friendliness, commonsense, and loyalty—in which we all may, and in our degree do, share—which have been triumphantly heightened, purified, and unified in him.

Thus, one of the most important features of this episode is that a resounding blow has been struck for normalcy. Perhaps normalcy has been in need of some rehabilitation lately. At any rate, there is nothing fabulous about his hometown, his family, his schooling or his church affiliation, nor has he had any exceptional advantage of money or social prestige. It is out of a normal and unspectacularly wholesome environment, and from quite familiar qualities and beliefs and moral standards, that there has been fashioned a man who has undertaken and carried through this prodigious, demanding, and exquisitely intelligent feat.

Correspondingly, it is very significant indeed that unquestionably the mass of our people have recognized and hailed John Glenn more for what he is than for what he has done. Enthusiastic as they are about the flight itself, it is the man in his own right who has won them. This is all the more significant just because we know only too well the capacity of the crowd, in a free society, to worship false gods. We are familiar with the spectacle of frantic mobs idolizing movie actors whose moral lives are a notorious shambles, or yielding to the chauvinism and demagogery of political quacks who thrive on the dissemination of hate, mistrust, and prejudice. We know how easily and habitually the mass is led astray. But in this case, the mass is not led astray. Patriotic pride and excitement over the dramatically novel have played their legitimate part in the enthusiasm of these last days, but there is no mistaking the fact that the popular acclaim of John Glenn is a sign that in spite of all that is wrong with us, in spite of our corruption, we as a people can still respond, and respond with immense decision, to integrity and decency. It is in this that there consists the kinship between the citizens of places as dissimilar as New Concord, Ohio, and New York City, and it may be said, to those who intend to destroy us, who try to size us up, and who count upon our decadence to help them, that they had better take into account this disturbing sign that moral virtue and moral steadfastness can still move this Nation to the core.

Something remains to be said about John Glenn's religious faith. It is clear that it would be an impertinence to leave this on one side and to attempt to account for him as if his religious beliefs were irrelevant or of merely peripheral importance. On the other hand, it would also be an impertinence for me, or for anyone else, to hold forth on Glenn's personal faith. He himself has shown admirable discretion in answering questions about this, and for us there can be no question of putting words in his mouth, or of that kind of poor taste which would capitalize upon the fact that he is a Christian man, or that he happens to be a Presbyterian.

Yet what is known and what he does say about his beliefs is naturally of great interest to us, and I think that within the limits of good taste it is possible for us to notice several points.

One is struck by the honesty of his statements about his religion. He tells us that in the capsule he was not saying prayers, nor was he caught up in some mystical experience, because he was too busy doing his job. One can believe that he would echo those Benedictines of the sixth century, for whom laborare est orare, to work is to pray, with no hard and fast line drawn between the two activities. This refusal to be unctuous about his spiritual life is refreshing. If we are not honest in our religion, we shall not be honest elsewhere.

At the same time, it is noticeable that Glenn is in fact a regular church attender, and that in the weeks preceding the launching he habitually worshiped with a local congregation. He was not "too busy" to do so; and it is ironical to reflect upon the reasons advanced by many church members for their inability to worship regularly. It is equally important to observe that he is not spiritually snobbish. The strange ultimate isolation for which he was preparing did not lead him to hold himself aloof from others; it never seems to have occurred to him that this should remove him from the ordinary context of commercial worship. Again, one is impressed by a straightforward sincerity, and a refusal to play to the gallery all the more satisfying in an age when there is such great pressure to sell yourself to others.

The quality of commonsense appears once more in his theological comments. One of Mr. Khrushchev's more fatuous remarks was made after Gagarin's flight, when the Soviet Premier stated that no sign of God had been observed in outer space. This was presumably intended to vindicate official Communist atheism.

When Senator WILEY asked Glenn whether he felt that God is out there, the reply was "Absolutely. I think to try to limit God to one particular section of space is a very foolish thing to do. I don't know the nature of God any more than anyone else, nor would I claim to because I happened to have made a space ride that got us a little above the atmosphere. God is certainly bigger than that. I think He will be wherever we go." And with a similar realism Glenn went on to say, "I feel that we should live all our lives every day as though that were going

to be the last day. Now, I fall so far short of this every day that it is pitiful, but we come back and keep trying the next day anyway." In a few simple words he succeeds in expressing a whole volume of theological and ethical truth.

What is the secret of his religious faith? Undoubtedly it finds expression in such words as these: "My peace had been made with my Maker for a number of years, and so I have no particular worries about the future along that line." That is it. It is no surprise to read that a standing-room-only crowd in the large hearing room applauded vigorously at Glenn's remarks. You have to make your peace with your Maker, you have to be reconciled unto God. And because John Glenn is a professing Christian, we may be sure that for him, as for Paul, "He—Jesus Christ—is our peace" (Ephesians 2: 14).

There is a final point which I want to mention. I have heard indirectly that while John Glenn was aboard the *Noa*, the naval chaplain of that ship asked him to accept a Bible as a memento. As he took it, Glenn told the chaplain that he had read from the Bible before the takeoff that morning. This also means much. We may be sure that this reading of the Bible was not of the conventional, constricted, pietistic variety, but that it was rather the honest turning of a healthy man's soul toward light and strength, toward the living omnipotent God in whom we live and move and have our being. And we may add that when the church reads the Bible in that way, there is no power in heaven or on earth that can stop us from making this world what it is meant to be.

There is so much more that one would wish to say, and what has been said is very inadequate. But, honor to whom honor is due. Thank God that we can still be stirred in this way. Thank God that we can still be recalled from the hothouse of petty mindedness, flippancy and strife, to the fresh and timeless virtues. Thank God for using a man to remind us of what we truly are, and where we truly belong. Amen.

(NOTE.—This is not a verbatim transcript of the sermon as preached, although it does follow the spoken words closely. The printing is made at the request of several members, and through the generosity of an officer of the church.)

THE NEW RED ARENA: NORTHEAST BRAZIL

Mr. ENGLE. Mr. President, I have just read a series of articles on northeast Brazil by Charles Keely in the San Diego Union. Mr. Keely wrote his articles under the heading, "The New Red Arena," after a 3-week tour of the poverty-stricken northeast area of Brazil.

Mr. Keely got very close to the people in this vast, desolate part of the country. He saw for himself what deprivation can do to the thinking of a people. In his concluding article he points out that the negotiations now going on in Rio de Janeiro for a $250 million U.S. grant and credit program for northeast Brazil are "preliminary talks" and that "time is running out." I came away last December from a trip to South America with the same sense of urgency about getting our Alliance for Progress program off the ground.

The Communists thrive on desperation—and the people in northeast Brazil are desperate. Mr. Keely's report should serve as a warning to us that the Red threat in Brazil cannot be dismissed lightly.

I commend the articles to the attention of my colleagues and ask unanimous consent that they be printed at this point in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the San Diego Union, Mar. 4, 1962]

THE NEW RED ARENA: NORTHEAST BRAZIL RUDELY AWAKENED

(By Charles Keely)

RECIFE, BRAZIL, March 3.—University of Recife students sing a song about Brazil, the world's fifth largest nation:

"Brazil was a giant, and the giant was sleeping. One day the giant woke up. To its surprise it found it was only a dwarf."

Nowhere in this South American nation is this song more significant than in the vast nine-state area that composes Brazil's northeast.

AREA AWAKENS

Condemned for centuries to subhuman misery, Brazil's northeast has awakened. But it is a rude awakening for the 22 million people who inhabit the northeast's 500,000 square miles. They find themselves caught in a struggle between two young men.

One is a devout admirer of Cuba's Prime Minister Fidel Castro. He has organized the area's huge peasant population into potentially explosive peasant leagues ("ligas") which demand better living conditions and threaten violent revolution.

The other, a brilliant economist, has been given free rein by the Government to implement a development plan which he hopes will bring about the same effects peacefully.

TWO MAIN AREAS

Brazil's northeast, more than twice the size of France, is divided into two main areas.

The first is the littoral region. It is a 20-to-30-mile-wide strip along the Atlantic coast. It comprises about 13 percent of the land. Sugar is the principal crop.

The second is the "catinga." This is the hinterland. The chief crop is cotton.

The land in the humid littoral, where the main rural and urban population is located, is used poorly. The people it harbors are increasingly dependent on food produced in the catinga, a semiarid region greatly affected by seasonal droughts.

The population growth in the catinga makes that area more and more dependent on an unstable agriculture subject to droughts.

LONG DROUGHTS

Droughts have occurred on an average every 7.3 years since 1559. There have been 55 in all and 14 of them lasted 2 or more years.

Another basic problem is the feudal system of land ownership.

More than half the northeast's land is owned by 2.1 percent of the population. Some states cover more than 400 square miles.

Starving peasants are paid 30 cents a day to cultivate the sugar and cotton. Small boys, many no more than 3 years old, can be seen on the roads carrying pint-sized machetes and loads of sticks or grass on their heads.

Their city cousins fare no better. An elevator operator earns $15 a month; domestic help, between $2 and $10; a secretary, $60, a laborer, $17.

CAN CHEAT

The minimum wage for urban workers is $30, but unemployment is so widespread that employers can cheat and get away with it.

A job opening sign in a factory window will draw a half-mile line of applicants.

Beggars sleep barefoot on every sidewalk.

Horse-drawn and man-pulled wooden cars compete with cars and buses on streets.

The cotton kings and sugar barons who rule the land want no reform. They are fighting desperately against it.

Theirs is a heritage passed down by Portuguese forefathers 400 years ago.

PERILOUS SITUATION

But they are fighting on two fronts. On one side is the Government and its new development agency Sudene, headed by Economist Celso Furtado. Most of Sudene's reforms are still on the planning board.

And there are the peasant leagues, let by State Congressman Francisco Juliao.

The danger-ridden situation in the northeast was mentioned frequently at the recent Punta del Este, Uruguay, conference on Cuba as observers and diplomats tried to explain Brazil's refusal to support any action against Castro.

The surroundings in the northeast are desperate. The Communists thrive on desperation.

[From the San Diego Union, Mar. 5, 1962]

THE NEW RED ARENA: COMMUNISTS HELP BRAZIL'S POVERTY-STRICKEN NORTHEAST

(By Charles Keely)

RECIFE, BRAZIL, March 4.—"Isto Faz Um Bem."

This Portuguese advertising slogan for a soft drink translates approximately into "This does you good."

Not much is very good for the 22 million people who inhabit the largest depressed area in the Western World—Brazil's northeast.

What is good, besides soft drinks, comes from the Communists.

"Communism here is a necessary evil," said a factory supervisor.

"If this is communism we need more of it," said a housewife.

Miguel Arraes, Recife's mayor, campaigns with Communist support. The Communist Party is illegal and public officials hesitate to openly admit Red ties.

Three of Pernambuco state's top officials are called "fellow-travelers" by U.S. officials here. They are the vice governor, the mayor, and the vice mayor of Recife.

"The mayor has taken the first constructive interest in Recife in 400 years," says a young secretary in Sudene, the Government development agency for the northeast.

U.S. officials confirm this. In an area where the average yearly income falls short of $100, any improvements are immediately appreciated.

Two years ago, when Arraes took office, Brazil's third largest city, with 800,000 people, had only 300 buses operated by 78 different companies. Public transportation was miserable.

In 1960, Arraes organized a city-operated transit line. He bought and installed 60 electric trolley buses. He has signed a contract for 200 new diesel buses and 130 more electric trolleys. He reclassified the shoddy, privately owned buses and forced cuts in fares.

Outspokenly anti-United States, and a fan of Cuba's Prime Minister Fidel Castro, Arraes will run for governor of Pernambuco in October. Odds are he'll unseat anti-Communist Gov. Cid Feijo Sampaio's candidate.

"Arraes gave us pasteurized milk," says one Recife girl. "Before we bought it from dairies and it was dirty. It had to be boiled before we could drink it. Now he's bringing in supermarkets to get the food off the dirty sidewalks."

FREE BUS TOUR

The mayor has not only cleaned up the city but has initiated so many projects that

recently he ran a week-long free bus tour for citizens who wanted to inspect the new developments.

A crafty politician, Arraes has started widespread literacy drives. Since 70 percent of the northeast's people are illiterate, and illiterates cannot vote, the mayor has enlisted the support of professionals and university students to teach the alphabet along with hygiene.

They have formed an organization called the Popular Cultural Movement to carry their lessons to the peasants in the interior.

"It's a Communist-front organization," says State Police Chief Jose Calvacanti, but his own police force is so underpaid and ill equipped that no one listens.

Several officials of the Catholic Church are also accused of Communist leanings by the landowners and conservative businessmen.

The Reverend Juanderley Simoes is in the state assembly and might run for vice governor with Mayor Arraes.

The Reverend Arruda Camara is a member of the national parliament and wages a continual fight for better living conditions.

In the state of Ceara, a Catholic priest has organized 5,000 peasants into workers' leagues.

PRICES INFLATED

Conditions for the people are not getting better. The cost of living rose 70 percent in the northeast in 1961 compared to 40 percent in the rest of Brazil.

In the last 3 months a 60-kilo sack of corn has gone from $1.85 to $2.80, beans from 12 to 16 cents a kilo, boneless meat from 50 to 70 cents a kilo.

"When anyone tries to help us they call him a Communist," said a taxi driver. "Communism is commercialized by politicians."

United States and anti-Communist Brazilian officials don't agree, but they apparently don't know what to do about it.

The Communists have effected the first honest reforms in the history of this drought-plagued region.

And they promise a lot more.

[From the San Diego Union, Mar. 6, 1962]

THE NEW RED ARENA: CASTRO FOLLOWER ATTRACTS BRAZIL'S EXPLOITED PEASANTS

(By Charles Keely)

VITORIA DE SANTO ANTAO, BRAZIL, March 5.—Joaquim Simoes, like his father and grandfather before him, is a field hand on a gigantic sugar plantation.

But he has something his father and grandfather never had. Someone is interested in Joaquim. The Government of Brazil and the Communists are competing to help him, and to influence him.

Joaquim leaves his wooden shack for work at 5 every morning. With him go two of his six children—Jose, 8, and Julio, 5.

His wife would go to the fields too, but she is ill.

She stays home with the girls and younger boys.

It is the time of the year when the sugar fields are cleaned for planting. When Joaquim arrives at the field the foreman is measuring off plots of 50 square meters (538 square feet) for each peasant to clean—pulling weeds, clearing rocks and debris. The foreman uses a pole to mark off the plots.

Joaquim knows from experience that the foreman will jump with the pole each time he lays it out. He knows the size of his plot will therefore be closer to 75 square meters (807 square feet).

He accepts this from habit.

WAGES LOW

Joaquim and his sons work from 6 a.m. until 10 a.m. They are given a few beans and rice. They tuck some away for the rest of the family.

At noon they go back, working until 7 in the evening, when they are portioned out a little more food and a handful of dried beef.

Joaquim is entitled to 70 cents for his day's work. But the cost of his food is subtracted. He feels lucky to get 30 cents. Some days he gets nothing.

In these primitive, feudal surroundings several years ago Brazil's own "little Fidel" began his agitation of the impoverished peasants.

A lawyer, state congressman, and small landowner, Francisco Juliao attracted a following with a campaign advertised to protect the workers. In court he argued their cases with the owners of the great landed estates.

It was here, where Joaquim works, that Juliao first organized a peasant league. In the beginning it had no political overtones.

But in 1960, Juliao went to Havana to see Fidel Castro's revolution. He came home with new ideas. He initiated field offices, won over many professionals and students and organized "Ligas" throughout the northeast.

LAND REFORM

Today, it is a revolutionary political movement with strong overtones of Communist "Fidelism." It is outspokenly devoted to land reform and to proclaiming of virtues of Castro and Red China's Mao Tse-tung.

Peasants contribute 20 cents a month for membership.

It is difficult to fault the Liga platform. The grievances are here. The peasants ask only that they be able to live like human beings.

In northeast Brazil's 500,000 square miles there are 22 million people, one-third of the nation's population. Of 70,000 miles of road, only 1 percent is paved.

Land clearing, plowing, planting, cultivating and harvesting are for the most part still done by hand, as they were 400 years ago when the first Portuguese colonists began to raise sugar here.

In Juliao's Ligas today there are some 3,000 hard-core organizers and professionals, according to best estimates. There are tens of thousands of peasants, however, who follow Juliao's line.

In Brazil, these peasants cannot change their lot democratically. Only 15 million out of a nation of 65 million have the vote. Illiterates cannot cast ballots.

Joaquim and his friends know little of communism. But Juliao has made them see that they are among the world's most impoverished people.

Joaquim was in a crowd when the young lawyer said:

"I have good news for you. Your worst enemy, the imperialist, is not well, and I can assure you that his illness is very serious. There is no cure for him. He will die like a dog, frothing at the mouth. He will die like he died in Cuba, thanks to the great Fidel Castro."

Joaquim was impressed.

[From the San Diego Union, Mar. 7, 1962]

THE NEW RED ARENA: LEFTWING LEAGUES GIVE BRAZIL PEASANTS HOPE

(By Charles Keely)

VITORIA DE SANTO ANTAO, BRAZIL, March 6.—The old man wanted to ask a question. He waved his straw hat slowly at the speaker and shuffled on bare feet.

His voice was soft and could hardly be heard above the rustling banana leaves outside the hut.

"I asked my boss the other day what communism was," he said.

"He told me it was when my daughter would be bitten every day by dogs and when the rest of my family would be beaten.

"Is this communism we are living under?"

The peasants who crowded the room laughed.

The hut sat atop a dusty hill. The speaker was an engineering professor from the university in Recife, 60 miles away.

SIMILAR MEETINGS

Throughout Brazil's desolate northeast on this same Sunday, thousands of peasants crowded similar thatched huts to ask questions and listen.

Most of them are members of a movement called the Peasant Leagues, organized and headed by young Francisco Juliao, a Recife lawyer who also serves in the state of Pernambuco's assembly.

The Ligas—as they are called—have banded the peasants together in Grange-type movements to voice their grievances. The leaders of the Ligas, like the professor and Juliao, have been called Communists.

All are open admirers of Cuban Prime Minister Fidel Castro.

The peasants do not know what communism is. The professor does not talk about it.

LISTEN IN HOT SUN

The Ligas have given them a place to gather, to talk and complain. They represent their first hope in generations.

In midday heat they walk dusty paths between their landlord's sugar fields, climb a rocky knoll and stand and sweat while the professor talks, sometimes patiently, sometimes passionately, of the future.

It was on this farm that the first peasant league was formed more than 2 years ago.

They have multiplied rapidly. During the last 6 months, Juliao has spent most of his time in the south of Brazil, organizing leagues there.

"NOT A DOG"

The professor, dressed in old clothes like the peasants, stands beside a table at which another man takes notes. Behind them, on the wall, is a picture of Leonel Brizola, leftwing governor of the southern state of Rio Grande do Sul. Zizola also is a brother-in-law of Brazil's President Joao Goulart.

"A peasant is not a dog," the professor says quietly. "He must not be treated like a dog. Anyone who beats a peasant deserves to die."

A murmur runs through the crowd.

"Don't you think we should do like Fidel and kill these people?" a man asks.

The professor tells the story of Castro and his fight to overthrow Fulgencio Batista. The peasants have heard the story countless times, but they listen in wide-eyed silence.

"Castro had to use force," says the professor. "He was fighting a dictatorship. Brazil is a free country. We must try to achieve our aims peacefully."

"What if they won't listen to us?" a peasant asked.

"Then we will kill," said the professor. The peasants applauded.

A chart on the wall says more than 30 percent of the peasants' children die before they are 1 year old. It says 70 percent of them are illiterate and cannot vote. It says many of them do not have houses, and none are provided medical care by their landlord. It says their yearly income is as low as the poorest people of China, India, and Africa.

When the meeting ends, the peasants stroll out into the sun. Three university student girls, who had been sitting in the back of the room, go out to talk to them. Each Sunday they come to the fields to teach hygiene and the alphabet.

A young doctor from Recife, who donates most of his time to the peasants, leaves the meeting and goes with a peasant to his hut where he will treat a dying child.

DISCUSS MEETING

Most of the peasants find a spot of shade, sometimes under a horse. They squat in the dust, smoking pipes, to discuss the meeting.

They are friendly and anxious to talk to a North American.

"Why did the United States support this man Batista?"

"Why does the United States suck the life's blood from Brazil?"

Then, after a time, they find their separate ways back to mud huts and starving families.

"They walk more quickly these days," says the professor. "Maybe hope has filled their stomachs."

[From the San Diego Union, March 8, 1962]

THE NEW RED ARENA: BRAZILIAN RACING AGAINST TIME

(By Charles Keely)

RECIFE, BRAZIL, March 7.—If the Communists do not capture Brazil's vast northeast the credit will belong to an energetic young man with big plans and small funds. He is in a race against time.

Celso Furtado, 41, is the head of Brazil's development program for the northeast. It is called Sudene (superintendency of development of the northeast).

Furtado's agency is the first real Government attempt to right the wrongs suffered by the northeast's 22 million people who live in an area larger than six of South America's countries.

Furtado and his staff are working round the clock. Sitting behind a 7-foot-long desk piled high with maps, charts, documents, and books, the young economist seems to welcome a respite from work to explain Sudene's dreams.

FIVE-YEAR PLAN

He outlines a 5-year plan. Two hundred projects are already underway.

"The Brazilian Government has given us 16 billion cruzeiros ($50 million) for 1962," says Furtado. "We would like a lot more.

"For the entire 5-year plan we will receive 132 billion cruzeiros from Brazil and hope to get 103 billion more from foreign sources." (This would total $735 million.)

The financial priorities approved for Sudene projects are:

1. Electrification.
2. Road construction.
3. Water supply.

Furtado says food shortages are at the root of the northeast's dilemma.

RESETTLEMENT GOAL

"Only by taking a comprehensive view of the food situation can one comprehend the weakness of the northeast's economic system," he says. "The entire region depends on increasingly expensive food and increasingly unstable supplies."

Resettlement is a goal. Furtado told how peasants are moving from arid and semiarid regions toward the humid lands of the state of Maranhao.

"Settlers burn down the forests and start a rudimentary kind of farming. Rice is practically the only cash crop. The tropical soils, deprived of their covering vegetation and put under extensive planting are rapidly eroded. When the soil is destroyed, people move on to occupy and destroy new land. Those left behind can extract from the exhausted soil hardly enough for survival."

More than 2 million 60-kilo bags of sugar are lost each year in Pernambuco State due to poor equipment and lack of fertilizer.

Sudene hopes to ease this problem by resettling 1 million people in 5 years.

DONATIONS URGED

Sudene also hopes to "liberate" 60,000 hectares (150,000 acres) in the rich sugar belt from wealthy landowners whom Furtado claims have more land than they can possibly utilize.

Sudene has asked landowners to donate land which can be irrigated and colonized. Each peasant family would receive a plot of ground large enough to grow a profitable crop other than sugar.

"Our main problem is money," Furtado explains. "Most of it must come from Brazil.

"But before Brazil can start any agrarian reform the country needs complete administrative and fiscal reform. Brazil loses 50 percent annually in tax collection, 200 billion cruzeiros ($625 million).

"Furtado wants to moralize an immoral government," said a top U.S. official in Rio de Janeiro. "It's a big job."

[From the San Diego Union, Mar. 9, 1962]

THE NEW RED ARENA: AGITATORS FAN FLAMES IN BRAZIL

(By Charles Keely)

RECIFE, BRAZIL, March 8.—"If we can organize 2,000 peasants in every state in Brazil, we can start a revolution."

The speaker was a professional organizer of the leftist Peasant League in Brazil's poverty-ridden northeast. He was talking to a group of workers on a sugar plantation near here.

He said more than the required number had already been organized in the 10 states that comprise the northeast and that the goal also had been met in the southern state of Rio Grande do Sul that surrounds the key city of Porto Alegro.

Brazil has 21 states.

The peasants cheered the organizer's report.

REVOLT THREATENS

The threat of revolt has long simmered in the arid northeast where 22 million people, one-third of Brazil's population, are trying to carve a living out of a desolate 500,000-square-mile area twice the size of France. But today Communists are fanning the fires.

For years Brazil's governments refused to face up to the problem. In 1958, President Juscelino Kubitschek suppressed an army report on the region. Kubitschek's successor, President Janio Quadros, made it public. The report said:

"It is no longer necessary for us to read the histories of China and India to know the significance and extent of misery. Right here in Brazil there is at this moment a population living on the lowest standard of subnutrition that a people can endure."

Discontent is a fertile area and the Communists are making great strides. The Government is countering with a 5-year development program, but it is encountering vigorous opposition in Congress and from large landowners in the northeast who are profiting from large sugar plantations.

LANDOWNERS ON SPOT

These landowners have threatened retribution if the peasants revolt. The Brazilian Army is committed to the defense of the landowners and has already posted security forces near several potential trouble spots.

Some progressive landowners have attempted to blunt Red propaganda, but without much success. In an effort to fight the Peasant League's Castro-Communist line, one landowner recently showed his workers a U.S. Information Agency film on the Cuban revolution and how Fidel Castro betrayed his countrymen.

"It's a lie," shouted the peasants. They threatened to tear down the screen.

In the big cities of Recife and Natal, Communist mayors are overwhelmingly popular. They are initiating the first tangible reforms in the history of the northeast.

In the face of this Red tide, some landowners and other moneyed interests are beginning to awaken. Some have offered land for colonization projects. But others are pledged to fight reforms every step of the way.

BILL PUSHED

One landowner who is also a member of the Pernambuco state legislature is trying to pass a bill to oust Peasant League Leader Francisco Juliao from his seat in the body on the grounds that Juliao spends most of his time in Cuba, or stumping Brazil's southern states.

"This would really ignite the peasants," said a Brazilian army officer. "Every day it gets harder to defend these people whose position is so entirely defenseless."

Negotiations are underway in Rio de Janeiro for a 5-year, $250 million U.S. grant and credit program for the northeast, but these are preliminary talks.

And time is running out.

TO BALANCE PAYMENTS

Mr. SCOTT. Mr. President, I ask unanimous consent to insert in the CONGRESSIONAL RECORD a letter from my colleague, Senator BUSH of Connecticut, to the editor of the New York Times concerning the persistent deficit in the U.S. balance of international payments.

With the Reciprocal Trade Act and other administration programs affecting this balance of payments now before the Congress for consideration, I feel that this thought-provoking letter should be brought to the attention of the Senate for its consideration.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

[From the New York Times, Mar. 18, 1962]

TO BALANCE PAYMENTS—SENATOR URGES LARGER SHARE OF DEFENSE COSTS FROM ALLIES

To the EDITOR OF THE NEW YORK TIMES:

Your March 9 editorial "Sharing the Defense Burden" comes to grips with the Nation's most serious problem, the persistent deficit in the U.S. balance of international payments.

I am pleased that the Times has endorsed the conclusion of President Kennedy and the Joint Economic Committee of the Congress that a solution of our balance-of-payments problem will require the industrial nations, especially those of Western Europe, to assume a larger share of the free world's burdens in development aid.

As one who has supported a lowering of trade barriers and who believes in the expansion of world trade as an important object of foreign policy, I have been disturbed by the administration's apparent reliance on its proposed trade legislation as the chief, if not sole, means to close the balance-of-payments gap.

EXPORTS EXCESS NO SOLUTION

The Joint Economic Committee, Democrats and Republicans alike, have concluded that whatever expansion of exports over imports may result from the administration's trade program—and this is a matter of uncertainty—it is no solution to the immediate problem presented by the payments deficit.

In the words of the committee's report—and this portion was unanimously endorsed:

"The proposed new trade legislation will not solve our immediate and pressing balance-of-payments problem. This will take vigorous and immediate steps to obtain fair concessions from the countries of Western Europe. These countries should meet a larger share of the cost of our mutual defense, and those now enjoying a surplus of payments should assume a large share of the burden of aiding the underdeveloped countries."

President Kennedy's press conference statements along the same lines encourage

me to believe that the administration has finally come to the realization that the proposed trade legislation alone is not enough to meet the danger we face from the payments deficit. This appears to be growing worse, despite the temporary gain last year from debt prepayments, etc. At year's end, it was running at an annual rate of $5 billion.

The President's statements will not be enough. I believe he must exercise leadership in calling a conference of the major industrial nations to discuss not only a fairer sharing of the free world's burdens but other barriers to greater free world unity, notably the lack of a unified policy on trade with the Sino-Soviet bloc.

Suggestions for such a conference were made in a statement in which I was joined by Congressman THOMAS B. CURTIS, of Missouri, following hearings of the Subcommittee on Foreign Economic Policy in December, and more recently in the minority views in the Joint Economic Committee.

CALL FOR CONFERENCE

In the latter document, after endorsing the committee's recommendations for concessions from Western European nations, including unilateral reductions in their trade barriers, the minority expressed the hope that the administration would take advantage of this expression of bipartisan congressional opinion to call immediately a conference of the Atlantic nations under the auspices of the Organization for Economic Cooperation and Development or article 2 of the NATO treaty.

Subjects for discussion at such a conference would include not only a more equitable sharing of the free world's burdens, but also policy toward trade with the Sino-Soviet bloc and trade with Japan and other non-Atlantic nations.

PRESCOTT BUSH,
U.S. Senator from Connecticut.

THE CONTRIBUTIONS OF GREECE TO THE UNITED STATES AND THE FREE WORLD

Mr. SCOTT. Mr. President, March 25 is the 141st anniversary of the independence of Greece, which has special significance to the United States.

The system of government that exists in the United States is based in large part on the principles laid down by the great Greek philosophers and statesmen of ancient times. Our forefathers, especially Washington and Hamilton, were influenced by the ideals of freedom, liberty and national independence espoused by the leaders of ancient Greece.

Then, 141 years ago, when Archbishop Germanos of Patras raised the flag of liberty that began the Greek war of independence, President Monroe and Daniel Webster, among other American statesmen, announced the sympathy of our Nation for a people who were striving to be free of foreign domination.

In the years since 1827, when free Greece elected its President, the world has gained greatly from its contributions to a wide variety of fields, especially the sciences and the arts. The United States has benefited in great measure from those Greeks who have come here over the years and whose descendants have joined the great melting pot that is the United States. The million and a half Americans today who are of Hellenic background are among our most distinguished citizens, taking their role in business, government, architecture, and communications, to name just a few fields in which they have excelled.

It is a special source of pride to me that earlier this year I received the award of Commander of the Royal Order of Phoenix, bestowed on me by the King of Greece through his consul general.

Today modern Greece is a bulwark of freedom, with the distinction of having fought communism longer than has any other nation in the North Atlantic Treaty Organization. Modern Greece, therefore, is more than a friend of the United States. It is our trusted ally in NATO, where we share the problem of protecting one another and the freedom of mankind everywhere.

Mr. President, I ask unanimous consent that an announcement of the observance of the independence of Greece by the Greek Orthodox community of Philadelphia be printed immediately after my remarks in the RECORD.

There being no objection, the announcement was ordered to be printed in the RECORD, as follows:

On Sunday, March 25, 1962, the Greek Day of Independence shall be officially observed in Pennsylvania by proclamation of Governor Lawrence. The Greek Orthodox community of Philadelphia will with much pride, traditionally observe that day with the 60th annual church service at its Greek Church "Evangelismos" at 745 South 12th Street in Philadelphia, for this day is also the Day of the Annunciation after which the church is named.

It was at such a service 60 years ago, that the 200-fold immigrants from Greece who had settled in Philadelphia, established the first Greek church in Pennsylvania and the Delaware Valley. It was the fourth such church to be established in the eastern United States and Canada.

Before 1890 when the United States had opened immigration to the Greeks, only the Greek seamen who manned the Greek ships stopping at the main ports visited here. They stayed on Gaskill Street where a few Greek rooming houses and coffee shops were located. The Greek shipowners, the Ralis Bros., established the Greek churches at the other main ports so that the sailors would have a place to worship while they were away from home and stationed at New Orleans, New York, and Boston.

Many Greek immigrants settled in Philadelphia to work in the cigarette manufacturing plant owned by the Greek-born Stephano brothers. Soon thereafter, Father Nathanial Sederis came to Philadelphia from the monastery in Mount Athos, and he found a few of his friends who were nostalgic for the comfort of worship in this new land where life was so full of hardships for them.

At first they assembled in a Ukrainian church at Fourth and Pine Streets to worship together on Christmas of 1901, but it was on March 25, 1902, that they celebrated the Greek Day of Independence at a rented hall on the fourth floor at 810 Chestnut Street flowing with these Orthodox who came from New Jersey, Delaware, Maryland, and from far away as Scranton, Altoona, and Youngstown to worship and receive the sacraments, it was agreed to rent a larger building at 245 South Sixth Street.

When in 1905, the hall became full to over-

Around 1907, a new priest, Father Demetrios Petrides came from Greece and served the church, and his sermons inspired the community members to preserve the Greek Orthodox heritage among these American citizens of Greek birth. And they were filled with the desire to purchase a church of their own to house the increasing influx of immigrants and their families that were born here; and so, on St. Thomas Day (Sunday after Easter), in 1907, the members assembled in the Musical Fund Hall at Eighth and Locust Streets to hold a service to celebrate the success of a program to collect funds to acquire the church at 745 South 12th Street which was owned by the All Saints Episcopal Church and was deeded in 1845.

On the 10th day of May in 1907 John P. Farmakis, Basil Athanasios, John D. Stroumbsos, Frank Polites and Arthur Damianos, subscribed for a charter, on motion of T. Henry Walnut, attorney. The trustees who held office until the first annual election, were Constantine Stephano, John P. Farmakis, John Litras, James Assimopoulos, Saratos Zavakos, John Nestophoulos, and Thomas Pappas. On October 6, 1908, John P. Farmakis, the president, and John Creticos the secretary, secured the mortgage of $23,000 for the community, and the dream became a reality.

Through the years, other churches have been founded in the Delaware Valley. In order that they may remember the place where their fathers had come to worship and to perpetuate their heritage, and to honor the memory of those founders who had seen a need to establish roots with the past to encourage the present religious following of the American youth of Greek descent, the church again proclaims the 25th day of March a day of commemoration, and will in the near future consecrate the church as a shrine in their memory.

All the Greek churches and the friends in the Delaware Valley are invited to participate in this celebration of the mother church.

On Saturday, March 17, in the evening at 7:30, His Eminence Archbishop Iakvos of North and South America will officiate at the great vesper services of the Sunday of Orthodoxy, at Evangelismos Church. Everyone is urged to attend, and to petition his eminence to bless this grand achievement.

This petition, we submit to His Eminence in all humility.

THE CHANGING SEAS

Mr. BARTLETT. Mr. President, the other evening it was my privilege to read an article in the Rotarian, monthly publication of Rotary International. I now call that article to the attention of those of my colleagues who have not yet had an opportunity to read it. It is entitled "The Troubled Seas," and is written by Robert Rienow and by his wife, Leona Train Rienow. Mr. Rienow is a professor of political science at State University College, Albany, N.Y., and Mrs. Rienow is a professional writer.

I ask unanimous consent to include the article in the RECORD following my remarks.

"The Troubled Seas" is a very apt description of the many significant changes which have taken place, are taking place and may take place in respect to the blue water which covers most of the earth's surface. Increased demands for proteins to satisfy the hunger of the human race, so rapidly increasing in number, the emergence of new nations, a constant shifting in the maritime rank of older nations, military considerations of very real significance to the United States particularly—all these, and other factors, have caused turbulence on the waters.

As much as any other people, Alaskans are aware of this. For they struggle now to save from extinction the most important red salmon fishery in the world, that of Bristol Bay. Great numbers of salmon are being taken by nationals of another country on the high seas, threatening preservation of the species and bringing a people always impoverished, the fishermen of Bristol Bay, even closer to the brink of economic disaster. And Alaskans have a lively awareness that Japanese and Russians are fishing king crab and ground fish in great number in the North Pacific, not far from Alaska's shores. No one knows how much taking of king crab the fishery will support; no one knows the extent of the ground fishery; no one knows what plans what nations may have for future acceleration of already heavy fishing. This, Mr. President, is a threat in all the oceans of the world. Fishing efforts are stepped up without anyone's knowing whether the marine population of the sea can support such inroads. New England fishermen have suffered hard blows from new and strong foreign competition. Our Government has been singularly remiss in taking constructive action to maintain our place as a great fishing nation. But I suggest that even if it did so this would not provide the complete answer because what one great maritime nation does, another can surpass if the government of that nation so wills it. What is needed I should think above all other things, and at an early date before such inroads are made on the fisheries of the world that they may be depleted, is a coming together of maritime nations in a common meeting place, for a frank and full discussion and perhaps a cooperative effort in making a worldwide census, as it were, of the fish population, and then—or is this hoping for too much?—a sharing on an equitable basis so that this great food may remain available for man's use.

In the meantime, "The Troubled Seas" points up the problem in its gravity.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE TROUBLED SEAS

(By Robert Rienow and Leona Train Rienow)

In the fog-draped waters off South Korea, Japanese patrol boats are playing "the devil game." As they plow the waters up and down the McPhee line, these tip-off guards keep a sharp radar eye peeled for Korean gunboats. This tricky game is the watch-and-run phase of an undeclared fishing war between the two nations. It is a portent of things to come, of a new and aggressive era in the struggle for the sea and its bounty.

It all started when, in 1952, Korea laid exclusive claim to the ocean 200 miles from her shores, thus barring the Japanese from their fishiest fishing grounds—$33 million a year of them. Soon the Korean "devil boats" were picking up an average of 30 Japanese trawlers and 400 Japanese fishermen every year. At length Capt. Yasuji Watanabe, of Imperial Navy fame, took six Japanese patrol boats and sent them slinking in and out of the 1,000-mile-long fishing grounds, to spy out Korean gunboats. When they sighted one, they flashed the warning to their countrymen (newly equipped with shortwave radios), who then blithely hauled anchor and slipped away into the fog with their catch. Korean "prizes" have dropped by 75 percent. But Captain Watanabe says, "This is no solution."

All over the globe battles are breaking out over the riches of the seas. British fishermen have been casting their nets off the coasts of Iceland under the cannons of their own warships. Mexican authorities have, over the last 6 years, hauled in 60 or more American shrimp boats for allegedly stealing shrimp from what the U.S.A.'s southern neighbor considers its own seas.

What do these outbreaks signify? What we are now witnessing is the first skirmishing in a worldwide attack on the freedom of the seas. Suddenly mankind has multiplied his numbers until the globe is bursting with humanity, suddenly, too, mankind has come into technological advances which have made a brutal and efficient exploitation of the sea's resources not only easy but universal. The ancient laws of the sea are crumbling before the onslaught. Clashes will increase until a new code of laws takes over the abrogated jurisdiction of the deep.

Traditionally, the seas of the world have been primarily highways of commerce. And since the days of Grotius the littoral state confined its jurisdiction to the 3-mile limit of the marginal, or territorial, seas. Within this 3-mile fringe along its watery borders each state exercised total control over sea traffic, fishing, hunting, pearl and sponge diving, oil drilling, murder prosecution, and all other activities. Yet even these territorial waters permitted the right of innocent passage to a vessel bent upon its own not unfriendly business.

As long as British influence was dominant, the seaward bounds of the maritime belt were rather inexorably fixed. Some few hardy Scandinavians made a half-hearted stand for 4 miles and had their sails trimmed. With a few splashovers, the 3-mile seawall held.

Beyond the territorial seas were the high seas thought of as res nullius—belonging to no one. Such fishing as went on out there was a second-line sport. The high seas were the commercial arteries, the traffic lanes, of the civilized world. It is true that at one time in the 18th century Britain took to policing the contiguous seas to 12 miles out in search of smugglers. It is also true that during its parched decade of prohibition the United States sallied forth to waylay bootleggers as far as 1 hour's sailing from shore. Yet technically these contiguous zones remained part of the high seas whose principal use was as highways of international trade.

The trade role of the seas is still vital, but their role as a food mine for hungry humanity may soon eclipse it. The globe is throbbing with new humanity. At a 1-percent annual increase in world population the number of souls on earth will increase by 10 times in less than 230 years. (Actually, the rate of growth has been 1.5 percent over the last 5 years; had our ancestors over the Christian era alone matched our present fecundity and survival we would now be undignifiedly piled up at the rate of 1 million persons per square foot of land.)

Remarks Prof. Edward S. Deevey, of Yale: "At the tenfold increase level, worldwide population density would be 200 per square kilometer. Population needs for food alone require either that all men become exclusively herbivorous * * * or that the average production of agricultural land be increased by 10 times. Edible grains are not efficient enough to permit this * * *; the food plant of the future appears to be either Chlorella or water-hyacinth." It is precisely to stave off this ghastly possibility for themselves that the flesh-eating nations of the world are now locked in the struggle of the fishing banks.

Nations have always competed for the delicacies of the sea. When arguments arose, regulation of the exploitation was handled largely by joint agreement by the states concerned. Whenever a valuable resource of the sea was in danger of depletion, treaty arrangements between those nations most concerned have been undertaken. Sometimes this procedure has not been effective, and a species pays the price with extinction—or near it. The Arctic penguin, South Atlantic fur seal, harp, and hood herds of hair seals are such examples. Often regulation has been delayed, or pursued ignorantly. Fur seals, Atlantic salmon, sardines, shad, cod, lobsters, and halibut have at times dropped to alarming lows.

It was, however, for the preservation and orderly slaughter of the fur seal that some of the most valuable precedents for treaty agreements were established. The agreement of 1911 between the United States, Great Britain, Japan, and Russia restored the herd by prohibiting pelagic sealing and delegating the harvest as well as dividing the profits. Because of the habits of the seals, the treaty was relatively easy to administer. The United States and Canada joined hands to restore the halibut. But the constant decline of fish stocks in the North Atlantic runs brought the United States of America, a decade ago, to sponsor the Northwest Atlantic Fisheries Convention.

There are now an International Pacific Halibut Commission, an Inter-American Tropical Tuna Commission, and an International Whaling Commission—among numerous others. There is a proliferation of bureaucracies to make the reader cringe. Yet we can no longer match each threatened species in each critical area with a new treaty regime for regulation, even were these treaties equal to the task (which, indeed, they no longer are).

Pressed by the world's growing hunger, nations are not only pushing their jurisdictions even farther out into the sea, but they are stepping up the exploitation of the high seas, aided by fantastic inventions. Beyond the territorial seas a vessel (subject only to the authority of its registry) may abuse the seas as it sees fit. There overfishing, abetted by scientific devices to spot the schools of fish with radar, can take place. There explosives blast wholesale death, and there the new suction pumps which suck in whole communities of shrimp and schools of fish like a vacuum cleaner take massive toll. There improper trawling wrecks spawning areas, and floating canneries move in to bring an assembly-line technique to the slaughter of the tuna resource as well as other species.

There the "supreme example of individual enterprise," as Lord Geddes expressed it in the House of Lords recently, is the harvesting of whales. In the old days a harpooned whale might drag a boat around for 5 or 6 days before bleeding to death, thus keeping the whaler busy and out of prowl for a second whale. Today explosives on harpoons go off in the whale's intestines and bring death with only an hour's acute agony. Whale killing has been made so expeditious that the 20 fleets, operating in fierce competition, bring in 25,000 blue whales annually. They would bring in more, but the Whaling Commission has clamped on this limit.

"The serious diminution in the whaling population cannot be divorced from this question of modern and easy methods of killing," reported the Earl of Haddington. "These have brought the industry in the Northern Hemisphere practically to a standstill, so scarce have whales become. * * * Now all hands are turned to Antarctica, and there is grave danger of the same thing happening there."

There are other abuses beyond the 3-mile limit. Oil-carrying vessels flush their tanks to foul the waters with a slick that kills water birds and marine life. Atomic-garbage dumping makes radioactive "hot" spots of oyster beds, and as more of these radioactive dumpings are established, more and more nations will find themselves in the helpless position of Monaco—protesting the disposal of nuclear wastes by France in its Mediterranean coastal waters.

Today each state lives precariously. Many nations are on starvation's edge; others may soon be. Natural perils magnify suffering when populations densify. Only with the typhoon of August 1959, which bared the rock on thousands of hectares of rich riceland, did Taiwan slip suddenly and prematurely into the category of food-short nations.

So it is that at the same time that technology has been aggravating the abuses of the high seas, the increasing need for food has been building up the pressure inside the 3-mile dyke. Yet the ancient laws of the sea remained officially in force.

It is strange indeed that it was the United States, whose larder is by no means lean, and whose need of free seas is greatest, who made the first effective breach in the 3-mile seawall. On September 28, 1945, the President proclaimed that the domestic jurisdiction of the United States would thereafter extend to the submerged lands of the Continental Shelf, thereby torpedoing out of existence the status quo of centuries and opening an immediate sea rush of unfathomed scope.

Actually, the United States preempted title to the ocean floor out as far as it could make use of its resources—a depth of about 600 feet. The Continental Shelf is an indefinite, shifting affair from one part of the world to another. In mountainous areas the coast plummets down to watery depths from the shore rock; off Siberia this shelf invades the sea for 800 miles. Yet the U.S.A. made this geological question mark the basis of a new legal norm. Then, although disclaiming control over the surface waters, it set up under its management fishing zones in the heretofore "free" high seas off U.S. coasts.

This was all a ravenous and uneasy world needed promptly to inundate Bynkershoek's 3-mile "range of a cannon shot"—the international law which had protected the high seas since 1702. Doubtless the swelling population would have burst through the 3-mile limit in time; but in time the world might have been better prepared for an orderly transition.

A blanket of claims was immediately clapped on the waters of the deep from Greenland to the Horn. Argentina made a claim for complete jurisdiction, horizontal and vertical, of all sea resources for hundreds of miles beyond its coast. The legal experts for the sheikdoms of the Middle East reviewed their concessions to see which ones might yield an extra royalty out of offshore drilling. Latin American countries dreamed up the "bioma" theory of biological "oneness" between the denizens of the sea and the coastal population.

Ecuador put in a claim for a vast piece of briny real estate, and began stopping American tuna vessels between 12 and 25 miles off her coast. Despite U.S. State Department protests, fines of $49,000 were actually slapped on these unlucky vessels. Indeed, so perilous has the sea become in the last few years that the U.S. Congress has passed a law reimbursing the American vessel wherever it is victimized through illegal acts of a foreign country claiming jurisdiction over the high seas. Not since the Barbary corsairs were liquidated by Stephen Decatur has such widespread piracy flourished and such indemnity legislation been demanded.

In the wake of the United States action, Peru laid claim to an extensive area in the Pacific. In November, 1954, her warships and aircraft seized five whaling vessels flying the Panamanian flag, dropping bombs and leveling machinegun fire on them at distances of 160 to 354 miles offshore. Peru's courts then imposed a staggering fine of $3 million on the startled vessels—a fortune which was ultimately paid by Lloyd's of London and the American underwriters.

The United States protested and reiterated its disclaimers of the rights of encroachment on the surface of the high seas. But its voice was no longer audible amid the shouts of the preemptors.

It is obvious that for the United States as leading maritime power in the world, its keenest interest lies in keeping the territorial sea narrow and the high seas broad. This ancient policy of Britannia, who wanted room for her ships to sail and a place for her enterprisers to lay their cable, was vital business for Britain, and it is doubly so for the United States. "Extend the 3-mile limit to 12 miles," U.S. Chief Negotiator Arthur H. Dean warns, "and you undermine American military and naval security."

How? The 6th Fleet in the Mediterranean is squeezed until it has no room to maneuver. The international waters of the Aegean Sea become nothing but a disconnected series of pools that even a hoverboat couldn't hopscotch through. The Baltic Sea is metamorphosed into a navigational nightmare. The Bay of Bengal and, indeed, the extensive waters of the southwest Pacific around Indonesia and the Philippines become formidable obstacles to a warship in a hurry. And it must be remembered that the air is international only where the water is.

But the most disturbing challenge to U.S. security comes from the fact that while the United States and its allies are maritime and trading powers, the Soviet Union is 12th in line as a maritime power. Thus it can sit, with its protected internal lines of communication, grinning sinisterly as it contemplates its stealthy underwater fleet—largest in the world—far below the petty, boring restrictions of surface craft. With every broadening of territorial waters for whatever ostensible reason, safe sanctuary for Russia's 500 submarines widens. Additional neutral waters are created where the subs may freely linger, without threat of harassment from air or surface. Aghast at the confusion, the diplomats called a conference.

The first—the Gevena Conference on the Law of the Sea in 1958—was attended by 83 nations. There was no backing away from the Continental Shelf doctrine any longer. Indeed, 25 sovereign nations had already unilaterally adopted a breadth of their marginal seas of more than 6 miles. Russia was joyfully leading the fight for a 12-mile limit. But no agreement was remotely possible.

The second conference, in March 1960, continued the argument. When Iceland, on a fish economy, lined up in Russia's 12-mile corner, the American-Canadian team bowed to the march of events and suggested: "Why not push the territorial waters out to a legal 6 miles, and set up a zone of national fishing rights for another 6?"

To the "six and six" proposal was, of course, added treaty recognition of established fishing rights of outsiders—for a period of time. "Fair enough," shrugged the British, though "I cannot pretend that I like it," added John Hare ruefully. The old 3-mile "range of a cannon shot" had served Britain well. Still, he understood that the Russian 12-mile outrage had to be forestalled.

So the scurrying for the two-thirds' majority began, with the final tab washing up 54 votes in favor, 28 against—1 vote short of the number needed. In a last-minute attempt to save the conference from sinking, the United States rose to move reconsideration. But attaché cases were already being snapped and pens pocketed. The reconsideration move also failed of a two-thirds' acceptance. "Here we go back to the old chaos," groaned Ambassador Dean. "Bitter disappointment. A sad day for the United Nations," concluded Britain's Mr. Hare.

The newly independent nations were "thinking too big" to be hemmed in at a legal 6 miles. And the Russian grin widened.

The sea-law conferences missed their mark. They attempted to do a patchwork job on the old system and did not grapple with the underlying question: how do we make our oceans productive for our growing populations and yet cling to the freedom of the seas? But one eye-opening fact came out of the meeting. They did betray at last the impotence of the maritime powers to defend the freedom of the seas in anything like its traditional form.

We must shift our effort in bold new directions. The seas, we must admit, are now common. There is no way outside of a mass-annihilating war to reverse this trend. Consequently we ought, instead of continuing to carve the high seas up among nations, or regulating them through a multitude of commissions, grant legislative authority over the seas to a single international agency, preferably the General Assembly of the United Nations. Such an approach would offer some assurance of protection of the seas for all mankind against all manner of abuse.

Could it bring order out of present chaos? We cannot do worse than we are doing now. The sea is in deep trouble. A centuries-old regime of honored law is toppling under the impact of technological and sociological change. So drastic a change demands bold, fresh action.

It was one of the early architects of maritime law, England's Good Queen Bess, who in 1580 sternly proclaimed: "Neither can a title to the ocean belong to any people or private persons, forasmuch as neither nature nor public use and custom permit any possession thereof." Today nature has been vanquished, and public use and custom appear to have switched sides. But the truth remains.

We have seen that the seas have become an arena of conflict in the era of population spillover. But the gunboats that are patrolling the fishing grounds are but the scouting parties of the hordes to come. Unless regulation is forthcoming, instead of a war of Jenkin's Ear, we may have the war of Lin Chin's stomach.

ORDER FOR RECOGNITION OF SENATOR McCLELLAN

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the distinguished senior Senator from Arkansas [Mr. McCLELLAN] be recognized tomorrow morning when the Senate convenes.

The PRESIDING OFFICER (Mr. SMITH of Massachusetts in the chair). Is there objection? The Chair hears none, and it is so ordered.

RECESS TO 9 O'CLOCK A.M. TOMORRROW

Mr. MANSFIELD. Mr. President, in pursuance with the agreement entered into, I move that the Senate now stand in recess until 9 a.m., tomorrow.

The motion was agreed to; and (at 7 o'clock and 36 minutes p.m.) the Senate took a recess until tomorrow, Friday, March 23, 1962, at 9 o'clock a.m.

EXTENSIONS OF REMARKS

Results of a Poll, First Congressional District of Arkansas

EXTENSION OF REMARKS

OF

HON. E. C. GATHINGS

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 22, 1962

Mr. GATHINGS. Mr. Speaker, for the past several years I have sent out the questionnaire to the people who reside in the First Congressional District of Arkansas. Out of 8,000 who received the questionnaire, more than 1,500 replies were returned to me, which is approximately 17 percent of the total. The questions asked dealt with current domestic and international issues. In addition to the cooperative interest shown by the recipients of the poll, many newspapers of the district printed the questions by number in their columns. As a result, an additional number of people who were subscribers participated in the project.

One of the most encouraging aspects of the answers received to the 11 questions asked was the small percentage of the people who had "no opinion" on the various questions involved in the survey. I was gratified at the responses to the questions asked, as this indicates that our people are well informed with regard to the vast problems confronting the Nation.

The responsibility of making decisions on legislative questions and issues is solely that of the Member himself. Views and observations of constituents are very valuable in arriving at conclusions and determinations on bills upon which the Member is called upon to vote. The results of the poll follow:

[Percent]

	Yes	No	No opinion
1. Do you favor balancing the budget even though it could mean the elimination of some of the Federal services now provided or being proposed?	83	14	3
2. Do you approve of an all-out effort to be the 1st nation to place a man on the moon although such effort would entail the expenditure of several billion dollars?	26	66	8
3. In order to meet current governmental costs which are mounting, do you favor increasing the debt limit from the present figure of $298,000,000,000 to the proposed figure of $300,000,000,000?	27	68	5
4. Do you favor the building and maintenance of the strongest defenses of any nation in the world?	87	8	5
5. Do you favor the purchase of $100,000,000 of United Nations bonds, the proceeds of which would be used to pay off debts incurred by the United Nations Armed Forces in the Congo?	19	72	9
6. Would you favor buying these U.N. bonds if the failure to do so could or would mean the collapse and liquidation of the world organization?	43	48	9
7. Do you favor and approve the action taken by the U.S. Government to place an embargo on shipments to Cuba?	95	3	2
8. Would you favor a tax bill which would stop up any loopholes in the present tax laws even though it would carry a compromise provision which would tax savings accounts, dividends, and interest?	44	47	9
9. Would you favor an expansion of the food stamp plan from its relatively limited scope to include a much larger part of the country?	26	53	21
10. Do you favor the President's trade agreements program?	44	20	36
11. Do you favor establishment of the Youth Conservation Corps which would be similar to the CCC of the 1930's?	30	59	11

Byelorussian Independence Day

EXTENSION OF REMARKS

OF

HON. LEONARD FARBSTEIN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 22, 1962

Mr. FARBSTEIN. Mr. Speaker, Byelorussians form a distinct ethnic group in the large body of Slavic peoples. Their long and turbulent history shows that they formed a national group of their own in their homeland, east of Poland and west of Moscow, centuries before the rise of the modern Russian state. Then, early in modern times, Byelorussia was made part of Russia, but the Russian regime could not eliminate the Byelorussians as an ethnic group. The more their oppressors tried to absorb them into the large Russian nation, the more Byelorussians clung to their national ideals, and longed for the day of their freedom. This came about in 1918, after the overthrow of the czarist regime in Russia.

On March 25 of 1918, Byelorussians asserted their freedom and proclaimed their independence by establishing the Byelorussian National Republic. The new republic was then recognized by the governments of several countries; thus the new state attained sovereignty in historic Byelorussia. Unfortunately the independence thus proclaimed did not last long. The Red army attacked and overran the country early in 1921, putting an end to the Byelorussian National Republic. Since then the country has been part of the Soviet Union, and some 10 million Byelorussians have been sealed off from the free world. Just as their ancestors longed for their freedom while suffering under Russian czars, so these stouthearted Byelorussians are longing for their freedom while enduring the almost unbearable yoke of Communist totalitarian tyranny. Let us hope and pray that they attain their national goal: their freedom in their historic homeland.

Byelorussian Independence Day

EXTENSION OF REMARKS

OF

HON. ABRAHAM J. MULTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 22, 1962

Mr. MULTER. Mr. Speaker, for centuries the 10 million people of Byelorussia lived under the domination of the Russian czars, and now they are suffering under the totalitarian rule of the Soviet Union. But like so many other peoples in the Soviet Union, they have doggedly refused to be assimilated. This brave and sturdy Slavic people has lived in its historic homeland in the cold northern regions of Russia, between Poland and Moscow, since the beginning of recorded history, long before the rise of modern Russia. Between the czarist autocracy and the Soviet tyrants they have enjoyed only a brief period of freedom, shortly after the First World War.

When the decrepit Russian autocracy was overthrown toward the end of the First World War, many of the oppressed peoples were freed and proclaimed their independence. When the first Russian Revolution broke out in February 1917, Byelorussian territory fell under the control of the New Provisional Government in Moscow. In March all the existing Byelorussian organizations held a conference calling for the reorganization of the Russian Empire as a federation, with Byelorussia as one of the states with complete autonomy. But when the second revolution in October carried the Bolsheviks into power in Moscow, they established a Byelorussian district committee at the Russian Soviet of Deputies of Peasants and Workers. This committee did not have the support of the Byelorussians. The next Byelorussian congress, in December 1917, was surrounded by units of the Red army. But 2 months later the undaunted Byelorussians succeeded in clearing their country of Bolsheviks, and on March 25, 1918, they proclaimed their national independence and founded the Byelorussian National Republic. That historic event marked the beginning of free life in Byelorussia and ushered in a new era for its people, fulfilling their ancient dreams that they might one day reestablish a free and independent Byelorussia. Thus March 25, 1918, remains a landmark in Byelorussian history and a date that Byelorussians the world over remember.

During the next 3 years the new and weak state fought valiantly for its very existence, but in the end it was overwhelmed by the sheer brute force of the Red army. Early in 1921 the country was overrun, and the White Russians were unable to continue their efforts to form an independent and indivisible Byelorussian nation. Thus ended the free and independent state of Byelorussia, and thenceforth began the enslavement of the Byelorussian people by the Communists from the Kremlin. For 40 years these peoples have been living under the harsh and relentless yoke of totalitarian communism. Their experience with the ruthless tyranny of their Soviet dictators has left them miserable, yet they still breathe the spirit of freedom and independence, and pray for deliverance from the Kremlin's tyranny. On this 44th anniversary of Byelorussian Independence Day we join them in their prayer.

California Defense Dollars Go National

EXTENSION OF REMARKS

OF

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 22, 1962

Mr. HOSMER. Mr. Speaker, seven of the larger California defense contractors recently reported to the California Defense Industries Committee of the Los Angeles Chamber of Commerce procurement data covering the national pattern of their relations with suppliers and vendors for articles, materials, and services.

This compilation of the data is on an annual basis for the various corporate fiscal patterns ending in the 1960–61 period, the most recently available data in each case. Each reporting corporation carries on an intensive procurement and contracting program aimed at the widest possible participation nationally, and in each case a main facet of the total program is the determination that small business receive an equitable opportunity to compete for subcontracts for articles, materials, and services of all kinds.

California defense contractors are doing business in 49 States with all kinds of enterprises from the local hardware store to the giants of industry. Truly, California defense dollars go national.

The seven reporting California defense contractors listed $2,720,791,614 in dollars expended in 49 States and the District of Columbia to suppliers and vendors of articles, materials, and services.

Principal States receiving the impact of the California national procurement effort are:

	Percent	Amount
New York	12.12	$330,098,183
Ohio	7.93	215,798,964
New Jersey	6.52	177,297,193
Massachusetts	3.77	102,470,052
Pennsylvania	2.35	63,854,936

In reporting for this study the companies that reported small business data revealed: 29.56 percent of procurement dollar to small business; 70.44 percent of procurement dollar to large business; (15.9 percent national average to small business).

The accompanying table is a percentage breakdown by State of the total procurements reported expended in each State.

California defense dollars go national—50-State breakdown

	California dollars	Percent of total [1]
Alabama	$1,133,433	0.042
Alaska	17,139	.0006
Arizona	19,744,062	.73
Arkansas	72,477	.003
California	1,362,707,587	50.08
Colorado	12,061,219	.44
Connecticut	55,659,738	2.05
Delaware	2,049,384	.08
Florida	13,753,954	.50
Georgia	17,844,691	.66
Hawaii	692,575	.025
Idaho	525,000	.02
Illinois	49,562,013	1.82
Indiana	27,818,171	1.02
Iowa	10,708,289	.39
Kansas	16,742,162	.62
Kentucky	89,892	.003
Louisiana	244,701	.009
Maine	319,096	.012
Maryland	9,214,984	.34
Massachusetts	102,470,052	3.77
Michigan	26,765,743	.98
Minnesota	14,230,736	.52
Mississippi	145,960	.005
Missouri	30,123,902	1.11
Montana	874	0
Nebraska	1,334,518	.05
Nevada	371,296	.014
New Hampshire	1,791,188	.066
New Jersey	177,297,193	6.52
New Mexico	293,375	.108
New York	330,098,183	12.12
North Carolina	649,362	.239
Ohio	215,798,964	7.93
Oklahoma	2,299,653	.083
Oregon	6,175,700	.227
Pennsylvania	63,854,936	2.34
Rhode Island	4,596,528	.169
South Carolina	4,667,023	.172
South Dakota	11,747	0
Tennessee	27,775,545	1.02
Texas	56,461,019	2.14
Utah	372,116	.14
Vermont	610,907	.022
Virginia	20,072,727	.738
Washington	13,251,410	.487
Washington, D.C.	1,636,303	.06
West Virginia	424,326	.16
Wisconsin	12,854,446	.472
Wyoming	703,016	.026
Total	2,720,791,614	(2)

[1] Will not total 100 percent because of rounding.

United Service Organizations

EXTENSION OF REMARKS

OF

HON. JAMES ROOSEVELT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 22, 1962

Mr. ROOSEVELT. Mr. Speaker, it was an honor and a privilege for me to have had the opportunity to present the USO Salute Certificate to the U.S. Naval Station, Washington, D.C., at a ceremony on March 21 at the USO Club on Lafayette Square. The certificate commended officials of the naval station for their cooperation in advising personnel of USO facilities in Washington, D.C., and was accepted by the station's commanding officer, Capt. H. A. Adams.

All the Members of the Congress are familiar with the outstanding work done by the United Service Organizations during World War II, not only in the United States but in all areas of the world in which our troops were sent. This included in many instances the frontlines in the Pacific as well as remote, isolated bases in the Arctic. Many articles and stories have been written about those who contributed their time and talent to entertainment of our Armed Forces at home and abroad, many of whom are bright stars in the theatrical world. In conjunction with such efforts, the efficient operation and pleasant atmosphere of the clubs is due to the hundreds of thousands of hours contributed by volunteers who shall forever be nameless, those who manned information desks, made coffee, baked cookies, and checked coats. These people are the heart of USO.

It is certainly to be hoped that sufficient interest in USO can enable it to meet the challenge of our enlarged defense effort. I am personally concerned about the fact that the present club located in the old Belasco Theater has been asked to vacate its quarters. To date the General Services Administration has been unable to find an adequate substitute. Efforts must be made in every way possible to see the USO is properly housed and that its basic needs are met.

As the President has said, "keeping the peace is a lonely job." I know of no organization that can do more to assure the kind of morale which must be maintained to preserve the proper picture of the American man under arms to insure the security of his country.

Byelorussian Independence

EXTENSION OF REMARKS

OF

HON. GORDON L. McDONOUGH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 22, 1962

Mr. McDONOUGH. Mr. Speaker, on March 25, 1962, Americans of Byelorussian descent and Byelorussians all over the free world will commemorate the 44th anniversary of the proclamation of Byelorussian independence.

Byelorussians proudly and justly boast of their long and glorious history. They are among the oldest known Slavic peoples, living in their historic homeland in northeastern Europe. They had formed their own state late in the middle ages, and successfully preserved their freedom until the rise of imperial Russia. Their country was forcibly incorporated into Russia in 1795.

Continuous efforts were made by the Byelorussians to regain their freedom, and finally in 1917, the revolution in Russia offered an opportunity for them to regain their independence.

The All-Byelorussian Congress consisting of 1,872 delegates from all corners of the country, convened in Minsk on December 18, 1917. This Congress became in fact the constituent assembly of

Byelorussia and elected the Rada (council) and its presidium as its executive bodies.

On March 25, 1918, the Rada and its executive council proclaimed the independence of Byelorussia.

Unfortunately, the independence of Byelorussia was of short duration, and the country was soon once again the victim of Russian aggression and domination.

In spite of the cruel oppression of Soviet Russia, the people of Byelorussia have continued their valiant struggle to regain their freedom.

On this 44th anniversary of the proclamation of Byelorussian independence, the people of the United States join with Byelorussians throughout the world in the hope that Byelorussia may again gain independence, and in the fervent prayer that the people of Byelorussia will soon attain the freedom for which they have struggled so long.

Support for Expanded Domestic Sugar Industry Announced

EXTENSION OF REMARKS

OF

HON. CATHERINE MAY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 22, 1962

Mrs. MAY. Mr. Speaker, I have just received a report on the action taken at a conference of representatives of sugar-beet producers yesterday at Denver, Colo., which I believe will be of interest to my colleagues who are concerned with the U.S. sugar program. This conference was called by the Wabash Valley Beet Growers Association, representing 6,000 producers in Indiana and Illinois for the purpose of planning a coordinated effort to get sugar legislation that will allow increased domestic production of sugar. Many Members of Congress and sugar industry representatives from domestic areas were invited to participate.

As reported to me, the resolution adopted at the conference will provide 100 percent of the growth of the market to domestic areas, 75 percent of which would go to sugar beets and 25 percent of which would go to sugarcane. On the assumption that the total growth for next year will be 150,000 tons, this would amount to 112,500 tons annual growth to the beet areas. Seventy-five percent of this, or 85,000 tons would be set aside each year for new growers. Converted to acres, this figure would mean that new growers would be provided about 35,000 acres a year, as compared with the 20,000 acres under the proposed sugar program announced some weeks ago by all segments of the sugar industry.

Mr. Speaker, I am glad to report to my colleagues the foregoing provisions of the plan worked out in Denver yesterday, because it shows that the representatives at this conference have worked out a realistic and achievable plan to allow American sugar producers a greater share of our domestic sugar consumption. Many Members of this body and of the other body have expressed their support of American farmers in the sugar program. The Sugar Act must be amended and extended during the present session of the Congress, and I am hopeful that amendments to the act will reflect the necessary expansion of our domestic sugar industry along the lines reported above.

We Should Abolish These Nuisance Taxes Left Over From World War II

EXTENSION OF REMARKS

OF

HON. ABRAHAM J. MULTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 22, 1962

Mr. MULTER. Mr. Speaker, on January 3, 1961, I introduced H.R. 814, a bill to repeal the so-called nuisance excise taxes which were enacted as an emergency measure during the Second World War.

Ever since I came to Congress I have exerted efforts in an attempt to have these taxes removed, and I still believe that they should be eliminated. I was interested to receive last month the following letter from the editor in chief of Mademoiselle magazine, and its enclosure, an open letter to the 87th Congress.

While we may not think that the 10 percent excise tax on those so-called luxury items used by American women, such as handbags, jewelry, and cosmetics, are as important as the telephone tax, we must, nevertheless, not forget that the American woman is a necessary adjunct to the American man and that we all want them to be as pretty as possible and to spend as little as possible of our hard-earned cash in becoming so. Of course, there is the argument that if we remove these excise taxes, women would then have that much more money to spend on additional items. So much the better.

In a more serious vein, I do believe that it is time for the Congress to repeal these unnecessary taxes.

The above-mentioned correspondence follows:

MADEMOISELLE,
New York, N.Y., February 23, 1962.

Hon. ABRAHAM J. MULTER,
House of Representatives,
Washington, D.C.

DEAR SIR: We do hope you will spare a moment of your valuable time to read the attached open letter to Congress requesting repeal of the 10-percent luxury tax. This letter appears in the March issue of Mademoiselle, whose readers represent some 2,205,000 college-educated young women, most of whom are of voting age. True, the style of this forthcoming editorial may sound lighthearted, but this should in no way invalidate the seriousness of our purpose.

We feel that this matter is of great concern to the women of our country, and we would greatly appreciate your thoughtful consideration of it.

Yours very truly,
BETSY TALBOT BLACKWELL,
Editor in Chief.

FEBRUARY 26, 1962.

Miss BETSY TALBOT BLACKWELL,
Editor in Chief, Mademoiselle,
New York, N.Y.

DEAR MISS BLACKWELL: This will serve to acknowledge receipt of yours of February 23 concerning the repeal of the 10 percent excise tax.

Ever since I came to Congress, I have been exerting every effort to have all of these "nuisance" taxes eliminated.

I am enclosing a copy of my bill, H.R. 814, which will be of interest to you.

Sincerely yours,
ABRAHAM J. MULTER.

MADEMOISELLE,
New York, N.Y., March 1, 1962.

DEAR CONGRESS: It's 18 years, come April Fools' Day, since a bill was passed putting a 20-percent tax on a number of items (handbags, luggage, furs, jewelry, and cosmetics, in particular) without which no self-respecting American woman would be able to function in public—or private either. The purpose of this luxury tax, as you called it, was to restrict the sale of commodities containing things useful to the war effort. We were glad to cooperate at the time. Such temporary taxes are customary during wars. But instead of lifting it after hostilities were over, you made the luxury tax of World War II a permanent fixture—though you did reduce it to 10 percent in 1954.

Considering a number of facts—that its original purpose no longer exists; that it discriminates not only against certain industries but against the entire female sex; that the burden of it falls equally on everyone, which makes it a lot tougher on a girl in her first job than on a psychiatrist's wife; and that it's not only unfair but just plain old fashioned to describe things women can't possibly do without as luxuries—we think it's high time you did something about it. Several bills are being proposed this session, we hear, that would remove the levy on some of these so-called luxuries. We hope you'll see your way to passing one of them.

After all, women look and feel and are so much prettier, happier, and nicer with powdered noses, lipsticked lips, and handbags in which to stow away their change purses, cigarettes, Kleenexes, spectacles, penknives, keys, matchboxes, parking tickets, lipsticks, safety pins, and unopened bills. And perfume does seem almost necessary. And as for a bit of mink.

Love,
MLLE.

P.S.—Just one more thing, which doesn't apply to all women, but most certainly does to all those in the fashion industry—about whom we have a lot to say in this issue. If everyone from nurses to policemen can deduct the cost of their uniforms from their income taxes, why can't we? Our uniforms are not a bit less essential (and, alas, much sooner obsolete). If we didn't dress to prove our point, we couldn't keep one of the biggest businesses in America going.

Little-People-to-Little-People Program

EXTENSION OF REMARKS

OF

HON. FRANK CHELF

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 22, 1962

Mr. CHELF. Mr. Speaker, it is manifestly clear that Peter, the 10-year-old son of my able colleague, PETER W. RODINO, of New Jersey, has an excellent

idea in his desire to spearhead the little-people-to-little-people program in writing letters to Khrushchev to protest the fallout of bombs.

Congressman RODINO is to be commended for his suggestion that this children's crusade be broadened in scope by answering the Communist crusade for world domination with our children's crusade for world education.

If all of us here will assist the children, as they take up the crusade as a personal challenge, working individually and in groups such as Boy and Girl Scouts, and 4-H clubs, I believe it could be an effective weapon in the fight for our cause. The more information disseminated concerning our free way of life, our Founding Fathers, our ideals, our aims and desires, the better it will be for our democratic way of life.

It is an excellent idea, I believe, for our children to correspond with other children in Russia and Communist-dominated countries, as well as parts of the free world, too. The more children of other lands can learn about America through their own counterparts in age and interest, the more understanding they will have about what respect we have for the Russian people, themselves, and how earnestly we desire to live in a peaceful world.

Indoctrinated though the Communist children are, as they grow to adulthood, by the ideology of communism, such a crusade could cause a most significant "breakthrough" in their understanding concerning the true aspects of our democratic aims and ideals. This effort on the part of our children is a wonderful idea and certainly merits the support and encouragement of all freedom-loving Americans.

Statement Relating Accomplishments of the Public Health Service

EXTENSION OF REMARKS

OF

HON. JOSEPH M. MONTOYA

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 22, 1962

Mr. MONTOYA. Mr. Speaker, the United States is now in its 15th consecutive year of freedom from outbreaks of infectious disease introduced from abroad, and we are spared the ravages of smallpox, plague, and cholera, despite the fact that these diseases continue to flare up in other parts of the world. This is due to the alertness and efficiency of the quarantine officials of the Public Health Service, who are stationed at all of our major seaports and air terminals. When you consider the volume and speed of international travel these days and the rapidity with which infections can spread, you begin to realize the debt we owe to these tireless workers of the Public Health Service.

These are just examples. Others could be drawn from a number of fields. The automobiles rolling off the assembly lines this fall, for instance, will be equipped with devices to reduce harmful exhausts because of Public Health Service research and leadership in the control of air pollution. And many of them will have seat belts because of the Service's long-term campaign to reduce automobile accidents.

As a Representative of the State of New Mexico, where a great number of American Indians live, I think I can supply some firsthand information on what the Indian health program of the Public Health Service is accomplishing there. In my opinion, the program is opening up a new and hopeful aspect of life to the Indian people.

Let me give you a few facts about my own area. Apply these on a broader scale and you see a picture of outstanding achievement.

There have been two dramatic improvements since 1955—a drop of 20 percent in the overall death rate, and a drop of 40 percent in the infant death rate. Deaths from tuberculosis, the once-dreaded prime killer of the Indian, have been greatly reduced. Since 1956 only one death from tuberculosis has been reported in Valencia County. Infectious diseases are watched so carefully that there has not been a single major outbreak among my constituents since 1955.

These bare statistics do not convey the enormous educational job of the Indian health program. A field program brings public health nurses directly to Indian homes, and health educators and sanitarians work directly with the people in opening up new vistas of healthful living. The Indians are beginning to work out their health problems and their confidence in Public Health Service personnel is manifesting itself increasingly. This is especially evident in joint efforts to improve home sanitation—a major factor in high infant illness and death.

You can see from these few facts that a notable job is being done by the Service. To get such amazing results in a health area, the Public Health Service must have, it seems, a group of well-qualified, hardworking and purposeful people on the job.

In fact, for his direction of the Indian health program, Dr. James R. Shaw, a longtime career officer of the Public Health Service, was awarded the Gorgas Medal of the Association of Military Surgeons of the United States last November. This medal is presented for distinguished work and outstanding leadership in preventive medicine. It is my very good fortune to know Dr. Shaw personally, and this description aptly fits his accomplishments in advancing the health of the American Indians.

Hardly a month goes by when we do not read of similar honors going to Public Health Service staff members. Recently, for example, Dr. Sidney Udenfriend, Chief of the Laboratory of Clinical Biochemistry at the National Heart Institute, received the Hillebrand prize for 1961, the top honor of the clinical society of Washington.

Last month, Dr. Thelma B. Dunn, of the National Cancer Institute and a world authority on the pathology of cancer, was one of the six recipients of the second annual Federal Women's Award, created to honor career women in the Federal Government.

And shortly before the beginning of this year, President Kennedy presented Dr. Robert Felix, Director of the National Institute of Mental Health, with one of the Rockefeller Public Service Awards for his notable career in Federal health.

The foregoing are only a few examples of awards and honors which have gone to Public Health Service personnel within the past few months. I could cite many, many others.

Mention could also be made of the numerous examples of leadership in the complex of health professions in the United States. To name only two: Dr. Jack Masur, Director of the Public Health Service's Clinical Center, is the current president of the American Hospital Association; and Mrs. Lucile Leone, Chief Nurse Officer of the Public Health Service, serves as president of the National League for Nursing.

The Public Health Service, Mr. Speaker, is deserving of recognition for the work it has done and I think that we can have every confidence that its contributions in the future will be as great.

Capability of White Sands Missile Range in Space Vehicle Recovery

EXTENSION OF REMARKS

OF

HON. THOMAS G. MORRIS

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 22, 1962

Mr. MORRIS. Mr. Speaker, the advent of manned vehicles capable of lunar and planetary missions is almost upon us. Such vehicles will be very costly and must be recovered if at all possible. A land recovery area, removed as far as possible from population centers and from possible loss in oceans, surely will be an essential part of the spaceflight program to which we are committed. Such an area must be planned as an integral part of the space flight program.

The White Sands Missile Range is the only inland, fully instrumented range within the United States. Its competitors either offer an airbase, of very limited area, or an ocean wherein all vehicles can be lost. The WSMR offers an equipped, already developed area of 5,600 square miles, plus 15 years of missile firing and drone recovery, as well as complete airbase support. Although this range is far removed from large population concentrations, yet the functions of the range are served by an extensive network of power, communication, and transportation facilities. The range is crossed by about 1,100 miles of hard-surface road. All necessary physical ingredients are present for further development of this unique land range into the necessary space vehicle landing site.

The people of southern New Mexico and of west Texas, although aware of

the hazards, will not oppose this best utilization of the WSMR in the interests of the national space-flight program.

The following briefly stated facts will support the claim that WSMR offers the most effective, least expensive means of providing such a range, in a climate nearly ideal for optical and radar systems. Further supporting information will be made available upon request.

LANDING INSTRUMENTATION

More than $350 million has been spent by agencies of the DOD on development programs at WSMR. The range has supported the firing of more than 15,000 missiles, using about 1,200 precisely located instrument sites.

Locations surveyed to first order accuracy include such optical instrumentation as 159 cinetheodolite sites, 171 telescope sites, 84 ballistic camera sites, 500 fixed camera sites, and such others as 41 radar stations—including 8 FPS-16's—10 telemetry stations, 10 mobile vans, and 210 DOVAP sites.

The present long-range radar, optical, timing, and telemetry systems, with minor modifications, can track and land glide vehicles and other currently approved vehicles.

Data reduction systems complement the range instrumentation and produce the maximum in data quality in minimum time by up-to-date methods and computer systems.

WSMR has more than twice as many tracking instruments, and more than twice as many types of instruments, as any competing land range.

LANDING SPACE AND FACILITIES

About 4,600 square miles surrounding the range can be made an emergency landing area since this area is virtually unoccupied and since much of the present instrumentation could equally well scan such an area.

The Alkali Flats, lying entirely within WSMR, offers over 100 square miles of very hard surface for skid landings or ballistic drops. Runways up to 15 miles in length are easily possible without obstructions to glidepaths needed for foreseeable vehicles.

The natural surface of the Alkali Flats exceeds the bearing capacity specified for first-class highways. The California bearing ratio ranges from two to four times the California bearing ratio of a coastal dry lake bed, has no yearly flooding, and not only is nonabrasive but acts as a lubricant under pressure.

Special facilities include the Aeromedical Research Laboratory, a track for test of human and animal subjects, a high-speed precision tract 35,000 feet long for guidance system testing, an environmental facility for simulating vibration testing of components under extreme altitude, temperature, and pressure conditions, the central inertial guidance test facility, balloon launch and drop operations for the Air Force, and the multitude of laboratories, shops, computers, and engineering facilities of the Army Missile Test Center.

Educational and recreational assets of the region match the technical experience and competence of the WSMR. Nearby are New Mexico State University, Texas Western College, and a graduate center of the University of New Mexico.

CLIMATE

Visibility is unlimited about 90 percent of each year. A 60-mile visibility is typical. Overcast conditions average about 14 percent of the year.

The air is clear and dry, rainfall averaging less than 7 inches per year, so that corrosion is at a minimum.

Year-round weather is very favorable for landing vehicles at an arbitrary time. Dry air and other atmospheric conditions permit maximum performance of optical instrumentation not obtainable at other ranges.

Ahepa Biennial National Banquet Honoring Congress Reminder of Gallant Greek-American Forebearers Who Fought for Greek Independence and Reestablishment of Democracy in 1821

EXTENSION OF REMARKS

OF

HON. EDWARD P. BOLAND

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 22, 1962

Mr. BOLAND. Mr. Speaker, on March 25, 1821, the Greek War of Independence against Ottoman rule began when Archbishop Germanos of Patras unfurled the national flag of Greece. We will observe the 141st anniversary of Greek independence this coming Sunday.

This past Monday night I had the distinct pleasure of being the honored guest of the Greek-American community in my home city of Springfield at the 15th Ahepa biennial national banquet honoring the Congress of the United States, held at the Sheraton-Park Hotel here in Washington. I was escorted by my good friend, Mr. George W. George, president of Atlis Chapter No. 85, Order of Ahepa, of Springfield. During the banquet tribute was paid to President Truman for initiating his 1947 aid plan to save Greece from poverty, starvation, and possibly anarchy following the ravages of World War II.

WHAT AHEPA REALLY MEANS

Mr. Speaker, I think it is only fitting that we should pay tribute this week to the Greek-Americans who have contributed immeasurably to American culture, and to their forebearers who fought hard for the independence of their native soil in 1821. The word "Ahepa" itself explains the organization of Greek-Americans founded on July 26, 1922, at Atlanta, Ga., as follows: A—American, h—hellenic, e—educational, p—progressive, and a—association.

As an organization devoted to 40 years of programs and accomplishments in the fields of American citizenship, educational projects, and charitable endeavors, the Ahepa fraternity takes the opportunity at these national banquets to pay tribute to the Members of Congress for their devoted services to the welfare and progress of the American people and government.

WORDS OF PERICLES PERTINENT TODAY

Let me read to you from the Ahepa banquet pamphlet, with its pertinent and timely quotations from Pericles, the Athenian statesman:

The responsibilities of all men toward their community and country—this land of liberty and freedom—has been an integral part of the precepts of the Ahepa.

The will of the American people, expressed through their representatives in the Congress of the United States, is the will of dedicated freedom—the will to give service to our country—and the will to contribute toward its progress and welfare. The eventual expression of the will and desire of the American people can only be finally determined and proclaimed through the Congress of the United States.

Some 2,500 years ago, Pericles appeared before the people of ancient Athens, setting forth the principles of democracy with these words:

"Because in the administration it hath respect not to the few but to the multitude, our form of government is called a democracy. Wherein there is not only an equality amongst all men in point of law for their private controversies, but in election to public offices we consider neither class nor rank, but each man is preferred according to his virtue of to the esteem in which he is held for some special excellence: nor is anyone put back even through poverty, because of the obscurity of his person, so long as he can do good service to the commonwealth."

Pericles then established the standards of citizenship and conduct by stating:

"And when Athens shall appear great to you, consider then that her glories were purchased by valiant men, and by men that learned their duty; by men that were sensible of dishonor when they came to act; by such men as, though they failed in their attempt yet would not be wanting to the city with their virtue, but made unto it a most honorable contribution."

The words of Pericles, the Athenian statesman, still ring out today, some 25 centuries later, with clear meaning and intent.

And so, at these Ahepa congressional dinners, it is the fraternity's opportunity to pay its respects and to record its recognition to the U.S. Congress, those men who "were sensible of dishonor when they came to act"—who "learned their duty"—and who "made unto it [America] a most honorable contribution."

SPRINGFIELD ATLIS CHAPTER AHEPA RESOLUTION

Mr. Speaker, I, under unanimous consent, include with my remarks at this point a copy of the resolution recently adopted unanimously by Atlis Chapter No. 85, Order of Ahepa, in Springfield, and signed by Mr. George, the president, and Mr. George Klatsas, chapter secretary:

Whereas the Honorable EDWARD P. BOLAND, U.S. Representative of the State of Massachusetts, has labored diligently in the interests of the citizens of the congressional jurisdiction; and

Whereas the Order of Ahepa is conducting its 15th biennial national banquet in the city of Washington, D.C., on Monday, March 19, 1962; and

Whereas the members of the Atlis Chapter of the Order of Ahepa, at Springfield, do wish to show their expression for his devotion to duty: Therefore be it

Resolved, That by unanimous declaration this chapter of the Order of Ahepa designate the Honorable EDWARD P. BOLAND as its honor guest at the 15th Ahepa national banquet.

ARCHBISHOP GERMANOS TOUCHED OFF REVOLUTION

Mr. Speaker, 141 years ago when Archbishop Germanos raised the standard of the cross in his monastery at Patras, few people outside Greece realized that the insurrection led by this daring churchman was to see the rebirth of independent Greece after the lapse of some 2,000 years. Yes, for 2,000 years Greeks had lost their freedom and then lived under alien rulers in their homeland. And the life they led under the Ottoman sultans since mid-15th century was almost unbearable. They had tried to free themselves from the oppressive yoke of Ottoman Turks, but they themselves alone were not equal to the task, and for that reason all attempts made prior to 1821 were short of success. But the final attempt made in 1821 proved successful.

The bloody struggle that started in that year lasted more than 6 years. At times the course of the struggle seemed uncertain. Even with considerable outside aid the righteous cause of Greece suffered some serious setbacks. But as Greeks braced themselves in a do-or-die fight, and as the amount of outside aid was on the increase, doubts as to the outcome of the struggle vanished. In October of 1827 when the enemy's fleet was destroyed at the historic naval Battle of Navarino, Greece's oppressors were vanquished and Greek independence assured.

It is simple enough for us today to narrate in a few sentences what the Greek warriors accomplished in the course of a strenuous war lasting almost 7 years. It is easy for us to view those events from the distance and marvel at the brave deeds of those Greeks against their ruthless oppressors. And these few words cannot do them adequate justice. But neither time nor distance can dim the admiration with which we regard everything the Greeks did for the realization of their national dream, for the attainment of their national political independence.

Since 1821 the people of this country have followed the course of Greek history with keen interest; we have been intensely concerned with the safety and security of Greeks in their homeland, and have helped them on more than one occasion to strengthen democracy in this birthplace of democracy. I am indeed glad that we have been able to do this, and on this 141st anniversary of Greek Independence Day we are proud to have Greece as our loyal ally in defense of democracy in the free world.

Problems of the Aged

EXTENSION OF REMARKS

OF

HON. EMANUEL CELLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 22, 1962

Mr. CELLER. Mr. Speaker, the ever-increasing proportion of the elderly in our population means that there needs to be an increasing accent on age as well as on youth. A hundred years ago, one out of 38 Americans was over 65. In 1900, one out of 25 was over 65. Today 15 million Americans, or one in every 12, are 65 or over. The fact is that advances in medical science have resulted in remarkably lengthening our life expectancy which was about 40 years in 1850, 58 years in 1860, 60 years in 1930, and has since risen as high as between 65 and 70 years for certain groups, particularly white females in our population.

Conditions adversely affecting older people cannot be limited to a specific age group. Discrimination against employment of older workers becomes a serious handicap for some people in their forties. The incidence of chronic disease begins to rise sharply in middle age. Housing problems for the elderly are concerned with persons aged 60 and older. Eligibility for old-age insurance benefits begins at 62 for women and 65 for men. Medical research in the aging process requires study of changes occurring throughout the span of life.

What has been our attitude toward people over 65? Until very recently, it has been one of mere tolerance. Even our little kindnesses and courtesies toward the aged were patronizing and condescending. It was as if they were a separate breed, straining our patience; a disagreeable fact of life to which we learned to resign ourselves. These attitudes became so firmly entrenched that even the aged tended to think of themselves in that way.

We saw to it that those over 65 lost their self-respect; that advancing age loomed as a fearful experience. We told ourselves, told our young, told our old: "By the mere act of accumulating years you have forfeited respect. You cannot earn, you cannot learn." They stood accused of the crime of being old and they believed, with the accusers, that they were guilty.

Do we not pride ourselves upon our escape from barbarism, upon our civilized instincts? Yet, a recent report to the Special Committee on Aging of the U.S. Senate reveals that of 15.3 million persons 65 years and older and who are not in institutions, 55 percent had income less than $1,000 in 1959. What is more, of 6.2 million families where the family head was 65 or over, half had less than $2,900 income. Of 3.6 million aged persons living alone or with nonrelatives, half had less than $1,010.

Relatively few of these aged persons are fully employed. Over four-fifths of all persons over 65 are receiving benefits from the old-age insurance program.

Twenty-nine percent of these elderly persons have no liquid assets such as bank accounts or savings bonds, and 67 percent have less than $2,000.

We see the old people around us emotionally and economically dependent upon the young—lonely, sick, and a burden.

True, we have done a little, but very little. We are making a substantial payment in old-age benefits. But money alone cannot dissipate the problems of old age.

Terribly important among these problems is the problem of medical care. It has been found that chronic disease is more common among aged individuals with family income under $2,000 than for higher income aged groups. In other words, illness appears to be directly related to income. Aged persons go to hospitals more often and stay longer than younger persons. On the average the time spent in a general hospital is more than twice as long for persons 65 and over than for persons under 65. Aged persons see doctors more frequently than do younger persons.

Only 42 percent of retired persons 65 and over have some form of insurance coverage. While aged persons with low incomes are likely to have the greatest difficulty in paying medical and hospital bills, they are least likely to have any insurance protection. And, ironically, the aged in poorer health are less likely to have hospital insurance than their healthier contemporaries.

Another area in which the aged are unjustly treated involves compulsory retirement, an industry doctrine which is based on fallacy. One man of 65 is not another man of 65. He may be physically fit, he may be infirm. Some are truly dead before they die. Others are young and vigorous even up to death. Age of itself proves nothing; the question is what the man is, how he thinks, how he feels, what he can do. How cruel to cast out vigorous, competent workers on the basis of a mere statistic. How many men do we ourselves know who, after compulsory retirement, suddenly lose their grip on life and die within a short time after leaving work?

We must absorb the teaching that life and learning are a continuous process. Then what is now called the tragedy of old age will turn into a time of rich fulfillment.

Look at the men and women of ripe age who have been marked by history—Galileo, Spenser, Verdi—who were creative in their 90th year. Or you can point to such men as Orlando, who at 91 was a member of the Italian Senate, professor at the University of Rome, head of a very successful law firm, and the only survivor of the prime ministers who concluded the Peace of Versailles. Or Churchill or Bernard Baruch and other aged but nevertheless young in mind and spirit. Some of these people I have personally met and been impressed with their vigor and interest in living and in life. Yes, you will point to these and say, "But these are the specially gifted, the chosen few." You will say, "I have not these great gifts" and that "I shall have outlived my usefulness by the time I am 65." But I say to you that one common fact was true of all these men—they had never given up their interest in living and had never doubted their capacity for learning. That is the way of life we can all embrace.

At 73 I refuse to believe that in 2, 3, 5 years I shall suddenly abandon my interests and feel abandoned. My being in Congress has nothing to do with this. I have been in Congress since I was 33, and I find that the enthusiasm for new problems, the excitement of learning, the stimulation of plays, of opera, and music, and reading, and love for wife and children, continue with the years, and I know that because these are with me I shall never be old.

I like what Dr. Martin Gumpert, author of "You Are Younger Than You Think," said:

> It now remains for us to transfer our medical experience, our scientific knowledge, into social attitudes. If we accept the older citizen as an asset to our community instead of a burden, if we restore his dignity and independence, if we listen to his judgment and experience, if we respect his rights and challenge his responsibilities, we may be on our way to fulfill mankind's most ardent hope; a mature society governed by wisdom.

Hundreds of bills are introduced in every session of Congress dealing with the many phases of aged and retirement living. Still, little positive legislation results either because of lack of understanding of the immensity of the problems, or failure to accept responsibility. It is vital that we undergo a sharp reorientation in this regard, and give prompt and effective support to programs such as President Kennedy's proposal for medical aid to the aged. Our senior citizens have the right to demand no less than this.

The responsibility for the aged does not, however, rest solely on the Government; it is a responsibility within each home and for each individual. While the State can provide such machinery as low-cost housing, to enable old people to live away from the families, and municipalities can provide social centers, and States can provide institutions, and the Nation can provide old-age monetary assistance, and employers can do away entirely with compulsory retirement and can employ more people in the older age brackets—all this will be incomplete unless and until the attitude of the people toward old people will change with the changing times.

We have taken away the prestige of the old. They are permeated with the feeling that they are on the shelf and gathering dust. The complaint for the major portion of the old folks is justified. There are thousands of jobs that old people can fill. They were successfully reabsorbed in war industries.

There are child-guidance clinics dotting the country. The country is almost barren of old-age guidance. I have only touched on the highlights here and there, but this failure of ours will grow in proportion to the increasing rate of the number of citizens over 65. By 1980 it is estimated we will have a population of over 20 million citizens who have passed their 60th birthday. If we continue in this rut of thinking, we are courting tragedy. This pitiful waste of human resources is one that touches each individual intimately. How many have asked themselves, "What will happen to me when I am 65?" Is it a problem only when it becomes my problem? Youth is a hope and age is a fulfillment. Shall we be so childish that we concentrate only on the hope and never on the fulfillment?

Walt Whitman has talked of the grandeur and exquisiteness of age. How many of us would accept that as true? We cannot, and only because we have failed the aged.

We protect the rights of man.

We protect the rights of children.

Why not recognize the rights of the aged?

Railroads Vital to Our Economy and Defense—New Frontier Fast Becoming New Tax Tier

EXTENSION OF REMARKS

OF

HON. IVOR D. FENTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 22, 1962

Mr. FENTON. Mr. Speaker, if the railroads want to retain the franchises they hold they should increase and improve their services and facilities—these are vital to the Nation's economy and defense. In this the Federal Government should give assistance wherever possible.

Railroads, by forced curtailments today, are becoming almost as extinct in certain areas as countless other private initiative in what was once regarded part of the free enterprise system which made America great.

The New Frontier is fast becoming the new tax tier in destroying private and individual initiative. The oppressive and confiscatory taxes being proposed by the so-called liberal individuals and groups is just more evidence that these self-styled liberals are the same individuals who believe in spending the other fellow's money and then getting it back from the taxpayers with interest.

In fact one self-styled liberal individual who is a candidate for Governor in Pennsylvania has just publicly stated that any individual who promises a tax cut in the State should be arrested for perjury. Yes, these New Frontier boys are fast becoming the new tax tier boys.

Many taxes have and continue to stifle and destroy the business of our American railroads. These railroads are vital to the economy and defense of the Nation. Elimination of certain excise taxes and reduction in individual taxes will create a greater expansion of the Nation's economy in a more sound tax atmosphere and environment. Threatened curtailments and retrenchments will not be necessary in all phases of our national life.

Let us all join in a renewed effort and faith in our country by encouraging free enterprise, and not making necessary such protests as the following which I have just been called upon to make to the Interstate Commerce Commission in the public interest:

MARCH 16, 1962.

Hon. RUPERT L. MURPHY,
Chairman, Interstate Commerce Commission, Washington, D.C.

DEAR MR. MURPHY: It has come to my attention that the Pennsylvania Railroad Co. has filed notice with the Interstate Commerce Commission that they will remove service between Harrisburg, Pa., and Buffalo, N.Y., on trains 571 and 570 effective April 15 next.

I know it is not necessary for me to go into detail in opposition to the railroad company's petition for I understand you have already been deluged with countless protests.

A considerable portion of the area served by these two trains is in my district which incidentally has been certified by President Kennedy as an economically distressed area. The President has asked that all Federal departments and agencies cooperate wherever possible in the matter of eliminating economic distress in these areas.

It seems hardly necessary to point out that if the petition of the company to remove these trains is granted it can only add to the economic ills of Pennsylvania, and particularly in an area where the economy is second to only one other area in the Nation as far as unemployment is concerned.

I am informed that the removal of these trains will mean the loss immediately of 24 jobs for mobile unit clerks and approximately 110 railroad personnel.

The service now afforded by these two trains is the only daytime service available for passengers, mail, and express.

However, I am more interested in the overall economic situation because the removal of these two trains from an area which is now almost isolated by dwindling train service means that any business or industry contemplating coming into the area will certainly change their plans. Furthermore, without adequate rail facilities it can only aggravate the situation to the extent that people or business and industry now located in the area might move out.

I certainly recommend that the Commission deny the petition of the Pennsylvania Railroad Co. to remove trains 571 and 570, and I will appreciate my protest being placed on the official record.

Sincerely yours,

IVOR D. FENTON.

SENATE

FRIDAY, MARCH 23, 1962

(Legislative day of Wednesday, March 14, 1962)

The Senate met at 9 o'clock a.m., on the expiration of the recess, and was called to order by the Vice President.

Archbishop Vasili, of the Byelorussian Autocephalic Orthodox Church in the United States, offered the following prayer:

In the name of the Father, and the Son, and the Holy Ghost.

Almighty God, our Father, we, Thy children, humbly bow and acknowledge Thy divine benevolence and offer our profound gratitude for the abundant blessings Thou hast bestowed upon America and her people.

We entreat Thee, our Saviour, to look favorably upon our beloved President and to strengthen and assist him in his duties, and in his leadership of the struggle for freedom throughout the world. Bless our Vice President; grant wisdom and courage to the Members of the Senate, this temple of peace, freedom, and justice. Merciful Father, we recommend to Thy grace the souls of the heroic dead of our Armed Forces; grant them eternal rest, in Thy kingdom in Heaven.

Eternal God and Redeemer, Thou hast instilled in our hearts at birth the desire

to live as free human beings. We beseech Thee today, on the 44th anniversary of the Declaration of Independence of Byelorussia, to lift Thy benevolent countenance on that enslaved nation, and to sustain them with hope of freedom from the godless tyranny of the Kremlin.

Almighty God and Father of all nations, We pray to Thee that the Byelorussian nation and all other nations in captivity may soon have Thy blessed freedom; that they may assume their rightful place among the free nations of the world under Thy guidance, care, love, and righteousness.

We humbly bow our heads before Thee, our God and Redeemer, and faithfully implore Thee to accept this, our prayer, and bless the United States of America and Byelorussia.

May Thy glorious name, our God and Saviour, reign and shine in our hearts and be blessed now and forever. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, March 22, 1962, was dispensed with.

Mr. STENNIS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

REPORT ON RESEARCH AND DEVELOPMENT PROCUREMENT ACTIONS

A letter from the Secretary of the Air Force, transmitting, pursuant to law, a semiannual research and development procurement actions report, for the 6-month period ended December 31, 1961 (with an accompanying report); to the Committee on Armed Services.

AMENDMENT OF ACT RELATING TO ECONOMIC AND SOCIAL DEVELOPMENT IN THE RYUKYU ISLANDS

A letter from the Secretary of the Army, transmitting a draft of proposed legislation to amend the act providing for the economic and social development in the Ryukyu Islands (with an accompanying paper); to the Committee on Armed Services.

REPORT ON EXTRAORDINARY CONTRACTUAL ACTIONS TO FACILITATE THE NATIONAL DEFENSE

A letter from the Acting Assistant Secretary of Defense (Installations and Logistics), transmitting, pursuant to law, a report on extraordinary contractual actions to facilitate the national defense, for the calendar year 1961 (with an accompanying report); to the Committee on Armed Services.

REPORT ON BORROWING AUTHORITY

A letter from the Acting Director, Office of Emergency Planning, Executive Office of the President, transmitting, pursuant to law, a report on borrowing authority, dated December 31, 1961 (with an accompanying report); to the Committee on Banking and Currency.

EXTENSION OF LIMITATION ON CONSTRUCTION-DIFFERENTIAL SUBSIDY, RELATING TO THE CONSTRUCTION OF SHIPS

A letter from the Under Secretary of Commerce, transmitting a draft of proposed legislation to amend section 2 of the act of July 7, 1960, as amended, to continue the 55-percent limit on construction-differential subsidy for construction, reconstruction, and reconditioning of ships for 1 additional year (with accompanying papers); to the Committee on Commerce.

REPORT ON BATTLE ACT

A letter from the Secretary of State, transmitting, pursuant to law, a report entitled "The Battle Act in New Times" (with an accompanying report); to the Committee on Foreign Relations.

REPORT ON REVIEW OF POLICIES AND PROCEDURES FOR CONTROLLING AND SHARING THE COSTS OF SLUM CLEARANCE AND URBAN RENEWAL PROJECTS, URBAN RENEWAL ADMINISTRATION

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the review of policies and procedures for controlling and sharing the costs of slum clearance and urban renewal projects, Urban Renewal Administration, Housing and Home Finance Agency, June 1961 (with an accompanying report); to the Committee on Government Operations.

AMENDMENT OF SECTION 4281, TITLE 18, UNITED STATES CODE, RELATING TO GRATUITY TO CERTAIN PRISONERS

A letter from the Attorney General, transmitting a draft of proposed legislation to amend section 4281, title 18, of the United States Code to increase from $30 to $100, the amount of gratuity which may be furnished by the Attorney General to prisoners discharged from imprisonment or released on parole (with an accompanying paper); to the Committee on the Judiciary.

FIXING OF FEES PAYABLE TO THE PATENT OFFICE

A letter from the Acting Secretary of Commerce, transmitting a draft of proposed legislation to fix the fees payable to the Patent Office, and for other purposes (with accompanying papers); to the Committee on the Judiciary.

REPORT ON TORT CLAIMS PAID BY HOUSING AND HOME FINANCE AGENCY

A letter from the Administrator, Housing and Home Finance Agency, Washington, D.C., reporting, pursuant to law, on tort claims paid by that Agency, for the calendar year 1961; to the Committee on the Judiciary.

EXTENSION OF CONTRACT MAIL ROUTES

A letter from the Postmaster General, transmitting a draft of proposed legislation to permit the Postmaster General to extend contract mail routes up to 100 miles during the contract term (with an accompanying paper); to the Committee on Post Office and Civil Service.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, and referred as indicated:

By the VICE PRESIDENT:

Resolution of the House of Representatives of the Commonwealth of Massachusetts; to the Committee on Finance:

"RESOLUTION MEMORIALIZING THE CONGRESS TO ENACT LEGISLATION PROVIDING MEDICAL CARE FOR THE ELDERLY THROUGH SOCIAL SECURITY FINANCING

"Whereas a major problem facing a large number of the elderly citizens among us is how to meet the rising cost of medical care with fixed or declining income; and

"Whereas the social security system has enabled large numbers of our elderly citizens to maintain a way of life which preserves their identity and their dignity and their independence and their purpose; and

"Whereas adding medical care would be a natural extension of the social security idea; and

"Whereas the medical care proposal is deadlocked in Congress; and

"Whereas the problem involved transcends party: It is hereby

"*Resolved*, That the Massachusetts House of Representatives respectfully urge the Congress of the United States to enact legislation to provide medical care for the elderly through social security financing, and that the State secretary transmit a copy of these resolutions to the Presiding Officer of each branch of the Congress of the United States and to each Member thereof from this Commonwealth.

"Adopted by the house of representatives February 21, 1962.

"WILLIAM C. MAIERS,
"*Clerk.*

"Attest:

"KEVIN H. WHITE,
"*Secretary of the Commonwealth.*"

Two resolutions of the House of Representatives of the State of Arizona; to the Committee on the Judiciary:

"HOUSE MEMORIAL 4

"Memorial commending the U.S. Attorney General for his forthright action in requesting Mr. Robert Welch to submit evidence of his allegation that a few thousand Communists are concentrated in key departments of the Government

"To the PRESIDENT OF THE UNITED STATES AND THE U.S. ATTORNEY GENERAL:

"Your memorialist respectfully represents:

"Mr. Robert Welch, founder of the John Birch Society, in a rally at Austin, Tex., on November 29, 1961, according to a story carried by the Associated Press, stated that 'a comparatively few thousand Communists, concentrated in key departments' of the Government have taken the United States 'steadily down the road to communism by steps supposedly designed and presented * * * as ways of fighting communism.'

"Upon being apprised of the remarks made by Mr. Robert Welch, the U.S. Attorney General directed one of his assistants to immediately inquire from Mr. Welch as to the basis of his charges. A letter was transmitted to Mr. Welch on December 8, 1961, and it was suggested therein that he produce his evidence to the Federal Bureau of Investigation so that they might take necessary measures to prosecute those who are in violation of our laws.

"The action taken by the U.S. Attorney General is commendable and it is hoped that this initial action is followed up so that any evidence in possession of Mr. Welch becomes available for purposes of prosecution of violators.

"Wherefore your memorialist, the House of Representatives of the State of Arizona, prays:

"1. That the members of the Arizona House of Representatives hereby commend the Attorney General of the United States for his forthright action in requesting that Mr. Robert Welch turn over to the Federal Bureau of Investigation any evidence in his possession which substantiates his allegation that thousands of Communists are employed in key departments of the Federal Government.

"2. The Secretary of State of Arizona is directed to transmit copies of this memorial to the President of the United States, the Attorney General of the United States, members of the House Un-American Activities Committee and of the Senate Internal Security Committee, and to the President of the Senate and the Speaker of the House of Representatives of the U.S. Congress."

"HOUSE MEMORIAL 5

"Memorial requesting the Congress of the United States to enact a bill which legalizes the use of wiretapping evidence in courts:

"*To the Congress of the United States:*

"Your memorialist respectfully represents:

"Whereas many widely known and notorious criminals in the United States have avoided conviction because the law prohibits the use of wiretap evidence; and

"Whereas Attorney General Robert Kennedy has proposed that the Congress of the United States legalize wiretap evidence subject to strict and enforceable regulations;

"Wherefore your memorialist, the House of Representatives of the State of Arizona, prays:

"1. That the Attorney General of the United States is hereby commended for his action in proposing that certain types of wiretap evidence be admissible in courts.

"2. That the Congress of the United States enact legislation which shall permit the use of wiretap evidence in courts and thereby promote effective prosecution of criminal acts.

"3. That the secretary of state of Arizona transmit a copy of this memorial to the Attorney General of the United States, the President of the Senate, and the Speaker of the House of Representatives of the Congress of the United States."

A resolution adopted by the California State Board of Agriculture, at Sacramento, Calif., favoring the enactment of legislation to safeguard the future supply of milk by continuing the present level of price supports on milk; to the Committee on Agriculture and Forestry.

THE ALEXANDER HAMILTON NATIONAL MONUMENT — AMENDMENT TO THE CONSTITUTION DEALING WITH POLL TAXES

The Senate resumed the consideration of the motion of the Senator from Montana [Mr. MANSFIELD] to proceed to the consideration of the joint resolution (S.J. Res. 29) providing for the establishing of the former dwelling house of Alexander Hamilton as a national monument.

Mr. McCLELLAN. Mr. President, I submit a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Arkansas will state it.

Mr. McCLELLAN. What is the pending business or pending motion?

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Montana [Mr. MANSFIELD] that the Senate proceed to the consideration of Senate Joint Resolution 29, providing for the establishing of the former dwelling house of Alexander Hamilton as a national monument.

Mr. McCLELLAN. I thank the Chair.

Mr. President, I do not know whether the following is a proper parliamentary inquiry, but I should like to submit it, in seeking a little guidance for my remarks: Am I correct in understanding that the program—or, at least, in my understanding of what is proposed—is to offer Senate Joint Resolution 58 as a substitute for Senate Joint Resolution 29? Am I correct in that understanding, or is that a proper parliamentary inquiry?

The VICE PRESIDENT. The Chair is of the opinion that some statement of that type was made on the floor. However, that is not a parliamentary inquiry, inasmuch as the question before the Senate is on agreeing to the motion of the Senator from Montana [Mr. MANSFIELD] that the Senate proceed to the consideration of Senate Joint Resolution 29, providing for the establishing of the former dwelling house of Alexander Hamilton as a national monument. However, the Chair thinks the RECORD discloses that the Senator from Montana has made some such announcement as to his intention.

Mr. McCLELLAN. I had heard a rumor to that effect, Mr. President, and I did not know whether it was official or whether it was still in the rumor stage.

Mr. President, I have a copy of Senate Joint Resolution 29 before me. If it could be stripped of these rumors and I would not say threats, but those things which are generally assumed are to be used as draperies around, over, above, under, or substituted for Senate Joint Resolution 29, I think it would hardly be worth debating.

I do not know whether our fiscal situation would warrant the expenditure that Senate Joint Resolution 29 would incur, but I think that would be the only issue or question that would be worthy of consideration insofar as Senate Joint Resolution 29 is concerned.

Certainly, nobody would object to the restoration of the former dwelling house of Alexander Hamilton. There may have been some persons, some years ago, and there may be a few today, who disagree with his philosophy of government; but I am sure they would not carry it to the point of objecting to the restoration of the house he lived in.

So, Mr. President, that is not the real issue, but it is the rumors that have disturbed us. If someone would just clear them up and satisfy us that they are not true, that there is no justification for them, that no violence would be done to the fundamentals of our Government, to the basic rights of individuals and of the sovereign States, by reason of Senate Joint Resolution 29 being proposed to be taken up and considered—if someone would just remove those distressing rumors and allay our fears of such measures or attempts to abuse and disuse what is ordinarily proper legislative procedure in order to accomplish something that is very obnoxious to many good citizens of this country and to some sovereign States of this Nation, why, then we could very well proceed with the orderly business of the Senate. We could move to important matters that await legislative consideration. We could consider and deliberate upon issues which are vital to the economic stability of our country, to our economic strength and welfare, and, even more vital, to imperative issues and problems that are international in scope, that involve issues and dangers which might threaten the very existence of our Nation and, going further, even imperil the freedom of mankind throughout the world.

Tragically, however, sometimes the frivolous prevails over the serious and the important, and I am most apprehensive and concerned at the moment that that is what has happened here in this great, august body, the Senate of the United States. But these things happen, and when they do we have no alternative but to take our position and to support it, maintain it, defend it, and promote it.

Mr. President, I put the emphasis in my remarks today on promoting. I do not want to appear to be in the attitude of defending. I do not have to defend that in which I believe. I support, advocate, and promote that in which I believe. In this instance I do not think it is any of the business of the Senate of the United States or of the Federal Government to try to force sovereign States to do things which some think they should do, but which come, in my opinion, in the category of not being particularly any of their business.

So, once again, the Senate is faced with and has under debate a proposal that, in my opinion, is far beneath its dignity and away beyond the appropriate scope of important matters with which this great deliberative body should be concerned.

Yes, Mr. President, when I say it is beneath the dignity of the Senate, I really think that is true, in view of the important issues the Senate should be considering, in view of the fact that, assuming everything said about the poll tax as being obnoxious, unreasonable, improper, or any other adjective or adverb one could apply to it were true, again it is rather trivial for the Senate of the United States to take as much time as has been occupied here, and evidently will be occupied before the Senate can resolve anything about it.

We have before us that perennially favorite subject of so many Members of the Senate, so-called civil rights legislation. This is a phase of it. It is in that category.

I think when I first came to the Congress, in 1935, there were so-called anti-poll-tax bills pending or were introduced in that session of the Congress. At that time there were more States that had the poll tax requirement, as a part of the eligibility for the right of suffrage, than today.

Mr. STENNIS. Mr. President, before the Senator leaves that subject, will he yield to me for a brief question?

Mr. McCLELLAN. Mr. President, I should like to propound a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. McCLELLAN. So long as I yield solely for the purpose of a question, does the Chair protect me in so yielding under those conditions? Have I a right to expect the Presiding Officer to protect my right to the floor when I yield under a legitimate condition as prescribed by the rules of the Senate?

The VICE PRESIDENT. Under the rules the Senator can yield only for a question, and if the Senator to whom he has yielded is not asking a question I assume the Senator would wish to direct the Senator's attention to that fact. If the Chair is called upon to rule as to whether or not it is a question, he would be glad to do so.

Mr. McCLELLAN. I do not wish to incur the risk of having the Presiding Officer rule against me. Therefore, I should like to be protected. The Presiding Officer may be able to do it. I am not sure I can always ascertain whether a question is being asked. I do not know at what point in the conversation I could determine whether what my colleague was saying would wind up being a question or whether it would wind up being a speech. I do not know how to protect myself. Can the Presiding Officer protect me?

The VICE PRESIDENT. After conferring with the Parliamentarian, the Chair is informed it is up to the Senator to do the best he can to protect himself.

Mr. McCLELLAN. Well, I yield for a question. I do not mind if the question is a long question, but I want it to be a question every step of the way. I yield for the purpose of the Senator asking me a question only.

The VICE PRESIDENT. The Senator from Arkansas yields to the Senator from Mississippi for a question only.

Mr. STENNIS. Mr. President, I thank the Senator for yielding to me. I fully understand that he yields for a question only.

I ask the Senator from Arkansas if this is his position——

Mr. McCLELLAN. If it is my position?

Mr. STENNIS. If it is the position of the Senator from Arkansas now, with reference to his opening remarks.

Mr. McCLELLAN. Very well.

Mr. STENNIS. Does the Senator from Arkansas consider this to be a serious matter from the viewpoint of the Senate? Does the Senator consider the matter of trying to attach a proposed constitutional amendment on any subject to a small bill to create a memorial to a patriot, that being the type of proposed legislation which does not have to go to the President of the United States, a serious matter? Does not the Senator think that is a most serious matter from the standpoint of the Senate in regard to its integrity and its own operations?

Mr. McCLELLAN. I would say it is a serious breach of the integrity of proper procedure, and I do not think it adds anything to the dignity of this body to make an approach in that manner.

Mr. STENNIS. Does the Senator think it detracts from the integrity and dignity of or diminishes the integrity or dignity of this body as a legislative organization?

Mr. McCLELLAN. I would answer the Senator by saying I do not know which is the stronger word, "detracts" or "diminishes." Whichever is the stronger would be my answer.

Mr. STENNIS. Is it not further true that so far as can be observed there is no emergency, no real cause, no pressing question which is causing this to be done? Is it not more or less a casual thing to bring this subject up, to stop progress with other measures or the calendar of the Senate and the other business of the Senate? Does the Senator see any emergency or any cause for resorting to such procedure?

Mr. McCLELLAN. No; I see no emergency. I see no cause for doing this. I find no justification for doing it.

I find every objection to it being done.

I can understand and I applaud the resentment, the sense of impropriety felt by many of my colleagues, who have already preceded me in this discussion and who have so expressed themselves. It is not in keeping with the best tradition. In my opinion, it violates the spirit of propriety in legislative procedure.

I remind my colleague that a few days ago, not very long ago—I shall not try to count the days, but 2 or 3 weeks ago or a month ago—another procedure was attempted. The Senator recalls that. In my judgment, that would have tainted the dignity of the Senate, its conscience and its sense of fair play, as well as its propriety of procedure. The Senate rejected that.

Mr. STENNIS. Does the Senator refer——

Mr. McCLELLAN. I refer to the attempted discharge of the committee which was faithfully undertaking to discharge its duties and its responsibilities under the rules of the U.S. Senate. The committee, without any dilatory tactics, without any delay, in good faith and good conscience, was trying to be of aid, trying as an arm of the Senate to be of service, to help the Senate perform its function, to strengthen this body in its intellectual system and in the information it needed and the enlightenment it needed to help it resolve the issue involved, with judgment.

But here, according to the rumors—according to the rumors; I cannot get anything official on it—it is proposed to offer as a substitute a resolution now pending before a committee of the U.S. Senate.

It is a resolution the committee has not acted on. It is a resolution which does not seek to remedy any emergency.

If there were an emergency, as my colleague points out; if someone were suffering; if there were distress; if there were an issue of corruption or an issue of a clear denying of constitutional rights, of citizenship rights, of the rights of an individual to his liberty—if such principles were involved one might find under some circumstances justification for a procedure such as is here proposed and was attempted recently, but only under such circumstances.

If we are to maintain the integrity of this body—if this is to be a Chamber of integrity, of dignity, of high purpose, of high resolve, of patriotic spirit, serving this country and fulfilling its mission in this great Republic—we had better stop resorting to these little maneuvers which would bypass and circumvent that which is right and proper. We do violence to this body when we do that.

The country will survive, but it might not long survive if there were not those who would stand on this floor even at the expense, sometimes, of discomfort, and even at the cost of physical exertion and pain, to uphold and to defend that which is essential and vital to the preservation of this, the greatest country in the world.

Mr. STENNIS. I thank the Senator for yielding to me and for his remarks.

Mr. McCLELLAN. I thank my distinguished friend. I probably would not have said what I have said had the Senator not prompted me by the questions he asked.

I feel about the situation, as I have stated, Mr. President. I do not know when, but some day I think I may pause and reflect upon those days when I had the honor of representing one of the great sovereign States of our Nation, the honor of representing her people in this august body. I shall reflect with some satisfaction that, notwithstanding the pressures of expediency, political and otherwise, somehow from some source I drew the strength and the courage to stand here and oppose such tactics and some of the proposals that would be enacted into law if it were not for the resolute purpose of some of us who are trying to keep America as the America we love and honor. I do not know how to stress the point any more forcefully.

Yes, Mr. President, this year the emphasis and attention is centered on the poll tax. The time and study of 100 busy Senators has already been occupied for an extended period of more than a week. I think we are now in our eighth day of debate. This time-consuming subject will continue to occupy for several more days, I assume, the attention of the Members of this body.

I repeat that what is proposed to be done is a very picayune and petty matter. It is a question of comparative importance which, assuming that it has any merit at all, ranks at the very lowest rung of the legislative ladder. There is hardly a bill of any merit at all on the Senate Calendar or pending before a committee of this body that is not more important than what we are now considering.

I suggest to Senators who may be responsible for the rumor we have heard about the procedure that will be attempted here that they do not follow it. Let us proceed to restore the old home of Alexander Hamilton, even if we must go a little more in debt to do so. That would not be as big an offense against the security and welfare of our country as what is proposed to be done with the poll tax measure.

What I have said is true despite the fact that today only 10 Senators have the honor—and it is an honor—to represent States whose laws provide for a poll tax as a prerequisite to voting. Before I conclude my remarks, I shall have more to say on that subject.

I have some ideas about qualities of citizenship that place upon citizens some responsibilities as well as grants of privileges and benefits. I think it would be of interest for us to meditate upon the corresponding obligations of citizenship as we deliberate upon the proposed legislation. Only 10 Senators, 2 from each of the 5 States, should ever be confronted with the responsibility of making up their minds as to how they stand on the question of the poll tax. What good on earth would it do for a Senator from

New York, Pennsylvania, California, or Kalamazoo to impose his will and judgment about a poll tax situation in Arkansas, Texas, Virginia, Alabama, and Mississippi?

I think he would receive only a kind of vain satisfaction after it was done. We are the ones to be concerned about the question. We are the people who live in those States. We represent those people. Our States have had a poll tax requirement for a great many years, some of them since they entered the Union, I believe. Why should a Senator from another State far away that has a different system impose his will?

We are told that in some States one cannot obtain a license to drive a car unless he pays the poll tax. Who am I, a Senator from a Southern State, to say that such a law would mistreat the citizens in the State having such a law? I could argue, "The citizen of that State ought to have a right to drive a car because he must go to work. You deprive him of the right to work and the right to earn a living."

The man will not work because he refuses to pay a $1 or $2 poll tax. Is not that situation silly? And I would feel silly. I think I would blush with shame if I were to stand on the floor of the Senate and argue that it is my business, as a Senator from Arkansas, to tell a Senator from that State that his State is wrong and that the Senate ought to repeal his old poll tax so that citizens of his State could obtain a license to drive their cars to work. I am not going to do it.

We have heard the argument, "Well, you are denying the right of suffrage." We are not doing any such thing, and I shall prove it. At least we are not in my State. We are not denying anyone. Only three out of four people who pay the poll tax vote in Arkansas anyhow. A number of people pay the tax for other patriotic reasons. It is not compulsory. But if one wants to establish that he is a good citizen, interested in government, and he ought to have a right to vote and would like to prove that he deserves the privilege of voting and having a voice in the government, in Arkansas the cost is $1. How does he demonstrate his interest? He contributes $1 to support the public schools in the county in which he lives and where the $1 poll tax is paid. That is a token requirement of good citizenship that would entitle one to vote. Is it not a shameful and terrible thing, when we think about it, that what I have stated is what we are fighting about in the Senate?

We are told, "We are going to make you do it this way or that way." I shall have more to say on that subject before I conclude.

Realizing that I might need to speak at some length, I thought I had better try to prepare some material for my remarks, but I concluded that one hardly needs any if he stops and thinks about what is involved in this issue. One hardly needs any. Will we have better government in America if we say everyone can vote, if we say we do not care whether a person is against everything and against every liberty, and we do not care whether he helps to educate the children, and can do anything he wants to do, and pay no tax at all, but that nevertheless he may walk up to the ballot box and cancel out the votes of the fathers and mothers of this country who are toiling and who are under a heavy tax burden by paying their dollar to help make sure that not only their child goes to school and gets an education, but also that the child of the other man, who pays nothing, may have an opportunity to have his child educated also?

Condemn us? I say, Mr. President, "Condemn us if you will. Place this imposition on us if you will. Single us out. Condemn the good citizens of this country, if that is your purpose. Make that record, if you will. I will stand on this side of the issue."

Mr. President, we will have better government when we have more intelligent citizenship. How do we get it? By causing a citizen to realize that he is not only the beneficiary of the greatest blessings ever dispensed by mankind by any organized government in society, but also by instilling into him a sense of duty and obligation to help support, protect, and defend that government.

Yes, Mr. President, I will take the citizen on my side who says, "I am not offended in my State by its constitution and by its laws which provide that, as a token of good citizenship, I must place a dollar in the fund to educate little children." We ask him to do that and then to come and vote with us.

Who condemns it? Well, let him who condemns it stand up and tell the reason. When weighed in the light of intellectual judgment, it will not stand the test.

Deny the right to vote? No citizen is denied the right to vote. There are some people who pay the tax and vote but possibly do not always measure up to the finest qualities of citizenship. At least they have made a token declaration of good citizenship by taking $1 out of their pocket, in my State, and saying, "I will help support the schools in the county for the white, the black, and the yellow children—all—to give them an equal chance for an education."

Yet some of our colleagues and some organizations condemn that attitude. The very ones who condemn it in most instances would have the Federal Government provide school aid and charge it to the national debt. As between the two, the one who wants to pay the poll tax so he will have the right to vote, and the man who would rather have the Federal Government pay it and add it to the national debt, as a test of citizenship, I will take the one who is willing to pay the dollar in poll tax to help support the schools.

Mr. President, I do not believe I need any notes to talk on this subject. All one needs to do is open the window and let the light of reason and judgment come in, and then talk about it.

Regretfully, it is not unusual that the Senate should concern itself with such a matter as this. At least once a session in the past 20 years, in 10 Congresses—that may not be accurate, but at least that many times—have we been confronted on the floor of the Senate with some issue comparable to this one coming within the category of civil rights.

There is an honest difference of opinion, just as there are honest differences of opinion with respect to religion and with respect to any earthly matters, and since we have sovereign States, or since sovereign States are what composed the Republic at the time it was established—I admit that the sovereignty has been impaired—there are some of us who are still old fashioned enough to believe in the wisdom of that sovereignty, and who undertake to preserve it.

I would suspect, without having specifically confirmed it, that following the War Between the States, the Congress has spent more hours debating issues that come within the so-called civil rights category, of which the proposal we are discussing is just one phase, than it has in debating any other subject, and I believe one can say it has spent more time on that than in debating any other two or three issues.

As we all know, and as I said a moment ago, there are five States, and only five, which now require the payment of a poll tax, or the showing of the payment of a poll tax, before an individual may vote. I do not remember how many, but there are quite a number of States which require that a poll tax be paid for various purposes. I do not know whether I named the State to which I alluded a moment ago. I believe there are two States which require the payment of a poll tax before a person can obtain a license to drive an automobile or before he can have his car licensed.

Other States have a poll tax for different purposes. The States which require a poll tax for voting are Mississippi, Alabama, Texas, Virginia, and Arkansas—my State. The laws in those States vary. Indeed, they may be for different purposes or in addition to the requirement for voting. In my State, one of the purposes of a poll tax, but not the only purpose, is to establish a voting list. In Arkansas the poll tax list actually takes the place of a registration list. Suppose a law were passed requiring everyone to register and to pay $1 for registration, and that dollar went to the cost of holding elections in the State. Would that be an offensive way to help to pay the cost of voting in elections? Perhaps that is how the money should be applied. But in Arkansas the people think it well to apply the revenue to the school fund, to help to educate their children. They feel that the property taxes of the State should pay the cost of holding elections. After all, property owners have an interest in good government. In Arkansas, the people thought that since the poll tax was a direct tax, it should go into the school fund, from which everyone benefits.

In Arkansas, there must be a showing that the poll tax has been paid before a person can vote. Arkansas requires no registration, as such, for voting; therefore, the poll tax list takes the place of a registration list. So the only record used to determine the eligibility of a voter is by reference to whether or not he has paid his $1 poll tax, a tax which

goes into the public school fund of the county in which he lives.

It might be well to have a little review or history of the poll tax as such, since the States which still have it and use it as a test of eligibility for voting are regarded in some quarters as discriminating against their citizens, as imposing harsh conditions on the people before permitting them to vote. But is the payment of $1 for the benefit of a public school fund a harsh condition to comply with?

I think it would be well at this point to reflect upon the history of the poll tax. From the little research I have made, I find that the poll tax is considered actually to be a head tax; and unless graduated according to wealth, it is equally assessed on all persons subject to the tax.

As a means of gaining revenue, it has been used in many nations and at many periods of history. It has even been designated as a capitation tax. That would be true in my State, where it is also used for revenue purposes. More than 576,000 persons in Arkansas paid poll taxes at the last taxpaying time. That resulted in revenue of $576,000, in round numbers. That represents approximately one citizen out of three of the total population.

So the poll tax in Arkansas provides effective revenue, revenue that can hardly be dispensed with without considerable inconvenience and detriment to the public school system. It is used not only as a registration for voting, as would be a voting list or a voting right; it is used also for revenue purposes, to secure funds for a most worthwhile purpose; namely, the education of children.

In 36 States of the Union, the poll tax is even assessable for highway or school revenues. That figure is based on 1952 statistics. The figure may have changed slightly since then.

The poll tax as such has an interesting history. It is not something new. It is not something which is just now beginning to be imposed. It has been a tax for many years. Most States have had the poll tax in some form. But as a suffrage qualification it remains now in only a handful of States—Alabama, Arkansas, Mississippi, Texas, and Virginia.

Many textbook writers tell the story of the poll tax for suffrage purposes in terms of late 19th century origin. But Dr. A. E. McKinley has shown that by an act of 1715 the poll tax was practically the only form of tax in North Carolina, where every adult male who had paid the tax was eligible to vote. So in this country the history of the poll tax can be traced back that far—as far back as 1715.

The poll tax was in Tennessee's constitution of 1870. An amendment to the Virginia constitution was adopted in 1876 to require that the capitation or poll tax should be paid before election day. Interestingly enough, the Virginia constitutional convention inserted the poll tax requirement on a cumulative 3-year basis in the constitution of 1902.

This tax was authorized in the Florida constitution of 1885 and was followed by legislative enactment in 1889.

Other States to follow were Mississippi in 1890, Arkansas in 1893—it dates back in my State to the last century—South Carolina in 1895, Louisiana in 1898, North Carolina in 1900, Alabama in 1901, Texas in 1902, and Georgia in 1908.

From 1920 to 1950, five States repealed the poll tax as a requisite for voting purposes. Mr. President, I criticize none of them in conducting their affairs with respect to their revenue programs or with respect to their voting eligibility requirements. They acted according to their judgment, their wisdom. They decided that their State governments in the administration of public affairs should handle the matter in some other way. Nobody criticized them for that. I would not want to try to make them do something different. They were the judges, and they acted according to their judgment, which is all anyone asks.

It may be that had there not been agitation from others, who really had no business meddling in these affairs, the people of the States which still have the poll tax might have found ways to accomplish their purposes and to have changed their constitutions of their own volition, as many other States have done. But this attitude of "We are going to make you do it," builds up resentment that does not lead to a wholesome situation. If we are wrong, educate us and show us that our judgment is in error, and then we will change. But do not say, "We are going to make you old ignoramuses do it; we know what is best for you and we are going to force it on you." Mr. President, that is not the way to proceed in connection with this matter, particularly in view of its history.

I remember—and I know that you, Mr. President, also recall—that in our country it was once decided that everyone would have to stop indulging in a little use of alcoholic beverages—that they would be made to stop it. Well, Mr. President, there were many who perhaps did not indulge in the use of alcoholic beverages, or, at least, certainly did not indulge in excess; and many good people throughout the country resented that new law, and it did not work.

I am not predicting any such dire consequences from whatever action may be taken in this case—not at all; but I do point out that it is not American to let someone make you do something. We cherish our liberty; we believe in individual liberty; and many of us—at least, in the Southern States—still believe in the sovereignty of the States, and think there is a proper line of demarcation between the power of the Federal Government and the rights reserved to the States.

Mr. President, I was referring to the States which have repealed the poll tax. I said that from 1920 to 1950, certain States repealed the poll tax for voting purposes. Those States were North Carolina, in 1920; Louisiana, in 1934; Florida, in 1937; Georgia, in 1945; and South Carolina, in 1950. In 1949, Tennessee repealed the poll tax requirement for the statewide primary, and also added women and World War veterans to the list of those exempted from this tax for participation in the general elections. While the State supreme court had ruled in the case of *Biggs* v. *Beeler*, 173 S.W. 2d 144 (1943), the 1943 repeal enactment unconstitutional, the process in Tennessee has been to eliminate the tax by degrees. An amendment to the Arkansas constitution provided for showing the poll tax receipt when voting. This feature was generally included in the poll tax legislation throughout the South. The amount of the tax varies from $1 in Arkansas to $2 in Mississippi, with sometimes a cumulative requirement for a period of years.

However, Mr. President, the poll tax is not cumulative in Arkansas. Actually, in Arkansas one can pay the poll tax once each 4 years, if he pays it at the right time, and then can vote in the presidential elections; or he can pay it once each 2 years, if he pays the $1 at the right time—and then can vote for his representatives in the National Congress and for all his State officials and all his county officials. So even if one were to consider the poll tax a kind of penalty imposed on voting, in Arkansas it is necessary to pay the poll tax only once each 2 years in order to be able to vote for all State officials, and to pay it only once each 4 years in order to vote for President of the United States, and to pay it only once every 6 years in order to vote for a Senator of the United States.

In Virginia, the annual $1.50 poll tax must have been paid for 3 years preceding the election; and a similar sum in Alabama is assessable for the whole period of the voter's life after the age of 21. The tax must have been paid—6 months, in Virginia—before the election. But there is the deadline date of February 1 in Mississippi and Texas, and of October 1 in Arkansas and Alabama. During and for a few years after World War II, the poll tax States generally exempted persons in the armed services from payment of the poll tax. Such an exemption also applied in Texas and Virginia to veterans, during the first year after their separation from military service.

So, Mr. President, the history of the poll tax supports the dignity and the virtue of it, and even the necessity of it as a revenue measure; and certainly it clearly sustains the dignity of using it as a registration means for eligible voters.

Of course, I speak primarily for my State; and in deference to the issue pending here, I should like to clarify the record in regard to the law in Arkansas and how it operates. Amendment No. 8 of the Arkansas constitution was submitted by the legislature in 1919, and was voted on at the general election in 1920. The proposed constitutional amendment received a majority of the votes cast on the question of the adoption of that amendment, but did not receive a majority of the total number of votes cast in the general election. Therefore, the speaker of the house declared the amendment defeated. That decision was reversed by an opinion of the Arkansas attorney general in 1926, at which time the amendment was declared to be in force.

Mr. President, in that case the issue which had to be resolved was whether

that amendment submitted to the Arkansas constitution had received a majority of all the votes cast in the general election or only a majority of the votes cast on the question of the adoption of that amendment. There was controversy over that issue, and it was finally resolved in 1926. So since 1926, amendment No. 8 of the constitution of Arkansas has been in full force and effect.

So, Mr. President, in order that those who may read this RECORD will know that it is not the policy or the law of Arkansas, nor does the constitution of Arkansas require, that there be an imposition upon its citizens or a discrimination with respect to its citizens in any way regarding their eligibility to vote in elections in our State, I think it well that I now submit for the RECORD amendment No. 8 of the constitution of Arkansas, together with statutes that have been enacted which pertain to the question of the poll tax as a requirement to the right to vote:

AMENDMENT NO. 8. QUALIFICATIONS OF ELECTORS—EQUAL SUFFRAGE—POLL TAX

SECTION 1. Every citizen of the United States of the age of 21 years, who has resided in the State 12 months, in the county 6 months, and in the precinct, town, or ward 1 month, next preceding any election at which they may propose to vote, except such persons as may for the commission of some felony be deprived of the right to vote by law passed by the general assembly, and who shall exhibit a poll tax receipt or other evidence that they have paid their poll tax at the time of collecting taxes next preceding such election, shall be allowed to vote at any election in the State of Arkansas.

It is interesting to note that the people of Arkansas in their wisdom, in adopting a constitutional amendment, set out fully the requirement of eligibility with respect to citizenship and eligibility that entitled people to vote in elections in our State, and also included in that requirement the payment of a poll tax.

I read further from the amendment this proviso:

Provided, That persons who make satisfactory proof that they have attained the age of 21 years since the time of assessing taxes next preceding said election and possess the other necessary qualifications, shall be permitted to vote—

Those who become of age after the taxpaying time and before election may vote.

It provides further:

And, provided further, That the said tax receipt shall be so marked by dated stamp or written endorsement by the judges of election to whom it may be first presented as to prevent the holder thereof from voting more than once at any election.

Our people undertook to write into the constitution proper and effective safeguards to insure the integrity of the ballot and the integrity of the voter who was to participate in our elections.

I quote further:

It is declared to be the purpose of this amendment to deny the right of suffrage to aliens and it is declared to be the purpose of this amendment to confer suffrage—

Listen, Mr. President—

to confer suffrage equally upon both men and women, without regard to sex: *Provided*, That women shall not be compelled to serve on juries.

I often think about this provision in connection with insisting on a constitutional amendment to provide equal rights for women. I do not think it is wrong. I think it is a proper mark of respect and esteem for womanhood that, insofar as we can, as we sometimes can, we undertake to lighten their burdens. However, I do not see how we could very well draw a constitutional amendment declaring equal rights for women without saying they shall bear equal responsibilities.

I have often wondered what a constitutional amendment would do to provisions like this. This is just one provision of many in my State which were designed to protect women and to lighten their burdens, and possibly not to exact from them as much contribution to government as we expect of the so-called stronger sex.

We followed up that constitutional amendment in Arkansas by appropriate legislation to implement it; and, among other acts, in 1949 we passed in Arkansas an act of the legislature carrying into law the procedures and the rights of citizens under that constitutional amendment.

Among other provisions of law enacted was section 3-104.1: "Payment of poll tax to county collector—certain relatives authorized to pay."

Again we were trying to insure the integrity of the ballot. With respect to poll taxes, we had found that theretofore there had been abuses and misuses, and in some few instances some corruption had resulted because of those abuses. So we included also a provision to remedy them. This statute provides for payment of poll tax to the county collector, and that certain relatives are authorized to pay. I read the provision:

SEC. 3-104.1. Payment of poll tax to county collector—Certain relatives authorized to pay: Payment of the poll tax must be made to the county collector, or his authorized deputy, by the person named in the receipt, or by the husband, wife, son, daughter, sister, brother, father, or mother of such person. Payment of the poll tax may be made by remitting the payment to the county collector by U.S. mail.

One of the purposes of that provision was to prevent somebody from taking a list of names to the collector and saying, "Issue poll tax receipts for all these." Some of them might be names of actual human beings, but the list might be a false list of names without relation to living persons. Therefore, we undertook to stop the possibility of that occurrence by requiring the person to pay the poll tax himself or by mailing the dollar fee, or by using a very close relative to make the payment.

The next section of that act is 3-104.2, "Payment of poll tax as prerequisite to voting." I read that section:

SEC. 3-104.2. Payment of poll tax as prerequisite to voting: It shall be unlawful for any person to cast a ballot in any election unless such person shall have previously paid a poll tax as herein provided.

In 1947 Arkansas passed a law providing in part, "assessment for poll tax unnecessary as qualification to vote."

Prior to that time, Mr. President, it was necessary to assess for a poll tax exactly like one would assess for other property. In order to make it easier for people to pay poll taxes Arkansas passed the statute which removed the necessity for assessment. This provides:

Assessment for poll tax unnecessary as qualification to vote: All laws and parts of laws, providing for the assessment of a poll tax to qualify as an elector, are hereby repealed. Hereafter, any person who pays a poll tax within the time prescribed by law shall be eligible to cast a ballot in any election in this State if such person is, in all other respects, qualified to vote in said election under the laws of the State of Arkansas; or in the case of a primary election, under the laws of Arkansas and under the rules of the political party of which such person may be a member.

Mr. President, I emphasize again that assessment of a poll tax is not necessary. One can pay the tax at the time he pays his other taxes if he elects to do so.

Again I emphasize that a poll tax is not mandatory in Arkansas. One can pay it. One may have a million dollars worth of property, and may pay his tax on that property and yet refuse to pay the $1 poll tax which goes into the school fund. If a fellow does not wish to pay into the school fund, if he resents doing so, the only penalty is, "If you resent paying $1 into the school fund to educate the children in the county where you live probably you ought not to have the right to vote."

I agree. That is the least a good citizen can do. That is the very minimum requirement, Mr. President. It is $1. It will not pay 1 hour's salary to a school teacher in a primary school. It is $1. That is the minimum. I suppose we could make it 50 cents. Someone would still resent paying it.

Let us suppose a person were required to pay 25 cents to register. That would be, in effect, a poll tax of 25 cents. People might resent that. Would that be offensive? No. What is offensive is the fact that a few Southern States have this as a requirement to vote. There is no other reason in the world. There is none other.

I point out again, if such a procedure is offensive, States ought not to require a poll tax for a fellow to get a license to drive an automobile to go to work to earn money to buy bread and meat for his family. That is as bad as this. It seems to me it is worse.

We went even further, Mr. President. I think Arkansas has some of the most fair voting laws that one could find anywhere. The next section in the act provides "Time for collecting taxes defined."

The section reads:

The "time for collecting taxes," as this term is employed in the constitution in connection with the payment of poll taxes, is hereby defined to be the period from October 2 up to and including October 1 of the succeeding year. Any person who has paid a poll tax within the dates named, shall, if possessed of the other qualifications required by law of an elector, be entitled to vote at any election held in this State for a period of 1 year, beginning on October 2 following the payment of said poll tax and expiring on the succeeding October 1.

That date is fixed. Anyone who wishes to vote has an entire year in which to pay. There is no trick about it. A person does not have to pay within a certain 10-day period or a certain 30-day period, but has the whole year in which to pay $1 if he wishes to vote in Arkansas.

The following section, section 3–109, is entitled: "Issuance of poll tax receipts—Time for payment—Unlawful possession—Purchase by candidate unlawful—Penalty for violation."

Mr. President, Arkansas undertook to make the election laws as fair and as effective as it is possible for the English language to prescribe. I read from the section:

It is hereby made the duty of all collecting officers in this State, or their deputies, to issue poll tax receipts in regular order as they appear in the books and upon the forms as issued by the State auditor's office as now provided by law or may hereafter be provided by law; and it is also made the duty of all collecting officers in this State to cease issuing poll taxes after midnight of the 1st day of October of each year, provided the collector shall deliver to the county clerk the certified list of poll tax payers not later than the 15th day of October of each year, and it is hereby made unlawful for any collecting officer to date such poll tax receipts other than the correct date the same has, in fact, been issued.

When that list is so certified, Mr. President, it becomes the voting list. It becomes the official registration for voting in Arkansas. That is not much different from walking up to the county precinct and registering, or doing whatever is required to be done to establish eligibility to vote in other States. The only thing Arkansas requires is the payment of $1 to the public school fund.

We went further, Mr. President. We tightened up our laws in Arkansas. This was done not as a result of anything that ever happened on the floor of this body, but in order to insure fairness, equity, and nondiscrimination for all our citizens in respect to voting. In order to make no exaction of one we did not make of another, we revised our laws by the constitutional amendment and the statutes which followed so as to insure fair elections, honest elections, and the highest integrity in election procedures.

I quote further from that section:

All poll tax receipts issued by the collector shall be made out and signed with pen and ink.

One can no longer erase or fool around with a pencil.

No poll tax receipts shall be delivered to any person later than 5 days after the date of the issuance therof and the date written on the poll tax receipt shall be the date of issuance.

A person cannot get a lot of poll tax receipts, put them in his pocket, and date them when he wishes to date them. That is a violation of law. I continue to read:

It shall be unlawful for any person to be found in possession of any poll tax receipt other than his own after 5 days after the date of issuance thereof. It shall be unlawful for any person to deliver to another a poll tax receipt and unlawful for any person to receive a poll tax receipt after 5 days after the issuance thereof. No candidate for office shall purchase either directly or indirectly any poll tax receipt except for himself or his wife, parents or children.

The violation of any of the provisions or requirements of this act shall be deemed a misdemeanor and shall be punished by a fine of not less than $50 nor more than $200 and the violation of any provision of this section shall render the person so violating the same, ineligible to hold any office in this State.

The next paragraph deals with the effect of poll tax receipts:

Effect of poll tax receipt: Possession of the receipt does not in itself invest the holder with the right to vote. The right arises when the tax is paid in a timely manner, the receipt being merely evidence of payment.

Mr. President, it is like the record made of registration, which is evidence of the payment. The payment of the poll tax is evidenced by a receipt that the payment has been made.

What I have read about the possession of a receipt is not a statute but a supreme court decision in the case of *Henderson* v. *Gladish*, 198 Arkansas, page 217. That is the court's interpretation of the poll tax in Arkansas.

SEC. 3–110. Overcharge for poll tax receipt—Penalty: If any collecting officer of any county in this State shall collect, receive, or accept more than $1 in payment for the issuance of a poll tax receipt, regardless of whether such poll tax receipt shall be issued upon a regular or a delinquent poll tax assessment, he shall be guilty of a misdemeanor and upon conviction shall be fined not less than $100 nor more than $250.

The next section, section 3–111, states:

Purpose of act—penalties for delinquent poll tax assessments prohibited.

They would be barred from collecting the penalty. All one must do is actually pay the $1. The section reads as follows:

Nothing in this act (secs. 3–106, 3–110, 3–111) shall be construed as altering or changing in any manner the time of paying or assessing of personal or real property, or poll taxes, but it is the intention of the legislature to prohibit the collecting of penalties for delinquent poll tax assessment.

So in the days when poll taxes were assessed in Arkansas—and they are no longer assessed—a penalty could not be collected on the tax. The citizen paid $1, which went into the public school fund. In effect, it amounts to a registration fee, or a poll tax, which goes into the public school funds.

The next section, section 3–112, states:

Poll tax receipt may be issued without payment of other taxes: Upon the payment of poll tax assessed (against any person liable) therefor, and the specific penalties imposed for a failure to cause the same to be (assessed or) paid at the time allowed for severally doing the same acts without penalty, the person making such payment shall be entitled to receive from the collector a separate poll tax receipt, and to have his name included in the collector's official list of persons who have paid poll tax; and it shall be unlawful for any collector to refuse to execute such receipt, or to enter on said list the name of any such person, because of the failure or refusal to pay the taxes due upon any property held by such person. But all taxes on any such property are hereby preserved.

A citizen might pay his poll tax but not his property tax. The collector cannot refuse to grant him a poll tax receipt upon payment of the $1, notwithstanding the fact that at the same time the citizen may say, "I do not want to pay my property tax. I will let that go delinquent."

A citizen in Arkansas may pay his property tax and say, "I am not going to pay the poll tax." If he does not pay the poll tax, the only thing he can be deprived of is his right to vote.

A citizen might say, "I will not give you $1 to help run the public schools in this county. I refuse."

Arkansas merely replies, "If you are that kind of citizen, you ought not be permitted to participate in the affairs of government."

Mr. President, I declare that I cannot see much wrong with that procedure. We require a citizen to register before we let him vote. In fact, the poll tax procedure is a registration. In effect we say, "As evidence of your qualities of good citizenship that would entitle you to participate in and to have a voice in the government of this county, in our State and in the Nation, give us $1 for the children we are trying to educate."

I say that we might condemn that procedure. But we would not have to go more than 100 yards from this Chamber to find worse things to condemn. It really does not make much sense.

It seems so trivial to have before the Senate and consuming the time of the Members of this body an issue over whether we should require a man to donate $1 to educate the children of a State before we let him vote.

From day to day I see in the galleries of the Senate children from all over the Nation. We are all happy that they can come. I wonder what they would say about permitting a man in their community to vote for President, Governor, county judge, county sheriff, or State representative who says, "I refuse to give $1 to pay the teachers and other costs of educating children."

Mr. President, I think the better the quality of the voter, the higher his intellect and his sense of responsibility as a citizen, the better voter he will be. He is better than one who is indifferent about public affairs, or one who perhaps has only one particular ax to grind in voting. The responsible citizen says, "I am interested in the future citizenship of my country. I am interested in those for whom we in this generation have a responsibility to provide opportunities so that they may become more enlightened even than we, and thus keep civilization progressing instead of retrogressing.

"I give my dollar to help that child, be that child black, white, yellow, or any other color, or of either sex. I help that child get an education. I pay my poll tax of $1, and I walk to the ballot box with pride. I have enough interest in the future of my country and the welfare of the children and in the program of education that I give $1, a very minimum, for the privilege of walking to the polls and voting for the candidate of my choice. Have I been degraded,

because my State has required that minimum evidence of good citizenship?"

I say "No." I am not degraded by doing it, by having to pay $1. I am proud that in Arkansas I have the opportunity to do it. I am privileged as a citizen of Arkansas to make that contribution, to get my receipt showing that I have made that contribution. I put the receipt in my pocket or keep it in my possession as a badge of distinction, not as evidence that I have been degraded or that some right had been denied me, or that something has been extracted from me. No. I pay it gladly, and I look little children in the face as I walk down the street on election day. I feel a glow of pride and patriotism in the fact as I go to exercise my right of suffrage, to help choose the officials of the government for my county, for my State, and for my Nation.

Before I do that I show my good faith. I demonstrate my qualities of citizenship to the minimum degree at least by having taken $1 and given it toward the education of these children.

Who condemns it? I cannot condemn it. What is the reason for condemning it?

Yet we are taking up the time of the Senate—it may be a month before we are through with the debate—merely because some persons would impose their will and their way of doing things on the citizens of other States.

This has gone on for years, as I have cited the history of it. Why is it now necessary to make it appear, by what is proposed here, that what we have been talking about is almost a crime, that it is degrading, that it is an imposition, that it is oppressive. That is what we would do if we followed what is proposed here.

Another provision of the Arkansas Statutes reads:

SEC. 3–123. Voting by person reaching majority after assessment period: Any person who makes satisfactory proof that he or she has attained the age of 21 years, after October 1, prior to the election in which the person proposes to vote, and who possesses the necessary qualifications shall be entitled to vote without the payment of a poll tax.

CONSTITUTIONALITY OF POLL TAX REQUIREMENTS

There is an interesting and enlightening article in 139 A.L.R. 561 on the constitutionality of the poll tax as a condition of the right to vote. The following is a quotation from a portion of that article:

Most constitutional questions concerning poll taxes have arisen in connection with State constitutions, involving the validity under them of particular statutes. In most instances the imposition of a poll tax as a condition of voting originates either by express constitutional provision, or by express constitutional authority in that regard directly conferred upon the legislature. In such a situation it has been held that the legislature has the power, subject to express constitutional limitations, to impose a reasonable poll tax as a condition of the right to vote, and in connection therewith to prescribe restrictions and regulations reasonably calculated to secure enforcement of the condition, whether it is viewed as in the nature of a revenue measure or as looking to the proper regulation of elections. Legislative regulations of this kind may relate to such matters as payment of all delinquent poll taxes, payment at or within particular times, proper assessment, and the furnishing of proof of payment, an incident of which may be the preparation of official voters' lists.

Subject to applicable constitutional limitations, the power of a State to impose a reasonable poll tax as a condition of voting, and to adopt regulations reasonably calculated to enforce such condition, is generally upheld (*Breedlove* v. *Scuttles*, 302 U.S. 277, 58 S. Ct. 205 (1937)).

Amendment No. 8 of the Arkansas constitution, which is quoted earlier herein, specifically provides for the payment of a poll tax as a condition and qualification for voting. This constitutional provision has been implemented by various Arkansas statutes, also quoted herein. There has, therefore, never been any question as to the validity of a poll tax as a requirement for voting in Arkansas. Numerous cases have gone to the Arkansas Supreme Court to construe particular provisions and requirements in obtaining and using the poll tax, but all of the decisions have made very clear the fact that the poll tax itself, if properly applied, is a valid method of voter registration. At page 601 of the A.L.R. article quoted from earlier is a thorough presentation of the Arkansas law including the Arkansas constitution, statutes and decisions thereunder relative to specific provisions of the Arkansas poll tax procedures.

Mr. President, I think it would be well for me at this point to place in the RECORD, and comment upon it, the Arkansas law concerning the use of the money that is collected from the poll tax, to show just how it is applied. I made general references and statements about it, but I think it well to place in the RECORD a statement showing how the constitutional provision and statutes are implemented concerning the collection of the poll tax and how it is distributed.

The following statutes govern the use of the moneys collected annually by the poll tax in the State of Arkansas.

Arkansas Statute 80–201 provides for the creation of a county board of education in each county of the State of Arkansas. It reads as follows:

County boards of education created—Membership—Qualifications: There is hereby created for each county in Arkansas a county board of education composed of five members, one of whom shall be elected from each of five zones within the county as hereinafter provided; the members of presently constituted county boards elected from each of the four zones shall remain on said board as if they were elected hereunder, until the present terms expire. If two such members of said board reside in the same zone, one shall be elected at the next regular school election from such zone. Only the members of the county boards elected from the four zones as heretofore existing shall remain on the board. The member from the rural district is no longer a member of the board. The vacancy may be filled by the four members left on the board until the next regular school election. The members of said board shall be qualified electors known for their good moral character, honesty, industry, and public spirit and interest in education, and who do not hold any salaried or fee office of the State or any political subdivision thereof.

Mr. President, that shows how politics are taken out of the educational system just as much as it is possible to do so, and how the responsibility for the distribution of the tax is placed in each county where the tax is collected. A board is established, selected from among the highest type citizens of the county, to administer this tax.

The first enumerated duties of the school board as set out in Arkansas Statute 80–213(a) is as follows:

To apportion all school funds as provided by law and in conformity to the regulations of the State board of education.

Arkansas Statute 80–601 provides for the retention of poll tax receipts within the county where collected to be credited to the general school fund of such county.

Every dollar paid in a county stays right in the county where it is paid. It is administered by a board elected by the same people who pay the tax. The board allocates the money for school purposes.

SEC. 80–601. Poll tax—Retention of tax in counties. (For the purpose of raising revenue to support the common schools of the State a 3-mill tax shall be levied on all taxable property in the State each year.) 'There shall also be levied annually $1 per capita on each inhabitant of the State over 21 years of age, for the public schools, and all moneys received from such per capita tax shall be retained in the several counties where collected, and credited to the general school fund in such county.

The poll tax is a levy against an individual; but if he refuses to pay it, there is no way to collect it. If he says, "I will not pay the poll tax," he just does not pay it. But if he does not pay it, he does not vote; that is all there is to that.

The following three statutes govern the handling of the poll tax funds by the county board of education:

SEC. 80–721. County general school fund: The general school fund of any county shall be composed of all money received from the common school fund (public school fund) of the State, the per capita tax on the inhabitants of the county, such fines, penalties and other money as shall be accrued to such funds in accordance with the law, and any appropriation from the general revenue of the county for common school purposes.

SEC. 80–722. Apportionment of funds of doubtful application: The county board of education of any county is authorized to place to the credit of the general school fund in the county treasury, all funds about which there is a doubt as to their proper application, and such funds shall be apportioned among the school districts of the county on the same basis as the State school funds are apportioned.

That means the per capita amount for each child of school age. In other words if there are 500 children in one district then 500 parts of the total amount of money are apportioned to that district.

SEC. 80–723. Apportionment of general school funds: The county board of education shall, after setting aside the funds for the salaries and expenses of the county superintendent's (county school supervisor's) office, apportion the general school funds of the county on the basis on which common school funds (public school funds) are apportioned to the counties.

This is on the basis of the number of students to the total school population in the county.

Twice in Arkansas in recent years, perhaps because of outside agitation, perhaps because some persons felt there was a better way to raise money or to provide for voting registration, the people were given an opportunity to express themselves at the polls regarding the poll tax as a requisite for voting.

In 1938, the vote to abolish the poll tax was 42,436; the vote against the abolishment of the poll tax was 83,725. That vote occurred while I was a Member of the other body of Congress.

In 1956, a little less than half a dozen years ago, and since I have been serving in this body, the issue was again submitted to the people of Arkansas. At that time the vote was larger.

The vote in 1956 for abolishing the poll tax was 161,403; the vote against abolishing the poll tax was 210,237. That was the last expression from the people of Arkansas. As long as they have so expressed themselves—and I agree with the majority—I shall defend their right to preserve this process of establishing the eligibility of voters in my State. It is their right to do it, and I defend their right and I advocate their right to do it; and, Mr. President, in standing here today, making these remarks, I make them as their representative, representing a majority of them as they have expressed themselves.

Mr. President, I should like to cite some illustrations of how the poll tax works in Arkansas. Many persons think it keeps people from voting. Let us see if that is so.

According to the last census, there were 1,786,272 persons in Arkansas. Of that number 575,769 paid the poll tax last year; in other words, about 1 person out of every 3 in Arkansas paid the poll tax. Let us see if the poll tax is keeping anyone in Arkansas from voting: In the last presidential election, in 1960, 428,509 votes were cast in Arkansas. In the year preceding that, 590,501 poll taxes were paid in Arkansas. In other words, 161,-992 persons in Arkansas who were eligible to vote—at least that many—and who had paid their poll taxes, did not vote.

Of course, among the number who voted were some who had not paid a poll tax because they became 21 years of age subsequent to the time of the collection of the tax. But at least 161,992 residents of Arkansas who were eligible to vote did not vote. So who can say that the poll tax is a deterrent to voting? That vote speaks fairly well for the situation in Arkansas. In other words, more than 25 percent of the residents of Arkansas who had paid the poll tax did not vote in the last presidential election; and their failure to vote was not chargeable to any lack of interest due to only two sets of electors, for in Arkansas in that election there were three sets of electors, representing three tickets—the States Rights ticket, the Democratic ticket, and the Republican ticket. Nevertheless, more than one out of every four who had paid the poll tax in Arkansas did not vote. Had they paid it for the sole purpose of voting, Mr. President? No. As I have pointed out, many persons pay that $1 with pride—as a small token of their citizenship responsibility. They do not feel penalized when they paid it, nor do they feel that the money is extorted from them. Instead, they want that money to go into the State treasury.

Mr. President, some persons say the poll tax is used in our part of the country to keep Negroes from voting. But that is not true. I can state upon my honor that ever since I began to vote, I know some Negroes who have been voting in Arkansas; and possibly more and more of them are voting all the time. At the last census, the Negro population of Arkansas was 21.9 percent of the total population. I cannot state how many Negroes actually voted in the last election; I have no way of knowing that, but of the 575,769 poll tax receipts which show that poll taxes were paid, 68,970 were issued to Negro citizens—showing that that number of Negro citizens in Arkansas paid the poll tax. Most of those who are public spirited do not mind paying that tax. In other words, Mr. President, more than 10 percent of the citizens of Arkansas who paid the poll tax were Negroes.

Furthermore, Mr. President, I know of no place in Arkansas where a Negro who is otherwise qualified to vote, and who goes to the polls, is denied the right to vote. The Negroes there do vote, and their votes are solicited. The candidates campaign among them, and seek their votes; and the Negroes are encouraged to pay the poll tax. The white people want them to pay the poll tax; they want to swell the school fund.

It has been said that Arkansas is not among the wealthier States, but that, comparatively speaking, Arkansas is a poor State, and that perhaps Arkansas needs Federal aid for education. No doubt, Mr. President, such Federal aid could be used there; but no one in Arkansas is denied the right of suffrage if he is willing to do his part by making just this little demonstration of his interest.

In Arkansas, color has nothing to do with whether one votes or does not vote. The requirement to pay the poll tax applies equally to the whites and to the Negroes, and to the males and to the females; it applies to all alike. There is no inequality. There is no discrimination. Payment of the poll tax is simply the minimum requirement of every citizen.

Mr. STENNIS. Mr. President, at this point will the Senator from Arkansas yield for a question, only?

The PRESIDING OFFICER (Mr. SMITH of Massachusetts in the chair). Does the Senator from Arkansas yield to the Senator from Mississippi?

Mr. McCLELLAN. Mr. President, under the conditions which I stated at the beginning of my remarks—in other words, that I would yield for a question, only, even though it might be a long one—I yield, reserving my right to the floor, and without surrendering the floor; and I ask the Chair to protect me in that. But under those conditions, I yield for a question.

Mr. STENNIS. I thank the Senator from Arkansas for yielding to me. My question is preliminary to another question: Did not the Senator from Arkansas recite, a few minutes ago, some figures with reference to his own State of Arkansas, showing the number of those who were qualified as electors, and were qualified to vote, on the rolls of his State, whereas a considerable percentage of that group were not required to pay the poll tax, after all, because of certain exemptions or exceptions?

Mr. McCLELLAN. Some were.

Mr. STENNIS. I was out of the Chamber for part of that time, so I did not hear all of the Senator's statement. But I did hear some of the figures he recited at that time.

Mr. McCLELLAN. I pointed out that the figures would not be completely accurate with respect to the number of persons holding poll tax receipts who did not vote. One hundred forty-seven thousand four hundred and ninety-one less votes than the number of outstanding poll tax receipts were cast in the last general election in Arkansas; and I said that at least 147,491 poll tax payers did not vote, and that the actual number was larger than that, because a number of persons had become of voting age and had voted, but were not reflected in those figures, and that thus the percentage was greater than 25 percent—in other words, that more than one person out of every four in Arkansas who held poll tax receipts did not vote in that election.

Furthermore, there were three tickets in that general election in Arkansas, and that fact resulted in bringing out even more than the ordinary number of votes.

Mr. President, in Arkansas, many public-spirited citizens may not choose to vote on a particular issue, but still all of them want the schools of the State to operate. So they pay the $1 poll tax, and pay it with pride.

Mr. STENNIS. Is that not an illustration of the danger of merely reading some cold statistics in a book by someone away from the Senator's State or away from my State, and trying to come here and make an argument on the floor based upon conclusions that are erroneous insofar as accurate figures are concerned?

Mr. McCLELLAN. That is what I have been pointing out all morning. This question should not be a concern of people from other States. We are Americans. We are just as patriotic as they are up here, or out yonder. We happen to have this system. We find it advantageous. We find we need that $1 from each person for our public schools. If that provision is set aside, we will need some other system—and we will be criticized if we do not have it; and it is going to cost more for a person to register than it does to pay this tax. A person will have to register somewhere, and he will probably lose more time as a result of having to register than it would cost him to pay the $1 poll tax.

I point out that those who are back of the proposal we are discussing are quibbling about nothing except a device to drive us to it. They say, "We are going to make them."

Mr. STENNIS. If the Senator will yield for a further question, I direct his attention to a well-known authority on

constitutional law, Willoughby, on the "Constitutional Law of the United States," at pages 540 to 541, and if he will follow a reasonably brief quotation, I ask him to tell us whether or not he thinks it is a valid statement and a sound distinction. I now read the quotation upon which my question is based:

> A distinction is to be made between the right to vote for a representative to Congress and the conditions upon which that right is granted * * * the right to vote is conditioned upon and determinated by State law. But the right itself, as thus determined is a Federal right. That is to say, the right springs from the provision of the Federal Constitution that representatives shall be elected by those who have the right in each State to vote for the members of the most numerous branch of the State legislature. The Constitution thus gives the right but accepts, as its own, the qualifications which the States severally see fit to establish with reference to the election of the most numerous branch of their several State legislatures.

Mr. McCLELLAN. I may point out to the Senator from Mississippi that that has been the procedure. That has been the law, and it still is. That is the right of the States.

I can hardly conceive that any State is going to breach the right of its citizens. A State must function. A State government must function. The Constitution merely provides, and rightly so, that whatever qualifications are established in Mississippi or Arkansas for its citizens to vote for the members of the most numerous branch of their State legislatures are fair qualifications for those who vote for representatives in Congress and for the President of the United States.

I see nothing wrong with such a provision. Does the country want to centralize government? I know that is what some people want, but I am talking about America and the American people. Do they want a centralized, dominating power in Washington? I do not; I shall continue to oppose moves in that direction. I would like to keep the States. I would like to keep this country a republic. It cannot be kept a republic unless the sovereignty of the States is maintained. If that is not done, this country will cease to be a republic. It will all merge into a centralized power, and that is not a republic.

Mr. STENNIS. Will the Senator yield further on the very point on which the Senator has been speaking; namely, the right that springs forth from the constitutional provision? Is the distinction, reiterated when these constitutional amendments were adopted, not one of the most vital parts of the foundation of our Government?

Mr. McCLELLAN. It is an indispensable one if we are to keep a republic, if we want to keep what is frequently called a democracy. Whether or not that is the most appropriate name for our system of government, if we want to keep this Republic as a union of States, the States must be preserved. We cannot have a union of something that does not exist. If the sovereignty of the States does not exist, there is no union. Their sovereignty must be preserved in order to have a union. Without States, there cannot be a union.

Mr. STENNIS. On that very point, is it not a fact that the proposal is another encroachment, another taking away of the authority and power of the various States to which the Senator has referred, and a step that much further down the road toward a nationalized system to which the Senator has referred?

Mr. McCLELLAN. It is. This is another step. Another one and another one will be taken, thus eroding the sovereignty of the States and the Republic.

Mr. STENNIS. I thank the Senator for yielding to me.

Mr. McCLELLAN. I thank my distinguished friend from Mississippi for his contribution. His question forcefully impresses upon us the issue here involved. In a sense, as I have said over and over again, it is only a trivial matter, when there are only five States, to want to make a minor change in their systems only to appease and please some persons who may have another system they like better. It is a trivial thing, in a period of world crisis, for us to be spending so much time on that. But the bigger question involved is the danger of what we are doing to our country. We ought to be attending to some other business. If nothing else, committees ought to be in session right now, studying and assembling information that will enlighten us upon vital issues. Legislative proposals are pending that we need to consider and resolve and in which we need to be right in the manner in which we resolve them and the conclusions we finally reach about them.

What is proposed would help nobody. It may be said, "Well, it will keep that fellow from paying a dollar to vote down there." Is not that something? If this proposal is adopted, that fellow will not have to pay $1 to help educate his children. Will we not be doing him a great benefit? That is what the argument adds up to. We keep the fellow who does not want to contribute to the schools from paying a dollar. That is a great benefit. It is a great public service. Oh, yes.

Mr. President, there is absolutely no justification for a constitutional amendment to abolish the poll tax in the five States which still have it as a prerequisite to voting. There are any number of reasons why this is so, but I wish to invite attention to excerpts from the 1961 report on voting of the U.S. Civil Rights Commission, which documents the fact that the abolition of the poll tax is not needed in order to protect the right to vote of anyone, be he white, Negro, yellow, red, or of any other color, or of any race, religion, or national origin.

Mr. President, I did not vote for the Civil Rights Commission. The Commission was established over my protest, or at least notwithstanding my vote against it. What was it established to do? I shall not enumerate all of the things, but one thing it was established to do was to study discrimination in respect to voting, to study whether citizens were being denied the right to vote.

Mr. President, there is no doubt about the fact that the Commission searched every way in the world it could to find something on which to hang its hat, to justify its existence. Had the Commission found anything wrong in Arkansas, I today would be looking it in the face. The Commission would not have concealed it. It would have been spread on the record.

As we all know, the Civil Rights Commission was authorized by the Civil Rights Act of 1957, and its life has been extended by subsequent legislation. Again I make it clear that I was opposed to the creation of the Commission. I have opposed its perpetuation, because I am convinced it is not needed, it is a waste of the taxpayers' money, it serves no useful purpose whatsoever, and a primary resulting consequence of its existence and activities is agitation—agitation which serves no useful purpose, from which no good flows, from which no beneficial results can be accomplished. I hope its life will not be extended again.

Nevertheless, Mr. President, there are some of my colleagues in the Senate who place great store by the findings and by the conclusions of the Civil Rights Commission. I hope, if they are to believe anything, what they will believe is what I am now about to bring to their attention. If they do believe it, they will realize they are engaged in something which is almost an exercise in futility when they undertake to proceed, as it has been announced is the intention, with the presentation of a substitute resolution for the resolution which would restore the home or the dwelling house of Alexander Hamilton.

Mr. President, I should like to read briefly from the 1961 report on voting of the Civil Rights Commission, page 22. To be sure that I read exactly what is reported therein, I shall not take the risk of reading from my typed quotation, but I shall read it out of the book of the report itself. This is volume I of the Commission's report of last year, 1961, and I shall read from page 22:

> The Commission's investigations and studies since 1957—

Mr. President, this was not a casual inquiry. It has been pretty thorough. It has been going on since 1957, or 4 years—

> The Commission's investigations and studies since 1957 indicate that discriminatory disfranchisement no longer exists in all of the 12 Southern States. The Commission used four principal criteria to determine the presence of discriminatory disfranchisement: (1) Sworn complaints to the Commission—

Mr. President, we may depend upon the fact that the people of Arkansas are pretty high spirited. If they thought they were being imposed upon and discriminated against by reason of a poll tax the Commission would have heard about it—

> (2) actions instituted by the Department of Justice pursuant to the new civil remedies of the Civil Rights Acts of 1957 and 1960—

Mr. President, since the issue of civil rights is such a great political issue, I am quite certain that had the Justice

Department found anything wrong in Arkansas it would have started a suit—

(3) private-party litigation to secure the right to vote; and (4) the lack of any registered Negroes, or minimal Negro registration, in counties where there is a substantial Negro population. The absence of complaints to the Commission, actions by the Department of Justice, private litigation, or other indications of discrimination, have led the Commission to conclude that, with the possible exception of a deterrent effect of the poll tax—which does not appear generally to be discriminatory upon the basis of race or color—Negroes now appear to encounter no significant racially motivated impediments to voting in 4 of the 12 Southern States: Arkansas, Oklahoma, Texas, and Virginia.

Mr. President, I stated earlier that in my State ever since I began voting I have known of Negroes voting. Not many of them voted many years ago, but the number has steadily and constantly increased.

While I have no way of knowing exactly how many of the 68,970 Negroes who paid poll taxes voted in the last election, at least 12 percent or more of the qualified voters who paid poll taxes in the State were Negroes, whereas in the population of the State the Negroes represent 21.9 percent.

At this point, Mr. President, I wish to emphasize this last sentence, which is a significant finding and conclusion of the Civil Rights Commission and has tremendous bearing on the subject at hand. It states that through its investigation, the Commission has been led to conclude that—

with the possible exception of a deterrent effect of the poll tax—which does not appear generally to be discriminatory upon the basis of race or color—Negroes now appear to encounter no significant racially motivated impediments to voting in 4 of the 12 Southern States: Arkansas, Oklahoma, Texas, and Virginia.

Thus, Mr. President, three of the five States which still have the poll tax have been given a clean bill of health as far as voting discrimination is concerned by the Civil Rights Commission itself. The Commission admits that it has had no voting complaints from Arkansas, Texas, and Virginia.

That leaves only Mississippi and Alabama as poll tax States in which voting complaints have been filed and many of these have been proved to be of no substance. Let us read on in the Civil Rights Commission's report and see what it has to say of the other Southern States:

In 1961, then, the problem of denials of the right to vote because of race appears to occur in only eight Southern States—Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee—in which less than 40 percent of the total Negro population resides.

Remember that in six of these States no poll tax is required as a prerequisite for voting, and yet they did not receive as clean a bill of health as did the States of Arkansas, Texas, and Virginia. So the measure is not the purification expedient that some think it is. We observe that three States out of the five that still have a poll tax requirement as a prerequisite to the right to vote have received a clean bill of health from the Civil Rights Commission. The Civil Rights Commission was not my choice; it certainly is not partial toward my section of the country. Yet in the other States where a poll tax is not required as a condition of eligibility to vote, possibly some discrimination is still found. However, in respect to those eight States the report states:

Even in these 8 States, however, with a total of 3,737,242 nonwhites of voting age, some 1,014,454 nonwhites are registered to vote. Moreover, discrimination against Negro suffrage does not appear to prevail in every county in any of these States. The Commission has found that in Florida, North Carolina, and Tennessee, it is limited to only a few isolated counties.

Mr. President, let me reemphasize at this point that in the States of Florida, North Carolina, and Tennessee a poll tax is not a prerequisite to voting, and yet the Commission has said that in three of the five States where it is, there is no discrimination worthy of mention.

Reading further from the report:

Although arbitrary denial of the right to vote is more widespread in the remaining five States, there too it exists on something like a local-option basis.

So the proposal, if followed, would certainly not correct the condition over which the Civil Rights Commission is concerned, because the poll tax as a requirement to vote has already been removed in most of the States in which the Commission found some discrimination still existing.

Admittedly, Mr. President, we are dealing with a local problem and a very, very minor one at that. The only thing that gives it an aura of importance and significance is its "civil rights" label. In substance, it is really no problem at all, and if it is a problem, in those places where it is one, it can be better dealt with by local interests. That is where the remedy can best be applied and I think the remedy is being applied.

Through the years great progress has been made, is still being made, and will continue to be made.

Before we leave the subject of the laws of the several States, I should in fairness to those States—particularly Alabama, Mississippi, Texas, and Virginia—that still have a poll tax have printed in the RECORD the laws of those States on this subject, in order to make the RECORD more complete with respect to what the proposed proceeding is directed toward.

The following statutes show that the poll tax in the States of Alabama, Mississippi, Texas, and Virginia are used for the support of the public schools of those States:

Article 14, section 259, Alabama Code (1958): All poll taxes collected in this State shall be applied to the support of the public schools in the respective counties where collected.

In effect the law is the same as the law in Arkansas.

Article 8, section 194, Alabama Code (1958): The poll tax mentioned in this article shall be $1.50 upon each male inhabitant of the State over the age of 21 years and under the age of 45 years, who would not now be exempt by law; but the legislature is authorized to increase the maximum age fixed in this section to not more than 60 years.

That statute provides for $1.50. Apparently all of it goes to the support of the public schools, whereas in my State, as I pointed out, the amount is only $1. I am not sure whether this amount is cumulative in Alabama. The distinguished representatives of that State in the Senate can indicate, and probably have already indicated in the RECORD, what the situation is. In Arkansas, as I have stated, it is not cumulative. A person can pay the poll tax in Arkansas once every 4 years and vote for the President in a presidential election. He can pay it every 2 years and vote for the Governor of the State and for the Representatives in the House and for a U.S. Senator, when he is on the ballot. So there is no hardship imposed in my State.

I read the statute on the poll tax in the State of Mississippi.

Article 12, section 243, Mississippi constitution: A uniform poll tax of $2 to be used in aid of common schools, and for no other purpose, is hereby imposed on every inhabitant of this State, male or female, between the ages of 21 and 60 years, except persons who are deaf and dumb, or blind, or who are maimed by loss of hand or foot; said tax to be a lien only upon taxable property. The board of supervisors of any county may, for the purpose of aiding the common schools in that county, increase the poll tax in said county but in no case shall the entire poll tax exceed in any one year $3 on each poll. No criminal proceedings shall be allowed to enforce the collection of the poll tax.

Again, in the States of Alabama and Mississippi the poll tax serves a twofold purpose. It provides revenue for the common school fund and also provides a registration of eligibility to vote within certain ages.

Article 7, section 3, Vernon's Constitution of the State of Texas, volume 2: One-fourth of the revenue derived from the State occupation taxes and poll tax of $1 on every inhabitant of the State, between the ages of 21 and 60 years, shall be set apart annually for the benefit of the public free schools.

One-fourth of the money collected, or 25 cents, is used for the benefit of the public free schools. I do not know where the other part goes. I have not checked into it. I am sure it is used for a worthy governmental purpose.

Section 173, constitution of Virginia (1950), volume 9: The general assembly shall levy a State capitation tax of, and not exceeding, $1.50 per annum on every resident of the State not less than 21 years of age, except those pensioned by this State for military service; $1 of which shall be applied exclusively in aid of the public free schools, and the residue shall be returned and paid by the State into the treasury of the county or city in which it was collected, to be apportioned by the proper authorities to such county or city purposes as they shall respectively determine.

A search of the constitution and laws of the other States, together with the constitution and laws of the State of Arkansas, clearly refutes any charge that the poll tax is designed as an instrumentality of discrimination or the denial of the right of a citizen to vote or to have a voice in the government, and to share

in its direction. The most it does, as I have repeatedly pointed out, is to require the very minimum evidence, the very minimum demonstration of those qualities of citizenship that any citizen should possess, particularly any citizen who is to have a voice in our Government.

I strongly believe in the right of every qualified citizen of the United States, irrespective of his race, color, religion or national origin, to register, vote, and have his vote counted.

When I say "to register," I do not mean by any specific means. I mean generally by whatever procedure is provided by the several States and their respective laws. A poll tax receipt is a prerequisite to voting just as much as registration, or having one's name certified on a list as having appeared and signed a document which states that the person is a citizen, of a certain age, and that he is a Democrat or Republican and therefore has the right to vote.

It is both necessary and proper that protection of these rights of suffrage by both State and Federal Governments be insured, but I simply cannot understand the rationale of my colleagues who would attempt to accomplish this by the abolition of the poll tax.

The 15th amendment to the Constitution of the United States prohibits the States or the United States from giving preference to one citizen of the United States over another on account of race, color, or previous condition of servitude.

If citizens of one race having certain qualifications are permitted to vote, those of another race and of another condition of servitude, having the same qualifications, must also be allowed the privilege of voting. That is not the issue here. That is not involved. It is a question of how one is registered to vote; that is all. Furthermore, the Civil Rights Act of 1957 authorizes the Attorney General to institute civil actions in the Federal courts to prevent the denial of voting rights.

If the poll tax were preventing the denial of the right to vote—if that were occurring—it would be a violation of the Constitution and of the Federal statute, and it would then be the duty of the Department of Justice to take action. The poll tax is not doing that; therefore, no such action is being taken by the Department of Justice.

The Civil Rights Act of 1960 provides that if in any such suit the court makes a finding that the denial of voting rights is pursuant to a pattern or practice, the court may appoint voting referees to register qualified persons denied this right by local election officials.

Mr. President, I have read the statutes of Arkansas. Nobody in Arkansas can deny a citizen the right to procure a poll tax receipt for $1 if he undertakes to do so. A person who would deny such a citizen the right to procure a poll tax receipt would be guilty of a crime. He could be prosecuted under State law. That simply does not hapen.

In my State, voting campaigns are conducted by various public-spirited organizations and groups. The candidates themselves encourage voting. They support the campaigns to get the people to pay their poll tax, so that they will be eligible to vote. They do a pretty good job in Arkansas, when it is realized that one out of every three persons in Arkansas—and that includes a baby born yesterday or a year ago—has a poll tax receipt. That is not a bad record; although probably one-fourth of them, after paying the poll tax, do not vote. Perhaps more who pay the poll tax should vote. But the emphasis has been primarily on getting the people to pay the poll tax so as to be eligible to vote. Then as the campaign gets into its heat and fury, the drive is on to get out the vote. So there is really no trouble.

A further denial of the right to vote to these persons would constitute contempt of the court and is punishable accordingly.

Again, that does not happen in Arkansas. There is no denial of the right to vote in Arkansas. If there are violations of the constitutional guarantees of the right to vote in the States of Alabama, Arkansas, Mississippi, Texas, and Virginia, where the poll tax still exists as a prerequisite qualification for voting, then such practices should be thwarted according to law. Statutes are available to deal with them. I am sure the Department of Justice is amply staffed with competent attorneys. Certainly Congress has provided the appropriations and funds necessary to enable that Department to function and to carry out the duties assigned to it. There is every reason to think that if there were discriminations and denials of the right to vote, that agency of our Government would act. It would act promptly, and effectively.

Mr. President, accepting the findings of the Civil Rights Commission—and I wish all those who supported the Commission would now accept its findings. Again I say I thought the Commission was unnecessary, but I surely think those who supported it ought now to accept its findings—particularly in this area of its work.

Mr. HOLLAND. Mr. President, will the Senator yield for a question?

Mr. McCLELLAN. I yield for a question.

Mr. HOLLAND. Does the Senator mean accept the finding of the Commission with respect to the States of Mississippi and Alabama, which he has not mentioned?

Mr. McCLELLAN. Oh, yes; I mentioned those States; but I am speaking especially with respect to Arkansas. I am proud of the record of my State. I am proud to pay the poll tax and to carry it as a certificate of good citizenship when I march to the polls to vote. The people of my State are proud of the poll tax. They are not ashamed of it. They do not regard it as a degradation. They do not regard it as something degrading to them that they are asked to pay $1 into their public school fund.

Accepting the findings of the Civil Rights Commission as being completely accurate, the passage of this constitutional amendment would subject three sovereign States out of five having the poll tax requirement for voting to enforced conformity to correct unconstitutional voting practice suspected in the other two States.

In other words, Arkansas, Virginia, and Texas would be required to conform with the way Congress wanted them to act, in order to try to get at two other States. I suppose that is the argument. That would be proceeding in the wrong way, assuming those States needed correction—and I do not think they do.

I submit that vigilance on the part of the Department of Justice, in the application of existing laws would certainly correct any unwarranted voting practices should any really exist.

Of course, the easy way to solve all problems in this field would be simply to abolish completely the basic right of all States to determine and govern their own election procedures and to pass a Federal statute prescribing all requirements of eligibility for voting for every office from city councilman on up to President of the United States. But our Founding Fathers did not believe that that was the best way. I still have great reverence for their wisdom. It has never been equaled; it has never been matched at any time in the history of civilization. The Founding Fathers were not perfect, but their wisdom has never been matched in the establishment of a government that secures the greatest freedom and the most blessings to the people, such as the one they devised and bequeathed to us. I still revere and respect them.

Yes, the easy way would be to abolish all the powers and basic rights reserved to the States by the 10th amendment. But this would not be in keeping with our heritage. It would not be right. I am sure the Members of this body do not want to do that. Yet we are asked to yield to temptation, to strip the States a little more at a time here and there. If we do, we shall pay for it someday in the loss of freedom.

Mr. President, we owe the next generation a heritage at least equal in richness and quality to that bequeathed to us. I often wonder whether we in this generation who now have the responsibilities of government are failing. Are we going to leave to the next generation a nation of less strength and vitality than the one we inherited? Are we going to leave to the next generation less freedom, less liberty, and one of greater burden than that of our heritage? If we do, to that extent I think we shall have surely failed in meeting our responsibilities.

Any claim that the payment of $1 prohibits a citizen from exercising the right to vote certainly must be made with crossed fingers. It can hardly be made with sincerity. Some States feel that the annual payment of 100 pennies by a citizen for the support of the school system for his children and his neighbors' children is not an unreasonable, arbitrary prerequisite to the exercise of the privilege of the ballot, and I point out especially that the funds received from the poll tax in all five of the States which now use this method of voter registration go to the support of the school systems of those States. Two of those States, I believe, use only a portion of that revenue—not all of it—for their schools. But in my own State of Arkansas and in two of the others all of the poll tax money is used for the schools.

Mr. President, I do not advocate that the poll tax is altogether an effective means of obtaining revenue, but certainly it is one source of revenue that is sorely needed by the public schools in Arkansas. I do not know just how we would make up for the loss of that $575,000 of annual revenue. Of course, we would do it in some way. It is not a hardship on anyone to raise that much revenue for our schools in that way. Actually, it does not deny anyone a right to which he is entitled. If we want to raise that much revenue in that way, why should someone from another State tell us to do it differently?

Mr. HOLLAND. Mr. President, will the Senator from Arkansas yield?

The PRESIDING OFFICER (Mr. METCALF in the chair). Does the Senator from Arkansas yield to the Senator from Florida?

Mr. McCLELLAN. I yield for a question.

Mr. HOLLAND. Why does the Senator from Arkansas think that ratification of this constitutional amendment, which relates only to the election of Federal officials, would deprive his State of the poll tax revenue to which he has referred?

Mr. McCLELLAN. The Senator from Florida and I have served here for a long time, Mr. President, and both of us know there are other things back of this movement. This is only a part of a broad pattern; and I do not go along with it. I have fought against bills that called for repeal of the poll tax laws, for I do not think the poll tax could be outlawed constitutionally by means of a statute as has often been proposed. If the poll tax is to be repealed, the proper method is by way of constitutional amendment. To attempt to repeal the poll tax by the enactment of a statute would not be constitutional. However, only five States still have a poll tax for voting purposes, and those five—and particularly my own State—use the revenue received from that tax for the education of their children. What is so insulting about that to someone who lives outside the State? I should like to know the answer to that question. Why does it offend others who, in my judgment, have no business meddling in our affairs?

Mr. STENNIS. Mr. President, will the Senator from Arkansas yield for a question?

Mr. McCLELLAN. Yes, for a question only.

Mr. STENNIS. In connection with the Senator's point, and in referring to section 1, article II—and I wish to read it, and then I shall ask the question—is it not highly probable that these States would be forced to use in their State elections the same list of electors that they would use in Federal elections, because of the constitutional provision that:

> The House of Representatives shall be composed of Members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

My question is this: If the amendment outlawing—so to speak—the poll tax were ratified and were made part of the Constitution of the United States, with the result that the poll tax would be oulawed insofar as Federal elections were concerned, would not it be held that, similarly, the poll tax could not be used in preparing the list of electors for the election of State officials?

Mr. McCLELLAN. Probably that is true. However, in opposing the attempt being made in this case, I point out that if what is proposed were done, it would produce an almost chaotic situation.

I believe that the proposed procedure of having such a constitutional amendment ratified—the one now under discussion, Senate Joint Resolution 58—runs counter to the provisions of the 17th amendment and the provisions of article I, section 2, of the Constitution, identical provisions about the qualifications of voters. But if the pending proposal, Senate Joint Resolution 58, were made a part of the Constitution, it would not repeal either of those sections. It seems to me that if the attempt to impose this resolution were successful, the proposal, as now written, would incorporate into the fundamental law of the land unquestioned conflicts and confusion—where none now exist—with respect to the declarations on this subject to be found in other articles and amendments to the U.S. Constitution. I believe that would create great confusion. It is true that we do not know what a court would hold. However, certainly we should hesitate to complicate the situation. Even now there are those who apparently do not know how to correctly interpret what seems to be plain language in our Constitution. So we should beware of still further confusing the language to be interpreted by the courts.

Mr. HOLLAND. Mr. President, will the Senator from Arkansas yield?

Mr. McCLELLAN. I yield for a question only.

Mr. HOLLAND. Did not the Senator from Arkansas join in sponsoring a similar resolution five times heretofore—in the 82d Congress, the 83d Congress, the 84th Congress, the 85th Congress, and the 86th Congress?

Mr. McCLELLAN. That may be correct, for the Senator from Florida and I have held many conferences about this matter; and he knows as well as I do that our purpose was to try to emphasize our opposition to the proposed statutes or bills introduced here, from time to time, for the purpose of changing the law in that way. I have always maintained that if it is to be done, it should be done by way of constitutional amendments; but I never agreed that the Federal Government should try to tell the people of my State what to do about this matter. I did not agree to it then, and I do not agree to it now. That was a perfectly legitimate maneuver that was indulged in here; and I joined in the maneuver, in order to try to prevent the Congress from doing an unconstitutional thing by passing an unjust statute which would impose an undue hardship on my State. I will always oppose any attempt to impose such a penalty on the people in my part of the country. I have never said I would vote for a constitutional amendment of that kind. I would use it here as a countermove to show the unconstitutionality of bills introduced and pending and the extent to which some were willing to go to try to impose their will, their outside influence or judgment, upon the people of my State.

I do not advocate that the poll tax is an effective or exclusive means of revenue alone, but certainly it is one of those sources of sorely needed revenue for the public schools in my State.

I would have no objection should the citizens of Arkansas, in their judgment, see fit to amend our State constitution to eliminate the poll tax requirement. If they should decide to do it, I am sure they will have anticipated the loss of revenue and at the same time have something in mind, some source, some means of replacing the revenues that would be lost if the poll tax provision should be repealed.

If that should be done, if they should vote that way, if they repealed the poll tax, I would know it to be the will of the people of my State, and that other provisions had been made concurrently to provide our public school system with the funds necessary to continue the education of our youth.

I point out that as late as 1956 the people of my State voted on a proposal to repeal the poll tax, and they rejected the proposal. I am representing the will of my people today.

I make no apology for it. I think they are right in that they want to keep the poll tax as a registration means or in lieu of registration as evidence of a citizen's eligibility to vote.

I have no desire and I would not waste my energy to tell the people of California, Minnesota, New York, New Jersey, or Illinois that they ought to change their registration system. I do not care if they never change it, or if they change it 100 times, so long as they do not violate the Federal Constitution. I certainly accord to them every right that I seek to keep inviolate for my own State and for my own people.

It is their business. I do not want to tell them what to do. I do not want them to presume to try to tell me and my people in Arkansas what to do.

But I will not sit idly by and watch the Congress of the United States abolish a provision which the citizens of Arkansas have chosen and successfully employed since 1893. I will not sit idly by and see the provision abolished just for the sake of gratifying the desires of some Senators who want my State to conform to the practices of their States who have no poll tax as a requirement for voting.

I am not much of a conformist, anyhow. I like the idea of freedom. So long as my freedom does not trespass upon the equal rights of someone else, I like to exercise and enjoy it.

I also would point out that the poll tax, or the per capita tax, is an ancient and honorable one, far predating the privilege of the ballot. I gave a history this morning of many other countries that have used it. There is nothing dishonorable or disreputable about it, as some persons would have us believe, and as some persons would insinuate in the remarks they make about it and the evils they profess to see in it. The poll tax in

Arkansas is used for purposes other than for voter registration, as is illustrated by three Arkansas statutes. I could read them, but I probably will reserve them for some future time, if it should become necessary for me to again speak on this subject.

I should like to make some comments in conclusion. I was thinking about this issue the other day, realizing that there would probably be extensive debate. I was trying to rationalize just what is here involved.

Surely the fact that we have a poll tax in Arkansas of $1 to raise revenues for the education of children, and the fact that we in effect say, "You pay this and that will also amount to a registration and make you eligible to vote," does that—can that possibly insult the conscience of this Nation? Every penny of it is going toward the education of children. Does that fact insult the conscience of this Nation so that we must have this great furor about it. Must we, the Congress, place ourselves in the attitude of saying to the majority of the people in Arkansas, Alabama, Mississippi, and Texas, "This poll tax is an insult to the Nation. We must take you in charge and see that this is not done, and straighten you out"? I do not think so.

The poll tax does no harm. It prevents nobody from voting. It discriminates against no one. There is no harm in it. There is no evil in it. What do the opponents condemn about it? It raises revenue. It serves as a registration. It enables us to have greater integrity at the ballot. It requires the very minimum in effort on the part of one to demonstrate his good citizenship. Why should we condemn it? Why should we want to abolish it? I pointed out that it keeps nobody from voting.

In the last election, when we had a hot election and when Arkansas cast the largest vote she ever has cast, when there were three choices on the ticket, Republican, Democratic, and a States' Rights candidate, more than one person out of every four persons who had paid the poll tax did not vote. The poll tax is keeping nobody from voting. What is the harm in it? What is the evil about it? Why condemn us? Why presume to judge us?

On the other hand, it helps raise money. It establishes a registration list in the State of eligible citizens over 21 years of age who are entitled to vote. It contributes to the public school fund. It helps educate our children. It tells the worthless fellow, who does not like to pay taxes anyhow, who escapes all he can, "If you want to participate in your government, then do something for your government."

Think of what the President said. He said one should not think of what he could get from his Government but think of what he could do for his Government. That is what a person should do. If he wishes to vote, he can pay $1 to help to educate the children. He can do that for his Government. That is the minimum that should be required of him, it seems to me.

The only way we could reduce that would be 1 penny at a time. We could make it 99 cents, 98 cents—finally we would get down to a penny. We could not reduce it further than that and still require the person to pay anything. Is anyone fussing about 99 cents? It is that simple.

Yes, it will help. Even a white citizen who may be a worthless and shiftless fellow—and occasionally we find one, Mr. President—if he wishes to vote, he has to march up, like a man, like a good citizen, and pay $1, at least. There is nothing wrong with that. That applies to the colored citizen as well, and to any others. There is nothing wrong with it. There is no discrimination in it. It helps and it hurts no one.

Mr. President, can anybody give me a just reason that will be convincing in this regard? If somebody can show me that it is wrong, then I am ready to start voting for centralized power in Washington, D.C., and I shall quit defending the sovereignty of States and the liberties of individual citizens. But it is not wrong and no one is going to convince me otherwise.

ORDER FOR RECESS UNTIL 9 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate concludes its deliberations today it stand in recess to meet at 9 o'clock tomorrow morning.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

Mr. CURTIS. Mr. President, reserving the right to object, does the distinguished majority leader expect there will be any votes tomorrow?

Mr. MANSFIELD. I wish I could answer in the affirmative. I do not know. I am doubtful.

Mr. CURTIS. What is to be the program? What legislation will be discussed tomorrow?

Mr. MANSFIELD. I imagine there will be some first speeches, like that the Senator undoubtedly is going to make this afternoon, and some second speeches, as some have been made yesterday and today.

Mr. CURTIS. On the pending question?

Mr. MANSFIELD. I would hope so.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana? The Chair hears none, and it is so ordered.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

COLLABORATION WITH RUSSIA IN THE FIELD OF SPACE TECHNOLOGY

Mr. CAPEHART. Mr. President, last night I prepared for release today a statement questioning the wisdom of President Kennedy's offer to collaborate with Russia in the field of space technology.

I shall ask unanimous consent that a copy of the press release containing that statement be included at the end of my remarks.

Today, I learn that even while my views on the subject were being transcribed, the news department of the National Broadcasting Co. had learned of, and reported, a briefing session already scheduled at which every bit of the technical data from our greatest space achievement, the recent Glenn flight, will be made available to six Iron Curtain countries, including the Russians, without restriction.

As a part of "Morgan Beatty's World Report" show at 7:30 last night, Peter Hackes reported:

> NBC news learned that an all-day scientific report on the Glenn flight will be held on Friday, April 6, in the State Department auditorium, where President Kennedy holds his news conferences. Invited to attend:
>
> One thousand eight hundred scientists from all over the world, including 11 academicians from 6 Iron Curtain countries, including Russia, which is expected to send Leonid Dedov, the head of the Russian Academy.
>
> They will see and hear Colonel Glenn himself and his backup astronaut, Scott Carpenter, and the top technicians connected with the flight. Glenn will narrate a 15-minute film of his actions inside the capsule in orbit and later will show for the first time a dozen still pictures he snapped from his perch in outer space.
>
> All technical questions will be answered and every guest will be given a detailed brochure covering the flight.

Mr. President, nobody was happier than I was that the Glenn flight was open for the world to see. That fact gave us tremendous propaganda advantage around the world, and I applauded it at the time.

But, now we are talking about something else—the technical data which made that flight possible and the technical data which it added to free world knowledge. That is, indeed, different from a television view of the flight itself.

It is such technical data which is in the long run most important to the free world, both scientifically and propagandawise and, it might well be, militarily.

Our leadership gave to Russia on a platter the tools to get where she is. Many of us believe, in retrospect, that history proves this to have been a very, very bad mistake.

Are we now to compound that mistake by opening to the nation which continues to threaten our destruction the wealth of technical knowledge we gained from the Glenn flight? That is the question.

I ask unanimous consent to have the press release, to which I referred earlier, printed in the RECORD.

There being no objection, the press release was ordered to be printed in the RECORD, as follows:

> WASHINGTON, D.C.—Senator HOMER E. CAPEHART, Republican, of Indiana, said today the proposal by President Kennedy to collaborate with Russia in space explorations "could well be another in the long list of

foreign policy mistakes made by U.S. leadership in the last 30 years.

"These are the kind of mistakes responsible for making Soviet Russia a world power today, including the admitted position of near leadership in space, missiles, and rockets, strengthening its position as a continuing threat to world peace," Senator CAPEHART said.

"Haven't we learned any lessons from the atomic test moratorium; from Yalta and Teheran? Are we now going to add our latest technology to the scientific knowledge of missiles, rockets, and other space developments we gave to the Russians when we handed them the whole package of German technical and engineering accomplishments at the end of World War II?

"I see nothing to indicate that Russia intends to start keeping promises. She certainly has not done so in the past, in a single case.

"Who will be the U.S. representatives in our space negotiations? Are they to be those who learned their diplomacy from the architects of past mistakes?

"Since 1959, American taxpayers have willingly poured $3,501 million into our space effort. Congress is now asked to appropriate $3,700 million for 1963. The taxpayer in South Bend or Keokuk is glad to foot the bill in the interest of the United States, but I doubt his enthusiasm for sharing the result with the very government threatening to destroy us.

"Our Secretary of State is in Geneva right now trying for a disarmament agreement. Here again, Russia blocks the way.

"It is time we make it plain to the people of America and the world we are against communism. It is time we force Russia to quit playing cat and mouse over Berlin, Cuba, Laos, Vietnam, the Congo, and other places where she continues to harass the United States and the United Nations.

"What will be the psychological effect on the other free nations of the world whom we ask to join us in fighting communism when they see us entering into partnership with the greatest Communist nation of all?

"Why have we been spending billions of dollars all over the world in an effort to halt the spread of communism, seeking to bolster the economy of smaller nations and furthering the private enterprise system, and then permit them to see us enter an alliance with the very system we are trying to halt?

"It appears to me the only result of this latest proposal would be to place another vehicle at the disposal of Soviet Russia with which to further its propaganda machine.

"Certainly we are not going to call Russia's bluff by soft words."

POLITICS IN THE CENSUS BUREAU

Mr. CURTIS. Mr. President, I have been well aware of the fact that the present administration possesses considerable charm. While this charm is being displayed, a great many thoughtful people all over the country have been concerned about the problems of the country and the fact that we need certain skills and leadership which have not been displayed.

I hold in my hand a news item from one of the leading wire services which indicates that a number of people of unusual skill have been called to the public service under the present administration. I doubt if these skills are needed. I am sure that they should not be paid for by tax funds.

I refer to the following item, which appeared today. It is headed "Politics":

WASHINGTON.—Census Bureau Director Richard M. Scammon has advised the White House that Democratic prospects in the November congressional elections "are rosy, indeed" if the latest Gallup poll is even approximately accurate.

The poll seeking to gage voting intentions was published Wednesday. It purported to show that 61 percent of the voters now prefer the Democratic Party and 39 percent favor the Republican Party.

Scammon—

That is the Census Bureau Director—a nationally known expert on election statistics before his appointment as Census Director, apparently also has been serving as a sort of election consultant to the White House.

Mr. President, I think what the good people of the country would like to know is: Why must the time and talent of Government officials be taken in interpreting polls which are purely partisan? What has political sentiment and the measuring thereof to do with the counting of people? It can have no particular service in the public good when a census is taken, whether it is a census taken only now and then, such as a business census or whatnot, or whether it is the census taken every 10 years. Are the American people to understand that when the census taker arrives he is the agent of a political party, either Republican or Democratic?

The census began with the birth of the country under the Constitution. Throughout all the years that the census has been taken, the people have responded. They have felt that it was a worthwhile gathering of statistics, and I am sure that it shakes their confidence in this great Bureau to find that it has become an agency of a political party.

What I have spoken about is not the only example of this kind. We have been shocked from the very beginning of the administration at the attacks made upon career workers serving under civil service. I have in mind one individual who received the distinguished award for approximately 30 years of government service as an outstanding public servant, and in almost the same issue of the newspaper that carried the notice of the award appeared an announcement that he had been released from his job because of a change of administration. I hope that somewhere, sometime, someone in authority in the administration will have time to return to his place of business and give these problems attention, because such incidents are detrimental to the country and they lessen the confidence and respect of our citizens for the fair and unbiased operation of government.

GENERAL ANILINE & FILM CORP.

Mr. CURTIS. Mr. President, I wish to insert into the RECORD two newspaper articles which appeared in the Binghamton, N.Y., Daily Press under dates of December 14 and December 22, 1961. They refer to certain activities relating to the General Aniline & Film Corp., a very substantial competitive business which produces notably films, cameras, chemicals, and dyestuffs. This corporation was owned by German nationals and was vested as alien property during World War II. The war ended 17 years ago. The corporation is still vested and there is no apparent disposition on the part of the Government to divest itself and permit the corporation to operate as a normal business.

The articles point up situations where, under political maneuverings of this administration, a shakeup was caused which allegedly forced the resignation of former board chairman John I. Snyder. The articles also identify members of the board of directors appointed by the Kennedy administration and designate the advertising and legal firms who have been retained to perform services for the corporation.

According to the news stories, the $1½ million per year advertising account has been awarded to the firm of Lennen & Newell, New York City, in which firm K. LeMoyne Billings is a vice president. Billings has been identified as a very close personal friend of President Kennedy, dating from their days together at Choate School in Connecticut. The White House has identified Billings, according to these stories, as a Democrat who has been an active political supporter of President Kennedy since 1946. The articles also point up the fact that an accounting firm, Arthur Anderson & Co., of New York City, was divested as auditor for the General Aniline Film & Dye Corp. The Arthur Anderson Co. had performed this service for GAF since 1942. It was not changed during the intervening administrations, but was replaced in 1961 by Wright, Long & Co. An authority is quoted as saying the GAF auditing account runs to about $65,000 a year and a public relations spokesman for GAF has said that "Wright, Long & Co. is on its first auditing job."—that is, first for General Aniline—"and the fee has not been settled." Apparently, Wright, Long & Co. has a working relationship with Carmine Bellino, who worked under Attorney General Robert F. Kennedy when the Attorney General was counsel for the McClellan committee. Mr. Bellino is reported to have said that he is not a partner of the Wright, Long & Co., but he has worked with them since 1950 and is their resident agent in Washington. The articles state that Mr. Bellino is a registered CPA in New Jersey and the District of Columbia. His name is carried on the directory of the building at 247 Park Avenue, New York City, as an occupant of the space in which the Wright, Long & Co. is headquartered.

We are all familiar with the fact that private businesses operated by the Federal Government become a warm haven for high-salaried patronage employees. When the American President Lines were operated by the Maritime Commission, the story was the same. Many illustrious politicians went from party service to top-ranking spots in American President Lines. The same is equally true in the General Aniline Film & Dye Corp. situation and was true throughout the administrations of President Truman, President Eisenhower, and the current administration.

The Eisenhower administration may be able to claim a limited amount of virtue. I believe a great deal of virtue.

The Arthur Anderson Co., which had this auditing account from a time in the

1940's, had it at the beginning of 1953, when Mr. Eisenhower became President and retained it throughout the Eisenhower administration. The advertising firm of Benton & Bowles had the account from the beginning of President Eisenhower's term until October 1960. So a very choice bit of business, amounting to $1,500,000 a year in advertising, was changed after the Kennedy administration came in. The accounting firm was not changed during the Truman administration and for substantially all of the Eisenhower administration the advertising firm was not changed.

These articles, which I ask to have inserted in the RECORD, are articles which I hope everyone will read. They are rather interesting.

Mr. Billings is quoted in these articles as saying that he did not handle this advertising account; all he did was introduce some people. What more does anyone want. What more political influence can come from the White House? Or, I should say, rather, from close to the White House, because I want to be correct in my statement.

Actually the gravamen of this whole situation is the fact that the Government continues to operate a competitive industry which boasts assets of $170 million and which employs 8,000 persons. It is operated by directors picked by the Attorney General and it is obvious that the attributes of a private business, namely, legal fees, auditing fees and advertising fees, find their way to the faithful. Admittedly, the administration is finding better fortune in this operation than in its business in Washington, for the GAF, apparently, does not operate at a deficit and it does not carry a debt which is serviced annually by the taxpayers. It does appear that in this 17th year following the end of World War II, we should be getting to the place where a large and important industrial enterprise can return to normal operation.

Mr. President, I ask unanimous consent that the two articles published in the Binghampton Press be printed in the RECORD at this point in my remarks.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Binghamton (N.Y.) Press, Dec. 14, 1961]

NEW GAF AD AGENCY VICE PRESIDENT IS J.F.K. CHUM

(By Paul Martin)

WASHINGTON.—Soon after the new administration took office, the Government-owned General Aniline & Film Corp. switched its $1,500,000-a-year advertising account to a Madison Avenue agency whose vice president is a close personal friend of the Kennedys.

A spokesman for GAF, which is the parent of Ansco and Ozalid, said the account nets the agency between $225,000 and $250,000 a year in commissions. In addition, GAF spent $85,000 last year on advertising expenses, including production costs, artwork, and photo plates.

The agency official is K. LeMoyne Billings, a vice president of Lennen & Newell, Inc., of New York City. He has been a guest at the White House, and a visitor at the presidential retreats at Palm Beach, Hyannis Port, and Middleburg, Va.

In his biography of the President, "John Kennedy—a Political Profile," James MacGregor Burns, a Williams College professor, said "Lee" Billings was Kennedy's "best friend" when they were classmates at Choate School in Connecticut. They made a trip to Europe together in 1937.

The President appointed Billings to the board of trustees of the National Cultural Center on September 19. He is a graduate of Princeton and the Harvard Business School. The White House issued a statement which identified Billings as 44, unmarried. He lives at 277 Park Avenue. The statement said he is a Democrat who "has been an active political supporter of President Kennedy since 1946."

Although the switch in the GAF advertising account occurred in the spring, when Attorney General Robert F. Kennedy designated a new board of directors to take control of the Government-owned corporation from the outgoing Eisenhower administration, Billings' connection with the new agency did not receive much attention at the time.

Reached by long-distance in New York City, Billings said he had "nothing to do" with the GAF account. "Another man handles it with a big staff," he explained. "I introduced a few people, that's all," Billings said.

Asked for comment on the situation, Robert Kennedy said:

"Mr. Billings' connection with the advertising firm has been a matter of public knowledge since last April. The selection of the company was a decision by management executives of General Aniline. I congratulate them on the excellence of their choice."

New York City newspapers have indicated that Billings is in line for appointment to the Advisory Committee of the new U.S. Travel Service which Congress set up this year at the request of the administration to do advertising overseas to attract foreign visitors to America.

The new Government agency in the Commerce Department is authorized to spend $2,500,000 by June 30, and $4,700,000 a year after that in promoting travel to the United States. It is opening offices in London, Paris, Frankfurt, Caracas, Sydney, and Tokyo.

The president of Lennen & Newell is Adolph J. Toigo, who listed himself in "Who's Who" as a political adviser to the Republican Party in 1948. Toigo was a political backer of Harold E. Stassen, who ran unsuccessfully for the GOP nomination for President in 1944, 1948, and 1952.

Stassen identified Toigo as the man who took the phantom polls for him which Stassen used in his futile 1956 "dump Nixon" campaign. On the basis of these polls, Stassen claimed that Nixon would cost Eisenhower 6 million votes in the 1956 election. As it turned out, the Eisenhower-Nixon ticket triumphed by a landslide of 9,600,000 votes.

GAF is an alien property which was seized by the Government during World War II from foreign owners under the Trading With the Enemy Act. It has operated ever since under supervision of the U.S. Attorney General, who controls 97 percent of the voting stock.

The company has assets valued at $170 million, employs more than 8,000, and has a number of valuable contracts for outside services such as advertising, insurance, and legal counsel. It is a major competitor in the field of chemicals, dyes, cameras, film, photographic, and reproduction equipment.

The Kennedy administration took over this industrial empire from the outgoing Eisenhower regime April 11 when Robert Kennedy designated a new board of directors, and a new six-man executive committee. The change in advertising agencies was publicly announced April 27.

The Attorney General has two personal representatives on both the board and executive committee. They are Andrew F. Oehmann, Executive Assistant to Bob Kennedy, and William H. Orrick, Assistant Attorney General in charge of the Civil Division.

The new chief executive officer of GAF is John I. Snyder, Jr., of New York City. Elected a director April 11, he became chairman of the board September 22. He also is president of U.S. Industries, Inc., and serves on the boards of a dozen other corporations.

Snyder is known as a hard-driving businessman. He is a Democrat, who helped raise funds for the Kennedy-for-President campaign last year, for former Gov. Averell Harriman of New York in 1958, and for Adlai Stevenson in the 1956 presidential campaign.

There have been repeated allegations in private industry that as long as GAF remains under Government control, no matter which political party is in power, its corporate jobs and service contracts will be used to reward favorites of the administration.

In an interview in November, Snyder stated emphatically that "this simply is not true." He said he did not know "what went on before," but at the present time, "It is not being done."

Snyder asserted that as long as he is chairman of the board, GAF would not be used for political patronage. He said then that Lennen & Newell was a "bigger and better firm which could give us more coverage in depth."

In view of his previous position, Snyder was asked about Billings' connection with the advertising agency.

Snyder said in a telephone interview that he does not know Billings personally, and that the friend of the Kennedys does not service the GAF account.

During most of the Eisenhower administration, Benton & Bowles had the GAF account. It was changed in October 1960 to Reach, McClinton & Co. During the Truman administration, GAF advertising was handled through the Milton Blow agency, now out of business.

Snyder pointed out that the switch from Reach, McClinton & Co. to Lennen & Newell occurred in the spring before he took over as GAF board chairman. He said the account executive is a John Schneider. Another GAF official thought that Schneider once worked on the GAF account for the old Blow agency.

"The board has been following the advertising with a great deal of attention," Snyder said. This is in line with his campaign to double sales and profits inside of 2 years. Snyder said he has listened to a lot of discussion of the advertising account, and sat in on a number of presentations.

Snyder explained that GAF board approves the advertising budget, but does not necessarily select the advertising agency. He called that a management function.

Asked whether there were competitive bidders for the advertising account, Snyder replied: "I'm sure there were others, but I don't know how many or who they were."

[From the Evening Press, Dec. 22, 1961]

"FED UP" BY "POLITICAL INTERFERENCE," GAF CHIEF QUITS—BOARD CHAIRMAN SNYDER RESIGNS IN ANSCO-OZALID PARENT SHAKEUP

(By Paul Martin)

WASHINGTON.—A major shakeup has taken place in the top-level management of the Government-owned, $170 million General Aniline & Film Corp.

John I. Snyder, Jr., 52, well-known New York industrialist, yesterday resigned as chairman of the board and chief executive officer of the huge chemical and film company, effective January 1.

A close associate said that Snyder quit because he is "fed up" with "political interference" from Washington in the internal affairs of the company.

GAF is an alien property which was seized by the Government during World War II under the Trading With the Enemy Act. It has operated ever since under supervision of the Justice Department. The U.S. Attorney General controls 97 percent of the voting stock.

Snyder will be succeeded as GAF board chairman by Ross D. Siragusa of Chicago, president and chairman of the Admiral Corp. William Peyton Martin, a New York lawyer, will take Siragusa's place as vice chairman of the board.

Dr. Jesse Werner, 45, formerly vice president in charge of research and development, will become president and chief executive officer, and a director of GAF. A chemical engineer with a Ph. D. degree from Columbia, Werner has been with the company since he got out of college in 1938.

He will succeed Philip M. Dinkins as president. A GAF spokesman said that Dinkins reached retirement age of 65 on December 20, although he has another 17 months to run on his contract. Dinkins will remain with the company as consultant.

All of these changes, decided at an eventful meeting of the GAF board of directors Wednesday, were announced at company headquarters in New York City late yesterday.

A statement was issued there in which Snyder was quoted as saying:

"During my tour of duty, a number of changes have been initiated within the company which I am sure will produce both a short- and long-term improvement. I believe they will be helpful to Dr. Werner as he assumes the position of president and chief executive officer.

"These changes have been carried out in an orderly fashion * * * new programs will result in financial benefit to the corporation in both sales and earnings."

Snyder, who also is president of privately owned U.S. Industries, Inc., and serves on the board of a dozen other corporations, took over only 3 months ago as GAF board chairman and chief executive officer. He will remain on the board of directors.

The company announcement did not state, and it could not be ascertained immediately, what compensation Werner will get as president, or what Dinkins will receive as a consultant.

According to a GAF spokesman, Dinkins was paid $75,000 a year as president, plus an executive bonus and retirement benefits. An MIT man who grew up in the chemical business, he has been president since November 1958.

When the changes in corporate leadership take place January 1, there will have been four different board chairmen—three different chief executives—of the Government-owned company within a 1-year period.

Price of the 51,848 shares of GAF stock which is privately held has declined from $390 a share in January to $245 in over-the-counter trading. The 1960 high was $502.

The Kennedy administration took control of GAF from the outgoing Eisenhower regime at the April 11 stockholders' meeting in New York City when Attorney General Robert F. Kennedy, exercising his 97 percent of the voting stock, elected a new board of directors.

John H. Hildring, a retired Army major general, was chairman at the time. He had served as deputy to Gen. Lucius D. Clay in the postwar occupation of Germany.

Thomas A. Morgan, 73, a retired industrialist who has been on the GAF board since 1951, became chairman as an interim measure.

A new six-man executive committee was formed, including Morgan, Snyder, Siragusa, Marin, and the Attorney General's two representatives on the board. They are Andrew F. Oehmann, executive assistant to Robert Kennedy, and Paul V. Myron, Director of the Alien Property Office.

Snyder was elected chairman and chief executive officer at the September 20 board meeting, assuming duties previously performed by Morgan and Dinkins.

Over the years since GAF came under U.S. control, there have been repeated allegations that some of the corporation's jobs and some of its contracts have been used for political patronage by whichever party is in power.

In the interview carried by the Sunday Press on November 5, Snyder stated emphatically, "This simply is not true." He said he did not know "what went on before," but at the present time "it is not being done."

"This country owns the company," Snyder declared. "No administration owns it. The company has got to be made as valuable as it can be. That's my job."

It now appears that at the time of the interview, Snyder did not know how certain GAF contracts for outside services had been switched on or around the April 11 stockholders meeting to the financial benefit of some individuals close to the Kennedy's.

Two officials in position to know what went on claim that Robert Kennedy, the Attorney General, sent his executive assistant, Oehmann, to New York in April with instructions to Dinkins, then the company president, to change the advertising agency, law firm, and auditors under contract to GAF.

There appears to be considerable confusion and difference of opinion between various sources as to what the Government-owned corporation spends on these various service accounts.

A GAF spokesman said the company auditors since 1942 had been the firm of Arthur Anderson & Co., New York. At the April 11 stockholders meeting, the account was switched to the firm of Wright, Long & Co., also of New York City.

The White House issued a press release January 25 announcing that President Kennedy had appointed Carmine Bellino, a former FBI agent and accountant, as special consultant to the President and the director of the budget. It said he would be available for special studies.

The announcement also stated that Bellino was associated with the certified public accounting firm of Wright, Long & Co.

Bellino, 56-year-old native of Elizabeth, N.J., near where GAF has a chemical plant, served for 4 years as accountant for the Senate Rackets Investigating Committee, when Robert Kennedy was the committee's chief counsel.

One authority claimed the GAF auditing account runs around $65,000 a year. A public relations spokesman for the company said, however, that "Wright, Long & Co. is on its first auditing job, and the fee has not been settled."

Bellino said he is not a "partner" in the firm, but that "they have been working with me since around 1950. I have my own office here, and I am their resident agent in Washington," he said.

Asked what he has to do with auditing GAF records, he replied, "I am interested in looking over the program to make sure they are going in the right direction. They pay me for the days I work."

Although Bellino is not registered in New York State as a certified public accountant, his name appears on the directory of the building at 247 Park Avenue as occupying the same premises as Wright, Long & Co. Bellino said he is a registered CPA in New Jersey and the District of Columbia.

Partners in the concern who are registered with the State government in Albany include Michael Edelstein of Scarsdale, Saul S. Silverman of Lake Success, Noah Weinshal of Yonkers and Bertram J. Serden of Scarsdale.

Asked how the switch in auditors occurred, Bellino said it was "a matter for the GAF management. I suppose they considered various accounting firms, and selected the one I am associated with."

The White House said that for his services as a consultant to the President and Budget Bureau, Bellino is paid at about the same rate as a grade 17 civil servant—or from $16,530 to $17,570 a year.

It previously has been reported how the GAF advertising account was switched from Reach, McClinton & Co., Inc., New York City, to the firm of Lennen & Newell, Inc., also of New York City.

The vice president of Lennen & Newell is K. LeMoyne Billings, one of the oldest and closest personal friends of President Kennedy. Billings has been a guest at the White House, and at the presidential retreats at Palm Beach, Hyannis Port, and Middleburg, Va.

The advertising account was stated at the time as $1,500,000 a year, which would net the agency around $225,000 to $250,000 in commissions, plus expenses. One company source contends that the GAF advertising budget this year will amount to $4,500,000. But the official GAF press spokesman insisted that it has never run over $1,500,000.

(The difference could be accounted for by the distinction between advertising expense and sales promotion expense. Sales promotion is an internal activity and not subject to billing by an outside advertising agency.)

Reach, McClinton & Co. had been hired by GAF in November, 1960, and was putting the company's 1961 advertising campaign into effect when its contract was canceled in April.

Charles Dallas Reach, chairman of the board of the advertising firm, gave this account of what happened in a long-distance telephone call from Florida:

"I solicited the GAF account personally for a full year. They interviewed around 10 agencies. Lennen & Newell was one of them. We won out. I told Ansco that in my estimation, they were not very competitive with Eastman Kodak.

"We got the account from a committee of Binghamton people—Dr. Eckler, Bob Dunn, and a young advertising manager. They reported to Dinkins in New York. The contract was terminated in April when there was a change of management at GAF.

(The people referred to by Mr. Reach are Dr. Leopold Eckler, GAF vice president in charge of Ansco and Ozalid; Robert M. Dunn, until last week marketing director of the two firms and now director of sales development, and C. Allan Bengtson, Ansco advertising and sales promotion director.)

"Dinkins sent for me. He said he was sorry, but he had to find a way of terminating the account. I said, "Well you've got a contract, and if you want to terminate it, OK. It was worth around $225,000 to $250,000 in commissions to us. We also had invested around $150,000 in expenses. GAF paid us in full."

Reach said his contract covered only the advertising for the Ansco and Ozalid divisions. He estimated the total billings would run around $1,500,000, with $1,200,000 of that for advertising Ansco cameras and film. "The chemical account never came to us," he said.

During the Eisenhower administration, the GAF legal business was handled by the Republican law firm of Winthrop, Stimson, Putman & Roberts, New York City. A GAF spokesman said they got $43,630 in fees during 1960 plus $697 for expenses.

At the time the Kennedy administration took control of GAF in April, the law account was switched to the firm of Manes, Sturim, Laufer, also of New York. Legal directories show the partners include Mathew Manes, Samuel S. Sturim, and Arthur M. Laufer.

Snyder said in his November 5 interview that the law firm was not on a retainer fee basis, but would be paid for work actually performed for GAF. "We have a resident counsel, and an adequate legal department of our own," Snyder said.

A GAF press spokesman said the new law firm has been used very little so far, but he was unable to say how much or what the outside legal fees may amount to in 1961.

AIR SERVICE

Mr. CURTIS. Mr. President, I wish to speak briefly on a matter which relates to the air service in the country. Our colleague, the junior Senator from Oklahoma [Mr. MONRONEY], made a very fine statement before the Civil Aeronautics Board on February 28, 1962, involving air service to some of our smaller cities and areas now deprived of almost all forms of common carrier transportation.

I wish to insert in the CONGRESSIONAL RECORD Mr. MONRONEY'S excellent statement.

Mr. President, the trunk airlines of this Nation became efficient and powerful by being subsidized beginning way back in the twenties. A systematic program of subsidization of airlines, in order to get them established throughout the greater part of the Nation, was started in 1948. During all of these years Nebraska taxpayers have paid taxes to assist in the establishment of air transportation for almost every nook and corner of the country.

It is now proposed in some quarters that this historic system of establishing airline service be abandoned. This isn't a matter of economy, it is a matter of discrimination. Either the subsidy should never have been undertaken or all parts of the country should be treated equally as they are reached in the development of such a transportation system.

In Nebraska it appeared that about 3 years ago we were on our way to getting air service established and that it was very much needed. Unfortunate experiences occurred as a result of management policies and means of correction of the cause of these adverse experiences appear to be in sight. For the Congress and the Civil Aeronautics Board to turn their back now on these communities and the citizens thereof would be a gross injustice. Again I say, these same citizens have, through the years, contributed their part to establish air service in nearly every section of the country.

Mr. President, I commend the Senator from Oklahoma [Mr. MONRONEY] for the actions he has taken. I would remind the Senate, however, that this is not a problem peculiar to Oklahoma and Nebraska. It involves almost a hundred communities throughout the United States who have been paying through all the years but who now find discontinuance of the local service program threatened as they are about to be reached. The Congress should insist that the Civil Aeronautics Board vigorously carry out its traditional policy. It should not be changed by executive decision without a mandate from Congress.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the statement of the junior Senator from Oklahoma.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Mr. Chairman and members of the Board, I appreciate your giving me the opportunity to appear briefly before the oral argument in the southwestern area local service case. I have asked to do so because I believe that the examiner's recommendations in this case raise certain basic questions of policy which must be faced by the Board.

In the oral argument to follow you will hear from experts who will present the views of the various parties to this proceeding, both public and private, and I am sure that my comments would add nothing to their presentation. It is for this reason that I have declined the Board's invitation to appear in behalf of the particular cities in Oklahoma which are interested in the outcome of this case and have chosen instead to take this opportunity to discuss what is essentially the performance by the Board of legislative functions delegated to it by the Congress.

I would not have you construe my remarks as critical of the examiner who has heard the long and involved evidence in this case. My concern about some of his recommendations is greater because I recognize that all of us—the Congress, the Board, and the local service carriers—share the responsibility for creating the environment and enunciating the policies which have led to some of his recommendations. I appear here today because I fear that we may be falling into serious error in our thinking about the local service industry and its role in air transportation; because I fear that the policies we are following may be leading us in the wrong direction.

Local service carriers were conceived originally as a specialized class of air carrier which would serve the needs of the smaller cities of the country. I remember several years ago that a chart was prepared showing the route structure of these carriers and it bore the caption "Local Airlines Linking the Smaller Cities and Towns to Each Other and to the Major Metropolitan Areas of America." This is the function for which they were certificated. It is because the Congress and the Board determined this to be a necessary service that their operations to these communities have been subsidized, for all of us recognized from the beginning that it would take a considerable period of time before their operations would be self-sustaining.

Today these carriers are well on their way to becoming regional trunks, and I am afraid that in the process we may be losing much of the original justification for their existence.

The Congress has been concerned over the rising subsidy bill for these carriers. There has been increasing criticism of the cost of the subsidy program, and more strenuous demands upon the Board to reduce the cost of supporting the local service carriers. I believe it is fair to say that it was this attitude of the Congress which was responsible for the Board's initiating its "use it or lose it" policy, which called for the discontinuance of service at those points which failed to generate the minimum required traffic.

At the same time, the carriers have been moving to larger aircraft which are admittedly more economical and efficient over segments generating substantial traffic, but which are even more costly to operate over segments with persistently low traffic. Mindful of congressional criticism, the carriers have sought certification into larger cities generating more traffic, and have generally supported the Board's policy of discontinuing service at smaller cities. The desire of the trunk carriers, constantly moving to larger and larger equipment, to discontinue service at many uneconomical points has given impetus to the Board's policy to transfer these points to the local service systems.

I have no doubt that if this trend continues we can cut the subsidy bill, but I am not convinced that this is the only way to cut the subsidy bill. But more basic than this is the question, when did we adopt this new policy that the reduction of subsidy is the principal objective with respect to local service carriers? There has been no amendment of the act to this effect. As recently as 1958 the Congress renewed as its first admonition to the Board that in the exercise of its duties it seek "the encouragement and development of an air transportation system properly adapted to the present and future needs of the foreign and domestic commerce of the United States, of the postal service, and of the national defense." As recently as 1958 the Congress again affirmed that in fixing rates for the transportation of mail the Board should consider the need of each carrier for compensation sufficient to insure, together with all other revenue, the development of air transportation of the extent and character required in the national interest. We can easily eliminate the subsidy entirely by simply eliminating the local service carriers, but we cannot have an adequate system of air transportation without them.

The full implications of the course we have been pursuing were brought home to me when I saw the recommendations of the examiner in the case before you. In my own State he has recommended the discontinuance of service at Ardmore, Ada, McAlester, and Muskogee. This means the complete elimination of air service in over half of Oklahoma lying south and east of a line drawn from Joplin to Tulsa to Oklahoma City to Duncan to Wichita Falls. It leaves three of the six congressional districts in Oklahoma virtually without air transportation. I have some difficulty in regarding this as progress. I have some difficulty in developing any enthusiasm over the larger size of aircraft being operated by Central Airlines, as I assume that when they get 707's they will be overflying Oklahoma entirely.

These are familiar thoughts. I am here today because I think that it is time that the Congress, the Board and the carriers stop bewailing this situation and begin to do something about it. I would like to make some specific recommendations.

I think it is the responsibility of the local service carriers to make every effort to continue to render local service, and I think that the responsibility is primarily theirs. It is apparent that there is a direct relationship between the frequency of service offered and the traffic generated. It is also apparent that the present volume of traffic will not support a greater frequency of service in the aircraft now being operated. This is the basis of the concept of the so-called third level air service, a misnomer which I regret. As far as the local service carriers are concerned, this should be the first level of air service—the performance of their function, in the words of the caption on the chart, of linking the smaller cities and towns to each other and to the major metropolitan areas of America.

The local service carriers need the help of the manufacturers and of Government in developing an efficient smaller aircraft to replace the old reliable DC-3. To date, they have not received that assistance. I invite the Board's consideration of the desirability of the Congress providing an appropriation to the FAA and/or the Civil Aeronautics Board to permit the development of an aircraft, which makes economic sense, for use by local service carriers in serving the smaller cities of this country. The project is apparently not sufficiently glamorous to command the interest of the other agencies of

the Government which theoretically might be better equipped to undertake it.

I think it is the responsibility of the local service carriers to conceive and propose to the Board an operation involving smaller aircraft with a single pilot, operated with greater frequency to serve cities such as Ada, Ardmore, Muskogee, and McAlester and their counterparts throughout the country. If such initiative is not forthcoming, then I believe that we have no alternative but to remove the present statutory prohibition so as to permit the Board to regulate schedules and equipment operated to serve such points.

The provision of service tailored to the smaller cities and towns of America cannot be achieved overnight. I suggest that it would be a serious mistake to discontinue service at points, such as those in Oklahoma, where there is a good prospect for substantial increase in traffic because of the economic growth of these cities and the surrounding areas, but obviously we cannot continue on the present basis. I therefore recommend that the Board give consideration to a new system of flag stops at cities in this category. It should be possible to institute a system in which these points would be overflown if there were no revenue passengers to be boarded. Subsidy payments to the carrier should, of course, be made on the basis of the actual route flown. This should lead to an immediate reduction in the subsidy involved in providing service to these cities without any practical reduction in the amount of service furnished.

I said to another aviation audience a few weeks ago that "aviation progress in America is moving in the direction of fewer manufacturers employing fewer people to produce fewer, bigger, faster, more expensive aircraft, operated by fewer crews, working for fewer airlines, to provide less frequent service at higher costs to fewer of America's cities. We are losing an important element of air power—that of variety, the capability of American aviation to provide the equipment and the managerial and operational skill to provide every needed type of aviation service, both here and aboard. This is the decade in which to reverse the trend toward overspecialization."

I appear today for the sole purpose of imploring the Board and its staff, the carriers and their managements, as a body of aviation experts, to address themselves in this and subsequent cases to reversing this trend, and of offering my support and that of many of my colleagues in attempting to provide whatever legislation or funds are necessary to the effort.

A PACIFIC BLOCKADE OF CUBA

Mr. CURTIS. Mr. President, I have some thoughts with reference to Cuba and the Castro government that I should like to present at this time.

In a speech to the Senate on August 24, 1961, I advocated a pacific blockade of Cuba. I pointed out that such a blockade is action which is recognized by international law and is considered by it as action short of war.

We should have had a naval blockade of Cuba established a long time ago. The blockade should be absolute. Of course, we could by our own discretion permit the passage through of any shipment of food or medicines for the Cuban people.

After all, the Cuban people are our friends, and always have been. However, we have permitted an open violation of the Monroe Doctrine. We have permitted armed aggression in the Western Hemisphere. We would have rendered a great service to every person in the Western Hemisphere if we had used a naval blockade to prevent the arming of Cuba. Such a blockade would not only have stopped the flow of missiles and bombers and fighters, and other implements of war, as well as the construction of missile bases, but it would also have stopped the importation into the Western Hemisphere of Communist military personnel from Czechoslovakia, Russia, and Red China.

I urged such action because I believed the time had come when words were no longer enough. I was convinced that positive measures were necessary not only to protect our own citizens who are in Cuba, but also to protect the rights of our citizens to property which they own in Cuba. Positive action, I thought, was also necessary to protect our friends, the Cuban people, and to preserve their rights and human dignity which are theirs because they are human beings. It was clear to me last August that these rights were in grave jeopardy as the revolutionary movement which came to power with the promise of freedom had turned out to be a despotism which lived by terror and aggression.

Mr. President, I advocated such action then, and I advocate it now, because I believe it was and is the way to prevent war and bloodshed in the Western Hemisphere and throughout the world.

I did not last August, and I do not now, suggest military action by the United States in Cuba.

As I pointed out last August, there are harsh facts in Cuba which we have to face, facts which no matter how much we wish they did not exist, are still facts that do exist.

Citizens of the United States in Cuba have been subjected to indignity, abuse, and terror. These indignities, abuses, and terrors continue.

The private property and investments in Cuba of citizens of the United States have been confiscated, and no compensation has been given therefor. This private property continues to be withheld from its rightful owners and they still have received no pay for it.

The dictatorship over the Cuban people which existed last August, far from relaxing since, has been perfected, expanded, and made a more complete and effective instrument of the enslavement of the people of Cuba.

Even as late as last August, there were many in positions of prominence, some of great prominence, who continued to maintain that Castro was a reformer, dedicated to freedom. The continuing violence and terror in Cuba were explained away as the unavoidable aftermath of a revolution settling down to the ways of peace.

Those who continued to persist in maintaining the Castro myth have now the further and painful problem of explaining their gullibility.

The plea of error should not excuse these proclaimed experts. Of course, we must recognize that all men make mistakes and certainly we should be tolerant of the errors of the uneducated, the uninformed, and the inexperienced. But it is not the mistakes of such people with which we are concerned. We are concerned with the mistakes of those who claim the experience, the training, and the sophisticated perception of the expert. Mistakes about Castro's true purposes in face of the known facts of Castro and his coterie by such experts with their purported special abilities of discernment, make competence, not tolerance of error, the matter of first consideration. They leave the disturbing thought that some of these experts who saw Castro as the great reformer saw only what they wished to see, while the others looked and did not see at all.

The myth that Castro was and is a democratic reformer seeking to establish freedom and to eliminate corruptness in Cuba, as we all know, has been completely, totally, and finally destroyed. There is no question now that this view of Castro was a delusion and that those who had it were deluded.

They should no longer hold a place of prominence in public affairs in this country.

The bubble of this delusion was exploded by the best authority, Castro himself, in his speech of December 2, 1961. The completeness of the error underlying this delusion is best shown in Castro's own words which I would like to quote. My quotations are from the Department of State translation of the December 2 speech. It consists of 70 single-spaced typewritten pages which, even without the quotations I am about to read, leave no doubt of Castro's communism or communistic purposes.

On page 39 of the State Department's translation Castro says:

> Now then, do I believe in Marxism? I absolutely believe in Marxism. Did I believe on January 1? I did believe on January 1. Did I believe on July 26? I did believe on July 26.

Mr. President, the 26th of July to which Castro refers was the 26th of July 1953. This was some 3 years before Castro and his guerrillas landed in Cuba. Thus Castro himself says he was a Communist when he began his revolution and had been one at that time for 3 years. Those who stated that he was a democratic reformer have Castro's own words to show that they were in error from the very beginning. The Castro revolution began as a Communist operation, and it has never been anything else.

Continuing with Castro's own words, also on page 39 of the State Department's translation:

> Do I have any doubts about Marxism? Do I think some interpretations were erroneous and should be revised? I have not the least doubt. Quite the contrary is true in my case.

Again, in referring to page 53 of the State Department's translation, we find that Castro said:

> Yes, I say so here with full satisfaction and with full confidence. I am a Marxist-Leninist, and I will be a Marxist-Leninist to

> the last day of my life. And how am I one? Half way? We revolutionaries do not know how to do anything halfway. We know only how to do things 100 percent. And to that we will devote all our efforts, all our energy.

The man whom the experts labeled a "democratic reformer" himself says that he was, is, and always intends to be, a Communist.

I recommend a careful study of the entire December 2 speech of Castro. It is the story—the most unpleasant story—of the first Communist conquest of a country in the Western Hemisphere. From it we can learn how to prevent a second. I recommend also a careful study by Senators of the State Department release of January 8, entitled "The Castro Regime in Cuba," because it recites the specifics of the Communist oppression of the Cuban people.

The harsh and sorrowful fact thus is that today there is a cancer in the American body politic, a cancer in one of the American states. This cancer is the cancer of communism. It is as virulent and as devouring as cancer of the human body.

Like cancer of the human body, it could have been prevented if discovered and treated in its early stages. But it was not discovered, and it was not treated. We can now regret what might have been; but we now have to deal with what is.

We in the Americas are like the human cancer victim who has waited too long. We are face to face with the hard problem of what must be done now that we have waited too long.

The realization that this political cancer was in our midst was confirmed in Punta del Este.

Most of the members of the Organization of American States not only realized the seriousness of the disease of Cuba, but also realized the necessity of prompt action if there is to be a cure.

Some, however, either failed to understand the nature of this disease or could not bring themselves to adopt the remedies which its seriousness requires.

The latter attitude both confuses and deeply disappoints the people of the United States. It is difficult for us to understand how anyone who loves freedom as all who live in the Americas love freedom can temporize with a system which brings slavery. The common heritage which North America and South America share only increases the puzzlement we feel.

Because we in the United States share with Latin America the Christian tradition which is the foundation of our common political belief that "all men are endowed by their Creator with inalienable rights," it is most difficult for people in the United States to understand why there is not agreement among all the governments in the Americas on both the evil nature of Cuba's torment and the necessity of effective action to relieve her torture.

We know that the decisions which the Cuban situation requires of the political leaders of all America are decisions which are saddening and painful, and ones which no man wants to have to make. We appreciate the feelings of our Latin neighbors who deplore the state of the Cuban people, but are unwilling as yet to act with resolution. Hesitancy, indecisiveness, and unwillingness to face the facts are human characteristics which are common everywhere. But the present Cuban situation will be worsened if these characteristics are allowed to be our guides. I submit this is no time for either North America or South America to allow such human weaknesses to direct our actions. I submit, instead, that it is a time which demands of all the people in all of America conduct which fulfills the requirements of the virtue of human courage, which includes the willingness to take the action that is required to meet the facts, however unpleasant such action may be.

If we had taken the action which should have been taken long ago in the Cuban situation, Communist Cuba would not exist today. If we do not take the action required now, inevitably it will require more drastic action later on.

A general embargo of Cuban trade by the United States is certainly appropriate action. This action should be supplemented by similar embargoes by every country in all the Americas, whether to the south or to the north of us.

Of course, this will cut down profits; but in the Americas is there any country or any businessman who would insist on business profits which would contribute to the perpetuation of slavery?

Embargoes alone, however, are not enough. They will stop our trade with Cuba, and I hope they will also lead to stopping trade with Cuba by every country in the hemisphere, from Canada south to Argentina and Chile. But embargoes only half close the door. There are those who desire the expansion of communism elsewhere in the Americas. They will not, and probably could not if they would, replace the losses from a general American embargo; but they can contribute to the continuation of a Castro dictatorship, and particularly to increasing the means by which it can be maintained.

Does anyone think the Communists have taken Cuba because they want Cuba, and that is all? Is Cuba the final goal of the Communists in the Western Hemisphere, or is it a steppingstone? If the Communist bridgehead in Cuba is a steppingstone for something, what is it? It comes pretty close to home.

To enable the door to Communist Cuba fully to be closed, I advocate, as I advocated last August, that the United States now establish a pacific blockade of Cuba. I repeat, a pacific blockade is recognized under international law as action short of war to check aggression.

As President Roosevelt said in 1939, 84 CONGRESSIONAL RECORD 74:

> There are many methods short of war, but stronger and more effective than mere words, of bringing home to aggressor governments, the aggregate sentiments of our own people.

A pacific blockade would close the door upon Castro's Cuba. It would be effective and it would be short of war. It would bring home to Castro also the aggregate sentiments of the people of the United States.

It is my profound hope that all the other nations of our hemisphere would join in such action.

The Monroe Doctrine was intended to keep the Americas free of foreign conquest. It is as applicable to conquest by the foreign ideology of communism as it is to any other kind of subjugation, because the Monroe Doctrine was intended to preserve freedom for all men in this hemisphere.

The United States has in the past accepted the responsibility of carrying out the Monroe Doctrine, and it is prepared to do so in the future, as it is devoted to the cause of freedom in the Americas.

It would seem, however, that the time has come when this responsibility should be shared by all the other members of the American family of nations. Therefore, I suggest that we ask each of our fellow American nations to join in this blockade with us.

Resolute, effective, and positive action can relieve the Cuban people of their present oppression.

Resolute, effective, and positive action can end the Communist conquest in the Americas. Resolute, effective, and positive action can remove from the doorstep of America the Communist steppingstone to this country, the prized possession for the Communists.

If all the members of the American family of Nations join in this action it will also prove that in the Western Hemisphere we are prepared to join together to defend freedom.

Mr. President, in closing, I wish to express the hope that every individual who was deluded by the Castro myth that he was a mere reformer, and not a Communist, will no longer have any part in making decisions for our country.

Mr. President, I yield the floor.

Mr. STENNIS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. STENNIS. Mr. President, I ask unanimous consent that further proceedings under the present quorum call be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

MODIFICATION OF CALCASIEU RIVER AND PASS NAVIGATION PROJECT TO PROVIDE FOR CONSTRUCTION OF A SALT WATER BARRIER SYSTEM

Mr. LONG of Louisiana. Mr. President, for some time salt water intrusion from the Gulf of Mexico into the ricefields of southwest Louisiana has been a real problem. Some years ago the Federal Government constructed several salt water guard locks for the purpose of preventing the infiltration of brackish water into the ricefields of this section of Louisiana. The rice crop depends upon

fresh water for its existence. In recent years the problem has again become acute, and it was necessary to initiate a new study to determine what could be done to correct the situation.

The area of principal interest to this study was the agricultural lands in Calcasieu Parish, La., which are ideally suited to the cultivation of rice and which are wholly or partially irrigated from that part of Calcasieu River and its tributaries that is subject to the salt water intrusion from the Gulf of Mexico.

Rice irrigation requires large quantities of fresh water. Saline water is injurious to growing rice, and its continued use accumulates salt deposits in the soils irrigated. Salt water intrusion to the Calcasieu Basin from the Gulf of Mexico now extends inland as much as 70 miles during dry years. Approximately 103,000 acres of ricelands are affected, and damages to the rice crop from lack of fresh water and the use of saline water are estimated at $270,000 annually. The heavy load on the underground water supply resulting from the industrial use, principally in the vicinity of Lake Charles and irrigation use in areas not fully supplied with surface water, have resulted in a progressive lowering of the water table, not to mention increased pumping costs. As a matter of fact, in some localities the salt water has even intruded the underground source.

The bill which I now introduce would solve this problem by providing for the construction of a salt-water barrier system, consisting of a diversion channel and control structure, a parallel navigation channel, a closure dam in the existing river channel, and protective revetment of the left bank of the river above the diversion channel. The control structure in the diversion channel would consist of five 40-foot steel gates mounted on a reinforced concrete structure. The 12- by 125-foot navigation channel would contain a single 56-foot gate structure to permit passage of navigation around the barrier. The estimated first costs of the barrier are $3,310,000 to the United States and $43,000 to non-Federal interests. Local interests will, of course, provide the necessary rights-of-way, perform needed relocations, and keep the river channel in the vicinity of the structure free from pollution. This is the solution recommended by the Corps of Engineers, following their study into the matter.

In view of the urgent fresh-water problem that exists at the present time in this section of the State of Louisiana, I urge the earliest possible passage of this measure.

Mr. President, my colleague, the senior Senator from Louisiana [Mr. ELLENDER] joins me as a cosponsor of the bill.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3060) modifying the Calcasieu River and Pass, La., navigation project, to provide for the construction of a salt-water barrier system, introduced by Mr. LONG of Louisiana (for himself and Mr. ELLENDER), was received, read twice by its title, and referred to the Committee on Public Works.

NOTICE OF PRESS CONFERENCE ON STOCKPILING

Mr. SYMINGTON. Mr. President, last evening the distinguished senior Senator from Delaware [Mr. WILLIAMS] and I discussed the question of the national stockpile. This afternoon at 2:30 I am having a press conference to give the details of 12 metals and materials which constitute 75 percent of said stockpile. We will reveal the quantities and the cost.

Because of the situation now existing in Senate procedure, the witnesses we were going to call will not be with us this afternoon, but the information will be given at this press conference even though under existing circumstances.

NEED FOR DIRECT MIDDLE EASTERN NEGOTIATIONS

Mr. KEATING. Mr. President, the recent outbreak of violence between Syria and Israel should serve as a clear warning to those who are inclined to be complacent about the Middle East that no settlement has been reached in that area. Tensions are still fever-high. Syrian fire on Israeli boats on the Sea of Galilee arouses new fears of Arab encirclement within the State of Israel. Naturally, this leads to retaliation by Israel. The most recent incident shows that the Middle East is still a tinder box that can explode into flames and hostility at any time.

Mr. President, both Syria and Israel have protested recent events to the United Nations Security Council. As yet no meeting or discussion is scheduled on the matter, but this appeal may come at any moment.

Mr. President, in many ways the United Nations has done a good job in the Middle East in patrolling the borders and trying to keep the refugee problem under control. But the United Nations has not tried seriously over the last few years to meet the real need of the situation. The United Nations has not tried with all the resources at its command to bring the Arab nations and Israel together to the negotiating table, where their present differences might be resolved.

Mr. President, there is basically only one contribution that the Security Council could make in the Middle Eastern situation. That would be an immediate, stern, and forthright appeal for direct negotiations between the Arab States and Israel. Our own Government has not taken the lead which it should have taken in promoting direct negotiations. At times, in fact, it appears that we have directly frustrated U.N. resolutions designed to encourage such negotiations.

Mr. President, we have an excellent opportunity at this time not merely to air grievances over the latest encounter, but also, and far more important, to direct the warring parties to discuss their differences and try to reach an accommodation.

Mr. President, I have said before, and I repeat, there is only one area of the world today that can be directly benefited by a summit conference. Disarmament, the Far East, the race for space—these cannot be settled at a summit conference, but in the Middle East, a Middle Eastern summit conference, a direct confrontation by the antagonists, can open the door to ultimate peace.

Mr. President, the Security Council has an unequaled opportunity to bring negotiations for such a summit conference into being. The United States has an unequaled opportunity to exert its leadership within the Security Council and to press, not for more talk in the United Nations, but for the beginning of talks between the Arabs and Israel. I have therefore been in touch with Secretary of State Rusk urging U.S. efforts to bring the Middle Eastern states together to settle their differences by negotiations, not by bloodshed.

DAIRY FARMERS FACE GUILLOTINE

Mr. KEATING. Mr. President, it is apparent that the administration's dairy proposal has died a quiet death. The administration recommended national production controls for every single dairy farmer in the country. Nobody wanted this program. The congressional guillotine has already fallen.

But the blade of the guillotine is raised again. This time it is the dairy farmers who are on the block. Secretary Freeman now has committed himself to lowering price supports on the first of April to 75 percent of parity, which is $3.11 per hundredweight.

Let us take a look at this situation. On March 10, 1961, Secretary Freeman raised dairy supports from $3.22 per hundredweight to $3.40 per hundredweight. He did this despite the fact, which he now admits, that there was a surplus of dairy products at the time. The Government was, of course, forced to buy this surplus.

The Secretary this year tells us that the law absolutely requires him to lower prices because of surplus conditions. He says he must peg them at the lowest limit in the law, 75 percent of parity. If this is really so, if the law really requires him to lower prices all the way to $3.11 per hundredweight, then it would appear to me that last year, on March 10, 1961, his move to raise prices under similar conditions was of dubious legality.

There are many who feel that the Secretary's threatened action was intended solely to force dairy farmers to accept the administration's unpalatable national production control program. Despite these pressure tactics, the farmer was not fooled. The President's national dairy production control program is out the window. Unfortunately, it is

the dairy farmer who is paying the price for governmental indecision. While the Congress and the executive branch labor over a new dairy program, which is no easy task, the dairy farmer is going to receive drastically lower prices for his production.

On March 10, 1961, when Secretary Freeman raised the price to $3.40 per hundredweight, the price was then $3.22, not $3.11, to which he now seeks to lower it. This is a reasonable price, and a number of dairy groups in New York State have strongly urged that we return to this price, rather than lower prices all the way to $3.11. The Secretary has not been listening. Right now it looks as if very little can be done about a compromise support price, which I agree would be much better than the 75-percent figure arbitrarily selected by the Secretary.

I want to make it clear today that dairy farmers have not been overzealous and demanding in their dealings with the Government. Up until very recently, dairy products and sales were kept in a general state of equilibrium and relatively little money was spent by the Government in purchasing dairy products.

I wish to give at this time what seem to me to be some very significant figures. Dairy production represents approximately 40 percent of the total value of farm production in the United States. In fiscal 1961, 7.1 percent of the Government's agricultural budget was spent on dairy products. By way of contrast, 33.7 percent was spent on corn and corn meal which represents only 13 percent of the value of farm production; 36.2 percent of the Federal money spent on agriculture was spent on wheat which represents 17.1 percent of the value of farm production.

Overall, dairy products have been marketed on an orderly regional basis. I can only express the hope that the Congress in its wisdom will develop an alternative to the Freeman dairy program which will give a fairer break to farmers and to consumers, rather than wielding a meat ax approach to force dairy farmers to sell their souls to Uncle Sam by means of national production controls.

The proposed reduction to $3.11 hundredweight is now scheduled to take place on April 1. If it does, April 1 will not simply be April Fool's Day for dairy farmers. It will be the day the guillotine falls.

USE OF CERTAIN HAWAIIAN ISLANDS FOR TRAINING PEACE CORPS

Mr. FONG. Mr. President, I present a concurrent resolution of the First Legislature of the State of Hawaii requesting the Peace Corps to utilize the islands of Maui, Hawaii, and Kauai as staging areas for training and orientation programs.

I ask unanimous consent that the concurrent resolution be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

SENATE CONCURRENT RESOLUTION 16

Concurrent resolution requesting the Peace Corps to utilize Hawaii in its training program

"Whereas the Peace Corps offers an unparalleled opportunity for individual citizens to work directly with people of other countries to provide economic, social, or educational assistance and to further the cause of peace through personal relationships and the development of mutual understanding; and

"Whereas the State of Hawaii, by reason of its geographic features, economic and cultural assets and even more particularly through its harmony of mutual understanding demonstrated by people can offer unique contributions to the efforts of the Peace Corps; and

"Whereas the neighbor islands have special advantages to offer to a training and orientation program for Peace Corps volunteers; Now, therefore, be it

"*Resolved by the senate of the first State legislature, budget session of 1962 (the house of representatives concurring)*, That the Peace Corps be and it hereby is requested to utilize the islands of Maui, Hawaii, and Kauai as staging areas for its training and orientation programs for Peace Corps volunteers; and be it further

"*Resolved*, That certified copies of this concurrent resolution be transmitted to the Director of the Peace Corps and to members of the Hawaii congressional delegation."

THE SENATE OF THE STATE OF HAWAII,
March 19, 1962.

We hereby certify that the foregoing concurrent resolution was adopted by the Senate of the First Legislature of the State of Hawaii in the budget session of 1962, on March 14, 1962.

WILLIAM H. HILL,
President of the Senate.
WILLIAM H. YIM,
Assistant Clerk of the Senate.

THE HOUSE OF REPRESENTATIVES
OF THE STATE OF HAWAII,
March 19, 1962.

We hereby certify that the foregoing concurrent resolution was adopted by the House of Representatives of the First Legislature of the State of Hawaii in the budget session of 1962, on March 16, 1962.

ELMER F. CRAVALHO,
Speaker, House of Representatives.
HERMAN T. F. LUM,
Clerk, House of Representatives.

Mr. STENNIS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. STENNIS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE ALEXANDER HAMILTON NATIONAL MONUMENT — AMENDMENT TO THE CONSTITUTION DEALING WITH POLL TAXES

The Senate resumed the consideration of the motion of the Senator from Montana [Mr. MANSFIELD] to proceed to the consideration of the joint resolution (S.J. Res. 29) providing for the establishing of the former dwelling house of Alexander Hamilton as a national monument.

Mr. ERVIN. Mr. President, I shall not discuss at any great length the proposal to abolish the poll tax as a prerequisite to voting in Federal elections. My comments on the joint resolution will be few. In view of the fact that only 5 of the 50 States of the Union have a poll tax as a prerequisite for voting, I am constrained to say that in my judgment a great deal of time is being spent on an exceedingly small matter.

I am reminded of the time that some of my friends in my home county of Burke in the State of North Carolina went fox hunting. About 15 or 20 of them gathered together on the occasion with all their fox hounds and embarked on a fox hunt. The dogs struck a trail and followed the trail over virtually all the county. At long last the fox hounds managed to run down a scrawny and mangy little fox, and one of the fox hunters remarked that it was the longest chase for the poorest hide that he had ever seen.

There are some who oppose a poll tax as a prerequisite for voting because they think that laws imposing such a poll tax disenfranchise someone.

That argument reminds me of an occasion when I was privileged to hold court in Clay County, N.C., in my then capacity as a superior court judge. I often think of that case because the prosecuting attorney, who bore the title of solicitor in our legal usage, was John Queen. He was one of the most unusual characters I have ever known. John had a boy about 19 or 20 years old indicted for disturbing religious worship. It turned out that the religious body whose worship was allegedly disturbed was composed of members of a sect which we call the Holy Rollers. Several members of the congregation who were attending the service under a tent testified for the State to the effect that the boy had come into the meeting and had danced and shouted. After introducing evidence to that effect, John Queen rested the State's case. I asked the boy, who had no attorney, if he desired to testify. He informed me that he did. Thereupon the clerk administered to him the oath of a witness, and the boy took the witness stand.

He testified that he did not disturb that meeting; that the meeting disturbed itself. He said he was walking along the road about three-quarters of a mile away and he heard a great deal of shouting and hollering going on down at that tent. He said, "I'm a person of a great deal of curiosity. So I went down there to the tent to see what was going on. Some of the Holy Rollers were rolling over and over, and the rest of them were dancing and shouting. I joined the crowd that was dancing and shouting. I didn't disturb that meeting. The meeting disturbed itself."

The statutes which impose the poll tax as a prerequisite for voting do not

disfranchise anyone. The people who refuse to pay their poll tax disfranchise themselves. They are like the Holy Rollers; they bring the trouble on themselves.

I have found myself totally incapable of shedding any crocodile or political tears over the loss to the country of the votes of people who do not care enough about voting to pay $2 or $2.50 or $3 a year to the support of the Government which educates their children, which gives them highways to ride over, and which secures to them such valuable things as due process of law.

I venture the suggestion that none of these people fail to pay the poll tax because of their poverty. I assert that in all human probability, if we were to go to the homes of any of these people we would find the automobiles sitting in their yards and a television aerial sticking out of the top of their houses.

My State abolished the poll tax as a prerequisite to voting 40 years ago. I must confess that I would be somewhat gratified if the five States which still retain a poll tax as a prerequisite to the right to vote would abolish the tax as far as it relates to the exercise of the franchise. Such action by these States would eliminate a pretext, which is seized upon to make a whipping boy out of these five Southern States, by those persons and organizations who find it emotionally enjoyable or financially profitable or politically advantageous to berate the South or any part of the South.

Mr. ROBERTSON. Mr. President, will the Senator yield for a question?

Mr. ERVIN. I am glad to yield to the able and distinguished junior Senator from Virginia for a question.

Mr. ROBERTSON. Is it not a fact that the issue presented to us is far larger than merely the poll tax in five States? Does it not go to the right that John Steele, the great statesman of the State of North Carolina, in addressing the ratifying convention in North Carolina referred to when he said, "You have the right to fix the qualifications of the voters in your State"?

Mr. ERVIN. The Senator from Virginia is certainly correct in his position. As a matter of fact, while I wish that the five States would abolish the poll tax, in order to put an end to the use of it for the purpose of raising a hue and cry by the groups I have mentioned, I expect to vote against the resolution, because I believe the power to prescribe the qualifications for voters was correctly reposed in the States at the time the great Virginian, George Washington, was inaugurated as President of the United States. It has resided there ever since, and, in my judgment, it is one of the checks and balances put in the Constitution by the Founding Fathers to make certain that the Republic would endure.

Mr. ROBERTSON. Mr. President, is it not also true that Congress has always recognized that fact, not only when it proposed the 17th amendment, which reaffirmed what was in section 2 of article I of the Constitution, but also when it proposed the amendment which provided that the vote shall not be denied to a man because of his race, color, or previous condition of servitude, or when it adopted the proposed amendment to provide that no person shall be denied the right to vote because of sex; and in that way did they not recognize the fact that the States have the right to fix the qualifications unless the Constitution is changed?

Mr. ERVIN. As the Senator from Virginia has so well pointed out, when the Congress and the States adopted the 15th and 19th amendments, they recognized that the Constitution of the United States vested in the States the power to prescribe the qualifications of voters for Senators and Representatives, and that that power could not be taken away from the States except through the process of a constitutional amendment.

Mr. ROBERTSON. Did the distinguished Senator from North Carolina read in the press this morning that certain leftwing groups, such as the Americans for Democratic Action and the NAACP, and so forth, are opposed to the Holland constitutional amendment because it is too slow and cumbersome, and that they want congressional action, constitutional or unconstitutional?

Mr. ERVIN. Unfortunately I did not have an opportunity to read the newspaper this morning. I do know that there are in this country certain intemperate and impatient organizations and, I might add, individuals who are not willing to allow any problem to remain unsolved before another setting of the sun; consequently, they demand that the problem be solved even if it must be solved in violation of the clearest provisions of the Constitution.

Mr. ROBERTSON. Are these leftwing organizations which are urging the taking off of restrictions so far as voting is concerned the same organizations that used to be known as tax-and-tax-and-spend-and-spend organizations?

Mr. ERVIN. The Senator has named one organization whose fulminations I do not read with great care. But, I have read some things which have intimated that it adheres to the economic theory that the more a person spends of what he hasn't got the richer he will be.

Mr. ROBERTSON. That is the point I am asking the Senator about. Is it not true that the Founding Fathers thought that the right of suffrage should be limited to those who had some stake in the spending of the money, and therefore all of the 13 States but one had some kind of property qualification for voting?

Mr. ERVIN. The Senator is certainly stating a historic fact.

Mr. ROBERTSON. Is it not true that now the whole trend is to take away qualifications, to take away property qualifications, even if it is only $1.50, and to take away intelligence tests, and to let everyone vote? Does that not lead to a freewheeling spending program which will carry us, in the end, to bankruptcy?

Mr. ERVIN. Unless a halt is called to it.

Mr. ROBERTSON. Well, they will beat all the conservatives they can if they get enough voters qualified in this way. Anyone who wants to vote against spending is called a reactionary; is not that the attitude?

Mr. ERVIN. As I stated to the Senator a while ago, I do not know much about their attitude except as it is expressed in a few statements which have been issued and which I have read. They certainly do assert the economic theory that the more we spend of what we do not have, the richer we shall be; and the more money we shall have to appropriate.

I remember saying that all of them advocate what some people call the modern economic theory. But it is not a modern economic theory. They advocate the expenditure of everything we have, and of putting a mortgage on all our future; and then they want to leave a large debt for unborn generations of American taxpayers to pay.

They remind me of the time in the British Parliament, about 50 or 60 years ago, when a member proposed a big bond issue under a bill which provided that no repayment of principal would be made for 50 years. Another member, having sound judgment on such matters, like the junior Senator from Virginia [Mr. ROBERTSON], rose and said the bill was not fair to posterity. Still another member of Parliament rose and said, "Posterity has never done anything for me, so I do not propose to do anything for posterity. Furthermore, posterity cannot vote in the next election. [Laughter.]

So I should say that the group of whom the Senator is speaking, who advocate vast expenditures, not only are opposed to the conservatives, but seem not to have any love for posterity.

Mr. ROBERTSON. Mr. President, if under the rules I were permitted to do so, I would commend the answer given to me by the distinguished Senator from North Carolina.

Mr. ERVIN. Mr. President, I wish to address my remarks principally to three bills, which are designated respectively as S. 480, S. 2750, and S. 2979. These bills undertake to do two things: First, they undertake to abolish or nullify the statutes of about 21 States which prescribe literacy tests; second, they propose to substitute for the abolished or nullified statutes a Federal standard or a Federal literacy test.

I wish to say something rather drastic about these bills, but I want to do so in the gentlest and sweetest fashion possible. The bills contain many remarkable provisions. The most remarkable thing about them, however, is this: They offer the Senate the very finest opportunity it has ever had to act in an exceedingly foolish manner. Let me explain why I make this drastic assertion as gently and as sweetly as possible.

When one reads the statutes of the 21 States which have established literacy tests, in the light of the Constitution and of the decisions of the Supreme Court of the United States construing the Constitution on this point, it is as clear as the noonday sun that all of the statutes establishing the literacy tests

conform strictly to section 2 of article I of the 17th amendment. These constitutional provisions declare in as simple words as can be found in the English language that the only persons eligible to vote for Senators and Representatives are those persons in a State who have the qualifications requisite for voting for the electors of the most numerous branch of the State legislature.

These three bills undertake to nullify the statutes of the 21 States which prescribe literacy tests, and they seek to do it on a peculiar ground. They say that those statutes are arbitrary, unreasonable, and unconstitutional, even though the statutes comply strictly with the Constitution. That being true, these bills assert, in the final analysis, something which has never before been asserted, so far as I know, in any bill presented to Congress; namely, that the Constitution is unconstitutional.

Mr. President, in order that Members of the Senate may have an opportunity to examine the bills, I ask unanimous consent that the text of S. 480, S. 2750, and S. 2979 be printed at this point in the RECORD.

There being no objection, the bills were ordered to be printed in the RECORD, as follows:

S. 480

A bill to prohibit the application of unreasonable literacy requirements with respect to the right to vote

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Congress finds that the right to vote is fundamental to free, democratic government and that it continues to be the responsibility of all Federal Government to secure and protect this right against all unreasonable and arbitrary restrictions.

(b) The Congress further finds that the right to vote of many persons has been subjected to arbitrary and unreasonable restrictions on account of race or color; that tests of literacy have been used extensively as a device for arbitrarily and unreasonably denying the right to vote to otherwise qualified persons on account of race or color; and that laws presently in effect are inadequate to assure that all qualified persons shall enjoy this essential right without discrimination on account of race or color.

(c) The Congress further finds that illiteracy is rapidly disappearing in the United States; that the quality of elementary education furnished by the Nation's schools is of high caliber; that persons completing six grades of education in a State-accredited school can reasonably be expected to be literate; that a literate electorate can be assured by affording the right to vote to any otherwise qualified person who has completed six grades of education; and that any test of literacy that denies the right to vote to any person who has completed six grades of education is arbitrary and unreasonable.

(d) The Congress, therefore, further finds and declares that the enactment of this Act is necessary to make effective the guarantees of the Constitution, particularly those contained in the fourteenth and fifteenth amendments, by eliminating or preventing arbitrary and unreasonable restrictions on the franchise which occur through the denial of the right to vote to persons with at least six grades of education and which exist in order to effectuate denials of the right to vote on account of race or color.

SEC. 2. Subsection (a) of section 2004 of the Revised Statutes (42 U.S.C. 1971), as amended, is further amended to read as follows:

"All citizens of the United States who are otherwise qualified by law to vote at any election by the people in any State, territory, district, county, city, parish, township, school district, municipality, or other territorial subdivision, shall be entitled and allowed to vote at all such elections, without distinction of race, color, or previous condition of servitude, and without subjection to any arbitrary or unreasonable test, standard, or practice with respect to literacy; any constitution, law, custom, usage, or regulation of any State or territory, or by or under its authority, to the contrary notwithstanding. 'Arbitrary or unreasonable test, standard, or practice with respect to literacy' shall mean any requirement designed to determine literacy, comprehension, intelligence, or other test of education, knowledge, or understanding, in the case of any citizen who has not been adjudged an incompetent who has completed the sixth primary grade in a school accredited by any State or by the District of Columbia."

S. 2750

A bill to protect the right to vote in Federal elections free from arbitrary discrimination by literacy tests or other means

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) Congress finds that it is essential to our form of government that all qualified citizens have the opportunity to participate in the choice of elected officials.

(b) Congress further finds that the right to vote in Federal elections should be maintained free from discrimination and other corrupt influence.

(c) Congress further finds that many persons have been subjected to arbitrary and unreasonable voting restrictions on account of their race or color; that literacy tests and other performance examinations have been used extensively to effect arbitrary and unreasonable denials of the right to vote; and that existing statutes are inadequate to assure that all qualified persons shall enjoy the right to vote.

(d) Congress further finds that education in the United States is such that persons who have completed six primary grades in a public school or accredited private school cannot reasonably be denied the franchise on grounds of illiteracy or lack of sufficient education or intelligence to exercise the prerogatives of citizenship.

(e) Congress further finds that large numbers of American citizens who are also citizens of the several States are deprived of the right to vote by virtue of their birth and education in a part of the United States in which the Spanish language is commonly used; that these citizens are well qualified to exercise the franchise; that such information as is necessary for the intelligent exercise of the franchise is available through Spanish-language news sources; that lack of proficiency in the English language provides no reasonable basis for excluding these citizens from participating in the democratic process.

(f) Under article I, section 4 of the Constitution; section 5 of the fourteenth amendment, and section 2 of the fifteenth amendment; and its power to protect the integrity of the Federal electoral process, Congress has the duty to provide against the abuses which presently exist.

SEC. 2. Subsection (b) of section 2004 of the Revised Statutes (42 U.S.C. 1971) is amended to read as follows:

"(b) No person, whether acting under color of law or otherwise, shall intimidate, threaten, coerce, or attempt to intimidate, threaten, or coerce any other person for the purpose of interfering with the right of such person to vote or to vote as he may choose in any Federal election, or subject or attempt to subject any other person to the deprivation of the right to vote in any Federal election. 'Deprivation of the right to vote' shall include but shall not be limited to (1) the application to any person of standards or procedures more stringent than are applied to others similarly situated and (2) the denial to any person otherwise qualified by law of the right to vote on account of his performance in any examination, whether for literacy or otherwise, if such other person has not been adjudged incompetent and has completed the sixth primary grade of any public school or accredited private school in any State or territory, the District of Columbia, or the Commonwealth of Puerto Rico.

"'Federal election' means any general, special, or primary election held solely or in part for the purpose of electing or selecting any candidate for the office of President, Vice President, presidential elector, Member of the Senate, or Member of the House of Representatives, Delegate, or Commissioner from the territories or possessions."

SEC. 3. If any part or provision of this Act is held invalid, all other parts or provisions shall remain in effect. If a part or provision of this Act is held invalid in one or more of its applications, the part or provision shall remain in effect in all other applications.

S. 2979

A bill to further secure and protect the rights of citizens to vote in Federal and State elections

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Federal Voting Rights Act of 1962".

VOTER QUALIFICATIONS

SEC. 2. (a) The Congress hereby finds—

(1) that qualifications prescribed by State laws for voting, or registering to vote, in Federal and State elections, other than qualifications based upon age, residence, freedom from confinement, and freedom from conviction of a crime, are susceptible of use, and have been used, to deny citizens the right to vote, because of their race or color; and

(2) that the enactment of this section by the Congress is necessary and proper to carry out the powers conferred upon it by section 5 of the fourteenth amendment and by section 2 of the fifteenth amendment to the Constitution of the United States.

(b) Except as provided in section 3 of this Act, the right of citizens of the United States to vote, to register or otherwise qualify to vote, and to have their vote counted in any general, special, or primary election held solely or in part for the purpose of selecting or electing any candidate for the office of President, Vice President, or presidential elector, for the office of Member of the Senate of the United States or Member of, or Resident Commissioner in, the House of Representatives of the United States, or for any office established by or under the constitution or laws of any State shall not be denied, abridged, or interfered with by the United States or by any State for any cause except for the following reasons, uniformly applied within the State and its political subdivisions to all persons:

(1) inability to meet reasonable age requirements;

(2) inability to meet reasonable requirements as to length of residence within the State and its political subdivisions;

(3) legal confinement at the time of the election or registration; and

(4) conviction of a felony.

LITERACY TESTS

SEC. 3. In any case in which, under the laws of any State, any literacy test or any other test designed to assure a person's ability to read and understand is administered in order to determine whether a person is qualified to vote, or to register to vote, in any general, special, or primary election held solely or in part for the purpose of selecting or electing any candidate for the office of President, Vice President, or presidential elector, for the office of Member of the Senate of the United States or Member of, or Resident Commissioner in, the House of Representatives of the United States, or for any office established by or under the constitution or laws of such State, the successful completion of six or more grades of formal education by such person shall satisfy all the requirements of any such test.

DEPRIVATION OF RIGHT TO VOTE THROUGH ARBITRARY ACTION OR INACTION

SEC. 4. Subsection (b) of section 2004 of the Revised Statutes, as amended (42 U.S.C. 1971), is amended by adding at the end thereof the following new sentence: "No person, whether acting under color of law or otherwise, shall by arbitrary action, or by arbitrary inaction, deny, abridge, or interfere with, or threaten to deny, abridge, or interfere with, the right of any other person to vote, or to register to vote, and to have his vote counted for any candidate for any office enumerated in the preceding sentence at any general, special, or primary election held solely or in part for the purpose of selecting or electing any such candidate."

COMPILATION OF REGISTRATION AND VOTING STATISTICS

SEC. 5. (a) The Director of the Census shall, as soon as possible after the enactment of this Act, compile comprehensive information and statistics relating to the registration of voters in each State and the number of registered voters in each State who vote in elections held in such State. Such statistics shall include—

(1) the number of persons of voting age in each State, classified by race, color, and national origin, who are registered to vote; and

(2) insofar as it is possible to ascertain, the number of persons of each such classification who have voted in any election since January 1, 1960.

(b) Commencing with the next decennial census after the enactment of this Act, the information and statistics referred to in subsection (a) shall be compiled as a part of each decennial census.

Mr. ERVIN. Mr. President, I ask unanimous consent that analyses of the bills, prepared by the Legislative Reference Service of the Library of Congress, be printed at this point in the RECORD.

There being no objection, the analyses were ordered to be printed in the RECORD, as follows:

THE LIBRARY OF CONGRESS,
LEGISLATIVE REFERENCE SERVICE,
Washington, D.C., March 7, 1962.

To: Senate Constitutional Rights Subcommittee, Senate Judiciary Committee.
Attention: Miss Simmons.
From: American Law Division.
Subject: Analysis of S. 480 and S. 2750, 87th Congress—Literacy Tests in Voting.

Reference is made to your request for an analysis of S. 480, introduced by Senator JAVITS and others, and S. 2750, introduced by Senators MANSFIELD and DIRKSEN. Both bills relate, generally, to prohibiting unreasonable literacy tests as requirements with respect to the right to vote.

The following paragraphs will describe the provisions of the bills under various subject headings:

PREAMBLE—FINDINGS OF CONGRESS

Right to vote

S. 480(a) states that the right to vote is fundamental in a system of free government.

S. 2750(a) states that it is essential to our form of government that all qualified citizens have the opportunity to vote.

Protection against discrimination

S. 480(a) states that it "continues to be" the responsibility of the Federal Government to protect the right to vote against unreasonable restrictions.

S. 2750(b) states that the right to vote in Federal elections should be maintained free from discrimination.

Discrimination on account of race or color—Literacy test

S. 480(b) states that the right to vote of many persons has been subjected to arbitrary and unreasonable restrictions on account of race or color; that literacy tests have been used extensively for denying the right to vote to otherwise qualified persons on account of race or color; and that present laws are inadequate to assure the right to vote to qualified persons.

S. 2750(c) substantially similar to paragraph (b) of S. 480, but with the phraseology, "literacy tests and other performance examinations."

Literacy standard—Completion of six grades of school

S. 480(c) states that the caliber of the Nation's schools is such that persons completing six grades of education in a State-accredited school can reasonably be expected to be literate, and that any test of literacy that denies the right to vote to any person who has completed six grades of education is arbitrary and unreasonable.

S. 2750(d) substantially similar—a person who has completed six grades of a public or accredited private school cannot reasonably be denied the franchise on grounds of illiteracy.

Spanish language citizens

S. 480 no provision.

S. 2750(e) states that U.S. citizens with Spanish language education are deprived of the right to vote in the States; that they are well qualified to vote; that information to assist them in the intelligent exercise of the franchise is readily available; and that lack of proficiency in the English language provides no reasonable basis for excluding these citizens from voting.

Necessity for legislation

S. 480(d) states that legislation is necessary to make effective the guarantees contained in the 14th and 15th amendments by eliminating unreasonable restrictions on the right to vote, which occurs through denial of the right to persons with at least six grades of education and which exist in order to effectuate denials of the right to vote on account of race or color.

S. 2750(f) states that under (1) article I, section 4, of the Constitution ("the times, places, and manner of holding elections for Senators and Representatives, shall be prescribed in each State by the legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators"), (2) section 5 of the 14th amendment (the enforcement section), (3) section 2 of the 15th amendment (the enforcement section), and (4) its powers to protect the integrity of the Federal electoral process, Congress has the duty to provide against the abuses which presently exist.

SUBSTANTIVE PROVISIONS

Existing law to be amended

S. 480 (sec. 2) amends title 42, section 1971(a), United States Code, by enlarging the scope of the section. The existing section 1971(a) was derived from the Enforcement Act of May 31, 1870 (16 Stat. 140), was first codified as Revised Statute 2004(a), and was then codified in its existing form. It was left unchanged by the Civil Rights Acts of 1957 and 1960 (71 Stat. 637, and 74 Stat. 90, respectively). It declares that all citizens of the United States who are otherwise qualified by law to vote at any election, shall be entitled to vote "without distinction of race, color, or previous condition of servitude; any constitution, law, custom, usage, or regulation of any State or territory, or by or under its authority, to the contrary notwithstanding." It is the statutory form of the 15th amendment (*Neal* v. *Delaware*, 103 U.S. 370 (1880); *U.S.* v. *Raines*, 362 U.S. 17 (1960)).

S. 2750 (sec. 2) amends title 42, section 1971(b), United States Code, by enlarging the scope of the subsection. Existing section 1971(b), is entitled, "Intimidation, threats, coercion," and declares that no person, whether acting under color of law or otherwise, shall intimidate, threaten, coerce, or attempt to intimidate, threaten or coerce, any person for the purpose of interfering with the right to vote in any Federal election including primaries. It was enacted into law by the Civil Rights Act of 1957, and rests upon the authority of *U.S.* v *Classic*, 313 U.S. 299 (1941) as well as article I, section 4 (see *U.S.* v. *McElveen*, (D.C. La.) 177 F. Supp. 355 (1959)). As set forth in House Report 291, 85th Congress, 1st session, "The doctrine in that case (i.e., *U.S.* v. *Classic*) establishes the authority in Congress to legislate concerning any and all elections affecting Federal offices, whether general, special, or primary * * *" and, "Insofar as the right of Congress to protect voters in elections for Federal offices from interference by action of private individuals, as distinguished from official action under the color of law, is concerned, again the ruling in the case of *U.S.* v. *Classic*, *supra*, is controlling. Under that ruling the right to choose—"is a right secured by the Constitution * * * and since the constitutional command is without restriction or limitation, the right, unlike those guaranteed by the 14th and 15th amendments, is secured against the action of individuals as well as of States, supra."

Thus, the existing subsection (b) of section 1971, title 42, United States Code, is declared to rest upon article I, section 4, of the Constitution, and the power of Congress to protect the integrity of the electoral process (*U.S.* v. *Classic*, *supra*).

Neither 1971 (a) nor (b) expressly provides any legal remedy; they merely declare a right. Their enforcement depends upon other sections in the Code: criminal provisions (18 U.S.C. 241, 242); civil actions by private persons (42 U.S.C. 1983), and civil actions by the Attorney General (42 U.S.C. 1971(c)).

Amendments sought to be effected

S. 480 rewrites 42 U.S.C. 1971(a), by providing that all citizens shall be entitled to vote in any election, without distinction of race, color, or previous condition of servitude, and without subjection to any arbitrary or unreasonable test, standard or practice with respect to literacy; any constitution, law, etc., of any State to the contrary notwithstanding.

"Arbitrary or unreasonable test, standard, or practice with respect to literacy," is defined to mean any requirement designed to determine literacy, comprehension, intelligence, or other test of education, knowledge, or understanding, in the case of any citizen who has not been adjudged an incompetent who has completed the six primary grades in a school accredited by any State or by the District of Columbia.

This amendment presumably would rest upon the 15th amendment and the equal protection clause of the 14th amendment.

It would establish a maximum literacy requirement in all States that impose such tests (some 19), of 6 years of school. Anything over that would constitute an arbitrary or unreasonable test, and would contravene the bill.

It would apply to all elections. It would apply to persons who complete the sixth grade of an accredited school only in any State or the District of Columbia. To all intents and purposes it would not thus be applicable to Spanish-language citizens.

Since the bill, however, refers to "accredited school," it presumably includes those private as well as public schools which meet its standard.

By including within the term "unreasonable test," any requirement designed to determine literacy, comprehension, intelligence, and so forth, it could probably be applied in such circumstances as those involving so-called blank registrations, writing from dictation, and so forth.

S. 2750 rewrites 42 U.S.C. 1971(b), by providing that no person shall coerce, and so forth, another in his attempt to vote in a Federal election, or subject or attempt to subject any other person to the deprivation of the right to vote in any Federal election.

"Deprivation of the right to vote" is defined as including, but not being limited to, (1) the application to any person of standards or procedures more stringent than are applied to others similarly situated, and (2) the denial to any person otherwise qualified by law of the right to vote on account of his performance in any examination, whether for literacy or otherwise, if such person has not been adjudged incompetent and has completed the sixth primary grade of any public school or accredited private school in any State or territory, the District of Columbia, or the Commonwealth of Puerto Rico.

Federal election includes primaries.

The bill would do two things (although it is not necessarily limited to these since the emphasis is on deprivation of the right to vote (not literacy) in any Federal election). The first is that it would prohibit as respects voting in Federal elections, all discriminatory practices whereby unequal standards are applied to persons similarly situated. The basis for this provision presumably is the equal protection clause of the 14th amendment, but only insofar as State action is concerned (see *Civil Rights Cases*, 109 U.S. 3 (1883)). The second would be the creation, as respects any Federal election, of maximum literacy requirements of the completion of 6 years of education. The basis for this provision presumably is article I, section 4 of the Constitution, and the power of Congress to protect the integrity of the Federal electoral process.

The inclusion of subprovision (1) respecting application of unequal standards, makes the bill considerably broader than S. 480, since this provision might be construed to reach such elements of the electoral process as absentee voting regulations, and so forth.

The bill would apply only to Federal, not to all elections.

It would create a maximum literacy requirement of the completion of six grades of education in any public school or accredited private school in any State or territory, the District of Columbia, or the Commonwealth of Puerto Rico. The inclusion of Puerto Rico incorporates Spanish language educated citizens within the terms of the bill, and the reference to territories, although seemingly broader in scope, probably would refer only to Spanish language educated citizens in any territories the United States might acquire. The restriction in the preamble of the findings of Congress in this respect, would probably limit the application of the bill to this class of citizens.

The bill, like S. 480, could be construed to apply to tests other than those of a strict literacy nature, such as writing from dictation. The provision, performance in any examination, whether for literacy or otherwise, would seem to be broad enough to encompass such tests.

No attempt has been made herein to deal with the constitutional questions raised by both bills.

In brief, the major differences between S. 480 and S. 2750 are:

(1) S. 480 presumably rests on the 14th and 15th amendments and applies to all elections; S. 2750, in its literacy test provision, presumably rests on article I, section 4, and *U.S.* v. *Classic*, *supra*. The bill itself relates only to Federal elections;

(2) S. 2750 includes an "unequal treatment" clause, presumably resting on the 14th amendment (as conditioned by the civil rights cases, see supra, and others), and is broader in scope, in this respect, than S. 480;

(3) S. 2750 includes Spanish-language educated citizens within the scope of its provisions. S. 480 does not.

THE LIBRARY OF CONGRESS,
LEGISLATIVE REFERENCE SERVICE,
Washington, D.C., March 12, 1962.

To: Senate Constitutional Rights Subcommittee, Senate Judiciary Committee.
From: American Law Division.
Subject: Analysis of S. 2979—A bill "To further secure and protect the rights of citizens to vote in Federal and State elections."

Reference is made to your request for an analysis of S. 2979, introduced by Senator KEATING and others. The bill relates to securing and protecting the rights of citizens to vote in Federal and State elections, and is entitled the "Federal Voting Rights Act of 1962."

The following paragraphs will describe the provisions of the bill according to its sections:

VOTER QUALIFICATIONS

Section 2(a)(1) states that Congress finds that qualifications prescribed by State laws for voting or registration in Federal and State elections, other than qualifications based on age, residence, freedom from confinement, and freedom from conviction of a crime, are susceptible of use, and have been used, to deny citizens the right to vote, because of their race or color.

Section 2(a)(2) states that Congress determines that the constitutional sources of its power to enact section 2 of the bill are section 5 of the 14th amendment (the enforcement provision—to enforce the equal protection clause in this case), and section 2 of the 15th amendment.

The section by itself does not amend nor is it related to any existing provision of Federal law.

Section 2(b) provides that the right of citizens of the United States to vote, to register or otherwise qualify to vote, and have their vote counted at any Federal or State elections (including special elections and primaries), shall not be denied, abridged, or interfered with by the United States or by any State for any cause except for the following reasons, uniformly applied within the State and its political subdivisions to all persons: (1) inability to meet reasonable age requirements; (2) inability to meet reasonable requirements as to length of residence within the State and its political subdivision; (3) legal confinement at the time of the election or registration; and (4) conviction of a felony.

Excepted from the application of this subsection are literacy tests which are the subject of section 3 of the bill.

This section presumably would eliminate such conditions among others, restricting the privilege of voting, now applied by the States as (1) poll tax and property qualifications, (2) loyalty oaths (for elections of State officials), (3) pauper and vagrancy tests, (4) rules on dishonorably discharged soldiers, (5) laws on dueling, and (6) rules on mental disability except where the person is under legal confinement.

LITERACY TESTS

Section 3 provides that where any literacy test (tests "designed to assure a person's ability to read and understand") is administered in respect to the qualification to vote, or to register to vote, in any Federal or State elections (including special elections and primaries), the "successful completion of six or more grades of formal education by such person shall satisfy all the requirements of any such test."

The section does not include a provision on a constitutional source as in the case of section 2, nor does it amend or is it related to any provision of existing law.

It does not define the term "formal education" so as to relate such education to a school system.

DEPRIVATION OF RIGHT TO VOTE THROUGH ARBITRARY ACTION OR INACTION

Section 4 amends section 131(b) of the Civil Rights Act of 1957 (42 U.S.C. 1971(b)) by adding a new sentence at the end thereof. It provides that no person acting under color of law or otherwise "shall by arbitrary action, or by arbitrary inaction" deny, abridge, or interfere with or threaten to interfere with the right to vote in Federal elections (including primaries for such elections).

Forty-second United States Code, section 1971(b), declares that no person, acting under color of law or otherwise, shall intimidate, coerce, or attempt to intimidate, threaten, or coerce, any person for the purpose of interfering with the right to vote in any Federal election including primaries.

The constitutional sources of authority for the enactment of this section of the bill are presumably the power of Congress to legislate as to the manner of holding Federal elections (art. I, sec. 4 of the Constitution), and its power to protect the integrity of the Federal electoral process (*U.S.* v. *Classic* 313 U.S. 299 (1941)). (See analysis of S. 480 and S. 2750).

None of the sections (2, 3, or 4) of the bill expressly provides any legal remedy. They are declaratory (as is 42 U.S.C. 1971(b) which sec. 4 amends) and must rely for their enforcement on other provisions of law (see analysis of S. 480 and S. 2750). Only section 4 could be enforced under 42 U.S.C. 1971(c) providing for actions by the Attorney General.

COMPILATION OF REGISTRATION AND VOTING STATISTICS

Section 5 provides that the Director of the Census shall compile comprehensive information and statistics relating to the registration of voters in each State and the number of such voters who vote in elections

held in such State. Such statistics shall include (1) number of persons of voting age in each State classified by race, color, and national origin, who are registered to vote; and (2) where possible, the number of persons of each such classification who have voted in any election since January 1, 1960.

Provides that beginning with the next decennial census after enactment of the bill, the information specified shall be compiled as a part of each decennial census.

The section does not include a reference to a constitutional source but presumably the power of Congress to enact it would rest on article I, section 2, clause 3 of the Constitution which is the decennial census requirement. Extending the scope of the census to secure information for Congress necessary for legislative action has received the implied approval of the Supreme Court (*Legal Tender* cases, 12 Wall. 457, 536 (1871)).

Mr. ERVIN. Mr. President, I ask unanimous consent that a comparison of the three bills, prepared by the staff of the Subcommittee on Constitutional Rights of the Committee on the Judiciary, be printed at this point in the RECORD.

There being no objection, the comparison was ordered to be printed in the RECORD, as follows:

Comparison of voter qualification bills now pending before the Constitutional Rights Subcommittee

S. 2750 (MANSFIELD and DIRKSEN) (Federal elections)	S. 480 (JAVITS et al.) (Federal and State elections)	S. 2979 (KEATING et al.) (Federal and State elections)
FINDINGS	FINDINGS	FINDINGS
(a) Essential to our form of government that all qualified citizens have opportunity to participate in choice of elected officials. (b) Right to vote in Federal elections should be kept free from discrimination and other corrupt influence. (c) Many persons have been subjected to arbitrary and unreasonable voting restrictions on account of race or color. Literacy tests and "other performance examinations" have been used extensively to effect arbitrary and unreasonable denial of right to vote. Existing statutes are inadequate to assure all qualified persons have right to vote. (d) Education in United States is such that persons who have completed 6 primary grades in public or accredited private school cannot reasonably be denied franchise on grounds of illiteracy or lack of sufficient education or intelligence to exercise prerogatives of citizenship. (e) Large numbers of American citizens also State citizens are deprived of right to vote because of birth and education in part of United States where Spanish is commonly used: these citizens are qualified to exercise franchise: information necessary for intelligent exercise of franchise available through Spanish-language news sources. Lack of proficiency in Spanish provides no reasonable basis for excluding these citizens from participating in democratic processes. (f) Authority: Art. 1, sec. 4, of the Constitution; sec. 5, 14th amendment; sec. 2, 15th amendment.	(a) Right to vote is fundamental to free government. It continues to be responsibility of Federal Government to protect this right against unreasonable, arbitrary restrictions. (b) Right to vote of many persons has been subjected to arbitrary, unreasonable restrictions on account of race or color. "Literacy tests" have been used as device to arbitrarily deny right to vote to otherwise qualified persons. Laws now in effect inadequate to assure right without discrimination on race or color. (c) Illiteracy rapidly disappearing: Quality of elementary education of high caliber: persons completing 6 grades in State-accredited school can reasonably be expected to be literate. Literate electorate can be assured by affording right to vote to any otherwise qualified person who has completed 6 grades. Any literacy test that denied right to vote to one who has completed 6 grades is arbitrary and unreasonable. (No provision for foreign-language citizens.) (d) Authority: Act necessary "to make effect the guarantees of the Constitution, particularly those in 14th and 15th amendments."	Qualifications prescribed by State laws for voting or registering to vote, in Federal and State elections, other than qualifications based upon age, residence, freedom from confinement, and freedom from conviction of a crime, are susceptible of use, and have been used to deny citizens the right to vote, because of their race or color. (No provision for foreign language groups.) Authority: Sec. 5, 14th amendment; sec. 2, 15th amendment.
VOTER QUALIFICATION OTHER THAN LITERACY	VOTER QUALIFICATION OTHER THAN LITERACY	VOTER QUALIFICATION OTHER THAN LITERACY
No provision for.	No provision for.	Except as provided in sec. 3 (relating to literacy tests), the right of U.S. citizens to vote, register, or otherwise qualify to vote and have their vote counted in any general, special, or primary election to select candidates for Federal and State office, shall not be denied, abridged, or interfered with by United States or any State for any cause except inability to meet reasonable requirements relating to age, length of residence within State and its political subdivisions; legal confinement at time of election or registration; and conviction of felony.
		DEPRIVATION OF RIGHT TO VOTE THROUGH ARBITRARY ACTION OR INACTION
Amends 42 U.S.C. 1971(b) which was enacted by the 1957 Civil Rights Act, and which now defines the right to vote free of intimidation, threats, or coercion, in "any general, special, or primary election for President, Vice President, Presidential electors, and Members of Congress and other national officers." The bill substitutes for the quoted terms, the phrase "Federal elections." It broadens the scope of action prohibited by this section to include "deprivation of the right to vote." Since the section is enforced by civil actions for damages and other relief by private individuals, and by the Attorney General in civil actions for injunctions and other preventive relief, the bill, by defining the "deprivation of the right to vote," adds 2 new grounds for such actions (1) application to any person of "standards or procedures" more stringent than are applied to others similarly situated. (2) the denial to any person otherwise qualified by law of the right to vote on account of his performance in "any examination whether for literacy or otherwise," if he has completed the 6th primary grade of any public school or accredited private school in any State or territory, the District of Columbia, or Puerto Rico.	Amends 42 U.S.C. 1971(a) which defines the right to vote in any election free of discrimination on grounds of race, color, or previous condition of servitude, to include the right to vote without subjection to "any arbitrary or unreasonable 'test, standard, or practice' with respect to literacy." Defines "test, standard, or practice" to mean "any requirement designed to determine literacy, comprehension, intelligence, or other test of education or knowledge, or understanding," in the case of any citizen who has not been adjudged an incompetent who has completed the 6th primary grade in a school accredited by any State or by the District of Columbia. Since this section may also be enforced in civil actions by individuals under 42 U.S.C. 1983 and by the Attorney General under sec. (c) of the statute (the 1957 act), the bill thus adds a new basis for such court actions, the denial of the right to vote in Federal and State elections to any person who has completed the 6th grade and has not been found incompetent.	Amends 42 U.S.C. 1971(b) relating to Federal elections, to provide that no person shall by arbitrary action or inaction deny, abridge, or interfere with right of any person to vote or to register to vote or to have his vote counted in such election. The section apparently provides new "due process" grounds for private and U.S. civil actions in Federal elections in accordance with standards set in other portions of the bill relating to voter qualifications and literacy tests.
		LITERACY TESTS
		Sec. 3 provides that in any case in which, under the laws of any State, "any literacy test or any other test" designed to assure a person's ability to read and understand is administered in order to determine whether a person is qualified to vote, or to register to vote, in any "Federal or State elections" including primaries, the successful completion of 6 or more grades of formal education by such person shall satisfy all the requirements of any such test.
REGISTRATION AND VOTING STATISTICS	REGISTRATION AND VOTING STATISTICS	REGISTRATION AND VOTING STATISTICS
No provision.	No provision.	Provides that the Director of the Bureau of the Census shall compile information and statistics relating to registration of voters in the States and the number who vote in elections in States. Information to include (1) number of registered persons of voting age, classified by race, color, and national origin; (2) number who have voted in elections since January 1960.

Mr. ERVIN. Mr. President, if I had not spent the major portion of my life practicing law, or observing, in the capacity of a judge, other lawyers in the practice of law, I would be at a total loss to comprehend how any intelligent and informed person could reach the conclusion that any one of the bills I have cited is constitutional. But having had this experience with lawyers, I am able to understand why some of them will assert in good faith that these measures are constitutional. Sometimes lawyers do what can most aptly be called the Intellectual Twist. A lawyer indulges in the Intellectual Twist when he tries to assign to simple words a meaning other than the clear, the plain, and the obvious meaning of those words.

Mr. President, when a lawyer indulges in such an Intellectual Twist, and attempts to assign to simple words a meaning wholly incompatible with those simple words, he engages in the art of complicating simplicity. Anyone who engages in the art of complicating simplicity gets himself into such a state of mental confusion that he cannot understand the simplest or clearest things. For example, he cannot accept the conclusion that when the authors of the Constitution wrote it, they intended the words they used to mean exactly what those words say.

Mr. President, there may be another group who say they think these measures would be held constitutional if they were enacted into law; and I would suggest that the only basis upon which they could reach that conclusion is that they have decided that the Supreme Court of the United States has lost all of its intellectual integrity and all of its judicial stability.

Mr. President, I assert that these measures ought not be approved by the Senate—for two reasons. Those reasons are as follows:

First, these measures are totally unnecessary for the accomplishment of the purpose which those who propose them profess to have in view.

Second, these measures are unconstitutional on at least five grounds. Let me enumerate those five grounds:

First, these measures undertake to have Congress prescribe the qualifications for voters in congressional elections, in violation of section 2 of article I of the Constitution and in violation of the 17th amendment to the Constitution, which declare in clear, plain, and simple words that the only persons eligible to vote for Senators and Representatives in the National Congress are those in each State who possess "the Qualifications requisite for Electors of the most numerous Branch of the State Legislature."

Second, these measures undertake to have Congress direct that presidential and vice-presidential electors shall be appointed by citizens who have "completed the sixth primary grade in a school" in any State or in the District of Columbia or in Puerto Rico, in violation of clause 2 of section 1 of article II, which states in clear, plain, and simple words that "Each State shall appoint" such electors "in such Manner as the Legislature thereof may direct."

Third, these measures undertake to have the Congress legislate affirmatively upon subjects which are within the domain of State legislation, under section 2 of article I, section 1 of article II, and the 17th amendment to the Constitution; and thus these measures exceed the power of Congress to enforce the provisions of the 14th, 15th, and 19th amendments by appropriate legislation.

Fourth, these measures undertake to vest in Congress a portion of the judicial power of the United States, and thus they violate section 1 of article III of the Constitution, which stipulates as follows:

> The judicial Power of the United States, shall be vested in one Supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish.

Fifth, these measures undertake to legislate the truth of facts, and thus forbid the exercise of an indestructible judicial function, in violation of the due process clause of the fifth amendment to the Constitution.

Mr. President, at a later stage in my presentation I shall return to a discussion of my contention that these measures are unconstitutional in each of the five ways I have just now stated, and I shall point out in some detail the reasons for my position.

At the present time I wish to deal with my assertion that these bills are wholly unnecessary. Each of these bills contains certain preambles and whereases. Whenever a bill contains preambles and whereases a legislator acts wisely when he scrutinizes it very carefully. This is true because preambles and whereases are used as camouflage, in the hope that they will prevent the legislator from discovering the iniquitous provisions which are in the bill itself.

Each of these bills contains in the preambles and whereases an assertion to the effect that the laws presently in effect are inadequate to assure that all qualified persons will enjoy this essential right—that is, the right to vote—without discrimination on account of race or color.

I believe one can assert without fear of successful contradiction that there are more laws upon the statute books of the United States to secure and vindicate the right of persons to vote against any denial or abridgent of this right based on race, color, or previous condition of servitude than there are laws on any other subject whatever.

In the first place, any person who is qualified, under the provisions of section 2 of article I of the Constitution and the 17th amendment, to vote for Senators and Representatives in Congress, and who is wrongfully denied that right, has two different remedies under an act of Congress available to him personally.

These remedies are set out in title 42, section 1983, of the United States Code. The statute reads as follows:

> Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress.

The Supreme Court of the United States has held, in a number of cases, that if any qualified person is denied the right to vote by any State election official, he has a right, under the statute, to sue such election official for damages.

Among those many cases are *Lane* v. *Wilson*, 307 U.S. 268; *Nixon* v. *Herndon*, 273 U.S. 536; and *Myers* v. *Anderson*, 238 U.S. 368.

The statute which I have just read states that any person who is wrongfully denied any right he has under the Constitution, under color of any State law, has a right to bring a suit in equity for preventive relief.

Under the statute which I have been discussing, the individual wrongfully denied his right to vote because of his race, color, or previous condition of servitude has adequate remedies whereby he can recover damages for injuries actually done him, and whereby he can obtain preventive relief in equity to prevent any threatened injury being done him in this respect.

I sincerely hope that the Department of Justice is not going to claim there is any validity to the assertion in the preambles and whereases of these bills reciting that laws presently in effect are inadequate to assure that all qualified persons shall enjoy the right to vote without discrimination on account of race or color. If the Department of Justice should make any such claim as that, I would be compelled to say to the Department of Justice that its claim reminds me of the time John was courting Mary.

John and Mary were sitting on the bench one night. The moon was shining brightly. The odor of flowers permeated the atmosphere. They were in surroundings which were calculated to make anyone feel romantic. John said to Mary, "Mary, if you wasn't what you is, what would like to be?" Mary said, "John, if I wasn't what I is, I would like to be an American Beauty rose." Then Mary turned the inquiry on John and asked, "John, if you wasn't what you is, what would you like to be?" John said, "Mary, if I wasn't what I is, I would want to be an octopus." Mary said, "John, what in the world is an octopus?" John said, "Mary, an octopus is a kind of an animal or a fish or something that has a thousand arms." Mary said, "John, if you was an octopus and you had a thousand arms, what would you do with them?" John said, "Mary, if I was an octopus and had a thousand arms, I would put every one of them around you." Mary said, "John, go on away. You ain't using the two arms that you already got."

If the Department of Justice should come to Congress and make any claim to the Senate that it needs any more laws than it already has, I should have to say to it that it has come to that conclusion because it is not using the laws it already has.

Let us see what laws the Department already has.

I call the attention of the Senate to title 18, section 242 of the United States

Code, which bears the title "Deprivation of Rights Under Color of Law."

I read from the statute:

Whoever, under the color of any law, statute, ordinance, regulation, or custom, willfully subjects any inhabitant of any State, Territory, or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States, or to different punishments, pains, or penalties, on account of such inhabitant being an alien, or by reason of his color, or race, than are prescribed for the punishment of citizens, shall be fined not more than $1,000 or imprisoned not more than one year, or both.

The Supreme Court of the United States has held in a number of cases—notably, in *United States* v. *Classic*, 313 U.S. 299—that the right of a person possessing the qualifications defined in section 2 of article I of the 17th amendment to vote in an election for Senators or Representatives in Congress is a right secured or protected by the Constitution within the meaning of this statute, and that any election official who wrongfully deprives any qualified voter of any race of that right is guilty of a crime under this section of the United States Code.

Mr. HILL. Mr. President, will the Senator yield?

Mr. ERVIN. I yield to the Senator from Alabama.

Mr. HILL. Would it not be true that anybody who felt his rights had been denied or impaired under that statute would have a right to go before a U.S. Commissioner and to swear out a warrant for the arrest of the party he felt had committed the act against him?

Mr. ERVIN. Certainly he would have that right. There is another statute which provides penalties against a U.S. Commissioner who does not issue a warrant under those circumstances. As the Senator from Alabama well knows, there is a U.S. Commissioner in virtually every county in the United States.

Mr. HILL. Is it not true that anybody who felt he was aggrieved or that his rights were denied or impaired would have a right to ask to go before a Federal grand jury to present the case to a grand jury?

Mr. ERVIN. Yes, he would have that right, and it would be the duty of the U.S. attorney, if the evidence were reported to him showing a violation of the statute, to cause an indictment or information to be filed against the alleged offender, and to see to it that he was brought to trial if there were probable cause to believe him to be guilty.

I state to the Senator from Alabama, however, that those who are interested in agitating racial matters on a national level do not seem to wish to invoke the remedy set by this statute because when one agitates things in the Congress one does not have to prove them, all one has to do is to assert them. However, when one goes before a court it is necessary to prove the case. It is much easier to make charges against election officials than to prove such charges in court. In Congress many of the charges are made by organizations which find it to their financial advantage to make charges.

Mr. HILL. Mr. President, will the Senator yield?

Mr. ERVIN. I am happy to yield to the distinguished Senator from Alabama.

Mr. HILL. Of course, the organizations to which the Senator has referred know that the charges they make will not be weighed, sifted, and considered on their merits, as they would be before a court. Is that correct?

Mr. ERVIN. Those organizations know full well that there are certain people in public life in this country who are always ready to accept any such charge as being the gospel truth. I dislike to make that statement. In other words, not only do some organizations receive great financial profit, but also some officials reap great political advantage from accepting such charges and agitating them.

I invite the attention of Senators to another criminal statute; namely, title 18, section 241, which is headed "Conspiracy Against the Rights of Citizens." The statute reads as follows:

If two or more persons conspire to injure, oppress, threaten or intimidate any citizen in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having so exercised the same, or if two or more persons go in disguise on the highway or on the premises of another with intent to prevent or hinder his free exercise or enjoyment of any right or privilege so secured, they shall be fined not more than $5,000 or imprisoned not more than 10 years or both.

The Supreme Court of the United States has held in a number of cases that the right of voters qualified under section 2, article I, and under the 17th amendment, to vote at an election for Senators or Representatives is a right secured by the Constitution and the laws of the United States, and that a conspiracy to deprive them of that right is covered by title 18, section 241, of the United States Code, which was formerly section 51 of the Criminal Code.

Among the decisions of the Supreme Court of the United States so holding are *Guinn* v. *United States*, 238 U.S. 347 and *Ex parte Yarbrough*, 110 U.S. 651.

I have cited two Federal statutes that make it a criminal offense on the part of an election official wrongfully to deny the right to vote to any person qualified to vote for Senators and Representatives under section 2 of article I, and under the 17th amendment, or to conspire with another to commit such crime. Such a conspiracy is punishable by as much as a $5,000 fine and 10 years' imprisonment or both.

Mr. HILL. Mr. President, will the Senator yield?

Mr. ERVIN. I yield.

Mr. HILL. Would not the Senator from North Carolina say that those statutes have real teeth in them?

Mr. ERVIN. I should say that they have. The statute relating to conspiracy provides about as severe a punishment as is to be found in the case of ordinary crimes denounced by the Congress as crimes against the United States. Both statutes are at the disposal of the Department of Justice, which has in every Federal judicial district in this country a full-time U.S. attorney and a number of full-time assistant U.S. attorneys who are charged with the duty of prosecuting persons who violate the statutes or either of them.

Mr. HILL. Mr. President, will the Senator yield?

Mr. ERVIN. I am glad to yield.

Mr. HILL. Is not each U.S. attorney and his assistants entirely subject to the directions, orders, and authority of the Department of Justice? In other words, if at any time the Department feels that a U.S. attorney or assistant is not doing his duty and not meeting his full responsibilities, can he not be removed?

Mr. ERVIN. As a practical matter, they are subject to the complete direction of the Department of Justice and, as a matter of law, they are removable by the Department of Justice at its election.

In the light of these circumstances it is nonsense to assert that the Department of Justice is without sufficient laws to bring to justice every State election official in the United States who wrongfully deprives any qualified American citizen of his right to vote.

To be sure, when the Department of Justice invokes these statutes, it must prove its allegations. It cannot stop with putting a great many preambles and whereases on a paper.

Mr. HILL. Mr. President, will the Senator yield for a question?

Mr. ERVIN. The Department of Justice is able to secure the conviction of any State election official who violates these statutes, provided the evidence is available for that purpose. In addition to having district attorneys and assistant district attorneys to conduct the investigations, the Department of Justice has the FBI agents scattered in all of the areas of the United States. So it is nonsense to assert that the Department of Justice does not already have sufficient laws to accomplish everything that these preambles and these whereases say ought to be accomplished. I yield to the Senator from Alabama.

Mr. HILL. Is it not true that there are no requirements, so far as the statutes are concerned, that do not apply to all criminal statutes?

Mr. ERVIN. That is correct.

Mr. HILL. Not only criminal statutes of the Federal Government, but criminal statutes of the States and criminal statutes of the municipalities and various units of the States.

Mr. ERVIN. Yes. If a state election official, either acting alone or in a conspiracy with another person or persons violates these statutes, he ordinarily violates them in a public office under the glare of the noonday sun. That contrasts with the violation of the law by people who engage in moonshining. While a moonshiner conducts his operations in swamps and in remote sections of the mountains, I have never heard anyone complaining about the Department of Justice not having sufficient statutes to deal with moonshining. Or we might consider counterfeiting, for example, which is also committed in secret.

The Department of Justice may claim that it is sometimes difficult to persuade juries to convict, and that therefore they need legislation to cope with that situation.

As the able and distinguished senior Senator from Alabama will remember, that was the tale the Department gave us in 1957, and again in 1960. Although the Thirteen Colonies gave as one of the reasons in the Declaration of Independence for severing their political bonds with the mother country England, was that the King and Parliament had denied the Colonies the right of trial by jury, the then Attorney General came to Congress and persuaded it to give him some laws under which Americans could be robbed of the right of trial by jury, which is secured by the Constitution, in many cases coming under the sections of the criminal code which I have just read.

Congress listened to the plea of the Attorney General, and Congress passed what is now called the Civil Rights Act of 1957. I wish to read this act, so that it may be available to Members of the Senate who wish to investigate whether this assertion in the preambles and whereases, to the effect that they do not have sufficient laws is the truth or is a proposed legislative prevarication. I do not know of a gentler way to describe it.

The Civil Rights Act of 1957 is now embodied in title 42, section 1971, of the United States Code.

Mr. President, I ask unanimous consent that I may be permitted to yield to the able and distinguished Senator from South Dakota [Mr. MUNDT] to introduce a bill and to make a statement in reference to it, without losing the privilege of the floor and without having these remarks or any subsequent remarks which I will make after he completes his introduction of the bill and his statement counted as more than one speech on this subject.

Mr. McGEE. Mr. President, reserving the right to object, may I inquire the subject matter of the Senator's remarks?

Mr. MUNDT. This has nothing to do with the controversy in question. It is connected with the proposed United Nations bond issue.

Mr. McGEE. I have no objection.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

THE UNITED NATIONS BOND PROPOSAL

Mr. MUNDT. Madam President, I send to the desk an amendment proposed to be offered by me in connection with the United Nations bond issue proposal, whenever we have that legislation before us. I ask unanimous consent that the text of the proposed amendment be printed at this point in the RECORD, and that it also be printed as an amendment.

The PRESIDING OFFICER (Mrs. NEUBERGER in the chair). The amendment will be received, printed, appropriately referred, and will be printed in the RECORD.

The amendment was referred to the Committee on Foreign Relations, as follows:

On page 2, lines 5 to 7, strike out "shall not exceed by more than $25,000,000 the aggregate amount of such bonds purchased or agreed to be purchased by other nations" and insert in lieu thereof "shall not exceed $25,000,000 plus an amount equal to fifty per centum of the aggregate amount of such bonds purchased or agreed to be purchased by other nations."

Mr. MUNDT. Madam President, the purpose of the amendment which I have sent to the desk is to provide that the United Nations bond bill, so-called, be changed so as to provide a somewhat different matching formula from that which has been recommended by the Senate Foreign Relations Committee. I propose our bond purchase participation on a 1-for-2 basis, rather than on a 1-for-1 basis. I shall explain briefly why I am submitting the amendment.

My amendment would not change the amount of $25 million to be initially purchased by the United States under the present provisions of S. 2768, the bill which the Senate Foreign Relations Committee has approved and which is soon to be considered by the Senate.

However, Madam President, after we have purchased the $25 million in United Nations bonds, as our initial contribution, under my amendment we would then buy additional bonds on a basis approximating our current U.N. rates of obligations, which is about one-third of the total U.N. expenses. The bill now provides that after we purchase $25 million, the United States purchases would be equal to the combined purchases of all other countries. The purpose of my amendment is to continue it at the one-third level rather than to change to a 50–50 participation, as the Senate Foreign Relations Committee bill proposes to do.

For each dollar we would spend beyond the $25 million initially purchased, my amendment proposes that $2 would have to be spent or loaned by other nations from the purchase of bonds. Thus we would preserve a financial formula which the United Nations itself has in the past considered appropriate for the United States; namely, that our contribution be one-third of the total budget.

As one who has always supported the United Nations, as one who is hopeful that it will succeed, as one who has never joined with those who are convinced that it is doomed to failure, as one who sits on the Subcommittee on Appropriations for the Department of State, which must approve the U.S. finances for the United Nations, and as one who has consistently voted for such appropriations, it seems to me that the administration proposal recommending that Congress approve a plan whereby our Government would buy outright $100 million of the $200 million bond issue might indeed be striking a fatal blow to the survival of the United Nations.

If perchance the United Nations should become simply a "kept creature" of the U.S. Treasury, and we were expected henceforth to pay 50 percent of its total expenses, all of our associates in the United Nations and our sister countries would look with a jaundiced eye every time a proposition was made by the U.S. Ambassador to the United Nations. Our associates would be inclined to interpret whether or not it was in some sense an effort on our part to get back a quid pro quo for the altogether disproportionate part of the United Nations expenditures in which we would then be participating. We would widely be suspected of trying to buy influence in the United Nations.

I was moved to introduce this resolution today by the rather startling and highly significant address which the distinguished senior Senator from Vermont [Mr. AIKEN], a member of the Committee on Foreign Relations, made on this subject on March 21. I think his speech should receive the careful and thoughtful consideration of every friend of the United Nations and of every taxpayer in the United States. It contains information which should give us all concern. For ready reference, I point out that Senator AIKEN's informative address presents to the Senate for the first time facts which had heretofore been concealed from the Senate with regard to the United Nations, and is found starting on page 4662 of the CONGRESSIONAL RECORD for Wednesday, March 21.

Incidentally, the speech by the Senator from Vermont was followed by the masterful address delivered by the distinguished junior Senator from Washington [Mr. JACKSON], chairman of the Subcommittee on National Policy Machinery, a subcommittee on which I am privileged to serve as ranking Republican member. Senator JACKSON's address, which was delivered before the National Press Club, analyzed the United Nations critically from the position of a friendly supporter, and issues some challenging questions which those who are concerned with the survival of the collective security system established by the United Nations should well consider.

I might also point out that the distinguished senior Senator from Ohio [Mr. LAUSCHE], another member of the Senate Committee on Foreign Relations, at page 4663 of Wednesday's RECORD made the point which I am endeavoring to substantiate by my amendment; namely, that up to now from 32 to 33 percent of the total cost of the operations of the United Nations has been considered by the organization itself to be a fair proportion to be paid by the United States.

The distinguished Senator from Vermont [Mr. AIKEN] pointed out from the RECORD, naming the countries involved, so that there could be no possibility for error, that, while 70 new members of the United Nations voted for U.N. action in the Congo, only 8 member nations have paid anything on their assessments for the Congo operations. This is a fact which we should reflect upon very carefully.

Madam President, since 1946 the United States has contributed more than 47 percent of the costs of the operations of the United Nations, or a total of more than $1,600 million. While there is no question that the United States financially might be able to pay the $100 million which is now talked about, I submit that in so doing we would be rendering

a disservice, because if the United Nations is to remain a respected and respectable instrument of coordinated international foreign policy it must begin to assume the financial responsibilities which it undertakes, and not simply become the handmaiden of U.S. taxpayers.

If we permit the United Nations to become reduced to an organization standing with a tin cup before the United States, waiting for us to pour in the money, we will reduce its influence around the world and destroy by misguided kindness an organization which I think we should seek to perpetuate and seek to build up.

It is appalling to me that other countries are not assuming anywhere near their rightful financial responsibility. It is particularly galling to learn, as the Senator from Vermont [Mr. AIKEN] pointed out, that 62 countries have no compunction whatever about demanding action, making speeches on the floor of the United Nations demanding action—as they did on the Congo resolution—but remain stubbornly silent and absent when the time comes to pay for their share of the actions which their votes and their recommendations precipitated.

Out in the part of the country where I come from, we refer to this kind of behavior as failing to "put your money where your mouth is." I am hopeful that sometime, somehow, we can convince the United Nations that the proper course of action to put it in more polite but equally firm language, is that if a nation is to be a voting member of the "club" it will have to pay its dues and assessments. Until a nation is in good standing with the treasurer of the organization, its votes should not be recorded, and its counsel should not be received by the governing committee unless there are unusual and adequate reasons why, temporarily, a country cannot meet its assessments.

Madam President, my amendment offers the United States an opportunity to tighten its belt a notch, and by this opportunity to demonstrate to the other nations of the world that we expect to insist that they also have a responsibility to meet in the preservation of freedom and peace.

Except for those Americans—and there are some—who buy everything that the White House proposes—and I presume there are some in Congress who follow that formula; and except for those who oppose everything the White House recommends—and I suppose there are some in Congress who follow that formula—except for those two groups of extremists, I think it is right that the American people expect the Senate to exercise more responsibility and judgment than either to rubberstamp or to veto completely the United Nations proposal soon to come before us, a proposal to help finance the U.N. with additional American contributions or bonds.

In the long run, I suspect that the difference between a bond and a contribution will largely be a distinction without a difference. As a member of the Subcommittee on Appropriations dealing with all our foreign policy decisions—and virtually every foreign policy decision we make deals with money, and consequently has to be tailored, considered, and adjusted by the Appropriations Committees of the House and Senate—I have been working with those who have striven carefully and diligently to reduce the annual contributions and assessments of the United States to the United Nations to the 33⅓-percent level considered appropriate by the United Nations itself. We have made much progress since the days when we used to pay 47 percent. That proportion has now been whittled down so that it comes pretty close, at least in terms of annual assessments, to 33⅓ percent.

I do not think that now, by a vote of the U.S. Congress on the U.N. bond issue, we should destroy all the progress that has been made in the direction of reducing the U.S. share or contribution to one-third by going out and picking up the tab for 50 percent, thereby establishing a precedent which surely from then on would eventuate in having the United Nations look to the United States to pay 50 percent of its expenditures and expenses and all the various assessments consequently made, because once we committed ourselves to that extent, it would be many years before we could return again to the 33⅓-percent basis.

Therefore, Madam President, consistent with our established practice of limiting our contributions to the United Nations to 33⅓ percent, I have offered the amendment to change the committee bill from providing for a 50–50 split after the first $25 million has been contributed—and I do not object to that initial contribution—but, after that has been done, to bring the proportion into conformity with our established formula, by providing that our country shall purchase one-third of the bonds from that point on, to the necessary extent that the other nations of the world which belong to the United Nations are willing to pay their share.

Madam President, I thank the Senator from North Carolina for his courtesy in yielding to me; and I ask that he may now again be entitled to the floor, to resume his remarks.

Mr. ERVIN. Madam President, it is always a privilege and a pleasure to yield to my friend, the Senator from South Dakota.

THE ALEXANDER HAMILTON NATIONAL MONUMENT — AMENDMENT TO THE CONSTITUTION DEALING WITH POLL TAXES

The Senate resumed the consideration of the motion of the Senator from Montana [Mr. MANSFIELD] to proceed to the consideration of the joint resolution (S.J. Res. 29) providing for the establishing of the former dwelling house of Alexander Hamilton as a national monument.

Mr. ERVIN. Madam President, I ask unanimous consent that at this time I may be permitted to yield to the able and distinguished senior Senator from Texas [Mr. YARBOROUGH], without losing my right to the floor and without having the remarks heretofore made by me or the remarks hereafter to be made by me counted as anything other than one speech by me.

The PRESIDING OFFICER. Without objection——

Mr. McGEE. Madam President, reserving the right to object, let me ask the Senator from Texas how long he expects to speak.

Mr. YARBOROUGH. Not longer than 20 minutes, and perhaps not that long. Furthermore, I am willing to have the remarks I wish to make at this time counted as a speech by me, and I would not want them to be counted as a speech by the Senator from North Carolina [Mr. ERVIN], who has most generously agreed to yield for this purpose to me, provided such yielding by him does not result in having him charged with making more than one speech on this subject.

Mr. McGEE. Then I shall not object.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

TIME TO BAN POLL TAX IS NOW

Mr. YARBOROUGH. Madam President, I wish to associate myself with the remarks of the senior Senator from Florida [Mr. HOLLAND] concerning the justice of Senate Joint Resolution 58 for abolition of the poll tax as a prerequisite to voting in Federal elections; and I wish to support him—as I have in the past—in his commendable and unceasing efforts to do away with this major barrier to the exercise of the voting privilege of all Americans.

Madam President, the poll tax is unjust, and has resulted in grave injustices in our time. In my opinion, the poll tax is an impediment to representative government, and should be abolished forthwith.

It is no mere coincidence that in the 1960 U.S. presidential election, five of the seven States that had the lowest percentage of citizens voting were States that still required the purchase of a poll tax as an admission ticket to the voting booth.

My own home State of Texas is one of those requiring a poll tax as an admission ticket to Americanism and full citizenship. There was a time when voting was considered a privilege; it was considered a "privilege to vote," rather than a "right to vote." But that ancient time is past.

We have passed the halfway mark of the 20th century. We are now in "the soaring sixties." As man reaches for the stars in space, so must he reach for the stars on earth: for stars of fairness and justice and for the dignity of the individual.

The time has come to drop the word "privilege," meaning some governmental granted boon, and to substitute the word "right," insofar as the franchise is concerned. Let us treat the "right to vote" in governmental matters as one of the great democratic rights of Western man, along with freedom of speech, freedom of conscience, freedom of religion, freedom of the press, and along with the right to freedom from unreasonable search and seizure and the right to trial by jury.

Now is the time to expand the horizons of American liberty. Now is the time to remove from the necks, backs, and hands of our fellow citizens the shackles and yokes of governmental disfranchisement because of economic impoverishment. Let us strike off the bonds and free their hands, so that they can help write the people's verdict at the ballot box in the national elections.

Senate Joint Resolution 58 does this, and no more. It is cosponsored by 68 Senators, of whom I am one; and it provides that:

> The right of citizens of the United States to vote in any primary, or other election for electors for President or Vice President, or for Senator or Representative in Congress, shall not be denied or abridged by the United States or any State by reason of failure to pay any poll tax or other tax or to meet any property qualification.

This proposed constitutional amendment, if adopted, would apply only to elections to Federal office; it would not apply to elections for State, county, city, or any other local office. In this respect, it is more restricted than the 15th amendment, which provides that the right to vote "shall not be denied or abridged on account of race, color, or previous condition of servitude" in any election, State or Federal. It is also more restrictive than the 19th amendment—the woman's suffrage amendment—which provides that the right to vote shall not be denied or abridged on account of sex, in any State or Federal election. My home State of Texas was the ninth State to ratify the 19th amendment. It took this action on June 28, 1919, 24 days after the 19th amendment was proposed by Congress, during the second term of the great idealist, Woodrow Wilson, and at a time when two Texans, Albert Sidney Burleson, Postmaster General, and David Franklin Houston, Secretary of Agriculture, were serving in President Wilson's Cabinet.

Madam President, this is no new position for me. I have long supported poll tax reform; and in my home State, I supported a proposal to amend the Texas State constitution by banning the poll tax. Unfortunately, that proposal lost in 1949. I was a cosponsor of Senate Joint Resolution 126, introduced on August 6, 1959, in the U.S. Senate in the 86th Congress, with the distinguished senior Senator from Florida [Mr. HOLLAND] its principal author. That measure would have banned the poll tax as a prerequisite to voting in Federal elections. The proposed amendment passed the Senate, but died in the House.

Now, in the 87th Congress, I am a cosponsor of Senate Joint Resolution 58, which I hope will be passed by both Houses.

Madam President, I oppose the poll tax on the State level, and I oppose it on the national level. It is an instrument that works against the people, depriving many of them of their just right to participate in their government.

The American Revolution was fought over "taxation without representation"; but now in five States we have government, all governing acts, over millions of people, without representation. We need to be as vigilant for liberty now as our forefathers were in 1776. Free descendants of the sons of liberty should not themselves fear liberty. The blood of freedom of 1776 should not run cold in our veins today. Let the spirit of freedom be loosed today, as it was in 1776; let us haul out the liberty caps and the pike and pole, and there will be no poll tax anywhere.

Madam President, American citizenship should not come equipped with an arbitrary price tag, for it is priceless.

The "1960 Election Scoreboard," a highly informative booklet prepared by the American Heritage Foundation, shows that my home State of Texas ranked down in 44th place among the States, with only 43.3 percent of its citizens of voting age casting ballots in the 1960 presidential election.

Other States in which payment of a poll tax is required for voter qualification also ranked low in citizen participation in our Government. I do not say the poll tax in itself is the sole barrier to the participation in our system of government of, by, and for the people. I say that it is a major barrier in five States and it should be removed.

There are those who scoff at the idea that having to pay $1.50 or $1.75 for a poll tax in January—as in my State—keeps people from the polls in later months. But let us consider this matter carefully. For example, in what week would the head of one of the thousands of low-income families in Texas—those with incomes of $30 or $40 a week, of $1,500 to $2,000 a year—feel that he could spend $1.50 for his own poll tax and another $1.50 for his wife's poll tax?

The answer is obvious. Few people indeed can leave their children sitting at a bare table and go buy a poll tax with money that can be exchanged for bread, milk, meat, and potatoes.

Anybody who has ever tried to sell a poll tax in Texas knows that cost is a genuine barrier.

Today, there are 4,553,000 people unemployed in the United States, 212,800 of them in Texas. They need their money for food, shelter, clothing, and medicine—for the necessities of staying alive. They should not be taxed to vote. They have not the money for a "right to vote" tax. The imposition of a poll tax bars the unemployed from the ballot box. As a practical matter, in a poll tax State, when a man loses his job, he loses the right to vote, because without a job he has no money to buy his way into the ballot box. The way to the American ballot box should be a freeway, not a toll road.

In 1960, there were 5,535,000 people of voting age in my State. In 1959, 1,526,000 people paid their poll taxes, making, with overage exemptions, 1,907,000 qualified voters in Texas. In 1960, a presidential election year, 2,239,000 people in Texas paid their poll taxes, making, with exemptions, a total estimated electorate of 2,799,000 potential voters, but leaving 2,736,000, or nearly half the total adult population of Texas, disfranchised, principally because they had no poll tax receipt. They are the forgotten half of the people of Texas. Small wonder that our State ranks 40th in the amount of the average annual old-age pension paid, far below the national average in education, and in the bottom tier of States generally in public welfare services to the people. But we do have one of the finest systems of public highways ever built anywhere in the world. The poll tax is a built-in barrier to progress.

Some people say that the poll tax keeps only a few people from voting, so it is not to be regarded seriously. This is an indefensible position. Though I have just shown by the statistics how serious the bar is, still if only one American citizen is deprived of his vote, then the poll tax should be abolished on the strength of that single injustice.

One vote, one human right, is of great importance. It is this recognition of the importance of the individual that has given our Nation a degree of freedom unparalleled anywhere in the world at any point in history.

It is my hope that many Senators will continue the fight to abolish the poll tax and to remove a shackle that should never have been imposed in the first place.

The poll tax is a bar to progress, an impediment to democracy, and a shackle on full citizenship.

Mr. ERVIN. Madam President, it was a pleasure to yield to the able and distinguished senior Senator from Texas.

I have made the point that there are two criminal statutes which render anyone committing the acts described in the preambles and whereases in the bills guilty of crime and subjecting them to fines and imprisonment.

I now wish to point out that the Department of Justice has a civil remedy which is well designed to effect the purpose of securing the right to vote to every citizen of the United States in any State who possesses the qualifications specified in section 2 of article I and the 17th amendment.

I refer to the Civil Rights Act of 1957. That act is now codified as title 42, section 1971, of the United States Code. The statute is headed, "Voting rights—Race, color, or previous condition not to affect right to vote." This heading indicates the provisions of section (a) of this statute. I read that subsection:

> All citizens of the United States who are otherwise qualified by law to vote at any election by the people in any State, Territory, district, county, city, parish, township, school district, municipality, or other territorial subdivision, shall be entitled and allowed to vote at all such elections, without distinction of race, color, or previous condition of servitude; any constitution, law, custom, usage, or regulation of any State or Territory, or by or under its authority, to the contrary notwithstanding.

This section of the Civil Rights Act of 1957 is based upon the 15th amendment which contains a declaration to the effect that no person shall be denied the right to vote in an election in any State on account of his race, color, or previous condition of servitude.

The next subsection of the Civil Rights Act of 1957 is based upon section 2 of article I and the 17th amendment which is applicable only to the

election of Senators and Representatives.

Subsection (b) bears the heading "Intimidation, threats or coercion," and reads as follows:

No person, whether acting under color of law or otherwise, shall intimidate, threaten, coerce, or attempt to intimidate, threaten, or coerce any other person for the purpose of interfering with the right of such other person to vote or to vote as he may choose, or of causing such other person to vote for, or not to vote for, any candidate for the office of President, Vice President, presidential elector, Member of the Senate, or Member of the House of Representatives, Delegates or Commissioners from the Territories or possessions, at any general, special, or primary election held solely or in part for the purpose of selecting or electing any such candidate.

Subsection (c) reads as follows:

Whenever any person has engaged or there are reasonable grounds to believe that any person is about to engage in any act or practice which would deprive any other person of any right or privilege secured by subsection (a) or (b), the Attorney General may institute for the United States, or in the name of the United States, a civil action or other proper proceeding for preventive relief, including an application for a permanent or temporary injunction, restraining order, or other order. In any proceeding hereunder the United States shall be liable for costs the same as a private person.

Subsection (d) reads as follows:

The district courts of the United States shall have jurisdiction of proceedings instituted pursuant to this section and shall exercise the same without regard to whether the party aggrieved shall have exhausted any administrative or other remedies that may be provided by law.

Subsection (e) reads as follows:

Any person cited for an alleged contempt under this Act shall be allowed to make his full defense by counsel learned in the law; and the court before which he is cited or tried, or some judge thereof, shall immediately, upon his request, assign to him such counsel, not exceeding two, as he may desire, who shall have free access to him at all reasonable hours. He shall be allowed, in his defense to make any proof that he can produce by lawful witnesses, and shall have the like process of the court to compel his witnesses to appear at his trial or hearing, as is usually granted to compel witnesses to appear on behalf of the prosecution. If such person shall be found by the court to be financially unable to provide for such counsel, it shall be the duty of the court to provide such counsel.

Under the subsections of the statute which I have read the Attorney General is authorized to bring a suit in the name of the United States and on behalf of any person threatened with a denial of his right to vote for Senators or Representatives in Congress in violation of section 2 of article I or of the 17th amendment, or in violation of the provisions of the 15th amendment. This suit can be brought at the instance of the Attorney General at the cost of the taxpayers of the United States, and it affords to the Department of Justice plenary power to secure to every person in the United States his right to vote under subsection 2 of article I and the 17th amendment, and to prevent his right to vote from being abridged or denied under State law in violation of the 15th or 19th amendments. This case can be tried before a Federal judge sitting without a jury in an equitable proceeding.

In the light of this statute, it is nonsense to say that the Department of Justice needs any additional legislation either to enforce section 2 of article I or the 17th amendment, or to prevent the violation of the 15th or the 19th amendments.

Madam President, the statutory provisions available to the Attorney General to enforce section 2 of article I and the 17th amendment and to prevent violations of the 15th amendment do not stop here insofar as race is concerned. In 1960, the Congress passed an amendment to the Civil Rights Act of 1957. The amendment to the Civil Rights Act of 1957 appears in title VI of Public Law 86-449.

I shall read the amendment as embodied in such title, in section 601 of such act, in order to further show there is no need whatever for the enactment of the three bills which I am discussing.

Section 601 of title VI of Public Law 86-449 reads:

TITLE VI

SEC. 601. That section 2004 of the Revised Statutes (42 U.S.C. 1971), as amended by section 131 of the Civil Rights Act of 1957 (71 Stat. 637), is amended as follows:

(a) Add the following as subsection (e) and designate the present subsection (e) as subsection "(f)":

"In any proceeding instituted pursuant to subsection (c) in the event the court finds that any person has been deprived on account of race or color of any right or privilege secured by subsection (a), the court shall upon request of the Attorney General and after each party has been given notice and the opportunity to be heard make a finding whether such deprivation was or is pursuant to a pattern or practice. If the court finds such pattern or practice, any person of such race or color resident within the affected area shall, for 1 year and thereafter until the court subsequently finds that such pattern or practice has ceased, be entitled, upon his application therefor, to an order declaring him qualified to vote, upon proof that at any election or elections (1) he is qualified under State law to vote, and (2) he has since such finding by the court been (a) deprived of or denied under color of law the opportunity to register to vote or otherwise to qualify to vote, or (b) found not qualified to vote by any person acting under color of law. Such order shall be effective as to any election held within the longest period for which such applicant could have been registered or otherwise qualified under State law at which the applicant's qualifications would under State law entitle him to vote.

"Notwithstanding any inconsistent provision of State law or the action of any State officer or court, an applicant so declared qualified to vote shall be permitted to vote in any such election. The Attorney General shall cause to be transmitted certified copies of such order to the appropriate election officers. The refusal by any such officer with notice of such order to permit any person so declared qualified to vote to vote at an appropriate election shall constitute contempt of court.

"An application for an order pursuant to this subsection shall be heard within 10 days, and the execution of any order disposing of such application shall not be stayed if the effect of such stay would be to delay the effectiveness of the order beyond the date of any election at which the applicant would otherwise be enabled to vote.

"The court may appoint one or more persons who are qualified voters in the judicial district, to be known as voting referees, who shall subscribe to the oath of office required by Revised Statutes, section 1757 (5 U.S.C. 16) to serve for such period as the court shall determine, to receive such applications and to take evidence and report to the court findings as to whether or not at any election or elections (1) any such applicant is qualified under State law to vote, and (2) he has since the finding by the court heretofore specified been (a) deprived of or denied under color of law the opportunity to register to vote or otherwise to qualify to vote, or (b) found not qualified to vote by any person acting under color of law. In a proceeding before a voting referee, the applicant shall be heard ex parte at such times and places as the court shall direct. His statement under oath shall be prima facie evidence as to his age, residence, and his prior efforts to register or otherwise qualify to vote. Where proof of literacy or an understanding of other subjects is required by valid provisions of State law, the answer of the applicant, if written, shall be included in such report to the court; if oral, it shall be taken down stenographically and a transcription included in such report to the court.

"Upon receipt of such report, the court shall cause the Attorney General to transmit a copy thereof to the State attorney general and to each party to such proceeding together with an order to show cause within ten days, or such shorter time as the court may fix, why an order of the court should not be entered in accordance with such report. Upon the expiration of such period, such order shall be entered unless prior to that time there has been filed with the court and served upon all parties a statement of exceptions to such report. Exceptions as to matters of fact shall be considered only if supported by a duly verified copy of a public record or by affidavit of persons having personal knowledge of such facts or by statements or matters contained in such report; those relating to matters of law shall be supported by an appropriate memorandum of law. The issues of fact and law raised by such exceptions shall be determined by the court or, if the due and speedy administration of justice requires, they may be referred to the voting referee to determine in accordance with procedures prescribed by the court. A hearing as to an issue of fact shall be held only in the event that the proof in support of the exception discloses the existence of a genuine issue of material fact. The applicant's literacy and understanding of other subjects shall be determined solely on the basis of answers included in the report of the voting referee.

"The court, or at its direction the voting referee, shall issue to each applicant so declared qualified a certificate identifying the holder thereof as a person so qualified.

"Any voting referee appointed by the court pursuant to this subsection shall to the extent not inconsistent herewith have all the powers conferred upon a master by rule 53(c) of the Federal Rules of Civil Procedure. The compensation to be allowed to any persons appointed by the court pursuant to this subsection shall be fixed by the court and shall be payable by the United States.

"Applications pursuant to this subsection shall be determined expeditiously. In the case of any application filed twenty or more days prior to an election which is undetermined by the time of such election, the court shall issue an order authorizing the applicant to vote provisionally: *Provided, however*, That such applicant shall be qualified to vote under State law. In the case of an application filed within twenty days prior to an election, the court, in its discretion, may make such an order. In either case the order shall make appropriate provision for the impounding of the applicant's ballot pending determination of the application. The court may take any other action, and may authorize such referee or such other person as it may designate to take any other action, appropriate or necessary to carry out the provisions of this subsection and to enforce its decrees. This subsection shall in no way be construed as a limitation upon the existing powers of the court.

"When used in the subsection, the word 'vote' includes all action necessary to make a vote effective including, but not limited to, registration or other action required by State law prerequisite to voting, casting a ballot, and having such ballot counted and included in the appropriate totals of votes cast with respect to candidates for public office and propositions for which votes are received in an election; the words 'affected area' shall mean any subdivision of the State in which the laws of the State relating to voting are or have been to any extent administered by a person found in the proceeding to have violated subsection (a); and the words 'qualified under State law' shall mean qualified according to the laws, customs, or usages of the State, and shall not, in any event, imply qualifications more stringent than those used by the persons found in the proceeding to have violated subsection (a) in qualifying persons other than those of the race or color against which the pattern or practice of discrimination was found to exist."

(b) Add the following sentence at the end of subsection (c):

"Whenever, in a proceeding instituted under this subsection any official of a State or subdivision thereof is alleged to have committed any act or practice constituting a deprivation of any right or privilege secured by subsection (a), the act or practice shall also be deemed that of the State and the State may be joined as a party defendant and, if, prior to the institution of such proceeding, such official has resigned or has been relieved of his office and no successor has assumed such office, the proceeding may be instituted against the State."

Madam President, the amendment made in 1960 to the Civil Rights Act of 1957 which I have just read is directed to the enforcement of the prohibition of the 15th amendment, to the effect that no State shall deny or abridge the right of any citizen of the United States to vote on account of his race, color, or previous condition of servitude.

In the light of the provision of this amendment, it is the height of absurdity for anyone to assert that the Department of Justice does not have upon the statute books sufficient laws to enforce the prohibition of the 14th amendment in any precinct, anywhere in the United States.

I respectfully submit that in the light of the provisions of title 18, section 241; title 18, section 242; the Civil Rights Act of 1957, and the amendment made in 1960 to the Civil Rights Act of 1957, there is no foundation whatever to support any assertion that the Department of Justice does not have at its command ample statutory power to enforce the right of any qualified voter to vote in any election for Senators and Representatives under section 2, article I of the Constitution, and the 17th amendment and the prohibitions of the 15th and 19th amendments. Consequently, I assert without fear of successful contradiction that if Congress should approve any one of these bills, and the preambles and the whereases of any one of these bills, which assert that the Department of Justice needs further law, the Congress would be uttering what necessarily must be described in the politest language possible as legislative prevarication.

I am aware that some people contend that it is very difficult, and requires a great amount of time, for a registrar or other election official to determine whether a person meets the literacy test prescribed by State law, or for a Federal court or for a Federal judge or for a Federal voting referee to make such determination.

I shall ask unanimous consent that I be permitted to call upon the services of the distinguished junior Senator from Mississippi [Mr. STENNIS] in a practical demonstration of just how long it would take a Federal judge sitting without a jury or a Federal voting referee or State registrar or any other State election official to determine whether a person meets the literacy test prescribed by State law. In so doing I shall ask the Senator from Mississippi to assist me in determining whether I am able to meet the literacy test prescribed by the North Carolina constitution, which is typical of most of the literacy tests which these bills seek to nullify. I wish the Senator from Mississippi would take out his watch now and see how long it takes me to satisfy this literacy test in his presence.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. STENNIS. I now ask the distinguished Senator from North Carolina to yield for a question. First I should like to say that this is entirely unrehearsed. I wish the Chair to understand that.

Mr. ERVIN. Yes; I have never intimated to the distinguished Senator from Mississippi or to anyone that I was going to ask him to assist me in this way. I ask that the Senator now take out his watch and see how long it takes me to meet the North Carolina literacy test, which, as I say, is typical of many literacy tests throughout the country. It is embodied in section 4, article VI of the North Carolina constitution, and reads as follows:

Every person presenting himself for registration shall be able to read and write any section of the Constitution in the English language.

In order that I may meet the test, I must show that I can read. I will read and write a section of the North Carolina constitution. I will pick out one section here. The Senator from Mississippi will time my reading of this section of the constitution. Section 8 of article VII reads:

No money shall be drawn from any county or township treasury except by authority of law.

What does the Senator's watch say?

Mr. STENNIS. The Senator from North Carolina read it in 4 seconds.

Mr. ERVIN. Did I satisfy the Senator from Mississippi that I am able to read that section of the constitution of North Carolina?

Mr. STENNIS. Entirely.

Mr. ERVIN. I shall now undertake to satisfy the Senator from Mississippi that I am able to write that section of the constitution.

Mr. McGEE. Madam President, may I inquire—only by way of inquiring as to the parliamentary procedure—what the rule calls for with respect to the assignment of time in silence?

Mr. ERVIN. Silence is golden. Nobody should be charged with silence.

Madam President, I should like to ask the Senator from Mississippi if I have satisfied him that I can write a section of the constitution of North Carolina; and if so, how long it has taken me to write it.

Mr. STENNIS. It has taken 39 seconds; and the rate of writing is fair plus. It is fully readable.

Mr. ERVIN. Madam President, this practical demonstration shows how long it would take a voter to satisfy a State registrar or other State election official or a Federal judge or a Federal voting referee that he is able to read and write a section of the constitution. All this talk about its being difficult to have these cases tried under the statutes—the Civil Rights Act of 1957 and the amendment of 1960—is just so much nonsense.

I might add that it has been held by the courts that a person fulfills the requirement to be able to read and write a section of the constitution if he can read reasonably well and can spell reasonably well, even though he is not able to pronounce all the words correctly or to spell them correctly. That applies to all persons alike.

I shall now address myself to the second proposal I make in respect to these three bills; namely, that the three bills are unconstitutional. I shall devote my discussion at this time to the proposition that the bills which undertake to abolish all State literacy requirements and to establish a Federal literacy standard or educational standard are absolutely inconsistent with section 2 of article I and the 17th amendment, which declare in the clearest, plainest, and simplest words possible that a person shall be eligible to vote in elections for Senators and Representatives if he has the qualifications requisite of the electors for the most numerous branch of the State legislature of the State in which he resides and votes. I wish to read the portions of the Constitution which are relevant to this question. Section 2 of article I of the Constitution reads as follows:

The House of Representatives shall be composed of Members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

At the time that provision became effective—that is, in 1789—Senators were elected by the legislatures of the States which they represented. Subsequently the Constitution was amended so as to provide that Senators should be elected by the people rather than by the legislatures of the States which they represented. This change is shown in the 17th amendment, which reads as follows,

so far as it is germane to the present discussion:

The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for 6 years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

So we have it stated in the simplest possible language, in section 2 of article I and in the 17th amendment, that persons in any State shall be eligible to vote in elections for Senators and Representatives in Congress if they have the qualifications requisite for electors of the most numerous branch of the State legislature.

I submit that those statements and this principle in section 2 of article I and in the 17th amendment are so plain and so clear that nobody who is willing to be objective can contradict their meaning. But in order that their meaning might be made clear and their relationship to another section of the Constitution may be shown, I wish to read section 4 of article I, so far as it is germane to this discussion. Clause 1 of section 4 of article I provides:

The times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the legislature thereof; but the Congress may at any time, by law, make or alter such regulations, except as to the places of choosing Senators.

Mr. CARLSON. Madam President, may I inquire who has the floor?

The PRESIDING OFFICER. The Senator from North Carolina [Mr. ERVIN] has the floor.

Mr. ERVIN. Madam President, I have the floor. The reason for my brief silence is that I am seeking to find a statement—which I have somewhere among the papers before me—made by Justice Field, stating exactly the meaning of sections 2 and 4 of article I of the Constitution. I wish to use that material at this time.

Madam President, one question which is most relevant here is this: How do we determine what a constitutional provision means? Several rules for construing the provisions of the Constitution have been laid down. I wish to call attention to the primary rule, which was laid down in one of the great decisions of the Supreme Court of the United States—that in the case of *South Carolina v. United States*, 199 U.S. 437; and I read now from page 449 of that decision:

It must also be remembered that the framers of the Constitution were not mere visionaries, toying with speculations or theories, but practical men, dealing with the facts of political life as they understood them, putting into form the Government they were creating, and prescribing in language clear and intelligible the powers that Government was to make. Mr. Chief Justice Marshall, in *Gibbons v. Ogden*, 9 Wheat. 1, 188, well declared: "As men whose intentions require no concealment, generally employ the words which most directly and aptly express the ideas they intend to convey, the enlightened patriots who framed our Constitution, and the people who adopted it, must be understood to have employed words in their natural sense, and to have intended what they said."

Madam President, I respectfully submit that the language used by the Founding Fathers in writing the second section of article I and the fourth section of article I is so clear that it speaks for itself and interprets itself.

Madam President, I submit that section 2 of article I and the 17th amendment to the Constitution make it plain that the qualification of voters for Senators and Representatives in Congress are to be determined according to the laws of the States which prescribe the qualifications of those eligible to vote for the most numerous branch of the State legislatures.

I respectfully submit that the constitutional provisions I have read just now make it plain that the Congress of the United States does not have the power to prescribe any qualification for any voter in any election for Senator or for Member of the House of Representatives or in any other so-called Federal election.

I submit, in the words of Mr. Justice Field, that the following is a proper interpretation of sections 2 and 4 of article I of the Constitution:

The power vested in Congress is to alter the regulations prescribed by the legislatures of the States, or to make new ones, as to the times, places, and manner of holding the elections. Those which relate to the times and places will seldom require any affirmative action beyond their designation. And regulations as to the manner of holding them cannot extend beyond the designation of the mode in which the will of the voters shall be expressed and ascertained. The power does not authorize Congress to determine who shall participate in the election, or what shall be the qualification of voters. These are matters not pertaining to or involved in the manner of holding the election, and their regulation rests exclusively with the States.

That is what the words of these constitutional provisions mean, and that is the only possible meaning which can be attached to the words of these provisions.

But, Madam President, the measures now under discussion in the Senate offend those constitutional provisions. The measures now under discussion in the Senate attempt to authorize the Federal Government to usurp and to exercise the States' power to prescribe a qualification for voters, in face of the fact that the Constitution of the United States denies any such power to the Congress.

There is another rule which has to do with determining the meaning to be assigned to the words of the Constitution. This rule was best expressed by Mr. Justice Miller in the famous case of *Ex parte Bain*, 121 U.S. 1. In that case Mr. Justice Miller had this to say as to how constitutional provisions are to be interpreted:

It is never to be forgotten that in the construction of the language of the Constitution here relied on, as indeed in all other instances where construction becomes necessary, we are to place ourselves as nearly as possible in the condition of the men who framed that instrument.

We are extremely fortunate in this particular instance because we have the interpretation placed upon these constitutional provisions by some of the men who assisted in drawing them.

I shall read certain passages from the Federalist, which is a collection of the articles written by Alexander Hamilton, James Madison, and John Jay, in their effort to explain the meaning of the Constitution of the United States to the people of the Thirteen Colonies, and to persuade the people of the Thirteen Colonies that they should ratify the Constitution.

I call the attention of the Senate to the Federalist because some of the advocates of bills to which I have referred attempt to argue that there is no difference between the power to prescribe qualifications for voters and the power to regulate the manner of holding an election. They contend that the power to regulate the manner of holding an election includes the power to prescribe the qualifications of those who are to vote in such an election.

The articles from the Federalist, as well as the words of the constitutional provisions and the decisions of the Supreme Court to which I shall hereafter allude, make it crystal clear that there is no foundation whatever for the argument that the power to regulate the holding of an election is tantamount to the power to prescribe the qualifications of voters in such an election.

I shall not read many of the statements in the Federalist which are relevant here; namely, that the Founding Fathers inserted in the Constitution, in a number of instances, provisions harmonizing with what we call the separation of governmental powers.

The Founding Fathers made it plain that they were distributing certain governmental powers between the Federal Government and the State governments on the one hand and among the different departments of the Federal Government—that is, the legislative, the executive, and the judicial—on the other. They realized that a republic could not endure and function correctly if all of the governmental powers of the republic were concentrated in one man or in one body.

Many wonderful statements are contained in the Federalist as to the necessity of having a separation of governmental powers between different agencies of the Government in order to preserve the Republic and make it function in a sound manner. On this point I wish to state that every American ought to read the Farewell Address of George Washington to the American people. George Washington was the President of the Constitutional Convention of 1787, which drafted the Constitution of the United States, and he knew why the different provisions were inserted in the Constitution in the language in which they were written.

He pointed out in the most emphatic manner that the Founding Fathers had distributed—it was his word—the powers of government among the different branches of the Federal Government and the States because they realized it was necessary in order to preserve the Republic. In his Farewell Address to the American people, George Washington made the significant statement that it was just as necessary to preserve the distribution of the powers of government

made by the Constitution as it was to create them in the Constitution in the first place.

When one takes section 2 of article I and section 4 of article I, he gets an example of this distribution of governmental power as between the Congress on the one hand and the State legislatures on the other. One sees, in effect, that the power to prescribe the qualifications of those eligible to vote in congressional elections is dealt with in section 2 and is, in effect, vested in the legislatures of the States. This is true because the legislatures of the States are the only bodies which can prescribe the qualifications of those who are electors of the most numerous branch of the State legislatures.

Section 4 vested in the Congress of the United States the paramount power to prescribe the manner of holding elections for Senators and Representatives in Congress.

There are a great many decisions of the Supreme Court of the United States on this point. Every one of them in effect holds that the power of Congress to regulate the manner of the holding of elections is merely the power to prescribe how the votes are to be cast and counted and returned, and it has no connection whatever with the power to prescribe the qualifications of voters.

I return to my question as to what the men who drew these provisions intended to accomplish by them. The Federalist contains two articles dealing specifically with the qualifications of those eligible to vote for Members of the House of Representatives. I read from an edition of the Federalist which was issued by the Modern Library of New York. I call attention to the article in the Federalist which was written either by Hamilton or by Madison and which bears the number "52":

From the more general inquiries pursued in the last four papers, I pass on to a more particular examination of the several parts of the Government. I shall begin with the House of Representatives.

The first view to be taken of this part of the Government relates to the qualifications of the electors and the elected.

Those of the former are to be the same with those of the electors of the most numerous branch of the State legislature. The definition of the right of suffrage is very justly regarded as a fundamental article of republican government. It was incumbent on the Convention, therefore, to define and establish this right in the Constitution. To have left it open for the occasional regulation of the Congress would have been improper for the reason just mentioned. To have submitted it to the legislative discretion of the States would have been improper and for the same reason; and for the additional reason that it would have rendered too dependent on the State governments that branch of the Federal Government which ought to be dependent on the people alone. To have reduced the different qualifications in the different States to one uniform rule, would probably have been as dissatisfactory to some of the States as it would have been difficult to the Convention. The provision made by the Convention appears, therefore, to be the best that lay within their option. It must be satisfactory to every State, because it is conformable to the standard already established, or which may be established, by the State itself. It will be safe to the United States, because, being fixed by the State constitutions, it is not alterable by the State governments, and it cannot be feared that the people of the States will alter this part of their constitutions in such a manner as to abridge the rights secured to them by the Federal Constitution.

The Federalist has described the qualifications of electors of Representatives in Congress. It now proceeds to describe the qualifications of the Representatives in Congress:

The qualifications of the elected, being less carefully and properly defined by the State constitutions, and being at the same time more susceptible of uniformity, have been very properly considered and regulated by the Convention. A Representative of the United States must be of the age of 25 years; must have been 7 years a citizen of the United States; must, at the time of his election, be an inhabitant of the State he is to represent; and, during the time of his service, must be in no office under the United States. Under these reasonable limitations, the door of this part of the Federal Government is open to merit of every description, whether native or adoptive, whether young or old, and without regard to poverty or wealth, or to any particular profession or religious faith.

Some historians have been unable to determine whether the passage which I have read was written by Alexander Hamilton or James Madison. The same is true with reference to Federalist Article No. 57. I read a pertinent portion from it:

The third charge against the House of Representatives is, that it will be taken from that class of citizens which will have least sympathy with the mass of the people, and be most likely to aim at an ambitious sacrifice of the many to the aggrandizement of the few.

Let me now ask what circumstance there is in the Constitution of the House of Representatives that violates the principles of republican government, or favors the elevation of the few on the ruins of the many?

Who are to be the electors of the Federal Representatives? Not the rich, more than the poor; not the learned, more than the ignorant; not the haughty heirs of distinguished names, more than the humble sons of obscurity and unpropitious fortune. The electors are to be the great body of the people of the United States. They are to be the same who exercise the right in every State of electing the corresponding branch of the legislature of the State.

Hamilton wrote a very illuminating article which is incorporated in Federalist No. 59, on the meaning of section 4 of article I, the section which gives the Federal Government the paramount authority to regulate the manner of holding elections for Senators and Representatives in Congress. I read some pertinent portions from that article, in which he speaks of this provision:

Its propriety—

That is, the propriety of giving the Congress paramount authority to regulate the manner of holding elections as set out in section 4 of article I—

Its propriety rests upon the evidence of this plain proposition, that every government ought to contain in itself the means of its own preservation.

It will not be alleged, that an election law could have been framed and inserted in the Constitution, which would have been always applicable to every probable change in the situation of the country; and it will therefore not be denied, that a discretionary power over elections ought to exist somewhere. It will, I presume, be as readily conceded, that there were only three ways in which this power could have been reasonably modified and disposed: that it must either have been lodged wholly in the national legislature, or wholly in the State legislatures, or primarily in the latter and ultimately in the former. The last mode has, with reason, been preferred by the convention. They have submitted the regulation of elections for the Federal Government, in the first instance, to the local administrations; which, in ordinary cases, and when no improper views prevail, may be both more convenient and more satisfactory; but they have reserved to the national authority a right to interpose, whenever extraordinary circumstances might render that interposition necessary to its safety.

Nothing can be more evident than that an exclusive power of regulating elections for the National Government, in the hands of the State legislatures, would leave the existence of the Union entirely at their mercy. They could at any moment annihilate it by neglecting to provide for the choice of persons to administer its affairs.

If the State legislatures were to be invested with an exclusive power of regulating these elections, every period of making them would be a delicate crisis in the national situation, which might issue in a dissolution of the Union, if the leaders of a few of the most important States should have entered into a previous conspiracy to prevent an election.

Hamilton wrote another article for The Federalist, which is embodied in the book from which I am reading, identified as The Federalist No. 60, in which he dealt with both the meaning of section 2 of article I and the meaning of section 4 of article I. The article makes clear beyond peradventure of a doubt that the Founding Fathers intended to give to the legislatures of the States, in effect, the power to prescribe the qualifications of voters in elections for Senators and Representatives in Congress, and to Congress the paramount authority to regulate the manner of holding such elections.

Mr. STENNIS. Madam President, will the Senator yield at that point?

Mr. ERVIN. I am delighted to yield to the distinguished junior Senator from Mississippi.

Mr. STENNIS. I should like to ask the Senator a question. I refer to the Senator's discussion of the bill S. 2750 with reference to literary qualifications, and particularly page 2 thereof, beginning with line 11, for illustration. In the opinion of the Senator from North Carolina, what was the purpose for writing in the proposed legislation the factual findings that appear at that point, lettered A, B, C, D, and E?

Mr. ERVIN. The purpose of all the preambles and whereases is to enable the proponents of the bill to apply the flattering unction to their souls that they have made a case for violating the Constitution of the United States. That is one of the purposes.

The other purpose is to try to establish the truth of facts by legislation and to nail the courthouse door shut so that the utterance of Congress, whether it be true or false, cannot be contradicted. That is the purpose. But thank the Lord there are some other provisions

of the Constitution, which I shall discuss at some later date, which prevent things like that from being done.

Mr. STENNIS. The Senator's answer is illuminating. I ask the Senator if he thinks it is possible, eliminating any pretense of the kind illustrated, to give validity to a law that would not otherwise be valid by such conclusions as are stated in the bill.

Mr. ERVIN. I would say frankly that I do not know who drew the bill. I know it was not drawn by those who introduced it. The provisions of the bill about which the Senator has spoken were, in my judgment, inserted by draftsmen upon the theory that Congress can extend the coverage of the Constitution by uttering a legislative lie.

Mr. STENNIS. The Senator has used very forceful, but I think very correct, language.

Mr. ERVIN. I think so, because any person who was able to prove the truth of an assertion that the Constitution of the United States had been violated would be willing to have the truth of that assertion established in court. Whenever there is a controversy as to the meaning of a provision of the Constitution of the United States, an exercise of the judicial power is involved. What we find in the bill is an apparent effort to have Congress usurp and exercise part of the judicial power which the Constitution of the United States, by article III, has vested exclusively in the Supreme Court and such inferior courts as Congress may from time to time ordain and establish.

Mr. STENNIS. Madam President, will the Senator yield for another question?

Mr. ERVIN. I yield.

Mr. STENNIS. Is it not true that if the system of giving Congress jurisdiction as outlined in the bill is approved, Congress will have effected a way to write its own ticket as to what its powers are, and then, instead of having a government with legislative powers limited as provided by the Constitution, we would have a government with powers that might be delineated by the legislative branch itself. Is that not a reasonable interpretation?

Mr. ERVIN. If the provision about which we are speaking is constitutional, and if it could be sustained, then we would have a government that could make congressional assertions of facts, regardless of whether the facts asserted were true or false. In other words, Congress could expand the powers of the National Government and rob the States of their powers by the simple expedient of inserting some kind of a preamble or "whereas" which would allege some question of fact which might be true or might be false.

In my judgment the provision is absolutely unconstitutional, because I do not believe it is possible to rob the judicial branch of the Federal Government of the power to determine controversies respecting the meaning or application of provisions of the U.S. Constitution.

Mr. STENNIS. As an illustration, is it not true, if the Senator will look at page 2, particularly lines 15 and 16, which come after the reference to a large number of American citizens who are deprived of the right to vote "by virtue of their birth and education in a part of the United States in which the Spanish language is commonly used," there is this statement in the bill: "that these citizens are well qualified to exercise the franchise."

May I ask the Senator how we, with the limited number of Members that constitute the Senate, have any chance of making a finding of fact that this large number of people who live in some other States where the Spanish language is commonly used are individually qualified, each one of them? Can the Senator imagine how anyone can reach such a conclusion? Does it not show how ridiculous the situation is?

Mr. ERVIN. That illustrates the thought that some people think that truth is immaterial in questions of fact and that they can contract the powers of the States through the utterance of preambles and whereases regardless of whether the statements be true or false.

Incidentally, the proponents of the bill would have us believe that these provisions are either in harmony with all the State literacy tests or that the provisions do not affect in a drastic manner State literacy tests.

As a matter of fact, if newspaper accounts of the testimony of witnesses given before the House Judiciary Committee on the companion bill are to be relied on, assertions to that effect have been made by witnesses before that committee. They are reported to have said that there is no substantial difference between the State literacy tests which it undertakes to nullify and the previsions of the bill. Yet it is very interesting that there are, as nearly as I can determine, 21 States in the United States which prescribe a literacy test. In the case of 20 of these States one's literacy is to be determined by his capacity to read the English language. In another, the State of Hawaii, the literacy of the person is to be determined by his capacity to speak, read, and write either the English or Hawaiian language, while in a 22d State, Nebraska, the voter is required to sign his name when registering.

Yet, under the bill any citizen of the United States, which includes everyone born within the jurisdiction of the United States, who has completed the sixth grade in school, would be allowed to register and vote in any one of the 21 States having literacy tests. This would permit anyone, who, for example, had completed the sixth grade in Puerto Rico and understands Spanish only to register and vote in any of 20 States having literacy tests even though he could not speak or write or read a word of the language prescribed by the literacy tests, namely, English. This is also true of Hawaii, whose literacy test provides that a person shall be able to speak, read, and write either English or Hawaiian.

In other words, it is an attempt to alter the literacy tests established by every State in the Union which has such tests, and they number 21. Incidentally, only 7 of the 21 States having literacy tests are below the Mason-Dixon line; the other 14 States are above the Mason-Dixon line.

Mr. STENNIS. I thank the Senator. I should like to direct his attention to another provision of the proposed bill. As the Senator has so graphically stated, it would close the courtroom door upon any other adjudication. Does it not go further and make it a criminal offense to violate any of the provisions of this one section alone?

Mr. ERVIN. Yes.

Mr. STENNIS. I thank the Senator.

Mr. ERVIN. I was coming to this point a little later. However, I see on the floor the distinguished junior Senator from Maine [Mr. MUSKIE]. His State has a literacy test. It provides, in substance, that, unless prevented by physical disability, or unless a person had the right to vote on January 4, 1893, the applicant for registration must be able to read the constitution of the State in English and to write his name. Yet the bill to which the Senator has referred, if enacted into law, would provide that the State of Maine no longer could have that kind of literacy test; but that anyone who has completed the sixth grade in Puerto Rico would have an absolute right to register and vote in the State of Maine, notwithstanding the literacy test prescribed by the State of Maine, and even though the person could not speak or read or write a word of English.

That is just an illustration, as the Senator has pointed out, of how the bill transgresses the Constitution of the United States, which clearly vests in the State legislatures the power to prescribe the qualifications of the electors of the most numerous branch of the State legislature and which provides that only those persons possessing those qualifications are eligible to vote for Senators and Representatives.

Mr. STENNIS. Do I correctly understand the Senator to say that by the passage of a legislative act, Congress, if the act should be upheld by the Court, could strike down that provision of constitutional law of the State of Maine and also make it a criminal offense for any official in Maine to try to carry out what is constitutional?

Mr. ERVIN. The Senator is correct. However, there are two conditions precedent; first, that Congress should pass these laws, and, second, that the Supreme Court would sustain their validity. I do not see how any person who is informed on the subject and who has studied the constitutional provisions and decisions of the Court, can believe that the Supreme Court of the United States would ever uphold the validity of the provisions of any of these bills, unless he believes that the Supreme Court of the United States has lost all of its intellectual integrity and all of its judicial stability. I do not know of any stronger way to state it.

Mr. STENNIS. I agree with the Senator in that conclusion. I thank him for yielding to me.

Mr. ERVIN. Before I return to the Federalist, I should like to read a legal statement of what constitutes a literacy test that requires one to read and write. I alluded to it in the colloquy with the Senator from Mississippi some time ago,

but I did not place the test in the RECORD.

The latest textbook on this subject, Corpus Juris Secundum, in the article on "Elections," section 26, states:

> The test is ability to read in a reasonably intelligent manner and to write in a fairly legible way sentences composed of words in common use and of average difficulty. Compliance with this test is sufficient, even if each and every word may not be accurately pronounced or spelled.

Madam President, I now return to Federalist No. 60, which was written by Alexander Hamilton. Incidentally, I digress to say that we would never have found Alexander Hamilton supporting any of these bills, because each of them flies in the face of what Hamilton said the Founding Fathers had in mind and what they actually wrote in the Constitution.

Alexander Hamilton was replying to one of the arguments being used against the ratification of the Constitution, namely, that the rich people would be able to take control of the Federal Government. Hamilton said on that score:

> The truth is, that there is no method of securing to the rich the preference apprehended, but by prescribing qualifications of property either for those who may elect or be elected. But this forms no part of the power to be conferred upon the National Government. Its authority would be expressly restricted to the regulation of the times, the places, the manner of elections. The qualifications of the persons who may choose or be chosen, as has been remarked upon other occasions, are defined and fixed in the Constitution, and are unalterable by the legislature.

When Hamilton used the word "legislature" in this connection, he was referring to the Federal Legislature, which is Congress. He pointed out that the qualifications of the persons eligible to vote in elections for Senators and Representatives—or to make it more accurate as of that time, persons eligible to vote in elections for Representatives—had to conform with the qualifications requisite for electors of the most numerous branch of the legislature of the State in which the Representatives were being elected. Then he pointed out that the power of Congress to act was restricted to prescribing the times, places, and manner of elections.

He said particularly that it was not necessary to worry; that the people who were fearful that Congress would enable the Federal Government to turn the country over to the control of those who were rich did not have to worry, because Congress had no power whatever to prescribe the qualifications of those who would vote for Representatives in Congress.

I cannot imagine anything which is stated in clearer, plainer, or more simple language than what was said in the Federalist passages from which I have read. I have endeavored to show, and I believe I have succeeded in showing, that the words of the relevant provisions of the Constitution are so clear, plain, and simple that they cannot be construed to vest in Congress any power whatever over the qualifications of voters in elections for Representatives and, by virtue of the 17th amendment, in elections for Senators. I have endeavored to show, and I believe I have succeeded in demonstrating, that this interpretation is in complete harmony with the intent of the men who framed and the people who ratified the Constitution.

Mr. STENNIS. Madam President, will the Senator yield for a question?

Mr. ERVIN. I yield.

Mr. STENNIS. Would the Senator add, "And is entirely consistent with the legislative acts of the past and judicial decisions until now"?

Mr. ERVIN. Yes.

When Congress and the States undertook to put limitations on the power of the States to prescribe a qualification for voting on the basis of race, color, or previous condition of servitude, they did not do as the proponents of these bills are attempting to do. They did not attempt to do it by congressional enactment. They recognized the truth; namely, that the Federal Government had no power to deal with the qualifications of voters in congressional elections and that, therefore, if they wanted to prevent discrimination against a person in voting on the basis of race, color, or previous conditions of servitude, they would have to do so by constitutional amendment.

The same thing applies to the 19th amendment. When Congress and the States wanted to prevent any State from establishing any qualification for voting on the basis of sex, they did not attempt to do what the proponents of these bills are seeking to do. They did not attempt to do it by congressional enactment. They recognized that Congress had no power to take action; therefore, they accomplished that purpose through an amendment to the Constitution of the United States, which is now embodied in the 19th amendment. Until comparatively recent times, it has never been asserted by any informed person that the Federal Government has any power whatever to prescribe any qualifications for voters.

I shall now undertake to demonstrate that the Supreme Court has placed upon the relevant provisions of the Constitution the same meaning as is set forth in the simple words in which those provisions are couched, and the same meaning which the writers of the Federalist placed upon them.

In the old days it was customary for the court to say that the right to vote came from the States and was not derived from the Federal Constitution. This statement was based upon the fact that section 2 of article I adopted as qualifications for voting for Representatives in Congress the same qualifications which the law of the State prescribed for voting for members of the most numerous branch of the State legislature. However, there can be no doubt that the Constitution itself prescribes in the 17th amendment the qualifications of those who shall vote for Senators, and in section 2, article I, the qualifications of those who shall vote for Representatives in Congress. It does so by adopting the qualifications prescribed by the States in respect to electors of the most numerous branch of the State legislature. That is what the words say; that is what the Federalist says; that is exactly what the Supreme Court has held in many cases.

Mr. President (Mr. BURDICK in the chair), one of the clearest expositions of this principle is that found in the case of *In re Yarbrough*, 110 U.S. 651. The opinion in that case was written by Mr. Justice Miller, who in my judgment was one of the ablest lawyers to adorn the Supreme Court of the United States. He pointed out that it was not exactly accurate to say—as some of the older decisions had said—that the right to vote for a Member of Congress under section 2 of article I was derived from the State, rather than from the Constitution. Mr. Justice Miller said:

> But it is not correct to state that the right to vote for a Member of Congress does not depend on the Constitution of the United States. The office, if it be properly called an office, is created by that Constitution, and by that alone. It also declares how it shall be filled; namely, by election. Its language is:
>
> "The House of Representatives shall be composed of Members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature."

Citing article I, section 2.

Then Mr. Justice Miller proceeded as follows:

> The States in prescribing the qualifications of voters for the most numerous branch of their own legislatures do not do this with reference to elections of Members of Congress. Nor can they prescribe the qualification for voters for those eo nomine. They define who are to vote for the popular branch of their own legislature, and the Constitution of the United States says the same persons shall vote for Members of Congress in that State. It adopts the qualification thus furnished as the qualification of its own electors for Members of Congress.

Yet, Mr. President, in the face of that statement by Judge Miller in the case of In re Yarbrough, the proponents of these measures undertake to repudiate the Constitution of the United States itself, which prescribes the qualifications for electors, by congressional electors adopting the qualification prescribed by the States for electors of the most numerous branches of the State legislature.

The decision in the case of In re Yarbrough was cited and approved by the Supreme Court of the United States in the later case of *Wiley* v. *Sinkler*, 179 U.S. 58. In the decision in that case, another one of the great judges of the Supreme Court of the United States—Mr. Justice Gray—quoted the Yarbrough case as follows:

> The States in prescribing the qualifications of voters for the most numerous branch of their own legislatures do not do this with reference to the elections for Members of Congress, nor can they prescribe the qualifications for voters for those eo nomine. They define who are to vote for the popular branch or the most popular branch of their own legislatures, and the Constitution of the United States says the same persons shall vote for Members of Congress in that State. It adopts the qualification thus furnished as the qualification of its own electors for Members of Congress.

Subsequent to that case, the Supreme Court approved that analysis of section 2, article I, of the Constitution in the

case of *Swafford* v. *Templeton*, 185 U.S. 492. I quote from the opinion in that case:

It is manifest from the context of the opinion in the case just referred to that the conclusion that the cause was one arising under the Constitution of the United States was predicated on the conception that the action sought the vindication or protection of the right to vote for a Member of Congress, a right, as declared in *Ex parte Yarbrough*, 110 U.S. 655, 664, "fundamentally based upon the Constitution of the United States, which created the office of Member of Congress, and declared that it should be elective, and pointed out the means of ascertaining who should be electors." That is to say, the ruling was that the case was equally one arising under the Constitution or laws of the United States, whether the illegal act complained of arose from a charged violation of some specific provision of the Constitution or laws of the United States, or from the violation of a State law which affected the exercise of the right to vote for a Member of Congress, since the Constitution of the United States had adopted, as the qualifications of electors for Members of Congress, those prescribed by the State for electors of the most numerous branch of the legislature of the State.

For some strange reason, some of the proponents of these measures cite the opinion in the case of *United States* v. *Classic*, 313 U.S. 299, as authority for the proposition that Congress can prescribe the qualifications requisite to the right to vote for Members of the U.S. House of Representatives. As a matter of fact and as a matter of law, the Classic case holds exactly the opposite.

I wish to read several passages from the Classic case. The following appears upon page 310:

Article I, section 2 of the Constitution, commands that "the House of Representatives shall be composed of Members chosen every second year by the people of the several States and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature." By section 4 of the same article, "the times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to places of choosing Senators." Such right as is secured by the Constitution to qualified voters to choose Members of the House of Representatives is thus to be exercised in conformity to the requirements of State law subject to the restrictions prescribed by section 2 and to the authority conferred on Congress by section 4, to regulate the times, places, and manner of holding elections for Representatives.

This passage quotes the constitutional provision and says expressly that the only authority the Congress has in the matter is to regulate the times, places, and manner of holding elections for Representatives in Congress and declares that they are to be elected subject to the restrictions prescribed by section 2, which restrictions are that the electors in elections for Representatives in Congress shall possess the qualifications requisite for the most numerous branch of the State legislature.

I read this additional passage from the Classic case, at page 314:

Section 2 of article I commands that Congressmen shall be chosen by the people of the several States by electors, the qualifications of which it prescribes.

As appears from those two passages, the Classic case holds expressly that the qualifications of voters in elections for Representatives in Congress are identical with the qualifications of electors for members of the largest house of the State legislature.

I wish to read from one other case; namely, Pirtle against Brown, which is a decision of the Circuit Court of Appeals for the Sixth Circuit. It is reported in 118 Federal (2d) at page 218. This case dealt primarily with the question of the right of a State to prescribe a poll tax as a prerequisite to the right to vote in national elections, and it held that that requisite was a qualification within the meaning of section 2 of article I of the Constitution. In that case the court said:

But in any event, we are not dealing with the question whether the payment of poll tax as a prerequisite to voting violates some natural right or fancied political right. The inquiry is, whether such provision denied any privileges or immunities protected by the Federal Constitution. We have already seen that article I, section 2 of the Constitution of the United States guarantees to the elector for Members of Congress no other privileges than those accorded him by the State as an elector for the most numerous branch of the State legislature.

In closing the discussion on this particular aspect of these bills, I point out that the 14th and 19th amendments do not affect the power of the States to prescribe the qualifications for voting except to the extent covered by those two amendments.

I read the following on this point from an annotation which appears in 153 American Law Reports, at page 1080, and which also appears in the 1961 cumulative supplement to 18 American Jurisprudence, subject, "Elections," section 47:

The 15th and 19th amendments granted no new voting rights except that of not being discriminated against on the ground of race, color, previous condition of servitude, or sex.

Shortly after I started this discussion I stated that every literacy test now upon the statute books of any one of the 21 States having such tests conforms strictly to the provisions of section 2 of article I of the Constitution and the 17th amendment. I am prepared at this time to read the decisions of the Supreme Court of the United States holding that a literacy test prescribed by a State as a qualification for voting for a member of the largest branch of its legislature does not violate the 14th amendment, the 15th amendment, or the 19th amendment.

I am prepared to follow the discussion of the Supreme Court reports on that point with an analysis of the literacy tests prescribed by each of the 21 States which now have such a test, but if the Senator from Wisconsin [Mr. PROXMIRE] desires to interrupt me for a short period of time, with the understanding that——

Mr. MANSFIELD. Mr. President, I must object. I hope the rule will be enforced. I intend to do my best to see that the rules and regulations of this body are enforced.

Mr. ERVIN. I understand perfectly well the position taken by my good friend the majority leader. In the elaborate words of the dictionary, I do not take any umbrage on account of it at all. Personally I would prefer to continue my discussion on these points until I at least complete pointing out the major cases dealing with literacy tests, to show how the literacy tests of the various States conform to those decisions.

It is interesting to note that the Supreme Court of the United States has adjudged constitutional the literacy test of the State of Mississippi and the literacy test of the State of North Carolina. It is also interesting to note that the circuit court of appeals of the appropriate circuit has held the literacy test of the State of Louisiana to be constitutional, and that the Supreme Court of the United States has refused to grant a writ of certiorari to review that decision of the circuit court.

We are confronted, in each of these bills, with the very strange proposal that Congress, by a simple legislative act, should declare to be arbitrary, unreasonable, and unconstitutional decisions holding that three of the literacy tests are perfectly constitutional. This is about on a par with an assertion by the proponents of these bills that the Constitution itself is unconstitutional.

They now take the position that the Supreme Court of the United States was acting in an unconstitutional manner when it adjudged the literacy tests to be constitutional.

One of the earliest cases dealing with the literacy test is *Williams* v. *Mississippi* (170 U.S. 225). This decision is somewhat voluminous. For this reason I shall omit reading it in full. I point out, however, that this is in substance the holding of the Supreme Court in the Williams case:

A State constitution which requires the payment of taxes and the ability to read a section of the Constitution, or to give a reasonable interpretation thereto, as a qualification to vote, and denies to one who has been convicted of an infamous crime the right to vote, and statutes enacted for the purpose of carrying out these provisions, do not on their face discriminate between the races, and do not deny the equal protection of the law when it has not been shown that the actual administration of the Constitution and statutes is evil, but only that evil is possible under them.

The next case dealing with this subject is *Guinn* v. *United States*, 238 U.S. 347. This is a case which struck down the "grandfather" clause of the State constitution in Oklahoma. The State of Oklahoma prescribed both a literacy test and the grandfather clause. It was held that the grandfather clause denied or abridged the right of qualified Negroes to vote in Oklahoma in violation of the 15th amendment to the Constitution of the United States.

In the course of its decision the Supreme Court of the United States said this in respect to the literacy test:

No time need to be spent on the question of the validity of the literacy test considered alone since as we have seen its establishment was but the exercise by the State of a lawful power vested in it not subject to our supervision, and indeed, its validity is admitted.

The opinion in this case also stated that:

Beyond doubt the amendment—

The 15th amendment—

does not take away from the State governments in a general sense the power over suffrage which has belonged to those governments from the beginning and without the possession of which power the whole fabric upon which the division of State and National authority under the Constitution and the organization of both governments, rest would be without support and both the authority of the Nation and the State would fall to the ground. In fact, the very command of the amendment recognizes the possession of the general power by the State, since the amendment seeks to regulate its exercise as to the particular subject with which it deals.

The case of *Trudeau* v. *Barnes*, reported in 65 Federal, second, 563, involves a decision of the Circuit Court of Appeals of the Fifth Circuit.

The Supreme Court of the United States refused to grant certiorari to review that case, thus implying, in my judgment, that the Supreme Court of the United States thought the case had been correctly decided. In that case the petitioner alleged that the literacy test of the State of Louisiana violated the 14th and 15th amendments of the Constitution of the United States. He specifically attacked that portion of the literacy test of Louisiana which reads as follows:

Said applicant—

That is, the applicant for registration—

shall also be able to read any clause in this constitution or the Constitution of the United States and give a reasonable interpretation thereof.

The circuit court of appeals said:

It is at once apparent that the clause of the State constitution which is under attack applies to all voters alike and denies to none of them the equal protection of the law. It does not undertake to deny or abridge the right of citizens of the United States to vote on account of race, color, or previous condition of servitude. It is difficult to conceive how this clause can be said to violate either the 14th or 15th amendment. It lays down but one test, that of intelligence, which applies uniformly without discrimination to voters of every race and color.

One of the many strange things in these bills is that the bills are presented to the Senate only 3 years after the Supreme Court of the United States handed down its decision in *Lassiter* v. *Northampton County Board of Elections*, 360 U.S. 45. That case originated in my State, and it involved an attack upon the North Carolina literacy test, which appears in section 4 of article VI of the North Carolina constitution, and which is as follows:

Every person presenting himself for registration shall be able to read and write any section of the constitution in the English language.

It was asserted by the plaintiff Lassiter that the clause violated the 14th and 17th amendments. In rejecting the attack, and holding the North Carolina literacy test law valid, the Supreme Court of the United States spoke through Associate Justice Douglas, who wrote the opinion for a unanimous Court.

Every member of the Court is still sitting on the Court. Why anyone should think that the present Court would repudiate a decision upholding the validity of a State literacy test within this period of time after its decision is something which I confess I am unable to comprehend.

In the course of the opinion, Justice Douglas said:

We come then to the question whether a State may consistently with the 14th and 17th amendments apply a literacy test to all voters irrespective of race or color. The Court in *Guinn* v. *United States*, *supra*, at 366, disposed of the question in a few words. "No time need be spent on the question of the validity of the literacy test considered alone since as we have seen its establishment was but the exercise by the State of a lawful power vested in it not subject to our supervision, and indeed, its validity is admitted."

The States have long been held to have broad powers to determine the conditions under which the right of suffrage may be exercised. *Pope* v. *Williams*, 193 U.S. 621, 633; *Mason* v. *Missouri*, 179 U.S. 328, 335, absent of course the discrimination which the Constitution condemns. Article I, section 2 of the Constitution in its provision for the election of Members of the House of Representatives and the 17th amendment in its provision for the election of Senators provide that officials will be chosen "by the people." Each provision goes on to state that "the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature." So while the right of suffrage is established and guaranteed by the Constitution (*Ex parte Yarbrough*, 110 U.S. 651 (663–665; *Smith* v. *Allwright*, 321 U.S. 649, 661–62)) it is subject to the imposition of State standards which are not discriminatory and which do not contravene any restriction that Congress, acting pursuant to its constitutional powers, has imposed. See *United States* v. *Classic*, 313 U.S. 299, 315. While section 2 of the 14th amendment, which provides for apportionment of Representatives among the States according to their respective numbers counting the whole number of persons in each State (except Indians not taxed), speaks of "the right to vote," the right protected "refers to the right to vote as established by the laws and constitution of the State" *McPherson* v. *Blacker*, 146 U.S. 1, 39.

We do not suggest that any standards which a State desires to adopt may be required of voters. But there is wide scope for exercise of its jurisdiction. Residence requirements, age, previous criminal record (*Davis* v. *Beason*, 133 U.S. 333, 345–347) are obvious examples indicating factors which a State may take into consideration in determining the qualifications of voters. The ability to read and write likewise has some relation to standards designed to promote intelligent use of the ballot. Literacy and illiteracy are neutral on race, creed, color, and sex, as reports around the world show. Literacy and intelligence are obviously not synonymous. Illiterate people may be intelligent voters. Yet in our society where newspapers, periodicals, books, and other printed matter canvass and debate campaign issues, a State might conclude that only those who are literate should exercise the franchise (Cf. *Franklin* v. *Harper*, 205 Ga. 779, 55 S. E. 2d 221, appeal dismissed 339 U.S. 946). It was said last century in Massachusetts that a literacy test was designed to insure an "independent and intelligent" exercise of the right of suffrage (*Stone* v. *Smith*, 159 Mass. 413–414, 34 N. E. 521). North Carolina agrees. We do not sit in judgment on the wisdom of that policy. We cannot say, however, that it is not an allowable one measured by constitutional standards.

Of course a literacy test, fair on its face, may be employed to perpetuate that discrimination which the 15th amendment was designed to uproot. No such influence is charged here. On the other hand a literacy test may be unconstitutional on its face. In *Davis* v. *Schnell* (81 F. Supp. 872, aff'd 336 U.S. 933), the test was the citizen's ability to "understand and explain" an article of the Federal Constitution. The legislative setting of that provision and the great discretion it vested in the registrar made clear that a literacy requirement was merely a device to make racial discrimination easy. We cannot make the same inference here. The present requirement, applicable to members of all races, is that the prospective voter "be able to read and write any section of the constitution of North Carolina in the English language." That seems to us to be one fair way of determining whether a person is literate, not a calculated scheme to lay springes for the citizen. Certainly we cannot condemn it on its face as a device unrelated to the desire of North Carolina to raise the standards for people of all races who cast the ballot.

Mr. President, I have read to the Senate portions of the decisions of the Supreme Court of the United States holding that States have the power to adopt literacy tests which apply alike to all persons of all races. The literacy tests which are now upon the statute books of approximately 21 of the 50 States are in strict conformity with the constitutional provisions and with the decisions holding nondiscriminatory tests to be constitutional.

I hope at a later stage of the discussion, either upon the resolution or the three bills which I have been discussing, to have an opportunity to go into the literacy tests of each of the 21 States that have such tests and demonstrate to the Senate that such tests are perfectly valid when read in the light of the Constitution and in the light of the decisions of the Supreme Court of the United States construing that Constitution.

In closing I point out that if laws embodying the provisions of these bills can be held constitutional, the capacity of the Federal Government to multiply its power by assertions of facts in preambles and whereases is unlimited. If Congress can strike down literacy tests of States, it can strike down any other qualifications for voting by the simple expedient of uttering a legislative assertion in a preamble or "whereas," clause, regardless of whether such legislative assertion is true or false.

In like manner, it could strike down the requirements of State laws that a person in order to be eligible to vote must be of a certain age or that he should be free of conviction for felonies, or any other requirement which State laws might prescribe.

Frankly, I do not believe Congress can establish questions of fact by assertions in preambles and "whereases." The decision in the Lassiter case indicates that before Congress can strike down any State action uner any nondiscriminatory literacy test for voting prescribed by State law on the ground that it violates the 15th amendment, it must establish that fact in proper judicial proceedings by testimony. The Supreme Court stated in substance in the Lassiter case

that there was no evidence that the literacy test there under consideration had been used in actual practice as an instrument of discrimination under the 15th amendment.

Later I shall discuss the point as to the capacity of Congress to settle questions of fact by legislative enactment. I say that such a power does not exist and that any attempt to assert such power violates the third article, by attempting to give Congress a part of the judicial power, and the due process clause of the fifth amendment by attempting to forbid courts to exercise a judicial function.

At this time I yield the floor. I shall resume, I trust, in a later speech.

INTEREST RATE RISE UNCONSCIONABLE, UNJUSTIFIED

Mr. PROXMIRE. Mr. President, the Economic Indicators for March, prepared for the Joint Economic Committee by the Council of Economic Advisers, have been published in the past few days. The most recent figures available show personal interest income continues to rise at a far more rapid rate, while last month farm income dropped more sharply than any other source of income.

The shocking fact is that since 1953 personal interest income has climbed from $13.4 billion to a whopping record of $28.7 billion, far more than doubling.

Meanwhile, farm income, which was about equal to personal interest income in 1953, at $13.3 billion, last month fell to $12.8 billion.

I ask unanimous consent that the tables on pages 2 and 3 in the Economic Indicators for March 1962, be printed at this point in the RECORD.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

National income

[Billions of dollars]

Period	Total national income	Compensation of employees [1]	Proprietors' income: Farm	Proprietors' income: Business and professional	Rental income of persons	Net interest	Corporate profits and inventory valuation adjustment: Total	Corporate profits and inventory valuation adjustment: Profits before taxes	Corporate profits and inventory valuation adjustment: Inventory valuation adjustment
1949	217.7	140.8	12.9	22.7	8.3	4.8	26.2	26.4	1.9
1950	241.9	154.2	14.0	23.5	9.0	5.5	38.7	40.6	−1.0
1951	279.3	180.3	16.3	26.0	9.4	6.3	41.0	42.2	−1.2
1952	292.2	196.0	15.3	26.9	10.2	7.1	37.7	36.7	1.0
1953	305.6	208.8	13.3	27.4	10.5	8.2	37.3	38.3	−1.0
1954	301.8	207.6	12.7	27.8	10.9	9.1	33.7	34.1	−.3
1955	330.2	223.9	11.8	30.4	10.7	10.4	43.1	44.9	−1.7
1956	350.8	242.5	11.6	32.1	10.9	11.7	42.0	44.7	−2.7
1957	366.9	255.5	11.8	32.7	11.9	13.4	41.7	43.2	−1.5
1958	367.4	257.1	13.5	32.5	12.2	14.8	37.2	37.4	−.3
1959	399.6	278.4	11.3	35.0	11.9	16.8	38.4	38.8	−.5
1960	417.1	293.7	12.0	36.2	11.7	18.4	44.1	44.0	.0
	Seasonally adjusted annual rates								
1960: 1st quarter	413.5	290.2	10.3	34.8	11.7	17.8	47.4	48.1	−0.7
2d quarter	419.2	294.5	12.3	36.4	11.7	18.3	45.9	46.3	−.4
3d quarter	419.0	296.0	12.4	36.3	11.7	18.6	44.1	43.2	.9
4th quarter	416.5	294.0	12.7	36.3	11.7	18.9	42.9	42.6	.3
1961: 1st quarter	412.2	292.6	12.9	36.0	11.5	19.2	40.0	39.6	.4
2d quarter	426.0	300.2	12.9	36.3	11.5	19.6	45.5	45.2	.3
3d quarter	434.3	306.2	12.8	36.6	11.5	20.2	47.0	47.2	−.2

[1] Includes employer contributions for social insurance.

NOTE.—Data for Alaska and Hawaii included beginning 1960.

Source: Department of Commerce.

Sources of personal income

[Billions of dollars]

Period	Total personal income	Labor income (wage and salary disbursements and other labor income) [2]	Proprietors' income: Farm	Proprietors' income: Business and professional	Rental income of persons	Dividends	Personal interest income	Transfer payments	Less: Personal contributions for social insurance	Nonagricultural personal income [3]
1952	273.1	190.2	15.3	26.9	10.2	9.0	12.1	13.2	2.8	254.3
1953	288.3	204.1	13.3	27.4	10.5	9.2	13.4	14.3	2.9	271.5
1954	290.8	202.5	12.7	27.8	10.9	9.8	14.6	16.2	4.6	273.8
1955	310.2	218.0	11.8	30.4	10.7	11.2	15.8	17.5	5.2	295.0
1956	332.9	235.7	11.6	32.1	10.9	12.1	17.5	18.6	5.8	317.9
1957	351.4	247.7	11.8	32.7	11.9	12.6	19.6	21.9	6.7	336.1
1958	360.3	249.2	13.5	32.5	12.2	12.4	21.0	26.3	6.9	343.0
1959	383.3	268.8	11.3	35.0	11.9	13.4	23.6	27.2	7.9	368.1
1960	402.2	282.2	12.0	36.2	11.7	14.1	26.2	29.1	9.3	386.2
	Seasonally adjusted annual rates									
1960: November	406.0	282.7	12.8	36.4	11.7	14.4	26.7	30.7	9.3	389.1
December	404.0	280.9	12.8	36.0	11.6	14.1	26.7	31.0	9.2	387.2
1961: January	403.6	280.6	12.8	36.0	11.6	14.2	26.8	31.1	9.6	386.8
February	403.1	280.2	12.9	35.8	11.5	14.2	26.8	31.1	9.4	386.2
March	[4] 407.3	281.7	13.0	36.0	11.4	14.2	26.8	[4] 33.7	9.6	[4] 390.4
April	409.8	284.3	12.9	36.1	11.5	14.2	26.8	32.5	9.6	392.9
May	413.2	286.0	12.9	36.3	11.5	14.2	27.0	33.0	9.7	396.4
June	417.3	291.7	13.0	36.4	11.5	14.3	27.1	33.0	9.8	400.2
July	[4] 421.2	293.4	12.9	36.6	11.5	14.3	27.2	[4] 35.2	9.8	[4] 404.0
August	419.4	294.0	12.8	36.6	11.5	14.3	27.4	32.8	9.8	402.4
September	421.1	296.2	12.7	36.8	11.5	14.4	27.5	32.7	9.8	404.1
October	425.2	297.8	13.5	37.0	11.5	14.5	27.7	33.1	10.0	407.2
November	429.3	300.9	13.8	37.3	11.5	14.8	27.9	33.2	10.1	410.9
December [4]	431.3	301.9	13.8	37.4	11.5	15.5	28.2	33.4	10.1	413.1

[1] Compensation of employees excluding employer contributions for social insurance and the excess of wage accruals over disbursements.

[2] Personal income exclusive of net income of unincorporated farm enterprises, farm wages, agricultural net interest, and net dividends paid by agricultural corporations.

[3] Includes stepped-up payment of national service life insurance dividends of $1.90 million ($1.8 billion at annual rate) in March and $218 million ($2.6 billion at annual rate) in July.

[4] Preliminary.

NOTE.—Data for Alaska and Hawaii included beginning 1960.

Source: Department of Commerce.

Mr. PROXMIRE. Mr. President, an even more shocking contrast is the difference between net interest as a component of national income and farm income. Here we find that since 1949, net interest—that is, if we take out the canceling effect of one corporation lending to another—the net interest has increased more than fourfold, more than quadruple, while farm income has remained about the same between 1949 and 1961. In other words, in 1949, farm income was far more than twice as great as net interest. Today, net interest is 50 percent higher than farm income.

Some persons argue that the Federal Government cannot, and in a free system should not, control interest rates. Let us consider that argument. The fact is that the Federal Government—to be specific, Congress—is responsible for interest or the cost of money. The interest income and the interest cost have climbed, because the Federal Government deliberately determined that the interest rate should rise.

Article I, section 8, paragraph 5 of the Constitution provides:

> The Congress shall have the power to * * * coin money, regulate the value thereof.

That means, of course, the value of money, being interest.

Congress has created the Federal Reserve Board and has delegated to the Federal Reserve Board the constitutional authority, in effect, "to regulate the value" of money.

There is no mystery about it. The Federal Reserve Board can move interest rates up or down by establishing bank reserve requirements, adjusting the rediscount rate, and, perhaps most typically, by buying or selling Federal Government obligations. In doing these things, the Federal Reserve Board increases or decreases the supply of money.

Any time the Federal Reserve authorities wish to reduce interest rates, they can buy Government obligations, thus driving the price of Government obligations up and the interest rate on those obligations down. As investors sell the low-yielding, high-priced Government obligations, they have funds available to invest in other interest-yielding obligations. When they do so, the whole structure of interest rates falls.

The Federal Reserve Board can accomplish the same result by lowering the reserve requirement, thus increasing bank reserves. The banks with free reserves buy Government obligations and other interest-bearing instruments, and interest rates fall.

The Federal Reserve Board can also lower the rediscount rate, which makes it profitable for banks to "borrow reserves" from one of the Federal Reserve banks. If the rediscount rate is low enough to buy the Federal obligations or make additional loans at lower rates, the incentive will be present to borrow reserves and use the newly acquired reserves to buy Federal obligations or make additional loans at lower rates, if necessary, and thus the interest rates are brought down.

As I say, there is no mystery about it. Not only can the Federal Reserve Board raise and lower interest rates, it has done this in the past on many occasions. This creature of Congress can do the same thing in the future, whenever it wishes to do so.

GOVERNMENT HAS HISTORICALLY DETERMINED INTEREST RATES

During the Roosevelt administration and in the early Truman years, the Federal Reserve Board followed an easy money, low-interest-rate policy. Interest rates were very low for many years. In fact, throughout the late 1930's, the entire decade of the 1940's, and at the beginning of the past decade, interest rates were continuously low because it was deliberate, calculated Government policy to keep interest rates low.

Interest rates were so low that although Federal obligations bore extremely low interest rates, the Federal Reserve Board followed the policy of pegging prices of Federal bonds at par by buying Federal obligations until their price reached par. This kept interest rates extremely low. The interest rate on short-term obligations was at times very nearly negative.

With the accord between the Treasury and the Federal Reserve Board in 1951, interest rates began to increase moderately. Throughout the Eisenhower years, interest rates rose fairly steadily, with a few temporary interruptions.

WITH KENNEDY ADMINISTRATION, INTEREST RATES ROSE

Since President Kennedy assumed office, interest rates have continued to rise. Three-month Treasury bills are up from a yield of 2.3 percent in January 1961, to 2.8 percent in the week ending March 17, 1962—last week.

Taxable bonds rose from 3.9 percent to 4.03 percent.

High-grade municipal bonds fell from 3.46 percent to 3.18 percent.

Corporate AAA bonds remained about the same, rising from 4.32 percent in January 1961 to 4.39 percent—a little higher—last week.

Corporate BAA bonds moved from 5.08 percent to 5.04 percent, also a roughly similar yield.

Prime commercial paper rose in yield from 2.98 percent to 3.25 percent last week.

Mr. President, I have taken the Senate's time to go into detail on this subject because it never fails that some Member of this body will argue that the Government—the Federal Reserve Board—cannot fix interest rates; that interest rates are determined by the invisible hand of supply and demand.

The supply of money is completely within the control of the Government. It must be if the Government is to retain its sovereignty. This authority is, constitutionally, wholly the power of Congress. I have read that part of the Constitution, article I, section 8, paragraph 5, which contains that provision.

Over the past 50 years, since the creation of the Federal Reserve Board, Government policy has fixed the supply of money and the interest rate over and over again. What has happened has been that in recession or depression periods there has been a deliberate policy of lowering interest rates. In prosperous periods, when inflation threatens, there is a deliberate policy of increasing interest rates.

ALIBIS FOR PRESENT INTEREST RATE RISE

Mr. President, why have interest rates continued to climb from their last Eisenhower levels, which were quite high? The monetary authorities gave us two explanations as recently as a few weeks ago, when the Chairman of the Federal Reserve Board, the Secretary of the Treasury, and other outstanding monetary authorities in the country—leading bankers and others—appeared before the Joint Economic Committee, of which I am a member.

ECONOMY GROWTH PULLS UP INTEREST RATES

First, this is said to be a cyclical phenomenon. Interest rates always tend to climb in recovery periods. The monetary authorities argue that the relatively slight increase in interest costs is evidence of effective monetary ease in view of the increase in the gross national product of $40 billion, or a huge 8 percent during the past year.

This argument might be sensible if the level of interest rates in January 1961, at the beginning of the recovery, had been low. It was not. It was high as compared with its level over most of the preceding 10 years. The level of interest rates was extremely high compared with the level of interest rates in the period before the accord in 1951.

For interest rates to have been shoved up even more at a time when the economy is still far below its capacity operations, when more than 4 million Americans are out of work, and when prices are stable, is unconscionable. Furthermore, I think it can be argued that whereas it is true that there has been an increase in business activity, there has been some recovery, there has been a substantial increase in the gross national product. Nevertheless during the period of recession, when business activity was tapering off, there was not the kind of fall in interest rates that the theorists argue there should have been.

BALANCE OF PAYMENTS MAKES HIGH RATE ESSENTIAL

The second, and perhaps more sophisticated, argument from those who defend the present level of interest rates is that the U.S. balance of payments is at present seriously adverse; that a reason for this is that our interest rates are lower than interest rates abroad; and that if our interest rates are pushed down further, there will be even more incentive for investors, especially short-term investors, to sell U.S. investments and buy foreign investments. This would mean, of course, an exodus of capital. It would mean a worsened U.S. balance-of-payments position, an outflow of gold.

That is the principal argument used by the monetary authorities to defend the high-interest-rate policy. They say, in effect, "If we reduce interest rates, we shall lose capital, and there will be a drain on gold." What is wrong with that argument?

NO DOCUMENTATION TO SUPPORT BALANCE-OF-PAYMENTS ARGUMENT

In the first place, although this argument has been a principal cornerstone of our monetary policy for more than a year, there has not been a single authoritative study by any monetary authority to show whether it is sound or not. No study shows that there has been a serious exodus of short-term U.S. capital when our interest rate has fallen below the interest rate abroad. In fact, statistics—admittedly incomplete—that I have seen tend to refute this argument and suggest that the flight of capital is a smooth arbitrage theory, but may not be a practical fact.

FEDERAL RESERVE BOARD COULD SUPPORT SHORT-TERM LOANS—CUT LONG-TERM LOANS

Second, this argument overlooks the fact that a remedy is readily available to the Federal Reserve Board to stop such a short-term capital outflow. It is the short-term capital flow, the level of short-term obligations, that is crucial, because what happens is that there is a clear tendency for people, perhaps—or there should be, theoretically; it is argued that there is—to invest in short-term U.S. obligations to sell them and invest in British, German, Italian, or French obligations if the interest rate abroad is high. The argument is that this is confined largely to short-term obligations.

The argument is that this is largely confined to short-term obligations, because if the obligations are very short term, there is little risk, for one can expect that the Government will redeem the obligations within a year.

The Federal Reserve Board can raise short-term interest rates by selling some of its vast portfolio of short-term obligations. But at the same time it can hammer down the long-term interest rate by replacing its portfolio of short-term obligations with long-term obligations. This will have a highly beneficial effect on the economy. After all, the big interest cost to the homebuyer or the business borrower is the long-term cost.

If the long-term rate falls, the cost of homebuilding falls sharply. Interest constitutes approximately 60 percent of the cost of home construction. A drop of 1 percent in long-term interest rates could mean a drop of 10 percent or 15 percent in total construction costs, and that would vastly stimulate construction in the United States.

We have seen this occur over and over again. Even in the boom in 1957, when construction was up and business was expanding, homebuying dropped very sharply, because the rising interest rates sharply increased the cost of home construction, and of course, the result was that people could not afford to purchase homes. That is exactly what is happening today; and anyone who examines the statistics in this connection will find that the glaring contrast in an otherwise favorable economic picture is that housing starts have not kept pace, but have performed in a most disappointing fashion, because interest rates were high.

If the Federal Reserve Board would follow the sensible policy of supporting the short-term rate, this could be accomplished without even a theoretical threat to our balance-of-payment position. It could do so because long-term rates would be low; and short-term obligations—the only ones which affect in a significant way the flow of capital—would be higher.

Mr. Martin has testified before our committee, and has informed it that he has been modifying this policy a little. However, an examination of the portfolio of the Federal Reserve Board indicates that such is not the case, for the portfolio of the Federal Reserve Board is almost entirely confined to short-term obligations, and contains almost nothing in the way of long-term obligations.

MONEY SUPPLY TIGHTEST SINCE ANDREW MELLON

Mr. President, the March issue of the Economic Indicators carries one other pertinent statistic. The Federal Reserve has succeeded in driving up interest by slamming down the supply of money and drawing the monetary reins tighter than they have been since the days of Andrew Mellon in the 1920's.

The Indicators show that in the second half of February the supply of money had dropped to $144.2 billion. On the assumption that the gross national product has risen to at least $550 billion—and it is obvious that this is a reasonable assumption—this means that the money supply has now fallen to about 26.2 percent of the gross national product. The gross national product is perhaps the best measure of the job which money has to do.

The ratio between the money supply and the gross national product is the tightest ratio since Andrew Mellon rode high in the Treasury Department. It is about one-half of the ratio of the money supply to the gross national product in the last years of the Roosevelt administration. At that time the ratio of the money supply to the gross national product was approximately 50 percent. Today, as I have said, it is a little more than 25 percent.

Mr. President, I review this sad high-interest-rate picture at a time when the Congress may be considering allowing the Agricultural Act of 1949 to take effect and shove price supports for dairy farmers down by a cruel 10 percent. This will mean a 10-percent cut in gross income, and a cut of 30 percent or more in net income.

CONGRESS RESPONSIBLE FOR BOTH FARM AND MONEYLENDER INCOME

I call attention to this because it is a damning fact that today farm income and interest income are both within the determination of Congress. Interest rates have now been shoved up to a level where the unearned return of bondholders and other creditors now exceeds—because of deliberate Government policy—by far more than twofold the entire income of all the producers of food and fiber in our country. In other words, the moneylenders now have twice the income that all our farmers have; and this change has occurred in less than 10 years. Ten years ago there was a parity between the income of moneylenders and the income of the farmers; but today, because of the policies of the Government, and, as I have said, this matter is completely and totally within the control of the Government—the income of the moneylenders is more than twice as great as the income of all the farmers in the Nation.

In less than 10 years the Government has succeeded in following farm policies that have driven the farmer to the brink of bankruptcy and despair, whereas the moneylender—who 10 years ago was content to receive about the same total income as that of the farmer—now enjoys far more than twice as much income.

CONCLUSION

Mr. President, in conclusion, I would remind my colleagues of the economic foolishness of these policies.

High interest rates are certainly retarding the growth of business and the building of homes, hospitals, and schools. These high rates are loading an immense burden on the taxpayers and on the millions of Americans who now have by far the largest personal debt they have ever borne in our history.

At the same time, low farm income is retarding the farmers from fulfilling needs that really could start America moving in the factories and shops and stores throughout our country.

TERMINATION OF FEDERAL AUTHORITY OVER MENOMINEE INDIANS OF WISCONSIN

Mr. PROXMIRE. Mr. President, it is now 10½ months since termination of Federal authority over the Menominee Indians of Wisconsin. I am glad that at long last a compromise conference settlement on financial aid to the tribe has been reached, and has been approved in both the House and Senate.

On May 1, 1961, the Menominee community embarked on a new and unique venture in independent self-government. Many members of the tribe were apprehensive about this move. Their concern was reinforced by doubts about their ability as a community to pay for essential health, welfare, school, and other local services.

With the cooperation of our State government, the Menominees established a new county. Nearly all their income, both as individuals and as a county, comes from their forest and connected timber operations, which are managed as Menominee Enterprises.

Since the community financing is so largely dependent on the success of a single enterprise, Federal financial assistance in the transition period following termination is vital.

The conference report provides $438,000 for continuing construction of a sanitation system that had been started before termination. It also authorizes $660,000 in school aid, to be phased out over a 5-year period. The amount for the first year is $220,000, and it declines by 20 percent a year.

I regret that the conference committee did not approve additional aid for essential health and welfare services. These costs have continued to be high, and constitute a serious drain on the tribe's slender revenues.

Consequently, the citizens and taxpayers of Wisconsin, through our State government, are having to carry a share of this burden. While Wisconsin welcomes the Menominee community in its new independent status, I regret that this extra financial responsibility, formerly borne by the Federal Government, must be assumed by the State.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that further proceedings under the quorum call may be dispensed with.

The PRESIDING OFFICER (Mr. FONG in the chair). Without objection, it is so ordered.

THE ALEXANDER HAMILTON NATIONAL MONUMENT — AMENDMENT TO THE CONSTITUTION DEALING WITH POLL TAXES

The Senate resumed the consideration of the motion of the Senator from Montana [Mr. MANSFIELD] to proceed to the consideration of the joint resolution (S.J. Res. 29) providing for the establishing of the former dwelling house of Alexander Hamilton as a national monument.

Mr. SPARKMAN. Mr. President, on Tuesday of this week I spoke against the motion to consider Senate Joint Resolution 58. Before I really get into my talk tonight, I wish to give an explanation. At that time I stated, as a part of my remarks:

> I am informed by the Library of Congress that if the proposed constitutional amendment were to become effective, it would nullify certain voting laws in Florida, South Carolina, New Hampshire, and Rhode Island.

This statement appeared on page 4583 of the RECORD, in the middle column.

Since making that statement, I have been informed by the Library of Congress that the statement is incorrect so far as Rhode Island is concerned. The Library informs me that their researcher, in preparing the information for me, failed to take into consideration a change in Rhode Island law which eliminated any provision relating to the poll tax.

I wish to make that statement and that correction.

Mr. President, on Tuesday it was my privilege to address the Senate at some length in opposition to the motion to consider the joint resolution, to which it is proposed to attach the proposed constitutional amendment to abolish the poll tax. I set out as best I could the many reasons why I believe that the adoption of this constitutional amendment would be contrary to the public interest, would jeopardize our established system of dual sovereignty and would constitute an act of bad faith to the original framers of our Constitution, whose concurrence in the Constitution was based upon a compact that the States would be free to set the qualifications of the voters in national elections, qualifications that included the payment of poll tax.

Mr. President, as important, and, indeed, a matter of greater concern is another consideration. If this proposed amendment is approved, it will be nothing more than the simple exercise of the power of a majority of the States that are not directly affected against a small minority of five. There is really nothing which the people of these five States can do in a powerplay such as this, other than appeal to the reason of those who would exercise it. All we ask is that the people of our State be given the same opportunity that the people of the other States have had with respect to the poll tax, and that is simply to decide whether there shall be one, and to what extent.

Were this tax a burdensome one, were it to constitute a real barrier to the exercise of the franchise, were it to be a real threat to our democratic process, then, perhaps, one might argue that such a power play is justified; or, in other words, that the end justifies the means. But, Mr. President, such is not the case.

While I would be the first to admit that there are some instances in which people otherwise qualified to vote simply by inadvertence omit to register and to pay the tax and are thereby precluded from voting, yet, in such an event, it is not the lack of funds which keeps them from voting but their own inadvertence. I am told that there are several States which require those already on the poll list to reregister at intervals. Surely, it is not proposed to make this reregistration unconstitutional. It surely is not argued that one's inadvertence in failing to reregister should be sufficient to justify amending the U.S. Constitution. Perhaps it is not wise for the States to require the payment of poll tax or reregistration. Some would argue that it is. Some would argue that it is not.

But, as I have said before, Mr. President, this question is one for the people of the State to decide, and it should be left in their hands.

This is what the framers of the Constitution intended. Had the Constitution not so provided, then I am satisfied that the Constitution would not have been approved, and there would not have come about the formation of the Union at the time and in the manner it was formed.

To abrogate this solemn compact less than 2 centuries after its ratification for the purpose of whipping five sovereign States of the Union into line is to do violence to the very philosophy of a republican form of government.

Indeed, I feel strongly that the adoption of this amendment would be a serious mistake, and I strongly urge that the proposal be defeated.

Even so, Mr. President, I must confess that if the change is to be made the approach of a constitutional amendment is at least the proper procedure no matter how distasteful its purpose may be.

Unfortunately, even this procedure does not satisfy some who are so determined to exercise this power play against five sovereign States of the Union. Already there has been sent to the table a bill which it is proposed to be called up which would endeavor to abolish the poll tax by statute. Such a bill would be patently unconstitutional.

The Constitution clearly defines the respective power of the State and Federal Governments in respect to voter qualifications. Clearly, a poll tax falls within this area. Now it is recommended that article I, section 4, which has been a part of our Constitution for over a century should be interpreted so as to permit the usurpation by the Federal Government of the power of each State to determine the qualifications of electors. I cannot agree with this.

First, I would like to discuss the constitutionality of this proposal as it relates to the election of the President and the Vice President of the United States.

The Constitution authorizes the State legislatures to determine the manner of appointing presidential electors. Therefore, it is discretionary with the State whether the presidential electors shall be selected by a vote of the qualified electors or by some other means, and I will read the section which makes it clear.

In article II, section 1, the Constitution provides:

> Each State shall appoint, in such Manner as the Legislature thereof may direct, a Number of Electors, equal to the Whole Number of Senators and Representatives to which the State may be entitled in the Congress.

As to the Congress, it provides:

> The Congress may determine the Time of chusing the Electors, and the Day on which they shall give their votes; which Day shall be the same throughout the United States.

In substance, the selection of the President is constitutionally a twofold procedure: First, the appointment of presidential electors within a State; and second, the selection of a President by the electors. The language in the Constitution is clear, and the U.S. Supreme Court has on a number of occasions preserved the selection of presidential electors to the exclusive control of the States (*Ray* v. *Blair*, 343 U.S. 214 (1952); *McPherson* v. *Blacker*, 146 U.S. 1 (1892); *In re Green*, 134 U.S. 377 (1890)).

In the case of McPherson against Blacker, supra, the Supreme Court, after reviewing the history of the methods adopted by the States for the selection of presidential electors, asserted:

> In short, the appointment and mode of appointment of electors belong exclusively to the States under the Constitution of the United States. They are, as remarked by Mr. Justice Gray in *In re Green*, 134 U.S. 377, 379, "no more officers or agents of the United States than are the members of the State legislatures when acting as electors of Federal Senators, or the people of the State when acting as the electors of Representatives in Congress." Congress is empowered to determine the time of choosing the electors and the day on which they are to give

their votes, which is required to be the same day throughout the United States, but otherwise the power of jurisdiction of the State is exclusive, with the exception of the provisions as to the number of electors and the ineligibility of certain persons, so framed that congressional and Federal influence might be excluded.

We know that the exclusion of certain persons referred to in the decision relates to Members of Congress and to Federal officeholders, no one of whom is eligible to be chosen as an elector under the constitutional provision.

Moreover, the Court, in rejecting the contention that a State which previously adopted a general statewide ticket in choosing presidential electors and which now employs a district system, was violating the 14th and 15th amendments by preventing qualified voters from casting their ballots on all electors, remarked:

The right to vote intended to be protected refers to the right to vote as established by the laws and constitution of the State. There is no color for the contention that under the amendments every male inhabitant of the State being a citizen of the United States has from the time of his majority a right to vote for presidential electors.

The object of the 14th amendment in respect of citizenship was to preserve the equality of rights and to prevent discrimination as between citizens, but not to radically change the whole theory of the relation of the State and Federal Governments to each other, and of both governments to the people (*In re Kemmler*, 136 U.S. 436).

The inhibition that no State shall deprive any person within its jurisdiction of the equal protection of the laws was designed to prevent any person or class of persons from being singled out as a special subject for discriminatory and hostile legislation (*Pembina Company v. Pennsylvania*, 125 U.S. 181).

The Court, in conclusion, stated:

If presidential electors are appointed by the legislatures, no discrimination is made; if they are elected in districts where each citizen has an equal right to vote the same as any other citizen has, no discrimination is made * * * unless the authority vested in the legislatures by the second clause of section 1 of article II has been divested and the State has lost its power of appointment, except in one manner.

The exclusive power preserved to the States in regard to electors is even more evident in the case of *Walker v. U.S.*, 93 F.(2) 383 (8th Cir. 1937).

Although the issue involved was whether falsification of the vote on candidates for presidential electors was a Federal criminal offense, the court of appeals affirmed the complete jurisdiction of the States in selecting presidential electors. In holding that there was no Federal offense, the court discussed the Government's reliance upon *Ex parte Yarbrough*, 110 U.S. 651 (1184), which had held that electors for Members of Congress did not owe their right to vote exclusively to State law. But the court pointed out that we are here discussing the status of presidential electors—not Members of Congress. Manifestly, the right to vote for presidential electors depends directly and exclusively on State legislation.

Proponents may contend that the case of *Burroughs v. U.S.*, 290 U.S. 534 (1934) lends substance to Federal regulations of the selection of presidential electors. However, in that case, the court was careful to point out that the Corrupt Practices Act neither in purpose nor in effect interfered with the power of a State, under section 1, article II, of the Constitution, to appoint electors or the manner in which their appointment shall be made. The court explained that the act was confined to situations which, if not beyond the power of the State to deal with at all, were beyond its power to deal with adequately. It in no sense invaded any exclusive State power.

The principles expounded in that case can in no way be applied to the proposed legislation. In my judgment, no case can be made that the States are unable adequately to appoint their presidential electors. The manner of appointing presidential electors, as stated in the decisions I have analyzed, preserves such activity as an exclusive State power. This has been reaffirmed as late as 1952 in Ray against Blair, supra. In my judgment, there is no question that if a State chooses to elect its electors by popular election, it does have the exclusive power to prescribe qualifications for its voters, as long as there is no contravention of the 14th and 15th amendments. Certainly, no case can be made that the requirement of the payment of poll taxes involves a contravention of the 14th and 15th amendments. There can be no serious contention that the administration of the poll tax requirement is handled in such a way as to discriminate between prospective voters because of their race or creed.

The poll tax in those States where it is applicable is required of all persons subject to the tax whatever their race or creed.

For these reasons, I am of the firm opinion that the proposal as it relates to presidential electors would be unconstitutional.

I am now speaking about the proposal which I understand is at the desk, to substitute a legislative enactment for a constitutional amendment. I believe everyone accepts the fact that a constitutional amendment proposal is to become more or less a vehicle to which it will be attempted to add a statutory amendment such as the one I have been discussing, which I contend is palpably unconstitutional.

I should like to discuss next the constitutionality of the proposal as it relates to the election of Members of Congress.

Qualifications of voters for congressional elections have long been considered a matter committed to the States, subject only to Federal constitutional restrictions prohibiting discrimination on account of race, color, or sex—*Pope v. Williams*, 193 U.S. 621 (1904).

Naturally, the 1904 case did not speak of sex, because at that time women had not been authorized to vote. However, the case of *Ventre v. Ryder*, 176 F. Supplement 90 (1959), laid down the rule as to race, color, or sex.

I am sure that no one needs to be reminded that when, under the administration of Woodrow Wilson, it was decided to permit the women of this country to have the right to vote, the course taken was that of a constitutional amendment. I have never checked back into the records, but I daresay it was not even proposed that it be done by statutory enactment. It was done by constitutional amendment. The same thing was true with reference to the freedmen, who had recently been slaves. I daresay that no effort was made to enact a statute for the purpose of giving them the vote. It was done through a constitutional amendment.

The power of the States to deal with this matter is encompassed within article I, section 2, and the 17th amendment.

Article I, section 2, provides:

The House of Representatives shall be composed of Members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

I believe everyone must be aware of that language in the Constitution, and how it was clearly left to the States to decide the qualifications of electors who choose the most numerous branch of the State legislature, usually referred to as the house of representatives.

I suppose that almost every State calls it most numerous branch of the legislature the house of representatives. It was the State's function to prescribe the qualifications for the persons voting for members of the legislature, the house of representatives; and by article I, section 2 of the Constitution, the same people who are eligible to vote were made eligible to vote for Members of Congress and no one else. The determination of qualifications was the function of the individual States.

I am sure everyone is familiar with the 17th amendment, adopted in 1913; nevertheless, I believe it is well for us to refresh our recollection frequently. It reads:

The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for 6 years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

Yesterday the distinguished Senator from Georgia [Mr. TALMADGE] called the attention of the Senate to the fact that this is the only place in the Constitution where language from another part of the Constitution was repeated word for word in a later provision.

This amendment, which was adopted 130 or more years after the adoption of the Constitution, carried forward those particular words. I shall repeat them, because I think they ought to be burned into our conscience in deciding the question as to the duality of government in this country and the division of powers between the Federal Government and the respective States:

The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

Words identical with those are found in article I, section 2 of the Constitution.

That shows that the people who originally wrote the Constitution intended that the States should have such powers. It shows that their descendants who wrote the amendment 130 years later intended the same thing. They intended the power to be vested in the States.

Accordingly, in a number of cases the Supreme Court has upheld provisions in State constitutions or laws prescribing the qualifications of voters—*Minor v. Happersett*, 88 U.S. (21 Wall) 162 (1874), denial of suffrage to women; *Mason v. Missouri*, 179 U.S. 328 (1900), partial registration system; *Pope v. Williams*, *supra*, declaration of intent to become a citizen; *Myers v. Anderson*, 238 U.S. 368 (1915), ownership of property; *Breedlove v. Suttles*, 302 U.S. 277 (1937), poll tax; *Lassiter v. Northampton County Board of Election*, *supra*, *Trudeau v. Barnes*, *supra*, *Guinn v. U.S.*, *supra*, and *Williams v. Mississippi*, *supra*, literacy tests.

Despite this long history of judicial interpretation, the proponents now contend that article I, section 4, and the 14th and 15th amendments give the Federal Government the authority to usurp specific powers reserved to the States by the Constitution. When I say the "proponents," I am speaking of the proponents of the proposed statutory enactment; I am not referring to the proposed constitutional amendment, which will be only the beginning, if it is taken up. Accordingly, I have examined carefully several court decisions in regard to these provisions.

Article I, section 4, provides:

The times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators.

The contention that this provision encompasses or applies to qualifications of voters, in my judgment, is without merit. As stated in *U.S. v. McElveen*, 177 F. Supp. 355 (1959), under Federal constitutional authority to regulate the manner of holding elections for Federal office and to make all laws which shall be necessary and proper for carrying into execution the foregoing powers:

Congress may also control the registration but not the qualifications, of voters in Federal elections.

That the States have exclusive jurisdiction over the qualifications of voters in Federal elections seems to me to be irrefutable.

Since the first election in this Republic under the Constitution, the national electorate was limited to those, and only those, who were eligible under the laws and the constitution of the several States of the Union to vote for the most numerous branch of the State legislature. This, indeed, is in accord with the intent and understanding of the framers of the Constitution, and this can be made clear by an examination of the debates in the Federal Convention and in the ratifying conventions, and of the Federalist essays.

Writing on this point in No. LII of the Federalist, Madison observed:

The definition of the right of suffrage is very justly regarded as a fundamental article of republican government. It was incumbent on the Convention, therefore, to define and establish this right in the Constitution. To have left it open for the occasional regulation of Congress, would have been improper for the reason just mentioned. To have submitted it to the legislative discretion of the States, would have been improper for the same reason; and for the additional reason, that it would have rendered too dependent on the State governments, that branch of the Federal Government, which ought to be dependent on the people alone. To have reduced the different qualifications in the different States to one uniform rule, would probably have been as dissatisfactory as to some of the States, as it would have been difficult to the Convention. The provision made by the Convention appears, therefore, to be the best that lay within their option. It must be satisfactory to every State; because it is conformable to the standard already established, or which may be established by the State itself. It will be safe to the United States; because, being fixed by the State constitutions, it is not alterable by the State governments, and it cannot be feared that the people of the States will alter this part of their constitutions, in such a manner as to abridge the rights secured to them by the Federal Constitution.

I wish also to refer to some comments by Alexander Hamilton which appear in Federalist No. 60. I can hardly restrain myself from commenting on the fact that Alexander Hamilton is the subject of the joint resolution which is sought to be taken up. Three or four years ago the Stella school district bill was the vehicle for proposed civil rights legislation. I do not know what finally happened to the Stella school district bill. I think I shall find out. I shall make inquiry as to what happened to the Stella school district bill. But in this instance the Alexander Hamilton Memorial measure, if I mistake not, is the vehicle which it is proposed shall carry the proposed amendment.

Alexander Hamilton is usually regarded as really the godfather, not the founder, of the Republican Party. It was some of his philosophy to which the party subscribed, and to which it largely subscribes today. I have always admired Alexander Hamilton for what he accomplished. I have admired him for what he did for the good of the young government of this country when it was getting started.

I think this Nation, regardless of the political differences between Hamilton and the man who might be called the godfather of the Democratic Party, Thomas Jefferson, whose political philosophy I profess to follow, owes a great debt to Alexander Hamilton. I have great admiration for Alexander Hamilton, and I think this Nation was fortunate to have had him as the first Secretary of the Treasury. I believe he started us on a safe, sound, sane financial basis.

I wish to see the national debt reduced, if we can do it, as much as does anyone else. But one of Alexander Hamilton's basic philosophies was that if the Nation was to be strong, it should have a national debt—that that would strengthen the Nation.

So I have always had a great admiration for Alexander Hamilton. He was a patriot; and I am in favor of the proposed Alexander Hamilton National Monument. I do not like to see that measure sacrificed by being changed into a vehicle for the proposed poll tax measure.

A moment ago I said I never knew what happened to the Stella school district bill, which was made a similar vehicle a few years ago. However, my attention has been called to the fact that the Stella school district bill is now back on the calendar; it is Calendar No. 687. It is a bill for the relief of the Stella Reorganized School R-I, Missouri, in the sum of $1,500; and I notice that the bill was reported from the Judiciary Committee by the Senator from Missouri [Mr. LONG]. Mr. President, I certainly hope the Stella school district obtains that relief without being penalized by having some other measure substituted for that bill.

Likewise, I hope the Alexander Hamilton National Monument joint resolution, which it is sought to make a vehicle for the poll tax proposal, will be taken care of. I think the Alexander Hamilton National Monument joint resolution is a good measure, and I shall be glad to join with other Senators in paying our respects to the memory of Alexander Hamilton.

Mr. President, I may say to the Senator from Mississippi [Mr. STENNIS] that I was about to quote from the words of Alexander Hamilton which appear in volume 60 of the Federalist papers. A few minutes ago I quoted from the writings of James Madison in the Federalist papers.

In volume 60 of the Federalist papers, Alexander Hamilton wrote as follows:

The truth is, that there is no method of securing to the rich the preference apprehended, but by prescribing qualifications of property either for those who may elect, or be elected. But this forms no part of the power to be conferred upon the National Government. Its authority would be expressly restricted to the regulation of the times, the places, and the manner of elections. The qualifications of the persons who may choose or be chosen, as has been remarked upon another occasion, are defined and fixed in the Constitution; and are unalterable by the legislature.

Mr. STENNIS. Mr. President, will the Senator from Alabama yield for a question?

Mr. SPARKMAN. I am glad to yield for a question.

Mr. STENNIS. The Senator from Alabama will recall the conditions which existed in Alabama—and largely the same conditions also existed at that time in my State and in similar areas of the country—when we were young men. The poll tax is now being referred to as a most vicious thing and something highly nefarious; and it is said that all kinds of evil attaches to it. Let me ask the Senator from Alabama whether he recalls the attitude, when he was a young man, in the communities and small

towns in his State in regard to payment of a poll tax, as connected with the exercise of the citizenship privilege of voting. Can the Senator from Alabama tell us about that?

Mr. SPARKMAN. I did not grow up in a small town; I grew up out in the country, several miles from town and several miles from the railroad. We were so far out that I could only hear the train whistle as it went through; that is to say, when the wind was right, I could hear the train whistle. But I can certainly speak of the attitude of the people of the community in which I lived. I referred to it the other day.

My father was a poor man, and there were 11 children in my family. I have often marveled that my daddy was able to feed all 11 of those hungry children.

Mr. STENNIS. He was a good financier.

Mr. SPARKMAN. We raised on the farm practically all the food we ate. But my father would not have thought of going without paying his poll tax. That was true throughout the neighborhood; regardless of how poor a man might be, he would produce the $1.50 a year to pay for the right of exercising his citizenship privilege.

In the neighborhood there was a strong feeling in that connection, inasmuch as people more or less looked down upon one who did not pay his poll tax. Those who did not pay it were regarded as not fully discharging their responsibilities of citizenship.

I never knew anyone to be denied the right to vote, merely on the basis of his not having the $1.50 with which to pay his poll tax, or because of not being able to get the $1.50 with which to pay it.

Mr. STENNIS. I thank the Senator from Alabama.

Let me ask him another question, if I may. It was really a source of pride on the part of everyone, was it not, to have a poll tax receipt and to be on the list of voters? As the Senator from Alabama has said, people were looked down upon if they did not try to meet those requirements.

Mr. SPARKMAN. That is true.

Let me recite my own experience: When I was about to become 21 years of age—my birthday is December 20—under our rule, one who would become 21 within a certain time of registration could register ahead of time. At any rate, when the time came when I was eligible to register, no one could have tied me away from registering.

Mr. STENNIS. Yes.

Mr. SPARKMAN. Let me say to my friend that as soon as the time to pay the poll tax came, I paid it promptly. I still have the receipt for the taxes I paid in those days. As I said the other day, about 1921 our legislature enacted a law—later it was written into the State constitution—exempting war veterans from the requirement to pay the poll tax; and since I was a veteran of World War I, I then became eligible for that exemption. Thus it is that I have not paid a poll tax since that first time.

Mr. STENNIS. That was in appreciation of the service rendered by the veterans. However, the principle that the poll tax should be paid still remained, did it not?

Mr. SPARKMAN. Yes.

Mr. STENNIS. I still have the receipts for the poll taxes I paid—for the first one I paid, and also for those I paid each successive year; and I am proud to have them.

During the consideration of this subject, much has been said to the effect that some politicians of a low order or a low type would pay the poll taxes of other people, and thereby would cast their ballots, so to speak.

Mr. SPARKMAN. In other words, bloc voting.

Mr. STENNIS. Yes; bloc voting. The Senator from Alabama was born and reared in Alabama, and he has been out among the people and in public life all these years; and I am sure he would have knowledge of such a thing if it had occurred in any appreciable degree. So let me ask him this question: What is the knowledge of the Senator from Alabama in regard to such matters?

Mr. SPARKMAN. I do not think it would have been possible. In Alabama, a person is not allowed to pay another person's poll tax—except the poll tax of a member of his own family. For example, throughout the years I have paid my daughter's poll tax, and I still do. But if the Senator from Mississippi were a citizen in Alabama and I were to pay his poll tax, I would be guilty of a criminal offense. That is done only at one place. A voter goes to the tax collector in the courthouse and pays it just as he would pay his regular taxes. We do not have the books we hear about. I have heard of them in other States, but it would be absolutely impossible in my State. Such a thing never took place there.

Mr. STENNIS. Some incident of irregularity or instance of abuse is scraped up and put into a report of some kind, and it comes tumbling in on the floor of the Senate, and is pointed out as something nefarious and foul, requiring a constitutional amendment to wipe it out.

I served for 5 years as district attorney and 10 years as trial judge. I spent 15 consecutive years, in daily, weekly, and monthly contact with all kinds of transactions dealing with public affairs, alleged crimes, and everything else. I never heard of such a thing happening with reference to the poll tax.

I know something like that could happen. Perhaps it does here, there, or yonder, but with respect to skulduggery, fraud, and corruption in connection with elections, as a member of the Rules Committee of the Senate, when we went to a large city not far from here and took testimony, I heard in one day more proof of corruption, and the poll tax was not involved in that, than I heard in all my life put together before.

Mr. SPARKMAN. I am sure of it. By the way, while we are talking about the Alabama poll tax, I made the statement the other day, and I repeat it now, that the exemptions have been extended. I referred to the exemption set up following World War I. Then an exemption was set up following World War II. Many thousands of boys and girls who went into the service, regardless of race, color, religion, or any other factor, were exempted from the payment of the poll tax. The same was true of the Korean war. I do not mean that an act of the State was required; we simply exempted them. We also exempt members of the National Guard. We exempt persons who are blind, deaf, or otherwise physically disabled. There have been court decisions by the U.S. Supreme Court sustaining those exemptions and holding that they were valid.

Mr. STENNIS. As I understand the situation in Alabama, not only veterans, but those who are disabled, are exempt from payment of the tax. The general idea is that if one does not have an earning capacity, he does not have to pay the poll tax. Is that correct?

Mr. SPARKMAN. Yes.

Mr. STENNIS. Is it not a fact that persons above a certain age are also exempted?

Mr. SPARKMAN. Persons 45 and over. We do not require cumulative payments for years in arrears, but merely payment for the current year plus 1 back year. In other words, if a person has been delinquent in his payments for 10 years, he pays $3, for the current year plus 1 back year, and he is then ready to vote.

I wish to bring out this point, which I stressed the other day, and which is important. In Alabama every bit of the money collected goes to our schools. It is quite an item. I received a photostatic copy of a letter through the mail from the examiner of public accounts. I actually received it from Judge Walter B. Jones, but he had received it from the examiner of public accounts. It is most interesting.

We are now in the 1961–62 year for poll tax collections. According to the figures, $404,248.50 has already been collected. Many persons may say that the poll tax does not amount to anything, but in Alabama enough has already been collected this year—and the money goes toward the schools—to pay the salaries of probably 80 to 100 schoolteachers, or to build two 15-room schoolhouses.

Again, that may seem like a small amount, but when a State has to scratch for money, as we do in my State, and as they do in the State of the Senator from Mississippi, half a million dollars is not to be laughed at.

Mr. STENNIS. Still, is it not a small amount as to each individual so that it does not preclude him from making that contribution?

Mr. SPARKMAN. Yes; the Senator is correct.

Mr. STENNIS. I understood the Senator to say that all persons 45 years of age and over are exempted in Alabama.

Mr. SPARKMAN. Yes.

Mr. STENNIS. In Mississippi persons 60 years of age and over are exempted.

Mr. SPARKMAN. Our exemption applies to persons 45 years of age and over.

I was interested to see that we had collected to date $404,248.

Last year, which was not an election year, the total amount collected was $268,606.50.

The year before, the amount collected was $377,395.

The year before that, it was $260,490.

It can be seen how the amounts go more or less in cycles, but there is a steady increase.

That amount represents contributions from approximately one-fourth of our voters. In other words, about three-fourths of our voters do not have to pay. As the number of older people increases, as health improves, the number of exemptions will grow larger. Of course, with the great numbers of war veterans we have had over the years and the large National Guard we are maintaining, it is apparent that great numbers are exempt and will be exempt. Probably three-fourths of our voters are exempt from paying any poll tax whatsoever.

Mr. STENNIS. Mr. President, will the Senator yield for a question?

Mr. SPARKMAN. I yield for a question.

Mr. STENNIS. The application and administration of the poll tax, of course, applies to all races. Is that correct?

Mr. SPARKMAN. Oh, yes.

Mr. STENNIS. Is it not true that the irresponsible, the indifferent, the careless, the shiftless, and the drifters are the ones who usually fail to pay the tax and are left off the rolls?

Mr. SPARKMAN. Yes. We are often criticized for the relatively small vote in the general elections. I can remember many general elections in which we hardly knew an election was going on. I will admit that in recent years the Republicans have shown a little more interest. It is true that interest has been shown primarily by people of the Republican political faith moving in from the North, but even yet the Senator from Mississippi knows we get no real challenge from them in the voting in the general elections. In the primaries people fail to vote. Many persons pay the poll tax. It is not a question of people failing to vote because they have not paid the poll tax. The big failure comes from those who have paid the poll tax, but who do not show enough interest, or are not alert enough or interested enough, or do not have initiative enough to get out and vote.

Mr. STENNIS. In that connection, I had some figures from my own State which showed, on the basis of comparison, that four and a half out of every six who were qualified voted in what we call the big election, the election of county officers and Governor, which brings out a large vote. Is that situation true in Alabama?

Mr. SPARKMAN. Yes. A moment ago the Senator referred to the application of the poll tax and the collection of it. I was interested in an editorial which appeared in the Montgomery Advertiser of yesterday, March 22.

He discusses the poll tax. In the editorial, the editor refers to the fact that during the collection period of October 1, 1960, to February 1, 1961, a total of $268,606 was collected from 157,400 voters.

I estimate that there are between 800,000 and a million voters in Alabama. Therefore, obviously, a relatively small number are paying the poll taxes.

The editor went on to say, with regard to the poll tax:

> It all went to schools except $3,304, which was withheld to pay for the poll tax books in which the records are kept.
>
> Last year was not a big election year, and the $268,606 is not much money. But it will pay the salaries of 65 or 70 teachers or build a 20-classroom grade school.

My estimate was incorrect. If this amount would pay for that many teachers, the amount already collected this year probably would pay for 125 or 150 teachers. That means a great deal to the schools of our State.

With reference to the question of Negroes being kept from voting because of the payment of poll taxes, the editor is a very vigorous person and goes directly to the point. He says,

> The Advertiser—
>
> That is a pretty good way of saying "I"—
>
> The Advertiser placed a call to a Federal judge in the State. He could not remember that a case had ever arisen in this State where a Negro challenged the poll tax as a discriminatory device, and he had no personal knowledge or information that the poll tax is so used—
>
> That is the Federal judge. No complaint was ever made—
>
> A call was made to a member of the Alabama Advisory Committee of the U.S. Civil Rights Commission. Ditto.
>
> A call was made to the chairman of the advisory committee. His reply: There have been no official complaints, and it is his personal opinion that the poll tax of $1.50 a year—maximum of $3 if the voter is delinquent—does not keep Negroes from voting.
>
> The only person who thought the poll tax does keep Negroes from the polls was Dr. Foster, president of Tuskegee Institute. He believed that it is a "psychological" deterrent. He also thinks it is an economic deterrent, that it falls with more force on Negroes than whites because more Negroes are in lower-income groups.

Taxpaying requirements of one kind or another were in force in many of the States at the time the Constitution was adopted. I know of no instance in which anyone deemed such taxpaying requirements to have been abrogated by the adoption of the Constitution. Precedent and practice indicate conclusively that this requirement of a poll tax for the privilege of voting is wholly a matter of State concern and no Federal constitutional "right" derived from the 14th, 15th, or 19th amendment is violated by such a requirement, even where the choice of national offices is involved.

In the case of *Guinn and Beal* v. *U.S.*, 238 U.S. 347, the Court said in reference to the 15th amendment:

> Beyond doubt the amendment does not take away from the State governments in a general sense the power over suffrage which has belonged to those governments from the beginning and without the possession of which power the whole fabric upon which the division of State and National authority under the Constitution and the organization of both governments rest would be without support and both the authority of the Nation and the State would fall to the ground. In fact, the very command of the amendment seeks to regulate its exercise as to the particular subject with which it deals.

In the case of *Breedlove* v. *Suttles*, 302 U.S. 277, 58 S. Ct. 205, Justice Butler, speaking for a unanimous court, declared:

> Privilege of voting is not derived from the United States, but it is conferred by the State and save as restrained by the 15th and 19th amendments and other provisions of the Federal Constitution, the State may condition suffrage as it deems appropriate.

I simply cannot conceive of more specific, definite, or brief language than that in stating the principle that the right to vote is derived from the State, and that the State can give it on such conditions as it prescribes, so long as it does not conflict with the provisions of the 15th and the 19th amendments.

Proponents of legislation to abolish the poll tax may contend that the Supreme Court decisions, which have not always been uniform as to whether the right to vote for a Member of Congress has a State or U.S. source, add to their argument. This is simply not the case. Even in those decisions which do indicate that the right to vote stems from the Federal Government as opposed to the State, these holdings are made with reference to the exercise of the power to regulate the manner of holding congressional elections as opposed to the fixing of qualifications of electors. This is made perfectly clear in the case of *Ex parte Yarbrough*, 110 U.S. 651.

While the Courts have said that the right to vote for a Member of Congress is a right or privilege secured by the Constitution, it also stated that—

> The States, in prescribing the qualifications of voters for the most numerous branch of their own legislatures, do not do this with reference to the election for Members of Congress. Nor can they prescribe the qualification for voters for those eo nomine. They define who are to vote for the popular branch of their own legislature, and the Constitution of the United States says the same persons shall vote for Members of the Congress in that State. It adopts the qualifications thus furnished as the qualification of its own electors for Members of Congress. * * * The Court did not intend to say (in *Minor* v. *Happersett*) that when the class or person is thus ascertained, his right to vote for a Member of Congress was not fundamentally based upon the Constitution, which created the office or Member of Congress, and declared it should be elective, and pointed to the means of ascertaining who should be electors.

For Congress to enact legislation—I am now talking about a statutory enactment, rather than a constitutional amendment—abolishing the poll tax is, as I have mentioned, tantamount to usurpation of the sovereign rights of the States and is in derogation of the Constitution. The Constitution specifically leaves qualifications of voters within the purview of the States' powers.

None of the provisions which the proponents of legislation abolishing the poll

tax rely on would give Congress a carte blanche power but each would limit the Congress in the area in which it has the power to act.

As I have pointed out, it was my privilege to address the Senate last Tuesday evening on this question. During the colloquy between the distinguished Senator from TEXAS [Mr. YARBOROUGH] and me, reference was made to a paper in the Texas Law Review, "The Poll Tax and Voter Registration," written by a member of the Travis County Bar Association of that State, Fagen Dickson, a distinguished and able lawyer. I pointed out that this was a very interesting article.

The Senator from Texas [Mr. YARBOROUGH] reminded me that Mr. Dickson is one of the distinguished Democratic leaders of the State of Texas who practices law in Austin and is widely known in the public life of that State.

Mr. Dickson formerly served as first assistant attorney general of the State under Attorney General Price Daniel, who is now the Governor of Texas and who formerly served in this body.

In view of the comments about Mr. Dickson and his article, I would like to take the liberty of reading excerpts from it because I believe them to be compelling to the conclusion that legislation endeavoring to abolish the poll tax would be unconstitutional. I am speaking of a statutory enactment rather than a constitutional amendment. Of course, I concede, as does everyone, that a constitutional amendment duly approved in the method prescribed by the Constitution is naturally constitutional. Earlier in my remarks I talked about a proposal to enact a statute removing the poll tax, and I was discussing the constitutionality of such an endeavor.

In 35 Texas Law Review, at page 1032, Mr. Dickson writes, as follows:

In *Breedlove* v. *Suttles*, decided in 1937, the Supreme Court unanimously upheld a provision of the Georgia constitution requiring payment of a poll tax as a qualification for voting in State and National elections. The tax was $1 and was levied annually on all persons between the ages of 21 and 60, excepting the blind, and females not registering for voting. The Court made the following observation:

"To make payment of poll taxes a prerequisite of voting is not to deny any privilege or immunity protected by the 14th amendment. Privilege of voting is not derived from the United States, but is conferred by the State and, save as restrained by the 15th and 19th amendments and other provisions of the Federal Constitution, the State may condition suffrage as it deems appropriate."

What I have read is almost the identical language that Mr. Justice Butler used, which I quoted a few minutes ago. I continue to quote Mr. Fagan Dickson:

Since then there has been a marked trend toward a more liberal interpretation of the Federal Constitution by the Supreme Court in civil rights cases. It is exemplified in *Smith* v. *Allwright*, and *Brown* v. *Board of Education*, two recent cases which overruled previous decisions and struck down State action. In view of this trend toward broader Federal powers, can the Breedlove case be expected to stand? Since the Supreme Court is the final arbitrator of such constitutional issues, Congress cannot overturn this case as it did the tidelands decision.

In the Breedlove case, the petitioner did not allege that he was unable to pay the assessed poll tax. If an indigent could not afford to pay the tax, could he claim that he was being denied equal protection of the laws? In *Griffin* v. *Illinois*, the Supreme Court in a 4-to-4 opinion, with Mr. Justice Frankfurter concurring in the disposition of the case, held that the failure of the State of Illinois to provide a free transcript to an indigent petitioner in an appeal from a conviction of armed robbery, violated the due process and equal protection clauses of the 14th amendment. The State action was condemned as "invidious discrimination," because full appellate review was denied to this petitioner although available to those able to pay for their transcript, and to indigents under a life sentence who are furnished a free transcript.

I interpolate at that point to say that I see nothing in the decision to quarrel with. I think it was exactly right. In my State an indigent can obtain a transcript. My recollection of the practice in the Federal court is that an indigent can always obtain a transcript in the Federal courts. So it seems to me that the point has no bearing. The writer of the article goes on to say, in effect, that the point really does not determine the case, and he comes to the conclusion that enactment of the statute would be unconstitutional.

Mr. Dickson continued:

In determining the reasonableness of classifications under the 14th amendment, the interest of the individual must be weighed against that of the State. Legitimate interests are sought to be served by the State's levy of a poll tax. It is claimed that the power to withhold the privilege of voting affords an effective means of collecting revenue to support the public schools. In this time of high wages and inflation, it would seem that inability to pay a $1.75 poll tax would be too small a harm for the law to notice in the absence of a denial of a constitutional right.

Basic to any discussion of constitutionality of the poll tax is an examination of the nature of the right or privilege to vote. Breedlove spoke of a privilege conferred by the State, but *United States* v. *Classic* criticized this language. However, the Classic case involved the right of qualified voters to have their ballots counted, and was not concerned with determining what was a valid qualification.

If it be assumed the Supreme Court will not strike down the Texas poll tax by overruling or distinguishing the Breedlove case, there remains a strong possibility that Congress may pass an anti-poll-tax bill. The validity of such an act will present a major States right issue. In this instance the States will not able to rely on the 10th amendment. That amendment reserves to the States only those "powers not delegated to the United States by the Constitution nor prohibited by it to the States." The right to prescribe the qualifications of voters is delegated by the Constitution to the States. This is not to be confused with the right of the citizen to vote in national elections. That right may be derived from the United States, but only those citizens who meet the States qualifications are entitled to exercise it. An examination of the provisions of the U.S. Constitution relating to the three types of national elections makes this evident.

The House of Representatives and the Senate are chosen by the people, "and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature." Since the right to vote for the most numerous branch of the State legislature is derived from the State, and since the State unquestionably has the right to determine the qualifications of the persons who have the right to vote in these elections, it follows that these provisions delegate to the States the right to fix the qualifications of voters in congressional elections. In respect to presidential elections, the Constitution provides that "Each State shall appoint, in such manner as the legislature thereof may direct, a number of electors. * * *" Thus the manner of the electors' selection is delegated exclusively to the State. In Texas they are nominated by conventions and selected by the qualified citizens voting for a presidential candidate in the general election. The requirement that a party's electors sign a pledge to vote for their party's nominees was upheld as within the powers delegated to the States. The Supreme Court said:

"The presidential electors exercise a Federal function in balloting for President and Vice President but they are not Federal officers or agents any more than the State elector who votes for Congressmen. They act by authority of the State that in turn receives its authority from the Federal Constitution."

The attempted justification for the authority of Congress to pass an anti-poll-tax bill is set forth in section 1 of the act which passed the House of Representatives in 1947. It provided (1) that the poll tax "shall not be deemed a qualification of voters" in national elections, (2) "shall be deemed an interference with the manner of holding" elections for national officers, and (3) shall be deemed "a tax upon the right or privilege of voting for said national officers."

Qualifications, it is argued, refer to competency, and the ability to pay a $1.75 poll tax has little relation to one's competency to cast a ballot. However, the contention has been made that it is not unreasonable to require a citizen to show he has an interest in his government by contributing at least this token financial support. Furthermore, registration is deemed a proper qualification, and in Texas the payment of one's poll tax also accomplishes registration. More accurately, a poll tax should be considered a requirement, or a condition precedent for voting. And it has been held that the States can constitutionally so condition the right of suffrage.

"The times, places and manner of holding elections for Senators and Representatives, shall be prescribed in each State by the legislature thereof; but the Congress may at any time by law make or alter such regulations. * * *"

This provision of the Constitution only gives Congress the power to regulate how a vote may be cast, not who may cast it. Advocates of anti-poll-tax legislation claim that the tax encourages vote buying which leads to corruption and interferes with the manner of holding an election. Such round-about reasoning would result in killing the patient to cure his cold.

The poll tax is not a tax on the right to vote, but is a tax which exists independently of that right. Furthermore, many eligible voters are permitted to exercise their franchise without paying the tax, and such reasonable exemptions are constitutional.

The poll tax applies equally to all races and does not discriminate against the Negro. In fact, although many Southern States have a larger Negro population than Texas, recent

figures reveal that TEXAS has the greatest number of registered Negro voters.

Texas did not adopt the poll tax as a requirement for voting until 1903. Thus, it can be seen that the tax was not a post-reconstruction attempt to disfranchise the Negro. More likely it was intended to inhibit the Populist movement and prevent fraud in elections by providing a registration system.

The contention that the poll tax denies the States a republican form of government appears to be without merit. The tax was originally introduced to extend suffrage to a larger class than had been permitted to vote under the freehold property qualifications. These latter qualifications existed in the States when the Constitution was adopted, and they have been held to be constitutional.

Argument in favor of the constitutionality of an anti-poll-tax bill is based on the reluctance of the Supreme Court to nullify an act of Congress, and the contention that the poll tax might be characterized as a political question. The following language from *United States* v. *Classic* is frequently cited as supporting such legislation under the "necessary and proper" clause of the Federal Constitution:

"While, in a loose sense, the right to vote for representatives in Congress is sometimes spoken of as a right derived from the States, this statement is true only in the sense that the States are authorized by the Constitution, to legislate on the subject as provided by section 2 of article I, to the extent that Congress has not restricted State action by the exercise of its powers to regulate elections under section 4 and its more general power under article I, section 8, clause 18 of the Constitution to make all laws which shall be necessary and proper for carrying into execution the foregoing powers."

Although this dictum may be indicative of a trend toward greater national power over the States, it is believed that the better view would find a Federal anti-poll-tax bill unconstitutional. Congress should not be permitted to usurp the power of the States and the Supreme Court, by declaring a State's action invalid. If Congress could have determined voter eligibility constitutional amendments would not have been necessary in order to give Negroes and women the right to vote.

Mr. President, it is my understanding that the majority leader is ready to move a recess of the Senate at this point. With that understanding I shall be glad to yield the floor. I have concluded my second speech.

TRANSACTION OF ROUTINE BUSINESS

By unanimous consent, the following routine business was transacted:

FOOT-AND-MOUTH DISEASE—RESOLUTION OF KANSAS VETERINARY ASSOCIATION

Mr. CARLSON. Mr. President, the Kansas Veterinary Medical Association at an executive board meeting in Wichita on March 16, 1962, approved a resolution in regard to foot-and-mouth disease.

Foot-and-mouth disease is a most contagious disease and I sincerely hope no action will be taken on the part of the Government that will in any way remove Federal restrictions that would change our present regulations.

I ask unanimous consent that the resolution be printed in the RECORD, and appropriately referred.

There being no objection, the resolution was referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

RESOLUTION, FOOT-AND-MOUTH DISEASE

"Whereas foot-and-mouth disease is one of the most highly infectious of all diseases of cloven-hoofed animals and we have been extremely fortunate in keeping our domestic livestock free of this most contagious and costly disease; and

"Whereas the President of the United States had a scientific mission investigate the present status of foot-and-mouth disease in Argentina, Brazil, Uruguay, and the island of Tierra del Fuego with the possibility of reducing the restrictions placed upon animals and meats from these areas; and

"Whereas laws passed by the Congress of the United States and enforced by the Secretary of Agriculture are designed to prevent the introduction of foot-and-mouth disease from these countries; and

"Whereas foot-and-mouth disease has been introduced into the United States on nine different occasions, into Mexico at least once and Canada once, and further, two of the outbreaks in the United States were fairly definitely traced to meats originating in South American countries; and

"Whereas the costs to this country of eradicating the Mexican and the U.S. outbreaks have run into many millions of dollars; and

"Whereas should the disease be introduced and become established due to unsuccessful attempts to eradicate it, this country would be burdened with one of the most costly and serious diseases known to man, as well as quarantines and embargoes invoked by other countries: Now, therefore, be it

"*Resolved*, The Kansas Veterinary Medical Association requests the Congress of the United States and the Secretary of Agriculture to continue to prohibit the importation of cloven-hoofed animals and fresh meats thereof from countries where foot-and-mouth disease or rinderpest exist and, further, that no portion of such country, such as the island of Tierra del Fuego, be regarded as free from these diseases and that, further, the Secretary not permit any relaxation in the present requirements imposed on animals and meats from the countries referred to until it has been definitely proven beyond any doubt that there could be no hazard to the livestock of this country; and be it further

"*Resolved*, That a copy of this resolution be sent by the secretary of the association to the Secretary of Agriculture and to the congressional delegates of the State of Kansas."

This resolution was submitted by the Disease Control Committee of the Kansas Veterinary Medical Association to the executive board of said association, in regular meeting in Wichita, Kans., on March 16, 1962, and approval and adoption of said resolution was requested by the aforesaid committee. The resolution, as submitted, was approved and adopted by the executive board and it was ordered that the resolution should be entered into and become a part of the minutes of the aforementioned meeting and that the executive secretary of the Kansas Veterinary Medical Association submit said resolution to all necessary and proper authorities, same being hereby done on March 17, 1962.

JOHN D. KIRKLAND,
Executive Secretary,
Kansas Veterinary Medical Association.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. LONG of Louisiana (for himself and Mr. ELLENDER):

S. 3060. A bill modifying the Calcasieu River and Pass, La., navigation project, to provide for the construction of a salt-water barrier system; to the Committee on Public Works.

(See the remarks of Mr. LONG of Louisiana when he introduced the above bill, which appear under a separate heading.)

By Mr. CASE of New Jersey:

S. 3061. A bill for the relief of Jorge Shojiro Mukoyama, Mirazu Theresa Mukoyama, and Takumi Frederico Mukoyama; to the Committee on the Judiciary.

By Mr. YOUNG of North Dakota (for himself and Mr. BURDICK):

S. 3062. A bill to amend the Soil Bank Act so as to authorize the Secretary of Agriculture to permit the harvesting of hay on conservation reserve acreage under certain conditions; to the Committee on Agriculture and Forestry.

By Mr. BEALL:

S. 3063. A bill to incorporate the Metropolitan Police Relief Association of the District of Columbia; to the Committee on the District of Columbia.

PROPOSED AMENDMENT OF CONSTITUTION RELATING TO EQUAL RIGHTS FOR MEN AND WOMEN—ADDITIONAL COSPONSOR OF JOINT RESOLUTION

Mr. MCGEE. Mr. President, I ask unanimous consent that the name of the Senator from North Dakota [Mr. BURDICK] may be added as a cosponsor of the joint resolution—Senate Joint Resolution 142—proposing an amendment of the Constitution relating to equal rights for men and women.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMISSION TO STUDY HARMFUL EFFECTS OF CIGARETTE SMOKING—ADDITIONAL COSPONSORS OF JOINT RESOLUTION

Under authority of the order of the Senate of March 16, 1962, the names of Senators MOSS, CLARK, RANDOLPH, YOUNG of Ohio, MORSE, and HICKEY were added as additional cosponsors of the joint resolution—Senate Joint Resolution 174—to authorize the establishment of a commission to study the harmful effects of cigarette smoking, introduced by Mrs NEUBERGER on March 16, 1962.

GREEK INDEPENDENCE DAY

Mr. HART. Mr. President, the 25th day of March will mark the 141st anniversary of the independence of the Greek nation from the Ottoman Turk, and Greeks throughout the world will joyously mark the occasion.

In an awareness of centuries of history of extreme pertinence today, we join our Greek friends in commemorating Greek Independence Day.

Mr. President, there are two prominent forms of society in the world today vying

one with the other in a deathly struggle for eminence. One form is European. It is constructed on principles holding that each individual is unique and endowed with certain inalienable rights, that he is entitled by nature and God's will to freely join his fellow men in society and to form a government to rule over them which will reflect the will of the informed majority in that society.

It is an idea unique to Europe. It came to light in ancient Greece and through subsequent centuries on European soil it has been nurtured and nourished and developed and perfected to the end that its benefits might reach all of mankind. This idea has been exported to many parts of the world and it has brought light and civilization and good life to millions of persons.

The other form of society is built on that aberration of the human mind which holds one individual so supreme that his authority is absolute and that all others in the realm are like chattel of the ruler. This form of society has held sway in the East for centuries and today sits like a black plague on almost the entire Asiatic Continent from China to Soviet Russia and has brought such suffering and degradation to masses of human beings as would tax the credulity of Satan himself.

Greece throughout her glorious history has looked across that narrow body of water which separates Europe from the East. In the very dawn of European history, Greek city states already putting into practice the theory of democratic government met and repulsed the threat of the Persian autocrat who would bring the Asiatic principle of absolute despotism to Europe.

In the Christian era the Greeks for centuries heroically opposed and stemmed the incursions of the despotic Ottoman Turks into Europe before being overwhelmed. This calamity did not daunt the fighting spirit of the Greek people. They resisted and fought the Ottoman with all their might until finally their unrelenting efforts for freedom were rewarded in 1821 with the reestablishment of the independence of the Greek nation.

In the Second World War, the Greek nation fought valiantly against the monstrous Axis dictators. And with the close of that war, Greece was once again threatened by an Eastern despotism, this time from the direction of Soviet Russia, but happily, with energetic American aid, she was successful in resisting that threat.

Mr. President, our commemorating Greek Independence Day serves as reconfirmation of our devotion to democratic principles and of our faith that the idea which came to light in Greece thousands of years ago will surely ultimately win over the powers of darkness which threaten the world today.

TENTH ANNUAL PRESIDENTIAL PRAYER BREAKFAST

Mr. CARLSON. Mr. President, on Thursday morning, March 1, 1,000 persons, including the President of the United States, the Vice President, members of the executive, legislative, and judicial branches of our Government, delegates to the conference, and representatives of the Council of Christian Leadership groups attended the Presidential prayer breakfast at the Mayflower Hotel, in Washington, D.C.

This gathering of the leaders in Government, the clergy, and lay leaders at a prayer breakfast where we rededicated ourselves to the spiritual values which have been, and are, basic in our Nation's history, was most inspirational. It should create confidence among peoples everywhere.

I ask unanimous consent to have printed in the RECORD a copy of the program and the statements made by the President of the United States, the Vice President, Dr. Billy Graham, and others who participated.

There being no objection, the program and statements were ordered to be printed in the RECORD, as follows:

PRESIDENTIAL PRAYER BREAKFAST PROGRAM

8 a.m.—"Battle Hymn of the Republic": Basic School Chorus, Marine Corps Schools, Quantico, Va.

Invocation: Rev. Richard C. Halverson, associate director, International Christian Leadership.

Welcome: Senator FRANK CARLSON.

Breakfast.

Greeting from ICL Conference, Judge Boyd Leedom, president, International Christian Leadership.

Introduction of host: Senator FRANK CARLSON.

Remarks: Mr. William C. Jones.

Scripture reading—Old Testament, Psalm 1: The Honorable Abraham Ribicoff, Secretary of Health, Education, and Welfare; New Testament, Ephesians 6:10–18: the Honorable Douglas Dillon, Secretary of the Treasury.

Message from U.S. House of Representatives: Hon. E. C. GATHINGS, Member of Congress.

Message from U.S. Senate: Senator SAM J. ERVIN, JR.

THE VICE PRESIDENT OF THE UNITED STATES

Solo: Norman Nelson.

Message: The Honorable Price Daniel, Governor of the State of Texas.

Message: Dr. Billy Graham.

THE PRESIDENT OF THE UNITED STATES

"America": Last stanza with the audience standing.

"Our fathers' God, to Thee,
Author of liberty,
To Thee we sing;
Long may our land be bright
With freedom's holy light;
Protect us by Thy might,
Great God our King."

Benediction: Dr. Abraham Vereide, founder, International Christian Leadership.

OPENING PRAYER BY DR. RICHARD C. HALVERSON

This can be a perfunctory meeting, or it can be a time when God can really meet us in blessing for a nation and our world. Before I lead in the invocation, I should like to read something I read in the Pentagon yesterday, entitled, "What Lincoln Has To Say to Us." "It is the duty of nations and of men to own their dependence upon the overruling power of God. To confess their sins and transgressions in humble sorrow, yet with assured hope that genuine repentance will lead to mercy and pardon and blessing. We have grown in numbers, wealth and power, as no other nation has grown. But we have forgotten God. We have forgotten the gracious hand that served us in peace, and multiplied, and enriched and strengthened us. We have vainly imagined that all the blessings were produced by some superior virtue and wisdom of our own. It behooves us, then, to humble ourselves, to confess our national sins, and to pray for clemency and forgiveness." Let us pray: Our Heavenly Father, we take seriously these words, from a former President of the United States. And we do come before Thee this morning, first of all acknowledging our failure to acknowledge Thee as we should. Confessing the fact that we have taken for granted Thy gifts. We do humble ourselves before Thee this morning, asking Thy forgiveness, for our forgetfulness. We thank Thee for preserving our President and Vice President and Cabinet through this past year, since we last met. And now our Father, we wait upon Thee this morning for the blessing which only Thou art able to give. In a world in which millions never know the luxury of a full stomach, grant that we shall greatly enjoy this food this morning. Let Thy blessing be upon each person present. Grant that this breakfast shall be a source of strength and encouragement, to the President and the Vice President and all in authority who are present this morning. We thank Thee for this time together, for the presence of the Son of God, and for the blessing we know we are to receive. Through Jesus Christ, our living Lord. Amen.

MESSAGE OF WELCOME BY SENATOR CARLSON

I'm delighted that there are so many here this morning for this 10th annual prayer breakfast. This breakfast, as you know, is known as the Presidential prayer breakfast, and of course we are greatly honored that the President of the United States is meeting with us. This annual breakfast is in commemoration of the organization of a prayer group of some over 25 years ago, which was organized in Seattle, Wash. And I am glad to report that this year an ever-increasing number of prayer breakfasts are being held not only in the United States, but in many foreign countries. Practically every State in the Union has held a Governor's prayer breakfast, and last week I attended an outstanding breakfast given by Mayor H. Roe Bartle in Kansas City, Mo. It is encouraging to know the interest that is being manifested in these breakfasts. It can be truly said, that last week, as Col. John Glenn ascended into the outer space, that there were more people praying in our Nation on that day, than on any other day in our Nation's history. The cornerstone of the American life rests on a strong prayer foundation. I firmly believe that the greatness of America comes from the loyalty, the patriotism, the righteousness of our people. It is imperative in order to preserve and save our sacred freedoms, that we have a strong and courageous God-fearing people and a total mobilization of all of the spiritual forces of this Nation. We welcome you here this morning.

GREETINGS FROM ICL CONFERENCE BY JUDGE BOYD LEEDOM

Mr. President, Mr. Vice President, and all you other distinguished gentlemen, International Christian Leadership is as broad in scope as the boundless love of Jesus Christ. It is a movement, rather than an organization, in which any person concerned about his relationship with God may become a participant. It is a fellowship in Christ that is truly evangelistic, truly Catholic, truly reformed. The words International Christian Leadership serve only as one identification among others, of a way of life which is 2,000 years old. The only credential is the Spirit of Christ, written not on paper, but on the pages of the human heart. ICL stands for the difference between lipservice and action. This fellowship sees no barrier in de-

nominational or racial lines. It has no precept that it impinges upon the church, and only seeks to help. Thus it encompasses all of christendom. It recognizes with deep reverence, a marvelous heritage from Judaism, whose monumental gifts to humanity are climaxed by the very gift of the Christ, whom we adore. Beyond this, the fellowship would join hands around the world, with all men of good will, in a cooperative effort to establish the kingdom of God upon the earth. But the faith of many Americans is totally unconvincing. God is so vague, for many of us, that He is unnoticed in our lives. This superficial faith in a God we do not really know is America's Achilles' heel, and our greatest evil. There are many lesser evils. Motion pictures, books, and magazines, debasers of the human spirit, degrade us awfully. It seems strange that we all put up with this spectacle. And thus we become participants in a great national sin. Although progress has been made in the areas of juvenile delinquency and crime and corruption in our economic structure, these social blemishes continue to beset us. To many if not to most of us, racial integration is only a pious platitude. These conditions all are symptoms of our spiritual anemia. And overshadowing all is the ominous threat, from a small group of people on the outside, to impose their way of life over the glorious way that we have had. They, if not we, are burning zeal and true commitment to their cause. Americans must break the shackles of this unusual moral and ethical laxity by a new and vital spirituality that sets men on fire for good. For only where the Spirit of the Lord is, is there true liberty. Our gratitude is unbounded for the President, the Vice President, and all the other distinguished men who are in this remarkable gathering, for the contribution here made, to Godliness. Our prayer this morning is that the hand of God will truly touch each life and heart, and as the great Lincoln prayed before us that this Nation, under God, shall have a new birth of freedom. Then who shall stop us, as we move on to create a just and a righteous world, for all men everywhere? Spirit of God, here with us today, in this room, reveal yourself to each of us, in a new and a marvelous way.

INTRODUCTION OF HEAD TABLE: MR. FREEMAN, SECRETARY OF AGRICULTURE; GOVERNOR DALTON, GOVERNOR OF MISSOURI; MR. HODGES, SECRETARY OF COMMERCE; MR. GEDAT, MEMBER OF GERMAN PARLIAMENT; MR. WARREN, CHIEF JUSTICE; MR. MCCORMACK, SPEAKER OF HOUSE OF REPRESENTATIVES; MR. STENNIS, SENATOR, MISSISSIPPI; MR. RIBICOFF, SECRETARY HEALTH, EDUCATION, AND WELFARE; GOVERNOR ANDERSON, GOVERNOR OF KANSAS; MR. DAY, POSTMASTER GENERAL

INTRODUCTION OF HOST BY SENATOR CARLSON

This will be the fifth time that we have been his guest at a Presidential prayer breakfast. Not only that, he has hosted over 220 of these Christian witness and banquets in the United States, and in some foreign countries, during the last 6 years. He has made 15 trips to Moscow, and 28 trips to Japan. He is a member of the National Board of the ICL, a member of Billy Graham's personal board of directors, a great friend, a great Christian layman, I give you Bill Jones, W. C. Jones, of Los Angeles.

STATEMENTS BY W. C. JONES, OUR HOST

I believe that when a person acknowledges Jesus Christ and turns his life over to Him, that He gives a unique experience to each individual. I think that in the sharing of these experiences, we come to see how Jesus Christ does effect a life. I know that I never knew what forgiveness was until I had an employee that had committed infractions of rules and I brought him into the office and explained to him that my customers were spending their full time condemning me and I just didn't feel like financing it at the moment, so I asked him to just leave his job. He asked me to forgive him. And I was so embarrassed, I told him to go right back to work and forget it and the memory of the whole incident left at that time. I tasted in my own experience, what it meant when He said that He had forgiven my sins. Never again to remember them. This man is still with my company. I never knew what the love of God was until I see it in my own children. They can grieve me, they can disappoint me, they can do almost anything to upset me, but they're absolutely powerless to change the fact that I love them. And this is my understanding that I can't change the fact that God loves me. And if I wasn't sure of that, I couldn't exist. My love for God is found when God says I love Him, as in John 14: 21. "He that hath my commandments and keepeth them, he it is that loveth me." And this is my expression of my love for God.

I've had two unique experiences here recently, that one of them I'm sure is on the lighter side, and I hope you'll forgive me for relating it, but in my church we have a Sunday school, and I was vice president of the class for 2 years, and I thought it was time that I was president, so they had a nominating committee, and on the night when the candidates left the room while they decided who was to be president, I felt sorry for this opponent, but someone had to lose, and in this particular case that's the way it turned. But while I was gone, one of the members of the committee said: "Now we don't have to worry about Bill Jones, we know him, but this other fellow we're not quite sure of. So by solving this we'll make Bill vice president again, and make the other fellow president." So when I came back into the room, to accept the presidency, and they announced to me that I was going to be vice president again, and make the other fellow president, something within me welded up and I thought they ruined my evening, and I'm sure going to take care of theirs. So I just explained that Dr. Graham sent me around on many important missions, and I just couldn't waste my time as vice president, but if I'd been elected president, I could have afforded the time. I went home and tried to sleep, and no sleep came, and the next night no sleep, and the next night no sleep. And finally 3 days later, I called up each member of that nominating committee and asked them to forgive me. And, I said, not only that, but I'd like to nominate myself for vice president. Well, they weren't sure they even wanted me for that, then. But they did. They were very good to me, and let me be vice president again. The following night, my technical publishing society nominated me, or rather I was first vice president of this, and they even had a second and third one. So I'd financed this group even, and on the night of election, on the way to this meeting, I prayed, and I said, "God, if being president of this society is going to interfere with what you have for me this year, don't let me get it." They nominated a guy that hadn't been to a meeting for a year and elected him. Then I walked up to him, for I had an answer to prayer. And that was the most thrilling moment of my life. God had taken my Christian friends to get this rottenness out. And this is the meaning of church. That we might share, and within the Christian fellowship, find that which is unpleasing with God that we might go into the world and become a witness for Jesus Christ.

Mr. President, there's one other incident that concerns you, and were it not for how it turned out, I'm afraid that I would be ashamed to even mention it. But on election night, when you were elected President, I was very angry and resentful, because I had a prejudice against you because you were of the Catholic faith. And it scared me, because 3 months later I had to stand up here and talk to you about the love of God, and I knew I couldn't do it. And I prayed. Two months later this whole thing dissolved. The prejudice was as real as if I even thought what it was, though I didn't know what it was, but it was just as real as if I knew what I was prejudiced about. And, then to have it disappear and replace itself with a concern that found itself in the family joining with me in prayer. This, to me, is the reality that Jesus Christ brings into a life. When even prejudices and all these things can be dissolved in prayer. Jesus Christ. What an experience. Mr. Vice President, I know that this has been a great crusade on your part then, and I understand now, through my own personal experience, what you covet for every American, that we might all share this oneness. And this whole new life began for me the night I asked Jesus Christ to come into my heart. Thank you.

MESSAGE FROM THE VICE PRESIDENT

Senator CARLSON, Mr. President, Mr. Chief Justice, Mr. Speaker, Mr. Chairman, most distinguished guests, I'm thinking this morning of the most popular preacher who ever lived in my own hill country. His popularity, he explained, was due to the fact that he offered a silent prayer for himself each Sunday morning before his sermon. It went something like this: "Lord, fill me with worthwhile stuff, and tell me when I've said enough." This is a good prayer for a Vice President.

We meet here this morning on the oldest frontier of man's communion with his God. It is fitting and proper that we do this, in the Capital of our country. Awesome powers and even more awesome responsibility are concentrated here in the hands of a chosen few, who serve as our leaders. But this annual breakfast serves to remind us all of the old and strong American belief that national power, without prayer, would be only national arrogance.

In saying this, we must acknowledge that there are those in our country and in other parts of the world, who abhor power, and who would have their leadership rely on prayer alone. From persons of such convictions, we hear calls against creating or maintaining the essential elements of national power. For those so moved by devotion to the spirit of their religious convictions, we have the deepest respect. But at the same time, I believe we should say this: If power without prayer would be arrogance, prayer without power would be, in these times, ultimate folly. To be moral, free nations need not be weak. The highest morality of national leadership, is to create and to maintain the strength essential to the preservation of our beliefs. It is for the wisdom to use our power wisely, that we should pray. It has been said that what men usually ask for when they pray is that two and two may not make four. In today's world, strength and courage make the four of peace on this earth. It is for this wisdom that we must pray in these days, when our national skills and abilities are opening new horizons of man's greatest adventure among the stars, and we are all very thankful that our latest adventure and the hero of that adventure, Colonel Glenn, is the kind of a man that every mother and every father, and every religious leader in the world can point to with great pride. By dedicating our national efforts toward strength, we are bringing into being new capabilities for peace. So let us remain single minded in devotion to that goal. Remembering the advice of Henry Ward Beecher, who said, "That prayer, as a first and second and third element of the Christian life, should open, should prolong, and should conclude each day."

Old Testament reading: Psalm 1, by the Honorable Abraham Ribicoff.

New Testament reading: Ephesians 6, by the Honorable Douglas Dillon.

MESSAGE FROM U.S. HOUSE OF REPRESENTATIVES BY HON. E. C. GATHINGS

Senator CARLSON, Mr. President, Mr. Chief Justice, Mr. Speaker, distinguished guests, gentlemen, on behalf of the House Prayer Breakfast Group, I would like to express appreciation to Dr. Abraham Vereide, for his tireless effort, in the furtherence of Christianity. We trust that his years may be many in the service of the Master. The association with these splendid men in our group has been an enriching experience indeed. It has helped us to grow in spirit and in service. F. B. Myer wrote, that on the triple doorway of a great cathedral in Milan were three inscriptions spanning the archway. On one is carved the very fine wreath of roses, and the words "All that which pleases is just for a moment." Over another is sculptured a cross upon which we read, "All that which troubles is just for a moment." Underneath the great central archway in the main aisle is the inscription "That only is important, which is eternal."

Shortly after the end of World War II, Mrs. Gathings and I built a farm implement building with our life savings. That building was built in a very thriving little city on the Broadway of America. I thought here would be a good source of income for us, and for our children, later on. A long-term lease was made with a substantial firm, the proceeds from which would retire all the indebtedness on the building, pay the taxes, the interest, the upkeep and the insurance. Such an ideal arrangement would mean a small amount of security to us. The situation looked good, real good. An unusual snowstorm visited our home city. It was 7 or 8 inches deep. The phone rang one night here in Washington, and it was from an insurance agent that held the insurance on that building. I was told that the shop portion of that building had totally collapsed. I asked was there any coverage in the policy? Not for snow damage. No insurance. Where had I placed my trust? In brick, fixtures, material wealth. After quite a time had passed away, I determined that I needed guidance and direction. I thought I should take an inventory. An accounting, to exalt Christ. There is a promise in the Scripture, "Ask and it shall be given. Seek and ye shall find, Knock and it shall be opened unto you." To examine those words, it is found that you yourself have quite a lot to do. You have quite a part to play. Steadfast action and effort is required. Ask, seek, knock. Meaning work, and determination if we want God's assistance. I have never regretted the cave-in of that shop portion of that building, the loss suffered, was just for a moment. There are values that are lasting and secure. Among those are contentment, serenity, peace of mind. No one ever came to Jesus for assistance and was turned away. It's only when Christ is with us that we feel firm, secure, and safe. No matter now difficult the problem, how dark the night, God is always close by. His grace is the answer for every need of man.

MESSAGE FROM THE U.S. SENATE BY SENATOR SAM J. ERVIN, JR.

Mr. President, friends, as a member of the Senate prayer group, I am deeply grateful to International Christian Leadership for the privilege it affords me each week to lay aside for a time, the burdens of office and join senatorial colleagues in meditation upon the everlasting thing. I will speak of one of the everlasting things—faith. Faith is described in the majestic language of the King James version of the Bible, as "the substance of things hoped for, the evidence of things not seen."

The canny Scotchman, Thomas Carlyle, made a profound observation when he said, "A man lives by believing something, not by debating and arguing many things." As the evidence of things not seen, faith proves to men and women the realities of the positive beliefs by which they live and for which they are willing to die. Faith is not a fallout shelter, to which men and women can flee for refuge from the storms of life. It is instead, an inner force which gives them the strength to face those storms and their consequences with courage and serenity of spirit. In times of greatest stress, faith has a miraculous power to lift ordinary men and women to greatness. Faith is exhibited at its best in the lives of those men and women who trust the promises of God. At a time when her physical eyes were failing, Annie Johnson Flynt saw these promises with eyes of faith and described them for us in her inspiring little poem entitled "What God Hath Promised": "God hath not promised skies always blue, flower-strewn pathways, all our lives through. God hath not promised sun without rain, joy without sorrow, peace without pain. But God hath promised strength for the day, rest for the labor, light for the way. Grace for the trials, help from above, unfailing sympathy, undying love." If we have faith in the promises of God, we can face with courage and serenity of soul, the perilous days which lie ahead.

Solo—Norman Nelson: "Mr. President, when we think of the greatness of God, and all He means to us, there are no words, there are no songs, which can adequately express His majesty. But I think that this song comes as close as any I know: "How Great Thou Art."

MESSAGE FROM THE HONORABLE PRICK DANIEL

Senator CARLSON, Mr. President, members of the Court, the Congress, the Cabinet, distinguished guests, ladies, and gentlemen, it is a great privilege to meet in prayer with the leaders of our Nation on this annual occasion when we witness again our faith in God and meet together to call upon Him for guidance in our personal and public lives. This Presidential prayer breakfast has become one of the most significant annual events in the life of our country. It recognizes the importance of faith and prayer to each of us as individuals, to the future of our Nation, and the future of our fellow man throughout the world. One of the most significant aspects, in my opinion, is the image of America's leadership and ideals which this meeting projects to our own people, and to the people throughout the world.

While a Member of the U.S. Senate and of the Senate prayer group, it was my privilege to help plan the first of these Presidential prayer breakfasts.

I congratulate the Senate and House group and ICL and especially Dr. Vereide, for continuing this wonderful occasion. And I congratulate the President and all in authority who have cooperated and worked together. Especially do I want to congratulate International Christian Leadership and its staff for having carried these kind of prayer groups into all of the continents, many foreign nations, with over 200 regular prayer groups in the United States, Canada, and South America, 60 in Europe, 15 in Asia, and 4 in Africa. Indeed this is a worldwide movement "for leaders led by God, and His holy word."

While a Member of the U.S. Senate, if I may be permitted this personal word of gratitude, nothing encouraged or inspired or sustained me more than the weekly meetings at the prayer breakfasts, and the Presidential prayer breakfast, my membership in ICL, and later when I served as its president.

When I returned to Texas to become Governor, the first event of my inauguration was a Governor's prayer breakfast, attended by all members of the legislature, State officials and many other citizens. Dr. Billy Graham was our speaker, and as usual this great ambassador of what we believe in in this land, brought a great message which inspired the people of our State. We have repeated this each morning of each succeeding inauguration. As Senator CARLSON has already said, 45 States now have Governor's prayer breakfasts, and many of them are being held today, including one in the Governor's Mansion in Austin, simultaneously with our breakfast here.

From the day when our earliest permanent settlers, moved by the desire for religious freedom, began their Mayflower compact with the words "In the Name of God." Through all American history there are the golden threads of religious conviction. The whole spiritual concept of American democracy was written in our Declaration of Independence in the words, "We hold these truths to be self-evident. That all men are created equal. That they are endowed by their Creator," not the state nor a government, but by their Creator "with certain inalienable rights." Four times in that immortal document by one name or another, God is mentioned, as the provider of our rights. All of the individual rights upon which our freedom is based.

Our political system, it is true, adheres to the principle of separation of church and state. But never have we called for separation of church and statesman. The very men who wrote the separation of church and state doctrine of the U.S. Constitution, found it necessary to call upon God in prayer before they could resolve their political, economic, and personal differences.

The Congress, which is specifically enjoined to adhere to this constitutional inhibition, nevertheless opens its sessions with prayer. The Supreme Court of the United States, which must apply and enforce this doctrine o' separation of church and state, opens each of its sessions with the intonation "God save the United States, and this honorable Court." The Court in its opinions has stated that ours is a "Christian country," and in one of the latest of those opinions, Mr. Justice Douglas wrote "We are a religious people, whose institutions presuppose a Supreme Being."

President Kennedy, who has courageously defended the principal of separation of church and state, like his predecessors, took his oath of office with hand upon the Bible, and he, like most of his predecessors, sets a good example by attending his church and practicing his religion.

Thus from the landing of the Pilgrims to this Presidential Prayer Breakfast, the founders and leaders of our country and the majority of our citizens have believed in God and subscribed to Christian principals of freedom, equality, justice, and love, and the theory that individual human beings can be trusted to govern themselves. We have not been perfect in our application of these principals at home, and in this generation we seem to have failed to project the image of our American beliefs and our ideals to the people of the other lands.

I fear that today our Nation suffers abroad from an image that we Americans put first the almighty dollar, much in the same fashion that my beloved State of Texas suffers in some regions of our own country, from a false image that wealth and riches constitute our primary concern in life. How many people in other lands know that the spiritual and moral beliefs of this Nation, and the Christian love that makes our people concerned about their lives as fellow human beings and interested in a brotherly way in their struggle against oppression, injustices, poverty, sickness, and disease?

From what I've observed in Europe and Asia, too many of their people believe that the interest of our people is motivated entirely by what money and security we can obtain from our acts of friendship and concern. True, our governmental aid must be tied to a governmental purpose, but the love and concern of the majority of the citizens and leaders of this Nation have no such limitations. They are based upon our belief in the fatherhood of God and the brotherhood of man, and the two great commandments of the Master, "Love the Lord thy God with all thy heart, and with all thy soul, and with all thy mind"; and "To love thy neighbor as thyself," the Master added, "On these two commandments hang all the law and the prophets."

And I submit to you this morning that upon these two commandments and the principle of individual liberty, equality, justice, and love which flow from them hangs the only hope of peace and understanding and freedom for the people of the world and the only guarantee for the continued success and happiness of the people of our own nation.

These principles of Christianity and freedom once formed the image of America in the foreign lands and inspired other people to follow our example in rebelling against tyranny and choosing democracy as the best means for correcting injustices, relieving oppressions, and providing for the common welfare. That was in the time when with missionary zeal believers in Christianity and democracy were getting their true message, the true American image, to the minds of men throughout the world.

If communism finally engulfs the world, it will not be the fault of our Government, or the failure of our wealth, or weapons, or diplomacy. It will be because those of us who profess the fatherhood of God, and the brotherhood of man, fail to carry out the great commission of our Lord, that we spread His teachings to all nations, and to all men. He taught no system of government, no political science or economy, but He taught principles of brotherhood, charity, and liberty, which have resulted in more freedom, social justice, and progress in this land and elsewhere, than any other philosophy. Faith and prayers are essential, but they must be followed by action. If we fail in this hour of crisis, we fail not only our Lord, but we fail our country and the free world. The hope of the world lies in our willingness to present the true image of Christ and the true image of American ideals to those who seek the course of justice and freedom. This is the message of International Christian Leadership. In the words of the Scripture, we shall succeed: "Not by might, nor by power, but by My spirit, saith the Lord of Hosts."

MESSAGE FROM DR. BILLY GRAHAM

Senator CARLSON, Mr. President, distinguished guests, I've just come back from Latin America where I've been for the last few weeks. And down there, as you know, the Latins write in their political campaigns and their expressions on all the walls, and the buildings have great signs on them. Many of them would say, "Castro, sí; Kennedy, no." Some of them would say "Kennedy, sí; Castro, no," and so forth. One of the most interesting signs I saw, was in Venezuela. And it said, "Kennedy, no; Jackie, sí."

Guizot, the French historian, once asked James Russell Lowell, "How long do you think that the American public will endure?" Lowell replied: "So long as the ideas of its Founding Fathers continue to dominate." When Alexis Tocqueville, the great French student of democracy, returned to France after a visit to America, he said to the Members of the French Parliament, "Sirs, I went at your bidding; I ascended their mountains; I went down into their valleys; I visited their commercial markets and their emporiums of trade. I entered their legislative halls and their judicial courts. I searched everywhere in vain, until I entered a church. It was there, sirs, that I listened to the soul-elevating Gospel as it fell from Sunday to Sunday upon the waiting multitudes. There, I learned why America is great and free."

The Psalmist said, "Blessed is the nation whose God is the Lord; and the people whom He hath chosen for His own inheritance." And this Scripture indicates to me that God has a purpose in history. Dr. John McKay has suggested three basic attitudes which nations can have toward God. First there's the secular nation, which eliminates God from its official relations, and adheres to some political or philosophical idea. Secondly, there's the demonic nation which manufactures a god out of the state itself. Thirdly, there's the covenant nation which grows out of an original loyalty and devotion to God, and which continues to draw upon its origins for strength. I believe that America today is a convenant nation. And that she will survive just as long as she remains loyal to her spiritual roots. The moral conduct which American life has historically demanded has grown on a religious soil which recognizes the moral laws of God. The morality of justice, the claims of honesty, the regard for the respect of the rights of others, have grown on Judaeo-Christian soil. But something has happened. For a generation, we have been emphasizing material things. Carl Jung, the great psychiatrist, said "The central neurosis of our time is emptiness." Ernest Hemingway said, just before he died, "I live in a vacuum that is as lonely as a radio tube; when the batteries are dead and there's no current to plug it into." This is the spiritual and moral biography of too many Americans.

Almost all the leaders I talk to around the world about America are not afraid that we'll be defeated militarily, but that we will not have the moral and spiritual strength to endure for a generation. I believe, ladies and gentlemen, that what we need today is a spiritual renewal in America, and I believe this prayer breakfast is one of the steps in that direction. I believe that we need to repent of our sins, that we need to turn to Jesus Christ on an individual basis. We say yes, we believe in faith, we believe in God, we believe in the Bible, we believe in the church, and we believe in all of these things. But we are not practicing it in our daily lives, as individuals.

Jesus once said, "You serve me with your lips, but your heart is far from me." God doesn't look on our outward appearances. He looks upon our hearts. Let Him see hearts filled with honesty and integrity and faith in Him. We could start today a movement across this country. I think we've seen in this outpouring of expression of Col. John Glenn, the hunger in this country for this type of thing. It could begin today.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

Senator, Judge, Mr. Speaker, Mr. Justice, Governors, gentlemen, I want to, as President, express my appreciation to all those whose efforts make this breakfast possible. This is only one of a worldwide effort, I believe, to build a closer and more intimate association among those of different faiths, in different countries, in different continents, who are united by a common belief in God and therefore united in a common commitment to the moral order and as Governor Daniel said, "a relationship of the individual to the State." The effort made in New Delhi among the World Council of Churches, the efforts that have been made in Europe, to build better understanding among men and women of different faiths, the effort made in this country, I believe is most important and most essential. I do not suggest that religion is an instrument in the cold war. Rather, it is the basis of the issue which separates us from those who make themselves our adversary. And at the heart of the matter, of course, is the position of the individual, his importance, his sanctity, his relationship to his fellow man, his relationship to his country and his State.

This is in essence the struggle. And it is necessary, therefore, that in these difficult days, when men and women who have a strong religious conviction, are beleaguered by those who are neither hot nor cold, or by those who are icy cold. It is most important that we make these common efforts as we do this morning. So I congratulate you all and express appreciation to you and hope that it will serve as an inspiration to others in other parts of our country.

I believe yesterday we saw an interesting contrast in the response which Colonel Glenn made as to whether he had prayed, and he said he had not, that he had made his peace with his Maker many years before. And the statement made by Titov in which during his flight as he flew over the Soviet Union he realized, he said, the wonders of the Communist system. I preferred Colonel Glenn's answer, because I thought it was so solidly based in his own life, in his activities in his church, and I think reflects a quality which we like to believe and I think we can believe is much a part of our American heritage. So I congratulate you.

On our program this morning, there is a quotation from Lincoln which I think is particularly applicable today. He said "I believe there is a God. I see the storm coming, and I believe He has a hand in it. If He has a part and a place for me, I believe that I am ready." We see the storm coming; and we believe He has a hand in it. And if He has a place and a part for us, I believe that we are ready.

THE BENEDICTION BY DR. ABRAHAM VEREIDE

"Our fathers' God to thee, Author of Liberty, to Thee we sing; Long may our land be bright with freedom's holy light; Protect us by Thy might, Great God our King."

And now we dedicate ourselves, afresh. Thankful for these wonderful statements made this morning for our Nation and its leadership. For our beloved President, and for all in position of responsibility with whom we are united, to carry forward to victory the great heritage that is ours. Through Jesus Christ our Lord.

Our Father, Who art in Heaven, Hallowed be Thy Name, Thy Kingdom come, Thy will be done, on Earth as it is in Heaven. Give us this day our daily bread, and forgive us our trespasses as we forgive those who trespass against us. And lead us not into temptation, but deliver us from evil. For Thine is the Kingdom, the Power, and the Glory forever. Amen.

And now may the Grace of our Lord Jesus Christ, the Love of God the Father, and the Fellowship—the Fellowship, worldwide, nationwide, in every area—the Fellowship of the Holy Spirit be with you all evermore. Amen.

THE FAILURE TO PERMIT ALASKA TO ENJOY EXPORT-IMPORT RATES IS BOTH UNJUST AND UNCONSTITUTIONAL

Mr. GRUENING. Mr. President, almost a year ago on this floor, I called the attention of the Members of the Senate to a rank injustice perpetrated against the State of Alaska in the fixing of railroad freight rates to Alaska.

That injustice still continues.

The matter is not complex.

It is simply that the railroads, beginning half a century ago, established a higher freight rate for the same merchandise moving from any place in the United States to Seattle if its destination is the State of Alaska than if its destination is the State of Hawaii or Tokyo or Guam or Hong Kong or Australia or Chile.

Although I am not a lawyer and certainly not a constitutional expert, this, in my view, is a clear violation of article I, section 9, clause 6 of the Constitution which provides:

> No preference shall be given by any Regulation of Commerce or Revenue to the Ports of one State over those of another * * *.

Let us look at a few of the railroad freight rates approved by the Interstate Commerce Commission for various commodities from several different parts of the United States and let us note how those rates change depending on whether the destination is the State of Hawaii or the State of Alaska.

Railroad freight rates to Seattle

[Rates per 100 pounds]

Commodity	From	Ultimate destination	
		Honolulu, Hawaii	Seward, Alaska
Automobiles	Kenosha, Wis	$7.83	$10.00
Do	Pontiac, Mich	7.83	10.00
Agricultural implements	Chicago, Ill	2.17	3.28
Do	Minneapolis, Minn	2.03	3.12–4.27
Canned food	Oklahoma City, Okla	1.38	1.83
Cigarettes	Louisville, Ky	2.66	2.94
Do	Raleigh, N.C	2.59	2.94

Expressed in rates per hundred pounds these figures may not seem to disclose a huge discrimination. But consider that the rail charges to Seattle for a 2,500-pound automobile shipped from Detroit, Mich., and destined for Honolulu, Hawaii, would amount to $195.75, while the rail charges for a similar automobile even if shipped on the same train would be $250 if it were destined for Seward, Alaska. This represents an arbitrary surcharge on Alaska-bound automobiles of $54.25, or approximately 25 percent more than on those bound for Hawaii.

The decision of the Interstate Commerce Commission upholding these discriminatory rates which obviously favor one port over another was rendered in 1957 before Alaska became a State.

I confess, Mr. President, that I can see no longer any logical basis for the decision of the Commission that freight moving to Hawaii is destined for a foreign port but that freight moving to Alaska is destined for a domestic port.

But whatever the underlying reasons for the 1957 decision of the Commission, it is my belief that statehood for Alaska changed the basic situation and that today, for the Commission to use the power to regulate interstate commerce in such a manner as to discriminate against 1 of the 50 States is entirely unconstitutional.

Now I want to make it perfectly clear that I do not begrudge the great State of Hawaii these lower rates. I am happy for the people of Hawaii that, at least in this respect, they enjoy lower freight costs. Being a noncontiguous State—as is Alaska—I know that Hawaii suffers the higher cost of living resulting from high shipping costs.

But my point, Mr. President, is that these lower rates should apply equally to the merchandise shipped to Seattle on American railroads and destined for points in the State of Alaska.

I pointed all this out in my statement on the floor of the Senate on April 27, 1961, when I introduced a resolution seeking through legislation to remedy this intolerable situation. I ask unanimous consent that the remarks I made at that time be printed in full at the conclusion of these remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. GRUENING. Mr. President, I regret to say, that in the months that have elapsed since that time, only a few rates have been reduced in response to my publicizing this discrimination, but the overall situation remains the same. I had hoped that merely by calling this situation to the attention of the railroads involved they would have voluntarily moved long before this to rectify completely this longstanding injustice, which in the half century since these rates were initiated have cost the consumers of Alaska millions of dollars, and seriously retarded Alaska's progress.

The railroads have seen fit not to do so.

This injustice cannot be permitted to continue. It contributes to the high cost of living in Alaska which is one of the greatest obstacles to the progress and development of my State. Every effort should be made to reduce it. The power to regulate commerce granted by the Constitution should not be misused with impunity. We are either a united nation of equal States or we are not. If the powers granted to the Congress in another clause of the Constitution—article I, section 8, clause 3—"To regulate Commerce * * * among the several States" are to be so misused as to impose burdens upon a particular State, who among us can say where this discrimination will end?

It is my intention to use all the power at my disposal to end this discrimination against the State of Alaska by the railroads involved and as of now approved by the Interstate Commerce Commission.

As a beginning, therefore, I have today directed a letter to Mr. M. F. Edbrooke, chairman, Transcontinental Freight Bureau, Chicago, Ill., requesting voluntary action on the part of the railroads in equalizing the freight rates on goods destined for Alaska with those destined for Hawaii.

I ask unanimous consent that a copy of my letter to Mr. Edbrooke be inserted at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. GRUENING. Mr. President, it is my sincere hope, Mr. President, that the railroads, without further ado on my part, will recognize the justice of Alaska's position in this matter. In my opinion it is manifestly unfair for the railroads to use the exemption given them by the Congress from certain aspects of the antitrust laws to promulgate rates which discriminate against 1 of the 50 States. That is a misuse of this exemption.

It may be, Mr. President, that the time has come when the Congress should take a second look at how the railroads are using or misusing this exemption.

I hope, Mr. President, that this will not become necessary.

EXHIBIT 1

A STRANGE DISCRIMINATION—THE UNIQUE PATTERN OF RAILROAD FREIGHT RATES TO ALASKA

(Statement of Senator ERNEST GRUENING, Democrat, of Alaska, on the floor of the Senate on the introduction of a bill to establish equitable railroad freight rates)

Mr. President, to ship an automobile from Pontiac, Mich., to Tokyo, it will cost $7.83 per hundred pounds to send that car to Seattle for transshipment.

However, if the same car is bound for Alaska on the same train at the same time, the railroad freight charges to Seattle will be $10 per hundred pounds—or more than $2 more per 100 pounds, or more than $72 more for shipment of a four-door Ford sedan to Alaska than the cost of shipment of the same car destined for Tokyo.

I call to the attention of my good friends from Michigan, Senator HART and Senator MCNAMARA, that a reduction in the costs of shipments of automobiles for sale in Alaska might make it possible to reduce the number of surplus automobiles, over a million of which are in dealers' warehouses, if these automobiles could be sold in greater quantities in Alaska.

If a manufacturer of agricultural implements in Chicago, Ill., wishes to ship them to Guam, the freight rate to Seattle would be $2.17 per hundred pounds for a 30,000-pound shipment.

However, I am sure Senator DOUGLAS, of Illinois, who is a distinguished economist, will be concerned that a shipment of the same weight of agricultural implements to Alaska will incur freight charges of $3.28, or more than $1 more per hundred pounds when shipped to Alaska. Senator DIRKSEN, the distinguished minority leader, will, I am confident, also be interested in this and in the fact that a smaller shipment to Alaska will increase in transportation cost to as much as $4.46 per hundred pounds.

Senator HUMPHREY and Senator MCCARTHY of Minnesota will be interested to know that manufacturers of agricultural implements in Minneapolis can ship their products to Hong Kong for $2.03 per hundred pounds.

If they wish to ship a similar order of implements for use in the Matanuska Valley of Alaska the freight cost to Seattle would range from $3.12 to $4.27 per hundred pounds.

My distinguished colleagues from Indiana, Senator CAPEHART and Senator HARTKE, will be interested in the fact that a 40,000-pound shipment of electric cable manufactured in Hammond will travel to Seattle for $2.08 per hundred pounds if it is destined for Japan or Hawaii; but the same 40,000-pound shipment to Alaska will require payment of $2.65 per hundred pounds in railroad freight rates to Seattle. Further, the cost of shipment to Alaska will advance to as much as $4.65 per hundred pounds for a smaller shipment of 18,000 pounds.

The same shipment of electric cable from New Orleans, La., to Samoa would cost $1.95 per hundred pounds for shipment from New Orleans to Seattle. But I call the attention of Senator ELLENDER and Senator LONG, of the great State of Louisiana to the fact that if this electric cable is to be used in Alaska, the cost of shipment to Seattle would range from $2.06 to $4.52 per hundred pounds.

From the State of Oklahoma shipments of canned or preserved foodstuffs destined for Manila will cost $1.38 for freight charges on a 60,000-pound shipment. However, Senator KERR and Senator MONRONEY will find it of interest that the same shipment destined for Alaska will incur freight charges to Seattle of from $1.58 per hundred pounds to $1.83 per hundred pounds.

In the case of shipments of Phillip Morris cigarettes from Louisville, Ky., my good friends Senator COOPER and Senator MORTON will wish to be apprised of the fact that it will cost 28 cents more per hundred pounds for railroad freight charges for those cigarettes to be used in Alaska than if they are finally destined for Hong Kong, Okinawa, or Honolulu.

Likewise, Senator ERVIN and Senator JORDAN, of North Carolina, may be interested to know that shipments of Lucky Strike cigarettes from Raleigh will require payment of freight charges of 35 cents more per hundred pounds if they are bound for Anchorage than if they are going to other ports in the Pacific Ocean area.

Manufacturers of dry goods, such as sheets, pillowcases, and dress materials originating at Sylacauga, Ala., La Grange, Ga., and Spartanburg, S.C., can ship their products more cheaply to Oceania, Aukland, Tokyo, or Okinawa than is the case with shipment of the same items to Alaska.

I call the attention of my distinguished colleagues Senator SPARKMAN and Senator HILL, of Alabama, and Senator RUSSELL and Senator TALMADGE, of Georgia, and Senators JOHNSTON and THURMOND, of South Carolina to the fact that a reduction in transportation costs of the dry goods manufactured by their constituents for sale in Alaska would greatly expand the market for these important items.

Also, miscellaneous shipments of freight from Little Rock, Ark.; Chicago, Ill.; Shreveport, La.; Vicksburg, Miss.; Kansas City, Mo.; Columbus, Ohio; or from El Paso and San Antonio Tex., will cost more for shipment to Alaska via Seattle than if the same cargo is destined to Pacific points other than Alaska.

Even beer from Kansas City, St. Louis, and Milwaukee costs more in railroad freight charges if it is destined for Alaska than if it is going to other ports in the Pacific. I am sure Senator SYMINGTON and Senator LONG, of Missouri, and Senator WILEY and Senator PROXMIRE will take full notice of the fact that Alaskans might provide their constituents with an important market for their famous products if a reduction in freight rates could be accomplished, thus reducing retail prices in Alaska.

To recite all the cases in which this disparity exists would be comparable with reading a mail order catalog into the record. Whether the item is structural steel from Birmingham, Ala., or from Hutchinson, Kans., or Youngstown, Ohio; or paper napkins from Minnesota, it costs more to ship it to Alaska than to other parts of the Pacific Ocean area.

Manufacturers of all these, and other products, must wonder why this disparity in rates should exist, a disparity which constitutes an unjustified hindrance to the expansion of sales in Alaska.

They must wonder why and want an end to a situation in which substantially higher freight charges are imposed by the railroads on shipments of commodities bound for Alaska than are charged on shipments of the same items shipped the same day, in the same freight cars, but destined for Tahiti, Tokyo, Hong Kong, Manila, or Hawaii.

It is more than a nuisance—it is a rank discrimination against Alaska and those manufacturers who would supply our consumers.

The cause of this discriminatory rate pattern lies in the fact that, with the sanction of the Interstate Commerce Commission, the transcontinental railroads carrying cargo to the port of Seattle, may charge the higher domestic rates for goods destined for ports in Alaska than the lower import-export rates allowed for shipments to other ports in the Pacific Ocean area.

A look at the area to which the preferential, export-import rates apply reveals immediately the absurdity of this practice of rate determination.

The part of the world which receives favored treatment through application of export-import, rather than domestic rates includes all those locations (1) west of the 170th meridan, west longitude and east of the 30th meridian, east longitude, (2) in Oceania on and east of the 170th meridian, west longitude, (3) on the west coast of Mexico, Central America, or South America, and (4) in certain instances points in the State of Hawaii. When this arbitrarily demarcated area is located on a chart of the Pacific Ocean it will be seen that virtually all lands touching the Pacific Ocean are included within the low-rate region except Alaska and the west coast of Canada.

It is of interest to note that much of this vast area engages in no commerce with the United States of any significance. For example, no trade now exists between Communist China and the United States. However, if such trade should be resumed, this area would be entitled to a break on transportation costs not allowed the citizens of the State of Alaska. There are thousands of islands in the Pacific Ocean so unimportant to American commerce as to be without significance. Yet the people living there are entitled to lower transportation costs on the goods they receive from the United States (in the isolated cases in which they are customers) than the people of Alaska.

The only portion of Alaska lying within the magic line is the Aleutian Island chain—an area of negligible commercial importance in comparison with the rest of the State. With a population of only a few score people and no ports, the commerce of this part of Alaska is of no consequence in comparison with that of the rest of the State. On a comparison, then, with geographical areas within the preferred area, it would seem there is ample justification for inclusion of Alaska in that area.

Now, if the allowance of export-import rates rather than domestic rates on rail shipments has any relationship to a need for connecting water transportation to port of final destination, then Alaska should certainly qualify for the privilege.

Obviously, the Alaska transportation pattern is in no way analagous to that of other States which bear the domestic rate for railroad freight shipments. Alaska, dependent as it is on water transportation for 90 percent of all its supplies, is, for all practical purposes of transportation, as much of an island as Hawaii, Okinawa or Guam. It is certainly as dependent on water transportation.

There are many reasons for changing this discriminatory rate pattern. Among the most important are:

1. It is costly to the U.S. Government, in its role as a major shipper to Alaska. For example, in 1959 (the year for which latest figures are available) the General Services Administration shipped 16,800 tons of goods to Alaska. In 1960, the Department of Defense shipped nearly 60,000 tons to Alaska. When it is considered that the imposition of domestic railroad rates to Alaska-bound shipments loads of Federal budgets with wholly unjustified costs, which must be borne by American taxpayers, there is a clear need to correct the situation.

2. American manufacturers are limited in the conduct of commerce in Alaska.

The high costs of doing business in Alaska because of the high cost of living there have been demonstrated over and over again. The contribution to the high cost of living of high transportation costs is elementary. Transportation costs to Alaska have been scandalously high—both with respect to rail transportation and water transportation—throughout the history of the State and before that the Territory. It has long been clear that the development of a strong economy based on industrial and commercial enterprise can only take place if we can reduce the cost of living. We can lower the cost of living only if we can lower the cost of transportation. If transportation costs of goods are lowered, the cost of those commodities at retail outlets can be lowered. Hence, if the laws of economics prevail, the quantity of goods sold will increase and so will the profit of the manufacturer.

3. It is predictable that the railroads, themselves, will benefit by a lowering of freight charges. While, as I have said, Alaska is an island, it may well become less isolated with advances we can foresee in airfreight and motor trucking to our State. Lower costs of rail transportation could be counted on to minimize these competitive forces.

4. As for benefits which would accrue to the State of Alaska—this goes almost without saying. Alaska's economy will never develop its potential until we find relief from our abnormally high transportation costs. The reduction of railroad freight rates represents but one step toward achieving this.

The inequities of this discriminatory rate pattern followed by the railroads have been recognized for many years. It was brought sharply to the attention of the predecessor agency of the General Services Administration in 1948 when 3,000 tons of steel moved for export to Alaska. Finding that the charges were nearly double those on similar shipments to Korea or Japan, a rate adjustment was sought and obtained from the railroads. Other adjustments have been subsequently obtained. However, these have not resulted in rates as low as the export rates ordinarily assessed, and they have not been generally applicable.

Recognizing the need for basic relief for this situation, the General Services Administration filed a complaint with the Interstate Commerce Commission in 1955 charging the disparity in rates was unlawful and in violation of sections 1, 2, 3, and 4 of the Interstate Commerce Act.

The report of the hearing examiner on the case sustained charges of the Government, holding that the application of domestic rates for Alaska-bound shipments was, indeed, unlawful. The report pointed out that "here, the service rendered by the defendants under both types of rates is the same. Under the defendants' tariffs it is possible for two cars of like traffic to move from the same origin, in the same train to Seattle, to be unloaded at the same pier and the two cars to be charged a different rate

depending on the ultimate destination—Alaska or Hawaii. The defendants render no more service on traffic moving to Alaska than they do on traffic moving to Hawaii or Japan."

Unfortunately for the taxpayers who must pay the costs of Government shipments to Alaska; unfortunately for shippers who would like to sell more goods in Alaska, and most unfortunately for the beleaguered citizens of Alaska the Interstate Commerce Commission rejected the report of the hearing examiner, and with two dissents (those of Chairman Clark and Commissioner Mitchell) ruled that the domestic rates on Alaska shipments were lawful and dismissed the complaint of the General Services Administration.

The Commission refused a petition for reconsideration of its decision filed by the General Services Administration, and the GSA, having no independent authorization for appeal to the Courts, was unable to carry the case further. Thus, the situation remains as it was in 1957.

Having failed to obtain a remedy from the agency having jurisdiction over the matter for the inequities in the ratesetting pattern I point it out today, it appears that a legislative remedy is required. Accordingly, I have sent to the desk a bill to establish equitable railroad freight rates which will, I hope, have the early and sympathetic consideration of Congress.

I ask unanimous consent that this bill be held at the desk for 1 week to enable those Senators who wish to do so to join as cosponsors.

I further ask unanimous consent that there be included in the RECORD at the conclusion of my remarks an explantory statement of the bill and an analysis prepared by the General Services Administration of comparative railroad freight rates for shipment to Alaska and to other destinations.

EXHIBIT 2

MARCH 23, 1962.

Mr. M F EDBROOKE,
Chairman, Transcontinental Freight Bureau, Union Station, Chicago, Ill.

DEAR MR. EDBROOKE: The imperative need for low-cost transportation between the State of Alaska and the mainland States impels me to request that the railroads renew their consideration of reducing rates on traffic to Alaska either by application of present transcontinental export rates, or by publication of transcontinental through rates, which would result in lower total transportation charges than presently assessed through separately charged rail and water rates via Pacific ports.

The high transportation costs on shipments to and from Alaska adversely affect the economy of the State in two ways: (1) High transportation costs are the key to high living costs in Alaska, which increase the costs of doing business in Alaska, thereby impeding development of industry and commerce; and (2) the lack of low carload rates to Alaska provides an impediment to development of wholesale and distribution businesses in the State.

New developments in transportation to Alaska through Prince Rupert should justify the railroads of the United States in giving renewed consideration to their rate structure. Very shortly rail car ferry service will be instituted between Prince Rupert and Whittier, Alaska, for connection between the Canadian railroads and the Alaska railroad. In a few months, a motor vehicle ferry between Prince Rupert and Haines, Alaska, will enable establishment of new motor carrier and piggyback services.

The fact that railroads already have in effect transcontinental rates for export traffic to and from Hawaii, Guam, Japan and other foreign countries, which are much lower than rates applicable to Alaskan traffic, is evidence of the reasonableness of my request. Heretofore refusal of American railroads to remove this discrimination against Alaskan shipments has been justified by them on the ground of lack of competition. However, the competition is appearing, through development of Prince Rupert as a gateway for through transportation to Alaska; and the continued maintenance of high rates by the American railroads may cause them and the port of Seattle to lose this traffic to the Canadian gateway.

In a speech to the Senate on April 27, 1961, I outlined in detail, and cited specific instances, of the rate discriminations against the State of Alaska. I note with pleasure that some of the high rates about which I complained have been reduced, at least in some degree, for specific commodities. However, the general discriminatory situation remains; and I continue to hope that a means will be found for complete removal.

I am enclosing a copy of my remarks on this subject on April 27, 1961, and of my remarks today.

Please give this matter your attention, and advise at an early date concerning your reconsideration of this important problem.

With best wishes, I am,

Cordially yours,

ERNEST GRUENING,
U.S. Senate.

HUNTING AND FISHING IN ALASKA

Mr. BARTLETT. Mr. President, in anticipation of the spring season Commissioner Walter Kirkness of Alaska's Department of Fish and Game distributed on March 16 two news releases describing the prospects to which Alaska sportsmen and their guests may look forward during the coming hunting and sport fishing season. For the benefit of my less fortunate colleagues and fellow citizens who reside where the quarry of anglers and hunters may be less abundant than it is in Alaska, I submit these releases for the RECORD.

In requesting unanimous consent that these articles be printed immediately following my remarks I might tantalize those of my colleagues who I see on the floor with the information that Alaska's caribou herds now number over 400,000 animals, while the deer population of the 49th State stands at over 200,000. Under sustained yield conservation laws hunters in Alaska harvested 12 million pounds of meat during 1961, which is said to have provided the average Alaskan with approximately 45 pounds of wild game during the year.

Of particular interest to those who delight in the ancient and honorable sport of the angler will be the predictions of Commissioner Kirkness that the 1962 season offers exceptionally fine salmon, northern pike, grayling, Dolly Varden, rainbow, and steelhead fishing.

Alaskans are generous with their resources and invite their neighbors to the south to enjoy with them the unparalleled hunting and sport fishing pleasures it is their good fortune to enjoy the year round. To the nonresident a fishing license will be granted for a mere $10. In Alaska one may enjoy almost any outdoor recreation or sport on a scale which has been denied residents of the older of our States for over half a century.

There being no objection, the releases were ordered to be printed in the RECORD, as follows:

DIVISION OF GAME RELEASES PRELIMINARY 1961 HARVEST FIGURES

Both the harvest and the production of big game exceeded all records in 1961, according to preliminary estimates released by the Alaska Department of Fish and Game. Although the preliminary figures may be subject to refinement upon completion of a statewide game harvest survey now being conducted by the division of game, Division Director Jim Brooks, pointed out that even with about 30,000 licensed hunters in Alaska, we are still falling short of harvesting the annual reproductive increment of several species.

Caribou are both the most numerous and the most harvested of Alaska's big game: Some 30,000 caribou were taken by hunters last year from a population of about 400,000 animals. The Nelchina caribou herd, which in a recently completed survey was found to contain about 70,000 animals, yielded a good portion of this harvest with 8,000 animals being bagged. Deer ranked second in terms of numbers harvested with 15,000 being taken from a population estimated at over 200,000.

Moose were third in terms of numbers taken by hunters, with 11,000 to 12,000 being harvested, including 1,000 cows taken from areas of extreme overpopulation. Other harvests included an estimated 1,000 Dall sheep, 250 goats, 125 elk, 50 bison, 455 brown and grizzly bear, 156 polar bear, 1,100 black bear, approximately 1,500 walrus, and several thousand seals.

Not counting marine mammals and bears, the above game harvests contributed about 12 million pounds of meat to the larders of Alaskans during the year. This amounts to a per capita consumption of 45 pounds of big game per year. The utilization of marine mammals by residents of the Northwest and Arctic coast would, of course, be much higher. In contrast, the per capita consumption of beef in the United States is about 80 pounds per year. The contribution of big game meat to the economy of all Alaskans is obviously very substantial.

OUTSTANDING SPORT FISHING CONDITIONS PREDICTED FOR 1962

Excellent sport fishing conditions will prevail throughout the State during 1962 is forecast by Alex McRea, director, Sport Fish Division, Alaska Department of Fish and Game.

Minor local fluctuations in the availability of certain species will be evident at various times, but no area in Alaska is dependent on a one species sport fishery, McRea said.

Angling pressure on sport fish has increased rapidly in Alaska. The sale of 46,000 licenses in 1960 was upped to 55,000 in 1961.

An increasing proportion of these sales each year are nonresidents. A license is required of all sport fishing in all fresh and salt water within the State's jurisdiction.

A brief résumé of the sport fishing potential by major areas is as follows:

SOUTHEASTERN ALASKA

Sport fishing in the many lakes and streams can be expected to remain at a high level. Transportation facilities by boat and small airplane are increasing and a number of lodges offer accommodations. In general, however, facilities are of the "rough it" variety. Cutthroat, rainbow and Dolly Varden fishing is good throughout the summer season. Exceptionally good fishing can be expected in the early spring when the weather permits.

Steelhead fishing in the coastal streams is expected to be outstanding, as usual, during the early spring, late fall and winter. Inclement weather can be a problem during these times, but steelhead fishermen are a hardy breed.

Saltwater fishing for king and silver salmon has always been spectacular, though the last several years has seen a decline in both of these species, a reflection of the general Pacific coastwide trend. While this fishing remains at a high level compared to "outside" standards, no immediate improvement to former levels is foreseen. Availability of charter and rental boats is improving, but is still a problem. The interest in the recreational pursuit of clams, crab, abalone, sea trout and the bottom fish, all of which are found in great abundance, is increasing rapidly.

SOUTH CENTRAL ALASKA

This area concerns the upper Gulf of Alaska (Prince William Sound, Cook Inlet) and Bristol Bay drainages. Here the saltwater fishery centers about the king, silver and on occasion, the pink salmon. Increased interest is developing on the abundant bottom fish species in saltwater. Salmon fishing in freshwater is extremely popular. Rainbow, Dolly Varden, lake trout and grayling fishing in the lakes and streams is excellent. Numerous modern accommodations are available in these areas.

The Bristol Bay drainage fishing is one of the most outstanding adventures in the State. Several commercial camps are in operation and facilities range from deluxe, to comfortable primitive accommodations. King, silver, and red salmon are taken in addition to rainbow, steelhead, lake trout, and grayling.

Numerous stocked lakes are available along the Seward and Glenn Highways and along the secondary dirt roads in the area.

INTERIOR-ARCTIC

This area offers exceptionaly fine grayling fishing in addition to lake trout, northern pike, and sheefish. Though accommodations are fewer in number, first class facilities are available. Stocked lakes along the Alaska and Richardson Highways offer good rainbow fishing. The best fishing is available with short riverboat or fly-in excursions. Though the interior does not offer any saltwater fishery, excellent fresh water angling is available.

The department's public fishing access program is continuing in full force and access to desirable fishing locations are being assured to present and future anglers in Alaska. Many new fishing areas are becoming available to the highway traveler with the increased road construction program presently in effect in the State.

In conclusion, fishing prospects for 1962 are excellent and should remain so. Active fishery management programs are resolving fishing pressure problems in the heavily populated areas before they become acute, and there is no reason why this program will not continue to meet the problem.

A single license is all that is required for sport fishing. The license fees will remain the same in 1962 as they were in 1961.

The cost of a resident sport fishing license is $5, nonresident sport fishing license $10, and nonresident 10 day sport fishing permit $5.

A sport fishing license is required for the sport digging of razor clams and the recreational dipping of smelt.

RECESS UNTIL 9 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, in accordance with the agreement previously entered into, I move that the Senate stand in recess until 9 o'clock tomorrow morning.

The motion was agreed to; and (at 7 o'clock and 36 minutes p.m.) the Senate took a recess, under the order previously entered, until tomorrow, Saturday, March 24, 1962, at 9 o'clock a.m.

SENATE

SATURDAY, MARCH 24, 1962

(Legislative day of Wednesday, March 14, 1962)

The Senate met at 9 o'clock a.m., on the expiration of the recess, and was called to order by the Vice President.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Father of all mankind, as together at the week's end we pause at this shrine of devotion our fathers built, grant us, we pray Thee, the steadying vision of Thine eternal goodness; give us, we beseech Thee, the lowly and humble heart emptied of presumptuous pride which is the only shrine where any altar pleasing to Thee can be raised.

We pray that Thou wilt so direct Thy servants who here serve the Republic that the best which is expected of them, and of which their dedicated faculties are capable, may be brought to bear without fear or favor upon the confused issues of this critical day.

Make our America, through our consecration, more and more the hope of all who suffer and the dread of all who would enslave the human spirit.

We ask it in the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Friday, March 23, 1962, was dispensed with.

ORDER FOR RECESS UNTIL 9 A.M. MONDAY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it take a recess until Monday morning at 9 o'clock.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. HILL. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

THE ALEXANDER HAMILTON NATIONAL MONUMENT — AMENDMENT TO THE CONSTITUTION DEALING WITH POLL TAXES

The Senate resumed the consideration of the motion of the Senator from Montana [Mr. MANSFIELD] to proceed to the consideration of the joint resolution (S.J. Res. 29) providing for the establishing of the former dwelling house of Alexander Hamilton as a national monument.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Montana [Mr. MANSFIELD] that the Senate proceed to the consideration of Senate Joint Resolution 29, providing for the establishment of the former dwelling house of Alexander Hamilton as a national monument.

Mr. EASTLAND. Mr. President, Thursday, a week ago, I began my first speech against the motion to make Senate Joint Resolution 29 the pending business before the Senate and to have substituted therefor the language of Senate Joint Resolution 58, a proposed constitutional amendment to prohibit the poll tax requirement as a prerequisite to voting for national officers.

Mr. President, since that time there have been a number of developments. I have stated time and time again on this floor that this joint resolution is an attack upon the sovereignty of the States; that it is an attack upon our dual system of government; that it is an attempt to deprive the people of this country of a fundamental American right, namely, the right to make decisions and to control their affairs at home. And I have stated that the one certain way to destroy this country is to nationalize all its institutions and create a strong Central Government in the National Capital.

Mr. HILL. Mr. President, at this point will the Senator from Mississippi yield?

Mr. EASTLAND. I yield for a question.

Mr. HILL. Could there be anything farther from the concept of the Founding Fathers, who first fought the Revolutionary War and won it for us, and then wrote the Constitution, than such centralization of government?

Mr. EASTLAND. Certainly there could not be; nothing could be farther from that concept. In fact, if we were to pass this joint resolution, it would be the first great step toward repudiating the spirit of that great instrument, the Constitution of the United States, and the intention of the great men who wrote it.

Mr. HILL. Was there in that Constitution anything which was more jealously guarded or more jealously wanted than the provision which called for leaving to the States the fixing of the qualifications of electors?

Mr. EASTLAND. Certainly not, for that is a fundamental liberty. It is a fundamental liberty. It is fundamental to our entire system that the States have the absolute power to fix the qualifications of voters.

Mr. HILL. Mr. President, will the Senator from Mississippi yield further to me?

Mr. EASTLAND. I yield for a question.

Mr. HILL. Is not that absolutely fundamental to our dual system of government and to retaining the power in the hands of the people, if there is to

be a democratic system of government of the people, by the people, and for the people?

Mr. EASTLAND. That is exactly correct. There cannot be a government of the people, by the people, and for the people unless the people themselves at the local level have the power to fix the qualifications of electors and to handle their own local affairs. The National Government was created largely for interstate commerce, bankruptcy matters, a uniform system of currency, the common defense, and to handle the foreign affairs of the United States.

The Senate and the people of the United States generally should realize here and now that the fight we are now making to protect the constitutional powers of the sovereign States goes far beyond the borders of any one geographic area of our country. The President in his message to Congress said that he was interested in only two areas of civil rights at this time—abolition of the poll tax as a requirement for voting and the adopting of the antiliteracy bill which will soon be before the Senate.

I have on my desk a proposed bill, S. 3059, which would add a new section to chapter 13 of title 18 of the United States Code. It has been recommended to the Congress by the Civil Rights Division of the Department of Justice, in a letter under date of March 20, 1962. It is designed under the pretext of clarifying a number of difficulties that the Department says it has found in prosecuting cases of police brutality under title 18 of the United States Code. It is bottomed on the old civil rights acts that were passed in the Reconstruction days. It, along with a companion bill which I shall discuss shortly, will completely emasculate local and State police authorities from performing their duty in the detection, apprehension, and conviction of people charged with violations of the laws of a State.

The language proposed for this new criminal chapter is as follows. It is headed, "Section 245—Imposition of Summary Punishment and Coercion of Statements."

The section reads:

Whoever, under color of law, statute, ordinance, regulation, or custom, strikes, beats, assaults, injures or threatens or attempts to strike, beat, assault or injure the person of another for the purpose of inflicting summary punishment upon such other person or for the purpose of compelling such other person to make any statement shall be fined not more than $1,000 or imprisoned not more than one year or both; *Provided* that if physical injury results the punishment shall be by fine of not more than $5,000 or imprisonment for not more than five years or both, and if death results the punishment shall be by imprisonment for any term of years or for life.

For the purposes of this section, summary punishment means any injury inflicted otherwise than in accordance with the procedures prescribed by state or federal law or regulation.

Mr. President, that was an old civil rights statute passed during the Reconstruction era, which the Department attempts to amend. It was then based upon race, but now race has been eliminated; and I say this proposed statute is so broad that it will mean that the Federal Government, through the Federal Bureau of Investigation, or by U.S. deputy marshals, will supervise every police department in this country, every sheriff's office in this country, and every law enforcement agency in the United States. This bill, if enacted would convert us into a police state.

Mr. HILL. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield for a question.

Mr. HILL. Is it not true that there are some 3,000 counties in the United States, and that each one of them has its own sheriff who is responsible for law and order in that particular county?

Mr. EASTLAND. That is correct.

Mr. HILL. Is it not also true that there are many cities and municipalities, and each and every one of them has its own police department under its mayor or president of the city commission?

Mr. EASTLAND. That is correct.

Mr. HILL. And these sheriffs and police officials are the ones who, from the very inception of our Government, have had the responsibility for the enforcement of law and order?

Mr. EASTLAND. That is correct.

Mr. HILL. Then, am I to understand that the proposal of the Department of Justice is to put all these sheriffs, and all the chiefs of police with their police departments—some 3,000 of them—under the Department of Justice, so to speak?

Mr. EASTLAND. The Senator knows that, under the bill to which I have referred, if a policeman were accused of slapping a convict or a criminal, the Department of Justice could go to the community and investigate him; and the Senator knows that when a local policeman is investigated, in effect it is an intimidation of that policeman and an intimidation of his department.

Mr. HILL. Will the Senator yield further?

Mr. EASTLAND. Yes, for a question.

Mr. HILL. In other words, that is an undermining of enforcement of law and order by the local authorities. Is that correct?

Mr. EASTLAND. That is correct.

I read from the letter to the Vice President of the United States which accompanied this proposal:

This Department has encountered a number of difficulties in prosecuting cases of police brutality under section 18, United States Code, 242.

Mr. President, the bill to which I have referred would encourage the lawless elements of this country in assaults upon members of the police department. It would encourage a criminal who was being arrested by a policeman to become violent with the policeman, because then the Federal Government would step in.

In a moment I shall read a statement by Mr. J. Edgar Hoover, a great American, that the day of police brutality in this country is over. In the face of that, we have this bill. It shows that there is an effort to nationalize and control from Washington the police power of the States; and that is abhorrent to every single principle on which the American Government was founded.

Mr. President, I ask unanimous consent that there may be printed in the RECORD, at the conclusion of my remarks, S. 3059.

The VICE PRESIDENT. Without objection, it is so ordered.

(See exhibit 1.)

Mr. EASTLAND. Mr. President, as you know, the Department of Justice has embarked upon two laudable undertakings. One is a drive against organized gambling and the other is a drive against organized racketeering, and the U.S. Senate has cooperated because it has passed a bill that the Department thought was necessary. But I tell you, Mr. President, the great question in this country is not in those two fields, but whether children and women are safe upon the streets of the great cities of this country. Has local law enforcement broken down? Can the Federal Government assist in making streets safe for women and children, regardless of their race, who go out upon the streets of the great metropolitan areas of the United States—women who venture out after dark around the very Capitol of the United States of America?

Mr. HILL. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield for a question.

Mr. HILL. Is it not true that if the Federal Government in any way enters the field of law enforcement in the States and local communities, instead of taking action to undermine and break down the local authorities who have the responsibility, namely, the sheriffs, chiefs of police, and policemen, it ought to be sustaining and supporting and helping the sheriffs and local police officers?

Mr. EASTLAND. Of course. Let us take the Capital of the United States. God knows, if there is one place in the world where someone should be secure in his person, secure from robbery, from purse snatching, from assault, from rape, it ought to be the area around the Capitol of the United States.

We should have the support of the Department of Justice not only in this undertaking but also in seeing to it that the police are assisted in their great duty of making the streets safe.

I shall read from a story which appeared on the front page of the Washington Evening Star yesterday. The headline is "Police Escort Capitol Hill Secretaries."

This is the news story:

POLICE ESCORT CAPITOL HILL SECRETARIES

Four police dog teams and a revitalized police escort service have been established to curtail Capitol Hill assaults and purse snatchings.

District Police Chief Robert V. Murray said today that the four dog teams have been assigned to the area around the Capitol Grounds.

A memorandum circulated by the Capitol Secretaries Club reported the new services came at the request of women working on

the Hill following a series of incidents, including the snatching of a purse from a Congresswoman.

The club also revitalized an arrangement originally made several years ago whereby the Capitol Police would provide escorts, on request, for women leaving the Capitol and its office buildings after dark.

An officer of the club said the service has been available all along, but few women knew about it. Club officers discovered the escort policy in discussing the crime problem with Capitol Police.

Mr. President, it is terrible when the police must escort employees of Senators and Representatives in Congress, and employees of the officials of the Capitol of the United States, when they leave their offices after dark.

Rather than to attempt to take over the police departments of this country, which are now doing the very best they can, the Federal Government ought to be cooperating. The Federal Government should not attempt to take over their functions.

The whole trend of the recent enforcement of law presents an alarming picture. We have seen the Mallory decision by the Supreme Court, to hamstring and to forestall the law enforcing officers of the United States. We have seen recent decisions concerning pleas of insanity, which cloak murderers, rapists, and other criminals with a sanctity unheard of in the development of our jurisprudence.

The Civil Rights Division of the Department of Justice, because it has nothing more to do, would go far beyond the judicial impediments by the courts, and would throw up a protective shield, under the terms of the bill, to intimidate law enforcement officers in their powers to make simple arrests for misdemeanors and felonies. I think the enactment of the bill would add to the security of criminals.

Why is there this drive against the law abiding? Why is there this protection for the criminal?

A police officer is underpaid at best. He risks his life and limb at all times in order to protect society. Now he is to be made a whipping boy, he is to be harassed and intimidated by the Federal Government every time he is called upon to make a simple arrest.

The bill which has come to the Congress would make the common law rule of reasonable force in making an arrest a mockery and a sham. It would make it a mockery and a sham, Mr. President, because the police of this country, in making arrests, would be afraid to use that reasonable force which is necessary to secure the arrest. The police would be afraid of the great supergovernment which will swoop down upon them. When there are racial tones involved in an arrest in this country, that situation would apply more than ever.

Mr. HILL. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield for a question.

Mr. HILL. Can the Senator think of anything which would do more to break down morale, to break down spirit, to break down esprit de corps, and to break down the will to be efficient and effective in the discharge of their duties on the part of the local sheriffs and police officers than the passage of such a bill as the Department of Justice has recommended and requested?

Mr. EASTLAND. The Senator is exactly correct, but that is not all. A bill has come to the Congress entitled an antilynching bill. It begins by saying, I tell the distinguished Senator from Alabama, that the Government will protect the rights secured or protected by the Constitution or laws of the United States.

Of course, that means that the Supreme Court—and there are some wild dreams over there—could define what is a right secured by the Constitution of the United States.

Mr. President, under the bill the Department of Justice would go further, and would give a right of action when police were negligent or did not use due diligence. There would be a right of action for damage. Instead of the burden of proof being on the complaining party, the bill would place the burden of proof on the town or the municipality or the county.

What this whole program seeks to do is to take from the States their police power and to nationalize it in the city of Washington, D.C. That is the whole program. These bills would encourage criminals to commit crimes.

We should have the support of the Federal Government. There are areas in New York City, in Chicago, in Philadelphia, and in the other great cities of the country where a person is not safe on the streets at any hour, day or night, where law and order have broken down, where the police are not able to cope with criminals. I say, rather than having a drive to nationalize the police power and to deprive the States of their police power and their powers to fix qualifications for voting, the best thing the Federal Government can do is to help the local police make it safe for anyone to appear on the streets at any time, day or night.

I wish to read from a column written by a very noted columnist, the Honorable Holmes Alexander, which has appeared in numerous newspapers in this country:

Recently there began a round robin of holdups and robberies of public buses. Recently half a dozen Negro boys boarded a bus in the Negro section of Washington, beat the white driver into submission, took $30 from him, and went their ways.

A busload of Negro passengers sat there and watched it all happen, but none of them came to the driver's aid. None of them, except a 16-year-old youth (who gave a false address), stepped forward as a witness to the crime.

My mail is cluttered with press releases from an African city about world rule by law, and I have interviewed a past president of the American Bar Association, who is pushing the idea. But when such crimes happen almost nightly in this privileged Capital of the free world, a city without industrial slums, with integrated schools, with gobs of money from a generous Congress for social uplift, what is a man to write? Can he rationally write that races are equally law-abiding when the police statistics jeer at the thought? Can he believe that this city is any more ready for "democracy" than Léopoldville? Can he plausibly agree with the liberals that the Southern States, all of them founded by Anglo-Saxons with centuries of background in self-rule, should submit to rule by a Negro majority or near majority?

At the turn of the year I was polled, along with many others, by a Negro publication on Negro needs. Many of my colleagues checked "civil rights," "education," and "equal job opportunity," but my first choice was "crime prevention." If Negro leaders could do this basic thing for their people—get substantial numbers of them out of the criminal classes—many other good things would follow.

It is not good enough to boast by press release that some punk was just arrested in Podunk, or to hear the Attorney General vow his attachment to clean living and clean government. Action is what we need, and there is no better place to begin than in the Federal City.

BRING IN TROOPS

Troops were brought into Washington to shovel snow which threatened to break up the inaugural ceremonies in 1961. Troops were sent to Little Rock to enforce a Supreme Court order. It would be equally logical to put this city, or parts of it, under martial law during the night hours and holidays. The streets are unsafe. The Metropolitan Police are admittedly losing control. The criminal groups are not demonstrating for bread or for political rights. It is sheer lawlessness.

Americans have a tradition about this sort of thing. In times past, in the West and in the South, when authorities could not, or would not, keep order, citizens formed vigilante bands which took law and punishment into their own hands.

This is undesirable—and it is preventable. It is up to the Government of the United States.

Mr. President, that is the end of Mr. Alexander's column, which had wide circulation in the United States. But I think it does picture happenings in this country. The great overriding question in which we ought to have the help of the executive branch of the Government is not the anti-poll-tax bill. The question is not gambling, though gambling is a proper field for a Federal program. Of course, organized interstate racketeering is a proper target for the Federal Government. But I say that the great overriding question is the safety of the individual on the streets of the Capital of the United States.

Frequently I have heard people say, "I must vote for this, because if I do not, what will they think abroad? What will the Congo think? What will Ghana think? What will Peru think? What will Russia think? What will Germany think? What will England think?"

Mr. President, what do such people think when Government employees are not secure in their persons around the very seat of government of the United States?

Mr. HILL. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield for a question.

Mr. HILL. Is not the responsibility for the government of the District of Columbia, which in an earlier statute was referred to as a Federal city, the

responsibility of the Federal Government?

Mr. EASTLAND. It is the sole responsibility of the Federal Government.

Mr. HILL. Why does not the Federal Government meet its own responsibility, which is definite, clear, precise and commanding, rather than seek to invade the rights, duties, and responsibilities of the States and the local communities?

Mr. EASTLAND. The Senator is exactly correct. I should like to ask the Senator from Alabama a question. Are there not many areas in the District of Columbia in which the Senator would not venture at any hour, day or night?

Mr. HILL. The Senator is exactly correct.

Mr. EASTLAND. The Senator is a distinguished Member of the U.S. Senate. Yet the Senator has said on the floor of the Senate that he would not venture into areas of this city, which is the seat of government of our country, at any hour, day, or night. Mr. President, that is a correct statement.

Mr. President, measures such as those proposed would make the Federal Bureau of Investigation a superpolice agency, and it would supervise the law enforcement activities of every city, county, and town in the Union. I do not know what is meant by the word "summary." Webster defines the word as "comprehensive; summarizing concisely; done without delay or formality; as, summary vengeance." He says that in law it means "of, pertinent to, or using a summary procedure; used in, or done by, summary proceeding."

I suppose it is actually designed to mean anything the Department of Justice wants it to mean when it goes meddling into the affairs of State and local police departments. But I say that it is a serious and far-reaching matter.

Mr. President, the Civil Rights Division does not advance even one slight reason or justification for the enactment of so far reaching a piece of legislation as this proposal is. With crime rampant in these United States, local law enforcement officers from one end of the United States to the other would be confronted with a new and unique definition of criminality on their part, for which they can be subject to not only criminal sentences, but also civil sanctions.

The great Director of the Federal Bureau of Investigation, J. Edgar Hoover, as late as the March 1962 issue of the Law Enforcement Bulletin, stated in the lead editorial to all law enforcement officials in the United States:

> But for a few isolated instances, the day of police brutality is past.

In another section of the editorial he states that the FBI is charged with the responsibility of investigating alleged violations of the law.

What is the purpose of these bills? Mr. Hoover has stated that, except for a few isolated instances—and we do not legislate for a few isolated instances—the day of police brutality is past.

I say the purpose of this whole program is to establish a nationalized police.

Mr. HILL. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield for a question.

Mr. HILL. Is there any man in the United States who can speak with more intimate knowledge and with greater authority and one in whom people have greater confidence, than Mr. J. Edgar Hoover?

Mr. EASTLAND. There is no one in this country who can speak with a greater knowledge. He is regarded as absolutely conscientious and sincere, a man in whom the people have implicit confidence. I believe that the idea of a national police is absolutely abhorrent to him. Yet that would the result of the enactment of the two bills that are now presented. The resolution is a great step in the same direction of nationalization, because it would deprive the States of their rights. The great question for the National Government in the field of crime is to assist, under the American system, in stopping rape, murder, robbery and other violence that constantly and daily and hourly occur in the great metropolitan centers of the United States.

In the course of my first discussion of this matter, I joined in support of the point of order that is proposed to be made by the distinguished senior Senator from Georgia [Mr. RUSSELL] on the substitution of a constitutional amendment for matter that is legislative in character and requires the signature of the President of the United States in order to be finalized as statute law. Under our Constitution, this point of order is well taken, and when and if the Senate is called upon to vote, it should be sustained.

I also pointed out during my first discourse on this subject that the present administration was taking a most ambiguous position. The President suggested to Congress in his state of the Union message and reiterated in a letter to the distinguished senior Senator from Florida [Mr. HOLLAND], which was read on the floor the other day, that the poll tax as a prerequisite for the exercise of suffrage in five States of the Union should be deleted from the laws of the five States by the route proposed to be adopted in Senate Joint Resolution 58. I now reiterate that this position of the administration is directly contrary to the official policy adopted by the Government of the United States with reference to voting in the United Nations. The United States takes the categorical position that any nation which is delinquent in the payment of its assessments as levied by the General Assembly of the United Nations should be denied the privilege of voting in that body, and this denial of the right to vote would continue until such time as the delinquent assessment was paid in full. I challenge anyone to deny that there is any difference in the principle involved in denying to members of the United Nations the right to vote for failure to pay assessments and the reasonable requirement of Southern States that a small poll tax of $1.50 or $2 be paid before the individual can exercise the privilege of franchise.

Let me say at this point that the man who is unwilling to put up $1.50 or $2 for the support of the school system and the education of our youth is not a worthy subject of the franchise. It is not a right, but a privilege, which can be granted or denied by the States, except under two amendments to the U.S. Constitution.

Constitutionally and historically, the exercise of franchise is a privilege that is granted by the sovereign States, and not a right that can be asserted as being inherent in the act of living and breathing. I again state that under every standard of logic and reason, the administration should either change its views in regard to the anti-poll-tax amendment or reverse the position it now takes concerning the payments of assessments by delinquents in the United Nations as a condition to the exercise of franchise.

It is one of those coincidental ironies that the vehicle selected to transplant a constitutional amendment on legislation should happen to be a resolution that would establish a memorial to one of the fathers of our constitutional system, Alexander Hamilton. It may even be that this former dwelling of Alexander Hamilton which is proposed to be perpetuated as a national monument may be the selfsame place where Hamilton sat down and penned the immortal words that are contained in his share of the Federalist Papers. While Hamilton would be the first to concede that the people can achieve any desired purpose by amending the Constitution of the United States in the manner and form therein provided, he would stand before the people forever and deny the wisdom and sense in attempting to pass a proposed constitutional amendment such as that now before discussion. The actual author of Federalist Paper No. 52 is in dispute. It is attributed to either Hamilton or Madison. Regardless of which one of the two fathers of our constitutional system actually penned this essay, there can be no doubt but that both of them subscribed to the sentiments therein expressed. This Federalist paper states:

> The definition of the right of suffrage is very justly regarded as a fundamental article of republican government. It was incumbent on the Convention, therefore, to define and establish this right in the Constitution.

It was so established and so defined in atrticle I, section 2, which provided that the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

Now it is sought to supplant Alexander Hamilton, in the joint resolution, with a poll tax amendment. I will quote what one of the great mean who founded our country said.

Mr. HILL. Mr. President will the Senator yield?

Mr. EASTLAND. I yield for a question.

Mr. HILL. Do we not all recognize the brilliance and greatness of Alexander Hamilton; and do we not also consider him in our history to have been one of the men who most strongly favored what we might call more centralization of Government in Washington? Did he not favor centralization more than the other Founding Fathers?

Mr. EASTLAND. That is exactly true. I think we ought to have the ear of the distinguished senior Senator from California [Mr. KUCHEL], because Alexander Hamilton really was the father of the Republican Party. I am about to read further from a statement by Mr. Hamilton.

Also, I further believe that Abraham Lincoln would have taken the same position which a number of us take on the floor of the Senate today.

Mr. HILL. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield for a question.

Mr. HILL. Is it not true that Thomas Jefferson was the great advocate of States rights and local self-government?

Mr. EASTLAND. That is correct.

Mr. HILL. It is not true that Abraham Lincoln declared that the principles of Thomas Jefferson are the maxims of all free society?

Mr. EASTLAND. What the Senator from Alabama says is exactly correct. Thomas Jefferson was the father of the great Democratic Party. He is a man whom we all love and revere.

I quote further from Alexander Hamilton:

> To have left it open for the occasional regulation of the Congress, would have been improper for the reason just mentioned. To have submitted it to the legislative discretion of the States, would have been improper for the same reason; and for the additional reason that it would have rendered too dependent on the State governments that branch of the Federal Government which ought to be dependent on the people alone.
>
> To have reduced the different qualifications in the different States to one uniform rule, would probably have been as dissatisfactory to some of the States as it would have been difficult to the Convention.

Thus, the fathers of the Constitution speak their piece on the question of who has and who should have the power and right to establish qualifications for voters.

In my original speech I buttressed the position taken in the written words of the Constitution and from the writings of the contemporaries who lived at the time it was drafted with innumerable decisions of courts, both Federal and State, which have uniformly held the poll tax to be a reasonable requirement for the privilege of exercising the right of suffrage. I have not yet exhausted the text of many of these cases, and hope that the opportunity will be presented to me to return to them during this present discourse.

It is no pleasure for us who are opposed to the enactment of an amendment such as that which would now be presented to the Senate, to have to stand here day after day, hour after hour, and assert our reasons for this opposition at length and in great detail. I do believe, however, that this extended debate in the U.S. Senate, like all such debates that have taken place in the past, is healthy and gives the opportunity for the people to be enlightened on the issues that are drawn in the Congress. The proponents of this amendment are in the position of straining a gnat and swallowing a camel, because the little matter of a poll tax imposed by five States is not even worthy of consideration of Congress and the legislatures of three-fourths of the States in order to be made a part of that immortal document which is the fundamental charter of our Government. However, the principle involved in the proposed amendment is most profound and far reaching, because it is another step toward the destruction and annihilation of the dual system of government that is the heart and genius of the U.S. Constitution. When the day comes that the people of 50 States are pressed into one conglomerated mass, that is the day when liberty and freedom will be forever dead. The greatest contribution that has been made to mankind by the English-speaking people is a demonstration that government should be built from the bottom up, and not imposed from the top down. It is the people living at the level of local communities who worked out the rules of human conduct incorporated throughout the centuries in the body of our common law that have made possible a kind and character of individual liberty and freedom never before witnessed at any time or at any place on the face of this earth.

Mr. HILL. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield for a question.

Mr. HILL. Is it not true that today the British—the English—have the most democratic government in the world except our own Government?

Mr. EASTLAND. Yes; that is true.

Mr. HILL. Is it not true that throughout the years the British Government has moved further and further from the centralization of power to the vesting of power, responsibility, and authority in the hands of the local people?

Mr. EASTLAND. What the Senator from Alabama says is exactly correct. Before Hitler, Germany had a system similar to ours. Hitler destroyed it. When his dictatorship was destroyed, Germany went back to the old system, under which the police power resided at home, where the people could make their own decisions for their own institutions at the local level.

Mr. KUCHEL. Mr. President, will the Senator yield, with the usual guarantees that he will not lose the floor?

Mr. EASTLAND. Mr. President, I ask unanimous consent that I may yield to the distinguished senior Senator from California provided I do not lose my right to the floor; provided I regain the floor at the conclusion of his remarks, to continue my speech; and that when I resume it will not count as another speech on this subject.

Mr. MUSKIE. I object.

The PRESIDING OFFICER (Mr. HICKEY in the chair). Objection is heard.

Mr. KUCHEL. Mr. President, will the Senator yield for a question? I wish to ask my able friend from Mississippi to yield to me for a question. I do not understand why the distinguished acting majority leader does not object when a Senator on the majority side asks for the right to interrogate the Senator from Mississippi, but when a Senator on the Republican side asks for a similar privilege it is denied. I ask my friend to ponder that.

Mr. MUSKIE. Mr. President, I have no objection to a question.

Mr. KUCHEL. Mr. President, will the Senator from Mississippi yield for a question?

Mr. EASTLAND. I yield for a question.

Mr. KUCHEL. Is it not true that the platform of the distinguished Democratic Party, to which my friend adheres, promised the American people that the poll tax would be abolished by Federal legislation?

Mr. EASTLAND. To be perfectly frank, I do not know; I never read that.

Mr. KUCHEL. If the Senator will permit——

Mr. EASTLAND. Wait a minute; I yield only for a question.

Mr. KUCHEL. Is it not true that the 1960 platform of the Democratic Party provides:

> We will support whatever action is necessary to eliminate literacy tests and the payment of poll taxes as requirements for voting.

Mr. EASTLAND. As I told the Senator, whether it stated that or not, I do not know.

Mr. KUCHEL. If it did state that——

Mr. EASTLAND. What is the Senator's question?

Mr. KUCHEL. If it did state that, I ask my friend whether he repudiates it.

Mr. EASTLAND. I tell the distinguished Senator from California that I am a Senator of the United States, elected by the people of my State to the U.S. Senate; that my first allegiance is to my country, not to any political party; that no group of politicians representing special interests, and sitting in a smoke-filled room, can control my vote as a Senator of the United States; and God knows that if this country is ever destroyed, it will be destroyed when political conventions control the votes of Members of Congress. God forbid that such a thing would ever come about.

Mr. KUCHEL. Mr. President, will the Senator from Mississippi yield further?

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from California?

Mr. EASTLAND. I yield for a question.

Mr. KUCHEL. When the Senator from Mississippi refers to the machinations of a group of politicians in a

smoke-filled room, does he refer to the machinations of the members of his political party when they met in Los Angeles to draft this platform?

Mr. EASTLAND. I think the platforms of both political parties were written in that way; that is my judgment of the matter. And I think I would violate my oath of office if I allowed a political convention to bind my vote as a Senator of the United States.

Mr. KUCHEL. Mr. President, will the Senator from Mississippi yield further?

Mr. EASTLAND. I yield for a question.

Mr. KUCHEL. Yes, for a question, only; in other words, assuming that the Senator from California has accurately stated——

Mr. EASTLAND. I ask the Senator from California please to ask his question.

Mr. KUCHEL. Mr. President, if the Senator from Mississippi will yield for a question——

Mr. EASTLAND. Yes, for a question, only.

Mr. KUCHEL. Does the Senator from Mississippi repudiate that plank of the Democratic platform?

Mr. EASTLAND. I am here opposing it. The Senator from California says it is in the platform. I said I did not know; I said I had not read it. But I said that I am not bound by anything in the platform of any political party.

Mr. KUCHEL. I thank my friend.

Mr. EASTLAND. If that is repudiating it, it is repudiating it. But those are the facts about it.

Mr. KUCHEL. I thank the Senator from Mississippi.

Mr. EASTLAND. I owe my first allegiance to my country. I have taken a solemn oath to uphold and defend the Constitution of the United States. If I permitted a crowd of politicians at a political convention to bind my vote, why, Mr. President, I would be repudiating my oath of office.

Refreshing my memory, I will inform the Senator from California that I had the honor to be one of the representatives of my State on the platform committee at the Democratic National Convention. I opposed this plank in the platform, and I opposed others, in the platform committee; and when the platform was presented, the repudiation by my colleague, Senator STENNIS, and by me—both of us were on that committee—and the repudiation of the entire platform by our State convention were filed in the convention. And we did repudiate it—and justly so.

But regardless of whether one repudiates a platform, a great fundamental question is involved: A Senator of the United States, under his oath of office, must reach decisions which he believes to be constitutional and which he believes to be best for his country. He must do that regardless of what some politician or what some political convention may have said. And, Mr. President, if I were to reach any other decision or any other conclusion, I believe I would be acting in violation of my oath of office.

Of course every Member of the Senate is entitled to his own view in regard to what he should do; and he is entitled to reach that decision without criticism from the senior Senator from Mississippi.

Mr. President, when the Central Government attempts by transitory majorities in a legislative assembly to bend and abrogate rules that are the quintessence of the best that can be devised by human experience, then we begin the destruction of the brightest jewel that is in the crown of our birthright. I beg and plead again with the Senate to let the States and the people manage their own affairs in the time-honored tradition, rather than impose another federalizing amendment upon them.

I should like now to analyze in more detail exactly what Senate Joint Resolution 58 proposes to do and to demonstrate how ridiculous it is in view of the various provisions in the constitutions and statutes of the 50 States regarding the exercise of the franchise by the citizens of those States.

Mr. President, Senate Joint Resolution 58, proposing to amend the Constitution of the United States relating to the qualifications of electors, was introduced on February 28, 1961. It was referred to the Judiciary Committee, and then to the Judiciary Subcommittee on Constitutional Amendments. Along with other proposed changes in the Constitution, it was the subject of public hearings on May 23, 26, June 8, 27, 28, and 29, July 13, August 25 and 30, and September 8, 1961. The serial print of the public hearings that involved Senate Joint Resolution 58, and a similar resolution, Senate Joint Resolution 81, was not published and made available to the Senate and the public until February of this year. The subcommittee, chaired by the distinguished Senator from Tennessee [Mr. KEFAUVER], has not yet reported to the full Judiciary Committee any proposed action in regard to this Senate joint resolution. Neither the subcommittee nor the full committee has been in the leastwise dilatory in regard to this matter. Over the years, countless hundreds of proposed constitutional changes have been introduced and never have received the considered attention of either the subcommittee, the full committee, or the Senate. The substance of Senate Joint Resolution 58 in one form or another has been before the committee since the Legislative Reorganization Act created the present committee system. Nothing is more worthy of grave and serious consideration than is a proposed constitutional amendment, and more particularly one which, with deliberation and premeditation, destroys fundamental rights and powers that are vested in the sovereign States.

Senate Joint Resolution 58 denies to the States the power and the right to make three particular requirements as a prerequisite to voting in any primary or other election for electors for President or Vice President, or for Senator or Representative in Congress. The three areas wherein the States are to be denied the right to impose conditions concern first, any poll tax; second, any other tax; and third, any property qualification. While it is true that the Congress and the States have the right and power to enact not only this insignificant amendment, but also one that would transform and revolutionize our entire system of government, the exercise of the power does not necessarily mean that the purpose sought is wise or in the best interest of the people. Let us remember that while Senators can deny a right or power in one limited area today, other rights and powers can be denied to them and to their States, tomorrow.

The greatest single miracle that was achieved in the promulgation of the U.S. Constitution was the welding together in a Republican framework autonomous and sovereign colonies that gave to the Central Government certain specific and delegated powers and retained for themselves and the people all other powers, rights, and privileges.

Students of government and political scientists from abroad have always marveled as to how a country such as ours could survive with the now existing 51 separate legislative, executive, and judicial systems. Our Founding Fathers made this the primary condition to the establishment of a Union.

Section 2, article I of the Constitution reflects the fixed intention of the Founding Fathers to require that portion of the entire population which should have the privilege of voting for candidates to a national office should be determined solely and alone on the basis of the qualifications of each separate State requisite for electors of the most numerous branch of the State legislatures. It provides:

> The House of Representatives shall be composed of members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

Francis Newton Thorpe, in his book, "The Constitutional History of the American People," sets forth charts and tables which show the qualifications of electors in the several States prior to, contemporaneous with, and subsequent to the adoption of the Constitution.

This chart reveals that, in Massachusetts, to vote one had to own a freehold with an annual income of 3 pounds or an estate of 60 pounds.

In New York, the voter must have had a freehold of 20 pounds or pay rent of 40 shillings. To vote for a State senator, the freehold had to amount to 100 pounds.

New Jersey required an estate of 50 pounds as a qualification of an elector.

New Hampshire and Vermont both required that the voter be a freeholder.

Maryland required a freehold of 50 acres or town lot or paid taxes equal to a tax on 50 acres.

Rhode Island required that a voter own 40 pounds in realty or 40 shillings per annual rent.

I ask unanimous consent that this chart be inserted in the RECORD at this point in my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

[Extracts from "The Constitutional History of the American People, 1776–1850" by Francis Newton Thorpe (Harper Bros., New York), vol. I, pp. 93–97]

Qualifications of electors prescribed by the constitutions, 1776–1800

State	Constitution	Age	Residence	Property	Taxation	Religion [1]	Sex	Race	Native or naturalized
New Hampshire	1784	21	Town	Having town privileges, freehold.	Poll tax		Male		
	1792	21	do	Freehold			do		
Vermont	1777	21	1 year in State				do		Foreigner after 1 year's residence.
	1786	21	do						Do.
	1793	21	do				do		Do.
Massachusetts	1780	21	1 year in town	Freehold of annual income of £3, or estate of £60.			do		
New York	1777	21	6 months in county	Freehold of £20 or paying rent of 40s. Freehold of £100 to vote for State senator.	Taxpayer, or freeman of Albany or New York City.		do		
New Jersey	1776	21	12 months in county	Estate of £50			Male or female.	White or black.	
Pennsylvania	1776	21	1 year in State		Taxpayer		Male		
	1790	21	do		State or county tax		do		
Delaware	1776 [2]								
	1792	21	2 years in State		State or county tax		Male	White	
Maryland	1776	21	1 year in county	Freehold of 50 acres or property of £30.			do		
Virginia	1776 [2]								
North Carolina	1776	21	12 months in county	Freehold in county of 50 acres for 6 months before election may vote for State senator.	Paid public taxes, may vote for member of H.C.				
South Carolina	1776 [2]								
	1778	21	1 year in State	Freehold of 50 acres or town lot or paid taxes equal to tax on 50 acres.		Acknowledges the being of a God and a future state of rewards and punishments.	Male	White	
	1790	21	2 years citizen of the State.	Same as in 1778	If not freeholder, has paid tax of 3s. sterling.		do	do	
Georgia	1777	21	6 months in State	Property of £10 or being of a mechanic trade or a taxpayer.					
	1789	21	6 months in county, citizens and inhabitants of the State.						
	1798	21	do		Taxpayer				
Kentucky	1792	21	2 years in State or 1 year in county.				Male		
	1799	21	do				do	White	
Tennessee	1796	21	6 months in county	Freehold			do		

[1] In New Hampshire, Massachusetts, Connecticut, and Vermont in the 18th century, most of the electors were church members.

[2] Qualifications "as fixed by law"; see table below.

The qualifications of electors as prescribed by law [1]

State	Date of law	Age	Requirements
Massachusetts	Mar. 23, 1786		Freeholders who pay 1 single tax, besides the poll, a sum equal to ⅔ of a single poll tax.
Rhode Island	1762	21	Inhabitants. £40 in realty, or 40s. per annum rent, or eldest son of freeholder.
Connecticut	1715	21	Realty—40s. per annum, or £40 in personal estate.
New York	Mar. 27, 1778		Every mortgagor or mortgagee in possession, and every person possessed of a freehold in right of his wife, vote viva voce for senators and assemblymen; by ballot for Governor and Lieutenant Governor.
New Jersey	Feb. 22, 1797	21	Free inhabitants having £50 property, and 12 months in the county. Women, aliens, and free Negroes, thus qualified, voted.
Pennsylvania	Feb. 15, 1799	21	Citizen of State 2 years, paying State or county tax 6 months before the election; sons of electors vote "on age"; i.e., at 21, without payment of the tax.
Maryland	October 1785		Free Negroes not to be electors.
	Dec. 31, 1796		
Virginia	Law of 1762–69		Free Negroes and women not to be electors; an elector a freeman having 500 acres of land unsettled, or 25 acres settled, having thereon a house 12 by 12. Elector voted in the county in which the greater part of his land lay, if it lay in 2 counties.
Do	Law of 1781		Poll tax—½ bushel wheat, or 5 pecks oats, or 2 pounds sound bacon. Repealed November 1781, and made 10s.
South Carolina	Oct. 7, 1759		Elector—free white man possessing settled freehold estate, or 100 acres unsettled, or £60 in houses, or paying a tax of 10s.

[1] Neither by the constitution nor the law were free Negroes (males) denied the right to vote in New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, or Tennessee. There is evidence that they voted in New Jersey from 1776 to 1807 (see act of Nov. 16, 1807, limiting the right to vote to free white male citizens); in New York (acts of Mar. 27, 1778; Apr. 11, 1815; Apr. 19, 1822); in Pennsylvania under constitution of 1776 (see debate on inserting the word "white," as descriptive of the elector, in the report of the constitutional convention of 1838); in North Carolina (see debate on "abrogating the right of free persons of color to vote," under constitution of 1776, in debates of the constitutional convention of 1835); in Tennessee, from 1776 to 1834 (see "Caldwell's Constitutional History and of Tennessee," p. 93, and compare the qualifications of the elector under the 2 constitutions). In New England, if the town meeting admitted the free Negro to a citizen's rights, he could vote. Public opinion in Rhode Island refused him admittance (see Constitutional Convention, 1818," art. VI, sec. 2; and of Rhode Island, 1842, art. II, secs. 1 and 2). It was not an established right in law, in 1842, that a person having African blood in his veins could be a citizen of the United States; he could not become such by naturalization, as the law restricted naturalization to white men. Free persons of color [2] were denied the right to vote in New Jersey, by act of assembly, in 1807; in Tennessee, by the constitution of 1834; in North Carolina, by constitutional amendment, in 1835; in Pennsylvania, by the constitution of 1838. Thus, of the States that originally allowed them the right, New Hampshire, Vermont, Massachusetts, and New York never withdrew it.

[2] In New Jersey the right was taken away from them, from aliens, and from females—inhabitants—by the constitution of 1776, by act of assembly, Nov. 16, 1807. See debate on "abrogating the right of free persons of color to vote"; proceedings and debates of the convention of North Carolina called to amend the constitution of the State, which assembled at Raleigh, June 4, 1835, to which are subjoined the Convention Act, the amendments to the constitution, together with the votes of the people ("Raleigh, 1836," p. 351, et seq.). See also Curtis' dissenting opinion, *Scott* v. *Sanford*, 19 Howard 393. There is no evidence that free persons of color voted in colonial times.

Mr. EASTLAND. Mr. President, an examination of these charts will reveal that no two States have even remotely similar or uniform requirements for suffrage. In only one category of requirements out of eight is there uniformity—all provide that the prospective voter must be 21 years of age.

The diversity of rules, regulations, and laws laid by the several States, originally and as of today, for the privilege of the franchise are possibly greater even than those governing marriage and divorce. For my part, and on the part of my State, we no more want to interfere with your voting requirements in any election than we do with your State laws governing marriage and divorce. Just to read the various qualifications and disqualifications for voting in the 50 States is a most interesting experience. One of our Western States—Idaho—disqualifies bigamists, polygamists, prostitutes, or inmates of houses of ill fame; this State also disqualifies Chinese or persons of Mongolian descent, not born in the United States. Under "Voters' qualifications," the constitution of Minnesota has this most interesting provision:

Indians: Person of mixed white and Indian blood who has adopted the customs and habits of civilization; or

Person of Indian blood residing in State who has adopted the language, customs, and habits of civilization after an examination before any district court of the State in such manner as may be provided by law and shall have been pronounced by said court capable of enjoying the rights of citizenship within the State.

Until recently the State of Texas disqualified for voting "soldiers, marines, and seamen while employed in the regular service of the Army or Navy of the United States."

Mr. President, I want it clearly understood as I go into this subject that I am not trying to pass any judgments on the wisdom or justice of the laws of any State of this Union, save my own, insofar as voting qualifications are concerned. The setting of these qualifications and requirements is peculiarly within the constitutional rights and privileges of the States themselves. However, the avowed purpose of the proposed constitutional amendment is to throw stones at the State of Mississippi and other States requiring a poll tax. So, as a purely academic exercise, I am going to take this occasion to comment on the voting requirements of some of the States and put these requirements in juxtaposition with those of other States.

The so-called literacy requirement of New York State is couched in this language:

Unless he became entitled to vote prior to January 1, 1922, must, in addition to above qualifications, be able to read and write English unless prevented by physical incapacity.

New York probably has more U.S. citizens who read and write a language other than English than any other State in this Union. It even publishes many newspapers in foreign languages so that these citizens and aliens residing there, these non-English-speaking people, can be kept informed and conversant with the affairs of this country. Regardless of the degree of literacy of this class of New Yorkers, mastery of English is an absolute necessity to qualify to vote either in National, State, or local elections.

Louisiana is another State that has long had many fine, outstanding, highly literate, native or foreign born non-English speaking citizens. Thus the literacy requirements of this State are contained in these terms:

Shall be able to read and write and, unless physically disabled, shall fill out his application for registration in writing in English, or in his mother tongue and shall sign his name. If he cannot write English, he may write it in his mother tongue from the dictation of an interpreter. If he is unable to sign his name, he may make his mark authenticated by the registrar who shall then read the application to him through an interpreter.

Applicant shall also be able to read any clause in the constitution of Louisiana or of the United States and give a reasonable interpretation thereof. Interpretation only, without reading, held sufficient if applicant otherwise qualified for registration.

Whenever an applicant for registration is unable to write his application because of inability to write English but can write only some other language and is not illiterate, he may sign his name to, or make his mark in the presence of two witnesses on an affidavit stating this. He must in such case bring with him two qualified electors of his precinct to sign written affidavits attesting the truth of the facts set out in the application and accompanying affidavit. It shall be a violation of this law for any elector to sign the affidavit to the application of more than two persons in any 2-year period.

In New Mexico, literacy is not required as a condition to voting and the constitution further provides in regard to this subject that:

The right of any citizen to vote shall never be restricted, abridged or impaired on account of religion, race, language or color, inability to speak, read or write English or Spanish languages except as may be otherwise provided in the constitution; and the provisions of this section and of section 1 of this article (qualification of voters) shall never be amended except upon a vote of the people of this State at an election at which at least three-fourths of the electors voting in the whole State, and at least two-thirds of those voting in each county of the State, shall vote for such amendment.

New Mexico had a further provision in its constitution wherein it disqualified for voting "Indians not taxed." This condition was declared unconstitutional in 1948.

Next door to New Mexico, Arizona requires as a prerequisite to voting:

Unless physically disabled, must be able to read the Constitution of the United States in English and to write his name.

Now, on the other side of New Mexico, Texas has no literacy requirement whatsoever. All that is required as a qualification for voting is that one be a citizen of the United States, 21 years of age, have 1 year residence in the State and 6 months in county next preceding. Texas has another substantial difference in its voting requirements from those of most of the other States—registration is not required. I want to call what I am now saying to the particular attention of my two colleagues from that great State. If this amendment is adopted and applied to the 1962 elections, with the law of Texas as it now is, the people of the great State are going to be denied the right to participate in the election of Members of Congress. Let me read to Senators what the election laws of the State of Texas provide:

Poll tax: Must have paid his poll tax before February 1, before election, or if exempt from poll tax, must procure a certificate showing his exemption.

Registration: Registration is not required. The lists of citizens who have paid their poll tax serve as a registration list. The certified list for each precinct of qualified voters who have paid their poll tax shall contain the following information about each person:

1. Number.
2. Name.
3. Precinct.
4. Age.
5. Length of residence.
6. Occupation.
7. Race.
8. Length of residence in city and ward.
9. Street and number of residence.
10. Post office address.

Poll tax receipt: Each poll tax receipt shall show:

1. Name.
2. Payment of tax.
3. Age.
4. Race.
5. Length of residence in State.
6. Citizenship, whether native or naturalized.
7. Place of birth.
8. Length of residence in county.
9. Voting precinct.
10. Occupation.
11. Post office address.

Thus, in Texas the entire method of qualification and the machinery of voting and holding an election is based squarely, solely, and alone on the payment of poll tax. Without the payment of the poll tax or exemption therefrom under Texas law, there is no way for an election official to tell who is, or who might be, qualified to vote in any election. State elections could be held as usual. But how could a State hold a national election when payment of the poll tax is the sole criteria for determining whether an individual is registered and qualified to vote? I am certain that Texas can solve this problem. But this points out how ridiculous it is to resort to a constitutional amendment to tamper with matters that have always been within the exclusive province of the States.

California, another State which has a possible problem of U.S. citizens who cannot speak or read the English language, also has a literacy test. It provides:

Must be able to read the Constitution in English and to write his name unless physically disabled or unless an elector or over 60 years old on October 10, 1911.

The 1950 census listed the white population of Alaska at 92,876 persons and the aboriginal stock at 33,853. The aboriginal stock is said to be composed of Aleuts, Eskimos, and Indians. I do not know what language these aborigines

may speak, read, or write. But if any of them do vote they had to meet this literacy test:

He shall be able to read the U.S. Constitution in English and to write in the English language, unless he is prevented from complying with this requirement because of physical disability only, or unless he has legally voted at the general election of November 4, 1924.

Our last State, Hawaii, has a somewhat different literacy requirement from Alaska insofar as voting requirements are concerned. It takes into consideration the descendants from the original native stock. The State constitution of Hawaii provides:

No person shall be qualified to vote unless he is also able, except for physical disability, to speak, read and write the English or Hawaiian language.

Mr. President, this review shows how States, far removed from each other geographically, or adjacent, have varied requirements, or make literacy or language no requirement for suffrage. I yield to no one in asserting the right of the State to adopt the course of action, or the requirement, or the lack of requirement, as it chooses. But fundamentally, the small matter of whether a $2 poll tax is required as a prerequisite to voting in Mississippi pales into insignificance when one considers the differences that exist in applying varied qualifications, or lack of them, to the people of the several States involved.

As I have stated before, voting requirement laws of the 49 States other than my own are of no legitimate concern to me as a U.S. Senator, or as a resident of the State of Mississippi. I am forced to consider them because this presently proposed amendment is aimed squarely at my State and its existing laws. Not having lived in the State of New York, it is understandable that I cannot appreciate the situation or condition that requires the legislature of that State to enact laws in the form that they now appear on the statute books. As a lawyer and an individual, it is hard for me to conceive or imagine the relevancy of the questions a prospective voter is forced to answer on the mandatory registration form as related to the voter qualifications.

Outside the literacy requirement, which has been previously discussed, a voter in New York must be 21 years of age on election day, must be a U.S. citizen at least 90 days prior to the election, and must meet residence requirements of 1 year in the State, 4 months in county, city, or village, and 30 days in election district next preceding the election.

Question No. 1 on the registration form is, "Has voter previously voted at a general election?" This question is irrelevant for any purpose other than to trap the voter in an untruth. If he is qualified, what difference does it make whether he voted previously at a general election in New York State or not? Of course, this does not give to those who have access to the registration books "a line on the individual"; information that might be of great value to some people at some time for purposes far removed from voter qualifications.

Question No. 2 is, "Enrollment number for party affiliation." I do not pretend to understand the reason for this question. I understand, at least as far as Senators and the high State offices are concerned, that party nominees were selected by conventions. If this is true, and one is qualified to vote, what possible relationship can party membership have to the casting of a secret ballot in a general election? Or, can an individual independent of any and all parties vote in a general election?

Question No. 3 is, "Sex." Why ask this? Does the fact that one is a male or a female have anything to do with voting or registration qualifications in New York State? Of course, this does constitute another little tidbit of valuable information for a dossier.

Mr. HOLLAND. Mr. President, will the Senator yield for a question?

Mr. EASTLAND. I yield for a question.

Mr. HOLLAND. I note on page 475 of the printed hearings on this subject that the dates of payment of the poll tax for the various States that require a poll tax are set forth. I wish to be sure that what is stated is correct.

Mr. EASTLAND. Will the Senator ask me a question, please?

Mr. HOLLAND. In the case of Mississippi——

Mr. EASTLAND. I have yielded for a question.

Mr. HOLLAND. In the case of Mississippi, is it true that February 1 is the date by which the poll tax must be paid in order to vote in the election?

Mr. EASTLAND. That is true. And it is the sole business of the State of Mississippi and does not concern the Senator from the State of Florida. The Senator from the State of Florida would take the same position on matters which concern the Senator's State.

Mr. HOLLAND. Likewise in the same report it is stated that 2 years' residence is required in Mississippi prior to the qualification for voting. Is that correct?

Mr. EASTLAND. I do not know. It could be 2 years. I thought it was 1 year.

Mr. HOLLAND. I am very particular to have the RECORD show the fact.

Mr. EASTLAND. I do not have the code with me. I do not remember whether it is 2 years or 1 year.

Mr. HOLLAND. Will the Senator check his code, and if the compilation is incorrect, will he so state for the RECORD so that we may have exact information?

Mr. EASTLAND. I shall put in the RECORD at some time, and at some place, the voting requirements of the State of Mississippi. I shall be glad to do so. As I said, it is a subject that concerns only our State and our own people and does not concern the distinguished senior Senator from Florida. I shall put it in the RECORD for him.

Mr. HOLLAND. I am only trying to show the facts. I ask again whether or not it is true, as stated in that compilation, which, incidentally, is published by the American Heritage Foundation——

Mr. EASTLAND. I do not know what the American Heritage Foundation is. I have yielded only for a question. If the Senator will ask me questions, I shall try to answer them.

Mr. HOLLAND. Is it true, as stated in the compilation, that the State of Mississippi does not permit absentees, other than those who are in the military service, to vote by mail?

Mr. EASTLAND. The Senator is correct. On several occasions—and let me again say that it is our own business—we have had an absentee voters law. I remember a close race for chancery clerk which almost resulted in a killing. An election official ran a pin through the envelope in which the secret ballot was cast, and then after the election he went back, found the ballot through which the pin had been run, and discovered that one of his close relatives, a man whom he was helping financially, had voted against him. It almost caused trouble. Our legislature saw fit, because they thought there was fraud in counting election ballots, to repeal the law. But it is a matter within our sole discretion, and we have no apologies to anyone for our laws in the State of Mississippi.

Question No. 4 is "Name of political party with which voter enrolls." This question might be even considered unconstitutional were it not for the fact that the State of New York has the sole and only power to determine the qualifications of its electors in both State and National elections. But even aside from this, it is difficult to see what remote relationship the question could have to casting a vote in a general election.

Question No. 5 is "Address." This is a legitimate and necessary question.

Question No. 6 is "Name." This is most necessary and legitimate, but why should it be No. 6 instead of No. 1?

Question No. 7 is "Age." This is also necessary and legitimate.

Question No. 8 is "Marital status." Why this question? What does it have to do with voter qualifications? But this is a necessary element to fill out the dossier.

Question No. 9 is "Term of residence." This is necessary and legitimate.

Question No. 10 is "Country of nativity." This language is awkward, but literate, English-speaking persons should understand it. However, it is just another expression to ask the simple question, "Where were you born?" and as such it is legitimate though not necessarily necessary to establishing the voting qualifications. Not one of the questions ask, "Are you a citizen of the United States?"

Question No. 11 is "If naturalized, how, when, and where?" This is most necessary and proper.

But question No. 12 is "Name of landlord." The address was given in No. 5. But now the question is not "Where do you live?" but "Who is your landlord?" This vital information has nothing to do with voting qualifications, but it is important information. If you own your

own home you have to admit that you are your own landlord. If you rent, lease, or even live in a hotel, someone is going to have access to information and the actual name of a person who knows something about the personal and private life of the voter. The dossier is filling out.

Question No. 13 is "Year when voter last registered, name of State and city or town."

Question No. 14 is "Address from which voter last registered or voted."

Question No. 15 is "Name and address of business or place of employment."

These 3 questions fill out the past and close out the present. If you would just add the fingerprints and a picture, the New York police force and the Federal Bureau of Investigation would have it completely made. A full and complete dossier on every qualified voter in the entire State of New York. I am one of those who is willing to grant to the State of New York and admit that it does have the right and power to require of its citizens any kind and character of information from them that it chooses. But why try to cover up and obtain the information circumspectly through a so-called voter registration application? Why not declare just a general registration day, or week, or month, every year or so, and require every person to register and vote.

As I have stated, questions in other States of the character of those to which I have referred do not concern the Senator from Mississippi. They are the business of those States and the people of those States alone. I do not think it is up to me to try to meddle in the affairs of another State or another area. It is contrary to our entire system of government to have national voter qualifications. If the proposal is adopted, we shall be on the high road to the nationalization of other voting qualifications.

It is said that the measure we are discussing applies only to the poll tax. I have been in the Senate a long time and I have seen things grow and expand. When the Federal Government once enters a field, it grows and expands in that field until it dominates it. When we permit the Federal Government to get into the area of voter qualifications—and other measures will be proposed—it will be said that they will do only some minor thing, and on that basis the other measures will be passed.

Mr. DWORSHAK. Mr. President, will the Senator yield for a question?

Mr. EASTLAND. I yield for a question.

Mr. DWORSHAK. The Senator has emphasized that when the Federal Government becomes interested in any project, its activity seems naturally to grow and grow, until finally it gets out of hand.

Mr. EASTLAND. Until it actually controls it.

Mr. DWORSHAK. Would the Senator from Mississippi apply his formula also to the national debt?

Mr. EASTLAND. What the Senator says is correct. If we ever get Federal aid to education, we will have all education controlled by the Federal Government.

Mr. DWORSHAK. Mr. President, will the Senator yield further?

Mr. EASTLAND. I yield for a question only.

Mr. DWORSHAK. Does the Senator believe that in the light of the many somewhat drastic proposals being submitted by the President and his administration to extend existing programs and to establish new ones, there is any immediate prospect of curbing Federal spending and holding the national debt within reasonable limits?

Mr. EASTLAND. There is no reasonable prospect. I believe the national debt will increase gradually, and I believe that the Federal Government will gradually go into other fields, if that is what the Senator means. If that is what he means, I agree with the Senator in that respect. That is true, regardless of the party that is in power. However, let me say that I am opposed to it. I am not going to vote to put the Federal Government in other fields. I am going to support the original concept of our dual system of government. I know that once we pass the resolution we will be back to voter qualifications, and that in future years it will be nationalization, and our elections will be nationalized and controlled from Washington. I know that then all human liberties in the United States will be dead. That is why I oppose the resolution.

EXHIBIT 1

S. 3059

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 13 of title 18 of the United States Code is amended (a) by adding at the end thereof the following new section:

"§ 245. Imposition of summary punishment and coercion of statements

"Whoever, under color of law, statute, ordinance regulation, or custom, strikes, beats, assaults, injuries, or threatens or attempts to strike, beat, assault, or injure the person of another for the purpose of inflicting summary punishment upon such other person or for the purpose of compelling such other person to make any statement shall be fined not more than $1,000 or imprisoned not more than one year, or both: *Provided*, That if physical injury results the punishment shall be by fine of not more than $5,000 or imprisonment for not more than five years or both, and if death results the punishment shall be by imprisonment for any term of years or for life.

"For the purposes of this section, summary punishment means any injury inflicted otherwise than in accordance with the procedures prescribed by State or Federal law or regulation."

(b) By adding at the end of the table of sections for chapter 13 of title 18 of the United States Code the following:

"245. Imposition of summary punishment and coercion of statements."

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MUSKIE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HILL. Mr. President, in my rather extended speech on the question of the proposal with reference to the poll tax, on Thursday last week, March 15, I spoke about the fact that in the State of Alabama all persons over 45 years of age are exempt from the payment of any poll tax; that persons who served in any war in which this country has been engaged—the Spanish-American War, World War I, World War II, and the Korean conflict—are exempt from the payment of any poll tax; that all members of the National Guard of Alabama when they are on active duty or while they continue their membership in the National Guard are exempt from the payment of any poll tax.

So there are many, many persons in Alabama who are exempt under our poll tax law. As to those who have to pay the very small, minimal sum of $1.50, which is the poll tax in Alabama, I call attention to an editorial by a brilliant editor of the Montgomery, Ala., Advertiser, which appeared in that newspaper on Thursday, March 22, 1962.

This editor is Mr. Grover C. Hall, Jr., who is the son of the late Mr. Grover C. Hall, Sr. Mr. Grover C. Hall, Sr., was awarded a Pulitzer Prize for his brilliant writing and his great advocacy of justice for all people. Grover Hall, Jr., is carrying on today in the tradition of his distinguished father. The subject of Mr. Hall's editorial was the debate which is taking place in the Senate on the poll tax proposal. In his editorial Mr. Hall states:

It has been said during the debate that, of the five States still levying the poll tax, only Mississippi and Alabama employ it as a device to discourage Negro voting.

Mississippi can speak for itself.

Certainly Mississippi has spoken for herself in a most able and eloquent way this morning, when her distinguished senior Senator [Mr. EASTLAND] addressed the Senate and made one of the ablest speeches I have heard on the subject of the poll tax.

Mr. Hall goes on to say:

But as to Alabama, this is false.

The Advertiser placed a call to a Federal judge in the State. He could not remember that a case had ever arisen in this State where a Negro challenged the poll tax as a discriminatory device, and he had no personal knowledge or information that the poll tax is so used.

A call was made to a member of the Alabama Advisory Committee of the U.S. Civil Rights Commission: Ditto.

In other words, there the answer was the same: That no Negro had charged that the poll was being used as a discriminatory device to keep him from voting. Then Editor Hall says:

A call was made to the chairman of the advisory committee. His reply: There have been no official complaints, and it is his

personal opinion that the poll tax of $1.50 a year—maximum of $3 if the voter is delinquent—does not keep Negroes from voting.

The only person who thought the poll tax does keep Negroes from the polls was Dr. Foster, president of Tuskegee Institute. He believed that it is a psychological deterrent. He also thinks it is an economic deterrent, that it falls with more force on Negroes than whites because more Negroes are in lower income groups.

Mr. President, I do not know of anybody, no matter to what race he may belong, or what the color of his skin may be, who cannot pay $1.50 today, because we know that today $1.50 is a very small sum of money. Certainly there is no one who cannot pay $1.50. Under no circumstances, no matter how many years a person may be delinquent in the payment of his poll tax, the tax can never be more than the very small sum of $3.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. HILL. I yield for a question.

Mr. EASTLAND. Is it not true that the State civil rights commission would be seeking complaints of this kind?

Mr. HILL. They are trying to find individuals who have complaints of this kind.

Mr. EASTLAND. Do they not seek such complaints?

Mr. HILL. They seek such complaints.

Mr. EASTLAND. And they have not received any complaints?

Mr. HILL. According to the chairman of the commission in Alabama, according to a member of the commission in Alabama, they have not received one single, solitary complaint, although, as the Senator from Mississippi well says, they are there not only to receive complaints; they are there to invite complaints. They are there seeking complaints.

Mr. EASTLAND. I concur in what the Senator from Alabama said about Mr. Grover Hall. He is an able editor; he is a loyal American; he is the son of a great American. If I remember correctly, the senior Mr. Hall bitterly opposed the Ku Klux Klan in the State of Alabama and spearheaded the opposition.

Mr. HILL. He did, indeed. As I said earlier, he was awarded a Pulitzer Prize for editorials he wrote. He was, indeed, an able editor.

The same is true, as I have said earlier, of Mr. Grover Hall, Jr.—Captain Hall, as I call him, because he was a captain in the Air Force during World War II. He rendered outstanding service to the Air Force, operating out of Great Britain, which, as we know, was our main base for the bombing missions which did so much to bring that war to an end and made it possible for the landings on the Normandy beaches. The Air Force contributed mightily to the saving of American life and to the winning of that war. Capt. Grover Hall was on duty and served with our Air Force which was based in England during World War II.

Mr. HOLLAND. Mr. President, will the Senator from Alabama yield?

Mr. HILL. I yield to the Senator from Florida for a question.

Mr. HOLLAND. Is it not true, as set forth on page 475 of the printed record of the hearings before a subcommittee of the Committee on the Judiciary on this subject, that Alabama requires the payment of the poll tax by February 1 in order to enable a person to participate in the elections of the following November?

Mr. HILL. That is correct; but there is nothing unusual about that. The people of Alabama pay their taxes from October 1 to January 1.

In this case, the State is more accommodating and liberal. It makes the payment of the poll tax easier by granting an extra month, to February 1. There is nothing unusual about that. Everyone in Alabama who must pay any tax—a driver's license, a license to conduct a business—any kind of tax or license or payment of any kind which becomes due on October 1—has until January 1 to pay it. But in the case of the poll tax, the State grants even greater indulgence and gives more time by providing that the poll tax may be paid at any time up to February 1.

Mr. EASTLAND. Madam President, will the Senator from Alabama yield for a question?

The PRESIDING OFFICER (Mrs. NEUBERGER in the chair). Does the Senator from Alabama yield to the Senator from Mississippi for a question?

Mr. HILL. I yield to the Senator from Mississippi for a question.

Mr. EASTLAND. A few minutes ago the Senator from Florida asked the same question of the Senator from Mississippi, concerning whether the poll tax in Mississippi had to be paid by February 1. The truth is that all taxes except automobile licenses have to be paid by February 1 each year.

Mr. HILL. The truth is that in Alabama——

Mr. HOLLAND. Madam President——

Mr. HILL. Madam President, I have the floor. I have not yielded to the Senator from Florida.

So far as licenses in Alabama are concerned, as the Senator from Mississippi has said, all persons have to pay their taxes and their license fees, including their driver's license fees, from October 1 to January 1. But in the case of the poll tax, the time for payment is extended to February 1.

Madam President, now I yield to the Senator from Florida for a question.

Mr. HOLLAND. Madam President, I am not making the point of order now, but I did wish to warn the Senator from Alabama that he has been yielding for speeches. I request that he should not do so.

Mr. HILL. Madam President, that is the reason why I did not yield to the Senator from Florida. I knew he wanted to make a speech. He did not want to ask a question. That was the reason why I did not yield to him. I shall yield only for a question, as provided in the rules. I ask the Chair to protect me in my rights when I yield only for a question.

Madam President, in the very able address which he made earlier this morning, the distinguished Senator from Mississippi [Mr. EASTLAND] referred to a letter which came yesterday to the President of the Senate—the Vice President of the United States—from the Department of Justice, asking for the enactment of an antilynching bill.

Madam President, I must say that I was surprised to learn that at this late date the Department of Justice is requesting the enactment of such legislation. If there is any lynching going on in this country today, I do not know of it, unless it may be by some of the gangsters in some of the big cities; and that is not classified as lynching. It is classified as gangsterism. Certainly there is no lynching in Alabama, Mississippi, or any of the other States in that part of the country.

Let me say that when I first came to the Senate—in 1938—the question at that time before the Senate was a so-called antilynching bill; and one of the greatest, most powerful, and most magnificent speeches I ever heard in all my life, I heard then in the Senate Chamber. It came from the lips of a Senator who was so great and so powerful that we spoke of him as "the lion of Idaho." I refer to the late great Senator William E. Borah. He tore that bill asunder, because of its attempted assault on the rights, duties, and responsibilities of the several States. Furthermore, Madam President, it may be of interest to others to know that on that occasion Senator Borah was joined in his opposition to that bill by the great liberal and great champion of democracy and of government of the people, by the people, and for the people, a man who stood out in the Senate before his time, the late great Senator George Norris, of Nebraska.

Mr. EASTLAND. Madam President, will the Senator from Alabama yield for a question?

Mr. HILL. I yield for a question.

Mr. EASTLAND. Does the Senator from Alabama realize that in the antilynching bill to which he has referred, a right of action is given for someone who has been mistreated; the bill would give him a right of action against a town, county, or city, for negligence of the police; and the burden of proof would be placed on the defendant?

Mr. HILL. In other words, as I understood the statement made earlier today by the Senator from Mississippi—and I have not had an opportunity to read the bill, I must say; in fact, it has not yet even been introduced, printed, and made available, so far as I know; or, if it has, at least I have not had an opportunity to read it—but, as I was saying, as I understood the statement the Senator made earlier this morning, the bill would practically try the local communities, cities, or towns; and that means that the State itself would be tried, because the sovereignty reposes in the State, and the city or town exercises only the authority of the State which the State delegates to it.

Mr. EASTLAND. Madam President, will the Senator from Alabama yield for another question?

Mr. HILL. I yield for a question.

Mr. EASTLAND. Does the Senator from Alabama realize that in its field the State is sovereign to the Federal Government; and that only in respect of the powers delegated to the Federal Government, the Federal Government is sovereign; and that that constitutes the dual sovereignty?

Mr. HILL. Yes. The State is sovereign in all its rights, powers, and authorities, except where, under the Constitution, certain powers and rights have been delegated to the Federal Government. But the basis of all sovereignty and the great reservoir of all sovereignty is the States themselves.

The fact is that there would not have been a Federal Government, and today there would not be any sovereignty on the part of the Federal Government, except for the delegation by the several States of the sovereignty which the Federal Government exercises under the Constitution of the United States.

Mr. EASTLAND. Madam President, will the Senator from Alabama yield for a further question?

Mr. HILL. I yield for a question.

Mr. EASTLAND. Does the Senator from Alabama realize that if such measures, which now are being sent to Congress, were enacted into law, they would constitute a great step toward the creation in the United States of a police state?

Mr. HILL. There is no question about that. As I understood what the distinguished Senator from Mississippi said earlier today, these measures would put the Federal Government—through the FBI, or through some other Federal Government agency—over our local law-and-order authorities—for instance, over our sheriffs. I call attention to the fact that there are some 3,000 counties in the country, with some 3,000 sheriffs, and there are many police departments and chiefs of police; and in my home city of Montgomery, Ala., we have a commission in charge of the city government. The commission is composed of three commissioners. One of them has immediate and direct responsibility for the operation of our police department and for the maintenance of law and order. But the bill would put under this Federal agency all those persons, who today have the responsibility for the maintenance of law and order.

Mr. EASTLAND. Madam President, will the Senator from Alabama yield again to me?

Mr. HILL. I yield.

Mr. EASTLAND. Is it not true that one incident of the creation of a police state must be Federal control of elections and determination by the Federal Government of who can vote and who cannot vote in the elections?

Mr. HILL. The Senator from Mississippi is absolutely correct, Madam President. After all, when any dictator wishes to establish a totalitarian form of government, he first takes over the police powers—whether he establishes a Gestapo, as in Germany; or an OGPU, as in Russia; or whatever name is given to the secret police. In that way he takes over the power to control local matters. He takes that power from the hands of the local governmental units, and centralizes the power in his totalitarian government.

As the Senator from Mississippi has so graphically described the situation, that is exactly what Adolf Hitler did when he came into power in Germany.

Mr. EASTLAND. Does the Senator from Alabama realize that these measures lead in that direction, and that that is why we are fighting against them?

Mr. HILL. The Senator from Mississippi is entirely correct. These measures certainly go in that very direction—as the Senator from Mississippi so well stated earlier today; and that is why today we are fighting against these measures.

Mr. EASTLAND. Is it not true that the real issue that is involved is much larger or bigger than the poll tax; the real issue at stake is the U.S. Government itself?

Mr. HILL. The Senator from Mississippi is entirely correct about that. The poll tax is only an incident in this entire situation; the poll tax is only a very small, minor issue in relationship to the big, all-controlling question of the overall centralization of power in a central government in Washington, D.C.

Madam President, the key to this entire debate is, of course, article I, section 2, of the Constitution. This is true in this debate, as well as in former debates on proposed constitutional amendments to abolish the poll tax. This is also true in the case of present proposals, as well as former proposals, to abolish the poll tax by statute.

Because it preserves and secures to the States their rights to prescribe the qualifications for electors for Members of Congress, article I, section 2, together with the same language of the 17th amendment, supplies the bedrock of my argument, as, indeed, it does for nearly any argument against all such proposals which would diminish the power of our States to prescribe the qualifications of their electors.

The history of the adoption by the Constitutional Convention of article I, section 2, the discussions of article I, section 2, in the various States at the time of ratifying the Constitution, and the various Supreme Court decisions which have construed it, are all relevant to the question of the constitutionality of a statute to abolish the poll tax.

Such historical considerations are also relevant with respect to the merits of a proposed constitutional amendment to accomplish the same thing. In the case of a statute, these considerations are controlling absolutely. In the case of a constitutional amendment, such considerations are crucial, because they demonstrate lucidly and convincingly why the power to prescribe the qualifications of electors was reserved to the States in the first place. The case for the preservation and continuation of this power in the States is just as valid today as it was in the great convention in Philadelphia in 1787.

Article I of section 2 of the Constitution of the United States declares as follows:

> The House of Representatives shall be composed of Members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

How could any language be clearer? How could any prescriptions be more definitely or more unequivocally stated than are the prescriptions in section 2 of article I? The section simply, clearly, definitely, positively, absolutely says—what? That the electors who shall vote for Members of the House of Representatives of the Federal Congress in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

Madam President, it would seem that nothing could be clearer than the language in this section of the Constitution. Because of its great importance in connection with the question before us, I should like briefly to review again the situation prevailing at the time of the adoption of the Constitution. We must recall that in 1787, when the language of the Constitution was written, the States were absolute sovereigns. They had joined in the Declaration of Independence. They had proclaimed their independence of the British Crown. They had fought through eight long, terrible, and bloody years to win their independence, and they stood absolutely independent and free from any other sovereignty on this earth. Their own sovereignty was full, complete, and absolute.

So they gathered in Philadelphia in their sovereign capacities, through their delegates to write the Constitution of the United States. The question was, How much of their sovereignty would they yield to the Federal Government? The Federal Government was not in being; it had no existence; it had no sovereignty. The only sovereignty it could have would be such sovereignty as was granted by the sovereign States of that time. Anyone who is at all familiar with the history of the writing of the Constitution knows how jealous were the several States of their sovereignty and how reluctant they were to yield very much of their sovereignty to any Federal Government.

Mindful of their sovereignty, zestful, and determined insofar as possible to keep within their own hands as much of that sovereignty as they could and still have a Federal Government to meet the problems which had to be met by a Central Federal Government, what did they do? They provided that every State should have two Senators; two Members in this body, no matter how large or how small the State might be, no matter what the population of the State might be, no matter what the economic power of the State might be, what its industrial development or its financial development or its agricultural development might be. No matter what might be the status of a State in its power, its influence, its ability to influence other States and

other persons in other States, every State in the United States should have equal representation in the Senate, should have two Senators. Then, as Senators will recall, they went one further step, and provided that no State should have its representation in this body reduced or taken away from it without the consent of that State. This meant that no matter how small the State might be, how weak, how ineffective, how uninfluential it might be, it would have equal representation in this body; it would have two Senators along with the two Senators of the most powerful, the wealthiest and the greatest State in the United States.

They did not stop there. The sovereign States, in their resolve and their determination to make secure the primary authority of the States, provided in the Constitution, before they yielded any sovereignty to the Federal Government, that State legislatures could originate amendments to the Constitution. That was one more step taken by the sovereign States to insure the primary authority of the States. They did not stop there. They went even further and provided that before the Constitution of the United States could be changed in any way whatever, before there could be one iota of alteration, before one single word could be taken out of that instrument, it had to be done by amendment, and that amendment had to be ratified by three-fourths of the States of the Union. As we know, ratification by three-fourths of the States means that it must be by both houses of the legislatures of three-fourths of the States.

Then, after the delegates representing the sovereign States had finished their work of writing the Constitution, putting in all the safeguards to insure the primary authority of the States, they closed the Constitution by writing into it the declaration that the Constitutional Convention acted "by the unanimous consent of the States" present. They wanted the people to know at that time, and wanted all succeeding generations to know, including the Senators sitting here in the year of our Lord, 1962, some 174 years after the Constitution was drafted, that it was these sovereign States which had drafted and formulated the Constitution.

Furthermore, even after the sovereign States, through their delegates at Philadelphia in the Constitutional Convention, had written into the Constitution all these safeguards, all these protecting clauses to insure the primary authority of the States, the people themselves—the people back home, who had the final say, who held the final authority in the matter, and without whose voting consent there could be no Constitution—were not quite satisfied. They could look down the years, and they could see that there might be some trick of legerdemain, some resort to parliamentary tactics, whereby someone wishing to rush through some proposal, unwilling to go through the lawful and orderly processes set out and ordained in the Constitution for its amendment, would seek to read into the Constitution powers for the Federal Government which the framers of the Constitution and which the sovereign States never intended the Federal Government should have, which the framers and the sovereign States never intended should be yielded by the sovereign States to the Federal Government.

So, before the people in their State conventions were willing to ratify the Constitution, to make it effective, and bring into being the Federal Government, they said, "We must have the first 10 amendments—the Bill of Rights." And, as we know, when the Constitution was finally ratified it was well and thoroughly understood that the first 10 amendments to it would be adopted. Let me read the ninth amendment. It specifically declares:

> The enumeration in the Constitution of certain rights—

That means the enumeration of certain rights in the Federal Constitution for the Federal Government—

> The enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people.

The people insisted that, as a condition of their ratification, the Constitution should contain the ninth amendment, absolutely retaining in them the rights not specifically enumerated as rights of the Federal Government.

But the people did not stop with the ninth amendment, as Senators know. They insisted also on the adoption of the 10th amendment, and the 10th amendment was put in as a result of their insistence on a general safety clause for the rights of the State and the people.

We might call this amendment the great safety clause of the Constitution. What does the 10th amendment provide? It declares:

> The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

Could any language be stronger or more definite in absolutely safeguarding and protecting the rights of the States and the people from encroachments by the Congress of the United States, by the Federal Government, on those rights?

We recall that, even with all these safeguards in the Constitution itself to which I have called attention, and even with the agreement to adopt the 9th and 10th amendments, there was a great battle in most of the States over the ratification of the Constitution. At that time, the three most powerful and the three most influential States were Massachusetts, New York, and Virginia. In their State conventions, because of the fear that the sovereign States might be giving up too much sovereignty, that they might be putting too much power in the hands of the Federal Government, only 53 percent of the votes were for ratification.

As we recall, two of the foremost patriots of the Revolution, Patrick Henry, who sounded the tocsin of war and gave us the battle cry of the Revolution, and George Mason, who wrote the Virginia bill of rights, which gave us our Federal Bill of Rights, and the bill of rights in every State constitution—both these great patriots who had done so much to win our independence from the British Crown, to win our freedom, opposed the ratification of the Constitution. They felt, as did many of their compatriots, that there might be too great a surrender of sovereignty on the part of the States, that there might be too much yielding of power to the Federal Government.

I emphasize these points because the history of the ratification of the Constitution shows clearly that, if the sovereignty of the States and the rights of the States had not been positively recognized in the Constitution, if all these safeguards and protections for their sovereignty and their rights had not been put into the Constitution, the Constitution would never have been ratified, and we would never have had a Federal Government.

As we know, mankind had struggled through the centuries to break arbitrary power in the hands of a king. The high water mark of this struggle, to break down this arbitrary power and to bring about the distribution of this power into the hands of the people, was reached when we fought the American Revolution.

The framers of the Constitution knew that the States, with their State governments, county governments, city governments, and town governments, were the citadels of local self-government. They knew that their concept of government by the people required full and plenary recognition of the rights of the States. If the people were to hold and exercise the power of government, there had to be this recognition of the sovereignty of the States.

They were fighting against a pool of centralized arbitrary power at the seat of government. They were fighting to keep the wellsprings of our system of government in the hands of the people, in the local communities, at the crossroads, in the hamlets, the towns, and the cities. What would it have availed the people to break the tyranny of the British Crown had they themselves then set up here in Washington a government with central arbitrary powers? They were determined, after all the long sacrifice they had made and all their bitter suffering, to reserve the power in their own hands. To do this, I repeat, they knew that they had to maintain the rights of the States, because within the States are the citadels of this power. It is in the States that this power must reside. It is in the States that this power can function. And it is only in the States that this power can be preserved.

For 150 years, in fact not until these anti-poll-tax proposals first appeared, no record can be found that anyone ever questioned the provisions of article I, section 2 of the Constitution, that the electors who vote for Members of Congress shall have the qualifications of the electors who vote for the most numerous branch of the several State legislatures. Not until recent times has amendment of the Constitution even been suggested to alter this historic reservation of power in the States.

When the 14th amendment was submitted by Congress, there was no thought, no suggestion that the Congress could step in and fix or modify or change or prescribe the qualifications of the electors for Members of Congress or the qualifications of the electors for President and Vice President.

So, as I have said, for more than 172 years we have lived under the express language of the Constitution. I might say 172 glorious years, because in all the annals of human history there is no story quite so glorious as that of the progress, advancement, and happiness of the American people under the Constitution of the United States. There is nothing to surpass the freedom which our people have enjoyed to seek their own pursuits, to follow their own dictates of their minds, to advance their own interests and bring about their own development, to acquire and hold whatever their capacity, their genius, and the sweat of their toil might entitle them to.

We recall that the 17th amendment was adopted to the Constitution in 1913. That was 126 years after the ratification of the Constitution of the United States. After 126 years, when the people of the United States saw fit to change their method of electing U.S. Senators, when they desired to have their Senators elected, not by the legislatures, as provided in the original Constitution, but directly by the people themselves, what did they provide? They provided, in the 17th amendment, as follows:

> The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for 6 years; and each Senator shall have one vote.

Then there is this language:

> The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

The people adopted the same, the identical language for the qualification of electors for the U.S. Senate that was adopted for electors for Members of the House of Representatives at the very beginning. In other words, they ratified and reaffirmed the wisdom of the Founding Fathers and of the Original States in providing that the qualifications of the electors for Members of the Congress should be the qualifications requisite for electors of the most numerous branch of the State legislatures.

I think it can be said here that had the 17th amendment made any change in the fixing or determination of those qualifications, it would never have been ratified by the people of the United States. The people were determined that these qualifications should remain, to be fixed by the States, and not by either the Federal Constitution or the Congress of the United States.

Madam President, as we know, for half a century some of the finest, most patriotic, and noblest women in our country, joined by splendid, outstanding, patriotic men, carried on the campaign for the removal of sex as a qualification for voting; they carried on the campaign to have women given an equal right to vote with men. But if we examine the record we do not find anywhere that any leader in the cause for woman suffrage ever suggested that women could by legislative enactment be granted the right to vote. That campaign, which was carried on for over half a century, recognized at all times the Constitution of the United States and particularly section 2 of article I of the Constitution in its full purport and its full integrity; and that campaign from the day of its beginning until its successful conclusion, was always a campaign for an amendment to the Constitution of the United States. As we know, when the 19th amendment was ratified and became a part of the Constitution, women were put on an equal basis with men so far as sex is concerned in the matter of the qualifications of voting. This is in contrast to those who would have us abolish the poll tax by statute.

So, as I have said, when the 14th amendment was submitted and ratified, when the 15th amendment was submitted and ratified, when the 17th amendment was submitted and ratified, and when the 19th amendment was submitted and ratified, the Congress of the United States and the people of the United States ratified and reaffirmed the integrity of section 2 of article I of the Constitution of the United States.

In the very beginning article I, section 2, vested in the State governments the power over suffrage. Without the possession of this power in the States, the whole structure upon which the division of State and National authority under the Constitution and the organization of both governments rests would be without support, and the authority of both State and Nation would fall to the ground. That is the basic reason why we should not change this section by amendment.

Madam President, in 1948, Judge Charles Warren, one of the most eminent constitutional lawyers we have known, appeared before the subcommittee of the Senate Judiciary Committee, which was then conducting hearings on an anti-poll-tax measure. Judge Warren made one of the clearest, one of the most erudite, and profound analyses of section 2 of article I that I have ever read. At this time I want to call that analysis to the attention of the Senate.

Judge Warren, testifying before the subcommittee, quoted section 2 of article I. I think the section is like the words of Scripture. It will stand quoting and requoting, and then perhaps quoting again; so that if the Senate will bear with me, before I proceed to discuss Judge Warren's analysis of the section I shall read it:

> The House of Representatives shall be composed of Members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

Judge Warren then goes on to say:

> You notice that that is not a grant of power specifically to the Congress of the United States. In fact, it is not a grant of power to anyone. It is a requirement of the Constitution for the formation of the new Government. The first part of it is a requirement that the people of the several States shall choose Members of the House of Representatives every second year. That was no relinquishment or delegation of power from the States. That was a constituent part of the formation of the new Government, and was a command.

That, as Judge Warren said, was a command. It was neither a delegation of power nor was it a prohibition. It was a command, and is so referred to in recent cases by the Supreme Court.

Then Judge Warren goes on as follows:

> The second thing that section 2 did was: It vested a right in the electors in each State who have the qualifications requisite for electors of the most numerous branch of the State legislature—a right in those persons in the State, and those only, who were entitled to vote for Members of Congress.

In other words, as Judge Warren makes clear, it vested this right in the electors in the States to vote for Members of Congress. Judge Warren continues:

> That was not a delegation of power by the State, because the State never had the power to vote, the State inhabitants never had the power to vote for Members of Congress, because there were no such things.

There was no delegation of power. A State could not delegate a power which it did not possess. Certainly a State did not have any power to elect Members of Congress, because, until the formation of the Federal Government, there was no such thing as a Congress of the United States, and, of course, there were no Members of Congress.

Judge Warren continues:

> That was a direct provision in the establishment of the new Government, and it did vest a right, but it vested a right in only certain people to vote for Members of Congress.

Now, the third thing that that section 2 contains is this: It contains undoubtedly an implied prohibition on the States against fixing for electors of the Members of Congress different requirements for suffrage from those which they fixed for the electors of their own most numerous branch of their legislature, i.e., any qualifications which were not those requisite for it to render an inhabitant of their own State eligible to vote.

That is an implied prohibition. The State was prohibited from establishing any kind of qualifications for electors for Members of Congress different from the qualifications of electors for the most numerous branch of the legislatures.

Judge Warren continues:

> Let me repeat that. There is undoubtedly an implied prohibition that the States cannot establish qualifications for electors of members of their own legislature different from those which they establish for electors of Members of Congress. That is neither a delegation nor a grant of power; that is an implied restriction, undoubtedly.

Now, is there in that section 2 any grant of power whatever? Not specifically, of course. I suppose there is, under the necessary and proper clause of section 8 of article I, an implied power to Congress to do certain things, but what is the extent of those implied powers? It is to make all laws which shall be necessary and proper "for carrying into execution" the above provisions of article I, section 2.

What are the provisions? I go back again. First, Congress undoubtedly has power to legislate so as to see to it that the States do elect Members of Congress every second year. Congress undoubtedly has the power to protect the right which the Constitution vested in such persons in the States as had the qualifications requisite to vote for members of the State legislature. Congress undoubtedly has that power; and I think Congress has, under the necessary and proper clause, power to legislate so as to see that the States make the same provisions for qualification of electors of Members of Congress as they do for electors of their own legislature.

Those are the only three things that can be done under article I, section 2, and those are the only three things on which Congress can act under the necessary and proper clause, and "carry into execution" under that clause.

Madam President, let us go a little further in section 2. I think no one will contend—surely I have never found anyone who has ever contended—that Congress has any power to prescribe for the States whom they shall qualify to vote. Certainly no one has ever contended that Congress has any power to prescribe the qualifications for the electors who vote for members of the State legislature or other State officers or officials. As I said earlier in my remarks, before 1787 the States had absolutely full and unlimited power to establish any requirements which the people of the States, through their constitutions or legislatures, in their absolute discretion and judgment, desired in order to qualify any one of their inhabitants to vote for members of the most numerous branch of the State legislatures.

There was no limitation whatever upon the State, because, as I said in the beginning of my remarks, the State was absolutely sovereign, it had full and plenary sovereignty, it was subject to no other sovereignty, no other power, it was the complete master of itself, of its own actions, of its own constitution, of its own laws, of its own electors, of its own legislature, of its own officials.

As we know, at the time the Constitution was being written, in 1787, most of the States, at least nine of them, had spoken and fixed by their own constitutions the qualifications of those who should vote for the members of their own legislatures. We cannot forget, in considering this matter, that the delegates from these States knew exactly what those qualifications were in their States. They knew exactly what they were doing when they prescribed that those qualifications fixed by the States should be the qualifications for the electors for Members of the House of Representatives. It was with knowledge of these qualifications that the delegates acted in the drafting and the formation of the Constitution in the Constitutional Convention in Philadelphia.

They knew what these qualifications were, and therefore when they wrote into the Constitution that the qualifications for electors for Members of the House of Representatives should be the qualifications for the electors for the most numerous branch of the State legislatures, they knew exactly what they were doing. They knew exactly that as of that moment they were writing those qualifications into the Constitution as the qualifications for electors for Members of the House of Representatives. There can be no doubt that it was clear to them exactly what their actions meant. The same considerations that caused them to preserve and secure this power in the States are the considerations that should cause us to defeat the proposed constitutional amendment which is the subject of this debate.

Madam President, one of the greatest authorities in this country on the Constitution, and one whose viewpoint and feelings were definitely always toward the nationalistic theory, toward the idea of the centralization of power in Washington, whose views and feelings were always in favor of a centralized power of government, was Judge Story. Let me give the Senate his words, written in his commentaries. I quote from volume I, section 820, of Story's Commentaries. Judge Story declared:

> There is no pretense to say that the power of the National Government can be used so as to exclude any State from its share in the representation in Congress.

That was written before the 14th amendment. It was true when Judge Story wrote it, because it was before the adoption of the 14th amendment to the Constitution.

Judge Story goes on to make this categorical statement:

> Nor can it be said with correctness that Congress can in any way alter the right of qualification of voters.

It is interesting to note that when the Constitution went back to the States for ratification by the State conventions, certain questions were asked in some of the States about article I, section 2. The Constitution had to be ratified by at least nine of the States. In the Massachusetts convention there was a doubting Thomas by the name of Dr. John Taylor, from the town of Douglass, Mass. He wanted to be very sure about this thing. He wanted to make certain. He was fearful that section 4, the section with reference to the times, places, and manner of holding elections, not the section with reference to qualifications, might give Congress the power to prescribe a property qualification for voters in the sum, as he said of 100 pounds. He inquired of Mr. Rufus King, who, it will be recalled, was a member of the Constitutional Convention in Philadelphia and also a member of the Massachusetts convention, whether or not under section 4 Congress could in any way go into the question of qualifications. Mr. King, one of the leading members of the Constitutional Convention in Philadelphia, had this to say:

> The idea of the honorable gentleman from Douglass transcends my understanding, for the power to control given by this section extends to the manner of election, not to the qualifications of the electors.

We find that quotation from Mr. King in volume II of Elliot's Debates, pages 49 to 51.

In the Pennsylvania convention, James Wilson who had been one of the outstanding men in the Constitutional Convention at Philadelphia, made this statement:

> In order to know who are qualified to be electors of the House of Representatives—

That is, the Federal House of Representatives. They were considering the Federal Constitution, which was to bring into being the Federal House of Representatives—

> In order to know who are qualified to be electors of the House of Representatives, we are to inquire who are qualified to be electors of the legislature of each State. If there be no legislature in the States there can be no electors of them. If there be no such electors, there is no criterion to know who are qualified to elect Members of the House of Representatives. By this short, plain deduction the existence of State legislatures is proved to be essential to the existence of the General Government.

Could anything be clearer, more positive, or definite than that?

Mr. Wilson went on with reference to section 4, the section with reference to times, places, and manner, not the section as to qualifications:

> If the Congress had it not in their power to make regulations, what might be the consequences? Some State might make no regulations at all on the subject; and so the existence of the House of Representatives, the immediate representation of the people in Congress, depends upon the will and pleasure of the State governments. We find upon examining this paragraph that it contains nothing more than the maxim of self-preservation.

The great State of New York embodied a recommendation in its resolution of ratification. What did that recommendation say? What did it say, to you and me? Remember, they were talking to us. It said they ratified the Constitution "in full confidence that the Congress will not make or alter any regulation in this State respecting the times, places, and manner of holding elections for Senators or Representatives, unless the legislature of a State shall neglect or refuse to make laws or regulations for the purpose or from any circumstances be incapable of making the same."

The historic State of religious freedom, the little State of Rhode Island, ratifying the Constitution on May 29, 1789, copied without change the New York declaration, and added, after the final word of it, a comma and the words, "and that in those cases such power will only be exercised until the legislature of this State shall make provision in the premises."

Madam President, just a word about section 4 of article I. I shall not dwell on this provision, because the Supreme Court has made very clear that this section, dealing with the times, places, and manner of elections and giving Congress the power to act with reference to times, places, and manner, has nothing whatever to do and is in no way whatever germane or relevant to section 2 of article I, which deals with the question of qualifications.

The Supreme Court has made section 4 clear, and I do wish to call attention to the decisions of the Court, because I think any discussion of this subject should have some reference to the meaning of that section.

In 1931, in *Smiley* v. *Holm* (285 U.S. 355, p. 366), the Court spoke through its Chief Justice, Charles Evans Hughes. I

think no one will dispute that Charles Evans Hughes stands in the front rank among the great Chief Justices of the United States. I shall never forget the last appearance of Chief Justice Hughes before a joint session of the Senate and the House of Representatives. I can never forget the drama of that moment—the spontaneous overwhelming outpouring of tribute by all the Members of both the Senate and the House, irrespective of party lines, irrespective of whether they were Democrats or Republicans. They paid a wonderful, heartfelt, heart-stirring tribute to this great Chief Justice.

It has been my good fortune in the days I have been in Washington to know some of the members of the Supreme Court. I know the high regard in which they held Charles Evans Hughes. I know their estimate of the greatness of the man, the power, magnitude, and profundity of his intellect, his great capacity for the dispatch of business, for orderly procedure, for making certain that the Supreme Court of the United States carried on its high functions in the best of American traditions.

Mr. EASTLAND. Madam President, will the Senator yield for a question?

Mr. HILL. I yield to the distinguished Senator from Mississippi for a question.

Mr. EASTLAND. Is it not true that Charles Evans Hughes was not a Democrat or a Republican, but an American, and that he interpreted the law as it should have been interpreted, and not to please some pressure group or groups here or elsewhere in the country?

Mr. HILL. The Senator will recall that in 1916 Charles Evans Hughes was the nominee of the Republican Party for President, but all that the distinguished Senator from Mississippi has said about Chief Justice Charles Evans Hughes is certainly correct. His conscience was his guide. He had a magnificent, wonderful, and analytical mind. He was a great student of history. He had but one yardstick for measurement, and that was the Constitution of the United States and the welfare and future of our country.

Mr. EASTLAND. Does the Senator know that Charles Evans Hughes was a member of the Republican Party and the Republican Governor of New York State, as well as the nominee of the Republican Party for President, but that when he went on the bench, he was not a Democrat or Republican but was an American?

Mr. HILL. As the distinguished Senator from Mississippi has so well said, Charles Evans Hughes was the Republican Governor of New York. He was also the nominee of the Republican Party for President in 1916. But when he went on the bench, he cast aside all thoughts and all connections with the Republican Party or any other party, or any party affiliations of any kind, and sought to determine the cases presented to him according to the law, and the great provisions and principles written into the Constitution of the United States.

The Supreme Court spoke through Chief Justice Hughes in 1931. That was not too long ago to refer to the case as a recent case. The Court had this to say about section 4 of article I, the section dealing with the times, places, and manner of elections:

> The subject matter is the "times, places, and manner of holding elections for Senators and Representatives." It cannot be doubted that these comprehensive words embrace authority to provide a complete code for congressional elections, not only as to times and places, but in relation to notices, registrations, protection of voters, duties of inspectors and canvassers, and making and publication of election returns; in short, to enact the numerous requirements as to the procedure and safeguards which experience shows are necessary in order to enforce the fundamental right involved. * * * All this is comprised in the subject of "times, places, and manner of holding elections," and involves lawmaking in its essential features and most important aspect.

In this case Chief Justice Hughes had made clear that we can have our Federal Corrupt Practices Act; that we can make sure that the times, places, and manner be provided, so that the electors may duly and lawfully, and in an orderly manner, cast their ballots. That, however, has absolutely nothing whatever to do with the question of who the electors shall be, or the question of prescribing the qualification of the electors.

In other words, as Chief Justice Hughes makes clear, section 4 of article I simply prescribes the power of Congress to set forth, if necessary, the mechanism of the election. But that does not deal at all with the question of who shall be the electors. The section deals only with the orderly procedure, and the properly protected mechanism for the elector who is provided for in article I, section 2, to perform his duty of casting his ballot for a Member of the House of Representatives or a Member of the Senate.

As I stated earlier, section 4 of article I deals with the "how" of the election. It has nothing whatever to do with section 2 of article I, which deals with the "who" of the elector. They are two entirely different subjects.

I have quoted from the framers of the Constitution, showing how clearly and definitely they understood section 2 of article I to mean that the qualifications should be prescribed by the States and not by the Congress. I have quoted from the debates on the 14th amendment, showing that the authors and the advocates and proponents of that amendment held fast to the views of the framers and founders of the Constitution, that the Federal Government could not fix, prescribe, or alter the qualifications, and that the whole question of qualifications was left solely and entirely in the hands of the States.

I should now like to call the attention of the Senate to a few words to be found in Cooley's Constitutional Limitations, eighth edition, Carrington, volume 2. Mr. Cooley, a great and universally accepted authority on the Constitution, declared:

> The exclusive right of the several States to regulate the exercise of the elective franchise and to prescribe the qualifications of voters was never questioned, nor attempted to be interfered with, until the 15th amendment to the Constitution of the United States was forced upon unwilling communities (the States then lately in rebellion) by the military power of the General Government, and thus made a part of our organic law; a necessary sequence, perhaps, of the Civil War, but nonetheless a radical change in the established theory of our Government. (Brightly election cases, author's note, pp. 42, 43.)

He quotes the Brightly election cases, author's note, pages 42 and 43. He says, that the 14th amendment was a radical departure, a radical change in the established theory of our Government, that theory being, of course, to leave to the States the plenary power as to the qualification of electors.

Mr. Cooley continues:

> The right to vote is not of necessity connected with citizenship. The rights of the citizen are civil rights, such as liberty of person and of conscience, the right to acquire and possess property, all of which are distinguishable from the political privilege of suffrage.

Senators will notice that Mr. Cooley there departs from the use of the word "right" and uses the word "privilege"; not even conceding that there is any right to suffrage; that it is a privilege conferred by government, and under our Federal system conferred by the States.

The history of the country shows that there is no foundation in fact for the view that the right of suffrage is one of the "privileges or immunities of citizens."

> The right to vote is not vested, it is purely conventional, and may be enlarged or restricted, granted or withheld, at pleasure and without fault.

Then Mr. Cooley cites the case of *Blair* v. *Ridgely* (41 Mo. 161). He continues:

> In *Blair* v. *Ridgely* (41 Mo. 161), the question at issue arose out of the provision of article II, section 3 of the constitution of 1865 of the State of Missouri. By this section it was provided that no person should be deemed a qualified voter who had ever been in armed hostility to the United States, or to the government of the State of Missouri; that every person should, at the time of offering to vote, take an oath that he was not within the inhibition of this section, and that any person declining to take such oath should not be allowed to vote. The plaintiff, at an election held in the city of St. Louis on November 7, 1865, offered to vote, but refused to take the oath prescribed by the constitution. His vote being rejected, he brought his action against the judges of the election for damages.
>
> The case was taken to the Supreme Court of Missouri, where it was argued exhaustively, and with much learning, by eminent counsel, and the argument is to be found in full in the reports of the Supreme Court of Missouri, volume 41. It was contended by the plaintiff that the section of the constitution in question was in violation of the Constitution of the United States, being a bill of attainder and an ex post facto law within the meaning of that instrument, and, in consequence, null and void. But the court held against this contention, drawing the distinction between laws passed to punish for offenses in order to prevent their repetition and laws passed to protect the public franchises and privileges from abuse by falling into unworthy hands.
>
> The State may not pass laws in the form or with the effect of bills of attainder, ex post facto laws, or laws impairing the obligation of contracts. It may and has full power to pass laws, restrictive and exclusive, for the preservation or promotion of the common interests as political or social emergencies may from time to time require, though in certain instances disabilities may directly flow in consequence. It should never be forgotten that the State is organized for the public weal as well as for individual purposes, and while it may not disregard the safeguards that are thrown around the citizen for his protection by the Constitution, it cannot neglect to perform and do what is for the public good.

Mr. Cooley then said:

> It was argued in *Blair* v. *Ridgley* that the decision of the Supreme Court of the United States in *Cummings* v. *Missouri* (4 Wall. 277), where it was held that this section of the Missouri constitution, so far as it provided an oath to be taken by preachers, was in the nature of pains and penalties, and consequently void, was decisive of the Blair case. But the distinction between the right to practice a profession or follow a calling and the right to vote is clearly stated in the opinion of Judge Wagner, as follows:
>
> "The decision of the Supreme Court of the United States in the Cummings case proceeds on the idea that the right to pursue a calling or profession is a natural and inalienable right and that a law precluding a person from practicing his calling or profession on account of past conduct is inflicting a penalty, and therefore void. There are certain rights which inhere in and attach to the person, and of which he cannot be deprived except by forfeiture for crime, whereof he must be first tried and convicted according to due process of law. These are termed natural or absolute rights. * * * But is the right to vote or to exercise the privilege of the elective franchise a right either natural, absolute, or vested? It is certain that in a state of nature, disconnected with government, no person has or can enjoy it.
>
> "That the privilege of participating in the elective franchise in this free and enlightened country is an important and interesting one is most true. But we are not aware that it has ever been held or adjudged to be a vested interest in any individual.
>
> "Suffrage in the United States not being a vested right, it results that persons who have enjoyed and exercised the privilege, and who have been qualified electors, may be entirely disfranchised and deprived of the privilege by constitutional provision, and such persons are entirely without a remedy at law (McCrary, Elections, p. 9).
>
> "The whole subject of the regulation of elections, including the prescribing of qualifications for suffrage, is left by the National Constitution to the several States, except as it is provided by that instrument that the electors for representatives in Congress shall have the qualifications requisite for electors of the most numerous branch of the State legislature, and as the 15th amendment forbids denying to citizens the right to vote on account of race, color, or previous condition of servitude."

If Judge Cooley were writing these comments on constitutional limitations today, he would have to include the 19th amendment; but, these commentaries were written before the 19th amendment, and therefore he did not include the 19th amendment, which, as we know, is the women suffrage amendment.

Participation in the elective franchise is a privilege rather than a right, and it is granted or denied on grounds of general policy, the prevailing view being that it should be as general as possible consistent with the public safety—Cooley's Constitutional Limitations, eighth edition, Carrington, volume 2.

Madam President, I intend to show that the proposed amendment to abolish the poll tax contravenes in the words of Mr. Justice Story in *Terrett* v. *Taylor*, 9 Cranch 43, 52:

> The spirit * * * of the Constitution of the United States. As we know, Mr. Chief Justice Marshall spoke of the general spirit of the Constitution. Also in the early days of our Nation, Mr. Justice Johnson spoke of the spirit, intent or meaning of the Constitution and of the true spirit of the Constitution.

I should like to call the Senate's attention to some important cases which support my contention that the proposed anti-poll-tax amendment contravenes the basic intent, meaning, and spirit of the Constitution.

In 1874, the Supreme Court upheld, in *Minor* v. *Happersett*, 88 U.S. (21 Wall.) 162 (1874), a provision in the Missouri constitution limiting suffrage to men. This had been challenged as contrary to the 14th amendment. The Supreme Court, in rejecting this contention, stated, in fact, that:

> The 14th amendment did not affect the citizenship of women any more than it did of men. In this particular, therefore, the rights of Mrs. Minor do not depend upon the amendment. She has always been a citizen from her birth, and entitled to all the privileges and immunities of citizenship. The amendment prohibited by the State, of which she is a citizen, from abridging any of her privileges and immunities as a citizen of the United States; but it did not confer citizenship on her. That she had before its adoption.
>
> If the right of suffrage is one of the necessary privileges of a citizen of the United States, then the constitution and laws of Missouri confining it to men are in violation of the Constitution of the United States, as amended, and consequently void. The direct question is, therefore, presented whether all citizens are necessarily voters.
>
> The Constitution does not define the privileges and immunities of citizens. For that definition we must look elsewhere. In this case we need not determine what they are, but only whether suffrage is necessarily one of them.
>
> It certainly is nowhere made so in express terms. The United States has no voters in the States of its own creation. The elective officers of the United States are all elected directly or indirectly by State voters. The Members of the House of Representatives are to be chosen by the people of the States, and the electors in each State must have the qualifications requisite for electors of the most numerous branch of the State legislature. Senators are to be chosen by the legislatures of the States, and necessarily the members of the legislature required to make the choice are elected by the voters of the State. Each State must appoint in such manner, as the legislature thereof may direct, the electors to elect the President and Vice President. The times, places, and manner of holding elections for Senators and Representatives are to be prescribed in each State by the legislature thereof; but Congress may at any time, by law, make or alter such regulations, except as to the place of choosing Senators.
>
> It is not necessary to inquire whether this power of supervision thus given to Congress is sufficient to authorize any interference with the State laws prescribing the qualifications of voters, for no such interference has ever been attempted. The power of the State in this particular is certainly supreme until Congress acts.
>
> The amendment did not add to the privileges and immunities of a citizen. It simply furnished an additional guarantee for the protection of such as he already had. No new voters were necessarily made by it. Indirectly, it may have had that effect, because it may have increased the number of citizens entitled to suffrage under the constitution and laws of the States, but it operates for this purpose, if at all, through the States and the State laws, and not directly upon the citizen.
>
> It is clear, therefore, we think, that the Constitution has not added the right of suffrage to the privileges and immunities of citizenship as they existed at the time it was adopted. This makes it proper to inquire whether suffrage was coextensive with the citizenship of the States at the time of its adoption. If it was, then it may with force be argued that suffrage was one of the rights which belong to citizenship, and in the enjoyment of which every citizen must be protected. But if it was not, the contrary may with propriety be assumed.
>
> When the Federal Constitution was adopted, all the States, with the exception of Rhode Island and Connecticut, had constitutions of their own.
>
> These two continued to act under their charters from the Crown. Upon an examination of those constitutions we find that in no State were all citizens permitted to vote. Each State determined for itself who should have that power.

The next case to which I refer—and it is one of the best known cases—is that of *Ex parte Yarbrough* (110 U.S. 651), decided in 1894. The decision was handed down by Mr. Justice Miller. He said:

> The States in prescribing the qualifications of voters for the most numerous branch of their own legislatures, do not do this with reference to the election for Members of Congress. Nor can they prescribe the qualifications for voters for those eo nomine. They [the States] define who are to vote for the popular branch of their own legislature, and the Constitution of the United States says the same person shall vote for Members of Congress in that State. It—meaning, of course, the Constitution of the United States—"adopts the qualifications thus furnished as the qualifications of its own electors for Members of Congress."

There are many of these cases, and I shall not cite all of them. Let me come now to the case of *Wiley* v. *Sinkler* (179 U.S. 58), decided in 1900, so it may be called a 20th century case. In discussing the right to vote for Members of Congress, Mr. Justice Gray said:

> They define—

He had been referring to the States, and he means the States—

> who are to vote for the popular branch of their own legislature and the Constitution of the United States says the same persons shall vote for Members of Congress in that State.
>
> It—

Meaning the Constitution of the United States, of course—

> adopts the qualification thus furnished as the qualification of its own electors for Members of Congress.

Then in the case of *Pope* v. *Williams* (193 U.S. 621), decided in 1904, we find that Mr. Justice Peckham, in speaking for the Court, said:

> The simple matter to be herein determined is whether, with reference to the exercise of the privilege of voting in Maryland, the legislature of that State had the legal right to

provide that a person coming into the State to reside should make the declaration of intent a year before he should have the right to be registered as a voter of the State.

The privilege to vote in any State is not given by the Federal Constitution, or by any of its amendments. It is not a privilege springing from citizenship of the United States (*Minor* v. *Happersett*, 21 Wall. 162). It may not be refused on account of race, color or previous condition of servitude, but it does not follow from mere citizenship of the United States. In other words, the privilege to vote in a State is within the jurisdiction of the State itself, to be exercised as the State may direct, and upon such terms as it may seem proper, provided, of course, no discrimination is made between individuals in violation of the Federal Constitution.

The State might provide that persons of foreign birth could vote without being naturalized, and, as States by Mr. Chief Justice Waite in *Minor* v. *Happersett*, *supra*, such persons were allowed to vote in several of the States upon having declared their intentions to become citizens of the United States. Some States permit women to vote; others refuse them that privilege. A State, so far as the Federal Constitution is concerned, might provide by its own constitution and laws that no one but native-born citizens should be permitted to vote, as the Federal Constitution does not confer the right of suffrage upon any one, and the conditions under which that right is to be exercised are matters for the States alone to prescribe, subject to the conditions of the Federal Constitution, already stated; although it may be observed that the right to vote for a Member of Congress is not derived exclusively from the State law. See Federal Constitution, article I, section 2; *Wiley* v. *Sinkler*, 179 U.S. 58. But the elector must be one entitled to vote under the State statute. See also *Swafford* v. *Templeton*, 185 U.S. 487, 491. In this case no question arises as to the right to vote for electors of President and Vice President, and no decision is made thereon. The question whether the conditions prescribed by the State might be regarded by others as reasonable or unreasonable is not a Federal one. We do not wish to be understood, however, as intimating that the condition in this statute is unreasonable or in any way improper.

We are unable to see any violation of the Federal Constitution in the provision of the State statute for the declaration of the intent of a person coming into the State before he can claim the right to be registered as a voter. The statute, so far as it provides conditions precedent to the exercise of the elective franchise within the State, by persons coming therein to reside (and that is as far as it is necessary to consider it in this case), is neither an unlawful discrimination against anyone in the situation of the plaintiff in error nor does it deny to him equal protection of the laws, nor is it repugnant to any fundamental or inalienable rights of citizens of the United States, nor a violation of any implied guarantees of the Federal Constitution. The right of a State to legislate upon the subject of the elective franchise as to it may seem good, subject to the conditions already stated, being, as we believe, unassailable, we think it plain that the statute in question violates no right protected by the Federal Constitution.

The reasons which may have impelled the State legislature to enact the statute in question were matters entirely for its consideration, and this court has no concern with them.

It is unnecessary in this case to assert that under no conceivable state of facts could a State statute in regard to voting be regarded as an infringement upon or a discrimination against the individual rights of a citizen of the United States removing into the State and excluded from voting therein by State legislation. The question might arise if an exclusion from the privilege of voting were founded upon the particular State from which the person came, excluding from that privilege, for instance, a citizen of the United States coming from Georgia and allowing it to a citizen of the United States coming from New York or any other State.

In such case an argument might be urged that, under the 14th amendment of the Federal Constitution, the citizen from Georgia was by the State statute deprived of the equal protection of the laws. Other extreme cases might be suggested. We neither assert nor deny that in the case supposed the claim would be well founded that a Federal right of a citizen of the United States was violated by such legislation, for the question does not arise herein. We do, however, hold that there is nothing in the statute in question which violates the Federal rights of the plaintiff in error by virtue of the provision for making a declaration of his intention to become a citizen before he can have the right to be registered as a voter and to vote in the State.

Then in the case of *Guinn* v. *United States* (238 U.S. 347), decided in 1915, Mr. Chief Justice White declared, in reference to the 15th amendment, as follows:

> Beyond doubt the amendment does not take away from the State governments in a general sense the power over suffrage which has belonged to those governments from the beginning and without the possession of which power the whole fabric upon which the division of State and national authority under the Constitution and the organization of both governments rest would be without support and both the authority of the Nation and the State would fall to the ground. In fact, the very command of the amendment recognizes the possession of the general power by the State, since the amendment seeks to regulate its exercise as to the particular subject with which it deals.

Of course, Madam President, the amendment dealt with the one subject of race, color, or previous condition of servitude.

So the Court said that all of this reservoir of rights remained in the States, except as to the one proposition covered by the 15th amendment.

It is interesting to note that Chief Justice White in his decision referred to a statement in the argument made at the time by the Solicitor General of the United States, Mr. John W. Davis. We recall that Mr. John W. Davis, while a distinguished Member of the House of Representatives, was also an outstanding member of the Judiciary Committee of the House. He was later appointed by President Woodrow Wilson to be Solicitor General of the United States. Chief Justice White embodies the statement by Mr. John W. Davis, submitted by him as Solicitor General of the United States, for the Government of the United States, in these words:

> The United States—
>
> The U.S. Government is speaking through its Solicitor General—
>
> The United States says that State power to provide for suffrage is not disputed, although, of course, the authority of the 15th amendment and the limit on their power is insisted on—hence no assertion denying the right of a State to exert judgment and discretion in fixing the qualifications of suffrage is advanced.

If Mr. Davis were speaking today he would include the 19th amendment.

Speaking for the Government of the United States, he was saying that the Government advanced no assertion that in any way denied to the States the right to exercise their judgment and discretion in fixing the qualifications of suffrage.

Madam President, I shall refer now to the Breedlove case decided by the Supreme Court in December 1937. In *Breedlove* v. *Suttles* (302 U.S. 277), the plaintiff, a citizen of Georgia, attempted to vote in a State election and also in the Federal election held at the same time, for a Representative in Congress. He was excluded from both elections, having failed to pay the poll tax.

The case involved a Georgia tax of $1 per annum upon persons between 21 and 60 except for females who did not register and for the blind. Payment of all poll taxes, including any unpaid taxes for previous years, was a prerequisite to registration for voting. Aliens could not vote but were subject to the tax. The validity of the tax was challenged by a white male citizen. The Supreme Court, in holding the law valid, called attention to the difference between the classes of persons liable for the tax, and those qualified to vote. The Court stated that the requirement of payment before registration undoubtedly serves to aid collection from the electors desiring to vote. It also pointed out that the payment of poll taxes as a prerequisite to voting is a familiar and reasonable regulation long enforced in many States.

Mr. Justice Butler rendered the unanimous decision of the Court and said:

> Levy by the poll has long been a familiar form of taxation, much used in some countries and to a considerable extent here, at first in the Colonies and later in the States. To prevent burdens deemed grievous and oppressive, the constitutions of some States prohibit or limit poll taxes. That of Georgia prevents more than a dollar a year. Poll taxes are laid upon persons without regard to their occupations or property to raise money for the support of government or some more specific end. The equal protection clause does not require absolute equality. While possible by statutory declaration to levy a poll tax upon every inhabitant of whatsoever sex, age, or condition, collection for all would be impossible for always there are many too poor to pay. Attempt equally to enforce such a measure would justify condemnation of the tax as harsh and unjust. Collection from minors would be to put the burden upon their fathers or others upon whom they depend for support. It is not unreasonable to exclude them from the class taxed.
>
> Payment as a prerequisite is not required for the purpose of denying or abridging the privilege of voting. It does not limit the tax to electors; aliens are not there permitted to vote, but the tax is laid upon them, if within the defined class. It is not laid upon persons 60 or more years old, whether electors or not. Exaction of payment before registration undoubtedly serves to aid collection from electors desiring to vote, but that use of the State's power is not prevented by the Federal Constitution.

Madam President, to make payment of poll taxes a prerequisite of voting is

not to deny any privilege or immunity protected by the 14th amendment. Privilege of voting is not derived from the United States, but is conferred by the State and, save as restrained by the 15th and 19th amendments and other provisions of the Federal Constitution, the State may condition suffrage as it deems appropriate. The privileges and immunities protected are only those that arise from the Constitution and laws of the United States and not those that spring from other sources.

Approximately 2 years after the Breedlove decision came the Pirtle case, which arose in the State of Tennessee out of an election held in that State on the 13th day of September 1939 for a Member of Congress. There was no State election at all, as I recall; it was a special election for a Member of Congress. The plaintiff in that case was fully qualified, except for one thing: He had not paid his poll tax. He came to the polls, although he had not paid his poll tax, and demanded the right to vote, but was excluded by the election officers and denied the right to vote on the ground of such nonpayment. He brought suit in the Federal court. The suit finally went to the Circuit Court of Appeals of the Sixth Circuit, in which judgment against the plaintiff was rendered in a unanimous decision of the three judges, affirming the judgment against the plaintiff as rendered by the lower court. The opinion of the court of appeals follows the opinion of Justice Butler in the Breedlove case to which I have referred.

When the Circuit Court of Appeals for the Sixth Circuit rendered a decision against the plaintiff in the Pirtle case the plaintiff asked for a writ of certiorari from the Supreme Court of the United States. That Court, without any opinion—it did not even dignify the petition for a writ of certiorari by an opinion or by a statement of any kind—forthwith proceeded to deny the petition for the writ of certiorari, which, of course, confirmed the decision of the circuit court and the decision of the lower court.

The question of the Virginia poll tax as a prerequisite to voting was reviewed by a special three-judge court as recently as 1951 in *Butler* v. *Thompson* (341 U.S. 937), Circuit Judge Dobey, speaking for the three-judge court, quoted from *Saunders* v. *Wilkins* (152 F. 2d 235, 237), as follows:

> The decisions generally hold that a State statute which imposes a reasonable poll tax as a reasonable condition to the right to vote does not abridge the privileges or immunities of citizens of the United States which are protected by the 14th amendment. The privilege of voting is derived from the State and not from the National Government. The qualification of voters in an election for Members of Congress is set out in article I, section 2, clause 1, of the Federal Constitution which provides that the electors in each State shall have the qualifications requisite for electors for the most numerous branch of the State legislature.

Madam President, the power to prescribe the qualifications of electors was left to the States by the Founding Fathers for sound reasons—for sound reasons that were uppermost in their minds at the Constitutional Convention. I have attempted to review, in my remarks today, the thoroughness, the precision, and the meticulous care with which the Founding Fathers made it absolutely clear that this power to qualify electors, which goes to the very heart of our Federal system, was reserved exclusively to the States. At the same time, I have attempted to show that the impelling case for the preservation and continuation of this power in the States is just as valid today as it was in that great Convention in Philadelphia in 1787, and as it was in the conventions held in the various States for ratifying the Constitution.

I oppose the proposal before the Senate because it would be an impairment of this power which is the cornerstone and foundation of our whole system of government. In fact, the Constitution has been the word of life to our dual system of government. It has been the buffer and the shield for the protection of the liberties of our people and for the rights of our States.

Let us preserve the great work of the Constitutional Convention that we may preserve the rights of the States of the United States and the liberties of the people of the United States. Let us defeat this poll tax amendment and continue that which was guaranteed to the people and to the States 172 years ago by the Constitution of the United States.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. MUSKIE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ALLIANCE FOR PROGRESS

Mrs. SMITH of Maine. Madam President, it seems that it is human nature for us as individuals too often to wait until trouble develops before we take action on a matter that we should have long ago acted upon. We put off until tomorrow what we should do today.

Instead of acting to prevent trouble—we wait until the trouble develops and then we try to repair. We are not preventive minded—at least not preventive minded enough.

We are that way about the most precious thing to us individually—our own health. We fail to take regular physical examinations. We wait until after the damage has been done—and after we become ill.

And what we have done individually, we have been inclined to do as a nation—not only on our domestic problems—but on our international problems as well.

We need only look at the history of our foreign policy during the 20th century. It is true that we have shifted from isolationism to internationalism—but not of our own free will—not because we looked ahead to see the inevitability of internationalism.

We made that shift only after the damage had been done—only after world wars had broken out and we had to get involved and fight lest our country be enslaved by aggressive would-be world conquerors.

After we won World War II, we turned our eyes to Western Europe with the Marshall plan to keep the Communists from taking over Western Europe. We succeeded—so tremendous was our success that we so rebuilt Western Europe economically that now she is threatening our own economic security with keen competition.

But as we turned our eyes on Western Europe in such concentrated effort and aid, we turned our back on other areas of great potential danger to us—and we kept our back turned until international fires broke out in these areas.

First there was the Orient. But by the time we turned around to look at it, China had been lost to the Communists—and in the long run, Red China will be the greatest threat to the peace of the world and to our security—far greater than Red Russia. In fact, Red China has become a threat to Red Russia.

But we did look around in time to save half of Korea from being taken over by the Communists by taking the very costly, but necessary, stand that we did to defend South Korea and stop the Reds. In doing so, we probably saved the Philippines, Japan, and other areas of the Orient from being taken over by the Communists.

In this process of looking first exclusively to Western Europe and next to the Orient, we turned our back on our own hemispheric neighbors to the south. We turned our back on South America.

And it took the tragedy of Castro in Cuba—it took a Communist takeover just 90 miles from our shores—it took a Communist beachhead only minutes by air away from us—it took a newly established Communist nation on our threshold—to force us finally to really turn our eyes southward in our own hemisphere.

But by that time, the damage had been done. And make no mistake about it, our position throughout Latin America has been undermined by Castro's Communist control of Cuba.

I do not want to gratuitously cast myself in the role of a "I told you so" hindsight expert in these observations that I make. But on the other hand, I do think that I have a right to point out that this is not merely hindsight observation on my part.

It is not hindsight because for many years now I have been voicing such warnings about South America—and about our turning our back on South America as we looked to other areas of the world.

My warnings have been very specifically recorded in newspapers throughout the United States repeatedly. I warned against our taking for granted our fellow Americans in the southern part of the Western Hemisphere.

I did so on the pages of newspapers throughout the United States in 1950—again in 1952—and again in 1954—when I was writing a daily nationally syndicated column.

But even then I did not realize myself the depth and extent of the great danger to us from the Communists in South America. I did not, for the very simple reason that I had never been to South America. I knew only from reports that I had received in my senatorial committee work.

Now I know much more—and am in a position to know much more. It is my good fortune to have become the top Republican on the Senate Appropriations Subcommittee on Foreign Relations.

This past fall that subcommittee made a 3-week trip in South America, and in that trip I gained extremely valuable, firsthand information that I could not have gained otherwise.

For example, I talked with some of the common people—the men and women in the streets of South America. I got from them directly—from their own lips—information that I could never have obtained by staying in Washington sitting at hearings and receiving only State Department testimony.

The focal point of our trip in South America was the so-called Alliance for Progress program that was started under President Eisenhower and is now being continued with even greater emphasis by President Kennedy.

We inquired especially into what plans had been put into effect—into how the program was being received by South America—and to what extent the South American countries intended to cooperate and do their part on the self-help, mutual program.

What we found was not encouraging. What we found was disturbing. What we found was real danger to the United States, both immediate and long-range danger.

What we found was a deeply ingrained cynicism and growing lack of respect for the United States. We found real and deep trouble—which the Alliance for Progress alone cannot solve and cannot stem.

South America has acute and complex problems of housing and disease, of poverty and unemployment, of illiteracy and emotionalism—all of which are tailor made for exploitation by the Communists. And make no mistake about it—they are exploiting to the hilt.

What must be realized by the people of South America is that the Alliance for Progress is, at best, a venture of true partnership—that the United States cannot do all of the job—or even a major part of it.

Yet, from what I saw there is no real recognition of this in South America. To the contrary, to too great a degree the Alliance for Progress is viewed by South Americans as an attempt by a rich, flabby, and timid Uncle Sam to try to buy that which he is not willing to fight for himself.

Make no mistake about it, that is a result of the rampant expansion of Castroism that we have never really faced up to. The odds are that we waited too late—for South Americans are inclined to view our efforts now as a desperate attempt to get them to save us from the threat of Castroism—that we were not concerned about them until we thought they could serve our purposes.

Communism and Castroism have made their greatest inroads into the schools and the universities in South America. They seem to thrive among the intelligentsia.

Why? Perhaps it is because of such obviously needed economic and social reforms in South America that is obvious to the intelligentsia, which is composed of the "outs" and the "ins."

The students and the professors are the intelligentsia leaders of the "outs," who advocate revolution. The intelligentsia "ins" are the landed aristocracies that presently have relatively economic strangleholds over the countries and who fiercely strive for preservation of the status quo.

Where do we stand between these clashing two extreme groups as far as our proposed Alliance for Progress is concerned? In the middle, as you would expect. But the middle is the most difficult position to maintain.

We recognize that economic and social change must come if the basic problems of South America are to be met. This attitude on our part immediately antagonizes the landed aristocracy that is the ruling power in many South American countries.

But we feel that such economic and social change should come by evolution—by the more orderly method of change—rather than by the disorderly, the violent, and the overnight method of revolution.

The danger of Communist takeover of South America—the danger of successful Communist revolution in South America—the danger of Castro ultimately becoming the dictator of all South America—is in direct ratio to the degree of resistance on the part of existing ruling powers in South America to change.

For the greater the resistance to change, the greater the pressures build and the greater the choice becomes restricted to either no change at all or revolutionary, violent and bloody change. The greater the resistance to change, the less chance for change by evolution instead of change by revolution.

But the change is coming, make no mistake about that. It is inevitable. It has already started. It started the wrong way in Cuba with Castro and greatly because of Batista's dictatorial opposition to change.

The tides for evolutionary change are ebbing and running out. The tides for revolutionary change are rising. Our Alliance for Progress is aimed to vitalize the forces for evolutionary change and to stem the violent forces of revolution.

There is question in my own mind that there is enough time left for the Alliance for Progress program to stem the tide against us. Of one thing I am sure, unless we are more specific, unless we are more firm and resolute in our administration of the Alliance for Progress program, it will not only fail, but it will worsen the situation.

By specific, firm, and resolute, I mean that we have to do certain things. First, we must make it unmistakably clear to the South Americans that we will carry only a portion of the load; that this is not to be a WPA program for South America paid for solely by Uncle Sam.

Second, we must make it crystal clear that our aim is to help the people, the little people, of South America to help themselves and to improve their way of life; that we are not interested in helping just the people that rule them to perpetuate that rule.

We must make crystal clear that such aid does come from us, is from the United States, instead of being from the South American rulers. An example of this is the case of the wheat that we have sent to South America for flour for the needy.

Instead of the wheat that we give being clearly labeled as from the United States, it is mixed as flour with some inferior South American flour by the regime governing the country and put in bags indicating that all the flour comes from their South American rulers rather than from the United States. Not only do we not get credit from the little people themselves, but they get some inferior flour mixed with what we have sent down.

We need to be specific by saying that we will help finance some specific projects like the piping of water into a town, rather than committing ourselves to a grandiose and vague general program. We need to be specific and firm by stating that we will not put up any financing for a specific project until the South American country to be aided has put up the matching financing.

We need to have all our efforts channeled through one office in each country, through the embassy, rather than having several agencies operating independently of each other with the right hand not knowing what the left hand is doing.

We are fortunate in having some ambassadors in South America who are fully experienced and who have been tempered by the rough and tough day-to-day diplomatic dealings through many years. They have a realism and depth that can be gained only in this way, and for which the quiet and comfortable years of theory in cloistered halls of learning cannot be an adequate substitute for coping with the hard and ruthless realism of aggressive communism.

But we are woefully weak in some of our embassies for lack of this experience and realism. It is not because they are not trying. It is rather because they just do not know how because they just do not have the training, the experience, or the temperament for dealing with the unpleasant specter of unrelenting communism. Nor do they have the sense of urgency in coping with it—simply because they have not had to cope with it prior to their recent and sudden entry into the field of diplomacy.

They will have to get burned before they will learn and before they will develop that necessary sense of urgency and that necessary firmness based upon experience. And we just simply do not have enough time left in South America for such on-the-job training.

South America requires our most experienced and our best trained and

proved career diplomats. To the extent that it is not getting them, our efforts—whether they be the Alliance for Progress or something else—will be weakened and compromised not by design but rather by diplomatic immaturity.

A very small—but somewhat significant—personal experience of mine illustrates how our diplomatic corps fails in some important respects to make the most of our opportunities for greater ties with South America.

In Chile I was asked to make the presentation of nine ambulances given by the American people through CARE to the people of Chile. I gladly agreed. I prepared a short statement and asked that it be translated into Spanish with phonetic spelling so that my pronunciation would be correct and thus please the Chilean people more.

With considerable reluctance the U.S. Information Service officer had the translation made but he refused to have the spelling done phonetically—and he even expressed strong opposition to my speaking in Spanish at all. Well, my assistant stepped in and made a stab at phonetically spelling the last paragraph of my statement.

Consequently, I said only the last paragraph of my statement in Spanish—all the rest in English. Yet, later reports after we had left Chile were to the effect that my speaking at least one paragraph in Spanish made the greatest impression on the people of Chile of all that the subcommittee did in Chile while we were there.

Fortunately, this lack of realism and lack of cooperation on the part of the U.S. Information Service officer in Chile was in the minority. For in Peru at the request of the embassy I met with Peruvian women leaders—as I did in Argentina—and in Brazil I spoke at a school.

Some respected Members of the U.S. Senate frown upon our having any military ties with South American countries. They would have us stop all of our military assistance to South American countries.

With this I am in basic disagreement. I am because, in my opinion, the greatest friends that the United States has in South America are the members of the military forces—and the greatest enemies of communism are the members of the military forces.

It is unanimously acknowledged that in most of the South American countries, the greatest factors for political stability of each country and for opposition to communism are the military forces even though they refrain from political activity.

I think that we might bear this in mind when we look at the six South American countries, which refused to stand on our side against Castro and Communist Cuba at Punta Del Este—and compare them with certain countries that did stand with us against Castro and Communist Cuba.

From 1946 to June 30, 1961, the six South American countries that we visited last fall received substantial aid from the United States. I am not including Panama because it is a country with such close ties to us because of the Panama Canal.

Those six countries were Mexico, Chile, Argentina, Brazil, Peru, and Venezuela. Of these six, Mexico, Chile, Argentina, and Brazil all refused to stand with us against Castro and Communist Cuba. Of these six, only Peru and Venezuela stood by our side.

Yet, we had given over $600 million in aid to Mexico—over $500 million to Chile—nearly $550 million to Argentina—and $1,700 million to Brazil.

Yes; the very country that we have given the most to—is the very country that is potentially, at least, if not in fact, the most unfriendly country to us in South America—Brazil, which shows the greatest tendency to go Communist and to the side of Castro and Russia.

Now the very interesting aspect of this aid that we have given in the past to these four South American countries that stood against us at Punta del Este is that practically all of that aid was economic assistance and very, very little was in the form of military assistance.

Of the aid to Mexico, less than 1 percent of it was military assistance. Of the aid to Chile, less than 10 percent of it was military assistance. Of the aid to Argentina, less than 3 percent of it was military assistance. Of the aid to Brazil, only 10 percent of it was military assistance.

Now how do these percentages compare with the South American countries we visited and which had received our aid in the past and which did stand by our side at Punta del Este against Castro and Communist Cuba?

Well, of the aid received by Venezuela from us, more than 40 percent of such aid—nearly half—was in military assistance. Of the aid we gave Peru, more than 17 percent was in military assistance.

From these comparisons, it is quite clear that the nations to whom we gave the higher percentage of military assistance in our overall assistance, were the very nations that stood by us when the chips were down at Punta del Este and that the nations to whom we gave so very little percentagewise in military assistance were the very nations that deserted us when the chips were down at Punta del Este.

In view of this, I say that we should give more military assistance to South American countries instead of less as is being advocated by some. For from these figures, it appears that the less military assistance we give and the more nonmilitary assistance we give, the more a South American country has a tendency to turn its back on us.

Let us compare the South American country that has been against us the most with the South American country that probably has stood on our side more than any other South America country—Brazil versus Venezuela.

We have given Brazil more than 16 times as much overall assistance as we have given Venezuela. On top of that, we have slapped Venezuela in the face with the restrictions we have placed on Venezuelan oil imports. Yet Brazil is the South American nation most unfriendly to us—and Venezuela is the South American nation that has stood loyally by our side.

Of the six South American nations that we visited last fall and which have received aid from us, all of the four that stood against us at Punta del Este have received substantially more aid from us than the two that stood by our side—Venezuela and Peru.

We have gained one country—Argentina—since that conference. But again it has been the military that gave us that gain when military leaders forced the Government to withdraw recognition of Castro.

This simply does not make sense. Why should we give more aid to those who stand against us—than we do to those who stand with us? Under such a pattern, do we not encourage South American countries to stand against us with the prospects that they can get more out of us that way than by supporting us?

But this is not a new pattern. We have seen it before in the comparisons between what we do for Communist Yugoslavia as compared to what we do for anti-Communist Spain.

Yes; our greatest danger today is not in Berlin, Vietnam, Laos, or the Congo. Instead it is right here on our very doorstep with our neighbors to the south. And, as I have pointed out, our hemispheric trouble is largely of our own making. We have literally accommodated our Communist enemies by our timid and stupid policies.

Trouble in South America—Latin America—has been building up for us for years. However, the greatest trouble in Latin America did not explode for us until last year in 1961. It was our dismal failure on the halfhearted, timid, straddling attempted invasion of Cuba to overthrow Communist Dictator Castro. And the key to the failure of that ill-fated invasion was the calling off of the indispensable air support to the landing forces.

This is the core—this is the heart—of our trouble in Latin America. All too tragically it is the base around which Khrushchev and Castro and their Communist aggressors make such effective psychological gains against us with Latin Americans.

About this there is no doubt in my mind after talking with the people of Mexico, Peru, Chile, Argentina, Brazil, and Venezuela. In talking with them, I asked them what was the one thing they held most against the United States. And without exception, they replied that it was our failure to have the courage to slap down Castro with his Communist beachhead just 90 miles from our shores.

My response to them on this was that many of the leaders of our administration took a view, which was apparently the prevailing view and the accepted policy in view of the call-off of the air cover for the landing forces, that should the United States have made an all-out invasion and thrown Castro out, our country would have alienated all of the Latin American countries as those countries would have condemned such action.

Their reaction to this argument was again strikingly unanimous. It was simple but it was pointed and direct. They acknowledged that they probably would have voiced some criticism—but they cautioned that as far as Latin Americans were concerned, respect was far more important than friendship. I think they are right—and I do not think that they are basically different from the people of any area of the world.

For, in my opinion, friendship follows respect—rather than respect following friendship. If we are ever to have stronger ties with Latin America and stem the Communist tide in that area of the world, the first thing that we will have to do is to reestablish respect and confidence. Friendship will come later.

We cannot buy the respect, the confidence and the friendship of Latin America and her people with money and economic aid—whether it be in the form of the Alliance for Progress or any other economic form. To the contrary, the danger is far greater that such financial aid or bait will only invite contempt and interpretation that we are weak. It involves the great risk of creating resentment on the part of the very proud Latin American people that their good will and independence is so shallow that it can be bought by us.

For after our shockingly supine and humiliating record on the halfhearted, timid invasion of Cuba, the Latin Americans made one telling observation to me again and again and again. They said, "If you will tolerate a Communist Castro-controlled Cuba just 90 miles from your shore—if you do not have the will, the courage and the determination to resist that close to your own country, then why do you think that we have any real confidence that the United States would come to our defense hundreds and thousands of miles further distant from your shores if the Communists invaded?"

They went on to say that while they welcomed our aid and our newly generated interest, their confidence and respect for us had been shattered on our record on Cuba. They put it bluntly when they said that while they liked us better than Castro, they had greater respect for Castro because we had let him give us an ignominious licking when we did not have to. That he showed that he would stand up and fight—when we would not.

The motives of the Alliance for Progress are most admirable—and I deeply wish success for the program. But let us be realistic; it is not going to win Latin America firmly to our side—any more than the beneficent tumultuous Presidential good-will trips to Latin America—by itself.

In fact, it is not going to be even moderately successful or have any long-lasting hemispheric security effect until we first reestablish respect for our Nation with Latin America—unless we rebuild an image of will and determination.

The damage of the Cuban fiasco will last for generations because it has tarnished our hemispheric and international image almost beyond repair. This was the one overpowering impression of my visit to Latin America—matched only by the inescapable conclusion that the key to reparation of this frightful damage is the desperately needed rebuilding of respect.

Mr. AIKEN. Madam President, will the Senator yield?

Mrs. SMITH of Maine. I yield.

Mr. AIKEN. The Senator from Maine has delivered another of her great speeches. It is a speech which should be and I believe will be read and heeded by the people, and particularly the officials of North America and South America.

The Senator from Maine is completely right when she says that much of the unsavory conditions which exist in Latin American countries today are our fault, or at least we must bear part of the blame for the conditions which exist. For too long we have failed to recognize or we have refused to recognize the important position of Latin America in the world. We have chosen to gloss over and pretend not to see the conditions which prevail among the people of Latin America, and we have also failed to appreciate the concert of interest between our country and the countries which lie to the south of us. We must learn that problems cannot be solved by glossing over the facts or in refusing to see conditions as they exist.

I know that not everyone will like the speech which the Senator from Maine has just delivered. She never makes a speech unless she has a purpose. There are always those who disagree with that purpose. But she has performed a service even for the people who will disagree with what she has said. I wish to congratulate her on having the courage to say something which probably should have been said some time ago. We are very fortunate that the Senator from Maine is a Member of this body, because sometimes she speaks out when the rest of us remain silent. Again I congratulate her.

Mrs. SMITH of Maine. Madam President, the distinguished senior Senator from Vermont has paid the senior Senator from Maine one of the greatest compliments that has been paid to her during her career in the Senate. As a member of the Committee on Foreign Relations and the Committee on Agriculture and Forestry, the senior Senator from Vermont is a great authority on South American affairs. I thank him from the bottom of my heart for his kind words.

Mr. MUSKIE. Madam President, will the Senator yield?

Mrs. SMITH of Maine. I am very glad to yield to my distinguished colleague.

Mr. MUSKIE. I have listened with great interest to the statement made this morning by my senior colleague. One does not have to agree with all of her conclusions to agree that her observations are pointed, timely, and are an important contribution to the discussion of our problems in Latin America and to our understanding of their complexity and difficulty. I particularly liked the thoughtful, clear-cut, and appropriate specific suggestions with respect to what we must do.

Mrs. SMITH of Maine. Madam President, I greatly appreciate the words of my distinguished junior colleague from the State of Maine. I think that one of the greatest needs in public office is to learn how to disagree agreeably, and certainly the junior Senator from Maine has spoken very kindly with respect to my remarks.

Mr. MUSKIE. Madam President, will the Senator yield further?

Mrs. SMITH of Maine. I yield.

Mr. MUSKIE. I would like to say that I may not necessarily disagree with all the conclusions of my senior colleague. I look forward to the opportunity of evaluating her observations more carefully before I reach a final conclusion. I did not mean to suggest by my previous comments an arbitrary disagreement with what she said.

Mrs. SMITH of Maine. My colleague is very kind to tell me how he feels about my presentation. I was trying to indicate that we sit on opposite sides of the aisle. He has the ability of appearing sometimes to disagree, but doing so very agreeably.

Mr. STENNIS. Madam President, will the Senator yield?

Mrs. SMITH of Maine. I am glad to yield to the distinguished Senator from Mississippi.

Mr. STENNIS. Although I did not hear all of the speech of the Senator from Maine because of divided duties today, I heard enough of it to know that it has great merit. I would know that what she has said is the fact anyway, because of her great contributions in the Senate in the past. I know her earnest, thorough, and fine analysis and approach to all of such problems. I was particularly interested in her evaluation of the problems of the South American people and her constructive suggestions.

I have the privilege of being a member of the Subcommittee on Appropriations of which the Senator from Maine is also a member. I thought I had about completed my preparations to make the same survey the Senator from Maine made. At the last moment I discovered that I had to remain here with reference to other assignments that we have together. Therefore I have been looking forward for a long while to her report. I know that it will be of great value to all of us in the Senate and to the people of the Nation. I thank her very much for her fine contribution.

Mrs. SMITH of Maine. Madam President, I wish to thank the distinguished Senator from Mississippi, with whom I am privileged to serve on the many committees of which we are both members. He has had much to do with my interest and effort as a member of the Committee on Armed Services, as well as the Committee on Foreign Relations. It was with great regret that I learned that the Senator from Mississippi decided not to accompany us on the trip. He would have added much to our survey.

Mr. DWORSHAK. Madam President, will the Senator yield?

Mrs. SMITH of Maine. I am glad to yield to the Senator from Idaho.

Mr. DWORSHAK. I heard most of the Senator's keen, analytical comments

on the trip which was made last fall to South American countries. I was one of the six Senators in that group. I had my first experience in visiting Latin America. I was amazed, as was the Senator from Maine, to learn that while most of the people were sympathetic and felt kindly toward the United States, especially the people of the United States, those in charge of the government too frequently reflected some hostility. I know that the Senator agreed with the other members of the group that that was the very exceptional aspect of the trip, and that the three minority members and the three majority members were in almost complete agreement on the conclusions that were reached.

I wish to commend the Senator from Maine for her efforts to do everything possible to make the Alliance for Progress program successful. I share her apprehension and her fear that while the United States may be willing to make available the billions of dollars it is making available to implement the financial aspects of this program, there is a total lack of awareness that the program will fail unless we insist upon wholehearted cooperation on the part of the beneficiary nations. By that I mean that I do not believe the President in his recent statement concerning foreign aid is justified in taking the position—although I am sure he does it in the hope that the program will be successful without the cooperation of the beneficiary countries—that we should make these billions of dollars available without their cooperation, but that the program will not prove worthwhile in any way unless we do have full compliance by the Latin American countries in making the tax reforms and the land reforms which are a basic part of the overall concept of strengthening these countries, so that they can resist effectively the Communist aggression. Does the Senator from Maine agree with me in that conclusion?

Mrs. SMITH of Maine. I agree completely. I thank the Senator from Idaho, with whom I have had the privilege of serving on the Appropriations Committee, and with whom I had the privilege of serving for a number of years in the House of Representatives. I appreciate what he has said, because ours was a very hard working committee. We held long hearings. To have the Senator from Idaho say what he has said makes me feel doubly sure that I was right in the interpretations of the effort that was put into it. I thank him very much.

Mr. MUSKIE. Madam President, will the Senator yield?

Mrs. SMITH of Maine. I yield to my colleague from Maine.

Mr. MUSKIE. On the point which the distinguished Senator from Idaho has made, I should like to ask my senior colleague what would be the reaction in the South American countries with respect to the kind of firm policy which she has outlined, and to which I subscribe; namely, the insistence upon internal reforms which are so necessary.

Mrs. SMITH of Maine. I believe the people need to be told about it. The people in South America are like our own people. They are proud. I am speaking about the mass of people. There are exceptions, of course. However, the people of South America are proud. They are anxious to get ahead. They want to do their part in the present great world conflict. However, they have not been told sufficiently to know that they must meet the requirements before they can go into the Alliance for Progress program. That is a matter that they must understand. They certainly must have a full understanding of that point. The committee which toook the trip—and I would like the Senator from Idaho to express himself on this point—had a great deal to do with having the people, with whom we met, understand better what the purpose of the Alliance for Progress was, and the plan under which it could operate.

What they need more than what is being done is many small projects, projects which could be effective in giving them a better standard of living and a better chance to carry on for themselves. They are a proud people, and they want the facts to be told to them.

Mr. MUSKIE. Madam President, in referring to the need for understanding on their part, is the Senator from Maine referring to their government and their leaders, or to the grassroots citizens?

Mrs. SMITH of Maine. The grassroots citizens must understand what is required. Their leaders would well have a better understanding of it. The leaders must be realistic, of course, I may say.

Mr. MUSKIE. Is it the desire of the South American governments and of the leaders of those countries that the grassroots citizens do understand these requirements for reform?

Mrs. SMITH of Maine. That is a question that would have to be answered by the leaders of the South American countries. The Senator from Maine would not want to interpret their feelings.

Mr. MUSKIE. Would the Senator say that this is a key point in the program in South America, as to whether or not we can get the cooperation of these governments and the leaders of these countries in spreading the message of our requirements to the grassroots citizens of the countries?

Mrs. SMITH of Maine. Yes, I think it is. The junior Senator from Maine has brought up a very vital point. The leaders of the South American countries must understand that this is a program to help improve the standards of living of the masses of their people, and to give them a chance to contribute in the field of world affairs, as they have a right to do.

Mr. MUSKIE. Would the Senator say that we ought to be making an effort ourselves, or perhaps a more effective effort ourselves, in communicating this message, perhaps by bypassing the government leaders, in a sense, to the rank and file people of South America?

Mrs. SMITH of Maine. I would not want to attempt at this time to go into the details of how to bring this about. I would be very glad, when there is an opportunity, to do so. I have some very specific ideas on the subject. I believe that the embassies in the various countries could do a great deal, as I said in my remarks, if all ambassadors were career people, and had been seasoned, and understood what it takes to do the job well.

Mr. MUSKIE. I thank my colleague.

Mr. DWORSHAK. Madam President, will the Senator yield?

Mrs. SMITH of Maine. I yield.

Mr. DWORSHAK. I am in thorough accord with the Senator's comment that it will take exceptional efforts on the part of the representatives of our Government to make the people of the South American countries fully aware of our long-term objectives. I am sure the Senator will recall that in the various conferences we held with representatives of the U.S. Information Agency, the Agency for International Development, and the representatives of the various embassies in the countries we visited, it was apparent that there was an appalling lack of understanding of any of the objectives of the Alliance for Progress program. By that I mean that for too many years there has been a softness displayed by our representatives in the various countries, on the basis that that would be conducive to building up a more friendly relationship between the United States and those countries, while actually the only way this program can succeed is by having the kind of representation on the part of the agencies which administer these various programs in an effort to impress upon the beneficiary countries that only through their self-help efforts can there be the required response and cooperation upon which the entire program rests. Does the Senator from Maine agree with me on that?

Mrs. SMITH of Maine. I agree completely. I appreciate the Senator's contribution to the discussion.

Mr. MUSKIE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. METCALF in the chair). The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. MUSKIE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE ALEXANDER HAMILTON NATIONAL MONUMENT — AMENDMENT TO THE CONSTITUTION DEALING WITH POLL TAXES

The Senate resumed the consideration of the motion of the Senator from Montana [Mr. MANSFIELD] to proceed to the consideration of the joint resolution (S.J. Res. 29) providing for the establishing of the former dwelling house of Alexander Hamilton as a national monument.

Mr. ROBERTSON. Mr. President, in the news column of my hometown paper, the Lexington Gazette of March 24, 1837, there appears this item:

THE GLOBE SAYS

When General Jackson came from the Hermitage to the Presidency he took an outfit from his private means of $5,000. This

he expended, and lost an additional amount by his 8 years' absence from his estate in Tennessee, and the burning of his house and furniture. On squaring his accounts in Washington, he had scarcely as much money left of his 8 years salary as would pay his expense to Tennessee.

Most of us concerned about deficits in our Federal budget and increases in our national debt know that Andrew Jackson, as President of the United States, balanced the budget and also paid off the national debt in its entirety. Yet not many Members of the Congress may be aware that Andrew Jackson, after spending 8 years in the White House and after investing $5,000 of his own funds at a time when the dollar was worth many times more than it is today, had scarcely enough money left to pay his expenses in order to travel back home.

Thanks to men like Andrew Jackson who believed in both personal and political frugality, our experiment in representative democracy was able to work. Unfortunately, others have repudiated the traditions of our Founding Fathers, and especially the principles of States' rights and Government economy by Thomas Jefferson and Andrew Jackson, and they are building up public debts that could eventually wreck our Government.

Nearly $300 billion of our public debt is now outstanding. But that liability is only a small part of what the Government owes. We have contingent liabilities of many more billions of dollars for Federal guarantees and insurance as well as for such items as insured bank deposits, commitments to veterans for future compensation and pensions under present programs, and unfunded contract authorizations.

Mr. President, according to the Treasury Department, over $361 billion was outstanding in mid-1961 in certain long-range commitments and contingencies of the U.S. Government. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a release prepared by the Treasury Department on this subject.

There being no objection, the release was ordered to be printed in the RECORD, as follows:

LONG-RANGE COMMITMENTS AND CONTINGENCIES OF THE U.S. GOVERNMENT AS OF JUNE 30, 1961

The attached statement covers the major financial commitments of the U.S. Government, except the public debt outstanding and those involving recurring costs for which funds are regularly appropriated by the Congress and are not yet obligated, such as aid to States for welfare programs and participation in employee-retirement systems. The statement is segregated into four categories: namely (a) loans guaranteed and insured, etc., by Government agencies; (b) insurance in force; (c) obligations issued on credit of the United States; and (d) undisbursed commitments, etc.

The items appearing in this statement are quite different from the direct debt of the United States. They are programs of a long-range nature that may or may not commit the Government to expend funds at a future time. The extent to which the Government may be called upon to meet these commitments varies widely. The liability of the Government and the ultimate disbursements to be made are of a contingent nature and are dependent upon a variety of factors, including the nature of and value of the assets held as a reserve against the commitments, the trend of prices and employment, and other economic factors.

Caution should be exercised in any attempt to combine the amounts in the statement with the public debt outstanding for that would involve not only duplication but would be combining things which are quite dissimilar. As indicated by the enclosed statement, there are $109.3 billion of public debt securities held by Government and other agencies as part of the assets that would be available to meet future losses. The following examples illustrate the need for extreme caution in using data on the contingencies and other commitments of the U.S. Government.

1. The Federal Deposit Insurance Corporation had insurance outstanding as of June 30, 1961, estimated to be $152.8 billion. The experience of the Federal Deposit Insurance Corporation has been most favorable. During the period this Corporation has been in existence, premiums and other income have substantially exceeded losses which has permitted the retirement of Treasury and Federal Reserve capital amounting to $289.3 million (all repaid to Treasury), and the accumulation of $2.3 billion reserve as of June 30, 1961. The Corporation's holdings of public debt securities as of that date amounted to $2.4 billion which already appears in the public debt total. Out of $288.7 billion of assets in insured banks as of June 30, 1961, $66.1 billion are in public debt securities (also reflected in the public debt). The assets, both of insured banks and the Federal Deposit Insurance Corporation, as well as the continued income of the Corporation from assessments and other sources, stand between insured deposits and the Government's obligation to redeem them.

2. The face value of life insurance policies issued to veterans and in force as of June 30, 1961, amounted to $41.7 billion. This does not represent the Government's potential liabilities under these programs since some of these policies will probably be permitted to lapse and future premiums, interest, and the invested reserves amounting to $6.9 billion of public debt securities should cover the normal mortality risk.

3. Under the Federal Reserve Act of 1913, as amended, Federal Reserve notes are obligations of the United States which, as of June 30, 1961, amounted to $26.7 billion. The full faith and credit of the United States is behind the Federal Reserve currency. These notes are a first lien against the $49.3 billion of assets of the issuing Federal Reserve banks which includes $27.3 billion of Government securities already included in the public debt. These notes are specifically secured by collateral deposited with the Federal Reserve agents which, as of June 30, 1961, amounted to $21.2 billion in Government securities and $9 billion in gold certificates.

Long-range commitments and contingencies of the U.S. Government as of June 30, 1961

[In millions of dollars]

Commitment or contingency and agency	Gross amount of commitment or contingency	Public debt securities held by Government and other agencies
Loans guaranteed, insured, etc., by Government agencies:		
Agriculture Department:		
Commodity Credit Corporation	(1)	
Farmers' Home Administration:		
Farm tenant mortgage insurance fund	182	
Civil Aeronautics Board	25	
Commerce Department:		
Federal Maritime Board and Maritime Administration:		
Federal ship mortgage insurance revolving fund	[2] 355	
Development Loan Fund	1	
Export-Import Bank of Washington	(3)	
Housing and Home Finance Agency:		
Federal Housing Administration:		
Property improvement loans	[4] 418	104
Mortgage loans	34,116	653
Office of the Administrator:		
Urban renewal fund	713	
Public Housing Administration:		
Local housing authority bonds and notes (commitments covered by annual contributions)	2,925	
Local housing authority temporary notes (guaranteed)	813	
Interstate Commerce Commission	126	
Small Business Administration:		
Revolving fund	[5] 22	
Reconstruction Finance Corporation liquidation fund	(6)	
Loans guaranteed, insured, etc.—Continued		
Treasury Department:		
Reconstruction Finance Corporation liquidation fund	[6] 2	
Defense Production Act of 1950, as amended	[6] 14	
Federal Civil Defense Act of 1950, as amended	[6] 2	
Veterans' Administration	[7] 16,394	
Defense Production Act of 1950, as amended	171	
Total loans guaranteed, insured, etc., by Government agencies	56,279	757
Insurance and guarantees in force:		
Agriculture Department:		
Federal Crop Insurance Corporation	[8] 263	
Commerce Department:		
Federal Maritime Board and Maritime Administration:		
War risk insurance revolving fund	132	
Export-Import Bank of Washington:		
War risk and expropriation insurance	[9] 1	
Federal Deposit Insurance Corporation	[10] 152,780	2,440
Held by insured commercial and mutual savings banks		90,091
Federal Home Loan Bank Board:		
Federal Savings and Loan Insurance Corporation	[10] 62,583	384
Held by insured institutions		4,723
International Cooperation Administration:		
Industrial guarantees [11]	482	

See footnotes at end of table.

Long-range commitments and contingencies of the U.S. Government as of June 30, 1961—Continued

[In millions of dollars]

Commitment or contingency and agency	Gross amount of commitment or contingency	Public debt securities held by Government and other agencies
Insurance and guarantees in force—Continued		
U.S. Information Agency		
Informational media guarantees	7	
Veterans' Administration:		
National service life insurance	40,311	5,866
U.S. Government life insurance	1,349	1,071
Total insurance and guarantees in force	257,867	80,555
Obligations issued on credit of the United States:		
Postal savings certificates:		
U.S. Postal Savings System	[12] 700	721
Canal Zone Postal Savings System	[13] 5	5
Total postal savings certificates	705	726
Other obligations: Federal Reserve notes (face amount)	26,736	[14] 27,253
Undisbursed commitments, etc.:		
To make future loans:		
Agriculture Department:		
Commodity Credit Corporation	7	
Disaster loans, etc., revolving fund	(3)	
Farmers' Home Administration:		
Farm tenant mortgage insurance fund	1	
Loan programs	19	
State rural rehabilitation funds	1	
Rural Electrification Administration	860	
Development Loan Fund	1,137	
Export-Import Bank of Washington:		
Regular lending activities	2,107	
Housing and Home Finance Agency:		
Office of the Administrator:		
College housing loans	314	
Public facility loans	36	
Urban renewal fund	592	
Housing for the elderly	2	
Public Housing Administration	207	
Interior Department:		
Bureau of Commercial Fisheries:		
Fisheries loan fund	(3)	
Defense Minerals Exploration Administration:		
Defense Production Act of 1950, as amended	(3)	
Undisbursed commitments, etc.—Continued		
To make future loans—Continued		
International Cooperation Administration:		
Loans to foreign countries [15]	1,219	
Small Business Administration (revolving fund)	112	
Veterans' Administration (veterans' direct loan program)	44	
Total undisbursed commitments to make future loans	6,667	
To purchase mortgages:		
Housing and Home Finance Agency:		
Federal National Mortgage Association:		
Secondary market operations	126	
Special assistance functions	418	
Total commitments to purchase mortgages	544	
To guarantee and insure loans:		
Agriculture Department:		
Farmers' Home Administration:		
Farm tenant mortgage insurance fund	6	
Commerce Department:		
Federal Maritime Board and Maritime Administration:		
Federal ship mortgage insurance revolving fund	110	
Housing and Home Finance Agency:		
Federal Housing Administration	6,077	
Defense Production Act of 1950, as amended	35	
Total commitments to guarantee and insure loans	6,228	
To purchase investment company debentures:		
Small Business Administration (revolving fund)	38	
Unpaid subscriptions, etc.:		
International Bank for Reconstruction and Development	5,715	
Inter-American Development Bank	370	
International Development Association	247	
Total unpaid subscriptions, etc.	6,332	

[1] Guarantees of loans and certificates of interest, included in the Corporation's balance sheet with the direct loans, amounted to $606,000,000 as of June 30, 1961.
[2] Includes accrued interest.
[3] Less than $500,000.
[4] Represents the Administration's portion of insurance liability. The estimated amount of insurance in force and loan reports in process, as of June 30, 1961, is $1,610,000,000. Insurance on loans shall not exceed 10 percent of the total amount of such loans.
[5] Excludes $17,000,000 deferred participations (guaranteed loans) representing estimated amount not requiring purchase.
[6] Represents deferred participations.
[7] Represents the Veterans' Administration portion of insurance liability. The total amount of loans in the hands of private lenders is estimated at $29,861,000,000.
[8] Represents estimated insurance coverage for the 1961 crop year.
[9] Excludes political risk export guaranties amounting to $164,000,000.
[10] Estimated insurance liability.
[11] The Export-Import Bank of Washington acts as agent in carrying out this program.
[12] Excludes accrued interest.
[13] Includes public debt securities amounting to $21,235,000,000 that have been deposited by the Federal Reserve Bank system with the Federal Reserve agents as specific collateral.

NOTE.—The above figures are subject to the limitations and precautionary remarks, as explained in the note attached to this statement.

Mr. ROBERTSON. Mr. President, actually, the contingent liabilities of the Federal Government go well beyond the total of $361 billion set forth in the Treasury Department's statistics. To cite only a few examples: There is a large but unmeasured liability of the Federal Government for insured mail in transit. For the civil service employee retirement fund, the unfunded accrued liability—or deficit—exceeded $32.5 billion in mid-1961. A more remote but, nevertheless, outstanding contingent Federal liability, approaching $7.8 billion in mid-1961, consisted of Maritime Administration war risk insurance binders outstanding.

In addition to huge liabilities such as these, the Treasury Department reported unfunded contract authorizations of over $11.7 billion outstanding in mid-1961, plus more than $26.2 billion in unused authorizations to expend from debt receipts by drawing funds out of the Treasury through back-door financing without requiring prior appropriations.

Nor is this all. In addition to the $440 billion in Federal guarantees, insurance, and contingent liabilities that I have already mentioned, there is, of course, the public debt now approaching $300 billion. On top of these amounts should be placed accrued military pensions and commitments to veterans for future pensions and compensation, totaling $100 billion or more. Mr. President, I ask unanimous consent to have printed at this point in the RECORD, an article written by Maurice H. Stans, former Director of the Bureau of the Budget, and published in the Washington Post, February 19, 1962, in which he states that Federal commitments and contingencies exceed $1 trillion. That would be more than $1,000 billion.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

UNCLE SAM FACES $1 TRILLION DEBT

(By Maurice H. Stans)

Treasury Secretary C. Douglas Dillon has asked for a $10 billion increase in the ceiling on our national debt. This would bring it to an all-time high of $308 billion.

The Congress has indicated that it will deal with this request in two installments. An increase of $2 billion will undoubtedly be authorized immediately, as an emergency measure, to permit enough new funding to pay current bills. This will bring the debt total to the magic line of $300 billion.

Above this amount, Dillon will have tougher sailing, and the Congress may give him only a part of the additional $8 billion he wants. Senator HARRY F. BYRD, Democrat, of Virginia, longtime champion of solvent government, has announced that his Senate Finance Committee will hold hearings on the state of the Government's financial position before voting any further increases. By the time the hearings are concluded, the Senator will have some shocking news to report to the American people.

INTEREST IS $9 BILLION

The annual interest on the national debt is now running above $9 billion, and for the last several years this carrying cost, without any payment on the debt itself, has been taking 11 cents of every dollar of Federal taxes collected. And the chances that any of this debt will ever be paid off seems less and less as time goes on.

This is quite a contrast with the past. From the beginning of the Nation in 1789 until recent years, a major objective of every President was to pay off the national debt. It was done once—by Andrew Jackson in 1834. But each succeeding war built the debt to a new plateau; intervening efforts

accomplished reductions but never eliminated the entire amount.

Even so, at the end of fiscal 1916, the debt was only a little more than a billion dollars. By the end of World War I, it had soared above $25 billion. From this high point it was reduced in 11 consecutive years, cutting it by more than one-third to $16 billion in 1930.

From there it begin an upward climb, through wartime and peacetime, with the budget in the red 26 years out of 32. The depression years increased the debt regularly, and it had reached nearly $50 billion before the outbreak of World War II. At the close of the war it was $270 billion. Three subsequent surpluses by Truman and three more by Eisenhower could not match the costs of the Korean war and the intervening peacetime deficits. The current year's spending will push the debt to $300 billion, or more, and the end is not in sight.

CREDIT CARD GOVERNMENT

Up to now I have been referring only to the interest-bearing debt. But this isn't all that we owe as a nation. By a continuing policy of national extravagance, we have been committing the Government's future resources beyond this to an incredible degree. We have adopted in Washington a program of "credit-card government" that is placing a burden of staggering proportions on our children and grandchildren.

As Director of the Budget, I undertook in 1960 to add up all the liabilities of our Government. Here are some of them. We owe $30 billion in unfunded pensions to retired civilian employees of the Government. We owe almost $40 billion in accrued pensions to retired military servicemen. The total of our present commitments to veterans for future pensions and compensation (not counting many other benefits) is in excess of $300 billion. All of this $370 billion is for past services and in the financial statement of a business would be accounted for among liabilities.

Then there are many other present contractual or legislated government undertakings that will have to be financed in the future. Taking all of them—housing subsidy contracts, shipping subsidies, the Interstate Highway System, unfinished public works projects, unpaid purchases of military supplies and many others—this group adds up to more than $150 billion in further bills to be met in the coming years.

SOCIAL SECURITY, TOO

Altogether, counting the interest-bearing debt of $300 billion and the other obligations and commitments I have mentioned, we have placed a mortgage of over $800 billion on our national future to be met in taxes. This does not include untold billions of dollars in guarantees by the Government on housing loans and other mortgages, bank deposits and other savings and so on.

Even this is not the full story. Under our social security system, we have scheduled a series of benefits that far exceed, in actuarial terms, the resources that would be available at present tax rates. This deficiency, which can only be made up out of future tax increases already provided in the law, is another $250 or $300 billion.

This makes the total present undertakings of the Government, to be paid from future taxes, in excess of a trillion dollars. And that is beyond the regular annual costs of defense, welfare and other Government activities.

This is a national debt of more than $22,000 for every family of four in the country. Quite a spending spree we've been on for the last 30 years, isn't it?

Mr. ROBERTSON. Mr. President, if only the leaders of our Nation today placed the same premium on economy in Government as did Thomas Jefferson, America would not be in such a precarious financial position. In 1816 Jefferson said in a letter to William Plumer, then Governor of New Hampshire:

> I * * * place economy among the first and most important of republican virtues, and public debt as the greatest of the dangers to be feared.

And in another letter, Jefferson wrote to Samuel Kercheval, also in 1816:

> And to preserve their [the people's] independence, we must not let our rulers load us with perpetual debt. We must make our election between economy and liberty, or profusion and servitude.

In a third letter, this one written to Thomas Cooper, Esq., in 1802, Jefferson said:

> If we can prevent the Government from wasting the labors of the people, under the pretense of taking care of them, they must become happy.

Mr. President, I digress to say that I have given the correct quotations of Mr. Jefferson from the three letters that I have referred to. Several years ago a book entitled "Law and the Profits" was published by T. N. Parkinson, an English economist. He included all quotations in one and thereby misquoted Jefferson. That quotation was reprinted by the Reader's Digest, which, of course, has world circulation. The words of Jefferson have also been used several times in that garbled form on the floor of Congress. Consequently, in order to keep the record straight, I have repeated Jefferson's words as they were originally written. I hope those who have cited these remarks of Jefferson will take due notice thereof.

Mr. President, the words of Jefferson still ring true. There is, furthermore, a direct relation between the excessive spending by Government, of which Jefferson warned, and the extension of the franchise to an irresponsible electorate.

As I shall show later, voting is a privilege, not a right. It is a privilege which should not be dispensed lightly. By this, I mean that there must be qualifications for voting which will assure a responsible electorate. Throughout the 50 States there are various combinations of requirements related to residence, literacy, payment of poll taxes, conviction of criminal offenses, and so forth, which assure each sovereign State, to its own satisfaction, that the privilege of voting will not be extended to the irresponsible.

Most of this discussion with respect to the requirements of voters has naturally related to the qualifications of voters for statewide elections, including Federal elections. But it is interesting to note that some States have found it advisable to limit voters at certain special elections and to impose property and other qualifications for such voters. For instance, in section 2012 of the New York education law—and, Mr. President, I regret that the distinguished Senator from New York [Mr. JAVITS] is not here, in order that he may assure the Senate that I am correctly quoting the law of his State—mere qualification as a voter in statewide elections is not enough. In New York, one who wishes to vote for the election of school district officers and such other matters as school taxes and school bond issues must also show one of the following three qualifications:

> (a) Owns, leases, hires, or is in the possession under a contract of purchase of, real property in such district liable to taxation for school purposes, but the occupation of real property by a person as lodger or boarder shall not entitle such person to vote, or
>
> (b) Is the parent of a child of school age, provided such a child shall have attended the district school in the district in which the meeting is held for a period of at least 8 weeks during the year preceding such school meeting, or
>
> (c) Not being the parent, has permanently residing with him a child of school age who shall have attended the district school for a period of at least 8 weeks during the year preceding such meeting.

School boards, school taxes, and school bond issues in New York are too important to be left to the ordinary voter. An interest in real property or a continuing responsibility for a child of school age is also necessary.

The poll tax is but a single requirement used as one of several qualifications in only five States. Certainly the requirement that each voter must pay a poll tax does not create an irresponsible electorate; and as my colleague, the senior Senator from Virginia [Mr. BYRD], has observed, anyone who is unwilling to pay $1.50—less than the price of a ball game—for the privilege of participating in his State's government is not likely to improve it with his vote.

Mr. President, with each State following its own course toward the establishment of not only a broad but also an informed, responsible electorate, the Nation is better able to protect itself from the deficit-spending proposals advanced by liberals under the stimulus of political expediency.

We are not seeking for America, Mr. President, the type of abortive democracy so apparent in the early stages of the French Revolution, when there was mob rule, followed by political, moral, and economic excesses of every conceivable kind. On the contrary, our aim is to create a responsible and informed electorate. The combination of an ever-expanding, increasingly productive public school system in every State and the institution of voter qualifications designed to reserve participation in elections to the civic-conscious and the informed, has enabled our Nation to boast of an electorate which each year, we like to believe, grows not only in quantity but, more important, in quality.

I think it would be well for us to recall the words of Thomas Jefferson:

> In every government on earth is some trace of human weakness, some germ of corruption and degeneracy, which cunning will discover, and wickedness insensibly, open, cultivate, and improve. Every government degenerates when trusted to the rulers of the people alone. The people themselves therefore are its only safe depositaries. And to render even them safe, their minds must be improved to a certain degree. This, indeed, is not all that is necessary, though it be essentially necessary.

Mr. President, Jefferson warned that the seeds of corruption are found in every government, and that the safeguard is the people. But he also said that in order to render even the people safe, "Their minds must be improved to a certain degree."

In short, Mr. President, Jefferson said that it is necessary to educate the minds of those who are to run the government. The faith of Jefferson in the benefits of education led him to establish the University of Virginia at Charlottesville.

George Washington was another Virginian who firmly believed in an informed electorate; in his Farewell Address he stressed the importance of education in preserving our republican form of government.

Mr. President, to digress momentarily, it is not known by many persons that the Federal Government did not pay Washington any salary whatever during his service as Commander in Chief of the Army. At that time, although Virginia's finances were sorely depleted, the State did issue Washington $50,000 in 6 percent bonds. Washington donated those bonds to a little school in my home county—a school called Liberty Hall Academy, the student body of which numbered approximately 100 boys. During the Revolutionary War these students served our country well; many of them lost their lives.

Washington was so appreciative of those boys. There was only one college in Virginia at that time, William and Mary in Williamsburg. In fact there were but a few in the whole Nation: Princeton, King's College, St. John's, and Harvard, to mention four. There were no public schools, only academies such as Liberty Hall. After receiving the generous donation of Washington, this academy took the name of our country's Father, and became Washington College. Today it is Washington and Lee University.

George Washington and Robert E. Lee—two great Americans and two firm believers in the education of American youth.

An insurance company offered Lee a salary of $75,000. He replied that he could give the company his name only and that this was not for sale. Lee took the presidency of little Washington College for a salary of $2,500 a year in order, as he said, that he might help train southern youth to rebuild the ravaged South.

Mr. CASE of New Jersey. Mr. President, will the Senator yield?

Mr. ROBERTSON. Under the rules I can yield only for a question.

Mr. CASE of New Jersey. Has not the Senator from Virginia overlooked the fact that Rutgers University, now the State University of New Jersey, received its charter in 1766 and was in active operation during the Revolution?

Mr. ROBERTSON. I ask the Senator's pardon for my oversight. Several years ago I spoke at Rutgers. I was impressed with the high caliber of the school—also its ancient buildings and ivy-covered walls. The university conducts an outstanding school for banking; it was my privilege to speak on that subject. I wish to overlook no compliments for the great State of New Jersey, which is celebrating its 300th anniversary.

Mr. CASE of New Jersey. Mr. President, will the Senator yield at that point?

Mr. ROBERTSON. I yield for a question.

Mr. CASE of New Jersey. We hope to have the assistance of the Senator in preparing for the celebration. We appreciate the Senator's membership on a committee, on the Federal side, making arrangements for the celebration, and we are most grateful for all he has done. We have a lively anticipation of favors from him yet to come.

Mr. ROBERTSON. I thank the Senator from New Jersey for his complimentary remarks. The citizens of his great State took a fine statesman who was born in Virginia, elected him Governor, and then helped elect him President of the United States. I, of course, refer to Woodrow Wilson and shall quote from him before I conclude. Virginians will always be grateful to New Jersey for recognizing its citizens of outstanding ability.

Mr. CASE of New Jersey. On behalf of our State, may I thank the Senator, and, so far as I am concerned, he can put this in the RECORD in extenso, if he wishes.

Mr. ROBERTSON. As I was saying, the important thing for us to do is to expand the intelligence of our electorate.

Mr. President, on page 2 of the March 23 edition of the Washington Post, there is an article entitled "Long Sessions Fail To Break Poll-Tax 'Filibuster' in Senate." The title alone is a gratuitous insult to those of us who have been trying to explain the constitutional principles involved in the question before the Senate. Not one of the 15 Senators who have spoken thus far has failed to address himself to the issue at stake. I do not think it is fair to inflame the public mind against the legitimate—indeed commendable—efforts of some Senators to engage in debate on a vital constitutional question.

The reporter makes the following statement:

> While the southerners were blasting the amendment as an attack on States rights—

Now that is objective, polite language—the article continues—

> a group of seven liberal organizations, including Americans for Democratic Action and the Anti-Defamation League, ironically whaled away at it too as an anti-civil-rights measure.
>
> The liberal groups prefer the direct statutory approach for repealing the poll tax, as put forward in a substitute by Senator JACOB K. JAVITS, Republican, of New York.
>
> They particularly criticized section 2 of the Holland amendment providing that nothing should invalidate any provision of law denying the right to vote to paupers or persons supported at public expense or by charitable institutions. They said this would encourage some States to redefine a pauper to defeat the purpose of the amendment.
>
> HOLLAND said the language was identical with that which passed the Senate 2 years ago, and that the liberal groups, while opposing his amendment at that time, made no point about section 2. He said the language was suggested to him by the Library of Congress, and was not aimed at paupers but at machine use of their votes.
>
> The liberal organizations charged further that the proposed amendment would not outlaw poll taxes in a direct election. They argued the States could abolish the system of voting for electors in favor of a direct election in order to get around the amendment.
>
> Besides ADA and the Anti-Defamation League, liberal groups opposing the amendment included the National Association for the Advancement of Colored People, the American Jewish Congress, the American Veterans' Committee, the International Union of Electrical Workers (AFL–CIO) and the United Automobile Workers (AFL–CIO).

This summary of the attitude of the so-called liberal groups clearly shows the danger which our republican form of government faces.

I repeat a passage from the article:

> The liberal groups prefer the direct statutory approach for repealing the poll tax, as put forward in a substitute by Senator JACOB K. JAVITS, Republican, of New York.

This "direct statutory approach" is, as I will show later, a clear and unequivocal attempt to amend our Constitution by a method unconstitutional in itself. Such tactics, I might add, have been the hallmark of these liberal groups for many years. Their insistence that Congress and the courts exceed the bounds of the Constitution has already resulted in the usurpation of substantial power from the States.

Referring again to the article in the Washington Post, I should like for Senators to be apprised of the extreme—indeed fantastic—position which these liberal groups have taken. I repeat a paragraph from the article:

> They particularly criticized section 2 of the Holland amendment providing that nothing should invalidate any provision of law "denying the right to vote to paupers or persons supported at public expense or by charitable institutions." They said this would encourage some States to "redefine a pauper" to defeat the purpose of the amendment.

Here we see the clear intention of these groups to extend the franchise—which is a privilege and not a right—to the elements in every State, who, having little or no financial responsibility themselves, can be expected to vote to support any proposal which drives our Federal Government further and further into debt and nearer and nearer to national bankruptcy. I might add that these are the groups which have advocated and continue to advocate the distribution of the wealth of our Nation in a manner strikingly similar to that proposed for the world by Karl Marx.

Mr. President, there was never a more propitious time for us to examine the Constitution as it is interpreted by America's great statesmen.

We should consider the statement of Woodrow Wilson in his book on constitutional government in the United States, that "The question of the relation of the States to the Federal Government is the cardinal question of our Constitution."

There can be no doubt but that the Javits bill strikes at the very heart of the doctrine of States rights. In a representative democracy the most valuable, the most precious right any State can

possess is the right to control its own election laws. Take that right away and they become helpless pawns in the hands of a Federal bureaucracy.

No one man was more instrumental than George Washington in bringing the 13 States together in a Federal Union. No one realized more clearly than he that such a Union would not be self-preserving and that its future would be hazarded if concessions originally made in the interest of harmony and cooperation should later be overridden. Hence his plea in his farewell address for its preservation, just as timely now as when spoken, in his admonition:

The necessity of reciprocal checks in the exercise of political power, by dividing and distributing it into different depositories, and constituting each the guardian of the public weal against invasion of the others, has been evinced by experiments ancient and modern; some of them in our country and under our own eyes.

He also said:

To preserve them must be as necessary as to institute them.

Andrew Jackson gave similar advice in his farewell address as President. He said:

My experience in public concerns and the observations of a life somewhat advanced confirm opinions long since imbibed by me, that the destruction of our State governments or the annihilation of their control over the local concerns of the people would lead directly to revolution and anarchy and finally to despotism and military domination.

Jackson also said in this address:

We behold systematic efforts publicly made to sow the seeds of discord between different parts of the United States and to place party divisions directly upon geographical distinctions; to excite the South against the North, and the North against the South—

Jackson made this statement over 125 years ago. I read his words again:

We behold systematic efforts publicly made to sow the seeds of discord between different parts of the United States and to place party divisions directly upon geographical distinctions; to excite the South against the North, and the North against the South.

Mr. President, when our New England brethren had fired "the shot heard 'round the world," Virginia's leaders did not hesitate to go to the help of our sister States. Why? Because that threatened the rights of the northern colonies. Fifty years after our unity had given us victory, a great Senator from Massachusetts named Daniel Webster addressed a group of Revolutionary War veterans at Bunker Hill. When he made that memorable speech, what words did he have for Virginia? He did not say, "Let us take away from Virginia its constitutional right to levy a poll tax." No. He said—

As long as the James River flows by Jamestown Island, as long as the Atlantic washes Plymouth Rock, no vigor of youth, no maturity of manhood will cause our Nation to forget those early spots, that cradle that defended the infancy of our Republic.

And when the great Jefferson lay dying, what did he have to say about that gifted statesman, John Adams of Massachusetts? He said:

Thank God, Adams still lives.

It is those who would destroy this unity and mutual respect whom Jackson had in mind when he wrote over 125 years ago—I repeat again:

We behold systematic efforts publicly made to sow the seeds of discord between different parts of the United States and to place party divisions directly upon geographical distinctions to excite the South against the North, and the North against the South.

I continue quoting from Andrew Jackson:

and to force into the controversy the most delicate and exciting topics upon which it is impossible that a large portion of the Union can ever speak without strong emotions. Appeals, too, are constantly made to sectional interests, in order to influence election of the Chief Magistrate, as if it were desired that he should favor a particular quarter of the country, instead of fulfilling the duties of his station with impartial justice to all.

But the Constitution cannot be maintained, nor the Union preserved, in opposition to public feeling, by the mere exertion of the coercive powers confided to the General Government. The foundations must be laid in the affections of the people; in the security it gives to life, liberty, character, and property, in every quarter of the country; and in the fraternal attachments which the citizens of the reveral States bear to one another, as members of one political family, mutually contributing to promote the happiness of each other.

Hence the citizens of every State should studiously avoid everything calculated to wound the sensibility or offend the just pride of the people of the other States—

I repeat those words:

Hence the citizens of every State should studiously avoid everything calculated to wound the sensibility or offend the just pride of the people of the other States.

He said further:

And they should frown upon any proceedings within their own borders likely to disturb the tranquility of their political brethren in other portions of the Union. In a country so extensive as the United States, and with pursuits so varied, the internal regulations of the several States must frequently differ from one another in important particulars; and this difference is unavoidably increased by the varying principles upon which the American Colonies were originally planted; principles which had taken deep root in their social relations before the Revolution, and, therefore, of necessity, influencing their policy since they became free and independent States. But each State has the unquestionable right to regulate its own internal concerns according to its own pleasure; and while it does not interfere with the rights of the people of other States, or the rights of the Union, every State must be the sole judge of the measures proper to secure the safety of its citizens and promote their happiness and all efforts on the part of the people of other States to cast odium upon their institutions, and all measures calculated to disturb their rights of property, or put in jeopardy their peace and internal tranquillity, are in direct opposition to the spirit in which the Union was formed and must endanger its safety.

Motives of philanthropy may be assigned for this unwarrantable interference; and weak men may persuade themselves for a moment that they are laboring in the cause of humanity, and asserting the rights of the human race; but everyone, upon sober reflections, will see that nothing but mischief can come from these improper assaults upon the feelings and rights of others. Rest assured that the men found busy in this work of discord are not worthy of your confidence and deserve your strongest reprobation.

Andrew Jackson called a spade a spade, and I continue his words:

It is well known that there have been those amongst us who wish to enlarge the powers of the General Government and experience would seem to indicate that there is a tendency on the part of this Government to overstep the boundaries marked out for it by the Constitution. Its legitimate authority is abundantly sufficient for all the purposes for which it was created, and its power being expressly enumerated, there can be no justification for claiming anything beyond them.

Every attempt to exercise power beyond these limits should be promptly and firmly opposed. For one evil example will lead to other measures still more mischievous; and if the principle of constructive powers, or supposed advantages, or temporary circumstances shall ever be permitted to justify the assumption of a power not given by the Constitution, the General Government will before long absorb all the powers of legislation, and you will have in effect, but one consolidated Government.

From the extent of our country, its diversified interests, different pursuits, and different habits, it is too obvious for argument that a single consolidated Government would be wholly inadequate to watch over and protect its interests, and every friend of our free institutions should be always prepared to maintain unimpaired and in full vigor the rights and sovereignty of the States, and to confine the action of the General Government strictly to the sphere of its appropriate duties.

Referring again to Woodrow Wilson and his ideas on constitutional government, we find him saying of the relation of the States to the Federal Government:

It is difficult to discuss so critical and fundamental a question calmly and without party heat or bias when it has come once more, as it has now, to an acute stage. Just because it lies at the heart of our constitutional system to decide it wrongly is to alter the whole structure and operation of our Government, for good or for evil, and one would wish never to see the passion of party touch it to distort it. A sobering sense of responsibility should fall upon everyone who handles it. No man should argue it this way or that for party advantage. Desire to bring the impartial truth to light must, in such a case, be the first dictate alike of true statesmanship and of true patriotism. Every man should seek to think of it and to speak of it in the true spirit of the founders of the Government and of all those who have spent their lives in the effort to confirm its just principles both in counsel and in action.

Continuing his discussion, Wilson said that—

The principle of the division of powers between State and Federal Governments is a very simple one when stated in the most general terms. It is that the legislatures of the States shall have control of all the general subject matter of law, of private rights of every kind, of local interests, and of everything that directly concerns their people as communities—free choice with regard to all matters of local regulation and development, and that Congress shall have control only of such matters as concern the peace and the commerce of the country as a whole.

He said we are apt to think of our American political system as distinguished by its central structure—its President and Congress and courts which the Constitution set up—but "as a matter of fact, it is distinguished by its local structure, by the extreme vitality of its parts. It would be an impossibility without its division of powers."

From the first—

Wilson said—

America has been a nation in the making. It has come to maturity by the stimulation of no central force or guidance, but by an aboundingly self-helping, self-sufficient energy in its parts, which severally brought themselves into existence and added themselves to the Union, pleasing first of all themselves in the framing of their laws and constitutions, not asking leave to exist and constitute themselves, but existing first and asking leave afterward, self-originated, self-constituted, self-confident, self-sustaining, veritable communities, demanding only recognition. Communities develop not by external but by internal forces. Else they do not live at all. Our Commonwealths have not come into existence by invitation, like plants in a tended garden; they have sprung up of themselves, irrepressible, a sturdy spontaneous product of the nature of men nurtured in a free air.

It is this spontaneity and variety—

He continued—

this independent and irrepressible life of its communities, that has given our system its extraordinary elasticity, which has preserved it from the paralysis which has sooner or later fallen upon every people who have looked to their central government to patronize and nurture them.

Later in the same lecture Wilson said that—

The division of powers between the States and the Federal Government effected by our Federal Constitution was the normal and natural division for this purpose. Under it the States possess all the ordinary legal choices that shape a people's life. Theirs is the whole of the ordinary field of law; the regulation of domestic relations and of the relations between employer and employee, the determination of property rights and of the validity and enforcement of contracts, the definition of crimes and their punishment, the definition of the many and subtle rights and obligations which lie outside the fields of property and contract, the establishment of the laws of incorporations and of the rules governing the conduct of every kind of business. The presumption insisted upon by the courts in every argument with regard to the powers of the Federal Government is that it has no power not explicitly granted it by the Federal Constitution or reasonably to be inferred as the natural or necessary accompaniment of the powers there indisputably conveyed to it.

Woodrow Wilson was a great teacher of history and of government. When I was a young boy in the history class I was studying Woodrow Wilson's "The State," and also Bryce's "American Commonwealth." From those two great writers I got the impulse to devote my life to public service. I have been a follower of Woodrow Wilson ever since, and I take pleasure in quoting him here today, because I think that next to Thomas Jefferson he has been one of the greatest expounders of democracy we have ever had. He continued in his lecture:

But the presumption with regard to the powers of the States they have always held to be of exactly the opposite kind. It is that the States of course possess every power that Government has ever anywhere exercised, except only those powers which their own constitutions or the Constitution of the United States explicitly or by plain inference withhold. They are the ordinary governments of the country; the Federal Government is its instrument only for particular purposes.

Wilson also said:

The remedy for ill-considered legislation by the States, the remedy alike for neglect and mistake on the part of their several governments, lies not outside the States, but within them. The mistakes which they themselves correct will sink deeper into the consciousness of their people than the mistakes which Congress may rush in to correct for them, thrusting upon them what they have not learned to desire. They will either themselves learn their mistakes, by such intimate and domestic processes as will penetrate very deep and abide with them in convincing force, or else they will prove that what might have been a mistake for other States or regions of the country was no mistake for them, and the country will have been saved its wholesome variety. In no case will their failure to correct their own measures prove that the Federal Government might have forced wisdom upon them * * *

Moral and social questions originally left to the several States for settlement can be drawn into the field of Federal authority only at the expense of the self-dependence and efficiency of the several communities of which our complex body politic is made up. Paternal morals, morals enforced by the judgment and choices of the central authority at Washington, do not and cannot create vital habits or methods of life unless sustained by local opinion and purpose, local prejudice and convenience—unless supported by local convenience and interest; and only communities capable of taking care of themselves will, taken together, constitute a nation capable of vital action and control. You cannot atrophy the parts without atrophying the whole. Deliberate adding to the powers of the Federal Government by sheer judicial authority, because the Supreme Court can no longer be withstood or contradicted in the States, both saps the legal morality upon which a sound constitutional system must rest, and deprives the Federal structure as a whole of that vitality which has given the Supreme Court itself its increase of power. It is the alchemy of decay.

Wilson concluded his lecture with the assertion that—

We are certified by all political history of the fact that centralization is not vitalization. Moralization is by life, not by statute; by the interior impulse and experience of communities, not by fostering legislation which is merely the abstraction of an experience which may belong to a nation as a whole or to many parts of it without having yet touched the thought of the rest anywhere to the quick. The object of our Federal system is to bring the understandings of constitutional government home to the people of every part of the Nation to make them part of their consciousness as they go about their daily tasks. If we cannot successfully effect its adjustments by the nice local adaptations of our older practice, we have failed as constitutional statesmen.

When I quote Woodrow Wilson, I am quoting a great statesman who was a liberal of his day. The so-called liberals of this generation could learn much from Wilson. They would learn, for one thing, that the erosion of constitutional government is a sure step to despotism.

Let us consider the history of the poll tax and its association with the privilege of voting.

A point sometimes overlooked is that the poll tax came into being in this country not as a device for restricting suffrage, but as a liberalizing measure to increase the number of those eligible to vote.

When the Federal Constitution was adopted in 1789, only Vermont had universal suffrage. The general requirement for voting was ownership of property, usually real estate. The men who framed our Constitution knew that the State constitutions adopted by Delaware, Maryland, and New Jersey in 1776, by Georgia in 1777, and by Massachusetts in 1780, all contained provisions that voters must be males, at least 20 years of age, who possessed a freehold or estate. In 1789, the year after it had ratified the Constitution, the State of Georgia liberalized its requirements by extending the vote to those who had prepaid taxes, even though they did not have the property-ownership qualification. Other States took similar action and the adoption of the poll tax was quite generally recognized as the first major step in expansion of the suffrage.

Specifically, we find the Pennsylvania constitution of 1776, section 6, limited the vote to freemen 21 years and over, resident for 1 year next before the election, and who had paid taxes during that time. This qualification as to taxes was expanded by the State's 1790 constitution.

The New York constitution of 1777, article VII, in describing qualifications of electors, included the phrase "and been rated and actually paid taxes to this State." This was retained in the 1801 revision.

The North Carolina constitution of 1776, article VIII, specified residence of 12 months before an election, and added, "and shall have paid public taxes."

The South Carolina constitution of 1778 provided prepayment of taxes as an alternative to landownership as a voting qualification.

It must be observed, too, that the men who drafted the Constitution did not overlook, but carefully considered, the various restrictions placed on voting at the time.

CONVENTION DEBATES

Thus, in the debates at the Constitutional Convention, as reported by Elliott, we find James Madison suggesting that there be a definite statement of qualifications placed in the Constitution, and expressing the opinion that the freeholders of the country—landowners—would be the safest depository of republican liberty.

It was recognized, however, that the qualifications fixed by the States were not all the same, and that a uniform rule would require changes in their basic laws which might hinder ratification of the Constitution. Consequently, the Committee of Detail, on August 6, 1787, recommended that, "the qualifications of the electors shall be the same, from time to time, as those of the electors of the several States, of the most numerous branch of their own legislatures"—volume 5, Elliott's Debates, page 377.

The proposal of the Committee on Detail which I have just mentioned touched off a long debate, in which Gouverneur Morris, of Pennsylvania, advocated a uniform rule in the Constitution limiting the franchise to landowners. He objected to making the question of qualifications dependent on the will of the States, not because he thought they would unduly restrict the electorate, but because he feared they would be too generous in extending the privilege.

Oliver Ellsworth, of Connecticut, warned, however, that the right of suffrage was a tender point, carefully guarded in the State constitutions, and that tampering with it might wreck the new National Government.

James Wilson, of Pennsylvania, also took issue with Morris. He said it would be difficult to settle on a uniform rule for all States, and he pointed in particular to the possibility that a disagreeable situation might arise if electors of the State legislature and Congress were not the same.

"It would be very hard and disagreeable," Wilson said, as reported by Madison, "for the same persons, at the same time, to vote for representatives in the State legislature, and to be excluded from a vote for those in the National Legislature" (5 Ell. Deb. 385).

George Mason, of Virginia, also contended for the very point I am stressing today—that a power to alter the qualifications of voters would be a dangerous power in the hands of the National Legislature. Once the principle is established that the Congress can make such changes, the power used at one time to expand the electorate may be used at another to restrict it, and, theoretically at least, the restriction could be carried so far that we would have a despotism.

Mr. Mason called attention to the fact that eight or nine States already had abolished landholding qualifications, although most of them continued to require some material evidence of the citizen's responsible interest in his Government.

At the conclusion of this debate the Morris proposal to limit the ballot to freeholders was defeated by a vote of seven States to one and the committee plan was adopted without a dissenting vote. Its language was changed only slightly, and became that part of section 2 of article I of the Constitution which reads:

> The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

Nowhere in the original body of the original Constitution will be found a restriction on the discretion of the States in fixing the qualifications of voters. There are some restrictions in the 14th, 15th, and 19th amendments. But, as I shall show, these restrictions do not cover the point at issue.

The thinking of the men who wrote our Constitution is indicated not only by the Convention debates, but also by contemporary writings and statements.

We find, for example, that Thomas Jefferson favored payment of taxes as an alternative to holding land as a qualification for voters. In his draft for a proposed Constitution for Virginia, written in June 1776, while he was in Philadelphia as a member of the Continental Congress, Jefferson proposed:

> All male persons of full age and sane mind, having a freehold estate in (one-fourth of an acre) of land in any town or in (25) acres of land in the country, and all persons resident in the colony who shall have paid scott and lot to government the last (2 years) shall have right to give their vote in the election of their respective representatives.

In this same draft, incidentally, Jefferson proposed that—

> No person hereafter coming into this country shall be held within the same in slavery under any pretext whatever.

That, Mr. President, was proposed by Thomas Jefferson for the Virginia Constitution in 1776, and it was proposed to be written into the Federal Constitution in Philadelphia in 1787. It was primarily the State of Massachusetts and other maritime States that were bringing the slaves into the South which objected to that being written into the Constitution as proposed by the representatives from Virginia, and they said that if that were put into the Constitution they would walk out of the convention before any constitution had been agreed to.

Jefferson gave a further exposition of his ideas on suffrage in his 1873 draft for a Constitution for Virginia in which he proposed:

> All free male citizens of full age, and sane mind, who for one year before shall have been resident in the county or shall through the whole of that time have possessed therein real property of the value of ———; or shall for the same time have been enrolled in the militia, and no others shall have a right to vote for delegates for the said county, and for senatorial electors for the district.

FEDERALIST INTERPRETATION

As has already been indicated, the members of the Constitutional Convention were conscious of the need to satisfy the people of the various States on this touchy subject of suffrage rights and it was one of the subjects which received attention in the Federalist papers which gave the most extensive contemporary exposition of the Constitution.

In No. 52 of the Federalist, written by either Madison or Hamilton, it was pointed out that the Constitution made the qualification for Federal electors the same as those of the electors of the most numerous branch of the State legislature.

> The definition of the right of suffrage is very justly regarded as a fundamental article of republican government.

The Federalist author continued:

> It was incumbent on the Convention, therefore, to define and establish this right in the Constitution. To have left it open for the occasional regulation of the Congress would have been improper for the reason just mentioned. To have submitted it to the legislative discretion of the States, would have been improper for the same reason; and for the additional reason that it would have rendered too dependent on the State governments that branch of the Federal Government which ought to be dependent on the people alone.

Mark the following words of the paragraph in the quotation:

> To have reduced the different qualifications in the different States to one uniform rule would probably have been as disagreeable to some of the States as it would have been difficult to the Convention.
>
> The provision made by the Convention appears, therefore, to be the best that lay within their option. It must be satisfactory to every State, because it is conformable to the standard already established, or which may be established by the State itself. It will be safe to the United States, because, being fixed by the State constitutions, it is not alterable by the State governments, and it cannot be feared that the people of the States will alter this part of their constitutions in such a manner as to abridge rights secured to them by the Federal Constitution.

Then, in the 54th Federalist, which also may have been written by either Madison or Hamilton, it was remarked:

> The qualifications on which the right of suffrage depend are not, perhaps, the same in any two States. In some of the States the difference is very material. In every State, a certain proportion of inhabitants are deprived of this right by the constitution of the State, who will be included in the census by which the Federal Constitution apportions the Representatives.

Discussing the subject of qualification of electors further in the 59th Federalist, Hamilton wrote:

> It will not be alleged that an election law could have been framed and inserted in the Constitution which would have been always applicable to every probable change in the situation of the country; and it will therefore not be denied that a discretionary power over elections ought to exist somewhere. It will, I presume, be as readily conceded that there were only three ways in which this power could have been reasonably modified and disposed; that it must either have been lodged wholly in the National Legislature, or wholly in the State legislatures, or primarily in the latter and ultimately in the former. The last mode has, with reason, been preferred by the convention. They have submitted the regulation of elections for the Federal Government, in the first instance, to the local administrations; which, in ordinary cases, and when no improper views prevail, may be both more convenient and more satisfactory; but they have reserved to the national authority a right to interpose, whenever extraordinary circumstances might render that interposition necessary to its safety.

Note that Hamilton, always an advocate of strong Central Government and fearful of State encroachments, in attempting to win support for the compromise provisions of the Constitution which he had helped to frame claimed no more than that the national authority might interpose itself in the regulation of elections when "necessary to its safety."

He argued that giving the exclusive power of regulating elections for the National Government to the State legislatures would leave the existence of the Union at their mercy, since they could annihilate it simply by refusing to hold any election for national officials.

Turning then to the other side of the picture, he said:

> Suppose an article had been introduced into the Constitution empowering the United States to regulate the elections for the particular States, would any man have hesitated to condemn it, both as an unwarrantable transposition of power and as a premeditated engine for the destruction of State governments?

Mind you, that is the great Alexander Hamilton, of New York, speaking.

I continue to read from his statement:

> The violation of principle in this case would have required no comment—

That is Alexander Hamilton, speaking about an effort of the Congress to fix the qualifications of voters.

> The violation of principle, in this case, would have required no comment; and to an unbiased observer, it will not be less apparent in the project of subjecting the existence of the National Government, in a similar respect, to the pleasure of the State governments. An impartial view of the matter cannot fail to result in a conviction, that each, as far as possible, ought to depend on itself for its own preservation.

Alexander Hamilton said that the Federal Government would depend for its preservation upon section 4, by which the Congress may regulate the times, places, and manner of holding elections to make sure that all the States have such elections; and that the States would preserve their integrity and sovereignty under section 2 of article I, which gives them the power of fixing the qualifications of voters, subject only to the restriction that they cannot impose on the electors or voters for Federal offices any different requirements than they impose on those who they say are qualified to vote for the most numerous branch of the State legislature.

Continuing his discussion in the 60th Federalist, Hamilton said that with the House of Representatives being elected directly by the people, the Senate by the State legislatures, and the President by electors chosen for the purpose by the people, there would be little probability of a common interest to cement these different branches in a predilection for any particular class of electors.

As to the Senate he said:

> It is impossible that any regulation of time and manner, which is all that is proposed to be submitted to the National Government in respect to that body, can affect the spirit which will direct the choice of its members.

Further on in the same paper, discussing fears that elections might be manipulated in the interest of the "rich and the well born," Hamilton said the only way of securing such preference would be by prescribing qualifications of property either for those who may elect or be elected.

He continued:

> This forms no part of the power to be conferred upon the National Government. Its authority would be expressly restricted to the regulation of the times, the places, the manner of elections. The qualifications of the persons who may choose or be chosen, as has been remarked upon other occasions, are defined and fixed in the Constitution, and are unalterable by the legislature.

He was referring, of course, to this body. Alexander Hamilton wrote as clearly as English language could be expressed that the power to pass on the qualifications of voters was left expressly by the Constitution to the States, and he stated that such powers are unalterable by the legislature.

The clear distinction Hamilton made, in explaining that the Federal Government might regulate the time, the place, and the manner of holding elections but could not change the qualifications of the electors, was also recognized and emphasized by others.

RATIFYING CONVENTION DEBATES

In the Massachusetts convention, in answer to a query as to whether Congress might prescribe a property qualification for voters, Mr. Rufus King, a member of the Federal Convention, said:

> The idea of the honorable gentleman from Douglass transcends my understanding; for the power of control given by this section extends to the manner of elections, not the qualifications of the electors.

And James Wilson, who had warned in the Federal Convention of the difficulty that might result if qualifications of State and National electors were different, had this to say in the Pennsylvania convention:

> In order to know who are qualified to be electors of the House of Representatives, we are to inquire who are qualified to be electors of the legislature of each State. If there be no legislature in the States, there can be no electors of them; if there be no such electors, there is no criterion to know who are qualified to elect Members of the House of Representatives. By this short, plain deduction, the existence of State legislatures is proved to be essential to the existence of the General Government.

In the Virginia convention, Wilson Nicholas, one of the delegates, said:

> If, therefore, by the proposed plan, it is left uncertain in whom the right of suffrage is to rest, or if it has placed that right in improper hands, I shall admit that it is a radical defect; but in this plan there is a fixed rule for determining the qualifications of electors, and that rule the most judicious that could possibly have been devised, because it refers to a criterion which cannot be changed. A qualification that gives a right to elect representatives for the State legislatures, gives also, by this Constitution, a right to choose Representatives for the General Government.

All those who are familiar with what happened in the ratifying convention at Richmond know how Patrick Henry fought the ratification of the Constitution on the ground that it gave the Federal Government too much power; and this is one of the things that the question was raised about: Can the Federal Government pass on the qualifications of the voters; or can Virginia, as in the past, fix those qualifications, and the Federal Government just determine the times, places, and manner, if it wishes to do so, of holding those elections, where those who have the right to vote under the State law can then freely participate?

Wilson Nicholas was a member of the Philadelphia convention. He came back to Richmond and explained the meaning of what had been done at Philadelphia. He gave the members of the Richmond ratifying convention most positive assurance that the Federal Government could not and never would undertake to pass upon and fix the qualifications of voters. Even with that assurance, Mr. President, the Constitution was ratified in Virginia by a majority of only eight votes. I am very proud of the fact that I had two ancestors in that convention, Col. James Gordon, of Lancaster, and his son, James Gordon, Jr., close friends of Madison. I am proud they voted to ratify the Constitution, and I am glad to stand here and inform the Senate what the men who ratified it had in mind when they did so, and how wrong it would be to ignore the intentions of the framers of the Constitution and the intentions of those who participated in the convention and to override the States and to assume a right which they themselves have, and then take the step of pulling out one stone of the foundation of our constitutional representative democracy.

Again, in explaining the plan to the North Carolina convention, John Steele said:

> Every man who has a right to vote for a representative to our legislature will ever have a right to vote for a Representative to the General Government. Does it not expressly provide that the electors in each State shall have the qualifications requisite for the most numerous branch of the State legislature? Can they, without a most manifest violation of the Constitution, alter the qualifications of the electors: The power over the manner of elections does not include that of saying who shall vote. The Constitution expressly says that the qualifications are those which entitle a man to vote for a State representative. It is, then clearly and indubitably fixed and determined who shall be the electors; and the power over the manner only enables them to determine how these electors shall elect—whether by ballot, or by vote, or by any other way.

Mr. President, one would think that the Senate had just been confronted with the question as to whether we could change the qualifications of electors; but John Steele, as I recall, was a delegate from North Carolina to the Philadelphia constitutional convention, and he returned to his State convention to explain the meaning of what had been done at the Philadelphia convention. The members of the State ratifying convention wished to know whether the Federal Government could change this procedure. He said to them, I repeat:

> Can they, without a most manifest violation of the Constitution, alter the qualifications of the electors?

KEEPING FAITH WITH STATES

Mr. President, these excerpts from the debates in the ratifying conventions point to the correctness of the conclusion reached by Mr. Jesse F. Orton, New

York attorney and student of constitutional law, who said in a brief on this subject prepared several years ago:

This sentence (in art. I, sec. 2, saying electors shall have the same qualifications as electors of the most numerous branch of State legislatures), the only one on "qualifications," was obviously a material representation and also a solemn pledge, that each ratifying State would be permitted, as in fact it was commanded, to use in electing its Representatives the same qualifications used in electing the larger branch of its legislature. * * * This provision in section 2 of article I was definitely understood by each State as such a pledge and absolute assurance. Every State ratified the Constitution upon that express condition, many times repeated during the period of ratification.

Those are not my words; those are the words of a very distinguished attorney from New York City.

He goes on to say:

Few historical facts are more conclusively established than the fact that this pledge was made for the express and avowed purpose of obtaining the consent of the States to the adoption of the Constitution. It was repeated and emphasized in the Federalist, written chiefly by Madison and Hamilton, and in other writings and oral statements for the sole purpose of securing ratification. In the ratifying conventions it was used to satisfy any "doubting Thomas" that the States were absolutely protected in their power to control the suffrage in the election of Representatives.

Without this assurance, consent would have been refused by many of the States. With it, ratification was obtained in Massachusetts, New York, and Virginia by a vote of less than 53 percent of members present and voting.

In section 4, after providing: "The times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the legislature thereof," it was provided that "the Congress may at any time, by law, make or alter such regulations, except as to the places of choosing Senators." This grant of power to set at naught the election laws passed by the States in obedience to this command in section 4 met with more violent and angry protests probably than any other provision in the Constitution. Section 4 undoubtedly lost many votes of delegates who otherwise would have voted for ratification. If Congress had been given similar power to set at naught the action of the States with respect to qualifications, there is little doubt that nine States would not have ratified and the proposed Union would not have been formed.

All that, Mr. President, was a quotation from this distinguished lawyer in New York.

Certainly there is nothing equivocal about the language of article I, section 2, which says those who vote for national officers in each State shall have the same qualifications as those who vote for members of the most numerous branch of the State legislature. And section 4 of article I is precise in limiting the control of Congress to the times, places, and manner of electing Senators and Representatives.

The significance of these limitations is reinforced by the fact that as late as 1912, when the 17th amendment was proposed by Congress, providing for popular election of Senators, language was used identical to that of article I, section 2. This amendment says:

The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

This, mind you, Mr. President, was adopted after more than a century of experience with the suffrage provisions contained in the Constitution and also after there had been ample time to observe operations of the newer poll taxes which were adopted between 1875 and 1908.

It is a matter of record, however, that when the 17th amendment was debated in Congress, no issue was raised on the right of the States to determine the qualification of electors. But, on the contrary, serious consideration was given to a proposal to take away from Congress, by amendment, the authority to alter the times, places, and manner of holding elections.

Searching elsewhere than in article I for constitutional justification for abolishing the poll-tax requirement, supporters of such legislation have sometimes cited article IV, section 4, which says:

The United States shall guarantee to every State in this Union a republican form of government.

Analysis of this section as it was understood by those who wrote it tends, however, to strengthen rather than weaken the position of those who claim the States have a legitimate right to require tax payments as a prerequisite to voting.

In considering article IV, section 4, in No. 43 of the Federalist, Mr. Madison frankly raised the question whether or not the guarantee of a republican form of government might not "become a pretext for alteration in the State governments, without the concurrence of the States themselves."

Answering his own question, he said:

If the general government should interpose by virtue of this constitutional authority, it will be, of course, bound to pursue the authority. But the authority extends no further than to a guarantee of a republican form of government, which supposes a preexisting government of the form which is to be guaranteed. So long therefore as the existing republican forms are continued by the States, they are guaranteed by the Federal Constitution. Whenever the States may choose to substitute other republican forms, they have a right to do so, and to claim the Federal guarantee for the latter. The only restriction imposed on them is, that they shall not exchange republican for antirepublican constitutions: a restriction which, it is presumed, will hardly be considered as a grievance.

Those are the words of James Madison, explaining the meaning of that section of the Constitution. It will be noted that Madison believed that the guarantee applied to the forms of government existing in the States at the time the Constitution was written, and as I already have indicated, these governments included property or tax qualifications on the right to vote.

In Willoughby's authoritative book on the Constitution (1, 2d ed., 215) we also find him saying this with respect to article IV, section 4:

It will be noticed that the Constitution does not itself define the term "republican form of government." It has, however, always been an accepted rule of construction that the technical and special terms used in the Constitution are to be given that meaning which they had at the time that instrument was framed. This is but reasonable, for, in default of anything to the contrary, those who drafted the Constitution are to be presumed to have intended the words which they used to have that meaning they knew them to have. For a definition, then, of "republican government" we must discover what, in 1787, such a political form was considered to be. Certainly we may say that the governments of the Thirteen Original States as they existed at the time the Constitution was drafted must have been considered as illustrating the republican type. Furthermore, the constitutions of all those States which have been admitted to the Union since 1787 must be regarded as having been impliedly considered republican by Congress at the time of the giving of its assent to their entrance into the Union.

Also, discussing article I, section 4, in the Virginia ratifying convention, Mr. Madison explained:

It was found impossible to fix the time, place, and manner of the election of Representatives in the Constitution. It was found necessary to leave the regulation of these, in the first place, to the State governments, as being best acquainted with the situation of the people, subject to the control of the General Government, in order to enable it to produce uniformity and prevent its own dissolution.

And, considering the State governments and General Government as distinct bodies, acting in different and independent capacities for the people, it was thought the particular regulations should be submitted to the former and the general regulations to the latter. Were they exclusively under the control of the State governments, the General Government might easily be dissolved. But if they be regulated properly by the State legislatures, the congressional control will very probably never be exercised. The power appears to me satisfactory, and as unlikely to be abused as any part of the Constitution.

This, it will be noted, deals only with the times, places, and manner of holding elections and not with qualifications of voters since, under the provision of article I, section 2, a State could not attempt to dissolve the General Government by disqualifying voters without automatically dissolving its own government.

COURT DECISIONS

Now, let us see what our courts have had to say about the dividing line between State and Federal powers as applied to voters and elections.

After the adoption of the 14th amendment a woman in Missouri, where the right to vote was limited to males, sued the registrar because he refused to put her name on the list of voters. She contended she was a citizen of the United States under the amendment and that the State could not abridge her right as such a citizen to vote for Presidential electors.

In this case, reported as *Minor* v. *Happersett* (21 Wallace 162) and decided in 1875, the Supreme Court denied her claim. The Court held that since she was a citizen, born of citizen parents

before the amendment, her status with respect to voting was not changed by it, because the right to vote before the amendment was not necessarily one of the privileges or immunities of citizenship. This was demonstrated by the necessity for the 15th amendment, which protected the Negro from being excluded from voting because of his color but did not affect his wife, who remained debarred on account of sex. It took the later 19th amendment to remove that bar.

The 14th amendment, the Court said, "does not confer the right of suffrage upon anyone."

Another issue raised in this case was whether or not the State, in refusing to allow women to vote, had failed to provide the republican form of government guaranteed by article IV, section 4.

On this point the Court said:

The guaranty is of a republican form of government. No particular government is designated as republican, neither is the exact form to be guaranteed, in any manner especially designated. Here, as in other parts of the instrument, we are compelled to resort elsewhere to ascertain what was intended. The guaranty necessarily implies a duty on the part of the States themselves to provide such a government. All the States had governments when the Constitution was adopted. In all, the people participated to some extent, through their representatives selected in the manner specifically provided. These governments the Constitution did not change. They were accepted precisely as they were, and it is, therefore, to be presumed that they were such as it was the duty of the States to provide.

Thus we have unmistakable evidence of what was republican in form within the meaning of that term as employed by the Constitution.

That is the language of the Court, Mr. President. I am still quoting from the Court's opinion:

As has been seen (in the argument that has gone before) all the citizens of the States were not invested with the right of suffrage. In all, save perhaps New Jersey, this right was only bestowed upon men and not upon all of them. Under these circumstances, it is certainly now too late to contend that a government is not republican, within the meaning of this guaranty in the Constitution, because women are not made voters.

While the Court in this instance was considering particularly the limitations in the State governments which prevented women from voting, the opinion delivered by Chief Justice Waite cited other types of limitation as well.

The opinion, at page 172, contained this summary statement:

When the Federal Constitution was adopted, all the States, with the exception of Rhode Island and Connecticut, had constitutions of their own. These two continued to act under their charters from the Crown. Upon an examination of these constitutions we find that in no State were all citizens permitted to vote. Each State determined for itself who should have that power.

Thus in New Hampshire, "every male inhabitant of each town and parish with town privileges, and places unincorporated in the State, of 21 years of age and upwards, excepting paupers and persons excused from paying taxes at their own request," were its voters; in Massachusetts, "every male inhabitant of 21 years of age and upwards, having a freehold estate within the Commonwealth of the annual income of 3 pounds, or any estate of the value of 60 pounds"; in Rhode Island, "such as are admitted free of the company and society" of the Colony; in Connecticut, such persons as had "maturity in years, quiet and peaceable behavior, a civil conversation, and 40 shillings freehold or 40 pounds personal estate," if so certified by the selectmen; in New York, "every male inhabitant of full age who shall have personally resided within one of the counties of the State for 6 months immediately preceding the day of election * * * if during the time aforesaid he shall have been a freeholder possessing a freehold of the value of 20 pounds within the county, or have rented a tenement therein of the yearly value of 40 shillings, and been rated and actually paid taxes to the State"; in New Jersey, "all inhabitants * * * of full age who are worth 50 pounds, proclamation-money, clear estate in the same, and have resided in this county in which they claim a vote for 12 months immediately preceding the election"; in Pennsylvania, "every freeman of the age of 21 years, having resided in the State for 2 years next before the election, and within that time paid a State or county tax which shall have been assessed at least 6 months before the election"; in Delaware and Virginia, "as exercised by law at present"; in Maryland, "all freemen above 21 years of age having a freehold of 50 acres of land in the county in which they offer to vote and residing therein, and all freemen having property in the State above the value of 30 pounds current money, and having resided in the county in which they offer to vote 1 whole year next preceding the election"; in North Carolina, for Senators, "all freemen of the age of 21 years who have been inhabitants of any one county within the State 12 months immediately preceding the day of election, and possessed of a freehold within the same county of 50 acres of land for 6 months next before and at the day of election," and for members of the house of commons, "all freemen of the age of 21 years who have been inhabitants in any one county within the State 12 months immediately preceding the day of any election, and shall have paid public taxes"; in South Carolina, "every free white man of the age of 21 years, being a citizen of the State and having resided therein 2 years previous to the day of election and who hath a freehold of 50 acres of land, or a town lot of which he hath been legally seized and possessed for at least 6 months before such election, or (not having such freehold or town lot), hath been a resident within the election district in which he offers to give his vote 6 months before such election, and hath paid a tax the preceding year of three shillings sterling towards the support of the government"; and in Georgia, "such citizen and inhabitants of the State as shall have attained to the age of 21 years, and shall have paid tax for the year next preceding the election, and shall have resided 6 months within the county."

I am still quoting from the decision of Mr. Justice Story. The Court said:

In this condition of the law in respect to suffrage in the several States it cannot for a moment be doubted that if it had been intended to make all citizens of the United States voters the framers of the Constitution would not have left it to implication. So important a change in the condition of citizenship as it actually existed, if intended, would have been expressly declared.

This is the first case of the U.S. Supreme Court on this point. I ask the Senators to listen to the other cases, because I shall go down the line from the first case to the most recent case, that of Lassiter against Northampton Board of Elections, decided by the Supreme Court as late as 1959. The Supreme Court has never deviated, as I propose to show, from the first case right down to the present, in holding in clear, express, and explicit terms, that the States have exclusive jurisdiction over fixing the qualifications of voters, and that there is nothing anywhere in the Constitution, by indirection, by implication, or in any other way, that can give this proposed power to the Federal Government.

The decision of the Court in the case of Minor against Happersett, insofar as applicability of the 14th amendment to voting privileges was concerned, was influenced, of course, by the important slaughterhouse cases, which had been decided just 2 years earlier, in 1872.

SLAUGHTERHOUSE CASES

It was these cases which drew a clear line between national citizenship and State citizenship and established that the privileges adhering to one did not necessarily apply to the other.

The State of Louisiana had passed a law to regulate slaughterhouses near New Orleans and suit was brought on the ground that this law discriminated against certain citizens who had previously engaged in business, and that it therefore violated the 14th amendment.

More than a hundred pages in the reports—16 Wallace 36—were occupied by the Court's exhaustive analysis of the 14th amendment.

In its opinion, the Court said:

The first section of the 14th amendment, to which our attention is more specially invited, opens with a definition of citizenship—not only citizenship of the United States, but citizenship of the States. No such definition was previously found in the Constitution, nor had any attempt been made to define it by act of Congress. It had been the occasion of much discussion in the courts, by the executive departments, and in the public journals. It has been said by eminent judges that no man was a citizen of the United States except as he was a citizen of one of the States composing the Union. Those, therefore, who had been born and resided always in the District of Columbia or in the Territories, though within the United States, were not citizens. Whether this proposition was sound or not had never been judicially decided. But it had been held by this Court, in the celebrated Dred Scott case, only a few years before the outbreak of the Civil War, that a man of African descent, whether a slave or not, was not and could not be a citizen of a State or of the United States. This decision, while it met condemnation of some of the ablest statesmen and constitutional lawyers of the country, had never been overruled; and if it was to be accepted as a constitutional limitation of the right of citizenship, then all the Negro race who have recently been made freemen were still not only not citizens but were incapable of becoming so by anything short of an amendment to the Constitution.

To remove this difficulty primarily, and to establish a clear and comprehensive definition of citizenship which should declare what should constitute citizenship of the United States and also citizenship of a State, the first clause of the first section was framed.

That clause is the one reading—

All persons born and naturalized in the United States and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside.

The Court continued:

The first observation we have to make on this clause is, that it puts at rest both the questions which we stated to have been subject to differences of opinion. It declares that persons may be citizens of the United States without regard to their citizenship of a particular State, and it overturns the Dred Scott decision by making all persons born within the United States, and subject to its jurisdiction, citizens of the United States. That its main purpose was to establish the citizenship of the Negro there can be no doubt. The phrase "subject to its jurisdiction" was intended to exclude from its operation children of ministers, consuls, and citizens or subjects of foreign states born within the United States.

The next observation is more important in view of the arguments of counsel in the present case. It is, that the distinction between citizenship of the United States and citizenship of a State is clearly recognized and established. Not only may a man be a citizen of the United States without being a citizen of a State, but an important element is necessary to convert the former into the latter. He must reside within the State to make him a citizen of it, but it is only necessary that he should be born or naturalized in the United States to be a citizen of the Union.

It is quite clear, then, that there is a citizenship of the United States, and a citizenship of a State, which are distinct from each other, and which depend upon different characteristics or circumstances in the individual.

We think this distinction and its explicit recognition in this amendment of great weight in this argument, because the next paragraph of this same section, which is the one mainly relied on by the plaintiffs in error, speaks only of privileges and immunities of citizens of the United States, and does not speak of those of citizens of the several States. The argument, however, in favor of the plaintiffs rests wholly on the assumption that the citizenship is the same, and the privileges and immunities guaranteed by the clause are the same.

The language is: "No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States."

It is a little remarkable, if this clause was intended as a protection to the citizens of a State against the legislative power of his own State, that the words "citizen of the State" should be left out when it is so carefully used, and used in contradistinction to citizens of the United States, in the very sentence which precedes it. It is too clear for argument that the change of phraseology was adopted understandingly and with a purpose.

Of the privileges and immunities of the citizen of the United States, and of the privileges and immunities of the citizen of the State, and what they respectively are, we will presently consider; but we wish to state here that it is only the former which are placed by this clause under the protection of the Federal Constitution and that the latter, whatever they may be, are not intended to have any additional protection by this paragraph of the amendment.

If, then, there is a difference between the privileges and immunities belonging to a citizen of the United States as such, and those belonging to the citizen of the State as such, the latter must rest for their security and protection where they have heretofore rested; for they are not embraced by this paragraph of the amendment.

The first occurrence of the words "privileges and immunities" in our constitutional history is to be found in the fourth of the articles of the old Confederation.

It declares "that the better to secure and perpetuate mutual friendships and intercourse among the peoples of the different States of this Union, the free inhabitants of each of these States, paupers, vagabonds, and fugitives from justice, excepted, shall be entitled to all the privileges and immunities of free citizens in the several States; and the people of each State shall have free ingress and regress to and from any other State, and shall enjoy therein all the privileges of trade and commerce, subject to the same duties, impositions, and restrictions as the inhabitants thereof respectively."

In the Constitution of the United States, which superseded the Articles of Confederation, the corresponding provision is found in section 2 of the fourth article, in the following words: "The citizens of each State shall be entitled to all the privileges and immunities of citizens of the several States."

There can be but little question that the purpose of both these provisions is the same, and that the privileges and immunities intended are the same in each. In the article of the Confederation we have some of these specifically mentioned and enough perhaps to give some general idea of the class of civil rights meant by the phrase.

Fortunately, we are not without judicial instruction on this clause of the Constitution. The first and the leading case on the subject is that of Corfield against Coryell, decided by Mr. Justice Washington in the Circuit Court for the District of Pennsylvania in 1823.

"The inquiry," he says, "is, What are the privileges and immunities of citizens of the several States? We feel no hesitation in confining these expressions to those privileges and immunities which are fundamental—which belong of right to the citizens of all free governments, and which have at all times been enjoyed by the citizens of the several States which compose the Union, from the time of their becoming free, independent, and sovereign. What these fundamental principles are, it would be more tedious than difficult to enumerate. They may all, however, be comprehended under the following general heads: Protection by the Government with the right to acquire and possess property of every kind and to pursue and obtain happiness and safety, subject, nevertheless, to such restraints as the Government may prescribe for the general good of the whole."

This definition of the privileges and immunities of citizens of the States is adopted in the main by this Court in the recent case of Ward against the State of Maryland, while it declines to undertake an authoritative definition beyond what was necessary to that decision. The description, when taken to include others not named but which are of the same general character, embraces nearly every civil right for the establishment and protection of which organized government is instituted. They are, in the language of Judge Washington, those rights which are fundamental. Throughout his opinion they are spoken of as rights belonging to the individual as a citizen of a State. They are so spoken of in the constitutional provision which he was construing. And they have always been held to be the class of rights which the State governments were created to establish and secure.

Please notice that last phrase used by the Court:

They have always been held to be the class of rights which the State governments were created to establish and secure.

To continue quoting from the Court's opinion in the Slaughterhouse cases:

In the case of Paul against Virginia, the Court, in expounding this clause of the Constitution, says that the privileges and immunities secured to citizens of each State in the several States by the provision in question are those privileges and immunities which are common to the citizens of the latter States under their constitutions and laws by virtue of their being citizens.

The constitutional provision there alluded to did not create those rights, which it calls privileges and immunities of citizens of the States. It threw around them in that clause no security for the citizen of the State in which they were claimed or exercised. Nor did it profess to control the power of the State governments over the rights of its own citizens.

Note well that last statement of the Supreme Court:

Nor did it profess to control the power of the State governments over the rights of its own citizens.

But that is what the proposals now under consideration propose to do.

Continuing with our citation of the Court's opinion:

Its sole purpose was to declare to the several States that whatever those rights, as you grant or establish them to your own citizens, as you limit or qualify, or impose restrictions, on their exercise, the same, neither more nor less, shall be the measure of the rights of citizens of other States within your jurisdiction.

It would be the vainest show of learning to attempt to prove by citations of authority that up to the adoption of the recent amendments (that is, the 13th, 14th, and 15th) no claim or pretense was set up that those rights depended on the Federal Government for their existence or protection beyond the very few express limitations which the Federal Constitution imposed upon the States—such, for instance, as the prohibition against ex post facto laws, bills of attainder, and laws impairing the obligation of contracts. But with the exception of these and a few other restrictions, the entire domain of the privileges and immunities of citizens of the States, as above defined, lay within the constitutional and legislative power of the States, and without that of the Federal Government.

Was it the purpose of the 14th amendment, by the simple declaration that no State shall make or enforce any law which shall abridge the privileges and immunities of the citizens of the United States to transfer the security and protection of rights which we have mentioned to the Federal Government? And where it declared that Congress shall have the power to enforce that article, was it intended to bring within the power of Congress the entire domain of civil rights heretofore belonging exclusively to the States?

All this and more must follow if the proposition of the plaintiff is sound.

For not only are these rights subject to the control of Congress whenever in its discretion any of them are supposed to be abridged by State legislation but that body may also pass laws in advance limiting and restricting the exercise of power by the States in their most ordinary and usual functions, as in its judgment it may think proper on all such subjects and still further such construction would constitute this Court a perpetual censor upon all legislation of the States on the civil rights of their own citizens, with authority to nullify such as it did not approve, as consistent with those rights as existed at the time of the adoption of this amendment. The argument, we admit, is not always the most conclusive which is drawn from the consequences urged against the adoption of a particular construction of an instrument. But when, as in the case before us, those consequences are so serious, so far reaching and pervading, so great a departure from the structure and spirit of our institutions, when the effect is to fetter and degrade the State governments by subjecting them to the control of Congress in the exercise of powers heretofore universally conceded to them of the most ordinary and fundamental character, when in fact it radically changes the whole theory of the relations of the State and Federal Governments to each other and of both these governments to the people, the argument has a force that is irresistible in the absence of language which expresses such a purpose too clearly to admit of doubt.

Then, after pointing out that the Federal Government does unquestionably have responsibility for protecting the privileges and immunities of citizens under certain circumstances, such as when they are on the high seas or within the jurisdiction of a foreign government, the Court said it did not see in the 13th, 14th, and 15th amendments "any purpose to destroy the main features of the general system" of our Government.

The opinion concluded:

Under the pressure of all the excited feeling growing out of the war, our statesmen have still believed that the existence of the States with powers for domestic and local government including the regulation of civil rights, the rights of person and of property was essential to the perfect working of our complex form of government, though they have thought proper to impose additional limitations on the States and to confer additional power on that of the Nation.

But whatever fluctuations may be seen in the history of public opinion on this subject during the period of our national existence we think it will be found that this Court, so far as it functions required, has always held with a steady and an even hand the balance between State and Federal power, and we trust that such may continue to be the history of its relation to that subject so long as it shall have duties to perform which demand of it a construction of the Constitution or of any of its parts.

UNITED STATES AGAINST CRUIKSHANK

In 1876, the year after the case of Minor against Happersett was decided, Chief Justice Waite again emphasized the right as well as the obligation of the States to protect the privileges of their citizens.

In giving the Court's opinion in the case of *United States* v. *Cruikshank* (92 U.S. 542) he said:

The 14th amendment prohibits a State from depriving any person of life, liberty, or property without due process of law, or from denying to any person equal protection of the law, but this provision does not add anything to the rights of one citizen as against another. It simply furnishes an additional guarantee against any encroachment by the State upon the fundamental rights which belong to every citizen as a member of society.

The duty of protecting all its citizens in the enjoyment of an equality of rights was originally assumed by the States, and it remains there. The only obligation resting upon the United States is to see that the States do not deny the right. This the amendment guarantees and no more. The power of the National Government is limited to this guarantee.

The only question, then, would seem to be whether the right of voting without paying a poll tax, when the State requires such payment, is such a fundamental right as the Court referred to.

UNITED STATES AGAINST REESE

The Court removed any doubt on this point in another opinion handed down in 1876, following the Cruikshank case, to which I have referred. In the case of *United States* v. *Reese* (92 U.S. 214) the Court said:

The 15th amendment does not confer the right of suffrage upon anyone. It prevents the States, or the United States, however, from giving preference in this particular to one citizen of the United States over another on account of race, color, or previous condition of servitude. Before its adoption this could be done. It was as much within the power of a State to exclude citizens of the United States from voting on account of race, and so forth, as it was on account of age, property, or education. Now it is not.

Please notice closely the last part of that statement. The Court said that before adoption of the 15th amendment a State had as much right to exclude a citizen from voting on account of race, color, or previous condition of servitude, as it had—and still has since passage of the amendment—to exclude on account of age, property, or education.

EX PARTE YARBROUGH

We come next to 1884 and a case styled *Ex parte Yarbrough* (110 U.S. 651). The unanimous opinion in this case was written by Mr. Justice Miller, the same distinguished jurist who wrote the opinion in the Slaughter House cases from which I previously quoted. This is a leading case which has been cited and relied upon by the courts in later cases involving the right to vote.

In this case Yarbrough and others were prosecuted for interfering with the exercise of the right to vote by certain qualified voters in an election of a Member of Congress from Georgia. They were charged with making violent attacks on those persons to prevent their voting. Yarbrough and the other defendants claimed they were not subject to Federal prosecution because the right to vote was conferred by the State.

In its opinion the Court said:

The States, in prescribing the qualifications of voters for the most numerous branch of their own legislatures, do not do this with reference to the election for Members of Congress. Nor can they prescribe the qualification for voters for those eo nomine. They define who are to vote for the popular branch of their own legislature, and the Constitution of the United States says the same persons shall vote for Members of Congress in that State.

I continue to read:

It adopts the qualification thus furnished as the qualification of its own electors for Members of Congress. It is not true, therefore, that electors for Members of Congress owe their right to vote to the State in any sense which makes the exercise of the right to depend exclusively on the law of the State.

In short, in the Yarbrough case the Court held that the State may not prescribe qualifications for Members of Congress as such, but it does automatically determine what their qualifications shall be when it fixes the qualifications for electors of the popular branch of its own legislature. It is therefore clear that until the present Constitution be amended, the Federal Government cannot in effect fix qualifications for electors for State legislatures by prescribing qualifications of those eligible to vote in national elections. Of course that is what it would amount to, and certainly under the Constitution the qualifications have to be the same. No one, either here or anywhere else, has ever challenged that fact.

SWAFFORD AGAINST TEMPLETON

The case of *Swafford* v. *Templeton* (185 U.S. 487) involved the question of whether a person qualified to vote under State laws, who is wrongfully denied that right, has a cause of action for damages arising under the Constitution of the United States.

In answering this question in the affirmative, the Court referred to the Yarbrough case, and interpreted that opinion in this way:

That is to say, the ruling was that the case was equally one arising under the Constitution or laws of the United States, or from violation of a State law which affected the exercise of the right to vote for a Member of Congress, since the Constitution of the United States had adopted, as the qualification of electors for Members of Congress, those prescribed by the State for electors of the most numerous branch of the legislature of the State.

It will be noted that the Court says the Constitution adopts the qualifications prescribed by the State—not that Congress adopts them. And, since it is the Constitution that adopts them, Congress is without power to alter this adoption.

GWINN AND BEAL AGAINST UNITED STATES

Again, in 1915 in the case of *Gwinn and Beal* v. *U.S.* (238 U.S. 347) Mr. Chief Justice White had this to say about the effect of the 15th amendment on State power (p. 362):

Beyond doubt, the amendment does not take away from the State governments in a general sense the power over suffrage which had belonged to those governments from the beginning, and without the possession of which power the whole fabric upon which the division of State and National authority under the Constitution and the organization of both governments rest would be without support and both the authority of the Nation and the State would fall to the ground. In fact, the very command of the amendment recognizes the possession of the general power by the State, since the amendment seeks to regulate its exercise as to the particular subject with which it deals.

NEWBERRY AGAINST UNITED STATES

The authority of the Federal Government to regulate elections under article I, section 4 was further defined in 1921 in the case of *Newberry* v. *U.S.* (256 U.S. 232). Mr. Justice Pitney, speaking on behalf of Justices Brandeis, Clark, and himself, in a concurring opinion, which dissented on one main point in the case, said that section 4 "does not confer a general power to regulate elections, but only to regulate 'the manner of holding' them. But this can mean nothing less than the entire mode of procedure—the essence, not merely the form of conducting elections."

And, in its majority opinion in this case, the Court said:

We find no support in reason or authority for the argument that because the offices were created by the Constitution, Congress has some indefinite, undefined power over elections for Senators and Representatives not derived from section 4. The Government, then, of the United States, can claim no powers which are not granted to it by the Constitution, and the powers actually granted must be such as are expressly given, or given by necessary implication.

Thus Congress may enact laws to protect the right to vote of those who are qualified by State law; but no power is expressly given, or given by necessary implication to say who shall be qualified to vote in the States.

BREEDLOVE AGAINST SUTTLES

The first case directly involving poll taxes to come before the Supreme Court for decision was that of *Breedlove* v. *Suttles* (302 U.S. 277) decided in 1937. In that case the plaintiff, a citizen of Georgia, attempted to vote in a State election and also in a Federal election held at the same time for a Representative in Congress. He was refused the right to vote in either election because he had not paid his poll tax. He then sued, contending the privilege of voting for Federal officials was one to which he was entitled, unrestricted by a tax unreasonably imposed through State invasion of his rights as a citizen of the United States.

Mr. Justice Butler, in the unanimous opinion of the Court, stated:

Payment of the tax as a prerequisite [to voting] is not required for the purpose of denying or abridging the privilege of voting. * * * Exaction of payment before registration undoubtedly serves to aid collection from electors desiring to vote, but that use of the States' power is not prevented by the Federal Constitution. * * * To make payment of poll taxes a prerequisite of voting is not to deny any privilege or immunity protected by the 14th amendment. Privilege of voting is not derived from the United States, but is conferred by the State and, save as restrained by the 15th and 19th amendments and other provisions of the Federal Constitution, the State may condition suffrage as it deems appropriate.

That is a direct quotation from the decision of the Supreme Court rendered in 1915.

Then, after citing four leading cases, including those of Minor against Happersett and Ex parte Yarbrough, the Court stated:

The privileges and immunities protected are only those that arise from the Constitution and laws of the United States and not those that spring from other sources.

A more recent case, *Butler* v. *Thompson*, D.C.E.D. Va., 97 F. Supp. 17, affirmed, 341 U.S. 937, decided in 1951, gives the Virginia poll tax requirement and its administration by State officials, a constitutional "clean bill of health" similar to that bestowed on the State of Georgia by the Court in Breedlove against Suttles. I will review the Butler case later.

UNITED STATES AGAINST CLASSIC

We now come to the case of *United States* v. *Classic*, 313 U.S. 299 (1941).

This case is somewhat similar to the Yarbrough case, involving prosecution of Classic and others for interfering with voters in a Louisiana primary election. The main point in the case was whether the constitutional protection applied to voters in a primary as well as to a general congressional election. The Court decided that it did.

But, the Court proceeded to cite the Yarbrough case, following the ruling in that case, in holding that the right to vote in either primary or general elections of Members of Congress was given only to persons qualified under State law to vote for members of the most numerous branch of the legislature.

Mr. Justice Stone said:

Such right as is secured by the Constitution to qualified voters to choose Members of the House of Representatives is thus to be exercised in conformity with the requirements of State law, subject to the restrictions prescribed by section 2 and the authority conferred on Congress by section 4, to regulate the times, places, and manner of holding elections of Representatives.

We look then to the statutes of Louisiana here involved to ascertain the nature of the right which under the constitutional mandate they define and confer on the voter.

The Court also said in the case:

The right of the people to choose, * * * is a right established and guaranteed by the Constitution, and hence is one secured by it to those citizens and inhabitants of the State entitled to exercise the right.

Then followed this paragraph, which mistakenly has been relied upon by advocates of Federal action:

While, in a loose sense, the right to vote for Representatives in Congress is sometimes spoken of as a right derived from the States (citing cases), this statement is true only in the sense that the States are authorized by the Constitution to legislate on the subject as provided by section 2 of article I, to the extent that Congress has not restricted State action by the exercise of its powers to regulate elections under section 4 and its more general power under article I, section 8, clause 18 of the Constitution "to make all laws which shall be necessary and proper for carrying into execution the foregoing powers."

In other words, the office of Representatives in Congress was created by the Constitution, of course. But, the opinion still says that the States are authorized to legislate as provided by section 2, which is the only section that refers to qualifications of voters, and that this authority may be limited by the Federal authority under section 4 which covers only times, places, and manner of holding elections.

I am aware, of course, that in the cases of *Smith* v. *Allwright* (1944) (321 U.S. 649) and *Rice* v. *Elmore* (C.C.A. 4th, 1947), 165 F. (2d) 387, in which certiorari was denied in 1948, 16 L.W. 3314, the issue was raised of whether a State primary was an integral part of the State election machinery and whether denial of a right to participate in the primary was a denial of a constitutional or Federal statutory right for which redress could be sought through injunctive relief or damage.

But these cases merely emphasize the accepted fact that States may not deny the right to vote which is guaranteed by the Constitution to those who are qualified. There is nothing in either of these decisions which contradicts the position taken by the Court in other cases, that the States have the authority to determine what are the qualifications.

PIRTLE AGAINST BROWN

Another case which may be mentioned is that of *Pirtle* v. *Brown* (118 Fed. (2d) 218). This grew out of the complaint of a citizen of Tennessee, otherwise qualified, who was refused the right to vote in a special election to fill a vacancy in the House of Representatives because he had not paid his poll tax.

If there could be a more direct issue before the court than that, I do not know what it could be. That is the very issue before us now. He wanted to vote for a Member of Congress, and he had not paid his poll tax. The State officials said, "You cannot vote." The district court found against him. The decision was affirmed unanimously by the Sixth Circuit Court of Appeals, whose opinion followed closely the reasoning of Mr. Justice Butler in the Breedlove case.

The Supreme Court was asked to review the case, but, on October 13, 1941, the petition was denied, without any opinion or statement.

Inherent in our Government is the protection of minorities on certain vital issues.

The Court, however, denied the writ and thus placed its stamp of approval on the ruling in the Breedlove case even when no State election was involved.

A few moments ago, I referred to the 1951 Virginia case of Butler against Thompson. If there has been any doubt regarding the right of a State to set the payment of a poll tax as a qualification for voting, this case surely must expel such doubt.

In *Butler* v. *Thompson*, D.C.E.D. Va., 97 F. Supp. 17, a special three-judge court reviewed the constitutionality of the Virginia poll tax as a prerequisite for voting. The decision of this special court was affirmed in 341 U.S. 937.

Judge Dobie, speaking for the three-judge court, the language of which the Supreme Court endorsed by its affirmation of the decision, had the following to say:

The decisions generally hold that a State statute which imposes a reasonable poll tax as a condition of the right to vote does not abridge the privileges or immunities of citizens of the United States which are protected by the 14th amendment. The privilege of voting is derived from the State and not from the National Government. The qualification of voters in an election for Members of Congress is set out in article I, section 2, clause 1 of the Federal Constitution which provides that the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State Legislature. The Supreme Court in *Breedlove* v. *Suttles*, 302 U.S. 277, 283, 58 S. Ct. 205, 82 L. Ed. 252, held that a poll tax prescribed by the Constitution and statutes of the State of Georgia did not offend the Federal Constitution.

Accordingly, the Supreme Court, by its affirmation of Judge Dobie's language, held that the Virginia poll tax statute did not violate either the 14th amendment or the 15th amendment and, furthermore, was valid under article I, section 2 of the Constitution.

More recently—as late as 1959—the Supreme Court in *Lassiter* v. *Northampton Board of Elections*, 360 U.S. 45, upheld a North Carolina voting qualification, in this instance a literacy test.

In upholding North Carolina's literacy test qualification, Mr. Justice Douglas said at page 50:

The States have long been held to have broad powers to determine the conditions under which the right of suffrage may be exercised. *Pope* v. *Williams*, 193 U.S. 621, 633; *Mason* v. *Missouri*, 179 U.S. 328, 335, absent of course the discrimination which the Constitution condemns. Article I, section 2, of the Constitution in its provision for the election of Members of the House of Representatives and the 17th amendment in its provision for the election of Senators provide that officials will be chosen "by the people." Each provision goes on to state that "the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature." So while the right of suffrage is established and guaranteed by the Constitution (*Ex parte Yarbrough*, 110 U.S. 651, 663–665; *Smith* v. *Allbright*, 321 U.S. 649, 661–662) it is subject to the imposition of State standards which are not discriminatory and which do not contravene any restriction that Congress, acting pursuant to its constitutional powers, has imposed. See *United States* v. *Classic*, 313 U.S. 299, 315.

Clearly, when Justice Douglas cites article I, section 2 of the Constitution, he is emphasizing that the right of the States to determine voter qualifications remains unaltered. When he refers to "State standards which are not discriminatory and which do not contravene any restriction that Congress, acting pursuant to its constitutional powers, has imposed," he is merely affirming the universally accepted principle that no State can deny a citizen the right to vote because of race, creed, color, or sex, and that Congress under article I, section 4 of the Constitution may regulate "the times, places, and manner of holding elections."

I realize, of course, that the amendment proposed by the distinguished Senator from Florida [Mr. HOLLAND] is a constitutional means of altering our present form of government. Consequently, such a proposal obviously cannot be unconstitutional. However, it seems that whenever a proposal to abolish the poll tax by a constitutional amendment appears for consideration on the floor of Congress, a bill designed to accomplish the same result—such as the Javits bill—is never far behind. Although the policy objections which I have enumerated and will discuss further are applicable to both the proposed amendment and the bill, the constitutional objections—as Senators, I am sure, must realize—are reserved to the latter.

I have cited an unbroken line of cases, Federal and State, all of which clearly and unanimously hold that the right to fix qualifications is vested by the Constitution in the States. It has been argued at times that the cases are not in point because Congress has not legislated on the poll tax and when it does legislate, its regulation will be paramount. How foolish, since the Congress has no power except that conferred upon it by the Constitution. In this instance the power not only is not conferred, it is expressly reserved by the States in the Constitution.

The principle which must be applied was well stated by Chief Justice Marshall in the case of *Hodgson & Thompson* v. *Bowerbank* (1809) (5 Cranch 303) when in discussing legislation dealing with judicial power he said:

Turn to the article of the Constitution of the United States, for the statute cannot extend jurisdiction beyond the limits of the Constitution.

The framers of the Constitution familiar with the constitutions of the several States and the tax requirements they included, wrote into article I, section 2, a provision that the qualifications for electors for Members of Congress should be the same as the qualifications for the electors for the most numerous branch of the State legislatures. Thus reserving to themselves that power, the States likewise bound the Congress, as much so as if the Constitution had expressly said: "The Congress shall pass no bill concerning the qualifications of persons voting for Representatives in Congress."

That there should be no doubt, in future years, of that fact, there was written into the 10th amendment this reminder:

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States are reserved to the States respectively or to the people.

CARTER AGAINST CARTER COAL CO.

The limitation on the powers of Congress was defined with clarity by the Supreme Court in the case of *Carter* v. *Carter Coal Co.* (298 U.S. 238) in which the Court said:

The general rule with regard to the respective powers of the National and the State Government under the Constitution is not in doubt. The States were before the Constitution; and, consequently, their legislative powers antedated the Constitution. Those who framed and those who adopted that instrument meant to carve from the general mass of legislative powers, then possessed by the States, only such portions as it was thought wise to confer upon the Federal Government; and in order that there should be no uncertainty in respect to what was taken and what was left the national powers of legislation were not aggregated but enumerated—with the result that what was not embraced by the enumeration remained vested in the States without change or impairment. Thus, "when it was found necessary to establish a National Government for national purposes," this Court said in *Munn* v. *Illinois* (94 U.S. 113, 124), "a part of the powers of the States and the people of the States was granted to the United States and the people of the United States. This grant operated as a further limitation upon the powers of the States, so that now the governments of the States possess all the powers of the Parliament of England, except such as have been delegated to the United States or reserved by the people." While the States are not sovereign in the true sense of that term, but only quasi-sovereign, yet in respect of all powers reserved to them they are supreme—"as independent of the General Government as that Government within its sphere is independent of the States." And, since every addition to the legislative power to some extent detracts from or invades the power of the States it is of vital moment that, in order to preserve the fixed balance intended by the Constitution, the powers of the General Government be not so extended as to embrace any not within the express terms of the several grants or the implications necessary to be drawn therefrom.

It is no longer open to question that the General Government, unlike the States, possess no inherent power in respect of the internal affairs of the States and emphatically not with regard to legislation. The question in respect of the inherent power of that Government as to the external affairs of the Nation and in the field of international law is a wholly different matter which it is not necessary now to discuss.

While it may be said that the value of the case I have just cited is limited as a precedent by subsequent decisions questioning the validity of the conclusion then reached by the Court, the reasoning on the particular point we have under discussion remains valid.

This was recognized by the Court when it said as late as 1945 in the case of *Screws* v. *U.S.* (325 U.S. 91):

The 14th amendment did not alter the basic relations between the States and the National Government. *United States* v. *Harris* (106 U.S. 629; in re Kemmler, 136 U.S. 436, 448): Our National Government is one of delegated powers alone.

So it seems clear that the power to fix qualifications of voters, expressly reserved to the States by the Constitution, cannot be said to be abrogated by some implied power of Congress.

Now let us take a look at the Javits bill in the light of the constitutional history which I have so far developed.

The second section of S. 478 states that—

SEC. 2. It shall be unlawful for any State, municipality, or other governmental authority or any subdivision thereof, or for any person, whether or not acting on behalf of any State, municipality, other governmental authority or subdivision thereof, to levy, collect, or require the payment of any poll tax or other tax or to impose a property qualification as a prerequisite for registering to vote or voting in any primary or other election for President, Vice President, elector for President or Vice President, or Senator or Member of the House of Representatives, or otherwise to interefere with or prevent any person from registering to vote or voting in any such election by reason of such person's failure or refusal to pay or assume the obligation of paying any poll tax or other such tax or meeting any property qualification. Any such levy, collection or requirement, and any such tax or property qualification, shall be invalid and void insofar as it purports to disqualify any person otherwise qualified from voting at such primary or other election.

I should first like to call attention to the fact that the bill is made to apply to the choice of electors for President and Vice President, in the very face of the fact that the Constitution reserves to the States the exclusive power of determining the manner in which its electors shall be chosen and confers no power whatsoever on Congress to legislate on this subject.

Section 1 of article II of the Constitution provides:

Each State shall appoint, in such manner as the legislature thereof may direct, a number of electors, equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress.

Under this provision, States do not have to hold elections to choose Presidential electors, and in the early days of the Nation some States had their legislatures choose electors, some chose them by districts and some by other methods, although at present the accepted method is to have the choice made by ballot of the whole electorate.

M'PHERSON AGAINST BLACKER

Any doubt as to the latitude given the States in making their choice is removed by examination of the language used by the Supreme Court in the case of *McPherson* v. *Blacker* (146 U.S. 1, 27, 35) where Mr. Chief Justice Fuller said:

> The Constitution does not provide that the appointment of electors shall be by popular vote, nor that the electors shall be voted for upon a general ticket, nor that the majority of those who exercise the elective franchise can alone choose the electors. It recognizes that the people act through their representatives in the legislature, and leaves it to the legislature exclusively, to define the method of effecting the object.

Mr. Chief Justice Fuller also said in his opinion in this case:

> In short, the appointment and mode of appointment of electors belong exclusively to the States under the Constitution of the United States. They are, as remarked by Mr. Justice Gray *In re Green* (134 U.S. 377, 379 (33:951, 952)) "no more officers or agents of the United States than are the members of the State legislatures when acting as electors of Federal Senators, or the people of the States when acting as the electors of Representatives in Congress." Congress is empowered to determine the time of choosing the electors and the day on which they are to give their votes, which is required to be the same day throughout the United States, but otherwise the power and jurisdiction of the State is exclusive, with the exception of the provisions as to the number of electors and the ineligibility of certain persons, so framed that congressional and Federal influence might be excluded.

In this case the Court also quoted, with approval, from a report of the Senate Privileges and Elections Committee made in 1847, in which it was stated that:

> It is no doubt competent for the legislature to authorize the Governor, or the supreme court of the State, or any other agent of its will to appoint these electors.

The Court said further:

> Whenever Presidential electors are appointed by popular election, then the right to vote cannot be denied or abridged without invoking the penalty (of having State representation reduced as provided in the 14th amendment), and so of the right to vote for Representatives in Congress, the executive and judicial officers of the State, or the members of the legislature thereof. The right to vote intended to be protected refers to the right to vote as established by the laws and constitution of the State. There is no color for the contention that under the amendments every male citizen of the United States has from the time of his majority a right to vote for Presidential electors.

It should be apparent, then, that even if justification could be found in the Constitution for the proposed legislation as applied to elections for Members of Congress, the same authorization could not be made to apply to the choice of electors of President and Vice President. Clearly, even the limited power given by section 4 of article I to deal with the times, places, and manner of elections, cannot refer to the electors, who do not have to be chosen at an election at all, if the State should prefer some other manner of selection.

So, the ground which is attempted to be covered by this bill indicates how far the enthusiasm of its sponsors has led them astray from constitutional principles.

That the departure of the authors of the bill from the intent of the framers of the Constitution is not entirely unconscious is also indicated by the clause in section 1 of the bill stating that requirement of a poll tax payment as a prerequisite to vote—

> is not and shall not be deemed a qualification of voters or electors * * * within the meaning of the Constitution, but is and shall be deemed an interference with the manner of holding primaries and elections for said national officers, an abridgment of the rights and privileges of citizens of the United States, a tax on such rights and privileges, an obstruction of the operations of the Federal Government, and an impairment of the republican form of government.

We have here what amounts to a confession by the authors of the bill that they cannot invade the right to fix qualifications of voters, which is so plainly given to the States by article I, section 2. So they try by a legislative declaration to remove the poll-tax requirement from the definition of the word "qualification" and then, by another declaration to brand it as "interference" with the manner of holding elections and other provisions of the Constitution thereby bringing it into a realm where Federal authority could be asserted.

There are two questions to be considered here. First, is the poll-tax requirement such a qualification as was contemplated by the framers of the Constitution and which is permissible under article I, section 2? And second, can the Congress usurp a power which always has been conceded to belong to the courts by attempting to define and interpret the meaning of the wording of our Constitution merely to justify an extension of its own powers?

On the first point, we know that Webster defines "qualification" as "a condition precedent that must be complied with for the attainment of a status, the perfection of a right, and so forth, as the qualification of citizenship."

And "qualified voter" is defined as "one who possesses certain specific qualifications for voting, especially as to citizenship, age, and residence, and sometimes also as to literacy and ownership of property."

I can find no merit in the argument of those who attempt to say that when the authors of our Constitution wrote in the word "qualification" they had in mind only moral or intellectual qualities which would make the citizen competent to vote intelligently.

As I previously pointed out in this discussion, the possession of property or the prepayment of taxes was a prerequisite to voting in most of the States at the time the Constitution was adopted. And, in the Federalist—No. 60—Alexander Hamilton applied the word "qualification" in this connection when he spoke of "prescribing qualifications of property, either for those who may elect or be elected." Hamilton immediately added that—

> This forms no part of the power to be conferred upon the National Government. Its authority would be expressly restricted to the regulation of the times, the places, and the manner of elections. The qualifications of the persons who may choose or be chosen, as has been remarked upon another occasion, are defined and fixed in the Constitution; and are unalterable by the legislature.

The same understanding of the term "qualifications" is evident among those who participated in the constitutional convention debates. Thus (in Elliott's Debates, vol. 5, p. 385) we find that in discussion of article I, section 2, Mr. Gouverneur Morris moved to amend by striking out "beginning with the words 'qualifications of electors'," so as to "restrain the right of suffrage to freeholders." Continuing this discussion of a property ownership requirement for voters, Mr. Wilson thought it would be difficult to form any uniform rule of qualifications for all States. Mr. Mason observed that some of the States had "extended the right of suffrage beyond the freeholders," and that a power to alter the qualifications would be a dangerous power in the hands of the Legislature—Congress. James Madison was undecided whether the constitutional qualification ought to be freehold, but said the right of suffrage ought to be left to be regulated by Congress.

This interpretation of qualifications of voters has continued to be accepted to the present time.

I submit, therefore, that the Congress would be violating an elementary principle of law if it undertook, as this bill proposes to do, to enlarge its own powers by changing the meaning which the word "qualification" has achieved both by popular acceptance and judicial interpretation.

This is exactly the kind of action I believe Thomas Jefferson had in mind when he said:

> In questions of power, then, let no more be heard of confidence in man, but bind him down from mischief by the chains of the Constitution.

The bill's assertion that what the framers of the Constitution plainly recognized as a qualification for voting is not a qualification at all, is a legally unjustified twisting of language.

I think we are justified in observing, too, that a poll tax prerequisite for voting is more of a fancied than an actual injustice.

The registration-before-voting requirement in New York State disqualifies more potential voters in New York City alone than the poll tax does in the entire State of Virginia. If the larger the vote, the better the government, why place any restriction on voting? It is neither a small poll tax payment nor registration that results in the failure of many people to vote. It is indifference to public affairs. Vast campaign funds are spent in every election in an effort to overcome that indifference.

Historically we have seen that the payment of a poll tax as a prerequisite to voting came into use in this country as a liberal alternative to the requirement that a citizen should be a landholder or property owner. It was regarded with some distrust by some of our Founding Fathers who feared that the colonist who owned nothing and so had little to lose might not hesitate to vote for irresponsible officials who would bankrupt the Government. It was defended, however, by those who recognized that in an undeveloped country there were those who had not had an opportunity to acquire many worldly goods but who deserved a voice in the Government. These liberals of their day were willing to trust the right of franchise to anyone who had made even a nominal contribution to the cost of maintaining his Government.

It still may be worth while for us to remember that John Stuart Mill, the English philosopher and economist, in his Considerations on Representative Government, not only recommended a direct capitation tax as a qualification for voting, but also suggested that a voter should be able to read and write and do simple problems in arithmetic.

Also the distinguished American jurist, Judge Thomas M. Cooley, in his work on constitutional law, published in 1880, said:

> Many of the States admit no one to the privilege of suffrage unless he is a taxpayer. * * * To require the payment of a capitation (poll) tax is no denial of suffrage; it is demanding only the preliminary performance of public duty, and may be classed, as may also presence at the polls, with registration, or the observance of any other preliminary to insure fairness and protect against fraud (p. 263).

Incidentally, Judge Cooley, writing before the Yarbrough case was decided, forecast the position taken by the Supreme Court by saying in his book:

> The Constitution of the United States confers the right to vote upon no one. That right comes to the citizens of the United States, when they possess it at all, under State laws, and as a grant of State sovereignty.

Mr. President, it seems to me less logical to attack the poll tax, which denies the vote to those who are financially able to make a small annual contribution to public education, but refuse to do so, than it would be to attack the restrictions which States have placed on paupers, who might be glad to qualify if they had the money.

Perhaps it will be said that the man who has no money and is dependent on the State for his support should not be entrusted with the responsibility of choosing officials; but if so, is there not even better reason for denying the ballot to those who have the money but are too indifferent to meet the requirements set up by their State laws?

Mr. President, the Javits bill is not only unconstitutional and illogical, but—like the proposed Holland amendment—it is highly undesirable.

These proposals are dangerous in principle, because they serve as another step in the direction of submerging the sovereignty of the States in an overpowering Central Government. They open the gates for an unlimited invasion of the powers which the Constitution carefully reserved to the States.

Thus, if we by statute or by amendment provide that a State cannot require prepayment of a poll tax by voters, there is no logical reason why we may not choose at a later date to lower the voting age to 18 or 16 or 12—or perhaps eliminate the length of residence requirements and restrictions on absentee voting. The question is simple, Do we want the Federal Government to determine the qualifications of voting? To permit it to determine any qualification is to lay the foundation for permitting it to determine all qualifications.

We must keep in mind that the power to enlarge the electorate includes the power to restrict it. Many peoples have despotism forced upon them. Must we embrace it of our own free will?

Mr. President, since our Constitution was adopted, warnings have been sounded of the dangers of upsetting the delicate balance between the States and the Federal Government, and the legislative, the judicial, and the executive branches.

Because the warnings of Andrew Jackson and others were not sufficiently heeded, we found ourselves plunged into a fratricidal war. Our Nation and our constitutional Government survived that conflict but only at a terrible price. And, incidentally, the States against which the pending legislation is directed still are paying installments on that price in the form of retarded economic development.

But, we have survived to the present and we know that history records no instance of an overnight destruction from within of a form of government which has existed for more than a century and a half. The process always has been slow and it has always been insidious. The leaders advocating the change have always concealed their direct purposes and the masses have accepted the change in the mistaken belief that they were going to get in the future something better than they had in the past.

Let us not be so misled now. Let us not do something which might pull a cornerstone from the base of our constitutional liberty.

Let us heed the words of Daniel Webster, speaking on the 100th anniversary of the birth of George Washington when he said:

> Other misfortunes may be borne, or their effects overcome. If disastrous war should sweep our commerce from the ocean, another generation may renew it; if it exhaust our Treasury, future industry may replenish it; if it desolate and lay waste our fields, still, under a new cultivation, they will grow green again and ripen to future harvests. It were but a trifle even if the walls of yonder Capitol were to crumble, if its lofty pillars should fall, and its gorgeous decorations be all covered by the dust of the valley. All these might be rebuilt. But who shall reconstruct the fabric of demolished government? Who shall rear again the well-proportioned columns of constitutional liberty? Who shall frame together the skillful architecture which united national sovereignty with State rights, individual security and public prosperity? No, if these columns fall, they will be raised not again. Like the Coliseum and the Parthenon, they will be destined to a mournful, a melancholy immortality. Bitterer tears, however, will flow over them, than were ever shed over the monuments of Roman or Crecian art, for they will be the remnants of a more glorious edifice than Greece or Rome ever saw, the edifice of constitutional American liberty.

Mr. HILL. Mr. President, will the Senator yield to me?

Mr. ROBERTSON. I yield.

Mr. HILL. Will the Senator from Virginia permit me to warmly congratulate him on his very scholarly, erudite, and magnificent address today?

Mr. ROBERTSON. The distinguished Senator from Alabama is far too gracious in his praise, but I appreciate his comment very much.

Mr. President, I yield the floor.

TRANSACTION OF ROUTINE BUSINESS

By unanimous consent, the following routine business was transacted:

GREEK INDEPENDENCE DAY, MARCH 25

Mr. SALTONSTALL. Mr. President, tomorrow, March 25, on the 141st anniversary of the beginning of the valiant struggle of Greece to free itself from Ottoman rule, Americans will join with freedom-loving people all over the world in paying tribute to the independent spirit and the courage of the Greek people.

It is entirely appropriate that on this occasion free people everywhere should acknowledge their debt to a nation which has contributed so much to the development of democratic ideals and institutions. The experiments in democratic government carried on at Athens over 2,000 years ago established a firm foundation for the development of democracy as we now know it. The methods and practices of the city-state government necessarily have been modified to fit the demands and situations of modern society, but the primary emphasis on the worth and dignity of the individual and on the rule of law, have remained unchanged. Greece may indeed be described as the birthplace of human freedom.

The contributions of the Greeks to world progress have special meaning for the United States. The men who fashioned our Declaration of Independence and our Constitution were much influenced by the writings of the Greek philosophers, and the foundations of our Government reflect this influence. Greek contributions to our society have not been confined of course to our political institutions. Outstanding examples of Hellenic architecture, literature, and culture are everywhere around us. But it is for their contributions to democratic political thought that I especially commend them today. It is gratifying to note that when, after centuries of subjugation, Greece sought, in 1821, to reestablish its freedom, the influential voice of Daniel Webster, one of the most illustrious of the Massachusetts members of this body, was raised in behalf of these people.

The struggle for freedom in Greece was not won easily. Nor has it been easy

for the Greeks to maintain the freedom thus achieved. Because geographically Greece is a gateway between Europe and Asia it has been the locale of many serious armed conflicts, all of which have done great injury to the economic and political structure of the land but none of which has dampened the spirit of the Greek people. During World War II Greece was occupied by Axis powers, but not until the Greeks had resisted the Italian forces of Mussolini, forcing the latter to seek assistance from German troops. British forces liberated Greece in 1944, but the troubles of this nation were not yet over. Soon the country was plunged into civil war once again, on that occasion fighting to maintain its freedom from Communist enslavement. The Greeks were successful in the endeavor and now stand practically on Russia's doorstep as a constant reminder and symbol of a people that successfully resisted the clutches of the Kremlin. The Greek victory over the Communists was truly a victory for free people all over the world. Greece is now a stronghold for democracy in the eastern Mediterranean area and is a vital link in the North Atlantic Treaty Organization.

Those of us from Massachusetts are properly proud of the large Greek community in our State, which has been a powerful and constructive force for good and has provided leadership in many aspects of our community life. Some of my closest associates in Massachusetts have been Americans of Greek background. I value their friendship and their counsel highly.

WASHINGTON'S FAREWELL ADDRESS REVISITED

Mr. SALTONSTALL. Mr. President, I ask unanimous consent to have printed in the RECORD a magnificent talk by Admiral Burke before the New York State Society of the Cincinnati on February 22, 1962. It expresses so clearly the problem that faces our Nation today and our responsibility to approach that problem realistically and in the best interest of our country and world peace.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

WASHINGTON'S FAREWELL ADDRESS REVISITED

(Address by Adm. Arleigh Burke, U.S. Navy, retired)

The anniversary of a society founded by George Washington, such as the one I am privileged to share with you today, is appropriate not only to our sense of history, but also to our responsibilities for the future.

Washington stood at the helm of this Nation when it was in transition from colony to Nation. Today our transition is from the tranquillity of a nation secure in its internal power, and busily occupied with its internal affairs, to a nation challenged to do no less than lead the world through a wilderness of terror and oppression—or by default—be held accountable for the death of Western civilization.

Despite the almost incredible difference in the magnitude of the challenge, that of building a single new nation or securing the fate of an entire world, the challenge that faced Washington and the one that faces us is similar in one overwhelming sense. The success of the response to the challenge will be decisive and irrevocable within a short span of time. The generation that followed Washington knew that the Nation's roots had firmly taken hold. The generation that follows us will know, by the very condition of their lives, whether we failed or succeeded.

In these circumstances it might seem that of all Washington's statements, his Farewell Address would be the least appropriate for our consideration. It is generally held to be the great document of isolationism. It describes Europe's interests as of only "remote relation" to ours. It says that it would be unwise to "implicate ourselves by artificial ties, in the ordinary vicissitudes of Europe's policies, or the ordinary combinations and collisions of her friendships or enmities."

Today there are those who steadfastly hold that this advice should be followed again; that by avoiding foreign entanglements we would also avoid all threat and danger. There are others who say, to the contrary, that what Washington said then was soon proven wrong and thus should be remembered only as a museum piece of political oratory.

Both are wrong—terribly wrong.

Washington's address was, in fact, the enunication of a policy of isolationism. He did seriously propose it as just that.

And fortunately the American people had sufficient wisdom to follow his direction. For out of the isolationism was born the mighty power of the United States. The wisdom of that policy has been tested and proven by the experience of over 150 years of history. If, in our own day, new circumstances require a reassessment of foreign policy, let us not orphan ourselves in the cold corridors of history with an ill-considered rejection of Washington's thought. Our goal now should be to formulate a policy as well suited to the present circumstances as his was for young America.

Consider the circumstances of 1796. A small, new state clinging precariously to the littoral shore of the Atlantic Ocean, faced two ways. To the east lay a Europe involved in the opening stages of the Napoleonic wars, with the earlier dynastic struggles still ringing in the air. To the west lay 2,000 miles of open land—fertile plains, mountains filled with treasure, occupied only by nomadic tribes whose culture never achieved the status of a civilization. Which way should such a new nation turn? Should it involve itself in the ancient rivalries of Europe and spend its energies in arms and wars whose outcome would be little affected by the paltry power our new Nation could muster? Or should it live its own life sheltered by the ocean from the alarms of Europe? Who can doubt the wisdom of a decision that had the insight to veto involvement in Europe then?

But wiser by far was the restriction of the decision to what was known and observable. Washington did not counsel the march westward, although he himself from his earliest years had been interested in the West. At that time Fort Pitt was the West. For Washington knew that no man knew the future with certitude and each generation must live its own life at its own peril. He did, however, understand man. And from the character of human nature the future could be suspected. He put it this way:

"The period is not far off when we may defy material injury from external annoyance; when we may take such an attitude as will cause the neutrality we may at any time resolve upon to be scrupulously respected; when belligerent nations, under the impossibility of making acquisitions upon us, will not lightly hazard the giving us provocation; when we may choose peace or war, as our interest, guided by justice, shall counsel."

Such was our wisdom when we were still young. Such was our wisdom when we looked upon the affairs of man with the bright insights and hard realism that now constitute our birthright.

The prudential, pragmatic character of Washington's policy is striking. Among other things, as it was spelled out, it counseled the rejection of the ideology of revolution then current in France. The Alien and Sedition Acts are by current thoughtless fashion of today totally condemned. But whatever may be said critically of them, this is indisputable; they represented a deep will not to be involved in ideological excesses, to solve our own problems in our own way and by our own insights, not by those of some absolutist way of thought born in some garret or salon. Secondly, its rejection of involvement was carefully restricted to political involvement. It was coupled with the idea of the desirability of trade, and that inventiveness and energy would find ways to grow and profit. In later years when capital beyond our resources was needed to lay track and build an industrial complex, we opened our land to foreign capital with confidence and gratitude, certainly without jingoistic fear of economic imperialism.

No, this carefully defined isolationism was not rooted in morbid fear. It simply recognized that a newly born nation had no business contending with the giants of the world. The new nations of our day would do well to ponder this address.

With our foreign policy thus established, the people of America began their trek across the continent. As generations passed, they filled the land. Replenished constantly by the disaffected of the old world, vigorous and ebullient in freedom and opportunity, the American people became a major world power. We achieved that condition foreseen by Washington where only the foolhardy would attack us and our destiny was in our own hands.

Our very success created a new problem, a new place in the world. Since 1918 we have been debating the question of this new place in the world, and debating the foreign policy appropriate for it.

The debate has not been very inventive, not very illuminating. The conflict of opinion has been tedious, cliche-ridden and largely irrelevant to the true issues confronting the country. The weary protagonists first appear after World War I. There was first the Wilsonian position with its admirable idealism but delusive imprudence about international self-determination in a world where reason would displace power in a League of Nations. Against this, a new isolationism appeared whose basic position consisted in an unexamined repetition of the no foreign entanglements of Washington's day. Both positions were incorrect. The first assumed a utopian world of men of perfection that has never existed; the second assumed an America that had not grown for 150 years. The country actually needed a foreign policy that saw men as they are and the Nation as it had become.

When, in 1940, the idealistic position ultimately won, it was not because of any intrinsic merit in itself but because of the obvious fallacy of isolation. With the rise of Hitler and the appearance of ideological dreams of empire in both Nazi and Communist camps, it became obvious beyond discussion that American power was necessarily involved in the mainstream of world affairs. In this unearned, but highly exploited victory for the valid principle of intervention, more was lost than isolation. With it we somehow lost the tempered, realistic estimate of the possible in human affairs. Since then our policy has seemingly floundered from one unrealistic position to another. The list is dolorous: the bloodily total terms of surrender in Germany and Japan, Soviet intervention in the Far East, frantic postwar

disarmament, equally frantic rearmament, withdrawal, containment, massive retaliation, massive foreign aid, diplomacy through a U.N. that can only be a forum. In this jumble of jerry-rigged policy only one strand of direction can be found: We are again at war.

It is not my purpose to inquire how the hardheaded realism of Washington was replaced by the dreamy fumblings of international idealism. Rather, we should use the very errors of the visionary policy as a way back to our traditional wisdom in foreign affairs. Ineptitude becomes intolerable when it resists the experience of its own failures.

I propose, therefore, that we examine the principal characteristics of contemporary idealism to compare them with the basic premises on which Washington's policy rested.

First, we have in our current policy a profound willingness to recognize the basic character of our problem. We are currently spending about $50 billion a year on armaments. We spend additional billions in foreign aid. We levy upon our youth a tax of 2 important years of their developing lives. And all this we do because of one single fact: the fact of communism. If this vast ideological monstrosity did not exist, then we would not need these vast expenditures and levies. Yet we seem, year after year, decade after decade, reluctant to admit this. Our policy too often has been to talk softly about communism. Such a policy refuses to recognize the ideological intensity with which the Soviet Union hates America, the free world and all we stand for. It continues to negotiate with the Soviet Union as though the issues between us were ones that could be settled by the traditional diplomacy of limited interests. This is the first and the greatest of our errors.

Contrast this vacillation and self-imposed blindness with Washington's clarity on the same issue of ideology. The question today is not, as it was in Washington's time, whether a revolutionary ideology should be accepted or not. The question is one of identification: whether the Communist ideology is revolutionary and how the Soviet wields it. With much less evidence available, Washington and the American people were quite able to identify the ideology in France of their day. We need a like ability to identify in its true dimensions the ideology in the Soviet Union now. This is not some phantasm that will disappear if we pay no attention to it. This is the basic fact in our current situation. Until it is frankly and openly evaluated our policy necessarily will continue to oscillate between the brandishing of hydrogen bombs and the bowing and scraping of summit conferences.

The second fundamental unreality in our policy is the desire to have peace without the use of power. In a schizoid manner we have balanced a Department of Defense with a Committee on Disarmament, ballistic missiles with the position that war is unthinkable. Basically, we oscillate here between an unpalatable reality and an act of faith. Consequently we have become dangerous to the world. No one really knows what we will do, because we ourselves do not know. The simple fact is that America and the West in general have a guilt complex about power. It frustrates our every use of it. In Cuba, in Suez, in Korea, currently in Laos, we half use it in a miserable compromise between dream and reality.

Contrast this with the sturdy acceptance of the fact of power by Washington. One would have expected that a weak, ineffectual collection of former colonies would have made a great to-do about moral principles and the principle of persuasion. One might have expected Washington to speak like Nehru and the other leaders of modern powerless states. But there, in 1796, in the context of a concern with morals and virtue, we had a quiet acceptance of the fact of experience. Power relations are basic in international affairs. Therefore the young Nation had to withdraw from the stage and sit quietly in the audience. It had no power. There is no complaint here, no querulous objection to the realities. There is realistic acceptance. There is the unshakable confidence that someday we would have power, that someday we might "choose peace or war, as our interests, guided by justice, shall counsel." This grasp of reality promised predictability. Peace or war were envisaged as a matter of choice, and the clear standard is "our interests, guided by justice."

Will there ever be peace in the world unless the powerful use their power for peace? And this always involves the position that there is an alternative to peace, and, at the margin, that that alternative will be invoked against the lawless nation. America, in its youth, was wise. What has happened to that wisdom at the peak of its maturity? Let us pray that our lack of wisdom is but a brief faltering in our transition from inner preoccupation to world leader. Certainly the conditions of a new wisdom is to return to the insights we once had.

The first signs of a refurbished wisdom will be found in a frank, conscious, and determined use of our power—in all its forms—to determine the course of international events in the modern world.

Lest I be charged with mongering for war, I would like to make it clear that I mean all forms of national power, not only military power. I mean diplomatic power, spiritual power, economic power, psychological power, and all other forms of power which make a nation great, in addition to military power. Military power is important, but in these days of cold war, it is the use of other forms of national power with which we are now primarily concerned. In some instances military power may have to be used and in those instances it must be used. But in the main, it is the other forms of national power which must be used to create stability in a disordered world. So, I would like to repeat, that there is a need for frank, conscious, and determined use of our power, in all of its forms, to influence the course of world events—and that is reality in a realistic world.

But there is another unreality in our policy. It is the desire to have policy without national interest. Deeply involved in our approach to foreign affairs is the suspicion that justice and national interest are incompatible principles of action. This suspicion is articulated in the idea that the Government of the United States has certain altruistic obligations to mankind, obligations that require a continuous sacrifice of the economic and political interests of the people of the United States. Economic aid without strings is the embodiment of this ideal policy. Thus we engage in a policy of good example and sometimes meticulously work against our own interests before an assemblage of nations that can find us at most amusing and at worst irresponsible. A paradoxical consequence of this avoidance of national interests is that it leads to a new isolation. But it is a subtle isolationism, hidden behind a mask of the U.N. Our avoidance of national interests leads to a deeper and deeper involvement in the United Nations. And it is the U.N. and not the United States that engages in foreign affairs.

Let us be clear about it: in proportion to our refusal to accept the responsibility of our power in all its various forms, we in fact withdraw from the real world. We operate in a shadowland where nothing is called by its right name and ghostly memories of a former imperialism obscure the terrible reality of Communist expansion.

What a contrast to Washington. He clearly thought that the objective of any foreign policy is the implementation of national interest. Justice operates to insure that those interests will be accurately defined and temperately sought. Justice is the mode of foreign policy, not an abstraction that definies its substantial goal. It was still clear in those earlier days that the first and the basic obligation of government is to the governed. From this it follows that governments have only indirect obligations, defined by natural equity, toward other peoples.

There is a tragic element in the loss of this clear insight. The real interests of the United States coincide with the real interests of the human race. These can be summarized in the single word, "peace." Our rise to power was marked by no international adventures. We never coveted our neighbors' territory or wealth. Now that we have the power, our history assures us that we could use it effectively for peace. The powerful must act powerful, for they cannot act at all except they act effectively. We are confused by fears—the fear of gaining some advantage, the fear of seeming imperialistic, the fear of being unpopular. The massive power providentially given to us is frustrated by an abstract idealism that is apart from reality and does not recognize the basic conditions for the effective use of power.

The final unreality in our policy is the refusal to permit the economic order to function normally in international affairs. The consequence is a disastrous confusion between economic and political orders. Our policy on economic aid has attempted to do, by political decisions, the things that the inventiveness of the industrial man achieves almost unconsciously. Instead of permitting trade to find its own channels, capital to move freely wherever advantage may call it, we have reduced the basic flow of wealth to the paltry trickle of a few billions, extracted by taxes from the American economy and too often inserted into backward economies on the basis of political expediency rather than economic rationality. In doing this we foster the illusions of the underdeveloped countries themselves, who think they will solve their economic and social problems by fiat rather than by works.

Economic aid can be good, as the concept of the Marshall Plan was good, but it can also be bad. More money to a spendthrift son will not solve his problem. Character, hard work and a realization of his responsibilities will solve a prodigal son's problem. And character, hard work and a realization of responsibilities in the building of economic strength within a nation's competence, and within its willingness to meet its obligations will solve many of the new nations' problems. We can help them, but fundamentally economic growth is possible only when people are willing to work and meet the obligations and responsibilities of that growth.

Against the chaos of thought in our country, and in countries receiving aid, Washington has left us a neglected heritage of wisdom in lines whose very rhythms convey the quiet sense of contact with reality:

"It is folly in one nation to look for disinterested favors from another. It must pay with a portion of its independence for whatever it may accept under that character. There can be no greater error than to expect or calculate upon real favors from nation to nation. It is an illusion which experience must cure, which a just pride ought to discard."

And that, too, is reality—reality in the past; reality in the present.

The enduring elements of the realities that Washington sensed or saw in all things are the very elements that challenge us today: the motivations of States, the real ends of foreign policy, the relations between power and peace, the functions of ideology, the character of people.

As we misjudge or confuse or obscure these elements we diminish profoundly the possibilities of peace and even the possibilities of survival, at least of survival in freedom.

To our Nation today falls no social worker's chore of improving the world's hygiene. Our challenge is not that of the carnival barker called upon to extoll the excellence of his show so that every passerby will at least want to peek inside. Our challenge is not that of the marathon runner who, if only his breath holds out, will find his competitor gasping and failing by the wayside.

Our chore and challenge is simply the dedicated, wise use of every element of our national power to secure the peace of the world by reducing to impotence the opposing power that threatens it.

This is not work for a young nation. It is work for a mature nation in a real world.

It is the continuation in our time of the realistic course that Washington set for us. It is time now to use the power which his policies permitted to grow.

We, nor the world, may have no second chance in this challenge.

We will write, through indecision and unreality, nothing but an address to the farewell of freedom in the world.

Or we will write, with the pen of our morality and the sword of our responsibility, a great testament to man's triumph over tyranny and terror—a great testament to man's dignity and his determination to live not as animals cowering in pens of authoritarianism, but as men cast in the image of God and knowing no fear but of Him.

Our lives would be meanly led and, finally, ignobly lost if we accept any lesser dedication.

RECESS UNTIL 9 O'CLOCK A.M., MONDAY, MARCH 26, 1962

Mr. MUSKIE. Mr President, in conformance with the previous agreement entered into, I move that the Senate now stand in recess until 9 o'clock on Monday next.

The motion was agreed to; and (at 1 o'clock and 45 minutes p.m.) the Senate took a recess under the order previously entered, until Monday, March 26, 1962, at 9 o'clock a.m.

HOUSE OF REPRESENTATIVES

MONDAY, MARCH 26, 1962

The House met at 12 o'clock noon.

The Reverend Archie J. Cochrane, Old St. Andrews Church, Bloomfield, Conn., offered the following prayer:

Almighty, gracious, and Holy God, who, from the hearts and souls of men art able to draw forth true greatness; so enlighten in us our understanding of Thee that we shall at all times sense the presence in our lives of this seed of greatness which Thou hast so graciously sown in us at our creation.

Help us to nourish and to bring to maturity those things we know to be truly great in Thy sight: Love of Thee, love of our fellow man, and love of the truth; so that with these elements of spiritual health we may more vigorously pursue the responsibilities that lie before us.

We make our prayer in the sincere hope that, in Thy good time, all nations of men will accept these Thy gifts, and take the place Thou hast prepared for them in the family of God—that place where peace in life, and eternal happiness will reign.

We ask these blessings through Thy Saviour Son, Jesus Christ our Lord. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, March 22, 1962, was read and approved.

WATERSHED AND FLOOD PREVENTION PLANS

The SPEAKER laid before the House the following communication, which was read and referred to the Committee on Appropriations:

HOUSE OF REPRESENTATIVES, U.S.,
COMMITTEE ON AGRICULTURE,
Washington, D.C., March 22, 1962.

Hon. JOHN W. MCCORMACK,
The Speaker,
U.S. House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: Pursuant to the provisions of section 2 of the Watershed Protection and Flood Prevention Act, as amended, the Committee on Agriculture has today considered the work plans transmitted to you by Executive Communication 1331 and referred to this committee and unanimously approved each of such plans. The work plans involved are:

North Carolina, Gum Neck watershed; Tennessee, Pine Creek watershed; Texas, northeast tributaries of Leon River; Oklahoma, Wagon Creek watershed.

Sincerely yours,
HAROLD D. COOLEY,
Chairman.

RESOLUTION APPROVING THE WORK PLAN FOR GUM NECK WATERSHED, NORTH CAROLINA

Be it resolved by the Committee on Agriculture of the House of Representatives, That the plan for works of improvement for the Gum Neck watershed, North Carolina, submitted to the Speaker of the House of Representatives by Executive Communication 1331 and referred to the Committee on Agriculture pursuant to section 2 of the Watershed Protection and Flood Prevention Act, as amended (16 U.S.C. 1002), is hereby approved.

Approved March 22, 1962.

RESOLUTION APPROVING THE WORK PLAN FOR NORTHEAST TRIBUTARIES OF LEON RIVER WATERSHED, TEXAS

Be it resolved by the Committee on Agriculture of the House of Representatives, That the plan for works of improvement for the northeast tributaries of Leon River watershed, Texas, submitted to the Speaker of the House of Representatives by Executive Communication 1331 and referred to the Committee on Agriculture pursuant to section 2 of the Watershed Protection and Flood Prevention Act, as amended (16 U.S.C. 1002), is hereby approved.

Approved March 22, 1962.

RESOLUTION APPROVING THE WORK PLAN FOR PINE CREEK WATERSHED, TENNESSEE

Be it resolved by the Committee on Agriculture of the House of Representatives, That the plan for works of improvement for the Pine Creek watershed, Tennessee, submitted to the Speaker of the House of Representatives by Executive Communication 1331 and referred to the Committee on Agriculture pursuant to section 2 of the Watershed Protection and Flood Prevention Act, as amended (U.S.C. 1002), is hereby approved.

Approved March 22, 1962.

SELECT SUBCOMMITTEE ON LABOR

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the Select Subcommittee on Labor may sit today during general debate.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

COMMITTEE ON PUBLIC WORKS

Mr. BOGGS. Mr. Speaker, I ask unanimous consent, notwithstanding the sessions of the House, that the Committee on Public Works be permitted to sit during general debate during the week of March 26.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

FOREIGN TRAVEL BY MEMBERS OF CONGRESS

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, in the CONGRESSIONAL RECORD for Wednesday, March 21, 1962, there are listed several reports by chairmen of committees of expense accounts of junketing Congressmen. On page 4753 of the CONGRESSIONAL RECORD of that date the chairman of the Committee on House Administration, Mr. BURLESON, lists the committees that have filed reports, and then he concludes with this astounding final paragraph:

The following committees have expended funds for oversea travel but have failed to report expenditures as required by law: Agriculture, Education and Labor, Interstate and Foreign Commerce.

Mr. Speaker, I hope it will not be necessary that the Attorney General of the United States be called upon to enforce the law with respect to reports on the part of junketing Congressmen.

PRINTING OF ADDITIONAL COPIES OF HEARINGS, COMMITTEE ON EDUCATION AND LABOR

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I call up House Resolution 510.

The Clerk read as follows:

Resolved, That there be printed for the use of the Committee on Education and Labor one thousand additional copies of part 1 of the hearings held by that committee on the impact of imports and exports on employment.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PRINTING OF ADDITIONAL COPIES OF CIVIL DEFENSE HEARINGS

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I call up House Concurrent Resolution 405.

The Clerk read as follows:

Resolved by the House of Representatives (the Senate concurring), That there be printed for the use of the House Committee on Government Operations five thousand additional copies of the committee print "Civil Defense—1961, Hearings Before a Subcommittee of the Committee on Government Operations, House of Representatives, August 1, 2, 3, 4, 7, 8, and 9, 1961," issued by the Committee on Government Operations during the Eighty-seventh Congress, first session.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PRINTING OF ADDITIONAL COPIES OF VETERANS' BENEFITS CALCULATOR

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I call up House Concurrent Resolution 25.

The Clerk read as follows:

Resolved by the House of Representative (The Senate concurring), That after the conclusion of the second session of the Eighty-seventh Congress there shall be printed fifty thousand two hundred and forty additional copies of a Veterans' Benefits Calculator prepared by the Veterans' Affairs Committee of which two thousand copies shall be for the use of the Veterans' Affairs Committee, two thousand copies for the use of the Committee on Finance, thirty-seven thousand four hundred and eighty-five copies for the use of the House of Representatives, and eighty thousand seven hundred and fifty-five copies for the use of the Senate.

Mr. SCHENCK. Mr. Speaker, will the gentleman yield?

Mr. HAYS. I yield.

Mr. SCHENCK. This means that the number of copies sent to Representatives will be automatically distributed on a pro rata basis.

Mr. HAYS. They will be placed to the credit of the Members in the filing room and each one will be so notified.

Mr. SCHENCK. I thank the gentleman.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PRINTING OF ADDITIONAL COPIES OF PUBLICATION "OUR FLAG"

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration I call up House Concurrent Resolution 408.

The Clerk read as follows:

Resolved by the House of Representatives (the Senate concurring), That the publication entitled "Our Flag", published by the Office of Armed Forces Information and Education, Department of Defense, be printed with illustrations as a House document; and that two hundred thousand additional copies be printed, of which one hundred thousand shall be for the use of the House of Representatives, and one hundred thousand shall be for the use of the Senate.

With the following committee amendments:

Page 1, line 5, strike out "two hundred thousand" and insert in lieu thereof "three hundred thousand"; and on line 6, strike out "one hundred thousand" and insert in lieu thereof "two hundred thousand."

The amendment was agreed to.

The resolution as amended was agreed to.

A motion to reconsider was laid on the table.

PRINTING OF PARTS I, II, AND III OF HEARINGS ON SMALL BUSINESS PROBLEMS

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I call up House Concurrent Resolution 419.

The Clerk read the concurrent resolution, as follows:

Resolved by the House of Representatives (the Senate concurring), That there shall be printed for the use of the Select Committee on Small Business, House of Representatives, one thousand five hundred additional copies of parts I, II, and III, of Hearings on Small Business Problems in the Poultry Industry, Eight-seventh Congress, first session.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

PRINTING OF "INAUGURAL ADDRESSES OF THE PRESIDENTS OF THE UNITED STATES FROM GEORGE WASHINGTON TO JOHN F. KENNEDY"

Mr. HAYS. Mr. Speaker, by direction of the House Committee on Administration, I call up House Concurrent Resolution 451.

The Clerk read the concurrent resolution, as follows:

Resolved by the House of Representatives (the Senate concurring), That there be printed, with illustrations, twenty-seven thousand two hundred additional copies of House Document 218, Eighty-Seventh Congress, first session, entitled "Inaugural Addresses of the Presidents of the United States from George Washington to John F. Kennedy", of which twenty-two thousand and fifty copies shall be for the use of the House of Representatives, and five thousand one hundred and fifty copies shall be for the use of the Senate.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

PRINTING OF "HEARINGS RELATING TO REVISION OF H.R. 9120 AND H.R. 5751, TO AMEND THE SUBVERSIVE ACTIVITIES CONTROL ACT OF 1950"

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I call up House Resolution 541.

The Clerk read the resolution, as follows:

Resolved, That there be printed for the use of the Committee on Un-American Activities fifteen thousand additional copies of "Hearings Relating to Revision of H.R. 9120 and H.R. 5751, To Amend the Subversive Activities Control Act of 1950", Eighty-seventh Congress, first session.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PRINTING OF HOUSE DOCUMENT 118, ENTITLED "THE HOUSE COMMITTEE ON UN-AMERICAN ACTIVITIES, WHAT IT IS—WHAT IT DOES"

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I call up House Resolution 542.

The Clerk read the resolution, as follows:

Resolved, That there be printed for the use of the Committee on Un-American Activities thirty-five thousand additional copies of House Document Numbered 118, Eighty-sixth Congress, first session, entitled "The House Committee on Un-American Activities, What It Is—What It Does".

The resolution was agreed to.

A motion to reconsider was laid on the table.

PRINTING OF HOUSE REPORT ENTITLED "MANIPULATION OF PUBLIC OPINION BY ORGANIZATIONS UNDER CONCEALED CONTROL OF THE COMMUNIST PARTY"

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I call up House Concurrent Resolution 412.

The Clerk read the concurrent resolution, as follows:

Resolved by the House of Representatives (the Senate concurring), That there be printed for the use of the Committee on Un-American Activities ten thousand additional copies each of parts 1 and 2 of the House Report Numbered 1282, Eighty-seventh Congress, first session, entitled "Manipulation of Public Opinion by Organizations Under Concealed Control of the Communist Party".

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

PRINTING OF HEARINGS RELATING TO H.R. 4700, TO AMEND SECTION 11 OF THE SUBVERSIVE ACTIVITIES CONTROL ACT OF 1950

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I call up House Concurrent Resolution 414.

The Clerk read the concurrent resolution, as follows:

Resolved by the House of Representatives (the Senate concurring), That there be printed for the use of the Committee on Un-American Activities ten thousand additional copies of "Hearings Relating to H.R. 4700, To Amend Section 11 of the Subversive Activities Control Act of 1950, as Amended (the Fund for Social Analysis)", Eighty-seventh Congress, first session.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

PRINTING OF "GUIDE TO SUBVERSIVE ORGANIZATIONS AND PUBLICATIONS"

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I call up House Concurrent Resolution 416.

The Clerk read the concurrent resolution, as follows:

Resolved by the House of Representatives (the Senate concurring), That the publication entitled "Guide to Subversive Organizations and Publications", prepared by the Committee on Un-American Activities, House of Representatives, Eighty-seventh Congress, first session, be printed as a House document; and that there be printed one hundred thousand additional copies of said document of which sixty-five thousand shall be for the use of said committee and thirty-five thousand shall be prorated to the Members of the House of Representatives and the Senate for a period of ninety days after which time the unused balance shall revert to the Committee on Un-American Activities.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

DISTRICT OF COLUMBIA DAY

The SPEAKER. This is District day. The Chair recognizes the gentleman from South Carolina [Mr. McMILLAN].

GRANTING THE AMERICAN NUMISMATIC ASSOCIATION PERPETUAL SUCCESSION

Mr. McMILLAN. Mr. Speaker, by direction of the House Committee on the District of Columbia, I call up H.R. 10573.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 2 of the Act entitled "An Act to incorporate the American Numismatic Association", approved May 9, 1912 (37 Stat. 108), is amended by striking out "succession of fifty years, save as hereinafter provided" and inserting in lieu thereof "perpetual succession."

(b) Section 5 of such Act is amended by inserting immediately after "vested in a board of" the following: "not less than".

Mr. McMILLAN. Mr. Speaker, by an act of May 9, 1912, Congress granted a Federal charter to the American Numismatic Association, as a corporation in the District of Columbia, for a period of 50 years. As this term will expire on May 9 of this year, H.R. 10573 seeks to confer a perpetual charter upon this organization.

The American Numismatic Association was founded in 1881 as a nonprofit organization, and presently consists of more than 22,200 members in all 50 States and in a number of foreign countries. Its activities include the sponsoring of an annual Coin Week, during which the 350 local clubs are encouraged to present public coinage displays, with emphasis upon the historical and cultural significance of numismatics.

This is a particularly appropriate year to confer perpetual succession upon this worthy association, because next August 15–18 the American Numismatic Association together with the Canadian Numismatic Association will hold a joint convention in Detroit, Mich., the first such international convention ever held in the United States.

This bill also would make one minor substantive alteration in the association's charter. This modification, which was requested by the association, would merely change the number of persons who may serve on its board of governors.

An identical bill has been reported by the Senate Judiciary Committee and placed on the Senate Calendar.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TAX CREDITS AND DEPRECIATION ALLOWANCES

Mr. VANIK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. VANIK. Mr. Speaker, in connection with the discussion this week on the tax credit provisions of the Revenue Act of 1962, a great deal will be said of the need to increase our depreciation and incentive allowances. Much will be made of the higher rates and shorter periods of depreciation for industrial equipment and plant in other countries, particularly in the Common Market countries.

It must be noted, however, that there is a definite relationship between the size of depreciation allowances and the stability of the government. In countries where the free enterprise system is in greater danger, the rate and amount of allowable depreciation must necessarily be increased. In light of current developments in Argentina, a complete depreciation of investment in 1 year or even 1 day would not be a sufficient inducement for industrial development.

Frankly, while there is considerable validity to the updating of depreciation allowances in the United States, the need is not as critical as appears by most publicized comparisons. In the United States, as well as in England, an industrial investment has a greater expectancy of full usefulness than it has in most other countries. In this century and because of the devastation of war, the industrial plant life of most European countries has not exceeded 20 years. Quite obviously, Belgium, the Netherlands, Italy, and Germany have had to adjust through necessity to this reality.

The investment tax credit proposed by the Revenue Act of 1962 when combined with existing depreciation allowances would raise American depreciation schedules for industrial equipment within striking distances of Italy, Belgium, and the Netherlands and place them far ahead of England, Canada, Japan, France, and West Germany. This conclusion is based upon consideration of a 10-year asset within a 5-year period.

Frankly, where the Government provides more security to business and the free enterprise system, the tax contribution of industry, and business can be rightfully greater than it is in countries in which a lesser responsibility is undertaken.

While there is a real justification and need to adjust depreciation schedules to the useful life of business and industrial equipment, there is little justification to the award of tax credits for the procurement of facilities on a basis not related to their life expectancy. The tax credit is merely a tax saving loophole with tax losses grossly out of line to any aid to the Nation's economy.

SALUTE TO SENATOR DOUGLAS ON HIS BIRTHDAY

Mr. REUSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. REUSS. Mr. Speaker, today is the 70th birthday of a great public servant, Senator PAUL DOUGLAS, of Illinois. I have been privileged to serve with the Senator on the Joint Economic Committee. I have come to know him as a tower of moral and intellectual strength. A man of devotion to principle and to hard work, his leadership in the fight for the public interest in all legislation is an inspiration to his colleagues.

I know that all Members of the House will want to join with me on this occasion in saluting him for his past service and in extending best wishes for the future.

I include as part of my remarks an editorial from today's Washington Post which gives a brief outline of his inspiring career:

POLITICAL PROFESSOR

When PAUL DOUGLAS switched in midcareer from professor to politician, he brought to the U.S. Senate the best fruits of an academic background and of experience as a fighting member of the U.S. Marine Corps. These embraced an exceptional blend of intelligence and education, of courage and toughness. Few Members of the Senate match this grasp of public affairs; few rival his readiness to do battle valiantly for so great a variety of causes—civil rights and conservation, tax reform and governmental economy, social security and economic development.

For a quarter century, PAUL DOUGLAS was an eminent member of the University of Chicago's Economics Department, a distinguished writer in his professional field and a lively participant in local efforts to create good government. He joined the Marines as a private in 1942, when he was 50, for a characteristic reason—because he couldn't bear to stay safe at home when he had urged others to fight—and came out a lieutenant colonel having been wounded twice, at Peleliu and Okinawa. Few men better exemplify the ideal of the Marines expressed not long ago by its Commandant, Gen. David Shoup, as a corps of men who fight, without hate, for what they believe to be right.

Senator DOUGLAS will observe his 70th birthday today in his 14th year as a U.S. Senator. We congratulate him warmly; and we wish the country many more years of his useful service.

GREEK INDEPENDENCE DAY

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, on this 141st anniversary of Greek Independence Day we commemorate what, in a sense, was the rebirth of a great nation.

Ancient Greece gained and lost her independence even before the birth of Christ, and men who today assemble to ponder the great questions of our time might well reflect that Greek history, before the Christian era even began, is rich with triumphs and tribulations which mirror many of the same enigmas confronting us in this hour—the threat of foreign domination, colonialism, federalism, and the preservation and extension of a democratic form of government.

Western political thought, indeed all of Western culture, owes an inestimable debt to the statesmen and thinkers of pre-Christian Hellas. One of our own eloquent statesmen, Daniel Webster, paid tribute to this debt as he pleaded for American support of the Greek War of Independence. He declared that:

> This free form of government, this popular assembly, the common council held for the common good, where have we contemplated its earliest models? This practice of free debate, and public discussion, the contest of mind with mind, and that popular eloquence, which, if it were now here, on a subject like this, would move the stones of the Capitol—whose was the language in which all these were first exhibited? Even the edifice in which we assemble, these proportioned columns, this ornamental architectural, all remind us that Greece has existed, and that we, like the rest of mankind, are greatly her debtors.

DESTINY OF GREECE ENTWINED WITH OURS

In truth it does seem that fate has irrevocably entwined the destiny of Greece with that of the United States and the continental powers. Greece was first subjugated by the Roman Empire in the second century B.C., and from that time, for more than 1,900 years, she fought bitterly yet unsuccessfully for her independence. Finally, 141 years ago, in the early years of a century which was to become known as an era of national revolutions, the continuity of centuries of alien domination was shattered by the Greek War of Independence. The Turkish yoke was cast aside, and with no small measure of thanks to naval assistance from France, Great Britain, and Russia.

U.S. sympathy for the insurgents was expressed not only in the Halls of Congress, but by President Monroe himself. In his message to Congress which set down the famous Monroe Doctrine, he stated:

> A strong hope has been entertained, founded on the heroic struggle of the Greeks, that they would succeed in their contest and resume their equal station among the nations of the earth. It is believed that the whole civilized world takes a deep interest in their welfare * * * their cause and their name have protected them from dangers which might, ere this, have overwhelmed any other people * * * there is good cause to believe that their enemy has lost forever all domination of them; that Greece will become an independent nation. That she may obtain that rank is the object of our most ardent wishes.

Although official U.S. intervention was not to be forthcoming, our citizenry contributed both money and American manhood to the cause of Greek independence.

It is altogether fitting that this should have been the case. The debt of Western culture to Greek ideas and ideals is monumental, and the discharge of this debt has produced a continuous and deep-seated rapprochement between Greece and the rest of the Christian world. The United States in particular has contributed mightily to, and benefited greatly from, this course of events.

TRUMAN GIVES HELP WHEN NEEDED

Toward the end of freedom and stability for postwar Greece, President Truman in 1947 conceived and executed, in the doctrine which bears his name, a brilliant counterstroke to Communist ravishment of the stricken nation. This vital infusion of economic and military aid enabled Greece to maintain that independence which had been won at so great a cost, and she has since taken her place as a member of NATO and a full-fledged partner in the Western alliance.

The United States has in turn received immeasurable contributions from the Greeks who have come to this country. The first immigrant arrived in 1848, and today over 600,000 persons of Greek descent live among us. By their industry, thrift, and adaptability, they have overcome the deficiencies in education and vocational training which handicapped the early voyagers to our shores. Greco-Americans are now a valuable and accepted element in American life, and they have also maintained a sufficient cognizance of their own culture to remind us all of their proud history. Famous Greek names among us range from the immortal Harry Agannis in the world of sport to Dimitri Mitropoulos, former conductor of the New York Philharmonic Orchestra.

The Second Congressional District has many evidences of Greek culture and that quality of perfectionism identified with the Greek tradition. The Church of Saint Constantin is the largest Greek Orthodox church in Chicago, indeed one of the largest in the Nation. Among its parishioners are leaders in medicine, law, education, politics, business, and charity. Among those who have carried on in the tradition of Thermopylae, the name of a decorated hero of World War I who sleeps in Arlington Cemetery comes to my mind—George Dilboy.

CHICAGO'S OBSERVANCE OF DAY

Mayor Daley proclaimed Sunday March 25 Greek Independence Day in Chicago. I include an article from the Chicago Tribune of March 26 describing the ceremonies which marked the occasion:

GREEKS MARK INDEPENDENCE DAY IN RITES

More than 4,000 Chicagoans of Greek ancestry attended a program in Medinah Temple yesterday marking the 141st anniversary of Greek independence.

The colorful celebration included scores of dancers dressed in Hellenic costumes of the period, choirs singing Greek and American hymns, and talks by Stephanos Rocanas, Greek consul general here, Cedric Foster, a radio commentator, and Mayor Daley.

The choir represented 100 voices from 10 Greek Orthodox churchs in Chicago and was led by George Demopulos of St. Constantin Church, 7351 Stony Island Avenue. Evzones American Legion Post 1039 posted the colors.

Yesterday had been proclaimed Greek Independence Day in Chicago by Mayor Daley. The celebration was sponsored by the Greek Orthodox communities and the Federated Committee of Hellenic American Organizations in Chicago.

The 16 Greek Orthodox churches in the area combined the patriotic celebration with observance of a religious holiday, the Annunciation of the Blessed Virgin Mary.

Mass was said in all the churches and Bishop Aimilianos officiated at a service in the morning in Annunciation Cathedral, 1017 North La Salle Street.

Dr. Basil Photos served as chairman of the patriotic celebration. Peter Gianukes was treasurer and John Damianos was secretary.

The celebration recalled the day in 1821 when Archbishop Germanos hoisted a Greek flag in a monastery west of Athens to mark the beginning of the revolution against the Ottoman empire, which had enslaved the Greek people for 400 years.

The revolution continued throughout the country until the fall of 1826, when independence was achieved. Greece became a kingdom in 1830.

HISTORY LINKED WITH PROUD PRESENT

Let us remember that this anniversary of Greek independence marks both a stirring history and a proud present—the rebirth of freedom in a nation where the flame had never been completely extinguished, and the inception of a valuable partnership in the Western Alliance for the maintenance of freedom now. The sons of Greece who are among us today are perhaps our most poignant reminders of this history.

MEDICAL CARE FOR THE AGED

The SPEAKER. Under previous order of the House, the gentleman from Oregon [Mr. DURNO] is recognized for 90 minutes.

Mr. DURNO. Mr. Speaker, I have today asked for a special order of 90 minutes to continue the discussion of the problems of the aging.

I listened attentively, and thoroughly appreciated and enjoyed the remarks made last Monday, under special orders, by the gentleman from Missouri [Mr. CURTIS] and those of my colleague from Michigan [Mr. DINGELL].

I did not seek recognition during their presentation; I would ask that I be extended the same courtesy. We will have plenty of time for a question and answer period at the conclusion of each section of my remarks, or when I conclude.

I propose to divide my statement into five titles.

Title I will be given over to some generalized remarks concerning the overall problems of the aging.

Title II will present my credentials to the House; my authority to speak.

Title III will establish my position as a doctor-Congressman. My relation to the AMA will be made known.

Title IV will analyse the King-Anderson bill, the administration's proposal.

Title V will present my own concept of medical care for the aged, H.R. 10513.

My summation and conclusions will follow.

TITLE I

One of the most significant developments of the past 75 years has been the growth of social consciousness in the governments of the world. Our own country has led the parade of nations who each year enact into law pages and pages of social legislation, designed to end human suffering.

Much of a favorable nature should be said about a country determined to wipe out misery, poverty, sickness, and discrimination. But whatever the motives, social legislation itself is not always the cure, nor does it always recognize the problem that it purports to cure.

Most all of us on the floor of this House recognize that a problem does exist in the medical care of the aged.

What we do not realize is that the problem should not be political.

It is not a Republican or Democrat problem. It should be everybody's business. It is the problem of people growing older; it is the problem of people who have had their life savings usurped by a paternalistic government, that has taken an ever-larger bite out of their wages or salary, making it impossible for them to save for their advancing years.

It is a problem created by the medical profession itself, because of the extension of life's span 20 years, as a result of research and improved technology.

Most of the short causes of death have been eliminated. Infant mortality, infectious disease, childbirth, pneumonia, and many others have been supplanted by the degenerative diseases of later life, and of cancer.

There are not only more elder citizens, but they die of chronic diseases, which result in more frequent and longer hospital admissions.

Aging is a process unto itself. Certainly it has many facets far and beyond the province of medical care.

Loss of jobs, loss of loved ones, idle time, lack of attention of relatives, a recognition that they are no longer important, that they are not wanted, and that they are out of the main stream of life all add to their fear and insecurity.

The result: the development of psychosomatic illness, the craving for attention, and the gradual imposition of senility with changing personalities and changing perspective.

Our elders demand and should have personalized attention, both in the field of medicine and social service.

Those are some of the problems of growing older.

It is a shame that they should be made a political pawn of our democratic processes.

This medicare program was brought up 2 years ago as an election issue. I criticized it then. It is again before us as an election issue. I criticize the massive propaganda, spurious in nature, that is being used now. A case in point—Mr. BAILEY, chairman of the Democratic National Committee, had this to say in Denver Saturday:

BAILEY LINKS BIRCH GROUP AND AMA

DENVER, March 24.—Democratic National Chairman John M. Bailey charged today the American Medical Association was becoming an ally of the John Birch Society in its fight to defeat administration medical care for the aged legislation.

Bailey, in a blistering attack at a regional Democratic meeting here, accused the AMA of "selfish, parochial, reactionary tirades against progress."

How silly can you get.

I am interested in the truth; and in disseminating the truth to the American people concerning H.R. 4222, the King-Anderson bill. I am against the bill—not its intent, but its language; not its spirit, but its method.

In my general remarks a few statistics are in order. I have chosen the Blue Cross and AHA report, 1962, rather than any originating with the AMA.

In 1961—1 out of 11 Americans were over 65—17.0 million; females, 55 percent; males, 45 percent.

The economic status of citizens over 65 may interest you:

First. Thirty-two billion dollars received by people over 65. One-third from work; two-thirds some form of public assistance or pension.

Second. Twenty-nine percent of the civilian labor force are covered by private pensions—20.2 million workers.

Their pensions amount to 25 to 40 percent of their normal pay.

Third. The average benefit for man and wife under OASDI is $123.90.

Fourth. Veterans over 65 are eligible for pensions for nonservice disability, unemployability, and low income. These pensions range from $40 to $150 monthly.

Fifth. Federal retirement and railroad pensions vary widely but are generally higher than OASDI benefits.

Sixth. Fifty-two and seven-tenths percent received less than $1,000 yearly; 27.1 percent males; 73.9 percent females.

Seventh. Median income of all people over 65 was 83 percent higher in 1960 than in 1950; 11.8 percent men received over $5,000 in 1960; 1.7 percent women received over $5,000 in 1960.

REGARDING ASSETS

Eighth. Of the family spending units 13 percent reported no assets; 23 percent had less than $5,000; 40 percent had more than $10,000; 50 percent had more than $8,000.

Their homes were the greatest portion of their assets.

The aged group had more liquid assets.

In 1959, 69 percent of the aged spending units were entirely free of debt; only 32 percent were free in all ages.

Only 11 percent of elderly units had mortgage debt, versus 31 percent for all units.

Twenty-six percent of the elderly units had personal debts—three-fifths under $200.

Sixty percent of all units had personal debts.

WITH RESPECT TO NONCASH INCOME

Three billion dollars elderly income from noncash sources: rent on home, rent free housing, food home grown, and so forth.

TAX POSITION OF THE AGED

Six million five hundred thousand of more than sixteen million aged filed income tax returns.

Three million two hundred thousand of the returns were taxable.

The Federal Government gives special consideration to age, blindness, public and private retirements, medical expenses.

Certain other taxes may be unfavorable to aged: property taxes, sales taxes, the social security tax itself.

BUDGETARY NEEDS

The cost of living is not as great among the elderly; automobiles, clothes, social expenses, education, infant care—the frills of life are not so important.

TO SUMMARIZE

The economic picture of the aged is mixed. A significant number have sufficient money. A significant number, however, have neither the monthly income, nor the capital assets to withstand protracted economic adversity. Their financial position is relatively immune to change.

That is the reason that I have presented my bill, H.R. 10513. It will eliminate those able to care for themselves. It will care for those who cannot.

While their position is inflexible, as a group they will tend to become more dependent on aid, as their numbers increase, and our taxes increase.

This is the inevitable result of high taxation, of retirement programs, of increased cost of living due to decreased purchasing power of the dollar, of inflation, of automation of our industrial system, and the social revolution that we are living in.

In simple language, it is the result of the policies of management, labor, and government.

And, so I repeat, despite a favorable tax position, except for sales taxes and property taxes, despite a 10–15 percent lower budgetary requirement in their overall living expense, the aged have an economic problem.

You may ask, Why? My answer:

First. They live in a fixed, inflexible economic state.

Second. They are the victims of improved medical technology, living much longer than their ancestors—and usually dying of long-lasting chronic diseases.

Third. They spend much more time in hospitals and are subjected to the greatly increased costs of such institutions.

Yes, we have a problem of the aging.

It is one that every American should be interested in solving.

It should be solved by corporations and millionaires, by you and me, who pay taxes into the general fund of the Federal Government, and not under the social security concept, where only the laboring force and their counterpart contribute.

This business is everybody's business.

And it will be expensive business, do not let anybody fool you.

And, as a final word, may I say that it might be well for us to consider the

education of our youngsters, and the health of our oldsters, before we take over the social responsibilities of the rest of the world, friend and foe alike.

TITLE II

Under this title I shall briefly present my credentials; why I think I am entitled to speak authoritatively on the subject of the aging.

I am a doctor of medicine—M.D.—having graduated from Harvard Medical School in 1927.

My hospital training was at the Massachusetts General Hospital: It is the teaching hospital of Harvard. It is a sprawling metropolitan institution, that even in my day had some of the problems we are discussing today. Social service originated there; M.G.H. established one of the early schools of nursing.

I am 63 years of age. I have practiced medicine for more than 30 years. I have grown older with a great group of these very people we are talking about. As one develops the art of medicine he rapidly realizes that the treatment of disease involves much more than pills, potions and prescriptions. This is especially true of the elderly.

In 1934, three of us organized the first medical service plan in the State of Oregon. Its concept was the care under insurance of the low and low middle income group who could not tolerate the financial chaos of a serious or prolonged illness.

I was an original incorporator of what was to become the Blue Cross organization of my State.

For 12 years I was a member of the board of medical examiners. One of our jobs was to mediate and settle any problems that arose between the medical profession and the public.

As a member of the Oregon State Senate, I was a member of a committee which handled the budget of the commission on the aging, we also handled the numerous categories of public welfare—the relation of State plans to the Federal programs.

For the above reasons, as a doctor and as a Member of the Congress, I remain interested in the aged. I am hopeful that my remarks may assist in a small way to a compromise in the financial approach to the solution of this difficult and sensitive problem.

TITLE III

Being a doctor, I have been unjustly accused many times of being the tool and mouthpiece of the AMA—nothing could be further from the truth.

That my true status may be established for the RECORD, I am enclosing an article recently written by Yvonne Franklin, a freelance writer for the Portland Oregonian, Eugene Register-Guard, Medford Mail-Tribune, and Pendleton East Oregonian, all papers originating in Oregon. I ask that Mrs. Franklin's remarks be included in the RECORD. Interviewing me here in Washington, this was written March 5, 1962. I will not read the article in full—only excerpts. This from the Medford Mail-Tribune:

Representative EDWIN R. DURNO disconnected the footbone from the toebone of a potential skeleton last week, leaving only splintered dry bones for any political opponent to put together and rattle. DURNO, a physician, emphatically denied that he has received in the past or will receive in his present campaign for the Senate nomination financial support from the American Medical Association, or that they had a hand in preparing his new bill on medical care for the aged.

He seemed delighted that the spectre was raised so that he could deal with it.

"The AMA didn't contribute one single cent to my campaign for Congress," he declared. "I have not conferred with the AMA concerning this bill, nor with any medical organization in its preparation. This is my own positive alternative proposal to the administration's plan.

"As a matter of fact, the AMA lobbyist found out about my bill because of a news digest story which said I planned to introduce medicare legislation," he continued.

"He came here to see me, sent in his card and I went out and talked to him. I showed him a copy of my proposal and he said he didn't see anything wrong with it. That is my only contact with the AMA," he concluded.

He had said earlier that the only AMA function he has attended since arriving in Washington was a supper party at a downtown hotel at which medicine and politics were not discussed.

I give you my word, that what was said in this interview is my exact relationship to the AMA.

The remainder of the article referred to is as follows:

CALLS FOR COMMISSION

DURNO's legislation is two pronged. It calls for the creation of a National Advisory Medical Commission to study and recommend legislation for Congress not later than January 31, 1963. Secondly, he himself recommends legislation that would be financed by Federal-State and citizen money.

Citizens would pay private insurance companies a premium, based on the inability to pay—a formula worked out by income tax payments. The Federal Government and the States would contribute the balance to the insurance companies which would administer the plans. All persons over 65 would be covered for casual and catastrophic illnesses and doctors' bills and hospitalization would be paid.

DURNO has an obvious sympathy with the plight of senior citizens caught in the bind of dwindling income and increased costs. He spoke feelingly of having listened to their fears.

"As a practicing physician for more than 30 years," he said, "I have grown older with these people and I have seen their impoverishment." He told of their bringing him worries about having only social security income and perhaps the home they live in.

CATASTROPHIC ILLNESS FEARED

They fear a sudden catastrophic illness and the necessity of mortgaging their house, leaving their wives to face unpayable debts. They worry should they be forced to accept welfare aid; for welfare, too, is reimbursed for medical expenses should a patient have expendable property.

"This has led me to the philosophy and political conclusion that all people over the age of 65 should be taken care of when they need medical and hospital attention," he continued.

"There is an obvious need for the Federal Government to participate in this medical hospitalization program, dependent upon the income and financial security of the individual. The best way to solve it is through some type of insurance plan. The best type I feel to be voluntary, handled by non-Government insurance agencies."

DURNO has criticized the administration's bill as socialism and he sees in it Federal control. He says the Federal Government should have a financial responsibility for the medical care of its older citizens and supports it in his bill, but he sees no danger of control here.

"The Federal Government wouldn't have anything to do with this plan except to provide money for persons who need it; they wouldn't administer it. Under the administration's plan everything is under social security," he said.

"The administration plan doesn't take care of approximately 2 million who aren't under social security and who need it most," he said, changing the subject. "There is nothing in it that takes care of catastrophic illness. Some doctors within hospitals are paid; some are not. Some hospitals are accredited, some not."

DURNO explained that his philosophy of Federal help "is predicated on the fact that medical science has extended the life span 20 years. As a result of that extension it has placed additional financial hardships on those who live those additional years."

LED TO CONCLUSION

"At the same time," he went on, "the Government has taken an ever-increasing amount of money in the form of taxes out of the income of those people during their most productive years. The end result has been a lessened amount of savings and a longer period of time in which they have to use their savings before they pass on.

"These facts, combined with the inflationary spiral we have been in since 1930 has led to a persistent and steady decrease in the purchasing power of the dollar," he said.

This he indicated led him to the conclusion that all people over 65 should be taken care of when they need medical attention.

DURNO sees no hope for his bill this year; however he is talking with key members of the Ways and Means Committee. He plans to see Representative WILBUR MILLS, Democrat, of Arkansas, chairman, who is looking for compromises since it is doubtful that the conservative majority on that committee will vote out the Kennedy measure.

DURNO has discussed his proposal with Representative JOHN BYRNES, Republican of Wisconsin, and Representative THOMAS CURTIS, Republican, of Missouri, influential Republicans on Ways and Means. BYRNES is also Republican policy committee chairman. Both liked the bill. DURNO plans to continue the art of persuasion to win others to his legislation.

TITLE IV

Mr. Speaker, under title IV we will go through the major features of H.R. 4222, the King-Anderson bill, discussing with you what it will do for the aged of this country.

Following a discussion of the King-Anderson bill—H.R. 4222—I will tell you what it will not do.

H.R. 4222 starts off on page 1:

A bill to provide for payments for hospital services, skilled nursing home services, and home health services furnished to aged beneficiaries under the old age, survivors, and disability insurance program, and for other purposes.

That is exactly what the bill is, a limited coverage for hospital and nursing home benefits with the beneficiary paying up to $90 for the first 10 days of his hospital stay. The doctors come in through the back door as employees of the hospital.

On page 1, lines 3 and 4, are these words:

"That this Act may be cited as the "Health Insurance Benefits Act of 1961."

Here propaganda enters and truth disappears.

A tidal wave of carefully planned propaganda has swept over the country, organizing senior citizen groups under the delusion that this "health insurance" will care for their medical needs during their twilight years. This is the common understanding of the majority of our citizens as to what is being offered them.

Public relations firms are hired to expand upon this great exaggeration of promises, which will not be fulfilled.

Title I contains the health-benefit provisions, along with the table of contents and the findings and declaration of purpose.

Title XVI, sec. 1601, contains the "prohibition against interference" clause which is supposed to protect the practice of medicine, or the manner in which medical services are provided, against the pressures of government. I wonder if there is anyone here so naive as to believe that we, as a Congress, after authorizing and approving this act, involving hundreds of millions, probably billions of dollars, would not have the desire, yes, and the responsibility to see that the money expended was used according to the exact wording of this bill.

Section 1601 specifically says:

Except as otherwise specifically provided, to exercise any supervision or control over the administration or operation of any such hospital, facility, or agency.

Mr. Speaker, should this bill pass, the responsibility rests with the Congress. We must see that the money taken is from the general fund and not from the working men and working women in America.

Section 1602 provides a free choice of facilities providing an agreement has been reached with the facility. Not a free choice, but a free choice among those who conform.

Section 1603 provides and describes inpatient hospital services in four categories:

No. 1. Bed and board with the $90 deductible feature.

No. 2. Routine nursing, drugs, equipment that is customarily furnished.

No. 3. Other diagnostic and therapeutic items that are customarily furnished by inhospital services.

Number (3) however, excludes, and I quote:

No. 4. Medical or surgical services provided by a physician, resident, or intern, except in the field of pathology, radiology, physiatry, or anesthesiology, and except services rendered in the hospital by an intern, or a resident in training under a teaching program approved by a recognized body approved for the purposes by the Secretary.

First, I would point out that this "approved body" is by the Secretary, of Health, Education, and Welfare, not medicine, not hospital.

Second. This bill does provide for payment of medical fees in four categories and for payment in especially selected areas for services rendered by interns and residents in training.

Third. Mr. Speaker, I insist that this will result in the practice of medicine by the hospital. By the back door of the hospital, through placing the four categories of doctors mentioned on a contract basis with the hospital.

Fourth. This bill does provide for the practice of medicine to that extent. It is unfair, it is discriminatory, it will alter the concept of freedom of choice, will divide medicine, and put hospitals officially in the field of medical practice.

Fifth. The bill does not provide for the services of a private duty nurse.

Section 1603 takes up skilled nursing home services.

Under (1) and I quote:

Nursing care provided by or under the supervision of a registered professional nurse, or provided by or under the supervision of a licensed practical nurse.

My criticism: It places on the same level registered and practical nurses. In the main, their education, their training, their abilities are totally different.

This is a dangerous, impractical section.

Section 2–6 provide essentially the same services except that of doctors, that section 1602 provides. I have no objections to these general provisions.

Section 1603 describes rules for home health services.

I have no objection to this section C except to point out that under "(1) for part time or intermittent nursing care provided for one under the supervision of a registered professional nurse" eliminates the practical nurse.

Why eliminate the practical nurse in home health services, and place her on an equal status in subsection B, under skilled nurses care?

Under section 1603(d), outpatient hospital diagnostic services, the bill "limits these outpatient diagnostic services to a hospital, or by others under arrangement with them made by a hospital."

This obviously means the elimination of all diagnostic procedures in the doctor's office or the medical groups or clinics scattered across the width and breadth of our land. No hospital is going to relinquish the lush profits of their laboratories and diagnostic facilities. Not only is this unfair but it is the practice of medicine again by the hospitals, as they practice with their staff, contract physicians within the hospital.

Section 1604 is concerned with deductible features and duration of services.

This brings to your attention once again deduction of up to $90 for hospital admissions; deduction of $20 for diagnostic services within the hospitals, and the relationship of duration of services between inpatient hospital care and skilled home nursing care.

I would point out that section 1604 does not provide for the very services that are so vitally important to our elder citizens; namely, catastrophic, longstanding chronic illness, to which they are most prone.

Section 1605 "entitlement to benefits" defines the beneficiary as "one who has attained the age of 65 and is entitled to monthly insurance benefits under section 202."

Because of these limitations, it is estimated that as many as 4.5 million people over the age of 65 would not be covered under this program.

Section 1606 through 1611 define out the rules and regulations governing the provider of these services. These sections are technical details that are unimportant to this discussion.

Section 1612 provides for the creation of a health insurance advisory council. This section I heartily endorse.

The remainder of the bill sets up a Federal social security trust fund, specifies the technical details of its management, and revises the tax schedule upward under amendments to the Internal Revenue Code of 1954.

The increase of the tax is gradual through the sixties. After December 31, 1968, the rate shall be 4¾ percent on the wage earner up to $5,000 of his wages.

A similar effective rate increase would be levied against the employer.

Thus on January 1, 1969, the tax rate would be 9½ percent of $5,000 for purposes of social security. Secretary Ribicoff brought up the probable necessity to increase the wage limit taxed to $5,200 in the hearings. In the case of the self-employed the rate would be 7⅛ percent on the same date.

And so, Mr. Speaker, we come back to the social security concept of hospital and nursing home care for the aged.

The bill provides limited assistance in five fields. These are hospital, nursing home, home care and outpatient diagnostic procedures and health centers.

Up to 90 days in a hospital with a $90 deductible feature; 180 days in a nursing home, home care, and diagnostic procedures in the outpatient department of a hospital, with the first $20 deductible.

It would provide approximately 25 percent of the cost of medical care.

It would raise social security taxes to 9½ percent on January 1, 1969, and on a $5,000, possibly $5,200 salary.

What will it cost? These figures strangely vary a great deal. HEW says $1,100 million by 1964. Insurance underwriters say $2.5 billion during the same period.

The New York Board of Trade using figures of the national health survey for 1957–58 estimated costs for 1960 would have been $4.3 billion.

These figures bear a direct relationship to expected cost and real cost of government medicine in Great Britain, Canada and New Zealand.

The King-Anderson bill places the total responsibility for financing on one segment of our society. The working force and his counterpart should not be asked to bear this burden alone; rather through the General Fund, we should all participate.

Next I want to tell you what the King-Anderson bill will not do. Its inadequacy is best expressed in the negative.

First. It will not cover 3–4.5 million of the aged who are not under social security. They are the members of society who need it most.

Second. It will take care of many elderly who can well afford to take care of themselves. This free ride on our tax system is certainly unfair to the workingman who must foot the bill.

Third. The pending bill would require everyone, regardless of income, to pay the same amount of taxes at the same rate up to $5,000 of income.

Fourth. This bill would wipe out the great progress made by our private insurance carriers in this field. There are 9 million citizens over 65 with such policies.

Fifth. The pending bill would not cover the cost of a doctor's service at home, office, or except under certain circumstances, in the hospital.

Sixth. The pending bill would not cover surgeon's fees, or dental bills.

Seventh. The pending bill would not cover medicine outside a hospital or nursing home.

Eighth. This bill provides nothing for preventive medicine. No consideration is given to keeping the elderly person happy and well. This type of care is much more important among the aging than it is during the productive years of ones life.

Ninth. And finally, it will fail to provide up to 75 percent of the cost of medical care. It is totally inadequate in the field that it should protect most. The aged are in hospitals 2½ times as much as younger people. They are prone to long chronic wasting diseases of degenerative character. To this kind of care it is seriously inadequate.

TITLE V

Because I felt that there was grave danger in the King-Anderson bill; because I felt there was little likelihood that H.R. 4222 would be passed out of Ways and Means Committee this year, and because I felt there had been ample and expert testimony presented to the Committee by individuals and interested organizations, I am presenting my concept of medical care for the aged in H.R. 10513.

My bill is relatively simple, yet I think it might resolve all the differences, the confusion, and the conflicting recommendations which have been made to the Congress in the course of its consideration of the problem of medical care of the aged.

My proposal is similar to a bill introduced by Representative FOGARTY, but is confined to medical care alone. I think this problem is of such magnitude to require the full attention of a national advisory medical commission.

This medical commission would have 21 members appointed by the President. They would be those people and those groups who know most about the sociological, economic, and medical aspects of the program.

The commission would be composed of 21 appointees, and would be:

First. Three from the Federal Government.

Second. Three from State government.

Third. Three from the American Hospital Association.

Fourth. Three from the American Medical Association.

Fifth. One representing the Insurance Underwriters of America.

Sixth. One representing the Blue Cross Association.

Seventh. One representing the Blue Shield Association.

Eighth. One representing the American Osteopathic Association.

Ninth. One representing the American Nursing Association.

Tenth. One representing the paramedical groups.

Eleventh. Three members from the public at large.

The Commission would study and investigate all of the present activities in which Federal aid is extended to State and local governments for the medical care of the aged.

The Commission would also evaluate and correlate the 2,281 pages of testimony presented to the Ways and Means Committee last year.

The Commission might want to present a majority and minority report. To the extent found feasible, however, the plan should contain the following basic elements:

First. It should be voluntary.

Second. It should be in accordance with the ability to pay as evidenced by the amount of income tax paid, with the Federal and State Governments contributing the amount of the cost beyond the ability of the individual to pay.

Third. It should provide adequate medical care, including the cost of catastrophic illness.

Fourth. It should be administered through nongovernmental insurance companies.

Fifth. It should be a simple basic insurance contract stated in a concise understandable manner.

Sixth. It should provide that the contract be available to all qualified insurance companies on an individual or cooperative basis so as to spread participation in the plan as widely as possible throughout the United States.

Seventh. It should provide for a permanent advisory committee charged with reporting to the Congress annually on changing costs and changing medical techniques.

Eighth. The Commission, not later than January 31, 1963, shall submit to the President for transmittal to the Congress its final report, including recommendations for legislative action.

Ninth. Six months after the transmittal to Congress of the final report, the Commission shall cease to exist.

The technical details have not been brought up as I consider them irrelevant and not important to this discussion.

Mr. Speaker, I would conclude my remarks by saying that I am deeply sincere in my efforts to resolve this highly complex and complicated sociological problem that has in its background economics and health.

I am saddened that it has become a political issue.

My concern is for the people involved. Our elders, caught in an economic squeeze, should be enjoying their golden years, full of rich maturity and in many cases productivity. Our youngsters, in the work force of our country and in the process of establishing homes and families, are being asked to bear the full burden of their elders, when in reality, it should be all of us.

Once the method of financing is resolved, I would suggest increased emphasis on other aspects of the aging program.

First. There should be definite programs of self-help

Second. Revise the limitations of earnings upward.

Third. There should be insurance reforms at both State and National levels.

Fourth. There should be increased Federal aid and loan programs at lowest possible interest to encourage housing for the elderly and especially for the construction of multipurpose nursing homes and convalescence hospitals.

And finally, Mr. Speaker, I arise in the defense of my profession of medicine. I have spoken to thousands. I have received letters from hundreds of practicing physicians and I assure you that they are in agreement with the recommendations and conclusions that I have expressed here today. This has been particularly noticeable since my introduction of H.R. 10513.

Mr. DEROUNIAN. Mr. Speaker, will the gentleman yield?

Mr. DURNO. I yield to the gentleman from New York.

Mr. DEROUNIAN. Mr. Speaker, I have listened to the gentleman's analysis of the bill H.R. 4222. I think it is something that had to be done. There is too little known about what this bill does not do. The gentleman's comments that it supplies only 25 percent of the average medical expense of a family are very pertinent. Does not the gentleman agree that last year in a hearing before the Committee on Ways and Means Secretary Ribicoff stated that in his opinion a 10-percent contribution was about all the social security fund would stand?

Mr. DURNO. I was attending the hearing on that day. Secretary Ribicoff did say that 10 percent would be the saturation point for the social security tax.

Mr. DEROUNIAN. I thank the gentleman for his contribution to the understanding of this problem.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. DURNO. I yield to the gentleman from Missouri.

Mr. HALL. I have listened with a great deal of interest, as a fellow freshman elected to this House, to this very timely and worthwhile speech by my distinguished professional colleague from Oregon. I know not only of his own qualifications under title II of his speech but also of his extensive war experience, his able work as a legislator and founder of the Blue Cross and Blue Shield principle in the State of Oregon, but his work with State health in general and his long practice in particular.

I think it is well at this time to discuss just a little bit further the question of H.R. 4222.

I would like to know if the gentleman from Oregon, a distinguished physician and surgeon, would agree that

outside of the question of helping ourselves, our own families, our own kin, securing help where needed at county and State levels before the Federal Government participates, maybe H.R. 4222 is totally unnecessary. I think it is totally unnecessary. If the gentleman will yield further, this proposed compulsory Federal health program, which alleges to supply over 25 percent extensive and expensive service to those drawing social security benefits, would not do this at all, as the gentleman has so beautifully pointed out.

And a person who cannot pay 75 percent of their charges and has a $90 deduction from hospital care, certainly, cannot pay the 100 percent, and may need help in the 75-percent area as well as in the 25-percent area. Now this is a fact of record and one of broad acceptance. I believe the gentleman would agree with me that the proof is in the broad acceptance of the Kerr-Mills bill which is a statute of record of the 86th Congress, by acceptance in the various States. This law went into effect less than 1½ years ago, October 1, 1960, to be exact and in the ensuing period 27 States have endorsed it completely and 11 others now have it under active consideration and are taking advantage of it. This existing law has two facets.

For one, it provides Federal funds to those States wanting to establish medical assistance for the aged for those persons who can afford all normal living expenses except those of medical care or catastrophic medical care as it is often referred to.

On the other hand, it provides matching funds to those States desiring to improve the scope of the total medical benefits for the aging who are on old-age assistance rolls. So the Kerr-Mills bill, of course, is an addition to all the other State health programs, many of which are excellent, built on this own Congress' existing vendor bill, if you please. The law places administrative responsibility there at the local level where it belongs. It gives aid to people who actually need it and not just to those of an arbitrarily chosen age group.

Then, on top of this, the AMA which does provide the personal services known as doctor care, among the total of medical cost, have gone in with the Blue Shield organization and recently announced a jointly sponsored program under which any elderly person in the lower income brackets can obtain a wide range, including catastrophic care benefits for as little as $3 a month. I hope the gentleman would agree with me further that the social security system proposal should, therefore, be stopped in its tracks.

I thank my colleague for yielding.

Mr. DURNO. I thank the distinguished doctor, my fellow freshman colleague in the Congress from Missouri. He has served in many facets in medicine in peace and in war and is an authority on this subject. I particularly appreciate his remarks with respect to the Kerr-Mills approach. I would point out to the gentleman the reason I am bringing out this bill of mine is that there has been so much confusion—there have been so many interested parties—there have been 2,281 pages of testimony before the Committee on Ways and Means on this problem last summer and these are all experts on medical care. They are people in the field of hospitals, they are people in the field of medicine, they are people in the field of government, they are people in the field of labor, they are people in the field of Blue Cross and Blue Shield and in the Insurance Underwriters of America.

Now the Committee on Ways and Means is a tremendous committee, a wonderful committee. But it has a tremendous amount of duties to perform in this session of the Congress. I was doubtful as to whether or not further consideration would be given to that bill, and so in an effort to get something which would really be worthwhile and which would strike at the heart of the problem, I am proposing my measure.

Mr. LANGEN. Mr. Speaker, will the gentleman yield?

Mr. DURNO. I yield to the gentleman from Minnesota.

Mr. LANGEN. I want to take this time to compliment my colleague, the distinguished gentleman from Oregon, for the very eloquent and excellent manner in which he has documented for the Members of the House this material on a very significant and controversial subject. As one who has had the opportunity of serving with the gentleman on committees, I can truthfully say this is only another example of the very precise and detailed manner in which he approaches all of the problems that come before us. On today particularly, we in the Congress and the people of the United States should be grateful for the contribution he has made by offering a clarity and an understanding of this problem which obviously needs the attention and serious consideration of the Congress.

Mr. DURNO. I thank the gentleman from Minnesota very much for those very kind remarks.

May I add one more thing for the RECORD, because I think the people perhaps will be reading it. They may wonder where they can get some impersonal facts and figures and statistics that are not oriented around the whipping boy, the AMA, but are part of a release by the Blue Cross Association and the American Hospital Association. This is a brandnew book entitled "Financing of the Health Care of the Aged, a Study of the Dimensions of the Problem." It is in two parts, and I think it is available to anybody who would write to the Blue Cross Association or the American Hospital Association.

Mr. HALL. Mr. Speaker, will the gentleman yield further?

Mr. DURNO. I will be happy to.

Mr. HALL. I would like to rise again to compliment the gentleman, as my colleague before me has done, on the clear, succinct, and able way in which he has presented this factfinding, straight-from-the-shoulder, down-to-earth analysis of exactly where we stand and particularly has brought out the fact that the existing legislation on the bill H.R. 4222 would require the taxpayers and the earners who are in a relative minority now, to pay and be taxed and have withheld from their salaries a certain proportion of their wages, match the salaries of their employees creating a fund for the care of all, by discriminatory means of reaching a certain age, whether or not these people, indeed, are in need of that care.

You have further pointed out beautifully, in my opinion, Dr. DURNO, the fact that this is engaging in corporate practice to the tune of 40,000 or 50,000 estimated physicians that work in hospitals, such as the radiologists, the anesthetists, the pathologists, the physiotherapists, and the others. Corporate practice is not in our modern system of medicine, and this was a finding of the Hess committee, a self-censuring committee of the American Medical Association years ago. You have very aptly, I think, dubbed it as the 25 percent bill. And, certainly they brought out that it brings in not only big government, collective government, but a certain amount of interference and also that it eliminates freedom of choice. For these reasons alone we would not like the bill and perhaps second the motion and associate ourselves with your idea that much of it is perhaps political gain.

I would like to call your attention, just as you have in quoting a recent book, to the CONGRESSIONAL RECORD for March 6 under the title of "Administration Medical Proposal, a Mirage." That is an expression we use out West for water in the desert when it really is not there. In involves an analysis by the Aetna Insurance Co. actuaries as to the 25-percent effectiveness of this bill.

Further, if the gentleman would yield additionally, I would like to go back to the first session of this Congress, to the RECORD of September 7, under the general title of "Operation Survival," where some of these things are clearly laid out that would be detrimental and constitute a further hoax on the public.

I certainly want to thank the gentleman for what he has done today and associate myself with everything except those portions with which he has dissociated himself. And, perhaps the new bill, which I have not had the opportunity to study, but if it involves such principles as being voluntary and according to ability to pay and the need and the adequate care of the people and the availability to all, spread across the country, with commissions set up, and a clear, direct report to the Congress, that part I am certainly endorsing. I thank the gentleman very much.

Mr. DURNO. I want to thank, again, the gentleman from Missouri who, as I have previously said, is so eminently qualified in this field. He has contributed materially to the discussion of the problem here today.

RAILROAD MERGERS

Mr. EVERETT. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. ASHLEY. Mr. Speaker, it is my belief that the present railroad merger movement has reached such an extensive scale that it now has become a real threat to the future welfare of the Nation. With this thought in mind, I have today introduced in the House a joint resolution which is similar to one introduced last year by a number of my colleagues. Unlike these earlier resolutions, which called for a moratorium on railroad mergers only until the end of this year, my resolution would suspend the authority of the Interstate Commerce Commission to approve railroad consolidations, mergers, or acquisitions of control for a period of 2 years from the date of its enactment, or until such earlier time that Congress has completed its study and enacted whatever remedial legislation its investigation reveals may be necessary.

A comprehensive study of our national transportation problems recently completed by a special study group for the Senate Commerce Committee warned that the merger process should be halted temporarily until a proper overall plan is evolved lest irreparable damage be done to our existing railroad network. It is my belief that unless prompt action is taken, we may soon find that the inadequacies of the present law governing railroad mergers, which was enacted during the great depression when different economic conditions prevailed, may result in actions destructive not only of our national railroad network, but also of our national economic potential in the crucial years ahead. The American people, Mr. Speaker, have too much to lose from poorly planned, unsound merger proposals whose only objectives are to increase short-term profits by cutting services to the public, fostering monopoly, and weakening our national defense and the potential for economic progress. Action on railroad mergers, in my view, clearly needs to be halted temporarily until Congress can study the problem and enact whatever amendments may be needed to protect the public interest.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to Mr. JAMES C. DAVIS, for 1 hour, on Thursday, March 29.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. WALTER and to include an address made by the Attorney General at the University of Berlin together with a statement he made on the Berlin City Hall steps.

Mr. TOLL and include extraneous matter.

Mr. PELLY.

Mr. LIBONATI.

(The following Members (at the request of Mr. LANGEN) and to include extraneous matter:)

Mr. FINO.

Mr. ALGER.

Mr. BERRY.

Mr. BALDWIN.

(The following Members (at the request of Mr. EVERETT) and to include extraneous matter:)

Mr. KING of California.

Mr. GARY.

Mr. MULTER.

Mr. DINGELL.

Mr. BOGGS in two instances.

Mrs. SULLIVAN.

Mr. MURPHY.

Mr. RODINO in two instances.

Mr. BURKE of Massachusetts and to include extraneous matter.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 4130. An act to provide assistance to Menominee County, Wis., and for other purposes; and

H.R. 5968. An act to amend the District of Columbia Unemployment Compensation Act, as amended.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 2533. An act to amend the requirements for participation in the 1962 feed grain program.

ADJOURNMENT

Mr. EVERETT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 23 minutes p.m.) the House adjourned until tomorrow, Tuesday, March 27, 1962, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1850. A letter from the Director, Bureau of the Budget, Executive Office of the President, relative to reporting that the appropriation to the Department of Justice for "Fees and expenses of witnesses" for the fiscal year 1962, has been reapportioned on a basis which indicates the necessity for a supplemental estimate of appropriation, pursuant to section 3679 of the Revised Statutes, as amended (31 U.S.C. 665); to the Committee on Appropriations.

1851. A letter from the Chief, National Guard Bureau, transmitting the Annual Report of the Chief, National Guard Bureau, for the fiscal year ending June 30, 1961; to the Committee on Armed Services.

1852. A letter from the Acting Assistant Secretary of Defense (Installations and Logistics) transmitting a report on extraordinary contractual actions to facilitate the national defense for the calendar year 1961, pursuant to Public Law 85-804; to the Committee on the Judiciary.

1853. A letter from the Acting Secretary of Commerce, transmitting a draft of a proposed bill entitled "A bill to provide for public notice of settlements in patent interferences"; to the Committee on the Judiciary.

1854. A letter from the Attorney General, transmitting a draft of a proposed bill entitled "A bill to amend section 4281, title 18, of the United States Code to increase from $30 to $100, the amount of gratuity which may be furnished by the Attorney General to prisoners discharged from imprisonment or released on parole"; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, pursuant to the order of the House of March 22, 1962, the following bills were reported on March 23, 1962:

Mr. DAWSON: Committee on Government Operations. H.R. 6984. A bill to provide for a method of payment of indirect costs of research and development contracted by the Federal Government at universities, colleges, and other educational institutions; without amendment (Rept. No. 1485). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAWSON: Committee on Government Operations. H.R. 10613. A bill to eliminate the requirements for certain detailed estimates in the annual budgets; without amendment (Rept. No. 1486). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAWSON: Committee on Government Operations. H.R. 10652. A bill to amend the Administrative Expenses Act of 1946 to provide a more reasonable allowance for transportation of house trailers or mobile dwellings by certain governmental officers and employees upon their transfer from one official station to another; without amendment (Rept. No. 1487). Referred to the Committee of the Whole House on the State of the Union.

Mr. FOGARTY: Committee on Appropriations. H.R. 10904. A bill making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1963, and for other purposes; without amendment (Rept. No. 1488). Referred to the Committee of the Whole House on the State of the Union.

Under clause 2 of rule XIII, pursuant to the order of the House of March 22, 1962, the following bill was reported on March 24, 1962:

Mr. HARRIS: Committee on Interstate and Foreign Commerce. H.R. 4999. A bill to increase the opportunities for training of physicians, dentists, and professional public health personnel, and for other purposes; with amendment (Rept. No. 1489). Referred to the Committee of the Whole House on the State of the Union.

[Submitted March 26, 1962]

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. RUTHERFORD: Committee on Interior and Insular Affairs. H.R. 8567. A bill to authorize the Secretary of the Interior to create trial boards for the U.S. Park Police, and for other purposes; with amendment (Rept. No. 1490). Referred to the Committee of the Whole House on the State of the Union.

Mr. HAYS: Committee on House Administration. House Resolution 510. Resolution authorizing the printing of additional copies of part 1 of the hearings held before the Committee on Education and Labor on the impact of imports and exports; without

amendment (Rept. No. 1491). Ordered to be printed.

Mr. HAYS: Committee on House Administration. House Concurrent Resolution 405. Concurrent resolution authorizing the printing of additional copies of hearings on civil defense for the Committee on Government Operations; without amendment (Rept. No. 1492). Ordered to be printed.

Mr. HAYS: Committee on House Administration. House Concurrent Resolution 25. Concurrent resolution authorizing the printing of additional copies of a veterans' benefits calculator; without amendment (Rept. No. 1493). Ordered to be printed.

Mr. HAYS: Committee on House Administration. House Concurrent Resolution 408. Concurrent resolution authorizing the printing of the publication entitled "Our Flag" as a House document, and providing for additional copies; with amendment (Rept. No. 1494). Ordered to be printed.

Mr. HAYS: Committee on House Administration. House Concurrent Resolution 419. Concurrent resolution providing for additional copies of "Hearings on Small Business Problems in the Poultry Industry, 87th Congress"; without amendment (Rept. No. 1495). Ordered to be printed.

Mr. HAYS: Committee on House Administration. House Concurrent Resolution 451. Concurrent resolution authorizing the printing of additional copies of House Document 218, 87th Congress, 1st session, entitled "Inaugural Addresses of the Presidents of the United States"; without amendment (Rept. No. 1496). Ordered to be printed.

Mr. HAYS: Committee on House Administration. House Resolution 541. Resolution authorizing the printing of additional copies of "Hearings Relating to Revision of H.R. 9120 and H.R. 5751 To Amend the Subversive Activities Control Act of 1950", 87th Congress, 1st session; without amendment (Rept. No. 1497). Ordered to be printed.

Mr. HAYS: Committee on House Administration. House Resolution 542. Resolution providing for additional copies of House Document No. 118, 86th Congress, 1st session, entitled "The House Committee on Un-American Activities, What It Is—What It Does"; without amendment (Rept. No. 1498). Ordered to be printed.

Mr. HAYS: Committee on House Administration. House Concurrent Resolution 412. Concurrent resolution authorizing the printing of additional copies of House Report No. 1282, parts 1 and 2, 87th Congress, 1st session; without amendment (Rept. No. 1499). Ordered to be printed.

Mr. HAYS: Committee on House Administration. House Concurrent Resolution 414. Concurrent resolution authorizing the printing of additional copies of "Hearings Relating to H.R. 4700, To Amend Section 11 of the Subversive Activities Control Act of 1950, as Amended (the Fund for Social Analysis)", 87th Congress, 1st session; without amendment (Rept. No. 1500). Ordered to be printed.

Mr. HAYS: Committee on House Administration. House Concurrent Resolution 416. Concurrent resolution to print as a House document the publication "Guide to Subversive Organizations and Publications" and to provide for the printing of additional copies; without amendment (Rept. No. 1501). Ordered to be printed.

Mr. COOLEY: Committee on Agriculture. H.R. 946. A bill to extend to oyster planters the benefits of the provisions of the present law which provide for production disaster loans for farmers and stockmen; with amendment (Rept. No. 1502). Referred to the Committee of the Whole House on the State of the Union.

Mr. THOMPSON of New Jersey. Joint Committee on the Disposition of Executive Papers. House Report No. 1503. Report on the disposition of certain papers of sundry executive departments. Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, pursuant to the order of the House of March 22, 1962, the following bill was introduced March 23, 1962:

By Mr. FOGARTY:

H.R. 10904. A bill making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1963, and for other purposes.

[Introduced and referred March 26, 1962]

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BREWSTER:

H.R. 10905. A bill to authorize the grades of major general and brigadier general in the Medical Service Corps of the Regular Army, and for other purposes; to the Committee on Armed Services.

By Mr. BYRNES of Wisconsin:

H.R. 10906. A bill to amend the Internal Revenue Code of 1954 to provide for additional depreciation deductions and to eliminate certain inequities in the valuation of inventories; to the Committee on Ways and Means.

By Mr. CHENOWETH:

H.R. 10907. A bill to amend the Agricultural Adjustment Act of 1938, as amended, to provide for marketing quotas on Irish potatoes through establishment of acreage allotments; to the Committee on Agriculture.

By Mr. JAMES C. DAVIS:

H.R. 10908. A bill to establish a basic policy for the determination of statutory salaries and the annual review of the adequacy of the major statutory pay systems of the Federal Government; to the Committee on Post Office and Civil Service.

By Mr. EDMONDSON:

H.R. 10909. A bill to amend title 23 of the United States Code to provide for a National Highway Academy; to the Committee on Public Works.

By Mr. FINO:

H.R. 10910. A bill to provide that cigarettes sold in interstate commerce shall be packaged and marked so as to show the nicotine content and the tar content of the cigarettes in each package; to the Committee on Interstate and Foreign Commerce.

By Mr. HALPERN:

H.R. 10911. A bill to establish a Department of Veterans' Affairs; to the Committee on Government Operations.

By Mr. JOHNSON of California:

H.R. 10912. A bill to authorize the establishment of the Whiskeytown National Recreation Area in the State of California; and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. KEARNS:

H.R. 10913. A bill to amend the District of Columbia Stadium Act of 1957 to provide that the Armory Board may not establish parking fees in excess of 50 cents for private passenger cars at the District of Columbia Stadium; to the Committee on the District of Columbia.

By Mr. McDOWELL:

H.R. 10914. A bill to provide for the issuance of a special postage stamp in commemoration of the 175th anniversary of the first ratification of the Constitution of the United States, by the State of Delaware; to the Committee on Post Office and Civil Service.

By Mr. McFALL:

H.R. 10915. A bill to amend title 38, United States Code, to establish a Court of Veterans' Appeals and to prescribe its jurisdiction and functions; to the Committee on Veterans' Affairs.

By Mr. MATHIAS:

H.R. 10916. A bill to amend the act known as the Life Insurance Act of the District of Columbia, approved June 19, 1934, and the act known as the Fire and Casualty Act of the District of Columbia, approved October 3, 1940; to the Committee on the District of Columbia.

By Mr. MILLS:

H.R. 10917. A bill to increase the supply of available investment capital for the financing of sales and rental housing by extending to certain corporate obligations Federal Housing Administration insurance benefits similar to those available for mortgages; to the Committee on Banking and Currency.

H.R. 10918. A bill to amend the National Housing Act to prohibit the inclusion of draperies and carpeting as part of the mortgage security in the case of FHA-insured mortgages covering multifamily rental housing projects; to the Committee on Banking and Currency.

H.R. 10919. A bill to amend the Subversive Activities Control Act of 1950 to authorize the payment of rewards to persons who furnish information leading to convictions of organizations or individuals of failure to register as required by such act; to the Committee on Un-American Activities.

H.R. 10920. A bill to amend title IX of the Social Security Act to increase the amount which may be made available to the States out of the employment security administration account for certain administrative expenditures; to the Committee on Ways and Means.

By Mr. PELLY:

H.R. 10921. A bill to provide medical care for certain persons engaged on board a vessel in the care, preservation, or navigation of such vessel; to the Committee on Interstate and Foreign Commerce.

By Mr. RHODES of Arizona:

H.R. 10922. A bill to authorize the Secretary of the Interior to exchange certain lands in the State of Arizona; to the Committee on Interior and Insular Affairs.

H.R. 10923. A bill to amend the act approved July 14, 1960 (74 Stat. 526), as amended, relating to the establishment of a register of names in the Department of Commerce of certain motor vehicle drivers; to the Committee on Interstate and Foreign Commerce.

By Mr. RIVERS of Alaska:

H.R. 10924. A bill to authorize the coinage of 50-cent pieces in commemoration of the 100th anniversary of the purchase of Alaska from Russia; to the Committee on Banking and Currency.

By Mr. SHELLEY:

H.R. 10925. A bill to amend the law relating to pay for postal employees; to the Committee on Post Office and Civil Service.

By Mr. SIKES:

H.R. 10926. A bill to provide for the establishment of the Fort San Marcos National Historic Site; to the Committee on Interior and Insular Affairs.

By Mr. THOMPSON of Louisiana:

H.R. 10927. A bill modifying the Calcasieu River and Pass, La., navigation project, to provide for the construction of a salt-water barrier system; to the Committee on Public Works.

By Mr. THOMPSON of Texas:

H.R. 10928. A bill to transfer casein or lactarene to the free list of the Tariff Act of 1930; to the Committee on Ways and Means.

By Mr. MORRIS K. UDALL:

H.R. 10929. A bill to authorize the Secretary of the Interior to exchange certain lands in the State of Arizona; to the Committee on Interior and Insular Affairs.

By Mr. ASHLEY:

H.J. Res. 672. Joint resolution to temporarily suspend the authority of the Interstate Commerce Commission to approve consolidations, unifications, or acquisitions of control of railroad properties; to the Committee on Interstate and Foreign Commerce.

By Mr. FALLON:

H. Con. Res. 455. Concurrent resolution designating the week of May 20 to May 26, 1962, as "National Highway Week"; to the Committee on the Judiciary.

By Mr. HOEVEN:

H. Con. Res. 456. Concurrent resolution to insure equal rights and self-determination for the peoples of Latvia, Lithuania, and Estonia; to the Committee on Foreign Affairs.

By Mr. ROOSEVELT:

H. Con. Res. 457. Concurrent resolution providing for printing as a House document the script, "Autopsy on Operation Abolition"; to the Committee on House Administration.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Arizona, memorializing the President and the Congress of the United States relative to requesting the enactment of a bill which legalizes the use of wiretapping evidence in courts; to the Committee on the Judiciary.

Also, memorial of the Legislature of the State of Arizona, memorializing the President and the Congress of the United States relative to House Memorial No. 4, requesting that evidence be submitted relating to an allegation that a few thousand Communists are concentrated in key departments of the Government; to the Committee on Un-American Activities.

Also, memorial of the Legislature of the State of Massachusetts, memorializing the President and the Congress of the United States to enact legislation providing medical care for the elderly through social security financing; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. COLLIER introduced a bill (H.R. 10930) for the relief of Thomas Argyris, which was referred to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

260. By Mr. DOOLEY: Resolution of the Council of the City of New Rochelle, N.Y., requesting the U.S. Government to cede Davids Island (Fort Slocum) to the city of New Rochelle upon the discontinuance of its use by the U.S. Army; to the Committee on Armed Services.

261. By the SPEAKER: Petition of Arthur G. Boyd, executive secretary, California State Board of Agriculture, Sacramento, Calif., relative to price supports for milk; to the Committee on Agriculture.

262. Also, petition of Marian S. Irvin, city clerk, Bakersfield, Calif., relative to opposing the taxation of interest on bonds for public improvements; to the Committee on the Judiciary.

SENATE

MONDAY, MARCH 26, 1962

(Legislative day of Wednesday, March 14, 1962)

The Senate met at 9 o'clock a.m., on the expiration of the recess, and was called to order by the Honorable LEE METCALF, a Senator from Montana.

Rev. R. B. Culbreth, D.D., pastor of Metropolitan Baptist Church, Washington, D.C., offered the following prayer:

Eternal God, our Heavenly Father, our heads and hearts are bowed in Thy presence today, because Thou art the Almighty Sovereign Ruler of this universe. We acknowledge our limitations, and plead our need for Thy assistance. We invoke Thy spirit to enter our minds and give us wisdom to make right decisions. Make us bigger than our differences, wiser than our enemies, and firm believers in the power that comes from Thee. We pray Thy blessings today upon our President and Vice President, our Senators, and all Congressmen.

O, our Father, may we ever remember that the right to rule is a gift from Thee, and that we are responsible to Thee for all our actions. We acknowledge our weaknesses and common failures, and ask that in Thy divine mercy forgiveness may be ours. Give to us an assurance of Thy presence today. As Thou didst move upon the face of waters, move our hearts to wisdom and understanding, love and truth, honesty and honor, good will toward men, patience in welldoing, and true gladness of heart. We pray in Jesus' name. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., March 26, 1962.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. LEE METCALF, a Senator from the State of Montana, to perform the duties of the Chair during my absence.

CARL HAYDEN,
President pro tempore.

Mr. METCALF thereupon took the chair as Acting President pro tempore.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Saturday, March 24, 1962, was dispensed with.

ORDER FOR RECESS TO 9 O'CLOCK A.M. TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate finishes its business today, it stand in recess until 9 o'clock tomorrow morning.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

REPORT ON REVIEW OF CONTRACTING FOR REBUILD OF TRACK SHOE ASSEMBLIES FOR COMBAT VEHICLES

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the review of contracting by the Ordnance Corps, Department of the Army, for rebuild of track shoe assemblies for combat vehicles, dated March 1962 (with an accompanying report); to the Committee on Government Operations.

REPORT ON COMPILATION OF GENERAL ACCOUNTING OFFICE FINDINGS AND RECOMMENDATIONS FOR IMPROVING GOVERNMENT OPERATIONS

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the compilation of General Accounting Office findings and recommendations for improving Government operations, fiscal year 1961 (with an accompanying report); to the Committee on Government Operations.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the ACTING PRESIDENT pro tempore:

A concurrent resolution of the Legislature of the State of New York; to the Committee on Public Works:

"RESOLUTION 49

"Concurrent resolution memorializing Congress to authorize a review of plans for the multipurpose development of the Genesee River Basin

"Whereas it is the public policy of the United States and of the State of New York to undertake the multipurpose planning and development of river basins in the interest of flood control, navigation, water supply, pollution abatement, irrigation, soil conservation, recreation, fish and wildlife management, and other related water and land uses; and

"Whereas the Genesee River is one of the most important and valuable natural resources in Eastern United States; and

"Whereas the Genesee River Basin, except for small areas tributary to its headwaters, lies in the State of New York and contributes greatly to all facets of the economy of the State; and

"Whereas studies undertaken by the Temporary State Commission on Water Resources Planning of the State of New York, in cooperation with the water resources commission, in the State conservation department, have indicated a recognized public need for the prompt planning and development of the water and land resources of the Genesee River Basin; and

"Whereas these studies recognize that many of the areas within the basin have water needs requiring the development of new or additional sources of public water supply; that flooding, erosion, and drainage problems exist and require corrective action in at least half of the basin; that a need for irrigation water exists in several areas of the basin; that the creation of additional water supplies is necessary to retain existing industries within the basin and to attract new industries; that pollution of the Genesee River and its tributaries is a problem constituting a waste of a valuable natural resource which should be abated and controlled; and that the proximity of the basin

to large metropolitan areas makes it suitable for all types of recreational development; and

"Whereas the United States heretofore has caused studies and surveys of the Genesee River to be made by the Corps of Engineers which filed reports, including those contained in House Document No. 615, 78th Congress, 2d session, embracing basinwide plans for improvement of flood control, navigation, and other related water and land resources; and

"Whereas the United States has constructed on the Genesee River at Mount Morris a reservoir and dam for the single purpose of flood control; and

"Whereas, the United States, as a result of its studies and activities, has amassed a great amount of technical, scientific, and other data relating to the Genesee River Basin; and

"Whereas the State of New York desires to cooperate with the United States in furthering a study for a broad plan for the multipurpose development and use of the water and land resources of the Genesee River Basin: Now, therefore, be it

"*Resolved (if the assembly concur)*, That the Legislature of the State of New York hereby respectfully memorializes the Congress of the United States to take the necessary steps to request the Board of Engineers for Rivers and Harbors, created under the River and Harbor Act, to review reports on the Genesee River, N.Y., contained in House Document No. 615, 78th Congress, 2d session, and any other reports, with a view of determining whether any modification of the basinwide plans should be made at this time with respect to improvements for flood control, navigation, and other related water and land resources, and to require the Corps of Engineers, in making the study, to coordinate fully with the State of New York, and other Federal agencies concerned, to insure full consideration of all views on, and requirements of, all interrelated matters which those agencies may develop with respect to programs for flood prevention, water supply, stream pollution abatement, recreation, fish and wildlife management, irrigation, soil conservation, and related water and land resources; and be it further

"*Resolved (if the assembly concur)*, That copies of this resolution be sent to the Secretary of the Senate, the Clerk of the House of Representatives of the Congress of the United States, and to each Member thereof from the State of New York.

"By order of the senate:

"JOHN J. SULLIVAN,
"*Secretary.*"

A resolution adopted by the Council of the City of Niagara Falls, N.Y., favoring the enactment of legislation to provide funds to prevent floods in the upper Niagara River; to the Committee on Appropriations.

A resolution adopted by the City Council of the City of Long Beach, Calif., expressing opposition to the imposition of a Federal income tax on income from State and local bonds; to the Committee on Finance.

The memorial of Hugh F. O'Neil, of Ogden, Utah, remonstrating against the purchase of bonds of the United Nations, and the withdrawal from that organization; to the Committee on Foreign Relations.

Resolutions adopted at the State Conference of the Daughters of the American Revolution of Michigan, at Detroit, Mich., relating to the Sleeping Bear Dunes National Park, Mich., and so forth; to the Committee on Interior and Insular Affairs.

TAX BILL HITS OLDSTERS

Mr. KUCHEL. Mr. President, for the past 2 years, I have vigorously opposed any tampering with the present dividend credit and exclusion provisions of our internal revenue law. It is the only relief—and woefully small, at that—against two tax bites out of the same profit dollar. The average person, through savings and investment, is endeavoring to help himself prepare for greater independence in the years of retirement. We ought not penalize the efforts of self-help.

I oppose, too, the request of the administration to withhold income of this type at its source. The withholding provision incorporated in the House Committee on Ways and Means version of the Revenue Act of 1962 carries with it elements of inequity and of inequality. Many depositors and shareholders—the great majority of whom are persons of modest income—will be unjustly denied, through withholding, the use and the possible expansion of their dividends and interest. Mr. President, the redtape of refund procedures is a frustrating thing.

Furthermore, the quarterly refund is a cumbersome method by which to attempt restitution. As the House minority report pointed out:

> It will produce both massive withholding and administrative chaos.

This legislation will most affect those who are in the modest income brackets and who are retired and live off income which they have set aside during their earning years.

The Los Angeles Herald-Examiner has brought this matter to the attention of its readers, in a recent excellent editorial entitled "Tax Bill Hits Oldsters," and also in a news article entitled "Protest 20-Percent Dividend, Interest Tax," which was published on March 13. I ask unanimous consent that the editorial and the article be printed at this point in the RECORD, in connection with my remarks.

There being no objection, the editorial and the article were ordered to be printed in the RECORD, as follows:

[From the Los Angeles (Calif.) Herald-Examiner, Mar. 1, 1962]

TAX BILL HITS OLDSTERS

A new Federal tax bill which already has cleared the hurdle of the House Ways and Means Committee threatens to affect millions of Americans, especially those in the retirement or old-age bracket.

In the tax bill will be included a new system of tax withholding on dividends and most interest.

As Herald-Examiner financial columnist Leslie Gould puts it:

"There are around 3 million 65 years and older shareowners. These are the ones who will be hardest—and unfairly—hit by the dividend withholding. This income may be their major source of revenue, but they may have to wait to collect all of it.

In southern California, where so many thousands of retired couples have come to live out their declining days, the problem will be particularly acute.

The Government's principal purpose in urging the new withholding plan is praiseworthy.

The administration has stated its belief that the plan will net millions of taxpayers who have been "forgetting" to declare dividends and interest. Thus the Federal Treasury will be greatly enriched, and other honest taxpayers will not be stuck so heavily in the future.

However, there is another phase which must be considered.

If money due the taxpayer is withheld from him for a year or more, this means that the taxpayer will be deprived of the use of that money which he normally would have received as soon as the bank or corporation paid it.

The old people, the pensioners and the families which have retired with a little nestegg which emphasizes income from dividends and interest must not be bypassed or forgotten in the rush to get some extra bucks for Uncle Sam.

This new control over personal incomes would start at the rate of 20 percent earned through interest or dividends. The taxpayer, however, still has the privilege of applying for a refund if he can prove that he paid more taxes than he owed.

Under the plan, children under 18 could obtain exemption from withholding taxes on their savings accounts by filing statements with their savings institutions. Taxpayers 65 and older who expect to have no tax liability at the end of the year also could file statements with their savings institutions.

However, there would be no exemptions from withholding taxes on dividends. Stockholders anticipating no income tax liability at the end of the year could claim the withheld taxes by applying to the Treasury as often as four times a year.

The oldsters, of course, would be penalized because they would be deprived of 20 percent of the dividends cash they had been receiving. And even though they could apply for refunds as often as four times a year, what would that mean?

For those too weary almost to get to grocery stores or drugstores, it would be a heavy chore to be constantly filing refund claims. Also, with typical official redtape, how soon would they be paid these refunds?

[From the Los Angeles (Calif.) Herald-Examiner, Mar. 13, 1962]

HOUSE UNIT GETS HUGE PETITION—PROTEST 80-PERCENT DIVIDEND, INTEREST TAX

(By Barbara Kober)

WASHINGTON, March 13.—A petition in opposition to legislation for a withholding tax on dividends and interest has been presented to the House Ways and Means Committee by the Investors League.

William Jackman, president of the league, estimated more than 5 million signatures have poured in from all over the United States.

He said the petitions give "sufficient evidence that the American public views as unfair and unwarranted a withholding of tax on dividends and interest. A tax which will take one-fifth of the small income of so many Americans who will really need this for their living."

The signatures were obtained through petitions circulated by the league and by individuals and also through forms printed in newspapers throughout the country.

The petition said the proposal now before Congress tends "to destroy individual investment incentive and saving by establishing a 20-percent withholding tax on dividend and savings income."

It called upon Members of Congress to reject the proposals on behalf of the millions of voting citizens and investors in America.

A TRUCKLOAD

Representative MASON, Republican, of Illinois, ranking member of the House Ways and Means Committee, received the truckload of telegrams, letters, and petitions.

Jackman said if the withholding tax bill is passed in the House and sent to the Senate, his organization will then present the petitions to the Senate Finance Committee.

Senator CURTIS, Republican, of Nebraska, a member of the Senate group, was ready

to receive the petitions if that move should become necessary.

PAPERS AIDED

All together about 30 newspapers printed the petition Jackman said. Some were advertisements paid for by the league. Others were paid for by the community and others by the newspaper itself.

One paper, in a small town in Pennsylvania, used a full page ad along with an editorial opposing the withholding tax legislation.

Jackman said the signatures represent the opinion of the American people that "Federal withholding tax on dividends and interest is just the start of further Government encroachment on private income."

DEDICATION OF POINT LOMA SALINE WATER CONVERSION PLANT—ADDRESS BY SENATOR KUCHEL

Mr. KUCHEL. Mr. President, I think one of the great accomplishments of the Congress in the last several years was the enactment into law of a bill authorizing construction of full-scale saline water conversion plants. I was very glad in the Senate to have coauthored legislation of this kind.

Several days ago, in San Diego, Calif., suitable dedication ceremonies were conducted at the Point Loma saline water conversion plant located there. I made some comments on that occasion, and I ask unanimous consent that they be printed at this point in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR KUCHEL

Secretary Udall, Governor Brown, Mayor Dail, and fellow Californians, I am delighted to be present at these dedication ceremonies which typify man's resolve to apply all the imagination, skill, and perseverance he possesses to finding answers to problems which challenge us in many ways. On this occasion, we are celebrating a heartwarming example of close cooperation by Federal, State, and local governments, private industry, and scientific agencies to meet one extraordinary and serious challenge.

This saline water conversion plant, the only one on the Pacific coast and built under a law which I was proud to cosponsor, represents a significant milestone in a long endeavor to assure continued progress and improved living conditions for our own people. But it has far more meaning because of the fundamental fact that water is even more necessary than food to human existence and survival.

Water can be an invaluable tool in forging a reliable and just peace around the globe. Adequate supplies will promote the development of newly emerging independent nations and relieve the pressures of exploding world populations.

America is, indeed, fortunate in having the sea around much of its perimeter. We find hope for the future in the fact that 24 of our 50 States have tidal shorelines. A tremendous untapped resource is at the doorstep of many highly productive agricultural and industrial areas and adjucent to a large number of our fastest growing concentrations of people.

The vital importance of fresh water is widely appreciated by California. Our citizens realize the essential role it played in our past development and they appreciate we must guarantee adequate supplies if we are to continue growing. They assumed unprecedented obligations to undertake such imposing works as nearby Hoover Dam and the All-American Canal, the vast Central Valley project still being expanded to meet demands of the future, and the first breathtaking phase of the California water plan on the distant Feather River.

The urgency of engaging in such ventures and of embarking on a program such as this Point Loma installation will carry on is driven home by the findings of the Select Senate Committee on Natural Water Resources of which I was vice chairman. Our final report warned that America's gross water requirements will double by 1980 and will triple by the start of the next century. We measured carefully the distribution of water resources and came to the inescapable conclusion that bold action is imperative to make sure that water shortages do not control the future destiny of our Nation.

For this reason, an unremitting effort to perfect methods and processes of desalinization is necessary and desirable. Surface and ground water will continue, of course, to be for a long period the principal supply sources for our homes, factories, and farms. But to remedy the lamentable imbalance of resources provided by nature, we must strive diligently and persistently to conserve and expand these supplies through purification, prevention of pollution, and conversion, as well as by impoundment and conveyance over long distances.

In the application of scientific and technical tools to this problem, cost is an inescapable factor. I am dismayed that skeptics in some places regard this consideration as a possibly insurmountable barrier. On the contrary, it is encouraging and deserving of emphasis that the increased efficiency and expanded knowledge gained through laboratory research and experimentation have slashed the cost by 400 percent. Even more meaningful is the sensational improvement in quality, as evidenced by the promise this Point Loma plant's output will be 99.995 percent pure.

To those of faint hope, let me observe that while the present cost of water from conversion is nearly three times that of surface supplies, today's price of approximately $1 to $1.25 per thousand gallons is far below the figure of $5 when our research program was launched.

California has a concrete example of the benefits from such efforts in the parched city of Coalinga on the west side of the San Joaquin Valley. While still forced to limit consumption severely, that hard-pressed community placed in operation a scientific conversion process to escape the necessity and the expense of importing potable water in tank cars. The scientific advances made possible by research sponsored by our Federal Government now provide those California residents with water at one-fifth its former price.

Who can fail to regard an investigation and experimentation program making possible such action as anything but a worthwhile investment? Certainly relief of the sort enjoyed by Coalinga warrants pressing forward and holds out a promise worth seeking.

Where no adequate surface supplies are available on an economically or engineeringly feasible basis, desalinization may become the primary source of water. For specialized agriculture, technological processes may hold the key to life. For colonization of arid areas abounding in mineral resources, conversion can point the way.

An adequate supplemental supply of good quality fresh water, such as the million gallons daily this plant will pour into the San Diego system, can eventually mean relief from worry. The operation may yield knowledge of ways to cut costs and thus constitute a gigantic stride on the road to sufficiency.

Such facts caused me to support enthusiastically several pieces of legislation referred to our Interior and Insular Affairs Committee to extend and broaden our research program and to authorize this and four other installations to conduct full-scale tests and demonstrations. The facility we are putting "on stream" here today is a tangible expression of faith and zeal in our endeavors to preserve and expand freedom for mankind and to rectify the shortcomings of nature.

So it is an honor to take part in this meaningful event and a privilege to be associated with such an enterprise.

IMPORTANCE OF WILDLIFE REFUGES IN PACIFIC COAST FLYWAY—ADDRESS BY SENATOR KUCHEL

Mr. KUCHEL. Mr. President, last year I introduced legislation which would give congressional sanction to the Tule Lake Wildlife Refuge Area, in California and Oregon. This proposal has been approved by every conservation group in America; it has been approved by the State governments; it has been approved by the Federal Department of the Interior.

Over the last half century the refuge for migratory waterfowl in the Pacific coast flyway has been handled simply by Executive decree. It is now believed that it is in the interest of sound conservation to have the Congress of the United State by statute give protection to that area; and I hope the bill I have introduced—now pending before the Senate Interior Committee—will receive committee approval, and thereafter will receive the approval of the Senate as a whole. Under those circumstances, I think approval by the House of Representatives would follow.

Mr. President, last March I had the honor to speak before the Duck Hunters, in San Francisco, Calif. I ask unanimous consent that the text of my remarks on that occasion be printed at this point in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

SOUND CONSERVATION REQUIRES CONGRESSIONAL PROTECTION OF WILDLIFE REFUGES IN PACIFIC COAST FLYWAY

(By Hon. THOMAS H. KUCHEL)

I am delighted to meet with you here tonight and discuss some of the conservation problems in which I know your organization shares a keen and longstanding interest. Recently a small group has accused me of being for the "ducks" rather than the "people" because of my attempt to stabilize the wildlife refuge boundaries in the Klamath basin of Oregon and California. Your organization and many other conservation, recreation, and sportsmen groups like you are ample proof that this issue cannot be categorized so simply and emotionally. I might add that any duck who has ever seen me in a wet, marshy blind at 4 o'clock in the morning would know that I am truly his friend, and I am sure a harmless one, but I assure you that this is as far as it goes for the ducks. What is involved here and in other parts of our land is the need to preserve a priceless heritage for future generations as a matter of clear-cut public policy.

The problems that confront conservationists and sportsmen throughout America stem from the greatly increased demands being placed on all our waterfowl resources. This is caused by an exploding population, an ever-increasing agriculture, and a constantly mounting demand for utilizing more

efficiently our available water resources. The Tule Lake area, with which I have been concerned for many years, strikingly illustrates the interaction of these competing demands.

As our national population has increased, so has California's and at a greater rate. At the turn of the 21st century it is conservatively estimated that California's population will have grown from our present 17 million to almost 50 million people.

With the growth of American industry and agriculture, our most productive fish and wildlife habitats have been disappearing at an alarming rate. Originally within the United States, there were 127 million acres of wetlands. A few years ago this was slightly over 70 million acres, of which less than 23 million were truly suitable as fish and wildlife habitat. In the Tule Lake area of California a similar situation has occurred. Around 1900 there were 400,000 acres of marsh and water in the upper Klamath basin. This is no longer so. In fact, since 1940, approximately 34,000 acres of wetlands have been drained in this area alone.

Through the construction of irrigation works, the lower Klamath and Tule Lake areas have been reduced from 187,000 acres of uncontrolled, alternately flooded and dry areas of rangeland to almost 25,000 acres of stabilized lake and marshland that can be managed efficiently for waterfowl purposes. While this development has been of benefit to both agricultural and wildlife use in the area, there is now need to maintain this balance and the status quo.

Our country's fish and wildlife problems and their relationship to our overall water resource development became very evident to me in 1959 and 1960 when I had the honor of serving as vice chairman of the Senate Select Committee on National Water Resources. We held hearings in 19 States. We asked various Federal and State agencies as well as private groups to furnish us with information to aid us in our understanding of the problems involved. We became increasingly conscious of the need to preserve wildlife habitat which is falling before the onslaught of the farmer, the factory, the dam, and the highway bulldozer. This recognition is increasingly evidenced in the congressional willingness to authorize funds for the establishment of fish and wildlife and recreational facilities by both the Bureau of Reclamation and the Corps of Engineers in irrigation and flood control projects. Last year, Congress authorized the advance of $105 million, to be spent over a 7-year period for the acquisition of waterfowl habitat. This advance will be paid back from duck stamp receipts. More needs to be done.

Let us remember, however, that it is not enough merely to create new fish and wildlife opportunities if, through inaction, we are going to jeopardize the continued existence of such established refuges as the Tule Lake and Lower Klamath. They are irreplaceable. They must be preserved. Congress has a solemn obligation to see that these refuges are preserved.

Back in 1908, the same year in which President Theodore Roosevelt established the Lower Klamath National Wildlife Refuge by Executive order as the first waterfowl refuge in the United States, William L. Finley, an early-day naturalist, photographer, and writer, visited the adjacent Tule Lake area. He said:

"When I cruised across Tule Lake in 1908 it was a body of water about 12 or 15 miles long and 10 or 11 miles wide. It was supplied by the water of Lost River entering from the north. It will be remembered that Lost River was the outlet of Clear Lake. The west side and the whole northern border was a vast tule harsh and a natural wildfowl nursery."

Tule Lake, then as now, has no equal as a waterfowl resting and breeding place.

Five years earlier, in 1903, what was then known as the Federal Reclamation Service had begun its investigations for the development of a Federal irrigation project in the Klamath area. As a result, the Secretary of the Interior withdrew some of this land in 1904. In 1905, both California and Oregon ceded certain rights in the Upper and Lower Klamath Lakes and Tule Lake to the United States. The resultant Klamath irrigation project has been of great benefit both to the people of the area and to the migratory waterfowl which continued using the area after the arrival of the Bureau of Reclamation as they had before. Today almost 80 percent of the waterfowl in the Pacific flyway pass through the Tule Lake-Klamath complex and almost all of these are concentrated in the Tule Lake and Lower Klamath National Wildlife Refuges alone.

With the continued and increasing use of this area by waterfowl, it was not long before other Presidents followed the precedent of Theodore Roosevelt in setting aside various parts of the public lands in the Klamath basin for the purpose of wildlife management. In 1911, President Taft established by Executive order the Clear Lake National Wildlife Refuge. In 1928, President Coolidge established both the Tule Lake National Wildlife Refuge and the Upper Klamath National Wildlife Refuge.

In 1960, under President Eisenhower, still another area was set aside. This new refuge, however, was not created from reserved public lands. It formerly was a part of the Klamath Indian Reservation and is now known as the Klamath Forest National Wildlife Refuge. The land was made available for acquisition by the Klamath Termination Act and, on September 7, 1960, 14,641 acres of tribal lands were transferred to the Bureau of Sport Fisheries and Wildlife by a payment of duck stamp funds under the Migratory Bird Hunting Stamp Act.

All five of these refuges provide various types of habitat and potential recreational and public hunting opportunities. It is in the Lower Klamath and Tule Lake Refuges, however, where serious problems or encroachment have occurred. In 1956, the Bureau of Reclamation recommended that almost 16,000 acres in the Tule Lake Refuge be opened to homesteading. This would have amounted to almost half of the land within the present refuge. While no action was taken on this recommendation by the Secretary of the Interior, justifiable fears were expressed by sportsmen and conservationists throughout California and America.

In late 1959, I became actively involved in the reconciliation of the dispute which arose between the Tulelake Irrigation District, the Bureau of Reclamation, and the Bureau of Sport Fisheries and Wildlife over maintenance of adequate sump levels to meet wildlife use requirements. You will recall that the Secretary of the Interior issued a "take back" order for the Department of the Interior to resume operation of the pumping drainage facilities then operated by the Tulelake Irrigation District. While this matter was resolved without the Federal Government finally resuming operation, I became more convinced than ever that there was a need to give legislative sanction to the wildlife refuges in the area which had been created by Executive order and whose continued existence was dependent on the mere stroke of a pen.

Thus, on May 29, 1961, I introduced S. 1988 to stabilize the boundaries of the Tule Lake, Lower Klamath, and Upper Klamath National Wildlife Refuges. On November 14, 1961, the Department of the Interior reported on my bill and recommended its approval with certain clarifying amendments. I am pleased to tell you that an extremely productive hearing was held before a subcommittee of the Senate Committee on Interior and Insular Affairs 2 weeks ago, on February 23, in Washington, D.C.

Besides the Secretary of the Interior and his staff, excellent testimony was given by several national and State organizations who favored my measure. I would like to say that Seth Gordon's and Everett Horn's statements on behalf of the California Duck Hunters Association was particularly useful and helpful. Those from the area concerned who were opposed to my bill aided the committee by offering their own rather vigorous objections to any congressional sanctions over the area. And thus, they helped to draw the basic issues clearly.

Besides organizations such as your own, the alert press of our State, and particularly the San Francisco Bay area, are to be commended for the continuing interest they have shown in this legislation and the service they have rendered in increasing public understanding as to the need for congressional action. This has been of immense help.

I am more convinced than ever as to the need for legislative sanction for these refuges. I am optimistic that Congress will act favorably in the near future.

What would S. 1988, including the clarifying amendments by the Department of the Interior, do?

First, it would provide that the public lands within the Executive order boundaries of the Tule Lake, Upper Klamath, and Lower Klamath Refuges would be retained in Federal ownership for "the major purpose of waterfowl management, but with full consideration to optimum agricultural use that is consistent therewith." The bill specifically provides that "such lands shall not be opened to homestead entry." The refuges could be rounded out by the addition of various small tracts of public lands.

Second, S. 1988 would reaffirm the Secretary of the Interior's authority to lease reserved Federal lands within the wildlife refuges for agricultural use as at present. The grain and other crops now grown within the refuges have been of great value in providing adequate food for the waterfowl. Not more than 25 percent of these leased lands could be planted in row crops.

Third, in the case of the Lower Klamath and Tule Lake Refuges the bill would provide for the payment of a portion—but not to exceed 25 percent—of the new revenues collected from this agricultural leasing to the counties in which such refuges are located. These leases currently return between $500,000 and $750,000 annually to the United States. This in lieu tax payment would partially reimburse the counties involved for such local government services as police and fire protection as well as education, welfare, and highway construction, among others. Annual payment to these counties of a portion of the lease revenues, however, could not exceed 50 percent of the average per acre tax levied on similar private land in each county. The contractual obligations of the United States to pay a specified portion of revenues derived from agricultural leasing to the Tulelake Irrigation District and the Klamath Drainage District are maintained.

Fourth, specific provision is made that sumps 1(a) and 1(b) in the Tule Lake Refuge "shall not be reduced by diking or any other construction to less than the existing 13,000 acres." It is this area which has generated much of the controversy. These sumps offer potentially desirable and valuable agricultural land and are adjacent to the sumps which the Bureau of Reclamation seeks to homestead.

Fifth, and finally, S. 1988 specifically provides that the Secretary of the Interior shall maintain sump levels in the Tule Lake Refuge which "are adequate and practicable for waterfowl management purposes." This will be in accordance with present obligations under various migratory bird treaties and acts. In practice, this will continue to be carried out under contract and existing regulations by the local irrigation districts.

The importance of the Tule Lake-Klamath complex is not limited to wildlife preservation, recreation, and public hunting. In addition, the holding capability of these refuges for more than 7 million ducks and geese during their annual southern migration is vital to the successful harvesting of rice, grain, and lettuce in the Sacramento, San Joaquin, and Imperial Valleys of California. On the whole, this main link in the Pacific flyway has been of inestimable value in reducing crop depredation. In this effort, the importance of available feed in the Upper Klamath Basin and the interdependence of both farmers and wildlife are clearly illustrated.

It is not just enough to prevent further encroachment and to stabilize what exists. We also must encourage realistic planning and development of all the refuges in the area by the Department of the Interior. They have not been doing the job they should in providing adequate food during the birds' northern migration. They have not been doing the job they should in developing additional public hunting facilities. The fact that the number of waterfowl hunting permits issued by the California Department of Fish and Game rose from 2,037 in 1949 to 55,993 in 1958, less than a decade later, shows the tremendous need for progressive planning to meet this recreation demand. The recent report of the Outdoor Recreation Resources Review Commission also reiterates this obvious trend.

I explored these questions with the representatives of the Bureau of Sport Fisheries and Wildlife at our recent Washington hearings. They have an obligation to present concrete plans to Congress. With the help of groups such as yours, Congress, I am sure, will do its best to meet these needs and to preserve for future generations this priceless waterfowl area.

BIRTHDAY CONGRATULATIONS TO SENATOR DOUGLAS, OF ILLINOIS

Mr. PROXMIRE. Mr. President, today marks the 70th birthday of a unique Senator and a remarkable American, the distinguished senior Senator from Illinois, PAUL DOUGLAS.

PAUL DOUGLAS came to the U.S. Senate as a man of demonstrated physical bravery and patriotism. His war record was brilliant and outstanding. He volunteered for the Marine Corps at the age of 50, served with great distinction under fire, and was recognized and was decorated for his great bravery and his fine record.

PAUL DOUGLAS brought to the Senate a wonderful combination of qualities. The level of debate in the Senate and the quality of legislation developed in the Senate have been significantly improved by the Senator from Illinois. In my opinion a tiny handful of perhaps three or four Senators in American history have left anything like the mark which the distinguished Senator from Illinois already has left, and I am sure he has many productive years ahead.

Senator DOUGLAS is the only professional economist serving in the Senate; and what a professional economist he is. He has not only a Ph. D. degree in economics. He not only wrote the definitive work on wage theory for his doctorate dissertation. He has served as professor of economics at the University of Chicago. He has been president of the American Economics Association. He is recognized in the profession as one of the truly outstanding economists in the world.

In my judgment, the Senator from Illinois is the outstanding expert in the Senate on a number of vital policy matters which we have to consider, for instance, in the field of monetary policy. Few of us really understand it, because it is a complex and difficult field. Senator DOUGLAS is a genuine expert; the Senate expert in monetary policy.

He is the top Senate professional in the field of fiscal policy and the interrelationship of Government spending and taxation with the economy.

Tax policy: An extremely complex, difficult, and trying area, in which Senator DOUGLAS has a superlative understanding and a happy knack for making his understanding simple and comprehensible. In this area the Senator has no peer in Congress.

Government procurement: I do not think there is any Member of the Senate who is more competent, better informed, or has a better demonstrated record of obtaining results in terms of improving efficiency in the Government's multibillion-dollar procurement program.

Resource development: His contributions in this field have been extremely useful in helping make sure that proper standards of efficiency and economy are applied.

Area redevelopment: Of course Senator DOUGLAS is the outstanding authority on area redevelopment; and he is the author of the area redevelopment bill, which will always be a monument to his memory—and how characteristic of Senator DOUGLAS, since its prime contribution is in helping the down-and-out person and community recover.

The contributions Senator DOUGLAS has made in the fields of housing, urban renewal, slum clearance, and efficiency and economy in government, have been great and enduring.

THE EXPERT WITH A HEART

The wonderful thing about Senator DOUGLAS is that the great understanding he has in the economic field is dominated and animated by a deeply human feeling. There are a few other outstanding economists in the world, but there is no economist I know of who has a deeper understanding and feeling for the needs of mankind, both in the collective and individually. I know of no economist who has demonstrated such a sensitivity in the application of economic policy to what human beings in all their weaknesses and strengths, their loves and fears, need.

Senator DOUGLAS has not confined his contributions in the Senate, of course, to the economic field, although, as I have said, I think he is the outstanding expert in the Senate by a country mile in that area.

MOST VERSATILE SENATOR

Senator DOUGLAS has certainly made great contributions in the field of foreign policy and defense policy, where I always look to him for advice and expert understanding. As President Kennedy said in a message a few days ago, the most neglected man in America is the consumer. Nobody has championed the consumer more effectively than has Senator DOUGLAS, in one hard fight after another against powerful selfish interests.

His great fight on the natural gas bill has become a legend. His current proposal to establish truth in lending, which would give the borrower an understanding of how much interest he has to pay when he borrows, is another evidence of his interest in the consumer.

As I have said: Senator DOUGLAS is an expert in many fields, and, although he does not serve on the Judiciary Committee, where civil rights legislation originates, those of us who support his position on civil rights, those of us who favor a militant fight on civil rights, look to PAUL DOUGLAS as the leader in the Senate in that field. He is our great civil rights leader because of his profound intelligence. But even more because of his deep antipathy toward discrimination of any kind, and his respect and love for common, ordinary everyday people.

FIRST-CLASS STAFF MAKES FIRST-CLASS SENATOR

No man, regardless of his ability can be really effective, of course, without assistance. I have always felt PAUL DOUGLAS has had the finest staff in the Senate. On it have been men of great stature, like Bob Wallace; his present remarkable administrative assistant, Howard Shuman, who as an economic student at Oxford was the first American in many years to be elected president of the Oxford Union Society. Howard Shuman has the same kind of practical, humane, human, and warm understanding and appreciation of the implications of economics that PAUL DOUGLAS has. Of course, the incomparable Frank H. McCulloch, who for many years was the top man on Senator PAUL DOUGLAS' staff, and who is now head of the National Labor Relations Board, is a man who, in my judgment, would many years ago have made an outstanding American statesman in his own right if he had chosen to do so. He has contributed much of his life and his immense ability to Senator DOUGLAS. In so doing he has contributed to Senator DOUGLAS' career as few men have ever contributed to the career and works of another.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. PROXMIRE. I am delighted to yield to the majority leader.

Mr. MANSFIELD. I am very happy and honored to join with my distinguished colleague from Wisconsin in what he has had to say about the birth anniversary of an outstanding man and a most distinguished Senator, the Senator from Illinois [Mr. DOUGLAS].

As the Senator from Wisconsin has indicated, PAUL DOUGLAS is a man of many facets. He has been an outstanding professor of economics at the University of Chicago. He has written quite a number of textbooks on the subject. At the age of 50 he enlisted as a private in the Marine Corps. After going through a number of difficult campaigns under fire in the Pacific, he was retired with the rank of lieutenant colonel.

I feel an especial affinity for Senator DOUGLAS because of the fact that we both served in the Marine Corps, but also because of the fact that we were

jointly responsible, may I say with all modesty, for passing the Douglas-Mansfield bill, which was considered and made into law, while I was serving in the House of Representatives and Senator DOUGLAS was serving in this body.

That was the bill which set a floor under the strength of the Marine Corps, which was unique in the experience of the military services, a floor by which the Marines could not be reduced beyond three combat divisions and three supporting air wings. It also made it possible for the Commandant of the Marine Corps to become a member of the Joint Chiefs of Staff, and gave assurance to the Corps that efforts, which had been made over many years and decades, and most recently and most emphatically since the end of World War II, to reduce the Marine Corps to guard units, could not be carried out without infringing upon the laws and statutes passed by Congress and signed by the President of the United States.

So PAUL DOUGLAS has not only been an outstanding professor of economics and an outstanding marine, but has been and is an outstanding Senator, and the country is better off when we have men with the idealism, integrity, and enthusiasm of Senator DOUGLAS, who, although 70 years of age today, is many years younger in spirit.

I wish him well. I hope he will have many more years to serve with us. I am quite certain that, on the basis of the contributions he will make, our country will become a better country for all our citizens, and as we go along with PAUL DOUGLAS we can feel certain we are serving with a real American.

Mr. PROXMIRE. I thank the majority leader.

EMILY TAFT DOUGLAS

Senator DOUGLAS owes a great deal to his wife, as do so many outstanding men. She was a Congresswoman at Large from Illinois, one of our largest States, years before Senator DOUGLAS was elected to the Senate. She was an extremely able Congresswoman, who has the same marvelous qualities of humanity and warmth possessed by PAUL DOUGLAS. Since she retired from public life she has made outstanding contributions of time and energy to the Unitarian Church in a national way. She is working constantly in this field. She has been a wonderful companion, a source of love, sympathy, understanding, and I am sure, inspiration, to Senator PAUL DOUGLAS.

DOUGLAS' LIFE OF THE MIND

Mr. President, one of the facets about Senator DOUGLAS that I think must be mentioned before I sit down is the fact, as the majority leader has said, that Senator DOUGLAS is such a broad-gaged man. It is always a source of never-ending entertainment and amusement when Senator DOUGLAS, in the middle of a debate on tax policy or monetary policy, or some equally prosaic subject, comes up with a quotation from Plato, or some Latin poet, or one of the obscure 17th or 18th century French poets. He does it so easily. There is nothing affected or mannered about it; it just comes out.

The fact is that Senator DOUGLAS has lived a marvelous life of the mind. He has an active, working love of philosophy, of poetry, of art. He is a man who understands as too few of us do the civilizing, refining aspects of culture. With all his other attributes he is one of the rare almost extinct species of that over-used bromide, a scholar and a gentleman. DOUGLAS loves the people.

I would say, in conclusion, Senator DOUGLAS has demonstrated what animates him, what drives him, and what he aspires to, by the fact that, although he is today 70 years old, although he was reelected in 1960 to another 6-year term, he has since his reelection gone back to Illinois, has appeared at plant gates, has gone to shopping centers and wherever people congregate throughout Illinois, and has insisted on speaking to thousands and thousands of people in Illinois, consulting with them, finding out what they need, what they want, what their problems are, and maintaining his constant understanding of them. Only a man who really loves the people—who has a great, deep, genuine, sincere respect for the people—could and would do this kind of thing. PAUL DOUGLAS is a man who combines this love of the people, the simple everywhere-everyday people, with a deep appreciation of the great philosophers and poets and with the hard practical experience of the Chicago City Council, as tough a school of practical politics as there is.

A GREAT MAN

One of Browning's most striking poems is a dramatic monologue, "Andrea del Sarto." Andrea del Sarto expresses the dilemma of a faultless painter; a painter who for line and form harmony, color and precision was the superior of Michelangelo. He was the flawless epitome of perfection as an artist. But Andrea del Sarto, the perfect painter, somehow was unable to achieve greatness. Why? Because he lacked the capacity to inspire love or to sense and express love. The spark of humanity, the deep, honest human emotion escaped his brush and canvas. His portraits were precise reproductions but lifeless and emotionless.

More than any other man I know, PAUL DOUGLAS has the technical perfection that makes him a perfect Senator. But unlike Andre del Sarto this perfection is wedded to a warm, understanding, sensitive humanity which has made him a truly great man.

Outside this Chamber are the portraits of five men selected as America's greatest Senators. They all contributed mightily to this country.

But did even they earn the status of greatness? Can we be sure?

The word "great" is much overused in our contemporary world, and perhaps nowhere more overused than in the U.S. Senate.

But, Mr. President, of all the men I have ever known, if I could call only one "great," it would be Senator PAUL DOUGLAS.

Mr. President, I ask unanimous consent that a very fine article on Senator DOUGLAS published in yesterday's New York Times, written by William McGaffin, entitled "Ferocious Independent at 70"; and an editorial from the Washington Post and Times Herald entitled "Political Professor," paying tribute to Senator DOUGLAS, also be printed in the RECORD.

There being no objection, the article and editorial were ordered to be printed in the RECORD, as follows:

[From the New York Times]

"FEROCIOUS INDEPENDENT" AT 70—SENATOR DOUGLAS, OF ILLINOIS, A PROFESSOR TURNED POLITICIAN, IS A THOUGHTFUL, DEDICATED MAN WHO HAS MADE HIS MARK AS A "LONER"

(By William McGaffin)

WASHINGTON.—One can sometimes get a clue to a man's personality from the pictures he has in his office. In the case of Senator PAUL H. DOUGLAS, for instance, the first thing a visitor notices in the private office of suite 109 in the Old Senate Office Building is a group of six portraits prominently displayed on one wall.

They are of great public figures of other days. Two were Senators—George W. Norris, of Nebraska, and Robert M. La Follette, of Wisconsin. One, John Peter Altgeld, was Governor of Illinois from 1892 to 1896. Another is of Jane Addams, the welfare worker who founded Hull House in Chicago. Then there is Clarence Darrow, the Chicago lawyer and "defender of the underdog," as DOUGLAS describes him. And, finally, there is Abraham Lincoln. "These are the people I want to have in my office," DOUGLAS says. He admires them "for their courage and for what they sought to do."

Courageous politicians, of course, have not all passed on. Senator DOUGLAS, who will be 70 on March 26, is one of them. The big, white-thatched man from Illinois (DOUGLAS is 6 feet 2¾ inches tall and weighs 220 pounds) has built a solid reputation during his 13 years in the Senate as a crusader, a reformer, and a ferocious Independent. Although a Democrat, he does not hew to the party line, but follows instead the dictates of his own stern conscience. He is one of the Senate's leading liberals, but his views on Berlin and the recognition of Communist China are as tough as any held by the most militant conservatives.

He has never belonged to the Senate's "inner circle." Despite, or perhaps because of this he has risen like Norris and LaFollette before him to the point where he must be numbered among the more effective Members of that body. As a member of the powerful Finance and Banking Committees and alternate chairman of Congress Joint Economic Committee, he exercises a considerable influence on taxation, trade, and social security legislation.

The tax reform bill, which the House Ways and Means Committee has been hammering out as a priority item on the President's legislative agenda this year, represents the fruition of a campaign DOUGLAS pioneered a decade or so ago. Another bill, designed to protect $60 billion of pension and welfare funds for 90 million Americans, has had smooth sailing, with the assistance of testimony DOUGLAS gave before the House Labor Committee. This bill is intended to strengthen a 1958 law which DOUGLAS helped inspire with a model series of hearings conducted in 1955 and 1956.

The Senator is a man with a great variety of interests. Thus, in the current session, he is pushing the President's new trade and tariff program, carrying on a running battle with the Food and Drug Administration to get whole fish flour declared legal so that it can be used to combat protein deficiencies in backward countries, and trying to save an unspoiled recreational area of Indiana duneland, a short drive from Chicago, from an industrial invasion.

His influence has grown and some of his greatest successes have been achieved since

John F. Kennedy became President. The dunes campaign, which DOUGLAS has carried on almost singlehanded for years, was given a great impetus when he persuaded the President to include the dunes in his recent conservation message to Congress. The area redevelopment bill, which DOUGLAS lists as his greatest Senate achievement, "because it is doing something for the areas that are suffering from high and persistent unemployment," was signed into law by Kennedy last year.

There were previous accomplishments. A souvenir of one is a plaque in his office. It was given him by the Capitol Press Club, an organization of Negro newspapermen, in appreciation of his labors in behalf of the 1957 civil rights bill.

DOUGLAS often uses dramatic means to make a point. Once, a few years ago, his aids talked him out of taking a meat ax and a scalpel to the Senate floor. He wanted to demonstrate how the budget should be cut—not with the crude swipes of a butcher but with the careful skill of a surgeon. His aids, however, feared that this might be hazardous to the Senator's colleagues.

One campaign he never gives up, despite repeated frustrations is that against prodigal Government spending. He opposes pork-barrel river and harbor reclamation projects. He also fights his fellow Congressmen when they blithely vote millions for lavish new office buildings and related projects. The latest proposal to draw his indignant rebuke is one that would provide an underground parking palace on Capitol Hill—at an estimated cost of $24,700 per car.

DOUGLAS began molding his own particular profile in courage before he ever got into politics. Nobody but a man of stubborn moral courage would have taken on Sam Insull at the peak of his power. "It was like questioning the Holy Ghost in Chicago," DOUGLAS recalls, with a smile.

The Senator, who was then a professor of economics at the University of Chicago, began an investigation in 1929 at the request of several real estate men who had grown suspicious of the Chicago utilities promoters.

"Insull was ready to give me the works," says DOUGLAS. "He had me followed. He had trustees of the university call up Hutchins [Robert M. Hutchins, then chancellor of the university] and demand that I be fired. Hutchins, however, stood his ground."

DOUGLAS showed that Insull was trying to bilk the riders of the public transportation system in Chicago in a $140 million profiteering deal. This was only one part of the battle DOUGLAS helped conduct against Insull, who fled after the collapse of his empire and was caught on a chartered freighter off Istanbul. The Insull investigation is the episode of which DOUGLAS is most proud. "When I face St. Peter," he says, "this is the case I will argue in my behalf."

DOUGLAS began to display the kind of political independence he is known for today from the first moment he entered public life in 1939. He was elected to the Chicago City Council as an alderman from the fifth ward with the support of Mayor Ed Kelly. As soon as he took office, however, he threw council meetings into an uproar with his exposure of graft and waste in the city budget.

With the advent of World War II, DOUGLAS exhibited another kind of courage. He went to war, although he did not have to; he was 50 and had been a pacifist until just a few years before the war started. His firsthand observations of Hitler in the 1930's during extended visits to Europe caused him to abandon the pacifism of his fellow Quakers.

Cynics said that DOUGLAS went to war simply to further his political ambitions. His war record did help when he ran for the Senate, but what made him enlist was that same formidable conscience that has governed his conduct in Washington. He joined the Marines because he "felt horrified" at laying himself open to the charge of "urging others to fight" when he was not doing any fighting himself.

DOUGLAS fought with the 1st Marine Division at Peleliu and Okinawa. He was wounded in both actions. At Peleliu, he was awarded the Bronze Star. He went as a private and came out a lieutenant colonel and spent 14 months in the naval hospital in Bethesda, Md., when his left arm—partly shot away by Japanese machinegunners—was patched up.

In 1948, a distinguished career as a college professor ended when he was unexpectedly elected to the Senate. He was a political amateur and there is considerable evidence that the Democratic bosses in Chicago ran him only because they felt they had nothing to lose, since a Democratic defeat was forecast that year. The candidate, however, demonstrated a remarkable flair for campaigning. When C. Wayland Brooks, his Republican opponent, declined to take part in a public debate, DOUGLAS traveled Illinois debating an empty chair. The tactic was a success.

DOUGLAS likes politics and wishes he had gone into it 4 or 5 years earlier, even though he thinks that "political opponents are rougher than wartime enemies." The latter, he says, "try to kill you, but it's done without the slightest malice," while political enemies "assail your character and strike at you through your family."

The Senator used to be a teetotaler. Now he drinks beer and a little whisky with Czechs, Poles, and other minority groups when he visits Chicago. If, on some festive day, they break into a national folk dance, he gets up and dances with them. "If you're a machine politician," he says, "you don't have to smoke or drink because the machine knows you won't be troubled with ideas of reform. But if you're a reformer, you have to try to overcome this handicap by indulging in some of the minor vices or they think you're a sourpuss."

People often wonder how a man like DOUGLAS can possibly get along with Chicago's political bosses. His answer is that the Chicago "leaders," as he prefers to call them, "have never, never made any requests upon me that were in the slightest degree improper."

Three different Presidents have been in the White House during DOUGLAS' years in Washington. "No two men ever got on worse," says DOUGLAS of himself and Harry Truman. "Truman disliked all Ph. D.'s and he thought BILL FULBRIGHT and I were educated beyond our ability."

DOUGLAS got off on the wrong foot with Truman by favoring General Eisenhower for the Democratic nomination in 1948. "You ask me, do I regret anything in my life. I regret that," he says.

What really irritated Truman, though, was the investigation of the Reconstruction Finance Corporation which DOUGLAS helped Senator FULBRIGHT conduct in 1950 and 1951. The courage it took for a new Senator to oppose a Chief Executive of his own party was considerable. At one point, DOUGLAS declares, Truman inspired an Internal Revenue Bureau investigation of his income tax returns.

After several days of going over them, the agent assigned to the job told him, "I find that you don't owe us anything. As a matter of fact, we owe you $43.14."

"Will you put that in a letter?" DOUGLAS asked. DOUGLAS sent him back to his superiors three times, he says, before a letter was produced.

In the kind of fight that was going on, DOUGLAS felt that the letter was necessary. If he did not have it, a whispering campaign might have been started against him when he ran for reelection. Word might be spread that his income tax returns had been "investigated"—with the implication that he had been cheating.

"Having said all of this," DOUGLAS adds, "I still think Truman was a fine President. His big decisions were correct. The St. Louis Post-Dispatch summed him up well. It said that when the chips were down, he was a brave little man who did a big job."

DOUGLAS has one other story to tell about Truman. As one of a group who had been urging him to "clean house," he was in the White House for a discussion with the President. "Mr. President," DOUGLAS said, "you have trusted people who have betrayed you." Truman remained silent for a long while. Then, says DOUGLAS, he answered slowly, "I guess you're right."

Dwight Eisenhower comes off better in DOUGLAS' book than he does with many Democrats. DOUGLAS sums him up as "a gentle person, not a bad man. His main fault was lack of vigorous leadership. His Presidency was bland—like my diet, cup custard, and soup."

As for President Kennedy, DOUGLAS likes him very much. "It has not been an intimate relationship," he explains. As a Senator, Kennedy was somewhat distant personally, and since he has become President DOUGLAS hesitates to push himself on Kennedy. He pays only infrequent calls at the White House. What pleases the Senator is that the President has adopted with fervor many of the things that are close to my heart.

DOUGLAS is warmed not only to find "my mind moving with his," but that Kennedy agrees with his "choice of men." Ted Sorensen, the President's right-hand man, for example, went to work for Kennedy, when the latter was a Senator, on the recommendation of DOUGLAS, for whom he had worked previously.

Those who know both well say the President is equally fond of the Senator, whom he regards as a fatherly figure. Kennedy has reason to be grateful to DOUGLAS for several favors, not the least of which was pushing Illinois Kennedy's way through DOUGLAS' personal popularity.

DOUGLAS has numerous friends on both sides of the aisle, but he is not without his critics, both in and out of the Government. Some contend that he becomes overly emotional at times. They cite the incident that occurred during the Democratic Convention in 1952. DOUGLAS, who had discouraged a Presidential boomlet in his own behalf early that year, was trying to get the nomination for ESTES KEFAUVER.

One night, it became important to the Kefauver forces to try to negate a decision by the Democratic brass to keep the convention in session all night. Sam Rayburn, the convention chairman, refused to recognize DOUGLAS when he sought to move for an adjournment. DOUGLAS shouted for 2 hours after that, until he lost his voice. When he finally won Rayburn's recognition, he went down on his knees, and, pressing his hands against his chest, squeezed out a hoarse plea for adjournment. To many of his critics, this was an instance of DOUGLAS making a spectacle of himself.

Some accuse DOUGLAS of having been a Socialist. DOUGLAS voted for Norman Thomas for President in 1932 and his views on public ownership of monopoly industry were closely akin to those of the Socialists. "But I never joined the Socialist party," DOUGLAS declares. He kept out because he could not stomach the Socialist doctrine of the class struggle.

Nor did he agree with some of the economic theories advanced during his years as a college professor. Two of his best-known books, "The Theory of Wages" and "Real Wages in the United States (1890–1926)" were devoted to exposing the fallacy of the Marxist contention that an impoverished working class is the price of capitalist growth.

DOUGLAS' views on public ownership have been modified considerably in recent years. He now feels that the best solution is to have economic power broadly distributed throughout the country. He still favors a certain degree of public ownership in utilities, for measuring-rod purposes, but he is fearful that too much power in Government hands could destroy incentives in an industry.

When he leaves his old specialty of economics and moves into another field, his personal philosophy of life, DOUGLAS is a mixture of solemnity and gaiety. He tries to spend a half hour alone each morning in meditation after he reaches the office, reviewing the previous day to determine how he could have lived it better. He is both a Unitarian and a Quaker now but his views reflect a longtime Quaker influence. He became one a couple of years after World War I.

His staff has learned not to be surprised when he emerges from one of these sessions to announce his regret at having said that he hated somebody or something the previous day. One "must not have hate in his heart," he tells them.

This sober mood is quickly followed by one of humor, frequently at his own expense. He never fails when showing visitors his office to point out the pictures hanging on either side of the door, of Sir Thomas More and Erasmus. DOUGLAS says he keeps the pictures in his office to remind himself of "what happens to professors" when they go into politics.

Sir Thomas did, he observes, and lost his head. Erasmus didn't, he adds, and kept his.

POLITICAL PROFESSOR

When PAUL DOUGLAS switched in midcareer from professor to politician, he brought to the U.S. Senate the best fruits of an academic background and of experience as a fighting member of the U.S. Marine Corps. These embraced an exceptional blend of intelligence and education, of courage and toughness. Few Members of the Senate match his grasp of public affairs; few rival his readiness to do battle valiantly for so great a variety of causes—civil rights and conservation, tax reform and governmental economy, social security and economic development.

For a quarter century, PAUL DOUGLAS was an eminent member of the University of Chicago's Economics Department, a distinguished writer in his professional field, and a lively participant in local efforts to create good government. He joined the Marines as a private in 1942, when he was 50, for a characteristic reason—because he couldn't bear to stay safe at home when he had urged others to fight—and came out a lieutenant colonel having been wounded twice, at Peleliu and Okinawa. Few men better exemplify the ideal of the Marines expressed not long ago by its Commandant, Gen. David Shoup, as a corps of men who fight, without hate, for what they believe to be right.

Senator DOUGLAS will observe his 70th birthday today in his 14th year as a U.S. Senator. We congratulate him warmly, and we wish the country many more years of his useful service.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. PROXMIRE. I am happy to yield to the majority leader.

Mr. MANSFIELD. I am delighted the Senator from Wisconsin has mentioned Emily Douglas in his statement of high regard for the distinguished Senator from Illinois, PAUL DOUGLAS.

I had the pleasure of serving in the House of Representatives and on the Committee on Foreign Affairs with Emily Douglas while her husband was serving overseas with the Marine Corps in the Pacific. To me they represent a perfect political family. They complement each other extremely well. There is a depth of understanding as well as love and affection between the two. I think this husband and wife combination, both experienced politically, has offered much to the betterment of the country as a whole and will offer much in the future.

Again I express my privilege at being able to join with my friend from Wisconsin in paying tribute to Senator PAUL DOUGLAS on his birthday, and at the same time to his charming and distinguished wife Emily.

Mr. PROXMIRE. Mr. President, I thank the majority leader.

Mr. DIRKSEN. Mr. President, I join with the distinguished junior Senator from Wisconsin [Mr. PROXMIRE], in saluting my distinguished colleague from Illinois [Mr. DOUGLAS], on his 70th birthday anniversary. Senator DOUGLAS has had a distinguished career in the academic field as a professor of economics and as a professional economist whose expert qualities are quite generally recognized.

He has served with distinction in the military as a member of the Marine Corps and has had a notable career as a public servant not only in the City Council of Chicago but also in the U.S. Senate.

He is a man of deep conviction. There is about him a rare tenacity. We cordially disagree on many things, but I respect his talent, I respect his capabilities, and I have a high regard for the contributions he has made to the public good. So today I join with his many friends in felicitating him.

PAUL H. DOUGLAS—A GREAT AMERICAN

Mr. GRUENING. Mr. President, our beloved colleague, PAUL DOUGLAS, senior Senator from the State of Illinois, is 70 years young today. It is not surprising that his career as teacher, economist, civic reformer, combat veteran, and U.S. Senator should evoke friendly comment and plaudits in newspaper and magazine.

I have known and admired PAUL DOUGLAS for close to half a century, and my respect for his abilities and public service has grown with the years. For me, it is always a pleasure to hear him address the Senate. Invariably his comments contain a happy combination of the ingredients of wisdom, clarity, grace, humor, and support of the public interest.

Somehow he manages, with rare felicity, to combine forthrightness in his unswerving attacks on abuses with tolerant understanding of error and human weakness. Compassion is one of his outstanding qualities. His range of interests is wide. It includes tax reform, economy in Government, protection of minorities, conservation, concern for the consumer, firm and unflinching resistance to all forms of totalitarianism, a strong national defense—but no waste—and much else that is invariably worthy.

It would be difficult to single out any one of PAUL's accomplishments as preeminent in a career so dedicated to the public welfare. But above all else, I think, stands his resignation from his professorship of economics at the University of Chicago to enlist, at the age of 50, as a private in the U.S. Marine Corps, because he could not, he felt, conscientiously urge others to fight a war he believed necessary and not go himself. In the desperate landing attacks to drive the enemy from his entrenched positions on island bases in the Pacific, PAUL was twice seriously wounded, receiving permanent physical disabilities.

I am pleased to associate myself with the action previously taken by the distinguished junior Senator from Wisconsin [Mr. PROXMIRE] in placing the Washington Post editorial and the article from yesterday's New York Times in the RECORD.

I ask unanimous consent that an article from Sunday's New York Times, entitled "Kennedy Acts To Assist Consumers," which was illuminated by a photograph of PAUL DOUGLAS; and an editorial from the Observer, entitled "Truth in Lending," which deals with legislation PAUL DOUGLAS is sponsoring to protect the unwitting installment buyer, be printed at this point in my remarks.

There being no objection, the articles and editorials were ordered to be printed in the RECORD, as follows:

[From the New York Times, Mar. 25, 1962]

KENNEDY ACTS TO ASSIST CONSUMERS—HE URGES ADDITIONAL DATA BE AVAILABLE WITH PRODUCTS—BUT MERCHANTS ARE OPPOSED TO TERMS OF BILL ON CREDIT

(By William M. Freeman)

After a year and more of fence sitting, President Kennedy has plunged heavily for the ideas of two Democratic Senators on how to help the American consumer.

This is apparent in analyzing the message to Congress of a few days ago. In recommending additional protection for the consumer in his use of credit the President has given the blessing of the White House to the measure introduced about a year ago by Senator PAUL H. DOUGLAS, of Illinois. Senator DOUGLAS is an economist and an author of many books in the field. And, in calling for additional information on labels of pharmaceutical products, Mr. Kennedy has taken up the proposals first advanced by Senator ESTES KEFAUVER, of Tennessee.

He will not have easy going in winning acceptance for the ideas from the marketing fraternity or from the retailers. The retailers, who have been reluctant in recent years to take a stand that seems to oppose a full disclosure of what credit costs, actually are in favor of putting the full facts before the consumers but they do not believe the Douglas bill will accomplish the purpose. They favor the concept but they regard the bill as unworkable.

The National Retail Merchants Association has taken a stand against it in the form of a formal resolution and Harold H. Bennett, who was elected president at the annual convention in January, has spoken against it. Mr. Bennett is a formidable opponent in his position as the country's No. 1 retailer. In addition, he is a brother of Senator WALLACE F. BENNETT, Republican, of Utah, who is a leading opponent of the Douglas bill. Harold Bennett is president of the Zion's Cooperative Mercantile Institution in Salt Lake City.

Among marketing men, the general reaction has been that technical information either is not read or is ignored. In any case, it was said, it has the effect of negating selling efforts that are the product of appeals that are anything but technical.

Henry E. Abt, president of the Brand Names Foundation, remarked that the White House request for more detailed information on labels would spur consumer distrust of advertised products and advertising itself.

However, other leaders took the view that most consumers knew how to protect themselves and how to choose the best products for their personal use.

The General Motors Acceptance Corp., which acts as a financing agent in retail automobile sales and therefore is not directly involved in consumer marketing, nevertheless takes a position against the Douglas credit-control measure in its annual report just issued.

STATE REGULATION BACKED

It pointed out that last year four more States adopted credit-regulating legislation making 35 States and the District of Columbia in all that have such provisions. It called individual State action preferable to Federal regulation.

Speaking for big and little stores of all types, members of the National Retail Merchants Association, A. L. Trotta, who is manager of the group's credit management division, said that the requirement that service charges be expressed in terms of a simple annual rate does not accomplish the purpose of full disclosure.

"Among the many bad features of the bill," Mr. Trotta said, "is the fact that it is possible to avoid compliance with the bill by burying the cost of credit in the price of the merchandise."

The bill would require that any person engaged in the business of extending credit who requires, as an incident to the extension of credit, the payment of a finance charge state the total cost of the credit in terms of a simple annual rate.

Mr. Trotta said that while the bill's provisions seemed commendable and justifiable, there were flaws in the concept. He continued:

"Unfortunately, the truth of lending becomes hopelessly obscured and far from simple when Senator DOUGLAS' principle of 'simple annual rate' is applied. Dozens of mathematicians, statistical and economic experts have tried, some using pages of calculations, to apply this principle to the most ordinary examples and no two have come up with the same answer. Imagine similar problems facing thousands of salespeople every time they make a sale."

These are the retailers' four basic objections to the measure:

"1. Compliance would be most difficult and in some cases impossible. For example, in connection with revolving credit, the workingman's account, compliance would be completely impossible. It actually could mean the discontinuance of the revolving credit type of accounts most in demand by consumers today.

"2. Contrary to its stated purpose, the bill would provide consumers with less information as to the cost of credit and could be made effective only if price-control legislation is adopted. This is unthinkable in a free economy.

"3. The economic premises of the bill are false. It is broadly acknowledged in fiscal and Government circles that credit is not being used excessively. Moreover, despite the increase in population, repayment of outstanding consumer debt in 1961 has been about equal to any extensions of consumer installment credit. It is evident from the rate of repayment that economic stabilization is not being threatened by credit.

"4. Regulation in this field should be left to the States. The unworkability of an annual rate requirement has been recognized by 13 States, Canada, and the National Conference of Consumers on Uniform State Laws. Because of this, the conference has omitted any such provision from its proposed model State law on regulation of retail credit."

[From the Observer]

TRUTH IN LENDING

For those of us worried about the high interest cost of buying things on time, a New York savings bank has a suggestion. All we have to do, the bank says in its advertising, is to put a little money in a savings account each week until the amount equals the cost of the purchase we have in mind. Then we can buy it without worrying about high interest rates. In fact, the bank will pay us interest while it has our money.

There is rich irony in presenting this as a new idea, especially for those of us old to remember when "save-now-buy-later" was the prevailing system. Nowadays, of course, many of us haven't the patience to put off to tomorrow the things we want today. Some Americans are so impatient that they wind up with a good deal more debt than they can handle. And as President Kennedy said the other day, a number of people probably get in this fix at least partly because they lack a clear understanding of the cost of credit.

This is a deplorable situation, we agree. But the solution isn't as simple as some people seem to think.

Most banks, finance companies, and retailers provide consumers with precise information on the cost of credit; they regard it as the only proper thing to do. And yet there are borrowers who do not understand financing costs, either because lenders do not go out of their way to explain them or because the borrowers themselves simply aren't interested. So, the administration reasons, there's a need for a Federal law to protect these people.

We come then to the task of drawing up such a law. Mr. Kennedy's stipulation is only that the law should require "lenders and vendors to disclose to borrowers in advance the actual amounts and rates which they will be paying for credit."

Senator DOUGLAS is more specific. The Illinois Democrat urges that the financing charge be stated as if it were a simple annual rate of interest. That may sound reasonable enough, but the truth is that simple interest isn't simple at all.

Suppose a consumer borrows $1,000 from a bank for a period of 1 year. The bank says the financing charge will be $60. The usual procedure is to deduct the $60 in advance, so the consumer receives $940 which he pays back in monthly installments over the course of the year. The $60 is 6 percent of $1,000, but 6 percent is not the simple interest rate.

At the start, the consumer has the use of only $940, not $1,000. At the end of a month, this sum has been reduced still further, by the amount of the first monthly payment. Over the year, the average sum the consumer has on hand as a result of the loan is, very roughly, half of the original loan. And the simple interest rate thus is somewhere in the neighborhood of 12 percent. But there is no mathematical formula that will tell you exactly what the rate is.

Even if a satisfactory law can be written, we still will have the problem of enforcement.

Senator DOUGLAS wanted to hand this job to the Federal Reserve Board, but that agency argues that "it would not be appropriate for the monetary authority to administer what would be, essentially, a trade practices statute." The Federal Reserve has more important responsibilities and is in no way equipped to check on transactions involving hundreds of thousands of businessmen and millions of borrowers.

President Kennedy apparently agrees, for he proposes to turn over enforcement to the Federal Trade Commission, which does oversee many elements of trade, such as pricing and advertising. The FTC would not rejoice in such an assignment either; its Chairman has already said that "the problems of administration would be tremendous."

Finally, even workable law and workable enforcement would hardly solve the problem the law aims at. For what really troubles the lawmakers is the way some people borrow too much and pay more for interest than the lawmakers think they ought to. The assumption is that if people knew how much of the price of a television set was an interest charge, many wouldn't pay the price.

Yet under today's State laws and reputable business practices no one now needs to be ignorant of the total cost of credit, even if he can't convert it to simple interest. No matter how carefully the credit charges are spelled out, all of us continue to put our own price on our present enjoyment. To some people even a 25-percent annual interest rate might seem a small price to pay for having that color television now instead of next year.

True, some people will inevitably value present enjoyment so highly that they'll wind up with more debt than they can repay. But laws, for all of our Puritan faith in them, have seldom protected people from their own foolishness.

We're all in favor of a wider understanding of the cost of credit. But it's no easy matter, and we see no hope that any vast Federal legal machinery, which even the enforcers themselves are dubious about, is going to make us all careful, budget-conscious borrowers.

Mr. MUSKIE. Mr. President, I rise in tribute to one of our great colleagues, the distinguished junior Senator from Illinois [Mr. DOUGLAS]. He has, this day, reached the Biblical span of threescore years and ten. As one who has tried to keep up with him—in campaigns and in the Senate—I expect he will be going strong when I have matched his present age.

Senator DOUGLAS was born in Massachusetts; but he had the good sense to grow up in Maine, graduating from Newport High School and Bowdoin College. Although we were not able to convince him to remain in Maine, we are proud to claim him as one of our finest exports. We congratulate the citizens of Illinois on their wisdom in electing him to the U.S. Senate.

To Senator DOUGLAS I say, "Happy birthday," expressing my thanks for his patriotism, perseverance, wit, wisdom, and splendid leadership on so many vital issues. It has been a privilege to serve with him and to learn from him. I hope that experience will continue for many years.

Mr. COOPER. Mr. President, it is my understanding that this is the birthday of our colleague, the distinguished senior Senator from Illinois [Mr. DOUGLAS].

The service in the Senate of the Senator from Illinois has been marked by ability, and by a deep humanitarian spirit. I will not say more, for it would embarrass him, but I join with other friends in expressing good wishes to him on this day.

Mr. KEFAUVER. Mr. President, I rise to wish a happy birthday to our dear friend and colleague, Senator PAUL DOUGLAS. He is the youngest 70-year-old Senator I know.

His life is a fine example for those of any age to follow. Courageous and forthright, possessing an intellect as strong as his sense of humanity, PAUL DOUGLAS had already made great contributions to his country and to his Government before coming to the Senate. He has been and is one of the best informed and most influential Members of this body.

I congratulate him upon reaching this milestone, and I am confident that he will have many more fruitful years of service.

Mr. President, in further tribute to this distinguished public servant, I invite attention to an article in the New York Times magazine of yesterday and an editorial from today's Washington Post and Times Herald, which I understand have been ordered to be printed in the RECORD.

Mr. YARBOROUGH. Mr. President, it was a great surprise to me during the last day or two to learn that the distinguished senior Senator from Illinois [Mr. DOUGLAS] had reached the age of 70 years today. I would not have known it if I had not looked at the birth date in his biography in the "Congressional Directory" in which he had included the date. He has been very open about it, and has not tried to conceal it. Had I not been reminded that he is 70 today, I would have thought he was only 60.

His membership adds dignity and prestige to the Senate. It is prestige of the type that is most cherished in the Western World, because it is the prestige of intellectual achievement. Everyone who has ever served in any branch of the armed services honors Senator DOUGLAS for his great patriotism. As he lay wounded upon the field of battle in the Pacific, medical corpsmen came to his aid. He insisted that they go first to the aid of men under his command who lay wounded upon the field of battle. From that experience, he suffered permanent injuries.

Before he came to the Senate, the senior Senator from Illinois published books which are textbooks in the academic world.

He is a patriot, a statesman, and a scholar. But more than that, those who work with him know him as a friend, a friend who helps us out at any time. He is a friend who volunteers his aid. One does not have to ask him.

I hope that we in the Senate can keep his youthful outlook during the rest of our service here. He has not let his years of service here and his years of life dim his ideals for the future. He has never lost his forward-looking point of view, his youthful enthusiasm for great causes, whether he be the only person who advocates the cause or only a handful of Senators join with him for the greatness of a cause, as distinguished from the practicality of whether he might happen to win it or not.

It is in that spirit that I honor our great colleague who lends a certain dignity to all of us by his service in the Senate. He is one of the gems of the Senate. He is one of the great ornaments of this body. I am glad that I am serving here—it will be 5 years next month—during the time PAUL DOUGLAS has been one of the most active Members of the Senate.

Mr. McNAMARA. Mr. President, after the very fine tribute paid by the distinguished Senator from Texas to our dear friend, the senior Senator from Illinois, I am sure that I can only congratulate both of them, particularly the Senator from Texas, for the very fine way he has expressed his feelings. I am sure I subscribe to everything he has said.

Mr. HART. Mr. President, notwithstanding the suggestion made by my colleague from Michigan [Mr. McNAMARA] that the distinguished Senator from Illinois [Mr. DOUGLAS] would be embarrassed by a continuation of the birthday congratulations to him, I nonetheless feel very strongly the desire to add my very brief but equally sincere words on this occasion.

I share with other Senators the hope that Senator DOUGLAS will have many more birthdays on which we may express to him our good wishes. However, realizing the anguish that Senator DOUGLAS suffers when the RECORD is extended at a cost of $91 a page, or whatever the cost is, about which Senator DOUGLAS lectures us, I am sure he would wish no further discussion on this point.

Mr. DOUGLAS. Mr. President, I deeply appreciate the statements of my colleagues. I had intended to move to strike their comments from the RECORD in order to save the taxpayers' money. However, it occurred to me that this would seem extremely priggish, so I shall allow the remarks to stand.

I hope Senators will be much more truthful in other matters than they have been this afternoon. Nevertheless, I greatly appreciate their good will.

THE RS-70

Mr. PROXMIRE. Mr. President, I invite the attention of the Senate to an article entitled "Invisible Lobby Behind the RS-70," published in this morning's Washington Post and Times Herald, and written by Marquis Childs.

I have not made up my mind on the RS-70 issue, but I think the Secretary of Defense has made a telling and persuasive case against the appropriating of as much money by Congress as some Members have asked for the development of the RS-70. At any rate, Marquis Childs is a thoroughly competent and able columnist, and has written a column on the RS-70 which is provocative and interesting. I ask unanimous consent that it may be printed in the RECORD.

There being no objection, the column was ordered to be printed in the RECORD, as follows:

INVISIBLE LOBBY BEHIND THE RS-70

(By Marquis Childs)

Ever since General Eisenhower uttered his warning on the eve of leaving the Presidency about the threat of the domination of what he called the military-industrial complex the power of that complex has become more apparent.

Nothing quite like the pressures applied on the administration to back down in its opposition to what would eventually be a $10 billion program for the RS-70, formerly the B-70 bomber, had been seen in this Capital for a long time. The agreement by the administration to give careful study to the recommendations of the House Armed Services Committee means a truce but it is not the end of the war.

On one side of the struggle is the Air Force, big industry representing payrolls in a number of States and a great many Members of Senate and House who represent those States. On the other side is Secretary of Defense Robert S. McNamara, backed by the President.

That lineup is, however, an oversimplification. This controversy bears some resemblance to the fight between the battleship admirals and the submariners in the Navy. Advocates of a missile strategy in the Air Force are said to have doubts about the course of their Chief, Gen. Curtis LeMay, who is all out against the other Joint Chiefs of Staff and against Secretary of the Air Force Eugene M. Zuckert in behalf of the manned bomber.

On the administration side, the President has been reminded by Senator BARRY GOLDWATER, one of the most impassioned advocates of the program, that as Senator Kennedy, he had favored the B-70 and had criticized his predecessor for opposing its development. The burden of responsibility puts an entirely different look on the whole problem of defense. The President has frequently called attention to the nearly $10 billion added to the defense budget in missiles, hardened sites, the bomber alert and in conventional forces.

As for McNamara, he has never had the slightest doubt about his view that to produce the B-70—or the Reconnaissance Strike 70, as it has become known—would be a political surrender to the demand for jobs and industry contracts. Last May, as he had begun to get a grip on the awesome assignment he had taken on, he said to a close associate:

"I'll stake everything on stopping the B-70. If there is one thing I know it is research and development."

Already $1.3 billion has been committed for development of three prototypes of the reconnaissance-strike plane and nearly a billion has been spent or is about to be spent. The RS-70 is supposed to carry equipment that, while the plane is flying at 2,000 miles an hour, can send back photographic data indicating targets for a second and follow-up nuclear strike. It would also carry sky-bolts which could be fired on targets from a distance of several hundred miles. McNamara doubts that the plane as presently conceived could possibly carry the contemplated equipment still on the drawing boards.

The Air Force has pushed a campaign backing the conviction not only that the RS-70 is feasible but that it is essential to the Nation's defense. Clearance officers in the Pentagon were astonished to get a paper prepared by the Air Force for a Republican Congressman attacking McNamara's position. Clearance was denied.

Coordinated with the military pressure was the operation of the industrial lobby representing the subcontractors in at least 20 States that would have a piece of the RS-70 project. One Pentagon office was reported to be working exclusively on making sure that Members of Congress from these States would know about the payrolls to be generated by a $10 billion RS-70 program.

The industrial side of the military-industrial complex might be called the invisible lobby, since the agents of the relatively small number of giant corporations getting most defense contracts do not have to register under the Lobby Act. One of the few searching efforts to show how it operates and its effects on Government spending was in a series of articles last year by James McCartney, of the Chicago Daily News. Government negotiators are far too often outmanned, outskilled, and outtraded when they sit down with the agents of big industry to negotiate contracts adding up to $50 billion a year.

McNamara once cited the pay of a negotiator for his former employer, the Ford Motor Co., of $80,000 a year, sitting opposite a Defense Department procurement officer getting $10,000 a year. This same imbalance runs from top to bottom.

THE NUCLEAR TEST BAN ISSUE

Mr. MILLER. Mr. President, in the March 20 issue of the Evening Star the lead editorial, entitled, "Playing Russia's Game," pointed out the recently announced statement by Lord Home of Great Britain regarding the nuclear test negotiations, in which he stated that his country would accept an "absolute minimum" of control machinery if Russia would agree to a test ban treaty.

I believe this editorial merits the attention of readers of the RECORD, and I ask unanimous consent that it may be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

PLAYING RUSSIA'S GAME

The budding signs that Britain is pulling away from the United States on the nuclear test ban issue seem to have come to full flower in Lord Home's speech at Geneva.

The Foreign Secretary told his audience that Britain is ready to accept an "absolute minimum" of control machinery if Russia will only agree to a test ban treaty. Lord Home did not say what would constitute an absolute minimum. But he did say that the British, although recognizing that Russia has gained military knowledge and advantage from last fall's tests, are prepared to let the Soviets keep that advantage if tests can be ended forever under a treaty providing an adequate minimum system of verification.

We hope that our own Government will not allow itself to be pulled along. For whatever may be the precise meaning of Lord Home's words, it seems clear enough that Britain, in exchange for a piece of paper called a treaty, is prepared to settle for little or nothing in the way of genuine inspection and control to guard against cheating. And to do this would be to play the Russian game on Russia's home field under Russian rules.

The Soviet test series last fall abruptly ended a 3-year moratorium on testing. The Russians, however, had been secretly preparing during the moratorium to conduct their tests, and under the conditions set out by Lord Home they could very easily do so again.

Mr. Kennedy has said that another such venture in cheating might well give the Kremlin superiority in nuclear arms, and we do not see how any responsible government could even consider taking such a gamble with the life of a nation. Certainly, on the whole, long, discreditable Soviet record, we cannot possibly trust the Russians. And since they cannot be trusted we should proceed with next month's scheduled test series unless in the meantime the Soviet Union has signed a treaty incorporating inspection provisions which we believe to be adequate. If this means a break with the British, that will be too bad. But it will be better than selling ourselves down the river.

Mr. MILLER. Mr. President, it is worthy of note that the meaning of the phrase "absolute minimum" has never been spelled out, so it is theoretically possible that the so-called minimum referred to by Lord Home might somehow or other conform to what is the policy of the United States. The danger, however, is that by using such a phrase as "absolute minimum" aid and comfort somehow might be given to the Soviets, to stand even more firm than they have been in negotiating with the free world on a nuclear test treaty.

SOVIET AGRICULTURAL POLICY

Mr. MILLER. Mr. President, in the March 15 edition of the Des Moines Tribune there is a timely and pointed analysis by the able columnist, Joseph Alsop, on the recent agricultural policy adopted by the Soviets. Mr. Alsop points out that the policy is one of expanding agricultural production without at the same time maintaining or building up the fertility of the soil, and that the long-range capital outlay which is necessary to so build up the soil will instead be put into armaments.

The outlook of such a policy is, of course, very grim, but I think it is well for people to realize exactly what is the Soviet policy, so I ask unanimous consent that Mr. Alsop's article may be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WHAT K.'S DECISION ON FARMS IMPLIES

(By Joseph Alsop)

WASHINGTON, D.C.—"We think the Soviet leaders are having a very serious argument about the direction of development of Soviet society. Moreover, we think their decision on this basic problem will almost inevitably determine their decisions on just about every other problem, from Berlin to China."

However right or wrong, the opinion quoted is exceedingly important, and it summarizes the working theory that was adopted some months ago by Secretary of State Dean Rusk and other chief policymakers in Washington.

If the theory is correct, there is far more meaning than meets the eye in the decisions about agriculture reached at the recent plenary session of the Central Committee of the Soviet Communist Party.

It may seem odd to suggest that a new farm program may forecast Soviet intentions at Berlin, but that is the nature of the Soviet beast. The increasingly painful Soviet farm problem is intimately linked with all the Kremlin's other problems, conspicuously including problems of military policy, because the farm problem hinges on state investments.

HOW OUTPUT CAN BE INCREASED

The Soviets could quite easily achieve a massive increase in farm output by recognition of the truth of the French proverb: "The best fertilizer is the owner's sweat." But any move toward more individual farming—by great enlargement of the private plots or by introducing an individual sharecropping system in the collective farms, for example—would be fruitless without massive state investments.

After such a move, the peasants would undoubtedly produce more food. But they would eat it themselves, unless there was an increase in consumers' goods production, to give the peasants something in exchange for their produce.

Farm output could no doubt be greatly increased even without disturbing the existing pattern of collective farming, but only if the collectives could be given much more fertilizer and farm machinery. But fertilizer factories and farm machinery factories are just as expensive as factories for consumers' goods.

BUT INVESTMENT WOULD BE NEEDED

Either way, a steep increase in state investment was essential for a clean-cut, practical solution of the problem of the growing dearth of food in Russia and in most of Eastern Europe.

But the drama of the central committee lies in the total disparity between the dimensions of the farm problem, as defined by Nikita Khrushchev himself, and the dimensions of the remedy adopted, apparently with Khrushchev's approval.

A huge new agricultural bureaucracy is to be established in the rural regions to harass and encourage the collective farmers. But no increase of state investments in farming is to be made.

SHORT RUN GAIN ONLY

Instead, the farmers are to be required to abandon their customery grassland rotation and grasslands are to be plowed for such crops as sugarbeets. For the short run, output may be sharply increased. But what is to happen when the land shows the effects of soil-exhausting cropping, without fertilizer to restore its fertility?

The indirect answer to this question was given to Khrushchev, in the statement that there could be no "relocation of funds to agriculture * * * to the detriment of the strengthening of this country's defense. This is the bedrock of the existence of our socialist state."

Once again the people are to be asked to make sacrifices for the sake of naked power. It is a grim outcome.

DEVELOPMENT OF COOPERATIVES

Mr. MILLER. Mr. President, in the February 8 edition of the Wall Street Journal there is a very fine article on the development of the cooperative movement in the United States: where it has been, where it is now, and some prospects for the future. I ask unanimous consent that the article may be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CO-OPS' CLIMB—FARM GROUPS EXPAND, SEEK A GREATER SHARE OF CONSUMER'S DOLLAR—GRAPE GROWERS CONTROL WINE FROM SOIL TO STORE; TAX ADVANTAGES MAY BE LOST—AID FROM THE ADMINISTRATION

(By Norman C. Miller, Jr.)

The gray-hulled SS *Angelo Petri* steams through San Francisco's Golden Gate into the choppy Pacific, its 26 stainless steel tanks filled with 2.4 million gallons of wine. The ship's destination: Newark, N.J. En route, part of the heavy cargo will be transferred to two barges bound for Chicago via the Mississippi. At plants in Newark and Chicago, the wine will be bottled and swiftly dispatched to retail outlets.

The significance of this operation: The ship, barges, bottling plants, and wine, all are owned by 1,500 grape growers in California through their cooperative, Allied Grape Growers. The farmers thus have realized a goal long sought by many agricultural co-ops—control of a product from soil to store. The co-op claims its members are averaging 28.5 percent more income from the integrated operation than they would be taking in from merely selling the grapes they grow to processors.

Allied Grape Growers is only one of the rising number of farm co-ops which, by using such business techniques as mergers, diversification, and expansion, are striving to increase their role in marketing with the

aim of capturing a larger share of the consumer's food dollar. This push spells increased competition for independent processors and distributors who sell farm products.

AGRICULTURE DEPARTMENT BACKING

The co-op's efforts to put farmers in full command of processing and distributing has been under way for several years. But the co-ops are being backed now by a strong ally—the U.S. Department of Agriculture. The case of the Allied Grape Growers illustrates vividly how far the integration push is going.

The Allied Grape Growers, organized 12 years ago, began making wine only a little more than 2 years ago by purchasing United Vintners, Inc. Last September the company bought a second wine company to boost weekly grape-crushing capacity to 50,000 tons at its seven California wineries. The co-op now claims to be the largest wine producer in the country.

Agricultural co-ops are voluntary associations in which farmer members, by collectively buying and selling, try to lower costs and command higher prices for their products. The Agriculture Department reports that in the year ended June 30, 1960, the latest period for which figures have been compiled, the Nation's 9,345 co-ops registered total net volume of a little more than $12 billion, up from $9.7 billion 5 years earlier.

In the past, some co-ops have concerned themselves solely with selling to processors; others, including most of the big Eastern and Midwestern co-ops, have concentrated on providing members with such farm needs as fertilizer and petroleum. More and more, both types of co-ops are considering becoming fully integrated marketing co-ops such as Allied Grape Growers.

BOLSTERING FARMERS' INCOMES

The reason is readily apparent. The Agriculture Department says the farmer's share of the consumer food dollar in 1961 was only 38 cents, down from 47 cents in 1950. The other 62 cents went for processing, transportation, retailing, and the like. If farmers, through co-ops, can take over some of these functions, they might be able to increase their incomes.

"The farmer has reduced his production costs about as much as he can," declares Richard Johnsen, executive secretary of the Agricultural Council of California, a trade association for State co-ops. "The only place he has left to improve his income is marketing."

"The pressure is on from farmers for co-ops to increase their marketing efforts," agrees Harold Hamil, an assistant general manager of Consumers Cooperative Association, Kansas City, Mo., a big farmers' co-op which until a few years ago received all of its income from farm supply sales.

Co-op expansion is getting support from the Kennedy administration. In recent months Agriculture Secretary Freeman has made it a point to stress the administration's intent that "the role of cooperatives in participating in our national farm program will increase." This marks a shift in policy from the Eisenhower administration, which was somewhat indifferent to co-ops, according to a long-time Agriculture Department official.

FREEMAN'S STAFF WORKS ON PROPOSALS

Mr. Freeman's planners are known to believe that co-ops barely have tapped their potential as an important force in marketing many commodities. The farm chief's staff men are working up several study proposals designed to foster more big co-ops that would go beyond traditional local and regional lines. Among these proposals: That loans and grants be made to co-ops by the Government.

The growth of co-ops is highly disturbing to many independent processors and distributors, who fear that increasing co-op competition may choke off their profits. "The co-ops have made considerable strides in improving their volume of business at our expense," says an official of a California cotton oil company. The State's major cotton oil co-op, Ranchers Cotton Oil Co., has tripled its annual output to 180,000 tons in the 10 years since it was formed, says E. J. Cecil, general manager.

A particularly rankling point to many corporate competitors is the income tax position of co-ops. Under court interpretations of present Federal law co-ops aren't taxed, on the theory Uncle Sam gets his cut when any co-op profits are distributed to members. However, all co-op earnings don't have to be returned to members immediately. Co-ops are permitted to retain as large a share of their profits as they want to finance operations and expand facilities. These retained earnings aren't taxed, either. Thus, co-ops use tax-exempt funds for expansion.

"By not paying taxes co-ops have gained a substantial advantage over corporations and have been able to use excess funds to greatly expand the co-op movement," complains A. T. Mann, secretary-treasurer of Producers Cotton Oil Co., Fresno, Calif. "The New Deal politicians feel the tax exemption helps the small dirt farmers but the truth is that these co-ops have grown to be enormous organizations."

TAX EXEMPTION SACRIFICED

Actually, not all co-ops have chosen to remain as tax-exempt organizations. Calavo Growers of California, an avocado growers' co-op, gave up its tax-exempt status in order to sell other products besides avocados on a commission basis. The main advantage of remaining a co-op even after waiving tax exemption is that co-ops aren't subject to certain antitrust laws.

It is possible that all co-ops may soon feel a Federal tax bite. Despite his sympathy for the co-op movement, President Kennedy has asked Congress to levy a co-op tax as part of his attempt to close tax loopholes. Whether Congress will go along is problematical; over the years co-ops have beaten back several attempts to change their tax status.

In the face of this controversy, co-ops have been building up their already sizable volume. By 1958, the last year for which figures have been compiled, the net volume of farm products handled by co-ops at one or more stages in the marketing process was 26.9 percent of cash receipts from farm marketings, compared with 22.3 percent in 1950. There are clear signs that this trend is accelerating.

"The time has come when a cooperative can't simply supply the former without any concern over what he does with the products he is producing," says W. H. Prigmore, assistant general manager of Eastern States Farmers' Exchange, Inc., West Springfield, Mass.

MORE EMPHASIS ON MARKETING

Six months ago the Eastern States co-op established a marketing division to handle its growing volume of farm product sales. Starting with egg marketing in 1959 and adding grain marketing later, the co-op has lifted its marketing to about $10 million annually, says Mr. Prigmore. Marketing of other commodities such as poultry is under study, he adds.

Although marketing currently accounts for only 10 percent of Eastern States' $100 million annual gross, Mr. Prigmore says, "I can visualize that in time our marketing sales could be as important as our supply sales."

Cooperative Grange League Federation Exchange, Inc., Ithaca, N.Y., a supply co-op with annual volume of over $380 million, moved into fruit and vegetable processing and marketing in late 1960 by buying two canning companies. The co-op plans to start marketing several other commodities. "There is a tremendous need for stronger marketing services for farmers and we feel we are in a position to provide them," says Edmund H. Fallon, general manager.

Three years after venturing into processing and marketing by buying a pork packing plant at Denison, Iowa, as a "pilot project," Kansas City's Consumers Cooperative Association has decided to expand its meatpacking facilities and is considering an egg marketing program, says Homer Young, president.

More co-ops are banding together to expand marketing services. Producers Export Co., New York, was formed a couple of years ago by 22 cooperatives in an attempt to increase foreign grain sales. "Previously we used private export companies but we feel we can do a much better sales job ourselves on a group basis," says H. C. Fledderjohn, assistant general manager of the Indiana Farm Bureau Cooperative Association, Inc., Indianapolis. Along with four other co-ops, the Indiana association also has formed Mid-States Terminals, Inc., Toledo, to handle grain exports via the St. Lawrence Seaway.

DAIRY CO-OPS BAND TOGETHER

Last August five midwest dairy cooperatives formed American Dairy Foods, Inc., St. Paul, to develop more efficient marketing. Although the co-ops continue to offer separate products through their own organizations, they expect to offer "additional and important services" through American Dairy Foods, says George B. Pfeifer, general manager.

Such joint marketing efforts are indicative of a general co-op merger movement. Between 1950 and 1960 mergers pared the number of co-ops by 7 percent, while co-op volume increased more than 30 percent and memberships rose 700,000.

Co-op officials believe the trend toward larger farming operations will accelerate the merger pace so that co-ops can keep abreast of the services demanded by big farmers. Last month two midwest co-ops with combined volume of over $100 million, Illinois Farm Supply Co. and the Farm Bureau Service Co. of Iowa, announced they were considering a merger.

"To serve big farmers, cooperatives will need to be larger, better financed and more efficiently organized and managed," says Joseph G. Knapp, administrator of the Federal Farmer Cooperative Service.

FEDERAL AID TO EDUCATION

Mr. MILLER. Mr. President, in the March 16 edition of the Wall Street Journal is a fine article written by Edmund K. Faltermayer on the subject of aid to higher education.

I have previously indicated my policy of supporting the rendering of some Federal assistance to our institutions of higher education. However, the article points out that in the event Federal assistance is not forthcoming, at least to the degree to which some proponents have advocated, there are possibilities for increased development of private institutional support for institutions of higher learning which are of such a magnitude as to enable some educators to think they might be able to supply the needs for higher education for our younger people in the future even if there is no Federal assistance.

Mr. President, I think the readers of the RECORD ought to have some idea of the possible sources of the independent and private aid, how this ties in with the gross national product of our country,

and how it is projected into the future, so I ask unanimous consent that the article may be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FUNDS FOR COLLEGES—MANY EDUCATORS SAY THEY CAN GET ALONG WITHOUT NEW FEDERAL AID—IF THEY MUST

(By Edmund K. Faltermayer)

Can the Nation's colleges and universities accommodate the near doubling of enrollments expected during the 1960's without Federal aid?

The colleges, now overwhelmingly in favor of legislation that would put Uncle Sam in the business of directly assisting colleges for the first time, say they can't meet the oncoming enrollment crisis without construction grants from Washington. Heeding these pleas, the lawmakers will probably approve some sort of aid this year, if differences in separate bills passed by the House and Senate can be ironed out. The more generous House version would provide $180 million a year in matching construction grants.

Nevertheless, a glance at a few figures reveals that the colleges may be underestimating their ability to raise more money from private sources. Consider these straws in the wind:

Smith College announced last month that it has met the $10,030,000 goal of its current 2-year development program 4 months ahead of schedule.

MIT'S MONEY FROM BUSINESS

Massachusetts Institute of Technology, well along in its $66 million second century drive, disclosed recently that corporations alone have given or pledged $15 million—the largest amount ever given by business to an institution of higher education in a single fund drive.

Such successes are by no means limited to well-known or rich institutions. Mammoth New York University, largely a "subway" institution with many students from low-income families, has received $86.4 million in gifts during the last 6 years, thanks in part to fundraising efforts.

Altogether, private giving to colleges and universities is now running at a rate well over $1 billion a year, or double the total as recently as 6 years ago. Some authorities put the current annual figure as high as $1.3 billion. Together with earnings from endowment funds provided by past donors, private gifts account for about one-fifth of the $7.5 billion the colleges currently spend each year for operations and capital expansion.

Significantly, the colleges somehow managed, without direct Federal grants of the type now proposed, to increase their spending on new academic buildings, dormitories and teaching equipment to an estimated $1.3 billion last year compared with only $700 million 6 years ago. True, one-fourth of the current figure represents dormitories and dining halls financed with low-interest Federal loans under a decade-old program. But these moneys must be paid back to Washington, unlike the matching grants now advocated.

SPENDING RISE FORECAST

The upsurge in private giving, impressive as it is, is hardly cause for complacency, educators argue. For one thing, they say, the colleges' current rate of capital spending must be boosted even higher, to around $2 billion a year, to provide the estimated $19 billion of new facilities needed by 1970.

More operating funds will be needed, too, they add. The pressure to accept more students as children born in the postwar "baby boom" reach college age, plus the need to raise faculty salaries, will boost the colleges' operating costs to $17.4 billion in the 1970–71 academic years, according to latest estimates by the U.S. Office of Education. Together with capital expansion, the total higher education "budget" is expected to soar to about $19.5 billion, nearly three times the total in 1960–61. The number of students in the 1970–71 year is forecast at about 7 million, up from last year's 3.6 million.

Much of the added money, to be sure, will come from State and Federal Governments even if the present Congress passes no aid-to-higher-education bill. Together, State appropriations for State universities and indirect Federal support in the form of research grants and funds for other special-purpose projects, provided almost half of last year's total college budget of $7.5 billion.

Assuming no change in legislation, this proportion may decline somewhat. But this decline probably will be offset by further increases in fees charged students, which now provide somewhat more than one-fifth of the money. Already averaging $2,400 a year in private colleges, or 37 percent above the average 10 years ago, these fees are expected to be boosted another 48 percent by 1970.

Nevertheless, assuming no direct Federal aid of the type now being considered by Congress, private giving in the 1970–71 academic year would have to be nearly three times the 1960–61 level, to enable colleges to bridge the financial gap.

Is such an increase possible?

On the optimistic side is Dr. Frank H. Sparks, former president of Wabash College and now president of the Council for Financial Aid to Education, a nonprofit organization which fosters corporate giving to colleges. "I think the record of increased voluntary support of education has been tremendously impressive," says Dr. Sparks. "I don't think we have anything like explored the dimensions of voluntary support."

On the pessimistic side is the American Council on Education which officially represents most of the Nation's colleges and universities. "After traditional sources of income, including student tuition and fees, have been stretched to the limit," the council has warned in a policy statement, "there will still be a large gap that can be filled only by greater support from the Federal Government."

The potential for voluntary support may perhaps be gaged by looking at forecasts for total philanthropic giving. Currently, Americans donate well over $8 billion a year to all causes—churches, charities, schools, and colleges—according to the American Association of Fund-Raising Council. The total doubled between 1950 and 1960, and thus rose somewhat faster than the country's gross national product. Churches get the biggest share, or 51 percent, and the second largest chunk, or 16 percent, goes to education—most of it higher education.

Right now total giving amounts to 1.6 percent of the country's gross national product, compared with 1.4 percent a decade ago. Most economists predict the country's gross national product will rise to at least $800 billion by 1970. Assuming no rise in the 1.6 percent gift rate, this would mean about $12.6 billion for philanthropy. But the total may be much larger if, as some fundraisers expect, generosity continues to increase along with affluence.

WHERE FUNDS COME FROM

The philanthropic money, then, will probably be there. Whether donors will apportion enough of it to colleges is another question. Some light on this can be obtained by looking at where the money comes from now. Currently, according to the Council for Financial Aid to Education, about 25 percent of college gifts come from alumni, 25 percent from wealthy individuals who didn't attend the recipient institution, 15 percent from business, 15 percent from foundations, 10 percent from religious denominations, and the remaining 10 percent from miscellaneous sources.

Leaving aside miscellaneous sources, college officials expect a continued slow decline in the proportion of gifts coming from religious denominations. They also expect slower growth in foundation giving, following a sharp spurt in recent years.

Business giving to education, mostly to colleges, has skyrocketed in the postwar period, to an estimated $178 million in 1960, according to the CFAE. That's four times the total in 1950 and 30 percent higher than business donations as recently as 1958. While impressive, the current figure works out to only one-third of 1 percent of total pretax corporate profits, fundraisers say. A fair share, they argue, would be the 1 percent now given by some pacesetting corporations.

Gifts from nonalumni individuals are a major question mark. The success of recent fund drives indicates there's still plenty of such money around, but it's not certain that such gifts will grow apace in the next 9 years. A similar question mark hangs over rich alumni. By far the most promising area for growth, fundraisers say, is the not-so-rich alumnus whom many colleges now approach regularly in annual giving campaigns. Currently, such annual giving accounts for only one-third of total donations.

Nevertheless, a survey by the American Alumni Council gives some idea of the untapped potential. Based on gifts in 1960 to institutions with 9.7 million living alumni, the study shows that only two-thirds of the alumni were contacted in annual giving drives, and of those contacted only 21.2 percent gave.

PRINCETON'S SCORE

Ernest T. Stewart, executive director of the AAC, thinks most colleges could easily raise that 21.2-percent figure to something approaching the 72 percent scored by Princeton.

Encouraging as it is, the giving picture nevertheless is spotty, college aids say. About half the money donated by business is earmarked for specific purposes such as scholarships or research. Only half is the sort of unrestricted money colleges are clamoring for, though this percentage is growing. Foundations, like corporations, have been reluctant to give money for capital expansion, though they have been more liberal of late in aiding development funds.

This is the principal reason why college men want Federal aid to take the form of matching construction funds. Nevertheless, many college officials still insist they could handle the expected influx of new students without Federal help if they had to.

"These fears remind me of all the hand wringing after World War I," recalls one university president. "Yet somehow the colleges managed to almost double enrollments during the 1920's—which is no more than they have to do during the 1960's—without Federal aid."

NEED FOR IMPROVED TEACHING OF ECONOMICS

Mr. MILLER. Mr. President, in the Wall Street Journal of March 19 was published an article relating to the recent recommendation of the Committee for Economic Development to expand the teaching of economics in our high schools. I ask unanimous consent that the article may be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

STUDY GROUP URGES TEACHING OF ECONOMICS BE IMPROVED IN ELEMENTARY, HIGH SCHOOLS

NEW YORK.—The Committee for Economic Development, a private economic research

group, called for an intensive, coordinated effort by educators and the public to raise what it called the abysmally low level of economic literacy among the Nation's youth.

In an 11-point program designed to strengthen economics teaching in elementary and high schools, the CED called for the inclusion of at least a one-semester course in economics at the upper high school level. Its recommendations also included the enrichment of other courses such as civics and history with economic concepts and more emphasis on this neglected subject in social studies textbooks. It urged States to make courses in economics for teachers of high school social studies. Only 18 States currently have such a requirement.

In adopting its program, the CED endorsed, with some qualifications, a controversial new set of guidelines for high school economics teachers. These guidelines, published last September, were written by a seven-man task force of college economics professors and others established for this purpose at the CED's request. This document satisfies the purpose of defining the subjects essential for a reasonable understanding of the modern economic system and attainable by high school students, the committee said. However, it also declared that "we find ourselves in disagreement with some of (its) possible implications."

The qualified endorsement, on behalf of the entire CED, came from its research and policy committee, headed by Theodore O. Yntema, chairman of the finance committee of Ford Motor Co., and its subcommittee on economic education, headed by A. L. Williams, president of International Business Machines Corp. The task force preparing the controversial curriculum guide, entitled "Economic Education in the Schools," was headed by G. L. Bach of the Graduate School of Industrial Administration of the Carnegie Institute of Technology.

The CED is a nonpartisan group of 200 businessmen and educators whose periodic research reports are generally regarded as influential.

RESTRICTIVE FOCUS CRITICIZED

The CED didn't specifically disagree with any of the language of the task force report on economic education. However, it said that because of an excessively restrictive focus on economic problems the task force in effect stresses the possible inadequacies of the private section of the U.S. economy and fails to take a more affirmative position on the subject of personal freedom.

Specifically, the CED said, the task force report emphasizes possible inadequacies of the private economy that might be corrected by Government action without giving equal attention to possible inadequacies of the political process that might call for greater reliance upon the private economy. This approach could lead to undue acceptance of increased Government direction of the economy.

As for personal freedom, the CED declared, the task force report regards it as "one among competing values, of which the individual may want more or less. In the abstract, we cannot quarrel with this. But we believe deeply that personal freedom and freely chosen institutions are basic to our type of society and that these are values which would be emphasized to high school students."

After the task force report appeared last September, the CED noted, the task force sent the CED a memorandum stating its beliefs on personal freedom in practically identical language. This sort of language was not included in the study, the CED explained, because the task force assumed that the belief in personal freedom can be taken for granted.

The CED stressed that the task force report is intended only as a guide for teachers and is not intended to be studied in the schools. Study materials have been selected by another task force, it noted. "We are confident that the use of these and similar materials, combined with the balanced judgment of American teachers, will result in students being taught not only the economics essential for citizenship but an appreciation of the values of individual freedom." The task force report, it said, is already widely endorsed by educators.

NO REPORT CHANGES PLANNED

Mr. Bach, present at a Friday press conference along with Messrs. Yntema and Williams, was asked if the task force planned revisions in the report to preclude any future misunderstandings. "We do not intend to change the report in any way," he said. He stressed that the task force, although appointed at the CED's instigation, was subject to "no control whatsoever over what we said."

"The task force," Mr. Bach said, "was in no sense a group of economists chosen to make business people happy or labor people happy or anybody else." Changing the report to please one group, he said, would lead to countless revisions. "We have been rather amazed by some of the implications that have been drawn," he added, when in fact the task force implicitly agrees with the CED on personal freedom and other issues and "there is nothing to argue about here."

Mr Yntema and Mr. Williams defended the report but voiced minor misgivings. The CED, Mr. Yntema said, was concerned about the report's treatment of some aspects of governmental activity. "It seems to me the Post Office isn't so efficient," he said. Nevertheless, he insisted that economics should be taught objectively to high school students. "I don't think economics should be a flag-waving thing," he said.

Mr. Williams said that "after soul searching I disagreed with some of the emphases and implications" of the report. For example, he said, he was disturbed by its references to the large blocks of inherited wealth that exist under capitalism. This initially made him wonder, he said, if the task force was against "people who work hard and build up some money and substance of our own. * * * one of the things that make our system go around." Mr. Williams stressed that he found nothing to disagree with but that it was "the way it hit me" on first reading.

Dr Bach said criticism had come from several quarters, including one man who accused the task force of standing up and defending the idle rich.

One difficulty in overcoming economic ignorance, the CED report said, is the shortage of high school teachers familiar with the subject. When one midwestern city recently decided to make economics a mandatory high school course, it added, about 300 teachers were needed, but only 17 qualified ones could be found. As a stopgap measure, the CED report said, the Columbia Broadcasting System next September will begin televising a 32-week course in economics consisting of 160 half-hour lessons. The telecasts will be aimed mainly at high school teachers.

The problem is mainly in primary and secondary education, the CED said, because only 10 percent of the Nation's youth finish 4 years of college and only a quarter of those take any economics courses.

OVERSELLING OF ADMINISTRATION PROGRAMS

Mr. MILLER. Mr. President, the lead editorial of the Wall Street Journal of March 16 is entitled "Overselling Everything," and to me it is right on the beam. It points out that the administration has been selling its programs, domestic and foreign alike, on the basis that not only are they sound economics and sound social philosophy, but also that if we do not have the programs we shall in effect be much weaker vis-a-vis the Soviets.

The Wall Street Journal editorial points out that programs can be oversold, if everything is placed in the setting of "What will the Soviets do?" or "How will this affect our position with respect to Soviet Russia?" instead of letting these programs stand on their own merits.

It is well known that in the last session of Congress, we were told that if we did not pass a foreign aid bill that would give the executive branch control over the purse strings through what is sometimes called back-door financing for 5 years, the whole foreign aid program would be, to use the word actually specified on the floor of the Senate, "gutted."

It is well known that in the conference committee the provision for 5 years' back-door financing was removed and the modified bill was passed. When the President of the United States saw the proposed legislation without the provision for 5 years of back-door financing, he stated that it was entirely satisfactory.

Now we have another foreign aid bill providing for $1 billion more than last year's bill provided. The President has said, in effect, that every last dollar provided in the bill is absolutely essential, and that it is as important to the welfare and the security of the United States as our national defense program. There is an old story about the little boy who cried "wolf" once too often. I for one think that on the basis of what we were told at the last session about the foreign aid bill and the provision for 5 years of back-door financing, which, when removed, left a bill that was still entirely satisfactory to the President, I suggest possibly the new foreign aid bill may be cut somewhat and still be entirely satisfactory to the administration.

I ask unanimous consent to have printed at this point in the RECORD an editorial entitled "Overselling Everything," published in the Wall Street Journal, issue of March 16.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

OVERSELLING EVERYTHING

James Reston is a reporter with a perceptive eye for the phenomena of Washington and the other day he had some comments on the administration's habit of selling everything as if it were the promise of salvation from fire and brimstone.

The administration, for one example, is unwilling to advocate a lower tariff program simply because it is good economics and sound commonsense. It feels it must appeal to fear, fear of Soviet competition and the collapse of the American economy if the President can't cut the tariffs on widgets. And of course imply that if only Congress will do this, then all will be saved.

Well, these comments had hardly left Mr. Reston's typewriter before President Kennedy was again applying exactly this same technique at his press conference to sell his foreign aid program, $1 billion bigger than last year.

"I believe this program," Mr. Kennedy said, "is just as important as our national defense." The underdeveloped countries, especially in Latin America, have staggering problems of poverty and unemployment, he explained. These countries are right in the line of fire of the Communists.

"If anyone feels these countries are unimportant," the President said, "or it does not make any difference if Latin America is taken over, or if significant countries are (taken over) by Communists, and if they are not interested in this fight, they should cut it."

So, you see, anyone who suggests a cut in foreign aid is threatening the national security, because a dollar for this is equated with a dollar for guns or atom bombs. Furthermore, if you question any of it that means you think all these countries are unimportant. You are the kind of person who thinks it doesn't make any difference if the Communists take them over. In fact, you are probably not interested in this fight.

The nonsense of all this, however, is not as bad as the reverse implication that if Congress will just approve this foreign aid bill then these countries will preserve their independence, the poverty and unemployment in these unfortunate places will be cured, and we will assure ourselves victory over communism.

This is not merely nonsense but a very dangerous illusion. It raises hopes beyond any possible chance of fulfillment, as anyone will know who reflects on the billions of foreign aid paid out over 15 years and the state of the world today. In Laos and Vietnam, for example, foreign aid has made hardly a dent in deep-rooted poverty and the security of their independence is today as precarious as ever.

How illusory these oversold promises are becomes especially clear in the reports from Latin America by our Mr. Evans, currently appearing on this page. The poverty and backwardness of some of these countries is thoroughly documented; so is the danger of Communist infiltration, some of it growing out of that poverty and backwardness. To this extent, the picture painted by Washington is not overdrawn.

Yet it is something else again to pretend that the magic cure is a mammoth injection of U.S. dollars. Or that a dollar spent for foreign aid serves equally to defend us as a dollar spent upon our own defenses. Or that if Congress curtails the administration's program the want of a dollar will be the cause of chaos and communism.

It shouldn't be necessary for us to say, although it probably is, that we are not opposed to foreign aid as such. Fifteen years ago this newspaper supported the program for Greece and Turkey, and encouraged the objectives of the Marshall plan in Europe. There are many ways today in which American aid can be effective both in helping other countries and in promoting our own interests.

It is the oversell of the program that is largely responsible for its scandals of waste and corruption abroad and the growing disillusionment with it at home. Worse, these things have combined to diminish its effectiveness. And worst of all, the American people are thus deprived of the sensible discussion that is essential if we are to act wisely in apportioning our efforts and our resources.

All this is as true of the tariff bill, or of medical and educational programs, as it is of foreign aid. Perhaps it is good politics for the administration to argue for every road or school appropriation on the ground, in Mr. Reston's phrase that "failure to build them will mean the triumph of communism for the next 100 years." But exaggerated promises and appeals to fear suggest a poverty of political leadership.

LAWRENCE O'BRIEN

Mr. MANSFIELD. Mr. President, in the New York Times of March 25, 1962, there appears an article by Edward P. Morgan entitled "O'Brien Presses on With the 'Four P's'." It is a study of Lawrence O'Brien, Special Assistant to the President for Congressional Affairs, better known to all of us as Larry O'Brien. It is an excellent article, Mr. President, and I would add to it only this: In the 20 years that I have been in Congress, I have never known a more effective Presidential representative on the Hill than Larry O'Brien. He understands the Congress as well as the needs of the Presidency and he has blended this knowledge into a conduct of his office which serves both the President and the Congress and, most of all, the interests of the people of the United States. He is the right man, in the right job, at the right time.

Mr. President, I ask unanimous consent that the article previously referred to be included at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

O'BRIEN PRESSES ON WITH THE "FOUR P'S"

(By Edward P. Morgan)

WASHINGTON.—In its first year, the Kennedy administration did surprisingly well in getting what it wanted on Capitol Hill—partly because it carefully did not ask too controversial a package. Congress passed a huge housing bill, approved a rise in the minimum wage, and voted extensive foreign aid.

This year promises to be different. The President has a much more ambitious program that he wants to get through Congress—and it is going to face recalcitrance if not hostility. Take, first, the bundle of priority bills for 1962: trade, medical care, tax reform, welfare, aid to higher education—every item is controversial. Second, these matters are of more concern to city than country populations, more national than sectional in interest, more liberal than conservative in tone. The task is to try to move this bundle through a Congress which is more conservative than liberal, more sectional than national in outlook and disproportionately dominated (especially in the House) by rural rather than by urban voters.

A formidable challenge in any session, this combination is even tougher now because 1962 is a nonpresidential election year in which the opposition traditionally gains seats in Congress. Such prospects make Congress more restive, more sensitive to local demands over national responsibility. Add the fact that the carrot of patronage was largely consumed last session and that in order to apply the stick deftly, the White House must work with a new—and so far bumbling—House leadership and cultivate new intelligence sources. That is a working outline of the administration's problem.

There are, of course, weighty factors on the White House side—the President's very high popular standing, his strong political prestige, his personal persuasive powers. The trick is to bring these factors to bear in the right place and at the right time as the new legislation comes up. And the key man in this tactical maneuver is Lawrence Francis O'Brien, the amiable, chunky, 44-year-old Special Assistant to the President for Congressional Affairs. Put more succinctly, he is the lobbyist for the White House on Capitol Hill, and he shows signs of becoming the ablest man in the job in years.

O'Brien prefers persuasion to playing tough. He believes the full facts on a bill can often be most persuasive in dispelling a Congressman's doubts and fears about it.

O'Brien's own zestful capacity for work seems, like his boss', inexhaustible. After checking the New York Times, the Wall Street Journal and the Washington Post at breakfast at home in Georgetown (where he and his wife Elva often entertain informally), he usually reaches his office shortly after 8 a.m., nearly an hour before the secretaries are due.

Depending on the urgency of legislation, President Kennedy may call him in once, twice, three times a day for consultation. They have no special schedule. "When you need him, you see him," O'Brien has said. "It's a total access kind of thing." Interspersed, with lunch on the fly, are long conferences on Capitol Hill with Senate Majority Leader MIKE MANSFIELD, Senate Whip HUBERT HUMPHREY, House Speaker JOHN MCCORMACK, House Majority Leader CARL ALBERT, House Whip HALE BOGGS, and assorted lobbyists.

If it's a Monday, it's time by late afternoon for O'Brien to pore over the 10-page memo compiled by assistant Claude J. Desautels from the weekly reports of Cabinet liaison officers. This goes to the President as the core of his intelligence for his Tuesday breakfast discussions with the party leadership. Often Mr. Kennedy likes to talk politics at the end of the day. It's a rare occasion when O'Brien's main workload is dispatched before midevening.

How does a White House lobbyist operate? What are his weapons? O'Brien's arsenal comprises, basically, the "four P's": Pressure, patronage, prestige, and personal contact.

He ranks the last first, on the proved theory that successful politics is a matter of personal relations. He knows everybody and his brother. He is aware of their problems and alert to their ambitions. He senses when he can trade a favor for a vote.

One of his most precious tools is an intangible one: the prestige of the Presidency. Instinctively, most legislators don't like to clash with the White House—especially when the Chief Executive is strong and popular.

O'Brien is playing to the hilt the remarkable rise in Mr. Kennedy's public popularity over the past year. All but a score of Democratic Congressmen had led the President in their districts in the 1960 voting. Thus their mood a year ago was one of "he needs us more than we need him." Now many Congressmen are having second thoughts about who needs them. Yet this is a fragile bond, easily broken.

If it falls, and if the issue is sufficiently critical, the heavy artillery of pressure and patronage will then be wheeled up. Sometimes patronage is more damaging when withheld than helpful when proffered. During the 1961 fight on foreign aid, one Congressman threatened to hamstring the bill if he didn't get a veterans' hospital for his district. He didn't—it was rejected as unsound—and he helped push the amendment which killed the President's key request for long-term borrowing authority. "The decision against the hospital," O'Brien said later, "was still right."

The pleas of favor seekers rain down constantly on the White House and most of them find their way to O'Brien's handsome wood-paneled suite on the second floor of the Executive wing. About 150 telephone calls alone come in daily from officeholders, office-seekers, State chairmen and plain citizens asking for Larry. No request, whether involving a dam or a White House tour, goes unacknowledged.

"We're digging in hard for you," O'Brien's able House liaison chief, a lanky North Carolina lawyer named Henry Hall Wilson, drawled to a Congressman on the phone recently. "We'll surely try to work it. We're for you."

Wilson, like his wise, Wyoming-born opposite number for Senate liaison, Mike N. Manatos, patronage specialist Richard K. Donahue and the whole staff is finely trained

in the O'Brien technique of avoiding out-of-hand rejection of congressional supplicants, if possible. "It's a hell of a damaging blow to a Congressman," one aid reflects, "to have to confess to a constituent with a pet project or a bothersome brother-in-law wanting a job that he hasn't enough influence even to get 1600 Pennsylvania Avenue to place it under advisement. But if he can honestly report it's 'under active consideration,' it may ease him off the hook."

Little kindnesses, common courtesies, dispensed under the magnifying magic of Presidential prestige, can do wonders to encourage congressional help. Not everybody can be budged. Nothing, for example, could deflect Louisiana Congressman OTTO PASSMAN from his one-man war against foreign aid. But O'Brien's personal thoughtfulness, coupled with the President's own winning personality and studied respect for his elders, has had astonishing results, especially with the southerners.

One of the more improbable of these Kennedy-O'Brien gestures involved Senator HARRY FLOOD BYRD, whose flamboyant failure to endorse Kennedy in 1960 clinched Virginia for Nixon, and whose contempt for anything but the most conservative policies is classic. But one Sunday last May when the Senator, a month before his 74th birthday, was giving a big luncheon for friends at his country estate, who should helicopter out of the sky but the President himself. The old Virginia gentleman was beside himself with pride and joy.

"Don't jump to conclusions," warned a liberal Senator later. "HARRY BYRD still opposes us. We'll never get his vote. But he's not sitting up nights now figuring out ways to be mean."

The conquest of CARL VINSON, Georgia's prestigious chairman of the House Armed Services Committee, was more complete. Republicans mutter darkly that VINSON's surprisingly enthusiastic support of the Kennedy 1961 program—often carrying other southern votes with him—might have been more surprising or less enthusiastic but for the award of a billion-dollar Air Force contract for jet transports to the Lockheed plant at Marietta, Ga., a year ago.

O'Brien dismisses this with a snort as innuendo. He says the true reason for VINSON's support is the simple fact that when John F. Kennedy was serving in the House, his office was near VINSON's and the two used to walk to the Chamber together; the venerable southerner took a liking to the boyish Yankee and it has flowered into a fruitful political relationship between two vastly different but loyal Democrats—though the fight over the B-70 bomber has strained that relationship.

O'Brien keeps a card index of congressional whims, interests and voting records. With elections in the offing, he is delicately but unmistakably making clear to the Democratic National Committee and the campaign committees of both Houses that the White House has an interest—sometimes maybe even a controlling interest—in the funds dispensed to candidates for office. He has coordinated the politically significant functions of the executive branch to an astonishing degree. He has trained Cabinet and agency liaison officers to alert him on their projects, problems—and potential vacancies.

Not only intelligence but policy has been coordinated. At first, departments and the White House often reflected different versions on the Hill. Now the word is "the President's policy is our policy and the President's priority is our priority."

Behind him, O'Brien has the support, confidence and authority of the President. "You know what I want," his unspoken orders run. "Come as close to it as you can." After a decade of working closely with him, O'Brien does know what the President wants. In the tense, ticklish process of trading votes to unblock a bill, he knows how much the President is prepared to change or dilute.

O'Brien's attitudes are conditioned by his deep conviction that the President—only 6 weeks older than himself—has a capacity for greatness which he wants to help him realize. A Catholic who experienced the bitter anti-Irish feelings of western Massachusetts as he grew up, O'Brien knows the meaning of the term "minority group." But though his personal politics have evolved as moderately liberal, he sees himself as a kind of human bridge between the party's Old Guard and the New Frontier.

His approach has already assisted him across a moat of cold aloofness into a friendly working contact with the intricate personality of the new Speaker. Their relationship helps counterbalance the longstanding coolness between MCCORMACK and the President. This stems from past clashes in Massachusetts politics. Last year there was added strain from the issue of funds for parochial schools and their currently "correct" relationship is shadowed by the apparent inevitability of an open clash between the Speaker's nephew, State Attorney General Edward McCormack, whom he loves like a son, and the President's youngest brother, Ted, both of whom covet the Massachusetts Democratic senatorial nomination.

But O'Brien must concentrate his sharpest attention on the big show in the main tent. It will take all the talents he can muster to rally the leadership and the rank and file to make satisfactory legislative progress, especially to hoist into place the keystone of Mr. Kennedy's 1962 international design—a revolutionary trade bill to provide a way for the American and European economies to combine their strengths and flourish together.

The deepest trouble is not in the Senate. There, under the gentle but insistent hand of Majority Leader MANSFIELD, the Democrats can quite consistently manage to put together administration majorities. The deepest trouble is in the House, whose Members, in the acid words of one White House aid, have shown a capacity to perform "with about as much discipline as a bunch of Baluba tribesmen." A rightwing coalition of midwest Republicans and southern Democrats dominates the House. To win, the administration needs liberal Republican votes, but the sharp whipcracking of Minority Leader CHARLES HALLECK, a veteran of political infighting, can make this extremely difficult.

Whether the administration has begun this session with the right strategy is a matter of debate in Washington. It has already suffered a major defeat: congressional veto of the President's plan to add a Cabinet post for urban affairs with a Negro, Dr. Robert C. Weaver, now Chief of the Federal Housing Agency, as its first head. How effectively the issue can be raised to haunt Republicans in the big cities and among urban Negro voters—where Richard Nixon lost in 1960—remains to be seen.

But O'Brien knew from the outset that nothing would move easily, that success on major measures like trade liberalization and "medicare" for the aged would require fighting every inch of the way.

Larry O'Brien is, obviously, a political realist; like his chief, he believes that politics is the art of the possible. Son of a Springfield, Mass., hotelkeeper, he grew up in the turbulence of Massachusetts politics, joined forces with Congressman John F. Kennedy in his first run for the Senate in 1952 and has been sharing—and helping to enrich—the dazzling Kennedy political fortunes ever since. To the roots of his crewcut red hair, O'Brien's very being seems to throb with the pulse of politics.

A politician learns early that privacy is a luxury he can rarely afford, but O'Brien attempts to reserve Sunday afternoons for long walks along the old canal edging the Potomac or through Dumbarton Oaks, a lovely park near his home. He is usually accompanied on these sorties by Mrs. O'Brien, their 3-year-old Chesapeake retriever, named Jefferson-Jackson, and 16-year-old Larry Jr., who, though his father thinks he has a flair for journalism, is determined at this point to go into politics.

O'Brien's taste in literature is "relatively light stuff—blood-and-guts novels, including detective stories." He likes to catch a movie now and then but he almost never can make a favorite on its first run. Though he and the President are dedicated to each other, it does not seem strange to O'Brien that he does not travel with the egghead and society set to nonpolitical White House soirees. The two men don't discuss books or plays. They discuss their mutual interest, politics.

While legislators can be found who don't like O'Brien, their peeves are often variations of that well-known political aria, "Yes, but what have you done for me lately?" On the whole, the chorus of praise is hearty.

"Frankly," confides a Cabinet officer reared in the rough-and-tumble of State politics, "he is the very best of the White House pros. There are always a hell of a lot of idea guys available but the Larrys are hard to find. He knows that ideas are fine but that they're no damn good unless they can be translated into action."

An O'Brien aid puts it this way: "He has a great sixth sense of judging the change in a man as the situation changes. He understands that everybody is different and every congressional district has different problems. He knows that every Member of Congress tailors his vote this way: 'What does it mean to me?'"

There are New Frontiersmen, even in the White House, who feel the administration's pitch concentrates too narrowly on Congress, that the President should carry the issues more frequently to the people and build up pressure on the legislators in their home constituencies. O'Brien's answer is this:

"These Senators and Representatives, for better or worse, are here as elected representatives of the people and you've got to deal with them. Fireside chats are all right, but it's the intimate contact with Congress that really counts.

"Why does a Congressman vote the way he does? Of course he is vitally interested in the effect on his district but—and this may sound naive—I am convinced he considers the national interest, too. He travels both roads."

One of O'Brien's toughest tasks is to convince the legislator that the two roads converge. "You can't ask a Congressman to commit hara-kiri," he tells his staff. "Never try to 'con' a Member. Try to persuade him on the basis of the facts. Try to convince him that if he votes with us he won't get as much flak as he feared."

O'Brien's easy, friendly, but respectful approach is illustrated by a happening last January. As a kind of ceremonial exercise, Minority Leader HALLECK ran for the speakership against MCCORMACK, whose hallowed trappings of seniority and record of hard work made the outcome never in doubt. After the doughty Indianian had been beaten—248 to 166—he got a call from the White House. "I hope," chuckled Larry O'Brien, "that you'll let us win another one."

Both men knew that that first ritualistic decision of the session would be the last without a real contest, and they prepared in the good-natured grimness of politics to go to work—on each other.

RELAXED AMERICANS

Mr. YOUNG of Ohio. Mr. President, I wish to comment on the foreign assistance program of the present administration. I feel that our President and the administration are deserving of credit for giving the program its proper name. When I first became a Member of the Senate, following the election of 1958, in the closing years of the Eisenhower administration, the program was called the mutual security program. It is properly termed a foreign assistance program. I am happy to see the present frankness and honesty to the American people.

Mr. President, I wish to say that I have had occasion to participate in study missions in the Far East, and more recently in a 26-day study mission in South America with three of my colleagues. We did not take with us tuxedos or dress clothes. We did not see the bright lights. In fact, we went to many places in South America where there was no electricity, including a trip more than 800 miles up the Amazon River into the interior of the continent.

In 1959 I was honored by appointment by the then Vice President, Mr. Nixon, to speak at the dedication ceremonies of some of our American military cemeteries in France, north Africa, and Italy, where I served in World War II.

While I was there I made many observations. More recently, I was appointed to the Inter-Parliamentary Commonwealth Conference in London, to serve as an observer. While in Europe, following the conference in London, I spent time on the Continent in various countries. Wherever I went I observed a great many relaxed Americans on the public payroll, feeding at the public trough, and in many instances living "high on the hog." This situation was particularly true among foreign aid program personnel and in the oversea Central Intelligence Agency operations.

I wish to address myself this morning to the subject of relaxed Americans. The American traveling abroad will be amazed and perhaps angered at the multiplicity of officials, advisers, observers, consultants, and other representatives of our country who are to be found in every corner of the globe. As a result of my investigations and study both here in Washington, and the world over, I intend to scrutinize most carefully the appropriations and the authorizations that come before us. I am certainly in favor of foreign assistance, and I realize the necessity of assisting our allies and friends. I am a great believer in the Alliance for Progress that has been inaugurated and which recently celebrated its first birthday.

I believe that this program will be one of the great achievements of a great administration. We have too long neglected our Central and South American neighbors. The good-neighbor policy of Secretary of State Cordell Hull in the Franklin D. Roosevelt administration was disregarded and virtually abandoned in the crucial 8 years from 1953 to 1961.

Commencing on January 21, 1961, the situation changed. We are proceeding with urgency in a policy of cooperation with the Republics south of the border. I feel that I greatly profited as a result of the study mission of 26 days in South America. We must proceed with greater urgency in lifting this program off the ground and getting it going without further delay.

Time was when American officialdom in foreign nations consisted solely of embassy and consular personnel. Now, in addition, we have the U.S. Information Agency—USIA, the Agency for International Development—AID, and so forth. The AID Agency should receive, in particular, the closest scrutiny not only from members of the Appropriations Committee, but of all Senators, because our taxpayers are sweating and sweating to pay for the tremendous expenditures involved in the AID program.

We have delegations to all sorts of international organizations, and representatives from virtually every Federal agency serving on special missions of one kind or another abroad. Then, in addition, we seem to have military missions in almost every nation. Wherever an American travels anywhere overseas, he finds military missions in almost every nation. In fact, I know of no nation where we do not have one.

In various cities of South America and the Far East I experienced wonderment at the huge number of relaxed Americans on the Federal payroll. Many of them, particularly in our foreign aid program, which in the Eisenhower administration was termed ICA—International Cooperation Administration—and before that the Mutual Security Agency, appear to be living "high on the hog." Their salaries and fringe benefits are excellent, and their social life seems to be very active.

The U.S. Information Agency has over 8,000 officials and employees overseas and nearly 3,000 within the United States. In the aid program there are over 6,000 officials and employees abroad and another 2,200 here at home. The State Department employs approximately 24,000 persons, over 16,000 of them in our embassies and consulates abroad.

It is a fact that there are many, many dedicated, hard working Americans serving overseas for our State Department and the various initialed agencies. It is difficult to keep track of all these alphabetical agencies. However, if the trend continues, if we disregard the huge expenditures or fail to scrutinize them very carefully, and if we do not try conscientiously to reduce them, I feel we shall soon be able to lump all of these agencies into one big agency called I O U.

It is my conviction—and I am sure this view is shared by many persons in the Government, that at least 10 percent of our employees abroad could be and should be eliminated. Not only would this result in a saving of taxpayers' money, but undoubtedly these agencies would function better. It would be a good idea if the top officials of these agencies would adopt a policy of gradual attrition regarding these relaxed Americans. When resignations and retirements occur, such vacancies should go unfilled unless it is determined in individual cases by a top-level departmental committee that this would impair or prejudice governmental functions. I would urge that this procedure be carried on until the personnel of these agencies had been reduced by 10 percent.

Mr. President, a tremendously important but probably overstaffed governmental agency is the Central Intelligence Agency with offices in Washington and a huge headquarters complex across the Potomac River staffed with thousands of officials. The main function of many of these officials seems to be to send communications to each other.

Beside the thousands of CIA officials and employees in Washington and vicinity, there are, of course, many more thousands of intelligence agents, employees, officials, and technical men and women, functioning throughout the world. This is an extremely important Agency of our Government. Nevertheless, George Dixon, famed Washington columnist and author, is so right when he recently wrote:

> CIA has so many employees now it has had to stagger working hours so our spies won't paralyze traffic on the Potomac bridges.

The total number of CIA employees has not been disclosed. Of course we know that they are working in practically every country of the world, as they should be, rendering an important service.

However, may I cite a personal observation in one of our embassies in a Central American country, which I visited late in the Eisenhower administration. In November or December of 1959, an economy program had been instituted, under which a 10-percent cut in employment in the various embassies had been ordered. The Ambassador apologized to me because there were only two automobiles in service in that Embassy, and told me of a particular incident with a feeling of shame. On orders from Washington a CIA agent was assigned to his embassy. Here was an embassy which was short of automobiles, with only two old ones available for its use. It was also short of personnel by reason of the reduction in force order and was compelled to discharge two loyal employees, natives of the country. It was a matter of great regret to the Ambassador that he had to do this. He felt their discharge would make for a great deal of adverse feeling toward us in that country.

On the same day that he was compelled by orders from Washington to let these employees go, he had to place the CIA official on his staff as a clerk. This official was pretty far down on the totem pole, so to speak, the seventh or ninth employee on the Embassy staff. This CIA agent, who was supposed to be employed as an obscure clerk in the Embassy, arrived with a 1960 Chrysler automobile. Not only that, but he brought his secretary along, and she had a late model Chevrolet. These two new automobiles made a sudden appearance at the Embassy, which up to this time had only two old cars. The Ambassador stated to me:

> The officials of the Soviet Embassy are not exactly stupid. That's a giveaway. It is so obvious to anyone. I don't like it.

It is instances such as this that call for greater congressional control over this vital Agency.

The total number of CIA employees has not been disclosed. There are at present at least 3,000 employees at the new CIA headquarters at McLean, Va., according to an official of the Soviet Embassy in Washington, who readily answered questions put to him. I am sure that you and I, Mr. President, would not undertake to answer such questions, and we could not answer them. But the question was put to the Soviet Embassy official, and, according to George Dixon, the official stated that the number is now 3,000 and will be increased to 11,000. For the sake of the taxpayers, let us hope that the Soviet Union is wrong once again.

The CIA is our most hush-hush Agency, as it should be. Everything about it is kept undercover. The nature of its operations requires this. Taxpayers are paying many millions of dollars for the maintenance of this vital Agency and are entitled, at least, to reliable assurance that the money for the CIA is at all times being spent wisely.

Seven years ago the Hoover Commission recommended a joint Senate-House watchdog committee for the CIA, but primarily because officials of the CIA itself opposed it, this recommendation was never implemented. We hope that the thousands of employees of the Central Intelligence Agency are doing the work they are supposed to do and are performing their important duties in a superior manner in this grim period of international anarchy.

We want CIA employees to perform their important duties in a satisfactory manner, but we, the elected representatives of the people, have no way of being assured of this fact. To the contrary, over the past 2 years we have seen ample evidence to cause us to doubt the efficiency and good judgment of employees and officials of the CIA. I would rather not go into detail. I am sure all Senators know the things to which I am referring, but to which at this time we would prefer to give the charity of our silence. But we have reason to doubt the past performance of officials and employees of the CIA and to question whether they showed good judgment.

Congress should have at least some watchdog authority over the CIA, not only because of the taxpayers' money involved, but because the competence of this Agency and of the people it employs is vital to our national security.

Mr. President, the problem of overemployment in the Federal Government is a nagging one, one which continuously plagues us. It should be dealt with drastically at all levels in every Government department. With our foreign assistance programs coming under ever-increasing criticism, we must be constantly vigilant in dealing with problems involving agencies which handle oversea commitments. I refer to the ever-increasing criticism which is coming from our constituents. We should pay heed to their criticisms, because it appears to me that many of them have justification. The heads of these agencies should take immediate action to put their agencies above reproach in this regard. They should start by reducing unnecessary personnel working abroad who are living well at the expense of American taxpayers.

Mr. YOUNG of Ohio. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. STENNIS. Mr. President, I ask unanimous consent that further proceedings under the quorum call may be dispensed with.

The PRESIDING OFFICER (Mrs. NEUBERGER in the chair). Without objection, it is so ordered.

MORE ADEQUATE AUTHORIZATION FOR NATIONWIDE FOREST SURVEY

Mr. STENNIS. Madam President, my remarks this morning will be a continuation of the remarks made heretofore with reference to the supposed motion which is intended to be made, should the resolution be taken up, to offer as an amendment to the then pending resolution a proposed constitutional amendment. Before I discuss that, I wish briefly to discuss some matters extraneous to the subject.

Madam President, on behalf of myself and my colleagues from Mississippi [Mr. EASTLAND] and Vermont [Mr. AIKEN], I introduce, for appropriate reference, a bill to provide more adequate authorization for the nationwide forest survey which is conducted by the Forest Service.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3064) to amend section 9 of the act of May 22, 1928, as amended, authorizing and directing a national survey of forest resources, introduced by Mr. STENNIS (for himself, Mr. EASTLAND, and Mr. AIKEN), was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

Mr. STENNIS. Madam President, the bill would amend the McSweeney-McNary Forest Research Act of 1928 by eliminating from section 9 of the act the limitation on annual appropriations for resurveys.

The forest survey provides an inventory of our forest land and timber resources. It provides the basic facts on the extent and condition of forest land in all parts of our Nation such as the rate at which new forest land is added due to tree planting of fields taken out of agriculture, and the rate at which land is taken out of forest production for reservoirs, highways, and agriculture. Of even greater importance, the survey provides the facts on volume and quality of timber and the rate at which timber is growing or is being depleted by industrial use. The forest survey serves a very practical and significant purpose. It provides the essential information needed by industry on the timber raw material supply by region, State, and locality. Our forest products industries, as a group, are the fourth largest in the Nation. Therefore, they contribute heavily to the welfare of our country's economy. Industrial expansion and the future of our forest products industries in turn depends heavily upon this nationwide forest inventory being kept up to date.

The trouble now is that it is impossible for the Forest Service to keep this forest inventory sufficiently up to date to satisfy the need and the great demand for it. The present ceiling of $1,500,000 annually was established by the Congress in 1949. Since that time, costs of the forest survey have risen substantially. Our proposed bill would remove the ceiling and permit appropriation of funds as needed to keep the forest survey up to date.

The program about which I have spoken is one of the instances in which money appropriated by the Federal Government will be returned manifold to the Public Treasury because of the increased yield, and therefore the increased money return from the national forests due to the good management and businesslike disposition of the forest products that go into the markets of the Nation.

In amount of money the program is relatively small, but it is highly essential that we have the proposed surveys and, for the reasons assigned, the present sum allowed by law is not sufficient.

RETIREMENT OF RICHARD E. McARDLE, CHIEF OF THE U.S. FOREST SERVICE

Mr. STENNIS. Madam President, on March 17 Richard E. McArdle retired as Chief of the Forest Service in the U.S. Department of Agriculture. I believe we should acknowledge as a matter of record the outstanding contribution of Dr. McArdle's 39 years in the Forest Service to the forest conservation programs of this country. Indeed, if it were not for his tireless efforts over the years the forests of this Nation would not be in the condition we find them today, as the mainstay of all our natural resources.

I have a great personal interest in Dr. McArdle's career because of my close association with forestry over the years. Forests provide the raw material for a major industry in my State and I have been close to the development of this activity. Also, I have been closely associated with many forestry matters considered by the Congress. In 1953, I was appointed to the National Forest Reservation Commission—a post I still hold today—and became acquainted with Dr. McArdle, then in his second year as head of the Forest Service. We got to know each other well through the work of this Commission and my personal interest in the forest resources of the Nation. I consider my association with him one of the finest experiences I have had with a career employee in the Government. He truly exemplifies the best in career service in Government today.

During Dr. McArdle's 10-year service as Chief he built a strong organization

of forestry research scientists—strong in their skills and strong in their dedication to the difficult tasks they face. A great deal of competence has been brought together in the Forest Service's national forest and State and private forestry organizations, too. In fact, under Dr. McArdle's stimulating guidance, the Service has become noted for its competence and its highly skilled people. This achievement will last a long time and is certainly one of Dr. McArdle's greatest contributions.

As head of his agency, Dr. McArdle has established a national reputation for leadership and foresight in the careful planning of forestry programs under his responsibility. The development program for the national forests sent the Congress last year by the President is an example of a well planned and coordinated program to make these valuable public properties meet the rapidly expanding public needs for more timber production, watershed management, grazing, and more and better recreation and wildlife opportunities.

I refer not merely to the land owned by the Government itself in what we call the national forests, but also all of the program, work, and foresight that have been extended over and magnified many times in the privately owned forests and the privately owned forest industries of our Nation.

Mr. ALLOTT. Madam President, will the Senator yield?

Mr. STENNIS. I am glad to yield to the Senator from Colorado.

Mr. ALLOTT. I thank the Senator from Mississippi. Listening to the presentation of the Senator from Mississippi, and being present in the Chamber, I would feel very remiss if I did not join the Senator from Mississippi in his praise of Dr. McArdle. The advances that our country has made under him in the forest program in the past 10 years with respect to sustained yield and production exemplify in the best possible way the true purposes of conservation, which are not only to conserve what we have but to build for the future. As a member of the Committee on Interior and Insular Affairs and the Committee on Appropriations, I have been keenly interested in both of those fields. Upon Dr. McArdle's retirement I certainly would like to thank him in behalf of the people of the West for the great contribution he has made toward the building up of a true concept of conservation particularly with respect to our national forests. I appreciate very much the kindness of my friend from Mississippi in yielding to me so that I can join him in his words of praise, which I think are very well deserved.

Mr. STENNIS. I thank the Senator. I know of his continuing interest in the Forest Service, our national forests, and the forest industry. I know that he is quite helpful in connection with the program.

In a tour that I made of western Forest Service installations and the National Forest Service a few years ago I found some of the examples of the work of the Forest Service in the State of Colorado. I was impressed there, as well as elsewhere, with the fine spirit of cooperation and active personal dedication on the part of the National Forest Service employees. I think Dr. McArdle and his fine staff, here as well as in the field, are entitled to great credit. The wonderful spirit to which I have referred extends down to the most recently employed man who works out in the woods—truck drivers, men who build the roads, and all the other workers engaged in what we sometimes thoughtlessly call menial labor. The heart and spirit of the great Forest Service are present in those men.

It all makes for strength. I think it is one of the departments of Government which is operating at its very best.

Mr. HILL. Madam President, will the Senator yield?

Mr. STENNIS. I am glad to yield to the Senator from Alabama.

Mr. HILL. I join with the distinguished Senator from Mississippi and the distinguished Senator from Colorado in expressing appreciation to Dr. McArdle for the wonderful work he has done and the fine leadership he has given us in the conservation of our forests and in the building of the forests for our country in the days that lie ahead.

Mr. STENNIS. I thank the Senator from Alabama very much. I know of the fight he has made, in the Appropriations Committee particularly, as well as elsewhere, in connection with this important service of our Government. I know of his interest in the forest industry in the great State of Alabama with reference to the pine trees that grow so fine and so fair.

In one activity of the Forest Service I am particularly proud of Dr. McArdle's achievements. Not only has he been noted for his accomplishments in developing the national forests and national grasslands but he has had an outstanding career in forestry research. He began his Forest Service work as a research scientist and contributed in many ways through his skill as an investigator. Following his years of personal scientific research, he became a director of broad and complex research programs. He served with distinction as director of two large regional forest experiment stations.

Yet, Dr. McArdle has contributed through his farsighted leadership in an even more outstanding manner to the scientific progress of forestry. It was because of this interest that I became aware of Dr. McArdle's leadership in forestry research. As I traveled around the country, I have learned of many of the problems that require the skills of scientists for their solution. I have seen the type of technological progress underway. Thus, I have developed a great respect for the Forest Service men who are solving these pressing problems.

The leader in the formulation of this forestry research program has been Dr. McArdle. He deserves great credit for the development of the short-term forestry research plan that was presented to the Congress 3 years ago. This program, recently revised, charts the course for future progress in forest technology. It will provide the knowledge necessary to move us ahead in forest production, protection, and utilization. Without Dr. McArdle's foresight, judgment and leadership this forestry research program would never have come into being. I pay tribute to him for his perception and skill in the forestry research field.

So far, I have spoken of his accomplishments for his agency—the Forest Service. This outstanding record has not gone unrecognized. Dr. McArdle was elected president of the Fifth World Forestry Congress in 1960, the highest post in the field of international forestry. This was the largest conference of its kind ever held. In addition to numerous honorary degrees he has received the Department of Agriculture's highest honor—the Distinguished Service Award, the Rockefeller Public Service Award, the Silver Buffalo Award of the Boy Scouts of America, and the President's Gold Medal for Distinguished Federal Service.

In closing, I want to commend Agricultural Secretary Orville Freeman in his selection of Edward P. Cliff as the new Chief of the Forest Service. Mr. Cliff is well known to many of you and is a career professional forester of 32 years with the Forest Service. I am sure that under his guidance the Forest Service will continue to serve the needs of all Americans. My sincere congratulations to Dr. McArdle on his retirement and best wishes for Chief Cliff in his new position as head of the Forest Service.

I ask unanimous consent that an editorial on Dr. McArdle's retirement, printed in the Washington Evening Star of March 19, 1962, be printed in the RECORD at this point in my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

PROTECTOR OF FORESTS

Retiring voluntarily from his post as chief of the U.S. Forest Service, Richard E. McArdle leaves a record of distinguished service as a protector of America's remaining forests. Few men have won such wide recognition, nationally, and internationally, for their work in the field of conservation of our natural resources.

Dr. McArdle, in his 10 years as Chief Forester, gave energetic leadership to the causes of improved forest management, forest research, wildlife development, outdoor recreation and related activities. He represented the United States in world conferences on conservation and was a founder of the North American Forestry Commission. He will be sorely missed at the Forest Service. Fortunately, however, he will be succeeded by Edward P. Cliff, a colleague who also has distinguished himself in forest conservation. Chief Forester Cliff, a veteran of 32 years in the Forest Service, is well fitted by training and experience to carry on the work so ably done by Dr. McArdle.

THE ALEXANDER HAMILTON NATIONAL MONUMENT — AMENDMENT TO THE CONSTITUTION DEALING WITH POLL TAXES

The Senate resumed the consideration of the motion of the Senator from Montana [Mr. MANSFIELD], to proceed to the consideration of the joint resolution (S.J. Res. 29) providing for the establishing of the former dwelling house of Alexander Hamilton as a national monument.

Mr. STENNIS. Madam President, I now return to the matter that is pending before the Senate, to express my personal concern and interest not only in the subject matter of the proposal, but with respect to its, in effect, being displaced immediately, and in its place substituted a proposed constitutional amendment. In addition to the substance of the proposed constitutional amendment, I submit to the Senate and to the thinking people of this Nation that the great Senate of the United—and I use the word "great" in its very best sense—the great Senate of the United States is embarking on an uncharted and unknown field which I personally believe will prove to be a reckless field and which will beset us with bad precedents later if we try to embark upon that serious matter of submitting a constitutional amendment by this unseeming and unwise method, and by sheer force of numbers alone ram through a proposed constitutional amendment, riding the back, so to speak, of the legislative enactment of an extraneous subject.

Mr. MANSFIELD. Madam President, will the Senator yield?

Mr. STENNIS. I am glad to yield to the distinguished majority leader.

Mr. MANSFIELD. I think it ought to be said, when it comes to the question of ramming through anything, that the Senator from Mississippi [Mr. STENNIS], now speaking, and the Senator from Alabama [Mr. HILL], who seems to be getting ready to carry on some more activity, are doing an extraordinary job themselves.

I point out to Senators that we have been on this matter of taking up a joint resolution for over 2 weeks, and that, to the best of my knowledge, certainly during my years in the Senate, and on the basis of the precedents which I have looked into, nowhere will we find two greater bulldozers, perhaps I should say bulldoggers, on this particular proposition than the Senator from Mississippi [Mr. STENNIS] and the Senator from Alabama [Mr. HILL]. They have made life not miserable, but certainly uncomfortable. They have been tenacious, persevering, and on the floor of the Senate every minute that we have been in session over the past 2 weeks. I express the hope that we can get to the matter of taking up Senate Joint Resolution 29, having to do with Alexander Hamilton's home, very shortly, because I wish to say that these two Senators are certainly holding my feet to the fire and I think also the feet of the Senate as a whole.

I do not know what is going to happen if and when we take up the resolution. However, I express the hope that we will have that opportunity sometime soon, and I would say to the Senator from Mississippi that I feel that my feet and the Senate's feet have been burned enough.

Mr. STENNIS. I thank the Senator for his remarks, as far as they go. I deeply appreciate, as does the Senator from Alabama also, I am sure, what the Senator has said. On the matter of saving time for the Senate, I would say to the Senator from Montana that if he would just withdraw his motion to take up the joint resolution, and withdraw all support to the idea of adding a constitutional amendment to it, the Senator from Alabama and the Senator from Mississippi would yield very quickly and get out of the way, so to speak, around here.

Mr. MANSFIELD. Madam President, will the Senator yield further?

Mr. STENNIS. I am glad to yield.

Mr. MANSFIELD. As always, the Senators from Alabama and Mississippi drive a hard bargain. However, there will be no bargaining on this proposal. We will stay with the matter until it is settled one way or another. We certainly would not want to see all of the illuminating debate which we have heard during the past 2 weeks go for naught by withdrawing the motion to take up Senate Joint Resolution 29. I am sure the Senator understands my position, as I do his, and I only hope he will get off my back long enough to allow the Senate, after 2 weeks, I repeat, to get down to the pending proposal. The Senator from Mississippi has faced up to his responsibility far more effectively than I had anticipated. It is now the time, long past, in my opinion, for the Senate to face up to its responsibility.

Mr. STENNIS. I thank the Senator. Let me say that I used the expression "ram through" more with reference to sheer majority vote to transgress what I believe are the good rules of the Senate, and then, of course, with reference to the two-thirds vote to adopt a proposed constitutional amendment.

But back to my remarks concerning the procedure which it is proposed to have the Senate adopt. At best, it is a kind of legislative hocus-pocus. With all deference to everyone concerned, it shows a lack of integrity for Senate rules and the functions they are supposed to perform. With the increasing pressures from various sources for this or that piece of legislation, with various organized groups knocking at the doors of Congress more and more every year, and especially after every presidential campaign and every congressional campaign, the Senator from Mississippi believes that if we are to continue effectively our representative form of government, instead of tearing down the integrity of our rules, there must be a building up of the prestige and sanctity of the ordinary channels and functions which relate to the passing of a measure. I think we are becoming more and more careless at every session by resorting to procedures of this kind, by seeking to do indirectly the things we cannot do directly.

Mr. HOLLAND. Madam President, will the Senator from Mississippi yield for a question?

Mr. STENNIS. I yield for a question.

Mr. HOLLAND. Does not the distinguished Senator believe that when 68 Senators, more than two-thirds of the total membership, have offered a proposed constitutional amendment, and when that number is more than enough to submit the constitutional amendment, they should have the privilege, at long last, after many years, to have the Senate itself pass upon their proposal?

Mr. STENNIS. From the investigation which the Senator from Mississippi has made, and merely taking the information he has obtained on this question from Senators whose names appear on the resolution, he is fully satisfied that they did not understand the import or the origin of the measure when their names were placed on the proposed amendment. That has become well known during this debate. Senator after Senator has spoken against the proposed amendment in the strongest kind of terms. Senators who in previous years have signed the measure as cosponsors. They are Senators whose high sense of public duty and integrity cannot be challenged in any forum. They have said that this proposal at one time was a matter of strategy, a defensive movement, but that the situation has now changed.

As one Senator who has attended many conferences over the years since becoming a Member of this body, I can add my small voice to what has been said along this line, namely, that the original submission and signing of the constitutional proposal in past years was well known to have been—certainly among many Senators—a purely defensive measure, a matter of strategy. Now that a little life has been breathed into it in that way, it simply keeps on running.

Further in answer to the Senator from Florida, the main weight, the chief blessing, and the only political support this matter has received is due to its having been mixed up with the civil rights political question, which is almost nationwide and is under consideration. Therefore, I do not think the Senate ought to pass this proposal or to vote on it if it has to come through the doors it is now coming through.

Mr. HOLLAND. Madam President, will the Senator further yield for a question?

Mr. STENNIS. I yield for a question.

Mr. HOLLAND. The Senator from Mississippi by his comment that several Senators who were cosponsors of the measure in earlier years have taken the floor to speak against it does not mean to suggest, does he, that any of the 68 present cosponsors of the measure have taken that position?

Mr. STENNIS. The record will speak for itself as to who has done so; but I have talked to some of the present authors of the resolution and have no doubt in my mind that they have somewhat different views about it from what they had when their names were signed to the measure.

I can further testify that this proposal was circulated through the Senate in the early days of the 1st session of the 87th Congress—that is, in January 1961. It was passed around among Senators, at least on this side of the aisle, by an employee of the Senate, and thereby the inference, at least, was that it had the blessing of the leadership of the Senate—which it might have had at that time.

Nevertheless, to secure names to a proposal for a constitutional amendment by having it passed around on the floor

of the Senate by a Senate employee was, the Senator from Mississippi thought, dangerous business; it was a practice which ought not to have been indulged in. The Senator from Mississippi happened to come upon the floor of the Senate at that very time and saw what was taking place. He immediately notified the majority leader, the Senator from Montana [Mr. MANSFIELD], of his objection to it, and the Senator from Montana immediately stopped the activity.

I am not attacking the Senator from Montana or the Senator from Florida. I simply say it was a looseness in the way of doing business.

Each individual Senator—including the Senator from Mississippi—should be more closely on guard concerning what he signs as a coauthor or cosponsor. Certainly we ought to be more on guard about the activities of the employees of the Senate, who are supposed to represent all of us, not merely one or two, or a few, in going around and drumming up cosponsors of measures.

Mr. HOLLAND. Madam President, will the Senator from Mississippi further yield?

Mr. STENNIS. I yield.

Mr. HOLLAND. Is it not true that before the introduction of the present proposed amendment early in the 1st session of this Congress, the Senate had considered exactly the same measure in 1960 and had adopted it by a vote of 72 to 16?

Mr. STENNIS. The Senator from Florida is correct. The RECORD shows that. However, there is much that could be said about how that vote came about and the strategy employed in that instance. But I shall not go into detail except to say that the proposed amendment never passed Congress, even though it passed the Senate. I appreciate the interest of the Senator from Florida in this subject. I know he has worked hard and diligently on it—too hard, I think; but he is the Senator to decide that, of course.

To return to the subject of the integrity of the Senate, I do not believe we could have more grave questions coming before us, regardless of the subject, than questions concerning the integrity of our legislative functions.

Without adverting to it too much, the Senator from Mississippi has been engaged in a considerable study for the last several months regarding a question upon which he anticipated he would have to rule. It concerns executive privilege in the giving of testimony before a legislative committee. I was interested in legislative privilege. We are members of the legislative branch of the Government. We are directly responsible. Of course, the President of the United States is, too. However, the legislative branch of the Government, those who hold positions directly responsible to the people—the Members of the House every 2 years, the Members of the Senate every 6 years—has privileges. The judicial branch also has privileges, as does the executive branch. It is very refreshing to make a full study of the precedents as they have developed over the decades and to observe that, in the final analysis, one branch of the Government has never been successful in overriding another with reference to privilege.

The Supreme Court of the United States could not take files from the humblest subcommittee of the Senate, whereas the Senate could not take certain things from the courts or from the executive branch. I have increased appreciation for the legislative privileges and functions of our truly great form of government. If we do not enforce these privileges and if we do not have a proper sense of high obligation for our own rules and if we do not fully live up to them and maintain their integrity, of course no one else will, and no one else will respect them; and then the legislative branch will not be able to carry on very long with its proper functioning.

Furthermore, Madam President, it is actually a sad fact of life that some Members will make an effort to substitute for this small legislative bill a constitutional amendment; and some Members favor proceeding, if necessary—so I understand—actually to apply cloture to the motion to have the Senate take up this measure—a measure to which there is no opposition; but certainly it has no high rating on the priority list of proposed legislation at this session. Yet some Members actually would have cloture applied to the motion to have the Senate take up the bill—not for the sake of the bill itself; no, Madam President, a thousand times no. On the contrary, the purpose in that connection is the ulterior one of applying cloture in order to have the Senate take up a poll-tax constitutional amendment, a measure which in itself is not the subject of any particular or large amount of interest or any particular demand. But the point is that it is a part of the so-called civil rights program. That is the only issue here; everything else is tail to the dog.

Mr. HILL. Madam President, will the Senator from Mississippi yield to me?

Mr. STENNIS. I am glad to yield to the Senator from Alabama.

Mr. HILL. Is it not true that cloture is a very unusual and very extraordinary procedure, one which has been resorted to by the Senate on very few occasions; and is it not also true that for many, many years the Senate had no rule XXII providing for cloture?

Mr. STENNIS. The Senator from Alabama is correct. The history of this matter is well known. Freedom of debate in the Senate is considered sacred ground, and is considered so essential to the proper operation of the Senate that for many, many years there was no rule XXII. But even after there was a rule XXII, cloture was most sparingly exercised. Yet, Madam President, some Members favor invoking cloture in connection with the matter now before us—not the Alexander Hamilton National Monument bill or the poll tax in a few small States, but part of the civil rights program.

Furthermore, if I may say so, the Senator from Florida [Mr. HOLLAND] is in the forefront, leading the pack in this attempt, whereas ordinarily he fights hard against the imposition of cloture.

But I believe he has become obsessed with the idea of ending the poll tax, and that obsession is carrying him along—carrying him so far that he is finding himself in the position of favoring the invoking of cloture—a position very, very contrary to his usual conception of the proper way for the Senate to function.

But, Madam President, the important point for us to bear in mind is that the course which some Members now advocate would result in turning the Senate aside from proper observance if its rules and proper functioning under its rules and procedures and the maintenance of their integrity, and would substitute, in accordance with the wish of some Members, consideration of such a constitutional amendment; and some Members would go so far as even to have cloture invoked, in order to have the Senate take up this measure.

Madam President, at this session we have had a good illustration of real legislative statesmanship at its best, and also, I believe, executive statesmanship: The President of the United States had a reorganization plan which he wished made valid, and he wanted it to run the gantlet. So he pressed for action on it in Congress. I believe he made a mistake of judgment in that connection; but, at any rate, that was his decision. A Senate committee was considering that proposal, but some of its proponents got in a hurry. However, at least they came in the front door. They made a direct motion to have that proposal withdrawn from the further consideration of that Senate committee; and thus the issue was squarely presented in terms of the matter of procedure and the maintenance of the integrity of the rules of the Senate. When the vote was taken, the Senate stood squarely in favor of maintaining the integrity of those rules. The Senator from Florida [Mr. HOLLAND] was greatly concerned about that matter; and he stated here on the floor, in substance, that it is essential that the integrity of our rules in connection with committee procedure be maintained. And the Senate voted to do just that.

Mr. HOLLAND. Madam President, will the Senator from Mississippi yield to me?

Mr. STENNIS. I yield.

Mr. HOLLAND. Does not the Senator from Mississippi think there is a considerable difference between that situation and the present one, in that the Senator from Florida has for 14 years been trying to get this matter before the Senate; and the subcommittees of the Committee on the Judiciary have uniformly approved it and reported it favorably to the full committee, but never have been able to get any action on it through the full committee, despite the fact that it was well known that every year and every time a majority of the full committee favored this course; and also despite the fact that approximately 60 Members of the Senate have joined in cosponsoring this measure, but still have found it extremely difficult to obtain action on it from the full committee, even though the subcommittee headed by the

Senator from Arkansas [Mr. McCLELLAN] had proceeded speedily and diligently in the effort to fulfill its duties and to give the Senate the benefit of its judgment?

Mr. STENNIS. Madam President, I would say to the Senator from Florida that of course there are always differences of opinion in regard to what is the proper procedure in any situation; but certainly the attempt to have the Senate take that matter from the committee which had jurisdiction of it was a direct assault, as then proposed by the Senator from Montana [Mr. MANSFIELD]; and in that connection each Senator—including, of course, the Senator from Florida—could vote as he saw fit.

I realize that it is possible that because of the great interest of the Senator from Florida in the matter we are now discussing, it could be that his best judgment would be overwhelmed to such an extent that he would vote to discharge the committee from the further consideration of the matter. But at least in that case there was an opportunity for a direct vote by Senators and a direct choice by Senators; and, regardless of the outcome of that vote, the integrity of the rules of the Senate would be upheld—as it was upheld.

But in the present instance, an indirect attempt is being made; and that attempt does the rules of the Senate no good and does the integrity of our system no good. In fact, it does them positive harm.

Again I emphasize that no attempt is now made to have the Senate consider the merits of the proposal. Instead, the entire attempt is made in connection with the so-called civil rights program, and that is what gives this matter impetus.

Mr. HOLLAND. Madam President, will the Senator from Mississippi yield further to me?

Mr. STENNIS. I yield.

Mr. HOLLAND. Is it not true that the distinguished majority leader [Mr. MANSFIELD] gave full notice, ahead of time, that his effort, in connection with the calling up of this particular measure, would be to get a vehicle for the attachment of the constitutional amendment; and is not that why the distinguished Senator from Mississippi and his colleagues have held up the taking of action by the Senate for nearly 2 weeks now, in an effort to prevent the Senate from taking up this vehicular bill?

Mr. STENNIS. The Senator from Florida is correct when he says the Senate was given full notice in regard to what the procedures would be; and I commend the Senator from Montana [Mr. MANSFIELD] and also the Senator from Florida [Mr. HOLLAND] for that; and I know they would not consent to anything less. Of course, with anything else the Senate could hardly operate as a body.

But, Madam President, of course we are opposed to the proposal for such a constitutional amendment; we are not opposed to the Alexander Hamilton National Monument bill, as such. But the point is that if the course now advocated by some Senators is followed, we shall be violating our own system and we shall be casting aside our own procedures and we shall be trying by an indirect way to accomplish such a result—thereby establishing precedent after precedent that would plague us.

Madam President, I point out that in all the history of our Government, never before has an attempt been made to add to a legislative act—which, of course, has to be signed by the President of the United States, after its passage by majority vote by both Houses of Congress—a proposed constitutional amendment. So if a majority of the Senate votes to have the Senate take up this matter at this time, I hope there will be full and enlightening debate in regard to that very grave subject.

When we consider the seriousness of every word in our Constitution and the seriousness of amending it, certainly it is out of keeping with the spirit of that great document for us to resort to indirect ways and what I think is a misuse, of a most serious kind, of our valuable rules here in the Senate.

Leaving that subject for the time being, it seems clear to the Senator from Mississippi that the proponents of the proposed constitutional amendment have just not made out a case for the amendment. They have just not made out a sufficient case for the amendment, considered and standing on its own bottom. They have not shown that there is a demand for it on the part of the people throughout this great Nation. They have not shown that there is a real need for it. They have not shown that there is active support for it by the people throughout the Nation. Even though there has been large support for it here on the floor, there has not been shown an active interest and support of it by the people by and large. The informed people, or those who are merely casually informed, just have not been aroused to give the real support that ordinarily goes with a matter of grave importance as that of a constitutional amendment. That interest is lacking. There must be a reason for it. There is not a sufficient case, or anything like it, for the amendment. Therefore, there is no real reason, no demanding reason, or no urgent reason for the fight that is being made to offer the proposed amendment.

Those of us who are opposed to the amendment do not make any apology whatsoever for our opposition. I know I am representing, and other Senators have spoken for themselves, what time has proven to be sound, basic, fundamental principles, time tried and tested as applied to the practical affairs of life and government in our area of the country, overwhelmingly approved over and over again by the people in those States.

The people in some of the States have seen fit to change their laws. That is entirely all right, but those who are taking the same position I take only ask that our people be protected and given the privilege of the same right—that is, to pass on the question themselves—that has been taken in other States.

I know one State, at least, where the people voted on this matter within the last few years, and voted overwhelmingly to retain the poll tax as a very small token of good citizenship, as a mild regulation of orderliness, with reference to exercising the privilege of voting.

I am not certain, of course, but I have little doubt that in the States which have the poll tax now the people would vote overwhelmingly to keep that little measure on the books as a safeguard. It does not keep from voting any person who wants to do so, merely because he has to make the least possible sacrifice. It does clear out the irresponsible, the reckless, and the drifters.

Mr. HILL. Madam President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. HILL. Is it not true that every dollar from the tax in the States that have the poll tax goes for the education of the youth of the States?

Mr. STENNIS. Certainly. Every dime in every one of those States goes for education. In my State, the money has to be spent within the county where it is paid. It cannot go 1 foot beyond the borders of that county. It is a trust fund for education.

Mr. HILL. Is it not true that in all the States there are certain prerequisites for voting, and is it not true that in the States that do not have permanent registration, the voters must register from time to time?

Mr. STENNIS. Yes.

Mr. HILL. Is it not true that when they register they have to go to where the books are, and take the time and the trouble to register?

Mr. STENNIS. The Senator is correct. It is far easier for the individual voter to look after the little matter of paying the poll tax within a certain period of the year than it is to go to the trouble of keeping up with registration and going around and following the book, so to speak.

Mr. HILL. Is it not true that election day is the only day in the year, and the only day in 4 years in some cases, or in the case of a U.S. Senator the only day in 6 years, on which the person must be there, and he must go where the polling place is, and very often he has to wait in a line before his turn comes?

Mr. STENNIS. Oh, yes.

Mr. HILL. In the State of Alabama the people have from October 1 to February 1, 4 months, within which to pay the poll tax. Any day except Sunday within that period they can pay the poll tax, or they can send a check for $1.50 through the mail to the tax collector.

Mr. STENNIS. That is correct. They can do it just by sending in a check that way. It is paid, and the receipt is usually put with other papers.

The Senator from Arkansas mentioned the pride one has in the idea of having become a qualified elector and of saying, "Here is my poll tax receipt. I am a man on my own. I am 21. Here is evidence that I am going to take part in the operation of my government." I think the Senator from Mississippi has every single poll tax receipt he ever received. I had particular pride in the first ones.

Mr. HOLLAND. Madam President, will the Senator yield for a question?

Mr. STENNIS. I yield for a question.

Mr. HOLLAND. Is it not true that in the case of State elections to abolish the poll tax, which have taken place, I think, in two States in the last 8 or 10 years, the people who voted constituted the restricted electorate who were permitted to vote under the poll tax system of those particular States?

Mr. STENNIS. That is true, if one wants to put a narrow interpretation on the word "restricted." There was very, very little restriction. I maintain that to have quality voting, to have responsibility in government, there must be some kind of regulation—call it restriction if one wants to—and there must be some kind of screening out of the irresponsible, the drifters, and the others who are not willing to fulfill their citizenship responsibilities by making a little sacrifice.

Something has been said, I know in good faith, though the figures were not given, with reference to the qualified electors in my home State.

Madam President, when a person becomes 21 years of age in my State, if an election is held within a certain number of months that person does not have to pay a poll tax the first year. If a person is disabled—and that is a question of fact to be decided—he is given a permanent certificate of exemption, if he has a permanent disability, of course. When a person reaches a certain age—in my State the age of 60—he never has to pay a poll tax again. This works out so that only three out of four of our qualified electors pay poll taxes.

I do not know that there is any official list of total numbers of voters in the State at any particular time, because that varies with the disability certificates, with those who become 60, with those who become 21, and so on. However, in the AP survey of 1958 there were, in round numbers, some 600,000 registered voters in Mississippi. I bring that up because reference has been made to the fact that in the presidential election of 1960 it was said there was a relatively small vote, only 283,000 voting in that election.

The Senator from Mississippi knows something about the sentiment, the feelings, and the talk among the people in that election, because he was out among the people day after day and week after week. A lot of the people did not vote at all. They intended not to vote at all. They were qualified to vote. They did not like the platform of either one of the major parties. There was even what was called a third ticket in the picture at that time After the campaign was over, although there was considerable interest in it, many people withheld their votes. Others voted as they saw fit, which is as they should do. My point is that it was not a typical election.

The real election in any State, Madam President, is well known. That is the election which involves a long ticket with a lot of names, and a lot of officers being elected. The main election in Mississippi, of course, is the primary election. Mississippi is comparatively a one-party State, though the Republicans are making some headway and claiming a whole lot of headway.

The real election is the one in which the people choose their county officers and their Governor. That is when there is the largest turnout. Of course, in our State it is in our primary election.

Recently there was a primary election in Mississippi, with voting for Governor and for county officers, and the number voting was well over the 400,000 mark, which is a great many more than voted in the presidential race to which I referred.

As the Senator from Alabama said, the money, which is an appreciable amount, goes into the treasury for the benefit of the schools. Some Senator translated the money into the number of school buildings it would build or the number of teachers it would employ. Every single dollar of the money goes for the benefit of the schools of the State.

In my particular State, the money goes into the treasury earmarked for the schools of the county in which the money was paid. In other words, the parents who pay this small amount see it turned back and spent for the education of their own children. It works that way. It cannot be any other way.

So far as the Senator from Mississippi now recalls, this is the only tax in the State which is expressly earmarked for a single purpose and which cannot lawfully be used for any other purpose.

I was not able to hear all of the debate, although I have been present every day and most of the time—all of the time which has been consistent with administrative matters in connection with this problem. Something has been said on the floor about the abuse of the poll tax and about it being an evil thing which designing men could use for their own benefit and for their own unholy purposes.

Madam President, in some isolated place here, there, somewhere, at some time, something like that might have happened in some of these poll tax States.

As one who has been out among the people and who has had responsibility to the people for many years, as one who served for 5 years as a district prosecuting attorney and for years thereafter as a judge, as one who came in contact with officers all the time and the reports about crimes or irregularities, I can say I never heard of such a thing happening. I never heard of the corrupt use of poll tax receipts in my State.

I have heard a great deal more direct proof, under sworn testimony, about the misuse of relief funds in the large cities of the United States, and about the threats to take people off the relief rolls if they did not vote Republican or if they did not vote Democratic. We heard witnesses swear that was what happened to them, and that they were taken off the rolls. I had that experience as a member of the Senate Committee on Rules and Administration. I shall not call the names of any cities, but the testimony was in an open hearing and there was sworn testimony. The report was from an impartial source. The late Senator Schoeppel and I were on the subcommittee.

I think there is far, far, far more abuse of the relief rolls with reference to trying to influence unfortunate recipients of relief as to how they shall vote not only in Federal elections but also in State elections and mayoralty elections, and others of that kind, than there is perhaps some little abuse in the relatively few rural States with reference to poll taxes.

Mr. HOLLAND. Madam President, will the Senator yield?

Mr. STENNIS. I yield to the Senator from Florida.

Mr. HOLLAND. The distinguished Senator in an earlier appearance made a statement which I shall quote, and with respect to which I shall ask a question. The statement is found on page 4097 of the CONGRESSIONAL RECORD:

> Frankly, with the growing problems of our Government and the Nation itself, I am firmly convinced that instead of lowering qualifications for voting, we should be raising them.
>
> Mr. President, I expect to enlarge upon that thought, as well as others, during the debate on this important question.

I ask the distinguished Senator at what stage in his speech he expects to enlighten the Senate as to what raising of qualifications he thinks would be appropriate, going beyond the poll tax requirement? I have been listening throughout his various appearances in the hope that he would elucidate that point. Does he expect to do so?

Mr. STENNIS. As best I can I shall do so now.

I was referring not particularly to the States which already have poll taxes, but to many States which have virtually no regulations.

If the poll tax is repealed, as I understand the situation, in Virginia there will not be any restriction or any regulation of any kind left, so far as the law is concerned, with respect to the list of voters who have paid the poll tax or met its requirements. That is the voting list. If we take that away, there will be nothing.

Something would have to be added. So long as the States have the poll tax they have a responsibility list. That is to a mild degree a restriction. It is a sifting out. It is a pitch for quality of citizenship.

In some States a citizen need not do any more than sign his name. I am willing to have such States continue to pass on their own procedures, because I do not believe in trying to coerce a State because its law is not what I think it ought to be. But I believe there should be more and more regulation in some of the States as to educational requirements.

I would not repeal a law that presently requires a voter to know something about the English language. I understand that such is the law in New York. In my view it would be wise to have some restrictions on what I call drifters—those who drift around from place to place. I think in my own State we could make a more restrictive rule with reference to those who move away from one place

and live somewhere else. We let too many of such people return and vote. Some requirement that would be fairly easily complied with, resulting in a minor contribution of money to the State treasury, and containing a restriction about having to live in one place a while before one is qualified to vote, is what the Senator from Mississippi had in mind.

I believe the problem is more acute because of the enormous increase in our population. As every Senator knows, more and more groups are organizing in order to put pressure on the Congress. More and more of such people have a direct interest in obtaining a check from the Federal Government. More and more programs are being fed into the Federal machinery of Government to benefit directly more and more people, which increases the burden upon representative Government.

I have never believed that there was any great virtue in numbers. I have never believed that wisdom came merely from masses of numbers. Certainly, if we expect our representative form of Government to survive, we shall have to give more thought and serious attention to the quality of citizenship rather than trust only to luck and to the masses. We must emphasize more the responsibilities of Government. I do not know of anyone who has ever in life contributed very much to family, society, or his community unless he was willing to accept some kind of responsibility. I think the question of voting should carry some responsibilities with it. I do not know of any better training anywhere for any child, regardless of circumstance, color, or opportunity in life, than to teach him to carry responsibilities. That is what I had in mind with reference to voting qualifications.

Madam President, in passing I should like to remark that we all like to think back to events that occurred in our youth.

In the 1910's and the early 1920's, people thought in terms of merely having an opportunity to improve themselves, to secure a higher education, and to obtain a job.

The person who had an opportunity of that kind, grit and determination, together with sufficient responsibility to hold a job when he obtained it, improved himself and went on up the ladder. That is one the great lessons of life.

The question of a poll tax fits into the subject of service to government. But returning to the overall proposition, I think that even though we have the finest young generation we have ever had—they are more intelligent, their minds are sharper and finer, and they have had better food and training in many ways—at the same time we are failing to teach them, as the Senator from Mississippi sees it, enough about the responsibilities of life. We are failing to teach them that every privilege carries with it a duty, and that the quality of their work is what counts and what will lead them on to a better position. I do not think we are doing enough in the way of teaching these fine young people that essential lesson. We are getting off on the idea of mass action, mass virtues, the mass improvements, mass relief programs, and mass everything. We forget that, after all, the strength of a nation depends upon the individuals who are in it, at least the total of the individual strength, and there is no substitute for those qualities.

The Senator from Florida reminded me of another point when he asked the question about the details of qualifications for voting. I mentioned on the Senate floor the other day that instead of taking powers away from the States, removing what few privileges the States have left, either abolishing them altogether or transferring them over into Federal powers, we ought to be giving more attention to the Federal powers that we already have. We should give more attention to the powers we now have rather than entering into crusades to limit the States.

As a taxpayer of the District of Columbia, I referred at that time to the increasing and onrushing tidal wave of crime that grows by leaps and bounds here in the Capital City and is not sufficiently checked. Not enough is being done about it. I am not here to lecture anyone on that point. I am greatly concerned about it, not only for reasons of the personal safety of the people, but also the impression that we make in countries throughout the world. If the ambassadors and their staffs here tell their people back home the truth about that situation—and I assume they do—I know it is bound to create a very bad impression as well as distrust. I am confident in my own mind that something can be done about it.

I wish now to mention a Member of this body who is actively trying to do something about the District of Columbia government. I refer to the Senator from West Virginia [Mr. BYRD], who is chairman of the Subcommittee on Appropriations that handles the District of Columbia appropriations bill. He raised the question of the soundness of the way the relief program is being administered. He boldly raised that point in the Senate. The Senate sustained him on the point. As I understand, he has investigators going into the question, and he has discovered an appalling set of facts. He did not give me the figures which I am about to state, but something like 67 percent of the relief cases which have been investigated have been shown to be cases that are not entitled under the law to receive the benefits.

As I say, I think this is an outstanding illustration of a Senator who has moved into a problem here and is doing very constructive work in spite of pressure the other way. I will back him up and I believe the Senate will also. He is setting a pattern that can be used elsewhere in the nation for good. I would not destroy the welfare program. It is the mass of abuses that has become a scandal in many places that I am attacking.

Mr. ALLOTT. Madam President, will the Senator yield?

Mr. STENNIS. I am glad to yield to the Senator from Colorado.

Mr. ALLOTT. Madam President, since the Senator from Colorado is a member of the Subcommittee on Appropriations of the District of Columbia, I believe it would be remiss, since I am on the floor, not to join in the Senator's remarks about the work of the Senator from West Virginia [Mr. BYRD] on the committee. I know that last fall, after he held extensive hearings upon the welfare program of the city of Washington—and I use that term "extensive" advisedly—and after he had secured admission from those in charge that less money could be used, and even after the Senate and after the House had acted upon the recommendations, he was subjected to terrific pressures from the press and from other sources to authorize, himself, action by the District of Columbia which would negate the action by the Congress. I, with I believe every other member of the subcommittee, joined in supporting the position he had taken.

With Congress meeting only less than 2 months after he was subjected to this pressure, and with a supplemental appropriation bill coming up, through which any real injury or hurt could be handled, it is incomprehensible how any responsible citizen could—I do not care who he is—exert upon any chairman the pressure that was exerted upon him to abrogate not only the action of the subcommittee, but also the action of the Appropriations Committee, and to abrogate the action of the Senate itself, and to abrogate the action of the whole Congress.

It is a sad commentary on the mistaken concept that some people have of our Government. I advised the Senator—and this is a matter of record—that I thought he would be sincerely criticized, and rightfully so, if he attempted to follow the dictates of some of the press and some of the people who were trying to lead him in a different direction.

Since the Senator from Mississippi mentioned this matter, I believe it is about time to lay it out and make a record on it. I was called at a football game—one of the two I saw last year—in Boulder, Colo., by a reporter of a Washington paper. He purposely withheld the facts from me in trying to trap me into admissions and statements with respect to what had occurred, and about which I had no personal knowledge, because I was in Colorado, not here. I did not appreciate this type of action. However, the Senator from West Virginia did stand pat, and I think rightfully so. If we are going to adopt the policy in Congress that the chairman of the committee can abrogate action of the subcommittee, of the whole committee, and of Congress itself, then we really have gone a long way in this country to throwing away the basic concept which our Founding Fathers put together.

Mr. STENNIS. Madam President, the remarks of the Senator from Colorado are sound indeed and certainly true. They are very timely. The Senator from West Virginia [Mr. BYRD] may be surprised that the Senator from Mississippi brought this matter up at this time. Certainly the Senator from Colorado is reflecting the very finest sentiments of himself and the other members of the subcommittee.

The Senator from West Virginia, as chairman, took an above average amount of pressure on this matter. He is a statesman of the very highest order with extreme courage and dedication to his responsibility. If anyone undertook to pressure him out of his position he certainly picked the wrong man. The Senator from West Virginia is setting a pattern for the Nation. That is my main point. I am proud that he is doing it. I am certainly going to back him up in the committee and on the Senate floor.

While the Senator from Florida had to be out of the Chamber, I spoke about a matter here of which his question about voters reminded me; something that I said the other day to which I would return. Instead of taking away from the States the few fragments of power that they still have, we ought to be very concerned about using the Federal authority that we already have.

I illustrated that point by showing the condition into which we are letting the Capital City get as a city of lawlessness, as a city without safety for the citizens, including the ladies, and the terrific adverse impression and opinion that it has created around the world.

I am not an expert in this matter. I am not on the committee which handles District of Columbia matters. I am sure the members of that committee are doing the best they can. However, merely as a matter of practical application of matters, I do have this comment to make. As I say, as a Member of this body and also as a taxpayer, I do not lay the blame on the city Police Department. So far as I know and understand, the Police Department is staffed with competent men. I do believe that the word and message must go out from the White House to the Commissioners and Police Department that the White House is going to back them up if they take the lead in enforcing the law and in seeking out the offenders; if they arrest the offenders and prosecute them, and spare none. Word like that would get around mighty fast, and it would be electrifying as to results.

Let the message go out from the White House to the Department of Justice and to the prosecuting attorneys, to bring all offenders to justice on the facts of the case, and to spare none. That is another word that would get around mighty fast, if word went out to the prosecuting officials to prosecute offenders to the extent of the law, and to have the Justice Department stand up before the court and urge penalties that will be felt.

Let the message go out from the White House to parole boards and to the related agencies—I do not know what terms are used here—to let the prisoners serve their sentences. Of course there would be exceptional cases, after the facts have been fully developed. However, that is another word that would get around mighty fast. That is what is lacking.

Let the message come to Congress, if funds are needed to build additional clean, adequate workhouses and training schools, and for the purpose of buying some farms, where these offenders can be put to work. Let that message also say that all able-bodied prisoners will have to work for the duration of their term, and that the penalty will fit what the prisoner has done. Let it be a sentence that will be felt, and we will not have a repetition of these things.

There is nothing about the situation that cannot be solved. A continuation, however, of lawlessness may be expected as long as there is softness in the outlook, softness in the imposition of penalties, and softness in carrying out and in meting out punishments that are given in the course of justice.

If we stop these activities, and will be firm, not cruel; if we will impose strong penalties, not too severe, but conservative, punishment will be the strongest deterrent to the commission of crime, and these incidents will stop. But they will not be stopped so long as this blather is put out and the law is explained away by slanderous reference to the Irish and the Poles of another generation. Such talk as that, such degrading of the intelligence of the people, such approaches as that will encourage crime and lawlessness.

I have before me an editorial entitled "Washington's Thugs," published in the Washington Evening Star of March 19. I do not like to advertise these things, and I do not agree with the entire editorial, but after reviewing some of the attacks, the writer concludes by saying:

> The immediate problem, however, is that of coping with crime itself, not the conditions which produce criminals. In this connection, more extensive policing of the streets and the severer penalties suggested by Judge McGuire certainly would help, but to be avoided is the fuzzy-minded notion that the yokers will go away if we all pretend that they do not exist.

Chief Judge McGuire is the judge in the U.S. District Court for the District of Columbia whom the Senator from Mississippi wished to quote the other day, but the article concerning whom he could not find readily at his desk. Chief Judge McGuire's pronouncement is one which is sound in logic, is sound in law, and sound in human nature. Nothing short of it will meet the situation. I think we owe it to those who are running afoul of the law to let them know the certainty of the punishment that will fit their acts. The only way to accomplish this is to have the word go down the line that that is the business for today, for tomorrow, for next month, and the future.

Certainly we owe this to the defenseless, helpless people who are entitled to protection. A call came to my office only the other day from a woman who said, "I am a captive in my own home." I think she expressed it very well.

I return to the basis of the proposed constitutional amendment. It has been one of the truly great checks and balances of our constitutional system to leave the power of qualifying electors and stating what their qualifications shall be at the State level and within the power of the States, so that as their Governors and legislatures come and go, and times change, they might have those requirements in keeping with the opinion of their time.

I mentioned a few minutes ago another of the great proven checks and balances that we have firmly imbedded in our Government. It is not directly mentioned in the Constitution. It is the one with reference to the protecting of the executive, legislative, and judicial branches of the Government from honest overreaching by any of the branches. That line of decisions has come down from George Washington's administration to the present administration and relates to the executive privilege, the judicial privilege, and the legislative privilege. It is one of the most illuminating and fascinating subjects which one engaged in Government could possibly read. It shows the practical side of the idea of checks and balances. There has been a difference of opinion about it as applied to different cases; but always that principle has been maintained and has been upheld. No President has ever been upheld in his effort to take records from the legislative branch. The legislative branch has never been upheld, in the final analysis, when it has tried to take records from the executive branch. That is a check and balance which is written into the very Constitution itself. It is spelled out, so to speak, in the section of the Constitution that has been quoted so many times and so effectively by other Senators. It provides that the qualifications of voters for Members of the House of Representatives shall be those required in the respective States for the most numerous branch of the State legislatures.

Without any apologies or explanations of any kind for those little attacks, those of us who stand here to keep this reasonable power from being swept away are standing on the very firmest foundation that can be found anywhere. It is in the Constitution. It is not an implied power or an implied function; it is a power expressly spelled out and well defined. Until now, it has been a consistently followed principle of our Government with reference to checks and balances. I believe it is necessary to have these checks and balances if we are to retain our dual system of government, our Federal-State system. It has proved strong enough to be able to cope with any problem that has arisen so far. It has proven itself capable of coping with the mightiest task, in a material way, that has ever been placed upon any nation in the history of the world, namely, to be the policeman, so to speak, having the military resources and power necessary to protect the free world. That is exactly what we have today. We have the ground soldier, the paratrooper, and the landing marine, right on through the entire arsenal of our resources to the ICBM itself. We are prepared in a material way to defend not only ourselves, but also the entire Western World.

However, here at home, with reference to the requirements of responsible citizenship, the requirements for quality citizenship, and the requirements for supporting our Government and having some appreciation of it, to the extent of the payment of a small, now almost infinitesimal, poll tax, we are loosening up, we are softening up, we are leveling off. I think we are creating conditions of weakness instead of building up

strength. We are generating softness, irresponsibility, and a lack of appreciation of the necessity for quality.

I hope that in its wisdom the Senate will settle this question by not even voting to let the resolution be considered until it can be stripped of this illegal effort, as I see it, to try to tie around our necks the proposed constitutional amendment.

Mr. HOLLAND. Madam President, will the Senator yield for a question?

Mr. STENNIS. I yield.

Mr. HOLLAND. In the adoption of the 19th amendment, the women's suffrage amendment, the States, by a vote of three-fourths of them, followed the same course as is now suggested with reference to the elimination of the poll tax, did they not?

Mr. STENNIS. By constitutional amendment; yes, that is correct.

Mr. HOLLAND. I know that the great State of Mississippi, which is so ably represented by my distinguished friend, on March 29, 1920, voted against or voted to reject the women's suffrage amendment. Is it not true that the judgment of the three-fourths of the States which ratified the amendment has proved to be salutary, sound, and wholesome in the Senator's own State?

Mr. STENNIS. As the Senator from Mississippi said the other day, the question of adopting the 19th amendment was an altogether different question from the one now proposed, which would eliminate the little requirement imposed upon all pesrons, men and women, regardless of race, color, or anything else. The 19th amendment, to which the Senator from Florida has referred, actually created a new group of citizens.

They were already citizens, of course—it actually created a new group to which the right of suffrage would be extended. In other words, following the ratification of that amendment, no States could deny suffrage to the members of that group. Of course, some States previously had extended the right of suffrage to them.

However, I do not think there is any analogy between the two, in terms of how Mississippi voted at that time. At that time Mississippi was represented in the Senate by what I call "the outstanding brain Senator" that Mississippi has sent to the Senate through the centuries—and I say that with all due deference to others. I refer to John Sharp Williams. He was a great scholar; he was highly educated—as was well known throughout the Nation; and he is said to have been one of Woodrow Wilson's main right arms in connection with matters arising before World War I and during World War I, as soon as Woodrow Wilson was in the White House.

I am sure John Sharp Williams voted in accordance with his convictions and in accordance with his view as to what was sound and best for the Nation. I would not question his judgment one iota.

Of course I think it is excellent that our ladies can vote. I remember when that constitutional amendment was ratified; and I think the voting by the ladies of the Nation has elevated the citizenship standards of the United States.

Mr. HOLLAND. Madam President, will the Senator from Mississippi yield again to me?

Mr. STENNIS. I yield.

Mr. HOLLAND. Let me call attention to the fact that the great State represented by the Senator from Mississippi and five other States rejected the amendment; and I am asking the distinguished Senator from Mississippi if it is not true that the judgment of the three-fourths of the States which ratified that amendment has been found to be salutary, even in the States which then rejected the amendment?

Mr. STENNIS. But I do not think there is any analogy at all between the two. Mississippi voted for the 18th amendment; but in the judgment of the Nation, that was a mistake. So there is no analogy at all between the two.

The proposed amendment of the Senator from Florida would strike down one of the chief few remnants of State power in this delicate, sensitive field of voter qualifications; and I say, with all due deference, that I do not think the 19th amendment or the 18th amendment has anything to do with this matter. This matter involves the question of what is sound, on a constitutional basis, with reference to the qualifications of electors.

Mr. HOLLAND. Madam President, will the Senator from Mississippi yield again to me?

Mr. STENNIS. I am glad to yield.

Mr. HOLLAND. Is it not true that prior to the submission of the 19th amendment, a large number of the States had acted to give the right of suffrage to their women citizens, and that then the 19th amendment pursued the constitutional method of submitting the matter to the jury of the States, to see whether three-fourths of them thought that the correct procedure; and that it has proved to be salutary and sound, and has justified the belief of the Founding Fathers that when three-fourths of the States agree, the matter is sure to be in the interest of the entire Nation? Does not the Senator from Mississippi agree to that?

Mr. STENNIS. The Senator from Florida is historically correct about the fact that the amendment was submitted, and was ratified, and all that. But in my opinion there is no analogy between that subject matter and the subject of our discussion in the present instance.

It could also be said, in regard to the first 10 amendments to the Constitution, that time has proven that they were wise, for they were a brake—or, at least, they were an attempt to apply a brake—and a restriction on the Federal Government.

By the way, Madam President, let me refer briefly to George Mason. George Washington said that George Mason had the best mind of any man in the Nation. George Mason declined to sign the Constitution, at Philadelphia. Thereafter, he opposed its ratification by Virginia—where it was ratified by a scant 10-vote majority, as I recall.

George Mason said that the reason why he did not sign the Constitution at Philadelphia was that it did not sufficiently protect the States in their reserved powers, and because it did nothing about slavery; and he said that thereby it left within itself the germs of secession. I may not have quoted George Mason with exact accuracy; but certainly, as I recall, I have quoted the substance of the statement made by one whom George Washington described as having the best mind of his generation.

Of course, the first 10 amendments were adopted, for it was thought that they would protect the reserved powers of the States.

However, the amendment now under discussion—which relates to one of the reserved or retained rights of the States—would sweep it away.

Madam President, during the course of this debateI have had considerable administrative duties to carry out; and there is a certain matter which I should like to mention later today, if certain material is available at that time. I realize that I have been in the process of making my second speech on the question of the motion to take up the joint resolution. I ask unanimous consent that, if I see fit to do so, at a later stage of the debate on this motion, I may use 15 minutes, as a part of my second speech.

The PRESIDING OFFICER. Without objection——

Mr. HOLLAND. Madam President, I have no objection, because I certainly would not wish to interfere with the Senator's making his complete effort.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. STENNIS. I thank the Senator from Florida.

Mr. GRUENING and Mr. COTTON addressed the Chair.

Mr. HOLLAND. In fact, Madam President, we have no disposition at all to prevent any Senator's gaining the floor.

Mr. COTTON. Madam President, a little later I wish to have a certain matter inserted in the RECORD, and then to ask for a quorum call.

Mr. HOLLAND. Madam President, as I understand, any Senator can obtain the floor. I understand that the only rule now being enforced under the direction of the majority leader is the one which prevents a Senator from yielding for anything but a question during the course of his speech.

The PRESIDING OFFICER. The Senator from Florida is correct.

Mr. STENNIS. Madam President, I yield the floor.

GREEK INDEPENDENCE DAY, MARCH 25

Mr. WILEY. Madam President, I take this opportunity to call the attention of the Senate to the fact that yesterday, Sunday, March 25, marked an important day in Greek history. Yesterday was Greek Independence Day. That date marked the 141st anniversary of the start of the effort on the part of Greece to free itself from Ottoman rule. That effort was outstanding in its day. It is fitting that today we should remember some of the great contributions made to the world by the people of Greece.

Among the chief contributions made in that country was the early foundation in democratic government. Greeks all over the world should be proud of their country and for the contributions Greece has made in democratic government, with its emphasis upon the dignity of man, and their high regard for the law.

We all know of the many triumphs and the glory of old Greece. We all know of their early contributions in the field of literature and philosophy. There were many others equally great from a cultural standpoint.

Persons of Greek descent may well be proud of their cultural and political heritage with their contributions to government. I take this opportunity to make note of Greek Independence Day and I hope that other Senators will have the opportunity to pause for a moment during this busy day to reflect and to think about the contributions which Greece has made throughout its history to the arts, its culture, and to government.

Mr. DIRKSEN. Madam President, on March 25, 1821, the people of Greece declared their independence from the Ottoman Empire that had overrun the entire Balkan area since 1453. The history books relate the many struggles for freedom by the people of Greece for their independence, whose final drive for victory was sparked from the aid and encouragement they had received from the people of America, who, not long before that, on July 4, 1776, declared their independence.

Madam President, from ancient times up to the present the Greek peopl. and the Greek nation have been a bastion of defense in the fight for freedom and liberty, beginning in the ancient days when the Greek warriors withheld the onslaught of invasions from across the Aegean Sea. During World War I the Greek nation fought on the side of the United States and her allies. The world will always remember how, on October 28, 1940, after a sudden attack by the Fascists and followed later by the Nazis, the brave Greek warriors protected the bases on the north until Hitler's overpowering mechanized forces and air attack overtook that nation. A few years later, after they were freed from the Nazis, the Communists tried to move in, and the Greek warriors and their families were able to withstand the Communist infiltration—something that the countries to the north were unable to do.

It was then, Madam President, that the United States of America, through the Marshall plan, and with the aid of the Republican Congress in 1946, gave aid to Greece which helped her in her struggle against communism. That aid to Greece has continued from that time, through two terms of the Eisenhower administration and under the present administration, to the point that Greece again has gained much of its economic stability.

Greece gave to the world much of the civilization we enjoy today in the form of good government, the arts, science, philosophy, culture, as well as the immortal Greek language, which is one of the basic foundations of the English language which we use in this country of ours, a language the teaching of which has been reintroduced into many of our public schools.

Madam President, there has always been a close bond between Greece and America, because we both believe in the same basic principles of freedom and of good government, and because the basic documents of our Nation that were written by our Founding Fathers related to the basic principles of freedom and government originated in the Golden Age of Greece.

Madam President, throughout the State of Illinois, I have many good friends who are Americans of Hellenic extraction. Many of them are Greek immigrants who came to America because America loomed great in their minds as the promised land. They have grown with America and have become leaders in the professions, and business, and the civic and public life of their respective communities. I join them in honoring Greek Independence Day.

STATEMENT BY WILLIAM E. BRANEN, VICE PRESIDENT, WISCONSIN PRESS ASSOCIATION, ON IMPACT OF POSTAL LEGISLATION

Mr. WILEY. Madam President, the House-passed bill, H.R. 7927, now before the Senate Post Office and Civil Service Committee, contains a variety of provisions which would cause serious economic problems, particularly small newspapers, businesses, and other enterprises.

Recently, I was privileged to receive from Mr. Carl A. Zielke, secretary of the Wisconsin Press Association, a statement by Mr. William E. Branen, vice president of the association, relating to the impact of the proposed legislation on Wisconsin newspapers.

Reflecting the effect not only upon Wisconsin, but upon similar newspapers throughout the country, I ask unanimous consent to have excerpts of the statement printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF WILLIAM E. BRANEN, VICE PRESIDENT OF THE WISCONSIN PRESS ASSOCIATION, BEFORE SENATE POST OFFICE COMMITTEE, MARCH 22, 1962

My name is William E. Branen. I am a copublisher of the Burlington Standard-Press, a weekly newspaper published in Racine County in the State of Wisconsin.

The Wisconsin Press Association, the oldest press association in the United States (established in 1853) is a trade organization of weekly and semiweekly newspapers. It has an enrollment of 234 members, out of the total of 275 community newspapers published in the State of Wisconsin. I would like to emphasize that unlike many of the State press associations appearing before you, ours is an exclusive weekly and semiweekly organization. There are no daily newspaper members in our group.

The following resolution was unanimously adopted by our Board of Directors and subsequently supported wholeheartedly by a huge majority of our members in a mail vote last week. At last count, we had 130 "yes" votes on the resolution as compared to 4 "no" votes against the resolution. Here is that resolution:

"Resolved, That H.R. 7927 be vigorously opposed; and be it further

"Resolved, That the 'free in county' mailing privilege be eliminated; and be it further

"Resolved, That the 'in county' category also include at the 1-cent-per-pound rate (minimum one-eighth of 1 cent per copy) all newspapers distributed to patrons served by the post office of original mailing or neighboring post offices where no postal department transportation is involved. The zone rates based on advertising content and weight to continue under present formula."

We are definitely opposed to the House bill, H.R. 7927, now before you. We believe that a surcharge of 1 cent per copy on a weekly newspaper would be discriminatory because it would make the same charge on a newspaper carried across a county line as would be charged a metropolitan newspaper or a large magazine being transported thousands of miles.

The adoption of the resolution as recited here is not new for the Wisconsin Press Association. A similar resolution was adopted by the board of directors about 6 years ago. At that time, we had some strong objection to the adoption of the resolution by some of our members and we asked them to check with their local post office to determine exactly what "free in county" meant to their newspaper enterprise each week.

A majority of those then contacted our office again to inform us that they didn't realize what few benefits their newspaper derived from "free in county" mailing and that they agreed that "free in county" should be eliminated. Our publishers are convinced that "free in county" is most discriminatory in that a newspaper's postal rates are set according to its geographical location within the county.

We have supplied each member of the committee with a map of Wisconsin showing the location of the community newspapers. You will note that a majority of those newspapers are on county lines or near a county line while only a very few are centrally located.

The chart which was prepared in the office of the Wisconsin Press Association pictures the complete cost of the second class postal charge for each of 32 community newspapers for 1 week. We asked the newspapers to supply us with a copy of their post office form 3542 so that we might have the number of copies being mailed in the county, outside the county, and to various zones for 1 week.

These charges were totaled as to the cost for "in county" mailing, zone mailing and the number of copies mailed free within the county. We multiplied the cost for 1 week by 52 to determine the annual cost. However, it must be pointed out that the annual cost could vary depending on the weight and advertising content of the other 51 issues. We believe the annual figure to be quite accurate although it could vary in that the issues surveyed might be larger or smaller than the average put out each week.

You will note that the weekly cost as tabulated in the eighth column of the chart is approximately one-half of what the weekly cost would be under H.R. 7927 which is the fifth column in the tabulation enclosed by border line. In some instances the weekly cost would double, in other cases it is tripled and in some cases even quadrupled. As you will note there are some 200 percent increases, listed if H.R. 7927 becomes law.

To point out the discriminatory aspects of our present postal law, we would like to call attention to the annual postage paid by the Oregon Observer with 978 circulation. It pays a total postage bill of $80.84 per

year. The Wonewoc Reporter, with almost identical circulation, 972, a newspaper which for this particular issue weighed three-tenths of a pound less per copy than did the Oregon Observer, paid a postage bill which is more than twice that of the Oregon newspaper, or $135.20 per year. It so happens that Oregon's area of coverage is within the county while Wonewoc is on the county line.

Please note again on the chart that the Medford Star News which is a county seat newspaper, centrally located, mailed 5,200 copies for $1,123.72 per year whereas the Oconomowoc Enterprise pays $40 per year more for 1,400 less copies. Here again Medford is centrally located and Oconomowoc is on a county line.

Our association is convinced that "free in county" is wrong because it is based on the geographical location of the newspaper. To add a percentage increase and continue this discrimination, would be wrong, in our opinion, and to add a surcharge in addition to the present inequitable rate would be much worse. We will still have the same basic problem of the discriminatory effect of free-in-county mailing. We believe it is time that the free-in-county privilege be eliminated. Our survey of 32 newspapers (we have given you a map showing where the 32 newspapers are located and they were picked completely at random) does show that "free in county" is indefensible. Our survey further shows that the cost to the 32 listed publishers if "free in county" is eliminated would be $32.95 or an average of $1 per week. It would vary from the $3.86 extra cost to the Medford Star News down to nothing for the South Milwaukee Voice-Journal which has no "free in county" circulation at all. "Free in county" is a misnomer. It does not apply in any post office which has letter carrier service. It is therefore actually limited to the small post office that offers only post office box service and to the rural routes extending from that same post office. If a post office has letter carrier service, then there is no "free-in-county" mailing privilege from that post office or its rural routes.

The third part of our resolution proposes that the 1-cent-per-pound in-county rate be extended to include all of the newspapers distributed from the post office of original mailing. In other words, if the 1-cent-per-pound rate is continued, it would apply to all newspapers mailed within the county and be extended to newspapers going across county lines, if they are distributed from the office of original mailing. We have several instances in Wisconsin where the county line extends right down main street and it is possible for a newspaper to be physically located in one county and yet have 70 percent of its circulation across the street in another county. Therefore, we believe that the 1-cent-per-pound category should include all of the newspaper mailing which is distributed from the point of original mailing. We also believe that if a newspaper has a town across a county line which he serves at his own expense by trucking the newspapers to that post office, that that rate should be the same as the in-county rate.

We believe that there is good logic in the "in county" rate being less than the zone rate because there is a minimum of postal handling involved.

We do not intend to infer that the first and second zone rate for second-class mail should continue at 3 cents per pound, depending upon the advertising content. Under our present postal rates for second-class mail, the average Wisconsin community newspaper pays about 2¾ cents per pound for most of its newspaper mailing with a minimum of one-half of 1 cent per copy. Let me repeat, we do not say that the first and second class zone rate should be 3 cents per pound. Perhaps it should be 4 cents per pound. However, we do firmly believe that the "in county" rate (extended to include all newspapers delivered from the post office of original mailing) should be one-third of the zone rate because there is only one-third as much handling.

We discussed the elimination of the "in county" rate altogether. However, our decision to ask that "in county" rates be maintained is based on the knowledge that in many of our lesser populated areas, there is only one newspaper in the county and it may serve an area with a radius of anywhere from 30 to 100 miles. Therefore, we believe that it is important that the "in county" rate be maintained because many of the lesser populated areas are now served by but one community newspaper which is their only means of receiving governmental news, particularly at the county level.

There appears to be a misconception that community newspapers pay no postage at all; that the newspapers are carried free by the Government. Note the first red column in our chart and you will find that 4 of the 32 newspapers listed, are now paying more than $1,000 postage per year and that 3 pay more than $870 per year postage.

If we may refer to the chart again, our final three red columns will give you our estimate of the cost per week per newspaper if "free in county" in eliminated and the 1-cent-per-pound rate used. We also list the annual postal cost if "free in county" is eliminated, and a final column giving the percentage of increase. As expected, the newspapers with the greatest percentage of increase are those which have the greatest number of "free in county" copies under our present second class postal rates. We believe that the proposal which we present would be an honest and equitable method of computing second-class postal rates for community newspapers. Our chart does not show what the effect would be if the 1 cent per pound is extended to all newspapers distributed from the post office of original mailing. It would be difficult to affix this cost unless one was sure what rural routes extended from each community. However, again we believe that because only one handling of the mail is involved, the extended "in county" rate to newspapers from the post office of original mailing is justifiable.

We are convinced that if there is a subsidy it is to the reader and not to the newspaper because postage rates certainly are reflected in the subscription price.

Recent testimony before this committee revealed opposition to the House adopted amendment which extended "free in county" and "in county" rates to newspapers published but not printed within that county. That amendment was the only portion of H.R. 7927 that we were in agreement with. In this day and age of modernized printshops, new offset methods and a rather acute shortage of printers and operators, the blunt truth is that whether or not a community continues to have a newspaper may depend on whether or not the publisher can take advantage of modern production methods and have his newspaper printed in a commercial shop or in an adjoining newspaper shop which may or may not be in an adjoining county.

The important factor is whether or not the newspaper survives. It should not be penalized because it does not have $16,000 for a new linotype machine or $50,000 for a new modern press.

It might be well to point out at this time that in 1934 Wisconsin had 342 weekly newspapers. Today that number has decreased to 275 newspapers and I would guess that the percentage is pretty much the same in every State in the Union. One of the chief factors in the decline of the community newspaper is the high production costs and the shortage of skilled labor for the small community printshop. I would venture that in another 10 years Wisconsin may be down to 250 newspapers. To insist that a newspaper be printed locally before it is eligible for "in county" mailing rates will hasten the decline.

FRUSTRATED JUSTICE

Mr. COTTON. Madam President, the famous phrase "government of laws and not of men" appears in the Declaration of Rights of the Constitution of Massachusetts and is said to have been placed there at the insistence of John Adams.

The full quotation is:

In the government of this Commonwealth, the legislative department shall never exercise the executive and judicial powers or either of them: The executive shall never exercise the legislative and judicial powers or either of them: The judicial shall never exercise the legislative and executive powers or either of them: to the end it may be a government of laws and not of men.

Encroachments by the legislative branch of our government, Federal or State, do not constitute a serious menace. Legislators watch each other, and the people have frequent opportunities to retire them. Usurpation of power by the Executive has occurred more frequently and constitutes a serious trend. In this field, however, both the people and the legislative branch have the means of defense.

The exercise of arbitrary powers by the judicial branch of government is perhaps the most dangerous of all. Only in extreme cases and through the difficult and cumbrous process of impeachment can either the legislative branch or the people resist tyranny from the bench.

A recent editorial in the Evening Star of Wednesday, March 21, entitled "Frustrated Justice" directs attention to an apparent instance of this dangerous practice which, by coincidence, occurs in the Commonwealth of Massachusetts where the constitution so pointedly calls for government by law and not be the caprice of individuals. I ask unanimous consent that the editorial be inserted at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

FRUSTRATED JUSTICE

The Supreme Court's diligence in upholding the constitutional provision against double jeopardy in a criminal case is, of course, commendable. It is unfortunate, however, that in invoking the double-jeopardy clause in a Federal fraud trial in Boston the High Court also was upholding, in effect, an acquittal which the court of appeals had criticized as "based upon an egregiously erroneous foundation." And the Supreme Court conceded that the appellate criticism was "not without reason." Can it be said unqualifiedly that justice was served in this strange case?

The trial resulted from a Federal fraud indictment against the Standard Coil Products Co. and two of its employees. They were accused of falsifying test data on electronic equipment supplied to the Government. Federal Judge Charles E. Wyzanski, Jr., according to the record, ordered the acquittal of the defendants before the Government could present a number of witnesses who, the prosecutor stated, would have testified to the fraudulent actions of the firm and the two employees. Judge Wyzanski ruled that the several witnesses he allowed the prosecution to put on the stand lacked credibility and that the prosecutor had not conducted the case properly. Thereupon, said the court of appeals, the judge "abruptly terminated the Government's case * * * long before the Government had had an opportunity to show whether or not it had a case; and, moreover, he did so in ignorance of either the exact nature or the cogency of the specific evidence of guilt which the Government's counsel said he had available and was ready to present." The appellate court therefore ordered the case retried before another judge.

By a seven-to-one decision, the Supreme Court reversed the appellate action on the ground that a person may not be tried twice for the same offense. But Justice Clark, dissenting, held that Judge Wyzanski's directed verdict of acquittal was invalid and that hence double jeopardy would not be involved in a retrial. Said Judge Clark: "No judge has the power before hearing the testimony proffered by the Government, or at least canvassing the same, to enter a judgment of acquittal and thus frustrate the Government in the performance of its duty to prosecute those who violate the law." That would seem to be unassailable logic, even though Judge Wyzanski has been excepted from the rule in the Standard Coil Products case.

MASS IMMUNIZATION AGAINST POLIO

Mr. GOLDWATER. Madam President, in view of the administration's proposal to inaugurate mass immunization throughout the Nation at Government expense, I wish today to draw the Senate's attention to an outstanding example of voluntary civic effort to stamp out polio in an entire State. This bold, private program was carried out in the State of Arizona by a volunteer army of doctors, pharmacists, nurses, technicians, and ordinary lay citizens. It was launched in the cities of Phoenix and Tucson and, as a result, 65 to 75 percent of the entire population of Arizona has participated in the polio immunization program.

Madam President, I should like to emphasize the success of this tremendous program to show that the American people are willing and able to take care of their health needs if they are supplied with the proper leadership and are asked to volunteer their services to a worthy cause. One important thing that the Arizona program disclosed is that if there are children who do not receive their complete immunization series, it is not because of any lack of facilities. The facilities are there, in county health clinics and in the offices of private physicians, and at these facilities the immunizing agents can be obtained—either free of charge or at a very nominal cost to anyone seeking them. In other words, what is lacking is determination on the part of parents to obtain immunization for their children. No amount of money will change this situation unless it is used in an attempt to provide more information through mass communications. If the Government wishes to help these people, I believe it should authorize the Public Health Service to make a survey of the problem and present the results to State and local authorities as well as to medical and nurses societies and let them encourage the type of voluntary efforts we have witnessed in the mass polio immunization program in Arizona during the past 2 months.

Madam President, in bringing the success of this voluntary effort to the attention of the Senate, I should like particularly to commend the medical societies of Maricopa and Pima Counties, Ariz., for their determination and farsightedness in initiating this program. Also, I ask unanimous consent to have an article from the Washington Sunday Star of March 25, entitled "Arizona Stages Drive To Stamp Out Polio," be printed in the body of the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ARIZONA STAGES DRIVE TO STAMP OUT POLIO

(By William Grigg)

From hundreds of billboards and marquees in Arizona three stark letters—"PPS"—stare at passersby, puzzling the tourist but reminding natives of perhaps the boldest immunization campaign ever conducted in the United States.

"PPS" means Polio Prevention Sunday. It also means, backers say, the nearly total erasure of polio from their State.

And, they add proudly, the massive campaign has not required Government money.

Last Sunday, at centers manned by volunteers, 75,000 Tucson area residents got their lumps—sugar lumps soaked in type 1 Sabin oral polio vaccine. These thousands, together with those getting their immunization on the Sunday before, brought the number immunized to 186,000 or 82 percent of the area's population.

On Tuesday and Wednesday university students and other volunteers carried the vaccine to shut-ins.

Type 2 vaccine will be given on two Sundays in April. Dates for type 3, not yet licensed by the Federal Government, have not yet been announced.

Phoenix area physicians started the program and already have brought both type 1 and type 2 to about 80 percent of the Phoenix area's population.

On each "PPS," residents bombarded by newspaper, TV, radio, and billboard publicity lined up for their sugar lumps. Those who could contributed 25 cents, an amount expected to cover the costs of materials. Physicians and nurses have volunteered their time.

In an interview, a Tucson physician said mass immunization with the new oral vaccine had been recommended by the American Medical Association and the American Academy of Pediatrics, so local physicians decided to take action to show what volunteers could do.

The Sabin vaccine, he said, has a "longer lasting effect and prevents you from being a carrier of polio" so persons who already had the injected Salk vaccine have been urged to get this added protection.

There is also evidence that the oral vaccine is "catching." Because it is a weakened, rather than killed, virus, it can be caught from an immunized person by another member of the household. In this way, the immunization reaches many who have not cooperated in getting their sugar lumps.

The Tucson physician said when the Tucson and Phoenix areas are completed, most of the battle will be done, as most of the State's population is in or around the two main cities. But other Arizona county medical societies have already begun programs that may make the whole State almost completely free of polio.

MARYLAND'S BIRTHDAY

Mr. BEALL. Madam President, yesterday, March 25, which happened on Sunday this year, was an important day to all Americans. It was the 328th anniversary of the founding of the Free State of Maryland.

On March 25, 1634, colonists landed aboard the *Ark* and the *Dove* on a Potomac island, just off where St. Mary's City now stands and started what is now the State of Maryland, beginning the American concept of freedom. Lord Calvert's first edict was that every person had the right to worship according to the dictates of his own conscience, and this became a basic principle of our people. The Maryland Act of Toleration of 1649 was the first such document to espouse the idea of freedom of religion, and was the forerunner of the theme of freedom in the American Constitution.

The history of America is interwoven with the history of Maryland. Some of America's great historical events which occurred in Maryland are:

Capt. John Smith explores coast of Maryland, June 1608.

World's first law of religious freedom passed, 1649.

Mason and Dixon begin survey of Maryland boundary, 1763.

Annapolis becomes temporary National Capital, November 26, 1783.

Washington resigns commission in Old Senate Chamber, Annapolis, December 23, 1783.

Maryland cedes District of Columbia to the United States, March 30, 1791.

Bombardment of Fort McHenry; Francis Scott Key writes "The Star-Spangled Banner," September 12, 1814.

Beginning of work on first railroad in America—the Baltimore & Ohio—July 4, 1828.

First telegraph line in the world built between Baltimore and Washington, 1844.

Because of Maryland's place in American history and because of the theme of "freedom" nurtured and cradled in Maryland, the anniversary of the founding of the Colony which became the Province and developed into the great Free State of Maryland is an important occasion to freedom-loving people everywhere.

Mr. BUTLER. Madam President, it is with understandable pride that I call to the attention of this august body the occasion of the 328th anniversary of the Free State of Maryland, which I have the honor to represent in this National Assembly.

From her Allegheny mountains to her quiet Eastern Shore, every acre of this verdant land is laden with significant history—a history which in a very real sense is the history of America in miniature.

Cabot, Verrazano, Gilbert, and Capt. John Smith made early exploration of her ocean-bounded shore, and in 1634 the *Ark* and the *Dove*, under the leadership of 2d Lord Baltimore, finally came to rest at St. Mary's City where that small group of intrepid pioneers began the settlement that was to blossom into one of the great States of a great Nation.

These were men of courage and men of profound religious sentiment. In 1649 the Maryland Assembly passed the act concerning religion, the first civil regime to declare in favor of freedom of conscience. They stood with firmness and fortitude against the early forays of the Indians and eventually learned to live in peace with them.

It was Maryland that first threw down the gauntlet to the British by refusing to pay taxes under the confiscatory stamp act, by staging her own private tea party in Annapolis harbor by putting the torch to the tea ship, *Peggy Stewart*, and by laying the groundwork for the War of Independence by the activity of her Association of Freemen.

The brunt of the War of 1812 was borne by the great Free State, and during the British bombardment of Fort McHenry in Maryland, one of her gifted sons, Francis Scott Key, wrote the inspired National Anthem. Here, too, was the scene of John Brown's famous raid at Harper's Ferry; here the hallowed Antietam battleground. In more recent times Marylanders have served with honor and distinction in the cabinets and governments of numerous Presidents. They have combined their appreciation for the history and traditions of this Nation with an ambition to make the United States an even greater and more prosperous land.

It is with great pride in her history and the courageous citizens who have nourished her through the years that I salute today on the 328th anniversary of her birth, my home, my State, my country's stanch right hand—Maryland, my Maryland.

FRAUDULENT SCHEME STOPPED

Mr. BEALL. Madam President, the newspapers of the Nation this past weekend headlined the issuance of a "fraud order" by the Post Office Department against the Dollar Industrial Bank, Ltd., of Nassau, Bahamas, the outfit about which I warned the American people on January 18 of this year in a statement on the floor of the Senate.

When the operations of this so-called bank, in what appeared to be a clever attempt to swindle the American people through the use of our mails, came to my attention, I called on the Post Office Department to look into the possibility of putting a check on these people, and I took the floor to sound an alarm.

I am gratified by the action of our Post Office Department, which has the effect of blocking all mail from the United States to the Bahama "bank." Every piece of mail addressed to either the "bank" or to one David R. Vine, an officer of the "bank," is to be stamped "Fraudulent" and returned to the sender. In issuing the "fraud order," the Department stated that the Dollar Industrial Bank, Ltd., was using the mails in "a scheme for obtaining money by means of false and fraudulent pretenses, representations and promises."

The Nassau firm was advertising through a mail-order campaign in the United States for savings accounts, offering a high rate of interest and, as an extra inducement, free vacations in the Bahamas for the depositors who would send along as much as $5,000. Because this kind of return on savings accounts is not financially sound, I was suspicious.

Back in 1958, I warned the people about another savings outfit—that one doing business in my own State of Maryland. It is now in receivership, its so-called insurance company nonexistent, and its president, who incidentally challenged my exposé, under indictment for grand theft. Unfortunately, despite my public warning about that Maryland company, the Family Savings & Home Loan Association, some people continued to deposit money with them, attracted by the high rate of interest promised. The State of Maryland has taken steps to stop the operations of people like the officers of Family.

When I spoke in the Senate on January 18, I stated that our postal service should be able to police the mails to protect our people against such a scheme as that perpetrated by the so-called "bank" in Nassau, even though Nassau was out of the country and therefore not subject to our laws. I am indeed glad that the Post Office Department has found it possible to protect our citizens against this questionable use of our mails.

I only hope that the people throughout the country will in the future resist the understandable urge to get more than a fair return on their money, and that every offer of more than a fair return will be examined especially closely.

MESSAGE FROM THE HOUSE—ENROLLED BILLS SIGNED

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Acting President pro tempore:

S. 2533. An act to amend the requirements for participation in the 1962 feed grain program;

H.R. 4130. An act to provide assistance to Menominee County, Wis., and for other purposes; and

H.R. 5968. An act to amend the District of Columbia Unemployment Compensation Act, as amended.

THE ALEXANDER HAMILTON NATIONAL MONUMENT — AMENDMENT TO THE CONSTITUTION DEALING WITH POLL TAXES

The Senate resumed the consideration of the motion of the Senator from Montana [Mr. MANSFIELD] to proceed to the consideration of the joint resolution (S.J. Res. 29) providing for the establishing of the former dwelling house of Alexander Hamilton as a national monument.

Mr. ELLENDER. Madam President, when I was addressing myself to the question at issue last week, I was discussing the high caliber of the members of the Convention that assisted in drafting our great Constitution. I stated their background, particularly in reference to their attachment to their respective governments in the Colonies where they came from. Without exception, every one of the members of the Convention guarded very zealously the right of the Colonies, as well as of the States, in providing that the right to decide who shall or shall not vote was to be left in the hands of the State governments.

As I pointed out, and as many other Senators likewise have pointed out, except for the fact that each State was to retain the power to say who should or should not vote, our great Constitution may never have been adopted. That was one of the burning issues during the debates which took place prior to the adoption of the Constitution.

Among those who took a very prominent part was Charles Pinckney, who laid before the House a draft of a Federal Government which he had prepared, to be agreed upon between the free and independent States of America.

I continue the quotation from "United States—Formation of the Union":

Article III of Mr. Pinckney's draft reads: "The Members of the House of Delegates shall be chosen every (blank) year by the people of the several States; and the qualifications of the electors shall be the same as those of the electors in the several States for their legislatures." (Elliott, "Constitutional Debates," vol. 1 (1st ed.), p. 145).

Pinckney also provided in article 5 of his plan:

Each State shall prescribe the time and manner of holding elections by the people for the House of Delegates. (See III, "Records of the Federal Convention," p. 597, app. D). Alexander Hamilton's suggested provision was a general one:

"III. The Assembly to consist of persons elected by the people to serve for 3 years." ("U.S. Formation of the Union," p. 979.)

When Mr. Randolph's plan was considered, what was the feeling concerning the provision for election of Members of the first branch of the National Legislature by the people of the several States? The discussion is illuminating in showing the angles considered, which make clear the meaning of the provisions ultimately adopted.

Mr. Sherman opposed the election by the people, insisting that it ought to be by the State legislature. The people, he said, immediately should have as little to do as may be about the Government. They want information and are constantly liable to be misled.

Mr. Gerry: "The evils we experience flow from the excess of democracy. The people do not want virtue, but are the dupes of pretended patriots.

"In Massachusetts it had been fully confirmed by experience that they are daily misled into the most baneful measures and opinions by the false reports circulated by designing men, and which no one on the spot can refute. One principal evil arises from the want of due provision for those employed in the administration of Government. It would seem to be a maxim of democracy to starve the public servants. He mentioned the popular clamor in Massachusetts for the reduction of salaries and the attack made on that of the Government though secured by the spirit of the Constitution itself. He had, he said, been too republican heretofore: He was still, however, republican, but had been taught by experience the danger of the leveling spirit."

Madam President, I may say the word "republican" as there used was spelled with a small "r," not with a capital "R."

Mr. Mason argued strongly for an election of the larger branch by the people. It was to be the grand depository of the democratic principle of the Government. It was, so to speak, to be our House of Commons—it ought to know and sympathize with every part of the community; and ought therefore to be taken not only from different parts of the whole Republic, but also from different districts of the larger members of it, which had in several instances, particularly in Virginia, different interests and views arising from difference of produce, of habits, and so forth. He admitted that we had been too democratic but was afraid we should incautiously run into the opposite extreme. We ought to attend to the rights of every class of people. He had often wondered at the indifference of the superior classes of society to this dictate of humanity and policy; considering that however affluent their circumstances, or elevated their situations might be, the course of a few years not only might, but certainly would, distribute their posterity throughout the lowest classes of society. Every selfish motive therefore, every family attachment, ought to recommend such a system of policy as would provide no less carefully for the rights and happiness of the lowest than of the highest orders of citizens.

Mr. Wilson contended strenuously for drawing the most numerous branch of the Legislature immediately from the people.

He was for raising the Federal pyramid to a considerable altitude, and for that reason wished to give it as broad a basis as possible. No government could long subsist without the confidence of the people. In a republican government this confidence was peculiarly essential. He also thought it wrong to increase the weight of the State legislatures by making them the electors of the National Legislature. All interference between the general and local government should be obviated as much as possible. On examination it would be found that the opposition of States to Federal measures had proceeded much more from the officers of the States, than from the people at large.

Mr. Madison considered the popular election of one branch of the National Legislature as essential to every plan of free Government. He observed that in some of the States one branch of the legislature was composed of men already removed from the people by an intervening body of electors. That if the first branch of the general legislature should be elected by the State legislatures, the second branch elected by the first—the executive by the second together with the first, and other appointments again made for subordinate purposes by the Executive, the people would be lost sight of altogether; and the necessary sympathy between them and their rulers and officers, too little felt. He was an advocate for the policy of refining the popular appointments by successive filtrations, but thought it might be pushed too far. He wished the expedient to be resorted to only in the appointment of the second branch of the Legislature, and in the executive and judiciary branches of the Government. He thought too that the great fabric to be raised would be more stable and durable if it should rest on the solid foundation of the people themselves, than if it should stand merely on the pillars of the legislatures.

Mr. Gerry did not like the election by the people. The maxims taken from the British Constitution were often fallacious when applied to our situation which was extremely different. Experience he said had shown that the State legislatures drawn immediately from the people did not always possess their confidence. He had no objection however to an election by the people if it were so qualified that men of honor and character might not be unwilling to be joined in the appointments.

He seemed to think the people might nominate a certain number out of which the State legislatures should be bound to choose.

Mr. Butler thought an election by the people an impracticable mode.

On the question for an election of the First Branch of the National Legislature by the people: Massachusetts, "aye;" Connecticut, division; New York, "aye;" New Jersey, "no;" Pennsylvania, "aye;" Delaware, division; Virginia, "aye;" North Carolina, "aye;" South Carolina, "no;" Georgia, "aye." ("Formation of the United States," p. 125.)

In the final report on Mr. Randolph's plan the Committee of the Whole merely said:

Resolved, That the Members of the First Branch of the National Legislature ought to be elected by the people of the several States for the term of 3 years. ("U.S. Formation of the Union" at p. 201.)

And nothing about voting qualifications, leaving this for specific provision in the States.

On Monday, August 6, the Committee of Detail reported finally the following provision:

Article IV, section 1: "The Members of the House of Representatives shall be chosen every second year by the people of the several States comprehended within the Union. The qualifications of the electors shall be the same, from time to time, as those of the electors in the several States of the most numerous branch of their own legislature." (See "U.S. Formation of the Union" at p. 472.)

It is particularly interesting to turn to the reports of the work of the Committee of Detail to see through what stages article IV, section 1—which is article I, section 2, of our Constitution today—progressed. The very regulations being proposed at this time in this body were suggested in 1787 at the Constitutional Convention and rejected at that time. On June 19 one draft was set forth. It provided:

The Members of the Second Branch of the Legislature of the United States ought to be chosen by the individual legislatures—to be of the age of 30 years at least; to hold their offices for the term of 6 years, one-third to go out biennially; to receive a compensation for the devotion of their time to the public service; to be ineligible to and incapable of holding any office under the authority of the United States (except those peculiarly belonging to the functions of the Second Branch) during the term for which they are elected, and for 1 year thereafter. (II Farrand, "Records of Federal Convention," pp. 129 and 130.)

The next step was as follows:

The qualification of electors shall be the same (throughout the States, viz) with that in the particular States unless the Legislature shall hereafter direct some uniform qualification to prevail through the States. (II Farrand, "Records of Federal Convention," p. 139.)

(Citizenship; manhood; sanity of mind; previous residence for 1 year, or possession of real property within the State for the whole of 1 year, or enrollment in the militia for the whole of a year.)

Next:

The Members of the House of Representatives shall be chosen biennially by the people of the United States in the following manner. Every freeman of the age of 21 years—having a freehold estate within the United States—who has—having—resided in the United States for the space of 1 whole year immediately preceding the day of election, and has a freehold estate in at least 50 acres of land. (II Farrand, supra, p. 151.)

Then:

The Members of the House of Representatives shall be chosen every second year—in the manner following—by the people of the several States comprehended within this Union—the time and place and the manner of holding the elections and the rules. The qualifications of the electors shall be (appointed) prescribed by the legislatures of the several States; but their provisions—which they shall make concerning them shall be subject to the control of—concerning them may at any time be altered and superseded by the Legislature of the United States. (II Farrand, supra, p. 153.)

Mr. President, that was a proposal which was made at one time, and I am citing all these various proposals to show how the members of that Convention finally drifted to the provision of the Constitution which is now in the sacred document.

In other words, every form of proposal was presented to the Convention. The one I read last was one in which the National Legislature would have the right to prescribe qualifications, but it was turned down. It was considered by the Convention, and the Convention finally drafted that part of article I which is now in the Constitution.

In my mind any Senator who will take the time to read these excerpts, to read the history of the present article of the Constitution which gives to the States the right to prescribe qualifications of voters, will come unequivocally to the conclusion that this was to be done by the States and not by the Congress.

Again, see the next report:

The Members of the House of Representatives shall be chosen every second year, by the people of the several States comprehended within this Union. The qualifications of the electors shall be prescribed by the legislatures of the several States but these provisions concerning them may, at any time, be altered and superseded by the legislature of the United States—the same from time to time as those of the electors, in the several States, of the most numerous branch of their own legislatures.

That proposition was submitted in debate, and I cite it to show the varying views of the members of the Convention and the manner and method proposed by each of them. I cite it merely to show that I do not believe anyone overlooked any argument. In other words, there was free debate on the entire subject, and everyone knew what it was all about. After long debate the present amendment to the Constitution was finally adopted by the Convention, and later ratified by three-fourths of the 13 States.

Every one of these suggestions was thought of long ago. They were discussed and wisely rejected by the framers of our Constitution, when they finally agreed on the form above set out; that is:

The Members of the House of Representatives shall be chosen every second year by the people of the several States comprehended within this Union. The qualifications of the electors shall be the same, from

time to time, as those of the electors in the several States, of the most numerous branch of their own legislatures. (See Farrand, p. 178, art. IV, sec. 1.)

This point, as all others in the much-debated text, was discussed fully. It is interesting to note what such well-informed and brilliant men as Gouverneur Morris; James Wilson, who was a Justice of the United States; Oliver Ellsworth, who was later Chief Justice of the Supreme Court; Colonel Mason; Benjamin Franklin; John Rutledge, who was also a Chief Justice of the United States; and James Madison, thought of the proposed resolution.

I now quote from "Formation of the Union," pages 487, 488, 489, 490, 491 and 492:

Mr. Gouverneur Morris moved to strike out the last member of the section beginning with the words "qualifications of electors", in order that some other provision might be substituted which would restrain the right of suffrage to freeholders.

Mr. Fitzimmons seconded the motion.

Mr. Williamson was opposed to it.

Mr. WILSON. This part of the report was well considered by the committee, and he did not think it would be changed for the better. It was difficult to form any uniform rule of qualifications for all the States. Unnecessary innovations he thought too should be avoided. It would be very hard and disagreeable for the same persons at the same time, to vote for representatives in the State legislature and to be excluded from a vote for those in the National Legislature.

Mr. GOUVERNEUR MORRIS. Such a hardship would be neither great nor novel. The people are accustomed to it and not dissatisfied with it, in several of the States. In some the qualifications are different for the choice of the Governor and the representatives; in others for different houses of the legislature. Another objection against the clause as it stands is that it makes the qualifications of the National Legislature depend on the will of the States, which he thought not proper.

Mr. Ellsworth thought the qualifications of the electors stood on the most proper footing. The right of suffrage was a tender point, and strongly guarded by most of the State constitutions. The people will not readily subscribe to the national Constitution if it should subject them to be disfranchised. The States are the best judges of the circumstances and temper of their own people.

Colonel MASON. The force of habit is certainly not attended to by those gentlemen who wish for innovations on this point. Eight or nine States have extended the right of suffrage beyond the freeholders, what will the people there say, if they should be disfranchised? A power to alter the qualifications would be a dangerous power in the hands of the Legislature.

Mr. BUTLER. There is no right of which the people are more jealous than that of suffrage. Abridgments of it tend to the same revolution as in Holland where they have at length thrown all power into the hands of the senates, who fill up vacancies themselves, and form a rank aristocracy.

Mr. DICKINSON. Had a very different idea of the tendency of vesting the right of suffrage in the freeholders of the country. He considered them as the best guardians of liberty; and the restriction of the right to them as a necessary defense against the dangerous influence of those multitudes without property and without unpopularity of the innovation it was in his opinion chimerical. The great mass of our citizens is composed at the time of freeholders, and will be pleased with it.

Mr. ELLSWORTH. How shall the freehold be defined? Ought not every man who pays a tax vote for the representative who is to levy and dispose of his money? Shall the wealthy merchants and manufacturers, who will bear the full share of the public burdens be not allowed a voice in the imposition of them—taxation and representation ought to go together.

Mr. GOUVERNEUR MORRIS. He had long learned not to be the dupe of words. The sound of aristocracy therefore had no effect upon him. It was the thing, not the name, to which he was opposed, and one of his principal objections to the Constitution as it is now before us, is that it threatens the country with an aristocracy. The aristocracy will grow out of the House of Representatives. Give the votes to people who have no property, and they will sell them to the rich who will be able to buy them. We should not confine our attention to the present moment. The time is not distant when this country will abound with mechanics and manufacturers who will receive their bread from their employers. Will such men be the secure and faithful guardians of liberty? Will they be the impregnable barrier against aristocracy? He was as little duped by the association of the words taxation and representation. The man who does not give his vote freely is not represented. It is the man who dictates the vote. Children do not vote. Why? Because they want prudence, because they have no will of their own. The ignorant and the dependent can be as little trusted with the public interest. He did not conceive the difficulty of defining freeholders to be insuperable. Still less that the restriction could be unpopular. Nine-tenths of the people are at present freeholders and these will certainly be pleased with it. As to merchants, etc., if they have wealth and value the right they can acquire it. If not they don't deserve it.

Colonel MASON. We all feel too strongly the remains of ancient prejudices, and view things too much through a British medium. A freehold is the qualification in England, and hence it is imagined to be the only proper one. The true idea in his opinion was that every man having evidence of attachment to and permanent common interest with the society ought to share in all its rights and privileges. Was this qualification restrained to freeholders? Does no other kind of property but land evidence a common interest in the proprietor? Does nothing besides property mark a permanent attachment? Ought the merchant, the monied man, the parent of a number of children whose fortunes are to be pursued in his own country, to be viewed as suspicious characters, and unworthy to be trusted with the common rights of their fellow citizens?

Mr. MADISON. The right to suffrage is certainly one of the fundamental articles of republican government, and ought not to be left to be regulated by the legislature.

When he spoke of the legislature he meant Congress.

A gradual abridgement of this right has been the mode in which aristocracies have been built on the ruins of popular forms. Whether the constitutional qualification out to be a freehold, would with him depend much on the probable reception such a change would meet with in the States where the right was now exercised by every description of people. In several of the States a freehold was now the qualification. Viewing the subject in its merits alone, the freeholders of the country would be the safest depositories of republican liberty. In future times a great majority of the people will not only be without land, but any other sort of property. These will either combine under the influence of their common situation; in which case, the rights of property and the public liberty, will not be secure in their hands; or what is more probable, they will become the tools of opulence and ambition, in which case there will be equal danger on another side.

The example of England had been misconceived (by Colonel Mason). A very small proportion of the representatives are there chosen by freeholders.

(At this point Mr. MUSKIE took the chair as Presiding Officer.)

Mr. ELLENDER. Mr. President, I read further:

The greatest part are chosen by the cities and boroughs, in many of which the qualification of suffrage is as low as it is in any one of the United States, and it is in the boroughs and cities rather than the counties that bribery most prevailed, and the influence of the Crown on election was not dangerously exerted.

Doctor FRANKLIN. It is of great consequence that we should not depress the virtue and public spirit of our common people, of which they displayed a great deal during the war, and which contributed principally to the favorable issue of it. He related the honorable refusal of the American seamen who were carried in great numbers into the British prisons during the war, to redeem themselves from misery or to seek their fortunes, by entering on board the ships of the enemies to their country, contrasting their patriotism with a contemporary instance in which the British seamen made prisoners by the Americans, readily entered on the ships of the latter on being promised a share of the prizes that might be made out of their own country.

This proceeded, he said, from the different manner in which the common people were treated in America and Great Britain. He did not think that the elected had any right in any case to narrow the privileges of the electors. He quoted as arbitrary the British statute setting forth the danger of tumultuous meetings, and under that pretext narrowing the right of suffrage to persons having freeholds of a certain value; observing that this statute was soon followed by another under the succeeding Parliament, subject the people who had no votes to peculiar labors and hardships. He was persuaded also that such a restriction as was proposed would give great uneasiness in the populous States. The sons of a substantial farmer, not being themselves freeholders, would not be pleased at being disfranchised, and there are a great many persons of that description.

Mr. MERCER. The Constitution is objectionable in many points, but in none more than the present. He objected to the footing on which the qualification was put, but particularly to the mode of election by the people.

The people cannot know and judge the characters of candidates. The worst possible choice will be made. He quoted the case of the Senate in Virginia as an example in point. The people in towns can unite their votes in favor of one favorite, and by that means always prevail over the people of the country, who being dispersed, will scatter their votes among a variety of candidates.

Mr. Rutledge thought the idea of restraining the right of suffrage to the freeholders a very unadvised one. It would create division among the people and make enemies of all those who should be excluded.

On the question for striking out as moved by Mr. Gouverneur Morris, from the word "qualifications" to the end of the article III:

New Hampshire, "no"; Massachusetts, "no"; Connecticut "no"; Pennsylvania "no"; Delaware "aye"; Maryland divided; Virginia "no"; North Carolina "no"; South Carolina "no"; Georgia not present.

WEDNESDAY, AUGUST 8, IN CONVENTION

Article IV, section 1 being under consideration, Mr. Mercer expressed his dislike of the whole plan, and his opinion that it never could succeed.

Mr. GHORUM. He had never seen any inconvenience from allowing such as were not freeholders to vote, though it had long been tried. The elections in Philadelphia, New York, and Boston where merchants and mechanics vote are at least as good as those made by freeholders only. The case in England was not accurately stated yesterday (by Mr. Madison). The cities and large towns are not the seat of Crown influence and corruption. These prevail in the boroughs, and not on account of the right which those who are not freeholders have to vote, but of the smallness of the number who vote. The people have been long accustomed to this right in various parts of America, and will never allow it to be abridged. We must consult their rooted prejudices if we expect their concurrence in our propositions.

Mr. Mercer did not object so much to an election by the people at large including such as were not freeholders, as to their being left to make their choice without any guidance. He hinted that candidates ought to be nominated by the State legislatures.

On the question of agreeing to article IV, section 1, it passed nem. con. (Quoted from "U.S. Formation of the Union," p. 487.)

How timely this discussion is today. How true and to the point. I have no need to search for reasons or to manufacture a logician's arguments. I need only take the very words of men whom history has stamped with greatness and foresight to prove my position.

I repeat some of these well-considered words, in fact, I delight to dwell upon their wisdom.

The right of suffrage was a tender point, and strongly guarded by most of the State constitutions.

The States are the best judges of the circumstances and temper of their own people.

A power to alter the qualifications would be a dangerous power in the hands of the legislature (referring to the national legislature).

Particularly note what Benjamin Franklin, noted for his practical, earthy, commonsense, said:

He did not think that the elected had any right in any case to narrow the privileges of the electors.

Turning now from the remarkable document of James Madison, recording the activities of the Constitutional Convention, to the notes of Rufus King, a delegate from Massachusetts to the Constitutional Convention, corroborating the Madison papers, here is King's record of the debate over the clause, "electors to be the same as those of the most numerous branch of the State legislature."

Morris proposed to strike out the clause and to leave it to the State legislatures to establish the qualification of the electors and elected, or to add a clause giving to the national legislature powers to alter the qualifications.

ELLSWORTH. If the legislature can alter the qualifications, they may disqualify three-fourths, or a greater portion of the electors—this would go far to create aristocracy. The clause is safe as it stands—the States have staked their liberties on the qualifications which we have proposed to confirm.

DICKINSON. It is urged that to confine the right of suffrage to the freeholders is a step toward the creation of an aristocracy. This cannot be true. We are all safe by trusting the owners of the soil; and it will not be unpopular to do so, for the freeholders are the more numerous class. Not from freeholders, but from those who are not freeholders, free governments have been endangered. Freeholds are by our laws of inheritance divided among the children of the deceased, and will be parceled out among all the worthy men of the State; the merchants and mechanics may become freeholders; and without being so, they are electors of the State legislatures, who appoint the Senators of the United States.

ELLSWORTH. Why confine the rights of suffrage to freeholders? The rule should be that he who pays and is governed, should be an elector. Virtue and talents are not confined to the freeholders, and we ought not to exclude them.

MORRIS. I disregard sounds and am not alarmed with the word "aristocracy," but I dread the thing and will oppose it, and for this reason I think that I shall oppose this Constitution because it will establish an aristocracy. There cannot be an aristocracy of freeholders if they all are electors. But there will be, when a great and rich man can bring his poor dependents to vote in our elections—unless you establish a qualification of property, we shall have an aristocracy. Limit the right of suffrage to freeholders, and it will not be unpopular, because nine-tenths of the inhabitants are freeholders.

MASON. Everyone who is of full age and can give evidence of his common interest in the community should be an elector. By this rule, freeholders alone have not his common interest. The father of a family, who has no freehold, has this interest. When he is dead his children will remain. This is a natural interest or bond which binds men to their country—lands are but an artificial tie. The idea of counting freeholders as the true and only persons to whom the right of suffrage should be confided is an English prejudice. In England, a Twig and Turf are the electors.

MADISON. I am in favor of entrusting the right of suffrage to freeholders only. It is a mistake that we are governed by English attachments. The Knights of the Shires are chosen by freeholders, but the members of the cities and boroughs are elected by freemen without freeholds, and who have as small property as the electors of any other country. Where is the crown influence seen, where is corruption in the elections practiced—not in the countries, but in the cities and boroughs.

FRANKLIN. I am afraid that by depositing the right of suffrage in the freeholders exclusively we shall injure the lower class of freemen. This class possess hardy virtues and great integrity. The Revolutionary War is a glorious testimony in favor of plebeian virtue—our military and naval men are sensible of this truth. I myself know that our seamen who were prisoners in England refused all the allurements that were made use of, to draw them from their allegiance to their country—threatened with ignominious halters, they still refused.

This was not the case with the English seamen, who on being made prisoners entered into the American service and pointed out where other prisoners could be made—and this arose from a plain cause. The Americans were all free and equal to any of their fellow citizens—the English seamen were not so. In ancient times every freeman was an elector, but afterward England made a law which required that every elector should be a freeholder. This law related to the county elections—the consequence was that the residue of the inhabitants felt themselves disgraced, and in the next Parliament a law was made, authorizing the justice of the peace to fix the price of labor and to compel persons who were not freeholders to labor for those who were, at a stated rate, or to be put in prison as idle vagabonds. From this period the common people of England lost a great portion of attachment to their country.

WEDNESDAY, AUGUST 8.—QUALIFICATIONS OF ELECTORS OF REPRESENTATIVES

GORHAM. The qualifications (being such as the several States prescribe for electors of their most numerous branch of the legislature) stand well.

Gentlemen are in error who suppose the electors of cities may not be trusted. In England the members chosen in London, Bristol, and Liverpool are as independent as the members of the counties of England. The Crown has little or no influence in city election, but has great influence in boroughs, where the votes of freeholders are bought and sold. There is no risk in allowing the merchants and mechanics to be electors; they have been so time immemorial in this country and in England. We must not disregard the habits, usages and prejudices of the people. (Pp. 873, 874, 875, to top p. 876.)

This debate, with the resulting provisions duly considered, was again recorded by Dr. James McHenry, delegate from Maryland—see "U.S. Formation of the Union," pages 934 and 935.

When all the views were aired, and the pros and cons of leaving the qualifications of voters for the National Legislature to be decided by the several States had been debated, the considered result was article I, section 2, of the Constitution of the United States, adopted September 17, 1787.

The House of Representatives shall be composed of Members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

Every word of that provision had been torn apart in open discussion, until there can be no possible doubt that it was the intention of the framers of the Constitution to leave to State control the field of voting qualifications.

In submitting the Constitution, Dr. Samuel Johnson, the Delegate from Connecticut, added to it the following letter:

The friends of our country have long seen and desired that the power of making war, peace, and treaties, that of levying money and regulating commerce, and the correspondent executive and judicial authorities should be fully and effectually vested in the General Government of the Union; but the impropriety of delegating such extensive trust to one body of men is evident—thence results the necessity of a different organization.

It is obviously impracticable in the Federal Government of these States to secure all rights of independent sovereignty to each, and yet provide for the interest and safety of all. Individuals entering into society must

give up a share of liberty to preserve the rest. The magnitude of the sacrifice must depend as well on situation and circumstance, as on the object to be obtained. It is at all times difficult to draw with precision the line between those rights which must be surrendered and those which may be reserved; and on the present occasion this difficulty was increased by a difference among the several States as to their situation, extent, habits, and particular interest.

In all our deliberations on this subject we kept steadily in our view that which appeared to us the greatest interest of every true American, the consolidation of our Union, in which is involved our prosperity, felicity, safety, perhaps our national existence. This important consideration, seriously and deeply impressed on our minds, led each State in the Convention to be less rigid in points of inferior magnitude than might have been otherwise expected, and thus the Constitution, which we now present, is the result of a spirit of amity and of that mutual deference and concession which the peculiarity of our political situation rendered indispensable. That it will meet the full and entire approbation of every State is not perhaps to be expected, but each will doubtless consider that had her interest alone been consulted the consequences might have been particularly disagreeable and injurious to others; that it is liable to as few exceptions as could reasonably have been expected, we hope and believe; that it may promote the lasting welfare of that country so dear to us all, and secure her freedom and happiness, is our most ardent wish. (P. 713, "Formation of the Union.")

Thus we see that at a time when all rights of independent sovereignty could not be secured to each State, when the interest of each State alone could not be considered, when the greatest interest of every American was the consolidation of the Union, even then, when the line was drawn between the rights which had to be surrendered and those which would be reserved, the right to determine the qualification of voters was reserved to each State.

A comment on this is found in McCulloch, "Suffrage and Its Problems," at page 30:

When the more perfect Union was formed under the Constitution of the United States, each State had the right to frame its own laws respecting suffrage. Hence article V was carried over into the new Constitution and became article I, section 2: The franchise for the election of the Members of the House of Representatives shall in every State be the same as for the "most numerous branch of the State legislature." The Constitution did not disturb the diversities of suffrage regulations existing in the several Commonwealths: It adopted them. For the Constitution to have been anything but silent on the regulations of suffrage would have been an innovation, and, as Viscount Bryce observed, the members of the Constitutional Convention were too sound political scientists to ignore precedents. Only in three amendments (and only directly in the 15th and 19th) has the Constitution trenched on the Commonwealth right to regulate suffrage—and even then under extraordinary circumstances.

These amendments I shall discuss later, when I have fully covered the formative period.

McCulloch, in further commenting, says:

While there has been a revolution in the conception of citizenship, there was no such change in the regulation of suffrage, the determining and regulating power continued to rest with the States. However, much as publicists and reformers may desire a uniform national suffrage law, it is unattainable; expediency and constitutionality are both adverse. In fact, such a plan was considered by the Constitutional Convention itself, but it received the vote of only one Commonwealth—Delaware. "The provision made by the Convention appears to be the best that lay within their option." The Fathers were satisfied for the States to continue to make their own suffrage tests, rather than to further prolong the Convention and so further endanger the rather slim chances of ratification by the several Commonwealths. The prospect in the Convention itself was anything but promising. Even Franklin moved to call in a parson that they might invoke the "assistance of Heaven."

The Constitution conferred the franchise on no one. Likewise citizenship does not bestow suffrage, either upon the natural born or the naturalized alien. The several States have the unqualified right to impose qualifications and regulate suffrage subject only to the limitations in the amendments referred to above. In handing down the decision in the case of *Corfield v. Coryell*, Judge Washington, in enumerating the privileges and immunities that are usually associated with citizenship, said: "To which is to be added the elective franchise, as regulated and established by the laws or constitution of the State in which it is exercised." (McCulloch, "Suffrage and Its Problems," p. 32.)

Also note what Hart says in his "Formation of the Union," at pages 136–137:

The real boldness of the Constitution is the novelty of the Federal system which it set up.

This was the best of the few elaborate written constitutions ever applied to a federation; and the details were so skillfully arranged that the instrument framed for 13 little agricultural communities works well today for 48 large and populous States. * * * The Convention knew how to select institutions that would stand together; it also knew how to reject what would have weakened the structure.

It was a long time before a compromise between the discordant elements could be reached. To declare the country a centralized nation would destroy the traditions of a century and a half; to leave it an assemblage of States, each claiming independence and sovereignty, would throw away the results of the Revolution. The Convention finally agreed that while the Union should be endowed with adequate powers, the States should retain all powers not specifically granted, and particularly the right to regulate their own internal affairs." ("Formation of the Union," p. 137.)

Mr. President, history records than in 1788 there appeared the first edition of the now famous Federalist, a collection of essays written in favor of the new Constitution as agreed upon by the Federal Convention on September 17, 1787. The authorship of the Federalist has been the subject of great research and argument. It is now conceded that a number of the papers were written by Alexander Hamilton, some by Madison, and a few by Jay. I quote from an introduction to the work by Henry Cabot Lodge:

The Federalist, furthermore, was the first authoritative interpretation of the Constitution, and was mainly written by the two principal authors of that instrument. It was the first exposition of the Constitution and the first step in the long process of development which has given life, meaning, and importance to the clauses agreed upon at Philadelphia. It has acquired all the weight and sanction of a judicial decision, and has been constantly used as an authority in the settlement of constitutional questions. (The Federalist, intro. p. xiv, 2d par.)

In No. 45, by Madison, a paper concerned with the question of whether the whole of the mass of Federal power would endanger the State's authority, the author said:

The powers delegated by the proposed Constitution to the Federal Government are few and defined. Those which are to remain in the State governments are numerous and indefinite. The former will be exercised principally on external objects, as war, peace, negotiation, and foreign commerce; with which last the power of taxation will, for the most part, be connected. The powers reserved to the several States will extend to all the objects which, in the ordinary course of affairs, concern the lives, liberties, and properties of the people, and the internal order, improvement, and prosperity of the State. (The Federalist, p. 290.)

Next, let us turn to the Federalist, No. 52, by Mr. Hamilton, and probably, it is said, also by Madison:

From the more general inquiries pursued in the four last papers, I pass on to a more particular examination of the several parts of the Government. I shall begin with the House of Representatives.

The first view to be taken of this part of the Government relates to the qualifications of the electors and the elected.

Those of the former are to be the same with those of the electors of the most numerous branch of the State legislatures. The definition of the right of suffrage is very justly regarded as a fundamental article of republican government. It was incumbent on the Convention, therefore, to define and establish this right in the Constitution. To have left it open for the occasional regulation of the Congress would have been improper for the reason just mentioned. To have submitted it to the legislative discretion of the States, would have been improper for the same reason; and for the additional reason that it would have rendered too dependent on the State governments that branch of the Federal Government which ought to be dependent on the people alone. To have reduced the different qualifications in the different States to one uniform rule, would probably have been as dissatisfactory to some of the States as it would have been difficult to the Convention.

The qualifications of the elected, being less carefully and properly defined by the State constitutions, and being at the same time more susceptible of uniformity, have been very properly considered and regulated by the Convention. A Representative of the United States must be of the age of 25 years; must have been 7 years a citizen of the United States; must at the time of his election, be an inhabitant of the State he is to represent; and, during the time of his service, must, be in no office under the United States. Under these reasonable limitations, the door of this part of the Federal Government is open to merit of every description, whether native or adoptive, whether young or old, and without regard to poverty or wealth, or to any particular profession of religious faith.

That is from the Federalist, No. 52, pages 327 and 328.

The provision in section 4, clause 1, of article I, is as follows:

The times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the legislature thereof, but the Congress may at any

time by law make or alter such regulations, except as to the places of choosing Senators.

"Manner" here refers to manner of holding elections, the mechanics thereof. Obviously there is no bearing upon voting qualifications. The Congress treated the person of the elector in article I, section 2, and the form or procedure of the election in article I, section 4. That this power was only to be exercised in case of national emergency or failure of the State to provide for an election is made clear by Hamilton in his discussion. I read from the Federalist No. 59:

They have submitted the regulation of elections for the Federal Government, in the first instance, to the local administrations; which, in ordinary cases, and when no improper views prevail, may be both more convenient and more satisfactory; but they have reserved to the national authority a right to interpose, whenever extraordinary circumstances might render that interposition necessary to its safety.

Nothing can be more evident, than that an exclusive power of regulating elections for the National Government, in the hands of the State legislatures, would leave the existence of the Union entirely at their mercy. They could at any moment annihilate it, by neglecting to provide for the choice of persons to administer its affairs.

That is from the Federalist, page 369, line 32.

Even so, this procedual provision caused considerable objection and discussion in the State conventions which clarified its meaning by argument and emphasized its procedural application only, before they adopted the Constitution. I will discuss this fully in my treatment of the adoption of the Constitution by the various States, which I shall begin at this point.

I read from "Formation of the Union," by Hart, pages 140 to 145:

The text of the Constitution was printed and rapidly distributed throughout the Union. It was still but a lifeless draft, and before it could become an instrument of Government the approving action of Congress, of the legislatures, and of State conventions was necessary. On September 28, 1787, the Congress unanimously resolved that the Constitution be transmitted to the State legislatures. The Federal Convention was determined that the consideration of its work should not depend, like the Articles of Confederation, upon the slow and unwilling humor of the legislatures; but that in each State a convention should be summoned solely to express the will of the State upon the acceptance of the Constitution. It had further avoided the rock upon which had been wrecked the amendments proposed by Congress by providing that when nine State conventions should have ratified the Constitution, it was to take effect for those nine. On the same day that Congress in New York was passing its resolution, the Pennsylvania legislature in Philadelphia was fixing the day for the election of delegates; all the State legislatures followed, except in Rhode Island.

The next 6 months was a period of great anxiety and of national danger. The proposed Constitution was violently attacked in every part of the Union: the President, it was urged, would be a despot, the House of Representatives a corporate tyrant, the Senate an oligarchy. The large States protested that Delaware and Rhode Island would still neutralize the votes of Virginia and Massachusetts in the Senate.

The Federal courts were said to be an innovation. It was known that there had been great divisions in the Convention, and that several influential members had left, or at the last moment refused to sign. "The people of this Commonwealth," said Patrick Henry, "are exceedingly uneasy in being brought from that state of full security which they enjoyed, to the present delusive appearance of things."

As the State conventions assembled, the excitement grew more intense. Four States alone contained within a few thousand of half the population of the Union: they were Massachusetts, Virginia, New York, and North Carolina. In the convention of each of these States there was opposition strong and stubborn, one of them—North Carolina—adjourned without action; in the other three, ratification was obtained with extreme difficulty and by narrow majorities. The first State to come under the "new roof," as the Constitution was popularly called was Delaware. In rapid succession followed Pennsylvania, New Jersey, Georgia, and Connecticut.

In Massachusetts, the sixth State, there was a hard fight; the spirit of the Shays Rebellion was still alive; the opposition of Samuel Adams was only overcome by showing him that he was in the minority; John Hancock was put out of the power to interfere by making him the silent president of the convention. It was suggested that Massachusetts ratify on condition that a long list of amendments be adopted by the new government: The friends of the Constitution pointed out that this plan meant only to ratify a part of the Constitution and to reject the rest; each succeeding State would insist on its own list of amendments, and the whole work must be done over. February 6, 1788, the enthusiastic people of Boston knew that the convention, by a vote of 187 to 167, had ratified the Constitution: the amendments being added not as a condition, but as a suggestion. Maryland, South Carolina, and New Hampshire brought the number up to nine.

Before the ninth ratification was known, the fight had been won also in Virginia. Among the champions of the Constitution were Madison, Edmund Randolph, and John Marshall.

James Monroe argued against the system of election which was destined twice to make him President. In spite of the determined opposition of Patrick Henry, and in spite of a proposition to ratify with amendments, the convention accepted. New York still held off. Her acquiescence was geographically necessary; and Alexander Hamilton, by the power of his eloquence and his reason, made clear the advantage of the Constitution to a future commercial State and the 11th ratification was obtained.

During the session of the Convention in Philadelphia, Congress continued to sit in New York; and the Northwest Ordinance was passed at this time. Congress voted that the Constitution had been ratified September 13, 1788; and that elections should proceed for the officers of the new Government, which was to go into operation the first Wednesday in March 1789.

What, meantime, was the situation of the two States, Rhode Island and North Carolina, which had not ratified the Constitution, and which were, therefore, not entitled to take part in the elections?

They had in 1781 entered into a constitution which was to be amended only by unanimous consent; their consent was refused. Had they not a right to insist on the continuance of the old Congress? The new Constitution, they considered, was flatly unconstitutional; it had been ratified by a process unknown to law. The situation was felt to be delicate, and those States were for the time being left to themselves. North Carolina came into the Union by a ratification of November 21, 1789. It was suggested that the trade of States which did not recognize Congress should be cut off, and Rhode Island yielded. May 19, 1790, her ratification completed the Union of the old Thirteen States.

Keeping this summary in mind, let us consider in detail the proceedings and debates in the various States as they pertain to voting qualifications.

Delaware's ratification was the first one to be reported in general convention. Elliott's accounts of the constitutional debates contain nothing on Delaware's convention.

Pennsylvania was second to ratify the Constitution. In a speech by Mr. Wilson, on October 28, 1787, on behalf of the Constitution, he made the following observation:

The legislative department is subdivided into two branches—the House of Representatives and the Senate. Can there be a House of Representatives in the General Government, after the State governments are annihilated? Care is taken to express the character of the electors in such a manner, that even the popular branch of the general government, cannot exist unless the governments of the States continue in existence.

How do I prove this? By the regulation that is made concerning the important subject of giving suffrage. Article I, section 2: "And the electors in each State shall have the qualifications for electors of the most numerous branch of the State legislature." Now, sir, in order to know who are qualified to be electors of the House of Representatives, we are to inquire who are qualified to be electors of the legislature of each State.

If there be no legislature in the States, there can be no electors of them: if there be no such electors, there is no criterion to know who are qualified to elect Members of the House of Representatives. By this short, plain deduction, the existence of State legislatures is proved to be essential to the existence of the General Government (Elliott II, "Constitutional Debates," p. 438).

Concerning section 4 of article 1, Mr. Wilson, who was one of the members of the committee of detail, said:

I will read it: "The times, places, and manner of holding elections for Senators and Representatives, shall be prescribed in each State by the legislature thereof; but the Congress may at any time, by law, make or alter such regulations, except as to the places of choosing Senators."

And is this a proof that it was intended to carry on this Government after the State governments should be dissolved and abrogated? This clause is not only a proper, but necessary one.

I have already shown what pains have been taken in the Convention to secure the preservation of the State governments. I hope, sir, that it was no crime to sow the seed of self-preservation in the Federal Government; without this clause, it would not possess self-preserving power. By this clause, the times, places, and manner of holding elections, shall be prescribed in each State, by the legislature thereof. I think it highly proper that the Federal Government should throw the exercise of this power into the hands of the State legislatures; but not that it should be placed there entirely without control.

If the Congress had it not in their power to make regulations, what might be the consequences? Some States might make no regulations at all on the subject. And shall the existence of the House of Representatives, the immediate representation of the people in Congress, depend upon the will and pleasure of the State governments? Another thing may possibly happen; I don't say it will, but we were obliged to guard even against possibilities, as well as probabilities.

A legislature may be willing to make the necessary regulations; yet the minority of that legislature may, by absenting themselves, break up the house, and prevent the execution of the intention of the majority. I have supposed the case, that some State governments may make no regulations at all; it is possible, also, that they may make improper regulations. I have heard it surmised by the opponents of this Constitution, that the Congress may order the election for Pennsylvania to be held at Pittsburgh, and thence conclude that it would be improper for them to have the exercise of power. But suppose, on the other hand, that the assembly should order an election to be held at Pittsburgh; ought not the General Government to have the power to alter such improper election of one of its own constituent parts? But there is an additional reason still that shows the necessity of this provisionary clause. The Members of the Senate are elected by the State legislatures. If those legislatures, possessed, uncontrolled, the power of prescribing the times, place, and manner, of electing Members of the House of Representatives, the members of one branch of the general legislature would be the tenants at will of the electors of the other branch; and the general government would lie prostrate at the mercy of the legislatures of the several States.

I will ask now, is the inference fairly drawn that the General Government was intended to swallow up the State governments? Or was it calculated to answer such end? Or do its framers deserve such censure from honorable gentlemen? We find, on examining this paragraph, that it contains nothing more than the maxims of self-preservation, so abundantly secured by this Constitution to the individual States. Several other objections have been mentioned. I will not, at this time, enter into a discussion of them, though I may hereafter take notice of such as have any show of weight; but I thought it necessary to offer, at this time, the observations I have made, because I consider this as an important subject, and think the objection would be a strong one if it was well founded. (Elliott II, supra, pp. 440-441.)

Again:

The power over elections, and of judging of elections, give absolute sovereignty. This power is given to every State legislature; yet I see no necessity that the power of absolute sovereignty should accompany it. My general position is that the absolute sovereignty never goes from the people. (Elliott II, supra, pp. 464-465.)

Mr. Wilson leaves no doubt as to the meaning of the Constitution as he reiterates:

Permit me to proceed to what I deem another excellency of this system: All authority, of every kind, is derived by representation from the people, and the democratic principle is carried into every part of the Government. I had an opportunity, when I spoke first, of going fully into an elucidation of this subject. I mean not now to repeat what I then said.

I proceed to another quality that I think estimable in this system: It secures, in the strongest manner, the right of suffrage. Montesquieu, book 2, chapter 2, speaking of laws relative to democracy, says:

When the body of the people is possessed of the supreme power, this is called a democracy. When the supreme power is lodged in the hands of a part of the people, it is then an aristocracy.

In a democracy the people are in some respects the sovereign, and in others the subject.

There can be no exercise of sovereignty but by their suffrages, which are their own will. Now, the sovereign's will is the sovereign himself. The laws, therefore, which establish the right of suffrage, are fundamental to this government. And, indeed, it is as important to regulate, in a republic, in what manner, by whom, to whom, and concerning what, suffrages are to be given, as it is, in a monarchy, to know who is the prince, and after what manner he ought to govern.

Mr. TOWER. Mr. President, will the Senator yield for a question?

Mr. ELLENDER. I yield for a question.

Mr. TOWER. Is it not true that at the time the Constitution was adopted, only approximately one-seventh of the adult people of this country could vote? Is it not true that in the time that has elapsed since then we have democratized our institutions, and have vastly broadened the suffrage to include more and more people?

Mr. ELLENDER. The Senator is correct. We have made it easier for people to vote. I agree with the Senator's first statement. Before he came into the Chamber, I was discussing the criticism by the framers of the Constitution when they compared the various things that voters had to do in order to qualify as voters. The vast majority of the people, of course, had no property. However, gradually, the Colonies, as well as the States thereafter, changed the procedure in order to permit more and more people to vote. What I am now reading is taken from the debates that took place when the convention ratified the Constitution. There is no question in my mind that if defining qualifications of voters had not been left to the States, we might not have had a Constitution today. I do not recall one of the Thirteen Original Colonies that did not desire to retain in its own constitution the right to define who shall and who shall not vote.

Mr. TOWER. Mr. President, will the Senator yield further for a question?

Mr. ELLENDER. I yield.

Mr. TOWER. Is it not true that over a period of many years it has been the people and the States themselves that have acted to broaden the suffrage and to extend it further and further? Is it not true, for example, that at one time the State of Louisiana had a poll tax but does not now have a poll tax, the people of that State on their own initiative having removed the poll tax?

Mr. ELLENDER. The Senator is correct. I am glad to say that I was a member of the Louisiana State Legislature in 1932 when that action was taken. There was no serious objection to it at that time. I was one of the coauthors of the bill to remove the poll tax as a requirement to vote. That same action has now been taken by all the States of the Union with the exception of five. It is my hope that in time those five States will also change that requirement.

Mr. TOWER. Does it not seem logical to the Senator that because of the trend that has been established, those five States will someday consider the poll tax a nuisance and will eventually do away with the poll tax?

Mr. ELLENDER. I do not think there is any doubt about it.

Mr. TOWER. I thank the Senator.

Mr. ELLENDER. To continue the quotation:

In this system, it is declared that the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature. This being made the criterion of the right of suffrage, it is consequently secured, because the same Constitution guarantees to every State in the Union a republican form of Government. The right of suffrage is fundamental to the republics. (Elliott II, supra, p. 482.)

In response to further objections to article I, section 4, Mr. Wilson said:

It is repeated, again and again, by the honorable gentleman, that "the power over elections, which is given to the General Government in this system is a dangerous power." I must own I feel, myself, surprised that an objection of this kind should be persisted in, after what has been said by the honorable colleague in reply. I think it has appeared, by a minute investigation of the subject, that it would have been not only unwise, but highly improper, in the late convention, to have omitted this clause, or given less power than it does over elections. Such powers, sir, are enjoyed by every State government in the United States. In some they are of a much greater magnitude; and why should this be the only one deprived of them? Ought not these, as well as every other legislative body, to have the power of judging of the qualifications of its own members? "The times, places, and manner of holding elections for representatives may be altered by Congress." This power, sir, has been shown to be necessary, not only on some particular occasions, but even to the very existence of the Federal Government. I have heard some very improbable suspicions indeed suggested with regard to the manner in which it will be exercised. Let us suppose it may be improperly exercised; is it not more likely so to be by the particular States than by the Government of the United States?—because the General Government will be more studious of the good of the whole than a particular State will be; and therefore, when the power of regulating the time, place, or manner of holding elections, is exercised by the Congress, it will be to correct the improper regulations of a particular State. (Elliott II, supra, p. 509.)

Mr. McKean enumerated the arguments against the Constitution. No. 4 was that Congress could, by law, deprive the electors of a fair choice of their representatives by fixing improper times, places, and modes of election. He answered that argument as follows:

Every house of representatives are of necessity to be the judges of the elections returns, and qualifications of its own members. It is therefore their province, as well as duty, to see that they are fairly chosen, and are the legal members; for this purpose, it is proper they should have it in their power to provide that the times, places, and manner of election should be such as to insure free and fair elections. (Elliott II, supra, p. 535.)

Obviously this text had reference to procedure only, and insures against the failure of a State to provide for an election; it had no bearing upon the qualifications of the electors, or voters, which was specifically left to the States in article I, section 2.

However, being zealous in their guard of their rights, a group of citizens of Pennsylvania gathered at a meeting in Harrisburg suggested a number of amendments to be submitted to the new

Constitution. Among them was the following provision:

That Congress shall not have power to make or alter regulations concerning the time, place, and manner of electing Senators and Representatives, except in case of neglect or refusal by the State to make regulations for the purpose; and then only for such time as such neglect or refusal shall continue. (Elliott II, supra, p. 545, sec. 4.)

Pennsylvania ratified the Constitution December 12, 1787; New Jersey, December 18, 1787.

Connecticut was fourth on the list to come under the roof. I have found no argument specifically on the point of State control of voting qualifications, so I shall only note, in passing, the general observation of Governor Huntingdon, of Connecticut:

The State governments, I think, will not be endangered by the powers vested by this Constitution in the General Government. While I have attended in Congress, I have observed that the Members were quite as strenuous advocates for the rights of their respective States, as for those of the Union. I doubt not but that this will continue to be the case; and hence I infer that the General Government will not have the disposition to encroach upon the States.

On January 9, 1788, Connecticut ratified the Constitution—Elliott II, supra, page 199.

The Massachusetts convention entered upon the consideration of the proposed Constitution on January 9, 1788. Here we find an extensive discussion of section 4 of article I:

Mr. Pierce (from Partridgefield), after reading the fourth section, wished to know the opinion of gentlemen on it, as Congress appeared thereby to have a power to regulate the time, place, and manner of holding elections. In respect to the manner, said Mr. Pierce, suppose the legislature of this State should prescribe that the choice of the Federal Representatives should be in the same manner as that of Governor—a majority of all the votes in the State being necessary to make it such—and Congress should deem it an improper manner, and should order that it be as practiced in several of the Southern States, where the highest number of votes makes a choice—have they not power by this section to do so? Again, as to the place, continues Mr. Pierce, may not Congress direct, that the election for Massachusetts shall be held in Boston? And if so, it is possible that, previous to the election, a number of the electors may meet, agree upon the eight delegates, and propose the same to a few towns in the vicinity, who, agreeing in sentiment, may meet on the day of election, and carry their list by a major vote. He did not, he said, say that this would be the case; but he wished to know if it was not a possible one.

Mr. Bishop rose, and observed that, by the fourth section, Congress would be enabled to control the elections of Representatives. It has been said, says he, that this power was given in order that refractory States may be made to do their duty. But if so, sir, why was it not so mentioned? If that was the intention, he asked why the clause did not run thus: "The times, places, and manner of holding elections for Senators and Representatives, shall be prescribed in each State by the legislature thereof; but, if any State shall refuse or neglect so to do, Congress may," etc. This, he said, would admit of no prevarication. (Elliott II, supra, p. 22.)

He proceeded to observe, that if the States shall refuse to do their duty, then let the power be given to Congress to oblige them to do it.

But if they do their duty, Congress ought not to have the power to control elections. In an uncontrolled representation, says Mr. Bishop, lies the security of freedom; and he thought by these clauses, that that freedom was sported with. In fact, says he, the moment we give Congress this power, the liberties of the yeomanry of this country are at an end. But he trusted they would never give it; and he felt a consolation from the reflection.

The fourth section, which provides that the State legislatures shall prescribe the time, place, and manner of holding elections, and that Congress may at any time make or alter them, except in those of Senators, though not in regular order, under deliberation.

The Honorable Mr. Strong followed Mr. Bishop, and pointed out the necessity there is for the fourth section. The power, says he, to regulate the elections of our Federal representatives must be lodged somewhere.

I know of but two bodies wherein it can be lodged—the legislatures of the several States, and the general Congress. If the legislative bodies of the States, who must be supposed to know at what time, and in what place and manner, the elections can best be held, should so appoint them, it cannot be supposed that Congress, by the power granted by this section, will alter them; but if the legislature of a State should refuse to make such regulations, the consequence will be, that the Representatives will not be chosen, and the General Government will be dissolved. In such case, can gentlemen say that a power to remedy the evil is not necessary to be lodged somewhere?

Mr. J. C. Jones said, it was not right to argue the possibility of the abuse of any measure against its adoption. The power granted to Congress by the fourth section, says he, is a necessary power; it will provide against negligence and dangerous designs. The Senators and Representatives of this State, Mr. President, are now chosen by a small number of electors; and it is likely we shall grow equally negligent of our Federal elections; or, sir, a State may refuse to send to Congress its Representatives, as Rhode Island has done. Thus we see its necessity.

To say that the power may be abused, is saying what will apply to all power. The Federal Representatives will represent the people; they will be the people; and it is not probable they will abuse themselves. Mr. Jones concluded with repeating that the arguments against this power could be urged against any power whatever.

Reverend Mr. WEST. I rise to express my astonishment at the arguments of some gentlemen against this section. They have only stated possible objections. I wish the gentlemen would show us that what they so much deprecate is probable. Is it probable that we shall choose men to ruin us? Are we to object to all governments?

And because power may be abused, shall we be reduced to anarchy and a state of nature? What hinders our State legislatures from abusing their powers? They may violate the Constitution; they may levy taxes oppressive and intolerable, to the amount of all our property. An argument which proves too much, it is said, proves nothing. Some say Congress may remove the place of elections to the State of South Carolina. This is inconsistent with the words of the Constitution, which says, "that the elections, in each State, shall be prescribed by the legislature thereof," and so forth, and that representation be apportioned according to numbers; it will frustrate the end of the Constitution, and is a reflection on the gentlemen who formed it. Can we, sir, suppose them so wicked, so vile, as to recommend an article so dangerous? (Elliott II, supra, p. 23.)

The debate continued at length, while men sought to construe and interpret, to assure themselves that the State control of its elections was not superseded. The Honorable Mr. King, in the course of his speech, said:

The idea of the honorable gentleman from Douglass, said he, transcends my understanding; for the power of control given by this section extends to the manner of election, not to qualifications of the electors. (Elliott II, supra, p. 51.)

The temper of the convention is well illustrated by the words of Mr. Adams, speaking to the Chair, John Hancock presiding, of the convention:

Another of your excellency's propositions is calculated to quiet the apprehensions of gentlemen lest Congress should exercise an unreasonable control over the State legislatures, with regard to the time, place, and manner of holding elections, which, by the fourth section of the first article, are to be prescribed in each State by the legislature thereof, subject to the control of Congress. I have had my fears lest this control should infringe the freedom of elections, which ought ever to be held sacred. Gentlemen who have objected to this controlling power in Congress have expressed their wishes that it had been restricted to such States as may neglect or refuse that power vested in them, and to be exercised by them if they please. Your excellency proposes, in substance, the same restriction, which I should think, cannot but meet with their full approbation. (Elliott II, supra, pp. 131 and 132.)

Mr. Mason was still worried over the possibilities of section 4. Said he:

We now come, sir, to the fourth section. Let us see: the time, place, and manner of holding elections, shall be prescribed in each State by the legislature thereof. No objections to this: but, sir, after the flash of lightning comes the peal of thunder. "But Congress may at any time alter them," and so forth. Here it is, Mr. President, this is the article which is to make Congress omnipotent. Gentlemen say, this is the greatest beauty of the Constitution; this is the greatest security for the people; this is the all in all. Such language have I heard in this house; but, sir, I say, by this power Congress may, if they please, order the election of Federal Representatives for Massachusetts to be at Great Barrington or Machias; and at such a time, too, as shall put it in the power of a few artful and designing men to get themselves elected at their pleasure. (Elliott II, supra, pp. 135 and 136.)

On February 7, 1788, Massachusetts ratified the Constitution, and added to its report these words:

And, as it is the opinion of this convention, that certain amendments and alterations in the said Constitution would remove the fears and quiet the apprehensions of many of the good people of the commonwealth, and more effectually guard against an undue administration of the Federal Government, the convention do therefore recommend that the following alterations and provisions be introduced into the said Constitution. Thirdly—That Congress do not exercise the powers vested in them by the fourth section of the first article, but in cases where a State shall neglect or refuse to make the regulations therein mentioned, or shall make regulations therein mentioned, or shall make regulations subversive of the rights of the people to a free and equal representation in Congress, agreeable to the Constitution. (See Elliott II, supra, p. 177.)

With the qualifications of voters definitely to be regulated by the States under the Constitution, still the people of Massachusetts were so concerned with the possible abuse of the power of Congress over the "time, place, manner," or procedure of an election that they wished it clearly understood that Congress should assume the exercise of such power only in case of extreme necessity, where neglect of duty by a State compelled it.

As pointed out on several occasions, that part of the Constitution dealing with the times, places, and manner of holding elections and so forth, dealt only with the mechanics of an election, not with the qualification of voters. That was reserved to the States, as I have been trying to demonstrate. The States themselves, in ratifying the Federal Constitution, saw to it that the right to spell out the qualifications of their electors should be a prerogative of the State, and was not to be exercised by the Congress under any condition.

As I stated a while ago in answer to a question by the distinguished Senator from Texas [Mr. TOWER], these are speeches made in 1788, interpreting the Constitution as we are now seeking to have it interpreted; namely, that the qualifications of voters must and should be left to the States.

No. 6 to ratify the Constitution was Georgia, January 2, 1788.

No. 7 was Maryland. Among the amendments proposed to be suggested by the States was the following:

2. That the Congress shall have no power to alter or change the time, place, or manner of holding elections for Senators or Representatives, unless a State shall neglect to make regulations, or to execute its regulations, or shall be prevented by invasion or rebellion, in which cases only, Congress may interfere, until the cause be removed. (See Elliott II, supra, p. 552.)

However, so many amendments were suggested that, through fear of obtaining no security at all for the people, the Constitution was ratified.

In speaking to the Maryland House of Delegates, Mr. James McHenry, referring to the section in the Constitution providing that the qualifications of electors be the same as those of electors for the State legislature, said:

To this section it was objected that if the qualifications of the electors were the same as in the State governments, it would involve in the Federal system all the disorders of a democracy; and it was therefore contended, that none but freeholders, permanently interested in the Government ought to have a right of suffrage. The venerable Franklin opposed to this the natural rights of man—their rights to an immediate voice in the general assemblage of the whole Nation, or to a right of suffrage and representation, and he instanced from general history and particular events the indifference of those, to the prosperity and welfare of the States who were deprived of it. (Quote III Farrand, Records of the Federal Convention, p. 146.)

Also concerning section 4, he said:

It was thought expedient to vest the Congress with the powers contained in this section, which particular exigencies might require them to exercise, and which the immediate representatives of the people can never be supposed capable of wantonly abusing to the prejudice of their constituents—convention had in contemplation the possible events of insurrection, invasion, and even to provide against any disposition that might occur hereafter in any particular State to thwart the measures of the General Government. (Farrand III, supra, p. 148.)

On May 23, 1788, Maryland ratified the Constitution.

South Carolina met in convention to consider the Constitution, May 12, 1788. Speaking of the much-debated fourth section of article I, giving Congress supervisory power over the time, place, and manner of elections, Mr. Pinckney, who was also one of the delegates to the Federal Convention, and in excellent position to know the intention of that body, said:

But if any State should attempt to fix a very inconvenient time for the election, and name (agreeably to the ideas of the honorable gentlemen) only one place in the State, or even one place in one of the five election districts, for the freeholders to assemble to vote, and the people should dislike this arrangement, they can petition the General Government to redress this inconvenience, and to fix times and places of election of Representatives in the State in a more convenient manner; for, as this house has a right to fix the times and places of election, in each parish and county, for the members of the house of representatives of this State, so the General Government has a similar right to fix the times and places of election in each State for the Members of the General House of Representatives. Nor is there any real danger to be apprehended from the exercise of this power, as it cannot be supposed that any State will consent to fix the election at inconvenient seasons and places in any other State, lest she herself should hereafter experience the same inconvenience; but it is absolutely necessary that the Congress should have this superintending power, lest, by the intrigues of a ruling faction in a State, the Members of the House of Representatives should not really represent the people of the State, and lest the same faction, through partial State views, should altogether refuse to send representatives of the people to the General Government. (IV Elliott, supra, p. 303.)

When South Carolina ratified the Constitution, May 23, 1788, they added this observation, or recommendation, to the ratification:

And whereas it is essential to the preservation of the rights reserved to the several States, and the freedom of the people, under the operations of a General Government, that the right of prescribing the manner, time and places, of holding the elections to the Federal Legislature should be forever inseparably annexed to the sovereignty of the several States, this convention doth declare that the same ought to remain to all posterity, a perpetual and fundamental right in the local, exclusive of the interference of the General Government, except in cases where the legislatures of the States shall refuse or neglect to perform and fulfill the same, according to the tenor of the said Constitution. (I Elliott, supra, p. 323.)

New Hampshire acted ninth of all the States, and we find no discussion there of the sections involving voting qualifications. However, we do find New Hampshire, equally watchful, recommending the following amendment, among others, to the Constitution:

III. That Congress do not exercise the powers vested in them by the fourth section of the first article, but in cases when a State shall neglect or refuse to make the regulations therein mentioned. (Elliott I, supra, p. 326.)

On September 17, 1787, Virginia ratified the Constitution. The Virginia convention was lengthy, the debates heated and protracted. Article I, section 2, providing that the electors of the delegates to the House of Representatives shall have the qualifications for electors of the more numerous branch of the State legislature, was read. Mr. George Nicholas spoke as follows—Elliott III, supra, pages 8, 9, 10:

Secondly, as it respects the qualifications of the elected. It has ever been considered a great security to liberty, that very few should be excluded from the right of being chosen to the Legislature. This Constitution has amply attended to this idea. We find no qualifications required except those of age and residence, which create a certainty of their judgment being matured, and of being attached to their State. It has been objected, that they ought to be possessed of landed estates, but, sir, when we reflect that most of the electors are landed men, we must suppose they will fix on those who are in a similar situation with themselves. We find there is a decided majority attached to the landed interest; consequently, the landed interest must prevail in the choice. Should the State be divided into districts, in no one can the mercantile interest by any means have an equal weight in the elections; therefore, the former will be more fully represented in the Congress; and men of eminent abilities are not excluded for the want of landed property. There is another objection which has been echoed from one end of the continent to the other—that Congress may alter the time, place, and manner of holding elections; that they may direct the place of elections to be where it will be impossible for those who have a right to vote, to attend; for instance, that they may order the freeholders of Albemarle to vote in the county of Princess Anne, or vice versa; or regulate elections, otherwise, in such a manner as totally to defeat their purpose, and lay them entirely under the influence of Congress.

I flatter myself, that, from an attentive consideration of this power, it will clearly appear that it was essentially necessary to give it to Congress as, without it, there could have been no security for the General Government against the State legislatures. What, Mr. Chairman, is the danger apprehended in this case? If I understand it right, it must be that Congress might cause the elections to be held in the most inconvenient places, and at so inconvenient a time, and in such a manner, as to give them the most undue influence over the choice, nay, even to prevent the elections from being held at all—in order to perpetuate themselves. But what would be the consequence of this measure? It would be this, sir—that Congress would cease to exist; it would destroy the Congress itself; it would absolutely be an act of suicide; and therefore it can never be expected. This alteration, so much apprehended, must be made by law; that is, with the concurrence of both branches of the legislature.

Will the House of Representatives, the Members of which are chosen only for 2 years, and who depend on the people for their reelection, agree to such an alteration? It is unreasonable to suppose it.

But let us admit, for a moment, that they will: what would be the consequence of passing such a law? It would be, sir, that, after the expiration of the 2 years, at the next election they would either choose such men as would alter the law, or they would resist the Government. An enlightened people will never suffer what was established for their

security to be perverted to an act of tyranny. It may be said, perhaps, that resistance would then become vain; Congress is vested with the power of raising an army; to which I say, that if ever Congress shall have an army sufficient for their purpose, and disposed to execute their unlawful commands, before they would act under this disguise, they would pull off the mask and declare themselves absolute. I ask, Mr. Chairman, is it a novelty in our Government? Has not our State legislature the power of fixing the time, places, and manner of holding elections? The possible abuse here complained of never can happen as long as the people of the United States are virtuous. As long as they continue to have sentiments of freedom and independence, should the Congress be wicked enough to harbor so absurd an idea as this objection supposes, the people will defeat their attempt by choosing other representatives, who will alter the law. If the State legislature, by accident, design, or any other cause, would not appoint a place for holding elections, then there might be no election till the time was past for which they were to have been chosen; and as this would eventually put an end to the Union, it ought to be guarded against; and it could only be guarded against by giving this discretionary power, to the Congress, of altering the time, place, and manner of holding the elections.

It is absurd to think that Congress will exert this power, or change the time, place, and manner established by the States, if the State will regulate them properly, or so as not to defeat the purposes of the Union. It is urged that the State legislature ought to be fully and exclusively possessed of this power. Were this the case, it mightily certainly defeat the Government. As the powers vested by this plan on Congress are taken from the State legislature, they would be prompted to throw every obstacle in the way of the General Government. It was then necessary that Congress should have this power.

I read from Elliott III, pages 8, 9, and 10:

Another strong argument for the necessity of this power is, that, if it was left solely to the States, there might have been as many times of choosing as there are States. States having solely the power of altering or establishing the time of election, it might happen that there should be no Congress.

Not only by omitting to fix a time, but also by the elections in the States being at 13 different times, such intervals might elapse between the first and last election, as to prevent there being a sufficient number to form a house; and this might happen at a time when the most urgent business rendered their session necessary; and by this power, this great part of the representation will be always kept full, which will be a security for a due attention to the interest of the community; and also the power of Congress to make the times of elections uniform in all the States, will destroy the continuance of any cabal, as the whole body of Representatives will go out of office at once.

Governor Randolph although he would not sign the Constitution at the time it was designed, defended it in an impassioned address.

Mr. Henry was equally impassioned in his plea to turn down the Constitution. Note what he says of section 4, article I, as outlined in Elliott III, page 60, as follows:

What can be more defective than the clause concerning the elections? The control given to Congress over the time, place, and manner of holding elections will totally destroy the end of suffrage. The elections may be held at one place, and the most inconvenient in the State; or they may be at remote distances from those who have a right of suffrage; hence 9 out of 10 must either not vote at all, or vote for strangers; for the most influential characters will be applied to, to know who are the most proper to be chosen. I repeat, that the control of Congress over the manner, and so forth, of electing, well warrants this idea. The natural consequence will be that this democratic branch will possess none of the public confidence; the people will be prejudiced against representatives chosen in such an injudicious manner.

Mr. Corbin, answering Mr. Henry, in part, said:

Do the people wish land only to be represented? They have their wish: for the qualifications which the laws of the State require to entitle a man to vote for a State representative are the qualifications required by this plan to vote for a Representative of Congress; and in this State, and most of the others, the possession of a freehold is necessary to entitle a man to the privilege of a vote.

This is from Elliott III, pages 110 and 111.

Governor Randolph, also answering Mr. Henry, said:

The State will be laid off and divided into 10 districts: from each of these a man is to be elected. He must be really the choice of the people, not the man who can distribute the most gold; for the riches of Croesus would not avail. The qualifications of the electors being the same as those of the representatives for the State legislatures, and the election being under the control of the legislature, the prohibitory provisions against undue means of procuring votes to the State representation extend to the Federal Representatives; the extension of the sphere of election to so considerable a district will render it impossible for contracted influence, or local intrigues, or personal interest, to procure an election. Inquiries will be made, by the voters, into the characters of the candidates. Greater talents, and a more extensive reputation, will be necessary to procure an election for the Federal than for the State representation. The Federal Representatives must therefore be well known for their integrity, and their knowledge of the country they represent. We shall have 10 men thus elected. What are they going yonder for? Not to consult for Virginia alone, but for the interest of the United States collectively. Will not such men derive sufficient information from their own knowledge of their respective States, and from the codes of the different States?

That is from Elliott III, page 125, line 24, to line 5, page 126.

Mr. Henry retorted at length and resorted to bitter vituperative remarks.

He said:

I shall make a few observations to prove that the power over elections, which is given to Congress, is contrived by the Federal Government, that the people may be deprived of their proper influence in the Government, by destroying the force and effect of their suffrages. Congress is to have a discretionary control over the time, place, and manner of elections. The Representatives are to be elected, consequently, when and where they please. As to the time and place, gentlemen have attempted to obviate the objection by saying, that the time is to happen once in 2 years, and that the place is to be within a particular district, or in the respective counties. But how will they obviate the danger of referring the manner of election to Congress? Those illumined genii may see that this may not endanger the rights of the people, but in my unenlightened understanding, it appears plain and clear that it will impair the popular weight in the Government. Look at the Roman history. They had two ways of voting—the one by tribes, and the other by centuries. By the former, numbers prevailed; in the latter, riches preponderated. According to the mode prescribed, Congress may tell you that they have a right to make the vote of 1 gentleman go as far as the votes of 100 poor men. The power over the manner admits of the most dangerous latitude. They may modify it as they please. They may regulate the number of votes by the quantity of property, without involving any repugnancy to the Constitution. I should not have thought of this trick or contrivance, had I not seen how the public liberty of Rome was trifled with by the mode of voting by centuries, whereby one rich man had as many votes as a multitude of poor men. The plebeians were trampled on till they resisted. The patricians trampled on the liberties of the plebeians till the latter had the spirit to assert their right to freedom and equality. The result of the American mode of election may be similar.

Perhaps I may be told that I have gone through the regions of fancy—that I deal in noisy exclamations and mighty professions of patriotism. Gentlemen may retain their opinions; but I look on that paper as the most fatal plan that could possibly be conceived to enslave a free people. If such be your rage for novelty, take it, and welcome; but you never shall have my consent. My sentiments may appear extravagant, but I can tell you that a number of my fellow citizens have kindred sentiments and I am anxious, if my country should come into the hands of tyranny, to exculpate myself from being in any degree the cause, and to exert my faculties to the utmost to extricate her. Whether I am gratified or not in my beloved form of government, I consider that the more she has plunged into distress, the more it is my duty to relieve her. Whatever may be the result, I shall wait with patience till the day may come when an opportunity shall offer to exert myself in her cause. (Elliott III, pp. 175 and 176.)

Governor Randolph, in answering Mr. Henry, was sure that the language in article I, section 4, could not possibly be stretched to the extent visualized by Mr. Henry. Governor Randolph felt that section 2 of article I, which says that the qualifications of electors shall be fixed by the States, was sufficiently clear to negative any possibility of the Federal Government taking over State elections. I quote from Governor Randolph's answer:

His (Mr. Henry's) interpretation of elections must be founded on a misapprehension. The Constitution says, that the times, places, and manner of holding elections for Senators and Representatives, shall be prescribed in each State by the legislature thereof, but the Congress may at any time, by law, make or alter such regulations, except as to the place of choosing Senators. It says, in another place, "that the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature." Who would have conceived it possible to deduce, from these clauses, that the power of election was thrown into the hands of the rich? As the electors of the Federal representatives are to have the same qualifications with those of the representatives of this State legislature, or, in other words, as the electors of the one are to be electors of the other, this suggestion is unwarrantable, unless he carries his supposition farther, and says that Virginia will agree to her own suicide, by modifying elections in such manner as to throw them into the hands of the rich. The honorable gentleman has not given us a fair

object to be attacked; he has not given us anything substantial to be examined. (Elliott III, p. 302.)

Mr. John Marshall, speaking in behalf of the Constitution said:

If there be no impropriety in the mode of electing the representatives, can any danger be apprehended? They are elected by those who can elect representatives in the State legislature. (See Elliott, supra, p. 230.)

When article I, section 4, was read in its proper turn in the Virginia convention, having been previously discussed in general with the rest of the document—

Mr. Monroe wished that the honorable gentleman, who had been in the Federal convention, would give information respecting the clause concerning elections. He wished to know why Congress had an ultimate control over the time, place, and manner of elections of Representatives, and the time and manner of that of Senators, and also why there was an exception as to the place of electing Senators. (Elliott III, supra, p. 366.)

It was found necessary to leave the regulation of these, in the first place, to the State governments, as being best acquainted with the situation of the people, subject to the control of the general government in order to enable it to produce uniformity and prevent its own dissolution. And, considering the State governments and general governments as distinct bodies, acting in different and independent capacities for the people, it was thought the particular regulations should be submitted to the former, and the general regulations to the latter.

Again, we see the framers of the Constitution intent on the protection of the provision for election by the States, in the event of their negligent failure to provide therefor. At all times they conceded the States' rights to provide for voting qualifications in their own limits more suitably than Congress could.

When Virginia finally ratified the Constitution they added a list of amendments which they suggested and sought. Among these was the following:

16. That Congress shall not alter, modify, or interfere in the times, places, or manner of holding elections for Senators, or Representatives, or either of them except when the legislature of any State shall neglect, refuse, or be disabled, by invasion or rebellion, to prescribe the same. (Elliott III, supra, p. 661.)

Again we see a State convention desiring that the meaning of the framers be put into unquestionably plain language.

New York, the 10th State to act, ratified the Constitution July 26, 1788. Apparently, as in most of the State conventions, section 2 of article I, met with approval, as there was no fault to be found with the provision that the qualifications of the electors should be the same as for those of the most numerous branch of the State legislature. But again we find dissatisfaction with the possibilities of abuse latent in section 4 of article I:

Mr. Jones rose and observed that it was a fact universally known that the present Confederation had not proved adequate to the purposes of good government. Whether this arose from the want of powers in the Federal head or from other causes, he would not pretend to determine. Some parts of the proposed plan appeared to him imperfect or at least not satisfactory. He did not think it right that Congress should have the power of prescribing or altering the time, place and manner of holding elections. He apprehended that the clause might be so construed as to deprive the States of an essential right, which, in the true design of the Constitution, was to be reserved to them. He, therefore, wished the clause might be explained and proposed, for the purpose, the following amendment: "*Resolved*, as the opinion of the committee that nothing in the Constitution, now under consideration shall be construed to authorize the Congress to make or alter regulations, in any State, respecting the times, places or manner of holding elections for Senators or Representatives, unless the legislature of such State shall neglect or refuse to make laws or regulations for the purpose, or, from any circumstance, be incapable of making the same, and then only until the legislature of such State shall make provision in the premises."

The Honorable Mr. Jay said that, as far as he understood the ideas of the gentleman, he seemed to have doubt with respect to this paragraph, and feared it might be misconstrued and abused. He said that every government was imperfect, unless it had a power of reserving itself. Suppose that, by design or accident, the States should neglect to appoint representatives; certainly there should be some constitutional remedy for this evil. The obvious meaning of the paragraph was that, if this neglect should take place, Congress should have power, by law, to support the Government and prevent the dissolution of the Union. He believed this was the design of the Federal Convention. (Elliott II, supra, p. 325.)

Mr. Smith expressed his surprise that the gentleman should want such an explanation. He conceived that the amendment was founded on the fundamental principles of representative government. As the Constitution stood, the whole State might be a single district for election. This would be improper. The State should be divided into as many districts as it sends Representatives. The whole number of Representatives might otherwise be taken from a small part of the State, and the bulk of the people, therefore, might not be fully represented. He would say no more at present on the propriety of the amendment. The principle appeared to him so evident that he hardly knew how to reason upon it until he heard the arguments of the gentlemen in opposition.

Mr. Duane. I will not examine the merits of the measure the gentleman recommends. If the proposed mode of election be the best, the legislature of this State will undoubtedly adopt it. But I wish the gentleman to prove that his plan will be practicable and will succeed. By the constitution of this State, the representatives are apportioned among the counties, and it is wisely left to the people to choose whom they will, in their several counties, without any further division into districts. Sir, how do we know the proposal will be agreeable to the other States? Is every State to be compelled to adopt our ideas on all subjects? If the gentleman will reflect, I believe he will be doubtful of the propriety of these things. Will it not seem extraordinary that any one State should presume to dictate to the Union? As the Constitution stands, it will be in the power of each State to regulate this important point. While the legislatures do their duty, the exercise of their discretion is sufficiently secured. Sir, this measure would carry with it a presumption which I should be sorry to see in the acts of this State. It is laying down as a principle that whatever may suit our interest or fancy should be imposed upon our sister States. This does not seem to correspond with that moderation which I hope to see in all the proceedings of the convention.

Mr. Smith. The gentleman misunderstands me. I did not mean the amendment to operate on the other States. They may use their discretion. The amendment is in the negative. The very design of it is to enable the States to act in their discretion, without the control of Congress. So the gentleman's reasoning is directly against himself.

If the argument had any force, it would go against proposing any amendment at all, because, says the gentleman, it would be dictating to the Union. What is the object of our consultations? For my part, I do not know, unless we are to express our sentiments of the Constitution before we adopt it.

It is only exercising the privilege of freemen; and shall we be debarred from this? It is said it is left to the discretion of the States. If this were true, it would be all we contend for. But, sir, Congress can alter as they please any mode adopted by the States. What discretion is there here? The gentleman instances the constitution of New York as opposed to my argument. I believe that there are now gentlemen in this house who were members of the convention of this State, and who are inclined for an amendment like this. It is to be regretted that it was not adopted. The fact is, as your constitution stands, a man may have a seat in your legislature who is not elected by a majority of his constituents. For my part, I know of no principle that ought to be more fully established than the right of election by a majority.

Mr. Duane. I neglected to make one observation which I think weighty. The mode of election recommended by the gentleman must be attended with great embarrassments. His idea is that a majority of all the votes should be necessary to return a member.

I suppose a State divided into districts. How seldom will it happen that a majority of a district will unite their votes in favor of one man? In a neighboring State, where they have this mode of election, I have been told that it rarely happens that more than one-half unite in choice. The consequence is they are obliged to make a provision, by a previous election, for nomination and another election for appointment, thus suffering the inconvenience of a double election. If the proposition was adopted, I believe we should be seldom represented—the election must be lost. The gentleman will, therefore, I presume, either abandon his project or propose some remedy for the evil I have described.

Mr. Smith. I think the example the gentleman adduces is in my favor. The States of Massachuaetts and Connecticut have regulated elections in the mode I propose, but it has never been considered inconvenient, nor have the people ever been unrepresented. I mention this to show that the thing has not proved impracticable in those States. If not, why should it in New York?

After some further conversation Mr. Lansing proposed the following modification of Mr. Smith's motion.

"And that nothing in this Constitution shall be construed to prevent the legislature of any State to pass laws, from time to time, to divide such State into as many convenient districts as the State shall be entitled to elect Representatives for Congress, nor to prevent such legislature from making provision that the electors in each district shall choose a citizen of the United States, who shall have been an inhabitant of the district for the term of 1 year immediately preceding the time of his election, for one of the Representatives of such State.

"Which being added to the motion of Mr. Jones the committee passed the succeeding paragraphs without debate, till they came to the second clause of section 6." (Elliott II, supra, pp. 327, 328, 329.)

On July 26, 1788, the ratification of the Constitution was effected, accompanied by a number of suggested amendments, among which was the one specifically defining those occasions on which Congress might exercise any power over the "time, place, and manner" of elections, as follows:

That the Congress shall not make or alter any regulation in any State respecting the times, places, and manner of holding elections for Senators or Representatives, unless the legislature of such State shall neglect or refuse to make laws or regulations for the purpose, or from any circumstance be incapable of making the same, and then only until the legislature of such State shall make provision in the premises; provided that Congress may prescribe the time for the election of Representatives.

North Carolina remained reluctant and refused to ratify the Constitution until a convention of States was called and certain proposed amendments adopted. Again no exception was taken to section 2 of article I:

(The first clause of the fourth section was read.)

Mr. Spencer. Mr. Chairman, it appears to me that this clause, giving the control over the time, place, and manner of holding elections to Congress, does away with the right of the people to choose the Representatives every second year, and impairs the right of the State legislatures to choose the Senators. I wish this matter to be explained.

Governor Johnson. Mr. Chairman, I confess that I am a very great admirer of the new Constitution, but I cannot comprehend the reason of this part. The reason urged is that every government ought to have the power of continuing itself, and that, if the General Government had not this power, the State legislatures might neglect to regulate elections, whereby the Government might be discontinued. As long as the State legislatures have it in their power not to choose the Senators, this power in Congress appears to me altogether useless because they can put an end to the General Government by refusing to choose Senators. But I do not consider this such a blemish in the Constitution as that it ought, for that reason, to be rejected. I observe that every State which has adopted the Constitution and recommended amendments has given directions to remove this objection, and I hope, if this State adopts it, she will do the same.

Mr. Spencer. Mr. Chairman, it is with great reluctance that I rise upon this important occasion. I have considered with some attention the subject before us. I have paid attention to the Constitution itself, and to the writings on both sides. I considered it on one side as well as on the other, in order to know whether it would be best to adopt it or not. I would not wish to insinuate any reflections on those gentlemen who formed it. I look upon it as a great performance. It has a great deal of merit in it, and it is, perhaps, as much as any set of men could have done.

Even if it be true, what gentlemen have observed, that the gentlemen who were delegates to the Federal Convention were not instructed to form a new constitution, but to amend the confederation, this will be immaterial, if it be proper to be adopted. It will be of equal benefit to us, if proper to be adopted in the whole, or in such parts as will be necessary, whether they were expressly delegated for that purpose or not. This appears to me to be a reprehensive clause; because it seems to strike at the State legislatures, and seems to take away that power of elections which reason dictates they ought to have among themselves. It apparently looks forward to a consolidation of the Government of the United States, when the State legislatures may entirely decay away.

This is one of the grounds, which have induced me to make objections to the new form of government. It appears to me that the State governments are not sufficiently secured, and that they may be swallowed up by the great mass of powers given to Congress. If that be the case, such power should not be given; for, from all the notions which we have concerning our happiness and well-being, the State governments are the basis of our happiness, security, and prosperity. A large extent of country ought to be divided into such a number of States as that the people may conveniently carry on their own government. This will render the government perfectly agreeable to the genius and wishes of the people. If the United States were to consist of 10 times as many States, they might all have a degree of harmony. Nothing would be wanting but some cement for their connection. On the contrary, if all the United States were to be swallowed up by the great mass of powers given to Congress, the parts that are more distant in this great empire would be governed with less energy. It would not suit the genius of the people to assist in the government. Nothing would support government, in such a case as that, but military coercion. Armies would be necessary in different parts of the United States.

The expense which they would cost, and the burdens which they would render necessary to be laid upon the people, would be ruinous. I know of no way that is likely to produce the happiness of the people, but to preserve, as far as possible, the existence of the several States, so that they shall not be swallowed up.

It has been said that the existence of the State governments is essential to that of the General Government, because they choose the Senators. By this clause, it is evident that it is in the power of Congress to make any alterations, except as to the place of choosing Senators. They may alter the time from 6 to 20 years, or to any time; for they have an unlimited control over the time of elections. They have also an absolute control over the election of the Representatives. It deprives the people of the very mode of choosing them. It seems nearly to throw the whole power of election into the hands of Congress. It strikes at the mode, time and place of choosing Representatives. It puts all but the place of electing Senators in the hands of Congress. This supersedes the necessity of continuing the State legislatures. This is such an article as I can give no sanction to, because it strikes at the foundation of the governments on which depends the happiness of the States and the General Government. It is with reluctance I make the objection. I have the highest veneration for the characters of the framers of this Constitution. I mean to make objections only which are necessary to be made. I would not take up time unnecessarily. As to this matter, it strikes at the foundation of everything. I may say more when we come to that part which points out the mode of doing without the agency of the State legislatures.

Mr. Iredell. Mr. Chairman, I am glad to see so much candor and moderation. The liberal sentiments expressed by the honorable gentleman who spoke last command my respect. No time can be better employed than endeavoring to remove, by fair and just reasoning, every objection which can be made to this Constitution. I apprehend that the honorable gentleman is mistaken as to the extent of the operation of this clause.

He supposes that the control of the General Government over elections looks forward to a consolidation of the States, and that the general word "time" may extend to 20, or any number of years. In my humble opinion this clause does by no means warrant such a construction. We ought to compare other parts with it. Does not the Constitution say that Representatives shall be chosen every second year? The right of choosing them, therefore, reverts to the people every second year. No instrument of writing ought to be construed absurdly, when a rational construction can be put upon it. If Congress can prolong the election to any time they please, why is it said that Representatives shall be chosen every second year? They must be chosen every second year; but whether in the month of March, or January, or any other month, may be ascertained, at a future time, by regulations of Congress. The word "time" refers only to the particular month and day within the 2 years. I heartily agree with the gentleman, that, if anything in this Constitution tended to the annihilation of the State government, instead of exciting the admiration of any man, it ought to excite the resentment and execration. No such wicked intention ought to be suffered. But the gentlemen who formed the Constitution had no such object; nor do I think there is the least ground for that jealousy. The very existence of the General Government depends on that of State governments. The State legislatures are to choose the Senators. Without a Senate there can be no Congress. The State legislatures are also to direct the manner of choosing the President. Unless therefore there are State legislatures to direct that manner, no President can be chosen. The same observation may be made as to the House of Representatives, since, as they are to be chosen by the electors of the most numerous branch of each State legislature, if there are no State legislatures, there are no persons to choose the House of Representatives. Thus it is evident that the very existence of the General Government depends on that of the State legislatures, and of course that their continuance cannot be endangered by it.

(At this point Mr. Burdick took the chair as Presiding Officer.)

Mr. ELLENDER. Mr. President, I continue the reading:

An occasion may arise when the exercise of this ultimate power in Congress may be necessary; as, for instance, if a State should be involved in war, and its legislature could not assemble—as was the case of South Carolina, and occasionally of some other States, during the late war—it might also be useful for this reason—lest a few powerful States should combine, and make regulations concerning elections which might deprive many of the electors of a fair exercise of their rights, and thus injure the community, and occasion great dissatisfaction. And it seems natural and proper that every government should have in itself the means of its own preservation. A few of the great States might combine to prevent any election of representatives at all, and thus a majority might be wanting to do business; but it would not be so easy to destroy the Government by the nonelection of Senators, because one-third only are to go out at a time, and all the States will be equally represented in the Senate. It is not probable this power would be abused; for, if it should be, the State legislatures would immediately resent it, and their authority over the people will always be extremely great.

These reasons induce me to think that the power is both necessary and useful. But I am sensible, great jealousy has been entertained concerning it; and as perhaps the danger of a combination, in the manner I have mentioned, to destroy or distress the General Government, is not very probable, it may be better to incur the risk, than occasion any discontent by suffering the clause to continue as it now stands. I should,

therefore, not object to the recommendation of an amendment similar to that of other States that this power in Congress should only be exercised when a State legislature neglected or was disabled from making the regulations required.

Mr. SPENCER. Mr. Chairman, I did not mean to insinuate that designs were made, by the honorable gentlemen who composed the Federal Constitution, against our liberties. I only meant to say that the words in this place were exceedingly vague. It may admit of the gentleman's construction; but it may admit of a contrary construction. In a matter of so great moment, words ought not to be so vague and indeterminate. I have said that the States are the basis on which the Government of the United States ought to rest, and which must render us secure. No man wishes more for a Federal Government than I do. I think it necessary for our happiness; but at the same time, when we form a government which must entail happiness or misery on posterity, nothing is of more consequence than settling it so as to exclude animosity and a contest between the general and individual governments. With respect to the mode here mentioned, they are words of very great extent. This clause provides that a Congress may at any time alter such regulations, except as to the places of choosing Senators. These words are so vague and uncertain, that it must ultimately destroy the whole liberty of the United States. It strikes at the very existence of the States, and supersedes the necessity of having them at all.

I would therefore wish to have it amended in such a manner as that the Congress should not interfere but when the States refused or neglected to regulate elections.

Mr. BLOODWORTH. Mr. Chairman, I trust that such learned arguments as are offered to reconcile our minds to such dangerous powers will not have the intended weight. The House of Representatives is the only democratical branch. This clause may destroy representation entirely. What does it say?

"The times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the legislature thereof; but the Congress may at any time, by law, make or alter such regulations, except as to the places of choosing Senators." Now, sir, does not this clause give an unlimited and unbounded power to Congress over the times, places, and manner of choosing Representatives? They may make the time of election so long, the place so inconvenient, and the manner so oppressive that it will entirely destroy representation. I hope gentlemen will exercise their own understanding on this occasion and not let their judgment be led away by these shining characters, for whom, however, I have the highest respect. This Constitution, if adopted in its present mode, must end in the subversion of our liberties. Suppose it takes place in North Carolina; can farmers elect them? No, sir. The elections may be in such a manner that men may be appointed who are not representatives of the people. This may exist, and it ought to be guarded against. As to the place, suppose Congress should order the elections to be held in the most inconvenient place in the most inconvenient district; could every person entitled to vote attend such a place? Suppose they should order it to be laid off into so many districts and order the election to be held within each district; yet may not their power over the manner of election enable them to exclude from voting every description of men they please? The democratic branch is so much endangered that no arguments can be made use of to satisfy my mind to it. The honorable gentleman has amused us with learned discussions and told us he will condescend to propose amendments.

I hope the Representatives of North Carolina will never swallow the Constitution till it is amended.

Mr. GOUDY. Mr. Chairman, the invasion of these States is urged as a reason for this clause. But why did they not mention that it should be only in cases of invasion? But that was not the reason, in my humble opinion. I fear it was a combination against our liberties. I ask, when we give them the purse in one hand and the sword in the other, what power have we left? It will lead to an aristocratical government and establish tyranny over us. We are freemen, and we ought to have the privileges of such.

Governor JOHNSTON. Mr. Chairman, I do not impute any impure intentions to the gentlemen who formed this Constitution. I think it unwarrantable in anyone to do it. I believe that were there 20 conventions appointed, and as many constitutions formed, we never could get men more able and disinterested than those who formed this; nor a constitution less exceptionable than that which is now before you. I am not apprehensive that this article will be attended with all the fatal consequences which the gentlemen conceives. I conceive that Congress can have no other power than the States had. The States, with regard to elections, must be governed by the articles of the Constitution; so must Congress. But I believe the power, as it now stands, is unnecessary. I should be perfectly satisfied with it in the mode recommended by the worthy member on my right hand. Although I should be extremely cautious to adopt any constitution that would endanger the rights and privileges of the people, I have no fear in adopting this Constitution, and then proposing amendments. I feel as much attachment to the rights and privileges of my country as any man in it; and if I thought anything in this Constitution tended to abridge these rights, I would not agree to it. I cannot conceive that this is the case. I have not the least doubt but it will be adopted by a very great majority of the States.

For States who have been as jealous of their liberties as any in the world have adopted it, and they are some of the most powerful States. We shall have the assent of all the States in getting amendments. Some gentlemen have apprehensions that Congress will immediately conspire to destroy the liberties of their country. The men of whom Congress will consist are to be chosen from among ourselves. They will be in the same situation with us. They are to be bone of our bone and flesh of our flesh. They cannot injure us without injuring themselves. I have no doubt but we shall choose the best men in the community. Should different men be appointed, they are sufficiently responsible. I therefore think that no danger is to be apprehended.

Mr. MCDOWELL. Mr. Chairman, I have the highest esteem for the gentleman who spoke last. He has amused us with the fine characters of those who formed that government. Some were good, but some were very imperious, aristocratical, despotic, and monarchial. If parts of it are extremely good, other parts are very bad.

The freedom of election is one of the greatest securities we have for our liberty and privileges. It was supposed by the members from Edenton, that the control over elections was only given to Congress to be used in case of invasion. I differ from him. That could not have been their intention, otherwise they could have expressed it. But, sir, it points forward to the time when there will be no State legislatures—to the consolidation of all the States. The States will be kept up as boards of elections. I think the same men could make a better constitution; for good government is not the work of a short time. They only had their own wisdom. Were they to go now they would have the wisdom of the United States. Every gentleman who must reflect on this must see it. The adoption of several other States is urged. I hope every gentleman stands for himself, will act according to his own judgment, and will pay no respect to the adoption by the other States. It may embarrass us in some political difficulties, but let us attend to the interest of our constituents.

Mr. Iredell answered, that he stated the case of invasion as only one reason out of many for giving the ultimate control over elections to Congress. I read further:

Mr. DAVIE. Mr. Chairman, a consolidation of the States is said by some gentlemen to have been intended. They insinuate that this was the cause of their giving this power of elections. If there were any seeds in this Constitution which might, one day, produce a consolidation it would, sir, with me, be an insuperable objection. I am so perfectly convinced that so extensive a country as this can never be managed by one consolidated government. The Federal Convention were as well convinced as the Members of this House, and the State governments were absolutely necessary to the existence of the Federal Government. They considered them as the great mass pillars on which this political fabric was to be extended and supported; and were fully persuaded that, when they were removed, or should molder down by time, the General Government must tumble into ruin. A very little reflection will show that no department of it can exist without the State governments.

Let us begin with the House of Representatives. Who are to vote for the Federal Representatives? Those who vote for the State representatives. If the State government vanishes, the General Government must vanish also. This is the foundation on which this Government was raised, and without which it cannot possibly exist.

The next department is the Senate. How is it formed? By the States themselves. Do they not choose them? Are they not created by them? And will they not have the interest of the States particularly at heart? The States, sir, can put a final period to the Government, as was observed by a gentleman who thought this power over elections unnecessary. If the State legislatures think proper, they may refuse to choose Senators, and the Government must be destroyed.

Is not this Government a nerveless mass a dead carcass, without the Executive power? Let your representatives be the most vicious demons that ever existed; let them plot against the liberties of America; let them conspire against its happiness—all their machinations will not avail if not put in execution. By whom are their laws and projects to be executed? By the President. How is he created? By electors appointed by the people under the direction of the legislatures—by a union of the interest of the people and the State governments. The State governments can put a veto, at any time, on the General Government, by ceasing to continue the Executive power. Admitting the Representatives or Senators could make corrupt laws, they can neither execute them themselves, nor appoint the Executive. Now, sir, I think it must be clear to every candid mind, that no part of this Government can be continued after the State governments lose their existence, or even their present forms. It may also be easily proved that all Federal governments possess an inherent weakness, which continually tends to their destruction. It is to be lamented that all governments of a federal nature have been short lived.

Such was the fate of the Achaean League, the amphictyonic council and other ancient confederacies; and this opinion is confirmed

by the uniform testimony of all history. There are instances in Europe of confederacies subsisting a considerable time; but their duration must be attributed to circumstances exterior to their government. The Germanic confederacy would not exist a moment, were it not for fear of the surrounding powers, and the interest of the Emperor. The history of this confederacy is but a series of factions, dissensions, bloodshed, and civil war. The confederacies of the Swiss, and United Netherlands, would long ago have been destroyed, from their imbecility, had it not been for the fear, and even the policy, of the bordering nations. It is impossible to construct such a government in such a manner as to give it any probable longevity.

But, sir, there is an excellent principle in this proposed plan of federal government, which none of these confederacies had, and to the want of which, in a great measure, their imperfections may be justly attributed—I mean the principle of representation. I hope that, by the agency of this principle, if it be not immortal, it will at least be long lived. I thought it necessary to say this much to detect the futility of that unwarranted suggestion, that we are to be swallowed up by a great consolidated government. Every part of this Federal Government is dependent on the constitution of State legislatures for its existence. The whole, sir, can never swallow up its parts. The gentleman from Edenton, Mr. Iredell, has pointed out the reasons of giving this control over elections to Congress, the principle of which was, to prevent a dissolution of the Government by designing States. If all the States were equally possessed of absolute power over their elections, without any control of Congress, danger might be justly apprehended where one State possesses as much territory as four or five others; and some of them, being thinly peopled now, will daily become more numerous and formidable. Without this control in Congress, those large States might successfully combine to destroy the General Government. It was therefore necessary to control any combination of this kind.

Another principal reason was, that it would operate in favor of the people, against the ambitious designs of the Federal Senate. I will illustrate this by matter of fact. The history of the little State of Rhode Island is well known. An abandoned faction have seized on the reins of government, and frequently refused to have any representation in Congress. If Congress had the power of making the law of elections operate throughout the United States, no State could withdraw itself from the national councils without the consent of a majority of the Members of Congress. Had this been the case, that trifling State would not have withheld its representation. What once happened may happen again; and it was necessary to give Congress this power, to keep the Government in full operation.

This being a Federal Government, and involving the interest of several States, and some acts requiring the assent of more than a majority, they ought to be able to keep their representation full. It would have been a solecism, to have a government without any means of self-preservation. The confederation is the only instance of a government without such means, and is a nerveless system, as inadequate to every purpose of government as it is to the security of the liberties of the people of America. When the councils of America have this power over elections, they can, in spite of any faction in any particular State, give the people a representation. Uniformity in matters of election is also of the greatest consequence. They ought all to be judged by the same law and the same principles, and not to be different in one State from what they are in another. At present, the manner of electing is different in different States. Some elect by ballot, and others viva voce. It will be more convenient to have the manner uniform in all the States. I shall now answer some observations made by the gentleman from Mecklenburg. He has stated that this power over elections gave to Congress power to lengthen the time for which they were elected. Let us read this clause coolly, all prejudice aside, and determine whether this construction be warrantable. This clause runs thus: The times, places, manner, of holding elections for Senators and Representatives, shall be prescribed in each State by the legislature thereof; but the Congress may at any time, by law, make or alter such regulations, except as to the place of choosing Senators. I take it as a fundamental principle, which is beyond reach of the general or individual governments to alter, that the Representatives shall be chosen every second year, and that the tenure of their office shall be for 2 years; that Senators be chosen every sixth year, and that the tenure of their office be for 6 years. I take it also as a principle, that the electors of the most numerous branch of the State legislatures are to elect the Federal Representatives.

Congress has ultimately no power over elections, but what is primarily given to the State legislatures. If Congress had the power of prolonging the time, and so forth, as gentlemen observe, the same powers must be completely vested in the State legislatures.

I call upon every gentleman candidly to declare, whether the State legislatures have the power of altering the time of elections for Representatives from 2 to 4 years, or Senators from 6 to 12; and whether they have the power to require any other qualifications than those of the most numerous branch of the State legislatures; and also whether they have any other power over the manner of elections, any more than the the mere mode of the act of choosing; or whether they shall be held by sheriffs, as contradistinguished from any other officer; or whether they shall be by votes, as contradistinguished from ballots, or any other way. If gentlemen will pay attention, they will find that, in the latter part of this clause, Congress has no power but what was given to the States in the part of the same clause. They may alter the manner of holding the election, but cannot alter the tenure of their office. They cannot alter the nature of elections; for it is established, as fundamental principles, that the electors of the most numerous branch of the State legislature shall elect the Federal Representatives, and that the tenure of their office shall be for 2 years; and likewise, that the Senators shall be elected by the legislatures, and that the tenure of their office shall be for 6 years. When gentlemen view the clause accurately, and see that Congress have only the same power which was in the State legislature, they will not be alarmed. The learned doctor on my right, Mr. Spencer, has also said that Congress might lengthen the time of elections. I am willing to appeal grammatical construction and punctuation. Let me read this, as it stands on paper.

Here he read the clause different ways expressing the same sense:

Here, in the first part of the clause, this power over elections is given to the States, and in the latter part the same power is given to Congress, and extending only to the time of holding, the place of holding, and the manner of holding the elections. Is this not the plain, literal, and grammatical construction of the clause? Is it possible to put any other construction on it, without departing from the natural order, and without deviating from the general meaning of the words, and every rule of grammatical construction? Twist it, torture it, as you may, sir, it is impossible to fix a different sense upon it. The worthy gentleman from New Hanover, whose ardor for the liberty of his country I wish never to be damped, has insinuated that high characters might influence the members on this occasion. I declare, for my own part, I wish every man to be guided by his own conscience and understanding, and by nothing else. Every man has not been bred a politician, nor studied the science of government; yet, when a subject is explained, if the mind is unwarped by prejudice, and not in the leading strings of other people, gentlemen will do what is right. Were this the case, I would risk my salvation on a right decision. (Elliott IV, supra, p. 50.)

Note particularly what Mr. Davie said:

They cannot alter the nature of the elections; for it is established as fundamental principles, that the electors of the most numerous branch of the State legislature shall elect the Federal Representatives.

Continuing with Mr. Davie's remarks:

This clause, sir, has been the occasion of much groundless alarm and has been the favorite theme of declamation out of doors. I now call upon the gentlemen of the opposition to show that it contains the mischiefs with which they have alarmed and agitated the public mind, and I defy them to support the construction they have put upon it by one single plausible reason.

The gentleman from New Hanover has said, in objection to this clause, that Congress may appoint the most inconvenient place in the most inconvenient district, and make the manner of election so oppressive as entirely to destroy representation. If this is considered as possible, he should also reflect that the State legislatures may do the same thing. But this can never happen, sir, until the whole mass of the people become corrupt, when all parchment securities will be of little service. Does that gentleman or any other gentleman who has the smallest acquaintance with human nature or the spirit of America suppose that the people will passively relinquish privileges or suffer the usurpation of powers unwarranted by the Constitution? Does not the right of electing Representatives revert to the people every second year? There is nothing in this clause that can impede or destroy this reversion; and although the particular time of year, the particular place in a county or a district, or the particular mode in which elections are to be held, as whether by vote or ballot, be left to Congress to direct, yet this can never deprive the people of the rights or privilege of election. He has also added that the democratical branch was in danger from this clause; and with some other gentlemen took it for granted that an aristocracy must arise out of the General Government. This, I take it, from the very nature of the thing, can never happen. Aristocracies grow out of the combination of a few powerful families, where the country or people upon which they are to operate are immediately under their influence, whereas the interest and influence of this Government are too weak and too much diffused ever to bring about such an event. The confidence of the people, acquired by a wise and virtuous conduct, is the only influence the members of the Federal Government can ever have. When aristocracies are formed, they will arise within the individual States. It is, therefore, absolutely necessary that Congress should have a constitutional power to give the people at large a representation in the Government in order to break and control such dangerous combinations. Let gentlemen show when and how this aristocracy they talk of is to arise out of this Constitution. Are the first members to perpetuate themselves? Is the Constitution to be attacked by such absurd assertions as these, and charged with defects

with which it has no possible connection? (Elliott IV, supra, p. 66.)

Mr. Maclaine said:

Mr. Chairman, I thought it very extraordinary that the gentleman who was last on the floor should say that Congress could do what they please with respect to elections, and be warranted by this clause. The gentleman from Halifax, Mr. Davie, has put that construction upon it which reason and commonsense will put upon it. Lawyers will often differ on a point of view, but people will seldom differ about so very plain a thing as this (Elliott IV, supra, pp. 68, 69).

Mr. ERVIN. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. ERVIN. Is the Senator aware of the fact that the Supreme Court of the United States has upheld the literacy test in North Carolina and the literacy test in Mississippi, and that the circuit court of appeals for the Senator's circuit has upheld the literacy test prescribed by the law of Louisiana and the Supreme Court of the United States has refused to grant certiorari to review that decision?

Mr. ELLENDER. I am aware of it.

Mr. ERVIN. The Senator is aware, is he not, that under the first section of the third article of the Constitution all of the judicial power of the United States is vested in the Federal courts?

Mr. ELLENDER. The Senator is correct.

Mr. ERVIN. And the Senator is also aware, is he not, that under the first article of the Constitution all of the legislative power is vested in the Congress, and Congress has no power except the legislative power?

Mr. ELLENDER. That is correct.

Mr. ERVIN. I will ask the Senator from Louisiana if he agrees with me in this analysis of the three bills which undertake to nullify, by simple legislative action, the literacy tests of all the States and to substitute a Federal standard in lieu thereof; namely, these bills say, in effect, that although the Federal courts, which possess the judicial power of the United States, have adjudged that the State literacy tests represent a constitutional exercise of the power of the States which adopted them, and although the Federal courts, which possess all of the judicial power of the United States, have expressly held that these literacy tests do not violate the 14th or 15th or 19th amendment——

Mr. ELLENDER. Or any article of the Constitution.

Mr. ERVIN. Nevertheless, according to the proposal, Congress, by a simple legislative act, has the power to say that the Federal courts were all at sea on this subject, and that these literacy tests are all unconstitutional, notwithstanding the decisions of the Federal courts to the contrary?

Mr. ELLENDER. It is a great pity that those who are assembled in the Senate do not consider those decisions, particularly if any effort is to be made to have the Congress apply the sixth grade literacy test to which the Senator refers.

I have often said that when any issue becomes involved in politics, those dealing with it seem to lose their sense of reason, irrespective of what the courts have had to say on the provision. There is no question that the matter has been settled by the highest law of the land, by the Court, yet in the face of that there are people who desire to keep the pot boiling by offering various things which they term "civil rights."

I have been in the Senate for 26 years, and I do not know of a session in which the Congress was not faced with some kind of a civil rights proposal. As I said the other day, if only the laws on the statute books, both State and Federal, were enforced, there are now plenty of laws—all that are necessary—to permit Negroes, or in fact anybody who is qualified, to vote in any State in this Union.

Mr. ERVIN. Does the Senator agree with me in the observation which I made last week, that there are more laws on the Federal statute books to enforce the rights of all qualified citizens to vote than there are laws of any other subject?

Mr. ELLENDER. There is no doubt about that. Notwithstanding that fact, there are people in politics who wish to make a little hay while the sun shines, so that they can get the folks back home stirred up, so that they will vote for them. They offer these acts, and they are all called civil rights acts. Why they are called that I do not know, but that is what they are termed.

I cannot understand that, particularly when it is asked that the Congress act by passing a law rather than through a proposed constitutional amendment. I believe those people know, deep down, such a procedure is not constitutional.

These questions have been passed upon. Notwithstanding that, as I said, certain people like to come to Congress and keep things stirred up, so that back home their constituents may rally behind them, to reelect them at the next election.

Mr. ERVIN. Does the Senator agree with me in the conviction that section 2 of article I of the Constitution is one of the simplest provisions in the entire Constitution and that it would be almost impossible for any person to imagine a clearer way to say that the only persons who shall be eligible to vote for Senators and Representatives in Congress are those who are eligible to vote for members of the most numerous branch of the State legislature of the State in which the election is to be held?

Mr. ELLENDER. Not only that, but the courts have passed on the issue very often. I have been reading, for the past hour, speeches made by members of the Convention which drafted our present Constitution, in which they put on the language the same interpretation as we are putting on today. Those speeches were made in 1788, soon after the Constitution was adopted. There is no question that we are on solid ground and that the right to prescribe the qualifications for voting is something left to the States. There is no doubt about that. There never has been any doubt in my mind.

Still, as I say, there are a lot of people who like to keep the pot boiling back home, who bring in various proposals trying to change this and that, though deep down they ought to know, as the Senator has pointed out, there are enough laws on the statute books now and that the laws, if enforced, would carry out what they seek to do.

Mr. President, I continue reading the discussion which took place in the various State conventions when the Constitution was finally adopted by the States:

Mr. STEELE. Mr. Chairman, the gentleman has said that the five Representatives which this State shall be entitled to send to the General Government, will go from the seashore. What reason has he to say they will go from the seashore? The time, place, and manner of holding elections are to be prescribed by the legislatures. Our legislature is to regulate the first election, at any event. They will regulate it as they think proper. They may, and most probably will, lay the State off into districts. Who are to vote for them? Every man who has a right to vote for a representative to our legislature will ever have a right to vote for a Representative to the General Government. Does it not expressly provide that the electors in each State shall have the qualifications requisite for the most numerous branch of the State legislature?

That conforms to the question just asked by my good friend from North Carolina. This is a colloquy which took place over 160 years ago.

Can they, without a most manifest violation of the Constitution, alter the qualifications of the electors? The power over the manner of elections does not include that of saying who shall vote: The Constitution expressly states the qualifications which entitle a man to vote for a State representative. It is, then, clearly and indubitably fixed and determined who shall be the electors; and the power over the manner only enables them to determine how these electors shall elect—whether by ballot, or by vote, or by any other way. Is it not a maxim of universal jurisprudence, of reason and commonsense that an instrument or deed of writing shall be so construed as to give validity to all parts of it, if it can be done without involving any absurdity? By construing it in the plain obvious way I have mentioned, all parts will be valid (Elliott, 4 supra, p. 71).

These words should be italicized and underscored in our minds. They state absolutely, that under the Constitution as written, Congress can never constitutionally regulate the qualifications of electors. I agree wholeheartedly with Mr. Steele's interpretation of article I of our Constitution. Yet in spite of this clear and unequivocal reservation to the States of the right to fix the qualifications of electors, the Congress has been besieged in recent years with proposals to supplant the States and place this power in the hands of the Federal Government. The proposal to abolish State poll-tax requirements is one example of the legislation I refer to. Certainly our Founding Fathers had no intention of having the States' judgment as to what qualifications an elector should have superseded by the judgment of the Federal Government.

I believe I have quoted sufficiently from the statements of those who took an active part in drafting the Constitution, and in having it ratified by the Thirteen Colonies, to refute any arguments to the contrary. The right of the States to restrict suffrage to freeholders,

or to deny suffrage to persons who had been convicted of crimes, and so forth, was never disputed; therefore, I ask, how could the Congress today pass legislation abolishing the poll-tax requirements of certain States, without doing violence not only to the express language of the Constitution, but to the obvious and clearly enunciated wishes of our Founding Fathers? Likewise, Mr. President, how can we now, today, be contemplating the enactment of the right to vote bill presently before us, which would enable the Attorney General to disregard State laws establishing administrative remedies for assuring all qualified persons of the right to vote? Can Senators not see that this provision, when coupled with the provision for Federal injunctive powers also found in the pending measure, will result in the Federal judge who grants the injunction substituting his judgment—that is, the judgment of the Federal Government—for the judgment of the registrar of voters or other State or local election officer; that is, the judgment of the State government, as to the qualification of the voter? Is this not a clear violation of the constitutional requirement in article I, section 2, that the States shall establish the qualifications of electors?

I may be a little off the ground in the last statement I made, but I do not anticipate that the proposed amendment to the pending bill that will be offered by the Senator from Florida [Mr. HOLLAND] will be the only amendment. Others will come. As I told my good friend from Florida, if assurance could be given that there would be no more civil rights measures related to voting, and we could lay down our oars if his amendment were agreed to, I would cheerfully join hands with him. But there seems to be no end to the proposals. No matter what we do, we are always confronted with more and more civil rights measures. So far as I am concerned, I will stand by the Constitution and the methods with which we have lived for the past 170 years.

Now, Mr. President, reverting to the debates surrounding the ratification of the Constitution, we find that the North Carolina convention suggested the following amendment:

That Congress shall not alter, modify or interfere in the time, places, or manner of holding elections for Senators and Representatives, or either of them, except when the legislature of any State shall neglect, refuse or be disabled by invasion or rebellion to prescribe the same. (See Elliott, 4, supra, p. 249.)

The convention adjourned August 4, 1788.

On May 29, 1790, Rhode Island ratified the Constitution, and listed a number of proposed amendments; among these was:

That Congress shall not alter, modify, or interfere in, the times, places, or manner, of holding elections for Senators and Representatives, or either of them, except when the legislature of any State shall neglect, refuse, or be disabled, by invasion or rebellion to prescribe the same, or in case when the provision made by the State is so imperfect as that no consequent election is had, and then only until the legislature of such State shall make provision in the premises. (Elliott, I, supra, p. 336, amendment II.)

I turn now to examine the amendments to our Federal Constitution as they affect section 2 of article I which says, again, that the electors of Representatives to Congress shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

Some amendments have affected suffrage problems. I shall list first the amendments and then discuss them.

Section 2 of article XIV says that as to any State which denies the right to vote to any male citizen over 21 years of age except for participation in rebellion, or other crime, the basis of representation therein shall be proportionately reduced. This regulation in itself recognizes the right of the State to deny such right if it wishes.

Article XV, which deals with Negro suffrage, is as follows:

SECTION 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

SEC. 2. The Congress shall have power to enforce this article by appropriate legislation." (Proposed by Congress on February 26, 1869 (915 Stat. L. 346), and ratified by three-fourths of the States by February 3, 1870.)

Article XVII, election of Senators:

The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for 6 years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

When vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election to fill such vacancies: *Provided*, That the legislature of any State may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct.

This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution.

Article XIX, woman's suffrage:

SEC. 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex.

SEC. 2. Congress shall have power to enforce this article by appropriate legislation. (Proposed by Congress June 5, 1919 (41 Stat. L. 362), and ratified by three-fourths of the States by August 26, 1920.)

Article XV, as we all know, came on the heels of the Civil War, and as a result thereof. It is rather significant, to my mind, that even at that time Congress made no attempt to interfere by legislation with the right of the States to establish qualifications of electors, and recognized that an amendment to the Constitution was the only method of modifying or limiting that right constitutionally. That is, with the Civil War a recent memory, and the subject of former slavery still a bitter topic, with the abolitionists riding high and the victorious North contending only with carpetbag governments of the worst type in the as yet unreconstructed South, Congress still knew its limitations sufficiently to realize that the qualifications of electors had been left to the State government entirely by the Constitution and the only way to vary such qualifications or affect them at all was to amend the instrument. The amendment itself is specifically self-limiting in scope and leaves the rest of the field in the State's hands.

Though the sovereignty is in the people, as a practical fact it resides in those persons who by the constitution of the State are permitted to exercise the elective franchise. The whole subject of the regulations of elections, including the prescribing of qualifications for suffrage, is left by the National Constitution to the several States, except as it is provided by that instrument that the electors for representatives in Congress shall have the qualifications requisite for electors of the most numerous branch of the State legislature, and as the 15th amendment forbids denying to citizens the right to vote on account of race, color, or previous condition of servitude. Participation in the elective franchise is a privilege rather than a right, and it is granted or denied on grounds of general policy; the prevailing view being that it should be as general as possible consistent with the public safety. Aliens are generally excluded, though in some States they are allowed to vote after residence for a specified period, provided they have declared their intention to become citizens in the manner prescribed by law. The 15th amendment, it will be seen, does not forbid denying the franchise to citizens except upon certain specified grounds and it is a matter of public history that its purpose was to prevent discriminations in this regard as against persons of African descent (Cooley, Constitutional Limitations, p. 752).

While I shall discuss later some decisions on the subject of the 15th amendment, and also shall go into detail on the State constitutions, I should like here to quote a general statement concerning conditions between 1812 and 1867 concerning the Negro vote:

Race: Increasing race prejudice had well nigh eliminated the Negro as an elector. All but six States had written "white" in their constitutions: Massachusetts, New Hampshire, Vermont, Rhode Island, Maine, and New York. However, in the latter State, in order to vote, the Negro must own $250 worth of property on which he had paid the taxes and reside in the Commonwealth "2 years longer than was required of a white man." It is alleged that public opinion was so averse to his voting even in the New England States that the Negro was kept away from the polls in all but two. Chancellor Kent says that the Negro really voted in Maine alone. At least it is a significant fact that New Hampshire (1857) and Vermont (1858) found it necessary to enact laws that Negroes should not be excluded from the polls. Therefore, it fell out that just before the Negro was to have suffrage granted him as a special favor by the 15th amendment he was kept from the exercise of the elective franchise most completely. The aforesaid amendment was revolutionary in more ways than one; it struck the word "white" from the constitutions of over 30 States. As an indication of what was to become a local, though intensely bitter race and suffrage problem about the middle of the following period, note that Oregon in 1857 disfranchised Chinese. Yet the general race test disappeared (McCulloch, Suffrage and Its Problems, p 47).

Speaking of the period immediately following the Civil War, McCulloch says:

Period of problems: This period inherited three growing problems: The question of

Negro suffrage, deadlocked in the preceding period, at once became paramount as a postwar measure; the agitation for woman suffrage, stilled during the time of civil strife, was renewed by its zealous advocates; the tendency to allow aliens to vote, on mere declarations of intent to become citizens was increased notably. During the epoch some sort of solution is attempted for each of these problems.

At the outset of the period the elective franchise was secured for the Negro by constitutional amendment. The 13th amendment had made him a man instead of a chattel. The 14th amendment conferred citizenship upon him and incidentally endeavored to insure the ballot to him by providing that when any male citizens over 21 years of age were excluded from the elective franchise (except for crime) the basis of representation of said State in Congress should be proportionately reduced. This incidental treatment of the problem of Negro suffrage not promising satisfactory results, more direct and drastic means were found. The 15th amendment (1870) provided that the right of citizens of the United States to vote shall not be denied or abridged on account of race, color, or previous condition of servitude. Therefore, the out and out race test for suffrage was displaced irrevocably. However, it should be noted that suffrage was still a Commonwealth matter. The United States, through congressional action or court decision could interfere in questions affecting the elective franchise only when the provisions of the 14th and 15th amendments were violated. (McCulloch, supra, pp. 51 and 52.)

In the struggle to preserve the Union, which incidentally freed the slaves, the North experienced at least a partial change of sentiment. Especially as the difficult work of reconstruction wore on, the expedient of giving the newly made freemen the ballot gained ground. Yet even in 1865 the Republican Party was opposed to the extension of the franchise to the Negroes. Neither Lincoln nor Johnson proposed such a measure. But finally Sumner's plan prevailed as a party policy. Argument: The Negro was still in subjection, while the South had been freed from slavery; the ballot would make him free indeed. In fact at that time, it seemed to be a choice between maintaining an army at the South or securing the ballot for the Negro; the latter was regarded as the lesser of two evils. The weapon proved a boomerang. (McCulloch, supra, pp. 80 and 81.)

The radical Republicans insisted on the Negro becoming an elector in the South, while he was disfranchised in the vast majority of the Northern Commonwealths. The North threw theories and prejudices to the winds and sought to find a practical solution of the vexing question, "What to do with the Negro?" The 13th amendment destroyed slavery; the 14th made the Negro a citizen, but not a voter. Finally the 15th sought to secure the elective franchise for and to him, in spite of race prejudice and existing adverse and discouraging conditions. Shellenbarger, who proposed a substitute prohibiting any disfranchisement of males 21 years of age, except for crime, pointed out that this amendment would suggest other disqualifying tests than race, color, and so forth. Subsequent events have shown that this desperate expedient was futile. While the amendment secured temporarily the widest extension of the elective franchise to the Negro, it was extreme and unwise.

What was secured for the Negro by the 15th amendment? It did not confer suffrage upon him nor upon anyone. The States were still left wide latitude aside from its inhibitions. It merely prevented discrimination on account of race, color, or previous condition of servitude. However, it has been held to confer suffrage indirectly; in extending the franchise to any class of inhabitants, Negroes may not be excluded. To secure a decision under the 15th amendment it has been held that the indictment must specify that the elector was excluded because he was a Negro—just such an inference is not sufficient. While power is conferred upon Congress to legislate upon the subject of Commonwealth elections, this may not be done except when an otherwise qualified voter is denied that privilege because of race, color, or previous condition of servitude. Hence, the redress formerly secured by this amendment was not so sweeping as would at first appear.

The suffrage issue was injected into a Mississippi case, but the Supreme Court upheld the decisions of the State court; while in a Virginia contention the Court refused to assume jurisdiction. The decision in the case of an Alabama Negro, wherein it was held by the Supreme Court that that tribunal did not have jurisdiction, maintained that the offense, and hence a remedy, was political rather than judicial. The inference was that recourse must be had through Congress acting under the 14th amendment. There has been little likelihood of such action. However, the recent decision declaring the Oklahoma grandfather clause unconstitutional is a departure from precedent. It would seem that the 15th amendment is to become more effective. The disappearance of shifty and temporary expedients, used under the guise of legality to disfranchise the Negro in the South should be welcomed. Even the South seems to accept this view of this matter.

Mr. STENNIS. Mr. President, will the Senator yield for a question?

Mr. ELLENDER. I yield for a question.

Mr. STENNIS. The Senator's speech has covered many major points in a wide field. I should like to have his opinion on one subject which I think is fundamental. The Senator is familiar with the provisions he has so ably discussed concerning the mandate of the Federal Constitution itself that the States shall select and pass upon the qualifications of electors, and that the Constitution prescribes that they shall be the same as those for the most numerous branch of the State legislature. Does not the Senator think, from his knowledge of history and the Constitutional Convention, that this salient feature was one of the principal so-called compromise agreements which really led to the adoption of the Constitution itself?

Mr. ELLENDER. There is no doubt at all in my mind, as I have read the debates at the Convention and the debates which took place at all the State conventions with reference to the ratification of the Constitution, that that was one of the main items discussed. The Senator is exactly correct in saying that except for the fact that the States themselves retained the right and the power to decide who shall or shall not vote, and to spell out the qualifications, the Federal Constitution would never have been adopted. There is no dispute about that.

Mr. STENNIS. Is it not true that that is the basic reason, reinforced by the fact that that principle had always been brought forward in connection with this subject matter?

Mr. ELLENDER. That is correct.

Mr. STENNIS. Is not that the basic reason why the Constitution, certainly in spirit as well as in fact, is a compact and, except under the most extreme conditions, politically sacred ground, so to speak, and should not be disturbed?

Mr. ELLENDER. The Senator is correct. As I pointed out in response to the questions asked by the distinguished Senator from North Carolina [Mr. ERVIN], some Members of Congress like to use civil rights as a means of inducing the people back home to vote for them. In other words, they use civil rights as a means of showing that they are trying to do something for certain minority groups as a means of attracting their votes.

I have been a Member of the Senate for more than a quarter of a century. Never have I attended a session of Congress when we did not have some so-called civil rights legislation to contend with. All such measures are presented by some Members to excite the folks back home. It occurs to me that if all the laws which have been passed by Congress on the subject of the electorate of the States were enforced, there would be no need of any further so-called civil rights legislation.

Mr. STENNIS. The Senator's State has seen fit, under its power to prescribe qualifications for voters, to change its law, and no longer has a poll tax. From his many years of public service, both here and in his home State, does not the Senator believe it is a basic principle of our dual system of government that this question should be left to each State for its own decision, rather than to have the other States, by a constitutional amendment, simply sweep the others off the board, contrary to the wishes of their people?

Mr. ELLENDER. The Senator is correct. Only five States have not taken such action. Every State must pass upon this question and decide whether it wants a poll tax or not; whether it wants to have its people know how to read or write or to own property if they have the privilege of voting. The right to spell out qualifications for voters or electors has always been left to the State, and I hope it will remain there.

Mr. STENNIS. Another illustration is that one great State, New York, requires its voters to be able to read the English language. Even if the Senator from Louisiana did not agree with that requirement as being a sound measure, would it not shock him to think of trying to impose his will on the State of New York and make that State change its requirement anyway?

Mr. ELLENDER. I would not impose it on New York.

(At this point Mr. SMITH of Massachusetts took the chair as Presiding Officer.)

BIRTHDAY CONGRATULATIONS TO SENATOR SMITH OF MASSACHUSETTS

Mr. MANSFIELD. Mr. President, I think it is time that the Senate was made aware of the fact that the present Presiding Officer of the Senate, the distinguished Senator from Massachusetts [Mr. SMITH], is 46 years old today. I wish to extend my congratulations to this young man. In my opinion, since his term of service began in this body, he has been one of its outstanding Members.

I have said before, and I say again, that I myself feel very regretful that the junior Senator from Massachusetts will leave the Senate next year and will no longer be with us. He has made an outstanding record in this body. He has been a conscientious, a diligent, a cooperative, and an understanding Senator. I hope that when he leaves us, it will be with the proviso that on occasion he will return to visit us. I am sure he knows that he will always be welcome in this body. The floor will always be his whenever he wishes to see us.

Mr. MILLER. Mr. President, I am more than pleased to join with the distinguished majority leader in wishing the present Presiding Officer of the Senate a happy birthday. I am proud to join my own wishes with the many others he will receive today.

WITHDRAWAL OF SOVIET FORCES STATIONED IN LATVIA, LITHUANIA, AND ESTONIA—CONCURRENT RESOLUTION

Mr. MILLER. Mr. President, on behalf of the senior Senator from Iowa [Mr. HICKENLOOPER] and myself, I submit for printing and appropriate reference a concurrent resolution calling upon the President of the United States to seek, through the United Nations or otherwise, a withdrawal of Soviet forces stationed in Latvia, Lithuania, and Estonia, and the holding of free elections in those nations, to the end that they may once again live as free, independent, sovereign members of the community of nations.

The PRESIDING OFFICER. The concurrent resolution will be received and appropriately referred.

The concurrent resolution (S. Con. Res. 64), submitted by Mr. MILLER (for himself and Mr. HICKENLOOPER), was received and referred to the Committee on Foreign Relations, as follows:

Resolved by the Senate (the House of Representatives concurring),

Whereas the Charter of the United Nations declares as one of its purposes the development of friendly relations among nations based "on respect for the principle of equal rights and self-determination of peoples"; and

Whereas the Union of the Soviet Socialist Republics has by force suppressed the freedom of the people of Latvia, Lithuania, and Estonia and continues to deny them the right of self-determination by free elections; and

Whereas suppression of the freedom of the peoples of Latvia, Lithuania, and Estonia is an invitation to violence and threatens the peace: Therefore be it

Resolved that it is the sense of the Senate (the House of Representatives concurring), That the President of the United States should seek through the United Nations and otherwise to bring about the withdrawal of Soviet forces stationed in Latvia, Lithuania, and Estonia and the holding of free elections in those nations to the end that they may once again live as free, independent and sovereign members of the community of nations.

Mr. MILLER. Mr. President, several Iowans have written to me, requesting that my colleague and I submit such a concurrent resolution. Among them is the Reverend Simon Morkunas, administrator of St. Casimir's Church, Sioux City, Iowa. I ask unanimous consent that the letter from Father Morkunas be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

ST. CASIMIR'S CHURCH,
Sioux City, Iowa, February 6, 1962.

Hon. JACK MILLER,
Senate Office Building, Washington, D.C.

MY DEAR SENATOR: Whether we like it or not, we must admit, as the facts clearly show, the Soviet communism without any sacrifice on its part has made enormous gains in its efforts to dominate the world. One by one nations are being taken over at the very tip of the noses of the Western powers.

The time has come for the free Western Powers to admit and recognize the fact that Soviet communism has only one essential goal: the complete and total domination of all nations by the Soviets. It is time, therefore, to cease dillydallying and to take positive and concrete steps to stop the ever-increasing menace of communism.

I am taking the liberty of enclosing a resolution which I kindly ask you to introduce in the Senate for passage. I realize it concerns the Baltic nations but it is my conviction that positive and concrete action with regard to the Baltic nations will do much to stop the Soviets from making further gains in their untiring efforts to make the world safe not for democracy but for Soviet communism.

With my sincerest gratitude for your cooperation in this most urgent matter, I remain,

Respectfully yours,
REV. SIMON MORKUNAS,
Administrator.

Mr. MILLER. Mr. President, I think it worthwhile to point out that resolutions relating to the liberation of the Baltic States have previously been submitted at this session of Congress. One is Senate Concurrent Resolution 63, submitted by the distinguished senior Senator from Ohio [Mr. LAUSCHE]. It appears at page 3604 of the RECORD of March 8, 1962.

Another is House Concurrent Resolution 444, which may be found at page 3434 of the RECORD.

Another is House Concurrent Resolution 439, which may be found at page 2966 of the RECORD.

Furthermore, during the 1st session of the 87th Congress, four similar resolutions were submitted. One, Senate Concurrent Resolution 12, was submitted by the distinguished senior Senator from California [Mr. KUCHEL], and may be found in the CONGRESSIONAL RECORD, volume 107, part 2, page 1728.

Another is House Concurrent Resolution 153, which may be found in the CONGRESSIONAL RECORD, volume 107, part 2, page 2036.

Another is House Concurrent Resolution 163, which may be found in the CONGRESSIONAL RECORD, volume 107, part 2, page 2245.

Finally, House Concurrent Resolution 195 may be found in the CONGRESSIONAL RECORD, volume 107, part 3, page 3833.

Also, Representative CHARLES B. HOEVEN, of the Eighth Congressional District of Iowa, has submitted a resolution identical to the one which Senator HICKENLOOPER and I have submitted today.

I believe the substantial interest in resolutions of this nature indicates a strong feeling on the part of many Members of Congress that this is one of many ways in which the free world can seize the offensive from the Communist world. Instead of constantly reacting to every whim and fancy of Mr. Khrushchev and the other leaders of the Kremlin, it is about time that the free world, and the United States in particular, should take the offensive in calling for the freeing of the captive peoples. It seems to me that this is one of the first places to start.

U.S. SUPREME COURT DECISION IN TENNESSEE REAPPORTIONMENT CASE

Mr. MILLER. Mr. President, for some time there has been pending in the Supreme Court of the United States the case of Baker against Carr, a civil action to redress alleged deprivation of Federal constitutional rights because of the failure of the Legislature of Tennessee to reapportion itself since 1901 in accordance with the State's constitution, which requires reapportionment within every 10 years, to reflect the changes in the State's population and relative changes in the populations of the various counties.

Mr. President, today the decision of the Supreme Court of the United States was handed down in the case of Baker against Carr; and it is one of the most important and most timely in the history of the Court. It has given life to an unwritten law which has been incubating under the equal protection clause of the 14th amendment of the Constitution. The unwritten law stands for the proposition that, although the States retain the right to determine how their respective legislatures are to be established and the qualifications for the voters to elect the legislators, a majority of the people should control at least one house of a State legislature. Compromise is the lifeblood of the legislative process, Mr. President. If a majority of the citizens of a State control one house of the legislature, they have the bargaining power to work with a house which represents area or property interests to achieve compromise legislation.

The decision of the Supreme Court in the case of Baker against Carr provides no immediate relief to citizens of a State who have been aggrieved because of the violation of this unwritten law. The Court held that dismissal of the case by the local Federal district court was in error, and remanded it for trial and for the fashioning of such remedy as is appropriate. What is so important is that the Supreme Court will no longer permit the lower courts to agree, as the Federal district court did in this case, that a legislature is in violation of a State constitution, that rights of citizens have been impaired, and that the evil is "a serious one which should be corrected without further delay," but at the same time to dodge the problem by merely saying "the remedy does not lie with the courts."

Mr. President, the unwritten law to which I have referred has remained unwritten because it is only within the last 25 years that population shifts, growth of metropolitan areas, and increased costs of local government have brought about a genuine awareness of its importance. The awareness has been accompanied by frustration. People in the large counties, including many rural residents who live in those counties, see laws passed which they do not want, or bills defeated which they want—by legislatures in neither house of which they have a fair voice. When they have heretofore gone to the courts, they have almost always been told that theirs is a "political" problem, and that they must turn to the legislature for relief. When relief has not been forthcoming, they have had no choice but to turn to the Federal Government. Thus, there has been a steady dilution of the power and viability of the sovereign States; and if it is continued, it could mean destruction of the Republic for which our flag stands and to which we so often pledge our allegiance.

It so happens that the Baker against Carr case involves the failure of the Legislature of Tennessee to reapportion itself in accordance with the Tennessee constitution, which appears to provide for control of at least one house of the legislature by a majority of the people of Tennessee. Further clarification may be required in situations in which the State legislature has carried out reapportionment in accordance with the State constitution, but where the constitution itself prevents apportionment in such a way as to give a majority of the people control of at least one house of the legislature. In such a situation, the citizens of the State have heretofore had no recourse except to seek an amendment to the constitution. Where the State constitution gives the people the initiative, they do have a remedy. But where the citizens do not have the initiative, they must turn to the legislature; and a legislature in which the people control neither house is usually reluctant to initiate a constitutional amendment. The decision of the Supreme Court paves the way for a Federal decision that the constitution of a State itself is violative of the 14th amendment of the Federal Constitution and for appropriate relief to the citizens of that State.

Mr. President, I am pleased to point out that the Iowa Legislature has of its own volition taken positive steps to amend the State constitution in such a manner as to provide for control of one house of the legislature by a majority of the people and to insure prompt reapportionment if the legislature itself fails to act. This action has come about only after much debate, public information programs of civic and farm organizations and of the press, and the hard work of legislators who were statesmen enough to surrender the power which they possessed. I hope that other legislatures will take similar action in the near future, so that the power of the Federal courts will not have to be invoked, and so that the increasing trend toward centralized Federal Government will be reversed.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that further proceedings under the quorum call be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

BYELORUSSIAN INDEPENDENCE DAY

Mr. DIRKSEN. Mr. President, Byelorussian Independence Day is celebrated on the 25th day of March each year. The Byelorussian people gained their independence 44 years ago, but it was short lived because the Communist Soviet Union put the Byelorussians behind the Iron Curtain. These people are in the same position as the people of Lithuania, Estonia, Latvia, Poland, Czechoslovakia, Hungary, Yugoslavia, Albania, Bulgaria, and others who are behind the Iron Curtain and all of them are looking to America and the rest of the free world for moral support and for a ray of hope that some day they may become free.

Mr. President, I have received a letter from Mr. Nikodem Zyznieuski, president of the Byelorussian-American Youth Organization in the State of Illinois, cosigned by the secretary, Mrs. Vera Z. Romuk, which is a very informative paper on the problems created by the Soviet Union to the Byelorussians behind the Iron Curtain. I ask unanimous consent that the letter be made a part of my statement at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

BYELORUSSIAN-AMERICAN
YOUTH ORGANIZATION,
IN THE STATE OF ILLINOIS,
Chicago, Ill., March 19, 1962.

Hon. EVERETT M. DIRKSEN,
U.S. Senate,
Washington, D.C.

OUR DEAR SENATOR DIRKSEN: On Sunday, March 25, falls the 44th anniversary of the Declaration of Independence of Byelorussia and the Americans of Byelorussian descent in Illinois will dedicate this day especially to freedom and democracy of Byelorussia. There will be prayers offered for our Byelorussian kinsmen behind the Iron Curtain and special programs had, particularly here in Chicago, to pay our tribute to once free people.

It is also hoped that the day of March 25 will not pass without notice on the part of our American public and particularly our leaders on the local, State, and National level. We, therefore, would also greatly appreciate your mention of this day in Congress.

The Americans of Byelorussian descent, whose kinsmen are still kept in bondage in their homeland occupied by Soviet Russia, believe that it is our duty not only to revive and demonstrate the hope for freedom which our kinsmen still cherish in their occupied homeland but also to constantly:

1. Remind our own American people in general, and our local, State, and National Governments in particular, that the Byelorussian nation is still subjected to brutality by Communist Russia, to ruthless suppression of its freedom, liquidation of its national independence, destruction of its culture and religion, the genocidal policies practiced against its people with untold losses of human lives, and severance of all contacts with the free world.

2. Inform our American leaders and the public that despite Russia's attempts to eradicate all Byelorussian traditions and national traits, the Byelorussian people were never willing to forgo and forget their distinct national identity, their language, and their history of struggle, and that they have always wanted to regain their freedom and national independence.

3. Appeal to our American leaders to declare their sympathy for the people of Byelorussia and pledge themselves to constantly remind the people of the world, including Russian Communists, that the American people have not forgotten and shall not forget the efforts of the Byelorussian people to gain their rightful place among the free nations of the world.

We also wish to bring to your attention at this time the fact that the American citizens of Byelorussian descent have been greatly disturbed and terrified by the increased inflow of the Communist propaganda in the Byelorussian language not only in the form of printed matter but also by means of radio broadcasts to this continent recently. The newsletter is called the Voice of the Homeland and is aimed at every Byelorussian immigrant in the free world. Its purpose is twofold: To lure the Byelorussian immigrants in the free world by deceitful methods to return to their Communist-occupied homeland and to smear the Byelorussian leaders in the free world so that they would lose support of their kinsmen abroad. As stated below the title of the newsletter, it is published by the Byelorussian section of the Committee for the Return to Homeland and the Development of Cultural Ties Among Byelorussian Kinsmen Abroad. It has been published for the eighth consecutive year upon approval by the Communist Party of the Soviet Union and is a weekly publication, consisting of four pages of the finest grade paper.

We are enclosing copies here, one showing the title of the Byelorussian language newsletter and another, which appears on the last page of this same paper, being always page four, showing time of broadcasts and other pertinent information to Western Europe and the United States and Canada with those in the Byelorussian language circled in red by the undersigned, along with our translation of broadcast information into English. We would greatly appreciate your action along this line either to completely stop the inflow of Communist propaganda to this country in the Byelorussian language or demand that the Russians allow free flow of publications in the Byelorussian language to Byelorussian Soviet Socialist Republic from the free world.

Also, we wish to request you to again renew your inquiries as to the possibility of initiating at the present time Byelorussian language broadcasts over the networks of the Voice of America to counter the Communist propaganda broadcasts directed to the United States and Canada in the Byelorussian language to a small number of Byelorussian immigrants here.

Being of Byelorussian descent, we are deeply concerned because of omission of the Byelorussian language by the Voice of America administration in the past. Inquiries made of the Voice of America administration directly by the Byelorussian-American organizations and by you, Senator DIRKSEN, on behalf of Byelorussian language in recent years have been justified only by lack of funds. It is interesting to note, however, that there are sufficient funds for broadcasts to the Soviet Union in the languages of nationalities much smaller than Byelorussians, as for example, Georgian (spoken by 2.5 million people), Armenian (spoken by 3 million), and the languages of the Baltic Republics of Estonia, Latvia, and Lithuania.

Since the Byelorussian language, which is spoken, according to Soviet official statistics, by 8 million people is still being disregarded by our Government as perhaps unimportant it cannot but lead the Byelorussian-American community to believe that our Government is still opposed to application of the principle of self-determination to Byelorussians, when at the same time this principle is upheld by the U.S. Government and guides its foreign policy.

We further believe that if the Soviet Government is justified to make great efforts and spend huge amounts of money to broadcast only to a small number of Byelorussian immigrants on this continent, that the U.S. Government should be more justified to consider that 8 million Byelorussian people behind the Iron Curtain deserve the confidence of the free world to hear the Voice of America broadcasts in their own language.

Thank you for whatever action you may take with respect to the above matters.

Sincerely yours,

NIKODEM ZYZNIEUSKI,
President.

Mrs. VERA Z. ROMUK,
Secretary.

Mr. DIRKSEN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that further proceedings under the quorum call be suspended.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE JUSTICE DEPARTMENT'S FAILURE TO PROSECUTE COMMUNISTS

Mr. TOWER. Mr. President, there has, of course, been a great deal of discussion on the poll tax issue. I think it is unfortunate that we dwell on a matter of this nature when there are so many important issues that deserve the attention of this body. We have talked a great deal here about the relationship of the poll tax issue to the American Federal system, the constitutional system. I would like to emphasize one aspect of this question, the threat of the Communist Party internally in this country.

Some persons have held that the Communist Party does not constitute much of a threat, that there are only 8,000 or 10,000 members of that party in this country; and, so far as any open advocacy of the Communist faith is concerned, I am sure that not too many Americans would be inclined to follow them. However, they are a small, carefully organized, highly disciplined group, work in very insidious ways, and wield an influence out of all proportion to their numbers. Witness the vast number of Communist front organizations that can be found on the Attorney General's list, and note the large number of people, perhaps most of whom are not Communists, who belong to those groups. So they can deceive well-meaning persons who might conceivably be opinion leaders in the United States.

I notice that the Justice Department has failed to vigorously prosecute Communists in this country. I would like to go into the background of this issue a little.

On September 23, 1950, the Congress of the United States passed, over the veto of the President, the Internal Security Act of 1950, which is popularly known as the McCarran Act, after the late Hon. Pat McCarran, then chairman of the Senate Committee on the Judiciary.

On December 21, 1950, the Senate, by approval of Senate Resolution 366, created the Internal Security Subcommittee of the Committee on the Judiciary and instructed it to "make a complete and continuing study of the administration, operation, and enforcement" of the act, of other laws relating to espionage, sabotage, and the protection of the internal security of the United States, and of the "extent, nature, and effects of subversive activities in the United States."

HISTORICAL BACKGROUND

Mr. President, the law consists of two parts, title I and title II respectively. Title I is known as the Subversive Activities Control Act of 1950 and title II is called the Emergency Detention Act of 1950.

Section 2 of the act sets forth in 15 numbered paragraphs certain findings based on "evidence adduced before the various committees of the Senate and House of Representatives." I shall summarize these findings at this time, and read them verbatim into the RECORD later in this statement, for it was these findings that convinced the Congress of the necessity for legislation.

Congress, found, for example, that "there exists a world Communist movement," consisting of a "worldwide revolutionary movement whose purpose it is, by treachery, deceit, infiltration into other groups—governmental and otherwise—espionage, sabotage, terrorism, and any other means deemed necessary, to establish a Communist totalitarian dictatorship in the countries throughout the world through the medium of a worldwide Communist organization."

The direction and control of this movement was found to be vested in and exercised by the Communist dictatorship of a foreign country, not named in the act, but whose precise identity is well known at this time, as no doubt it was then.

This foreign Communist dictatorship, it was further found, establishes action organizations in various countries, those organizations being part of a worldwide Communist organization and controlled by the foreign dictatorship.

These Communist action organizations seek to bring about the overthrow of existing governments by any available means, including force if necessary and to set up in their stead local Communist dictatorships subservient to the parent dictatorship.

These Communist organizations are organized on a secret, conspiratorial basis and operate to a substantial extent through Communist fronts, which are maintained and used so as to conceal their true character and membership.

The Congress further declared that all of the foregoing findings of fact presented a clear and present danger to the security of the United States and to the existence of free American institutions, and make it necessary, in order to maintain the national status quo, to enact appropriate legislation to prevent the Communist movement from accomplishing its purpose in the United States.

COMMUNIST-ACTION ORGANIZATION

The act defines a "Communist-action organization" as "any organization in the United States," other than one diplomatically accredited, which is "substantially directed, dominated, or controlled by the foreign government or foreign organization controlling the world Communist movement," and which "operates primarily to advance the objectives" of that movement "as referred to in section 2."

COMMUNIST-FRONT ORGANIZATION

A "Communist-front organization" is defined as "any organization in the United States" which is "substantially directed, dominated or controlled by a Communist-action organization" and "is primarily operated for the purpose of giving aid and support to a Communist-action organization, a Communist foreign government, or the world Communist movement."

REGISTRATION REQUIREMENTS

Under the general provisions of this act, each "Communist-action"—7(a)—and "Communist-front"—7(b)—organization in the United States is required to register with the Attorney General of the United States, on a form prescribed by him by regulations, as the one or other type of organization. Registration is to be effected within 30 days after the enactment of the act, or in the case of an organization which becomes registerable after the act passage, within 30 days after becoming registrable. In the case of an organization which does not voluntarily register and which is subsequently ordered to register by the Subversive Activities Control Board, registration must be effected within 30 days after the Board's order becomes final.

THE REGISTRATION STATEMENT

The registration process includes the submission of a registration statement, to be prepared in accordance with regulations, containing certain specified information. The information is to include, first, the name and address of the organization; second, the name, address, title, and duties of each officer of the organization, including each person who has been an officer at any time during the preceding year; third, an accounting of all funds received and spent by the organization during the preceding year, including the sources of the funds and the purposes of the expenditures; fourth, applicable to action organizations only—the name and address of each member of the organization, including each person who has been a member at any time during the preceding year; fifth, any aliases that may ever have been used by any officer or member required to be listed; and, sixth, a list of all printing presses and

other mechanical devices used in printing in the possession or control of the organization, its officers, or members.

REGISTRATION BY INDIVIDUALS

If a Communist-action organization or Communist-front organization should fail to register or to file a registration statement or annual report, as required by section 7, it is the duty of the executive officer and of the secretary of the organization—or the individuals performing the usual duties of such officers—and of such other officers as the Attorney General may by regulations prescribe, to register for the organization or to file the registration statement or annual report, as the case may be.

The act specifies two conditions under which individuals, as members of a Communist-action organization, are required to register personally with the Attorney General. These are: First, if there is in effect a final order of the Board requiring the action organization to register and more than 30 days elapse without compliance, it becomes the duty of each member of the organization to register personally; second, if a Communist-action organization registers but fails to list all the names of its members, each member not on the list, who knows the organization to be registered and to have omitted his name, must himself register within 60 days after obtaining such knowledge. In either case, the individual is required to file a registration statement containing such information as the Attorney General may by regulation prescribe.

The act was amended in 1954 so as to define a third category of Communist organization, the "Communist-infiltrated organization," and to enact various restrictive measures with respect to such groups. Under the act, as amended, Communist-infiltrated organizations are not subject to the registration requirements of the act. They are, however, subject to Board orders determining them to be Communist infiltrated, which orders, when they become final, entail for such groups some of the legal consequences which attach to action and to front groups when registered or directed to register by a final Board order.

ACTION BY ATTORNEY GENERAL

On November 22, 1950, the Attorney General, pursuant to section 13(a) of the act, filed with the Board a petition for an order requiring the Communist Party of the U.S.A. to register as a Communist-action organization. The petition alleged that the party was a Communist-action organization as defined in the act and set forth numerous allegations of fact in support thereof. The Communist Party, U.S.A., on February 14, 1951, filed, under protest, an answer denying generally that it was a Communist-action organization as defined in the act.

Numerous legal proceedings were had over a period of 9 years resolving certain questions, after which the Supreme Court, in its October 1960 term, heard final arguments on the constitutional issues involved.

DEFENSE OF THE COMMUNIST PARTY OF THE UNITED STATES OF AMERICA

In protesting the constitutionality of the act in general and its registration provisions in particular, the Communist Party, U.S.A., contended, in principal part, that the Board hearing and the registration provisions are invalid as violative of the free speech, self-incrimination, and due process clauses of the Constitution.

REPLY BY THE GOVERNMENT

In answer to the above contentions, the Government argued in pertinent part:

First. That the first amendment does not prohibit Congress from requiring registration of, and disclosure of information by, domestic organizations dominated by foreign agencies whose purpose it is to establish a Communist dictatorship in the United States.

Second. That neither the registration provisions of the act, nor the Board's order violated the fifth amendment's prohibition against compulsory self-incrimination.

Third. That the registration provisions are in accord with the due process clause of the 14th amendment.

SUPREME COURT ACTION

The Supreme Court, on June 5, 1961, ruled:

First. That section 7 of the act of 1950, as amended, is not unconstitutional as a bill of attainder, restraint or freedom of speech and association, impairment of the right against self-incrimination, or denial of due process; that is to say, the Constitution does not prohibit the requirement, by the Congress of the United States, that the Communist Party, U.S.A., register with the Attorney General as a Communist-action organization, pursuant to section 7 of the act.

Second. That evidence of consistent, undeviating dedication of the Communist Party, over extended periods of time, to programs of the Communist International and the Soviet Union, justified the findings of the Subversive Activities Control Board that the Communist Party, U.S.A., is substantially directed, dominated or controlled by a foreign government, within the meaning of section 3(3) of the act, even though there is no proof that a foreign government has coercive power to exact compliance.

Third. That the findings of the Board that the Communist Party advocated the overthrow of the Government of the United States by force and violence, if necessary, satisfied the subversive objectives test in sections 2 and 3(3) of the act, even though such finding does not encompass incitement to present use of force.

SUBSEQUENT ACTION

The final order to register, with respect to a designated Communist-action organization, became effective as of October 20, 1961. Since the Supreme Court had specifically designated the Communist Party, U.S.A., as a Communist-action organization, dominated and controlled by the Soviet Union, the party was obliged by law to register as such organization on or before midnight of November 20, 1961, and, upon its failure to do so, its officers were required to register within 10 days thereof, by midnight of November 30, 1961.

The Communist Party, U.S.A., failed to register as required on November 30, 1961. Prior to November 10, 1961, it had notified the Attorney General that its officers decline to execute and file registration form IS–51, or registration statement IS–51(a) on behalf of the party, as required by the act, and specifically stated:

These declinations are made by each officer in the exercise of his privilege under the fifth amendment to the Constitution not to be a witness against himself. The officers have adopted this means of asserting their respective constitutional privileges because a claim of privilege made in the name of an officer would tend to incriminate him and might constitute a waiver of his privilege.

The undersigned and its officers also hereby inform you that it is their conviction that the Communist Party of the United States is not a Communist-action organization.

On behalf of its members, the undersigned also hereby asserts the constitutional privilege of each of them against self-incrimination by the listing of his name as a member of the undersigned or the furnishing of any of the other information called for by forms IS–51 and IS–51a.

A Federal grand jury sitting in the U.S. District Court of the District of Columbia returned an indictment on December 1, 1961, against the Communist Party, U.S.A., charging the party with having failed to register as a Communist-action organization as required by the act. The indictment consists of 12 counts, 1 for each of the 11 days from November 20, 1961, the effective date of the registration order, to December 1, 1961, and 1 other count for its failure to file the required registration statement within 10 days after the failure of the party, as a Communist-action organization, to do so.

The party was arraigned on December 8, 1961, and pled not guilty to all charges contained in the indictment. Upon motion of counsel for the party, the court granted a 30-day stay to permit the filing of appropriate motions. Trial was set for February 1, 1962. It has been postponed.

Mr. President, I have had an exchange of correspondence with the Department of Justice concerning a matter of grave concern to millions of Americans. I am referring to the failure of the Attorney General to vigorously enforce provisions of the Internal Security Act of 1950, as upheld by the Supreme Court.

On February 26 I addressed the following letter to the Attorney General.

DEAR MR. ATTORNEY GENERAL: I have received a number of inquiries from constituents regarding the Department of Justice's failure to prosecute known Communists who did not register in compliance with the Subversive Activities Control Act of 1950. I, too, am curious.

Would you please enlighten me on this matter?

Sincerely yours,

JOHN G. TOWER.

On March 1, I received the following reply to my letter, from J. Walter Yeagley, Assistant Attorney General, Division of Internal Security:

DEAR SENATOR TOWER: Your letter of February 26, 1962, to the Attorney General, relating to the registration of the Communist Party, its officers and members under the Internal Security Act of 1950, has been referred to this Division for reply.

I am enclosing six copies of a statement setting forth in detail the status of the Communist Party case as of February 1, 1962, including the action taken by this Department to enforce the Internal Security Act of 1950.

I trust that this information will prove helpful and if I can be of assistance in connection with any other matter, please do not hesitate to communicate with me.

Sincerely,

J. WALTER YEAGLEY,
Assistant Attorney General.

I should like to read into the RECORD the enclosure referred to by Mr. Yeagley, and then I shall comment on it. It is entitled "Steps Taken by the Department of Justice To Enforce the Provisions of the Internal Security Act in Accordance With the Decision of the Supreme Court in the Communist Party Case, as of February 1, 1962."

Following 10½ years of litigation the Supreme Court on June 5, 1961 upheld the constitutionality of an order of the Subversive Activities Control Board which found the Communist Party to be substantially directed, dominated and controlled by the Soviet Union and required to register with the Attorney General as a Communist action organization pursuant to the provisions of the Internal Security Act of 1950. As a result of the Court's denial of the party's petition for a rehearing the order of the Board became final on October 20. Under the law the Communist Party was required to register with the Attorney General within 30 days and to file a registration statement containing the names and addresses of its officers and members at any time during the preceding year. The party was also required to furnish a complete accounting of its finances and to list all printing presses in possession or control of the party. When the party refused to register by November 20 as required by the law, we presented evidence to a grand jury in the District of Columbia and on December 1, 1961, the Communist Party was indicted in 12 counts, including one count for each of the 11 days it had failed to register and account for its failure to file a registration statement.

The act provides that upon failure of the organization to register, certain officers must register for the organization within 10 days after such default. Thus the officers of the party—responsible for effecting its registration—were required to comply on or before November 30 which they did not do, thereby rendering themselves subject to the criminal liability of the act. The default of both the party and the officers imposed a duty upon current members of the party to register themselves on or before December 20. No member has yet registered with the Department of Justice.

In enforcing the criminal liability of the act against defaulting party members we are compelled to follow a course of procedure entirely different from that now being pursued against the party. Before a member of the party may be prosecuted for failure to register under the act there must be outstanding against him a final order of the Subversive Activities Control Board determining that he is presently a member and required to register. Proceedings before the Subversive Activities Control Board are initiated by the Attorney General filing a petition seeking an order requiring the individual member to register. Proof of such membership would have to be adduced at a public hearing with the constitutional safeguards of confrontation and cross-examination. The act further provides for a fully appellate review before any Board order becomes final. In these circumstances there can be no criminal action against a defaulting member until such time as an order of the Board requiring him to register has been obtained and has become final followed by his noncompliance therewith. Worthy of note with respect to the enforcement procedures against a defaulting member is that criminal proceedings would have to be based upon his failure to comply with the final order of the Board requiring him to register.

I digress at this point from quoting the arguments by the Department of Justice, to point out that the argument just mentioned, concerning the necessary prerequisite for criminal prosecution, is the same argument which was raised by the defense counsel for the Communist Party.

A number of sanctions upon the party's activities and its membership also went into effect when the Board's order requiring registration became final on October 20. These sanctions make it unlawful for the Communist Party or any persons on its behalf to transmit without appropriate labeling through the U.S. mail or by any means or instrumentality of interstate or foreign commerce any publications intended for distribution among two or more persons. The labeling requirement also applies to public utterances on radio or television. In addition, these sanctions prohibit members of the Communist Party from applying for, renewing, using or attempting to use a passport and also from holding a job in a defense facility listed by the Secretary of Defense or any position in the Federal service.

On January 24, 1962, the Department of Justice began the presentation of evidence of violations under the act to an investigative grand jury in the District of Columbia. The objective is to establish that the Worker, the Midweek Worker, and perhaps other publications are being disseminated through the U.S. mails and in interstate and foreign commerce by the Communist Party and persons on its behalf in violation of that provision of the act which requires that such publications be properly labeled as disseminated by a Communist organization. In addition, the grand jury is receiving evidence to determine who the officers of the party have been since November 20, 1961, and to fix the criminal liability of such officers for failing to register the party after its default. Evidence is also being presented to enable the grand jury to determine whether there was an illegal conspiracy to violate the law. Numerous witnesses have already been called before the grand jury and it is anticipated that a great many more will be called before this inquiry is completed.

This unsigned statement was sent to me by the Assistant Attorney General as an enclosure to his letter.

Mr. President, Mr. Yeagley's letter suggests, in effect, that I send my constituents the statement I just read, as an explanation of "steps taken by the Department of Justice to enforce the provisions of the Internal Security Act."

This paper would serve to explain why the Justice Department has or has not been active in prosecuting the Communist Party and its officials under the terms of the 1950 act and the decision of the U.S. Supreme Court June 5, 1961.

I have studied the outline of the steps taken, but I do not conclude that the effort by the Department of Justice has been characterized by diligence or prosecutive zeal.

First of all is the time factor—over a decade has elapsed since the passage of the McCarran Act and I would assume that that would be ample time to make exhaustive preparation for prosecution forthwith as soon as the act were upheld by the Highest Court. The order of the Subversive Activities Control Board became final last October 20. The Communist Party was indicted December 1, 1961, for failure to register. I assume that the Department did not secure such an indictment until it had fully exhausted law and facts and was prepared as of that moment to prosecute diligently. Yet I learned of the local press—News, March 1, 1962—that trial of the indictment is "off indefinitely." The trial had been set for February 1, 1962, and it would strike me that that was a feasible time to commence prosecution of a case that came into final focus last June. I noted the absence of vehement objections to the postponement of the trial.

A New York Times dispatch December 2, 1961, reported that a complicated proceeding was in store against party leaders, a "laborious process," according to the Attorney General as he alluded to the Subversive Activities Control Board. Why the Congress should now confront a "laborious process" when the statute has been on the books nearly 11 years is a problem of perplexity to me. The Internal Security Division was set up in July of 1954 as I recall and if it wasn't the purpose of the Department of Justice to be prepared for just such a successful contingency, I have no idea why.

I fail to find one suggestion or recommendation from the Department to the Congress to cope with the very problems of procedure or "laborious process" that are now contemplated. What was the Department waiting for?

I now learn of the local press that two notorious Communists, who have been working sedulously toward the overthrow of this Government by force and violence—to wit, their Smith Act convictions—have been indicted as of March 15, 1962, for failure to register the party as required by the Internal Security Act. Ben Davis and Gus Hall were and are only two of the Communist hierarchy in this country. It is inconceivable to me with the excellent coverage provided by our Federal Bureau of Investigation that for a number of years our highest prosecutive agency has been so barren of probative evidence that prosecution must be limited to two party officials. Numerous subversive characters have emerged over the past decade, including Elizabeth Gurley Flynn, national chairman; Claude Lightfoot, vice chairman, and Irving Potash, Hymen Lumar, and many others. There has been no secret of the propaganda and offensive of the Communist leaders. It is most disturbing that the legal picture is tightened to only two.

If policy is involved, I would respectfully urge that it be articulated. At this stage it is bewildering. The Attorney General is on record via the several media of this country as concluding that

the Communist Party consists of a mere handful—relatively—of 8,000 or 10,000 Communists. Mr. Kennedy is so convinced that he believes "they do not have any power or following."—Baltimore Sun, March 7, 1962. Perhaps this conviction accounts for a lack of enthusiasm, which feeling I noted in the Attorney General's consideration of the abolition of the Internal Security Division—Washington Post, April 1, 1961. This policy may have some merit but in the economic category only. As long as the laws are on the books, I would urge an all-out enforcement, particularly in light of the virile language of the Congress pointing up the menace and extreme danger.

I ask unanimous consent to have printed in the RECORD at this point title I, section 2, of the Internal Security Act of 1950 with respect to the necessity for internal security legislation.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

TITLE I

SEC. 2. Congressional finding of necessity.—As a result of evidence adduced before various committees of the Senate and House of Representatives, the Congress finds that—

(1) There exists a world Communist movement which, in its origins, its development, and its present practice, is a worldwide revolutionary movement whose purpose it is, by treachery, deceit, infiltration into other groups (governmental and otherwise), espionage, sabotage, terrorism, and any other means deemed necessary, to establish a Communist totalitarian dictatorship in the countries throughout the world through the medium of a worldwide Communist organization.

(2) The establishment of a totalitarian dictatorship in any country results in the suppression of all opposition to the party in power, the subordination of the rights of individuals to the state, the denial of fundamental rights of liberties which are characteristic of a representative form of government, such as freedom of speech, of the press, of assembly, and of religious worship, and results in the maintenance of control over the people through fear, terrorism, and brutality.

(3) The system of government known as a totalitarian dictatorship is characterized by the existence of a single political party, organized on a dictatorial basis, and by substantial identity between such party and its policies and the government and governmental policies of the country in which it exists.

(4) The direction and control of the world Communist movement is vested in and exercised by the Communist dictatorship of a foreign country.

(5) The Communist dictatorship of such foreign country, in exercising such direction and control and in furthering the purposes of the world Communist movement, establishes or causes the establishment of, and utilizes, in various countries, action organizations which are not free and independent organizations, but are sections of a worldwide Communist organization and are controlled, directed, and subject to the discipline of the Communist dictatorship of such foreign country.

(6) The Communist action organizations so established and utilized in various countries acting under such control, direction, and discipline, endeavor to carry out the objectives of the world Communist movement by bringing about the overthrow of existing governments by any available means, including force if necessary, and setting up Communist totalitarian dictatorships which will be subservient to the most powerful existing Communist totalitarian dictatorship. Although such organizations usually designate themselves as political parties, they are in fact constituent elements of the worldwide Communist movement and promote the objectives of such movement by conspiratorial and coercive tactics, instead of through the democratic processes of a free elective system or through the freedom-preserving means employed by a political party which operates as an agency by which people govern themselves.

(7) In carrying on the activities referred to in paragraph (6) of this section, such Communist organizations in various countries are organized on a secret, conspiratorial basis and operate to a substantial extent through organizations, commonly known as Communist fronts, which in most instances are created and maintained, or used, in such manner as to conceal the facts as to their true character and purposes and their membership. One result of this method of operation is that such affiliated organizations are able to obtain financial and other support from persons who would not extend such support if they knew the true purposes of, and the actual nature of the control and influence exerted upon, such Communist fronts.

(8) Due to the nature and scope of the world Communist movement, with the existence of affiliated constituent elements working toward common objectives in various countries of the world travel of Communist members, representatives, and agents from country to country facilitates communication and is a prerequisite for the carrying on of activities to further the purposes of the Communist movement.

(9) In the United States those individuals who knowingly and willfully participate in the world Communist movement, when they so participate, in effect repudiate their allegiance to the United States, and in effect transfer their allegiance to the foreign country in which is vested the direction and control of the world Communist movement.

(10) In pursuance of communism's stated objectives, the most powerful existing Communist dictatorship has, by the methods referred to above, already caused the establishment in numerous foreign countries of Communist totalitarian dictatorships, and threatens to establish similar dictatorships in still other countries.

(11) The agents of communism have devised clever and ruthless espionage and sabotage tactics which are carried out in many instances in form or manner successfully evasive of existing law.

(12) The Communist network in the United States is inspired and controlled in large part by foreign agents who are sent into the United States ostensibly as attachés of foreign legations, affiliates of international organizations, members of trading commissions, and in similar capacities, but who use their diplomatic or semidiplomatic status as a shield behind which to engage in activities prejudicial to the public security.

(13) There are, under our present immigration laws, numerous aliens who have been found to be deportable, many of whom are in the subversive, criminal, or immoral classes who are free to roam the country at will without supervision or control.

(14) One device for infiltration by Communists is by procuring naturalization for disloyal aliens who use their citizenship as a badge for admission into the fabric of our society.

(15) The Communist movement in the United States is an organization numbering thousands of adherents, rigidly and ruthlessly disciplined. Awaiting and seeking to advance a moment when the United States may be so far extended by foreign engagements, so far divided in counsel, or so far in industrial or financial straits, that overthrow of the Government of the United States by force or violence may seem possible of achievement, it seeks converts far and wide by an extensive system of schooling and indoctrination. Such preparations by Communist organizations in other countries have aided in supplanting existing governments. The Communist organization in the United States, pursuing its stated objectives, the recent successes of Communist methods in other countries, and the nature and control of the world Communist movement itself, present a clear and present danger to the security of the United States and to the existence of free American institutions, and make it necessary that Congress, in order to provide for the common defense, to preserve the sovereignty of the United States as an independent nation, and to guarantee to each State a republican form of government, enact appropriate legislation recognizing the existence of such worldwide conspiracy and designed to prevent it from accomplishing its purpose in the United States.

Mr. TOWER. Further, Mr. President, the extreme danger as well as the attitude of the Congress is stated with alarming clarity in section 2, "Findings of Fact," of the Communist Control Act of 1954, which I ask unanimous consent to have printed in the RECORD at this point.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

FINDINGS OF FACT

SEC. 2. The Congress hereby finds and declares that the Communist Party of the United States, although purportedly a political party, is in fact an instrumentality of a conspiracy to overthrow the Government of the United States. It constitutes an authoritarian dictatorship within a republic, demanding for itself the rights and privileges accorded to political parties, but denying to all others the liberties guaranteed by the Constitution. Unlike political parties, which evolve their policies and programs through public means, by the reconciliation of a wide variety of individual views, and submit those policies and programs to the electorate at large for approval and disapproval, the policies and programs of the Communist Party are secretly prescribed for it by the foreign leaders of the world Communist movement. Its members have no part in determining its goals, and are not permitted to voice dissent to party objectives. Unlike members of political parties, members of the Communist Party are recruited for indoctrination with respect to its objectives and methods, and are organized, instructed, and disciplined to carry into action slavishly the assignments given them by their hierarchical chieftains. Unlike political parties, the Communist Party acknowledges no constitutional or statutory limitations upon its conduct or upon that of its members. The Communist Party is relatively small numerically, and gives scant indication of capacity ever to attain its ends by lawful political means. The peril inherent in its operation arises not from its numbers, but from its failure to acknowledge any limitation as to the nature of its activities, and its dedication to the proposition that the present constitutional Government of the United States ultimately must be brought to ruin by any available means, including resort to force and violence. Holding that doctrine, its role as the agency of a hostile foreign power renders its existence a clear present and continuing danger to the security of the United States. It is the means whereby individuals are seduced into the service of the world Communist movement, trained to do its bidding, and directed

and controlled in the conspirational performance of their revolutionary services. Therefore, the Communist Party should be outlawed.

Mr. TOWER. Mr. President, if the congressional mandate must fade because of impedimenta in enforcement laws and apparatus, an explanation is due the legislative body for failure to advance the recommendations and suggestions required to plug the Communist loopholes. Surely there is no mistaking the intendment of the Congress that "there is a clear and present danger to the security of the United States," though that finding of fact may collide with the opinion of the Department. And it would collide with the fact that a half-dozen fanatic conspirators of the Communist stripe turned over the secrets of the atomic bomb to Russia. The frenetic zeal of 8,000 to 10,000 Communists, equally applied, is enough to paralyze the imagination. I would like to see a matching in dedication and zeal, on behalf of our Government, against that fanaticism.

Let me emphasize again that, while these 8,000 or 10,000 may not be able to make a direct Communist appeal to many people of the United States, nevertheless, because of their organization, their discipline, and their insidious methods, they can wield an influence out of all proportion to their numbers. That many of them are actively engaged in espionage is apparent.

In addition, let me observe on the legal side that I do not understand how the Subversive Activities Control Board fits into the criminal environs. It is an administrative agency only, not a judicial but a quasi-judicial forum. Its standard of proof is not "beyond reasonable doubt" but merely upon "a fair preponderence of the evidence." It took several years for the Board to find one labor union, the Mine, Mill & Smelter Workers Union, a Communist-infiltrated organization. I hesitate to predict how many years would be required to find 8,000 to 10,000 Communists just that—Communists. No more effective repeal pragmatically of the entire internal security program can be comprehended.

I would urge that, upon failure of individual officials and members of the Communist Party to register, the concentration be upon criminal jurisprudence only—that the guilty ones be indicted summarily and brought to trial speedily.

There is disagreement apparently about the meaning of section 15(a) of the 1950 act as it applies to criminal prosecution of individual members of the Communist Party U.S.A. for failure to register. The attorneys for the Communist Party contend that no individual may be prosecuted until there is in effect a final order of the Subversive Activities Control Board requiring him to register. I should think the argument of the Government would be that the conditions precedent to the operation of section 15(a)(2) would be at least disjunctive so that an individual required to register may be prosecuted either "if there is in effect with respect to any organization" or "if there is in effect with respect to any individual" a "final order of the Board requiring registration under section 7 or section 8." The Government would, I think, point out that neither section 7(h) nor section 8 requires a citation of the individual member by the Board before the duty to register devolves upon him. The duty of the individual is related solely to the time elapsed after a Board order requiring the party to register has become final.

The Government would be on firm ground, I believe, in contending that section 13 of the 1950 act gives the Attorney General an alternative forum to a criminal action brought under the provisions of section 15 and 15(c):

> Any individual who violates any provision of section 5, 6, or 10 of this title shall, upon conviction thereof, be punished * * *.

I think that the expressions of the Congress that we face "a clear and present danger to the security of the United States" are lucid indeed. But if the language as to enforcement is not as clear as it should be, why, I inquire, did we have to wait literally years before concluding contrariwise, that the procedures are "laborious," to the extent the whole internal security program is bogged down with endless delays.

I believe the whole program calls for security as to direction.

Mr. HRUSKA. Mr. President, will the distinguished Senator from Texas yield for a question?

Mr. TOWER. I yield to the distinguished Senator from Nebraska for a question.

Mr. HRUSKA. The Senator from Texas has stated that for years there has been more or less dragging of feet, in effect, on prosecutions under the McCarran Act. Is it not true that a 1961 decision of the Supreme Court cleared away much of the underbrush, consisting of many of the purported objections to taking more vigorous action, but that notwithstanding that fact there has still been a notable reluctance, apparently, to step forward vigorously to follow up the advantage given by the Supreme Court decision in this particular regard?

Mr. TOWER. That is true. I thank the distinguished Senator from Nebraska for emphasizing that point. Certainly prior to the decision upholding the constitutionality of this act, I am sure the Federal Bureau of Investigation had been hard at work. I know the Bureau has been gathering evidence and doing the background work necessary to make possible effective prosecution immediately following the decision on constitutionality.

Mr. HRUSKA. Yet is it not true that for weeks—in fact, for months—following that Supreme Court decision, although there had been ample background and ample legal reason to proceed forthwith in the matter of further prosecution, the Department of Justice nevertheless took an exceedingly long time even to make up its mind that anything additional could not or should be done?

Mr. TOWER. That is true. I am very much at a loss to understand why this delay has occurred. I think it is high time that this situation was brought to the attention of Congress and that national attention was focused on what has happened. It is my hope that the foot dragging will end and that some resolute action will be taken in the near future.

Mr. HRUSKA. I thank the Senator from Texas for the forthright answers he has given to the questions asked by the Senator from Nebraska.

Mr. TOWER. I thank the distinguished Senator from Nebraska.

THE ALEXANDER HAMILTON NATIONAL MONUMENT — AMENDMENT TO THE CONSTITUTION DEALING WITH POLL TAXES

The Senate resumed the consideration of the motion of the Senator from Montana [Mr. MANSFIELD] to proceed to the consideration of the joint resolution (S.J. Res. 29) providing for the establishing of the former dwelling house of Alexander Hamilton as a national monument.

Mr. MANSFIELD. Mr. President, what is the pending question?

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana that the Senate proceed to the consideration of Senate Joint Resolution 29 providing for the establishment of the former dwelling house of Alexander Hamilton as a national monument.

Mr. TOWER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I ask for the yeas and nays on the pending motion.

The yeas and nays were ordered.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the motion of the Senator from Montana [Mr. MANSFIELD] that the Senate proceed to the consideration of the joint resolution (S.J. Res. 29) providing for the establishing of the former dwelling house of Alexander Hamilton as a national monument.

On this question, the yeas and nays have been ordered; and the clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. TOWER (when his name was called). I announce that I have a pair with the Senator from New York [Mr.

JAVITS]. If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." Therefore I withhold my vote.

The rollcall was concluded.

Mr. MANSFIELD. I announce that the Senator from Alaska [Mr. BARTLETT], the Senator from Colorado [Mr. CARROLL], the Senator from Tennessee [Mr. GORE], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Missouri [Mr. LONG], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Florida [Mr. SMATHERS], the Senator from Missouri [Mr. SYMINGTON], the Senator from Rhode Island [Mr. PASTORE], the Senator from Arizona [Mr. HAYDEN], the Senator from Hawaii [Mr. LONG], and the Senator from Rhode Island [Mr. PELL] are absent on official business.

I also announce that the Senator from New Mexico [Mr. CHAVEZ] is absent because of illness.

I further announce that, if present and voting, the Senator from Alaska [Mr. BARTLETT], the Senator from Colorado [Mr. CARROLL], the Senator from Tennessee [Mr. GORE], the Senator from Minnesota [Mr. HUMPHREY] the Senator from Missouri [Mr. LONG], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Florida [Mr. SMATHERS], the Senator from Missouri [Mr. SYMINGTON], the Senator from Rhode Island [Mr. PASTORE], the Senator from Arizona [Mr. HAYDEN], the Senator from Hawaii [Mr. LONG], the Senator from Rhode Island [Mr. PELL], and the Senator from New Mexico [Mr. CHAVEZ] would each vote "aye."

Mr. KUCHEL. I announce that the Senator from Utah [Mr. BENNETT], the Senator from Maryland [Mr. BUTLER], the Senator from Indiana [Mr. CAPEHART], the Senator from Kentucky [Mr. MORTON], the Senator from South Dakota [Mr. MUNDT], and the Senator from North Dakota [Mr. YOUNG] are necessarily absent.

The Senator from South Dakota [Mr. CASE] and the Senator from Pennsylvania [Mr. SCOTT] are absent because of illness.

The Senator from New York [Mr. JAVITS] is absent on official business, and his pair has been previously announced.

If present and voting, the Senator from Utah [Mr. BENNETT], the Senator from Indiana [Mr. CAPEHART], the Senator from Maryland [Mr. BUTLER], the Senator from South Dakota [Mr. MUNDT], and the Senator from Pennsylvania [Mr. SCOTT] would each vote "yea."

The result was announced—yeas, 62, nays 15, as follows:

[No. 29 Leg.]

YEAS—62

Aiken	Clark	Hartke
Allott	Cooper	Hickenlooper
Anderson	Cotton	Holland
Beall	Curtis	Hruska
Bible	Dirksen	Jackson
Boggs	Dodd	Jordan
Burdick	Douglas	Keating
Bush	Dworshak	Kefauver
Byrd, W. Va.	Engle	Kerr
Cannon	Fong	Kuchel
Carlson	Goldwater	Lausche
Case, N.J.	Gruening	Long, La.
Church	Hart	Magnuson
Mansfield	Murphy	Smith, Mass.
McGee	Muskie	Smith, Maine
McNamara	Neuberger	Wiley
Metcalf	Pearson	Williams, N.J.
Miller	Prouty	Williams, Del.
Monroney	Proxmire	Yarborough
Morse	Randolph	Young, Ohio
Moss	Saltonstall	

NAYS—15

Byrd, Va.	Hickey	Russell
Eastland	Hill	Sparkman
Ellender	Johnston	Stennis
Ervin	McClellan	Talmadge
Fulbright	Robertson	Thurmond

NOT VOTING—23

Bartlett	Hayden	Pastore
Bennett	Humphrey	Pell
Butler	Javits	Scott
Capehart	Long, Mo.	Smathers
Carroll	Long, Hawaii	Symington
Case, S. Dak.	McCarthy	Tower
Chavez	Morton	Young, N. Dak.
Gore	Mundt	

So the motion of Mr. MANSFIELD was agreed to; and the Senate proceeded to consider the joint resolution (S.J. Res. 29) providing for the establishment of the former dwelling house of Alexander Hamilton as a national monument, which has been reported from the Committee on Interior and Insular Affairs, with amendments on page 2, line 7, after the word "national", to strike out "monument" and insert "memorial"; at the beginning of line 8, after the amendment just above stated, to insert "However, the Secretary shall not establish the national memorial until he has satisfied himself that the lands which have been donated are sufficient to assure the relocation of the Grange and administration and interpretation of the national memorial."; in line 13, after the word "national", to strike out "monument" and insert "memorial"; in line 16, after the word "National", to strike out "Monument" and insert "Memorial", and in line 21, after the word "such", to strike out "monument" and insert "memorial"; so as to make the joint resolution read:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to take such action as may be necessary to provide for the establishment of the former dwelling house of Alexander Hamilton (commonly known as The Grange), situated in New York, New York, as a national memorial. However, the Secretary shall not establish the national memorial until he has satisfied himself that the lands which have been donated are sufficient to assure the relocation of The Grange and administration and interpretation of the national memorial.

SEC. 2. (a) The national memorial established by the Secretary of the Interior pursuant to this joint resolution shall be designated as the Hamilton Grange National Memorial and shall be set aside as a public national memorial to commemorate the historic role played by Alexander Hamilton in the establishment of this Nation.

(b) The National Park Service, under the direction of the Secretary of the Interior, shall administer, protect, and develop such memorial, subject to the provisions of the Act entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916, as amended and supplemented, and the Act entitled "An Act to provide for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for other purposes", approved August 21, 1935, as amended.

SEC. 3. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this joint resolution.

Mr. MANSFIELD. Mr. President, I move to reconsider the vote by which the motion was agreed to.

Mr. DIRKSEN. Mr. President, I move to lay that motion on the table.

THE PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

Mr. HOLLAND. Mr. President, I wish to propound a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. HOLLAND. Is the moment appropriate for me to offer an amendment in the nature of a substitute for the joint resolution now pending?

The PRESIDING OFFICER. Under the rules and the precedents of the Senate, perfecting amendments to a bill or a joint resolution have precedence over a substitute therefor.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the committee amendments to the joint resolution be agreed to en bloc.

Mr. RUSSELL. Just a moment, Mr. President.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

Mr. RUSSELL. Mr. President, is it the Alexander Hamilton joint resolution that is slated for early execution that is sought to be amended?

The PRESIDING OFFICER. The Senator is correct.

Without objection, the committee amendments are agreed to en bloc.

Mr. HOLLAND. Mr. President, for myself and the distinguished majority leader, the Senator from Montana [Mr. MANSFIELD], and the distinguished minority leader, the Senator from Illinois [Mr. DIRKSEN], I send to the desk an amendment in the nature of a substitute for the pending measure.

The PRESIDING OFFICER. The amendment will be stated.

The Chief Clerk read as follows:

Strike all after the resolving clause, as amended, and insert in lieu thereof the following:

"That the following article is hereby proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution only if ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress:

"'ARTICLE —

"'SECTION 1. The right of citizens of the United States to vote in any primary or other election for President or Vice President, for electors for President or Vice President, or for Senator or Representative in Congress, shall not be denied or abridged by the United States or any State by reason of failure to pay any poll tax or other tax.

"'SEC. 2. The Congress shall have power to enforce this article by appropriate legislation.'"

Amend the title so as to read: "Joint resolution proposing an amendment to the Constitution of the United States, relating to the qualifications of electors."

Mr. MANSFIELD obtained the floor.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. RUSSELL. Mr. President, I desire to propound a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. RUSSELL. Am I correct in the assumption that a point of order against the amendment may be made at any time prior to the adoption of an amendment in the nature of a substitute?

The PRESIDING OFFICER. The Senator is correct.

Mr. RUSSELL. I merely wish to protect my rights.

Mr. MANSFIELD. Mr. President, for the information of the Senate, I wish to make a few announcements.

ORDER FOR RECESS UNTIL 12 O'CLOCK NOON TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, when the Senate recesses tonight, it recess until 12 o'clock noon tomorrow instead of the hour of 9 o'clock previously agreed to.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE MEETINGS

Mr. MANSFIELD. Mr. President, I believe that Senators who have been questioning the distinguished minority leader, the Senator from Illinois [Mr. DIRKSEN] and me relative to committee meetings now understand that, at least until the Senate convenes tomorrow, they can proceed to hold regular committee meetings.

LEGISLATIVE PROGRAM

Mr. MANSFIELD. Mr. President, it is my understanding that the distinguished Senator from Florida [Mr. HOLLAND], the author and chief sponsor of the proposal now before the Senate, does not intend to speak tonight on the proposal, but will do so tomorrow after the Senate convenes.

It is my understanding that at an appropriate time the distinguished senior Senator from Georgia [Mr. RUSSELL] will make a point of order against the proposal now before the Senate.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. RUSSELL. I intend to make a point of order. I do not know what the Senator has in mind to do this evening, but at the appropriate time I intend to make the point of order.

Mr. MANSFIELD. Mr. President, after consultation with the distinguished minority leader, it is the intention of the leadership to move, if there is no further business to come before the Senate tonight, that it stand in——

Mr. SPARKMAN. Mr. President, will the Senator yield?

Mr. KEATING. Mr. President, will the Senator yield?

Mr. SPARKMAN. I merely wish to ask a question.

Mr. MANSFIELD. I yield.

Mr. SPARKMAN. Will there be a morning hour tomorrow?

Mr. MANSFIELD. No.

THE ALEXANDER HAMILTON NATIONAL MONUMENT — AMENDMENT TO THE CONSTITUTION DEALING WITH POLL TAXES

The Senate resumed the consideration of the joint resolution (S.J. Res. 29) providing for the establishing of the former dwelling house of Alexander Hamilton as a national monument.

Mr. DOUGLAS. May I address an inquiry to the Senator from Florida?

Mr. MANSFIELD. I yield for that purpose.

Mr. KEATING. Mr. President, who has the floor?

The PRESIDING OFFICER. The Senator from Illinois has the floor.

Mr. DOUGLAS. Mr. President, I have in my hand the new amendment of the Senator from Florida. In order that the situation may be clarified, may I inquire of the Senator from Florida if the new amendment strikes what was the former section 2 of his proposal?

Mr. HOLLAND. Mr. President, in response to the question of the distinguished Senator from Illinois, what he has said is correct. There are two other minor changes of which I think the Senate should be apprised.

First, the direct election, if any, of President and Vice President would be covered by the amendment in its present form, though the original form covered only the electors for President and Vice President.

Mr. DOUGLAS. The Senator is correct.

Mr. HOLLAND. Second, since section 2 is eliminated, the requirement relative to a property qualification is also eliminated, because section 2 related only to that provision. May I say to the distinguished Senator from Illinois and to the Senate that all of the more important objectives in the original amendment are preserved:

First, the imposition of a poll tax as a condition for voting for Federal elective officials would be prohibited.

Second, the imposition of any substitute tax in lieu of a poll tax would likewise be prohibited.

Third, the amendment would apply not only to the States, but to the Congress, which is a principal objective of the amendment.

Fourth, I have made these changes in pursuance of a request from the distinguished majority leader, who felt that the issue could be simplified in that way without losing any of its vital components, and I have been very glad to accept that suggestion.

Lastly, I have offered the amendment with the joinder of the two distinguished leaders, at their specific request, so that it might be apparent that each of them is strongly supporting the amendment in the simplified form.

Under no circumstances do I wish to strike out the joint sponsorship of any of the other 65 Senators who joined in the original amendment.

The Department of Justice has supported this position. Likewise, the distinguished chairman of the Judiciary Committee in the other body has supported that position. I think we have simplified the issue and are proposing now an amendment which, by all means, should be submitted to the States, and which I think would be very promptly ratified by the States.

Mr. DOUGLAS. Mr. President, I have prepared substantially identical amendments, and I am very glad that we have heard an illustration of either conscious or unconscious parallelism.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. HOLLAND. Men of the same age must be pointed in the same direction in this matter, for whereas the distinguished Senator is celebrating—if one celebrates at the age of 70—his birthday today, I expect to celebrate that same birthday before very long. So it must be that men of about the same age have their minds opened in the same direction on this question.

Mr. DOUGLAS. Mr. President, whether it is in the germ plasma or not, I had intended to offer the same amendments to Senator HOLLAND's original proposal. What I have said does not remove my fundamental objection to the constitutional amendment process. I think it would be much better if we should proceed by way of statutory legislation. But some of my fears are removed by this new proposal. I am very glad the Senator from Florida agrees that some problems were inherent in the original draft of the amendment.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. HOLLAND. May I make one additional comment? I have felt that the disposition of the majority leader to recess at this time was appropriate for many reasons, but particularly because the distinguished senior Senator from New York [Mr. JAVITS], who with other Senators has an amendment which, as I understand the rules, would have to be passed upon before my amendment in the nature of a substitute, is not here today and I felt that we should make sure that he has time to arrive here so that he can handle his proposed amendment, with which I believe all Senators are acquainted.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. MANSFIELD. There was a fifth point that I forgot to mention earlier this evening. So far as I am concerned, I intend to move to table any and all amendments to the pending proposal,

because I want to see something tangible done. I do not want to see the present resolution confused to such an extent that it could possibly meet failure in the other body or in the Senate. Therefore I serve notice of my intention.

Mr. DOUGLAS. Mr. President, I yield the floor.

Mr. MILLER. Mr. President, will the Senator from Montana yield for a question?

Mr. MANSFIELD. Certainly.

Mr. MILLER. I wonder if the majority leader would modify his intention in the event the proponent of the resolution would be willing to accept such an amendment.

Mr. MANSFIELD. I believe that even to that extent I would object.

Mr. HOLLAND. Mr. President, if I understand the suggestion of the Senator from Iowa, I wish to say again that I have no objection to any of the earlier cosponsors joining me as cosponsors of the proposed amendment. I do not believe the distinguished majority leader intended to voice any such objection.

Mr. MANSFIELD. The question was——

Mr. MILLER. I should like to make my question clear. In the event that the sponsors—and certainly the main sponsor of the amendment—were to consent to a proposed amendment, I should like to ask the distinguished majority leader whether he would persist in his position of proposing to table such an amendment.

Mr. MANSFIELD. If the Senator will yield to me, I say that in that respect I would keep an open mind. I want the joint resolution passed. I want it passed by the Senate and by the other body also.

Mr. KEATING. Mr. President, I wish to express appreciation on behalf of my colleague [Mr. JAVITS] to the Senator from Florida for the consideration which he has shown, because my colleague is unavoidably absent on official business today.

I also wish to express my gratification over the fine rapport which seems to have been reached by both of the Senate's 70-year-olds. I congratulate both of them. They are valued members of the Senate. We are very fond of both of these septuagenarians.

I should like to propound a parliamentary inquiry to the Chair. Will it be in order to offer as an amendment in the nature of a substitute for the pending resolution a proposal to get rid of the poll tax by legislation, rather than by a constitutional amendment?

The PRESIDING OFFICER. It would be in order.

Mr. KEATING. I thank the Chair.

ARCHBISHOP LEO BINZ

Mr. MILLER. Mr. President, on December 20 last, announcement was made that the Most Reverend Leo Binz, archbishop of Dubuque and metropolitan of the Ecclesiastical Province of Iowa, had been transferred by Pope John XXIII to become archbishop of St. Paul, Minn.

This is the first time in 124 years that an ordinary of Dubuque has been transferred to another diocese, and for the third time in 111 years that Iowa has supplied St. Paul with a bishop.

Archbishop Binz has been a dynamic and progressive leader of the Catholic Church, not only in the archdiocese of Dubuque and in the State of Iowa, but also in the United States.

A native of Stockton, Ill., he served as secretary of the apostolic delegation in Washington. He was consecrated a bishop in 1942, and was transferred to Dubuque in 1949. It was my privilege to become acquainted with Archbishop Binz while he was stationed in Dubuque. I found him possessed of broad knowledge of the problems of the people of my State and wonderfully tolerant and understanding—all hallmarks of a great man and a great church leader.

In the December 21, 1961, issue of the Witness, the lead editorial sets forth some tributes and a very brief résumé of some of the outstanding accomplishments of Archbishop Binz. I ask unanimous consent that the editorial be printed in the RECORD at this point in my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

ARCHBISHOP LEO BINZ

For the first time in 124 years an ordinary of Dubuque has been transferred to another diocese. And for the third time in 111 years Iowa has supplied St. Paul with a bishop.

These were the thoughts that came to mind when word was received from Washington that the Most Reverend Leo Binz, archbishop of Dubuque, had been transferred to the metropolitan see of St. Paul.

In the year 1850 when St. Paul was cut off from the see of Dubuque, the vicar general of the Iowa diocese, the Reverend Joseph Cretin, was named first bishop of St. Paul. Sixty-one years later St. Paul returned the favor in the person of Archbishop James J. Keane who ruled the see of Dubuque from 1911 until his death in 1929.

After the death of the great Archbishop Ireland in 1918 the diocese of Des Moines supplied St. Paul with its second archbishop, the Most Reverend Austin Dowling. Iowa has been more than generous with its daughter see of St. Paul.

When Archbishop Binz takes up his duties in St. Paul he will be returning to a State where he first began his episcopal labors. Minnesota is no stranger to the Iowa archbishop. He was bishop in Winona from 1942 until his transfer to Dubuque in 1949.

The new Minnesota archbishop is a native midwesterner. He has lived here most of his life. He knows the people, the religious spirit of the community and the fervor of the faith. Because he himself has been a part of it, he has been able to understand the needs of the people and provide sufficiently for them.

We are not able at this time to adequately recount the great contributions Archbishop Binz has made, not only to the church in America in general but more specifically to the church in Iowa, particularly the archdiocese of Dubuque.

When he came to us in 1950 he was already well known especially among the clergy. He had attended Loras Academy and Loras College. Being a native of Stockton in Illinois, not far from Dubuque, he had visited this area many times. He himself tells the story of how as a young lad, in the company of his father, he met the archbishop of Dubuque and chatted with him on the street, little thinking at that time that Providence would cast him in the role someday as archbishop of the venerable see of Dubuque.

After he became a bishop in 1942 the future ordinary of Dubuque visited the eastern Iowa archdiocese many times. Archbishop Rohlman, whom he was to succeed, was a friend of long standing. When a student at the college he frequently served mass for Father Rohlman. And it was in Bishop Rohlman's home in Davenport that the future archbishop received his appointment as a secretary in the apostolic delegation in Washington in 1936.

The new archbishop of St. Paul achieved many distinctions in the archdiocese of Dubuque. He was the first Dubuque prelate to be elected head of the National Catholic Educators Association and he was the first archbishop of Dubuque to be a member of the administrative board of the National Catholic Welfare Conference.

One of his first acts upon arriving in Dubuque in January of 1950 was to personally visit every parish and institution of this area. This was no easy task, but the young archbishop wanted to identify himself with every aspect of Catholic life in the 30 counties of this archdiocese where he had been appointed to serve.

Almost from the very moment of his arrival he became involved in the intricate workings of archdiocesan administration. No parish, no organization, no institution escaped his interest. The clergy, religious, and faithful found in their new archbishop a man of unlimited zeal, a tireless worker, a genuine shepherd.

How can anyone forget the loving solicitude he had for Archbishop Rohlman? In those days when the archbishop of Dubuque was meeting bravely the infirmities of old age, his coadjutor provided every comfort for him. It was a wonderful example.

The archdiocese of Dubuque is a tidy diocese. It is well organized. Priests appointed by the archbishop knew that their responsibility was well defined and in the operation of their work they have every confidence of the support of their archbishop which made their labors that much easier.

In 1957 the archbishop convoked a synod. It is a model of practicality. It embodies the talent, the experience, and wisdom of the archbishop's many years of service to the church.

Archbishop Binz has done numerous things for the clergy, religious, and laity of this archdiocese. At a later date we will chronicle his nearly 12 years amongst us in a special tribute to his administration. But one thing we can say without peradventure of doubt and that is that Archbishop Binz has given us a worldwide vision of the Catholic Church which we previously didn't possess. He has given us new vision, new insight, into the wonders of the Catholic faith. He has transmitted to us an appreciation of the great glories that constitute the church of God.

It must be remarked also that the archdiocesan school system has had unparalleled growth in the past decade. The work of our central Catholic schools surely is a lasting tribute to his work among us.

It would be a mistake to list brick and mortar contributions made by the archbishop, or any other prelate, without giving due deference to the very essential work of building up the spiritual kingdom which is the first claim on any servant of God.

The American Martyrs Retreat House in Cedar Falls spells out the archbishop's determination to provide the basic things of the spiritual life. And from the very first moment of his accession to the see of Dubuque he proclaimed a eucharistic year and told his flock, "to increase their efforts to model their individual lives after the divine pattern of Christ, Our Lord."

With the things that counted the archbishop spent himself unselfishly. Many times during the past years there were well-founded feelings that his talents would carry him to new fields of labor. Those feelings have now been confirmed in his translation to the daughters see of Dubuque, St. Paul.

We who have worked closely with him over these thrice-blessed years appreciate how tolerant he has been of our struggling efforts; tolerant also of our mistakes and wayward hearts.

The people of St. Paul will find in their new archbishop a worthy successor to the greats of that noble section of the vineyard. The date of his episcopal consecration is the same as the powerful and unforgettable Archbishop John Ireland. He knew Archbishop Austin Dowling and worked hand in hand with his successor in the province of St. Paul, Archbishop John Gregory Murray.

The late archbishop of St. Paul, the Most Reverend William O. Brady, was a classmate of the new metropolitan.

Archbishop Binz will be faced with many new challenges. He will meet them straight forward as he has met many in the past. He will not shirk service or dodge duty.

The prayers, many prayers, of a loyal Dubuque clergy, religious and laity will follow him in his new archdiocese. The memory of his years with us will not easily fade and generations will hold his name in benediction.

Ad multos annos.

FLOOD RELIEF

Mr. WILLIAMS of New Jersey. Mr. President, I introduce, for appropriate reference, a bill directing the Housing and Home Finance Agency to undertake an immediate study of alternative methods of establishing a workable program to provide relief against flood disasters. The bill calls for a report to Congress no later than January 30, 1963, with recommendations for such a program and its estimated cost. I ask unanimous consent that the bill be printed in the RECORD at the conclusion of my remarks.

Mr. President, the first question that this bill raises is: What is its purpose? We all know that in 1956 the Congress passed a Federal flood insurance program, providing an insurance, reinsurance and loan program to compensate persons against losses by flood. Theoretically this program needs only technical updating and the appropriation of funds to put it into effective operation. But the House of Representatives in 1957 refused by a vote of 218 to 186 to appropriate any funds to implement the program and since then the program has been a dead letter.

The savage storm that recently struck the Atlantic coast has revived interest in this program. It is my belief that this bill will provide the best means of finding out whether a genuinely workable program can be established, what form it should take, and what its probable costs would be. And in view of the substantial opposition to the existing flood insurance program, it is my belief that legislation calling for this kind of broad-scaled study offers the best hope for allowing positive and constructive action to be taken in the reasonably near future. What is required immediately is a modest appropriation for the expenses to carry out such a study.

Mr. President, I would like briefly to outline my position on this matter and discuss some of the problems involved.

First, I strongly believe the Federal Government has an obligation to share at least part of the financial burden in sharing reasonable risks against flood disasters.

The reason is simply that insurance against flood damage is unlike almost any other kind of insurance program. For example, a fire or automobile insurance program can be achieved, because every homeowner and every automobile driver is subject to the possibility of a fire or automobile accident, and therefore, each homeowner or automobile driver generally has an equal interest in seeking protection against such loss. Statistically we know that only a certain percentage of homeowners and a certain percentage of drivers will actually suffer such a loss. So the risk can be spread over a broad base, and an insurance program can be devised that is sound and within the financial range of most persons.

But in the case of floods, the situation is entirely different. Floods do not pose an equal threat to every person in every part of the country. They only threaten certain coastal areas and river basins, and based on the history of past experience, the probability of flooding within the vulnerable areas is much greater, for example, along some rivers and coastal areas than others.

Thus any insurance program is likely to be heavily weighted with policies taken out by persons most vulnerable to flooding, either because of location or the structure of the property. The persons most interested in a flood insurance program will be those living at the water's edge, so to speak. Those living on high ground, sufficiently inland from the coast, or in structurally sound dwellings on pilings will have little or no interest in the program at all.

It is for precisely this reason that some kind of Federal assistance is essential, in order to spread the risk, as the risk is naturally spread in insurance programs for most other kinds of losses.

The problem is how to find an equitable balance between the interests of the general taxpayer who would not be a possible beneficiary and the needs of those who might be struck by the tragedy of a flood disaster that exceeds or wipes out their financial resources.

In this connection, I can understand the concern of some Members of Congress who fear that the general taxpayer may suffer too great an imposition by being called upon to share what clearly may be too excessive a risk by a person who may wish to build, from the standpoint of floods, a structurally unsound building in an area where Nature clearly intended that man should not trespass.

It has been argued that there is a point beyond which we must say either you do not build at your own risk.

The problem is to delineate that point to the satisfaction of Congress as a whole, for as I said before, up to that point I believe the Government can and should be prepared to help.

That is why I believe a new and fresh approach to the problem is needed. The study called for in this bill will permit a reevaluation of the existing program as well as the exploration of new approaches. When the study has been completed, Congress will be in a position to act in fuller knowledge of the probable costs and benefits of the various alternatives that are possible.

For example, the administration might consider the possibility of a variable risk premium insurance program, based on the Corps of Engineers, Geological Survey and other studies of flood frequency and extent of probable damage to different types of structures at different flood levels. I understand that such studies have already been undertaken in a few limited areas of the country. Such studies could be expanded to other flood-prone areas of the country to give the kind of detailed information that would permit an insurance program based on premiums scaled to the probable risks involved.

Going a little further with these studies, the administration could study the possibility of an insurance program which would exclude excessive risk areas for insurance purposes so that persons wishing to build in such areas would do so at their own financial risk. Or perhaps it would be feasible to reduce the Federal subsidy in such areas, or scale the subsidies to inverse proportion to the premium cost.

It might be feasible and appropriate to initiate the present insurance program on a pilot basis to allow for the accumulation of some actual experience to determine the workability of a permanent program.

Or it might be that the study will determine that instead of an insurance program, an entirely new form of relief assistance of specified form and amount should be established to cope with the flood disasters. No doubt there are other avenues which might be profitably explored.

Mr. President, I earnestly hope the Senate will give this bill its prompt and sympathetic consideration so that we can get underway as soon as possible in tackling this admittedly serious and complex problem.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 3066) to authorize a study of methods of helping to provide financial assistance to victims of future flood disasters, introduced by Mr. WILLIAMS of New Jersey, was received, read twice by its title, referred to the Committee on Banking and Currency, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Housing and Home Finance Administrator shall undertake an immediate study of alternative programs which could be established to help provide financial assistance to those suffering property losses in flood disasters, including alternative methods of Federal flood insurance, as well as the existing flood insurance program, and shall report his findings and recommendations to the President for submission to the Congress not later than January 30, 1963. The report shall include, among other things, an indication of the feasibility of each program studied, an estimate of its cost to the Federal Government and to property owners on the basis

of reasonable assumptions, and the legal authority for State financial participation. With respect to each method of flood insurance considered, the report shall include an indication of the schedule of estimated rates adequate to pay all claims for probable losses over a reasonable period of years, the feasibility of Federal flood plain zoning for the purpose of selecting areas which may be excluded from insurance coverage, and the feasibility of initiating a flood insurance program on an experimental basis in designated pilot areas. There is hereby authorized to be appropriated such sums as are necessary to carry out the purposes of this Act.

WHY WRECK GOOD AIR SERVICE AND VIRTUALLY ALASKA'S ONLY TRANSPORTATION WITH THE OTHER STATES?

Mr. GRUENING. Mr. President, the Civil Aeronautics Board has announced an order investigating the Pacific Northwest-Alaska Air Service. But it has already made clear its purpose to force, by consolidation and curtailment, elimination of one of Alaska-States principal carriers, Pan American World Airways, to limit Northwest Orient Airlines' service to Alaska to a mere stop-off privilege incidental to Northwest's Orient service, and to force the consolidation of the two other Alaska-States carriers, Pacific Northern Airlines and Alaska Airlines. I denounced this proposal on the floor of the Senate Thursday last as folly.

As I pointed out then—Alaska has, for reasons reaching back into our history, negligible highway transportation. This is due to the complete exclusion, for 40 years—from 1916 to 1956—of Alaska from all Federal aid highway legislation. In consequence, only a few of Alaska's communities are served by highways. The Alaska Highway, built as a war measure through Canada in 1942 and then turned over to the Canadians, is still unpaved and connects only the few Alaskan cities which are connected with each other with the 48 States.

As a consequence of the words "excluding Alaska" written into the Merchant Marine Act of 1920—known in Alaska as the Jones Act—Alaska has been subject to a Seattle steamship monopoly which has fastened upon us the highest steamship rates in the world and has managed steadily to increase them over the unceasing protests of Alaskans. Its passenger service was suspended 8 years ago.

Alaska has one railway—a short line extending from the part of Seward, 470 miles northward to Anchorage and Fairbanks.

In short, Alaska has either negligible or no railway, highway, or maritime service with the other States—vital arteries of transportation which other parts of the Union enjoy.

In default of these, Alaskans and others have managed, in the face of great obstacles, only recently, and at long last, to build up first-rate air service between the 49th and the other States.

The CAB now proposes to wreck it, and to substitute for competition of four excellent carriers a monopoly brought about by compulsion. It proposes to eliminate wholly Pan American World Airways—which was the pioneer in developing not only intra-Alaskan aviation, but the first to connect Alaska and the 48 States, and which is moreover an unsubsidized carrier. It proposes to make Northwest service to Alaska a mere incident in its foreign service. Northwest is likewise an unsubsidized carrier. It proposes to consolidate Alaska Airlines and Pacific Northern by means of a shotgun marriage. All four have been rendering excellent service.

Why wreck virtually the only transportation which links Alaska to the rest of the Union? That is what the CAB proposal would achieve. It is a shocking and thoroughly misguided purpose.

The proposal has not unnaturally evoked indignation and alarm in Alaska. The Alaska Legislature, now in session, promptly took notice of it and sent a telegram of protest to Chairman Alan S. Boyd, of the CAB.

I ask unanimous consent that this telegram be printed at this point in my remarks.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

MARCH 23, 1962.

ALAN S. BOYD,
Chairman, Civil Aeronautics Board, Universal Building, Washington, D.C.

The Legislature of the State of Alaska most vehemently protests the March 19 CAB order recommending reduced and monopolistic air carrier service to and from Alaska. The recommendation is a disservice to the people of Alaska and the carriers who have pioneered and expanded their service to and in Alaska. Alaska needs more and improved service for its development and bitter experience has demonstrated that we cannot get it by encouraging and creating transportation monopolies. We request that full scale hearings on the order be held in Alaska to better acquaint Board members and staff with the realities of our air transportation situation and needs.

FRANK PERATROVICH,
President of the Senate.
WARREN A. TAYLOR,
Speaker of the House.

IMMIGRATION QUOTA SYSTEM

Mr. McNAMARA. Mr. President, a few days ago my colleague from Michigan [Mr. HART], introduced a bill to effect some much needed improvements in the immigration quota system. His bill, of which I am pleased to be a cosponsor, was praised in an editorial entitled "Immigration Policy," published in today's Washington Post. The Post called the Hart bill a "reasonable and realistic proposal."

Mr. President, I ask unanimous consent that the editorial be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

IMMIGRATION POLICY

Although the Democratic and Republican platforms of 1960 alike denounced the existing immigration law and promised a radical revision and renovation, nothing has yet been done about it. Perhaps nothing much is likely to be done so long as Representative FRANCIS WALTER governs the Judiciary Subcommittee on Immigration of the House. Nevertheless, a small cheer is due Senator PHILIP A. HART for introducing the other day, with bipartisan cosponsorship, a reasonable and realistic proposal for revising the immigration quota system.

The object of Senator HART's bill is to eliminate national and racial discrimination from American immigration statutes. The so-called national origins quota system has dominated the country's immigration policy since the act of 1924. It has been a mask for racial prejudice. The act of 1952 somewhat modified but by no means eliminated this prejudice. The generous, enlightened and enriching record of the United States in admitting refugees over the past decade has been achieved despite the act of 1952 by a series of special laws breaching its restrictions.

"The present national origins quota system has not worked," Senator HART said in introducing his new bill. "Congress has periodically recognized its shortcomings and has repeatedly enacted special, short-term immigration and refugee legislation." The plain fact of the matter is that the Immigration Act has been honored more in the breach than in the observance. As Senator HART pointed out, "Of the 1.5 million quota immigrants authorized during the 1950's, only a million actually entered the United States. However, 1.5 million nonquota immigrants were admitted during the same period. In short, out of a total immigration of 2.5 million, three out of five persons were admitted outside the quota provisions of the Immigration and Naturalization Act of 1952."

The Hart proposal would authorize 250,000 quota visas a year, 50,000 of which would be available to refugees or escapees without regard to quota areas. The rest would be allocated to countries in part on the basis of the ratio of their populations to world population and in part on the basis of the ratio of their immigration to this country over the past 15 years to the total of all immigration to the United States over the same period. Unused quota numbers would be pooled at the end of the year and divided among quota areas having a backlog of applicants. Special provision would be made for admitting blood relatives; and quotas would be revised every 5 years.

This bill would not open the gates of the United States to a flood of immigrants. Neither would it be unselective in admitting newcomers to this land. But its limits on immigration would be reasonable—and reasonably generous in conformity with the great American tradition of extending asylum and opportunity to the world. And its selection would be free from injustice and free from offense to those races and peoples who have been wantonly designated under existing law as less desirable members of the human family. This reform of immigration policy is sorely needed.

THE PEACE CORPS AS IT LOOKS FROM THAILAND

Mr. HART. Mr. President, one of the shining accomplishments of the Kennedy administration has been the establishment of the corps of dedicated men and women known as the Peace Corps. We in Michigan are proud that this idea was launched in Michigan during the 1960 campaign. More recently, our State was host to a group of Peace Corps volunteers who took their training at the University of Michigan.

Late in January this particular group arrived in Thailand and received very favorable comment in the local press. Two editorials in particular put the idea of the Peace Corps and its purpose very well; they also show how the "Ugly

American" can turn into a welcome friend in these proud countries.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD an editorial from Phim Thai and an editorial from Siam Nikorn, both Bangkok newspapers.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Phim Thai, Jan. 21, 1962]

American Peace Corps: Volunteers of an American Peace Corps unit are scheduled to arrive in Bangkok today. This unit is a work unit that will start a new alinement of American aid to Thailand, and it is expected that results obtained will be excellent.

This is a result of changes made in the method of implementing foreign aid by the United States under the leadership of President John F. Kennedy. The methods used in the past for giving American aid to free Asian countries have not obtained results in full as intended by the donor, at times resulting in an undesirable reaction on the part of the people of recipient countries toward the United States. This is due to the United States still lacking sufficient understanding of this part of the world. Consequently new methods have been planned to give aid to less developed countries in order to remedy this serious problem. One of the many new methods planned is the selection and training of young Americans, both men and women, who possess a high standard of education, and these young Americans are being sent to help other countries, while at the same time giving them the opportunity to study the daily life, feelings, and conditions of less developed nations. This is a policy of shooting a number of birds at a time—giving aid and endeavoring to "reach" the people of the countries aided simultaneously. In the very near future, this will help the American people have a correct understanding of peoples in other parts of the world, thus enabling the United States to avoid mistakes in the implementation of its foreign policy and its target to promote peace. President Kennedy announced his plan to establish this Peace Corps to the American people a few days before the holding of the presidential election toward the end of 1960.

This new plan may sound rather ambitious. At first the American people and even the Democratic Party itself felt doubts about the advisability of sending young Americans, who lack experience in life and in work, to aid foreign countries. Countries sounded whether they would accept aid in the form of Peace Corps units also seem rather uncertain whether this new plan will obtain results hoped for. That is why this first American Peace Corps unit sent to Thailand is a very small one, and it will be an experiment first. It is reported that only a very small number of volunteers have been requested, though we need a very big number of foreign teachers to teach all subjects in the English language, especially in preuniversity classes which are being set up in every province throughout the country at present, to prevent children being sent to Bangkok to continue their studies. After volunteers of the American Peace Corps unit for Thailand had completed their course of training, it was reported that our Physical Education Department is now asking for about 30 of the volunteers to be sent to the provinces to help teach sports.

This work of volunteers of the American Peace Corps unit is a new alinement of work, in which they will mingle closely with ordinary Thai, both in Bangkok and in the provinces. This will be of greatest importance for promotion of peace among all peoples of the world indirectly. Though these young American volunteers have undergone a rigorous course of training in the United States, they still have much to learn in practical ways here.

[From the Siam Nikorn, Jan. 26, 1962]

To the Peace Corps unit: The arrival in Thailand of an American Peace Corps unit, composed of 45 volunteers, has caused great excitement to the Thai people. This is because there are many things the Thai people never expected to see in farangs, such as to hear them speaking Thai fluently, and to see them coming to live here like any ordinary Thai.

In the past, farangs coming to Thailand have been apt to keep apart from the Thai people, or else they have endeavored to indulge in and do things which ordinary Thais cannot do—such as driving long cars costing hundreds of thousands.

The luxurious and lavish way of living of farangs, seen by ordinary Thais, is responsible for farangs being kept quite apart from Thais automatically. It is only human nature for human beings not to want to see other human beings enjoying a better standard of living (perhaps because it gives them a kind of inferiority complex). Therefore, when they see farangs enjoying a luxurious and lavish standard of living, it causes a feeling of dislike for them in their subconscious mind, for no really logical reason.

The coming of this American Peace Corps unit is practical proof of the ideal that all human beings, irrespective of nationality and language, are all equal. It is also proof that no nation is better than any other nation, or that any race is better than other races. It is a characteristic of the Thai people, from ancient times, to want to make friends with peoples of other countries. This is proved by Thai history, dating back to the Sukhothai and Ayudhya eras, when we first made friends with Chinese, Indians, and farangs. It has been seen during the present Ratanakosindr era how Americans have come to our country, settled down here, and become really close and intimate friends of the Thai people. Some of them have also performed outstanding services to our country, such as Phya Kalyana Maitri (Francis B. Sayre).

The main objective of this Peace Corps unit to promote still closer ties between the American people and the Thai people is certain to achieve success. On the other hand, the task faced by this Peace Corps unit to create better understanding of the United States among all the Thai people is a heavy one. It means that to achieve results desired among all the Thai people they must not be in contact only with the handful of people they work with in administrative circles of the Thai Government.

It is a fact that Americans who came to work in Thailand in the past, were for the majority very similar to this Peace Corps unit. But they had not been sent by the American Government but had been sent by private organizations. Many of them, especially the missionaries, won the love and esteem of the Thai people. They established the Wanglang and Watthana Schools, and in former times there were very few Thais who did not know or had not heard of Mom Cole's School. And the main reasons why the Thai people really liked and esteemed Americans at the time were because everybody knew that Mom Cole's School was an excellent school, that it had good teachers, and the American teachers were on very intimate terms with the parents and guardians of the schoolchildren.

In conclusion, we wish the best of everything to the American Peace Corps unit and pray that it may carry out the task entrusted to it, obtaining results in full as expected.

FOREIGN TAX LOOPHOLES AND FOREIGN TAX HAVENS

Mr. DOUGLAS. Mr. President, Mr. Henry J. Taylor was formerly our Ambassador to Switzerland. He is now writing a column for the Scripps-Howard newspapers.

Some days ago Mr. Taylor published a very interesting column concerning foreign tax loopholes and foreign tax havens. He points out many of the abuses involved in our failure to tax subsidiaries of American firms abroad. From his personal knowledge of the tax havens in Switzerland and Lichtenstein, he points out great abuses which need to be cured.

This question is one which is sought to be solved, in part, in the tax bill which is now before the House.

I commend Mr. Taylor's article to Congress and the public, and I ask unanimous consent that it be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A FIELD DAY FOR RATS

(By Henry J. Taylor)

The Treasury is pushing against hard odds in presently trying to close tax loopholes abroad. But there's much glory due our tax officials for trying to collar hundreds of millions of dollars from smart operators who use Europe, etc., to evade taxes.

This excludes the many American companies operating so constructively and honestly overseas and whose investments abroad are greatly in the American interest. Most of these have objections—entirely honorable—to legislation the Treasury is asking, for the problem is complex and very difficult to translate into law without unfairly injuring them.

The Treasury and the proper companies alike do not want to burn down the barn to get at the rats; so the rats have a field day.

Here's how they play, although everything herein is an obvious oversimplification:

A tax haven is a nation where the rate of corporation profits is very low—compared to our 52 percent—or where a deal can be negotiated with local officials so that what the American owners pay is peanuts.

Let's choose at random, without disparagement, Liechtenstein—the small Germanic principality whose capital and only town is Vaduz (population 15,700). Several Americans form a California corporation to produce television films for the world market. Secretly, they also set up a Liechtenstein company. Under Liechtenstein laws our tax officials cannot see the books to determine who owns the dummy outfit.

The California corporation pays the production expenses. Then the film is sold at cost to the dummy. No profit, no tax for America, or merely a small payment as window dressing. The dummy reaps the profits, and on trips to Europe the American owners can live the life of Riley spending those profits themselves.

Again, an American corporation owning patents collects large royalties from foreign licensees. It transfers the patents to a holding company or other device in a tax-haven country and collects the royalties abroad—tax free. There is no way we can accurately determine what happens to the money later unless they bring it home.

An American manufacturing company—and all these references to particular companies are fictitious—will employ a couple of people to work in an office in a tax-haven

country. It sells its machines worldwide but bills them to the dummy office instead of to the customers. No profit. No tax to the United States. The office merely types a new bill and collects the profit abroad—tax free. This process can be honest. It can also be as dishonest as a Jesse James.

American operators (and even the criminal element) will form a complex of interlocking holding companies that include foreign participants and qualify under corporate secrecy laws abroad.

Profits are shuffled back and forth through the maze like deuces in a stacked deck while our powerless Treasury people stand in handcuffs and cannot collect the taxes for the United States.

The abuses cost us hundreds of millions of dollars a year.

CONDITIONS IN HAITI

Mr. DOUGLAS. Mr. President, the proper administration of our foreign aid programs is a vital concern for us all. Experience has shown that our military and economic aid programs have been a fundamental influence in building and preserving the strength of the free world.

But experience has also shown—most recently with respect to Cuba and the Dominican Republic—that the foreign aid choices we face in some of the so-called underdeveloped countries are difficult and even filled with dangerous consequences. We sometimes forget that the "underdevelopment" of these countries is not merely economic, but social and political, as well. The absence in some of these countries of the democratic institutions and consensus which we take for granted in our Nation often appears to leave us with the alternatives of either helping an undemocratic and authoritarian regime or of giving no aid and so leaving the country to probable Communist domination.

I believe the Kennedy administration has given sound indication that the Alliance for Progress, and the entire AID program, will take serious note of this problem and will attempt to make careful judgments about the effects of our military and economic aid in the countries where it is applied. I believe that Congress, too, should be willing to take greater care in this matter.

Therefore, I was very pleased to encounter, in a recent issue of that fine journal, Commonweal, a thoughtful examination of this problem as it applies to our aid program in Haiti. I am especially interested in this matter since 35 years ago I spent some time in Haiti when our troops occupied that country and there was a puppet government which nominally administered the country but which in practice we controlled. I am proud to have played some part in obtaining the withdrawal of our troops from that country. Conditions seem to be similar now except that it is the local government which seems to be dictating the policies. The question as to how we should use our power is important and I hope the article in question will be carefully considered.

Mr. President, I ask unanimous consent that the challenging article entitled "Our Choice in Haiti," written by Alida L. Carey, a former staff member of Newsweek and an author whose articles appear in many publications in the United States and abroad, published in the Commonweal of March 2, 1962, be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

OUR CHOICE IN HAITI: DUVALIER OR THE PEOPLE

(By Alida L. Carey)

In Port-au-Prince some weeks ago an experienced and relatively impartial foreign observer described the Haitian Government as a bunch of gangsters. President Francois Duvalier, he told me, "is like Al Capone—with only one important difference: The United States jailed Capone, whereas it's helping Duvalier."

Though the comparison may be inelegant, the opinion seems sound, and its significance is appalling. The Caribbean Negro Republic of Haiti, after 4 years of Duvalier dictatorship, now lies brutalized, close to bankrupt, and bereft of visible, able alternate leaders, meanwhile its government receives American arms with military training, plus millions of dollars in aid annually, with almost no strings. The weapons go to Duvalier's armed forces, which he uses as a combined army-police, primarily to control and tyrannize the populace. Part of the aid supports the national budget, which in turn supports Duvalier, who spends much of his funds in secrecy and in strengthening himself personally. The rest of the aid aims at economic development, but here too the Government can intervene, with inefficiency and dishonesty, allowing little positive result for the country. It is generally accepted in Washington, not to mention in Port-au-Prince, that withdrawal of such American assistance could topple Duvalier.

Assistance continues, however, with the United States serving to harm both Haiti and itself. "You are now an accomplice," one distinguished Haitian has asserted to me. "It's a choice of either-or: either you support the dictator, or you aid the people; you can't do both," he says.

Add up the elements, that we now sustain a dictator who is of no effective help to his own people or to us, and actually of increasing harm to both, and then ask why. Apparently, there is no good (i.e., self-interested) reason for this current U.S. policy, and there are several which must be deemed bad. None of the classic protests of "it's politically expedient" or "we need the military base" or "we must protect our investments" can be accurately applied.

There are reasons enough, though, for wanting to help Haiti as a whole. As the first free Negro state in modern times and the only one in our hemisphere, it is symbolic. As the nearest foreign neighbor to Castro's Cuba, only 40 miles away across the Windward Passage to the northwest, and a border sharer with the Dominican Republic to the east, it becomes significant. To call Haiti underdeveloped requires excruciating understatement: Population estimates count 3,500,000 people and squeeze them into an area about the size of Maryland, tighter even than in India; mountains smother about 80 percent of the land and illiteracy about 90 percent of the people; the economy, such as it is, yields a per capita annual income of some $70 and is based on the one crop of coffee, exports of which are roughly half what they were two centuries ago, when Haiti was a colony of France. Malnutrition (not to mention tuberculosis and malaria) is widespread. Roads resemble lines of bomb craters, and the one from Port-au-Prince, the capital, to Cap Haitien, the second largest city some hundred miles away, takes 6 hours to travel by car, up to 14 by public bus.

The whole trouble is, Duvalier contends, that U.S. aid is insufficient. "We need a massive injection of money to revive Haiti, and this injection can come only from our great, capable neighbor and friend, the United States," the President has said. As neighbor-friend, we might pause to examine what's become of our money so far.

Last year, a $350,000 program sent American light weapons and munitions to the Haitian Army, while a resident 50-man U.S. naval mission has been training the troops since early 1959. Though the arms may seem modest and the mission small, they serve Duvalier well by implying American approval of his regime and beefing up the 5,000 army-policemen to help impose that regime. Once Haitian Army officers, not the President, controlled the land—as in 1957 when Gen. Antonio Kébreau favored Duvalier, then a former country doctor and seeming innocent, for the Presidency and had a reported 1,200 objecting citizens machine-gunned in the streets during a single night. But soon, as President, Duvalier seized the army command in fact if not in name. Against his own constitution, he dissolved the bicameral legislature last April and decreed a vote for a new single chamber, 2 years early and nine men short. His candidates, often only one per district, were hand-picked, then picked over, leaving finally such worthies as members of his Cabinet and his family.

Army troops stalked the capital's polling places on election day, April 30, 1961. Some of them guided the people brought into town from outlying areas in Government trucks to vote, while others reminded all Government employees that, though it was Sunday, they were ordered to work—and vote. Known anti-Duvalierists were held under arrest, out of harm's way. Simple citizens were rounded up, shivering with fear, and made to sign a paper which later turned out to be a government popular referendum. From Cap Haitien came word that army men with guns forced everyone emerging from church to go to the polls, whether they were men, women, children, or foreigners. All were handed the ballot of just one candidate and informed that the three others running had been jailed the night before. As a security measure, Army Maj. Jean Beauvoir delivered an expulsion order to the one foreign reporter come especially to cover the election, an American, as it happened, who had to depart without protest from his Embassy.

The election outcome surprised almost no one, except perhaps official Washington. Haiti had a new, unconstitutional legislature, though the real total vote was probably only 100,000 or less, and not the 1,320,748 which Duvalier claimed. Moreover, Haiti had an unconstitutional President, or rather Duvalier again, for a new and out-of-the-blue term of 6 years. Since his first term was to last until 1963, there was no legal reason for his running then. Since his constitution forbids presidential reelection, there was no legal chance of his running at all. He had not announced his candidacy and, of course, went unencumbered by either campaign issues or opponents. But the Duvalier name had appeared on every printed ballot, along with that of each legislative candidate, and a maximum one-tenth of the electorate had cast ballots.

What else has been done with U.S. money so far? An annual $6 million is presented to Haiti in budget support. Because budget figures remain generally a deep, dark, Duvalier secret, it is hard to estimate, but a probable 60 percent of all available funds goes to the military, official, and otherwise.

The army consumes some of this, while much of the rest feeds two other, more fearsome groups.

A presidential guard, numbering about 500 well-armed and well-trained troops, boasts no connection with the army and takes its orders solely from Duvalier. "Toto Macoute" (Creole for "Uncle Knapsack" or, loosely, "bogeyman"), shortened to "TTM," is what Haitians in hushed voices call the secret police, third and probably worst of the terror groups. Untrained and unrestrained, these may total 10,000 and are made up of wandering shoeshine boys, taxi drivers, restaurant waiters, and sundry ruffians, who by day spread out everywhere in civilian garb to spy and eavesdrop on the citizenry and to blackmail any they care to find displeasing. That some TTM get small salaries simply adds zeal to their blackmail demands. That others receive as much as a reported $3,600 yearly (a Haitian fortune) helps explain Duvalier's huge military budget.

At night, a TTM might don his olive-green uniform for more violent Duvalier missions—aided of course by periodic martial law and the state of siege in effect since May 1958 which permits searching of homes without warrant and jailing of anyone without trial. It was before dawn one night a year ago that TTM terrorists, with the army, broke in on Haiti's remaining Roman Catholic bishop, in bed, to seize and then help expel him from the country. Duvalier, himself a nominal Catholic and President of an officially Catholic state, has now ousted six important Catholic churchmen and suffered Vatican excommunication. To him, the clerics represent opposition to his native voodoo religion, thus his Haitian nationality, and his principally pure-black race. Finally, he views them as political meddlers who have, among other things, sided with Haiti University's Communist students.

Students naturally are considered meddlers, so they have received the TTM treatment, too. Last year, secret police grabbed, tortured, and imprisoned the National Student Union secretary. Eighteen high school boys were jailed, the university nationalized, free speech and assembly banned. When 1,000 fellow students (few, if any, actually Communist and several once Duvalierist) began a 4-month strike in protest, parents were threatened and scholarship pupils impoverished. Ultimately, the youngsters had to return to class, with no Government concessions in sight.

Whatever the occasion, Duvalier has been able to call on his budget-supported bullies. A free press, guaranteed by the Constitution, has been obliterated. The TTM ransacked and dynamited three newspaper printing plants, and the regime closed down Escale, Le Patriote, and La Phalange, possibly Haiti's best paper. Editors have been jailed or have fled into exile, and one, Augustin Cilandre, of Le Soleil, was arrested 4 years ago and subsequently disappeared.

Though a labor movement came late to Haiti, there were, pre-Duvalier, perhaps 50 well-established unions. "Now there's not one single free union * * * the working class knows the most degrading misery, without power to protest," a prominent labor union president, now exiled, has said. Another president, Dacius Benoit, of the Longshoremen's Union, fled into hiding inside Haiti, but too late; he was arrested and tortured, reportedly drenched with gasoline and set on fire.

Can we really afford to contribute to a budget which allows for such "military" expense? Is this foreign "aid"?

Other budgetary items include agriculture, natural resources, rural development, and rural education—the areas of greatest need—but it is probable that less than 7 percent of the total is slated for all these combined. Legislators supposed to vote the funds have little or no control. In 1960, when the legislature rejected Duvalier's request for full economic powers, they were forced to reconsider, passing the bill as originally presented, after the President had their chamber surrounded with troops. Some budget headings are not liable to question by the lawmakers, and some remain as mysterious missions abroad or presidential journeys, official entertainment, and receptions.

What else has been done with our money so far? The final area of U.S. efforts is that of economic-development assistance, valued at $7,560,000 for 1961. No one could dispute the country's need for such amounts, or maybe even more. Until 1804 Haiti was a French colony, staffed by African slaves, and dubbed Europe's New World economic prize. Suddenly freed, but poorly trained, the ex-slaves destroyed much of what had made their country both agricultural and rich. Once enormous estates boasting sugar, cotton, and indigo were chopped up into unproductive parcels, an instance of land reform gone mad. Trees from once dense forests were consumed as fuel, and floods and soil erosion followed. Simultaneously, the ex-serfs retained old farming methods and have had little occasion since to acquire the new. Today, some families try to survive with less than one-fortieth of an acre of fertile land. Even the major money crop of coffee often grows wild in the mountains and is picked, mere baskets at a time, to be trudged down to the local marketplace.

Much of American economic funds has gone toward development of the Artibonite River Valley, a would-be wonderland which sweeps east to west across central Haiti and might someday feed the whole country. In a concept similar to our TVA, waste and erosion covering 80,000 acres may know irrigation and flood control. A hydroelectric plant there could provide 40,000 kilowatts of power, exactly twice what all Haiti has today. But, though construction began in 1953, the project has still to be finished and, in the words of one pessimist, won't be, "not in our time." Other Haitians maintain that "80 percent of the aid given Haiti by the United States is wasted, some of it the result of mismanagement and the rest of outright corruption." In the case of the Artibonite, cost estimates climbed from an original $6 million on upward, until by 1956 they had reached $32 million. Delay followed delay, and Duvalier followed that.

To date, we have never demanded a firm accounting for all public funds as a condition of budget support and the aid program (not to mention the military mission). Despite hazy Haitian figures, we can estimate that Duvalier dispenses a total annual $34 million—of which the United States contributes about 40 percent, Duvalier refuses to account for about 18 percent, and he misuses a probable 80 percent.

Are there any good reasons for our policy in Haiti? None, militarily, for the United States has no base in Haiti now, and an April offer by Duvalier of a naval base site at Môle St. Nicholas, opposite Cuba, has so far gone without benefit of public U.S. reply. Military sources meanwhile admit that an installation there would at best be a satellite base to Guantanamo, or a very expensive substitute for it. Haiti's army serves no real purpose for us, if internally it simply buoys up a bad President and if externally it would be powerless against invading Cuban or Dominican forces, each now over four times its size. And, in the event of invasion, say from these neighbors, Haiti could quickly plead an "intracontinental conflict," under the OAS 1947 Rio Pact, and call for collective action for her defense.

Politically, there seems no advantage, even if we consider the curious reasoning that if Duvalier is a dictator, he is therefore efficient, and if a right dictator, therefore anti-Communist and friendly to us. This is not a Portuguese strongman who might be credited with a stable economy, or a late Dominican El Benefactor-factotum once hailed for building hospitals, roads, and a new high in literacy. Nor is Duvalier notably anti-Communist; on the contrary. He tolerates small but active Communist cadres in Haiti—though communism in general there appears weak. Not long ago he launched a Haitian trade mission toward the Soviets, via East Germany, or so East German papers reported, and by announcing publicly that, if the United States didn't manage to fill his "needs," he might choose between the "two great poles of attraction." Chances are Duvalier is no Communist himself, but he is no friend, either. Chameleonic, he seems capable of many colors, including blackmail, to maintain his rule.

Moreover, should this rule continue, ruthless and repressive as it is, Duvalier's heavy hand could point the way to a final explosion among Haitians, who in desperation and even in justice might swing violently to a left regime. This is the single greatest threat today.

Other "good" reasons for our policy cannot include the protection of American investments. Our private investments in Haiti now are scattered around principally in sugar, electric power, bananas, sisal, flour, fisheries, and bauxite mining. Their total value at most reaches only perhaps $50 million. One of the biggest ventures, a sugar company selling about half its production to the United States, continues to survive by its own admission only because of the present American quota and our price which averages more than 2 cents a pound above the world rate.

Failing good reasons, we have adopted bad ones for our treatment of Haiti. Fear perhaps is paramount: Washington is afraid of Duvalier's threats of I'll turn East, or I won't support you in the West (presumably in the U.N. and OAS). He used this weapon quite nakedly at the recent OAS Conference at Punta del Este. Americans on the spot seem afraid of future physical violence without the doctor around, as if they couldn't see the omnipresent hooligans and assassins now. Indecision, too, plays a part: we're not sure what to do in Haiti, and meanwhile there are problems of Germany and Berlin, so we'll let it ride. Contradiction covers all. The United States stands opposed to dictators, but, we oppose "intervention," but, only in the negative sense, as in an overt menace, or hindrance, not in the sense of positive help. We insist on each nation's self-determination, but, not if it involves abandoning Duvalier and allowing Haitians to determine themselves. Finally, we can't abandon Duvalier and leave nothing but possible chaos; first a viable political alternative must be found although under such dictatorship no moderate alternative can emerge.

U.S. policy now argues that, if Duvalier should go, a Castro-like catastrophe might take his place. But the Castro type will come, more likely, if Duvalier stays. We complain of no alternative. But we ourselves help discourage the best alternatives there are (or were): the youth and talent of the land.

In 4 years' time, Duvalier has had an estimated 200 opponents killed. Countless others have disappeared, and others rot undefended in jail. Many have raced into hiding, some seek asylum in foreign embassies, and hundreds and hundreds, as they were described to me, are now in exile. These include eminent politicians, businessmen, professional people, even Haiti's best contemporary novelist, all told a varied

group and an able one—in short, an enormous loss. And the President even depletes his own camp—he practices a perpetual purge of his Cabinets, the army command, the TTM, his own political party, and his loyal private secretaries—anything to prevent someone else's perhaps gathering power to become a threat. What is left? Even the political man in the street now walks in fear, for he might be subject to arbitrary arrest and beating, on the whim of a TTM, or accosted by young hoodlums with guns, or denied a passport when he wants to leave.

What is there, then, that we can and cannot reasonably do? Unfortunately, Haiti's problems are not entirely new; her history makes a patchwork of violence and parasitic presidents. Still, Dr. Duvalier seems more disastrous than his forebears, and he is the beneficiary of more U.S. aid—including now our Alliance for Progress funds stripped of specific U.S. control. At the August Punta del Este Alliance Conference, U.S. Treasury Secretary Douglas Dillon signed the 20-nation charter and declaration which pledged more American money, but exacted no firm guarantees from recipient governments as to its use. While the objective is economic and social development, under representative democracy, there will be "no hard and fast line," Secretary Dillon said, in evaluating efforts toward this objective. That is, there will be no insistence on progress, under the Alliance for Progress. "We are not trying in anyway to interfere in or judge the details of the internal operations of individual countries," Mr. Dillon declared.

But surely the time has come when we must interfere and judge—in the case of Haiti, and perhaps others, too. "Intervention" may be a dirty word in the hemisphere, but we are intervening already, in behalf of Duvalier, and might better do so in behalf of his people as a whole. Either that, or withdraw ourselves and our aid completely. Let us, for once, decide to give aid abroad constructively or not at all.

If all U.S. aid to Haiti, both direct and via the Alliance, were ended, Duvalier would surely fall, courtesy of his fellow Haitians. Possibly his head would fall at the same time. And he must realize this. But if we were to threaten an end to all aid, he could make a choice: his own overthrow, perhaps bloody, or his agreement to certain U.S. demands, including, in time, new free elections. Free elections would also mean his ultimate overthrow, but they could be accompanied by a promise of safe conduct out of Haiti. It would seem to be to his interest to choose the latter, and also to request an OAS mission to come and help keep the peace during the balloting while he was still in office.

Hopefully, he might at the same time request a Haitian mission. This would mean the return of Haiti's able citizens now abroad, and the emergence from forced silence and stultification of those at home. It could be the beginning of a healthy Haitian Republic.

Mr. GRUENING. Mr. President, I was very much interested in the remarks made by the distinguished Senator from Illinois on the subject of Haiti. I, too, many years ago, as a newspaper editor, was concerned about the Marine occupation of that little Republic. Our military occupation was sponsored by certain financial interests who wanted to recover their investments. Through editorials and other articles which were published in the Nation, and Current History magazine, I managed to secure a senatorial investigation by a select committee of the Senate. The investigation was headed by the late Senator Medill McCormick, of Illinois, who was accompanied by Senator Tasker L. Oddie, of Nevada, Senator Atlee Pomerene, of Ohio, and Senator Andrieus A. Jones, of New Mexico.

The committee went to Haiti and found there a great deal of abuse. Many Haitians had been killed. But at that time the committee saw fit to recommend no change in the military occupation. We were still in the now fortunately abandoned era of so-called dollar diplomacy supported on occasion by armed intervention into the territories of our smaller neighboring Latin American Republics.

It was not until some years later, in response to a changed view about the unfortunate aspects of our gunboat diplomacy, that our Marines were removed and Haiti was restored to self-government. I was happy to play a part in this policy, not merely by my writings, but as the adviser to the U.S. delegation to the Seventh Inter-American Conference, which under the leadership of Secretary of State Cordell Hull, laid the foundation for the good-neighbor policy for Latin America.

It is true that there have been a succession of governments in Haiti that have not been successful. Still I think Haiti is entitled to much sympathy and help particularly because of its linguistic isolation. It is the one country in the Western Hemisphere which is not joined to the Ibero-American bloc by ties of language and culture. Its language is French. Its people are colored. It is officially a Negro Republic. Its people have inherited a great burden of poverty and distress from their past history. They are a friendly, kindly people.

I believe that Haiti is an instance in which the compassion which we so often associate with the distinguished Senator from Illinois should be exercised. I have not read the article in Commonweal, but I judge from some of the other recent articles I have read that it repeats that there is dictatorship, corruption, and misgovernment in Haiti. But that, after all, is not unknown in other smaller republics to the south of us.

I think Haiti is one of the places where we should exercise the greatest patience and sympathy, and we should see whether, instead of withdrawing our support and adopting a hard-boiled policy, we cannot work with the Haitians and their government, whatever its faults, and restore that country to some semblance of better living, better medical care, more food for its people, and hope for the future.

There is terrible poverty in Haiti. There is malnutrition and disease. Much of it is due to conditions brought about by previous administrations there; and I think this is one case in which we can and should show our good will and our understanding for a distressed people, and aid them as much as possible to help them relieve their distress.

Mr. DOUGLAS. Mr. President, I thank the Senator from Alaska for his comments. For many years he was perhaps the most determined and most enlightened friend of freedom for Haiti in the United States; and his articles and the material he developed inspired a great many of us. In 1927, I took part in an unofficial mission to Haiti; and we profited greatly from his guidance and his information. We recommended that the Marines be withdrawn from Haiti, and gradually that was done in both the latter days of the Hoover administration and the early days of the Roosevelt administration. I think there is no doubt that conditions in Haiti did improve.

I join the Senator from Alaska most heartily in seeking to have a free and independent Haiti. This article calls for that, too. It merely points out that the present President of Haiti is apparently quite a bloody dictator, that he is violating the liberties of the Haitian people, and that our military mission in Haiti seems in a sense to be supporting him. I simply ask that this material be studied.

While I am on my feet, let me say that in the past the Marines have been criticized because they have gone into many of these countries. However, I wish to point out that they go in under orders.

I wish to make that clear. They do not take the initiative in these matters. They receive orders from the President and from the Secretary of Defense, and they obey the orders. Therefore, I think they have been subjected to a great deal of improper criticism. I am opposed to dollar diplomacy, and I am opposed to the occupation of these countries by American troops. Perhaps it is a service loyalty which makes me say that I do not think the Marines should be regarded as the initiating factor in these matters, but should be regarded merely as a loyal instrument of the policy of the Government of the United States. If we make the correct policy, the marines will carry it out properly.

Mr. GRUENING. I know that to be the case. Certainly the Marines are merely the servants of our public policy.

I wish to say about President Duvalier, whom I do not know personally, that I have heard much criticism of his regime; but certainly he cannot be as ruthless a dictator and villain as was the late but not lamented dictator of that Republic, Trujillo, who owed his career there to his establishment by our Armed Forces, and enjoyed the continuing support of successive American administrations, and made an alltime record of brutality, bloodthirstiness, and thievery. I am sure that President Duvalier cannot remotely equal that record or the records of past dictators in the past history of Latin America. In any event, I am confident that a wise policy of guidance and aid by the United States would make for improvement. If we are skillful and firm as well as sympathetic in our approach, I believe we can secure betterment of the conditions which are subject to condemnation and criticism.

Mr. DOUGLAS. Certainly that is true. We were once tacitly in support of the dictatorship of Trujillo; but fortunately that policy has been reversed by the present administration. Certainly I hope the former Trujillo administration remains out of power, and that

to the contrary, democratic governments loyal to free institutions will operate there.

Mr. GRUENING. I hope so too and I thank my friend.

TRANSACTION OF ROUTINE BUSINESS

By unanimous consent, the following routine business was transacted:

CONCURRENT RESOLUTION OF SOUTH CAROLINA LEGISLATURE

Mr. THURMOND. Mr. President, on behalf of my colleague, the senior Senator from South Carolina [Mr. JOHNSTON], and myself, I present, for appropriate reference, a concurrent resolution of the Legislature of South Carolina memorializing Congress to propose a constitutional amendment abolishing income, estate, and gift taxes and prohibiting the Federal Government from engaging in any business, professional commercial, financial, or industrial enterprise except as provided in the Federal Constitution.

There being no objection, the concurrent resolution was referred to the Committee on the Judiciary, and, under the rule, ordered to be printed in the RECORD, as follows:

CONCURRENT RESOLUTION OF THE LEGISLATURE OF SOUTH CAROLINA

Concurrent resolution memorializing Congress to propose a constitutional amendment abolishing income, estate, and gift taxes and prohibiting the Federal Government from engaging in any business, professional, commercial, financial, or industrial enterprise except as provided in the Federal Constitution

Be it resolved by the house of representatives (the senate concurring), That the Congress of the United States be memorialized to, without delay, propose to the people an amendment to the U.S. Constitution or to call a convention for the purpose of adding to the Constitution an article to read as follows:

"ARTICLE —

"SECTION 1. The Government of the United States shall not engage in any business, professional, commercial, financial, or industrial enterprise except as specified in the Constitution.

"SEC. 2. The Constitution or laws of any State, or the laws of the United States, shall not be subject to the terms of any foreign or domestic agreement which would abrogate this amendment.

"SEC. 3. The activities of the U.S. Government which violate the intent and purposes of this amendment shall, within a period of 3 years from the date of the ratification of this amendment, be liquidated and the properties and facilities affected shall be sold.

"SEC. 4. Three years after the ratification of this amendment the 16th article of amendments to the Constitution of the United States shall stand repealed and thereafter Congress shall not levy taxes on personal incomes, estates, and/or gifts."

Be it further resolved, That certified copies of this resolution be forwarded to the Vice President of the United States, the President pro tempore of the Senate, the Speaker of the House of Representatives and to each member of the South Carolina congressional delegation.

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the South Carolina House of Representatives and concurred in by the Senate.

[SEAL] INEZ WATSON,
Clerk of the House.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS

Mr. HAYDEN. Mr. President, in accordance with the Mutual Security Act of 1954, as amended, I ask unanimous consent to have printed in the RECORD the reports of the Committee on Foreign Relations and certain interparliamentary groups and the Committee on Commerce concerning the foreign currencies and U.S. dollars utilized in 1961 in connection with foreign travel.

There being no objection, the reports were ordered to be printed in the RECORD, as follows:

Report of expenditure of foreign currencies and appropriated funds by delegation, U.S. Senate, 50th Conference, Interparliamentary Union, Brussels, Belgium, and delegation expenses for House and Senate delegations, expended between Jan. 1 and Dec. 31, 1961

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Albert Gore: Belgium	U.S. dollar		168.84		40.90				20.78		230.52
Gordon Allott: Belgium	do		108.54		199.67		14.00		81.76		403.97
Ernest Gruening: Belgium	do		108.54		98.16		5.00		83.80		295.50
J. J. Hickey: Belgium	do		108.54		147.78		7.50		23.07		286.89
Frank E. Moss: Belgium	do		60.30		74.90		5.00		38.57		178.77
Andrew F. Schoeppel: Belgium	do		60.30		95.40		4.70		32.22		192.62
Dorothy S. Tenenbaum: Belgium	do		63.32		61.04		3.00		7.80		135.16
Frank P. Dunham: [1]											
United Kingdom	do								32.00		32.00
Belgium	do		144.72		198.92		4.00		288.43		636.07
France	do								100.00		100.00
Carl Marcy:											
Belgium	do		63.32		111.40		13.00		91.02		318.74
Do	Belgian franc			4,500	94.50	3,133	64.54	2,000	42.00	9,633	201.04
France	U.S. dollar				47.00				18.00		65.00
Darrell St. Claire:											
United Kingdom	Pound	5/10/6	15.47	18/12/0	52.08	2/5/0	6.30	8/18/8	25.01	35/6/4	[1] 98.86
Belgium	Belgian franc	4,700	95.47	8,145	163.15	1,040	20.80	2,250	44.06	16,135	323.47
France	Franc	828.00	55.82	282.00	50.40	2,763.70	562.90	53.00	19.20	3,428.70	688.32
Delegation expenses: Receptions:											
U.S. Embassy	U.S. dollar				314.53						314.53
Belgium	Belgian franc			15,642	314.50					15,642	314.50
Official luncheons and meals	do			27,660	555.97					27,660	555.97
Do	U.S. dollar				1,229.94						1,229.94
Gratuities:											
Belgium	do								132.67		132.67
Do	Belgium franc							6,500	130.52	6,500	130.52
Supplies, postage, etc.	U.S. dollar								79.25		79.25
Office rental:											
Belgium	Belgium franc							19,291	387.76	19,291	387.76
Do	U.S. dollar								388.86		388.86
Conference room:											
Belgium	do								73.68		73.68
Do	Belgium franc							3,666	73.68	3,666	73.68
Communications: Belgium	do							17,800	357.82	17,800	357.82
Transportation: Belgium	do					35,467	773.36			35,467	773.36
Do	U.S. dollar						778.63				778.63
Total			1,062.18		3,837.24		2,302.73		2,572.95		9,775.10

RECAPITULATION

Foreign currency (U.S. dollar equivalent)	$3,915.30
Appropriated funds:	
Other Public Law 87-294	5,859.80
Government department: Department of Defense	437.00
Total	10,212.10

Deceased.

[1] Plus 20/12/4 pounds ($57.87) returned to the Department of State.

MAR. 12, 1962.

J. W. FULBRIGHT,
Chairman, Committee on Foreign Relations.

Report of expenditure of foreign currencies and appropriated funds by delegation, U.S. Senate, to the 7th NATO Parliamentarians Conference, Paris, France, expended between Jan. 1 and Dec. 31, 1961

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Estes Kefauver: France	U.S. dollar		265.71		182.81		2.43		183.27		614.24
B. Everett Jordan: France	do		122.45		179.10		6.40		90.91		398.86
Quentin Burdick:											
France	do		211.18		213.22		13.00		34.92		472.32
United States	do						174.52				174.52
Howard Cannon:											
France	do		244.90		144.22		8.00		27.34		424.46
United States-France	do						672.40				672.40
Lee Metcalf:											
France	do		175.98		49.18						225.16
United States	do						288.20				288.20
Edward V. Long:											
France	do		212.57		274.82		50.00		148.20		685.49
United States	do						135.01				135.01
Hugh Scott: France	do		141.71		124.14				230.42		496.27
Claiborne Pell: France	do		116.47		87.95		18.00		98.64		321.06
Karl E. Mundt:											
France	do		221.43		71.73		70.00		15.88		379.04
United States	do						179.85				179.85
Jacob Javits:											
France	do		148.17		187.76		30.00		91.01		456.94
United States-France	do						980.30				980.30
Jack Miller:											
France	do		176.61		153.46				10.00		340.07
United States	do						170.94				170.94
Clara Buchanan: France	do		79.71		50.37				5.50		135.58
Belle Nutkin: France	do		91.10		124.82		30.00		86.37		332.29
Varney Porter: France	do		131.59		42.39		10.00		9.09		[1] 193.07
George Denney: France	do		111.34		166.67		10.00		40.41		[2] 328.42
Don Vaughn: France	do		79.71		145.65		6.00		22.00		253.36
Julian Granger: France	do		79.71		77.76		12.00		123.97		293.44
Conference expense: France	do		32.90		11.89						44.79
Darrell St. Claire: France	do		18.98		17.17		15.00		29.31		80.46
Conference expense:											
Communications, United States	do								37.16		37.16
Office rental, France	do								342.75		342.75
Gratuities, France	do								85.00		85.00
Overtime, Embassy personnel: France	do								742.57		742.57
Meals en route, personnel meals, baggage handling, taxis, and supplies, France	do				475.28		38.00		584.53		[3] 1,097.81
Total			2,662.22		2,760.19		2,920.07		3,039.35		11,381.83

RECAPITULATION

Appropriated funds:	
Other Public Law 87-264	$10,563.41
Department of Defense	818.42
Total	11,381.83

[1] Plus $91 reimbursed U.S. Treasury by personal check.
[2] Plus $25 reimbursed U.S. Treasury by personal check.
[3] $818.42 of total in agency funds.

MAR. 12, 1962.

J. W. FULBRIGHT,
Chairman, Committee on Foreign Relations.

Report of expenditure of foreign currencies and appropriated funds by delegation, U.S. Senate, to the meeting of the Commonwealth Parliamentary Association, London, England, expended between Jan. 1 and Dec. 31, 1961

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
J. W. Fulbright, United Kingdom	U.S. dollar		159.02		35.98				6.97		201.97
Delegation expenses:											
United Kingdom	Pound							50-0-0	140.00	50-0-0	140.00
Germany	Deutsche mark					3,711.16	934.80			3,711.16	934.80
Stephen M. Young, United Kingdom	U.S. dollar						517.40				517.40
J. Glenn Beall, United Kingdom	do		57.14		55.36		517.65		6.19		636.34
John G. Tower, United Kingdom	do				12.00		953.28				965.28
Anne M. Piggot:											
United Kingdom	do				53.29		6.71		.68		60.68
Germany	Deutsche mark					3,711.16	934.80			3,711.16	934.80
Seth P. Tillman, United Kingdom	U.S. dollar				114.86		21.85		34.57		171.08
Delegation expenses:											
United Kingdom	Pound	175-1-4	[1] 490.19	36-2-11	106.81	2-9-0	6.86	5-8-5	15.18	221-1-8	619.04
Germany	Deutsche mark					3,711.16	934.80			3,711.16	934.80
Total			706.35		378.10		4,828.15		203.59		6,116.19

[1] Includes office rental.

RECAPITULATION

Foreign currency (U.S. dollar equivalent)	$3,563.44
Appropriated funds: S. Res. 168, 87th Cong	2,552.75
Total	6,116.19

MAR. 9, 1962.

J. W. FULBRIGHT,
Chairman, Committee on Foreign Relations.

Report of expenditure of foreign currencies and appropriated funds by Senate delegation, Mexican-U.S. Interparliamentary Meeting, Guadalajara and Mexico City, Mexico, expended between Jan. 1 and Dec. 31, 1961

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
John Marshall Butler, Mexico	U.S. dollars		60.37		36.30				74.82		171.49
Dennis Chavez, Mexico	do		59.97		43.98				78.36		182.31
Carl T. Curtis, Mexico	do		63.97		48.75				33.74		146.46
Clair Engle, Mexico	do		59.97		38.48				53.56		152.01
Albert Gore, Mexico	do		63.97		57.02				80.22		201.21
Bourke B. Hickenlooper, Mexico	do		24.02		16.01		152.85		57.75		250.63
Ernest Gruening, Mexico	do		63.97		38.99				74.74		177.70
Mike Mansfield, Mexico	do		110.08		49.72				88.71		248.51
Eugene J. McCarthy, Mexico	do		63.97		26.36		171.05		103.41		364.79
Claiborne Pell, Mexico	do		63.97		68.70				114.53		247.00
Andrew F. Schoeppel, Mexico	do		63.97		36.83				72.86		173.66
Joseph Gonzales, Mexico	do		42.35		31.39				76.62		150.66
Mark Trice, Mexico	do		63.97		76.49				81.58		222.04
Pat Holt, Mexico	do		46.36		26.57				24.71		97.64
Delegation expenses, Mexico	do				29.01		13.10		94.48		136.59
Arthur M. Kuhl, Mexico	do		46.36		55.48				50.54		[1] 152.38
Delegation expenses, Mexico	do				91.20		17.40		779.36		887.96
Total			897.27		771.28		354.40		1,970.09		3,993.04

[1] Plus $38.09 reimbursed the U.S. Treasury by personal check for personal expenses.

RECAPITULATION

Appropriated funds: Public Law 86-420	$3,993.04

MAR. 9, 1962.

J. W. FULBRIGHT,
Chairman of Delegation and Committee on Foreign Relations.

Report of expenditure of foreign currencies and appropriated funds by delegation, U.S. Senate, to 5th meeting, Canada-United States Interparliamentary Group, Washington, D.C., and Norfolk, Va., expended between Jan. 1 and Dec. 31, 1961

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Claiborne Pell, United States	Dollar		18.00		4.05				0.75		22.80
George C. Denney, Jr., United States	do		16.00		2.35				.15		18.50
Senate delegation expense	do				46.00						46.00
Milrae E. Jensen, United States	do		14.00		3.65						17.65
Senate delegation expense	do				3.10		4.75				7.85
U.S. group expense	do		87.85						30.00		117.85
Darrell St. Claire, United States	do						9.75		11.00		20.75
Senate delegation expense	do				761.02						761.02
U.S. group expense, United States	do				1,749.02				199.07		1,948.09
Total			48.00		2,657.04		14.50		240.97		2,960.51

RECAPITULATION

Appropriated funds: Public Law 86-42	$2,960.51

MAR. 9, 1962.

J. W. FULBRIGHT,
Chairman, Committee on Foreign Relations.

Report of expenditure of foreign currencies and appropriated funds by delegation, U.S. Senate, to 4th meeting, Canada-United States Interparliamentary Group, Ottawa and Quebec City, Canada, expended between Jan. 1 and Dec. 31, 1961

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
George D. Aiken, Canada	U.S. dollars		78.00		8.24				0.85		87.09
Gordon Allott, Canada	do		88.50		14.75				4.55		107.80
J. Caleb Boggs, Canada	do		67.50		14.27				1.55		83.32
Thomas J. Dodd, Canada	do		88.50		50.56				73.70		212.76
Hiram L. Fong, Canada	do		88.50		13.38				2.35		104.23
Vance Hartke, Canada	do		88.50		25.37				3.05		116.92
B. Everett Jordan, Canada	do		88.50		23.36				2.05		113.91
Lee Metcalf, Canada	do		88.50		16.12						104.62
Ralph W. Yarborough, Canada	do		105.00		14.77				9.55		129.32
George C. Denney, Jr., Canada	do		50.25		9.81				2.55		62.61
Francis R. Valeo, Canada	do		78.00		32.25				15.10		125.35
Darrell St. Claire, Canada	do		88.50		28.03		6.00		14.45		[1] 136.98
Senate delegation expense:											
United States	do				5.52		6.00		1.00		12.52
Canada	do		26.25		103.53		14.60		30.05		174.43
U.S. group expense, Canada	do				164.51		7.00		62.93		234.44
Total			1,024.50		524.47		33.60		223.73		1,806.30

[1] $41.06 of this amount reimbursed to the U.S. Treasury by personal check.

RECAPITULATION

Appropriated funds: Public Law 86-42	$1,806.30

MAR. 9, 1962.

J. W. FULBRIGHT,
Chairman, Committee on Foreign Relations.

Report of expenditure of foreign currencies and appropriated funds by the Committee on Foreign Relations, U.S. Senate, expended between Jan. 1 and Dec. 31, 1961

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. equivalent or U.S. currency	Foreign currency	U.S. equivalent or U.S. currency	Foreign currency	U.S. equivalent or U.S. currency	Foreign currency	U.S. equivalent or U.S. currency	Foreign currency	U.S. equivalent or U.S. currency
J. W. Fulbright:											
Bermuda	U.S. dollar		95.00		31.00		8.75		5.05		139.80
Brazil	Cruzeiro	17,970	64.00	15,560	53.76	1,120	4.00	4,480	15.00	39,130	136.76
Do	U.S. dollar				36.00				3.00		39.00
Hubert H. Humphrey: Bermuda	do		53.50		30.50		13.75		3.60		101.35
Wayne Morse: Bermuda	do		85.00		41.00		12.25		1.95		140.20
Milrae E. Jensen: Bermuda	do		88.75		37.25		10.50		4.10		140.60
Albert Gore:											
United States, France, Libya, UAR, Ethiopia, Somali Republic, Kenya, Tanganyika, Southern Rhodesia, Northern Rhodesia, the Congo, Congo, Nigeria, Ghana, Liberia, Sierra Leone, Guinea, and Senegal	do				190.00		24.00		10.00		224.00
Ethiopia	Ethiopian dollar	37.50	15.00	12.50	5.00					50.00	20.00
Somali Republic	U.S. dollar		5.27								[1] 5.27
Kenya and Tanganyika	East African shilling	564	80.00	141	20.00			35	5.00	740	105.00
Southern Rhodesia and Northern Rhodesia	U.S. dollar		50.77		23.59						[1] 74.36
Congo	Franc	970	19.40	110	2.20			108	2.36	1,188	23.96
Nigeria	Pound							4-0-0	11.20	4-0-0	11.20
Ghana	do	5-0-0	14.00					3-0-0	8.40	8-0-0	22.40
Liberia	U.S. dollar		62.50		19.75						[2] 82.25
Sierra Leone	Pound	8-0-0	22.40	1-7-0	3.78	5-0-0	14.00			14-7-0	40.18
Guinea	U.S. dollar		26.07		3.25						[1] 29.32
Senegal	Franc	8,682	35.43							8,682	35.43
Germany	Deutsche mark					4,325.71	1,089.60			4,325.71	1,089.60
Switzerland	Franc			899.20	206.98	151.10	35.39	314	74.91	1,364.30	317.28
Stuart Symington: [3]											
United States, France, Lebanon, Iraq, Iran, Vietnam, India, UAR, Jordan, Israel, Germany	U.S. dollar				104.00		4.25		2.00		110.25
France	New franc	1,408.00	287.42	686.95	140.19	359.00	73.17	456.50	93.19	2,910.45	593.97
Lebanon	Pound	888.50	294.21	298.70	98.91	135.90	45.00	182.04	60.28	1,505.14	498.40
Iraq	Dinar			3.36	15.01	3.49	9.77	4.82	13.50	12.67	38.28
Iran	Rial			2,584	34.00	1,444	19.00	3,669	48.65	7,497	98.65
Vietnam	Piaster	3,264	44.40	1,470	20.00			367	5.00	5,101	69.40
India	Rupee	629.35	134.00	118.50	25.00			107.15	22.75	855	181.75
Egypt	Pound			10.00	22.50	7.50	16.87	14.50	32.63	32.00	72.00
Israel	Pound	187.40	86.74	48.60	22.50	46.80	21.68	43.20	20.00	326.00	150.92
Germany	Deutsche mark	193.47	48.37	140.00	35.00	100.12	25.03	113.81	28.45	547.40	136.85
Bourke B. Hickenlooper:											
Brazil	U.S. dollar				30.00				3.25		33.25
Do	Cruzeiro			13,800	45.72			10,200	40.00	24,000	85.72
Germany	Deutsche mark					2,004.85	505.00			2,004.85	505.00
Pat Holt:											
Brazil	U.S. dollar				36.00				3.00		39.00
Do	Cruzeiro	22,900	80.41	45,180	160.00			22,100	78.96	90,180	319.37
W. John Newhouse:											
United States, France, Lebanon, Iraq, Iran, Vietnam, India, U.A.R., Jordan, Israel, Germany	U.S. dollar				104.00		21.45		12.81		138.26
France	New franc	1,073.09	219.01	490.86	100.16	224.00	45.71	344.30	70.21	2,132.25	435.09
Lebanon	Pound	399.45	132.27	394.35	130.58	182.00	60.26	269.00	89.07	1,244.80	412.18
Iraq	Dinar			8.93	23.00			4.11	11.50	13.04	36.50
Iran	Rial	6,886.00	90.80	2,394.00	31.50	570.00	7.50	1,558.00	20.50	11,408.00	150.10
Vietnam	Piaster	3,969	54.00	1,360	18.50	367.00	5.00	679	9.23	6,375	86.73
India	Rupee	306.15	65.00	118.50	25.00	47.10	10.00	60.05	12.75	531.80	112.75
Egypt	Pound	18.72	41.00	4.78	9.63	10.90	23.62	2.50	5.62	36.50	79.86
Jordan	Dinar			1.80	5.04	2.55	7.14	.75	2.10	5.10	14.28
Israel	Pound	135.00	62.50	37.80	17.50	43.20	20.00	54.00	25.00	270.00	125.00
Germany	Deutsche mark	164.75	41.17	137.95	34.49	139.95	35.00	109.95	27.49	552.60	138.15
Carl Marcy											
Bermuda	U.S. dollar		84.50		41.50		10.55		158.36		294.91
Do	Pound					95-0	270.72	115-6-8	325.26	211-6-8	595.98
United States, France, Libya, UAR, Ethiopia, Somali Republic, Kenya, Tanganyika, Southern Rhodesia, Northern Rhodesia, the Congo, Congo, Nigeria, Ghana, Liberia, Sierra Leone, Guinea, and Senegal	U.S. dollar				182.00		18.00		8.00		208.00
France	New franc	219.67	44.37	492.00	101.60	102.00	20.81	43.00	8.57	858.67	[3] 175.35
Ethiopia	Ethiopian dollar	37.50	15.00	12.50	5.00			15.00	6.00	65.00	26.00
Somali Republic	U.S. dollar		5.27								[1] 5.27
Kenya and Tanganyika	East African shilling	508	72.00	141	20.00			49	7.00	698	99.00
Do	U.S. dollar				8.00		137.18				[1] 145.18
Southern Rhodesia and Northern Rhodesia	do		40.16		17.53		8.00		18.00		[1] 83.69
Congo	Franc			350	7.00			500	10.00	850	17.00
Nigeria	Pound	18-0-0	50.40	5-0-0	14.00	7-0-0	19.60	6-0-0	16.80	36-0-0	100.80
Do	U.S. dollar						4.00		16.00		[1] 20.00
Ghana	Pound	8-0-0	22.40	7-0-0	19.60	94-0-0	[4] 263.20			109-0-0	305.20
	U.S. dollar								16.80		[1] 16.80
Liberia	do		49.49		3.78						[1] 53.27
Sierra Leone	Pound	6-0-0	16.80	3-0-0	8.40			6-0-0	16.80	15-0-0	42.00
Guinea	U.S. dollar		11.45		36.55		12.00		4.00		[1] 64.00
Senegal	Franc	8,983.00	35.43							8,983.00	35.43
Do	U.S. dollar								12.00		[1] 12.00
Darrell St. Claire:											
Belgium	Franc					64,071.00	1,287.83			64,071.00	[5] 1,287.83
Denmark	Krone	145.55	21.18	120.45	17.52			34.00	4.85	300.00	[6] 43.55
Germany	Deutsche mark	165.84	39.65	156.86	38.21	12.60	3.00	63.70	19.14	399.00	100.00
Total			2,906.29		2,514.78		4,222.58		1,527.09		11,170.74

[1] Agency funds.
[2] Repaid U.S. Treasury $800 for personal expenses incurred.
[3] Plus $340.80 returned to State Department in French francs.
[4] Paid in Nigerian pounds.
[5] Repaid U.S. Treasury in redeemable tickets and by personal check.
[6] Repaid U.S. Treasury by personal check.

Report of expenditure of foreign currencies and appropriated funds by the Committee on Foreign Relations, U.S. Senate, expended between Jan. 1 and Dec. 31, 1961—Continued

RECAPITULATION

	Amount
Foreign currency (U.S. dollar equivalent)	$8,970.71
Appropriated funds:	
S. Res. 41, 87th Cong.	1,608.62
Department of Defense	591.41
Total	11,170.74

J. W. FULBRIGHT,
Chairman, Committee on Foreign Relations.

MAR. 12, 1962.

Report of expenditure of foreign currencies and appropriated funds by the Committee on Commerce, U.S. Senate, expended between Jan. 1 and Dec. 31, 1961

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Bartlett, E. L.:											
Japan	Yen	69,120	192.00	60,480	168.00			35,800	99.44	165,400	459.44
Japan	Deutsche mark					4,706.00	1,176.50			4,706.00	1,176.50
Subtotal			192.00		168.00		1,176.50		99.44		1,635.94
Butler, John M.: France	New franc	782.58	159.71	898.17	183.30	4,903.81	980.37	399.20	81.47	6,883.77	1,404.85
Cotton, Norris: France	do	802.00	163.40	415.00	84.50	4,985.00	1,015.19	205.00	41.74	6,330.00	1,304.83
Hartke, Vance: Rome	Lira	55,682	91.00	22,259	36.37	152,059	248.46			230,000	375.83
Markel, Daniel B.:											
France	New franc	997.98	203.67	765.53	156.23	5,047.74	1,030.15	475.40	97.02	7,286.65	1,487.07
England	do	163.27	33.32	157.29	32.10	52.04	10.62	12.84	2.62	385.44	78.66
Subtotal			236.99		188.33		1,040.77		99.64		1,565.73
McGee, Gale W.:											
Germany	Deutsche mark	55.86	14.00	67.83	17.00	37.91	9.50	11.97	3.00	173.57	43.50
Spain	Peseta	1,020	17.00	780	13.00					1,800	30.00
Subtotal			31.00		30.00		9.50		3.00		73.50
McHale, Wm. J.:											
Mexico	Peso	190	15.20	231	18.50	103	8.20	204	16.35	728	58.25
Guatemala	do	113	9.00	85	6.80	81	6.50	51	4.10	330	26.40
Panama	do	500	40.00	274	21.95	60	4.80	272	21.78	1,117	88.53
Netherlands West Indies	do	204	16.28	71	5.69			103	8.25	378	30.22
Trinidad	do	226	18.10	156	12.50	141	11.25	107	8.55	630	50.40
Puerto Rico	do	250	20.00	14	1.15			15	1.20	279	22.35
	Deutsche mark					2,433.40	608.35			2,433.40	608.35
Subtotal			118.58		66.59		639.10		60.23		884.50
Scott, Hugh:											
Germany	Deutsche mark	239	60.00	483	121.00	220	55.00	38	9.59	980	245.59
Austria	Schilling	2,754	107.09	4,244	165.00	2,537.85	98.68	4,702	182.80	14,237.85	553.57
Belgium	Franc	4,000	80.00	3,300	66.00	1,250	25.00	1,450	29.00	10,000.00	200.00
United Kingdom	Pound	102	285.00	36	100.00	23	65.00	39	110.00	200	560.00
Subtotal			532.09		452.00		243.68		331.39		1,559.16
Smathers, Geo. A.:											
Mexico	Peso	340	27.22	472	38.20	262	21.00	416	32.50	1,490	118.92
Guatemala	do	125	10.00	161	12.90	81	6.50	106	8.45	473	37.85
Panama	do			146	11.70	113	9.00	110	8.80	369	29.50
Netherlands West Indies	do	470	37.59	249	19.96	76	6.10	178	14.20	973	77.84
	Deutsche mark					2,435.40	608.85			2,435.40	608.85
Subtotal			74.81		82.75		651.45		63.95		872.96
Total			1,599.58		1,291.84		6,005.02		780.86		9,677.30

RECAPITULATION

Foreign currency (U.S. dollar equivalent)	$9,677.30

MAR. 26, 1962.

WARREN G. MAGNUSON,
Chairman, Committee on Commerce.

REPORT ON DISPOSITION OF EXECUTIVE PAPERS

Mr. JOHNSTON, from the Joint Select Committee on the Disposition of Papers in the Executive Departments, to which was referred for examination and recommendation a list of records transmitted to the Senate by the Archivist of the United States, dated March 14, 1962, that appeared to have no permanent value or historical interest, submitted a report thereon, pursuant to law.

EXECUTIVE REPORT OF A COMMITTEE

As in executive session,

The following favorable report of a nomination was submitted:

By Mr. HART (for Mr. CARROLL), from the Committee on the Judiciary:

J. Skelly Wright, of Louisiana, to be U.S. circuit judge for the District of Columbia circuit.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. STENNIS (for himself, Mr. EASTLAND, and Mr. AIKEN):

S. 3064. A bill to amend section 9 of the act of May 22, 1928, as amended, authorizing and directing a national survey of forest resources; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. STENNIS when he introduced the above bill, which appear under a separate heading.)

By Mr. BUSH:

S. 3065. A bill for the relief of Edward Tingho Tan and his wife, Patricia Kwoling Tan; to the Committee on the Judiciary.

By Mr. WILLIAMS of New Jersey:

S. 3066. A bill to authorize a study of methods of helping to provide financial assistance to victims of future flood disasters; to the Committee on Banking and Currency.

(See the remarks of Mr. WILLIAMS of New Jersey when he introduced the above bill, which appear under a separate heading.)

CONCURRENT RESOLUTION

WITHDRAWAL OF SOVIET FORCES FROM LATVIA, LITHUANIA, AND ESTONIA, AND THE HOLDING OF FREE ELECTIONS THEREIN

Mr. MILLER (for himself and Mr. HICKENLOOPER) submitted a concurrent resolution (S. Con. Res. 64), which was referred to the Committee on Foreign Relations.

(See the above concurrent resolution printed in full when submitted by Mr. MILLER, which appears under a separate heading.)

NOMINATION OF JUDGE JAMES SKELLY WRIGHT TO THE CIRCUIT COURT OF APPEALS IN THE DISTRICT OF COLUMBIA

Mr. HART. Mr. President, I ask unanimous consent to have printed in the RECORD a statement prepared by the Senator from Colorado [Mr. CARROLL] relating to the nomination of Judge James Skelly Wright to the Circuit Court of Appeals in the District of Columbia.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Mr. CARROLL. Mr. President, I am pleased and honored today to support the nomination of Judge James Skelly Wright to the Circuit Court of Appeals in the District of Columbia.

Judge Wright appeared before a nomination subcommittee of which I was the chairman. It was my honor to hear the testimony of this distinguished jurist.

Judge Wright is a man whose record—over 11 years on the Federal bench in the eastern district of Louisiana—has won the respect and admiration of the legal profession. In fact, he comes to his new position with a "well qualified" rating from the American Bar Association.

His career has been exemplary. As a native Louisianan, he taught in New Orleans after his graduation from Loyola University Law School. He was appointed assistant U.S. attorney in 1935 and served in this position until the war at which time he became a commissioned officer of the Coast Guard.

From 1946 through 1948 Judge Wright practiced law in the District of Columbia—which practice should be of value to him when he takes his seat on the District bench.

In 1948, he was named U.S. attorney in New Orleans, and in 1949 he was appointed to the Federal bench where he has been until now.

Judge Wright showed great courage and much skill in the manner with which he handled several most difficult cases involving the constitutional rights of our Negro citizens.

The lives and safety of his family and himself were several times threatened; and great pressures were brought to bear upon him. All of these he withstood with honor and wisdom.

Judge Wright saw that the law of the land was served; and he did so with quiet good sense.

Mr. President, I am confident Judge Wright will bring his wisdom and skill to the court of appeals; he will continue to serve well the law and his country.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, March 26, 1962, he presented to the President of the United States the enrolled bill (S. 2533) to amend the requirements for participation in the 1962 feed grain program.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. DIRKSEN:

Transcript of discussion of pending tax bill by Senator VANCE HARTKE and Mr. Clarence Miles on Mutual Broadcasting System program "What's the Issue?" March 11, 1962.

By Mr. WILEY:

Excerpts of radio address by him on tax outlook.

RECESS TO 12 O'CLOCK NOON TOMORROW

Mr. MANSFIELD. Mr. President, if there is no further business to come before the Senate, I move that under the agreement previously entered into, as modified, the Senate now stand in recess until tomorrow, at 12 o'clock noon.

The motion was agreed to; and (at 6 o'clock and 5 minutes p.m.) the Senate took a recess, under the order previously entered, as modified, until tomorrow, Tuesday, March 27, 1962, at 12 o'clock meridian.

EXTENSIONS OF REMARKS

Greek Independence Day

EXTENSION OF REMARKS

OF

HON. WILLIAM T. MURPHY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 26, 1962

Mr. MURPHY. Mr. Speaker, on March 25, 1962, Americans of Greek descent celebrated the national holiday of a people who first conceived and advocated the idea of independence, the Greeks. Yet this very same people had the misfortune of being deprived of their independence for more than 2,000 years. For many centuries Greeks suffered under alien rulers and determined to work and fight for their independence, no matter how long it would take. It is surely one of the supreme ironies of Western civilization that the country to which we all owe our cultural origin was not able to enjoy the fruits of freedom, after Greek philosophers had so arduously pointed out the nature of these fruits to mankind.

This is one of the reasons why the rebirth of a free and independent Greece 141 years ago was a memorable occasion, especially for the Greek people, and also for the entire Western World. The Greeks suffered particularly under the Ottoman Empire, when for four centuries they suffered more than ever before in their long and memorable history. The Ottoman Turks never treated the Greeks as citizens, but regarded them simply as mere servants to be exploited. In the fateful year of 1827 the Greek people achieved a glorious victory and set themselves free from the Sultan's bondage. On this 141st anniversary of Greek independence, I am proud to join with my fellow Americans of Greek descent and the entire Western World in congratulating the indomitable Greek people.

The National Lottery of Czechoslovakia

EXTENSION OF REMARKS

OF

HON. PAUL A. FINO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 26, 1962

Mr. FINO. Mr. Speaker, even Czechoslovakia has a national lottery. This is one of the few Communist nations to operate a lottery—most Communist regimes dislike gambling inasmuch as it is yet another manifestation of the human individualism that they are trying to eradicate.

Czechoslovakia's lottery has proved very productive as far as profits are concerned. In 1961, the gross intake was $54,420,000 leaving the government a profit of over $27 million.

The Czechoslovakian government may not like gambling per se—or the individualism that it implies—but it can and does recognize a moneymaking project when it sees one.

Mr. Speaker, we can be just as smart as all of the other countries that accept and capitalize on the human urge to gamble. We can, through a national lottery in the United States bring into the coffers of our Treasury over $10 billion a year in needed additional funds. Only a national lottery can provide us with added moneys to give a tax cut to our hard-pressed taxpayers and start reducing our national debt.

Greek Independence Day

EXTENSION OF REMARKS

OF

HON. JAMES A. BURKE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 26, 1962

Mr. BURKE of Massachusetts. Mr. Speaker, among peoples that have dominated the course of human history over the milleniums the Greeks hold a distinctly high place. These superbly gifted and extraordinarily gallant people have contributed more, perhaps, to Western civilization than any other people. That is never seriously questioned. In the arts and sciences, and also in literature as well as in spiritual values, the modern world owes an immense debt to the Greeks. But Greek genius also bequeathed us an idea that has become our most highly prized and priceless possession—the idea of freedom and independence. This most cherished human possession stems directly from the Greeks of the fifth century before Christ.

But the idea of freedom that was born in that distant land was crushed there for almost 2,000 years. Against their more powerful and numerous foes the Greek people could not hold their own, and so for centuries they suffered under alien rulers in their homeland. In particular, from the very beginning of modern times until early in the 19th century they lived under the oppressive regime of the Ottoman Turks. On innumerable occasions they revolted against their alien overloads, but they could not succeed in their attempt to free themselves until they were effectively aided by their friends abroad. On March 25, 1821, they again rose in rebellion, and after waging a long war against their ruthless enemy for more than 6 years, their freedom was assured by the destruction of the Ottoman fleet in the historic naval battle of Navarino.

Today, on the 141st anniversary of Greek Independence Day, the whole free world rejoices in the fact that these gallant people regained their freedom and have been enabled to retain it in the course of their turbulent history.

Byelorussian Independence Day

EXTENSION OF REMARKS

OF

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, March 26, 1962

Mr. RODINO. Mr. Speaker, since we were not in session yesterday, Sunday, the 25th, we are commemorating today the 44th anniversary of Byelorussian Independence Day. In 1917 the Russian revolution overthrew a decrepit and detested czarist regime in Russia, thus freeing all the downtrodden nationalities of the Russian empire. The people of Byelorussia, often known as White Russians, are an ancient people, whose history dates back much further than that of the Great Russians. Yet they have long been ruled from Moscow, although they never gave up their distinctive White Russian traits, their sense of national destiny, or their respect for their own heritage. When the moment which they had long awaited arrived in 1918, and freedom reigned from the Baltic to the Caucasus, the Byelorussians proclaimed their independence from Russia and announced the establishment of the Byelorussian National Republic on March 25, 1918. The 10 million Byelorussians hoped that, having thus attained sovereign independence in their historic homeland, they would be allowed to enjoy the fruits of their victory in peace.

But, as happened in so many other cases, this long-subjugated people was not destined to remain free. Early in 1921, before the Byelorussians could consolidate their victory or strengthen their new national government, the Soviet Red army conquered the country. Such was the end of this ill-fated state, and for the last 40 years the brave White Russians have suffered under the tyrannical rule of their Soviet masters.

The Communist-managed agricultural system has deprived the people of the food and products that should be theirs. Byelorussian youths have been deported to the Asia and arctic regions of the Soviet, so that Byelorussia is drained of the young, patriotic citizens who can carry on their heritage of freedom. But like the other people of Eastern Europe, Byelorussians have refused to give up their ideals of national independence and self-determination. And, at the proper time, they will again open the fight for their freedom.

I am sure all throughout the free world will join with me today in the prayer that the Byelorussian people will soon be liberated from the slavery of the past 40 years.

Congressional Tax Fight Ahead

EXTENSION OF REMARKS

OF

HON. ALEXANDER WILEY

OF WISCONSIN

IN THE SENATE OF THE UNITED STATES

Monday, March 26, 1962

Mr. WILEY. Mr. President, one of the great, proverbial, though unpopular, certainties of life is taxes.

Over the years, there has been a broad range of philosophies about taxes, extending, in extremes, from the theory of attempting to utilize tax money to "spend ourselves into prosperity" to, conversely, utilizing the power of taxation "to destroy."

A sane, realistic tax policy, however, lies somewhere between these extremes. Over the weekend, I was privileged to discuss some of the major aspects of the tax outlook in a broadcast over Wisconsin radio stations. I ask unanimous consent to have excerpts of the address printed in the RECORD.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR WILEY, OF WISCONSIN

As a free people, of course, nobody is happy about taxes. However, we recognize that—despite our dedication to the concept that individuals and free enterprise should bear as large a share of the burdens as possible—there are national requirements of broader scope, for example, defense—than can be handled by citizens or even by local or State governments.

For financing necessary national programs, however, it is absolutely essential that we attempt to assume equitable distribution of the burden of taxes.

Over the years, the complex system of U.S. tax laws, unfortunately, has grown—in hodgepodge fashion—into a long-tentacled revenue collector reaching deep into the pockets of individual and corporate citizens.

Regrettably, tax policy has been based too much upon hand-to-mouth, or perhaps, more accurately, year-to-year expediency. Generally, this has involved levying new laws or just changing statutes not on the books; rarely are taxes repealed—even though many exist long beyond their intended time.

The Nation, then, could well benefit, I believe, from creation of a more realistic tax philosophy designed to serve, preserve, and strengthen our free enterprise system, as well as to meet the long-range needs of the Nation.

Because of these factors, I have introduced a bill, S. 10—now pending before Congress—to create a Hoover-type Tax Commission. The purpose would be to carry out a top-to-bottom reform of our revenue laws. As well, the goal would be to make a study, not only of Federal statute, but also of the way in which these overlap local and State revenue laws.

Unfortunately, Congress has not yet been willing to undertake a broad-scope, thorough, much-needed reevaluation and overhaul of the system.

Consequently, the outlook for the current session is for another leaking-roof-type, patchwork revision.

Currently, there is waiting in the wings of the House of Representatives—extensively revised, but still reflecting many of the features of the administration's recommendations—an omnibus set of proposals relating to: deductions from tax liability for new investments other than building; requirements in determining fair deductions for travel and entertainment; treatment of mutual savings banks and savings and loan associations; provisions pertaining to foreign-earned incomes; and other aspects of the tax system.

Traditionally, tax legislation originates in, and is acted upon first by, the House of Representatives. Consequently we, in the Senate, will need to wait and see how the House applies the surgical knife to the recommendations of the committee.

As things are shaping up, however, the debates promise to be one of the real rough-and-tumble battles of this session.

Although it is still too early then to know exactly what recommendations—in what form—will finally emerge from the Congress, I believe, we need to act according to sound, fundamental principles aimed toward: (1) Equitably meeting the Nation's fiscal needs; (2) assuring fair treatment of our citizens under the law; and (3) spurring, not stunting, economic growth and progress.

Byelorussian Independence Day

EXTENSION OF REMARKS

OF

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, March 26, 1962

Mr. DINGELL. Mr. Speaker, Byelorussians are one of the numerous and ethnically distinct peoples in today's Soviet empire. They are racially related to the Russians and other Slavic peoples, but have always possessed distinct national character of their own which they have retained and jealously preserved. In their historic homeland, east of Poland and west of Moscow with its center

in the famous city of Minsk, they had constituted a nation-state and lived there long before the rise of modern Russia. Then, as Russians began their expansionist policy, Byelorussians were one of the first victims of this expansion. Early in the 16th century Byelorussia became part of the Russian empire and remained as such until the breakup of the czarist Russian empire in 1917. During these centuries of subjugation to Russian rule, Byelorussians successfully maintained their national identity, and kept alive their love for freedom. They struggled hard to regain their independence, and they had their chance in 1918.

When the Bolshevik revolution of 1917 in Russia destroyed the czarist empire, then all non-Russian national groups there asserted their freedom and proclaimed their national independence. The Byelorussians did this in 1918, and established the Byelorussian National Republic on March 25 of that year. Then some 10 million Byelorussians joined hands in rebuilding their war-ravaged country. But before they had much time to do this, they found themselves face to face with their implacable enemy, the Communist Russians. Early in 1921 Byelorussia was attacked by the Red army, overrun, and then made part of the Soviet Union. Thus in a little less than 3 years independent Byelorussia vanished, and today it lives only in the minds and hearts of patriotic Byelorussians suffering under Soviet dictatorship. For more than 40 years these people have been living under one of the worst tyrannies known to men, but even under such heart-rending and soul-scorching circumstances Byelorussians have not given up their hope for freedom. Let us all hope that they attain their goal and live in peace in their homeland.

Citizens for Decent Literature

EXTENSION OF REMARKS

OF

HON. HALE BOGGS

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 26, 1962

Mr. BOGGS. Mr. Speaker, through constant vigilance and hard work, the Citizens for Decent Literature of Greater New Orleans, Inc., continue to render a very fine service for the moral betterment of our community.

For over 2 years since this civic organization was formed in December 1959, its members have exercised great diligence in seeking to remove from the newsstands and other vendors' racks in the New Orleans metropolitan area those obscene publications and other lewd material which flow into our city, and unfortunately, are on sale for minors as well as adults.

The Citizens for Decent Literature is composed of leaders of the Catholic, Protestant, and Jewish faiths and of representatives of the public, parochial, and private school systems as well as the New Orleans Police Department and the Orleans Parish district attorney's office. This group has been successful in curbing the distribution and sale of such obscene material in our city. Through its efforts, in cooperation with the police department and the district attorney's office, some 50 obscene publications have been removed from the city's newsstands.

Furthermore, through speeches to civic, fraternal, and religious organizations, and mailings to these groups, the Citizens for Decent Literature have been successful in educating the public on the extent of imported obscene material sold in our city, and has provided pointers on combating the obscenity racket.

Almost 500 different organizations and clubs of all kinds in the New Orleans area have supported the Citizens for Decent Literature, which also has obtained the unanimous passage of stiffer city and State obscenity laws in Louisiana.

For the past 2 years I have worked closely with the outgoing president of the Citizens for Decent Literature, Mr. Ivor Trapolin, who has provided first-rate leadership and guidance for this crusade. Together, Mr. Trapolin and the other officers of Citizens for Decent Literature and I have endeavored to obtain greater cooperation from various Federal agencies, particularly the Justice Department, in this work and to secure more stringent application of Federal obscenity statutes.

Although much certainly remains to be accomplished in this field, I feel that some progress has been made toward the more successful application of Federal obscenity laws. In a report which I received from the Department of Justice, it was noted that as of the end of February in the current fiscal year, there have been more than 255 arrests for violating the Federal obscenity statute; this constitutes a 26.7-percent increase over the corresponding period in the preceding fiscal year. Furthermore, in the same 8-month period in the present fiscal year, the Justice Department has obtained 202 convictions in the 205 cases brought to trial; this represents a 27.8-percent increase over the identical period in fiscal year 1961.

Now Mr. Theodore Rahe, business manager of Ochsner Clinic in New Orleans, has been elected president of the Citizens for Decent Literature, and I am confident that he will carry on the splendid work of this group in the same high manner as Mr. Trapolin has. I am happy to pledge my continuing cooperation with the Citizens for Decent Literature and Mr. Rahe in its crusade to rid our area of obscene literature and, thus, strengthen the moral fiber of our community.

I am heartened by the fine cooperation which the New Orleans Police Department has given to this work, and I was quite pleased to read the recent statement of Police Superintendent Joseph I. Giarrusso that New Orleans is one of the cleanest cities in the Nation as far as traffic and sale of obscene literature is concerned. This positive statement assures us that we are on the right track, and I am confident that the efforts of the Citizens for Decent Literature will bring greater success in the future.

Statement in Support of H.R. 834

EXTENSION OF REMARKS

OF

HON. ABRAHAM J. MULTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 26, 1962

Mr. MULTER. Mr. Speaker, I commend to the attention of our colleagues the following statement submitted by me to the Select Subcommittee on Labor in support of my bill H.R. 834, equal pay for equal work for women, for inclusion in the permanent record of the subcommittee's hearings being held today:

STATEMENT OF HON. ABRAHAM J. MULTER, DEMOCRAT, OF NEW YORK, BEFORE THE SELECT SUBCOMMITTEE ON LABOR, HOUSE COMMITTEE ON EDUCATION AND LABOR, IN SUPPORT OF H.R. 834, MARCH 26, 1962

Mr. Chairman, it is indeed a pleasure and an honor to testify before your subcommittee. As a member of the New York delegation, I, of course, follow the activities of my fellow members with keen interest and especially those of the gentleman from Manhattan, who so ably presides over this committee.

I am here today to speak in support of H.R. 834, my bill to provide equal pay for equal work for women. I doubt, Mr. Chairman, that we will find many of our colleagues opposing this principle, since the American woman has proven herself to be man's equal in the quality and quantity of work she can produce.

It is surprising to some, however, to discover that in spite of this equality in production there is still discrimination practiced against women in terms of pay for that production. While the American labor movement has been active in securing equal pay for equal work for its feminine members, there are many hundreds of thousands of women who, because of the nature of their employment, do not belong to labor unions and cannot thus avail themselves of the advantages of a powerful bargainer for their rights in this regard.

H.R. 834 would express the findings of the Congress that since wage differentials do exist in industry based purely on the sex of the employee, labor disputes result; living standards are depressed for both sexes; it increases the difficulty of maintaining and supporting a family where, for one reason or another, the husband has become unavailable as a breadwinner. The studies of this problem have also shown that wage discrimination of any kind prevents complete utilization of our labor resources. The kinds of discrimination I am talking about are discrimination because of race, religion, creed, national origin, age, and, the one we have under particular consideration here today, sex. All of these discriminations exist in American business today and affect one or another group of our citizens.

I believe that it is the duty of the Congress to do everything in its power to secure the elimination of these economic injustices and I believe that the enactment of H.R. 834 would go a long way toward accomplishing this goal with regard to wage discrimination because of the sex of the employee. I urge your subcommittee, Mr. Chairman, to report out this bill at the earliest possible time so that the House may consider its obvious merits and work its will.

Thank you.

New Uses for Farmer's Product, Not New Uses for Farmer

EXTENSION OF REMARKS

OF

HON. E. Y. BERRY

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 26, 1962

Mr. BERRY. Mr. Speaker, in his newsletter last week Senator KARL E. MUNDT, of South Dakota, had a very interesting report to the people of his State on new uses for farmer's product rather than new uses for farmer.

Certainly it is time that positive action were taken in solving the farm problem that arises from foreign imports, and so forth. Senator MUNDT has set forth some positive action that can and should be taken if we are to prevent the need of moving to the city the 2,000 farm families the President has recommended should be moved off the land.

The newsletter is as follows:

NEW USES FOR FARMER'S PRODUCT, NOT NEW USES FOR FARMER

The farm problem has been diagnosed in some circles as "too many farmers and too many bushels." What's to be done? Cutback and cutdown—cutback additional production and cutdown more farmers? As I view the problems of agriculture, the most discouraging factor is the continued emphasis in the direction of curtailing and controlling the farmer and his production. This is a negative approach; it cannot be accepted, for there is a plus side to agriculture and it is here we should bend our efforts, to the development—on a huge scale—of new uses and new markets for our bountiful agricultural industry.

It's time we devoted our attention in a big way toward doing something other than stuffing away in a storage bin what the farmer produces. Our scientists stand at the doorway to developing a great new era for agriculture. Agricultural Research Service, in a recent report to our Senate Appropriations Committee, said: "There is increasing emphasis on developing large-volume industrial uses for agriculture materials. These new and improved products—extending across the entire horizon of food, feed, and industrial uses—are developed to meet specific needs for domestic markets and of foreign consumers. Successful utilization research enhances the use value and competitive position of American farm products."

In its two decades of operation, U.S. Department of Agriculture utilization research has added over $2.5 billion of value to farm commodities at a cost of less than $200 million—representing an excellent benefit-to-cost ratio of 15 to 1. During the past 5 years utilization research enhanced agricultural commodities $1.75 billion, which is 70 percent of the total gain made in the two decades of this program.

Dr. Byron T. Shaw, administrator of the Agricultural Research Service, hit what I consider the nub of the problem—a lack of funds to provide a truly adequate program. He said no increase has been provided in funds earmarked for utilization research and of the some $56 million for research, only $18,793,000 is provided for utilization research, new uses and new products. An additional $2,600,000 is provided for human nutrition and consumer uses research, providing a total of $21 million which is but a drop in the bucket when searching for a solution to a problem which requires an annual outlay of more than $6 billion.

Utilization research as an answer to our farm problem is not a fantasy. In the past fiscal year 124 research projects were terminated. Of these, exactly half—a marvelous percentage of success in scientific research—attained the desired objectives. Twenty-nine more achieved partial attainment. Only three were found unpromising. While these 124 projects were terminated another 125 were started, 62 researching possible industrial uses of farm products, 49 devoted to potential food uses, and the remaining 14 to possible feed uses.

Accomplishments of utilization research in fiscal 1961 included development of a new food from whole grain wheat; a new process in tanning of sole leather using dialdehyde starch which is a new chemical derivative of cereal grain; discovery of new flour from wheat and new starch products from cereal which can be incorporated as an integral part of paper and other pulp products; adaption by three manufacturers of an ARS process for commercial use of a water-soluble gum produced by bacterial fermentation of corn sugar; a rapid chemical process development which greatly simplifies wool feltmaking; and development of potentially new crops such as ironweed seed which has a potential use in plastics. These are but a few of the examples demonstrating what can be done.

Congress is now considering a farm program which to my mind cannot achieve success for the farmer because instead of being directed to find new uses for the farmer's product, it is aimed at finding a new use for the farmer. Instead of directing efforts to the costly task of relocating farmers, a greater service is to unleash the great productive capacity of our minds and move extensively and swiftly into the field of utilization research. It can be the key to a prosperous agriculture offering a future on the farm as well as off the farm for all America.

Export Controls to Communist Nations Needed To Win the Cold War

EXTENSION OF REMARKS

OF

HON. THOMAS M. PELLY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, March 26, 1962

Mr. PELLY. Mr. Speaker, the American people, I know, were relieved at the announcement on March 23 by Secretary of Commerce Luther Hodges of the administration's refusal to allow a private firm to export some $400 million worth of wheat and barley to Red China and North Korea.

Last week President Kennedy had indicated that the International Trading Corp. of Seattle had applied for export licenses covering 6 million metric tons of wheat and barley to Red China and 4½ million metric tons of wheat and barley to North Korea. The President's statement had caused great concern to many of us who have recognized that the economic squeeze on the mainland Chinese consumers is creating a serious political problem for their civil leaders.

It is to be hoped, Mr. Speaker, that the making public of this decision will not lull the American people into a false sense of security, because I do not think it is any secret here in Washington that influential members of our State Department would never have recommended against shipping agricultural products to Red China if the Chinese Government itself had asked us for them. These State Department leaders take the position that it would be a psychological victory for the free world if Communist China asked to buy grain. On the other, our military leadership in the Far East, I understand, strongly opposes supplying Red China with agricultural products and takes the position instead that any such policy would deal a disastrous blow to our prestige with other nations in the Far East including our strong ally, the Philippine Republic. And by the way, just to keep the record clear, let us not overlook the fact that Red China exports substantial amounts of rice and has been doing so of very recent date. The United States should bear that in mind.

As I reminded the House last week, the Export Control Act of 1949 expires on June 30, 1962. It is this act which authorizes the President to use export controls in furtherance of our foreign policy and in the interest of national security. If the Export Act of 1949 is not extended, of course, the only restrictions on the shipment of strategic and nonstrategic goods to foreign countries would be first, under the so-called Battle Act which prohibits arms and goods of a military nature; second, under the Foreign Assistance Act which prohibits assistance under the foreign aid program to any nation unless the President determines such nation is not dominated and controlled by the international Communist movement; and, third, Public Law 480 which restricts delivery of surplus agricultural products to any nation not deemed "friendly."

It has seemed to me quite evident that there are powerful influences in this administration that have been working toward removing all legal impediments to full and free trade of all kinds of goods, strategic and otherwise, with the Sino-Soviet bloc nations. For example, Mr. Speaker, I had thought that when extending Public Law 480 last July, under the so-called Latta amendment, the Congress spelled out its intention that in no manner would the United States either subsidize the export, sale, or make available any subsidized agricultural commodities to any nations that were members of the Communist bloc. I had thought that by adding the Latta amendment, aid or trade, whichever one wants to call it, with Poland would cease. Prior to the Latta amendment, under Public Law 480, title I, agreements had been signed and agricultural products shipped to Poland which had cost the Commodity Credit Corporation $509 million for which, as I understand, we received the equivalent of $365 million in Polish currency called zlotys which was placed to the credit of the United States in Poland and for which we have no real use, nor for which in my opinion will we ever receive any consideration.

In addition to this, in the form of foreign aid we have given Poland over the years a total of more than $500 million and may I say as a result of this generosity I doubt if the United States has won any friendship, but rather the Polish Government has been dominated

and controlled more and more by the U.S.S.R.

As I indicated, Mr. Speaker, I had thought by new language in the Foreign Aid Act and in Public Law 480 that this trade and aid would cease. But on December 15, 1961, the Polish and American Governments signed another agreement calling for $44 million worth of agricultural commodities to be sent to Poland. Meanwhile, this so-called friendly nation had loaned money to Cuba, shipped machinery and food to other Communist bloc countries and, to top that off, or so I have read, shipped actual arms to North Vietnam which possibly right now are being used for killing American boys in that conflagration. Also Poland voted against the United States and with the U.S.S.R. in the United Nations.

In Seattle, when the supertanker *Titan* was loading some of this latter grain, as I previously told the House, a little band of public-spirited citizens picketed the terminal to protest this foreign trade policy.

While, as I said, I am relieved at the decision of the administration in connection with the issuance of licenses to ship grain to Red China, I do wonder as to what the next move will be. What matter that an anti-Communist trade and aid policy of export controls was set forth in the spirit and language of recent legislation. I believe the intent of Congress will continue to be ignored.

Last January there was an article in the New York Times by Felix Belair, Jr. It told of a task force headed by George W. Ball, the same George W. Ball who has since become Under Secretary of State. Secretary Ball has appropriately described that task force as a "loose group of individuals and ideas," but the report of this group, according to the New York Times article, proposed to President Kennedy a virtual scrapping of the existing embargo on export of strategic materials to Soviet bloc nations. The report was quoted as saying that present voluntary machinery for controlling strategic exports to the Soviets has all but broken down.

My point is, Mr. Speaker, that with foreign policy advisors such as Secretary Ball in high office, I cannot help being concerned as to decisions covering exports which the President may reach. Already the ban on subsidized surplus agricultural products has been lifted. That was done last June. What next?

What will the President do about the extension of the Export Control Act? Will he request that it be extended and will he oppose my proposal for strengthening the language of that act so as to express the will of the Congress that the Sino-Soviet bloc not be opened up for export licensing of strategic agricultural products? How about the present embargo on shipments to Red China and North Korea and North Vietnam and Cuba? Will that ban be lifted?

I wonder. Do we plan coexistence or do we plan to win the cold war?

If the administration decides to allow the sale of grain to Red China, in my opinion the cold war is lost. Under such a policy, we will have assured the success of the Communist system.

As for the Congress, in the face of a possible impending alteration in policy to liberalize our trade policy, I think we must act. We must spell out to the executive branch of Government that assistance in the way of any food or fiber, aid or trade, shall not go to any country unless the President determines that such country is not under Communist government. It is not enough to use language as in the Mutual Security Act:

> The President shall continuously assure himself * * * that the furnishing of such assistance is in the interest of national security of the United States.

Nor is it enough to say as in section 101 of Public Law 480 that foreign aid in agricultural commodities must be to a friendly nation.

Under the threat of "loose individuals and ideas," to use the Under Secretary's own language, the Congress must say what it means in words that cannot be misconstrued, and we must not delegate the authority to decide which nations are friendly in this cold war.

Let me emphasize, Mr. Speaker, Secretary Rusk has said Poland is clearly a member of the Soviet bloc and that her government is geographically and economically bound to the U.S.S.R.—yet, under the Export Control Act and Public Law 480, Poland is deemed to be friendly and not under domination and control of the international Communist movement.

Mr. Speaker, the decision last week not to issue licenses to export grain to Red China and North Korea is a respite. Now, Congress must tighten up the law and establish a policy under which the cold war can be won.

Washington Report

EXTENSION OF REMARKS

OF

HON. BRUCE ALGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 26, 1962

Mr. ALGER. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following newsletter of March 24, 1962:

WASHINGTON REPORT

(By Congressman BRUCE ALGER, Fifth District, Texas, March 24, 1962)

The Revenue Act of 1962 has been approved for floor debate by the Rules Committee. The Democrat majority of Rules (10 Democrats to 5 Republicans) decreed a closed rule for floor debate, that is, no amendments permitted. Earlier, all of the 10 Republican members of the Ways and Means Committee had instructed their leader, BYRNES, of Wisconsin, to request the Rules Committee to grant the Republican members the right to offer three amendments for debate and vote on the floor of the House during consideration of the bill. The 15 Democrats of the Ways and Means Committee were against this request and the Democrats of the Rules Committee supported them. So it is that the three amendments (see last week's newsletter) will not be considered separately. These amendments would strike out: (1) Investment credit and substitute liberalized depreciation, (2) the withholding of interest and dividends at the source, (3) the foreign investment increased tax. It is interesting to note again, so unknown to most people, the real reason for packing the Rules Committee. This gives the Democrats, the liberals, the ability to control floor debate, as to time, rules of procedures, and amendment. Coincidentally, the throttling of House debate encourages, if not assures, a poor legislative result.

Then a last-minute change to the tax bill was forced through Ways and Means Committee, in an effort to sweeten the bill so more Members would support it. The changes are: (1) Reduce the investment credit from 8 to 7 percent (reclaiming $190 million for the Treasury), (2) reduce utilities from 4 percent (they were getting 50 percent of the 8 percent) to 3 percent (reclaiming $75 million for the Treasury), and (3) reducing the first $100,000 level to $25,000 for computation purposes and the 50 percent of all amounts beyond the first $25,000 to 25 percent (reclaiming $360 million). These total a recovery of $625 million of the original $1.8 billion loss in an effort to balance what was expected to be a total tax bill that would lose $500 to $600 million annually to the Treasury. There is still some doubt as to the fiscal balance. Republicans voted against the bill, or voted present, expressing disapproval of the haste and lack of documentary information to support what appeared to be solely a political move to gain House support. No one can dispute sensibly our uncertainty as a committee over what we are doing, without hearings or departmental study. Such action is certain to damage the prestige of the Ways and Means Committee, and prevents the House from acting with knowledge and responsibility in the final outcome of the bill.

The Trade Expansion Act of 1962 in the second week of hearings before the Ways and Means Committee has produced a wide divergence of viewpoint. Basic differences center around: (1) Confidence versus disbelief in the State Department's handling of an economic matter in foreign policy by decisions; (2) more versus less trade with Communist bloc nations, including the amendments of the Battle Act and Buy American Act; (3) our negotiators are versus are not able to produce better tariff concessions in view of present and past imbalances where United States has lowered tariffs and others have not made similar concessions (indeed have impaired other trade controls); (4) the bill will versus will not result in freer trade in view of foreign licensing, quotas, cartels, turnover and road taxes, registration, even to existing embargos (Italy, for example) as a result of 27 years of so-called reciprocal trade; (5) subsidies are versus are not the Federal role. For my part, I find it hard to believe that the proponent witnesses have read and understood the bill. The tremendous power grant to the President and the unlimited promise of subsidy to industry and unemployed workers is extremely dangerous. This one bill can change the United States into a Government-regulated business community. The willingness of some businessmen to accept this subsidy bill because of the anticipated foreign business advantages is all too evident—it's a question of whose ox is gored. Oddly, the parade of businesses testifying of their demise in the face of foreign competition, can thank themselves to a degree because they have been unwilling to take part in stemming the socialistic tide in other areas than their pocketbook. The oil industry is still not understood by the public, hence, by some Members of Congress. If the people do not learn that foreign imports, because cheaper, can close down this domestic industry, leaving us defenseless in times of national emergency, we are in grave peril. We must keep up our ability to pump oil out of the ground.

The Department of the Interior and related agencies appropriation bill of 1962 itemizes the expenditure of $73 million more than last year for a total of $795.8 million. Members of Congress can also, if necessary, proclaim a saving; it is $62 million less than requested by the administration in the budget.

The authorization for appropriations for aircraft, missiles, and naval vessels involved a total of $13 billion ($13,000 million), and 403 to 0. The question of congressional or Executive control over armaments for national defense was the controversy and the B-70 the focal point. The future need for the manned bomber is debatable, but no one should question the need, it seems to me, until missiles can entirely do the job. Even then, there may be a need. We do not know. I am for the manned bomber until there is no further doubt about any weapons gap. The larger question centers around the jurisdiction of weaponry and planning. The Constitution states, article I, section 8, relating to the powers of Congress, grants the legislative branch these authorities: "To raise and support Armies; to provide and maintain a Navy; to make rules for the Government and Regulation of the land and naval Forces." So, under the Constitution the power to plan rests with Congress. The President as Commander in Chief, commands or manages, but does not develop plans and programing.

John Lavezzorio

EXTENSION OF REMARKS

OF

HON. ROLAND V. LIBONATI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 26, 1962

Mr. LIBONATI. Mr. Speaker, the city of Chicago lost one of its favorite sons in the recent death of the gifted business executive, John Lavezzorio. He was most active in civic and philanthropic programs. As an influential leader in the Italian group, he reflected the warm personality of the downtown native neighborhood youth. John was born in the Loop and the Lavezzorios attended the Jones Grammar School located at Plymouth and Harrison Streets. At every opportunity he spoke with feeling of his grammar school days and the schoolmates of his early youth. He was proud of being a "first warder."

His dad, Michael Lavezzorio, was one of the pioneer fruit merchants in business here. At one time he became a business partner of Emilio Longhi on South Dearborn Street and later moved to South State Street. The partnership fared badly and Michael returned to his special field, the fruit business. In this line of business Michael Lavezzorio excelled and prospered—he was considered a man of affluence in the community.

John, who had been active in his father Michael's pursuits, struggled through the depression years to augment the family fortune. Later he entered the employ of his relatives—the Gallo family—a very astute couple who operated a successful candy factory.

This proved to be the critical step of his early career. He learned the business from every angle, from the most menial job to the highest position in the firm. Every employee in all departments of the plant looked upon him as an intimate friend. As he filled semi-executive positions to the presidency of the firm, these friendships spelled loyalty and success. As president of the company he was really the head of a large family. He was always considerate of the employees. Their personal troubles and problems became his personal obligations to solve. His brothers and sister likewise became active in the business.

John had a business knack to push sales, improve manufacturing methods, improve and simplify the mechanics and producing process. His research department improved the quality of his product; devised new methods of manufacture to reduce costs and save time; discovered new formulas for producing different flavors and kinds of candy attractive to the discerning consumer; also many different confections of peanut and other nut varieties of candies tickled the public palate thus increasing sales.

He was inventive and progressive in everything connected with the manufacture of candy. His was the last word in new candy specialties on the national market. For all this his company became the best known brands throughout the consumers market.

He rewarded handsomely those experts in his employ who helped make possible these innovations in the candy industry.

John was the first one to contribute to a worthy cause. He was a careful man in his beneficence—but the charities that he sponsored were those that benefited mankind most such as the Mother Cabrini and Henrotin Hospitals, the Italian Old Peoples Home, the Servite Fathers, and countless subscriptions and funds to worthwhile charities.

As a recipient of the greatest possible honor given by the church—a Knight of St. Gregory, conferred by Pope St. John XXIII on January 17, 1960—John Lavezzorio was justly rewarded for his life's work in the Catholic cause.

On that occasion I was proud to send him the following telegram:

JANUARY 16, 1960.

Mr. JOHN LAVEZZORIO,
Assumption Church,
Chicago, Ill.:

Your entire life sparkles with service to your fellow men. This signal honor, through his holiness, Pope John, reflects recognition for your lifetime service to the faith. We are proud of your constancy in religion and the great support you have given to service the needs of the Catholic Church.

Congratulations and God bless you.

ROLAND V. LIBONATI,
Congressman, Seventh District, Illinois.

It is with a deep sense of humility that we who remain, recall to memory the fine qualities and worthwhile contributions to humanity made by others who have answered the last call for departure from our midst. To those who knew him, John Lavezzorio personified the true example of a Catholic gentleman. He loved his fellow man and contributed much toward the alleviation of the ills of mankind. The void he has left will serve well to remind his friends to remember him in their prayers.

The members of the Illinois delegation in the Congress send their heartfelt condolences to his widow, Mamie; his sister, Margaret DiCosola; and his brothers, Walter and Leonard, on their great loss. May the Almighty rest his soul in everlasting grace.

[From the Chicago Tribune, Mar. 23, 1962]

COSMOPOLITAN BANK OFFICIAL DIES IN FLORIDA—LAVEZZORIO IS STRICKEN AT 70 IN SARASOTA

John Lavezzorio, 70, Chicago banker, businessman, philanthropist, and a Knight of St. Gregory, a papal honor, died Wednesday night in Sarasota, Fla., where he was recuperating from a recent heart attack, it was learned yesterday.

Mr. Lavezzorio, who lived at 5329 North Lakewood Avenue, was born in Chicago. He was chairman of the board of the Cosmopolitan National Bank, 801 North Clark Street, and chairman of the Peanut Specialty Co., a candy manufacturing firm at 400 West Superior Street.

HOSPITAL, CHURCH TRUSTEE

He also was vice president and a trustee of Henrotin Hospital, and a trustee of Assumption Church, 313 West Illinois Street.

He was invested as a Knight of St. Gregory on January 17, 1960, by the Most Reverend Alphonse M. Monta, superior general of the Servite Order, to which Mr. Lavezzorio had contributed substantial funds. The honor was conferred by Pope John XXIII.

He became a director of Cosmopolitan in 1938, and chairman in January 1959.

STAYING WITH SISTER

He was staying with a sister, Mrs. Margaret DiCosola, of Saratoga. Also surviving are his widow, Mamie, and two brothers, Walter and Leonard.

Chicago services are being arranged.

[From the Chicago Sun-Times, Mar. 23, 1962]

J. M. LAVEZZORIO DIES IN FLORIDA; CHICAGO BANKER

John M. Lavezzorio, 70, chai man of the board of the Cosmopolitan National Bank, 801 North Clark, died Wednesday night while visiting a sister in Sarasota, Fla.

Mr. Lavezzorio, of 5329 North Lakewood, had been a director of the bank since 1938 and board chairman for the past 3 years.

He was also chairman of the board of the Peanut Specialties Co., 400 West Superior. He was a vice president and trustee of Henrotin Hospital, and trustee of Assumption Church, 313 West Illinois.

He was a lay member of the Order of Servites and had been invested as a Knight of St. Gregory January 17, 1960, for his work in behalf of the American Province of St. Joseph of the Servite Fathers and for civic services.

He is survived by the widow, Mamie; a sister, Mrs. Margaret DiCosola; and two brothers, Leonard M. and Walter.

Greek Independence Day

EXTENSION OF REMARKS

OF

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, March 26, 1962

Mr. RODINO. Mr. Speaker, Greece has long been regarded as the foundation of Western civilization and the Greek people its architects. The genius of Greece has bequeathed us with the

idea of freedom, the first of man's priceless possessions.

The Greeks prized freedom even more highly than we do today, but, unfortunately, they were not always in position to defend it against its powerful and uncompromising foes. So, some 2,000 years ago when Greece was overrun, the Greek people lost their freedom and became subjects to alien rulers in their homeland. In the course of centuries these rulers changed, but the lot of the Greeks did not change much; instead, under the oppressive Ottoman Turks, they suffered more. They were subjected to inhuman treatments, and at times they were massacred by the thousands. During these centuries of suffering the Greek people struggled hard to regain their freedom, but all their efforts ended in failure, until the revolt led by Archbishop Germanos in 1821.

That historic revolt began on March 25 of that year, and after waging war against the forces of their ruthless and far more powerful enemy for more than 6 years, they won their independence with the aid of their friends.

The act of Western powers, their determination to bring about the liberation of Greece, remains as one of the brightest spots in 18th-century diplomacy and war. It is also to the credit of Europe, and also of course of this country, that since then all lovers of freedom have been intensely concerned with the fate of the Greek people.

Early in World War II there were no friends able to come to their aid; but the valiant Greek people were sufficient unto themselves—at least for a while. They resisted and repulsed the invading armies of the Fascist Mussolini. But the sheer numbers and equipment of Hitler's hordes at last overran the gallant nation.

After World War II, when the Red terror flowed down through the Balkans, it seemed that Greece must fall as all her neighbors fell. She did not, however, and today remains as a bastion of liberty and a devoted, outspoken ally in our struggle against the Communists.

Last week, just a few days before this great anniversary of liberty, it was announced that the American Hellenic Education Progressive Association would dedicate a memorial to former President Truman in Athens. For the significance of this act, and for a succinct summary of the struggle made by our good friends and brave in the past years, I would like to read a piece by the distinguished news commentator, Ray Henle, which was the closing story on the outstanding network news broadcast "Three-Star Extra" on Friday, the 22d:

> You may have heard the announcement in Washington this week, by the Greek Order of Ahepa, that a statue of former President Truman is to be erected in Athens.
>
> This action is an expression of Greek gratitude for the U.S. aid given Greece, under the Truman Doctrine, when the Communists were hammering at the gates of Athens, shortly after World War II. Certainly every American who pays taxes to pay for foreign aid can experience a warm glow at the thought that the relatively small amount of aid given to Greece in those hectic days still is remembered.
>
> Perhaps it would be equally appropriate if we Americans erected in Washington, a statue commemorating the determination of the Greeks to be free. They are free by virtue of the same courage that threw back the armies of Mussolini and then went down fighting before the advancing armies of Hitler. That courage rose again in the late 1940's to throw back the Communists, moving in from Yugoslavia.
>
> We did not save the Greeks from communism. They saved themselves. A little nation with almost nothing left but courage took advantage of our aid and made the first successful stand against Russia's push for world empire.
>
> In these frustrating days, when small-time international politicians are willing to barter their nations' freedom for a bag of rubles, isn't it heartening to know that we still have on our side the race from which so much of our civilization stems? And when we tote up the cost of our foreign aid, we can put in the positive column the amount we spent in Greece.
>
> If we should decide to erect a statue honoring the Greeks, we might send duplicates to some other capitals of the world, as a reminder of what is expected of freemen. New Delhi, Vientiane, and Rio de Janeiro should come high on the list.

Yesterday was the actual anniversary, but since we were not then here, I know Americans of all nationalities, and all lovers of freedom throughout the world will join with me today in saluting the 141st anniversary of the modern independence of the land where independence was born.

Repeal of Provision of Retired Annuitants' Health Benefits Act

EXTENSION OF REMARKS

OF

HON. LEONOR K. SULLIVAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, March 26, 1962

Mrs. SULLIVAN. Mr. Speaker, the cutoff dates and arbitrary provisions of laws which we enact to help large groups of individuals almost always bring heartbreak and hardship to those who almost—but not quite—qualify, or who are disqualified because of some minor technicality. Sometimes it is relatively easy to correct these inequities; sometimes it cannot be done without setting new arbitrary standards which in turn cause heartbreak and hardship to those who, again, just miss coverage by a narrow margin.

My attention has been called to a provision of the health benefits program now in effect for retired Federal employees which makes ineligible those who retired more than a month before becoming eligible for an immediate annuity. The concept behind that provision of the law was to prevent the benefits from going to former Federal employees who left Federal service in order to take jobs elsewhere, but who are nevertheless still eligible for deferred annuities at retirement age.

Last week I directed a letter to the Honorable TOM MURRAY, chairman of the House Committee on Post Office and Civil Service, outlining the kind of hardship which was called to my attention and urging prompt action on one of the bills now pending before the committee to correct this inequity. The chairman has advised me in addition to H.R. 3027 by Representative JAMES C. DAVIS, there is also a bill by Representative JAMES H. MORRISON, chairman of the Subcommittee on Civil Service, H.R. 9265. Chairman MURRAY advises me that the executive department has been asked to file a report on these bills.

Mr. Speaker, I know there is widespread interest among the Members of Congress in this kind of problem and, therefore, I submit a copy of my letter to Chairman MURRAY for inclusion in the CONGRESSIONAL RECORD, as follows:

MARCH 22, 1962.

Hon. TOM MURRAY,
Chairman, Post Office and Civil Service Committee, Washington, D.C.

DEAR MR. CHAIRMAN: One of the most successful (and appreciated) programs we have enacted for the retired Federal annuitants is the health insurance program. I have heard from numerous constituents who are enrolled under the program and who are very happy it was enacted. Often, when writing to retired annuitants on other matters, I inquire about the operations of the program as it affects them and they are usually very enthusiastic. So, obviously it has been a fine program.

Occasionally, as in any good program of government, arbitrary provisions cause hardship to individuals who, for one reason or another, almost—but not quite—come within the program's coverage. I am thinking now of a particular case involving a woman with 27 years and 21 days of service who retired 2 years before becoming eligible for an immediate annuity, and thus was found ineligible for the health insurance program, which requires that retirement must take place no longer than a month before becoming eligible for an immediate annuity. I inquired about this provision at Civil Service and was told that it was intended to cover primarily those Federal employees who leave the Government in order to take other employment. I see where there would be merit in excluding those who worked only briefly for the Federal Government and then years later applied for deferred annuities. However, in the kind of case in which I ran into in this situation, the annuitant is certainly entitled to more consideration than a casual employee who quit the Federal service for other work.

My constituent, after her 27 years of service, retired in 1949, at age 60, following a death in the family which caused her great grief. Her circumstances at the time were such that she felt she could afford the 2-year wait until her annuity started. But, as so often happens, her financial situation changed. The denial of health benefits is, therefore, a real hardship for her.

I know that we do not legislate on the basis of single instances but I also know that there must be many retired annuitants who are deserving of health insurance benefits but ineligible because, for various reasons, they retired more than a month before receiving an immediate annuity. Since H.R. 3027 would overcome the provision of the present law excluding health insurance benefits for such people, may I strongly urge early action by your committee on this legislation?

With kindest regards, I am,

Sincerely yours,

LEONOR K. SULLIVAN.

Guide to the Congressional Record Reprint of the Response of Congressman Cecil R. King to the Testimony of the American Medical Association

EXTENSION OF REMARKS

OF

HON. CECIL R. KING

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 26, 1962

Mr. KING of California. Mr. Speaker, on March 5 I submitted for inclusion in the RECORD my response to the American Medical Association's testimony before the Committee on Ways and Means on my bill, H.R. 4222, to provide health insurance for the aged under the social security system.

There was such a widespread interest in the analysis of the AMA position and the record of its previous actions with respect to progressive legislative proposals contained in this speech that I had to have several thousand reprints made to meet the demands that came to my office.

Further evidence of the intense interest in this matter is revealed in the reports of countless meetings all over the country where the issue of health care for older citizens is being discussed. It has been suggested to me that it would be helpful in these discussions if a guide to my remarks be also published in the RECORD and be made available to those who have asked, and I am sure will continue to ask, for the reprints.

Accordingly, I have prepared such a guide and would like permission for it to be inserted in the RECORD.

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The AMA does not speak for the American people when it says that everyone gets the health care that he needs, that there is no loss of dignity when an individual applies for charity, that the aged are financially well off, and when it urges that a plan that would enable Americans to pay for their health care in old age should be dismissed because the aged can get charity	13	3

Results of Questionnaire Mailed by Hon. John F. Baldwin, Jr., of California, to Residents of the California Sixth District

EXTENSION OF REMARKS

OF

HON. JOHN F. BALDWIN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 26, 1962

Mr. BALDWIN. Mr. Speaker, 5 weeks ago I mailed a questionnaire to every family of registered voters in the California Sixth Congressional District. The response to this questionnaire was so large that my office was swamped for weeks with returned completed questionnaires and accompanying correspondence. Many constituents not only answered the questionnaire, but wrote detailed comments on the back of the questionnaire, or attached supplementary letters. I have spent many hours personally reading all these comments, and they have been most helpful. I am firmly convinced that a Congressman can better represent his constituents if he knows the views of all of those constituents on important issues pending before Congress, than if he does not know them.

The tabulation of the questionnaire is summarized below:

1. Do you think legislation should be passed to authorize payments in kind, i.e., grocery, rent, and clothing orders, in lieu of cash payments to aid-to-needy-children recipients whenever it is felt that this will reduce the likelihood of misuse of the funds by the parent involved? Yes, 86.38 percent; no, 7.32 percent; undecided, 4.30 percent.

2. The United Nations has been incurring a deficit in operating its military police force in the Congo because Soviet Russia and all other Communist nations, as well as France, Belgium, Great Britain, Italy, Nationalist China, and certain other members have been unwilling to pay their portions of the assessments for this military police force. The United Nations has decided to issue $200 million in bonds to make up this deficit. It has been proposed that the United States purchase $100 million of these bonds. Are you in favor of this proposal? Yes, 32.11 percent; no, 54.39 percent; undecided, 13.5 percent.

3. Would you favor legislation to give the President power to negotiate with the Common Market countries of Western Europe to obtain a mutual reduction in tariffs between the Common Market countries and the United States? Yes, 56.54 percent; no, 27.28 percent; undecided, 16.18 percent.

4. Do you think this country should sell surplus military planes to Communist Yugoslavia? Yes, 11.52 percent; no, 80.51 percent; undecided, 7.97 percent.

5. Do you think that U.S. foreign aid to neutral countries should be reduced if they repeatedly vote against us in the United Nations? Yes, 75.46 percent; no, 17.37 percent; undecided, 7.17 percent.

6. Would you be in favor of having the United States declare a complete trade embargo against Cuba? Yes, 84.45 percent; no, 8.98 percent; undecided, 6.57 percent.

7. Do you feel that members of the armed services should be barred from speaking to military and civilian groups on the dangers of communism? Yes, 16.32 percent; no, 75.42 percent; undecided, 8.26 percent.

8. Eight years ago Congress enacted legislation to exclude the first $50 of dividend income from taxation on individual income tax returns and to grant a 4-percent tax credit on dividend income above $50. The purpose of this law was to partially reduce the double taxation of dividends, as corporations already pay a corporate income tax of 52 percent before they pay any dividends to shareholders. A proposal is pending before Congress to repeal this $50 dividend exclusion and 4-percent dividend tax credit. Do you feel this exclusion and credit should be repealed? Yes, 16.99 percent; no, 65 percent; undecided, 18.01 percent.

9. A bill is pending before Congress which would expand the social security program to provide for the payment of hospital and nursing home bills for those who are retired under social security. The increased cost would be covered by increasing the social security withholding tax by an additional one-fourth of 1 percent on both employers and employees. Do you favor this legislation? Yes, 65.04 percent; no, 27.66 percent; undecided, 7.30 percent.

10. Would you be in favor of legislation to establish the Point Reyes National Seashore in Marin County? Yes, 50.88 percent; no, 18.82 percent; undecided, 30.30 percent.

11. The President has proposed that the Federal Government participate, on a matching basis, in the construction of fallout shelters under schools and hospitals. Would you favor this proposal? Yes, 36.11 percent; no, 49.35 percent; undecided, 14.54 percent.

12. Do you think that it should be the Federal Government's responsibility to provide financial aid to local rapid transit districts. Yes, 15.04 percent; no, 74.29 percent; undecided, 10.67 percent.

Tax Investment Credit of Revenue Act of 1962

EXTENSION OF REMARKS

OF

HON. HALE BOGGS

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 26, 1962

Mr. BOGGS. Mr. Speaker, I am inserting comments on the operation of the investment credit in the tax bill which will be considered this week. Perhaps it would be more appropriate to say that my remarks comment on how the investment credit does not operate as some people would lead us to believe it does.

Mr. Speaker, in the past several weeks I have been examining the provisions of H.R. 10650, the Revenue Act of 1962. I have reached the conclusion that the enactment of this bill will do much to strengthen our economic position and create greater equity in our tax system. With regard to the investment credit, I would like to try to clear up a few points as to its operation.

Some members have raised a number of questions about the investment credit, particularly in its application to used property. It has been incorrectly said that the credit would be allowed for the purchase of a going business and that this could lead to big companies being given an incentive to gobble up their smaller competitors. It was also suggested that companies could obtain the credit by periodically swapping property.

Both of these concerns are without foundation. Under the bill, the investment credit for used, as opposed to new, property is allowed only on a limited basis commensurate with the needs of small business. The limit is $50,000 per year. This limited credit for purchases of used property will aid small businesses which are in a position to upgrade their equipment by purchasing better used equipment, but which do not have the financial resources to purchase expensive new equipment. Even within this limit, however, the bill contains a number of safeguards to prevent possible abuses.

If any large company wants to purchase a going business, it can so do by purchasing the stock or the assets of the business. If it purchases the stock, no investment credit would be allowed. Even if it purchased the assets directly, credit would be allowed only as to 7 percent—under the proposed amendment of the Committee on Ways and Means—of $50,000 of the assets purchased, or $3,500. Since the amount of the credit depends to some degree on the remaining life of the assets, this $3,500 credit would be even smaller if any of the assets had remaining lives of less than 8 years.

It is obvious that no large company which makes a decision to purchase a going business will decide to do so on the basis of a possible investment credit which would amount to $3,500 at most. This is doubly true when it is realized that this same large company could purchase an equal amount of new assets and obtain a credit equal to 7 percent of the entire investment, not limited to $50,000. The incentive to the large company under the credit is to purchase new machinery and equipment, not to try to absorb small businesses. The limited credit for used property, on the other hand, will serve its function by encouraging upgrading of equipment by small businesses.

As to the charge that businesses will be able to swap used properties periodically, I would like to point out that there are a number of safeguards in the bill which would prevent the allowance of the credit in this type of case. First, in the case of a direct swap of used property the credit is granted only as to the excess cash paid. Thus, in a direct swap of properties with no cash involved, no credit would be allowed. The bill further provides that even in the case of an indirect replacement of property through a third party, a similar rule is to apply. If a business sells old equipment and purchases similar equipment from a third party, it will obtain a credit only to the extent that the acquisition of the newer used property constitutes an upgrading. If it is just a swap, that is, if the newly acquired used property has the same value as the old property disposed of, no credit will be allowed. Second, the bill provides that no credit will be allowed for used property if the party acquiring it has ever used it before. Thus, a taxpayer cannot obtain a credit by trading in property and later getting the same property back. Third, the bill does not allow a used property credit for purchases of used property from related persons such as where one corporation in an affiliated group purchases property from another member of the group.

It is my view that the investment credit will become an important and permanent provision in our tax structure. Year in and year out, it will increase the profitability of new investments, will add to the funds available to businesses for reinvestment, and will shorten the period over which the major part of any investment is recouped. It will strengthen the present recovery by stimulating expenditures on investment which, in turn, will generate demand for consumer goods. It will lead to fuller employment and greater utilization of our industrial capacity. In the years ahead, it will both increase our productive capacity and the efficiency with which our economy uses its resources. This will mean higher income, better products, and a continued improvement in our competitive position abroad.

Greek Independence Day

EXTENSION OF REMARKS

OF

HON. HERMAN TOLL

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 26, 1962

Mr. TOLL. Mr. Speaker, yesterday was the 141st anniversary of Greek independence. I had the honor to represent the distinguished mayor of the city of Philadelphia, the Honorable James H. J. Tate, in the ceremonies in observance of Greek Independence Day at the Bellevue-Stratford. I also represented the Philadelphia congressional delegation at the request of the distinguished chairman, the Honorable WILLIAM J. GREEN, JR. The ceremonies were attended by the Governor of the Commonwealth of Pennsylvania, the Honorable David L. Lawrence, and the Greek general consul, Dr. Basil Vitsaxis.

The following is the short talk I presented in recognition of the valiant achievement of the Greek people:

Ladies and gentlemen, I am happy to have this opportunity to say a few words about the 141st anniversary of Greek independence. In these perilous times, people in public life such as myself tend to spend less time than they would like pursuing cultural interests, and an occasion such as this is a good reminder to all of us that a substantial part of what we call the Western cultural heritage is of Greek origin. It is one of the strange ironies of history that the people whose philosophers expounded the glories of freedom and thought deeply about the nature of man and the state should themselves have been unable, for more than 2,000 years, to enjoy the fruits of freedom or govern themselves with leaders of their own choosing.

That is why the rebirth of a free and independent Greece 140 years ago was a matter of worldwide significance. The Greeks, suffering under alien rulers, and their determination to work and fight for their independence, earned them the admiration and affection of many millions of people in other lands, who were overjoyed to see the rise of modern Greece as a free and sovereign state. The Greek revolt lasted 7 long years, and for a time it appeared that the Ottoman Turks would succeed in putting it down. When the disciplined Egyptian Army came to the aid of the Ottoman Empire, the position of the Greek patriots appeared almost hopeless. Internal dissensions, partly of a religious nature, added to the obstacles in the way of Greek independence. But finally the great European powers decided that an independent Greece was in their own interest, and the appearance of several European fleets in the Greek harbors, combined with other changes in the European diplomatic situation, aided the cause of Greek independence.

Thus the Greeks completed the long and arduous path from the city-state of the pre-Christian era to the national state of the 19th century. Never again would they be treated as servants by a foreign ruler, an unbearable stigma which they had endured at the hands of the Turks for nearly 400 years.

Today we can visit Greece and observe the Greek reaction to a whole chain of modern social and economic problems. For example, many Greeks feel that their participation in the European Economic Community will improve the economic situation of the country. In addition to economic cooperation with Europe, they are extending their electrical resources, for lack of electricity is still a problem in many small towns. Greece is trying to achieve a balance between the standard of living of urban centers and rural areas. Even while examining a great number of modern problems, the visitor to Greece is reminded of the country's historic past, a past which is symbolized in the stark sentinel of the Acropolis looking out over the modern city of Athens. On this 141st anniversary of Greek independence, I take pleasure in saluting the Greek people and their invaluable achievements, ancient and modern.

Address by Hon. Douglas Dillon on the Occasion of the Dedication of the New Federal Building, Richmond, Va., March 21, 1962

EXTENSION OF REMARKS

OF

HON. J. VAUGHAN GARY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 26, 1962

Mr. GARY. Mr. Speaker, dedication ceremonies for a new Federal office building—the largest single office structure in Richmond, Va.—were held March 21, 1962, in the capital of the Commonwealth of Virginia. Not only does this gleaming new edifice bring together some 1,500 employees from 18 heretofore widely scattered agencies of the Federal Government, but it also represents a sizable step forward in the city's civic center project. It was my pleasure to be present at the dedication along with Secretary of Treasury Douglas Dillon and Internal Revenue Commissioner Mortimer Caplin and to introduce the Secretary, who delivered the dedicatory address. Under leave to extend my remarks, I would like to insert in the RECORD a text of Secretary Dillon's fine talk.

I am delighted to be here in the capital of Virginia on a very pleasant mission—the dedication of this beautiful new Federal building.

Ten Federal departments and agencies will do business here, but the Treasury Department—primarily the Internal Revenue Service—will occupy approximately two-thirds of it.

It was Congressman GARY who first invited me to be with you here today. I have had the pleasure of working closely with him on appropriations matters for the past 5 years, and I can tell you without hesitation that, in VAUGHAN GARY, you have one of the truly outstanding Members of the House, a man whose influence for good is felt far beyond his particular committee assignments.

Congressman GARY tells me that he attended high school right here in this area, so it must have many memories for him. He has also told me about the fine civic center which I understand will be developed around this spot. It is always pleasant to see a city—especially such a fine city as this—moving ahead.

This building is a symbol of that progress, and of another kind of progress as well—the steady improvement in administration of our tax system. In this country, tax collecting has been developed in the tradition of freemen who understand both their common responsibilities and their individual rights. No other country relies to such an extent on the self-assessment system. No other country has such a fine record of compliance as we have in America. Last year, for instance a total of $91 billion was collected through self-assessment and only $3 billion came from direct enforcement efforts.

This has come about because we realized long ago that undue coercion has no place in a free society. We have developed a professional organization of men and women trained in the law, in accounting, in modern processing techniques, and in the various other facets of tax administration. These people are trained to enforce the law and no more.

The development of this kind of professionalism is a continuing process. I have been pleased to note that, within the last year, important new programs have been added to further raise our standards. Among these have been increased emphasis on quality in audits, thoroughness in investigation, and methodical search for causes and cures of such problems as delinquent accounts and returns.

The Internal Revenue Service has also pioneered in the use of automatic data processing in tax administration. This new system has already begun to function in the seven southeastern States and will be expanded during the next few years to all the other areas of the country. Recently, the new National Computer Center of the Internal Revenue Service was opened in Martinsburg, W. Va. There magnetic tapes, bearing taxpayer data from all over the country, will be electronically compared and recorded. This represents a truly historic advance in recordkeeping, in selecting returns for further examination, and in detecting delinquencies. To the taxpayer it means greater efficiency, and greater confidence that the burden of taxation will be shared fairly by all taxpayers.

The excellent rate of tax payments under our self-assessment system reflects the high confidence that the public places in the fairness and efficiency of the Internal Revenue Service, as well as the general realization that our taxes support programs essential to the safety and welfare of all the people of the United States.

We must, however, continue to improve our tax system. We will continue to need not only competent and dedicated administrators, but modernization and simplification of the tax laws themselves. This is a long-range task and we cannot expect to accomplish it all at once. For the present, we are gratified by the consideration being given in the Congress to President Kennedy's tax recommendations—particularly the proposal for an incentive credit for businesses which invest in new machines and equipment. This—together with the overall revision of depreciation schedules we are now in process of carrying out—well help American business increase its productive efficiency, expand its sales against foreign competition, and provide more jobs. Along with our other tax proposals, this program will contribute to domestic economic growth and to stemming our gold drain by increasing our exports.

This tax policy emphasis on domestic investment is an important part of our overall economic policy. Increasing our investment in productive equipment is an important reason for having a balanced Federal budget, to assure that Government borrowing does not interfere with the flow of funds for such use. It is also behind our monetary policy of relative ease, to assure that business can borrow funds in adequate amounts at reasonable rates for increased investment. Such investment, by encouraging business to modernize equipment, and increase efficiency, is, we believe the soundest way of increasing our domestic growth rate and eliminating our balance-of-payments deficits.

The rest of our current tax program centers around measures to improve the fairness and effectiveness of the tax laws, including withholding on dividends and interest, elimination of abuses of expense accounts, repeal of the dividend exclusion and credit, removal of special advantages to investment abroad, and removal of the tax preferences that are no longer justified for mutual fire and casualty insurance companies, mutual savings banks, and savings and loan associations.

With these improvements, and with the overall reform in our tax laws which President Kennedy has called for—and which we intend to submit to the Congress later this year—we can look forward to further progress.

That progress will continue, until the present complicated maze of tax law has been simplified as much as possible; until existing inequities have been eliminated, and until tax policy has been made a more positive stimulus to our Nation's economic growth. All this must be done within a framework of courteous, efficient, and effective administration with one overriding principle—absolute fairness to every single taxpayer.

Address by Attorney General Robert F. Kennedy

EXTENSION OF REMARKS

OF

HON. FRANCIS E. WALTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 26, 1962

Mr. WALTER. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following address by Attorney General Robert F. Kennedy at the Free University of Berlin on February 22, 1962; also a statement by the Attorney General, the Berlin city hall steps, on the same date.

The addresses follow:

ADDRESS BY ATTORNEY GENERAL ROBERT F. KENNEDY

We meet here tonight on the 230th anniversary of the birth of a distinguished and courageous leader, George Washington, the father of my country, to pay tribute to the memory of a distinguished and courageous leader, Ernst Reuter, the father of freedom in West Berlin.

These two men were widely separate in time and in space. But they shared ideals of courage and freedom, ideals which continue to inspire men across the world. They asserted those ideals in dark and perilous times. And the reverence freemen do to their memories proves the continuity of purpose and faith which makes the history of freedom identical with the history of progress.

George Washington led Americans in the assertion of their independence against colonialism. Ernst Reuter led the citizens of free Berlin in the defense of their independence against totalitarianism. Both men were brave, wise, prudent and steadfast. Both embodied principles greater than themselves. Both, striving for the independence of their fellow citizens, were advancing the cause of freedom everywhere.

Though George Washington's struggle soon came to a successful conclusion, Ernst Reuter's struggle still continues. Because the fight for the independence of free Berlin is a concern of all freemen, Ernst Reuter has become a 20th century symbol of liberty, and his cause enlists the active support of nations like my own, thousands of miles from the Brandenburg Gate.

Let no one mistake the firmness of our commitment to this cause. Our position with regard to Berlin is well known, but, to remove all doubt, let me reaffirm its essential elements today.

We have stood in the past, and we will stand in the future, for the full freedom of the inhabitants of West Berlin and for the continuation of West Berlin's ties with the Federal Republic and the world beyond.

We have stood in the past, and we will stand in the future—for the presence of Allied Forces in West Berlin, as long as they are necessary and as long as you so desire. We will not allow this presence to be diluted or replaced.

We have stood in the past, and we will stand in the future, for uncontrolled access to and from Berlin. We will permit no interference with this access, as we have recently demonstrated with regard to the air corridors.

We have stood in the past, and we will stand in the future, for an active, viable West Berlin. Berlin will not merely exist. It will grow and prosper.

We stand behind all these positions with the full strength of American power. I am glad to have the opportunity today to reaffirm the solemn statement of the President of the United States: "We do not want to fight but we have fought before. We cannot and will not permit the Communists to drive us out of Berlin, gradually or by force."

We do not feel that the maintenance of the integrity of West Berlin threatens any legitimate interests of the Soviet Union, and we remain confident that, in due course, this problem will be resolved through the processes of peaceful negotiation.

We have no question about the destiny of West Berlin. It will neither be snatched from the tree, nor will it wither on the vine. Its future will be greater than its past, and the flowering of this great city will be the most fitting of all memorials to Ernst Reuter.

And we have not forgotten the men and women of East Berlin and East Germany. We know the hardships they endure under a harsh and repressive regime. We look forward to the eventual reunion of Germans in freedom.

When historians consider the significance of the Berlin crises of the mid-20th century, I do not believe that they will record it as an incident in the encirclement of freedom. The true view, in my judgment, will be to see it rather as a major episode in the recession of communism.

I well know that for those in free Berlin, the persistent Communist pressure has been a source of peril and anguish. Yet what has happened in Berlin is that the Soviet Union has reacted to the initiatives of democracy, to you, to your spirit and to that series of actions, beginning with the Marshall plan, which have brought about the extraordinary political, economic, and cultural renaissance of Western Europe.

The postwar revival of democratic Europe has exerted a magnetic attraction on Communist Europe. On the dark side of the Iron Curtain, despite rigid Communist controls, democratic ideas, democratic techniques, democratic fashions, and democratic ideals are stirring. Among its own intellectuals and its own youth, communism finds itself on the defensive. The flow of influence is now always from west to east, not from east to west; from democracy to communism, not from communism to democracy.

Because the flow of influence goes one way, the flow of people goes the other. This surely is the meaning of the Berlin wall, that ugly mass of concrete, brick, and barbed wire which lies across the heart of your city like a medieval instrument of torture.

For the people of Berlin, the erection of that wall was of course an affront and a source of anguish. But I can report to you from around the world, from my travels through Asia, that the Berlin wall is regarded everywhere as a proof of Communist bankrupty, and a symbol of Communist failure.

Herr Ulbrecht himself has confessed that it was to stop the flight of people—to lock up his workers in the worker's paradise—that the wall was built. For the first time in the history of mankind, a political system has had to construct a barrier to keep its people in, and the whole world recognizes the desperate meaning of this act.

They wall their people in.

We set our people free.

Robert Frost, who read from his poetry at the inauguration of our President, once wrote these lines:

"Before I build a wall I'd ask to know
What I was walling in or walling out
And to whom I was like to give offense.
Something there is that doesn't love a wall,
That wants it down."

What wants this wall down is the whole free spirit of man.

The statistics on the flight of scholars offers us an idea of what communism has done to this free spirit. Since 1958, a total of 1,606 scholars, mainly teachers in the humanities and sciences at long-established universities and technical institutes in East Germany, have left the eastern zone and registered in West German reception camps. More than half are members of faculties. One hundred and eighteen of them are full-fledged professors, a number equal to the professorial component of East Germany's third largest university, at Halle. In the last 4 years, Halle has lost a total of 147 faculty members, more than the current size of its teaching staff. Humboldt University has lost 275 members of its staff; Leipzig, 199; and so on down the list.

As the chief law officer of the American Government, I am particularly interested to note, too, the flight of many judges and lawyers from East Germany.

The wall is more than a demonstration of Communist failure in the struggle for men's faith and hope. It is equally a desperate effort to stem the tide of unification in democratic Europe. By attempting to isolate West Berlin, the Communists hope to subtract West Berlin from West Germany and then to separate West Germany from Western Europe; and, by subtracting West Germany from Western Europe, they hope to defeat and wreck the great cooperative instrumentalities of the regathering of democratic strength, the Common Market, OCED, and NATO.

I can assure you that the wall will fail as spectacularly in this purpose as it has failed to seal off Communist Europe from the magnetic attraction of democratic Europe.

Ernst Reuter said a dozen years ago, "Here in Berlin all the slogans that rend the air during the East-West struggle take on a real meaning. Here no one needs any professional lectures about democracy, about freedom and all the other nice things that there are in the world. Here one has lived all of that; one lives it every day and every hour."

You live it still in free Berlin, and the ever-increasing strength and purpose and unity of the democracies will vindicate your struggle.

And while today Berlin is divided, as Germany is divided, by the decision of the Communists, you know and I know that in the end all Berlin and all Germany are one. My country shares with you the peaceful but persistent purpose that Germans shall one day find themselves reunited. This is the true path toward lower tensions and to lessened dangers. We shall continue to hope that as policies of repression fail, and as fear of "revenge" prove unfounded, the Soviet Government, in its own true interest, will come to share this purpose and to cooperate in its realization.

But freedom by itself is not enough.

"Freedom is a good horse," said Matthew Arnold, "but a horse to ride somewhere."

Ernst Reuter knew that what mattered finally was the use to which men put freedom, that what counts is how liberty becomes the means of opportunity and growth and justice.

We do not stand here at Berlin just because we are against communism. We stand here because we have a positive and progressive vision of the possibilities of free society, because we see freedom as the instrumentality of social progress and social justice, because communism itself is but the symptom and the consequence of the fundamental evils, ignorance, disease, hunger and want, and freedom has shown mankind the most effective way to destroy these ancient antagonists.

The free way of life proposes ends, but it does not prescribe means.

It assumes that people, and nations, will often think differently, have the full right to do so, and that diversity is the source of progress. It believes that men advance by discussion, by debate, by trial and by error.

It believes that the best ideas come, not from edict and ideology, but from free inquiry and free experiment; and it regards dissent, not as treason to the state, but as the tested mechanism of social progress.

It knows that diverse nations will find diverse roads to the general goal of political independence and economic growth. It regards the free individual as the source of creativity, and believes that it is the role of the state to serve him, and not his role to serve the state.

I come to Berlin from thousands of miles of travel through Asia. I have seen men and women at work building modern societies so that their people can begin to share in the blessings of science and technology and become full members of the 20th century. Social progress and social justice, in my judgment, are not something apart from freedom; they are the fulfillment of freedom. The obligation of free men is to use their opportunities to improve the welfare of their fellow human beings. This, at least, has been the tradition of democratic freedom in America. And this is what lies behind the great democratic effort under way in the United States known as the New Frontier.

The New Frontier is the contemporary expression of the perennial progressive impulse in American life, the impulse to redress the balance of social power in favor of those whom Andrew Jackson called the humble members of society. Jefferson and Jackson and Lincoln, Theodore Roosevelt and the New Nationalism, Woodrow Wilson and the New Freedom, Franklin Roosevelt and the New Deal, Harry Truman and the Fair Deal, these were earlier episodes in this continuing tradition of militant progressivism.

My country has attained standards of freedom and abundance which are the envy of much of the world. But we do not account this an excuse for complacency or a signal for relaxation. It will be the permanent effort of Americans, and it is the specific purpose of this administration, to keep moving ever forward until we can realize the promise of American life for all our citizens, and make what contribution we can to assist other peoples to win justice and progress and independence for themselves.

One vestige of injustice in my country has been the treatment of fellow citizens of another color. For a hundred years, despite our claims of equality, we had, as you know, a wall of our own, a wall of segregation erected against Negroes. That wall is coming down through the orderly process of enforcing the laws and securing compliance with court decisions, an area of government where my own responsibilities, as Attorney General, are heavy.

The battle against discrimination in interstate transportation has been won; the conquest of segregation in the public schools is making new progress each school year. Throughout the Nation, the conscience of America has awakened to press the fight against discrimination in employment, in housing, in the use of common facilities. We still have far to go, but the progress we have already made has changed the face of America.

We are increasing the pace of our economic growth. We are harnessing the advances of science and technology to produce new abundance at an ever-lessening human cost. We are expanding social programs to eradicate poverty and disease. We are increasing the quality of our educational system. We have raised the level of our minimum wage. Our appropriations for housing today are the largest they have ever been. We are seeking medical care for the old as part of the existing program of social security. We are stimulating cultural effort and honoring artistic achievement.

Every free nation has the capacity to open up its own new frontiers of social welfare and social justice. Communist leaders have sometimes spoken of peaceful competition as to which society serves the people best. That is a competition which free society accepts with relish.

I know of no better controlled experiment for such competition than Germany itself. The people of West Germany and East Germany are culturally and ethnically the same. Both parts of Germany were ravaged by war. Both had the same opportunities in peace. But West Germany elected the free system, and East Germany had communism thrust upon it.

We have only to look about us to see how this competition comes out. Berlin was once a united city. The people of West and East Berlin are the same. There are brothers, cousins, parents and children, some living on one side of the line, some on the other. But since the war the Western sector of the city has been under democratic control and the Eastern under Communist control.

The contrast in progress speaks for itself. West Berlin met the challenge of rehabilitation and rebirth of justice and of freedom; East Berlin has not.

Here in this city lies an answer to the question of competition. It is an answer so overpowering that it has had to be shut from sight by concrete and barbed wire, tanks and machineguns, dogs and guards. The competition has resulted in so disastrous a defeat for communism that the Communists felt they had no alternative but the wall.

We find the same answer all over the world. Few countries were as devastated by the war as was Japan. She alone suffered from nuclear attack. Her great industrial cities, Tokyo and Osaka, were in ruins when she surrendered. No comparable city in China endured comparable destruction. Peking, Shanghai, Canton, Hankow, all were left substantially intact.

Yet today Japan, which I visited 2 weeks ago, has a thriving economy. Her standard of living is higher than that of any nation in the Far East. Her ships roam the far seas, and her airlines fly from Tokyo to New York and London. Communist China, on the other hand, suffers in her fifth year of hunger. The tragic "commune" experiment has collapsed. Industrial production has slowed down. Poverty and disease stalk the land. Even worse, thousands of innocent people have been imprisoned and killed, and the more fortunate have fled to other lands, more than a million to Hong Kong alone.

Communism everywhere has paid the price of rigidity and dogmatism. Freedom has the strength of compassion and flexibility. It has, above all, the strength of intellectual honesty. We do not claim to know all the answers; we make no pretense of infallibility. And we know this to be a sign, not of weakness, but of power.

The proof of the power of freedom lies in the fact that communism has always flinched from competition in the field where it counts most, the competition of ideas.

The flight of scholars and jurists from East Germany shows the fate of intellectual freedom under communism. To this day, nearly half a century after the Russian revolution, one virtually never sees on a Moscow newsstand any book, magazine, or newspaper exported from a democracy except Communist Party publications. Yet one is free in Washington and London and Paris to buy all the copies of Pravda and Izvestia one wants.

When will the Communists be confident enough of their ideas to expose them to the competition of democratic ideas? I was disappointed to note that only a few days ago a Russian leader, while saying that coexistence with democratic social systems was possible, asserted emphatically that coexistence with democratic ideas was "impossible and unthinkable."

It would amount, he said, to Communist ideological disarmament. I would have thought that he might have more faith in the capacity of Communist ideas to survive such competition; but he may well be right in fearing to let communism stand on its own in a free forum.

President Kennedy, since his inauguration, has steadily sought new ways and means of increasing the exchange of ideas with the Soviet Union. This is why he has been ready to arrange interviews and to offer our full courtesies and facilities in return.

We proudly press the challenge. Let the ideas of freedom have the same circulation in Communist states that Communist ideas have in free states. We can have formal

peace without such reciprocal competition in the realm of ideas; but until we have full freedom of intellectual exchange, I see no prospect of a genuine and final relaxation of world tension.

For a long time some people have supposed that freedom was the enemy of social and intellectual welfare. A century ago Karl Marx condemned the free economy as cold and heartless, as primarily a mechanism for the degradation of the intellectuals and the exploitation of the workers.

Marx also said that, in borrowing the dialectic, he had stood Hegel on his head. In the century since the Communist manifesto, history has stood Marx on his head. For the free state, contrary to Marx's predictions, has proven its ability to raise mass living standards, even out the distribution of wealth, organize social compassion, advance intellectual endeavor, and produce an ever more equalitarian society.

Marx's condemnation of the heartless laissez faire capitalism of the early 19th century now, by an irony of history, applies with fantastic precision to 20th century communism.

It is communism, not free society, which is dominated by what the Yugoslav Communist Milovan Djilas has called the new class, the class of party bosses and bureaucrats, who acquire not only privileges but an exemption from criticism which would be unimaginable in democratic society. Far from being a classless society, communism is governed by an elite as steadfast in its determination to maintain its prerogatives as any oligarchy known to history.

And it is communism, not free society, which has become the favorite 20th century means of disciplining the masses, repressing consumption and denying the workers the full produce of their labor. In China today, for example, the state takes away nearly one-third of the agricultural output from the peasant through heavy taxation and compulsory grain purchases below market prices. Far from being a workers' paradise, communism has become the most effective system ever devised for exploitation of the working class.

By this historical paradox, it is free society, and not communism, which seems most likely to realize Marx's old hope of the emancipation of man and the achievement of an age of universal abundance.

In his state of the Union address a few weeks ago, President Kennedy quoted Woodrow Wilson, who once said, "I believe in democracy because it releases the energy of every human being." The spirit of the New Frontier is a spirit which constantly pushes toward distant horizons.

It is the spirit of a society committed, not to the past, but to the future—forever striving to give an ancient vision of peace and liberty and justice new fulfillment. It is a spirit which does not linger in the valley but breaks new paths in the hills, a spirit which welcomes innovation and adventure, which faces the unknown, not with fear, but with faith.

Its vitality springs from the limitless strength of the fundamental revolution of our age, the revolution of liberty and justice, the permanent revolution of the free individual. Its power is that it enables men to live, and that it inspires them to die, so that the world of freedom may be secure.

If freedom makes social progress possible, so social progress strengthens and enlarges freedom. The two are inseparable partners in the great adventure of humanity: they are the sources of the worldwide revolutionary movement of our epoch. This movement, of which Ernst Reuter is a contemporary hero, did not begin in the 20th century. It began 2,000 years ago in Judea, and I like to believe that it took its modern form in 1776 in the American colonies.

In some parts of the world today the Communists seek to capture that revolution. But it is always stronger than those who would subvert and betray it. It is stronger in arms, and the determination, if necessary, to use them. And it is stronger because it expresses the deepest instincts of man.

President Kennedy said recently, "Above all else, let us remember, however serious the outlook, however harsh the task, the one great irreversible trend in the history of the world is on the side of liberty." He added, "And we for all time to come are on that side." His speech was addressed to Americans, but I know that he would wish me to apply it here, as he does in his own mind, to all the world.

You know that you do not stand alone. President Kennedy made our position unmistakably clear to the world when he said your freedom "would not be surrendered to force or through appeasement."

And that is the position of our allies as well. As an official and a representative of the U.S. Government, I am proud of that stand and I salute the men who lead you and have so bravely carried on in behalf of our common ideals. And, as an admirer of your courage and your determination, we salute you, the people of Berlin, and we wish you well.

STATEMENT BY ATTORNEY GENERAL ROBERT F. KENNEDY, THE BERLIN CITY HALL STEPS, FEBRUARY 22, 1962

Mr. Mayor, General Clay, and my friends in Berlin, over the past few weeks my wife and I have traveled many thousands of miles across the United States, across the Pacific Ocean, from Japan along the Chinese coast, down to Indonesia, across the Indian Sea, across Pakistan, up through the Middle East, through Italy, and now we arrive in the free city of Berlin. Nothing we have seen has touched us as much as your reception to us here today.

The warmth of your greeting will always remain indelibly in our hearts, and the message it gives is one that I will report back to the American people. For we know that this reception is a sign of your friendship toward the American people, and I want to report to you that it is reciprocated—friendship and affection for the people of Berlin and the admiration of your great courage.

So I am proud to be here in the city of Berlin. This is my third visit to your city. I came here first in 1948 during the Berlin airlift. It was when Berliners and Americans were standing side by side. General Clay and your mayor, Ernst Reuter, were standing shoulder to shoulder when the Communists were attempting to bring the proud city of Berlin to its knees. On that trip I traveled not only to West Berlin but to Communist East Berlin, and the contrast between communism and freedom was there for all to see. And I saw it for myself.

But on my return back here in 1956, I came from a long trip to the Soviet Union and I came here to West Berlin and saw your pleasant streets and gay shops and your fine people. And when I went over to East Berlin again it was like returning to a bad dream. (Loud noise, red balloons dropped Red flags).

The Communists will let the balloons through but they won't let their people through.

I have seen the contrast between this city in the west part and in the Communist part as many hundreds of thousands of people have seen that contrast. And that is why Herr Ulbricht had to erect the wall. Because it was a contrast that he could not tolerate.

That is the true meaning of the wall that lies like a snake across the heart of your city. Mr. Ulbricht and the Communists cannot have the contrast. (Another loud noise; two more Red flags dropped by parachute from small balloons).

That is the only thing that he can do.

He cannot tolerate the contrast between freedom here and communism over there so that everyone can see it. He has to do that. We are aware of the heartbreak and anguish this wall has caused to the people of Berlin. But I would also ask you to look at the other side and see what an impression it has made all across the rest of the globe. Because this wall is an admission of failure by communism, it is an attempt for the first time in the history of mankind to erect a wall not to keep marauders or bandits out, but to keep their people in.

This is understood every place. I was in Indonesia and talked to a young Communist student. And he was saying that the Communist regimes throughout the world were supported by the people. And I asked him: I said, "Well, how can you explain the wall in Berlin?" He blushed for a moment, and he said: "I don't want to get into details."

And this incident has been repeated over and over again in my travels.

If the purpose of the wall was to destroy Berlin, Herr Ulbricht and his cohorts have erred sadly. Berlin is not only going to continue to exist, it's going to grow and grow and grow.

Its ties to West Germany will not be severed. Companies from America and other foreign countries will erect their plants here. Corporations from all over the globe are going to open outlets in this city. West Berlin's brightest pages have yet to be written in the books of history. And Berlin, although on the edge of totalitarianism, will not be attacked, because an armed attack on West Berlin is the same as an armed attack on Chicago, or New York, or London, or Paris.

You are our brothers and we stand by you.

And now I have a message from President Kennedy to you of free Berlin. It is to Mayor Brandt, the Senate and the people of West Berlin.

"I am delighted to send my warmest greetings to the people of West Berlin through my brother, the Attorney General of the United States. His visit to Berlin is one more testimonial to the ties that bind your city and the American people. I am grateful to you for having invited him, and the message which he brings is the message of American solidarity with the free people of West Berlin. The courage and determination of the people of your great city are a constant inspiration to freemen everywhere. Our people and yours have stood firm for freedom in the years that lie behind us; together with other determined peoples we shall sustain both freedom and peace in the years ahead."

The New Tax Bill

EXTENSION OF REMARKS

OF

Hon. EVERETT McKINLEY DIRKSEN

OF ILLINOIS

IN THE SENATE OF THE UNITED STATES

Monday, March 26, 1962

Mr. DIRKSEN. Mr. President, on Sunday, March 11, 1962, the Mutual Broadcasting System had as participants on its show "What's the Issue?" the junior Senator from Indiana [Mr. HARTKE] and Mr. Clarence Miles, for many years manager of the legislative department of the U.S. Chamber of Commerce. The question discussed on this occasion was the tax bill pending in the House of Representatives.

I ask unanimous consent that a transcript of that discussion by these gentlemen be printed in the RECORD.

There being no objection, the transcript of discussion was ordered to be printed in the RECORD, as follows:

"WHAT'S THE ISSUE?" PROGRAM, MARCH 11, 1962

Mr. RICE. Good afternoon. This is Terry Rice, general manager for legislative action of the Chamber of Commerce of the United States. The Constitution of the United States guarantees to the citizens of this country certain rights which men have always respected as the mark of free people. Among these important rights are freedom of religion, freedom of speech, freedom of assembly, and the freedom to petition the Government for a redress of grievances. Specifically, these four freedoms are spelled out in the first amendment to the Constitution—the first part of the Bill of Rights, passed shortly after the Constitution was adopted. Perhaps the most important of all of these is the right to petition the Government—to speak out and tell Congress what you think. It seems strange that it should be necessary to reaffirm this right with new legislation, but that is exactly what is happening today. Because Government has grown so large, many of the rules by which we live are made by the regulatory agencies, rather than the Congress. The right to speak out has been threatened by the Treasury Department's Internal Revenue Service in a ruling dealing with tax deductions for organizations.

The House Ways and Means Committee is about to report to the House of Representatives in Washington a so-called tax credit bill.

This bill contains many proposals that, if enacted into law, would affect our citizens in many different ways.

Today we want to discuss just one of these proposals, the one that involves your "right to speak out," the one that involves what has been called censorship by taxation.

To bring about an understanding of this issue, I have with me Mr. Clarence Miles, for many years manager of the Legislative Department of the National Chamber, and Senator VANCE HARTKE, of Indiana. The Senator is the author of remedial legislation, S. 467, and a member of the Senate Finance Committee which will review and revise whatever legislation is passed by the House.

Mr. Miles, suppose you start us off by defining the issue for us.

Mr. MILES. In making out a tax return, a business or an individual may deduct what is known as ordinary and necessary expenses. Until recently this has included the expense of appearing before local, State, and National legislative bodies. It has included dues paid to unions, to business organizations, to trade associations, and it has included the cost of educational campaigns on public issues, the solutions of which might mean life or death to a business and the jobs it provides.

But in 1959 the Internal Revenue Service issued a regulation (which has the effect of law) that funds spent for the promotion or defeat of legislation were not deductible as business expenses, and that dues paid organizations were not deductible in full, if a substantial part of the organizations' activities were in the legislative field.

Believing that this regulation amounted to coercion, if not actual curtailment of free speech, some 14 or 15 Members of the Congress introduced remedial legislation in 1960. Included among those sponsoring such measures were Representative HALE BOGGS and Senator HARTKE, whose proposals were quite similar.

The Ways and Means Committee, by unanimous vote, approved the Boggs bill in 1960, but too late for action on the floor. The new tax credit bill attempts to deal with the problem but in a very limited way.

Mr. RICE. I'm sure we all agree that the right of free speech is most sacred. And I believe most legislators welcome public discussion of issues, and they welcome communications even from those with whom they disagree. Why do you say that the current bill is too limited?

Mr. MILES. Well, the so-called Watts amendment to the tax credit bill would change the Internal Revenue Code to allow deductions for expenses related to appearances before and communications with both legislators and legislative bodies. But it would specifically disallow deductions for attempts to influence the general public. Here is where you get coercion, for unless a company through advertising or written communications or public meetings can talk to its employees, its stockholders, and its customers with respect to the impact of law on the company's operations, it may well be legislated out of business.

Mr. RICE. Senator HARTKE, since tax legislation originates in the House, I assume the Senate has not yet had an opportunity to consider this matter. Senator KERR, another member of the Senate Finance Committee, is cosponsor of your bill. Your bill is very brief and easily understood. Won't you give us your views on the problem and tell us something of your plans when the tax bill reaches your committee?

Senator HARTKE. Basically, Mr. Rice, the bill which I have introduced provides that the Internal Revenue Service decision shall be modified to the extent that an individual or a corporation or a trade association can legitimately deduct as expenses those portions of his expenditures which are necessary to provide a decent hearing or decent expression to the legislative body itself. The thing about it is that we are talking here about a term which sometimes has a bad connotation with a lot of people. It is called lobbying. Sometimes politics has a bad connotation to people but the idea of lobbying in its bad aspects means briefly that you have certain people who abuse the privilege that is given to them to talk to their legislative bodies, to their city councils, or even to their State government. The possible abuse of a privilege which is guaranteed to us by the Constitution should be no reason for not enacting a proper law. Now as Mr. Miles has said, there is no question the Treasury position has been based on a law. Whether we agree with the interpretation of the Treasury Department or not is now immaterial because until the law is changed it is going to stand. Second, I think the need for the change is unquestioned at the moment among those people who understand the basic issue of the right to petition your Congress. Now, the real item left is how are we going to do it. As was indicated again by Mr. Miles, passage of the bill in the House Ways and Means Committee last year was too late for action in the Congress. To me the present tax credit bill includes a provision which is too mild. Well, maybe I shouldn't say too mild. At least, it doesn't go far enough to correct the Treasury interpretation.

Mr. MILES. It doesn't get to the heart of the problem.

Mr. HARTKE. It doesn't really solve the problem at all. Let me say this. A lot of people say, well, this is a chamber of commerce program. Why should the chamber of commerce have special privileges? Well, I suppose basically there are three main issues before the Congress in general terms this year. That is the question of the Common Market, and what are we going to do about reciprocal trade. Now you people in the chamber know that there is a good possibility that if we reduce all tariffs, drastically and immediately, that some businesses will just go by the wayside. Under the Treasury interpretation at the present time, companies which tried to educate the people of the United States to what could happen to their businesses, in effect destroy them even if they have been in existence for a hundred years, would not have an item for deduction on their taxes.

Mr. MILES. And yet it's crucial to their very existence.

Senator HARTKE. As crucial as a law suit which would be brought if they had somebody sue them for any type of action whatsoever. If they hire a lawyer—I am a lawyer and I am not opposed to them hiring lawyers—if they hire a lawyer and go to the legal expense of trying to defend themselves in a law suit, the Treasury Department would permit them to deduct this as a business expense.

Mr. MILES. Or if they came down here to appear before the Tariff Commission.

Senator HARTKE. Yes.

Mr. MILES. That would be deductible.

Senator HARTKE. But let's point this out. Many people have found that in legislation you need public support. Unless you can get public support, the legislatures frequently, not intentionally, and I am one of those, but frequently do not give the proper attention or the type of attention which an item should have. Even the United Nations; now let me give you an example there. The organizations within the United Nations have found, that they need public support for organization frequently to help them. So we have a private agency to devote most of their time and their money to promoting the United Nations. So you see its not just alone for those people in business that this is intended but also for the people who are in related activities. Another item here. I have a bill, for example, in which I want to accelerate the program to find a cure for cancer, and if some business corporation decides that this is a worthwhile project and they wanted to educate the people on it and put out newspaper ads to try to accelerate the way to find a cure for cancer, this still wouldn't be a legitimate deduction under the present ruling of the Internal Revenue Department.

Mr. RICE. You are also a champion of changes in the statutory depreciation rates and this is certainly a subject that we need public understanding of and information about and education on if there is ever going to be the kind of legislation you have advocated.

Senator HARTKE. Yes. Now here again we are back to something which is one of the three main issues: the trade bill, depreciation or tax reform, and medical care for the aged. These are called the three big issues in the Congress.

Mr. RICE. The big three.

Senator HARTKE. They're the big three. And the point of it is you cannot develop this legislation unless you are willing to give to everyone the right to have full expression of their views. Basically, that's all this bill does. It gives you your right to speak out and have the public understand what you are talking about and try to influence the legislatures, not for something bad but for something good. Let me take again, Mr. Rice, this depreciation. We are probably the most out-of-date country in the world, although we are a modern industrial nation, and in our depreciation rates and schedules we are probably the most antiquated of the lot, and we are trying to keep up with these other countries with their developing economies with a horse and buggy type depreciation law. And yet, I am not opposed to the tax credit plan which has been submitted by the President and approved by the House Ways and Means Committee. I just don't think it goes far enough.

But unless we can educate the people, and this is going to have to be done by trade organizations and groups who have a direct interest, you are not going to get a real change in the depreciation laws as they are on the books today.

Mr. RICE. I was interested in reading the depreciation bills. They talk about declining balance, the sum of the year digits, the straight line. I think this is something the man on the street back in Indiana and elsewhere would have a little bit of trouble grasping if we didn't go to the trouble of trying to inform him about what these things mean and how they relate to job creation and the kind of growth that we want and the President wants.

Senator HARTKE. This is the very point. I think, though, that we have to come back basically to this problem of recognizing that in a country such as ours these rights are important. The Bill of Rights was passed for a very simple reason. We had seen a type of country before that in which we did not have our right to speak our piece before the king, and we had the Boston massacre, only five people killed, but it set off a whole nation. Really, it created a whole new nation. And the first thing that the people insisted on was the Bill of Rights, and I think here it is very important for us to remember that the first of the articles in the Bill of Rights was the right to petition. The right to petition your representatives who are going to enact the laws, and basically this right can be taken away from us if for all intents and purposes the only people who are left to do it are those in the Government. After all, the Government has its own lobby and it is the biggest lobby in the world today. These various departments and agencies, and again I hope and think that in most cases they are doing what they think is right and good, are lobbying the legislatures to go ahead and do it. Now, this law does not apply to them because there is no question of tax deduction involved for the Government itself.

Mr. MILES. Shouldn't we also, though, Senator, make the point that this applies to local governments and State governments just as well? We are talking a good deal today about growth. Well, one phase of growth, of course, is industrial development. Here is a city that wants to do something. That means they are going to have to open up a new area, it means new streets, new sewers, new school buildings and that all adds up, of course, to a bond issue. Now customarily, the average city facing that situation, raises a jackpot or a campaign fund. The purpose is to inform the public and win the public over to a program, a bond issue, that will permit this growth and the creation of new jobs. Now as I understand it, under the Internal Revenue regulation, any such funds put into that campaign are not deductible. If that is true, obviously, that is going to put quite a damper on that kind of effort toward growth, is it not?

Senator HARTKE. Yes. I think you make a very valid point Mr. Miles. Basically, people do not like to pay taxes. We all know this, and they don't want to pay taxes for a bond issue and this is what is involved. In other words, in a bond issue they are trying to sell the securities of a government or government subdivision and ultimately the people are going to have to pay for it. Now, what they want to know, and people are pretty intelligent ordinarily, what they want to know is, what are they going to pay for? Now this is what you are talking about in educating these people through use of this jackpot. But if, say, the labor union in town was having difficulty in finding work for its employees and suppose they went up to the mayor and they said, "Now, Mayor, we are interested in helping you. What can we do to be of some help?" The mayor will say, the first thing, "Get behind my program here to sell this bond issue," or any other matter which they are trying to do in the local government. And they say, "Well, as far as we are concerned we are an organization, we have dues, but we can't use our dues for this because of the Treasury ruling." Now this may be a close question of interpretation but this is the difficulty with the present law. The Internal Revenue Service can make a determination that these are not deductible items; that these are not legitimate business expenses or legitimate expenses of trade associations.

Mr. RICE. Would I be correct, Senator HARTKE, in assuming that, based on what you said about the House bill, that you still feel the language of your bill would be preferable to what is in the tax bill and you intend to press for that type of language in the Senate version of this legislation?

Senator HARTKE. Basically, as you said. Yes, that is right. But basically, as you said, Mr. Rice, what I propose to do is not difficult to understand. It does change the law, well, it changes this interpretation of the law as made by the Internal Revenue Service. I would hope, and I feel, that the Finance Committee would entertain such a change. We must recognize that the House last time, under the Ways and Means Committee, as Mr. Miles said, passed this without a dissenting vote and you know it is difficult in this Congress to pass anything without a dissenting vote. But without a dissenting vote in the Ways and Means Committee, so there is real good support on the House side. And I believe that either the language of my bill or similar language can be adopted and should be, and frankly, I intend to do everything I can to do my part to make sure that the change is made.

Mr. MILES. The Ways and Means Committee, incidentally, in reporting out the bill said this: "If an expenditure is ordinary and necessary to the conduct of the taxpayers trade or business, and is lawful, it is unfair for the deduction to be disallowed just because the expense is incurred to influence legislation." A friend of mine in discussing this the other day was indicating that in addition to unions and business people, our agricultural community is very much concerned. He talked about the cattlemen out in the Great Plains and the intermountain area, to whom, of course, water is very important and if there was to be a change made, for example, in the Taylor Grazing Act, which is an all-controlling factor for them, obviously, it is a necessary and ordinary business expense for them to try to do something about it.

Mr. RICE. Senator HARTKE, it is being said, I believe, by some folks, that this Internal Revenue Service regulation works a particular hardship on small businesses. Do you feel this way about it?

Senator HARTKE. Yes, very definitely, because the small businesses have a special problem that others do not have. A large corporation or a large organization, will be able to absorb such expenses. A small business——

Mr. MILES. And many of them are represented right here in Washington, too, in Federal legislation.

Senator HARTKE. Individually with their individual representatives, I mean. Their Washington representatives. But a small businessman, he's down there and he says, "My, I am going to the wall and this is really going to drive me out of business; now I need some help." Well, the trade associations were set up for this very purpose. That is, a group of small businesses bind themselves together for a special purpose and one of their purposes is to make sure that this giant Government that we have—and it is probably going to at least stay as big as it is—will hear their voice. Now, under the present regulation, again, if this trade organization or trade association, does most of its activities in the field of trying to speak for the little businessman in the legislative field, this item is not a business deduction and yet any man knows that this is as legitimate an expense of a business as really a person could ever have.

Mr. RICE. We've talked here about the legislative activities of associations of businesses. Mr. Miles, why is it that legislation has become so important to the businessman and to the corporation and to the small company?

Mr. MILES. Well, as the Senator has just said, our Government, our Federal Government has grown so large that a business cannot operate without considering what the Government is doing. Bear in mind that Uncle Sam collects 52 percent of the earnings of the corporation. He collects up to 91 percent of the individual's earnings. And so the Government is in the field of taxation, in the field of labor management, of education, and foreign trade and these other issues we have been talking about here today. And those all impinge on the ability of a business to earn money, to return dividends, and provide employment.

Mr. RICE. Senator HARTKE, if this bill that is now before the House, should pass in that form, do you believe there would be some problem of equitable administration of that type of legislation?

Senator HARTKE. Very definitely so, Mr. Rice, because under the present law and even under this proposal as set by the House, each individual internal revenue agent within his district would be allowed and permitted to make his own interpretation and his own decision as to what was actually a legitimate deduction. Now this is not right, because if I live in Indiana I should be treated in the same manner as a person living in California, Florida, or New York. And this is what we want, equality under the law. No one wants any special advantage for himself. But he would like to be treated fairly and I don't think this could or would occur and our history shows that there would be different interpretations in different parts of the country.

Mr. MILES. It's a question of defining what is a substantial amount of legislative activity and it's a question of differentiating, it seems to me, between influencing the public or actually communicating with your own stockholders or employees.

Mr. RICE. I understand that the legislation in the House will be introduced probably this Friday. The bill has been agreed upon and they will start on it in the House about the 20th. This means that it will get over here about the end of this month. Do you foresee any extensive delays of any kind in the Senate Finance Committee consideration of this? Do you have any thoughts on that point, sir?

Senator HARTKE. Very definitely not. At the recent executive meeting, Chairman HARRY BYRD of Virginia stated that he wanted to have extensive and very conclusive hearings upon this matter but he wanted to do it as soon as possible and I know the committee intends to act just as soon as the bill comes to the Senate.

Mr. RICE. And this would probably follow consideration of the debt hearings, and those on the financial status of the country that the Senator has already announced.

Senator HARTKE. Yes, but these hearings on the debt will probably begin before the bill which we are discussing now will get to the Senate itself.

Mr. RICE. Our thanks to Senator VANCE HARTKE, of Indiana, and to Clarence Miles, legislative consultant to the Chamber of Commerce of the United States. If you would like to know more about protecting your constitutional right to petition your Government, write for the free pamphlet, "Your Right To Speak Out," published and distributed by the Chamber of Commerce of the United States. Just write to "What's the Issue?" Chamber of Commerce of the United States, Washington, D.C., and your copy will be mailed to you promptly.

SENATE

TUESDAY, MARCH 27, 1962

(Legislative day of Wednesday, March 14, 1962)

The Senate met at 12 o'clock meridian, on the expiration of the recess, and was called to order by the Vice President.

Rev. Donald Earle Lewis, pastor, Hamline Methodist Church, Washington, D.C., offered the following prayer:

Eternal God, Thou who didst create us all and who didst endow us with the distinctiveness of differences, we bow in reverence, different men, from different places, of different creeds, yet bound together by a common allegiance—America—and made brothers by a common prayer—"Our Father."

We thank Thee, O God, for our heritage, guarded in these halls, which bequeaths to us the right to differ with respect, to deviate with honor, to challenge without malice, to contest without fear.

Grant us always, we pray Thee, O God, the consciousness of the deeper bonds and higher loyalties that unite, but deliver us from the enslavement of the common mold. Help us always to remember the common good; but keep us from forgetting that men have names and hearts.

May our differences cause us to cherish the ties that bind, and may those ties cause us to honor and give thanks unto Thee, O Lord, Holy Father, almighty and everlasting God. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Monday, March 26, 1962, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries.

EXECUTIVE MESSAGE REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate a message from the President of the United States submitting the nomination of Robert F. Woodward, of Minnesota, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary to Spain, and withdrawing the nomination of Ellis O. Briggs, of Maine, a Foreign Service officer of the class of career ambassador, to be Ambassador Extraordinary and Plenipotentiary to Spain; which nominating message was referred to the Committee on Foreign Relations.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed a bill (H.R. 10573) to grant the American Numismatic Association perpetual succession, in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to the following concurrent resolutions, in which it requested the concurrence of the Senate:

H. Con. Res. 25. Concurrent resolution authorizing the printing of additional copies of a Veterans' Benefits Calculator;

H. Con. Res. 405. Concurrent resolution authorizing the printing of additional copies of hearings on civil defense for the Committee on Government Operations;

H. Con. Res. 406. Concurrent resolution authorizing the printing of the publication entitled "Our Flag" as a House document, and providing for additional copies;

H. Con. Res. 412. Concurrent resolution authorizing the printing of additional copies of House Report No. 1282, parts 1 and 2, 87th Congress, 1st session;

H. Con. Res. 414. Concurrent resolution authorizing the printing of additional copies of "Hearings Relating to H.R. 4700, To Amend Section 11 of the Subversive Activities Control Act of 1950, as Amended (the Fund for Social Analysis)," 87th Congress, 1st session;

H. Con. Res. 416. Concurrent resolution to print as a House document the publication "Guide to Subversive Organizations and Publications," and to provide for the printing of additional copies;

H. Con. Res. 419. Concurrent resolution providing for additional copies of hearings on "Small Business Problems in the Poultry Industry," 87th Congress; and

H. Con. Res. 451. Concurrent resolution authorizing the printing of additional copies of House Document No. 218, 87th Congress, 1st session, entitled "Inaugural Addresses of the Presidents of the United States."

HOUSE BILL PLACED ON CALENDAR

The bill (H.R. 10573) to grant the American Numismatic Association perpetual succession was read twice by its title and placed on the calendar.

HOUSE CONCURRENT RESOLUTIONS REFERRED

The following House concurrent resolutions were severally referred to the Committee on Rules and Administration:

H. Con. Res. 25. Concurrent resolution authorizing the printing of additional copies of "A Veterans' Benefits Calculator":

"Resolved by the House of Representatives (the Senate concurring), That after the conclusion of the second session of the Eighty-seventh Congress there shall be printed fifty thousand two hundred and forty additional copies of a Veterans' Benefit Calculator prepared by the Veterans' Affairs Committee of which two thousand copies shall be for the use of the Veterans' Affairs Committee, two thousand copies for the use of the Committee on Finance, thirty-seven thousand four hundred and eighty-five copies for the use of the House of Representatives, and eight thousand seven hundred and fifty-five copies for the use of the Senate."

H. Con. Res. 405. Concurrent resolution authorizing the printing of additional copies of hearings on civil defense for the Committee on Government Operations:

"Resolved by the House of Representatives (the Senate concurring), That there be printed for the use of the House Committee on Government Operations five thousand additional copies of the committee print 'Civil Defense—1961, Hearings Before a Subcommittee of the Committee on Government Operations, House of Representatives, August 1, 2, 3, 4, 7, 8, and 9, 1961,' issued by the Committee on Government Operations during the Eighty-seventh Congress, first session."

H. Con. Res. 406. Concurrent resolution authorizing the printing of the publication entitled "Our Flag" as a House document, and providing for additional copies:

"Resolved by the House of Representatives (the Senate concurring), That the publication entitled 'Our Flag', published by the Office of Armed Forces Information and Education, Department of Defense, be printed with illustrations as a House document; and that three hundred thousand additional copies be printed, of which two hundred thousand shall be for the use of the House of Representatives, and one hundred thousand shall be for the use of the Senate."

H. Con. Res. 412. Concurrent resolution authorizing the printing of additional copies of House Report No. 1282, parts 1 and 2, 87th Congress, 1st session:

"Resolved by the House of Representatives (the Senate concurring), That there be printed for the use of the Committee on Un-American Activities ten thousand additional copies each of parts 1 and 2 of the House Report Numbered 1282, Eighty-seventh Congress, first session, entitled 'Manipulation of Public Opinion by Organizations Under Concealed Control of the Communist Party.' "

H. Con. Res. 414. Concurrent resolution authorizing the printing of additional copies of "Hearings Relating to H.R. 4700, To Amend Section 11 of the Subversive Activities Control Act of 1950, as Amended (the Fund for Social Analysis)," 87th Congress, 1st session:

"Resolved by the House of Representatives (the Senate concurring), That there be printed for the use of the Committee on Un-American Activities ten thousand additional copies of 'Hearings Relating to H.R. 4700, To Amend Section 11 of the Subversive Activities Control Act of 1950, as Amended (the Fund for Social Analysis)', Eighty-seventh Congress, first session."

H. Con. Res. 416. Concurrent resolution to print as a House document the publication "Guide to Subversive Organizations and Publications," and to provide for the printing of additional copies:

"Resolved by the House of Representatives (the Senate concurring), That the publication entitled 'Guide to Subversive Organizations and Publications', prepared by the Committee on Un-American Activities, House of Representatives, Eighty-seventh Congress, first session, be printed as a House document; and that there be printed one hundred thousand additional copies of said document of which sixty-five thousand shall be for the use of said committee and thirty-five thousand shall be prorated to the Members of the House of Representatives and the Senate for a period of ninety days after which time the unused balance shall revert to the Committee on Un-American Activities."

H. Con. Res. 419. Concurrent resolution providing for additional copies of hearings on "Small Business Problems in the Poultry Industry," 87th Congress:

"Resolved by the House of Representatives (the Senate concurring), That there shall be printed for the use of the Select Committee on Small Business, House of Representatives, one thousand five hundred additional copies of parts I, II, and III, of Hearings on Small Business Problems in the Poultry Industry, Eighty-seventh Congress, first session."

H. Con. Res. 451. Concurrent resolution authorizing the printing of additional copies of House Document No. 218, 87th Congress, 1st session, entitled "Inaugural Addresses of the Presidents of the United States":

"Resolved by the House of Representatives (the Senate concurring), That there be

printed, with illustrations, twenty-seven thousand two hundred additional copies of House Document 218, Eighty-seventh Congress, first session, entitled 'Inaugural Addresses of the Presidents of the United States from George Washington to John F. Kennedy', of which twenty-two thousand and fifty copies shall be for the use of the House of Representatives, and five thousand one hundred and fifty copies shall be for the use of the Senate."

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Constitutional Rights Subcommittee of the Committee on the Judiciary was authorized to meet during the session of the Senate today.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

REPORT ON TITLE I AGREEMENTS UNDER AGRICULTURAL TRADE DEVELOPMENT AND ASSISTANCE ACT OF 1954

A letter from the Administrator, Foreign Agricultural Service, Department of Agriculture, transmitting, pursuant to law, a report on title I agreements under the Agricultural Trade Development and Assistance Act of 1954, concluded during February 1962 (with an accompanying report); to the Committee on Agriculture and Forestry.

REPORT ON REAPPORTIONMENT OF AN APPROPRIATION

A letter from the Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that the appropriation to the Department of Justice for "Fees and expenses of witnesses" for the fiscal year 1962, had been reapportioned on a basis which indicates the necessity for a supplemental estimate of appropriation; to the Committee on Appropriations.

AMENDMENT OF SECTION 3515 OF REVISED STATUTES, TO ELIMINATE TIN IN THE ALLOY OF THE 1-CENT PIECE

A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to amend section 3515 of the Revised Statutes to eliminate tin in the alloy of the 1-cent piece (with accompanying papers); to the Committee on Banking and Currency.

WHITE HOUSE POLICE FORCE

A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to authorize an adequate White House Police force, and for other purposes (with accompanying papers); to the Committee on Public Works.

REPORT ON GRANTS TO NONPROFIT INSTITUTIONS FOR BASIC SCIENTIFIC RESEARCH

A letter from the Assistant Secretary of Defense, transmitting, pursuant to law, a report on grants for basic scientific research made by the Department, to nonprofit institutions, in the year 1961 (with an accompanying report); to the Committee on Government Operations.

REPORT OF ATTORNEY GENERAL

A letter from the Attorney General, transmitting, pursuant to law, a report on the activities of the Department of Justice, for the fiscal year ended June 30, 1961 (with an accompanying report); to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A concurrent resolution of the Legislature of the State of South Carolina; to the Committee on the Judiciary:

"CONCURRENT RESOLUTION MEMORIALIZING CONGRESS TO PROPOSE A CONSTITUTIONAL AMENDMENT ABOLISHING INCOME, ESTATE AND GIFT TAXES AND PROHIBITING THE FEDERAL GOVERNMENT FROM ENGAGING IN ANY BUSINESS, PROFESSIONAL, COMMERCIAL, FINANCIAL OR INDUSTRIAL ENTERPRISE EXCEPT AS PROVIDED IN THE FEDERAL CONSTITUTION

"Be it resolved by the House of Representatives (the Senate concurring), That the Congress of the United States be memorialized to, without delay, propose to the people an amendment to the U.S. Constitution or to call a convention for the purpose of adding to the Constitution an article to read as follows:

"'ARTICLE —

"'SECTION 1. The Government of the United States shall not engage in any business, professional, commercial, financial, or industrial enterprise except as specified in the Constitution.

"'SEC. 2. The constitution or laws of any State, or the laws of the United States, shall not be subject to the terms of any foreign or domestic agreement which would abrogate this amendment.

"'SEC. 3. The activities of the U.S. Government which violate the intent and purposes of this amendment shall, within a period of three years from the date of the ratification of this amendment, be liquidated and the properties and facilities affected shall be sold.

"'SEC. 4. Three years after the ratification of this amendment the 16th article of amendments to the Constitution of the United States shall stand repealed and thereafter Congress shall not levy taxes on personal incomes, estates, and/or gifts.'

"Be it further resolved, That certified copies of this resolution be forwarded to the Vice President of the United States, the President pro tempore of the Senate, the Speaker of the House of Representatives and to each member of the South Carolina congressional delegation.

"I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the South Carolina House of Representatives and concurred in by the Senate.

"INEZ WATSON,
"Clerk of the House."

A joint resolution of the Legislature of the State of California; to the Committee on Post Office and Civil Service:

"ASSEMBLY JOINT RESOLUTION 8

"Joint resolution relative to the issuance of a commemorative postage stamp in honor of the Tournament of Roses

"Whereas the Tournament of Roses had a simple beginning in 1889 with the decoration of horses and buggies with flowers in a New Year's Day parade; and

"Whereas the Tournament of Roses parade now attracts hundreds of thousands of visitors to Los Angeles County each year to witness this colorful and dramatic wintertime event; and

"Whereas the wide publicity directed each year by the Tournament of Roses to its participants strengthens the bonds of friendship, good will, and understanding between the city of Pasadena and other cities, States, and nations with entries in the parade; and

"Whereas the eyes and ears of the Nation are focused upon southern California every New Year's holiday with television audiences estimated at 60 million persons enjoying the pageantry and excitement of this most spectacular celebration; and

"Whereas on January 1, 1964, the Tournament of Roses will observe its 75th anniversary, one of the outstanding civic spectaculars of its kind throughout the Nation and the world: Now, therefore, be it

"Resolved by the Assembly and Senate of the State of California (jointly), That the Legislature of the State of California memorializes the Postmaster General of the United States to provide for the issuance of a commemorative postage stamp in honor of the 75th anniversary of the Tournament of Roses; and be it further

"Resolved, That the chief clerk of the assembly is hereby directed to transmit copies of this resolution to the President and Vice President of the United States, to the Postmaster General of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

A resolution adopted by the City Council of the City of San Fernando, Calif., protesting against the imposition of a Federal income tax on the income derived from public bonds; to the Committee on Finance.

A resolution adopted by the woman's auxiliary to the Lake County Medical Society, Mundelein, Ill., protesting against the enactment of legislation to provide medical care for the elderly; to the Committee on Finance.

A resolution adopted by the City Council of the City of Hayward, Calif., opposing any amendment to the Constitution of the United States which would have the effect of subjecting the income from State and local bonds to a Federal tax; to the Committee on Finance.

THE ALEXANDER HAMILTON NATIONAL MONUMENT — AMENDMENT TO THE CONSTITUTION DEALING WITH POLL TAXES

The Senate resumed the consideration of the joint resolution (S.J. Res. 29) providing for the establishing of the former dwelling house of Alexander Hamilton as a national monument.

Mr. MANSFIELD. Mr. President, what is the pending question?

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from Florida [Mr. HOLLAND], striking out all after the resolving clause, as amended, of Senate Joint Resolution 29, and inserting in lieu thereof certain other words.

Mr. MANSFIELD. This is a proposed constitutional amendment seeking to abolish the poll tax in the several States, is it?

The VICE PRESIDENT. It is a proposed constitutional amendment.

Mr. HOLLAND rose.

Mr. RUSSELL. Mr. President——

The VICE PRESIDENT. The Senator from Georgia.

Mr. RUSSELL. Mr. President, I suggest the absence of a quorum.

Mr. HOLLAND. Mr. President, I believe I have the floor.

The VICE PRESIDENT. The Senator from Florida has not been recognized; he has not yet addressed the Chair.

Mr. HOLLAND. Mr. President, I did not get here——

Mr. RUSSELL. Mr. President——

The VICE PRESIDENT. Does the Senator from Georgia yield?

Mr. RUSSELL. Yes, Mr. President; I yield to the Senator from Florida.

Mr. HOLLAND. Mr. President, I did not get here in time to consult with the majority leader and the Senator from Georgia. Of course I am willing to have whatever procedure they see fit to propose followed in connection with the things we understand will happen today.

Mr. MANSFIELD. Mr. President, will the Senator from Florida seek recognition?

Mr. HOLLAND. I have already been recognized.

The VICE PRESIDENT. No; the Chair did not hear the Senator from Florida address the Chair first. The Senator from Georgia first addressed the Chair, and the Senator from Georgia has been recognized.

Mr. RUSSELL. Mr. President, inasmuch as this question has arisen, let me say that I understood the Senator from Montana to state, last evening, just before the recess was taken, that the order of business today would be that the Senator from Florida would offer his amendment and would address himself to it, and that then the Senator from Georgia would have an opportunity to make a point of order.

I came here prepared to follow that procedure, as outlined by the majority leader. I do not always agree with the positions taken on various issues on the floor of the Senate by the majority leader; but in order to retain my standing in the Democratic Party, I support him on matters of procedure. [Laughter.]

Mr. HOLLAND. Mr. President, will the Senator from Georgia yield?

Mr. RUSSELL. Yes, I yield.

Mr. HOLLAND. I am very happy to follow any course of action which will be satisfactory to the majority leader and to the Senator from Georgia. I was simply seeking advice as to whether the two distinguished Senators had agreed on a course of action. I am perfectly willing to follow the course which has been suggested by the Senator from Georgia.

Mr. RUSSELL. We had agreed to the extent that the Senator from Montana had announced what he conceived would be the order of business today, and the Senator from Georgia had not entered any demurrer thereto.

Mr. MANSFIELD. Mr. President, will the Senator from Georgia yield to me?

Mr. RUSSELL. I am glad to yield.

Mr. MANSFIELD. The distinguished Senator from Georgia is correct in his interpretation of what was said last night. If it is agreeable to him, I would appreciate it if the Senator from Florida could now be recognized.

Mr. RUSSELL. Very well; I shall withdraw my recognition for the present, and also my request for the quorum.

Mr. HOLLAND. Mr. President——

The VICE PRESIDENT. The Senator from Florida is recognized.

Mr. DIRKSEN. Mr. President, does the Senator from Florida wish to have a quorum call at this time?

Mr. HOLLAND. I understood that there would be a short quorum call, to accommodate Senators who may desire to be advised if any of them wish to hear what I shall say.

Mr. RUSSELL. Mr. President, will the Senator indulge me a moment? I had proposed to suggest the absence of a quorum merely out of courtesy for my distinguished friend, the Senator from Florida. But if any other Senator wishes to suggest the absence of a quorum, that will be satisfactory.

Mr. HOLLAND. Mr. President, inasmuch as so many of my distinguished colleagues are desirous of suggesting the absence of a quorum, as a courtesy to me, I shall be glad to yield to any of them for that purpose, provided it is understood that in yielding for that purpose I shall not lose my right to the floor.

Mr. DIRKSEN. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I yield.

Mr. DIRKSEN. How long does the Senator from Florida expect to discuss the pending question?

Mr. HOLLAND. Forty-five minutes or an hour, I suspect.

Mr. DIRKSEN. Then, Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. Does the Senator from Florida yield to the Senator from Illinois, for the purpose of enabling the Senator from Illinois to suggest the absence of a quorum, with the understanding that in yielding for that purpose the Senator from Florida will not lose his right to the floor?

Mr. HOLLAND. That is correct, Mr. President.

The VICE PRESIDENT. The absence of a quorum has been suggested; and the clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

[No. 30 Leg.]

Aiken	Hart	Moss
Allott	Hartke	Mundt
Anderson	Hayden	Murphy
Beall	Hickenlooper	Muskie
Bible	Hickey	Neuberger
Boggs	Hill	Pastore
Burdick	Holland	Pearson
Bush	Hruska	Pell
Byrd, Va.	Humphrey	Prouty
Byrd, W. Va.	Jackson	Proxmire
Cannon	Javits	Randolph
Carlson	Johnston	Robertson
Case, N.J.	Jordan	Russell
Chavez	Keating	Saltonstall
Church	Kefauver	Scott
Clark	Kerr	Smathers
Cooper	Kuchel	Smith, Mass.
Cotton	Lausche	Smith, Maine
Curtis	Long, Mo.	Sparkman
Dirksen	Long, Hawaii	Stennis
Dodd	Long, La.	Symington
Douglas	Magnuson	Talmadge
Dworshak	Mansfield	Thurmond
Eastland	McClellan	Tower
Ellender	McGee	Wiley
Engle	McNamara	Williams, N.J.
Ervin	Metcalf	Williams, Del.
Fong	Miller	Yarborough
Fulbright	Monroney	Young, N. Dak.
Goldwater	Morse	Young, Ohio
Gruening	Morton	

Mr. MANSFIELD. I announce that the Senator from Alaska [Mr. BARTLETT], the Senator from Tennessee [Mr. GORE], the Senator from Colorado [Mr. CARROLL], and the Senator from Minnesota [Mr. MCCARTHY] are absent on official business.

Mr. KUCHEL. I announce that the Senator from Utah [Mr. BENNETT], the Senator from Maryland [Mr. BUTLER], and the Senator from Indiana [Mr. CAPEHART] are necessarily absent.

The Senator from South Dakota [Mr. CASE] is absent because of illness.

The PRESIDING OFFICER (Mr. SMITH of Massachusetts in the chair). A quorum is present.

Mr. HOLLAND. Mr. President, I appreciate the fact that after considerable delay the Senate is about to take up the amendment which I sent to the desk and offered yesterday afternoon. I understand that amendment is now the pending question. Am I correct in my understanding?

The PRESIDING OFFICER (Mr. BURDICK in the chair). The Senator is correct.

Mr. HOLLAND. Mr. President, first I wish to give a little history about the amendment. The amendment is in substantially the same form now—only a few words different—that it was in when offered by me first in 1949, 13 years ago, with the concurrence of eight very fine Senators from that part of the country from which I come. They agreed with me that not only was the principle involved in the amendment right, but also that the South, which had already knocked out poll taxes entirely in six States, going much further than the amendment would go, should show its willingness to recognize the conviction of the country that people who are American citizens and citizens of a State and who are otherwise qualified to vote should not be prevented from voting for their President, Vice President, Senators, and Representatives in Congress—that is, the elective Federal officials—by reason of any failure or unwillingness or inability to pay a poll tax or any other tax which might be substituted therefor.

Mr. President, I ask leave at this time to read into the RECORD the names of the distinguished additional Senators who joined me in that faraway time, the 81st Congress, in 1949. They included the distinguished late Senator from Georgia, Mr. George, who unhappily is not with us now; the distinguished former Senator from Texas, Mr. Connally; the distinguished late Senators from Maryland, Mr. O'Conor and Mr. Tydings; the distinguished Senators from Louisiana, Mr. Ellender and Mr. Long; the distinguished late Senator from North Carolina, Mr. Broughton; and the distinguished Senator from Virginia, Mr. Robertson.

Mr. President, I cannot speak with certainty as to the objectives of all cosponsors at that time, but I do know from long conversations at the time with Senator George of Georgia, that his opinion and his objective were exactly the same as my own; that this was something which ought to be done, and that the South ought to have an affirmative part in doing it.

Mr. President, without reading the list of the distinguished cosponsors in later

Congresses, I ask unanimous consent at this time that the lists of Senators who joined me in the 82d, the 83d, the 84th and 85th Congresses be printed in the RECORD as a part of my remarks.

There being no objection, the lists were ordered to be printed in the RECORD, as follows:

Eighty-second Congress: Senators Holland, of Florida; Smathers, of Florida; George, of Georgia; Hoey, of North Carolina; Smith, of North Carolina; McClellan, of Arkansas; Fulbright, of Arkansas; Byrd, of Virginia; Robertson, of Virginia; O'Conor, of Maryland; Ellender, of Louisiana; Long, of Louisiana.

Eighty-third Congress: Senators Holland, of Florida; Smathers, of Florida; George, of Georgia; Hoey, of North Carolina; Smith, of North Carolina; Ellender, of Louisiana; Long, of Louisiana; McClellan, of Arkansas; Fulbright, of Arkansas; Robertson, of Virginia.

Eighty-fourth Congress: Senators Holland, of Florida; Smathers, of Florida; George, of Georgia; Ellender, of Louisiana; Long, of Louisiana; McClellan, of Arkansas; Fulbright, of Arkansas; Ervin, of North Carolina; Scott, of North Carolina; Thurmond, of South Carolina.

Eighty-fifth Congress: Senators HOLLAND, of Florida; SMATHERS, of Florida; MCCLELLAN, of Arkansas; ELLENDER, of Louisiana; LONG, of Louisiana.

Mr. HOLLAND. The list of those Senators who joined me in the 86th Congress was so long and so much like the group which has joined me this time that I shall not ask that that list be separately printed.

Mr. President, I do ask, however, that the list of the 67 cosponsors who have joined me in the introduction of the amendment proposed by Senate Joint Resolution 58 of this Congress be printed in the RECORD in full at this point in my remarks.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

Senators AIKEN, ALLOTT, ANDERSON, BARTLETT, BEALL, BENNETT, BIBLE, BOGGS, BURDICK, BUSH, BUTLER, BYRD of West Virginia, CANNON, CAPEHART, CARLSON, CASE of New Jersey, CHAVES, CHURCH, COOPER, COTTON, CURTIS, DIRKSEN, DODD, ENGLE, FONG, GOLDWATER, GRUENING, HARTKE, HAYDEN, HICKENLOOPER, HRUSKA, HUMPHREY, JACKSON, KEATING, KEFAUVER, KERR, KUCHEL, LAUSCHE, LONG of Hawaii, LONG of Louisiana, LONG of Missouri, MANSFIELD, MCCARTHY, MCGEE, MINTCALF, MONRONEY, MORSE, MORTON, MOSS, MURPHY, MUSKIE, NEUBERGER, PASTORE, PEARSON, PELL, PROUTY, RANDOLPH, SALTONSTALL, SCOTT, SMATHERS, SYMINGTON, WILEY, WILLIAMS of New Jersey, WILLIAMS of Delaware, YARBOROUGH, YOUNG of North Dakota, and YOUNG of Ohio.

Mr. RANDOLPH. Mr. President, will the distinguished Senator from Florida yield at this point, if to do so would not break the continuity of his thought?

Mr. HOLLAND. I am glad to yield.

Mr. RANDOLPH. A unanimous-consent request has been granted for printing in the RECORD, as a part of the remarks of the able Senator from Florida, a list of Senators who, in the 87th Congress, joined him as cosponsors of the measure. It has been my privilege, which I have accepted also as a responsibility, to be among those whose names appear on that list. Is that correct? Does the Senator find my name listed?

Mr. HOLLAND. The Senator is correct. I am happy to gratefully acknowledge the fact that ever since he became a Member of the Senate, the distinguished Senator from West Virginia has joined me in the offering of the amendment.

Mr. RANDOLPH. Mr. President, will the Senator yield further?

Mr. HOLLAND. I yield.

Mr. RANDOLPH. It is appropriate to add that Senators are deeply conscious of the painstaking and effective manner in which the subject under consideration has been presented on recurring occasions in this body by the distinguished Senator from Florida.

Our franchise of freedom, the American ballot, is an instrument to be used by citizens not only as a right and an opportunity granted by law, but also as an expression of a responsibility which stems from the law. So, to vitiate in any degree the representative use of the American ballot would weaken the system under which we operate as a democracy.

For the record, I commend wholeheartedly the leadership which has been exemplified over and over again in this vital matter, and I applaud the worthy efforts of the diligent senior Senator from Florida.

I do not desire to overpaint the picture of a situation inherent in the subject about which we are talking, and which causes me to characterize the measure as "a franchise of freedom," but I urge that we do everything necessary to guard against forfeiture of our freedom. We would even drift, rather than be driven, into a dictatorship. We could lose democracy by default if, in this Nation, we should fail to encourage maximum use of the ballot. The Senator from Florida proposes a method by which the number of persons qualified to vote would be increased. The attainment of this end result would be wholesome.

Mr. HOLLAND. Mr. President, I greatly appreciate the kind remarks of the distinguished Senator from West Virginia. Again I thank him for joining me in presenting the amendment on various occasions since he became a Member of this body.

Mr. President, at this time I should like to place in the RECORD section 1 only of the amendment which I offered yesterday, which states all of the substance of the proposed constitutional amendment. I shall read it:

SECTION 1. The right of citizens of the United States to vote in any primary or other election for President or Vice President, for electors for President or Vice President, or for Senator or Representative in Congress, shall not be denied or abridged by the United States or any State by reason of failure to pay any poll tax or other tax.

Mr. President, in the amendment are minor changes from Senate Joint Resolution 58, which I explained, and was happy to explain, yesterday in a colloquy with the distinguished Senator from Illinois [Mr. DOUGLAS]. If any further explanation is desired, I shall be glad to yield for the purpose of making it.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. HOLLAND. I am happy to yield to the distinguished Senator from Ohio.

Mr. LAUSCHE. A suggestion has been made that the amendment proposed by the Senator from Florida contains provisions which would eliminate the disqualification that now exists in some States with regard to a poll tax, but in place of such a poll tax disqualification, the amendment would allow States to pass laws making the payment of taxes a qualification for the right to vote. I read the amendment, and I found no such language in it. Will the Senator explain whether, under the proposed amendment, States could disqualify a citizen from voting on the basis of failure to pay either a poll tax or any other tax?

Mr. HOLLAND. Mr. President, I am happy to reply. The proposed amendment covers the subject of possible disqualification to vote by nonpayment of any other tax in exactly the same words that it covers the poll tax requirement.

The Senator may have received his information from the fact that, as originally introduced this year, as introduced every year since 1953, and as approved by a yea-and-nay vote of 72 to 16 in the Senate, in 1960, the resolution included two provisions which are not now in the proposed amendment. They were as follows:

In addition to mentioning failure to pay a poll tax or other tax, there was mention of failure to meet a property requirement. There was also a section 2 in the measure which, recognizing the fact that 12 States had laws that disqualified such people as paupers from voting, excluded the amendment from application in that kind of case. There was no case in which property ownership was the only qualification for a finding that a person was a pauper. That provision, inserted in the amendment for the past 8 years, was put there at the suggestion of the legal staff of the Library of Congress and the legal staff of the Senate in order to preclude any fear on the part of any Senator representing 1 of the 12 States which had a provision disqualifying paupers from voting, and assure him that his State was not affected. There was never any intention to disqualify anyone by that provision, but instead, to show that the States that had so acted were protected in the continuance of their action.

Incidentally, the Library of Congress informed me specifically that in every instance in which measures affecting paupers had been placed in the laws of the respective 12 States, they were enacted as measures to preserve the purity of the ballot, because it had been found that in the case of the ballots of inhabitants of poorhouses and the like they were likely to be voted by others who had some political iron in the fire. Such was the salutary purpose in each of the 12 States.

However, at the suggestion of the majority leader, and after a conference with the distinguished gentleman from New York [Mr. CELLER], the leader in the House on that question, we all came to the conclusion that there would be no prospect or possibility of any State

now imposing a property qualification, because while property qualifications have existed in the distant past, and some time or other have been found in the laws of nearly every State in the distant past, there have been none enacted for many years. Any legislature confronted with such a situation would have to realize that it was disqualifying many of its people, of all colors, and of humble situations in life, from voting.

We think there is no practical chance that that sort of thing shall ever again be invoked. Section 2, to which I have referred, affected only the property owning qualification.

Some comment has been made to the effect that we are destroying the jurisdiction of one of our ablest committees, the Committee on the Judiciary, in taking up this measure as we are. I want it made very clear that not only are we not destroying that jurisdiction, but that for 14 long years I have been invoking that jurisdiction, and that there have been five thorough, detailed hearings upon this proposal, the records of which are printed and are available now to any Senator who may wish to read them, and on four occasions there have been recommendations from the subcommittees which handled these hearings to the full committee that the measure be reported to the Senate. However, the measure has never been reported to the Senate.

Senators will recall that in 1960, when we took up this matter, we had to do it without benefit of a formal report of the Committee on the Judiciary. We do have the approving reports of the subcommittees on four occasions, and we have this year, in connection with the very thorough hearing conducted under the leadership of my distinguished friend, the Senator from Tennessee [Mr. KEFAUVER], the report on the exhaustive hearings which were held. While the committee was not willing to recommend the proposal, we do have this quotation, which shows very clearly that the subcommittee still feels the same way it has felt through the years. I quote from page 13 of the report:

As a safe and certain method, a constitutional amendment is preferable.

There were pending two or more constitutional amendments on the same subject. The opinion of the subcommittee was very clear that they regard the constitutional amendment method as the preferable method.

Let us recall that 68 Senators are cosponsoring this measure in this Congress. Let us recall that there were exhaustive hearings held last year. Let us recall that this follows the pattern of what has happened in each Congress beginning with the 81st Congress.

It can hardly be said with any degree of solemnity whatever that the Judiciary Committee has been imposed upon; instead, it was quite apparent that the conditions in which we found ourselves were such that the joinder of 68 Senators, more than enough to sustain this or any other constitutional amendment, had not brought forth a report or even a report without recommendation which would bring the measure to the floor of the Senate.

So when we come to the point where the inaction of a great committee has resulted in such a situation as this for 14 years, and when we now have an ample number of Senators as cosponsors of this measure to assure its submission to the States, so far as the Senate is concerned, it is a protection of the rights of Senators and a protection of the rights of the Senate itself to bring up the matter in any way that is available, from a strict parliamentary standpoint, and that is what we have done here.

Mr. President, I recall that some Senators who are not greatly interested in the Alexander Hamilton resolution wept bitter tears over the fact that that resolution was interfered with here. I call attention to the fact that a second resolution of the same sort has been introduced and reported by the committee, and is on the calendar. No harm has been done to anyone. To the contrary, the Senate, through its appropriate committee, has shown very proper concern and consideration to the two distinguished Senators from New York [Mr. JAVITS and Mr. KEATING], who were the cosponsors of the original Alexander Hamilton resolution, and, as I understand, are also the cosponsors of the substituted Alexander Hamilton resolution, which is now on the calendar.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield to the Senator from New York.

Mr. JAVITS. I should like to state that what needed to be done has been done with respect to the Alexander Hamilton resolution. As I expressed myself when the first action on the resolution was taken in the Senate, I had no doubt about the fact that that would be done. It is a measure of universal appeal. I am sure that the Senator from Florida, as he states quite properly, would not wish anything untoward to happen to the resolution.

Nonetheless, this does not in any way excuse us—and I am sure my colleague [Mr. KEATING] would join me in this statement were he on the floor at this time—in expressing our appreciation to the Senator from Florida and to all other Senators and to the appropriate committee, as well as to the Senate leadership, for the speed and cooperation which have been shown in restoring the Alexander Hamilton resolution to its original status quo position. I have little doubt that it will be followed in proper course by action.

I do not wish in any way to depreciate the understanding which I have of that courtesy and cooperation, when I state that I appreciate what was done in view of the circumstances last night. It so happened that my plane was delayed, and I arrived here at 6:15 p.m. The Senator from Florida, with his unfailing courtesy, took note of the fact that I was in no position to introduce my substitute. I will introduce it today. However, this is all of a pattern. Whatever may be our difference with respect to the policy involved, this is all of the pattern of the Senator's unfailing understanding and courtesy in the relationships as between Senators, all of whom are very busy men.

Mr. HOLLAND. I thank the distinguished Senator from New York. Certainly I would not want to preclude any Senator from bringing up a matter which he regarded as a matter on which he wished to express himself in this debate or in any other debate. I am glad the Senator from New York is here this morning. I am sorry that his plane was delayed yesterday. I thought it was appropriate at the time to call attention to the fact that we were purposely endeavoring to give full protection to the Senator by the course we followed yesterday.

Mr. JAVITS. I thank the Senator.

Mr. HOLLAND. Mr. President, I should like to talk about the full text of the requirement of the resolution very briefly, from two different standpoints: In the first place, I should like to speak from the standpoint of one who is a citizen of a State which until 1937 had the full poll tax requirement. I realized how many good people were deprived of their privilege of voting by reason of the existence and enforcement of the poll tax provision. I saw repeated cases prior to 1937—and I am talking about my own observations in my own State of Florida—where fine citizens of undoubted patriotism, through absence from the State at the time it was necessary to pay the poll tax, or through forgetfulness—and the State of Florida required the payment of the tax well ahead of time—had not paid the poll tax, and were, as a result, deprived of their opportunity to vote. I am speaking not only about Federal officials, but also of all officials at the State and local level.

I also saw during these early days machine rule of several counties in my State. That has now ceased. That machine rule was perpetuated by the practice of bloc payment of the poll tax in some counties, in order to retain in office certain critical officials within those counties. I have before me an editorial from one of the finest papers in my State, the Tampa Tribune, of Tampa. It tells of what happened prior to 1937. I ask unanimous consent that the editorial may be inserted in full at this point in the RECORD as a part of my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE TRUE AND THE FALSE

In the poll tax debate taking place in the U.S. Senate, the people are witnessing two useful demonstrations.

One is the hypocrisy of the professional northern civil rights champions.

The other is southern conservatism at its enlightened best.

The debate centers on a proposed constitutional amendment offered by Florida's Senator HOLLAND to abolish payment of poll tax as a prerequisite to voting in the five States which still require it.

Senator HOLLAND, a conservative in the best sense of the word, has been fighting for years to ban the poll tax by constitutional amendment. In this campaign he has had to battle both southern secessionists and northern abolitionists.

The secessionists, as typified by Mississippi Senator EASTLAND, would hold fast to a traditional means of discouraging Negroes from

voting. The abolitionists, like New York Senator JAVITS, are less interested in removing the poll tax than in arguing the right of Congress, by legislative act, to control State voting requirements. They don't want to concede that States have a constitutional right to fix qualifications for voters; and still less, we suspect, do they want a southern Senator to get credit for abolishing the poll tax. That would mar their fabricated image of the South as a swampland of bigotry from which the oppressed can be delivered only by the freethinkers of New York and Chicago.

If the loud shouters for civil rights had thrown their support behind Senator HOLLAND's amendment when he first introduced it some years ago, the poll tax no longer would encumber the elections of Alabama, Arkansas, Mississippi, Texas, and Virginia. But they preferred to keep the issue.

President Kennedy, we are pleased to see, is not a party to this hypocrisy. He has forthrightly endorsed the Holland amendment as an important contribution to good government.

And so it is. The poll tax is not only a device to discourage the Negro from voting; it is also a handy implement of fraud by which courthouse gangs often perpetuate themselves in office. Such, in any case, was Florida's experience in the years before the poll tax was abolished by the legislature in 1937. One of the telling arguments for its repeal was the corruption of elections it made possible through bloc payment of taxes by well-heeled political machines.

We would prefer to see the five remaining States follow Florida's example and cast out this archaic tax by their own action. But since they do not seem disposed to do so, we believe with Senator HOLLAND that the principle of no tax on voting should be written into the Constitution.

In leading this fight (in which he has the pledged support of 68 other Senators) Senator HOLLAND does credit to Florida, the South, and the cause of true conservatism.

Mr. HOLLAND. Mr. President, I now wish to read this paragraph:

> And so it is. The poll tax is not only a device to discourage the Negro from voting; it is also a handy implement of fraud by which courthouse gangs often perpetuate themselves in office. Such, in any case, was Florida's experience in the years before the poll tax was abolished by the legislature in 1937. One of the telling arguments for its repeal was the corruption of elections it made possible through bloc payment of taxes by well-heeled political machines.

I do not think it is necessary to pursue that point further. Undoubtedly that was the experience in Florida. After we had repealed the poll tax, we saw a tremendous improvement, both from the standpoint of the cessation of the machines of the type I have just mentioned in the government of certain small counties, and in the immediate added participation of citizens in elections.

In 1936, when Florida repealed its poll tax, the total vote cast in the Democratic primary was 328,749. In 1940, the primary vote was 481,437, an increase of 152,688. Comparing that increase with the gain in population in the 5 years from 1935 to 1940, we find that the increase in the participation in our elections was 46-plus percent, whereas the percentage of census gain from 1935—that being a State census—to 1940, the year of the Federal census, was only 18 percent. So the increase in voting was almost three times as great as the increase in Florida's population. This was an increase in the participation of white citizens in voting, because in 1940, in the Democratic primary, Florida still had the white primary system. As we all know, the white primary was knocked out shortly thereafter by the Supreme Court of the United States. But I am talking now about the phenomenal increase in those 4 years of the number of white citizens alone, as shown by the actual election figures.

We have found since the white primary system was abolished, and since Negroes have been participating more and more in our elections, that the number of their participants has risen from 20,000 in the general election of 1936 to 183,197 on the registration books in 1960.

There are persons who think we are interested only in white voters, and there are persons who think we are interested only in Negro voters. So far as I am concerned, I think a citizen is entitled to vote for his President, his Vice President, his Senators, and his Representatives, regardless of what may be the law of the State with reference to local elections. I think the results accomplished in our State, where in 1960 1,540,000-plus voted, indicate rather conclusively the beneficent nature of what Florida has done.

It is not for me to belabor any other States. The States about which I shall speak briefly are States of which I am very fond. I am very fond of their Senators. I do not have to tell Members of the Senate that that is true, because they know it is the case. But when we look at the results in the good States of Mississippi and Alabama in the 1960 general election, we are bound to see what has happened there as a result, in large part, of the imposition of a poll tax.

Mr. BUSH rose.

Mr. HOLLAND. Mr. President, I will yield to the Senator from Connecticut when I have finished this point, if I may do so.

In the good State of Mississippi, the total participation as shown by the election returns and the census reports was just above 25 percent of the total number of citizens who were eligible by age to register and participate. Twenty-five percent or one-fourth of the total number of voting age is a good deal less than one-half the number of white citizens who were eligible by age to participate in that election.

When we compare that figure with the national average of around 70 percent, certainly we can see that something is wrong, and we can realize that that sort of expression is not representative of the citizenship of that good State.

I call attention to the fact that the election was very vigorously contested; and that is, I think, to the credit of the State. There were three groups of candidates for presidential electors: the regular Democratic group, the unpledged Democratic group, and the Republican group. It so happened that the two distinguished Senators from Mississippi [Mr. EASTLAND and Mr. STENNIS] were voting for the regular Democratic ticket, as were several Representatives; that the Governor of the State and other Representatives were voting for the unpledged Democratic ticket; and that the Republicans were making a major effort in that State, as compared with their earlier efforts.

When we consider the actual results, we realize how tragic the picture is. Almost 1,200,000 citizens were of eligible age and residence to qualify to vote had they wished to do so. The winning ticket of electors polled 116,000 votes, just under 10 percent of the total. As I have just remarked, the total vote cast was 25 percent. How anyone can feel that that was a representative expression of the people of that good State, and how anyone can feel that other States and other people everywhere in the Nation do not have a stake and a proper interest in that sort of situation, I do not see. Personally, I have a very deep interest in seeing that representative expressions are made in elections for national officers, whether it be in my own city, my county, my State, or any other State, by as full participation of the citizens as can be had, because I believe in the voice of the people. I decry any effort to confine the voice that is heard at elections to a much smaller segment of the citizens than that which truthfully represents the whole people.

Mr. President, there are some who feel that the people in the Old South portion of Florida would not and cannot support this amendment. I have the opposite conviction. The largest vote I received in 1958—the last year when I was elected to the Senate—from any county in Florida was 81 percent of the votes cast in Gadsden County, which has the largest percentage of Negro citizens of any county in our State; and, incidentally, they have known for years that I have been a cosponsor or an original sponsor of this proposal, and they also know that I voted for repeal of the poll tax in Florida in 1937.

Mr. President, I hold in my hand a very fine editorial published in the Tallahassee Democrat, a newspaper published in the very place where there were major disturbances a year or more ago. The standards of this newspaper are those of the old-time conservatism; and I respect this newspaper very highly because of the soundness of the positions it takes, as I have observed them throughout the years. The editorial is entitled "The Way To Outlaw Poll Taxes."

At this time I should like to read the part of the editorial which I think most pertinent in this regard. After stating that Florida got rid of the poll tax 25 years ago and that the results of getting rid of it have been salutary, and then after reciting the troubles in Congress, where we have been endeavoring by one means or another to have the poll tax repealed, it is stated in the editorial:

> At the same time, Senator SPESSARD HOLLAND from the time he has been in Washington has been the author and principal sponsor of an amendment which would put prohibition of State poll taxes in the U.S. Constitution, thereby removing the doubts of constitutional validity and propriety from the proposed bills to have Congress tell the States how to run their election machinery.
>
> It is the Holland plan which President Kennedy now is trying to get through Congress. It is in line with the fundamental

> principle that the way to change the constitutional practices is to change the Constitution by the prescribed method of submitting amendments to the States for ratification.
>
> With no more than a handful of States still levying the poll tax, and none needing it either for revenue or regulation, there is little doubt that such an amendment would be ratified quickly if Congress lets it go to the States.
>
> It's a good way to put behind us a tremendously exaggerated issue that consumes too much legislative time, and too much public attention with its propaganda.

Mr. President, the editorial speaks for itself; and all of the editorial is well worth reading. At no point in the editorial is there any departure from the part I have read to the Senate.

I now ask unanimous consent to have the entire editorial printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE WAY TO OUTLAW POLL TAXES

It would be a good thing for the South if all its Members of Congress would join President Kennedy in support of the Holland constitutional amendment to outlaw the poll tax as a prerequisite to voting.

It's not that the poll tax is such a terrible thing in itself. It once was a respectable form of levy by which the man who exercises his right to vote contributed to the cost of elections by paying a tax or, in early Florida, contributing a day's work on the public roads in lieu of a cash payment. It might even, someday, have been called on as a logical method of helping defray the tremendous costs of campaigning on the theory that citizens, who receive the prime benefit of officials unhampered by financial commitments to backers, have an obligation to replace special privilege contributions with tax funds.

All that is beside the point, though.

The poll tax has come into disrepute partly because it was abused by making payment of the tax for members of a voting bloc a means of controlling elections; and partly because of a relentless campaign based more on theory than fact which painted it as a means of keeping poor people and minorities from voting. Thus, it became a civil rights issue.

Repeated efforts to have Congress pass an act outlawing the poll tax in State and local elections have been directed at a few Southern States. They have run into stubborn opposition from southerners who, in the first place, think such regulations of voting procedures belong to the States under the Constitution; and who, in the second place, band together to resist those who are trying to shove something down their throats for no other purpose than to serve a political cause among their own minorities without disturbing anything at home.

Although Florida hasn't had a poll tax for a quarter of a century, most of our Members of Congress have voted down the line with other southerners in blocking Federal legislation attempting to outlaw it in the few States which retain it.

At the same time, Senator SPESSARD HOLLAND from the time he has been in Washington has been the author and principal sponsor of an amendment which would put prohibition of State poll taxes in the United States Constitution, thereby removing the doubts of constitutional validity and propriety from the proposed bills to have Congress tell the States how to run their election machinery.

It is the Holland plan which President Kennedy now is trying to get through Congress. It is in line with the fundamental principle that the way to change constitutional practices is to change the Constitution by the prescribed method of submitting amendments to the States for ratification.

With no more than a handful of States still levying the poll tax, and none needing it either for revenue or regulation, there is little doubt that such an amendment would be ratified quickly if Congress lets it go to the States.

It's a good way to put behind us a tremendously exaggerated issue that consumes too much legislative time, and too much public attention with its propaganda.

Mr. HOLLAND. Mr. President, the Pensacola Journal is the principal newspaper in west Florida; and it covers a considerable part of Alabama, too, as Senators know. I hold in my hand an editorial published in that newspaper; the editorial is entitled "Holland, Kennedy Oppose Poll Tax." Because I want Senators to know that the people in the Old South part of our State do not frown upon this amendment, but have felt that elimination of the poll tax has been wholesome and healthy, I now read from the editorial:

> Florida has been without a poll tax for many years. Its abolition was forecast as likely to bring great trouble, but the dire predictions have failed to materialize.

Then the editorial goes on to give general approval to the amendment.

I ask unanimous consent that the entire editorial be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

HOLLAND, KENNEDY OPPOSE POLL TAX

For several sessions of Congress, Senator SPESSARD L. HOLLAND, of Florida, has been attempting to have submitted to the votes of the State a constitutional amendment banning a poll tax payment as a requisite for voting.

Now help has come from an unexpected quarter, President Kennedy, against whose program Senator HOLLAND has voted as often as most Republicans.

The President, according to a letter read in the Senate by HOLLAND, recalls he supported the Florida Senator when he was in the Senate and still believes the amendment "an important contribution to good government" as it "would encourage wider voter participation" in election of Federal officials. No poll tax or property qualification should abridge the right to vote, he said.

This is one of the two civil rights measures which the administration now is pushing. The other is to allow a sixth grade education to obviate any literacy test, which too often is used to disqualify persons, black and white, who are displeasing to the party of the registrars.

Some have argued that an amendment is not needed to abolish the poll tax, now levied only in Alabama, Arkansas, Mississippi, Virginia, and Texas. However, the Constitution expressly leaves the qualification of voters up to the States, so an amendment seems required.

HOLLAND has been plugging for the amendment with more and more success through the years and in 1960 the Senate passed it by 70 to 17 after rejecting a proposed statutory change. However, the House became embroiled in other amendments and failed to act on it.

Florida has been without a poll tax for many years. Its abolition was forecast as likely to bring great trouble, but the dire predictions have failed to materialize.

Some of the other Deep South States, however, have used the poll tax to prevent Negroes and poor whites from voting. A cumulative feature in some States requires that if a voter fails to pay he must go back and pay taxes for all the years he failed to pay from the year he became voting age before he can vote.

This makes voting prohibitive for many. The result is evident when one examines the votes cast in those States which have poll taxes in comparison with total eligible and in States where no such tax is required.

The move is one way to accord wider civil rights in a basic field with all States passing upon the issue, not merely Congress.

Mr. HOLLAND. Mr. President, I have now introduced, for the RECORD, three editorials—two from the northern and western part of Florida, in the Old South portion of the State, and one from the Tampa Tribune, on the west coast. I shall not labor this matter. I might put into the RECORD editorials from a newspaper in Miami—one with the highest standards—and also editorials from newspapers in other parts of the State, all of which approve this position. But I call attention to the fact that these editorial writers and these newspaper editors have seen both systems in operation, and they know some of the ill effects of the old system; and they know that in Florida those ill effects were wiped out, either in part or entirely, by elimination of the poll tax.

Some persons may ask why I do not favor going all the way, and thus urge elimination of poll taxes for all purposes; and it may be suggested that if the poll tax should be eliminated for this purpose, it should likewise be eliminated for all other purposes. However, Mr. President, the real facts of the cases show why that suggestion should not be followed at this time.

For instance, in our State it is required that only fee-simple owners of property may join in bond elections which impose a lien on their property; and we have had other property requirements which have been effective in controlling those who participate in millage elections where the taxpayers fix millage on themselves. I have known of cases in other States, which have referendum or recall procedures, in which there are specific limitations of this sort, depending upon the type of proposed legislation sought to be referred to the people for their approval or their rejection; and there are similar requirements in many other cases where action is to be taken by the local people.

For instance, in Florida we have set up large numbers of drainage districts; and the question of establishing such a district is addressed to the conscience of the people who have to pay the tax and the people who will thus be faced with the question of imposing a lien on their property in the proposed district at the time when they are asked to vote on the matter. So I could cite numerous instances of that kind which come up in connection with the handling by States of affairs important to them and important to their various localities, and in connection with which the poll tax is imbedded either in their constitutions or in their statutes, or in both.

So I do not think it would be wholesome or would bring about good results in connection with this matter if we attempted to go all the way at the same time, as we in Florida went all the way in 1937.

Mr. President, let me say that I am exceedingly grateful to the large number of Senators, from all parts of the country, who have participated in the offering of this amendment through the years. All I can say is that I have done my level best in every Congress to bring it out of committee and before the Senate in the regular way; and I have no apology whatever to make for bringing it up at this time, in this way, with the gracious concurrence of both the majority leader and the minority leader.

When the time comes that the will of the Senate can be thwarted, instead of furthered, by the inaction in a committee for 13 years, it occurs to me that the Senate then has a right to act, particularly when it may act only by two-thirds vote of its membership, indicating the breadth of the support the measure enjoys.

Mr. President, there are other comments which I should like to make. I believe I said I would refer to the general election held in Alabama in 1960—and, again, without any criticism at all, except of the system under which that election was held. In that fine State, those who participated in 1960—and all of us know what the issues in Alabama were, and all of us know that they were hard fought—were 31 percent of the total shown by the census as those who were entitled by age to participate.

I may say that the Senators from Alabama and the Senators from Mississippi have repeatedly stated in this debate that I can know nothing about this matter in their States because I do not know their citizens who have suffered from the imposition of a poll tax there. But, Mr. President, I know what happened in Florida, and I can see the good results there; and I also know that since this question has come up here, I have received letters and telegrams from various citizens in Alabama and from various citizens in Mississippi—whose names I shall not state now, for obvious reasons—who have told me that they have been precluded from casting their votes, not only by reason of the fact of the existence of the poll tax, but also by reason of the details in connection with its imposition.

For instance, one of them tells of an effort to pay the poll tax by mail, and tells of the fact that the payment was returned so late that the deadline had passed. Incidentally, in Alabama and also in Mississippi the deadline is February 1, whereas the general elections do not come until November, or more than 9 months later.

Who can say any citizen, unless he is eating and drinking politics all his life, as do Members of the Senate and the House of Representatives, is going to remember a deadline more than 9 months ahead of the date upon which the vote would be cast?

Furthermore, two of these letters protested at the method of collection. Collection in one of the two States is done by the sheriff, and they objected and protested against that.

I will allow any Senator to see the letters, if he wishes, and the same goes for the wires although I do not expect to use the names of the persons, whom I do not know, and I do not know whether they are white or colored. All I know is that they write or wire about the difficulty which they have in trying to cast their votes.

One teacher from Alabama wired me that she did not object to the amount which she had to pay, that she was willing to pay more than the amount of the tax in assisting efforts to repeal it, and she urged knocking out the poll tax because she objected to the system and objected to the kind of machine control exercised under the system.

I think the evidence, not only that I have seen with my own eyes, but that which has come to me by the mails and by wires from the two States which are the only ones I have mentioned, and I think the evidence offered to the House committee which has been holding hearings on a proposed constitutional amendment which is similar, if not identical with the one we are considering here, shows abuses have grown up under the imposition of the poll tax. When the election figures themselves speak louder than any letters or wires, because, whereas the national average of participation is about 70 percent of those who are qualified by age, residence, and otherwise, participation in these two good States was only 25 and 31 percent, respectively, in the 1960 election, I do not think any more definite proof is required of the fact that we need to take appropriate action.

I believe affirmative action taken here would result very quickly in ratification by the States.

Mr. President, I am going to ask that there be incorporated in my remarks, as a part of them, an editorial from the New York Times entitled "Abolishing the Poll Tax," the date being Sunday, March 18.

The PRESIDING OFFICER (Mr. HICKEY in the chair). Without objection, it is so ordered.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

ABOLISHING THE POLL TAX

Congress is taking the long way to a good end in its consideration of a constitutional amendment to outlaw the poll tax. This archaic system of restricting the right to vote survives in only 5 States, and fairness to both Negroes and whites requires its total discard with maximum speed. Its effectiveness in negating democracy is seen with special force in a State such as Mississippi, where the combination of poll taxes and literacy tests has been a factor in keeping three-quarters of the citizens from voting.

The quickest way to get rid of this obstacle to true majority rule would be through a simple law prohibiting the States from making payment of a poll tax a requirement for voting in Federal elections. But the southern Democrats are not ready to move with such directness, and the administration has decided to settle for the much more cumbersome method of a constitutional amendment.

Such an amendment cleared the Senate 2 years ago by a margin of nearly 4 to 1, but never came to a vote in the House. This year it may again get lost in the endless jockeying that bedevils every effort to inch ahead on the civil rights front. President Kennedy's declaration of support for the measure should reduce this noxious possibility. Even after the proposal gets through Congress, it faces a wearying wait for ratification by the States. No sectional controversies were involved in the 22d amendment barring a third Presidential term. Yet it took almost 4 years from passage to effective date. A start on abolishing the poll tax is already long past due.

Mr. HOLLAND. I also ask unanimous consent to have printed in the RECORD as a part of my remarks an editorial from the Washington Post dated March 20, 1962, entitled "Question of Democracy"—and that is exactly what it is, Mr. President.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

QUESTION OF DEMOCRACY

Some people are getting a good deal of wry satisfaction out of the clash between southern Senators on the Holland anti-poll-tax amendment to the Constitution. It is something of a novelty to observe a mild-mannered son of the South rub salt into the wounds of his colleagues, and no one can deny that it is amusing to listen to their sputtering retorts and personal insults. Yet there is a deeper significance in this little drama which the country and especially the Congress ought not to miss.

In pointing to the need for his amendment to abolish the poll tax in five Southern States, Senator HOLLAND, of Florida, bore down on the concept of minority government that still prevails in some parts of the South. In Mississippi only 25.63 percent of the people of voting age participated in the 1960 election. In Alabama the percentage was 31. "If the people in every State do not have a stake in that kind of situation," said Mr. HOLLAND, "then I do not know what I am talking about."

Senator EASTLAND contended that Mr. HOLLAND knows "nothing more than the man in the moon" about voting in Mississippi and Alabama. But the Senator from Florida went right ahead with his exposure of the sorry dilution of democracy in the poll tax States. He threw the spotlight on Mr. EASTLAND's contention that voting should be further restricted instead of being enlarged and on the serious loss of population in the States that tax voting.

It may be, of course, that the traditionally anti-civil-rights Senators are merely going through the motions of opposition. Certainly they are orating more for the record than for the Senate. It is perfectly clear that whenever the issue can be brought to a vote the proposed amendment sponsored by Senator HOLLAND and 67 of his colleagues will be approved. Nevertheless, it is salutary to have the shallowness and reactionary nature of the opposition exposed by a courageous member of the southern fraternity who cannot stomach the concept of government by the few. With the contest in this posture, surely the Senate cannot take long to reassert its belief in popular government.

Mr. HOLLAND. Mr. President, the writer of this editorial was mistaken in attributing to the senior Senator from Mississippi [Mr. EASTLAND] the statement "that voting should be further restricted instead of being enlarged." This statement was made instead by his junior colleague [Mr. STENNIS] early in the debate on the motion to consider S.J. Res. 29.

I am not taking the time to quote from these editorials, but I want people to know that in jurisdictions where there has not been a poll tax or any other imposition upon voters for decades, this same sentiment prevails.

I noticed with particular gratitude an editorial in the Washington Star of yesterday. I remember that 10 days ago, when we started this debate, there was an editorial in the Star which indicated that this was a "phony" issue. That is the word they used. This is the editorial the Star has written after a debate of 10 days. I read it:

TIME FOR A VOTE

The debate, if it can be called that, on Senator HOLLAND's poll tax amendment has dragged on long enough. It is true that no great harm has been done since no business of urgent importance has been delayed in the Senate. Still, we think that the Senate, and we are sure that the country, is getting tired of windy discourses on the weather, the Supreme Court, and similar subjects that have nothing to do with the business at hand.

There is no issue of States rights—

I want to come back to that in a moment.

There is no issue of States rights expanding Federal power or anything of the sort involved. No claim can be successfully maintained that an intolerant and intemperate majority is trying to force something down the throat of the South. This is simply a proposal to amend the Constitution—a proposal which must be approved by a two-thirds vote in the Senate and the House and then ratified by three-fourths of the States before it can become effective. In short, Senator HOLLAND is advocating a procedure which faithfully adheres to the democratic process. Those southerners who are stalling action by what amounts to a filibuster, in fact if not in name, are posing as champions of nothing better than the proposition that the minority has a right to impose its will on the majority.

Returning to the matter of States rights, a great deal has been made of that, or sought to be made of it. I do not think there is any person who has fought any harder than has the Senator from Florida for measures which are regarded as protecting States rights and against measures which are regarded as diminishing States rights. I think the record shows that abundantly. But in this matter we are proceeding in recognition of, instead of in depriving the rights of the States, in the way the Constitution has provided for amendment of the Constitution except in one or two matters which were not subject to amendment, but which in all other matters of public concern was subject to amendment. It provides that a proposed amendment should pass both Houses of Congress by a vote of two-thirds of each House, before it can be submitted to the States, and then requires that three-fourths of the States must ratify it before it can be effective.

That provision was put in there to protect States rights and the States, by requiring that any such proposal shall be submitted to what I shall call the jury of States as the method of determining whether the conscience of the Nation as a whole was so aroused on the proposals as to require action, in accord with the States rights doctrine and with the States rights protective feature of the Constitution. Such a proposal could not be submitted to the States unless two-thirds of the Senate and of the House had voted for it first. Then that proposal had to run the gauntlet which we know it has to run in the States.

I believe the conscience of the Nation is sufficiently aroused so that we will have speedy ratification, because I find nowhere a willingness to defend a program of poll tax.

The men who have spoken in defending it are fine men, fine lawyers, and fine orators, and can speak at considerable length on any subject, and they have spent much time in asserting and proving that this is a constitutional matter.

I know the Senator from Alabama [Mr. HILL], who made one of the finest speeches on the poll tax I have heard, spent probably nine-tenths of his 5-hour speech asserting that this is a constitutional matter, imbedded in the Constitution. Therefore, in his conclusion, if it is embedded in the Constitution, as it is, it is a matter which can be taken up only by constitutional principles, and we have chosen that method and have pursued it for 13 years, without any apology of any kind and without any castigation by the people of my own State and by the people of the States of those who have joined in introducing this proposal. We are proceeding constitutionally because we know it is a constitutional question, and I shall not dwell on that part of the argument, because Senators who are seizing the opportunity to oppose our proposal and have attacked it have proven conclusively in the RECORD that this is a constitutional question and must be handled by constitutional means.

Mr. President, their demonstration of that fact falls far short of proving that it should not be disturbed at all. There are now 45 States which have entirely eliminated requirements of this sort.

In the beginning every State of the 14 which came into the Union after the ratification of the Constitution—the Thirteen Original States plus Vermont—had a requirement much more burdensome than the poll tax requirement, insofar as the amounts involved were concerned. Mr. President, each one of those 14 States long ago knocked out its provisions of that type.

It is true that the great Commonwealth of Virginia has a poll tax provision, but that was put into its laws not back at the beginning but after the War Between the States, and it has no relation at all to the very substantial conditions for qualifications for voting which existed in the Commonwealth of Virginia at the time of the adoption of the Constitution.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield to the Senator from Illinois.

Mr. DOUGLAS. It is not true that the Virginia poll tax as a necessary qualification for voting was first proposed in 1902, so far as modern times are concerned?

Mr. HOLLAND. Mr. President, I believe that to be correct but, so far as the Senator from Florida is concerned, I cannot so state definitely. I state definitely it was proposed after the War Between the States and not at all as a residue or hangover of the much more burdensome provisions which had existed in the beginning in the Commonwealth of Virginia and which long ago were knocked out.

Mr. President, many other States have had requirements with regard to voting. In some cases these have been poll-tax requirements and in many other cases there have been requirements which went much further than the poll tax such as, for instance, the one last knocked out in the State of Pennsylvania, which went a good deal further than the poll-tax requirement. I believe that was knocked out in 1933. Again I would not trust my memory to say so with finality.

Mr. President, the 45 States which do not have poll taxes have some right in this matter to insist that the votes in the 5 remaining States be more representative of the people of those States.

When we consider the Mississippi election of 1960—when only 25 percent participated, and the winning side received 116,000 votes as compared to 108,000 votes for the next; when the 116,000 votes which prevailed, thus controlling the entire electoral vote of Mississippi, represented a little less than 10 percent of the total number of the citizens who were qualified to vote, if only they chose to do so, by paying poll taxes and doing the other required things—how can we feel that that is a representative expression? Should not other States be deeply concerned about expressions from my State, or from the State so ably represented by the present Presiding Officer, the Senator from Illinois [Mr. DOUGLAS], or from every other State, as representative of the thought of the people of those States? How else may we be satisfied that righteous verdicts are being reached?

Mr. President, claim has been made on the floor that some of these States have sought to eliminate poll taxes in recent years and have failed to do so. That is a rather humorous matter, if one really thinks it through. It has been proposed as a measure of broadening the participation in voting, and then has been voted upon not by all the people but by the people who have paid poll taxes and who have some interest in the perpetuation of the poll tax system.

Mr. President, I am so sure that the conscience of this country will not stand for the continuation of this practice, so bad as it has shown itself to be, if we give to the States an opportunity to pass upon the question, that I have been making the effort all these years, joined by many other Senators, to pass this proposal.

I observe that the Senator from Tennessee [Mr. KEFAUVER] is in the Chamber. The Senator from Tennessee has been of great assistance as chairman of the subcommittee which, in the last two or three Congresses, has heard the question. We have joined together in seeing that we do all we can to give to people generally an opportunity to be heard in this matter.

Mr. President, I do not believe I have any further comments to make at this time. I repeat that I am not in any way castigating any State, and I am not castigating any brother Senator. I am merely presenting a cause in which I believe and which I know from experience is a wholesome cause, which will lead to greater democracy and to better government. I hope the Senate will so regard my feeble efforts over these many years.

During the delivery of Mr. HOLLAND'S speech,

Mr. HOLLAND. Mr. President, before I take up the situation in Alabama, I shall be glad to yield to the distinguished Senator from Connecticut.

Mr. BUSH. Mr. President, will the Senator from Florida be so kind as to yield for a minute, in order that I may send to the desk for printing an amendment which I have discussed with the Senator? I should like to do this with the understanding that my statement will not interrupt the continuity of the remarks of the Senator from Florida.

Mr. HOLLAND. Mr. President, I am glad to yield for that purpose.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BUSH. I thank the Senator from Florida for his courtesy.

Mr. President, I send to the desk an amendment of the pending measure. The amendment provides that the people of the District of Columbia, which constitutes the seat of the Government of the United States, shall be entitled to elect two Members to the U.S. Senate and a number of Members to the House of Representatives equal to the number of Members of the House of Representatives to which States having the same population as the District of Columbia would be entitled.

The Members of Congress authorized by this article shall be elected at such time and in such manner, and the electors of such Members shall have such qualifications, as Congress shall provide by law.

Mr. President, 11 States of the United States have smaller populations than the District of Columbia. Each of them has at least one Representative in the House of Representatives, and each has 2 U.S. Senators.

The District of Columbia, with a population of 764,000 according to the 1960 census, is larger than any of those States. It has no representation in Congress.

I have discussed this proposal with officials of the District of Columbia government and with many citizens of this community. It seems to me that Congress must now consider the desirability of giving to this large population the same consideration in the Halls of Congress as is given to at least 11 States whose population is smaller than that of the District of Columbia.

Mr. President, I ask that the amendment be printed and lie on the desk. I ask unanimous consent that a table of States having population less than that of the District of Columbia be printed following my remarks. I also ask unanimous consent that the amendment be printed following the table.

The PRESIDING OFFICER. The amendment will be received, printed, and lie on the table; and, without objection, the table and amendments will be printed in the RECORD.

The table and amendments are as follows:

Population of District of Columbia (1960 census)	763,956
States with less population than District of Columbia:	
Hawaii	632,772
Alaska	226,167
Wyoming	330,066
Idaho	667,191
Montana	674,767
North Dakota	632,446
South Dakota	680,514
Nevada	285,278
Vermont	389,881
New Hampshire	606,921
Delaware	446,292

Strike all after the resolving clause and insert in lieu thereof the following:

"That the following articles are hereby proposed as amendments to the Constitution of the United States, both or either of which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years from the date of their submission by the Congress:

"'Article —

"'SECTION 1. The right of citizens of the United States to vote in any primary or other election for President or Vice President, for electors for President or Vice President, or for Senator or Representative in Congress, shall not be denied or abridged by the United States or any State by reason of failure to pay any poll tax or other tax.

"'SEC. 2. The Congress shall have power to enforce this article by appropriate legislation.

"'Article —

"'The people of the District constituting the seat of the Government of the United States shall be entitled to elect two Members to the Senate and a number of Members to the House of Representatives equal to the number of Members of the House of Representatives to which a State having the same population as such District would be entitled. The Members authorized by this article shall be elected at such time and in such manner, and the electors of such Members shall have such qualifications, as the Congress shall provide by law.'"

Amend the title so as to read: "Joint resolution proposing amendments to the Constitution of the United States, relating to the qualifications of electors, and the granting of representation in the Congress to the people of the District of Columbia."

Mr. BUSH. Mr. President, I thank the Senator from Florida for according me the privilege of submitting this amendment. I shall call up my amendment for the Senate's consideration at the appropriate time.

Mr. HOLLAND. I thank the distinguished Senator from Connecticut.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed, without amendment, the following joint resolutions of the Senate:

S.J. Res. 152. Joint resolution to provide for the reappointment of Dr. Caryl P. Haskins as Citizen Regent of the Board of Regents of the Smithsonian Institution; and

S.J. Res. 153. Joint resolution to provide for the reappointment of Dr. Crawford H. Greenewalt as Citizen Regent of the Board of Regents of the Smithsonian Institution.

THE ALEXANDER HAMILTON NATIONAL MONUMENT — AMENDMENT TO THE CONSTITUTION DEALING WITH POLL TAXES

The Senate resumed the consideration of the joint resolution (S.J. Res. 29) providing for the establishment of the former dwelling house of Alexander Hamilton as a national monument.

Mr. KEFAUVER. Mr. President, I compliment the distinguished Senator from Florida for his very excellent statement and his long and persistent effort toward the adoption of a constitutional amendment containing the substance of S.J. Res. 58, which we are considering today. His address has been logical and persuasive, and he has made an excellent and fair presentation of the issue and the problem dealt with by the proposed amendment.

Mr. President, I have the honor of serving as chairman of the Subcommittee on Constitutional Amendments, which is a standing subcommittee of the Committee on the Judiciary. All proposed amendments to the Constitution, regardless of their subject matter, are referred to this subcommittee. Senate Joint Resolution 58, which was introduced by the distinguished senior Senator from Florida, for himself and 66 other Senators, is before this subcommittee. It would abolish the poll tax as a prerequisite for voting in Federal elections. Also pending in the subcommittee on the same subject is Senate Joint Resolution 81, introduced by the Senator from Pennsylvania [Mr. CLARK] and other cosponsors, which in only minor detail is different from the proposal sponsored by Senator HOLLAND.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. KEFAUVER. I am happy to yield to the Senator from Florida.

Mr. HOLLAND. I am happy to advise the Senator that I was glad to incorporate in the proposed amendment, now pending, the four words of difference between my original proposal and that of the distinguished Senator from Pennsylvania [Mr. CLARK], so that those words are now to be found in the proposal pending before the Senate.

Mr. KEFAUVER. I thank the Senator from Florida. Upon examination I see that is true.

Mr. President, I am certain that I speak for the majority of the members of the subcommittee when I say that an amendment to the Constitution to abolish the poll tax as a prerequisite to voting is very much needed and desirable. The attitude of the Subcommittee on Constitutional Amendments is evidenced by the fact that five of its six members are cosponsors of the Senator's amendment, as contained in Senate Joint Resolution 58. In addition to myself, the Senator from Connecticut [Mr. DODD], the Senator from Illinois [Mr. DIRKSEN], the Senator from New York [Mr. KEATING], and the Senator from Hawaii [Mr. FONG] are cosponsors. I should like to

outline briefly the recent legislative history of this amendment and the past efforts which have been made in its behalf in the Subcommittee on Constitutional Amendments.

In the 81st Congress Senate Joint Resolution 34, sponsored by the senior Senator from Florida, was reported favorably by the subcommittee on May 23, 1949, after public hearings had been held. On June 2, 1949, the Committee on the Judiciary voted to postpone its consideration indefinitely.

In the 83d Congress the subcommittee again held public hearings on this subject, and on May 23, 1954, it again reported this amendment to the full Committee on the Judiciary, where no action was taken upon it.

In the 84th Congress, public hearings were again held by the Subcommittee on Constitutional Amendments on the proposed poll tax amendment of the Senator from Florida [Mr. HOLLAND], and on June 14, 1956, it was again reported favorably to the Committee on the Judiciary. Again no action was taken there.

In the 86th Congress, additional public hearings were held in 1959 on the proposal of the Senator from Florida, and on September 1, 1959, it was reported favorably to the Committee on the Judiciary.

Although the Committee on the Judiciary did not act on the proposal, its provisions were nonetheless voted on by the Senate when it was offered as an amendment to another pending constitutional amendment under consideration.

Mr. President, the rather unusual procedure which attended this amendment in the 86th Congress is set forth in last year's annual report made by the Subcommittee on Constitutional Amendments for the Committee on the Judiciary. This is Senate Report No. 130 of the 87th Congress, 1st session. I ask unanimous consent that the portions of that report setting forth this legislative history on pages 2, 3, 4, and 10 be printed at this point in the RECORD.

There being no objection, the portions of the subcommittee's annual report were ordered to be printed in the RECORD, as follows:

ANTIPOLL TAX

On August 6, 1959, Senator HOLLAND introduced Senate Joint Resolution 126; by the end of the session, it had the cosponsorship of 67 Senators.

The text of the operative part of the proposed amendment is so brief that it can be more succinctly quoted than described:

"ARTICLE —

"SECTION 1. The right of citizens of the United States to vote in any primary or other election for electors for President or Vice President, or for Senator or Representative in Congress, shall not be denied or abridged by the United States or any State by reason of failure to pay any poll tax or other tax or to meet any property qualification.

"SEC. 2. Nothing in this article shall be construed to invalidate any provision of law denying the right to vote to paupers or persons supported at public expense or by charitable institutions.

"SEC. 3. The Congress shall have power to enforce this article by appropriate legislation."

Because of the broad sponsorship and wide interest in the resolution, hearings on it were held on August 17 and 27, 1959. At that time, Senator Holland gave a comprehensive presentation on behalf of the cosponsors. Senators Case of South Dakota and Keating supported the resolution but directed much of their testimony toward the question of representation for the people of the District of Columbia. Senator Stennis testified in opposition to the resolution. The subcommittee also heard Mr. Clarence Mitchell, of the NAACP, and Mr. Joseph L. Rauh, of the ADA, who, although they favored the objective of the resolution, were of the opinion that a constitutional amendment was not required for its achievement.

On September 1, 1959, the subcommittee approved Senate Joint Resolution 126 without amendment and recommended to the Committee on the Judiciary that it be favorably reported.

On February 2, 1960, the Senate took up discussion of Senate Joint Resolution 39, to authorize Governors to fill temporary vacancies in the House of Representatives. As an amendment to the resolution, Senator HOLLAND proposed the substantive portions of Senate Joint Resolution 126 regarding the poll tax; this amendment was adopted by a vote of 72 yeas to 16 nays. Then Senator KEATING proposed the adoption of an amendment (cosponsored by Senator BEALL and Senator CASE of South Dakota) which contained the substantive portions of Senate Joint Resolution 138 regarding the enfranchisement of the District of Columbia; this amendment was adopted by a vote of 63 yeas to 25 nays. The resolution, as amended, was adopted by a vote of 70 yeas to 18 nays. ("The debate in the Senate can be found beginning at p. 1715 and ending on p. 1765 of the CONGRESSIONAL RECORD, vol. 106, pt. 2.) The text of the resolution, as passed by the Senate, is as follows:

"Resolution proposing amendments to the Constitution of the United States to authorize Governors to fill temporary vacancies in the House of Representatives, to abolish tax and property qualifications for electors in Federal elections, and to enfranchise the people of the District of Columbia

"Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following articles are hereby proposed as amendments to the Constitution of the United States, and any one of which shall be valid to all intents and purposes as part of the Constitution only if ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress:

"'ARTICLE —

"'On any date that the total number of vacancies in the House of Representatives exceeds half of the authorized membership thereof, and for a period of sixty days thereafter, the executive authority of each State shall have power to make temporary appointments to fill any vacancies, including those happening during such period, in the representation from his State in the House of Representatives. Any person temporarily appointed to fill any such vacancy shall serve until the people fill the vacancy by election as provided for by article I, section 2, of the Constitution.

"'ARTICLE —

"'SECTION 1. The right of citizens of the United States to vote in any primary or other election for electors for President or Vice President, or for Senator or Representative in Congress, shall not be denied or abridged by the United States or any State by reason of failure to pay any poll tax or other tax or to meet any property qualification.

"'SEC. 2. Nothing in this article shall be construed to invalidate any provision of law denying the right to vote to paupers or persons supported at public expense or by charitable institutions.

"'SEC. 3. The Congress shall have power to enforce this article by appropriate legislation.

"'ARTICLE—

"'The people of the District constituting the seat of the Government of the United States shall elect, in such manner and under such regulations as the Congress shall provide by law—

"'a number of Delegates to the House of Representatives equal to the number of Representatives to which they would be entitled if the District were a State with such powers as the Congress, by law, shall determine; and

"'a number of electors of President and Vice President equal to the whole number of Senators and Representatives in the Congress to which the District would be entitled if it were a State; such electors shall possess the qualifications required by article II of this Constitution; they shall be in addition to those appointed by the States, but they shall be considered, for the purposes of the election of President and Vice President, to be electors appointed by a State; and they shall meet in the District and cast their ballots as provided by the twelfth article of amendment.'"

On February 3, 1960, Senate Joint Resolution 39 (as amended by the Senate) was referred to the Committee on the Judiciary of the House of Representatives, and this committee reported it favorably, with amendments, on May 31, 1960 (H. Rept. 1698). The resolution was taken up on the floor of the House on June 14, 1960, and passed as amended. The House eliminated from the resolution the proposed amendments with respect to filling vacancies in the House (i.e., the original S.J. Res. 39) and the poll tax (i.e., the original S.J. Res. 126). The House also amended the proposal with respect to the enfranchisement of the District of Columbia. The text of Senate Joint Resolution 39, as amended by the House, is as follows:

"Joint resolution proposing amendments to the Constitution of the United States to authorize Governors to fill temporary vacancies in the House of Representatives, to abolish tax and property qualifications for electors in Federal elections, and to enfranchise the people of the District of Columbia

"Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is hereby proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution only if ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress:

"'ARTICLE—

"'SECTION 1. The District constituting the seat of Government of the United States shall appoint in such manner as the Congress may direct:

"'A number of electors of President and Vice President equal to the whole number of Senators and Representatives in Congress to which the District would be entitled if it were a State, but in no event more than the least populous State; they shall be in addition to those appointed by the States, but they shall be considered, for the purposes of the election of President and Vice President, to be electors appointed by a State; and they shall meet in the District and perform such duties as provided by the twelfth article of amendment.

"'SEC. 2. Nothing in this article shall be construed to invalidate any provision of law denying the right to vote to paupers or persons supported at public expense or by charitable institutions.

"'SEC. 3. The Congress shall have power to enforce this article by appropriate legislation.

"'ARTICLE—

"'The people of the District constituting the seat of the Government of the United States shall elect, in such manner and under such regulations as the Congress shall provide by law—

"'a number of Delegates to the House of Representatives equal to the number of Representatives to which they would be entitled if the District were a State with such powers as the Congress, by law, shall determine; and

"'a number of electors of President and Vice President equal to the whole number of Senators and Representatives in the Congress to which the District would be entitled if it were a State; such electors shall possess the qualifications required by article II of this Constitution; they shall be in addition to those appointed by the States, but they shall be considered, for the purposes of the election of President and Vice President, to be electors appointed by a State; and they shall meet in the District and cast their ballots as provided by the twelfth article of amendment.'"

"'Sec. 2. The Congress shall have power to enforce this article by appropriate legislation.'

"Amend the title so as to read: 'Joint resolution proposing an amendment to the Constitution of the United States granting representation in the electoral college to the District of Columbia.'"

On June 16, 1960, the Senate agreed to the House amendments, and on June 17, 1960, Senate Joint Resolution 39, as amended was presented to the Administrator of General Services for presentation to the several States for ratification.

Mr. KEFAUVER. Mr. President, when Senate Joint Resolution 58 was referred to the Subcommittee on Constitutional Amendments last year, I felt that it could be favorably reported by the subcommittee without further hearings. My feeling was due to the numerous hearings which had been held on the amendment in the past, its wide support among the Members of the Senate, and the relatively simple and straightforward nature of the amendment. The subcommittee was not unanimous in this opinion, however, and as a matter of courtesy hearings were again held on the subject. Both Senate Joint Resolution 58 and Senate Joint Resolution 81 were included in the extensive hearings which the subcommittee held during the 1st session of the 87th Congress on proposed amendments concerning the Federal elections system. The printed record of the hearings reached 5 volumes and 1,060 pages. The subjects dealt with were electoral college reform, presidential primaries, and qualifications for voting, including 18-year-old voting, residence requirements, and poll taxes. After the hearings were initially completed, supplemental hearings were held at the request of some Senators in order that they might present views in opposition to the poll tax amendment. It was not until September 8, 1961, all who wanted to be heard had been given full and complete opportunity and the hearings were finally closed.

The chairman of both national political parties, the Honorable WILLIAM E. MILLER, of the Republican Party, and the Honorable John M. Bailey, of the Democratic Party, testified on this subject. Both strongly supported a constitutional amendment to abolish poll taxes as a prerequisite for voting in Federal elections. Assistant Attorney General Nicholas deB. Katzenbach testified that he spoke for the President of the United States in urging swift approval and ratification of the constitutional amendment proposed by Senate Joint Resolution 58.

When the 2d session of the 87th Congress convened, these poll tax proposals were, of course, still pending in the subcommittee and the printed record of the supplemental hearings on poll taxes was not received by the subcommittee until January 26, 1962. The subcommittee has not met since that date but it was my intention that it would consider the poll tax amendment at its next meeting. However, Mr. President, I believe the committee system has served its legitimate purpose several times on this particular subject. No useful purpose would be served by deferring action on this amendment. The hearings held by the subcommittee in the present and past Congresses have been widely distributed and many Members of the Congress and the public have made use of them. The issue is a clear and straightforward one. It has been thoroughly heard and discussed and debated more than enough over the past 12 years. I, therefore, strongly urge my colleagues to join me in voting in favor of the amendment proposed by the distinguished senior Senator from Florida.

I am confident that I speak for the people of my State when I reaffirm my own personal position of long standing on this subject.

Although Tennessee's poll tax was not totally and officially eliminated until an amendment to the State constitution was adopted in 1953, it had been dead as a practical matter for a number of years before. Since 1871, Tennessee's constitution had required a poll tax but it authorized the legislature to make exceptions to its payment and by 1937 its payment was subject to several exemptions and limitations as to age. In 1943, the legislature attempted to repeal the poll tax in its entirety but the Supreme Court of Tennessee held the repealing act to be unconstitutional. In 1949, the Tennessee Legislature greatly diminished the practical importance of the poll tax by laws which abolished its payment as a requirement for voting in primary elections, exempted women and former servicemen from its payment and which made the poll tax collectible only for 1 year following delinquency.

A further act of the legislature in 1951 provided that only poll taxes which were lawfully assessed for the year 1871 had to be paid in order to vote. Then in 1953, the total elimination of the poll tax was confirmed by express amendment of the constitution of Tennessee.

Mr. President, I favor generally proposals which would expand the franchise and remove obstacles to the exercise of suffrage. I believe it is repugnant to our democratic principles to place a tax on voting. Also, our history shows that the vitality of our democracy has increased in direct proportion to participation in voting and the effectiveness of the people's voice in the election of their public officials. The constitutional amendments following the War Between the States, women's suffrage, the direct election of Senators and the recent extension of the vote in presidential elections to citizens of the District of Columbia, are all milestones on the road to the fulfillment of our ideal of government of, by, and for the people. The adoption of the amendment now under consideration will be another advancement toward a more full and perfect democracy.

Mr. President, the Committee on the Judiciary approved and filed with the Senate on March 15 its annual report on the subject of constitutional amendments, which is made for the full committee by the Subcommittee on Constitutional Amendments.

In large part, the basis of the report was prepared by a very able attorney and constitutional counsel from Tennessee, Mr. James C. Kirby, Jr. He is counsel for the Subcommittee on Constitutional Amendments, and has done excellent work on all of the proposed constitutional amendments.

This is Senate Report No. 1305. It contains a section on the subject of poll taxes which mentions some of the highlights of the hearings held by the subcommittee during the 1st session of the 87th Congress. It also discusses briefly the question of whether Congress should proceed by simple legislation or by constitutional amendment to deal with this question. I ask unanimous consent that this section of Senate Report No. 1305 be printed at this point in the RECORD.

There being no objection, the portion of Senate Report No. 1305 of the annual report of the Committee on the Judiciary on constitutional amendments, was ordered to be printed in the RECORD, as follows:

POLL TAXES

On February 28, 1961, Senate Joint Resolution 58 was introduced by Senator HOLLAND, for himself and 66 cosponsoring Senators. Its text is as follows:

"ARTICLE—

"SECTION 1. The right of citizens of the United States to vote in any primary or other election for electors for President or Vice President, or for Senator or Representative in Congress, shall not be denied or abridged by the United States or any State by reason of failure to pay any poll tax or other tax or to meet any property qualification.

"SEC. 2. Nothing in this article shall be construed to invalidate any provision of law denying the right to vote to paupers or persons supported at public expense or by charitable institutions.

"SEC. 3. The Congress shall have power to enforce this article by appropriate legislation."

A similar resolution, Senate Joint Resolution 81, was later introduced by Senator CLARK, for himself and six cosponsors. Two sponsors of Senate Joint Resolution 81 had not been sponsors of Senate Joint Resolution 58, thus making a total of 69 Senators sponsoring proposed amendments aimed at poll taxes.

The principal difference in the two resolutions is that Senate Joint Resolution 58 applies to presidential primary elections only if candidates for the office of presidential elector are the candidates in the primary. Senate Joint Resolution 81 goes further and applies to such primaries whether electors, convention delegates, or the presidential candidates themselves are on the ballot. Neither proposed amendment would apply to State and local elections.

A resolution identical to Senate Joint Resolution 58 (S.J. Res. 126) was approved by the Subcommittee on Constitutional Amendments during the 86th Congress. While it was pending in the Committee on the Judiciary, the Senate voted to add its provisions by floor amendment to a pending resolution concerning appointment of Representatives (S.J. Res. 39). This was done by a vote of 72 yeas to 16 nays. The resolution, after it was amended to contain three separate articles of amendment to the Constitution, was finally adopted by a vote of 70 to 18. However, the House of Representatives approved only the article of amendment concerning presidential elections in the District of Columbia.

Both Senate Joint Resolution 58 and Senate Joint Resolution 81 were included in the hearings conducted by the Subcommittee on Constitutional Amendments. Senator HOLLAND, Senator CLARK, Senator KEATING, and Senator YARBOROUGH testified personally in support of one or both resolutions. Senator HOLLAND pointed in particular to the increase in voter registration in his home State of Florida after elimination of its poll tax. Senator YARBOROUGH pointed that his State of Texas ranked 44th in the Nation in voter participation, a fact which he attributed in part to its poll tax.

Mr. Brendan Byrne, director of the American Heritage Foundation, introduced figures which showed that the five States which still have poll taxes are among the seven lowest in voter participation. He also stated that poll tax deadlines are generally months ahead of election day when interest in voting is lowest.

Chairman John M. Bailey, of the Democratic Party, and Chairman WILLIAM E. MILLER, of the Republican Party, both testified in support of a constitutional amendment on this subject. Assistant Attorney General Nicholas deB. Katzenbach of the Department of Justice, speaking for the President of the United States, said of the poll tax:

"Today it operates unduly to restrict the rights of national citizenship by disenfranchising thousands of white and Negro voters. It is an arbitrary condition which bears no reasonable relation to a citizen's fitness to vote. It tends to discredit us abroad.

"The President is unequivocally opposed to the poll tax. He earnestly hopes that early action will be taken by the Congress on this measure, and that it will be ratified by the States without delay."

Senator STENNIS testified personally in opposition to the proposed amendments and statements in opposition were filed for the record by Senator HILL, Senator SPARKMAN, and Senator ROBERTSON.

Some feel that Congress has the power to deal with the poll tax by simple legislation without a constitutional amendment. The Constitution provides that qualifications for voting for Senators and Representatives shall be the same in each State as those for electing the most numerous branch of the State legislature, but Congress is empowered to regulate the manner of such elections. Is poll tax payment a qualification for voting or does its payment go only to the manner of elections? This question was discussed at length in the printed hearings and the preponderance of legal opinion expressed to the subcommittee is that poll taxes are qualifications for voting and can thus be eliminated at the Federal level only by constitutional amendment.

Presidential elections present a different question and offer less basis for statutory action. The Constitution provides only that each State shall appoint electors in such manner as its legislature may direct. There is no requirement that presidential electors even be chosen by popular election and they were frequently appointed directly by State legislatures in our early history. Congress is not given the power to regulate either voting qualifications or the manner of elections.

The 1961 report of the Civil Rights Commission includes a recommendation that Congress enact legislation which apparently would be broad enough to outlaw poll-tax payment as a prerequisite for voting in all elections. However, it is not entirely clear from the report that poll taxes are an object of this particular recommendation. Its exact text is as follows:

"Recommendation 1: That Congress, acting under section 2 of the 15th amendment and sections 2 and 5 of the 14th amendment, (a) declare that voter qualifications other than age, residence, confinement, and conviction of a crime are susceptible of use, and have been used, to deny the right to vote on grounds of race and color; and (b) enact legislation providing that all citizens of the United States shall have a right to vote in Federal or State elections which shall not be denied or in any way abridged or interfered with by the United States or by any State for any cause except for inability to meet reasonable age or length-of-residence requirements uniformly applied to all persons within a State, legal confinement at the time of registration or election, or conviction of a felony; such right to vote to include the right to register or otherwise qualify to vote, and to have one's vote counted (Book 1, 1961 U.S. Commission on Civil Rights Report, p. 189)."

This recommendation is not based upon any power in Congress to regulate Federal elections but is instead based upon Congress power to implement the 14th and 15th amendments. It would thus apply to local, State, and Federal elections. To implement this recommendation, insofar as poll taxes are concerned, Congress would have to make a legislative finding that poll taxes are administered in a discriminatory manner. In this connection, it should be noted that the Subcommittee on Constitutional Amendments heard no evidence that collection of the poll tax is administered discriminatorily in any of the five States which still have it. Regardless of the actual purpose or effect of the tax as to particular groups' voting, witnesses on both sides of the question apparently assumed that it is imposed and assessed on all persons, regardless of race or color, with the result that any person who fails to pay it is ineligible to vote.[1]

Arguments can be made that Congress has the power to eliminate poll taxes as a prerequisite for voting in all Federal elections by legislation. However, such a statute would certainly be challenged by litigation which could be protracted and uncertain. As a safe and certain method, constitutional amendment is preferable.

Both Senate Joint Resolution 58 and Senate Joint Resolution 81 were pending in the Subcommittee on Constitutional Amendments at the close of the 1st session of the 87th Congress.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. KEFAUVER. I am very happy to yield to the distinguished Senator from Florida.

Mr. HOLLAND. I greatly appreciate the kind things that the Senator has had to say about the Senator from Florida. But above and beyond that, I am grateful for his courtesy, his kindness, and his consideration in holding hearings on this subject, in recommending to the full committee favorable action on my amendment, and in every way furthering prospects of the taking up and submission of the constitutional amendment. I am exceedingly grateful to him, and I wish the RECORD to show my appreciation.

Mr. KEFAUVER. I wish to express my appreciation to the Senator from Florida. I think everyone knows the issue quite well, but during the 7 or 8 years that I have been chairman of the subcommittee, we have heard every witness who had any testimony to offer on the proposed poll tax amendment, as we have done with respect to all other amendments. All the testimony, communications, articles, papers, and dissertations by eminent constitutional lawyers have been incorporated in the record which has been distributed to Senators during several Congresses. I believe that no constitutional amendment has been presented to the Senate on which there has been wider discussion or more testimony adduced than the amendment sponsored by the Senator from Florida which is now before the Senate.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. RUSSELL. Mr. President, in accordance with the notice that I gave to the Senate on the day this matter was first suggested, in the form in which it is presented to the Senate, I desire to make a point of order against the resolution of the Senator from Florida [Mr. HOLLAND] and the majority and minority leaders undertaking to submit to the legislatures of the several States what purports to be an amendment to the Constitution of the United States.

I take the position that the Constitution itself prescribes the method by which it may be amended, and that the pending proposal does not appear in the Constitution as a means whereby a proposed constitutional amendment may be submitted to the several States. I further submit that in the 173 years since the Constitution of the United States was first ratified and approved, no attempt whatever has ever been made to so distort the constitutional process. This is the first time in 173 years that an effort has been made to use a piece of proposed general legislation as a vehicle for amending the Constitution of the United States and submitting that amendment to the several States.

The Constitution provides, in article V, the method for its amendment. I desire to read this article, which is the only reference made in the Constitution anywhere to a means whereby it may be amended. It reads:

ARTICLE V

The Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose amendments to this Constitution, or, on the application of the legislatures of two-thirds of the several States, shall call a convention for proposing amendments, which, in either case, shall be valid to all intents and purposes, as part of this Constitution, when ratified by the legislatures of three-fourths of the several States, or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by the Congress: *Provided*, That no amendment which may be made prior to the year 1808 shall in any manner affect the first

[1] The Commission's finding of fact upon discriminatory application of voting qualifications does not specifically mention poll taxes. Its exact text is:

"A common technique of discriminating against would-be voters on racial grounds involves the discriminatory application of legal qualifications for voters. Among the qualifications used in this fashion are requirements that the voter be able to read and write, that he be able to give a satisfactory interpretation of the Constitution, that he be able to calculate his age to the day, and that he be of 'good character.'" (Book 1, 1961 U.S. Commission on Civil Rights Report, p. 137, finding No. 9.)

The Commission's 1959 report develops a historical argument that the poll tax was instituted in many Southern States to discourage Negro voting (1959 Report of Civil Rights Commission, p. 31).

and fourth clauses in the ninth section of the first article, and that no State without its consent, shall be deprived of its equal suffrage in the Senate.

Mr. President, this article of the Constitution sets apart from the ordinary provisions dealing with the legislative powers of Congress a method whereby the Constitution of the United States might be amended. Throughout the Constitution are various clauses defining the powers of Congress. Those powers give to the Senate its unique status as a legislative body having nothing comparable with it anywhere in any other government. Only in article V does the Constitution provide for the method whereby the Constitution may be amended. It does not contain a provision—and there is nothing in the Rules of the Senate, and no precedent in the 173 years that Congress has been operating under the Constitution—to make use of a piece of general legislation which partakes of an entirely different nature, and is covered by other sections of the Constitution—sections which deal with the signature of the President to general legislation, and the fact that if he does not sign the proposed legislation in 10 days, it will become law in the absence of his signature; and the further fact that Congress may override the Presidential veto by a two-thirds vote of both Houses. All those provisions are found in other sections of the Constitution. Only in article V is found the method of amending the Constitution.

In article V we find the language to which the great interest of Congress should be devoted. Yet instead of a resolution in the form prescribed or indicated in article V, and followed for the 173 years that Congress has been meeting, an attempt is made to utilize a piece of proposed legislation, respectable enough in itself, proposing a memorial to a great American who has not yet had any memorial erected in his honor; but which requires the ordinary legislative process requiring the signature of the President or else a vote on the part of Congress to override a veto by the President.

Mr. President, the amendment of the Constitution of the United States is a procedure which is solely between the Congress and the several States. This is the only process from which the President of the United States is completely excluded. Nothing in the Constitution indicates that the President shall even see a proposed amendment of the Constitution. He has no authority to veto it. There is no requirement that he approve it. Nothing in the Constitution indicates that it shall even be brought to his attention.

Yet the Senate is undertaking to add to article V of the Constitution, without any authority to do so, a third method of amending the Constitution, by saying that a proposed amendment to the Constitution can be appended to the joint resolution now under consideration.

Mr. President, this is wholly unconstitutional procedure. Nothing in the Constitution warrants it. Nothing in the precedents of the Senate justifies it, although over the years we have had almost every precedent of which the mind of man can conceive.

This is the first time the Senate has undertaken to add a new provision to article V; to undertake to amend the Constitution in an entirely different fashion from that which is prescribed in the Constitution itself.

In my opinion, under ordinary circumstances, the Senate would not tolerate such a procedure as this for 5 minutes. Ordinarily we would ask, What goes on in the Senate of the United States that it should undertake to use a piece of proposed general legislation to get at and to change the form of our basic organic law, the charter of all our liberties?

I remind the Senate that when the distinguished Senator from Montana [Mr. MANSFIELD], our majority leader, first gave notice of this procedure, he told the Senate that he intended to call up a House bill—I do not have the number of it before me; the Senator from Montana is here, and he may recall it—relating to a minor claim, and to use that measure as a vehicle for amending the Constitution of the United States. But when the leadership thought that over, they changed their minds. After it was discussed a little, they concluded that it was wholly probable that the House of Representatives would not even accept from the Senate a bill, bearing a Senate number or a House number, proposing an amendment to the several States to amend the Constitution, but not in the manner prescribed in article V.

Then the leadership made a careful search of the Senate Calendar. They were seeking a joint resolution so that they could at least, perhaps, get inside the door of the House of Representatives, if the Senate proved itself so indifferent to its rules and precedents as to rush in and permit any such procedure as this. So they found on the calendar Senate Joint Resolution 29, a legislative measure dealing with a monument to Alexander Hamilton.

There are plenty of means, and the Senate rules provide any number of legitimate ways, to bring before the Senate proposed amendments to the Constitution without violating the Constitution and undertaking to set up a new provision of article V by procedural action on the floor of the Senate. Nothing in article V justifies this procedure. Mr. President, I submit that this procedure which undertakes to use a Senate joint resolution as a means of submitting an amendment to the Constitution of the United States, is wholly ultra vires and unconstitutional, and that this proposal should be rejected and the subject approached in the same manner as is provided by the Constitution or the laws or the rules which have been enacted thereunder.

There is nothing in the rules of the Senate, there is nothing in the precedents of 173 years, there is nothing in any statute to be found anywhere in the statute books, and there is not a line in the Constitution of the United States that would jusify the procedure which is undertaken here, today. I submit, Mr. President, that it is wholly unconstitutional.

Mr. HOLLAND. Mr. President, will the Senator from Georgia yield?

Mr. RUSSELL. I yield.

Mr. HOLLAND. What rule of the Senate does the Senator contend is violated by this proposal?

Mr. RUSSELL. I did not say any rule of the Senate is violated by it. I said the Constitution is violated by it. The Senate itself has never dealt with this matter. Even in its wildest dreams, the Senate could never imagine that any resort would be made to such an unorthodox procedure as this one, in order to get such a matter as this before the Senate. Therefore, the Senate did not adopt a rule in that connection.

There are other rules of the Senate which provide for legitimate, constitutional means of getting proposed constitutional amendments before the Senate; and the absence of a rule prohibiting this course is indication to me that the Senate has never found it necessary to undertake to alter article V of the Constitution, which prescribes the means by which the Constitution may be amended.

Oh, Mr. President, I am aware that of late we have become somewhat a Dr. Jekyll and Mr. Hyde body. Most of the time we are Dr. Jekyll; we proceed according to the rules. But when we get into a certain type of legislation, then we become Mr. Hyde, and then we do not care whether there is anything in the Constitution or in the laws or in anything else to justify the course we propose; disregarding all of that, when a man from one of the minority groups says, "Put it through," we find a way to put it through without regard to the rules. But most of the time we observe them.

Once I thought of suggesting that we have two sets of rules—one set which would apply to ordinary legislation, and the other set to apply to legislation of the type called civil rights legislation—for we know we use different sets of rules in those circumstances. So I thought it would be well for the Senate to have two different sets of rules. But, after reflection, I concluded that would be a waste of time, for if the new rules did not conform to the purposes of the group of those who favor such legislation, the new rules would be kicked out the window just as fast as the old rules were; so we might just as well leave the rules as they are.

But I think that in order to justify our positions, sometimes, and our rather irrational action, we might follow rule XL—I believe we now have 40 Senate rules—by a rule XLI, stating about as follows: *"Provided*, That none of these rules shall be considered to apply in any case in which an organization of professional do-gooders claiming a membership of a million voters shall declare that any resolution, motion, legislation, or other proposal involves a question of minority rights. In all such cases, neither any rule, precedent, law, nor constitutional provision shall be binding or shall be cited in an effort to restrain the Senate from an immediate vote or

the Presiding Officer from declaring all points of order out of order."

Mr. HOLLAND. Mr. President, will the Senator from Georgia yield further to me?

Mr. RUSSELL. I yield.

Mr. HOLLAND. I note the following provision in article V—the only part of article V which is applicable to this procedure:

> The Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose amendments to this Constitution.

Is there anything in the proposed amendment which would avoid the necessity, as recited in the amendment, for two-thirds of both Houses to find that the amendment should be proposed?

Mr. RUSSELL. Yes, there is, because the proposal the Senator from Florida is undertaking to amend does not deal with an amendment to the Constitution. Instead, it deals with a proposal to purchase a memorial to Alexander Hamilton. Therefore, the Senator from Florida is seeking by legislative legerdemain to change a joint resolution which is legislative in character into a joint resolution which proposes an amendment to the Constitution of the United States. But the Constitution does not provide that any action such as that shall be taken by the Senate.

The Senator from Florida has asked about the rules; and heretofore I have stated that although the Senate may do vain things, never before has the Senate ever conceived that there could be such an undertaking as this to amend the Constitution in any such fashion.

Mr. COOPER. Mr President, will the Senator from Georgia yield?

Mr. RUSSELL. I am glad to yield to the Senator from Kentucky.

Mr. COOPER. I should like to ask a question; but, first, I wish to say that I support the principle of the Holland amendment; but I, too, want the Senate to do what is constitutional and I want my vote to accord with the Constitution.

The Holland amendment, if properly offered is a constitutional means of achieving the aim of abolition of the poll tax. I shall not vote for the statutory method if it is offered as a substitute, for I do not think it would be constitutional.

But to address myself to the point the Senator from Georgia has raised. I shall state a hypothetical case, and perhaps the Senator from Georgia will be willing to elaborate it: Let us assume that a joint resolution to which a constitutional amendment had been offered as an amendment were one of controversy. Is it not possible that a Member of this body could be placed in the difficult position, in which he would want to vote for the constitutional amendment, but would be opposed to the legislative matter in the joint resolution, to which the constitutional amendment had been offered as an amendment?

Let me go one step further—and this, also, is purely a hypothetical question. Suppose the original bill or joint resolution were one of substance which might be controversial; and suppose a constitutional amendment were offered as an amendment to the measure, and the measure as thus amended were passed by both Houses and were sent to the President of the United States. Let us assume that the President found that he could approve of the legislative matter but that he was very seriously opposed to the constitutional amendment, or vice versa. Would not the President be placed in a difficult position—if he desired to veto the measure because of his opposition to a section which was clearly legislative—and in doing so would raise constitutional questions as to the validity of the constitutional amendment?

Mr. RUSSELL. Mr. President, the Senator from Kentucky has raised a very interesting hypothetical question, particularly in the latter part of his question, which I shall undertake to answer first.

In the first place, in my opinion an amendment to the Constitution is not in order as an amendment to any piece of general legislation; and I think a point of order that an attempt to amend a piece of general legislation by means of an amendment in the nature of an amendment to the Constitution of the United States, but also leaving in the original measure any other provision, would be held by any parliamentarian to be completely out of order—in other words, that an attempt to deal in one part of a piece of general legislation with an ordinary statutory enactment, and in another part to deal with an amendment to the Constitution, would be out of order.

In this case, an attempt is made to avoid that, and to put this proposal in order by striking out all after the enacting clause—which in my opinion does not in any way cure the difficulty, for fundamentally the measure is identically the same as it would have been if an attempt had been made to append a constitutional amendment as an amendment to the Alexander Hamilton National Monument joint resolution. I think it would be just as unconstitutional and just as out of order in the one event as it would be in the other.

I am not sure that I understand the first part of the question asked by the Senator from Kentucky. I believe he undertook to refer to a Senator's conscience. I wish to say I have enough trouble dealing with my own conscience, so that I am not inclined to attempt to undertake to deal with the conscience of any other Senator.

Mr. COOPER. My question is this: If I should be opposed to the legislative matter in such a resolution as is before us, and if it also included a constitutional amendment which I favored, then I and other Members of Congress, when asked to vote on the resolution, would be placed in a difficult position. Similarly, as I have said, if the process of amending the Constitution is employed, the President could be asked to sign or veto a measure, the legislative part of which he opposed and the constitutional amendment which he has no power to sign. It seems to me my question is an extension of one of the points the Senator from Georgia has made.

Mr. RUSSELL. Mr. President, I do not think it would be constitutionally possible to undertake to amend the Constitution of the United States by means of an amendment to an ordinary statutory provision. So such an attempt would be wholly out of order; and I think the Chair would, of his own accord, raise that point if no Member of the Senate did; namely, that a constitutional amendment cannot be added to a legislative statute; and the proposal to tie a suggested constitutional amendment to some legislative provision would, in my opinion, be null and void—and would be when it was sent to the President or wherever it went.

It would also be contrary to any rule of procedure of which I have any knowledge. I do not think that condition could possibly arise. We have it here today in this proposal; only the proponents are not proposing to leave in Alexander Hamilton at all; they are wiping him out completely and entirely, but are undertaking to take the Alexander Hamilton Senate joint resolution number as a means of proposing to the States a constitutional amendment, and that is the very point of order I am making here—that they are using a legislative vehicle as a measure covering a constitutional amendment, and the Constitution of the United States does not permit any such procedure.

Mr. MILLER. Mr. President, will the Senator yield for an inquiry?

Mr. RUSSELL. Yes, I yield for that purpose.

Mr. MILLER. Is it the contention of the Senator from Georgia that if the amendment by the Senator from Florida is adopted, it is not then a constitutional amendment requiring a two-thirds vote by both Houses of Congress? Is that the Senator's contention?

Mr. RUSSELL. I frankly had not projected it that far, because I do not think it can constitutionally be offered as an amendment to the Constitution in that way.

Mr. MILLER. May I ask, as a matter of a hypothetical question, whether it would be the Senator's opinion?

Mr. RUSSELL. I would think, having had a moment to turn it over in my mind, that if it were attached to a legislative proposal it would take only a majority vote to pass it, if the Senate wanted to violate all its procedures and article V of the Constitution of the United States; but I would hope, if we were so remiss in our duties and so voted, that perhaps the Members of the other body would look at the matter and say, "We do not think this is proper procedure," and would consign it to one of the cubbyholes which are used for some of these matters. Or, if they were so far derelict as to approve it, I would hope the President of the United States would have the courage to say, "This is improper procedure, and I therefore send it back to Congress with my disapproval."

Mr. MILLER. Mr. President, will the Senator yield so I may ask the Senator from Florida a question?

Mr. RUSSELL. I will be happy to yield provided I do not lose the floor.

Mr. MILLER. May I ask the Senator from Florida if it is his opinion that, if his amendment is adopted, it would

require a two-thirds vote of both Houses of Congress?

Mr. HOLLAND. It certainly would. The text of the resolution so provides. The rule laid down in article V of the Constitution does not go so far as to provide what vehicle shall be used by Congress. It simply says Congress, by two-thirds vote in both Houses, may accept the amendment.

My information and belief is that there is no requirement at all as to the vehicle or resolution number, so long as the body of the resolution is there. It prescribes definitely that it must be approved by two-thirds of the Members of each House before it can be submitted to the several States. There is no doubt at all in my mind that that is the situation.

Mr. MILLER. I thank the Senator from Florida.

I wonder if the Senator from Georgia will yield so I may ask a parliamentary question of the Chair.

Mr. RUSSELL. I will be glad to yield for that purpose.

Mr. MILLER. Mr. President, we have now been given the opinions of two of our distinguished Senators, which seem to be in conflict. The question I wish to ask the Chair is whether or not, if the Holland amendment is adopted, a two-thirds vote by the Senate will be required.

The VICE PRESIDENT. The Chair is of the opinion that a two-thirds vote would be required.

Mr. MILLER. I thank the Senators and the Chair.

Mr. COOPER. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Georgia yield to the Senator from Kentucky?

Mr. RUSSELL. I yield.

Mr. COOPER. If Senate Joint Resolution 29 is passed by the Senate and the House in the form before us—with the Alexander Hamilton resolution stricken—would it be necessary for the President to sign it?

Mr. RUSSELL. Under my view, it would have no validity whatever, because an ordinary resolution would be used that requires only a majority vote.

I would like to propound to the Chair a parliamentary inquiry. If the Holland amendment were not in it, what vote would it take to pass the Alexander Hamilton resolution?

The VICE PRESIDENT. A majority vote.

Mr. RUSSELL. I think nothing can better illustrate the constitutional question that is involved. A legislative vehicle is being undertaken to adopt a constitutional amendment.

Mr. COOPER. Is it contended that Senate Joint Resolution 29, if passed as now before the Senate, would require the signature of the President?

Mr. RUSSELL. As written now, of course it would require the signature of the President. There is no doubt about it. Even the distinguished Senator from Florida and the Parliamentarian will agree with that.

I am glad to propound a parliamentary inquiry, whether, if Senate Joint Resolution 29 passes in the form in which it now stands, it would require the signature of the President.

The VICE PRESIDENT. It would.

Mr. RUSSELL. That illustrates the fact that this procedure is unconstitutional. We are adopting an absurd, farfetched, irrational, unreasonable, and unconstitutional method of undertaking to get this amendment. It justifies the point of order I have made that it is wholly unconstitutional to undertake to adopt a provision which requires a two-thirds vote and which does not go to the President by using a resolution which requires only a majority vote and which the President must approve or disapprove.

Mr. CURTIS. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. CURTIS. For the purpose of a parliamentary inquiry?

Mr. RUSSELL. Yes, for that purpose.

The VICE PRESIDENT. The Senator will state the parliamentary inquiry.

Mr. CURTIS. If the resolution were to be amended by the Holland amendment, it has been stated it would require a two-thirds vote for passage. My question is, Will it require a two-thirds vote to adopt the Holland amendment to Senate Joint Resolution 29?

The VICE PRESIDENT. Only a majority vote is required in acting upon an amendment.

Mr. CURTIS. Will the Senator yield for one other parliamentary inquiry?

Mr. RUSSELL. Yes.

Mr. CURTIS. There are two parts to the Holland amendment, one to strike out and the other to insert. The question is, Can a vote be had on each one?

The VICE PRESIDENT. The Chair is informed by the Parliamentarian that a division could be had on section 1 and section 2.

Mr. CURTIS. I did not understand the ruling of the Chair.

The VICE PRESIDENT. The Chair is informed by the Parliamentarian that a division of the question could be obtained on section 1 and section 2.

Mr. CURTIS. That does not answer my question. My question is, Could we have a division of the motion as stated in the preamble, having a separate vote on that part which strikes out, and a separate vote on the language to be inserted?

The VICE PRESIDENT. The Parliamentarian informs the Chair that a motion to strike and insert is not divisible, under the rules.

Mr. RUSSELL. Are there any precedents of the Senate on that point?

Mr. President, while the Parliamentarian looks up precedents I wish to conclude my argument by saying that I make the point of order that this proposal to amend a regular legislative proposal, which requires a majority vote and which would go to the President for his approval or disapproval, by a constitutional amendment, which requires a two-thirds vote and which would not go to the President for his approval or disapproval, is wholly unconstitutional and that it should be so declared, and that this matter should be brought up in a way in keeping with the Constitution of the United States.

The VICE PRESIDENT. The Chair has two questions before it. The first relates to the language:

> If the question in debate contains several propositions, any Senator may have the same divided, except a motion to strike out and insert, which shall not be divided.

The Senator from Georgia asked if there were any precedents. Rule XVIII covers the subject adequately.

The Senator from Georgia further raises a question of the constitutionality of the matter before the Senate. Under the precedents of the Senate, whenever a question is raised by a Senator concerning the constitutionality of any matter it is the duty of the presiding officer, instead of ruling upon the question, to submit it to the Senate for its determination. Therefore, in accordance with this line of precedents and practice in the Senate, the Chair submits to the Senate the following question: "Is the point of order of the Senator from Georgia well taken?"

Mr. MANSFIELD. Mr. President, I think it is clear that the proposal of the Senator from Florida is entirely in accord with the Constitution of the United States and with the Senate rules. On the question of final adoption of Senate Joint Resolution 29, as amended by the Holland substitute, two-thirds of the Senate must vote in the affirmative if the resolution is to be agreed to. The same will be true in the House of Representatives. The joint resolution, as thus amended, will then be submitted to the several States for ratification. Therefore, all the requirements of the Constitution and of our rules will have been met.

Mr. President, I move that the question of constitutionality as raised by the distinguished Senator from Georgia be laid on the table, and I ask for the yeas and nays.

The VICE PRESIDENT. The question is on the motion, which is not debatable. Is there a sufficient second?

The yeas and nays were ordered.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Montana to lay on the table the point of order raised by the Senator from Georgia [Mr. RUSSELL].

The yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. HUMPHREY. I announce that the Senator from Minnesota [Mr. McCARTHY], the Senator from Colorado [Mr. CARROLL], the Senator from Alaska [Mr. BARTLETT], and the Senator from Tennessee [Mr. GORE] are absent on official business.

I further announce that, if present and voting, the Senator from Minnesota [Mr. McCARTHY], the Senator from Colorado [Mr. CARROLL], and the Senator from Alaska [Mr. BARTLETT] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Utah [Mr. BENNETT], the Senator from Maryland [Mr. BUTLER], and the Senator from Indiana [Mr. CAPEHART] are necessarily absent.

The Senator from South Dakota [Mr. CASE] is absent because of illness.

If present and voting, the Senator from Utah [Mr. BENNETT] would vote "yea."

The result was announced—yeas 58, nays 34, as follows:

[No. 31 Leg.]

YEAS—58

Allott	Hartke	Murphy
Anderson	Hayden	Muskie
Beall	Holland	Neuberger
Bible	Humphrey	Pastore
Boggs	Jackson	Pearson
Burdick	Javits	Pell
Bush	Keating	Proxmire
Byrd, W. Va.	Kefauver	Randolph
Cannon	Kuchel	Saltonstall
Carlson	Lausche	Scott
Case, N.J.	Long, Mo.	Smathers
Church	Long, Hawaii	Smith, Mass.
Clark	Long, La.	Symington
Dirksen	Magnuson	Wiley
Dodd	Mansfield	Williams, N.J.
Douglas	McGee	Williams, Del.
Engle	McNamara	Yarborough
Fong	Metcalf	Young, Ohio
Gruening	Monroney	
Hart	Moss	

NAYS—34

Aiken	Hickenlooper	Prouty
Byrd, Va.	Hickey	Robertson
Chavez	Hill	Russell
Cooper	Hruska	Smith, Maine
Cotton	Johnston	Sparkman
Curtis	Jordan	Stennis
Dworshak	Kerr	Talmadge
Eastland	McClellan	Thurmond
Ellender	Miller	Tower
Ervin	Morse	Young, N. Dak.
Fulbright	Morton	
Goldwater	Mundt	

NOT VOTING—8

Bartlett	Capehart	Gore
Bennett	Carroll	McCarthy
Butler	Case, S. Dak.	

So Mr. MANSFIELD's motion to table Mr. RUSSELL's point of order was agreed to.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Florida [Mr. HOLLAND] to strike out all after the resolving clause, as amended, and inserting in lieu thereof certain words.

STANDBY AUTHORITY TO ACCELERATE CERTAIN PUBLIC WORKS PROGRAMS—AMENDMENT

Mr. CHAVEZ. Mr. President, at the request of the President of the United States, I submit an amendment to Senate bill 2965, to provide standby authority to accelerate public works programs of the Federal Government and State and local public bodies.

A few days ago, the President urged me to start hearings for the purpose of considering S. 2965. We plan on conducting hearings as soon as possible on this bill in order to give everyone an opportunity to express his views with respect to this legislation.

I ask unanimous consent to have printed in the RECORD the proposed amendment and the letter from the President with respect to this amendment.

The VICE PRESIDENT. The amendment will be received, printed, and appropriately referred; and, without objection, the letter and amendment will be printed in the RECORD.

The amendment was referred to the Committee on Public Works, as follows:

On page 3, following line 8, insert the following paragraph at the end of section 2:

"In addition, the Congress finds that (i) certain communities and areas in the Nation are presently burdened by substantial unemployment and underemployment and have failed to share fully in the economic gains of the recovery from the recession of 1960–1961 and (ii) action by the Federal Government is necessary, both to provide immediate useful work for the unemployed and underemployed in these communities and to help these communities, through improvement of their facilities, to become better places in which to live and work. It is the intent and purpose of the Congress to provide for an immediate program of assistance for capital improvements in those areas."

Add the following new section 8 and renumber succeeding sections accordingly:

"IMMEDIATE AID TO AREAS OF SUBSTANTIAL UNEMPLOYMENT

"SEC. 8 (a) In areas currently designated by the Secretary of Labor as having been areas of substantial unemployment in each of the twelve immediately preceding months, and in areas currently designated as "redevelopment areas" pursuant to the Area Redevelopment Act, projects or programs otherwise authorized to be assisted under sections 4, 5, 6, and 7 of this Act may be assisted thereunder, with funds made available under this section, without regard to the provisions in those sections and section 3 requiring the proclamation and existence of a capital improvement acceleration period and without regard to any limitation on the aggregate amount of funds which may be prescribed by the President for the purposes of any such section. For the purposes of this section there is hereby authorized to be appropriated the sum of $600,000,000 which may be allocated by the President among sections 4, 5, 6, and 7 of this Act.

"(b) The President shall prescribe rules, regulations and procedures which will assure that adequate consideration is given to the relative needs of the areas eligible for assistance. In prescribing such rules, regulations, and procedures, the President shall consider among other relevant factors: (1) the severity of the rates of unemployment in eligible areas and the duration of such unemployment, and (2) the income levels of families and the extent of underemployment in eligible areas.

"(c) If the President determines that an area suffering unusual economic distress (because of a sustained extremely severe rate of unemployment or an extremely low level of family income and severe underemployment) does not have economic and financial capacity to assume all of the additional financial obligations required, a grant otherwise authorized pursuant to this section for a project or program in such area may be made without regard to any provision of law limiting the amount of such grant to a fixed portion of the cost of the project or program."

In sections 3, 4, 5, 6, and 7 strike "9" wherever it appears and insert "10".

In line 17 on page 10 and in line 3 on page 11, insert "sections 4, 5, 6, and 7 of" prior to the word "this".

The letter presented by Mr. CHAVEZ is as follows:

THE WHITE HOUSE,
Washington, D.C., March 26, 1962.

Hon. DENNIS CHAVEZ,
Chairman, Committee of Public Works,
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: I am transmitting herewith a draft of proposed legislation which would authorize immediate initiation of a $600 million capital improvements program in those sections of our country which have failed to share fully in the economic gains of the recovery from the recession of 1960–61. This proposal is in the form of an amendment to the proposed Standby Capital Improvements Act of 1962, which I transmitted to the Congress on February 19 and which has since been referred to your committee as S. 2965.

The proposed Standby Capital Improvements Act, together with the recommended standby temporary tax reduction authority and the pending bill to strengthen permanently our Federal-State system of unemployment insurance, would constitute a new and powerful arsenal of weapons to combat the recessions which periodically sap the vitality of our economy. The waste and distress which characterize these periodic recessions can and must be abated. Passage of the recommended legislation will make possible timely and effective action to reduce the severity and duration of future recessions.

Our present problem is not, of course, one of nationwide recession. We have been making a strong recovery from the recession of 1960–61. Gross national product rose from $501 billion in the first quarter of last year to $542 billion in the last quarter. Industrial production has risen 12 percent over the last 12 months. Disposable personal income per capita has passed the historic $2,000 milestone. Unemployment in the last year has declined from 6.9 percent of the labor force to 5.6 percent, and the number of persons at work has increased by more than 1 million over a year ago. The recovery still has considerable distance to go before full employment is restored. But, despite the fact that our economic performance of the last 2 months has fallen below expectations, we look for a strong and continued expansion throughout the year and into 1963.

Although we do not today face a problem of general recession, the two recessions of the last 5 years—interrupted only by a short and incomplete recovery—have left in their wake serious problems of prolonged large-scale unemployment and economic distress in hundreds of communities in all sections of the country. The roster of these communities includes large cities, smaller cities, and rural areas. The causes of their troubles are manifold—exodus of industry, displacement of labor by technological change, excessive dependence on placement of labor by technological change, excessive dependence on declining industries, influx of job-seekers, changing weapons requirements in military procurement, and chronic rural poverty. Whatever the cause, the results are the same—high and persistent urban unemployment or rural underemployment. Continued economic expansion for the Nation as a whole will in time help to restore the prosperity of many of these areas. But their needs are urgent now, and further help should not be delayed until another recession threatens the whole economy.

There are 852 localities which have been designated as redevelopment areas under the Area Redevelopment Act of 1961, and a further 106 communities which have been designated for 12 months or more as areas of substantial unemployment. These 958 localities account for 38 percent of our population. In these areas, taken together, 1 out of 13 members of the labor force is unemployed, and the average unemployment rate is 33 percent higher than in the rest of the country.

Most of these areas are eligible for assistance under the Area Redevelopment Act of 1961. Although the area redevelopment program is less than a year old, assistance has already been extended to 82 communities in 26 States. As this program gathers momentum, more and more communities will be aided in their efforts to build a durable foundation for sustained local prosperity.

The area redevelopment program, however, is a continuing effort to help communities to attract new and permanent jobs to solve their long-range economic problem, it

is not primarily designed to provide immediate relief of distress caused by unemployment, or to assist in the general rehabilitation and improvement of public facilities. I believe that a further Federal effort is necessary, both to provide immediate useful work for the unemployed and the underemployed, and to help these and other hard-pressed communities, through improvement of their public facilities, to become better places to live and work.

Accordingly, I urge that we initiate as soon as possible a $600 million capital improvements program in the redevelopment areas and in the communities which have been designated for 12 months or more as areas of substantial unemployment. Actual expenditures will depend upon the timing of congressional action. If legislation and the supporting appropriation are enacted promptly, expenditures under this program would be approximately $25 million in the remaining months of fiscal 1962, $350 million in fiscal 1963, and $225 million in the early months of fiscal 1964.

These funds would be allocated for Federal capital improvements projects in economically depressed areas and for grants and loans to eligible States and localities for improvement of community facilities. Federal grants to States and localities would range up to 50 percent of the cost of each project, and could be higher in certain exceptional cases. Loans would be available to assist hard-pressed communities which would otherwise be unable to meet promptly their share of project costs.

Projects under this program would be limited to those which could be initiated or accelerated within a reasonably short period of time and completed within 12 months after initiation. Other limitations of the standby bill would also apply: For example, projects could be approved only if they were capable of meeting an essential public need, if they would contribute significantly to the reduction of unemployment, and if they were not inconsistent with locally approved comprehensive development plans.

State and local capital improvements under this program would include such projects as water improvements; parks and other recreational development; sewerage systems and water pollution control; construction, rehabilitation, and modernization of public buildings, such as hospitals and civic buildings; and road, street, airfield, and port improvement. Examples of Federal projects and programs would include conservation activities to improve our public land, water, timber, fish and wildlife resources, and construction or improvement of laboratories, research and training facilities, and other public buildings.

The standby capital improvements bill and this proposal for an immediate public facilities program are, in my judgment, of equal importance to the economic welfare of our Nation. The former would enable us more effectively to combat the waste and hardship of future recessions; the latter would bring new public facilities, new jobs, and new hope to those communities whose economic troubles have resisted the rising tide of national economic expansion.

Sincerely,

JOHN F. KENNEDY.

THE ALEXANDER HAMILTON NATIONAL MONUMENT — AMENDMENT TO THE CONSTITUTION DEALING WITH POLL TAXES

The Senate resumed the consideration of the joint resolution (S.J. Res. 29) providing for the establishing of the former dwelling house of Alexander Hamilton as a national monument.

Mr. JAVITS. Mr. President, I offer as a substitute for the pending amendment an amendment in the nature of a substitute, which is at the desk and is identified as "3-15-62—B."

The VICE PRESIDENT. The amendment will be stated.

The Chief Clerk proceeded to state the amendment.

Mr. JAVITS. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with, and that the text of it may be printed in the RECORD at this point.

There being no objection, the text of the amendment was ordered to be printed in the RECORD, as follows:

Strike out all after the resolving clause and insert in lieu thereof the following:

"That the Congress finds that the requirement that a poll tax or other tax be paid, or that any property qualification be met, as a prerequisite for voting or registering to vote at primaries or other elections for President, Vice President, electors for President or Vice President, or for Senator or Member of the House of Representatives, is not and shall not be deemed a qualification of voters or electors voting or registering to vote at primaries or other elections for said officers, within the meaning of the Constitution, but is and shall be deemed an interference with the manner of holding primaries and elections for said national officers, an abridgment of the rights and privileges of citizens of the United States, a tax on such rights and privileges, an obstruction of the operations of the Federal Government, and an impairment of the republican form of government.

"SEC. 2. It shall be unlawful for any State, municipality, or other governmental authority or any subdivision thereof, or for any person, whether or not acting on behalf of any State, municipality, other governmental authority or subdivision thereof, to levy, collect, or require the payment of any poll tax or other tax or to impose a property qualification as a prerequisite for registering to vote or voting in any primary or other election for President, Vice President, elector for President or Vice President, or Senator or Member of the House of Representatives, or otherwise to interfere with or prevent any person from registering to vote or voting in any such election by reason of such person's failure or refusal to pay or assume the obligation of paying any poll tax or other such tax or meeting any property qualification. Any such levy, collection or requirement, and any such tax or property qualification, shall be invalid and void insofar as it purports to disqualify any person otherwise qualified from voting at such primary or other election."

Amend the title so as to read: "Joint resolution to protect the right to vote in national elections by making unlawful the requirement that a poll tax be paid as a prerequisite to voting in such elections, and for other purposes."

Mr. JAVITS. Mr. President, the amendment is offered on behalf of myself and Senators DOUGLAS, KEATING, BUSH, HART, NEUBERGER, CASE of New Jersey, PASTORE, SCOTT, ALLOTT, MORSE, PROXMIRE, BEALL, WILLIAMS of New Jersey, and KUCHEL.

Mr. President, the amendment I would substitute for the constitutional amendment which is now before the Senate is in the form of a statute eliminating the poll tax in elections for Federal Government officials.

I am well aware of the intention of the majority leader to move to table this particular substitute. Nonetheless, I have offered it because I feel very deeply that if we are to do anything, after the pain and anguish which we always go through in these matters, let us do something now instead of deferring the day when we will do something.

Aside from every other argument on this subject—and this has been a matter of disputation for a very considerable period of time—the argument which seems to be most persuasive is this: If we pass a constitutional amendment and it is approved by the States, we will still have to be back here to pass a statute, because no amendment to the Constitution is self-operative. We must pass a law to implement it. Therefore, why go through all of this circumlocution if we can constitutionally—and I believe it is now clear beyond peradventure that it can be done—do the same thing by statute now? Do we want a repetition of the events of the last 2 weeks, if it is completely unnecessary?

The constitutional amendment technique has been with us for 14 years. We actually passed it in the Senate in 1960, but nothing has happened. So here we are again with the same constitutional amendment at this session.

On the other hand, in the House, on five successive occasions, there has been passed a simple statute to outlaw the poll tax. If we had seen fit on any one of those occasions to do exactly as the other body had done, the matter would long since have been settled. May it be said to the credit of this body that this was attempted on one occasion. In 1945 the Judiciary Committee actually reported to the Senate a bill which is very similar to the one I have offered today, which would have outlawed the poll tax in respect of elections for Federal officials. However, that bill ran afoul of extended debate, as it is euphemistically called, and cloture was not successful; so the matter fell by the wayside.

Mr. President, the first point of argument is, Why should we try to do it by constitutional amendment, when we will have to pass a statute ultimately anyhow, and when we can enact legislation right now? I shall go into that question in some detail later.

The same matter was debated and discussed and voted upon in 1960, at which time the Senate voted to table this statutory approach by a vote of 50 to 37. However, since that time we have had the experience of having passed a constitutional amendment which, when it went to the other body, got nowhere. I do not know what will happen to this one, but I do know that if we pass it as a statute now we have assurance that it will be passed by the House, by reason of the fact that on five successive occasions in the other body such a statutory method has been adopted and enacted. Consequently, a provision outlawing the poll tax is more likely to be enacted this time as a statute than as a constitutional amendment.

I repeat, first, the most important point is that we will have to pass a statute anyhow sooner or later; therefore, we might as well do it now, since we have the power to do it.

Secondly, as to the chances for enacting a constitutional amendment, let us remember that there are 11 States which either have the poll tax now or have had it in the very recent past. So we start with that problem. We also have the fact that 11 States did not ratify our last previous constitutional amendment, giving to residents of the District of Columbia the right to vote in presidential elections. We have also the fact that a considerable number of States—12 to be exact—disqualify paupers or inmates of charitable institutions from voting. It strikes me that when we take the 11 and add to that number—and then we need only 2 more—the 12 States which have laws preventing paupers or inmates of charitable institutions from voting, we are running some risk that a minority of the country, both as to the number of States and as to population, may frustrate the whole design of Congress. Therefore, I believe we must ask ourselves the logical question: Why do it the hard way? Why not do it the direct way which is available to us, and in which the other body has time and again shown a disposition to join?

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. JAVITS. I should like merely to add one sentence. Then I will be very glad to yield to the Senator from Florida.

Mr. President, I must, of course, demonstrate—as I shall now undertake to do—that to take the statutory course is permitted by the Constitution, because whether it can be tested or not, we are too responsible to move in that way unless we are convinced the Constitution allows it. So I shall now attempt to demonstrate that to the Senate.

I now yield to the Senator from Florida.

Mr. HOLLAND. What reason does the Senator have for thinking that the States which have pauper statutes, so called, would be interested in defeating this amendment?

Mr. JAVITS. I think any of the States which have pauper statutes may be interested in defeating the amendment. It will be argued in more detail in respect to the Senator's amendment when we reach that part of the debate, assuming that I do not succeed, but it may very well be that those States which have that kind of provision may entertain some doubt about continuing under their laws. They may say, "This is an out on that score because of doubt as to what that may or may not mean"; and hence they may find an interest in not ratifying the amendment in order to continue their own laws with respect to paupers.

Mr. HOLLAND. The Senator knows, does he not, that we struck out of section 1 the reference to property qualifications?

Mr. JAVITS. I do not want to deal with that in full at this point because property disqualification can and will be discussed, I am sure, in connection with the constitutional amendment, and raises some questions. I was only trying to answer specifically the Senator's question as to what States might be against this proposal.

Mr. HOLLAND. I cannot follow the Senator's logic. When we strike out of section 1 the only thing that related to section 2, by striking out the property qualification provision, I do not see how the pauper provisions of the 12 States involved could have any application at all to this amendment.

Mr. JAVITS. I am not trying to apply the constitutional amendment proposal to the State laws; I am only trying to apply the acid test to the proposal: Whether we are likely to have the amendment approved by three-fourths of the States. I point out that a number of States have an interest because of those laws to let the Constitution remain as it is.

Mr. HOLLAND. Does the Senator think there is anything in the amendment which would interfere with those States or the pauper provisions?

Mr. JAVITS. I would rather not pass upon that question until the questions of exclusion and inclusion raised by the Senator have been dealt with in the debate, as I feel certain they will be.

The question of constitutionality, which is involved in the statutory substitute I am offering, has been very much discussed; but I think constitutionality is firmly based upon a number of grounds, all of which are recited in my amendment itself, in which the Congress finds as a fact that the poll tax is an attempt to interfere with the manner of holding elections and primaries, a tax on primaries, an abridgment of rights and privileges of citizens of the United States, a tax on such rights and privileges, an obstruction of the operations of the Federal Government, and an impairment of the republican form of government. This relates to the various elements of the Constitution upon which I depend in urging the constitutionality of such an approach as this.

The first question is: Is the poll tax a qualification for voting within the language of the Constitution, article I, section 2, which gives the States power? Or is it a regulation as to time, place, or manner within article I, section 4, which expressly authorizes the Congress to act? The word "qualification" has been defined time and again in the Congress. Interestingly enough, I find the most exact definition in a message sent by the Governor of South Carolina to his own legislature in 1947, urging the legislature to repeal the poll tax. In his message, the Governor of South Carolina said:

> There has been much misguided agitation about the poll tax as a qualification for voting. Capacity, in accordance with the other constitutional provisions, to exercise the right of franchise should be the only qualification of an elector.

In short, what the Governor was really saying was that any kind of financial or property prerequisite for voting is not a qualification. He himself defines the word "qualification" as synonymous with the concept of capacity. It seems to me that that concept is borne out by the cases, particularly the one case upon which the proponents of the constitutional amendment theory constantly rely, the case of *Breedlove* v. *Suttles* (302 U.S. 277), decided in 1937. There the Supreme Court refers throughout to the poll tax not as a qualification for voting—or, to use the words of the Governor of South Carolina, as relating to capacity—but as a "prerequisite of voting."

I respectfully submit that treated as a prerequisite, as a condition precedent for voting, it falls far more within the time, place, and manner of holding elections, over which article I, section 4, of the Constitution gives Congress the power, than it does within the term "qualifications," over which article I, section 2, gives the States power.

This is also borne out by other cases which have been decided by the Supreme Court under article I, section 4. But I find a very interesting reference with respect to it in the opinion of the Attorney General of the United States, when he testified the other day before a subcommittee of the other body, in which the main thrust of his testimony was with respect to literacy. The Attorney General, when he argued the question with respect to the poll tax, said that the statutory method for eliminating the poll tax was in his opinion just as valid an exercise of congressional authority as it was with respect to literacy. However, he said that the administration preferred the constitutional amendment approach; and so he said he preferred that method. But he said, as a basic and organic element of his opinion, that the statutory method for outlawing the poll tax was just as effective and valid as it was with respect to literacy.

The cases which can be cited in support of that process go back to 1879. I refer to *Ex parte Siebold* (100 U.S. 371) in which there were convictions for ballot-box stuffing under Federal criminal law. The convictions were upheld on the ground that Congress has the power to assume the entire regulation of the election of Representatives and may, as it did in that criminal election fraud statute, undertake only partial regulation.

A very important aspect of that case—and it is true of a whole series of cases—is the proposition that under article I, section 4, State regulation applies only unless and until Congress steps in, and then only to the extent that those State regulations are not superseded by Federal law. So it is plain that Federal law can be effective notwithstanding the fact that the Supreme Court has upheld the poll tax. The Supreme Court upheld a State poll tax statute in the Breedlove case, to which I referred, on the ground that it was not discriminatory on its face; the statute made distinctions as to women and certain other categories of voters who were exempt, but that was before Congress stepped into the situation and, in terms of its own authority, there is a whole line of cases which holds that so long as Congress does not assert its authority, State regulations may remain in effect and may, indeed, be constitutional without contravening the power of Congress, when Congress chooses to exercise it.

I cite next the case of *Davis* v. *Ohio* (241 U.S. 565), which dealt with redistricting in that State. There, again, the

Supreme Court stated that Congress had the express power to prohibit the way in which redistricting had been done by the State so long as the Congress chose to exercise that power. Since the Congress had not chosen to exercise the power, the Court held, the State retained the power. A similar case was *Smiley* v. *Holm* (285 U.S. 355), in which the Court stated that Congress has a general supervisory power over the whole subject of congressional elections.

The most convincing case in terms of the authority that we are discussing today is United States against Classic, in which convictions were upheld under a Federal statute prohibiting the denial of rights secured by the Constitution for altering ballots cast in a primary election. The question was whether constitutional guarantees applied to primary elections. In that case, the Court said, at page 310:

> Such right as is secured by the Constitution to qualified voters to choose Members of the House of Representatives is thus to be exercised in conformity to the requirements of State law subject to the restrictions prescribed by section 2 and to the authority conferred on Congress by section 4, to regulate times, places, and manner of holding elections for Representatives.

And at page 315:

> While, in a loose sense, the right to vote for Representatives in Congress is sometimes spoken of as a right derived from the State [citations omitted], this statement is true only in the sense that the States are authorized, by the Constitution, to legislate on the subject as provided by section 2 of article I, to the extent that Congress has not restricted State action by the exercise of its powers to regulate elections under section 4 and its more general power under article I, section 8, clause 18 of the Constitution "To make all laws which shall be necessary and proper for carrying into execution the foregoing powers."

Madam President (Mrs. NEUBERGER in the chair), it has also been argued—and quite properly, I think—that under present conditions the poll tax is an abridgment of the rights and privileges of citizens of the United States. One of those rights and privileges is the right to vote for Federal officials; and it seems to me that the imposition of a tax on any such right is clearly an abridgment of the rights and privileges of citizens.

It is argued that there were property qualifications in the States at the time of ratification of the Constitution, and that they were not considered as anything other than the normal course of events at that time. But the difficulty lies in the contrast between the situation of the country then and the situation today, when the passage of time has made us feel that the voting right should not be encumbered either by a property qualification or by any financial consideration, and that Congress can assert that the developments in our whole social order now result in making what may formerly have been considered tolerable as an institution, an encumbrance under present conditions and an abridgment of the rights of citizens to exercise their rights and privileges as citizens of the United States.

And finally there is the constitutional provision—one not too often construed—which relates to the duty of the Federal Government to provide for every State a republican form of government.

It will be noted that in this discussion of constitutionality—which I repeat is mainly premised on the two points of the times, places, and manner of holding Federal elections, which are clearly within the power of Congress, and upon the obstruction of, or imposition of a burden on, the right to exercise one's rights and privileges as a citizen of the United States—there is yet another point, namely, the way in which the poll tax has worked to discriminate against Negroes in the exercise of the voting right, so that Congress has power to act under the 15th amendment.

We do not have as much evidence on this subject as we have with respect to use of the literacy test as a means of discriminating in connection with voting. However, we are by no means without evidence on this subject. For instance, it is very interesting to me to note that the Senator from Florida, in arguing in favor of his amendment, has always argued as a fact, and has given figures from his own State to show, that removal of the poll tax has had a material effect in increasing the number of voters there and also in increasing the number of those who seek to vote. I think that is a most important argument, and it is an additional plea in favor of adoption of this proposed constitutional amendment.

But on the negative side, and in regard to use of the poll tax for purposes of discrimination, I should like to refer first to the 1961 report of the Civil Rights Commission on voting, at page 162:

> A striking situation exists in one of the eight counties, Issaquena, Miss., where no Negroes are registered to vote. A wealthy Negro landowner and merchant pays more than $2,000 taxes annually to his county, and when bond issues are approved by the white electorate, he carries a large share of the financial burden. Yet, he says, as consistently as he proffers his $2 poll tax along with his other taxes, it is refused by the collector.

Let us remember that in most of these States, the poll tax has to be paid long before the time to register and the time to vote. Hence, the poll tax is a tipoff to the authorities that a particular Negro may have decided that he wants to vote; and then all the machinery is set in motion to discourage him from what some in that area consider to be a very bad idea.

Madam President, in the testimony recently taken before a subcommittee of the Judiciary Committee of the other body in regard to the poll tax, there was evidence from two citizens of Mississippi; and I should like to read part of that evidence, if I may, to my colleagues, because it gives some idea of how the poll tax is used. The chairman of the committee was addressing Mr. Smith, a witness:

> The CHAIRMAN. Have you had any experience to indicate that? Did you do any checking on records or have you had the experience to indicate that the removal of the poll tax would be a great improvement relative to the number of Negroes who can register and vote?
>
> Mr. SMITH. Maybe I could substantiate this with an experience in Holmes County—that is in central Mississippi. The county seat is about fifty miles from the State capital, which is Jackson, where I live.
>
> There is a small college operated for Negroes there. They have students from thirteen foreign countries. The president of that college is a Negro woman, Dr. Mallorey, well educated. She has traveled around the world and knows her way around.
>
> She has a farm about 2 miles from the school. She sent the check for her taxes on her farm, and included $3 to pay her poll tax. The man who is chief deputy sheriff now—his wife at present is the sheriff—the man who is chief deputy sheriff—he served the last time and his wife succeeded him—sent the check back and everything and he used language that I would feel embarrassed to use before this committee.
>
> But in substance finally he said—he didn't use words that are worthy of repeating in your presence, but it had references to Negro citizens paying their poll taxes.
>
> He said when he got ready for them to pay them, he would send for them. Not one single Negro in that county—and in connection with that, Negroes constitute the majority of the population in that county.

And so forth. So that is another factual example.

Also, Madam President, the Department of Justice has instituted litigation on the ground that the poll tax is being used as a means of discriminating against Negro voters in Tallahatchie County, Miss. The title of the case is United States against Dogan. The district court has denied a motion by the Government for a preliminary injunction on the ground that no good faith effort was made to pay the poll tax. But again I cite this instance to lend some factual basis—which I think very clearly exists—for the point that payment of the poll tax can be used, and as a matter of fact is used, as one of a number of means of discrimination in connection with the exercise of the right to vote.

Madam President, in a social sense—and I believe it important to analyze this aspect—the poll tax is certainly a discouragement to voting, especially in the areas and upon those whom it affects with the greatest impact. Although the poll tax is not large in amount, the difference between the amount of income enjoyed by citizens who do vote and the amount of income of citizens who apparently can very easily be discouraged from voting is very marked. For example, the national figures show that in 1956 the average per capita income of white citizens was $2,917, whereas the average income for individual nonwhite citizens was $1,075. These are figures from the 1960 Bureau of the Census report.

Also, when one looks at the rates of nonwhite income in the South, something in the amount of $23 or $25 a week, he can see that a cumulative poll tax, which is the case in some of the States that have the poll tax, can take away a material part of a week's pay. This is not to say that it is a burden that is absolutely impossible, but it is a material drawback to the exercise of the privilege, and the Federal Government, through the Congress, has a right to act in this field, under the economic and other conditions we presently face in our country.

Madam President, if I may, I wish to summarize the argument I have made in favor of the statutory approach. I have not detained the Senate long, because

this matter has been debated once before. I would like to summarize the situation as follows:

First and foremost, the path of a constitutional amendment, which has been around here for the last 14 years, has never been a path which the other body has followed. The other body has consistently, on five separate occasions, voted a statutory means for outlawing the poll tax. The only opportunity which the Senate has had to vote on it was in 1960, when the constitutional amendment which it passed came to naught in the other body. The Senate has on one previous occasion, in 1945, had a statutory provision reported by the Judiciary Committee.

If we adopt the constitutional amendment, we shall have to double back on our tracks and adopt a statute, because the amendment is not self-implementing. On the other hand, if we enact a statute, it immediately becomes operative and the poll tax is removed in the five States in which it remains.

Before I leave the constitutional amendment process, it has been stated there is some doubt—and I think there is some doubt—as to ratification when we have 11 States which did not ratify the amendment to give voting rights to citizens of the District of Columbia, and when we have 12 States which disqualify voters who are defined as paupers, with the possibility that certainly 2 of those States will prefer to leave the system as it is now instead of running the risk of what the amendment will or will not do in respect of paupers.

A brief word on the question of whether it is constitutional. I have before given the opinion of the Attorney General of the United States, which I submit is entitled to be very seriously listened to by the Congress. I am referring to the opinion of the Attorney General as he testified on the question on March 15, 1962, before a subcommittee of the Judiciary Committee of the House of Representatives. He said:

> Let me turn now to House Joint Resolution 404 and other proposals to abolish State poll tax laws.
>
> For the past quarter century, Congress and the Nation have been keenly aware of the unfair burden caused by such laws.
>
> Federal legislation to eliminate them, either by statute or by constitutional amendment, has been introduced in every session since 1939. Anti-poll-tax bills were passed by the House five times. Similar proposals have been favorably reported by Senate committees, and 2 years ago, one such measure passed the Senate.
>
> I am completely in favor of these proposals. In the second half of the 20th century poll tax laws are out of date.
>
> Only five States still have them—Alabama, Arkansas, Mississippi, Texas, and Virginia.
>
> Within recent years Florida, Tennessee, South Carolina, and Georgia, among others, have dropped these antiquated requirements. The State of Florida reports a notable increase in registration to vote since it abandoned the poll tax. So does Tennessee.

And so forth. Now I come to the question of constitutionality in the Attorney General's opinion. He said the following at page 9 of his statement:

> How poll tax laws are to be eliminated is up to the Congress. I believe that Congress has the power under the Constitution to enact legislation abolishing State poll tax laws applied to Federal elections. I believe it has this power under sections 4 and 8 of article I of the Constitution, which I have already discussed; under section 4 of article IV, which gives the Federal Government a responsibility to guarantee a republican form of government to the States; and under the 14th and 15th amendments—

The basic reason for my belief is this: In America, the right to vote is the rule and restrictions on that right are the exception. The poll tax is an arbitrary and meaningless requirement, having no reasonable relationship to the rights and privileges of citizenship, and it may therefore be forbidden under the provisions I have mentioned.

Nevertheless, a constitutional amendment is a realistic and commendable path to the same goal. There should be little doubt of speedy ratification of such an amendment, since 45 of our 50 States already do not have such useless legislation.

I, therefore, endorse this method of eliminating poll taxes as a condition for voting in elections for Federal officers.

In short, the Attorney General found the statutory method perfectly constitutional. He also found the constitutional amendment route to be perfectly valid. In view of the fact that the administration's proposal was the amendment route, he adopted that. But it seems to me that the Congress unquestionably has the power to proceed by the statutory route, and the whole point of my argument today is that it ought to exercise that power.

Again by way of summing up, the power, in my opinion, is derived from the authority of the Congress to determine the times, places, and manner of holding elections for Federal office. It derives from the right of Congress to eliminate burdens upon or abridgments of the right to vote for Federal officials. It applies to the right of Congress also to deal under the 15th amendment, with situations which tend to create discrimination in voting, or under the 14th amendment with deprivations of the privileges and immunities of citizens.

On any one of those grounds, both on the factual basis which I have described, and on the basis of law which I have referred to, there is ample authority for Congress to proceed by the statutory method.

Finally, the provision that States shall have the authority over qualifications for voting is not a provision which defeats the power of the Congress in respect of the matter we are discussing now, because I point out that in the leading case on that point, the case which sustained a poll tax statute as constitutional on its face, Breedlove against Suttles, the court at no point referred to the poll tax as a qualification for voting, but spoke of it as a prerequisite. We respectfully submit that prerequisites for voting belong in the category of times, places, and manner of voting, which is within Congress power, rather than in the category of qualifications.

Now I would like to conclude my argument, if I may, upon the substantive aspects of this question, aside from its constitutionality, which I have discussed, and aside from the risks of getting a constitutional amendment ratified.

I might say to my colleagues that, of course, we should all try to do our utmost to get the amendment ratified if that is the choice of Congress, but, given the choice of means and the opportunity to eliminate the anachronism by statute—and it is an anachronism—I think we ought to take advantage of that opportunity.

I should like to call the attention of my colleagues to an editorial in the New York Times which I think properly epitomizes the choice which we face between a constitutional amendment and a simple statute.

The Times says, with respect to the poll tax amendment:

> Congress is taking the long way to a good end in its consideration of a constitutional amendment to outlaw the poll tax. This archaic system of restricting the right to vote survives in only five States, and fairness to both Negroes and whites requires its total discard with maximum speed. Its effectiveness in negating democracy is seen with special force in a State such as Mississippi, where the combination of poll taxes and literacy tests has been a factor in keeping three-quarters of the citizens from voting.
>
> The quickest way to get rid of this obstacle to true majority rule would be through a simple law prohibiting the States from making payment of a poll tax a requirement for voting in Federal elections. But the southern Democrats are not ready to move with such directness, and the administration has decided to settle for the much more cumbersome method of a constitutional amendment.
>
> Such an amendment cleared the Senate two years ago by a margin of nearly four to one, but never came to a vote in the House. This year it may again get lost in the endless jockeying that bedevils every effort to inch ahead on the civil rights front. President Kennedy's declaration of support for the measure should reduce this noxious possibility. Even after the proposal gets through Congress, it faces a wearying wait for ratification by the States. No sectional controversies were involved in the 22d amendment barring a third Presidential term. Yet it took almost 4 years from passage to effective date. A start on abolishing the poll tax is already long past due.

In short, in view of the tortuous experience which we have had with the constitutional amendment route, it seems clear to me that we should take the most direct statutory route, particularly in view of the fact that notwithstanding the administration's support for the constitutional amendment, the administration's representative, the Attorney General, who represents the administration on legal matters, nonetheless supports the proposition which I have stated, that it is perfectly constitutional to proceed by the statutory route.

Madam President, under these circumstances it seems to me we should not ourselves invite, without any assurance of success considering past history, the long and tortuous passage on which we shall be embarking if we adopt the constitutional amendment route. We should do something definitive. We have the opportunity to do something definitive. Let us do something definitive. Let us pass the statute. Ultimately we shall have to act by statute anyway. Let us act by statute now, especially in view of the very strong case which can be made for acting in that fashion.

It was said a long time ago by Salmon P. Chase, "The way to resumption is to

resume." I say the same in respect to this problem. The way to outlaw this anachronistic poll tax is to outlaw it now, by statute in the Congress, especially since we have every encouragement from the fact that the other body, having passed such a provision five times, is far more likely to adopt a statutory provision than to adopt a constitutional amendment, which the Senate has passed once and which never got anywhere in the other body.

For those reasons, Madam President, I hope the Senate will support my substitute and the statutory approach toward solving this problem.

Mr. COOPER. Madam President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. COOPER. As I understand the Senator's argument, he takes the position that either the statutory or the constitutional amendment is adequate to prohibit the imposition of a poll tax by the States.

Mr. JAVITS. I must say to my colleague that I would not wish to say precisely that—and I am sure my colleague knows my love and respect for him—because he used the word "adequate." If the Senator will allow me to say it my way, I would say that certainly the statutory or constitutional amendment approach, assuming enactment and implementation, would bring about an end to the poll tax.

I have argued, and I am deeply convinced, that the statutory approach is by all odds the better way to proceed.

Mr. COOPER. Madam President, will the Senator from New York yield further? I do not wish to intrude upon the time of the Senator from Illinois, but this may be the only opportunity I shall have to make a comment, because I understand that a motion is to be made to table the amendment offered by the Senator from New York. I am led to intervene also, because of my great respect for the Senator from New York.

As the Senator knows quite well, I do not believe there have been many legislative issues upon which we have disagreed, particularly with respect to those issues which affect the field of civil rights. Whatever may be said about this issue, and how much it may be quieted down, this is an issue which is involved in the field of civil rights.

I intend to vote against the motion to table, when it is made, because I believe those who support the amendment of the Senator from New York, should have as reasonable an opportunity to support this amendment by argument and debate as those who have opposed the Holland amendment. I do not believe they would use up as much time.

But, because my position would not be known if the amendment is tabled, I state that if a vote comes upon the merits I will vote against the amendment offered by the Senator from New York. I do not believe that constitutionally the imposition of the poll tax by the States can be inhibited by the enactment of a legislative statute by the Congress.

We are in a dilemma. I believe the poll tax has been used in some States to discriminate against voters. I am very thankful we do not have such a tax in our State. But, I am sure, as the Senator from New York pointed out by reference to specific cases, the poll tax has been used in some States to discriminate against voters.

Nevertheless, the Congress of the United States can move against this discrimination only in a constitutional way. I believe that the only way the poll tax restrictions can be removed is under the terms of the Constitution, and that is by constitutional method.

The Senator from New York and I would agree upon this point, I am sure. We have been debating civil rights issues in the Senate for years, as well as proposed legislation. There is much that can be done if the effort would be made. During the last 2 years, we have played around the edges of the subject. A few legislative measures have been proposed of doubtful constitutionality.

I say that the record of the present administration has been one of avoiding legislative action. Little progress made in the field of civil rights, except in the continuation and extension of measures undertaken and initiated under the administration of President Eisenhower. No legislation has been passed. Emphasis seems to be laid upon the appointment of able and outstanding members of the Negro race to office. This is all for the good and I have favored these appointments, but appointment of a few to office is not a substitute for legislative action to more nearly assure equal rights to all Negroes and all people in this country.

In addition to appointment to offices, the administration has made much of the issue whether a Negro can belong to some club. I have no fault with this administration on either approach, but I assert they do not meet the needs and the necessity of providing by legislation and Executive action equality of rights to all citizens.

I suggest there are some things the administration can do and the Congress can do, if there is really a desire to come to grips with the problem of civil rights. There are measures which can be taken without doubt of their constitutionality. Something can be done in the field of housing, by legislative action and probably by Executive action. If it does require legislative action, there is no question about its constitutionality.

In 1954 the Supreme Court ruled upon the Brown case. It has been 8 years since the ruling. If the administration wishes to make progress in this field it can have introduced in the Congress a legislative proposal to enable the Attorney General of the United States to intervene upon behalf of those who are discriminated against, under the Brown decision.

The Senator from New York and I have introduced proposed amendments to the Civil Rights Act of 1957 which would authorize the Attorney General to intervene, and give to him the same power with respect to integration of schools, as he has with respect to voting rights.

I have taken this opportunity to make the point that measures can be taken, both legislative and Executive, which will be effective in the field of civil rights, and which will not cut across the question of constitutionality. Those measures are not being taken by the administration or by the Congress.

The amendment offered by the Senator from Florida is a good amendment. I will vote for it. I am sorry in this instance I cannot join, as I often do, with my dear friend, a strong fighter for constitutional and civil rights, the Senator from New York.

Mr. JAVITS. Madam President, I am very grateful to my colleague. I wish to join with the Senator in what he has stated about the fact that we are playing around.

Madam President, I think we are not hitting the main point and that we are playing around. I do not say this for a moment in any sense of derogation of the efforts of our friend from Florida.

Mr. COOPER. I do not, either.

Mr. JAVITS. I think all of us understand his position and his sincerity on this question for many years. But in relation to the substance of what we are accomplishing, I say we are still playing around. The administration has asked for only two measures. They are by no means earth shattering civil rights measures. Both are with respect to voting, in which the path has been thoroughly blazed. At the same time the administration "sits on its hands" with reference to an order that would eliminate discrimination in housing. It does not ask the Congress to do anything about segregation in the school systems. It does not even give power to the Attorney General to start suits in relation to those questions. I could not agree with the Senator from Kentucky more, and while he and I differ as to the constitutionality of this particular approach which I am urging, nonetheless, be it said, so far as I am concerned, I am offering it to the Senate, working for it here in the Senate, and debating it today because I do not want us to play around. If we really want to get to ultimates, let us at least do something which will be tangible and effective, instead of merely giving people power to do something about something later when they start a suit or when they ratify a constitutional amendment. If we should today pass the statutory approach which I have proposed, the House passes it, and the President signs it—as he will, because the Attorney General has said that the measure is constitutional—then we would have done something. We would have outlawed the poll tax, and that would be the end of it in the five States. We would have stopped playing around.

I wish the Senator from Kentucky—and I know completely the purity of his judgment and the sincerity of his views—had come to the other conclusion and that he could have joined with me today in trying to do something which would have stopped the playing around even in the very limited area in which the administration is allowing us to operate today.

Let it never be forgotten that we cannot get a civil rights measure of any kind

passed unless the administration in authority asks for it. This was true with the Eisenhower administration; it is true with the Kennedy administration. I take a very dim view of the prospects, notwithstanding the great fights which will be put up by my colleague Senator KEATING on the subject of voting, by myself on the subject of education, and by others to whom were assigned various aspects of the new civil rights package which was introduced on March 13. Notwithstanding everything we do, it will take the administration to do more. We understand that. Hence my effort today at least to make what the administration is asking for, limited as it is, meaningful by making the measure a statute which could accomplish something, instead of a constitutional amendment which would go to the other body, where it has never succeeded before, then make the rounds of the States, and then come back for us to pass some kind of implementing statute. I say let us do it now.

Mr. HOLLAND. Madam President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. HOLLAND. I am sorry I have not heard all the able argument of the distinguished Senator. I wonder how he has dealt with the question of choice of electors to vote for President and Vice President. I notice that even the distinguished Attorney General, who testified on this question, testified that it presented very great trouble to him, and that it appeared to be one of the principal reasons why he preferred the amendment approach. As a basis for the Senator's comment, may I read or reread, for the Senator has read it already, the provisions in the Constitution on this point? The first provision to which I refer is in section 1 of article II, the second paragraph of which reads as follows:

> Each State shall appoint, in such manner as the legislature thereof may direct, a number of electors, equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress.

Besides that provision, the only other provision on the choice of electors of which the Senator from Florida knows is that contained in paragraph 3 of the same article, which he reads as follows:

> The Congress may determine the time of choosing the electors, and the day on which they shall give their votes; which day shall be the same throughout the United States.

The Senator from Florida has not been able to figure out any means whereby any mind, no matter how capable in the field of law, could justify interference with those provisions through a statute, and he wonders why the Senator from New York has come to the conclusion that his proposed statute would be legal as applied to this particular field of the selection of electors to choose the President and the Vice President of the United States.

Mr. JAVITS. What my statutory approach and what the statutory approach adopted time and again in the House seeks to reach is the voter himself. If, therefore, the voter is to vote for electors, then his right to vote shall not be inhibited or encumbered by a poll tax. In short, if he does vote, the poll tax shall not represent a prerequisite to voting. It seems to me that that scheme is entirely consistent with every phase of the Constitution. Whatever function the voter performs, he shall perform it free of any requirement for a poll tax. That is the point of my statutory approach, and I think it is the point of the Senator's proposed constitutional amendment. I do not see where we would run afoul of any difficulty in respect of other matters in the Constitution so long as we limit whatever we do with respect to the particular voter and his ability to vote when he is called upon to do so.

Mr. HOLLAND. Madam President, will the Senator yield further?

Mr. JAVITS. I yield.

Mr. HOLLAND. I refer the Senator again to the words—

> Each State shall appoint, in such manner as the legislature thereof may direct, a number of electors,

How does the Senator get away from the point that that provision, together with the later provision which I have already read, prescribes the whole of any Federal approach to the question of the naming of electors?

Mr. JAVITS. The fact is that when a voter votes for electors in a State, that being the method which the legislature has chosen for the designation as electors, a voter shall not be subject to the requirement of a poll tax. I do not see where there is any inconsistency in the scheme of control when we deal solely with what shall enable the voter to vote or what shall prevent him from voting. I do not see that that would in any way cross over or negate any of the provisions of the Constitution with respect to electors which the Senator has read.

Mr. HOLLAND. Madam President, will the Senator yield further?

Mr. JAVITS. I yield.

Mr. HOLLAND. I call to the Senator's attention a statement of Mr. Katzenbach, the very able Assistant Attorney General, appearing on page 368, part 2 of the hearings before the Subcommittee on Constitutional Amendments. I shall read only one sentence:

> However, whether Congress may enact laws to abolish the poll tax as a condition for election of presidential electors presents a more difficult question.

The learned Assistant Attorney General differentiated between the two cases, that is, the selection of presidential electors and the selection of Senators and Representatives.

The Senator from Florida thinks that the constitutional provisions with reference to the election of Senators and Representatives are perfectly strong and clear and that they make the question a constitutional one, as has already been stated by his good friend from Kentucky. But it seems to the Senator from Florida that the learned Assistant Attorney General who was testifying very properly called attention to the fact that on the question of the selection of electors for President and Vice President even a more difficult situation was presented. I wondered how the distinguished Senator from New York got around that point.

Mr. JAVITS. I just made my reply to that question. Will the Senator be good enough to key us again to the hearings to which he referred?

Mr. HOLLAND. I referred to the second volume of the hearings.

Mr. JAVITS. I should like to read it into the RECORD so we all know what we are talking about. It is the second volume of the hearings before the Subcommittee on Constitutional Amendments of the Committee on the Judiciary of the Senate held June 27, 28, and 29, 1961.

In that regard I should like to point out the opinion of the Attorney General of the United States, Mr. Katzenbach's superior, as recently as March 13, 1962, in which he said:

> I believe Congress has the power under the Constitution to enact legislation abolishing State poll tax laws applied to Federal elections.

I hold with the Attorney General. I have defined my reason for that conclusion in terms of the law as being an effort by my substitute for the Senator's constitutional amendment to reach the voter when, as, and if the voter is exercising his privilege of voting. At that point I say he shall not be in any way subject to the requirements of a tax, to wit, the poll tax.

Mr. HOLLAND. The question as to which is the superior as between the Attorney General and the learned Assistant Attorney General might be the subject of some argument in debate, but I will not debate that with the former attorney general of the State of New York, who may be prejudiced in favor of attorneys general. I merely wished to comment that the Assistant Attorney General had made a very scholarly statement on this subject, as is shown by his testimony, and that he very carefully delineated the difference between the election of Senators and Representatives, on which I personally believe the Constitution is completely clear, and stated that it was a still more difficult question to see how a State could be deprived of setting up machinery "in the manner" that the legislature might determine for the election of its own electors.

Surely the Senator recognizes the fact that here is a new question, a different question, and, the Senator from Florida thinks, a much more difficult question.

Mr. JAVITS. I do not quote the authority of the Attorney General as being supreme and conclusive and superior in legal judgment to that of Mr. Katzenbach. I was only giving the facts about the hierarchy of authority. I rather rely upon my own opinion that what I seek to do by statute is unaffected by this provision of the Constitution as it relates to the voter if, as, and when he is a voter in respect of elections for officials under the Federal Constitution. All that the Senator has read demonstrates that this elector is an official contemplated by the Federal Constitution. When, as, and if a voter is to vote for the elector, I do not wish that voter—and that is all I

have tried to do by this statutory approach—to be subject to any taxes.

Mr. HOLLAND. I thank my distinguished friend from New York. I am sorry that we are not of the same opinion. As I understand it, he is for his amendment, but he is also for my amendment if his amendment fails. In any event I am glad to have his support even on that kind of condition.

Mr. JAVITS. The Senator from Florida is very gracious. Let us leave it that I am for doing something, and that if we want to do something we should adopt my amendment.

Mr. DOUGLAS. Madam President, I rise to support the proposal, in the nature of a substitute to Senator HOLLAND's amendment, which has been offered by the Senator from New York, and which is sponsored by a group of bipartisan Senators on both sides of the aisle. Just as the opposition to effective civil rights legislation has been bipartisan in nature, I have always felt that the advocacy of civil rights should also be bipartisan in nature. We were very happy, therefore, when the Senator from New York, with his great ability, was willing to lead the fight for the method of statutory enactment rather than constitutional amendment for the abolition of poll tax.

I cannot, however, agree with the Senator from New York, who is my very dear friend, in the caustic criticism which he has made about the conduct of the Kennedy administration. When all the difficulties are considered, I believe the Kennedy administration has made great progress in the field of civil rights, as was recognized in the statement recently issued by the Southern Regional Conference. However, I am always happy to join with the Senator from New York in this struggle for civil rights. He is a host in himself. I am also always happy to have colleagues on the other side of the aisle who will join with us. I only hope that in the vote, which is coming shortly, he will be able to muster as many votes on his side of the aisle as we may be able to muster on our side, and that we may have, therefore, a rivalry in well doing. Let the rollcall show where the balance of merit may lie.

Mr. JAVITS. Madam President, will the Senator yield?

Mr. DOUGLAS. I yield to the Senator from New York.

Mr. JAVITS. It is always an occasion when we have a debate of this character to speak about bipartisan cooperation, which in all the 6 years that I have been in the Senate has been probably the most gratifying personal experience that I have had. It is a unique instrument which has been forged here in this civil rights struggle. I wish we had more troops. But we certainly have no need to doubt the loyalty or zeal of those we do have.

The Senator from Illinois came to this cause long before I did—not that I had not wanted to, but I was not in the legislature and in the seat of authority to do so. The Senator from Illinois is rightly considered—and if not, I shall make that nomination—the very dean and inspiration of the bipartisan civil rights struggle in this country. This struggle will ultimately succeed. We, at least, whatever may be our successes or failures of the interim, have the gratification of knowing that what we struggle for is not only morally right and essential for the future of our country, but also must succeed because our country's well being will tolerate no other resolution of these controversies and debates.

If the Senator from Illinois will have no other place in history—and he deserves one for his economic work and many other efforts in which he has engaged—his place in history is absolutely secure in this field by the acclamation of not only the people who are affected and by the American people, but, I would like to add, by the acclamation of those colleagues in the Senate with whom he has worked so closely in these things, including myself.

Mr. DOUGLAS. Madam President, I thank the Senator from New York for his gracious comments, of which I am undeserving. The Senator from New York is a most cooperative and able colleague. It has been a great pleasure to work with him. I am not interested in staking out any claim in this field for myself. I do, however, wish to stake out a claim for the zeal with which the northern and western members of the Democratic Party have fought for civil rights. I hope that the very able Senator from New York will be able to muster as large a proportion of his colleagues in this cause as I hope we will be able to muster on our side.

I. THE LEGISLATIVE QUESTION BEFORE THE SENATE

Madam President, it is not my purpose, as a layman, to enter into any long discussion of the constitutionality of Federal statutes outlawing poll taxes or discriminatory literacy tests. Suffice it to say that the able argument of the senior Senator from New York [Mr. JAVITS] and the statement by the Attorney General have personally convinced me that such a law could be constitutional. At the very least it can be said that there are very strong grounds upon which the Supreme Court could declare such statutes constitutional, and that the members of the Court could do this without inflicting the slightest scar upon their judicial consciences.

I am ready to leave the question of the constitutionality of such a statute to the Justices of the Supreme Court and, I believe, we of the legislative branch should instead center our efforts upon the legislative questions as to whether, first, it is good public policy for us to try to abolish the poll tax, and if so; second, what is the most effective method of accomplishing it?

I know it is always a temptation for legislators to discourse at length on the constitutionality of bills which are under consideration, but I suggest that these constitutional discussions are primarily influenced by the political and economic interests and emotional feelings of the participants. This, at least, has been the prevailing practice in the long history of social legislation.

We will recall now when the Wagner Act was proposed, many solons in this body declared pontifically that it was clearly an unconstitutional use of the commerce clause. The Supreme Court held otherwise.

When unemployment compensation and old-age security were up for action, it was argued that this was an obvious misuse of the taxing and spending powers of Congress. The Supreme Court held otherwise. When the Fair Labor Standards Act was introduced it was vehemently contended that this was a manifest misuse of the commerce clause as well as a violation of the fifth amendment which prohibits the Federal Government from taking property without due process of law. The Supreme Court held otherwise.

This experience should teach us all to be chary about pronouncing on the constitutionality of outlawing the poll tax by statutory enactment. We may more appropriately center our attention upon the proper ends to be sought and the best means to be employed.

This morning, at an early hour, I was reading some Gilbert and Sullivan. I came to a verse in "Iolanthe" in which W. S. Gilbert wrote about the House of Lords. In the early part of the 19th century, the House of Lords was the supreme legislative body in England. It regarded itself as the greatest deliberative body in the world, a description which is now frequently applied by Senators to the Senate of the United States. Mr. W. S. Gilbert expressed his opinion of this claim in some verses which I think are still amusing and still appropriate:

And while the House of Peers withholds its legislative hand,
And noble statesmen do not itch
To interfere with matters which they do not understand,
As bright will shine Great Britain's rays
As in King George's glorious days.

II. POLL TAX UNSUPPORTED BY POLITICAL THEORY OF DEMOCRACY

Despite the recent speeches by certain Senators, not many will now openly defend the imposition of a poll tax as a requirement for voting. It was put into general effect in the South not immediately after the Civil War, not immediately after 1877, when the Federal troops were withdrawn, but between 1895 and 1910 for very specific reasons which I shall later discuss. The philosophic argument for it rests upon much the same ground as property requirements for voting; namely, that people without property or who are not able to afford the payment of a poll tax, either have no vital interests which the Government should protect or are so unqualified to vote that they cannot properly use the franchise. Traces of these arguments were contained in the first speech on this subject by the erudite junior Senator from Arkansas [Mr. FULBRIGHT].

But if the history of the United States and of modern democracies teaches anything it is that while the proper protection of property is a function of government, it is not the only one. Governments should also protect the lives and liberties of its citizens, and in the Declaration of Independence, the founders of our Republic boldly declared that one of three basic rights of the individual which governments were instituted to secure was no less than "the pursuit of

happiness." This was next reaffirmed by the Articles of Confederation which declared that one of the purposes of the new confederation was to aid in the general welfare.

The Constitution itself in 1787 not only declared that one of the six main purposes for the new Republic was to "promote the general welfare," but also in article I, section 8, prescribed that Congress might use its taxing and spending powers not merely for "the common defense" but also for the "general welfare."

Lincoln well summed up this principle at Gettysburg when he said that ours was a Government for the people as well as of the people. But it was and is something more. It is also a Government by the people. Not only did Lincoln so state, but the very preamble of the Declaration of Independence lays down as a fundamental axiom that governments "derive their just powers from the consent of the governed."

The people therefore were ultimately to control, and while this was originally strained through independent intermediate bodies in the choice of the President and the Senate, these barriers have now been eliminated. Property qualifications originally imposed by the States have also been repealed and the continuation of the poll tax is an anachronism which cannot be defended in a modern democracy. People have the right to protect their dignity and welfare as well as their property. Participation in public affairs makes them more informed and better rounded citizens.

III. POLITICAL REALITIES BEHIND ADOPTION OF THE POLL TAX

So much for political theory. But the political realities which caused the poll tax to be accepted in the South were of a direct and practical nature.

Here I shall rely upon the testimony of the most eminent historian of recent southern politics in the person of C. Vann Woodward, who has told the story in great detail in his books "Origins of the New South," and "The Strange Case of Jim Crow." First, however, let me qualify Mr. Woodward as a sympathetic authority on the South and defend him against the inevitable charge that he is either a northerner or a Yankee sympathizer.

I have looked up Mr. Woodward's record and checked it. It shows that Professor Woodward was born in Arkansas and took his degree at Emory University in Georgia. He did his graduate work at the University of North Carolina. He taught at Georgia Tech, then at the University of Florida, and following that at the University of Virginia. He has taught in Tennessee and Texas, and indeed, throughout the South, and he is now professor of American history at Johns Hopkins University in Baltimore, which is at least half a southern city. I want to be strictly accurate in what I say, and I must admit that he did lecture for a year at Oxford. But I do not consider this to be a disqualification but in fact the opposite.

In fact, some of my best friends have been Oxford men. I submit, therefore, that Mr. Woodward is southern born, raised, and educated, and almost his entire life has been spent in the South. If his credentials should be further questioned, let it be recorded that one of his grandfathers fought in the Confederate Army for 4 years, and it is my impression that he was wounded defending the Stars and Bars. Certainly, as a good southern soldier, he showed his patriotism by trying to kill as many northerners as he could.

In view of all this, I think it must be admitted that Mr. Woodward comes to us with an impeccable record from the southern point of view.

And now, what does this patriotic and learned son of the South tell us about the importance of the poll tax? He points out that the rise of the Farmers Alliance in the South in 1892 and particularly in 1894 frightened the dominant economic and political groups of that region.

These States had been run from 1877 on—that was the year when Hayes withdrew the Federal troops—by the planter aristocracy, the big merchants, the bankers, the manufacturers, and the railroads. We sometimes think of the Farmers' Alliance, or, as it became known in the West, the Populist movement, as purely a western movement; but it was probably stronger in the South than it was in the West. The Farmers' Alliance sought, on the State level, more popular education, a reform of the tax structure, control over railroad rates, and many other features. Nationally, the Populist Party which became its predominant political arm advocated a Federal income tax, the direct primary and direct election of Senators, the nationalization of the railways, a Federal credit system, and other features thought at the time to be radical.

The alliance also had a parallel Negro organization which at one time claimed almost a million members. This parallel Negro organization was kept separate for social purposes but cooperated closely in political and economic efforts. It worked with much the same objectives, and there was a general attempt on its part to unite the poor whites and Negroes upon a common program of economic and political reform.

The Populist movement functioned as a separate party in a number of Southern States; such as, Georgia, North Carolina, Alabama, Louisiana, and Texas, and, under the leadership of Ben Tillman, inside the Democratic Party in South Carolina. In 1894, the Populists sometimes in fusion with the Republicans, polled an extraordinarily high percentage of the vote in most of the Southern States.

Percentages of votes for Populist and Fusion State tickets in 1894

State:	*Percent*
Virginia	27
North Carolina	54
Georgia	44
Florida	21
Alabama	48
Mississippi	27
Louisiana (1896)	44
Texas	36

It will be seen that the Populist movement and the Republicans carried North Carolina.

At that time the Georgia movement was led by Tom Watson, who worked very closely with the Negroes.

Alabama gave 48 percent of its votes for the Populist and Fusion State tickets. They nearly captured Alabama.

This extraordinary showing frightened the dominant political and economic groups in the South, and they moved swiftly to defeat it.

One of the two major devices which they used was to impose literacy tests together with property and poll taxes. Mississippi had instituted this system earlier, in 1890, probably as a reaction to the Lodge bill. Other States began to follow suit, such as South Carolina in 1895, Louisiana in 1898, North Carolina in 1900, Alabama in 1901, Virginia in 1902, in the celebrated Virginia constitutional convention, Georgia in 1908, and Oklahoma in 1910.

Other States which adopted the poll tax were Florida, Tennessee, Arkansas, and Texas. In a relatively short time the whole South was covered with poll tax provisions, as well as with a web of other provisions.

Professor Woodward's comments on this device are penetrating:

> With its cumulative features and procedures artfully devised to discourage payment, the poll tax was esteemed, at first by some of its proponents as the most reliable means of curtailing the franchise not only among the Negroes but among objectionable whites as well (Woodward, "The Strange Case of Jim Crow," p. 67).

The second major device was to split the poor whites apart from the Negroes so that a political alliance between them would be impossible. This led to the passage of segregation laws and ordinances—with which we are dealing today—which, as Woodward shows, are of a far more recent date than is commonly believed. Racism was therefore substituted for Populism, as an emotional driving force for the poor whites. It was a tragedy that many of the popular leaders in the South accepted this substitute and pursued it vigorously. Ben Tillman, of South Carolina, may have been the most conspicuous; but Heflin, of Alabama; Vardaman, of Mississippi; and Jeff Davis, of Arkansas, were not far behind. Tom Watson, of Georgia—who early had been a most eloquent advocate of economic and other cooperation between the races—held out against racism longer than most; but he finally succumbed, and finally rode to political power upon the doctrine of white supremacy in its most virulent form, embracing both anti-Negroism and anti-Semitism.

The basic purpose of the poll tax was, therefore, not to raise revenue, as has been alleged, and as the junior Senator from Arkansas [Mr. FULBRIGHT] has suggested. It was designed, instead, to limit the franchise. It was intended to reduce the number of low-income citizens who could vote. It disenfranchised poor whites as well as poor Negroes. But since the Negroes were on the average much poorer than the whites, it disenfranchised more Negroes than whites.

It was one of the devices used by the economic and political aristocracy of

the South to keep the rest of the South in subjugation.

A web of other restrictions, such as property, literacy, ability to pass so-called citizenship tests, the "white primary" and so forth, was also woven and still further restricted Negro suffrage; but it was made somewhat easier for the whites to penetrate these measures.

The poll tax and its allied restrictions had the planned-for effect. Woodward states:

> In the seventies, eighties, and nineties, the Negroes voted in large numbers. White leaders of opposing parties encouraged them to vote and earnestly solicited their votes. Qualified and acknowledged leaders of southern white opinion were on record as saying that it was proper, inevitable and desirable that they should vote. Yet after the disenfranchisement measures were passed around 1900, the Negroes ceased to vote. And at that time, qualified and acknowledged leaders of white opinion said, "It was unthinkable that they should ever be permitted to vote" (Woodward, "The Strange Case of Jim Crow," p. 91).

Thus in Louisiana there were 130,300 Negroes registered in 1897, but only 5,300 in 1900, and 1,340 in 1904, or a decrease of approximately 129,000. The number of whites who were registered was also reduced by 72,000—from 164,000 to 92,000—Woodward, "Origins of the New South," pages 342–343.

Following these measures of disenfranchisement, the percentage of voters who went to the polls decreased sharply. In Virginia, between 1892 and 1902, the vote for Congressmen fell off by 56 percent; in Alabama, the decrease was 60 percent; in Mississippi, 69 percent; in Louisiana, 80 percent; and in North Carolina, 34 percent. Florida showed a decrease of 69 percent; Arkansas, of 75 percent; Tennessee, of 50 percent; and Georgia, of 80 percent—Woodward, in the work cited, page 345.

The net effect of all these restrictive provisions, of which the poll tax was only one, was therefore to disenfranchise a large percentage of the voters, both black and white, but of course primarily black, for—as I have said—there were always escape hatches, under the literacy and property tests, through which the whites could be allowed to pass.

But these restrictions, combined with the white primary and the one-party system, operated to reduce the percentage of those voting in the Southern States to the lowest levels in the country. Senators and Representatives from the South came to be elected by relatively small constituencies.

IV. POLL TAX STILL A VEHICLE OF DISENFRANCHISEMENT

In the 1930's and 1940's strong movements developed throughout the country to abolish the poll tax. National action was proposed and defeated, but some State action followed. A good deal of the State action was in response to this and was an attempt to head off further northern efforts to outlaw the poll tax, by national legislation. North Carolina had already led the way in 1920. Huey Long was instrumental in getting the poll tax repealed in Louisiana in 1934; and I have often felt that the memory of Huey Long has perhaps been somewhat unjustly attacked, for a large part of his program was an attempt to restore power to people who had been stripped of that power by the restrictive legislation of some 35 years before.

Florida followed, in 1937, in repealing the poll tax, as the Senator from Florida has said. Georgia, under Ellis Arnall, abolished the tax in 1945; and then the movement halted for a few years. But in the early 1950's, after further national efforts had failed, South Carolina and Tennessee joined their sister States. But Virginia, Alabama, Mississippi, Arkansas, and Texas stood fast. In three of these States—Virginia, Arkansas, and Texas—proposals to abolish the poll tax have been defeated; and those who now enjoy the presently limited franchise seem to be reluctant to broaden it so to admit others. I think it is recognized that the chances for repeal in the other two States—Alabama and Mississippi—are slight.

But, Madam President, this is not a small matter, because in 1960 these 5 States had a total population of 21 million, or approximately 12 percent of the population of the United States.

Madam President, I ask unanimous consent to have printed at this point in the RECORD a table which I have prepared, which shows the present poll tax provisions of these States.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE 6

State	Amount of poll tax per year	Is tax cumulative and if so for how long (yes or no)	Maximum State charge	How long before election must poll tax be paid	Is receipt required to prove eligibility at election
				Months	
Arkansas	$1	No	$1.00	7	Yes.
Alabama	$1.50	Yes (2 years preceding election year).	3.00	9	No.
Mississippi	$2 plus $1	Yes (2 years preceding election year).	4.00	9	Yes.
Texas	$1.50	No	1.50	9	Yes.
Virginia	$1.50	Yes (3 years preceding election year).	4.50	6	No.[1]

[1] In Virginia, receipt is only required to prove that voter moving from another county has paid poll tax there during the 3 preceding years.

Source: Mollie Z. Margolin, "Qualification of Voting," summary of State laws, etc., Library of Congress, Legislative Reference Service, June 1961, 229 pages. Ogden, "Poll Tax in the South."

Mr. DOUGLAS. Madam President, defenders of the poll tax commonly lay great stress upon the relative smallness of the tax, as an argument that its payment is not a deterrent to voting. It is pointed out that the poll tax in Arkansas is $1; that in Alabama, Texas, and Virginia, it is $1.50; and that in Mississippi it is $2, plus another dollar. There is no one so poor, it is contended, that he cannot afford to pay from $1 to $2 for the privilege of voting. And if one does not pay it, the failure to do so is said to be proof that the citizen is indifferent to this privilege, and hence does not deserve to be accorded it.

It is no doubt true that the rise in the real incomes of southern people during the last 25 years has made the mere size of the poll tax less onerous than it was; we of the North are very happy that there has been that increase. The Democratic Members of Congress from the North and from the West have consistently voted for measures which would develop the economy of the South. We should realize, however, that between 20 and 25 percent of the population of the country is still on a poverty level of existence, and can be accurately described as "ill fed, ill housed, and ill clothed." The percentage in this class is, of course, appreciably greater in the South than for the Nation as a whole.

When some 25 years ago, President Franklin D. Roosevelt in his inaugural address referred to "one-third of the Nation" as "ill clothed, ill housed, and ill fed," apparently that was a somewhat inaccurate statement, because the actual figures show that at that time approximately three-eighths of the people of the Nation were in that condition. Of course since that time improvements have been made; but the percentage in the South is still appreciably greater than that in the North.

In this connection let me point out that the title of Mr. Galbraith's book, "The Affluent Society," is in many respects perhaps an unfortunate one, for our society is not wholly an affluent one, and there are deep and wide pockets of great poverty and misery. Even the payment of a dollar or two is a heavy burden for an adult to bear in such a family, particularly when the benefits are at best intangible, and doubtless seem to many to be illusory.

The poll tax deterrent is moreover compounded in the three States where the requirement is cumulative. In Alabama and Mississippi the tax must be paid for the 2 years prior to the year of election, and hence comes to a total of $3 and $4, respectively.

I may say that until recently Alabama had a cumulative provision of 24 years, which meant that before one went on the rolls, he had to pay $36 before he could qualify. To the credit of Alabama, the 24-year cumulative provision has been abolished, but, even so, one must pay the tax for 2 years prior to the election.

In Virginia, the cumulative requirement is 3 years and the total is $4.50. Since a very large proportion of the citizens have not paid their poll tax, and are at present disqualified, they must therefore make a very sizable initial payment to acquire eligibility. The cumulative requirement is therefore a further substantial deterrent.

Added to this is the fact that in three of the States—Alabama, Mississippi, and Texas—the poll tax must be paid 9 months, and in Virginia 6 months, before the election. It is difficult for the average citizen to remember that the payment is required that far in advance, and since there is very little publicity on this point, a citizen must be very alert indeed to be able to qualify. The right to vote should not be made as difficult as that. It, of course, operates most severely against the poor, the less educated, and those most severely buffeted by the immediate problems of life. But the more absentminded also miss out.

A final hurdle is set up in the three States which require the prospective voter to bring his poll tax receipt with him before he can vote. This is not only true in Texas and Arkansas, where no other registration is required, but also in Mississippi, where it is. It is very easy, therefore, for people who have paid the poll tax to forget that they must keep on their person the physical proof of this payment when they go to vote. This is particularly true because of the fact that this requirement tends to be obscured and not emphasized, so that it is very natural for the prospective voter to lose or mislay his receipt.

All these plus other restrictions, together with the absence of an effective two-party system, cause the 11 Southern States to be at the bottom of the list in the proportion of those of voting age who vote in general elections.

I ask unanimous consent that a table covering the percentage of civilian population of voting age who voted in the presidential election of 1960 be printed at this point in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

1960 election score board—How the States ranked in percentage of civilians of voting age who voted in the 1960 presidential election

Rank	State	Civilian population of voting age	Total vote	Percentage
1	Idaho	372,000	300,451	80.766
2	New Hampshire	367,000	295,761	80.588
3	Utah	469,000	374,981	79.953
4	North Dakota	350,000	278,431	79.551
5	South Dakota	398,000	306,087	78.831
6	West Virginia	1,085,000	837,781	77.214
7	Minnesota	2,003,000	1,541,887	76.978
8	Connecticut	1,590,000	1,222,983	76.910
9	Indiana	2,784,000	2,135,360	76.701
10	Massachusetts	3,230,000	2,469,480	76.454
11	Iowa	1,690,000	1,273,520	76.321
12	Illinois	6,244,000	4,757,394	76.191
13	Rhode Island	533,000	405,534	76.085
14	Wyoming	186,000	140,892	75.748
15	Delaware	264,000	196,683	74.501
16	Maine	574,000	421,767	73.478
17	Michigan	4,519,000	3,318,097	73.425
18	Alaska	83,000	60,762	73.207
19	Colorado	1,007,000	736,346	73.112
20	Missouri	2,651,000	1,934,422	72.960
21	Washington	1,703,000	1,241,572	72.905
22	Wisconsin	2,373,000	1,729,082	72.864
23	Vermont	230,000	167,324	72.740
24	New Jersey	3,827,000	2,773,111	72.461
25	Montana	387,000	277,579	71.725
26	Nebraska	857,000	613,095	71.539
27	Ohio	5,833,000	4,161,859	71.349
28	Oregon	1,089,000	775,402	71.208
29	Kansas	1,315,000	928,825	70.633
30	California	9,219,000	6,507,082	70.583
31	Pennsylvania	7,102,000	5,006,541	70.494
32	New York	10,788,000	7,291,079	67.584
33	Oklahoma	1,399,000	903,150	64.556
34	New Mexico	491,000	311,118	63.364
35	Nevada	174,000	107,267	61.647
36	Kentucky	1,876,000	1,124,462	59.939
37	Arizona	680,000	398,491	58.601
38	Maryland	1,819,000	1,055,349	58.017
39	Hawaii	321,000	184,745	57.552
40	North Carolina	2,521,000	1,368,966	54.302
41	Tennessee	2,079,000	1,051,792	50.591
42	Florida	3,099,000	1,544,180	49.828
43	Louisiana	1,770,000	807,891	45.604
44	Texas	5,329,000	2,311,670	43.379
45	Arkansas	1,029,000	428,509	41.643
46	Virginia	2,244,000	771,449	34.378
47	South Carolina	1,227,000	386,687	31.514
48	Georgia	2,342,000	733,349	31.312
49	Alabama	1,825,000	564,242	30.917
50	Mississippi	1,163,000	298,171	25.638

Sources: The American Heritage Foundation; State Election Officials; United States Census Bureau. Hearings before Subcommittee on Constitutional Amendment of Committee on the Judiciary, June 27, 28, and 29, 1961, pt. 2, p. 475.

Mr. DOUGLAS. As the Senator from Florida mentioned earlier, these figures show that the average for the country is a little over 70 percent. Idaho had the best record, with almost 81 percent voting. New Hampshire was next with over 80 percent. I am very happy that my own State was in the upper quarter. Illinois had 76 percent who voted and occupied 12th place despite the large proportion of our foreign-born population who are not yet citizens. But the 11 States at the bottom are all Southern States.

Thus, as the Senator from Florida mentioned, Alabama and Mississippi are at the very bottom, a little less than 26 percent for Mississippi, and 31 percent for Alabama.

While the percentages of participating voters is still low in all of the six non-poll-tax Southern States, they are higher than in the poll-tax States. But they are still very much below those of the Northern, Middle Western, and Western States.

It is certain that the mere removal of the tax will not work wonders overnight, or perhaps even in the immediate future. It will merely remove one of the strands in the web of the poll-tax States which now hold down the voting. But the evidence seems to indicate that it would appreciably increase the number of men and women who would go to the polls.

This can be shown by what happened to the rate of participation in a number of States after the repeal of the poll tax.

In Louisiana, the average rate of participation in the gubernatorial primaries increased from 40.2 percent to 61.1 percent after repeal. In the senatorial primaries, the increase in the average rate was from 31.2 to 46.5 percent.

In Florida the increase in the gubernatorial primaries was from 27 to 34.8 percent, and in the senatorial primaries from 20.1 to 32 percent.

In Georgia the repeal in 1945 of its cumulative poll tax resulted in a doubling of the number of voters, but this must be attributed in part to the collapse of the white primary and the introduction of the 18-year voting age. The average rate of turnout in Georgia gubernatorial primaries went from 16.9 to 30.3 percent.

In Tennessee, there was an average 12-percent increase after repeal.

Alabama's reduction of its cumulative poll-tax requirement, which, as I have said previously, amounted to 24 years, resulted in a spectacular increase of one-third in the number of registered voters and a long-term 10-percent increase in voting in senatorial and gubernatorial primaries.

Frederick D. Ogden, a southern political scientist, concludes that the repeal of the poll tax in general aided the movement for greater voting participation which was already underway. The increase which the abolishment of the poll tax would effect would be, according to him, somewhere between 5 and 10 percent. In my judgment, it might be higher. Certainly it would create several hundreds of thousands of additional voters. It might indeed cause many hundreds of thousands of additional voters to be added to the list.

V. POLL TAX SHOULD BE ABOLISHED BY STATUTE RATHER THAN BY CONSTITUTIONAL AMENDMENT

The question is, then, What is the most effective way of removing this impediment?

I submit that the method of statutory enactment, once it were passed, would be far more effective than that of the proposed constitutional amendment submitted by the Senator from Florida [Mr. HOLLAND]. In the first place, it would go into effect immediately across the Nation. The method of constitutional amendment is, on the other hand, at best slow and clumsy, while there is always the strong possibility or probability that it would never be ratified at all.

Let us consider the delay which a constitutional amendment would bring about. Thus, the 16th amendment took 3½ years to be ratified by the States after it was submitted to them by Congress.

The 17th, 18th, 19th, and 20th amendments each required only approximately a year, while final ratification of the 21st amendment took less than a year, but ratification of the 22d amendment required 4 years.

Moreover, since the Holland amendment merely gives Congress the enabling power to pass a statute later, a further delay would necessarily occur after ratification. Indeed, unless the rules and procedures of the Senate are changed, a further filibuster might prevent such legislation from ever being passed.

It is, however, highly questionable whether the amendment would ever be ratified by the States, for, as we all know, three-quarters of the States must approve an amendment before it can become a part of the Constitution. Therefore, if only 13 of the 50 States were to refuse or neglect to ratify such an amendment, it would not go into effect, no matter how small might be the population of those States or how restricted the numbers who actually took part in the electoral process.

Mr. HOLLAND. Madam President, will the Senator yield?

Mr. DOUGLAS. I am glad to yield.

Mr. HOLLAND. I note that the Senator has not referred to the District of

Columbia voting amendment, which, as I recall, was ratified in about 9 months.

Mr. DOUGLAS. Yes.

Mr. HOLLAND. That involved somewhat the same issue as would be involved in this proposed amendment. I do not know why the Senator omitted reference to that particular amendment.

Mr. DOUGLAS. That was an omission. I am very glad to correct it.

It is, of course, a certainty that the five States which now impose a poll tax, and whose presently eligible voters have refused to repeal it, would not vote to give to the Government in Washington the power to do that which they will not do for themselves. What, then, about the other six States of the Old South which do not have the poll-tax requirement? We can be quite certain that powerful and moving appeals will be directed at them in the name of their common past and their present sectional groupings. They will be asked if they are willing to allow the northerners and westerners in Washington, D.C., to dictate to their sister States what they should do. "You may not believe in the poll tax," they will be told, "but please do not put us under the alien hand of the Yankees in Washington. Let us determine for ourselves what standards are to be followed inside our own States."

This will be reinforced by invocations to the mystical pathos of the lost cause. The voters of the six sister States will be reminded that their grandfathers fought together at Gettysburg and Lookout Mountain and shed their blood together for the Stars and Bars.

The memory of Robert E. Lee, Jefferson Davis, Stonewall Jackson, and their lieutenants will be invoked once more. Once again traveler will make the sad journey back from Appomattox, and the tired and footsore soldier in the faded gray uniform will again return to find his home burned, his cattle killed, and his silver stolen.

It will be almost impossible to resist such powerful emotional appeals as these, and it is doubtful whether a single one of the six remaining States of the Old South will have the temerity to ratify the Holland amendment. Almost certainly not more than one or two would do so. This would mean that the refusal to act of only two or a few more States would be sufficient to kill the amendment. In view of the sentiments of some of the border States and the close alliance of some of the smaller States with the South, this would be likely to happen. Therefore I strongly doubt whether the amendment would ever get the necessary ratifications. States which cast only about one-sixth of the vote in the presidential election of 1960 would be able to defeat the will of States with five-sixths of the voters.

Madam President, I now come to a delicate matter, but I think I am in conformity with the established usages of the Senate:

Since private conversations on this matter have been repeated on the floor of the Senate by those most anxious to observe the procedures of the Senate, I assume that it will not be amiss if I relate a conversation which I had on this subject with the senior Senator from Florida shortly after I came to the Senate many years ago. When the Senator from Florida solicited my support for his amendment, I expressed my belief that it would be defeated because the Southern States would not ratify. I said I might look favorably upon the proposal if a hundred southern political leaders would sign a roundrobin letter stating that they would not only urge their respective State legislatures to ratify the amendment but also personally would pledge that they would work actively to that end. That challenge ended our conversation.

Mr. HOLLAND. Madam President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. HOLLAND. Does not the Senator recall that the Senator from Florida told the Senator from Illinois that the Senator from Florida would appear before his own State legislature and ask for ratification by his State of the amendment?

Mr. DOUGLAS. I do not quite remember that, but if the Senator from Florida so states, I am sure it is so.

Mr. HOLLAND. It is in the RECORD in several places, during the course of the debates.

Mr. DOUGLAS. The Senator from Florida is a very truthful man. Of course we accept his statement. No one else has however come forward that I know of.

It is certainly clear, from the way in which the current filibuster has been joined in by the overwhelming proportion of the southern Senators, that such a pledge will never be given, instead the congressional leaders from this section who are so generally esteemed at home can be confidently predicted to use their great influence against ratification just as they have used it to prevent even consideration of the amendment.

To adopt the method of trying to abolish the poll tax by the route of a constitutional amendment is, therefore, in all probability, to lead us down a blind alley, to consume a great deal of precious time, and to lead only to ultimate frustration and defeat.

If, however, we pass the statutory amendment advocated by the Senator from New York [Mr. JAVITS] and others of us, it would in the normal course of events go into effect immediately. If it were defied by some States, then court tests could be arranged fairly quickly and appeals decided. If the Supreme Court upheld the constitutionality of the act, this would finish the matter, because I cannot believe that Southern States would defy the solemn judgment of the Court upon such a matter.

There is another point which has been touched upon in the debate. That is, if we adopt the route of a constitutional amendment in the matter of the poll tax, it will be very difficult for us to use the method of statutory amendment as the administration intends in the case of helping to define the conditions under which the literacy test can be applied. The abandonment of the statutory amendment in the present case will be treated as indicating a disbelief in the constitutionality of the literacy test provisions on the part of those who are its advocates. While lawyers may argue that literacy tests can be distinguished from poll taxes by reason of their being more subject to the 15th amendment, the precedent will operate in the minds of many against a literacy test statute.

Some of the proponents of the Holland amendment may justify it in the cloakrooms on the alleged ground that it will be easier to pass it through Congress than it would be to enact a statute. It is hoped it will not be filibustered as hard as a statutory enactment might be. It is hoped that our southern friends will not really resist the amendment method, which the Senator from Florida has proposed.

While it is still not clear as to what are the final intentions of our friends from the South, the filibuster which has been carried on by them for nearly 2 weeks would seem to indicate that this hope is illusory and that the amendment method would be fought as bitterly as would be that of statutory enactment.

It should also be remembered that there is a considerable body of opinion in Congress which, for reasons I have mentioned, is conscientiously opposed to the use of the constitutional amendment. This sentiment was strong enough 2 years ago to prevent the Holland amendment from even being considered in the House.

As the Senator from New York pointed out, the statutory method has been approved on numerous occasions in the House. This opposition might likely be much stronger in the Senate than it was 2 years ago. It should be remembered that a two-thirds vote of both Houses is necessary for Congress to submit a constitutional amendment for ratification to the States. Therefore, even if the opposition to the amendment in Congress were not able to muster a majority of the Members of either House, its Members might very well be able to obtain more than a third of the votes and hence to defeat the amendment.

In contrast to all this, the method of legal enactment would only require a majority for it to be passed. In addition, the Javits substitute has been precisely tailored to meet the structural defects of the Holland amendment.

I ask the sincere opponents of the poll tax to consider these tactical considerations very carefully before they conclude that the Holland tunnel is the best route to the desired destination.

VI. DEFECTS IN THE ORIGINAL HOLLAND AMENDMENT

This brings us to the crucial defects within the original Holland amendment itself which were not detected when this proposal was before us 2 years ago.

I ask Senators to read the original section 2:

> Nothing in this article shall be construed to invalidate any provision of law denying the right to vote to paupers or persons supported at public expense or by charitable institutions.

When this section was first included in the Holland amendment a few years ago, I thought it referred to the largely inoperative pauper laws of nine States, primarily in New England, and which are no real barrier to voting.

Mr. HOLLAND. Madam President, will the Senator yield?

Mr. DOUGLAS. I am glad to yield. I thought at that time that there were nine. Apparently there are 12.

Mr. HOLLAND. There are 12 States, 3 in the South and 9 in other parts of the country.

Mr. DOUGLAS. I find that the Senator is correct.

Mr. HOLLAND. The uniform statement of all lawyers who have gone into that question is that each of the laws was passed in an effort to protect the purity of the ballot, because of the fact that people had voted against their will when they were inhabitants of a poorhouse or of a similar institution.

Mr. DOUGLAS. Yes.

We have been trying to trace the history of section 2.

I think it is accurate to say that this provision was not included in earlier versions of the Holland amendment, and was first included in the measure proposed in the 83d Congress. It was included then without an explanation of the reason for its inclusion.

Mr. HOLLAND. Madam President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. HOLLAND. The Senator certainly has not had an opportunity to read the record of the hearings. The Senator from Florida has very carefully explained, at the various hearings before subcommittees of the Senate Committee on the Judiciary, the origin and the reason for the inclusion of that section.

Mr. DOUGLAS. I was referring to the time when the measure was originally introduced. I was not aware of the fact that the Senator had given the reasons for its original adoption. When I studied this question last week in some detail there seemed to me to be some evidence that it was what was popularly known as a sleeper or joker. Let me say that I do not wish to question the intent of the Senator from Florida. I merely submit that the sweeping terms of the amendment would have encouraged several States to disfranchise a much greater number of citizens than those who are now barred by the poll tax, because there was an explicit statement that the prohibitions against the poll tax as a requirement for voting were not to apply to property qualifications, to paupers, to those receiving public assistance, or to those supported by charitable institutions.

For example, those who receive public relief, or what is known as general assistance, are certainly being "supported at public expense" and hence could be made ineligible to vote. Last November these numbered 394,000 cases in the country as a whole. Of those, 39,669 were in the 11 Southern States, and 13,429 were in the five poll tax States. Also, in November 1961 there were 2,272,568 recipients of old-age assistance. These were also supported at public expense, both State and national, and hence could be disfranchised. No less than 891,045 of those were in the 11 States of the Old South and 170,274 were in the 5 poll tax States.

Similarly during November of 1961 there were 908,083 families in the country receiving aid to dependent children. Of those 201,791 were in the Old South and 77,961 in the poll tax States. The mothers in those States could clearly have been made ineligible to vote. While it is probable that those in receipt of old-age security payments toward which the aged persons had themselves contributed could not be held to be "supported at public expense," this section could have been used to exclude the 64,000 who are now receiving benefits under the Kerr-Mills Act.

Mr. LONG of Louisiana. Madam President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. LONG of Louisiana. The Senator is not presuming that merely because a State would have power to do what the Senator has suggested, the State would do it?

Mr. DOUGLAS. It does not necessarily follow, but a very explicit hint is given that if it wished to take that action, it could do so. I am speaking of the original Holland amendment. It specifically stated that it did not apply to paupers, to those receiving public assistance, or to those supported by charitable institutions. So I should say the handkerchief was dropped, so to speak, and the legislature could take the hint very readily.

Mr. LONG of Louisiana. Madam President, will the Senator yield further?

Mr. DOUGLAS. I yield.

Mr. LONG of Louisiana. I believe I have heard of some people who were silly enough to suggest that such action ought to be taken, but I do not think those people have much chance of being effective.

Mr. DOUGLAS. They do not need to do it now, because they have a poll tax. But if the poll tax were abolished, they could obtain the same end by the other methods suggested.

Mr. HOLLAND. Madam President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. HOLLAND. I think the Senator would be interested to know that in States where such provisions have existed and exist now, either statutes clearly state or the courts have clearly held that the payment of Federal assistance cannot be held to create paupership such as is covered by the provisions of the laws of those States.

Mr. DOUGLAS. What I am trying to say is that the restrictions could be very readily tightened by further legislative enactment.

Mr. HOLLAND. Madam President, will the Senator yield further?

Mr. DOUGLAS. I yield.

Mr. HOLLAND. Aside from the generosity of the Senator in having said that he would not accuse the Senator from Florida of putting a sleeper in the amendment which I have presented, the Senator might also have commented that it would be practically impossible to put a sleeper in a bill of the import of the amendment before us that would fool 100 Senators and, in 1960, would have fooled them so badly that 72 Senators, including, I believe, the Senator from Illinois, voted for the measure.

Mr. DOUGLAS. I was more naive in 1960 than I am today. I talked with several of the 68 sponsors of the Holland amendment. I pointed out section 2 to them and they said, "Good heavens. Did I sponsor section 2? I must have sponsored it in an unwary moment."

We all remember how the Bricker amendment came before the Senate with more than two-thirds of the Senators sponsoring the amendment. We all remember how the discussion of the Bricker amendment developed. We could not muster a two-thirds vote because a great many of the so-called sponsors had put their names on the amendment without knowing the full import of what had happened.

The Senator from Florida has such a disarming manner and such a gentle and genteel approach with which he confronts his fellow Senators in the cloakroom that it is very hard to resist the seductive arguments which he advances.

Mr. HOLLAND. Madam President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. HOLLAND. I appreciate the kind words of the Senator from Illinois, even though he is slaying me with kindness. I invite his attention to the fact that the Senator from Florida has not lobbied in behalf of his amendment. He has argued it in full and in the open at every hearing that was held. He has debated it in full on the floor of the Senate. He would have had to be very keen indeed to have fooled the former majority leader, the then Senator JOHNSON, and the minority leader, the Senator from Illinois [Mr. DIRKSEN]. He would have to be equally clever to have fooled the present majority leader, the Senator from Montana [Mr. MANSFIELD] and the same minority leader, the Senator from Illinois [Mr. DIRKSEN].

The Senator from Florida had a good amendment. He has retained more than 95 percent of it. He has omitted the part that he did omit against the specific request of the Department of Justice, because the Department preferred my original amendment. There are those who thought that that factor might have been used to help defeat the measure, even as the Senator from Illinois, now when the provision about which he speaks does not even exist, is seeking to prevent Senators from fairly considering the present amendment.

So apparently there was merit in the opinion of the majority leader and others that those provisions, though fair, and without great flaw of their own, might be used by Senators who favored something else to put the original amendment in a false light.

But the Senator comforts himself with the thought that even the Senator from Illinois voted for the measure in 1960. He appreciates that vote. He thinks it was based on sound conscience, and he regrets that the Senator from Illinois will not have an opportunity to vote for the precise amendment again, as he believes he would.

Mr. DOUGLAS. Madam President, I was trying to lay a historical basis for discussion on this point. Having detected the weaknesses I have indicated, and having consulted with some of my colleagues, I had drafted a series of amendments to the Holland proposal which would have eliminated the explicit encouragement which the original text of the Holland amendment gave to those devices. I was on my feet last night and on the point of offering such amendments when the Senator from Florida himself came forward with a revised draft, which was identical with the amendments which I had prepared, with certain exceptions. I thought it was a case of either conscious or unconscious parallelism in action.

It may be that in this whispering Chamber word gets around very rapidly as to what is intended. It is possible that the knowledge that these amendments would be offered by a bipartisan group of Senators may have caused the Senator from Florida to back up and withdraw section 2. I do not know whether that is the case. However, I will say I am interested that there should be this parallelism of action.

Mr. MANSFIELD. Madam President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. MANSFIELD. I wish to say to my distinguished friend, the Senator from Illinois, that he should disabuse his mind thoroughly and completely of any such idea, because, as one who was very vitally interested in this legislation, and who held a series of meetings over the past 4 or 5 days, I assure the Senator that to the best of our knowledge we had no idea that any Member of the Senate was in the process of considering amendments to the proposal which finally emerged. That ought to be clear for the RECORD. If we had known about the Senator from Illinois considering such a proposal I am quite certain we would have gotten in touch with him in one way or another.

Mr. DOUGLAS. I did not say "conscious parallelism." I said it might well have been "unconscious parallelism."

Mr. HOLLAND. Madam President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. HOLLAND. Just as the Senator has confessed that he did not know that the Senator from Florida had amended his amendment until it was presented to the Senate, so the Senator from Florida did not know that the Senator from Illinois had any intention of submitting his amendment. Not being gifted with the power of reading minds and not having been in close contact with the distinguished Senator from Illinois, I had no idea that our minds were running in the same direction, although I was very glad to learn, in the colloquy last night, that this was the fact. I thought that the fact that our minds were running in the same direction would lead the Senator from Illinois to see the justice of the amendment. I still have hope for my friend from Illinois.

Mr. DOUGLAS. I must say that the present draft is a distinct improvement over the first one. If the first draft had been continued in the form in which it was originally submitted, I should have been conscientiously advised to oppose the amendment and to urge other Senators to oppose it similarly. I would have made the frank statement that I am wiser now than I was in 1960, which in itself is an indication that we can improve with time.

Mr. HOLLAND. Madam President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. HOLLAND. We all should admit that we can improve. However, I wish to call attention to the fact that the original amendment to which the Senator refers was submitted in 1953, and has been in that identical form from then until now. Therefore, it would not have taken any great prescience to learn what was in it in the intervening 9 years.

Mr. DOUGLAS. I believe 1960 was the first time that it came before the Senate.

The statements of the Senator from Florida and the Senator from Illinois appear in the colloquy in the final pages of the CONGRESSIONAL RECORD for yesterday.

I am not quite certain what the provision with respect to the property qualification meant. There is the explicit provision in the original form of the amendment to permit a State to deny the right to vote to paupers and to persons supported in charitable institutions, for example.

The present draft is a distinct improvement.

There is a point which I wish to emphasize very strongly. While the new language does not encourage disqualification on all of these grounds, it most certainly does not forbid them. It is silent on these matters. It leaves, therefore, a constitutional vacuum into which States which want to restrict the franchise could move. Could they not impose rather severe property qualifications, since this is not forbidden in the amendment? Could they not disqualify those on relief, since this is not forbidden in the amendment?

Could they not disqualify those receiving old-age assistance, because this is not forbidden in the amendment? The same would apply with respect to those receiving payments for dependent children or those living in old people's homes. Disqualification on these grounds is not forbidden in the amendment.

I believe such disqualification would be against the spirit of the amendment, but would it be technically forbidden?

Mr. HOLLAND. Madam President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. HOLLAND. I call the Senator's attention to the fact that exactly the same situation would exist if the Javits amendment were adopted.

Mr. DOUGLAS. Not quite.

Mr. JAVITS. Madam President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. JAVITS. I am glad the Senator has brought up this very important point, and I am very glad that we can clarify the situation. In the first place, my amendment contains the words "or other tax or to impose a property qualification." The language is found at page 2, lines 15 and 16. That is forbidden as a prerequisite for registering to vote or voting.

That is the first point, and it is a very important point.

In the second place, let us remember that what we do is to give us the flexibility of a statute, so that if there is abuse we can move into it and act on it; whereas what the Senator from Florida would have us do is take the constitutional amendment route. Then we are lashed to two propositions: First, that we then can implement whatever it says, and whatever it does not say we cannot implement. If we want to change it, we can only move by way of a constitutional amendment, because we have moved, in the first instance, by the constitutional amendment route.

I respectfully submit that here is a very powerful reason why we should proceed by the statutory route and not by the constitutional amendment route. I am very grateful to the Senator for bringing up this point.

Mr. DOUGLAS. Madam President, I believe the Senator has made a very powerful argument.

With the limited amount of time at our disposal, I certainly am not ready at this moment to propose a further amendment to the Holland amendment, which would specifically outlaw such attempts. A provision in the Constitution must be drafted with great care. We have largely met this difficulty in the statute which the Senator from New York [Mr. JAVITS] is proposing, by outlawing all property qualifications for voting.

VII. ABOLISHMENT OF RESTRICTIONS ON VOTING FUNDAMENTALLY WILL CONTRIBUTE TO FREEDOM AND DEMOCRACY

Now, Madam President, if I may finish, I would say that those of us who want to give all literate Americans the right to vote, whether they be black or white, and who desire that everyone may be treated as a child of the Divine Spirit, and consequently given an adequate opportunity to develop educationally, economically, culturally, and politically, are always subject to two sets of criticism.

On the one hand, we are accused of violating the rules, customs, and procedures of the Senate, which, as an eminent southern writer has correctly said, are the South's revenge for Appomattox. Then close behind this criticism follows the charge that we are antisouthern and are trying to heap indignity and disgrace upon that section of the country. We are presented to the world and to the South as being brutally unchivalrous and as offending the unappeasable honor of the South.

All this despite the fact that at no time has any member of the civil rights group attacked the South. We have, on the contrary, been careful to say that we in the North and the West have our weaknesses and sins on these matters as well, and that we should eliminate them in the North as rapidly as possible. We have not felt any self-righteousness, and I hope we have not expressed any. We have been careful indeed to point out that we of the North were delivered from the terrible curse of slavery not by any

superiority in moral character but, instead, by the fortunate accident of a colder climate and a less fertile soil.

I hope I will not offend my southern friends if I say that they are in a sense prisoners of history and geography.

Madam President, we are trying, in fact, to free all of our friends, both South and North, from the forces which imprison so many. We know that many of what are upheld as basic institutions of the South are not really supported by the majority of the southern people but are, instead, imposed by a relatively small uppercrust who are dominant and who control overwhelmingly the agencies of information and propaganda. We want to set free the economically disfranchised majority of the South, both white and black alike. We want to open up the doors of more adequate education for the disinherited, both white and black alike. We want to open up the gates of opportunity so that the abilities of white and black alike may function more effectively. To do all these things, we of the civil rights group in the North are willing to pay more taxes. For we know that in this Nation, we are brothers, one of another, and should help to bear the burden of the States which have a low income per capita.

Yes, and we believe that if we can but put these programs into effect and arrange a reconciliation between presently conflicting groups, we can free even those who now despise us from the obsessions which now possess them and so enable their natural and generous emotions and abilities to be devoted to constructive ends. We seek to do this in the true spirit of friendship and without any sanctimonious self-righteousness.

Perhaps we cannot convince our friends that this is so. There are vested interests in misunderstanding which are hard to supersede and it is difficult to keep on a friendly course when one's motives and conduct are systematically misunderstood and misinterpreted. But we shall nevertheless keep on trying and if we should slip now and then, we ask to be forgiven. For that does not represent the deepest desires of our hearts. I am not at all certain that the world as we know it will survive the possible Armageddon of a nuclear holocaust. If it does not, it is better for us to go out on a note of brotherhood rather than as querulous and hateridden creatures. And certainly our chances of survival are greater if we can be both free and united in brotherhood. For it is true now as it was in olden times that where there is no vision the people perish.

If the poll tax is a restriction on voting rather than a qualification for voting, Congress could abolish it for Federal elections without violating the constitutional prohibition against the qualification for voters and electors for national office and State legislatures.

Mr. JAVITS. Madam President, will the Senator from Illinois yield?

Mr. DOUGLAS. I yield.

Mr. JAVITS. I think the whole Nation must be proud of the Senator from Illinois, whether one agrees with him or not, and grateful to him for the tone of what he has said. I, as also a person who feels very strongly about these problems, as he does, represent a community which, on the whole, feels the same way. It is an enormous community, containing 10 percent of the population of the United States.

I wish to associate myself especially with the words "sanctimonious righteousness." I feel no such thing. We understand very deeply the reasons and the bases of the currents which are at work here; but I also feel, with the Senator from Illinois, that in a time of such peril, there is all the more reason for doing our utmost to sound the clarion call for morality and fidelity to the guarantees of our Constitution.

The Senator from Illinois has made a trenchant speech. One could comment on it at great length. But if I did so, it would depreciate from the lofty tone which the Senator from Illinois has used. So I leave it at that and express gratitude at being associated with a man of such luminous intelligence in a cause so worthy as this one.

Mr. DOUGLAS. I thank the Senator from New York.

Madam President, we in Illinois know that we have many faults concerning this matter. We in the city of Chicago, which I love, know that in many respects we have fallen short of our ideals. However, it is the intention of all our citizens to push forward and to remove these difficulties as rapidly as possible. They are difficulties which, in the main, are not legal, but social. All I seek to do is to attempt to remove some of the legal difficulties which are impediments. I hope very much that in the months and years ahead we may move forward.

Mr. MANSFIELD. Madam President, the amendment offered by the Senator from New York [Mr. JAVITS] raises two fundamental questions: Whether the statutory approach to this proposal is constitutional; and whether, if the Senate should adopt such an approach, Congress would be likely to complete action on it.

I shall not add to the already considerable flow of words on this subject by discussing the constitutionality of the Senator's amendment. I shall only state my conviction that the adoption of the statutory approach would be certain to delay the abolition of the poll tax as a prerequisite for voting. In my opinion, those who seek to end the poll tax will support the Holland amendment, and will oppose the statutory approach.

Madam President, I move that the amendment offered by the Senator from New York be laid on the table.

Mr. JAVITS. Madam President, will the Senator from Montana withhold his motion for a moment?

Mr. MANSFIELD. Madam President, I withhold my motion.

Mr. JAVITS. Madam President, I wish the RECORD to reflect that the voting package in respect to the implementation of the recommendations of the Civil Rights Commission was introduced by my colleague from New York [Mr. KEATING]. The only reason I have moved as I have with respect to the proposal now before the Senate is that I had done so once before, in 1960. So I carry the matter on at this time. I simply desired that the RECORD be explicit about that.

Mr. MANSFIELD. I thank the Senator from New York.

Madam President, I renew my motion that the amendment offered by the Senator from New York be laid on the table.

Before the vote is taken, I ask for the yeas and nays.

The yeas and nays were not ordered.

Mr. JAVITS. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Madam President, on the motion to lay on the table, I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana to lay on the table the amendment of the Senator from New York.

The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. HUMPHREY. I announce that the Senator from Alaska [Mr. BARTLETT] and the Senator from Tennessee [Mr. GORE] are absent on official business.

On this vote, the Senator from Alaska [Mr. BARTLETT] is paired with the Senator from Tennessee [Mr. GORE]. If present and voting, the Senator from Alaska would vote "nay," and the Senator from Tennessee would vote "yea."

Mr. KUCHEL. I announce that the Senator from Utah [Mr. BENNETT], the Senator from Maryland [Mr. BUTLER], the Senator from Indiana [Mr. CAPEHART], and the Senator from North Dakota [Mr. YOUNG] are necessarily absent.

The Senator from South Dakota [Mr. CASE] is absent because of illness.

If present and voting, the Senator from Utah [Mr. BENNETT] and the Senator from North Dakota [Mr. YOUNG] would each vote "yea."

The result was announced—yeas 59, nays 34, as follows:

[No. 32 Leg.]

YEAS—59

Aiken	Hayden	Moss
Anderson	Hickenlooper	Mundt
Bible	Hickey	Murphy
Boggs	Hill	Muskie
Burdick	Holland	Pearson
Byrd, Va.	Hruska	Prouty
Byrd, W. Va.	Johnston	Randolph
Cannon	Jordan	Robertson
Carlson	Kefauver	Russell
Chavez	Kerr	Saltonstall
Cotton	Long, Hawaii	Smathers
Curtis	Long, La.	Smith, Maine
Dirksen	Mansfield	Sparkman
Dworshak	McClellan	Stennis
Eastland	McGee	Talmadge
Ellender	McNamara	Thurmond
Engle	Metcalf	Tower
Ervin	Miller	Williams, Del.
Fulbright	Monroney	Yarborough
Goldwater	Morton	

NAYS—34

Allott	Case, N.J.	Dodd
Beall	Church	Douglas
Bush	Clark	Fong
Carroll	Cooper	Gruening

Hart	Long, Mo.	Scott
Hartke	Magnuson	Smith, Mass.
Humphrey	McCarthy	Symington
Jackson	Morse	Wiley
Javits	Neuberger	Williams, N.J.
Keating	Pastore	Young, Ohio
Kuchel	Pell	
Lausche	Proxmire	

NOT VOTING—7

Bartlett	Capehart	Young, N. Dak.
Bennett	Case, S. Dak.	
Butler	Gore	

So Mr. MANSFIELD's motion to lay the Javits amendment on the table was agreed to.

Mr. MANSFIELD. Madam President, I move to reconsider the vote by which the motion was agreed to.

Mr. DIRKSEN. Madam President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

LEGISLATIVE PROGRAM

Mr. DIRKSEN. Madam President, I should like to query the majority leader at this time as to whether he has canvassed the situation so far as other amendments are concerned, and what the Senate may expect by way of business for the rest of the day.

Mr. MANSFIELD. Madam President, in response to the question raised by the distinguished minority leader, to the best of my knowledge I believe there will be only one other amendment, that to be offered by the distinguished Senator from Connecticut [Mr. BUSH], and I am under the impression that will not take too much time.

It is hoped, with the cooperation of the Senate, that it might be possible to finish consideration of the pending business tonight, and I ask Senators to help the distinguished minority leader and me in trying to bring about that sort of conclusion.

THE ALEXANDER HAMILTON NATIONAL MONUMENT — AMENDMENT TO THE CONSTITUTION DEALING WITH POLL TAXES

The Senate resumed the consideration of the joint resolution (S.J. Res. 29) providing for the establishing of the former dwelling house of Alexander Hamilton as a national monument.

Mr. BUSH. Madam President, I call up my amendment in the nature of a substitute for the Holland amendment, which I sent to the desk this afternoon, and ask to have it stated.

The PRESIDING OFFICER. The amendment of the Senator from Connecticut in the nature of a substitute for the so-called Holland amendment will be stated.

The LEGISLATIVE CLERK. It is proposed to strike all after the resolving clause and insert in lieu thereof the following:

That the following articles are hereby proposed as amendments to the Constitution of the United States, both or either of which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years from the date of their submission by the Congress:

"ARTICLE —

"SECTION 1. The right of citizens of the United States to vote in any primary or other election for President or Vice President, for electors for President or Vice President, or for Senator or Representative in Congress, shall not be denied or abridged by the United States or any State by reason of failure to pay any poll tax or other tax.

"SEC. 2. The Congress shall have power to enforce this article by appropriate legislation.

"ARTICLE —

"The people of the District constituting the seat of the Government of the United States shall be entitled to elect two Members to the Senate and a number of Members to the House of Representatives equal to the number of Members of the House of Representatives to which a State having the same population as such District would be entitled. The Members authorized by this article shall be elected at such time and in such manner, and the electors of such Members shall have such qualifications, as the Congress shall provide by law."

Mr. BUSH. Madam President, the purpose of the amendment is merely to give to the people of the District of Columbia, which is the seat of government for the United States, an entitlement to elect two Members of the U.S. Senate and a number of Members of the House of Representatives equal to the number of Members of the House to which a State having the same population as the District of Columbia would be entitled.

(At this point Mr. METCALF assumed the chair.)

Mr. BUSH. Mr. President, the purpose of the amendment is to give the citizens of the District of Columbia, in the heart of the United States, the same consideration in respect to representation in the Congress of the United States as is given to the people of States which have lesser populations than that of the District of Columbia.

In respect to that point, Mr. President, I comment that the population of the District of Columbia in the latest census was 763,000. States with lesser populations than that included the following:

Hawaii, with 632,000.
Alaska, with 226,000.
Wyoming, with 330,000.
Idaho, with 667,000.
Montana, with 674,000.
North Dakota, with 632,000.
South Dakota, with 680,000.
Nevada, with 285,000, approximately one-third as many as the District of Columbia.
Vermont, with 389,000.
New Hampshire, with 606,000.
Delaware, with 446,000.

Each of these States which has a smaller population is represented in the U.S. Senate by two Senators and in the House of Representatives by at least one Representative.

A year or two ago the Senate passed a constitutional amendment to permit the citizens of the District of Columbia to vote for President and Vice President of the United States, but those citizens have no authority whatever to vote for members of the legislative branch. More than three-fourths of a million citizens of the Capital City of the United States are disfranchised so far as the legislative branch of this Government is concerned. I think in simple equity the citizens of the Capital of the United States should have representation in the Congress. I believe this is a solution to the political problem which worries a great many people, including, I think, a large majority of voters in the District of Columbia.

I have discussed this proposal with representatives of the District Government, with former representatives of the District Government, with residents of this community, and with some of the Members of the Senate of the United States. I introduced a measure to implement this proposal on May 11, 1961. It was appropriately referred, I believe, to the Committee on the Judiciary. There it has remained. Unfortunately, no hearings have been held on the measure.

Mr. KEFAUVER. Mr. President, will the Senator yield?

Mr. BUSH. I now bring it forward as an amendment to the pending proposal, so as to bring it to the attention of the Senate. More than three-quarters of a million citizens of the United States in the Nation's Capital have no representation whatever in the Congress. It seems to me to be an appropriate time to bring the measure before the Congress, in the hope that if we do not get satisfactory action on it today at least we can focus our eyes on the importance of this question, and perhaps get a hearing on the bill as a separate proposal, so that it may receive the consideration to which I so firmly believe it is entitled.

This is not a home rule bill, Mr. President. I do not believe that the Congress is in the mood to pass such a proposal, or that the Congress thinks well of the idea of granting so-called home rule to the District of Columbia. I have reservations about that subject. At the present time I should not favor it.

On the other hand, I see no reason why such a large body of our citizens, larger than the body of citizens in each of 11 States which have smaller populations, should be disfranchised and not represented in the Congress of the United States.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. BUSH. I yield to the Senator from Florida.

Mr. HOLLAND. I have great respect for the distinguished Senator, but I hope that he will not insist upon his amendment for the following reasons:

In the first place, this proposal would be a radical departure from anything else in this Nation. It would give to the District of Columbia—which is not a State, which does not have a Governor, which does not have home rule, which cannot even pass its own ordinances—the same number of Senators and proportionately the same number of Members of the House of Representatives as every other State in the Nation has.

I am told by the staff member who has been so ably advising the committee headed so ably by the Senator from Tennessee [Mr. KEFAUVER], that this matter has not been submitted to hearings. The Senator from Tennessee has

conducted very careful hearings on my proposal, not only in this Congress but also in prior Congresses. Many points of view have been aired upon the subject.

Because this is such a far-reaching provision, so completely different from anything now existent in this country, I hope the Senator will not insist upon his amendment, but will permit the subject to be studied, as it deserves to be, by a committee in this Congress or in the next Congress.

Mr. BUSH. Mr. President, I thank the Senator. I know his position is sincerely taken.

Frankly, I do not see any reason why the citizens of the District of Columbia should be deprived of representation in the Congress merely because it is a district and not a State. There are more than three-fourths of a million citizens in this city. They now can vote for President and Vice President of the United States, thanks to the action of the Congress, but they lack any way of expressing themselves in the halls of the Congress. It seems to me that is a perfectly ridiculous situation.

Mr. HOLLAND. Mr. President, the Commonwealth of Puerto Rico has more than 2 million citizens and does not have representatives in the House or in the Senate.

In addition, I invite the Senator's attention to the fact that recently we extended the voting privilege to the District of Columbia. The Senator from Florida was one who voted for that measure. The States have approved the amendment. The citizens of the District of Columbia, like citizens anywhere else, now can vote for President and Vice President of the United States.

I suggest that first there should be a little trial run, to see how the citizens of the District of Columbia, after such a long term of nonparticipation, show their attitude toward the National Government.

I insist that a measure of such far-reaching consequence should be submitted to hearings. I commend to the Senator the careful hearings which are given uniformly by the Senator from Tennessee [Mr. KEFAUVER] and his able subcommittee.

Mr. BUSH. I thank the Senator from Florida.

Mr. President, I shall yield at this time on this point to the Senator from Tennessee, who has asked me to yield.

Mr. KEFAUVER. The Senator has said that the proposal was referred to the Judiciary Committee, which is correct. The measure was referred further to the Subcommittee on Constitutional Amendments. In the 86th Congress there were very full hearings on amendments concerning representation of the District. I think an amendment with respect to having representation of the District of Columbia in the House of Representatives was presented by the distinguished Senator from New York [Mr. KEATING]. Extensive hearings were held. As I recall, the amendment was reported favorably by the subcommittee, and later it was joined with a constitutional amendment I had proposed and the poll tax amendment, and then passed by the U.S. Senate.

All of those proposals lost out in the House of Representatives, except the part relating to voting for presidential electors.

In principle I agree with the Senator from Connecticut. I think the people of the District of Columbia should have some representation. I think, however, that perhaps it ought to be first in the House of Representatives, during a trial period, rather than the U.S. Senate initially.

I say further to the Senator that there are other electoral reforms which I should like to see voted upon and approved by the House, as well as by the Senate, and approved by three-fourths of the States, but I fear that if they were added to the pending joint resolution it might mean the defeat of the whole resolution.

So I think it is the part of wisdom to take them one by one.

Mr. KEATING. Mr. President, will Senator yield?

Mr. BUSH. I yield to the distinguished Senator from New York.

Mr. KEATING. Mr. President, I commend the senior Senator from Connecticut for his initiative in presenting this amendment. He has had a long-standing interest in extending the franchise to people in the District of Columbia and in other measures to strengthen voting rights for all Americans.

He was very much interested and expressed that interest to me at the time referred to by the distinguished Senator from Tennessee when the opportunity came to present in behalf of myself, the Senator from South Dakota [Mr. CASE], and the Senator from Maryland [Mr. BEALL] the constitutional amendment which for the first time allowed Americans residing in our Nation's Capital to participate in the choice of the President and Vice President. Under the provisions of our original amendment, the District of Columbia would have been given the same representation in the electoral college and in the House of Representatives which it would enjoy if the District were a State.

The amendment passed the Senate in this form. Unfortunately, the House Committee on the Judiciary, and subsequently the House itself, eliminated the provisions for representation in the House of Representatives and limited representation in the electoral college to a maximum of three, regardless of the population of the District.

Since the District of Columbia under the present method of apportionment would have been entitled to at least four, and possibly five, electors if it were a State, the final amendment in effect made three-fourths or three-fifths citizens of Americans in the District of Columbia. I strongly objected at the time to this concept of "fractional" citizenship, which I still find abhorrent, but three-fourths or three-fifths citizenship is better than none, and for that reason no one who had the interest of the District of Columbia residents at heart could vote against the final resolution.

The amendment offered by the Senator from Connecticut [Mr. BUSH] would provide for representation in the Senate, as well as the House. There is much logic in according the people of the District this consideration, since States with much smaller populations have both Senators and Representatives. However, our original amendment did not provide for Senate Members, and no hearings were held on this specific issue. I believe that we should have such hearings. If the question is not resolved today, I shall urge upon the chairman of the Subcommittee on Constitutional Amendments, the distinguished Senator from Tennessee [Mr. KEFAUVER], who has always been very cooperative on these questions, that hearings be held in order to revive attention in the District of Columbia situation, which the Senator from Connecticut has so admirably done by offering the amendment, and to determine what further steps are necessary to complete the process begun by the 23d amendment, of bestowing full citizenship upon the people of the District. As the chairman of the subcommittee, the Senator from Tennessee [Mr. KEFAUVER], has been a strong supporter of efforts of the kind proposed in the past. I have every reason to believe that he will be sympathetic to the point of view presented by the distinguished Senator from Connecticut. I have an open mind on the conclusion of Senators. I think that the District should have voting representation in the House of Representatives, and I for one, as a member of the committee, will be very much interested in hearing the views presented by the distinguished Senator from Connecticut, who has focused our attention today on a pressing problem in the Nation's Capital.

Mr. YOUNG of Ohio. Mr. President, will the Senator yield?

Mr. BUSH. I am glad to yield to the Senator from Ohio.

Mr. YOUNG of Ohio. The distinguished senior Senator from Connecticut has made a very interesting argument. He has offered a very interesting amendment. However, I feel that despite his fine presentation, we should bear in mind that doubtless many of the 750,000 residents of the District of Columbia vote in the various States from whence they have come, or at least they have a right to do so. I know that many residents here vote in my State of Ohio, casting absentee ballots. It is becoming easier for those who are away from their native States to cast ballots. I feel that that is a consideration we should have in mind.

If the distinguished Senator from Connecticut were offering an amendment dealing solely with representation in the House of Representatives on the basis of population, I might have an open mind on that question and, following hearings, I could see some merit to it. But in view of the fact that the District of Columbia belongs to all the States, that it is not a State of the Union, I want the distinguished senior Senator from Connecticut to know that at this time I could not possibly go along with any

amendment that would give the District of Columbia two Members of the U.S. Senate.

Mr. BUSH. I thank the Senator from Ohio.

Mr. KEFAUVER. Mr. President, will the Senator yield?

Mr. BUSH. I yield for a question.

Mr. KEFAUVER. I concur wholeheartedly in what the Senator from New York [Mr. KEATING] has said. If the amendment is not agreed to at the present time, as the Senator requested, we shall have ample hearings, because I am in full agreement with the general objective of representation of the District of Columbia.

Mr. BUSH. Mr. President, that assurance is very important to me. Did I correctly understand the Senator from Tennessee to say that if I request hearings on the bill which has been in his committee, he will see that public hearings are held and that appropriate witnesses from the District of Columbia will be given an opportunity to testify on the bill at a public hearing?

Mr. KEFAUVER. That will be done. I cannot say exactly how soon it will be done because other hearings are planned, but it will be done as soon as we can get to it.

Mr. BUSH. Mr. President, in view of the assurance of the distinguished Senator from Tennessee, and in deference to my friend the Senator from Florida [Mr. HOLLAND], who is the sponsor of the proposed constitutional amendment, and the comments of the Senator from New York [Mr. KEATING] also, as well as my own belief that a measure of the importance of the one before the Senate should have public hearings and that witnesses who have an equal and important interest in such an amendment should be heard before the Senate is asked to vote upon it, I will not ask the Senate to act today on the amendment, and I now formally withdraw it.

The PRESIDING OFFICER. The Senator from Connecticut withdraws his amendment.

The question is on agreeing to the amendment of the Senator from Florida [Mr. HOLLAND].

The amendment was agreed to.

The joint resolution was ordered to be engrossed for a third reading, and was read the third time.

Mr. DIRKSEN. Mr. President, I thought some confusion developed today on the vote to table the point of order. I think I am correct in summarizing the whole subject for the RECORD about as follows:

First came the motion to consider Senate Joint Resolution 29 to provide a monument for Alexander Hamilton. That motion was roundly discussed. That was the motion to consider.

There followed the Holland amendment in the nature of a substitute for all after the resolving clause. With respect to that amendment, a point of order was made by the distinguished Senator from Georgia [Mr. RUSSELL].

That point of order was laid on the table by the vote of the Senate. That left the Holland proposal pending before the Senate. The Senator from New York [Mr. JAVITS] then offered a substitute, which changed the whole proposal from the status of a constitutional amendment to that of a legislative proposal. That proposal, however, was voted down by the Senate. So the Holland proposal is before the Senate in proper form.

It is not the number that counts. It is not the fact that we took Senate Joint Resolution 29 from a legislative proposal. It is the content and the subject matter of the resolution that really counts in determining its status as a constitutional proposal.

There is no legislative matter included in the amendment that is presented before us. There is no requirement for a presidential signature.

There has been some question about all this, but I think I have stated the true state of affairs with respect to it. I wish the Chair would catechize the Parliamentarian to see whether the minority leader is correct in his statement.

The PRESIDING OFFICER. The Chair states that the Senator from Illinois has correctly stated the situation.

Mr. DIRKSEN. I wish to add one further thing. The opinion of the Attorney General has been used very freely in a discussion on the Senate floor. I wish to read from the report of the Committee on the Judiciary entitled "Constitutional Amendments," at page 12:

> The Constitution provides that "qualifications" for voting for Senators and Representatives shall be the same in each State as those for electing the most numerous branch of the State legislature, but Congress is empowered to regulate the "manner" of such elections. Is poll tax payment a "qualification" for voting or does its payment go only to the "manner" of elections? This question was discussed at length in the printed hearings and the preponderance of legal opinion expressed to the subcommittee is that poll taxes are "qualifications" for voting and can thus be eliminated at the Federal level only by constitutional amendment.

I respect the opinion of the Attorney General, but I submit to the Senate that there is expert legal opinion in other sections of the country, much of which was presented to the subcommittee when this subject was under hearing and discussion.

Mr. RUSSELL. I do not know the purpose of the rather remarkable post mortem which has just been delivered by the distinguished minority leader, acting as the coroner, for those of us who have opposed this legislation and this method. It is a rather remarkable performance, after the Senate has taken action, after the point of order has been made, and after the Senate has voted on the question, for the minority leader to seek confirmation of his position from the Parliamentarian. A great deal of time has elapsed, and a number of other questions have been voted on.

It seems to me that the distinguished minority leader might have sought confirmation before the vote. If he had done so, it might have been of assistance to other Members of the Senate.

Evidently, his conscience was hurting him somewhat about having the rules of the Senate ravished in the manner in which they were ravished by the Senate. He therefore felt he must seek consolation, by some kind of confessional route, by getting the approval of the Parliamentarian of the Senate.

Mr. President, we have seen a great many remarkable things transpire in the Senate. Yet this is the first time in 173 years that the Senate has found it necessary to use the method it has used, which at best is a stretching of the rules of the Senate to an extreme to which they have never before been stretched in 173 years. It was the first time that this method had ever been employed in 173 years.

I assure the Senate that this is not the first time Members of the Senate have been eager to submit constitutional amendments to the several States, and have used every device that was available to them to have them submitted to the several States.

As I understand, the minority leader had need to call on the Parliamentarian to say that he has cast a wise and proper vote.

I respect the Parliamentarian of the Senate. However, I consult the Parliamentarian in advance, and if I have any information to transmit to the Senate, I transmit it before the vote, and do not wait until after a third reading of the bill, and after a number of amendments have been passed on. I do not wait until then to call on the Parliamentarian to say that I was correct in the position I took.

The last vestige of the legislative proposal was extirpated, dug up, thrown away, and burned with the thorns in the effort of the proponents of this unheard of procedure to give life, vitality, and propriety to this remarkable procedure that we have followed today.

When the Senator from Illinois retires to his beautiful estate along the banks of the Shenandoah or Potomac, where the Senator lives, and picks up the pruning hook and prunes the bushes and burns the trash, he can imagine that he is also burning the last remnant of the legislative proposal that was called up and used as a vehicle to transmit a proposal to the Senate.

I hope the Senator from Illinois feels better. I have no feeling of resentment, but I must comment on the fact that this has been a day of extremely unusual and remarkable events in the Senate.

Mr. DIRKSEN. Mr. President, I am deeply distressed by the infelicity and pain that I have caused my distinguished friend and brother in the faith.

Mr. RUSSELL. The Senator has caused me no pain. The only pain I felt was when the Senator voted wrong.

Mr. DIRKSEN. I believe I detected a note of pain and distress. However, I thought I should first invite my distinguished friend from Georgia to come and share with me the beauties of what

he calls my estate, but which in reality is a very humble property on which I grow some flowers, some of which I obtained from Atlanta. I hope they will bring great comfort to me. So I hope the Senator from Georgia will come and share that comfort with me.

I believe it is written in the Good Book, as my distinguished friend from Georgia knows, that one man clad in righteousness is a match for all the hosts of error.

I believe that today we see righteousness triumphant, and the doing of a job that should have been done a long time ago. I know it brings pain. It is not unlike the labor that produces a new child in the world. Perhaps if this process is finally consummated, both in the House and in the Senate, the new child in the form of a world without a poll tax will have been born. Obviously that will be of some importance.

So I am sure, Mr. President, that I have violated no rule. I am sure that my summation of the situation has been quite circumspect. I am equally sure that I detected some confusion earlier in the afternoon. I hope that now the votes will be correct, and that we can send this proposal off to the other branch of the Congress and wish it well. So I apologize if I have offended my affectionate friend.

Mr. RUSSELL. Mr. President, I assure the Senator from Illinois that I was not offended. I was shocked, astonished, and surprised, but I felt no offense. I have been around the Senate too long to take any offense whatever at any position which any other Senator takes. I hope the other 99 Members of this body will be as kind to me in not being offended at any position I may take.

I thank the Senator for his very kind invitation to visit him at his cottage. I will accept the Senator's modification. I thought it was a lovely home when I was privileged to visit in it.

Mr. DIRKSEN. But modest.

Mr. RUSSELL. Perhaps by some standards. Judging by homes where I come from, down in the country, the Senator has an elegant home. But I will accept the Senator's standard concerning his own home. I appreciate the invitation to visit it and to share the glories of the flowers, the flora, and the fauna that may be on his lands. I appreciate the invitation, and I shall accept it sometime.

I will share with the Senator from Illinois almost anything except an increase in the confusion that he has caused by the statement he has made in seeking to clarify the situation.

Mr. DIRKSEN. Come with me tonight.

Mr. HOLLAND. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Florida will state it.

Mr. HOLLAND. Was the amendment offered by the Senator from Florida adopted by a voice vote?

The PRESIDING OFFICER. The Senator is correct. Before the third reading was had, the Senator's amendment was adopted by a voice vote.

Mr. HOLLAND. Mr. President, a further parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Florida will state it.

Mr. HOLLAND. Has the joint resolution been read the third time?

The PRESIDING OFFICER. The joint resolution has been read the third time.

Mr. HOLLAND. Mr. President, a further parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Florida will state it.

Mr. HOLLAND. At what stage in the proceedings will the yea-and-nay vote occur, at which it must be determined that two-thirds of the Senators present and voting have voted affirmatively in order to pass the joint resolution?

The PRESIDING OFFICER. The next stage in the proceedings will be the vote on the passage of the joint resolution.

Mr. HOLLAND. Is it appropriate at this time to ask for the yeas and nays on the passage of the joint resolution?

The PRESIDING OFFICER. It is.

Mr. HOLLAND. Mr. President, on the passage of the joint resolution, I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The joint resolution having been read the third time, the question is, Shall it pass? On this question the yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. HUMPHREY. I announce that the Senator from Alaska [Mr. BARTLETT] and the Senator from Tennessee [Mr. GORE] are absent on official business.

I further announce that, if present and voting, the Senator from Alaska [Mr. BARTLETT] and the Senator from Tennessee [Mr. GORE] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Utah [Mr. BENNETT], the Senator from Maryland [Mr. BUTLER], the Senator from Indiana [Mr. CAPEHART], and the Senator from North Dakota [Mr. YOUNG] are necessarily absent.

The Senator from South Dakota [Mr. CASE] is absent because of illness.

On this vote, the Senator from Indiana [Mr. CAPEHART] and the Senator from Utah [Mr. BENNETT] are paired with the Senator from North Dakota [Mr. YOUNG]. If present and voting, the Senator from Indiana and the Senator from Utah would each vote "yea," and the Senator from North Dakota would vote "nay."

The yeas and nays resulted—yeas 77, nays 16, as follows:

[No. 33 Leg.]

YEAS—77

Aiken	Clark	Hickenlooper
Allott	Cooper	Holland
Anderson	Cotton	Hruska
Beall	Curtis	Humphrey
Bible	Dirksen	Jackson
Boggs	Dodd	Javits
Burdick	Douglas	Jordan
Bush	Dworshak	Keating
Byrd, W. Va.	Engle	Kefauver
Cannon	Fong	Kerr
Carlson	Goldwater	Kuchel
Carroll	Gruening	Lausche
Case, N.J.	Hart	Long, Mo.
Chavez	Hartke	Long, Hawaii
Church	Hayden	Long, La.
Magnuson	Mundt	Scott
Mansfield	Murphy	Smathers
McCarthy	Muskie	Smith, Mass.
McGee	Neuberger	Smith, Maine
McNamara	Pastore	Symington
Metcalf	Pearson	Wiley
Miller	Pell	Williams, N.J.
Monroney	Prouty	Williams, Del.
Morse	Proxmire	Yarborough
Morton	Randolph	Young, Ohio
Moss	Saltonstall	

NAYS—16

Byrd, Va.	Hill	Stennis
Eastland	Johnston	Talmadge
Ellender	McClellan	Thurmond
Ervin	Robertson	Tower
Fulbright	Russell	
Hickey	Sparkman	

NOT VOTING—7

Bartlett	Capehart	Young, N. Dak.
Bennett	Case, S. Dak.	
Butler	Gore	

The PRESIDING OFFICER (Mr. METCALF in the chair). Two-thirds of the Senators present and voting having voted in the affirmative, the joint resolution is passed.

Mr. MANSFIELD. Mr. President, I move that the preamble to the joint resolution be stricken out.

The motion was agreed to.

Mr. MANSFIELD. Mr. President, I move that the title of the joint resolution be appropriately amended.

The motion was agreed to; and the title was amended so as to read: "Joint resolution proposing an amendment to the Constitution of the United States, relating to the qualifications of electors."

Mr. HOLLAND. Mr. President, I move that the Senate reconsider the vote by which the joint resolution was passed.

Mr. MANSFIELD. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MANSFIELD. Mr. President, before the Senator from Florida [Mr. HOLLAND] leaves the Chamber, I should like to take this occasion to extend to him my congratulations for a job well done and to commend him for the fairness, tolerance, and understanding he has shown consistently over the past 2 weeks of debate.

I am sure my colleagues will realize that it was not easy for the senior Senator from the State of Florida to take the position he took in relation to the proposed constitutional amendment which has just passed this body, but having had close dealings with him over the last 2 weeks especially, I have come to admire him and honor him. I think in what he has done he has represented the finest traditions of the Senate and he has shown courage which I think we should all take note of.

I am delighted we were able to pass the proposed constitutional amendment under the outstanding leadership of the Senator from Florida, and I commend him. It was a pleasure to serve in the ranks under his leadership.

Mr. HOLLAND. Mr. President, I appreciate more than I can say the kind words of the majority leader. I want to make it very clear to my colleagues that it would have been impossible to bring up the measure, much less pass it, without the very active help of the

majority and minority leaders. We obviously would not have been able to accomplish what we have today without the great assistance of the majority leader of the Senate, which I appreciate.

UNITED NATIONS BONDS PURCHASE

Mr. DIRKSEN. Mr. President, while Senators are in the Chamber in considerable numbers, I should like to ask the distinguished majority leader about the program for tomorrow and the ensuing week.

Mr. MANSFIELD. It is the intention of the leadership to have Calendar No. 1246, Senate bill 2768, authorizing the purchase of United Nations bonds, laid before the Senate.

Mr. President, I move that the Senate now proceed to the consideration of Calendar No. 1246, Senate bill 2768.

The motion was agreed to; and the Senate proceeded to consider the bill (S. 2768) to promote the foreign policy of the United States by authorizing the purchase of United Nations bonds and the appropriation of funds therefor, which had been reported from the Committee on Foreign Relations, with amendments.

LEGISLATIVE PROGRAM

Mr. DIRKSEN. Mr. President, I now renew my request in regard to the programs for tomorrow and the ensuing week.

Mr. MANSFIELD. Mr. President, we intend tomorrow to have the Senate consider the nominations on the Executive Calendar, and also the Treasury-Post Office appropriation bill. In order to do that, we shall temporarily lay aside the United Nations bond bill.

As we proceed, we shall try to arrive at an appropriate procedure for the remaining items on the calendar.

Mr. DIRKSEN. I should like to ask the majority leader another question. Some Members on both sides, I am sure, will be absent from the city, beginning with the end of the week. The question of when a vote will be taken on the United Nations bond proposal and on the amendments thereto is of some concern. Perhaps that can be determined later, or perhaps the majority leader can advise us now on that point.

Mr. MANSFIELD. Mr. President, it is my guess that there will be several days of debate on the United Nations bond issue bill. There are now on the calendar other measures to which we can attend. I hope that after consultation with the distinguished minority leader and other interested Senators, if need be, and, that if at all possible, we can arrive at some sort of reasonable limitation of time for Monday next.

UNITED NATIONS BONDS PURCHASE

Mr. RUSSELL. Mr. President, I send to the desk and ask to have printed and to lie on the table amendments in the nature of a substitute for the United Nations bonds bill.

The PRESIDING OFFICER. The amendments will be received, printed, and will lie on the table.

Mr. RUSSELL. Mr. President, I shall make a brief statement about the nature of the proposed substitute.

In the first place, it forgives or eliminates the debt the United Nations owes this country up until now, for the activities of the United Nations Emergency Force in the Middle East and the United Nations military operation in the Congo. I understand that amounts to approximately $38 million. There is a provision, however, that that amount shall be credited on any assessment which may be made at a later date against the United States.

A second section provides:

> From and after the enactment of this act, no official of the United States or any other person acting in behalf of the United States shall be authorized to permit the use of any military equipment or materiel belonging to the United States or to order the participation of any person serving in the Armed Forces of the United States in any military action instituted by the United Nations unless and until such use or participation has been authorized by a joint resolution of the Congress of the United States if the Congress shall be in session. When the Congress is not in session, the President of the United States by Executive order which shall be printed in the Federal Register, may loan military equipment or materiel not to exceed $15 million in value to the United Nations if the President finds and so declares that such loan is necessary and in the interests of the security of the United States.

I shall not labor this subject at length this evening. My objection goes to the fact that the committee bill and the substitute so ably argued by the Senator from Vermont would give the United Nations too much money. I have seen time and time again, from articles in the press, that the sale of bonds of $200 million would provide an advance reserve to use for situations similar to that in the Congo.

It so happens that I was opposed to what took place in the Congo. I think military action there was ordered prematurely and before all the procedures for which the United Nations was created and which it was supposed to carry on had been exhausted. I regarded the first attack, at least, as an unnecessary act of aggression. I shall discuss that subject later.

I have nothing against the officials of the United Nations, but I am one of the old-fashioned people who believe in the Constitution. We have had people engaged in war in the Congo. Call it what you please, it has been war. People have been killed and they have been shooting at each other with all the instruments they could get.

I do not like to see men like Conor Cruise O'Brien have authority to commit this country's resources to military action if Congress is in session. I think Congress ought to pass a joint resolution on the subject. That is the heart of my substitute, and I shall discuss it at length at some later date.

Mr. SPARKMAN. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield to the Senator from Alabama.

Mr. SPARKMAN. I will complete the question I started to ask the majority leader earlier. Can he give us some idea when we may expect to take up the bond issue? Does he think it will be sometime tomorrow or Thursday?

Mr. MANSFIELD. My guess is that it will be Thursday, because in the meantime there will be other business to attend to.

Mr. SPARKMAN. Will it probably be taken up tomorrow?

Mr. MANSFIELD. Probably other business will be taken up tomorrow, and if any attention is given to the U.N. bond issue tomorrow, it will be of short duration.

Mr. SPARKMAN. Will there be a morning hour tomorrow?

Mr. MANSFIELD. There will be.

GREEK INDEPENDENCE DAY

Mr. JAVITS. Mr. President, the Greek nation celebrated the 141st anniversary of its independence on Sunday, March 25. On that day tribute was deservedly paid to the brave men who wrested liberty from the Ottoman Empire in 1921 and the people of Greece have remembered again the many crises and hardships they have had to undergo in order to maintain their freedom.

This determination to be free is a heritage also of ancient Greece which in many ways has become an integral part of Western civilization. Today Greece lives for its future, not its past, and its people are industriously building a nation with strong economic roots and a stable political base. The United States has contributed in substantial measure to the economic recovery of Greece from the ravages of World War II and the bloody civil war that the Communists subsequently waged, and today Greece is a firm pillar of support for NATO. I am happy to join the Greek people in commemorating this 141st anniversary of Greek independence and to assure them of continued support for their historic efforts to strengthen the structure of their social and economic life.

SUPREME COURT DECISION ON APPORTIONMENT

Mr. KEATING. Mr. President, the Supreme Court's decision in the Tennessee apportionment case will meet with the approval of everyone who believes in giving full significance to the equal protection clause of the 14th amendment. The arbitrary setting of election districts by the State legislatures dilutes the right to vote as effectively as other more obvious examples of disenfranchisement. Such practices violate not only the U.S. Constitution, but in many cases the constitutions of the very States in which such practices are most aggravated.

This problem has been long neglected by the courts and the Congress, and for that reason many may have wrongly believed that these unfair practices would be forever condoned. The Court's landmark decision should finally dispel any such illusions.

I introduced last week a resolution authorizing the Committee on the Judiciary to make a complete study of congressional and State election districts with a particular view of determining the advisability of Federal laws to correct existing conditions. The Court's decision gives immediacy to this proposal. Congress cannot afford another failure to help implement the law of the land, such as in the case of the school desegregation decision.

We will not be doing justice to the guarantees in the Constitution of a republican form of government and of equal protection of the laws by petty calculations as to the number of Democrats and Republicans who would be affected by any adjustment of existing practices to the requirements of the Constitution. We are dealing with the rights of American citizens, not with the interests of political parties.

Moreover, I regard any generalizations as to which party would benefit from a fair apportionment as purely speculative. Recent studies show that in the last decade representation for our major cities actually has improved, while representation for our growing suburban population has rapidly deteriorated. It is evident that such studies that the suburbs of America, rather than the cities, would be the most likely beneficiaries of an apportionment overhauling. But the more important consideration is the Constitution, and every American will benefit, whether he lives in a rural, suburban, or city area, from the knowledge that at long last we are giving meaning to the Constitution's commands.

I hope that there will be early action on my resolution and that Congress will make its full contribution to efforts to achieve fair representation for all Americans.

A MISSED OPPORTUNITY IN SOUTH VIETNAM

Mr. KEATING. Mr. President, the history of our efforts to save South Vietnam will reveal some lost opportunities. One of the saddest of these lost opportunities came to my attention recently, for it was a program which, if vigorously supported a year ago, might have contributed immeasurably to the will and determination and ability of the people of South Vietnam to put up a strong defense against the guerrilla invaders.

What I am referring to is this: Between 40 to 70 percent of the people of South Vietnam are afflicted with an eye disease, called trachoma. Unless treated, the disease leads to blindness, perhaps one of the most fearful afflictions that can befall a person. Yet trachoma can be treated very easily and at relatively little cost. It can be cured or arrested with drugs and vitamins.

For the last 2 years, a most successful eye clinic has been operated by the Catholic Relief Services with the services of four American volunteer ophthalmologists. These ophthalmologists, one of whom was Dr. Elliott B. Hague of Buffalo, reported great success in curing trachoma and treating its complications. Dr. Hague has been in touch with me about his experiences. He served as a volunteer, with his wife who is a trained nurse, for several months at the eye clinic near Saigon. His own contribution was substantial. He is determined now to do all he can to see that blind bureaucracy or perhaps prejudice in Washington does not hinder the program further.

What is needed is to put the program on a continuing basis for several years. In about 2 years, I am told, trachoma can be virtually wiped out, except for the refugees coming from Communist North Vietnam. Their condition usually reveals the hardship and deprivation characteristic of Communist countries and has served to spread trachoma in South Vietnam as well.

Mr. President, to continue my tale of the lost opportunity—this program to wipe out trachoma was discussed with ICA and formally submitted to the Peace Corps. What was the result? Nothing. Absolutely nothing. I am informed that no formal response was ever received by Dr. Hague or by the Catholic Relief Services.

Mr. President, I can only speculate on the reasons for missing out on a program that could have done so much for the South Vietnamese people. A new tendency seems to be developing in government deliberately to exclude religious agencies from any participation in foreign aid projects and even from useful and important volunteer services. The Peace Corps has publicly announced its plans not to work through any existing religiously affiliated group. It is most disturbing to think that foreign aid programs or Peace Corps projects are judged not on their own merits but merely on the issue of whether a religious or church-affiliated group may, however remotely, also be involved in the project.

This approach is unworthy of a great and free nation. To send American soldiers to fight and die in South Vietnam, yet to ignore a project which might have a tremendously beneficial impact through the critical area merely because it was first set up by missionaries is shocking. It is widely resented and it is self-defeating. I am asking both AID and the Peace Corps for a full report as to why we let another significant opportunity slip by us in South Vietnam and whether or not it was for such an ignominious and unworthy motive.

Finally, Mr. President, it is my understanding that there will be another submission of this project directly to AID representatives in Saigon and another attempt made to break through the maze of bureaucracy and perhaps prejudice that has beclouded the issue. I sincerely hope that this proposal will be given fair consideration and weighed on its own considerable merits and not on the scale of politics or prejudice.

CIVIL RIGHTS—REPORT OF THE SOUTHERN REGIONAL COUNCIL

Mr. KEATING. Mr. President, careful reading of the report of the Southern Regional Council provides little basis for satisfaction in the progress being made in the field of civil rights. It does credit the administration with a strong sense of obligation to civil rights and this has led to widespread press reports that the council has lauded the President's accomplishments. This is not a fair appraisal of the council's statement. On the contrary, it will be apparent to anyone who studies the report that there is much more criticism of unfulfilled promises and inadequate measures than there is praise of new policies and practices.

The council points out, for example, that the same administration which requires every Government contractor to practice nondiscrimination, "spends enormous sums for university centered research, without care as to whether the institutions deny admission to Negro students and scholars." It describes the Office of Education in the Department of Health, Education, and Welfare as "aloof" to the educational crisis in the Nation. It criticizes the failure of the administration to challenge the construction of segregated hospital facilities under the Hill-Burton Act. It describes the refusal of the Department of Defense to take steps to desegregate the National Guard as a "national scandal." It pointedly discredits the reasons given by the President for refusing to issue an Executive order against discrimination in Federal housing programs as he promised to do during the campaign. It notes critically that the administration has failed to support legislation to strengthen its "severely restricted" ability to assist in efforts to desegregate our schools.

It is true that the council gives the President abundant credit for some accomplishments, good intentions and noble sentiments. This is encouraging, but it is no substitute for the full scope of positive action needed to accord to all our citizens their rights under the Constitution.

The Commission on Civil Rights has outlined the Executive and legislative measures urgently needed to protect civil rights in America. The report of the Southern Regional Council in no way contradicts the Commission's recommendations, but rather underscores their validity and necessity. I would hope that the council's review of civil rights in our Nation will be an impetus for renewed action rather than an excuse for complacency on this vital subject.

RIGHT AND LEFT EXTREMISTS

Mr. HUMPHREY. Mr. President, I wish to call to the attention of my colleagues a sensible and balanced comment on certain extreme statements recently made by former Vice President Nixon in an attempt to polarize the John Birch Society on the extreme right and the Americans for Democratic Action on the extreme left.

Mr. President, I ask unanimous consent to have printed in the RECORD the editorial from the Minneapolis Star, dated March 16, 1962, entitled "Extremists, Right and Left."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

EXTREMISTS, RIGHT AND LEFT

Labels are often used carelessly by both sides in the current debate over political extremism in this country.

One of the examples of such carelessness is the effort by some politicians to equate the rightwing extremism of the John Birch Society with the supposed leftwing extremism of the Americans for Democratic Action.

Former Vice President NIXON is the latest to make this comparison in a recent look at the political spectrum in this country.

Yet is this a fair comparison?

Those who read the writings of Robert Welch, the founder of the John Birch Society, quickly come to the conclusion that Welch favors a totalitarian society of the right with himself as the leader.

As NIXON pointed out, Welch's words are those of a would-be dictator, and they leave members no choice but to agree with Welch and what he stands for or to quit the society.

But what about the Americans for Democratic Action? Should it be regarded as an extremist organization that is as far from democracy on the left as the John Birch Society is on the right?

We do not think that the two organizations are comparable. The Americans for Democratic Action is itself strongly anti-Communist. It was anti-Communist when it was formed in 1948 to oppose the Progressive Party and the Progressive presidential candidate, Henry A. Wallace, and it still is anti-Communist.

Back in 1948, the Americans for Democratic Action took a strong stand in favor of two anti-Communist programs proposed by President Harry S. Truman and widely supported in the country. They were the Marshall plan and American aid to Greece. The Americans for Democratic Action since then consistently has supported American foreign aid programs and consistently has opposed communism.

It is true, of course, that the Americans for Democratic Action does include New Dealers, Fair Dealers, New Frontiersmen and assorted other liberals. It is true, too, that it backs social reforms, many of which are opposed by middle-of-the-roaders and conservatives. Thus it is easy for rightwingers who equate liberalism with socialism, and socialism with communism, to claim that the Americans for Democratic Action is as extreme in its leftwing philosophy as the John Birch Society is in its rightwing philosophy.

But there is a significant difference that is frequently overlooked: The Americans for Democratic Action is in favor of working within the present democratic system in the United States and it seeks social reform through democratic processes. The same respect for democratic process cannot be claimed for a rightwing organization headed by a man who wants to be an American dictator.

Who, then, are the leftwing extremists in the United States? They are the Communists themselves and those in Communist-front organizations which support the Communists' aims and goals.

The Communists and their mouthpieces on the extreme left thus become the counterparts of the Birchers on the extreme right.

Mr. HUMPHREY. This continued effort on the part of the rightwingers to confuse genuinely liberal groups with the Communist apparatus is a disservice not only to the liberal groups themselves, but also to our country. Clear thinking and clear identification are prerequisites for making mature, sound judgments of national policy. Mr. NIXON's attempt to smear the Americans for Democratic Action has been rightly challenged by a newspaper which can in no sense be termed a spokesman for the Democratic Party.

The editorial speaks for itself, and Mr. NIXON speaks for himself; and in so doing he has done himself an injustice and a disservice. He has revealed a shocking lack of political understanding and responsibility. We have the right to expect better of a former Vice President. He should, and I believe does, know better than what his words would indicate.

Mr. President, in my mind the editorial will be very helpful to people who seek to have a better understanding of some of the political forces at work in our country. As I said, the editorial has come from a newspaper that is relatively independent, but more often than not supports Republican candidates.

PUBLIC WORKS TO STIMULATE ECONOMY

Mr. HUMPHREY. Mr. President, the President of the United States in a letter to the chairmen of the Senate and House Public Works Committees outlined his request for a $600 million program to aid the economy. The letter of President Kennedy was in response to inquiries made to letters from the distinguished Representative JOHN BLATNIK, from Minnesota's Eighth Congressional District, and from the able Senator from Pennsylvania [Mr. CLARK]. The two gentlemen referred to, Representative BLATNIK and the Senator from Pennsylvania [Mr. CLARK], have both been very active in promoting long-term public works programs as a part of the overall national program to stimulate our economy to full employment and to maximum production.

I am happy to be associated in this endeavor, having introduced in the Senate a bill identical to that introduced by Representative BLATNIK. The two bills, the one in the House and the other in the Senate, follow the President's earlier recommendations of standby authority for public works, with a commitment of up to $2 billion of public works programs which are already authorized under congressional action, the public works to be made available when there is a level of unemployment in the economy which is fixed by the proposed legislation, a level that would indicate the need for prompt action.

The President became convinced that it was necessary to do more than merely have standby authority, and, therefore, as his letter of yesterday indicates, he is proposing some immediate action in the form of a $600 million program to aid the economy.

I quote from the President's letter, as follows:

Our present problem is not, of course, one of nationwide recession. We have been making a strong recovery from the recession of 1960–61. Gross national product rose from $501 billion in the first quarter of last year to $542 billion in the last quarter. Industrial production has risen 12 percent over the last 12 months. Disposable personal income per capita has passed the historic $2,000 milestone. Unemployment in the last year has declined from 6.9 percent of the labor force to 5.6 percent, and the number of persons at work has increased by more than 1 million over a year ago. The recovery still has considerable distance to go before full employment is restored. But, despite the fact that our economic performance of the last 2 months has fallen below expectations, we look for a strong and continued expansion throughout the year and into 1963.

The program of President Kennedy, in response to the inquiries of Members of Congress will do much, if acted upon promptly, to lend new vitality to the economy. The program is needed in areas of chronic unemployment. I am hopeful that the respective committees of Congress will act quickly, because every day of delay involves costs not only in terms of income, but also in terms of jobs and lost production.

I ask unanimous consent that the letter of President Kennedy to the Senate and House Public Works Committees be printed at this point in the RECORD, along with an explanatory article, written by Joseph Loftus and printed in the New York Times of today.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

KENNEDY'S LETTERS ON JOB PLAN

I am transmitting herewith a draft of proposed legislation which would authorize immediate initiation of a $600 million capital improvements program in those sections of our country which have failed to share fully in the economic gains of the recovery from the recession of 1960–61. This proposal is in the form of an amendment to the proposed standby Capital Improvements Act of 1962, which I transmitted to the Congress on February 19 and which has since been referred to your committee as H.R. 10318 (S. 2965) and other identical bills.

The proposed standby Capital Improvements Act, together with the recommended standby temporary tax reduction authority and the pending bill to strengthen permanently our Federal-State system of unemployment insurance, would constitute a new and powerful arsenal of weapons to combat the recessions which periodically sap the vitality of our economy. The waste and distress which characterize these periodic recessions can and must be abated. Passage of the recommended legislation will make possible timely and effective action to reduce the severity and duration of future recessions.

Our present problem is not, of course, one of nationwide recession. We have been making a strong recovery from the recession of 1960–61. Gross national product rose from $501 billion in the first quarter of last year to $542 billion in the last quarter. Industrial production has risen 12 percent over the last 12 months. Disposable personal income per capita has passed the historic $2,000 milestone. Unemployment in the last year has declined from 6.9 percent of the labor force to 5.6 percent, and the number of persons at work has increased by more than 1 million over a year ago. The recovery still has considerable distance to go before full employment is restored. But, despite the fact that our economic performance of the last 2 months has fallen below expectations, we look for a strong and continued expansion throughout the year and into 1963.

SERIOUS PROBLEMS REMAIN

Although we do not today face a problem of general recession, the two recessions of the last 5 years—interrupted only by a short and incomplete recovery—have left in their wake serious problems of prolonged large-

scale unemployment and economic distress in hundreds of communities in all sections of the country. The roster of these communities includes large cities, smaller cities, and rural areas. The causes of their troubles are manifold—exodus of industry, displacement of labor by technological change, excessive dependence on declining industries, influx of jobseekers, changing weapons requirements in military procurement, and chronic rural poverty. Whatever the cause, the results are the same—high and persistent urban unemployment or rural underemployment. Continued economic expansion for the Nation as a whole will in time help to restore the prosperity of many of these areas. But their needs are urgent now, and further help should not be delayed until another recession threatens the whole economy.

There are 852 localities which have been designated as redevelopment areas under the Area Redevelopment Act of 1961, and a further 106 communities which have been designated for 12 months or more as areas of substantial unemployment. There 958 localities account for 38 percent of our population. In these areas, taken together, one out of 13 members of the labor force is unemployed, and the average unemployment rate is 33 percent higher than in the rest of the country.

EIGHTY-TWO COMMUNITIES HELPED

Most of these areas are eligible for assistance under the Area Redevelopment Act of 1961. Although the area redevelopment program is less than a year old, assistance has already been extended to 82 communities in 26 States. As this program gathers momentum, more and more communities will be aided in their efforts to build a durable foundation for sustained local prosperity.

The area redevelopment program, however, is a continuing effort to help communities to attract new and permanent jobs to solve their long-range economic problem; it is not primarily designed to provide immediate relief of distress caused by unemployment, or to assist in the general rehabilitation and improvement of public facilities. I believe that a further Federal effort is necessary, both to provide immediate useful work for the unemployed and the underemployed, and to help these and other hard-pressed communities, through improvement of their public facilities, to become better places to live and work.

Accordingly, I urged that we initiate as soon as possible a $600 million capital improvements program in the redevelopment areas and in the communities which have been designated for 12 months or more as areas of substantial unemployment. Actual expenditures will depend upon the timing of congressional action. If legislation and the supporting appropriation are enacted promptly, expenditures under this program would be approximately $25 million in the remaining months of fiscal year 1962, $350 million in fiscal year 1963, and $225 million in the early months of fiscal year 1964.

SEEKS FEDERAL PROJECTS

These funds would be allocated for Federal capital improvements projects in economically depressed areas and for grants and loans to eligible States and localities for improvement of community facilities. Federal grants to States and localities would range up to 50 percent of the cost of each project, and could be higher in certain exceptional cases. Loans would be available to assist hard-pressed communities which would otherwise be unable to meet promptly their share of project costs.

Projects under this program would be limited to those which could be initiated or accelerated within a reasonably short period of time and completed within 12 months after initiation. Other limitations of the standby bill would also apply: For example, projects could be approved only if they were capable of meeting an essential public need, if they would contribute significantly to the reduction of unemployment, and if they were not inconsistent with locally approved comprehensive development plans.

LOCAL PROJECTS BACKED

State and local capital improvements under this program would include such projects as water supply improvement; parks and other recreation development; sewerage systems and water pollution control; construction, rehabilitation and modernization of public buildings, such as hospitals and civic buildings; and road, street, airfield, and port improvement. Examples of Federal projects and programs would include conservation activities to improve our public land, water, timber, fish and wildlife resources, and construction or improvement of laboratories, research and training facilities, and other public buildings.

The standby capital improvements bill, and this proposal for an immediate public facilities program, are in my judgment of equal importance to the economic welfare of our Nation. The former would enable us more effectively to combat the waste and hardship of future recessions; the latter would bring new public facilities, new jobs, and new hope to those communities whose economic troubles have resisted the rising tide of national economic expansion.

KENNEDY OFFERS NEW WORKS PLAN—18-MONTH PROGRAM SOUGHT TO INJECT $600 MILLION IN 958 DEPRESSED AREAS

(By Joseph A. Loftus)

WASHINGTON, March 26.—President Kennedy urged on Congress today a fast-moving 18-month, $600 million program of public improvements that would put thousands of Americans back to work in hard-pressed communities.

"We do not today face a problem of general recession," he said in letters to chairmen of the Senate and House Public Works Committees. But he said:

"The two recessions of the last 5 years—interrupted only by a short and incomplete recovery—have left in their wake serious problems of prolonged large-scale unemployment and economic distress in hundreds of communities in all sections of the country."

Job hunters would work on water supply improvement projects; parks and recreational developments; sewerage systems and water pollution control; construction, rehabilitation, and modernization of public buildings, such as hospitals and civic buildings; road, street, airfield, and port improvements.

NINE HUNDRED AND FIFTY-EIGHT LOCALITIES ELIGIBLE

A total of 958 localities would be eligible to join the program. The total comprises 852 communities designated as redevelopment areas under the Area Redevelopment Act of 1961 and 106 communities with an unemployment rate of more than 6 percent for over a year.

The Federal Government, in general, would finance half the cost of the projects. In exceptional cases, where States or communities cannot finance their share immediately, Federal loans would be available.

The President's plan is separate from the $2 billion public works authority he wants as a standby weapon if another recession threatens and the 4-year area redevelopment program that started in 1961.

Republicans immediately grasped the political value of a program, sponsored by a Democratic administration, that would pump Federal money into communities in an election year.

Representative JAMES C. AUCHINCLOSS, of New Jersey, ranking Republican on the House Public Works Committee, said he recognized the need to help the unemployed. But he said he was "reluctant to agree with the suggestion that the President of the United States be given sole authority to implement and administer such a program."

Mr. AUCHINCLOSS read his statement at a committee hearing where the President's labor and economic experts testified. He said:

"Our country was founded as a Nation controlled by representative government, and we should keep it that way."

Republicans, in short, are fearful that the administration, if authorized to pick and choose among 958 needy localities, would be tempted to use political considerations in distributing Federal largess.

Up for election this year are all seats in the House of Representatives, 37 Senate seats, and 35 governorships.

JOHN W. MCCORMACK, House Speaker, said he thought Congress would receive the President's program favorably.

The President's request is timely and will be very helpful in those communities where there is chronic unemployment, he said.

LABOR URGES ACTION

Labor leaders have been pressing Mr. Kennedy to act in this field. They spent more than an hour with him on March 12 and left as pro-Kennedy as ever. George Meany, president of the American Federation of Labor and Congress of Industrial Organizations, followed up with a letter to the President last Wednesday. The President and his advisers met Thursday morning and agreed on the program.

If Congress approves the program promptly, about $25 million in Federal money could be spent before June 30, when the fiscal year ends.

The program proposes Federal outlays of $350 million in the next fiscal year and $225 million in the early months of fiscal year 1964. That would carry the program through the fall of 1963.

The President's small budget surplus for the next fiscal year would be imperiled by the projected spending of $350 million. This would reduce the estimated surplus to $113 million—a sum that is more significant psychologically and politically than financially.

The President, in his letters to committee chairmen, cited improvements in economic signs generally and added:

"The recovery still has considerable distance to go before full employment is restored. But, despite the fact that our economic performance of the last 2 months has fallen below expectations, we look for a strong and continued expansion throughout the year and into 1963."

Under the new program, projects would be limited to those that could be initiated or accelerated within a reasonably short period of time and completed within 12 months.

Projects could be approved only if they were capable of meeting an essential public need and contributed significantly to the reduction of unemployment. The projects could not be inconsistent with locally approved comprehensive development plans.

The House Public Works Committee heard Secretary of Labor Arthur J. Goldberg, Dr. Walter W. Heller, Chairman of the Council of Economic Advisers, and David E. Bell, Budget Director, testify in favor of the new program and the standby public works.

Republicans on the committee spoke more sharply of the standby program than of the new proposal. Under the standby plan, a certain level of unemployment would trigger the use of the $2 billion for public works for 1 year.

The President would be able to take the funds allocated for other purposes, except for highway and other trust funds, and use them for capital improvements. Congress then would replace the money transferred by the President to the public works account.

Representative GORDON H. SCHERER, Republican, of Ohio, speaking with sarcasm, said he preferred the standby bill of Representative JOHN A. BLATNIK, Democrat, of Minnesota, to the administration proposal.

"Mr. BLATNIK's provides for direct backdoor spending, yours in only a subterfuge," he said.

Mr. HUMPHREY. The President points out that 852 localities have been designated as redevelopment areas under the Area Redevelopment Act of 1961, and a further 106 communities have been designated for 12 months or more as areas of substantial unemployment. He further points out that 958 localities account for 38 percent of our population.

THE SUPREME COURT'S OPINIONS ON THE TENNESSEE REAPPORTIONMENT CASE

Mr. HUMPHREY. Mr. President, I invite the attention of Senators to excerpts from the Supreme Court's opinions on the Tennessee reapportionment case. The distinguished Senator from New York [Mr. KEATING] commented on the Supreme Court decision. I believe that this decision is among the most important decisions to be handed down for many a generation. It will have an impact upon the economic, social, and political life of our country. This goes far beyond what may be contemplated at this particular moment. The decision will present a problem of implementation. The Court's decision provides the ways and means for implementation.

In other words, Mr. President, reapportionment will be required. Reapportionment will be obtained, if need be, through the district courts by order of the district courts. I believe that the decision in this case is of such importance that excerpts from the Court's opinions on the Tennessee reapportionment case should be made a part of the official record of the Congress. The decision may well stand with some of the great decisions of the Court, like the decision in McCulloch versus Maryland; the decisions that related to the early New Deal measures, under the administration of Franklin Roosevelt; and the decision relating to the steel case as well as other decisions.

Therefore, I ask unanimous consent that excerpts from the Supreme Court opinions in this case, to which I have referred, be printed in the CONGRESSIONAL RECORD. These excerpts will also include not only the majority opinion and the separate opinions of Justices Douglas, Clark, and Stewart, but also the dissenting opinions of Justices Harlan and Frankfurter.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

EXCERPTS FROM SUPREME COURT'S OPINIONS ON THE TENNESSEE REAPPORTIONMENT CASE

Mr. Justice Brennan delivered the opinion of the Court.

This civil action was brought under 42 U.S.C., sections 1983 and 1988 to redress the alleged deprivation of Federal constitutional rights. The complaint, alleging that by means of a 1901 statute of Tennessee apportioning the members of the general assembly among the State's 95 counties, "these plaintiffs and others similarly situated, are denied the equal protection of the laws accorded them by the 14th amendment to the Constitution of the United States by virtue of the debasement of their votes," was dismissed by a three-judge court convened under 28 U.S.C. 2281 in the middle district of Tennessee. The court held that it lacked jurisdiction of the subject matter and also that no claim was stated upon which relief could be granted (179 F. Supp. 824). We noted probable jurisdiction of the appeal (364 U.S. 898). We hold that the dismissal was error, and remand the cause to the district court for trial and further proceedings consistent with this.

The General Assembly of Tennessee consists of the senate with 33 members and the house of representatives with 99 members.

Tennessee's standard for allocating legislative representation among her counties is the total number of qualified voters resident in the respective counties, subject only to minor qualifications. Decennial reapportionment in compliance with the constitutional scheme was effected by the general assembly each decade from 1871 to 1901. * * * The 1881 apportionment. In 1901 the general assembly abandoned separate enumeration in favor of reliance upon the Federal census and passed the apportionment act here in controversy. In the more than 60 years since that action, all proposals in both houses of the general assembly for reapportionment have failed to pass.

Between 1901 and 1961, Tennessee has experienced substantial growth and redistribution of her population. In 1901 the population was 2,020,616, of whom 487,380 were eligible to vote. The 1960 Federal census reports the State's population at 3,567,089, of whom 2,092,891 are eligible to vote. The relative standings of the counties in terms of qualified voters have changed significantly. It is primarily the continued application of the 1901 apportionment act to this shifted and enlarged voting population which gives rise to the present controversy.

ACTION CALLED ARBITRARY

Indeed, the complaint alleges that the 1901 statute, even as of the time of its passage, "made no apportionment of Representatives and Senators in accordance with the constitutional formula but instead arbitrarily and capriciously apportioned representatives in the senate and house without reference to any logical or reasonable formula whatever." It is further alleged that "because of the population changes since 1900, and the failure of the legislature to reapportion itself since 1901," the 1901 statute became unconstitutional and obsolete. Appellants also argue that, because of the composition of the legislature effected by the 1901 apportionment act, redress in the form of a State constitutional amendment to change the entire mechanism for reapportioning, or any other change short of that, is difficult or impossible. The complaint concludes that "these plaintiffs and others similarly situated, are denied the equal protection of the laws accorded them by the 14th amendment to the Constitution of the United States by virtue of the debasement of their votes." They seek a declaration that the 1901 statute is unconstitutional and an injunction restraining the appellees from acting to conduct any further elections under it. They also pray that unless and until the general assembly enacts a valid reapportionment, the district court should either decree a reapportionment by mathematical application of the Tennessee constitutional formula to the most recent Federal census figures, or direct the appellees to conduct legislative elections, primary and general, at large. They also pray for such other and further relief as may be appropriate.

Because we deal with this case on appeal from an order of dismissal granted on appellees' motions, precise identification of the issues presently confronting us demands clear exposition of the grounds upon which the district court rested in dismissing the case. The dismissal order recited that the court sustained the appellees' grounds "(1) that the court lacks jurisdiction of the subject matter, and (2) that the complaint fails to state a claim upon which relief can be granted."

In the setting of a case such as this, the recited grounds embrace two possible reasons for dismissal.

First: That the facts and injury alleged, the legal bases invoked as creating the rights and duties relied upon, and the relief sought, fall to come within that language of article III of the Constitution and of the jurisdictional statutes which define those matters concerning which U.S. district courts are empowered to act.

Second: That, although the matter is cognizable and facts are alleged which establish infringement of appellants' rights as a result of State legislative action departing from a Federal constitutional standard, the court will not proceed because the matter is considered unsuited to judicial inquiry or adjustment.

We treat the first ground of dismissal as lack of jurisdiction of the subject matter. The second we consider to result in a failure to state a justiciable cause of action.

The district court's dismissal order recited that it was issued in conformity with the court's per curiam opinion. The opinion reveals that the court rested its dismissal upon lack of subject-matter jurisdiction and lack of a justicable cause of action without attempting to distinguish between these grounds.

CITES COURT'S OPINION

The court proceeded to explain its action as turning on the case's presenting a "question of the distribution of political strength for legislative purposes." For, "from a review of (numerous Supreme Court) * * * decisions there can be no doubt that the Federal rule, as enunciated and applied by the Supreme Court, is that the Federal courts, whether from a lack of jurisdiction or from the inappropriateness of the subject matter for judicial consideration, will not intervene in cases of this type to compel legislative reapportionment" (179 F. Supp., at 826).

The court went on to express doubts as to the feasibility of the various possible remedies sought by the plaintiffs (179 F. Supp., at 827-828). Then it made clear that its dismissal reflected a view not of doubt that violation of constitutional rights was alleged, but of a court's impotence to correct that violation:

With the plaintiffs' argument that the Legislature of Tennessee is guilty of a clear violation of the State constitution and of the rights of the plaintiffs the court entirely agrees. It also agrees that the veil is a serious one which should be corrected without further delay. But even so the remedy in this situation clearly does not lie with the courts. It has long been recognized and is accepted doctrine that there are indeed some rights guaranteed by the Constitution for the violation of which the courts cannot give redress" (179 F. Supp., at 828).

JURISDICTION ASSERTED

In light of the district court's treatment of the case, we hold today only (a) that the court possessed jurisdiction of the subject matter; (b) that a justiciable cause of action is stated upon which appellants would be entitled to appropriate relief; and (c) because appellees raise the issue before this Court, that the appellants have standing to challenge the Tennessee apportionment statutes. Beyond noting that we have no cause at this stage to doubt the district court will be able to fashion relief if violations of constitutional rights are found, it is improper now to consider what remedy would be most appropriate if appellants prevail at the trial.

The district court was uncertain whether our cases withholding Federal judicial relief rested upon a lack of Federal jurisdiction or upon the inappropriateness of the subject matter for judicial consideration—what we have designated nonjusticiability. The distinction between the two grounds is significant. In the instance of nonjusticiability, consideration of the cause is not wholly and immediately foreclosed; rather, the court's inquiry necessarily proceeds to the point of deciding whether the duty asserted can be judicially molded. In the instance of lack of jurisdiction the cause either does not arise under the Federal Constitution, laws or treaties (or fall within one of the other enumerated categories of art. III, 2), or is not a case or controversy within the meaning of that section; or the cause is not one described by any jurisdictional statute. Our conclusion, see pages 22-49, infra, that this cause presents no nonjusticiable political question settles the only possible doubt that it is a case or controversy. Under the present heading of "Jurisdiction of the Subject Matter" we hold only that the matter set forth in the complaint does arise under the Constitution and is within 28 U.S.C. 1343.

Article III, 2, of the Federal Constitution provides that "the judicial power shall extend to all cases, in law and equity, arising under this Constitution, the laws of the United States, and treaties made, or which shall be made, under their authority * * *." It is clear that the cause of action is one which arises under the Federal statute which effects an appointment that deprives the appellants of the equal protection of the laws in violation of the 14th amendment. Dismissal of the complaint upon the ground of lack of jurisdiction of the subject matter would, therefore, be justified only if that claim were so attenuated and unsubstantial as to be absolutely devoid of merit (*Newburyport Water Co.* v. *Newburyport*, 193 U.S. 561, 579), or "frivolous" (*Bell* v. *Hood*, 327 U.S. 678, 683). That the claim is unsubstantial must be "very plain" (*Hart* v. *Keith Vaudeville Exchange*, 262 U.S. 271, 274). Since the district court obviously and correctly did not deem the asserted Federal constitutional claim unsubstantial and frivolous, it should not have dismissed the complaint for want of jurisdiction of the subject matter. And of course no further consideration of the merits of the claim is relevant to a determination of the court's jurisdiction of the subject matter.

FINDS MANY PRECEDENTS

An unbroken line of our precedents sustains the Federal courts' jurisdiction of the subject matter of Federal constitutional claims of this nature. The first cases involved the redistricting of States for the purpose of electing Representatives to the Federal Congress. When the Ohio Supreme Court against an attack for repugnancy to article I, 4, of the Federal Constitution, we affirmed on the merits and expressly refused to dismiss for want of jurisdiction "in view of the subject matter of the controversy and the Federal characteristics which inhere in it" (*Ohio ex rel. Davis* v. *Hildebrant*, 241 U.S. 565, 570). When the Minnesota Supreme Court affirmed the dismissal of a suit to enjoin the secretary of state of Minnesota from acting under Minnesota redistricting legislation, we reviewed the constitutional matter; (b) that a justiciable cause of action is stated upon which appellants would be entitled to appropriate relief; and (c) because appellees raise the issue before this Court, that the appellants have standing to challenge the Tennessee apportionment statutes. Beyond noting that we have no cause at this stage to doubt the district court will be able to fashion relief if violations of constitutional rights are found, it is improper now to consider what remedy would be most appropriate if appellants prevail at the trial.

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SIMILAR CASES NOTED

Several subsequent cases similar to Colegrove have been decided by the Court in summary per curiam statements. None was dismissed for want of jurisdiction of the subject matter (*Cook* v. *Fortson*, 329 U.S. 675; *Turman* v. *Duckworth*, ibid.; *Colegrove* v. *Barrett*, 330 U.S. 804; *Tedesco* v. *Board of Supervisors*, 339 U.S. 940; *Remmey* v. *Smith*, 342 U.S. 916; *Cox* v. *Peters*, 342 U.S. 936; *Anderson* v. *Jordan*, 343 U.S. 912; *Kidd* v. *McCanless*, 352 U.S. 920; *Radford* v. *Gary*, 352 U.S. 991; *Hartsfield* v. *Sloan*, 357 U.S. 916; *Matthews* v. *Handley*, 361 U.S. 127).

Two cases decided with opinions after Colegrove likewise plainly imply that the subject matter of this suit is within district court jurisdiction. In *MacDougall* v. *Green* (335 U.S. 281), the district court dismissed for want of jurisdiction, which had been invoked under 28 U.S.C. 1343(3), a suit to enjoin enforcement of the requirement that nominees for statewide elections be supported by a petition signed by a minimum number of persons from at least 50 of the State's 102 counties. This court's disagreement with that action is clear since the court affirmed the judgment after a review of the merits and concluded that the particular claim there was without merit. In *South* v. *Peters* (339 U.S. 276), we affirmed the dismissal of an attack on the Georgia county unit system but founded our action on a ground that plainly would not have been reached if the lower court lacked jurisdiction of the subject matter which allegedly existed under 28 U.S.C. 1343(3). The express words of our holding were that "Federal courts consistently refuse to exercise their equity powers in cases posing political issues arising from a State's geographical distribution of electoral strength among its political subdivisions" (339 U.S., at 277).

We hold that the district court has jurisdiction of the subject matter of the Federal constitutional claim asserted in the complaint.

STANDING

A Federal court cannot "pronounce any statute, either of a State or of the United States, void, because irreconcilable with the Constitution, except as it is called upon to adjudge the legal rights of litigants in actual controversies" (*Liverpool Steamship Co.* v. *Commissioners of Emigration*, 113 U.S. 33, 39). Have the appellants alleged such a personal stake in the outcome of the controversy as to assure that concrete adverseness which sharpens the presentation of issues upon which the court so largely depends for illumination of difficult constitutional questions? This is the gist of the question of standing. It is, of course, a question of Federal law.

The complaint was filed by residents of Davidson, Hamilton, Knox, Montgomery, and Shelby Counties. Each is a person allegedly qualified to vote for members of the general assembly representing his county. These appellants sued "on their own behalf and on behalf of all qualified voters of their respective counties, and further, on behalf of all voters of the State of Tennessee who are similarly situated. The appellees are the Tennessee secretary of state, attorney general, coordinator of elections, and members of the State board of elections; the members of the State board are sued in their own right and also as representatives of the county election commissioners whom they appoint.

We hold that the appellants do have standing to maintain this suit. Our decisions plainly support this conclusion. Many of the cases have assumed rather than articulated the premise in deciding the merits of similar claims. And *Colegrove* v. *Green*, supra, squarely held that voters who allege facts showing disadvantage to themselves as individuals have standing to sue. A number of cases decided after Colegrove recognized the standing of the voters there involved to bring those actions.

These appellants seek relief in order to protect or vindicate an interest of their own, and of those similarly situated. Their constitutional claim is, in substance, that the 1901 statute constitutes arbitrary and capricious State action, offensive to the 14th amendment in its irrational disregard of the standard of apportionment prescribed by the State's constitution or of any standard, effecting a gross disproportion of representation to voting population. The injury which appellants assert is that this classification disfavors the voters in the counties in which they reside, placing them in a position of constitutionally unjustifiable inequality vis-a-vis voters in irrationally favored counties. A citizen's right to a vote free of arbitrary impairment by State action has been judicially recognized as a right secured by the Constitution, when such impairment resulted from dilution by a false tally, (cf. *United States* v. *Classic*), 3113 U.S. 299; or by a refusal to count votes from arbitrarily selected precincts (cf. *United States* v. *Mosley*, 238 U.S 383), or by a stuffing of the ballot box (cf. *Ex parte Siebold*, 100 U.S. 371; *United States* v. *Saylor*, 322 U.S. 385).

In holding that the subject matter of the suit was not justiciable, the district court replied on *Colegrove* v. *Green*, supra, and subsequent per curiam cases. The court stated: "From review of these decisions there can be no doubt that the Federal rule is that the Federal courts will not intervene in cases of this type to compel legislative reapportionment" (179 F. Supp., at 826). We understand the district court to have read the cited cases as compelling the conclusion that since the appellants sought to have a legislative apportionment held unconstitutional, their suit presented a political question and was therefore nonjusticiable. We hold that this challenge to an apportionment presents no nonjusticiable political question. The cited cases do not hold the contrary.

Of course the mere fact that the suit seeks protection of a political right does not mean it presents a political question. Such an objection "is little more than a play upon words." (*Nixon* v. *Herndon*, 273 U.S. 536, 540). Rather, it is argued that apportionment cases, whatever the actual wording of the complaint, can involve no Federal constitutional right except one resting the guaranty of a republican form of government, and that complaints based on that clause have been held to present political questions which are nonjusticiable.

It is apparent that several formulations which vary slightly according to the settings

in which the questions arise may describe a political question, although each has one or more elements which identifies it as essentially a function of the separation of powers. Prominent on the surface of any case held to involve a political question is found a textually demonstrable constitutional commitment of the issue to a coordinate political department; or a lack of judicially discoverable and manageable standards for resolving it; or the impossibility of deciding without an initial policy determination of a kind clearly for nonjudicial discretion; or the impossibility of a court's undertaking independent resolution without expressing lack of the respect due coordinate branches of government; or an unusual need for unquestioning adherence to a political decision already made; or the potentiality of embarrassment from multifarious pronouncements by various departments on one question.

DOCTRINE CLARIFIED

Unless one of these formulations is inextricable from the case at bar, there should be no dismissal for nonjusticiability on the ground of a political question's presence. The doctrine of which we treat is one of political questions, not one of political cases. The courts cannot reject as no lawsuit a bona fide controversy as to whether some action denominated political exceeds constitutional authority.

We come, finally, to the ultimate inquiry whether our precedents as to what constitutes a nonjusticiable political question bring the case before us under the umbrella of that doctrine. A natural beginning is to note whether any of the common characteristics which we have been able to identify and label descriptively are present.

We find none: The question here is the consistency of State action with the Federal Constitution. We have no question decided, or to be decided, by a political branch of government coequal with this court. Nor do we risk embarrassment of our Government abroad, or grave disturbance at home if we take issue with Tennessee as to the constitutionality of her action here challenged. Nor need the appellants, in order to succeed in this action, ask the court to enter upon policy determinations for which judicially manageable standards are lacking. Judicial standards under the equal protection clause are well developed and familiar, and it has been open to courts since the enactment of the 14th amendment to determine if on the particular facts they must, that a discrimination reflects no policy, but simply arbitrary and capricious action.

CALLS RELIANCE FUTILE

This case does, in one sense, involve the allocation of political power within a State, and the appellants might conceivably have added a claim under the guaranty clause. Of course, as we have seen, any reliance on that clause would be futile. But because any reliance on the guaranty clause could not have succeeded it does not follow that appellants may not be heard on the equal protection claim which in fact they tender. True, it must be clear that the 14th amendment claim is not so enmeshed with those political question elements which render guaranty clause claims nonjustifiable as actually to present a political question itself. But we have found that not to be the case here.

We conclude then that the nonjusticiability of claims resting on the guaranty clause which arises from their embodiment of questions that were thought political, can have no bearing upon the justiciability of the equal protection claim presented in this case. Finally, we emphasize that it is the involvement in guaranty clause claims of the elements thought to define political questions, and no other feature, which could render them nonjusticiable. Specifically, we have said that such claims are not held nonjusticiable because they touch matters of State governmental organization. Brief examination of a few cases demonstrates this.

When challenges to State action respecting matters of the administration of the affairs of the State and the officers through whom they are conducted have rested on claims of constitutional deprivation which are amenable to judicial correction, this court has acted upon its view of the merits of the claim. For example, in *Boyd* v. *Nebraska ex rel. Thayer* (143 U.S. 135), we reversed the Nebraska Supreme Court's decision that Nebraska's Governor was not a citizen of the United States or of the State and therefore could not continue in office. In *Kennard* v. *Louisiana ex rel. Morgan* (92 U.S. (1 Otto) 480), and *Foster* v. *Kansas ex rel. Jonston* (112 U.S. 201), we considered whether persons had been removed from public office by procedures consistent with the 14th amendment's due process guaranty, and held on the merits that they had. And only last term, in *Gomillion* v. *Lightfoot* (364 U.S. 339), we applied the 15th amendment to strike down a redrafting of municipal boundaries which affected a discriminatory impairment of voting rights, in the face of what a majority of the court of appeals thought to be a sweeping commitment to State legislatures of the power to draw and redraw such boundaries.

DEPRIVATION ASSERTED

Gomillion was brought by a Negro who had been a resident of the city of Tuskegee, Ala., until the municipal boundaries were so recast by the State legislature as to exclude practically all Negroes. The plaintiff claimed deprivation of the right to vote in municipal elections. The district court's dismissal for want of jurisdiction and failure to state a claim upon which relief could be granted was affirmed by the court of appeals. This court unanimously reversed. This court's answer to the argument that States enjoyed unrestricted control over municipal boundaries was:

"Legislative control of municipalities, no less than other State power, lies within the scope of relevant limitations imposed by the U.S. Constitution. The opposite conclusion, urged upon us by respondents, would sanction the achievement by a State of any impairment of voting rights whatever so long as it was cloaked in the garb of the realinement of political subdivisions. It is inconceivable that guarantees embedded in the Constitution of the United States may thus be manipulated out of existence. (364 U.S. 344-345.)

Since, as has been established, the equal protection claim tendered in this case does not require decision of any political question, and since the presence of a matter affecting State government does not render the case nonjusticiable, it seems appropriate to examine again the reasoning by which the district court reached its conclusion that the case was nonjusticiable.

We have already noted that the district court's holding that the subject matter of this complaint was nonjusticiable relied upon *Colegrove* v. *Green*, supra, and later cases. Some of those concerned the choice of members of a State legislature, as in this case; others, like Colegrove itself and earlier precedents (*Smiley* v. *Holm*, 285 U.S. 355, *Koenig* v. *Flynn*, 285 U.S. 375, and *Carroll* v. *Becker*, 285 U.S. 380), concerned the choice of Representatives in the Federal Congress. The court followed these precedents in Colegrove although over the dissent of three of the seven justices who participated in that decision. On the issue of justiciability, all four justices comprising a majority relied upon *Smiley* v. *Holm*, but in two opinions, one for three justices, 328 U.S. 566, 568, and a separate one by Mr. Justice Rutledge, 328 U.S. 564.

EQUITY FOUND LACKING

Indeed, the refusal to award relief in Colegrove resulted only from the controlling view of a want of equity. Nor is anything contrary to be found in those per curiams that came after Colegrove. This court dismissed the appeals in *Cook* v. *Fortson* and *Turman* v. *Duckworth* (329 U.S. 675, as moot. *MacDougall* v. *Green* (335 U.S. 281), held only that in that case equity would not act to void the State's requirement that there be at least a minimum of support for nominees for statewide office, over at least a minimal area of the State. Problems of timing were critical in *Remmey* v. *Smith* (342 U.S. 916), dismissing for want of a substantial Federal question a three-judge court's dismissal of the suit as prematurely brought (102 F. Supp. 708); and in *Hartsfield* v. *Sloan* (357 U.S. 916), denying mandamus sought to compel the convening of a three-judge court—movants urged the court to advance consideration of their case "inasmuch as the mere lapse of time before this case can be reached in the normal course of business may defeat the cause, and inasmuch as the time problem is due to the inherent nature of the case." *South* v. *Peters* (339 U.S. 276), like Colegrove, appears to be a refusal to exercise equity's powers; see the statement of the holding, quoted, supra, page 17.

Tedesco v. *Board of Supervisors* (339 U.S. 940), indicates solely that no substantial Federal question was raised by a State court's refusal to upset the districting of city council seats, especially as it was urged that there was a rational justification for the challenged districting. (See 43 So. 2d 514.) Similarly, in *Anderson* v. *Jordan* (343 U.S.), it was certain only that the State court had refused to issue a discretionary writ, original mandamus in the Supreme Court. That had been denied without opinion, and of course it was urged here that an adequate State ground barred this court's review. And in *Kidd* v. *McCanless* (200 Tenn. 273, 292 S.W. 2d 40), the Supreme Court of Tennessee held that it could not invalidate the very statute at issue in the case at bar, but its holding rested on its State law of remedies, i.e., the State view of de facto officers, and not on any view that the norm for legislative apportionment in Tennessee is not numbers of qualified voters resident in the several counties. Of course this court was there precluded by the adequate State ground, and in dismissing the appeal (352 U.S. 920), we cited Anderson, supra, as well as Colegrove. Nor does the Tennessee court's decision in that case bear upon this, for just as in *Smith* v. *Holm* (220 Minn. 486, 19 N.W. 2d 914), and *Magraw* v. *Donovan* (163 F. Supp. 174, 177 F. Supp. 803), a State court's inability to grant relief does not bar a Federal court's assuming jurisdiction to inquire into alleged deprivation of Federal constitutional rights. Problems of relief also controlled in *Radford* v. *Gary* (352 U.S. 911), affirming the district court's refusal to mandamus the Governor to call a session of the legislature, to mandamus the legislature then to apportion, and if they did not comply, to mandamus the State supreme court to do so. Lastly, *Colegrove* v. *Barrett* (330 U.S. 804), in which Mr. Justice Rutledge concurred in this court's refusal to note the appeal from a dismissal for want of equity, is sufficiently explained by his statement in *Cook* v. *Fortson*, supra: "The discretionary exercise or nonexercise of equitable or declaratory judgment jurisdiction in one case is not precedent in another case where the facts differ" (329 U.S., at 678, n. 8).

We conclude that the complaint's allegations of a denial of equal protection present a justifiable constitutional cause of action upon which appellants are entitled to a trial and a decision. The right asserted is within the reach of judicial protection under the 14th amendment.

The judgment of the district court is reversed and the cause is remanded for further proceedings consistent with this opinion.

Reversed and remanded. Mr. Justice Whittaker did not participate in the decision of this case.

(Mr. Justice Clark, concurring.)

One emerging from the rash of opinions with their accompanying clashing of views may well find himself suffering a mental blindness. The court holds that the appellants have alleged a cause of action. However, it refuses to award relief here—although the facts are undisputed—and fails to give the district court any guidance whatever. One dissenting opinion, bursting with words that go through so much and conclude with so little, condemns the majority action as "a massive repudiation of the experience of our whole past." Another describes the complaint as merely asserting conclusory allegations that Tennessee's apportionment is incorrect, arbitrary, obsolete, and unconstitutional. I believe it can be shown that this case is distinguishable from earlier cases dealing with the distribution of political power by a State, that a patent violation of the equal protection clause of the U.S. Constitution has been shown, and that an appropriate remedy may be formulated.

I

I take the law of the case from *MacDougall* v. *Green* (335 U.S. 281 (1948)), which involved an attack under the equal protection clause upon an Illinois election statute. The court decided that case on its merits without hindrance from the political question doctrine. Although the statute under attack was upheld, it is clear that the court based its decision upon the determination that the statute represented a rational State policy. It stated:

"It would be strange indeed, and doctrinaire, for this court, applying such broad constitutional concepts as due process and equal protection of the laws, to deny a State the power to assure a proper diffusion of political initiative as between its thinly populated counties and those having concentrated masses, in view of the fact that the latter have practical opportunities for exerting their political weight at the polls not available to the former" (id., at 284).

The other cases upon which my brethren dwell are all distinguishable or inapposite. The widely heralded case of *Colegrove* v. *Green* (328 U.S. 549 (1946)) * * * which the Court was bobtailed but in which there was no majority opinion. Indeed, even the political question point in Mr. Justice Frankfurter's opinion was no more than an alternative ground. Moreover, the appellants did not present an equal protection argument. While it has served as a Mother Hubbard to most of the subsequent cases, I feel it was in that respect ill-cast and for all of these reasons put it to one side. Likewise, I do not consider the guaranty clause cases based on article I, 4, of the Constitution, because it is not invoked here and it involves different criteria, as the Court's opinion indicates. Cases resting on various other considerations not present here, such as *Radford* v. *Gary* (352 U.S. 991 (1957)) (lack of equity); *Kidd* v. *McCanless* (352 U.S. 920 (1956)) (adequate State grounds supporting the State judgment); *Anderson* v. *Jordan* (343 U.S. 912 (1952)) (adequate State grounds).

II

The controlling facts cannot be disputed. It appears from the record that 37 percent of the voters of Tennessee elect 20 of the 33 senators while 40 percent of the voters elect 63 of the 99 members of the house. But this might not on its face be an invidious discrimination (*Williamson* v. *Lee Optical of Oklahoma*, 348 U.S. 483, 489 (1955)), for a "statutory discrimination will not be set aside if any state of facts reasonably may be conceived to justify it." *McGowan* v. *Maryland* (366 U.S. 420, 426 (1961)).

It is true that the apportionment policy incorporated in Tennessee's constitution, i.e., statewide numerical equality of representation with certain minor qualifications, is a rational one. On a county-by-county comparison a districting plan based thereon naturally will have disparities in representation due to the qualifications. But this to my mind does not raise constitutional problems, for the overall policy is reasonable. However, the root of the trouble is not in Tennessee's constitution, for admittedly its policy has not been followed. The discrimination lies in the action of Tennessee's assembly in allocating legislative seats to counties or districts created by it. Try as one may, Tennessee's apportionment just cannot be made to fit the pattern cut by its constitution. This was the finding of the district court. The policy of the constitution referred to by the dissenters, therefore, is of no relevance here. We must examine what the assembly has done. The frequency and magnitude of the inequalities in the present districting admit of no policy whatever. * * * The apportionment picture in Tennessee is a topsy-turvical of gigantic proportions. * * *

It leaves but one conclusion; namely, that Tennessee's apportionment is a crazy quilt without rational basis. * * *

As is admitted there is a wide disparity of voting strength between the large and small counties. Some samples are: Moore County has a total representation of 2 with a population (2,340) of one-eleventh of Rutherford County (25,316) with the same representation; Decatur County (5,563) has the same representation as Carter (23,303) though the latter has four times the population; likewise, Loudon County (13,264), Houston County (3,084), and Anderson County (33,990) have the same representation, i.e., 1.25 each. * * *

The truth is that—although this case has been here for 2 years and has had over 6 hours' argument (three times the ordinary case) and has been most carefully considered over and over again by us in conference and individually—no one, not even the State nor the dissenters, has come up with any rational basis for Tennessee's apportionment statute.

Although I find the Tennessee apportionment statute offends the equal protection clause, I would not consider intervention by this court into so delicate a field if there were any other relief available to the people of Tennessee. But the majority of the people of Tennessee have no "practical opportunities for exerting their political weight at the polls" to correct the existing invidious discrimination. Tennessee has no initiative and referendum. I have searched diligently for other practical opportunities present under the law. I find none other than through the Federal courts. The majority of the voters have been caught up in a legislative straitjacket. Tennessee has an informed, civically militant electorate and an aroused popular conscience, but it does not sear the conscience of the people's representatives. This is because the legislative policy has riveted the present seats in the assembly to their respective constituencies, and by the votes of their incumbents a reapportionment of any kind is prevented. The people have been rebuffed at the hands of the assembly; they have tried the constitutional convention route, but since the call must originate in the assembly it, too, has been fruitless. They have tried Tennessee courts with the same result and Governors have fought the tide only to flounder. It is said that there is recourse in Congress and perhaps that may be, but from a practical standpoint this is without substance. To date Congress has never undertaken such a task in any State. We therefore must conclude that the people of Tennessee are stymied and without judicial intervention will be saddled with the present discrimination in the affairs of their State government.

III

Finally, we must consider if there are any appropriate modes of effective judicial relief. The Federal courts are, of course, not forums for political debate, nor should they resolve themselves into State constitutional conventions or legislative assemblies. Nor should their jurisdiction be exercised in the hope that such a declaration, as is made today, may have the direct effect of bringing on legislative action and relieving the courts of the problem of fashioning relief. To my mind this would be nothing less than blackjacking the assembly into reapportioning the State. If judicial competence were lacking to fashion an effective decree, I would dismiss this appeal. However, like the Solicitor General of the United States, I see no such difficulty in the position of this case. One plan might be to start with the existing assembly districts, consolidate some of them, and award the seats thus released to those counties suffering the most egregious discrimination. Other possibilities are present and might be more effective. But the plan here suggested would at least release the stranglehold now on the assembly and permit it to redistrict itself.

In this regard the appellants have proposed a plan based on the rationale of statewide equal representation. Not believing that numerical equality of representation throughout a State is constitutionally required, I would not apply such a standard albeit a permissive one. Nevertheless, the dissenters attack it by the application of the Harlan adjusted total representation formula. The result is that some isolated inequalities are shown, but this in itself does not make the proposed plan irrational or place it in the crazy quilt category. Such inequalities, as the dissenters point out in attempting to support the present apportionment as rational, are explainable. Moreover, there is no requirement that any plan have mathematical exactness in its application. Only where, as here, the total picture reveals incommensurables of both magnitude and frequency can it be said that there is present an invidious discrimination.

In view of the detailed study that the court has given this problem, it is unfortunate that a decision is not reached on the merits. The majority appears to hold, at least sub silentio, that an invidious discrimination is present, but it remands to the three-judge court for it to make what is certain to be that formal determination. It is true that Tennessee has not filed a formal answer. However, it has filed voluminous papers and made extended arguments supporting its position. At no time has it been able to contradict the appellants' factual claims; it has offered no rational explanation for the present apportionment; indeed, it has indicated that there are none known to it. In view of all this background I doubt if anything more can be offered or will be gained by the State on remand, other than time. Nevertheless, not being able to muster a court to dispose of the case on the merits, I concur in the opinion of the majority and acquiesce in the decision to remand. However, in fairness I do think that Tennessee is entitled to have my idea of what it faces on the record before us and the trial court some light as to how it might proceed.

As John Rutledge (later Chief Justice) said 175 years ago in the course of the Constitutional Convention, a chief function of the court is to secure the national rights. Its decision today supports the proposition for which our forebears fought and many died, namely that "to be fully conformable

to the principle of right, the form of government must be representative." That is the keystone upon which our Government was founded and lacking which no republic can survive. It is well for this court to practice self-restraint and discipline in constitutional adjudication, but never in its history have those principles received sanction where the national rights of so many have been so clearly infringed for so long a time. National respect for the courts is more enhanced through the forthright enforcement of those rights rather than by rendering them nugatory through the interposition of subterfuges. In my view the ultimate decision today is in the greatest tradition of this court.

The separate writings of my dissenting and concurring brothers stray so far from the subject of today's decision as to convey, I think, a distressingly inaccurate impression of what the court decides. For that reason, I think it appropriate, in joining the opinion of the court, to emphasize in a few words what the opinion does and does not say.

The Court today decides three things and no more: "(a) That the Court possessed jurisdiction of the subject matter; (b) that a justiciable cause of action is stated upon which appellants would be entitled to appropriate relief; and (c) that the appellants have standing to challenge the Tennessee apportionment statutes."

The complaint in this case asserts that Tennessee's system of apportionment is utterly arbitrary—without any possible justification in rationality. The district court did not reach the merits of that claim, and this Court quite properly expresses no view on the subject. Contrary to the suggestion of my Brother Harlan, the Court does not say or imply that "State legislatures must be so structured as to reflect with approximate equality the voice of every voter." The Court does not say or imply that there is anything in the Federal Constitution "to prevent a State, acting not irrationally, from choosing any legislative structure it thinks best suited to the interests, temper, and customs of its people." And contrary to the suggestion of my Brother Douglas, the Court most assuredly does not decide the question, "May a State weight the vote of one county or one district more heavily than it weights the vote in another?"

RECALLS RECENT RULING

In *MacDougall* v. *Green* (335 U.S. 281), the Court held that the equal protection clause does not "deny a State the power to assure a proper diffusion of political initiative as between its thinly populated counties and those having concentrated masses, in view of the fact that the latter have practical opportunities for exerting their political weight at the polls not available to the former" (335 U.S. at 284). In case after case arising under the equal protection clause the Court has said again only last term that "the 14th amendment permits the States a wide scope of discretion in enacting laws which affect some groups of citizens differently than others" (*McGowan* v. *Maryland* (366 U.S. 420, 425)). In case after case arising under that clause we have also said that "the burden of establishing the unconstitutionality of a statute rests on him who assails it (*Metropolitan Casualty Ins. Co.* v. *Brownell* (294 U.S. 580, 584)).

Today's decision does not turn its back on these settled precedents. I repeat, the Court today decides only: (1) that the district court possessed jurisdiction of the subject matter; (2) that the complaint presents a justiciable controversy; (3) that the appellants have standing. My brother Clark has made a convincing prima facie showing that Tennessee's system of apportionment is in fact utterly arbitrary, without any possible justification in rationality. My brother Harlan has, with imagination, and ingenuity, hypothesized possibly rational bases for Tennessee's system. But the merits of this case are not before us now. The defendants have not yet had an opportunity to be heard in defense of the State's system of apportionment; indeed, they have not yet even filed an answer to the complaint. As in other cases, the proper place for the trial is in the trial court, not here.

While I join the opinion of the Court and, like the Court, do not reach the merits, a word of explanation is necessary. I put to one side the problems of political questions involving the distribution of power between this Court, the Congress, and the Chief Executive. We have here a phase of the recurring problem of the relation of the Federal courts to State agencies. More particularly the question is the extent to which a State may weight one person's vote more heavily than it does another's. Race, color, or previous condition of servitude are impermissible standards by reason of the 15th amendment, and that alone is sufficient to explain *Gomillion* v. *Lightfoot* (364 U.S. 339). (See Taper, *Gomillion* v. *Lightfoot* (1962), pp. 12–17.)

Sex is another impermissible standard by reason of the 19th amendment.

There is a third barrier to a State's freedom in prescribing qualifications of voters and that is the equal protection clause of the 14th amendment, the provision invoked here. And so the question is, May a State weight the vote of one county or one district more heavily than it weights the vote in another?

TRADITIONAL TEST

The traditional test under the equal protection clause has been whether a State has made an invidious discrimination, as it does when it selects a particular race or nationality for oppressive treatment (see the test; there is room for 535, 541). Universal equality is not the test; there is room for weighting. As we stated in *Williamson* v. *Lee Optical Co.* (348 U.S. 483, 489), "the prohibition of the equal protection clause goes no further than the invidious discrimination."

I agree with my Brother Clark that if the allegations in the complaint can be sustained a case for relief is established. We are told that a single vote in Moore County, Tenn., is worth 19 votes in Hamilton County, that 1 vote in Stewart or in Chester County is worth nearly eight times a single vote in Shelby or Knox County. The opportunity to prove that an invidious discrimination exists should therefore be given the appellants.

It is said that any decision in cases of this kind is beyond the competence of courts. Some make the same point as regards the problem of equal protection in cases involving racial segregation. Yet the legality of claims and conduct is a traditional subject for judicial determination. Adjudication is often perplexing and complicated. An example of the extreme complexity of the task can be seen in a decree apportioning water among the several States (*Nebraska* v. *Wyoming*, 325 U.S. 589, 665). The constitutional guide is often vague, as the decisions under the due process and commerce clauses show. The problem under the equal protection clause is no more intricate. (See Lewis, "Legislative Apportionment and the Federal Courts," 71 Harv. L. Rev. 1057, 1083–1084.)

HOPEFUL OF BENEFITS

Chief Justice Holt stated in *Ashby* v. *White* (2 Ld. Raym. 938, 956) (a suit in which damages were awarded against election officials for not accepting the plaintiff's vote, 3 Ld. Raym. 320) that: "To allow this action will make public officers more careful to observe the constitution of cities and boroughs, and not to be so partial as they commonly are in all elections, which is indeed a great and growing mischief, and tends to the prejudice of the peace of the Nation."

The same prophylactic effect will be produced here, as entrenched political regimes make other relief as illusory in this case as a petition to Parliament in *Ashby* v. *White* would have been.

With the exceptions of *Colegrove* v. *Green* (328 U.S. 549), *MacDougall* v. *Green* (335 U.S.); *South* v. *Peters* (339 U.S. 276), and the decisions they spawned, the Court has never thought that protection of voting rights was beyond judicial cognizance. Today's treatment of those cases removes the only impediment to judicial cognizance of the claims stated in the present complaint.

The Court today reverses a uniform course of decision established by a dozen cases, including one by which the very claim now sustained was unanimously rejected only 5 years ago. The impressive body of rulings thus cast aside reflected the equally, uniform course of our political history regarding the relationship between population and legislative representation, a wholly different matter from denial of the franchise to individuals because of race, color, religion, or sex. Such a massive repudiation of the experience of our whole past in asserting destructively novel judicial power demands a detailed analysis of the role of this Court in our constitutional scheme. Disregard of inherent limits in the effective exercise of the Court's judicial power not only presages the futility of judicial intervention in the essentially political conflict of forces by which the relation between population and representation has time out of mind been and now is determined. It may well impair the Court's position as the ultimate organ of the supreme law of the land in that vast range of legal problems, often strongly on which this Court must pronounce. The Court's authority possessed neither of the purse nor the sword, ultimately rests on sustained public confidence in its moral sanction. Such feeling must be nourished by the Court's complete detachment, in fact and in appearance, from political entanglements and by abstention from injecting itself into the clash of political forces in political settlements.

CALLS CLAIM HYPOTHETICAL

A hypothetical claim resting on abstract assumptions is now for the first time made the basis for affording illusory relief for a particular evil even though it foreshadows deeper and more pervasive difficulties in consequence. The claim is hypothetical and the assumptions are abstract because the court does not vouchsafe the lower courts—State and Federal—guidelines for formulating specific, definite, wholly unprecedented remedies for the inevitable litigations that today's umbrageous disposition is bound to stimulate in connection with politically motivated reapportionments in so many States. In such a setting, to promulgate jurisdiction in the abstract is meaningless. It is devoid of reality as "a brooding omnipresence in the sky" for it conveys no intimation what relief, if any, a district court is capable of affording that would not invite legislatures to play ducks and drakes with the judiciary or this court to direct the district court to enforce a claim to which the court has over the years consistently found itself required to deny legal enforcement and at the same time to find it necessary to withhold any guidance to the lower court how to enforce this turnabout, new legal claim, manifests an odd—indeed an esoteric—conception of judicial propriety. One of the court's supporting opinions, as elucidated by commentary, unwittingly affords a mathematical quagmire (apart from divers judicially inappropriate and elusive determinants), into which this Court today catapults the lower courts of the country without so much as adumbrating the basis for a legal calculus as a means of extrication. Even assuming the indispensable intellectual disinterestedness on the part of judges in such matters,

they do not have accepted legal standards or criteria or even reliable analogies to draw upon for making judicial judgments. To charge courts with the task of accommodating the incommensurable factors of policy that underlie these mathematical puzzles is to attribute, however flatteringly, omnicompetence to judges. The framers of the Constitution persistently rejected a proposal that embodied this assumption and Thomas Jefferson never entertained it.

ATROCITY OF INGENUITY

Recent legislation, creating a district appropriately described as an atrocity of ingenuity, is not unique. Considering the gross inequality among legislative electoral units within almost every State, the Court naturally shrinks from asserting that in districting at least substantial equality is a constitutional requirement enforcible by courts. Room continues to be allowed for weighing. This, of course, implies that geography, economics, urban-rural conflict, and all the other nonlegal factors which have throughout our history entered into political districting are to some extent not to be ruled out in the undefined vista now opened up by review in the Federal courts of State reapportionments. To some extent—aye, there's the rub. In effect, today's decision empowers the courts of the country to devise what should constitute the proper composition of the legislatures of the 50 States. If State courts should for one reason or another find themselves unable to discharge this task, the duty of doing so is put on the Federal courts or on this Court, if State views do not satisfy this Court's notion of what is proper districting.

We were soothingly told at the bar of this Court that we need not worry about the kind of remedy a court could effectively fashion once the abstract constitutional right to have courts pass on a statewide system of electoral districting is recognized as a matter of judicial rhetoric, because legislatures would heed the court's admonition. This is not only an euphoric hope. It implies a sorry confession of judicial impotence in place of a frank acknowledgment that there is not under our Constitution a judicial remedy for every political mischief, for every undesirable exercise of legislative power. The framers carefully and with deliberate forethought refused so to enthrone the judiciary. In this situation, as in others of like nature, appeal for relief does not belong here. Appeal must be to an informed, civically militant electorate. In a democratic society like ours, relief must come through an aroused popular conscience that sears the conscience of the people's representatives. In any event there is nothing judicially more unseemly nor more self-defeating than for this court to make in terrorem pronouncements, to indulge in merely empty rhetoric, sounding a word of promise to the ear, sure to be disappointing to the hope.

In sustaining appellants' claim, based on the 14th amendment, that the district court may entertain this suit, this Court's uniform course of decision over the years are overruled or disregarded. Explicitly it begins with *Colegrove* v. *Green*, supra, decided in 1946, but its roots run deep in the Court's historic adjudicatory process.

Colegrove held that a Federal court should not entertain an action for declaratory and injunctive relief to adjudicate the constitutionality, under the equal protection clause and other Federal constitutional and statutory provisions, of a State statute establishing the respective districts for the State's election of Representatives to the Congress. Two opinions were written b the four Justices who composed the majority of the seven sitting members of the Court. Both opinions joining in the result in *Colegrove* v. *Green* agreed that considerations were controlling which dictated denial of jurisdiction though not in the strict sense of want of power. While the two opinions show a divergence of view regarding some of these considerations, there are important points of concurrence. Both opinions demonstrate a predominant concern, first, with avoiding Federal judicial involvement in matters traditionally left to legislative policymaking; second, with respect to the difficulty, in view of the nature of the problems of apportionment and its history in this country—of drawing on or devising judicial standards for judgment, as opposed to legislative determinations, of the part which mere equality among voters should play as a criterion for the allocation of political power; and, third, with problems of finding appropriate modes of relief—particularly, the problem of resolving the essentially political issue of the relative merits of at-large elections and elections held in districts of unequal population.

DECIDED BY THE COURT

The broad applicability of these considerations—summarized in the loose shorthand phrase, "political question"—in cases involving a State's apportionment of voting power among its numerous localities has led the Court, since 1946, to recognize their controlling effect in a variety of situations. (In all these cases decision was by a full court.) The political question principle as applied in Colegrove has found wide application commensurate with its function as "one of the rules basic to the Federal system and this court's appropriate place within that structure" (*Rescue Army* v. *Municipal Court*, 331 U.S. 549, 570). In *Colegrove* v. *Barrett* (330 U.S. 804), litigants brought suit in a Federal district court challenging as offensive to the equal protection clause, Illinois' State legislative apportionment laws. They pointed to State constitutional provisions requiring decennial reapportionment and allocation of seats in proportion to population, alleged a failure to reapportion for more than 45 years, during which time extensive population shifts had rendered the legislative districts grossly unequal and sought declaratory and injunctive relief with respect to all elections to be held thereafter. After the complaint was dismissed by the district court, this Court dismissed an appeal for want of a substantial Federal question.

DIVERSITIES NOTED

Of course, it is important to recognize particular, relevant diversities among comprehensively similar situations. Appellants seek to distinguish several of this court's prior decisions on one or another ground, *Colegrove* v. *Green* on the ground that congressional, not State legislative, apportionment was involved; *Remmey* v. *Smith* on the ground that State judicial remedies had not been tried; *Radford* v. *Gary* on the ground that Oklahoma has the initiative, whereas Tennessee does not. It would only darken counsel to discuss the relevance and significance of each of these assertedly distinguishing factors here and in the context of this entire line of cases. Suffice it that they do not serve to distinguish *Colegrove* v. *Barrett*, supra, which is on all fours with the present case, or to distinguish *Kidd* v. *McCanless* (352 U.S. 920), in which the full Court without dissent, only 5 years ago, dismissed on authority of *Colegrove* v. *Green* and *Anderson* v. *Jordan* (343 U.S. 912), an appeal from the supreme court of Tennessee in which a precisely similar attack was made upon the very statute now challenged. If the weight and momentum of an unvarying course of carefully considered decisions are to be respected, appellants' claims are foreclosed not only by precedents governing the exact facts of the present case but are themselves supported by authority the more persuasive in that it gives effect to the Colegrove principle in distinctly varying circumstances in which State arrangements allocating relative degrees of political influence among geographic groups of voters were challenged under the 14th amendment.

The Colegrove doctrine, in the form in which repeated decisions have settled it, was not an innovation. It represents long judicial thought and experience. From its earliest opinions this Court has consistently recognized a class of controversies which do not lend themselves to judicial standards and judicial remedies. To classify the various instances as political questions is rather a form of stating this conclusion than revealing of analysis. Some of the cases so labeled have no relevance here. But from others emerge unifying considerations that are compelling.

The influence of these converging considerations, the caution not to undertake decision where standards meet for judicial judgment are lacking, the reluctance to interfere with matters of State government in the absence of an unquestionable and effectively enforceable mandate, the unwillingness to make courts arbiters of the broad issues of political organization historically committed whose adjustment the judicial process is ill-adapted—has been decisive of the settled line of cases, reaching back more than a century, which holds that article IV, 4, of the Constitution, guaranteeing to the States "a republican form of government," is not enforcible through the courts.

IV

The present case involves all of the elements that have made the guarantee clause cases nonjusticiable. It is, in effect, a guarantee clause claim masquerading under a different label. But it cannot make the case more fit for judicial action that appellants invoke the 14th amendment rather than article IV, 4, where, in fact, the gist of their complaint is the same—unless it can be found that the 14th amendment speaks with greater particularity to their situation. But where judicial competence is wanting, it cannot be created by invoking one clause of the Constitution rather than another. When what was essentially a guarantee clause claim was sought to be laid, as well, under the equal protection clause in *Pacific States Telephone & Telegraph Co.* v. *Oregon*, supra, the court had no difficulty in "dispelling any mere confusion resulting from forms of expression and considering the substance of things" (223 U.S., at 140).

Here appellants attack the State as a State, precisely as it was perceived to be attacked in the *Pacific State* case, id., at 150. Their complaint is that the basis of representation of the Tennessee Legislature hurt them. They assert that a minority now rules in Tennessee, that the apportionment statute results in a distortion of the constitutional system, that the general assembly is no longer a body representative of the people of the State of Tennessee, all contrary to the basic principle of representative government. Accepting appellants' own formulation of the issue, one can know this handsaw from a hawk. Such a claim would be nonjusticiable not merely under article IV, 4, but under any clause of the Constitution, by virtue of the very fact that a Federal court is not a forum for political debate. *Massachusetts* v. *Mellon*, supra.

DISCRIMINATION ALLEGED

But appellants, of course, do not rest on this claim simpliciter. In invoking the equal protection clause, they assert that the distortion of representative government complained of is produced by systematic discrimination against them, by way of a debasement of their votes. Does this characterization with due regard for the facts from which it is derived add anything to appellants' case?

At first blush, this charge of discrimination based on legislative underrepresentation

is given the appearance of a more private, less impersonal claim, than the assertion that the frame of government is askew. Appellants appear as representative of a class that is prejudiced as a class, in contradistinction to the polity in its entirety. However, the discrimination relied on is the deprivation of what appellants conceive to be their proportionate share of political influence. This, of course, is the practical effect of any allocation of power within the institutions of government. Hardly any distribution of political authority that could be assailed as rendering government nonrepublican would fail similarly to operate to the prejudice of some groups, and to the advantage of others, within the body politic. It would be ingenuous not to see, or consciously blind to deny, that the real battle over the initiative and referendum, or over a delegation of power to local rather than Statewide authority, is the battle between forces whose influence is disparate among the various organs of government to whom power may be given. No shift of power but works a corresponding shift in political influence among the groups composing a society.

NOTES VOTES ARE COUNTED

What, then, is this question of legislative apportionment? Appellants invoke the right to vote and to have their votes counted. But they are permitted to vote and their votes are counted. They go to the polls, they cast their ballots, they send their representatives to the State councils. Their complaint is simply that the representatives are not sufficiently numerous or powerful, in short, that Tennessee has adopted a basis of representation with which they are dissatisfied. Talk of debasement or dilution is circular talk. One cannot speak of debasement or dilution of the value of a vote until there is first defined a standard of reference as to what a vote should be worth. What is actually asked of the court in this case is to choose among competing bases of representation, ultimately, really, among competing theories of political philosophy, in order to establish an appropriate frame of government for the State of Tennessee and thereby for all the States of the Union.

In such a matter, abstract analogies which ignore the facts of history deal in unrealities; they betray reason. This is not a case in which a State has, through a device however oblique and sophisticated, denied Negroes or Jews or redheaded persons a vote, or given them only a third or a sixth of a vote. That was *Gomillion* v. *Lightfoot* (364 U.S. 339, supra). What Tennessee illustrates is an old and still widespread method of representation—representation by local geographical division, only in part respective of population—in preference to others, others, forsooth, more appealing, pell contest this choice and seek to make this Court the arbiter of the disagreement. They would make the equal protection clause the charter of adjudication, asserting that the equality which it guarantees comports, if not the assurance of equal weight to every voter's vote, at least the basic conception that representation ought to be proportionate to population, a standard by reference to which the reasonableness of apportionment plans may be judged.

DOUBTS ENFORCIBILITY

To find such a political conception legally enforcible in the broad and unspecific guarantee of equal protection is to rewrite the Constitution. See *Luther* v. *Borden*, supra. Certainly, equal protection is no more secure a foundation for judicial judgment of the permissibility of varying forms of representative government than is republican form. Indeed since equal protection of the laws can only mean an equality of persons standing in the same relation to whatever governmental action is challenged, the determination whether treatment is equal presupposes a determination concerning the nature of the relationship. This, with respect to apportionment, means an inquiry into the theoretic base of representation in an acceptably republican state. For a court could not determine the equal-protection issue without in fact first determining the republican-form issue, simply because what is reasonable for equal protection purposes will depend upon what frame of government, basically, is allowed. To divorce equal protection from republican form is to talk about half a question.

The notion that representation proportioned to the geographic spread of population is so universally accepted as a necessary element of equality between man and man that it must be taken to be the standard of political equality preserved by the 14th amendment—that it is, in appellants' words "the basic principle of representative government"—is, to put it bluntly, not true. However desirable and however desired by some among the great political thinkers and framers of our Government, it has never been generally practiced, today or in the past. It was not the English system, it was not the colonial system, it was not the system chosen for the National Government by the Constitution, it was not the system exclusively or even predominantly practiced by the States at the time of adoption of the 14th amendment it is not predominantly practiced by the States today. Unless judges, the judges of this Court, are to make their private views of political wisdom the measure of the Constitution—views which in all honesty cannot but give the appearance, if not reflect the reality, of involvement with the business of partisan politics so inescapably a part of apportionment controversies of the 14th amendment, "itself a historical product" (*Jackman* v. *Rosenbaum Co.*, 260 U.S. 22, 31), provides no guide for judicial oversight of the representation problem.

CONTEMPORARY APPORTIONMENT

Detailed recent studies are available to describe the present-day constitutional and statutory status of apportionment in the 50 States.

ADDRESS BY SENATOR HUMPHREY BEFORE HEALTH COMMITTEES OF THE SENATE AND HOUSE OF COMMONS OF CANADA

Mr. HUMPHREY. Mr. President, one of the great pleasures of a Member of the U.S. Congress is to visit with his opposite number in a great Allied nation.

On March 13, 1962, it was my privilege to have such an opportunity. I met in Ottawa with members of the Health Committees of the Senate and House of Commons.

In attendance were present and past parliamentarians and other officials, including the Minister of Health and the former Minister of Health.

At that time, I submitted a series of suggestions for common action in the cause of health.

I expressed the hope that there might one day be a Pact of Ottawa. Under it, the two North American neighbors might set up a joint program of collaborative research as well as teamwork in experiments in preventive, curative and restorative medicine.

I ask unanimous consent that the text of my address in Ottawa be printed at this point in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

A 10-YEAR PLAN FOR HEALTH: A PROPOSAL FOR NORDIC-NORTH AMERICAN DISEASE INTELLIGENCE COMMAND WITH MEDICAL ANTIMISSILE MISSILES TESTED AGAINST KILLER VIRUSES AND BACTERIA ON CANADIAN-UNITED STATES PROVING GROUNDS

(By Senator HUBERT H. HUMPHREY, Democrat, of Minnesota, before the health committees of the Canadian House of Commons and Senate, Ottawa, Canada, March 13, 1962)

I am grateful for the privilege which you have generously afforded me—the opportunity to submit observations before so distinguished an assembly.

APPRECIATION TO CANADIAN CONTRIBUTORS

In a certain sense, I feel I am repaying a debt. It is a debt owed to the many Canadian leaders who have graciously assisted our U.S. Senate subcommittee during the past 3½ years.

Canadian officials and laymen, researchers and practitioners, responded to the invitation of our subcommittee and shared with us their helpful suggestions for international health action.

By its own health activities on the domestic and foreign scenes, Canada has more than proven its high credentials for making such recommendations.

Now, may I, as one U.S. Senator—not attempting to speak for my Government—submit a few reactions in return.

VARIETY OF HEALTH ISSUES

As we are all aware, the subject of health embraces many areas of common interest to our two nations. It is therefore somewhat difficult to single out those phases that may be of special significance for all of those present here tonight.

How each nation chooses to meet its own problems of health is naturally its own concern.

But there are certain common responsibilities, common needs and opportunities.

PRESIDENT KENNEDY'S HEALTH MESSAGE

In my own country, as you know, on February 27, President Kennedy sent to the Congress a comprehensive message on health.

The President noted that health is essentially the responsibility of individuals and families, of communities and voluntary agencies, of local and State governments. But he also noted that the U.S. Government carries the responsibility of providing "leadership, guidance, and support in areas of national concern."

I may paraphrase his comments by stating that my focus at this time is on Canadian-United States "leadership, guidance, and support in areas of international concern."

Domestically, President Kennedy recommended programs of health insurance for the aged, for an increase in the number of personnel in the health professions, for immunization of children and adults, for expanded health research, for coping with mental health and mental retardation, for improvement of environmental health, for loans for construction and equipment of group practice facilities and for other goals.

Most—if not all—of these subjects have been of deep interest in your own great land.

Here, your Government and people approach these—or other problems—in your own way, as do other nations.

But, when viewed from an international standpoint, each of the nations is, in my personal judgment confronted with certain mutual obligations.

Now, what are these obligations?

FIVE CHARACTERISTICS OF THE PRESENT AGE

As I see them, they arise out of certain fundamental needs, certain characteristics, of the age in which we live.

First, this is an age of science. It is a nuclear-space age—an age of unprecedented advances in the physical sciences. Each of the principal, industrialized nations is spending a huge amount of its resources on scientific efforts for national security, including mammoth engineering projects.

But, surely, each nation owes an obligation simultaneously to its citizens to help them realize the fullest health which the genius of modern medical science can provide and which national capabilities may permit.

Second, this is an age of communications. Every society must, therefore, make sure that the new health knowledge generated by its own or by other scientists does not become buried on library shelves.

Knowledge must be communicated, as promptly as appropriate, to scientists, to medical educators, to medical practitioners, and to laymen. Above all, new research knowledge, as promptly as it is validated, must be put into clinical practice—must be made available to patients.

Our Senate subcommittee expects to issue in the not too distant future a report entitled "The Crisis and Opportunity in Scientific and Technical Information."

The report will note that, in medical science alone, over 250,000 articles appear in over 30,000 issues each year of the world's 5,000 medical journals. The sheer magnitude of this information represents a formidable problem of acquisition, translation, abstracting, indexing, reviewing, and dissemination.

Medical science, like other science, has raced far ahead of the ability of conventional media to store, retrieve, and distribute knowledge.

Bold innovations in communications methods are necessary.

But there are other communications problems, involving more than published materials.

VISA, TRAVEL, AND OTHER BARRIERS

Each of our countries owes to itself and to others the obligation to help overcome any other barriers which may impede communications between our respective scientists.

Here, I salute Canada for the wisdom it has long displayed in its visa policies toward foreign scientists. When my own country barred the door to distinguished foreign scientists, because of irrelevant ideological differences, Canada continued to hold its doors open, and all of science benefited.

In July 1962, there will be a great cancer congress in Moscow, sponsored by the International Union Against Cancer. Many distinguished Canadian cancer specialists will, I know, attend this congress.

It was with dismay that I learned, some years ago, that U.S. visas for Soviet cancer specialists had been held up by the State Department. And on my own trip to Moscow, an American cancer specialist could not, for several days, join me because his visa was held up by Soviet authorities.

Fortunately, much of this ridiculous pattern has ended, but this reference may serve as a reminder of the absurd obstacles which have too often delayed scientific progress.

SHORTAGE OF TRAVEL FUNDS

Still another barrier is the critical shortage of travel funds.

When I toured medical facilities in Western Europe in late 1958, I found instance after instance in which able scientists were frustrated in their research because of inability to get in person-to-person touch with their colleagues abroad. Governments did not provide sufficient funds for travel, nor did nongovernmental organizations, foundations, and others.

That is why I have sponsored legislation to make available more U.S. dollars and U.S.-owned or U.S.-controlled soft currencies for support of travel by foreign scientists.

COMPETITION WITH STATE-CONTROLLED MEDICAL SYSTEMS

Third, this is an age of ideological competition between the free world and the Sino-Soviet bloc. Every one of the free powers does, therefore, have an obligation to show that a free society can achieve—democratically—ever higher health standards for its people.

The whole world is watching us and our health standards, our life expectancy rates, infant and maternal mortality rates, etc. Observers in Allied Nations, in neutral powers, and the Sino-Soviet bloc will inevitably draw comparisons. They will compare the results which free societies achieve and those attained by authoritarian, state-controlled, state-manned medical systems, where there is no freedom of choice of physicians.

Canada and the United States stand up very well in the comparison with the Soviet system, but we could each do a lot better.

And we could each do better in telling the facts about our system, about the respective roles of our Governments and of our private professions.

Right now, I am glad to note that a U.S. exhibit, "Medicine, U.S.A.," is on display in Moscow.

It is, however, but one small part of what should be a dynamic free-world effort to tell the real facts about our health system to the peoples beyond the Iron and Bamboo Curtains and the peoples of the emerging areas.

What of those latter areas?

AIDING THE EMERGING NATIONS

Fourth, this is an age of revolution in the emerging areas of the world. A billion people since World War II, preponderantly within the Commonwealth and the French community, have gained nationhood. A "revolution of rising expectations" is sweeping these people, as Prof. Arnold Toynbee has stated.

We, of the industrialized nations, should, through a variety of programs—bilateral and multilateral, official and private—continue to help these emerging peoples to help themselves toward better health.

An old Arab proverb reads, "He who has health has hope; he who has hope, has everything."

We must give them hope, hope for a world of tomorrow in which the age-old cycle of disease, illiteracy, and poverty will be replaced with health, education, and the wherewithal to live in dignity.

EASING INTERNATIONAL TENSIONS

Fifth, this is an age of nuclear peril. A sword of Damocles hangs over the world—the threat of a nuclear holocaust. International medical cooperation between the free world and the Sino-Soviet bloc can help to ease tensions, to expand understanding, to improve the atmosphere for discussion of nonhealth issues between the great adversary powers.

I have long believed that we can break through the present stalemate over armament policy by successful partnership with the U.S.S.R. in certain functional areas. One is in medicine, including physical medicine and rehabilitation. Other possible areas concern joint efforts in education, in housing, food, and other matters of common interest to the human race.

Improvement of the health of nations can result in improvement of the East-West atmosphere. It can tranquilize the otherwise raw nerves which might result from continued free world and Soviet bloc differences. A healthy people is a stable people, a people better able to overcome the fears and anxieties of a danger-filled world.

DISARMING DISEASE IN THE NEXT DECADE

Tomorrow, there will assemble in Geneva the Foreign Ministers Conference on Disarmament. Your distinguished Secretary of State for External Affairs, Howard C. Green, will be present, as will our Secretary of State Dean Rusk and other foreign ministers (with the exception of France's representative).

It is on disarmament that I should like to submit much of the comments in the remainder of my remarks. I refer to disarmament of a different type than is conventionally implied. I propose that we of the West take the initiative in disarming disease; that we deprive the scourges which have afflicted mankind of their power to kill, to cripple, to inflict pain.

A 10-YEAR PLAN: 1964–74

I propose that—at the earliest convenient time, perhaps commencing in 1964—we launch a decade against disease and disability; that each nation in its own way prepare its own 10-year program for the raising of health standards; that each nation, acting through the World Health Organization, join in a common plan for the next decade for assistance to the emerging areas; that the free world and the Sino-Soviet world join in effect in a common war against disease.

THE COST OF HEALTH AND OF DISEASE

Will this cost more money? Of course it will.

But can anyone here point to a single goal other than national security itself which is more important than health of the people?

Can we as nations afford to spend more for health? That, in my judgment, is the wrong question. The real question should be: "Can we—Canada or the United States—afford to pay the staggering price which disease and disability continue to exact on our citizens?" I, for one, feel, "No."

You who devote so much of your energy to health affairs know that preventive medicine is, in the final analysis, far less expensive than curative medicine, and it is far more humanitarian.

THE TOLL OF THE SMALLPOX EPIDEMIC IN ENGLAND

Consider the fearful price that Great Britain recently paid in the smallpox epidemic which was accidentally imported by plane from Pakistan.

It would be far cheaper to wipe out smallpox once and for all in its endemic areas—as we are wiping out malaria—than to continue to live with these scourges and with mere halfway measures of so-called control.

Similarly, it is far cheaper, far more humanitarian to help prevent disability, or if it occurs, to rehabilitate the disabled than it is to allow the handicapped merely to subsist with their affliction.

A KICKOFF YEAR

I propose that the decade against disease and disability be launched by a kickoff year, an international public health and medical research year. It could be the first-stage rocket, launching the long-range missile of health.

As we realistically recall, the United Nations General Assembly had unanimously approved such a year. But, the World Health Organization, because of the shortage of funds for existing, much less for expanded programs, had decided to postpone the year, indefinitely.

If the other nations still feel that their limited funds do not permit such a year, let at least the United States and Canada observe the year.

And if the other nations feel that they cannot finance a decade of expanded health operations, let them at least support the concept of comprehensive planning for health programs during that decade. In the case of the emerging countries, the United Nations and its specialized agencies, particularly WHO in this instance, can greatly assist as they already have done, in devising national plans for health programs; now, let these plans be intertwined so that they become regional and international plans.

COOPERATION IN PERINATAL RESEARCH

One of the areas in which a decade of planning against disease and disability could be particularly fruitful would be in maternal and child health. Interest in children and respect of motherhood are, of course, universal common denominators.

Think, for example, what a decade of common efforts in perinatal research might yield. Think of the infinite amount of human heartbreak which might be saved—the reduction of the terrible grief of bringing into the world infants with perhaps needless congenital defects.

But the whole range of medical science could also benefit from collaborative planning; from pediatrics to geriatrics.

IMPORTANCE OF LONG-RANGE PLANNING

Can we make a 10-year plan? And can we bring it into reality? I believe the answers are "Yes."

To be sure, each nation has its own constitutional, political, financial, and procedural problems in planning.

But I remind my friends that we of the West have been lecturing the emerging countries to draw up 5- or 10-year development plans rather than proceed on a hit or miss, year-by-year basis.

It is time that the West swallowed its own planning medicine; it will do us good.

But first, some of us must rid ourselves of the notion that planning is somehow incompatible with freedom. Far from it; planning—democratic, voluntary planning—based on a real consensus of a free society, is essential for the survival of freedom.

The whole structure of NATO and of related efforts has been built by successful planning.

THE 10-YEAR SPACE PROGRAM

In my own country, officials of the U.S. National Aeronautics and Space Administration have given to the Congress an almost month-by-month, year-by-year, 10-year plan and timetable for Project Apollo, Project Gemini, etc.

The climax will come in 1968 or 1969 when three men are scheduled to land on the moon and then return.

Ambitious as this is, I do not believe that this is all that my country can and should plan for.

I know that it is not the only plan that my countrymen want.

The fact is that U.S. public opinion polls have confirmed that the American people would far rather learn that mankind has conquered cancer than that we had landed on the moon. I have no reason to believe that the attitude of your people is any different.

BILLIONS FOR OUTER SPACE

None of us can prophesy whether the first visitors to the moon will be Soviet or American citizens. But if the present state of affairs continues, statistics reveal this fact: if there are three men in the first moon capsule, two of their three families will, if present rates continue, be struck by heart disease, or by cancer within their lifetimes.

It will be a grim commentary on mankind that two nations—the United States and the U.S.S.R.—may spend upwards of a hundred billion dollars to get to the moon, and perhaps find new forms of life there.

Yet, some officials of the two countries may unsoundly contend that their nations "cannot afford" to spend more for civilian medical science. Yet, all 3 billion people on this planet could be served by such efforts. Unlocking the mysteries of the aging process, for example, would have a universal value, including for the astronauts or cosmonauts who land on the moon.

We can afford to solve the mysteries of disease.

By 1969, around 6½ million Americans now living will (if present rates continue), be dead of diseases of the heart and circulation. They will not be around to cheer the first successful expedition to another planet.

Time for them—for all of us—is "ticking away."

SCIENCE'S FINDINGS CANNOT BE PREDICTED

Of course, science, unlike technology, cannot proceed on a rigid plan or timetable. The essence of research is that it is an adventure into the unknown.

No one knows whether the answer to the riddles of cancer is a year, 5 years, 10 years, or 50 years away.

Forecasts on possible unraveling of this or of other mysteries are impossible to make. But there is firm reason to believe that if we increase our investment in pure and applied research; if we stimulate the creativity of scientists throughout the world; if we give them the resources to do the job—then as certain as is man's conquest of space, is man's conquest of these and other threats.

THE CANADIAN AND UNITED STATES ROLES

But what of Canada's and the U.S. roles?

Our two nations represent, as we know, the largest continuous land mass of allied, democratic nations on the face of the earth. We have, therefore, a special responsibility to all the world's peoples. We should, in the words of the Good Book: "Let our light so shine before men that they may see our good works."

Let a light—not of atomic firebombs; but a Canadian-United States "light of healing"—shine before the nations everywhere.

I am reminded of the heartwarming action of the people of Perth in another Commonwealth country, Australia. When Col. John Glenn's Friendship 7 capsule circled above them, all of the inhabitants of Perth turned on their lights so that the orbiting ship might be reminded of a friendly land below.

Let us turn on our health lights for all the world to see. Let this continent become a great proving ground for the greatest health effort in the world.

At this very moment, 1,200 miles south of Hawaii, on a 30-mile-long coral atoll, owned by the United Kingdom, in the South Pacific, known as Christmas Island, U.S. Task Force 8 is preparing a series of atomic tests.

Let us prepare a series of joint tests of a different kind on the North American Continent, tests of the latest Canadian and American concepts in preventive, therapeutic, and restorative medicine.

ANTIMISSILE MISSILES AGAINST KILLER MICRO-ORGANISMS

Against the onslaught of bacteria and viruses, let us test medical antimissile-missiles; let us stop the killer micro-organisms in their tracks.

Bacteria have already been used against other bacteria; no man can predict how some forms of life, detectable only under an electronic microscope, can be used by man to attack hostile forms of life, of similar tiny size.

A NEW "BMEWS" SYSTEM

Canada and the United States have the "BMEWS" system—ballistic missiles early warning system. Let us make a different kind of "BMEWS"—"bacteria microbe early warning system."

We have Norad—The North American Air Defense Command. Let us have a Nordic—a North American Disease Intelligence Command. Let the highest health authorities of Canada and the United States work together, not separately, not spasmodically as at present, not once a year, or every 2 years, but on the same continuous basis that the Canadian and U.S. Joint Chiefs of Staff work together in common military defense.

Western Europe has a Common Market; let us have a "CAH"—a common area of health.

PROPOSED "OTTAWA PACT" AND NORTH AMERICAN REGIONAL CENTERS

The Soviet bloc has a military Warsaw Pact, dictated by the U.S.S.R. to the satellite states. Let us, by contrast, have an "Ottawa Pact," written freely, voluntarily on the part of equals—Canada and the United States—and agreeing on joint health efforts.

We have many of the necessary ingredients for these efforts. Canada has great medical research facilities; my own country likewise has—at the National Institutes of Health, at university teaching hospitals, at foundations and independent centers together with other great facilities.

Lately, the U.S. Congress has authorized regional research centers comparable to NIH.

I shall propose to the Congress once again that there be established regional North American research centers, joint United States-Canadian centers. They would become centers of research excellence, setting a standard for both countries and for the world.

In the field of experiments in medical care, this continent is ideal for across-the-board and across-the-border medical collaboration. Our two peoples are alike enough, and yet some of our patterns of health are different enough to make for an ideal system of "controls," in the experimental sense.

Let us, in effect, seize the medical offensive.

The fact that we will contribute different proportions to the common effort is not significant.

I am proud of my own country's medical progress, as you are of yours. But, it is individual men who really count—men and ideas, men and will, men and skill.

CANADA'S SCIENTIFIC ACHIEVEMENTS

Canadian scientific talent has put the proud imprint of the Maple Leaf on some of the greatest scientific pages in the last century. Nowhere in the world is the epic story of Drs. Best, Banting, insulin and diabetes unknown.

Among the many Canadian scientists who have opened new vistas for mankind, I should like to mention but one other—your famous Dr. Wilder Penfield, of the Montreal Neurological Institute, now retired. I have heard it said by scientists and laymen that Dr. Penfield's work in neurosurgery, in mapping the human brain, may, in the long run, prove of greater benefit to mankind than the discovery of atomic energy.

For the brain—the mind—is our highest organ system; it is what we will and must use to make of this earth a paradise rather than atomic rubble.

THE HEALTH LEAGUE OF CANADA

It is Canadian brains and Canadian hearts which have brought the remarkable Health League of Canada into fruition. Tomorrow, when I have the pleasure of addressing the First Canadian Health Forum I shall express in detail my sincerest tribute to that organization—to what it has achieved for your people and what it is striving for, on behalf of peoples everywhere.

I know of no similar voluntary group in the world which has been more devoted to the cause of the World Health Organization. No group has worked harder to activate citizen responsibility in nations everywhere, so that there might be more than the present mere 9 national citizen committees for WHO out of the 100 member countries.

Meanwhile, under the Colombo plan and through other means, Canadian physicians, nurses, and other members of the healing arts professions have played their vital role in the developing areas.

HEALTH AND THE FAMILY OF MAN

The beginnings of the decade against disease and disability are present.

Let us so act that future generations may say of us, as they shall say, in Winston Churchill's words, of the United Kingdom, in World War II: "This was their finest hour."

Let this be the hour, the day, the month, the year that the finest program of history was devised for the benefit of the family of man.

ADDRESS BY SENATOR HUMPHREY BEFORE THE FIRST CANADIAN NATIONAL HEALTH FORUM

Mr. HUMPHREY. Mr. President, one of the distinguishing characteristics of American society has long been voluntary action on the part of private citizens.

As far back as 127 years ago, the famed commentator, Alexis de Tocqueville, pointed to voluntary action as a unique contribution by the American system.

On March 14, it was my privilege to see voluntarism in action in another great and free nation. I met in Toronto with citizen leaders, participating in the First Canadian National Health Forum.

INTEREST IN WORLD HEALTH

One of the most heartwarming elements of the program was that these Canadian leaders demonstrated their interest, not only in ever-improved health for Canada, but in improved health for peoples everywhere.

The sponsoring organization, the Health League of Canada, has been in the forefront of international citizen activity on behalf of the World Health Organization.

Much of the individual credit for Canadian organizations' cooperation on health and for Canadian interest in international health is due to a human dynamo named Dr. Gordon Bates, General Director of the Health League of Canada.

TELEVISION FOR PUBLIC HEALTH

In my address, I took as one of my themes the subject of television and health.

In my judgment, neither the United States, Canada, nor any other land, has as yet realized a fraction of the contributions which television, including educational television can make to public health.

And so, I am in communication now with leaders of television throughout the land, including the National Educational Television and Radio Center, the Council on Medical Television and other groups. I am urging increased collaboration with U.S. Federal Government and with the medical and allied professions in imaginative new uses of television for health, including the staging of "Health Spectaculars."

I ask unanimous consent that the text of my address in Toronto on March 14 be printed at this point in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

AN INTERNATIONAL CITIZENS' CRUSADE FOR HEALTH—A PROGRAM FOR A WORLDWIDE EFFORT BY CITIZENS' ORGANIZATIONS INCLUDING AN INTERNATIONAL CITIZENS CONGRESS OF HEALTH TOGETHER WITH A PROPOSAL FOR EFFORTS TO EXPAND THE USE OF TELEVISION FOR HEALTH EDUCATION AND PROFESSIONAL COMMUNICATION

(By Hon. HUBERT H. HUMPHREY, Democrat of Minnesota, before the First Canadian National Health Forum sponsored by the Health League of Canada, Toronto, Canada, March 14, 1962)

It is customary in an address such as this to pay tribute to one's host, the sponsoring organization, as well as to the audience. I am going to pay that tribute, but I want to assure you that it is not offered in a spirit of mere formality.

I regard the observance of the 18th Canadian National Health Week—and this, the First Canadian Health Forum—both commendable and heartwarming.

It was a particular pleasure to read in the most recent issue of Health, published for the Canadian family by the Health League of Canada, that the league "acknowledges with gratitude the initiative of the National Health Council of the United States in promoting the idea of such an annual National Health Forum in the United States."

AN INTERNATIONAL CHAIN REACTION

Here we see an international chain reaction of the finest kind. Citizen inspires citizen; American inspires Canadian, and Canadian sets a high standard for American.

The fact is that you, of Canada, and, in particular, of the Health League of Canada, have been first and foremost in pioneering in many phases of voluntary activity.

THE HEALTH OF ONE COUNTRY AND OF ALL COUNTRIES

It is a happy fact, for example, that the Health League of Canada is also the Canadian Citizens Committee for the World Health Organization. This fact has enabled Canada, in my judgment, to be in the vanguard. It has demonstrated to the world the integral relationship between the improvement of the health of one's own people and of the health of other peoples.

In the same spirit, President Kennedy, in his February 27 message to the Congress, concluded his recommendations for U.S. health with a ringing appeal for oversea health assistance.

This afternoon, I, in turn, would like to submit one Senator's views—as to the next decade in international health.

A PLAN FOR A 1964–74 DECADE AGAINST DISEASE AND DISABILITY

Yesterday, in Ottawa, it was my privilege to submit to the distinguished membership of the Canadian Senate and House of Commons a plan to make 1964–74 a decade against disease and disability.

I proposed:

That each nation devise a 10-year plan to raise its own health standards in its own way.

That each nation, acting through the World Health Organization, join in a common plan of the next decade for assistance to the emerging areas.

That the free world and the Sino-Soviet world join in effect in a common war against disease.

That Canada and the United States spearhead the effort by a possible Ottawa Pact—an agreement for joint efforts in medical research and for joint experiments in curative medicine.

That there be established North American regional research centers which would be centers of excellence, setting high standards for both countries and for the world.

I pointed out that these efforts would require that more financial resources be assigned for health. But few, if any, objectives save the preservation of national security, is entitled to more resources than the well-being of mankind, itself.

A CITIZEN CRUSADE AND CONGRESS FOR HEALTH

Much of the effort to bring a 10-year plan into reality will depend upon government.

But far more of the effort will and should depend upon private citizens—the private medical and other professions in the healing arts as well as public-spirited laymen.

There should be nothing less than a citizen crusade against disease and disability throughout the world. I use the word, "crusade" in its highest sense. Nothing is more sacred than human life. And it is a sin to have the means to save human life and yet to fail to use those means.

I propose that there be an International Citizens Congress for World Health. This Congress should be convened in conjunction with an early World Health Assembly. To this Congress should come duly designated representatives from the world's citizen organizations. These should include not merely those groups which are already in official relationship with WHO—but those many others which have previously had little or no contact with that great intergovernmental organization.

The base of cooperation should be broadened, the base for citizen action and citizen participation. Everyone should be made to feel that he or she is a genuine part of WHO, and not just a passive onlooker.

At this Congress there should be established a series of action programs whereby the citizens of the world might join as teammates in devising ways and means for two goals:

(a) Helping medical and biological science solve the mysteries of those diseases whose cause or cure is unknown;

(b) Applying knowledge which is already available. This means preventing, minimizing, delaying, or curing those diseases to which we already know some or all of the answers—I refer to chronic, infectious, or any other type of malady—in the developed and the developing areas of the world.

GROUNDWORK FOR CITIZENS CONGRESS WOULD SERVE TWO GOALS

The very prospect of such a Congress would help us to achieve two other objectives:

First, it would serve to strengthen the organization and teamwork in each country among citizen groups interested in health.

Second, it would bring more citizen groups into active official partnership with WHO.

THE FIRST GOAL: EXTENDING AND IMPROVING CITIZEN NATIONAL HEALTH GROUPS

On the first goal, I should note that Canada, the United States, and the United Kingdom probably have the most extensive network of citizen health groups of any land.

From what I have seen of the Health League of Canada, it is functioning with outstanding success.

I am more familiar, of course, with the situation in my own land.

I should like to note a few of the facts about the many fine nongovernmental organizations in the United States, active in health matters.

These observations may provide background to our Canadian friends on the problem of communication and cooperation between private groups.

You are all, of course, familiar with the splendid activities of the U.S. National

Citizens Committee for WHO which is concerned with America's overseas bilateral and multilateral health programs.

You know of the great job, too, performed by the National Health Council. It is concerned primarily with the health needs of our citizens. It comprises most of the leading voluntary health agencies of the United States. Fortunately, the Council is a Member of NCCWHO.

In addition, there are a series of other "Federated-type" nongovernmental organizations, with some health interests overseas. These include:

The National Social Welfare Assembly—primarily concerned with welfare programs in the United States, but also having some health-related interests abroad;

The American Council of Voluntary Agencies for Foreign Service which represents religious, ethnic, nonsectarian and other groups, rendering outstanding aid of all types—not merely in health—abroad.

BRINGING CITIZEN GROUPS INTO HEALTH FOLD

To this list could be added still other groups. I mention them, because I feel that there are a great many voluntary organizations in the United States, in Canada, and in other countries which approach the problem of international health from varying, specialized backgrounds and interests.

Some groups are directly interested in world health, others are only indirectly interested. But even those with a relatively minor interest can be stimulated to make a contribution to international health if a serious effort is made to bring them "within the fold," so to speak.

In my judgment—and here I address my own countrymen—the U.S. National Citizens Committee for WHO urgently needs increased participation on the part of both federated and nonfederated-type American groups. Many professional and lay groups which logically should be in the U.S. committee or which should have active liaison with it unfortunately are not members and have little or no contact.

The U.S. committee has been laboring valiantly with only modest resources. I hope my countrymen will give it the necessary resources.

I'm sure that your own health league could likewise benefit from more wherewithal to do all the things you would like.

FEW NATIONAL CITIZENS' COMMITTEES ABROAD

But what of the situation in WHO's other 107 member nations? The regrettable fact is, as most of you are aware, that only 7 others—adding up to 9 out of the 109 member states of WHO have a national citizens committee for WHO.

This circumstance deprives WHO of what could be a far greater asset than it now possesses—in the form of nongovernmental participation. This fact is becoming increasingly recognized.

Probably no individual anywhere has more earnestly or fruitfully dedicated himself to the goal of expanding the number of national citizens committees and strengthening existing committees than the distinguished executive secretary of the Health League of Canada, Dr. Gordon Bates. It is he who has pointed out this fact—if WHO is to fulfill its universal mission successfully, it must have more citizen organizations working with it and for it, and on a more active basis.

I support his concept unreservedly. I wish him and like-minded others, Godspeed in their efforts toward this objective.

Government-to-government cooperation is essential. But we who believe in the Western tradition, we who prize the individual—who believe in the individual, respect him and heed him—wish to see him and his voluntary organization serve as teammates with WHO.

THE SECOND GOAL: VITALIZING NGO'S RELATIONSHIPS WITH WHO

2. The prospect of an international citizens' congress would, I believe, help achieve a second goal: reappraising and revitalizing the role of nongovernmental organizations, affiliated with WHO.

As we are all aware, the founders of the United Nations at San Francisco Conference in 1945 wisely wrote into the charter, in article 71, a provision for the Economic and Social Council to make arrangements for consultation with nongovernmental organizations (sometimes identified as NGO's).

A corresponding article, bearing the same number, reproduces this clause in the constitution of WHO. It goes a step further in that it authorizes arrangements for cooperation, as well as consultation with nongovernmental organizations.

Fortunately, many of the nongovernmental organizations have made article 71 a living reality.

Some of these organizations are directly engaged in medical science; others have a more general interest. The World Medical Association, represented here today by its able secretary, Dr. H. S. Gear, is an outstanding example of a professional body working actively in conjunction with WHO; the World Federation of United Nations Associations is a fine example of a more general type of interest on the part of an international organization.

But I believe that it would be both WMA's and the WFUNA's sentiments that WHO has only scratched the surface, so to speak, in its relations with nongovernmental organizations.

ENCOURAGING VOLUNTARY ACTIVITY IN EMERGING AREAS

The results have been two:

1. WHO has not benefited as it should have in its official program, and

2. WHO has tended to act largely through official, governmental channels in the developed and, particularly, the less developed countries.

But, if freedom is to thrive, nongovernmental channels should be used and stimulated to the greatest possible extent.

We of the West are well aware of the attitude of authoritarian states in their insistence upon government-to-government contact.

But we of the West generally believe in a healthy balance between government and private roles. We believe in strong, independent medical and allied professions—with strong ties to their private, opposite numbers overseas.

In our assistance to the developed areas, we want to strengthen voluntary groups. We of the West do not want—intentionally or inadvertently—to foster state medicine; state-controlled, state-manned, state-paid, if it can be possibly avoided.

MANY UNAFFILIATED AND INACTIVE NGO'S

During the course of the International Health Study, by the Senate subcommittee of which I am privileged to be chairman, we have been in close contact with many of the international NGO's. We have been gratified with their fine work under article 71 on the part of many of them.

In all frankness, however, we have also found that many private international organizations, active in health, have had no relationship with WHO. The lack of contact may perhaps be the fault of the private group, or of WHO or of both.

But there are also some groups which are nominally in official relationship with WHO but which have allowed their affiliation to become a dead letter.

Both types of shortcomings are regrettable. World health can ill afford the loss of potential strong partners or the inactivity of groups which enjoy important privileges which they do not use.

The need is acute. WHO's services have grown, thanks in large part to the dedication and skill of Dr. M. G. Candau and his staff. But WHO must still exist on a relatively low plateau of financial resources. If it is to be helped to soar to higher ground, it will require citizen action to urge governments to make this possible.

WHO feels that it cannot and should not lobby among citizens to urge their governments to do more for WHO.

But, certainly, dedicated private citizens are free, on their own initiative, to get in touch with their own governments and with their opposite numbers overseas.

STRENGTHENING BILATERAL AID PROGRAMS

Bilateral assistance also needs a helpful push forward.

In my own country, expanded citizen action is necessary in order to help make certain that the Agency for International Development (the former International Cooperation Administration) strengthens, rather than weakens, its programs of health assistance abroad.

HEALTH AND ECONOMIC DEVELOPMENT

Thinking Americans, like thinking Canadians, want bilateral and multilateral agencies to make the fullest contribution to health in the emerging countries. We feel that good health should be the birthright of every man. We want to improve mankind's health because we know that sick people cannot feed themselves or house or educate themselves, much less, serve others. Health provides the indispensable basis for economic and social development.

Probably no single official has more ably proved the case for health in economic and social development than has the distinguished Director of the Pan American Health Organization, Dr. Abraham Horwitz, who will be addressing this forum. Thanks in large part to his efforts and those of his colleagues, the Alliance for Progress among the 21 American Republics is forging ahead in public health programs.

What is being achieved in Latin America must likewise be attained in Africa, in the Middle East and in south Asia.

But there is a job to be done in the developed nations as well.

STRENGTHENING INTERNATIONAL MEDICAL RESEARCH

An International Citizens Congress for World Health could spearhead the drive for strengthened world partnership in medical research.

Fortunately, there is now incorporated directly within WHO's budget at least a modest sum for medical research. Collaborative research projects, under WHO's auspices, are now underway throughout the world.

In addition, there is a global program of U.S.-sponsored support of medical research—here in Canada and in other countries. The United States is utilizing increased sums of dollars and of foreign currencies which it owns or controls in developing countries, in order to support medical research.

But international research teamwork is still undernourished. At present and at foreseeable levels of support, decades will go by before teamwork reaches the levels which many of us seek right now or in the near future.

Here again, if aroused citizens insist on greater research efforts in their own country as well as on more resources for collaboration with foreign researchers, the desired goals will be achieved more promptly.

THE IMPORTANCE OF MEDICAL COMMUNICATION

Meanwhile, citizen action should spur governments and the professions to use the

backlog of research knowledge which is already available.

This will require improved techniques in communication of knowledge.

As you will note, I have a particularly warm spot in my heart for your meeting on Friday on the subject of communications. We in the United States have been struck by the same paradox that has concerned you—the fact that medical knowledge has accumulated far faster than it has been communicated and put into practice.

Our Senate subcommittee plans as its very next report, a publication entitled "The Crisis and Opportunity in Scientific and Technical Information."

This report points out the four essential avenues of medical communications—between researcher and researcher; researcher and medical educator; researcher and practitioner; medical scientist and layman.

THE PARADOX OF UNUSED KNOWLEDGE

Communications to the public is a particular priority.

The participants in this forum are well aware that millions of Canadians and Americans are today needless victims of avoidable disease. Part of the reason is that we are still using relatively antiquated ways of getting across health messages to the public.

About everyone is familiar with the paradoxical facts: The genius of medical science has now produced effective vaccines against polio; yet, in my own country, tens of millions of youngsters and adults are not vaccinated against polio. The genius of medical science has produced a simple, painless, virtually sure-proof method of detecting uterine cancer—the world famous "pap" smear test. Yet, a national survey by the Gallup organization showed that 23 million women—about 40 percent of the U.S. adult population—had never heard about the "pap" smear; 16 million adult women who knew about the "pap" smear, had never had it done; 9 or 10 million had had the examination over a year ago. (The test should be taken at least once a year in adult women.) And only about 7 or 8 million had the smear in the last year. And most of the women who had never had the test at all were in the age group in which 41 percent of all uterine cancer deaths occur.

And this unhappy situation prevails in my country as regards a disease which is being combated by one of the finest, most active of all voluntary health agencies—the American Cancer Society.

Similar situations exist in other disease areas—both in your country and in mine.

COMMUNICATION AND TELEVISION

I should like now to offer a series of specific proposals for improved communication. I shall refer to the use of what is undoubtedly the most powerful single communication medium available to society today. I refer, of course, to television.

I know that Canada has its separate pattern of television operations, differing considerably from that in the United States. The outstanding work of the Canadian Broadcasting Corp. is familiar to many of us in the United States who are interested in educational programing. Issues involving U.S. originated network shows have, I know, been the subject of much debate here.

My remarks on television are, therefore, submitted from a U.S. background and will not apply in some respects in your country. I submit these thoughts merely as one type of approach to a problem. It is an approach which will have to be sifted and, perhaps, revised to conform to Canada's own concepts and patterns. Certainly, no one wishes to foist one nation's patterns on others; we do wish, however, to share the best that can be made available with our friends and to get their best TV products as well.

FOUR RECOMMENDATIONS ON MEDICAL TELEVISION

I submit four suggestions for (1) expansion and upgrading of medical TV programing by, what are in the United States, our commercial stations, including the staging of "health spectaculars" on national and international networks; (2) in the United States (where educational television exists as a separate entity, or, in Canada, under CBC) greater use of adult education and school-directed programs. This should include, in cooperation with Public Health authorities, the testing of the effects of films; (3) expanded use of closed circuit television for professional communications; and (4) increased international cooperation in medical television.

First, I want to pay tribute to the television stations in the United States which have generously afforded countless hours for original medical programs and for telecasting prints of the many films produced by voluntary health agencies and by other sources.

In my own country, the advertising council has offered invaluable cooperation in public service campaigns for health objectives. Networks and individuals stations have generously donated time. They have, moreover, spent considerable sums in preparing new documentaries, in providing panel-type discussions, in featuring health interviews and in other types of telecasts.

Yet, there is vast room for further service. For one thing, audience ratings of most health programs are anemic; a variety of reasons is probably responsible. There seems to be lacking, at present, in most public service medical programs the drama, the excitement that fictionalized TV programs—like "Dr. Kildare" and "Ben Casey"—possess. But surely truth is stranger and can be more exciting than fiction.

Here, I submit this thought to the U.S. networks:

Surely with the support of public-spirited sponsors, the best talents of television could produce top-rated "health spectaculars." Surely, prime time could be reserved for a series of health programs which would feature the greatest dramatic, yes, and humorous, talent, as well. Such programs could catch the eye and the ear of the Nation and its neighbors—and could be entertaining as well as informative.

Second, the fullest resources of educational television, whether it exists as a separate entity, as in the United States, or as a part of CBC operations, should be capitalized upon. Already ETV, as it is known, has made great contributions to health and other objectives. But here again, the future is still brighter with opportunity. If given the necessary resources, the 52 ETV stations in the United States could render tremendously improved service, particularly for purposes of health education in my country's schools, including for physical fitness.

In addition, ETV can serve ideally for research and demonstration purposes to a much greater extent than heretofore. The U.S. Public Health Service should be supporting with ETV stations a broad-gaged series of community, regional, and national experiments designed to test and improve television's role in health education of adult or youngster.

Expanded research is essential; we cannot assume that just any medical film is good enough in the United States or in Canada.

We know that some medical films only bore the average citizen; some shock him into inaction; some are far over his head; some offer a message too difficult to recall; some are ideal, but are not tied in to readily available diagnostic services, with the result that the citizen cannot easily follow up.

Third, the present beginnings in closed-circuit television (and closed-circuit FM broadcasting) between professionals must be expanded upon. In the United States the Council on Medical Television has done much good work. Much remains to be done, however, to link—through color television, especially—researchers in their respective laboratories, as well as medical educators and practitioners.

Finally—and here my focus is exclusively international—we need to exploit as rapidly as possible the miracles made possible by international television. In Western Europe, "Eurovision" is already a reality. In a few years, orbiting communication satellites will make live international television economical and practical. The greatest opportunity in history will confront medical science and health-interested laymen. It will be a threefold opportunity to join researchers in laboratories throughout the world; to provide international health education to both the developed and the less developed countries; and to inform the industrialized countries of the medical problems of the emerging areas.

International medical television could show medical assistance at work in the heart of Africa, the Middle East, or south Asia. We could see—live—the type of humanitarian work performed by Dr. Albert Schweitzer at Lambarene, or by Medico's physicians, or by Canadian physicians—under the Colombo plan.

CONCLUSION

These, then, comprise my respectful suggestions. Most important, I hope and believe that you will go forth from this marvelous assembly, reinforced in your drive to build a healthier Canada and a healthier world.

A Citizen's Crusade for Health should be launched. It is our world, our lives, and our consciences which are at stake.

URBAN RENEWAL RESTORES A COMMUNITY

Mr. HUMPHREY. Mr. President, in Minneapolis, Minn., we are now completing our first urban renewal project, an $8 million redevelopment program in Glenwood, which was considered the city's most blighted area. Today, thanks to urban renewal, Glenwood is a modern residential and commercial neighborhood.

The changes that have taken place in that neighborhood due to the urban renewal program are reported in an excellent series of articles which appeared in the Minneapolis Tribune last month by Charles Hanna. I ask unanimous consent that these articles be inserted at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. HUMPHREY. Mr. President, I hope that those who are skeptical about the value of urban renewal will take the time to read these articles. They show that urban renewal is not just a matter of better housing. It also means lower crime rates, less juvenile delinquency, better health conditions, a better community spirit, improved schools and park facilities. This is a heartening story.

As a longtime advocate of urban renewal, it thrills me to be able to report on the progress we are making in our city.

In fact, the fight for urban renewal, I am happy to say, started during my period of service as mayor of the city of Minneapolis. It was in this Glenwood

district, as well as in others, that we made plans for the improvement of our city and for the betterment of those areas.

What is happening in the city of Minneapolis is happening in countless other cities throughout the country. Ugly slum areas are being turned into pleasant, wholesome communities where people no longer live in despair. In fact, these ugly slum areas in many cities have become some of the finest residential apartment areas, near the heart and core of the city.

In a country as rich and powerful as ours there can be no excuse for the decay of our cities and for Americans having to live in despairing conditions. We have the wherewithal to abolish slum areas and to restore our cities.

The urban renewal program is not only a good sound social practice in organization and good solid constructive economics, but the urban renewal program also makes for better living and makes for more prosperous and finer cities and communities.

I commend the Housing and Home Finance Agency and the local housing and urban renewal agencies, particularly the urban renewal division in our Housing and Home Finance Agency program for the work that has taken place.

I am hopeful that Congress will continue to give active support to this program, because it is this kind of program which in the long run will restore the vitality and strength of the Nation. It is a program which is desperately needed in our large cities.

EXHIBIT 1

[From the Minneapolis (Minn.) Morning Tribune, Feb. 20, 1962]

GLENWOOD—BEFORE AND AFTER

This was Glenwood on a spring day in 1949:

A small boy ran up the street ankle deep in mud.

A ragged screen door fluttered open on a second floor porch and a pan of dishwater splattered on the ground.

Flies buzzed around an open garbage barrel. An underfed dog dumped over the rusty container to get at its contents.

A partially burned mattress, a broken chair and a water-shredded cardboard box were piled together in an alley with a heap of bottles and tin cans.

A dented and scratched car rested unevenly in a driveway with two flat tires—a headlight dangling and the windshield smashed.

This was the Glenwood area.

It was dirty.

It was failing in decay.

It was a health problem.

It was a police problem.

It was a social problem.

It was the most blighted area of the city.

Glenwood once had been occupied by people of means. Homes in the neighborhood were large and had been well built and carefully maintained. It had been an area of broad shade trees and well kept lawns surrounding substantial homes. It became a field of mud, tumbling down houses and cluttered yards.

The smooth driveways that once channeled elegant carriages into quiet neighborhood streets were broken and covered by weeds and debris.

The magnificent crystal chandeliers that hung in some of the homes were torn down and discarded. Some of their ornaments were made into necklaces by the neighborhood children.

The Glenwood area began to fall after the second generation of owners started to move to other sections of the city, particularly the south and west.

The children of the early owners left home first. Their parents eventually followed, selling their homes to absentee landlords. Gradually the buildings fell into disrepair. They attracted low-income persons who could afford nothing better. Eventually even some of these families moved as conditions in the area became worse.

Glenwood was rapidly declining. The subsequent tenants saw no reason to take pride in their living quarters and the landlords responded by doing even less maintenance.

When city officials ordered a study of the area in 1949, investigators were shocked by what they found.

Some of the older homes had been turned into mazes of sleeping rooms and small apartments. A few were converted illegally to commercial use.

Homes that had been razed were frequently replaced with nonresidential buildings that introduced a great variety of land use.

The planning investigators found inadequate community facilities and unregulated traffic movement.

The Minneapolis Housing and Redevelopment Authority report that summed up the study called Glenwood the most blighted area in the city.

There appeared to be only one course of action—redevelopment.

The problem called for arrestive measures. Conditions in Glenwood were cancerous and threatening higher quality neighboring areas.

The project presented a tremendous challenge for Minneapolis. It was to be a comprehensive first effort to rebuild a large portion of the city.

It was the start of a redevelopment organization that eventually would lead the way for the downtown Gateway Center program.

The potential of the Glenwood area was easily recognized. It once had been a prime district. Its importance remained.

It was within walking distance of the downtown business district. It was only 30 minutes' drive from St. Paul. And it was served directly by good surface transportation.

Glenwood, in the so-called near North Side, is an area bounded roughly by Olson Memorial Highway on the north, Royalston Avenue on the east, Glenwood Avenue on the south, and James Avenue on the west. The pictures on page 1 were taken at the same site—800 Fifth Avenue North—but several years apart.

Through the joint efforts of the city council, the housing authority and the Federal Government, a plan was first developed in 1950.

The housing authority was the key agency in the urban renewal program. It executed the extremely complicated plan.

It was a big job—the largest urban renewal program in the Nation at the time—covering 180 acres, 62 city blocks, and 700 structures.

More than 1,000 families and 200 single persons were affected. Almost all of them were displaced eventually.

By the end of 1953 the Federal Government had entered the project with about $40,000 in planning funds. In 1954 studies for urban renewal were completed and Federal authority was received to execute the plan.

Acquisition of property and relocation of residents and businesses began in March 1956. Demolition started 12 days later. The city began capital improvements a few months later.

Although some persons opposed the project for personal reasons, most officials saw the Glenwood program as an absolute necessity.

The area produced about $114,000 annually in taxes before renewal. Officials figure the redevelopment area will now return about $534,000 in taxes.

The final entries are now being made in the project books. Relocation was completed in 1959. Demolition stopped in 1960. Land acquisition was finished in 1961.

The housing authority has only one parcel of land unsold. Only 1 percent of the Glenwood site improvements remain uncompleted.

Overall cost of the project has been about $11,050,000, including acquisition, demolition and other related costs.

This cost was reduced by $2,700,000 by the sale of some land for redevelopment. The remaining $8,350,000 was paid by the city ($2,783,000) and the Federal Government ($5,567,000).

What has this money purchased? What changes did it bring? What are the improvements? These questions will be answered in part two of this series in tomorrow's Tribune.

[From the Minneapolis (Minn.) Morning Tribune, Feb. 21, 1962]

GLENWOOD'S REDEVELOPMENT MULTIPLIES ITS USEFULNESS

(By Charles Hanna)

From the aqualor and decay that once was Minneapolis' Glenwood area has grown a dynamic new neighborhood.

Redevelopment under urban renewal has brought these exciting results:

Nearly 700 buildings—many of them dilapidated and unpainted—have been replaced.

New structures, 144 of them, including apartments, commercial and light industrial buildings, have been built.

Structural value of the area has more than tripled—from $6.5 million to $21 million in the past few years.

Potential jobs in the area have nearly tripled in number—1,000 to 2,700.

The expected tax return to the city, about $530,000, will be nearly 5 times greater than it was before renewal.

The city's $2,783,000 investment in capital improvements will be returned in tax dollars once every 5 or 6 years.

The improvements constitute the city's one-third share, with the Federal Government, of the net project cost—$8,350,000.

They include the replacement of fire station No. 16 at 1600 Glenwood Avenue, at a cost to the city of $40,000. Another $150,000 was spent by the Minneapolis Park Board developing an 8-acre tract for the new Harrison Park Playground.

The Minneapolis School Board spent $870,000 to expand Harrison School, adding 10 new classrooms, 3 kindergarten rooms, a gym, auditorium, kitchen, and a community room.

The city spent another $1.4 million for 5.8 miles of new streets, gutters, sidewalks, and utilities.

The housing authority contributed another $323,000 to make up the required one-third local share of $2,783,000.

Within the Glenwood district there are now three housing projects, two publicly financed, one built with private funds.

The 192-unit Lyndale Homes project on the southwest corner of Lyndale Avenue North and Olson Highway includes 88 units in a 12-story, highrise apartment building.

Glenwood Homes, the second public housing project developed in the district, has 273 units in an area bounded by Bryant Avenue North, Girard Terrace, Olson Highway, and a line between Fourth Avenue North and Glenwood Avenue.

The two Glenwood area housing projects are a part of a public housing complex that

extends north of Olson Highway, and includes Olson Homes (264 units), Sumner Field Homes (466 units) and Golden Age Homes (24 units).

The public housing ranges from efficiency units in highrise buildings to five-bedroom units in two-story apartment buildings.

Rentals are based at about 20 percent of tenants' incomes. Maximum salary limits to qualify for occupancy range from $200 a month for single persons to about $375 a month for families of five.

There are other financial restrictions that reserve the public housing units to persons of limited means. These include maximum personal assets ranging from $3,000 to $5,000.

Construction is well advanced on 14 acres of private cooperative housing at the west end of the Glenwood area.

The first units will be opened April 1. The 184-unit project is expected to be completed in July. The cooperative housing—Girard Terrace East—will be owned and operated by the tenants.

The two- and three-bedroom units will cost from $12,000 to $15,000. Monthly charges after the cooperative is formed will range from $85 to $105.

The cooperative housing project is the largest in the city. It is believed to be the first in Minneapolis started as cooperative housing.

The individually owned units are being built by Community Development Corp., Cleveland, Ohio. A sales office was recently opened at Humboldt Avenue North and Olson Highway.

The Cleveland firm also is planning three 6-story rental apartment buildings of 164 units for a site between Humboldt and Irving Avenues North and just south of Olson Highway.

Project planners reserved 12 acres in the Glenwood area for commercial development. About half of that reserve has been used for the construction of a $1 million shopping center on Olson Highway between Bryant and Emerson Avenues North.

An existing shopping area at Cedar Lake Road and Glenwood Avenue was preserved. A new supermarket was built on a quarter of a block site at Girard Avenue and Glenwood Avenue.

The redevelopment plan also provided a 52-acre light industrial district, east of Lyndale and along Glenwood Avenue, which will contribute more than half of the area's new tax gain.

Development of the light industrial area was closely supervised by the redevelopment authority to insure esthetic values that would complement nearby housing projects.

There was strong emphasis on expanded parking facilities for these nonresidential districts, calling for parking space proportionate to square footage of the buildings.

There also were restrictions on construction methods, prohibition of billboards and requirements for buffer areas to screen the industrial area from housing.

Some firms in the original district elected to stay in the area by rebuilding and making various improvements.

Munsingwear, Kemps Ice Cream Co., and Northland Milk Co. agreed to expand parking facilities. Insulation Sales Co. and several other firms rebuilt.

Others like Crane Ordway Co., Northwest Automatic Products Co., Gopher News, Tri-State Displays, and Timken Bearing Co. were attracted to the district.

Two church buildings—Glendale Seventh-day Adventist and a former Catholic church now occupied by the Prince of Peace Lutheran Congregation—were preserved by the redevelopers.

From the verge of social and economic collapse, Glenwood is moving boldly ahead.

It has new life for its institutions, business, industry, and for its people.

The final article of this series will explain the social impact of urban renewal on Glenwood.

[From the Minneapolis (Minn.) Morning Tribune, Feb. 22, 1962]

FROM NEIGHBORHOOD OF DISREPUTE, GLENWOOD BECOMES COMMUNITY BEACON

(By Charles Hanna)

Glenwood was a neighborhood of after-hours joints, prostitution, bootlegging, and gambling before city redevelopers started clearance in March 1956.

The crime rate was the highest in Minneapolis. There were knifings, shootings, and assaults.

Juvenile delinquency in the area was almost obscured by adult crime.

Health conditions often were frightening. Many of the buildings had been condemned or were on the verge of condemnation.

Residents of the area lived under the most adverse conditions. Settlement houses at best were dealing only with the surface problems. There wasn't enough time or staff to do much more.

The area was in physical and social decay. It seemed almost hopelessly trapped by its own habits and depression.

Glenwood had fallen pitifully from a highly respected neighborhood to one of disrepute.

A city study of the area in 1949 fired the imagination of redevelopers, and the urban renewal plan was started. It was a long process of planning and arranging finances that did not begin to jell until about 1955.

Then things began to happen to Glenwood. Old buildings began coming down, to be replaced by new ones. Streets were rebuilt. New industry moved into the area.

More than 1,000 families were displaced by the upheaval. Most of them packed up their belongings and moved north of Olson Highway.

They had high priority for the new housing that was to be built, but few—only 18—came back.

They found places to live in other neighborhoods that had slightly higher standards than Glenwood. Once settled they were reluctant to move again.

Their new areas, however, are already in trouble—the blight has started to grow.

Redevelopment officials are hopeful of checking the decline of these neighborhoods with programs of rehabilitation.

Glenwood redevelopment has done much to retard the spread of blight on the near North Side.

Robert T. Jorvig, executive director of the Minneapolis Housing and Redevelopment Authority, said the value of urban renewal has been proved in Glenwood.

"The neighborhood before redevelopment was infecting the surrounding areas with its blight. It was pulling them down.

"Now it is acting with reverse effects. It is lifting up the entire district. It is acting as an anchor, encouraging improvements in neighboring communities.

"The authority," he said, "has met its objectives."

Thomas Hanson, director of Wells Memorial Settlement House, 1825 Glenwood Avenue, said he detects a growing interest in renewal of Glenwood's neighboring areas.

A social worker in the Glenwood district for the past 15 years, Hanson has expert knowledge of the neighborhood's problems, past and present.

"I remember the times when I had to get boys out of crap games to play scheduled baseball games," he said.

"There used to be semigang fights. Now all of that is gone. Juvenile problems in Glenwood now are of the nuisance variety.

"I think the volume of juvenile incidents has dropped.

"Adults' problems have diminished, too. Of course, there are still social problems in the district, but the external forces that in the past magnified them are gone.

"Redevelopment," Hanson said, "enabled us to be more sensitive to the neighborhood needs. We can now get closer to the people's difficulties."

The community center at 800 Fifth Avenue North is the nerve center of the program, Hanson said.

"The Glenwood residents now have decent living conditions. They are more neighborly and have a better sense of their role in the community," he said.

Hanson thinks improved community facilities—the new fire station, expanded Harrison School and the new 8-acre park—also have had an important effect on the neighborhood.

Almost all residents of Glenwood are satisfied with their new housing and neighborhood. A few are fearful, however, that its quality will be difficult to maintain.

Arne Saari, 33, 710 Olson Highway, thinks there is a need for tighter restrictions to insure proper maintenance by tenants.

"Already some people are neglecting to take care of their property," Saari said. "Our court is pretty good, but some of the others are taking a beating."

Saari, a mining engineering student at the University of Minnesota, lives in a six-unit building about a block west of Lyndale Avenue. He was one of the first to bring his family of five children to the development.

Saari's concern is shared by several other tenants in the two-story row housing units.

Mrs. Emma O'Connor, 73, said she is "extremely happy" with her efficiency apartment on the 12th floor of the Lyndale Homes highrise building.

"It's lovely here. Just a wonderful place for an older person to live. You don't have to be alone if you don't want to, and there's privacy, too.

"From my window I can look right into the loop. And in the mornings when the sun comes up, it's beautiful."

Mrs. O'Connor is one of those persons displaced by the clearance program. She lived at 303 Lyndale Avenue North for 6 years.

She first moved to the area in 1902 with her mother and lived then at Fourth and Aldrich Avenues, North.

It was a very nice neighborhood back then. There were lovely homes and many fine people. I used to ice skate on the little lake, Oak Lake, where the city market is now.

"The old rocking chair has got me now, but I'm happy here," Mrs. O'Connor said.

Mrs. Arthur Longton, 78, 2121 Glenwood Avenue, has serious doubts about the future of Glenwood. She said she's afraid the property will not be adequately maintained.

Mrs. Longton admits, however, that the redevelopment has solved many of the neighborhood's problems. She's watched Glenwood in its various stages of life for more than 70 years.

Fred Goodwin, who has an apartment in the high-rise building, said he thinks Glenwood is "the best thing the government has ever done."

Goodwin used to live in a five-room apartment over a bar at 1505 Glenwood Avenue.

"It was terrible before. My place was in a cheap lopsided building. It was all I could find," he said.

Jefferson Livingston, 800 Fifth Avenue North, likes living in the area because he doesn't have "so many chores to do" and the rent covers utility costs.

Random inquiry among Glenwood area residents brought many similar reactions.

Thus, the human side of the Glenwood redevelopment is this: better housing, more jobs, a cleaner neighborhood, sharply reduced crime rate, improved school and park facilities.

Social worker Thomas Hanson summed it up this way:

"It may not be Heaven on earth, but it is a long way from the hell that it used to be."

TRANSACTION OF ROUTINE BUSINESS

By unanimous consent, the following routine business was transacted:

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. JOHNSTON:

S. 3067. A bill for the relief of Dr. George E. Poulias; to the Committee on the Judiciary.

By Mr. JOHNSTON (by request):

S. 3068. A bill to permit variation of the 40-hour workweek of Federal employees for educational purposes; and

S. 3069. A bill to amend title 39, United States Code, to authorize the Postmaster General to relieve postmasters and other employees for losses resulting from illegal, improper, or incorrect payments, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. EASTLAND:

S. 3070. A bill to amend title 28, United States Code, to provide for additional commissioners of the U.S. Court of Claims, and for other purposes; to the Committee on the Judiciary.

By Mr. HART:

S. 3071. A bill for the relief of Hidayet Danish Nakashidze; to the Committee on the Judiciary.

By Mr. JAVITS (for himself and Mr. KEATING):

S. 3072. A bill to amend Public Law 409, 74th Congress, to authorize the appropriations necessary to carry out authorized improvements in the project for the Great Lakes-Hudson River Waterway; to the Committee on Public Works.

(See the remarks of Mr. JAVITS when he introduced the above bill, which appear under a separate heading.)

By Mr. DODD (for himself and Mr. BUSH):

S. 3073. A bill to provide for holding terms of the U.S. District Court for the District of Connecticut at New London; and

S. 3074. A bill to waive the limitations and restrictions of section 142 of title 28, United States Code, with respect to the holding of court at Bridgeport, Conn., by the U.S. District Court for the District of Connecticut; to the Committee on the Judiciary.

(See the remarks of Mr. DODD when he introduced the above bills, which appear under a separate heading.)

By Mr. BIBLE:

S. 3075. A bill to amend the Mineral Leasing Act of 1920 in order to authorize geothermal steam leases under the provisions of such act; and

S. 3076. A bill to amend the Mineral Leasing Act of 1920 in order to authorize lithium, rubidium, cesium, or bromine leases and permits under the provisions of such act; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. BIBLE when he introduced the above bills, which appear under separate headings.)

By Mr. EASTLAND:

S.J. Res. 176. Joint resolution proposing an amendment to the Constitution of the United States defining the application of certain provisions thereof; to the Committee on the Judiciary.

By Mr. BOGGS (for himself and Mr. DODD):

S.J. Res. 177. Joint resolution providing for the establishment of a joint committee of the two Houses of the Congress to study all matters relating to national strategy; to the Committee on Armed Services.

(See the remarks of Mr. BOGGS when he introduced the above joint resolution, which appear under a separate heading.)

CONCURRENT RESOLUTION

DESIGNATION OF WEEK OF MAY 20 TO 26, 1962, AS NATIONAL HIGHWAY WEEK

Mr. CHAVEZ submitted a concurrent resolution (S. Con. Res. 65) designating the week of May 20 to 26, 1962, as "National Highway Week"; which was considered and agreed to.

(See the above concurrent resolution printed in full when submitted by Mr. CHAVEZ, which appears under a separate heading.)

REMOVAL OF COST CEILING FOR IMPROVEMENT OF NEW YORK STATE BARGE CANAL

Mr. JAVITS. Mr. President, for myself and Senator KEATING, I introduce for appropriate reference a bill to amend Public Law 409, 74th Congress, to remove the present $27 million cost ceiling for the Federal program of improvement of the New York State Barge Canal.

This program of improvement, authorized in 1935, provides for raising bridges and deepening and widening channels. At the time of authorization, the $27 million cost figure seemed reasonable; however, the work has gone forward slowly and costs have risen to such an extent that it is now estimated that the total cost of the project will be in excess of $35 million. Approximately $25 million in Federal funds has already been spent and the State of New York has allocated $15 million more with the understanding that it will be reimbursed by the Federal Government for moneys actually spent. However, in view of the existing cost ceiling, the Corps of Engineers cannot guarantee reimbursement of the entire additional $8.7 million required to complete the project, and work on the canal will shortly have to be suspended. If the improvement program is not completed, still existing bottlenecks will render these improvements virtually useless and the $25 million in Federal funds already spent will be wasted. I hope, therefore, that the Congress will take prompt action on this bill as soon as possible.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3072) to amend Public Law 409, 74th Congress, to authorize the appropriations necessary to carry out authorized improvements in the project for the Great Lakes-Hudson River Waterway, introduced by Mr. JAVITS (for himself and Mr. KEATING), was received, read twice by its title, and referred to the Committee on Public Works.

PROPOSED LEGISLATION RELATING TO TERMS OF COURT AT NEW LONDON AND BRIDGEPORT, CONN.

Mr. DODD. Mr. President, I introduce for appropriate reference for myself and my colleague, the senior Senator from Connecticut [Mr. BUSH], two bills dealing with the U.S. district court of Connecticut.

The first bill would permit the addition of the city of New London as a seat of the U.S. district court and it would also permit the rental of temporary facilities in that city of suitable court space.

The second bill makes provision for the rental of courtroom space in the city of Bridgeport, already a seat of the U.S. district court, but lacking adequate facilities at the present time for the holding of court.

The administration of Federal justice in Connecticut has been seriously curtailed due to the lack of adequate court facilities and for this reason my colleague and I are joining in introducing this legislation which will do much to reduce our Federal dockets as well as help with the pressing courtroom space problems facing both the eastern and western parts of our State.

We feel that this legislation is necessary to the proper and orderly administration of justice in the district of Connecticut and urge early and affirmative action on it.

The PRESIDING OFFICER. The bills will be received and appropriately referred.

The bills, introduced by Mr. DODD (for himself and Mr. BUSH), were received, read twice by their titles, and referred to the Committee on the Judiciary, as follows:

S. 3073. A bill to provide for holding terms of the U.S. District Court for the District of Connecticut at New London; and

S. 3074. A bill to waive the limitations and restrictions of section 142 of title 28, United States Code, with respect to the holding of court at Bridgeport, Conn., by the U.S. District Court for the District of Connecticut.

AMENDMENT TO THE MINERAL LEASING ACT TO INCLUDE GEOTHERMAL STEAM

Mr. BIBLE. Mr. President, I introduce, for appropriate reference, a bill to amend the Mineral Leasing Act of 1920.

My bill would permit the Secretary of the Interior to lease the public lands of the United States for exploration and development of geothermal steam.

In the past years, considerable research has been accomplished in an effort to harness this great source of energy. Only recently a breakthrough was made, so that now there is in operation in Sonoma County, Calif., a steamplant which has a capacity of 12,500 kilowatts utilizing geothermal steam as an energy to generate this electricity. This cheap source of energy will indeed play a major part in further developing the western section of our country.

At the present time, development of this vast untapped source of energy is

taking place on privately owned land. My bill thus would authorize the Secretary of the Interior to issue leases on the public domain under regulations promulgated by him to further develop and utilize this energy.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3075) to amend the Mineral Leasing Act of 1920 in order to authorize geothermal steam leases under the provisions of such act, introduced by Mr. BIBLE, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

AMENDMENT TO THE MINERAL LEASING ACT TO INCLUDE LITHIUM

Mr. BIBLE. Mr. President, I introduce, for appropriate reference, a bill to amend the Mineral Leasing Act of 1920 to include lithium.

At the present time, leases may be granted to explore for lithium as a related product of potassium and sodium. My bill merely would clarify the existing act and expressly set out that leases on the public domain may be granted to explore for lithium and other related products.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3076) to amend the Mineral Leasing Act of 1920 in order to authorize lithium, rubidium, cesium, or bromine leases and permits under the provisions of such act, introduced by Mr. BIBLE, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

PROPOSED JOINT COMMITTEE ON NATIONAL SECURITY STRATEGY

Mr. BOGGS. Mr. President, on behalf of myself and the distinguished Senator from Connecticut [Mr. DODD], I introduce, for appropriate reference, a joint resolution to establish a Joint Committee on National Security Strategy.

The functions of the joint committee would be:

First. To make a comprehensive and continuing study of all matters relating to our national strategy.

Second. To study means and methods whereby the processes used for the development of our national strategy may be improved in a manner consistent with the constitutionally established structure of our Government, and whereby the activities of governmental and nongovernmental instrumentalities used for the development and implementation of that national strategy may be coordinated with greater effectiveness in the national interest.

Third. For the information of the several committees of the Congress dealing with legislation which relates to or affects the national strategy, not later than March 1 of each year—beginning with the year 1964—to file a report with the Senate and House of Representatives containing its findings and recommendations with respect to national strategy matters, and from time to time to make other reports and recommendations to the Senate and House of Representatives as it deems advisable.

I have been working for some time trying to more fully understand and comprehend our national security strategy problems as they relate to the preservation of freedom and world peace. I have come to the conclusion that since World War II national security strategy has grown to embrace every facet of national strength—scientific, economic, social, political, diplomatic, and military.

Prior to World War II, and even during the war, our national strategy was fairly simple and comprehendible within the framework of our existing institutions.

However, since World War II, many fundamental advances in human knowledge and the physical sciences have been made resulting in a technological revolution of unprecedented scope and implications. This revolution has been responsible for the development of new and largely untested means and instrumentalities for destruction never before within the comprehension of man.

The complexity and unknown significance of these fast-changing times in relation to the scientific, economic, social, political, diplomatic, and military considerations have made increasingly difficult the formulation of a sound and effective strategy for national security and world peace.

Consequently, our Government has come more and more to rely upon privately organized and operated organizations and instrumentalities for advice and solution of much of our national security policy. As a result, the development, design, and direction of our national strategy for survival have been increasingly influenced by institutions and personnel outside of the executive and legislative branches of our Government. It is said that the justification for this is that our strategy goes beyond that which might be determined by military or diplomatic considerations alone.

I would give great credit to private organizations and personnel who have been working in this field and who have undoubtedly contributed tremendously to the formulation of our national security policy and strategy.

However, it seems urgent, essential, and fundamentally important that the Congress should move to organize immediately in an effective manner to discharge its vital function in the formulation of national security strategy.

Under the present organization of the Congress the various aspects of the problem of national strategy are committed to different committees within each body with the result that no means presently exist within the Congress for evaluating the problem in its entirety or for effectively helping toward evolving a well-considered, unified national strategic program.

Under our Constitution, the ultimate responsibility and obligation for a sound, total, and effective national strategy rests jointly with the legislative and the executive branches of our Government.

I believe that in order for the Congress to meet its responsibility and obligation it should provide a joint committee for continuous study, coordination, information, and recommendation on all the various and complex matters that affect and shape our national strategy.

If this joint committee were established, I believe it would not only be of great assistance to the regular functioning committees of the Congress in their respective fields involved with national strategy, but it would likewise help every Member of the Congress to make a greater contribution and be more effective in the discharge of his responsibilities to this important obligation.

It would seem to me also that it would be most helpful to the executive branch of our Government in its overall recommendations on national strategy which necessarily must be considered and implemented by the Congress.

The establishment of this joint committee would bring the Congress in as a full and effective partner with the executive branch in the design and conduct of national strategy.

It would, in my opinion, even be of help to the able, private scientific intellectual strategic studies community which due to the complexity and magnitude of the problem is little understood except among themselves. This community is a totally new factor of strength.

The establishment of this joint committee, as far as the Congress is concerned, would institutionalize under our Constitution all efforts properly bearing on the strategy making processes.

I am convinced that there are many Members of Congress who have given consideration as to how the Congress should put its house in better order to meet its constitutional responsibilities and obligations for national security strategy. I welcome cosponsorship of this joint resolution in the Senate, and I am hopeful that any interested Members of the other body will introduce a similar resolution.

In respect to this subject, I refer to volume 3, pages 7 and 8 of the staff reports and recommendations of the Subcommittee on National Policy Machinery, chairmanned by the destinguished Senator from the State of Washington [Mr. JACKSON]. In the final statement, dated November 15, 1962, this subcommittee reports as follows:

> Although the subcommittee inquiry was directed toward the executive branch, there is clearly much room for improvement on Capitol Hill.
>
> One major problem is fragmentation. The Congress is hard put to deal with national security policy as a whole.
>
> The difficulty starts with the executive branch. Except in the state of the Union and the budget messages, it presents national security information and program requests to the Congress in bits and pieces.
>
> The present mode of operation of the congressional system compounds the problem. The authorization process treats as separable

matters which are not really separable. Foreign affairs, defense matters, space policies, and atomic energy programs are handled in different committees. It is the same with money matters. Income and outgo, and the relation of each to the economy, come under different jurisdictions.

There is no place in the Congress, short of the floors of the Senate and the House, where the requirements of national security and the resources needed on their behalf, are considered in their totality.

The need is to give the Congress, early in each session, better opportunities to review our national security programs as a whole.

I have endeavored to make this statement brief. I know that I have oversimplified it. It is my hope, however, that, as a result of its briefness, it will be read with resulting consideration and appropriate action by the Congress for the establishment of a Joint Committee on National Security Strategy.

Mr. DODD. Mr. President, will the Senator yield?

Mr. BOGGS. Mr. President, I am more than happy to yield to the distinguished Senator from Connecticut (Mr. DODD). I am very grateful, indeed, for his encouragement, his interest, and his help in the presenting of the Senate joint resolution.

Mr. DODD. I thank my colleague for his kind remarks. However, I do not seek to take credit for this presentation. The distinguished Senator from Delaware was kind enough to bring the resolution to my attention. I think the Senator has done a great service, not only for the Senate and the Congress of the United States but also for the country as a whole.

I am happy and proud to join as a cosponsor of the joint resolution. I hope that all our colleagues will take time to read it. It is perhaps one of the most important matters which has been suggested to the Senate in a long time. I hope we shall get favorable committee action, and later favorable action in the Senate, and favorable consideration by the other body.

Mr. BOGGS. I thank my distinguished colleague. As I say, I am very grateful indeed for his encouragement and support. Along with him, I welcome consideration of the joint resolution by other Members of this body.

Mr. President, I ask unanimous consent that the joint resolution may be printed in its entirety at this point in the RECORD, following these remarks.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will be printed in the RECORD.

The joint resolution (S.J. Res. 177) providing for the establishment of a joint committee of the two Houses of the Congress to study all matters relating to national strategy, introduced by Mr. BOGGS (for himself and Mr. DODD), was received, read twice by its title, referred to the Committee on Armed Services, and ordered to be printed in the RECORD, as follows:

Whereas the fundamental advances in human knowledge concerning the physical sciences made during and subsequent to World War II have produced a technological revolution of unprecedented scope and implications; and

Whereas that revolution has been responsible for the development of new and largely untested means and instrumentalities for destruction never before within the competence of man; and

Whereas the complexity of the resulting weapons systems has necessitated reliance upon personnel specially trained in new and advanced scientific disciplines, not only for the evolution, design, evaluation, and production of such weapons systems, but also for the determination of basic doctrine with respect to their strategic employment and their interrelationship for the establishment of an effective capability for national defense; and

Whereas the United States Government has come to an increasing degree to rely upon privately organized and operated organizations and instrumentalities for the solution of these problems; and

Whereas in consequence the development, design, and direction of our national strategy for survival has been increasingly influenced by institutions and instrumentalities outside the executive and legislative branches of the Government; and

Whereas such strategy is no longer determined by military and diplomatic considerations alone, but by complex economic, scientific, social, political, and psychological considerations as well, thereby increasing the difficulty of formulating a sound and effective strategy; and

Whereas under the present organization of the Congress various aspects of the problem of national strategy are committed to different committees within each House, with the result that, in the discharge of its vital function of formulating national policy, no means presently exist within the Congress for evaluating that problem in its entirety or for evolving a well-considered unified national strategic program; and

Whereas the Congress is ever cognizant that the free institutions of the United States and the preservation of world peace is dependent upon the development of a sound and effective national strategy, and that under our Constitution the ultimate responsibility and obligation therefor rests jointly with the Congress and the Executive; and

Whereas in order to meet its responsibility and obligation more effectively, the Congress should provide effective means for a continuous study of all the various and complex matters that affect and shape our national strategy: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) there is established a Joint Committee on National Security Strategy (hereinafter referred to as the "joint committee"). Such committee shall be composed of nine Members of the Senate who shall be appointed by the President of the Senate and nine Members of the House of Representatives who shall be appointed by the Speaker of the House of Representatives. In each instance not more than five Members shall be members of the same political party.

(b) It shall be the function of the joint committee—

(1) to make a comprehensive and continuing study of all matters relating to the national strategy of the United States;

(2) to study means and methods whereby the processes used for the development of our national strategy may be improved in a manner consistent with the constitutionally established structure of our Government, and whereby the activities of governmental and nongovernmental instrumentalities used for the development and implementation of that national strategy may be coordinated with greater effectiveness in the national interest; and

(3) for the information of the several committees of the Congress dealing with legislation which relates to or affects the national strategy, not later than March 1 of each year (beginning with the year 1964) to file a report with the Senate and the House of Representatives containing its findings and recommendations with respect to national strategy matters, and from time to time to make other reports and recommendations to the Senate and House of Representatives as it deems advisable.

SEC. 2. (a) Vacancies in the membership of the joint committee shall not affect the power of the remaining members to execute the functions of the joint committee, and shall be filled in the same manner as in the case of the original selection.

(b) The joint committee shall select a chairman and a vice chairman from among its members upon its initial organization and at the beginning of each Congress. The chairmanship shall alternate between the Senate and the House of Representatives with each Congress. The vice chairman shall act in the place of the chairman in the absence of the chairman, and shall be selected from the House other than the House from which the chairman is selected.

(c) A majority of the joint committee shall constitute a quorum (except that a lesser number, to be fixed by the joint committee, shall constitute a quorum for the purpose of administering oaths and taking sworn testimony.

SEC. 3. The joint committee, or any duly authorized subcommittee thereof, is authorized to sit and act at such places and times within the United States, to hold such hearings, to require by subpoena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, and to take such testimony as it deems advisable.

SEC. 4. (a) The joint committee may employ and fix the compensation of such experts, consultants, and other employees as it deems necessary in the performance of its duties.

(b) The joint committee is authorized to utilize the services, information, and facilities of the departments and agencies of the Government, and also of private research agencies.

SEC. 5. The expenses of the joint committee shall be paid from the contingent fund of the Senate from funds appropriated for the joint committee upon vouchers approved by the chairman of the joint committee.

NATIONAL HIGHWAY WEEK

Mr. CHAVEZ. Mr. President, I wish to call to the attention of the Senate that National Highway Week will be observed during the period May 20–26.

All of us are highway users, directly or indirectly, and the progressive advance of our American economy would not have been possible without the Federal-aid highway program which Congress authorized in 1916. This program has been carried on during the intervening years under a unique partnership between the Federal Government, represented by the Bureau of Public Roads, and the States, represented by the respective State highway departments.

As a result of this partnership effort, the United States now has the world's best road network. This network, however, needs continual rebuilding to keep pace with the needs of a growing population, an expanding economy, and our national defense requirements.

Last year Congress, at President Kennedy's request, enacted new financing measures to speed this roadbuilding effort. As a result, we are in a position to complete the 41,000-mile National System of Interstate and Defense Highways by 1972 and to accelerate work on the traditional primary, secondary, and urban highway program.

The Nation has a vital stake in this program. Today 76 million motor vehicles traverse our roads and streets. By 1976 the total will have grown to 113 million, and this growth is merely in numbers and does not reflect the increasing use of each motor vehicle in the years ahead.

In recognition of our tremendous dependence upon motor vehicle transportation and its meaning to our citizens, it is appropriate that Congress should give appropriate recognition to the 1962 observance of National Highway Week during the period May 20–26. I submit a resolution calling attention to this observance, and I urge every Senator to support it.

I ask unanimous consent for the present consideration of the concurrent resolution.

The PRESIDING OFFICER. The concurrent resolution will be read for the information of the Senate.

The concurrent resolution (S. Con. Res. 65) was read, and unanimously agreed to, as follows:

Whereas the dependence of the American economy on its three and one-half million miles of highways has been clearly established and proven by the registration of more than seventy-six million automobiles, trucks, and buses; and

Whereas the development of our national highway system has been a remarkable accomplishment during the last half century, in spite of wars, depressions, and other economic uncertainties; and

Whereas the present United States road network reflects credit on the unique Federal-State partnership arrangement which has financed, built, and maintained it; and

Whereas one-sixth of the American population depends directly on highways for its livelihood; while every American is increasingly dependent on highways for education, recreation, national and international security, as well as religious, fraternal, cultural, and family life; and

Whereas the direct benefits to the highway user of the construction of adequate highways have been conservatively estimated at three times their cost; and the extra dividends include the upgrading of property values, creation of new industrial, commercial and residential sites, the reduction of death and human suffering by cutting the accident toll, and the joy and pleasure of motoring on adequate, safe highways; and

Whereas the increasing need for better highways of adequate capacity to meet ever-increasing traffic demands should receive the public attention it deserves and requires if proper citizen support of national highway goals is to be sustained; and

Whereas the week of May 20 to 26, 1962, provides an opportunity for due recognition of the foregoing achievements and accomplishments: Now, therefore, be it

Resolved by the Senate (the House concurring), That the week of May 20 to May 26, 1962, is hereby designated as "National Highway Week", and the President is requested to issue a proclamation calling upon all the people of the United States for the observance of such week with appropriate proceedings and ceremonies.

VETERAN WELFARE WORKER RETIRES IN MONTANA

Mr. MANSFIELD. Mr. President, we in the Congress all recognize that the basic foundation of our Federal Government, the State, and local governments as well, is the dedicated public servant. These men and women contribute many years of their lives to various positions in government. They are the ones that keep it operating.

I have just learned of the retirement of a very close friend in Montana. John B. Kemp is retiring from his post as Roosevelt County welfare supervisor after 30 years of service. It is not a glamorous job but it is one to which John Kemp was dedicated, carrying out his duties with understanding and care.

Mr. and Mrs. John Kemp have contributed much to the community of Wolf Point with their many charitable services and civic leadership. The Kemps have raised a family of which they can be justly proud. In short Roosevelt County and the city of Wolf Point are fortunate to have the Kemp family and I have had a most pleasant association with the family over the years.

Appropriate recognition has been given to John Kemp in recent weeks and I ask unanimous consent to have printed at the conclusion of my remarks in the CONGRESSIONAL RECORD a news story from the March 15, 1962, issue of the Herald-News published in Wolf Point, Mont.

There being no objection, the news story was ordered to be printed in the RECORD, as follows:

JOHN KEMP, WELFARE SUPERVISOR, RETIRING

Starting in 1932 with a job intended to last 2 or 3 months, John B. Kemp, county welfare supervisor, this week retired after 30 years' service

In retirement Kemp was honored with a party given by fellow employees at the courthouse in Wolf Point. Honored with Mr. Kemp was Mrs. Kemp, who has donated 25½ years to the American Cancer Society. Together, Mr. and Mrs. Kemp have donated over 57 years to volunteer work on various civic causes. Mrs. Kemp began work with the cancer society in 1936. In 1948 she became county chairman, a job she held until 1961. She remains as county memorial chairman.

In November Kemp was honored at a district welfare meeting and banquet in Wolf Point. At the eight-county dinner he was awarded a plaque for service from 1932 to 1962.

Kemp began his work as secretary of the Daniels County Relief Committee in Scobey. The office was scheduled to be maintained about 2 of 3 months. At the 1933 session of Montana Legislature the Montana Relief Commission was created and relief committees appointed in all counties. Kemp was retained as secretary and continued in that capacity about a year.

Montana Relief Commission officials of Helena then recommended him for the position of Federal disbursing officer when the Civil Works Administration began operations in December of 1933. Primary job, Kemp recalled, was to issue worker paychecks in Valley, Roosevelt, Sheridan and Daniels Counties. "I signed 12,220 checks on the U.S. Treasurer, totaling approximately one-quarter million dollars," he said. "We also issued checks to workers on the agricultural census survey in 14 eastern Montana counties," he added.

In 1937, after passing of the Civil Works Administration and the birth of the public welfare department, Kemp became one of the department's pioneers. After passing required written and oral examinations, Kemp was asked to accept the position of welfare supervisor for Roosevelt County, a position he held from April 1937 until retirement March 15, 1962.

During the years of public work Kemp has been responsible for expenditure of approximately $10 million. He said the office has been understaffed throughout most of his term, due to lack of qualified workers. An overtime load averaging 12 hours per week was necessary during his first 27½ years of public service, he said, "but I slowed up some after a heart attack in 1959." He noted overtime worked while welfare supervisor would amount to 25 years or $50,000 in value donated to Roosevelt County and Montana taxpayers.

During World War II Kemp was assigned the job, along with regular welfare work, of making special investigations for the Selective Service System. He was required to send a confidential report to the Armed Services on every draftee. At the war's end he received citations from President Truman and General Hershey, Gov. Sam Ford and General Mitchell.

Other prized papers in Kemp's collection include certificates of appreciation for volunteer work from the National Foundation for Infantile Paralysis. Recently he received a citation from Gov. Tim Babcock for 25 years distinguished service with the welfare department, from the date of its organization, March 4, 1937, through March 4, 1962. This citation was issued to only seven department employees.

Kemp has also received letters recently from the State administrator of the Montana Department of Public Welfare, the director of the division of public assistance of the department of welfare and from the board of commissioners of Roosevelt County. All three thanked him for devotion to duty during his 30 years with relief and welfare agencies in Montana.

RECOMMENDATION BY MILWAUKEE ASSOCIATION OF COMMERCE ON TRADE EXPANSION ACT

Mr. WILEY. Mr. President, the proposals for modifying U.S. trade agreements with other nations, still before the Ways and Means Committee, involve some of the most significant decisions that will be required during this session of Congress.

Throughout history, trade has played a major role in the progress of, and relations among, nations.

However, we have learned that trade must be a two-way street.

With an ever-expanding agricultural and industrial capacity, often exceeding domestic consumption or utilization, we will need more and more new markets for the future.

If possible, then, we need to design a trade policy that will perform the seemingly, but not necessarily contradictory, dual job of promoting export trade but, at the same time, guarding against too great harm to our domestic industries from a too-large volume of imports.

Recently I was privileged to receive from Harry Hoffman, president of the Milwaukee Association of Commerce, a detailed analysis and evaluation of H.R. 9900, the Trade Expansion Act of 1962. The analysis, I believe, deserves the consideration of Congress.

I am well aware, of course, that, with H.R. 9900 still in the Ways and Means Committee undergoing hearings, it is not possible to determine just what kind of bill will come up for a vote. Nevertheless, I believe that the time for consideration of such views is in the formative stages, not after positions have hardened and the ink is dry on the bill.

I therefore respectfully invite the attention of my colleagues on the Finance Committee, as well as the Ways and Means Committee, and other Members of Congress, to these views, and request unanimous consent to have them printed at this point in the RECORD.

There being no objection, the views were ordered to be printed in the RECORD, as follows:

H.R. 9900: TRADE EXPANSION ACT OF 1962

1. Milwaukee, the Nation's 11th largest city, ranks high in the value of its exports. As such, the city and its commercial enterprises are vitally interested in expansion of foreign commerce. The Milwaukee Association of Commerce has consistently advocated reduction of impediments to increased foreign trade. The association believes in an expanded trade, and therefore agrees in principle with most of the provisions of the statement of purposes of the administration's proposed Trade Expansion Act of 1962, known as H.R. 9900.

2. The association is apprehensive, however, that H.R. 9900, as presently written, is a hasty effort to reach a greater degree of free trade with the world. Furthermore, it fails to recognize that Congress has the primary responsibility for trade policies of our country and the right to exercise final control over these policies. This is especially apparent in the bill's recommendations that authority be granted the President, within the next 5-year period, beginning July 1962, to negotiate complete elimination of customs' tariffs on a large variety of articles, 80 percent or more of whose aggregate world export values are accounted for by the United States and the European Economic Community. Authority granted in the bill is given on an "as he (the President) determines" basis, with no provision for control and/or direction by the Congress. This is at odds with the traditional checks and balances provided in the Constitution as a necessary part of the Government of a free people.

3. The Common Market has brought together European countries of diverse histories and economies and is shaping them into an integrated economic unit to gradually eliminate trade barriers, including customs tariffs, between them. In these countries living standards and labor rates vary but are not too widely diverse to discourage economic integration. To ease the process of economic unity, members of the EEC decided on a period of 12 years in which to complete their integration and completely eliminate customs tariffs among themselves. It is true they have accelerated their move in this direction. However, most of the 12 years are still expected to elapse before full freedom from customs' tariffs is achieved. The U.S. industrial labor wage rate is from three to four times that found within EEC countries. Yet H.R. 9900 contemplates the United States achieving its major goal with the EEC in a substantially shorter period of time. Quite likely, this will prove to be an impossible obstacle for many important U.S. industries to overcome in the period demanded.

4. The U.S. Government proposes that in the event definite distress is encountered by segments of U.S. industry and labor, the taxpayer will step in and foot the bill. We are confident that most U.S. industries do not desire such assistance but would much prefer to face realities of a freer trading world by being given a reasonable economic climate in which to achieve any reorientation through their own efforts. The amount of time a given industry will require to adjust itself will vary greatly, depending upon its own specific problems.

Presumably, many an industry which would encounter real distress in the brief time limit proposed in H.R. 9900 would adjust satisfactorily and continue to employ its people if a longer period of time was available. This would reduce resulting distress and the necessity for the taxpayer to foot perhaps large, and certainly unknown and unnecessary amounts of adjustment assistance.

During the last 3 years, European labor rates have risen by a substantially greater percentage than have those of the United States (although it is still doubtful that actual dollar-and-cent wage increases in Europe have exceeded those in the United States during the same period). It appears that European labor rates will continue their accelerated rise. If sufficient time elapses during this upward trend—resulting in an effective narrowing of the gap between European and U.S. wages scales—the transition to freer trade can probably be achieved without pronounced disruption and distress within the ranks of U.S. labor and industry.

5. Under the most-favored-nation principle, it must be borne in mind that any duty or other import restriction proclaimed and included in an agreement with one country or group of countries "shall apply to products of all foreign countries whether imported directly or indirectly." In such instances, however, the United States must insist that equalized compensating concessions from other interested countries should be obtained as part of the negotiations.

6. Summary: While in accord with the general purpose of H.R. 9900, the Milwaukee Association of Commerce recommends:

(a) Modification of the 5-year provision during which tariffs on "80-percent" articles would be eliminated. The modification to permit substantial time extension for threatened U.S. industries to adjust to new international market situations.

(b) That careful studies be undertaken by Congress to determine the degree of distress which may result from a further 50-percent reduction of tariffs on all articles within the period of time stated in H.R. 9900. A smaller percentage of reduction within such a timetable, or a longer timetable, may be found to be desirable.

(c) That Congress should not abrogate its final authority over tariffs in favor of final authority being placed in the hands of the President. Whether this can best be achieved by retaining the present authority exercised by the Tariff Commission, or whether some new formula should be developed through careful study, is at this time a matter of grave and utmost importance and worthy of additional consideration before any new trade agreement legislation is enacted.

NEEDED: ACTION IN DAIRY PRICES

Mr. WILEY. Mr. President, the dairy industry, confronted by congressional inaction and lack of sound administration policy, faces a serious income drop, unless immediate efforts are made to avert such a catastrophe.

Earlier this session, the administration presented its dairy recommendations to Congress. In Congress, and on the farm front, these proposals have been largely unacceptable.

Particularly, the administration's attempt to use "economic coercion," by threatening to drop price supports if the Congress and the farmers did not buy the control program, represented poor judgment, and, to me, undesirable tactics.

At this time I ask unanimous consent to have printed at this point in the RECORD two items: First, a supplemental statement on the dairy price support situation; and second, an editorial from the Milwaukee Journal entitled "Need Action in Dairy Crisis, Not Political Maneuvers."

There being no objection, the statement and editorial were ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR WILEY

As things look now, the dairy farmer may well be caught in a political—as well as economic—squeeze. How? The agriculture committees in both the Senate and House of Representatives, for example, have failed to favorably report a resolution for maintaining price supports at $3.40 per hundredweight for manufacturing milk. The administration, too, has backed itself into a corner. On record as interpreting that the law requires a drop in price supports—unless Congress would pass a support resolution—the administration, now, has no escape from this corner. Unless there is a change in the situation, then, it would appear that price supports will fall to $3.11 per hundredweight on April 1, the beginning of the new marketing year.

In my judgment, however, the dairy farmer must not be required to suffer (1) for errors in policy by the administration, or (2) by the inaction of Congress.

In view of the supply-demand situation, involving substantial dairy surpluses, it is highly unlikely that the $3.40 level will get approval of either the administration or Congress.

Dropping the level to $3.11 per hundredweight, however, would result in an estimated $50 million per year income loss for the dairy farmers.

For these reasons, I believe the Congress can, and should, enact a compromise bill authorizing the maintenance of price supports somewhere between $3.11 and $3.40 per hundredweight, perhaps at the $3.22–$3.30 level. This would, I believe:

1. Prevent too great a drop in income for the dairy farmer—still caught in a cost-price squeeze;

2. Help to remedy the supply-demand situation; and

3. Serve the taxpayer by holding down the costs of the price-support program, without rendering as much of a blow to the dairy farmer.

Recognizing the need for expeditious action, I am urging the Senate Agriculture Committee to consider, as quickly as possible, such a compromise.

[From the Milwaukee Journal]

NEED ACTION IN DAIRY CRISIS, NOT POLITICAL MANEUVERS

It will be a severe blow not only to Wisconsin dairymen but to the whole State economy if the Federal milk support price is allowed to drop from $3.40 a hundredweight (about 50 quarts) to around $3.11 by April 1. This threatens an income drop of perhaps $50 million a year for our dairy farmers.

The law says that the Secretary of Agriculture shall maintain dairy supports at between 75 percent and 90 percent of parity to assure an adequate supply. (Parity is a formula figure based on relationship of prices in some past period.)

Secretary Freeman, confronting a mounting surplus, interprets the law as forcing him to lower the support level to $3.11 (75 percent of the present parity base), the minimum. The House Agriculture Committee has rejected an administration request for a resolution directing Freeman to maintain the $3.40 support (83 percent of present parity) until January.

Some members of both parties blame the administration for the dairy crisis. They recall that, though the support level was raised from $3.11 to $3.22 in the dying days of the Eisenhower administration, the Kennedy administration almost immediately boosted it again to $3.40. Milk supply seemed more than adequate then, the critics say, so there was no justification for the boost, which has been followed by an increase in milk production and a decrease in consumption of dairy items.

Cost to the Government of buying up the surplus has skyrocketed to the point where drastic action is demanded. The administration offers its marketing control plan, with producer quotas, as a remedy.

Freeman is accused of trying to create a panicky situation, by asking for too high supports or by letting the supports drop to a disastrous level, so that his dairy marketing bill will be accepted in desperation. Some Congressmen, including Representatives KASTENMEIER and LAIRD, of Wisconsin, insist that there are ways under the present law to avoid dropping the support level to $3.11 now.

If this is so, or if Congress can be persuaded to give specific authorization, some compromise support figure—say, between $3.20 and $3.30—should be tried. Perhaps we can work our way out of this acute dairy predicament by degrees, with a minimum of injury.

There is no sense in extending the full $3.40 support in face of the surplus and cost crisis. Yet an abrupt drop to $3.11 is going to wreck a lot of small dairy farmers. There is no excuse for following either extreme for purely political ends.

OUR GOLD MINES NEED HELP

Mr. ENGLE. Mr. President, a great deal has been heard in the last few years about our country's diminishing gold reserves. Last year President Kennedy put into effect several programs to check the flow of dollars. But we need more than a brake on our gold outflow if we are to maintain a healthy gold reserve. We need also to get at the other end of the problem—the critical decline in the production of gold in this country.

Last week the Minerals, Materials, and Fuels Subcommittee of the Senate Interior and Insular Affairs Committee began hearings to explore ways and means of stimulating the domestic production of gold and silver. Congressman HAROLD T. ("BIZZ") JOHNSON, of California, appeared before the committee and made an excellent statement in support of Senate Joint Resolution 44, which I introduced last year and in which I have been joined by Senator KUCHEL, Senator CASE of South Dakota, Senator GRUENING, and Senator CHURCH. The proposal, introduced in the House by Congressman JOHNSON, calls for a system of incentive payments to encourage our gold mines to get back into business.

In his remarks Congressman JOHNSON points out that in return for our investment, we would be helping the economy of our country generally. I am convinced that we would. Senate Joint Resolution 44 contains a positive program for building up our fast disappearing gold supply. It gives our depressed gold-mining industry a practical justification for reopening its mines. It offers hope for relieving the serious unemployment situation in the industry.

BIZZ JOHNSON makes a convincing case for giving our gold mines a helping hand. His statement is well documented and persuasive. I commend it to the attention of my colleagues.

I ask unanimous consent that Congressman JOHNSON's statement be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF HON. HAROLD T. JOHNSON, SECOND DISTRICT, CALIFORNIA, BEFORE MINERALS SUBCOMMITTEE, COMMITTEE ON INTERIOR AND INSULAR AFFAIRS, U.S. SENATE, MARCH 15, 1962

Mr. Chairman, the Second Congressional District of California contains the mother lode and major California gold-producing counties which made our State famous in the days of the forty-niners. For myself and on behalf of the gold-mining industry of California, I want to express my sincere appreciation for the opportunity to be heard and discuss with you the critical conditions which exist in the gold mining industry today and to join our good friend, Senator CLAIR ENGLE, in urging the favorable consideration of Senate Joint Resolution 44, which we believe would be a major step forward in helping this distressed industry.

Gold was one of the first metals used by man and has been valued above all others because of its beauty, scarcity, and imperishability. It has become the standard of our world monetary systems. The search for gold has led to the settling of new lands. As I mentioned a moment ago, discovery of gold in California gave tremendous impetus to the great westward movement in our own country.

During the last half of the 19th century, the United States was the leading producer of gold in the world. Yet today it produces only 3 percent of the world's gold.

What happened to change the picture so drastically? Several things happened. The goldfields of Africa developed rapidly, and this restless nation became the world's leading producer of gold in 1905. The United States held on to second place until about 1930, when it was displaced by Canada, and then a few years later the Soviet Union became the world's second largest producer of gold, relegating this country to fourth place.

This was a relative comparison, because the U.S. production continued to climb through the years spurred by President Roosevelt's proclamation of January 31, 1934, increasing the price of gold from $20.67 to $35 per ounce. Production reached an all time record of 4,869,949 ounces in 1940. This record was achieved even though at that time—two decades ago—profit margins had become so narrow that extremely efficient operations were required.

Gold mining became a casualty of World War II. War Production Board Order L-208 and other official restrictions denied gold mines equipment, supplies and manpower. Mines were closed down. When Order L-208 was lifted on July 1, 1945, two and a half years of idleness had left its toll. Many of the mines had watered up. Equipment had deteriorated from lack of use and rehabilitation required great investment. Companies with closed mines had suffered financial losses from which they never were able to recover. Higher prices for equipment, and supplies, and higher wages combined with the difficulties of recruiting efficient labor forces made former operators reluctant to reopen mines, especially when profit margins were even narrower than those existing in 1940.

During the war years of 1942 to 1945, for the first time on record, over half of the domestic gold output was recovered from base-metal ores and a pattern was established. Today, 28 percent of our gold production still is the byproduct harvest of the base-metal industry. The Nation's second largest individual gold producer is a copper mine.

In spite of these difficulties, production staged a modest comeback from the depths of 1945 when the yield was only one-fifth of the 1940 record, until the critical year of 1947 when domestic production reached 2.1 million fine ounces. From that time on, the trend has been downward due to continuously rising costs of gold mine operations and cutback in base metal production.

Today production has plummeted to the lowest peacetime levels of the century. The 1961 production of gold declined to 1,526,757 troy ounces. This is approximately 150,000 troy ounces less than 1960, and month-by-month pattern throughout 1961 was a declining one.

Mr. Chairman, we hear much of depressed industries. I think you would have to agree that the gold mining industry of the United States is one of the most depressed industries in our Nation's economy. Throughout the gold-producing areas of the United States, and especially in the gold-producing areas of California, the number of producers has declined steadily as more and more go out of business. Two decades ago there were 9,000 lode and placer mines in operation in this country. By 1960 there were only 400. World production has been following the opposite trend—upward. In 1961, the year in which the United States reached an alltime, peacetime low for this century, alltime record yields were realized throughout the world. World output of gold continued to rise for the eighth successive year, reaching a new record high estimated at 47 million ounces.

Mr. Chairman, the trends are shown by the following production chart:

Year	U.S. mine production	World production
	Fine ounces	*Fine ounces*
1945	954,572	26,100,000
1946	1,574,505	27,500,000
1947	2,109,186	28,900,000
1948	2,014,257	29,600,000
1949	1,991,783	31,000,000
1950	2,394,231	32,700,000
1951	1,980,512	33,500,000
1952	1,893,261	34,300,000
1953	1,958,293	33,700,000
1954	1,837,310	35,100,000
1955	1,880,000	36,300,000
1956	1,827,000	38,400,000
1957	1,794,000	39,600,000
1958	1,739,000	40,600,000
1959	1,604,000	42,800,000
1960	1,667,000	45,000,000
1961	1,527,000	47,000,000

Source: Minerals Yearbook; Department of the Interior, Bureau of Mines.

You will note that when our national production of gold started its postwar downturn, world production continued to climb. About the same time other major gold producing nations realized the seriousness of this situation and took action.

Canada, for instance, adopted a subsidy program which went into effect January 1, 1948. The immediate result was a 15-percent increase in production. Production of gold in Canada has been stable throughout the postwar years with the result that today the United States is importing large quantities of Canadian gold. The United States imports as much gold as it produces domestically. U.S. imports could be lessened because our mines could produce much of this supply if our domestic mining industry was given the opportunity.

In this country, however, the opposite approach was taken. In 1947, the Treasury

Department established new regulations under the Gold Reserve Act of 1934 with a view of curbing international gold transactions by domestic producers who could receive premium price at international free markets. This was done at the request of the International Monetary Fund, although most other major gold producing countries of the world did and still permit a limited amount of this premium business in order to meet costs of operations.

I might note here also that the International Monetary Fund, in its annual report of April 30, 1948, took a dim view of subsidies being initiated in Canada. The Fund expressed a fear that the subsidy would undermine the exchange relationships. After 12 years of operation it appears that the Canadian program improved the Canadian balance-of-payment situation.

On the other hand it would seem to me that the requirements which the United States has placed upon itself by restricting domestic production of gold to such a point that the United States must import the great preponderance of the gold it uses has harmed the U.S. balance-of-payment situation.

This, then, is the situation the mining industry finds itself in. I would like to emphasize that this is not the result of a reduced demand for gold. The steadily increasing amounts of gold being imported into this country are proof of this:

Gold imports to United States

Year:	Ounces
1955	2,930,000
1956	3,730,000
1957	7,701,000
1958	8,120,000
1959	8,485,000
1960	9,323,000

Consumption in this country is increasing steadily. In 1960 net consumption of gold in domestic industry and the arts rose for the 6th successive year to 3 million ounces, a gain of 19 percent over 1959, according to data compiled by the Bureau of the Mint. The quantity of gold thus absorbed by domestic consumers exceeded production from domestic mines by 1.3 million ounces.

Traditional and established uses of gold in jewelry, watches, and decorative articles, and in dental supplies, scientific, chemical, and other equipment continued to absorb large quantities of gold. New industrial applications of gold continued to be developed.

Gold is used for gold coatings in steering jets for space vehicles to reflect cosmic radiation. The steering jets, manufactured by Bendix Corp. and plated with gold, 0.000040 of an inch thick, reflects 95 percent of all radiation to which an orbiting vehicle's surface is exposed. The small jet controllers, used to keep spacecraft from tumbling and rolling, are first sprayed with an epoxy and then placed in a vacuum chamber where vaporized gold is deposited on their surfaces. The coating is later baked for 30 minutes to complete the treatment. Increased quantities of gold were used in matrix elements for semiconductor preforms. The material is electroneutral, wets readily to silicon and germanium, has excellent oxidation resistance, and its high thermal conductivity permits rapid heat dissipation from the junction. Gold-plated pressure-seal jackets were used in constructing large valves for a nuclear power station for protection against acid corrosion under high pressure at elevated temperature.

Increased use of gold coatings in architectural panels was reported by Hanovia Liquid Gold Division, Engelhard Industries, Inc., and greater use of gold alloys in manufacturing diodes, rectifiers, and transistors was noted. In a centrifuge built for testing instruments, electronics parts, and other assemblies at the Naval Underwater Ordnance Station, gold sliprings were used to obtain long life, superior power and signal connections, and lower noise level. A new radiation-resistant material, consisting of pure gold laminated to rubber-coated nylon, was developed for use in electronic devices and missiles.

A gold solution sprayed on vulnerable surfaces and baked to form a thin metallic film reduces the rate of heat transfer on engine shrouds, drag-chute containers, tail cone assemblies, and blast shields. A gold solution is applied to porcelain-enamel, stainless steel, fiberglass laminates, and other heat-resistant materials. A transparent conductive film of gold deposited electrically on safety glass was developed to overcome the hazards of obstructed vision caused on occasion by fog and frost on windows in transport vehicles.

In view of the increasing importance of gold for scientific and defense uses, I would call to your attention once again the fact that the Soviet Union and Africa, whose political future is anything but stable, are the leading producers in the world.

If there is a demand for this precious metal, why is production steadily decreasing? An artificial price of $35 per ounce has been maintained since 1934. None of us has to be told how much the cost of operation, labor, and materials has increased since 1934. Thus, the gold industry is faced with fixed prices and rising costs, with constantly declining reduction resulting. At the same time, we have had a substantial increase in the demand, due to these new industrial uses, many of them required for the defense of our Nation.

Whereas gold mines in some countries have been aided by subsidies, tax concessions, currency devaluation, and/or sales of their product at premium prices on the free market, domestic miners have been held down to a price which brought prosperity to the industry through the 1930's but which does not reflect inflationary trends of later years.

One of the most distinguished gold mining experts from the mother lode district I represent, L. L. Huelsdonk, of Downieville, Calif., has declared that the U.S. Treasury still sells gold to industrial consumers at approximately $35 per ounce whereas the cost of producing gold has increased 300 percent since that price was established.

The $35 an ounce price—while it may have to be maintained for world monetary and economic reasons—is not realistic when it comes to the actual production of gold.

Barron's (July 6, 1959) quotes a Soviet economic journal statement that the cost of Russian gold runs to about 660 rubles per ounce. This is equivalent to $165 at the official rate of exchange, $66 at the tourist rate.

It would seem appropriate at this point to comment on what some of the other gold producing nations are doing to keep their gold industries alive.

The nearest and most important country, of course, is Canada. The Emergency Gold Mining Assistance Act was first enacted in 1948 and has operated continuously ever since. It has been extended until 1963.

To be classified as a gold mine under the act, a mine must meet the following requirements:

1. The value of gold produced must be 70 percent or more of the total value of output of the mine.

2. The mine or operation must produce at least 50 troy ounces of gold in a designated year.

3. The cost of production, computed on all ounces of gold produced from the mine during a calendar year or less, must exceed $26.50 per ounce.

In a designated period, e.g. a quarter, the mine must sell all its production to the mint to qualify for aid. Exporting the gold is considered the same as sale to the mint for the purposes of the act. The mine cannot both sell to the mint and to the free domestic market in the same designated period if it is to receive aid.

The formula for calculating assistance payable under the act consists of two factors: the rate of assistance and the assistance ounces. The rate of assistance factor is based on the cost per ounce of gold produced while the assistance ounces factor is a specified proportion of the total ounces of gold produced.

The rate of assistance factor is determined by taking two-thirds of the amount by which the cost to produce an ounce of gold exceeds C$26.50 up to a maximum of C$12.33. The number of assistance ounces factor equals two-thirds of the total ounces produced. The amount of assistance payable is calculated by multiplying the rate of assistance by the assistance ounces.

To the foregoing, the 1958 extension of the act added an extra 25 percent of the amount payable in computing the final amount to be paid. This extra 25 percent is continued in the present bill.

The Minister of Mines and Technical Surveys, Paul Comtois, says that the Canadian gold mining industry employs over 16,000 men directly in dependent communities with population in excess of 70,000 persons. In 1958 the industry expended C$106 million in salaries and wages, fuel, electric power, and supplies and equipment, and produced a total of C$156 million in gold, most of which was sold to the United States.

Cost per ounce	Number of mines	Percentage of total production	Assistance payable	Assistance payable per ounce produced
(a) Lode gold mines:				
$26.50 to $34	10	53.35	$3,548,901.97	$3.33
$34 to $41	12	24.45	2,776,600.43	5.69
$41 to $45	7	10.52	1,937,545.39	8.68
$45 and over	11	11.57	2,337,313.88	10.27
Total	40	99.89	10,500,361.67	5.26
(b) Placer gold mines	2	.11	23,590.05	10.27
Total	42	100.00	10,523,951.72	5.26

Source: Department of Mines and Technical Surveys, Government of Canada, Report on Administration of the Emergency Gold Mining Assistance Act.

Australia, whose production (1.08 million ounces in 1960) nearly equals that of the United States, has extended its Gold Mining Assistance Act for 3 more years. At the same time, the maximum assistance was raised from $7.70 an ounce to $9.10 an ounce. Gold output in the Philippines (410,618 ounces in 1960) is supported at the price of 150 pesos per ounce, equivalent to $75. In the Union of South Africa, the world's leading producer of gold, tax concessions are extended as additional amortization allowances to deep mines. The Ghana goldfields are benefited directly through a program of financial assistance to mining companies for development of new properties and expanding operations and through a 3-year mines training course supported by the Government to educate Africans in mine operation. Ghana also is reported considering a subsidy program.

Colombia, the major South American gold producer which had a 438,947-ounce yield in 1960, also has a subsidy program in effect.

In international gold production, subsidy or incentive payments are not uncommon. In fact, it appears that this is the only way that production levels can be maintained.

Certainly in our own national picture, subsidies are no strangers. In addition to the more common agricultural subsidies, there are Federal assistance programs for many industries, including transportation by air, rails and sea, and many others.

The Joint Economic Committee prepared a report on "Subsidy and Subsidylike Programs of the U.S. Government" during the 2d session of the 86th Congress. In reporting the scope of subsidies, this report included a list of the types of subsidies granted by the Federal Government. These cover seven full pages, listing everything from school lunch programs to disaster loans for small businesses.

So broad and complex is the scope of the subsidy program, that the committee report (p. 18) states: "It is probably impossible to make an estimate of the total subsidy payments of the Federal Government during any single year that would receive general acceptance."

The committee did, however, attempt to make an estimate covering agriculture, business, labor, homeowners, tenants and civilian and national defense stockpiles. These added up to $7,460 million in 1960.

In the minerals subsidy review, the Joint Economic Committee listed many commodities, from aluminum to zinc. Gold was not among the minerals whose industries were receiving benefits through tax amortizations, loan guarantees, subsidy or other assistance programs.

This study concluded: "It is apparent from the foregoing discussion that, in the course of our history, the Federal Government has engaged in a great variety of subsidy and subsidylike programs. Originally they were limited substantially to assistance to transportation interests, to encourage foreign trade and domestic expansion and development; more recently subsidies have expanded to the point where few segments of our economy are completely unaffected by them.

Diverse as these subsidy programs are, it is unrealistic either to condemn or to praise Federal subsidies as such. Each particular program which is determined to contain an element of subsidy must be judged independently, taking into account the economic, social, and political conditions prevailing at the time.

And in conclusion, I would like to point out an indirect subsidy we are making to the economies of foreign nations. Some of this economic assistance, I am sure, will find its way to the mining industries.

I speak now of our Public Law 480 grants to other countries amounting to billions of dollars. Two examples are the recently approved agreement with Brazil whereby that nation acquires some $70 million worth of grain from this country. All of the grain will be paid for in Brazilian currency and all the Brazilian cruezeiros will stay in Brazil.

Twenty percent of the $70 million—some $14 million—will be given back to the country as a direct grant for economic development. Sixty-five percent—$47,500,000—will be loaned back to Brazil for economic development.

A similar situation exists in India where $1 billion in farm commodities has been authorized for delivery. Of the $1 billion, India is paying for these farm commodities, $420 million is being given to India as an economic development grant. Another $427 million is being loaned to India for similar economic development.

The cost of this gold mining incentive program, which would benefit one of our own industries, would help our own economy, would be slight compared to these tremendous and great grants and loans.

In return for our investment, this country would be aiding unemployment in reviving a badly distressed industry, would be stabilizing our own economy, and would be building up our own gold reserves.

INDIFFERENCE IN HIGH PLACES TOWARD COMMON CARRIERS

Mr. COTTON. Mr. President, an editorial in the latest issue of Traffic World accurately reflects, in my view, a growing impatience with the administration's failure to send a timely message to Congress dealing with the serious problems in transportation.

To New Englanders like myself who contemplate the plight of the New Haven Railroad, for instance, the problems of our transportation system are real and pressing. They cannot be ignored in the hope that they will disappear, and long delays are only going to make their solutions more difficult.

It was more than 8 months ago when the President asked the Secretary of Commerce to prepare recommendations for submission to Congress dealing with transportation.

The President feels and we feel that there have been enough studies—

Secretary Hodges said, referring to more than a $1 million worth of transportation studies already available—

What we need now is a program of actions—

He declared.

Unfortunately, we are still waiting for action from the President. His transportation message is still due next week probably, according to the information I have if it is not delayed still more. Frankly, I think the delay has seriously hurt the chances for effective action at this session of Congress. The time which will permit action by Congress on any major measures before the end of the session is perilously short.

I ask unanimous consent to have inserted at this point in the RECORD the editorial from the March 24 issue of Traffic World entitled "Indifference in High Places Toward Common Carriers."

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

INDIFFERENCE, IN HIGH PLACES, TOWARD COMMON CARRIERS

In the weeks since the convening of the current (2d) session of the 87th Congress, many adherents to the principle of maintenance of a strong American transportation system have sought vainly for an answer to the question, "When is the President going to send his transportation message to Congress?"

Last Tuesday, March 20, as reported in this issue, the President's press secretary, Pierre Salinger, lighted a very small candle for the seekers of knowledge about the status of the transportation message. It would not be sent to Congress this week (i.e., the week ending March 24), he said.

Mr. Salinger said he couldn't provide more definite information as to when the message would be transmitted to Congress. His announcement provided no cause for jubilation by the transportation association people and others who are on edge because they hope for action this year by Congress on needed transportation legislation and because they know that too-long-delayed delivery of the President's recommendations for changes in or additions to the transportation laws can nullify chances for enactment this year of bills embodying such recommendations.

It was Secretary of Commerce Hodges who, in testimony before the Joint Economic Committee of the Senate and House in Congress, on February 2 said that his Department, "recently" had submitted recommendations to the President "for improvement and encouragement of sound transportation conditions in our transportation industry" and that "it is anticipated that the President will be submitting a message to Congress on this subject shortly" (Traffic World, Feb. 10, p. 56). It was Secretary of Commerce Hodges who, in the annual report of the Department of Commerce, transmitted to Congress February 8, said that "the keystone of transport progress is a strong common carrier industry" and that "present trends, if continued, portend" that common carriers will be driven out of business by 1975 (Traffic World, Feb. 17, p. 21).

As we go into the last week of March, the fact that the President's transportation message is still being held up darkens the prospects for passage, this year, of bills in Congress to fortify the common carrier industry that Secretary Hodges calls "the keystone of transport progress." On top of that comes the further bad news that Chairman OREN HARRIS, of the House Committee on Interstate and Foreign Commerce, says he doesn't anticipate that any transport legislation of a major nature will be passed by Congress this year (see elsewhere in this issue). We don't know of anyone who is in a better position to forecast the fate of transportation bills than the chairman of the House Interstate and Foreign Commerce Committee or the chairman of the Senate Commerce Committee.

One of the speakers at a meeting of the Southern Shipper and Motor Carrier Council in Birmingham, Ala., March 15, was an experienced and reliable observer of legislative developments on the Hill—James F. Pinkney, chief council, public affairs, of the American Trucking Associations. Mr. Pinkney said he was not predicting that there would be no enactment of legislation affecting transportation in 1962, but that lack of activity with respect to such legislation was evident at present and could be expected to continue during the remainder of this session of Congress. He stated some plausible reasons for the seeming indifference of the Senate and House toward serious consideration of bills of concern to shippers and carriers.

The delay of transmittal of the President's transportation message was one of those reasons, he said. Another, he stated, was the preoccupation of many Members of Congress with their respective campaigns for reelection and their consequent disinclination to become entangled in controversial transportation measures—bills as to which large and important interests are allned against each other. He said he believed that S. 2560, the Smathers bill to whittle down gray area trucking operations, would be passed—at least by the Senate. Well, that is certainly a bill that fits in the category of legislation of a major nature; and since Mr. HARRIS, the House Interstate Commerce Committee chairman, says that he anticipates no action on such measures this year, it seems we can ring down the curtain on S. 2560. It will presumably be introduced as a new bill next year, in the 88th Congress, and then, with more hearings on it, we'll take another ride on the old legislative merry-go-round.

In a speech at the National Transportation Institute of the Transportation Association of America, January 17, in New York City,

Mr. HARRIS said he did not believe that "we can characterize the present condition of the transportation industry as being in a crisis." We assume that in using the "transportation industry" term he was referring to the regulated, for-hire carriers. Last Monday, addressing the Western Railway Club in Chicago, Mr. HARRIS said he was puzzled by differing facets of the railroad situation; some railroads appeared to be getting along very well, while others, particularly in the East, were in financial difficulty.

That in itself may not be a crisis for transportation nationally, but it's a terribly worrisome situation for a large part of the railroad industry. And it's far from being the only critical development in transportation. Is it necessary to dwell interminably on the point that illegal carriage is taking more and bigger bites out of the revenues of the regulated common carriers?

Speaking at the meeting of the board of governors of the ATA Regular Common Carrier Conference in New Orleans, February 16, W. M. Buttram, director of the Arkansas Commerce Commission, estimated, on the basis of data obtained in a 21-State traffic check last summer, that revenue lost by the regulated common carrier industry last year to illegal carriers totaled approximately $5.3 billion. No crisis?

Is there, in the name of commonsense, any valid reason for putting off action on legislative measures desperately needed by a struggling transportation industry, until the crises now apparent become calamities? Must the aid that Congress is able to give be delayed until, as Secretary Hodges warns, continuance of the presently apparent trends results in elimination of the Nation's common carriers, by 1975, possibly sooner? Or is all this stalling, hereinbefore discussed, a part of an undisclosed plan to kill private enterprise in transportation and establish Government ownership of all public transportation media in the United States?

KING CRAB: ALASKA'S MARVELOUS MONSTER AND NEW RESOURCE

Mr. GRUENING. Mr. President, a most gratifying development in Alaska's fishery, sadly depleted of its salmon under Federal mismanagement as long as Alaska was a territory and was denied the right to manage this resource, has been the rise and development of a great new economic marine resource unique to Alaska—king crab.

This is a spectacular animal weighing at times as much as 10 pounds, and occasionally reaching a diameter of 5 or 6 feet. King crabbing is a relatively new industry. Its development is due to the imagination, initiative, and pioneering enterprise of Lowell and Howard Wakefield. These two brothers have approached this natural resource with determination and vision, so that Alaskan king crab is now a nationally known and highly prized food item. Demand is running well ahead of supply as more and more people come to appreciate this Alaskan delicacy.

Fishing in Alaska had always been a seasonal industry. For the men, there would be a few months of employment and formerly, also of plenty, and then hard times for the rest of the year. The intrepid Wakefields have changed this for one aspect of the industry. One January they headed their vessel, the *Deep Sea*, into the icy waters of the north Pacific near Kodiak, there to find the winter hideaway of the king crab. Ever since the taking of the crab has been on a year-round basis.

No one is more aware than the Wakefields that the Alaskan king crab, like the Alaskan salmon, and all other fishery resources must be harvested according to proper conservation measures if the resource is to remain productive. Alaskans are not the only ones working crab pots in the international waters west of the 49th State; the Japanese and the Russians are also there. Japan has made an agreement with the United States by which the taking of king crab is regulated, but this understanding will be subject to renegotiation in 1963. Thus far, no agreement has been reached with Russia. It is of great importance not only to my State but to the Nation that satisfactory arrangements be concluded to conserve the king crab.

I heartily commend all of the members of this important Alaska industry, and ask unanimous consent to have printed at this juncture an excellent article on the king crab, by Lawrence Elliott, published in the March 24 Anchorage Daily Times.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

KING CRAB: ALASKA'S MARVELOUS MONSTER

(By Lawrence Elliott)

Even in Alaska, where lots of things come larger than life, it is hard to believe there could be so outlandish a creative as the king crab.

Thorny-legged, lumbering and implausible as one of these overblown spiders in a horror movie, this huge crustacean averages a staggering 10 pounds—roughly 25 times the size of the Chesapeake Bay blue crab which is more familiar elsewhere in the United States. Many a preposterous specimen weighs in at more than twice that, and stretches 6 feet from claw to claw. When a commercial crabber hauls a crab measuring less than 6¼ inches across the greatest width of its shell out of his pot, he throws it back to mature.

Last year some 4 million male kings passed the weight test, were quick frozen and shipped to restaurants and supermarkets across the United States. For, in a kind of inverse ratio, paralithodes camtschatica is as appealing to the palate as he is forbidding to the eye, and a vigorous campaign by Alaskan packers is letting the world know it. Once a rare and rather exotic delicacy, the sweet, lobsterlike meat of Alaska's marvelous monster will grace close to 35,000 American dinner tables tonight.

For Alaskans, the discovery of the king crab was like finding gold all over again. Fifteen years ago, popular interest in the beast didn't exist. Today it is the northland's fastest growing industry, bringing year-round employment to some 2,000 fishermen and packers. It has boomed into second place behind the historic $100 million salmon run as a staple of Alaskan waters, long the 49th State's top source of income.

The saga had its start on a late summer day in 1939 when Capt. Lowell Wakefield, piloting a herring seiner off Kodiak Island, came upon a spectacle the likes of which only a few natives in the lonely Aleutians had ever beheld—a mountain of live king crabs. It was just after a severe storm, tides were exceptionally low, and there before young Wakefield's eyes, was a sort of haystake in the sea, hundreds of mature crabs piled one on top of another in a great, untidy pyramid.

The fresh crab feast that followed started Wakefield on some hard thinking. Though his family had packed herring for 30 years, the run, he rightly believed, was nearing the bottom of a long cycle. And with the salmon and halibut fleets already overcrowded, mightn't the giant king crab provide a new and much-needed Alaskan fishery? The Japanese were taking these monsters in ever-increasing numbers, but no one knew how extensive the crop really was.

The following year Congress voted $100,000 for a survey of the resources in Alaskan waters. And as the Fish and Wildlife Service boat made its sweeps from Prince William Sound to Bristol Bay, Lowell Wakefield's little seiner usually bobbed in its wake. In 1941 the Fish and Wildlife Service appropriation ran out—but not before it had established that there were king crabs in fantastic numbers along the Aleutian chain.

Young Wakefield struck a bargain: If they would lend him their gear, he would carry on the study and make a full report to the Fish and Wildlife people. He built a 32-foot Kodiak trawler, the *Prospector*, and all that summer and fall was off dragging for crabs. Back at Port Wakefield, the tiny Kodiak Island settlement and cannery his father had built, he would lock himself in the tiny laboratory, testing new ways to cook and pack the succulent meat. And beyond the work lay the daydream: an entirely new Alaskan fishery.

These early studies were to become the foundation for all we know about the great king crab. And marine biologists, unraveling the phenomena Wakefield first observed—and often working in his laboratory—went on to demonstrate that the king's habits were as strange and startling as his appearance, and that little that applied to other crabs held for their big brothers.

For all its apparent ferocity, the great king is just about helpless without the cold and intense pressure of the ocean depths where it is at home. Brought to the surface, it practically collapses of its own weight, which may be just as well; in a natural environment, one of those massive claws could crush a clam as though its shell were no tougher than a peanut.

A king crab begins life as an infinitesimal scea, barely visible. Yet 18 months later it has matured, having outgrown and shed its carapace half a dozen times in its first weeks, quickly developing new ones to fit. Thereafter it usually molts once a year, its abdomen swelling into a round ball as it labors, sometimes for days, to break the tough tissue that binds th shell to its back. Finally the membrane tears and the crab eases backward out of carapace and claws.

Now, the denuded crab, barely able to move, lies limp and totally vulnerable for perhaps 50 hours. Then a thin, colorless film, already forming as the old membrane sloughs off, begins to calcify. In 10 days the new carapace has hardened, and the refurbished crab is back in business prowling the Gulf of Alaska and Bering Sea bottoms on six legs and that pair of deadly claws, feeding on plankton, lesser crustaceans, and sea urchins, sometimes living on for an astounding 30 years.

Though schools of kings number from a few hundred to many thousands of individuals, all are mainly of the same age and sex. Migrating in a roughly circular pattern as it searches out food, a school may cover nearly 100 miles in a year—a fantastic distance, considering the crab's slow, shuffling gait—frequently the same bays and depths but usually avoiding the opposite sex except in the mating season.

When a crab nears 2 years of age it is sexually mature, eligible to take part in a grotesque dancelike mating ritual. In spring, with schools coming together in shallower waters, each male finds a female ready to molt. Grasping her claw to claw, he drags her across the bottom, sometimes for days, until, at last, her carapace works

loose. Now she is, in a manner of speaking, limp in her consort's arms, and he is ready to fertilize the hundreds of thousands of eggs she bears.

Extruding an adhesive spermatophore band, the male beats his legs violently, creating a water current that carries the sticky sperm band to the egg mass in the female's abdominal pouch. This done, he break off abruptly and is away to seek another alliance, sometimes finding three or four willing females in the few mating days. Finally the schools go their separate ways, the females to incubate their spawn for almost a full year. Then, just before the following spring, the young are hatched, a new school formed, another cycle begun.

Much of this knowledge was far in the future as Lowell Wakefield ranged out after the still-elusive kings. Then World War II brought an abrupt end to the long trips. The Government not only reclaimed its equipment, but drafted the *Prospector*, as well—the sturdy little vessel was to carry General MacArthur ashore on one of his South Pacific landings—and Wakefield was left with only the daydream.

He nurtured it all through the war. Whenever he caught a few crabs, he would slip away to the 10 by 10 lab, his wife Jessie often working alongside him, both trying to figure out how to put up a can that retained the rich, sea-fresh flavor of just-caught king crab.

Then one night, exhausted from hours of butchering and cooking, the Wakefields decided to set aside the meat they had cooked and can it the following morning. But instead of putting the meat in the cooler, Lowell accidentally stuck it in a freezing compartment. Next day, disgusted, he was about to throw the frozen mass over the side when Jessie, for no reason she can remember, cried, "Wait, let it thaw. Maybe." Thawed, the meat tasted as tangy fresh as if it had been stripped from the crabs moments before it went into the pot.

With the war's end, Wakefield gave up his interest in the family herring operation, mortgaged his home and sold stock in a new company: Wakefield's Deep Sea Trawlers, Inc. He was going for broke on frozen king crab.

To harvest the crabs in the quantity he needed, he would have to go where the Japanese had been, Bristol Bay, and to operate in those far reaches, he would need a very special ship. He took off for Tacoma, where he commissioned the *Deep Sea*. Completed in 1947, the 143-foot trawler was the most expensive and elaborate fishing vessel ever to fly the American flag. Carrying a crew of 30, equipped with radar and sonar to locate slippery crab schools and an icebreaker bow to follow them into the frozen Bering Sea, she incorporated a complete seagoing processing and freezing plant with a zero-degree storage capacity to match that of 11 refrigerated rail cars. By her second trip she was hauling in crabs at up to 800 an hour.

Now all Wakefield had to do was sell his pack. "I knew king crab was delicious," he said, "but who else could I convince?"

The answer was a young food broker named Dudley Slocum. Taking on the fledgling outfit, he began trumpeting the merits of Wakefield frozen crab in nationwide advertising. He offered free recipes to housewives who had no idea what to do with a chunk of frozen crabmeat. He made gifts of whole crab legs by the case-lot to restaurateurs willing to put king crab on the menus.

But all this took time. Meanwhile, creditors began hounding the skipper of the *Deep Sea* until he took to putting his men ashore by lifeboat while he anchored out of reach of bills and court orders.

"I couldn't pay for gear, fuel, shipyard expenses or anything else," Wakefield has said, "but being too stupid to know I couldn't make it, I convinced them I could." A reconstruction finance loan tided him over.

Then, in 1952, Wakefield's Deep Sea Trawlers, Inc., showed a profit. The company continued to prosper. And though its output increased by half each year—the total frozen pack soomed from 100,000 pounds in 1952 to nearly 6 million pounds last year of which Wakefield's share amounted to a solid 4 million pounds—it never quite caught up with the explosive demand.

In an attempt to keep pace, Wakefield did what no one had ever before tried: one January, he sent the *Deep Sea* 500 miles down the Aleutian chain, then north through Unimak Pass to buck the winter blasts of the Bering Sea. Down from the Arctic swept an 80-mile-an-hour gale, temperatures dropped to minus 20 degrees, freezing men's faces and numbing their hands—but king crabs were pulled aboard at a phenomenal rate. Lowell Wakefield had found a winter crab ground and Alaska, for the first time, had a year-round fishery.

Other packers moved in. "Room enough," said Wakefield cheerfully. Independent fishermen joined the crab fleet, cannery towns, once shuttered and ghostly from October to April, hummed happily the winter through. And all Alaska, historically beset by the boom and bust of a seasonal economy, basked in its newest, most promising all-year industry.

It is hard to overestimate its importance to the new State. "When the salmon run peaks," an Anchorage merchant pointed out, "they have to bring in outside help, and those paychecks go back to Seattle in September. King crab money stays in Alaska."

More, a basic change in the crabbing operation has greatly broadened its base. When an ever-expanding demand made it uneconomical to work the *Deep Sea* as both trawler and processing plant, Wakefield converted her to a mothership, signed on dozens of local fishermen to supply her with crabs. The other five major packers followed his example. Half a dozen shore processing plants have brought new life to places like Kodiak, Seldovia, Sand Point, and Squaw Harbor.

In 1959 Wakefield added a second mothership, the *Reefer King*, which, with its brood of four trawlers, promptly sailed for Adak Island in the farthest Aleutians, stayed 4 months and returned with a full hold. It was farther west by far than any American had ever fished.

In the interests of conservation, Alaska has banned the trawl net in most waters, and though enforcement is difficult over so vast an area, much of it uncharted, the penalty is severe—loss of license for a year—and few violations have been recorded. And so today's fishermen catch their crabs in pots, much as lobsters are caught off the New England coast.

The crab pot is circular or rectangular in shape, is 6 or 8 feet long and 30 inches high, attached to perhaps 60 fathoms of line and funneled on two sides so the crab, intent on the herring bait, can squeeze in but not out. Each fishing boat captain is allowed 30 pots, and soon the sea is dotted with a string of 30 brightly colored buoys. Next day he is back. Up comes each pot in turn, its contents—as many as 20 or 30 crabs jammed together—dumped on deck and sorted: females and undersized males are thrown back to assure the continued growth of the crab population. The rest are rushed to the nearest mothership or shore processing plant. There the catch is boiled in fresh sea water, the meat blown from claws and legs under high water pressure and sharp-frozen at minus 25°, all within an hour of butchering. Constantly checking for purity is a quality control technician. His responsibility ranges from housekeeping and health cards to periodic laboratory tests of meat samples right off the line. Then a Department of the Interior inspector rechecks. Result: the frozen crab pack has a lower bacteria count than pasteurized milk.

Unfortunately, the great crab schools and spawning grounds are on the high seas, and the vastly accelerated harvest of, first the Japanese, and lately the Russians, cast a threatening shadow. Their heedless harvesting threatens the entire crab run and they have thrown open again the knotty question of national rights and natural resources in the great North Pacific fishery.

In 1952, however, the Japanese were persuaded to join with Canada and the United States in the International North Pacific Fisheries Treaty. It covered salmon and halibut; and by informal agreement king crab was to be regulated in number and strictly limited to mature males, and a full and free exchange of information would be channeled toward the preservation and strengthening of the entire North Pacific fishery, perhaps the world's greatest.

This agreement worked well for a while. When an American fisherman spotted a likely area, he had only to mark it with a radar buoy, identify it to the Japanese fleet by radio and he no longer needed to worry that a tangle-net field would be set between the run and his pots. Nor would he drop a buoy within ten miles of a Japanese set.

Then in 1959, without signing the treaty, the Russians sent a fishing fleet into the Bering Sea. Japan reacted violently, dispatched three new crab fleets and threatened to "aggressively increase" the size of its catch. The agreement makes no sense any more, they declared, in effect. We have to take what we can before the Russians leave us nothing.

Off to Tokyo flew Lowell Wakefield, now an adviser to the U.S. section of the three-nation treaty commission. "I told them two wrongs never added up to a right," he has said, "that if we all went at the resource like there was no tomorrow—well, we could be darn sure there wouldn't be."

The Japanese were persuaded to stick to the agreement, at least until the treaty came up for renegotiation in 1963, but no headway has been made in trying to reach an agreement with the Russians.

Wakefield still clings to a measure of optimism about future conservation in terms of the new treaty negotiations. "The fisheries are not our private resource," he says. "It isn't wrong or immoral for the Japanese and Russians to be on the high seas. But we must have an accommodation or none of us will have anything to fish for."

REHABILITATION OF THE DISABLED THROUGH PUBLIC LAW 480 FUNDS

Mr. HUMPHREY. Mr. President, I have here an article from the Portuguese language newspaper State of São Paulo, of São Paulo, Brazil, February 16, 1962, telling how a small injection of U.S. Public Law 480—food for peace—counterpart funds enabled a Brazilian benevolent society, the Association for Aid to Crippled Children, to dedicate a new orthopedic appliance section and to begin a 4-month course of training for makers of orthopedic braces. I ask unanimous consent that this article be printed in the RECORD. In the remarks of Dr. Renato Bomfim, director of the AACD, it is plain to see deep gratitude for the U.S. contribution as well as for the efforts of the World Rehabilitation Fund, Inc., and its directors Dr. Howard Rusk and Mr. Eugene Taylor. Volkswagen of Brazil has helped put the manufacture of orthopedic appliances on a mass production basis.

Here we have a perfect example of what can be accomplished in the way of direct people-to-people aid when given a needed boost from the U.S. Government. I wish the orthopedic appliance section of the AACD in Brazil every success in its important work.

Mr. President, the Office of Vocational Rehabilitation in the Department of Health, Education, and Welfare deserves a large share of the credit for this humanitarian undertaking. This is the spirit and the resourcefulness I have come to expect from the capable Director of the Office, Miss Mary Switzer. I am disturbed, however, that the use of Public Law 480 counterpart funds seems to be hedged about with so many restrictions—particularly with respect to their usefulness in the underdeveloped countries, where the need is so great. I therefore ask unanimous consent to place in the RECORD, Miss Switzer's letter to me of March 21. Please note the last paragraph:

Restriction of the Public Law 480 rehabilitation research program to excess currency countries has seriously limited activities which could mean so much to the disabled everywhere and so much in helping to bring better understanding between the people of the United States and other countries.

We cannot expect the Office of Vocational Rehabilitation to overcome these restrictions by itself. When the foreign aid authorization bill comes to the Senate this year, I am going to keep Miss Switzer's needs in mind. We must have enough flexibility to give the whole Alliance for Progress a chance to succeed, to make an impact on the people who need help. We cannot afford to see it fall in the meshes of Government red-tape and useless, in fact harmful, limitations.

There being no objection, the article and letter were ordered to be printed in the RECORD, as follows:

[Article in State of São Paulo, Feb. 18, 1962]

THE AACD INAUGURATES ORTHOPEDIC APPLIANCE SECTION AND TECHNICIANS TRAINING COURSE

The Associação de Assistencia a Crianca Defeituosa (Association for Aid to Crippled Children) inaugurated its orthopedic appliance section and began its first national course of training for bracemakers.

Formal inauguration ceremonies were held at 11:30 a.m. in presence of State and municipal authorities, the American consul, representatives of the Institute of Physical Medicine and Rehabilitation, and of industries collaborating in the project.

The orthopedic appliance section was established with the help of the Government of the United States which, through its Department of Health, Education, and Welfare, contributed 5 million cruzeiros to begin a project for a 4-month course of intensive training of technicians.

The course for technicians began with 12 students from private and public organizations for rehabilitation of the disabled; 3 from São Paulo, 2 from Belo Horizonte and the rest from Porto Alegre, Salvador, Florianapolis, Rio, Santos, Ribeirao Preto, and Campinas.

At the formal inauguration, Dr. Renato Bomfim, director of AACD affirmed that "for survival of the system of liberty and free initiative in which we live, and which we must defend at all costs, it is imperative to give top priority to programs of health and rehabilitation, for these above all give value and dignity to the human being."

After these words, Mr. Daniel Braddock, U.S. consul in Sao Paulo, unveiled the bronze plaque which signified the inauguration and said that the work undertaken by AACD follows "the most altruistic ideals of our society," and that he was especially satisfied by participation of his Government "in such a worthy undertaking."

Then Mr Mario Altenfelder Silva, director of social services for children, handed to the director of AACD a check for 5 million cruzeiros from the fund for assistance to children of the state government and announced that the executive would contribute as a monthly subvention 1,200,000 cruzeiros already approved by Gov. Carvalho Pinto.

The director of the social services for children also affirmed that it is indispensible that we "think not only about the economic and political but also about social aspects." As chief of a state agency he said that he did not wish the Government to take over this type of an operation, for, should the day arrive when the private individual does not contribute to an undertaking of this type, the system will certainly be modified.

Mr. Roberto Selmi-Dei also spoke stating that it was not necessary to mention those individuals who support the AACD, "for neither is it important to mention those who love their country, since helping organizations for crippled children should be considered a duty similar to love of country."

The AACD is inaugurating today the section on orthopedic appliances and simultaneously beginning its first national course for the training of bracemakers. Both initiatives are auspicious undertakings intended to develop and strengthen the already numerous resources of this rehabilitation center.

This ceremony does not, however, indicate only the creation of a new department. We are now marking the beginning of a new program of great medicosocial significance for the country.

In Brazil, in spite of the amazing industrial progress which has been taking place in every field, orthopedic braces are still produced completely by hand piece by piece, whereas in more advanced countries the basic parts are already mass-produced. This inconvenience is heightened by the recognized scarcity of skilled technicians who are, even today, nonexistent in many of our big cities.

Understanding the seriousness and size of this problem, the Government of the United States, through the Department of Health, Education, and Welfare, and its Office of Vocational Rehabilitation, decided to cooperate with the AACD, giving us a grant of 5 million cruzeiros to begin a project which will be directed toward the training of technicians in intensive 4-month courses.

Then there remains the other fundamental aspect of the problem which is, the mass production of basic parts of the appliances. "Volkswagen of Brazil" which we approached for this purpose, agreed to collaborate with us, and notwithstanding the considerable inconvenience and diaruption of its normal production line, it will manufacture basic parts of the braces, furnishing them to us at minimum cost, without any profit.

The mass production of these parts, obviously will lower considerably the price of the braces which are now prohibitively expensive to persons of limited resources. In addition to this advantage, we must consider that the manufacture of the braces will be speeded and simplified whereas today delivery is very slow. Thus we shall have more perfect and less expensive braces produced more rapidly. The prefabricated parts soon will be distributed to remote cities in Brazil, thanks to the splendid cooperation of the Volkswagen Co., represented here by its president, Mr. Schultz Wenk.

We must also convey our thanks to the World Rehabilitation Fund, Inc., and especially its directors: Dr. Howard Rusk, a name renowned throughout the world in rehabilitation, and Mr. Eugene Taylor, his brilliant collaborator, who worked so hard planning with us point by point all details of this program initiated here today. In addition to its financial contribution the World Rehabilitation Fund assigned two of its best and most experienced instructors as professors for the courses. They are Mr. Juan Monros and Mr. Casimiro Tavares Carlos, both technicians from I.P.M. & R. and New York University, directed by Dr. Howard Rusk. Likewise we extend a word of thanks to Dr. Hindley Smith, consultant from the World Health Organization, who also collaborated in this project.

Last, but not least, I wish to thank the Morganti family, Ranato, Lino and Helio, for their generous contribution of 1 million cruzeiros. They have supported the AACD since its founding in 1950, and when the entire country was going through the recent financial difficulties, helped the AACD and prevented its failure from lack of resources, thus permitting the construction of this workshop.

I want also to present our thanks to Drs. Mario Altenfelder, director of the social service for children, and Mello Rodrigues, director of the social service of the state, for the financial help and support they have given in the work for the handicapped children.

Finally, this undertaking demonstrates once more in a convincing manner the inestimable value and usefulness of international cooperation in the experimentation and development of methods and pioneer programs of social medicine.

The ideal of human solidarity is above antagonistic ideologies and sterile doctrinal divergencies. For the survival of the regime of liberty and free initiative in which we live, and must at all costs defend, it is imperative to give higher priority to programs of health and rehabilitation, since they above all give value and dignity to the human being, including millions of disabled children and adults whom we can and should rehabilitate.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE, OFFICE OF VOCATIONAL REHABILITATION,
Washington, D.C., March 22, 1962.

Hon. HUBERT H. HUMPHREY,
U.S. Senate,
Washington, D.C.

DEAR HUBERT: I know you will be interested in the enclosed copy of a speech delivered by Dr. Renato Bomfim of São Paulo, Brazil, as well as one of the newspaper accounts of the dedication of the new orthopedic appliance section of the Associação de Assistencia a Crianca Defeituosa and the opening of the intensive course for bracemakers. The latter is being conducted as part of one of our international rehabilitation research projects with Public Law 480 funds. The World Rehabilitation Fund, of which Dr. Howard Rusk is president, generously contributed services of the two instructors for the course as well as equipment and appliances. Dr. Rusk and Mr. Taylor are also providing overall guidance to the project.

It is a particular pleasure to share this account with you because of its thrilling demonstration of the far-reaching effect of one small Public Law 480 project for rehabilitation of the disabled. For in addition to the vast benefits that will accrue to the handicapped through improved and quicker methods of manufacture and fitting of prosthetic appliances, this project has stimulated the cooperation of the São Paulo State government, private individuals and agencies in the United States and Brazil, and has led to the establishment of a new industrial activity in that country. All of this as the result of the investment of a little over $10,000 of counterpart funds.

In recognition of the contribution of this Department, the Governor of the State of São Paulo sent a beautiful congratulatory cablegram to Secretary Ribicoff.

I only wish that we had available more counterpart funds for use in Brazil and in other countries of Latin America and the world. Restriction of the Public Law 480 rehabilitation research program to "excess currency" countries has seriously limited activities which could mean so much to the disabled everywhere and so much in helping to bring better understanding between the people of the United States and other countries.

Sincerely yours,

MARY E. SWITZER,
Director.

GREEK INDEPENDENCE DAY

Mr. HUMPHREY. Mr. President, March 25 was the 141st anniversary of Greek Independence Day, and I would like to salute our good friends and allies, the Greek people, as well as all those Americans for whom this day has special significance. For over 2,000 years the Greek people, who had first conceived and advocated independence, lived in slavery under the most brutal conditions. For this reason the rebirth of Greek independence in 1827 was an event of tremendous importance. The Greek War of Independence was a long struggle, which began in 1821 and ended in 1833 with the establishment of the independent kingdom of Greece. During the first years of the revolt the Greeks, aided by many volunteers, fought alone against the forces of the Ottoman Empire. In 1824 disciplined Egyptian troops joined the armies of the Ottoman Turks and turned the tide against the Greek insurrection. Finally, in the autumn of 1827, the major European powers intervened, finally realizing, after years of diplomatic wrangling, that intervention was necessary if Greece was to be saved for Western civilization. More than 6 years after the Greek people had unfurled the flag of revolt against their oppressors, Greek independence was attained and the people of Greece were set free from their bondage. To the independent minded, individualistic and freedom loving Greeks, this was the end of an unbearable stigma and the beginning of a new era of freedom. Mr. President, I am proud to join the Greek people all over the world in celebrating the 141st anniversary of their independence.

Mr. DODD. Mr. President, last Sunday, March 25, was the 141st anniversary of Greek independence, and in honor of that occasion I wish to pay a brief tribute to a brave and liberty-loving people.

To the many millions who today cherish and defend the traditions of Western civilization, the name of Greece is a hallowed name.

For it was in Greece where, more than 2,000 years ago, the concept of individual liberty was developed; there men formed the first democracy; law, not man, became the arbiter of human conduct.

In these days when new nations are born every year, the term independence and liberty are frequently confused; indeed, among some of these nations liberty disappears as soon as independence is won.

Throughout her long and stormy history, Greece has not forgotten the distinction between political independence and individual liberty. For many centuries, Greece was occupied by a succession of invaders; yet the Greeks always remembered man's freedom, cherished it, and preserved it among themselves, in the tradition first established in the Golden Age of Pericles.

Indeed, many of the most valid and most valuable ideas developed by the Greeks eventually were synthesized with Christianity, and thus spread throughout the world, civilizing the West to a degree never thought possible by the thinkers in the small city states of 2,500 years ago.

Thomas Jefferson and our Founding Fathers were steeped in the classic writings of the Greek philosophers, and the influence of this philosophy, with its emphasis on the dignity of man and the freedom of the human mind, is strongly etched in our Declaration of Independence.

The contribution of Greece did not come to an end with classical times. From the Battle of Thermopylae, through the Greek resistance against the Ottoman invasion, through the hard struggle for independence that terminated 140 years ago, through the heroic resistance to the Fascist and Nazi invasions of World War II, through the postwar struggle against Communist guerrilla forces that were massively supported by the Cominform, through all of these battles, both in victory and defeat, the Greek people have given testimony to man's unconquerable spirit, his eternal will to freedom.

Through our mutual membership in NATO, Greece, and the United States are now associated in a community of freedom. Through this historic alliance, we have committed ourselves to defend the independence of Greece against all aggression.

On this occasion, therefore, I feel that it is all the more fitting that we should join with the 1½ million Americans of Greek descent and with the people of Greece in celebrating the anniversary of their independence. I know we all hope that the ensuing decades will enable the people of Greece to enjoy a greater measure of political and economic well-being in peace and in freedom.

REACTIVATION OF THE FEDERAL FLOOD INSURANCE PROGRAM

Mr. DODD. Mr. President, less than a month ago, the violent storm which ravaged the eastern sea coast destroyed the properties and livelihoods of thousands of Americans living in that area.

The enormous damage caused by the storm and the resulting floods could now be alleviated had the Federal Flood Insurance Act of 1956 been put into operation as had been intended by its sponsors.

It will be remembered that the Federal Flood Insurance Act established an agency to administer insurance in areas exposed to the danger of flooding. The Administrator of the Act was to set insurance rates and, out of a fund provided for that purpose, pay the difference between the rates set by him and the rates charged by private insurance companies. After 3 years, the States participating in the program were to pay one-half of that difference, while the Administrator was to pay the other half.

Under an amendment which I introduced, and which became part of the act, the Administrator was empowered to guarantee loans, or to make loans where they were not commercially available, to flood victims for the purpose of rehabilitating their property. Since such loans were to be repayable and carried at modest interest rate, people would be enabled to rebuild their properties without actual cost to the Government.

Though the Federal Flood Insurance Act of 1956 has been on the books for 6 years now, no insurance was actually ever made available to potential flood victims, because the funds necessary to administer the program were never made available.

In order to understand this failure, it is necessary to go back to the history of the statute and the subsequent failure to get its provisions into operation.

Members of this body may recall the violent storm which raged along the eastern seaboard in the late summer of 1955, creating unprecedented damage to coastal property. In view of the fact that most of this property was not insured, and could not be insured because of prohibitive insurance rates, some of us proposed a federally administrated and subsidized insurance program to prevent similar disasters in the future. The results of thorough research into the problems involved were eventually consolidated in the Federal Flood Insurance Act of 1956.

In the first year, that is to say in 1956, the sum of $500,000 was appropriated in order to make possible the very complicated actuarial studies necessary for the initiation of such an insurance program. An Administrator was appointed, as was a staff which then spent the next 6 months in a thorough investigation of the various aspects of such a program, particularly those in relation to insurance rates and insurability of particular coastal areas.

During the following year the Senate passed a $14 million appropriation for the administration of the Flood Insurance Act.

Meanwhile, there was less than lukewarm support for the flood insurance program on the part of the Administration. Indeed, various agencies within the executive branch were sharply divided on the desirability of the program.

It was believed that only those people would buy insurance whose property was particularly endangered by potential floods, and that only those who owned houses or commercial property in close proximity to the ocean, or to riverbanks, would buy the insurance, while people whose property was on higher ground would feel no need of insurance.

In consequence, the Administration believed that there were only two alternatives: either the rates would be so high that the property owners would not be able to afford them, or they would be quite low, in which case the Government would have to subsidize them and neither situation was considered desirable.

However, the Administration set up no pilot program to test the situation; no plan was made for variable insurance rates by which those properties which were relatively safely situated would pay a smaller rate than those built in hazardous areas.

The result of this lack of support on the part of the Administration was that in 1957 the House Committee on Appropriations disregarded the Senate vote for establishment of a $14 million fund. By a vote of 218 to 186 the House finally turned down the Senate appropriation and in effect killed the entire flood insurance program.

It is unfortunate that legislation for the relief of flood victims should have been on the books for more than 6 years, while the relief provided by the law cannot now be given because the necessary funds for the administration of the program were never set aside.

Yesterday Senator WILLIAMS of New Jersey made some remarks on the floor which contributed substantially to the understanding of this problem.

The bill which he introduced to authorize a study of methods designed to provide financial assistance to victims of future flood disasters deserves close study and support by the Members of the Senate, and is certain to go a long way toward the revival of the flood insurance program.

It is in the nature of the situation that these disastrous floods do not occur very often. Perhaps if they did, provisions would have been made long ago to deal with them more effectively than we can deal with them now.

It is therefore necessary to reactivate the provisions of the Federal Flood Insurance Act of 1956. We cannot assume that disasters such as the recent floods will not happen in the future, and should make provisions by which the economic consequences of such catastrophes can be alleviated as far as is reasonably possible.

NOTICE OF RECEIPT OF NOMINATION BY COMMITTEE ON FOREIGN RELATIONS

Mr. FULBRIGHT. Mr. President, as chairman of the Committee on Foreign Relations, I desire to announce that today the Senate received the nomination of Robert F. Woodward, of Minnesota, to be Ambassador to Spain.

In accordance with the committee rule, this pending nomination may not be considered prior to the expiration of 6 days of its receipt in the Senate.

NOTICES OF HEARINGS ON NOMINATIONS BEFORE COMMITTEE ON THE JUDICIARY

Mr. EASTLAND. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that public hearings have been scheduled for Thursday, April 5, 1962, at 10:30 a.m., in room 2228 New Senate Office Building, on the following nominations:

Robert Shaw, of New Jersey, to be U.S. district judge, district of New Jersey, vice William F. Smith, elevated.

George Templar, of Kansas, to be U.S. district judge, district of Kansas.

At the indicated time and place persons interested in the hearings may make such representations as may be pertinent.

The subcommittee consists of the Senator from South Carolina [Mr. JOHNSTON], the Senator from Nebraska [Mr. HRUSKA], and myself, as chairman.

Mr. President, also on behalf of the Committee on the Judiciary, I desire to give notice that public hearings have been scheduled for Wednesday, April 4, 1962, at 10:30 a.m., in room 2228 New Senate Office Building, on the following nominations:

John Weld Peck, of Ohio, to be U.S. district judge, southern district of Ohio.

George N. Beamer, of Indiana, to be U.S. district judge, northern district of Indiana.

At the indicated time and place persons interested in the hearings may make such representations as may be pertinent.

The subcommittee consists of the Senator from South Carolina [Mr. JOHNSTON], the Senator from Nebraska [Mr. HRUSKA], and myself, as chairman.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. JACKSON:

Address delivered by Secretary of the Interior Stewart L. Udall, before the annual convention of the National Rural Electric Cooperative Association, in Atlantic City, N.J.

ADJOURNMENT

Mr. HUMPHREY. Mr. President, unless there is further business to come before the Senate at this time, I move that the Senate adjourn until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 6 o'clock and 50 minutes p.m.) the Senate adjourned until tomorrow, Wednesday, March 28, 1962, at 12 o'clock meridian.

NOMINATION

Executive nomination received by the Senate March 27 (legislative day of March 14), 1962:

Robert F. Woodward, of Minnesota, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Spain.

WITHDRAWAL

Executive nomination withdrawn from the Senate March 27 (legislative day of March 14), 1962:

Ellis O. Briggs, of Maine, a Foreign Service officer of the class of career ambassador, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Spain, which was sent to the Senate January 15, 1962.

HOUSE OF REPRESENTATIVES

TUESDAY, MARCH 27, 1962

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Zechariah 4: 6: *Not by might, nor by power, but by My Spirit, saith the Lord of hosts.*

Lord God Almighty, as we worship Thee at this noon hour of a new day, may our minds and hearts be endued with reverence and humility and be made serene and secure with a sense of Thy presence.

We penitently acknowledge that we frequently spend so much time and waste so much energy in anxiety and worry.

Inspire us with the commanding and consoling truth that Thou art here with us for Thou art everywhere and thus we may face our tasks and responsibilities with confidence and courage.

Grant that we may realize more fully that our own spirit must be touched and transformed by Thy Spirit if we are to be victorious in the battles of life.

Hear us in His name whose strength is invincible. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

SUBCOMMITTEE ON ELECTIONS, COMMITTEE ON HOUSE ADMINISTRATION

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Subcommittee on Elections of the Committee on House Administration be permitted to sit today during general debate.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

SUBCOMMITTEE ON LABOR

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Select Subcommittee on Labor may be permitted to sit today during general debate.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

INVESTIGATION OF JOB DISCRIMINATION BY REASON OF AGE

Mr. OLSEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. OLSEN. Mr. Speaker, today I introduced a resolution calling for an investigation of age discrimination in Federal hiring.

It is common knowledge that a person over 35 often has a tough time getting a job in some areas of our Government. And for a person over 60, it is often impossible.

The big question is: How often is this happening?

Over the years, there has been a smattering of evidence indicating it is happening too often. But it is a problem that has never been extensively probed.

And it is a problem that is bound to grow and grow.

People are now living longer—and our older people now make up a larger portion of our population.

Many of them are being discriminated against not only by our Federal Government, but by industry.

This, I feel, is tragic, and I think we should first of all find out just how big the problem is in our Federal Government.

If it is widespread, I believe we should correct it immediately, and prevent any more of it in the future.

Mere chronological age should not be an arbitrary barrier to a Federal job. Ability to do the job best should be the only criterion.

Our older population, of course, may not always bring the boldness and the energy to a job that the younger generation may.

But it can and does bring skills, maturity, wisdom, and experience.

I think it would be an unfortunate disservice to our Nation if we are permitting vast human resources, represented by our qualified and experienced older people, to remain unused in these critical years.

The fact that only about 25 percent of our 2,400,000 Federal employees scattered throughout the country are over 50 may indicate we are doing just that.

In any event, I think we should find out. Perhaps our civil service policies do not effectively prevent discrimination against our older career employees.

AWARD OF MEDAL OF HONOR TO J. BARNEY PICKETT

Mr. WHITTEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. WHITTEN. Mr. Speaker, in 1905 the Congress passed a Medal of Honor Act, and since that time only 73 persons have been the recipients of this honor for outstanding heroism.

On April 5, on the 75th anniversary of the Interstate Commerce Commission, a good friend of mine, postmaster at Pope, Miss., in my district, Mr. Joseph Barney Pickett, will be the recipient of one of these awards for outstanding heroism in saving the life of a lady whose truck had stalled on the railroad tracks in the town of Pope, Miss.

Mr. Speaker, I find it impossible for me to be here on April 5, but I think that this is of sufficient import to call it to the attention of the Congress and to make it a matter of public record. These recognitions are provided by the Congress in the Medal of Honor Act, and, certainly, the details which are included in the release which I include herewith demonstrate clearly the finest in American life, the heroism of an individual when he saves someone else's life at the risk of his very own.

Mr. Speaker, the following is the news release of the Interstate Commerce Commission:

MEDAL OF HONOR FOR PERSONAL HEROISM TO BE AWARDED POPE, MISS., POSTMASTER

Award of a Medal of Honor to J. Barney Pickett, postmaster of Pope, Miss., for his extreme daring in saving a life, has been approved on behalf of the President of the United States, according to an announcement today by Chairman Rupert L. Murphy of the Interstate Commerce Commission.

Mr. Pickett will receive the award April 5 in Washington, D.C., during ceremonies observing the 75th anniversary of the Interstate Commerce Commission.

The award to Postmaster Pickett is in recognition of his July 30, 1959, rescue of a young woman from a pickup truck stalled in the path of an approaching train at Pope, Miss. Without regard to his personal safety, Mr. Pickett endangered his life to save the woman.

When he heard the warning of the locomotive's horn and saw the young woman attempting to start the stalled truck, Mr. Pickett dashed 75 feet to the crossing. Reaching into the truck cab, he grabbed the driver and had moved only one or two steps from the tracks when the locomotive struck and demolished the vehicle.

Mr. WHITTEN. Mr. Speaker, I ask unanimous consent to extend my remarks and to include a news release.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

A NATIONAL LOTTERY WOULD HELP MR. AND MRS. TAXPAYER

Mr. FINO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FINO. Mr. Speaker, it should be apparent to the Members of this Congress that whenever a desperate need for revenue arises our sanctimonious attitude about gambling fades away like an atom of dust.

We saw evidence of this about-face attitude in 1951 when the Congress imposed a Federal tax on gamblers in the hope that it would pump into our Federal Treasury billions of dollars in added revenue.

We saw proof of this change of heart when our Federal tax laws were amended to classify as taxable income all gambling earnings and winnings—legal or illegal.

We witnessed State after State extend their racing seasons and programs in order to bring into the coffers of their State treasuries additional funds.

Mr. Speaker, all of these actions have conclusively proven that when we do not have the courage to ask the American people to pay more taxes, we can always capitalize on their normal, human urge to gamble.

The recent case in point is the State of New Jersey which proposes to extend its racing season for 30 additional days in order to raise $8 million to help finance the public damage caused by the recent tidal storm in that State.

Mr. Speaker, would you not admit that this is an easy, simple, and painless way of raising money for a worthy project? Would you not say that this a wonderful substitute for taxes?

Is it not time that we wiped out hypocrisy and realized that a national lottery in the United States can produce, painlessly and voluntarily, more than $10 billion a year in additional income which can be used to cut our taxes and reduce our national debt?

Is it not time that we stopped being reckless with the tax and revenue advantages offered by a national lottery?

Mr. Speaker, is it not time that we stopped being so sanctimonious about a national lottery?

DR. CARYL P. HASKINS

Mr. JONES of Missouri. Mr. Speaker, by direction of the Committee on House Administration, I ask unanimous consent for the immediate consideration of Senate Joint Resolution 152.

The Clerk read the resolution, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the vacancy in the Board of Regents of the Smithsonian Institution, of the class other than Members of Congress, which will occur by the expiration of the term of Doctor Caryl P. Haskins, of Washington, District of Columbia, on April 6, 1962, be filled by the reappointment of the present incumbent for the statutory term of six years.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The joint resolution was read a third time and passed, and a motion to reconsider was laid on the table.

DR. CRAWFORD H. GREENEWALT

Mr. JONES of Missouri. Mr. Speaker, by direction of the Committee on House Administration, I ask unanimous consent for the immediate consideration of Senate Joint Resolution 153.

The Clerk read the resolution, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the vacancy in the Board of Regents of the Smithsonian Institution, of the class other than Members of Congress, which will occur by the expiration of the term of Doctor Crawford H. Greenewalt, of Wilmington, Delaware, on April 6, 1962, be filled by the reappointment of the present incumbent for the statutory term of six years.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The joint resolution was read a third time and passed, and a motion to reconsider was laid on the table.

STATUE OF EUSEBIO FRANCISCO KINO

Mr. JONES of Missouri. Mr. Speaker, by direction of the Committee on House Administration, I ask unanimous consent for the immediate consideration of House Joint Resolution 439.

The Clerk read the resolution, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the State of Arizona is hereby authorized and granted the privilege of placing in the Statuary Hall collection at the United States Capitol the statue of Eusebio Francisco Kino, pioneer missionary, explorer, and cartographer, the statue to be received as one of two statues furnished and provided by said State in accordance with the Act of July 2, 1864 (section 1814 of the Revised Statutes of the United States).

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The joint resolution was engrossed, read a third time and passed, and a motion to reconsider was laid on the table.

CALL OF THE HOUSE

Mr. JONES of Missouri. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll and the following Members failed to answer to their names:

[Roll No. 44]

Addonizio	Glenn	Peterson
Barrett	Grant	Powell
Bass, N.H.	Gray	Rains
Bates	Gubser	Rivers, S.C.
Bennett, Mich.	Harrison, Va.	Roberts, Ala.
Blatnik	Harsha	Selden
Blitch	Hoffman, Mich.	Shelley
Boiling	Huddleston	Sibal
Brewster	Jones, Ala.	Sikes
Byrne, Pa.	Karth	Smith, Miss.
Celler	Kitchin	Spence
Coad	Knox	Springer
Colmer	Lane	Thompson, N.J.
Davis, Tenn.	Macdonald	Tupper
Dawson	Merrow	Walter
Diggs	Moorhead, Pa.	Wilson, Calif.
Frelinghuysen	Moulder	Wilson, Ind.

The SPEAKER. On this rollcall, 380 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

SPECIAL ASSISTANT, OFFICE OF THE DOORKEEPER

Mr. FRIEDEL. Mr. Speaker, by direction of the Committee on House Administration, I call up the resolution—House Resolution 560—providing for the employment of a special assistant and vacating the position of Chief Doorman, Office of the Doorkeeper, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That effective March 1, 1962, there is hereby created the position of Special Assistant, Office of the Doorkeeper, at the basic salary rate of $3,000 per annum.

SEC. 2. Effective March 1, 1962, additional compensation to the Secretary, Office of the Doorkeeper, at the basic annual rate of $800 per annum.

SEC. 3. Effective March 1, 1962, one position of Chief Doorman (House Gallery), Office of the Doorkeeper, at the basic salary rate of $2,500 per annum is hereby vacated.

The additional sums necessary to carry out the provisions of this resolution shall be paid from the contingent fund of the House until otherwise provided by law.

With the following committee amendment:

Lines 1–12, strike all after the resolving clause and insert the following:

That, effective March 1, 1962, there is hereby created the position of Special Assistant, Office of the Doorkeeper, at the basic salary rate of $3,000 per annum.

SEC. 2. Effective March 1, 1962, one position of Chief Doorman (House Gallery), Office of the Doorkeeper, at the basic salary rate of $2,500 per annum is hereby vacated.

The additional sum necessary to carry out the provisions of this resolution shall be paid from the contingent fund of the House until otherwise provided by law.

The committee amendment was agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

The title was amended so as to read: "Providing for the employment of a Special Assistant, and vacating the position of Chief Doorman, Office of the Doorkeeper."

OFFICE OF THE POSTMASTER, HOUSE OF REPRESENTATIVES

Mr. FRIEDEL. Mr. Speaker, by direction of the Committee on House Administration, I call up the resolution—House Resolution 568—authorizing the employment of three additional mail clerks and two additional laborers, office of the Postmaster of the House of Representatives, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That, until otherwise provided by law, there shall be paid out of the contingent fund of the House of Representatives compensation for the employment of three additional mail clerks, at a basic salary of $2,100 each per annum; and two additional laborers at a basic salary of $1,650 each per annum; office of the Postmaster of the House of Representatives.

With the following committee amendment:

Lines 1–7, strike out all after the resolving clause and insert the following:

That, there shall be paid out of the contingent fund of the House of Representatives compensation for the temporary employment of three additional mail clerks, at a basic salary rate of $2,100 each per annum; and two additional laborers at a basic salary rate of $1,650 each per annum; office of the Postmaster of the House of Representatives, such temporary employment to terminate at the close of business on August 31, 1962.

The committee amendment was agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

DEPARTMENTS OF LABOR AND HEALTH, EDUCATION, AND WELFARE AND RELATED AGENCIES APPROPRIATIONS, 1963

Mr. FOGARTY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill—H.R. 10904—making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1963, and for other purposes; and pending that motion, Mr. Speaker, I ask unanimous consent that general debate on the bill be limited to 3 hours, one-half of the time to be controlled by the gentleman from Wisconsin [Mr. LAIRD] and one-half by myself.

The SPEAKER. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

The SPEAKER. The question is on the motion.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 10904, with Mr. BURLESON in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the unanimous-consent agreement, the gentleman from Rhode Island [Mr. FOGARTY] will be recognized for 1½ hours and the gentleman from Wisconsin [Mr. LAIRD] will be recognized for 1½ hours.

The Chair recognizes the gentleman from Rhode Island [Mr. FOGARTY].

Mr. FOGARTY. Mr. Chairman, I yield myself 15 minutes.

Mr. Chairman, I am pleased to be able to bring to the House this bill making appropriations for the Department of Health, Education, and Welfare and for the Labor Department. For 12 years I have served as chairman and for 16 years as a member of this subcommittee.

First, I wish to take time to express my gratitude to the members of this subcommittee. I do not know of a harder working subcommittee in the House of Representatives. The gentleman from Indiana [Mr. DENTON] is the ranking Democratic member of the committee. He has been one of the best supporters of health programs I know of in the House of Representatives.

The gentleman from Minnesota [Mr. MARSHALL] is one of the finest Americans and one of the best men I have ever seen on the Appropriations Committee. I, for one, am deeply sorry he is not going to stand for reelection this fall. The House of Representatives certainly is going to lose one of its most valued Members.

On the Republican side we have two most able young men and two of the hardest working men in the House on the committee: The gentleman from Wisconsin [Mr. LAIRD], the ranking Republican member of the committee, has put in long hours this year to bring this bill to the floor. He agrees with me and other members of the committee that if we work a little longer hours we can complete our business and adjourn by the end of July as we are supposed to.

The gentleman from Illinois [Mr. MICHEL] has also put in long and tiresome hours. These gentlemen have given me their full cooperation, and as a result we bring to you today a bill appropriating more than $5 billion in total, but a report that is unanimous. For the 12 years since I have been chairman of this subcommittee we have had unanimous reports.

And I could not let this opportunity pass without mentioning the clerk of our committee, Robert M. Moyer. We feel that Bob Moyer is the best clerk of any committee in the Congress. He is a hard-working, dependable, and very capable assistant to all of us. We have come to lean on his ability and I must say that in all the years of his service he has never yet let us down.

Before outlining the bill I wish to take notice of the chairman of our full committee, the gentleman from Missouri [Mr. CANNON], and the ranking member of the Committee on Appropriations, the gentleman from New York [Mr. TABER]. I do not know of any two men in the Capitol who over the years have saved more money for the taxpayers of the country than the gentleman from New York and the gentleman from Missouri. I am sorry to hear that the gentleman from New York [Mr. TABER] is not going to stand for reelection. He served with me 4 years on this subcommittee as ranking Republican member, and even though we did not agree on all things, when the end of deliberations came and the compromises were made we still had a unanimous report. I think the gentleman from New York is one of the finest Americans I ever worked with. He has been a dedicated member of the Appropriations Committee and deserves the everlasting gratitude of the people of this country for his tireless work in this regard.

While we will all miss the gentleman from New York, we are fortunate that the man who will take his place as the ranking Republican member of the full committee is also a man of great stature and one with long experience in dealing with appropriations. The gentleman from Iowa [Mr. JENSEN] has served with distinction on many of the appropriations subcommittees. He served on this Subcommittee on Labor and Health, Education, and Welfare for 4 years. As far as the programs of health, and education, and welfare are concerned, he was always a stanch supporter. He was a big help to us on the subcommittee and I am sure that he will be an able leader of the other party in the new position he will assume on our full committee next year.

The bill before us today is not much different from previous bills dealing with these departments for the past several years.

Let us take up first the Labor Department. This is an old established Department. It has been in operation since 1913. We have substantially allowed the budget in most cases but have reduced many of the items by relatively small amounts. The total reduction in the requests for direct appropriations is $8,223,000, all of these are covered in the report on the bill.

In my opinion Secretary Goldberg is doing an outstanding job in a very difficult position. In the short time he has been in office he has shown real progress in developing the very important programs of the Department of Labor. I think he will go down in history as one of the greatest Secretaries of Labor we have ever had.

Then, in regard to the other Department, in general this has been a most progressive and constructive year for the Department of Health, Education, and Welfare. In my judgment Secretary Ribicoff has provided HEW with imaginative leadership. He has presented a broad legislative program of new and exciting dimensions. Last year Congress accepted his proposals in the fields of social security expansion, aid to children of unemployed parents, community health services, water pollution control, and a pioneer attack on juvenile delinquency. I am confident that this year substantial achievements will follow the fine start of last year.

Within the Department new directions are evident in a number of fields, most notably in Secretary Ribicoff's program for reform and revision of the Nation's welfare laws. Launching a full-scale review of welfare laws and regulations months before the Nation ever heard of Newburgh, N.Y., Ribicoff has moved by executive action to eliminate abuses and develop more constructive programs to help get people off the relief rolls. The legislative recommendations of the Secretary, recently passed by the House, will advance both efforts substantially.

To my mind HEW represents the most difficult assignment in the domestic field. Its programs are diverse and often controversial. Its first full year under the leadership of our former colleague, Abe Ribicoff, has been marked by new ideas and steady progress—in short, a most successful year.

In the Department of Health, Education, and Welfare we have made a total cut of $114 million. The large cut is in the public assistance program. This cut was made because $97,900,000 of it is not yet authorized by law. As a result we could not appropriate these funds. The balance of the cut was on the basis of information indicating that factors had changed since the budget was prepared. For instance, the estimate submitted in January of the supplemental funds needed for 1952 was reduced by about 40 percent when it was actually submitted in February.

The Bureau of the Budget made some significant cuts in this budget. Three of the most significant cuts were in areas in which Members of Congress are very deeply interested: Two are in the area of aid to federally impacted school districts; one for the maintenance and operation of schools and the other for the construction of schools.

Last year Congress extended this act. We felt, as the Appropriations Committee, that since the Congress had acted and had established a definite formula, we ought to appropriate 100 percent of what these districts were entitled to. As a result, we show an increase of $50 million for operation and maintenance of these schools and about $8 million for the construction of these schools, a total of over $58 million we have put back into this particular bill.

Another sizable cut of over $35 million made by the Bureau of the Budget was in the area of hospital construction. I do not know of a better program that has been operated by the Federal Government than the so-called Hill-Burton hospital construction program. We did not raise this as much as some of us wanted to. We raised the budget about $12 million to bring it to the total of what this House passed 1 year ago. It is way below what the Senate passed, but we brought it up to what the House passed a year ago, which is a considerable improvement over the budget but still less than many Members would like to see appropriated.

I will place in the RECORD a fine letter I have just received from the American Hospital Association:

AMERICAN HOSPITAL ASSOCIATION,
March 26, 1962.

Hon. JOHN E. FOGARTY,
Chairman, Subcommittee on Labor and Health, Education, and Welfare, U.S. House of Representatives, Washington, D.C.

DEAR MR. FOGARTY: The American Hospital Association has been vitally interested in the Hospital Survey and Construction Act since its very beginning. We have continued through the years to follow the program closely and to urge the appropriations of funds adequate to carry out the provisions of the program.

There seems to us to be no question as to the continued need of the program in view of the rapid increase in population, continuing changes in medical practice and the constant obsolescence of existing hospitals. The program has accomplished much in the years since its inception. The expenditure of Federal funds has served a specific purpose intended and that was to stimulate and assist the States and local areas within the States to meet their needs. We believe the program has served as a fine demonstration of Federal-State relationships, and it has in fact served as a model for other programs.

Throughout the years, this association has urged the Congress to appropriate the full amount of the authorization. We were very pleased that last year the Congress appropriated the highest figure in the history of the program. We noted, however, that the administration authorized an expenditure of $50 million less than the appropriation. At this time, we wish to urge an appropriation of the amount specified in H.R. 10904.

I would like to express the very great appreciation of this association and of the hospitals of the country for the fine leadership and support you and the members of your committee have always given to this program.

Sincerely yours,

KENNETH WILLIAMSON,
Associate Director, American Hospital Association.

NATIONAL INSTITUTES OF HEALTH

Mr. Chairman, the other large increase is in the National Institutes of Health. We have increased these appropriations by $60,400,000 on the basis of the facts that were presented to us.

The appropriation for the National Institutes of Health is, as every Member of this House well knows, one of the most important items to come before the Congress each year. Perhaps I should say that it is the most important item. Nothing affects each citizen more directly and more constantly than his health.

There are, of course, many people and many private, State and Federal agencies that are concerned in one way or another with the prevention of disease and accidents, the restoration of health and the rehabilitation of the disabled. Some of these programs, as they concern the Federal Government, I have already discussed; the bill now before the House includes appropriations for several of them. But none of these programs is so fundamental as the medical research conducted and supported by the National Institutes of Health.

Almost everything that the medical profession can do to prevent illness, to cure the sick and to relieve those who cannot yet be cured is the result of past research. The record of achievement of medical research in years gone by is written large in the statistics on longer life expectancy, the decline in infant and maternal deaths, and the virtual disappearance of the epidemics of so many infectious diseases. Diphtheria, scarlet fever, smallpox, whooping cough, and tuberculosis were common household words and dreaded household fears when most of us were young. Today, as the result of research, many young doctors have never seen a case of some of these diseases.

And medical research continues to add to the list. Rocky Mountain spotted fever, once a constant threat in many rural areas, is no longer the fatal disease it was a decade or so ago. Polio, whose sudden and unpredictable outbreaks in scattered areas throughout the country used to strike terror into the hearts of parents each summer, is no longer a major threat. In the near future apprehensive little children will not even have to face the mildly uncomfortable polio vaccine injections. A few months ago the National Institutes of Health, which has among its vital functions the responsibility for insuring the safety, purity, and potency of all biological products used in the prevention and cure of human disease, licensed the production of oral vaccines for two of the three types of polio virus. NIH witnesses told the committee that an oral vaccine for the third type of polio is also about to be approved as safe and effective.

More such heartening developments lie immediately ahead. A measles vaccine is already in initial production and is now being given large-scale trials in five metropolitan areas. There are now nearly three-quarters of a million reported cases of measles in this country each year and many more that are not reported. I know that measles is not generally regarded as a serious disease except when it strikes adults. In fact, we all know of mothers who have sent their children to play with friends who have measles so that they might catch it and thus build up a future immunity. But this is a dangerous practice. Measles can lead to complications which can result in deafness or mental retardation or even death. Each year more children die of measles than of polio—I think it is something like twice as many. An effective measles vaccine will therefore be another great advance toward the elimination of the major infectious diseases in which medical research has already been so remarkably successful.

Such a vaccine can make an even greater contribution to world health. In many countries where nutrition is bad and public sanitation is poor, measles has a very high death rate. For this reason National Institutes of Health has undertaken a large-scale experimental vaccination program in west Africa to test the effectiveness of a more virulent but faster acting live virus vaccine in stamping out this disease. Such collaborative international projects pay dividends not only in terms of health but in terms of international good will of which we can use a good deal more in the underdeveloped countries of the world.

It also looks as though medical research will at last be able to do something about the common cold. During the past few years, the rapidly expanding knowledge of viruses has shown that colds are not one disease but many. We cannot, therefore, expect a single, simple, cold cure but the committee learned during the hearings on the bill that the way is now clear for developing a vaccine that will be effective against the viruses that cause about 60 percent of the most severe respiratory illnesses in children and which also confine many adults to bed.

I should like to remind the House—I have quoted this figure before—that the complex of diseases which we call colds and flu cost this country $2 billion a year in lost time and lost productivity. A vaccine which is effective against part of these illnesses is worth much more than the cost of the years of research which are now making it possible not only because of the acute discomfort it will prevent but because of the extra dollars of national income it will produce

I dislike putting dollar signs on the value of medical research. None of us sets a price on our health or the health of our families and I object to measuring the need for Federal support of medical research in terms of the money it might save. But the sheer economic loss inflicted on this country by illness, disability, and premature death is so great that it completely overshadows the investment the Federal Government is making in medical research. No comprehensive estimate has ever been made of the total national dollar loss due to disease but it clearly runs into many billions a year in loss of income, loss of taxes, and direct out-of-pocket cost to care for the sick and the disabled. The loss of goods and services due to cancer has been estimated at $12 billion a year. Arthritis and rheumatism lose us $2 billion of potential income and $250 million in taxes. Tax losses due to cerebral palsy are estimated as $300 million. One extra year of good health for every victim of arteriosclerosis would bring $150 million rolling into the Treasury. The Veterans' Administration alone spends nearly $1 billion in care and compensation for veterans with neuropsychiatric problems. State and local mental hospitals cost another $1 billion. The debit items in such a fiscal account are staggering and depressing.

But this, as I have said, is not the way I look at the need for medical research. My conviction that it is the best investment any decent, humane government can make stems from an accounting of the pain, the tears, and the anguish caused by disease and disability and early death. And this, I am certain, is how the voters and taxpayers of Rhode Island and of every other State in the Union measure the value of the programs administered by the National Institutes of Health.

We can all be proud—immensely proud—that these programs have made the United States the unchallenged leader in medical research. This, at least, is one area of science in which we are not second to some other country. This is one area of science in which we do not have to appropriate large sums of money in order to try to catch up with somebody.

We have to appropriate a large sum of money—and I think the $840,800,000 provided in this bill for the National Institutes of Health is a large sum of money—only because, as a nation, we are interested in the welfare and happiness and health of each of our citizens and it takes a large sum of money to meet the challenge of disease, to pursue the many promising research opportunities that lie before us and to take advantage of skills of the many fine scientists who are willing to dedicate their lives to biomedical investigations.

The only yardstick against which we need to measure this appropriation is the magnitude of the tasks that await to be done if we are to press the attack on the dread diseases with all the vigor of which this country is capable.

The committee, during its extensive hearings, heard much about recent accomplishments in each of the disease areas and the very important basic biological sciences represented by the seven Institutes and the Division of General Medical Sciences. These reports were extremely encouraging and fully justified the faith in these programs which the committee and the Congress have so often expressed. But the committee was actually more concerned with the sober reports of the vast array of biological phenomena and human diseases about which man's knowledge is pitifully small compared to his ignorance. The appropriation which the committee strongly and unanimously recommends is not in payment of past achievements but to make possible vital further work.

We must devote whatever resources are required to the pursuit of viral research in cancer. We must develop methods for the earlier and surer diagnosis of cancer which, even with the still limited treatments available, can save many lives. We must continue the already fruitful search for more effective and safer drugs for combating cancer, for controlling blood pressure, for helping arthritic, diabetic, and mentally disturbed patients and for a host of other diseases. We must determine the true role of diet in heart disease which causes 54 percent of all deaths in the United States. We must find the causes, and hopefully the cures, for mental retardation and other congenital diseases. We must make more vigorous attacks on deafness, blindness, and the whole complex of neurological diseases. We must explore the new field of autoimmunity, or the reaction of an individual to substance within his own body, which is now thought to be responsible for rheumatoid arthritis, many allergies, and perhaps other unsuspected diseases.

I could go on and recite evidence of great progress and evidence of even greater research needs in each of the disease areas supported by the various Institutes. I could talk at length about the more fundamental need for research in the basic biological sciences where the missing keys to many disease problems will ultimately be found. Not only the official witnesses but the many eminent scientists and physicians whom the committee heard testified extensively on all these points.

The transcript of the hearings, which covers more than 2,000 pages and includes many special reports requested by the committee, is an impressive and well-documented record of our national achievement in biomedical research as well as a challenging and well-informed assessment of the problems and opportunities that lie ahead.

One of the problems to which the committee has given very serious study is the future availability of highly qualified investigators to maintain the momentum of the national medical research effort. In order that this important question might be thoroughly and thoughtfully considered in the light of all the available facts, the committee last year requested the National Institutes of Health to submit during this year's hearings a comprehensive report on the estimated national requirements for medical research manpower in 1970 and a projection of the necessary output to meet this requirement.

The report which NIH submitted in response to this request has been printed as a separate volume of the hearings. It is an important document which provides a sound base for the future planning of the NIH research training and fellowship programs. It is necessarily a long document and I shall not attempt to summarize it but I would strongly urge every Member of Congress—and every citizen concerned with the future of biomedical research and our higher education problems—to read it.

The main facts which emerge from this study are that our present corps of a little over 40,000 biomedical research personnel must be expanded to more than 75,000 by 1970 if the pace of this research is not to be seriously slowed down by the lack of competent and well-trained professional workers. This means that this country must produce between 40,000 and 45,000 biomedical scientists in the next 8 years to provide the additional numbers that will be needed as well as replacements for those who will retire, die or be diverted into other work. In other words, we must have an average annual output of 5,000 which is almost 50 percent greater than the average output of 3,500 a year during the past 8 years. To meet this goal will require a major national effort for which the universities and professional schools, which must provide the training, will need Federal assistance. Without such Federal assistance the job cannot be done at a time when all our better educational institutions are already under the strain of trying to meet the growing general demand for higher education. Fortunately, and largely through the foresight of the Congress which has in past years insisted on expanding the NIH research training programs, the necessary administrative machinery for a broader national program in support of biomedical research training already exists.

In a supplemental statement, also submitted at the request of the committee, the NIH described the modifications in its training programs which would be required to meet the needs that emerged from the assessment of future manpower requirements. The main points, with which the committee fully agrees, are summarized in the committee report on the bill as follows:

1. The attraction into medical research of a greater number of men and women with an interest in research who already have an M.D. or Ph. D. degree and can therefore be most readily made available, by appropriate scientific training, to the research manpower pool;

2. The expansion of predoctoral fellowship and training programs in the biological, physical, and behavioral sciences;

3. The more sharply focused use of training funds in the clinical area for the development of clinical scientists as opposed to the dilution of these programs by preoccupation with the requirements of formal certifying agencies concerned largely with clinical practice;

4. Providing—as a parallel program to the foregoing but with longer-range objectives—an opportunity for particularly competent postbaccalaureate students to acquire, while in medical school, a truly scientific training, it being fully recognized that such a program must be designed to strengthen the medical school and not deter it from its larger responsibility for producing highly qualified practitioners.

The committee has included in its recommendations approximately $175 million for training grants and fellowships. This is about $30 million more than the amount requested in the President's budget and will permit NIH to make an immediate start on expanding these programs so vital for the future.

I cannot emphasize too strongly that an immediate start is essential to the success of this program. It normally takes at least 6 years of clinical experience and postdoctoral research training after a man receives his M.D. degree before he becomes a fully fledged independent clinical investigator. To produce a qualified Ph. D. investigator in one of the clinical sciences takes about 7 years from the bachelor's degree. Clearly we must start at once to train the people who will come into the biomedical research pool in the late 1960's. Those who are needed earlier will have to be drawn from existing M.D.'s and Ph. D.'s by making immediately available to them the postdoctoral research training and research experience which will qualify them to carry on independent research projects.

The committee has not attempted to deal with the larger problem highlighted by the manpower report because this lies outside the scope of an appropriation bill. This is our urgent national need for the means to produce a greater number of M.D.'s and Ph. D.'s to satisfy not only the demand for medical research manpower but the competing demands of other important national programs for competent scientists and the already acute need for more practicing physicians, dentists and other health personnel to bring the fruits of our outstanding medical research directly to bear on the health problems of our people. The committee would like to point out, however, that this is a question to which the Congress must, at the appropriate time, also address itself.

The committee has for some time been concerned about the lag in bringing immediately applicable research results into practical use by physicians in the diagnosis and treatment of disease. This, of course, is the ultimate purpose of medical research.

The difficulties in communicating research results to practitioners are not due to any reticence on the part of scientists. Every scientist readily agrees that a research project is not complete until its results are made known. He is not only willing to publish his findings, he is eager to do so because his standing in the scientific community and his chances for promotion in the institution in which he works are greatly enhanced by an impressive list of published papers.

Part of the problem is due to the fact that most of these papers contribute pieces of the jigsaw puzzle of our understanding of a disease or physiological process but do not have enough of the picture on them to do the practitioner any immediate good. They are of importance to other research scientists working on the puzzle but not to the physician who must have the whole picture before he can use it.

Another aspect of the problem is that most of our physicians are too busy to keep up with the journals to which they subscribe. They are too far from well-stocked libraries which they might consult when special problems arise. Too many of them are too complacent about their ability to deal with the illnesses they encounter to spend the time and energy to continue their professional educations after they have set up their practice.

The committee recognizes these difficulties but nevertheless feels that the medical community can do much more than it is now doing to overcome them

and to make certain that research results are turned to practical account as soon as it is possible to do so. The Public Health Service has a responsibility to take the lead in this matter; and, I am glad to say, has now indicated a willingness to do something about it.

In response to its request for a report from NIH on the communication problem, the committee received reports not only from NIH but from the Bureau of State Services, which is the Public Health Service's principal contact with the medical community throughout the country, and from the National Library of Medicine, which has a clear and important role in the field of communications. The Surgeon-General told the committee that these three reports should be regarded as parts of a Service-wide report. We were disappointed, however, to receive no general recommendations or an outline of a PHS plan for dealing with the problem.

The report on this bill places the Public Health Service on notice that the House will expect it to include specific proposals for dealing with communication in the health sciences in its program plans for the next fiscal year. I hope that these plans will take into careful consideration the need to upgrade and extend this country's medical libraries, most of which are inadequate and of which there are far too few to serve the needs of physicians throughout the country. I hope that the Service will also thoroughly explore all the devices that may be helpful in encouraging and enabling practicing physicians to continue their professional education throughout their professional career. The pace of research is now so great that professional obsolescence is becoming a serious matter. Plans for training the thousands of additional research scientists and practitioners we shall need by 1970 must be paralleled by vigorous plans for retooling and sharpening the skills of those we already have.

The rapid growth of the NIH grant-support programs, which the Congress has by its appropriation actions made possible, has inevitably created some administrative problems and has exposed NIH to a greater risk of having its support abused than was the case when the programs were small and each grant could be more closely watched. The committee has been well aware of this danger and has during the past 5 or 6 years instigated several reviews of NIH administrative practices either by committee staff or by the General Accounting Office. As is inevitable in so large an operation, each of these investigations found some minor managerial faults which could be, and were, quickly corrected. The general conclusion in each case, however, was that the administration of the NIH programs reflected conscientious stewardship of public funds combined with remarkable effectiveness of the programs in achieving the purposes for which they were designed.

We must, I think, expect some unreasoned criticism as medical research becomes more involved in the environmental and social sciences. There is a great and urgent need for research in these fields as it becomes more and more apparent that certain diseases are not wholly organic in origin or cannot be successfully treated without regard to environmental and social factors. Preliminary research in these areas will, for example, frequently involve animals and the scientist concerned may not think it inappropriate or odd to identify his project with a title that invites ribald misinterpretation. Similarly, some investigations into human behavior—which obviously can have profound effects on both our physical and our mental health—will sometimes involve activities about which our society has widely accepted taboos. These will also be fair game for unthinking critics who do not share the scientist's willingness to view man as he is in an effort to understand why he behaves—physically, mentally, and emotionally—as he does.

We can, I think, have confidence in the excellent grant review system which NIH has set up and in the high caliber and sharp intelligence of the eminent men and women who comprise its scientific study sections and the various National Advisory Councils. These well-informed groups do not recommend approval of research projects in whose scientific merit and practical value they do not have complete confidence. And I suspect that in many instances they see a little further ahead than the rest of us in judging the potential usefulness of a piece of research. I cannot help wondering what the popular reaction would have been 20 years ago if a Federal agency had made a grant for research into the feasibility of space flight or sending a rocket to the moon.

The bill before you includes appropriations for NIH totaling $840,800,000 which is $60,400,000 more than the amount requested and $102,465,000 more than the amount appropriated for 1962.

The increase reflects the considered judgment of the committee of the minimum amount required to maintain the momentum of our national biomedical research and research training programs. In arriving at this judgment, the committee took into consideration the recommendations of the professional scientific staff responsible for these programs, the advice of the many eminent private witnesses who testified at the hearings, and the committee's own detailed examination of the progress and prospects of each of the programs.

The sum recommended is a modest one. It is some $14 million less than the amount requested by NIH as necessary to fund the meritorious and promising research proposals it foresees for the coming fiscal year. In the opinion of the committee it will, however, provide adequate support for on-going programs and provide funds to give some further impetus in crucially important areas both in research and in the training of investigators for the future.

There are only two or three other smaller increases. We recommend $1 million over the budget for air pollution and the same for water pollution.

AIR POLLUTION CONTROL

The committee is impressed with the seriousness of the air pollution problem. In addition to the extensive economic damage, which amounts to $7.5 billion annually, there is real concern over the effects on man's health. Increasing deaths from lung cancer plague the Nation, and evidence has been presented that this is linked with air pollution. Serious respiratory illnesses are increasing, such as emphysema and asthma. Minor respiratory illnesses, causing absence from work and much of the discomfort of man, appear to be influenced by air pollutants. Man is not the only living thing afflicted, either. Cattle are sickened and die from air pollutants, food crops are killed or otherwise seriously affected, and trees, flowers, and shrubs are poisoned. Every bit of evidence seems to show that this problem and its sad effects will increase as our population, urbanization, industrialization, and technological civilization increase and expand. This problem cannot be solved in a year or two; only further research can provide the answers to help prevent an increasingly serious situation.

The Public Health Service's summary of its 6 years of activity demonstrates a commendable vigor in attacking and assessing the problem. Photochemical smog, once thought peculiar to southern California, has been found in many American cities; lead, a very toxic hazard, has been shown to be found in community air and this is related to its use in gasoline in automobiles—its presence in the blood of residents of these communities is of real concern; a serious and fatal episode has been shown to have occurred in New York City causing over 200 deaths as a result of air pollution. Even more significantly, researchers have produced lung cancers in animals, as a result, in part, of breathing polluted air.

Much yet needs to be done—more research on unsolved problems is vitally necessary. At the same time, the committee feels that use and application of existing knowledge is equally vital. The program of the Service has not been sufficiently comprehensive to provide the guidance and assistance necessary to accomplish desirable control.

The President, in his recent message on program for protection of consumer interests, has again expressed his concern in regard to air pollution and indicated action the Department should take in regard to automotive exhaust emissions. The committee agrees and has increased the budget by $1 million with the intention that a major portion of it be used for more research in this field.

This committee has for years prodded the Department and indicated its dissatisfaction with the petroleum and automobile industry in not taking a more active interest and in not doing more work on this very important problem. A little more has been done in the last 2 or 3 years, but especially these two major industries should be doing a lot more.

One has to go no further than to walk from the Capitol to the House Office Building to be well aware of the obnoxious fumes and smoke that pour out from the buses in our Capital City. There is no question as to their being obnoxious; how dangerous they are no one now

knows. We should know more about the danger and we should certainly do more to control such a public nuisance.

The committee notes that the exhaust afterburners for cars presently advocated as a solution to this urgent problem are costly and will require complicated systems of inspection and maintenance, costing the car owner substantial sums. We believe that more effort should be expended toward the development of more efficient engine design which would decrease emissions from automobiles. The committee endorses the President's action to direct the Department to work with the automobile industry but, as mentioned above, also believes the automobile industry is doing far too little in attempting to solve this problem.

WATER SUPPLY AND POLLUTION CONTROL

An imposing group of witnesses have appeared before my committee in support of a more aggressive effort to control water pollution. They have pointed out problems throughout the breadth and length of the land.

Here are a few illustrations which have been called to my attention:

Pollution threatens the destruction of shellfish and game fish in Puget Sound, the Columbia River, and other streams in the Pacific Northwest.

The death of ducks and other game birds in the wildlife refuges of the Klamath River of northern California and southern Oregon has been caused by pollution.

The municipal water supplies as well as the industrial development of the Colorado River Basin are threatened by industrial wastes and the salts leached from the soil.

During the past 2 years the joint Federal-State studies supported under the Federal Water Pollution Control Act demonstrate that this pollution—which threatens to stunt the development of so large an area of the country—can be controlled.

Water pollution from pesticides and insecticides is widespread.

Studies in Georgia, Florida, South Carolina, Alabama, Mississippi, and Louisiana have revealed that chlorinated hydrocarbon and organic phosphorus compounds are carried into water courses after their application to crops. The toxic materials persist in water for a long period of time and actually pass through our water treatment plants. Numerous fish kills throughout the land have been attributed to insecticides or pesticides entering the water through accidental spills or after application to crops.

For the calendar year of 1961, a total of 411 reports were received from 45 States, showing 15 million fish were killed. River mileages affected were 1,686, in addition to 51 miles of lake and bay shore and 5,967 acres of lakes, reservoirs, and bays.

Industrial wastes accounted for 44 percent of the known sources, as compared with 39 percent during 1960.

Agricultural poisons were again second, with 21 percent.

The waters of the Great Lakes, a priceless natural resource, are threatened by the discharge of industrial and municipal wastes from communities along their shores. Flushing action continually carries away pollution in streams, but in lakes pollution continues to accumulate. The action is gradual and insidious, but once the quality of the water is destroyed through the accumulation of pollutants, any remedial effort would be extremely expensive and take many years to accomplish. There is no assurance when the water quality can be restored if it is allowed to deteriorate and its value is destroyed through unabated pollution.

The waters in the Upper Ohio River Basin in Pennsylvania, West Virginia, Ohio and Kentucky are seriously affected by acid mine drainage. Much of the pollution is from inactive and abandoned coal mines and, therefore, takes on the character of a natural pollution problem similar to that of the salt in the Arkansas and Red River Basins. Results of preliminary studies are optimistic. A combination of control measures coupled with the provision of storage for flow regulation for quality control in Federal reservoirs could restore the beneficial uses of these waters. A large investment is required for effective control of acid mine drainage. Improvement in the water quality of a chronically depressed area would do much to solve the economic ills of the region.

More and more water will be required to support the population growth and industrial development of gigantic metropolitan complexes along the east coast of the Nation. Water pollution generated by the same growth and development will make it more and more difficult to provide water of the quality needed. The outbreaks of infectious hepatitis attributed to shellfish, grown in polluted areas of Raritan Bay, the ground water pollution problems of Long Island, the problem associated with water supply and waste disposal of the lower estuary of the Delaware River below Trenton, N.J., and the pollution of the Potomac and the Chesapeake Bay are but a few of the manifestations of water pollution attributed to the enormous growth on the east coast.

New pollutants present another complicating situation. Prior to 1940, city sewage was mostly natural organic material, household waste with its concentration of germs. Even industrial waste was composed mostly of natural organic materials. Today, on the other hand, metropolitan and industrial wastes include increasing amounts of new kinds of contaminants, such as synthetic organic chemicals and radioactive materials. The volumes of these complex wastes are spiraling upward. Many of the new contaminants persist for long periods, and to a considerable extent, are not removed by conventional sewage and water treatment techniques.

We have much to learn about the behavior of the new substances finding their way into our streams, their effects on public health, aquatic life, and municipal and industrial supplies. The question of their toxicity adds to the age-old problem of enteric disease. The problems of water pollution are broadening to include a whole new array of pollutants.

In spite of these manifestations of water pollution, never was the stage better set for a constructive program. Public attention has been sharply focused in recent months on water pollution and what it means in our everyday lives. The National Conference on Water Pollution brought together interests from every walk of life. The Senate Select Committee on National Water Resources, after 2 years of nationwide hearings and intensive study of water problems, did much to define the objectives for a comprehensive course of action.

After 5 years of experience, Public Law 660 was strengthened by the recent amendments signed by President Kennedy on July 20, 1961, to provide the best legislative basis for a water pollution control program that the country has ever had.

This appropriation request will weld the elements of public interest and legislative authority in a more dynamic action program. The budget will provide for regional laboratories located at strategic points throughout the country to provide resources to deal with problems where they are. These laboratories will promote research and training activities and provide a base of action for State, interstate, and Federal agencies cooperating to eliminate water pollution.

In addition to the field laboratories, two specialized facilities are needed to deal with the problems of aquatic life in fresh and marine waters. Municipal, industrial, and land drainage wastes consume large amounts of oxygen, drastically alter the physical and chemical water environment and are toxic to fish and other wildlife.

The effects of pollution on aquatic life are becoming critical. There is ample evidence of this in the increasing number and severity of fish kills, the elimination or reduction of salmon, shad, and other anadromous fish runs, the decreasing area suitable for sport and commercial fishing and the increasing stretches of streams and lake and coastal areas that are becoming "deserts" for beneficial aquatic life. All this at a time when our needs for recreational waters as well as municipal and industrial waters are increasing at a logarithmic rate.

A principal objective at these facilities would be to establish water quality criteria for protecting fish and other aquatic life. These criteria are sorely needed for an effective program to restore and maintain an adequate recreational and commercial fishery resource. In this regard it is important that the suppression of pollution goes far beyond the mere elimination of fish kills. It is necessary to establish criteria for a healthy physical and chemical water environment that will permit the propagation and growth of aquatic life as well as bare survival.

In the actual number of fish killed, agricultural poisons were higher than industrial wastes—accounting for 5.6 million, as compared with 2.9 million.

We must never forget that this same water environment that is killing these fish is the source of drinking water for 100 million Americans.

With the country's dramatically growing power to produce we must have an

equally growing power to reuse the country's water—for our cities, industries, and farms, and recreational activities. Clean water is the one essential and common denominator for them all.

For St. Elizabeths Hospital we raised the appropriation back to what they asked the Bureau of the Budget for, namely an increase of $358,000.

This is a unanimous report, and I hope it will receive favorable consideration by the House today.

On the overall bill we cut out all funds for Civil Defense because those requests are now going to one subcommittee. We cut out all forward financing, that is, funds for the fiscal year 1964. We cut out all requests for funds that were not authorized by law. The bill is not as large as I would like it, myself. I think we ought to spend more money in some of these areas, for instance environmental health, in medical research, and in other areas in the Department of Health, Education, and Welfare, where I think we ought to be doing more than we are doing at this time. But this is the democratic way of arriving at these figures. Some on the other side of the aisle thought we were spending too much. As a result, we come here with a compromise.

We have asked the Department of Health, Education, and Welfare this year to put a little more emphasis on some of the problems involving mental retardation, people suffering from speech and hearing defects, hard of hearing and deafness, hemophilia, and other areas that have not been given the same consideration as heart, cancer, mental health, and all of the other larger programs in the Public Health Service.

Mr. DENTON. Mr. Chairman, will the gentleman yield?

Mr. FOGARTY. I yield to the gentleman from Indiana.

Mr. DENTON. Mr. Chairman, I want to say that it has been a pleasure to serve on this committee with the chairman, the gentleman from Rhode Island [Mr. FOGARTY], and the other members of the committee. I know that the chairman of this committee has worked long hours in hearings and studying the details of this bill. He has intimate and detailed knowledge of every phase of this bill. Many of the programs are programs that he has initiated. I know the chairman must take pleasure in the great work he has done and is doing in improving the health, education, and welfare of the people of this country. I want to congratulate the chairman of the committee.

Mr. FOGARTY. I thank the gentleman.

Mr. MEADER. Mr. Chairman, will the gentleman yield?

Mr. FOGARTY. I yield to the gentleman from Michigan.

Mr. MEADER. The gentleman from Rhode Island recalls that, I believe, it was when this bill was before his committee a year or so ago, I appeared together with the vice president of the University of Michigan, Dr. Sawyer, with respect to the problem of administering research grants made to the university or some of its departments.

Mr. FOGARTY. Yes.

Mr. MEADER. I just wanted to inquire of the gentleman whether any further consideration had been given to the 15-percent limitation on indirect cost.

Mr. FOGARTY. I am glad the gentleman has asked the question. I remember when he appeared before the committee a year ago asking that these costs be raised to 25 percent. Many Members of the Congress have spoken to the committee this year.

When the National Institutes of Health first made grants for research, they allowed nothing for overhead costs. Then, for a few years, the allowance was limited by administrative regulation to 8 percent. On July 1, 1955, this limitation was raised to 15 percent. Then, in 1956, the NIH proposed to increase the allowance to 25 percent which was estimated to be sufficient to cover full overhead costs for a large percentage of medical schools and other institutions. It was at this point that congressional action was taken to halt further increases by placing the 15-percent limitation in Labor-Health, Education, and Welfare appropriation bill.

Our committee has observed that when the limitation was much less than it is today, the demand for grant funds on the part of medical schools and institutions consistently exceeded the available funds. Since the limitation has been 15 percent, the demand has continued to consistently exceed the availability of funds even though there has been a very substantial increase in these funds every year—from $34 million in 1955 to $431 million in the current fiscal year, 1962. Thus, it is obvious that the recipient institutions feel that the benefits to them outweigh the relatively small cost of bearing about half of the indirect expenses.

It is universally recognized that no medical school could function efficiently without a research program. It is also recognized that without Federal grants a good research program would be virtually impossible. It is further recognized that medical schools and other institutions participating in this program make an invaluable contribution to the medical research program of the Federal Government.

As a general proposition, it has been a longstanding policy of our Federal Government to require some matching of Federal grant funds used for the mutual benefit of Federal and non-Federal programs. One does not need to look outside of this particular bill to find many examples—the hospital construction program under the Hill-Burton Act; health research facilities construction grants; the library services grants; vocational education grants; cooperative research in education; grants to States for support of vocational rehabilitation services; grants for research and demonstrations in vocational rehabilitation; and cooperative research or demonstration projects in social security, to mention some of them. Under the research grant program of NIH, the required matching, if we assume the average indirect costs are 35 percent, is less than $1 of non-Federal funds to $5 of Federal funds.

On the other hand, we are faced with a very serious practical difficulty. I am fully aware of and have on many occasions publicly expressed my deep concern about the financial difficulties of the medical schools. I think this clearly presents a national problem of such magnitude that a straightforward program of Federal assistance is definitely warranted. In my opinion, this would be a much better solution to this financial problem than would a substantial further subsidy through Federal payments tied to research grants.

This discussion of overhead allowances would not be complete without commenting on the practices of nongovernmental grantors. Their grant programs are not nearly as large as those of the Federal Government, but are certainly important to the overall research effort of this Nation.

The current indirect cost rate allowed by the American Cancer Society is up to but not exceeding 25 percent of total direct costs. This rate was recently established by action of the board of directors of the society. The committee has been informed that several members of the board believe this rate to be excessive and are opposed to any further increase in the rate. The American Heart Association allows a maximum of 10 percent of total direct costs. The Ford Foundation has varying allowances for indirect expenses. Data available to the committee indicate that this rate varies from no reimbursement to 15 percent of total direct cost. The Russell Sage Foundation allows 8 percent of total direct costs as an allowance for indirect costs.

It must be admitted, for it is an obvious fact, that in the past this committee has not dealt uniformly with this problem. Some agencies of the Federal Government allow 100 percent of calculated indirect costs, others pay full indirect costs in some instances and negotiate a lesser amount in other instances; the National Science Foundation allows a flat 20 percent, and the agencies for which appropriations are made in the Labor-Health, Education, and Welfare appropriation bill allow a flat 15 percent which is the limitation imposed by the language of the bill.

Considerable attention has been called to these discrepancies during the past year. The committee has had a study made to gather in one place the basic facts concerning procedures employed to determine indirect costs, and the policies for reimbursing the grantees, applied by both Federal and non-Federal granting agencies. The report of this study was submitted to the committee less than 1 month ago. The committee as a whole and the various subcommittees having reponsibilities in this area are giving this matter serious and intensive consideration with the view to financing indirect costs on a uniform and equitable basis. Pending the outcome of these further studies the committee has retained the 15-percent limitation in this bill.

We hope that by next year some overall formula for the entire Government

will be adopted. In the meantime, we hope that some relief will be given to these institutions which you spoke of.

Mr. MEADER. I thank the gentleman.

Mr. BALDWIN. Mr. Chairman, will the gentleman yield?

Mr. FOGARTY. I yield to the gentleman from California.

Mr. BALDWIN. Mr. Chairman, I would like to express my thanks to the gentleman for the initiative which his committee has taken to restore 100-percent entitlements under Public Laws 874 and 815. Many of these school districts have had trouble each year endeavoring to anticipate the amount that they would actually receive, because for several years we have appropriated, initially, less than the full amount.

Mr. Chairman, I think all school districts will appreciate the initiative of the Congress to solve this problem.

Mr. FOGARTY. I might say to the gentleman that that was done by unanimous vote in the committee.

Mr. DOOLEY. Mr. Chairman, will the gentleman yield?

Mr. FOGARTY. I yield to the gentleman from New York.

Mr. DOOLEY. Mr. Chairman, I want to commend the gentleman for the fine work he has done in connection with this bill. I am particularly interested in seeing that the cancer research appropriation was increased somewhat this year.

Mr. Chairman, cancer is the scourge of mankind, and has been for centuries. Until about 1900 it was treated in the same way as it was treated in the sixth century. One out of every five families will be affected by it, and one out of eight will die of it. I think in light of these circumstances it is most important that we give a sizable appropriation to this form of research.

Mr. FOGARTY. I know of the gentleman's work with the American Cancer Society in the State of New York, and I welcome his support and thank him for favoring this item.

Mr. DOOLEY. I thank the gentleman.

Mr. DOYLE. Mr. Chairman, will the gentleman yield?

Mr. FOGARTY. I yield to the gentleman from California.

Mr. DOYLE. Mr. Chairman, I wish to thank the gentlemen of the Appropriations Committee for placing back in the bill the funds for the impacted school districts.

Mr. Chairman, I have several school districts in my own congressional district which are dependent upon these funds.

Mr. LAIRD. Mr. Chairman, I yield myself 30 minutes.

Mr. Chairman, we bring before the House the 1963 Department of Labor, Health, Education, and Welfare and related agencies appropriations bill, and a report from our committee, which is in disagreement in several major respects from the budget request which was submitted by President Kennedy.

Mr. Chairman, there are many areas in the 1963 budget, which was submitted to this Congress as a balanced budget, which I believe the Congress should become a little more familiar with. The 1963 budget submission by this administration in many areas is a phony submission. If you look at the particular bill which we have before us today, you will note there have been net reductions made, in the committee, of $114 million from the budget submission made by the President of the United States. At the same time there were increases which this committee made which I feel sure the majority of the Members of the Congress would want made in this bill.

In submitting the budget for the Department of Health, Education, and Welfare, and for the Department of Labor for the fiscal year 1963, the President of the United States cut back the program for impact aid for schools, both in the construction area and in the direct-operation area. It was the decision of the President of the United States, even after the Congress passed a bill extending this program for 2 years, that these particular programs in construction and in general aid for impacted school areas should be funded at only 81 percent of the level that the Congress had established in the authorization bill passed just last year.

I personally opposed certain sections of that authorization bill, and was 1 of 30 Members of the House of Representatives who raised objection to that bill and did not support it because of the formula used to pay aid to the area surrounding the District of Columbia. I did not believe that this formula was fair and equitable. But I believe that once the Congress acted upon legislation extending this impact aid program for another 2 years, after the President of the United States signed this bill last year, it was incumbent upon him to live up to the commitment which he made to these school districts. For that reason our committee unanimously recommends appropriations above the budget in this area of impacted school aid in the amount of some $58 million in order to provide for 100 percent entitlement for fiscal year 1963. This is one addition we made, to live up to the commitment which was made by the Congress of the United States, and to live up to a commitment which the President of the United States, I believe, made when he signed this bill and did not veto it last year when it was submitted to him and placed upon his desk.

Another area where an increase was made in this bill and which we feel was necessary was in the area of the Hill-Burton hospital construction program. We have heard a lot of lipservice from the Secretary of Health, Education, and Welfare and the President about the problem which faces us in the area of hospital care and medical care, but one of the prime needs in this country today is space in hospitals and nursing homes. In this area we in the Congress have accepted our responsibilities for a good many years. What do we find in this budget submitted by the President of the United States? A cut in the amount of money available for medical facilities such as nursing homes and hospitals under the Hill-Burton program. A program which is a Federal-State partnership program is at stake, a program which has been accepted by each of the 50 States on a partnership basis. Yet this is the area in this particular appropriation bill in which the President of the United States has decided to use the cutting ax—in the area of hospital construction, in the area of making more beds available so that the people of the United States can have the facilities which are necessary in this year of 1963 and as we face the future. It is false economy in this bill, and certainly the U.S. Congress, the House of Representatives, should not place its stamp of approval upon this kind of budget reduction.

We have heard a lot of talk in the last year and a half about the importance of training workers, the importance of training because of the advances which have been made in automation, the importance of training because of new techniques being used in industry. The facts show that throughout America new records are being established for help-wanted ads in our many newspapers. These job opportunities are for trained and semiskilled workers.

The type of job opening available today requires special skill. We find that although the administration has been sending up a lot of messages in this particular area, in 1962 the programs of vocational rehabilitation in the Department of HEW and apprenticeship and training in the Department of Labor, were among the first places funds appropriated by Congress were withheld.

We received a message just this last week from the President of the United States in which he talked about the great drive that had to go forward in the United States today to protect the consumer. He talked a great deal about how increased efforts had to be made by the Food and Drug Administration, and that speech made headlines all over the United States. All we have to do today is to look at the 1962 appropriations, approved by the Congress of the United States in both the House and the U.S. Senate, and we find here that the President of the United States and his administration are giving only lipservice to the activities of the Food and Drug Administration.

The President froze over $300,000 of the funds appropriated by the Congress for this agency in fiscal year 1962.

Mr. Chairman, I could go through this bill item by item showing the Members of the House of Representatives how there has been great lipservice given by the New Frontier to these programs, but in actual performance the New Frontier is scoring just about zero. I will include with my remarks later today a table setting forth the actions of the executive branch on reserves for 1962.

We have here a budget for the Food and Drug Administration which has been agreed upon in our committee. It is my hope that this budget request, when it is approved by the Congress, will not run into the same kind of whim wham that we ran into in the last budget review by the administration when the funds which were made available were not used to carry on the very effective and important program which we already have to protect the citizens and consumers of this country. We do not need new

laws, we had better follow through on those we already have.

It is necessary for us to go forward with a review of the programs of the National Institutes of Health, and I was pleased that the Committee on Government Operations plans to initiate hearings in this area this coming week. I believe a good review of this program will be helpful to the entire program. I commend the Committee on Government Operations for going forward with this investigation.

Mr. MACGREGOR. Mr. Chairman, will the gentleman yield?

Mr. LAIRD. I yield.

Mr. MACGREGOR. Calling the gentleman's attention to page 11 of the committee report accompanying the legislation, I note the reference to "$3,200,000 to equip the Communicable Disease Center Facility for which funds were appropriated last year." Does this refer to the center in Atlanta, Ga.?

Mr. LAIRD. Yes; that is the center in Atlanta, Ga. This amount is for equipment to complete the facilities for which we appropriated construction funds last year and the year before.

Mr. MACGREGOR. It is my understanding, if the gentleman will yield further, that a fundamental part of the tubercular research is carried out at the present time in a tuberculosis research center located here in Washington, D.C.

Mr. LAIRD. Part of the activity is carried on here in Washington, D.C.

Mr. MACGREGOR. It is also my understanding that originally it was proposed to move this facility, along with its personnel, sometime in 1964, but that just recently there had been a tentative decision to move in June of this year. Is the committee familiar with that situation?

Mr. LAIRD. Yes, we are familiar with the general situation. I think this decision has been approved by the Surgeon General, but not by the Secretary of Health, Education, and Welfare as of this date.

Mr. MACGREGOR. If the gentleman will yield further, I would like the RECORD to show that the Glen Lake Sanitorium located in Hennepin County, Minn., has been a participant for approximately 10 years in the coordinated effort of the tuberculosis research center here in Washington, with the aim and object of ultimately eliminating tuberculosis as a communicable disease in our country. The work of this sanitorium is known personally to me, and it is of a very high character. Research work has been conducted for some time at this sanitorium in connection with the operation of certain drugs on control groups; the work is a fine example of applied clinical research and is designed to keep tuberculosis at a low level and in a latent stage.

I have been disturbed by the fact that almost 90 percent of the more than 100 people in the tuberculosis research center here, when recently questioned as to their willingness to move to Atlanta, Ga., indicated that they would not move. There is a fear on the part of the people administering this program at the Glen Lake Sanitorium and elsewhere, that this program would be fatally interrupted if there is a precipitate move from Washington to Georgia, that it would decimate the most vital part of the program—the people who run it.

I should like further to advise the gentleman that Dr. John Porterfield, the Deputy Surgeon General, assured me that before there was any move of this tuberculosis research center from Washington to Georgia, we could be certain that the personnel in Georgia were adequately trained, or the personnel moving from here had agreed to go, so that there would be no interruption in this program.

I should like to say, in my opinion, this is a matter of vital importance not only to the Glen Lake Tuberculosis Sanitarium in my district but to the 20 or 25 tuberculosis sanitariums throughout the country that are working in cooperation with the research center here to try to stamp out this, one of the most vicious of our communicable diseases.

Mr. LAIRD. I thank the gentleman from Minnesota. I will be glad to look into this. He called this matter to my attention last week. We had some discussion about it at that time. It was my understanding when we checked on this that the move had not been approved finally as yet. We will certainly look into the matter. We appreciate all the information and help the gentleman has given us.

Mr. MACGREGOR. It is my understanding that the matter is under reconsideration. I will feel a lot easier if I know the gentleman from Wisconsin and the committee chairman, the gentleman from Rhode Island, will watch to see that there is no diminution in the wonderful work being carried on with the $6 million being appropriated thus far for tuberculosis research. I thank the gentleman, and I should like to commend him for his comments here with respect to the diversion of funds allocated by this Congress for specific uses, and allocated by the executive branch of the Government to other uses.

Mr. BOLAND. Mr. Chairman, will the gentleman yield?

Mr. LAIRD. I yield to the gentleman from Massachusetts.

Mr. BOLAND. I know the gentleman from Wisconsin has followed with interest many of the projects in the National Institutes of Health. I would like to get some help from him to assist me in replying to a letter from one of my constituents which indicates he has some concern over one of the projects in the NIH. It has to do with the allocation of $1,201,925 for a study of the "Effectual Relationships of the Infant Monkey to His Mother."

The complete letter is as follows:

WEST SPRINGFIELD, MASS., *March 6, 1962.*

Hon. EDWARD P. BOLAND,
House of Representatives,
Washington, D.C.

DEAR MR. BOLAND: A news item in the West Springfield Record, datelined March 1, 1962, states that the National Institutes of Health have been allotted $1,201,925 for a study of the "effectual relationships of the infant monkey to his mother."

Can it be true that when our Federal deficit amounts to billions of dollars a year and the public debt is approximately $300 billion, that the Representatives of our people in Congress feel it a wise expenditure to find out if and why a baby monkey loves his mother? Could it be possible that the information as given in the local paper is taken out of context? If not, what would be the reasoning of our Representatives to authorize expenditures of this nature?

Does it not seem ironic to you that if such an expenditure is to be made that it is necessary that we enlist the aid of housewives and schoolchildren to go from house to house asking for contributions to aid in the research to determine causes and cure of cancer? Similarly, the same type of pleading goes for donations of dollars toward similar assistance for medical research in other fields such as heart disease, polio, et cetera. Does this not seem like a sad commentary on our judgments as to the collection and expenditures of our wealth?

We shall be interested in your comments.

Very truly yours,

C. MILTON EKBERG.

Mr. BOLAND. I think I know the answer. I recognize this is an important program, but I know the gentleman knows it much better than I, and therefore I would appreciate his reply to the inquiry.

Mr. LAIRD. Mr. Chairman, I am glad the gentleman from Massachusetts [Mr. BOLAND] asked this question. This is a grant recently made to Prof. Harry Harlow of the University of Wisconsin for comprehensive behavioral studies of monkeys. This grant has been publicized in a prejudicial and uninformed way. As a result, many members have received correspondence from constituents who have expressed themselves as being opposed to expenditure of funds for such studies.

These press items were published before the appropriation hearings for the National Institutes of Health were held, and the hearings offered an opportunity to go into this matter carefully, critically, and at length.

I want to set the record straight at this time for a number of reasons. First, serious scientific work of great value has been held up to ridicule on the basis of misinformation. Second, it is perfectly plain that there is a remarkable coincidence in that many of those who have been most active in publicizing this grant in an unfavorable way are also among those who oppose adequate support of medical research. Third, the mechanism for providing information to Congress on National Institutes of Health research grants is faulty, and the deficiencies of the procedure account in large part for the distorted version of Professor Harlow's work which reached the press. I will propose a change in this system.

Professor Harlow's work has been lampooned as a study of monkey business on why monkey babies love their mothers. This caricature is all in good fun until it is taken seriously and used as a weapon to attack appropriations for medical research. At this point, the matter becomes serious, and I wish to treat it seriously.

There is now no doubt whatever that the relationship of a child to its mother can establish a large part of a child's enduring personality, and affect mental health and illness. A hostile relationship can generate personality difficulties.

Absence of the mother can have very serious consequences for children.

Now, we cannot deliberately treat children as experimental subjects—depriving them of their mothers and so forth—in order to study them and their behavior scientifically. We can do this with animals. Various species of monkeys are the closest to humans of all animal species. They are close enough to humans so that the results of studies on them are directly relevant to human behavior, even though the results are not directly applicable. There has recently been some irresponsible talk ridiculing the idea that experiments on monkeys are relevant to man. I have often wondered whether people who talk this way think that it was an accident that a chimpanzee was chosen to precede man into space. The minds, as well as the bodies, of these animals are close enough to man to make results of experiments relevant to man.

Actually, Professor Harlow's studies extend far beyond the relationships between children and mothers. He is studying the learning process in monkeys and how well monkeys at different age levels learn. He is looking into brain damage of infant monkeys before, during, and shortly after birth by deliberately creating damage and measuring the consequences for learning, behavior, intelligence, and physical development. This is obviously related to study of mental retardation in humans, and it is the kind of controlled experiment that is not possible on humans.

Dr. Harlow is looking into the cause and cure of a number of diseases related to the absence of specific enzymes in the body. Some of these diseases can be produced in monkeys, and the diseases studied in a controlled manner. This work is also directly related to the study of mental retardation in humans.

In short, it takes no more than acquaintance with a few simple facts to realize that Professor Harlow's research is scientifically serious and related to specific human problems. These facts could have been determined with ease by any Member of the House who would take the trouble to ask the National Institutes of Health to supply them. Many Members have done so, and are well informed. Others secure information routinely under a procedure which gives them only the title of the project. The procedure is faulty for this and other more fundamental reasons, and I will urge that the procedure be abandoned.

The cost as well as the content of Professor Harlow's research has been criticized. The kinds of studies that he and his group carry on are expensive. They require a large animal colony and care of the animals over a long period. The team of research scientists and technicians required for the studies is substantial. The budget totals approximate $1 million over a 5-year period.

The most important point in connection with the budget is that it has gone through a double review procedure. First, a group of outstanding scientists who comprise a cross section of the most able experts in the country in Professor Harlow's field of research have reviewed his research proposals and the prospective costs. They gave the studies a very high rating and recommended the proposed budget. Then, the National Advisory Mental Health Council reviewed the opinions of the initial reviewers. This Council is a body established by Congress, and by law it consists of outstanding laymen as well as scientists. The Surgeon General cannot make a research grant unless the Council recommends favorable action. The Council did recommend that the grant be made to Professor Harlow in the amount proposed. It would be difficult to establish a review procedure that would surpass the one to which this grant was subjected. Let me summarize the actual review procedure and the findings of reviewers on this grant:

Dr. Harlow's research grant applications have been reviewed three times since the original award in 1954; these reviews occurred in June 1957, in March 1958, and, most recently, in November 1960. The reviewers in all cases have been uniformly enthusiastic about Dr. Harlow's research. In 1958, for example, the reviewing study section indicated that Dr. Harlow's request for support should be recommended for approval because his developmental study is among the best that has been attempted and it ought to be continued over a longer period of time with an increased number of animals. The reviewers also expressed the opinion that Dr. Harlow's laboratory is the only first-class primate laboratory in the country devoted largely to the study of behavior. Further, both the study section and the National Advisory Mental Health Council felt that Dr. Harlow and his ingenious group could be counted on to uncover many new leads and make new discoveries not now predictable, and that contributions from this laboratory can be expected. * * * Other comments referred to the outstanding effectiveness with which Dr. Harlow has organized this large-scale research program, freeing himself from routine duties, so that he can devote his creative talents to the laboratory and to the planning and interpreting of research. One of the additional gains which has resulted from Dr. Harlow's work is the training opportunity which his laboratory affords, on both a predoctoral and postdoctoral level. Scientists who have received this training have been in demand in other laboratories and have made noteworthy contributions in their own right.

I am sure that few persons who have questioned the wisdom of this grant have any idea of the caliber of the many individuals—scientists and laymen—who have critically analyzed this proposal before the final decision on payment was made.

Of course, the key to the quality of the research is Professor Harlow himself. From the press comment and letters from constituents, a person would come to the conclusion that Dr. Harlow is a combination quack and impractical, absentminded professor. We have an unfortunate habit in this country of looking at our scientists that way. First, we ridicule them; then we hold them in awe when the results of their work—which none of us in this Chamber are capable of really understanding and judging—are applied with spectacular results.

Let me summarize Dr. Harlow's qualifications: He has vigorously pursued a distinguished academic and research career ever since he received his doctorate in 1930. He is a full professor of psychology at the University of Wisconsin and has served as chairman of his department. In 1955 he was named George Cary Comstock research professor in psychology at Wisconsin; he was a Carnegie fellow in anthropology at Columbia University in 1939–40; he served as Chief of Human Resources Research for the Army in 1950–52 and is a member of the Army Scientific Advisory Panel of the Office of the Secretary of Defense.

Among other honors and distinctions, he has served as editor of the Journal of Comparative and Physiological Psychology since 1951. He was president of the Division of Anthropology and Psychology of the National Research Council in 1954–56, and president of the American Psychological Association in 1957–58.

Since 1954, when he received his first Public Health Service research grant, he has published some two dozen articles in various scientific journals. In 1960 he received the "Distinguished Scientific Contribution Citation" of the American Psychological Association, which carries with it a $1,000 award. The citation, itself, is an indication of the attitude of his scientific colleagues toward Dr. Harlow's work and reads as follows:

For his indefatigable curiosity which has opened up new areas of research in animal behavior and has helped greatly to keep comparative psychology near the center of the psychological stage. * * * His unswerving devotion to fact, observation, and experiment has given his contribution an integrity of inestimable value to scientific psychology.

Dr. Harlow's research is supported not only by the National Institute of Mental Health, but by other important organizations. Other parts of the Public Health Service are financing his work on the effect of radiation in animals. The Ford Foundation and the Department of Defense have both considered his research to be so significant that they have given him substantial financial aid.

In summary, on every count, the decision to support Professor Harlow was a sound one. Review of the facts can lead only to the conclusion that those who have protested against aiding this research are ignorant of the facts, or that they have used this grant as a weapon to attack medical research in general, and, in particular, aid to medical research through the appropriation for the National Institutes of Health.

The chairman of the subcommittee in charge of that appropriation has stated the case for the appropriation in masterful terms. I support the appropriation. Professor Harlow's work provides an opportunity to bring not only his research, but the superb system of Federal-university cooperation in medical research again to the attention of the House. I am confident that the full appropriation will be voted.

I would like to turn briefly now to another matter. How could such a garbled, partial version of a serious research effort be widely disseminated? The answer lies in a procedure promulgated by the executive branch. I refer explicitly to an order put out by the Department

of Health, Education, and Welfare, effective January 2, 1962, which requires that Congressmen be notified of grants made in their districts before the scientist or institution receiving the grant is notified. This includes institutional grants, demonstration grants, construction grants, and program grants.

This procedure goes far beyond the provision of information which Congress needs to do its job. I am for full disclosure to Congress of all executive acts which bear upon the effective discharge of the constitutional responsibilities of Congress. But I am opposed to a system which threatens the effectiveness of a splendid system of support for medical research and other activities, and which is intended simply to place Congressmen in a position to make political capital out of grants distributed on the basis of entirely nonpolitical factors. That is the purpose of the HEW directive. The people in the Department no doubt meant well in this offer of information to Congressmen, but I do not believe that they understood the full implications of their action, or the reaction of the House.

Let me be more specific as to why this procedure is obnoxious to me.

Most important is the fact that the grants in question are made on the basis of objective judgments, generally on the basis of advice from distinguished scientists and other citizens selected from all over the country. There is no political influence in the award of the grants. When a Congressman issues a press release announcing such a grant to his district before the recipient hears about it, there is the clear implication that he played a part in the selection process. I have heard of cases in which scientists engaged in medical research have read a number of different newspaper announcements of grants—from Congressmen and Senators—before receiving official notification of grants. This is wrong, and it is a threat to a system which has thus far distributed funds solely on the basis of merit without any tinge of political motives or interests.

Congress does have the continuing responsibility to examine the operation of these programs, to criticize them, and to set levels of appropriations. I would not tolerate any withholding of information relevant to these responsibilities.

But the procedure to which I object cannot help the Congress carry out its responsibilities. Over the long run it will hamper effective congressional action.

If any Congressman wants to secure information about any individual grant made by any part of DHEW, I am sure that appropriate information will be made available. Certainly I have never encountered any difficulty on this score, and I trust that other Members of the House have had the same experience. In this connection, in my judgment, HEW cannot give Congressmen the full details of individual grants. These grants are made to further the work of scientists and their institutions, and these scientists are not competent to tell what the money is being used for. Interpretation to Congressmen, to newspapers, or to anybody else, of the details of the use of a grant should continue to remain the privilege of the recipients. In my judgment, if anyone in the Congress wants to know what a grant is about, or to make any statement about the purpose of a grant, he should ask the scientist or institution concerned. Otherwise, the consequences are likely to be harmful.

Let me call to the attention of my colleagues some of the consequences of their notifying universities and scientists of research and other grants. People who receive these grants will begin to assume that we influence individual decisions on these matters. They will hold their Congressmen responsible for requests that are turned down, as well as those that are approved. They will begin to route these requests through your offices. This is bad for science and scientists. It is bad for universities. And it will be bad for Congressmen. The basic reason why it is bad is that these grants are nonpolitical. To inject a political note through implying that individual Congressmen have influence in the award of these grants is a disservice to the country.

I trust that Secretary Ribicoff will recognize that the new procedure is misguided, harmful, and wasteful, and that it will be withdrawn.

Mr. BOLAND. I am delighted at the gentleman's observation, and I appreciate his comments. I thank the gentleman.

Mr. HALL. Mr. Chairman, will the gentleman yield?

Mr. LAIRD. I yield to the gentleman from Missouri.

Mr. HALL. I appreciate the comments of the distinguished gentleman. I think it might be summarized, and I say this as a man who perhaps has had as much experience with experiments on animals as anyone on the floor. It might be that some raised the question of superiority until someone came along and gave the evolution of the species by Darwin, so now they do not know whether he is his brother's keeper or the keeper of his brothers. Now I would like to go from the ridiculous to the sublime. I call your attention to page 14 of the report. This has reference to the committee and the House grant last year of $10 million for the construction of a hospital research facility of a particular type. The last sentence reads:

> The committee hopes that the indications of its feelings during the course of the hearings and through this report will stir the Department to a little more activity.

Does that mean that this is still an appropriated fund and can still be held over and used for the construction of this hospital if the Surgeon General of the U.S. Public Health Service, in his wisdom, and the people of the location got together and decided that they were finally going to start this $10 million or $11 million hospital?

Mr. LAIRD. Most of the funds are still available.

Mr. FOGARTY. Mr. Chairman, will the gentleman yield?

Mr. LAIRD. I yield to the gentleman from Rhode Island.

Mr. FOGARTY. They are available and could still be used if applications are submitted for good projects and approved before next July 1.

But we have been told the people have still not come up with a complete plan.

Mr. HALL. I know they have been slow, and I know why they have been a little slow, and I am not contesting that. I just wanted to know whether the funds were still available.

Mr. LAIRD. The funds are available under the terms of the appropriation made last year. I thought you were directing your attention to the language of the committee report. The committee report does not make funds available. That language encourages them to put to good use the appropriation of last year, which funds are still available.

Mr. HALL. I certainly understand the rules and the procedure that the report does not bear on the actual appropriation. But I used it as a point. In fact, is this another example of where the administration has not expended or followed the direction or the intent of Congress?

Mr. LAIRD. This is partially that, but I think the people involved with the projects have not come forward with the complete application under the rules and regulations which have been set forth by the Surgeon General for this program. I am not referring just to the situation in Rochester with reference to the Methodist Hospital—but some of these people that are interested in making applications feel that the restrictions that have been set up for the applications have been a little too severe. They are hopeful that some changes can be made in the policy guidance.

Mr. HALL. Will the gentleman yield further?

Mr. LAIRD. I yield to the gentleman from Missouri.

Mr. HALL. Going back to the gentleman's very well-taken remarks that in many areas in order to balance the budget or to keep it from being in deficit further, we have not expended funds that were appropriated. Has the committee in its wisdom seen fit to direct the administration to spend such funds as are authorized in this bill and subsequently appropriated, as we considered them in the Armed Services Committee until the distinguished chairman took the walk in the rose garden?

Mr. LAIRD. It is the feeling of our committee that this cannot be done. We can merely appropriate and it is up to the executive branch to make the determination as to whether the funds will be expended.

Mr. PIRNIE. Mr. Chairman, will the gentleman yield?

Mr. LAIRD. I yield to the gentleman from New York.

Mr. PIRNIE. Mr. Chairman, I would like to commend the gentleman for his remarks, particularly those remarks relating to the inclusion in this appropriation bill of the correct entitlements to the impacted areas for the advancement of educational programs in those areas. I am very sure that the action reflects the intent of Congress. I would like to commend the entire committee for its action.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. LAIRD. I yield to the gentleman from Iowa.

Mr. GROSS. I am still lost in the rose garden. I wonder if the gentleman can clear this up for me:

Now, what happens to these funds that have been reserved and which have been referred to in this discussion, applying, as I recall the hearing record, both to the Department of Labor and to the Department of Health, Education, and Welfare? With respect to the reservation of funds, what happens to these funds? Are they continuing funds? What happens to them?

Mr. LAIRD. In most cases, I would say to the gentleman from Iowa, the funds lapse on June 30 of this year. Take, for instance, the Food and Drug Administration, those funds will lapse. The funds of the National Institutes of Health that are in reserve will lapse. We will have a total in lapsed accounts in 1962 of in the neighborhood of about $80 million or so under the current reserves.

Mr. GROSS. Will the gentleman yield further?

Mr. LAIRD. I yield to the gentleman.

Mr. GROSS. If the gentleman will take another minute or two, can the gentleman give us any idea of how much is to be carried over as a result of this reservation or reserving of funds by the executive branch of the Government?

Mr. LAIRD. I do not have the exact figures but it would be a relatively small amount.

Mr. GROSS. If the gentleman will yield further, practically all of this money then must revert to the Treasury as of July 1 of this year?

Mr. LAIRD. Almost all of the reserves will.

Mr. BENNETT of Florida. Mr. Chairman, will the gentleman yield?

Mr. LAIRD. I yield to the gentleman from Florida.

Mr. BENNETT of Florida. With regard to the comments which the gentleman made in connection with the primate study, I would like to point out that it looks as if possibly the results of this legislation might be that an institution in the district which I represent, the Yerkes Laboratory for Primates, which has been in existence now for a third of a century, will be wiped out because of certain funds being made available in the way in which this bill is making them available. I am still making my studies on this. I am not sure this is so, but I do know that the threat is very possible. I do not know whether I will offer an amendment on it or not at this time, but I would like to have it pointed out on the floor of the House that for a third of a century, at Orange Park, Fla., there has been a primate study laboratory, a fine one, called Yerkes Laboratory. As I understand, if facilities are made available to Emory University in Atlanta for a southeastern primate study laboratory, the chances are very great today that this one in Orange Park, which has existed all this time, will be abolished, because of the fact that Federal funds are made available to Emory University for the southeastern primate laboratory.

If that is what happens, this will mean that the Federal Government will be expending Federal moneys to wipe out a free-enterprise institution, philanthropically run, for a third of a century in this field, and which is the primary laboratory in this field.

I should think certainly that it would be a rather serious and sad commentary upon the utilization of Federal funds appropriated by the U.S. Congress. As I say, I am not sure of all these details. I do know, however, that the Yerkes Laboratory is a leader in this field. I do know of things that have appeared in the press and I know that apparently if funds are made available to Emory University, which has a titular title to this, although it does not have the entire beneficial title—Yale University was the one that developed it—we have a situation of having local universities, Jacksonville University and the University of Florida, in the community, not knowing that they would have the opportunity to do this sort of work. It is my opinion that some opportunity should be made available so that these local universities may be able to save this fine institution, Yerkes Laboratory, which would be wiped out by the expenditure of Federal funds.

Mr. LAIRD. Mr. Chairman, I would like to say to the gentleman, that as far as primate colonies are concerned, we have already established three new primate colonies in the last 3 years; one in Washington, one in Oregon, and one is being established now at the University of Wisconsin. But from the testimony which has been given to our committee we have a great shortage in this area.

Mr. BENNETT of Florida. Apparently Emory University is going to abolish Yerkes Laboratory if it gets these funds for this laboratory. That is what I am fearful of. I think the public ought to have an opportunity to save this laboratory. The actual result will be, as I understand, that Emory has said that if it gets these Federal funds it is going to abolish Yerkes Laboratory so that actually Federal funds will be abolishing a fine, philanthropic organization which has done probably the best work that has been done in this field in our country.

Mr. LAIRD. I do not think the grant has been approved to Emory University.

Mr. FOGARTY. Mr. Chairman, will the gentleman yield?

Mr. LAIRD. I yield to the gentleman from Rhode Island.

Mr. FOGARTY. We do not make decisions such as is involved here. If a determination is made it will be made by the National Heart Advisory Council. We have never interfered with their proceedings. It is not a decision that we make in our committee.

Mr. BENNETT of Florida. Mr. Chairman, to make clear what the actual situation is, Yerkes Laboratory was established by Yale University a long time ago. Very recently Emory University acquired titular title, but not entire beneficial title. However, it does have titular title. In no other university in the area where Yerkes Laboratory is, would thought have been given to trying to underbid or get away this southeastern laboratory because they would have assumed that Emory University would not move the Yerkes facility away. Emory has now sought to obtain a facility from the Federal Government which they apparently expect to use to wipe out Yerkes Laboratory.

Mr. LAIRD. They have an application in.

Mr. BENNETT of Florida. I understand it has been approved and that nobody in the executive branch thinks he can stop this approval.

Therefore, it is probable that it would take legislation to allow other universities and colleges to have an opportunity to get into this field to preserve Yerkes Laboratory, they having been misled.

Mr. LAIRD. It does not take legislation; any university or college can make application.

Mr. BENNETT of Florida. Not at this stage. If they could, I would be very happy about this bill.

Mr. LAIRD. I am sure they can make application because other primate centers will be constructed.

Mr. BENNETT of Florida. Then, can we have it as a part of the legislative process on this bill that they would be open for other universities to be considered in this?

Mr. LAIRD. I am sure it was open at the time Emory put in their application.

Mr. BENNETT of Florida. At the time Emory did, nobody in the locality thought that Emory was going to move away from the Yerkes Laboratory. At that time, other universities were much closer to the facility and utilized this facility a great deal more than Emory itself in regard to the research, and probably did not put one in too for the simple reason that they thought Emory was going to leave it there. That is where the unfairness is in this.

Mr. LAIRD. This is a matter that the National Heart Council has to pass on. The funds have not been released by the administration for that project as yet.

Mr. BENNETT of Florida. I hope they will not be released until universities and colleges in the area may have an opportunity in this field.

Mr. HIESTAND. Mr. Chairman, will the gentleman yield?

Mr. LAIRD. I yield to the gentleman from California.

Mr. HIESTAND. I understand on research contracts let by the National Institute of Health, there is an arbitrary limitation of 15 percent on indirect costs. An institution in the area I represent, the California Institute of Technology advises me on a contract of $1,300,000 their indirect cost is 28 percent, meaning that they would have to pick up 13 percent of the direct cost and on that ratio, a loss of $178,000. Has the committee considered adjusting that ratio to the total cost?

Mr. LAIRD. The gentleman from Rhode Island commented on this earlier in the discussion today, and I agree with him that this is a matter that needs review. I personally believe we have to establish some sort of uniform policy on overhead costs on these grants and contracts. We have the Department of Defense paying as high as 100 percent for indirect costs. We have the National Science Foundation paying a different percentage than the Atomic Energy

Commission. We have all of these various governmental agencies in this program of direct research grants to colleges and universities, and the amount of indirect cost allowed varies considerably. I feel this is a policy decision that has to be made by our Committee on Appropriations and we have to arrive at some uniform rate of indirect overhead costs. Last year I suggested a 20-percent limitation. It is my hope that this will be done, and we hope to arrive at some decision by the time this bill goes to conference.

Mr. HIESTAND. Does not the gentleman and the committee, of course, realize that indirect costs must vary very greatly depending on the type of research?

Mr. LAIRD. They vary greatly. I understand that and they vary a great deal depending on the kind of accounting procedure that the individual schools use. We are presently studying an investigative staff report on this whole matter. It is my hope that this question can be satisfactorily resolved this year.

Mr. HIESTAND. Does the gentleman have an idea that some relief or flexibility can be worked in?

Mr. LAIRD. Yes, I hope so and I favor working out a compromise proposal which will be fair to our universities and colleges.

Mr. HIESTAND. I thank the gentleman.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CAREY. Mr. Chairman, the bill before us today is not one in which either we save dollars or save lives but rather an object lesson in how to spend wisely so that more of our citizens may live more days in health and comfort in years to come.

The distinguished chairman of the Subcommittee on Appropriations, our colleague, JOHN FOGARTY, of Rhode Island, who has brought out this bill and all the members of his subcommittee, deserve credit for foresight, recognition for their depth of understanding and praise for their diligence in a most complicated field. What they are saying to us today is "Nation, cure thyself." The message of this bill is that we mean to continue to lead the world in research, discovery, prevention, and cure in every field of mental and bodily welfare. It is a call for progress in reducing the irritation and damage of air pollution and the end to the despoiling of the waterways of the Nation.

Among other things, I commend the subcommittee for taking action that will allow the implementation of a plan for control of venereal diseases. A distinguished force, under the leadership of Dr. Leona Baumgartner, commissioner of health in the city of New York, has made a thorough study of this program and comes forth with valuable recommendations. These can be brought to bear on the problem as a result of our action on this day.

One of the most significant features of this bill is the allocation of $130,599,000, an increase of $24,723,000 over the amount appropriated for 1962 for mental health activities. This increase, and the concern of our Government in this most challenging field, is due in no small measure to the activities of the Joint Commission on Mental Illness and Health. Dedicated people in and out of Government who work in this field can take an increased measure of hope from the interest of the Congress in a concerted effort that will treat the whole maze of problems, including but not limited to, drug addiction, alcoholism, psychoses, and mental retardation with due regard for the basic and applied research so vital to this program. I hail the further foresight of my colleagues in the provision for increased care in the treatment of chronic diseases and health of the aged.

The exceptional citizens of our country, such as those who are deaf, will have more teachers under the provisions of this bill. Retarded children will be benefited through increased programs of the National Institute of Neurological Diseases and the National Mental Health Institute.

The other programs which are encouraged, expanded, and accelerated through the efforts of this outstanding subcommittee of the Congress are too numerous to mention and yet each in its own way is of importance to thousands of our citizens in need of help. The work of the Congress today in extending a humane and forthright hand to our fellow citizens means "heap good medicine" in the future of this Nation.

Mr. FOGARTY. Mr. Chairman, I yield 5 minutes to the distinguished gentlewoman from Missouri [Mrs. SULLIVAN].

Mrs. SULLIVAN. Mr. Chairman, this bill once again—as it has been every year in which Congressman FOGARTY has served as chairman of the subcommittee handling it—is a most remarkable piece of legislation, for it uses the vehicle of an appropriation bill to do much more than merely provide funds for some Government agencies. As usual, the report accompanying the bill prods, stimulates, encourages, directs and scolds the agencies having such tremendous responsibility for the health and well-being of the American people to do a better job with the generous funds we give them—and to use imagination and courage in pursuing new avenues of service to the public.

I do not want to take the time here to try to comment on everything in the bill or report. But I do want to single out several items in which I am particularly interested. For instance, the bill provides the maximum amount possible under law for programs now in effect for fellowships for training teachers of the mentally retarded and the deaf. These are good programs, which we have enacted just in the past few years—the retarded children program in 1958, I believe, and the program for the deaf last year. The subcommittee urges legislative action to remove some of the restrictions on appropriations, so that more can be spent than the $1 million a year now authorized for the retarded program and the $1,500,000 for training teachers of deaf children.

Fortunately, the Subcommittee on Special Education of the House Committee on Education and Labor has been conducting hearings on bills for encouraging the training of more teachers for all categories of exceptional children. I am very proud of the fact that my bill on this subject, H.R. 15 in this Congress, was the first measure ever introduced to provide for an overall program of Federal fellowships and scholarships for teachers of exceptional children, including the gifted as well as the handicapped children. The predecessor of H.R. 15 was introduced in 1957. I am hopeful that this legislation can finally be enacted. The need for good teachers, specially trained in working with exceptional children, is urgent.

Mr. Chairman, I am happy to note that virtually every dollar recommended in the President's budget for the Food and Drug Administration is included in this bill today. The increase of $5,280,000 for FDA over the amount appropriated for the current fiscal year will make possible a substantial step-up in enforcement activity in some of the most vital areas of consumer protection. The report notes that some members of the Committee on Appropriations apparently felt the FDA budget is too high. I am glad to note that the committee nevertheless went along with the Fogarty subcommittee on this, for it is obvious to anyone who studies the full operations of the Food and Drug Administration that its job is a never-ending one and the proper performance of that job is essential to every citizen.

The new budget will make possible a significant increase in the number of agricultural shipments which FDA can inspect for evidence of illegal residue of pesticides. With the increase recommended, the Food and Drug people will be able to double their present inspection activity in this area—from about one-third of 1 percent of agricultural shipments to about two-thirds of 1 percent. If a similar increase is provided again the following year, we will then get up to the bare minimum of safety in this area by providing for about 25,000 such inspections a year out of the total of 250,000 shipments—the goal of 1 percent coverage.

I am sorry that 2 years ago, when I tried to amend the bill to provide then for sufficient funds to make a 1 percent sample each year, the managers of the bill felt they had to oppose me on this. I realize that the Fogarty subcommittee usually stands together, usually in unanimous action on this major appropriation bill, but I am indeed sorry that the decision 2 years ago was to hold to a less-than-adequate budget and to oppose my efforts to increase it. If my amendment had been accepted 2 years ago, we would by now have been up to the 1 percent level of coverage on pesticides inspection, and furthermore all of our FDA district offices and labs would have been modernized by now. This way, we still have another 2 years to go on both objectives. The goal of my amendment on radioactivity surveys of food is not yet even in sight 2 years later.

However, in view of the magnificent work done by the subcommittee again this year in so many different areas of consumer health and protection, I certainly do not want to appear to be critical over something that happened 2 years ago.

Mr. Chairman, the most important need for protection of our consumers now in the food, drug, and cosmetic field is in the strengthening of the basic law. The President has called for this and I know there is widespread support for it. I do not know what is taking the executive agencies so long in sending their reports to the Committee on Interstate and Foreign Commerce on H.R. 1235 but I certainly wish they would get busy on it. I checked with the committee again last night and the reports requested on H.R. 1235 in February 1961—13 months ago—from HEW, Treasury, Justice, Commerce, Agriculture, and the Budget Bureau still have not been filed with the committee. Meantime, the loopholes remain in the basic law.

Mr. LAIRD. Mr. Chairman, will the gentlewoman from Missouri yield?

Mrs. SULLIVAN. I will be delighted to yield to the gentleman from Wisconsin.

Mr. LAIRD. I would like to state with regard to the amendment of 2 years ago by the gentlewoman, in 1962 the administration froze funds in the Food and Drug Administration. We appropriated at a level, for the Food and Drug Administration, salaries and expenses, of $23 million. The New Frontier froze the item for "Salaries and expenses" by $903,000 in the area of certification, care, inspection, and other services. This adds up to a total in the Food and Drug Administration of $1,118,000, or a total reduction from the appropriations which we made of $2,633,000.

I point that out because in talking about whether you reach this 1 percent level or not, an amendment increasing funds last year would not have done any good. The administration did not even spend the amount appropriated by this Congress; yet they keep sending messages up here about the importance of the Food and Drug Administration, and try to put the onus on the Congress for not cooperating in this program. We are cooperating. They are not going along with the expenditure of revenue that Congress has made available. I think this should be made known to the American people.

Mrs. SULLIVAN. I am glad the gentleman is doing it. I hope the gentleman will explain why the funds were frozen.

Mr. LAIRD. I am not in position to explain the reason for the President's refusing to spend these funds of the Food and Drug Administration. I believe the inquiry should be directed to the President of the United States and not to me as a minority member of the House Committee on Appropriations. I will insert at this point in the RECORD a table setting forth appropriations and reserves for 1962 in the Department of Health, Education, and Welfare as of 12 p.m. today:

Department of Health, Education, and Welfare appropriations and reserves, fiscal year 1962

	1962 appropriation	Formal reserves			Administrative reserves	Total reserves
		For savings	For obligation in subsequent years	For other contingencies		
FOOD AND DRUG ADMINISTRATION						
Salaries and expenses	$23,000,000	$633,000			$243,000	$903,000
Certification, inspection, and other services (indefinite)	(1,882,000)		($1,016,622)		(92,000)	(1,108,622)
Pharmacology-animal laboratory building	1,750,000			$1,730,000		1,730,000
Total, Food and Drug Administration	24,750,000	633,000	(1,016,622)	1,730,000	243,000	2,633,000
OFFICE OF EDUCATION						
Promotion and further development of vocational education	33,672,000					
Further endowment of colleges of agriculture and the mechanic arts	8,194,000					
Land-grant college aid, Hawaii	3,775,000					
Grants for library services	7,500,000					
Payments to school districts	231,293,000					
Assistance for school construction	54,850,000					
Defense educational activities	211,627,000	15,843,000	18,870,000	37,520,000		72,233,000
Expansion of teaching in education of the mentally retarded	1,000,000					
Training teachers of the deaf	1,500,000				16,000	16,000
Salaries and expenses	11,669,000				123,000	123,000
Cooperative research	5,000,000				352,000	352,000
Total, Office of Education	570,080,000	15,843,000	18,870,000	37,520,000	491,000	72,724,000
OFFICE OF VOCATIONAL REHABILITATION						
Grants to States	64,450,000					
Research and training	20,250,000				377,000	377,000
Research and training (special foreign currency program)	1,372,000					
Salaries and expenses	2,325,000				40,000	40,000
Total, Office of Vocational Rehabilitation	88,397,000				417,000	417,000
PUBLIC HEALTH SERVICE						
Buildings and facilities	18,230,000			17,705,858		17,705,858
Accident prevention	3,618,000				62,000	62,000
Chronic diseases and health of the aged	10,958,000				1,193,000	1,193,000
Communicable disease activities	10,000,000				233,000	233,000
Community health practice and research	24,336,000				202,000	202,000
Control of tuberculosis	6,493,000					
Control of venereal disease	6,000,000					
Dental services and resources	2,500,000				100,000	100,000
Nursing services and resources	7,675,000				82,000	82,000
Hospital construction activities	211,500,000				1,883,000	1,883,000
Air pollution control	8,800,000				336,000	336,000
Milk, food, interstate and community sanitation	7,424,000			1,457,000	99,000	1,556,000
Occupational health	3,981,000				39,000	39,000
Radiological health	10,647,000					
Water supply and water pollution control	20,328,000			500,000	1,129,000	1,629,000
Grants for waste treatment works construction	80,000,000					
Construction, environmental health center						
Foreign quarantine activities	6,084,000			55,000	1,000	56,000
Hospitals and medical care	49,835,000			111,000		111,000
Indian health activities	53,010,000					
Construction of Indian health facilities	8,285,000			1,389,975		1,389,975
Construction of mental health-neurology research facilities				12,028,000		12,028,000
National Institutes of Health						
General research and services	127,637,000			0	2,163,000	2,163,000
National Cancer Institute	142,836,000			4,393,000	11,404,000	15,797,000
Mental health activities	108,876,000			137,000	913,000	1,050,000
National Heart Institute	132,912,000			6,225,000	13,370,000	19,595,000
National Institute of Dental Research	17,340,000			321,000	1,710,000	2,031,000
Arthritis and metabolic disease activities	81,831,000			577,000	216,000	793,000
Allergy and infectious disease activities	56,091,000			140,000		140,000
Neurology and blindness activities	70,812,000			3,570,000	1,460,000	5,030,000
Grants for construction of cancer research facilities	5,000,000					
Subtotal, National Institutes of Health	743,335,000			15,363,000	31,236,000	46,599,000
Grants for construction of hospital research facilities	10,000,000					
Grants for construction of health research facilities	30,000,000					

Department of Health, Education, and Welfare appropriations and reserves, fiscal year 1962—Continued

	1962 appropriation	Formal reserves			Administrative reserves	Total reserves
		For savings	For obligation in subsequent years	For other contingencies		
PUBLIC HEALTH SERVICE—Continued						
Scientific activities overseas (special foreign currency program)	90,000,000					
National health statistics	4,642,000				$147,000	$147,000
Operations, National Library of Medicine	2,664,000			$150,000	15,000	170,000
Retired pay of commissioned officers, indefinite	(2,180,000)					
Salaries and expenses, Office of the Surgeon General	5,375,000				66,000	66,000
Civil defense medical stockpile	13,000,000					
Total, Public Health Service	1,367,122,000			49,764,833	35,803,000	85,567,833
ST. ELIZABETHS HOSPITAL						
Salaries and expenses	5,195,000					
Buildings and facilities	575,000			680,000		680,000
Total, St. Elizabeths Hospital	5,680,000			680,000		680,000
SOCIAL SECURITY ADMINISTRATION						
Limitation on salaries and expenses, Bureau of Old-Age and Survivors Insurance (trust fund)	(267,570,000)	($1,400,000)				(1,400,000)
Limitation on construction, BOASI (trust fund)	(4,000,000)		($4,067,831)			(4,067,831)
Grants to States for public assistance	2,401,200,000					
Assistance to U.S. citizens returned from abroad	764,000					
Salaries and expenses, Bureau of Family Services	3,442,000				96,000	96,000
Salaries and expenses, Children's Bureau	2,668,000				36,000	36,000
Grants to States for maternal and child welfare	69,100,000				75,000	75,000
Cooperative research in social security	700,000				0	0
Research and training (special foreign currency program)	1,607,000					
Salaries and expenses, Office of Commissioner	592,000				34,000	34,000
Transfer from OASI trust fund	(322,000)					
Total, Social Security Administration	2,480,071,000	(1,400,000)	(4,067,831)		241,000	241,000
SPECIAL INSTITUTIONS						
American Printing House for the Blind	670,000					
Freedmen's Hospital	3,736,000			3,000		3,000
Gallaudet College:						
Salaries and expenses	1,256,000					
Construction	601,000			336,500		336,500
Total, Gallaudet College	1,857,000			336,500		336,500
Howard University:						
Salaries and expenses	7,007,000					
Plans and specifications	461,000		71,538	39,000		110,538
Construction of buildings	4,447,000		368,668			368,668
Construction of auditorium-fine arts building (liquidation of contract authority)	95,000					
Total, Howard University	12,010,000		440,206	39,000		479,206
Total, special institutions	18,273,000		440,206	378,500		818,706
OFFICE OF THE SECRETARY						
Office of the Secretary	2,327,000				69,000	69,000
Transfer from OASI trust fund	(352,000)					
Office of Field Administration	3,265,000				47,000	47,000
Transfers	(1,465,000)					
Surplus property utilization	682,000				11,000	11,000
Office of the General Counsel	713,000				11,000	11,000
Transfers	(696,000)					
Juvenile delinquency and youth offenses	8,200,000				1,754,000	1,754,000
Total, Office of the Secretary	15,567,000				1,892,000	1,892,000
Total, direct appropriations, DHEW	4,569,940,000	16,476,000	19,310,206	80,078,333	40,087,000	164,951,539

NOTE.—Included in the amounts listed above are the following items which were taken into account when applying the economy reductions.

Administrative reserves	$55,398,000
From formal reserves:	
Food and Drug Administration	633,000
Office of Education (National Defense Education Act)	19,802,000
Public Health Service:	
Buildings and facilities	$10,000,000
Foreign quarantine activities	17,000
National Institutes of Health	18,623,000
National Library of Medicine and other	150,000
Total	101,622,000

Mrs. SULLIVAN. I am glad to have that information. I will try to find out myself why it was frozen because I think we need it.

Mr. FOGARTY. Mr. Chairman, I yield such time as he may desire to the gentleman from Minnesota [Mr. MARSHALL].

Mr. MARSHALL. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. MARSHALL. Mr. Chairman, because it so intimately involves each of us in our daily lives, there is probably no more interesting bill to work on than the appropriations bill for the Departments of Labor, and Health, Education, and Welfare, and the related agencies.

The importance of the bill is reflected in the high regard shown for the work of our chairman, the gentleman from Rhode Island, JOHN FOGARTY, by people all over the country. His growing national reputation as a crusader for the programs which most directly promote the general welfare is witness to his dedicated work year in and year out. This reputation is well deserved, for no man works harder to bring before the House a bill that will meet the needs of people everywhere in our country.

He is ably seconded in these dedicated efforts by our good friend and colleague, the gentleman from Indiana, WINFIELD DENTON. His legal training and experience are valuable assets to the subcommittee in cutting through the redtape in which we sometimes become entangled. His careful questioning often resulted in action to simplify unnecessarily complicated procedures which grow up in the bureaus of Government. His knowledge of labor legislation and his understanding of the problems of workingmen give him an insight into their needs that is evident in all of his efforts.

On the other side, my colleague, the gentleman from Wisconsin, MELVIN LAIRD, is a competent and hard-working member of the subcommittee. He has earned a reputation for doing his home

work, and his probing questions about details of the programs under consideration are evidence of this. No man is more insistent that the taxpayers get a dollar's worth of service for every dollar spent.

I previously had the privilege of serving on the Subcommittee on Agricultural Appropriations with our colleague, the gentleman from Illinois, ROBERT MICHEL, and learned then to respect his ability. His interest in the work of the agencies with which we are concerned is matched by his competence and his increasing influence upon the deliberations of the subcommittee.

All of us, of course, share an affection and admiration for our able clerk, Robert Moyer. As any Member of Congress who has ever been associated with him knows, he is an able and courteous man, always willing to be of service.

BILL AFFECTS ALL AMERICANS

It is to be expected that a bill which touches so many aspects of the personal lives of so many Americans would lend itself to controversy. It is amazing to me, therefore, that we are able to bring before you today a bill that has the unanimous approval of our committee.

If each of us had our individual way, I am sure there are items that we would like to have changed in one way or another. All of us, however, are committed to the broad objectives of the great variety of programs which are directed to the health and well-being of all of our citizens. Whatever ideological or philosophical differences we may have, we are all interested in improving the opportunities of every citizen to share in the great advances made in the preservation of human life and for life's well-being.

PROGRAMS OFFER OPPORTUNITIES

The great majority of programs included in this bill are concerned with increasing and improving opportunities—for better education, for better health, for gainful and honorable employment, for a richer and more secure old age. Laws, we know, cannot of themselves provide these blessings. Laws can only attempt to help people themselves create the conditions under which as many as possible may achieve for themselves the benefits made possible through new knowledge and new technology.

It is easy enough sometimes to lose sight of people in trying to cope with the unbelievably complicated legislative problems of a country that has grown as rapidly as ours. In our work on this bill, however, we deal in every item and in every line with people and their problems, especially the problems born of the uncertainties of human life. We are sometimes faced with the opposite danger of becoming so involved in the personal problems of so many people that we forget the limitations of law.

PRESENT A BALANCED BILL

We have tried to keep a proper balance in this bill, providing the funds necessary to carry out the essential provisions of law as intended by the Congress while eliminating or reducing funds for questionable and fringe activities.

There are many worthy endeavors on which more could be spent, but it is our responsibility to keep in mind the entire costs of Government. Within the limits of the resources available, I think we have chosen wisely for the most part.

LABOR DEPARTMENT

The reduction of $8,223,000 below the budget requests for the Department of Labor should not adversely affect the many and varied essential activities within its purview. Significant improvements are being made in important areas. Although it is not possible to discuss all of them today, I do wish to refer to several matters discussed during our debate last year.

A problem that has always concerned me in my work on the subcommittee has been the mass of useless paperwork required by the Welfare and Pension Plans Disclosure Act. Thousands and thousands of reports of little or no real value or legal purpose have been accumulating under this law. It has been costing almost $600,000 a year to manage this collection of worthless documents.

AMENDMENTS OFFER IMPROVEMENT

In my remarks to the House last year, attention was directed to the responsibility of the Committee on Education and Labor to correct the situation. Members of the committee have been aware of the obvious defects in the original legislation and gave corrective legislation high priority this year. Now that the amendments have been approved by the House and the Senate, it is my hope that we will have meaningful enforcement.

Almost 100 million Americans, over half of our population, are entitled to benefits of one kind or another under these welfare plans. They have a right to protection against misuse of any of the $60 billion worth of assets and insurance reserves held by company and union pension plans. Welfare and pension fund reserves are expected to reach $100 billion in a few years. It is readily apparent that the men and women who rely upon these funds for future benefits have a right to know what is being done with them. The enforcement powers granted in the recent action of the Congress, if properly exercised, should improve the situation which has been troubling us.

LANDRUM-GRIFFIN EXPENSES

I continue to be concerned, however, over the expensive operation of the Labor Management Reporting and Disclosure Act—Landrum-Griffin Act. The bill before you includes another $5,675,000 for the Bureau of Labor-Management Reports.

The Bureau initiated investigations in 8,762 possible violations of the act through the end of December 1961. Of these, 6,377, or about two-thirds, have been closed; 55 percent of the closed cases—3,529—failed to disclose sufficient evidence of violations to justify either criminal or administrative action; the remaining 2,838 investigations were closed upon voluntary corrective action by the persons or organizations involved.

A TOTAL OF 21 CRIMINAL CONVICTIONS

A total of 323 complaints have been referred to the Department of Justice for investigation. As a result of such investigations, 36 criminal prosecutions have been instituted; 21 of these have resulted in criminal conviction; there has been 1 acquittal; 2 have resulted in dismissals; and the 12 others are still pending in the courts.

No one can condone corruption and racketeering in labor-management relations. It is evident, however, from this record that only a small minority are engaged in such practices, and it is admitted that State laws would normally cover these cases. Certainly this record does not bear out the extravagant charges of widespread gangsterism with which we were barraged by the powerful propaganda forces demanding immediate adoption of the bill.

TIME TO REVIEW LAW

Now that a record has been established at considerable expense to the taxpayer, it may be time to consider revisions to end some of this flurry of fruitless activity. At the very least, we could hope that the facts would enable the Congress to legislate in a calmer climate with due regard for the current high cost of paperwork.

HEALTH, EDUCATION, AND WELFARE

The bill before you makes a reduction of $105,720,000 in the overall budget for the Department of Health, Education, and Welfare. Once again, the committee has been most careful in making selective reductions that will permit the maintenance and expansion of the most essential activities of the Department. It is not possible within the limits of this debate to discuss all of these programs in the detail they deserve.

Our chairman has already discussed some of the practical achievements in the prevention, diagnosis, and treatment of disease. These accomplishments have been financed by the American people through the appropriations we have made to the National Institutes of Health.

The rewards, both humanitarian and economic, are great. We can never be completely satisfied with the progress because we are dealing with lives and human well-being in the never-ending struggle against age-old enemies—cancer, heart disease, mental illness, and all of the ailments so costly in health and happiness.

NEED MANPOWER AND FACILITIES

It is precisely because these programs are so valuable and because they represent prudent public investment that we must continue to insist that the money be wisely spent. The record of our hearings, covering over 2,000 pages, is an indication of the thoughtful care with which we have explored these needs. We feel that we have provided the resources necessary to press the attack on these dread diseases. Money alone does not buy results, but it can provide the manpower and facilities so critically needed for successful research. We have

attempted to provide a balanced program of research at an effective pace and training to step up the pace.

Our report and the chairman's remarks have outlined specific examples of research achievements by the individual Institutes and in basic research itself. All of us want to carry forward these programs as rapidly as efficient and effective use of manpower and facilities permits.

At the same time, we must guard against the mistaken notion of crash programs for which we do not have a sufficient number of trained scientists or sufficient scientific knowledge. Proper and effective use of resources can hasten the pace at which we are making progress, but to delude our citizens into believing that extravagance of itself offers more hope would be a cruel injustice.

REHABILITATION OF 100,000 A YEAR

Although the work of the Institutes offers the most dramatic and often the most publicized advances made in health care, other programs of the Department are making striking contributions to the health and well-being of many millions of Americans. The Federal-State program of vocational rehabilitation, for example, is now returning disabled persons to active and useful lives at the rate of more than 100,000 persons a year.

Apart from the great humanitarian benefits—which are immeasurable—it has often been testified that the Government receives approximately $10 in return for every $1 spent on this program. The $72,940,000 increase recommended by the committee is directly attributable to the expected increase in State funds which will be available for matching purposes.

CARRY ON REGIONAL CENTERS

As part of this program, we have provided funds for the operations of the special regional rehabilitation centers established under last year's bill in my State of Minnesota and in New York. The Minnesota center is a cooperative venture between the Sister Kenny Institute and the University of Minnesota.

This program is intended to combat the serious shortage of specialists in physical medicine and rehabilitation. The pilot centers were established at the urging of our committee to study the means of developing adequate facilities for graduate medical education and research in these important fields.

COMPREHENSIVE RESEARCH AND TRAINING

The research conducted by these centers encompasses any aspect of the rehabilitation process from onset to retraining and placement of the disabled. The training program is intended to provide training of all types, long term as well as short term, professional, technical, and for all categories of students, graduate or undergraduate, working in any of the medical or medically allied professions engaged in rehabilitation. It is intended to provide training in such areas as the principles of rehabilitation, special problems of rehabilitation as related to specific disabilities or groups of disabilities, and the interrelationship of medical and allied medical and other disciplines in the practice of rehabilitation.

This combination of research and training brings together a concentration of the skills of many rehabilitation specialties such as medicine, rehabilitation counseling, physical therapy, occupational therapy, speech and hearing, psychology, and prosthetics. The combined resources of the University of Minnesota and the Sister Kenny Institute provide an ideal example of the kind of setting needed for such a comprehensive research and training program. More of this work is needed.

SCARE TALK ABOUT MILK

In another area of health care of importance not only to my State but to all Americans, I questioned the Secretary of Health, Education, and Welfare about much of the scare talk we have heard about the use of milk and milk products. At least one factor in the unprecedented decline in milk consumption last year is the unfortunate association in the public mind between fallout and milk which had been caused by careless talk on this subject.

The Secretary told us:

> We have been very, very careful in measuring radioactivity in all products, including milk, to always indicate that the amount of radioactivity in milk was such a minute amount that to remove milk from the diet would have a much greater detriment upon the people and the population of this country than any incidental harm that could possibly exist from fallout.

FEDERAL RADIATION COUNCIL

The same conclusion was reached by President Kennedy in his remarks before the National Conference on Milk and Nutrition. Based on the constant surveillance of this problem by the Public Health Service and other agencies of Government, he said:

> Detailed guidelines to protect the health of the people against radiation have been developed by the Federal Radiation Council. It is abundantly clear that for the foreseeable future there is no danger from the present amount of exposure. The milk supply offers no hazards.

Our report comments on some of the unfounded talk about the effect of dairy foods on heart ailments since this undoubtedly has been another contributing factor in the drop in milk consumption, our report states:

> It has been called to the attention of the committee that the present and developing attitudes of the American people to the hazards of animal fats in the diet are based more on hypothesis than on sound and uncontrovertible scientific evidence.

FOOD AND NUTRITION BOARD

Commenting on the same subject, the President said earlier:

> The Food and Nutrition Board of the National Research Council has concluded, after intensive research, that the association of milk consumption and coronary disease due to an increase in cholesterol level has not been sufficiently established to justify the abandonment of this nutritious element, except where doctors have individually prescribed special diets for those found to be susceptible to special cholesterol or coronary problems.

It is important that this information be made known because the sharp drop in the use of dairy foods—milk, butter, cheese, and ice cream—has serious consequences not only for agriculture but for the nutritional health of the American people. Milk continues to be the best food we can buy to supply the vitamins, minerals, fats, sugar, and high-quality proteins the body needs. It is especially important for calcium, riboflavin, and protein.

NUTRITIONAL AND ECONOMIC EFFECTS

In addition to the serious nutritional problems implied in the decline of dairy food consumption, the situation presents economic problems in managing and marketing milk production. And what may be even more serious in the long range, it complicates the best use of soil, water, and animal resources. The dairy industry continues to be a major source of farm income and is the mainstay of sound conservation policies upon which we will become increasingly dependent in the years ahead.

In another part of this bill, dealing with environmental health activities, the committee makes note of the revolutionary changes taking place in milk production and handling methods on the farm, as well as in processing techniques in dairy plants. These changes have markedly affected established health safeguards and, therefore, impose the need for thorough investigations of their public health implications.

LABORATORY TESTS IMPROVED

Some of the laboratory tests which have been traditionally used by the industry and by milk sanitation control agencies have been made obsolete. We were pleased, therefore, to learn that the Public Health Service has recently developed a modified phosphatase test through which the performance of newly developed pasteurization processes can be checked. However, more needs to be done in the study of the new ultra-high temperatures processing methods which are on the brink of commercial utilization.

In its reports for the last 2 years, the committee has stated its interest in seeing that more emphasis is placed on milk problems. We were disconcerted to note that the interstate milk certification program is still operating on an inadequate basis.

IMPROVE INTERSTATE MOVEMENT

At present, the level of PHS evaluations of State milk programs and spot checks of field conditions is only about 75 percent of requirements. The interstate milk certification program, begun in 1951, now facilitates the interstate movement of approximately 9 billion pounds of milk each year and is still growing. In view of the actual increase included in the bill, taking into consideration nonrecurring construction costs and comparative transfers, we expect that a more thorough job will be done in the future.

WATER STILL NO. 1 PROBLEM

Our No. 1 problem in environmental health and natural resources continues to be water pollution control. We have made progress since the passage of the Federal Water Pollution Control Act in 1956. A total of 3,325 applications for

waste treatment works has been approved for grants totaling $275 million. This was the Federal contribution to plants costing $1.55 billion. Each Federal dollar has stimulated the expenditure of 5 local dollars on this vital work.

Although construction activity has been stepped up 62 percent during the first 4 years of the program, the conference of State sanitary engineers estimates that some 5 000 communities, with a population of 40 million people, currently need new waste treatment plants or enlargements and additions to existing plants. An average annual investment of $600 million for 10 years will be required to satisfy this need, replace works that become obsolescent in the same period, and keep pace with the expected population growth.

INCLUDE 900 PROJECTS

As of January, the States reported an additional 2,054 grant requests which would require $227 million in Federal funds. It is estimated that the $90 million provided in the bill before the House will provide grants for 900 projects.

Grants are made to municipalities sponsoring such projects. The maximum grant to a single municipality is 30 percent of the cost of the project or $600,000, whichever is smaller. In the case of multimunicipal projects, the grant is based on each community's share of the project cost, under the 30 percent or $600,000 limitation, but the maximum grant for the overall project may not exceed $2.4 million.

NEED COOPERATIVE APPROACH

There is no doubt that the problem is worsening as a direct result of population and industrial growth. More people, more industry, and new technological developments are creating more water pollution. The results are apparent in the increasing number and scope of fish kills, the vast water areas being closed to recreation, the growing concern over the mass of pollutants reaching city water supplies, and industry's search for new locations where there is ample and suitable water.

In the last half century, this has truly become a national problem of the first magnitude. Individual communities are no longer able to cope with the problem and are not equipped to undertake the large-scale planning necessary to clean up the rivers and streams which have no regard for city or State lines. A concentrated effort by Federal, State, and local governments, and industry itself is necessary if we are to stop pollution and prevent future pollution of this precious resource.

POLLUTION OF UNDERGROUND WATER

We need to know a great deal more about pollution of our underground water supply, a problem of increasing importance to individual homeowners and city governments as well. The specific contaminants need to be identified and means found to reduce the occurrence of such pollution.

Research on the increasingly complex problem of water pollution has been expanded and we hope that more can be done. We no longer have a choice in this matter—the job must be done now. Our choices are limited to the best ways and means of getting it done.

PUBLIC WELFARE PROBLEMS

Mr. Chairman, we are all aware that there has been growing discontent over the operation of some of our public welfare programs. Despite our ever-changing social problems, there has been no major change in our public welfare laws in the past 27 years.

It has long been recognized that abuses have crept into the programs and that the programs themselves have often become self-defeating. Instead of moving people off welfare rolls, they have actually tended to make them more dependent on the monthly welfare checks. It has become increasingly clear that money alone will not solve many of the problems of our changing society and that the problems today are very different from those of the 1930's when these programs were inaugurated.

INCREASE IN ADC CASES

The number of needy persons receiving old-age assistance has been declining steadily as a result of the extended coverage and increased protection offered under the Social Security Act. On the other hand, public assistance programs for dependent children have grown rapidly in spite of the fact that the social security insurance system provides benefits for a large share of widowed mothers and children.

In 1940, the reasons for qualification for aid to dependent children were: death of a parent, 41.6 percent; and absence from the home, 30.3 percent. In 1960, these figures had been reversed to death of a parent, 9.6 percent; and absence from the home, 62.2 percent.

EFFECTS OF FAMILY BREAKUP

Family disorganization has become the major factor in the growth and size of public welfare programs. Family breakup through divorce, desertion, and separation, and the increase in illegitimate births have created serious public welfare problems. Hard core unemployment in many areas and the migration of unskilled farmworkers from rural areas to big cities have also added to the problem.

The primary responsibility, of course, is to provide support for the children when it is clearly established that neither parent is able to do so. In questioning witnesses concerning the administration of the program, emphasis is always placed on the welfare of the child, and properly so. It seems to me, however, that there is corresponding responsibility to be certain that the money is used each month for the support of the children.

MUST BE USED FOR CHILDREN

All of us agree that every possible effort should be made to permit the children to grow up in a home environment. It was for this very purpose that the aid to dependent children was inaugurated. We also know, however, that the fact of parenthood does not automatically confer a sense of responsibility and that funds intended for the support of the children are not always used for this purpose.

The problems are obviously deeper than mere support of the dependent children. It is also clear that welfare checks do not solve these problems. In some cases, they may actually add to them. Unless there is a major reorientation of public welfare programs away from the dole and toward constructive services, the size and cost of the programs will increase year by year at every level of government and they will eventually collapse of their own weight.

NEW APPROACH OFFERS HOPE

The public welfare amendments of 1962, recently passed by the House, are an attempt to correct this situation. The new approach places emphasis on the provision of services to help families become self-supporting rather than dependent upon welfare checks. The bill also provides broader authority to the States to permit great flexibility in taking action against abuses.

The success of this effort to redirect our welfare programs will depend in good measure on the administration at the local, State, and Federal levels.

Relaxation of Federal controls and encouragement of greater flexibility in State programs place greater responsibility on State administrators. We can only hope that this is the beginning of a concentrated effort at every level to direct public welfare programs away from relief and toward rehabilitation.

PAYMENTS TO SCHOOL DISTRICTS

Turning to the Office of Education, Mr. Chairman, I wish to comment briefly on the reference in our report to payments to school districts in the area immediately surrounding Washington, D.C. For some years, there have been proposals to change the basic law in such a way as to make reasonable adjustments in these payments. Despite the merits of these suggestions, no action has been taken by the Congress. In order to keep faith with the schools deserving of this assistance, we have no alternative but to provide the full $282,322,000 required to meet 100 percent of entitlements for 1963.

Public Laws 815 and 874, the so-called impacted areas bills, were passed in recognition of Federal responsibility to school districts clearly faced with an added burden as a direct result of Federal activity which increased school population while reducing local tax income. When the problem is created or aggravated by the Federal Government, justice demands that the Federal Government accept responsibility for assisting parents and local communities in providing for the education of their children.

HELP OR HINDRANCE?

I do not think it was ever the intention of Congress that fulfillment of this serious Federal responsibility should result in a windfall for the nearby counties in the District of Columbia area. Has the employment offered by the Federal Government in this area reduced the sources of tax revenue? Has it decreased the tax base? These are the questions that must be answered in justification of Federal aid to these school districts.

I can assure you that there are many communities in the Nation and many in the State of Minnesota that would welcome the employment opportunities at the salary levels available in this area without demanding still further handouts from the Treasury.

COMPARISON OF PER CAPITA INCOME

A comparison of the 1959 per capita income figures, the most recent available from the Bureau of the Census, clearly indicates that military and governmental activity in many areas tends to improve income. Although no figures are available for 1962, it is certainly to be expected that per capita income has improved in California and in the nearby suburban areas of Washington. Even if there has been a comparable increase in Minnesota, the spread is worth noting when we talk about the alleged hardship Federal employment has caused for areas of California and for suburban Washington.

The Bureau of Census figures for 1959 on per capita income are as follows: Minnesota, $1,733; California, $2,306. The comparable figures for the nearby cities and counties are: Montgomery County, Md., $2 949; Prince Georges County, Md. $2,151; Arlington County, Va., $3,056; Fairfax County, Va., $2,390; and Alexandria, Va., $2,500.

The implications do not need elaboration, but the figures hardly indicate that large-scale Government employment impairs the ability of citizens to support their schools.

AREA SCHOOL PAYMENTS

The following tables show the extent of Federal expenditures for school purposes in the metropolitan area:

Actual and estimated entitlements under Public Law 874 of school districts in the Washington, D.C., metropolitan area, fiscal years 1961, 1962, and 1963 (as of Feb. 21, 1962)

School district	Fiscal year 1961 actual	Fiscal year 1962 estimated [1]	Fiscal year 1963 estimated [2]
Montgomery County, Md.	$2,453,290	$2,506,870	$2,594,435
Prince Georges County, Md.	2,276,300	2,411,860	2,411,810
Alexandria City, Va.	651,220	650,495	649,580
Arlington County, Va.	1,531,835	1,562,615	1,563,335
Fairfax County, Va.	3,635,914	3,678,150	3,677,500
Falls Church City, Va.	115,221	99,530	99,405
Fairfax City, Va.	.....	189,508	189,201

[1] Estimates; 92 percent of full entitlement.
[2] Estimates; 81 percent of full entitlement.

Summary of construction aid under Public Law 815 of school districts in the Washington, D.C., metropolitan area, fiscal years 1961, 1962, and 1963 (as of Feb. 21, 1962)

School district	Fiscal year 1961 actual	Fiscal year 1962 estimated [1]	Fiscal year 1963 estimated [1]
Montgomery County, Md.	.....	$545,928	$1,000,000
Prince Georges County, Md.	.....	.....	2,000,000
Alexandria City, Va.	.....	.....	.....
Arlington County, Va.	.....	.....	.....
Fairfax County, Va.	.....	900,000	1,545,970
Falls Church City, Va.	.....	.....	.....
Fairfax City, Va.	.....	248,490	.....

[1] Estimates based upon data submitted by applicant adjusted by a reduction factor application not processed by Office of Education as of Feb. 21, 1962.

PRESIDENT ASKS CUTBACK

The President has recommended a cutback in the rate of payment in these areas. These proposals are still before the legislative committees of the House and Senate which have primary jurisdiction over the matter. The law, as originally enacted in 1950, excluded the surrounding suburban areas by limiting entitlement to children whose parents were employed within the State of the impacted school districts.

Because of problems arising at military installations where parents of federally connected children crossed State lines for employment in an adjoining community, remedial language was included in the 1953 appropriation bill. It was obviously intended to deal with particular problems on a limited scale, but when the provision was written into the basic law in the next year, it opened the gates to the surrounding area. To permit this costly mistake to continue is a potential threat to the program itself and a disservice to the schools actually deserving of more assistance under the intent of the law.

STRENGTHEN STATISTICAL SERVICES

In considering salaries and expenses for the Office of Education, the committee again emphasizes the importance of strengthening educational statistics and expresses a strong desire that primary attention be directed to this area. Anyone familiar with the hodgepodge of conflicting, inadequate, and inaccurate statistics upon which Congress has frequently been asked to base policy decisions will share in this sentiment.

The Office of Education was created to collect meaningful statistics which would aid the people of the United States in the establishment and maintenance of efficient school systems. Too often this major purpose has been relegat d to the status of a fringe activity with the result that the statistics are useless to school administrators and to the Congress.

SCHOOL BOARD COOPERATION

During our questioning, we were also assured that greater efforts will be made to cooperate more closely with local school boards, the elected officials who accept primary responsibility in the name of parents in the operation of our schools. These are, after all, the men and women most intimately concerned with the increasingly serious problems of school support.

To ignore them is to do real violence to the principle of local control, a principle to which even the most ardent advocate of Federal programs pays recognition.

A BALANCED BILL

Although it has been possible to discuss only a few of the many facets of the bill before us, I would recommend that any member or citizen interested in more detailed discussion of these and other programs examine the record of our hearings. The statements of witnesses and the questioning by members are an indication of the thorough job done by the subcommit'ee. The fact that our recommendations have been accepted unanimously by the full Committee on Appropriations is another measure of our efforts to bring an acceptable bill before you.

I commend the bill to the House as a reasonable measure which attempts to strike a proper balance between needs and the resources available.

Mr. LAIRD. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio [Mr. ASHBROOK].

Mr. ASHBROOK. Mr. Chairman, I rise to make several points here which I think should be brought to the attention of the House.

As far as the Office of Education is concerned, it is noteworthy that on April 1 of this year we are to have a complete reorganization of that body. Last year at this time, in April of 1961, the Office of Education produced a document known as "A Federal Education Agency of the Future." At that time they cited in their 56-page report the particular needs for Federal participation in various areas of local education. That document recommended a review of teacher preparation, curriculum, textbooks—in other words, the complete gamut of the educational operation.

We now see a broad step in that direction. Commissioner McMurrin testifying before the subcommittee made the following statement, and I would like to quote this, because while they do not call for funds in this bill it is obvious they are readying their bureaucratic machine for the onslaught.

Speaking before the Appropriations Subcommittee, Commissioner McMurrin said:

> In reciting briefly some of the activities of the Office I wish by no means to convey the impression that what we are doing is sufficient or complete when judged by the requirements of our times. Quite the contrary is true, since our contributions and services in many cases underscore more and broader needs than those we are meeting and our progress frequently points to new measures of assistance that are essential to upgrade education. Our difficulties now quite frankly stem from fragmented approaches in many cases dictated by tradition or the specificity of authorizations which sharply limit the scope of our functions.

He goes on to outline a brand new plan of reorganization calling for the establishment of three major bureaus within the Office of Education, specifically the Bureau of Research, the Bureau of International Education, and the Bureau for Educational Assistance.

Make no mistake about it, the plans are well laid to launch the Office of Education into a brand new effort to bring about Federal aid to education and more power and more participation of the Federal Government in our local school districts.

Dr. Homer Babbidge, until recently associated with the Office of Education, also spoke before the subcommittee in support of the appropriation. He said:

> The chairman of the House Committee on Education and Labor has recently indicated that total Federal expenditures affecting education now run to some $2.5 billion per year and he has asked a subcommittee to undertake a thorough canvass of these programs.
>
> The plain fact of the matter is that we don't know how much Federal money is being spent in schools and colleges or what practices and policies characterize these programs. As a consequence, we do not have a clear picture of what they are accomplishing, whether it be good or bad. In higher education, there seems to be widespread agreement that the net effect of existing Federal programs is good, but that the unevenness of Federal programs and the inconsistencies that derive from scattered responsibility are potentially troublesome matters.

The pattern of congressional responsibility for higher education is as unclear to most people as the pattern of executive responsibility. We now have some 46 separate agencies of the executive branch administering programs that affect higher education, and in the House of Representatives we have at least a dozen different committees that pass judgment on essentially educational legislation and appropriations thereunder.

One of the statements that Dr. Babbidge made, I thought to be rather humorous. I know the gentlemen on the committee have endeavored to do something about it in section 904 of this bill. It is the following:

> One of the great values of a strong Federal educational agency would be its ability to withstand the claims of special interest groups.

But what has happened? We see the National Education Association and many other groups who are pushing the idea of Federal aid to education becoming the major beneficiary in these Federal educational grants. The Committee on Education and Labor in its hearings of last summer showed where a great amount of this grant money is going. You will find it goes to many of the groups and associations who lobbied for this bill. The National Education Association comes in for the lion's share. These groups are all lobbying for more aid to education, for more involvement of the Federal Government.

It is rather interesting because you gentlemen in section 904 evidently have faced up to this problem, but in doing a little bit of investigation on my own I think probably the amendment should be more extensive than you have it, because on page 149 of our hearings of last summer, for example, you show a grant of $243,272 to the Association for Supervision and Curriculum Development and Department of Audio-Visual Instruction. Now, that group is not registered with the House as a lobbyist. I have checked it. It is listed in the telephone book, however, at 1201 16th Street, telephone AD 4-4848.

Mr. LAIRD. Mr. Chairman, will the gentleman yield?

Mr. ASHBROOK. I yield to the gentleman from Wisconsin.

Mr. LAIRD. Well, that particular organization, I think, happens to be part of the National Education Association.

Mr. ASHBROOK. That is the very point. When I called them up they said, "National Education Association," but they would not, it is my understanding, come under section 904. Further checking you see the Department of Audio-Visual Instruction. They are not registered with the House.

Mr. LAIRD. Is that not also a part of the National Education Association?

Mr. ASHBROOK. Yes, but they do not list it that way in their grant.

Mr. LAIRD. It is not listed as a department?

Mr. ASHBROOK. The NEA is separate, and these are all separate entities that receive grants under title VII that would not be subject to your amendment. Audiovisual instruction—I could not find where this agency was, so I called the NEA, and I said, "Could I have the Department of Audio-Visual Instruction?" The grant shows the name of Anna L. Hyer. So when the secretary answered, I asked for Anna L. Hyer. The lady said she was up in New Jersey attending a convention.

The Modern Language Association comes in for a sizable number of grants. All of these organizations are the very ones that are coming before the Congress consistently asking for more Federal funds and then they are receiving the major grants. I think the committee is to be commended in taking a step in the right direction to see that those lobbying before the Congress are not receiving awards and research grants under this act.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. LAIRD. Mr. Chairman, I yield 5 minutes to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Chairman, the Appropriations Committee sort of snowed some of us under this year with five volumes of hearings. That makes a pretty heavy weekend of work, and I did not get the hearings read as well as I should.

We have had some discussion of appropriations for behavioral studies. I wonder if there is anything in the hearings relative to a previous expenditure of some $89,000 for a study of behavioral cocktail parties? Did the committee by any chance get a report on what happened to this study?

Mr. FOGARTY. Mr. Chairman, if the gentleman will yield, we were very pleased that the gentleman brought this matter to our attention. We immediately took this up with the Public Health Service, and I understand the project has been discontinued.

Mr. GROSS. Well, is the report available, does the gentleman know?

Mr. FOGARTY. No, there was no report made. It was discontinued, perhaps as a result of your calling attention to it, anyway the NIH admitted it turned out to be a rather poor project.

Mr. GROSS. Well, I appreciate that. Now, while the gentleman is on his feet, I wonder if there has been any report available on another subject. I believe there was an original grant of some $33,000 to an institution or individual in Israel for a study of the intrapersonal, interpersonal relationship of husband and wife. Has there been any report on that?

Mr. FOGARTY. We have a preliminary report and we have been told by some of the best psychiatrists in the country that this is one of the really good projects going, in the world now, in the field of psychiatry.

Mr. GROSS. When the full report is made and when the gentleman from Rhode Island receives it—when it is snowing or raining or something and we do not have anything else to do—I would like to sit down and discuss the importance of this report with the gentleman.

Mr. FOGARTY. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman.

Mr. FOGARTY. The gentleman would not want to go to Israel to take a look at it?

Mr. GROSS. No; I would not care to do that. I can save the taxpayers money by reading the report.

Mr. Chairman, I understand there is some $50 million in the bill above the spending of last year for impacted schools. Is that approximately correct?

Mr. FOGARTY. If the gentleman will yield further, there is $59 million more than has been appropriated for 1962, thus far.

Mr. GROSS. Over and above the spending for the same purpose last year; is that correct?

Mr. FOGARTY. Yes.

Mr. GROSS. Would the gentleman tell me why this has been increased by $59 million?

Mr. FOGARTY. If the gentleman will yield further, because of the formula that Congress voted last year, and because of the defense activities in these areas which make these areas eligible to receive this aid. We have nothing to do with that on the Appropriations Committee. When the Congress votes the authorization, we follow the formula, and that is the way it came out.

Mr. GROSS. Is it not true that some of these defense installations are being phased out and closed?

Mr. FOGARTY. If the gentleman will yield, some are being phased out, and some are being increased. We are spending more in defense this year than we spent last year, and we are going to spend more next year. I think it is going to increase instead of decreasing.

Mr. GROSS. I am sorry to hear the gentleman say that.

Mr. BOW. Mr. Chairman, will the gentleman yield?

Mr. GROSS. Yes, I yield to the gentleman from Ohio.

Mr. BOW. The gentleman from Iowa has made reference to the increase in spending this year over last year. May I point out to the gentleman that this bill carries $50,029,000 more than the budget estimate for this year. And the committee has gone over the budget estimate by $8 million in construction.

Mr. FOGARTY. If the gentleman will yield, that is right.

Mr. BOW. This is not only over what they spent last year, this is over and above the budget request?

Mr. FOGARTY. Mr. Chairman, will the gentleman yield further?

Mr. GROSS. I yield to the gentleman.

Mr. FOGARTY. That is right. We gave them just what they were entitled to, and not one dime more. As long as this program is authorized by Congress, I hope that the Appropriations Committee will keep its word to these school districts and appropriate 100 percent of what Congress has said they are entitled to.

Mr. GROSS. In the gentleman's hearings I noticed a good many pages of grants to foreign universities for research projects.

Mr. FOGARTY. If the gentleman will yield, which ones is the gentleman referring to now?

Mr. GROSS. International grants.

Mr. FOGARTY. Are they in the Public Law 480 funds?

Mr. GROSS. I do not know what funds are used, but they are in your hearings, and there is a long list of them. Why are we spending this kind of money in so-called developed countries which have money, and whose prosperity is greater than our own at the present time? Why are we spending this kind of money on research grants in many of these countries?

Mr. FOGARTY. This has nothing to do with foreign aid. This is research.

Mr. GROSS. Yes, it is a form of foreign aid.

Mr. FOGARTY. I do not think they are spending half enough. I think we ought to double this, because we have some real good investigators and scientists in foreign countries who can help you and me stay on this earth a little while longer. The reason that many of us are alive today is because of the research carried on in some foreign country.

Mr. GROSS. Is there nothing reciprocal in the exchange of information? Why should we attempt to finance research all over the world for almost every purpose?

Mr. FOGARTY. If the gentleman will yield further; yes, there is reciprocity. We get the results of their investigations, as they get the results of our research. It is one of the best programs we have, and I think it is one of the best ways of making friends. I think it is better than the foreign aid program.

Mr. GROSS. Well, it may be better than the foreign aid program, but we also have the foreign aid program and apparently it is going to continue until it bankrupts this country or helps bankrupt it.

Mr. LAIRD. Mr. Chairman, will the gentleman yield?

Mr. GROSS. Yes, I yield to the gentleman from Wisconsin.

Mr. LAIRD. I will say to the gentleman that this is discussed on page 88 of the hearings at which point we went into the consideration of the economics of the countries receiving medical research grants. I think the gentleman will note that I pressed the Director of the National Institutes of Health very strongly on this particular point, because it seemed to me that in many areas they were giving grants to countries that were perfectly well able to finance this kind of work themselves.

Mr. GROSS. That is the point I am trying to make.

Mr. LAIRD. If the gentleman will yield further, the Director of the National Institutes of Health has stated that this whole policy will be reviewed and that consideration will be given to discontinuing these grants.

I would like the gentleman to read the testimony on pages 88 and 89, where I went into this thoroughly.

Mr. GROSS. I thank the gentleman for his contribution. And while the gentleman is on his feet I am curious to know about this. Beginning on page 1574 of the hearings, part III, there is a long list of applicants. These are with reference to grants to universities in this country. This says "applicant, type of institution," and then the heading is "Discipline." I am curious to know what discipline means in this connection.

Mr. LAIRD. These are fields of medical science. They are referred to as "discipline." I think it would have been better if the heading had been "Fields of Medical Science," or "Fields of Medical Specialties." That is what it means.

Mr. GROSS. I am just curious to know what the word means. Is it a medical term, or what is it?

Mr. LAIRD. It is generally used in medicine. It is a specific field of study.

Mr. GROSS. The United States has had nutritional teams going out at the rate of $75 and $100 per diem, plus expenses, to a number of countries over the world. What benefit has come to us from the studies that these nutritional teams and their staffs have made in all these countries, some of them underdeveloped, some of them developed countries?

Mr. LAIRD. I think we have had a little bit too much of that, I would like to say to the gentleman from Iowa. Expenditures for foreign travel do not have the kind of controls that I believe are necessary. I went into that in the hearings, also, and discussed it at some length. I think we are spending too much money in that area. I tried to develop that very thoroughly in the hearings.

Mr. GROSS. I am glad to hear the gentleman from Wisconsin say that we are spending too much money in this field and I hope it will be ended promptly.

Mr. Chairman, in view of the fact that this bill will put some 5,400 more individuals on the payroll and increase the Federal aid to education by millions of dollars above even the budget figures, I cannot support the bill in its present form. I am certainly not opposed to research in the afflictions that beset humans but this bill goes beyond reason and into too many other fields. It is not within the capacity of the American taxpayer to continue many of these programs in the amounts for which appropriations have been made and are being proposed here today.

Mr. FOGARTY. Mr. Chairman, I yield such time as he may desire to the gentleman from Florida [Mr. MATTHEWS].

Mr. MATTHEWS. Mr. Chairman, I want to associate myself with the remarks of my colleague, the gentleman from Florida, the Honorable CHARLES BENNETT, in regards to the Yerkes Primate Laboratory at Orange Park, Fla. This great laboratory should be kept where it is. Federal funds should not be used to move it. The climate, facilities, and the cooperation of the local community have made possible the great work of this institution. The University of Florida has a close working association with the laboratory at Orange Park, and the research conducted there has been of national significance.

The Yerkes Laboratory has been vital to the economic life of Orange Park, Fla., for many years. This fine community is united in its determination to do everything possible to keep this great facility. They deserve the right to keep it.

Mr. FOGARTY. Mr. Chairman, I yield such time as he may require to the gentleman from Alabama [Mr. ELLIOTT].

Mr. ELLIOTT. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. ELLIOTT. Mr. Chairman, I rise in support of the bill, H.R. 10904, making appropriations for the Departments of Labor, and Health, Education, and Welfare for the fiscal year 1963; I rise, too, Mr. Chairman, to commend and congratulate the gentleman from Rhode Island [Mr. FOGARTY] and members of his subcommittee for the fine job that they have done on this bill and for the fine job that they do year after year as they bring this annual Labor-HEW appropriations bill to the House.

I find the work of this subcommittee is always scholarly and factual.

As the author of a substantial portion of the legislation funded by this bill, I would like to comment upon certain aspects of the bill. I was glad to see that the committee forcefully and correctly stated on page 7 of the report, with reference to the Rural Library Services Act that "This program has developed into one of the best programs of the Federal Government." The bill carries $7½ million for the library program which is the total amount authorized for this year. This is a far cry from the day in 1950, when we failed to pass the Library Services Act by a record vote in the House.

It is a far cry from the early years of the act when we could almost never get anything like the full authorized appropriations. Yet, the rural library services program has, in fact, developed into one of the best programs of the Federal Government, and it is one that the House of Representatives itself can be proud of. Library programs in the Nation are, of course, growing and I agree with the committee that it is now time that the legislative committee look into the needed library situations that exist in other areas all around the country. I, myself, was very surprised to learn just a few years ago that library facilities in American junior and elementary schools are almost nonexistent. There is much that yet needs to be done in connection with providing books for the American people. I often like to think that man has built nothing that has outlived books. When television came on 10 or 15 years ago, there were many who said that television would

supplant the use of the library. Such is not the case. The American people are using their libraries much more now than they did 10 or even 5 years ago.

I have always supported and worked for vocational education, and I am happy to see that this bill increases the practical nurses training program from $4 million to $5 million, which is the maximum amount authorized by the basic legislation and thereby adds $1 million to the overall appropriation for vocational education for this year.

The bill before us includes about $230 million for educational activities under the National Defense Education Act and among other things adds about $15 million to the amount appropriated for loans for college students. This student loan program has been eminently successful. Just a few days ago, it was called to my attention that a study had been made of 30,246 borrowers, and the study found that in about 90 percent of the instances the loans to students of ability and ambition had meant the difference of whether or not they could obtain a college education. I am happy to note that the committee took note of the fact that eminent witnesses before the committee stated that the National Defense Education Act "has contributed more to education in this Nation than any other recently enacted program."

The bill also carries funds for the expansion of teaching in the education of our mentally retarded children and expansion of teaching in the education of the deaf and an increase of about $8½ million for grants to the States, on a matching basis, for rehabilitating the physically and mentally handicapped people of America. As one of the authors of Public Law 565 in 1955, I am proud to see that we as a nation are proceeding to our goal of doubling the number of people who can be rehabilitated to employment. My recollection is that in the year 1955, we were rehabilitating 60,000 in this country. With the money provided by this bill, it is estimated that in the year 1963 we will rehabilitate about 110,000. This is a program in which the Government receives approximately $10 in return for every $1 spent on the program itself. There are other programs with which I have been closely associated that are included in this bill.

I again want to congratulate the committee on the fine job it has done. This very afternoon the Alabama League of Municipalities is meeting in Mobile, Ala., and I was one of the speakers invited to attend that meeting. I wanted very badly to be in Mobile, but my deep concern for these programs with which I have been so closely connected throughout my congressional service impelled me to be here this afternoon and to make this statement about them, and in their behalf.

Mr. LAIRD. Mr. Chairman, I yield 5 minutes to the gentleman from Massachusetts [Mr. CONTE].

Mr. CONTE. Mr. Chairman, in reading the Health, Education, and Welfare appropriation hearings I have been intrigued by some of the inconsistencies that have occurred here in the past month. At the outset I want to congratulate the able chairman of the subcommittee, the gentleman from Rhode Island [Mr. FOGARTY], and the ranking minority member, the gentleman from Wisconsin, [Mr. LAIRD], for the outstanding job they have done in cross-examining representatives of the Executive.

Mr. Chairman, I should like to ask the subcommittee's ranking minority member a question. In reading the hearings I find that the chairman questioned Secretary Ribicoff in regard to a directive by the President of the United States last October. As a result of that directive, the Department reserved certain funds that were passed by the Congress in last year's budget. The administration asked the Department to set aside and not spend $116 million of its appropriated budgetary funds. A good portion of this money came from the Food and Drug Administration.

In addition, it is my understanding that last year the other body reduced the budget for this particular agency by $500,000. In the questioning, Mr. FOGARTY said:

> Mr. FOGARTY. Mr. Secretary, I think we ought to be spending $100 million instead of $28 million. I think they could and should grow at a faster pace. But you even cut them back $500,000 in 1962. That makes it all the more difficult.
>
> Secretary RIBICOFF. Of course, we try to plan these things out on a 5-year basis. There is a sense of reality that we have to work with and we work with the Budget Bureau in trying to accomplish this, and anticipating what the problems are. We try to develop an overall budget.
>
> Taking into account the entire budget, I think the President has treated the Department fairly well overall.
>
> Mr. FOGARTY. I just don't happen to agree with the President on this. You have held in reserves $500,000-odd and the Senate had already cut it over $500,000. That was a big blow to the enforcement of the food and drug laws when we ought to be expanding instead of going the other way.
>
> Just consider the cost of medical quackery to the Nation. I think we could spend five times the amount of money on this type of work, and it would save untold millions of dollars to people who are being sold worthless things by quacks. I think we will get more money back than we spend.

I think it was only 2 or 3 weeks ago that the President of the United States sent a message to the House of Representatives and used these very words almost verbatim in asking for an accelerated program for food, drug, and cosmetic law enforcement in this country. I am a bit confused. I would like to have the minority member of the committee tell me and tell the House what has transpired here. Why did the administration in October of last year ask that this money be reserved? As a result, it was not spent and, yet, 4 weeks ago the administration came here and said that there was a desperate need in this country to protect the citizens against medical quackery and impossible drug claims. Would the gentleman answer that question?

Mr. LAIRD. The question the gentleman propounds is a rather difficult one to answer. It is hard for me to explain the position of the administration on this particular item. It is true that the amount of money which we made available last year was below the budget estimate of the administration because the other body cut $1,500,000 from the Food and Drug Administration. In conference, we resolved this difference and came up with a figure which was $500,000 below the amount that was asked for in the original budget. The House had appropriated the full amount. Now the President has frozen for the Food and Drug Administration in the area of salaries and expenses a total of $903,000 in the fiscal year 1962. It seems to me it is about time we started looking at actions and comparing those actions with the words because we have had a lot of words, but we have not had any action. I think this is a very good case in point, and I believe the administration made a serious mistake in not following through with actions and in simply relying only on words in the area of the food and drug law enforcement.

Mr. FOGARTY. Mr. Chairman, will the gentleman yield?

Mr. CONTE. I yield to the gentleman from Rhode Island.

Mr. FOGARTY. The gentleman is quoting just what I said in the RECORD and with due deference to the Secretary, I would like to point out that on yesterday $272,000 was released by the administration for the Food and Drug Administration which will allow them to hire 58 additional persons between now and June 30.

Mr. LAIRD. I would like to state to the gentleman, however, that the figure which I used took into consideration the release the day before this bill was coming up, and that has to do with the $243,000. But the figure which I used of $903,000 took into consideration the release of yesterday.

Mr. CONTE. That is right. The overall figure was $1,146,000.

Mr. LAIRD. That is correct and the reserve as of this very minute is $903,000.

Mr. CONTE. And I think this holding back of $1,146,000 has worked to the detriment of the citizens of the United States.

Let me refer to the President's message, where it was said that:

> We need this because we are going to have to strengthen factory inspection authority of the Food and Drug Administration.

I ask the administration: How are you going to strengthen factory inspection throughout the Food and Drug Administration if you insist on a reserve of $1,146,000?

Second, require new drugs and therapeutic devices be proved effective as well as safe. How can you prove new drugs and therapeutic devices to be effective as well as safe if you are asking that particular agency not to spend $1,146,000 of its operating funds?

Third, require cosmetics be proved safe before marketing. There again this program is jeopardized because the administration asks the Secretary of Health, Education, and Welfare to reserve $1,146,000.

Fourth, increased ability to stop illicit sale of barbiturates and habit-forming stimulant drugs. Again I ask, how can this be done if you are asking the Secretary to withhold from his enforcement program $1,146,000?

I ask what fairness there is in your asking the Secretary of Health, Education, and Welfare to withhold funds because your budget is in trouble, and then come up here and cover up with a message such as was sent to us a short time ago? I just hope it will not happen again.

Mr. LAIRD. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, during the time I have served on this subcommittee we have had very pleasant associations with the gentleman from Minnesota [Mr. MARSHALL]. This is the last time Mr. MARSHALL will be serving on this subcommittee as we bring a bill to the floor of the House, since he decided not to seek reelection in the Sixth Congressional District of Minnesota.

FRED MARSHALL has made a real contribution not only to the work of the House Committee on Appropriations but also to the entire House of Representatives. I consider him a very close personal friend for whom I have the highest regard and deepest admiration. FRED MARSHALL always spoke his mind in committee, letting the chips fall where they would on any issue. He spoke from the heart. He has made a particularly fine contribution to the work of the Indian health service and I feel that the influence he has had on the Indian health program in this country will be felt for a long time.

My hat is off to FRED MARSHALL, of Minnesota. I regret that this is the last bill of this subcommittee we will bring to the floor of the House with him a member of the subcommittee.

Mr. Chairman, I yield 2 minutes to the gentleman from North Carolina [Mr. JONAS].

Mr. JONAS. Mr. Chairman, I concur in the remarks of my colleague from Wisconsin concerning our colleague from Minnesota.

I take this time, however, for the purpose of asking a question. Am I correct in calculating that there are 5,000 new jobs funded in this bill over the level of last year?

Mr. FOGARTY. That is in the appropriation for Health, Education, and Welfare.

Mr. JONAS. The figure is 5,441 new jobs over last year. Is that correct?

Mr. FOGARTY. Yes.

Mr. JONAS. For the second time now in 2 weeks we have had appropriation bills in here funding thousands of new jobs over the levels in effect last year. Assuming that these 5,441 new jobs will cost in annual salary an average of $5,000 a year, which is on the low side, it means we are adding $27 million a year to the payroll costs for new Federal employees. We did the same thing last week in the Department of Interior appropriation bill when we increased the jobs in that department by 3,000 over the previous year, after having increased those jobs by 2,000 last year over the year before—an increase of personnel for the Department of Interior 5,000 jobs in just 2 years.

The record shows that in 1961 the Federal Government put on the payroll nearly 100,000 new employees at an annual payroll cost of nearly $500 million a year.

I ask the members of the committee, How long are we going to continue to add to the Federal bureaucracy which already threatens to break the backs of the taxpayers of the United States?

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. JONAS. I yield to the gentleman from Iowa.

Mr. GROSS. I want to commend the gentleman for his statement and add to it that apparently he has not included the fringe benefits that go with those jobs.

Mr. JONAS. I am not counting government contributions to the health or retirement programs. I am counting nothing at all except the annual salaries. I for one believe that we have a big enough bureaucracy to run the Federal Government without continuing to add thousands a year to the Federal payroll.

Mr. LAIRD. Mr. Chairman, will the gentleman yield?

Mr. JONAS. I yield to the gentleman from Wisconsin.

Mr. LAIRD. I would like to say to the gentleman the figures he uses are absolutely correct. The increases in this bill for the Social Security Administration alone are 1,748 new jobs, most of which are financed through the social security trust fund. In the area of the National Institutes of Health and the Public Health Service, there are 2,094 jobs.

May I also state that the money in this bill does not include all of the funding in the social security welfare program. For the fiscal year 1963 the Committee on Ways and Means of the House, about a week or two ago, reported to the floor of this House a bill for which we did not include the funds, which will add to this bill, over and above the budget estimate, a total of $160 million. This came about by changing the rate in the lower sections of the welfare budgets from $24.80 to $29 of the first $35 of State payments for old age assistance, aid to the blind, aid to the totally and permanently disabled, and so forth. This did not increase the benefit to any welfare recipient any place in the United States, but it will add to this bill in the Senate. The gentleman from North Carolina and the gentleman from Wisconsin opposed that bill. But you are still going to have to add this amount.

Mr. JONAS. I thank the gentleman from Wisconsin for that contribution.

What I got up here to discuss, however, is the growing tendency on the part of the Congress to go along with the employees and even going beyond the administration in increasing Federal employees and even going beyond the administration's requests in some instances. After having added between 90,000 and 100,000 new employees to the Federal payroll in 1961, the new budget that is now under consideration would add another 46,000 Federal employees. The bill presently under consideration goes even beyond the requests made by the President and department heads and adds 420 new jobs above the budget.

Am I correct in that statement, I will ask the chairman of the subcommittee?

Mr. FOGARTY. I will be delighted to answer the gentleman's question. I am sorry it is not more.

Mr. JONAS. I understand. All I want to know is if I am correct.

Mr. FOGARTY. Yes. Most of those are in St. Elizabeths Hospital.

Mr. JONAS. Increases for new jobs are scattered throughout the bill and they add up to 5,441 new jobs and this is 420 more than the administration asked for. I am going to vote to recommit this bill in order that the subcommittee can take another look at this fantastic increase in jobs. I would hope that the new positions could be reduced substantially because the money could better be spent in eradicating disease and in expanded services than in adding so many new employees to the Federal payroll.

Mr. LAIRD. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. YOUNGER].

Mr. YOUNGER. Mr. Chairman, I take this time because I think the RECORD ought to show the testimony which the Secretary of Health, Education, and Welfare gave before our Interstate and Foreign Commerce Committee. I asked this question when he was making a statement about the money that was appropriated last year. This is my question to him:

> Do I understand that what Congress finally appropriated is not going to be spent? Either you asked for too much, or a curtailment that you have made now from the appropriated funds is not warranted.
>
> Secretary RIBICOFF. We didn't ask for too much. I mean the House voted much more than we asked for. The Senate voted much more than the House voted, and then there was a conference committee report and there was a certain amount curtailed in the final result. But what was made available was still much more than the House voted, which was more than we originally felt could be effectively spent.
>
> In other words, the question here is one of effectiveness. Money is important, but to me only money that is spent effectively is important.

Now, in addition to what we have here, our committee is considering this question of the training of physicians, dentists, and professional Public Health Service people, and I asked in our own committee whether the funds for this new project were in the budget and was told that the funds were there. I find now there is $34 million, but our bill, if it is passed by the House, calls for $134 million, so there will be $100 million more that will come into play if that measure is passed by the House, because our committee has already favorably reported H.R. 4999.

Mr. LAIRD. Mr. Chairman, I yield such time as he may desire to the gentleman from Illinois [Mr. MICHEL].

Mr. MICHEL. Mr. Chairman, I want to first echo the sentiments expressed so eloquently and forcefully by our ranking Member, Mr. LAIRD, in his opening remarks. Mr. LAIRD is very knowledgeable on the subject matter at hand, is most searching in his interrogation of the witnesses, and a tireless worker on the subcommittee. I must say the same, of course, for our chairman, the distinguished gentleman from Rhode Island [Mr. FOGARTY], although I find myself in considerable disagreement with my chairman's views on many of the figures arrived at in this bill. While we are in disagreement on many of the issues philosophically, he is a most agreeable gentleman with whom to disagree.

I find myself, Mr. Chairman, in rather a perplexing situation on this subcommittee, for there are a number of enactments of the Congress which I have not supported at the authorizing stage but feel compelled to appropriate funds to implement the will of the Congress.

For example, just last week the Congress authorized a change in the formula for public welfare assistance grants to the States without my vote, but in a supplemental bill our Appropriations Committee will have to ante up the funds to implement this legislation.

Again, in the area of education I have taken a position unalterably opposed to Federal aid to education, and I find in this bill considerable sums going for education. The Federal scholarship program under the National Defense Education Act is approaching a quarter of a billion dollar figure at $229,450,000. I did not support this legislative enactment. I have opposed several of the school construction measures coming before the Congress, and in this bill there is an item for $63,686,000 for assistance for school construction. The only area of Federal aid to education which I have supported is payments in lieu of taxes to school districts in federally impacted areas. This bill, as has been said before, increases the budget figure by $58 million to a total of $282,322,000. I am opposed to this increase because of the formula which gives so much to the area immediately surrounding the city of Washington, D.C., and I must say again parenthetically that I, along with Mr. LAIRD, were only 2 out of a total of 30 Members of the House voting against this authorizing legislation a year or so ago.

Mr. Chairman, there are some other areas where a member on this subcommittee is in a tight squeeze; for who wants to be against eradication of cancer, tuberculosis, and the communicable diseases? All of us have compassion in our hearts for the crippled children and the disabled. I am deeply concerned for those unfortunate people in our mental institutions, as well as those who are deaf and blind; and all the witnesses coming before our subcommittee make a good case for ever-increasing amounts to be appropriated to alleviate these conditions, but there is a limitation to the extent to which we can go.

There is an item in this bill in the amount of $2,538,300,000 for grants to States for public assistance, and I should like to include at this point figures showing the growth of this program since 1936 taken from the social security bulletins issued through the year 1959, together with recent HEW testimony and estimates for 1962 and 1963.

Growth of Federal grants for public assistance and child health and welfare

	All programs	Old-age assistance	Aid to dependent children
Fiscal year ending June 30—			
1936	$30,586,000	$24,654,000	$2,482,000
1937	149,896,000	124,585,000	14,789,000
1940	280,812,000	220,448,000	44,669,000
1945	420,675,000	345,738,000	60,127,000
1950	1,146,195,000	843,161,000	256,087,000
1955	1,455,856,000	920,358,000	387,600,000
1959	2,009,623,000	1,135,174,000	630,459,000
1962	2,503,700,000	[1] 1,269,900,000	865,500,000
1963	2,709,300,000	[1] 1,287,300,000	925,300,000

[1] Medical assistance for aged an added $230,900,000, 1962; $431,200,000, 1963.

Mr. Chairman, our subcommittee chairman has said that the report comes to the House unanimously, and I would say this is so with considerable reservation on my part. I am quite well aware that my position on many of these items is distinctly a minority view, and I will say to the credit of our subcommittee chairman that he has given in on a number of items to those of us on the subcommittee who felt that either the budget figures or the chairman's proposed figures were too high.

Mr. LAIRD pointed up in his opening remarks that the administration has held in reserve over $100 million appropriated in this bill last year, and that in effect makes the members of this subcommittee appear as though we were delinquent in scrutinizing carefully the Department's requests last year. It is indeed embarrassing to those of us who felt last year's figures were too high, and there is no question in my mind but that holding these sums in reserve played a role in the final figures arrived at by the subcommittee when marking up this bill.

I certainly would not want to transgress upon the time of the House to air my differences of opinion on each and every item in the bill for it would serve no good purpose here this afternoon. Suffice it to say, the growth in this appropriation bill in the last several years concerns me greatly.

And finally, Mr. Chairman, I want to say just a word about my good friend and colleague, FRED MARSHALL, of Minnesota, who will be leaving the Congress at the end of this term. He not only has served with me on this subcommittee but also on the Agricultural Subcommittee on Appropriations. We have made several investigative trips together, and I have always found him to be a kind, considerate, amiable, and likable fellow. He is so conscientious and serious about his work, and we are going to miss a most valuable member of the Appropriations Committee. I am sure all of the Members of the House join me in this appraisal of our distinguished colleague; and we wish for him all the best of everything as he returns to his active pursuit of farming back in Minnesota.

Mr. DOOLEY. Mr. Chairman, I wish to commend the gentleman from Rhode Island for his part in bringing this health, education, and welfare bill to the floor at this time, and particularly for helping to see to it that an increase was made in the appropriation for cancer research.

The scourge of cancer is universal, and the treatment for victims of this disease remained the same for almost 1,300 years. Until the discovery of the roentgen ray the three methods of therapy prescribed by Paulus of Agea in the sixth century; namely catherization, cauterization and surgery were employed almost everywhere.

Today modern methods of treatment are proving effective in curing cancer when discovered in its early stages and shows the value of intensified research.

All of us know that research alone will help to decrease the number of victims of this scourge—a scourge which is universal. One out of five people will learn of cancer directly or indirectly and about one out of twenty will die of it.

Research must continue if more progress is to be made against this universal enemy. The American Cancer Society is wagering an all-out war by alerting the public to the importance of early recognition of the disease, and by conducting a widescale research program.

Throughout the country good people and good doctors are collaborating to help the people of thousands of communities combat the deadly effects of this illness when it is not identified early and treated properly.

The appropriation for the ensuing years should continue to be substantial if the right kind of job is to be done, and the ultimate goal achieved.

Mr. DADDARIO. Mr. Chairman, I should like to call to the attention of the House one valuable program being conducted by the Department of Health, Education, and Welfare, and contributions being made to it in my district. We are all aware of the need to further language teaching in this country at a time when world events are so pressing. The problem lies in two areas—the teaching of strange, exotic languages known to few here, and the general teaching of languages more commonly used in world affairs.

The National Defense Education Act made it possible to intensify this training. The American Council of Learned Societies identified the languages in which trained persons were most needed by government, business, industry and education, through preparation of a list of 83 such languages. This list was later expanded to more than 100.

The language development section of HEW turned to the Hartford Seminary Foundation, long engaged in the education of missionaries, for experience in some of these tongues, particularly the African languages. Prof. William Welmers produced a brief course in Gio, which is spoken by approximately 100,000 people in Liberia. Prof. Maurice Hohlfeld is doing a grammar of the Hausa language, principal tongue of Northern Nigeria and adjacent territories. The Department is now negotiating for a project initiated by Prof. William J. Samarin for a preparation of a grammar of Sango, which is the lingua franca of the Central African Republic.

In the case of general language instruction, the 1958 act authorized in title VI the preparation of new and advanced materials to train teachers. The Office of Education knew of the fine work being done in the Glastonbury public schools under a strong director of curriculum, Mary P. Thompson, who had been active in regional and national foreign language work and had successfully directed the preparation of teaching materials for the elementary schools.

The resulting contracts have produced new materials in French, German, Italian, Russian, and Spanish, which have been put to use nationally with some 125,000 beginning pupils. Four levels of the materials will be produced to make possible an unbroken, 4-year sequence of study in the high schools. The so-called Glastonbury materials are considered by National Defense Education Act administrators to be the most effective means yet found to improve the teaching in the schools and teacher training in the National Defense Education Act foreign language institutes.

Teachers, administrators, and pupils have been enthusiastic about this new approach to language teaching. With the use of records and tapes, this system is a welcome advance from the old conventional one-book method without adequate training aids. I think Congress should be aware of the improvements which its action brought about and of the splendid work done by the Glastonbury schools in meeting this challenge.

Mr. DOYLE. Mr. Chairman, I desire to very cordially compliment the distinguished chairman of the Subcommittee on Appropriations, Mr. FOGARTY, who has just submitted bill H.R. 10904 with accompanying report making appropriations for the Departments of Labor, Health, Education, and Welfare, and related agencies for the fiscal year ending June 30, 1963.

While there are other major points in this bill and report about which I would like to compliment Chairman FOGARTY and his committee for this unanimous report which accompanies the bill, at this time I especially compliment the committee on providing this House with a unanimous report which specifically sets forth action by the committee submitting for approval of this House, their unanimous recommendation in report contained that the school districts throughout our Nation, commonly designated as impacted school districts, shall get the estimated funds necessary to meet the full 100 percent of entitlement under Public Law 815 and Public Law 874.

On page 7 of the committee's report it specifies that the accompanying bill, H.R. 10904, includes the sum of $282,322,000, which is an increase of $50,029,000 over the budget request and which is the sum of $51,029,000 more than the amount which was appropriated for 1962. And manifestly because the law relating to these impacted school districts has not been changed by Congress, it is fair and just and on all fours in the interest of taking the right steps, that the committee recomends this additional appropriation for 1963, for these impacted school districts so they may be able to plan their local school district obligations with the knowledge that they will receive funds to meet their full 100 percent of entitlement under the existing law.

I compliment the committee on including in its report, on page 8, the following language:

> The committee is convinced that this program should be funded in accordance with the existing law in order to keep faith with the schools and has therefore included in the bill the exact amount that the Office of Education estimates will be required in 1963 to meet 100 percent of entitlements.

And furthermore, on page 8 of the committee report, the committee said as follows:

> Assistance for school construction: The bill includes $63,686,000, an increase of $8,641,000 over the amount of the request, and $8,836,000 over the amount appropriated for 1962. The same explanation applies to this item as was given in explanation of the immediate preceding item.

Mr. Chairman, the main reason I rise at this time to make these necessarily brief remarks, and to extend my sincere compliments to the distinguished chairman and all the other members of his hard-working subcommittee, is that in the great 23d District in Los Angeles County, which congressional district I represent in this great legislative body in this my 16th year of membership herein, is that there are several school boards in separate cities in my district which absolutely depend for their carrying out their full program for the year 1963 on a continuation of the funds called for in Public Laws 815 and 874. I have had communications from several school superintendents and school officials to this effect and they call my attention to the fact that their respective school district is still rightly classified and recognized as an impacted school district.

And, Mr. Chairman, also may I say that it is to be hoped that when the forthcoming deficiency appropriation bill is written up, or submitted to this legislative body for the year 1962, it also, I earnestly beseech, will provide the sums required for 1962 to meet 100 percent of their legal entitlement for 1962.

This full entitlement for the impacted school districts for 1962 and 1963 in the great 23d District is an absolute necessity.

I thank you.

Mr. YATES. Mr. Chairman, I want to join with my many other colleagues in the House in congratulating Chairman FOGARTY for the outstanding job he has done again this year on this appropriations bill. The people of the United States owe a great debt of gratitude to JOHN FOGARTY for his unceasing effort to press for more research funds to eliminate the killing and crippling diseases of mankind. Thanks to him and to this committee, the National Institutes of Health stand as a symbol of the determination of the American people that cancer, heart disease, multiple sclerosis, and other scourges of mankind will soon be as extinct as smallpox, diphtheria, and scarlet fever.

I want to particularly commend the committee for its criticism of the Department in this year's bill in the field of mental health. It is lagging and it should be pushed to greater action. The Joint Commission on Mental Health was set up in 1955 to draft a comprehensive blueprint for treatment of the mentally ill. The Commission's recommendations have resulted in tremendous activity at State level, but unfortunately the current budget does not contain the funds necessary to carry out the Commission's recommendations at the national level. We desperately need psychiatric research. We desperately need to train needed psychiatric manpower. The problems in this field continue to mount, and we have not concentrated sufficient national strength to meet them.

My home State of Illinois is making a proud record in this field. Gov. Otto Kerner has established a separate department of mental health under the direction of Dr. Francis Gerty, distinguished past president of the American Psychiatric Association. This is one of the far reaching and beneficent actions taken in the field, and under Governor Kerner's sympathetic and knowledgeable leadership, Illinois has become one of the pioneering States in developing new methods of treating the mentally ill. Last year the Illinois General Assembly voted appropriations for six intensive treatment hospitals in various parts of the State. When they are completed the average mental patient will be not more than 1 hour from the nearest psychiatric facility.

Mr. Chairman, I cannot pass this opportunity, too, to recount what we have done for the Veterans' Administration medical research program in the Independent Offices Appropriations Subcommittee, of which I am a member. The VA medical research program has been increased from $5 million in 1956 to approximately $30 million for the current year. I am proud to have introduced the amendment in committee a few years ago to increase the appropriation for the Veterans' Administration's mental health program so that additional psychiatric technicians and skilled workers in the field could be hired to help the Veterans' Administration's mentally ill patient load. This has resulted in more than a 50 percent increase in the rate of discharge of mental patients from VA hospitals, patients who have been returned to their homes and normal life and to the activities of their communities. The VA program shows that there is a direct correlation between the amount of funds available for the care of mental patients and successful results achieved.

Mr. Chairman, I note, too, that the committee has taken action, too, in the field of geriatrics. This is as it should be, for the medical needs of our older citizens should command our continued attention. The fastest growing segment of our population is represented by people age 65 and over, and so much needs to be done to alleviate their pressing problems. Medical science has added years to our lives, but unfortunately, in too many cases the additional years have proved to be a burden rather than a blessing.

That is why I filed my bill last week, Mr. Chairman, H.R. 10870, the Services

to Older Persons Act. Under the bill, projects may be instituted which will help, as the bill states:

First. To assure to older persons an equal opportunity with others to engage in gainful employment which they are physically and mentally able to perform;

Second. To enable older persons to achieve a retirement income sufficient for health and for participation in community life as self-respecting citizens;

Third. To provide older persons, so far as possible, with the opportunity of living in their own homes or, when this is not feasible, in suitable substitute private homes; and in the case of such persons who need care that cannot be given them in their own or other private homes, to provide them with the opportunity to live in institutions that are as homelike as possible and have high standards of care;

Fourth. Older persons to receive adequate nutrition, preventive medicine, and medical care adapted to the conditions of their years;

Fifth. To rehabilitate and to restore to independent, useful lives in their homes, to the fullest extent possible, older persons who are chronically ill, physically disabled, mentally disturbed, or incapacitated for other reasons;

Sixth. To assist older persons to have access to social groups and to participate with those of other ages in recreational, educational, cultural, religious, and civic activities;

Seventh. To assure that older persons, in planning for retirement and in meeting the crises of their later years, will have the benefits of such services as counseling, information, vocational retraining, and social casework; and

Eighth. To relieve the problems of older persons through an increase of research on the various aspects of aging and the development of special courses in schools and departments of medicine, nursing, clinical psychology, and social work to train professional workers in the field of aging.

Mr. Chairman, for these purposes the bill authorizes an expenditure of $2 million on a one-third matching basis for a planning period so that States may explore and correlate their particular needs—a method which has proved its effectiveness in the Hill-Burton Hospital Construction Act, as well as in other similar legislation. And for the following 4 years, it authorizes grants to the States for approved projects of $2 million for the first year, $3 million for the second, $4 million for the third, and $5 million for the fourth, with a flat grant of $25,000 to each State. The balance of the Federal funds will be distributed in accordance with a weighted formula based on per capita income and the percentage of people 65 and over within the State. This method is in recognition both of the need for such projects and the ability of the State to finance them.

Also included in my proposal is an authorization of $500,000 per year for similar research by private nonprofit institutions. Finally, the bill calls for a National Conference on Problems of Older People at the end of the 5-year period to report on the experience of the community projects and to make appropriate recommendations.

A newspaper article in Chicago's American the other night contained a report of an interview with Geriatrician Dr. Prescott W. Thompson of the Menninger Clinic. I quote what the reporter, Robert Peterson, said:

> When I stopped at Dr. Thompson's office recently I asked what fears are particularly apparent among older people today.
>
> "A leading one is the fear of helplessness," he replied. "Although only a small percent of all older people become fully dependent on others, this dull, throbbing fear of invalidism plagues many elders.
>
> "We can help these people by reminding them that their chances of escaping helplessness are very good—provided they remain physically and mentally active."
>
> What about the principal needs of older people—aside from health and income? "I'd say it's their need to feel useful and important. Many retired people wither largely because they have few chances to demonstrate their usefulness.
>
> "Just about everyone, regardless of age, has potentials for useful service. We need to remind elders of this fact and to do what we can to create opportunities for them.
>
> "Sometimes you'll find an older person who merely sits day after day and insists he doesn't want to do anything. In these cases we must try to understand the factors which stand in his way and use our powers of persuasion to spark his interest and get him to use such abilities as he has before he loses them.
>
> "It's unfortunate," he concluded, "that many people still take the view that a person who has worked hard all his life should retire to a life of complete leisure. Although there is much to be said for taking things easier, the person who is accustomed to driving himself will find it difficult adjusting to leisure."
>
> It's good to know that a clinic as important as Menninger's is taking an organized interest in aging. Although bidding the boss goodbye may loom as an easy, inviting prospect, scientists are finding that it's more of a trick than most folks realize to achieve a successful, well adjusted emotional life in retirement.

Similar conclusions were reached some years ago by research teams at the University of Chicago, and their findings were published in an issue of State Government. The authors, Ethel Shanas and Robert J. Havighurst, of the university's committee on human development, drew on some of the findings in reaching their conclusion that our society frequently fails to provide enough satisfying social roles for older people.

> Most Americans like to be active, busy, and to have the feeling of accomplishment—
>
> They wrote—
>
> But old people are not expected to act this way. The American way has been to ignore old age—to act as if it did not exist, and to push it into the corner whenever it seeks to assert itself.

Old people, they find, need something to do. Their special health needs must be met; their special housing needs considered. Finally they said:

> Old people, like other human beings, need to feel that they belong and are important to someone or something. Research evidence indicates that, with the decline of intimate human contact the personalities of old people deteriorate. * * * Many cases of senile deterioration seem to be the result, not of organic changes, but of living in a social vacuum.

Public health officials are discovering that preventive measures are as important for persons growing old as for children growing up. They have developed a battery of tests—described as multiphasic screening—which can be given in from 15 to 30 minutes. They are inexpensive, and can be given on a mass basis by a small staff made up of nurses, technicians, and a clerk. Such checkups of persons over 45, given free in test areas throughout the country, have uncovered symptoms of high blood pressure, diabetes, anemia, heart disease, and tuberculosis which were unsuspected by the individuals. With proper treatment, the victims can usually continue for years to lead happy and useful lives. If these symptoms had lain unnoticed until serious damage had been done, they would be blamed on the effects of old age.

I am greatly concerned with this matter, Mr. Chairman, for all evidence shows that we are condemning too many of our senior citizens to a life of loneliness, neglect, and despair. A recent study points to the fact that many older people throughout the country have been stowed away and virtually forgotten in antiquated public infirmaries or in substandard nursing and convalescent homes.

Almost a century ago Benjamin Disraeli wrote in one of his novels:

> Let us hope that the heritage of old age is not despair.

That is still our hope. The golden years can be glorious years if our older people have enough to live on, good housing accommodations, something to keep them active and to give them a feeling that they belong—that the community has not discarded them. We are still far from that goal, but it is one toward which we must strive.

Mr. Chairman, I believe that my bill provides the method which will encourage action where it is needed. It will encourage the kind of activities which are already in the planning stage in hundreds of communities throughout the country, but which cannot get off the ground because of a lack of sufficient funds. It will enable us to determine the kinds of projects which can truly benefit our senior citizens. It will provide an opportunity for the exchange of information between communities through the Federal Government. And it will recognize, finally, that although the current problems of our older people are in the first instance the concern of the States, they are national problems as well.

I hope, Mr. Chairman, that my bill will soon be passed by the Congress and signed into law by the President.

Mr. O'HARA of Illinois. Mr. Chairman, I am supporting this bill with a sense of satisfaction and of pride in the Congress. In a very large sense, this bill goes closer to every American home, is more intimately entwined with the heartthrobs in every American family, than any other legislative measure that has come or will come before us at this session of the Congress. There is no wiser

expenditure of the public moneys than that covered by the appropriations for the health, education, and welfare of the American people.

How many lives have been saved, how many lives have been prolonged, how much grief has been spared the loved ones in family circles can only be estimated. But I do know, and I take pride in the fact, that largely owing to the distinguished gentleman from Rhode Island [Mr. FOGARTY] and the dedicated members of his subcommittee this Nation of ours has the greatest and all-inclusive program of medical research in all the recorded history of mankind.

This program opens the door to a future in which no longer the dread diseases of cancer, heart, and other afflictions, now beyond the power of medicine and surgery to reach, will hang over every home, no one knowing when or where they will strike. Today some 20 percent of the electors of the United States are 65 years of age or older. This compares with an average span of life of 30 or 40 years in many countries.

It is most heartening to me, and I am sure to all my fellow Americans, that at a time in the history of the world when we are throwing billions of dollars into armaments and the instruments of human destruction we are financing on a scale heretofore unapproached a program to save and to prolong the lives of our people and to give to all mankind the benefits of our research.

Mr. Chairman, I venture the prediction that long after the names of many great statesmen, who in their spheres have rendered herculean service, have been forgotten the name of JOHN FOGARTY will remain, an inspiration to oncoming generations. He is one of the very, very few men in all our political history who refused a seat in the U.S. Senate, offered him on a silver platter. JOHN FOGARTY elected to remain in this body because of his devoted dedication to the task for humanity that providence had entrusted to him. The stature of JOHN FOGARTY towers among us in this historic Chamber where so many of the Nation's great have grappled as giants with the problems of their times and have achieved eternal glory.

Mr. Chairman, I think this is an appropriate time to mention a volume that recently has come from the press, entitled "Patient Care Facilities: Construction Needs and Hill-Burton Accomplishments." The volume, published by the American Hospital Association, 640 North Lake Shore Drive, Chicago, is the result of a research project financed by the National Institutes of Health—grant W-43—and the W. K. Kellogg Foundation. The authors are Dr. Alan E. Trelgar and Don Chill, respectively director and assistant director of the research, representing years of intensive study. I am happy to say that Mr. Chill is a former constituent of mine, a worthy son of parents who long have been outstanding leaders in the Hyde Park community in Chicago and have contributed mightily to civic advancement. His mother, Rella Chill, has been among my most faithful friends and towers of strength in seven campaigns in the Second District of Illinois.

The Hill-Burton Hospital Survey and Construction Act was signed by President Truman on August 13, 1946. It initiated a remarkable public policy that enabled the Federal Government, in cooperation with State and local governments and nonprofit groups in the health field, to make grants for the construction of hospitals and related facilities that can serve the entire population. The Hill-Burton Act was a great forward-moving accomplishment of the Congress in the administration of President Truman.

I recommend to my colleagues interested in the subject the reading of this study of Dr. Trelgar and Mr. Chill, representing as I have said several years of searching quest for the facts and contained in a volume of 231 pages. Some of the conclusions reached by the authors may be controversial, but controversy when argued on both sides with sincerity and factual presentment is wholesome, and in this America of ours the issue finally is resolved in the good commonsense of the American people. The work of Dr. Trelgar and Mr. Chill is, as far as I know, the most complete study ever made of the operation of the Hill-Burton Act in the 16 years of its glorious history.

Mr. LAIRD. Mr. Chairman, we have no further requests for time.

The CHAIRMAN. There being no further requests for time, the Clerk will read the bill for amendment.

The Clerk read as follows:

HOSPITAL CONSTRUCTION ACTIVITIES

To carry out the provisions of title VI of the Act, as amended, $188,572,000, of which $125,000,000 shall be for grants or loans for hospitals and related facilities pursuant to part C, $1,800,000 shall be for the purposes authorized in section 636, and $60,000,000 shall be for grants or loans for facilities pursuant to part G, as follows: $20,000,000 for diagnostic or treatment centers, $20,000,000 for hospitals for the chronically ill and impaired, $10,000,000 for rehabilitation facilities, and $10,000,000 for nursing homes: *Provided*, That allotments under such parts C and G to the several States for the current fiscal year shall be made on the basis of amounts equal to the limitations specified herein: *Provided further*, That funds made available under section 636 for experimental or demonstration construction or equipment projects shall not be used to pay in excess of two-thirds of the cost of such projects as determined by the Surgeon General.

Mr. RYAN of New York. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. RYAN of New York: On page 25, line 21, immediately before the period insert the following ": *Provided further*, That no part of the amounts appropriated in this paragraph may be used for grants or loans for any hospital, facility, or nursing home established, or having separate facilities, for population groups ascertained on the basis of race, creed, or color".

Mr. FOGARTY. Mr. Chairman, I reserve the point of order.

Mr. RYAN of New York. Mr. Chairman and Members of the House, I rise to support an amendment which would provide a limitation upon the appropriations for hospital construction activities; that is, relating to page 25 of the bill.

Mr. Chairman, this amendment would prevent the use of funds appropriated under the Hill-Burton Act for hospital construction for segregated facilities.

The Hill-Burton program has provided Federal financing to help construct more than 2,000 medical care facilities in 11 Southern States. Since the inception of the Hill-Burton program these States have received $562,921,000 for hospital construction. Authorities have pointed out that virtually all of these institutions discriminate in various ways against Negro citizens.

Patterns of discrimination may vary. For example, some hospitals bar Negro patients altogether. The New York Times on February 13, 1962, reported that, according to the Department of Health, Education, and Welfare, 100 of the 4,000 Hill-Burton hospitals bar Negroes. Others admit Negro patients, but segregate them within the hospital. One hospital in Georgia, for example, provides only 12 beds for Negro patients, and the beds are located in a segregated section of the hospital in the basement. This hospital also refuses to admit any Negro pediatric or maternity cases. In addition, many Southern hospitals refuse to allow Negro doctors to treat patients in the hospital, and discriminate against Negroes in their employment practices.

Recently, discriminatory practices in federally aided hospitals have been dramatized. On February 13, 1962, six Negro doctors and three Negro dentists and two Negroes in need of medical care filed a complaint in a Federal district court in Greensboro, N.C. The complaint alleged that discriminatory practices in hospitals violate the due process and equal protection clause of the fifth amendment. The court has been asked to issue an injunction prohibiting the defendants from—

Continuing to enforce the policy, practice, custom, and usage of denying admission to patients on the basis of race and in any way conditioning or abridging the admission to, and use of, the said facilities on the basis of race.

The pattern of discrimination may vary, Mr. Chairman, but there is abundant evidence that the results seldom do. The policy of "separate but equal" in our medical care system almost invariably results in the unequal or inadequate medical care for many American citizens. Equality must be more than a mere slogan. It must, if we are to be true to our democratic principles, be a reality.

I believe that the elimination of Federal expenditures for segregated facilities is long overdue and that it is time for the U.S. Congress to make clear that it does not condone racial segregation in our hospitals nor the practice of using taxpayer's money to support this doctrine. I hope that all the Members of this body will support this amendment and uphold the principles upon which our Nation was founded.

Civil rights is the great unfinished business facing America. It is the unfinished business of Congress. Of course, I do not mean to imply by my amendment that the executive branch is without power to act in this situation,

but I do believe that Congress has a present responsibility. By adopting this simple amendment, we have the opportunity to strike down one area of discrimination. Mr. Chairman, I urge its adoption.

Mr. FOGARTY. Mr. Chairman, will the gentleman yield?

Mr. RYAN of New York. I yield to the distinguished gentleman from Rhode Island.

Mr. FOGARTY. Mr. Chairman, I ask unanimous consent that all debate on this amendment close in 7 minutes—2 minutes to be allowed to the committee.

The CHAIRMAN. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. FOGARTY. Mr. Chairman, ever since I have been on this committee I have opposed legislation on appropriation bills. In my opinion, even though this is technically a limitation, this would have the effect of changing existing law, the so-called Hill-Burton Act. Therefore, I request that the amendment be voted down.

Mr. KOWALSKI. Mr. Chairman, I ask unanimous consent to extend my remarks at this point.

The CHAIRMAN. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. KOWALSKI. Mr. Chairman, I rise in support of the amendment.

In 1944 as a member of the Eisenhower staff in the European theater, I prepared the initial study to provide for the integration of our Negro-American soldiers into the white fighting units. If the Negro was good enough to fight shoulder to shoulder with white American soldiers, he is now, it seems to me, entitled to integration as an American in our medical facilities. Accordingly, I feel a strong obligation to support this amendment.

I arise in support of the amendment.

The U.S. Civil Rights Commission Report of 1961 points out that a total of 90 separate segregated facilities had been erected under the Hill-Burton Act through 1960. Seventy-one of these facilities with 4,514 beds have been for white, while 19 facilities and 1,221 beds have been for Negroes.

It is incredible to me that the Department of Health, Education, and Welfare continues to administer grants for segregated hospital and health care facilities 8 years after the Supreme Court decided, in the school segregation cases, that so-called separate but equal facilities are in direct contradiction to the principles of our Constitution.

The continuation of this pernicious discriminatory practice is nothing short of federally financed quackery jeopardizing the welfare and the lives of Negro citizens. This practice furthermore condones the abridgement of the rights of Negro doctors and dentists to practice their profession under the equal protection of the law. And it condones an abridgement of the right of Negro patients to be treated by their own doctors, who in many cases are denied staff privileges in Federally financed facilities.

Suit has been filed in the U.S. District Court of the Middle District of North Carolina alleging that the Wesley Long Hospital refuses to admit Negro patients. HEW has granted this hospital $1,617,000 for new hospital construction, $66,000 for additional service facilities, and $265,000 for additions to the nursing home. In other words, nearly $2 million of the taxpayer's money is being used to subsidize racial discrimination in this one instance.

Through fiscal 1962 a total of nearly $2 billion has been appropriated for hospital construction. How much of this has been used to inforce racial discrimination? How much of it has been wasted through ridiculous duplication of facilities? And how much longer is this going to go on?

I submit that the present administration of Federal funds for construction of hospitals is Federal malpractice, wasteful of our health resources and the taxpayer's money, and worst of all it is a violation of the rights and welfare of the individual American.

If Congress does not see fit to condition these appropriations, then it is encumbent upon the administration to take executive action.

Mr. JAMES C. DAVIS. Mr. Chairman, is it in order for me at this time to make a point of order against the amendment?

The CHAIRMAN. The gentleman from Rhode Island has reserved his point of order. Does the gentleman from Rhode Island insist on the point of order?

Mr. FOGARTY. Mr. Chairman, I waive the point of order. I have stated my reasons as to why the amendment should be defeated and I ask the committee to vote down the amendment.

Mr. JAMES C. DAVIS. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state the parliamentary inquiry.

Mr. JAMES C. DAVIS. Mr. Chairman, is it in order for me to make a point of order against the amendment?

Mr. YATES. Mr. Chairman, does not the point of order come too late?

The CHAIRMAN. The gentleman from Georgia is making a parliamentary inquiry at the present time.

Mr. YATES. I beg pardon.

Mr. JAMES C. DAVIS. Mr. Chairman, I was on my feet at the time the gentleman from Rhode Island was recognized and I was on my feet for the purpose of making a point of order against the amendment.

The CHAIRMAN. The gentleman from Rhode Island being a member of the committee, the custom is that he be recognized first.

The Chair is ready to rule on the point of order.

Mr. YATES. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. YATES. Mr. Chairman, has not the point of order been waived by the gentleman from Rhode Island speaking to the question?

The CHAIRMAN. The Chair understood that the gentleman from Rhode Island was speaking to his point of order and insisted then on the defeat of the amendment.

Mr. YATES. That is correct, Mr. Chairman, and, therefore, no point of order is proper at this time.

The CHAIRMAN. The gentleman from Georgia [Mr. JAMES C. DAVIS] now states he was on his feet attempting to press a point of order against the amendment, but the Chair had understood that the gentleman from Rhode Island did insist on his point of order. However, the Chair was in error as to that and the gentleman from Georgia is now recognized to make his point of order.

Mr. YATES. Mr. Chairman, one final parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. YATES. Mr. Chairman, does not the point of order by the gentleman from Georgia come too late?

The CHAIRMAN. Not under the circumstances. The Chair would assume there is a possibility of more than one point of order being made and for more than one reason.

The Chair recognizes the gentleman from Georgia.

Mr. JAMES C. DAVIS. Mr. Chairman, I make a point of order against the amendment on the ground that it is legislation on an appropriation bill.

Mr. RYAN of New York. Mr. Chairman, may I be heard on the point of order?

The CHAIRMAN (Mr. BURLESON). The Chair is ready to rule.

The gentleman from New York has offered an amendment to which a point of order has been made. The language of the amendment to which a point of order has been raised is as follows:

Provided further, That no part of the amounts appropriated in this paragraph may be used for grants or loans for any hospital, facility, or nursing home established, or having separate facilities, for population groups ascertained on the basis of race, creed, or color.

The Chair is of the opinion that the amendment is a proper limitation under the rules of the House and, therefore, overrules the point of order.

The question is on the amendment offered by the gentleman from New York [Mr. RYAN].

The question was taken; and on a division (demanded by Mr. RYAN), there were—ayes 28, noes 38.

So the amendment was rejected.

The Clerk read as follows:

ASSISTANCE FOR REPATRIATED UNITED STATES NATIONALS

For necessary expenses of carrying out the provisions of the Act of July 5, 1960 (74 Stat. 308), and for care and treatment in accordance with the Acts of March 3, 1929, and October 29, 1941, as amended (24 U.S.C. 191a, 196a), $467,000.

Mr. GROSS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, who are these repatriates that are being taken care of to the tune of nearly half a million dollars?

Mr. FOGARTY. This is mostly for those people who are suffering from some form of mental disease.

Mr. GROSS. Who are they? Are they of all nationalities that have come to this country?

Mr. FOGARTY. No; they are all American citizens.

Mr. GROSS. They are all American citizens?

Mr. FOGARTY. Yes.

Mr. GROSS. Why are they called repatriates?

Mr. FOGARTY. Because they have been overseas and have come back to this country. They are people who do not have a family to take care of them. Somebody has to take care of them, so that is the purpose of this appropriation.

Mr. GROSS. Is this what service overseas does to some people?

Mr. FOGARTY. Yes, it does, in a few instances.

Mr. GROSS. Another Member suggested the Peace Corps? This will take care of the Peace Corps, too, I assume?

Mr. FOGARTY. That is not before our committee.

Mr. GROSS. The gentleman has not had enough experience with it to know?

Mr. FOGARTY. That is not before our committee. I do not know.

The Clerk read as follows:

SEC. 205. Appropriations to the Public Health Service available for research grants pursuant to the Public Health Service Act shall also be available, on the same terms and conditions as apply to non-Federal institutions, for research grants to hospitals of the Service, and to Saint Elizabeths Hospital.

This title may be cited as the Department of Health, Education, and Welfare Appropriation Act, 1963.

Mr. WILLIS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I ask unanimous consent to revise and extend my remarks and to speak out of order.

The CHAIRMAN. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. WILLIS. Mr. Chairman, I will want to make a careful study of the decision of the Supreme Court on yesterday, March 26, in the Tennessee case before making a final assessment of it. But a few points appear to be clear from the newspaper accounts of the decision.

As Mr. Justice Harlan pointed out in his dissenting opinion, the decision is a break with the past.

Throughout the history of our Republic, Congress has followed a consistent policy of leaving redistricting problems up to the States. It is true that when as a result of a decennial census a State gains a seat in Congress, Congress has provided that the additional Member must be elected at large, and that when a States loses a seat all the Members in that State must be elected at large unless the legislature of the State affected provides a system of redistricting. But that is a far cry from Congress going into the business of fixing the boundary limits of the congressional districts in the several States. On the contrary, Congress has always taken the position that it was better for the States to work out their own problems and to carve out their own congressional districts. And it never even occurred to Congress in the past that it should undertake to fix the geographical limits of the representatives in State legislatures. Yet, as pointed out by Mr. Justice Frankfurter in his dissenting opinion:

> In effect, today's decision empowers the courts (mind you, the courts—not the Congress) of the country to devise what should constitute the proper composition of the legislatures of the 50 States.

It must be clearly understood, therefore, that the six judges who decided the Tennessee case were not passing judgment on an act of Congress. I am not saying that Congress has absolutely no power to pass a law on the subject of congressional apportionment and congressional districting. The point is that Congress very deliberately saw fit to restrain whatever powers it might have and to leave it up to the States themselves to decide congressional districting problems, let alone State and local districting problems.

And so, in spite of a long-standing congressional policy of not making law in this area, a majority of the court made law by interpreting the Constitution in a different way than their predecessors. As Justice Frankfurter pointed out, "to find such a political conception legally enforceable in the broad and unspecific guarantee of equal protection is to rewrite the Constitution."

The Supreme Court did not undertake to say how this new system of apportionment and districting should be accomplished, but felt that it would be better for the district judges to fashion an appropriate decree in each case. That may be true, but since the Court did not set out standards and guideposts it may well result in as many systems as there are Federal district judges. No one can really say what might come next. Will the Federal Court stop at the level of State legislatures? Will they undertake to reapportion and redistrict city councils next? Will the composition of present State legislatures be disturbed? Will the terms of present State representatives and senators be cut short? What happens to State laws? Will new elections have to be held, and if so, under what rules and who will conduct them? If the Federal district judges in one State disagree, will there be more than one system in a particular State?

How will the decrees be enforced? Will the Court appoint special masters, and if so, to do what? Or will they use Federal marshals, and if so, to do what? What happens to the State election machinery? Will the decision put the Federal judges into politics, as Justice Frankfurter predicts it will?

I do not pretend to know the answers to these questions. In fact, no one can really know if, when, or how they may arise. That is the trouble with court-made law. That is the reason why whatever is wrong with State districting systems must be left to States themselves. Trying to do it by Federal court decrees will not work.

One thing is sure and that is that the decision will result in diminishing the influence of "country" representation and increasing the influence of "city" representation. Yet, just recently the House of Representatives refused to create a Department of Urban Affairs, to be headed by a Cabinet member. Does the decision have the effect of doing what Congress refused to do? The decision is bound to create tensions, irritations, and ill feelings.

For example, the following two sentences from an editorial appearing in this morning's—March 27—Washington Post may be a prediction of things to come:

> For the moment it is enough to note the sweep of what the Court has done. To say the least, the decision opens up a new era in the struggle for the representation of people (rather than cows or acres) in the legislatures.

In these critical times, when we desperately need unity and harmony in fighting our common enemy—communism—this sort of biased and inflammatory editorial is, in my opinion, a disservice to our country.

Mr. LANDRUM. Mr. Chairman, will the gentleman yield?

Mr. WILLIS. I yield to the gentleman from Georgia.

Mr. LANDRUM. I want to commend the distinguished gentleman for his very fine and judicial statement about this important question. I would ask of him one question: Does this decision not indicate that we are on the threshold of having judicial dictatorship established in this country?

Mr. WILLIS. Well, there is a certain trend on the part of the Supreme Court in embarking in areas heretofore reserved to the States, especially in this matter of political decision.

Mr. GROSS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I do not know whether my bifocals deceive me or just what the situation, but as I read this bill, nowhere do I find any entertainment allowance in this $5 billion bill. Am I unable to see the entertainment funds?

Mr. FOGARTY. Yes. We have $5,000 here for the Secretary of Labor.

Mr. GROSS. $5,000?

Mr. FOGARTY. That is right. For the Secretary of Health, Education, and Welfare we have $1,000.

Mr. GROSS. Apparently I did not read as closely as I should or between the lines. I thank the gentleman for his response.

The Clerk read as follows:

SEC. 904. None of the funds contained in this Act shall be paid to any person or organization registered with the Clerk of the House and the Secretary of the Senate under the Regulation of Lobbying Act.

Mr. LAIRD. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. LAIRD: On page 48, line 7, after the word "paid" insert: ", for the purpose of conducting or assisting in conducting a research or demonstration project,".

Mr. LAIRD. Mr. Chairman, the purpose of this amendment is to clarify section 904. As section 904 reads it would prohibit the use of any of these moneys to buy airline tickets, railroad tickets, and many other normal and regular costs. That was not the purpose of the section. It was merely to apply to the conduct of research projects and demonstration projects, and this is a clarifying amendment.

Mr. FOGARTY. Mr. Chairman, we have no objection to the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin [Mr. LAIRD].

The amendment was agreed to.

The Clerk concluded the reading of the bill.

Mr. FOGARTY. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with an amendment, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. BURLESON, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 10904) making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1963, and for other purposes, had directed him to report the bill back to the House with an amendment, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

Mr. FOGARTY. Mr. Speaker, I move the previous question on the bill and the amendment thereto to final passage.

The previous question was ordered.

The SPEAKER. The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

Mr. JOHANSEN. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. JOHANSEN. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. JOHANSEN moves to recommit the bill H.R. 10904 to the House Committee on Appropriations.

The SPEAKER. The question is on the motion to recommit.

The question was taken, and the Speaker announced that the noes appeared to have it.

Mr. JOHANSEN. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 24, nays 372, not voting 40, as follows:

[Roll No. 45]

YEAS—24

Alger
Anderson, Ill.
Ashbrook
Beermann
Bruce
Curtis, Mo.
Devine
Findley
Gathings
Goodell
Gross
Hall
Hiestand
Hoffman, Ill.
Johansen
Jonas
Kearns
Kilburn
King, N.Y.
Mason
Roudebush
Rousselot
Scherer
Siler

NAYS—372

Abbitt
Abernethy
Adair
Addabbo
Addonizio
Albert
Alexander
Alford
Andersen, Minn.
Anfuso
Arends
Ashley
Ashmore
Aspinall
Auchincloss
Avery
Ayres
Bailey
Baker
Baldwin
Baring
Barry
Bass, N.H.
Bass, Tenn.
Battin
Becker
Beckworth
Belcher
Bell
Bennett, Fla.
Berry
Betts
Blatnik
Boggs
Boland
Bolton
Bonner
Bow
Brademas
Bray
Breeding
Brewster
Bromwell
Brooks
Broomfield
Brown
Broyhill
Buckley
Burke, Ky.
Burke, Mass.
Burleson
Byrnes, Wis.
Cahill
Cannon
Carey
Casey
Cederberg
Celler
Chamberlain
Chelf
Chenoweth
Chiperfield
Church
Clancy
Clark
Coad
Cohelan
Collier
Conte
Cook
Cooley
Corbett
Corman
Cramer
Cunningham
Curtin
Curtis, Mass.
Daddario
Dague
Daniels
Davis, James C.
Davis, John W.
Davis, Tenn.
Dawson
Delaney
Dent
Denton
Derounian
Derwinski
Dingell
Dole
Dominick
Donohue
Dooley
Dorn
Downing
Doyle
Dulski
Durno
Dwyer
Edmondson
Elliott
Ellsworth
Everett
Evins
Fallon
Farbstein
Feighan
Fenton
Finnegan
Fino
Fisher
Flynt
Fogarty
Ford
Forrester
Fountain
Frazier
Frelinghuysen
Friedel
Fulton
Gallagher
Garland
Garmatz
Gary
Gavin
Giaimo
Gilbert
Glenn
Gonzalez
Goodling
Granahan
Gray
Green, Oreg.
Green, Pa.
Griffin
Griffiths
Gubser
Hagan, Ga.
Hagen, Calif.
Haley
Halleck
Halpern
Hansen
Harding
Hardy
Harris
Harrison, Wyo.
Harsha
Harvey, Ind.
Harvey, Mich.
Hays
Healey
Hébert
Hechler
Hemphill
Henderson
Herlong
Hoeven
Holifield
Holland
Horan
Hosmer
Hull
Ichord, Mo.
Inouye
Jarman
Jennings
Jensen
Joelson
Johnson, Calif.
Johnson, Md.
Johnson, Wis.
Jones, Mo.
Judd
Karsten
Karth
Kastenmeier
Kee
Kelly
Keogh
Kilgore
King, Calif.
King, Utah
Kirwan
Kluczynski
Knox
Kornegay
Kowalski
Kunkel
Kyl
Laird
Landrum
Langen
Lankford
Latta
Lennon
Lesinski
Libonati
Lindsay
Lipscomb
Loser
McCulloch
McDonough
McDowell
McFall
McIntire
McMillan
McSween
McVey
Macdonald
MacGregor
Mack
Magnuson
Mahon
Mailliard
Marshall
Martin, Mass.
Martin, Nebr.
Mathias
Matthews
May
Meader
Michel
Miller, Clem
Miller, George P.
Miller, N.Y.
Milliken
Mills
Minshall
Moeller
Monagan
Montoya
Moore
Moorehead, Ohio
Morgan
Morris
Morrison
Morse
Mosher
Moss
Multer
Murphy
Murray
Natcher
Nedzi
Nelsen
Nix
Norblad
Nygaard
O'Brien, Ill.
O'Brien, N.Y.
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen
O'Neill
Osmers
Ostertag
Passman
Patman
Pelly
Perkins
Pfost
Philbin
Pike
Pilcher
Pillion
Pirnie
Poage
Poff
Powell
Price
Pucinski
Purcell
Quie
Randall
Ray
Reece
Reifel
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Riehlman
Rivers, Alaska
Roberts, Tex.
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Rogers, Tex.
Rooney
Roosevelt
Rosenthal
Rostenkowski
Roush
Rutherford
Ryan, Mich.
Ryan, N.Y.
St. George
St. Germain
Santangelo
Saund
Saylor
Schadeberg
Schenck
Schneebeli
Schweiker
Schwengel
Scott
Scranton
Seely-Brown
Shelley
Sheppard
Shipley
Short
Shriver
Sibal
Sisk
Slack
Smith, Calif.
Smith, Iowa
Smith, Va.
Spence
Stafford
Staggers
Steed
Stephens
Stratton
Stubblefield
Sullivan
Taber
Taylor
Teague, Calif.
Teague, Tex.
Thomas
Thompson, La.
Thompson, Tex.
Thomson, Wis.
Thornberry
Toll
Tollefson
Trimble
Tuck
Udall, Morris K.
Ullman
Utt
Vanik
Van Pelt
Van Zandt
Vinson
Waggonner
Wallhauser
Walter
Watts
Weaver
Weis
Westland
Whalley
Wharton
Whitener
Whitten
Wickersham
Widnall
Williams
Willis
Winstead
Wright
Yates
Young
Younger
Zablocki
Zelenko

NOT VOTING—40

Andrews
Barrett
Bates
Bennett, Mich.
Blitch
Bolling
Boykin
Byrne, Pa.
Colmer
Diggs
Dowdy
Fascell
Flood
Grant
Harrison, Va.
Hoffman, Mich.
Huddleston
Jones, Ala.
Keith
Kitchin
Lane
Madden
Merrow
Moorhead, Pa.
Moulder
Norrell
Peterson
Rains
Rivers, S.C.
Roberts, Ala.
Selden
Sikes
Smith, Miss.
Springer
Thompson, N.J.
Tupper
Wilson, Calif.
Wilson, Ind.

So the motion to recommit was rejected.

The Clerk announced the following pairs:

Mr. Sikes with Mr. Bennett of Michigan.
Mr. Dowdy with Mr. Tupper.
Mr. Harrison of Virginia with Mr. Wilson of California.
Mr. Madden with Mr. Merrow.
Mr. Lane with Mr. Hoffman of Michigan.
Mr. Kitchin with Mr. Bates.
Mr. Barrett with Mr. Wilson of Indiana.
Mr. Byrne of Pennsylvania with Mr. Springer.

Messrs. DOMINICK, NYGAARD, MACGREGOR, BELL, and UTT changed their votes from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. FOGARTY. Mr. Speaker, I ask unanimous consent that all Members may be permitted to extend their remarks on the bill just passed and that I may be permitted to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

HON. HARRY S. TRUMAN

Mr. DULSKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DULSKI. Mr. Speaker, yesterday the city of Buffalo, N.Y., was honored to have former President Harry S. Truman as a guest upon the invitation of Canisius College. He spoke at the college to inaugurate a public lecture series of the new William H. Fitzpatrick chair of political science.

The college also conferred an honorary doctor of laws degree on former President Truman. The citation, read by the Very Reverend James J. McGinley, S.J., president of Canisius College at a special convocation in the new library building at the college, follows:

Master: Seventy-seven years ago that eagle of destiny, which bears the stars and bars in its singing plumage, screamed over a new American cradle in the prophetically named town of Independence within that mighty American State of which it has been said that it "raises corn and cotton and cockleburs and Democrats."

That same child grew up to be our century's finest master of the noble art of politics in the high Jacksonian tradition, subduing the things of the city to the timeless prairie rhythms of that peculiarly American entity, the town—our town, as well as Harry Truman's.

Husband and father, he became a soldier who gave orders to generals; a musician who scored the Missouri Waltz for Hail to the Chief; a chief executive who, inducted into office while an embattled world still trampled out the vintage of the grapes of wrath and man's fate yet hung in the balance, went on to see the glory of the Lord dawn bright over the armies of the republic he commanded.

Statesmen: For Harry Truman peace was to have "her victories no less renowned than war." Forthright, brisk, individual of idiom, never shirking a decision, as true to his trust as the name Truman itself, the old master of political tactic now deployed his unparalleled skill as the world's first statesman, becoming by dint of will and energy one of the great American chiefs of state.

From his practical intellect sprang, full-panoplied, that wise, humane, shield-bearing guardian of western freedom, the Marshall Plan, as well as its cochampion, the mobile armor of NATO which still keeps watch and ward over the security of freeman.

Not only wielding but enjoying power temperately, when the time came Harry Truman knew how to lay it aside with grace. Now, in green old age, as jaunty of mind as of manner and step, he lends his incisive powers of language and temperament to the service of American youth, youngest in heart of all our elder statesmen.

Familiar: Every walking day remains a St. Crispin's Day of victory for our "Harry the king" whose first name rings as familiarly on American lips as any household word. Today, March 26, 1962, the followers of another saint, Ignatius, meet in this present ceremony that links two historic libraries, Harry Truman's own archives and the archives of Canisius.

They meet in that great city of trees and river and lake, Buffalo, which a little more than a decade before Harry Truman was born, served as home to another Missouri wielder of American frontier vernacular, Mark Twain.

Mentor: They meet in the name of the William H. Fitzpatrick chair of political science whose founders have also given generously of their considerable abilities to the same famous American political party for which Harry Truman now acts as mentor.

They meet in academic conclave to honor this most unacademic of politicians, this common man cast uncommonly large on the white wall of history, this master of mugwumps and scourge of all snollygosters, this consummate statesman who proved anew that a knowledge of human nature is the beginning and end of all political wisdom and that the art of the possible can also be, on occasion, an art of the impossible.

They meet to hear Canisius College declare the Honorable Harry S. Truman, 33rd President of these United States, doctor of laws honoris causa.

Document: Accordingly by this document we, the trustees of Canisius College, authorized to that purpose by sovereign and supreme power of the State, bear witness that Harry S. Truman has been advanced by us to the honorary degree of doctor of laws and endowed with all the rights and privileges pertaining thereto.

And in proof thereof we have issued this document under the seal of our corporation and the signature of the president of the college.

Canisius College, Buffalo, N.Y., the 26th day of March 1962.

SMALL BUSINESS SET-ASIDES IN GOVERNMENT CONSTRUCTION

Mr. ASHLEY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. ASHLEY. Mr. Speaker, a few days ago I introduced a companion bill to H.R. 10518 by my good friend from Pennsylvania [Mr. MOORHEAD] dealing with the problem of small business set-asides in Government construction.

We are all very much concerned with the legitimate interests of small businessmen in obtaining their fair share of Government business in all categories. We are especially anxious that whatever programs we adopt in the Small Business Administration be in the genuine best interest of legitimate small businessmen.

The bill which I have introduced would repeal the so-called small business set-aside in Government construction, maintenance and repair contracts. I have come to the conclusion that the construction set-aside as presently operated is harmful to the Government, harmful to small business, and harmful to the building construction industry.

I believe that the small business set-aside is harmful to the Government because it denies the Government the advantage of competitive bidding in building construction. By its very nature, building construction is wide open for price fixing, political favoritism and monopoly unless contracts are awarded on the basis of competitive bidding. There is not now nor has there ever been any other way of safeguarding the public interest in construction contracts.

No matter how zealous we may be in our efforts to help a small businessman, when we give this assistance in such a way as to remove the protection of competitive bidding we are taking a very dangerous step. With the tremendous tax loads we are asking the people of the United States to assume in the cold war, we must exhaust every means of making certain that their dollars are spent wisely. The small business set-aside in Government construction by definition encourages work to be done at prices which may be substantially higher than if this work was performed under open bidding.

I have also introduced this bill because I believe that the construction set-aside is harmful to the legitimate self-interest of the small businessman. My concept of the small businessman that the Small Business Act strives to protect is a man with an established business, a number of employees, overhead responsibilities, and operating experience. These small businesses are part of communities, assume tax loads, participate in civic affairs, and in general their community depends upon them. When one of these small businessmen in my city of Toledo who may be in the manufacturing business wants to manufacture an item for the Defense Department, I believe that it is perfectly sound and in the Nation's best interest that we set aside a portion of our defense production for small businessmen like this. But as we all know, when we set aside this defense production for this small operator, he is required to meet the price stipulations, the quality requirements, and the technical standards of the production agency with whom he contracts.

In construction, however, we do not have this situation. A contractor without a job to perform is not even in business. He does not have to hire anybody except perhaps an estimator until he is actually awarded a contract. That contract may very well be at a location far removed from his hometown. This man does not have to own any equipment. He does not have to have any fixed overhead charges. He can do all of these things after he gets his contract.

My objective in introducing this bill is to draw the distinction between the established small businessman in our Nation's economy and the so-called small business contractor in construction. I believe that there is a great difference in these two types. Furthermore, I believe that if the set-aside in Government construction is permitted to continue to the detriment of the Government as well as the construction industry, that our overall effort to help the small businessman may be drastically affected.

I have introduced my bill, too, because I believe that the present construction set-aside is having very harmful effects on stabilized labor relations in the building construction industry. The stability of labor-management relations which we so earnestly seek, and about which this Congress has legislated for many years, depends upon good faith collective bargaining. The nature of the building construction industry is such that collective bargaining is conducted on an area basis by associations of contractors and associations of unions. The small business set-aside program is affecting good labor relations which have been existing in this industry for many years. The policies of the Small Business Administration in setting up small business contractors by loaning them money to get into business and then reserving large chunks of Government construction for them, is giving to these fledgling contractors a vast and unfair advantage over established businessmen. The set-aside contractors are able to perform work at costs substantially below that incurred by established firms. It is very significant that although these new entrants in the field are enabled to perform work with lower paid employees, more often than not their bids are substantially higher than that of established construction firms.

In addition to medical benefits, health and welfare insurance, and supplemented social security benefits, the construction industry in cooperation with their unions perform a genuine service to the Nation in their apprenticeship programs. Here again the small business set-aside does not require, nor can it require that these newly set up contractors make their contribution in terms of manpower training. I believe this is contrary to the national interest and is another reason that my bill should be enacted.

An added reason that I believe that this program will be harmful to small business is the shocking loss rates which the Small Business Administration is now incurring on loans to small business contractors. I am informed that on all construction loans now in force at the Small Business Administration the loss and arrears rate is running at 17 percent. This is very dangerous and shocking when one realizes that in all other categories of SBA loans, the loss rate is under 2 percent. Therefore, from the point of view of good business, SBA's loans to so-called small business contractors are very unsound.

Mr. Speaker, I should like to emphasize again in closing that I am not against the Small Business Administration, nor am I against its legitimate objectives. I am simply persuaded that the construction industry by its very nature already meets the requirements of our interest in small business by its historic subcontracting system. I believe that the great majority of work in this industry has been and will continue to be performed by legitimate small businessmen. On the other hand, I believe that all elements in this industry—prime contractors, subcontractors and labor unions—must conduct themselves in such a way as to guarantee that our Government will have the advantage of the finest construction techniques at the lowest possible dollar cost. I hope that the Committee on Banking and Currency of which I am a member will have hearings soon on this measure in order that the House may express its will.

THE TEXTILE INDUSTRY

The SPEAKER. Under previous order of the House, the gentleman from South Carolina [Mr. HEMPHILL] is recognized for 60 minutes.

Mr. HEMPHILL. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. HEMPHILL. Mr. Speaker, I rise today to talk again about a subject which, unfortunately, because of the treatment afforded the industry so near and dear to my people, the textile industry, prompts me to talk about textile problems.

Mr. Speaker, periodically in the House, along with my distinguished friend from North Carolina, the Honorable BASIL WHITENER, from the 11th North Carolina Congressional District, I have taken occasion to rise to make remarks about an industry and about what has been happening to that particular industry, and more importantly, about what is going to happen to the textile industry and the textile jobs in my part of the world and other parts of the country having textile industries as their major industrial complex.

We approach here a situation in which we have to vote on a new trade proposal, as opposed to or in place of the reciprocal trade agreements extensions from time to time since 1934, and under the guise and label of which various administrations and particularly some departments of those administrations, have seen fit to betray the textile industry and the textile workers. It is a sad thing when the American public servants in administrative jobs have to betray their own textile people. It is a sad thing when textile people who pay taxes cannot get any measure of protection from their Government. It is even sadder when we who are trying to present this problem are bombarded with propaganda paid for by the American taxpayers and written at the instigation and direction of these particular betraying administrative agencies uptown, and put out at the taxpayers' expense to sell something that sells American jobs and American industry down the river, particularly in the textile industry. I say it is a sad thing. Not only is it a sad thing to contemplate but we have now arrived at a condition in the affairs of this country when those espousing a cause which would protect or safeguard American industries which are hurt by imports are assailed with name calling instead of reason. They cannot resort to reason because there is no reason for taking any industry, or any part of any industry, and letting it go down the drain because of Government policy or letting it go partially down the drain, because we seek to protect other countries or to promote other countries and then say to those who want to protect American industry, "You are protectionists, isolationists."

I do not like such propaganda, I criticize it for what it is and from time to time I intend to point out as we get more of this propaganda, the waste of the taxpayer's money—which is used for putting out the propaganda against the very taxpayer whom it seeks to destroy.

We have heard from those who seek to justify their fallible policies that the textile industry is not an efficient industry. I would refer them to the magazine called Investor News, a publication issued by Du Pont & Co., an investment firm, in which it says that the American textile industry has the most efficient and modern textile plants in the world. If we have the most efficient and modern plants, what is wrong? Why are we having trouble? I think that is elementary. I think most people know the reason we are having trouble. It is because of the fact that we are having to compete with cheap labor, cheap overhead, lower taxes and a cotton differential of 8½ cents per pound of cotton.

The Tariff Commission has before it at this time, at the insistence of the U.S. Department of Agriculture—and I commend the Department of Agriculture for taking this stand—the question of the 8½ cents cotton price differential—the import fee. We of the textile industry are very anxious to have the Tariff Commission act favorably. The American textile industry deserves it. I must tell you now that if this is not done we will have difficulty in continuing to compete.

Mr. KORNEGAY. Mr. Speaker, will the gentleman yield?

Mr. HEMPHILL. I am happy to yield to the gentleman from North Carolina who has always exhibited a dedicated interest in the textile industry and the people who work in it.

Mr. KORNEGAY. I thank the gentleman very much. Mr. Speaker, I would like to commend my friend from South Carolina on the statement that he is making today. I should like to ask him if in his opinion the Tariff Commission will respond favorably in this proceeding now going on under section 22?

Mr. HEMPHILL. Of course, I have no way of knowing; but I think that if the Tariff Commission responds to the facts presented, to the statement by the President of the United States and by his representative from the Department of Agriculture, and if the Tariff Commission has the best interests of the American people at heart, it will come through with this import fee. That is my considered opinion. I have no way of knowing what they will do. I can only plead with them for the justice of our cause as I have done to the Tariff Commission and the public on many occasions.

Mr. KORNEGAY. Does the gentleman have any idea as to when a ruling may be expected from the Tariff Commission?

Mr. HEMPHILL. No. I have had some suggestions about that from time to time as to the strategy of that particular ruling. But at this particular time I have no way of knowing, nor do I have any way of knowing when legislation which may have its effect on the timing of that decision may reach this floor for debate, or the Senate floor for debate. I have had some suggestions about that, but I have no facts to substantiate any of them at this time.

Mr. KORNEGAY. I am sure that the gentleman joins with many of us in

hoping and praying that that decision will be favorable, and that it will eliminate the two-price cotton situation.

Mr. HEMPHILL. Mr. Speaker, I do, and I thank the gentleman for his continuing and unceasing interest in this problem.

While talking about the cotton-price situation, I want to read into the RECORD a part of a letter from a successful manufacturer whom I happen to know personally and who is interested in the jobs of his people because he says it is his major interest. He writes as follows:

MARCH 5, 1962.

Hon. ROBERT W. HEMPHILL,
House of Representatives, House Office Building, Washington, D.C.

DEAR MR. HEMPHILL: I appreciate very much your writing me in connection with the correspondence between the President and Representative VINSON, of Georgia. I will be delighted to outline my views to you and have intended to write you for some time.

I will confine myself to our particular operation, although what I say is applicable to all yarn mills and to a great many of the cotton cloth mills, too. I am also enclosing a copy of an address by Mr. James E. Robison, the president of Indian Head Mills, concerning the problem that the textile mills have with cotton. You may feel that his views on this matter are extreme, but as one who has lived with the situation for the last 16 years, I find that I am in agreement with most of what he has to say.

The importance of cotton to us as cotton spinners can be best illustrated by the figures which I list below. This is a breakdown of our cost between the major elements and, of course, a casual observation will show the items of great importance to us:

	Percent
Cotton	67.1
Wages	18.5
Selling expenses (including discounts, freight, and commissions)	5.3
Plant overhead (including supplies, power, fuel, etc.)	4.9
Depreciation (taking full advantage of the new more liberal allowances)	2.6
General and administrative expenses	1.5

Now included in the cotton figures above is the domestic cotton price which reflects, as you know, an 8½ cents per pound premium which American mills pay over any other mills in the world. For us, this would represent 17.7 percent of our total cost, which as you can see is almost equal to our entire wages paid, including all labor and individuals on salary. We, therefore, feel that the wage question for our particular product is entirely secondary to the matter of the disproportionate cost of our cotton relative to foreign spinners. If we enjoyed a like advantage in raw material cost, we would not be concerned with their wage structure in the least because our total wage cost would be matched by the advantage in raw material price.

When we see what is happening—when we see Americans actually being discriminated against and foreigners being discriminated in their favor and to the detriment of Americans, I ask, Can a policy like that make any sense? Of course, it cannot. It does not make sense and it reflects the fact that either some people are stupid who have generated such a policy of selling American industry down the river, or perhaps, they have other interests at heart. I have said that before and I have received no denial from those whom I have accused to this date.

I have another letter from another gentleman to whom I wrote and he, I know, has the interest of the working people at heart and because he loves them and I know thousands of those whom he employs.

In his letter, he says:

I don't envy you your position as our Representative, at the moment, in having to make a decision as to whether or not to go along with the President on his current demands. I suppose either of us could fill a volume with facts, many of which conflict, concerning the administration's gyrations over the past year or so in regard to textiles. Rather than that, I will try to briefly give you the picture as I see it from here.

You realize, of course, that I am not too conversant with the details of the Geneva agreement, the proposals made in H.R. 9900, or the chances for the imposition of an equalization fee.

The long-term Geneva agreement will let us remain at pretty close to status quo for 5 years if it is ratified by the various nations involved and if President Kennedy's men live up to the promises made to Representative VINSON. These are two very big "ifs," and, regardless of how they are resolved, it appears to me that we are being given a mere "stay of execution" unless (a) there is a reversal of the free trade policy in this administration, which seems very remote, or (b) the next administration reverses the policy. As you well know, neither Secretary Rusk, nor Under Secretary Ball, committed themselves to the extent that the President did, and it still appears that the State Department carries the "big stick" in the administration.

It would seem to me that H.R. 9900 goes too far in giving the executive branch of the Government power to juggle tariffs in the future. It would certainly be better if Congress could retain control over our tariff policies.

As to the 8½ cents equalization fee, I, personally, feel that this would be a help to our industry, if imposed. I must admit, however, that some of our competitors who are now importing goods or investing abroad don't back this fee as strongly as I do. It has also been suggested to me that even after the Tariff Commission's conclusion is submitted, it is most likely to sit on the President's desk until he gets his Trade Act through Congress. This, you know more about than I.

I wish I did know more about it than the gentleman who wrote to me. I do not think any of us have been advised, perhaps, as we ought to have been advised. But that is the order of the day here. If you are opposed to something, you just do not get any advice or information. It is not quite as bad as in some other countries, but it has the same odor, the bureaucratic censorship directed at those who oppose the bureaucratic policies.

When we think about it, what does make jobs? We cannot eliminate the fact that in America when a man hires another man and employs him to work, it is done for profit. If there were no profits, there would be no money for consumer goods. There would be no money for taxes. There would be no markets for automobiles, television sets, groceries or farmers' products or anything else.

I would like to insert at this point in the RECORD a little article known as the May Times of Friday, March 16, 1962, which is put out by the E. I. du Pont de Nemours & Co. They have a magnificent plant in the southern part of my district and they are people who are doing a great industrial service for the benefit of the entire Nation. They have a great industrial output and are progressive and efficient:

WHAT MAKES JOBS?

It's easy to blame technological change, or automation, for unemployment. But technological change isn't new—it has been with us through times of very low unemployment as well as high unemployment. Meanwhile, certain realities are overlooked.

There can be no job opportunity without a profit opportunity. People are hired because someone in business sees a prospect of earning a profit in an enterprise that needs their services.

Profits are the driving force of economic activity. And capital investment in plant and equipment is necessary to the economic growth that means more jobs.

What, then, has been happening to profits and investment? A few simple figures help explain the hard core of unemployment in the last few years. Between 1957 and 1961:

1. Gross national product increased by 15 percent.

2. Total compensation of employees increased by 16 percent.

3. Government expenditures (Federal, State, and local) for goods and services increased by 23 percent.

4. Total net corporate profits decreased by 4 percent.

5. Total business capital expenditures decreased by 9 percent.

These plain facts show that with gross national product, employee compensation, and Government spending all climbing high, it could scarcely be insufficient demand that is responsible for persistent unemployment.

More to the point are the sagging rates of profit and capital investment. For these are the actual incentives and means for job-creating activity.

Not long ago a gentleman for whom I have great respect and who has a plant in my district, although he comes from North Carolina, and the district of a friend of mine at Kannapolis, made a great statement as to the lack of proper import quotas hurting the American textile worker.

I ask unanimous consent, Mr. Speaker, to include in my remarks at this time the entire statement of this distinguished gentleman including the short tables in his statement, Mr. C. A. Cannon, of Kannapolis, N.C.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The article referred to follows:

LACK OF PROPER IMPORT QUOTAS HURTS THE AMERICAN TEXTILE WORKERS

(By Charles A. Cannon, president of Cannon Mills Co., Kannapolis, N.C.)

The continued existence of many thousands of business units and the jobs of more than 2,105,000 employees in the American textile industry are threatened by our import policies. Combined, the textile and apparel industries currently employ 2,105,000 men and women—one-eighth of the 16,836,000 persons engaged in all manufacturing enterprises in the United States.

The extent of the damage already done to employers and the employees of the textile industry is shown by the following figures for the industry (excluding 1,213,000 employees in the apparel and related industries):

	1947	1957	1961	Percent decrease
Number of employees	1,335,000	1,000,000	892,200	34
Cotton system spindles	23,000,000	21,200,000	19,600,000	32
Profits on sales (percent)	5.2	1.9	1.9	77
Profits on net worth (percent)	15	4.2	4	73

Average annual consumption all cotton

	Thousand bales		United States as percent of world
	United States	World	
1924-30	6,645	24,769	26.8
1930-40	5,802	27,385	21.5
1940-50	9,672	26,646	36.3
1950-60	9,013	41,250	22.1
1959-60	9,025	48,194	18.1
1960-61	8,268	46,919	18.0

Only a small part of the decrease in the United States is explained by the increase in domestic production of manmade fiber products.

These figures show the upward trend in imports and downward trend in exports of cotton products and manmade fiber fabrics:

The cotton content in cotton products

[Units of 1,000 bales]

	Imports	Exports
1954 (1st year for Public Law 480)	161.0	604.5
1955	181.2	547.5
1956	228.0	530.4
1957	198.1	579.1
1958	232.8	621.0
1959	360.0	692.6
1960	825.5	685.6
Percent increase (+) or decrease (−)	+420	−20

Manmade fiber fabrics

	Imports (pounds)	Exports (square yards)
1954	1,174,000	280,848,000
1955	1,641,000	198,852,000
1956	2,773,000	182,743,000
1957	3,284,000	171,429,000
1958	4,965,000	156,767,000
1959	11,012,000	168,004,000
1960	10,315,000	154,449,000

The chief exporters of textile products to our country are Japan, Hong Kong, Portugal, Spain, Egypt, India, France, and Italy.

The increase in textile product imports and resulting loss in domestic production and jobs are explained largely by these factors:

1. Our furnishing modern equipment at low cost or no cost to so-called underdeveloped countries.

2. The low wages paid in the foreign countries range from less than 10 percent to not above 50 percent of the American wage level.

3. The availability of American cotton at no real cost to foreign countries under Public Law 480.

4. Our low tariff rates.

5. Our export subsidy of 8½ cents per pound or $42.50 per bale.

6. Our failure to establish proper import quotas and regulations.

These factors are in addition to the advantage which the foreign spinner has in securing his cotton at one-third less than the American manufacturer. The foreign cotton is excluded from the American market by quotas. The total amount of upland cotton being allowed to come in in any 1 year is less than 1 day's requirement for American spinners.

Our Public Law 480 sales of cotton to so-called underdeveloped countries has hurt the American textile business. Beginning about 1947, we furnished money and equipment to Japan and other countries so that in many places the foreign producer has newer and more effective machinery than we have at home. Beginning in 1954 and through December 5, 1961, under Public Law 480 we have shipped or authorized 6,011,344 bales of cotton valued at $994,564,652 to various countries, all of which is supposed to be in excess of their traditional consumption of American cotton. These 6 million bales, at a value of $1 billion, were not paid for in dollars but in restricted local currencies which could be spent only in the foreign importing country which received the Public Law 480 cotton, all of which contributed to their local economy.

The goods manufactured from American or foreign cotton are available to be exported to the United States and sold to us for dollars which they can readily exchange for gold.

Some of the beneficiaries through Public Law 480 cotton have been:

Burma	$32,000,000
Taiwan	7,000,000
Korea	47,000,000
Pakistan	35,000,000
Colombia	12,000,000
India	157,000,000
Indonesia	58,000,000
Italy	77,000,000
Japan	52,000,000
Poland	94,000,000
Spain	119,000,000
Yugoslavia	82,000,000

Japan, Pakistan, India, Italy, and Spain (as well as Hong Kong, Portugal, and Egypt) have been substantial exporters of cotton goods to the United States and are pressing to increase their shipments at the expense of the American manufacturer.

The following shows price differentials on a number of fabrics in the New York market during December 1961:

Comparative gray goods prices

[Cents per yard]

Construction	American price	Japanese-free Chinese price
40" 136/60-3.65 (combed)	26	24
47" 126/60-3.10 (combed)	30	29
47" 109/58-2.84	27½	25½
45½" 80/54-3.43 (combed)	30	28¾
40½" 42/44-3.00 (soft-filled sheeting)	21	17½-18
40½" 42/44-3.50	17¾	14¾-16¾

The above figures readily explain how the foreign competition can quote lower prices than the American mills can possibly afford to make. It is a well recognized fact that many textiles are sold at very close prices. A difference of one-eighth of a cent a yard, which is less than 1 percent of the value, often is the controlling factor as to whether a mill is to continue to operate or run short time.

UNEMPLOYMENT

Unemployment is high in the United States. A continuation of our import policy on textile goods threaten to increase that unemployment. By contrast, we know that many foreign countries have a labor shortage including Japan, West Germany, and Switzerland who are profiting as a result of our failure to protect ourselves against imports from low-wage countries.

In the apparel industry, there are about 1,213,000 employees and, therefore, in the combined textile industries there are about 2,105,000 out of a total of 16,836,000 employed in all manufacturing industries, or 12.6 percent (Labor Department's Monthly Report on Labor Force, November 1961, issued December, table 3).

The administration recognizes that the textile and apparel industries are employers of a large part of our whole manufacturing employees (12.6 percent) and are probably more vulnerable to imports of competing products than any other large industry on account of the foreign countries having lower raw material prices (American cotton available to foreigners at 33½ percent under American support price, and cotton represents, in many instances, one-half the cost of American gray goods). The foreign countries have advantage of lower wage costs, their rate being 10 to 50 percent of the American wage rate (the American labor cost frequently runs as high as 50 percent of the sales price of gray goods).

Further decrease in employment in the textile and apparel industries will add to the serious problems of unemployment. In many areas, the textile or apparel workers are a large portion of the entire labor force in the area and State.

In addition to present loss of employment in the textile and apparel industries, the entire future of our cotton farmers, ginners, compressors, and warehousemen (not included in manufacturing industry figures) is threatened. If the domestic mills, which pay the Government support price, or higher, for the greater portion of U.S. cotton consumed, are destroyed, then it follows that raw cotton interests must live on the world price plus such additional subsidy or dole that the Government may wish to pay them.

We are familiar with the depressed conditions in the coal mining areas of West Virginia and Pennsylvania. Those same conditions will probably arise within a few years in the many areas in many States where a large proportion of all manufacturing industry employees are those engaged in producing textile products and apparel. In many places this proportion is 50 percent or as high as 80 percent of the total number of employees in the manufacturing industry in the State.

It will be impossible to retrain or to move a large number of the employees, many of whom have made the textile industry their life's work, are skilled employees in the industry, and have established their homes, their families, and their expected future, based on the stability of the textile industry. The liquidation of this industry, employing a large number of people and so necessary in time of peace or war, will bring social unrest, family disruption, and heartaches to a great number of people in wide areas of the country where the industry is located.

The suggestion that these people be retrained and possibly moved to other localities is not realistic when we consider that we have not retrained and taken care of some 4 million employees who are now unemployed and, yet, it is proposed that we begin to add to this number an additional 2 million employees. If this program were put into effect today, our unemployment would rise from 6 to 9 percent.

It seems quite clear that our import policy has largely caused this decrease in American jobs. The textile industry is hurt by our

cotton pricing controls. But we probably can survive if we get an equalization fee to offset the 8½ cents per pound subsidy on cotton exported to foreign countries, plus protection in the form of fair tariff rates and quotas against excessive importation of fabrics and apparel from low wage countries.

Foreign countries have no just basis to object to any of these procedures. Practically all of them have restrictions which prevent or limit our shipping many items into their borders. There is little reciprocity in practice.

THE COMMON MARKET APPROACH

In his state of the Union message, President Kennedy ties his foreign trade recommendations to his concept of the European Common Market (comprising France, West Germany, Italy, the Netherlands, Belgium, and Luxembourg), which is still in experimental form.

He recognizes we need a new law. The Reciprocal Trade Act has not accomplished true reciprocity and has resulted in our giving up much and getting very little in return.

No one as yet can be sure as to how the Common Market will operate and how it will affect our country. The six European countries in that group along with the United Kingdom form (as the President says) "an economy which nearly equals our own." The Common Market principles will apply, if at all, only to countries of a somewhat similar economy. Therefore, it would be unwise to apply to low wage countries practices which some persons think will work well with seven nations whose wages and living standards are more like ours than is true with many other parts of the world.

And yet, in his message the President says, "nor are we abandoning our non-European friends nor our traditional most-favored-nation principles."

We should insist that the principles of reciprocity and fair dealing be practiced by all the nations with whom we desire to have trade. We certainly should look long and hard before we make commitments which may make a bad situation worse.

RECOMMENDATIONS

The administration recognizes that the textile industry is so important to our American economy and employs such a large proportion of our manufacturing labor force that it must be given special treatment.

I recommend such special treatment through legislation as follows:

1. Collect from importers an equalization fee to offset the advantage given to foreign producers who now buy American cotton 8½ cents per pound under the price paid by American mills.

2. Establish fair quota limitations on imports of textile products, including yarns, based on the average of 1955–59 imports.

3. Insist that many other countries increase their imports from the areas requiring help through increase in exports of the products of those areas and thus relieve the growing pressure on the United States.

These actions are necessary in order to keep our American textile industry healthy and strong—ready for war and other emergencies and meanwhile employing our American men and women.

After the above article had been delivered to the printer, I learned through the press some of the details of the International Cotton Agreement reached in Geneva.

I believe the tentative agreement, subject to the approval of 19 nations, insures a continuing threat to the employment in the textile and garment industries in the United States. I believe that legislation making mandatory my recommendations will be required to protect the American textile industry, recommendation No. 1 calling for an import fee of 8½ cents a pound on cotton and recommendation No. 2 calling for the establishing of ceilings by quotas on imports.

The preamble provides protection for all participating countries except the United States, as follows:

"Recognizing further that such action should be designed to facilitate economic expansion and promote the development of less developed countries possessing the necessary resources, such as raw materials and technical skills, by providing larger opportunities for increasing their exchange earnings from the sale in world markets of products which they can efficiently manufacture."

I anticipate increasing hardships in and liquidation of the American textile and garment industries if this provision is carried out.

C.A.C.

Mr. HEMPHILL. Let us turn for a minute to what has happened to a plant in my district. Here is the sort of thing that is shocking. I have a letter directed to my distinguished friend from South Carolina, the Honorable WILLIAM JENNINGS BRYAN DORN, who so ably represents the Third District of South Carolina, from a gentleman of his district by the name of Jack Radcliffe, of Anderson, S.C. This letter tells of the fact that these particular people sell for the Chesterfield Webbing Co., of Chesterfield, S.C., which is in my district. He tells how they lost an order for 400,000 yards of webbing to the Japanese, and he goes on to tell how much was lost in Federal taxes, how much would be lost to the workers, how much profit would be lost, and what the American taxpayer paid in substance. This is significant.

I ask unanimous consent, Mr. Speaker, to include this letter at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The matter referred to follows:

RADCLIFFE & CO.,
Anderson, S.C., March 13, 1962.

Hon. WILLIAM JENNINGS BRYAN DORN,
Congressman, Third District of South Carolina, House Office Building, Washington, D.C.

DEAR MR. DORN: We sell for the Chesterfield Webbing Co., of Chesterfield, S.C. We lost an order about 3 weeks ago for 400,000 yards of elastic webbing to the Japanese. Our price on the webbing was $5.10, and the Japanese took the order at $4.60 per 100 yards. What I would like to point out is the loss that the Federal Government and the State of South Carolina suffered by this webbing's being made in Japan.

It would normally employ 40 people 1 week to make this 400,000 yards of webbing. Figuring their wages at $50 per week each, makes a total of $2,000—$200 in Federal taxes lost. The webbing mill would expect to make about 8 percent on this order—$1,572—$300 in Federal taxes lost. It would employ 30 people 1 week to make the 14,000 pounds of yarn needed for this webbing at an average payroll of $50 each—$1,500 payroll lost—$150 in Federal taxes. The yarn mill would expect to make 6-percent profit on the yarn needed for this order, thereby losing a $588 profit—$300 Federal taxes lost. The American taxpayer has paid $1,360 in subsidies so that the Japanese could purchase our cotton 8½ cents per pound cheaper than we could—$1,360 cost to the Federal Government.

In addition to 70 people being out of work for 1 week in the State of South Carolina, and the State's losing taxes on their wages, the Federal Government has lost a total of $2,810 in Federal taxes which other taxpayers will have to ante up.

I would sincerely like to ask that when the Geneva Treaty on Textiles comes before the Congress that you vote against ratifying this treaty, and please for the sake of our southern textiles line up all the support that you can to defeat this treaty. If this treaty is ratified, I do not believe we will have any textile industry in the South 10 years from today.

Sincerely yours,

JACK L. RADCLIFFE.

Mr. HEMPHILL. I wonder what has happened to our pride in this country. I wonder what has happened to our pride when we have to listen to the whimperings, the whisperings, the miaowings that are going on in behalf of every little country of the world. I wonder when we are going to realize that nobody respects anything but strength, and never have in the history of the world, so far as nations are concerned. They do not respect stupidity, and certainly some of these things are stupid. They do not respect weakness, and we have demonstrated weakness.

What has happened to our pride? It seems to me that some of the people administering some of these policies have no pride in America, no pride in its present, its past, or its future, no pride in its great industries. I think we should consider that from this moral standpoint if they exhibited a little pride in our country, its products, and its system, they would be cutting down on these imports.

You talk about good intentions; I am not interested in good intentions, I am interested in action, because I know where good intentions have led many.

I ask unanimous consent to include here an article from the Textile Reporter of March 15, 1962, entitled "More Action and Less Palaver Is What Industry Wants From Kennedy." I have great faith in President Kennedy. He is the first President I have served under—I have only served under two—who tried to do anything about the textile industry, and I do not want his ambition, his efforts sabotaged by people who are willing to use the semantics of high office and of the highest office to make promises the bureaucratic administrators have no real desire, no real intention of fulfilling.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

The article referred to follows:

MORE ACTION AND LESS PALAVER IS WHAT INDUSTRY WANTS FROM KENNEDY

The present administration has really done very little to help relieve the textile import problem—hardly any more than was done by the Eisenhower administration, which certainly was not noted for protectionist tendencies. True, there has been considerable activity, but activity should not be confused with action, according to A. Henry Thurston, former director of textiles and clothing in the U.S. Department of Commerce:

"Much has been made of the international agreement developed at Geneva in July; and, although this international understanding shouldn't be dismissed, neither should it be blown up beyond what it really is. Actually, the document is so worded that it can mean various things to different people, and so

the intent of the U.S. Government becomes all important.

"Despite the President's public release and despite statements made by White House assistants to groups of industry representatives, the State Department has twisted the program around so that only cotton products are being dealt with, not all textiles, as stated. There is a vague and indefinite promise of possible future action in the case of other fibers, but prospects for international quota arrangements on wool and man-made fiber products are uncertain at best.

"And so, what about the much-discussed Geneva agreement? It could be used as an instrument to hold down U.S. imports of cotton yarns, fabrics, and apparel. It all depends on the philosophy of those in Government who will administer the program. There are many more 'freetraders' than 'protectionists' on the Washington scene, and the quoted statements—plus the general State Department attitude—tends to indicate that the Geneva agreement will be used as a tool to increase U.S. imports at a regularized rate, rather than to serve as a deterrent.

"As a clear indication of State Department thinking, a story appearing in the Daily News Record of September 26, 1961, is most revealing. In major part the dispatch, dateline Yokohama, said:

"'Economic exchange between Japan and the United States will grow steadily from year to year,' American Ambassador Edwin O. Reichauer said in a talk here to the Japan-American Society of Yokohama. Problems do arise, because of the size of our two-way trade. Mr. Reichauer said, referring to the recent textile quota negotiations as an example of the effort to make the trade relationship one of 'orderly expansion, without doing damage to either side.' That quota negotiation, he said, was a 'difficult political problem.'

"No ambassador makes a public speech without closely following official State Department policy.

"In his Yokohama talk, Ambassador Reichauer stated quite fully that the Japanese-United States textile agreement is to provide orderly expansion by the Japanese in the U.S. market, rather than to cut back imports from Japan which has been the objective of our own industry.

"Have the textile industries made any progress in struggle with government to act on imports? Yes, although actual results may be so long coming that to many mills it may be of only academic interest.

"As one industrialist described an escape clause action, 'When you are dead, they'll build you a mausoleum.'

"At the Geneva meeting—and again at the negotiations with the Japanese in Tokyo—representatives of U.S. textile and apparel producers had the opportunity to voice their views to the U.S. delegation. In a sense there was nothing completely new in this, because industry consultation was frequent during the talks with Japan in 1956. Geneva and Tokyo, however, marked the first time that U.S. millmen were invited abroad and kept in daily touch with the progress of negotiations. This, then, was some slight gain and holds promise for future progress along this same path of consultation, with its opportunity to influence the U.S. Government position.

"If adequate import protection is not given to textiles, it will not be for want of trying on the part of Commerce Department officials, notably Secretary Luther M. Hodges and Assistant Secretary Hickman Price, Jr. The Secretary (in policy determinations) and the Assistant Secretary (in operations) have worked diligently to bring about less of a free-trade attitude by the White House.

"How successful they will be in the face of unremitting opposition from the State Department and other dedicated one-worlders in Government is a great question.

"We don't have the final answer on the Kennedy administration yet, but it doesn't look as encouraging as a casual glance at the headlines might lead us to believe."

Another down-to-earth summary of the cotton textile situation was included on the next page of the Phi Psi Quarterly. Written by Donald I. Rogers and copyrighted 1961, by the New York Herald Tribune, Inc., Mr. Rogers wrote:

"It takes skill and great expertise, as they say on Madison Avenue, to bring a strong industry gibbering to the brink of bankruptcy, lose our world leadership in a vital field of production, and pour about $4 billion (repeat billion) in taxpayers' money down a rathole.

"It has been done in the cotton industry as James E. Robison, president of Indian Head Mills, Inc., told the Textile Salesmen's Association the other day.

"The achievements of national planning in the cotton program in a mere 30 years are noteworthy.

"It has cost the United States leadership in the world trade of cotton.

"It has lowered the quality because the Government pays no premium to the farmer who bothers to grow better stuff. It has reduced cotton consumption in domestic mills from 9 million to 8,200,000 bales since 1940, while consumption in foreign mills has risen from 17 to 39 million bales in the same period.

"It has stimulated use of synthetic fibers to the detriment of the cotton farmer.

"It has, through acreage allotments, curbed the efficient, low-cost farmer and kept the inefficient, high-cost farmer in production, as is the case with so many other farm programs.

"It has made the cotton textile industry unprofitable and backward.

"All this has been accomplished with a few simple devices so dear to the hearts of the liberals and central planners. One is a support price with acreage allotments. Another is an export subsidy that allows the spinner in the free world to get cotton for 8½ cents a pound less than his American competitor. A third is an almost total ban on import of cheaper, finer cotton from abroad, under a policy that simultaneously allows manufactured cotton to flood in from foreign mills.

"While deliberate sabotage could hardly have caused more mischief in the cotton textile industry, it is, despite Washington's willful ways, still breathing. This has disturbed someone in the mahogany-desk group, so now they're proposing to increase the support price on the next crop, and probably the export subsidy.

"I can never understand why the Government experts who plan these beatings on business fail to realize that they're also hurting the beloved Central Government.

"Much of the Treasury's revenues come from corporate profits. Even a soft-boiled egghead knows that. Well, cotton textile manufacturers are averaging about half the profit on investment or sales that industry in general makes.

"This represents a direct loss of hundreds of millions a year to the Treasury in addition to what is actually spent for crop support and export subsidies.

"Employment, the avowed goal of the administration, has fallen from 1,325,000 in 1947 to 940,000 in 1960 in the cotton textile industry.

"Can't they see, these planners, that a Government program that damages business must also damage Government and damage the people as well? They'd better begin to see these things, for Orville Freeman, our amateur Agriculture Secretary proposes, bluntly to enlarge subsidies, restrictions, and losses.

"In truth, Mr. Kennedy and the merry men of the Frontier didn't create this problem. They inherited it. But Mr. Freeman certainly isn't proposing to solve it. He wants to compound it.

"The answer is to move in the direction of a free market in cotton. Let domestic spinners buy at free-market prices and get an even break with their foreign competitors. This will deal a blow to the small grower, perhaps, but the truth is, he'll never make a decent living, even under a subsidy program. Three-quarters of the growers handle less than 15 acres and, if they had only this to depend on for income, they couldn't live well if the support price were raised to $5 a pound.

"In fact, our policies have put a price floor on the entire world supply of cotton and as a result farmers in many countries are in marginal cotton production. Know how we solved it? We reacted by curtailing our acreage more.

"The New Frontier can follow the old destructive pattern or it could seize this chance in cotton to come up with one of those 'broad new programs' it is always talking about."

Mr. HEMPHILL. I do not want my President put in that position. I am certain he does not want that either. I have great faith in him. The reason I say what I say today is because I want those people who are not carrying out or plan not to carry out his expressed purposes and his campaign promises to know that we, in the textile industry, will be on the lookout for such departures and we will not hesitate to give voice to the protest at such time as we may find it necessary.

Recently, as you know, the President has given the textile industry some relief in raising the tariffs on certain carpets from 21 to 40 percent, which is a great thing, and the people in those industries should thank him for taking this very positive action. Not only that, but certain textiles from Hong Kong have been banned. The categories affected are listed in this article which I include as a part of my remarks at this point in the RECORD:

HONG KONG COTTON TEXTILES BANNED

WASHINGTON.—The United States banned the import of eight categories of cotton textiles from Hong Kong.

The action, ordered by the Interagency Textile Administrative Committee, directly affects a shipment of textiles now en route to the United States, the Department of Commerce stated.

The categories affected are: ginghams, carded yarn; sheeting, carded yarn; twill and sateen, carded yarn; fabrics, carded yarn; knitshirts other than T and sweatshirts; sweaters and cardigans; raincoats, three-quarter length or over; and all other coats.

The Interagency Committee is made up of representatives of the Departments of Agriculture, Commerce, Labor, State, and Treasury. Assistant Secretary of Commerce Hickman Price, Jr., is Chairman.

The Commerce Department announcement said that the Hong Kong goods now en route here will not be permitted to enter the United States for consumption.

"If such goods are landed, they must be placed in bond or in foreign trade zones," the announcement said. "The U.S. Government cannot guarantee that subsequent developments will result in the entry of these good into the United States for consumption."

The Committee's action is based on a short-term (1 year) arrangement negotiated with Hong Kong through the United Kingdom effective October 1, 1961. The arrangement

was provided for in the Geneva International Textile Agreement of July 21, 1961.

The Commerce Department said that under terms of the arrangement it asked the Hong Kong government on February 28 this year to restrain its U.S. exports in the eight cotton textile categories.

It said the Hong Kong government agreed not to issue any further export licenses for the eight categories, but, without consultation with the United States, resumed issuing licenses March 5 to cover shipments to March 10. It prohibited such shipments after March 10.

The licenses issued during that March 5–10 period exceed the level of restraint requested by the United States and violate the short-term agreement, the Commerce Department said.

I want to commend the administration for doing that.

Mr. Speaker, we are going to have to vote on a trade bill. I do not want to pass judgment on it in advance, but there are certain features we should be thinking about. One is the feature which promises a readjustment package for disengaged employees. As I understand disengaged employees, it means unemployed people. We have a 6-percent unemployment problem now. Why does this legislation include those particular provisions for consideration unless there is expected to be more unemployment?

Let us see what happens. When a man is unemployed, in the first place he is affected. He is out of a job. That is a terrible thing, especially at a time when modern standards of living, the high cost of living, keeping up with the Joneses, which we do in America, demands that we have enough money to feed and clothe our families and give them the luxuries which Americans have come to expect because we have a high standard of living. So the employee and his family are immediately affected. The community is affected because there is unemployment, and people cannot pay their bills. Then the economy of the community is affected, and actually the emotions of the community are affected.

A lot of people do not remember the depression as I do. I remember how the people were unhappy, they knew not where to turn. If you have ever seen a textile community where the mills were closed down and the people were out of work, it is a terrible thing to see; these Americans having the blues, so to speak, not the blues you sing about but the blues that come from lack of employment, lack of food, lack of cothing, and things of that nature.

Then the unemployed people fail to retain their status as taxpayers because they are not earning, they are not paying. Of course it affects a segment of the Nation. Eventually, if it goes on far enough, a recession or depression comes.

We have to think about that. Also the fact that a lot of taxes come out of corporate profits. If corporate profits are to be made, they must be made through the employees of the corporations.

So in the overall picture of unemployment, the impact is not an impact in a small area.

When you think about this trade bill you have to think about readjustment. Does it mean that we are going to let out certain segments of American industry to satisfy people overseas? Does that mean that the policymakers who have made so many mistakes, particularly those in the State Department—they have been accused of having some other idea but does that mean that they have the right to say that we will take an industry like the textile industry and we will write it off, let it go by the boards, and readjust those people? How about that? Is that fair to our Americans? If you are over 50 years of age, you do not get readjusted. If you are over 40 years of age in America today, you hardly get reemployment. If you have been in textiles all your life, by the time you work 20 or 25 years, you are pretty well worn out.

Now, the final thing I want to call to the attention of the House is something that we have to think of. This reciprocal trade idea began in 1934, and the progression since has been toward deterioration instead of improvement insofar as our domestic industry is concerned. Now, in the new trade legislation, as I understand it, we abandon the "no injury" policy, even though the President has recently utilized the injury provisions of what we call the peril point to give relief to those Wilton and velveteen carpet segments of the textile industry. I am one of the first to admit that I have criticized the peril point provisions here on the floor of the House, because I found out that they were put in as a sop to get votes; that those who agreed to put it at the policymaking level never expected the peril point provision to work; never expected the President to back up the Tariff Commission, and it has been in the past a saga in American doublecross as far as the American textile industry is concerned.

But, what if some industry is hurt? What else do we have to rely on other than a readjustment package? I have not been up to New England where some of these people are suffering, but not too long ago, as I remarked here before, I saw on TV the picture of a breadline, which I had not seen since the depression. How are you going to readjust those people? Most of them are not young people. What are you going to do with them? You have 6 million unemployed now. What are you going to do with more unemployment? My people do not care about any dole, and I am not going to vote for any dole, and I am not going to vote for any fool program substituting a dole for textile or other industrial jobs.

So, we stand on the threshold, so to speak, of a new policy, a new consideration. I think we ought to consider the impact on the people who work, the people who have invested, and the people who are dependent directly and indirectly on this great industry. And, I intend to keep talking here until such time as I get some satisfaction, some answer to the problems that we have had now since I have been in the Congress and which so far, until recently, have not had any relief, which we had hoped were going to get relief—and I use the word again "protection" that American industry deserves, because for too long we have been operating under the deteriorating policies of the State Department and we have been protecting the people overseas whom we built back up with the taxpayers' money.

We have been protecting them by our policies instead of protecting our own people.

I ask you to join me in preserving the jobs in the textile industry.

THE AMERICAN TEXTILE INDUSTRY

The SPEAKER pro tempore (Mr. SANTANGELO). Under previous order of the House, the gentleman from North Carolina [Mr. WHITENER] is recognized for 60 minutes.

Mr. WHITENER. Mr. Speaker, I ask unanimous consent to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. WHITENER. Mr. Speaker and Members of the House, I am delighted that the special order which was granted to me fortuitously occurred on the same day as my good friend and neighbor from South Carolina [Mr. HEMPHILL] was speaking on the subject of textiles and the effects of imports from other lands upon that industry and upon the people who earn their livelihood in the American textile industry. Coming, as I do, from the greatest textile producing area in the world, this problem is one of constant and continuing interest and concern.

A few days ago in one of the newspapers published by one of our manufacturing concerns, Textiles-Incorporated, of Gastonia, N.C., there was a letter in this paper which is known as Textiles Review. It was addressed to the employees of the 14 plants of that company. The letter pointed out to the employees of the company the dangers which they confront in their jobs and in their future because of the inordinate amount of imports of textile products.

Mr. Speaker, I ask unanimous consent to include that letter as part of my remarks at this point.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The letter referred to follows:

TEXTILES-INCORPORATED,
Gastonia, N.C., February 28, 1955.

To Our Employees:

Your jobs are in danger. The future of our company is in danger. The whole textile industry of the United States is in danger.

This is so because the Government is working with other countries on plans to allow more textile products from cheap-wage foreign nations to come into the United States. If this happens, it will be because the Government wants to cut the tariffs on textile goods from other countries, and they especially want the tariff cuts to apply directly for the benefit of Japan.

If the United States goes on cutting tariffs without seeing to it that foreign nations do their fair part in helping to build up trade both ways, we believe our country will be badly hurt.

The tariff—a tax paid by people who ship goods into this country—is supposed to help even up the big gap between your pay and the low wages of foreign workers. But the tariff is not doing this, even today. It can't, because in Japan, for example, the average textile wage is 14 cents an hour. That is why cloth and clothing are coming into the United States from Japan right now in very large amounts. Low wages in Japan and other foreign countries are the biggest reason why foreign goods can undersell American textiles in the American home market. If anything, present tariffs are already far too small.

Sooner or later, lower tariffs can only mean the closing of this company and the loss of your job. In the long run, it won't help Japan or anybody else if tariff cuts wreck a big American industry.

You, through your Senators and Representative in the U.S. Congress, can make sure that somebody in Washington will try to save our industry. After all, you elected these people to represent you, and you have full right to let them know how you feel about this, and to tell them that lower tariffs could throw you out of work. You can also ask them to let you know how they intend to vote on this issue. Get your friends and members of your family to write, too.

Sincerely,

J. C. ROBERTS.

Mr. HEMPHILL. Mr. Speaker, will the gentleman yield?

Mr. WHITENER. Mr. Speaker, I shall be happy to yield to my friend from South Carolina, but before doing so I would like to commend him for the excellent statement which he just made to the House of Representatives, and to say to him that I know that the people of my district appreciate, as the people of his district must appreciate, the continuing efforts on his part in this important area.

Mr. HEMPHILL. Mr. Speaker, will the gentleman yield?

Mr. WHITENER. I yield to the gentleman from South Carolina.

Mr. HEMPHILL. Mr. Speaker, I want to thank the distinguished gentleman from North Carolina because from time to time I have had a special order here to speak on this subject, and the gentleman from North Carolina has been a tower of strength and a strong right arm in any effort I made. I think I could not have made that effort without the able and inspiring assistance of the gentleman from North Carolina. I have tried to tell such of his people as I have met that this man is dedicated to their protection and dedicated to their betterment.

Mr. Speaker, I have just noticed here in the March 24, 1962, edition of the Southern Textile News a fine and ably written article by the gentleman from North Carolina. I want to compliment the gentleman. The title of the article is "Everything Must Be Done To Protect American Textiles." I think it is a fair statement and is a significant statement. I join in it. If the gentleman will permit, I would ask unanimous consent that it be placed in the RECORD at this point, if the gentleman from North Carolina would not object.

Mr. WHITENER. Mr. Speaker, I appreciate the gentleman's statement and certainly I do not object, even though I do not contend for brilliance in the presentation made in that anniversary edition of this great textile publication.

Mr. HEMPHILL. Mr. Speaker, I ask unanimous consent that the article be included in the RECORD at this point.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The article referred to follows:

"EVERYTHING MUST BE DONE TO PROTECT AMERICAN TEXTILES," WRITES WHITENER

(By BASIL L. WHITENER, Member of Congress, 11th District, North Carolina)

Since the beginning of this Nation there has been a system of tariffs which has been designed to encourage the growth and development of American industry and to protect the jobs of our people from low-wage foreign competition.

While in recent years our tariff structure has failed to accomplish this purpose insofar as textiles are concerned, I am sure that all of us look forward to a reversal of the current trend by positive legislative action.

It is significant that the second statute enacted by the First Congress in 1789 was a tariff act. The Tariff Act of 1789 provided 90 percent of the revenue for the Federal Government. Today about 1 percent of our revenue comes from tariffs. We have the lowest tariffs of any major nation in the world. From 1789 through 1934 the Congress exercised its constitutional prerogative in raising and lowering tariffs.

NEW CONCEPT

In 1934 the United States embarked on a new concept of international trade through the adoption of the Reciprocal Trade Agreements Act. Although previous tariff acts had given the President some authority in regulating tariffs, the Reciprocal Trade Agreements Act of 1934, for the first time in our history, gave the President extensive authority to regulate our international trade.

The act of 1934 has been extended by the Congress on a number of occasions. Unless extended again, the present Reciprocal Trade Agreements Act, as amended, will expire on June 30, 1962.

On January 2, 1962, the chairman of the House Ways and Means Committee introduced H.R. 9900, the Trade Expansion Act of 1962, to take the place of the expiring Reciprocal Trade Agreements Act now in effect. H.R. 9900 grants even broader authority to the President to lower American tariffs than that contained in the present Reciprocal Trade Agreements Act.

The bill has far-reaching implications for American industry. It has special significance for the American textile industry which is fighting a battle for survival against a flood of textile imports coming into the United States under the present Reciprocal Trade Agreements Act.

DISAPPOINTING

The experience of the textile industry under the Reciprocal Trade Agreements Act of 1934 has been very disappointing. Although the act provides three methods whereby the industry might be protected from excessive imports, these devices have seldom been used.

One of the three methods provided in the Reciprocal Trade Agreements Act whereby American industry can seek relief from excessive imports is the so-called escape clause. Of 136 applications involving all segments of American industry filed with the Tariff Commission between April 30, 1948, and February 2, 1962, for relief under the escape clause only 13 have been successful. Five Tariff Commission recommendations under the escape clause are pending at the present time at the White House.

The American textile industry, in company with other industries, has found little protection under the Trade Agreements Act of 1934, as amended. Unless specific provisions are written into the proposed Trade Expansion Act of 1962 to protect the industry it will be faced with continuing threats to its survival.

The American textile industry should not be sacrificed for international political considerations. The industry is one of the bulwarks of our free enterprise system. It is the largest employer of production workers of any industry in our Nation. Approximately 9 percent of our national income is derived through textile manufacturing and related industries.

The industry spends over $22 billion a year for equipment, wages, and material, and pays over $340 million per year in revenue to our State and local governments. In addition, over $300 million is paid to the Federal Government in income taxes. The textile industry represents a capital investment in excess of $8 billion.

Statistics clearly reveal the plight of our domestic textile economy. In 1954, the United States exported textile products worth approximately $578 million. The same year we imported approximately $425 million worth of textile goods.

In 1960, however, we exported $556 million worth of textile manufactures but imported an alarming $947 million worth of textile products. Thus our textile imports during 1960 exceeded by $391 million our sale of textile products overseas.

In short, our imports of textile goods during 1960 amounted to 170 percent of our exports. The steadily increasing amount of textile imports reaching the United States has resulted in a constant loss of textile workers' jobs.

EMPLOYMENT DOWN

For a 10-year period, from 1947 to 1957, total employment in textiles declined by approximately 325,000, or 25 percent. This drop in textile employment has not been located in any one section of the United States. While the greatest loss of jobs, approximately 61 percent, has occurred in New England, the South has lost 15 percent of its textile jobs since 1951. The loss of textile jobs by our people has resulted from liquidation of mills because of unfair foreign competition.

Critics of the domestic textile industry have argued that the industry has failed to keep up with our overall manufacturing economy in the modernization of machinery and plants. The facts, however, do not bear out their contentions.

In 1956 the textile industry spent $288 million on new plants and equipment, or 2.5 percent of such expenditures by all manufacturing industry. In 1957 the industry spent 3.4 percent of total capital spending by American industry. Textile spending on plants and equipment has been consistently above the national average for all other manufacturing industries.

The liquidation of American textile mills and the constant decline in textile job opportunities is a modern-day economic tragedy. While existing law provides the means whereby relief can be secured, the pleas of the industry have, to a great extent, been ignored. There have been countless investigations, recommendations, and studies made of the problems confronting the industry. Imports continue to rise, however, and the tragic loss of jobs in the industry is on the increase.

The problems facing American textile workers are great and the present danger is real. Textile management, as well as those who earn their livelihood working in mills, must be constantly alert to this fact. It is not enough for us to depend on trade organizations to do the job or rely on Government agencies for protection.

Members of Congress who are fighting the battle for the survival of the American textile industry need the support and advice of

management and the persons employed in our mills in this crucial fight. In the forthcoming debate on H.R. 9900 the stakes will be high. Everything must be done to protect the future of American textiles and the economic security of the people employed in this vital American industry.

Mr. WHITENER. Mr. Speaker, a few days ago at a hearing before the Tariff Commission, which has been referred to by the gentleman from South Carolina [Mr. HEMPHILL], I had the privilege of appearing and making a statement in behalf of the American people in that tribunal.

I would not be unkind to any who disagree with me on this, or on other matters. Nor would I be critical of the Tariff Commission or those who are parties to these hearings. But it struck me as quite shocking that in this hearing under section 22 of the Agricultural Adjustment Act, where the issue before the Commission was to determine what is best for the people of the United States, and where the inquiry before that Commission, stated simply, was one to determine whether foreign manufacturers should be continued in this bonanza of an 8½-cent-per-pound subsidy from the American taxpayers on all American cotton used by those foreign concerns—it seemed to me that that should have been decided without the intervention or presence of foreign representatives. A list of those appearing on behalf of the Association of Japanese Textile Imports, Inc., consisted of some 10 or 12 individuals. And then to look across the table, as we did, we found that as counsel for the Hong Kong Chamber of Commerce and the Hong Kong Federation of Industries, there was one of the leading law firms of this Nation, represented by three of the members of their firm, and two other supporting gentlemen representing an import company and an international organization. And then another group called the Cotton Textiles Industries of the European Economic Community were there represented by counsel and witnesses.

Then there was counsel for importers of Portuguese textiles and several Portuguese textile mills. They are listed on the announcement of the hearing.

And then there was a law firm representing the United States-Japan Trade Council and others representing the Association of National Textile Importers. And then private concerns which seemed to be concerned about continuing this business of importing into this country textiles which, in effect, constitutes an exporting of American jobs, were there.

And I thought, as I was there, and perhaps unkindly, that not too many years ago some of us in this country were taking a quite different attitude toward these people and the interests which they represented. We were at that time defending our country and those things for which it stands. But there in the U.S. Tariff Commission there were those who were attacking the very thing which some of us feel we have given of our time and our services to preserve; that is, the right of an American to earn a livelihood in a free economy, an economy looked over with real concern by a Government which is interested in the people of this country, and a Government which is interested primarily in the welfare of the economy of the United States and not that of every other nation in the world.

Some time ago when I was in Hong Kong I was shocked to find that a representative of our Government who was there at the same time was issuing statements about the bright future for Hong Kong textiles and their program of exportation from their country to ours. At that time I made a statement to the press of Hong Kong which was carried the next day after this American official had made his unfortunate remarks in which I said to them that I thought they should be cautious about their rapid expansion; that the people of our country and the Congress particularly, in my judgment, would not go along with their theories and the thoughts expressed by the U.S. Government official who had spoken the day before.

Just this past week we saw that this representative of our Government, in effect, contributed to the situation which our people had to call to a halt when the President announced that eight categories of textiles could not be brought into this country any longer from Hong Kong. Now, my friends, I am concerned about that. I am concerned about it because of our international relations. I would not for one minute want to be understood as saying I think the President was not doing exactly what should have been done by this order of last week. Certainly, he was doing what should have been done. My feeling of regret about it arises from the fact that there are those in our Government who will go about without authority and build up false hopes in the minds of these peoples in foreign lands, and then we have a situation where positive action must be taken. I am sure as a result of that action which was taken last week that the stock of our Nation is not as high in the Colony of Hong Kong as it was prior to the making of this very wonderful decision by our President.

So, Mr. Speaker, it seems to me that when the gentleman from South Carolina [Mr. HEMPHILL] and others of us are talking, as we do, about the necessity for preserving our own economy, if we could pick up more disciples than we seem to be able to pick up, we are really doing that which should be done, and that is to say to our friends in other countries that "we do not want something to happen which will later cause great pain and suffering here. We want to sound a warning to you, that this runaway economy that you are developing on the strength of unlimited exports to the United States is not to your best interests because there must be a day of reckoning to come."

My friend from South Carolina has referred to the statement made by a distinguished North Carolinian, Mr. Charles A. Cannon, president of Cannon Mills at Kannapolis, N.C., a few days ago. While that has been made a part of the record, I think it may be well to point out some of the facts sets forth in the statement of Mr. Cannon. He says that between 1947 and 1961 there has been a decrease of 34 percent in textile employment in the United States. One out of three jobs are gone at a time when the population of our country has grown phenomenally, at a time when our economy has been strong, and at a time when people would be in a position to buy more, and not less, of domestic textiles. So we see that this is a cause for real concern.

The number of cotton spindles in our country, according to Mr. Cannon, in the period between 1947 and 1961 has decreased by 32 percent. The profit on sales during that period has decreased by 77 percent and the profits on net worth have decreased by 78 percent. It takes no trained economist to interpret these facts for what they are. Not only are we taking away one-third of the jobs of our people in the textile industry, but we are destroying the incentive for those who have the money to invest it in the textile industry. We are bringing about, by reason of the reduction in earning capacity, a situation where our industry does not have the funds which they should have to continue their modernization programs so as to stay a jump ahead of these foreign competitors.

These are facts which are well known to most people who care to look at what has happened in recent days in the industry. You say, "well, you are talking in a provincial way; you are talking only of an industry which affects your people, you are not looking at the welfare of the entire Nation."

To that, my friends, I say I believe that there are certain fundamental and elemental facts which bear out that what we are contending and what we are trying to do today in preserving this textile industry is consistent with the best interests of the entire Nation and the economy of the Nation.

I would like briefly to mention some of the facts, the textile facts of life, if you please. The textile industry is a basic industry whose operations directly affect the strength of the national economy.

It is the largest employer of production and related workers in the manufacturing industries of the Nation. It accounts for about 9 percent of the national income originating in manufacturing. It spends in excess of $22 billion per annum for wages, material, and equipment. It supplies about $340 million per annum in revenues to State and local governments in taxpayments. It supplies from $300 to $400 million per annum in revenue to the Federal Government in income tax payments. It represents a capital investment at book value in excess of $8 billion.

The textile industry has been found to be essential to the national security by any standard; the military and civilian populace depend on it absolutely for the very essentials of clothing, bedding, protective wear, sanitation, and surgical textile goods for every season and every possible clime, plus the specialized textile applications to emergency civilian housing and military equipage needs.

Since the demands on the industry increase in direct proportion to increases

in population for civilian wear, and in direct proportion to the global nature of our Nation's position of leadership for both emergency civilian and routine military textile product needs, the textile industry has an obvious requirement for growth.

The investment required to finance the needed growth in the industry cannot be attracted, as I have heretofore pointed out, under the submarginal profit ratios. There must be an opportunity to earn a reasonable return if we are to expect our people to invest their money in the industry.

The textile industry is suffering a loss of employment, production, and productive capacity under the present circumstances, and due to its size, and its ever-widening span of economic activity in chemicals, rubber, petroleum, and many other commodities it seems to me that the distress in the industry might well be said to be an economic distress touching practically every shore of industrial activity in this economic ocean of ours.

Mr. KORNEGAY. Mr. Speaker, will the gentleman yield?

Mr. WHITENER. I yield.

Mr. KORNEGAY. The gentleman has very graphically cited a number of important and interesting figures in the economic field relating to textiles. I wonder if he has the figure on the number of textile employees as compared with all American industry.

Mr. WHITENER. I can say to the gentleman that while I do not have any exact figures before me, my memory is that 12 percent of the people engaged in the manufacturing industry in the country find their employment in textiles.

Mr. KORNEGAY. That is the information I have. I knew the gentleman, as an expert in the field, would substantiate my ideas. I have also been advised it is one of the largest industries in the United States.

Mr. WHITENER. I am not sure about that, but I know that if 12 out of every 100 people who are employed in manufacturing industries find their employment in the textile industry, whether the textile industry is 1st, 2d, 3d or 10th, we should all be concerned about the decline which we have observed in the industry by reason of unfair foreign competition.

Mr. KORNEGAY. I know that my colleague has been intensely interested in the international negotiations that have gone on with reference to the international treaty or agreement that was recently concluded in Geneva.

Mr. WHITENER. Yes.

Mr. KORNEGAY. An agreement involving 19 textile producers of the world. I am also advised it has not been signed by any of them as yet.

I wonder if the gentleman would care to give us the benefit of his thinking on the enforceability of this agreement; that is, what will happen after this agreement is executed and entered into if any one of the subscribing nations fails to live up to the obligations of the agreement.

Mr. WHITENER. Let me say to the gentleman I suppose accuracy would compel us to say it is no agreement at all. It is a so-called arrangement which has not been signed as yet by all of the parties who have agreed upon it at Geneva. The arrangement is heralded in the press as a 5-year arrangement, pegging the imports at not more than those of 1961, I believe it is. But upon reading this rather nebulous document, one readily sees it is not a 5-year arrangement. Any one of the signatory countries in this arrangement has the right at the end of the year, any one year, to request a review. Then I presume it would go before the committee which is set up by this arrangement, and they may get their rate of exports increased.

That brings out what the gentleman, I presume, was alluding to a while ago when he addressed a question to the gentleman from South Carolina. We are now very much interested in the outcome of the section 22 hearing before the Tariff Commission on the 8½-cents per pound cotton differential between our domestic manufacturers and foreign textile manufacturers, which amounts to $42.50 a bale in cotton. That is American-grown cotton. We are told that the Japanese at the Tariff Commission hearing issued a threat that they would not sign the Geneva arrangement if the decision in the Tariff Commission matter was adverse to Japan and favorable to the American industry and cotton producers. So it has not been signed. This is further interesting to me because we have now pending in the House of Representatives in the Ways and Means Committee a bill, H.R. 9900, the so-called foreign trade bill.

It is a cat-and-mouse game now with the Tariff Commission apparently trying to await the action of Congress on H.R. 9900 before they make a decision. Japan is sitting over there waiting for the Tariff Commission and the Congress before they make a decision—before putting their name down to something that they have agreed to. Some of us here in the House who are a little apprehensive about the provisions of this so-called trade bill are hoping that in some way Congress can sit out both these groups, the Tariff Commission and the Japanese Government, and see what they do before we make up our minds about what to do on the Trade Act. So, it is one of these merry-go-round operations, and it is going to be interesting to see who falls off first.

Mr. KORNEGAY. And the Congress is on the short end, is it not?

Mr. WHITENER. Well, of course, I do not think that is necessarily true, because we have now the Trade Agreements Act of 1934, as amended, which has certainly been a terrible thing in its administration as far as the textile industry is concerned. We could extend it for a year or 2 years if the evil day comes, if it is an evil day. But, those are things which would require one to have a crystal ball to be able to answer, and I have not had any training in the field of clairvoyance, so I would not be able to predict what may come of all these various stones that have been falling in the economic pond.

Mr. KORNEGAY. I want to commend the gentleman for his diligence and leadership in this matter and say certainly that he is fighting a valiant battle and a most just battle, one that I am sure has the support of a large number of people of this country and a large number of Members of this House.

Mr. WHITENER. I thank the gentleman. I want to say this, without pleading modesty falsely, that one who was raised in the textile industry, in a textile village, who is a member of a family which has had its livelihood in the textile industry, at the machines and in management, and one who lives in a great little city whose very lifeblood is the textile industry, really is not being courageous when he advocates something which means so much to him. Perhaps I could be accused of being selfish. I hope I am not selfish.

I say to the gentleman, with the hope that I am not too personal about my own experience, that as a high school boy it was a textile plant which afforded me an opportunity to earn money in the summer. That employment enabled me to earn the money with which to go on through high school and then, as I entered college, to find employment in a textile mill in the summer. That made the difference in going to school or not going to school. Those are things which cause one to have difficulty in being exactly reasonable about this thing that we call the textile industry of America.

I look in my community and throughout my congressional district at young men in high school and in college who even today—when it is not as convenient to mills to give summer work as it was when I was a boy—are finding jobs there.

Mr. Speaker, I remember just last summer as I went through the Laurel Manufacturing Co. in Rutherfordton, N.C., in my congressional district. The manager of that mill, my good friend, Tom O'Conner, took me through his plant. He took great pride in introducing me to the various college boys to whom he was able to give summer employment. One very bright young gentleman who had graduated from one of our finer educational institutions, Davidson College, and who is now in medical school, was helping pay his expenses by working at that plant during summer for several years. What a sense of pride my friend, Mr. O'Conner, had when he said to me, "Come here; I want you to meet my doctor."

Mr. Speaker, this young man and many others, I am sure, will look back upon this period of their life, as I look back to the early thirties, and have a real sense of appreciation for this great industry—an American industry—which in the American way gives a boy an opportunity to earn a livelihood for himself and earn money for his education. To do as one of the late, great Governors of North Carolina said at the turn of the century, "To burgeon forth and develop his talents to the fullest." This is the thing we are talking about.

The textile industry is not the only industry engaged in this battle. There are other great industries that are feeling the same pangs. Perhaps these economic pangs are not so acutely felt in

other major industries as by employers in the textile industry. My only hope is that we will approach this great problem—and it is a great problem—with a sense of fairness to our own people which will equal the sense of unfairness which we have seen displayed by some in high places toward those who earn their livelihood in the U.S. textile industry, as well as other great industries.

Mr. LANGEN. Mr. Speaker, will the gentleman yield?

Mr. WHITENER. I shall be happy to yield to the gentleman from Minnesota.

Mr. LANGEN. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I take this time in order to compliment both of the gentlemen, Mr. HEMPHILL, of South Carolina and Mr. WHITENER, of North Carolina, for the very excellent manner in which they have documented and presented some facts to this House relative to one of this Nation's most outstanding industries. Beyond all doubt the gentlemen have raised some very intriguing and thought-provoking questions.

As both of the gentlemen possibly know, I have at times raised comparable questions in another area relating to agricultural production, and so on. I think that your service today to the Nation is commendable and certainly worthy of the concern of this Congress.

Mr. WHITENER. I want to thank the gentleman from Minnesota not only for his very complimentary statement, but for his zeal in this cause of preserving our domestic American economy. I know that the gentleman from Minnesota has been one of those who has been concerned about the activity in some of our statistical departments of Government which seem to be fatally bent upon the mischief of including Public Law 480 exports as a part of the great benefit that they say we are getting out of exporting agricultural products. I certainly commend the gentleman for his interest and efforts to assist in the preservation not only of our agricultural economy but of all our basic American economy.

Mr. HEMPHILL. Mr. Speaker, will the gentleman yield?

Mr. WHITENER. I am happy to yield to the gentleman.

Mr. HEMPHILL. Mr. Speaker, I, too, want to thank the distinguished gentleman from Minnesota [Mr. LANGEN] for his participation and strong interest in and support of these attempts to resolve our problems; and the fact that he has an interest not only in the problems of his own area but of all parts of the Nation.

Mr. Speaker, I should like to compliment the gentleman from North Carolina [Mr. WHITENER] on his magnificent statement.

Mr. WHITENER. Mr. Speaker, I thank the gentleman.

EQUALIZATION OF TAX TREATMENT IN LIFE INSURANCE TRANSFERS

Mr. LANGEN. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. CURTIS of Missouri. Mr. Speaker, present section 101(a)(2) of the Internal Revenue Code of 1954 provides that the proceeds of life insurance contracts which have been transferred for value are generally treated as taxable income to the transferee to the extent that such proceeds exceed the consideration and premium paid by the transferee. The only exceptions to this general rule are: First, where a transferred contract has a basis for determining gain or loss in the hands of the transferee determined in whole or in part by reference to such basis of the contract in the hands of the transferor; and, second, where the transferee is the insured himself, a partner of the insured, a partnership in which the insured is a partner or a corporation in which the insured is a shareholder or officer.

I have today introduced a bill which would broaden the second exception to the general rule contained in section 101(a)(2) to include specified additional transferees who are also entitled to exemption from the income tax consequences imposed by this general rule, as much so as are the transferees now enumerated in the second exception mentioned above.

Among the additional transferees to whom my bill applies are the spouse, former spouse, parent, lineal descendant or adopted child of the insured, and a shareholder of a corporation to whom life insurance is transferred for the purpose of funding a buy-and-sell agreement with respect to the stock of a corporation in which the transferee and the insured are shareholders.

I would like to stress that all of the additional transferees specified in my bill are persons who would have an insurable interest in the insured. Moreover, any one of these individuals could initially buy, pay for, and own a new policy of life insurance on the life of the insured without having any part of the proceeds of the policy treated as taxable income. Therefore, it is neither logical nor just that these same individuals should be subject to the adverse income tax consequences imposed by section 101(a)(2).

I would also like to point out that the Government derives virtually no income tax revenue under section 101(a)(2) for the simple reason that those persons who are subject to the general rule contained in that section rarely become transferees for value of life insurance policies because of the adverse income tax results involved. Since this is so, it obviously follows that enactment of my bill would involve little or no loss of revenue to the Government.

In conclusion, I would like to state that the basic principle of my bill is supported by the three major life insurance trade associations in this country; namely, the National Association of Life Underwriters, the American Life Convention and the Life Insurance Association of America, as well as by the American Bar Association.

THE CASE AGAINST GOVERNMENT AID TO THE ARTS

Mr. LANGEN. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. KEARNS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. KEARNS. Mr. Speaker, the New York Times, one of the country's foremost advocates of Federal aid to the arts, published on March 25, 1962, in its magazine, an article which set forth in a most persuasive way the case against Government aid to the arts.

The author of the article, Russell Lynes, managing editor of Harper's magazine, seems to be particularly opposed to the Federal Advisory Council on the Arts which President Eisenhower first recommended to the Congress in 1955.

President Eisenhower told the Congress in his 1955 message on the state of the Union:

> In the advancement of the various activities which will make our civilization endure and flourish, the Federal Government should do more to give official recognition to the importance of the arts and other cultural activities.

One of the most cogent statements of what such a Federal Advisory Council on the Arts would do was made by Vice President Richard M. Nixon in the November 1960 issue of Equity magazine, the official publication of Actors' Equity Association.

Vice President Nixon declared:

> I wholeheartedly support the objective of stimulating the advancement of the performing arts and promoting increased public appreciation of their important role in our national life.
>
> I think that a good first step toward meeting that objective would be a proposal by this administration to create a Federal Advisory Council on the Arts within the Department of Health, Education, and Welfare.
>
> The Council would explore all aspects of the question—including the proper function of the Federal Government in cultural development—and make recommendations as to the best methods by which we can encourage activity in the performance and appreciation of the arts as well as fostering participation in them.
>
> It seems to me that laying this groundwork is necessary before we go on to consider specific proposals such as the establishment of an independent U.S. Art Foundation.

Russell Lynes, a historian but not a profound student of government, makes no mention of the fact that the proposed Federal Advisory Council on the Arts was authored by former President Eisenhower, and most remarkably, he does not mention former President Eisenhower once in his article which is largely concerned with denouncing this arts proposal of one of our most popular Presidents.

Mr. Lynes' views might be summed up in the expression that "a camel is a horse made by a committee." But this ancient bit of philosophy fails to take account of the fact that a camel can thrive in the desert, while a horse would die.

Certainly, what is needed in the American art desert at this time is the camel-like Federal Advisory Council on the Arts.

Our Federal Government does less about the arts than any other great nation, a fact that Mr. Lynes makes clear, but does not deplore.

Personally I take my stand with former President Eisenhower on this matter of the Federal Advisory Council on the Arts. I am quite certain that former President Eisenhower knows a great deal more about what the Federal Government should do about the arts than Russell Lynes, whose experience with government is obviously of the most rudimentary kind.

However, I include Mr. Lynes' article for the information of my colleagues who may be called upon to vote on the Federal Advisory Council on the Arts before the end of this session.

THE CASE AGAINST GOVERNMENT AID TO THE ARTS

(By Russell Lynes)

Several months ago, at hearings in the U.S. courthouse in New York, Leopold Stokowski warned: "The future of the fine arts in the United States is in great danger." Mr. Stokowski was just one of many performing artists who had gathered at the bedside of culture during a congressional investigation into the plight of the American artist. The burden of their 3 days of testimony was that if the Federal Government did not subsidize the performing arts, an important part of our culture would soon become an item of Americana—as quaint and out of date as the butter tub and the cracker barrel.

It is increasingly apparent that this fear will sooner or later be allayed. The tide seems to be running in favor of direct Government subsidies for the arts. Gov. Nelson Rockefeller has already instituted a program of traveling exhibitions and theatrical performances in New York State. Secretary of Labor Arthur J. Goldberg has come out strongly in favor of Federal aid for opera. And August Heckscher has recently been appointed as a cultural adviser to the White House.

These are signs and portents of an eventual marriage between the fine arts and the Government. The flirtation has, of course, been going on for years.

But art and politics make nervous and scratchy bedfellows and, before their marriage is consummated, I would like to assume the role of an uneasy friend of both parties and issue a few caveats. First, though, let me say briefly why the arts seem willing to throw themselves into the arms of politics and why I view this with misgivings.

There are many friends of the arts in America who believe that it is culturally backward of us not to support our arts from the highest levels of government. West Germany, they point out, has literally scores of theaters and opera houses which benefit from central government support and our talented young singers go there because there is no work for them here. France has its Comédie Française, its opera and its many museums and national monuments supported by the Government. England has its Arts Council which helps to keep alive, among other things, the Old Vic, the Covent Garden Opera, and the Royal Ballet. And there are comparable kinds of support for the performing arts in Belgium, Sweden, and Italy, for example, and, of course, in the Soviet Union and its satellites. If Europe considers that government support of its arts is vital to its cultural welfare, they ask, why should we be uniquely laggard?

There are others who say that, in the battle for the minds of men which characterizes the cold war, we cannot expect to hold up our heads when our Government does nothing (or almost nothing) to show its interest in the arts. There are, these critics acknowledge, some troupes of musicians, dancers, and actors who are sent abroad under the aegis of our State Department but, in general, the quality of our cultural exports does not do us credit and there are too few of them. Why, for example, does not our Government guarantee our being represented at the great Biennale exhibition of painting and sculpture at Venice? Why must private funds be raised through such organizations as art federations and museums for this purpose?

And then there are the bread-and-butter questions. Why should our professional musicians, except perhaps for those in a handful of cities boasting major symphony orchestras (New York, Boston, Philadelphia, Detroit, Cleveland, San Francisco), be unable to make a living without doing odd jobs, such as teaching or playing in jazz combos? Why should our small communities be unable to support professional repertory theaters? Why should our many talented young artists lack the opportunities to make a living doing what they are good at and passionately wish to pursue?

These are valid questions that deserve serious answers. It is, however, a curious contradiction that the enthusiasm for the arts in America today is so great that if one suggests that the arts should not be directly subsidized by the Government, one runs the risk of being branded a Philistine.

If one points out, for example, that the arts have never been so well supported in America as they are now—that there has never been so much tax money spent on them, such large and enthusiastic audiences, so many people crowding our museums, traveling hundreds of miles to music festivals, organizing community theaters and planning exhibitions of local artists—one does nothing but whet the appetites of those who want the Government to get into the act.

If one suggests that the patronage of the arts in America is unique in the world, that it has grown out of the needs and desires of the community and not out of an aristocratic tradition and that there is strength in this, one is answered with, "Look at how many people go to the opera in Italy."

If one suggests that we are not Italy, that our performing artists enjoy a far higher standard of living than artists anywhere else in the world, one is reminded that it is undignified to have to pass the hat to support our operas and symphonies. (It is not, however, considered undignified to pass the hat, to furnish support for our colleges, hospitals, community services, orphanages, or camps for underprivileged children.)

If one mentions the fact that our tax-free foundations contribute more to the support of the arts than the Arts Council in England does to the British arts, the answer is a look of incredulity.

If one says he is against direct Government subsidies for the arts but is all for hiring artists, just as one hires technicians, to perform services for our Government overseas, the answer is, "What's the difference?"

Ask the artist. He will tell you that there is a difference between payment for services rendered and subsidies for culture. He would rather be considered a professional than an ornament.

No one with whom I have talked about these matters believes that there are likely to be Government subsidies large enough to do more than slightly blunt the edge of the financial problems of the performing artists. But even a drop in the bucket, they believe, will give the arts a status in America which they do not now enjoy. For the Government to recognize the arts officially will give them dignity and prove to the world that we are culturally serious.

In the early and artistically optimistic days of the Kennedy administration, there was a good deal of enthusiastic talk about a Cabinet post for a minister of culture. Such talk now seems to have died to a whisper. But if there is going to be direct Government subsidy of the arts, there has to be someone to administer it, and there is now a proposal before Congress to establish a Federal Arts Council.

The bill is a modest one. It does not ask for subsidies; it merely asks that the President be authorized to appoint a council of 21 men and women widely recognized for their knowledge of or experience in the arts to recommend ways to maintain and increase the cultural resources of the United States and propose methods to encourage private initiative in the arts. It sounds as innocuous as a literary tea party and about as likely to come to any useful conclusions; but it is intended as a way of studying the needs of the arts in America (which badly need studying) and, hopefully, of arriving at ways in which the Government can lend its direct support.

This is only a foot in the door. But I would be happy to see the foot withdrawn before it gets beyond the threshold. I yield to no one in my belief that the arts need all the support they can get, but some kinds of support make trouble. I am not worried about creeping socialism in the arts but about creeping mediocrity. The less the arts have to do with our political processes, I believe, the healthier they will be, the more respected, the more important to Americans, and the more productive.

Last year, when the Arts Council bill was proposed to the 87th Congress (its sponsors were Representatives JOHN V. LINDSAY, of New York, and FRANK THOMPSON, JR., of New Jersey), it came a cropper; 173 Congressmen voted against it.

Herman Kenin, president of the American Federation of Musicians, remarked with some bitterness: "A handful of willful men on Capitol Hill laughed the proposal off the floor of the House of Representatives while speculating aloud if poker playing might not also be considered a performing art. Is this the kind of statesmanship to which we must entrust our national culture?"

Our statesmen are going to have another opportunity to consider our national culture. The bill is being reintroduced. Without any intention of impugning the cultural motives or aspirations of many of our Congressmen (they need no impugning from me), I would like to suggest that the arts are a sitting duck for any politician who feels the need of making personal headlines. I would also like to suggest that the marriage of art and politics is likely to breed a subspecies of tame and docile progeny which only the most complacent mother country could love.

It's an old story.

In March 1919, Vanity Fair published an article called "Art in Politics" by Robert Benchley. There was talk then, as there is now, about a Secretary of Fine Arts in the Cabinet. "But what will it do to politics?" Benchley asked. That question will bear repeating: What will it do to politics?

"Let us consider," Benchley went on, "the campaign slogans which would greet us on the fences and in the streetcars." He gave some examples:

"Vote for John A. Ossip. He Kept Us Out of Postimpressionism.

"Down With the Nude in Art. Vote for Horace W. Pickerell and the Sanctity of the Home.

"George Washington Never Heard of Elie Nadelman. What Was Good Enough for Washington Is Good Enough for Henry L. Wrapper. Give Him Your Vote."

Twenty-five years after Benchley wrote this, the painter, George Biddle, circularized

his fellow artists to see what they thought about the idea of a Federal Bureau of the Fine Arts. Biddle reported that John Sloan replied: "Sure, it would be fine to have a Ministry of the Fine Arts in this country. Then we'd know where the enemy is."

Two years later, in 1946, the State Department organized an exhibition of paintings to be circulated in Europe. Foreign governments, according to our cultural attachés, had asked for such a show. The pictures were being exhibited in Prague when the State Department issued instructions to have them shipped back to America. The House Appropriations Committee was gunning for the State Department's Office of International Information and Cultural Affairs and the arts provided the perfect target.

"I have seen pictures of the paintings," declared Representative Fred E. Busbey, of Illinois. "Some of them are so weird that one cannot tell without prompting which side is up. The movement of modern art is a revolution against the conventional and natural things of life as expressed in art. * * * Institutions that have been venerated through the ages are ridiculed.

"Without exception," the Congressman continued, "the paintings in the State Department's group that portray a person make him or her unnatural. The skin is not reproduced as it would be naturally, but as a sullen, ashen gray. Features of the face are always depressed and melancholy. That is what the Communists and other extremists want to portray. They want to tell the foreigners that the people are despondent, broken down or of hideous shape—thoroughly dissatisfied with their lot and eager for a change."

And Busbey was not alone. Circus folk addressed a complaint to the White House because they did not like a painting of a circus girl by Yasuo Kuniyoshi that was in the exhibition. President Truman agreed with them. "If that's art," he said, "I'm a Hottentot!"

As a result of this sort of esthetic criticism, the pictures were disposed of as "war surplus" to two conservative southern colleges for about 10 cents on the dollar.

During the depression of the 1930's, when the Government was more deeply involved in the arts than it had ever been before or has been since, the WPA theater project produced a series of shows called the Living Newspaper. One newspaper criticized Mussolini's Italy, and the Government stepped in and prevented the show from raising its curtain. On the face of it and in retrospect, such Government interference seems silly. Whatever the circumstances, when the Government is involved in subsidizing the arts, it cannot and will not keep its hands off them.

Those who are eager to see the establishment of a Federal Council of the Arts are hopeful that such a body would stand between the Congress and the artist and keep the former from beleaguering the latter. They believe that its prestige would give the arts a leg up, would raise the status of the artist and, if not silence, at least subdue the kinds of attacks on the arts made by publicity-seeking Congressmen.

This seems to me largely wishful thinking.

In the first place, the Council will be made up of political appointees, and it will be an official body. It will represent expert opinion in the eyes of those who appoint it. Under the Kennedy administration such a council would, I have no doubt, include some progressive but also well-established practitioners and administrators of the arts.

It almost surely would not include any young artists who are eager to upset the applecart, who are tired of abstract expressionism (which has become the new academy), or who believe that all too much money is spent on performances of "Aida" (sometimes including the cost of elephants), and would like to see that money go to the performance of electronic music.

The Council would, in other words, be a safe, sane, and moderate committee with a tolerance of experimentation, an uncle-like interest in the aspiring young, and a suitable regard for raising the level of the public taste. It would be a committee and, like all committees that seek to pass judgment on the arts, it would attempt to reconcile a great many different points of view about taste.

Some years ago Sir Herbert Read, the distinguished art critic and historian, said: "I have served on many [art] committees and in my experience only one of three things can happen: (1) something is chosen which offends nobody, because its virtues are negative; or (2) a little bit of everything is chosen to please everybody; or (3) the committee agrees to be realistic and allow one member to make the choice for all of them. The committee, that is to say, resigns its function in despair." It is unlikely that a Council on the Fine Arts would resign in despair.

Suppose that the political appointments to the Council on the Fine Arts were to be made by Senator BARRY GOLDWATER rather than by President Kennedy. I do not pretend to know what Senator GOLDWATER's tastes in music and art are, but it seems to me reasonable to guess that if we were to have a conservative government we would also have a conservative arts council that would represent the rightwing of the art world.

It was the rightwing of the art world that inspired the attacks of Michigan Congressman George A. Dondero in the late 1940's against an art exhibition organized by some private citizens to be shown in a veterans' hospital. Dondero's attack, like Busbey's, pilloried the art as Communist propaganda. He also attacked the same State Department exhibition that Busbey went after.

Dondero said (among many other things): "I cannot praise the works of expressionism, futurism, cubism, and other isms. * * * Why turn away from the really beautiful? Art must unite and uplift the people in their feelings, thoughts, and aspirations. * * *" And he added: "Art must forgo the higher esthetics of modernism. * * * Art has again been invested with the great ideas of patriotism."

It was an organization called the American Artists Professional League, none of whose members were represented by the pictures in the State Department exhibition, that fed the fuel to Dondero's fires. This was in 1949. Slightly more than 4 years ago, there was a similar outburst about the exhibition that was selected for the Brussels Fair.

But there is another difficulty in involving the Government officially in the arts, especially if that involvement includes (as it probably will) subsidies to the performing arts. There is no way for the arts to get Federal subsidies without accountability to the people for how the money is spent.

This means, of course, that those who administer the subsidies first must decide what is art and what is not art, and they will have to draw the line between the "popular" arts and the "serious" arts, a distinction that is increasingly difficult to define. Is "West Side Story" popular and "The Threepenny Opera" serious? Such a decision can be made only on the basis of quality, not on the basis of intent.

Is the Government going to subsidize Hollywood as well as repertory theater in Minneapolis? (One could argue that nobody, but nobody, needs to be subsidized more than Hollywood does. Look at how its artistic standards have collapsed because, as its apologists say, "it can no longer make money out of good and serious pictures.")

Having decided what is serious, it will follow that those who dispense the funds will also decide what is safe—perhaps not Dondero-proof (that would be going too far) but able to be defended with reasonable equanimity before a congressional committee.

One of the ways that a congressional committee can be made respectful is by market values. It is far easier to defend the considerable expense of a symphony orchestra, for example, than a recital of the works of John Cage and his prepared piano which has interest for only a small audience. It is easy to defend Shakespearean repertory, but how would one defend performances of the nihilist theater, of Brecht and Beckett, before a congressional committee?

I am aware that no Council on the Fine Arts will involve itself in details like these; their subsidies will, in all probability, be granted to the States which will then grant them to cultural institutions such as orchestras, theaters, ballet companies, and operas. But over this money there will be a pall of take it easy. The result, almost inevitably, will be to perpetuate the standard orchestral repertory, the respectable artists, and the tried-and-true drama from Shakespeare through Shaw, with a few experimental plays thrown in for spice.

A Council of the Fine Arts will be expected to give status to the arts. It will. But to which arts? I commend such a council to the conservative and to those who want to keep art what is called safe. I do not commend it to those who believe that the function of art is to push back the horizons of truth and experience and discovery.

The picture that keeps coming to my mind as I think about the involvement of the Government with art is of the Laocoön group with its three anguished figures, a huge man and two boys, entangled in serpents and fighting for their lives. It might be worth putting it on the Council's letterhead, when and if—for it is thoroughly respectable art.

Francis Henry Taylor, the late director of the Metropolitan Museum said: "Economics are economics, and esthetics are esthetics, but for the love of God, let's not continue mixing them up."

I would like to amend this to read: "Politics are politics and art is art, and for the love of art, let them be free of each other."

CLEANER AIR WEEK AWARD

Mr. LANGEN. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. SCHENCK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. SCHENCK. Mr. Speaker, since each of us can do nothing but breathe the air in which we are located and since life can exist for only a very few minutes without air, the matter of the kind and amount of pollutants in the air becomes of very special and personal concern.

A great deal of study and consideration is being given by officials throughout the Nation to these problems. Highly qualified scientific personnel representing many professions are constantly seeking ways and means to protect the air from contaminants injurious to health, vegetation, and personal properties of all kinds. Some pollutants require only protective measures which are simple and relatively inexpensive while others require complicated and expensive treatment and devices to adequately meet the problems of protecting public health and personal property.

All of these problems require the attention of well-trained personnel and the cooperation of business, industry, and the public.

Officials of the city of Dayton, Ohio, Mr. Speaker, have long recognized their responsibilities in this field by the appropriation of funds, the employment of competent and trained personnel and the approval of necessary ordinances. Business and industry have cooperated to the highest possible degree in their constant effort to meet their responsibilities in the best public interest.

Mr. Charles Howison, executive secretary of the Air Pollution Control League of Greater Cincinnati and national chairman of the Cleaner Air Week Committee of the Air Pollution Control Association presented an award to the city of Dayton, Ohio, on March 21, 1962.

Mr. Speaker, this is a very pleasing and gratifying honor well deserved by the officials of the city of Dayton. Under unanimous consent I include the remarks made by Mr. Howison on this occasion to be made a part of my report:

Mayor Somers, ladies and gentlemen, I am happy to be here today for the purpose of presenting the National Cleaner Air Week Award of the Air Pollution Control Association to the city of Dayton for its outstanding achievements last year in advancing the knowledge and practice of air pollution control.

When the Air Pollution Control Association established the annual observance of Cleaner Air Week, 13 years ago, there was set in motion a powerful force for conserving a natural resource basic to health, and to life itself. That force is an informed public opinion which is increasingly facing the fact that clean air is obtainable without sacrifice of essential industrial activity.

As our cities and industries continue to grow, the task of preventing unpleasant and dangerous contamination of the air we breathe becomes at once more complex and more urgent. More must be learned about the causes and effects of air pollution and about the most effective measures for its control. And then this knowledge must be translated into action.

Cleaner Air Week, in late October, provides an excellent occasion to review our progress, needs, and problems in this important area of conservation and public health, and to focus public attention on the need for more effective programs of air pollution control all across the country.

As national chairman of Cleaner Air Week for the past 13 years, I have watched the competition for the annual Cleaner Air Week Award grow immensely tougher every year, and it is gratifying to see that more metropolitan areas are qualifying for this award.

I was particularly gratified at the invitation to participate in Dayton's Cleaner Air Week Award because your city is world famous in engineering leadership, and this represents an excellent opportunity to give air pollution control credit where that credit is due—to the engineer.

It is not widely appreciated but our engineers have been responsible for almost all our advances in air pollution control. Anybody can sniff the air and report air pollution, but we're all glad to have the engineer at the controls.

I believe that America's engineers, who have been responsible for just about all of our air pollution control progress, would appreciate a little hint getting out to the public that they have played an important part in controlling air pollution problems.

They became closely involved in air pollution as a side effect of their research, development, operation, and maintenance achievements that created today's great industrial complex. We can thank them for helping provide us with the highest living standards in history. They are the architects of our economy, and—as such—the "fall guys" for some of its less desirable byproducts.

The engineers have accepted the responsibility for the control of air pollution and have practically written the book of control progress. All around Dayton you can see engineering's contribution to the more efficient use of our atmosphere.

The many control devices installed by cooperating industry throughout this metropolitan area invariably carry the stamp of the engineer. Every major control breakthrough has been engineered. The engineers and industries—and, in fact, everyone who is concerned with costs—will be interested in a survey of air pollution control progress among 32 cities, which is reported in the March issue of Air Engineering.

This survey of 32 major cities ranks Dayton fifth after New York, Pittsburgh, Milwaukee, and Youngstown in industrial expenditures for air pollution control during the years 1960 and 1961. The fifth ranking position in this survey speaks eloquently for Dayton's effort to clean up the city's atmosphere.

Dayton industry's cleanup bill ran up to $1.2 million over the last 2 years. That adds up to a formidable effort any way you look at it—but consider, further, that the million-plus only bought the machines.

Operators and maintenance men are required to keep them going—just as if they were profit producers. And, don't forget the taxman.

His bill takes no notice that the only product of this equipment has to be hauled away and stored.

Oh, yes—industry does get a return—the satisfaction of fulfilling its responsibility as a good neighbor to the people of Dayton.

That's why I'm particularly glad to participate in this Cleaner Air Week Award today in recognition of an air pollution control program that is paying off in maintaining Dayton's position as one of America's most livable cities.

Mayor Somers, I take this opportunity to congratulate you—and the citizens of Dayton—for their engineering accomplishments in the field of air pollution control. And, as national chairman of the Cleaner Air Week Committee of the Air Pollution Control Association, it is my privilege and pleasure to present this 1961 certificate of award to the city of Dayton for its outstanding educational campaign during Cleaner Air Week last October.

CANARY ISLANDS ESTABLISHING NEW CONCERNS TO MANUFACTURE HAVANA CIGARS WITH CUBAN TOBACCO TO BE SHIPPED INTO THE UNITED STATES: ADMINISTRATION FINALLY PLUGS THIS LOOPHOLE IN CUBAN EMBARGO

Mr. LANGEN. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. CRAMER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. CRAMER. Mr. Speaker, on March 12, as appears in the CONGRESSIONAL RECORD, page 3816, I brought to the attention of the Congress the existing loophole in the Cuban embargo as it relates to Cuban tobacco, in that the Treasury Department had ruled that the importation of Havana cigars containing Cuban tobacco from friendly foreign countries was not barred by this embargo order.

In those remarks I included a letter from Fred G. Dutton, Assistant Secretary of State, in which he confirmed this fact and stated further:

There is no indication of any significant increase since the effective date of the embargo in the importation of cigars manufactured abroad from Cuban tobacco. The Department, in cooperation with other agencies of the Government, is watching for any changes in the pattern of U.S. trade with any country which may result from the embargo. If future developments indicate that the objective of the embargo is not being realized, we will take appropriate action under existing law or under such legislation as might be enacted.

It being obvious that the administration had no intention of closing this loophole unless forced to do so, I introduced H.R. 10665 to legislatively prevent the shipping of Cuban products to this country through friendly nations.

I submit, as proof positive that the Canary Islands, which I previously referred to as one of the friendly nations, is attempting to export to this country Havana cigars, a recent brochure which I received in the mail from a New York distributor. Incidentally, many questioned my statement at the time. That brochure, printed on behalf of the Don Miguel cigar manufacturing industry in the Canary Islands, opens with the statement:

In the face of the steadily worsening condition in the supply of Havana cigars, a new concern has been established in the benign and beautiful Canary Islands * * * one that is founded on a long and great tradition in finest Havana cigarmaking.

It further goes on to state:

With a limitless supply of superb Havana leaf that will continue to be available through normal channels of supply, Don Miguel is a permanent enterprise that will continue in years to come irrespective of whether or not the factories in Havana are ever recovered by their rightful owners.

The legendary adventurers from Castile that opened the Western Hemisphere to exploration centuries ago have a modern counterpart in the opening of this new center for fine cigarmaking in the Canary Islands by men whose traditional skills and standards are renowned throughout the world.

I understand these brochures are being circulated by the thousands throughout this country for the obvious purpose of absorbing the Havana cigar market and with the obvious objective of taking up the slack that will become evident in the near future if the Havana cigar industry continues to decrease production because of the cutoff of Cuban tobacco by the embargo.

I submit this as evidence which I am sure would have been duplicated by other companies in the near future unless the administration had taken action immediately which put these foreign cigarmaking industries on notice that this country would not permit the embargo against Communist Cuba to be circumvented through foreign countries' manufacturing Havana cigars, which gives Cuba the much-needed dollar or

other spendable currency support which the embargo intends, on the surface, to cut off.

I include the full brochure in the RECORD at this point, for all to see and to judge for themselves as to whether my charge has been correct that this loophole existed, that friendly foreign countries were preparing to take advantage of the loophole, and that it was incumbent upon the administration to close this loophole, as I had demanded, before it was too late and before friendly countries created new industries or expanded existing industries in contemplation of shipping Havana cigars to the United States through this gaping loophole.

The administration had indicated that at some future date it may consider invoking the Trading With the Enemy Act to prevent this, but this I charged is a promise for future action rather than action now when action now is the only solution. Also, a research of the circumstances under which the Trading With the Enemy Act has been invoked by Presidential proclamation clearly shows that no precedent exists for using that existing legislation in a situation such as this. Likewise, commonsense indicates that the administration, particularly with its vacillating attitude, would not risk incurring the ill will of a friendly foreign country by accusing it of trading with the enemy, which would be the effect of invoking this particular strong measure. Therefore, I stated categorically in my opinion this administration promise in the future is another one which will not be kept and is as phony as a $3 bill.

Even since the preparation of these remarks, again I have received additional evidence that new industries are being considered for cigar manufacturing with Cuban tobacco in the Canary Islands, in this instance inquiries by Mr. Benjamin Menendez with offices in Madrid, Spain, to cigar distributors in New York as to their purchasing Havana cigars made at the Canary Islands and indicating his interest in establishing "a short filler plant in the Canary Islands similar to the one I had in Cuba" and indicating that the "quality and preparation will be the same as before" which can only be interpreted, as indicated in the letter of transmittal to me by the Cigar Manufacturers Association of America, to mean that such a factory will use Cuban tobacco. The covering letter, together with two enclosures from Mr. Menendez, are included for the RECORD.

I therefore renewed my request that action be taken immediately, through the Treasury Department and the Department of Justice, to close this loophole and advise friendly foreign countries that the embargo will not be permitted to be circumvented in this fashion whether it relates to tobacco or any other product originating in Cuba. I announced that if the administration was unwilling to take this action, then it would be my intention to press for favorable action on my bill.

It is interesting to note that over the weekend, after this constant insistence on my part, and on the part of many in the cigarmaking industry, and the introduction of my bill, that the administration has finally conceded that I was correct from the outset, that the only way to close this loophole was through a Treasury ruling upsetting the previous ruling, and that, further, it was necessary to do so immediately rather than to wait as was intended in the letter which I quoted from Secretary Dutton at the beginning of these remarks. I trust the administration will now circulate this ruling to all friendly foreign countries that have existing such cigarmaking industries or potential for same so that they will be put on notice as I had requested.

Now if this is followed up with substantial and concrete assistance to the industries and employees such as immediately putting into effect the Manpower Development and Training Act, together with favorable consideration on my bill to permit exemption from import duties of Cuban tobacco held in bond, to give these industries operating capital, some additional needed concrete assistance will thus be provided. I intend to press for favorable action in these areas as well.

THE HOME OF DON MIGUEL

In the face of the steadily worsening condition in the supply of Havana cigars, a new concern has been established in the benign and beautiful Canary Islands—one that is founded on a long and great tradition in finest Havana cigarmaking.

In the tiny nest of the exceedingly beautiful and historic Canary Islands which enjoy the same benign climate because they are within approximately the same parallels of latitude as Cuba although a hemisphere away, a great and a most encouraging event is taking place for cigar smokers the world over.

The legendary adventurers from Castile that opened the Western Hemisphere to exploration centuries ago, have a modern counterpart in the opening of this new center for fine cigarmaking in the Canary Islands by men whose traditional skills and standards are renowned throughout the world.

For Don Miguel will from the beginning identify only the finest cigar product that can be made in keeping with a dedicated purpose to carry forward as before a tradition of excellence that made the name Havana preeminent. With a limitless supply of superb Havana leaf that will continue to be available through normal channels of supply, Don Miguel is a permanent enterprise that will continue in years to come irrespective of whether or not the factories in Havana are ever recovered by their rightful owners.

The production under the name Don Miguel comprises a range of sizes corresponding to those of Monte Cristo. Presently available are four sizes in limited quantities.

Your selection of Don Miguel cigars we know you will find to be a rewarding experience. We hope to continue to serve your connoisseur preferences in the years to come by maintaining Don Miguel at its preeminent level in customer prestige.

CIGAR MANUFACTURERS
ASSOCIATION OF AMERICA, INC.,
March 22, 1962.

Hon. WILLIAM C. CRAMER,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN CRAMER: This is in further reference to our letter of March 6 with which we sent to you a copy of a resolution of our board of directors which urged the President of the United States to make the Cuban embargo total in all aspects.

You will recall that in our letter we expressed deep concern about the apparent loopholes in the embargo order as issued and the interpretations of it by the Foreign Assets Control Division of the Treasury Department.

In substantiation of our concern as being a real one, we enclose photocopies of letters received by two of our association member manufacturers which are self-explanatory. In our opinion these letters give recognition to the feasibility of importing into the United States tobacco from Cuba which has been substantially transformed in a friendly third country.

We are mindful of the fact that these letters do not specify that Cuban tobacco is involved. However, the statement that "quality will be the same as before" carries with it the strong implication that reference is being made to Cuban tobacco. Moreover, if not Cuban tobacco, what would be the justification for making scrap in the Canary Islands for the American market. The short filler plant which the letters refer to as having been operated in Cuba was a large one which to our knowledge processed only Cuban tobacco.

This material is being presented to you to keep you posted on developments and also to indicate the need for prompt and positive action to make the embargo total in effect to insure that proposed operations such as this, as well as others, do not get underway and thereby defeat the avowed intent of the President's embargo proclamation.

Respectfully yours,

CARL J. CARLSON,
President.

CELESTINO MENÉNDEZ GARCIA,
Madrid, March 17, 1962.

Mr RUBEN PÉREZ,
Care of General Cigar Co.,
New York, N.Y.

DEAR MR. PÉREZ: I have in mind to establish a short filler plant in the Canary Islands similar to the one I had in Cuba, and would like to know your valuable opinion as to the possibility of selling it in the American market; of course, quality and preparation will be same as before, and prices competitive.

Any comment on it will be greatly appreciated and of course held strictly confidential.

Thanking you in advance and with kindest personal regards.

Sincerely,

BENJAMIN MENÉNDEZ.

CELESTINO MENÉNDEZ GARCIA,
Madrid, March 17, 1962.

Mr STANLEY KAISER,
New York, N.Y.

DEAR MR KAISER: I have in mind to establish a short filler plant in the Canary Islands similar to the one I had in Cuba, and would like to know your valuable opinion as to the possibility of selling it in the American market; of course, quality and preparation will be same as before, and prices competitive.

Any comment on it will be greatly appreciated and of course held strictly confidential.

Thanking you in advance and with kindest personal regards.

Sincerely,

BENJAMIN MENÉNDEZ.

OUR SENIOR CITIZENS MUST HAVE ADEQUATE MEDICAL CARE

Mr. HEMPHILL. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. BUCKLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. BUCKLEY. Mr. Speaker, it is vital that the present Congress enact into law a bill to provide proper and decent health security for our senior citizens. Persons over 65 have two to three times more chronic illness than younger people. Our elderly citizens have annual medical bills that are double those of persons under 65, but their annual income is about half of that of the rest of the people. People over 65 are hospitalized about three times longer than those who are younger. Such stays in the hospital are very costly. Hospital costs have more than tripled in the last 15 years.

I agree with President Kennedy that the King-Anderson bill introduced in the Congress is the only bill which would provide full and adequate medical care for the aged. Passage of the King-Anderson bill would result in a health insurance program for persons over 65 under the social security system.

Under this health insurance program a person over 65 could enter a hospital and stay for up to 90 days paying only $10 a day for the first 9 days and have the remaining 81 days paid in full. After discharge from the hospital, that same person could receive 180 days of skilled care at a nursing home. The plan also pays the cost of all hospital outpatient diagnostic services in excess of $20. Under this bill a person would be entitled to home health services with a maximum of 240 visits a year. Other services given without cost would include nurses and therapists.

The cost of these health insurance benefits would be entirely self-financed by an increase in social security contributions of one-quarter of 1 percent each by the employer and the employee. At the present time, the employee pays a social security tax on his first $4,800 of annual earnings. If the King-Anderson bill becomes law, he will pay on his first $5,200 of his earnings.

This plan is the only fair and humane proposal for decent and adequate medical care of the aged. It is definitely not socialized medicine. This program would in no way interfere with a person's choice of doctor, hospital or nurse.

I have carefully studied other health insurance proposals and have found each and every alternative plan to be unfair and inadequate in its protection for persons over 65.

The good health of our senior citizens is extremely important to all of us. Everything possible must be done to prolong their lives in the best of health. Men and women over 65 must not be burdened with costly hospital bills, doctors' bills and the like. We must enact into law the King-Anderson bill, which supports President Kennedy's plan of medical care for the aged.

I shall do everything in my power in the present session of Congress to help President Kennedy make this enlightened and just program of medical care for the aged become the law of our land. As Americans, we can do no less.

PRESENTATION OF OSCARS BY ACADEMY OF MOTION PICTURE ARTS AND SCIENCES

Mr. HEMPHILL. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. CORMAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. CORMAN. Mr. Speaker, I would like at this time to direct the attention of my colleagues to an event dear to the hearts of Californians and to people the world over. I refer to the annual awards of the Academy of Motion Picture Arts and Sciences—the presentation of Oscars for notable film accomplishments of last year.

The motion picture industry, which has long been a significant element in our Nation's economy, is particularly important to my congressional district, where many of its facilities are located, in which many of its employees live, and from where so much of its creativity springs. The industry directly employs thousands of people, and through its varied operations helps to employ thousands more in related industries. More important, perhaps, it brings untold enjoyment into the daily lives of millions, both at home and abroad.

By providing an incentive for artists, creators and technicians to strive for an increasingly better product, the Oscar awards have helped raise the standards of motion picture production and made the American film industry the finest in the world.

This year's Oscar show marks the 34th presentation since the founding of the academy. On next April 9, it will be broadcast and telecast over the combined facilities of the American Broadcasting Co. and the Canadian Broadcasting Co., and will be seen and heard in all of our 50 States, and Canada.

If past history means anything, it will be a wonderful evening's entertainment. I urge all of you to tune it in.

SMALL BUSINESS SET-ASIDES IN GOVERNMENT ACTION

Mr. HEMPHILL. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. ASHLEY. Mr. Speaker, we are all very much concerned with the legitimate interests of small businessmen in obtaining their fair share of Government business in all categories. We are especially anxious that whatever programs we adopt in the Small Business Administration be in the genuine best interest of legitimate small businessmen.

A bill which I have introduced would repeal the so-called small business set-aside in Government construction, maintenance and repair contracts. I have not taken this step lightly and I assure you that I have given this problem my most careful consideration. I have come to the conclusion that the construction set-aside as presently operated is harmful to the Government, harmful to small business, and harmful to the building construction industry.

I believe that the small business set-aside is harmful to the Government because it denies the Government the advantage of competitive bidding in building construction. By its very nature, building construction is wide open for price fixing, political favoritism and monopoly unless contracts are awarded on the basis of competitive bidding. There is not now nor has there ever been any other way of safeguarding the public interest in construction contracts.

No matter how zealous we may be in our efforts to help a small businessman, when we give this assistance in such a way as to remove the protection of competitive bidding we are taking a very dangerous step. With the tremendous taxloads we are asking the people of the United States to assume in the cold war, we must exhaust every means of making certain that their dollars are spent wisely. The small business set-aside in Government construction by definition encourages work to be done at prices which may be substantially higher than if this work were performed under open bidding.

I have also introduced this bill because I believe that the construction set-aside is harmful to the legitimate self-interest of the small businessman. My concept of the small businessman that the Small Business Act strives to protect is a man with an established business, a number of employees, overhead responsibilities, and operating experience. The small businesses are part of communities, assume taxloads, participate in civic affairs, and in general their community depends upon them. When one of these small businessmen in my city of Toledo who may be in the manufacturing business wants to manufacture an item for the Defense Department, I believe that it is perfectly sound and in the Nation's best interest that we set aside a portion of our defense production for small businessmen like this. But as we all know, when we set aside this defense production for this small operator, he is required to meet the price stipulations, the quality requirements, and the technical standards of the production agency with whom he contracts.

In construction, however, we do not have this situation. A contractor without a job to perform is not even in business. He doesn't have to hire anybody except perhaps an estimator until he is actually awarded a contract. That contract may very well be at a location far removed from his hometown. This man doesn't have to own any equipment. He doesn't have to have any fixed overhead charges. He can do all of these things after he gets his contract.

My objective in introducing this bill is to draw the distinction between the established small businessman in our Nation's economy and the so-called

small business contractor in construction. I believe that there is a great difference in these two types. Furthermore, I believe that if the set-aside in Government construction is permitted to continue to the detriment of the Government as well as the construction industry, that our overall effort to help the small businessman may be drastically affected.

Finally, I have introduced my bill because I believe that the present construction set-aside is having very harmful effects on stabilized labor relations in the building construction industry. The stability of labor-management relations which we so earnestly seek, and about which this Congress has legislated for many years, depends upon good faith collective bargaining. The nature of the building construction industry is such that collective bargaining is conducted on an area basis by associations of contractors and associations of unions. The small business set-aside program is affecting good labor relations which have been existing in this industry for many years. The policies of the Small Business Administration in setting up small business contractors by loaning them money to get into business and then reserving large chunks of Government construction for them, is giving to these fledgling contractors a vast and unfair advantage over established businessmen. The set-aside contractors are able to perform work at costs substantially below that incurred by established firms. It is very significant that although these new entrants in the field are enabled to perform work with lower paid employees, more often than not their bids are substantially higher than that of established construction firms.

In addition to medical benefits, health and welfare insurance, and supplemented social security benefits, the construction industry in cooperation with their unions performs a genuine service to the Nation in their apprenticeship programs. Here again the small business set-aside does not require, nor can it require that these newly set up contractors make their contribution in terms of manpower training. I believe this is contrary to the national interest and is another reason that my bill should be enacted.

An added reason that I believe that this program will be harmful to small business is the shocking loss rates which the Small Business Administration is now incurring on loans to small business contractors. I am informed that on all construction loans now in force at the Small Business Administration the loss and arrears rate is running at 17 percent. This is very dangerous and shocking when one realizes that in all other categories of SBA loans, the loss rate is under 2 percent. Therefore, from the point of view of good business, SBA's loans to so-called small business contractors are very unsound.

Mr. Speaker, I should like to emphasize again in closing that I am not against the Small Business Administration, nor am I against its legitimate objectives. I am simply persuaded that the construction industry by its very nature already meets the requirements of our interest in small business by its historic subcontracting system. I believe that the great majority of work in this industry has been and will continue to be performed by legitimate small businessmen. On the other hand, I believe that all elements in this industry—prime contractors, subcontractors, and labor unions—must conduct themselves in such a way as to guarantee that our Government will have the advantage of the finest construction techniques at the lowest possible dollar cost. I hope that the Committee on Banking and Currency of which I am a member will have hearings soon on this measure in order that the House may express its will.

NEED FOR LEGISLATION EMBODYING TAX RELIEF FOR HIGHER EDUCATION EXPENSES

Mr. HEMPHILL. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. RODINO] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. RODINO. Mr. Speaker, it is with a sense of urgency in the face of profound national need that I introduce today a bill intended to increase the availability of higher education through a program of tax relief. According to the provisions of my bill, a taxpayer would be entitled to deduct from his income tax computation such educational expenses as were in that year necessarily incurred by himself, his spouse, or any other legal dependent in the course of obtaining higher education. I introduce this bill with the firm conviction that its provisions are strategic in the preparation for the future of this Nation and her people—a nation and a people long committed to the belief that individual and national fulfillment is best achievable through that freedom which can be understood, furthered, and protected only by means of education.

No one in this Chamber can be unaware that, viewed either from the national or the individual viewpoint, the higher education which has always been valuable in this country has in the past few decades become a matter of prime urgency. From the individual's standpoint, the complexities not only of the world but of his own life require that he be both broadly and deeply educated. There will be increasingly less room in American life for the undereducated, the underskilled, the uninformed. In a day when even as an individual he is in competition with forces ranging in nature from the technological revolution to communism, the American can ignore opportunity for education only at his peril.

No less—even, perhaps, 180 million times more—does the Nation require the educated talents of her people. We are very familiar with desperate calls from government and industry for more scientists, engineers, and technicians, and with the reasons behind the urgency. We ought, however, to be no less aware of our Nation's needs for teachers and other professional personnel, for administrative and managerial experts, and for many kinds of craftsmen and workmen who are skilled in modern techniques. It is not merely a question of national security and technical advancement. Indeed, for our own economic stability alone it would be absolutely necessary that we provide for the adjustment of a rapidly increasing population to what is proving to be an even more rapidly changing employment pattern. Such adjustment, of course, requires advanced education and training. And certainly no less pressing an issue in our time is education for a leadership role in the free world.

In short, there is every sort of injunction upon us to make higher education widely available. No one kind of measure can do it alone. This body earlier in this session wisely affirmed its responsibility to assist colleges and universities in the necessary expansion of physical facilities. Such legislation, however, leaves a great gap; it affords no assistance to the student himself, the individual who wants and requires—and for whom the country surely wants and clearly requires—an opportunity for such education. We must not fail to demonstrate that our primary focus is the individual, especially that academically able student—one of something between sixty and a hundred thousand per year—who in spite of his eagerness to continue into higher education is at present prohibited from doing so for financial reasons. Such inequality of opportunity can no longer be tolerated. A program of scholarships is urgently needed to reach some of the most gifted of these whose continuing education is a matter of vital import to themselves and to us all. But a scholarship program, important as it is, can reach only a very small percentage of the academically able, financially unable group. My proposal would extend significant assistance to all students winning admission to institutions of higher education, in accordance with our Nation's essential tradition of equality of opportunity. By permitting the deduction of necessary expenses incurred at an institution of higher learning from the computation of an individual's Federal income tax, this proposal would merely bring up to date our policy of encouragement to education. At present an individual may take as a charitable deduction contributions to institutions of higher education, but may not be granted a deduction for the college expenses of his own children. This bill would rectify that inconsistency, and would help education itself by helping education's traditional source of support, the American family.

There is a considerable degree of automatic balancing in such a proposal. Rather than encouraging lopsided education through subsidizing a few areas of learning federally designated—such as science, for instance—the tax deduction permits a student the freedom to choose his own fields of interest as well as his own institution. Moreover, the tax savings to the individual taxpayer

will properly and automatically vary with the amount of educational expense. This, incidentally, should preserve the flow of students to both the public and the generally more expensive private colleges.

The automatic nature of such a tax-relief program is one of its great virtues. In its simplicity this plan would involve no elaborate Federal supervision, no chance of Federal control, no issues of race or church and state.

I can conceive of no more easily implemented, more widely acceptable, and more broadly beneficial plan than this I now offer, and no greater justice than the enactment of it as a part of our program of urgently needed aid to higher education.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. SHEPPARD, for March 28, 29, and 30, on account of official business.

Mr. BYRNE of Pennsylvania (at the request of Mr. GREEN of Pennsylvania), on account of illness.

Mr. THOMPSON of New Jersey (at the request of Mr. FRIEDEL), for today, on account of official business.

SPECIAL ORDER GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to Mr. MATHIAS (at the request of Mr. LANGEN), for 10 minutes, on March 28.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. OLSEN.

Mr. LAIRD, to include certain tables and other extraneous matter in his remarks today while in the Committee of the Whole.

Mr. JOELSON.

(The following Members (at the request of Mr. LANGEN) and to include extraneous matter:)

Mr. KEARNS.

Mr. PELLY.

Mr. ROUDEBUSH.

Mr. BROOMFIELD in two instances.

Mr. VAN ZANDT.

Mr. VAN PELT.

(The following Members (at the request of Mr. HEMPHILL) and to include extraneous matter:)

Mr. CELLER.

Mr. RIVERS of South Carolina.

Mr. DULSKI.

Mr. HÉBERT.

Mr. TAYLOR.

Mr. GEORGE P. MILLER.

Mr. DADDARIO in two instances.

BILLS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on March 26, 1962, present to the President, for his approval, bills of the House of the following titles:

H.R. 4130. To provide assistance to Menominee County, Wis., and for other purposes.

H.R. 5968. To amend the District of Columbia Unemployment Compensation Act, as amended.

ADJOURNMENT

Mr. HEMPHILL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 34 minutes p.m.) the House adjourned until tomorrow, Wednesday, March 28, 1962, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1855. A communication from the President of the United States, transmitting amendments to the budget for the fiscal year 1963 involving increases in the amount of $23,940 for the House of Representatives (H. Doc. No. 370); to the Committee on Appropriations and ordered to be printed.

1856. A letter from the Comptroller General of the United States, transmitting a compilation of General Accounting Office findings and recommendations for improving Government operations (H. Doc. No. 371); to the Committee on Government Operations and ordered to be printed.

1857. A letter from the Secretary of Agriculture, transmitting a draft of a proposed bill entitled "A bill to add certain lands to the Pike National Forest in Colorado and the Carson National Forest and the Santa Fe National Forest in New Mexico, and for other purposes"; to the Committee on Agriculture.

1858. A letter from the Administrator, Foreign Agricultural Service, U.S. Department of Agriculture, transmitting a report on title I, Public Law 480 agreements concluded during February 1962, pursuant to Public Law 85-128; to the Committee on Agriculture.

1859. A letter from the Secretary of Agriculture, transmitting a report on a violation of section 3679 of the Revised Statutes, as amended, involving an overobligation of the first quarter limitation under an annual allotment of funds, pursuant to section 3679 of the Revised Statutes, as amended; to the Committee on Appropriations.

1860. A letter from the Secretary of the Treasury, transmitting a draft of a proposed bill entitled "A bill to amend section 3515 of the Revised Statutes to eliminate tin in the alloy of the 1-cent piece"; to the Committee on Banking and Currency.

1861. A letter from the Secretary of State, transmitting the 15th report on operations, pursuant to the Mutual Defense Assistance Control Act of 1951 (Battle Act); to the Committee on Foreign Affairs.

1862. A letter from the Comptroller General of the United States, transmitting a report on the review of contracting by the Ordnance Corps, Department of the Army, for rebuild of T97 and T91E3 track shoe assemblies for tanks and other combat vehicles"; to the Committee on Government Operations.

1863. A letter from the Acting Secretary of Commerce, transmitting a draft of a proposed bill entitled "A bill to fix the fees payable to the Patent Office, and for other purposes"; to the Committee on the Judiciary

1864. A letter from the Attorney General, transmitting the annual report of the Attorney General of the United States on the activities of the Department of Justice for the fiscal year ended June 30, 1961, pursuant to law; to the Committee on the Judiciary.

1865. A letter from the Assistant Secretary of Defense, transmitting a report showing grants for basic scientific research made by the Department of Defense to nonprofit institutions in 1961, pursuant to Public Law 85-934; to the Committee on Science and Astronautics.

1866. A letter from the Secretary of the Treasury, transmitting a draft of a proposed bill entitled "A bill to authorize an adequate White House Police force, and for other purposes"; to the Committee on Public Works.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. JONES of Missouri: Committee on House Administration. Senate Joint Resolution 152. Joint resolution to provide for the reappointment of Dr. Caryl P. Haskins as citizen regent of the Board of Regents of the Smithsonian Institution; without amendment (Rept. No. 1504). Ordered to be printed.

Mr. JONES of Missouri: Committee on House Administration. Senate Joint Resolution 153. Joint resolution to provide for the reappointment of Dr. Crawford H. Greenewalt as citizen regent of the Board of Regents of the Smithsonian Institution; without amendment (Rept. No. 1505). Ordered to be printed.

Mr. JONES of Missouri: Committee on House Administration. House Joint Resolution 439. Joint resolution authorizing the State of Arizona to place in the Statuary Hall collection at the U.S. Capitol the statue of Eusebio Francisco Kino; without amendment (Rept. No. 1506). Ordered to be printed.

Mr. FRIEDEL: Committee on House Administration. House Resolution 560. Resolution providing for the employment of a special assistant, vacating the position of Chief Doorman, and increasing the salary of Secretary, Office of the Doorkeeper; with amendment (Rept. No. 1507). Ordered to be printed.

Mr. FRIEDEL: Committee on House Administration. House Resolution 568. Resolution authorizing the employment of three additional mail clerks and two additional laborers, office of the Postmaster of the House of Representatives; with amendment (Rept. No. 1508). Ordered to be printed.

Mr. WILLIS: Committee on the Judiciary. H.R. 10931. A bill to revise and codify the general and permanent laws relating to and in force in the Canal Zone, and to enact the Canal Zone Code, and for other purposes; without amendment (Rept. No. 1509). Referred to the Committee of the Whole House on the State of the Union.

Mr. WALTER: Committee on the Judiciary. H.R. 9351. A bill to authorize the issuance of certificates of citizenship in the Canal Zone; with amendment (Rept. No. 1510). Referred to the Committee of the Whole House on the State of the Union.

Mr. COOLEY: Committee on Agriculture. H.R. 10788. A bill to amend section 204 of the Agricultural Act of 1956; without amendment (Rept. No. 1511). Referred to the Committee of the Whole House on the State of the Union.

Mr. CELLER: Committee on the Judiciary. Senate Concurrent Resolution 61. Concurrent resolution requesting the President to designate the week of March 25, 1962, as Voluntary Oversea Aid Week; with amendment

(Rept. No. 1512). Referred to the House Calendar.

Mr. LANE: Committee on the Judiciary. H.R. 10195. A bill to validate payments of certain special station per diem allowances and certain basic allowances for quarters made in good faith to commissioned officers of the Public Health Service; without amendment (Rept. No. 1514). Referred to the Committee of the Whole House on the State of the Union.

Mr. BONNER: Committee on Merchant Marine and Fisheries. H.R. 207. A bill to amend title 46, United States Code, to provide for limitation of liability for vessel owners in suits by third parties based upon the warranty of seaworthiness, and for other purposes; with amendment (Rept. No. 1515). Referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BATTIN: Committee on the Judiciary. H.R. 9285. A bill for the relief of Helenita K. Stephenson; with amendment (Rept. No. 1513). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. WILLIS:

H.R. 10931. A bill to revise and codify the general and permanent laws relating to and in force in the Canal Zone, and to enact the Canal Zone Code, and for other purposes; to the Committee on the Judiciary.

By Mr. DOLE:

H.R. 10932. A bill to amend section 9(d)(1) of the Reclamation Project Act of 1939 (53 Stat. 1187; 43 U.S.C. 485), to make additional provision for irrigation blocks, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. HERLONG:

H.R. 10933. A bill to amend section 218(d)(6)(C) so as to require that coverage by the old-age and survivors' disability and insurance program in States permitted to divide retirement systems for State and local employees shall cover a majority of the members of such a retirement system at the time the agreement therefor is entered into; to the Committee on Ways and Means.

By Mr. LANKFORD:

H.R. 10934. A bill to authorize the Administrator, General Services Administration, to sell the project known as Lexington Park Homes, Lexington Park, Md., without regard to provisions of law requiring competitive bidding or public advertising; to the Committee on Government Operations.

By Mr. MORSE:

H.R. 10935. A bill making supplemental appropriations for the fiscal year ending June 30, 1962, for payments to local educational agencies under Public Laws 815 and 874, 81st Congress.

By Mr. MURRAY:

H.R. 10936. A bill to permit the Postmaster General to extend contract mail routes up to 100 miles during the contract term; to the Committee on Post Office and Civil Service.

By Mr. PRICE:

H.R. 10937. A bill to amend the act providing for the economic and social development in the Ryukyu Islands; to the Committee on Armed Services.

By Mr. RODINO:

H.R. 10938. A bill to amend the Internal Revenue Code of 1954 to allow a taxpayer a deduction from gross income for expenses paid by him for the education of any of his dependents at an institution of higher learning; to the Committee on Ways and Means.

H.R. 10939. A bill to amend the Small Business Act to make it clear that disaster loans in cases of flood or other catastrophe may be made with respect to property of any type (including summer homes as well as other residential property); to the Committee on Banking and Currency.

By Mr. WALLHAUSER:

H.R. 10940. A bill to amend section 541 of title 38, United States Code, to provide that certain increases in social security benefits shall not be counted as income of widows of veterans; to the Committee on Veterans Affairs.

H.R. 10941. A bill to amend title II of the Social Security Act to permit an individual to waive his right to receive benefits thereunder in order to preserve his right to receive benefits under other laws; to the Committee on Ways and Means.

By Mr. DIGGS:

H.R. 10942. A bill to amend the Fair Labor Standards Act of 1938, as amended, to provide coverage under the Fair Labor Standards Act of 1938, as amended, for employees of hotels, motels, and eating and drinking places engaged in commerce or the production of goods for commerce, and for other purposes; to the Committee on Education and Labor.

H.R. 10943. A bill to amend chapter 13 of title 18 of the United States Code relating to civil rights; to the Committee on the Judiciary.

H.R. 10944. A bill to amend the Immigration and Nationality Act; to the Committee on the Judiciary.

By Mr. FLYNT:

H.R. 10945. A bill to amend the National Defense Education Act of 1958 to extend its provisions relating to modern foreign languages to all foreign languages; to the Committee on Education and Labor.

By Mr. PUCINSKI:

H.R. 10946. A bill to amend the prevailing wage section of the Davis-Bacon Act, as amended; and related sections of the Federal Airport Act, as amended; and the National Housing Act, as amended; to the Committee on Education and Labor.

By Mr. AVERY:

H.R. 10947. A bill to authorize the Secretary of the Army to pay fair value for improvements located on the railroad rights-of-way owned by bona fide lessees or permittees; to the Committee on Public Works.

By Mr. CURTIS of Missouri:

H.R. 10948. A bill to amend the Internal Revenue Code of 1954 to provide that the proceeds of life insurance contracts transferred for a valuable consideration to certain persons shall not be subject to income taxation; to the Committee on Ways and Means.

By Mr. DIGGS:

H.R. 10949. A bill to establish a procedure for adoption and implementation of plans for the desegregation of public schools; to provide financial and technical assistance to facilitate desegregation of public schools; to restrict Federal financial aid for segregated public schools and institutions of higher education; and for other purposes; to the Committee on Education and Labor.

H.R. 10950. A bill to establish a Commission on Equal Employment Opportunity to encourage and enforce a policy of equal employment opportunity in Federal employment, in employment under Government contracts, and in employment in programs supported or in facilities constructed by Federal grants-in-aid; to prohibit discrimination by labor organizations because of race, color, religion, or national origin; and for other purposes; to the Committee on Education and Labor.

H.R. 10951. A bill to protect civil rights through providing criminal and civil remedies for unlawful official violence; authorizing suits by the Attorney General to prevent exclusion of members of minority groups from jury service; and for other purposes; to the Committee on the Judiciary.

H.R. 10952. A bill to establish a matching grant program to be administered by the Secretary of Health, Education, and Welfare to improve the education, training, and recruitment of State and local police forces; to the Committee on the Judiciary.

H.R. 10953. A bill to further secure and protect the rights of citizens to vote in Federal and State elections; to the Committee on the Judiciary.

By Mr. OSMERS:

H.R. 10954. A bill to amend the District of Columbia Traffic Act, 1925, to exempt certain officers and employees of the Senate and House of Representatives from the requirements of such act relating to the registration of motor vehicles and the licensing of operators when they can prove legal residence in one of the States; to the Committee on the District of Columbia.

By Mr. OSTERTAG:

H.R. 10955. A bill to authorize the Foreign Claims Settlement Commission of the United States to investigate the claims of citizens of the United States who suffered property damage in 1951 and 1952 as the result of the artificial raising of the water level of Lake Ontario; to the Committee on the Judiciary.

By Mr. RANDALL:

H.R. 10956. A bill to authorize the disposal of surplus property to State agencies regularly engaged in the operation of annual fairs and similar expositions; to the Committee on Government Operations.

By Mr. HERLONG:

H.J. Res. 673. Joint resolution proposing an amendment to the Constitution of the United States to place a limit on the extent to which social security taxes (or taxes under any similar Federal retirement or disability insurance system) may be increased; to the Committee on the Judiciary.

By Mr. MASON:

H.J. Res. 674. Joint resolution proposing an amendment to the Constitution of the United States to place a limit on the extent to which social security taxes (or taxes under any similar Federal retirement or disability insurance system) may be increased; to the Committee on the Judiciary.

By Mr. CLANCY:

H.J. Res. 675. Joint resolution authorizing the President of the United States to proclaim the last full week in October of each year as National Gifted Child Week; to the Committee on the Judiciary.

By Mr. DIGGS:

H.J. Res. 676. Joint resolution authorizing the President of the United States to proclaim the period from February 10, 1963, to February 16, 1963, as Negro History Week; to the Committee on the Judiciary.

By Mr. OLSEN:

H. Res. 577. Resolution relative to investigation of job discrimination by reason of age; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States relative to the issuance of a commemorative postage stamp in honor of the Tournament of Roses; to the Committee on Post Office and Civil Service.

Also, memorial of the Legislature of the State of South Carolina, memorializing the President and the Congress of the United States to propose a constitutional amendment abolishing income, estate and gift taxes, and prohibiting the Federal Government from engaging in any business, professional, commercial, financial, or industrial enterprise except as provided in the Federal Constitution; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. GALLAGHER:

H.R. 10957. A bill for the relief of Maria Drag; to the Committee on the Judiciary.

By Mr. HAGAN of Georgia:

H.R. 10958. A bill for the relief of James Hubert Rhoden and Marjorie Joyce Rhoden; to the Committee on the Judiciary.

By Mr. HOLLAND:

H.R. 10959. A bill for the relief of John (Ivica) Beg Farkas and Ann (Anka) Beg Farkas; to the Committee on the Judiciary.

By Mr. KIRWAN:

H.R. 10960. A bill for the relief of Rosina Luisi (Sister Mary Rosina) and Maria Fatibene (Sister M. Valentina); to the Committee on the Judiciary.

By Mr. CLEM MILLER:

H.R. 10961. A bill for the relief of Giuseppe Bruschi, his wife, Maria M. Carrera Bruschi, and their minor son, Giovanni Bruschi; to the Committee on the Judiciary.

By Mr. MORSE:

H.R. 10962. A bill for the relief of Emery Nyilas; to the Committee on the Judiciary.

By Mr. RODINO:

H.R. 10963. A bill for the relief of Electro-Protective Corp.; to the Committee on the Judiciary.

By Mr. MORRIS K. UDALL:

H.R. 10964. A bill for the relief of Wong Yee Lee Jing, and her minor children, Wong Foon Yee, Wong Check, Kinlen Wong, and Oylee Wong; to the Committee on the Judiciary.

By Mr. WALTER:

H.J. Res. 677. Joint resolution relating to the admission of certain adopted children; to the Committee on the Judiciary.

By Mr. GONZALEZ:

H. Res. 578. Resolution providing a gratuity for Mrs. Nina Bray; to the Committee on House Administration.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

263. By the SPEAKER: Petition of Fred J. Logan, mayor, Sunnyvale, Calif., relative to opposing Federal income taxation of interest derived from public bonds; to the Committee on the Judiciary.

264. Also, petition of R. Wesley Eproson, mayor, Sonora, Calif., relative to opposing Federal income taxation of interest derived from public bonds; to the Committee on the Judiciary.

265. Also, petition of Edward K. Stanton, city clerk, Hayward, Calif., relative to Federal income taxation of the interest derived from public bonds; to the Committee on the Judiciary.

266. Also, petition of Margaret L. Heartwell, city clerk, Long Beach, Calif., expressing opposition to any imposition by the Federal Government of a tax, of any nature, on the income from State and local bonds; to the Committee on Ways and Means.

267. Also, petition of Alan M. Charvos, mayor, Santa Rosa, Calif., relative to opposing any action to subject income from State and local bonds to Federal income or other Federal taxation; to the Committee on Ways and Means.

EXTENSIONS OF REMARKS

Mr. George T. Daughters and Miss Mary H. Dirigo Honored by Federal Business Association of Detroit

EXTENSION OF REMARKS

OF

HON. WILLIAM S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 27, 1962

Mr. BROOMFIELD. Mr. Speaker, too often we in Congress and the Nation as a whole take for granted the efforts of those who serve us.

Last week, the Federal Business Association of Detroit honored two of our loyal Federal workers for their valuable contributions at its 10th annual award luncheon.

Named "outstanding Federal administrator of the year 1961" was Mr. George T. Daughters, who is director of the Detroit District of the Food and Drug Administration. Mr. Daughters went to work for the FDA in 1927, shortly after his graduation from Whitman College and has worked continuously for FDA since then, except for 3 years in the military service during World War II as a captain. He earned four battle stars and later served as health officer in the Army of Occupation in Germany.

Mr. Daughters began in San Francisco as a chemist and served with the agency in a number of cities until he was selected as district director at the Detroit office.

Chosen as "Federal Employee of the year 1961" was Miss Mary H. Dirigo, who is office staff foreman in the Maintenance Service Division of the Post Office Department in Detroit. She began her Federal service career as a temporary stenographer with the Treasury Department, but that temporary position became a lifetime career of service.

Miss Dirigo has been rated "outstanding" by four different division heads and she has shown great ability and has earned the respect and admiration of her fellow employees.

The Byelorussian Democratic Republic

EXTENSION OF REMARKS

OF

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 27, 1962

Mr. DULSKI. Mr. Speaker, 44 years ago on March 25 a group of dedicated political leaders met in Minsk and drew up a proclamation. Their proclamation of independence, like the American Declaration of Independence, listed the abuses of the imperialist mother country. The grievances of the Byelorussian people were perhaps more fundamental in nature than those which led to the outbreak of the American Revolution. Religious persecution, suppression of the critical national press, prohibition of the native language, and finally a disastrous foreign policy which made the nation a battleground in a futile savage war—these were the conditions against which the Byelorussians revolted.

The revolution took place during that incredibly confused period of World War I when the czarist army fell apart and the Soviet Army sprang into being. At that time the Byelorussians were divided among pro-Soviet and anti-Soviet political groups. An infantry regiment of the old imperial army composed of Byelorussians attempted to regroup as the national Byelorussian Army. It established contacts with Ukrainian and Tartar undergrounds. However, the Soviet forces discovered the plot, arrested the leaders, and removed the infantry regiment from Minsk. Still anti-Soviet forces continued to organize and sent delegates to the Brest-Litovsk negotiations to protest against the partition of Byelorussia. Their protests were not in vain, for the question of Byelorussia was ignored in the treaty provisions. The Red army left Minsk after the treaty was signed and two Governments were formed—one in Minsk, the other in Vilna. Realizing that compromise was necessary, representatives of the two Governments met on March 25, 1918, and proclaimed a single free and independent nation. The Byelorussian Democratic Republic endured for 3 years before it was crushed by the superior Soviet Army. Today we are proud to remember those remarkable men who fought for their independence in spite of overwhelming opposition.

Intransigent Foe of Totalitarianism

EXTENSION OF REMARKS

OF

HON. CHARLES S. JOELSON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 27, 1962

Mr. JOELSON. Mr. Speaker, March 29, 1962, marks the 70th birthday anniversary of a truly courageous prince of the Roman Catholic Church.

Born in Austria-Hungary of prominent rustic parents, Jozsef Pehm put aside the

farming chores of his youth to embark on a priestly career. Shortly after his ordination he was sent to teach religion to high school students. There at Zalaegerszeg in 1919 he encountered the enmity of Bela Kun who inaugurated the first Communist reign of terror. Undaunted, Father Pehm published two weekly newspapers in a tireless effort to discredit Kun's poisonous doctrine. The young priest was thrown into prison and later exiled, but the influence of his writings together with popular unrest limited the Kun regime to a duration of a few months.

Next to confront the dedicated clergyman was the rise of fascism. Father Pehm, a Hungarian by choice as well as lineage, cast off his surname and chose one that identified him squarely against nazism and all its tenets.

Pope Pius XI appointed him a monsignor in 1937 and Pope Pius XII elevated the prelate to the rank of bishop during the same month of March in 1944 that the Nazis invaded Hungary. Outspoken against the persecution of Jews, the bishop of Veszprem was imprisoned on a charge of treason and was not liberated until April 1945.

Within 18 months the one-time farm boy became archbishop of Esztergom and cardinal of the Roman Catholic Church.

The Communists were quick to launch a campaign against the primate, characterizing him as reactionary and anti-Semitic, when in fact his only crime was his steadfast opposition to Communist doctrine, particularly their atheistic indoctrination of schoolchildren. Arrest was inevitable and on the day following Christmas 1948 he was apprehended and charged with plotting against the Government, spying, treason, and black-market dealings in currency. Haggard and unlike himself, the helpless victim of Soviet brainwash, he was convicted of the crimes for which he was tried. His sentence of life imprisonment was revoked on October 30, 1956. From that day forward the American Legation in Budapest has been his sanctuary. The bishop removed from his flock prays daily for a lasting reunion with them.

Mr. Speaker, in behalf of freedom-loving peoples everywhere it is a cherished privilege to salute Jozsef Cardinal Mindszenty, intransigent foe of totalitarianism.

Byelorussian Independence Day

EXTENSION OF REMARKS

OF

HON. EMILIO Q. DADDARIO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 27, 1962

Mr. DADDARIO. Mr. Speaker, on March 25, 1918, during the turmoil of revolutionary Russia, the people of Byelorussia succeeded in clearing their land of Bolsheviks and declared their national independence. The establishment of the Byelorussian National Republic was a courageous and defiant act which fulfilled an ambitious dream that had been harbored in the hearts of the Byelorussian people through many years of frustrating oppression. It was an ambitious dream destined to an early end.

From the very first moment of its creation this nation of 10 million understood the price that must be paid to remain free. Weak but valiant, they fought with all their power against the surge of the Red army, but they were helpless against such force. Within 3 years the Byelorussian National Republic was absorbed into the new Soviet Union.

There is little else that can be said about the fate of Byelorussia, but its tragedy teaches many lessons. To the millions of Byelorussians, March 25 is an occasion to recall their country and their dream of independence. To all others, March 25 is an occasion to salute a valiant people and their ambitious dream.

Proposed New Tariff Act With Reference to Pacific Northwest Lumber Industry

EXTENSION OF REMARKS

OF

HON. THOMAS M. PELLY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 27, 1962

Mr. PELLY. Mr. Speaker, under unanimous consent, I include for printing in the CONGRESSIONAL RECORD a somewhat condensed statement of my testimony on the proposed new tariff bill, H.R. 9900, which is presently being considered by the House Committee on Ways and Means. This testimony has particular reference to the Pacific Northwest lumber industry which is suffering from Canadian lumber imports.

I have long believed that the exchange of surplus goods between nations is common gain and I fully support the objectives of the administration's proposal, but I would oppose any provision which represented more abdication on the part of the legislative branch of its constitutional power and responsibility. Likewise, to interject Government planning and direction with subsidies to recompense domestic industry for injury on account of tariff reductions, in my opinion would be unwise. Nor should the retraining of employees be treated as separate from other vocational legislation already on the statute books.

Limiting myself then to lumber and lumber products, I should like to say first that we have a sick lumber industry in my State of Washington and other Northwest States. The causes of this condition are many and frankly the matter of tariffs is only one.

The statement follows:

Canadians through the British Empire preference have taken over a once substantial customer of Great Britain and, meanwhile, on account of lower costs now enjoy the bulk of the U.S. Atlantic market. The crippling effects of this low-cost foreign competition are due, as I said, to many factors. This constantly increasing competition has been so serious that quotas and/or higher tariffs have been studied although admittedly both are fraught with complications involving our whole trade relationship with Canada.

In the great forested areas of the Northwest, 60 percent of our working people are dependent upon the forest products industry for their livelihood.

My own State of Washington is one of the major lumber-producing States of our Nation, specializing in softwood production.

Practically all of our softwood lumber imports are from Canada. In 1961, Canadian lumber imports were substantially in excess of the entire production of Washington State. Since practically all of our softwood imports are from Canada, these imports are directly competitive wtih the lumber produced in my State.

It is for this reason that the people in my part of the country are extremely disturbed by the fact that during the past year approximately 4 billion board feet of Canadian lumber has found its way across the border into our markets. This is an increase of more than 70 percent in the past 10 years, and almost a 900-percent increase since 1935.

The tremendous increase in Canadian imports has naturally depressed the economy of the Northwest, where it is roughly estimated that some 300,000 people have been adversely affected. Almost all of the distressed labor areas in the Northwest are those which are dependent on a prosperous lumber economy.

During the past few years, approximately 100 lumber mills, both large and small, in the Douglas fir region alone have ceased operations, attributing their closing down mainly to this large influx of Canadian lumber imports.

In this same region, over 600 million board feet of lumber production was lost during the past year by U.S. lumber mills. This amounts to a loss of 66 million man-hours, or 8,325,000 workdays, which have been denied the labor force in our Northwest lumber region. This is certainly a critical loss to the Northwest communities which are dependent on the forest products industries for their survival.

About 30,657 Washingtonians are employed in sawmilling, logging, and planing, the activities directly affected by foreign cost differentials. This figure was about 15,000 higher a decade ago. Total woodworking employment in Washington is about 65,000 and the whole of the woodworking industry, of course, feels the impact of the favored treatment afforded Canadian competitors.

As long as the Pacific Northwest forest products industry operates under handicaps, unemployment can be expected to remain acute in many western Washington communities.

The American lumber industry cannot meet Canadian competition for, besides the many advantages granted Canadian lumber producers by their Government, the Canadians have lower wage rates, lower shipping rates, and advantageous rail shipping privileges which give them a favored competition position over American producers.

Personally, as I said earlier, I greatly fear compensatory legislation to assist industrial plants adversely affected by imports to transfer productive facilities into other types of business activity. This method could cause a wave of overproduction in areas not presently harmed by foreign competition. It could lead to Government planning and control. It could lead to political maneuvering.

Rather, I would urge substituting international agreements as the chief instrument to prevent disruption of an industry before rather than after the damage is done.

I would support a form of "disaster insurance" so that after the Tariff Commission finds injury to domestic industry and employment, the President could elect, and so report to the Congress, to enter into an international agreement with the country concerned with respect to exports to the United States for the purpose of eliminating the disruption caused by such imports. The Tariff Commission could make recommendations as to any limit and quantity and type of goods to be imported to stabilize the domestic market. The President could be authorized to seek an agreement unless the Congress opposes it by concurrent resolution.

If a satisfactory international agreement, for any reason, cannot be reached, then I would favor requiring the Tariff Commission to recommend duty and quota adjustments which would be mandatory on the President.

This latter provision would give the President a strong position on which to negotiate a voluntary international agreement.

In conclusion, let me say I was heartened to learn that the domestic lumber industry has taken an affirmative step to amicably resolve its import problems with Canada. A press release which came to my attention last Friday indicates that the industry has proposed a novel approach to the Canadian import problem. Under the industry's proposal, present United States and Canadian softwood lumber tariffs would be repealed, permitting duty-free entry of shipments to each country until total imports equaled 10 percent of the annual domestic consumption. A duty of 10 percent would then be imposed on the value of each import shipment in excess of 10 percent of total domestic consumption. I firmly believe that this proposal is worthy of the consideration of Congress and the President.

This problem is so urgent in the Northwest that relief from unfair Canadian competition must be immediately provided, if the economy of our domestic lumber regions is to be preserved.

Importance of Agricultural Conservation Program

EXTENSION OF REMARKS

OF

HON. ROY A. TAYLOR

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 27, 1962

Mr. TAYLOR. Mr. Speaker, it was my privilege this morning to point out to the Agricultural Subcommittee of the House Appropriations Committee the importance of the agricultural conservation program to farmers of my congressional district and I would like to insert my remarks here as information to my colleagues.

The appropriation for the agricultural conservation program administered by the ASC last year was $250 million as it has been for several years. However, the appropriation recommended for next year is only $150 million.

It is urgent and important that this conservation program be continued at its present level and that our farmers not be called upon to take a 40-percent cut or any cut in funds available at county ASC offices for cost-sharing conservation practices. Two hundred and fifty million dollars represents only 3.9 percent of the sum requested by the Agriculture Department for next year's operations. Yet in my district it reaches more farm people than any other phase of the entire agriculture program. I request the House Appropriations Committee to restore the ACP appropriation to $250 million.

Continuation of the ACP program on at least the same level as in recent years is probably more vital to the farmers of western North Carolina and throughout the 200-odd countries of the southern Appalachian area than in other sections of the country. With our very small farms, heavy rural population, steep fields, and limited land resources, it is most important that every encouragement and assistance be given that will help to conserve and restore the productivity of these farms. Failure to do so can only mean a continued and chronic low-income situation such as we already have.

Much progress has been made in healing the gullies, stopping the washes, eliminating the broomsedge and planting trees on the steep slopes in western North Carolina. Any curtailment in these efforts will be a step backward for the area.

There are many benefits that can be attributed directly to the ACP program in the western North Carolina mountain area which I represent. Cost sharing for needed conservation practices has resulted in increased acres of vegetative cover crop on our steep land, tree planting, and the improvement and maintenance of permanent cover for soil and watershed protection. Experience has proven that some assistance, such as cost sharing through ACP, must be provided if conservation practices are to be carried out in the small mountain farms.

In 1961, 13,660 farms in my congressional district participated in the agricultural conservation program. This represented 67 percent of the total farms and the average payment per farm participating was $46.

The following table shows the record of participation and payment in the counties of the district which I represent. This information is presented in order to show that this program is reaching the rank and file of small farmers:

	Total number farms	Participating farms	ACP payments
Buncombe	4,514	3,049	$143,558
Cherokee	2,022	1,081	47,172
Clay	896	702	34,777
Graham	882	673	20,131
Haywood	3,016	1,995	103,360
Henderson	2,060	1,939	85,646
Jackson	2,607	1,297	55,690
Macon	2,317	1,514	69,612
Swain	969	515	20,463
Transylvania	958	895	34,937
Total	20,241	13,660	615,346

As a second proposition, the recommended appropriation for soil conservation is approximately the same this year as it was last year. I believe that some reasonable increase should be provided to cover the increase in cost of operation. If the appropriation is not increased some services will have to be limited or discontinued. We cannot afford to go backward in our efforts to conserve the soil and water resources that are so essential to the well-being of this Nation.

Today we find greatly increased public interest and awareness of the importance of conserving and properly managing our water resources. There is ample evidence that water supplies will be a major factor in determining the future growth and prosperity of many areas. This is in addition to the tremendous problem of flood control and loss of topsoil through runoff. There is really only one place where these problems can be tackled effectively, and that is back on the farms where many of the water problems start.

It is the responsibility of this generation to pass on to future generations the natural resources that will insure the basic necessities of life. The soil conservation program, as administered through the soil conservation districts and the Soil Conservation Service, gives the essential encouragement and guidance in this direction.

The farmer's economic status does not permit him to bear the entire cost of conservation. Conservation is a matter of concern to all segments of our population.

It is important that we realize that protection and improvement of our soil and water resources is a national responsibility and is of concern to all American citizens.

With this in mind, I request that the ACP appropriation be restored to $250 million and that a reasonable increase be added to the soil conservation appropriation.

National Power Resources Development

EXTENSION OF REMARKS

OF

HON. HENRY M. JACKSON

OF WASHINGTON

IN THE SENATE OF THE UNITED STATES

Tuesday, March 27, 1962

Mr. JACKSON. Mr. President, on March 5 Secretary of the Interior Stewart L. Udall addressed the annual convention of the National Rural Electric Cooperative Association in Atlantic City, N.J. Secretary Udall chose this appropriate occasion to deliver a most significant statement on national power resources development.

I believe Secretary Udall's eloquent and thoughtful remarks are deserving of widespread and studious attention.

Accordingly, I ask unanimous consent that the text of the Secretary's speech be reprinted in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY SECRETARY OF THE INTERIOR STEWART L. UDALL AT THE ANNUAL CONVENTION OF THE NATIONAL RURAL ELECTRIC COOPERATIVE ASSOCIATION, ATLANTIC CITY, N.J., MARCH 5, 1962

Nearly 25 years ago, a reporter for one of our large eastern newspapers wrote for the Nation magazine this bitter commentary: "REA stands * * * as one of Franklin D. Roosevelt's worst failures."

Today the REA program stands as one of F.D.R.'s great successes—indeed, as one of America's great successes.

Your accomplishments in bringing electricity to the land are a triumph for all

America; farm families and main-street merchants, factory presidents and factory workers, city and rural dwellers—all have benefited in a better life, higher production, more sales and profits, a broader tax base.

I congratulate you on your past successes, and applaud your effectiveness in making so many of our citizens aware of the long-term value of our resource conservation programs to the whole Nation.

We of the Kennedy administration believe wholeheartedly in the cooperative principles that are the heart of your program—and an indispensable part of our free-enterprise system.

This is a propitious occasion to restate the goals of the Kennedy administration's power resource development program—and to relate this program to the national economic policies of the President.

The first premise of that policy is that America must have a dynamic, highly efficient economy if it is to bear the burdens of world leadership and keep our economy growing.

As a nation, we cannot afford a second-best resource policy. We must constantly increase our labor productivity, more fully use our wood, and water and minerals—squeeze more kilowatts out of our hydroelectric dams. We must continue to develop low-cost energy which will enable us to trade abroad and compete more successfully in the markets of the world.

It is our Nation that must do these things—not just labor or capital, not just public power or private power. The challenge we face will determine whether a free people can outwork and outproduce a regimented society—whether we succeed in making science and technology the servant of mankind.

How does our national power policy relate to these higher economic objectives of our country? In the field of electricity, alone, the best estimates are that our Nation during the next 20 years must invest $100 billion in new electric generating plants and transmission facilities to meet the ever-increasing demands for electric energy for homes, farms, and industries.

We are at a "New Frontier" in electricity. Giant new generators are being built with 1,000,000 kilowatts capacity. They are most efficient and less costly to operate than smaller units. One of these giants can alone produce enough power to supply the city of Washington, D.C.

Twenty years ago the economic limit on electrical transmission was 200 miles. Today transmission lines of quadrupled capacity can transport electric energy 2,000 miles. Like the giant generators, the big extra-high-voltage transmission lines cost less and are more efficient.

Think what this means for electric consumers everywhere—Yukon River power in Seattle and, by displacement, into Los Angeles; mine-mouth power from West Virginia coal fields in New York and Boston, and from Dakota lignite beds into Chicago and Detroit; power flowing east and west to take advantage of time diversity; power flowing north and south for seasonal diversity; and integration of hydro and steam systems; in short, more and cheaper electricity for everybody.

Think not of the job that has been done. Think of the job yet to be done. To achieve the maximum efficiency of its electrical production facilities, our Nation needs fully integrated electrical systems, large interconnections between systems and regions, and interchanges of power. To achieve this objective we must marshal the full resources of the Federal Government, the public agencies, and the private utilities. As President Kennedy said in his special message on resources a year ago:

"It is not a task which should or can be done by the Federal Government alone. Only through the fullest participation and cooperation of State and local governments and private industry can it be done wisely and effectively."

The President also said:

"The role of the Federal Government in supplying an important segment of this power is now long established and must continue. We will meet our responsibilities in this field."

A year ago, also, the Kennedy administration's basic power policy was announced, and it can be summed up in a single sentence: America must have the best—the most efficient—electric system in the world. Nothing less will do.

The Kennedy policy statement reaffirmed five basic principles, first enunciated by the Department of the Interior in 1946. All are embodied in acts of Congress. They are:

1. Federal dams shall include facilities for generating electrical energy wherever feasible.

2. Preference in power sales shall be given to public agencies and cooperatives.

3. Power disposal shall be for the particular benefit of domestic and rural consumers.

4. Power shall be sold at the lowest possible rates consistent with sound business principles.

5. Power disposal shall be such as to encourage widespread use and to prevent monopolization.

A year has gone by. The record will show that we have moved vigorously toward our goal of developing in America the finest electrical system in the world.

The task force I named last year to study an extra high voltage common carrier interconnection between the Pacific Northwest and Pacific Southwest has completed its work. The report is a technological landmark. It shows great public benefits accruing to both regions when these interconnections are built. It points up the high promise of extra-high-voltage direct-current transmission for these—and other—regions. The President's budget includes planning funds for this vital interconnection.

We are progressing with the study of other major interconnections between regions served by the Department's power marketing agencies. These include studies of possible interties between the Bureau of Reclamation's Missouri River system and the Southwestern Power Administration in the midlands, and between the Missouri River system and the Bonneville Power Administration in the Northwest.

The Federal Power Commission appointed by President Kennedy has announced an even broader study, on a national basis, of the methods by which extra-high-voltage interconnections can help us meet our growing power needs. We expect these studies to show the substantial economies that can be achieved through EHV interconnections because of the difference in hydrology between rivers and because of diversities in load patterns between regions—economies of gas, oil, coal, steel, copper, aluminum, forest products, and labor—economies which will total hundreds of millions of dollars.

Let's take a look around the Nation to see, specifically where we are going. Let's look at the Missouri Basin, the Pacific Northwest, Washington, D.C., and the upper Colorado.

In the eastern division of the Missouri Basin marketing area public preference customers face a critical power supply problem. One of our first decisions a year ago extended the supplemental power program through the fall of 1965. This decision saved rural electric cooperatives millions of dollars and provided more than 4 years' leadtime which will enable us to develop long-range answers.

Working closely with preference customers of this region we have developed a plan that permits all of the cooperatives in that area to pool their future requirements. It will utilize the existing Federal transmission system and assure necessary additions to the system through a pool arrangement. This plan will make it possible for cooperatives to construct a 200,000-kilowatt generating unit on the lignite fields of North Dakota.

Two months ago, 14 utilities offered an exchange agreement to firm up 650,000 kilowatts of additional power for the Bureau of Reclamation in the Missouri Basin. This plan, too, is receiving our careful attention. You well may ask why this offer was made in 1962 and not in 1959—when the cooperatives stood "backed into a corner" following the December 10, 1959, meeting in Sioux Falls, S. Dak.

In the Pacific Northwest, we have negotiated a pioneering electrical coordination agreement with a dozen public agencies and private utilities. In effect, it provides that 65 hydroelectric plants and 18 steamplants under diverse ownership, having total installed capacity of 11,800,000 kilowatts, be operated as though they were all owned by a single entity. This coordination produces an extra million or more kilowatts of firm power that would be wasted if each utility operated its hydroplants independently.

We are examining the potentials of pumped-back storage. Pumped-back storage is another "New Frontier" in the field of power production and marketing. It uses cheap offpeak energy to pump water to high elevations for later release to generate hydroelectricity at hours of the day when the consumption of electricty reaches its peak. The result is great saving in plant investment for generating capacity.

As Secretary of the Interior, I chair a committee in Washington that includes the Secretaries of Agriculture, Army, and Health, Education, and Welfare—which was appointed by the President to review Budget Circular A-47.

A-47 contains the standards for feasibility for Federal projects. The President holds the view that these standards are too restrictive. Our committee will shortly present to the President for his approval new criteria for project development and evaluation. It will permit future feasibility studies to reflect true land and water resource values, and recognize both direct and indirect benefits.

It has been in the news, and let me report the facts to you on the upper Colorado transmission lines decision.

This struggle began a year ago when our first budget included funds to begin construction of the project's transmission lines. The project has three major power-producing units—Flaming Gorge, Curecanti, and Glen Canyon. These huge dams had to be tied together with backbone transmission lines, and their power output had to be carried to major load centers.

The private power companies in the basin were quite content to have the Federal Government build the unprofitable segment of the backbone lines. They wanted to build the rest. And they wanted to control the system and fix the price for use of the lines and obviously—if Congress denied us funds—they would "negotiate," but strictly on their terms.

So the issue went to Congress—and with your strong help we persuaded the lawmakers that their offers were unreasonable and that Federal construction was a much better solution. Congress gave us the funds but directed us to negotiate with the companies for terms that would enable us to adhere to our marketing principles and serve the best interests of all parties.

We conducted the negotiation from strength, and the integrated system will require $151 million of Federal funds for construction, instead of $178 million; preference users are fully protected, all of the people of the Colorado Basin are ahead—and

the whole region will have one of the best integrated, most efficient power systems in the Nation.

Let me enumerate the results we were able to achieve as a result of our victory last September:

Full protection of the rights of public-preference customers, including five additional delivery points for preference users provided by the private utilities at no extra cost; substantial savings to the project basin fund, including savings of $77 million to farmers—many of whom are also users of preference power; an integrated system that will be more efficient and will save millions annually to all of the people of the region; a heavier grid through interchanges and interconnections than was possible under a go-it-alone all-Federal plan; acceptance of the common carrier principle by the private companies; monopoly control of transmission was prevented; and a stronger interconnection with the Missouri Basin system was established.

This plan will mean maximum efficiency in the use of total plant capacity in the region at the lowest possible rates. This is in the national interest, and therefore in the interest of everyone. Here we have succeeded in getting the private utilities to provide service at the lowest possible cost through the competition of public agencies.

The Department of the Interior has responsibilities to the Congress and to the Nation as a whole. We want the American utility industry, public and private, to achieve new technological breakthrough, new savings through cooperation—and, above all, lower rates for those who are the ultimate consumers—the American people.

We cannot afford to be doctrinaire in our approach. In certain situations we will insist, as we have in the past, on wheeling arrangements over Federal lines to prevent costly duplication of lines by private utilities. In fact, it may more often be in the public interest that private utilities wheel over Federal lines than vice versa. In the Pacific Northwest, for example, the Bonneville Power Administration just recently has worked out a 50-year wheeling arrangement with two major private utilities to wheel Wanapum Dam power to the companies' load centers. This led to the companies' canceling their plans for duplicating Federal transmission lines, saving unnecessary capital investment estimated at more than $15 million.

Earlier I said President Kennedy wants America to have the world's best electric system. I am aware that for 8 years many of you here led a lonely fight for common carrier lines, regional interconnections, extra-high-voltage transmission, large economic generating facilities, and the proper combinations of hydro and steam—each a necessary ingredient of the world's most efficient electric system.

Now your Government supports these same goals and we invite all segments of this vital industry to work together so that we can reach these objectives.

I regret to say that some private utility spokesmen still consider the Government an intruder in the field of power generation and transmission. Some of these men led a blind and wasteful—and successful—fight against the Hanford reactor last summer. However, the truth of the matter is that the American people—all of them—lost that contest.

Some leaders in the private utility sector, however, have recognized that the Federal Government and other public agencies do have a proper place in the sun—and legitimate interests to protect. These utilities, particularly those in the Pacific Northwest, have joined in power pooling and in coordination agreements with the end result that all ratepayers and all generating entities—public and private—have benefited.

I am optimistic enough to believe that in the years ahead more of the private utilities will choose the mutual gains of cooperation over the waste to themselves and to the Nation that results from blind opposition. But I am not naive enough to believe this will happen without some prodding from the Congress, from the administration and from organizations such as the NRECA.

If our plans are sound, if we can bargain from strength, public power will achieve its legitimate goals, private power will thrive, and the Nation will move forward.

The national interest requires that we have the world's best electric system. We have the resources, the technical competence, the management skills. In the past if we have been bested it has been by those nations that have moved beyond doctrinaire disputes to the better day when all interests work together to accomplish the most efficient use of material and resources and to achieve the cheapest power for consumers.

I challenge the entire electric industry to a new competition. Who can do the best for the power user? Call it what you will—cooperation, competition, coordination, or just plain commonsense—this approach offers the best hope for all concerned. Competition between strong public and strong private leadership will best assure that we reach the highest goals of national growth and national productivity.

It would encourage the private companies and public agencies to prove by superior performance their right to the public responsibilities entrusted to them.

It would recognize that private utilities do not have all of the traditional features of free enterprises. They are not like the corner grocery store or the smalltown garage or even the industrial giants of the Nation, which employ risk capital to sell products in a highly competitive marketplace. They are regulated public monopolies charged with public duties.

It would recognize the proper and fundamental role of the Federal Government in developing those resources that belong to all the people.

Finally, it would recognize that we usually get things done by using a little give and take, that we can advance the interests of all the groups—and of the Nation as a whole—by a spirit, if I may coin a phrase, of "competitive cooperation."

With such an approach, all utilities can bend their full energies and talents toward improved service, improved technology, fuller integration, and lower rates.

There may be some who will reject this call—some who would rather cling to the old trenches and old slogans—but if enough are willing to try, the costly Chinese Wall that separates public and private power will be pierced with interconnecting transmission lines, and America will be the stronger for it.

Danger on the Left

EXTENSION OF REMARKS

OF

HON. RICHARD L. ROUDEBUSH

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 27, 1962

Mr. ROUDEBUSH. Mr. Speaker, Mr. Harry J. Baker, 1412 West Main Street, Crawfordsville, Ind., has brought to my attention a very significant article printed recently in the Saturday Evening Post.

This article by Senator BARRY GOLDWATER, of Arizona, outlines the very obvious and imminent danger to our country from the radicals of the left who are presently secured in many high places of importance in our Government.

With consent, I present Senator GOLDWATER's article in its entirety.

The article follows:

DANGER ON THE LEFT

(By Senator BARRY GOLDWATER)

The real danger to our country in these days of crisis does not come from the right side of the political spectrum, but from a direction more closely allied with Communist objectives. It does not come from military commanders, like Maj. Gen. Edwin A. Walker, who want to make sure their troops and the American people are informed of the true nature of our enemy, but from forces which would deny such instruction. It does not come from patriotic Americans who wish to remain vigilant to the threat of internal communism and to Socialist trends, but from people who would blunt that vigilance.

Today a great many military officers, organizations and individuals have been alerted by events. They have been taught by shocking experience. They have been goaded by official indifference to the true dangers which face us in a particularly perilous time.

To argue that our troops do not need ideological information is a waste of time when such an argument is presented to military commanders who remember the disgraceful spectacle of American soldiers embracing communism in Korea. It is pointless to insist that there is no threat from domestic Communists when the audience is made up of people who remember the damage done by the atomic spy rings—the Alger Hisses, the Dexter Whites, the Rosenbergs, the Fuchs, the Sobels and the Greenglasses. It goes against the American grain to be told there is no internal threat from communism while FBI Chief J. Edgar Hoover and others in positions to know tell us otherwise.

No, I believe the great threat, the real danger to our Nation, to our way of life and to the cause of freedom throughout the world comes from the leftists in our midst who even today counsel a "soft" attitude toward communism, both at home and abroad.

I believe it comes from the muddle-headed "do-gooders," from the intellectual theorists, from the appeasers and the "accommodators," from the professional collaborationists and pacifists. It comes from organizations like the Americans for Democratic Action, whose 1961 policy statement reads like a brief for Red China and Castro's Cuba, and the American Civil Liberties Union, which would like Americans to think that the Senate Internal Security Committee and the House Un-American Activities Committee are more dangerous than Soviet espionage agents.

I feel we have here both a right and a duty to question the influence wielded by the radical leftist ADA in the councils of the U.S. Government. According to newspaper accounts, this strange organization has no less than 37 members in key policymaking positions of the New Frontier—despite the fact that its nationwide membership is less than 50,000. As Robert T. Hartmann, writing in the Los Angeles Times, puts it:

"When any 14-year-old organization numbering no more than 50,000 citizens, with a budget of less than $200,000 a year, regarded as an albatross by many Democrats and as anathema by most Republicans, holding no I O U from the presidential winner for his nomination—when such an organization can staff a new administration with 3 White House aids, 3 Cabinet officers, and 31 key administrators in vital areas of finance, labor, civil rights, public works, power, housing, and foreign policy, it is worth looking into."

And looking into this organization, we find that in 1961 it called for total disarmament under United Nations controls, the inclusion of Red China in nuclear talks, an immediate start on negotiations for U.S. recognition of Red China and the latter country's admission to the United Nations as "China" with a Security Council veto, and a plebiscite on Formosan independence or reunion with Red China. We also find that ADA advocates removal of all U.S. trade and passport barriers with Red China, wants less stress on military aid for free Asia, urges a neutral Laos as part of a buffer zone.

People who suggest such actions would let us lose the global struggle by default. It is the leftists in our midst who rigorously oppose any use of force, or any show of strength in a conflict where our antagonist understands only the element of power. These leftists support an intense internationalist propaganda line which downgrades American patriotism as something smacking of "isolationism" and foreign-policy adolescence. We are told by none other than Senator J. WILLIAM FULBRIGHT, chairman of the Senate Foreign Relations Committee, that the victories of our early history—the victories won by determined, hardbitten men against stupendous odds, were products of our "reckless youth" when we were favored by an "improbable run of luck." We also are told by Senator FULBRIGHT that we must "come of age" in the world and devote our time to "civilizing international relations" rather than striving for victory over an enemy bent on the destruction of the United States and the enslavement of the entire world.

On the left also are the forces which, in the interest of "accommodation," suggest that we junk our opposition to the admission of Red China to the United Nations, that we forswear our policy of "massive retaliation"—the only shield we have in practical terms against annihilation by the forces of international communism.

It is the leftists who argue against the development of a national purpose of victory over the forces of international communism. It is the leftists who have saddled us with an outmoded, weak-kneed foreign policy which has proved to the tune of almost $100 billion that the promotion of social and economic reform on a worldwide basis is not a realistic means of stemming the Communist tide.

This indictment is not mine alone. To reinforce it I quote an enlightened liberal, writing in a liberal magazine. His name is Eric Sevareid, and this is what he had to say in an article titled "The Facts of Life" which appeared recently in Reporter magazine:

They [the Communists] must love the large school of American liberals who assume that any given country, however barren and illiterate, however profound its background of violence and chieftainship, is capable not only of economic modernization but of parliamentary democracy.

"They must love the liberals with social worker mentalities who do not grasp that illiteracy, low wages, concentrated landownership, and so on are not social problems but integral parts of a system of life and therefore enormously resistant to quick change by anything less than the totalitarian disciplines the same liberals abhor."

Mr. Sevareid warns his liberal-leftist friends that frightened people in desperate countries want to be on the winning side in the current East-West struggle, not necessarily on the moral side. And he tells them that the United States must start fighting and winning, regardless of reproving editorials in the Manchester Guardian and "no matter what the temporary backlash of world opinion may be."

There can be no denying that all of the winds of appeasement blow from the left. On that side of the political spectrum reside the voices which interminably counsel negotiation in nonnegotiable situations where discussion would only lead to the sacrifice of our own or our allies' strategic interests.

It was the spokesman on the left who hailed the rise of Castro in Cuba and obscured his early Communist dedication. They have also been in the forefront of those who today claim that any direct action in Cuba would offend opinion in other Latin American countries. Never mind a Communist bastion only 90 miles off our southern coast, they contend, because this is preferable to hurting somebody's feelings. And, of course, the left wing in American politics certainly sparked the ridiculous and ill-fated effort to submit to Castro's prisoner-tractor deal.

One of the traps the leftist minded have led us into in foreign relations is the development of an official preoccupation with so-called neutral nations. Only in the light of the Soviet Union's resumption of nuclear testing and the failure of the neutral nations, while meeting in Belgrade, to do anything but bring pressure on the West are we beginning to wake up. The Soviets have long understood that the first step in turning a country toward communism is to turn it against the West. Thus, typically the first stage of a Communist takeover is to neutralize, while in fact turning the country into an active advocate and adherent of Soviet policy.

The Kremlin's goal is the isolation and capture not of Ghana but of the United States—and this purpose may be served very well indeed by countries that masquerade under a "neutralist" mask, yet actually are dependable auxiliaries of the Soviet Foreign Office. What difference does it make if a neutralist chieftain is not a disciplined Communist so long as his public policies and intrigues help to accelerate Soviet ascendancy?

Another favorite misconception of the American leftists is an exaggerated belief in the existence and power of world opinion—which never seems to call Russia to any stern account for her transgressions, but which constantly puts pressure on us to ease international tension. Leftists apply this world-opinion concept to everything the United States does or proposes, despite the fact that the United Nations Educational, Scientific and Cultural Organization (UNESCO) reports that 70 percent of the world's population lives without knowing what is going on either at home or abroad. In their preoccupation the leftists fail to recognize the fact that the Communists themselves—our devoted enemies—formulate a large part of what passes as world opinion.

There are many reasons why this deference to world opinion is harmful to American interests. First, it is self-defeating, because the very respect we covet is denied to us the moment we ask for it. The would-be beneficiaries of our concessions construe them as weaknesses and want more. Second, a long history of trying to prove good faith when it had never really been open to question has the paradoxical effect of raising doubts about our good faith. When we with our record enter into a propaganda contest with the Kremlin and its record, when we try to match Soviet professions of love of freedom and peace, and hatred for armaments and colonialism, we invite the world to look upon us—as it looks upon the Soviets—as propagandists with something to hide. Thus we find ourselves forced to make a new plea before the bar of world opinion every time Pravda opens its mouth.

In another area it was the leftists who argued hardest for the United States to continue the nuclear-test ban long after there was more than a reasonable doubt that the Soviets had ever honored it and long after it was evident that the Soviets would end the ban the minute it became advantageous for them to do so. How much damage this did to our security and the cause of freedom throughout the world we can only guess.

On the domestic front the leftists have moved us so far along the road to economic socialism that high taxes and inflation are threatening our ability to resist the accelerated advances of Communists. The drive for more and more Central Government control over the lives, affairs, and liberty of the American people is eating away at the individuality, the determination, industry and incentive upon which our greatness as a nation was built.

This process of erosion is a tremendous threat to the cause of freedom because a sound economy is fundamental to our strength in all other spheres—especially the military. Government control and paternalism such as we have seen in agriculture go to the taproots of our national character. Our strength becomes so sapped that we lose sight of our national heritage and go groping around for new national goals. I suggest that we don't need new national goals. We have one which was written for us by Thomas Jefferson in the Declaration of Independence: "Life, liberty and the pursuit of happiness." This is the supreme goal of all Americans. And it endures as a goal because its achievement takes constant effort.

There can be no doubt that American leftists are out to replace the judgment of the individual with the judgment of the state. Almost every bit of legislation they espouse in the domestic field contains dangers of more power for the bureaucrats. It has become clear that, whether we like it or not, central control—which I think of as socialism—will be the result of these efforts. American leftists are squeamish about being called socialists, but that is the term we come to as we recognize what the results of their efforts will be. As collectivists, they have changed their strategy but not their objective—the subordination of the individual to the state. They have found that socialism can be achieved through welfarism as well as through nationalization.

Government interference—a principal tool of leftists—has reduced our States to mere vassals of Washington and has eaten into our free-enterprise economy. We have reached the point where our economic supremacy is threatened and our ability to keep abreast of world developments is challenged.

The leftists, with their dedication to irresponsible fiscal policies and deficit spending, stand in the way of a balanced budget, always holding forth new and bigger programs for increased spending of taxpayers' dollars. It makes no difference that these programs are invariably sought in the name of "welfare" and "humanitarianism" and always propelled by shouts of "crisis" and "emergency." They all entail spending far beyond our capacity to pay and they all will become part of the final economic reckoning.

These leftist spending programs are playing right into the hands of the Kremlin leaders who long have argued that they could "bleed America white." Higher taxes and more inflation are precisely what Khrushchev and his advisers want for the United States—and the leftwing forces in this country are rushing to provide them. The leftists clamor for the expenditure of additional billions for Federal aid to education, Federal aid to the aged, Federal aid to depressed areas, Federal aid to anything and everything. But there is no mention of what these vast new programs will cost in terms of our ability to resist aggression or mount even a limited war if we should be forced to do so. I suggest that it will make no difference if we are the best-educated, the best-housed, best-clothed, and best-fed people in the world, if our economic underpinnings are compromised. The military realities of today are

such that our capacity to fight is directly related to our ability to produce, and our ability to produce rests on the performance of a sound economy.

Thus, through advocating a soft policy on the international front, American leftists comprise the genuine danger to our country at this critical period in history. They have sown the seeds of appeasement abroad and fundamental weakness at home. They have shown themselves to be incapable, philosophically, and practically, of coming to grips with militant, ruthlessly aggressive communism. They prefer to bury their heads in the sand or, like Don Quixote, spend their time jousting with windmills they call the racial right rather than come face to face with the issues which will determine the destiny of America and the future of the world.

The Republican Party

EXTENSION OF REMARKS

OF

HON. WILLIAM K. VAN PELT

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 27, 1962

Mr. VAN PELT. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following letter by the Honorable MELVIN R. LAIRD, of Wisconsin, which appeared in the Baltimore Sun:

THE REPUBLICAN PARTY

SIR: The recent column in your paper by Thomas O'Neill entitled "Search for a Face," contained many perceptive comments on the problems of a minority party in the American political system and on the current problems of the Republican Party in particular. In some respects, however it failed to recognize a significant difference between the Republican and Democratic Parties and failed to present a balanced appraisal of the 1962 Joint Committee on Republican Principles.

The differences of opinion within the Republican Party are neither so basic nor so broad as those in the Democratic Party. Representatives of the Republican Party can, as a consequence, draft a statement which all responsible party leaders will accept without sidestepping specifics "in favor of ringing declarations for home and mother." Republicans can draft a meaningful declaration of party principles which will be accepted both by the congressional and the noncongressional representatives of the party. Believing that agreement can be secured among Republicans on a meaningful declaration, the Joint Committee on Republican Principles is now undertaking its work.

There are two major reasons for the establishment of this committee. One of them was mentioned by Mr. O'Neill, "a public impression" that the Republican Party "is for nothing and against everything." Such an impression no doubt is widely held. It is held because of the slick monopolization of the news by the administration and because of the failure of Republicans to affirm with a clear, persistent, and united voice the positive and constructive program which they are seeking to advance in the Congress. For example, the Republicans last year had a constructive alternative to the administration's depressed areas bill, but relatively few Americans were even aware of the Republican proposal. Republicans in the Congress have offered constructive proposals in the major problem areas with which the Congress will be dealing this year. An example last week was the Republican manpower and training proposal. But again, the existence of these Republican proposals is almost unknown.

The joint committee has a job, then, of dispelling the so-called negative image of the Republican Party by enunciating the principles on which the Republican legislative proposals, which have already been offered to the Congress, are based. The enunciation of such principles, we would hope, would encourage the future development of other specific proposals in the fields of public policy in which they are now lacking.

The second reason for the establishment of the joint committee is the need for investigation of the effect of changed circumstances on the application of Republican principles. The world of 1962 is different in many important respects from the world of 1960, which provided the setting in which the last official statement of Republican policy was formulated. Since 1960, for example, we have been plagued by an intolerably high level of unemployment. Since 1960 negotiations over a nuclear test ban have clearly failed; the Soviet Union has resumed testing, and we have tardily decided to do the same. Since 1960 significant and disturbing changes have taken place in our relations with our European allies.

In the light of such changes as these, a careful rethinking of party policy is in order for both major parties.

More than a decade ago, a distinguished committee of the American Political Science Association recommended that the major parties draft a declaration of policy in the off-years as well as in the years in which presidential elections are held. This was good advice at the time at which the recommendation was made. The swift and dramatic changes which have occurred in the course of the past 2 years make an effort of this kind even more useful and necessary today.

I am sure that neither Mr. O'Neill nor the Sun—both noted for fairness and objectivity—would prejudge the effort which the 1962 Joint Committee on Republican Principles is making. Your objectivity was most apparent in your Friday news story covering the Republican leadership meeting. The Sun's report was the only account read by me in which Representative HALLECK's remarks concerning the adoption of the Republican minority's manpower and training substitute program received prominent recognition.

The committee is engaged in a work of importance to the entire Nation, and I know the American press will give the finished product an unbiased appraisal.

MELVIN R. LAIRD,
Member of Congress.

Defender of the Constitution

EXTENSION OF REMARKS

OF

HON. L. MENDEL RIVERS

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 27, 1962

Mr. RIVERS of South Carolina. Mr. Speaker, the tide of encroaching communism is eroding at the foundation of our priceless heritage of constitutional government.

The far leftwing elements of our beloved Nation seek to destroy the breakwaters and allow our constitutional rights to be swept away on the sea of socialism.

Our country is beset by many perils in these times. Capable leadership is always needed to steer our Nation home to a safe harbor. In an address March 17 before the Charleston, S.C., Chapter of the Hibernians, my distinguished friend, Senator A. WILLIS ROBERTSON, of Virginia, cited the noble example, the unsurpassed courage, and the valor of the leaders of the armies of the Confederacy as an example of men believing in their constitutional rights and willing to die—if necessary—to spell out these rights.

Senator ROBERTSON's remarks speak for themselves. I believe they are so important to believers in constitutional government they should be made available through the CONGRESSIONAL RECORD. Under leave to extend my remarks in the RECORD, I hereby submit his address:

REMARKS OF SENATOR A. WILLIS ROBERTSON, OF VIRGINIA, AT THE ANNUAL MEETING OF THE CHARLESTON, S.C., CHAPTER OF HIBERNIANS, CHARLESTON, S.C., MARCH 17, 1962

Mr. Chairman, honored guests, and fellow Americans, it is a high honor, a coveted privilege to address the members of a fraternal order which can boast of a proud history of more than a century and a half—an order dedicated to the service of mankind and the second greatest commandment, "Love thy neighbor as thyself." And in these trying times when the future of our Republic is threatened by the anti-God ideology of communism from abroad and a marked trend toward the welfare state at home, it is a source of real inspiration to me to address a group that has never wavered in its support of States rights and a system of private enterprise within the framework of American constitutional liberty.

Nothing has given me greater satisfaction throughout my service in the Congress of the United States than the privilege I have enjoyed of knowing and serving with the splendid men who, during that period, have represented the great State of South Carolina and who fully shared my belief in States rights and my love and admiration of what we in Virginia still call the Old South. Unfortunately, time will not permit me to mention in detail all of my distinguished friends from South Carolina, first in the House and then in the Senate, but I do wish to mention my service in the House with the outstanding Representative from this District, MENDEL RIVERS, who has made an outstanding contribution not only to the development of the splendid Charleston Navy Yard but to the defense posture of our entire Nation.

As many of you will recall, I served on the Senate Banking and Currency Committee under the chairmanship of that distinguished southern gentleman and outstanding statesman, Burnet Rhett Maybank. "First in war, first in peace, first in the hearts of his countrymen." We all loved Burnie Maybank. And, during more recent years, I have enjoyed my service in the Senate with your two outstanding Senators, OLIN JOHNSTON and STROM THURMOND. We have stood shoulder to shoulder in opposition to iniquitous civil rights bills and how it has delighted my heart to see the gallant THURMOND as morally brave on the Senate floor as he was physically brave on the battlefield, cross swords with those who wittingly, or unwittingly, would abandon the restraints of constitutional government and take us headlong down the road to statism.

While we in Virginia are proud of the fact that through his matchless oratory Patrick Henry was privileged to be the sparkplug of

our fight for freedom we shall never forget the outstanding contribution of our sister State of South Carolina, through Edward Rutledge and three others, to the formulation and promulgation of the Declaration of Independence, nor the contribution of John Rutledge, two distinguished members of the Pinckney family and Pierce Butler, to the formation of a more perfect Union under the greatest instrument ever struck off by the hand and purpose of man. We in Virginia still cherish the remark of your great Charles Pinckney at your State convention in May 1788 that ratified the Philadelphia Constitution, when referring to the sovereign States that were to form the new Union, he said: "On them rests the general fabric; on their foundation is this magnificent structure of freedom erected, each depending upon, supporting, and protecting the other; nor so intimate is the connection, can the one be removed without prostrating the other in ruin; like the head and the body, separate them and they die."

I am sure it is not necessary for me to remind you that believers of States rights in South Carolina shared the doubts of the believers of States rights in Virginia that the rights of the States and the people thereof were not adequately protected by the Constitution as framed in Philadelphia and consequently the ratifying conventions of both States insisted on clarifying and protective amendments. Your ratifying convention adopted a resolution which said: "This convention doth also declare, that no section or paragraph of the said Constitution warrants a construction that the States do not retain every power not expressly relinquished by them, and vested in the general government of the Union."

That same sentiment was reiterated by one of the Nation's greatest statesmen, John C. Calhoun, who said on the floor of the Senate on February 4, 1836: "That the States which form our Federal Union are sovereign and independent communities, bound together by a constitutional compact, and are possessed of all the powers belonging to distinct and separate States, excepting such as are delegated to be exercised by the General Government, is assumed as unquestionable. The compact itself expressly provides that all powers not delegated are reserved to to the States and the people * * *."

Incidentally, Virginia asks the privilege of sharing South Carolina's pride in Calhoun because his maternal grandfather, John Caldwell, was a Presbyterian preacher in the valley of Virginia, where I live. He brought to that area a group of Scotch-Irish immigrants who were in search of both religious and political freedom. Thank God they passed on to generations yet unborn their passionate devotion to those fundamental principles.

In urging the States to ratify the Philadelphia Constitution, Alexander Hamilton, as well as James Madison, insisted that the Federal Government to be created under the Constitution would be a government of sovereign States which had no more powers than those delegated to it. But, to make assurance doubly sure, Madison proposed safeguarding amendments, including the 10th amendment, which spelled out the fact that the sovereign States and the people thereof had reserved all powers not delegated to the Federal Government. There was nothing written into the Federal Constitution which denied to any member State the right to withdraw from the Union if it saw fit to do so. There was no power given the President of the United States to call for troops to make war against States which had exercised their constitutional right to withdraw from the Union. It was not in the stars for the Union to be permanently divided; it was not God's purpose that the South should prevail upon the battlefield, but it was certainly a part of divine destiny that the South should demonstrate to the world the meaning of loyalty to a fundamental principle of government: to prove the truth of Jeff's statement "nothing is unchangeable but the inherent and unalienable right of man"; and it was certainly God's purpose that great military leaders such as Hampton and Bee of South Carolina, and Lee and Jackson of Virginia, should set for all succeeding generations an example of nobility of purpose and irrefragable courage. Since you of course are familiar with the great leaders which your State furnished to the Confederate cause, I am sure you will grant to me the liberty of referring to the contribution made to the Confederate cause by two leaders who lived in my hometown of Lexington—Lee and Jackson.

Each of them achieved fame in his lifetime, and, what is better, a "home in the minds of men."

Lee, of course, is recognized as one of the great military leaders of all time. This outstanding soldier, who led the Army of northern Virginia during the long, hard war years, had been asked originally, as the Nation divided itself into two armed camps, to take command of the Federal forces, a clear indication of the regard in which he was held.

Jackson's military genius alone would have assured his greatness. His tactics have been studied—and used—by soldiers of many armies. Historians of both World Wars find examples of victories which were won by the employment of Jackson's turning movement. The great English soldier, Field Marshal Wolseley, properly said: "The fame of Stonewall Jackson is no longer the exclusive property of Virginia and the South; it has become the birthright of every man privileged to call himself an American."

But these two Virginians achieved more than recognition for their deeds; they attained true greatness that is not based upon physical strength, political power, mental brilliancy, or accumulated wealth, but rather upon the type of sacrificial service that a man renders to his day and generation. Their test of unselfish love and devotion to duty goes beyond the political idealism of Pericles' tribute to the young men of Athens when he said: "So they gave their bodies to the commonwealth and received, each for his own memory, praise that will never die, and with it the grandest of all sepulchers, not that in which their mortal bones are laid, but a home in the minds of men, where their glory remains fresh to stir to speech or action as the occasion comes by. For the whole earth is the sepulcher of famous men; and their story is not graven only on stone over their native earth, but lives on far away, without visible symbol, woven into the stuff of other men's lives * * *."

By their devotion to duty, their idealism and their sterling moral character, the story of Lee and Jackson has become a cherished tradition of the South, "woven" (as Pericles said) "into the stuff of other men's lives."

Let us look briefly at each of these Virginians who remain shining examples of the dedicated life that all of us should strive to emulate.

There never was a nobler man in all recorded history than Robert E. Lee and none who has left a greater imprint upon succeeding generations.

Yet, shortly before his death, Lee, in his great humility, indicated he felt he had done nothing worth while, saying, "Life is gliding away and I have nothing to show for mine. I pray I may be spared to accomplish something for the benefit of mankind and the honor of God." There is at least one historian who still lists Lee as a failure simply because he was the commander in chief of an army that suffered total defeat and the leader of a cause which that historian listed as a lost cause. But most historians, including the great Virginian, Douglas Southall Freeman, and the people generally of the entire Nation endorse the opinion of Lee expressed by Senator Ben Hill, of Georgia, when he said: "He was a foe without hate, a friend without treachery, a soldier without vices, and a victim without murmuring. He was a public officer without vices, a private citizen without wrong, a neighbor without reproach, a Christian without hypocrisy, and a man without guilt. He was Caesar without his ambition, Napoleon without his selfishness, and Washington without his reward. He was as obedient to authority as a servant and royal in authority as a king. He was as gentle as a woman in life, pure as a virgin in thought, watchful as a Roman vestal, submissive to law as Socrates, and grand in battle as Achilles."

Military experts throughout the world now rank Lee as one of the greatest military leaders of the English-speaking peoples and second only to him, Thomas J. "Stonewall" Jackson, the great lieutenant on whom Lee so heavily relied. In the quiet and reserved VMI professor, in the consecrated Presbyterian deacon, who each Sunday morning taught a class of Negro slaves, no one in Lexington could visualize the military genius later to be displayed by Jackson in his famous valley campaign. Even his own soldiers at first misunderstood him. They thought him harsh, even cruel; but as their experience increased they recognized the wisdom of his severity and when they looked upon that kindly face, grave and determined as it was, they realized how closely his firmness was allied to tenderness. No one could, like him, unless it was Napoleon, establish and maintain discipline worthy of the best in the Anglo-Saxon nature, which had honor for its principle and glory for its reward. From him his soldiers and the people of his Southland learned the self-denial, which is the root of all religion, the self-control which is the root of all manliness. It was this discipline which enabled the first brigade to turn the tide of battle at Bull Run, or first Manassas. McDowell's men were carrying all before them and by an impetuous rush had carried Henry Hill which was a commanding point in the very center of the Confederate lines and the key of the battleground. Bee, Bartow, Evans, and Hampton were driven in and Jackson alone stood fast. General Bee, with his hat off, his sword in hand, covered with dust and his horse foaming, dashed up to Jackson and said: "General, they are beating us back." "Then, sir, we shall give them the bayonet," said Jackson, as his thin lips closed like a vise. Bee, inspired by Jackson's confidence, galloped back to his broken lines and shouted: "Look, there is Jackson, standing like a stone wall. Rally behind the Virginians."

Jackson gave his life for the cause and as a professional soldier who had suffered a major defeat it would have been easier for Lee to have done likewise because it will be recalled that he said shortly before he surrendered at Appomattox: "How easily I could be rid of this and be at rest. I have only to ride along the line and all will be over. But it is our duty to live. What will become of the women and children of the South if we are not here to protect them?" It was in that devotion to duty to protect the women and children of the South and to train the youth of the South to repair the ravages of a fraternal war that Lee made his greatest contribution not only to his day and generation but to all succeeding generations.

After Appomattox, Lee was without funds or income. His property had been confiscated and his family was in need. An insurance company offered him its presidency at an annual salary of $75,000. His answer reflects the character and integrity of the man. He said: "I have nothing to give the insurance business but my name, and my name is not for sale."

Instead of seeking personal gain or trying to justify past conduct, he turned his attention to the education of the youth of the Nation. Lee accepted the presidency of what was then a small, struggling school—Washington College in Lexington, Va., now Washington and Lee University. There he met the challenge of his remaining years by guiding, inspiring, and training the future hope of the Nation, its youth. His own example was their best lesson, and remains the best lesson for the youth of today.

We live in a period when the heritage of constitutional liberty in which both North and South believed, although they were divided on how it should be preserved, is threatened anew by so-called liberals at home, who would take us down the road to socialism, and by Communists abroad who threaten to impose their will by force upon a free world. For the preservation at home of those priceless principles of political and economic freedom that were born of the brain and purchased with the blood of our Founding Fathers, we have never had a greater need to be reminded of the example set us by the noble leaders of our Confederacy.

It will be 101 years ago next July since the gallant Gen. Bernard Bee of Charleston referred to Jackson as a stone wall. Bee fell on the bloody field of First Manassas but the memory of his famous battle cry lives on, woven into the stuff of other men's lives. It is my hope, it is my earnest prayer that if we of the present Virginia generation will make a fight for the preservation of States rights and American constitutional liberty worthy of the memory of Stonewall Jackson, there will be heard again the rallying cry of all lovers of constitutional government: "Rally behind the Virginians."

The Answer to Soviet Communism

EXTENSION OF REMARKS

OF

HON. F. EDWARD HÉBERT

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 27, 1962

Mr. HÉBERT. Mr. Speaker, our distinguished colleague, HALE BOGGS, has written a most interesting article for the Courier, a student publication of Georgetown University. His subject is the European Economic Community and how this Common Market may be used as a tool of trade to combat communism. I commend the article to your attention.

The article follows:

THE ANSWER TO SOVIET COMMUNISM

(By the Honorable HALE BOGGS, Representative from Louisiana)

Just a short 17 years ago, the most devastating war in the history of mankind, World War II, ended, and the nations of Western Europe which had been the battlefield in this terrible conflict lay prostrate. The economy of these countries had been bled white, and it appeared for a time as though Europe had been dealt a mortal blow from which she would never recover.

To save Western Europe from collapse the United States came to her rescue with the famous Marshall plan, conceived by the late Secretary of State George Marshall and former Under Secretary of State William Clayton and implemented under the administration of President Truman. This massive program to rebuild and revitalize the sagging economy of free Europe was launched in 1948, and there is no doubt but that it provided the initial bulwark to prevent Western Europe from being overrun by Soviet communism and to build the strong Western alliance which exists today.

In the preamble to this Marshall plan—which Senator FULBRIGHT and I had drafted—our country urged the creation of a united Europe as the best way to halt the advances of communism and bring peace and prosperity to those countries so long divided by extreme nationalism and its resultant jealousy, suspicion, hatred, and ultimately war.

As you know from history, the core of the disunion in Europe was to be found in the constant conflict between France and Germany, whose peoples nurtured a distrust and hatred begun in the Napoleonic Wars, swelled by the Franco-Prussian War of 1870 and World War I, and carried forth into World War II.

But today this mutual distrust, this long-standing hatred, is disappearing in the face of the growing and prospering European Economic Community, more popularly termed "the Common Market." France and West Germany are two of the six nations (the others are Italy, the Netherlands, Belgium, and Luxembourg) now in the process of establishing a full economic community by virtue of the Treaty of Rome which went into effect January 1, 1958. During a transition period of 12 to 15 years, the Common Market countries are removing all tariffs, quotas, and other trade barriers within the Community by gradual stages; erecting a uniform external tariff for the EEC toward the outside world; negotiating all trade agreements as a unit; eliminating restrictions on the movement of labor, services, capital, and business enterprises within the Community; coordinating monetary and fiscal policies to foster more favorable balance of payments, higher employment and better price stability in each member country, and providing a fund for financing a kind of trade adjustment program to meet the effects of liberalizing trade within the EEC, and other economic and social improvements.

Jean Monnet, chairman of the action committee for a United States of Europe and father, first, of the European Coal and Steel Community and then of the Common Market itself, told me in our meeting last fall in Paris:

"Nothing can halt the forward progress of the Common Market now; it has gone so far already that none of the present 'Six' would want to take the blame for ending the Community, or even for obstructing or slowing its advance toward economic union, and I hope ultimately to political unification."

In his opinion, Monnet said, a united Western Europe in economic association with the United States would end the Soviet Union's chances of dominating the world.

I share his optimism for many reasons, and I believe that this emerging and viable European Community, in partnership with our country, provides the free world with its greatest opportunity since the end of World War II to halt the advance of communism.

Further, the greatest impetus to strengthening Western unity is Great Britain's epoch-making decision to apply for membership in the Common Market. Britain's proposed giant step is even more heartening to me because her decision is based not so much on selfish motives, but rather on her sincere desire to further unify the West to meet the incessant economic aggression of the Soviet Union and Red China.

In addition to Britain's proposed entry into the EEC, Denmark and Ireland have applied for membership, and Norway is expected to do so shortly. If these nations go into the Common Market, this Community would embrace more than 260 million people, as compared to 215 million in Russia and 185 million in the United States. Further, if Austria, Sweden, and Switzerland are permitted to join as associate members as Greece has done, then the EEC would have some 300 million people in 1 vast common market.

In the past 4 years since the Treaty of Rome became effective, the Common Market as a unit has enjoyed an average annual growth rate almost twice that of the United States and nearly 3 times that of the United Kingdom. Since 1958 the EEC's annual growth rate has averaged 5.5 percent, while our country's has been about 3.3 percent, the United Kingdom 2.6 percent, and that of the rival European Free Trade Association, of which Britain is still a member, 3 percent. (The European Free Trade Association—or EFTA for short—was established in early 1960 as a rival economic grouping to the Common Market. Britain was the leader in its formation, and six other Western European countries joined as members.)

The highlight of the EEC's growth has been its industrial production which in 1960 jumped by a record 12 percent over 1959, and in 1961 climbed another 7 percent over 1960. Furthermore, the Common Market countries are now realizing the fruits engendered by the gradual elimination of all trade barriers between them on industrial products (now reduced by 40 percent below the mean levels of 4 years ago); the existence of a "common market" among the several States of our country for almost 175 years is one of the great contributing factors to the tremendous growth and prosperity which this Nation has enjoyed. In the 3-year period, 1958–60, internal trade in the EEC rose by 50 percent; in 1960 alone, this internation trade grew by 25 percent. Further, since 1958, the Common Market's trade with third-party countries has expanded by 25 percent.

By virtue of their January agreement on a common agricultural policy—attained in January after weeks of hard negotiation—the EEC countries have entered the second stage of the three-stage transition period to full union by 1970, or at the latest 1973. By entering the second 4-year stage, the Common Market "Six" have crossed "the point of no return" and now irrevocable ties are being set in motion which make dissolution of the Community almost impossible.

For this reason the United States must act this year in order to be able to negotiate with the European Community on an equal and practical basis and to form a closer economic association with free Europe.

In my opinion, the first necessary step in this direction is for the Congress to provide the President with the positive authority to negotiate with the Common Market, reciprocal reduction on tariffs and other trade barriers on an across-the-board basis; that is, by whole categories of products instead of item by item as is the only manner now provided to the President by the current Reciprocal Trade Agreements Act. As you know, the current law—first enacted in 1934 and renewed in varying forms 11 times since then—will expire on June 30 and the Congress must act on trade legislation before that date.

The limited, item-by-item negotiation authority in the present law was exhausted by last month's reciprocal tariff cut agreement between our country and the European Community. At present, the Common Market nations are reducing their internal trade barriers via a speeded-up timetable, and we must not delay in giving the President the power he needs to enhance our country's prosperity and fortify the West.

The House Ways and Means Committee, of which I am a member, has the responsibility of acting on President Kennedy's proposals for broader trade legislation, of renewing the current act as it is, or, if it pleases, taking no action at all. In his special message to the Congress on trade, the President outlined for us and the Nation his proposals for a 5-year trade expansion law; and the general provisions in the administration bill seem realistic

and practical, without being extreme, and at the same time, include proper safeguards for our domestic industries and workers through an adjustment assistance program. Hearings on new trade legislation before my committee are expected to begin in March, and I shall strive for the enactment of a meaningful trade law which will permit the United States to bargain equally with the Common Market, and also open up vast new mass markets in Western Europe for our exports and for those of other nations of the free world.

I am most optimistic that the Congress will enact a positive trade program. I believe that support for broader trade legislation is growing not only in Congress but also with the American people. As evidence of this growing support in many segments of business, industry, and labor, officials of such major organizations as the U.S. Chamber of Commerce, the Committee for a National Trade Policy, the Committee for Economic Development, the American Farm Bureau Federation, the AFL-CIO, and others testified vigorously before the Joint House-Senate Subcommittee on Foreign Economic Policy (of which I am chairman) on the benefits of freer trade and the need for broad trade legislation. At my subcommittee hearings in December, these experts from business, industry, and labor and from the academic world were joined by high Government officials who urged our country to take a "giant step" by forming a trade partnership with the European Community. Among the latter officials were Under Secretary of State George Ball; two former Secretaries of State, Christian Herter and Dean Acheson, and former Under Secretary of State Clayton.

The Subcommittee on Foreign Economic Policy issued a report based on testimony at the hearings and on material in 10 study papers which were prepared by leading experts from all foreign policy fields for the subcommittee. Our report calls for providing President Kennedy with "much greater authority" to negotiate broad reciprocal tariff reductions with the Common Market. It points out that "a simple renewal of the Trade Agreements Act * * * will not suit the needs of our foreign economic policy in the 1960's."

Just what would be the consequences of inaction by our country on trade legislation? What would happen if the Congress took no action at all or merely renewed for a year or two the present trade act?

First and foremost, trade could become a decisive issue within the Atlantic community; our allies in Europe would grow apart from us and rival free world trading blocs would compete in a destructive manner, instead of cooperating for their mutual benefit. The West would become more vulnerable to the economic challenge of the Communist bloc.

If such a development were allowed to occur, our exports to Western Europe and possibly to other parts of the world would decline, and then our balance-of-payments position would be weakened still further. If our export sales could not be increased or at least maintained at present levels, the security of the United States would be imperiled because we would be forced to retreat from some of our oversea commitments to maintain troops abroad and to continue the mutual security (foreign aid) program.

By taking no action on our trade policies, our country's exporters would lose their access to this growing European market; then the EEC probably would adopt a "protectionist" posture toward us, thus shutting the United States out of this expanding market altogether.

Our subcommittee report notes: "The American export stake in Western Europe in 1960 alone amounted to more than $6 billion ($4 billion in industrial goods and almost $2 billion in agricultural products). If nothing is done to lower the external tariff around the Common Market, American industry may have difficulty maintaining this stake, much less expanding it."

In his state of the Union address January 11, President Kennedy stated "* * * our balance of trade * * * to Europe, the Common Market, in farm products, is nearly 3 or 4 to 1 in our favor, amounting to one of the best earners of dollars in our balance-of-payments structure, and without entrance to this market, without the ability to enter it, our farm surpluses will pile up in the Middle West * * * [and] in the South * * *."

In his trade message, the President noted that both the American farmer and worker will benefit from the expansion of exports. "One out of every seven farmworkers produces for export," he stated, and "one out of every three workers engaged in manufacturing is employed in establishments that export," he added.

A lowering of U.S. tariffs, it is true, will increase imports in competition with some of our domestic industries; but in the long run, such action would stimulate our economic growth and prosperity through the increase of our exports into more markets. A reduction in our trade barriers would boost the strong industries of our economy to revitalize their technological processes and modernize their plant and equipment in order to increase productivity and improve efficiency. Lower tariffs would stimulate the expansion of the most efficient businesses and industries (which also pay the highest wages), and cause the less efficient ones to contract. The unemployment produced as a result of increased imports from Europe and other nations, will be, I think, of limited duration and can be reduced through some form of adjustment assistance.

On the effect of American imports, the President pointed out in his trade message that "about 60 percent of the goods we import do not compete with the goods we produce—either because they are not produced in this country, or are not produced in any significant quantity." He declared "there are many more American jobs dependent upon exports than could possibly be adversely affected by increased imports."

In seeking reciprocal tariff reductions with the European community, the United States should also try to secure access for the developing areas and nations and their products into the Common Market. Particularly the tropical products of Latin America, India, and other nations, and the industrialized goods of Japan, should have greater access to our markets and those of Western Europe. I believe it is up to us and the EEC countries to provide a steadily increasing access for their products; if we fail to do so, then there is a real probability that some of these people would embrace communism as the best road for rapid economic development. As President Kennedy noted in his trade message: "Soviet bloc trade with 41 non-Communist countries in the less-developed areas of the globe has more than tripled in recent years; and bloc trade missions are busy in nearly every continent attempting to penetrate, encircle and divide the free world." Certainly, with our country's initiation of the Alliance for Progress program in Latin America, we should work to prevent any market discrimination against her tropical products while those of former French colonies in Africa already are enjoying the benefits of an associate membership in the European community.

Another major advantage which I think the United States can obtain through providing freer access to our markets for the developing nations is to improve the effectiveness of our foreign aid to them. If our foreign aid is more effective, then the economies of these nations will improve, and we should be able to reduce our aid to them. Furthermore, in a closer trade association with the Common Market, the United States should be able to transfer the responsibility for some of this financial assistance to our allies in Europe. They are now in a better position to assume an equitable share in this mutual security program.

The U.S. responsibilities as leader of the free world are such that we cannot afford to withdraw behind high tariff walls: Not only would such a course be harmful to our own economic growth and prosperity, but also it would weaken the West and provide the Soviet Union and Communist bloc with the opportunity to force more peoples into slavery.

As President Kennedy declared in his trade policy speech before the National Association of Manufacturers in New York City, "economic isolation and political leadership are wholly incompatible."

In the words of former Secretary of State Dean Acheson, in testifying before my subcommittee, "We really have no other choice."

In closing I would quote from the President's state of the Union address:

"Members of the Congress, the United States did not rise to greatness by waiting for others to lead. This Nation is the world's foremost manufacturer, farmer, banker, consumer, and exporter. The Common Market is moving ahead at an economic growth rate twice ours. The Communist economic offensive is underway. The opportunity is ours—the initiative is up to us—and I believe that 1962 is the time."

I am confident that Congress will take the initiative this year and enact a meaningful trade law for the benefit of free men everywhere.

Investigation of Job Discrimination by Reason of Age

EXTENSION OF REMARKS

OF

HON. ARNOLD OLSEN

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 27, 1962

Mr. OLSEN. Mr. Speaker, as I noted on the floor, I have today introduced a resolution providing that the Post Office and Civil Service Committee of the House of Representatives or a duly constituted subcommittee thereof be authorized and directed to study and investigate personnel policies and practices in the Federal service which deny Federal employment to individuals because of age and which tend to discriminate against our older civil service employees.

I think we should be mindful that almost 800,000 of our 2.4 million employees are 50 or older. Of the total Government work force, an estimated 27 percent are 50 and over and 9 percent are 60 and over. In the overwhelming majority of these cases the employees are longtime career workers in whom our Nation has a large financial investment and whose contributions to the efficient and effective operation of our Government cannot be overstated.

I am aware that the Civil Service Commission has issued a policy statement with respect to the utilization of the services of older workers in the Federal Government. However, this policy is not an affirmative declaration nor does it prevent discrimination against the older employees in many parts of our Government service. The heads of a few departments and agencies such as the Department of Labor and the Department of Health, Education, and Welfare have issued instructions to their subordinates requiring that positive steps be taken to make certain that there is no discrimination against the older worker in connection with job opportunities.

It is unfortunate that the affirmative policies of these two Departments and agencies do not extend to the Government as a whole.

I am aware of present law which provides that:

> No part of any appropriation in any Act on or after June 27, 1956, shall be used to pay the compensation of any officers or employees who establish a requirement of maximum age for entrance into positions in the competitive civil service: *Provided*, That no person who has reached his seventieth birthday shall be appointed in the competitive civil service on other than a temporary basis.

While this prohibition appears effective on its face, nevertheless, I am informed that there are many violations of the spirit and intent of this provision of law. While it may be true that in the vast majority of civil service examinations, there is no age limit, as a practical matter appointing officers exercise their appointing prerogatives and in effect deny employment to many well-qualified persons who are above 45 solely because of age.

The introduction of my resolution should not be construed as a criticism of our Government's present policies with respect to the older worker. The purpose of my resolution is to provide authority for our committee to study and to explore ways and means as to how we may carry out a more affirmative Federal program to recognize and to utilize the experience, services, talents and abilities of our older citizens both in and out of Government.

Mr. Speaker, I shall not take up the time of my colleagues by discussing instances in which our older people have been denied Federal employment or have been separated in reductions in force through no fault of their own and who are unable to know how to proceed to secure other Government positions. There are a number of these cases and they occur frequently as our Government programs and activities are changed and reorganized. It is unfortunate and grossly unfair, as well as a disservice to the people of our Nation, to permit the vast human resources, represented by our qualified and experienced older people to remain unutilized in these critical years.

The President's Proposed $600 Million Capital Improvements Program

EXTENSION OF REMARKS

OF

HON. WILLIAM S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 27, 1962

Mr. BROOMFIELD. Mr. Speaker, I noted with a great deal of interest a message the President sent yesterday to the chairmen of the House and Senate Public Works Committees.

In his message to these gentlemen, the President proposed a $600 million capital improvements program in those sections of the country which have failed to show substantial progress in solving their dire problems of chronic unemployment.

The President outlined a number of reasons for the need for this plan, and among them are exodus of industry, displacements of labor by technological change, influx of jobseekers, changing weapons requirements in military procurement.

Each of these reasons is certainly a contributing factor to our unemployment rate in Michigan which is still above 9 percent, and the Detroit metropolitan area in particular where the rate is closer to 10 percent.

But I wonder if the administration has given enough thought to this problem in its proposal? Is a massive public works program going to permanently help the situation?

Part of the reason we have high unemployment in Michigan is the fact that our major industry in the State is being discriminated against by the Federal excise tax on new car purchases. This 10-percent tax is pricing a great many potential auto customers out of the market, and this discrimination is hurting many thousands of people directly in the auto industry and indirectly in steel, rubber, glass, tool and diemaking, machine tools and a host of other industries scattered from one corner of our Nation to the other. If the administration really wants to do something about chronic unemployment in Michigan, the first thing it should do is get rid of the automobile excise tax.

The effect would be immediate, dramatic, and would help solve a problem for good in an area now heavily hit by chronic unemployment.

What happens to these workers when the Federal Government decides to stop this glorified WPA? These workers will once again be without jobs, without skills and without any hope for the future.

Further, anyone connected with public works north of the Mason-Dixon line knows that construction work is at best a 6- to 8-month program. You cannot build new roads in the snow, and workers cannot even get a shovel into the ground when it freezes up in the winter in many sections of our Nation. Will these people have to go on relief during the winter months?

What the chronically unemployed need is a chance to receive adequate training in skills, trades and services which will give them employment in the future as well as just tomorrow. The Congress has already passed legislation to provide this help. Further, we need an end to discriminatory taxes such as the auto excise tax which is pricing cars out of the reach of many of our citizens and is helping to cause thousands of layoffs in the auto industry and those industries which do business with the automobile industry.

A half billion dollars worth of boondoggles is not going to solve a thing. This economic aspirin might hide the symptoms of chronic unemployment for a short time, but it will prevent an accurate diagnosis of this problem so that it can be permanently cured.

Those who are without jobs want a chance, but this bill will not give them a chance. When your head aches from want, you do not need an aspirin. You need food, clothing, shelter, and hope.

Elimination of the 10-percent auto excise tax, coupled with the Manpower Training Act which is now the law of the land, would mean training, skills, and hope for the future.

Those without jobs do not want to be shovelpushers on a modified Federal dole. They want work, self-respect, a trade and a future.

Lake Erie-Ohio River Canal

EXTENSION OF REMARKS

OF

HON. JAMES E. VAN ZANDT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 27, 1962

Mr. VAN ZANDT. Mr. Speaker, yesterday, March 26, 1962, I was one of several Members of Congress from Pennsylvania who appeared before the hearing conducted by the Army Engineers in Rockwell Hall, of Duquesne University, Pittsburgh, to testify in opposition to the construction of the proposed Lake Erie-Ohio River Canal.

The following remarks summarize my opposition to the construction of the canal and point to the hardships it would cause in my State:

REMARKS BY REPRESENTATIVE JAMES E. VAN ZANDT, MEMBER OF CONGRESS, 20TH DISTRICT OF PENNSYLVANIA, AT HEARINGS IN PITTSBURGH, PA., BEFORE THE ARMY ENGINEERS, MARCH 26, 1962, IN OPPOSITION TO THE PROPOSED LAKE ERIE-OHIO RIVER CANAL

Mr. Chairman, as a Representative in Congress from central Pennsylvania, I have given the proposed Lake Erie-Ohio River Canal project serious thought over a period of years. It is evident, from its sponsorship and despite brazen efforts to show a national interest in its construction, that the project would confer its chief benefits upon steel plants domiciled in the State of Ohio and, to a lesser extent, on coal producers in West Virginia and Kentucky. To be more specific and quite frank, it is the Youngstown steel-producing area which would be the chief beneficiary.

The question basically before the Corps of Engineers and, ultimately, for Congress to decide is, then, whether the general taxpayers' money, in an amount very substantially more than $1 billion in construction costs, not to mention subsequent maintenance and operation costs; should be used to subsidize these steel producers by handing them a toll-free waterway.

The Commonwealth of Pennsylvania opposes this canal project not only as an economically wasteful and uncalled for dispensation of favors but also as a facility which is calculated to do injury to the Commonwealth as a whole.

The conclusion that the effects of this waterway would be harmful to Pennsylvania came out of an objective and broad analysis made for the State planning board in a report rendered to it on December 1, 1957, by

the well-regarded consulting firm of Ford, Bacon & Davis. (The survey on which the report was based included study at first hand of the physical factors involved, interviews with affected shippers and other interests, and checking with barge operators.)

As the Corps of Engineers doubtless is familiar with this report, I can be brief in stating its findings insofar as they relate to the effects of the waterway on the Commonwealth of Pennsylvania and particularly on the western half thereof. I will intermingle a few comments of my own.

The end result of the project would be, first, to worsen the position of Pennsylvania coal producers. Their mines require more man-hours per ton of coal produced and their daily output per mine is much below the level of competing mines in other States. Cost conditions therefore limit very greatly their ability to use the proposed waterway. On the other hand, mines located in other States could make additional inroads on markets which western and central Pennsylvania mines now enjoy, if they had available to them the artificially low freight rates which the canal would induce in the absence of tolls.

While it appears that the Pittsburgh and Youngstown districts would share proportionately in reduced transportation costs, Youngstown would derive the double advantage of location nearer to Great Lakes markets and of being able to compete on equal terms with Pittsburgh producers for markets in the South and West now served by barge from Pittsburgh mills. Central Pennsylvania also would suffer from the easier penetration of Ohio building materials into the western part of the State.

I am disturbed also by the encouragement which the waterway would give to foreign producers of steel and other products manufactured in Pennsylvania.

It is not difficult to understand why our heavy industries place great importance on railroad transportation, nor why this in turn means that the railroads are vital to the economy of the Commonwealth. The railroads, faced with the competition of a subsidized competitor, would put up such a fight as they could to retain traffic. The end result would be, of course, loss of some traffic and corresponding reductions of earnings. The further result would be a deterioration of service and a loss of railroad jobs. This impairment of service would hurt smaller shippers unable to use the waterway by reason of the location of their plants and of barge-lot minimums beyond their capacities to ship. They also would suffer, along with other shippers, through having to pay the higher rates which the railroads would have to place on the traffic remaining to them.

We must not lose sight of the effects of the proposed waterway on persons who need to hold onto their jobs.

Pennsylvania, especially western Pennsylvania, already is dotted with areas designated by the U.S. Department of Labor as areas of substantial unemployment. It takes a page and a half of the Department's "February 1962 Supplement to Area Labor Market Trends" just to list these areas. There are 41 such areas, varying in size, in the Commonwealth. Of the 41, 7 are of major proportions, and thus designated as areas of substantial and persistent unemployment. One such is the Altoona area, hurt by the general difficulties of the railroads and by changes from coal-burning to diesel locomotives. There are the Scranton and Wilkes-Barre-Hazleton areas, hurt by the decline in the use of anthracite coal. There are the Johnstown (Cambria and Somerset Counties) and the Pittsburgh areas (Allegheny, Beaver, Washington, and Westmoreland Counties) which suffer from a combination of conditions traceable to difficulties in steel and coal and in other industries.

The remaining two "areas of substantial and persistent unemployment" are Erie (Erie County) and Philadelphia (five counties in Pennsylvania and three in New Jersey). I notice, however, that the Youngstown-Warren area is not plagued by these problems nor described in this manner by official sources.

Figures for January 1962 show the following: Altoona, with 5,000 unemployed, had an unemployment ratio of 10.8; for Scranton the figures were 13,700 and 13.8; for Wilkes-Barre-Hazleton, 17,100 and 13.3; for Johnstown, 17,000 and 18.0 percent; for Pittsburgh, 95,600 and 10.3; and for Erie, 10,500 and 10.7. These rates are unconscionably high and very deplorable. Yet some of them would be boosted much higher if the canal were in operation today. It is highly improbable that the Commonwealth or these areas could attract new industries in sufficient volume to enable absorption of the losses the canal would impose. The evidence, in fact, is quite to the contrary.

In the State as a whole, population increased 7.8 percent for 1950 to 1960, but in the entire country the increase was 18.5 percent. The total number of employees in manufacturing establishments fell from 1,472,000 in 1954 to 1,400,000 in 1958. Mineral production (coal, cement, and stone) declined in dollar value from $1.2 billion in 1950 to $0.86 billion in 1959. These statistics show clearly that Pennsylvania is suffering. Much of the trouble is traceable to areas which would be most directly hurt by the proposed waterway. Their troubles then would be compounded. The ability of these areas and of the Commonwealth generally to attract industries is not as great as we might wish.

The adverse feeling of the Commonwealth toward the proposed waterway is expressed in the underscored language of a resolution adopted by its senate on July 10, 1961, which is attached as exhibit A to my testimony.

In view of the foregoing, it seems entirely reasonable for the Commonwealth of Pennsylvania to oppose construction of this toll-free, tax-absorbing waterway for the benefit of special interests in other States and to the disadvantage of its own citizens. There is more than State parochialism involved here. The national economy lacks the resources to indulge in a fanciful but very costly waterway project. The end result will be a higher total cost of transportation, despite possible retrenchments in railroad facilities, and lower standards of service by, on the one hand, a slow, seasonally closed waterway and, on the other, a deterioration of railroad service. Railroad men will suffer further losses of jobs and railroad stockholders must absorb additional losses. The strength of the Nation's defense position will be weakened by this new burden on the transportation system and on the taxpayers and by the deterioration of railroad facilities and service.

It is, in fact, difficult for me to see how businessmen can expect to force this highly dubious project down the throats of the people of the United States. Dogged persistence is admirable in many circumstances, but here we have a persistence which reflects a narrow viewpoint and a poor regard for the intelligence of the American people.

EXHIBIT A

Senate resolution requesting the revaluation of the State planning board's report on the Lake Erie-Ohio River Canal

In 1957 the State Planning Board of the Commonwealth of Pennsylvania conducted a study to determine the practicability of a barge or ship canal connecting Lake Erie and the Ohio River and the effect of such a canal on the future economic status and of the areas it would serve and affect including in particular the Commonwealth of Pennsylvania. It was the conclusion of said study, made by the engineering firm of Ford, Bacon & Davis and approved by said board that the construction of such a canal was not practicable and that its effect would be prejudicial and adverse to the economic and other interests of this Commonwealth and its citizens.

During the past 75 years the Federal Government has made a number of studies contemplating the construction of such a canal and during this present year it appears that proponents of the canal are seeking an allocation of funds by the Federal Government to pay for another such study, looking to the construction of a canal by the Beaver-Mahoning route.

In order that the Governor of the Commonwealth, the general assembly, the interested State departments and the public may be properly apprised of the impact and effects of such a canal upon the economy of western Pennsylvania and of our Commonwealth as a whole, it is essential that the aforementioned study made by the State planning board in 1957 be revaluated, it appearing that we shall thereby be enabled to determine on rational grounds our position in relation to said project: Therefore be it

Resolved, That the senate hereby requests that the study and report upon the projected Lake Erie-Ohio River Canal made for and under directions of the State planning board by the engineering firm of Ford, Bacon & Davis in 1957 and thereafter approved by said board be revaluated so as to restate the relevant facts and figures as of the year 1961; and be it further

Resolved, That copies of this resolution be transmitted to the State planning board and to the Governor.

Remarks by Congressman Emilio Q. Daddario, Democrat, of Connecticut, Before a Symposium on Government Relations to Patents Sponsored by the New England Council in Cooperation With the Boston Patent Law Association, Hotel Statler-Hilton, Boston, Mass., February 9, 1962

EXTENSION OF REMARKS

OF

HON. EMILIO Q. DADDARIO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 27, 1962

Mr. DADDARIO. Mr. Speaker, recently I had occasion to discuss growing problems in the legislative and political arenas with regard to patent policies. I traced some of the history, analyzed arguments, and presented reasons why I believe Congress can reach a reasonable solution to this controversy. I offer this speech for the RECORD as a contribution to this discussion:

REMARKS BY CONGRESSMAN EMILIO Q. DADDARIO, DEMOCRAT, OF CONNECTICUT, BEFORE A SYMPOSIUM ON GOVERNMENT RELATIONS TO PATENTS SPONSORED BY THE NEW ENGLAND COUNCIL IN COOPERATION WITH THE BOSTON PATENT LAW ASSOCIATION, HOTEL STATLER-HILTON, BOSTON, MASS., FEBRUARY 9, 1962

I want to thank the members of the Boston Patent Law Association for asking me to come here today and discuss with you some of the growing problems in the legislative and political arenas in regard to patents. I do not know if the issues involved could yet be described as "burning" ones, but they are certainly not far away from it.

I am not a patent lawyer—and indeed, I do not know of any Member of Congress who is—but I have in the past 3 years been rather deeply immersed in certain aspects of patent law; namely, legislation directed to amending the controversial patent section of the National Aeronautics and Space Act of 1958. In 1959 and 1960 I served as a member of the Subcommittee on Patents and Scientific Inventions of the House Committee on Science and Astronautics. Last year I became chairman of that subcommittee and I serve in that capacity at the present time.

There can be little doubt that nationwide interest is growing in regard to the issues of patent ownership which face us today. Things could scarcely be otherwise, and I think, for two reasons. One is because of the tremendous sums of money which the American taxpayers are putting up to fund the cause of scientific research and development. Any time a Federal endeavor reaches these proportions it is bound to have serious side effects, and the danger to private patent rights which we have seen demonstrated is one of these. The second reason for growing national interest is because we are basically a nation dedicated to the proposition of private enterprise. Our system is based on old Anglo-American concepts of property rights. And certainly there is no property which is dearer to the hearts of our people than their ideas, no greater interest than these ideas when they have been put into practical use.

For these reasons I think that the issues which we face today are natural ones and ones from which we should not shy away. Neither do I feel that we should become bitter about the situation or hurl about reckless charges of either "socialism" or "monopolistic greed." I do not think that either situation is the case. What we are faced with is the natural concomitant of the technological explosion which has been taking place ever since the dawn of the atomic era in 1945, and particularly since the advent of the space age in 1957.

The big issue which appears to be present, at least on the surface, is whether or not title to all patentable inventions resulting from federally financed research should vest in the Federal Government or whether title to all these inventions ought to remain with the contractor, the Federal Government taking no more than a royalty-free irrevocable license.

Let me suggest to you, however, that this issue is more apparent than real. And this statement I make on the basis of the testimony and data which our committee has acquired over a period of 3 years. It seems clear to me, after listening to the arguments presented and exploring the facts of the situation, that we simply cannot arrive at any uniform policy where title to all inventions involving Federal research would go to the Government. Neither does the situation appear to warrant a rigid policy in which the Government never receives more than a license to use the invention for governmental purposes. It is, in fact, obvious that there must be flexibility in whatever overall policy is adopted. Even the most extreme partisans on either side of the question agree on this point. For example those who have favored the title approach have freely conceded to our committee that such a system would have to make broad use of waivers should it be instituted. At the same time, those most insistent upon the license approach also concede that instances can occur where the United States is entitled to and actually needs more than the simple royalty-free license. I can say, however, that the preponderance of evidence provided to us suggests that the most practical method of administering an overall policy will involve the license approach with exceptions rather than a title approach with exceptions.

Let us look for just a moment at some of the major arguments which are made in favor of the title approach and then see what the facts are concerning them as we have uncovered them to date.

First, it is argued strongly that since the Government bears the cost of developing the invention it should own title to any patents which result.

This, to the uninitiated, is an appealing argument and I freely admit a difficult one to overcome because it seems almost conclusive on its face. The appearance, however, is deceptive, for the facts are that in very few instances does the Government bear all the costs of developing inventions, or even the major part of the cost. In the vast majority of cases the Government gives its research contracts on the basis of experience, knowledge and know-how developed by private industry. It is simply taking advantage of a situation which exists and it puts up some of its own money in order to reduce these ideas and this know-how into a state that is useful to the Government. This is what the Government bargains for when it enters into a research contract, and it is entitled to receive and must receive in all cases a license to use the results of the research contract, including any patentable inventions, without any further cost and through the efforts of any private firm which it chooses. In nearly all cases this is all that the Government can make use of for governmental purposes. Except in unusual cases title in the Government is of no further value—that is, unless the Government wishes to go into business in competition with private enterprise and seek to exploit the patents it holds for commercial purposes and for the production of revenue. This has never been the concept which most of us have held as being the proper function of Government.

A second major argument used by the title enthusiasts is that the Government needs title to these patents in order to insure widespread access to the new technological knowledge which has been produced in the course of the research contract.

Nobody has yet suggested a means by which such knowledge would be disseminated more efficiently or more rapidly by virtue of Government ownership. It is true that this whole question of the dissemination of technical information is becoming a very serous problem and one which warrants joint action by all the agencies of Government to speed it up. A great deal of study is going on right now on an interagency basis to see by what means this can be accomplished. However, Government ownership of inventions produced under its research contracts is no guarantee whatever that the information will be disseminated more widely or more quickly. For the most part information relating to patentable inventions is held inviolable until the patent is issued, and this process is not going to be any faster simply because the title may eventually wind up being the property of the United States. On the contrary, the evidence which has been presented to our committee suggests that dissemination of knowledge is likely to be diminished if the Government insists on title. This is due to the apparent fact that disclosures of information to agencies which insist on title to inventions are slow in developing and less complete in their presentation than would be the case if the contractor were seeking to retain the title himself.

Let me point out that in 3 years of operations on the part of the space agency, involving thousands of research contracts, only 159 invention disclosures have been made by commercial contractors and only 23 of these have been authorized for presentation of patent applications. By way of comparison I might mention that our hearings have disclosed that the Navy Patent Organization, for example, in the single year of 1960, operating in regard to far fewer contracts, received 674 invention disclosures from its contractors. It is also interesting that in the case of a single large aircraft manufacturer for the same year, 734 invention disclosures were received from employees, 129 patent applications filed and 109 patents issued. It seems hard to argue in the face of this type of evidence that disclosure of any technological information is going to be speeded up by a title policy.

The third major argument of the proponents of the title approach is that this is essention in order to prevent undue concentration of economic power in a few large business firms.

I am not prepared to argue the proposition that undue concentration of economic power in a few large business firms does not occur. Neither am I prepared to argue that the prevention of monopoly is not the proper function of our National Government. Obviously the reverse is true. But I do have strong doubts that such unlawful or undue monopoly results from the application of the patent laws as they may be affected by the current trend toward widespread Federal financing and research. Our subcommittee has not found any significant evidence of serious or damaging monopoly which exists because of the operation of our patent system in connection with federally financed research.

Let me just say a word here about what would have to happen if we should adopt an overall policy of keeping title in the Government. One of two things would have to happen. Either the portfolio of Government-owned patents would fall into the limbo of public ownership where they now reside with an identical lack of interest, or the National Government would have to make a concerted effort to see that these patents were made available and used. The latter proposal, of course, has been made to the Congress and several bills exist which would establish such a system and set up a new Federal bureau to prosecute our national patent holdings. But let me ask you at this point, what would be the result of all this? Would it be a profitable venture? I very much doubt it. Even if we accepted the philosophy that commercial exploitation is proper for the National Government, which I do not, it is quite another thing to make the commercial exploitation of patents a profitable venture, and here I would call your attention to the experience of the British in this connection. The National Research & Development Corp., established by Parliament in 1949, has attempted to do just this sort of thing. What has happened? In the first 10 years of the corporation's existence the total revenues realized have been a little over £1 million and the total expenditures a little over £3½ million. The Government's Board of Trade has had to make up the difference. I would point out also that our Office of Alien Property has never succeeded in exploiting its patent holdings to any appreciable degree, and the effort of the Canadian Government over a 12-year period to work its patent holdings has resulted in profits that are almost negligible. In short, we have received no evidence that a concentrated effort by the Government to work and operate a large patent portfolio could be made economically feasible.

And certainly we have received no evidence which would tend to support the notion that patents, as they are presently owned by the Government and left to haphazard development, result in any significant commercial utility. Even in the case of the patent holdings of the Atomic Energy Commission—an extremely promising, exciting, and potentially profitable area of endeavor—requests for opportunities to use Government-held patents do not appear to be overwhelming. The AEC has told our committee that of the 2,600 patents which it owns at the present time, requests have been received for licenses on only about 450,

and there is no way of knowing how many of these licenses have actually been utilized.

Let us turn now to the other side of the question and look at the arguments for a license approach to the problem.

We have been told that private title to patents resulting from Government research is necessary as an incentive to encourage private industry not only to accept Government R. & D. contracts but to help keep the cost of Government research lower and to insure that the Government gets the benefit of the best efforts of the contractor. The record which we have made indicates that this is certainly true to a large extent, although these things are difficult to gage. We have uncovered a number of instances in which individual companies have either been reluctant or have refused outright to consider any research contract containing a Government title clause.

The number of such instances is not impressively large. But such cases clearly do exist, and I am left with the uncomfortable feeling that nobody knows—not even the Space Administration—how much better off our space program might be if NASA were not obliged to follow its present patent policy. How do you count the number of firms which may decline to submit bids on a particular program? How do you find out whether they put their best people on the Government contract? How do you find out whether they use all their best ideas in connection with a given project? I submit that there is no way to find these things out, but at the same time I am strongly of the opinion—and I think that this is a fairly well informed opinion—that the number of instances in which this occurs in regard to our space program is far larger than the ease of securing contractors would suggest. Of course Government agencies can find somebody to take their contracts. It is quite a different thing to prove that when contractors operate under conditions which are repugnant to them they provide the same interest, energy, and devotion to the work they are undertaking.

The argument that a license policy encourages incentive, I think, is true as a consequence of human nature, and the same applies to the contention that few firms are going to bother with developing an invention commercially unless they can do so on an exclusive basis for a period of time. This is a built-in element of our profit system and to deny it is to be economically unrealistic.

At the beginning of this talk I mentioned the vast increase in the expenditure of Federal funds for scientific research and development. Evidence which I have received suggests that today something like 65 cents out of every research dollar is being supplied by the National Government. From this we can only conclude that Federal rights and interests in inventions produced in whole or in part by this money must increase, and I must find myself in agreement with the proposition that there are some cases where the Federal Government has and should have a larger interest in inventions than a mere licenae to use them. This may occur as a protection against payment of royalties when the contractor does not deem it necessary to patent an invention.

It may be necessary in order to avoid an inequitable situation when the contractor reduces an invention to practice by utilization of previous work done by other firms or by the Government. It may occur when an invention sought will clearly provide universal benefits for all our people or have a crucial meaning for the national security. It may also occur in cases where the Federal Government may seek the item for purposes of public convenience or safety and then require its use by law. An example of this is the situation often confronting the Federal Aviation Agency as it endeavors to improve the traffic control of our airways. While I am not convinced that the principle of royalty-sharing, in order to recover Government research costs, is either a good concept or economically feasible, I am disposed to agree with those who have presented evidence to us of the possible need for compulsory licensing under certain circumstances. This latter approach might be employed when inventions arising under Federal research contracts are patented by the contractor, but neither marketed nor licensed for a period of from 3 to 5 years. If they still appear at that time to have commercial potential then the Federal Government—acting as the agent of the public—might properly require the licensing of such inventions at reasonable royalties.

Let us take a moment now to look at the trend of thinking in Congress toward this problem. You are all familiar with the history of the three organic acts which deal with the patent problem. The first of these arose in 1946 with the Atomic Energy Act which generally followed the title approach. The second occurred in 1950 with the National Science Foundation Act. This left the matter entirely to the discretion of the Director, with the admonition that he should consider both the interest of the public and the equities of the contractor in making his decisions. The third occurred with the passage of the National Aeronautics and Space Act in 1958. Its patent clause is somewhat similar to that in the Atomic Energy Act.

The whole situation began to ferment in Congress in 1960. By that time it was evident that the distaste which industry had expressed for the patent provision in the Space Act also existed within NASA itself. The administration requested a change aiming toward the sort of language employed in the National Science Foundation Act. This request resulted in lengthy consideration by our subcommittee, the full Committee on Science and Astronautics, and the House of Representatives. The House passed the amendment by a considerable margin in June 1960, but the Senate failed to take any action—so the law remains today as it was originally written.

At about this same time a rather curious thing started to take place—curious in the sense that the philosophy involved was quite contrary to that evidenced by the House in voting to amend the Space Act. What happened was a concerted effort on the part of various individuals in the Senate to amend all legislation being passed through that body which carried any authority or funds for research and development. These amendments were offered and adopted in committee or on the floor of the Senate. They were not administration-sponsored nor the subject of extensive debate.

In brief, these amendments provided that all information, processes, products, patents and other developments resulting from such research should be freely available to the general public. I am told that a fair number of patent lawyers are not quite sure what this means—nor am I. Nevertheless, it would appear tantamount to a dedication. Language of this sort was incorporated in the Coal Research Act, the Saline Water Act, the Marine Research Act, and the Arms Control Act, all passed by the Senate within the space of 18 months or so. The Coal Research Act and the Saline Water Act have now become law—as has the Arms Control Act. The latter, however, was revised in conference at the insistence of those of us in the House who felt that the amendment was undesirable—at least without considerably more study than was being given to it. The change which we fostered in this case had the effect of limiting such research as was to be freely available to the public to "information" concerning it.

From this brief history I think it is apparent that what has sometimes seemed to be a trend in Congress toward a general Government title policy may now be checked. So far as I can see, this trend never was a grassroots movement but originated with a few ardent protagonists who sincerely feel that the "Government-pays-Government-must-own" idea is prima facie evidence of the desirability of Government ownership. The fact was and is, however, that the concept has never been as carefully examined in Congress as its importance warrants.

Today that situation still exists. The major tenets of the antimonopolists regarding patents have yet to receive the careful consideration of the whole Congress. There is a difference, however, for Congress now is aware that the issue exists and that it must be examined before many further steps are taken. The action of the House in 1960 in attempting to amend NASA's patent clause and the insistence of the House in amending the Arms Control Act last year have awakened our legislators to the fact that this is not a simple one-sided affair.

As you may know, the administration is presently in the process of attempting to put together a National Inventions Act which would be applicable across the board to all agencies of Government handling research contracts. A draft of such an act has been circulated among the various Federal agencies for comments, and it is my understanding that they have received quite a few stringent ones as well as some that are diametrically opposed to each other. The implication is that no one today is finding this matter a simple problem to solve, and I predict that even if the bill receives congressional attention this year, the road before it will be long and thorny.

Our subcommittee, meanwhile, has been going into the Space Act provision again this year, partly because we feel that an overall Federal patent policy may be some time in developing, while the patent problems of the Space Administration should be eliminated at the earliest possible moment. Our space program is founded on the need for high-caliber research and development as is no other program of the Federal Government. It must have as many impediments removed from its path as possible. We simply have too much at stake not to avail ourselves of the best our contractors have to offer.

Another reason for the interest of our subcommittee and of our full committee is the need to familiarize ourselves with all the issues of patent ownership. The House Science Committee is charged with general oversight of all matters of scientific interest, and we feel that it behooves us to acquire sufficient background in order to make valid judgments if and when broad patent legislation reaches the floor of the House.

While our Patent Subcommittee has not at this date concluded its consideration of all the evidence placed before it, I can summarize certain additional findings which the evidence tends to substantiate.

1. We find it difficult to believe that anyone outside a small government group really wants a Government title policy across the board. This might be the easy way to do things, but the risks certainly suggest that it would not be the wisest.

2. There seems nothing to indicate that a general Federal title policy would enhance the Government's own research efforts, inasmuch as the Government has access to all these inventions anyway. Thus the Government-title approach is not really predicated upon assisting the Government itself, but rather on controlling certain side issues of its research program.

3. It is clear that in the past few years industry has been making a concerted effort to ameliorate criticism leveled against it in regard to the way it handles its own research employees. Innumerable industrial firms today have evolved or are in the process of evolving incentive plans which give creative employees a larger investment in the work they do.

4. It is not the large industrial firm which will suffer the most if the Government insists on all commercial rights to inventions produced under its research contracts. The subcontractor, the little fellow, is the one who is going to be caught in the middle. He is the one who depends most upon the commercial rights in his inventions to keep his organization going. The old established firms with secure background patent situations do not have this worry, at least not to the same extent.

In conclusion, let me suggest to you that the coming battle (if it can be called that) in regard to Government versus private patent ownership is an honest one. On one side the antimonopolists are simply exercising a long-established and legitimate interest of our Goverment. Their concern is genuine, and their basic success is vital to the welfare of this country. On the other hand, we must not lose sight of the provisions set down in the U.S. Constitution almost 200 years ago—provisions which authorize the Congress to grant limited monopolies to creative persons in order to foster the arts and sciences. The principles on which these provisions were based are as valid and as important today as they were in 1787. We must not, in our zeal to protect the Nation from the evils of monopoly, obliterate this system which has stood us in good stead for so long a period.

I am convinced that we can reach a reasonable and effective method to follow. And, after a full review by the Congress, I am equally confident that it will be done.

European Children Are Exposed to the Greatest Classics of Our Western Cultural Heritage While American Children Are Exposed to Harmful Movies and Television Programs

EXTENSION OF REMARKS

OF

HON. CARROLL D. KEARNS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 27, 1962

Mr. KEARNS. Mr. Speaker, attention is being directed these days to what Ivan knows that Johnny does not. There is even a bestseller on the subject, titled "What Ivan Knows That Johnny Doesn't," by Arthur Trace.

Ivan and European children are exposed from their earliest days to the finest cultural expressions, to the greatest classics of our Western cultural heritage, to the opera, the theater, and to great art in all fields.

Little Johnny, on the other hand, sees the Three Stooges, and all kinds of trash on the TV programs at home, and when he goes to the movies he is not any better off.

Attorney General Robert Kennedy and FCC Chairman Newton Minow have spoken of the correlation between some of the "vast wasteland" TV programs and juvenile delinquency.

Recently an article in Parade magazine said that juvenile delinquency in Switzerland was lowest because children in that country could not attend certain movies until 18.

Recently Senator KENNETH B. KEATING introduced a joint resolution designating the month of June as Children's Music and Arts Festival Month. He said at the time that—

> For the past 2 years the Afro Arts Cultural Center in New York City, in cooperation with the New York City Department of Parks, the borough president of Manhattan's office, the board of education and the youth council of the police department's 28th precinct, has sponsored a children's music festival in New York City.
>
> The Afro Arts Cultural Center is working to improve the cultural patterns of the people of New York City. The center has also endeavored to create a better understanding among all people of the world. In seeking to promote the theme that "the world belongs to children," the Afro Arts Cultural Center has had the support of many leading citizens of New York. It is hoped that the seed which this organization has planted in New York will spread to other States and to nations around the world. Through music and art the cultural spirits of all people can be united in an effort to promote better world understanding.

Mrs. Arthur J. Goldberg, wife of Secretary of Labor Arthur J. Goldberg, is seeking to mobilize parents and other volunteers including artists and art patrons in the Nation's Capital in an effort to enhance the cultural life of this great Capital City. She has been greatly encouraged by School Superintendent Carl F. Hansen. The enthusiastic cooperation she has received from museums, universities, recreation leaders, art organizations, and musicians prompted her to say recently that—

> Perhaps the time might be ripe for another project to raise the level of cultural awareness throughout the city—and a good place to begin is in the schools.

Others are working in this area too.

Milton W. King, president of the National Symphony Orchestra Association of the Nation's Capital, recently pointed out that:

> Last year, over 100,000 youngsters throughout the Washington area attended 70 concerts given especially for them. Young people visiting Washington in the spring enjoy the experience of attending the "Music for Young America" 5-week concert series. For most of them, it is their first exposure to a symphony orchestra, and for many, the doors are opened to a whole new world. These concerts are given free through the generosity of one of our board members.

Mrs. Herbert May is to be highly commended for making these splendid concerts available to these young Americans.

The National Symphony Orchestra has come to symbolize an important part of the musical life of the country. In foreign countries, the National Symphony Orchestra has been enthusiastically received as a missionary of good will from the United States.

In the opera field, the Washington Civic Opera Association's free production of a fully staged version of "Hansel and Gretel," sponsored by the District of Columbia Recreation Department, was literally overrun, with many hundreds of young people turned away. A second performance was made possible through the generosity of the AFL-CIO Retail Clerks International, and its able president, James Suffridge. Their contribution of $1,000 made it possible for the schoolchildren of the District of Columbia to attend this opera during the Christmas holidays. Certainly, Mrs. Arthur J. Goldberg and Dr. Carl Hansen could well make use of the free, high-quality opera programs of the Washington Civic Opera Association to enrich the cultural life of the city's schoolchildren.

Attorney General Robert F. Kennedy has been quoted in the newspapers as saying:

> I want to commend Secretary Stewart L. Udall for the efforts he is making to bring culture to Washington. He is having some difficulty.

Secretary of Interior Udall is certainly to be complimented for his sponsorship of a series of distinguished cultural evenings at the new State Department Auditorium. This is especially important because it is being observed not only by the American people, but by people overseas who have long been subjected to the well-financed propaganda of the Soviet Union that describes Americans as crass materialists.

However, this wholly praiseworthy series of cultural evenings at the State Department is restricted to "very important guests" who must wear black ties and tuxedos and be well known to the society pages. Of course, most Americans do not get invitations to these events, and certainly few students in the District's public schools are invited to attend these high-level, cultural evenings. Indeed, there is a great deal of unemployment and underemployment at this time and many American families are not able to afford cultural events of such high standards.

It would be commendable of Secretary of Interior Udall to present these great artists free at the Carter Barron Amphitheater, which is under his jurisdiction, and make them available to the non-black-tie-and-tuxedo crowd, to the students, to the unemployed and the underemployed, and to the underprivileged of the Nation's Capital who, whatever their economic situation is, and whatever their wardrobe situation may be, that is, even though they may have holes in the soles of their shoes like Gov. Adlai Stevenson, are still interested in our Nation's culture.

Dr. Frederick Fall, music director of the Washington Civic Opera, recently said that:

> Great attention is being directed these days to what Ivan knows that Johnny doesn't—what Ivan reads that Johnny doesn't—what must be emphasized, however, is what Ivan hears and sees that Johnny doesn't.
>
> Johnny, through the media of radio, television and the comics, is fed for his most important educational period the lowest common denominator of cultural pap. Without any serious conditioning in the arts, the public is then polled to determine their standard of taste. And, finally, the results of the poll are fed back to them, only intensifying their conviction that cultural standards are of the lowest common denominator.
>
> On the other hand, Ivan and the European child are exposed from the earliest possible moment to the finest quality art output of Western culture and at the same time are prevented by parental and community

discipline from being exposed to movie and television fare of inferior or harmful quality.

I include an article from the Washington (D.C.) Post of March 11, 1962, and a statement by Dr. Frederick Fall:

MRS. GOLDBERG URGES SCHOOL ART VOLUNTEERS

(By Carole Bowie)

Local artists and art lovers working as volunteers in the public schools could enhance the cultural life of the whole city.

That was the idea Dorothy Goldberg, wife of Secretary of Labor Arthur J. Goldberg, took to school officials last week. The men she talked with—including School Superintendent Carl F. Hansen—thought it was a good one.

They encouraged Mrs. Goldberg, working with a group of citizens who call themselves the friends of public school art, to go ahead with plans to enlist parents, artists and other volunteers to help school officials in efforts to improve school cultural programs.

AIMED AT DELINQUENCY

They would work through the Urban Service Corps, organized last spring to provide volunteer workers to assist schools in a variety of projects aimed at combating juvenile delinquency.

Mrs. Goldberg said her visit to Hansen was inspired by "extraordinary community cooperation" extended by museums, universities, recreation centers, artists' societies and "art volunteers," to another new program aimed at introducing foreign diplomats to Washington cultural life.

"Their enthusiastic cooperation indicates that perhaps the time might be ripe for another project to raise the level of cultural awareness throughout the city—and a good place to begin is in the schools," said Dorothy Goldberg, who herself is an artist.

Professional volunteers, she said, might serve in an artists and musicians bureau to provide lectures and performances in schools. Others might sponsor concerts and talks by visiting artists.

SPONSORED EXHIBITS

Art volunteers could also organize special art exhibits, such as one presented last year at Western High School through the Associated Artists Gallery, sponsor an "artmobile," and escort children and their parents on trips to galleries.

"We are also exploring ways for volunteers to assist art teachers so they could give more of their time to the teaching of art," Mrs. Goldberg said.

Mrs. Goldberg views the new project not as a "big splash" but as one demanding much work of many people. "Anything involving the public schools must be undertaken with careful deliberation and the counsel of professional educators," she said.

Before drawing final plans and recruiting volunteers, Mrs. Goldberg and the friends of public school art plan a public seminar to discuss what can be done to help children take full advantage of "the rich cultural life provided by this community's wonderful museums and institutions."

"It is our hope," Mrs. Goldberg said, "that this seminar will be the beginning for creating a climate of rapport and mutual help among parents, artists, art educators, and museum staffs and teachers for the benefit of our schools."

STATEMENT BY DR. FREDERICK FALL, MUSIC DIRECTOR, WASHINGTON CIVIC OPERA

Great attention is being directed these days to what Ivan knows that Johnny doesn't—what Ivan reads that Johnny doesn't—and on why Swiss schools, for example, are better than ours, etc.

What must be emphasized, however, is what Ivan hears and sees that Johnny doesn't.

Johnny, through the media of radio, television and the comics, is fed for his most important educational period the lowest common denominator of cultural pap. Without any serious conditioning in the arts, the public is then polled to determine their standard of taste. And finally, the results of the poll are fed back to them, only intensifying their conviction that cultural standards are of the lowest common denominator.

On the other hand, Ivan and the European child are exposed from the earliest possible moment to the finest quality art output of western culture and at the same time are prevented by parental and community discipline from being exposed to movie and television fare of inferior or harmful quality.

Johnny is forced to remain a child culturally by being fed baby food long after he has outgrown that form of educational nourishment. And, most unfortunately, even the baby food often contains many of the harmful ingredients of our adult culture. As a result, seldom is Johnny prepared to participate in the mature culture which is his heritage. He is rarely, if at all, exposed to the mature fruits of our Western tradition and thus is, at best, ill prepared to take his place in the stream of our culture. He is addicted to baby food.

Last December, the Washington Civic Opera Association's free production of a fully staged version of Humperdinck's opera, "Hansel and Gretel," sung in English with full orchestra on a high professional level, was literally overrun, with many hundreds turned away, even though the majority of the Johnnies and their parents had had no opportunity previously to discover in its original operatic form this classic of our cultural tradition.

This indication among many others is sufficient to know that there is a great hunger for adult cultural fare. The grade-school children were entranced throughout the entire performance, eyes glued to the stage and ears cocked to the music, even though the opera is not just a simple nursery tale, but a full-length, 2-hour grand opera in the highest cultural tradition.

To many of these children who were lucky enough to see and hear this production it was a unique experience which they will never forget, and, more like it might well spell the difference between serious citizens with a cultural interest in Western culture and juvenile delinquents ready to develop into adult delinquents.

Mrs. Arthur Goldberg as well as School Superintendent Carl Hansen have shown great interest of late in alerting our community to the necessity of raising the level of art education in our schools and in the community as a whole. The idea is, in essence that to instill high cultural standards in the youth of the community is to create one of the most effective weapons against delinquency and the crime rate.

Attorney General Robert Kennedy and Newton Minow, Chairman of the Federal Communications Commission, see a correlation between the rising tide of juvenile delinquency and the television programs which our children are fed to the exclusion of more challenging and culturally uplifting fare.

In this connection we should like to call to attention the fact Mr. Suffridge of the Retail Clerks' Association and the union he represents have already provided a concrete example of the type of cultural leadership needed when they sponsored a repeat performance of "Hansel and Gretel" last year with a contribution of $1,000 from the union's funds. This alone made possible the second performance which was mobbed as the first one was.

We are asking from the Congress the cultural leadership and the necessary financial assistance to make these higher quality and more mature cultural values available to every schoolchild in Washington. The aim of the Washington Civic Opera Association is the presentation of the highest quality educational and cultural opportunity for the students and adult citizens of Washington.

San Leandro Chamber of Commerce

EXTENSION OF REMARKS

OF

HON. GEORGE P. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 27, 1962

Mr. GEORGE P. MILLER. Mr. Speaker, on Wednesday, March 21, I was privileged to be present at the White House when the San Leandro Chamber of Commerce was awarded the coveted Presidential E Award by the President of the United States.

The award was received on behalf of the San Leandro Chamber of Commerce by its president, John G. Blaisdell. I am personally pleased that a city in my district was among the first recipients of this award. My pride goes further than this because of the meaning represented by the award. San Leandro can truly serve as an example for other cities to follow in setting the pace in America's renewed interest in a sound world trade program and a domestic industrial and commercial expansion.

The President's blue and white E flag—a revival of World War II's "E for excellence," plus especially inscribed certificates were conferred on five manufacturers, a bank, a trade magazine, a steamship line, the Chicago Association of Commerce and Industry, in addition to the San Leandro Chamber of Commerce.

Chamber President Blaisdell said:

This is one of the greatest honors ever to befall upon the San Leandro Chamber and the industrial community which it constantly supports. The progressiveness of our industrial firms in expansion of their export activities has been substantial proof of their belief in this important item on the chamber's program of work—that of building foreign trade. It is an award which will call for a full-scale local celebration.

In a special meeting held by the chamber's executive committee and 1961 Industrial Expansion Committee Chairman Alan Parry, chamber director who initiated and guided stepped-up trade expansion activities by the chamber last year, chambermen were unanimous in their decision to send Blaisdell to Washington for the award.

The chamber's executives are also declaring Thursday, April 5, as a general membership meeting, at which time the flag will be officially hoisted at the chamber office, 858 East 14th Street. Hoisting ceremonies are scheduled for 12 noon sharp. Immediately following, those in attendance will go to Onstad's, 1812 Washington Avenue, for the celebration luncheon.

Included in activities at the luncheon will be presentation of Special E Award pins which chamber President Blaisdell will make to San Leandro industries and distribution firms with export activities,

to 1961 chamber officers, former Chairman Parry, and 1962 Industrial Expansion Chairman F. A. Louis Meyer.

Mayor Jack Maltester joined in words of praise to San Leandro industrialists for their expansion of oversea business. The mayor declared:

It is my understanding that our San Leandro Chamber was selected from several hundred nominations. All of us can join in congratulations to the chamber on its contribution to our community in urging local companies to build up their export trade business. Many of them have shown substantial percentage increases during this past year. Some of them have broken into a particularly tough competitive market. They have introduced San Leandro-made products in areas where no American products were being sold and they have demonstrated their ability to solve complex documentation, freight forwarding, sales, and market distribution problems in the country of destination. Again, I urge all San Leandrans to join with me in saluting the chamber and saluting the industries which have given the chamber's program substance.

In addition to San Leandro, companies and organizations receiving awards are: Dan River International Corp., New York City; C. G. Hokanson Co., Inc., Los Angeles; Le Tourneau-Westinghouse Co., Peoria; McGraw-Hill Book Co., New York City; Scripto, Inc., Atlanta; Chicago Association of Commerce & Industry, Chicago; Industrial National Bank of Rhode Island, Providence; Isbrandtsen Co., Inc., New York City; Steel magazine, Cleveland.

I am pleased to offer some background information on steps leading to the award. The 1962 chairman of the San Leandro chamber's industrial expansion program recently lauded his predecessor, Mr. Alan Parry. In addition he outlined the activities under Parry's chairmanship which led to this award:

First. Announced major goal in January 1961 of aiding and urging San Leandro industries to engage in expanded or newly created export trade. Objective formalized following presentation from Philip R. Creighton, Chief of Foreign Trade Division, U.S. Department of Commerce, San Francisco office, at a chamber general membership meeting.

Second. Sponsored areawide seminar for San Leandro firms, first in the West, calling upon U.S. Department of Commerce, export agency and financial officials, plus local industrialists to detail means whereby goal could be accomplished. At this meeting, John J. Judge, western manager for the U.S. Department of Commerce, San Francisco field office; Charles R. Kelly of Getz Bros. & Co., San Francisco export house; Richard Oddie, director of business extension, Bank of America, and Ray Sulprizio, vice president, United Engine & Machine Co., San Leandro, headed up the panel.

Third. Participated in World Trade Week activities using week to further export goal. Participation involved series of newspaper ads, speaker from Japanese foreign consulate, speakers bureau to organizations; and arranged for 12 local firms in foreign trade to arrange major displays at strategic foot-traffic points in San Leandro.

Fourth. Conducted work session with Frank Felix, manager at that time of San Francisco World Trade Center, explaining services. This was followed by chamber of commerce official visit to World Trade Center for inspection and study of trade opportunities.

Fifth. Displayed throughout year in chamber lobby poster board of U.S. Department of Commerce foreign trade information, including world trade leads issued by the Bureau of International Business Operations.

Sixth. Consulted periodically with local industrialists regarding specific world trade matters and referred them to necessary specialists. Mailed leads to individual companies as they came to chamber's attention.

Seventh. Issued news stories during year regarding world trade opportunities—stories based on Bureau of International Business Operation leads.

Eighth. Held work session with James Simpson, area manager for REA, and other REA express officials. Issued prepublicity and followup news stories on REA's uniform bill of lading and staff helps the company can give industrialists desiring to work through one agency on world trade documentation matters and the like.

Ninth. Arranged for Merrell Woodruff, acting manager, San Francisco U.S. Department of Commerce field office, to present at Northern and Central California Chamber of Commerce Executive Association need for local chambers of commerce to work on building export trade. Several chambers followed up with seminars similar to those held in San Leandro.

Tenth. Set up mechanics for getting 1962 off to a good start for world trade promotions by arranging with Pan American World Airways to fly from New York, George R. Moore, director of worldwide marketing services, to address industrialists on marketing practices in foreign countries.

Eleventh. At year's end, it was estimated number of San Leandro firms engaging or planning to engage in some phase of world trade grew from 22 to 35.

I truly hope the San Leandro story will serve as an inspiration to other communities which will stir them to greater efforts in this area of expanding economic development.

Ultrahigh Frequency

EXTENSION OF REMARKS

OF

HON. EMANUEL CELLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 27, 1962

Mr. CELLER. Mr. Speaker, under leave to extend my remarks in the RECORD, I include a statement I made before the House Interstate and Foreign Commerce Committee on Ultrahigh Frequency, March 5, 1962:

The hearings being held by this distinguished committee on a series of bills concerned with all-channel receiving sets as well as the issue of deintermixture looking toward all UHF areas are timely and important, indeed. These measures bring into sharp focus the question of whether the ultrahigh frequency portion of the spectrum, a major resource that remains largely untapped, can be used to solve the now chronic impasse in visual broadcasting: the inability of the Federal Communications Commission over the years to employ its vast power in the area of television channel allocations to provide a truly nationwide and competitive system of television broadcasting with adequate outlets serving community needs in all parts of the country.

It is this demonstrable failure in the exercise of regulatory authority that prompted me to introduce H.R. 10385, which provides for an orderly transition from VHF transmission to all UHF transmission over a 6-year period. I shall review briefly the salient features of this legislative proposal, including its relation to the other bills which the committee has under consideration.

In these hearings, the committee has again heard authoritative testimony about the critical shortcomings in the service provided by the current pattern of allocations and assignments in the Nation's television markets. However, the task at hand is no longer to catalog the symptoms or to diagnose the illness that afflicts the industry; rather the problem is to prescribe an effective and workable remedy while there is yet time—and time is, in my view, rapidly running out.

The perspective of the past 10 years gives small comfort to those who urge that the country can continue to afford the luxury of experimenting first with one set of half measures and then another, if the first approach is found wanting. Experience has taught that, in this dynamic field, the point of no return lies dangerously close to the threshold of experiment. What is projected as a test or trial too frequently turns into a commitment that is irrevocable because of the substantial interests and irresistible pressures that have been fostered. Mistakes are peculiarly costly, and all but irremediable.

I have a great respect for the able Chairman of the Federal Communications Commission, but I must take issue with him when, in recent testimony before this committee, he takes the position that "if years from now we find we don't have a competitive service for the country then this"—conversion to all UHF—"is one solution that I am sure we have to consider." I am convinced that any attempt to consider this or any other far-reaching solution some years from now would be an academic exercise in futility. The issue will have been foreclosed.

This conclusion is, in my judgment, compelled by an analysis of the present state of affairs, in the light of the significant television history of the past decade. Let me touch briefly upon the highlights in terms of facts and figures about which there is little disagreement.

Recall the familiar consequences of the Federal Communications Commission's 1952 error in intermixing UHF broadcasting with VHF saturated areas. No single decision in the history of the Commission has proven so catastrophic, according to Commissioner Robert E. Lee. By forcing UHF stations which were then authorized for the first time to commence commercial broadcasting, to compete with VHF stations that had become solidly entrenched during the prior 4-year "freeze" on station applications, the Commission virtually doomed this new method of broadcasting at its inception. The error was soon recognized, but as this committee has good reason to know, the Commission is still wrestling with the problem today. Obviously, the reason for the Commission's longstanding failure to provide an

effective remedy was its desire to avoid dislocating profitable VHF stations, in whose shadow UHF stations could not survive.

Some 5 years ago, the House Antitrust Subcommittee, of which I am chairman, had this to say in its report issued after a full dress inquiry into monopoly problems in the television broadcasting industry:

"Although from the beginning the Commission laid down clear perspectives for a nationwide and competitive system and declared the wide use of the ultrahigh frequencies to be essential, for many years it not only failed to encourage the development of UHF broadcasting but, on the contrary, its every action and inaction—the 4-year freeze, the deadly intermixture provisions of the 1952 report and order, the failure to stimulate all-channel set manufacture, and the vacillation with respect to deintermixture—further strengthened and entrenched VHF. The result is that in so-called intermixed areas, where UHF stations must compete with established VHF stations, they face an almost insuperable disadvantage.

"The Commission has recently embarked on a long-range program looking to the possibility of shifting all or a major portion of television broadcasting to UHF, and also on an interim program of selective deintermixture on an area-by-area basis. The committee believes that the Commission can, and must, remove this fundamental obstacle to the realization of congressional objectives for the broadcasting industry."

After taking cognizance of the alarming mortality rate suffered by UHF stations in the years following the inception of the Commission's 1952 allocation plan and the enormous capital losses entailed in these station failures, the subcommittee concluded:

"The disappearance of UHF broadcasting would mean more than financial loss to station licensees. It would frustrate the achievement of a nationwide and competitive television system for the foreseeable future. First, it would mean that the objective of diverse, multiple-program sources in as many communities as possible would have to be abandoned. For if television is limited to VHF there are simply too few available frequencies. Most American communities would have to give up the idea of ultimately having their own local television stations for the discussion of local problems, the dissemination of local news, and the development of local talent.

"Second, the failure of UHF television would sound the death knell of educational television. Development of this new dimension in education clearly depends upon the survival of UHF.

"Third, the loss of UHF would mean still further concentration of power in the television industry by making it impossible for more than two truly nationwide networks to flourish.[1] The inadequacy of VHF alone to supply sufficient outlets for a fully developed system, which the Commission has repeatedly reaffirmed, is graphically illustrated by the VHF assignments made in the allocation plan."

Consider that 5 years, marked by surging economic and population growth, have elapsed since these recommendations were advanced. Now, consider the progress report submitted in June of 1961 by the Federal Communications Commission in response to the Antitrust Subcommittee's request to be apprised of actions that have been and are being taken by the FCC to carry out the subcommittee's recommendations. The distinguished Chairman, Newton N. Minow, then but recently appointed, testified on this score:

"In recent years, as it has become clearly evident that UHF could not compete effectively in areas where there were multiple VHF services, the Commission has devoted a considerable portion of its time and efforts to solution of the allocations problem. One by one we have been forced to narrow the alternative approaches. It is impossible, for example, to have a competitive television system adequate for the Nation's growing needs in the commercial and educational fields within the confines of 12 VHF channels. It becomes more evident as time goes by that, unless demand for UHF can be revived, our television system will have no room in which to grow.

"The Commission is keenly aware of the problems such limitation creates. The existence of monopolistic markets with one or two VHF stations; the lack of sufficient competitive outlets for a third network; inability to provide for the needs of an additional network or the major nonnetwork program suppliers; the lack of outlets for local community expression; and scarcity of facilities for educational needs in the larger markets—these are serious indications of the shortcomings of a restricted television system."

I raise no question as to the good faith or good intentions of the Chairman of the FCC when he affirms that the Commission will continue to press for full UHF utilization and is hopeful that the future expansion in television broadcasting will, in time, move into the UHF band. However, apart from a reaffirmation of worthy objectives, the Commission's status report is no more than a point-by-point reiteration of the Antitrust Subcommittee's analysis and call to action which was issued in June of 1957. To emphasize in the year 1961 that the Commission is keenly aware of the problems involved is to suggest at the same time that little encouraging progress had been made toward their solution in the critical years gone by. I draw this parallel not to belabor past omissions or errors, but to underscore their clear lesson with respect to the future.

In practical terms, what does a present-day inventory of the state of UHF broadcasting show? As this committee has been informed, some 100 UHF licensees in all have failed and gone off the air. The staggering losses incurred in both money and effort stand as an object lesson to others who would be tempted to risk their capital in such a venture. In 83 areas where one or more UHF stations once operated, their signals are silent. Of these areas, 25 are now without any local station, including such cities as Allentown, Pa., Atlantic City, N.J., and Battle Creek, Mich. And as Commissioner Lee has informed this committee, in view of their competitive inequality, only in a few limited markets where VHF is curtailed or nonexistent is there any expectancy that the UHF stations can continue to operate much longer.

Sixteen hundred out of over 2,200 television channel assignments made by the FCC remain unused. Significantly, over 1,400 of these are in the UHF band. Indeed, only about 100 out of a total of over 1,500 UHF channel assignments—or about 7 percent—are currently in use, and 18 of these are educational television stations. It is estimated, moreover, that of the some 55 million television sets now in use, only 9 million are equipped to receive UHF as well as VHF broadcasts. It should be added in this connection, that only 6 percent of the new sets produced in 1961 were equipped for UHF reception as compared with 20 percent of the new receivers manufactured in the year 1953.

This overall picture has not been visibly brightened by the results thus far of the Commission's pursuit of selective deintermixture. Suffice it to say that this program—and I do not minimize its inherent difficulties—has in the past been attended by regulatory vacillation, procedural snarls, and intense opposition in certain quarters. Since 1957, three areas in the entire Nation have emerged on an all-UHF basis as the results of deintermixture, while eight major cases are presently lodged with the Commission. While our Antitrust Subcommittee unanimously endorsed a more vigorous deintermixture approach as a step in the right direction (at that time, the subcommittee had no other choice), this technique clearly holds no great promise as a long-range solution nor does the Commission itself regard it in this light.

In the same vein, I have, along with the other members of our Antitrust Subcommittee, long been on record as an advocate of legislation to promote all-channel receiving sets, a measure which recently received the endorsement of the President in his message on "Protecting Consumer Interests." Certainly the FCC should be authorized to prescribe the performance characteristics of all new television receivers shipped in interstate commerce to assure that they can receive both VHF and UHF signals. Granted, however, that the removal of receiving set incompatibility would have constituted a long stride forward in the early days of UHF operation, today it will only lessen the heavy odds against UHF broadcasting. I note that the Chairman of the FCC, in advocating passage of the all-channel bill, told the committee that its enactment would encourage UHF broadcasting and that time would start to run in its favor. However, Chairman Minow went on to warn:

"We do not mean to imply that passage of the all-channel legislation will necessarily insure survival of all UHF stations now struggling against VHF competition. The question of whether a particular UHF station will survive will doubtless depend on a great many circumstances, particularly the economic viability of the station at the present time."

This brings me to my central thesis. We must, in my judgment, face up to the inescapable fact that television today stands at the crossroads, where the choice is either to maintain the present allocation system and thus permanently freeze the status quo of 12 VHF channels—with the monopoly dangers and stifling of local expression inherent in such structure—or to shift to all UHF under a plan designed to minimize the transitional strain so that some 70 UHF channels may be utilized in the broader public interest. Here there is no easy middle ground—as was the case when this country launched its missile and space program when there was still enough leadtime to meet the Soviet threat.

I believe further that, in view of the negative position in this matter of a majority of the FCC, Congress must grasp the nettle. Our action or inaction on this issue in the coming months may go far toward fixing the pattern of the industry for a long time to come.

To meet what I conceive to be no less than a crisis in the use of the radio spectrum, one of our invaluable natural resources, my bill provides for an orderly and gradual transition from VHF broadcasting to the UHF band. While I am not wedded to the language of H.R. 10385, I believe that it does constitute a sound approach, worthy of the most careful and intensive study by this committee and by the Congress.

Under my bill the FCC would grant no more VHF channel license assignments, and would promptly assign and grant a UHF frequency channel to each existing holder of a VHF license. Licensees would be authorized immediately to broadcast simultaneously over both bands. However, after 2 years or after the expiration of a licensee's present broadcast license, whichever occurs later, he would be required to broadcast on both the VHF and UHF frequencies. Finally, at the expiration of 6 years all VHF broadcasting would cease. The Commission would be required, as far as possible, to restrict new assignments to the lower 40 channels in the UHF band, which are known to provide the best UHF reception.

Beyond this, the Commission would be duty bound to inform the public at large that no existing receiving set would become obsolete by virtue of this enactment within 6 years, but that at the expiration of that period VHF broadcasting would cease.

H.R. 10385 would minimize the cost of reconversion for the television viewing public, whose VHF sets would remain operational for 6 years, the average life expectancy of a receiving set. It would also minimize the reconversion burden on broadcasters, by giving them a 6-year period in which to convert to the UHF band. In this connection, the feasibility of a tandem or dual operation on both VHF and UHF frequencies by the same station has been successfully demonstrated by a licensee in Fresno, Calif., who advantageously operated in this fashion for a period of 3 months under FCC authorization prior to converting to all UHF.

I need hardly remind this committee that if the VHF band is vacated by the commercial broadcasters, it can be quickly absorbed by a host of other pressing and vital needs. The mobile radio services, as Commissioner Lee emphasized in his testimony, are being more and more tightly jammed into a narrow segment of the spectrum. This congestion, of course, makes for serious interference and disruption. An itemization of only a few of the nonbroadcast services, which require accommodation, shows at a glance their importance to the public welfare and economy: medical and biological telemetering; police and fire protection; and communication in such industries as forestry, heavy construction, and electric and gas utilities.

I think it fair to say that according to the present consensus in expert circles, UHF broadcasting has come of age from a technical point of view. Because practical telecasting began in the VHF band, the technology of VHF broadcasting was bound to outstrip that of the younger UHF service in development. There is, however, good reason to believe that the gap is being, and will be, closed.

To begin with, from the standpoint of the viewing audience there is little to choose between the propagation characteristics of the two methods of telecasting. In fact the Chairman of the FCC has, in the course of these hearings, stated that the Commission engineers regard UHF transmission as superior to VHF in some respects. The UHF picture on the receiving set is described as crisper or clearer because there is less man-made electrical interference and cosmic noise in the UHF band; also, UHF telecasts are relatively free of disturbance by airplane flutter. Beyond this, there is less difficulty with ghosts in the UHF picture, because it is easier to construct highly directional receiving antenna for UHF frequencies.

As this committee knows, a unique and highly ingenious experiment is now going forward under FCC auspices in the complex surrounding Manhattan in New York City, calculated to obtain a precise comparison between the reception quality of UHF and VHF signals in a city cut through by artificial canyons like New York. To this end, a high-power UHF station, under the management of the city of New York, is broadcasting from a specially constructed antenna on the Empire State Building. The UHF programs transmitted for a part of the day duplicate those telecast by the VHF stations operating from the same tower.

The returns thus far from viewer surveys that appear to be a model of objectivity, show that there is no significant difference between the VHF and UHF signals within a 25-mile radius of the Empire State Building. Of added interest is the fact that privately employed technicians who have been making a like comparison of the two signals in what is perhaps the worst propagation area in the entire country—the lower two-thirds of Manhattan—have come forward with the same findings. These encouraging results, I might point out, not only affect my own district in Brooklyn, but I am told that good UHF reception has also been reported from the Holland Tunnel, in the event anyone wishes to set up housekeeping there.

Furthermore, while I do not wish to pursue the matter at length here, perhaps too much has been made of the fact that the VHF signal has a greater range than UHF. As Commissioner Lee has pointed out, "contrary to popular conception, this difference does not result in greater service," but rather "this increased range carries with it the potential of increased interference between stations." Again, according to Commissioner Lee, with appropriate antenna heights and radiating systems, UHF stations would be able to serve viewers out to 44 miles, a range which compares favorably with the same quality of service rendered by VHF stations in many areas and augurs well against any loss in service.

Nor is the present estimate of UHF performance characteristics confined to the abstract or experimental realm. Successful UHF operations are familiar on a day-to-day basis to the citizen of such cities as Fort Wayne, South Bend and Elkhart, Ind.; Peoria, Ill.; Wilkes-Barre and Scranton, Pa.; Lima, Zanesville and Youngstown, Ohio; Fresno, Calif.; Springfield-Holyoke, Mass.; Yakima, Wash.; Lexington, Ky.; and Elmira, N.Y.

So much for the technical side. On the human side, it is always the easier course to postpone a critical decision that will provoke resistance in some quarters, particularly when this procrastination can be rationalized as mere judicious postponement. But as veteran members of the FCC have good reason to know, the passage of time without solution aggravates the ultimate impact of changes in regulatory direction.

The acceleration of our economic expansion, consumer demands, population boom, and extra leisure time, which marks the decade of the sixties, has resulted in the expenditure of over a billion and a half dollars annually on advertising through the medium of television. What the increase will be in this figure a few years hence, I leave to the speculation of the market analysts. One thing, however, is certain. Unless a plan to convert to a UHF system—such as the graduated one I have outlined—is adopted reasonably soon, the entrenched elements that will unalterably oppose any switch from a VHF system will be well-nigh immovable.

In summing up, I refer you to the following statement:

"The failure of our television system stems from the failure of UHF broadcasting to develop as had been expected. Moreover, it is clear that unless it is to be the decision of the country to settle for the present limited systems, we have no place to go except into the development of the 70 UHF channels which are practically lying fallow."

These are not my words but those of the present Chairman of the FCC.

I am aware of no disagreement on the part of any of the Commissioners that the FCC has exhausted and found unavailing several alternative solutions seeking additional outlets by expanding the number of VHF channels allocated for television broadcasting. To take one example, the Department of Defense has announced that it could not, in the national interest, relinquish any of its VHF space. In short, the door to VHF expansion is closed.

But the vista of the broad UHF band is open. Clear statutory authority to convert to an all-UHF system at any time is possessed by the FCC. However, six of the seven Commissioners have gone on record against adopting this solution for the present. It can, therefore, only be availed of through congressional mandate. I commend this course of action and the features of my bill to this committee. The time for decision is now.

[1] Since this report, a third nationwide network has entered the field with vigor.

SENATE

WEDNESDAY, MARCH 28, 1962

The Senate met at 12 o'clock meridian, and was called to order by the Vice President.

Rabbi Chaim U. Lipschitz, editor of the Jewish Press, Brooklyn, N.Y., offered the following prayer:

With great love Thou lovest us, O Lord, our God, and with Thy great compassion Thou hast abundance of pity on us. O, our Father, our King, for the sake of our fathers who trusted in Thee, to whom Thou didst teach the statutes of life, so shalt Thou favor and teach us. O Father, who art a merciful Father, have compassion on us, we beseech Thee, and grant our hearts understanding, that we may comprehend, hear, learn, teach, observe, perform, and establish all the learning of Thy law with love; and enlighten our eyes in Thy law, and our hearts to love and fear Thy name, that we may not be abashed forevermore; for in Thy holy, great, and tremendous name we trust. We will be glad, and will rejoice in Thy salvation, when Thou bringest us with peace from the four corners of the earth and conductest us with uprightness, for Thou art the Almighty that workest salvation.

Our God, and the God of our Fathers, be Thou with the mouths of the deputies of this worthy Senate of the United States who stand in Thy presence. Teach them what they shall say; instruct them what they shall speak; answer their requests; and cause them to know how to glorify Thee. May they walk in the light of Thy countenance; may they bend their knees unto Thee, and with their mouth bless Thy people. O bless them altogether with the blessings of Thy mouth. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, March 27, 1962, was dispensed with.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed the following bill and joint resolution, in which it requested the concurrence of the Senate:

H.R. 10904. An act making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1963, and for other purposes; and

H.J. Res. 439. Joint resolution authorizing the State of Arizona to place in the Statuary Hall collection at the U.S. Capitol the statue of Eusebio Francisco Kino.

HOUSE BILL AND JOINT RESOLUTION REFERRED

The following bill and joint resolution were each read twice by their titles and referred as indicated:

H.R. 10904. An act making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1963, and for other purposes; to the Committee on Appropriations.

H.J. Res. 439. Joint resolution authorizing the State of Arizona to place in the Statuary Hall collection at the U.S. Capitol the statue of Eusebio Francisco Kino; to the Committee on Rules and Administration.

LIMITATION OF DEBATE DURING MORNING HOUR

On request of Mr. MANSFIELD, and by unanimous consent, it was ordered that statements in connection with the morning hour be limited to 3 minutes.

COMMITTEE MEETINGS DURING SENATE SESSION

Upon request of Mr. MANSFIELD, and by unanimous consent, the Judiciary Subcommittee of the District of Columbia Committee, the Subcommittee on Antitrust and Monopoly of the Committee on the Judiciary, and the Subcommittee on Constitutional Rights of the Committee on the Judiciary were authorized to meet during the session of the Senate today.

On request of Mr. SPARKMAN, and by unanimous consent, the Subcommittee on Stockpiling of the Committee on Armed Services was authorized to sit during the session of the Senate today.

REVIEW OF MEASURES RELATING TO BALANCE OF PAYMENTS PROBLEM IN THE UNITED STATES

The VICE PRESIDENT laid before the Senate a communication from the President of the United States, transmitting, for the information of the Senate, a report by the Secretary of the Treasury, reviewing the wide variety of measures undertaken by the administration to cope with the urgent balance-of-payments problem facing the United States, which, with the accompanying papers, was referred to the Committee on Finance.

RESOLUTION OF RHODE ISLAND GENERAL ASSEMBLY

Mr. PELL. Mr. President, on behalf of my colleague, the senior Senator from Rhode Island [Mr. PASTORE], and myself, I present, for appropriate reference, a resolution passed by the General Assembly of the State of Rhode Island and Providence Plantations memorializing the Congress of the United States to enact legislation to extend the benefits of library service to urban areas.

Mr. President, I ask unanimous consent that this resolution be printed in the RECORD.

There being no objection, the resolution was referred to the Committee on Labor and Public Welfare, as follows:

HOUSE RESOLUTION 1176

Resolution memorializing the Congress of the United States to enact legislation to extend the benefits of library service to urban areas

Whereas the educational needs of citizens of all ages is constantly increasing; and

Whereas the need for a well-informed citizenry at the local, State, and National levels is a necessity in these days when the social, economic, and political structures of the society in which we live are becoming increasingly complex; and

Whereas an educated population is the best guarantee of a free and progressive nation; and

Whereas the success of the Library Services Act of 1956 and its 5-year extension has increased the facilities of library service in the rural areas, not only in increased book stock, more hours of service, and more staff and equipment, but also in increased local appropriations for these activities, to meet the educational, informational, and recreational needs of students and citizenry; and

Whereas many libraries in urban areas of over 10,000 population are presently inadequately financed, have insufficient or outdated book stock, and are inadequately housed and staffed; and

Whereas a constantly increasing demand for service is being made on libraries which provide more adequate facilities, by patrons living outside their legitimate boundaries, causing a severe strain on the facilities and staffs of many urban libraries:

Resolved, That the Congress of the United States enact legislation extending the benefits of library service to urban areas, in an endeavor to improve the facilities and staff for libraries in these urban areas, and to stimulate increased local financial support for urban libraries; and be it further

Resolved, That duly certified copies of this resolution be transmitted forthwith by the secretary of state to the Vice President of the United States, to the Speaker of the House of Representatives of the United States, and to each of the Senators and Representatives from the State of Rhode Island in the Congress of the United States, earnestly requesting that each use his best efforts to enact legislation which would carry out the purposes of this resolution.

RESOLUTIONS OF CENTRAL COOPERATIVES, INC.

Mr. WILEY. Mr. President, today I was privileged to receive from Paul Brown, manager, member services department of the Central Cooperatives, Inc., of Superior, Wis., a copy of the resolutions adopted at their 45th annual meeting.

In scope, the resolutions cover a broad gamut of significant challenges.

We recognize that touching upon important topics, some of which are controversial, there are, of course, divergent views on them.

Reflecting the interests of over 100,000 families, however, these resolutions, I believe, deserve the consideration of Congress. I request unanimous consent to have several of the resolutions, relating to legislation, printed at this point in the RECORD.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

HOUSE RESOLUTION 2: YOUTH PROGRAM

Whereas the youth of today will lead co-ops tomorrow; and

Whereas CCI has a scholarship program as one method of developing interest of youth in cooperatives and in higher education: Be it therefore

Resolved, That this scholarship program be continued; and be it further

Resolved, That Central Cooperatives, Inc., member services department, be asked to study additional methods of developing the interest of young people in cooperatives, and that local cooperatives be asked to aid in this study; and be it further

Resolved, That local co-ops be encouraged to send youth delegates to the CCI annual meeting, asking them to report back to the local association.

RESOLUTION 3: CONSUMER PROTECTION

Resolved, That we again emphasize our sympathy for the consumer, who is today bewildered by deceptive packaging, the multitude of expensive drugs, the confusing rates of interest on borrowed money, and many other practices that are not what they seem to be at time of sale; and be it further

Resolved, That we specifically support President Kennedy's recent proposals to assure safe, effective drugs for the ailing, beauty aids that won't burn a lady's skin, TV sets that will get more channels, wider inspection to bar unwholesome meat from dinner tables, and a proposal he supports but hasn't worded yet—to simplify packaging with emphasis on truthful labeling. Also his plans for a Consumers' Advisory Council.

We further commend that our cooperative buyers see to it that in our Co-Op brand products we continue to present them with every degree of truth and honesty, in labeling and advertising; and be it further

Resolved, That we repeat our support for the Douglas truth-in-lending bill, still alive but under powerful attack.

RESOLUTION 6: AREA REDEVELOPMENT

Whereas the continued success of our cooperatives depends not only on effective operation, but also on continued and in many cases improved economic health of communities making up our service area: Be it

Resolved, That we support and commend the Federal area redevelopment program to our communities, some of whom have not yet taken steps to take advantage of it; and be it further

Resolved, That we urge local cooperatives, wherever applicable, to take an active role in studying its possibilities, and in considering other measures to revitalize their communities.

RESOLUTION 8: MEDICARE

Whereas a great part of the health care costs of older people is not being adequately met by private insurance; and

Whereas a large number of people over age 65 have not the private means to cover those expenses; and

Whereas legislation on the subject thus far enacted in Congress, establishing a means test to determine eligibility, does not provide an equitable or sufficient solution to the problem: Therefore be it

Resolved, That this 45th annual meeting of Central Cooperatives, Inc., support appropriate legislation which uses the social insurance principle to provide health insurance to those eligible for Federal social security benefits; and be it further

Resolved, That we urge and support legislation that would also include health care benefits for all persons over 65 who are presently excluded from social security benefits.

RESOLUTIONS OF FARMERS UNION COOPERATIVE MARKETING ASSOCIATION

Mr. CARLSON. Mr. President, at the 48th annual stockholders meeting of the Farmers Union Cooperative Marketing Association, which was held in Kansas City, Mo., on March 14 and 15, resolutions were adopted regarding taxation and our farm programs. The delegates attending this meeting represented some 100,000 Kansas farmers.

The resolutions approved were the result of a farm policy meeting which was held on February 27 and 28 in Topeka, Kans., for the purpose of discussing the food and agriculture program for the 1960's and other legislation that will affect farmers and agriculture.

Principal topics under discussion at that meeting were land-use adjustment, agricultural trade development, marketing orders, feed grains, wheat and dairy products.

Following a general discussion of these various topics, a motion was duly made and seconded to approve the proposed food and agricultural program with amendments.

I ask unanimous consent that the resolutions adopted at the Kansas City meeting be printed in the RECORD.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

RESOLUTION 1

Whereas a new tax bill reported out of the House Ways and Means Committee and ready for discussion on the floor of the House contains two things objectionable to cooperatives; namely (1) a withholding tax on cash, or noncash payments or allocations of co-op patronage; and (2) requirement that a cooperative could exclude or deduct net savings distributed to patrons pursuant to a preexisting contract in cash form without income tax liability, but could do so in noncash form only if there was a written consent on record with the co-op, signed by the patron, in which the latter agrees to take such noncash patronage allocation into account as income at face value: Be it therefore

Resolved, That we can accept and work with the 20-percent withholding, at considerable inconvenience, extra work, and cost, but we do place ourselves on record as strongly opposing the section of this proposal that would require the consent of a patron and his signing to the fact that he would take this into his income for tax purposes. There is no other indication of other persons receiving wages or salary, commissions, or profits of any kind where they must agree in advance as to how they will treat paper reflecting values to which they may be entitled; be it further

Resolved, That CMA shall provide the Members of Congress from Kansas the feelings of delegates to this stockholders convention, concerning the proposed bill, and that each co-op and each person attending this meeting shall write personal letters to his Congressman stating his objections to this consent provision.

RESOLUTION 2

Whereas the Food and Agriculture Act of 1962 is the first positive long-range farm program offered to Congress in 15 years seeking to democratically bring about a managed abundance, improve farm income and protect consumers' food prices; and

Whereas on February 27 and 29, 1962, farm policy representatives from local co-ops did meet at the Kansan Hotel in Topeka, Kans., to thoroughly review this proposed Agriculture Act; and

Whereas this group did approve the act with amendments, observations, and recommendations as stated in the following text representing the minutes of said meeting: Be it therefore

Resolved, That at this annual stockholders meeting of CMA members and delegates, they shall ratify the actions of this aforementioned meeting and approve with the attached recommendations as a part of the minutes of said meeting; be it further

Resolved, That our Members of Congress shall be so notified of this action; be it further

Resolved, That each local association and individual present at this meeting shall likewise write to his Congressman; be it then further

Resolved, That actions of this annual stockholders meeting shall be made available to the Secretary of Agriculture, Orville L. Freeman.

RESOLUTION 3

Whereas the Secretary of Agriculture, Orville L. Freeman, has exercised sincere and tireless effort to formulate an agricultural program that will successfully give farmers an income and standard of living comparable to persons outside the agricultural community and living in the urban areas; and

Whereas the Secretary has devoted much efforts to improving the image of agriculture and farmers in the minds of urban people: Be it therefore

Resolved, That delegates attending this annual stockholders meeting of the Farmers Union Cooperative Marketing Association at Kansas City, Mo., on March 14 and 15, 1962 do hereby pledge their support for his actions to date and for his plans for a successful agricultural program in the 1960's and thereafter.

REPORT ENTITLED "GAMBLING AND ORGANIZED CRIME" (S. REPT. NO. 1310)

Mr. McCLELLAN. Mr. President, on behalf of the Committee on Government Operations, I submit a report made to it by the Permanent Subcommittee on Investigations entitled "Gambling and Organized Crime." I ask unanimous consent that the report, with illustrations, be printed.

This report, Mr. President, is based on evidence developed by the subcommittee during 10 days of public hearings held in August and September of 1961. These were the initial public hearings held by the subcommittee under new authority conferred upon the Committee on Government Operations by section 5 of Senate Resolution 69, 87th Congress, 1st session. Under section 5, the committee was directed to investigate syndicated crime operating interstate and to study the adequacy of Federal laws to prevent such operation of syndicated crime.

Mr. President, preliminary information which came to the attention of the subcommittee indicated that illicit gambling was the chief source of revenue for organized crime. Although estimates of the revenue obtained through illicit gambling vary, it is generally agreed that the flow of money to bookmakers taking bets on horseraces and sporting events totals billions of dollars annually.

According to the Attorney General, while testifying before the Senate Judiciary Committee in June of 1961, the Department of Justice has determined that the huge profits from illegal gambling were the primary source of funds to finance the activities of organized crime.

Under the circumstances, it would appear that one of the most effective ways of combating organized crime would be through Federal legislation or other appropriate action under existing Federal machinery aimed at the curtailment of illicit gambling. It was for this reason that the subcommittee decided that, in its initial hearing under this new authority, attention would be focused on gambling.

Mr. President, the evidence at these hearings served to emphasize, among other things, one matter of particular significance. There are two informational services; namely, the horserace wire services and the so-called handicap or line service, which are absolutely indispensable to professional gambling.

The horserace wire service is a nationwide service through which race results and related information are illegally and surreptitiously secured from race tracks and, thereafter, flashed to bookmakers and professional gamblers throughout the country through a loosely confederated, but nevertheless, well-organized and effective telephonic network.

The handicap service, or line, is one which provides handicap information or point spreads as related to sports events other than horseracing, particularly basketball, football, and baseball. The subcommittee found that there were three principal handicap services in the United States. It further found that the ultimate line or point spreads, as established by the Nation's principal handicap services, were not based, as one might expect, on the relative ability of competing teams, but rather upon national betting trends. These trends are determined through regular telephonic consultation, with the biggest professional layoff bettors in the country. Thus, a point spread favorable to professional gamblers at the expense of the general public is established.

The subcommittee concluded that if steps were taken to effectively disrupt the free flow of information between these services and the professional gamblers, a severe, if not mortal, blow would have been dealt to organized gambling. Certain recommendations aimed at this "Achilles heel" were made.

We have recommended the strengthening of Public Law 87-216, one of the

several laws aimed at professional gamblers and recommended by the Attorney General, which were passed in September of 1961 following the subcommittee hearings. This law is directed at those engaged in the business of betting or wagering. It is most doubtful that it would be applicable to the wire services which were the subject of the subcommittee's investigation, since they are not engaged in the business of betting or wagering, but rather in the business of providing a service to professional gamblers. I am, therefore, offering a bill amending title 18, section 1084 which I believe will accomplish this purpose.

Mr. President, the evidence received at the Subcommittee hearings forceably demonstrated the complete dependence of the profesional gambler on one instrument; namely, the telephone. The importance of the telephone is emphasized by the two services indispensable to gamblers which I have just discussed. Furthermore, we found that professional gamblers were extremely interested in a new telephone service now available, known as the wide area telephone service. In providing this service, telephone companies do not maintain records of long distance telephone calls. The professional gambler is well aware of the fact that long distance telephone records are of extreme value to law enforcement officials in the investigation of and prosecution of illicit gambling.

With a view of precluding such an advantage from falling into the hands of the professional gambler, the subcommittee has recommended that the Federal Communications Commission, under its regulatory powers, consider requiring telephone companies to provide law enforcement officials with the identity of persons or organizations subscribing to wide area telephone service and upon request to provide such officials with records of long distance calls of specified subscribers.

Another illustration of the importance of the telephone to professional gamblers related to a device sometimes referred to as a parasite, which when attached to a telephone would not only permit unrecorded long distance calls, but also would permit the user to make long distance calls without charge, thus defrauding the telephone company of revenue and the Federal Government of taxes on such calls. During the public hearings it was disclosed that the inventor of this device was being financed in the manufacture thereof by a professional gambler. It was evident that plans were underway to distribute the device in quantity to gamblers throughout the country.

Accordingly, the subcommittee has recommended that Congress amend the penalty provisions of the Federal Communications Act of 1934 by adding criminal penalties for the unauthorized attachment of foreign devices to telephone equipment or facilities.

Mr. President, experienced and dedicated law enforcement officials at Federal, State, and local levels have consistently stated that organized crime in the United States cannot be effectively combated without the right to intercept telephonic communications. The dependence of racketeers and gamblers on the telephone to accomplish their illegal objectives permits no other reasonable conclusion. It is inconceivable that such use of the telephone with impunity should be permitted. Unfortunately, that is the current status of our law. Under the circumstances there is an urgent need for corrective Federal legislation.

In this area the subcommittee recommended that at the earliest possible date Congress enact legislation which would permit, under appropriate safeguards, the interception of wire communications and the introduction of the contents of such interception in the prosecution of certain criminal violations at the Federal, State, and local levels. The subcommittee further recommends that the interception of wire communications by unauthorized persons be made unlawful.

In another area the subcommittee recommended that Congress enact appropriate legislation which would prohibit the sale and distribution in interstate commerce of crooked gambling equipment. As disclosed by the subcommittee hearing, some 20 firms in the United States are engaged in this very practice.

Finally, Mr. President, in an area of particular concern to this subcommittee, evidence was received on corruption which is the inevitable byproduct of illicit gambling. In this connection one witness; namely, Michael Bruce, a 20-year-old halfback at the University of Oregon, identified Frank Rosenthal, a nationally important professional gambler and handicapper, as an individual who attempted to bribe Bruce to throw the Oregon-Michigan football game of 1960.

This is not an isolated instance of the corruption of college athletes, as indicated by a series of criminal cases currently being prosecuted by the district attorney of New York County. These cases reveal widespread interstate ramifications suggesting the need for Federal legislation. I am hopeful that the subcommittee will have further hearings on this subject whereby we will be in a better position to make specific recommendations to the Senate.

The VICE PRESIDENT. The report will be received and printed, as requested by the Senator from Arkansas.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. GRUENING (for himself and Mr. BARTLETT):

S. 3077. A bill to authorize the construction of the Bradley Lake project in the State of Alaska for the generation of hydroelectric power; to the Committee on Public Works.

(See the remarks of Mr. GRUENING when he introduced the above bill, which appear under a separate heading.)

By Mr. SCOTT:

S. 3078. A bill for the relief of Mrs. Elly Hoffmeister; to the Committee on the Judiciary.

By Mr. SALTONSTALL (by request):

S. 3079. A bill for the relief of Mrs. Johar Bechar; to the Committee on the Judiciary.

By Mr. MOSS:

S. 3080. A bill to amend chapter 35 of title 38, United States Code, in order to afford educational assistance in certain cases beyond the age limitations prescribed in such chapter; to the Committee on Labor and Public Welfare.

By Mr. McCLELLAN:

S. 3081. A bill to prohibit the use of wire communication facilities for the purpose of disseminating results of sporting events;

S. 3082. A bill granting a renewal of patent No. 54,296 relating to the badge of the American Legion;

S. 3083. A bill granting a renewal of patent No. 55,398 relating to the badge of the American Legion Auxiliary; and

S. 3084. A bill granting a renewal of patent No. 92,187 relating to the badge of the Sons of the American Legion; to the Committee on the Judiciary.

(See the remarks of Mr. McCLELLAN when he introduced the above bills, which appear under separate headings.)

By Mr. LAUSCHE:

S. 3085. A bill for the relief of Paul Huygelen and Luba A. Huygelen; to the Committee on the Judiciary.

By Mr. BIBLE (for himself, Mr. MOSS, Mr. HARTKE, Mr. SMITH of Massachusetts, Mr. BEALL, and Mr. PROUTY):

S. 3086. A bill to provide for a reduction in the workweek of the Fire Department of the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mrs. NEUBERGER:

S. 3087. A bill to increase annuities under the Civil Service Retirement Act; to equalize increases in annuity for certain employees retired before October 1, 1956, with annuities of other employees; to increase annuities whenever there is a general adjustment of salaries or the formulae for computing annuities of retiring employees is generally liberalized; to the Committee on Post Office and Civil Service.

(See the remarks of Mrs. NEUBERGER when she introduced the above bill, which appear under a separate heading.)

By Mr. CLARK:

S. 3088. A bill to provide for the humane treatment of animals used in experiments and tests by recipients of grants from the United States and by agencies and instrumentalities of the U.S. Government, and for other purposes; to the Committee on Labor and Public Welfare.

RESOLUTION

PRINTING OF ADDITIONAL COPIES OF HEARINGS ENTITLED "COMMUNIST THREAT TO THE UNITED STATES THROUGH THE CARIBBEAN"

Mr. EASTLAND submitted the following resolution (S. Res. 321); which was referred to the Committee on Rules and Administration:

Resolved, That there be printed for use of the Committee on the Judiciary, two thousand additional copies each of parts 3 and 12 and three thousand additional copies each of parts 9 and 10 of hearings by the Internal Security Subcommittee during 1960 and 1961, entitled "Communist Threat to the United States Through the Caribbean."

BRADLEY LAKE HYDRO PROJECT

Mr. GRUENING. Mr. President, on behalf of myself and my colleague from Alaska [Mr. BARTLETT], I introduce, for appropriate reference, a bill to authorize the construction of the Bradley Lake project in the State of Alaska for the generation of hydroelectric power.

If enacted, this project would make a great step forward for the State of Alaska since, if constructed, it would be the first federally financed hydroelectric project in Alaska since the Eklutna project was completed near Anchorage about a decade ago and the second such project in all of Alaska.

This may be a surprising statement, but it is true. More surprising is the fact that this would be the very first hydro project in the entire State of Alaska to be built by the Corps of Engineers.

The Corps of Engineers has estimated at least 13,250,000 kilowatts of prime power could potentially be made available through the development of all hydroelectric potential sites in Alaska.

We hope that the proposal for the development of the Bradley Lake project will be but one of a series of steps taken by the Congress to develop this great potential. Others such as Snettisham in southeastern Alaska, to supply power to the Juneau-Douglas area, are no less needed.

The Bradley Lake hydroelectric project is proposed for construction on the oil producing Kenai Peninsula, the fastest growing area of Alaska. Like many other parts of Alaska, it needs the development of the lowest cost power in the shortest possible time. Throughout Alaska serious power shortages are imminent and action to forestall them is essential.

The Corps of Engineers estimates that the cost of the Bradley Lake project will be $45,750,000 for construction and $258,000 annually for operation and maintenance. The benefit-cost ratio is 1.7. The Corps estimates that the benefits creditable to the project would be $3,232,000 annually, based on the cost of publicly financed, non-Federal, steam power. The power plant constructed would have a capacity of 64,000 kilowatts, with a cost at the bus bar of approximately 7 mills.

I appreciate that it is quite unusual to introduce authorizing legislation before the report of the Corps of Engineers has cleared the Bureau of the Budget and been transmitted to the Congress. I have been in touch with the Bureau of the Budget and have been assured that this project is having their earnest attention. In an effort to speed congressional consideration of this matter and in the hope that the committees of both Houses might even be able to schedule hearings on this bill as early as this summer, I am anticipating the action by the Bureau of the Budget and introducing this authorizing legislation.

I ask unanimous consent that there be printed at the conclusion of my remarks the report and recommendations of Lt. Gen. E. C. Itschner, Chief of Engineers, to the Secretary of the Army dated March 31, 1961, giving full details concerning the Bradley Lake project.

The VICE PRESIDENT. The bill will be received and appropriately referred; and without objection, the report and recommendations will be printed in the RECORD.

The bill (S. 3077) to authorize the construction of the Bradley Lake project in the State of Alaska for the generation of hydroelectric power, introduced by Mr. GRUENING (for himself and Mr. BARTLETT), was received, read twice by its title, and referred to the Committee on Public Works.

The report and recommendations presented by Mr. GRUENING are as follows:

HEADQUARTERS,
DEPARTMENT OF THE ARMY,
OFFICE OF THE CHIEF OF ENGINEERS,
Washington, D.C., March 31, 1961.

ENGCW-P.
Subject: Bradley Lake, Cook Inlet, Alaska.
To: The Secretary of the Army.

1. I submit for transmission to Congress my interim report with accompanying papers on a survey of Bradley Lake, Alaska, with a view to determining the advisability of improvements in the interest of navigation, flood control, hydroelectric power, and related water uses, authorized by the Flood Control Act, approved June 30, 1948. It presents a plan for the development of hydroelectric power in the Cook Inlet area. A final report under the authorization will be submitted at a later date. The power potential in the Knik River Basin, Cook Inlet, will be studied further under separate authority.

2. Cook Inlet, extending 150 miles northeasterly from the Gulf of Alaska, drains about 37,000 square miles in south-central Alaska containing nearly one-half of the population of the State. Northern half of the basin, bordered by the ice fields of the Alaska Range, is drained by the Susitna River and its tributaries. The Kenai Peninsula, in the southeast, is bounded on the south and east by the Kenai Mountains and on the west and north by Cook Inlet and its eastward extension, Turnagain Arm. The peninsula contains important petroleum, hydroelectric, and agricultural resources, commercial fishing activities, and recreational opportunities. The area northeast of Anchorage, near the head of Cook Inlet, is drained by the Matanuska River and Knik Arm, a 30-mile northeastern extension of Cook Inlet. This area contains important coal fields and the largest agricultural development in the State. The remaining area bordering Cook Inlet is drained by numerous small streams, many of which head in the extensive ice fields and glaciers found at higher elevations throughout the basin. These streams are characterized in their upper reaches by steep gradients, high velocities, and usually by large suspended and bed loads. The glaciers store precipitation and augment late summer flows. The climate within the basin varies widely and is strongly influenced by elevation. Temperatures range from 50° to 92°. Precipitation, generally light along the coast and heavy in the mountainous areas, ranges from 5 to probably 100 inches annually. Bradley River Basin contains about 75 square miles of uninhabited area in the southern portion of the Kenai Peninsula. Bradley River rises in the Kachemak Glacier, a portion of the extensive Harding ice field extending about 80 miles along the crest of the Kenai Mountains. It drains westerly through braided channels in a flat valley to Bradley Lake and thence drops over 1,000 feet in about 4 miles to tidewater at the head of Kachemak Bay 25 miles northeast of the town of Homer, Alaska. About 30 percent of the drainage area above Bradley Lake is covered by glaciers at elevations ranging from 1,400 to 5,000 feet above sea level. In the 2-year period of record, the runoff from Bradley Lake has been 73 and 122 inches, an average of 98 inches, annually.

3. The population of Alaska, having increased from about 129,000 in 1950 to about 230,000 in 1960, is expected to grow at a rate of about 3 percent per year. In 1960 the greater Anchorage area had a population of about 100,000. Other communities in the basin are relatively small. The population of Anchorage has increased about 315 percent during the last 10 years. On a per capita basis, power consumption in the Anchorage area is less than one-half of the rest of the United States, due principally to the small industrial use. The existing power generating capacity in the basin—excluding military plant—totals about 57,000 kilowatts of which 30,000 kilowatts are provided by the Eklutna hydroelectric development of the Bureau of Reclamation and about 14,500 kilowatts by the Anchorage thermalelectric plant of the Chugach Electric Association, Inc., a Rural Electrification Administration cooperative. Small load centers on the Kenai Peninsula are supplied by internal combustion generation. Civilian electric energy consumption in Alaska increased an average of 14 percent annually during the period 1950 to 1957 as compared with 9.5 percent annually in the rest of the continental United States. Future civilian energy requirements in the Anchorage and Kenai Peninsula areas are expected to reach about 1 billion kilowatt hours in 1980 and to require the installation of about 150,000 kilowatts of additional generating capacity.

4. The district engineer finds, from studies of potential developments totaling in excess of 1 million kilowatts of prime power, that the most economical development, suitably sized for the immediate needs of the basin, would be at Bradley Lake. He proposes a dam at the outlet of the lake, to raise its elevation about 100 feet, and a powerplant, with 64,000 kilowatts of installed capacity, on Kachemak Bay. He estimates the first cost of this improvement at $45,800,000, including $50,000 for preauthorization studies, and the annual charges at $1,957,000, including $258,000 for operation and maintenance. After reductions for the cost of transmission to the Anchorage and Homer load centers, he evaluates the benefits creditable to the project at $3,232,000 annually based on the cost of publicly financed, non-Federal, steampower. The benefit-cost ratio is 1.7. Based upon a Federal Power Commission estimate of a shortage of about 20,000 kilowatts of power in the area by 1965, and 50,000 by 1970, and the high cost of alternative thermalelectric power, he concludes that the Bradley Lake development would provide the most satisfactory means of alleviating the impending power shortage. He recommends authorization of the Bradley Lake project at an estimated Federal cost of $45,750,000 for construction and $258,000 annually for operation and maintenance. The division engineer concurs.

5. The Board of Engineers for Rivers and Harbors finds that the proposed improvement is needed and economically justified to alleviate the impending power shortage in the Anchorage area. The board recommends the improvements substantially as planned by the reporting officers.

6. After due consideration of these reports, I concur in the views and recommendations of the Board. Therefore, I recommend the construction of a dam and reservoir at Bradley Lake, with a power-generating plant on Kachemak Bay, and appurtenant power facilities; generally in accordance with the plans of the district engineer and with such modifications thereof as in the discretion of the Chief of Engineers may be advisable; at an estimated cost to the United States of $45,750,000 for construction, and $258,000 annually for operation and maintenance.

E. C. ITSCHNER,
Lieutenant General, USA,
Chief of Engineers.

AMENDMENT TO HORSERACE WIRE SERVICE BILL

Mr. McCLELLAN. Mr. President, for some time the existence of an organized network of crime has absorbed the attention of the Congress and particularly of the Permanent Subcommittee on Investigations to which the subject was assigned. The efforts of the Congress to contain organized crime led to the enactment in September of 1961 of Public Law 87-216. This law prohibits anyone who is engaged in the business of betting or wagering from using a wire communication facility for transmitting in interstate commerce bets and wagers or information relating thereto.

This law was passed because of information which is now public knowledge that gambling sustains a major segment of organized crime. Almost half of the gambling in this country revolves around betting on the results of horseraces.

The hearings before this subcommittee last year revealed the fact that off-the-track bets placed with bookmakers probably involve 10 times as much money as the legally authorized betting at the track. Except in Nevada, all off-the-track betting is illegal. The bookmakers who handle this multimillion-dollar operation are dependent completely upon up-to-the-minute information furnished them by the wire services.

Public Law 87-216 was passed to withhold from these bookmakers the services of these wire networks. Our hearings demonstrated that the bookmakers themselves do not operate the wire services. They demonstrated that in this highly organized field the operation of a wire service is a complete area of activity in itself. Public Law 87-216 is deficient now in that it would prohibit only wire services operated by those engaged in the business of betting. I am proposing an amendment to this legislation which, if enacted into law, will also prohibit the operation of a wire service for the purpose of disseminating information to places where off-the-track betting is not authorized by State law.

Mr. President, I introduce this bill, for appropriate reference.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 3081) to prohibit the use of wire communication facilities for the purpose of disseminating results of sporting events, introduced by Mr. McCLELLAN, was received, read twice by its title, and referred to the Committee on the Judiciary.

RENEWAL OF PATENTS OF CERTAIN AMERICAN LEGION BADGES

Mr. McCLELLAN. Mr. President, I introduce, for appropriate reference, three bills on behalf of the American Legion. These bills have to do with renewals of patents relating to the badges of the American Legion. The first bill is for the renewal of patent No. 54,296, relating to the badge of the American Legion itself. This badge was first granted a design patent on December 9, 1919, and has been renewed every 14 years since that date. This measure is a simple additional renewal and extension for a period of 14 years from and after the date of approval of this bill.

The second bill offered is for the renewal of patent No. 55,398, relating to the badge of the American Legion Auxiliary. A design patent was granted on this badge on June 1, 1920, and has been renewed every 14 years since that date. This bill is also a simple additional renewal and extension for a period of 14 years of the design patent of this badge from and after the date of approval of this bill.

The third bill is for the renewal of patent No. 92,187, relating to the badge of the Sons of the American Legion. A design patent was granted on this badge commencing on May 8, 1934, and has been granted the statutory 14-year renewal. The instant measure is likewise a simple renewal and extension for a period of 14 years from and after the date of approval of this bill.

Some 50 years ago the Congress started the practice of extending the statutory protection periodically for symbols and badges of this and kindred organizations. There is no ascertainable public policy against them per se, or for their renewal or extension; whereas, on the contrary, there is a definite public policy encouraging these patriotic groups by legislation which secures to them their identifying marks against the encroachment of charlatans and infringers.

I trust that these three bills will be acted on at the earliest possible opportunity, inasmuch as within a year's period of time the present patents will expire.

The VICE PRESIDENT. The bills will be received and appropriately referred.

The bills, introduced by Mr. McCLELLAN, were received, read twice by their titles, and referred to the Committee on the Judiciary, as follows:

S. 3082. A bill granting a renewal of patent No. 54,296 relating to the badge of the American Legion;

S. 3083. A bill granting a renewal of patent No. 55,398 relating to the badge of the American Legion Auxiliary; and

S. 3084. A bill granting a renewal of patent No. 92,187 relating to the badge of the Sons of the American Legion.

ANNUITY INCREASES FOR RETIRED FEDERAL EMPLOYEES

Mrs. NEUBERGER. Mr. President, I introduce for appropriate reference a bill to provide much-needed annuity increases for retired Federal employees and their survivors.

Under the terms of my bill immediate annuity increases would be provided in the amount of 20 percent of such annuity for the first $1,000 and 10 percent for the annuity above $1,000. Similar increases would be provided for survivor annuities. Previous restrictions on annuity increases voted by Congress in 1952 and 1955 would be eliminated.

Equally important, my bill provides for automatic machinery for increasing annuities in the future whenever pay raises are granted to active Federal employees, or whenever the formula for computing annuities for retired persons generally is liberalized. This is a much-needed step.

In 1960, for example, Congress voted over Presidential veto much-needed pay increases for Federal employees averaging 7½ percent. No similar increase was voted to retired Federal employees. This was a grievous oversight, for the high cost of living affects active and retired employees alike.

Mr. President, I regret to report that there have been no increases in annuity benefits for those retired in 1957 or later.

In 1956 revisions of the retirement program, the Senate Post Office and Civil Service Committee stated in its report dated April 18, 1956:

> Failure of Government to keep pace with industry in retirement matters has been given as one of the reasons why it has become so difficult to attract scientists, engineers, doctors, nurses, and other types of professional and skilled personnel needed to staff and efficiently and economically perform a multitude of Federal services.

I think it is essential that annuity increases be related to salary increases, so that those who devote a lifetime career to Government service might have some real measure of economic security upon their retirement.

I would like to commend the National Association of Retired Civil Employees for the fine work this organization is doing in behalf of all retired Federal employees, and the excellent pamphlet the association has recently issued entitled "The High Cost of Retiring From Government," by Albert M. Dixon.

Mr. President, it is my sincere hope that Congress will give prompt and favorable consideration to much-needed legislation to increase annuity benefits for retired Federal employees.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 3087) to increase annuities under the Civil Service Retirement Act; to equalize increases in annuity for certain employees retired before October 1, 1956, with annuities of other employees; to increase annuities whenever there is a general adjustment of salaries or the formulas for computing annuities of retiring employees is generally liberalized, introduced by Mrs. NEUBERGER, was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

CANYONLANDS NATIONAL PARK, UTAH—AMENDMENT

Mr. BENNETT submitted an amendment, intended to be proposed by him, to the amendment, in the nature of a substitute, proposed by the junior Senator from Utah [Mr. Moss], to the bill (S. 2387) to provide for establishment of the Canyonlands National Park in the State of Utah, and for other purposes, which was referred to the Committee on Interior and Insular Affairs.

PURCHASE OF UNITED NATIONS BONDS—AMENDMENTS

Mr. SALTONSTALL. Mr. President, I submit an amendment to the bill which now is the unfinished business—Senate bill 2768. The amendment will tie the authorization we shall give if the committee bill is passed to the United Nations bond issue. As I understand, at the present time it is proposed that we authorize the purchase of bonds of the United Nations, but without any identification of the bonds we would buy or the terms and conditions set forth by the Assembly. Therefore, I submit this amendment to the bill; and I ask that the amendment be printed and lie on the table.

The VICE PRESIDENT. The amendment will be received, printed, and will lie on the table.

Mr. MILLER. Mr. President, I submit an amendment, intended to be proposed by me to the bill (S. 2768) to promote the foreign policy of the United States by authorizing the purchase of United Nations bonds and the appropriation of funds therefor. I ask unanimous consent that the amendment be printed, and be printed in the RECORD, and lie on the table.

There being no objection, the amendment was received, ordered to be printed, and to be printed in the RECORD, as follows:

At the end of the bill add a new section as follows:

"SEC. 4. In order to encourage preservation of the financial solvency of the United Nations which is being threatened by the failure of some member nations to pay currently their assessments and/or contributions to the United Nations, no assistance shall be furnished under the provisions of the Foreign Assistance Act of 1961 (other than supporting assistance under chapter 4 of part I, assistance from the contingency fund established under chapter 5 of part I, and military assistance under chapter 2 of part II), or any other law authorizing assistance to foreign countries (other than military assistance, supporting assistance, or assistance from the President's contingency fund), to the government of any nation which is more than one year in arrears in its payment of any assessment by the United Nations for its regular budget or for peace and security operations, unless the President determines that such government has given reasonable assurance of paying (independently of such assistance) all such arrearages and placing its payments of such assessments on a current basis, or determines that such government, by reason of unusual and exceptional circumstances, is economically unable to give such assurance."

TREASURY, POST OFFICE DEPARTMENT APPROPRIATION BILL, 1963—AMENDMENT

Mr. MILLER submitted an amendment, intended to be proposed by him, to the bill (H.R. 10526) making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies for the fiscal year ending June 30, 1963, and for other purposes, which was ordered to lie on the table and to be printed.

NOTICES OF MOTION TO SUSPEND THE RULE—AMENDMENTS TO TREASURY AND POST OFFICE DEPARTMENT BILL

Mr. WILLIAMS of Delaware submitted the following notice in writing:

In accordance with rule XL of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill (H.R. 10526), making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies for the fiscal year ending June 30, 1963, and for other purposes, the following amendment; namely: On page 18, after line 18:

"GENERAL PROVISION

"No part of any appropriation contained in this or any other Act, or of the funds available for expenditure by any individual, corporation, or agency included in this or any other Act, shall be used for publicity or propaganda purposes designed to support or defeat legislation pending before Congress.

"No part of any appropriation contained in this or any other Act, or of the funds available for expenditure by any individual, corporation, or agency included in this or any other Act, shall be used to pay the salary of any civil service employee who appears before public groups for the purpose of supporting or opposing the Administration's position on pending legislation; but this shall not prevent officers or employees of the United States or of its departments or agencies from communicating to Members of Congress on the request of any Member or to Congress, through the proper official channels, requests for legislation or appropriations which they deem necessary for the efficient conduct of the public business."

Mr. WILLIAMS of Delaware also submitted an amendment, intended to be proposed by him, to House bill 10526, making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies for the fiscal year ending June 30, 1963, and for other purposes, which was ordered to lie on the table and to be printed.

(For text of amendment referred to, see the foregoing notice.)

Mr. WILLIAMS of Delaware submitted the following notice in writing:

In accordance with rule XL of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill (H.R. 10526) making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies for the fiscal year ending June 30, 1963, and for other purposes, the following amendment; namely: On page 18, after line 18:

"GENERAL PROVISION

"No part of any appropriation contained in this Act, or of the funds available for expenditure by any individual, corporation, or agency included in this Act, shall be used for publicity or propaganda purposes designed to support or defeat legislation pending before Congress.

"No part of any appropriation contained in this Act, or of the funds available for expenditure by any individual, corporation, or agency included in this Act, shall be used to pay the salary of any civil service employee who appears before public groups for the purpose of supporting or opposing the Administration's position on pending legislation; but this shall not prevent officers or employees of the United States or of its departments or agencies from communicating to Members of Congress on the request of any Member or to Congress, through the proper official channels, requests for legislation or appropriations which they deem necessary for the efficient conduct of the public business."

Mr. WILLIAMS of Delaware also submitted an amendment, intended to be proposed by him, to House bill 10526, making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies for the fiscal year ending June 30, 1963, and for other purposes, which was ordered to lie on the table and to be printed.

(For text of amendment referred to, see the foregoing notice.)

AMENDMENT OF ACT ESTABLISHING CODE OF LAW FOR THE DISTRICT OF COLUMBIA—INDEFINITE POSTPONEMENT OF BILL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that Calendar No. 347, S. 1380, to amend section 801 of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901, be indefinitely postponed.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

COMMUNICATIONS SATELLITE AUTHORITY—ADDITIONAL COSPONSORS OF BILL

Mr. KEFAUVER. Mr. President, on February 26, 1962, on behalf of Senators MORSE, YARBOROUGH, GORE, and myself, I introduced S. 2890, a bill to establish a Government owned and controlled Communications Satellite Authority.

Since that time, Senators BURDICK, GRUENING, and NEUBERGER have asked me to join in cosponsorship of the bill. I am pleased and honored by their request and I ask unanimous consent that their names be added as cosponsors and printed on the bill at its next printing.

The VICE PRESIDENT. Without objection, it is so ordered.

AMENDMENT OF IMMIGRATION AND NATIONALITY ACT OF 1952—ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of March 21, 1962, the names of Senators WILLIAMS of New Jersey, SCOTT, DODD, FONG, BUSH, MCCARTHY, PASTORE, SMITH of Massachusetts, YOUNG of Ohio, MOSS, MUSKIE, ENGLE, MORSE, and CASE of New Jersey were added as additional cosponsors of the bill (S. 3043) to amend the Immigration and Nationality Act, introduced by Mr. HART (for himself and other Senators) on March 21, 1962.

RIGHT-TO-WORK LAWS AND MISINTERPRETATION OF ENCYCLICAL OF POPE JOHN

Mr. METCALF. Mr. President, I should like to call the attention of the Congress to an attempt that is being made throughout our Nation to make questionable capital in the name of the so-called right-to-work laws of the encyclical of Pope John, "Mater et Magistra," by a misinterpretation of the wording and true meaning of the papal message.

It has come to my attention that an organization that calls itself the National Right-To-Work Committee has published a pamphlet which states that Pope John, in his encyclical, supports enactment of these antilabor right-to-work laws in the United States.

The contents of the National Right-To-Work Committee's pamphlet have been described as a misinterpretation of Pope John's encyclical by the Right Reverend Monsignor George G. Higgins, director of the Social Action Department of the National Catholic Welfare Conference, which is the secretariat for the Administrative Board of American Bishops, and by most other interpreters of Catholic opinion in the United States.

The pamphlet has been issued over the name of a Jesuit priest, who in the past has been a special pleader for these antilabor laws, but who, as such, is virtually a lone figure among the overwhelming majority of Catholic commentators and moralists who oppose the so-called right-to-work laws.

The Right-To-Work Committee would like us to believe that Pope John came down squarely on the side of the right-to-work principle, when the contrary fact is that His Holiness, in his message urged that we go much farther than we have gone in stabilizing labor-management relations by having employees share in ownership and profits and by being given a voice in determining the policies of industry.

This pamphlet is being distributed by the Right-To-Work Committee to every Catholic priest in the United States, and by the tens of thousands to the Catholic laity in many of our States, with the objective of seeking to gain support, on a false premise, for enactment of these laws that seek to destroy collective bargaining, the union shop, and organized labor.

I am concerned about this, and I am sure that many of my colleagues will be concerned, because this action goes far beyond the realm of an academic and philosophic controversy among interpreters of Catholic Church opinion. This is of concern to many millions in our Nation whose livelihood is threatened by these right-to-work drives. It is of concern because this pamphlet is a manifestation of the heavily financed, high-pressure propaganda machine that is at work nationally in seeking to force enactment of these dangerous and unwise laws in my home State of Montana and in many of our other States.

The extent of this menace to the public welfare is evident from the fact that the National Right-To-Work Committee, the U.S. Chamber of Commerce, and many ultraright groups, including the John Birch Society, have mounted renewed right-to-work-law drives with great frenzy in many of our States. In my own State, the Montana Chamber of Commerce has boasted that it will elect a majority of members representing reactionary business management to the legislature, with the objective of enacting a right-to-work law in the next session. In Wyoming, a group of industrialists and food processors organized in February to hand pick right-to-work supporters for election to the Wyoming Legislature. In Oklahoma, a group of reactionaries and ultrarightists, under the aegis of the National Right-To-Work Committee, is circulating an initiative petition seeking to place a right-to-work constitutional amendment on the November ballot. Similar right-to-work drives are seeking to generate pressure in Idaho, Maine, Vermont, and Connecticut. In all these States the legislatures have repeatedly rejected this antilabor law.

In order to set the record straight on the precise nature of the National Right-To-Work Committee's propaganda pamphlet, I wish to call attention to the writings of two eminent Catholic Church authorities: Associate Editor John Breig of the Catholic Universe Bulletin, of Cleveland, Ohio, and Father Charles Owen Rice of the Catholic, of Pittsburgh, Pa., which appeared in these publications in the issues of February 16, 1962, and February 22, 1962.

I ask unanimous consent to have both articles printed at this point in the CONGRESSIONAL RECORD, as parts of my remarks.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

IS POPE FOR RIGHT TO WORK?

(By Joseph Breig)

Dozens of priests will cheerfully testify that they and I have had a barrel of fun on many a happy occasion by plunging into vigorous and companionable argument about all kinds of things, from theology to television.

Disagreeing seriously with a priest in public, however, is another matter. I have no relish for it; and I am afraid there are always a few readers who imagine that questioning any statement by a priest is the same as attacking the priesthood.

All the same, there are situations, fortunately rare, when there is an obligation to set the record straight, lest people be misled about the attitude of the church.

A current case is a leaflet published and widely circulated by the National Right To Work Committee. It is titled "Pope John and the Right To Work," and was written by Jesuit Fr. John E. Coogan, who teaches sociology at West Baden College, Ind., a Jesuit seminary.

Father Coogan flatly asserts that Pope John XXIII, in a 1960 letter to the French Semaine Sociale, "came down squarely on the side of the right-to-work principle" (those are Father Coogan's exact words) and that in the encyclical Mater et Magistra, the Holy Father took the same position.

Father Coogan, who is a constant special pleader for so-called right-to-work laws, attempts to justify his extreme statement by lifting sentences out of context, and stretching meanings to suit his preconceived opinion. But the fact is that no one has any right at all to say that Pope John ever came down squarely on the side of the right-to-work principle, or indeed that he ever came down on that side in any way.

If Pope John wanted to advocate right-to-work laws, he is entirely capable of saying so without Father Coogan's help.

Let us see what Father Coogan is asking us to believe. Let us define what we are talking about.

So-called right-to-work laws, passed in a few States, outlaw union shop agreements in collective bargaining between labor and management.

Here is what a union shop agreement provides:

1. Management may hire anybody management pleases.

2. After being hired, most employees (say 90 percent) are required, within a specified time, to pay dues to the union which represents their interests in the enterprise.

In the background of every union shop agreement are the following facts:

First. The employees have selected a union to represent them.

Second. They have decided that they want a union shop.

Third. They have negotiated a union shop agreement with management.

The chief good of the union shop is that it stabilizes labor-management relations. It is an earnest that management considers the union part of the picture, and is not trying to undermine or destroy it. It is an eminently reasonable and useful arrangement.

Father Coogan claims that Pope John denies the right of employees to make such an arrangement. The claim is preposterous. It is Father Coogan, not Pope John, who favors the misnamed right-to-work laws, which are designed to destroy union stability and open the way for management anti-unionism.

Pope John, in fact, wants to go a lot further in stabilizing labor-management relations. In Mater et Magistra, he urges that employees share in ownership and profits, and also be given some kind of voice in determining the policies of industry.

FOR RIGHT TO WORK?

(By Father Charles Owen Rice)

There is something called the National Right To Work Committee and last week it sent me, and I presume every other priest in America, some nice looking literature. Printed on the finest stock, it was—with tasteful use of color and textural variety—absolutely wall to wall. At first blush it seemed a wonderful thing (the sort of thing that can happen only in America). Just imagine, people with the money to afford this sort of expensive printing worrying about the jobless 6 percent of our work force and worrying about discrimination against minorities. But, alas, a quick glance showed that the literature did not say anything at all about the unemployed, nor about the necessity of creating jobs for them, nor did it say anything about minorities.

On the contrary it was concerned about labor unions and the clauses with which they protect themselves from dissolution and turmoil. It was written by a Jesuit, Father John J. Coogan, and was an appeal to his fellow priests to join him in a crusade, not to help the jobless nor the victims of racial discrimination, but a crusade to knock certain props out from under the union movement.

The literature assures us that Father Coogan teaches at one of the largest Jesuit seminaries in the United States, and Father Coogan assures us that Pope John came down squarely on his side, and to prove this he quotes from something the previous Pope wrote to the French Social Week, something the present one said a bit later; then he refers to, or quotes from "Mater et Magistra," and finally he mentions a document which the bishops of the United States put out. Frankly he lost me, and I could not figure out where Father Coogan was talking for himself, or where which Pope was talking, or to whom, and the relevance of our own bishops' document escaped me. I was reminded of Abbott and Costello, who were neither theologians nor sociologists, nor prelates, nor Jesuits, but who had a wonderful skit, "Who's on first?"

In his luxurious little packet Father Coogan has a card calling upon his fellows to sign and send. The card says, "Please count me as one who affirms the right-to-work principle." Everyone who complies will be counted as a supporter of Father Coogan's particular interpretation of the right-to-work quarrel and a lot of other things.

The good Jesuit refers most slightingly to the many priests who have taken a public position supporting the unions and disagreeing with the phony right-to-work movement. For the record this company whom he scants consists of every respected priest expert in sociology, many bishops, including all six in Ohio, and a bushel basket full of Jesuits. So I would advise the Fathers to choose their sides carefully.

If a priest is antiunion and finds himself on the side of the corporations in most union-management struggles it is perfectly in character for him to sign the card. On the other hand the priest who, like most of his fellow Americans, believes unions to be good institutions in spite of incidental faults, will ignore the slick literature and the angry, somewhat mixed-up verbiage.

RECOVERY BY THE GOVERNMENT FROM STOCKPILING PROGRAM FOR TUNGSTEN

Mr. WILLIAMS of Delaware. Mr. President, today I shall incorporate in the RECORD, for the information not only of the Senate, but also of the Symington committee which has been established to investigate our stockpiling program, a series of correspondence which I had with the General Services Administration and the General Accounting Office over the past several years, wherein I called their attention to a particular contract which had been negotiated with the Wah Chang Corp., for the procurement and processing of tungsten under our stockpiling program.

In this correspondence I raised questions as to whether the interests of the Federal Government had been properly safeguarded in the negotiation of these contracts.

Mr. A. J. Walsh, Commissioner of the General Services Administration, concurred in my objections, and expressed his appreciation for my calling this specific point to his attention, and also stated that he was filing a claim against the company for a refund to the U.S. Government.

Subsequently, the Comptroller General upheld the same contention, and stated specifically that after reviewing this portion of the contract to which I had raised objection, it appeared to him that it had been executed without any consideration insofar as the Government was concerned.

Last week, in a further letter, Mr. Bernard L. Boutin, Administrator of the General Services Administration, dated March 23, 1962, confirmed that they had negotiated with the Wah Chang Corp. a settlement wherein the Government had recovered $264,937.17.

At this point I ask unanimous consent that this series of correspondence between my office and the General Services Administration and the General Accounting Office be incorporated in the RECORD. In this series of correspondence can be found more complete details of the contracts and the points to which exceptions were made.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

U.S. SENATE,
Washington, D.C., June 1, 1955.

Mr. EDMUND F. MANSURE,
Administrator, General Services Administration, Washington, D.C.

DEAR MR. MANSURE: It is my understanding that the Wah Chang Co. was given a contract for the processing of tungsten from a product which was originally sold to this company for this purpose by the Government.

In this connection will you please furnish me a report showing the record of all contracts for sales or purchases, along with information on all advancements made by the Government to assist in production and information on all contracts which were canceled or renegotiated.

Yours sincerely,

JOHN J. WILLIAMS.

GENERAL SERVICES ADMINISTRATION,
EMERGENCY PROCUREMENT SERVICE,
Washington, D.C., July 22, 1955.

Hon. JOHN J. WILLIAMS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR WILLIAMS: Your letter of June 1, 1955, requesting information on tungsten contracts with the Wah Chang Corp. has been referred by the Administrator of General Services to this Service for reply.

The information desired was also discussed by you on June 7 in a personal interview with Mr. Robert T. Davis of GSA, and Mr. L. W. Mooney of this Service. Attached is a résumé of all contracts, including those for processing, between this Service and the Wah Chang Corp.

The Wah Chang Corp. has neither requested nor obtained Government financing or advances for any purpose relating to our tungsten program. Some of the proposals received from this firm contained information that private financing was involved.

While this service has not sold any tungsten to the Wah Chang Corp., as a result of your inquiry we have reviewed all our processing contracts with Wah Chang Corp. to see if any had been canceled or renegotiated. One contract in this category was SCM-TS-21830. Amendment No. 3 to contract SCM-TS-21830 reduced the amount of tungsten trioxide which Wah Chang had to return to the Government from 25,068 to 13,831 short ton units.

After a detailed review of the entire matter we have concluded that amendment No. 3 should not have been executed, but rather that this contract should have been terminated for default and a claim made against the contractor for its failure to perform the contract. We shall proceed to establish a claim against the contractor and, if necessary, request the assistance of the GAO in its collection. We appreciate the fact that your inquiry brought this matter to our attention.

You will note from the enclosed résumé that one contract was canceled completely and three others were reduced in quantity to take care of material diverted to industry by DMA. We also are currently in the process of renegotiating GS-OOP(D)-18056 which we anticipate will result in a lowering of the price the Government is paying for handling and storage charges incidental to the beneficiation.

Very truly yours,

A. J. WALSH,
Commissioner.

SERVICE CONTRACTS

SCM-TS-12552: Processing of approximately 5,512 tons of Chinese tungsten concentrates. Proposals received from two firms, Nevada-Massachusetts Co. bid $357,267.50 and the Wah Chang Corp. $300,202.72. The contract was awarded the latter firm January 3, 1949. Contract completed.

SCM-TS-21830: Processing of approximately 21,441 tons of low-grade tungsten concentrates. Invitations were issued to 13 interested firms. Four bids were received as follows:

	Per unit
Rare Metals Corp	$26.96
Nevada-Massachusetts Co	26.04
Wah Chang Corp	19.00
Mathews Silica Co	13.30

The low bid of $13.30 was not responsive as it did not include a guarantee that the recovered product would meet specification P-57 requirements; and, therefore, the contract was awarded February 27, 1950, to the lowest qualified bidder, the Wah Chang Corp. The price was reduced by negotiation from $19 to $18.96 per unit.

The contract provided that the Wah Chang Corp. would recover from the 21,441 tons of low-grade material and deliver to the Government 25,086 short ton units of WO_3 at the price of $18.96 per unit. However, the contractor recovered, delivered to the Government and was paid for 13,831.2349 units, which was total quantity the contractor recovered from the 21,441 tons. The balance of 11,254.7651 units were not recovered by the contractor and the contract was amended to reduce the number of units to be returned to 13,831.2349. A payment was not made to the contractor for any services in connection with the 11,254.7651 units not recovered.

GS-OOP-778(SCM): Processing of approximately 8,867 pounds of tungsten carbide cores of synthetic scheelite. Three firms were invited to submit proposals. However, only one firm, the Wah Chang Corp., submitted an offer of a total price of $8,940. This proposal was accepted and contract awarded June 4, 1951. Contract completed.

GS-OOP-953(SCM): Contract dated August 21, 1951, was awarded resulting from negotiations and covers the beneficiation of up to 531,000 short ton units of natural scheelite concentrates purchased for the King Island Scheelite (1947) Ltd. of Australia. The unit price for beneficiation is $4 per unit plus other costs incidental to processing. The contract unit prices are subject to escalation on basis of changes in the "Wholesale Price Index of Chemicals and Allied Products," published by U.S. Department of Labor. This contract is active at the present time and ends June 30, 1958. Services performed to date have been satisfactory.

GS-OOP-3657(SCM): Nodulizing of approximately 3 tons of high moisture synthetic scheelite. Proposals received from Foote Minerals Co., at $100 per ton and from the Wah Chang Corp., at $50 per ton. Contract awarded September 23, 1952, to Wah Chang Corp. on its low bid. Contract completed.

GS-OOP(D)18056: Beneficiation of up to 15,000 tons of tungsten concentrates purchased from the Government of Korea. Negotiations which started in April 1952, resulted in a contract on October 20, 1952, with the Wah Chang Corp. All costs in connection with processing under this contract are paid by the Government of Korea. Approximately 9,800 tons have been satisfactorily processed to date.

GS-OOP-7126(SCM): Beneficiation of up to 10,000 tons of subspecification Government-owned tungsten concentrates. This contract dated August 8, 1953 was negotiated with the Wah Chang Corp. and provided for a beneficiation charge of $3.85 per short ton unit for upgrading ferberite, wolframite,

or hubnerite and $6.05 per short ton unit for upgrading scheelite. Approximately 2,350 tons have been processed to date. The quantity to be processed under this contract is under review and it is contemplated that considerably less than 10,000 tons will be processed under the contract.

GS-OOP(D)18084: Covers the temporary storage of up to 5,000 tons of tungsten concentrates imported under Public Law 774 contracts. This contract negotiated and awarded August 17, 1953, at a price at or lower than prices charged by commercial warehouses in the New York area for comparable services. The maximum stored under this contract was approximately 1,500 tons and such material is being moved to Government-owned storage.

GS-OOP-3961(SCM): Covers the temporary storage of up to 5,000 tons of tungsten concentrates imported under Public Law 520 contracts pending assaying to determine whether material meets contract specifications or needs beneficiation. This contract negotiated and awarded August 11, 1953, at a price at or below prices charged by commercial warehouses in the New York area for comparable services. Approximately 377 tons were stored under this contract. This has been reduced to 280 tons at present time.

EXPLANATORY NOTES

The Wah Chang Corp. through its many years as a processor and manufacturer of tungsten products is the only American firm that has received, processed and sold tungsten practically from every known source in the world. The Wah Chang facilities are not duplicated by any other firm in the United States; and the flexibility of such facilities are peculiar to that firm. The experience of this firm in processing many kinds of complex tungsten ores has placed it in a position that it is prepared to submit proposals for beneficiation when only the source and an indication of quality is known.

Other considerations are the location of the Wah Chang plant at Glen Cove, N.Y., which is easily reached by lighter shipment from New York. The use of this plant permits shipments that require beneficiation to be unloaded directly from the ocean carrier to a lighter for transfer to the Glen Cove plant. All other processors of tungsten, irrespective of their ability, are located at inland points accessible only by rail or truck movement.

Supply contracts

Contract No.	Contract date	Commodity	Unit	Contract quantity	Quantity delivered [1]	Unit price	Domestic ceiling price
1616	Sept. 17, 1951	Ferrotungsten	Pound	217,500	229,345	$4.60	$5.00
2276	do	do	do	165,000	171,986	4.60	5.00
2411	Oct. 26, 1951	do	do	50,118	49,029	4.50	5.00
2988	Mar. 25, 1952	do	do	175,000	174,774	4.50	5.00
2788	Feb. 20, 1952	Tungsten powder	do	30,000	30,000	7.75	7.75
2853	Jan. 20, 1952	do	do	50,000	50,000	7.75	7.75
3416	July 16, 1952	do	do	100,000	100,000	7.50	7.75
3576	Aug. 7, 1952	do	do	100,000	100,000	7.50	7.75
3722	Sept. 6, 1952	do	do	15,000	15,000	7.00	7.75
[2] 21965	Jan. 9, 1950	Tungsten concentrates	Short ton	30,000	18,000	26.00	[3] 28.50
[2,4] 21977	Jan. 18, 1950	do	do	20,000	6,512	26.00	28.50
[2,4] 22148	Feb. 20, 1950	do	do	16,000	3,453	26.00	28.50
[2,4] 22442	Mar. 22, 1950	do	do	10,000	5,846	26.00	28.50
23524	Apr. 12, 1950	do	do	30,000	27,234	12.95	13.00–13.25
846	Apr. 11, 1951	do	do	12,000	11,408	65.00	(5)
[6] 724	June 22, 1951	do	do	767,000	153,291	(7)	(5)
661	June 29, 1951	do	do	23,300	24,746.1559	69.00	(5)
12016	July 17, 1951	do	do	20,000	20,735.27	65.00	(5)
12033	Aug. 10, 1951	do	do	10,000	9,964.40	65.00	(5)
12051	Sept. 7, 1951	do	do	20,000	19,280.72	65.00	(5)
12117	Nov. 16, 1951	do	do	15,000	14,307.25	66.90	(5)
12152	Nov. 28, 1951	do	do	23,000	22,999.61	[8] 72.98	(5)
12132	Dec. 13, 1951	do	do	29,000	29,663.38	[8] 72.98	(5)
12148	Jan. 17, 1952	do	do	30,000	29,936.36	66.90	(5)
12149	do	do	do	10,000–15,000	11,659.84	66.90	(5)
12154	do	do	do	30,000	29,782.77	66.90	(5)
12165	Jan. 21, 1952	do	do	16,000	16,251.31	66.90	(5)
12163	Jan. 23, 1952	do	do	18,500	18,264.14	66.90	(5)
12174	Feb. 7, 1952	do	do	325	377.83	66.90	(5)
12201	Mar. 11, 1952	do	do	728	661.45	62.00	(5)
12207	Mar. 25, 1952	do	do	728	728.03	62.00	(5)
12219	do	do	do	728	733.64	62.00	(5)
CANCELLATION							
[9] 227	May 5, 1951	Tungsten concentrates	Short ton	4,745		31.50	(5)

[1] Except where noted the quantity contracted for is subject to a 10-percent variance. In all cases the quantity delivered was within the variation specified in the contract.
[2] Domestic origin, all other tungsten concentrates were of foreign origin.
[3] U.S. market price.
[4] Material diverted to industry by DMA: Contract 21977, 13,000 short ton units, contract 22148, 12,500 short ton units; contract 23442, 4,153 short ton units; contract 23227, 4,745 short ton units.
[5] Not published. Market prices are normally published in trade journals such as the E. & M. J. Minerals and Metal Markets, the American Metal Market, and others retrement prices paid in trade transactions. However, after U.S. ceiling prices were established the publication of free market prices in the United States was discontinued.
[6] Long-term contract terminates Dec. 4, 1959.
[7] Contract unit price based on published market price, with floor price of $55 per short ton unit.
[8] Includes U.S. import duty of $6.03 per unit.
[9] No deliveries.

On April 6, 1951, a ceiling price of $65 per short ton unit of WO_3 was established by the Government, and on May 7, 1951, ceiling prices were established for ferrotungsten at $5 per pound metal content and for tungsten metal powder (hydrogen reduced) at $7.75 per pound. The ceiling prices referred to remained in effect until March 18, 1953.

U.S. SENATE,
Washington, D.C., April 3, 1957.

Hon. JOSEPH CAMPBELL,
The Comptroller General,
Washington, D.C.

DEAR MR. CAMPBELL: The General Services Administration on February 27, 1950, awarded contract No. SCM-TS-21830 to the Wah Chang Corp. providing that this corporation would recover from the 21,441 tons of low-grade material and deliver to the Government 25,086 short-ton units of WO_3 at the price of $18.96 per unit.

It is my understanding that this contract was not completed by the Wah Chang Corp., and in this connection I would appreciate the following information:

1. The amount of the undelivered portion of the contract and the date the company was released either from the delivery requirements of the contracts or from any portion thereof.

(a) The difference between the $18.96 per unit price of the contract and the prevailing market price at the time of the release and the total amount of the potential loss to the Government as the result of such modification.

2. The amount remaining undelivered on the contract as modified and the date of the modification.

(a) The differential between the contract price and the prevailing market price as of the date the contract was in default.

3. In the event that the contracting corporation has been released, either in part or in entirety, of the undelivered portion of the contract, the estimated total loss to the Government as the result of any modifications or revisions as determined between the differential of the contract price and the prevailing market price as of the date of the modification or cancellation.

Yours sincerely,

JOHN J. WILLIAMS.

COMPTROLLER GENERAL OF THE UNITED STATES,
Washington, D.C., April 23, 1957

Hon. JOHN J. WILLIAMS,
U.S. Senate.

DEAR SENATOR WILLIAMS: Reference is made to your letter of April 3, 1957, requesting certain information regarding GSA contract No. SCM-TS-21830, with Wah Chang Corp., for the furnishing of tungsten trioxide.

Deliveries under the original contract were required to be completed on or before March 1, 1951. Amendment No. 1, executed on September 6, 1950, extended the date for completion of deliveries to April 30, 1951. Amendment No. 2, executed on September 29, 1950, set forth the fact that it had been determined that the total quantity of tungsten trioxide required to be furnished under the contract could not be obtained from the lot of Government-owned ore which had been turned over to the contractor for processing thereunder, and under its terms the contractor was authorized to supply the balance of the contract quantity by processing ore which was to be obtained by the contractor from outside sources at its own expense. The amendment further provided that, in the event the tungsten trioxide ore and concentrate to be delivered was of foreign origin, the contract unit price of $18.96 was to remain the same, but the Government would arrange to relieve the contractor from the burden of the U.S. import duty of $6.03 per short ton, which otherwise would apply to such supplies. The validity of these amendments has not been questioned.

Amendment No. 3 to the contract, the instrument which purported to relieve the contractor from the obligation of making further deliveries under the contract, is dated August 19, 1953, and states that the contractor had by that date delivered 13,831.2349 short-tons of tungsten trioxide to the Government under the contract. This left approximately 11,255 short-tons as the undelivered portion of the contract.

It appears from information presently available to us that on May 1, 1951, the date when the contractor first may be said to have been in default with respect to deliv-

eries under the contract, tungsten trioxide of a commercial grade not quite as good in some respects as that specified in the contract was quoted in the London, England, market (apparently the only free market source for a quotation for the material) at $65 per short-ton delivered, ex-customs duty, to the New York, N.Y., area, where the contract material was required to be delivered. Also, it appears that on August 21, 1953, the approximate date of the execution of amendment No. 3, tungsten trioxide of the same commercial grade was quoted on the London market at a price of $36.25 per short-ton delivered, ex-customs duty, to the destination involved.

Thus, the difference between the total contract price and the world market price for the material remaining undelivered under the contract would appear to be $518,191.01, if calculated as of the date of the contractor's initial default, and $194,603.01, if computed as of the date of the execution of amendment No. 3.

As you are aware, by letter of February 18, 1955, to the Administrator of General Services, we questioned the validity of amendment No. 3 on the ground that it appeared to have been executed without any consideration insofar as the Government was concerned. The Administrator subsequently agreed with us as to its invalidity and advised that a claim against the contractor on the basis of its default was being prepared. Also, he advised that the matter would be referred here if GSA were unable to effect collection of the amount for which it was determined the contractor is indebted to the Government. Through informal contacts, we understand that GSA has asserted a general claim against the contractor in the matter and that several conferences have been held with it in an effort to effect a settlement. This is the extent of our information relative to the case at present.

Sincerely yours,

JOSEPH CAMPBELL,
Comptroller General of the United States.

GENERAL SERVICES ADMINISTRATION,
Washington, D.C., March 23, 1962.

Hon. JOHN J. WILLIAMS,
U.S. Senate, Washington, D.C.

DEAR SENATOR WILLIAMS: The claim of General Services Administration against the Wah Chang Corp., which is the subject of your letter of March 8, 1962, has been settled.

Our letter to you on July 22, 1955, advised that, after a detailed review of the entire matter, we had concluded amendment No. 3 to contract SCM-TS-21830 should not have been executed but rather that this contract should have been terminated for default and a claim made against the Wah Chang Corp. for its failure to perform the contract. Amendment No. 3 had purported to reduce the obligation of Wah Chang with respect to deliveries of tungsten trioxide under contract SCM-TS-21830 from 25,086 units to 13,831.2349 short ton units.

During the ensuing discussions with Wah Chang and its counsel, the Government showed that damages, if computed on the basis of the market price in effect on August 19, 1951 (the date of execution of amendment No. 3), would amount to $264,937.17. This was based on the difference between the contract price of $18.96 and the average E. & M.J. quotation of $42.50 per short ton unit. The differential of $23.54 multiplied by 11,254.7651 short ton units resulted in the Government's claim of $264,937.17.

During this period of discussion GSA had a long-term tungsten contract with Wah Chang, GS-OOP-724(SCM), which had been executed June 22, 1951. The Wah Chang Corp. agreed to amend the existing contract GS-OOP-724(SCM) so as to reduce by 6,308.0279 short ton units the Government's obligation to purchase tungsten. The price per short ton unit of tungsten under GS-OOP-724(SCM) was $55, this being $42 above the market price which had at that time declined to $13 per short ton unit. This reduction relieved the Government of an obligation to pay out a total of $346,941.53 for material which the Government did not need and which was worth in that market no more than $82,004.36. The differential of $264,937.17 was in effect a recovery by the Government of that amount in connection with its claim under contract SCM-TS-21830.

This settlement was proposed on February 6, 1958, by the Administrator of General Services to the Comptroller General who gave final approval on December 9, 1958. On December 31, 1958, amendment No. 3 to contract GS-OOP-724(SCM) was executed effecting the recovery of the Government's claim as described hereinabove.

Sincerely yours,

BERNARD L. BOUTIN,
Administrator.

PROGRESS REPORT: MINUTEMAN

Mr. BENNETT. Mr. President, I should like to take a few minutes during the morning hour to give the Senate a brief report on the current status of the U.S. Minuteman missile program.

Yesterday, the Air Force announced that Francis E. Warren Air Force Base, Wyo., has been selected as the support base for the next hardened and dispersed Minuteman missile site. Other sites are located near Malmstrom Air Force Base, Mont.; Ellsworth Air Force Base, S. Dak.; Minot Air Force Base, N. Dak.; and Whiteman Air Force Base, Mo. Other sites are currently under consideration in Oklahoma and Texas.

Earlier this week the Air Force advised me that dedication ceremonies have tentatively been set for April 10 for the new production line where the Minuteman will be assembled at Hill Air Force Base, near Ogden, Utah. The Boeing Co. will employ approximately 1,000 persons in the assembly operation when the line reaches its peak production. This new facility is welcome news to Utah, and will insure that the Minuteman will be operating months ahead of schedule.

On March 22, the Air Force at Cape Canaveral accomplished the first night launching of a Minuteman missile. The three-stage ICBM hurled a dummy warhead more than 4,000 miles squarely into a target in the South Atlantic. This was the seventh straight successful firing from an underground silo, and the missile performed perfectly in every respect. For this latest firing, some weight "fat" was shorn from the Minuteman. Lighter weight nozzle control units were used, and more weight was saved with the first use of "skirts," between the three stages of the solid-fueled rocket, which could be jettisoned in flight.

We in Utah are very proud of the success which the Minuteman has attained to date, because the Beehive State has the major role in the production, assembly, and maintenance of this important weapons systems. Two of the three stages of the Minuteman are produced in Utah: The first stage, by the Thiokol Chemical Corp., at facilities near Brigham City, Utah; and the third stage, by the Hercules Powder Co., at its Bacchus, Utah, plant.

The Boeing Airplane Co., which is the prime contractor for the Minuteman, recently completed construction of facilities at Hill Air Force Base, Utah, where the entire missile system will be assembled prior to shipment to the various missile sites.

Hill Air Force Base has been assigned the key mission of storage, maintenance, and repair of the Minuteman. The storage and maintenance facilities are under construction or already are available at Hill Air Force Base. However, approximately $7.5 million in military construction funds have been requested for the fiscal year 1963, to construct surveillance facilities at Hill Air Force Range, to environmentally condition rocket motors and to statically fire these motors, to insure continuing performance reliability, safety, and serviceability. The construction of these facilities will allow the Air Force to maintain Minuteman and other rocket inventories over a longer period of time, thereby reducing the requirements for additional expenditures on rebuy programs. For example, based on the current programed procurement cost of the Minuteman motors, if the service life of these motors can be extended by just 1 year, the funds required for reprocurement of SM-80 rocket motors could be reduced by up to $300 million.

Although the Minuteman is the smallest of the U.S. three intercontinental ballistic missiles, it has a distinct advantage over the larger Atlas and Titan I missiles. The latter two rockets are liquid fueled, and have to be "gassed up" after an enemy alert is sounded. On the other hand, the Minuteman is an "instant" ICBM, fueled with a solid propellant, and can be fired on a moment's notice, thus saving precious minutes in retaliating if an aggressive attack should be made on the United States.

Originally, 12 squadrons, totaling 600 Minuteman missiles, were programed. This has now been increased to 16 squadrons, with a total of 800 missiles, planned through the fiscal year 1963. The House Armed Services Committee had reported H.R. 9751, authorizing appropriations for aircraft, missiles, and naval vessels. The committee added to the administration's request an additional $10 million, for a start on 100 more Minuteman missiles in the fiscal year 1963, and indicated that additional Minuteman squadrons are expected to be procured in later years.

Maj. Gen. Thomas P. Gerrity, commander of the Air Force Ballistic Systems Division, has indicated:

> We are going to beat the original Minuteman timetable; it's going to be beaten by a substantial time period. Thanks to a very highly telescoped research and development program, plus an operational testing program which is reaching its peak effort right now, I have great confidence that we're going to bring the program in on the ambitious schedule we have.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point an article by Brig. Gen. S. C.

Phillips, U.S. Air Force director of the Minuteman program, Ballistics Systems Division—AFSC, which appeared in the Space Age News Monday, March 19, 1962. The article is entitled "Progress Report: Minuteman—We Have the Job Well in Hand."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PROGRESS REPORT: MINUTEMAN—WE HAVE THE JOB WELL IN HAND

(By Brig. Gen. S. C. Phillips, USAF)

Minuteman stacks up as a vital element in this country's new dimension for defense. It's a system the Nation needs, and one the Nation will have. The key breakthroughs have been achieved. We are now forging ahead with the final technical developments and the product refinements which will add to the cost effectiveness of Minuteman as a deterrent weapon system.

But I want to look to the future toward those areas where perseverance is still required in our pursuit of the best ICBM system that man can build. Obviously, since there is no ultimate weapon, neither is there any system so good that it cannot be improved. Let me indicate a few areas in which product improvement is our next order of business.

First, in terms of range: We are working on refinements which promise to extend the already intercontinental reach of the Minuteman, without compromising the exceptional accuracies we have attained in our flight tests to date. These refinements present some interesting technical challenges in the propulsion areas.

Second, the Minuteman field environment which has received extensive engineering to provide adequate survivability, is receiving still further improvement to provide protection against even heavier attacks.

Third, we are working hard to incorporate into the Minuteman system those additional devices which will significantly add to the already extensive strategic flexibility of the missile and to its ability to penetrate an enemy's defenses.

Fourth, the area where probably the biggest job remains to be done. We are conducting an intensive ground equipment systems testing program to confirm and, where possible, improve the reliability of the aerospace ground equipment. The launch control system is a sophisticated digital data system, cable connected, with many flexibility and safety features. In this area, it is important to recognize that in a remotely placed, unattended system which is dependent on automated equipment, the reliability of that equipment under the most severe circumstances must be guaranteed to the same degree that the missile itself is reliability-rated. The guidance system, for example, is maintained in a constant state of readiness in the operational Minuteman. We must be sure that the equipment measures up to this requirement.

Therefore, concurrent with our flight test program we are engaging in a comprehensive ground equipment systems testing program. The results of this test program are joined with the results derived from the Atlantic missile range flight series in the total system test program conducted at Vandenberg Air Force Base with missiles fired over the Pacific missile range.

In this program, the missile will be mated with its aerospace ground equipment and the Air Force personnel currently in training who will maintain the missiles and operate the equipment. The resultant integrated test operation of the total weapon system is the most thorough R. & D. checkout procedure ever accomplished. It will climax the Minuteman development cycle and set the stage for the operational turnover of the weapon system to the Strategic Air Command.

This is Minuteman today.

In flight test, we are obtaining gratifying results; our first launch, last February, missed by only 1 month the target date established several years before. As planned, we flew a complete missile, all three stages, with all systems aboard and functioning. It was a significant first in ballistic missile flight testing, and our effort was an unqualified success.

Since then, our flight testing has demonstrated beyond question the soundness of the launch-from-the-hole technique, and the soundness of the missile design.

It is also significant that we have learned how to handle, assemble, and transport large size rocket engines, and complete missiles.

In site activation, we are forging ahead with construction for the first wing at Malmstrom AFB, Mont. Work there has been progressing and is some 60 days ahead of schedule. Sites are also under construction at Ellsworth AFB, S. Dak., and Minot AFB, N. Dak. Construction at Whiteman AFB will start soon. Other locations are being investigated for follow-on wings.

The originally programed 12 squadrons of 600 missiles has been increased to 16 squadrons, funded through fiscal year 1963; additional squadrons will be procured in later years.

As you know, President Kennedy has called for these additional Minuteman missiles, and the doubled production capability previously advocated has also been authorized and provided. Further, we are continuing studies aimed at enhancing the survivability, reliability, and performance of the missile system, which already rates high in each of these categories. But there is another factor.

The team analogy factor is timeworn and trite; but the fact remains that without the coordinated actions, the concentrated efforts and the never-say-die attitude reflected in the team spirit, Minuteman would not be what it is today: a weapon system which is living up to all its expectations, and promises to exceed those expectations in fulfilling the mission of peace through deterrence for which it was designed.

FREE TRADE IS NOT THE ISSUE

Mr. BENNETT. Mr. President, few measures during recent years have been so completely distorted as to their real effect as has the President's trade proposal.

This program is being sold to the American people as a means of reducing trade barriers between nations, thereby stimulating American production for foreign markets. As a matter of fact, it gives the President virtually complete control over all tariffs—he could wipe them out if he so desired in the case of Common Market countries, or he could impose new and unlimited tariffs on any product if he so desired.

COULD BE USED FOR PROTECTIONISM

As pointed out in a recent editorial in the Wall Street Journal:

> This wide grant of power to the President is for protectionism as much as for free trade.

Whether or not the law would actually produce freer trade would depend entirely upon the attitudes of the President who happened to be in office at a given time. If he desired, the President could impose quotas, or other controls, in addition to tariffs.

But that is only part of the story. Equally serious—perhaps even more so—is the power this bill gives the President to hand out Federal assistance to any firms he thinks may have suffered because of tariff adjustments. This money may be paid to States, individuals, or business firms.

UNRESTRICTED GRANT OF AUTHORITY

I wonder if the administration has paused to consider the potential danger in such a broad and unrestricted grant of authority. Tens of millions of dollars could be committed to an industry, a company, or even a person, if the President decided that it was politically expedient to do so. There are no limitations on the length of time this adjustment allowance may be paid, nor any clear definition of who is eligible for it.

To illustrate the sweeping powers the bill grants, consider the language it contains: It says that actions of the President, "in determining eligibility to apply for adjustment assistance, in certifying adjustment proposals, or in making determinations with respect to extraordinary relief, shall be final and conclusive and shall not be subject to review by any court."

This may be convenient, but it certainly is not in keeping with the traditional American restraints on power. Passage of this bill would place in the hands of the President and future Presidents a weapon which could be used with impunity to reward friends or punish enemies.

CHALLENGE TO DEMOCRATIC PREMISE

The issue is not free trade versus tariffs; let there be no mistake about that. The issue is whether or not there is still validity in the fundamental premise of American democracy—whether a Congress, made up of elected representatives of all parts of the country, can be entrusted with the job of making important decisions, or whether those decisions shall be made by an all-powerful, all-wise Chief Executive, who presumably can always be entrusted to make the right choice.

If the latter is the case, we have taken a great step backward from the concept which our forefathers accepted when they formed this Republic. It was never intended that Congress should be a mere rubber-stamp body, abdicating and delegating its authority to the Executive. The idea of a beneficent dictatorship is repugnant to every American—yet surely no one can deny that passage of this bill would be a step in that direction. And when this bill is placed alongside many others recommended by this administration—such as the bill giving the President the authority to adjust taxes, the bill giving him virtually complete control over agriculture, and so forth—a pattern emerges which is frightening to anyone who has studied what has happened in those countries where one man has been permitted to gain complete control over the decisions of government—always "for the good of the country." The cumulative effect of these measures to vest vast new powers in the President at the expense of Congress is a massive attack against our form of democratic, representative government. We must not abandon democracy and resort

to authoritarianism purportedly to meet the challenge of another form of authoritarianism, communism. Let us instead show that democracy can work. Let us work through our great existing institutions and not yield our birthright to those impetuous New Frontiersmen who are impatient with our form of government.

Congress will do well to consider carefully and critically any legislation which gives the President the sweeping controls over our economy which would be granted by passage of the President's trade bill in its present form.

I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks an article entitled "Move to Weaken Supreme Court," written by David Lawrence and published in the Washington Star of March 21, 1962.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MOVE TO WEAKEN SUPREME COURT—NEW TARIFF BILL'S PROVISION OF EXEMPTION FROM HIGH COURT REVIEW ASSAILED

(By David Lawrence)

The Kennedy administration has just made an attempt to weaken the Supreme Court of the United States, which might not have been surprising if it had come from the John Birchers or other so-called extremists.

In a bill written by some of the top advisers of the President and introduced in Congress, the administration demands that Congress strip the Supreme Court of any power to review the proposed law governing tariff changes and duties and relations with the Common Market in Europe.

Rarely in American history has there been any significant move to get Congress to limit the jurisdiction of the Supreme Court of the United States. In 1868, Congress did take away from the Supreme Court appellate jurisdiction under the Habeas Corpus Act of 1867 in an effort to prevent the Court from passing on the constitutionality of Reconstruction laws. Shortly thereafter, in a famous case, the Court itself affirmed the right of Congress to make exceptions to its appellate jurisdiction.

Today, the power sought by the Kennedy administration is very sweeping, indeed, as it calls for an abolition of the right of any citizen to question the acts of the President in the complex and far-reaching field of tariffs and customs duties which he could impose or remove at will.

Under the proposed law, the President would be authorized to make a variety of determinations on reduction or elimination of duties, on adjustment assistance, extraordinary relief and other matters covered by the terms of the act. Section 404 then says that all these determinations by the President or by any administering agency "shall be final and conclusive and shall not be subject to review by any court."

It has not been revealed just what the framers of the proposed law are afraid of and just why they would deprive the citizen of relief if he is being discriminated against in Government action or if his constitutional rights are being violated. What the proposed section means is that, no matter what the Constitution says about "due process of law," there is no way that an injured citizen can petition a Federal court for the redress of any wrong done him by the Government in a tariff or foreign-trade transaction.

No more sweeping attack on constitutional rights has arisen in recent years. Incidentally, the provision in the bill denying court review would in itself be constitutional if enacted, because article III of the Constitution says:

> "In all cases affecting ambassadors, other public ministers, and consuls, and those to which a State shall be party, the Supreme Court shall have original jurisdiction. In all other cases, before mentioned, the Supreme Court shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations as the Congress shall make."

These exceptions enacted by Congress could cover any legislation affecting the rights of individual citizens. Certainly, if the Supreme Court is deprived by law of the right to hear a case, and, indeed, if every lower court is ordered to refuse to hear any petition, a wrong done by an arbitrary act of an executive agency of the Government cannot be corrected through the courts.

Everyone knows that the President, himself, isn't going to administer the new tariff law, with its multifarious provisions, and that subordinate officials will carry on this work during the 3 or 5 years that Congress may set as the period to be covered. So it really means that Congress will have delegated to the administering agencies supreme authority over thousands of businesses and the jobs of their employees, and there will be no means through the courts of achieving justice if the law is improperly administered by the executive.

There is a good deal of mystery as to who wrote the draft of the proposed law, which is called H.R. 9900, and particularly the provision known as section 404. But it is known that Undersecretary of State George W. Ball, a New York lawyer, was at the head of the task force that worked on the whole problem before the bill was transmitted to the House Ways and Means Committee with the request that it be introduced and presented as an administration measure. It may be that in the report filed by Mr. Ball and his associates with the President analyzing the tariff situation and the need for supreme powers by the President, some reasons were given for depriving the courts of all power to review any action taken under this proposed law. But Mr. Ball's report has never been made public.

Again and again in recent hearings, questions have been asked by members of the House Ways and Means Committee as to who drafted or sponsored the bill's provisions, but the answers have been hazy, or the witnesses have insisted they didn't know.

It seems incredible that an administration which professes to be interested in civil rights would go on record as taking away the rights of millions of citizens to petition Federal courts for relief from injustices which they claim would affect their livelihood. It seems incredible, too, that Congress would ever enact such a law. If it does get through, this would certainly indicate a lack of confidence in our Federal courts or a fear of their impartial decisions.

IS THE DOUBLE STANDARD TO BE BACK WITH US—SHALL WE SUBSIDIZE AVIATION ABROAD BUT NOT AT HOME?

Mr. GRUENING. Mr. President, within the last week I have had occasion to denounce the proposal of the Civil Aeronautics Board for an investigation of the Pacific Northwest-Alaska service, with the avowed objective of eliminating, curtailing, and consolidating the excellent Alaska-States air service.

There are four such carriers now serving, for passenger, airmail, and airfreight, an area one-fifth as large as the 48 older States, and including, as do "the lower 48," four time zones. It is an area as wide and as deep as the 48 States—2,700 miles from east to west, 1,400 miles from north to south. Alone among American States, it extends into the Eastern Hemisphere and into the Arctic.

The four States-Alaska carriers now operating are Pan American World Airways, Northwest-Orient Airlines, Pacific Northern Airlines, and Alaska Airlines. They compete with each other to some extent, although their routes by no means duplicate. Between them, they supply virtually the only transportation for people and airmail between the lower 48 States and Alaska.

For reasons rooted in the history of Alaska as a territorial stepchild in the national family, other forms of transportation between "the lower 48" and Alaska are negligible or nonexistent. Air transportation is Alaska's lifeline today, attained only recently after great effort and enterprise.

The CAB's announced objective is:

First. To eliminate Pan American World Airways completely from its Alaska service.

Second. To eliminate Northwest's regular service to Alaska and make it an incident in its Orient run.

Third. To compel the consolidation of Pacific Northern and Alaska Airlines.

The proposal would, in my judgment and that of my fellow Alaskans, wreck the present excellent arrangement. It would destroy what is virtually the only form of transportation between the lower 48 States and the vast region which is the 49th State. It would replace a good competitive setup with a monopoly with all the ills which monopoly almost invaryingly brings. It constitutes an inexcusable piece of folly.

As the Fairbanks News-Miner, in an editorial entitled "Does CAB Proposal Make Sense," comments caustically:

> The CAB proposal is so farfetched it borders upon the ridiculous.

And further:

> Just what sort of eggheaded theoretical daydreaming is going on? Is the Federal Government determined to kill off the free enterprise system which has given Americans the world's best standard of living for more than a century?
>
> Now, what are the reasons for this contemplated monstrosity?
>
> It would save in the neighborhood of slightly over $4 million in subsidies. These have gone to Pacific Northern and Alaska Airlines.
>
> Pan American and Northwest are not subsidized.
>
> Now, reducing Government expenses is always rated a worthy and desirable objective. But there are obviously two ways of counting the cost. What do we get for what we are paying? Is it not worth the price?
>
> Mr. President, we are dealing here with two wholly American areas. Both are large in extent, large in potential.
>
> The history of transportation in America makes three salient facts crystal clear.
>
> First. Transportation developed the United States, made its States truly united, made out of them the great Nation that we have become.

Second. All American transportation has been heavily subsidized by the Federal Government—the railroads by large land grants; shipping by subsidies and privileges of various kinds; automotive traffic by billions of Federal dollars spent in highway construction; aviation by subsidies, where needed.

Third. Alaska has been largely excluded from all these benefits, except in the last category which CAB policy now aims to eliminate.

In startling contrast, let us note what the United States is doing to aid aviation in foreign countries.

Since 1955 the United States has granted or loaned or participated in loans to foreign nations for the development of their air transportation the sum of at least $417,004,530. These included such items as $98,331,127 in outright grants under the mutual security program for such items as $14,560,000 in 1956 to Afghanistan for air transport development, the sum of $5,129,000 in the year 1957 alone for the development of aviation in Thailand, and another $11,546,000 to Afghanistan in 1959. Thus the outright grants of U.S. dollars to foreign nations year by year since 1955 for the development of foreign aviation were:

1955	$10,741,747
1956	24,752,380
1957	16,310,000
1958	7,045,000
1959	23,563,000
1960	8,782,000
1961	7,137,000
Total	98,331,127

However, the United States loaned or participated in loans of even larger sums to foreign nations for the development of their aviation facilities, including loans for the purchase of aircraft and for the construction of airports. Thus the Export-Import Bank has loaned Japan $35,870,000 for this purpose, it has loaned France over $52 million and Brazil over $30 million and Australia over $23 million. Australia also received a loan of over $9 million from the World Bank. Meanwhile, Ethiopia received over $23 million from the Development Loan Fund for the development of aviation in that country. I ask unanimous consent that tables showing foreign aviation grants and loans since 1955, prepared in my office by Mr. Milton Fairfax of my staff be printed at the conclusion of my remarks.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. GRUENING. Let us now, Mr. President, compare the total of $417,604,530 granted or loaned since 1955 to build up aviation in foreign countries with the amount of subsidies which the CAB is attempting to save, and to save which the CAB is willing to establish a monopoly in transportation from the lower 48 States to Alaska. The two carriers involved—Pacific Northern and Alaska Airlines—received in subsidies and mail pay in 1961 the sum of $4,332,000 for the States-Alaska operations. This is in startling contrast to the amount of U.S. dollars which we are spending abroad to build up aviation in foreign countries.

Of course, subsidies are paid to these and other carriers for intra-Alaska operations. Thus, in 1961 subsidies were paid for such intrastate operations in the total sum of $8,612,000 to Alaska Airlines, Alaska Coastal, Byers, Cordova, Ellis, Kodiak, Northern Consolidated, Pacific Northern, Reeve, Western Alaska, and Wien.

To understand why these subsidies are necessary, it is necessary to place them in the perspective of conditions in Alaska. For many, many towns and villages, there is no other mode of transportation than by air. These airlines, operated by able and experienced pilots, constitute the sole link to the outside for the inhabitants of many remote areas of Alaska. They are dependent upon air transportation for the receipt of the very necessities of life. I hope that as Alaska grows, and as we obtain roads and ferries and other means of transportation, and as the population increases, we shall come to the point where air transportation is profitable and subsidies are no longer necessary. But in the meantime, as a penalty for the years of neglect in building alternate methods of transport between areas in Alaska, we will need subsidies for intra-Alaska airline operations.

But surely, Mr. President, if we can afford to pay subsidies to the airlines of foreign countries we cannot afford to do less at home.

Mr. President, during the Eisenhower administration, there existed in the contrasting attitude and action toward domestic versus foreign expenditures a double standard. I called attention to it repeatedly when congressional efforts to appropriate for resource development, for education, for housing, for airport construction, for pollution control, for a variety of essential projects were rejected by the White House either by veto or threat of veto, on the ground that we could not afford them, while similar and far more elaborate projects in foreign countries were labeled by the Eisenhower administration as sacrosanct. They must not, the Executive told Congress, be cut by a nickel.

I could not support that double standard which placed American needs in a category inferior and subsidiary to the purported needs of foreign countries. It was one of the reasons, which I made clear repeatedly, that I felt obliged to vote against the foreign aid program in 1959 and 1960.

When President Kennedy came into office, this double standard was abandoned. While there was no less emphasis on and support for foreign aid, domestic needs were given at least equal consideration. And so under the Kennedy administration there could be, and was, enacted previously unattainable legislation for resource development, housing, airport modernization, area redevelopment, retraining for the unemployed, pollution control.

It is to be hoped that this changed policy will continue undiminished. It is to be hoped that the CAB's misguided efforts at slashing aviation support at home while we are spending millions of American dollars to support it abroad, will not prevail. Should the time come when all our airlines can render the needed service of passenger and mail transportation, and be self-supporting without subsidy, then it will be proper and appropriate to eliminate the subsidy. But that time is not yet. Particularly, is it not yet in Alaska, where for reasons aforestated, Alaska has suffered uniquely among the States, Federal discrimination which has largely deprived Alaska of the other forms of transportation enjoyed elsewhere under the flag—in highways, railways, and shipping.

I ask unanimous consent that there be printed at the conclusion of my remarks in addition to the tables which have hitherto been ordered printed in the RECORD, a letter received by me from Joseph H. Shortell, Jr., assistant U.S. attorney for Alaska who is well versed in antitrust matters and whose comments are most timely, and a copy of Mr. Shortell's letter to the aviation editor of Newsweek magazine.

There being no objection, the tables and letters were ordered to be printed in the RECORD, as follows:

Transportation, fiscal year 1955

	Amount
FAR EAST	
China: CAA improvement	$218,880
Indonesian Republic: Air transport training—aircraft and engine mechanics school	106,000
Thailand:	
Air transport and air navigation	36,500
Upper air aids	90,000
Airfield construction	2,742,698
Upper air aids	40,000
Technical assistance Thai Airways	949,000
Vietnam: Improvement and expansion of aeronautical ground facilities	416,000
NEAR EAST, AFRICA, AND SOUTH ASIA	
Egypt: Air navigation aids	66,800
Ethiopia: Civil aviation and meteorology	35,805
Greece: Training of Greek civil aviation personnel	27,440
India: Aviation ground facilities	421,500
Iran: Air navigation and meteorological equipment	616,928
Israel: Airport administration participantship	3,000
Pakistan:	
Improvement and expansion of aviation ground facilities	1,641,372
Development of civil air transportation	728,000
Turkey: Airline operations training program	475,000
EUROPE	
France:	
CAA training program	10,860
Civil aeronautics study group	10,095
Spain: Training of aeronautical technicians and supervisors	61,740
LATIN AMERICA	
Bolivia:	
Institute Aeronautical Nacional	6,000
Aircraft mechanics training—Bolivian Air Force	4,050
Airline operations course (flight)—transportation	2,828
Civil aviation mission	47,339
Flight instructors course	2,828
Brazil: Aeronautical navigational bids	1,500,000
Chile: Air transportation and civil aviation development	64,000

Transportation, fiscal year 1955—Continued

	Amount
LATIN AMERICA	
Costa Rica: Improvement of safety and efficiency of air transportation	$25,670
Ecuador: Civil aviation	25,740
Honduras: Consultation in civil aviation	113,264
Mexico: Training—air transportation	6,000
Nicaragua: Civil aviation project	12,045
Panama:	
Air transportation—maintenance of aeronautical communications and air navigation and radio aids equipment	10,000
Aviation consultant	24,500
Paraguay: Airport development	24,000
Uruguay: Air transport	8,200
OVERSEAS TERRITORIES	
British Guiana: Transportation—air traffic control training	2,500
Regional: Technical assistance in civil aviation—regional group in Panama	165,964

Transportation, fiscal year 1956

FAR EAST	
Cambodia: Maintenance, repair, and rehabilitation airfields	$180,000
China: CAA improvement	222,885
Indonesian Republic:	
Airport technician training	33,000
Training in meteorology	128,000
Japan: Civil aviation survey	4,000
Korea:	
Aviation specialist training	11,000
Civil aviation technical assistance	46,500
Philippines: Air navigational aids	219,000
Thailand:	
Aeronautical ground services improvement	335,000
Upper aids (air)	2,100
Meteorological service improvement	102,250
Thai airways improvement	72,999
Vietnam: Improvement and expansion of aeronautical ground facilities	520,937
NEAR EAST AND SOUTH ASIA	
Afghanistan:	
Air transportation development	14,560,000
1956 Haj assistance	240,000
Egypt: Transportation and communications—civil aviation	72,950
India:	
Expansion of aviation ground facilities	237,743
Technical assistance for civil air transport	33,500
Iran: Air navigational and meteorological equipment	606,900
Lebanon:	
Air navigation	38,400
Expansion of Beirut International Airport for jet air lines	470,000
Pakistan:	
Improvement and expansion of aviation ground facilities	1,903,700
Development of civil air transportation	878,688
Aircraft overhaul and maintenance facilities	261,955
Turkey:	
Airport equipment experts	18,000
Meteorology specialists	15,000
Airline operations training program	400,000
Civil aviation training program	76,000
Regional total:	
Regional civil aviation office	32,500
Air navigation facilities—VOR site selection equipment	17,700

Transportation, fiscal year 1956—Continued

	Amount
AFRICA	
Ethiopia:	
Air transportation cooperative service	$70,000
Civil aviation	35,555
National airlines training program	251,000
EUROPE	
Italy: Civil aeronautics mission	22,500
Spain:	
Civil aviation mission	103,510
Training of aeronautical technicians and supervisors	1,500
Training aeronautical technicians and supervisors	85,000
Civil aviation, fiscal year 1956	1,283,500
LATIN AMERICA	
Bolivia:	
Civil aviation mission	67,402
Electroplating plant for Instituto Aeronautico Nacional, Cochabamba, Bolivia	96,504
Brazil: Air navigation aids and air traffic control	463,500
Chile: Air transportation and civil aviation development	120,530
Colombia: Cooperative project in the construction and design of commercial airport for Colombia	61,300
Costa Rica:	
Improvement of safety and efficiency of air transportation	35,400
Aviation maintenance training center project	34,727
Cuba: Civil aviation project	8,000
Ecuador: Civil aviation	46,000
Guatemala: Civil aviation transport improvement	6,000
Honduras: Consultation in civil aviation	78,105
Nicaragua: Civil aviation project	31,140
Panama: Aviation consultant	26,200
Paraguay:	
Airport development project	62,600
Aviation repairs	2,500
Peru: Air transport—civil aeronautics	5,200
Uruguay: Transportation	7,500
OVERSEA TERRITORIES	
Surinam: Air transport (air transport control)	4,500

Transportation, fiscal year 1957

FAR EAST	
China (Taiwan): CAA improvement	$443,000
Japan:	
Japan Civil Aviation Bureau	188,000
Civil aviation survey	2,000
Korea: Civil aviation technical assistance program	231,000
Laos: Vientiane airport relocation	750,000
Thailand:	
Aeronautical ground services improvement	8,346,000
Airfield construction	400,000
Meteorological services improvement	249,000
Improvement Thai Airways	554,000
Aviation overhaul and maintenance facility	3,580,000
Vietnam: Improvement and expansion of aeronautical ground facilities	1,748,000
NEAR EAST AND SOUTH ASIA	
Afghanistan: Air transportation development	173,000
Ceylon: Aeronautical navigation aids	85,000
Egypt: Civil aviation	15,000
Greece: Installation of VOR equipment and training	13,000
India: Expansion of aviation ground facilities	119,000
Iran:	
Installation of air navigation and meteorological equipment	50,000

Transportation, fiscal year 1957—Continued

	Amount
NEAR EAST AND SOUTH ASIA	
Iran:	
Communications and workshop equipment for airport facilities	$425,000
Lebanon:	
Air navigation	5,000
Expansion of Beirut International Airport for jet airlines	45,000
Pakistan:	
Improvement and expansion of aviation ground facilities	762,000
Development of civil air transportation	900,000
Turkey:	
Meteorology specialists	16,000
Airline operations training program	110,000
Airline operations training program	151,000
Civil aviation training program	
Regional: Regional Civil Aviation Office	27,000
AFRICA	
Ethiopia: Civil aviation advisory services	5,000
EUROPE	
Iceland:	
Occupational training—airport operation	26,000
Occupational training—Airport construction	32,000
Spain:	
Training of aeronautical technicians and supervisors	63,000
Civil aviation, fiscal year 1957	810,000
LATIN AMERICA	
Bolivia: Civil action	65,000
Brazil: Air navigation aids and air traffic control	156,000
Chile: Air transportation and civil aviation developments	119,000
Colombia: A cooperative project for technical assistance to civil aeronautics in Colombia	35,000
Costa Rica: Improvement of safety and efficiency of air transport project	43,000
Cuba: Civil aviation project	117,000
Ecuador: Civil aviation assistance	29,000
Honduras: Consultation in civil aviation	74,000
Nicaragua: Civil aviation	33,000
Panama: Aviation consultant	23,000
Peru: Civil aviation advisory services and training	17,000
Regional: Technical assistance in civil aviation regional group in Panama	157,000

Transportation, fiscal year 1958

FAR EAST	
Burma: Civil aviation, airport development	$474,000
Cambodia: Airfield survey and rehabilitation	430,000
China (Taiwan): Air transportation improvement	253,000
Japan: Japan Civil Aviation Bureau	278,000
Korea: Civil aviation technical assistance	365,000
Thailand:	
Aeronautical ground services improvement	419,000
Meteorological services improvement	46,000
Improvement Thai Airways	75,000
Vietnam: Improvement and expansion of aeronautical ground facilities	506,000
NEAR EAST AND SOUTH ASIA	
Afghanistan: Air transportation development	482,000
Ceylon:	
Aeronautical navigation aids	19,000
Colombo airport survey	6,000

Transportation, fiscal year 1958—Continued

NEAR EAST AND SOUTH ASIA

	Amount
Greece: Installation of VOR equipment and training	$40,000
India:	
Aviation ground facilities	202,000
India airlines	13,000
Iran: Civil aviation	107,000
Lebanon:	
Air navigation	25,000
Expansion of Beirut International Airport	46,000
Pakistan:	
Improvement and expansion of aviation ground facilities	93,000
Development of civil air transportation	798,000
Turkey:	
Meteorology specialists	2,000
Airline operations training program	775,000
Civil aviation training program	178,000
Regional total: Regional civil aviation adviser	22,000

AFRICA

Ethiopia: National airlines training	80,000

EUROPE

Iceland:	
CAA air safety survey	3,000
CAA aircraft mechanics training	30,000
Occupational training—airport operation	20,000
Spain:	
Civil aviation mission	80,000
Training of aeronautical technicians and supervisors	69,000

LATIN AMERICA

Argentina: Development of the National Bureau of Civil Aviation	85,000
Bolivia: Civil aviation	64,000
Brazil: Air navigation aids and air traffic control	189,000
Chile: Civil aviation	151,000
Colombia: A cooperative project for technical assistance to civil aeronautics in Colombia	61,000
Costa Rica: Improvement of safety and efficiency of air transport	20,000
Cuba: Civil aviation project	96,000
Dominican Republic: Civil aviation—airport management and operation	3,000
Ecuador: Civil aviation assistance	51,000
Honduras: Consultation in civil aviation	78,000
Nicaragua: Transportation — civil aviation	24,000
Panama: Aviation consultant	25,000
Paraguay: Civil aviation assistance division	74,000
Peru: Civil aviation advisory services	13,000

OVERSEA TERRITORIES

British Guiana: VOR traffic control training	3,000
Regional total: Technical assistance in civil aviation, regional group, Panama	172,000

Transportation, fiscal year 1959

FAR EAST

China (Taiwan): Air transportation improvement	$334,000
Korea: Civil aviation operations improvement	365,000
Japan: Japan Civil Aviation Bureau	288,000
Laos: Rehabilitation of Vientiane Airport	765,000
Thailand:	
Aeronautical ground services improvement	437,000
Meteorological services improvement	56,000
Vietnam: Improvement and expansion of aeronautical ground facilities	3,856,000

Transportation, fiscal year 1959—Continued

NEAR EAST AND SOUTH ASIA

	Amount
Afghanistan: Air transportation development	$11,546,000
Ceylon:	
Colombo airport survey	8,000
Airport development and administration	4,000
Greece: Air transportation advisory project	72,000
India: Expansion of aviation ground facilities	44,000
Iran: Civil aviation	117,000
Lebanon: Aeronautical facilities	1,310,000
Nepal: Aviation development	600,000
Pakistan:	
Improvement and expansion of aviation ground facilities	164,000
Development of civil air transportation	1,173,000
Turkey:	
Meteorology	30,000
Airline operations training	300,000
Civil aviation training program	238,000
United Arab Republic: Civil aviation development	66,000
Regional total: Regional civil aviation adviser (Pakistan)	30,000

AFRICA

Ethiopia:	
Civil Aviation Administration	3,000
National airlines training	374,000
Liberia: Airport survey	6,000
Tunisia: Civil aviation improvement	17,000

EUROPE

Iceland:	
CAA air safety survey	7,000
Occupational training—airport operations; loadmaster training	7,000
Spain: Air navigational aids improvement	178,000

LATIN AMERICA

Argentina: Development of the National Bureau of Civil Aviation	200,000
Bolivia: Civil aviation	40,000
Brazil: Air navigation aids and air traffic control	165,000
Chile: Civil aviation	131,000

Transportation, fiscal year 1960

FAR EAST

Cambodia: Airfield survey and maintenance	$16,000
Republic of China: Air transportation improvement	333,000
Indonesia: Air transportation operation and maintenance	653,000
Japan: Japan Civil Aviation Bureau	211,000
Korea:	
Civil aviation operations improvement	309,000
Civil aviation operations reobligation	334,000
Laos: Rehabilitation of Vientiane Airport	33,000
Thailand:	
Aeronautical ground services improvement	263,000
Meteorological services improvement	104,000
Aviation overhaul and maintenance facility	45,000
Vietnam: Improvement and expansion of aeronautical ground facilities	685,000

NEAR EAST AND SOUTH ASIA

Afghanistan:	
Air transportation development	405,000
Air transportation reobligation	5,000
Ceylon:	
Aeronautical navigation aids	1,000
Airport development and administration	32,000

Transportation, fiscal year 1960—Continued

NEAR EAST AND SOUTH ASIA

	Amount
Greece: Air transport advisory project	$82,000
India: Expansion of aviation ground facilities	47,000
Iran: Civil aviation	162,000
Iran: Civil aviation reobligation	4,000
Lebanon: Aeronautical facilities	78,000
Nepal: Aviation development	103,000
Pakistan:	
Improvement and expansion of aviation facilities	169,000
Development of civil air transportation	50,000
Development of civil air transportation—reobligation	300,000
Turkey:	
Civil aviation	220,000
Civil aviation—reobligation	40,000
United Arab Republic: Civil aviation development, northern region	556,000

CENTRAL TREATY ORGANIZATION

CENTO: Regional air navigation	2,000
Regional civil aviation adviser (Pakistan)	32,000

AFRICA

Ethiopia: National airlines training	250,000
Liberia: Robertsfield modernization	1,877,000
Tunisia: Civil aviation improvement	16,000

EUROPE

Spain: Air navigational aids improvement	148,000

LATIN AMERICA

Argentina: Development of the National Bureau of Civil Aviation	137,000
Bolivia: Civil aviation	29,000
Brazil: Air navigation aids and air traffic control	186,000
Chile: Civil aviation	157,000
Colombia: Civil aviation mission	90,000
Costa Rica: Improvement and safety	8,000
Cuba: Civil aviation project	64,000
Ecuador: Civil aviation	68,000
Honduras: Consultation in civil aviation	89,000
Nicaragua: Civil aviation	51,000
Panama: Aviation consultant	32,000
Paraguay: Airport development	14,000
Peru: Civil aviation advisory services	67,000
British Guiana: Civil aviation	14,000
Regional total, civil aviation (Panama)	195,000

ASIAN ECONOMIC DEVELOPMENT FUND

SEATO (Southeast Asia Treaty Organization) meteorological communications survey	16,000
Total	6,782,000

Transportation, fiscal year 1961

FAR EAST

Cambodia: Improvement of civil air transportation	$24,000
Republic of China: Air transportation improvement	95,000
Indonesia: Air transportation operation and maintenance	143,000
Korea: Civil aviation operations improvement	179,000
Laos: Rehabilitation of Vientiane Airport	820,000
Thailand:	
Aeronautical ground services improvement	171,000
Meteorological services improvement	133,000
Aviation overhaul and maintenance facility	5,000

Transportation, fiscal year 1961—Continued

FAR EAST

	Amount
Vietnam: Improvement and expansion of aeronautical ground facilities	$563,000

NEAR EAST AND SOUTH ASIA

Afghanistan: Air transportation development	477,000
Ceylon: Airport development and administration	36,000
Greece: Air transport advisory project	68,000
India: Expansion of aviation ground facilities	32,000
Iran: Civil aviation	137,000
Lebanon: Aeronautical facilities	100,000
Pakistan: Improvement and expansion of aviation ground facilities	175,000
Turkey: Civil aviation	237,000
United Arab Republic:	
Civil aviation development, southern region	311,000
Civil aviation development, northern region	254,000
Central Treaty Organization: CENTO regional air navigation	1,500,000

AFRICA

Ethiopia:	
Transportation cooperative service	38,000
National airlines training	101,000
Liberia: Robertsfield modernization	34,000

Transportation, fiscal year 1961—Continued

AFRICA

	Amount
Mali, Republic of: Civil aviation	$6,000
Tunisia: Civil aviation improvement	18,000

LATIN AMERICA

Argentina: Development of the National Bureau of Civil Aviation	226,000
Bolivia: Civil aviation	15,000
Brazil: Air navigation aids and air traffic control	190,000
Chile: Civil aviation	151,000
Colombia: Civil aviation technical assistance	84,000
Costa Rica: Civil aviation project	16,000
Cuba: Civil aviation project	12,000
Educador: Civil aviation	46,000
Honduras: Consultation in civil aviation	103,000
Nicaragua: Civil aviation	33,000
Panama: Aviation consultant	39,000
Peru: Civil aviation advisory services	50,000
West Indies: Airport runway extension, Antigua	218,000
British Guiana: Civil aviation	3,000
Regional: Civil aviation, Panama	169,000

EUROPE

Spain:	
Air navigational aids improvement	112,000
Civil aviation	41,000
Total	7,137,000

Loans for airports and airlines made by the Development Loan Fund August 1957–Nov. 3, 1961

[This agency is now administered by the Agency for International Development]

Country	Date	Amount	Interest
			Percent
Africa:			
Ethiopia	July 17, 1961	$3,100,000	3½
Do	do	20,250,000	3½
Tunisia	Jan. 27, 1961	5,100,000	3½
Latin America:			
Chile	May 20, 1959	300,000	3½
Do	Dec. 7, 1960	10,500,000	3½
Do	June 21, 1961	3,200,000	3½
El Salvador	Aug. 1, 1961	1,500,000	3½
South Asia:			
Afghanistan		700,000	5¾
Ceylon	Jan. 30, 1961	3,200,000	3½
Pakistan	Nov. 3, 1959	3,800,000	3½
Total		51,750,000	

Loans for airports and airlines made by the World Bank

Country	Date	Amount	Interest
			Percent
Australia	1957	$9,230,000	4¾
India	1957	5,600,000	5½
Total		14,830,000	

Source: Annual Reports of the International Bank for Reconstruction and Development—The World Bank.

Loans for airports and airlines made by the Export-Import Bank

Country	Purpose	Date	Interest	Amount
			Percent	
Ethiopia	Aircraft and aviation facilities	Sept. 19, 1955	5	$24,700,000
Do	Jet aircraft and related spare parts (Boeing Airplane Co.)	Sept. 8, 1960	5¾	10,000,000
Government of the Union of South Africa.	Aircraft, repair equipment, and related spare parts	Sept. 24, 1950	5¾	9,000,000
India	Boeing jet aircraft (Boeing Airplane Co.)	Sept. 8, 1960	5¾	4,100,000
Do	Aircraft and spare parts (Boeing)	June 8, 1961	5¾	8,100,000
Indonesia	Aircraft and equipment	Nov. 30, 1950		6,023,000
Do	do	May 17, 1956		7,500,000
Do	Aircraft (Convair Division of General Dynamics Corp.)	Nov. 22, 1957	5½	1,751,000
Do	Aircraft (Lockheed Aircraft Corp.)	June 4, 1959	5½	5,000,000
Israel	Boeing jet aircraft (Boeing Airplane Co.)	Sept. 2, 1960	5¾	8,925,000
Japan	Aircraft and spare parts (Douglas Aircraft Co., Inc.)	Nov. 21, 1956	5½	7,700,000
Do	Japan Air Lines (Aircraft and Aircraft Co., Inc.)	Dec. 3, 1956	5½	17,186,000
Do	Japan Air Lines, aircraft and related spare parts and equipment (General Dynamics Corp.)	Apr. 13, 1961	5¾	9,588,665
Do	Japan Air Lines, aircraft and related spare parts and equipment (Douglas Aircraft)	do	5¾	4,399,000
Pakistan	Aircraft and spare parts (Lockheed Aircraft Corp.)	Oct. 9, 1957	5¾	2,828,000
Do	Aircraft and spare parts (Curtiss-Wright Corp.)	do	5¾	466,500
Philippines	Enhancement of Manila International Airport	Jan. 26, 1961	5¾	5,000,000
Belgium	Boeing Aircraft—SABENA	Oct. 22, 1959	5¾	11,200,000
France	Jet aircraft (Boeing and United Aircraft)	Sept. 12, 1957	5½	46,000,000
Do	Aircraft (Douglas Aircraft Co., Inc.)	Feb. 11, 1950	4¾	4,714,286
Do	Jet aircraft (Douglas Aircraft Co., Inc.)	Nov. 3, 1960	5¾	2,671,000
Italy	Aircraft and flight simulator (Douglas Aircraft Co., Inc., and Link Aviation, Inc.)	Oct. 16, 1958	5½	13,690,000
Do	Jet aircraft frames and related spare parts (Douglas Aircraft Co.)	Jan. 26, 1961	5¾	6,400,000
Spain	Aircraft and equipment (Douglas Aircraft Co.)	Mar. 24, 1950	5¾	12,450,000
Brazil	Aircraft and spare parts (Douglas Aircraft Co.)	Nov. 15, 1956	5½	6,900,000
Do	do	May 31, 1957	5½	541,000
Do	Jet aircraft and spare parts (Douglas Aircraft)	Oct. 6, 1960	5¾	13,840,000
Do	Jet aircraft and related spare parts and support equipment (General Dynamics Corp.)	Feb. 15, 1961	5¾	10,950,000
Colombia	Jet aircraft and related spare parts and equipment (Boeing Airplane Co.)	Jan. 19, 1961	5¾	8,160,000
Costa Rica	Aircraft and spare parts (General Dynamics Corp.)	Nov. 26, 1954	5¾	675,000
Ecuador	Turboprop plane (Fairchild Engine & Airplane Corp.)	Apr. 23, 1959		216,000
Do	Airplanes and complement parts (M. & M. Exporting Co.)	Sept. 23, 1960	6	47,500
Do	Snow airplane with attachment (M. & M. Exporting Co.)	do	6	9,500
Do	Piper airplanes and accessories (M. & M. Exporting Co.)	do	6	29,000
El Salvador	Improvement of Ilopango International Airport at San Salvador	June 1, 1961	5¾	2,650,000
Peru	Aircraft and photographic equipment	June 30, 1960	5¾	586,952
Venezuela	Aircraft (Fairchild Engine & Airplane Corp.)	May 16, 1957	5½	1,112,000
Australia	Aircraft and modifications (Boeing Airplane Co.)	June 9, 1960	5¾	23,307,000
Do	Aircraft (Cessna Aircraft Co.)	June 29, 1960		235,000
Total				296,668,403

Source: Report to the Congress by Eximbank for the 12 months ending June 30, 1961.

FAIRBANKS, ALASKA,
March 26, 1962.

Hon. ERNEST GRUENING,
U.S. Senator for Alaska,
U.S. Senate Office Building,
Washington, D.C.

DEAR SENATOR: I concur 100 percent with your press release of March 22 with reference to the possible destruction of the Alaska air system. During my term in Washington, D.C., as an attorney for the Antitrust Division, I specialized in the airline industry. During this period, a considerable period of time was spent with the Celler committee on the study of the airline industry and with the CAB on our preparation of the Pan American-Grace antitrust case.

As an attorney familiar with the domestic and international airline picture, I can see no justification why the Alaska people and Pan American World Airways should be punished for Pan American's efficient operation and for its contribution to Alaska.

The enclosed copy of a letter to the Washington, D.C., aviation editor of the Newsweek magazine is for your general information.

With kind personal regards.

Sincerely,

JOSEPH H. SHORTELL, Jr.

FAIRBANKS, ALASKA,
March 26, 1962.

HENRY T. SIMMONS, Esq.
Aviation Editor, Newsweek Magazine,
Washington, D.C.

DEAR HENRY: Knowing your interest in the Alaskan aviation field, I thought you would be interested in the enclosed articles from the Fairbanks Daily News Miner which give a detailed account of the airline route structure problem here in Alaska.

As you know, I worked over 4 years on the Pan American-Grace antitrust case and am familiar with the international and domestic airline industry. Since coming to Alaska in 1959, I have made a firsthand study of the Alaskan airline picture and can honestly state that if subsidy-free Pan American is forced to leave Alaska due to its efficient operation, we might as well return to the dogsled and steamboat.

I plan to be in Washington next summer and expect to see you and Jan at that time.

With kind personal regards.

Sincerely,

JOSEPH H. SHORTELL, Jr.

THE PERFORMING ARTS

Mr. JAVITS. Mr. President, the need for congressional action along the lines of my proposed U.S. Arts Foundation has been evident for some time in the effort to encourage and develop our Nation's resources in the performing and visual arts. This is a part of our national cultural heritage which is faced by the dilemma of rapidly rising costs at a time of increasing demands. Its existence is threatened in some instances by these factors in spite of seemingly outward prosperity. The specter of Federal control has been raised by some who oppose assistance, but there is no more reason to assume a danger in this respect than in any other part of our economy. Others have insisted that financial assistance is not necessary, saying this in the face of successful aid programs to the arts by functioning State councils in New York and elsewhere. A banker's study of the needs of our cultural operations convincingly demonstrates why Federal aid is necessary.

I ask unanimous consent to have printed in the RECORD the analytical study entitled "S.R.O. and S O S: The Performing Arts Paradox," which was prepared by Lawrence C. Murdock, Jr., and others in the Department of Research of the Federal Reserve Bank of Philadelphia, and published in its Business Review, March 1962.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

S.R.O. AND S O S: THE PERFORMING ARTS PARADOX

A bald Romeo and a fat Juliet in a neighborhood playhouse. The latest soprano sensation at the Met. A banker who plays oboe in an amateur symphony. A Broadway star. The Secretary of Labor.

This unlikely cast is playing a leading part in the present boom in the performing arts.[1] It's a broad-based thing, this boom. It includes professionals and amateurs, people from all walks of life, all social classes, and all income levels. And even the Government is getting in the act.

The boom has considerable economic significance. Spending for admissions to the performing arts now amounts to about $400 million a year—double the figure of a decade ago. But it's an unusual sort of boom.

The present wide popularity of the performing arts is unprecedented in America. Until recently, many forms of the arts were the property of an elite few. The average man long considered opera, ballet, and serious music to be "sissy stuff." He was satisfied with an occasional minstrel or vaudeville show.

This is one boom that seems to be creating as many problems as it is solving, however. In spite of the great increases in public interest and enthusiasm, in spite of S.R.O. (standing room only) crowds, the performing arts are in trouble. That's why the S O S for Government aid has never been louder.

In many ways the performing arts industry is unique. Yet, in other ways its problems are those of all industries. Perhaps the solution other industries have used when faced by similar problems may be applicable to the performing arts.

THE TWO MASKS

The theater is often represented by two masks—one smiling, one sad. These masks might portray the present situation in the entire performing arts industry for there is a bright side and a sad side.

Statistics on the performing arts are, for the most part, fragmentary and based on estimates.

We use them here to give a rough idea of the dimensions of the boom.

Spending for admissions to live performances of the arts humped after the war, then ran fairly level until 1952. After that it got wings. This recent growth was considerably faster than the increases in personal income, total expenditures for recreation, spending for admissions to sporting events, and movie receipts. In other words, the performing arts did better than their direct competition.

There are now some 5,000 community theaters—more than all radio and television stations. In addition, an estimated 5,000 college groups, 15,000 clubs and church groups, and untold high schools put on theatrical productions. In New York, the number of off-Broadway theaters has grown to 32 from a mere handful a few years ago.

The number of community symphony orchestras has doubled since 1952. At present, there are about 1,200 orchestras which collectively give an average of 20 concerts a day. Last year, about 11 million people attended symphony concerts.

In 1950 there were about 200 opera-producing groups. Today the number has swelled to almost 800. In the 1960–61 season, the Metropolitan Opera played to 98 percent of capacity. Philadelphia's Lyric and Grand Operas also enjoyed full houses, and the story was repeated in many other cities.

Tent theaters and summer stock companies also are doing very well. There are now 26 music tents, most of which first spread their canvas during the last 10 years.

Today, 125 regional ballet groups are in operation compared with only 70 as recently as 1958. Chamber music is so popular that one agency specializing in booking just these small groups grosses a reported $100,000 a year.

This new interest in the arts has many causes. The great postwar increases in income and leisure are important. So is the growth in college enrollment and, lately, the trend away from specialization in education.

Students are getting more exposure to the performing arts in public and private schools. The number of courses and clubs has expanded. In addition, certain organizations are helping to bring culture into the schools. Young Audiences, Inc., for example, presented chamber music concerts for 100,000 Philadelphia area schoolchildren in 1961.

Hi-fi and stereo have helped cultivate tastes for serious music and have created the desire to hear live performances. This is similar to the effect that television had on pro football. Television creates many new fans who soon begin coming out to stadiums.

Widespread travel abroad, starting with the GI's during World War II, and continuing to the present day, has introduced many to the performing arts. No doubt some people attend performances as something of a status symbol. Perhaps they have taken to quietly boasting "we saw 'Swan Lake' last night," now that they have rid themselves of their my-car-is-bigger-than-yours psychosis. In short, the boom in the arts is woven deep into the fabric of midcentury American life.

But all is not well in the performing arts industry. Its silver cloud seems to have a leaden lining. Performances begin with P and that rhymes with T and that stands for trouble, as the song from "The Music Man" might go. For example: three quarters of all Broadway productions were flops between 1954 and 1960. Add up all the profits and all the losses during that period and Broadway was in the hole for about $500,000.

The number of Broadway productions declined from 70 in the 1949 season to 59 in 1959. And there hasn't been a new theater built on the Great White Way in 30 years. Road performances of Broadway shows are down about 30 percent since 1949.

The Metropolitan Opera had a deficit of $840,000 last year. Ticket sales of all symphony orchestras cover only about half of their total expenses of $30 million. The Philadelphia Orchestra had $65,000 to make up in 1961. Our domestic ballet also is chronically in the red.

PROFITLESS PROSPERITY

How can an industry be doing so well on the one hand and so poorly on the other? Some of the answer becomes evident when you separate the performing arts into their amateur and professional segments. The part-time players, the week-end Walküres have accounted for much of the industry's growth—and for much of its increase in receipts.

Not that the amateur productions don't have their financial troubles. They do. But the real problems in the industry are in the professional sector.

This has great significance, for the professional sector is the "creative core" of the performing arts. Amateurs draw on the professionals for material, inspiration, and guidance. The people who pay to see amateur plays don't want experiments, so the community theater groups usually rely on tried-and-true Broadway scripts. Much the same could be said for the other performing arts.

Since the professional core is the creative fountainhead and since that's where much of the financial trouble is located, we shall focus our analysis there.

THE COSTS OF RAISING A CURTAIN

The financial problem of the professional performing arts is not primarily lack of attendance. The real problem is costs. Production costs have skyrocketed to the point where even full houses sometimes don't bring in enough to meet expenses.

[1] The term "performing arts" is a general one. Conceivably it could include anything from an Indian rain dance to the hill-billy band to a how-to-reduce TV program. In order to make the subject manageable, we have had to make an arbitrary definition. In this article, we limit our discussion of the performing arts to live performances, both professional and amateur, of the theater, opera, ballet, and serious music.

Costs on Broadway

Year	Show	Capitalization
	Drama:	
1939	Life With Father	$25,000
1943	Voice of the Turtle	20,000
1948	Mr. Roberts	100,000
1959	Miracle Worker	125,000
1960	Advise and Consent	150,000
	Musicals:	
1949	South Pacific	225,000
1950	Gentlemen Prefer Blondes	160,000
1956	My Fair Lady	400,000
1959	The Sound of Music	485,000
1960	Camelot	600,000

Most professional theaters are located in high-rent areas and reflect the general increase in center-city rents. This saddles a production with considerable overhead from the start.

Labor, however, is the principal cost item in the performing arts. This is true in many industries, but labor costs are particularly important to the arts for two reasons.

First, unlike many other industries, the performing arts can't automate to offset rising wages. You wouldn't pay to watch a computer sing an aria or recite Shakespeare. There have been a few mechanical improvements backstage but they have had a negligible effect.

Second, labor in the professional performing arts industry is highly organized. Almost everybody, from actors to janitors, from musicians to curtain pullers, belongs to a union or guild.

Partly because of this, wages per performance have been raised to a high level. It's understandable that they should be, for employment is usually intermittent.

Another cost inflator is the fact that performers and stagehands must be paid for rehearsal time when they are producing no revenue. And we have heard that the performing arts have their share of featherbedding and make-work practices.

HOW PERFORMANCES ARE FINANCED

Economists tell us that private capital is attracted to the most profitable uses. If so, how do the performing arts raise the money necessary to produce shows and concerts? No sector of these arts have managed to show a profit over the past decade as a whole.

The answer is that productions are motivated by other things beside monetary reward. At the risk of oversimplification, one could arrange these motives on a scale: at one end would be pure profit; at the other pure public service, the desire to promulgate culture.

The professional theater would fall on the profit side of center. People invest in the theater for the excitement and the personal associations, to be sure, but the primary reason usually is to make money. There is always the chance of finding a big hit and getting back several times one's original investment.

Theatrical productions are usually financed on a limited-partnership basis.[2] The producer endeavors to induce investors to put up the sum necessary to produce the show. If and when profits start coming in, they all go to the investors until their original investment is paid back. Thereafter, the investors split profits 50–50 with the producer.

The odds against an investor breaking even are about 4 to 1.

Opera, ballet, and serious music would be nearer the public service end of the scale. They would be delighted to make a profit but in most cases they don't really expect one. Ticket sales very rarely cover total costs.

As a result, opera, ballet, and serious music must rely on donations and contributions to make ends meet. This money comes from several sources. Individuals are most important—people, rich and not-so-rich, who have a special interest in a particular art form and want to see it continue. This traditional source of support is drying up, some say. Certainly, it doesn't seem sufficient to maintain the arts on a scale large enough to meet the present expanded demand.

Corporations are donating increasing sums to the performing arts and so are foundations. The Ford Foundation, among others, has been particularly generous in this respect.

Certain State and local governments also have become patrons of the performing arts. The city of Philadelphia, for example, finances in part a series of free summer concerts in Robin Hood Dell, a vast outdoor amphitheater in Fairmount Park.

WHY NOT RAISE TICKET PRICES?

When the cost of producing any product rises, one common solution is to raise the price of that product. So why don't they raise the price of admission to the performing arts—raise it enough to cover costs?

The answer depends in some measure on what ticket buyers would do. In other words, it depends on the nature of demand. Higher prices probably would discourage some potential purchasers, but that's not the real point. One has to look at total revenue.

Suppose a theater is selling 1,000 tickets at $5 apiece. Total revenue equals $5,000. Now let's say it raises prices to $7. If this discouraged 200 people from attending, total revenue would actually be higher (800 times $7 equals $5,600). If 300 customers were lost, however, total revenue would be less than before (700 times $7 equals $4,900).

Put another way, how much prices can be raised, if at all, depends on how sensitive demand is to price. This can be determined to some extent by market research and other means. As far as we know, the necessary surveys have not yet been made. Some speculation on the subject, however, might be illuminating.

Certain authorities say that higher ticket prices would not choke off a significant amount of demand. They point to the great increases in interest in the performing arts. Many productions are selling out at present prices. The practice of "scalping" tickets also seems to indicate a reservoir of demand at higher prices. For example, tickets to the hit, "How To Succeed in Business Without Really Trying," have brought many times their box office price on the black market.

Businesses buy large numbers of theater tickets. The idea is to entertain customers and visiting firemen. Since such purchases are a tax-deductible expense, it is not likely that this demand would be seriously reduced in the face of moderately rising prices.

Attending the performing arts is an occasion for most people. It is often planned well in advance; it's not a "what'll we do tonight?" kind of thing. As a result, price may not always be the dominant factor in the demand for tickets.

Add the great postwar rise in discretionary income to the above-mentioned factors and many experts are led to believe that overall demand is strong enough so that ticket prices generally could be raised without reducing total revenue.

But there are definite limits. Ticket prices are already high. Prime prices on Broadway have risen faster than the cost-of-living index in recent years. Consider also that attending a performance is a luxury—you don't have to do it.

One also must remember that many productions are motivated in part by the desire to make culture available to the largest number of people. If higher ticket prices discouraged any demand at all, it would be contrary to this important goal.

At any rate, it is highly improbable that prices could be raised enough to cover costs completely. Higher ticket prices might ameliorate but won't solve the financial problem of the professional performing arts.

Is assistance from the Federal Government the only answer? Perhaps a bit of history will shed light on the question.

FROM COTTON MATHER TO RUDOLPH BING

The performing arts were virtually nonexistent in early colonial America. The settlers were scattered on small farms hewn out of the forest primeval. Life was hard and people worked the sun around and tumbled into bed.

Puritanism was strong in the northern colonies and its leaders considered all entertainment to be sinful. "Brown bread and the gospel" was their sustenance.

As cities began to grow and a leisure class developed, a few scattered theatrical companies were formed. One of the first was in Philadelphia in 1749. A play called "Cato" was put on and the actors were promptly arrested and admonished to give up the undertaking. They moved to New York and found the climate more hospitable. This may have been how the tradition of trying out plays in Philadelphia prior to Broadway was first established.

By the beginning of the 19th century, the American theater was still in rudimentary form. There were, at that time, about 10 theaters and 100 professional actors in the entire country.

The history of serious music in America does not even begin until the 19th century. The first grand opera was presented in 1825; the first permanent symphony orchestra was established in 1842.

Only after the Civil War did the performing arts begin to flower. The country was rapidly becoming industrialized. The smoking factories and railroads spawned a new American aristocracy—the captains of commerce, the "moguls," as Steward Holbrook calls them. The moguls had vast fortunes and plenty of leisure.

Perhaps in an attempt to emulate the noblemen of Europe, the new American aristocracy—or their wives—developed appetites for the arts. But the legitimate theater and good music were virtually unavailable in America.

When a country wants something it doesn't produce, it generally imports and so European performers were brought over to entertain the American moneyed class. But when a country relies on imports, there is often little opportunity for domestic production to develop. As the salons of Newport and New York acquired a fetish for foreigners, native Americans found little encouragement to become serious performers. This further reduced the availability of the arts to the general public. The average American who knew nothing of good theater and serious music now became suspicious of them. Such entertainment was considered longhair stuff put on for rich women by hand-kissing foreigners.

But the average American rapidly was gaining more income and more leisure. Crowded in a city, he needed something to do. He patronized minstrel shows and melodramas, for the most part.

[2] There are exceptions. Sometimes one backer will finance a whole show as the Columbia Broadcasting System did with "My Fair Lady." Tent or repertory theaters make other financial arrangements. For example, Music Fair, the outfit with several tents in the Philadelphia suburbs and elsewhere, has just sold stock to the public.

In the 1890's two new forms of entertainment gained wide popularity—vaudeville and burlesque. During the next 25 years, hundreds of companies toured the country bringing entertainment to audiences starved for the sight of "anything that didn't moo or cluck."

Vaudeville hit its peak in the period just before World War I. The Palace with headliners like George M. Cohan was selling out at $2 a ticket. On Broadway, the operettas of Victor Herbert were popular.

After the turn of the century some signs of a widening popular interest in serious music appeared. The development of the Victrola was a contributing factor. The Philadelphia Orchestra was founded in 1900 and enjoyed considerable acclaim. Opera stars such as Enrico Caruso and John McCormack drew large audiences on American tours. But serious music still was pretty much the province of the upper crust.

In the 1920's, musicals such as Jerome Kern's "Showboat" became the rage of Broadway. People began taking a real interest in the amateur theater for the first time. The movies hurt vaudeville and many theaters combined both live and film productions. Burlesque "invented" the striptease in 1925 and enjoyed considerable success during the remainder of the decade.

In the 1930's, all the performing arts were crippled by the depression and by talking movies. Nevertheless, a number of important Broadway shows appeared—notably the Gershwin musicals. At the peak of its short life, the WPA theater project employed 10,000 performers. It was a potent force in bringing culture to towns of modest size that previously had enjoyed nothing more than vaudeville. The project sowed some of the seeds of the present nationwide boom in the performing arts.

As war clouds gathered in Europe, many talented performers migrated permanently to the United States. They helped to raise the quality of serious music and opera, and to make it available to wider audiences.

The performing arts sagged a bit during World War II as audiences and performers alike found more important things to do. One of the most successful musicals of all time—"Oklahoma"—was staged in 1943, however.

After hostilities ended, a new interest in the arts was evident. So began the broad postwar boom the contours of which we already have sketched.

The principal purpose of this excursion into history is to show how the performing arts developed as privately sponsored institutions in America. We had no kings, no noblemen, no imperial courts, no dominant Catholic church to patronize the arts and establish the tradition of central support. But we did have Puritan inhibitions and the rigors of frontier life. As a result, the higher forms of the performing arts were molasses-slow to develop in America. When they finally did emerge, they were supported by a relatively few rich individuals for their own personal pleasure. Such a situation denied many of the arts to the general public and, in fact, made the public a bit hostile to the arts.

Since our Government is guided by the vote of the majority, this hostility helped to rule out Federal Government support for many years. But today the attitude of the public has changed. The arts belong to everyone. The political climate is now more favorable for Federal Government support on a permanent basis than ever before.

THE "ANGEL" IN WASHINGTON

Last fall Secretary of Labor Goldberg brought to a head the question of Federal aid to the arts. While publishing his findings on the Metropolitan Opera wage dispute, he issued a general statement on the status of the performing arts.

Secretary Goldberg said that the "American artistic scene today is alive and vibrant." He continued, "At the same time some of the foremost institutions of American culture are in grave difficulty. The individual benefactors and patrons just aren't there as they once were."

The Secretary made a number of suggestions. Prominent among them was the recommendation of Federal grants to the arts. He proposed appropriations to the States, which would put up similar amounts.

The Secretary is not alone in recommending Federal Government assistance to the arts. About 20 bills providing aid of one sort or another have been introduced in Congress. Many prominent private citizens also have gone on record in favor of assistance.

The principal proposals now being discussed could be arranged into three general groups.

1. Tax changes: For example, the following has been recommended: elimination of the 10 percent tax on theater admissions; increased income tax deductions for private contributions to the arts; special tax advantages for artists themselves.

2. Advisory Council: Such a group would be created to study the problems of the arts and to advise Congress and the administration on ways to promote the arts.

3. Grants: Federal money could be given to the States which would match the amount and use the total "to encourage and stimulate" the arts. Another suggestion is a direct Federal subsidy to promote live performances where they are not now available.

ARGUMENTS FOR THE AFFIRMATIVE

Those who favor Federal aid to the performing arts point to the financial need. They mention the high costs and the fact that ticket revenues often do not cover expenses.

The arts cannot continue to rely on individual benefactors, the advocates of aid maintain. "As we become more and more a cultural democracy," Secretary Goldberg says, "it becomes less and less appropriate for our major cultural institutions to depend more and more on the generosity of a very few of the very wealthy."

Once the need for aid has been established, the advocates often go on to explain the importance of the arts themselves. The performing arts are a fundamental part of a nation and its culture. They are a gage of civilization, a vital means of self-expression. They promote better understanding of life, past and present.

The necessity to make performances pay and to woo private patrons reduces creativity and innovation, it is maintained. When a producer has to appeal to the widest possible audience, he often must sacrifice quality for quantity.

The arts are an important natural resource, people say. It is just as important for the Government to take steps to conserve the arts as it is to conserve any other natural resource.

Along the same lines, it is often pointed out that the principle of Federal subsidy is well established. Many other industries get special treatment of one sort or another. Oil, airlines, shipping, electric power, and farming are but a few examples.

In almost all other highly developed countries the state contributes to the support of the arts. It happens in England, Germany, France, Italy, Austria, Russia, and many more. Why can't it happen here?

A country is judged abroad by the quality of its arts. Thus, the maintenance of high-quality performing arts could be an asset in the cold war. Do we want the uncommitted nations to judge us entirely by our crooners and the twist?

Another argument that is often advanced in favor of support is the fact that our Government is already subsidizing performing arts in other countries. The State Department frequently sponsors tours of foreign countries by American artists ranging from a "Porgy and Bess" company to Dizzy Gillespie and his bebop band. In addition, foreign-aid funds have been used to help build and support theaters and opera houses abroad.

Finally, it is pointed out that Federal assistance of the arts would not be costly. Elimination of the theater tax, for example, would reduce total Federal revenue by only .0007 percent. Grants to individual States would be measured in thousands of dollars. The program to bring the arts to outlying sections of the country is estimated to cost about $10 million a year—half the cost of a jet bomber.

In fact, the grants need not cost the Government a penny. It has been suggested that they be financed by a new tax, say on television. The justification is that TV relies on performers that have been developed on the live stage.

FOR THE NEGATIVE

Opponents of Federal aid to the arts also can marshal important arguments. Perhaps the most mentioned point is that Government dollars often have strings attached. When the Government doles out money, it naturally wants some influence over how that money is spent. Such influence could range anywhere from mere "Philistine kibitzing" to outright control. In any case, it could well impinge on creative freedom.

It is argued that Government aid would not go to those with the greatest need but to those with the most political power. For instance, the major symphony orchestras might get a lion's share of aid although their need is not so great as that of the minor symphony orchestras. The average salary of a musician in the Philadelphia Orchestra is about $8,000 a year; in the New Orleans Symphony it is about $3,000. Musicians' incomes, of course, are often supplemented by teaching and other means.

Another fear is that Government aid would support a great number of marginal talents—people who, without Federal largesse, would be butchers, bakers, and candlestick makers. These marginal "hangers on" would reduce the quality of the American arts.

An increasing number of people oppose the extension of Federal Government activities on general principles. The arts are a local matter, they say, and if Government support is necessary it should come from the States and municipalities.

"Let the free enterprise system rule the arts," others say. In a democracy, the people themselves should decide the type of performance they will get. Those enterprises that can cover their costs—by ticket sales and private gifts—will survive and those that can't will disappear. It isn't fair to take money from all the people and use it to support an art form that only a relatively few are interested in.

This argument goes on to question the right of any individual or group to determine what American culture will be. Certainly, no Government official should say that we should have operas, ballets, and symphonies when the people aren't willing to pay enough to cover the costs of production. Besides, it is argued, operas, ballets, and symphonies are essentially old-fashioned, European art forms.

We in America have developed our own original art forms which are more suited to American tastes and which are self-supporting. In the musical play (comedy is no longer the applicable word), we have taken opera, ballet, and drama and modernized them into a unique and popular form of entertainment. Dixieland jazz is another native American art form, which has survived the test of the marketplace. The same

could be said for our folk songs, modern jazz, and many forms of the drama.

If enough people want grand opera and are willing to pay for it, we'll have grand opera, antiaid groups point out. Otherwise we won't. If people would rather have Benny Goodman or "West Side Story," that's what they will get. Who but the people who buy tickets should say one art form is more cultural or better for the Nation than any other?

CONCLUSION

The performing arts differ in many ways from other industries—the strength of the profit motive is just one example. Nevertheless, all private enterprises, the arts included, must face up to the same hard facts of financial life. They must cover their costs in one way or another if they are to survive. It is possible that some of the things other industries have done about high and rising costs might be applicable to the performing arts.

Capital spending: Many firms today are modernizing their plant and equipment. It is often expensive but it can pay off in increased efficiency which in turn may lead to lower unit costs.

Many theaters and concert halls are old and antiquated. Broadway is still using theaters built over 50 years ago. In addition, many theaters are small which severely limits potential income. Perhaps new and larger theaters would lessen the problem of rising costs. There are many new and revolutionary designs which might be successful.

A number of cities are planning and building new stadiums for sports and it now is feasible to cover them with a dome. Why not consider designing new stadia to accommodate concerts and other performances as well as football and baseball? The dome would permit year-round use and electronics might solve many acoustical problems.

Research and development: American industry is spending huge sums on research to develop new products and processes. Perhaps the performing arts could promote innovation in some organized way. Maybe creative people could be encouraged and subsidized by the industry itself—through special schools, grants, or other means.

Maybe the performing arts product could be changed to appeal to more people—operas in English, more concerts of semipopular music, more action on the stage. Walter Kerr, the dramatic critic, says we have "consciously and deliberately created for ourselves an unpopular theater." The theater has recently been emphasizing characterization and social protest at the expense of plot, movement, and excitement. Perhaps a change in the Broadway bill of fare would attract more customers.

Market surveys: New products often are tested on a panel of "typical consumers" before being sold. It helps manufacturers screen out the "flops" before large marketing expenditures have been made. Is it possible to test new scripts and ideas on a selected panel of theater-goers? It certainly would not be an infallible guide but it might provide a hint of real audience reaction without the expenses of actual production.

Perhaps the performing arts could learn more about the general demand for their products in a scientific manner. Maybe the sensitivity of demand to price increases could be probed. Trade associations are suitable agencies to sponsor such work.

Following customers: Several mainstream population movements have taken place in the past several decades. One is the "explosion" from city to suburb, another is the movement from the Northeast section of the country to the Southwest and West. Both are away from the professional cores of the performing arts.

Retailers and other businesses have profitably followed these movements. Perhaps the performing arts could, too. Possibly year-round theaters would be successful in the suburbs. The "tents" have already proved the idea works for summer musicals. More road companies could tap the now nationwide demand for professional performances if expenses were controlled. Perhaps additional permanent companies could be successful in regional centers now that such areas are accounting for an increasing share of the nation's business and commerce.

One of the most immediate needs in the performing arts is for better statistics—particularly financial statistics. At present, there is little information available to support thorough analysis. We are happy to report, however, that two important studies now are underway of the theater, and for the theater. They may yield information that will help add profit to the prosperity in the performing arts.

THE INTERNATIONAL BALANCE OF IDEAS

In the 19th century and the first part of the 20th, America was an importer of culture. We relied on foreigners for much of our music, drama, and art.

During the same period, America was a net exporter of technology. Many of the world's great inventions originated here. According to the Encyclopedia Americana the airplane, cotton gin, gasoline engine, steamboat, reaper, harvester and thresher, sewing machine, submarine, telephone, telegraph, phonograph, electric locomotive, tractor, typewriter, vulcanized rubber, motion pictures, and linotype all were invented in the United States prior to 1910.

Then, after World War I, the flow of ideas seemed to change. It became more of an interchange, a two-way thing. Our scientists continued to make important discoveries but many recent inventions were made abroad and brought to America for refinement and development. Insulin came from Canada, atomic fission from Austria and Germany, jet propulsion from England and Germany. Sulfa drugs were first discovered in Germany; radar in England, color photography in France, sonar in England, modern plastics in England and Germany, television in England, modern rockets in Germany, earth satellites in Russia, and penicillin in England.

On the other hand, we lately have been exporting culture as well as importing it. American movies are popular all over the world. American tunes lead the hit parades of Europe. Foreigners have eagerly adopted our jazz, our swing, our rock 'n roll, our dance crazes, and even our striptease. Our own musicians and singers such as Leontyne Price, Van Cliburn, Louis Armstrong, and Leonard Bernstein are welcomed all over the world. Even Russia has accorded ovations to American performers.

SCIENTIFIC INFORMATION

Mr. JAVITS. Mr. President, recent hearings on the revolutionary potentialities of a space satellite communications system have raised almost as many questions about the information available from research as they have answered. The vast scientific research programs undertaken by our Government as well as by foreign governments, including the Soviet Union, have resulted in a flood of scientific literature in several languages, too vast for even specialists in a particular field of research to keep up with. Steps to cope with this huge problem are urgently needed if we are to avoid costly duplication in research and experimentation and to direct our programs with efficiency and dispatch. Among recommendations that have been made is the establishment of a central clearinghouse and a library system, as well as other aids, that would enable our scientists to get quickly all the available literature in the research they are doing.

A cogent discussion of this problem with examples that demonstrate what easily available information could mean to our research workers is provided by Herschel Clesner, assistant counsel of the Subcommittee on Patents, Trademarks, and Copyrights of the Senate Judiciary Committee.

I ask unanimous consent to have printed in the RECORD his address, entitled "Soviet Space Communications Expectations," before the Patent Law Association in Rochester, N.Y., February 26, 1962.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

SOVIET SPACE COMMUNICATIONS EXPECTATIONS

(Address by Herschel Clesner)

I. INTRODUCTION

The following remarks are my personal views and should not be attributed to the Subcommittee on Patents, Trademarks, and Copyrights, and the Congress.

It is my privilege to address the members of the Rochester Patent Law Association. Rochester patent practitioners have participated in and contributed to the growth of American technology. You have had the opportunity to witness the growth of the automobile, chemical, radio, telecommunications, electronics and instrumentation industries, optical technology, the development of the camera, dental equipment, and a revolution in the printing industry. Rochester has proven that it possesses the tools and the brains to capture not only domestic trade, but also world trade. Our competitive industrial system as found here in Rochester has spurred new methods, new ideas and imaginative applications of their use. Innovations and inventions which have originated in this area have aided this Nation materially in its rise to world leadership. However, our position of world leadership will not be maintained unless we purge ourselves of attitudes which place a high value on slogans, and the Dale Carnegie and Madison Avenue touch and a diminishing value on knowledge and innovation.

Today this Nation must face and meet the thrust of foreign trade competition. Fine words and a mere understanding of the problems will not suffice to meet this bread and butter competition. Knowledge, know-why, know-how, and innovation are necessary tools that are needed to overcome the challenge. We are involved, also, in a race for supremacy with the U.S.S.R.—a global cold war for survival. This war for survival involves ideologies, scientific and technical leadership, economic dominance and weapons plus counterweapons superiority. Our basic freedoms and standard of living are at stake. Yet, the prevailing complacency of our society is a very grave danger to our effort in these survival struggles.

We must learn to work hard again to accomplish necessary objectives such as increasing our labor productivity and greater industrial efficiency. A catalyst is needed to reignite the American zeal for work, exploration in the unknown, mechanic arts and practical education. The educational advantages over the rest of the world which fostered our dynamic technology and industrial advance must be reestablished rather than ignored. To state, rephrase or even merely understand a problem is not enough for we must educate to dig for the know-why of problems in order to develop know-how. For the outcome of our competitive struggle depends on the ability of

our scientific and engineering facilities to develop and utilize tools of knowledge to create breakthroughs.

To quote one of our greatest philosophers and scholars, Alfred North Whitehead: "In the condition of modern life the rule is absolute—the race which does not value trained intelligence is doomed. Not all your heroism, not all your social charm, not all your wit, not all your victories on land or at sea, can move back the finger of fate. Today we maintain ourselves. Tomorrow science will have moved forward yet one more step, and there will be no appeal from the judgment which will then be pronounced on the uneducated." It is because of the Soviet drive to apply this philosophy that Mr. Khrushchev has shouted, "We will bury you."

II. COMMUNICATION OF INFORMATION

Effective media for and the use of communication are necessary tools for the scientist, engineer, administrator, budget director, and policymaker. World history is filled with many instances where inadequate information and communication have created harmful decisions or delays (timelag) in scientific or for that matter any type of advance. The communication and utilization of information is a vital part in the growth and development of scientific and technological research as well as an integral factor in decisionmaking. Such decisions by scientists, engineers, industrial and governmental administrators, the President, and the Congress must be made more promptly and entail more significant consequences than ever before.

No administrator, businessman, or scientist, however competent, can attempt to know personally about all current work relating to his field. Yet, sound decision making requires knowledge of prior existing, and competitive arts. Our industrial entities have diversified their operation in order to overcome the possible pitfalls of the impact of economic and marketing breakthrough of new and improved products and processes. In the past 50 years the carriage has given way to the car, the wagon to the truck, coal-derived carbon chemicals to petrochemicals, and the list is endless.

In this era of innovation and evolution our competitive industrial enterprises have led the world in keeping abreast of the existing state of their industrial art and discovering the state of their competitors' art as it may effect their endeavors. Some of our enterprises, including some represented here, even maintain an effective and constant search for know-why knowledge. This has come about because in a free competitive marketplace one must strive to keep ahead in order to survive. Necessity in turn fostered invention and the economically successful adoption of new technology led to the profitable marketing of new items and even know-how. No other nation can boast of so many successful industrial inventors.

Blessed with the size of this Nation, its natural resources, educational system, individual freedom, the growth of U.S. industry plus the purchasing power of the U.S. consumer, the United States became the world's biggest market place. To protect industrial proprietary rights in this marketplace, U.S. and foreign inventors have had to comply with U.S. statutes. Thus, the necessity to disclose a new and useful invention when filing for a patent to protect it as a proprietary right has created a means by which a good portion of the world's technical literature may be classified and quickly searched in a central operating clearinghouse—the U.S. Patent Office. Further, this system has created a class of specialists, patent attorneys and technical liaison personnel, to specifically operate in this area. Consequently, this Nation is second to none in discovering, keeping abreast of, and protecting technical know-how and proprietary rights.

An essential feed to creativity is know-why and/or theoretical scientific disclosures or developments. In recent years the development of this knowledge is increasing rapidly and becomes increasingly difficult to keep abreast of. In this area we do not possess a central clearinghouse, a central depository, a classification system to aid one in searching the art, means of readily obtaining needed article reproductions, or a class of specialists.

Our weakness in this area may be best illustrated by the story of Prof. J. Willard Gibbs, of Yale University, who in 1848 published an article on the "phase rule" detailing the manner in which the physical states of elements are effected by varying conditions of temperature, pressure, and concentration. Forty years later the able German chemist, Ostwald, noted the article and translated it into German. This technical know-why knowledge had an eventful impact on German technology. We were to learn, appreciate, and utilize this basic American discovery only from the German application of this principle to alloys—probably by the issuance of U.S. patents to German companies. This weakness is especially true regarding the utilization of foreign scientific and technical articles which are available in this country.

III. THE SPACE RACE

The space program provides a crucial illustration of an activity which cannot operate on a program of information communication and utilization which might have been adequate in 1900. The space program's entire planning, pace, and success depend upon mastery of up-to-the-minute classified and nonclassified information on current R. & D. projects in different disciplines (biology and physics); different laboratories; different Government agencies; different scientists, contractors and subcontractors; different universities and different countries. In this competitive race for survival we cannot afford to learn to utilize basic American discoveries from our competitors as in the Gibbs case. Yet, this may be happening for the Soviets do collect, abstract and promptly disseminate our scientific and technical material to an extent and thoroughness that we do not.

The space program may be more properly called the space race. But we continue to ignore how our competition is developing, what it is doing, its strength and weaknesses, and its planning.

On October 4, 1957, Sputnik No. 1 went into orbit. President Eisenhower informed this Nation that we had no prior knowledge of this event. However, publications containing articles and essential information on the coming feat were available in this country prior to the event.

The 1961 NASA study entitled "Evaluation of U.S.S.R. Versus United States Output in Space Sciences" is another such example. The report's conclusions as stated in the report are the result of a perusal of the Soviet literature and personal contacts between the scientists of both countries at two international conferences. Yet only one specific Soviet publication can be clearly identified from the report's bibliography. Further, the report's conclusions of progress relating to space sciences are based on NASA's numbers ratio premise that there are 64 pertinent U.S. articles as contrasted to only 8 pertinent U.S.S.R. contributions in 1959. But what good are such conclusions if an actual search of the available Soviet literature of 1959 easily disclosed 100 or more pertinent Soviet articles relating to space sciences, which it did.

On May 8, 1961, the Wall Street Journal in a lead article stated that the United States was racing Russia to put a man on the moon and whether the U.S. 1969 or 1970 timetable will be good enough to beat the Russians. Space Chief James Webb and his top aides conceded they have no way of knowing. Yet, if Mr. Webb and his top aides would have turned to pages 16 and 17 of the Soviet Ukrainian periodical "Znanya Ta Pratsya" (Knowledge and Work) of February 3, 1959, they would have discovered a Soviet timetable for man's conquest of the moon in six phases. Certain facts give this timetable credibility. Phases I and II have been completed within the proposed timetable calling specifically for events such as a solar probe, hitting the moon with a rocket, and sending a satellite into orbit around the moon and photographing the far side. Phase VI called for placing a man on the moon in 1965. With the present disclosed Soviet potential there is a good possibility the Soviets may fulfill this timetable.

Both the United States and the U.S.S.R. are presently committed to the proposition that space exploration and exploits have captured the imagination of the peoples of the world. Further, that in the next few years the prestige of the United States will in part be determined by the leadership we demonstrate in space activities, particularly communications. Many of our top governmental and industry leaders have stated that the United States is ahead in the space communication race and that the United States can be first in achieving an operable space communication system. When questioned by congressional committees as to the status of Soviet development in this area, the answer is we have no specific knowledge. Commissioner T. A. M. Craven of the Federal Communications Commission when asked, "why not?" replied to the effect that the Russians had not notified them of their plans. I doubt if we officially have notified the Soviets of our plans but there is certainly a lot of publicly available printed words relating to them.

The available literature discloses after a quick survey that the Soviets as far back as 1953 and 1957 had discussed using large high altitude equatorial hanging space satellites to amplify and relay TV programs to any part of the world.

In 1960 at least three articles appeared in the Communist bloc press authored by Alexander Nesmeyanov, president of the Academy of Sciences of the U.S.S.R. which stated that Soviet scientists were working on plans to utilize satellites for meteorological and radio services. Statements made by Nesmeyanov have not usually been made for propaganda effect but rather as statements of fact.

A report was presented to the All Union Conference of Research Workers in June of 1961 by M. V. Keldysh, the new president of the Academy of Sciences of the U.S.S.R. in which he stated: "A priority of the highest importance is given to space satellites in solving a number of economic problems. observations performed through the use of satellites would create a radical improvement in weather forecasting, radio communications and solar utilization. The use of communications * * * satellites for relay services would revolutionize communication and television services."

From these excerpts it is evident that the Soviets have been planning and working on the development of space meteorological and communication services for a number of years.

Further, the Soviets possess the rocketry and possibly the necessary precision control systems to put into orbit an operable high altitude synchronous satellite system, or for that matter, even a low random orbit satellite system. The Soviet ability to control satellites in orbit as exemplified by the various Vostoks and also Lunik III is of significance in connection as to an existing capability relating to planned orbital rendezvous of one satellite with another, and retrieval and repair of malfunctioning communications satellites. The great thrust of their rockets enables them to utilize satellites with a large amount of space for

experimental and telecommunication equipment. The Soviet's successes in space technology appear to have created a forward thrust and pride in the daring and dimension of their concepts. However, their program in this area as with all their programs must be planned and have a pragmatic objective.

What are the Soviet plans and programs in this particular area as disclosed in their available literature?

In an article in the Moscow Pravda, dated August 13, 1961, Prof. Ari Shternfeld, winner of the International Prize in Astronautics, disclosed a plan for launching a 35,800 kilometer high equatorial synchronous satellite system. The satellites which would be several tons in weight are heavier than the satellites called for in any presently proposed U.S. plan. Furthermore, the satellite or platforms would be assembled in orbit. This technique would allow the use of the last stage of the rocket to create a station of many tons. The use of space platforms and satellites assembled in orbit has been a theme that this Soviet scientist has espoused publicly for some time.

The Soviet Deputy Minister of Communications, K. Sergeychuk, stated September 11, 1961, in the Economic Gazette, the technical publication sponsored by the Communist Party of the U.S.S.R., that serious attention be given to the possible use of space satellites for telecasting and that such satellites should be sufficiently powerful as a relay station to function for a number of years with the capability of beaming toward particular areas. He declared that the drafted program of the Communist Party of the U.S.S.R. ranks communications development among the decisive spheres of technical progress.

The chief designer of the Vostok spaceships recited in an interview in Krasnaya Zvezda on October 11, 1961, that the creation in the near future of satellites for relaying television and communication signals and for the purposes of navigation and meteorology and other scientific tasks of economic significance is technically feasible. An important stage in the development of satellite flights would be the creation at various altitudes of permanent orbital stations which would hang forever above the earth (a synchronous system).

Further, he disclosed that a system for safely getting service and control personnel to such stations and back to earth may be already worked out. He pointed out that the most technically feasible way would be to create such stations while in orbit around the earth, using materials which would have nothing in common with ordinary construction materials.

The chief designer usually is a key personage in the Soviet technology hierarchy for he probably has the responsibility in this instance of carrying out the task of constructing such a vehicle. He is the overall manager of the program with operational control over enterprises, plants, and personnel. It is his job to deliver.

In his November 24, 1961, report to the general meeting of the Department of Technical Sciences, Academy of Sciences of the U.S.S.R., Anatoly A. Blagonravov, one of the U.S.S.R.'s top missile and rocket experts and head of this department, stated that Soviet scientists will be working on satellites for earth communications as one of the most important aspects of their work during the next 20 years.

On December 31, 1961, Prof. K. Sergeyev was quoted by Pravda that "we can anticipate the creation of a system of satellite stations for the purposes of communication and relaying of radio and television broadcasts, for the navigation of ships and aircraft and for systematic weather observations."

These words of the high Soviet technical officials cannot be discounted as mere puffing. For it is a fact that key Soviet personages, such as Nesmeyanov, used similar words as the chief designer of the Vostok spaceships and Professor Sergeyev in the period preceding the development and flight of Sputnik I and Yuri Gagarin's manned orbital flight.

The significance of these Soviet statements is that their planning is directed to launching a multipurpose satellite rather than the single-purpose space communications system as conceived in the U.S. proposals. The purposes would be for amplifying and relaying radio and television broadcasts, space communication ship navigation, weather observation, astronomy and solar research. The lack of communication emphasis may be due to the fact that their need for transoceanic circuits is obviously not as great as ours. The statements indicated that this program has been evaluated, given a high priority and is in the development stages with its responsibility vested in proven technical and administrative hands.

IV. CONCLUSION

The phenomenal technological advances during the past few decades have increased the importance of research and development in our national economy and defense and attained for research and development a recognition of primary importance today. The combination of science engineering, industry, and organization during the past decade has rendered military practice obsolete. Eventful scientific and technical changes are made daily. Today this Nation alone is spending more than $15 billion per year for research and development. The problem of effectively planning, managing, and coordinating this program, especially the more than $10 billion portion funded by the Federal Government, has become increasingly acute.

Costs are rising; the program is expanding in magnitude, complexity, and diversity, increasing numbers of specialized manpower are engaged and their work in different disciplines becomes more and more closely interrelated but not necessarily known.

In this program we must have the desire to dig for and obtain the know-why and develop know-how. U.S. industry, science, and technology must again reassert its initiative in keeping abreast of not only know-how but know-why knowledge.

When Alexander Sachs on October 11, 1939, presented to President Roosevelt a letter by Albert Einstein pointing out the possibility of utilizing the fission energy of uranium in a bomb, he set in motion the necessary mechanics to translate know-why knowledge essentially developed in foreign facilities to U.S. know-how.

The need for improvement in our communication media is obvious. The resulting merits of instituting such a program versus the costs of the necessary machinery are justified on the basis of improved achievements, both in the management of our Nation's research effort, its direct conduct, administrative tidiness, and its need as an essential governmental service for our taxpaying industrial, engineering and research units in their trade battles for economic survival. Benefits such as avoidance of duplication, thought stimulation and possible creativity, improvements of general and schedule planning and budgeting, improved decisionmaking, identification of information sources, opportunity to cooperate, the possible prevention of negative results, time compression between discovery and application result from prompt utilization of available information.

In 15 years or less, the existing scientific, engineering and technical knowledge from year 1 to the present will be doubled. Unless our personnel acquire the desire and the means to effectively utilize this written material it will only collect dust on library shelves and elsewhere. U.S. science, industry, and Government will waste essential time and money to rediscover known facts. Also our world prestige, may be diminished due to assumptions which would not be warranted by available knowledge.

Space evolution and innovation are rapidly moving to the stage of economic adaption. As the carriage has given way to the car so may transoceanic telephone cables, TV microwave and coaxial cable transmission to a communications satellite system. U.S. industry must have the capability to have know-why and know-how to complete. To maximize our chance for survival as a free democratic nation, with a prospering economy, we must provide our industry, scientists, administrators, and leaders with adequate communication media that they will readily have available the necessary information relating to their problems.

DOCTORS IN THE DESERT

Mr. JAVITS. Mr. President, finally, I should like to call the attention of my colleagues to a very interesting activity described in a lead article in the Saturday Evening Post, entitled "Doctors in the Desert," a program which has been conducted under the aegis of the Orthopedic Letters Club overseas project, in which orthopedic surgeons contribute a month's service to help crippled and underprivileged persons in Jordan. This is technical assistance of high value. I have long urged that if the Middle East is ever to have peace, peace especially between Israel and the Arab States, it will bring with it a new burst of freedom, prosperity, and health. I have always and most ardently favored anything that would tend to benefit the health, the living standards, and the peace and security of the Arab people.

First, I think this project is evidence of a very helpful activity on the part of patriotic and distinguished Americans in the way of technical assistance in a country that urgently needs it.

Second, it is most significant to me that it is being carried on in Arab countries, because it underlines what I have been trying to emphasize so strongly with respect to the essentiality of rehabilitation of the Middle East. This could be the greatest antidote for an unhappy and tragic heritage of hate that demagogs are trying to perpetuate in that region.

I ask unanimous consent that the article from the Saturday Evening Post to which I have referred be printed in the RECORD as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

DOCTORS IN THE DESERT

(By Allan M. McKelvie, M.D., as told to Milton MacKaye)

For almost 2 years, and without the waving of flags or the beating of drums, American physicians have carried on a unique medical project in an ancient land and new nation. The nation is the Hashemite Kingdom of Jordan. The country, sand-blown, arid, and almost treeless, is the land of the Old Testament, and the place names ring the bell of memory—Jericho, Bethlehem, and Jerusalem itself.

The purpose of the American mission is to bring help and hope to the crippled and underprivileged of a poverty-stricken country. The doctors are skilled orthopedic experts who volunteer their services in the interest of international good will. Today

they are operating on twisted and maimed children and adults and teaching Jordanian doctors and nurses modern methods in bone and joint surgery and the correction of physical deformities.

I was a member of this mission and, in the preparation of this article, I was selected by my associates to be spokesman.

It should be said at once that we are sponsored by no governmental organization, and are completely nonpolitical. We call our enterprise the Orthopedic Letters Club Overseas Project (OLCOP). Each doctor spends 1 month in Jordan. We pay our own traveling expenses and our living expenses while there. We receive no salary and accept no medical fees from patients. Many of us are accompanied by our wives—I was—and some of us by high-school-age children. We pay their expenses too. In short, we go not as propagandists or persuaders but only as physicians and friends.

I have called OLCOP unique because it was spontaneous, a sort of upbubbling of conscientious concern among a group of busy and normally self-centered men. The Orthopedic Letters Club was formed after World War II by young doctors who wanted to keep in touch with one another and share firsthand the medical problems of their specialty. Each year we hold a get-together dinner at the convention of the American Academy of Orthopaedic Surgeons. It was at the January 1959, convention in Chicago that this adventure was spawned.

The Letters Club has 52 members in this country and 12 members overseas.

Each of us writes one letter a year which is mimeographed and circulated. This adds up to a letter every week from colleagues in this country and a monthly letter from abroad. So in 1959 we were not unaware of medical needs in foreign lands despite the legend that successful physicians read only scientific journals and stock market reports. Dr. Richard Dodge of Honolulu was the catalytic agent at Chicago. He had worked in the misery and mud of Korea and he had just finished reading the best-selling book, "The Ugly American" (the Saturday Evening Post, Oct. 4–Nov. 8, 1958). Like the authors of the book, he was concerned about the failure of some U.S. programs abroad to create real friendships between peoples.

No one questioned the importance of American financial assistance to allies and emerging nations, or the necessity for orthodox Foreign Service cadres. But it did seem that ambassadors were pretty far removed from the peasant in the rice paddy or the goat herder beside his campfire. A medical license is a passport to many lands. The common language of pain and disability, we knew, often gives the doctor an entree denied the diplomat.

But what to do? Our careers were now in swiftly flowing midstream. It was not the prospect of financial sacrifice which made us hesitate. It was, instead, our obligations to our own patients; we could not leave busy practices for too long a time. A committee was appointed to study ways and means and, after Chicago, discussion continued by long-distance telephone. Eventually someone came up with the solution. If 1 doctor couldn't go for a year, why couldn't 12 doctors go successively on a monthly basis? This proposal was so well received that we soon knew we could recruit volunteers.

The next step was to determine where our services were most urgently needed. The obvious place to go for this advice was Medico, the oversea charitable foundation created by the late heroic Dr. Tom Dooley and Dr Peter D. Comanduras. I live and practice in Washington, D.C., so I went to see Dr. Comanduras at Medic headquarters. He had the answer. A recent survey had shown that the small country of Jordan had not one fully qualified orthopedic surgeon and had great need of help. If we wanted to try our wings, that was the place to do it. From then on things moved fast.

Medico agreed to sponsor our project, the Jordanian Ambassador in Washington gave assurance of his Government's approval, the Jordan Medical Society agreed to issue temporary licenses so OLCOP doctors could practice there, and we were promised the all-out cooperation of the United Nations Relief and Works Agency (UNRWA). Of Jordan's population of nearly 1,700,000, about a third are Arab refugees from the part of Palestine which is now Israel. They have been living in camps for more than a decade, fed and ministered to by UNRWA. In mid-August of 1959, only 7 months after our project's birth pains, I flew to Beirut and then to Jerusalem, the first OLCOP doctor in the field.

My wife Cynthia and my teen-age daughter Jill went along. We put up at the American Colony Hotel, once a caliph's palace. Our medical mission now has its headquarters there UNRWA provided me with a car and a driver—the joyous and articulate Wadji—and I spent the next 2 days exploring Jordan. What I saw, the American doctors who succeeded me were also to see—hospital waiting rooms and corridors full of ailing and crippled children. Many of them were brought on the backs of older youngsters. The patients had never walked, and the task of carrying them everywhere devolved on brothers and sisters. At Spafford Memorial Hospital, built in Jerusalem's ancient wall, I saw tattered kids daily climb 87 stone steps, carrying small patients astride their shoulders.

Many of these children had never had treatment of any kind. For centuries Jordan has been a land of malnutrition and plague. Where once only the hardy survived, there was traditionally little effort to succor the juvenile halt and maimed. They were already doomed to lose the struggle. Nothing could be done. A deformed child represented the will of Allah or was the result of a curse laid upon the family. The parents were ashamed. Nevertheless, when the news of our mission spread among the peasants, a new light of hope was kindled, and armies of the ailing collected wherever we went.

These were heartbreaking sights to which my colleagues and I never became hardened. Humble, uncomplaining people expected miracles we could not provide. I remember a touching story told me by Dr. Samuel Moore, of Oklahoma City. Dr. Moore's car was stopped by traffic in a Jerusalem street; a tall Bedouin in desert robes approached, held up his young son. The child was blind. "Tell him," said Moore to his Arab driver, "that I'm not an eye specialist. He should go to a hospital."

"All he wants you to do," said the driver, "is to hold the boy a moment. He thinks it might do some good." Dr. Moore held the child gently until the traffic jam dissolved. The Bedouin bowed his thanks.

It quickly became obvious to me that no matter how long any of us stood at the operating table we could make only a small chink in the tremendous backlog of surgical work. We would do all the surgery we could, but our main job must be to teach our orthopedics to Jordanian physicians so they might increasingly take over the load. On the advice of Dr. Jamil Tutunji, Minister of Health and Social Welfare, I set up a program of day-to-day visits to hospitals all over the country. Here was the weekly schedule: Monday, Augusta Victoria hospital in Jerusalem; Tuesday, Es Salt; Wednesday, Jericho; Thursday, Amman, Jordan's capital, where there are three hospitals; Friday, Spafford Memorial Hospital in Jerusalem. After my time, Bethlehem and Nablus, near the Israeli border, became additional points of call for doctors who took my place.

My days upcountry usually started at 6 a.m., so my U.N. driver could get us through the oppressiveness and bake-oven heat of the Dead Sea Valley before the sun was high. Noontime temperatures there often reach 120°. The sleek 60-mile highway between Jerusalem and Amman is a motorist's delight, an American point 4 project. But most of Jordan's back roads are not like that at all. They are dusty, rocky, full of hairpin turns and notional drivers.

My experiences with Jordanian doctors—once we had our program underway—were amiable and satisfactory. All were educated in other countries—Jordan has no medical school—and most of them came from the nation's upper class. They were graduates of Cairo University, the excellent American University of Beirut and several European universities; a considerable number had taken postgraduate work—although not in the orthopedic field—in Baltimore, Boston, and New York. I arranged for local physicians to screen and select all patients to be examined by OLCOP doctors, and on regular schedules.

Our practice was by no means limited to the residents of the refugee camps. My diary tells me that on a September morning at Amman I operated on two Cabinet ministers' children. One was Hashein Jayyousi, daughter of the Minister of Finance; the other was Hazza Majali, 12-year-old son of the Prime Minister. Both were postpolio victims, and I did bone drillings and tendon transplants to correct crippled feet. I did not meet Prime Minister Majali, who was then attending an Arab League Council in North Africa. When I returned to Amman next day to examine my patients I discovered they had been moved to another hospital where they were guarded by soldiers of the crack Arab Legion. At the time this seemed to me excessive caution. A year later, when the Prime Minister was killed in his office by a bomb, I changed my mind.

There are three types of hospitals in Jordan: Government hospitals, UNRWA hospitals and those supported by missionary church groups or charitable organizations. They have problems almost unknown in the United States: chronic shortages of supplies of all sorts, shortages of trained nurses and attendants, and—because of the scarcity of water in a desert land—difficulties with asepsis. I remember my surprise the first time I went to Augusta Victoria, a 200-bed hospital and Jerusalem's largest. I had planned to begin surgery just after noon, but there was no water whatever. It was not until 3 p.m. that water arrived by truck and I could begin. Sometime later OLCOP had to abandon its visits to an outlying hospital for several weeks because wells there had gone dry. The operating room couldn't be kept clean.

Yet these institutions do exceedingly well with what they have. In subsequent months some $50,000 worth of orthopedic equipment, generously contributed by American medical firms and transported to Jerusalem by Medico and UNRWA, began to come in. But at the start our doctors had to use the tools at hand and improvise. Any surgeon worth his salt can improvise. Dr. John R. Walker of Waterloo, Iowa., needing a mallet during bone excision, commandeered one from a furnace room. It had been used to break coal, but it did the trick. When Dr. Francis Costello of Williamsport, Pa., could find no walking heels for use in foot casts, he made his own out of old automobile tires.

Plaster casts, crutches, steel and leather braces are often postoperative necessities in correcting deformities. Perhaps my greatest surprise was to discover that crutches for children were literally not to be found in Jordan. When I stopped in London on my way to the Middle East, a kindly elderly lady had given me 20 pounds to aid refugees in any way I saw fit. She thereby made possible the first dozen pairs of decent crutches ever

made in old Jerusalem. With the help of friends I found a refugee carpenter who earned a living by making crucifixes out of olive wood—olive trees still grow on the Mount of Olives—and selling them to tourists.

He had a lathe in his little shop. I drew a design of a pair of adjustable crutches and asked him whether he could turn them out. He thought he could—and he did. His workmanship was superb. He continued to make crutches for us for many months, but wood is both scarce and precious in Jordan and a price of $5 or $6 a pair was more than most of our patients could pay. And one-man production was, of course, limited. Recently through Medico 1,000 pairs of adjustable crutches have arrived in Jordan and our problem is practically solved.

Additional detective work by loyal allies turned up the only bracemaker in the Nation. He was a refugee from Jaffa who had learned his artisan's trade in Cairo. He was, if memory serves, not an Arab at all, but a Coptic or Egyptian Christian. UNRWA set him up, at my request, in his own workroom at the Augusta Victoria. But his hand workmanship could produce only five or six sets of braces a week. With the financial assistance of the Lutheran World Relief, Inc., secondhand braces are now being shipped to Jordan in adequate supply.

When OLCOP alumni get together nowadays, there is always one point of agreement—the scourge of the Middle East is "the bonesetter." Apparently his profession goes back into the mists of history and sometimes is handed down from father to son. In cities he is often a butcher by trade. After business hours his patients come to the stable yard to have their ailments treated. Barbers and undertakers also ply this medicineman trade.

The bonesetter frequently treats general illness with searing irons. Many of the patients we examined had "therapeutic burns" all over their bodies. What appalled us most was the treatment of fractures. I invited anyone enthusiastic about the virtues of folk medicine to look at the X-rays we took. Volkman's contracture is rarely seen in the United States; it results in a hand stiffened like a claw, the useless end of a useless arm. We saw dozens of cases in Jordan. The bonesetters are responsible.

Here is their method of treatment. Strips of cloth are soaked in egg yolk and olive oil and wrapped around a fractured or dislocated elbow. Then hot oil is poured over the bandage which assumes, as it chills, the consistency of concrete. What happens? (1) The constrictive bandage cuts down the blood supply needed for the healing process; (2) the heat causes harmful edema; (3) this causes contraction. The immobilized arm and hand eventually emerge from the impromptu cast permanently crooked and crippled. The X-ray pictures we took revealed jigsaw puzzles of anatomy never seen in a textbook and surgical problems almost impossible to solve.

This public and traditional mayhem continues to be tolerated in Jordan, although officially frowned upon—and bonesetters, like quacks everywhere, achieve redoubtable word-of-mouth reputations. Ahmed, a waiter at our hotel, repeatedly boasted to OLCOP doctors about the magic of his own medicine man, to whom he had gone, he said, with a broken foot. Shortly after, Ahmed was advised to consult a medical doctor, and the foot was X-rayed. "The bonesetter," said the waiter excitedly, "cured the foot in 2 days. The X-ray didn't even show a sign of a fracture." The answer, of course, was simple. The foot was sprained; there never had been a fracture. But if Ahmed, certainly a man of the West in spirit, could be so gullible—what could we expect of the untutored fellahin?

About 140,000 refugees are quartered in the Nablus area. (There, also, live 300 red-hatted Samaritans, last survivors of an ancient sect.) One hot afternoon in a camp near Nablus I stopped in the shade and watched an artisan fashion an unglazed water jug over an old treadwheel. When I admired his handiwork, the potter, smiling, presented the jug to me. My daughter Jill inscribed on it, "Order of the OLCOP Cool Cup," and it continues to occupy a place of honor in the Jerusalem headquarters. Eunice Hauser, wife of Dr. Charles U. Hauser of Hamilton, Ohio, later saw the cool cup as symbolic of our mission in Jordan, drew a design and called in silversmiths. The result was the little badge all of us now wear in our lapels.

The insignia soon came to be recognized in Jerusalem and Jericho, and my successors rarely entered the smallest shop without being asked to drink coffee and eat sweetmeats. And through the Arabic newspapers, word of our work spread to far places. Dr. Paul E. Dee, of Rockford, Ill., had one patient whose family had brought him 800 miles out of Egypt, much of the way by camel caravan. The man had been bedridden for years and was suffering from a severely ruptured spinal disc. Dr. Dee performed an operation known as a laminectomy, and 10 days later the patient, with much kissing of hands and grateful tugging at garments, left the hospital. It was a remarkable recovery; he was completely without pain and walking under his own steam.

Orthopedics, however, is rarely short-term medicine. Correction of multiple deformities may require a series of operations performed over a long period of time. A stay of a month in Jordan did not permit any of us to follow up his own cases. Yet because of group understanding and cooperation OLCOP was able to achieve a remarkable continuity of effort. To illustrate I cite the quite ordinary story of Salweh Khalidi, a 13-year-old girl who had suffered from tuberculosis of the bone for 4 years; she could not walk because one knee was bent at a 90° angle. In February last year Dr. Paul Weygandt, of Akron, Ohio, excised part of the bone and straightened the knee. Three weeks later Dr. Charles M. Swindler, of Ogden, Utah, changed the cast and dressing. He also operated again, inserted two crisscrossed pins to strengthen and stiffen the knee against the pressure of walking. A month later Dr. William E. Knight, of Fort Smith, Ark., did a third operation and removed the pins. Salweh had been our patient for 10 weeks when Dr. William N. Harsha of Oklahoma City took her out of the cast and encouraged her to take her first steps.

A solid part of our contribution, my colleagues agree, has been the keeping of accurate records and case histories. No studies of crippling diseases had ever been made in Jordan.

The files presented an onerous job because they had to be checked and rechecked. Consider the fact that identification in Jordan's hospital is by first name rather than surname—and that the first name of half of Jordan's males seems to be Muhammed. Long-suffering OLCOP wives took over most of the work.

Our recordkeeping was most important in the field of poliomyelitis. When we first came to the Near East we were assured by UNRWA and local health officials that there was virtually no polio in Jordan. There were various theories about this supposed immunity. Actually there was no immunity; existant polio simply had not been recognized or reported. This became evident when, at the end of our first year of service, Dr. Arthur A. Michele, of Brooklyn, and Dr. L. Stanley Sell, of Idaho Falls, Idaho, converted our precious files into statistics.

Shortly afterward Dr. Michele made a formal address before the Jordan Medical Society. Here was his jolting news: Over one-third of the orthopedic patients examined in 12 months' time were suffering from polio or the residuals of polio.

Polio now became a problem of state, and Dr. Michele sought an interview with young handsome King Hussein. The protocol route to the King was through Prime Minister Majali, and Dr. Michele made an appointment to see the Prime Minister in his Amman office at 11 a.m., Monday, August 29. Then he discovered that a heavy load of surgery in Jerusalem—surgery that could not wait—would prevent him from going to Amman. The appointment was canceled. Precisely at 11 a.m. on August 29 the Prime Minister was assassinated in his office; 11 others died with him and 85 were injured.

But Dr. Michele subsequently had had an audience with the King. They spent an hour and a half together while Dr. Michele went over our statistics and the King asked questions. The type of polio we had seen was severe, resulting often in paralysis of the spine, legs, and arms. If sufficient quantities of vaccine could be sent into Jordan, the King and Minister of Health Tutunji were willing to promise compulsory inoculation of all children under 2 years of age—an exciting experiment in public medicine.

That was months ago and, unhappily, only limited progress has been made. There are many calls upon world philanthropy, and funds to get vaccine to Jordan in great quantities have never become available. In recent months about 6,000 units of Salk vaccine have been sent in—some the gift of OLCOP doctors. But 6,000 units, says Dr. John B. Jarrott, of Hutchinson, Kans., chairman of the polio phase of our program, "is at best a drop in the bucket." Probably it would take 600,000 units to do the job.

The records of more than 3,500 cases examined and diagnosed by the doctors of our group, and brought up to date by Dr. Frederick Gaensler, of Milwaukee, are now collected in the OLCOP files. As the months march by, the eager and adept Jordanian physicians who work with us take on more and more of the surgery. A frequent teaching performance is to do a standard operation and then to watch and advise an Arab colleague while he does a similar operation on his own responsibility. Results have been impressive, and the continuing enthusiasm for mastering orthopedic skills is truly gratifying. Most of us who have been in Jordan still write to our former associates there.

Dr. Yasir Amr is one of them. Dr. Amr is big, crewcut, 35 years old, and supervisor of surgery at the government hospital at Amman. Like most educated Jordanians he speaks English. In 1957 he did postgraduate work at Harvard Medical School. Interviewed by an American reporter, along with our Dr. Martin E. Anderson Jr., of Denver, Amr said this of our mission: "The people in Jordan had never known what orthopedic surgery could do—so feared and mistrusted it. I remember once, before the Americans came, prescribing braces for a crippled boy. His mother refused. The first American doctor suggested the same thing but again she refused. Then the second doctor came and made the same recommendation. At last she agreed—and the treatment put the boy on his feet."

What was the average workload of an OLCOP doctor? That's difficult to answer. There was always plenty to do. Jordan is about the size of Indiana, and regular visits to its clinical outposts required a lot of driving. Dr. Robert P. Holt, of Oklahoma City, and Dr. Paul Spray, of Oak Ridge, Tenn., who succeeded me, worked about 14 hours a day on the medical circuit, and I doubt there were many doctors who worked less.

A physician's daybook may provide enlightening detail. Dr Port Johnson, of Muskogee, Okla., was in Jordan from October 6 to November 12, 1960. He performed 69 operations—and on almost every type of ailment known to orthopedics, from congenital hip displacement (very widespread in the Middle East) to spinal fusion. He examined 635 patients, of whom 201 were seen for the first time. Slightly more than a third of these were refugees.

Cooperation between Jordanian and American doctors is exemplified by a case which Dr. Weygandt recalls. At Nablus he saw for several weeks in succession an 18-year-old girl who had been stricken with a bone malady at the age of 5. As a result her jaw was fused; she had been unable to open her mouth for 13 years and existed entirely on a liquid diet. Says Weygandt: "I explained to her father through interpreters that remedial surgery was difficult and might be followed by serious complications. At his insistence I had her transferred to a Jerusalem hospital. There I discovered that Dr. Sami Khoury, the King's own surgeon, had successfully done this type of operation, and he graciously took the case. Not too long after, I saw the girl at her Nablus clinic. Dr. Khoury had done a masterly job; her face was almost healed and she could open her mouth about an inch. For the first time since childhood she was able to chew her food."

No story about Jordan would be complete without mention of Mrs. Bertha Spafford Vester, who, at the age of 82, operates in Jerusalem the Spafford Memorial Hospital for Children—named for her father, an American businessman and philanthropist—an infant welfare center and an outpatient clinic. This great lady has lived in Jerusalem for 79 years, and her charitable activities are supported by many prominent Americans through the American Colony Aid Association. Mrs. Vester, though physically fragile, was a tower of strength to OLCOP.

Mrs. Vester also brought us one of our favorite patients, a 14-year-old boy named Khalil Hussein Abdallah. She found him at the Damascus gate, a professional beggar so badly deformed by polio that he pulled himself around by his heels and his callused and leathery bottom. His dislocated knees were permanently flexed in front of his chest, and his heels were only 4 inches from his buttocks. Khalil was bright eyed, alert and willing to undergo any torture to be able to stand upright. A first operation proved of no avail, but Khalil was still game and hopeful. Dr. T. C. Harper, of Reno, Nev., and Dr. John Jarrott rose to the challenge. They found that the muscles of Khalil's thighs and legs were strong and both feet basically sound. They did two operations, working on one leg at a time. Here is Dr. Harper's own report of complicated and successful surgery:

"Muscles to the pelvis from the left thigh were first lengthened to their maximum length to permit as great a movement of the hip joint as possible. Then the left knee joint was completely excised and the leg bone and the thigh bone joined together so they were straight. Following this, the upper thigh bone at the hip joint was cut across and repositioned so the thigh and knee would be straight under the pelvis. Both of these procedures proved to be successful, and pictures taken since show the boy is now able to stand and walk. This reconstruction of a courageous crippled youngster gave Jarrott and me much pleasure."

It has been almost 2 years since our independent venture began overseas. In addition to assisting the local physicians in diagnosis and operative technique, we hoped to encourage their further training in the United States. One Jordanian, Dr. Sami Sfeir, is now taking his training as an orthopedic fellow at the University of Oklahoma. OLCOP brought him over. We are hopeful that in the future fledgling orthopedists from American medical schools will be sent to Jordan to take part of their residency there.

OLCOP's close association with the American University in Beirut has been a satisfaction to us all along. Dr. Afif Naoull, who trained at Presbyterian Hospital in New York, is head of orthopedics there. At his invitation our American doctors, on their way to Jordan and on their way home, have regularly stopped in Lebanon to lecture before Dr. Naoull's eager medical students. We all agree it's been stimulating and worth while.

And most of us came home believing wholeheartedly in what Dwight Eisenhower once called the people-to-people approach in diplomacy. What had succeeded in Jordan can succeed in many places. We decided to tell our story in detail to the members of our own profession. Early last January we set up an exhibit of text and pictures at the convention of the American Academy of Orthopaedic Surgeons, in Miami, Fla., and saw to it there was always some member of our loyal expeditionary force around to answer questions.

One question was to be expected: How much would it cost to be a volunteer? We answered that we had spent from $2,000 to $4,000 each, depending upon side trips and whether we had taken wife and children along, and that we felt amply repaid in personal satisfaction and widened medical experience.

The results were heartening and astonishing. In a printed blank we asked interested doctors to specify a year and a month when they might be available for a foreign assignment and their areas of interest—Jordan, Saigon, South America, Afghanistan, or Africa. Already 64 doctors have made firm commitments for service abroad. The Jordan mission will be maintained and our first new venture will be in southeast Asia. Dr. Richard Dodge will open up shop in Saigon in October and we already have enough volunteers to staff that outpost until October 1962. Latin America will probably come next.

We call our spreading enterprise Orthopedics Overseas. Most of us recall an adage of the East: "Better to light a candle than to curse the darkness." If OLCOP lighted the candle, we are modestly content.

WHAT THE BUILDING INDUSTRY MEANS TO AMERICA

Mr. DIRKSEN. Mr. President, in the January 1962 issue of the magazine, Practical Builder, there are several items in the article "What the Building Industry Means to America," which may be of interest to many. I ask unanimous consent that portions of the article be printed at this point in the RECORD.

The PRESIDING OFFICER (Mr. HICKEY in the chair). Is there objection to the request of the Senator from Illinois?

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

WHAT THE BUILDING INDUSTRY MEANS TO AMERICA

BUILDING IS THE MOST IMPORTANT BUSINESS IN AMERICA

The building of homes—and the schools, churches, and commercial buildings that serve them—is the largest manufacturing business in America. The 1960 total was $31,100 million for new and improved construction by professional builders—an amount equal to 6 percent of our gross national product.

The light construction industry employs more people and adds more dollar value to the finished product than any other manufacturing industry. In 1960 more than 5,135,000 workers were employed in the actual building and builders' service and supply.

Unlike our other great industries, building is not concentrated in a few cities but is important in every community. In many areas it is the most important local industry, and in many residential communities it is the only industry of any consequence.

This homebuilding industry has constructed more modern homes in the last 5 years than exist in any other country in the world. The U.S. home inventory at the end of 1961 included more new homes, more quality homes and homes with more amenities for better living than ever before.

BUILDING MUST BE BIGGER TO MEET THE NEEDS OF A GROWING AMERICA

A healthy light construction industry is of vital importance to the American economy.

Every additional 100,000 new housing starts at average prices means 242,000 full-time jobs in construction and the allied supply and service industries. More than $600 million of building materials will be purchased, and a total of some $1,750 million will be put into circulation to stimulate the economic climate.

After the economic impact of new home construction comes the second economic effect—new home occupancy. Construction is directly responsible for the purchase of many items not directly related to actual building such as furniture and furnishings, outdoor living accessories, transportation, etc.

And even after the home has been completed, landscaped and furnished, it forms a part of the largest permanent asset in the community and contributes taxes on both the home and its occupants.

THE BUILDER CONTROLLED MARKET

The builder controlled market ($31,100 million done by professional builders) is by far the largest single manufacturing business in America in terms of total output, value added to the product and in employment.

In 1960, the 125,000 active U.S. building contractors constructed $26,100 million worth of new homes and nonresidential buildings of the light construction type. They remodeled existing structures to the extent of $5 billion.

Builder contractor remodeling was largely confined to major projects involving structural changes. An additional $15,100 million in remodeling was performed by building owners and their employees, building supply dealers, specialized installers of storm windows, flooring, and a host of other products.

Employment

More than 5,135,000 were employed in 1960 by the building contractors, their subcontractors, and their suppliers. This does not include the employees of the manufacturers and distributors of the many building products put in place by owners and specialized installers. Nor does it include employment generated by nonbuilding items purchased as a result of a new home such as home furnishings, appliances, and garden supplies.

The builder-controlled market employs more people than are engaged in the manufacture of food, clothing, and automobiles combined. This employment is spread through every city and town in the United States and is the major source of manufacturing employment in most communities.

Assets added

The homes and other buildings that are the end product of construction depreciate more slowly than almost any other manufactured product. The buildings put in place during any year remain as assets to the community long after other manufactured products have been discarded. The cumulative results of the builders' efforts

represent the greatest portion of our physical assets.

Homes are not only the largest single investment made by more than one-half of all U.S. families, but they are an integral part of the American way of life. Homes alone do not create a desirable community, but there are no desirable communities without good homes.

BUILDING IS A LOCAL BUSINESS

On a typical new house, 55 cents out of every construction dollar goes to labor on the job site. Most materials are purchased locally, and many are manufactured in or near the community where the building is constructed. The finished product remains as an asset to the community for many years.

The approximately 125,000 building contractors are scattered through every town and many villages across the country. Although there are some outstanding examples of large-scale and wide-ranging contractors, the great majority confine their operations to a single metropolitan area, and many do most of their building within a single suburb.

Economics demand that construction workers be employed as closely as possible to their homes. High transportation costs on many heavy building materials make nearby purchase desirable. The wide variety of products needed for every home makes the local building materials dealer a favorite source of supply for the builders.

All of these factors combine to concentrate the economic impact of the light construction industry on the individual community. The national economic impact is the sum of the impact in thousands of communities, without any spectacular concentrations such as Detroit for automobiles or Pittsburgh for steel.

Even within individual communities the tremendous economic impact of the builder may be almost unnoted. Several contractors usually share the building business, and no one of them has a huge business establishment to attract attention. The new business committees for many towns have been known to spend a great deal of time and money to attract industries with only a fraction of the payroll that a healthy construction business would have automatically provided.

Communities across the country welcome or reject building projects with little thought of the economic meaning of building as an industrial force.

The builder market has reached the questionable status of being almost universally recognized as an important national industry but with little recognition of its great importance to the community where the building is proposed.

THE FUTURE OF THE INDUSTRY

More than 15 million new dwelling units are expected to be built within the 10 years from 1961 to 1970.

Most of these new dwelling units will be needed for new families formed within this period. The increase in the average lifespan and in the financial ability of older families to maintain their own homes constantly releases fewer dwelling units for newly formed families, and the full force of new family formation is directed against the existing supply of housing.

The displacement of families resulting from the construction of new highways and the development of projects has become an important factor in the need for new housing and promises to become even more important. In some metropolitan areas there is a distinct shortage of low-cost housing resulting from these causes.

But the need for additional shelter is only a part of the building opportunity over the next decade. The U.S. Savings & Loan League reports that from 5 to 10 million families are living behind "For sale" signs. This is only that portion of the homeowners who are actively expressing their desires to live better. How many more are quietly dissatisfied, no one knows.

Not only do people want to live better, but they have the money to provide for better housing. Disposable income—the amount that can be used for discretionary spending—is not only at the highest level in history, but it is expected to almost double in the next 10 years.

Not only is income higher than ever before, but it is more widely distributed. More families are moving into an income bracket where they can afford a new home. More families will be able to afford a better home, and a small but rapidly increasing share of families are financially able to buy a second or vacation home.

The total of nonresidential building can be expected to maintain about the current ratio to new housing starts. Builder remodeling is expected to increase at an even faster rate.

Types of new construction

Diversification is the pattern for construction over the next decade. Single-family suburban houses of three or four bedrooms are expected to continue to dominate the builder market, but several types of special-purpose housing will increase at a faster rate.

Public housing (low-cost) is expected to level off at or near its present level as individual builders develop methods for low-cost housing and communities develop better, more realistic zoning and codes.

Senior citizen housing (retirement) will double by 1965 and continue to increase over a 10-year period. Whether or not it will continue to be designated as retirement housing is less certain. But small houses in the lower price ranges designed for childless families are definitely a growing part of the builder market.

Minority housing is expected to increase by more than 60 percent from the 1960 level by 1965. Court integration rulings are expected to have a marked effect on the longer term trends in location, but it is expected that this type of housing will continue to be in great demand.

Vacation homes will increase by more than 65 percent in the next 5 years. An increase in average value is also anticipated, since the current trend is toward vacation homes that can double as retirement housing.

Urban renewal starts are expected to increase very substantially. However, in view of the great amount of publicity that has been given to this type of building, it should be pointed out that at peak, this type of building is expected to be no more than 5 percent of the value of single-family suburban construction.

Nonresidential building is expected to follow closely the trend in residential construction (as it has in recent years) over the longer trend. However, this type of construction has always shown greater variation on a comparative year-to-year basis.

Builder remodeling will show the largest increase of the major types of construction not only because there will be a larger number of houses to remodel, but because more builders are entering the remodeling field.

TRIBUTE TO FORMER SENATOR HENRY FOUNTAIN ASHURST

Mr. STENNIS. Mr. President, yesterday marked the 50th anniversary of the swearing in for the first time of a former Member of this body, former Senator Henry Ashurst, of Arizona, on March 27, 1912. He served in this body continuously for some 30 years. He has lived in the city of Washington, D.C., most of the time since then, and is still a resident of the city. He lives at the Sheraton Park Hotel.

The Senator from Mississippi did not have the privilege of serving with Senator Ashurst, but he has learned to know him in the last 12 or more years.

I believe I voice the sentiments today of those who served with him and those of us who have learned to know him when I refer to his fine long life of service. He continues to be active. In the opinion of the Senator from Mississippi Senator Ashurst has all the qualities and instincts of a gentleman. He is a lovable character with a fine mind. During his tenure in the Senate he was a very influential as well as happy Member, and he radiated happiness to others.

Mr. CARLSON. Mr. President, will the Senator from Mississippi yield?

Mr. STENNIS. I am glad to yield to the Senator from Kansas.

Mr. CARLSON. I wish to associate myself with the remarks of the distinguished Senator from Mississippi. I did not have the opportunity to serve with former Senator Ashurst, from Arizona, but I live at the Sheraton Park Hotel and I see him daily. It is an inspiration and encouragement to see how hale, hearty and well he is.

I thought it was a rather signal honor when he was selected by the motion picture firm which made the new picture, "Advise and Consent," as one to represent the U.S. Senate. Those of us who know him and see him daily—a tall, erect, statesmanlike citizen—can be proud of the fact that he was selected.

I am pleased that the Senator from Mississippi has called our attention to the fact that Senator Ashurst was sworn into service in this body 50 years ago yesterday.

Mr. STENNIS. I thank the Senator.

Mr. MANSFIELD. Mr. President, will the Senator yield to me?

Mr. STENNIS. I am glad to yield to the Senator from Montana.

Mr. MANSFIELD. I join with my colleagues who are today paying their respects to our former colleague, Senator Henry Ashurst, of Arizona.

Until comparatively recently he held the unique distinction of being the only living Senator who had been chosen to represent his State when it developed from a territory into a State. With the admission into the Union of Alaska and Hawaii of course he lost that distinction, because four others came to join him.

He is a man of many parts. He is a great orator, a fine Shakespearean scholar, and, most recently, an actor. He is active. He is around. He is, today, as always, an asset to his State. He is certainly a credit to the Senate.

I am delighted to join with my distinguished colleague, the Senator from Mississippi, in paying my respects to a magnificent American today.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. STENNIS. I am glad to yield to the Senator from Illinois.

Mr. DIRKSEN. I concur in every superlative which the distinguished Senator from Mississippi has uttered in connection with former Senator Henry Fountain Ashurst, a man of ineffable

charm, poise, and forensic capacity, who made a great mark on the thinking of the country, who is a great friend indeed.

Mr. STENNIS. I thank the Senator from Illinois.

I add, Mr. President, that our former colleague is a very intelligent man and still a very active man. His mind continues to be vigorous. His wholesome outlook on life, which always distinguished him, is still in its full vigor. He is an inspiration to the youth as well as to those of more years. I think he personifies the very best traditions of this body. I look upon him as having been a great westerner, but in addition a truly great American.

I extend to him greetings and congratulations for his public service and for the fine role he has played in public life, for what he has meant to his family and to his friends. I wish him many more years of happiness, of success, and of satisfaction, all of which he has so richly earned and so justly deserves.

TRIBUTE TO SENATOR PAUL DOUGLAS

Mr. DODD. Mr. President, on Monday of this week the Senate celebrated the 70th birthday of a beloved colleague and of a very great American, Senator PAUL DOUGLAS.

An engagement in Connecticut prevented me from being here to join in the splendid and richly deserved tribute that was paid to Senator DOUGLAS. Therefore, I would like to take this opportunity now to pay my respects to this remarkable man. He is not in the Chamber at the moment, and perhaps it is just as well, for I know that his innate modesty might cause him some embarrassment at what I am about to say.

Long before I came to the Senate, I knew of PAUL DOUGLAS through his writings, his speeches, and his work here in the Senate. I knew him through the causes he fought for and the abuses he fought against, and I have always looked upon him as one of the truly great political figures of our generation.

Since I have been in the Senate, all of my favorable impressions of PAUL DOUGLAS have been confirmed, and much that I could not possibly have known then has been added to the picture.

I have seen him day in and day out carrying on a ceaseless struggle for his concept of the public good. I have seen him wage the battle zestfully, cheerfully, good humoredly, without bitterness or rancor.

Therefore, over the years I have come to look to PAUL DOUGLAS not only for guidance about political or economic matters but also for example and instruction in the larger matters of humane conduct and personal philosophy.

It has been an enriching experience to know this man, to serve with him, and to have his friendship. And though my remarks are a bit belated, I would not want this opportunity to pass without saying of him publicly what I have often said of him privately. We live in a better country, a stronger country, a wiser country and a more humane country because of the brilliance, the vision, the charity, the vigor and the love for freedom which have characterized the career of PAUL DOUGLAS.

Mr. JAVITS. Mr. President, I wish briefly to join with the distinguished Senator from Connecticut [Mr. DODD] in wishing a happy birthday to the senior Senator from Illinois [Mr. DOUGLAS]. I have not had an opportunity to do so before. But yesterday as we debated the poll tax amendment the Senate had an opportunity to see in practice everything that the Senator from Connecticut has so properly and so eloquently said about our colleague.

The senior Senator from Illinois is my close friend. I am very proud of that fact. He has been a stanch worker in the struggle for equal opportunity in this Chamber, and an enormous defender of the bipartisan tradition in respect of it. He is a great servant of the people of Illinois. He is also an extraordinary model of what makes our country so inspirational to us and I think to all the world.

When we remember that Senator PAUL DOUGLAS at the age of 50 took boot training in a Marine camp in order to qualify as a private soldier, suffered grievous wounds in war at that age, and then lived to be with us as an honored, respected and—I do not believe anyone will quarrel with the fact—one of our leading Members and one of the great exponents of freedom in our country and the world, it is indeed a most exciting and gratifying experience in life. I join with all Senators in wishing for PAUL many, many years of continued health, happiness and youthful service in the Douglas tradition on his 70th birthday.

FREEDOM OF COMMUNICATIONS

Mr. CARLSON. Mr. President, in the March 1962 issue of the Kansas Union Farmer there appeared an editorial entitled "Freedom of Communications."

This editorial expressed concern over the Federal Communications Commission requesting the right to censor radio and television programs.

Freedom of communication is a basic constitutional provision and I sincerely hope it will not be abridged.

I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

FREEDOM OF COMMUNICATIONS

The first amendment to the Constitution guarantees the freedom of speech and of the press. It says that Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or of abridging the freedom of speech or of the press.

Down through the years, it has been applied by the courts to every form of communication: to newspapers, books, magazines, and motion pictures. Now we have the Federal Communications Commission requesting the right to censor radio and television programs.

It is a dead certainty that the FCC will soon request Congress for authority to control the electronic media. This is a shameful organized effort by a branch of the executive department of Government to take unto themselves a freedom that belongs to the citizens of the United States.

President Kennedy should order the FCC to go no further in its effort to hamper freedom of communication in this country.

In the words of Justice Louis Brandeis, one of the great liberal minds of American jurisprudence: "Experience should teach us to be most on our guard to protect liberty when the Government's purposes are beneficent. The greatest dangers to liberty lurk in insidious encroachment by men of zeal, well meaning, but without understanding."

The Farmers Union people should rise to this challenge of freedom, and act quickly by writing their Congressmen that the FCC request for additional powers should be denied.

SUGAR ACT EXTENSION LEGISLATION

Mr. SMATHERS. Mr. President, for more than a quarter of a century, in peace and in war, the Sugar Act has provided domestic consumers with adequate supplies of sugar at reasonable, stable prices; it has provided protection for domestic producers at no cost to American taxpayers; it not only pays for itself—it pays a bonus, or dividend, of approximately $19 million annually to the U.S. Treasury. It has fostered friendly relations with most of our sugar-producing neighbors in the Western Hemisphere. The sugar program developed under the act works so smoothly that the average citizen is not even aware of its existence.

But the Sugar Act which has worked so well for so many years is due to expire next June 30. In its place I hope we will be able to enact a Sugar Act for a term of at least 5 years, amending the present basic quota structure to bring it up to date, and make it consistent with current world and national conditions.

Prompt enactment of a long-range revision of the Sugar Act is required for intelligent food planning by industrial sugar users as well as by the domestic sugar industry. As a matter of fact, consumers, producers, refiners, foreign suppliers and our own Government all have been handicapped by the uncertainty resulting from the short-term extensions of the law since the summer of 1960.

The growing of sugarcane and the production of sugar are two of the major agricultural operations of Florida. I have, therefore, followed with interest, the intensive work of the five segments of the domestic sugar-producing and refining industries, to develop a unified sugar legislative proposal. The domestic industry now has a proposal which is supported by all of its segments. It has been presented to representatives of the administration and to the Departments of State and Agriculture. In my judgment, it deserves the most careful consideration of the administration and the Congress.

Because of the fact that this proposed legislation is so vital to my State I should like to discuss for a few minutes the beneficial effects that the provisions of the proposed bill would have upon the mainland cane producing areas which as you know are in Florida and Louisiana.

The proposed basic quota for mainland cane would be increased by some 150,000 tons over that area's 1961 marketing of 750,000 tons. This proposed

increase is in line with the area's 1962 crop production.

The annual consumption growth in sugar in the United States is 150,000 tons. The industry proposes that 100,000 tons of such growth be assigned to domestic producers, 25,000 tons of which would be added to the mainland cane quota.

Mainland cane areas must have this additional increment because of the the well-publicized industry expansion already underway. The number of raw sugar mills in Florida is increasing from 3 in 1960 to 11 expected to be in operation by 1963. Seven of those mills are scheduled to begin operations in 1962.

The amount of land now planted in sugarcane is estimated at 150,000 acres as compared with less than half that acreage only 3 years ago. Heavy investments of more than $100 million in land, in drainage, in machinery and equipment have been made in Florida.

The 150,000-ton addition to our basic quota and the 25,000-ton annual growth provided in the industry's legislative proposal for the mainland cane area are essential to permit the marketing of the new production now underway in Florida and Louisiana. Without them, severe hardships and heavy financial losses will be suffered in Florida and in Louisiana by both old and new producers. Even with these provisions, strict production controls in the mainland cane area in 1963 appear inevitable.

An important part of the proposed legislation would be the requirement that all sugar imported into this country be raw sugar. Prior to the embargo, Cuba brought in 375,000 tons of refined sugar every year. When this sugar was intermittently dumped at our eastern ports, it seriously upset the market's stability.

To show the impact that this had on the State of Florida, 50 percent of the sugar used in our State in 1959 and 1960 was imported as refined sugar, but in 1961, after the President's embargo on Cuban sugar, only 20 percent of the sugar used in Florida was imported. A permanent ban on the importation of refined sugar into this country would have a salutary effect upon the stability of our domestic sugar industry.

Mr. President, I hope that the Senate Finance Committee will begin immediately to consider the sugar legislation and get its hearings underway so that the Senate can, at least this year, contrary to what we have encountered in past years, have full and ample opportunity to consider all the ramifications of this vital legislation.

It is true that the administration has not yet sent its bill to the Congress. However, if history is any indication, our committees are not going to be terribly influenced by any proposals about which they do not already have knowledge; they will certainly arrive at their own independent judgments.

We all know what has transpired in the past when it was only at the very last minute that the House sent us a sugar bill to consider. I cannot remember when we have had time to carefully consider this legislation after it reached the Senate side. I hope that we do not get ourselves into that kind of a situation this year.

I would, therefore, respectfully urge our Finance Committee chairman, the very able and distinguished Senator from Virginia [Mr. BYRD] to begin Committee consideration of the proposed sugar legislation as soon as he possibly can within the limitations of his schedule. I am also requesting him to write Congressman COOLEY, chairman of the House Agriculture Committee, as he did last year, urging that hearings begin as quickly as possible on the House side, so that the Senate may have ample time to give full consideration to this measure.

In short, Mr. President, let me say that I heartily subscribe to the increases in the quota of mainland cane sugar and in the proposal that 25,000 tons of our annual consumption growth in this country be assigned to that area of our sugar-producing industry.

As I have mentioned, the industry in my State has already moved to take up the slack created by the embargo on Cuban sugar and I think that it is incumbent upon us now to assign a fair and reasonable share of the sugar market in this country to our domestic industry. If we fail to permit our own U.S. producers and refiners to share more fully, I can say with sad assurance that the industry in my State will be dealt a most severe attack.

LEGISLATION RELATING TO COOPERATIVE EXTENSION WORK

Mr. WILEY. Mr. President, currently there is pending before the Senate Committee on Agriculture and Forestry a bill, S. 2998, which would revise the formula for allocating funds to States in support of cooperative extension work in agriculture and home economics.

Today, I was privileged to receive from Henry L. Ahlgren, associate director of the Cooperative Extension Service of the University of Wisconsin, a letter endorsing the objectives of the proposed legislation.

Reflecting the authoritative views not only of Mr. Ahlgren, but of other extension directors, I bring his letter to the attention of the Senate—particularly to members of the Agriculture Committee—and ask unanimous consent that it be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

MARCH 26, 1962.

Senator ALEXANDER WILEY,
Senate Office Building,
Washington, D.C.

DEAR SENATOR WILEY: I have just learned that a bill to amend the Smith-Lever Act was introduced by Senator ELLENDER on March 14. The bill, S. 2998, has been referred to the Senate Committee on Agriculture and Forestry of which Senator ELLENDER is chairman.

This legislation has to do with the revision of the formula under which Federal funds are allocated to the several States in support of cooperative extension work in agriculture and home economics. The need for such a revision has been under study by the extension services for some time and the proposed legislation is aimed at providing for a somewhat more equitable distribution to the States in which urbanization is progressing at a proportionately more rapid rate. If approved, the proposed new formula will apply only to such increases in appropriations as the Congress may provide in the future; and not to any previous appropriations. As this legislation comes to your attention, I would like to have you know that it has our support. Actually, Wisconsin would receive $2,802 less for each $1 million of additional appropriations under the proposed new formula than under the formula currently in effect. Nevertheless, we have taken the position that we should not be opposed because we believe it is in the general interest of our service on a nationwide basis. It might be of further interest to you to know that the revisions which are being proposed in this legislation have the unanimous approval of all of the State extension directors of the United States. This letter is being written to let you know that should you decide in favor of supporting this legislation, you would be doing so with our full approval.

Sincerely yours,

HENRY L. AHLGREN,
Associate Director.

PHILADELPHIAN SERVED AS FIRST JEWISH ARMY CHAPLAIN

Mr. SCOTT. Mr. President, a year-long celebration of the centennial of the Jewish chaplaincy in our Nation's Armed Forces will be inaugurated at the opening session of the National Jewish Welfare Board's national biennial convention on Wednesday, April 4, 1962, at the Deauville Hotel in Miami Beach, Fla.

The 100th anniversary marks the signing of the act of Congress which permitted ministers of any religion to serve as chaplains in the U.S. Army. This historic act signed by President Lincoln on July 17, 1862, enabled rabbis for the first time to serve as military chaplains. This action was one of the landmarks on the road to complete religious equality.

The first Jewish military chaplain commissioned by the U.S. Government—and in fact by any government—was the Reverend Jacob Frankel, cantor of Rodeph Shalom Congregation, Philadelphia, whose commission was signed by President Lincoln on September 18, 1862. Reverend Frankel was appointed the Jewish chaplain for the six military hospitals in Philadelphia. Frankel's reports to the Surgeon General of the Army are preserved in the National Archives in Washington, D.C.

Reverend Frankel was reappointed in 1863 and 1864, on an annual basis, and was honorably discharged from service on July 1, 1865.

President John F. Kennedy, in his message to Solomon Litt, president of the National Jewish Welfare Board, wrote:

It is most appropriate that the year-long observance of the 100th anniversary of the act that led to the appointment of the first Jewish military chaplain should begin at the national convention of the National Jewish Welfare Board. Since 1917 your organization has played a unique and important role in every war as the agency which our Government has accredited for providing religious, morale, and welfare services to Jewish military personnel. It is heartening to have the assurance that young people in uniform are being linked to home and religion. This work, together with the equally significant efforts of your affiliated Jewish community centers and YM-YWHA's, contributes materially to the national health, welfare, and morale.

"ONE HUNDRED AND SEVENTY-FIVE YEARS UNDER THE CONSTITUTION"—ADDRESS BY STERLING HUTCHESON

Mr. BYRD of Virginia. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a speech delivered by Judge Sterling Hutcheson, of Virginia.

With great ability Judge Hutcheson has outlined clearly and with profound understanding the principles as written into our Constitution by those great men who founded our form of government, which, in a brief space of 175 years, has been the influence that has made America the greatest of all nations. In this notable address in forceful language he calls attention to the dangers that now are undermining the basic principles of our constitutional democracy.

Judge Hutcheson has served as Federal judge in Virginia, where he made a splendid record.

To those who desire a concise and able statement of our fundamental principles and the dangers of today, I commend and encourage their study of this address.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ONE HUNDRED AND SEVENTY-FIVE YEARS UNDER THE CONSTITUTION

(By Sterling Hutcheson)

For the individual 175 years is a relatively long period. In the life of a nation it is but yesterday.

Less than 200 years ago the English-speaking American Colonies were subject to Great Britain. A vast area of the Continent of North America which later became a part of the United States was claimed and held by other nations: Spain, France, and Russia.

Feeling aggrieved by the treatment accorded them by the British Government they declared their independence of the mother country. I shall not undertake here to discuss the underlying reasons, some based upon the popular slogan relating to taxation without representation, and others which had to do with monopolistic restrictions concerning commerce under which the Americans were unable to develop their economy as they felt desirable, with the resulting burdensome indebtedness of the colonists to British financiers.

We are all familiar with the long and costly war which followed, and being won with the substantial aid of England's traditional enemy, France, we became independent. All this has been taught us in history, stories, and song. Many of them, like Mr. Longfellow's version of "The Midnight Ride of Paul Revere," are more inspirational than factual.

What I shall discuss with you is the less spectacular but more important establishment of our National Government in the period immediately following the close of the war and a brief review of what has since happened to it.

At that time there were 13 separate and distinct sovereignties which had thrown off their status as colonies governed by Great Britain and had thereby become States in their own right. No longer did the British laws prevail and the old Articles of Confederation, hastily improvised to create a union of sorts to meet wartime conditions, was totally inadequate for the needs of a nation in time of peace.

It, therefore, became desirable to adopt a new agreement between these States if they were to become an effective force in world affairs. It was generally realized that separate States could not become such a force and the similarity of their common problems could best be served by entering into a union of some sort. The real questions pertained to the form of that union.

By great good fortune there were men at hand prepared to undertake and accomplish the task before them. They have been described by the historian, Charles A. Beard, when he wrote:

"It is not merely patriotic pride that compels one to assert that never in the history of assemblies has there been a convention of men richer in political experience and in practical knowledge, or endowed with a profounder insight into the springs of human action and the intimate essence of government. It is indeed an astounding fact that at one time so many men skilled in statecraft could be found on the very frontiers of civilization among a population numbering about 4 million whites.

"It is no less a cause of admiration that their instrument of government should have survived the trials and crises of a century that saw the wreck of more than a score of paper constitutions."

That statement is as true today as it was in 1912 when it was made, but do not fail to hear the warning note concerning the fate of the others.

These were the men who, as representatives of the separate States, assembled in Philadelphia 175 years ago come May 14, 1962.

To bring them a little more into focus as individuals, we should remember that among them were 7 Governors or ex-Governors of their States, 28 Members or ex-Members of Congress, 8 signers of the Declaration of Independence, and towering above all of them was Washington, whose greatest asset was his reputation for personal integrity.

So much for a brief glimpse of past achievements. Among the delegates were those who later became Presidents, Vice Presidents, Senators, Representatives, foreign ministers, Justices of the Supreme Court, Cabinet officers, and many others of equal ability.

While the cause for which they assembled was a common one, naturally there were differences of opinion among the delegates as to the best method to "form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity"—that being their avowed purpose.

The two extreme viewpoints may well be illustrated by those on the one hand of Alexander Hamilton, who, contemptuous of popular opinion, preferred an all-powerful central government rather than the federal system; and those of the followers of Patrick Henry (while not present himself) who were deeply suspicious of any central government and correspondingly jealous for the rights of the States.

In between were those of more moderate views, such as Edmund Pendleton, of Virginia, who by reason of ill health was unable to be present but whose influence was of great importance.

After months of debate and interchange of ideas, the form of the new government was agreed to by the members of the Convention and its adoption by the States became the next step.

Naturally there was a great amount of speculation among the people concerning the form of government to be recommended. When the delegates finally adjourned a group gathered around Benjamin Franklin. In response to questions he replied that the Convention has given the people a republic—if they can keep it.

While the merits and demerits of the proposed compact between the States were being debated publicly prior to submission to a vote there appeared in published form 85 articles in its defense. These were the joint products of Alexander Hamilton, John Jay, and James Madison. Later published in book form they are known as the Federalist. This is one of the most important and significant interpretations of the Constitution and of the principles upon which our Federal Government was established. In fact, it is the most important discussion yet published of the principles of the federal system of government. It has been cited by the Supreme Court as a source of constitutional law and has been published in French, Portuguese, Spanish, and German, the latter before the days of Hitler. I doubt that it has appeared in the native language of other totalitarian countries.

I cannot resist one further reference to Hamilton. Opposed to the federal form, he nevertheless urged adoption with apparently earnest reassurances concerning the apprehensions of those who feared centralization, which was the principal objection. After adoption he promptly commenced efforts to bring about centralization in direct conflict with his campaign promises, thereby setting a pattern with which those of us who live today are not unfamiliar.

I recommend to all interested in affairs of the Government under which we live, and that should include every person, read the Federalist. I also recommend that you read the biography of Edmund Pendleton by David Mays. These two publications are invaluable to one who would understand our unique form of government.

These volumes, as well as the Constitution itself, clearly and in simple words enunciate the principle that the powers of the Federal Government are few, they are limited to only those powers delegated by the States. They are defined and circumscribed by the charter. That is not to say the Constitution is rigid and inflexible. Far from it, but the powers granted are within a limited field—the field involving governmental affairs of a national kind, such as relations with foreign countries in the area of trade or commerce, making treaties and waging war, and, at home, in those affairs involving the relations of the States or those commonly affecting all the States.

On the other hand, the powers and corresponding responsibilities of the States are many, residual, and indefinite.

This is specifically set out in 26 simple words in article X (the 10th amendment). They extend to all the objects which ordinarily concern the conduct, the lives, liberties, and properties of the people of the several States.

I think a clear and simple illustration is that the jurisdiction of a court created by a State involving the law of the State is presumed. To deprive such a court of jurisdiction there must be an affirmative showing of its lack—that is an attribute of sovereignty.

In contrast the jurisdiction of the Federal court must be affirmatively shown by him who invokes it. It may be challenged at any time, before, during, or after trial, and even on appeal. That is a characteristic of a limited government. The distinction is important.

I have gone into some detail concerning the foundation stones upon which our Government was erected by careful, competent builders.

And here I shall mention the important fact that they made provision for amending the Constitution as future needs may arise in an orderly manner by the parties to the compact, that is by the States. This method has been followed upon a number of occasions, although the circumstances under which some of the amendments were declared adopted are questionable, to say the least. And there was the 18th amendment by which the Federal Government undertook the task of regulating the personal conduct of the individual by prohibiting the manufacture of intoxicating liquor for drinking purposes. This was accompanied by a moral crusade. My confidence in the good sense of the American people was strengthened when the amendment was repealed by an overwhelming popular vote less than 15 years after its adoption.

It is not an oversimplification to say that the Federal Government was created to serve national purposes while the States retained control over their internal affairs. Under this arrangement emphasis was placed upon the importance of individual rights as against the omnipotent power of the state as represented by government generally.

Of course, one result of prime importance is the lesser danger from articulate, organized minority groups seeking special privileges. One all powerful authority is more easily manipulated by such groups than is the case when the authority is diffused.

These considerations were in the minds of the framers, who were familiar with governments past and then present and they set about to create something new. Realizing the infirmities of human nature, including the ever present thirst for power which animates some, they undertook by a system of checks and balances to devise a means of controlling government as administered by men—since, of necessity, government must be administered by men, even in this day of electronics.

Now, having examined thus briefly our governmental origin, let us take a somewhat hasty look at what has happened to it during these 175 years.

Beginning as an infant nation without a national currency, without credit, without industry worthy of the name, a scattered population, and long distances to travel with only primitive means of communication, we now have reached a position of world leadership. We have acquired large areas of territory, principally by purchase from other nations, although that is not exactly the way Texas became a part of the Union; and, of course, there are some who are reluctant to discuss our past and present conduct as it relates to the Indians. We defeated Great Britain in a second war. We have fought a bitter fratricidal war among ourselves. We had Cuba for a while—again not because of purchase and we quickly granted her a status of independence. We have spanned the continent with railroads and a superb system of highways; and we have gone over to Europe twice to impress our views upon the erring peoples there, waged a war involving the greater part of the Pacific, and we have sent a police force into Korea.

In the meantime, here at home we have built up one of the greatest industrial and technical empires the world has ever seen. We have established the American dollar as the most desirable medium of exchange in the marketplaces of the world. Our living conditions at home are, and long have been, the best in the world.

Remember that these things have been done within less than 200 years.

And remember another thing—these achievements have been brought about under that dual form of federal government which was designed to place primary emphasis upon the liberty of the individual, the initiative of the individual and the right of the individual to enjoy benefits derived as the result of his initiative. In brief, it is the fruition of the private enterprise system under which we have flourished and become great, with each at liberty to do, within reasonable latitude, what he will with that which is his, to contract as he sees fit and to work as he sees fit.

It is a heritage of pride and one which we must hold at the cost of any sacrifice. But we would be well advised to remember also that during this time there have been forces continuing the work of undermining set in motion by Hamilton. From time to time they have been rebuffed, but they have been only temporarily stopped, and the work goes on to establish an even greater and more powerful government in Washington.

I do not mean to be understood as assigning sinister motives to those who honestly believe our Government should be changed by lawful means. They are honorable men. Brutus was an honorable man, as you will recall. He and his associates based their actions upon what they believed to be true, not upon an intentional distortion of facts of history.

During this time there have been many changes affecting life in the Nation. From open fireplaces we have advanced to central heating. The automobile, and in some instances the jet plane, has taken the place of the oxcart. The mule has been replaced by the farm tractor. Such changes bring about others and in some particulars it has been necessary that government change. Specifically, new machinery must be devised for dealing with new problems, such as the huge expansion of business activities of a national scope, the widespread activities of organized crime syndicates extending across State borders, transportation affecting the national interest, and others with which the separate States cannot deal effectively.

All these are provided for by the Constitution.

When we turn from a consideration of the accomplishments of the people of the Nation during these 175 years to a consideration of what has happened to our constitutional government, I am at a loss for a starting place.

I think perhaps the amendment authorizing the assessment of a tax on incomes adopted in 1913 may be considered the first substantial breakthrough for the untiring advocates of centralization. This was not generally recognized at the time.

In persuasive tones the people were assured that the tax would be negligible in amount and would affect only the wealthy—a minority always cheerfully surrendered as a sacrifice. Actually for some two decades, while troublesome, the tax was not burdensome, and most of us went along in blissful ignorance and with slight, if any, conception of its possibilities.

Then realization came with a rush. Also with a rush came the expansion of the Federal Government to an extent theretofore inconceivable by the average person.

With this weapon in its hand the Federal Government has an instrument capable of depriving the individual of every penny of his income. There is no limitation. And we read of discussions seriously had by so-called economic experts and advisers regarding what part of the national income the individual should be permitted to spend as related to what part should be spent by the Federal Government. In such articles as I have read the part to be played by the States and localities is not clear. However, presumably they would be permitted to levy taxes of some kind. Several alternatives suggest themselves. The Government in Washington may see fit to leave the taxpayer enough to pay his State and local taxes, the Federal Government may extend subsidies to these agencies, or the now lesser governments may find themselves reduced to operating on tax money levied upon property owned by the individual—as long as it lasts, but that spring will of necessity soon become dry.

You may well ask, "What of the expenses of actual living?" That is a good question, but it overlooks the facilities of our already huge welfare organization, which by the addition of employees could provide for actual subsistence based upon a sort of slide rule computation—prepared in Washington, of course.

Does this sound farfetched? Perhaps it does, but when we consider the plan upon which our Government was founded it is no more farfetched than other occurrences which have taken place. And if people are sufficiently frightened they will agree to almost anything.

For example, the financial depression of the 1930's which was so greatly publicized as an emergency, a national emergency, an unprecedented emergency, and in similar terms. Of course, like all civilizations, we have had periods of financial stringency and will continue to have them.

There have been efforts to amend the Constitution by means provided by the framers, so as to fix a limit upon the portion of income which may be assessed. They have received scant consideration. Is this because its advocates are shouted down or ignored?

For years there has been a movement to obtain consideration of what is known as the Bricker amendment to the Constitution. In simple language, this proposed amendment would provide that in matters affecting the internal or domestic affairs of the United States, the laws enacted by the Congress of the United States will be superior to treaties with foreign nations. Today we hear little of the Bricker amendment. Why? Is this because advocates are either silenced or given no recognition by the news media?

Anyway, while the proposals have been pending for a number of years the people have not been permitted to express their views by voting either for or against them.

In almost every field of governmental activity we now find the Federal Government. This has come about inch to ell and step by step with constant extension of the authority over the States and control over the affairs of the individual in almost every act of his daily life. Some of this has resulted from acts of the Congress, some from the executive department, and others by judicial fiat.

Let us take a look at a few examples. No longer may the State determine for itself the qualifications of a teacher employed in its schools, nor can the State deny a license to practice law unless the grounds for denial are acceptable to the Federal courts.

No longer may the State prosecute for a violation of its law one who has been convicted in a Federal court of violating a Federal law involving the same set of facts. No longer may the owner of property leave it by will subject to conditions unacceptable to the Federal court.

In a recent, celebrated case, the Supreme Court has held that when Congress has legislated in a particular field, the States are precluded from legislating in that area of political activity. Unless the Court should reverse itself, as it has been known to do, I find nothing to prevent the application of that principle to the power to tax, which would be far reaching indeed.

As a countryman and a farmer of a sort, I must mention the grip of the Federal Government upon the operations of the farmer, who has become so anesthesized by subsidies that he welcomes supervision and the resulting controls. This control, you will recall, was one of the grievances against Britain when we were a colony. Placid acceptance of conditions is a characteristic of the proud wild creature of the forest after a subduing period of well-fed captivity.

Then there is the Federal law requiring the operator of a lottery, without any interstate activity, to buy a $50 wagering stamp from the United States. Incidentally, this does not give the possessor of the stamp immunity from prosecution in the State courts for the offense of gambling.

There are only a handful of the multitudinous restrictions imposed upon the States and the individual having no relation

to the purposes for which the Federal Government was created.

Of course when we enter into the field of Federal taxation it is so vast that volumes have been written on the subject. Considering the present trend to an increased demand for revenue there will be no doubt be others.

I shall merely mention the subject of Government spending. We are constantly reminded of that, not only by the excise man but by the press. We should pay heed to it, but do we?

Do we pay heed to the scandals in the expenditure of millions upon millions of dollars of our tax money by the welfare agencies?

Do we view with alarm the millions upon millions spent in what is called stockpiling of unneeded materials? There are countless other projects into which money collected from us in taxes is poured by millions and by billions.

I am no foe of scientific research, but a list of such projects, subsidized by tax money, would be interesting reading I am sure. I cannot resist referring to the grant of $1,201,925 for a study of the affectional ties of baby monkeys for their mothers, which I note from the press is being strongly defended on scientific grounds by the Federal agency responsible. Since there are probably abnormal monkey babies, normal monkey babies and mentally retarded monkey babies it may be necessary to first establish a rapprochement with the monkey mothers to determine which is which, and the undertaking no doubt will be expensive and so far as I know may be justified, but I wish the spokesman had explained the $1,925 tacked on. That is an amount of money I can understand.

I am not familiar with the shellcracker sunfish but I look forward to learning something about it—specifically how it can be used to control snails. This curiosity must await satisfaction until the scientific study is released, at a cost to the taxpayers of $7,400 of taxes taken from us for expenditure under a bureau in Washington.

Now it well may be that some, many, or possibly all of you believe, or may later believe, that all this government is necessary, or at least desirable.

I do not appear as an advocate of any special course of action. I do have my own personal views on the subject, as you may have suspected. I cannot justly be accused of political partisanship. This trend has been bipartisan for some time.

I do appear as an advocate of a course of conduct on the part of the individual citizen which I urge you to follow, by suggesting that when public issues are before the country you inform yourselves as fully as possible concerning their merits and demerits and the possible effect upon life in these United States. Ask yourselves how they will affect you and your children and your grandchildren.

Then vote as you think best. Or if the issue does not involve a vote, notify your representatives, local, State, or National what you think should be done. If you think the Government should be in the hands of the people say so. If you think affairs, including the spending of a governmentally determined percentage of the income earned by the individual, can best be managed by an expansion of our present bureaucracy say so.

Stated somewhat differently, it is for the people of this country, such as you and me, to decide whether we shall continue the modern form of government formulated less than 200 years ago by a group of liberal minded, forward-looking men (some of them in their thirties), under which the rights and accompanying responsibilities of the individual to his government, to himself and to his family are paramount, under which this Nation became great; or shall we follow the road of reaction to the omnipotent state, the rise and fall of which has innumerable parallels in history. The state in which the individual is not a citizen but a subject. The state in which the rights of the individual are subordinated to the supreme rights of not only the state but to the powerful minority groups who exert an unhealthy influence upon the state in obtaining monopolistic control in various fields of activity inimical to the best interests of the ordinary individuals, such as you and me and our friends and neighbors, who only want to be free to pursue life, liberty and happiness in our own way, without being compelled to follow signposts erected by a task force working out of Washington often couched in language well nigh incomprehensible to many of us.

After all, a people should have the kind of government they want. And to conclude with the wise words of Benjamin Franklin "you have been given a republic if you can keep it." It is for you to decide. And the day of decision may be not far off.

THE UNITED STATES AND THE COMMON MARKET

Mr. MANSFIELD. Mr. President, one of the outstanding members of the U.S. Citizens Commission on NATO, and the only one from the western part of our country, is Alexander Warden, of Great Falls, Mont.

Alex Warden is publisher of the Great Falls Tribune, one of the West's great newspapers. Since returning to Montana from various NATO conferences he has discussed with many organizations in Montana the issues explored at the conferences and the need for the United States to establish a close relationship with the European Common Market. He has stated that an increase in U.S. exports to Europe is essential and that "this can only be effected by giving the President authority to make trade agreements at arm's length. This is not a partisan matter," he said, "but a matter of national welfare."

Mr. Warden has made a significant contribution to a better understanding of the issues involved. He is performing a service in his discussions which will have a decided effect on the future of our country and I commend him for it.

Mr. President, I ask unanimous consent that news stories and editorials may be incorporated with my remarks at this point.

There being no objection, the articles and editorials were ordered to be printed in the RECORD, as follows:

[From the Great Falls (Mont.) Tribune, Feb. 1, 1962]

DEADLY COLD WAR WILL GO ON, SAYS NATO COMMISSION SPEAKER

"Even though no crisis is likely to trigger a shooting nuclear war, the present deadly cold war will continue unabated so long as we live."

This was the expressed opinion of Alexander Warden, publisher of the Tribune and Leader, at the Rotary Club's luncheon meeting Wednesday noon in Hotel Rainbow.

"If you are sleeping well, you might, in your prayers give a slight vote of thanks to NATO, which is largely responsible for the fact we are not in the middle of a shooting war," Warden suggested.

He discussed the Atlantic Convention of North Atlantic Treaty Organization (NATO) nations, which he attended in Paris in mid-January as a member of the U.S. Citizens Commission on NATO.

Warden told of NATO member nations' concern regarding the Communist threat, expressed his views of the Common Market and reviewed a short visit in West Berlin.

In introducing the speaker, R. F. Kitchingman, executive vice president of the chamber of commerce, termed Warden's appointment to the commission as "a great honor that has come to Montana." He noted the publisher now is the commission's only member from a State west of the Mississippi.

"We're getting into a type of world very new to us," Warden said, "a world which will necessitate new and aggressive measures."

He said that of the world's 3 billion people, 1 billion are under Communist domination, one-half billion in the free world and a billion and a half uncommitted, whose choice will gravely affect the fate of the world.

"People with hungry bellies don't care anything about ideologies," he said. "If 2 of the 3 billion become Communist, we're just about dead," he warned.

Regarding the Atlantic Convention, Warden reported, "We did make progress toward necessary cohesion of the free world to combat an effective Communist program that is going on."

"We didn't go there to make any moonshot," he said, explaining a compromise was required.

Some conferees felt an Atlantic union government, complete with a constitution and necessitating countries giving up their national sovereignty, should be formed at once, Warden explained, while others recommended moving more slowly to a goal of that nature.

The Declaration of Paris, prepared by the 98 convention participants representing 15 nations' NATO commissions, included a determination to work for a true Atlantic community during the next 10 years, with a pattern of action to be prepared within the next 2 years, he reported.

Many resolutions concerned aid to developing nations, he said, adding the convention "went for" free trade, establishment of a scientific documentation center and for more joint action by NATO nations.

Warden described the Common Market, established in 1957 by France, Italy, West Germany, Belgium, Luxembourg, and the Netherlands, as similar to the program of the United States after the Revolutionary War.

Regarding the United States joining the Common Market, he noted the Common Market countries "couldn't care less, but are willing to talk about it." He said the Common Market can get along fine without the United States.

The U.S. trade balance, $5 billion now, is not as good as it sounds, he said, noting the Nation is faced with a mounting deficit.

"The United States is not self-sufficient, and it is not going to be," Warden suggested. "For every job in American labor dependent on exports, 10 are dependent on imports, which will have a bearing on labor's attitude on what we do in international trade," he said.

"An increase in U.S. exports is the only answer," Warden advised, "and this can be effected only by giving the President authority to make trade agreements at arm's length. This is not a partisan matter, but a matter of national welfare."

Noting tariff reductions are an economic necessity, Warden suggested, "If we don't get into the ball game, we're likely to suffer slow strangulation."

He explained such a transition would require "painful adjustment" and suggested Federal subsidies to assist certain industries over the bridge might be needed.

Warden described "the wall," which he viewed during his Berlin visit, as "a disturbing sight" and as "a monument to the

fact that communism on the other side is a failure."

He praised Gen. Lauris Norstad, supreme allied commander, who conducted a briefing session for convention participants, describing him as "simply great."

Christian A. Herter, Secretary of State in President Eisenhower's administration, and William L. Clayton, who was Under Secretary of State under President Truman, are cochairmen of the U.S. NATO Commission.

It was announced during the meeting that the nomination of Col. Harry E. Goldsworthy, a Rotarian, for advancement to the rank of brigadier general has been approved by the Senate. Goldsworthy is commander of the Site Activation Task Force in charge of the Minuteman project in this area.

KENNEDY'S GIANT STRIDE TOWARD NEW FOREIGN POLICY

There's been a crackling drumfire of impatient criticism, both at home and from abroad, because of the lack of any clearly defined foreign policy since World War II.

Now the President has moved to spell out in clarity a new foreign policy—national in scope for the first time in our history—for the handling of tariffs toward freer world trade.

Gone, fortunately, are the 150 years when U.S. tariffs were built or broken on the shifting sands of sectional pressures and logrolling. Slated for exit, too, is the now quite inadequate Reciprocal Trade Act of 1934 with its barnacles of checkmating restrictions and quantity controls.

There's a new world. The President sees this clearly. So does a mounting segment of the American people, perhaps more than some Congressmen who feel dutybound to woo their constituencies in all their walking hours. Inevitably they must bow to a compelling national interest.

For we must be able, day by day, to negotiate trade agreements we need on a global basis. We have to stand in trading clothes fit for dealing at arm's length with the advancing and enlarging Common Market, with the nations of Latin America, with Japan, with the developing nations of southeast Asia and Africa.

Isolation is dead as a dodo, and we have the knotty problem of holding our own in the highly competitive arena of free international trade. We must also have a free hand to join with the rest of the free world in fighting the formidable monolithic juggernaut of Communist aggression so bent on world domination.

The necessary temporary adjustments in our domestic economy pale into insignificance when measured against the so much larger problem of economic survival and the growth of the Nation in the years now rolling.

To preserve our Western heritage, to hold our rightful place among the family of nations, it is time to set our house in order. With admirable foresight, the President has acted. We think the Congress should approve this new foreign policy as a matter of the greatest urgency.

[From the Great Falls Tribune, Mar. 18, 1962]

VIGOROUS TRADE POLICY VITAL TO UNITED STATES, SAYS WARDEN

"We are finally in a program of fighting communism and not just talking about containing it," Alexander Warden noted in an address before the League of Women Voters and guests Saturday at the DeMolay Memorial.

The Tribune-Leader publisher discussed the Atlantic Convention of North Atlantic Treaty Organization (NATO) Nations, which he attended in Paris in January as a member of the U.S. Citizens Commission on NATO, and expressed his views on the world economic situation.

"In my thinking," he said, "aggressive international trade is by all odds the best route for us to take. Not only are its direct benefits so vital, but it may prove the broad avenue toward amity in the political area.

"That is why I subscribe to the President's plea for broad authority to make trade deals, at arm's length as expedient, with the rest of the world," Warden explained.

A business session and election of officers followed the address. Mrs. Harold Juedeman, who is in the second year of her 2-year term as president, presided.

The new slate presented by the nominating committee and elected included: Mrs. William Hoard, second vice president; Mrs. Raymond Todd, secretary; Mrs. Monte Bryant, treasurer; Mrs. William Lane, Mrs. Berk Achenbach, and Mrs. Harold Reichert, directors. Mrs. Ernst Eichwald has another year in her term as first vice president.

Named to the nominating committee for the coming year were Mrs. Howard Wilson, Mrs. Robert Beans, and Mrs. Serafino Del-Guerra.

The league will continue for another year its survey and study of the Cascade County government. It also plans continuing support of the city manager form of government and study of the problems of expanding population.

THE ATLANTIC CONVENTION OF NATO CITIZENS COMMISSIONS

For nearly a year now friends have been angling gingerly up to the question, "Just what is this Government thingamajig you're mixed up in now?"

To which, with what unaccustomed dignity can be mustered, the reply, "I am a member of the NATO U.S. Citizens Commission."

"Oh, I see," is the retort courteous, meaning they do not see at all. A more illuminating answer needs some definitions. Otherwise an inquirer will be unhorsed on the first turn.

Most of us know we belong to NATO. But what is NATO, in this day of alphabetical mish-mash where, like women's skirts, everything is abbreviated? NATO is the North Atlantic Treaty Organization of 15 nations of the Western free world. The other 14, just for the record, are Belgium, Canada, Denmark, France, Western Germany, Greece, Iceland, Italy, Luxembourg, the Netherlands, Portugal, Turkey, and the United Kingdom.

What has NATO done? To date, truly a magnificent job in the military area of its wide scope. It has ready, for instant push-button use at its Paris headquarters, a nuclear power second only to that of the Soviets. Perhaps not second, for there is no telling just what the Russians do have. They haven't said, and their word on anything is suspect. But NATO has enough to make Nikita Khrushchev look well at his hole card before triggering an action which might lay Moscow in ashes within the hour. For example our Montana Missilemen, with range of 6,300 miles, could be exploding in the Kremlin in not over 40 minutes.

NATO has also in sight its planned ground strength of 30 divisions. This has been delayed only because of budgetary problems in some nations, and because most of the French Army is busy in Algeria. My own prediction is that De Gaulle will clean up this mess soon and with complete success. De Gaulle is no idol in France, but he is the father image of the tricolor and he will prevail.

Difficult and exasperating as the Frenchman has traditionally been to govern, he has a steadying undercurrent of realism that always controls those spectacular geysers of emotion so dear to his histrionic heart.

We were thoroughly briefed at NATO in Paris by our own General Norstad, the top commander in this colorful headquarters. To hear him is to gain great pride in our deterrent power and to believe with him that a shooting war is not likely.

Well, if Khrushchev isn't going to shoot, what is he doing? Quite a lot, and all of it disturbing. Checkmated in the military area, this conniving dictator has in high gear a diabolical plan to bring us to our knees. His monolithic juggernaut is busy grinding through 70 nations, working in their economic areas, trying to corral them into the Communist camp and put us into economic quarantine. In this way he expects to strip us clean and pick our bones at his leisure.

How is he doing this? By going into the grassroots of the many new nations of the world in Africa and southeast Asia, into Latin America from his Cuban bridgehead. His emissaries deal not with the inexperienced, inept, or perhaps corrupt top echelons of governments. Instead they cultivate bright young people whose eyes shine with the fever of discontent. These go to Moscow for thorough indoctrination. Then back to their native lands with fat purses to foment trouble and sell the Communist line with glittering promises. Catering to hungry bellies, they don't need to spend time philosophizing on ideologies.

Has this been effective? Well, already of the total world population of 3 billion, 1 billion or one-third bow to the Hammer and Sickle. The free world has only half a billion. Who will get the allegiance of the remaining billion and a half? The big door prize is world domination, and Khrushchev is out in front and setting a fast pace. For example, currently he is peddling his oil from the Middle East as low as 75 cents a barrel.

We haven't done much to counteract this formidable threat. Of course, no democracy can move with the speed of a dictatorship where one man's waking word can be implemented into action in hours. We did recognize the mounting danger, but it took us nearly 10 years to act, before establishing by congressional action in the closing months of the Eisenhower administration our own NATO Citizens Commission on which it has been my interesting privilege to serve.

Our Commission was directed by the Congress to work with parallel commissions from the other NATO countries, toward a greater NATO unity in the neglected economic and political areas which now loom as our key battlefronts. We are finally in a program of fighting communism, and not just talking about containing it.

Members of our Commission were not appointed until last spring, and then by statute—half by the Vice President and half by the Speaker of the House. When the appointments were made, I was in Hong Kong sort of looking around for Suzie Wong, and that is not easy if your wife is along. Came a cable from an old Associated Press pal who lives to job his friends. Sure that it was a phony, I never even bothered to acknowledge.

Let me emphasize the bipartisan nature of the Commission, which at its initial meeting in Washington last April selected as Cochairmen Christian Herter, former Secretary of State under Eisenhower, and Will Clayton, former Under Secretary of State for Economic Affairs under President Truman and generally accredited with authorship of the Marshall plan. Most of the others are men of proven international stature. I was under no illusions as to my own inadequacies, but took the appointment because it did constitute a recognition of Montana, which happens far too seldom from our National Capitol.

We proceeded to urge the formation of citizens' commissions in the other NATO countries, this by letter. We never got a single answer. So, by two's and three's and like Mormon missionaries, we made pilgrimages to the capitals of Europe. We found

our letters had never got through channels of redtape to the eyes for which they were intended. Once we appeared, there was quick success.

The next step was a meeting in London of a small preparatory committee from all the commissions to set the stage for an Atlantic convention. Paris was chosen as the place and January 8 as the starting date, with 98 delegates to assemble from the 15 countries. And so we went to Paris. You may rhapsodize about loving Paris in the springtime, but only a blindly devoted mother could love her in bleak and rainy January garb. Then is the season for inside bird watching, and that is only good after the lights come on.

Delegates were seated alphabetically, with each desk equipped with microphones with light controls to flag the attention of the presiding officers, and earphones. Gifted translators were never more than a word of two behind speakers, regardless of language. At kickoff time, with all media aiming cameras, lights flashing and a babel of tongues, the decibel level was high. I remarked to an associate from Mississippi that confusion was in the saddle and his observation was "Yeah, sounds like there's a possum loose in the henhouse."

Who voiced an invocation? Nobody. Here was an unexpected impasse. Christians and Moslems were sitting shoulder to shoulder. A standing moment of silence was the simple and sensible solution.

After the opening plenary sessions of the convention, it was quite clear that there was a wide gap between two schools of thought. One favored plunging at once into a full-fledged Atlantic union, complete with charter, constitution, parliament, judiciary, common currency and common foreign policy. The other wanted to go more slowly, fearing uproar at home over abandoning suddenly so much of the popular concept of national sovereignty. The target was the same; the difference was in the timing.

Two ad hoc committees, one political-economic and the other cultural, on which I served, were formed and went into closed sessions to grind out their credos and resolutions. Open plenary sessions were then resumed to fold the committee homework into final findings.

The result was an inevitable compromise, as in most parliamentary go-arounds. Yet the resultant declaration of Paris, with fortifying resolutions, was hailed as a big forward step in more NATO unity and a brave call for action.

It declared for a true Atlantic community in 10 years, with the pattern for it to be spelled out in the next 2 years. Its resolutions were a blueprint for (1) establishment of the nucleus of an executive authority on political, economic, military, and cultural matters, (2) legislative participation on questions of concern to the Atlantic community, and (3) a NATO high court of justice for settling legal differences therein. There was an air of genuine zeal, a climate of crusade to set wheels in motion for action.

By resolution, hands of friendship, with no strings attached, beckoned to all the emerging and developing nations, with assurances of help toward their goals of self-improvement and their attainment of respectable international stature.

Another important resolution was adopted at the behest of the Germans, seeking a NATO documentation center. The Russians have one, staffed by 300 scientists and manned by 17,500 technicians. It sorts every scrap of paper from anywhere in the world pertaining to any scientific development, translates it into Russian, and distributes it over the whole Soviet Union. NATO's lack of such a mechanism means the loss in obscurity of much of value. While we can't expect to get the Russian material, we ought at least to be able to use that of the free world, whatever the country or language of origin.

In the weekend between the 2 weeks of all-day sessions, many of us accepted a spontaneous invitation from the West German Government to visit Berlin to see the wall, erected so suddenly last August to close the last escape gap in the 6,000-mile Iron Curtain which is no mere figure of speech but a gun-pointing barrier extending from the Arctic down through Europe and clear to Iran.

As we deplaned in Berlin we were met with a barrage of newspaper and audio-video abuse from East Berlin which called us war mongers, NATO warriors, and charged us with coming to impede the talks on the Berlin crisis. Such nonsense is, of course, typical of the Communist-inspired vituperation.

The wall is an ugly, sinister barrier and a monument to the abysmal failure of communism as a way of life. To ride up and down its 50 kilometers through the American, British, and French sectors is a grim and saddening trip. The air of tension is sobering.

As we stood at the British sector gate, suddenly an East German flag was coming down on top of a building. Immediately a British tank moved through us to train its guns on the flagpole. There was no incident, but the British were ready.

At the gate known as Checkpoint Charlie in the American sector, there is a sign in large letters facing into East Germany which says, "The assassins are among you."

We saw with our own eyes on this Sunday morning the never-ending crosses and wreaths and flowers and mourning friends and relatives at the many spots where those trying to escape to freedom had been shot down by the East German police. We saw people standing on chairs, boxes, and ladders, holding up children, and waving at friends or relatives in the drab, dreary purgatory that is East Berlin. There was no waving back or smiles from the doomed and despairing side. They don't dare.

And always, glints from the broken glass on end that tops the wall. Always the endless triple strands of rusty barbed wire on top of the jagged glass, even on top of all buildings that form part of the wall, buildings that have been evacuated and bricked from foundation to roof on the inside.

The lesson was clear to us as it is to all delegations invited to West Berlin from all over the world: "If you think communism will do anything for you, look at this."

I have tried to tell the why of the Atlantic Convention, something of its mechanics, and what it did. But what does this mean to us here in the United States?

Let's take a deep look into the crystal ball, swirling as it is from the winds of change gusting over the world.

It is comforting to feel that we are not likely to fry in our beds tonight from the nuclear holocaust of a shooting war. But the only alternative on the horizon is a deadly and exhausting cold war that will go on unabated, from crisis to crisis, in challenge that never ends.

It will be a conflict of constant maneuver and clash on the shifting economic battlefront. We'll have two jobs to do. We must help the rest of the free world to stem and stalemate the Communists, remembering always that they never fight by the Marquis of Queensberry rules. Then for ourselves we must hold our own in trading with the rest of the world. To come out of all this smelling like a rose will take some doing, but now is no time for the moaning counsel of despair. There's work to do.

Well, how are we fixed to fight this cold war? Maybe we're better off than we think, provided we adjust as we must. So, a quick inventory.

On the asset side, we're a long way this side of bankruptcy. Thanks to a Government dedicated to liberty and freedom and the dignity of the common man, and thanks to large natural resources, we've scaled great heights. We have a dynamic economy hard to catch.

In industry we create in mass production with machines, advanced technologies, and skilled labor. Such know-how often yields two or three times as much per man-hour as foreign plants, lets us compete in their markets against the bugaboo of wage differentials.

Likewise, in scientific agriculture. Today in our own Montana, with strip farming, summer fallow practices, and chemical weed controls we wrest a wheat crop from dry land under subnormal moisture conditions that spelled total failure hardly a generation ago.

Bold and imaginative, we use the tools of invention, industrial and market research, gifted salesmanship, and convincing advertising.

Another asset is the cheapness of American capital. Our firms can borrow money at 5½ or 6 percent. In England, with the lowest capital costs in Europe, the going rate is 8½ to 9 percent. In West Germany, if you can get it at all, the interest tag is a fat 13 percent.

Up to now, such assets have been enough to keep us in clover, but there are some threatening clouds on the economic horizon. Technically, we still have a favorable balance of trade. I say technically because our 1961 paper balance of some $5½ billion of exports over imports was more than wiped out by the $8 billion cost of foreign aid and maintenance cost of our defense bastions around the world. So we actually spent more abroad than we got, and in the last 6 months of 1961 another two-thirds of a billion dollars of our shrinking gold supply took flight overseas.

This deficit has to be corrected and turned into a genuine favorable trade balance, because a chronic deficit will spell devaluation and flight from the dollar, more inflation, and a declining standard of living. It should be painfully obvious that we cannot possibly live on our domestic economy alone, that we must have the additive of a healthy and favorable trade balance. Any retreat into an isolation and reliance on our domestic markets behind tariff and quota walls will bring dreary consequences. For example, the Common Market countries, to whom we now export $5 billion, can in retaliation deny us access to their own fast expanding home markets. The free world then splits into economic adversaries. Our own export industries, the livelihood of 6 million American families, go into stagnation. Mr Khrushchev would raise a brimming beaker of vodka in delighted toast with a roar that would echo around the world and into space.

Even with all our resources, are we self-sufficient? If you think so, ponder that in major minerals our only exportable surplus is coal. Ponder, too, that General Motors needs 38 import items to make a car; the telephone companies need 22.

There's been rumbling because so many substantial American firms have established branches abroad, 42 of them in the Common Market countries. The total investment exceeds $6½ billion, and no doubt a lot of American jobs have gone down the drain with the shift. Yet a current study by the National Industrial Conference Board provides facts to put this picture in focus.

Factually, lower European wages were not the impelling motive for this hegira, but a desire to get inside the tariff barriers abroad and also to cash in on the growth potential offered by the foreign markets.

There are other significant facets. Two out of three American subsidiaries found their costs of materials higher overseas.

More than one out of four reported total costs higher than in American home plants.

A number of others found their costs about the same. More than one out of three were enjoying no overall cost advantage over similar operations in the United States.

Perhaps it is obvious that I've been trying to lay a foundation. And here is the only conclusion I have been able to reach. In my thinking, aggressive international trade is by all odds the best route for us to take. Not only are its direct benefits so vital, but it may prove the broad avenue toward amity in the political area. You know, if you are doing business every day on a mutually advantageous basis with a man, you're not going to have sleepless nights over how he parts his political hair or worships the deity of his choice. The same with nations. Conversely, straining first for conversion to our political philosophy might be just to struggle futilely through the maze of bristling thickets and be torn to shreds on the thorns of foreign suspicions.

That is why I subscribe to the President's plea for broad authority to make trade deals, at arm's length as expedient, with the rest of the world. He seeks and needs the power to negotiate across the board for reductions or eliminations of tariffs on whole categories. Item-by-item dickering, with restrictions and quantity controls as provided in the outworn Reciprocal Trade Act of 1934, is hopelessly inadequate.

We must guard alertly our $5 billion of exports to the Common Market countries, who reached clear back to the end of the 18th century to take a leaf from the book of the American Colonies after the Revolutionary War in forming the United States instead of degenerating into a mess of little principalities. The parallel is interesting, the result spectacular.

We can't neglect Japan, our chief Pacific bulwark against communism. Excepting only Canada, Japan is our best export customer, bought in 1961 over a billion more than she sold us. Curiously, one of our important export items to Nippon was inexpensive toys.

Surely, we can't exclude Latin America. And if the developing countries of southeast Asia and Africa can't sell us, they may turn for guidance to the Communists who will come running.

Decisions can't wait for oratorial delays in the Congress. Before solons can finish extolling the virtues of their constituents and the needs of their bailiwicks, the booming parade of international trade can disappear down the road and around the bend.

I yield to no one in fear of reposing too much power in single hands. But surely no President would perform other than in the national interest. And I submit that any man who can negotiate the hurdles of presidential primaries in a score of States, who can then fight his way to nomination in his national convention, and then be elected, is a pretty fair horse trader in his own right.

As to damage of a freer trade policy to us, it has been estimated that only about 30 percent of our imports compete with American-made products, so that dollar damage here might be limited to 1 percent of our gross national product. Meanwhile, our exports would be mounting.

Brookings Institute points out that enough tariff-lowering to increase our imports by a billion dollars a year, bringing in goods to compete with those of 72 American industries, could displace no more than 86,000 workers. Other economists project that abolishing all tariffs would not affect over 500,000 jobs.

Hence I salute the President's proposal as a giant stride in foreign policy. It looks at international trade for the first time in our 150-year history from the plateau of national interest. This is in contrast to our traditional tariffmaking born of sectional pressures and logrolling. To me his proposal is a clear and ringing answer to the critical clamor that we have no foreign policy. Here is one that may well be carrying the seeds of our economic salvation.

This is a new world, with challenging new horizons. At stake may be our economic survival. To put it bluntly, shall we scrimpot for our proper part of something, or take chances on getting all of nothing?

As these fast-rolling years unfold, it will take real political courage and high economic statesmanship to preserve our Western heritage and hold our key place in the family of nations. Right decisions can win this cold war, and victory in the cold war will prepare firm footing for another giant stride, this one towards that great hope of all mankind, world peace.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS

Mr. HAYDEN. Mr. President, in accordance with the Mutual Security Act of 1954, as amended, I ask unanimous consent to have printed in the RECORD the report of the Committee on the Judiciary concerning the foreign currencies and U.S. dollars utilized by that committee in 1961 in connection with foreign travel.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

Report of expenditure of foreign currencies and appropriated funds by the Committee on the Judiciary, U.S. Senate, expended between Jan. 1 and Dec. 31, 1961

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Thomas J. Dodd:											
Austria	Schilling	2,313.00	90.00	2,714.90	105.63			[1] 1,569.50	[1] 61.07	6,597.40	256.70
France	New franc	308.03	60.69	196.40	40.00			[1] 332.35	[1] 67.68	836.78	168.37
Germany	Mark	92.50	23.31	115.00	28.98			60.00	15.12	267.50	67.41
Hong Kong	Hong Kong dollar.	90	15.65	143.75	25.00			34.50	6.00	268.25	46.65
Italy	Lira	51,514	82.95	49,680	80.00			[1] 66,555	[1] 107.15	167,749	270.10
Japan	Yen	6,712	24.20	12,600	35.00			[1] 10,100	[1] 28.05	31,412	87.25
Morocco	Dirham	105.86	21.17					40	8.00	145.86	29.17
Philippines	Peso			143.66	52.22			22.91	8.33	166.57	60.55
Portugal	Escudo	2,208	77.47	2,455	86.14			[1] 2,614.10	[1] 91.72	7,277.10	255.33
Switzerland	Franc	40	9.32	250	58.25			[1] 37.95	[1] 8.85	327.95	76.42
Taiwan	New Taiwan dollar.	900	90.00	100	2.50			50	1.25	950	23.75
Thailand	Baht	480	24.00	600	30.00			220	11.00	1,300	65.00
Vietnam	Piaster	1,600	21.91	1,898	26.00			868	11.89	4,366	59.80
Total			470.67		569.72				426.11		1,466.50
Senator Philip A. Hart:											
Congo	Franc	670	13.40	60	1.20			73	1.46	803	16.06
Ethiopia	Ethiopian dollar.	37.5	16.00	12.5	5.00					50	20.00
France	Franc	367.5	75.00	367.5	75.00			265	54.00	1,000	204.00
Ghana	Pound	10	28.30	12	33.96			3-1	8.49	25	70.75
Guinea	Franc	5,600	22.76	2,350	9.55					7,950	32.31
Kenya and Tanganyika	East African shilling.	508	72.00	127	18.00					635	90.00
Liberia	Dollar	35.6	35.60	4	4.00					39.6	39.60
Rhodesia	Pound	13-18-1	38.93	4-19	13.86					18-17-1	52.79
Senegal	Franc	8,682	35.43							8,682	35.43
Sierra Leone	Pound	6	16.80	1-7	3.78					7-7	20.58
Somali Republic	Somalis	16.5	2.32							16.5	2.32
Total			355.54		164.35				63.95		583.84
Senator Kenneth B. Keating:											
Austria	Schilling	1,170	45.52	485	18.87	473.08	18.39	133.27	5.18	2,261.35	87.96
France	Franc	732.45	149.48	103.8	21.19	270	55.10	110	22.44	1,216.25	248.21
Germany	Mark	97	24.43	20	5.00	2,289.50	576.70	48	12.09	2,454.50	618.22
Israel	Israel pound	55	27.25					108.22	48.36	163.22	75.61
Italy	Lira	32,587	52.47	33,125	53.34			5,663	10.88	72,375	116.69
Switzerland	Swiss franc	202.16	47.02	149	34.66			48.85	11.35	400	93.03
United Kingdom	Pound	25	70.00							25	70.00
Total			416.17		133.06		650.19		110.30		1,309.72

See footnotes at end of table.

Report of expenditure of foreign currencies and appropriated funds by the Committee on the Judiciary, U.S. Senate, expended between Jan. 1 and Dec. 31, 1961—Continued

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Milton Eisenberg:											
Belgium	Franc	792	16.00	1,000	20.00	250	5.00	738	15.00	2,780	56.00
France	do	458	94.00	400	81.00	100	20.00	102	21.00	1,060	216.00
Netherlands	Guilder	93	25.00	93	25.00	18	5.00	74	20.00	278	75.00
Switzerland	Franc	154	35.00	174	40.00	86	20.00	86	20.00	500	115.00
United Kingdom	Pound	17	48.00	15	42.00	4	11.00	8	22.00	44	123.00
West Germany	Mark	151	30.00	125	25.00	15	3.00	59	12.00	350	70.00
Total			248.00		233.00		64.00		110.00		655.00
Raymond Leddy Mexico	Peso					8,422.53	674.34			8,422.53	674.34
David Martin:											
France	Franc	113.90	23.17	68.74	14.00			[1] 175.25	[1] 35.72	357.79	72.89
Germany	Mark	62.75	16.06	62.00	15.62			[1] 122.70	[1] 30.92	248.45	62.60
Hong Kong	Hong Kong dollar	80	13.52	80.5	14.00			[1] 206.00	[1] 35.87	377.10	65.52
Italy	Lira	35,512	57.34	31,050	50.00			[1] 28,610	[1] 44.88	95,272	152.22
Japan	Yen	8,712	24.20	7,000	19.40			[1] 4,308	[1] 11.97	20,020	55.57
Morocco	Dirham	53.00	10.72					25	5.00	78.00	15.72
Philippines	Peso			77	38.00			18.78	6.83	95.78	34.83
Switzerland	Franc	20	16.31	90	20.97			37.00	8.62	197.00	45.90
Taiwan	New Taiwan dollar	800	20.00	100	2.50			50	1.25	950	23.75
Thailand	Baht	480	20.98	300	18.00			140	7.00	920	49.00
Vietnam	Piaster	1,500	21.91	1,500	20.56			700	9.59	3,800	52.06
Total			229.38		263.04				197.65		690.05
Edward Sallisl:											
France	Franc	875	178.57	825	168.35			81.53	16.64	1,781.53	363.56
Germany	Mark	605	151.13	500	125.94	4,405.51	1,109.70	91.00	22.92	5,596.51	1,409.69
Switzerland	Swiss franc	580	133.56	420	97.00			75.00	17.33	1,075.00	248.28
United Kingdom	Pound	60	168.00	40	112.00	42.5	118.50	.19	2.56	142.69	400.95
Total			631.66		503.29		1,228.00		59.55		2,422.49
George F. Spatuzza:											
Germany	Mark					4,294.84	1,076.40			4,294.84	1,076.40
Switzerland	Swiss franc	800	184.75	600	138.57			100	23.09	1,800.00	346.41
Total			184.75		138.57		1,076.40		23.09		1,422.81
James Ward:											
France	Franc	835	170.40	565	115.30			100	20.40	1,500	306.10
Germany	Mark	86	21.66	73	18.38	4,143.49	1,043.70	52	13.10	4,354.49	1,096.84
Switzerland	Swiss franc	680	153.95	430	97.00			75	17.33	1,075	248.28
Total			326.01		230.68		1,043.70		50.83		1,651.22

[1] Communications:

1,085.50 schillings	$41.07
298.70 new francs	52.68
51,050 lire	82.15
4,700 yen	13.05
1,732 securlos	60.77
16.5 francs	3.85
Total	253.57

[1] Communications:

144.70 francs	$29.47
97.20 marks	24.62
193.50 Hong Kong dollars	31.87
14,000 lira	30.08
1981 yen	5.49
Total	121.54

RECAPITULATION

	Amount
Foreign currency (U.S. dollar equivalent)	$10,815.97
Appropriated funds	
S. Res. 50, 87th Cong., 1st sess	224.00
Department of the Army	302.05
Total	11,342.02

MAR. 27, 1962.

JAMES O. EASTLAND,
Chairman, Committee on the Judiciary.

Mr. MANSFIELD. Mr. President, is there further morning business?

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

Mr. MANSFIELD. Mr. President, what is the pending business?

The PRESIDING OFFICER. The unfinished business does not come before the Senate until 2 o'clock.

DEVELOPMENTS IN NEW YORK IN CONNECTION WITH TREATMENT OF NARCOTICS ADDICTION

Mr. JAVITS. Mr. President, I wish to call attention to a development in New York in connection with the treatment of narcotics addiction, a problem which is affected by one of the provisions of this bill, and which I believe should have very great effect in connection with what we do about this matter.

The State of New York has just enacted one of the most modern laws for dealing with this situation. By way of background, I may say that when I was attorney general of New York, I was also chairman of the Committee of the Attorney General of the United States on the treatment of narcotics addiction; and we brought about the establishment in New York of a citizens' commission, under the chairmanship of Orin Root, of our State—who now is superintendent of banking for the State of New York—to examine this question.

As a result of all that activity, and through the very fine leadership of Governor Rockefeller and the leadership of his commissioner of mental hygiene, Dr. Paul Hoch, who has served both the Harriman administration and the Rockefeller administration, there has been enacted in New York a series of measures which authorize hospital care, rather than prison sentences, for narcotics addicts who are not themselves "pushers" or dealers in drugs, when they so request.

The State of New York is now working with the city of New York, which has made many additional hospital beds available for that purpose, and together they are now working for greater and improved coordination of the work of all agencies in this field. They are also inaugurating further research work in this field. It is tragic that thus far we have no real knowledge of the bases for

the cure of narcotics addiction. We know that is one of the grave problems which afflicts us in this field. So research is beginning in New York at the Manhattan State Hospital.

This legislation ties in with what we are doing here in the Senate, because my colleague [Mr. KEATING] and I have introduced bills which seek to bring about the establishment of a federally aided local program for construction of narcotic hospitals. We have Federal hospitals now in Kentucky and Texas. We need one in New York. Indeed, the New York State Legislature has memorialized Congress to that effect, as an aid to its own program, which I have described.

It seems to me this proposal will lend support to our efforts on the Federal level for necessary assistance to buttress the forward-looking actions of New York which I have just described.

I might say that California has inaugurated a program of the same type. Indeed, it preceded ours by some time, and has been a model for us in the State of New York.

I ask unanimous consent that the Governor's memorandum of approval of the narcotic bill in New York, together with a set of editorials from the New York Times and excerpts from a news story on the approval of the bill may be printed in the RECORD and made a part of these remarks.

Next week I shall also offer, together with my colleague from New York [Mr. KEATING], additional legislation in this field, designed to get action perhaps more quickly than would be the case through the bills which have been introduced on this subject, and following the very splendid pattern which has now been set by the State of New York.

There being no objection, the memorandum, editorials, and news article were ordered to be printed in the RECORD, as follows:

GOVERNOR ROCKEFELLER'S MEMORANDUM

This legislation enables the State of New York to mount an expanded and comprehensive attack on narcotics addiction, one of the most pressing medical and social problems we face.

It is a measure designed to save hundreds and ultimately thousands of young narcotics addicts from a life of enslavement to drugs by offering them medical treatment instead of prison in situations where their crimes are not serious and relate to their addiction.

The bill also establishes a new central narcotics office in the department of mental hygiene to direct expanding State programs in narcotics research, treatment and aftercare, and creates a State council on drug addiction to advise in the formulation, progressive improvement, and operation of the State's narcotics programs.

This legislation was developed by Senator George Metcalf, chairman of the senate committee on public health, and Assemblyman Julius Volker, chairman of the assembly committee on codes, in cooperation with Senator Walter J. Mahoney, the State commissioners of mental hygiene and health, the District Attorneys' Association of the State of New York, the Reverend Norman C. Eddy, of the East Harlem Protestant Parish, and representatives of other interested civic and community organizations.

As I pointed out in my annual message to the legislature last January in urging enactment of this bill, then being developed, many arrested addicts whose crimes are related to their addiction and who are not considered incorrigible may appropriately benefit from medical and psychiatric treatment in civil hospitals followed by after care in the community.

Addicts are most often adolescents and young adults who are victimized before they are old enough to appreciate the tragic consequences. Many who have no place to turn for guidance and help are driven to criminal activity to support their habits.

This problem can be attacked effectively only if all levels of government—local, State, and Federal—shoulder their full measure of responsibility, in law enforcement, in research, in prevention, treatment, and aftercare. The Metcalf-Volker bill is a major step forward in New York State's efforts to meet its share of these responsibilities.

Many narcotics addicts under arrest whose most serious failing is their own tragic addiction will be given an opportunity under the provisions of this measure to become self-respecting and self-reliant members of society through State hospital treatment and rehabilitation.

Within judicial discretion, such addicts showing a potential for rehabilitation would be given an opportunity to elect a course of treatment in available State hospital facilities, followed by a program of aftercare, instead of going to prison.

Addicts not under arrest would continue to have an opportunity for voluntary commitment to a State hospital for treatment.

Since 1959, the State has established addict treatment facilities at Central Islip State Hospital, Utica State Hospital and Manhattan State Hospital capable of giving inpatient treatment to more than 2,500 addicts annually, based upon an average hospital stay of 3 weeks.

An intensive pilot research unit in narcotics addiction has also been established at Manhattan State Hospital.

This program would not be available to hardened criminals, including wholesalers and pushers of narcotics who must continue to be prosecuted to the full extent of the State's strong laws against narcotics offenses.

This bill is of major importance in the war on narcotics addiction, and I hope this action of the State will inspire fresh efforts at local and Federal levels as well.

I would urge once again the vital importance of the Federal Government's establishing a narcotics hospital in the New York metropolitan area, which is alleged to have half the addicts in the Nation.

The Metcalf-Volker bill has been widely acclaimed throughout the State and has my wholehearted support.

The bill is approved.

NELSON A. ROCKEFELLER.

[From the New York Times, Mar. 23, 1962]

THE SICK ADDICT

S. 1693

Governor Rockefeller in his annual message to the legislature expressed anew his concern with the problem of narcotics addiction. His promise of new legislation on this problem has been kept with introduction of bills notable for their humane, enlightened nonpunitive approach.

The legislation would allow young persons charged with less serious narcotics crimes to choose treatment in State hospitals instead of going to jail. A new narcotics office to direct and coordinate the State's expanding programs in research, treatment and aftercare rehabilitation would be established within the State department of mental hygiene. A State council on drug addiction, to advise on program and administration, would include private citizens as well as officials.

It is evident that the Governor sees the greatest role of State usefulness in the medical-social field, pioneering in new and better methods of dealing with a sickness (as distinguished from a crime) in which cure is difficult and relapse frequent, a fact he recognizes by requiring that aftercare be mandatory following release from commitment.

[From the (N.Y.) Times, Mar. 28, 1962]

FIGHTING DRUG ADDICTION

The concept that more progress toward curing drug addiction can be made by treating it as a sickness than as a crime receives constructive recognition in a bill recently signed by Governor Rockefeller. It permits young persons arrested on relatively minor charges of drug possession or use to be hospitalized rather than jailed.

The substitution of medical care for sole reliance on a police approach is further embodied in the bill's creation of a special narcotics unit in the department of mental hygiene and establishment of a State council on drug addiction. The Governor is justifiably hopeful that a combination of hospitalization and effective aftercare to ensure rehabilitation will save many youthful addicts from a life of enslavement to drugs.

The city is moving along similar lines. Mayor Wagner announced last week a plan to double the number of beds available in municipal hospitals to "help the addict who is prepared to help himself." He also promised that more money and manpower would be put at the disposal of Dr. Theodore H. Rosenthal, the city's narcotics coordinator.

Yesterday the State legislature endorsed a resolution offered by the Governor urging Congress to authorize a Federal hospital for treating addicts in the New York City area.

These actions by the State and city governments represent significant moves away from the barbaric notion that punishment offers a realistic solution for drug addiction or the kindred malady of alcoholism. The facilities available for reclaiming addicts remain much too limited, but a useful start has been made.

[From the New York Times, Mar. 23, 1962]

GOVERNOR SIGNS ADDICTS AID BILL—OFFENDERS IN MINOR CASES TO BE SENT TO HOSPITALS INSTEAD OF TO JAILS—ROCKEFELLER HAILS ACT—SAYS IT WILL SAVE HUNDREDS FROM DRUG ENSLAVEMENT

ALBANY, March 22.—Legislation to permit narcotics addicts who are not hardened criminals to be hospitalized rather than imprisoned after arrest was signed by Governor Rockefeller today.

The Governor predicted that the program would "save hundreds and ultimately thousands of young narcotics addicts from a life of enslavement to drugs."

The new law permits a judge to authorize medical treatment for addicts who have been arrested on relatively minor charges of use or possession of drugs, rather than as wholesalers, pushers, or other criminals.

Such addicts who are sent to hospitals also would receive a program of aftercare to insure their rehabilitation. If the treatment proved successful, the charges against them would ultimately be dropped.

The legislation also sets up a central narcotics office in the mental hygiene department and establishes a State council on drug addiction to advise in formulating State policy on narcotics problems.

U.S. HOSPITAL URGED

In approving the bill, Governor Rockefeller renewed his request that the Federal Government establish a narcotics treatment hospital in the New York City area. The two Federal institutions are in Kentucky and Texas.

In other developments, final approval was given by the Senate to a proposed constitutional amendment that would permit a New

York resident who has lived in his election district for 30 days to vote in presidential elections. Under present law, only voters who have lived in the State a year, the county for 4 months and in the district for 30 days may participate in national elections.

UNITED NATIONS BONDS PURCHASE

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be laid before the Senate and be made the pending business.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 2768) to promote the foreign policy of the United States by authorizing the purchase of United Nations bonds and the appropriation of funds therefor.

There being no objection, the Senate resumed the consideration of the bill (S. 2768) to promote the foreign policy of the United States by authorizing the purchase of United Nations bonds and the appropriation of funds therefor.

THE ALEXANDER HAMILTON NATIONAL MONUMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the pending business be laid aside temporarily and that the Senate proceed to the consideration of Calendar No. 1274.

The PRESIDING OFFICER. The Senate joint resolution will be stated by title.

The LEGISLATIVE CLERK. A joint resolution (S.J. Res. 171) providing for the establishing of the former dwelling house of Alexander Hamilton as a national memorial.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the joint resolution, Senate Joint Resolution 171, providing for the establishing of the former dwelling house of Alexander Hamilton as a national memorial.

Mr. MANSFIELD. Mr. President, the Senate joint resolution has a familiar sound, but as yet it is not quite as familiar as "Stella." We will keep Stella on the books, but we would like to get the Senate joint resolution providing for the Alexander Hamilton memorial off the calendar.

Mr. JAVITS. Mr. President, first, I express to the majority leader the gratification which my colleague and I feel at the leadership's having brought up so promptly and expeditiously the joint resolution to establish as a national memorial the former dwelling house of Alexander Hamilton. I also express my appreciation to the Senator from New Mexico [Mr. ANDERSON] and the Senator from Nevada [Mr. BIBLE] and to the entire Committee on Interior and Insular Affairs, which very promptly reported a second joint resolution which my colleague from New York and I introduced when it became apparent that the first Hamilton Grange joint resolution would be utilized as a vehicle for an important and, we hope, historic purpose.

The measure commends itself very strongly to all of us. Alexander Hamilton was truly one of our Founding Fathers, holding very high office in the Nation. Before that he was a friend and confidant of George Washington, one of the drafters of the Constitution, and the founder of the national banking system.

The Grange represents the only home Alexander Hamilton ever had. It happens to be contiguous to the congressional district which I represented in New York, and I have known it for years. I have examined it personally. It is in a state of terrible disrepair, and it would be only a matter of a very short time before it might very well collapse and be irremediably ruined. The proposed action by Congress will come just in the nick of time to preserve a great memorial for our Nation.

As is very well known, the great memorials to others who became leaders along with Alexander Hamilton, former Presidents who have occupied this revered position in our country, are now being preserved, and the Senate joint resolution will make the same thing possible so far as Alexander Hamilton is concerned.

As the majority leader has said, the joint resolution is not a Stella School District bill, happily for all of us. There is great interest in New York in the preservation of this memorial.

The work and dedication of many individuals and organizations has gone into bringing us to this hour when we can actually pass the joint resolution.

The American Scenic and Historic Preservation Society sparked this entire project by generously donating the structure itself, the proceeds of sale of the present site, and an endowment to the Federal Government for a national memorial. Among those who worked so effectively in this effort was the City College of New York's Student Committee for Hamilton Grange and its president, Gary Horowitz, a City College senior, who circulated petitions and generated much of the enthusiasm for the memorial.

I wish to express my gratitude also to the many newspapers in New York and throughout the Nation who expressed support for this effort. The most notable of these was the New York Times, whose publisher, Arthur Hays Sulzberger, and Mrs. Sulzberger, and editorial page editor, John Oakes, took a special and most helpful interest in the project.

Among the organizations who passed resolutions supporting the idea were the Society for the Preservation of Long Island Antiquities, the New York Chapter of the Sons of the American Revolution, and the Colonial Dames of America; also expressing their support were members of the National Trust for Historic Preservation, the American Tropical Association and the American Institute of Architects. I would also like to thank the many individuals who have written me of their interest and who have been in touch with the chairman to urge action on this joint resolution.

The joint resolution is based upon the expectation that the Grange residence will itself be transferred to the campus of the City College of New York, which practically adjoins the present site. The land there will be donated by the city of New York; I have a telegram from the mayor of New York agreeing to the proposed arrangement of transfer. And the authority for that donation has now been enacted in a bill, S. 2713, by the New York State Legislature. So that part of the task is accomplished, thanks to Governor Rockefeller and Mayor Wagner.

Finally, I note with gratification that section 6 of title 16, United States Code, authorizes the Secretary of the Interior to accept donations for purposes of the national park monument system, and a great effort has been made by, among others, our close friend and colleague in the House of Representatives, Representative SAYLOR of Pennsylvania, to induce the bankers of the country to make a contribution to the cost of establishing this memorial. We may well be successful in that endeavor. I hope to lend myself to that effort, as it may very well relieve the Federal Government of some of the cost, which though modest, is nonetheless a cost.

The estimate in the committee report is $460,000 for all moving and renovation costs, which would include landscaping. Annual maintenance and operation is estimated at $45,000 a year. But the American Historical and Preservation Society has generously offered the proceeds of sale of the present site, estimated at $22,000, and an endowment of approximately $50,000, and it is anticipated that if there is an admission charge—it is not yet decided—such a charge would relieve the Federal Government of some of the maintenance cost.

I am deeply gratified that the joint resolution has been brought up. It represents a typical outlook of accommodation to Senators and to great national purposes on the part of our great majority leader, and I hope that the joint resolution will pass.

Mr. KEATING. Mr. President, I join in expressing to the distinguished majority leader and to the Senator from Nevada [Mr. BIBLE] our gratitude for the very prompt action which was taken in restoring the Alexander Hamilton Memorial resolution to the calendar. I am happy that his memory did not suffer the fate of the children of the Stella School District.

Mr. President, Alexander Hamilton was one of the Founding Fathers of our great American republic. His name has been before us several weeks as the Senate has discussed one of the fundamental principles of our republican form of government—the protection of the right to vote. It was undoubtedly most appropriate that this discussion should come in the context of a resolution to preserve the home of Alexander Hamilton. It was the work of Alexander Hamilton and his contemporaries that established this Nation upon the sound basis of government and fiscal policy which has enabled it to endure so well.

Mr. President, although we are disappointed, many of us, that the action taken by the Senate yesterday was not more decisive, and more truly in keeping

with the principle of constitutional right for which Alexander Hamilton labored, we see continuing reason to do full homage to Alexander Hamilton and to designate his home as a national memorial. The memorial can now represent not only what Hamilton himself accomplished, but what more needs to be accomplished in order to perfect our republican form of government.

Mr. President, the property which we are proposing to preserve is the only home that Alexander Hamilton ever owned. It was built in 1801 on what was then a farm in upper Manhattan. The house is still standing, on 120th Street and Convert Avenue, crowded and overshadowed by modern structures, shorn of its graceful porches and robbed of the dignity of its spacious grounds and superb view. Hard as it may be for New Yorkers to believe, Hamilton had purchased the land for a country retreat in 1800. It was then a pleasant wooded hill overlooking the Hudson. The dignified two story frame house, partly designed by John McComb, a leading architect of the day, remains one of the very few Federal period houses still standing in the city. It deserves careful preservation and restoration so that all the citizens of New York may enjoy this important part of our national heritage.

Mr. President, the site which has been chosen for the relocation of this property is a fine one. The City College of New York has generously offered to make available recently acquired land at 130th Street along St. Nicholas Terrace, for the house and proper landscaping. This will permit an outlook across the East River embracing Long Island, Long Island Sound, parts of the Bronx, and the morning sunrise. Through the wholehearted cooperation of Mr. Joseph Cavallaro, president of the board of higher education, and Dr. Buell Gallagher, president of City College and the recommendation of Park Commissioner Robert Moses, and the approval of the board of estimate of the City of New York, this excellent site, with space for complete landscaping, will be made available free of charge to the Federal Government.

The new location is close to the original Hamilton Farm. The surroundings are quiet and the landscaping lends itself esthetically to a duplication of the original. The large shade trees and other native plants, wild roses and dogwood that Hamilton loved so dearly will be set around the mansion. There will also be planted the 13 gum trees near the main entrance of the Grange typifying the Original Thirteen Colonies.

The house will be readily accessible to the public by subways and buses, as well as private cars. It will become one of the city's major historic shrines and it will serve to perpetuate the memory of Hamilton as Mount Vernon does that of Washington and Monticello that of Jefferson.

Mr. President, I urge my colleagues to support this resolution to honor one of our Founding Fathers, Alexander Hamilton and his original home.

Mr. HOLLAND. Mr. President, I join the distinguished Senators from New York in supporting the pending measure. I appreciated in the fullest their willingness to suspend the passage, for a few days, of this measure, important to them and important to the country, in order to subserve another objective which I believe all of us agreed was even more important. I am grateful to both of them.

Mr. JAVITS. Mr. President, I, too, would like to express my appreciation to the Senator from Florida for his courtesy and understanding of the situation throughout. I wish also to refer to the splendid remarks made on the floor of the Senate on March 8, by the junior Senator from Virginia [Mr. ROBERTSON], also sustaining the validity of what we are trying to do this morning with respect to a national memorial for Alexander Hamilton.

Mr. HOLLAND. I thank the Senator.

The PRESIDING OFFICER. If there be no amendment to be proposed, the question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to take such action as may be necessary to provide for the establishment of the former dwelling house of Alexander Hamilton (commonly known as The Grange), situated in New York, New York, as a national memorial. However, the Secretary shall not establish the national memorial until he has satisfied himself that the lands which have been donated are sufficient to assure the relocation of The Grange and administration and interpretation of the national memorial.

SEC. 2. (a) The national memorial established by the Secretary of the Interior pursuant to this joint resolution shall be designated as the Hamilton Grange National Memorial and shall be set aside as a public national memorial to commemorate the historic role played by Alexander Hamilton in the establishment of this Nation.

(b) The National Park Service, under the direction of the Secretary of the Interior, shall administer, protect, and develop such memorial, subject to the provisions of the Act entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916, as amended and supplemented, and the Act entitled "An Act to provide for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for other purposes", approved August 21, 1935, as amended.

SEC. 3. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this joint resolution.

The preamble was agreed to.

Mr. MANSFIELD. Mr. President, I move to reconsider the vote by which the joint resolution was passed.

Mr. JAVITS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. ELLENDER, from the Committee on Agriculture and Forestry:

Jennings B. Fuller, of Wyoming, and William T. Steele, Jr., of Virginia, to be members of the Federal Farm Credit Board, Farm Credit Administration.

By Mr. FULBRIGHT, from the Committee on Foreign Relations:

Robert J. Manning, of New York, to be an Assistant Secretary of State;

Dr. Franklin A. Long, of New York, to be an Assistant Director of the U.S. Arms Control and Disarmament Agency;

Walter L. Lingle, Jr., of Ohio, to be a Deputy Administrator of the Agency for International Development;

Herbert J. Waters, of Virginia, to be Assistant Administrator for Material Resources, Agency for International Development;

John L. Salter, of Washington, to be Assistant Administrator for Congressional Liaison, Agency for International Development; and

Ward P. Allen, of Virginia, and sundry other persons, for promotion in the Foreign Service.

The PRESIDING OFFICER (Mr. HICKEY in the chair). If there be no further reports of committees, the clerk will state the nominations on the Executive Calendar.

U.S. MARSHAL

The legislative clerk read the nomination of Cornelius J. McQuade to be U.S. marshal for the southern district of West Virginia.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the next nomination, in the Federal Power Commission, be placed at the foot of the Executive Calendar.

The PRESIDING OFFICER. Without objection, it is so ordered.

OFFICE OF EMERGENCY PLANNING

The legislative clerk read the nomination of Irvin Stewart to be an Assistant Director of the Office of Emergency Planning.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

ASSISTANT POSTMASTER GENERAL

The legislative clerk read the nomination of Sidney W. Bishop to be an Assistant Postmaster General.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations of postmasters be considered en bloc.

The PRESIDING OFFICER. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

U.S. CIRCUIT JUDGE

The legislative clerk read the nomination of J. Skelly Wright to be a U.S. circuit judge for the District of Columbia circuit.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. MANSFIELD. Mr. President, before we take up the nomination at the foot of the calendar, I move that the President be immediately notified of the nominations confirmed today by the Senate.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

FEDERAL POWER COMMISSION

The legislative clerk read the nomination of Harold C. Woodward to be a member of the Federal Power Commission.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PROXMIRE. Mr. President, I object to this nomination. I oppose it, and I want to be absolutely sure that I am recorded as voting against the confirmation of the nomination for three reasons.

In the first place, there is serious question of this nominee's qualification.

Second, on the basis of the nominee's record there is little evidence that the nominee has shown the regard for the public interest in regulatory matters—crucial to effective representation on the Commission.

Finally, the nominee has shown a conspicuous lack of sensitivity to his obligations as an employee of the Illinois regulatory body, by holding stock in a utility subject to regulation in direct violation of State law.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. CLARK. Unfortunately, a series of pressing engagements make it necessary for me to leave the floor. I have followed with interest the course of the hearings on the Woodward nomination, and I have also conferred about it with my good friend the Senator from Wisconsin. Since there will be no record vote on the nomination, I want the record to show that I support the position taken by the Senator from Wisconsin with regard to the nomination, and I regret that this nomination was made.

Mr. PROXMIRE. I very much appreciate the Senator's statement.

Appointments to the Federal Power Commission, perhaps more than those to any of the independent regulatory commissions, have a crucial significance for American consumers and taxpayers. The failure of the FPC effectively to regulate gas and power as required by law and as repeatedly reaffirmed by the highest court in our Nation, has been the most outstanding example of the breakdown of the administrative process in recent times.

Fifteen months ago Dean James C. Landis, the former dean of the Harvard Law School, reported to the President on the status of the Federal regulatory agencies. Dean Landis undertook this comprehensive study at the request of the newly elected President. His report is an historic and significant document. When it appeared it was hailed as a new charter for the independent regulatory process, which had fallen into very ill repute indeed.

In his report Dean Landis wrote:

> No better service could be rendered to the administrative agencies as a whole than by completely restaffing them with men, who, because of their competence and their desire to fulfill the legislative mandates described in the basic statutes establishing these agencies, will inspire a sense of devotion to and pride in the public service by their many employees.

I emphasize that the only agency which has afforded this opportunity for complete restaffing is the vitally important Federal Power Commission. This is the agency to which appointees of the competence and dedication described by Dean Landis could have been named to every single commissionership.

PAST RECORD OF FPC DISMAL

In his report, Dean Landis described the Federal Power Commission as the most striking recent example in Washington of the breakdown of the administrative process.

The Lancis report also stated that the FPC's performance in recent years has been the "most dismal failure in our time of the administrative process."

The Power Commission's failure has been most dismal in the area of gas regulation. The high price of this failure has been paid over and over and over again by the Nation's 27 million gas-consuming families.

Dean Landis in his report said the FPC should be strengthened by appointment of qualified and dedicated members with the consumer interest at heart.

In the light of this background and this stirring call for reform from one of our Nation's top experts on administrative law, let us now consider the nomination before the Senate today.

Is Harold Woodward a man with the outstanding competence, dedication to public service, with the consumers' interest at heart, the kind of man whom Dean Landis had in mind when he diagnosed the ailments of the Federal Power Commission? Is he the kind of distinguished and imaginative public servant so urgently needed to protect the interests of the Nation's tens of millions of consumer families, by providing effective regulation of utility rates as required by law?

WOODWARD NOT QUALIFIED

My first objection to Mr. Woodward is that there is serious question as to his qualification.

On page 8 of the printed record of the hearing, Mr. Woodward is asked the following question:

> Senator PASTORE. Are you familiar with the so-called Phillips case that has to do with the supervision and control of rates with relation to natural gas?
>
> Mr. WOODWARD. No; I am not.

Mr. President, while I recognize that not even a well-trained lawyer can be expected to be familiar with all cases decided in recent years by the Supreme Court, nonetheless it seems to me absolutely astounding that a nominee to the Federal Power Commission, a man who has had more than 6 years of active experience in utility regulation—indeed, whose appointment is defended on the grounds of his "experience" in this field—should not be familiar with the Phillips case.

IGNORANCE OF PHILLIPS CASE ASTOUNDING AND TRAGIC

It is not just astounding, it is tragic.

This is like an umpire of a baseball game saying he does not know how many strikes make an out.

Mr. President, the Phillips case was an immensely significant landmark in the history of Federal regulation.

It represented a reversal by the Supreme Court on June 7, 1954, of a decision by the Federal Power Commission. The Supreme Court insisted that proper construction of the Natural Gas Act required the regulation by the Federal Power Commission of the sale of gas at the wellhead.

This decision was made at a time when the nominee was an employee of the Illinois Commerce Commission, the principal regulatory body of the State of Illinois. Presumably the nominee had as a major responsibility an awareness of national as well as State regulatory jurisdiction. The implications of this Phillips decision for Illinois consumers was immense. The city of Chicago was represented by its corporation counsel in the Phillips case as a friend of the court—appearing, of course, in favor of reversing the Federal Power Commission decision.

The Supreme Court decision represented a potential savings to the Illinois consumers of literally millions of dollars.

It is astounding that an assistant commissioner of the Illinois Commerce Commission, and later an examiner, should not be familiar with this case. It is certain that a man with any degree of interest or alertness with regard to his responsibilities—holding the position he did—should have been familiar with this case.

PHILLIPS CASE WAS KEY SUPREME COURT RULING

Mr. President, it is particularly incredible that Mr. Woodward should be unfamiliar with the case since it has become the top cause celebre since 1954 with the flat and flagrant refusal of the Federal Power Commission from 1954 through 1960 to carry out the law of the land as expressed in the Phillips case. During these years the Federal Power Commission flatly refused to comply with this law in spite of a storm of protest.

The Commission refused to regulate the price of gas at the wellhead. Certainly any alert utility regulator would have been familiar with this notorious fact. Publications throughout the country, including Fortune magazine, severely criticized the Commission for this failure.

This failure of the Federal Power Commission was a principal reason why the former dean of Harvard Law School called the Federal Power Commission the outstanding example of the breakdown of the administrative process.

Instead of being unfamiliar with the Phillips case, a new Federal Power Commissioner should be an outstanding authority on this landmark decision. At the very least, Woodward's ignorance about the Phillips case is an alarming symptom of lack of qualification for membership on the FPC.

The real tragedy of this appointment is that it could and should have gone to an individual who would have answered the question on the Phillips case affirmatively; who was an outstanding expert on the Phillips case and on questions of Federal rate regulation generally.

There are many, many men of distinction and competence in law, economics, and related fields who would bring great strength to the Federal Power Commission. What this key agency needs is not a man who humbly says he is not familiar with the leading case in Federal rate regulation.

NOMINEE NOT SENSITIVE TO PUBLIC INTEREST IN RATE REGULATION

My second objection is that on the basis of the nominee's record there is little evidence that the nominee has shown the regard for the public interest in regulatory matters that is crucial to effective representation on the Commission.

Again on page 8 of the hearings the nominee is interrogated:

> Senator PASTORE. I am now interested in the public interest—how many cases did you hear as hearing examiner? Would you say approximately?
>
> Mr. WOODWARD. Well, it would run up into the hundreds.
>
> Senator PASTORE. Hundreds? And were these——
>
> Mr. WOODWARD. Excuse me, sir. In 1958 I heard two. But the total would run up into the hundreds. In 1958 I heard just two cases, and they lasted 11 months, full time.
>
> Senator PASTORE. Did these cases have to do with increase in rates?
>
> Mr. WOODWARD. That is correct.
>
> Senator PASTORE. Was your recommendation for an increase or disallowance of the increase?
>
> Mr. WOODWARD. We found for an increase.
>
> Senator PASTORE. You found for an increase?
>
> Mr. WOODWARD. The commission's order was for an increase.
>
> Senator PASTORE. To the amount that was requested by the utility seeking it?
>
> Mr. WOODWARD. Not in all instances, but it——
>
> Senator PASTORE. Pretty close to it?
>
> Mr. WOODWARD. Close to it, yes. Not in all instances. It was scaled down some.
>
> Senator PASTORE. Scaled down some?
>
> Mr. WOODWARD. Yes.

Mr. President, it seems to me that anyone reading that hearing and aware of the operations of State utility commissions would know that any examiner or assistant commissioner who has served in the capacity in which Mr. Woodward has served should be able to point to specific cases out of the hundreds which he heard in which he found against an increase or in which he found, perhaps, for a decrease. But the answer that Mr. Woodward gave was that he found for increases in almost all the cases.

The fact is that before State utility commissions there is a one-sided battle. The brains, the money, the ability are always on the side of the utility companies. They have the money, the initiative, the strength, and the drive, to make an excellent case before the commissions.

Against them is no public defender; at least, in almost all the States there is no public defender. Against the utility lawyers stands the city attorney, a man who usually has no special knowledge of utility regulations. He does the best he can, but nearly never is he a match against the line-up of experts on the other side.

In these cases, the utility commission's examiner must have a real understanding of the public interest. He must be an advocate for the people. He must be able and willing to determine that the case be made thoroughly, and he must be willing to stand up on occasion and refuse to approve increases when they are not justified.

If this is true of State regulatory bodies, it is especially true of the Federal Power Commission, because we know that in cases before that Commission all the brains, all the effort, all the drive, all the money are on the side of the private utilities—the gas companies and the electric companies—that are fighting for rate increases.

FEDERAL POWER COMMISSIONERS MUST UNDERSTAND CONSUMER'S POSITION

Mr. President, the only way in which the consumer can be expected to receive any kind of break is to have on the Federal Power Commission members who are willing to understand the consumer's viewpoint; to be fair, of course, but to be able to stand in the way of increases when they are not justified.

To be fair, I should say that I think Mr. Woodward's answer standing by itself would mean little; but when it is taken in conjunction with the other material of which I am speaking this afternoon it seems to me it is quite conclusive that this man has not demonstrated a sincere interest, a real concern, a genuine compassion for the consumer, who, believe me, needs such consideration.

Mr. President, Mr. Woodward's years of experience with the Illinois Commerce Commission have been cited as providing him with a strong background in the field of rate regulation. But there is no evidence that in this experience he had "the consumer interest at heart," as Dean Landis indicated FPC members should.

WOODWARD'S VIOLATIONS OF ILLINOIS LAWS

My final objection is that the nominee has shown a conspicuous lack of sensitivity to his obligations in his previous experience on a regulatory body.

On the basis of the record as established by the committee in its hearings, Mr. Woodward plainly was in violation of the conflict-of-interest and dual-job-holding statute of his State's Public Utilities Act.

Section 4, chapter 111 2/3, Smith-Hurd Illinois Revised Statutes, Public Utilities Act, as amended, states:

> Each commissioner, each assistant commissioner, and the secretary shall devote his entire time to the duties of his office, and shall hold no other office or position of profit, or engage in any other business, employment, or vocation.
>
> No person in the employ of or holding any official relation to any corporation or person subject in whole or in part to regulation by the commission, and no person holding stocks or bonds in any such corporation, or who is in any other manner pecuniarily interested therein, directly or indirectly, shall be appointed to or hold the office of commissioner, assistant commissioner, or secretary, or be appointed or employed by the commission; and if any such person shall voluntarily become so interested in his office or employment ipso facto (it) become vacant. If any person become so interested otherwise than voluntarily he shall within a reasonable time divest himself of such interest, and if he fails to do so his office or employment shall become vacant.

The facts are these: From July 1, 1953, to April 30, 1954, Mr. Woodward served as assistant commissioner of the Illinois Commerce Commission. From May 1, 1954, to March 15, 1959, he was technical adviser and hearing referee. Again, from December 8, 1959, to December 15, 1961, he was hearing referee, at a salary of $600 per month.

Let me emphasize the key language:

> Each commissioner [and] each assistant commissioner * * * shall devote his entire time to the duties of his office, and shall hold no other office or position of profit, or engage in any other business, employment, or vocation.

During the period when Mr. Woodward was assistant commissioner, he continued to maintain his law office in Chicago. Sullivans Law Directory, in its 1953–54 edition, lists him as a lawyer engaged in the practice of law.

In addition, Mr. Woodward on December 7, 1953, was designated to be a "master in chancery of the superior court." The 1954–55 edition of Sullivan's so lists him.

These official listings are somewhat at variance with the biographical sketch submitted by Mr. Woodward to the commerce commission. In that sketch, Mr. Woodward stated:

> During the period 1952–58, acted as hearing examiner to the Illinois Commerce Commission.

The discrepancy has some significance, because the statute on dual jobholding specifically applies to assistant commissioners, but does not refer to hearing examiners. It may be the case that Mr. Woodward resigned as assistant commissioner because of this. In any event, his outside employment was in conflict with

the law during his tenure as assistant commissioner.

I ask unanimous consent that Mr. Woodward's official biographical sketch and also a detailed record of his employment between 1952 and 1961 be printed at this point in the RECORD.

There being no objection, the memorandums were ordered to be printed in the RECORD, as follows:

BIOGRAPHICAL SKETCH, HAROLD C. WOODWARD, NOMINATED JANUARY 23, 1962, TO BE A MEMBER OF THE FEDERAL POWER COMMISSION FOR THE REMAINDER OF THE TERM EXPIRING JUNE 22, 1962, SUBMITTED TO SENATE COMMERCE COMMITTEE

Mr. Harold C. Woodward, 60 years of age, is now a practicing attorney in Chicago, Ill., living in Riverside, Ill.

Mr. Woodward was born in Ottawa, Ill., and attended public schools in Ottawa; graduated University of Illinois in 1924, A.B. degree, and Northwestern University Law School in 1926, J.D. degree. Was admitted to practice law in Illinois in 1926, and has been practicing in Chicago since that time.

During period 1952–58 acted as hearing examiner to the Illinois Commerce Commission, hearing and passing on all types of complaints, regulatory and rate cases. Was the hearing examiner in 1958 of the last two major rate cases in Illinois, namely, the Commonwealth Edison Co. and the People Gas Light & Coke Co. Was appointed judge of the superior court of Cook County in 1959 and served as such for approximately 1 year. During 1960–61 returned to the Illinois Commerce Commission as a hearing examiner. Also served for many years as a master in chancery of the superior court of Cook County.

He served in the Army Air Force from 1943 to 1945 as a procurement officer.

Mr. Woodward is married, has one married daughter, Ann Kelly, and two grandchildren.

EMPLOYMENT OF HAROLD WOODWARD

1. Employment with Illinois Commerce Commission:

July 1, 1953, to April 30, 1954, assistant commissioner.

May 1, 1954, to March 15, 1959, technical adviser and hearing referee.

December 8, 1959, to December 15, 1961, hearing referee.

2. Master in chancery: On December 7, 1953, he was designated by the executive committee of the superior court to be a master in chancery of that court for 2 years from December 7, 1953, and apparently so served until he became a judge of the superior court on or about March 15, 1959, by appointment of Governor Stratton. He served as such a judge until December 8, 1959.

3. Law practice:

Years 1952–55: Sullivan's Law Directory for the period 1952 through 1954 indicates no change in the fact that he was listed as a lawyer engaged in the practice of law. The directories for this period show the following: "1952–53 (p. 297) (1952), Woodward, Harold C., 33 North La Salle Street 2, suite 1127, State 2-7118 and Andover 3-1023; 1953–54 (1953), same (p. 308); 1954–55 (1954), Woodward, Harold C., master in chancery, superior court, 33 North La Salle Street, suite 1127, State 2-7118, Andover 3-1023.

Year 1956: Office, and master in chancery office, 135 South La Salle Street, suite 3909.

January 1, 1960: Member of firm of Sider (Morris) & Woodward, 33 North La Salle Street, suite 2800–01.

Between 1950 and 1961 Mr. Morris Sider was apparently an office associate of his, for he was at all times during this period located in the same offices as Mr. Woodward, except when he was a judge.

NOMINEE HAD CONFLICT OF INTEREST

Mr. PROXMIRE. Mr. President, the second question concerns Mr. Woodward's financial interests in certain companies involved in cases which he handled as hearing examiner before the Illinois Commerce Commission.

Again, I wish to emphasize the language of section 4 of the Illinois Public Utilities Act, which states that no employee of the Illinois Commerce Commission may hold stocks or bonds or have any other pecuniary interest, directly or indirectly, in corporations subject in whole or in part to regulation by the commission.

According to the transcript of the hearing on his nomination, Mr. Woodward handled hundreds of cases for the commission. He was the hearing examiner for the last two major rate cases in his State, one of which involved the Commonwealth Edison Co. The commission docket indicates also that he served as hearing examiner in a case involving the Northern Illinois Gas Co.

The list of his stock holdings which Mr. Woodward furnished to the Commerce Committee indicates that he holds 11 shares of the common stock in the Northern Illinois Gas Co.

Mr. President, the statutes of the sovereign State of Illinois are very clear and specific on this issue. They state that "no person holding stocks, or who is in any other manner pecuniarily interested—in a corporation subject in whole or part to regulation by the commission—directly or indirectly" shall be employed by the commission.

The statute says "any" pecuniary interest, direct, or indirect.

According to Illinois law, such interest need not be substantial. "Any" interest is sufficient to disqualify. Mr. Woodward personally, himself, had such a direct interest in the Northern Illinois Gas Co.

Mr. Woodward heard a case involving the Northern Illinois Gas Co. Not only is this corporation "subject in whole or in part to regulation by the commission;" it was also subject to regulation by Hearing Examiner Harold Woodward.

Mr. President, I believe that these examples, minor in and of themselves, but nonetheless very specific violations of the laws of the State in which the nominee has been a practicing attorney since 1926, do have a bearing on his fitness for appointment to the vitally important Federal Power Commission.

I believe that this nominee's professed lack of familiarity with the most important Supreme Court decision governing gas regulation also has a bearing on his fitness for appointment to the Federal Power Commission.

I believe that the record he established in his years as a hearing examiner—of nearly always granting the rate increases requested by public utilities—also has a bearing on Mr. Woodward's fitness for appointment to the Federal Power Commission.

Certain things which the nominee is not, also have a bearing on Mr. Woodward's fitness for this important commissionship.

I deeply regret, for example, that to fill this vital fifth spot on the Federal Power Commission we do not have a nominee with an outstanding record of effectively seeking to regulate public utility rates in the consumer interest.

I regret that we do not have a nominee who by his writings, statements, publications, or other public pronouncements has established his detailed comprehension of the often difficult issues involved in rate regulation.

As I said before, instead of a nominee who is "not familiar" with the Phillips case, we should have one who is an outstanding authority on this landmark Supreme Court decision.

CONSUMER THE FALL GUY AGAIN

Mr. President, less than a week ago the President sent to Congress and the Nation his message on protecting the consumer interest. I can think of no area in which the individual consumer is more unprotected, and more in need of effective protection, than the prices he must pay for his gas, power, and other utility services.

This is an area in which the individual consumer has absolutely no sovereignty, no strength, no choice. He cannot display his disapproval of what he buys by switching to another brand. He is completely at the mercy of the utility companies who in his area, wherever it may be, have total monopolies.

It is this immense discrepancy in economic strength that makes the work of the Federal Power Commission so vital. When this Commission falls down on the job, the Nation's consumers pay the price. They have no recourse.

The sad fact is that the Woodward nomination in effect repudiates the President's March 15 message on protecting the consumer's interests. In that message the President said:

> Consumers are the only important group in the economy who are not effectively organized, whose views are often not heard. The Federal Government—by nature the highest spokesman for all the people—has a special obligation to be alert to the consumer's needs and to advance the consumer's interests.

These noble phrases have a hollow ring, in the light of the nomination before the Senate today. It is a matter of record that in recent years the most flagrant trampling on the consumer's interest has been in the area of gas, power, and utility prices.

Mr. President, in this case I am reminded of the famous quotation—almost a platitude—from the works of John Greenleaf Whittier:

> For of all sad words of tongue or pen,
> The saddest of these: "It might have been!"

Mr. President, it might have been possible for the President to appoint to this vital fifth spot on the Federal Power Commission a man who really understood and felt for and would fight for the consumers' interests. But that has not been done.

Mr. President, because I cannot find any evidence of any substance of significance that Harold Woodward would help guarantee dynamic and forceful rate regulation in the public interest, with the consumer interest at heart, I wish to register my opposition to confirmation of his nomination to be a member of the Federal Power Commission.

Mr. DOUGLAS. Mr. President, I have considered for a long time what I should do in connection with this nomination.

The factual statements made by the Senator from Wisconsin [Mr. PROXMIRE] are, in my judgment, correct; and the position he takes on the nomination is correct.

Both the Senator from Wisconsin and I have been very careful to keep out of the formal record any details in connection with the very deep trouble in which Mr. Woodward and his father were involved some 30 years ago.

We have done that because we believe there should be a statute of limitations upon these matters and that neither individuals nor the public should keep books forever. But I think this experience should have taught the nominee that in his public conduct he should be extremely scrupulous in observing not only the letter but the spirit of the law, and that he should be zealous to protect the public interest as distinguished from mere private interests. The facts which the Senator from Wisconsin has brought out and which are based upon the official record indicate that the nominee has not done this.

I therefore feel it my duty, and I say this with a degree of personal regret also to oppose the nomination. However, I have not chosen to invoke senatorial courtesy in this matter.

While it is my understanding that the Senator from Wisconsin will not ask for a rollcall, I think it is only proper that I should here and now register my opposition and announce that when the vote is cast by voice, I shall vote "No."

Mr. DIRKSEN. Mr. President, the President of the United States submitted to the Senate the nomination of Harold C. Woodward to be a member of the Federal Power Commission, and it reached the Committee on Commerce on January 25, 1962. That was 2 months ago. Before that nomination got here, he was carefully screened and the usual investigation by the investigatory authorities was carefully conducted.

It took a little while before the Commerce Committee held a hearing on the nomination. When it did, I was the only witness who appeared. As found on page 10 of the hearings, the chairman of the committee had this to say:

> I want to state for the record that this nomination has been pending in the committee since January 25, and with the exception of Senator DIRKSEN no one has asked to testify on this nomination. It has been here a long time. We have given ample opportunity for anyone to appear either for or against the nominee.

Any Member of the Senate could have appeared before the committee and stated the case. I stated the case on behalf of the nominee, and when the matter was considered the vote in the Commerce Committee was unanimous to send the nominee's name to the floor for confirmation.

It is not necessary for me to comment in the remarks made today about qualifications and sensitivity and consumer regard. I think Mr. Woodward's whole record speaks for itself. He is a man held in high esteem by all who know him. Perhaps the best thing I can say in his behalf is that, insofar as I know, the present Governor of Illinois, a very fine gentleman, a friend of mine, and a Democrat, was, as I understand, anxious to keep him with the Illinois Commerce Commission in the capacity of hearing examiner. I cannot think of any higher testimony I could offer on behalf of Harold Woodward. That is all I propose to say, and the Chair may now put the question.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Harold C. Woodward to be a member of the Federal Power Commission? [Putting the question.]

The nomination is confirmed.

Mr. MANSFIELD. Mr. President, I ask that the President be immediately notified of the confirmation of the nomination.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate return to legislative session.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

TREASURY-POST OFFICE DEPARTMENTS APPROPRIATIONS, 1963

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the pending business, which I understand is the U.N. bond issue, be laid aside temporarily and that the Senate proceed to the consideration of Calendar No. 1273, H.R. 10526.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 10526) making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies for the fiscal year ending June 30, 1963, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Appropriations, with amendments.

SALARIES OF FEDERAL JUDGES

Mr. YOUNG of Ohio. Mr. President, recently, the distinguished junior Senator from Connecticut [Mr. DODD] made a brief statement in this Chamber, claiming that it was advisable, in fact essential, to increase salaries of all members of the Federal judiciary by $5,000 each per annum. He then introduced a bill, S. 3058, which, if enacted into law, would place this additional burden on the taxpayers of this Nation.

The present salary range of judges of U.S. courts is from $22,500 per annum for U.S. district judges, to $35,500 for the Chief Justice of the United States. In addition, there are fringe benefits for each appointed judge, including retirement compensation at full salary following 10 years of judicial service and attainment of the age of 70, or upon retirement because of disability.

In view of all this, I cannot go along with the reasoning of my distinguished colleague from Connecticut. He states that the purposes of his bill are to compensate more justly members of the Federal judiciary and "to help make it possible to attract many brilliant legal minds who cannot now make the financial sacrifice involved in leaving lucrative private practice to serve on the bench."

The fact is that through the years and at the present time, it is my considered judgment that our Nation's ablest lawyers have always been and are now attracted to the Federal judiciary. I have heard of no complaint from any colleague in whose State there are judicial nominations to be made by our President over the lack of competent, in fact, of outstanding applicants, for these appointive positions. Nor have I personally known of any U.S. judge on either the district, appellate, or Supreme Court of the United States who resigned claiming that his salary was too meager and that he must return to the private practice of law in order to recoup his finances.

It happens that I have been a lawyer for many years and have served as president of two bar associations. It also happens that our President recently made three nominations for U.S. judges in Ohio—two for the northern district and one for the southern district—and my colleague, the distinguished senior Senator from Ohio [Mr. LAUSCHE] and I spent many hours talking with Ohio lawyers and judges who came to Washington to confer with us and inform us fully of their qualifications for service on the Federal bench. In addition, many of our constituents wrote, telephoned, or talked with us personally, urging consideration for eminent judges and distinguished lawyers of their acquaintance. It was our duty and responsibility to give our time and effort on this important public service.

There was not a lawyer in Ohio among them, who to our knowledge would have declined an appointment to a U.S. court because of insufficiency of salary.

I think most of my colleagues, Mr. President, will agree with me when I assert there is no barrier to securing our finest and most experienced lawyers for the Federal bench and that salaries presently paid are not relatively low. In my view, a salary of $22,500 per annum is not a "relatively low salary," to quote the words of my distinguished colleague. He made no mention of the fact that lawyers appointed to these high judicial positions serve during good behavior, which has been construed for life. In addition, upon retirement at 70 years of age or after with the completion of 10 years of service they receive the full salary of that judicial office as long as they live.

I repudiate my colleague's statement, "a judgeship carries with it many financial burdens incident to public life." To

what financial burdens incident to public life does he refer? It cannot be claimed that U.S. judges, district or appellate, entertain constituents at an expense of hundreds of dollars annually. Furthermore, I question whether they are importuned to buy advertisements in political programs or party newspapers at a cost of sometimes $100 a page, nor are they expected to respond to requests for contributions, door prizes, $100-a-plate fundraising dinners, for political parties, and similar requests.

Those requests to which I have referred are very familiar to those of us who are Senators of the United States. They are very familiar to those who serve in the other body. They are familiar to those who serve as elected officials throughout the land. There are no such expenses involved on the part of our Federal judges.

It is also a fact that whenever a U.S. judge travels on business, he receives mileage. We, who pay for our own transportation back and forth on business and to meet with constituents in the States we represent many times each year, may envy that privilege.

In the private practice of law, many lawyers retire at around the age of 70 years without any pension whatever other than perhaps a small social security annuity, plus annuities they have purchased during their working years as lawyers. On the other hand, those who are nominated by our President, and whose nominations are confirmed in the Senate, as U.S. district judges, judges of the U.S. court of appeals, or of the Supreme Court, have at all times the assurance that their appointment is for good behavior, and that upon retirement at the age of 70, following 10 years of service, or in event of disability following such service, they will receive as long as they live the full salary of $22,500 to $35,500 per year.

Mr. President, I take a dim view of the proposal to increase the salaries of judges of our Federal courts. I for one have no tears to shed over the many imaginary financial burdens entailed by a Federal judgeship and do not feel that these terrible sacrifices call for an increase in the salaries to ranges from $27,500 to $40,500 per annum.

I will oppose passage of my colleague's bill. I consider that our Federal judges are adequately paid. It is my view that this bill and a similar proposal pending in the other body should be permitted to gather dust in the other body and in the Senate Committee on the Judiciary. I would hope, if such a legislative proposal were to be passed in both branches of the Congress, that our President would veto the bill rather than incur further deficit spending.

Mr. President, my concern is for the taxpayers of our country and not to favor or "butter up" present Federal judges. Each member of our Federal judiciary, if he perchance regrets that he did not decline appointment or if he is dissatisfied with the salary of his judicial office and the fringe benefits, may readily avail himself of his right to resign and return to the private practice of law, or whatever profession or occupation he chooses.

I cannot believe there is any need or justification for enactment of such a legislative proposal.

Mr. DODD. Mr. President, I say to my friend the distinguished Senator from Ohio that his was a very interesting speech. The Senator always makes interesting speeches.

Mr. YOUNG of Ohio. I thank my colleague. I sent word to him I was going to speak on this subject. He and I apparently have an honest difference of opinion on this matter.

Mr. DODD. I thought it was very gracious and fair of the Senator to notify me. I look forward to reading the entire text of his speech. I was detained outside and missed a portion. I shall read it with great care.

CRIME AND DELINQUENCY IN THE NATION'S CAPITAL

Mr. DODD. Mr. President, those who live in the Washington area are experiencing a growing feeling of distress and frustration and even fear because the Capital of the United States is the most dangerous place in the country after dark. The District of Columbia has the Nation's highest rate of aggravated assault.

In recent weeks we have been going through another of those recurrent waves of crime in the Capital. Last month 11 persons were murdered in the District, an increase of almost 300 percent over the corresponding month a year ago. In the same period robbery was up 7 percent, petty larceny was up 34 percent, auto theft up 11 percent, and grand larceny up 9 percent.

A couple of weeks ago the country heard of a bus driver, Mr. Page M. Powell, who in the performance of his duty on the streets of the Capital was viciously assaulted by a "ratpack" of youths in front of a diffident group of passengers who did not feel compelled to rise to help defend a helpless fellow citizen.

The term "ratpack" is not mine; it is the name these young criminals apply to themselves. And "ratpacking" is the term they have coined to describe their more vicious assaults; for instance, the one in which they struck down, clubbed, kicked, and murdered 57-year-old Mr. Jess Murchison in front of his wife.

It is easy at a time like this to raise a clenched fist, to denounce the police or the younger generation or the District government. It is easy to blame the problem on race relations or softness on the part of the court system or even welfare giveaways.

The people who live in the District have every reason to feel frustration and anger at what they see going on around them. But those who are in positions of leadership in this community had better examine their own conduct before they make sweeping judgments on what is happening here.

We in the Congress share the power to govern this city and therefore we must bear a large share of the responsibility for what happens here.

The Nation's Capital ought to be the model of the Nation in every field. I say this not just because the diplomatic leaders and press representatives from all over the world are here and tend to judge our country by what they see, nor do I say it primarily because millions of Americans flock to the Capital from all over the country and the image of the American Government which they take home is bound to be sullied by what they see.

I say it because Washington ought to be the symbol and the image of the best that we can do as a free people. It ought to represent what we hope to achieve in the country and in the world. The Nation's Capital should be the Nation's leader in education, in urban development, in parks and playgrounds, in schools, in housing, in race relations, and above all, in law enforcement.

It is therefore time to probe not only the breakdown of law and order in the District of Columbia but to probe as well the needs of the Capital and the way in which the Congress has met, or has failed to meet, those needs.

My objective today is to look at the facts and to look at the needs and to make some recommendations to the Congress, particularly in the field of juvenile delinquency, in which I have a special interest arising from my membership on the Juvenile Delinquency Subcommittee.

Let us look first at the outrages that have been committed on the 3,300 miles of sidewalks, streets, and alleys of the National Capital in the last calendar year.

During 1961 there were 82 people murdered—10 more than in the previous year. And another 22 deaths were classified as "manslaughter" or "negligent homicide."

Last year 122 District women were raped, 7 more than during 1960. In addition, there were 25 more attempted rapes.

One thousand six hundred and ninety-four people were robbed and that was 523 more than the previous year. And additional attempts were made to rob 169 other persons, 43 more than in 1960.

There is no place like home, but last year District residents had 4,737 visitors they did not want. Almost 13 times every day last year someone's home was broken into.

During the calendar year of 1961 there were 4,737 housebreakings—488 more than the previous year. And more than that, 185 additional attempts were made. That in itself was 25 more than the previous year.

Larceny, petty and grand, totaled 9,683 last year, an increase of 632.

Between 5 and 6 cars were stolen every day of 1961 for a grand total of 2,183, an increase of 230.

In almost every category of crime the trend was up.

I would like to turn for a moment to the category of juvenile crime.

Never since the turbulent years of the post-World War II era has Washington had more delinquency than today. And this is delinquency that cannot be explained as due to wartime pressures on families and youth.

In 1961, Washington had 11 cases of juvenile homicide, while in 1960 there were only 3. Juvenile robbery increased from 276 to 418 cases and housebreaking from 681 to 806 cases.

Robberies characterized by force and violence increased by 25 percent.

Armed holdups increased by 62 percent.

Yoking robberies, among the most odious of crimes, increased by 14 percent.

In this category was 18-year-old Edward Smith, who committed 30 yokings from May to December 1961. He operated with three heavy rings, two of lead and one of brass, on the last three fingers of his right hand. "They work pretty good the way I use them," he said, and boasted that crime in Washington should go down 100 percent with his arrest.

In the lesser crime categories, there were increases in arson, destroying private property, destroying movable property, unlawful entry, and assault.

In 1959 one referral of homicide was made to the juvenile court. In 1960 there were 2 such referrals, while in 1961 the number of homicide referrals was 11. Furthermore, in the first 2 months of 1962, four cases of homicide have already been brought to the District of Columbia juvenile court.

Specific figures for specific offenses fluctuate from year to year. However, the total court referral rate in Washington has risen in a disturbing manner, in spite of new control measures which we enact periodically.

It is worth while to note that in 1955 the District established a Youth Aid Division in the Metropolitan Police Department. This Division allowed the police themselves to dispose of certain cases without official action so as not to overcrowd the court. That year the number of complaints received by the court fell from 3,900 in the previous year to 3,100. However, in 1961, in spite of the fact the police still release an increasing number of juveniles without court action, the court's complaint figure has again risen to 3,900 cases.

In spite of yearly increases in delinquency control programs, and in spite of statistical manipulations and classifications, delinquency in Washington has kept growing.

Those are the essential facts about crime in the District. What can we in this Congress do about those facts?

I believe our approach should take two directions:

First, to see to it that the needs of the Police Department and of the courts are met and to see to it that whatever deficiencies there may be in the law itself are so remedied as to make it clear to each would-be criminal that he will be swiftly apprehended and punished.

Second, we have got to step up our attack on the underlying contributing causes of crime.

I therefore urge Congress to take immediate action to build up the Metropolitan Police force to the authorized strength of 3,000 men, instead of slowly adding these men in yearly installments.

I further urge that Congress take action to appropriate the requested number of man-and-dog teams and that the police department step up its training programs so that these teams can be placed on the streets in a period of several months, instead of years.

I feel that the juvenile bureau of the police department should have at least 10 police cruisers on the streets each night, instead of the 5 or 6 they are able to muster at the present time.

And Congress must consider ways to remove the obstacles placed in the path of effective police work by the provisions and interpretations of the Durham and Mallory decisions. According to Police Chief Murray the requirements set by the Mallory decision make law enforcement more difficult in the District than under State laws, and as a result "a number of our most heinous crimes could not be prosecuted."

Over 50 percent of the serious offenders are repeaters. This means that our correctional attempts are failing very badly and have to be reevaluated.

It has become evident not only in the District of Columbia but also across the country that correctional and rehabilitative measures applied by professional personnel in correctional institutions and as part of probation and parole supervision have thus far substantially failed to reform the criminals. They have resulted in recidivism, or repeat offenders, in approximately 70 percent of cases released, and have thus been highly responsible for the rampant crime and delinquency conditions which prevail in the District and elsewhere.

It is therefore evident that we must reevaluate present policies concerning the length of sentencing and the manner of disposition of court cases.

Your subcommittee will look at the possibility of recommending that the appropriate laws governing length of sentencing be changed to replace minimum and maximum length of incarceration. We will consider indeterminate sentencing clauses which will allow correctional administrators and boards of crime control experts to retain or release offenders strictly according to the individual merits of each case and not according to laws which fail to differentiate between a deeply disturbed and recidivism-prone offender and between a stable person, who may only once in a lifetime be influenced to crime by a unique constellation of circumstances.

Such a revision of the laws, I feel, is necessary to both insure protection of the public from a corps of dangerous and perverse criminals and lead to more successful rehabilitative and correctional practices by crime control personnel.

We must take another look at the juvenile court laws here in the District.

The juvenile court was created to help young boys and girls who have made a mistake to keep away from further excursions into crime. But today many of those who go before the juvenile bench are already hardened young criminals. These hoodlums have not just broken a few windows and stolen some apples from fruit stands; instead they have killed, yoked, robbed, and assaulted innocent people. There are many among them who can only contaminate and corrupt the immature children whom we used to call the juvenile delinquents. This I think goes against the spirit of the juvenile law. I know that Judge Ketchum has exercised his right of waiving juvenile cases to the criminal court perhaps more than any other judge in the country. I understand that he has been criticized for this.

I think the judge has done well and we should look at the waiver procedure to see if it should be used to an even greater extent. We must make sure that those criminals on our streets who are often young in age only, but not in experience and viciousness, are met with the full force of the criminal law and are made to suffer the consequences.

An examination by the Subcommittee To Investigate Juvenile Delinquency into two matters closely related to the so-called crime wave reveals the responsibility which society as a whole bears for a good deal of criminal behavior and points to some constructive steps the Congress can take.

I have mentioned that armed holdups by youths increased by 62 percent last year. Certainly one factor in this situation is the easy availability of cheap mail-order guns. Here irresponsible adults are to blame.

During 1961 and up to the present time, we have been investigating the recipients of mail-order handguns which have been shipped into the District of Columbia through the Railway Express Agency. We have tried to determine the character and stability of the recipients of these guns and to determine if there is any correlation between the areas of high crime rate in the District and the areas in which mail-order handguns are predominantly found.

Concerning the types of persons receiving mail-order guns, subcommittee investigators have determined that 25 percent of the recipients have criminal records in the District of Columbia. These records range in seriousness from misdemeanors to felonies. Included among the more serious felonies are assaults with such deadly weapons as guns, knives, and icepicks, assaults on policemen, narcotics violations and homicide. Others have long records of disorderly conduct and drunk arrests. These records indicate substantially that an undesirable element of this city is receiving firearms through mail-order houses.

The mail-order recipients for the most part live in the so-called slum areas of the city. Many are itinerant and are economically living on a bare survival basis.

Concerning the relationship between high crime areas of the city and incidence of mail-order weapons, it was found that delivery of mail-order handguns corresponds with the high crime areas in the city.

We found that in the following five police precincts of the District of Columbia there is a higher incidence of mail-order guns delivered than in any other precincts in the city. Those precincts are the 2d, 1st, 13th, 10th, and 9th. Crimewise, these rank first, second, third, fourth, and fifth, respectively.

We are drafting legislation to deal with interstate mail-order traffic in guns and have already succeeded in obtaining the voluntary support of many of

the responsible elements in the production, transportation and sale of weapons.

One of the most significant findings of our committee concerns the increasing number of unemployed able-bodied young men in the District of Columbia. It has been estimated that there are 13,000 out-of-school, out-of-work youth here. This waste of human lives is not just the waste that results from the idleness of thousands of 16- and 17-year-olds. The damage is multiplied by the destruction created by out-of-school, out-of-work youth who become delinquents.

As unemployment increases in this age group, it is accompanied by increasing delinquency. Walter Tobriner, President of the Board of Commissioners of the District, told us:

> Studies have shown that the youth employment situation in Washington, D.C., has a direct bearing on the youth crime rate here. Too many young people with nothing to do and limited job opportunities for them seems to be one of the major reasons for the increased crime rate here.

Why does this growing number of unemployed youth exist in the District? Most basic to the situation is the population explosion of the 1940's which first made the schools bulge and now swells the labor market. Our continuing technological advance means that more can be produced by fewer workers. Youth is caught in this squeeze. They lack the skills as well as the experience to enable them to compete for the diminishing proportion of jobs.

The lack of industry in the Capital creates an even greater demarcation in the types of available jobs. Primarily, there are jobs in government which require educational and technical skills or there are jobs in service industries which supply the large number of Government workers. Employers are frequently reluctant to hire youths, because of rigid and outmoded child labor laws which have not been modified to meet the needs of a changing society.

It is extremely difficult for young people to get into labor unions. It has been said that "it is harder to get into the plumbers' union than it is to get elected to Congress."

Many officials in the District are not only aware of the problem, but have taken many foresighted steps to alleviate it. However, most of these are on a limited scale due to lack of funds. For example, Mr. Hyman Perlo is working under a small grant to locate school dropouts and help them find jobs. But how can one man hope to find thousands of young men jobs?

There are many other privately sponsored projects, such as the Woodward Foundation high school scholarships or the MacFarland guidance project and the urban service corps from the Meyer Foundation. The situation has reached such proportions, however, that this effort is not enough. Despite the fact that the District of Columbia employment office has a new youth section, Mr. Fred Z. Hetzel, its director, says that essentially "all that has been done so far is only on paper." The District of Columbia is fortunate in having people of the caliber of Dr. Hansen and Mr. Hetzel who are capable of dealing with the problems of youth, but they are restricted by the lack of means to put their ideas into effect on a larger scale.

The Congress can help and should help in at least five specific ways.

First. The District of Columbia must have the funds for its schools which are necessary to give youth the guidance and skills needed to qualify them to compete in the labor market. Dr. Hansen has continuously spelled out what could be done in the school system.

Second. The District of Columbia employment office must have more funds to maintain a large enough staff to provide counseling aid to our out-of-school, out-of-work youth.

Third. A subsidized youth employment program should be established under the Board of Commissioners.

Fourth. A Fair Employment Practices Act should be established in the District immediately.

Fifth. There should be a review of the child labor laws and a greater effort to educate employers concerning them.

We in this Congress cannot evade responsibility for the tragedy of crime and violence in Washington. We have the responsibility of providing better police facilities, better court facilities, better laws, and improved social conditions here, and until the Members of Congress become just as concerned with the needs of the District of Columbia as they are with their own home districts or their own home States, the Nation's Capital stands in danger of becoming the Nation's crime capital.

The problem of combating criminal behavior runs far deeper than the addition of more policemen or the tightening of laws or the improvement of social conditions.

Criminal behavior cannot be explained solely in terms of social or legal concepts nor can it be solved by Government programs. We cannot ignore the responsibility of the individual, which remains when all allowances have been made for environment and circumstances. We cannot shut our eyes to the fact that the history of evil is as old as the history of man, that evil antedates all the modern social problems that can be described as contributing causes of crime. Any attempt to explain crime solely in terms of poverty or slum conditions or broken homes or insecurity or the cold war is a futile exercise.

All we can say is that in all people there is a struggle going on between the forces of good and evil and that the kind of society we have makes a great difference on the outcome of that struggle, for the individual and for the Nation.

It is true, as we are frequently reminded, that the ideal place for the preventing and handling of delinquency is in the home, the school, the church, the neighborhood. But it is precisely because these institutions have so often proved unequal to the problem that government is forced to deal with it. We have an epidemic of crime, not just in the District but throughout the country, and we must bring to bear upon it all the resources that we have.

Our task, then, is to see to it that the society we build in the District of Columbia and in the Nation is a positive, vigorous force for good. I believe and hope that the recommendations I have made will help toward this end.

Mr. YARBOROUGH. Mr. President, I wish to take advantage of this opportunity to congratulate the able Senator from Connecticut for the very fine statement he has made on law enforcement in the District of Columbia. I have listened with great interest. I have had 5 years of experience as a trial judge, sitting in a court of general jurisdiction in my State, with one-third of that time having been devoted to criminal trials, in which I was required to impanel grand juries and to charge them and to receive their reports, and so forth. Having had this experience in the subject matter of the Senator's address, I believe he has given the Senate a very able report, and I congratulate him on it.

Mr. DODD. I am very glad to have the comment of the Senator from Texas. I know of his great experience in this field. He is, of course, an outstanding lawyer, and I am glad that he approves of the effort I made today.

CITY COUNCIL OF CORPUS CHRISTI COMMENDS SENATE INTERIOR COMMITTEE FOR PADRE ISLAND ACTION

Mr. YARBOROUGH. Mr. President, since 1958 I have been working to get a bill enacted into law creating a national seashore recreational area on Padre Island.

The distinguished Senator from Utah [Mr. Moss], who is now on the floor, held one of the three public senatorial hearings held on various bills on this subject that I have introduced in the 85th, 86th and now in the 87th Congress. He held the hearing at Corpus Christi in December of 1957, at which the National Park Director, Conrad Wirth, was present. Mr. Wirth heard all the testimony presented at that hearing, and at the conclusion said that there had been presented at that hearing the most overwhelming case for the creation of a recreation area that he had ever heard in his experience.

Padre Island is a 118-mile strip of beautiful beach that extends along the south Texas gulf coast from Corpus Christi south to Port Isabel, in a quarter-moon shape, with the outward sweep of the curve closest to the Texas mainland.

The potential of the largely undeveloped island for fishing, swimming, camping, picnicking, and lounging in the sun offers to the United States the finest remaining seashore area for preservation for the public.

S. 4, the bill I introduced to preserve 88.5 miles of Padre Island as a National Seashore Recreational Area, has been reported out by an overwhelming majority of the Senate Interior and Insular Affairs Committee.

The next move is up to the full Senate, and the time for the Senate to act is now. The Padre Island Seashore Area has been recommended to the Congress by the President of the United States, by the National Park Service, by the National Parks Advisory Board, by a growing number of major newspapers in Texas, and by individuals, organizations and news media inside and outside the State of Texas.

I ask unanimous consent to have inserted in the RECORD at this point a resolution passed and approved by the City Council of Corpus Christi, Tex., on March 7, 1962, expressing their strong wish for "as large as possible" a National Seashore Park on Padre Island, and commending the Senate Interior and Insular Affairs Committee for their favorable action on the Padre Island bill.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION 6452

Resolution in support of establishment of a national park on Padre Island, Tex.

Whereas the gulf shore of Padre Island, Tex., is a natural recreation area suitable for and available to all members of the public; and

Whereas the establishment of a national park on said seashore would be in the public interest; and

Whereas the Senate committee of the U.S. Senate, having a bill under consideration for the establishment of Padre Island National Seashore Park, has reported favorably on said bill; and

Whereas such portions of said seashore as can be established as a national park should be promptly and to the fullest extent possible established as a national park; and

Whereas the City Council of the City of Corpus Christi, as the elected representatives of the people of Corpus Christi, have continuously urged the establishment of a national seashore park on Padre Island and should, as the elected representatives of Corpus Christi, express the attitude of the people of Corpus Christi as being to the effect that it is to the best interest of the city and its surrounding area, as well as the State and the Nation, to establish a seashore national park on Padre Island and that it is proper to establish and finance such a project on the national level and urge the passage of legislation to carry out such project: Now, therefore, be it

Resolved by the City Council of the City of Corpus Christi, Tex., That the Congress of the United States be urged to adopt such legislation as will establish a national seashore recreation area on Padre Island, Tex., and that such area be as large as feasible and reasonable; that the Senate Committee on Interior and Insular Affairs be commended for their favorable report on the establishment of a national seashore park on Padre Island; and be it further

Resolved, That the Representatives in Congress from the State of Texas and the Senators representing the State of Texas assert their influence in behalf of such legislation establishing such seashore park recreation area as large as possible without jeopardizing the progress of the project to the end that some seashore recreation and park area be established at this session of Congress; and be it further

Resolved, That copies of this resolution be furnished to our U.S. Senators and Representatives, to Nueces County Judge Noah Kennedy, to Guy Warren, chairman, and members of the Padre Island study committee, and that all forces be urged to unite in passage of necessary legislation at the present session of the U.S. Congress.

Adopted this 7th day of March 1962.

BEN F. MCDONALD,
Mayor, the City of Corpus Christi, Tex.

Attest:

T. RAY KRING,
City Secretary.

Approved as to legal form this 7th day of March 1962.

I. M. SINGER,
City Attorney.

Mr. YARBOROUGH. Mr. President, there is an increasing need in the United States for preservation of recreation areas for the public. In the face of population growth and rapid development, the need is undeniable.

The effort to set aside a part of Padre Island for a permanent recreation area for the public dates back to 1920. Now that the bill is out of committee, I am hopeful that more than 61 years of effort will culminate in swift enactment of a Padre Island park bill into law in this session of Congress.

At this point, I ask unanimous consent to have inserted in the RECORD an article written in the Houston Chronicle, by Mary Lasswell, entitled "Progress on Padre." The author of "I'll Take Texas" and many other books is well qualified to write on the importance of a national park to the State of Texas itself. I also ask unanimous consent to place in the RECORD at this point an editorial from the Texas Observer of March 9, 1962, containing a reprint of an earlier editorial from the Houston Chronicle; an editorial from the March 2, 1962, edition of the Beaumont Journal, entitled "Padre Island Progress"; and a resolution of March 1962 from the Cameron County Democratic Executive Committee of which Attorney Jack Skaggs, of Harlingen, is chairman, stating a sincere hope that a Padre Island National Seashore Recreational Area bill will be passed by both Houses without delay, and urging that the south part of the seashore extend into Cameron County, and that the park be "the largest possible area consistent with the requirements of private development."

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Houston Chronicle, Mar. 22, 1962]

PROGRESS ON PADRE

(By Mary Lasswell)

I am happy to know that Senator RALPH YARBOROUGH's Padre Island Park bill won overwhelming approval by the Senate Interior Subcommittee.

This is the biggest advance made by the Yarborough-sponsored bill in 4 years. The Senator said that the action is a cause for rejoicing by the millions of people in Texas and in the Nation who are supporting the effort to create a national seashore on Padre Island.

I have been referred to by a wit high in the world of newspapering as "the original gal with the dragging tailpipes." Nothing personal, of course. The reference was to the fact that in my drumbeating for public recreational facilities, I mentioned that the cars seen in these areas are seldom of the latest models and always have the tailpipe dragging the ground because of the large number of passengers in the car.

NOT EXCLUSIVE

The folks who go to free recreation areas are not selfish. They are not exclusive. They don't get kicks out of keeping anybody else out of a place they enjoy. They are generous, just as my Latin American friends are when they go to Latin American films at drive-in theaters when the movies are in Spanish with no English subtitles.

The price is $1.30 per car, regardless of how many people are in the car. You have never known what elasticity is until you count the "head of chillun" in those cars. Grannies, cousins, neighbors—anybody that wants to go. It takes little more gas to haul a big bunch than it does to haul one or two. The same law of commonsense applies to Boca Chica and the wild stretch of South Padre Island. The more the merrier.

Salt water is nature's greatest cure-all. Recently, in doing research on cystic fibrosis at Texas Children's Hospital in Houston, I asked the director, Dr. Gunyon M. Harrison, what spot out of all Texas he would pick for a cystic fibrosis children's hospital-camp if given his choice. Without hesitation he replied: "The south tip of Padre Island. Salt water is fine for those kiddos. Spluttering and coughing is socially acceptable in the ocean, if not at table. A fellow can always say a wave knocked him over, made him choke and spit up."

DREAMS OF CAMP

Dr. Harrison's current golden dream, next to a positive control for the disease, is a camp for cystic fibrosis children at South Padre. The Houston and Austin chapters are working on the idea now, soliciting funds to purchase land for a camp. It would not have to be fine or fancy. What the children need is life in the open salt air, not buildings with sealed up, permanently installed picture windows with air conditioning to filter out the lifesaving moisture.

I cannot help thinking what a splendid act it would be if Texas businessmen of the gulf coast would help the Texas cystic fibrosis organization to buy land for such a camp.

JUST SUPPOSE

Suppose a man like H. E. Butts, Sr., of Corpus Christi, got interested in such a project? A man with proven spiritual values, a truly public-spirited individual, would stand as a beacon light for others to follow with their donations. The basic minimum requirements would be met speedily, I feel sure, once a really big man led off.

What we need is more men like Dr. Guy Harrison, men who will go ahead and act on a dream as though it were already a palpable fact. When a man of scientific training like Dr. Guy has imagination and enthusiasm coupled with an objective evaluation of the feasible, something is going to give. I hope it is going to be rich Texans. Dr. Guy has a fine philosophy about the camp: Go ahead and act as if it were so. He bought a bunch of cots because they were only 50 cents apiece. Then he went whole hog and bought two 16-man tents. Now he's got to get that camp. Where else can he put the cots?

[From the Texas Observer, Mar. 9, 1962]

THE TIME HAS COME

The time for a showdown on Padre Island has arrived. In 1958 it was Senator RALPH YARBOROUGH, the Observer, and the Corpus Christi Caller-Times plugging away for national development. Today it is the vast majority of Texas' newspapers and all of our more enlightened politicians fighting George Sandlin's land developers and Senator TOWER, who has forthrightly entered the fray for the private interests and against the future generations, presumably as part of his new and daring covenant for Republican conservatism.

What, indeed, is conservatism if it fails to embrace conservation? The conservative Houston Chronicle this week endorsed YARBOROUGH's 88.5-mile area. Its sentiments on Padre Island have been the Observer's for years:

"There comes a time when fruit is ripe. It has to be picked. Later is too late.

"We've come to that ripe time as a nation with our crop of land that must be preserved for public use and enjoyment. Particularly with Padre Island.

"Padre Island, a wild and wonderful strip of seashore that curls along the gulf coast from Corpus Christi 117 miles south to Port Isabel, must be made part of the national park system.

"YARBOROUGH has a bill in the Senate authorizing purchase of 57,000 acres of Padre Island. Estimated cost: $4 million. The National Park Service would survey, then develop this 88.5-mile sector as a national seashore. Its credentials are excellent.

"They include Cape Hatteras National Seashore off the North Carolina coast. Hatteras has something for everybody: Clean beaches, wildlife refuges, prime fishing grounds, camping facilities, and trained park rangers who run the whole thing.

"But there is more to the Padre Island situation than meets the eye. Another bill, introduced by Representative JOHN YOUNG, of Corpus Christi, and Representative JOE KILGORE, of McAllen, calls for a much smaller park, about 65 miles long.

"A smaller park leaves more land in private hands at either end. The Young-Kilgore bill would leave about 52 miles; the Yarborough bill about 28. Naturally, value of this adjacent land skyrockets.

"The Park Service wants some land left for private development. It has no ambition to put up hotels, motels, grocery stores, marinas, and other facilities. But 28 miles, it points out, means an area larger than Miami Beach—surely ample.

"Padre Island is a national treasure. No point in sterilizing America into one monster roadside development.

"We must keep some of the remote and rugged lands that are like the continent once was. And will never be again."

[From the Beaumont Journal, Mar. 2, 1962]

PADRE ISLAND PROGRESS

In their enthusiasm to make a State park out of part of the Big Thicket, Texans should not lose sight of another recreation area moving nearer to being incorporated in the National Park Service—Padre Island National Seashore Park has been approved by the Senate Interior and Insular Affairs Committee by a comfortable majority.

Senator RALPH YARBOROUGH, who has been behind the idea for several years, feels the committee approval is the most important advance by the bill since he first introduced it in 1958. It is, he says, "cause for rejoicing" by Texans who have supported the effort to create a national seashore recreational area on the island off the Texas gulf coast. The senior Senator is right.

Congressional approval is a long step nearer. This would mean a vital addition could be made to the national parks system. Residents of Texas and other States would have another area in which they could relax and get away, at least temporarily from the workaday problems.

Senator YARBOROUGH is to be commended for his consistent efforts to have Padre Island set aside for public use. He, more than anyone else, deserves the credit for moving the measure through Congress. It's hoped he will be able to lead it all the way to final enactment this year.

RESOLUTION BY CAMERON COUNTY DEMOCRATIC EXECUTIVE COMMITTEE

Whereas we believe that a portion of the natural wealth and beauty of Padre Island should be preserved so that it may be enjoyed by our children and our grandchildren; and

Whereas this executive committee believes that the future growth and prosperity of this county and the entire Rio Grande Valley would be greatly stimulated by a national seashore reaching into Cameron County; and

Whereas we believe that these objectives cannot be realized unless the national seashore extends into Cameron County: Now, therefore, be it

Resolved, That this committee expresses to the Congress of the United States and all of our Representatives therein our sincere hope that a Padre Island national seashore bill will be adopted by both Houses without delay, and that there be included within the seashore that largest possible area consistent with the requirements of private development, and that in any event the south boundary of the seashore extend into Cameron County so that the people of this county may enjoy free and unrestricted access to the seashore and may benefit by having the opportunity to be hosts to the flood of visitors which will undoubtedly result from the creation of this great national recreation area.

SHRINE TO LORENZO DE ZAVALA, FIRST VICE PRESIDENT OF THE REPUBLIC OF TEXAS, SHOULD BE SAVED

Mr. YARBOROUGH. Mr. President, the people of Texas have turned to Congress in an effort to preserve the historic homesite of Lorenzo de Zavala, a signer of the Texas Declaration of Independence and first Vice President of the Republic of Texas.

The De Zavala homesite and private cemetery, where De Zavala is buried, is across the Houston ship channel from the San Jacinto Battleground, and is owned by the State of Texas. However, the homesite and cemetery are surrounded by federally owned land within the San Jacinto Ordnance Depot, now being offered for sale by the General Services Administration.

Mr. President, I am author of a bill, S. 3041, which would withhold 142 acres around the De Zavala homesite and make it available for development of a park by Harris County or the State of Texas. The Federal Government's sale of the remaining more than 4,000 acres of the San Jacinto Ordnance Depot would not therefore be impeded and the value of the remaining acreage would not be diminished one cent an acre by withholding this relatively small 142-acre tract, which is a tip on the east end of the larger tract.

The area sought for a park also includes the burial place of David Thomas, another signer of the Texas Declaration of Independence, who later served as the Republic's first Attorney General and Acting Secretary of War, and is the burial place of Peter Jefferson Duncan, one of the captors of General Santa Anna after the Battle of San Jacinto.

This proposed parksite has deep historical meaning to Texas and should be preserved.

Further, there is need for the preservation of park areas throughout the Nation, and this would be a step in the right direction.

The bill I have introduced has been given editorial support by the Houston Chronicle—see CONGRESSIONAL RECORD of March 12, page 3849—and by the Dallas Morning News. I ask unanimous consent to have printed in the RECORD the following editorial from the March 21, 1962, edition of the Dallas News, entitled "De Zavala Shrine."

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

DE ZAVALA SHRINE

The homesite of Lorenzo de Zavala, ad interim Vice President of the Republic of Texas, across the Houston ship channel from the battlefield of San Jacinto should be rescued from its present shameful neglect. It is located at the junction of Buffalo Bayou and the San Jacinto River. It has long been cut off from public access by grounds of the San Jacinto Ordnance Depot that surround it.

Now that the Federal Government is selling the depot property, Senator RALPH YARBOROUGH's request that 142 acres of it be turned over to the State or Harris County for a park should be granted. The Lorenzo home, long since destroyed, served as the field hospital where Texas heroes wounded on the battlefield were given first aid. Although separated by water from the battlefield, it is equally sacred soil and deserves to be respected by posterity.

COMMUNICATION SATELLITES IN SPACE SHOULD BE GOVERNMENT OWNED

Mr. YARBOROUGH. Mr. President, the only worldwide communication network today is the one operated by the U.S. Signal Corps, by the Government of the United States, if you please, and it is operated efficiently and well.

As a cosponsor of Senate bill 2890, sometimes called the Kefauver-Morse bill, or the Government space communications bill, I have been urging that the Government of the United States retain ownership of the space satellite system.

On March 18, 1962, I made a radio talk to the people of Texas in which I set out a few of the reasons why this bill, S. 2890, should pass, thereby establishing a public communications satellite authority.

I ask unanimous consent to print at this point in the RECORD a copy of my remarks to the people of Texas on March 18, 1962.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

REPORT TO TEXANS FROM WASHINGTON BY U.S. SENATOR RALPH W. YARBOROUGH

For the nearly 5 years that I have been in the U.S. Senate as a representative of the people of Texas, you've been writing me asking how we would pay off the national debt, which is now about $300 billion; and I have given a good bit of thought to this question. But up until recently, I have not seen an answer that promised any results in paying off this debt within the foreseeable future. But now, fellow Texans, there is a way. Through the development of communications by use of space satellites, this

public debt can be paid off with the profits from a space communications satellite system within a few decades if we will just retain in public hands this heritage that belongs to the whole American people. Dr. Lloyd Berkner, well known in the Dallas-Fort Worth area of Texas, as chairman of the Space Science Board of the National Academy of Sciences, said that the communications system would develop into a $100-billion-a-year business by 1975, and a pretty good slice of that will be spent on the space satellite communications system.

Pending now before the Congress of the United States are several bills. Two bills in the Senate, upon which hearings are being held, propose to give this space satellite system away to a private monopoly where one company will dominate it and one communications company would have the right to own satellites shot up by the U.S. Government and reap the profits—the vast profits—from the sending of messages by use of those satellites.

This satellite system was developed by the taxpayers of the United States, by the Federal Government, by the expenditure of $25 billion in rocketry research, and now the Federal Government has also spent about $500 million in developing communications satellites alone—the vehicles out in space that receive and transmit messages, as distinguished from the rocketry which sends them up there.

One private company which seeks to get a monopoly on this through a bill passed by Congress has spent a mere $15 million in research.

I am cosuthor of a bill, S. 2890, which would establish a public communications satellite authority, to develop this as a public authority, somewhat like TVA or like the Panama Canal is owned. If the Congress hands over this space satellite communications system to a greedy private monopoly, it will make the DIXON-Yates deal look like peanuts. Space communication is so new that we do not know exactly how much is involved in the proposed giveaway. We do know that this Government has spent all of these hundreds of millions on space communications research and billions of dollars more on rocket power research development and without these expenditures no system would be possible.

I don't believe in giving away the fruits of this taxpayer investment to a private monopoly and then requiring the Government to pay for using it as they would on the navigation of ships at sea, on airplane communications, on weather communications, and weather reports.

This would result in a double giveaway.

This is worse than the Dixon-Yates deal on still another account. Here we are giving away not only vast amounts of money, but also part of the sovereignty of the United States. This is an international communications system—that would involve the right to deal with other nations.

But if we give it away now to a private monopoly, we can never get it back. On the other hand, if we keep it for now, we can better evaluate it. Giving this system away now would not speed up progress on the space communications system by 1 day. We are going full tilt with research now and will continue.

Let's give the taxpayer a break. Let's protect the American taxpayer.

BROTHERHOOD AWARD FOR WNEW, NEW YORK CITY

Mr. JAVITS. Mr. President, the National Conference of Christians and Jews announced yesterday that Radio Station WNEW in New York City has won the 1962 Brotherhood Award. This is truly a signal honor for WNEW because it is the third year in succession it has won this award.

I am especially gratified to see a deserving radio station receive such recognition at a time when broadcasters are being called upon to increase their public service efforts. WNEW's efforts in public service programing, both local and national, have been outstanding. In the past 4 years, it has won a Peabody Award, the Ohio State Award and the Freedoms Foundation Award in addition to these three Brotherhood Awards.

In awarding this year's Brotherhood Award to WNEW, the National Conference of Christians and Jews stated that WNEW was being cited—

For outstanding contributions promoting the cause of good will and understanding among all the people of our Nation, thereby fostering amity, justice and cooperation among Protestants, Catholics, and Jews, helping to eliminate intergroup prejudices which disfigure and distort religious, business, social and political relations, materially aiding the work of the National Conference of Christians and Jews and bringing us nearer the goal of brotherhood of man under the fatherhood of God.

The awards for 1960 and 1961 were for programs created by Martin Weldon, who is now director of news and special events for the metropolitan broadcasting. The winning programs for the 1962 award were created by WNEW's present news and special events director, Lee Hanna. Recognition is also due WNEW's general manager, John van Buren Sullivan, and the program director, Mark Olds, for the roles they played in encouraging and developing these programs.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a synopsis of the six programs broadcast during 1961 which were cited in the NCCJ Brotherhood Award.

There being no objection, the synopsis was ordered to be printed in the RECORD, as follows:

"The New Rochelle Story," broadcast on February 12, 1961, reported on the controversy over the integration of the New Rochelle schools.

Taking its microphones into public hearings, recording interviews in New Rochelle homes, seeking out all shades of public opinion, placing into perspective the views of New Rochelle's public officials, the program concluded:

"It could be, of course, that all this tumult is really the sound of opportunity for the North to show the South it means business about integration. For the people of New Rochelle to think hard and deep, and decide exactly what they believe, and what they want, and for the people in your town to do the same—because most every town sends its kids to schools in their neighborhood; and there are very few towns left which don't have some kind of ghetto, some kind of housing segregation, resulting in some kind of school segregation, whether deliberate or not."

"The Light From Lambarene," broadcast on March 12, 1961, was the story of Albert Schweitzer's work in Africa. WNEW's Mark Evans journeyed to Lambarene where he met and talked to Dr. Schweitzer and his helpers. The program, which was a compassionate and affectionate portrait of the doctor and his work among the natives, ended with a quotation from Dr. Schweitzer himself:

"The scholar must not live for science alone, nor the businessman for his business, nor the artist for his art. If affirmation of life is genuine, it will demand for all that they should sacrifice a portion of their own lives for others."

"Eichmann," broadcast on April 9, 1961, at the beginning of the Eichmann trial in Israel, reviewed the case against Adolf Eichmann, as documented by his victims, the former inmates of Nazi Germany's concentration camps. Not merely a review of horrors in the past, but a program which pointed up the possibility of danger in the future. It left its audience with this thought:

"This, then, is the background of the Eichmann trial—the fear of forgetting, the terror of recalling, the cries for vengeance, the cautions for prudence. And down below the tumult, that mute mocking voice that tells us you can never do enough, your justice is imperfect, you cannot weigh one man against the scale of millions. He is too small, and so are you.

"But there is another voice—the world awakening from a nightmare half remembered for its terror. Should we press on, or should we stop by this hard rock and reminisce; should we remember that bad dream that was real and seek its cause? Should we explore our fearsome power further, sort out our parts, find the flaw, then bury it by the wayside and move on, to dream that awesome dream no more?"

"A View From the South," broadcast on May 28, 1961, was prompted by the freedom riders, not from the point of view of the riders themselves, but from their opponents in the South.

WNEW News sent Reporter Chip Cipolla on a 2-week tour of the South. In addition to talks with the freedom riders, he spoke with southerners in every walk of life, in an attempt to bring to a northern audience the motivation and attitude of the South toward the Negro. In reporting dramatically and graphically the views of Mississippi's Governor, Ross Barnett, its newspaper editors, radio station managers, opinionmakers, and men on the street, the program drew this conclusion:

"Tonight we've heard from Mississippi. Perhaps we should send a reply. If there's anything a good red-blooded citizen can't stand, it's an outside agitator—somebody who doesn't live here coming in and trying to change things—stir folks up.

"We've had to deal with these people before. A while back, a grown man came all the way from England to meddle in our sovereign affairs. This foreigner suggested: 'These are the times that try men's souls. Tyranny, like hell, is not easily conquered.' He had the gall to add: 'What we obtain too cheap, we esteem too lightly.'

"Tom Paine stirred a lot of sand. We've been plagued by these outside agitators always, it seems. Way back, there was another one who admitted what he was up to when he took that last ride, from Nazareth to Jerusalem, leaving a message along the way: 'Love One Another'."

"The House at New Hampton," broadcast on June 18, 1961, was a story which did not receive national attention. It broke into the headlines in New York only after WNEW revealed the tragic consequences of racial prejudice right in the metropolitan area's backyard. The program concerned the summer home in New Hampton, N.J., of the Bonitas Youth Service, a settlement house for Puerto Rican children of the lower East Side. Their summer refuge was burned to the ground on May 28. Since the Puerto Rican boys were unwelcome in New Hampton police suspect arson.

As a result of the program, which included interviews with the boys of Bonitas, with its

director and founder, Patrick Maloney, with friends and neighbors in New Jersey, Bonitas was able to raise funds to rebuild its home.

"The House at New Hampton" left the audience with this thought, growing out of a statement by a New Hampton resident who said there was no bigotry in his town, but the boys of Bonitas nurtured in his community resentment tempered by acceptance.

"Resentment tempered by acceptance.

"Not the best basis for human relations. But nothing new. And, highly vulnerable to time. Ask the Irish, Poles, Jews, Swedes, Italians, Germans—ask any one of the kaleidoscopic pieces of America who met resentment and often no acceptance. Yet, time prevailed—urged on a bit by men like Maloney who give the clock a determined winding.

"The boys who pitch their tents tonight beside the ruins of their house in New Hampton have a lot of company—America itself has roughed it most of the way."

CONSUMERS' PURCHASES OF BEEF

Mr. JAVITS. Mr. President, an interesting article relating to consumers' purchases of beef, written by Samuel Grafton, was published in the March 1962 issue of McCall's magazine. The article raised such provocative questions that I have asked the Department of Agriculture to comment on it, and when I receive the Department's report I shall ask that it also be printed in the RECORD.

In view of my longstanding concern for participation by consumers in shaping our economy; for a joint committee on consumers to be established by Congress; and the revealing help which this article may well be to the American housewife in her buying, I ask unanimous consent that Mr. Grafton's article may be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

YOUR FAMILY AND YOUR POCKETBOOK MAY BE HURT RATHER THAN HELPED IF YOU ARE BUYING THE "BETTER" BEEF—IT IS AS SIMPLE AS THIS: THE MOST EXPENSIVE BEEF IS NOT ALWAYS THE BEST FOR YOU

(By Samuel Grafton)

Among the things the average American fears as he once feared witches is fat. In his mind, fat probably ranks near fallout as a source of steady unease. Wrapped around his middle, it dismays his loved ones; used too copiously in his food, it worries his physician. In the light of this feeling, it is strange there should be one decisively increased form of fat intake virtually promoted, in an indirect way, by the U.S. Government.

This little drama occurs whenever a housewife, semantically stirred by an attractive word, buys beef according to U.S. Government grademark and chooses the highest grade, U.S. Prime, over the second grade, U.S. Choice, or the third highest grade, U.S. Good. In almost every case, whether she knows it or not, when she upgrades her beef-buying by these marks, she gets more fat and less protein for her money. The Department of Agriculture, which grades beef for the public, does not, of course, have the sinister intention of loading us with suet when it slaps its official purple grademark on a carcass. It is merely trying to help us select tender beef. But according to the Department's traditional and ancient standards, the most important factor in trying to predict whether a cut of beef will be tender or tough is the amount of fat in it. Other factors being equal, the more fat distributed through the meat or curled lovingly around it, the higher the grade it will be awarded.

This is true all the way down the line through eight grades, the bottom five of which are Standard, Commercial, Utility, Cutter, and Canner. The lowest grades—lean meat sometimes cut from elderly and unbeautiful animals—do not often turn up at butchers' counters, except possibly as sausage.

Though other factors are carefully considered—the age of the animal (younger is tenderer), the shape of the carcass, the condition of the bone, the color of the meat—the fat marbling is the most decisive element. Last December, the American Heart Association, after years of research, officially recommended to the American people reduced fat consumption "as a possible means of preventing atherosclerosis (hardening of the arteries) and lessening the risks of heart attacks and strokes." Though the statement was well-hedged, in the usual careful institutional style, and conceded that final proof was still lacking, the warning was clear. And of all fats warned against, chief were saturated fats, of animal origin, precisely the ones that richly marble the Government's top-graded steaks and roasts.

A strange factor shows up when the housewife, who cheerfully pays top prices for U.S. Prime or (more often) U.S. Choice cuts of beef, buys hamburger meat at her butcher's. Though she expects the Prime or Choice beef she buys to have abundant fat marbling, she is horrified if hamburger has an abundant amount of fat distributed through it. In the case of hamburger, she will pay more to get less fat. Often, to avoid the store run of ground meat, because it might have a good bit of fat in it, she will specify bottom round, or some other fairly high cost and fairly lean cut, and have the butcher grind it.

But the heart of the matter is that beef is something of a problem meat. More often than is true of other major meats, a cut of beef can look juicy, tender, and redly appetizing and turn out to be toughly resistant to knife, fork, and teeth. The Department of Agriculture feels its grading methods are the only means now available for helping select tender beef. To the implication that the Government is encouraging Americans to buy unnecessary quantities of fat, and to consume it, R. A. Lennartson, Associate Administrator of the Agricultural Marketing Service, enters a negative: "All we do is perform a service. We don't attempt to dictate. If the housewife wants leaner meat, she can use our grades as a guide and buy the lower grades, U.S. Good and downward." (All the grades, incidentally, are equally sanitary and wholesome. Sanitation and freedom from disease are attested to by an entirely different mark, the familiar circular stamp "U.S. Inspected and Passed," or, in some cases, by a State inspection mark.)

Some meatpackers are inclined to suggest that the Government position would be more valid if simple numbers were used to designate the grades. If U.S. Choice beef became simply U.S. No. 2, it would not have quite the aura the grade name now has. Prime and Choice, say the large packers, are savory words, selling words, persuading customers to buy the fatter cuts, as numbers might not. It does seem likely that if U.S. Good, U.S. Choice, and U.S. Prime were renamed, in ascending order, U.S. fat, U.S. fatter, and U.S. fattest, the housewife might have a different attitude in making her choice of which beef to buy.

Expert buyers in the meat business use Government grades as a guide, without appearing to rely on them entirely. Steak buyers for the first two of three well-known restaurants in New York—Dinty Moore's, Manny Wolf's, and the Black Angus—said they used the Government grade, but selected within it, according to their own specifications, frequently rejecting steaks, even U.S. Prime. The head of the Black Angus restaurant, and member of a four-generation meat family, said bluntly, "I never look at the grade marks. I look for a fine, silky texture in the marbling. If the outside fat peels away in the fingers, in layers, or if there are bits of gristle between it and the meat, I will suspect the steer has been fattened too rapidly. In a really young steer, the fat and the meat are like one."

Among beef mysteries is the fact that tenderness seems, in part, to be an inherited quality, running through certain lines of cattle. The French use a beef breed called the Charollais, which is able to produce tender steaks without visible fat marbling, even in animals as old as 5 years. Import restrictions, for fear of hoof-and-mouth disease, prevent the development of pure Charollais herds in the United States; but Armour & Co. is making a determined effort to fight its way out of the suet by breeding for tenderness selected strains of cattle. It has developed a number of promising bulls, whose offspring seem to have this desirable quality. It is a slow process and will take some years, because of the frustrating facts that a cow has only one calf a year and that it takes another year or more to know what the calf amounts to in terms of dressed beef.

Swift & Co., working in another direction to try to eliminate the suet problem, has developed what it calls the ProTen process, under which natural enzymes are injected into cattle just before slaughter; these enzymes remain inactive during storage and shipment and go to work only while the meat is being cooked, tenderizing it. The Kroger chain of supermarkets has its own Tenderay process, a controlled rapid aging under special lamps, which prevents deterioration.

There are signs of slackening dependence on Government grading. The Giant chain of supermarkets, in and around Washington, D.C., features and sells U.S. Choice beef, but runs alternate week promotions on a grade of its own, Giant Lean, a less fat meat, selected according to its own specifications. Doctors are said to be recommending it. The nationwide A. & P. chain has chosen not to use Government grades, selecting its meat, according to its own specifications, for its Superight grade. Theoretically, grading is voluntary. A packer asks for the service when he wants to have it, and he pays to the Government a fee covering the costs. In practice, sections of the meat trade have become so accustomed to grading that its use is virtually compulsory. It was not always so. Until World War II, grading had not been widely used. When Government price control was set up during that war, it became necessary to have some basis on which to police the pricing of meats, and grading was introduced. The grades stayed on after price controls ended.

Many smaller packers are definitely in favor of Government grading, because the Government stamp on their product enables them to sell meat by a telephone call, even half a continent away. The larger packers are making a determined effort to reestablish their own brands. These are increasingly showing up in supermarkets. Packers' grades usually evidence less emphasis on marbling and fat than do the Government's grades.

This is all to the good. Dr. Ancel Keys, of the University of Minnesota, one of America's leading physiologists and a foremost heart researcher, declares that after a fatty meal, the red blood cells may tend to stick together, and tests show that the blood clots more readily than before. While all the reasons are not yet understood, he finds that "many fatal thromboses (blood-clot formations) occur 4 to 8 hours after a large, fatty meal." This statement alone calls for elimination of the present system

of Government beef grading, for it is fat, favored by such grading, not the lean meat itself, that Dr. Keys indicts. As an interim step, the Government should certainly rename beef grades realistically in the light of medical facts and present-day consumer preferences.

Asked directly whether the enticing grade names for top cuts of beef were leading people toward consuming more fat than they realized, Dr. Keys said: "I think that is abundantly clear to all of us. The public is being led by the beef grade names to believe they're getting something better. This is most unfortunate. It reinforces a dietary move in a direction most of us think is not good and hinders a move in a direction that is safer for most people. More power to McCall's for breaking the ice on this issue."

PURCHASE OF UNITED NATIONS BONDS

Mr. SPARKMAN. Mr. President, within the next day or so the Senate will most likely begin the consideration of the bill relating to the purchase of United Nations bonds.

At the very beginning of the consideration of the bill by the Committee on Foreign Relations, I addressed a letter to Mr. Eugene Black, who is head of the World Bank, and who I think is as well prepared as anyone in the world on the subject of international governmental financing. Mr. Black's letter was published in the hearings at page 103. I ask unanimous consent that the letter be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT,
OFFICE OF THE PRESIDENT,
Washington, D.C., January 31, 1962.

Hon. JOHN SPARKMAN,
U.S. Senate, Washington, D.C.

DEAR JOHN: I am referring to your letter of January 26 in which you asked for my personal views on the subject of the United Nations bond issue.

At the time of his appointment as Acting Secretary General, U Thant personally reviewed the financial position and prospects confronting the United Nations. In the course of this review the Acting Secretary General consulted me concerning the possible issuance of United Nations bonds to resolve the financial crisis faced by the Organization. I informed him that I thought the idea was a sound one, that it would have my full support, and that in a personal capacity I would be happy to do whatever I could to assist in the implementation of the proposal and in the sale of the bonds.

Under the resolution passed by the General Assembly of the United Nations on December 20, 1961, the bonds will have a 25-year maturity and carry a rate of interest of 2 percent. They may be issued in U.S. dollars or in any other currency as determined by the Secretary General. Each bond will be paid off in 25 annual installments rising from 3.1 percent at the end of the first year to 5.1 percent at the end of the 25th year. There is a provision for prepayment in whole or in part at any time, partial prepayment to be applied equally and ratably to all bonds outstanding. The bonds will be offered to states which are members of the United Nations, of the specialized agencies, and of the International Atomic Energy Agency and to the official institutions of these states. It is contemplated that they will be transferrable but only to governments or institutions to which the bonds may be offered pursuant to the resolution. Agreements for the sale of the bonds must be concluded before the end of 1962 but these agreements may provide for delivery of and payment for the bonds at any time on or before December 31, 1963.

In my opinion a very important feature of the resolution and one that gives the bonds considerable security is that the bonds will be serviced through the regular budget of the United Nations. To that end the General Assembly decided to include in the regular budget of the Organization annually, beginning with the budget for the year 1963, an amount sufficient to pay the interest charges on the bonds and the installments of principal due.

Recently I addressed communications to the finance ministers of member governments of the International Bank in which I urged them to give most serious consideration to the purchase of United Nations bonds in order to solve the present financial predicament of the United Nations. And during a recent visit to several European countries I had an opportunity to discuss this matter further with certain governments. I am sure you are aware that several governments have already given indications of favorable consideration and announced their intention to propose to their legislators that they be authorized to subscribe to the bonds.

I hope these views will be useful to you.

Sincerely yours,

EUGENE R. BLACK.

Mr. SPARKMAN. Mr. President, I also had correspondence with Mr. Henry Cabot Lodge. At the time Mr. Lodge was a Member of the U.S. Senate, he was also a delegate to the Fifth General Assembly of the United Nations, in 1950. I myself had the good fortune to be a member of the delegation in that year. Henry Cabot Lodge was a member of the Fifth Committee. That was the Committee which dealt with the making of financial arrangements. I believe Mr. Lodge became well qualified in that work.

In addition, when the Republican administration came into office in January 1953, Mr. Lodge was named as the U.S. Delegate to the United Nations and was given Cabinet status. He served in that position for 8 years. He knows the United Nations, and he understands the problems and complications of financing that organization.

Mr. President, Mr. Lodge wrote a very interesting letter to me. It is published on page 316 of the hearings. I ask unanimous consent that the letter be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

FEBRUARY 26, 1962.

Hon. JOHN J. SPARKMAN,
U.S. Senate, Washington, D.C.

DEAR JOHN: This is in reply to your letter of February 15, asking me for my views with respect to the proposal now before the Foreign Relations Committee, which would authorize the President to purchase $100 million worth of United Nations bonds, and asking me whether I believe the purchase of such bonds will serve the national interest.

I do believe that purchase of these bonds, as part of a vigorous U.S. policy to put the United Nations on a sound financial footing, would serve the national interest and I say so for these reasons:

1. The United Nations faces many dangers—including unremitting Soviet hostility and a tendency of other countries to flout it whenever it suits their conveniences. But inadequate funds is the greatest single danger to its continued existence at this time. The fact that only a few nations are in arrears on their payments to the regular budget does not alter the other fact that failure to provide enough funds for the great peacemaking activities of the United Nations in the Gaza Strip and in the Congo would drastically destroy its influence and its value and would make the world an infinitely more dangerous place. Either we believe in the United Nations and intend really to make it work, or it will vegetate for awhile and then wither away. Financial support is thus the crucial test in 1962.

2. The continued existence of the United Nations is a vital American interest. World stability would be much less without it—which is surely one reason why the Soviet Union continually harasses it—and the United States is vitally interested in a stable world. When the United States came to the defense of Korea in 1950, we were very much aided by United Nations support. During my service as U.S. representative, the United Nations played a vital part in bringing about a cease-fire and withdrawal at the time of the dangerous Suez crisis in 1956, and the creation of the United Nations forces in the Gaza Strip has converted that area from an explosive to a quiet one. The United Nations validated our action in Lebanon in 1958—a decision of great value. And the creation of the United Nations presence in the Congo has so far prevented that country from becoming the cause of a confrontation between the great powers with the great danger of world war, which such a confrontation would entail.

3. The United Nations must not be supported exclusively, or predominantly, by the United States. Senator Vandenberg well said that if the United States paid most of the bills and the other member states did not pay their share, it would mean that other members did not consider that their membership was valuable—which in turn would mean the United Nations would eventually be without value for the United States. This has been one reason in recent years for our American effort to bring about a steady diminution in the percentage which the United States pays of United Nations expenses. In the future, the United States should clearly confront United Nations members with the solemn decision as to whether or not they—the members—want the United Nations to continue. No one must think that we will in the future pick up the check and make up the deficit. It is well to be patient and generous, but eventually no nation can continue to evade its responsibility to the United Nations. For its own sake, the United Nations must not become dependent on any one great power.

4. The proposed bond issue is a good way to handle the United Nations financial crisis because interest and amortization are to be covered by the regular United Nations budget. A nation loses its voting rights in the General Assembly if it fails to pay its share of the regular budget—and, perhaps for this reason, the record of payment of the regular dues is good. But, regrettably, a nation does not now lose these rights if it fails to pay its share of the expense incurred for the United Nations forces in the Gaza strip and the Congo; and, perhaps for this very reason, the record of payment for these activities is bad. Financing of the proposed bond issue out of the regular budget means that our American share of funds to repay the bond issue will be 32 percent. This is currently our assessed percentage for regular budget activity. It means further that failure to pay interest and amortization charges will bring about loss of voting rights in the General Assembly. It seems to me a constructive way of handling the matter.

5. We must be realistic—and not sentimental—about the United Nations. It is certainly not perfect. It is sometimes annoying. When it sanctions the use of force other than in self-defense in order to achieve

national ends, it stultifies itself dangerously. Its judgments could conceivably become so reckless and so immature as utterly to destroy confidence in it. But this has not happened yet and, in addition to what I listed in paragraph 2, there is much in the United Nations which is hopeful and which justifies a cautious optimism.

Much of the work of the Security Council, for example, has tended to promote peace and security. The late Secretary General did much to prevent disputes from becoming acute and the present Secretary General has made an auspicious beginning. And the work done in the fields of health, food, technical assistance, and economic aid generally are both a healing and a constructive world influence.

While the United Nations renders indispensable services, it obviously cannot be our sole reliance for building a peaceful world and the case grows ever stronger for further steps to bring about the cohesive unity of the free world. But, the fact remains that, generally speaking, we Americans have done very well at the United Nations. For the Communists, on the other hand, it is a constant worry. We should stay in it and try to build it up. The pending proposal is the best way to do this at this time.

With best wishes.

Very sincerely yours,

HENRY CABOT LODGE.

Mr. SPARKMAN. Mr. President, another man who testified before our committee concerning the purchase of United Nations bonds was Mr. James A. Wadsworth. Mr. Wadsworth is the distinguished son of a former Member of this body, Senator Wadsworth, of New York, who later served as a Member of the House of Representatives. The distinguished Senator from Virginia [Mr. ROBERTSON], who is now in the Chamber, well remembers Mr. Wadsworth as a distinguished Member of Congress and a statesman. Jerry Wadsworth is a worthy successor of his father.

During the Eisenhower administration, Jerry Wadsworth served in the United Nations. Of his own accord, he appeared before the Committee on Foreign Relations and testified in behalf of the purchase by the United States of $100 million of United Nations bonds. I shall not ask that his testimony be printed in the RECORD, because it is rather lengthy; however, I refer Senators to his testimony, which begins at page 249 of the hearings.

I recommend to Senators a most careful reading of the statements of these three experts, two of whom served the United Nations throughout the Eisenhower administration, and the third of whom has served as president of the World Bank from the early days of its formation.

I think the Senator from Virginia [Mr. ROBERTSON], will corroborate my statement that Eugene Black probably knows as much about international governmental financing as does anyone else in the world. He has rendered outstanding service in his position with the International Bank. It was he who helped to formulate the United Nations bond plan. He says in his letter that he is satisfied it is the best plan that can be devised. I think his views should be carefully considered. I commend to the Senate a careful reading of Mr. Black's recommendations and those of Henry Cabot Lodge and Jerry Wadsworth, as well.

RESETTLEMENT OF CUBAN REFUGEES

Mr. HART. Mr. President, I invite the Senate's attention to a short article written by Inez Robb and published in the New York World-Telegram of March 1, 1962. Miss Robb's article relates her experience with a Cuban refugee in New York City, and describes again the admirable qualities of Cuban refugees in this country. Above all, the article is a graphic expression of the meaning of freedom for those who have had it denied them, summed up so well in these words of the refugee: "We are free and not afraid."

As Miss Robb points out, Cuban refugees are but another indication that we live in an age of migrations.

In some historic footnote—

She writes—

the 20th century will surely be known as the age of displaced persons. Millions of innocent and hapless men, women and children have been torn up by their roots and scattered by wars, revolutions and the general savagery of our times.

We do, indeed, live in a century of refugees. Ever since the large scale refugee movements during the Balkan wars early in this century, the number of refugees has mounted rapidly and the conditions which produce them have become more intense. Today no area of the world escapes refugee problems.

I only hope, Mr. President, that we in this country will never take our freedom for granted, nor fail to share our many blessings of liberty with oppressed peoples throughout the world. America's great task, of course, is to apply positively our democratic credo in the international arena, and thus help to eliminate the conditions which produce the pathos of refugee existence. This thoughtful expression by one of the most widely read and respected American observers should help enormously in developing awareness and response. For this reason I ask unanimous consent that Miss Robb's article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

REFUGEES AND FREEDOM

(By Inez Robb)

The 20th century has been called many things including some that cannot be printed in a family newspaper. It has been christened everything from the century of the common man to the age of astronauts.

However, in some historic footnote, the 20th century will surely be known as the age of displaced persons. Millions of innocent and hapless men, women, and children have been torn up by their roots and scattered by wars, revolutions, and the general savagery of our times.

There have been and still are so many refugees that the world, alas, has become accustomed to their old, sad stories, so much alike, and to their misery and their heartbreak. In the past four and a half decades, since the Russian revolution, the displaced have tended to blur, to become another statistic.

We have all read about the indigestible clot of Cuban refugees from Castro communism who huddle around Miami.

But the problem took on life, color, and personal dimension within the past week when I went into one of the city's big department stores to buy new kitchen equipment. A pretty woman in her early 40's, with an accent I could not quite place, waited on me with a sweetness, patience, and competence that was heartwarming.

I placed an order, left the department, and was back 30 minutes later to add two items I had overlooked on my list. When I walked into the department, the face of my unknown friend with the accent lighted up like a beacon.

She had forgotten to ask me the number of the apartment I lived in, she explained. And she needed it, as well as my address, to fill out the store forms. Then she added, apologetically, "This is my first job of work and sometimes I am stupid and make mistakes."

In answer to my questions, she said that she, her husband, and their three children were Cuban refugees. The five of them had managed to get to Spain, where they arrived with exactly $100. With the aid of friends they had managed to reach New York with their wordly capital still intact.

"But $100 does not go so far in New York, no?" she said, and managed a smile. They made the discovery that innumerable refugees have made over the years—that it is easier for the woman of the family to get a job than for the man. Her husband, head of a large industrial firm (which she did not want identified since both have close relatives still in Cuba), had finally gotten a job of sorts in the shipping department of a small New York factory.

"At first, after all day on my feet, I could hardly get home to make myself cook dinner," she said and could smile about it. "I never before had to cook, either," she continued, as if that were a good joke on herself, "and my family suffered at first.

"But now I get more and more used to the job, and I get cookbook and learn to cook. So everything gradually get better," she went on. "My youngest boy is 13, so I do not have to worry about small children at home. He works as grocery delivery boy after school and on Saturday, and so does his older brother.

"My daughter keeps apartment clean. So we get along. It is only my husband I worry about. He does not say anything. But I know it hard on him not to take care of his family. But this is the United States and someday it will work out. And, in meantime, we are free and not afraid."

Free and unafraid in the century of the refugees.

CANYONLANDS NATIONAL PARK

Mr. MOSS. Mr. President, tomorrow the Subcommittee on Public Lands of the Committee on Interior and Insular Affairs will open hearings on my bill to establish a Canyonlands National Park in southeastern Utah.

I speak today both as a Member of the U.S. Senate and as a citizen of Utah who is vitally concerned with the conservation of this awesome and splendid area bequeathed to us by a loving Creator. It is an unparalleled natural heritage which belongs to all of the people. It must be honored for spiritual and economic reasons of major importance to Utah and the Nation.

Two great space races now confront us. On the one hand, there lies a great challenge of outer space; on the other, there is the problem of play and living space for the American people. We dare neglect neither.

I am entirely confident that the outer space race will be won. The outer space challenge has already aroused the finest

emotions of mankind. By the turn of a decade we will certainly have placed a man upon the moon and returned him to Mother Earth.

The race for outer space places new demands on us. It makes peace in our time—to be kept for all time—an imperative. There is hope that in groping for the infinite, man will find new dimensions for peaceful living down here.

Over the next decade, the American people will be called on to spend at least $40 billion to conquer outer space. Few question the value of this expenditure. Few deny that the Nation with its present $550 billion output can afford it.

But it will gain us little to win the moon, only to lose our earthly heritage. Our populated globe yearly grows ever more crowded. Yet the cost of preserving a share of our land for play and recreation is small. We can well afford the relatively few millions needed to set aside, here on earth, areas of natural beauty for play and communion.

The United States now has one of the highest birth rates in the world, and each year the lifespan increases. By the year 2000, there will be 350 million of us. The implications press upon us from all directions. Not the least of these is the contraction of recreation space in the highly populous East and Midwest.

Fortunately, time has not yet run out on us. In the East and the Midwest, there are still some lands which can be set aside, if we act now. In the West, opportunity awaits to be grasped.

Our States of the West, however, depend on income-producing uses of our public lands in order to provide a significant portion of our material prosperity. Recreation is only one of the uses that is important to us. We cannot afford to devote lands to recreation if this reduces the economic benefits that flow from them. Fortunately, the experience with the areas in which our great national parks are situated has proved that the development of tourist attractions is in itself a land use of the greatest economic value.

Every summer weekend there comes from our cities an outpouring that taxes to the limit the capacity of our highways. Almost every foot of public space within a hundred miles or so of our urban centers becomes a place to go and play. Each year, more millions pile into family cars, to visit the great outdoors; and, each year, there seems to be less of the outdoors in which to play.

The rush to get away from it all—to find an open space in which to restore body, mind, and spirit—has hardly begun. It seems that the more the world faces crises, and the faster the pace of daily living, the more man must seek nature, in order to maintain his personal stability.

It may seem that all America is now on wheels; but, actually, not more than half the Nation ventures more than 200 miles from home in a given year. The main reason is economic. Our new technology must inevitably raise living standards if it is not to push us into history's dustbin.

Along with more money, America will have, in the future, more time to travel. We hear predictions of a drastically shorter workweek. A Columbia University professor, who is also a labor arbitrator, recently outlined a formula which looks toward a 20-year work span, instead of the reduced workweek which automation is threatening to force on us. Either way, we shall have a new kind of world; and it behooves us now to prepare, if technology is truly to mean progress.

I cannot believe that America will permit its workers to become unemployed victims of a new machine age. We must win the race for park and recreation space. We must prepare ourselves for the great onrush of tourists. An important part of that preparation lies in adding suitable areas to our national park system.

In recent years, we have not done a good job. In the Truman administration, only 73,000 acres were added to the Federal parks. Under General Eisenhower, the figure dropped to about 19,000. An effort to get moving again in this important sphere is very much in order.

It would be hypocrisy to claim that Congress has already provided an adequate stock of national parks. Thanks to the addition of Cape Cod National Park last year, we now have a total of 30 national parks, of which 2 are shoreland.

In 1961, some 50 million Americans made almost 80 million visits to these national parks. By 1970, that number is expected to double. It is little wonder, then, that today's facilities are overcrowded, and that campers must often make reservations almost a season ahead.

The National Park Service has built a fine tradition, and has given the people great pleasure. But not even the best of traditions and the finest esprit can accomplish the miracles that will soon be required unless more lands are added and developed as national parks.

President Kennedy has proposed the addition of 1.1 million acres in 10 more national parks. The greater part of the land is federally owned, and most of it is in acres remote from industry and commerce. In view of the need, the request is quite modest.

It is against this background that I ask support of Canyonlands, an area far off the beaten track in southeastern Utah. I introduced the Canyonlands bill last August, after a special inspection visit to the area. Passage of the measure would be consistent with the recommendations of the President, the Interior Department, the National Park Service, and the recommendations of the Outdoor Recreation Resources Commission.

The cost of acquiring all 10 parks proposed by President Kennedy would be $63.7 million—in this day of space exploration, a small investment in the Nation's future. The cost of acquiring Canyonlands would be little or nothing. All but a small part is federally owned, and the area which is outside the Federal domain is owned by the State of Utah. The State will be able to select Federal lands of equal area and value, in exchange for the State lands surrendered—a right which in the past has enabled Utah to acquire for our school fund lands with proven and potential minerals.

Last summer, Secretary of the Interior Udall and Secretary of Agriculture Freeman led to the Canyonlands the expedition which preceded the introduction of the Canyonlands bill. Secretary Udall called the entire area surrounding canyonlands the golden circle of national parks, since it embraces at least eight existing and proposed national parks and monuments in the four-corners section—the only spot in the Nation where four States meet: Utah, New Mexico, Colorado, and Arizona.

To enter Canyonlands, we traveled by helicopter, jeep, boat, and "shank's mare." Local people "jeeped" in, to swell the expedition to the largest group ever to visit this remote area since the Indians vanished, leaving behind their mysterious petrographs, arrowheads, and cliff dwellings.

Once Secretary Udall saw the area, he ordered the National Park Service and the Bureau of Land Management to protect the surrounding area from indiscriminate land use. The order was intended to preserve invaluable prehistoric Indian ruins from vandalism and to protect the natural wonders from commercial damage.

The most spectacular of the scenery and some of the best preserved of the prehistoric Indian ruins center around the confluence of the Green and the Colorado Rivers; and it is here that my bill proposes to set aside an area about 30 miles long and varying in width from 10 to 20 miles—or in all about 500 square miles—for our own and future generations to have and to hold, unsullied and unspoiled, as the Canyonlands National Park. It is an area unlike any other on earth.

Words cannot describe the beauty and the grandeur that is Canyonlands. Here time, the rivers, erosion, and the still desert air have combined to fashion cathedrals, minarets, spires, needles, domes, mesas, and canyons. Here nature has proven herself the supreme architect.

In his famous Kubla Khan, Coleridge describes the area—

Where Alph, the sacred river, ran
Through caverns measureless to man.

Beside the Great Khan's "stately treasure trove." It would, perhaps, take Coleridge to describe adequately the stately treasure trove that nature has fashioned in Canyonlands, where the Green and the Colorado wind endlessly, through deep gorges, toward the far-off sea.

Here is the land of sandstone and basalt—the barren rock from which all earth was formed. Two rivers have worn away the rock inch by inch, eon after eon. In the heart of Canyonlands, the rivers make confluence with a mighty swirl. Two thousand feet down, below the canyon rim, two distinct colors join to become the mighty Colorado, which, 200 miles southward, has carved out Grand Canyon.

This is Canyonlands. I know I grow rhapsodic; but the picture of what God has fashioned here stands out sharply in the mind's eye. Here man's individual insignificance is sharply impressed on all who may visit. Here man stands small, beside the spectacular monuments fashioned by the Creator.

This is the land of the needles, spires of rock towering above the desert floor. Navajo Baby, a smaller needle, marches along with his elders. In the desert, a lone needle stands starkly against the cloudless blue sky. Here, in the Land of the Standing Rocks, stand great edifices that tower high above the benchland.

Graceful arches and towering domes defy the imagination. Angel Arch, Druid Arch, Castle Arch—the very names bring to mind vivid images, but they must be seen if one is to appreciate nature's sweep. Each is unique. Each is equal to any of the better known wonders of our world.

This is a land of cohesive forces and massive contradictions. Suddenly there are placid reaches bordered by colorful flowering desert plants. Everywhere, there are canyons. Always, far off at the horizon's end, the LaSal, Henry and Abajo Mountains stand as mute, blue guards of the treasure trove.

Across the Colorado on the western rim, a broad bench, laced by narrow canyons, extends for miles. Within the wilderness of windswept rock, a network of such canyons is known with good reason as the Maze.

Each day is a mass of ever-shifting colors. The cliffs are soft-pink at sunrise, and blood-red at noon. At evening, the shadows play tricks with the naked eye, as reds, oranges, and pinks fade into deeper twilight hues.

Ages ago, the now forgotten Anasazi Indians made their homes amidst these formidable cliffs, and developed a civilization of high order. These were the forebears of the Pueblo Indians, who came out of such canyons almost 3,000 years ago.

Thanks to the dry desert country, the story of the Anasazi has been preserved upon the red rocks. At Newspaper Rock, in Indian Creek, the story is chiseled and painted in graphic detail, awaiting the patient work of some modern scholar. Throughout the canyons, there are invaluable archeological discoveries to be made, including camp sites occupied perhaps 25,000 years ago, when our civilization was not even a dream.

From almost any vantage point, the view is breathtaking. From Grandview Point, one looks out from a mighty redrock formation, properly named the Island in the Sky, onto Standing Rock Basin, and sees below the twisting water ribbons of silver, edged by the only green visible in the ochered pallisades of sandstone. Elsewhere are Upheavel Dome, the Devil's Pocket, the Gong, Candlestick Spire, the Fins, Doll House, Elephant Canyon. The very names bring exciting visions.

One who explored the area wrote:

> This constant change of experience is one of the things that permits the whole Utah wilderness to have such a great impact. You are swept from a scenic wonder to an historic one: from an exposed geologic fact to an extraordinary geographic one.

The area is a single whole, and must be treated as a unity. It deserves national park treatment and the care that the National Park Service will bestow on it.

Every man has the desire to accomplish something outstanding in his career, and we in the Senate are no exception. To my mind, nothing could be more satisfying for this Senator from Utah than the creation of Canyonlands. I should like to be remembered for any small part I might play in bringing these wonders to a world much in need of their majestic sweep and timelessness.

But the words "national park" seem to stir up the acquisitive instincts of some among us. This is particularly the case in connection with areas of high population density, such as the Indiana Dunes and the Sleeping Bear.

It would be thought that an area so remote as Canyonlands would escape this kind of attack. But here, too, the proposal to create a national park for the people has brought forth cries of anguish. I intend to deal here with the objections raised, and, I hope, to quiet them.

Canyonlands—as I am sure some will point out—makes up about one-fifth of the proposed parks' area included in President Kennedy's list. It is also presently the least accessible. But the area is small, indeed, when compared with the land area in my State.

Utah's Gov. George Clyde and the senior Senator from my State, Mr. BENNETT, have objected to the size of the proposed park. In seeking to magnify that size, they have talked only in terms of acreage.

The Governor has said:

> I note that the total area involved is somewhat larger than 300,000 acres. I respectfully urge you to reconsider this year, as it is, in my judgment, far too large.

Mr. President, how much is 300,000 acres? It is proper, indeed, to put the question of size into context. The area is roughly from 10 to 20 miles wide by 30 miles long—about 500 square miles, as I have already pointed out. This amounts to less than three-fifths of 1 percent of Utah's 54.3 million acres. It is less than eight-tenths of 1 percent of the 40 million acres of federally owned land in the State.

Utah has two other national parks: Bryce Canyon and Zion. Together, these are 233 square miles in area. With the addition of Canyonlands, only some 750 of Utah's 84,990 square miles will have been set aside as national parks.

True, the north end of Canyonlands abuts Dead Horse State Park, where Utah now guards for the people scenic grandeur of great magnificence. But Dead Horse State Park is only 7 square miles of park. Even with Canyonlands, Utah will hardly be overburdened with park land area.

Canyonlands, Bryce, Zion, and all of Utah's State parks combined would be lost in Yellowstone's 2.2 million acres. In view of the economic benefits of Yellowstone, I doubt that Wyoming and Montana would want to change the status of these acres.

Some, who put commercial gain first, claim there may be large-scale oil and mineral wealth beneath our rugged rocks at Canyonlands. At the request of the National Park Service, the Bureau of Economic and Business Research of the University of Utah has recently completed an analysis of the impact of the proposed Canyonlands National Park on the economy of the surrounding area. The report indicates that there well may be some mineral deposits within the park. No one ever knows what lies deep below the surface. There are, however, no known commercial deposits. The park area has been thoroughly prospected for uranium, and the last production was in 1957. There very likely is some potash, but the new Texas Gulf Sulphur Co.'s $30 million potash mine and operation north and east of the park should take care of our potash needs for some time.

Almost the entire area is under oil and gas lease. Ten dry holes have been drilled, and an 11th has just brought in a producing well on the northern boundary of the proposed park. Although the well could be operated under the provisions of my bill, I am introducing an amendment to remove this area from the park boundaries.

Because it is entirely possible that there may be mineral deposits of commercial value in the park, the Moss bill recognizes all existing rights and leases, and permits further exploration for minerals, including oil and gas. Such wealth could be extracted, but not on an uncontrolled basis. Development would be subject to general regulations issued by the Secretary of the Interior, so that scenic, scientific, and recreational values of the park would not be impaired or destroyed. There is precedent for such permissive mining in the national parks, in the Senate-passed bill to create a Great Basin National Park, in Nevada. In Mount McKinley National Park, in Alaska, and in a number of national monuments we permit mining. Such mining would not be inconsistent with the National Parks Act. The Moss bill seeks to meet the park's opponents halfway and to guard the wealth that could advance the economic welfare of Utah.

Yet the bill is subject to continuing attack as a "land grab." The reason is crystal clear. Park opponents want to mine and exploit and despoil without limit, if that would suit their purpose. No scenic treasure would be sufficiently valuable to deter an uncontrolled attack on these wonders. I say that if this bill is a "land grab," it is unique in history, in that it is a "grab" for the people—and it is land already owned by the Federal Government.

Southeastern Utah has elk, deer, mountain lions, and chukar partridge. Hunters have complained that a national park would cut off their right to track down this game. It is true that if left unchecked, wildlife sometimes multiplies too rapidly, and, without proper management, sows the seeds of its own destruction. Although the carrying capacity of the foliage resources of the lands within the parks is limited, and the area could never sustain large herds or flocks of game, the Moss bill provides

for a controlled hunt by properly licensed Utah hunters, so as to bring game into proper balance, should this become necessary. The provisions of the bill on this score are clear. They are intended to preserve wildlife over the long pull, and are based on the principles now operating successfully in the Grand Teton National Park, in Wyoming.

The bill would also protect present grazing rights in the area for at least 25 years. Again, because the land cover is sparse, grazing is not a major industry in the area. At the present time the area encompassed by the proposed park is sustaining about 10 sheep and 1 cow for every 500 acres, for part of the year.

There are those who say that the Moss bill, while insisting that the primary use of the land be for a national park, goes too far in permitting multiple use. I wish to point out that my bill is fully consistent with the multiple-use principles suggested by the Outdoor Recreation Resources Review Commission. Changes in our society are making necessary changes in our concepts regarding the use of areas set aside for national parks.

But I do not agree that the proper approach is the half park, half recreation area recently suggested by the senior Senator from Utah [Mr. BENNETT] in concert with Governor Clyde. This is a vast retreat from the original proposal made by Senator BENNETT, which called for three widely separated tiny parks, with a combined area of about 11,000 acres. The new approach, with about 100,000 acres of national park, surrounded by 200,000 acres of recreation area, is an unnatural division which would keep the area from being treated as a unified whole, and would offer no guarantee—as required under the National Park Act—that the scenic and historic wonders and wildlife shall be left unimpaired for the enjoyment of future generations.

I favor national recreation areas where scenic and scientific wonders are not necessarily to be preserved for all time, and where the natural habitat of wildlife might have to be unduly disturbed by the commercial activities of man. The difference is illustrated very well by the Glen Canyon recreation area, cited by the sudden converts to this course. This recreation area will be manmade, born of the building of the Glen Canyon Dam. In gouging out this dam and filling Lake Powell, natural wonders and habitat will be destroyed. We are taking advantage of the great manmade lake to build around it a recreation area, which, incidentally will impinge almost on the southern borders of Canyonlands, and will help to bring visitors to the park.

But a recreation area to surround a small Canyonlands park is something else. Responsible officials of the National Park Service have emphasized that scenic overlooks which are national park, and which look out across a view that is recreation area, are virtually impossible to administer. There would be scenic and scientific resources which they might be powerless to protect. Undoubtedly, even an overlook park would open up the area to tourism. But there would be no effective way to prevent for long the despoiling of the natural wonders by a honkytonk of roadside stands and motels, or by oil derricks or slag heaps, outside the overlook park limit.

Congress has never yet authorized a half park, half recreation area as a substitute for an integrated national park. Those seeking to foist such a substitute on us fail to reckon with the deep measure of responsibility which most of us feel to our natural heritage. The Moss bill seeks to protect and foster the great dream embodied in the National Park Act.

As a unified national park, Canyonlands can be intelligently developed for tourist and camper purposes, without harm to the treasures now locked up there. It is proposed to build, at appropriate places, picnic grounds, cottages, modern campsites, primitive campsites for the more adventurous, a lodge, stores, a visitors' center, an observation building, a district headquarters, and other essential physical facilities. There would also be jeep tours, saddle horse rides, and boat tours. Nothing is more wondrous than a trip on the Colorado River or the Green River, while looking upward at the magnificent cliffs and spires that tower above the canyon floor.

The American Automobile Association has estimated that last year some 4 million tourists stayed in my State for an average of 2.2 days. Arizona had 16 million tourists. Nevada had 15.5 million who stayed 2.6 days each. Obviously, Utah is failing to take advantage of its tourist assets.

Although Canyonlands is relatively inaccessible, it is not far from main highways. To the northeast is the town of Moab, and to the southeast is Monticello. These are on main, traveled highways. The new Interstate Highway U.S. 70, the main transcontinental link between Denver and Los Angeles, will traverse Utah within 40 miles of the northern border of the park. Millions of dollars will be spent in access roads to open up the park. It has been estimated that an outlay of $15 million for such roads will open up this treasure to man. It is now locked up to all but a hardy few.

The tourist trade is already of key importance to Utah, since it brings in perhaps $100 million annually—about $100 per capita. There is ample opportunity for Utah to prosper further. The secret of expanded tourism is the unique, the different, the wonderful. Canyonlands is all of these. It could attract perhaps half a million tourists annually, within a very few years. Eventualy, it could attract millions, each year, as tourism continues to expand. It is worth far more to Utah, in economic terms alone, than any small amount of mineral wealth which possibly might be foregone in order to protect its great heritage.

Secretary Udall, after seeing Canyonlands, described the area as one which may be of worldwide significance. The day may well come, with the growth of living standards abroad, when this and other U.S. scenic wonders will attract tourists from abroad by the thousands. In a world of gold-outflow problems, wisdom would dictate the preservation of our scenic wonders for the enjoyment of all people, through the decades.

Where the great rivers join in eastern Utah, to form the surging Colorado, which plunges then through Cataract Canyon in its rush to the sea, lies this unique area, which defies adequate description for color, geologic wonder, and heroic view. For centuries it has lain almost unnoticed; but with awareness of the coming tide of Americans seeking outdoor beauty, we now should open it, make it ready for use, and preserve it to future generations, unimpaired as a scenic, scientific, and recreational national park.

MINNESOTA PEACE CORPS VOLUNTEERS

Mr. HUMPHREY. Mr. President, today the Foreign Relations Committee acted favorably on the proposal to extend the Peace Corps, and also acted favorably on the proposal to enlarge the scope of the activities of the Peace Corps, by means of the amendment to extend the life of the Peace Corps and to increase the authorization for it.

Mr. President, as an American, I am immensely proud of what two of our youngest Government agencies have accomplished in their first year of life. I am referring to the U.S. Disarmament and Arms Control Agency and to the Peace Corps, which celebrated its first birthday on March 1. Together, these two organizations can make a unique contribution to world peace and to the success of U.S. foreign policy. The Disarmament Agency, under the able leadership of Mr. William Foster, has made significant contributions to our country's negotiating position at the forthcoming Geneva disarmament conference. A number of important research projects are either underway or in the planning stage. Disarmament, however, is a subject which has to be threshed out virtually in private. Our disarmament officials and their staffs do not seek publicity, nor indeed could they operate efficiently in the glare of publicity. Although their work affects the vital interests of the people, they cannot expect public recognition or acclaim.

The Peace Corps, too, neither seeks nor gets headlines at home. Nevertheless, it is making a real impact on the 12 countries which have accepted Peace Corps volunteers. Each of these countries wants more volunteers, and it wants them for projects more important than leaf raking.

In fact, the Peace Corps has in the space of 1 year created a reservoir of good will and unsatisfied demand in the underdeveloped countries. This demand for the services of talented but representative Americans is the best answer I know for those who once sneered at the very idea of the Peace Corps, who called it kid stuff and a refuge for beatniks.

As an example of the high-minded dedication of our Peace Corps volunteers, Mr. President, I ask unanimous consent to have printed in the RECORD a letter from a young Peace Corps leader now serving in the Philippines. His

name is David Ziegenhagen, and he happens to come from my own State of Minnesota. He writes that four other Minnesota volunteers are serving on the Philippine island of Panay. His letter is completely unsolicited; and I am therefore all the more happy to share it with my colleagues, for I believe it shows what our young Americans can accomplish when they work with a sense of mission among the people of foreign lands.

Note what these volunteers have done. They have studied the difficult languages of their area. They have brought a new spirit to the cultural climate around them. They are participating in the life of their communities. They do not lord it over the Filipinos; but, instead, they try to learn from the people around them. They realize that their paramount task is the creation of mutual understanding. And they can do this without PX's and automobiles, without isolating themselves in American ghettos.

In short, Mr. President, I think this letter shows that the Peace Corps has become an essential arm of our foreign policy. It is doing what it was intended to do. All of us are indebted to these young volunteers. All of us will gain when they come home to add their experience and practical idealism to the mainstream of American life.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

PEACE CORPS,
Pavia, Iloido, Philippines,
FEBRUARY 28, 1962.

Senator HUBERT H. HUMPHREY,
U.S. Senate,
Washington, D.C.

DEAR SENATOR HUMPHREY: When we met in Washington late last August, our Minnesota volunteers were just beginning training for the Philippine project of the Peace Corps. I thought you would be interested in hearing about a few of the many events which have filled our lives since that time.

Training for the Philippine project included 4 weeks at the Peace Corps field training center in Puerto Rico, 10 weeks at Pennsylvania State University, and 5 weeks at the University of the Philippines College of Agriculture. We received intensive training in Tagalog and Hiligaynon, the two main languages spoken in the area to which we have been assigned. Another important course was an introduction to Philippine culture, taught by Filipinos and Americans who have spent considerable time in the Philippines. Since we were to be educational aids, working with Philippine teachers in rural elementary schools, we concentrated on a linguistic analysis of both English and Filipino languages and on methods of teaching science through the use of natural materials gathered locally.

No amount of study is sufficient to thoroughly familiarize a person with another culture, so by the time we arrived in the Philippines, although we had received very adequate training, we were perhaps just ready to begin learning about the Filipinos. We knew enough about the culture to feel at ease from the moment we arrived, and this, I believe, should be the objective of any Peace Corps training program.

As educational aids our principal commitment is to the elementary schools of the Philippines. This job alone presents tremendous challenges and opportunities, and volunteers can be found working in all grades and in nearly all subjects. Even in the short time we have been at work very real gains have been realized in helping the Filipinos to work with its language problems. Volunteers are working with Philippine teachers in the classroom and also conducting special study classes for the teachers themselves. Many Philippine students are gaining a new appreciation for their environment through the science classes, where Peace Corps volunteers are teaching and demonstrating general science concepts with the aid of materials gathered locally. Another important result of both science and English classes is the release of creativity among the students. Many teachers and school officials have told us that our presence has encouraged the students to think more independently and creatively, rather than to rely on rote memorization as was the case in the past.

The project potentially could have a tremendous effect on the educational system of the Philippines, updating and revitalizing the work done by the Thomasites—the American volunteers who gave the modern school system its start just after the turn of the century. These people are still remembered and are often referred to by name in many of the communities in which we are working. We hope that our contributions will be as valuable and as lasting.

Our work as educational aids extends beyond the schools and encompasses a wide variety of activities which might be termed community education or community aid. The volunteers bring many interests and abilities into the communities and the range of potential contributions is unlimited. Already there have been a few notable accomplishments. One woman invented a loom and a method for weaving a new material from a part of the sugarcane plant which has always been discarded. One of the men has worked out totally new furniture designs using local materials, and at least one local furniture maker has adopted the plans and found his business booming. Another girl gets up at 5 o'clock each morning to mix dried milk for a community which never before realized the benefits derived from drinking milk.

In many communities volunteers have found that they can show the people how to use equipment which was previously made available through various technical aid programs. Several community libraries have been started by volunteers, and in nearly every community the Peace Corps volunteers' home has become the reading and information center.

But all these activities only mention what we hope to be able to give to the Philippines. If the Peace Corps were only a giving organization, it would certainly fall short of its goals. Mutual understanding, of course, is the essential ingredient, and I believe we have accomplished much in this area. By living at the same level as the Philippine teachers, by learning the local language, by dedicated work in the schools and communities, and by demonstrating a sincere interest in learning about and understanding the Philippine people, the Peace Corps volunteers have laid a firm foundation for a deeper relationship between the Philippine and American people. We tell the Filipinos that what we learn about their country and their outlook will result in a greater understanding of the Philippines when the volunteers return home. We tell them that we hope to learn as much or more than we give and that mutual understanding will be the most important result of the Peace Corps presence in the Philippines. I become more and more convinced of the truth of this each day. If the accomplishments of the first 2 months here in the Philippines are any indication, the potential effect of the Peace Corps on future foreign relations is much greater than most of us imagined.

Strangely enough, as my Peace Corps experience deepens and as I become more and more enthusiastic about the potential of the Peace Corps, I find it increasingly difficult to look back and explain to someone why I originally volunteered for the Peace Corps 1 year ago. As each day passes I discover several more reasons why I should have volunteered, and usually an explanation of my reasons for volunteering turns into an explanation of why there should be a Peace Corps. This indicates to me that the Peace Corps is the dynamic, precedent-shattering organization which we all hoped it would be. I am very proud to be a part of it.

One of my duties as volunteer leader in the provinces of Iloilo and Antique is to supervise and coordinate the activities of the 32 volunteers located in this area. This in itself is a very challenging job and one which I believe is important to the success of the project here. By carrying ideas from one Peace Corps household to another and by keeping the volunteers informed about the progress of the entire project, we are able to achieve much better direction and job satisfaction on the individual level.

One of the volunteers in my area is Bob Hoyle, from Minneapolis. He and his companion, Mike Menster, from Ohio, are probably the outstanding Peace Corps team on the island of Panay. Bob is finding tremendous challenges in his community and he has been quite successful in using his role of Peace Corps volunteer to meet them. I'm certain he would appreciate hearing from you when it is convenient for you.

Best wishes from the Minnesota volunteers on Panay—Bob Hoyle, Jan Karon, of Duluth, Sue Thompson, of Moorhead, and myself. For your information, Bob is living in Dumangas, Iloilo; Jan is in Sibalom, Antique; and Sue is in Alimodian, Iloilo.

Sincerely,

DAVID ZIEGENHAGEN.

THE SINO-SOVIET SPLIT

Mr. HUMPHREY. Mr. President, the signs of mounting disarray in the Soviet empire are adding up to a fundamental change in the world balance of power. In the 9 years since the death of Stalin, peaceful coexistence between Communist China and Soviet Russia has become increasingly difficult to maintain. In the last few weeks we have seen evidence of a real crisis in Sino-Soviet relations. In the face of this split, many hundreds of man-hours have gone into working out a strategy for the West. But to this day we have no clear idea of how to make the Sino-Soviet split work out to our advantage.

There is reason to believe, however, that a Sino-Soviet split could be to our advantage. If the split occurs, the centralized Soviet empire might never be the same again. The results would be far more serious than those of the Stalin-Tito break of the late 1940's. Already Moscow is on the defensive in the Communist camp.

With the defection or outright hostility of China, the cohesiveness of the Communist bloc would be broken, perhaps forever.

But other factors should deter us from taking sides in the dispute, from trying to influence it directly, or from counting our chickens before they hatch. For some time I have said that there can be no workable international disarmament agreement without the participation of Communist China. I still hold to this

position. I recognize, however, the extreme difficulty of getting Communist China to sit down at the same table with its Soviet rivals, let alone with the West. Neither side would be willing to expose internal Communist differences to Western eyes. Even if the Soviet Union were willing to sign a disarmament or nuclear test-ban agreement, the Chinese Communists would hardly follow suit—for this would be capitulating to Khrushchev's doctrine of peaceful coexistence with the West, at the expense of Communist revolutionary strivings. On the other hand, Chinese intransigence might impel Khrushchev to reach an understanding with the West, so as to leave his hands free to deal with China and factional divisions within the Communist movement.

Mr. President, the Soviet position in this dispute with China is clearly the more rational one. Although I am not taking sides, I see certain merits in the Soviet arguments. This is because the Soviet Union is arguing from the point of view of a relatively affluent society, of a society which has a stake in the present and a stake in the future. Like us, the most rational leaders of Soviet Russia would not like to see their hard-won economic gains thrown away by the neo-Trotskyite doctrine of world revolution.

The Russians appear to recognize the facts of nuclear warfare; namely, that it would set mankind back a hundred years or more. The Chinese do not recognize the full destructive implications of nuclear warfare; or if they do, they think that China will rise unharmed from the ashes of destruction. Khrushchev seems to believe that the Communists can win votes, that they can come to power through evolutionary or parliamentary channels.

I could cite many more examples of the Sino-Soviet rift, which now has grown too serious to be papered over by compromise resolutions. The split is now so deep that the only apparent outcome is the surrender or defeat of one side or the other. Neither side is disposed to surrender. In fact, Russia has apparently made little headway in getting other Communist parties to line up solidly against the Chinese, and the Chinese themselves are fiercely resisting the economic and other pressures imposed upon them by the Russians.

With the crisis building up to the breaking point, I was glad to note the cover article in the March 26 issue of Newsweek, which contains one of the best summaries and analyses of the Sino-Soviet split that I have seen. Researcher Fay Willey and Senior Editor Eldon Griffiths have done a fine job in bringing this important story to the attention of the American public. I ask unanimous consent to have printed in the RECORD the article entitled "Moscow and Peiping: How Wide the Split?"

Let me say, further, that the recommendations under the heading "Policy for the West," deserve the most careful study by our policymakers. It would be tragic if a division of any magnitude occurred and found us unprepared for the consequences. In every aspect of this complicated and baffling situation, we must keep American interests steadily in mind. Above all, we must give neither communism, in general, nor the Chinese Communists, in particular, an opportunity to speak for the non-European world.

I also ask unanimous consent to have printed in the RECORD the full text of Dr. Brzezinski's article published in the March 26 issue of the New Republic. His views and recommendations deserve the widest circulation. He does not prescribe pat solutions to complex problems; rather, his recommendations are clearly designed to turn the complexities of interbloc relationships to our benefit and, consequently, to the benefit of the free world. Mr. Brzezinski's formula for an active, dynamic policy of peaceful engagement should be studied and, if possible, should be implemented by our responsible officials.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

MOSCOW AND PEIPING: HOW WIDE THE SPLIT?

(For years the United States has tended to tackle the cold war from a position of psychological disadvantage. The divisions of the Western alliance have been accepted as inevitable; those of the Communist world often have been ignored.

(Today, a profound change is taking place in each of the great power blocs. While the Western Powers are pulling closer together, the two biggest Communist powers are visibly pulling apart.

(The polarization of Communist China and Communist Russia is a fact of profound importance to every American. It could transform the worldwide balance of power. The full dimensions of the rift still are shrouded in mystery. Yet it already has fragmented the Eurasian monolith of Joseph Stalin's day and crumbled the Communist Party's once-bright certitude that its eventual triumph is assured.

(How deep is the split between China and Russia—and how long will it last? In this special report, Newsweek probes the origins of the Sino-Soviet feud, evaluates its significance, and projects some of its consequences for U.S. policy.)

As the Geneva Conference on Disarmament got underway last week, there were empty chairs at the table—the chairs reserved for France. The French were boycotting the Conference because it was too big. This was not the only rift in the West. The United States and Britain had their differences, too.

Once again, it seemed, the Western allies were meeting the Communists in a state of disarray. Opposite them sat Soviet Foreign Minister Andrei A. Gromyko and delegates from four Communist European nations. Not a ripple of difference disturbed their unity.

Then, two things happened. A news report from Tirana, the capital of Albania, said that Communist China, Russia's strongest ally, would soon explode its first nuclear bomb in a Tibetan desert. There was no confirmation of the Albanian report, but diplomats in Geneva were quick to note that Gromyko greeted it with a cold and sullen silence. Then, as the delegates read the Russian's opening statement, they noticed a conspicuous omission. For the first time, the Soviet Union made no request to include Red China in the Conference.

Taken together, these two subtle points were an acknowledgment—in diplomatic terms—that the Communist camp is by no means so united as it looks. On the contrary, the Soviet Union seemed relieved that its Chinese allies were not at the Geneva parley. For the two biggest nations of the Communist bloc no longer are friends, but rivals.

Outwardly, the Russians and Chinese still loudly proclaim that their unity is indestructible. But all such protestations have the sound of a record stuck in a groove. The big new fact is that where once the writ of the Kremlin extended from the Elbe to the Mekong, today it has little authority beyond the eastern frontiers of the Soviet Union. And where less than 6 years ago, the Communists could boast that 1 billion people—a third of mankind—were members of the Socialist camp, today 700 million Chinese, and millions more in Asiatic parties, take orders from a Chinese Government that denounces Nikita S. Khrushchev.

BARRAGE OF INSULTS

The buildup of tensions between the Russian and Chinese parties has convinced some Western observers that there soon may be an overt rupture. Those who think so point to the increasing barrage of official insults, exchanged in public, by leading members of both parties. Last week, for example, Anastas I. Mikoyan announced in Armenia that the Soviet Union's plans for disarmament had been attacked by "left-wing theoreticians." This is the standard Soviet euphemism for the Red Chinese.

Mikoyan's attack was only part of a concerted ideological offensive now being mounted by the Russians against the Peiping regime. Opening his speech before the recent party plenum in Moscow, Khrushchev—without naming them—ridiculed the Chinese for believing that communism is "a table set with empty plates, around which sit high-minded and fully equal peoples." Ivan Spiridonov, head of the Leningrad party, went even further: "To misuse the principles of communism in planning a great leap forward is subjectivism and idealism, which make failure inevitable."

The formal Chinese reply to these Soviet strictures is likely to be given at the upcoming opening of the Chinese Parliament. But its main lines already have been made apparent. Nei-bu Hsiao-hsi, a Chinese party news sheet, recently called the leaders of Russia cowardly devils and revisionists. Ching Pao, a Chinese Communist mouthpiece in the colony of Hong Kong, described Khrushchev as "an opportunist decked out in earth satellites, a man of small deeds, more stupid than Chiang Kai-shek." On a more authoritative level, the Chinese leaders still prefer to wrap up their attacks on their allies in the same indirect language the Soviets use. But Western demonologists, who spend their lives poring over the texts of Communist pronunciamentos, have been struck by a theme that increasingly seems to dominate Chinese propaganda. Its key word is "self-reliance," and the argument that goes with it is that the great Chinese people have no need of their faltering allies.

"If certain countries will not give China nuclear weapons," said Chou En-lai in a recent speech, "we will accomplish our own breakthrough."

Determined to go their own way, the Chinese have openly broken with their Russian allies in many key areas of the cold war. Two specific examples:

India

"You have only to shout across the mountains and we shall be by your side," Khrushchev told Nehru in 1956. Since then, the Chinese Communists have attacked India's northern province of Ladakh. Moscow responded to New Delhi's appeal for help with 16 helicopters and 8 planes. "Moscow," says an Indian official, "is on our side."

Latin America

The Chinese first began moving into Latin America by grace of the Soviet Union. Having an embassy only in Cuba, they were

forced to operate through the missions the Soviets maintain in the other Latin American countries. The Russians described the Chinese as friendly Socialist competitors. All that was soon to change.

By 1960, the Chinese were rivaling the Russians in their overall propaganda effort—exchanging more delegations (52 Latin delegations visited China in 1960, compared with 20 to Russia), and openly maintaining that Mao's path to socialism was better adapted to Latin America than that of the Soviets. Last year, the Soviets withdrew the diplomatic facilities they had granted their allies. Not one Chinese delegation was able to visit Latin America in 1961.

Closer to home, the Chinese and Russians attack one another's policies over their radio stations—Peking beaming Russian-language broadcasts to the Soviet Union which condemn peaceful coexistence; Moscow advising the Chinese—in its Mandarin-language broadcasts—that their communes will not work. Sino-Soviet trade is also running down fast. The total was down 25 percent last year, and today Soviet exports of machinery are being diverted to the European satellites and even to the neutralist countries (e.g., India). Meanwhile, the hungry Chinese have turned to the West for help. They have bought 2.5 million tons of grain from Canada, 2.2 million from Australia, and last week, they were angling for 6 million tons of U.S. wheat and barley over the next 3 years.

The effect of the Sino-Soviet feud on worldwide Communist diplomacy has been equally conspicuous. Soviet and Chinese diplomats cold shoulder one another at receptions, support opposing factions of local Communist parties, frequently lobby against each other's policies with remarks like "the Chinese are fanatics" and "you can't trust these Russians. They're Europeans, you know."

Such remarks prove the existence of a Sino-Soviet rivalry that is far older than communism—the animosity of the Slav for the Mongol, of the Asian for the European. In part, these antagonisms are a product of geopolitics. The eastern half of the Soviet Union is a vast empty land, teeming with untapped resources; China's population, which will pass the 1 billion mark by 1980, is bursting out of its own frontiers. Asked what he thought about the Chinese pressure on Siberia, a young Russian in a Moscow cafe said angrily last week: "The Chinese must keep out." A Red army veteran added: "The East is our second front."

IMPORTANCE OF IDEOLOGY

In themselves, such differences between Communist states need not make any difference to the overall solidarity of the bloc. The Western alliance, too, encompasses deep-seated differences between Japanese and American, Canadian and Turk. What makes the Sino-Soviet rupture deeper is the difference between the two main Communist Parties over the philosophical cement that is supposed to hold them together. That cement is ideology—the basic adhesive of all Communist societies.

The importance of ideology to the Communist is little understood in America. Yet it is vastly more important than was Hitler's "Mein Kampf" to the Nazis. Ideology is the taproot of the Communist system; it inspires every Communist policy and commands every Communist action. Once let the Communist world split over its doctrines, and the consequences can be as bitter as were those that followed Martin Luther's breach with the Roman Catholic Church.

The heart of Marxist-Leninist ideology is the claim that the Communists have discovered the science of history. This means—in Communist eyes—that it is possible to define the exact balance of world forces at any given point in time. Armed with this clairvoyance, the Communist can diagnose the scientifically correct approach that needs to be applied to hasten history along to the ends imagined by Karl Marx.

Few things have generated more friction between the Russians and the Chinese than this question of definitions, on which, says Nikita Khrushchev "everything depends." Unfortunately for Khrushchev, his view and that of the Chinese are worlds and decades apart. To the Chinese, the mid-20th century is "an epoch of wars and revolutions." World communism must therefore press on with the destruction of imperialism—by force. Khrushchev, however, defines the present era as "an epoch of the transition to socialism." Wars are therefore unnecessary because the economic advance of the Soviet Union will inexorably swing support away from capitalism.

From these widely differing interpretations of "scientific communism" the Chinese and Russians have drawn a variety of contradictory conclusions:

Can communism be achieved without violence?

KHRUSHCHEV. Yes. These [nuclear] bombs will not distinguish between Communists and non-Communists.

MAO. No. On the debris of [war], we shall build a new civilization a thousand times higher than the old.

Are material incentives indispensable?

KHRUSHCHEV. Yes. You cannot build communism while offering only machines and nonferrous metals.

MAO. No. [The only way] is revolutionary struggle.

Should Communists support "bourgeois parties"?

KHRUSHCHEV. Yes—when it suits their purpose. A proletarian people's state (can be set up) in parliamentary form."

MAO. No. A group of nationalist states under the administration of national bourgeoisie has emerged in Afro-Asia. These nations must undergo another serious struggle before the tasks of anti-imperialism are fulfilled.

ORIGINS OF THE RIFT

The origins of these ideological differences are embedded in the facts of Communist history. China is the only country—outside Russia—where the local Communist Party seized power under its own steam. In Eastern Europe, communism was carried forward on the tank treads of the Red army, but, in China, the Communist victory was a uniquely Chinese affair. It was won by a Chinese peasant army under the command of a vigorous Chinese revolutionary who had never been to Moscow and who owed little, if anything, to Russia.

Mao Tse-tung is often described as a "Stalinist." In fact, he had little love for Stalin, who, during the 1920's advised the Chinese Communists to join forces with the Moscow-trained Chiang Kai-shek. Chiang took the opportunity to decimate the Communists and later drove them from their base in the south to the northern province of Shensi. There they built up the power which led to final victory.

Once Mao had won, the Russians welcomed him to Moscow and signed a treaty of friendship. But Stalin never accepted the upstart Chinese as an "equal"; to the last, he thought of China as a satellite, not a partner. While Stalin lived, Mao did not dispute the primacy of the Soviet Union, whose support he urgently needed during the Korean war. But when Stalin died, and the Soviet Government was incapacitated by the jarring struggle for power among Malenkov, Beria, Bulganin, and Khrushchev, the Chinese pressed their claim that Mao is the "greatest contemporary theoretician of Marxism-Leninism."

The high point of Peiping's ideological ascendancy came in 1956. Khrushchev had just made his first onslaught against Stalin and his attack set off a series of upheavals that shook the Communist world. Poland under Gomulka began moving away from Soviet control. The Hungarians revolted—and had to be suppressed by Soviet tanks. Immediately, the Chinese moved onto the European stage in the role of mediators—between the Russians and their restive satellites. After Chou En-lai toured the capitals of Eastern Europe early in 1957, no one could mistake the fact that it was the Chinese who had helped Khrushchev to restore the tattered fabric of the Soviet empire.

Thereafter, the two giants began to move apart. Determined to industrialize China in a single generation, the Chinese leaders imposed Draconian controls on their people. They adapted Stalinism because only through compulsion could Mao extort the sacrifices that would be needed to achieve his great leap forward. The Soviet Union, simultaneously, was moving in the opposite direction. Having committed himself to catch up with the United States, Khrushchev quickly recognized that the scientists and managers on whom he depended to run an increasingly sophisticated economy no longer would rest content with shabby homes, a workhouse diet, and the rigid obscurantism of a Stalinist bureaucracy. Khrushchev therefore began to dismantle Stalinism.

It was precisely this dismantling process that brought the rift between Khrushchev and Mao to the point of an open break. For Khrushchev's sweeping revisions of Communist orthodoxy conflicted with the basic necessities of Red China's advance. Khrushchev gave orders that the transition to communism (1) must be gradual, (2) must be achieved not merely through idealistic fervor but through better living standards, and (3) must permit each country in the Socialist camp to advance at its own pace. The Chinese were horrified.

Simultaneously, Khrushchev revised the standard Stalinist line in Soviet foreign policy. Having moved the Soviet Union into the era of nuclear missiles, he understood—as the Chinese did not—the awesome facts of atomic war. Khrushchev's reaction was to seek a truce with the West—not out of any retreat from his belief that communism eventually will rule the world, but because he was now convinced that the Soviet Union could win by economic means.

To the Chinese, this was sheer heresy. For Khrushchev's brand of peaceful coexistence—dramatized by his trip to see President Eisenhower at Camp David—meant that Russia was more concerned with negotiating with the West than with helping the Chinese to recapture Formosa and liberate southeast Asia. China's fears were borne out when Russia refused to supply the fuel for Chinese fighters, that sought to master Chiang Kai-shek's air force over Quemoy and Matsu. The Communist air force lost.

On the 90th anniversary of Lenin's birth, the Chinese brought their ideological anxieties into the open. In a series of five formal statements they condemned peaceful coexistence as illusory and proclaimed in its place Mao's doctrine of rising in revolution and smashing the imperialist yoke. Khrushchev's sharpest reply—which finally set the seal on the Sino-Soviet split—was delivered at last year's 22d Congress of the Communist Party. As the delegates listened to his all-out attack on Stalin, Molotov, and Enver Hoxha of Albania, it soon became apparent that in the twisted language of Communist disputation he was really attacking Red China. The Chinese, said Khrushchev, are "hopeless dogmatists who, having learned by rote the general formula about imperialism, stubbornly turn away from life. They have become a brake and a ballast."

PUBLIC DISPUTE

When China's Chou En-lai rose in the Kremlin hall to answer Khrushchev's charges, any lingering pretense that the Communist bloc was still "united" was

cast out the window. For Chou split with Khrushchev all the way along the line. Where the Russian had denounced Stalin, the Chinese praised him—and went out of his way to lay a wreath on the old man's tomb. Where Khrushchev had spoken openly of a possible reconciliation with the United States, Chou denounced America as "the most vicious enemy of peace." Chou reserved the bitterest part of his speech for Khrushchev's attack on Albania. "To bare a dispute between fraternal countries," he said, "can only gladden the hearts of our enemies." And with that the Chinese delegation flew home to Peiping.

Since then, the ideological rift between Peiping and Moscow has steadily grown wider. When Khrushchev broke relations with Albania, China praised Hoxha as "our glorious friend" and signed a treaty of economic cooperation for 1962. Thus encouraged, the Albanian Communists moved under the Chinese wing, and from this protected position, charged Moscow with "anti-Marxist revisionism, no better than Tito's." Ever since, it has been virtually impossible for Chinese and Russian Communists to meet without attacking each other's doctrines. Some recent examples:

At a meeting of the Communist-dominated World Federation of Trade Unions, Khrushchev announced that those who do not understand the principle of coexistence should "clear their brains." The Chinese delegation therefore issued a separate statement that insisted on "unremitting struggle" against American imperialism.

In Stockholm, for the recent World Peace Council meeting, the Russians asked support for Khrushchev's disarmament proposals. The Chinese announced it was wrong to "beg for peace from the imperialists."

In Cairo, where the Association of Afro-Asian Writers held its congress last month, the Chinese delegation taunted the Russians with such questions as: "Are you for peace or for African independence?" A Russian delegate shot back: You are "distorting our stand."

Such is the evidence—and the etiology—of the Sino-Soviet rift. But for the West this remains only a part of the story. What matters more is to evaluate its significance, and to project, if possible, the likely effects of Sino-Soviet differences on Communist—and free-world—policies.

As yet it is hard to guess how wide the gulf may yawn. The tensions building up between the two party leaders have led some observers, mainly in Washington, to conclude that a break is a "50-50 possibility" within the year. One nagging crisis that could bring this about is the war in South Vietnam, where the United States is now committed to destroying the Communist Viet Cong. As most U.S. experts see it, America has both the power and the determination to crush the Viet Cong guerrillas; the Viets will therefore face a desperate decision: Either to accept defeat, or to apply to their sponsor, Ho Chi Minh of North Vietnam, for more men and equipment. Ho is thought unlikely to accept the risks of openly opposing the United States in South Vietnam without first getting a commitment from his Big Brother in Peking. And the Chinese, though chanting loudly about "hurling U.S. imperialism into the sea," are unlikely to get involved in a struggle with the United States without first ascertaining the attitude of the Soviet Union.

It is this "reverse domino effect" as one Western strategist described it, that may well confront the Soviet Union with an agonizing dilemma. Khrushchev would be caught between his desire to negotiate a detente with the West (so as to reduce the burdens on Russia), and his ideological obligation, as a Communist, to go to the aid of a revolutionary movement backed up by his principal ally. In the past, as in Laos, Khrushchev has managed to counsel restraint—without making any hard and fast choice. In the case of Vietnam, neither President Kennedy nor Chairman Mao will let him stay on the fence.

The United States is apt to say: "If you want peace with the West, hold back your allies in Vietnam."

Mao is apt to say: "If you do not help in Vietnam, we can only assume that a détente with capitalism is more important to Russia than the solidarity of the Communist movement."

What would happen if Khrushchev "let down" his Communist friends?

There are many who believe that this would be the signal for Mao to denounce Khrushchev as a "traitor to the Communist camp" and break off relations.

POLICY FOR THE WEST

Such a break, if it came, would be similar to the parting of the ways with Tito: A bitter ideological conflict, while government-to-government relations were continued. On the surface this could mean an enormous gain for the West. But it would be a mistake to expect, as some Congressmen have suggested, that this would quickly lead to the "defeat of communism." "A true split between the Soviets and the Chinese Communists," says one U.S. expert, "will be nothing for the free world to rejoice about. At least for the short haul the world would almost certainly be a more dangerous place to live in."

The Soviets, this man argues, would be "bending over backward" to prove to the Chinese that they are not selling out to the West. To prove this, they must be tougher, not softer. The Chinese, too, would be increasingly intransigent—if only to prove that they are the true inheritors of revolutionary zeal.

Over the long haul, however, the split, if it becomes permanent, could give the West a decisive advantage. Divided, communism may not fall, but it could be far easier to handle. U.S. experts are therefore studying—in Washington, at the Harvard Russian Research Center, and at the Rand Corp.—how best the United States can respond to the Sino-Soviet split, in order both to extend it, and simultaneously to reduce the risk of war. Prominent among these experts is a sharp-spoken young professor named Zbigniew Brzezinski, director of the Research Institute on Communist Affairs at Columbia University. Brzezinski, whose ideas have impressed Washington's top policymakers, offers his recommendations in the current issue of the New Republic. He suggests the West should respond to the differences within the Communist world by a policy of differentiated amity and hostility. Some main points of this policy:

1. The West should fraternize with the Soviet leaders.

"Good-will visits of heads of State," Brzezinski argues, "can contribute to further differences within the Communist world, so long as they do not lead to substantive concessions on our part."

2. The United States should at present continue to ostracize Communist China.

"American isolation of China is desirable," Brzezinski says, because "intense Chinese Communist hostility to America feeds back into the Sino-Soviet relationship and strains it." U.S. efforts to establish contacts with the Chinese could have the opposite effect—"inducing the Soviets to compete with us for Chinese favor, thus making the Soviets more militant."

3. The United States should recognize the Republic of Mongolia.

"Mongolia [was] established by the Soviets at the direct expense of the Chinese. Recognition of Mongolia by the United States as a form of accommodation with Russia would inevitably aggravate the Sino-Soviet relationship."

4. The United States should discourage Western pressure on the Albanians.

"It would be a bad precedent indeed," writes Brzezinski, "if the assertion of independence from Moscow by any Communist regime were to be followed immediately by the fall of that regime. This would inhibit further breaking up of the Soviet bloc."

The main point of this policy of differentiated amity and hostility is that the West should offer the various countries of the Communist world viable alternatives to bloc loyalty. Western statesmen should therefore "discuss publicly the problems with which the Communist societies contend—be it with agriculture or with their youth or with their political institutions—and should offer constructive suggestions for improvement." Such suggestions "would stimulate great interest particularly among the youth, and would have the effect of destroying the greatest domestic asset which the Communist leaders enjoy—namely, that since they have a complete monopoly on policymaking opposition to them, in effect, means opposition to social development and economic growth."

Whether the Western alliance, which does not lack for divisions of its own, can apply such a complex policy is open to serious doubt. Any efforts by the United States to exacerbate the rift between Russia and China might achieve just the opposite—driving the two parties to heal their differences. Yet even if bloc solidarity can be preserved, the national and ideological differences of the two great Communist Parties seem certain to persist. For in releasing Russian desires to live as well as the West while discarding the Maoist concept that revolutionary ardor can conquer the world in an age of nuclear weapons, Nikita Khrushchev has destroyed, irrevocably, the unified bloc of Stalin's day.

That is perhaps Khrushchev's greatest service—not to communism but to the Western World. That, too, is the real significance of the Sino-Soviet rift.

[From the New Republic, Mar. 26, 1962]

A POLICY OF PEACEFUL ENGAGEMENT—HOW WE CAN PROFIT FROM COMMUNIST DISUNITY

(By Zbigniew Brzezinski)

The purpose of containment was to prevent Soviet expansion; the purpose of liberation was to roll back Communist frontiers. These policies have ceased to be relevant. Both were based on the premise that there is a united Soviet bloc. In the sixties, however, the unity of the Communist camp is strained by the increasingly open Sino-Soviet dispute. In recent days the Poles have taken the unprecedented step of republishing a secret speech delivered by Luigi Longo in December, 1960, in Moscow, during which Longo charged the Chinese with slanderous attacks on Khrushchev; and Suslov, writing in Kommunist, has labeled support for the Albanians as "alien to the spirit of Leninism." The escalation of the Sino-Soviet dispute is evident.

From a defense point of view, one can perhaps still speak of a bloc in the sense that an attack by the imperialist enemy on any one member of the bloc would provoke ultimately a reaction from the others. But offensively, it is no longer a bloc. Rather, there are two constellations within it: the Soviet Union and the East European states, and the Chinese-Albanian alinement—supported on some issues by the North Koreans and North Vietnamese, although these last two parties prefer to maintain a neutral position insofar as the Sino-Soviet breach is concerned.

From the standpoint of Western policy, it is dangerous to assume that the internal conflicts of the Communist world will necessarily lead to a relaxation in international

tensions. The short-range consequence of a Sino-Soviet split might be to intensify Soviet tendencies to unilateral, go-it-alone behavior. If an open split takes place it will presumably involve mutual accusations, and the Soviets will be charged by the Chinese with excessive moderation. The split will produce factional struggles in most of the Communist Parties, and the Soviet leadership may find it necessary to demonstrate its revolutionary primacy by adopting a more rigid and violent policy toward the West. Indeed, it could be argued that as long as the two parties are linked by a relationship of divergent unity, the Chinese articulate more radical policies than those that they actually pursue, and the Soviets more moderate ones, in order to influence each other. A split might produce, at least in its immediate wake, greater Soviet militance and, conversely, greater Chinese moderation. The short-range consequence could thus be an intensification of world tensions. Nonetheless, the long-range consequences of a split are bound to be advantageous to the West, and might break the backbone of international communism and shatter its sense of inevitable triumph.

Secondly, it is always important to remember that Soviet inclination to placate Washington rather than Peiping is very much dependent on the Soviet assessment of the existing balance of forces, particularly of the American capacity to deal punishing blows to the Soviet Union in case of war. If the recent Soviet nuclear tests were to give the Soviet Union relative invulnerability from an American nuclear strike, it is quite likely that the Soviet leadership would be very much tempted to adopt a more aggressive policy toward the West, thereby closing the breach with the Chinese. Thus a situation of relative invulnerability from an American attack, with America still more or less vulnerable to Soviet missiles, would be a most unstable one. It would give the Soviet leadership every reason to favor more militant policies in hope of reunifying international communism.

It follows from the preceding that it would be hazardous to make concessions to Khrushchev on the assumption that he is to be preferred to other, possibly more militant Communist leaders. The paradox of the present situation is that concessions to Khrushchev weaken his argument with Mao by seemingly proving Mao's proposition that the West will yield if pushed hard enough. If the West had not been firm with Khrushchev in the past, it would have weakened his arguments and would have provided him with no impetus for risking an open break with the more militant Communists. As long as we remain credibly committed to fighting the Soviet Union whenever the Soviet Union attacks our vital interests, we give the Soviet leaders the survival-inducement to take chances even with Communist unity.

The Soviet leadership would prefer to have both Communist unity and peaceful victories. Our policy of firmness forces it to choose between the two, and, indeed, it may result in denying both objectives to it. Accordingly, it is essential that firmness, and a willingness to take even a higher degree of risk, should continue to characterize Western policy.

It is also misleading to assume that Khrushchev's fall from power would result in his being replaced by a Stalinist successor. The changes that have taken place in Russia since Stalin's death are very profound and Stalinism as a form of government is most unlikely to return. Indeed, Khrushchev, the innovator who had broken with Stalinism, is himself increasingly being challenged by a younger group of leaders who are beginning to view him as a man still tarnished with the Stalinist past. These younger leaders are not "Western-type liberals" in any sense of those words. They do, however, want a rational, efficient, highly centralized and modern Soviet system, which can mobilize popular support and initiative from below without yielding to it any degree of authority and policymaking. These leaders come from a post-Stalinist generation and it is among them that a struggle for succession is likely to to take place if Khruschev suddenly dies or is removed.

Furthermore, his removal at this time would probably be followed by a most debilitating struggle for power, given Soviet domestic dilemmas as well as the existing problems within international communism. In fact, these could come together and could result in bitter clashes, with many Communist parties from the outside participating for the first time in the internal resolution of Soviet politics. Soviet foreign policy would remain paralyzed for a long period, while the long-range consequences of such a struggle could be of far-reaching significance and could perhaps involve profound changes in the nature of that system.

In view of all this, it is very important that the policies we adopt toward the Soviet Union and the bloc encourage neither excessive militancy, nor optimism on the part of the various Communist leaderships, nor through excessive rigidity and hostility reverse some of the desirable trends already noted, both within the bloc and the Soviet Union itself. Since the Communist world has become very differentiated, it is extremely important that Western responses also differentiate between the various Communist countries. The policy of differentiated amity and hostility must have as its purpose to consolidate differences within the Communist world, to promote those trends which we view as desirable, and to discourage those which are dangerous to us. Specifically, I would recommend the following:

1. While maintaining firmness and yielding nowhere to Soviet pressure, it is desirable at present to adopt a policy of fraternization on the basis of firmness with the Soviet leaders. Exchanges of personal visits, common appearances on television, at some point even good-will visits of heads of state, can all contribute to further differences within the Communist world, so long as they do not lead to substantive concessions on our part. Indeed, so long as the West is firm in not yielding to Communist pressure, there is no reason why the West could not be the initiator of such contacts and exchanges. The option of whether to accept such invitations would be up to the Soviets, who would then be torn by conflicting desires. Frustrated by our unwillingness to yield, but unwilling to take risks because of the consequences of a war, the Soviet leadership might be tempted to accept such contacts in the hope of eventually wearing down Western determination. This calculation has to be considered and weighed seriously, but on the whole the advantages of such undertakings might well outweigh the disadvantages, provided that Western leadership succeeds in communicating to their own people the necessity both of firmness and of limited fraternization. In the meantime, the more militant Communist elites would be outraged by such Soviet-American contacts and this would further aggravate their relations with Moscow.

2. The application of the policy of differentiated amity and hostility to China would involve, in the present phase at least, the continued ostracism of the Chinese. American isolation of China is desirable as long as the Chinese continue their bitter ideological quarrel with the Soviets within the framework of pro forma unity. Intense Chinese Communist hostility to America feeds back into the Sino-Soviet relationship and strains it. The American willingness to repel by force Chinese aggression in Quemoy and Matsu in 1958, undertaken against Soviet advice, or at least without Soviet support, had the effect of shaking Chinese confidence in the utility of their alliance with the Soviets. At this stage it would be idle to try to establish contacts with the Chinese or to undertake economic relations with them. Initiatives of this sort could even have the effect of inducing the Soviets to compete with us for Chinese favor, thus making the Soviets more militant. Such initiatives would amount to rewarding the militants and punishing the moderates in the Communist world movement. More specific steps could involve informal urgings to the Indians to request Soviet arbitration of the Chinese-Indian frontier dispute, which would inevitably embarrass all the Communist parties concerned.

If an open Sino-Soviet split does take place, then sometime later it might be advisable for the United States to consider adopting a two-China policy. It is likely that such initiatives would be rebuffed by the Chinese. But if the Sino-Soviet split were to involve mutual accusations of heresy, it is possible that Moscow might be more sympathetic to such initiatives. Any ambivalence in the Soviet reaction to our two-China policy would further aggravate Sino-Soviet conflicts. In addition, at such a point it might be advisable to encourage our allies to trade more with the Chinese in order to break down the Soviet isolation of the Chinese and to make the Chinese less susceptible to Soviet economic pressure. But even here it would be important to avoid the impression of rewarding the militants within the Communist movement. It is to be remembered that at such a juncture the Soviet leadership would be under enormous pressure to redeem its revolutionary standing, and hence it will be imperative that we not give the Soviets cause to rush ahead with risky actions.

3. It is desirable for the United States to recognize Mongolia and to undertake official relations with it. The Soviet Union has been pledged to bring Mongolia into the international community, while the Chinese have shown a considerable lack of interest in this particular undertaking. Mongolia is a Soviet satellite, established by the Soviets some 40 years ago at the direct expense of the Chinese, and the increasing sense of Mongolian nationalism involves potential territorial claims against China, where many Mongolians reside.

Recognition of Mongolia by the United States as a form of accommodation with Russia would inevitably aggravate the Sino-Soviet relationship. It is to be noted that the American-Soviet arrangement in the United Nations, whereby Mongolia was admitted in return for a Soviet commitment not to veto Mauritania must already have strained Soviet-Chinese relations, since the consequence of this arrangement was that the United States gained some 20-odd French-speaking African votes against the admission of Red China. In effect, "objectively speaking," to use a Marxist category, the Soviet Union was collaborating with the United States in preventing the admission of Red China into the United Nations. A United States recognition of Mongolia would have a similar effect on Chinese national interests.

4. The United States should discourage any pressure on Albania from its Yugoslav and Greek neighbors, particularly efforts to overthrow the existing Albanian regime or to partition the country. It would be a bad precedent indeed if the assertion of independence from Moscow by any Communist regime, even an extremely anti-Western one, were to be followed immediately by the fall of that regime. This would inhibit further breaking up of the Soviet bloc, which is not in our interest. As things now stand, it might even be desirable to encourage some Western countries to aid the Albanian regime.

5. Nuclear weapons should not be given to the West German Army, since this provides Eastern European Communists with an extremely useful emotional argument for tightening links with the Soviet Union. Given the historical legacy of the Second World War, the West Germans should realize that it is incumbent upon them to minimize East European fears. The acquisition of nuclear weapons by the West German Army would intensify such fears, thereby consolidating bloc unity.

6. The Poles and the Czechs should be reassured about frontiers. Here, too, the West Germans could make a useful contribution by accepting existing territorial arrangements. The West Germans must realize by now that German reunification is not possible unless there is a substantial change in the relationship of East Europe and the Soviet Union. The days when the East German question could be resolved in isolation from that of East Europe are gone forever. Hence, whatever contributes to closer ties between East Europe and the Soviet Union contributes to the perpetuation of the division of Germany. Anything which weakens these ties brings unification closer. Western acceptance of the existing territorial arrangements would make Polish and Czech national security less dependent on the Soviet army.

7. Given the magnetic attraction which West European development has for East Europe, it would be useful to offer East European countries Western European and U.S. aid for their economic development, based on the principle of closer European socio-economic ties. Such offers could stress that the existing socio-economic division of Europe (leaving political matters aside) is unnecessary and harmful to the interests of the peoples, and that the West is willing to aid Eastern Europe so as to close the gap between our respective standards of living. Such offers would generate a great deal of popular sympathy and might even be welcome in some of the Communist elites, provided they were voiced without political overtones. They would certainly be viewed with suspicion by the Soviet Union, and they would be bound to provoke an outraged Chinese reaction. If accepted, they would contribute to the further differentiation of the Communist world. If rejected, they would again increase East European hostility to Russia, since most East Europeans would assume that Russia was responsible for the rejection. Such offers would also create increased popular pressure on the local Communist elites for improving living standards, and would presumably lead to louder demands for Soviet help in development. Either the refusal or the acceptance of our offer would be desirable from the standpoint of the West, since it would have the effect of either tying a part of the Communist bloc to the West, or of increasing the divisive forces already at work within it. An initiative of this sort would indicate directly the West's peaceful intentions in East Europe, an area of great Communist vulnerability.

8. The West, and particularly the United States, must increasingly address itself to the ideological and social problems which the Communist societies are facing. In discussing the future, the Communists never hesitate to offer prescriptions and guides to action. Today, the Communists world is facing a mounting ideological debate with many Communists engaging in sincere self-doubt and criticism. The dilemma which many of them face, however, is that there appears to be no alternative to their existing socio-economic and political system. The West should join in this dialog. Western statesmen in their speeches, which increasingly penetrate the Iron Curtain, should not hesitate to discuss the problems with which the Communist societies contend—be they with agriculture or with their youth or with their political institutions—and should offer not only criticisms but constructive suggestions for improvement. These suggestions could stress the compatibility of socialism and pluralism, of national ownership and personal freedom, and should try to stimulate a dialog concerning the future development of Communist societies.

The West has tended to abdicate discussion of the future to the Communists, and merely to restrict itself to negative criticisms of current Communist reality.

Authoritative statements by Western leaders, including the President of the United States, on the future development of Communist societies, would obviously be rejected by the Communist leaders as interference in their domestic affairs, but this rejection in itself would be a reflection of their sense of insecurity and of their fear of an open dialogue with the West. It would stimulate great interest among the youth, and might have the effect of destroying the greatest domestic asset which the Communist leaders now enjoy—namely, that since they have a complete monopoly on policymaking and on all sources of policy information, opposition to them, in effect, means opposition to social development and economic growth. An opponent of the Communist regime is normally without an alternative. To be against communism is to be against everything and to stand for nothing. By opening up such a dialogue, the West could change this.

The foregoing recommendations would allow the West peacefully to promote and exploit some of the major new trends within the Communist bloc. The policy of peaceful engagement requires both firmness, based on American power, and elasticity, derived from an understanding of the changing situation in the Communist world. Some leftwing critics of American policy would abandon the element of power. The rightwing abjures elasticity. An effective policy requires both.

ORDER OF BUSINESS

Mr. KEATING obtained the floor.

Mr. HUMPHREY. Mr. President, let me ask whether the Senator from New York is about to address himself to the unfinished business, or is he about to speak in regard to another matter?

Mr. KEATING. In regard to another matter.

Mr. HUMPHREY. I thank the Senator from New York.

PRESIDENT'S ECONOMIC GOALS UNREALISTIC

Mr. KEATING. Mr. President, our free economy is a most amazing phenomenon. Today, it is strong and vibrant. Over the years it has provided our country with greater abundance and prosperity than any other economic system ever devised.

We know from the great farm crisis behind the Iron Curtain and from the lack of consumer goods in that so-called workers paradise that our competitive economy is a great blessing. However, one of the most difficult things about a free economy is that, because everything is not planned and directed by the state, it is difficult to predict just how our economy will behave at any given time.

As all of us know, we tend to go through periodic adjustments, which in recent years have become increasingly more mild. While we must do everything possible to avoid recessions as well as periods of overrapid boom, I doubt that we can ever expect to eliminate them altogether. This is one of the costs of freedom. That is to say, there are certain things which are not predictable if men are allowed to do what they want to do and live in the way that suits them best. Freedom is not predictable, because freemen and their behavior are not necessarily constant.

Mr. President I should like to discuss today a serious situation regarding the performance of our economy which merits greater attention than it has recently received. The President in his Economic Report to the Congress this year made a number of strong and, I believe, overoptimistic predictions about the progress of our economy in 1962. He stated that our gross national product would reach a rate between $565 and $570 billion in the first 6 months of 1962. His economic report of January 22, 1962, says:

> In the first half of 1962, we may therefore expect vigorous expansion in production and incomes, with GNP increasing to a range of $565 to $570 billion in the second quarter, employment continuing to rise, and the unemployment rate falling further.

In 1961, our gross national product was $521.3 billion, so this is a terrific increase.

We are now receiving the data on the performance of our economy for the early weeks of this year. It is clear from the figures thus far available that our economy is not advancing with the rapidity which the President so boldly anticipated in January.

The opening weeks of 1962 have been characterized by a slight economic slowdown, which is not unusual in the early part of the year, but which will certainly not have a favorable effect on our economy, and more specifically on our gross national product.

Recent statistics show that business buying has not been growing as rapidly as the administration estimated. Industrial production has not increased at as fast a pace as it did in the comparable period of the 1958–59 economic upsurge. Similarly, the housing market has not improved as dramatically as had been hoped. Only limited gains have been recorded in heavy machinery, plant, and equipment spending.

Federal spending, too, has not grown as quickly as it did in fiscal 1961, during the early weeks of the fiscal year.

With regard to our international balance of payments, imports are rising while exports are slipping. Retail sales have also shown only limited improvement. A recent news story on retail sales by Myron Kandel of the New York Times says:

> The present level of the Nation's retail sales—up, but not much, from last year's figures—has left many retailers and economic analysts disappointed but not depressed.

Finally, unemployment, the most important human economic indicator, has remained remarkably steady in recent months. Our unemployment rate is now 5.6 percent. This indicates slight, but not marked, improvement. This rigidity in the number of jobless Americans is a cause for deep concern. It will take a lot of doing to bring our unemployment rate back into line. At present, there is unfortunately little evidence that we are making sufficient headway.

Mr. President, it appears that we are up against a new kind of gap, an economic gap between prediction and performance. We all want our economy to grow and prosper, and should support measures which will help it to do so within the context of our competitive enterprise system. But a fact is a fact. I believe it is extremely unwise and misleading to set economic goals that are so high that they are not likely to be attained.

Several weeks ago Secretary of Commerce Luther H. Hodges said that our economy would hit at least a $560 billion gross national product in the second quarter of 1962. This is $5 to $10 billion short of what the President predicted.

I ask unanimous consent to include in the RECORD at this point an article from this morning's New York Times in which Secretary Hodges is quoted again to the effect that the administration's 1962 economic goals are not likely to be attained.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ECONOMY IS FOUND BELOW ESTIMATE—HODGES PLACES TOTAL OUTPUT UNDER BUDGET FORECAST

WASHINGTON, March 27.—Secretary of Commerce Luther H. Hodges said today consumer spending had picked up but the economy was operating below the level predicted in President Kennedy's budget message.

This may mean a deficit in the 1963 administration budget.

Mr. Kennedy proposed spending $92,537 million in the fiscal year beginning July 1. He estimated record revenues of $93 billion and a $463 million surplus in fiscal year 1963.

Mr. Hodges told a news conference the gross national product—the value of all goods and services—would fall below the projected annual rate of $553,500 million predicted by Mr. Kennedy for the first 3 months of 1962. He said it would reach about $550 billion for the first quarter.

DROP NOT SERIOUS

However, he said, the drop is "not enough to be disturbing."

Mr. Hodges said it was unlikely the economy would hit the $565 to $570 billion level forecast for the second quarter.

In estimating revenues for fiscal year 1963, Mr Kennedy predicted a gross national product for $570 billion for 1962. Administration sources now say the likely figure for 1962 will be $565 billion. This would mean about $1 billion less revenues than was predicted for the year.

"I think, generally speaking," Mr. Hodges said, "the pattern of consumer spending, about which we have worried in the past few months, has gotten a little brighter."

He said personal income was at record levels and auto deliveries were 25 percent higher than a year ago.

Congressional action is expected to trim the President's budget. The House Appropriations Committee has already cut $290 million from five money bills.

However, the President yesterday proposed a new public works program that would add $350 million to spending. A tax revision bill awaiting a House vote would trim another $350 million from revenues.

Administration officials place their hopes for a balanced budget on increased consumer spending and a rise in capital investments by business.

Mr. Hodges also said the United States would probably reject any official request by either Communist China or North Korea for U.S. wheat and barley.

Last Friday, Mr. Hodges announced rejection of an American exporter's request for a license to ship $400 million worth of grain to those two Asian countries.

Asked if the license would have been granted had it come from official Chinese or Korean sources, he said:

"I couldn't answer you positively. My own feeling as of now is that we would probably turn it down."

Mr. Hodges announced that the Commerce Department planned to open a permanent trade center in Frankfurt, West Germany. No date was given for the opening. A similar center was opened in London last June. Another is scheduled for opening in Bangkok, Thailand, May 8.

Mr. KEATING. Mr. President, Secretary Hodges has had a hard time explaining this divergence. There appears to be a great deal of uncertainty within administration circles as to how our economy is doing and whether or not we are living up to the goals set by the President.

There is entirely too much second guessing going on. It is not healthy for our economy to be operating on speculation by the President of the United States. Businessmen frequently make their purchases on the basis of how our economy is doing. Investments in new products, new homes, and new machinery are keyed to their assessment of how our economy is doing. It must be recognized that sensitive psychological factors have a lot to do with the performance of our economy. This is true to a limited extent of consumer buying patterns.

Even though our economy is doing quite well at the present time, the fact that we are considerably behind the President's goals could make some businessmen and consumers decide against investments which they should actually make. This would be most unfortunate. We must deal in facts, not in predictions.

Mr. President, while our economy appears to be doing well, there are some who seriously believe that we could be in for a mild readjustment this year. As an example, a bulletin by the Industrial Union Department of AFL-CIO says:

> Despite the optimistic predictions of the administration's economic advisers, the possibility of a new inventory recession later this year cannot be lightly dismissed. Such a recession—starting with today's high jobless rate—could be devastating.

Further on this subject, Forbes magazine, in a recent comment on the economy, noted that the so-called forward indicators which generally give an advance indication as to how our economy will do, are, to put it in their words, "acting a little queasy."

I read again:

> When President Kennedy sent his annual Economic Report to Congress in January, he lined up firmly with the optimists, projecting a 10-percent gain in gross national product for 1962 (to an annual rate of $570 billion) and a $600 billion GNP by 1963.
>
> Last month, however, many of the optimists were having second thoughts. In January, the latest month for which detailed figures were available, the recovery had definitely faltered. Such key measures as industrial production, retail sales and personal income were all down from their highs of the previous 6 months. But what was most discouraging was that the famous "forward indicators"—the statistical measures that are supposed to tell where the economy is going rather than where it has been—were acting a little queasy.
>
> Looking at the forward indicators, one of the United States most eminent statistical economists, Leonard Lempert, concluded that the current resurgence may not last as long as most businessmen had hoped. Said Lempert, who runs a private service that analyzes economic indicators: "I think that there is a good chance that the forward indicators have already peaked out. In fact the chances are 7 in 10 that the economy will hit its actual peak sometime this year." Lempert was especially concerned by the fact that the majority of the economic pacesetters were below their highs of the past 6 months.

Mr. President, this technique of "goalsmanship," if I may call it that, on the part of the new administration is a brandnew departure. President Eisenhower did not follow this procedure. He deliberately declined to set annual goals, because he recognized that there would be serious consequences if we fell short of what he had predicted.

Mr. President, the new administration should take careful note of the discrepancy between promises and performance to which I have referred. I strongly urge that the President abandon his overheavy reliance upon economic predictions. Our economy does not operate on wishful thinking. It operates on the bases of investment, jobs, wages, consumer buying, and on the basis of hard work. These things cannot be fully predicted in a free economy.

There is a real danger in "goalsmanship," that is, building up expectations that are too optimistic. If we fall short of the President's goals in the early months of 1962, there is always the possibility that some sort of a business panic could be brought about by this fact alone. People are more sophisticated than this, but still we must tread lightly on the serious facts of economic life.

Mr. President, there is one further aspect of "goalsmanship" that is worthy of our attention. If our economy does not live up to the President's goals because these goals are too high, this will also mean that the Federal budget will undoubtedly be out of balance for fiscal 1963—July 1, 1962–June 30, 1963. Secretary Hodges hinted at this in the article above from the New York Times. On January 21, shortly after the President's fiscal 1963 budget was announced, I stated that I was very skeptical that it would balance.

Recently, there has been considerable evidence that the relatively small surplus which the President predicted is slipping away like sand in a windstorm. The President's $500 million surplus was predicated on several assumptions. First, that Federal revenues would be $93 billion and gross national production would be $570 billion, which many experts feel is too optimistic; second, that Congress would increase first-class postal rates, which is by no means a certainty; third, that tax revenues would be based strictly on existing tax schedules, which eliminates the possibility that if the Congress passes new tax legislation, there may be a resulting net decline in Federal revenues. All three assumptions are shaky. Furthermore, the budget does not take into account the possibility of a drop in tax receipts because of anticipated administrative action to liberalize certain depreciation allowances, as was done recently in the case of textiles.

The President's balanced budget does not seem to me to be balanced as far as the accountants and statisticians are concerned; although it may be balanced for the newspapers. This is a very serious matter. With today's complicated world economic situation, the soundness of the almighty dollar is of "A No. 1" priority. We cannot afford unbalanced Federal budgets in prosperous times, for we cannot risk the concomitant possibility that this would bring about inflation here at home.

Today, the financing of our Federal Government is not just a matter of domestic concern. Unwise economic policies and unfavorable developments at home have time and again resulted in an almost spontaneous outflow of gold from the United States to Europe.

We must not be narrowminded about budget balancing. We must recognize that when times are bad, the Federal Government can and should stimulate economic activity by means of a certain amount of deficit financing. But, this makes it absolutely vital that when times are good, we make up for these deficits.

Mr. President, let us have less wishful thinking on matters of such grave importance to our Nation as the level of national production and the condition of our Federal budget. This economic whistling in the dark is too dangerous for my money, and for everyone else's too; and we should place more reliance on what has been done and what we can do to improve the situation than upon these overoptimistic predictions.

RESOLUTION—ASHFORD ATOMIC DEVELOPMENT

Mr. KEATING. Mr. President, the Cattaraugus County, N.Y., Board of Supervisors recently expressed its interest and enthusiasm in the future progress of the Ashford atomic development site, with the hope that this site will become an important facility in the atomic program of New York State and the Nation.

The residents of this county favor this site, which they believe will add to the development of this area, provide substantial employment and economic assistance, and serve the best interests of the area.

I ask unanimous consent that their resolution be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION 113

Resolutions expressing interest of Cattaraugus County in the Ashford atomic development program

Whereas there has been established in the State of New York an office of atomic development; and

Whereas a site for atomic development has been established in the town of Ashford, Cattaraugus County, N.Y.; and

Whereas the development of the Ashford site will add very materially to the development of the area and will provide substantial amounts of employment and economic assistance to Cattaraugus County; and

Whereas the future development of the Ashford atomic development site will substantially serve the best interests of the people of Cattaraugus County: Now, therefore, be it

Resolved, That the Cattaraugus County Board of Supervisors does hereby express its interest and enthusiasm in the future progress of the development of the Ashford atomic development site; and be it further

Resolved, That the Cattaraugus County Board of Supervisors does hereby express its desire to be helpful and to extend every reasonable effort and assistance to the development of the Ashford site program, with the hope that this site will become an important facility in the atomic program of the State of New York and the United States of America; and be it further

Resolved, That the clerk of the board forward certified copies of this resolution to Gov. Nelson E. Rockefeller, to the director of the Office of Atomic Development of the State of New York, to the U.S. Office of Atomic Development in Washington, D.C., to Senator Pierce, to Assemblyman Moriarty, to Representative Goodell, and to Senators Javits and Keating.

TREASURY-POST OFFICE DEPARTMENTS APPROPRIATIONS, 1963

The Senate resumed the consideration of the bill (H.R. 10526) making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies for the fiscal year ending June 30, 1963, and for other purposes.

Mr. ROBERTSON. Mr. President, I wish to address the Senate on the pending bill, H.R. 10526, the appropriation bill for the Treasury and Post Office Departments, Executive Office of the President, and certain independent agencies for fiscal year 1963.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. ROBERTSON. I will yield with the understanding that I shall not lose my right to the floor.

Mr. HUMPHREY. The Senator from Virginia knows that some of our colleagues wished to be notified when the Senator started his speech, so I suggest the absence of a quorum.

Mr. ROBERTSON. Mr. President, I ask unanimous consent that I may yield for that purpose without losing my right to the floor.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Virginia? The Chair hears none, and it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HUMPHREY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. NEUBERGER in the chair). Without objection, it is so ordered.

Mr. ROBERTSON. Madam President, the Committee on Appropriations has authorized me to present a statement in regard to the pending bill. I therefore wish to present to the Senate, and for the permanent RECORD, a brief summary of what is in the bill.

The agencies covered by this bill have the responsibility of administering a total of nearly $15 billion of budgeted items. More than $9.4 billion of these items, however, are fixed and permanent indefinite appropriations which are not carried in the bill. The 1963 estimates in this category total $9.431 billion. Of this amount, $9.3 billion is for interest on the public debt, an increase of $400 million over the 1962 estimate.

The bill which is recommended to the Senate provides total appropriations of $5,526,558,000. This amount is an increase of $64,887,000 over the House allowance, $213,700,000 over the appropriations for 1962 and $48,828,000 under the estimates for 1963.

I repeat that statement. The amount is nearly $50 million under the estimates for 1963.

Increases over the House figures were approved by the committee on the basis of what it regarded as convincing testimony presented by competent departmental witnesses in support of their requests and in the belief that failure to appropriate the additional funds would seriously impair the capabilities of the agencies to perform their missions effectively and economically.

TITLE I—TREASURY DEPARTMENT

Appropriations totaling $983,135,000 are recommended in the accompanying bill for the regular annual requirements of the Treasury Department for fiscal year 1963. This is a decrease of $23.2 million in the estimates and an increase of $30.3 million over the House bill. The amount recommended is $53.9 million more than the 1962 allowance.

A large part of the increase mentioned was applied to the Internal Revenue Service. The committee recommended an appropriation of $492 million for salaries and expenses. As is stated in the report, the committee recommended a $17 million program increase over the House bill, consisting of $12 million in additional funds included in the bill by the committee and $5 million already in the House bill. This latter sum had been approved by the House for transfer to the Social Security Administration for reimbursement of costs of issuing taxpayer account numbers. It was the committee's belief, however, that these cost estimates were not yet firm and that reimbursement should not be made this year, although the $5 million was retained in the bill. This additional $17 million will provide for 2,034 average positions over the House allowance of 1,697 average positions, for a total increase of 3,731 average positions for 1963 over fiscal year 1962.

For emphasis I wish to repeat that figure. The bill we are recommending to the Senate carries funds for the Internal Revenue Service for 3,731 average positions more in fiscal year 1963 than were provided in fiscal year 1962. The additional cost of the 2,034 average positions is calculated at $14,921,000, and the difference of $2,079,000 will be available for career development grade changes, equipment improvement, training, and other maintenance expenses.

Testimony presented at the hearings amply supported, in the opinion of the committee, the request for restoration of these funds. The House had based its reduction on the premise that utilization of high-speed automatic data processing equipment should permit the Service to handle a greatly increased workload with fewer personnel. The reverse is true, according to information supplied at the hearings, when it was indicated that automatic data processing will increase—not decrease—staffing requirements due to the vast quantity of information processed by the machines which, in turn, will require more auditing and enforcement personnel.

Another major increase was contained in the Coast Guard appropriation for "Acquisition, construction, and improvements." The committee recommended an increase of $14 million over the House allowance of $25 million. The House bill had virtually eliminated the vessel replacement program while supporting completely the aviation program. It was the committee's judgment, however, that Coast Guard witnesses factually documented the agency's request for restoration of funds for the vessel replacement program and the committee recommends the full budget request of $39 million.

With respect to the operating expenses of the Coast Guard, the committee approved an additional $2,500,000 over that allowed by the House. These funds were appropriated to finance as rapid and complete a recovery as possible from the effects of the severe storm which damaged Coast Guard stations, boats, piers, and equipment of all types along the Atlantic seaboard earlier this month.

Madam President, I ask unanimous consent to have printed at this point in the body of the RECORD a letter from the Secretary of the Treasury, the Honorable Douglas Dillon, addressed to me as chairman of the subcommittee, which presents a preliminary assessment of the destruction to Coast Guard installations and equipment, and indicating that repair costs may exceed a total of $2.7 million.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE SECRETARY OF THE TREASURY,
Washington, D.C., March 15, 1962.

Hon. A. WILLIS ROBERTSON,
Chairman, Subcommittee on Treasury-Post Office, U.S. Senate, Washington, D.C.

DEAR SENATOR ROBERTSON: Along with great damage done to privately owned property, the recent March 6–7 severe storm has caused extensive damage to Coast Guard units along the Atlantic seaboard in the 1st, 3d, 5th and 7th Coast Guard Districts and at the receiving center at Cape May. These districts include the coastal States of Florida, Georgia, the Carolinas, Virginia, Delaware, Maryland, New Jersey, New York, and the New England coast. Many sections of the coastal areas are still sanded-in and flooded, and it will be some time before the full extent of the damage done can be evaluated. However, it is deemed advisable to report, at this time, that preliminary estimates indicate that costs of repairing damage may exceed a total of $2.7 million.

While damage has been substantial in the Seventh Coast Guard District (Florida, Georgia, South Carolina), damage was particularly heavy from Oregon Inlet in the fifth district northward. The majority of coastal stations in this district suffered serious sand and water damages to vehicles, boats, and heating plants. About one-third of the major structures are seriously damaged or undermined and an equal number suffered beach erosion, threatening future damage unless controlled. Small buildings, docks, and piers are destroyed at about half the stations. Telephone land lines suffered major damage throughout the area. Almost all stations require extensive clean-up of debris and sand, and water in some cases is several feet deep in and around buildings. *Chesapeake* light vessel and the *Cherokee* suffered damages to superstructure.

In the third district, the Indian River and Bonds Inlet Lifeboat Stations are considered total losses. Other stations suffered structural damages, destruction of docks and utilities systems, undermining of structures, flooding of buildings and basements, loss of fuel oil tanks, filling in or erosion of boat basins, and miscellaneous other damage. A total of 13 unmanned lights and radio beacons and 17 buoys were lost or sufficiently damaged to be considered a total loss. Boats at lifeboat stations suffered extensive hull damage and damage by submergence, and three boats were lost. Electronics and communications equipment were damaged or lost, while vehicles at lifeboat stations were badly damaged by sand and salt water.

Although damage was relatively light along the New England coast in the first district, the Cape May Receiving Center suffered extensive damage from flooding, beach erosion, and wind and wave action. Piers were undermined, roofing and structural damage incurred, while two small buildings were totally destroyed. Great quantities of sand were deposited about the station.

A recapitulation of current estimates of damage, by type of unit, is as follows:

Structure, vehicles, and buoys	$2,262,100
Electronic equipment and land lines	197,700
Vessels and boats	230,750
Total preliminary estimate	2,690,550

In addition to the damage on the Atlantic coast from the March storm, Hurricane Carla of last September likewise caused extensive damage to Coast Guard facilities. The estimated cost of repairs of such damage is $1.2 million, of which $438,000 will be required to replace Port O'Connor Lifeboat Station, Tex.

It will be some time before a complete assessment can be made of additional fund requirements that may be needed to cover all of the above storm damage repairs. However, it is considered advisable to bring the matter to the attention of your committee at this time to describe an unusual and unforeseen event which has created additional demands on the Coast Guard. A similar letter is being sent to the chairman of the House Appropriations Subcommittee.

Sincerely yours,

DOUGLAS DILLON.

Mr. ROBERTSON. Madam President, for "Retired pay," the committee allowed the full budget request of $32.7 million. This $700,000 increase over the House bill was approved as a result of testimony that the reduction proposed in the House bill would require postponement of retirements to which military members are eligible pursuant to existing law.

For the "Office of the Secretary," the committee provided $4,540,000, an increase of $60,000 over the House bill. This additional sum will finance five top-level positions, which the Secretary requested and which the committee felt were fully justified in testimony presented before it.

With respect to the Bureau of Customs, the committee recommended $65,300,000, $700,000 over the House allowance. This increase will provide for 100 additional enforcement officers, plus funds for 25 additional police-type automobiles and related equipment, which testimony revealed were necessary to provide enforcement coverage at presently unmanned or undermanned sea and air ports. The committee was advised that four of the major enforcement problems confronting the Division of Investigations and Enforcement are the smuggling of narcotic drugs and marihuana, the smuggling of watches and watch movements, the smuggling of diamonds, and the unlawful exportation of merchandise to Cuba. There has been an increase in the smuggling of all drugs with the exception of heroin, where there has been a decline.

For the Secret Service, "Salaries and expenses," the committee has allowed $5,650,000, an increase of $850,000 over 1962 and $350,000 above the House bill. This $350,000 will finance the cost of 30 additional positions, including 25 more agents, and will provide for 15 additional police-type automobiles, as well as Presidential travel, supplies, and equipment costs. These funds were approved to strengthen the agency's capability to curb the increase in counterfeiting and to reduce the growing backlog of check and bond forgery investigations.

Other Treasury items included in the bill and for which no restoration appeals were made appear in the report which is before the Senate.

TITLE II—POST OFFICE DEPARTMENT

The committee recommended appropriations for the Post Office Department totaling $4,528,100,000. This is an increase of $159.6 million over 1962, $34.5 million over the House amount, and $25,594,000 under the estimates for 1963.

Regarding the budget request of $247.8 million for "Payment for public services," the committee agreed with the House in disallowing this request because of pending legislation on the subject. The committee in its report did, however, specifically reserve the right to consider the matter at a later date in the event the substantive legislation does not remove the responsibility of the Appropriations Committees to fix the amount for public services.

For "Research, development, and engineering," the committee approved $12 million, $2 million over the House allowance. The committee is of the opinion that this amount is required to implement a sound and well-balanced research program to develop new methods and equipment for the postal service.

For "Operations," the committee approved an additional $13.5 million over the House allowance of $3.535 billion, to provide funds to handle an estimated increase in mail volume of 3.9 percent. The House allowance had been based on an increase of only 2.9 percent, but the committee felt that this estimate was too low. The sum recommended by the committee will thus finance 502,537 average positions, an increase of 12,514 over the fiscal year 1962 figures, an increase of 2,817 over the House bill, and a decrease of 2,816 in the budget estimate.

An additional $9 million over the House allowance of $590 million for "Transportation" was provided in order to finance essential transportation requirements based on a mail volume increase estimated at 3.9 percent.

For "Facilities," the sum of $173 million has been appropriated, an increase of $6 million over the House bill, but $4 million under the budget estimate.

For "Plant and equipment," the committee recommended an appropriation of $120 million, including restoration of $4 million of the $6 million reduction proposed in the House bill, which reduction, the committee was informed, would have been applied against new major post office buildings and the replacement of a number of the so-called mailsters.

TITLE III—EXECUTIVE OFFICE OF THE PRESIDENT

TITLE IV—FUNDS APPROPRIATED TO THE PRESIDENT

The total appropriations recommended for titles III and IV of the bill, Executive Office of the President and funds appropriated to the President, amount to $12,864,000, $21,000 over that appropriated in 1962 and $77,000 over the House bill.

The latter sum of $77,000 was restored by the committee to the Bureau of the Budget in approving the full budget request of $5,677,000. This restoration does not provide funds for the hiring of additional personnel, but simply permits the Bureau to maintain its present employment level, which would not have been possible under the House allowance.

Amounts appropriated for other items in title III of the bill, Executive Office of the President; Title IV: Funds appropriated to the President; and Title V: Independent agencies, including the Tax Court of the United States, are detailed in the committee report which is before the Senate.

Madam President, I thank the members of the Treasury and Post Office Appropriations Subcommittee for the very valuable aid that they gave in preparing the report and recommendations for the full committee, which was accepted with very little change. I particularly wish to pay tribute to the Senator from Nebraska [Mr. HRUSKA] for the fine work he did on the subcommittee and the help he gave us in the subcommittee and in the full committee in bringing to the Senate the report I have presented.

Mr. HRUSKA. Madam President, all Members of this body are well aware of the many fine qualities and attainments of the junior Senator from Virginia who serves as chairman of the Appropriations Subcommittee on Treasury, Post Office, and Executive Office. He has a vast reservoir of knowledge as to operations and other detail pertaining to the many activities embraced in all of the Federal Government's branches, departments, and agencies.

In the past several weeks he demonstrated his particular proficiency in the area of the operations of the Treasury and Post Office Departments. It was a pleasure to participate with him during the hearings and deliberations pertaining to the financial allocations to be made to these two Departments for the fiscal year 1963.

I should like to commend and to congratulate him upon the net results which are set forth in the bill and in the report. Also I should like to express my personal gratitude for the courtesy, the patience, and the understanding which he unfailingly extends to the Senator from Nebraska at all times but especially during our subcommittee deliberations.

This bill is one of the larger of some 14 or 15 appropriations bills which the Congress will act upon this session. It calls for a total of almost $15 billion—$14,967,635,000.

This total includes, however, almost $9.5 billion—$9,431,077,000—permanent appropriations fixed by law over which we have no direct control. In fact, $9.3 billion is for the estimated interest on the public debt in fiscal year 1963, an $800 million increase over last year's original estimate.

Later in these remarks I shall have some comments to make on this.

The distinguished chairman of our subcommittee has outlined the principal points and amounts of this bill. He has done so well. At the risk of some repetition, the following items are called to the attention of the Senate.

TREASURY DEPARTMENT

For the regular activities of the Treasury Department—as distinguished from its permanent appropriations—a total of $983,135,000 is recommended by the Senate Appropriations Committee. This is $23,208,000 below the President's request. But it is $30,310,000 above the amount of the House bill.

Two classes of items account for the bulk of the difference between the Senate and the House bills:

Enforcement personnel:	
Bureau of Customs	$700,000
Internal Revenue Service	14,921,000
Secret Service	195,000
Total	15,816,000
Coast Guard:	
Operating expenses	2,500,000
Acquisition, construction, and improvements	14,000,000
Retirement pay	700,000
Total	17,200,000

There were miscellaneous increases over House allowances. There was also a reduction of $5 million reached by elimination of the amount the Internal Revenue Service sought for transfer to the Social Security Administration for the cost of issuing taxpayer account numbers. Since the exact cost of this operation cannot yet be determined, it was felt by our committee that the Social Security Administration should eventually secure funds for this operation directly, instead of an advance through the Internal Revenue Service.

ENFORCEMENT PERSONNEL

Very extended and detailed justifications were made by the Bureau of Customs, Internal Revenue Service, and Secret Service for an increase of personnel for enforcement activities. In all fairness it must be said that each of these agencies is confronted by increased workload.

For example, the Bureau of Customs must accommodate a great increase in air travel and shipment which has added much to the demands on their manpower. The Internal Revenue Service is engaged in a long-range plan to increase their capacity to deal effectively with the ever-increasing number and complexity of tax returns. The President's budget request for 4,514 additional personnel for the coming fiscal year represented a 7.1-percent increase in personnel over fiscal year 1962 as part of the 9-year program calling for a 96-percent increase in personnel. And in the case of the Secret Service the large and disquieting increases in counterfeiting activities and in bond forgeries, together with increased travel of the Presidential family in a world of acute tensions impelled a request for 80 additional positions consisting of 58 agents and 22 clerks.

That some increase in enforcement personnel in these three agencies should be made was not questioned by the committee, even though this meant increasing the regular budget a great deal over last year. The difficult question to resolve is as to the rapidity with which new personnel positions will be added. The House-approved bill recommends an increase of approximately 2,000 new positions. Our committee reached the decision that this was inadequate to satisfy the requirements detailed in the several justifications. The total of $15,816,000 allowed by our committee will furnish 100 additional enforcement officers for the Bureau of Customs, 2,034 average new positions for the Internal Revenue Service, and 25 additional special agents and 5 clerks for the Secret Service, over and above the smaller additions allowed by the House.

These new positions were decided upon after a thorough discussion in the full meeting of the Appropriations Committee. There was argument advanced for even greater increases by some of its members. It is hoped, however, that no attempt will be made to increase the numbers actually allowed as already indicated.

COAST GUARD

The Senate Appropriations Committee recommends restoration of the $2.5 million for operating expenses cut by the House. In reality, the committee concurred in the House bill total of $217.5 million for this item. However, between passage of the House bill and the markup of the Senate bill, the devastating storms in the Delaware, Virginia, and Maryland coastal areas occurred, resulting in sufficient damage to warrant the addition of $2.5 million in the recommendations of our committee.

The item of $14 million for acquisition, construction, and improvements was added by the Senate committee upon presentation by Coast Guard witnesses of detailed programing for vessel replacement, the previous lack of which impelled the House to omit this entire

amount. That House action was by way of a rap on the knuckles to get the Coast Guard to come up with a detailed, long-range vessel replacement program similar to their House-approved aircraft replacement program. This has now been done to the committee's satisfaction.

Before going on to briefly mention some items in the Post Office Department budget, I would call the attention of my colleagues to the largest single item in the whole bill and, after funds for defense, the largest item in our national budget—the $9.3 billion for payment of interest on the national debt. Over this sum, as I have said, we do not have direct control. Your Committee on Appropriations cannot set the amount, or even the limit—interest on the debt must be paid.

But we do have a direct responsibility in the Senate as a whole, as well as on the Appropriations Committee, to exert every effort to control the growth of the national debt so that the permanent appropriation in this bill for payment of interest on the debt does not grow out of all proportion to our regular budget. The last Eisenhower budget, which was for fiscal year 1962, estimated the interest payments on the national debt as $8.5 billion. That last budget was planned to be a balanced one. However, increases in expenditures effected since January 20, 1960, have put that budget seriously in the red. One of the many serious results of this fiscal imbalance, which most estimates now put at about $7 billion, has been an estimated increase of $400 million in debt-interest payments. For this upcoming fiscal year the Kennedy administration estimates interest on the debt will again increase by $400 million.

This constant rise in interest costs is the result not only of greater deficit spending but of substantial increases in interest rates, particularly long-term loan interest rates, set by the Government. Of the estimated $400 million rise in fiscal year 1962 interest payments in the debt, Representative CURTIS of Missouri has stated that roughly $124 million of this resulted from an increase in the debt and the remaining $276 million resulted from the increase in interest rates on outstanding bonds. As to increasing the interest rate, I note that the Treasury has resorted to the unusual and very unbusinesslike practice of calling in low-interest bonds—2½-percent bonds, which have as much as 10 or 12 years before they mature, and refinancing them with 3½-percent long-term bonds.

Thus, even if the Kennedy administration did not increase the amount of the public debt—and let me interpose here that I shall not care to make such a prediction—under the present administration policy of increasing interest rates on long-term loans, the numbers of which are also being increased in relation to short-term loans, the interest payments on the debt will continue to rise, year by year. The fact is that long-term loans are being substituted for short-term loans at even higher interest rates and this does not square with the announced intention of this administration to hold interest rates down.

This is not speculation, it is fact. We also know as fact that the Kennedy administration seeks to raise the debt limit; that if the final $8 billion raise in the limit is voted before June 30, 1962, as requested, the limit of the national debt will have been raised by $15 billion in 1 year. Of course, we are told that this administration actually plans to have a surplus in the budget now under consideration. This does not square with the request for a higher debt limit—up to $308 billion.

I am gratified that the chairman of the Senate Committee on Finance, the distinguished Senator from Virginia [Mr. BYRD], has stated that he and his committee will conduct a thorough examination of the financial position of the United States in connection with the request for an $8 billion raise in the debt limit.

I am gratified that other members of his committee plan to join with him in making "an exhaustive study" of this issue, and I join with them in supporting his contention that "continually raising the debt limit is only temporizing with dangerous deterioration in the Government's basic fiscal condition." All Members of this Congress, and the public, are entitled to know what Senator BYRD has called the "hard facts as distinguished from fiscal fantasy" on this most important issue.

Madam President, I have digressed, but I could not let this budget item of $9.3 billion for payment of interest on the national debt be voted by the Senate, even though it is automatic under our laws, without calling attention to the fiscal threat to our economy represented by this ever-increasing, seemingly never-decreasing, budget item.

I will now conclude with some comments on the Post Office Department section of the bill before us.

POST OFFICE DEPARTMENT

The total recommended by your committee for this Department is $4,528,100,000. This is an increase over the appropriations for the current fiscal year of almost $160 million—$159,600,000. It is almost $26 million—$25,594,000—below the President's budget request, but it is $34,500,000 above the House bill.

The increase above the House bill is accounted for by the following items:

Research, development and engineering	$2,000,000
Operations	13,500,000
Transportation	9,000,000
Facilities	6,000,000
Plant and equipment	4,000,000
Total	34,500,000

The largest of these is the item of $13,500,000 for operations. The total amount for this activity is based upon the estimate of mail volume. This estimate in turn pretty much reflects the projections of the estimator as to business conditions. The President's estimate of a 4.9 percent increase in mail volume was obviously much too optimistic for those who were responsible for passage of the House bill. They did not think that business would flourish sufficiently to warrant the conclusion that there would be an almost 5-percent increase in the mail volume. The figure chosen by the House was considerably less, in fact, only 2.9 percent, which is $27 million less than the President's budget request. Restoration of one-half of this amount was deemed wise by your committee. This will accommodate a mail volume increase of 3.9 percent. In this same category is the item for transportation where the House cut of $11,500,000 under the President's estimate was considered much too severe. In fact, to the extent of $9 million, which was the amount restored.

The $6 million increase for facilities is recommended by your committee notwithstanding some misgivings which exist in regard to the building program.

The funds for facilities will provide for adequate lease-purchase of buildings and, with proper selections of sites for new build-lease situations, modernizing and improving services in areas long overdue for such treatment will go forward.

The $4 million increase in plant and equipment applies especially to the number of mailster vehicles which are now reaching a stage calling for replacement in large number.

Madam President, that concludes my remarks on the Treasury-Post Office appropriation bill. I do not think the remaining items in the bill need be elaborated. I again wish to express my admiration for the leadership provided the subcommittee by the distinguished chairman from Virginia.

Mr. ALLOTT. Madam President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. ALLOTT. The Senator from Nebraska [Mr. HRUSKA] has just made a statement in which he gives great praise to the Senator from Virginia for the work he has done in the committee and as chairman of the subcommittee. I wish to add my commendation. As a whole, I believe the bill represents a sound piece of work on an extremely difficult appropriation. I shall discuss one phase of the appropriation bill a little later, not with a view to changing it in any way, but to bring out some matters that should be called to the attention of the Senate.

Mr. ROBERTSON. I thank the Senator from Colorado. A very efficient staff member on the committee, Mr. Tom Scott, worked very hard through all the hearings. He has been most helpful in every respect.

Mr. HUMPHREY. I extend my thanks to the distinguished subcommittee chairman, the Senator from Virginia [Mr. ROBERTSON] for the able manner in which he undertook the heavy responsibilities of managing the pending appropriation bill. It is a hard task, and, sometimes, a thankless one. As usual, the Senator has done an extraordinarily good job. I join in his commendation to Mr. Scott. The Appropriations Committee is blessed with a good staff, and no member of it does a finer job than Tom Scott.

I am confident that the Senate will support the Appropriations Committee in its recommendations on the pending Treasury-Post Office appropriation bill. But there is one part of this bill that requires special consideration. That is the appropriation for the Internal Revenue Service.

The administration has requested funds to hire 4,513 new employees. The House allowed for an additional 1,697 positions and the Senate Appropriations Committee provided for 2,034 positions over the House increase, for a total of 3,731.

Secretary Dillon told the Senate Appropriations Committee:

> The 1963 budget estimates provided approximately $27.2 million for increasing the number of positions (in the Internal Revenue Service). Of this amount, $11 million was needed simply to keep up with normal growth in the workload; that is, to maintain the current level of enforcement. Another $16.2 million was requested to expand the staff to increase audit coverage and raise the enforcement level.

In my judgment, Madam President, Secretary Dillon made a most convincing case for these additional positions. I was disappointed at the House action and I regret that the Senate Appropriations Committee did not see fit to grant the full money request. When we considered this matter in committee I expressed concern over the failure to grant the full request—especially in view of the fact that when this bill goes to conference it is safe to assume that the House conferees will try to cut back on the Senate-passed increases. I earnestly express the hope that the Senate conferees insist on maintaining the Senate figure as a minimum.

We cannot afford a cut-rate tax agency. If we do not spend enough to have an efficient and effective tax agency, we will not collect the revenues we thought we provided when we enacted the tax laws. Our unequaled system of voluntary self-assessment will work only so long as our fellow citizens have reasonable assurance that everyone is paying his fair share. This leaves us no choice but to have a strong administrative and enforcement program.

Now I know that there is a practical limit to how big the tax agency force should be. But the facts are clear that we are far from that point. The facts are first, the present number of employees in Internal Revenue—about 58,000—is less than it was 16 years ago; and second, tax enforcement is spread so thin that the experts estimate approximately $24.4 billions of income which should be reported on income tax returns does not actually show up. This means that the vast majority of American taxpayers, who conscientiously pay their taxes, are in effect shouldering an additional burden.

It is well known that every dollar spent on tax enforcement brings in many times what it costs. Secretary Dillon told our committee that for every dollar spent in tax enforcement, the Government realizes a return of $6. A 6 to 1 return, that seems to be a sound investment—especially to anyone interested in fiscal responsibility and in balancing the budget.

It is argued that the new automatic data processing machines now being installed in Internal Revenue will take the place of many of the people asked for by the Service. The new electronic machines are indeed wonderful. But they do not take the place of people in examining returns, making investigations, and doing the many other complex tasks which are essential to tax administration. Basically, the machines will take over and do a better and faster job of the paperwork functions heretofore done by clerks. Some of the machine operations will be of great assistance to the enforcement people. By comparing lists of those who should have filed tax returns with those who actually did file, the machines will provide quick clues which human investigators will have to run down. Similarly, the machines will be able to compare outside information with information on tax returns and will be able to detect figures that are so out of line that they warrant inquiry. But there is nothing that the machines will do—I repeat—which will lessen the need for trained professional internal revenue agents, revenue officers, intelligence agents, and other skilled personnel. Rather, the clues furnished by the machines will provide more work.

If this were a temporary problem I would be less concerned. But this is a long-range problem and I urge the Senate to take a stand today, not only for the 1963 appropriation but also for the years ahead. A few years ago, the Treasury Department made some studies to determine the minimum requirements for tax enforcement which were calculated to maintain the voluntary self-assessment system of which we are so proud. Out of these studies came the basic concept that the Internal Revenue Service should be auditing or investigating at least 10 percent of the income tax returns. This required very large increases in trained personnel. In fact, the increases were obviously larger than could be recruited and trained within a single year. Accordingly, the Treasury came to us a few years ago with a long-range plan designed to hire and train people over a period of years so as to reach the necessary level of enforcement.

At the present time, only 5.9 percent of the returns are being audited or investigated. The President estimated that if we appropriated the funds he asked for fiscal 1963 it would increase the percentage to 6.3 percent.

In this connection we must bear in mind that the population is growing, the economy is expanding, and this is producing larger numbers of tax returns every year.

Actually, half of the additional personnel requested by the President for the Internal Revenue Service for 1963 is merely to keep enforcement even with the growing number of returns.

The House-passed measure not only eliminated all of the money needed to expand the enforcement program, but also failed to provide enough people to maintain the existing level of enforcement.

Madam President, I do not enjoy paying taxes any better than anyone else. We all understand that our defense programs and other essential programs require vast amounts of money. This money must come from taxes.

The American people have demonstrated over and over again that they will support taxes which are fairly levied and uniformly collected.

We are, of course, paying high taxes. The President and the Congress all hope that the day will come when we can reduce them. In the meantime, the least we can do is to back up our tax enforcement agency so that everyone is paying his fair share and no one is required to carry another man's burden.

A substantial part of the tax that is evaded is due from racketeers and crooks. An important part of the funds being asked by the Internal Revenue Service are dedicated to cooperating with the Department of Justice in an organized crime drive which has as a double purpose the curbing of crime and the collection of the taxes owed by the criminal element. I am sure that no one would want this program hindered in any way.

There are, in addition, thousands of other cases that need auditing. In a great many cases, there are honest mistakes to be corrected. In many other cases there is petty chiseling to be thwarted.

I hope the Senate will not get from my remarks a pessimistic view of tax collection. The facts are that in the past year, 97 percent of our revenues have come in through the regular voluntary, self-assessment channels. Only 3 percent were collected through direct enforcement efforts. This is a high tribute to the integrity of the American people. But we cannot expect them to maintain this kind of a record unless we provide the enforcement which assures them that every reasonable and practical effort is being made to prevent others from avoiding their fair share.

I urge the Senate to support the committee's recommendations in this bill, and when the bill goes to conference I hope the Senate conferees will stand firm for the Internal Revenue appropriation contained as approved by the Senate.

I shall not offer an amendment or any proposal to restore the full amount, because I feel that once the committee has acted after due deliberation on an issue of this kind and has exercised its valued judgment on it, we should support the action of the committee.

However, I wish to emphasize one point to my good friend from Virginia. Knowing what magnificent work he did on this issue a year ago, I hope that when the Senate conferees go into conference with the conferees of the other body, the Senate conferees, under the generalship of this great, stalwart gentleman from Virginia, will stand firm and that the Senator from Virginia will stand with the militancy of a General Marshall or a General Stonewall Jackson—the Senator can pick one of those able commanders from either century—and support the action of the Senate.

I say this seriously, because I believe that the number of enforcement agents bears directly on the amount of money the Treasury Department is able to collect. Moreover, this increase in the

number of agents is needed in the fight against organized crime. I believe the record is very clear on that subject.

The Senate committee restored some of the funds, and that action was commendable. However, I should like to hear from the Senator from Virginia, in his own clear, honorable, and straightforward manner, a statement of his views on the proper attitude of the Senate conferees on this particular item.

Mr. ROBERTSON. Madam President, in the first place, I thank the distinguished Senator from Minnesota for the very fine compliment he has paid me in attempting to bring a satisfactory bill to the floor of the Senate. I also want to say, in connection with my thanks to the Senator from Nebraska [Mr. HRUSKA], that one does not always find Republicans who will say, "Let us increase the number of jobs that will be filled by a Democratic administration."

Mr. HUMPHREY. Very seldom; but it is refreshing to hear it.

Mr. ROBERTSON. We were convinced that there would not be any politics in connection with these appointments. We cannot guarantee it, of course.

Mr. HUMPHREY. But we will try.

Mr. ROBERTSON. On the basis of the assurances we could obtain, the appointments will be made strictly on a merit basis. The testimony was that each man would collect $6 in revenue for each dollar invested. We cannot guarantee that, either, but if they can collect that much, that will be quite a sum. Considering last year's record, it was said, "You cannot recruit and retrain these men." We recruited and trained the men. This year it was said that the agency should not get these men because computing machines made them unnecessary.

The answer to that is that the computing machines are revealing so much about what people are not paying that we need more agents to examine the facts revealed by the machines. As a result, it is hoped to get more tax revenue into the Treasury.

So we said we would compromise.

I appreciate the Senator's reference to Stonewall Jackson. He saved the First Battle of Manassas for the Confederacy. Generals Bee, Bartow, and Evans all had been driven in. Then Bee, with his hat off, rushed up to Jackson and said, "General, they are driving us back."

Jackson said to him, "We will give them the bayonet!"

General Bee galloped back to his troops and, rallying them, said, "Look, there stands Jackson like a stone wall. Rally behind the Virginians."

The only trouble is that I shall probably meet another Virginian from the House in the conference committee, and I may have to give a little. However, I plan to stand firm and try to bring back what the Senate has done on this item.

Mr. HUMPHREY. Having been in the company of two very able and distinguished Virginians, the junior Senator from Virginia and the senior Senator from Virginia, who is my seatmate in the Senate, I have no doubt about the durability, the ability, the competence, and the generalship of these Virginia gentlemen. I have tasted defeat at their hands. On the other hand, I have been filled with joy whenever we have stood together in victory. This time I have all the confidence in the world that the Senator will stand like Stonewall Jackson and that his conferees will rally behind him.

Mr. ROBERTSON. We will do the best we can. We feel that our cause is just. We will insist on the amount allowed by the Senate. The Senator from Nebraska and I agreed on this amount and said that we would stand for it. We agreed that this was not a trading figure, but one which we could support in conference.

Mr. HUMPHREY. As the Senator will recall, the Treasury Department hoped to be able to audit about 10 percent of the income tax returns. Last year about 5.9 percent were audited and investigated. In fiscal year 1963 the request from the Treasury Department was that they be permitted to audit about 6.3 percent. But the new figure that has been agreed upon by the Senate committee would permit around 6 percent of the audits. This plus the automatic computer machines to which the Senator has referred ought to improve the enforcement program. From all I have observed, I think this is a good, wise investment, as has been stated. I hope that we shall be able to come out of conference with the Senate figure.

Mr. ROBERTSON. When the hearings on the tax bill started this year, we were led to believe that there would be some reduction in taxes. Now it appears that the reduction will not amount to very much. It is hoped to collect about $600 million of interest and dividends that had been omitted by taxpayers from their returns. It had been testified last year that the Government would lose about $4 billion by the noncollection of taxes. What easier and better tax relief could there be than to require everyone to pay what he owes? Then the grand total can come down somewhat under the present rates.

Mr. HUMPHREY. The Senator is correct.

Mr. ROBERTSON. We are not trying to make it tough or to harass any honest person. But when 10 percent of the returns are examined, and a taxpayer does not know whether he will be among the 10 percent, he gives a very close look at his return before he mails it; before he says: "This is my honest, just return, so help me God."

He does not have to go before a notary or take an oath on the Bible; but when he signs his return, he signs it aware of the fact that he has committed perjury if he has falsified it.

Mr. CLARK. Madam President, will the Senator from Virginia yield?

Mr. ROBERTSON. I yield.

Mr. CLARK. I commend the Senator from Virginia for indicating that his back will be as stiff as that of Gen. Stonewall Jackson during the many brilliant battles which that fine soldier fought many years ago on the terrain of Virginia. With the Senator's permission, I should like to buttress the RECORD a little, so that when the Senator goes to conference there will be even a few more things to pinpoint in addition to those which the distinguished Senator from Minnesota has been able to point out.

First, the Senator from Virginia may recall that for the third year in a row, I believe, and under date of March 7, 1962, a group of Senators—the Senator from Oregon [Mr. MORSE], the Senator from Alaska [Mr. BARTLETT], the Senator from Michigan [Mr. MCNAMARA], the Senator from Idaho [Mr. CHURCH], the Senator from Ohio [Mr. YOUNG], the Senator from Colorado [Mr. CARROLL], the Senator from Missouri [Mr. SYMINGTON], the Senator from Wisconsin [Mr. PROXMIRE], and I—wrote the Senator from Virginia, urging him to endeavor to have the full amount of the Treasury request restored so as to provide for additional Internal Revenue Service personnel.

Madam President, with the permission of the Senator from Virginia, I ask unanimous consent to have that letter printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
Washington, D.C., March 7, 1962.

Hon. A. WILLIS ROBERTSON,
Chairman, Subcommittee on Treasury and Post Office, Senate Committee on Appropriations, Washington, D.C.

DEAR MR. CHAIRMAN: We support the Kennedy administration's appeal to your committee for restoration of $20 million of the funds cut by the House of Representatives from the amount requested for the Internal Revenue Service in fiscal 1963 to permit the hiring of 4,334 new personnel (instead of only 1,517 as provided by the House). According to the Treasury's estimate, the restoration of these funds would bring in more than $150 million additional revenue largely as a result of stepped-up enforcement activities. It would be hard for Congress to find a better investment in terms of return (6 to 1).

The need for more IRS employees is demonstrable in many ways. Due in large measure to unwise and uneconomic personnel cuts early in the preceding administration, there were 4,864 (8 percent) fewer employees in the Service in 1961 than there were in 1946, although IRS collected 2½ times more revenue and handled 15 million (30 percent) more income tax returns in 1961 than it did 15 years earlier.

When these statistics are considered in conjunction with the statement of Secretary Dillon before your committee last year (hearings, p. 175) that "the total income that should have been reported that is unaccounted for on tax returns comes to a total of $24.4 billion * * * which is 7 percent of total reportable income" for a revenue loss of "at least $4 billion" (id., p. 182) the need for the new enforcement personnel requested is clear.

Thanks largely to the actions of your committee last year in providing funds for the hiring of new men, the Service has been able to improve its audit coverage from 5.2 to 5.9 percent of the income returns filed. Employment of the new personnel requested in the budget would permit coverage to improve to 6.3 in fiscal 1963. Commissioner Caplin told your committee last year that 10 percent audit coverage would be "about proper to maintain satisfactory compliance" (id., p. 190). If the House cut is allowed to stand, present enforcement coverage would actually drop, because more new men are required just to maintain current levels than provided for by the other Chamber due to the increased return and collection expected.

In view of the latest economic projections showing that the estimated narrow budget surplus for the coming year is in jeopardy, it would seem shortsighted in the extreme for the Congress not to try to insure a surplus by approving the requested appropriation for better tax enforcement in full, thereby increasing revenues owed but not otherwise collected by more than $150 million.

We are confident that when your subcommittee has weighed all testimony on the Treasury-Post Office appropriation bill (H.R. 10526) it will once again recommend to the Senate the full appropriation for the Internal Revenue Service sought by the administration.

Respectfully submitted,

JOSEPH S. CLARK.
WAYNE MORSE.
E. L. BARTLETT.
PAT MCNAMARA.
FRANK CHURCH.
STEPHEN M. YOUNG.
JOHN A. CARROLL.
STUART SYMINGTON.
WILLIAM PROXMIRE.

Mr. ROBERTSON. Madam President, I am glad to have that letter in the RECORD, because that was very helpful to us last year. We told the House conferees, in effect, "These are the Senators who are determined that this is as far as they are going to yield. We are not going to take this back to them. So this is the best we could do to cut it away down. Substantially the same Senators feel that we should make a firm stand."

Mr. CLARK. The Senator from Virginia is correct. I think we picked up a couple of recruits during the course of the last 10 months. I am happy to know that the Senator from Virginia is content to have that letter in the RECORD.

I call the attention of the Senator from Virginia to the House report on that subject. The House committee stated:

The committee feels that the tremendous increases in the Internal Revenue Service are out of proportion to actual needs.

They questioned whether the Government would actually get back $6 for every $1 invested in new enforcement personnel. They referred to the utilization of high-speed, automatic data processing equipment, saying:

The committee feels that the utilization of high-speed, automatic data processing equipment should permit the Service to handle a greatly increased workload with fewer personnel, and therefore cannot agree that the tremendous increases in personnel are essential.

I recall to the attention of the Senator from Virginia, what I am sure he remembers very well, that at the Senate hearings Secretary of the Treasury Dillon testified:

I am aware of the House position. It is erroneous in that our records show that this $6 figure is substantiated by past experience. The $20 figure must be related not to overall personnel increases but to increases per agent actually out in the field. If you wanted to just put the entire revenue collection on the revenue agent in the field, that figure might be the right one but we think it is better to take the overall one, counting the people back in the offices.

That is the one figure which the House said had not been substantiated, but which Secretary Dillon told the Senate had been substantiated by the experience over a period of years.

With the permission of the Senator from Virginia, I should like to read the reply which Secretary Dillon made to the distinguished junior Senator from Oklahoma [Mr. MONRONEY] in response to a question dealing with the recapture of additional taxes. Mr. Dillon said:

Partly that, yes, Senator, and also partly because of the increasing full-time effect of the additional enforcement that we were allowed for 1962. This will not have its full effect in this year because the agents were just hired during the course of the year but will be on full time next year.

So, of course, last year's experience cannot be expected to be correct; but it is, I think, quite significant. The Senator from Oklahoma then asked:

This, I understand, will be directed at credit card living, maintenance of racehorses, and unnecessary corporation expenses, and other means of tax evasion that have slipped through because of the lack of checking or sampling as many returns as possible; is that correct?

Secretary DILLON. That is correct.

That testimony appears at page 24 of the Senate hearings. If the Senator from Virginia will bear with me for just a minute or two more, I wish to read from the testimony of Mr. Mortimer M. Caplin, Commissioner of Internal Revenue. At page 48 of the Senate hearings, Mr. Caplin said, referring to the criticism by the House of the $6-to-$1 ratio:

The 6-to-1 ratio relates the total cost of a balanced increase in staff to the additional revenue: including clerks, equipment, training provision for processing assessments, settling appeals, handling additional fraud investigations, etc. Actually, there has probably been relatively little fluctuation between comparable ratios over the last 10 years. It is very clear that from a purely return-on-investment standpoint, additional examinations continue to be a highly profitable investment for the Government.

Again, in the same statement:

We are far from reaching the point of diminishing returns in our efforts to improve compliance with the tax laws, when we are standing in the presence of almost $25 billion of unreported income. We also know that we are collecting over $3 billion each year from our enforcement efforts. We know from our tests and experience that our audit examinations are still too few in number and in percentage of returns and in scope of coverage. We know that the automatic data processing system will produce considerable evidence which we must be prepared to investigate.

Then Mr. Caplin asks for the full restoration of the amount of the Treasury figure.

One more point, and I shall be through. The distinguished Senator from Nebraska [Mr. HRUSKA], who, as the Senator from Virginia has properly said, played a fine part in connection with the hearings on the bill, asked Mr. Caplin a question with respect to the new processing machines which the House said should save substantial money and make additional personnel unnecessary. At page 68 of the Senate hearings, Mr. Caplin said:

SUMMARY OF ACCOMPLISHMENT OF MACHINES

Mr. CAPLIN. My first answer was substantially correct, that we do not expect there will be any savings in personnel as a result of the installation of data processing, that the new people needed to handle the key punch operations and the electronic computers and all the related equipment will offset the savings in personnel that we have in manual processing, but there will be an enormous increase in what they are doing.

For example, instead of doing a slight sampling of 350 million informational documents, they may be matching all of those 350 million informational documents against a master file at one time, 78 million in one place, which has never been possible in the history of our tax system.

Senator HRUSKA. So that there will be a net increase in employees but the workload done by them will be tremendously larger?

Mr. CAPLIN. That is right, sir.

In short, and in conclusion, it seems clear to me that a substantial additional amount of money can be legitimately collected for the Treasury without any unfair treatment of any taxpayer if the additional personnel is employed. I point out that the cost of collection of the Federal income tax is one-half cent for every dollar collected. In many States of the Nation which collect their State taxes the comparable figure is 10 cents.

I commend the distinguished Senator from Virginia for his determination to stand firm. I shall support him to the utmost of my ability.

Mr. ROBERTSON. I thank the distinguished Senator from Pennsylvania for his compliment. It would not be difficult for the chairman of this subcommittee to justify the full amount of the budget estimate. But after discussing the subject with the Senator from Nebraska [Mr. HRUSKA] and other Senators, it was felt that we should make some concessions to the conflicting viewpoint, and to make some concessions to what we shall be up against in conference. Therefore, we added only $12 million to the House allowance of $480 million. But by taking the $5 million they had earmarked for Social Security and we added $17 million, which, as the Senator from Pennsylvania has said, can be more than justified. Mr. President, that is still several million dollars less than the budget request.

Mr. PROXMIRE. Mr. President, at this point will the Senator from Virginia yield?

The PRESIDING OFFICER (Mr. PELL in the chair). Does the Senator from Virginia yield to the Senator from Wisconsin?

Mr. ROBERTSON. I yield.

Mr. PROXMIRE. I wish to join the Senator from Minnesota and the Senator from Pennsylvania in warmly congratulating the distinguished junior Senator from Virginia [Mr. ROBERTSON] for acting as he has in this regard, in restoring $17 million to the budget of the Internal Revenue Service, so it will be possible to employ additional agents. I understand that the increase will be $17 million because there is a $12 million appropriation increase, plus a $5 million shift from the funds to be transferred to Social Security. Is that correct?

Mr. ROBERTSON. That is correct.

Mr. PROXMIRE. As I read the committee report on page 7, there is an indication that this item represents a cut of

$21 million below what the administration requested. Is that correct?

Mr. ROBERTSON. Not when we consider funds for social security purposes which would not be transferred under the Senate bill.

Mr. PROXMIRE. So with that addition, it is a cut of $16 million below what they requested, is it not?

Mr. ROBERTSON. No, $11 million. The House took out $5 million and the Senate deleted the remaining $5 million which was intended to be transferred to the Social Security Administration. It was felt Social Security could be reimbursed from the general fund after the exact cost could be determined rather than now when the estimate is uncertain.

Mr. PROXMIRE. It is difficult for me to reconcile the figures, because on page 7, when we compare what the Appropriations Committee did with the administration's estimate for 1963, it is called here $21 million below; but if we subtract $5 million, we reach a figure of $16 million.

Mr. ROBERTSON. The House took out $5 million for Social Security; and then we took out the remaining $5 million. I believe that is the answer.

Mr. PROXMIRE. I see.

Then, Mr. President, I would simply say to the Senator from Virginia that I earnestly hope he is able to stand by this figure in conference. As he has pointed out, he could easily justify the entire request of the administration.

Furthermore, as the Senator from Pennsylvania stated so well, the ratio of the revenue recovered by these agents to the full cost of hiring additional agents should be far more than $6 to $1, for $6 to $1 is a very conservative figure. It may be that the Federal Government is to get back $20 for every dollar invested.

Furthermore, I think we must keep firmly in mind that this money belongs to the Federal Government. The people who have this money have it illegally and improperly, and have no right to it; and it seems to me that the millions of honest taxpayers in the country—the vast majority of the people, who do pay their taxes—deserve to have the Government be sufficiently responsible so that there will be the necessary personnel and the necessary audits and the necessary machinery, in order to reduce tax evasion to an absolute minimum.

This is the only way in which we can expect people voluntarily to pay their taxes in the future, as they have paid them in the past. If once they lose faith in that system, if once they feel that there is widespread and serious evasion, we shall be in real trouble.

Mr. ROBERTSON. In that connection I think of the common-law maxim, "No law rises above its enforcement."

For example, when the 18th amendment to the Constitution was in effect, most of the people of the country did not like it, and most of the States did not even try to enforce it; and thus there was so much corruption, and so forth, that the repeal of that amendment went through quicker than the poll-tax repeal bill which the Senate passed yesterday. In short, the 18th amendment to the Constitution was not enforced.

If our tax-collection system is to be a success, first of all, the people should be honest; and, in the second place, everyone should pay the taxes he owes. In that event, the tax rates can be reduced.

I repeat that the additional agents to be employed are not to be political hacks or "flat tires," or persons like the one who asked President Abraham Lincoln for a job. It is said that when a certain man went to see President Lincoln, he said to him, "Mr. President, I want a job."

Mr. Lincoln replied, "All right, Bill; what kind of a job do you want?"

The reply was, "I want one of those kinds of jobs they call sine cure."

But, Mr. President, all these positions will be under the civil service; and, as I have said, the total number is expected, overall, to reduce very greatly the amount we are required to spend for this tax-collection service.

Mr. PROXMIRE. Mr. President, I am most impressed by the documentation the Senator has given this afternoon on this issue. I think it is the best, most concise description that I have heard of the need for increased personnel in order to obtain increased revenue; and the Senator's statement has been so well expressed and is so convincing that I hope all our colleagues in the Senate will read it, and I hope the Members of the other House will also read it.

Mr. ROBERTSON. Mr. President, I wish to pay tribute to the assistance given us by the senior Senator from Kansas [Mr. CARLSON], the ranking minority member of the Committee on Post Office and Civil Service, who is an ex officio member of this subcommittee. He helped draft this bill; and I understand that a little later he will speak on this matter.

Mr. ALLOTT. Mr. President, will the Senator from Virginia yield?

Mr. ROBERTSON. I yield.

Mr. ALLOTT. I should like to address myself to some of the remarks made in the last few minutes by the Senator from Pennsylvania [Mr. CLARK] and the Senator from Wisconsin [Mr. PROXMIRE], because I think this matter must also be put into another context. I think those Senators believe as well as I do that anyone who fails to pay the taxes he owes is simply putting a greater tax burden on all other Americans. That is the basis of this collection.

However, I think it would be unfair to Mr. Caplin and it would be unfair to the Internal Revenue Service to put this matter completely on the basis of a production of revenue. Recently, I received a letter from Mr. Caplin; and he also pointed this out at the hearings, in response to questions from me—namely, that it is wrong to consider this matter solely on the basis of revenue production. We shall reach a point where the production per agent will increase. But thereafter we shall inevitably reach a point where the production per agent will level off.

The trouble with using this criterion—from the standpoint of the Internal Revenue Service and from the standpoint of the taxpayers—is that it produces a false basis of taxation.

Mr. President, I raise no question about the items for these particular agents, for I supported the addition of these; and if I am a member of the conference committee—and I assume that I may well be, inasmuch as I am next in seniority, I believe, to the Senator from Nebraska, who is the ranking Republican member of the subcommittee—I certainly will support the Senator from Virginia in his efforts to keep what we have.

But I believe we should point out that we cannot forever and forever add additional agents and expect those added agents to increase the production of revenue accordingly. If the figure is now $6, there will come a time when it will decline to $4.

Mr. CLARK. Will the Senator from Colorado yield to me, if the Senator from Virginia is also willing to yield?

Mr. ALLOTT. Certainly.

Mr. ROBERTSON. I yield.

Mr. CLARK. Let me say that I completely agree with my friend, the Senator from Colorado [Mr. ALLOTT]; and, if I may have his permission to do so, I should like to read into the RECORD a brief paragraph on this point, from the testimony given by Mr. Caplin when he appeared before the Senate committee.

Mr. ALLOTT. May I ask the page number?

Mr. CLARK. Certainly. It is on page 48 of the Senate committee hearings, and I shall read beginning with the second full paragraph:

> We do not audit tax returns for the purpose of making additional assessments. We examine returns to see if the tax laws have been obeyed. And if the return is faulty, it is corrected. If too much has been paid, it is refunded. And if additional tax is due, it is assessed. But we don't stop there. We instruct and advise and assist the taxpayer to understand the laws and their application so that his compliance in the future years will be improved. We also know that if we didn't audit returns public confidence in our self-assessment system would deteriorate.

And two paragraphs later, in response to another comment by my friend, the Senator from Colorado, Mr. Caplin testified:

> We are far from reaching the point of diminishing returns in our efforts to improve compliance with the tax laws, when we are standing in the presence of almost $25 billion of unreported income.

I agree with the Senator from Colorado that when that amount is down to perhaps $1 or $2 billion, then it will be time to stop considering making provision for additional enforcement.

Mr. ALLOTT. The Senator has certainly quoted what Mr. Caplin said. However, in a letter to me, he recently pointed out the fallacy of basing a decision entirely on increased production.

That leads me to my second thought, which is that if agents are placed upon a production basis, we perform a disservice to every taxpayer in the Nation, and we perform a disservice primarily if we place a quota on the agents. We perform a disservice primarily to the average man or woman who does not have regular counsel or accountants, or who lives remote from areas where tax agents or the main offices are located. They are the people who suffer.

Mr. Caplin, in his testimony, agreed that this was the wrong criterion. There is no question that everyone should pay his taxes. But we do not want revenue agents all over the country under a quota system.

I was happy when Mr. Caplin said in the hearings, and also in the recent letter to me to which I have referred, that the production standard no longer applied to the agents, and that they were expected to do their job without regard to quota.

Mr. CLARK. Mr. President, will the Senator yield so I may make a comment on what the Senator from Colorado has said?

Mr. ROBERTSON. I yield.

Mr. CLARK. I agree with what the Senator from Colorado has said. I invite attention to page 264 of the Senate hearings, on which appears the letter to Mr. Caplin's associates in the service, in which he abandons once and for all the quota system, which I wish had never been initiated. The fact still remains that we need the revenue.

Mr. ALLOTT. Is there any argument about that?

Mr. CLARK. No.

Mr. ALLOTT. The Senator from Pennsylvania made the statement. I thought he was implying that I felt differently.

The third point is that the new machines are not going to reduce by a single employee the number in the Revenue Service. It is clear to me that that is true. We shall gather much information and find many mistakes and omissions, which will result in increased revenues, but we cannot operate with fewer personnel in the Revenue Service.

Mr. ROBERTSON. Mr. President, ever since the junior Senator from Virginia has been in Congress he has again and again deplored many additions to the number of Federal employees because many times they have been unnecessary. The only reason he has gone along with this increase is that it was shown that there was an appalling loss of revenue by reason of the activities of those who are cheating the Government. It was felt that this was the only practical way to obtain that revenue and find out what was owed and by whom. But the House committee pointed out that possibly we were reaching the point of diminishing return in building up this Service.

In any event, I do not think a man's value to the Government should be based on how many people, justly or unjustly, he can bring before some commissioner, charged with a crime. I had the privilege for 6 years of operating the Game Department of Virginia. I told my wardens that I was not judging them on the basis of the number of people they arrested, but that I wanted them to induce the people voluntarily to obey the game laws and conserve our game under the law, and be honest about it.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. CARLSON. First, I express my appreciation to the Senator from Virginia and to other members of the subcommittee for the fine work they did in bringing this appropriation bill before the Senate. I have a particular interest in the postal appropriation, but before I go into it I wish to commend the committee for providing for additional agents in the Revenue Service.

It was my privilege to serve on the Finance Committee when Mr. Caplin appeared in connection with his nomination to be Commissioner of that office, and he impressed me then. He said he would endeavor to have a little of the milk of human kindness in the Service. I think he has done so. He has been a good Commissioner.

I wish now to discuss one or two items in the postal service. One of them deals with facilities.

Mr. ROBERTSON. We added an amount for facilities beyond the House request, but considering the fight we shall have in conference, that is all we thought we should provide.

Mr. CARLSON. If I were to offer an amendment, I would offer one to provide for better facilities. I wish to read from page 313 of the hearings. This quotation is taken from the House report:

> While the committee notes that the Department has reduced the number of newly constructed or remodeled leased facilities from 2,000 in 1961 to approximately 1,000 in 1963, it considers that the program is still slightly too ambitious. The cost of building occupancy has increased from $87,714,000 in 1961 to an estimated $122,137,000 in 1963. The increase over 1962 for building occupancy is estimated to be 21.6 percent, while the increase for the facilities appropriations as a whole is 16.1 percent. The committee believes that these increases are too great.

That statement concerns me greatly as to what will happen when the chairman and other Senators go into conference. The budget recommended $177 million for this item.

Mr. ROBERTSON. The House allowed $167 million and the Senate committee recommends $173 million.

Mr. CARLSON. I commend the chairman for the amount that has been recommended. There were 2,000 new facilities in 1961. If I wished to be partisan, I should say that that was under the Eisenhower administration. There were 1,000 last year. The President recommends $600 million for public works. I cannot think of any place where we could better scatter the money over the Nation than by getting facilities started to improve the postal service and help employment over the country. Therefore, I am sorry we do not have a larger item in this particular place in the bill.

Mr. ROBERTSON. I share the viewpoint of the Senator. The House cut $10 million from the item. We restored $6 million of it. If we are to have a public works bill—and the Senator from Virginia is not in favor of one—he would like to earmark this item for that purpose, which would really help matters.

Mr. CARLSON. That is my contention.

Mr. ROBERTSON. It would help employment and also the postal service.

Mr. CARLSON. The Senator from Virginia is familiar with it. It happens that I have served with the Senator from South Carolina [Mr. JOHNSTON] for many years on the committee. I am familiar with the problems confronting the Post Office Department. This is one place where we could improve the service. All we furnish is money for equipment of the offices. I am disappointed in the size of the appropriation. I urge the distinguished Senator from Virginia to stand firm. I shall not offer an amendment.

Mr. ROBERTSON. The Senator from Kansas is an ex officio member of the committee, and attends its meetings when he can. He is a very busy man, but he is always present when he is able to be there.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. HUMPHREY. I wish to add a word as a means of associating myself with what the Senator from Kansas has said. I thoroughly agree with him as to the necessity for improvement of facilities. One can go into almost any small town or village in the United States and find that the physical plant is inadequate to the tremendous volume of mail and service required in that plant. I feel that to cut back on this item is not economy. It brings about inefficiency in the postal service. Frequently the cost of maintenance, repair, and renovation is exorbitant because of the inadequacy of the facilities and their obsolescence.

If a public works program is authorized—and I hope it will be, in contradiction to the hope of my good friend from Virginia—I hope that the postal requirements will be given very favorable consideration and made one of the priority items.

As the Senator from Kansas well noted—in this he has the concurrence of the Senator from Virginia—that action would spread the benefits of such works program rather broadly throughout the country. I thank the Senator for his alertness to these matters and for his constructive comments.

Mr. CARLSON. Mr. President, will the Senator from Virginia yield again?

Mr. ROBERTSON. I yield to the Senator from Kansas.

Mr. CARLSON. I express appreciation for the comments made by the Senator from Minnesota. I am sure it is true of every Member of this body that, as he travels over his district or over his State, he sees offices in which personnel are really laboring under difficulties in the handling of mail expeditiously. That is true in many areas. We could increase the construction of such facilities so that the personnel could handle the mail with greater efficiency and could give the Post Office Department greater service.

I am sure the Senator from Virginia would agree that is one place we might be able to improve.

Mr. ROBERTSON. I agree with the Senator.

Mr. President, I ask unanimous consent that the committee amendments to the pending bill be considered and agreed to en bloc, and that the bill as thus amended be regarded for the purpose of amendment as original text, provided that no point of order shall be considered to have been waived by reason of agreement to the order.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Virginia? The Chair hears none; and, without objection, the committee amendments are agreed to en bloc and the bill as so amended is considered, for the purpose of amendment, original text.

The committee amendments agreed to en bloc are as follows:

On page 2, line 9, to strike out "$4,480,000" and insert "$4,540,000"

On page 2, line 20, after the word "of", to strike out "fifty" and insert "seventy-five"; in line 21, after the word "which", to strike out "forty" and insert "sixty-five"; in line 22, after the word "including", to strike out "forty" and insert "sixty-five", and on page 3, line 5, after "(22 U.S.C. 401)", to strike out "$64,600,000" and insert "$65,300,000".

On page 4, line 15, after "(5 U.S.C. 2131)", to strike out "$217,600,000" and insert "$220,000,000"

On page 5, line 20, after "(5 U.S.C. 55a)" to strike out "$25,000,000" and insert "$39,-000,000"

On page 6, line 5, after "1953", to strike out "$32,000,000" and insert "$32,700,000".

On page 7, line 4, after the word "exceed", to strike out "two hundred" and insert "two hundred and fifty"; in line 5, after the word "which", to strike out "eighty" and insert "two hundred and fifty"; in line 12, after the word "exceed", to strike out "$12,000,000" and insert "$12,600,000", and in line 13, after the word "employment", to strike out "$480,-000,000" and insert "$492,000,000".

On page 7, line 21, after the word "exceed", to strike out "seventy-four" and insert "eighty-nine", and on page 8, line 3, after the word "vehicles", to strike out "$5,300,000" and insert "$5,650,000".

On page 11, line 6, after the word "program", to strike out "$10,000,000" and insert "$12,000,000."

On page 11, line 17, after the word "law", to strike out "$3,535,000,000" and insert "$3,548,500,000".

On page 12, line 14, after the word "mail", to strike out "$590,000,000" and insert "$599,-000,000".

On page 12, line 24, after the word "Government", to strike out "$167,000,000" and insert "$173,000,000".

On page 13, line 7, after the word "plans", to strike out "$116,000,000" and insert "$120,-000,000".

On page 15, line 15, after the word "individuals", to strike out "$5,600,000" and insert "$5,677,000"

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. MONRONEY. I should like to ask the distinguished chairman of the subcommittee a question in regard to what I am sure he finds and what I find, as a member of the Appropriations Committee, to be true. In respect to each succeeding budget we see a vast propagation of Government personnel in almost every department which comes forward.

The distinguished senior Senator from Virginia [Mr. BYRD] long has specialized in the field of growth of personnel in the many branches of Goverment. The work the Senator has done to call attention to the continuing overpopulation of Government employees throughout every department continues year after year.

I have found that when the slightest additional duties have been imposed upon departments by law always the additional duties have resulted in a demand or request for additional employees, ranging from 25 to 500 or 600 people.

I have discussed the problem privately with officials of the Bureau of the Budget. They tell me they are much concerned about the problem. They say that in the overall budget examination it is very difficult to examine the personnel closely and to be certain there are genuine needs and that there are no Government employees in those departments who could be shifted to assume the new duties which new legislation imposes upon the departments

I regret that I was unavoidably absent from the city at the time the bill was marked up. I wonder if it would be feasible at this time to consider an amendment which would authorize the Bureau of the Budget to use funds to provide a very small group or panel of three or four experts to carefully screen and evaluate the problem, and to require an absolute justification for additional personnel who are requested in almost every appropriation bill that comes before any of the appropriations subcommittees.

Because of the inadequacy of staff, it is difficult for the Appropriations Committee to go as thoroughly as it should into the question. If there were a separate screening process through which personnel requests could be put, to be examined under a microscope and thinned down, I believe we could render a great service by avoiding to some extent the constant increase in the numbers of Government employees, which, in effect, lessens the effective use of money necessary to administer many of the activities which are required in the process of Government.

Mr. ROBERTSON. The Bureau of the Budget ought to be appreciative of the attitude stated. The committee restored $77,000 in the budget, because it was said there was a vital necessity to retain five employees. It is the duty of the Bureau of the Budget to do what the Senator has stated. If the distinguished Senator from Oklahoma will write the chairman a letter, the chairman will forward it and will say, "We want you to report on this subject."

I think that could be done. Of course, there may be some question about whether the Senator's suggestion would represent legislation on an appropriation bill.

Mr. MONRONEY. I am not offering the amendment at this time. I think perhaps it can be covered in the deficiency appropriation bill or the supplemental appropriation bill.

Mr. ROBERTSON. Next week we shall consider a supplemental appropriation bill affecting all departments of Government. They never have enough. They come back two or three times a year.

Mr. MONRONEY. A part of the problem is caused by the additional personnel which is provided.

Mr. ROBERTSON. That is a part of the problem.

Mr. MONRONEY. I hope something can be done to stop the overpopulation.

Mr. ROBERTSON. The Senator has made an extremely vital point. Before the Senator came into the Chamber, I deplored the mushrooming of bureaus, which frequently are overstaffed. I stated that I yielded with respect to the Internal Revenue Service because a vast amount of money was not being collected, to see if an increase would do any good and whether the money could be collected.

The Senator is correct. We can consider the problem when the supplemental appropriation bill comes to us next week. We could write a letter to the Bureau of the Budget. If the Senator will write me a letter I will forward it. I think it is the duty of the Bureau of the Budget to do as the Senator says.

Mr. MONRONEY. It seems to me that a screening by three or four, or even five men, who would devote their entire time to requiring an absolute justification for personnel increases, would be a safety valve with respect to what today is an extremely difficult problem. There is often a necessity, properly, to expand the Federal Government because of duties which are absolutely required. Such a group as I have in mind could say "No" once in awhile with respect to the increase in bureaucracy which has led to the popular conception of Parkinson's law.

Mr. ROBERTSON. The Senator from Oklahoma is an able and distinguished member of the Committee on Appropriations. The Senator knows how department heads come before the committee and say, "This is the budget estimate. Our needs have been studied. These amounts are certified as being necessary for us." The Senator remembers such statements. The department heads always make such representations. I am sure they do not make close scrutiny of some of the increases. We shall be glad to call upon them in this regard.

Mr. President, I yield the floor.

Mr. ALLOTT. Mr. President, at the outset I wish to express my deep appreciation to the junior Senator from Virginia, the distinguished chairman of the subcommittee, for his cooperation and help in the work which was done in connection with the report. It is not my intention to offer an amendment, but I wish to comment on one or two items which occurred during the hearings, which I think exhibit an unfortunate general trend in Government.

On page 17 of the hearings Secretary Dillon gave his statement before the committee. I read from it, in part:

U.S. SECRET SERVICE

The House bill accorded a reduction of $550,000 in the 1963 estimate of $5,850,000 for the U.S. Secret Service.

There appears to have been some misunderstanding in our request for 58 additional special agents and 22 additional clerk-stenographers. Although these positions were going to be assigned to the field for regular investigative duties, they also are counted on to form an integral and vital part of the protection of the President and his family.

NUMBER OF AGENTS NEEDED

In this connection, whenever Presidential travel is contemplated, seasoned special agents from various field offices are summoned to augment the headquarters White House detail prior to and during the period the President is visiting locations in the United States or abroad.

For example, in situations of foreign Presidential travel, depending upon the number of countries visited, the special agents regularly assigned to the White House detail are assigned to the necessary advance preparations, and, to replace them, the experienced field special agents are withdrawn from their regular criminal investigative activities. Their temporary assignment to the headquarters White House detail are for varying periods of time, depending on the length of the Presidential trip involved.

WHITE HOUSE DETAIL

The size of the White House detail is set to cover the requirements for Presidential protection while the President is in Washington. Additional agents are required whenever Presidential travel is involved. We have not thought it efficient to assign these men to Washington when their full-time service is not required.

Instead, men who augment our regular protective detail are stationed in the various field offices where, when their services are not required for Presidential travel, they are effectively utilized in combating the ever-increasing activities of organized crime as it pertains to counterfeiting and check and bond forgery. They are sorely needed in these field offices. The number of counterfeiting cases jumped 60 percent during 1961, as compared with 1960. During the same period, there was a doubling in the number of cases involving forgery and fraudulent negotiation of Government bonds.

Unless we receive these extra positions, the added manpower requirements for Presidential protection which must be met when the President travels at home or abroad, will require us to denude our local offices at a time when counterfeiting and forgery are rising rapidly. The additional agents which we have requested are imperative if we are to meet the increased needs for Presidential protection and the growing menace of counterfeiting.

Subsequently, as shown on page 31 of the hearings, I asked the Secretary of the Treasury how much of the increase in the number of additional agents was occasioned by reason of additional Presidential travel. I read the question and the answer:

Senator ALLOTT. On page 9 of your statement with respect to the Secret Service you asked for 58 special agents and you place great emphasis upon the protection of the President and his family. Why does it require 58 more special agents now than it did under the former President?

Mr. DILLON. The President travels more. The other factor is that these people we are talking about do double duty. They are in field offices except when the President travels and then they have to be pulled back for Presidential protection assignment.

Thereafter I asked the Secretary to provide me with a breakdown of the figures to show how much of the additional expense was occasioned by Presidential travel. From the previous answer the Secretary gave me, I think it is perfectly obvious that the President is doing

a great deal more traveling than has been done in the past. I recall that over the period of the past few years we Republicans in the Senate often listened to members of the other party berating us about the travels of the then President Eisenhower and how much such travel was costing the taxpayers of our country. The tables which the Secretary supplied for the record in response to my request were a mass of gobbledygook, so it was necessary for me to go directly to the Secret Service to obtain the figures requested.

First, I wish to say that the Secret Service was very cooperative in trying to furnish the information which was desired.

Let me also make this point clear. No one in the United States—and that certainly includes me—has any desire to see the President and his family less than adequately protected. Whatever party we may be affiliated with, and even though it were President Eisenhower in office at that time rather than President Kennedy at this time, loss or harm to the President or to any member of his family would be something that no American could tolerate. However, I wish to bring out the fact that the burdens on the Secret Service, by reason of the extensive travels of the President and his family, have increased greatly since President Kennedy took office.

For example, in the fiscal year 1959 the total number of employees was 272. In 1960, the total was 298. In 1961, when a Republican was in office for approximately half of the fiscal year and a Democrat President for the other half of the fiscal year, the figure jumped to 305. In 1962 it jumped to 325, and the request for this year was 383.

With respect to the total number of man-hours devoted to Presidential protection, I think the figures are rather significant. I was provided with the figures by the Secret Service itself.

In 1960 the figure was approximately 197,518 hours. In 1961 the figure jumped to an approximate 250,495 hours. In the hearings on the appropriation bill last year the Secret Service was very careful to point out that the increase in fiscal year 1961 was occasioned primarily by the fact that during a good portion of the year the Secret Service had to cover not only the President and Vice President and their families—President Eisenhower and Vice President Nixon and their families in the initial instance—but that immediately upon the election of a new President it was necessary to cover also the newly elected President and Vice President and their families. So we could expect a substantial boost in work at that time.

But in 1962, the current fiscal year, and the first fiscal year under the new President, through January 31, which is a period of 7 months, we have already accumulated a total of 143,230 man-hours devoted to the President and his family; and, as Mr. Dillon very succinctly and adequately said in response to my questions of him, that increase was due to the fact that the President travels a great deal more.

So if we project the figure of 143,230 into the full fiscal year, I think we shall end with a figure for the protection of the President and the Vice President and their families which will be somewhere near the amount required in the fiscal year 1961 to protect not only the then President and Vice President and their families but also the newly elected President and Vice President and their families.

In view of all the talk we have heard in the past in the Senate Chamber about the peripatetic qualities of President Eisenhower, I think it is only fair, particularly in view of some of the statements the President made during his campaign about how he intended to conduct himself and remain on duty in his office, to examine the actual performance. The figures I have given for fiscal year 1962 do not include the recent trip of Mrs. Kennedy, which required sending 15 advance agents to India and Pakistan for her protection.

It does not include a possible trip of the President to the summit, if it should occur, and it does not include any projection of the President's trip to Mexico or any other Latin American country.

Some other very interesting comparisons can be made with respect to the cost of travel and transportation of persons. In the fiscal year 1959, when President Eisenhower was in office, Presidential travel costs were $109,859. In 1960, which was a year when President Eisenhower was still in office, the costs were $285,302. In 1961 they dropped to $250,717. In 1962 President Kennedy's first full year in office, $325,000 has been asked, including $200,000 which is being requested in the coming supplemental appropriation bill. In the fiscal year 1963 we are asked for $325,000. The amounts for 1962 and 1963 are both greater than the amount that was required when the same service had to protect not only the President and his family and Vice President, but also the elected President and his family and the elected Vice President, in 1961.

I believe that these figures make the point that the traveling qualities of the President and his family have placed a great additional burden upon the U.S. taxpayers.

I have just had called to my attention an article published in the Washington Post of March 21, which shows that instead of hiring a news cameraman to cover the present trip of the First Lady, the USIA employed some high-priced people from Hollywood, at a total cost of $45,807.50. That figure includes $6,000 for a director, at $1,000 a week, and $8,425 for two cameramen. This compares with a former cost of $425 a week plus traveling expenses.

I would say to the Senate that probably I would not have brought this matter up on the floor of the Senate if it had not been necessary for me to go to considerable trouble to get a clear-cut answer from the Secretary of the Treasury. I know there are a great many people in the Senate who did not graduate from Harvard, as he did; perhaps there are even a great many of us who have not quite the perspicacity and

understanding of world problems and monetary problems that the Secretary of the Treasury possesses. Nevertheless, he will have to put up with us, and try to answer our questions because the people of Colorado and Kansas and Maine and Minnesota, Illinois, and Idaho, and the other States elect 100 persons to represent them in the Senate. Even though the Secretary of the Treasury made honest answers—although some of them could be called circumlocuted answers—to the questions that were asked of him, he was not responsive in furnishing the material requested for the hearing record.

The Secretary of the Treasury spent three-quarters of his one-page statement in making a justification for 58 additional agents.

He made that justification, he said, on the basis that these additional agents were needed for the protection of the President and his family. I asked him how much of it was needed for the protection of the President and his family. This he was unwilling to give, or he did not know. He said he would supply the figures. Certain figures were inserted in the hearings, and it is very obvious that they do not answer the question. The Secretary of the Treasury may some day learn that he will have to answer with succinctness and clarity the questions which Senators ask of him in the performance of their duties and the performance of the job which the people of their respective States send them here to do.

Mr. HUMPHREY. Mr. President, I should like to respond at least in part to the Senator from Colorado. I call attention to the record of the hearings on the appropriation bill now before the Senate, and to the fact that the Secretary of the Treasury was very responsive to questions that committee members asked of him. Also, I would like to say that the Secretary of the Treasury, whatever may be his habits or his attitude, is, it should be remembered, a Republican.

Mr. ALLOTT. I do not wish to claim him, if that is agreeable to the Senator.

Mr. HUMPHREY. The Senator is entitled to that observation. This is the same man, the same Mr. Dillon, who served for several years in the former administration. He was always regarded as a very fine and able man; I thought he was then and I think he is now, regardless of what may be his political persuasion.

The Secretary of the Treasury in his statement before the Senate Treasury Subcommittee took note of the need for additional personnel, as reflected on page 17 of the hearings.

With respect to the number of agents used for protective investigative work, he testified that this number was 325. The additional number requested was 58. The number approved by the House of Representatives was 20. The number approved by the Senate committee was 45. The point needs to be raised with respect to the amount of work these agents do and the amount of work that has not been completed.

The average current investigative caseload is 137 cases per agent. The request for 58 additional agents would have enabled the Secret Service to have reduced the average caseload to 105 cases in fiscal year 1963, 80 during fiscal year 1964 and 61 during fiscal year 1965. This is still a heavy average caseload, but it would be of manageable proportion.

The increase sought by the Secret Service is needed to meet these developments which have their origin in changes and events starting 10 years ago. The additional manpower sought would in effect only meet the manpower requirements which experience of the past several years has shown to be essential.

Failure to provide these men will mean that it will be necessary to continue to draw from the field offices manpower to provide the essential Presidential protection at the expense and detriment of the statutory responsibilities of the Secret Service for suppressing counterfeiting and other offenses against the obligations of the U.S. Government.

Mr. President, I do not think anyone has ever accused the Secret Service of being partisan. The Secret Service has responsibilities which are imposed upon it by law. It has a responsibility for the protection of the President, over which the President himself has nothing to say. This is a directive from Congress.

I may add that the way the Secret Service now protects the President of the United States and his family is by calling upon the manpower of its investigative offices out in the field to come and fulfill the protective services which the Secret Service itself feels are necessary. The President of the United States does not say, "I am going to take a trip. I think I ought to have 10 or 15 more men to protect me." No; the President is not consulted about those matters. The head of the Secret Service determines the number of men who are to be utilized for the protection of the President. Until Congress changes the law which provides that the Secret Service shall supply protection to the President, the Vice President, and their respective families, it seems to me we ought not to interfere with what is the legitimate request of the Secret Service for the manpower to make this protection a reality.

I should say also that if any Democrat has ever been critical of the Secret Service protection or the amount of personnel required for a Republican President, then that Democrat ought to make a public apology. Frankly, I think the President of the United States, whoever he may be—and the Senator from Colorado [Mr. ALLOTT] stated this very clearly—should be protected and his family should be protected. Whatever the requirements are, they should be fulfilled. We ought to be thankful for the competence of the Secret Service. The Secret Service performs amazing work. It does so with a very limited number of people.

The other point that needs to be raised concerns counterfeiting—an old practice among some people. It is an old crime. Many people like to get into the moneymaking business. The Secret Service finds itself rather busy checking up on those who would invade the jurisdiction of the Bureau of Engraving and the Department of the Treasury. Therefore, the number of counterfeiting cases which the Secret Service is required to investigate has increased substantially. It is a figure which the Senate needs to know.

But let me say a further word about the protection of the President and his family. With the use of airplanes, advance preparations and protection have necessitated the use of more Secret Service manpower. The use of jetplanes has increased the requirements of the Secret Service personnel considerably. For example, we saw from the figures supplied by the Senator from Colorado that there was an increase over the number of agents employed in the previous administration. In 1959, the figure was 272. If I am wrong, I will stand corrected. In 1960, it was 298, an increase of 26. I imagine the reason for the increase was the increased use of jetplanes. In 1961, the figure was 305. In fiscal 1962, the number was 325. Obviously, the reason for the increase in personnel is travel requirements, due to the speed of travel and to the number of places which the President of the United States visits. What those numbers will be can only be projected uncertainly, because we have no immediate way of knowing exactly where the President of the United States will be in the next 3, 4, or 5 months.

Not only was there more travel, both within the United States and overseas, but the speed of the planes posed new probems for the Secret Service. It was no longer possible, for example, to have agents leapfrog and thus utilize the same manpower at various stops along the way. With the use of older types of transportation, such as trains and slower planes, it was entirely possible for the President of the United States to go from one part of the country to another and have five Secret Service men stationed, for example at Topeka, Kans., and then, when the President arrived, to have the plane take the same five men to Omaha, Nebr., and have a considerable period of time in which to do their work. But with the use of jetplanes, the time required for traveling great distances has been reduced by many hours. Therefore, it is necessary sometimes to duplicate the protection force in several of the communities which may be visited. The use of jetplanes in the past few years has required the Secret Service to provide three times as many men to make advance security arrangements for Presidential protection when the President is traveling.

The White House detail remains at more or less an even number of men. Therefore, it has been necessary during the past 8 years, when the President travels, to supplement the White House detail with agents from the various field offices. As a consequence, the agents so used were not constantly available to perform investigative responsibilities. This has increased the backlog of their work. The request for additional manpower is to meet these responsibilities of Presidential protection and of investigation. Under the Secret Service system, a great elasticity permits the Service to withdraw agents from investigative duties and to use them on advance protective details.

The fact is that Presidential travel has increased markedly since 1958. During the same period, the backlog of uninvestigated cases has grown tremendously. Many of the cases are counterfeiting cases, and all of them reflect upon the obligations of the Government of the United States.

For example, in fiscal year 1958, the number of uninvestigated cases was 12,992; in 1959, it was 19,060; in 1960, it was 29,515; in 1961, it was 28,921. The main reason—and this, by the way, occurred during the period about which the Senator from Colorado [Mr. ALLOTT] has spoken—was that the Secret Service had heavy obligations of Presidential protection.

For fiscal year 1962, on a basis projected over the first 8 months, there will be a backlog of 38,696 uninvestigated cases dating back to 1958.

The additional personnel are required for no other reason than to investigate those cases, many of them cases of counterfeiting, and regardless of the protection required for the President and his family.

During the recent appropriation hearing, Chief Rowley testified as to the responsibilities of the Secret Service and the need for additional personnel. He stated that the primary responsibility of the Secret Service is the protection of the First Family. This responsibility takes precedence over all of the other duties of the Secret Service, important as they may be. Changing world conditions since 1958 have resulted in a greater amount of Presidential travel; therefore, the responsibilities and requirements of the Secret Service for this purpose have increased.

Let us face it. The President of the United States and his family will travel more, and they should. As for Mrs. Kennedy, if the Secret Service used 15 agents for her advance protection, it was the best investment this country ever made, because the First Lady's trip to Asia and Europe has been a phenomenal success. It has been a personal triumph for her, if she needed one, and a great triumph for the American people and the American Nation. It has been a remarkable trip, a remarkable achievement of a gracious, lovely, beautiful, competent, intelligent woman. If it took 15 Secret Service agents to provide protection for the First Lady of the land, never was there a finer duty; never was there a better investment. Never was there a more successful trip. What is more, the Secret Service is to be complimented upon the manner in which the protection was afforded.

If all 58 of those agents were needed just to help the First Lady of the land, it would have been good for America, because this lady is rendering outstanding service to the country.

That was true of the other ladies of the Presidents—Mrs. Eisenhower, Mrs. Truman, and Mrs. Roosevelt. Those ladies performed duties for our country which ought to command the respect, the affection, and the admiration of every American—and they do.

I must say that we can expect more travel by the Chief Executive. We have a young President; we have a virile President; we have a President who will be called upon to go from one area of the world to another. I am not at all certain that the figure of 58 additional agents will be even adequate in the light of the backlog of cases for which agents are needed.

And there are other duties. I asked a member of the staff of the majority leader to secure information as to some of the accomplishments of the Secret Service agents in the field of counterfeiting, and I have just received it. Already, in fiscal year 1962, a record amount of $3,500,000 in counterfeit money has been seized by Secret Service agents. That is one of its major responsibilities—namely, the apprehension of counterfeiters.

So it seems to me that even when regarded from an economic point of view—solely from the point of view of protecting the value of the U.S. currency—in addition to regarding it from the point of view of apprehending crooks—the addition of 58 personnel would be a wise and prudent investment, made in the exercise of good judgment.

Mr. President, when the President of the United States is in Washington, where there is a normal White House Secret Service detail which has been rather constant in number, the Secret Service obviously does not assign the same number of men to the White House detail as the number who would be used when the President travels about the country and abroad, because their service with the White House detail does not require their full-time services. Generally speaking, Mr. President, this is also true when the President is traveling to Hyannis Port, to Palm Beach, to Middleburg, and so forth. Therefore, the plan the Secret Service has developed is to assign personnel to its regular investigative duties in its field offices; and, as I have said, these duties include the suppression of counterfeiting and bond and check forgery.

So these additional personnel will be assigned to the field offices; and when they are needed for the primary responsibility of the Secret Service, they will be called to that duty; namely, the protection of the President and his family.

When extensive Presidential travel is undertaken, then, as I have stated, such additional agents as may be necessary will be drawn from the field offices and will be assigned to the White House detail, to provide additional protection to the President, because of his travel.

The use of field agents for this purpose has added to the ever-growing backlog of cases, which now number more than 37,000. In that connection, I emphasize that the number of cases which now need to be investigated—cases already on the docket, cases already known, because of violation of the Federal statutes—has grown to such an extent that the backlog is now more than 37,000 cases; and counterfeiting alone has increased 60 percent since 1958.

The apprehension of counterfeiters is one of the main responsibilities of the Secret Service; and, as I have stated, counterfeiting has increased more than 60 percent since 1958. Furthermore, since there were 272 agents in 1959, and since the request for the fiscal year 1963 is for a total of 383 agents, that represents an addition of 111 agents, or an increase of approximately 33 percent in the number of field service personnel; but it is also to be noted that the increase in counterfeiting alone has been 60 percent.

Mr. President, major changes in the mode of travel during the past 10 years, in addition to the increase in counterfeiting and the increase in check forgery, have placed heavy demands upon the Secret Service. I think every one of us knows that prior to 1952, for example, Presidential travel was almost entirely done by train, which required a relatively small number of agents.

A review of past appropriations reflects that frequently it has been necessary for the Secret Service to request Congress to make supplemental funds available in connection with Presidential travel. This year, in the appropriation requested in order to forestall this possibility, an additional sum of $200,000 was included. When that is added to the estimate in connection with Presidential travel in 1963—in the amount of $125,000—we find that the total is $325,000. I mention this because it was referred to by the Senator from Colorado.

Mr. President, my projection of the hours of work required in order to protect the President indicates that on the basis of the last 7 months up to January 31, the total was 143,230 hours; and the indication is that the total for the fiscal year 1962 will be approximately 253,430 hours, which will be slightly more than the 250,495 hours in the fiscal year 1961.

So it is quite obvious that much of the work of these agents will be devoted to the activities of the apprehension of counterfeiters, the apprehension of check forgers, and the apprehension of those guilty of other Federal offenses.

I know the Senator from Colorado has every right to be concerned if comments are made about the former President of the United States and his travels. I never was very much concerned about President Eisenhower's travels or about his vacations. I think Presidents are entitled to them. President Kennedy is also entitled to them, and President Eisenhower was entitled to them; and Mrs. Eisenhower, one of the loveliest ladies ever to grace the White House, was certainly entitled to every possible consideration; and whenever anyone attempted to cast any reflection upon the First Family, I was one of the first to disagree. I believe we can disagree politically without becoming personal about the matter. And I believe that the deduction of this item, which is for the protection of the President and his family, is really something we should forego, because the President is doing a great job for the Nation, and I hope he will travel even more—for example, not only to Mexico, but also to every country in

Latin America, and also to many countries in the Far East, where he should go as the leader of our great Republic and as the leader of the free world. If he makes those trips, it is essential that he have the protection of the most efficient protective force in the world, the U.S. Secret Service, which has a record second to none. And if the Chief of the Secret Service, Mr. Rowley, believes he needs these additional men, certainly I will not say he does not need them, because I do not want it on my conscience or on my hands that we in any way denied the Secret Service the manpower it needs in order to fulfill the demands, requests, and orders of the Congress of the United States that it protect the President of the United States and his family.

Mr. ALLOTT. Mr. President, we have just heard a very fine speech by one of the cleverest orators in the Senate, which has answered a part, but left unsaid a great part, of the issue raised by me in my former remarks.

I am sure everyone appreciates the great ability with which this gentleman and distinguished Senator argues his case. I will not argue at great length, but I do want to set certain things straight for the RECORD, first of all. As the Senator has so ably said, it is not a question of adequate protection for the President and his family. As a lawyer of many years, respect for the law and the legal processes of our Government and what it means to me are deeply impressed on me. That is not the question.

No one would want to deprive the President and his family of adequate—and I do mean adequate—protection. The Senator has raised the question of the adequacy of the Secret Service. I have raised no question about the Secret Service being political. I have never considered it as being a political organization. Some of the men at the White House today were guarding President Eisenhower and his family. That is true, and it should be that way. Congress, in its wisdom, and under the Constitution, is responsible for the agency.

A point has been made about the great load on the Service because of counterfeiting. Here is where we get to the kernel of what we are talking about. From what occurred subsequent to the hearings, I know personally, from talking to Mr. Rowley and members of his staff, there is a real, fundamental job to be done in combating counterfeiting in this country. I am sympathetic to their having sufficient agents to do the job. Then, for heaven's sake, why did not the Secretary say that, instead of devoting three-fourths or seven-eighths of his statement to justifying it on the basis of the protection of the President and his family? All we want is direct answers, and Members of the House and the Senate are entitled to them.

I am very happy to have had laid out for me the blueprint of future activities of the President and his family, and that they are going to do considerably more extensive traveling, because over the period of the 7 years that this Senator has been here, and particularly his first 6 years, he heard many, many bitter speeches on the floor of the Senate about the travels of the former President, Mr. Eisenhower, and his wife.

I think, in view of the statements of President Kennedy when he ran for office, and the speeches about the peripatetic—and I use that term again—habits of President Eisenhower, it is only fair to call attention to the fact that use of the Secret Service for the President and his family has increased greatly because of the increased traveling of the President and his family.

It is interesting to learn from the distinguished Senator from Minnesota that we have seen only the beginning of it, and that we are going to see a lot more of it.

I wish now to read a statement from Mr. Rowley on this subject which appears at page 448 of the House hearings. I read only a part of the question of Mr. Gary, because his full question is half a page long. The question ends up in this way:

> How does your present staff for that purpose measure up?

He is talking about the Presidential family.

> Mr. ROWLEY. On the White House detail?
>
> Mr. GARY. Yes.
>
> Mr. ROWLEY. In addition to the present staff, we could use another shift. We were contemplating establishing what we call a fourth shift because of the activities of President Kennedy. As you know, he is moving back and forth almost every weekend.

This, of course, has been confirmed as his future program by the distinguished Senator from Minnesota.

The Senator has used one other comparison that I think I ought to call attention to. He used the period of 1959 and 1960 as compared with 1961 and 1962 in referring to jet travel. In 1959 and 1960 President Eisenhower had a jet plane, and he used it. So there really is not any difference.

Mr. HUMPHREY. Mr. President, if the Senator will yield for a correction, I used the year 1958–59 as a period in which there was jet travel, and the increase for those years, as compared with earlier years, to indicate there was an increased need for personnel. Furthermore, I said that the increase in jet travel and its wider use made it necessary to have more personnel because of the speed of travel and the inability to send one group of Secret Service agents to cover several spots during Presidential trips.

Mr. ALLOTT. I do not have the specific figures for 1958, because they were not supplied to me by the Secret Service; but so far as travel is concerned, the same situation existed in 1959 and 1960 as existed since President Kennedy took office a year ago in January.

This is not an attack upon the Secret Service. I would be the last to feel any such attack was justified in any degree. That simply is not this Senator's point of view. In view of the great degree of counterfeiting, it is hard for me to understand why the Secretary devoted all of his justification on another ground; namely, that of the protection of the President and his family.

I make two points in summation and in reply. First, the activities of the President—who stated he was going to stay in his office and take care of his business and not travel around—have not come to pass in that way. Instead the activities of the Secret Service have been increased greatly, as shown in my former statement, by reason of the travel by the President. Second, a point which should be of vital concern to every Member of the Senate, is the fact that when we ask questions of department heads we have a right to expect reasonable, clear, and direct answers, either in the first instance, or in being supplied for the hearing record.

To this latter point I devote myself especially, because of the lack of direct answers which occurred. I wish to say also in this respect that I am indebted to the junior Senator from Virginia for helping me to procure this information, and to Mr. Rowley, who was completely frank, completely aboveboard, and who did his best to supply me with the information he had. The estimates and figures I have given were obtained from him. They are the best estimates he can make now, because he cannot project into the future.

I wished to straighten these matters out and to make the two points I have made, both in the first instance and now in restatement.

Mr. HUMPHREY. Mr. President, I shall be brief.

The Senator commented about the Secretary's response to his question. I am not here to defend the Secretary. I only say that when Secretary Dillon responded about the protection of the President's family as being the basic argument for the additional Secret Service agents he was doing exactly what the law required in respect to the priority of the work of the Secret Service. The main obligation of the Secret Service, if it does nothing else and if it has to set aside every other obligation it has, is the protection of the President and the President's family. That is No. 1.

I note that on page 34 of the hearings the Senator from Colorado questioned the Secretary, Mr. Dillon. The question and the response are as follows:

> Senator ALLOTT. Mr. Chairman, then if that is the situation, why can't we have a breakdown of the items starting on page 9, as to the added agents that are necessary for the protection of the President and his family—none of us want to forgo adequate protection in this respect—and the added number necessary for the ordinary duties of the Secret Service which the Secretary emphasized in his last sentence.
>
> Mr. DILLON. We would be glad to do what we can on that but as I pointed out the same men do both jobs. We will be glad to give you a complete breakdown where the men are needed and why they are needed in these individual places, and so forth.

The information on Secret Service begins on page 180. It runs through page 192, with a complete analysis of information which was requested from the Secretary of the Treasury.

Mr. President, the Secret Service is not at issue. There is not any doubt about that. Mr. Rowley, the Chief of the Secret Service, testified in behalf

of these additional men. I am sure he testified in behalf of the request because he thought he needed what was asked.

The only reason I can see for this debate is to emphasize that President Kennedy is using more man-hours of the Secret Service for family protection than a previous President did. I say that that is a very poor argument as to the soundness or lack of soundness, as to the justification or lack of justification of the request for 58 additional personnel.

I did not give any blueprint as to President Kennedy's future plans. I said I hoped the President would travel, that I would expect the President to travel, and that I would expect the President to take care of the business of the office of the President by doing what the business of the office of the President requires in 1962, 1963, 1964, and so on, because the office of the President today is not in the White House. The office of the President is wherever the President of the United States is. The President of the United States will be where he is required to be by the requirements of national security and the duties of the executive office of the President of the United States.

I ask Senators what the country would feel and how the country would react if anything should ever happen to that precious little daughter, Caroline? Think what an outburst there would be.

I think the RECORD ought to be manifestly clear, so that no one can possibly misinterpret it. I wish to protect my good friend from Colorado and everyone else. No one here for a single minute should be raising his voice against adequate Secret Service protection as requested by the Chief of the Secret Service. The Chief of the Secret Service is not an empire builder. The Chief of the Secret Service is not trying to pad payrolls. The Chief of the Secret Service is only doing what he thinks is necessary to be done to fulfill the requirements of his job, which is to protect the most important man in the world, the President of the United States, and to protect the President's family.

It appears to me that the only purpose for this argument is apparently to get even, if somebody did anything in the past for which one ought to feel a motivation to get even.

I hope that no one will ever criticize the former President of the United States for having used Secret Service agents. I hope that no one will ever criticize the former Vice President of the United States for having used Secret Service agents when he traveled. He needed them when he went to South America. Thank goodness he had them. I say this in all respect.

The Vice President of the United States now needs these agents, even if he says he does not. He is not a private citizen any more; he is a public official.

The President of the United States needs these men, and his family needs them. I think it is really not in very good taste to indicate anything else but a need for them.

Mr. ALLOTT. Mr. President, will the Senator yield for a question?

Mr. HUMPHREY. I yield.

Mr. ALLOTT. Is the Senator implying that I anywhere in my statement said that they did not need them?

Mr. HUMPHREY. No.

Mr. ALLOTT. Or that my chief concern was other than to see that they were adequately protected?

Mr. HUMPHREY. No. The Senator did not say that.

Mr. ALLOTT. If he is so implying, I think the Senator owes me an apology.

Mr. HUMPHREY. The Senator did not say that. I said to the contrary, that I knew the Senator from Colorado knows the Secret Service needs these agents.

What I am trying to find out is why the Senator is arguing about it at all, if they are needed. The Senator knocked the grounds out from under his own argument. The Senator says that the President needs them, that the Secret Service needs them, and that he wants the President to have adequate protection. He reminds us of the number of hours the President has been traveling, and the number of hours' protection given to the President's family.

It seems to me that the argument of the Senator from Colorado is very clear that the President needs the protection, that the Secret Service needs the agents; but, somehow or other, we ought to make a little politics out of it. I think that is the whole thing.

Mr. WILLIAMS of Delaware. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 18, after line 18 it is proposed to insert:

GENERAL PROVISION

> No part of any appropriation contained in this or any other Act, or of the funds available for expenditure by any individual, corporation, or agency included in this or any other Act, shall be used for publicity or propaganda purposes designed to support or defeat legislation pending before Congress.
>
> No part of any appropriation contained in this or any other Act, or of the funds available for expenditure by any individual, corporation, or agency included in this or any other Act, shall be used to pay the salary of any civil service employee who appears before public groups for the purpose of supporting or opposing the administration's position on pending legislation.

Mr. WILLIAMS of Delaware. Mr. President, the reason I offer this particular amendment at this time is in an attempt to override a recent ruling of the Chairman of the Civil Service Commission, Mr. Macy, wherein Civil Service employees will be used to promote the administration's legislative proposals.

The first part of the amendment has on previous occasions been approved by the Congress. It was approved as section 509 of the General Government Matters and Department of Commerce and Related Agencies Appropriations Act of 1962. It was approved on the 3d day of August 1961. It is now Public Law 87–126.

Most of us at the time felt the language was adequate. However, I found that the Chairman of the Civil Service Commission, Mr. Macy, had issued a new ruling this year. I incorporated this into the RECORD under date of March 1, 1962, at which time I called the ruling to the attention of the Senate.

The Commissioner has agreed that there is no precedent for this ruling, which if left unchallenged will destroy our civil service system. It is an entirely new ruling. I should like to read it. I shall skip the first part of the ruling in which the Commissioner repeats the same understanding we have always had as to the rights of civil service employees; namely, that they can very properly make speeches explaining and interpreting a current law and identifying its purpose. But that authority relates to existing law.

However, from time immemorial the law has been very clear that career civil service employees were not permitted to lobby on behalf of proposed legislation or for the policies or programs of any administration prior to the time such measures were enacted. The law has been very specific in that respect. Recognizing that point, the Commissioner still ruled, and I quote:

> A more difficult decision is faced when new or changed programs are pending before Congress in the form of proposed legislation. Definitive statutory language prohibits the use of appropriated funds for "publicity or propaganda designed to support or defeat legislation pending before Congress." Such language clearly limits the career official's position of possible support of or opposition to new or amendatory legislation. Aware of these implications, however, the career official may explain the position of the administration in the proposed legislation before interested public groups.

I am quoting from Commissioner Macy's recent ruling. I again quote from his ruling in which he clearly recognizes that existing law prohibits such action. I quote the key part of Mr. Macy's ruling:

> Definitive statutory language prohibits the use of appropriated funds for "publicity or propaganda designed to support or defeat legislation pending before Congress."

Mr. Macy admittedly recognizes that such is the law but apparently he and Attorney General Kennedy feel that their administration can make their own rules. We now have a ruling that career officials may as they say "explain" the position of the administration before interested public groups. Recognizing the seriousness of this decision I am offering the amendment here today to nullify the ruling. Our failure to act could result in the complete breakdown of our civil service system which for years we have all supported.

Under date of February 27 I have directed a letter to Hon. Robert F. Kennedy, Attorney General of the United States, asking him to rule on the legality of this ruling which had been rendered by the Chairman of the Civil Service Commission.

In the letter I stated that if his ruling upheld the legality of the new ruling of

Mr. Macy, my next question was as follows:

Could the same career civil service employees appear before interested public groups and support a position in opposition to the administration's proposal?

In other words, if we are to have a ruling that civil service employees may appear before public groups and support the position of the administration, may a career civil service employee who differs with that position likewise appear before a group and express his own private opinion although it is different?

Yesterday, I received a reply to my letter to Attorney General Kennedy. The letter was signed by Mr. Nicholas Katzenbach, Assistant Attorney General. In a three-page letter he got around the point by saying that perhaps they should not engage in such activity, but under the ruling they could do so, and it is perfectly legal for such employees to appear before interested public groups and explain the position of the administration as long as they do not oppose the administration.

But what is more interesting is the position of the Assistant Attorney General with respect to the second question. If career civil service employees could explain the position of the administration or defend administration policies and legislative programs, even before such programs were enacted, what would happen if such employees were to speak against the programs?

I quote from the letter of the Assistant Attorney General:

The legal considerations pertinent to your question concerning a career employee's publicly expressed opposition to an administration's legislative recommendations are to a large extent the same as those discussed above. But, granting the legality of such public action in a particular instance, I believe it would nevertheless constitute a serious impropriety.

In other words, civil service employees may speak for the program of the administration, but it would be a serious impropriety if they should speak against it, which is another way of saying, "You will be fired, demoted, or denied promotions."

I continue reading from the letter:

But, granting the legality of such public action in a particular instance, I believe it would nevertheless constitute a serious impropriety. Although a career official is entitled and expected to present his independent views to his superiors, they in turn are entitled to his cooperation and support in respect of a policy once it is settled. And they are entitled to that cooperation and support from him even though he may not agree with the policy. Whatever may be proper for such an official acting in a clearly private capacity, I think it would be a distinct breach of his duty as a career official to use his official position publicly to oppose the policies of the administration he serves.

In other words, the ruling is that even though a civil service employee does not agree with the administration or its policies, he is expected to disregard his own opinions and speak on behalf of the administration in defense of its policies.

I continue to read from the letter:

Whatever may be proper for such an official acting in a clearly private capacity, I think it would be a distinct breach of his duty as a career official to use his official position publicly to oppose the policies of the administration he serves.

The ruling is very clear. It is a complete departure from any policy we have ever had so far as civil service is concerned. We have always recognized that the establishment of the civil service has been one of the most constructive steps ever taken for the protection of Government employees. Yes, they give up the right to participate in political activities. That is understood. But in return they are accorded security in their jobs without regard to which political party may have control of the administration; and their right of promotion is supposed not to be jeopardized by their political affiliations, nor is it supposed to be jeopardized by their refusal to make public speeches in behalf of a program with which they may disagree.

Mr. Macy's and Attorney General Kennedy's policy would return our civil service system to the pork-barrel patronage era.

As I stated, the first half of the amendment I have offered is a repetition of that which has previously been approved by the Congress in appropriation bills. The latter part of the amendment would cancel the recent ruling to which I am referring. The latter part of the amendment is designed for one purpose only: namely, to override this ruling of Mr. Macy. It would put the career civil service employees back to where they were before—in a position in which they could not be used as political pawns by any administration. But I certainly do not think we wish to adopt the policy that an administration may instruct career employees that they must make speeches on behalf of any program, or say to them, "You may disagree with it, but your public statements must be in support and in defense of our programs. You can tell your superior about it; but if your superior gives you a different order you had better change your position, and publicly you must say, 'I am for it,' otherwise you get no more promotions."

I am sure that the chairman of the subcommittee will agree fully with what we are trying to achieve by the amendment. I hope the amendment can be unanimously approved by Congress.

Mr. SCOTT. Mr. President, will the Senator from Delaware yield?

Mr. WILLIAMS of Delaware. I yield to the Senator from Pennsylvania.

Mr. SCOTT. Mr. President, in addressing I assume that the Senator from Delaware agrees with me that even the office of the Attorney General is familiar with the first amendment to the Bill of Rights, which provides:

Congress shall make no law abridging the freedom of speech.

As I understand, the present situation, notwithstanding the passage of legislation which would prohibit civil service employees from propagandizing, the Attorney General now confronts them with an edict from the Civil Service Commission which in effect would suborn and subvert the civil service employees into propaganda agents for the administration. Is that statement correct?

Mr. WILLIAMS of Delaware. Yes. There is a distinct inference in the ruling of the Attorney General that civil service employees may be ordered to speak for, explain, or defend the position of the administration's legislative program or its policies.

But the Attorney General makes it clear that he thinks and I quote:

I think it would be a distinct breach of his duty as a career official to use his official position publicly to oppose the policy of the administration.

Attorney General Kennedy is saying that all civil servants had better be for us and that it will be considered "a serious impropriety" for anyone to dare to speak against them.

Mr. Khrushchev may be able to give his government employees such orders, but not here in America.

I do not believe that civil service employees should be used by any administration to influence either the defeat or the passage of any legislative program. That is not their job. Certainly they can very properly explain how a law works once that law is placed on the statute books. That is proper procedure. Whether I agree with the law or not, once the law is enacted it is the law of the land, and they have a duty to help explain it and to help make it work. But they should not be used as pawns to propagandize legislation or to bring influence to bear on Members of Congress in order to enact some controversial legislative program.

I was astonished that the Attorney General would dare suggest such a dictatorial procedure.

Mr. SCOTT. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. SCOTT. Does the Senator agree that this in effect mobilizes the civil servants as active agents to propagandize or to propagate the administration's program all up and down the line, even though the man who has been ordered to address people and to support a program may himself entirely disagree with it? In other words, does not such a person have to dissemble and deceive as to his own opinion, if he once gets an order from someone in the administration to do what is contemplated by this ruling? In short, he must support the administration's program whether he likes it or not. Does not the Senator agree with my statement?

Mr. WILLIAMS of Delaware. That is my understanding of the ruling.

Mr. SCOTT. Therefore, does not the Senator agree that under this ruling, for the first time, the civil service employees can be compelled to go out and do just that? Let me cite a specific situation. Let us consider the aid to education bill. The President has stated that aid to parochial schools under the aid to education bill, in his opinion, is unconstitutional. There are some Members of the Senate who do not entirely accept the President's conclusion on that point. If a civil service employee in the Department of Health, Education, and Welfare were instructed to lecture on the President's aid to education program, would he not be compelled to say, since the President has said aid to parochial schools would be unconstitutional, that, even though he feels that aid to parochial schools is constitutional, that it is unconstitutional, because that is the administration's view?

Mr. WILLIAMS of Delaware. I will answer the Senator's question by quoting the Attorney General's ruling:

They are entitled—

They are speaking of the administration here—

They are entitled to that cooperation and support from him even though he may not agree with the policy.

Mr. SCOTT. Therefore, does not the Senator further agree that the penalty for disagreeing with any of the President's proposals, whether it be aid to education or any other proposal of the administration, and for expressing his opinion as a free American citizen, as well as in his position as a civil service employee, and for saying out loud what he believed, to anyone but to his superior, because it would be considered a gross impropriety, would be his dismissal? In other words, he could be fired for committing what the Attorney General has designated a gross impropriety, or, if not fired, being sent to a remote area or otherwise punished if he tried to stand up like a freeman and state his own opinion. If in answer to a question from the audience he was addressing he said, "I admit I have some reservations on this point, and I do not entirely agree, even though the administration has told me to speak in favor of it." He could lose his job by saying that, could he not?

Mr. WILLIAMS of Delaware. They may not go so far as to fire him because there may be some fear of public reaction to such a severe penalty but certainly he could be demoted or refused promotions. I would say that if any civil service employee does not take cognizance of what is being ruled here, unless we do something about it here in Congress, he would jeopardize any possibility of promotion or bettering his position as an employee if he fails to support this administration. Under this ruling a career official who differs with them should present his views to his superior; however, once the superior has established a policy, then whether the employee agrees with it or not, they are in effect saying that it becomes his duty to go out and defend that program and to help get the law enacted. For any employee to express a different opinion is considered to be a gross impropriety.

Mr. SCOTT. If an employee of the Department of Health, Education, and Welfare goes out and says something, which, in the opinion of the Attorney General of the United States, would be a gross impropriety, it would not do his own health and welfare as a civil servant much good, would it?

Mr. WILLIAMS of Delaware. He would be in trouble.

Mr. SCOTT. He would be in trouble. He would be in the bucket.

Mr. WILLIAMS of Delaware. There is no question about that.

Mr. SCOTT. Then does not the Senator from Delaware agree that what the Attorney General and the Civil Service Commission are trying to do for the first time in our history is to create a vast propaganda machine to tell the people of the country that everything the administration proposes meets with the full approval of every person speaking as a civil servant?

Mr. WILLIAMS of Delaware. That is true. I asked Chairman Macy to check the record to see if such a ruling had previously been issued or if there was a precedent for such a ruling. I quote from Mr. Macy's letter of February 15, 1962:

To the best of my knowledge the text of this statement has not been previously distributed.

Mr. SCOTT. I close with the words which all of us learned when we read Cicero's famous oration, and which I now express to the Attorney General and to the Chairman of the Civil Service Commission:

How long, O Catline, will you continue to abuse our patience?

Does the Senator believe that the American people would stand for this kind of encroachment on the civil service if they were aware of what was being done?

Mr. WILLIAMS of Delaware. I do not believe they will. I do not think Congress will either. That is the reason I have offered the amendment. The amendment is an exact restatement of the law which was previously enacted. That is so far as the first part of the amendment is concerned. The last half of the amendment is designed to override the recent decision of Attorney General Robert Kennedy and Mr. Macy. In my opinion, civil service employees should not be obliged to either support or oppose the administration.

The adoption of this amendment would not affect in any way any employee's right of petitioning Congress or expressing his opinion to congressional committees as is provided under present law. We are not affecting or breaching that right at all. We are trying to protect the employees in a manner in which they have always been protected in the years past. I quote from title 18, United States Code, section 1913:

This shall not prevent officers or employees of the United States or of its Departments or Agencies from communicating to Members of Congress on the request of any Member or to Congress, through the proper official channels, requests for legislation or appropriations which they deem necessary for the efficient conduct of the public business.

The employees have a perfect right to come before the committee or to petition any Member of Congress. No one suggests that we restrict them further in that regard. We do not want to make it possible, however, for any administration—and I would feel the same way if a Republican administration were in office—to mobilize a large number of civil service employees and order them to go out and advocate and support all the policies of the administration without regard to whether or not they believed in them. I do not believe any Member of the Senate will take the position that this should be done. I certainly hope that we can settle this issue now by the approval of the amendment.

Mr. SCOTT. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. SCOTT. The Senator feels then that a vote for his amendment will protect the civil service from undue and improper and political pressures in support of a political program, and that a vote against the amendment is a vote for weakening the civil service. Is that correct?

Mr. WILLIAMS of Delaware. Yes. The defeat of the amendment would uphold the ruling of the Attorney General. The Attorney General's ruling upholds the legality of the order of the Chairman of the Civil Service Commission. I will ask that all of these rulings be incorporated in the RECORD later in my remarks. The decision of the Attorney General goes even further than the Senator suggests because the Attorney General has stated that a civil service employee is expected to support the administration's policy and that it would be an impropriety for such an employee to express any public opposition to anything that the administration proposes.

But in effect he says they can be ordered to disregard their own opinions and support the administration's legislative program.

Mr. SCOTT. I hope the Senator from Delaware will press his amendment and will ask for the yeas and nays.

Mr. WILLIAMS of Delaware. I will ask for a yea-and-nay vote if that is necessary; but I hope the amendment will be adopted unanimously. If there is no opposition to it I hope it will be adopted tonight.

Mr. ROBERTSON. Mr. President, has the Senator from Delaware concluded?

Mr. WILLIAMS of Delaware. I hope the Senator from Virginia will not make a point of order but will accept the amendment. If such a point is made the amendment can be reworded to comply with the rules.

Mr. ROBERTSON. I am constrained by the general instructions of my committee to make a point of order against legislation on an appropriation bill. The Senator from Delaware and the Senator from Pennsylvania have spoken about how outrageous the rulings of the Attorney General are. It is all in the RECORD. Now I am about to make a point of order because, in 1931, the Committee on Appropriations adopted a resolution positively instructing every member of the committee who handled an appropriation bill on the floor to make a point of order against amendments which are legislation on appropriation bills.

The junior Senator from Virginia is entirely in sympathy and accord with what the Senator from Delaware seeks to do. If a civil service employee came to Virginia and made speeches against my reelection, that would come under the Hatch Act. But if he merely wanted to sprinkle a little rat poison concerning what I was attempting to do, that would not come under the Hatch Act.

I do not think civil service employees should make speeches. But this is not the time or place to amend the Hatch Act.

Senators will recall that in the early days of our country, each committee handled its own appropriation bill. That developed a great deal of partiality and favoritism. Each committee stressed the importance of its own work. So the rule was changed. One Committee on Appropriations was established to handle all appropriations; but it was provided that before the committee could act, it would be necessary to have an authorization so as to make certain that the Committee on Appropriations would not legislate.

The Senate adopted rule XVI, relating to amendments to appropriation bills. That rule is as plain as the nose on anyone's face. The language is also contained in the Reorganization Act. It provides that legislation may not be written into an appropriation bill. The Committee on Appropriations had attempted to legislate on appropriation bills. First it said that we could not have this or that unless we did so and so. That provision stood up. Then, it said that if a Member wanted a road to go by his house, the road money would not be provided unless a road were built by someone else's house.

Or it was said that the money would not be made available if in the future a Member attended public meetings and spoke either for or against some pending legislation. I do not know of anything that could be plainer.

I am very happy that presiding over the Senate now is a very erudite, distinguished scholar. I am sure he knows the English language; and fortunately this provision is written in English. It is in very plain English. Section 2 provides:

> The Committee on Appropriations shall not report an appropriation bill containing amendments proposing new or general legislation or any restriction on the expenditure of the funds appropriated which proposes a limitation not authorized by law if such restriction is to take effect or cease to be effective upon the happening of a contingency.

What is the contingency? We appropriate money for civil service employees in the Treasury Department. If they go out and speak either for or against a tax bill, or for or against a trade bill, or advocate a free tariff on textiles, which some people in New England might not like, they will not get their money. But if they keep their mouths shut, that is all right. Is that a contingency, or is it not? I do not see how the language could be plainer. I regret to have to raise this issue. It was not mentioned to us in the subcommittee; it was not mentioned in the full committee.

The language in the first part of the Senator's amendment is contained in an appropriation bill, every year. It is nothing new. It was included in the appropriation bill for general Government matters last year. It will be in this year's appropriation bill for the independent offices, now being considered by the House.

The proposed amendment would not become effective until July 1, anyway; it applies to all bills. Some of the appropriation bills such as the appropriation bill for the Department of Defense, have not been introduced.

The amendment of the Senator from Delaware seeks to do just what this body, in formulating its rules, has said may not be done in an appropriation bill. It is not allowed to place a limitation in the bill providing that the money may be used up to a certain point, but that if a certain contingency happens in the future, such as a civil service employee going before a public meeting, the money will not be forthcoming.

I shall not argue the point further, because I feel it would be an insult to the intelligence of the very wise gentleman who is now presiding over the Senate. I make the point of order for the RECORD.

A supplemental appropriation bill which will provide funds for almost all departments will come before the Senate next week. Then there will be other bills which will include the first part of the Senator's amendment. We have a right to do that.

So under the circumstances, and considering the instructions under which I must operate, instructions dating back to the day when my predecessor, Carter Glass, served on the committee, I must make the point of order.

I am in sympathy with what the Senator wishes to do. But it is necessary to raise the point of order, and I make the point of order.

Mr. DIRKSEN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Illinois will state it.

Mr. DIRKSEN. Is a straight limitation on the general use of funds in an appropriation bill in order under the standing rules?

The PRESIDING OFFICER (Mr. PELL in the chair). According to Senate precedents, a straight limitation is in order.

Mr. DIRKSEN. I ask the distinguished Senator from Virginia whether he will point out in the amendment the offensive language which is contrary to the existing rule.

Mr. ROBERTSON. It prohibits the payment of a salary to any civil service employee who does something in the future. And what is that? If he appears before public groups for the purpose of supporting or opposing legislation.

Of course, I agree with the Senator from Pennsylvania. If a person is to appear before a committee, let him claim not the fifth amendment, but the first amendment, and speak in his native tongue on either side of the question. I do not believe civil service employees ought to appear at all. But here is the contingency, as clear as it can be spelled out:

> The employee can receive his salary unless and until something happens in the future. If the contingency occurs, he loses his salary. This is what the rule was intended to prevent; and the amendment of the Senator from Delaware flies squarely in the teeth of that rule.

The PRESIDING OFFICER. In answer to the basic point raised by the Senator from Virginia, under the precedents of the Senate the inclusion of the words "or any other act" removes the amendment from the scope of a limitation and places it in the category of legislation. Therefore, it is subject to a point of order. The Chair sustains the point of order raised by the Senator from Virginia.

Mr. WILLIAMS of Delaware. Mr. President, do I correctly understand that the point of order was made against the four words "or any other act?"

The PRESIDING OFFICER. The Chair sustains the point of order raised by the Senator from Virginia because of those four words.

Mr. WILLIAMS of Delaware. I recognized that this was broad language, but I point out it will be a simple matter to make this change. I should like to have the amendment adopted in broad language because I think it is essential. It has been done before by Congress.

The Senator from Virginia makes a valid point when he says that I had not taken up this question with the committee but I did not get a chance. I advanced as fast as I could, but the bill was reported by the committee on March 10, and at that time I had not yet heard from the Attorney General. He was still out of the country. I examined his ruling only yesterday. That is the reason why no notice was filed. However, I think it will be found that there is a proper method of drafting such an amendment which will be in order as far as this appropriation bill is concerned. We are talking about restrictions to be placed on funds which are provided under this act. We can today deal with appropriations for the Treasury and Post Office. We can place limitations in this bill with respect to employees of those two agencies alone. I fully concede the point that we cannot move now with respect to other agencies except by unanimous consent. But if it is necessary in order to accomplish this objective, a similar amendment can be offered to every appropriation bill this year. I am determined that the Congress face this issue. Let us decide whether we wish to uphold the policy that this administration may put all its civil service employees under the New Frontier with orders for them to go out and speak for the administration but that they dare not open their mouths in opposition.

It would be easier to act on the amendment in broad terms now, but if necessary it can be offered separately to every appropriation bill acted upon this year.

In a few minutes, after a quorum call is had, I shall submit a new amendment. But first I wish to yield to the Senator from Illinois, and then I shall suggest the absence of a quorum.

Mr. DIRKSEN. Mr. President, the distinguished Senator from Virginia [Mr. ROBERTSON] assigned, among other reasons why the point of order should be sustained, the reason that this payment would be based upon a contingency. The Chair did not rule on that point. I

am of the opinion that this amendment does not violate the rule, insofar as the contingency feature is involved. So I believe that question should be settled now.

The PRESIDING OFFICER. The Chair did not rule upon that point.

Mr. DIRKSEN. That is true. But the Senator from Virginia did take the position that the contingency feature was one basis—among others—for the point of order.

Mr. ROBERTSON. My position is that one good basis for the point of order is enough; but I am glad to have more than one.

Mr. DIRKSEN. I should like to have the Chair clarify this point, for the sake of precedent.

The PRESIDING OFFICER. With the language of the amendment as it is, the Chair cannot make a decision until the first part is in final shape.

Mr. DIRKSEN. But the Senator from Virginia addressed his remarks relative to the point of order to the language now before the Chair.

Mr. WILLIAMS of Delaware. Mr. President, in order to facilitate the ruling—because we clearly understand that so long as the words "or any other act" are included, the rule would be violated—I resubmit the same amendment with the words "or any other" stricken out—which leaves the language applicable only to the provisions of this act and the appropriations made under it.

Mr. DIRKSEN. Mr. President, I have put my question to the Chair; and since the contingency feature was assigned as a reason for making the point of order, I believe that the Chair should dispose of that question because I do not believe that feature of the amendment would sustain a point of order.

The PRESIDING OFFICER. In answer to the question raised by the Senator from Illinois, the Chair rules, after an examination of rule XVI, paragraph 4, that the second paragraph of the proposed amendment would seem to be in contravention of the express provisions of the formal language of the rule; namely—

> Nor shall any restriction on the expenditure of the funds appropriated which proposes a limitation not authorized by law be received if such restriction is to take effect or cease to be effective upon the happening of a contingency.

In the opinion of the Chair there seems to be a clear contingency in this case; and, accordingly, the Chair sustains the point of order in relation to the second paragraph of the amendment.

Mr. ROBERTSON. Mr. President, if I may——

Mr. DIRKSEN. Mr. President, first, I wish to perfect the record at this point. Therefore, I most respectfully appeal from the ruling of the Chair. However, I shall not press my appeal. Nevertheless, I want the record to show that I appeal from the ruling of the Chair, because I do not believe there is here involved the kind of contingency which would warrant the sustaining of such a point of order. But I leave the record in that way.

The PRESIDING OFFICER. The Chair thanks the Senator from Illinois.

Mr. ROBERTSON. Mr. President, the amendment is limited to this bill, for I understand that the Senator from Delaware has stricken out the words "or any other."

Mr. WILLIAMS of Delaware. Yes; I now limit the amendment to this bill only.

Mr. ROBERTSON. If the Senator removes the reference to the Hatch Act—which reference has been ruled by the Chair to be legislation—I shall be willing to accept the amendment. That is as far as I could legally go, and perhaps is beyond my jurisdiction. But such a provision has been in the law for many years. So let the Senator from Delaware get the credit for being the first to put it in, this year, if he wishes to.

Mr. PASTORE. Mr. President, will the Senator from Delaware yield to me?

Mr. WILLIAMS of Delaware. I yield.

Mr. PASTORE. Let me ask what all the argument is about.

Mr. WILLIAMS of Delaware. Mr. President, I ask that the Chair direct the clerk to read the amendment as it now is at the desk, with the words "or any other act" deleted.

The PRESIDING OFFICER. The amendment will be read.

The amendment, as modified, was read, as follows:

On page 18, after line 18:

"GENERAL PROVISION

"No part of any appropriation contained in this act, or of the funds available for expenditure by any individual, corporation, or agency included in this act, shall be used for publicity or propaganda purposes designed to support or defeat legislation pending before Congress.

"No part of any appropriation contained in this act, or of the funds available for expenditure by any individual, corporation, or agency included in this act, shall be used to pay the salary of any civil service employee who appears before public groups for the purpose of supporting or opposing the administration's position on pending legislation."

Mr. PASTORE. Let me ask the chairman of the subcommittee whether that language was in the appropriation bill last year.

Mr. ROBERTSON. Yes—the first part of it was. But the second part is an amendment to the Hatch Act and has not been included in appropriation bills in the past.

Mr. WILLIAMS of Delaware. The second part does not amend the Hatch Act in any way at all.

Mr. ROBERTSON. But it is legislation in an appropriation bill, and it is out of order.

However, I have said that I am willing to take the first part of the amendment, which is the part of the amendment on which it is permissible for this body to act—although I do not even have specific authority from the committee to do that.

Mr. PASTORE. Let me ask what the Senator from Delaware thinks of the proposition of the Senator from Virginia.

Mr. WILLIAMS of Delaware. As has been pointed out, the first part of the amendment has previously been included in appropriation bills and has been supported unanimously, I believe, by the Congress, and I favor that part.

The reason why I have offered the second part is that the Civil Service Commissioner, Mr. Macy—and he admits that there is no precedent for it, and that this is the first time in history it has been proposed—takes the position that now civil service employees may be called upon to explain the position of the administration on pending legislation. I should like to read from his ruling. In the first part he points out that the law clearly allows civil service employees to appear before interested public groups to explain a law, even though the law may have been controversial prior to its enactment. On that point I agree. In other words, once a law is enacted it is the law of the land, and then it is the duty of all public officials—both civil service officials and others—to support it and to be willing to explain it.

But I quote now from the next part of the Commissioner's letter which contains a startling change in policy:

> 2. PENDING LEGISLATION
>
> A more difficult decision is faced when new or changed programs are pending before Congress in the form of proposed legislation. Definitive statutory language prohibits the use of appropriated funds for "publicity or propaganda designed to support or defeat legislation pending before Congress." Such language clearly limits the career official's position of possible support of or opposition to new or amendatory legislation. Aware of these implications, however, the career official may explain the position of the administration in the proposed legislation before interested public groups.

The last sentence is added by the Commissioner.

Mr. PASTORE. In other words, if a group of people from Rhode Island come to my office and wish to know something about the Post Office Department, and if I ask Mr. Brawley to come there, to explain it to them, if he did so he would be violating the law, and it could be charged that he was engaging in propaganda?

Mr. WILLIAMS of Delaware. Oh, no; not at all. This amendment would not affect such activities. I quote the law in this regard which will still be on the books:

> But this shall not prevent officers or employees of the United States or of its departments or agencies from communicating to Members of Congress on the request of any Member or to Congress, through the proper official channels, requests for legislation or appropriations which they deem necessary for the efficient conduct of the public business.

This amendment in no way restricts civil service employees from cooperating with Congress or from making such appearances when requested, and we are not trying to prevent such appearances.

What I am complaining about is that the Attorney General has ruled that civil service employees are expected, on the direction of their superior, to speak in behalf of the administration's program.

He went further. He said they are expected to speak in favor of the administration's program but that to say anything publicly against it will be considered a serious impropriety.

I do not think they should be able to direct a civil service employee to appear before a Rotary Club or any other organization and speak either for or against a proposed law. I am not trying to restrict them one iota more than they have always been in previous years as the Senator and I have understood the law, but I do not think this administration or any other administration should be allowed to order that they go out and appear before various groups in defense of their programs.

No administration should be able to tell the career civil service employees they have to go out and speak on behalf of a proposal of the administration even though they may disagree with it. That is going too far, and I do not think the Senator from Rhode Island, any more than I, wants to do it.

I would not limit them one iota more in what they have been able to do in the past. Even the Senator from Virginia has agreed with the objectives of my amendment.

I agree with him that when I used the words "or any other act" we were trying to make this general legislation. But the second paragraph does not amend the Hatch Act as the Senator has said. This amendment is merely a limitation on an appropriations act that they cannot use it to pay the salary of any civil service employee who appears before outside public groups and speaks either for or against a pending legislative proposal.

All we are trying to do is to keep the Civil Service removed from the realm of politics.

Let us not go back to the old pork-barrel patronage system.

Mr. PASTORE. The only trouble I find with the proposed amendment is that, first of all, it is farreaching, and the method being employed in sponsoring it at this time, I am afraid, is going to lead to possible confusion and error. There are many ramifications involved. Take the State Department. If high officials in the State Department go around making speeches—I am not saying whether it is right or wrong—it might affect them. I think the Senator has a point. I think the proposal should be brought before the Post Office and Civil Service Committee and ought to be fully investigated and studied. I am not for relaxation of the Hatch Act with regard to activity of civil service employees in politics. I agree with the Senator, but I do not think this is the time to do it. I think we ought to confine our efforts to the language we have accepted, and that the proposal which has been suggested should be studied. I do not think it should be done at the present time.

Mr. WILLIAMS of Delaware. The Senator from Rhode Island has referred to the State Department. The officials of the State Department and the other employees to whom he has referred are not civil service employees. They are members of the executive branch, and under all administrations they have been speaking on policies. I am confining this proposal solely to career civil service employees.

Mr. PASTORE. There may be some employees who are civil service employees and who have been making speeches, but I do not think we ought to resolve the matter this afternoon at this late hour without knowing all the facts.

Mr. MANSFIELD. Mr. President, I ask unanimous consent, after consultation with the appropriate Senators, I believe, that a time limitation be set on the amendment now pending; that when the Senate convenes at 11 o'clock tomorrow morning it agree to vote on the pending proposal at 12:30.

The PRESIDING OFFICER. The Chair reminds the Senator that the point of order of the Senator from Virginia was sustained.

Mr. MANSFIELD. It is my understanding that another amendment has been offered by the Senator from Delaware.

Mr. WILLIAMS of Delaware. It will be offered, but, Mr. President——

Mr. MANSFIELD. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Montana will state it.

Mr. MANSFIELD. Has the Senator from Delaware appealed from the ruling of the Chair?

Mr. WILLIAMS of Delaware. No.

The PRESIDING OFFICER. The Senator from Delaware has not.

Mr. WILLIAMS of Delaware. If the bill goes over until tomorrow—and I hope it will because I was planning to restrict this amendment somewhat so that it will comply with the rules of the Senate—I shall file notice of a motion to suspend the rules. The reason why the notice was not filed yesterday was that I did not have the Attorney General's letter in time, but I give notice tonight of my intention to file a motion for suspension of the rules.

Whether I move tomorrow to suspend the rules or whether I offer the amendment in a different form will be a decision that will be made overnight.

Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Delaware will state the parliamentary inquiry.

Mr. WILLIAMS of Delaware. As I understand it, if the bill goes over until tomorrow, I can serve notice tonight of my intention to make a motion to suspend the rules and then tomorrow I can make the motion to suspend the rules. Is that correct?

The PRESIDING OFFICER. The Senator from Delaware is correct. One day's notice must be given.

Mr. WILLIAMS of Delaware. I give that notice now.

The PRESIDING OFFICER. The notice is to be served in writing.

Mr. WILLIAMS of Delaware. It will be served in writing before the Senate adjourns.

Mr. MANSFIELD. Mr. President, I renew my unanimous-consent request that the vote, if any, be taken at 12 o'clock tomorrow.

Mr. WILLIAMS of Delaware. Mr. President, what time is the Senate to convene tomorrow?

Mr. MANSFIELD. Mr. President, may we have the request put and ruled upon?

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent that there be printed at this point in my remarks a copy of the letter, February 15, 1962, from Mr. Macy, Chairman of the Civil Service Commission, together with a copy of his ruling followed by a copy of my letter to the Attorney General and a copy of his reply thereto, in which he upholds the Commissioner's ruling, followed by a copy of the two laws dealing with this subject.

There being no objection, the letters and ruling were ordered to be printed in the RECORD, as follows:

U.S. CIVIL SERVICE COMMISSION,
Washington, D.C., February 15, 1962.

Hon. JOHN J. WILLIAMS,
U.S. Senate, Washington, D.C.

DEAR SENATOR WILLIAMS: In response to your request of January 29, I am enclosing a copy of the memorandum of guidance I forwarded on January 10 to department and agency heads concerning the role of the career official in support of Federal programs.

I believe it will be helpful to you in reviewing this memorandum to know that it was developed purely as staff guidance in response to requests from both career executives and Presidential appointees. The document was distributed for whatever use department and agency heads might wish to make of it. It was in no sense a directive nor a formal action of the Civil Service Commission. The absence of guidance of this type prompted the preparation of the document, and, to the best of my knowledge, the text of this statement has not been previously distributed although frequent reference has been made in the past to legal responsibilities of career officials.

To place the guidelines in the proper frame of reference, I think it important to invite your attention specifically to the second sentence in the paragraph preceding the guidelines which reads as follows: "Discretion and judgment must be applied by both Presidential appointees and career officials within the context of each problem as it arises."

Please let me know if there is additional information which you desire on this subject.

Sincerely yours,

JOHN W. MACY, Jr.,
Chairman.

RULING: ROLE OF THE CAREER OFFICIAL IN SUPPORT OF FEDERAL PROGRAMS

The extent to which Federal career officials should publicly support current and discuss proposed programs of their departments and agencies requires thoughtful judgment by all concerned. The role of the career official is still evolving within our system of government with the consequence that the precedent of longstanding tradition is not available. It is understandable, therefore, that uncertainty exists regarding the role the career official should play in program advocacy. This uncertainty has prompted requests from career officials, particularly in the field service, and from department and agency heads for guidance.

No definitive standard can be enunciated to define this role. Discretion and judgment must be applied by both Presidential appointees and career officials within the context of each problem as it arises. With this in mind it may be helpful, nevertheless, to consider the following guidelines:

1. Programs already authorized by law or Executive order: When a Federal program is based on law or Executive order, every career official has a positive obligation to make it function as efficiently and economically as possible and to support it as long as it is a part of recognized public policy. This means that a career official may properly make speeches explaining and interpreting a current program, identifying its public purposes, citing its achievements, defending it against uninformed or unjust criticisms, pointing out need for possible corrective action or soliciting views for improving it. The fact that the program was the subject of partisan controversy during the stages of enactment or development would in no sense lessen this obligation although the career official should exercise care in divorcing his remarks from a strictly political context.

2. Pending legislation: A more difficult decision is faced when new or changed programs are pending before Congress in the form of proposed legislation. Definitive statutory language prohibits the use of appropriated funds for "publicity or propaganda designed to support or defeat legislation pending before Congress". Such language clearly limits the career official's position of possible support of or opposition to new or amendatory legislation. Aware of these implications, however, the career official may explain the position of the administration in the proposed legislation before interested public groups.

Frequently, career officials are requested to testify on pending legislative proposals before congressional committees. Presidential appointees should recognize potential political involvement in assigning responsibility for legislative testimony to career officials. In most instances, the career officials should be used to present factual or technical testimony with policy advocacy reserved for presentation by the Presidential appointeee.

A special circumstance arises when congressional committees request the technical services of career officials to assist in drafting bills or reports. Even in politically controversial areas such an assignment is appropriate if it is understood that the career official is serving as a technical expert to assist in committee work under the direction of committee leadership.

JOHN W. MACY, Jr.,
Chairman, U.S. Civil Service Commission.

JANUARY 10, 1962.

FEBRUARY 27, 1962.

Hon. ROBERT F. KENNEDY
The Attorney General,
Washington, D.C.

MY DEAR MR. ATTORNEY GENERAL: Under date of January 10, 1962, Mr. John W. Macy, Jr., Chairman of the U.S. Civil Service Commission, issued a new ruling (a copy of which is enclosed) which grants to career officials as well as to Presidential appointees the right to propagandize—or as he says "explain"—before interested public groups the position of the administration on proposed legislation.

In connection with this ruling I would appreciate an answer to the following question:

1. In the opinion of the Department of Justice is this ruling legal?

Should your Department uphold the legality of this ruling I would appreciate answers to these questions:

1. Can career employees who may differ with the position of the administration speak before interested public groups in opposition to the administration's position on pending legislation without any fear of retaliation or without jeopardizing the security of their position?

2. In the Commission's ruling reference is made to the right of career employees to speak before interested public groups. Would not the term "interested public groups" include political meetings, since we all recognize political groups as being most interested in all legislative proposals?

Yours sincerely,

JOHN J. WILLIAMS.

MARCH 22, 1962.

Hon. JOHN J. WILLIAMS,
U.S. Senate, Washington, D.C.

DEAR SENATOR WILLIAMS: This is with further reference to your letter of February 27, 1962, concerning the appearances of career employees of the Government before public groups to explain the position of the administration on proposed legislation.

Your main question is whether such appearances are legally permissible, and arises from a comment on this subject made by John W. Macy, Chairman of the Civil Service Commission, in his advisory memorandum of January 10, 1962, to the Government departments and agencies.

The two laws which have the most bearing on the activity you inquire about are section 9 of the Hatch Act (5 U.S.C. 1181) and the appropriations act provision referred to by Mr. Macy, section 509 of the General Government Matters, Department of Commerce and Related Agencies Appropriation Act, 1962 (Public Law 87-125). I find nothing in the language of these statutes which renders it illegal for a career official to make an explanation of an administration legislative proposal or position to a public gathering. And I find nothing in the legislative histories of the statutes which points to the conclusion that an informational presentation of this kind was intended to be prohibited. Moreover, other acts of Congress point to the opposite conclusion since they plainly recognize the necessity for and authorize informational and educational activities on the part of executive departments and agencies.

Administrations going back many years have utilized career officials to inform the public concerning pending legislation, for these officials are often the only ones available or the ones best qualified for this work. It must be remembered in this connection that the President has constitutional responsibilities in the legislative arena. He has a duty to report to the Congress from time to time, to recommend legislation and actively to seek its enactment. Unless career employees may be given educational and informational assignments in this area of Executive endeavor, the President will be hampered in the discharge of his responsibilities and the public itself will suffer.

The legal considerations pertinent to your question concerning a career employee's publicly expressed opposition to an administration's legislative recommendation are to a large extent the same as those discussed above. But, granting the legality of such public action in a particular instance, I believe it would nevertheless constitute a serious impropriety. Although a career official is entitled and expected to present his independent views to his superiors, they in turn are entitled to his cooperation and support in respect of a policy once it is settled. And they are entitled to that cooperation and support from him even though he may not agree with the policy. Whatever may be proper for such an official acting in a clearly private capacity, I think it would be a distinct breach of his duty as a career official to use his official position publicly to oppose the policies of the administration he serves.

In relation to your third question it is to be noted that section 9 of the Hatch Act and civil service rule IV prohibit career employees of the executive branch from engaging in political management or in political campaigns of a partisan character. The Civil Service Commission has held that those subject to the act and the rule may not address a political club, group, or organization on political-party matters. Thus a career official should refrain from public appearances before such groups under conditions which suggest participation as a partisan in matters of concern to political parties and their candidates.

Considering Mr. Macy's memorandum in the light of the foregoing, I believe you will find it reasonable. He was careful to note the impact of the General Appropriation Act and pointed out that a career official may "explain" an administration position. I find no suggestion in this statement that a career official may safely embark, or be asked to embark, on a course of partisan or high-pressure activity.

I trust that the foregoing discussion will be of interest and service to you.

Sincerely,

NICHOLAS DEB. KATZENBACH,
Assistant Attorney General, Office of Legal Counsel.

The two laws dealing with this subject:

Section 509 of the General Government Matters, Department of Commerce, and Related Agencies Appropriation Act, 1962, approved August 3, 1961 (Public Law 87-125):

"No part of any appropriation contained in this or any other Act, or of the funds available for expenditure by any individual, corporation, or agency included in this or any other act, shall be used for publicity or propaganda purposes designed to support or defeat legislation pending before Congress."

Section 1913, Lobbying with Appropriated Moneys, from title 18 of the United States Code:

"No part of the money appropriated by any enactment of Congress shall, in the absence of express authorization by Congress, be used directly or indirectly to pay for any personal service, advertisement, telegram, telephone, letter, printed or written matter, or other device, intended or designed to influence in any manner a Member of Congress, to favor or oppose, by vote or otherwise, any legislation or appropriation by Congress, whether before or after the introduction of any bill or resolution proposing such legislation or appropriation; but this shall not prevent officers or employees of the United States or of its departments or agencies from communicating to Members of Congress on the request of any Member or to Congress, through the proper official channels, requests for legislation or appropriations which they deem necessary for the efficient conduct of the public business.

"Whoever, being an officer or employee of the United States or of any department or agency thereof, violates or attempts to violate this section, shall be fined not more than $500 or imprisoned not more than one year, or both; and after notice and hearing by the superior officer vested with the power of removing him, shall be removed from office or employment." (June 25, 1948, ch. 645, 62 Stat. 792.)

MESSAGE FROM THE HOUSE—ENROLLED JOINT RESOLUTIONS SIGNED

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled joint resolutions, and they were signed by the President pro tempore:

S.J Res. 152. Joint resolution to provide for the reappointment of Dr. Caryl P. Haskins as Citizen Regent of the Board of Regents of the Smithsonian Institution; and

S.J. Res. 153. Joint resolution to provide for the reappointment of Dr. Crawford H. Greenewalt as Citizen Regent of the Board of Regents of the Smithsonian Institution.

ORDER TO RECESS TO 11 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate recesses tonight, it recess until 11 o'clock tomorrow morning.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOTICE OF NO MORNING HOUR TOMORROW

Mr. MANSFIELD. Mr. President, for the information of the Senate, there will be no morning hour, and, therefore, this bill will be before the Senate after the Journal is disposed of.

Mr. ROBERTSON. Mr. President, will the majority leader yield?

Mr. MANSFIELD. I yield.

Mr. ROBERTSON. Witnesses are scheduled for tomorrow on an appropriation bill, but it is only $50 billion, and we will have an hour. We will be here at 11 o'clock.

Mr. MANSFIELD. I thank the Senator. I knew he would be here with "bells" on.

Mr. DIRKSEN. Mr. President, I trust no committees will ask to meet after the hour of 11 o'clock.

Mr. MANSFIELD. Mr. President, I hope the minority leader will not press that request, in view of the arrangement we have arrived at, with a view to assisting committee members. If committee members are needed, I hope they will get here, but at this time I hope the Senator will not object to committee meetings.

ORDER FOR CALENDAR CALL ON TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at the conclusion of the consideration of the pending business there be a calendar call beginning with Order No. 1197, S. 1180.

The PRESIDING OFFICER. Without objection, it is so ordered.

The unanimous-consent agreements, as subsequently reduced to writing, are as follows:

UNANIMOUS-CONSENT AGREEMENTS

Ordered, That on Thursday, March 29, 1962, during the further consideration of H.R. 10526, the so-called Treasury and Post Office Appropriation Act, 1963, during the pendency of the motion to suspend the rules offered by the Senator from Delaware, Mr. WILLIAMS, debate shall be limited to 1 hour, to be equally divided and controlled by Mr. WILLIAMS and the majority leader.

Ordered further, That at the conclusion of the consideration of H.R. 10526, the Senate shall proceed to the consideration of bills on the calendar to which there is no objection, commencing with Order No. 1197.

STOCKHOLDERS DESERTING TOBACCO INDUSTRY

Mrs. NEUBERGER. Mr. President, I wish to invite the Senate's attention to a curious phenomenon. Although the tobacco industry persists in its ostrich-like refusal to accept the conclusive proof that cigarette smoking causes lung cancer, tobacco company stockholders are not so certain. On the contrary, these stockholders have apparently become so convinced that the cigarette smoking-lung cancer link is inescapable that they are selling their shares in rapidly increasing numbers. Last week, in London, tobacco shares broke sharply, following a strong attack on smoking by the leader of the House of Lords. Yesterday, the New York Times reported heavy selling and a substantial drop in tobacco share prices on the New York Stock Exchange. Continued decline is reported today. This followed the announcement that a congressional subcommittee heard testimony from the National Cancer Institute that cigarette smoking not only caused lung cancer but also apparently was responsible for greater death rates in coronary disease and for birth defects in infants whose mothers were smokers.

While I do not pretend to be an expert stock market analyst, I might suggest that perhaps another factor has entered into the heavy selling of tobacco shares, both in this country and in London. These stockholders, who undoubtedly represent a typical cross section of the stockholding public, may very well be experiencing revulsion at the callous immorality of the tobacco industry's response to the evidence of smoke-caused lung cancer.

THE OREGON DUNES

Mrs. NEUBERGER. Mr. President, the March 26 New York Times carried an editorial dear to my heart. The title of the editorial was "The Oregon Dunes Belong."

The $2 million report of the Outdoor Resources Review Commission, recently submitted to the President, urged national seashore status for the Oregon Dunes, but when the President's conservation message came to the Congress the Oregon Dunes was notably missing.

I questioned the Secretary of the Interior about this because the dunes seashore is of great interest to me and to the people of my State. Under the Eisenhower administration and under Mr. Eisenhower's Secretary of the Interior, Mr. Seaton, the Oregon Dunes always had top billing as the outstanding example of sand dunes in North America. The sand has not changed. Nor has the topography changed. Yet, all of a sudden, the Oregon Dunes are not deemed worthy of the great honor of being a national park.

I firmly believe that the downgrading of the Oregon Dunes was a concession to the Department of Agriculture to give the Forest Service one beautiful area to develop for recreation. I have no quarrel with the Forest Service, except that the people who go into forestry are trained in timber management rather than recreation. I believe that to make the maximum use of this remarkable natural phenomenon, it would be best developed under the National Park Service.

The Times editorial states:

There are encouraging signs that local controversy is giving way to general public approval of preservation of the Oregon Dunes as a national seashore. Recently the State division of the Izaak Walton League, strongest of the sportsmen's groups in Oregon, changed its position and is now supporting Senator MAURINE NEUBERGER's bill.

There is more of pride than substance in the opposition of the U.S. Forest Service, around which the lumber industry and certain other commercial interests have rallied. There is little timber of commercial importance on the 14,000 acres of dunelands which, under the Neuberger bill, would be transferred from Forest Service to Park Service jurisdiction to round out a 35,000-acre preserve. Under the Neuberger bill, which follows the Cape Cod pattern, hunting if appropriate could be permitted. The area thus would not become a national park, but rather a recreation preserve.

Unanimous and bipartisan support by Massachusetts Congressmen was one of the keys to passage of the Cape Cod act in the last session. Is it too much to hope for similar unanimity in the Oregon delegation? Experts in a position to make comparisons agree that the Oregon area is perhaps the greatest of our seashore dunelands, and that in scenic and recreational value and potential public usefulness it deserves equal rank with Cape Cod and Cape Hatteras on the Atlantic Coast, Padre Island on the gulf, and Point Reyes on the Pacific.

Mr. President, it was with extreme pleasure that I received a Christmas card this year from the senior Senator from Massachusetts [Mr. SALTONSTALL], not only because I delight in my Christmas cards from many Senators, but also because the card carried a picture of the Cape Cod Seashore Park. The caption under the picture was "Massachusetts' Gift to the Nation." This indicates the pride which that State takes in its new national park.

Of course, I chided the senior Senator from Massachusetts somewhat by saying that perhaps the caption should have read, "The Nation's Gift to Massachusetts," because it is of at least equal value to the State.

An interesting point regarding the Oregon Dunes is that my Governor has never been active in supporting it. It was hard for the Senate Interior Committee to understand why a park was necessary to the State if the Governor did not wish to have it. A very interesting remark was made by my Governor after the message came from the President. The Governor expressed "great disappointment" that the Oregon Dunes had not been included. I am now asking my Governor to come to the Capital and to appear before the Senate Interior Committee with me in support of the proposal to make the Oregon Dunes a national park—a status which it justly deserves.

MILTON-FREEWATER, OREG.: AN ALL AMERICA CITY

Mrs. NEUBERGER. Mr. President, I am indeed pleased to report that the city of Milton-Freewater, Oreg., has been selected by a distinguished panel of public leaders as one of the 11 cities to receive the All America Cities Award sponsored by the National Municipal League and Look magazine. Milton-Freewater,

with a population of some 4,500 people, has the honor of being the smallest city selected for this award.

I am personally well acquainted with Milton-Freewater, since in years gone by I headed the physical education department at McLoughlin Union High School, and also taught English.

Milton-Freewater, until 1950, was two separate cities with intense rivalry and strong feelings separating their respective citizens. The cities are now consolidated into a modern, progressive community under able civic leadership. It is a pleasure to salute Milton-Freewater, and its selection as 1 of 11 outstanding cities chosen for the All America Award.

Mr. President, I ask unanimous consent to have printed at this point in my remarks in the CONGRESSIONAL RECORD an article by James Schick, which appeared in the March 14, 1962, issue of the Oregonian, describing the accomplishments of Milton-Freewater, together with the citation from the April 10, 1962, issue of Look magazine.

There being no objection, the article and citation were ordered to be printed in the RECORD, as follows:

ALL AMERICA CITY

(By James Schick)

MILTON - FREEWATER. — Milton - Freewater, Oregon's only hyphenated city, could point with pride Tuesday.

This eastern Oregon community of about 4,500 became Oregon's second All America City and the smallest city in the United States to win the distinction this year.

Salem won the title in 1960.

The program that catapulted Milton-Freewater to national fame started in 1948 with a move to consolidate two communities that for 50 years had adjoined but remained separate.

A consolidation club of determined citizens grew from informal beginnings, and on November 14, 1950, the voters approved the consolidation, and Milton and Freewater became one community with a hyphen.

At first, the making of one city out of two only compounded the problems. But some of the individuals most opposed to consolidation became some of the most active individuals in working for improvements and progress in the one city of Milton-Freewater.

But in the official entry of the city in the 1961 All America City contest, primary importance was placed on another major field besides the consolidation. This was the labors of the committee of 1959, through which the citizens studied capital improvement needs of the city and finally accomplished the improvements.

PROGRAM TOUGH

The problems of the new city gradually drew the people together and also drew many people formerly not working in the city's interest into definite, even vigorous, activity, one city official said.

The capital improvement program was not an easy thing to accomplish. In 1959, a citizens' committee of 59 people was appointed under the chairmanship of the late Richard Yantis. This committee was to survey improvement needs of the city and submit recommendations for solving those needs to the city council.

Five months later the committee's report went to the council with the request that six formal recommendations in the report be placed on one election ballot. The voters turned it down 2 to 1.

PETITIONS OUT

Leaders of the committee circulated initiative petitions to place the recommendations before the public again, but as separate issues.

Two of them passed—$150,000 bond issue for a 2-million-gallon reservoir and a $33,000 bond issue for repair or replacement of three bridges. Meanwhile committee members convinced the council the city could find money for some of the improvements. The result was that the city started a sanitary fill garbage disposal program and a fire department improvement program—two of the defeated issues.

Construction of a new swimming pool and development of a park were the other two defeated issues. The committee of 59 members with the support and aid of the Junior Chamber of Commerce, circulated petitions for a special election on a $175,000 bond issue for the pool and park development. The vote was favorable.

The three bond issues, passed within a 10-month period, totaled $358,000. The new swimming pool and park were dedicated July 4, 1961, and named in honor of Richard Yantis.

Leigh Price, former mayor of the city, and J. R. Castner, city manager, presented the city's case before the All America City Awards jury in Miami Beach, Fla., last December 1.

In commenting on the award, Price said: "People were not used to spending or voting money for the improvement of the town. Their final vote of confidence producing the Milton-Freewater of today builds great confidence in the people for the future."

"We had to be reborn as people," said J. L. Yantis, former mayor and present council member. "Any unhappiness has now been healed, resulting in united effort."

There are many sides to the face of Milton-Freewater and the people present profiles indicative of varied interests.

The Rotary Club of 57 members has six current State association presidents. They are J. T. Monahan, president of the Oregon State bar; Roscoe Lee, district governor of Rotary; Dr. Al Herndobler, president of the Oregon Optometric Association; J. R. Castner, president, Oregon City Managers Association; John Yantis, president of the Independent Bankers Association; and Henry Kaye, vice president of the District Judges Association.

PAST GLAMOROUS

But the present is not without its important and often glamorous past. The city hall was formerly the administration building of Columbia College. Classrooms now serve as administrative offices. The city dormitories burned and the school, beset with financial troubles, joined another school.

The old college auditorium is still on the third floor including the front "curtain" inscribed with advertisements and scenes from earlier days.

Miss Eunice McEwen, chief clerk in the city's business office, graduated from Columbia College and now works in rooms where she once attended college classes.

At the same time the two towns voted to consolidate, they also approved the council-manager form of government.

In 1959 a new two-bay fire station was constructed and in 1960 the city acquired a new pumper with a capacity of 750 gallons a minute.

With the new swimming pool completed last year, major attention has now turned to development of the new park.

Three bridges, two of them single-lane affairs, have been replaced or repaired through bond issue funds to handle the ever-increasing traffic flow in the city.

Milton-Freewater's electric system, 70 years old in 1960, is the oldest municipal electric system in the State. For a time after consolidation, there were two systems but in 1959 the city purchased the distribution facilities of Pacific Power & Light Co. which originally served Freewater.

Outstanding among the city's annual accomplishments are the annual pea festival, usually held in May, and the Migrant Ministry sponsored by the Council of Churches.

Floats entered in the pea festival parade also capture top awards in parades held in much larger cities of Oregon and Washington. The floats are constructed and decorated by individuals who donate their time and skills.

The Migrant Ministry operates 3 months of the year, providing recreation and education for the children of migrant workers. This includes religious instruction in addition to the academic subjects.

CANNERIES VITAL

Milton-Freewater, an agricultural community, is located in the productive Walla Walla Valley. The city's primary payrolls are from three canneries, two freezing plants, a manufacturing plant which makes large food processing equipment and three fruit packing plants.

MILTON-FREEWATER, OREG.

Citizens of this newly consolidated community are overcoming years of bitter rivalry.

The smallest of this year's winners, Milton-Freewater swapped several dubious distinctions for its hyphenated name. Until 1951, Milton and Freewater were separate, adjoining cities. Each had its own electric power system and fireplugs that couldn't accommodate hoses from across the borderline. Linemen from Milton were arrested when they followed electrical wires across the street into Freewater.

Political and commercial rivalries persisted until the 50-member Consolidation Club managed to get its plan for a merger put to a vote. The plan won by 36 ballots. During the next decade, consolidation was gradually accomplished. A committee of 59 citizens was appointed by Mayor Leigh Price in 1959 to study city needs and recommend capital improvements. Voters have not been enthusiastic about voting funds, but some long-needed improvements have been made, including new firefighting equipment, an improved water system and a storm-drainage system. A new swimming pool has just been completed, too, and City Manager J. R. Castner is confident it will drown whatever rivalries persist. "Compromise," he says, "is our only answer."

WEST VIRGINIA RANKS SIXTH ON THE LIST OF OUR 50 STATES IN PERCENTAGE OF VOTER PARTICIPATION TABULATED FOR THE 1960 PRESIDENTIAL ELECTION

Mr. RANDOLPH. Mr. President, the Members of the Senate on yesterday, by the necessary majority of two-thirds of those present and voting, passed the joint resolution for a proposed constitutional amendment which would remove the poll tax as a prerequisite for voting for Federal officers.

The vote on this vital legislation was 77 yeas and 16 nays. The distinguished senior Senator from Florida [Mr. HOLLAND], as I expressed during debate on the measure, deserves the acclaim of our citizens generally for his patience and effective leadership as the chief author of this proposal. It was a genuine privilege to have cosponsored and actively supported the legislation.

Mr. President, it is my primary purpose today, however, to again publicly and officially congratulate the citizens of West Virginia for their high degree of

citizenship responsibility as manifested by their use of the ballot. In our State, we do not levy a poll tax.

In a compilation of the record of our 50 States, ranked in accordance with their percentage of voting by eligible voters in the 1960 presidential election, West Virginia was in sixth position. Only Idaho, New Hampshire, Utah, North Dakota, and South Dakota were ahead of the Mountaineer State. Our eligible voting population was 1,085,000, and of this number 837,781 persons exercised the right and responsibility of the franchise of freedom. The percentage participating was 77.214 percent, which was slightly under the highest attained in the 80.766 percent recorded by Idaho.

West Virginians, in high degree, practice what they preach. Our State motto is "Mountaineers Are Always Free," and the men and women in our hills and valleys believe that with the freedom of choice comes the responsibility of choice. They well know that it is not enough to "let George do it," for to do so would lessen the process of true elective government which we provide for the benefit and the protection of all our people. They have once more proven that they are full partners in the commission of a working and enlightened citizenry.

PICTURE TUBE MANUFACTURING

Mr. KEFAUVER. Mr. President, some days ago, I received a telegram from Mr. Gilbert Sherman, vice president of Calvideo Electronics in Compton, Calif. Mr. Sherman claims that the large picture tube manufacturers are attempting to drive the independents out of business.

I do not have all of the facts with respect to this situation, but I have found that the FTC has been investigating the industry, has almost completed its investigation, and a final report should be coming before the Commission for disposition in the very near future.

If the Commission does find that the large manufacturers have either been conspiring or employing unfair trade practices to drive the independents out of business, the situation would be highly illustrative of the need to give the FTC the power of a temporary cease and desist order prior to final determination. I say this because during the lengthy FTC procedures the very companies which may be the subjects of conspiracy or unfair trade practices are dropping by the wayside before any conclusion can be reached by the FTC. It would be a Pyrrhic victory, indeed, if the FTC concluded that they had been driven out of business illegally. It would be cold comfort, indeed, to have their large competitors finally disciplined.

I ask unanimous consent to have Mr. Sherman's telegram printed in the RECORD at this point.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

COMPTON, CALIF., *March 15, 1962.*

Senator ESTES KEFAUVER,
Washington, D.C.:

All independent picture tube manufacturers implore your help. Sylvania, General Electric, and RCA continuing their price war aimed at independent picture tube manufacturers. They have just reduced their prices effective March 14, 1962, an additional 20 percent, making the overall price reduction almost 60 percent since January 1959. During this period 40 percent of the independent manufacturers have gone into bankruptcy. This week two of the largest independents—Pioneer of Los Angeles, Promise of New Jersey—closed their doors. This conspiracy program to sell below cost until the independents are eliminated is in its final stage. The Federal Trade Commission is actively in the field investigating this situation; however, if action is not taken immediately to make the major producers cease and desist their unlawful act in the next 60 days there will not be an independent left. A public statement by Rand Dixon or yourself, I feel, might have a deterrent effect and give some relief and save whatever independents are left. So far 36,000 people, manufacturers of tubes, and suppliers of same have lost employment over this situation. A like amount will lose employment now if action is not forthcoming. We implore you for action.

GILBERT SHERMAN,
Vice President, Sales,
Calvideo Electronics.

(At this point Mrs. NEUBERGER took the chair as Presiding Officer.)

TRIBUTE TO SENATOR DOUGLAS

Mr. PELL. Madam President, I rise to offer warm congratulations and felicitations to one of the U.S. Senate's most distinguished Members, the senior Senator from Illinois who celebrated his 70th birthday the day before yesterday.

PAUL DOUGLAS is an outstanding scholar who has actively contributed to public life. As a professor, marine, alderman, governmental consultant, and now Senator, he has been a fearless fighter for justice, truth, and principle. His fairness and determination have won the respect of all who have had the honor of being associated with him. We sorely need more men like PAUL DOUGLAS. And I, for one, know of no man whose views I more respect and by which I am more guided. The Senate and the country are indeed fortunate to have his service and I am pleased to have this opportunity to extend my warmest congratulations.

Mr. CLARK. Madam President, I join my distinguished colleague from Rhode Island in my tardy encomium to the senior Senator from Illinois [Mr. DOUGLAS] at whose feet I have sat ever since I came to the Senate, and whose courage and wisdom I admire as much as that of any of my colleagues.

Under date of March 26, the Washington Post paid a deserved tribute to Senator DOUGLAS in an editorial entitled "Political Professor." I ask unanimous consent that the editorial may be printed at this point in my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

POLITICAL PROFESSOR

When PAUL DOUGLAS switched in midcareer from professor to politician, he brought to the U.S. Senate the best fruits of an academic background and of experience as a fighting member of the U.S. Marine Corps. These embraced an exceptional blend of intelligence and education, of courage and toughness. Few Members of the Senate match his grasp of public affairs; few rival his readiness to do battle valiantly for so great a variety of causes—civil rights and conservation, tax reform and governmental economy, social security, and economic development.

For a quarter century, PAUL DOUGLAS was an eminent member of the University of Chicago's Economics Department, a distinguished writer in his professional field and a lively participant in local efforts to create good government. He joined the Marines as a private in 1942, when he was 50, for a characteristic reason—because he couldn't bear to stay safe at home when he had urged others to fight—and came out a lieutenant colonel, having been wounded twice, at Peleliu and Okinawa. Few men better exemplify the ideal of the Marines expressed not long ago by its commandant, Gen. David Shoup, as a corps of men who fight, without hate, for what they believe to be right.

Senator DOUGLAS will observe his 70th birthday today in his 14th year as a U.S. Senator. We congratulate him warmly; and we wish the country many more years of his useful service.

ASIA AND AFRICA IN OUR FOREIGN POLICY

Mr. PELL. Madam President, we all know that the new nations of Asia and Africa have increasing importance for our foreign policy. In this connection, I ask unanimous consent that an article by Prof. Zygmunt J. Friedemann, of Providence College, which appeared in the Providence Evening Bulletin on February 14, 1962, be inserted in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

NEGLECTING BASIC ISSUES PUTS THE WEST IN ERROR ABOUT AFRICA AND ASIA

(By Zygmunt J. Friedemann)

Among the vital issues in today's world—perhaps the most vital—is the emergence of new nations in Africa and Asia. Because of their impact on the world and on individual nations, particularly the United States and Soviet Russia, and because they represent the flowering of self-assertion, they have become a fundamental world issue.

Unfortunately the conclusions reached by the West's experts with regard to the forces at work in the emergent nations are superficial, to the neglect of the real issues.

It is the intent of this article to examine the real issues.

First, however, the apparent issues must be considered. They are nationalism, anti-imperialism (or anticolonialism), neutralism, democracy (liberalism), and pacifism.

POWERFUL FORCES

Nationalism expresses itself in the awakening of a political consciousness of a distinct culture. It generates enthusiasm, transforms the lethargy, apathy, and fatalism of the past, and promotes human dignity and a sense of unity.

Anti-imperialism, once directed against white overlords only, is a force that already has changed its nature, becoming a xenophobic opposition to all alien elements such as Indians and Chinese and even against Africans of different tribes as well.

Neutralism is the belief in the emergent nations that the cold war does not affect them. It is based, or perhaps rationalized, on the propositions that the emergent nations are geographically outside the perimeter of the cold war struggle and that ideologically, they have nothing to gain from the support of either side.

Democracy, the fourth force cited, is explained as the substitution for aristocratic social patterns of a structure providing for

greater fusion between the rulers and the ruled.

And lastly, there is pacifism, cited as a salutary choice for the emergent nations and based on the reasoning that war could mean the loss of the new independence and, like neutralism, on the grounds that siding with the one side might mean difficulties with the other.

Undeniably, these are powerful forces. They are not, however, the basic forces. Beneath them are other forces which have, in fact, produced for them racism, colorism, and religion.

In the United States, the press, commentators, and analysts seldom have referred to the issues of "racism," "colorism," and religion on the emergent nations. Yet the solidarity of race and color is probably the most potent force behind self-determination, nationalism, neutralism, and pacifism.

To exemplify, Ceylon and Burma have no past history nor national future; they possess no particular ideology and have no common racial ties, nor linguistic unity. The only thing that ties these two countries together is their solidarity on the nonwhite issue.

This mystical fraternity of color among the Asians and Africans constitutes a barrier to understanding.

Although irrational and discredited in recent history, this approach is a basic factor which expresses itself in the rebellious attitudes of the weak but potentially mighty Asians and Africans. It takes the form of violent fist-shaking and some eagerness to play their long denied role in history, independent of others. One easily can discern the shallowness of logic on the part of the emergent nations. They try to abstain from the historical dynamism and hide behind the doctrines of neutralism and pacifism, yet they are vocal and demonstrative in wanting to play a historical role—as they demonstrated in the United Nations last year.

Behind the cliches of self-assertion, there is the attitude of ousting the whites. Ousting of whites from their heretofore dominant political, social, and economic positions is insufficient. What is actually wanted is literal, physical removal.

The fact that racial tensions do overshadow all other aspects of African and Asian life is known to all who are deeply interested in the problem of the emergent nations and investigate their problems through travel or meaningful research.

The racial issue affects not only the white people, as evidenced by the Mau Mau movement in Kenya and Nyasaland, but also the Asian community, which in Uganda, for example, is larger than the European community.

EXAGGERATED CLAIMS

The same applies to the nations of Asia. In southeast Asia, for instance, necessary economic functions were and are performed by other Asians, primarily the Chinese and the Indians, both of whom are characterized in the Asian framework of reference as a cheap and good labor force, and having for Asia unusual marketing abilities.

These Asian minorities, which fostered the wealth of the societies in which they functioned and lived, now are facing anti-foreign attitudes expressed in confiscation of their wealth and sometimes deportation.

A recent article in German periodical Die Kultur (translated into English in the June issue of the Atlas) points to the expressions of the irrational feelings of the African race superiority in the writings in Ghana, which claim, for example, that the foundations of architecture, discovery of paper, stenography, medical science, and chemistry were made by the Africans. They claim, too, that such artists as Beethoven and Haydn were Negroes.

Such exaggerations are surely too pretentious, and the only justification for making them is that they serve to fill the psychological gap, making up in form what the emergent nations lack in content.

RELIGION OVERLOOKED

Behind these psychological gymnastics is national pride—but such a fraudulent and false pride in the long run must be self-defeating. This would become, I hope, more obvious to the Africans and Asians once they begin to perceive that they already have adopted foreign political, economic, cultural, and spiritual systems.

The factors have to be reassessed coldly, not only by the Africians and Asians themselves, but by those in the United States and in the West who, in the fervor of romantic idealism, conveniently forget the realities of underdevelopment (defined not narrowly in economic terms, but encompassing the totality of ideological, spiritual, and cultural wealth.)

Another factor usually overlooked is religion.

Arab nationalism, for example, is much more than the national self-assertion of the Arabic States. Beneath it is Islamism. There are reports from Africa that the conversions to Islam are outpacing conversions to Christianity. This occurrence per se would not be so disturbing, if the fundamentalist type of Islamism did not serve as an antiallen vehicle on the one hand—and on the other as a justification for the extensions of political rule.

In Moslem areas of Africa, the fundamentalist Moslem theology and institutions stimulated in the past and at present national movements which are basically destructive. The fomenting of rebellions in northern Africa is a case in point, and the vision of Africa under political leadership of Egypt, expressed in President Nasser's own book "Egypt's Liberation," is another.

It is not so much the question of the relative impact of Islamic influence on Africa and conversely a retreat of Christianity that is here involved, but the clear neglect of realization that the very emancipation they seek is the net result of the values ingrained in the Judea-Christian and Greco-Roman civilization. Thus, although accepting the Western value system, the emergent nations embrace Islam for the purpose of eliminating all traces of the former white mastery, and thus armed with spirituality turn against other color aliens, Christians and Buddhist minorities.

The factor of revolutionism is also detectable in most of the recent national movements. In re, this is not a negative aspect, but if the revolutionism is promoted, and there are evidences that it is, by Soviet communism or Chinese revolutionary successes, then of course this type of revolutionism takes a different outlook.

The factors discussed above are only keys to understanding Africans and Asians, not the complete answer to the infinite complexity of Asian and African life with its tribal diversity, religious multiplicity, linguistical Babel, and mutual relationships. These complexities definitely have been overlooked in mapping out the future of the emergent nations. With their independence, the problem of tribal loyalties, transcending the boundaries of the newly established nations, reappeared. They create internal instabilities of irredentist minorities who then suffer the burden of the irrational nationalism and racial prejudice which seems to go far beyond that displayed by the whites. Through the internal instabilities, external ones are cropping up.

MORE COMPLEXITIES

Added to the complexities is a revival of precolonial social patterns. It is true that this problem was created by the colonial powers which paid no regard to ethnic realities in their scramble for Africa. But while the colonial powers were able to restrain the eruption of tribal rivalries, the indigenous government create a situation of unfreedom for their own colored brethren. This is the case in Nigeria, the Congo, and Tanganyika. Even President Nasser, in trying to unite Africa under his leadership, does not take into consideration the historical, cultural, religious, ethnic, and linguistic differences which divide the Arabic North African from the sub-Saharan Negro. The same can be said for President Khrumah and Emperor Selassie, who compete with Nasser for the unification of Africa under their respective leadership.

Thus, the neglect in understanding the racial and spiritual issues of Africa and Asia makes other issues superficial, and this the West must realize soon.

Mr. PELL. Professor Friedemann is a particularly able and distinguished political scientist, whom I know and admire. He makes a number of most interesting and stimulating comments concerning important but seldom discussed factors which affect our relations with these areas and which I believe deserve consideration.

UNITED NATIONS BONDS PURCHASE

Mr. CLARK. Madam President, we are about to engage in a serious debate respecting whether Congress will authorize the President of the United States to subscribe to $100 million of 2 percent 25-year bonds of the United Nations. I strongly support the authorization for that purchase in the form that it came to the floor of the Senate from the Senate Committee on Foreign Relations. I expect to speak in greater detail on the subject during the course of the debate. However, at this point I ask unanimous consent that an extremely able column printed in the Washington Post on January 27, 1962, entitled "The Sickness of the U.N." written by that distinguished commentator, Walter Lippmann, be printed at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE SICKNESS OF THE U.N.

(By Walter Lippmann)

Recently, the U.N. has come under sharp criticism from some of its old supporters, notably Senator AIKEN and Senator JACKSON. Their criticism comes at a time when the U.N. itself may be said to be successful but insolvent, to be achieving a great purpose but bankrupting itself in the process. The U.N. is on the way to being successful in its most difficult experiment, which has been to pacify the Congo and prevent a confrontation of the great powers. It is insolvent because a group of nations, and particularly the Soviet Union and France, are refusing to pay their share of the costs of the experiment.

In this condition of affairs the Senate is about to debate and vote on the proposal to fund the deficit and provide working capital to keep the U.N. afloat during the next year or so.

With Senator AIKEN, who is the chief critic of the bond plan, there can be no dispute when he says that "the sickness of the U.N. is not financial sickness alone. It can be cured only by drastic action at an early date, action which will continue the U.N. as a truly multilateral organization and not permit it to become constantly dependent upon the beneficence of the United States."

This is the precise reason why the bond plan was put forth by our officials and it is the crucial reason why so many of us favor the plan. For there is no other plan before us which deals directly with the problem of making all the members of the U.N. pay their share of operations like the Congo and Palestine, and ending the grossly corrupting fact that we now pay nearly 50 percent of the cost of these operations. For although we would loan one-half of the money, we will bear only one-third of the cost of bond retirement.

"The sickness of the U.N." is that some members are refusing to pay their assessments, other members cannot pay them, and others are a mixed bag of countries who want to pay, cannot pay, and are waiting to see. As of February 28, 1962, the U.N. was owed $77 million on assessments for Palestine and the Congo. The chief countries refusing to pay were the Soviet Union and the East European satellites, France, Belgium, and Cuba. Their total delinquency was $56 million, of which $44 million were owed by the Communist bloc, about $10 million by France and Belgium, and about one-half million by Cuba. Besides this, nearly $8 million were in default by Nationalist China, not because it refuses to pay but because it cannot.

This accounts for over 80 percent of the deficit. The problem of curing the sickness of the U.N. is to find ways of compelling, inducing and enabling all members to pay their share. The more I have studied this problem with its massive documentation, the more I am convinced that if there is any solution, the bond plan will meet the problem.

How will it solve the problem? The plan is based on the assumption that during the summer the World Court will declare in an advisory opinion (which has been requested by a two-thirds vote of the General Assembly) that assessments to pay for operations like Palestine and the Congo are within article 17 of the charter "expenses of the organization" which "shall be borne by the members as apportioned by the General Assembly." Senator AIKEN, I might say at once, is one of those who confidently believe that this will be the ruling of the World Court. If it is not the ruling, then all bets are off and there is no way now in sight by which the special operations of the U.N. can be financed.

If, however, it is the ruling, then article 19 of the charter begins to bite: a member "shall have no vote in the General Assembly if the amount of its arrears equals or exceeds the amount of the contributions due from it for the preceding two full years." Unless the U.N. figures are wrong, this will mean, we believe, that if the Soviet Union continues to refuse to pay, it will in 1964 be disqualified to vote in the General Assembly.

There has been some misunderstanding in the Senate on this crucial point. For example, Senator KEATING, of New York, asked "if the Soviet Union should decide that it will not pay its assessed portion of these operations, would (it) not lose its right to vote until the period of many, many years had passed," perhaps, said Senator KEATING, "10 or 20 or 30 years."

Senator AIKEN's answer that this was indeed the case was not correct, unless he assumed an unfavorable Court decision. In 1963 the sum of the Soviet Union's past 2 years' assessments will be nearly $50 million, and if it rejects the expected ruling of the World Court it will be $46 million in arrears. Its margin of safety will be down to $3.6 million. In the following year, 1964, the Soviet Union's assessments for the past 2 years will be down to $37 million. But its delinquency will be $46 million and it will be $9 million to the bad, even if it pays its full regular budget assessment. Under the charter the Soviet Union will lose its vote in the General Assembly.

This is the compulsion behind the U.N. bond plan. There is also a moral compulsion. Some of the deliberate delinquents, for example France, argue that the General Assembly has no legal power to raise money for operations like the Congo. Presumably, if the World Court decides against the French contention, France as a law-abiding country will pay up.

What the Soviet Union will do is anybody's guess.

Last but not least, the bond plan makes it easy for every member to participate. It does this by keeping the interest low and making the bond payable over a long time. This is the way, if there is a way, to make the United Nations that "truly multilateral organization" which Senator AIKEN wants it to be.

Finally, it has been said that we ought not to lend money to the United Nations at 2 percent when the money our Government borrows costs 4 percent. The answer to this is that frequently, when we have felt that the national interest was involved, we have lent money at 2 percent.

Immediately after World War II we loaned the British $4 billion at 2 percent. The lend-lease settlements were on the basis of 2 percent. In the Marshall plan we loaned money at 2.5 percent. Our development loans through the Development Loan Fund and the foreign aid organization are at "low or no interest." So it all comes down to the question of whether it is desirable to keep the United Nations in business as an organization able to deal with certain kinds of threats to the peace of the world.

Mr. CLARK. Madam President, in my judgment Mr. Lippmann has most succinctly and ably marshaled the argument in support of the position of the President of the United States as endorsed by the Senate Committee on Foreign Relations in connection with the purchase of these United Nations bonds.

SERVICE OF RABBIS AS CHAPLAINS IN THE U.S. ARMY

Mr. CLARK. Madam President, this year marks the centennial of President Lincoln's signing an act which for the first time enabled rabbis to serve as chaplains in the U.S. Army. The act was signed by President Lincoln on July 17, 1862, and the commission of the first Jewish military chaplain was signed by President Lincoln on September 18, 1862. It is a matter of pride to us from Pennsylvania that the first chaplain was a Pennsylvanian—Rev. Jacob Frankel, cantor of Rodeph Shalom congregation, Philadelphia.

Another historic event took place in Pennsylvania in July 1863 when Chaplain Ferdinand Sarner was wounded at the Battle of Gettysburg in the Civil War. Chaplain Sarner, of the 54th New York Volunteers, was the first Jewish chaplain casualty in American military history.

To mark the centennial of the Jewish military chaplaincy 11 national Jewish organizations have developed plans for a series of special events and the publication of a number of interesting materials. The opening event of the observance will be the first session of the National Jewish Welfare Board's national biennial convention on April 4. Dr. Bertram Korn of Philadelphia, spiritual leader of Reform Congregation Keneseth Israel, a past president of the American Jewish Historical Society and the leading authority on the history of the Jews in the Civil War, will be one of two principal speakers. American Jewish History Week, to be sponsored April 1–8 by the American Jewish Historical Society, will have the chaplaincy centennial as its theme. The April issue of the Jewish Digest will be entirely devoted to the story of Jewish military chaplains. B'nai B'rith is setting up an exhibit in the B'nai B'rith Museum in Washington this spring. I urge all of you to see that exhibit which should open about April 1. The museum is located at 1640 Rhode Island Avenue.

I ask by unanimous consent that the release by the National Jewish Welfare Board be printed in the RECORD at this point.

There being no objection, the release was ordered to be printed in the RECORD, as follows:

ELEVEN JEWISH ORGANIZATIONS IN AD HOC COMMITTEE MAP PLANS, EVENTS AND PROGRAM RESOURCES FOR JEWISH MILITARY CHAPLAINCY CENTENNIAL

NEW YORK.—Eleven national Jewish organizations have developed plans for a series of special events and the publication of an array of program materials and resources in connection with the celebration of the centennial of the Jewish military chaplaincy in the United States.

Announcement of the plans was made by an ad hoc committee of representatives of these 11 groups which has been meeting periodically since August 1961, to consider how the celebration should be observed. The organizations are: American Association for Jewish Education, American Jewish Committee, American Jewish Congress, American Jewish Historical Society, Anti-Defamation League of B'nai B'rith, Association of Jewish Chaplains of the Armed Forces, B'nai B'rith, Jewish War Veterans of the United States, National Community Relations Advisory Council, National Jewish Welfare Board, and the Synagogue Council of America.

Sanford Solender, executive vice president of the National Jewish Welfare Board, who has been acting as chairman of the ad hoc committee, said that the plans would be presented to representatives of a larger group of national Jewish organizations at a meeting to be held in the JWB offices, 145 East 32d Street, New York, on March 8 at 3 p.m. JWB has been acting as a clearinghouse for the developing program in observance of the Jewish military chaplaincy centennial. Rabbi David Max Eichhorn, director of field operations of JWB's Commission on Jewish Chaplaincy, is serving as secretary.

The celebration will mark the 100th anniversary of the historic act of Congress signed by President Lincoln on July 17, 1862, which for the first time enabled rabbis to serve as chaplains in the U.S. Army.

The first Jewish military chaplain commissioned by the U.S. Government—and in fact by any government—was the Rev. Jacob Frankel, cantor of Rodeph Shalom Congregation, Philadelphia, whose commission was signed by President Lincoln on September 18, 1862. Rabbi Bernhard H. Gotthelf, of Louisville, Ky., was the second to be commissioned, his appointment being dated May 6, 1863. Both of these Jewish chaplains served in military hospitals. The first Jewish military chaplain to serve with troops was Rabbi Ferdinand Sarner, formerly of Rochester, N.Y., who was elected chaplain of the 54th New York Volunteers in 1863.

The Civil War Centennial Commission has voted to cooperate with the ad hoc committee developing the plans and programs for the Jewish military chaplaincy centennial.

The opening event in the observance will take place at the first session of JWB's national biennial convention in Miami Beach, Fla., on April 4. The speakers will be Maj. Gen. Frank A. Tobey, the Army Chief of Chaplains, and Dr. Bertram W. Korn, spiritual leader of Reform Congregation Keneseth Israel, Philadelphia, former president of the American Jewish Historical Society and the leading authority on the history of the Jews in the Civil War.

American Jewish History Week, to be sponsored April 1–8, 1962, by the American Jewish Historical Society, will have the chaplaincy centennial as its theme. The society is also dedicating its 1962 annual meeting in April to the Jewish chaplaincy's 100th anniversary.

The Synagogue Council of America is planning to proclaim November 11, 1962, as Jewish Chaplains Sabbath, when rabbis throughout the country will be asked to preach on the significance of the Jewish chaplaincy. B'nai B'rith is setting up an exhibit in the B'nai B'rith Museum in Washington in the spring. The Central Conference of American Rabbis (Reform), Rabbinical Assembly (Conservative) and Rabbinical Council of America (Orthodox) will observe the centennial during their 1962 national conferences.

The Jewish War Veterans and the Association of Jewish Chaplains of the Armed Forces are planning a 1-day pilgrimage to the Gettysburg battlefield in July 1963 to mark the centennial of the day Chaplain Ferdinand Sarner was wounded at the Battle of Gettysburg in the Civil War. He was the first Jewish chaplain casualty in American military history.

Sometime in August 1962, the new Jewish chapel at the U.S. Air Force Academy, Colorado Springs, Colo., will be dedicated as part of the chaplaincy centennial year program.

On September 2, in New York, the Association of Jewish Chaplains of the Armed Forces will hold a chaplaincy convocation as part of its national convention.

Program materials prepared for the centennial include: a sourcebook edited by Rabbi A. Elihu Michelson of JWB's Commission on Jewish Chaplaincy; a program guide edited by Rabbi Philip Goodman of JWB's Jewish Community Center division staff; two pamphlets, a bibliography and a poster prepared by the American Jewish Historical Society; a program manual compiled by B'nai B'rith; a book entitled "Rabbis in Uniform," edited by Chaplain Louis Barish and to be published by Jonathan David Co., New York, for the Association of Jewish Chaplains of the Armed Forces; and the April issue of the Jewish Digest, whose 96 pages will be entirely devoted to the story of Jewish military chaplains.

ECONOMIC EFFECTS OF DISARMAMENT

Mr. CLARK. Madam President, recently there have been a number of interesting studies dealing with the economic effects of disarmament should disarmament come. One of them was an able study sponsored by the Arms Control and Disarmament Agency made by a panel chaired by Mr. Emil Benoit of Columbia University.

The second was a study prepared under the auspices of the United Nations. Both of those studies make it perfectly clear that with adequate national planning, disarmament, far from being a disability to our country which would dislocate industry unemployment would, on the contrary, be a positive boon in enabling us to reduce taxes and to spend vast sums of money for projects needed in the interest of our national security and well-being.

MILITARY SPENDING

Mr. CLARK. Madam President, in the Washington Post of this morning appears a fine column entitled "A Touchy Topic: Military Spending," written by the distinguished columnist Marquis Childs and published in the Washington Post of March 28, 1962. I ask unanimous consent that the article be printed in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[Washington Post, Mar. 28, 1962]

A TOUCHY TOPIC: MILITARY SPENDING

(By Marquis Childs)

No subject is treated with more tender concern in the Congress and in the country than the degree to which the economy is sustained by defense spending, currently running well above $50 billion a year. To talk about it is to risk documenting the Communist charge that munitions payrolls and profits are so vital that the United States cannot afford disarmament.

This fear is aptly illustrated by a long controversy over a study prepared by the Senate Disarmament Subcommittee analyzing 370 companies doing a major part of defense contracting. The study completed last fall is still locked in the files of the Senate Foreign Relations Committee because some Senators believe it might give aid and comfort to the Communists.

The chairman of the Disarmament Subcommittee, Senator HUBERT HUMPHREY, insists that, on the contrary, the study shows that with some exceptions in areas such as southern California the adjustment from defense to peacetime spending could be made with comparative ease. He is pushing hard for release of the report, recently making a Senate speech on disarmament in which he argued the case for the full light of publicity.

The study cost perhaps as much as $50,000 and it took thousands of hours of time by the 370 defense firms that answered a lengthy questionnaire. Since it covers figures for 1959 and defense spending has been jacked up to a new high, it may be outdated.

But HUMPHREY believes the conclusions are still valid. While the fact that 70 percent of total defense sales made by the 370 firms went to 24 prime contractors is not desirable from the standpoint of public policy, the Senator says, nevertheless, the concentration is not as great as it has been made to sound.

Of the 24 companies only 8 had higher receipts from commercial production than from defense production, according to HUMPHREY. Yet the total of $16 billion in defense sales represented for the 24 only 38 percent of all the business that they did. Obviously, HUMPHREY says, any program of adjustment to a comprehensive arms control agreement must begin with these 24 giants.

The aircraft companies, the Humphrey report shows, are those most deeply involved. With $10 billion in defense sales covered by the survey, the aircraft industry accounted for almost half of Government expenditures for defense procurement and research and development in 1959. Only 15 percent of the aircraft companies' business resulted from commercial sales.

No company replying to the questionnaire suggested that the problem of adjusting from defense production to peacetime production was a reason for not trying to achieve disarmament, HUMPHREY points out. Many replies stress the need for joint action by the Federal Government and private enterprise on an industrywide basis to cushion the changeover for industry and workers. The overwhelming majority of the companies indicated, however, that they believe the primary responsibility rests with private industry.

If what is happening in Geneva is any criterion, disarmament is a long way off. But the fear of some observers here is that with the spiraling of defense expenditures and the increasing pressures of the military-industrial complex, any serious effort to scale down the ever-growing mountain of armaments will meet with serious resistance.

How these pressures work has been shown in an account recently prepared by Edward K. Mills, Jr., an Eisenhower appointee as Deputy Administrator of the General Services Administration, which acts as watchdog on Government spending. Together with Franklin Floete, Administrator of GSA, Mills set out to cut down rate charges of the American Telephone & Telegraph Co. which he was convinced were running $25 million a year too high for the 10-year life of A.T. & T.'s contract to service the SAGE early warning system. Not only Sherman Adams in the White House but a battery of Republican and Democratic Senators opposed GSA, as A.T. & T. district managers all over the country contacted their Congressmen. After being stymied once, Floete and Mills persisted and the rate charge was finally cut $15 million a year for a saving of $150 million on a system that is now largely obsolete.

To military and industrial pressures a third must be added—political pressure. With the persistence of hard-core unemployment and with the Congress likely to block the President's measures to cushion or prevent another recession, the easy way out is through more defense spending.

ENROLLED JOINT RESOLUTIONS PRESENTED

The Secretary of the Senate reported that on today, March 28, 1962, he presented to the President of the United States the following enrolled joint resolutions:

S.J. Res. 152. Joint resolution to provide for the reappointment of Dr. Caryl P. Haskins as Citizen Regent of the Board of Regents of the Smithsonian Institution; and

S.J. Res. 153. Joint resolution to provide for the reappointment of Dr. Crawford H. Greenewalt as Citizen Regent of the Board of Regents of the Smithsonian Institution.

RECESS TO 11 A.M. TOMORROW

Mr. CLARK. Madam President, pursuant to the order heretofore entered, I move that the Senate stand in recess until 11 o'clock tomorrow morning.

The motion was agreed to; and (at 5 o'clock and 40 minutes p.m.) the Senate recessed, under the previous order, until tomorrow, Thursday, March 29, 1962, at 11 o'clock a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 28, 1962:

U.S. MARSHAL

Cornelius J. McQuade, of West Virginia, to be U.S. marshal for the southern district of West Virginia for the term of 4 years.

FEDERAL POWER COMMISSION

Harold C. Woodward, of Illinois, to be a member of the Federal Power Commission for the remainder of the term expiring June 22, 1962.

OFFICE OF EMERGENCY PLANNING

Irvin Stewart, of West Virginia, to be an Assistant Director of the Office of Emergency Planning.

ASSISTANT POSTMASTER GENERAL

Sidney W. Bishop, of California, to be an Assistant Postmaster General.

POSTMASTERS

ALABAMA

Melvin G. Minyard, Brookside.
Curtis C. Gauntt, Talladega.

ALASKA

Maude I. Wright, King Salmon.
Frederick J. Baughn, Sitka.

ARIZONA

Nellie I. Freihage, Fort Huachuca.
Laura V. Guthrie, Gadsden.
Katherine L. Wallace, Mammoth.
Nancy L. Terry, Oracle.

ARKANSAS

William C. Capps, Harrison.
Charley E. Wahlquist, Mammoth Spring.

CALIFORNIA

Thomas J. Lawlor, Beverly Hills.
Lewis J. Gray, Crockett.
Clarence H. Rengstorff, Felton.
Howard E. Bradley, Hamilton Air Force Base.
Helen S. Kinderman, Ludlow.
Charles R. Parker, Lynwood.
James V. Praino, Malibu.
Winifred L. Lausten, Mount Eden.
Carroll A. LaJaunie, Palm Desert.
Daniel J. Stanton, Reulands.
George R. Fortney, Standard.
Martin H. Scheeper, Stateline.
Jim H. Mann, Yucaipa.

COLORADO

Bill L. Bowden, Dolores.
William H. Farnum, Jr., Glenwood Springs.

FLORIDA

Rosa A. Nash, Belle Glade.
Charles H. Hendrix, Cantonment.
Earl R. Hooker, Haines City.
Blanche B. Clyatt, Micanopy.
Warren W. Parrish, Pompano Beach.
Robert L. West, Stuart.

GEORGIA

Annie M. Carroll, Allentown.
Thomas H. Mills, Fort Gaines.
Howard L. Crews, Hoboken.
H. Rhodell Dunn, Jr., Richland.
Charles R. Sprayberry, Trion.
Mary C. Townsend, Wildwood.
Thomas O. Fowler, Woodstock.

ILLINOIS

Hazel M. Craig, Alma.
Walter D. Stephens, Rushville.

INDIANA

Noel A. Booher, Albany.
John F. Johnson, Beech Grove.
Arthur E. Hiester, Bremen.
William C. Summers, Hardinsburg.
James W. Chase, Lagrange.
Wilbur W. Amick, Scottsburg.
Charlotte L. Hudson, Spencerville.
Dorothy M. Jiles, West Terre Haute.

KANSAS

Mildred L. Staats, Coats.
I. Miller Wilson, Easton.
Milton H. Christian, Lindsborg.
Douglas G. Porter, Peabody.
Lois M. Bleidissel, Scranton.
Paul J. O'Connell, Jr., Shawnee Mission.

KENTUCKY

Dillie C. Hutton, Berry.
Florabelle H. Wells, Bloomfield.
Thomas B. Tichenor, Brandenburg.
Robert S. Reed, Cynthiana.
Edna C. Everidge, Garrett.
Julia W. Garvey, Glencoe.
Charles E. Cecil, Hazel Green.
Leonard G. Gooch, Waynesburg.
James E. Thomas, Wilmore.

LOUISIANA

Ella T. Ewing, Batchelor.

MAINE

John R. Fortin, Portland.

MARYLAND

Edward W. Young, Pocomoke City.
William E. Schwartz, Reisterstown.
Emory L. Leonard, Salisbury.

MASSACHUSETTS

Joseph F. Smyth, Grafton.
Arthur H. Boutlette, South Grafton.

MINNESOTA

Raymond G. Meier, Bird Island.
Cecil W. Sundquist, Hopkins.
Orville J. Mortensen, Lyle.
Ralph A. Nelson, Spring Park.

MISSISSIPPI

Clyde C. Parker, Calhoun City.
John T. Lingle, Crystal Springs.
Joy S. Rials, Jayess.
Louise N. Prowell, Jonestown.
Mary L. Castle, Kilmichael.
William L. Barbee, Lula.
Thomas F. Stevens, Nozapater.
McHaven Clanton, Slate Spring.
Ruth Black, Tutwiler.

MISSOURI

John K. Timlin, Fenton.
Robert H. Theiss, Warrensburg.

MONTANA

Clinton L. Sennett, Lewistown.

NEBRASKA

Robert L. Hoins, Fairfield.
Alfred A. Jorgensen, Fairmont.
Ronald D. Hostetter, Murray.

NEVADA

Walter L. Neal, Hawthorne.
William A. Morby, Sparks.

NEW JERSEY

William D. Hand, Edison.
George P. Johnson, Lake Hiawatha.
Joseph A. Amorosa, Raritan.

NEW MEXICO

William Fitch, Jr., Grants.

NEW YORK

Margaret E. Bolton, Candor.
James D. Curcio, Chappaqua.
James D. Donahue, North Creek.
Audrey L. Manzo, Ocean Beach.
Thomas J. Reilly, Warsaw.
Edna M. Mulvey, Wilmington.

NORTH CAROLINA

Albert K. Dickens, Castalia.
Roy H. Cartner, Mocksville.
Henry B. Fountain, Rocky Mount.
D. Herman Jones, Jr., Smithfield.
Edwin A. Howland, Sr., Tillery.
Leslie T. Fowden, Williamston.
Ruby M. Dawson, Zebulon.

OHIO

Joseph R. Wysocki, Avon.
Lyman D. Wise, Hillsboro.
Fred H. Benker, Northfield.
Ruth B. Hartsel, Polk.
Raphael J. Reasbeck, Salem.
John M. Tertel, Toledo.
Charles F. Seither, West Richfield.

OKLAHOMA

Grady F. Cope, Hollis.
Hobart G. Waters, Sayre.
Rex E. Pettijohn, Stigler.

OREGON

Lyle J. Chase, Rainier.
Frank G. Ryan, Tillamook.

PENNSYLVANIA

Thomas P. Lowry, Blue Bell.
Agnes M. Smith, Dunlo.
David C. Miller, High Spire.
Kathryn L. Fessler, Muir.
Marie A. Leo, New Albany.
J. Perry Hockersmith, Shippensburg.
John J. Bocinec, Tarentum.
Esther T. Williams, Thorndale.
Edward A. Lynch, Titusville.

PUERTO RICO

Moises M. Graniela-Ramirez, Boqueron.

RHODE ISLAND

Ellen L. Costanza, Bradford.
John J. Bento, Tiverton.

SOUTH CAROLINA

Huron A. Gray, Allendale.
Mozelle M. Thompson, Inman.

TENNESSEE

Joe B. Campbell, Blaine.
Fred R. Lockett, Jr., Mountain Home.

UTAH

Ethel N. Jones, Corinne.

VIRGINIA

Ernest R. Johnson, Alberta.
Alvis T. Davidson, Jr., Faber.
Walter L. Waleski, Glenallen.
E. Guy Smith, Gloucester.
J. Spencer Rogers, Melfa.
G. Hoyt McCartney, New Castle.
Virgil S. Abel, Jr., Quantico.
Horace B. Ridenour, Williamsburg.

WASHINGTON

Ada M. Conboy, Glenwood.
Keith E. Hand, Malott.
Elvin L. Jorgensen, Onalaska.
Sheldon P. Sageser, Poulsbo.
Harold C. Cochran, Snohomish.
Florence C. Blaisdell, Snoqualmie Falls.
Lillian R. LaRue, Stellacoom.

WEST VIRGINIA

George E. Nolte, Bethany.
Virgina L. Kyle, Hendricks.
John W. Waskey, Sandyville.

U.S. CIRCUIT JUDGE

J. Skelly Wright, of Louisiana, to be U.S. circuit judge for the District of Columbia circuit.

HOUSE OF REPRESENTATIVES

WEDNESDAY, MARCH 28, 1962

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

The text of John Wesley's last sermon, Isaiah 55: 6: *Seek ye the Lord while He may be found, call ye upon Him while He is near.*

Ever blessed God, we rejoice that Thou art found by those who truly seek Thee, known by those who love, and seen by all whose hearts are pure.

Grant that daily we may be numbered among the seekers and finders of God and thus have our lives become aglow with the light and joy of the things that are worthy and eternal.

Show us how we may conserve and utilize wisely the hours of each new day and keep alive our faith in the moral and spiritual values.

Lift us out of all cynical and cold tempers of mind and heart and make us receptive and responsive to the divine call to seek Thee lest we become too despondent to hope for better days and too willful to follow Thy leading.

Hear us in the name of Jesus Christ, our Lord. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed a joint resolution and a concurrent resolution of the following titles:

S.J. Res. 29. Joint resolution proposing an amendment to the Constitution of the United States relating to the qualification of electors; and

S. Con. Res. 65. Concurrent resolution designating the week of May 20 to May 26, 1962, as "National Highway Week."

PROPOSED AGRICULTURAL PRODUCTION CONTROL PROGRAM

Mr. FINDLEY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. FINDLEY. Mr. Speaker, the American farmer would be far better off to have no legislation at all this year than to get the administration's production control program—H.R. 10010—or an extension of the existing feed grains program.

If the feed grains program is not extended to 1963 and no new legislation is enacted, then the 1958 program would go into effect. It is still on the books and provides no acreage allotments or planting restrictions for feed grains, and places price supports at 90 percent of the past 3-year moving average with a floor at 65 percent of parity.

Secretary Freeman himself has stated the feed grains program now in effect is too costly for what it accomplishes. Certainly the cost of the proposed production control program in loss of efficiency, opportunity, and freedom, as well as tax cost, is staggering.

If no legislation is passed, Midwest agriculture would once more move toward a strengthened free enterprise marketplace system, with price supports related to market prices instead of parity. In both H.R. 10010 and the existing feed grains program, the marketplace system is largely replaced by Government control. Bureaucrats manipulate prices and supplies.

I will do my utmost on the Committee on Agriculture to kill the entire bill, as I am convinced that no legislation is far to be preferred to any modification of a bill that is so basically against the interests of the farmer.

CALL OF THE HOUSE

Mr. LOSER. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 46]

Andrews	Hoffman, Mich.	Scherer
Ashley	Jones, Ala.	Selden
Bates	Kearns	Shelley
Bennett, Mich.	Lane	Sheppard
Blitch	Minshall	Short
Bolling	Norrell	Smith, Miss.
Brooks	Nygaard	Spence
Byrne, Pa.	Peterson	Springer
Cannon	Powell	Tollefson
Colmer	Rains	Tupper
Cooley	Roberts, Ala.	Walter
Hagan, Ga.	St. Germain	Wilson, Ind.

The SPEAKER. On this rollcall, 396 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

TO AMEND THE PEACE CORPS ACT

Mr. DELANEY, from the Committee on Rules, reported the following privileged resolution (H. Res. 579, Rept. No. 1517), which was referred to the House Calendar and ordered to be printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 10700) to amend the Peace Corps Act. After general debate, which shall be confined to the bill, and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

AMENDING INTERNAL REVENUE CODE OF 1954

Mr. O'NEILL. Mr. Speaker, by direction of the Committee on Rules, I call up the resolution (H. Res. 576) providing for the consideration of H.R. 10650, a bill to amend the Internal Revenue Code of 1954 to provide a credit for investment in certain depreciable property, to eliminate certain defects and inequities, and for other purposes.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 10650) to amend the Internal Revenue Code of 1954 to provide a credit for investment in certain depreciable property, to eliminate certain defects and inequities, and for other purposes, and all points of order against said bill are hereby waived. After general debate, which shall be confined to the bill, and continue not to exceed eight hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means, the bill shall be considered as having been read for amendment. No amendment shall be in order to said bill except amendments offered by direction of the Committee on Ways and Means. Amendments offered by direction of the Committee on Ways and Means may be offered to any section of the bill at the conclusion of the general debate, but said amendments shall not be subject to amendment. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion, except one motion to recommit, with or without instructions.

Mr. O'NEILL. Mr. Speaker, at the conclusion of my remarks, I will yield 30 minutes to the gentleman from Ohio [Mr. BROWN].

Mr. Speaker, the resolution, House Resolution 576, provides for the consideration of the bill, H.R. 10650, a bill to amend the Internal Revenue Code of 1954 to provide a credit for investment in certain depreciable property, to eliminate certain defects and inequities, and for other purposes. The resolution provides for a closed rule, waiving points of order, with 8 hours of general debate.

The bill, H.R. 10650, represents a major revision and reform of our Federal tax system.

On the one hand the investment credit provided by this bill is designed to provide a stimulant to the economic growth of this country. This is needed both to improve our competitive position abroad and in the long run to raise our standard of living at home. On the other hand, the other provisions of the bill are designed to improve the equity of our tax structure.

Estimates presented in the committee report indicate that when the provisions of the bill are fully effective a revenue loss is expected, if no effect of the provisions on the national economy is taken into account. The Treasury Department has estimated, however, that when this effect is taken into account the bill will be substantially in balance.

On April 20, 1961, the President sent to Congress a message containing a series of proposals for the revision of the present tax laws. Most of his recommendations, modified, are incorporated in this bill.

On May 3, 1961, hearings began on the President's proposals. These hearings extended over 6 weeks and the Committee on Ways and Means received testimony and comments from over 400 individuals, corporations, and organizations. Following the special hearings, they considered the President's proposal in executive session last year for a period of several weeks. Upon completion of its considerations at that time they made certain tentative decisions for the incorporation in a draft made public in order to obtain the views of interested persons. The committee print containing these suggestions was released to the public on August 24, 1961, together with a general explanation of the provisions. That print was given wide distribution and circulation. In the fall of 1961 the staff of the Committee on Ways and Means met with outside persons and worked with the Treasury Department in obtaining the views of interested parties. With the beginning of this session of

Congress the committee immediately began a review of these provisions, making modifications in the earlier decisions to take into account the suggestions and recommendations received.

H.R. 10650, therefore, represents the decisions made in the committee after careful deliberation over an extended period of time.

The other part of the bill deals with the withholding tax. On this I am sure we have all received—I know I have received—probably more mail on this than on any other legislation pending before the Congress. We received on our desks a letter from the Treasury Department which I think is an excellent argument concerning that part of the bill which states that the withholding of taxes on interest and dividend payments is essential as a matter of equity and as a matter of fiscal responsibility.

There is absolutely no reason why those who receive all or part of their income from interest and dividends should not have their taxes withheld—as wage and salary earners have been for 20 years. What is being considered is not a new or additional tax but simply a method of collecting taxes which are now owed the Government but not being paid.

I feel that it is the belief of the people of the Nation that since the ordinary Mr. John Q. Public pays his tax and it is withheld from him, then there is no reason why those who receive income in the form of unearned income from dividends should not also pay their taxes, by having the tax withheld.

In addition, the fiscal soundness of the pending bill depends heavily upon enactment of the withholding section, which is the largest single source of uncollected taxes owed. Six hundred and fifty million dollars are not going into the coffers of the U.S. Treasury which are owed to the Government of these United States by those people who have failed to pay their taxes on dividends annually.

INDIVIDUALS WOULD SUFFER NO HARDSHIP AND LITTLE INCONVENIENCE

People with no tax liability will be excluded from the withholding system on their dividend, savings account and savings bond interest by filing a simple exemption certificate with the payer of the dividend or interest certifying that he reasonably believes he will not be liable for the payment of any income tax for the year in question. For those under age 18, the exemption certificates can be filed whether or not the individual expects to have any tax liability. Those who have some tax liability but less than the amount withheld, will apply for quarterly refunds on a simple form supplied by IRS, which will mail out quarterly reminders. Refunds will in most cases be received within a month—as they are now by the 35 million taxpayers who are overwithheld each year on their wages and salaries.

WITHHOLDING WILL PAY FOR ITSELF HUNDREDS OF TIMES OVER

The estimated administrative cost of the withholding system is $19 million per year but $650 million in presently evaded taxes will be collected.

Withholding is necessary. Publicity campaigns aimed at increasing the level of voluntary reporting of interest and dividend income have simply not worked and attempted enforcement by tax return audits has been unproductive.

I think the majority of the public wants this bill passed. Those who work for salaries and wages are withheld on. Why should not those who gain their living by clipping coupons and from interest payments likewise make some payment to the Treasury of the United States?

Since the bill will be covered in detail by the Committee on Ways and Means during general debate I shall not speak further with reference to the merits of the bill but urge the adoption of House Resolution 576.

Mr. BROWN. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Illinois [Mr. MASON].

Mr. MASON. Mr. Speaker, in connection with the arguments pro and con that will be made on H.R. 10650, the tax revision bill of 1962—a bill that has some good features but is, in my opinion, an unrealistic, stopgap tax bill—I wish to submit for the consideration of the Members of the House a program for Federal tax relief that if adopted would go a long way to equalize the heavy tax burden upon the American taxpayers. It would also do away with most of the present tax inequities that are to be found in our Federal tax system and it would spread the taxload more equitably over all segments of our economy. The following is the tax program I recommend:

A PROGRAM FOR FEDERAL TAX RELIEF

Mr. Speaker, in the tax-writing Committee on Ways and Means of the Congress, 1962 has been a year of solemn contemplation of our botched-up tax structure—but with very little real remedial action. The big job of tax revision and tax reform is scheduled for next year.

The committee is well prepared for action. In three volumes of 2,382 pages and in hundreds of more pages of questions and answers, we have before the committee the wisdom of more than 150 attorneys, economists, businessmen, and bankers who served as panelists in exhaustive discussions of practically every facet of Federal taxation, as well as their recommendations for revision of the whole monstrous Internal Revenue Code.

When our total taxload takes nearly one-third of the national income, something should be done to spread that taxload equitably among the various segments of our economy. Today we require certain segments of our economy to carry a disproportionate share of the total taxload. Is it, therefore, any wonder that the American taxpayer is more tax-conscious and more tax-complaining today than ever before in our history?

In fiscal year 1961 the total taxload upon American taxpayers was roughly $120 billion. Federal taxes were $82 billion; State taxes, $20 billion; and local taxes, $18 billion.

Mr. Speaker, our Federal taxload can be broken down into four different tax sources, namely: Individual income taxes, corporation income taxes, excise taxes, and miscellaneous taxes—inheritance taxes, gift taxes, and tariffs.

First. Our individual income taxes now range from 20 percent of the taxable income in the lowest bracket to 91 percent of the taxable income in the highest bracket. This means that the man in the lowest income bracket must work about 2½ months each year for the Government with only 9½ months left for himself and his family; that the man in the top tax bracket must work 11 months each year for the Government, with only 1 month left to work for himself and his family.

The yearly tax take from this source—individual income taxes—is roughly $44 billion, or a little more than one-half of the total Federal taxload.

Second. Our corporation taxes range from 30 to 52 percent of corporation profits. This means that a corporation in the 52 percent bracket must make $2 profit for every dollar it can hand out to its stockholders. It means also that many corporations work a little more than 6 months each year for the Federal Government and a little less than 6 months each year for their stockholders.

Corporation taxes bring in a total yearly tax take of about $22 billion.

Third. Excise taxes are taxes levied upon the value of goods sold and upon certain services rendered. Both liquor and tobacco, however, are taxed at very high rates, disregarding the value of the goods sold.

Excise taxes bring in a tax of roughly $10 billion.

Fourth. Our Federal inheritance taxes range up to 70 percent of the total value of the estate, while tariff rates average about 7 percent of the value of the goods imported.

Receipts from these sources amount to about $6.7 billion per year.

Mr. Speaker, in the light of our present heavy Federal taxload and its sources three tax reforms are badly needed to spread the tax load more equitably.

The first tax reform that should be made is to place a tax ceiling or limit upon all Federal income taxes, corporation taxes, and estate taxes. This tax ceiling should be in the neighborhood of 45 percent.

Why should this be done?

In 1848, over a hundred years ago, Karl Marx announced a two-point tax program for the destruction of capitalism and the promotion of communism:

First. All estates should be confiscated through a 100-percent inheritance tax, and

Second. A steeply progressive graduated income tax should be levied upon all income.

During the past 25 years we have traveled a long way down the tax road that Karl Marx laid out. True, we have not yet reached the 100-percent confiscation of inheritances, but we do go up as high as a 70-percent inheritance tax. We have reached 91-percent confiscation of all large incomes, and we have reached a 52-percent confiscation of corporate incomes.

The second tax reform that should be made is the repeal of all present Federal excise taxes now on the books—except upon liquor and tobacco—and the substitution of a flat 5-percent manufacturers excise tax, uniformly applied at the source to all end products except food and medicine.

The repeal of present Federal excise taxes would cost the Treasury about $5 billion per year. Imposition of a flat 5-percent manufacturers' excise tax upon all end products would produce about $5 billion per year to make up for the loss. This change in our excise tax program would have the following definite advantages:

First. We would get rid of the present hodgepodge, hit-and-miss, inequitable system of excise taxes—taxes levied without rhyme or reason—and we would also lower our present 10-percent excise taxes down to 5 percent.

Second. A manufacturers' excise tax is the cheapest and easiest of all taxes to administer and collect.

Third. It would tend to equalize the total tax burden upon all our people, without hurting any one producer or consumer.

The imposition of a flat manufacturers' excise tax in lieu of the present hodgepodge of excise taxes would constitute a long step forward toward the establishment of a well-balanced, equitable, and efficient Federal tax system.

The third tax reform that should be made is to bring about tax equality between business competitors. Corporations now pay a tax up to 52 percent upon their profits. Cooperatives, mutual savings banks, building and loan associations, credit unions, Government-operated businesses—all in competition with taxpaying corporations—now pay little or no Federal income taxes.

As a consequence of the present tax inequality between business competitors, the co-ops and various mutuals are able to use the major part of their profits for expansion, for buying up taxpaying enterprises in their own lines of business. Thus they keep expanding year after year, like a snowball rolling down a mountainside, gathering mass and momentum as it rolls.

Mr. Speaker, spokesmen for the co-ops have always claimed that Congress has no legal right to tax co-ops; that co-ops are simply agents for their patrons; that co-ops make no profits in the sense that corporations make profits; and therefore co-ops are not taxable. This argument of the co-op spokesmen was settled when the greatest tax authority in the Nation, the Joint Committee on Internal Revenue, rendered an opinion in 1951 saying that under our Constitution and laws, Congress does have the right to tax co-ops in the same manner and for the same reason that it now taxes corporations.

Briefly, the report of the Joint Committee entitled "The Power of Congress To Tax Cooperatives on Net Margins" pointed out:

1. Nearly all co-ops are organized as corporations and have corporate charters granted by the various States; therefore they are taxable as corporations;

2. The few not chartered as corporations are associations. The definition of a corporation in the Internal Revenue Code includes associations; therefore for Federal tax purposes they are considered corporations; and

3. For many years Congress has considered co-ops as corporations and has by legislation exempted them from the corporation tax. If Congress has the power to exempt co-ops from the corporation tax, then Congress certainly has the power to repeal that exemption.

The Joint Committee in its report has settled for all time the moot question raised by the spokesmen for the co-ops. The Congress does have the right to tax co-ops. The real question is, "Does Congress have the courage to do so?"

So, when we come to the revision of our tax laws in 1963, I shall urge three specific reforms:

First. Lower income taxes for all individuals, with a top barrier of 45 percent beyond which we shall not go except in the emergency of war.

Second. Impose an excise tax on the end products of manufacture, to produce a far bigger part of our national revenue than retail excise taxes now bring.

Third. Tax the earnings of savings and loan associations, cooperatives, mutual savings banks, credit unions, and other mutuals exactly as the earnings of their proprietary competitors are taxed.

That is not all that is needed; but if the 88th Congress accomplishes no more than these three simple items in writing the Internal Revenue Code of 1963, it will bring to our tax system a measure of justice and equality that has been missing for lo, these many years.

I have long preached from one tax text: "We must tax the untaxed to relieve the burden of the overtaxed." More than ever, this will be my slogan next year.

Mr. BROWN. Mr. Speaker, I yield myself such time as I may use.

Mr. Speaker, as the gentleman from Massachusetts [Mr. O'NEILL], a member of the Rules Committee, has so ably explained, House Resolution 576, which is now before us, provides for the consideration of H.R. 10650 under a closed or a gag rule, in which all points of order are waived, and which provides for 8 hours of general debate.

Yet this resolution does not give a rule on the bill that will actually be before us today and that we will have to pass on, because H.R. 10650, as mentioned in House Resolution 576—and this rule was not granted until 5 or 6 days ago, on March 22—has been greatly changed and amended since it was printed. Of course this bill of 240 pages is not easy to understand or to comprehend. I am sure I will go unchallenged when I make the statement there is not a single individual, with perhaps the exception of the very learned and distinguished chairman of the Committee on Ways and Means in the House who knows what this bill will do, or what its effect may be or what the taxpayers of this Nation will be required to do under its provisions.

Then, of course, we have had this bill with us only a few short days ago, and neither it nor the 217-page report on it, which explains the sections that are no longer in the bill, or will not be if the chairman of the Committee on Ways and Means offers the amendments he advises the Rules Committee he will offer on behalf of the committee.

So, Mr. Speaker, there is a lot of misunderstanding about the bill and the rule we have here. We are being told by the gentleman from Massachusetts [Mr. O'NEILL] that this is a closed or gag rule. It is, or of course will be, if this resolution is adopted, at least as far as 424 Members of this House are concerned. But, it is not a closed or gag rule as far as any 13 members of the great and distinguished Committee on Ways and Means are concerned, because any of its 13 members, under this rule, would have the authority to offer any amendment they might approve. But, that does not apply to those 424 of us who are not members of the Committee on Ways and Means. So, this is a closed or a gag rule, in one sense of the word, as far as a great majority of the Members of the House are concerned, but it is not a closed or gag rule as far as any 13 members of the Committee on Ways and Means may be concerned. Therefore, we have here an actual breakdown, if you please, of the so-called closed rule as far as 13 individual Members of this House are concerned. They can offer any amendment they wish, but the rest of us, under this rule, must go along with the bill without the privilege of offering amendments, except the privilege to offer one motion to recommit.

Now, this measure, H.R. 10650, is the latest tax bill reported out. There have been a great many versions of it. In fact, I made the remark facetiously, of course, in the Committee on Rules, when we had some of these different forms of the tax bill before us, that seemingly the committee printed more editions of the new tax bill, here on Capitol Hill, than the Washington Star printed editions of their daily newspaper.

Now, I do not know exactly what this latest edition tax bill provides, but I do know the Committee on Ways and Means of this House, which is a great committee, and upon which are a great many fine and distinguished Members, that has had about 11 months to consider this tax legislation and we, in the House as a whole, have not really had sufficient time to even read, let alone to master, all of the language contained in this 240-page bill.

Many times, in the well of this House I have opposed closed or gag rules. Not always have I opposed those on tax bills, because I have understood for a long, long time, and have so voted, that it is not easy to enact general tax legislation on the floor of the House, especially where we open up the entire Internal Revenue Code for amendment. For that reason, as I have said, I have not always opposed closed rules on tax bills. I have opposed them on other legislation. We saw here on the floor of the House last summer a situation where we voted down a rule, after we had been told it was absolutely necessary to have a closed or gag rule; I refer to the postal revenue bill. We saw the previous question voted down, and the rule amended, so that it became an open rule, yet the

legislation to increase the postal revenues was voted by this House under that open rule without too much difficulty.

We have seen in the past this House, vote rules, special rules, in connection with tax bills, so as to permit the offering and consideration of certain amendments. We have seen that done on other important legislation before the House. Not too long ago, you may remember, our own Committee on Rules reported out a rule making in order the consideration of certain civil rights legislation, and providing therein that the contents of the so-called McCulloch bill should be held in order for consideration as an amendment to the bill.

That action was approved by the Rules Committee of the House, and then the amendment was approved by the House itself. Actually, while it carried the title of the Celler bill, the content of that important reform legislation was the exact wording of the so-called McCulloch bill.

Mr. Speaker, I hope I may have the attention of the membership because I believe this is important to the Members.

I am going to do today, if I have the opportunity, which I hope to have, that which has been done in the past. I am going to ask, and I will urge if I may, with all the sincerity at my command, that this House vote down the previous question on this gag rule so it will be open to amendment, at which time, if the previous question is voted down, I will offer a substitute rule, similar to that which was considered in the Rules Committee, and which was lost by a small margin of votes. This rule would be one that would make in order the consideration of amendments to three important and controversial sections of this bill, H.R. 10650.

Mr. Speaker, some may attempt to argue this is not a proper procedure, that it has not been done in connection with tax legislation in the past. Yet I would like to refer the membership, if I may, to a rule that was adopted by this House, for the consideration of a very important tax bill a few years ago—on July 30, 1941, page 6608—a rule which made in order the consideration of a certain amendment, or amendments to the tax bill then pending before this body. That rule was approved by the House and later that amendment was also approved by the House.

Mr. Speaker, what is the suggested rule I propose to take the place of this closed or gag rule? It is a closed rule; yes, to a great extent, except in three limited areas concerning three very controversial sections of this bill, and concerning which I am sure most of you, if not all of you, have written many letters and perhaps have done as some of us have done, told constituents: "Yes; I expect to vote against that particular provision in the tax law, if I am given the opportunity to do so." Well, this simply gives you the opportunity to do so.

This proposed rule will give you the opportunity to say whether or not you want to bind and to gag yourselves so you will be impotent to the extent you cannot act, and only 13 Members will have any opportunity to say anything about amendments. Do you want to say that to your constituents? That you have voted to bind and to gag yourselves so you cannot vote for the provisions and the amendments to this bill, as you have promised, or take any action upon the sections of this bill to which you object, or to which you advised your constituents you are opposed? This is an opportunity to see whether or not you want to work your own will in this House; whether you feel the Members of this body are just as capable, just as able, to pass upon important legislation of this kind, especially on the controversial issues—the ones that count in this bill—as is the other body of this Congress.

What is this rule that I expect to offer as a substitute, if the previous question is voted down, as we hope it will be? It provides simply this: That there be an amendment adopted to House Resolution 576, the present rule now pending before us, to strike out all after the resolving clause and insert in lieu thereof the following language. This will be in the motion that I shall make:

> That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of H.R. 10650, a bill to amend the Internal Revenue Code of 1954, and for other purposes, and all points of order against said bill are hereby waived.

That is the same provision as in this original resolution:

> That after general debate, which shall be confined to the bill and shall continue not to exceed eight hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means, the bill shall be considered as having been read for amendment—

That is the same as in the present resolution—

> No amendment shall be in order to said bill except amendments offered by direction of the Committee on Ways and Means—

That is the same as in this pending resolution—

> and except one amendment—

This is the new language—

> one amendment proposing to strike out section 2 and substitute therefor the language of H.R. 10906—

Which I will explain later—

> and except one amendment proposing to strike out section 13 and substitute therefor the language of H.R. 10803, and except one amendment proposing to strike out section 19, any rule of the House to the contrary notwithstanding, but such amendments shall not be subject to amendments—

Which continues a closed rule on all other matters in the bill—

> Amendments authorized by this resolution may be offered to any section of the bill at the conclusion of the general debate. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit, with or without instructions.

To what do these amendments pertain? The first amendment would deal with the section that would give certain tax credit for investments made by those who may have money to spend at the present time.

The second amendment deals only with restoring to the bill the language originally written into the measure as prepared by the Joint Committee on Internal Revenue Taxation, which would protect the best interests of those who may invest their money abroad, as requested, and as we have said they should do under the so-called Boggs bill we passed some time ago, and as both President Eisenhower and President Kennedy have urged should be done. That is the foreign investment section of the bill.

It does not stop the closing of loopholes. It does not change that part a bit. It does not apply to the usual foreign earnings, foreign investments, and so forth, but only to corporations and the investment of their earnings made abroad.

The third amendment to the bill, of course, would simply strike from the bill this withholding tax arrangement that we heard discussed a moment ago by the gentleman from Massachusetts, whom I respect very much but with whom no one could differ more than I. I have had some experience during my lifetime as head of some small corporations, and in connection with some financial institutions. In my opinion, and I think also that of almost every tax expert who has studied this withholding section of the tax bill, against which so many Americans have protested, and rightly so, is a legislative monstrosity which simply cannot be made to work effectively. It will create all sorts of injustices and hardships on corporations and financial institutions throughout America, which would be required to withhold these taxes on dividends and interest and send them in to the Federal Government. In other words, it is another one of these arrangements where the Government says to private corporations and private financial institutions—"just go out and employ your own help to collect these taxes for the Federal Government, pay their salaries, and then pay taxes on the salaries of those you must employ to do the job the Federal Government should do—collect Federal taxes."

Now, the question arises in the minds of all of us—is that necessary? Is that the best way to handle this situation to make sure every person who should pay taxes on dividends or interest income, will do so?

Let me remind you that we have at internal revenue form, No. 1099, every corporation and every financial institution is required to fill out in triplicate, keeping one copy and filing two copies with the Internal Revenue Service. What does from No. 1099 do? It provides, first of all, that you must give the name and the address of the individual affected by whatever income may be reported on the form. You also must give the social security number or its Internal Revenue Service number of each person. For example, let it be John A. Jones. First of all, you fill out on the form giving his name, his address, and social security number or Internal Revenue Service number. Then you put down whether he has received any pay for work, and whether any W-2 forms for salaries and wages have been filed for him. Then next, you report any income he may have received from dividends, over $10, in each year. Next comes a report of any rentals paid to this individual, and any amounts paid him over $600, for services such as trucking or anything else. You furnish all that information and it goes where? It goes to the Internal Revenue Service. All in the world they have to do is just to put such a report over in Mr. John A. Jones' file, whether he receives only one dividend from one corporation, or 100 dividends from 100 corporations. And if he does not pay his tax thereon, there is the evidence and there is the information the Government can readily and easily use, to collect taxes due, at much lower cost than by this other method provided in this pending bill.

Let me say to some of my friends from Ohio who ask, How does that work? We have in my home State an intangible tax that requires all Ohioans to pay a 5 percent tax, almost like a State income tax, on dividends and interest received. There we have to fill out another form almost identical to Federal form No. 1099 except that it is State form No. 939, and send it to the State department of taxation at Columbus, showing, as you gentlemen from Ohio know, the dividends that have been paid to any Ohio individual by any corporation. From Columbus it is distributed to the 88 county auditors in the State of Ohio. They immediately check back on the intangible tax returns filed with them by the individuals concerned. If one has not paid his intangible tax on these dividends, he is immediately notified to come in and explain and, believe it or not, through that very simple system which the Federal Government can also use, if it wishes to, we are collecting better than 99 percent of all intangible taxes due in the State of Ohio. The only ones who escape are the ones who die during the interim period before the returns get back to the county auditor and he can call them in.

Let me go ahead for just a minute or two, for I promised to say a few words about these amendments.

Amendment No. 1 would strike section 2 of the bill, H.R. 19650, providing for a so-called investment credit. The amendment would substitute the language of H.R. 10906. The substitute would add two new provisions to the Internal Revenue Code.

We have a provision permitting additional accelerated depreciation not to exceed 20 percent more than the depreciation to which the taxpayer presently is entitled.

Instead of giving a windfall to just a few rich investors, as provided in the pending bill, it would give all concerns a 20-percent reduction in their present depreciation allowances, according to what they may be entitled to. It would apply to the same category of assets that would be eligible for the investment credit. It differs from investment credit in that there would be no double deduction. Under this bill you can deduct first your tax credit and next your depreciation allowance for tax purposes. The taxpayer would not be permitted, under the amendment, to deduct more than 100 percent of his cost over the full period of depreciation deductions.

The second provision would permit retail and distribution trades to reduce their closing inventories by an amount not to exceed 20 percent of the first $100,000 in inventory. The effect of this provision is to give the small retailer and distributor a cushion against inventory losses and obsolescence. It balances the relief granted to this segment of the economy with the relief granted to a different segment of the economy in the depreciation provision. The effect of the inventory adjustment will be that the small businessman can set aside out of profits an amount not to exceed $20,000 which is reinvested in inventory.

The continuing cost of adding these two provisions to the Internal Revenue Code has been estimated at about one-half of the cost of investment tax credit arrangement alone.

Let me say that the latest information I have received this morning from the highest tax authority in this country, in my opinion, on this tax bill, is to the effect that the new amendments to the measure to be offered by the Ways and Means Committee will cost the Treasury at least $1 billion this coming year. So this bill, if adopted as it is, will not be a tax raising bill but will be a tax reduction measure. For the benefit of whom? For a few who have ready money to invest. I am informed, from reliable sources, that one corporation in America alone, under the provisions of the original bill as brought here and as now before you, could gain about $100 million, which is a pretty nice windfall for any concern.

This amendment proposed here would take care of everyone, whether a small industry, a small businessman, a small manufacturer, and would help do away with obsolescence and bring about greater investments more rapidly, whether in the small community or the large city.

Amendment No. 2 proposes to strike section 13 of the bill and to substitute the language of H.R. 10803, which is simply nothing more or less than the proviso on foreign corporation earnings that was written by the Joint Committee on Internal Revenue Taxation, was adopted unanimously, I believe, by the House Committee on Ways and Means, and then changed at the last minute when there was a lot of monkey-doodling going on on this bill to try to make it a little more palatable for the people who might be prevailed upon to vote for it.

Finally, the last amendment, of course, would strike out entirely the withholding tax section of the pending bill.

I hope that when the vote comes on the previous question on the adoption of this gag rule that it will be voted down, so we may be able to immediately offer the substitute bill I have mentioned above, as an amendment to the original rule, and call for a prompt vote thereon without continued debate.

Mr. Speaker, I reserve the balance of my time.

Mr. O'NEILL. Mr. Speaker, I yield 10 minutes to the gentleman from Oklahoma [Mr. ALBERT].

Mr. ALBERT. Mr. Speaker, if this rule is adopted, and I hope it will be adopted, we will have before us one of the most important bills in the legislative program of the President of the United States. This revenue bill, which the Committee on Ways and Means has been considering for months, embraces some 20 sections and 240 pages. It is one of the most important measures to come before the Congress in a number of years.

The committee has brought this bill to the floor of the House after lengthy consideration, after analysis of its effects on the Treasury and the economy of the country, with a request for a closed rule, which the Committee on Rules has granted. Under the rule 8 hours of general debate will be in order. Amendments offered by the Committee on Ways and Means will be in order, and a motion to recommit, controlled by the minority, will be in order prior to final passage.

The rule under which this resolution is made in order is the historic one under which complicated tax proposals have been brought to this House throughout the years. The right of the Committee on Ways and Means to offer amendments has been recognized in every rule of this kind that I have been able to find anywhere in the CONGRESSIONAL RECORD over the past 30 years. This is the normal, the typical, closed rule.

Under this rule the rights of the minority are fully protected. The minority has the motion to recommit. All of the proposals discussed at length by the gentleman from Ohio can be contained in the motion to recommit.

The issue here, first, is whether these amendments, all of which the gentleman from Ohio has advocated, all of which have been coordinated by those who favor them, should be considered in bulk in a responsible manner, or whether the House should single-shot these amendments, winding up possibly by adopting some amendment that would throw the bill out of balance and not adopting others. The question here is, Shall we have responsible legislation, responsible revenue legislation, or shall we have single-shot legislation which may destroy the fiscal balance of this bill?

The proposed procedure is irresponsibility in its most irresponsible form. Either we accept these amendments, debate them on their merits, and offer them under the motion to recommit, or we take a course of irresponsibility.

Mr. Speaker, the right of the minority is protected and the right of the individual is protected by the rules, the customs, and the traditions of this House. If we do not follow the regular customs and procedures of this House in consideration of legislation of this kind, or of any kind, the majority could run roughshod over the rights of the minority or over the rights of the individual.

The rules, regulations, and the time-tested procedures of this House are the

greatest bulwark that individual Members and minority Members have against arbitrary action.

The procedure made in order by the pending resolution is in accord with the time-honored custom of the House. It has long had a wide measure of bipartisan support. During the administration of President Eisenhower and previously the Democratic leadership cooperated on measure after measure with the desires of the Republican leadership to bring out important revenue bills under closed rules. As far back as the 80th Congress when the Tax Reduction Act of 1947 was before the House a resolution providing for a closed rule had strong support from the Democratic leadership and membership.

In the 83d Congress three important tax bills were considered under rules similar to the one before the House at this time.

H.R. 5898, to extend the excess-profits tax, was considered under the provisions of House Resolution 326 which did not permit amendments from the floor and which was passed on July 10, 1953, without a rollcall vote.

House Resolution 465 which prohibited all amendments except those offered by direction of the Committee on Ways and Means and which was agreed to on March 10, 1954, made in order H.R. 8224, a bill to reduce excise taxes.

House Resolution 473 which prohibited all amendments except those offered by the Committee on Ways and Means and which made in order H.R. 8300 to revise the Internal Revenue laws of the United States, was adopted March 17, 1954.

In the 84th Congress, House Resolution 153, which prohibited amendments except those offered by the direction of the Committee on Ways and Means and which made in order H.R. 4259 to provide a 1-year extension of corporate normal tax rate and of certain excise tax rates and to provide a $20 credit against the individual income tax for each personal exemption, was adopted February 24, 1955.

In the 85th Congress three resolutions all of which prohibited amendments except those offered by the direction of the Committee on Ways and Means, namely, House Resolution 270, which made in order H.R. 7125 to make technical changes in the Federal excise tax laws; House Resolution 586, which made in order H.R. 12695 to provide a 1-year extension of the corporate normal-tax rate and certain existing excise-tax rates; and House Resolution 447, which made in order H.R. 8381, the Technical Amendments Act of 1957, were passed without rollcall votes.

In the 86th Congress the following bills were brought up under similar rules, all of which rules were passed without rollcall votes:

H.R. 4245, taxation of income of life insurance companies.

H.R. 7523 to provide a 1-year extension of existing corporate normal-tax rate and of certain excise-tax rates.

H.R. 9662 to make technical revisions in the income tax provision of the Internal Revenue Code of 1944 relating to estates, trusts, and partnerships.

The rule to which the gentleman from Ohio referred that came out with the revenue bill in 1941 was reported under entirely different circumstances. It came out with the recommendation by the Committee on Ways and Means that the House be permitted to vote separately on the amendments in question. It also came out with a rule that made provision for such separate consideration in the House.

To the Republican Members of the House let me say that if you take the course of action suggested by the gentleman from Ohio you are going to set a precedent which might come back to haunt you. You have the same interest in the stability of the procedures of this House as the majority Members of the House have.

Now, to my Democratic friends let me say that this is a procedural matter. There is just one issue and that is whether the management of this bill is going to be taken away from the Democrats and given to the Republicans. The rule which the gentleman from Ohio advocates, which he says he will offer as an amendment to the rule if the previous question is voted down, by his own admission, is not an open rule; it is a closed rule under the exclusive control of the gentleman from Ohio [Mr. BROWN], and nobody else.

Mr. FEIGHAN. Mr. Speaker, will the gentleman yield?

Mr. ALBERT. I yield to the gentleman from Ohio.

Mr. FEIGHAN. If the motion offered by the gentleman from Ohio [Mr. BROWN] is carried, that would still permit any member of the Committee on Ways and Means to offer any amendment he so desired, would it not?

Mr. ALBERT. That is true, but it also would gag other Members of the House with respect to amendments other than those offered by the Committee on Ways and Means and those made in order by the Brown amendment to the rule.

Mr. FEIGHAN. No one except a member of the Committee on Ways and Means can offer an amendment, anyway.

Mr. ALBERT. That is true under either rule. The whole question here is whether we should single-shot these amendments and throw this bill out of balance, if we adopt one of the provisions and do not adopt the others, or whether we should consider the merits of the two proposals; that is, the one embraced in the bill and the one which would be embraced in the bill should the motion to recommit be adopted.

That is the real issue.

Mr. Speaker, the generosity of the gentleman from Ohio [Mr. BROWN] overwhelms me. Whence this new-found concern over the right of Members to express themselves on legislation? Is this the same distinguished member of the Committee on Rules who for two decades has been blocking consideration of bills by refusing to grant rules on some of the most important legislative proposals submitted to the House by three Democratic Presidents?

Mr. Speaker, talk about Greeks bearing gifts. If we buy this package we will buy a pig in a poke.

The Committee on Ways and Means is entitled to present its case. This important program of the President of the United States is entitled to be considered on the floor of the House on its merits. This maneuver to thwart orderly procedure and accepted parliamentary practice should be voted down. I urge the Members of the House to support the previous question—to adopt the resolution and to proceed with the consideration of this bill under general debate.

Mr. O'NEILL. Mr. Speaker, I yield such time as he may consume to the gentleman from Virginia [Mr. SMITH].

Mr. SMITH of Virginia. Mr. Speaker, I do not propose to discuss the merits of this piece of legislation. But I think I should say this, as chairman of the Rules Committee from which this rule was reported. A long experience on that committee with rules of this kind has led me to the very reluctant conclusion, and I have followed that policy for many years, that it is just a practical impossibility to do a good job in handling a tax bill under an open rule. Then, if you try to do what we are trying to do here this morning, substitute other legislation which has not been given serious consideration and which none of us understand—at least I do not—I think we could get in a very serious condition. I think we should adopt the closed rule, which has been the policy of this Congress as long as I can remember. Now, I remember the first term of Congress when I came here. We Democrats had won control of the House after a great many years of Republican control. We were all fired up and pepped up to change things around. I remember that in my first session here the late Charlie Crisp of Georgia, who was chairman of the Ways and Means Committee, was going to have things democratic, and we all wanted to have things democratic. He brought in a tax bill with an open rule. It was a sales tax bill. We scrambled around here for about a week or 10 days with that bill and things got into such a state of confusion that nobody knew what he was doing and it went back to the committee.

I think nobody regrets more than I do having to bring in a closed rule here. I do a lot of fussing about it, but when the chips are down I think the only feasible and practical way we can operate is under a closed rule.

Mr. O'NEILL. Mr. Speaker, I yield 3 minutes to the gentleman from Louisiana [Mr. BOGGS].

Mr. BOGGS. Mr. Speaker, I hope and believe the Members will have the good judgment to vote down the suggestion of the gentleman from Ohio and permit us to debate this legislation under the rule approved by the Rules Committee and supported by the distinguished gentleman from Virginia [Mr. SMITH]. Also, I would hope that after we have voted up the rule, the Members who have some questions in their minds about this proposed legislation will stay here at least until the chairman of our great committee, the gentleman from Arkansas [Mr. MILLS], has concluded the detailed presentation of this legislation.

The attack made by the gentleman from Ohio in his proposal is an attack

upon the fundamental principles involved in the legislation. This legislation has not been considered for a short period of time. It has been given, to my knowledge, the fullest, the most complete consideration that I have ever seen accorded any proposal before the great Committee on Ways and Means.

The attack being made here in the investment credit proposal is a fundamental attack. But let me say this, and I address this to all Members of the House, but to my Democratic colleagues—many of you in your campaigns have had to face the contention that the party of which you are a member is against business and does not believe in the growth and promotion of the free enterprise system.

If there ever was a proposal which is designed to increase employment, to create new jobs, and to give credit to business expansion and growth, it is the proposal now before us.

I have listened to the attacks made on it as being favorable to big business and not making concessions here, there, and elsewhere. I have never been one of those who have been against business, whether it be big, large, middle size, or indifferent. I am happy to see that this legislation recognizes that there is a need for the expansion of investment in the United States. Soon we will be considering legislation dealing with the European Common Market, which has had a phenomenal growth because of new investment in that area of the world.

I would hope, Mr. Speaker, that we will approve the rule as presented by the Rules Committee, and that the Members of this body on both sides will stay here and listen to the presentation of the chairman of our committee, which will be made as soon as the vote is concluded on the rule.

Mr. BROWN. Mr. Speaker, I yield 3 minutes to the gentleman from Wisconsin [Mr. BYRNES].

Mr. BYRNES of Wisconsin. Mr. Speaker, I think the distinguished majority leader was considerably carried away when he charged that the action that is proposed to be taken here by the gentleman from Ohio in providing us with a limited rule rather than a strict gag rule was irresponsible. Is it—and maybe that is the issue before us—is it irresponsible to give you as an individual Member of Congress a right to an alternative on three sections of this bill that are controversial? Is it irresponsible to let the House attempt to work its will? As far as I am concerned it is a mark of responsibility—that we make a choice and not to be limited exclusively to what 13 or 15 members of the Committee on Ways and Means may present to us. We are a House of Representatives and we have the right to work our will.

To hear the majority leader, you would also think that this is something that had never been done before. As was pointed out by the gentleman from Ohio, it was done in 1941 when there was a limited rule. The right to consider three amendments will not create chaos. How silly can you be? We proposed three specific amendments that will be offered. This is not something that is pulled out of thin air and something that you have to wait and see what somebody schemes up. The two substitutes which will be proposed for two sections have been introduced in bill form. They were both before the Committee on Ways and Means on several occasions and were discussed in that committee. There is nothing new or complex about it from that standpoint.

I was a little surprised by the remarks of the chairman of the Committee on Rules, because if you would just go back to March 15 of this year, just a week or so ago, he said then, and I quote from the RECORD on page 4262:

> I do not think we would violate the necessary part of the closed rule if we would permit, in the House, a vote on a specific proposition.

That is what we are asking here—votes on three specific propositions, and that is all. He also said:

> What harm could it do to the logic of the closed rule theory if the House were permitted to say on the one proposition, "We want it" or "We do not want it"?

That is the issue we want to put before you as an individual item on the withholding proposition. Do you want it or do you not want it? The question here is—will you, and will this House, be able to work its will on the three provisions of this bill, on which there is divided opinion?

Will you be able to choose between the handout, the $1½ billion loophole, the windfall to business as proposed by the bill, or the alternative of depreciation reform as contained in bill H.R. 10906?

Will you be able to choose between the provisions of the bill which will penalize American enterprise operating abroad as contained in the committee bill or the alternative as contained in bill H.R. 10803 which is limited to preventing true tax avoidance?

Will you be able to choose between imposing withholding on dividends and interest as proposed by the bill or the alternative of striking this provision from the bill?

That is the question you will decide when you vote on ordering the previous question. If you vote "yes" on that motion you will deny yourself the opportunity to listen to the debate and then vote on the merits of these three alternatives.

Remember that if you vote "yes" on this motion you will not be able to say to your people, "I was against the tax bonanza to business but I had no choice. I had to take the whole bill or nothing."

If you vote "yes" on the previous question you will not be able to tell your people, "I was against withholding but I had no choice. I had to take the bill as a whole or nothing."

If you vote "yes" on the previous question you will not be able to tell your people, "I was against putting American business abroad at a disadvantage but I had no alternative. I had to take the whole bill or nothing."

If you vote "yes" on the previous question you will vote to gag yourself. You vote to deny yourself an opportunity to have a voice in determining what will be done with respect to these three very important items in the bill.

I trust you will vote "no" on ordering the previous question. We can then have a rule which will permit you and the House to work its will on these matters.

The SPEAKER. The gentleman from Massachusetts [Mr. O'NEILL] is recognized.

Mr. O'NEILL. Mr. Speaker, with regard to the parliamentary situation at the present time, I remind my colleagues that this closed rule was reported by the unanimous vote of the Democratic majority of those present and it is by the action of the committee that the gentleman from Ohio at the present time is precluded from offering his amendment to the resolution which has been reported to the House for its consideration. If the previous question is voted down, then the gentleman from Ohio will be in control of the time of the House for 1 hour so that he may offer the closed rule which he favors. The difference between the majority and the minority in this instance is that the minority is opposed to the closed rule offered by the majority party and would like to offer their own closed rule. The minority does not propose an open rule which would enable you to vote on the issue of oil depletion allowances or, for example, where you could vote on the question of the excise tax. No; they take the rule they are interested in themselves and they offer you their version of a closed rule.

I hope the Members on this side will follow along with the leaders.

Mr. Speaker, I move the previous question on the resolution.

Mr. BROWN. Mr. Speaker, on this motion I ask for the yeas and nays.

The yeas and nays were ordered.

The SPEAKER. The question is on the adoption of the previous question.

Mr. BROWN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. BROWN. Am I correct in the assumption that a "no" vote would be against the previous question and therefore for an open rule?

The SPEAKER. The Chair thinks that is well known by every Member.

Mr. BROWN. I hope every Member does know it.

Mr. O'NEILL. As to the statement made by the gentleman from Ohio, he said a "no" vote meant an open rule. A "no" vote means a closed rule as proposed by the minority.

The SPEAKER. The Chair will again state the motion. The question before the House is the adoption of the previous question.

The question was taken and there were—yeas 224, nays 185, not voting 27, as follows:

[Roll No. 47]

YEAS—224

Addabbo	Barrett	Breeding
Addonizio	Bass, Tenn.	Buckley
Albert	Beckworth	Burke, Ky.
Alexander	Bennett, Fla.	Burke, Mass.
Alford	Blatnik	Burleson
Anfuso	Boggs	Carey
Ashley	Boland	Casey
Ashmore	Bolling	Celler
Aspinall	Bonner	Chelf
Bailey	Boykin	Clark
Baring	Brademas	Coad

Cohelan
Cook
Corman
Daddario
Daniels
Davis, John W.
Davis, Tenn.
Dawson
Delaney
Dent
Denton
Diggs
Dingell
Donohue
Dorn
Dowdy
Downing
Doyle
Dulski
Edmondson
Elliott
Everett
Evins
Farbstein
Finnegan
Fisher
Flood
Flynt
Fogarty
Fountain
Frazier
Friedel
Gallagher
Garmatz
Gary
Gathings
Gilbert
Gonzalez
Granahan
Grant
Gray
Green, Oreg.
Green, Pa.
Griffiths
Hagen, Calif.
Hansen
Harding
Hardy
Harris
Harrison, Va.
Healey
Hebert
Hechler
Henderson
Herlong
Holifield
Holland
Huddleston
Hull
Ichord, Mo.
Inouye
Jarman
Jennings
Joelson
Johnson, Calif.
Johnson, Md.
Johnson, Wis.
Jones, Ala.
Jones, Mo.
Karsten
Karth
Kastenmeier
Kee
Kelly
Keogh
Kilgore
King, Calif.
King, Utah
Kirwan
Kitchin
Kluczynski
Kornegay
Landrum
Lankford
Lennon
Leslinski
Libonati
Loser
McDowell
McFall
McMillan
McSween
Macdonald
Mack
Madden
Magnuson
Mahon
Marshall
Matthews
Miller, Clem
Miller, George P.
Mills
Moeller
Montoya
Moorhead, Pa.
Morgan
Morris
Morrison
Moss
Moulder
Murphy
Murray
Natcher
Nedzi
Nix
Norrell
O'Brien, Ill.
O'Brien, N.Y.
O'Hara, Ill.
O'Hara, Mich.
Olsen
O'Neill
Passman
Patman
Perkins
Pfost
Philbin
Pike
Pilcher
Poage
Powell
Price
Pucinski
Purcell
Randall
Reuss
Rhodes, Pa.
Rivers, Alaska
Rivers, S.C.
Roberts, Tex.
Rodino
Rogers, Colo.
Rogers, Fla.
Rogers, Tex.
Rooney
Roosevelt
Rosenthal
Rostenkowski
Roush
Rutherford
Ryan, Mich.
Ryan, N.Y.
St. Germain
Santangelo
Saund
Scott
Shelley
Shipley
Sikes
Sisk
Slack
Smith, Va.
Spence
Staggers
Steed
Stephens
Stratton
Stubblefield
Sullivan
Taylor
Teague, Tex.
Thomas
Thompson, La.
Thompson, N.J.
Thompson, Tex.
Thornberry
Toll
Trimble
Udall, Morris K.
Ullman
Vinson
Waggonner
Watts
Whitener
Wickersham
Willis
Wright
Yates
Young
Zablocki
Zelenko

NAYS—185

Abbitt
Abernethy
Adair
Alger
Andersen, Minn.
Anderson, Ill.
Arends
Ashbrook
Auchincloss
Avery
Ayres
Baker
Baldwin
Barry
Bass, N.H.
Battin
Becker
Beermann
Belcher
Bell
Berry
Betts
Bolton
Bow
Bray
Brewster
Bromwell
Broomfield
Brown
Broyhill
Bruce
Byrnes, Wis.
Cahill
Cederberg
Chamberlain
Chenoweth
Chiperfield
Church
Clancy
Collier
Conte
Corbett
Cramer
Cunningham
Curtin
Curtis, Mass.
Curtis, Mo.
Dague
Davis, James C.
Derounian
Derwinski
Devine
Dole
Dominick
Dooley
Durno
Dwyer
Ellsworth
Fallon
Feighan
Fenton
Findley
Fino
Ford
Forrester
Frelinghuysen
Fulton
Garland
Gavin
Glaimo
Glenn
Goodell
Goodling
Griffin
Gross
Gubser
Haley
Hall
Halleck
Halpern
Harrison, Wyo.
Harsha
Harvey, Ind.
Harvey, Mich.
Hays
Hemphill
Hoeven
Hoffman, Ill.
Horan
Hosmer
Jensen
Johansen
Jonas
Judd
Kearns
Keith
Kilburn
King, N.Y.
Knox
Kowalski
Kunkel
Kyl
Laird
Langen
Latta
Lindsay
Lipscomb
McCulloch
McDonough
McIntire
McVey
MacGregor
Mailliard
Martin, Mass.
Martin, Nebr.
Mason
Matthias
May
Meader
Merrow
Michel
Miller, N.Y.
Milliken
Minshall
Monagan
Moore
Morehead, Ohio
Morse
Mosher
Multer
Nelsen
Norblad
O'Konski
Osmers
Ostertag
Pelly
Pillion
Pirnie
Poff
Quie
Ray
Reece
Reifel
Rhodes, Ariz.
Riehlman
Robison
Roudebush
Rousselot
St. George
Saylor
Schadeberg
Schenck
Schneebeli
Schweiker
Schwengel
Scranton
Seely-Brown
Shriver
Sibal
Siler
Smith, Calif.
Smith, Iowa
Springer
Stafford
Taber
Teague, Calif.
Thomson, Wis.
Tuck
Utt
Vanik
Van Pelt
Van Zandt
Wallhauser
Weaver
Weis
Westland
Whalley
Wharton
Whitten
Widnall
Williams
Wilson, Calif.
Winstead
Younger

NOT VOTING—27

Andrews
Bates
Bennett, Mich.
Blitch
Brooks
Byrne, Pa.
Cannon
Colmer
Cooley
Fascell
Hagan, Ga.
Hoffman, Mich.
Lane
Nygaard
Peterson
Rains
Roberts, Ala.
Scherer
Selden
Sheppard
Short
Smith, Miss.
Tollefson
Tupper
Walter
Wilson, Ind.

So the previous question was ordered.

The Clerk announced the following pairs:

On this vote:

Mr. Brooks for, with Mr. Colmer against.

Mr. Cooley for, with Mr. Walter against.

Mr. Byrne of Pennsylvania for, with Mr. Tupper against.

Mr. Lane for, with Mr. Bates against.

Mr. Sheppard for, with Mr. Nygaard against.

Mr. Hagan of Georgia for, with Mr. Short against.

Mr. Rains for, with Mr. Wilson of Indiana against.

Mr. Roberts for, with Mr. Scherer against.

Mrs. Blitch for, with Mr. Tollefson against.

Until further notice:

Mr. Andrews with Mr. Hoffman of Michigan.

Mr. Selden with Mr. Bennett of Michigan.

Mr. PASSMAN changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the adoption of the resolution.

Mr. BOGGS. Mr. Speaker, on that I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken and there were yeas 234, nays 172, not voting 30, as follows:

[Roll No. 48]

YEAS—234

Abbitt
Addabbo
Addonizio
Albert
Alexander
Alford
Anfuso
Ashley
Aspinall
Avery
Ayres
Bailey
Baring
Barrett
Bass, Tenn.
Beckworth
Bennett, Fla.
Blatnik
Boggs
Boland
Bolling
Bonner
Boykin
Brademas
Breeding
Buckley
Burke, Ky.
Burke, Mass.
Burleson
Byrnes, Wis.
Carey
Casey
Celler
Chelf
Clark
Coad
Cohelan
Corbett
Corman
Curtis, Mass.
Daddario
Daniels
Davis, John W.
Davis, Tenn.
Dawson
Delaney
Dent
Denton
Diggs
Dingell
Donohue
Dorn
Dowdy
Downing
Doyle
Edmondson
Elliott
Everett
Evins
Farbstein
Finnegan
Fisher
Flood
Flynt
Fogarty
Fountain
Frazier
Friedel
Gallagher
Garmatz
Gary
Gathings
Gilbert
Gonzalez
Granahan
Grant
Gray
Green, Oreg.
Griffiths
Hagan, Ga.
Halleck
Hansen
Harding
Hardy
Harris
Harrison, Va.
Healey
Hebert
Hechler
Henderson
Herlong
Holifield
Holland
Huddleston
Hull
Ichord, Mo.
Inouye
Jarman
Jennings
Joelson
Johnson, Calif.
Johnson, Md.
Johnson, Wis.
Jones, Ala.
Jones, Mo.
Judd
Karsten
Karth
Kastenmeier
Kearns
Kee
Kelly
Keogh
Kilgore
King, Calif.
King, Utah
Kirwan
Kitchin
Kluczynski
Kornegay
Landrum
Lankford
Lennon
Leslinski
Libonati
Loser
McDowell
McFall
McMillan
McSween
Macdonald
Mack
Madden
Magnuson
Mahon
Marshall
Mason
Matthews
Healey
Merrow
Miller, Clem
Miller, George P.
Mills
Moeller
Montoya
Moorhead, Pa.
Morgan
Morris
Morrison
Mosa
Multer
Murphy
Murray
Natcher
Nedzi
Nix
Norrell
O'Brien, Ill.
O'Brien, N.Y.
O'Hara, Ill.
O'Hara, Mich.
Olsen
O'Neill
Passman
Patman
Perkins
Pfost
Philbin
Pike
Pilcher
Poage
Powell
Price
Pucinski
Purcell
Randall
Reuss
Rhodes, Pa.
Rivers, Alaska
Rivers, S.C.
Roberts, Tex.
Rodino
Rogers, Colo.
Rogers, Fla.
Rooney
Roosevelt
Rosenthal
Rostenkowski
Roush
Rutherford
Ryan, Mich.
Ryan, N.Y.
St. Germain
Santangelo
Saund
Saylor
Scott
Shelley
Shipley
Sikes
Sisk
Slack
Smith, Iowa
Smith, Va.
Spence
Staggers
Steed
Stephens
Stratton
Stubblefield
Sullivan
Taylor
Teague, Tex.
Thomas
Thompson, La.
Thompson, N.J.
Thompson, Tex.
Thornberry
Toll
Trimble
Udall, Morris K.
Ullman
Vinson
Waggonner
Watts
Whitener
Wickersham
Willis
Wright
Yates
Young
Zablocki
Zelenko

NAYS—172

Abernethy
Adair
Alger
Andersen, Minn.
Anderson, Ill.
Arends
Ashbrook
Auchincloss
Baker
Baldwin
Barry
Bass, N.H.
Battin
Becker
Beermann
Belcher
Bell
Berry
Betts
Bolton
Bow
Bray
Brewster
Bromwell
Broomfield
Brown
Broyhill
Bruce
Cahill
Cederberg
Chamberlain
Chenoweth
Chiperfield
Church
Clancy
Collier
Conte
Cook
Cramer
Cunningham
Curtin
Curtis, Mo.
Dague
Davis, James C.
Derounian
Derwinski
Devine
Dole
Dominick
Dooley
Dulski
Durno
Dwyer
Ellsworth
Fallon
Feighan
Fenton
Findley
Fino
Ford
Forrester
Frelinghuysen
Fulton
Garland
Glaimo
Glenn
Goodell
Goodling
Griffin
Gross
Gubser
Hagen, Calif.
Haley
Hall
Halpern
Harrison, Wyo.
Harsha
Harvey, Ind.
Harvey, Mich.
Hays
Hemphill
Hiestand
Hoeven
Hoffman, Ill.
Horan
Hosmer
Jensen
Johansen
Jonas
Keith
Kilburn
King, N.Y.
Knox
Kowalski
Kunkel
Kyl
Laird
Langen
Latta
Lindsay
Lipscomb
McCulloch
McDonough
McIntire
McVey
MacGregor
Mailliard
Martin, Mass.
Martin, Nebr.
Mathias
Meader
Michel
Miller, N.Y.
Milliken
Minshall
Monagan
Moore
Morehead, Ohio
Morse
Mosher
Nelsen
Norblad
O'Konski
Osmers
Ostertag
Pelly
Pillion
Pirnie
Poff
Quie
Ray
Reece
Reifel
Rhodes, Ariz.
Riehlman
Robison
Roudebush
Rousselot
St. George
Schadeberg
Schenck
Schneebeli
Schweiker
Schwengel
Scranton
Seely-Brown
Shriver
Sibal
Siler
Smith, Calif.
Springer
Stafford
Taber
Teague, Calif.
Thomson, Wis.
Tuck
Utt
Vanik
Van Pelt
Van Zandt
Wallhauser
Weaver
Weis
Westland
Whalley
Wharton
Whitten
Widnall
Williams
Wilson, Calif.
Winstead
Younger

NOT VOTING—30

Andrews
Ashmore
Bates
Bennett, Mich.
Blitch
Brooks
Byrne, Pa.
Cannon
Colmer
Cooley
Fascell
Green, Pa.
Hoffman, Mich.
Lane
May
Moulder
Nygaard
Peterson
Rains
Roberts, Ala.
Scherer
Selden
Sheppard
Short
Smith, Miss.
Tollefson
Tupper
Walter
Wilson, Ind.

So the resolution was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Brooks for, with Mr. Colmer against.

Mr. Cooley for, with Mr. Walter against.

Mr. Byrne of Pennsylvania for, with Mr. Tupper against.

Mr. Lane for, with Mr. Bates against.

Mr. Sheppard for, with Mr. Nygaard against.

Mr. Green of Pennsylvania for, with Mr. Short against.

Mr. Rains for, with Mr. Wilson of Indiana against.

Mr. Roberts for, with Mr. Scherer against.

Mrs. Blitch for, with Mr. Tollefson against.

Until further notice:

Mr. Andrews with Mr. Hoffman of Michigan.

Mr. Selden with Mr. Bennett of Michigan.

Mr. FENTON and Mr. FOGARTY changed their votes from "yea" to "nay."

The result of the vote was announced as above recorded.

Mr. KEARNS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. KEARNS. Mr. Speaker, it is my understanding that we go into how many hours of debate?

The SPEAKER. In response to the parliamentary inquiry, the rule provides for 8 hours of debate.

Mr. KEARNS. I thank the Speaker.

REVENUE ACT OF 1962

Mr. MILLS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 10650) to amend the Internal Revenue Code of 1954 to provide a credit for investment in certain depreciable property, to eliminate certain defects and inequities, and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from Arkansas.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 10650, with Mr. ROOSEVELT in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Arkansas [Mr. MILLS] is recognized for 4 hours and the gentleman from Illinois [Mr. MASON] is recognized for 4 hours. The Chair recognizes the gentleman from Arkansas [Mr. MILLS].

Mr. MILLS. Mr. Chairman, I yield myself 40 minutes.

Mr. Chairman, we are beginning consideration of what I consider to be the most important tax proposal considered by the Congress in many years and certainly since the Internal Revenue Code of 1954. In many respects the proposal now pending before the Committee of the Whole involves more policy decisions than the Internal Revenue Code changes of 1954 involved, for in that instance we were primarily concerned with recodification of the law.

Today in this bill we are concerned in 20 of the 21 sections with certain fundamental policy changes in the provisions of existing law, many of which have been in effect since the inception of our income tax laws, following the constitutional amendment of 1913.

Mr. Chairman, there are far too many detailed, involved provisions in this bill for any one member of the committee to cover all of the various subjects within anything like a reasonable time. For that reason, it shall be my purpose today to discuss very briefly certain of the provisions and to devote more detail to other provisions about which there seems to be more question than with respect to others.

Mr. Chairman, there are two provisions of the bill, the second and third sections, the investment credit, and the legislative expense provisions, that serve to reduce revenues.

There are six sections of the bill that serve to provide additional revenues from sources within the United States. There are 12 sections of the bill that deal with the treatment of foreign income including that of foreign subsidiaries owned by American individuals or corporations.

Mr. Chairman, the provisions of the bill which produce revenue, will produce, according to the estimates of the Treasury, $1,295 million additional revenue. You will find a breakdown of those estimates in the early part of the committee report on this bill.

Mr. Chairman, the investment credit, as it will be modified through the adoption of the amendments that the committee will offer during the course of the reading of the bill, involves a loss in a full year's operation of $1,175 million. The net effect of the bill, therefore, on the basis of the estimates of Treasury, is a pickup of $120 million, not taking into consideration any impetus that may be given the economy through the adoption of the investment provision.

There has been on the part of some Members some degree of criticism of the action of the committee in changing the investment rate. When the bill was reported the committee faced some 4 or 5 weeks of hearings on the trade program. We reported the bill before we had a firm estimate of the revenue effects of the bill. When those effects were presented to us in firm form, I was concerned because the investment credit provision was losing $1,800 million and we were picking up as an offset only $1,295 million in a full year of operation, according to Treasurys estimate. I did not want a bill that was not in balance revenuewise.

Mr. Chairman, when the President asked for this program last year he proposed a balanced tax bill as to revenue effect. He was right then; he is right now. The committee would have been wrong, in my opinion, in asking the House to accept a bill that did not meet the test of revenues being in balance.

Mr. Chairman, this bill with the amendments that will be offered on the part of the committee reducing the investment credit rate and ceiling will not only be in balance in its first full year of operation, but further, this bill will bring in a plus of revenue of $120 million in its first full year of operation.

There has been some criticism by some members of the committee because the bill will have some adverse effect, they say, upon the revenues that will be developed by the Government in fiscal year 1963 which begins, of course, on July 1 of this year.

Mr. Chairman, the Secretary of the Treasury took into consideration in developing estimates for the President's budget an effect of the investment credit of $1,500 million on revenues in fiscal year 1963. That was taken into consideration in determining the estimates of revenue. It cannot be said—it cannot be proven by anyone—that the enactment of this program will serve to eliminate the possibility of a balanced budget in fiscal year 1963. The committee has reduced the effect of the investment credit in its amendments that it will ask you to accept from $1.8 billion to $1.175 billion. We have cut under the $1.5 billion estimate that was taken into account when the President submitted the budget to us in January.

On that score, Mr. Chairman, I think the committee has presented to the House a bill that is acceptable.

Mr. Chairman, at this point I insert two tables on this point:

TABLE 1.—*Treasury Department estimates of revenue effect* [1] *of bill as amended by the Committee on Ways and Means when changes are fully effective, without taking into account the effect on the economy of the provisions*

[In millions of dollars]

	Amount
Revenue bill of 1962:	
Investment credit	−1,175
Withholding on dividends and interest	+650
Mutual banks and savings and loan associations	+200
Entertainment expenses	+125
Capital gains on depreciable property	+100
Mutual fire and casualty companies	[2] +40
Cooperatives	+35
Foreign items:	
Controlled foreign corporations	[3] +85
Gross-up of dividends	+30
All other items relating to taxation of foreign income, etc.	+30
Total	+120

[1] At levels of income and investment estimated for the calendar year 1962 except that the estimate of revenue gain from change in taxation of mutual banks and savings and loan associations is based on income levels for the calendar year 1963, the 1st year affected.

[2] Assumes transitional period has been completed for fire and casualty companies.

[3] The revenue estimates for the controlled foreign corporation provision do not take into account additions to the tax base, in the form of royalties, rents, etc., which reliable evidence indicates will be forthcoming but which cannot be quantified with an acceptable degree of accuracy.

Source: Office of the Secretary of the Treasury, Office of Tax Analysis, Mar. 26, 1962.

TABLE 2.—*Treasury Department estimates of revenue effect of bill as amended by the Committee on Ways and Means (see note) for the fiscal year 1963 taking into account its estimate of effect on the economy of the provisions*

[In millions of dollars]

	Revenue effect	Effective date
Revenue bill of 1962:		
Investment credit (see note)	−560	Jan. 1, 1962
Withholding on dividends and interest	+195	Jan. 1, 1963
Mutual banks and savings and loan associations	.....	Do.
Entertainment expenses	+40	July 1, 1962
Capital gains on depreciable property	.....	Jan. 1, 1962
Mutual fire and casualty companies	.....	Jan. 1, 1963
Cooperatives	.....	Do.
Foreign items:		
Controlled foreign corporations	.....	Do.
Gross-up of dividends	.....	Do.
All other items relating to taxation of foreign income, etc.	+5	Do.
Total (see note)	−320	

NOTE.—In estimating the net revenue cost of the investment credit, its favorable effects on the level of investment were computed from statistical relationships in past years between investment and gradual changes in the cost of capital goods (profitability) and cash flow. This procedure thus does not take into account the especially favorable impact on businessmen's decisions to invest of the sudden major improvements in these factors resulting from the enactment of the credit. Taking this into account should produce more favorable effects than the table shows for the investment credit. It will eliminate the overall net revenue loss for the bill as a whole and instead would yield an overall net gain.

Source: Office of the Secretary of the Treasury, Office of Tax Analysis, Mar. 26, 1962.

Now there is question raised by some in the committee with respect to some of the provisions of the bill that accomplish these overall objectives. Before talking to those particular sections that seem to have raised some questions, let me briefly go over some of the other sections of the bill.

Mr. Chairman, this bill provides some limitation on the deduction of entertainment expenses.

This bill provides for increased taxation of our mutual thrift institutions, mutual savings banks and savings and loan associations.

Mr. Chairman, this bill changes the tax treatment of mutual, fire, and casualty companies.

Mr. Chairman, this bill changes the tax consequences with respect to the sale of depreciable property.

Mr. Chairman, this bill changes the tax treatment of the earnings of cooperatives.

Mr. Chairman, the bill also affects three other situations that I want to talk to in greater detail.

First of all, we provide an investment tax credit. The investment credit has been characterized, I think incorrectly, by many who see some fault in it as a bonanza. They think of it in terms of something that we are doing just for the wealthy that should not be done.

Mr. Chairman, I had many questions in my mind when I first heard the suggestion made that the Congress enact an investment credit. It caused me a great deal of concern in the beginning. I began to look at it more closely, I began to analyze it. I began to think of it in terms of its merits and demerits. Let us see why we have it in this bill before you.

Mr. Chairman, over the years we have been trying to provide business with a return of the moneys involved in capital investment, in the construction of plants and facilities that are used in a trade or business, through what we call the rules of depreciation. In viewing this matter, we cannot look just to what the situation here in the United States may be. I think it is necessary for us in the formulation of a tax policy to look at the situation in the free world as well as the situation within the United States. What do we find if we do that?

We find that under our present rules of depreciation, Mr. Chairman, it takes longer for an American businessman to get a return of the investment he has made in plant and equipment here than it does in any of the countries of the free world, countries with whom we compete not only in the world market but also to an extent even here at home.

If you will look to the situation in Europe and in Japan you will find that through an investment allowance of some form or other, comparable to what we are proposing in this legislation, plus their regular rules of depreciation those businessmen are able to recover their investment out of income before taxes in a much shorter period of time than are American businessmen under existing provisions of law.

I thought in terms of why can we not accomplish that? Why can we not just do something legislatively, as my colleagues on the Republican side are recommending, through changes in the rules of depreciation, since that has been the historic way of doing it? I thought first in terms of doing it that way. I began, however, then to think of what it would cost revenuewise to accomplish as much inducement, incentive, as is provided in a 7- or 8-percent investment credit. We would have to provide, Mr. Chairman, about an 80-percent increase per year in the amount of allowable depreciation in order to accomplish as much encouragement as would be given by a 7-percent investment tax credit.

What do we do if we shorten the lives under depreciation? If we shorten them to a point that does not actually reflect the useful life of the equipment, we reduce the tax through rules that are not a true reflection of the value in a taxpayer's hands on these assets; you are subsidizing that way, Mr. Chairman, just as much as you are subsidizing under an investment credit and at far more current cost.

How will the investment credit work? Consider a businessman who decides that because the average life of his equipment is going up while foreign competitors are getting new equipment, his equipment should be replaced with something more modern. He cuts down his per-unit cost through the use of this better equipment.

Let us say he buys $1,000 worth of equipment. Under this amendment, Mr. Chairman, we would say that for investments made after December 31 of last year, he may take 7 percent of the $1,000, or $70, as a credit actually against the tax that he owes. But in order to prevent the undue use of the credit by those who are the biggest, the committee amendment will tighten the limitation on the credit based on tax; it will say that that credit cannot amount to more in a taxable year than the full tax determined without the credit up to $25,000 plus 25 percent of what tax is left. This means a dollar-for-dollar offset will be available up to $25,000 in taxes and 25 percent above that amount. We are reducing the original price of that equipment; we are reducing it in the expectation that we will stimulate these business people to improve their equipment and facilities.

Some complain that it does not help anybody except businessmen. Mr. Chairman, one of the most fallacious arguments in the world, I think, is that argument.

What will the businessman use this for and under what circumstances can he use it? Only in the investment of moneys for those things that are to be used in his trade or business, in the making of a job. This includes farmers and all others in a trade or business small or large. As we look to the situation of the future, we recognize that the greatest need we have on the domestic front is the improvement of our productive facilities here in the United States. To the extent that this is used, to the extent it is allowable, it will do more, in my opinion, than anything that has been suggested by the Committee on Ways and Means in years as a tax change to stimulate the economy, to produce more, to put us in a position to compete with the producers abroad.

Do we hesitate to say that businessmen are entitled to a return on their investment? All in the world we are doing here is providing that on 15-year life equipment, with this in effect, a businessman will get back in the first 5 years about 67 percent of his investment. What is the situation abroad? It runs anywhere from 80 to 100 percent. What will be the situation after the end of 10 years on an asset of 15 years useful life? We will provide for the recovery of approximately 83 percent of his investment. Is that doing too much? The membership of our committee did not think so. The membership of our committee thought this was actually the most important step we could take as we try to meet the competition that is being generated throughout the world through the use of this or some other equivalent investment allowance in the tax laws of other countries.

I suggest, Mr. Chairman, that this is a far better way of doing it than the suggestion of an increase in regular depreciations which is contained in the bill that the gentleman from Ohio, Mr. BROWN, referred to. Why? Depreciation is a cost of doing business. The cost of doing business determines the price of the product. Is it not just that simple? Do you know what happens when you increase the cost of a business? Is it not that this will result in business increasing its price? You do not have an increase in price through the vehicle of an investment credit.

This is a reduction in tax that does not affect the cost of business operation.

Mr. Chairman, I am as convinced as I have ever been of anything that this is the most important provision of the bill.

There are 12 sections of this bill dealing with foreign income. Let me discuss briefly what they do.

I saw a letter that was circulated this morning by my good friend from Missouri, Mr. CURTIS. The first words are "Yankee come home." If I thought for 1 minute that we were doing anything in this change in the treatment of foreign income that would make it less likely for American people to be able to compete in the markets of the world, I certainly would not be here speaking for this bill.

Mr. Chairman, what are we doing? We are looking to certain kinds of income and the use to which it is to be put in determining whether or not we will permit a continuation of the arrangement under existing law that provides for a complete deferral from American tax of the earnings in an American owned foreign corporation until those profits are brought back to the United States.

We say that we are looking at two particular kinds of income without regard to how the profit from them may be used. We are looking at the situation where an American citizen goes to Bermuda, organizes an insurance company to insure risks here in the United States. We say that we are going to tax that American owner, who is an American taxpayer, on the profits of that business, whether he brings those profits back to the United States or not. Here we have an American citizen setting up a foreign corporation to insure his and other risks in competition with insurance businesses operating within the United States, fully subject to the tax laws of the United States. Now, should we permit that kind of a deferral to continue? Our committee thought not.

All right. We look to another situation. We look to the use by a foreign subsidiary, owned by American taxpayers, of patents and licenses and copyrights that were developed under the laws of the United States. If there is a fair royalty paid by the foreign corporation for the use of those patents and licenses and copyrights, then that amount of money is repatriated to the United States and is subject to U.S. tax. We were concerned, however, where the foreign subsidiary was used to protect the income from U.S. tax, where they keep the income abroad. We treat it as though it were income earned in the United States, because they are using U.S. patents and copyrights. Now, is there anything wrong about that?

Think about what the other side of it is. We would be permitting American businesses—not just permitting them, but encouraging them—to use their own patents and copyrights through the establishment of a foreign corporation abroad, creating jobs abroad that might well be filled here in the United States.

Then we look with respect to other foreign income. We say to that American stockholder, the American owner of the corporation, we are going to be concerned about whether or not you have income excessive to the needs of that particular operation; passive income that may be invested—say, in United States corporation securities—while the U.S. tax on which is deferred because the money is left over there. We are going to say to those operations that we are interested in the use of this income. Why should we not be concerned? We are giving them a deferral from American tax forever so long as they keep the money abroad in the particular use of that corporation. But, should we permit the American owner of this foreign corporation to generate the profits out of that business—that may be the manufacture of farm equipment in France—and use those profits free of American tax, putting up a chemical business in Germany? We say, "Now, before you can do that with respect to these funds, we are going to say under the tax law that you will be faced with the same tax consequences that the person is faced with who invests his money in the city of Detroit. We are not going to continue to give you a deferral under tax that enables you to have an advantage in the location of a plant in Europe or somewhere else over the location of a plant here in the United States."

But, at the same time we say to you, "Mr. American owner of a foreign corporation, so long as you use those profits in the business in which the corporation abroad is engaged, we will not tax you. However, we will require that you pay the U.S. tax before you use those profits to enter some new business in a developed country."

Mr. Chairman, now we come to the "tax haven" situation which is evidenced in the formation of a sales subsidiary of a foreign corporation established, say, in Switzerland. We will apply the American tax in that tax haven situation against the American taxpayer, whether the money is brought back or not, except that in this instance and in the case of the operating companies, we still permit deferment if they use the money in the creation of any kind of a business in one of the lesser developed countries.

Mr. Chairman, instead of the committee being criticized by some for having taken this step, I would think there would be criticism on the part of many more because the committee had not seen fit to go further than it did in this area.

Mr. Chairman, the last provision of the bill that I want to talk about is the one about which we have had the most comment. In 1944, Mr. Chairman, I was a member of the Ways and Means Committee, down toward the end, on the Democratic side. I listened to the great debate of that year in connection with the Revenue Act of 1944 dealing with the question of whether or not the Congress would impose upon the salary and wage earners of the United States a provision for withholding of the tax at the source. We were told at that time that it was not a popular thing to do. We were told of great opposition then on the part of the public to a provision for withholding.

The Congress instituted that withholding program and we have had it now for better than 17 years. Every year, Mr. Chairman, there are 37 million tax returns of wage and salary earners where there is over withholding and refunds are involved. But do you hear people now anywhere in any appreciable number contend that this withholding on earned income, salaries and wages, should be repealed?

Mr. Chairman, I do not receive such complaints. I do not receive such suggestions as chairman of the Committee on Ways and Means.

Because of this provision for withholding on salaries and wages, Mr. Chairman, there is reported on tax returns withholding of approximately 97 percent to 98 percent of the tax due on wage and salary income.

Mr. Chairman, this committee and this Congress has been faced before today with a part of this withholding proposal that we have in this bill. On two occasions, Mr. Chairman, in 1950 and in 1951, the House of Representatives passed withholding provisions. In 1950 the proposal was applicable to dividends but not interest. In 1951 it was applicable to both. In neither case did the proposals become law, but the House passed them. We went on record as believing that the provision for withholding the tax at the source on dividends was just as appropriate to help collect taxes as was the withholding of the tax on salaries and wages, which is a provision of existing law.

Mr. Chairman, the Treasury suggested a plan that did not meet with the approval of the committee, a plan about which you receive innumerable comments. This was because in the Treasury Department's original proposal to the Committee on Ways and Means, an institution paying interest and dividends would have withheld 20 percent of the total regardless of the taxpaying status of the individual recipient.

Mr. Chairman, that is not the proposal before Congress today. The proposal before Congress has been changed as the committee thought it should be changed to provide for the complete elimination from the withholding on the accounts of those 18 and younger, because most of them do not involve any taxation of the recipient. In addition to that, with respect to bank interest, E-bond interest, and dividends, in this bill we are saying, Mr. Chairman, that there will be no withholding applicable to any individual over 18 years of age who says to the paying institution that, "I do not reasonably expect I will owe a tax on the receipt of this interest or dividend." Anybody over 18 years of age can say that and there will be no withholding of tax.

It is not true, as so many have tried to make you believe, that the bill requires withholding on widows and orphans who owe no tax. This is expressly not the case. We get it down in this bill to people who owe a tax.

There are about 9,300,000 tax returns that reflect the receipt of dividends and interest. There are, as estimated by the

Internal Revenue Service, by people who have made a study of this, about 22½ million tax returns that ought to reflect the receipt of interest and dividends.

My good friend from New York, who is a Member of this body [Mr. LINDSAY], had a brother who served as General Counsel in the Treasury Department under the Eisenhower administration, one of the very able men I have known to serve in the Treasury Department. In September of 1960 he made a speech in which he said that there was approximately $4 billion of interest and dividends not reported in taxable returns. This is a matter of concern to all. Mr. Chairman, that would indicate that instead of $15 billion of interest in dividends being reported, there should be $19 billion at least, perhaps more, reported. Here is a vast leakage within the tax law.

Mr. Chairman, let us all be clear, this is not under any circumstances the imposition of a tax. This is not the imposition of a tax any more than the withholding of taxes at the source on salaries and wages was the imposition of a tax. Mr. Chairman, I cannot for the life of me see where it is the responsibility of the Government, of the Committee on Ways and Means, or the Congress, to have to undertake to justify the collection of taxes that are levied and due upon individuals without discrimination. I think what we will have a hard time doing is justifying a continued disregard of this amount of revenue.

This withholding provision will bring in, on the basis of Treasury estimates, $650 million of some $850 million that is not being paid on interest and dividends. How can we think in terms of continuing the imposition of the present burdens of taxation upon those who follow the law, who pay, and be unmindful of the collection of a tax from those who are, through inadvertence, I hope, not properly reporting their income?

Mr. Chairman, I cannot justify any longer refraining from imposing a withholding tax against those people who have income and dividends, who should be taxed. We are obviously not hurting the individual who is reporting; we could not be hurting that individual. Incidentally, there may be on the Treasury estimate some 2 million of this 22½ million who will be overwithheld on. This would be far less overwithholding than exists today on salaries and wages. But, we are, Mr. Chairman, stepping on the toes of those individuals who are not reporting this income. We are requiring them under this provision to pay the tax that the laws of the country say they are supposed to pay.

Mr. LINDSAY. Mr. Chairman, will the gentleman yield?

Mr. MILLS. I am glad to yield to the gentleman.

Mr. LINDSAY. I thank the gentleman for his kind reference to my brother who formerly was General Counsel to the Treasury Department.

Mr. MILLS. The gentleman from New York knows of my high regard for his brother.

Mr. LINDSAY. I am most appreciative of the gentleman's statement and may I say that the regard is mutual. Both my brother and I have the highest possible regard for the gentleman. My brother, as the gentleman knows, was head of the Legal Advisory Office of the Treasury.

Mr. MILLS. And also General Counsel.

Mr. LINDSAY. Yes, that is correct. But I would like to clarify the statement that was made. My brother was and is totally opposed to the withholding provision on the ground that it is discriminatory and will be archaic in a matter of 2 or 3 years. I am sure that I have reflected his position in the remarks on withholding that I just made. The chairman referred to a speech that my brother made in September of 1960. In it he referred to uncollected dividend and interest income. True. But he also opposed withholding on the grounds that modern data processing will make withholding unnecessary. Further, it will result in massive overwithholding. Tomorrow, when we are sitting as the House and not in the Committee I shall ask to have the pertinent parts of his speech placed in the RECORD.

Mr. MILLS. The position of the brother of the gentleman from New York as to the solution of this problem does not in any way change my views with respect to the gentleman. But, it will not be archaic—you can tell him that. It will not be discriminatory—and you can tell him that. If you vote to refrain from imposing withholding on interest and dividends, I would like you to justify a continuation of withholding on salaries and wages without making some effort to get rid of that provision on earned income.

The alternative to withholding that the minority has been talking about all day is, in fact, far more complicated and in addition it would not work.

The minority is continually referring to the processing of information returns by automatic data processing, ADP. Understand what this means—to even get reports on all interest and dividends we would need 750 million information returns. The number would be 250 million if we only got reports on amounts over $10, and ignored underreporting on the rest. This reporting would be an enormous job for the payers.

Once the machines do this enormous matching job we do not have revenue, we have a list of cases to be pursued by mail, by audits, and perhaps by collection procedures.

The Commissioner of Internal Revenue has established publicly that by following the path of reliance on information returns and ADP we would collect only $200 million of revenue at a cost of $27 million. By the withholding path we would, at a cost of $19 million, collect $650 million of the $850 million lost revenue.

Mr. BAKER. Mr. Chairman, will the gentleman yield?

Mr. MILLS. I yield to the gentleman from Tennessee.

Mr. BAKER. The chairman of our committee has very ably stated the case on dividend and interest withholding, but I ask the gentleman this question. Are there not very basic differences between withholding on salaries and wages and withholding on interest and dividends? For example, particularly with reference to salaries and wages, an employee takes into account his exemptions and his normal deductions and the rate of tax is all applied before any withholding is made while no such things will be taken into consideration with respect to interest and dividends.

Mr. MILLS. It is true there is a difference with respect to withholding on salaries and wages for the consideration of the taxpayer's exemptions plus 10 percent for the standard deduction. But here we are talking of income which is in most instances in addition to salaries and wages and is a different type of income. We are not talking just in terms of this as a separate thing because most of us, you and I, have a little interest that we earn from a deposit in a bank or in a building and loan association, and we are withheld on with respect to our salaries and wages.

That income is over and above and on top of the salaries and wages and is not affected by the exemptions that are "used up," so to speak in wage withholding.

I do not think we can justify different treatment of dividends and interest on that score. The only way that I know that it can be justified is to say that there is something so sacrosanct about dividend income or about interest income that we are unmindful of the fact that there is a way that we can collect the taxes that are due on them and which we are not now using.

I must admit that one could be in disagreement on this on the ground that it does impose some additional burden on the institution, but, Mr. Chairman, there are provisions in this bill to allow these institutions to hold over for a little longer period of time the amount of money involved as partial compensation for these costs imposed. I would be the last to say that there is not some additional burden upon those institutions, but yet they are very small.

Mr. BAKER. I would like the chairman to answer my question.

Mr. MILLS. I have answered the gentleman's question. I have said that this is income which in most instances is over and above salaries and wages. If there is overwithholding, as I anticipate there will be with respect to maybe 2 million cases under this provision, compared to the 37 million cases under salaries and wages, the gentleman knows that the Committee on Ways and Means has provided for this overwithholding to be returned upon the filing of this application for refund.

Refunds will be on a quarterly basis and they will be done normally within 2 or 3 weeks of the actual filing of the refund certificate in question.

Mr. BAKER. I have asked a question which I hoped the gentleman would answer.

Mr. MILLS. What is the question?

Mr. BAKER. That was not my question at all.

Mr. MILLS. What was the gentleman's question?

Mr. BAKER. Are the standard exemptions and deductions of the individual taxpayers taken into account before this would apply?

Mr. MILLS. I said they were not; I explained in detail why they were not, because in the case of most people who have other income the exemptions and deductions are applied to the other income and it would not be equitable for them to be given a second credit for deductions and exemptions. In the case of the relatively few people who are getting just dividends and interest, and not salaries or wages, the problem is adequately handled by exemption certificates and quarterly refunds.

Mr. VANIK. Mr. Chairman will the gentleman yield?

Mr. MILLS. I yield.

Mr. VANIK. It has been indicated that the amount withheld could be retained by the withholding institution for 30 days beyond the end of the quarter. Does the bill determine the relationship in respect to such funds?

Mr. MILLS. It does not; it does not for the reason that the Congress has a perfect right to say when a withholding agent is required to pay to the Treasury of the United States the taxes collected for the Government.

I hope my friend will not be disturbed by that point.

Mr. Chairman, before I conclude may I refer to a letter from President Kennedy expressing his views on the bill now before the committee? The letter is as follows:

THE WHITE HOUSE,
Washington, D.C., March 22, 1962.

Hon. WILBUR D. MILLS,
Chairman, Ways and Means Committee, House of Representatives, Washington, D.C.

DEAR WILBUR: May I congratulate you, and your associates on the House Ways and Means Committee, on reporting to the House a tax bill that will truly serve the national interest. I know how thoroughly your committee has reviewed the essential elements of this measure for nearly a year; and I am hopeful that the Members of the House will support the product of your long deliberations and labors, and send to the Senate a bill consistent with our Nation's economic, budgetary, and balance-of-payments needs. Rejection of this bill, I firmly believe, would mean a loss of gold as our industries fail to keep pace with their modernized overseas competitors; a loss of jobs as our economy fails to grow; and a loss of revenue, resulting in further budget deficits, as we fail to achieve full employment before another recession, or fail to collect fair taxes on every kind of income. Although imperfections or alternatives can always be advanced with respect to every provision of every tax bill, your committee has capably met its obligation to achieve a careful balance of interests.

The single most important provision in the bill would provide a tax credit for new investment in machinery and equipment in the United States. This tax credit, by increasing the profitability or potential rate of return on such an investment in the most efficient and economical way available, will provide American businessmen with a strong incentive to increase their capital goods expenditures in this country, with many beneficial results.

1. It will help increase the pace and duration of the present recovery, in the lagging capital goods and construction industries and in all others.

2. It will spur our long-term economic growth and prospects for full employment by adding to our existing capacity, or translating technological development into new capacity, leading to new products, new processes, and new job opportunities.

3. It will induce the modernization and expansion of our productive machinery and equipment, enabling American business and labor to compete at home and abroad with the modern plants of the European Common Market and other nations, thereby reducing the pressure on our balance of international payments and assuring our continued ability to meet vital oversea commitments.

4. It will reduce the incentive to invest machinery and equipment in other nations which presently accord such investment a more favorable tax treatment; and it will do this in a manner which gives the nation a far larger assurance of new dollars invested for every dollar of revenue foregone.

You have, of course, included in this measure other provisions—to make certain that, over the long pull, no loss of revenue will result from the bill as a whole, and to eliminate existing defects which defeat our traditional objective of spreading the tax burden fairly in an equitable economic environment. Outstanding among these provisions is the extension of the present withholding tax to dividend and interest income. This is not a new tax. It only makes certain that taxes now due or in fact paid. Those whose incomes depend on wages are subject to withholding. Those whose incomes depend on salaries are subject to withholding. Why should those whose income is received in dividends or interest be treated differently, permitting an escape from taxes by a deliberate or neglectful failure to report such income?

Similarly equitable is the provision which closes off unrestricted access to foreign tax havens and otherwise lessens present tax inducements to American capital to move into Western Europe or Japan. At a time when American servicemen, their families, and tourists in particular, and the entire Nation in general, are restricted by the necessities of our balance-of-payments posture, there is no reason why we should encourage tax havens which artificially hold back a return flow of American oversea earnings.

Other portions of the bill as reported are equally helpful to the national interest; and again I want to express my gratitude to you and your colleagues on the Ways and Means Committee who have supported you in this effort to make America strong and vigorous.

Sincerely,

JOHN F. KENNEDY.

Mr. Chairman, I would urge my colleagues to vote down any motion to recommit this bill and to pass this bill as we in the Ways and Means Committee think it should be passed.

Mr. MASON. Mr. Chairman, I yield myself such time as I may need.

Mr. Chairman, 2 or 3 days ago the chairman of the Ways and Means Committee asked me as a favor to present him with a photograph of myself properly endorsed. I did that, because this is my last year in the Congress; and I inscribed on that photograph these words: "To the most capable chairman of the Ways and Means Committee, in my estimation, during the past 25 years." I signed that statement, and I think most of you who know me know that I would not sign a statement of that kind if I did not believe in it.

I do not always agree with my chairman, of course, on tax matters, but he is the most capable chairman of the Ways and Means Committee that it has had since I have been in Congress during those 25 years. Now, with that out of my system——

Mr. MILLS. Mr. Chairman, will the gentleman yield?

Mr. MASON. Sit down, WILBUR, sit down.

Mr. Chairman, I would like to state briefly the position of the Republican minority.

We do not believe that the belated action taken by the majority has cured the basic deficiencies in this legislation. Obviously, the bill is not as bad as it was before, if the revenue loss has been reduced by about $650 million. Actually, it has not been reduced that much—$360 million of the so-called reduction is deferred and becomes a revenue loss in subsequent years. Even so, we are certain that there will still be a deficit in the bill for fiscal 1963 approaching $1 billion. Only by gazing into a crystal ball can anyone say that the bill is in balance.

There are 18 sections of this bill which constitute separate amendments to the Internal Revenue Code covering a wide range of subjects—business expense, distributions by foreign corporations, mutual savings banks, savings and loan associations, mutual fire and casualty companies, earned income abroad, sale of depreciable personal property, and withholding on interest and dividends—to mention a few.

Only one of these sections—section 2 dealing with the so-called investment credit—results in a revenue loss. We of the minority object to this section, first, because it constitutes a scandalous handout to business at the expense of all taxpayers; and, secondly, because even if there were some justification for this subsidy, the timing is wrong.

The investment credit is supposed to expand our capacity to produce. If we accept the statements of the witnesses from both labor and industry in the hearings on the trade bill, our problem is not lack of capacity to produce, but lack of a market in which to sell. Section 2 of the bill does nothing to remedy the latter.

Basically, however, we feel that the Congress cannot in good conscience grant a special subsidy to business at a time when we are facing a tremendous deficit in the Federal budget.

Strange as it may seem, there is also only one section of the bill of general application; namely, the provision for withholding on interest and dividends. The haste to enact this section stems primarily from an effort to bring the bill in balance. Even so, withholding will not produce even one-half of the amount which this bill gives away in section 2, the investment credit subsidy.

No one knows how much of the revenue from withholding will actually be taxes due to the Government, as distinguished from amounts collected in excess of any tax liability. We do know that this is a substantial part of any revenue yield from withholding.

We only have to look to our experience in withholding on wages and salaries, where 40 million overwithholding refunds are processed annually in order to get an idea of how the withholding on interest and dividends will operate.

The Internal Revenue Service is not ready for withholding on interest and dividends because by the Treasury's own admission it cannot keep any records of such withholding. It will merely be a hit-or-miss proposition which will cause nothing but confusion and dissatisfaction among taxpayers who are put to the inconvenience of filing multitudinous claims for small amounts.

I see no urgency for adopting either of these two provisions:

The investment credit is not going to have any effect on business at this time. In fact, the Wall Street Journal made an independent survey which established that business would not materially change its plans in order to get more of this gratuitous handout.

The withholding provision of this bill will not and cannot be made to operate successfully until our revenue system has become more completely automated.

I would also like to mention one additional consideration. The administration has stated that it will submit to the Ways and Means Committee proposals for a more general revision of the revenue laws later this year.

The withholding on interest and dividends should more properly be considered as a part of that general revision.

At that time, presumably, the Treasury will have issued its new depreciation schedules. The Committee will then be in a better position to determine what additional provisions might be justified with respect to depreciation, for which the investment credit is offered by the Treasury as a substitute.

Otherwise, we feel that the House as a whole should have the opportunity to consider these two provisions separately—the handout and the withholding should not be merged with a specialized tax bill, such as this bill is.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. MASON. Mr. Chairman, I yield 15 minutes to the gentleman from Tennessee [Mr. BAKER].

Mr. BAKER. Mr. Chairman, it is true that the Ways and Means Committee has worked almost a year on the subject matter of the bill, H.R. 10650, being considered today. There are some good things and some bad things in the bill. Under the rule, no amendments may be offered or considered except those offered by the majority members of the Ways and Means Committee. The only recourse open to the minority members of the committee and to the full membership of the House to remove at least a part of the bad things is by the motion to recommit, to which the principal portion of my remarks will be directed.

The motion to recommit would direct the Ways and Means Committee to forthwith eliminate section 2 and section 19 of the bill; section 2 being the investment credit provision, and section 19 being the provision relating to the withholding of income tax on interest, dividends, and patronage dividends.

The historic argument against an open rule in tax cases has been that a tax bill should not be opened up to amendments offered by individual Members of the House, because of the complexities, both technically and substantively, of a tax bill. There is nothing complicated about this motion to recommit. If you are against the investment credit provision and against the withholding of income tax in the amount of 20 percent on interest and dividends, then you will vote for the motion to recommit. The remainder of the bill will remain intact, and we will have passed a tax bill raising about $500 million in much needed revenue and will have gone a long way toward equalizing the burden of Federal taxation among many segments of the economy, and will have closed many so-called tax loopholes. I cannot think of a more clean and clear-cut way for the Members of this body to work their will in this most important matter and present to the Nation and its millions of overburdened taxpayers a fair, comprehensive, salutary, and beneficial tax revenue law.

I am opposed to both the investment credit and the withholding provisions of the bill, and I favor most, if not all, of the other provisions of the bill. I am very glad to have an opportunity to record by rollcall vote both my disapproval of the investment credit and withholding tax provisions, and my approval of the other sections of the bill, such as the disallowance of certain entertainment expenses, the more equitable taxation of mutual thrift institutions and mutual fire and casualty insurance companies, the gain from disposition of depreciable personal property, tax treatment of cooperatives and patrons, and some of the provisions relative to taxation of foreign income—which I believe should and will be further studied after additional experience has been obtained. I especially favor the provision relative to taxation of dummy tax haven corporations set up abroad in tax haven countries under the guise of sales agency corporations and which completely evade and avoid U.S. taxes and result in the exportation of American jobs. I also favor section 3 of the bill relating to the deduction of expenses incurred in making apearances, submitting material, or communicating with respect to legislative matters.

In the extensive hearings conducted by our committee, almost the only supporters of the tax credit proposal were the administration witnesses. The representatives of almost every major public organization which appeared before the committee opposed this tax credit approach, among which were the AFL-CIO, National Association of Manufacturers, National Small Businessmen's Association, and the U.S. Junior Chamber of Commerce.

A recent survey by the Wall Street Journal disclosed that of 68 companies surveyed, only one believed that the credit would have a significant effect on major expansion programs.

On February 23, 1962, the AFL-CIO executive council issued the following statement:

> The AFL-CIO has strongly and vigorously opposed the investment tax credit proposal as one that would grant a major tax windfall to corporations without accomplishing its basic purpose of increasing the efficiency of American productive capacity.

I oppose section 2 of the bill for many reasons, the principal ones being that it will not accomplish the results sought to be attained; that it is highly discriminatory between taxpayers; and that it is a billion-dollar-plus experiment of at least doubtful value which cannot be afforded by the United States at a time when its budget is out of balance and in the red to the extent of some $8 to $10 billion. It is like injecting an untested drug into a very sick patient instead of applying a known and tested remedy—such as realistic and liberalized depreciation which would be fair and uniform to all segments of our industrial life. Investment credit is in itself a loophole and a windfall to taxpayers who have lagged behind their competitors in plant modernization, and definitely discriminates against and penalizes taxpayers who have expanded and modernized their plants and equipment, mostly upon borrowed money. I predict that if this section is enacted into law, it will be repealed within 2 years.

The administration's approach to tax reform as evidenced by section 2 of this bill cannot provide this Nation with a tax structure that will insure continued healthy and noninflationary economic growth. It only serves to pile complexity upon complexity for the citizens who must cope with a tax code already much too complex. The answer to our tax problems will not be found in patchwork legislation.

In my judgment, which is shared by economists and business organizations throughout the Nation, a far better approach to a sound, fair, nondiscriminatory tax reform program is contained in H.R. 2030 and H.R. 2031, the bills which have been sponsored by my distinguished colleague from Florida and myself for the past 4 years, known as the Herlong-Baker bill. I hope and believe that in the reasonably near future the House of Representatives will have an opportunity to debate and work its will on the Herlong-Baker bill, which deals realistically with the entire tax structure and provides for gradual tax reduction over a 5-year period at all levels and which is geared to a balanced budget; but due to the legislative situation and the closed rule under which we are considering the present legislation we cannot today vote on the Herlong-Baker bill.

Let us return to further discussion of the administration's investment credit approach, which Leon Keyserling, Chairman of the Council of Economic Advisers under President Truman, calls a tax bonanza, a windfall or bonanza designated and pictured by a Scripps-Howard nationwide newspaper pictorial editorial as a giant loophole in the right church but in the wrong pew.

Under the most favorable estimates of the Treasury, this windfall will cost the taxpayers about $1.2 billion in 1963 and an average of about $1.5 billion thereafter, and this grant, gift, or subsidy will never be recouped by the Treasury. On the contrary, the tax money permitted to be retained by taxpayers under depreciation for plant and equipment modernization and replacement is only a revenue lag and will all be returned to the Treasury as the asset becomes fully depreciated.

How does it work? In simple terms it says that the Government will pay 7 percent of the cost of any new depreciable property—excluding real estate—put into use by the taxpayer. This includes any new equipment put into use since the first of this year. It includes equipment that may be on order or that the taxpayer would buy whether or not Congress approves this subsidy. One company alone will receive a subsidy of over $80 million a year for expenditures which must be made regardless of the credit. It even includes equipment for gambling casinos, bars, and racehorses. If the taxpayer acquires $100,000 of new equipment, the Government pays him $7,000—7 percent—by permitting him to reduce his tax payment by this amount. Even though the taxpayer paid only $93,000 of his own money for the equipment, he can put it in his books at $100,000 and he will get this amount back through depreciation.

The provision permitting either the lessor or lessee of property to utilize the credit at the election of the lessor creates a further loophole. A deduction or credit of this magnitude should not be left for trading between taxpayers. In the case of leasing companies, the investment credit is tantamount to a 50 percent tax deduction or an effective tax rate of 26 percent. Why give a tax incentive to some segments of the economy and not to all segments of the economy? For example, the bill in its last minute form extends the investment credit to transient hotels and motels, but not to residential hotels, apartments, or other rental housing. Do we have any assurance that these substantial tax savings will be passed on to the tenants and occupants of motels and transient hotels, and if that should result, which is extremely doubtful, why should it not extend to the tenants and occupants of apartment houses, residential hotels, and other rental housing. Is it planned that we should became a nation of transients?

When this investment credit was first proposed to the committee, I assumed that it would be a temporary shot in the arm—perhaps of 1 or 2 years' duration—and was somewhat intrigued by the idea, but that is not the case. It is the announced policy of the administration that the investment credit is to be a part of our permanent tax structure and that has been the history of our hodgepodge tax laws. Once a provision becomes a part of the tax structure, it remains almost an immutable as the law of the Medes and the Persians. I strongly recommend that section 2 of the bill be eliminated at a saving of $1½ billion to our overburdened taxpayers before it becomes even a temporary part of our already too complex and inequitable tax structure.

I am just as strongly opposed, perhaps even more opposed, to section 19 of the bill, which in order to pay a part of the price of this billion-and-a-half-dollar bonanza would impose a 20-percent withholding tax on interest, dividends, and patronage dividends.

The very able Commissioner of Internal Revenue recently estimated that when we count only payments of $10 or more, there will be more than 350 million savings and shareholder accounts that will be subject to withholding. This provision strikes at the very heart of the voluntary compliance system of tax collection of which we in the United States are justifiably proud. It is conservatively estimated that there will be more than 500 million dividend and interest accounts which are affected by this provision.

The most harmful effect of withholding will be in the field of series E bonds, redemptions of which in February 1962 exceeded purchases. Let us see how it will work. A man or a woman, or a child, by the exercise of thrift and economy has purchased series E bonds periodically and methodically, let us say a $75 bond every month, expecting to receive under the law at maturity date of about 8 years the sum of $100. He or she proudly walks up to the teller's window in the bank and instead of receiving $100, he or she receives $95, without any withholding certificate but only the assurance that if this $5 is not subject to Federal income tax, he or she can file a claim for a refund, or if he or she does not reasonably expect that the $5 will be subject to tax, he can sign a certificate to that effect—which many would put in the category of a pauper's oath—and receive the full $100. The withholding agent sends the $5 to the Treasury, along with countless other $5, $2, and $1 bills, and in many instances less than $1, without even telling the Treasury from whom this money was taken.

In my considered judgment, resentment would build up to such extent that the entire series E program will be imperiled, and so it will be with millions of honest small investors in savings accounts, stockholders of corporations, large and small, dividend recipients of savings and loan associations, mutual savings banks, and cooperatives.

I have received thousands of letters from constituent taxpayers expressing the deepest concern and resentment and the strongest opposition to this withholding tax provision. Retired couples and those approaching retirement have invested small sums over the years in stocks and savings accounts to supplement their social security payments and retirement income, with every dollar of outgo for food, clothing, medicine, and lodging budgeted. They justifiably feel that the long arm of the tax collector should not be permitted to reach into their dividend payments every 3 months and their savings accounts every 3 to 6 months and appropriate even such comparatively small amounts as $5 or $1, or 20 cents. They say that their meager budgets for subsistence will have to be adjusted downward and they do not know whether to start cutting down on their food, clothing, medicine, or their Christmas savings.

By and large, the American taxpayer is honest and pays the tax due on interest and dividends, and the small percentage of those individuals who have failed to do so would gladly pay this tax voluntarily, if liability existed, when informed that the income from interest and dividends must be included in gross income. A simple statement on the tax forms, italicized or in red ink, calling attention to the fact that interest and dividends must be included would cause all honest taxpayers to include in their gross income the amounts they receive by way of interest and dividends. If a taxpayer is dishonest and intends to evade this comparatively small tax, he would not hesitate to sign a statement that he does not reasonably expect this payment to be subject to the payment of Federal income tax. In addition, we passed a law last year requiring each taxpayer to have a number to assist Internal Revenue to find the cheaters; and they can and will, and I want them to find the cheaters.

The only argument used in favor of this proposed law is that, since there is withholding on salaries and wages, there should also be withholding on dividends and interest. On its face this is a good argument, but it is a specious one. In the case of withholding on salaries and wages, there is only one employer-employee relationship at any one time during the taxable year. The employee is permitted to claim any exemptions to which he might be entitled. The rate of withholding on the employee takes into account his normal deductions. Even with these safeguards, the Treasury processes more than 40 million refund claims annually resulting from overwithholding on salaries and wages.

I previously stated that the Commissioner of Internal Revenue estimated that there were more than 350 million interest and dividend accounts which would be affected by withholding if applied only to payments of $10 or more. When we add to this number the holders of U.S. savings bonds, the patrons of cooperatives, recipients of interest or dividends from insurance companies, and many other sources, there will be at least 500 million accounts subject to withholding.

The American Bankers Association informs us that two-thirds of the recipients of interest from savings accounts receive $12 or less per year. Let us say that a saver receives $10 a year in interest or dividends, payable quarterly. Fifty cents a quarter would be withheld. Would that individual saver go to the trouble and redtape of filing a claim for refund every quarter for 50 cents, or would he say just let the tax collector keep the 50 cents, even though I may not be liable for tax; thus, unjustly enriching the Treasury; or, would he withdraw his savings and keep them in cash in his sock, under the mattress, or in a safety deposit box; or buy tax exempt bonds—upon which there would be no withholding—even if he had to buy these bonds on the monthly payment plan. I am not talking about the extreme case, I am talking about the usual case.

Bearing in mind that there are currently 40 million claims for refunds on withholding from salaries and wages, the amount of refund claims under this section 19 would be astronomical. Treasury would have to employ thousands of

persons to even look over the claims, much less process them.

I strongly urge that section 19 be eliminated from the bill.

And now, let us discuss very briefly not only the overall budgetary effect of the motion to recommit, which I believe I have portrayed rather fully, but also its immediate effect on fiscal year 1963.

If we strike section 2—the investment credit provision—we save $1.1 billion in fiscal year 1963.

Section 19—the withholding section—is estimated to produce $170 million in fiscal year 1963. Simple arithmetic shows a saving of $940 million to the taxpayers in the year just ahead, which begins July 1, 1962.

This is a lot of money and is not chickenfeed in my concept of government and finance.

I urge you to join me in voting for the motion to recommit, and to give the overburdened American taxpayer, John Q. Public, a billion-dollar ease on his tax burden. With this burden removed from his shoulders, he will walk a bit straighter in the hope that further relief may be in store for him in the years ahead.

Mr. POFF. Mr. Chairman, will the gentleman yield?

Mr. BAKER. I yield to the gentleman from Virginia.

Mr. POFF. Did I understand the gentleman correctly to say that he would offer no substitutes for sections 2 and 19?

Mr. BAKER. I did not so state. I shall restate what the motion to recommit will be. It will simply be to direct the Ways and Means Committee forthwith to eliminate section 2 of the bill, which is the investment credit provision, and to eliminate section 19 of the bill which is the withholding tax provision. That leaves the balance of the bill intact. That will be the motion to recommit. We substitute nothing.

Mr. HARVEY of Indiana. Mr. Chairman, will the gentleman yield?

Mr. BAKER. I yield.

Mr. HARVEY of Indiana. I have listened with a great deal of interest to the debate on this bill. I was considerably disturbed by a statement made earlier that many millions of dollars are escaping the tax collector through the fact we are not withholding on dividends and interest.

I wonder if the gentleman could enlighten me as to how this is happening. How could this many escape the tax collector?

Mr. BAKER. I may say to the gentleman I have covered that in the body of my remarks. It is my judgment very few recipients of interest and dividends intentionally fail to include them in their gross income. There is an educational campaign going on, and there are various things in italics or red ink that you must include interest and dividends in your gross income. This would solve most of the problem. All honest taxpayers would do it and a few dishonest ones would not be deterred by what the able chairman says about the signing of a certificate he does not reasonably expect that he will be subject to a tax. He would sign it just the same.

Mr. ALGER. Mr. Chairman, will the gentleman yield?

Mr. BAKER. I yield to the gentleman from Texas.

Mr. ALGER. I think the gentleman's answer is excellent. I would add to that if it is not also true we have taxpayer identification numbers, automatic data processing, the cost of which is being borne by the taxpayers, and this would trip them up if they should evade paying their taxes. This is now being followed by the administration.

Mr. BAKER. I may say to the gentleman that only last year our committee reported and the Congress passed a bill numbering every taxpayer in the United States. You are all numbered, and every dividend above $10 dollars under existing law is recorded now in the Internal Revenue Service. It can be collected. Under this withholding there will be hundreds of millions of claims for refunds that will cost the Government a great deal, and they will need thousands of additional employees. I think this would cause more loss than the series E bond program.

Mr. MILLS. Mr. Chairman, I yield 15 minutes to the gentleman from New York [Mr. KEOGH].

Mr. KEOGH. Mr. Chairman, I must first and immediately pay my deep and abiding respects to the very distinguished and dedicated chairman of the Committee on Ways and Means, who on occasion even takes on some of the aspects of a slavedriver, but at least we take comfort from the fact he drives no one harder than he is willing to work himself. It is my prediction, Mr. Chairman, when this year and this Congress will have come to an end he will have erected for himself and for his committee and for the Congress a legislative monument that will remain resplendent for many years to come.

I would also like to pay my respects to his small but dedicated and efficient staff, beginning with the very able and dedicated chief counsel, Leo H. Irwin, and the very able and dedicated assistant chief counsel, John M. Martin, Jr., and going down or up through the rest of their capable and hardworking staff to the genial and ever helpful and cooperative Walter Little and Hughlon Greene, as well as to the staff of the Joint Committee, the legislative counsel's office, Secretary Dillon and Under Secretary Fowler and Assistant Secretary Stanley Surrey, who have on occasion displayed with and to the committee a great patience, perseverance, and understanding.

I address myself to the provisions of section 8 of the bill dealing with the taxation of mutual thrift institutions.

In the legislative process, decisions must be reached. In any piece of complicated legislation, no Member of Congress is able to dictate that each portion of the bill should come out exactly according to his own preferences. The Revenue Act of 1962 is an excellent bill overall and it will deal with the problem of improving our rate of capital growth and the growth of national productivity.

The incentive to capital growth will come primarily from the investment credit. If we are to devote more of our national output to providing capital goods, however, there will be less available somewhere else. This is the matter of paying for the credit. The revenue-increasing portions of the bill include many sound reforms of our present tax structure such as the elimination of the large-scale tax evasion with respect to dividend and interest income.

Before commenting on the specifics of the mutual thrift provisions of the bill, I would like to indicate generally the problem presented to the Committee on Ways and Means in this area and the committee's general approach to the solution of this problem.

The committee was not impressed with the extreme position taken by the commercial bankers that mutual thrift institutions should be taxed under the same rules applicable to commercial banks. There were three main reasons for not accepting this argument. In the first place, a mutual thrift institution is quite different from a commercial bank.

A commercial bank provides a wide range of services not provided by mutual thrift institutions. A commercial bank's time deposit business is largely an extra which they provide for people who will be in the bank on checking account business anyway. A mutual thrift institution is primarily concerned with investment of savings and it makes no pretense of offering one-stop banking services as does the commercial bank. The degree of competition between these two types of organizations has been vastly exaggerated.

A further difference between the commercial banks and mutual thrift institutions has to do with the source of funds. Any commerical organization has access to capital markets as a source of growth funds, a source not available to mutual organizations. Fair tax treatment requires that this difference be taken into account.

Finally, the lending and investment policies of the two types of organization are quite different. The mutual thrift institutions are primarily concerned with investment in long-term real estate mortgages. The commercial banks on the other hand have a variety of prospective investments, mostly short term, and they clearly regard the investment in home mortgages as of very minor importance. This last fact is clear in the record of commercial bank lending in periods of tight credit. In 1957 while the aggregate increase of financial institutions in ownership of nonfarm home mortgages was close to $9 billion, commercial banks increased their holdings of these mortgages by only one-tenth of $1 billion, slightly over 1 percent of the total amount of new home mortgage money. That same pattern was repeated in the tight credit period of 1960. When the total increased investment in nonfarm home mortgages was $11 billion, the commercial banks increased their holdings in these assets by one-tenth of $1 billion.

In both of these periods the commercial banks took in a large part of the growth in savings deposits, $5 billion in 1957 and $4 billion in 1960. The point

is simply that in these periods of tight credit they had other things to do with the new money deposited in savings accounts than to supply funds to the home construction industry. In periods of tight credit or easy credit, however, the mutual thrift institutions have continued to place 80 to 90 percent of their deposit growth in increased ownership in home mortgages.

This difference in investment policy emphasizes the point that a mutual thrift institution is a different kind of organization from a commercial bank but it emphasizes also that the matter of investment losses is quite different between the two types of organizations. Home mortgage investments are long-term investments with different risk characteristics than short-term commercial paper. It was clear to the Committee on Ways and Means that loss reserve provisions applicable to loss experience on commercial paper have no relevance to an appropriate reserve on long-term real estate loans.

Actually there is no certain formula that will tell us what is the exactly appropriate loss reserve for long-term real estate loans. The very uncertainty of these losses is the problem. In approaching this question, the committee took the approach of analyzing various reserve formulas in terms of their impact on the supply of home mortgage funds.

In this light, I have no doubt that the Congress was wise in 1951 in adopting the 12-percent formula in connection with the bad debt reserve provision of mutual thrift institutions. The principal consequence of this decision of the Congress was the development of a flourishing savings institution that has provided a steady flow of funds to the housing industry. It is largely because of the strength of these mutual institutions that the construction industry has been able to flourish through periods of tight credit when the commercial banks have other things to do with their money as they had in 1957 and 1960. The growth itself, I might add, has brought its problems to these institutions, namely, the revival of the tax issue.

Applying this test of results to the question of what should the loss reserve be in 1963, it was clear to the committee that any loss reserve such as that proposed by the commercial banks would very adversely affect the rate of home building, and through this, it would seriously depress the construction industry. I need hardly add that the health of the construction industry has historically been crucial to the health of the economy.

While the commercial bank proposal was too harsh, it must also be said that 1963 will be different from 1951, and the reserve provision that served well in the fifties might be overly generous now. The Ways and Means Committee reached a new reserve formula that is reasonable to the circumstances. It will impose a substantial tax burden on the mutual thrift institutions but still one that can be handled without serious repercussions on the flow of funds into home mortgages.

At current levels of activity, the mutual thrift institutions will be earning, in 1963, income of about $1 billion a year, after the deduction for interest and dividends to depositors but before any reserve provision. Under the 60-percent reserve formula under the bill, which will be the usual formula for computing the reserve deduction, the tax will be close to $200 million. This will mean that combining the addition to the loss reserves and the income after tax, the mutual thrift institutions will be able to add to capital accounts about $800 million under the new bill.

In recent years the annual growth in deposits in the mutual thrift institutions has been building toward $10 billion a year and the mutual thrift institutions have been able to maintain, in the aggregate, about 8 percent of these deposits in their capital accounts, that is, in capital, surplus, and loss reserves. They have considered that this 8-percent capital ratio was adequate to the increased risk exposure involved in this rapid rate of growth.

As I have indicated, under the bill, the amount that the institutions will be able to add to their capital accounts will be approximately 8 percent of the prospective increase in deposits. This means that the mutual thrift institutions in the aggregate will have sufficient funds after taxes to maintain the kind of growth that they have had in the past. The tax under the bill will not, therefore, force the institutions to cut dividend rates or to take other steps that will materially affect their growth rate. The bill will not have any appreciable effect on the availability of home financing.

Mr. Chairman, I now direct my remarks to section 4 of the bill.

The bill provides that a deduction for entertainment expenses will be allowed only to the extent that the taxpayer establishes that the expense was directly related to the active conduct of his trade or business. Under the amended law, the taxpayer must show a greater degree of proximate relation between the expenditure and his trade or business than is required under present law. He must show more than a general expectation of deriving some income at some indefinite future time. He will not be required to show that income actually resulted for every allowable entertainment expenditure, however.

It was the committee's intention that the taxpayer show that the anticipated benefit to the taxpayer's business was sufficient reasonably to justify the expense for the entertainment. It was not the intention of the committee to disallow expenses for good-will entertaining but rather to permit IRS to question the business wisdom of any entertainment expense and its ultimate disallowance if the prospects of the expense ultimately benefiting the business of the taxpayer were remote. Thus, entertainment expenses must be reasonably expected to increase or benefit the business of the taxpayer. A test would be whether a prudent man in a similar trade or business might reasonably be expected to incur the expense.

Entertainment under circumstances facilitating the conduct of business affairs or carrying on negotiations or discussions relating thereto would ordinarily be expected to benefit the business. So also would be typical, reasonable, good-will entertainment expenses such as "hospitality suites," or business banquets, and so forth, at a business convention. The committee did not intend to disallow reasonable good-will entertaining at conventions which is so important to the economy of many communities in the United States. These expenses afford little opportunity for fraud since the occurrence of a convention is an easily established fact, and the location of the convention away from the home of the taxpayer as a general rule presents little opportunity for the taxpayer to entertain his family and friends rather than true business associates. Convention entertaining is perhaps the most typical type of good-will entertaining by businessmen. Generally, this type of entertaining affords the taxpayer the best opportunity to create good-will among his customers or prospective customers because it is an occasion when his customer is away from home and business and, consequently, accessible by the taxpayer.

It was not the committee's intention to disallow good-will entertaining but merely to require that it be reasonable. Thus, the committee never indicated during its deliberation as suggested by the committee report that the absence of the taxpayer or his representative from the entertainment activity would indicate that the entertainment was not directly related to the conduct of the taxpayer's trade or business. All the facts and circumstances pertaining to the entertainment activity would have to be considered to determine whether a given expenditure was so related to business as to be deductible under this section. The absence of the taxpayer from the entertainment activity might well indicate that the taxpayer could expect little business advantage from the expenditure. On the other hand, other evidence might well indicate that the expense was perfectly reasonable and the anticipated benefit to the taxpayer's business quite substantial even though the taxpayer were absent provided good will for the business was created through the expenditure.

I also have comments on section 4(b) of the bill.

In limiting living expenses while in travel status to a reasonable allowance, it is the intention of the committee that the reasonableness of these expenses will depend upon the facts in individual cases. For example, criteria or standards such as the locality in which travel is performed, the customary and usual standard of living of the person traveling, the purpose of the travel, and the relationship the travel expense bears to the anticipated benefit to the taxpayer's business should all be considered as factors for determining whether an allowance is reasonable in an individual case.

I now want to talk about the provision for withholding of tax on dividend and interest income which is provided by the committee bill and which is involved in the recommittal motion.

This is the feature of the bill which is described in the separate views of the Republican members of the Ways and

Means Committee as producing "massive overwithholding." It would be more accurate to describe those separate views as massive misrepresentation.

First let me make very clear the problem with which these withholding provisions deal. At the present time, we estimate that there is nearly $4 billion of dividend and interest income annually which should be reported as taxable income on tax returns but which is not reported. The tax evasion involved in this failure to report income is over $800 million. This estimate of $4 billion of underreporting is computed after making allowance for the dividend and interest income that goes to tax-exempt organizations and to individuals whose gross income is so small that they are not required to file tax returns. The general magnitude of this figure is confirmed by audit samples conducted by the Internal Revenue Service. Four billion dollars is the amount that should be on tax returns but is not there.

The separate views in the committee report develop the argument that eventually this tax evasion problem can be solved by more intensive use of information returns from dividend and interest payers which can be matched up by the Internal Revenue Service with individual tax returns to find out whether or not the dividend and interest income which is reported as being paid has also been reported as received.

As a mechanical job, the matching of these information returns on any comprehensive basis is simply impossible manually without an enormous increase in the staff of the Internal Revenue Service. Over the next 5 or 6 years, the Internal Revenue Service will have installed sufficient automatic data-processing equipment to do a great deal of this matching of information returns and tax returns. Even if we were content, however, to put up with another 6 years of massive tax evasion, it is not reasonable to expect the Internal Revenue Service to solve this underreporting problem by use of automatic data processing—ADP—alone. In the first place, to even make a pretense of doing the job by ADP the banks, for example, will have to increase enormously the number of information returns they now file on interest paid. Presently, they file one-half million information returns a year. This would have to be increased to 150 million. This is admittedly a far greater administrative burden on the banks than the burden involved in the withholding provisions of this bill.

Let us assume, however, that we do follow the line of the separate views and require information returns on all interest, and which with the present information returns on dividends would produce about 250 million information returns to be matched up with 60 to 70 million individual returns every year. If the Internal Revenue Service acquires more automatic data processing equipment than they plan to acquire over the next 6 years—and, incidentally, the present Treasury appropriation bill cuts back on the present plans—the technical matching problem could be handled.

Matching, however, does not produce revenue. The machines will turn out a list of discrepancies which would have to be individually processed. The discrepancies might be explainable in a number of ways besides underreporting. These various discrepancies would have to be processed initially by correspondence and in many cases by a revenue agent; and, once the liability was established clearly, it might be necessary to invoke the deficiency collection procedures.

All of this would mean an increase in bureaucratic redtape and would call for the creation of more jobs in the Internal Revenue Service. As a believer in Government efficiency, this does not strike me as a very reasonable way to collect tax liability on individually relatively small amounts of dividends and interest. I say that this is not a reasonable way to collect the tax because a far more reasonable method—namely, withholding—is at hand to deal with the largest part of this underreporting problem, a method that will bring in more revenue, presently due and owing, at less cost.

Actually, withholding will not eliminate all of the underreporting and all of the tax evasion. Withholding will be at the rate of 20 percent and it will not settle the tax liability of individuals whose rate is higher than 20 percent and who have unreported dividend and interest income. Of the $800 million plus of revenue that is lost, we estimate that $650 million will be recovered through withholding. Automatic data processing of information returns is the efficient way to deal with the remaining larger tax evasion in the higher tax brackets where the revenue involved per case will justify the administrative costs.

For the mass of dividends and interest where there is underreporting, withholding is a simple and efficient way of dealing with the problem.

As a technical matter, the dividend and interest withholding involved in the committee bill is simple. Partly because of the newness of the idea, in this area some people have assumed that this is complicated procedure but this is not the case. Consider a bank that presently pays interest of 4 percent. Once withholding becomes effective, in computing the interest to be added to any passbook, it would simply use 80 percent of this, that is, it would credit interest at a rate of 3.2 percent, or $32 on a $1,000 deposit. The individual need only divide this by 4 to find that $8 is the amount of interest that has been withheld. He would add this to the $32 reported as gross interest income and he would take credit for the $8 as the portion of his final tax liability that has already been paid, just as he takes a credit for taxes withheld on wages.

So far as the actual withholding is concerned, there is nothing more complicated than this. The bank does not have to submit to the Government detailed records of how much was paid on each account. This extra reporting by interest payers would, however, be required if we rely exclusively on ADP.

The provisions in the committee bill providing special treatment for cases where there is apt to be overwithholding are also quite simple in application. So far as exemption certificates are concerned, these would be filed by all individuals who do not expect to have any tax liability for the year. An individual who has an appreciable amount of dividend and interest income is required to file a quarterly estimate and pay tax currently if he reasonably expects that his income for the year will exceed certain levels, just as such estimates are called for under present law. The exemption procedure certificate is simply the other side of this coin. It is virtually the same as the decision an individual makes who is not subject to wage withholding and who determines that his income is low enough that he does not have to make a quarterly estimate of tax.

For people who do expect to have some tax liability but less than the amount of their withholding, the bill provides for quarterly refunds. By and large, these are people who would under present law be required to make quarterly estimates but who under withholding, instead of having additional amounts to pay for each quarter, would receive a refund because the amounts withheld would have exceeded the tax liability. The bill sets up a procedure for calculating this quarterly refund which will be quite simple from the taxpayer's standpoint.

For corporations and tax-exempt organizations that might be subject to withholding on amounts that they receive in excess of their tax liability for the year, the bill contains a provision allowing the organization to calculate its current refund entitlement and simply subtract this amount from money that it is withholding on dividends, interest, or wages and would otherwise have to pay over to the Treasury. These organizations, in effect, can get their refunds immediately by a simple bookkeeping adjustment.

This withholding system is efficient as well as simple. We might look first at the matter of the amount of overwithholding that will be produced. Presently, there are approximately 50 million tax returns which indicate some amount of withholding on wages. On 37 million of these, there has been overwithholding which requires a refund. That is, 73 percent of the returns involve overwithholding. The Treasury estimates that under the bill approximately 18 million individual returns will indicate some amount has been withheld on dividend and interest income. On these, it is estimated that 2 million or about 12 percent will involve overwithholding on dividends and interest—with half of these below $10 a year; 73 percent of returns with wage withholding are now overwithheld; 12 percent of the dividend and interest cases will involve overwithholding.

This is what the separate views call, with poetic license, "massive overwithholding."

Let us look at this overwithholding problem in another light. What is the burden on the taxpayer of overwithholding? Consider the exceptional case of a taxpayer receiving dividend income subject to withholding who must borrow money from a bank to replace the amount that has been withheld. He could pay off his loan with his quarterly

refund. The cost of overwithholding to him will be reduced to the amount of interest that he has to pay on this short term bank loan. Of course any individual with dividend paying stocks would have no difficulty borrowing this money from the bank at 6 percent.

I think it is an eye opener to see just what this interest cost amounts to. The interest cost would be just $1 a year for each $10,000 worth of stock that the individual owns. This on the assumption that the total amount of withholding would be overwithholding. If, in fact, his tax liability was equal to half of the amount withheld, the interest cost of financing the overwithholding is 50 cents a year for each $10,000 worth of stock.

As a matter of fact, the loss of income involved in temporary overwithholding is such a trivial problem that many individuals in this country do not take all of the withholding exemptions to which they are entitled under wage withholding for the simple reason that they want a refund at the end of the year.

I have no doubt that most Americans appreciate the existence of wage withholding. Obviously, there are many people who arrange to make their withholding higher so that they will have a refund at the end of the year. It is an interesting point that when wage withholding was first discussed in the Congress exactly these problems of overwithholding were thrown into the argument to disparage the system. This problem of overwithholding has been magnified. It is almost staggering to see how trivial this problem is when it is exposed and examined in light of all "hoopla" about hardships and so on. The interest cost of overwithholding on stocks that I have just described is less important than a price change on a $100 share of stock of one one-hundredth of a point, literally, 1 penny, a price differential far too trivial for brokers to consider. Percentagewise, the cost of this overwithholding is smaller in relation to the value of the stock than 1 hour is in relation to a year.

I think the conclusion is clear that a system which prevents $650 million of tax evasion with no greater overwithholding burden than this is certainly efficient. Actually, the so-called overwithholding burden is far too trivial to account for the alleged objections that all of us have received about withholding. Obviously, the people who have real objections to withholding are not the ones who are presently meeting their tax liability and would not be inconvenienced by this trivial interest cost. This leads one to conclude that the recipients generally who are really opposed to dividend and interest withholding may be the ones who have a good evasion system going—the ones who are presently not paying tax on dividend and interest income. These are the ones for whom withholding will really mean an increase in the cost of $20 for each $100 of dividend and interest income and this is a group not deserving of sympathy by this Congress.

Mr. Chairman, I do have several questions I would like to direct to the distinguished chairman, the gentleman from Arkansas [Mr. MILLS] so that those who run may read and so that the RECORD may be complete.

Mr. Chairman, would proposed code section 274(a) disallow goodwill entertaining?

Mr. MILLS. The bill does not disallow good-will entertaining as such. Under the exception for business meals, expenses for food and beverages furnished under circumstances of a type conducive to business discussion are allowed if they are ordinary and necessary business expenses under present law. Our committee report specifically states that these expenses are deductible even when the making of the expenditure merely promotes goodwill. Thus, the proposal should not have any significant effect on the restaurant business.

In addition, the bill sets forth a requirement as to other entertainment expenses that they be directly related to the active conduct of a trade or business. In this connection, our committee report indicates that whether a goodwill expenditure is deductible or not turns on whether this test is satisfied. For example, expenses incurred for a hospitality room at a convention at which goodwill is created through display or discussion of the taxpayer's products will meet the test as directly related.

Mr. KEOGH. Mr. Chairman, business banquets are generally financed by suppliers of the banquet attendees as good-will gestures. They are sizable social gatherings. They frequently involve or have professional entertainment. They seldom are conducive to business discussion; nor for that matter, would it even be proper at some of them to even discuss business. Yet, they are a typical type of what I consider to be perfectly reasonable business expenses. There is little opportunity for fraud in connection with them, and certainly there is little opportunity to entertain anyone other than a business associate at them. Would proposed code section 274(a) disallow this type of expenditure?

Mr. MILLS. The answer to this question cannot be given precisely without knowing all the facts and circumstances of the case. In many situations of business banquets, the business meal exception would apply because they are held under circumstances of a type generally considered to be conducive to a business discussion. In fact, the committee report specifically states that a dinner which is part of a formal business program is generally regarded as held under circumstances conducive to business discussions.

If the banquet is not held under such circumstances, however, their deductibility turns on whether or not they are directly related to the active conduct of the taxpayer's trade or business. The fact that there is some professional entertainment would not necessarily disqualify them from being directly related. The fact that there is no opportunity to entertain anyone other than a business associate might be one circumstance admissible in evidence to show the direct relationship required by the statute. Each particular case, however, must be decided on the basis of all of the facts and circumstances pertaining to the activity.

Mr. KEOGH. Mr. Chairman, my remaining question on this section is as follows: Convention entertaining is vital to the economic welfare of many communities in the United States, not only large cities but literally thousands of resort areas throughout the country. At conventions, suppliers frequently entertain the conventioneers as good-will gestures. This type of entertainment affords little opportunity for fraud since the occurrence of a convention is an easily established fact and the location of the convention away from the home of the taxpayer presents little opportunity for the taxpayer to entertain his family and friends rather than true business associates. This is a typical use of good-will entertainment by businessmen. Is it the intention of the committee to disallow entertainment expenses of this sort by proposed code section 274(a)?

Mr. MILLS. The proposed section 274 would not significantly interfere with the convention business at resort areas in the United States. If attending a business convention is an ordinary and necessary business expense under present law, the traveling expenses of the taxpayer in attending such convention would be deductible, including his cost of transportation and a reasonable amount spent for his meals and lodging. His entertainment expense at the convention would be governed by section 274(a). The test would be whether it is directly related to the active conduct of the taxpayer's trade or business. This would turn on all of the facts and circumstances of the entertainment activities. The business meal exception for food and beverage expense under circumstances conducive to business discussion might cover the entertainment. The committee report specifically states that the expenses of a hospitality room at a convention at which good will is created through display or discussion of the taxpayer's products are directly related. The fact that there is no opportunity for the taxpayer to entertain his family and friends rather than pure business associates is certainly a circumstance helpful to showing that the expense is directly related.

Mr. KEOGH. The bill, as reported by the committee, limits the investment credit for investments in public utility property to 4 percent. The term "public utility property" is defined in section 46(c)(3)(B), at page 10, lines 6 to 19 of the bill, to include property used in the sale of domestic telegraph service. There are other U.S. carriers, however, which engage in the sale of international telegraph or cable service, as distinguished from domestic service only. Would the gentleman state whether these international telegraph carriers will be entitled under the bill to the full 8 percent credit for investments they make which otherwise qualify under section 46?

Mr. MILLS. Yes; only with respect to the amounts that it invests in the United States.

Mr. VANIK. Mr. Chairman, will the gentleman yield?

Mr. KEOGH. I am glad to yield to my colleague.

Mr. VANIK. Mr. Chairman, I just heard the gentleman's question and the response of the chairman of the committee to the effect that the International Telephone & Telegraph Co. would be entitled to 7- or 8-percent investment credit. Does it not classify as a utility?

Mr. MILLS. As I indicated in response to the question of the gentleman from New York [Mr. KEOGH], these carriers will be entitled under the bill to the full credit for investments they make which otherwise qualify under section 46. The international end of it is largely manufacturing. It also operates its manufacturing business here in the United States.

Mr. CURTIS of Missouri. Mr. Chairman, I yield such time as he may desire to the gentleman from Virginia [Mr. BROYHILL].

Mr. BROYHILL. Mr. Chairman, the title of the legislation now before us is "A bill to amend the Internal Revenue Code of 1954 to provide a credit for investment in certain depreciable property, to eliminate certain defects and inequities, and for other purposes." More properly, it might be called a bill to provide windfalls for a favored few businesses, to create additional defects and inequities, and to compound the confusion and injustice in our tax system.

These are exactly the purposes that would be accomplished if this bill should become law as it was brought before the House by the majority members of the Ways and Means Committee.

The bill was so bad as originally reported by that committee that even the committee's majority members, on sober second thought, could not stomach their own handiwork—a handiwork they fashioned only under the strongest of pressures from the liberals of the New Frontier. So they went back into executive session and toned down the bill's investment credit section to the extent of reducing its windfall for the favored few businesses by 1 percentage point and lowering slightly the percentage maximum for the windfalls.

They acted because they realized that the bill they first brought out would unbalance the Federal budget so badly that the more seriously thinking Members of their own party in the House would be compelled by their consciences to vote against the bill. The Ways and Means majority hoped their revisions would enable the administration to twist the arms of enough of their colleagues to insure the bill's passage. At this point, no one yet can be sure whether the strategy worked.

Business as a whole neither wants nor seeks this new concept of tax favoritism. Even the vast majority of big manufacturing industries, which would receive the windfalls under this scheme, do not want it. The clause would give no aid whatsoever to service industries or to the retail and distributive segments of our economy.

The only people who want this investment credit plan appear to be the liberals of the New Frontier. Almost every major organization appearing before the Ways and Means Committee's hearings opposed it. Nevertheless, the administration continues to push for it on the contention that it will stimulate new productive investment which otherwise would not be undertaken. The contention is impossible to justify, in view of the almost unanimous predictions by economists that it will have no significant effect on major expansion plans.

The fact is that the accelerated depreciation plan urged by the minority members of the Ways and Means Committee would do far more to persuade industry to speed up its plant expansion and modernization programs than would the investment credit. Furthermore, accelerated depreciation would be fair in that it would be available to all, rather than just to the favored few as is the administration plan. Its additional advantages are many, more than I care to take the time to enumerate here.

Concerning the bill's provision for withholding on dividend and interest payments, the Ways and Means Committee's minority report describes this plan as an administrative monstrosity. The phrase is a masterpiece of understatement.

The flat 20-percent withholding rate unquestionably will result in massive overwithholding, and primarily on those with small incomes, on those who will suffer the most from having any part of their dividend or interest income withheld. The committee's majority claims such suffering will be negated by the provision for filing of exemption certificates. But the only dividend or interest receivers who can legitimately file such certificates are those who can honestly say they expect to have no Federal income tax liability whatsoever at the end of the year. In effect, this amounts to a virtual pauper's oath. What about the unfortunates who on the basis of preliminary estimates may expect to have a tax liability of $1 or $5 or $10? They will have the full 20 percent withheld on their dividend or interest payments, and then will have to go through the complicated process of filling out returns on which they claim refunds, then waiting for the longed-for day when they actually receive their refunds.

Withholding on salaries and wages is computed on the basis of giving the taxpayer the benefit of all his exemptions and an effective withholding rate which reflects the standard deduction. Yet the Treasury processes more than 40 million refund claims annually on salary and wage overwithholdings. Think how many millions of refund claims there could be with the no-exemption, no-deduction system on which this dividend and interest withholding scheme is based.

The third gross inequity in this so-called Revenue Act of 1962 which I would like to discuss briefly is its proposed treatment of foreign income of American corporations. Many of us might be willing to go along with the idea of adopting a taxing formula aimed at preventing the avoidance of U.S. taxes by operating through so-called tax-haven companies. But this bill goes far beyond that. Its blunderbuss approach would penalize even the most legitimate foreign operations of the most legitimate American corporations. It will make it virtually impossible for American firms to try to compete in foreign markets through foreign subsidiaries.

Actually, the bill's foreign income section represents economic isolationism at its worst. It is admittedly a scheme to discourage American businesses from operating abroad through foreign subsidiaries—as it was put in some testimony, to discourage the export of American jobs. But the fact is that with a very few exceptions, American firms have established foreign production facilities through foreign subsidiaries in order to compete in foreign markets, not to produce goods for shipment back to the United States.

The few exceptions could be taken care of by special provisions. But this bill goes so far that it will be virtually impossible for American firms to compete through subsidiaries in foreign markets as they have done in the past.

This bill's foreign income provisions represent a reversal of U.S. foreign policy. For some 15 years, it has been based on the benefits of increased participation by American business in the European economy. "Trade, not aid" has been a slogan of Democratic and Republican administrations alike. President Kennedy, himself, has frequently referred to the need for greater American business activity around the world to alleviate our balance-of-payments situation.

That was one hand—the right hand, shall we say. But from his left hand we now have before us his tax bill. Here the situation is different. For here, instead of encouraging American business activity abroad and thereby improving our balance-of-payments picture, this tax bill would seriously deter American business activity abroad and thus would worsen our balance-of-payments problem.

The foreign income provisions of this bill make no sense, precisely as the investment credit plan and the withholding on dividends and income make no sense. The only possible explanation for their advocacy is that the liberals of the present administration believe the provisions will mean greater governmental control over our economy. If that is their belief, they are unquestionably right.

But whether we want such increased governmental control over the American economy is another question. As far as I am concerned, we do not.

Mr. Chairman, I hope all three of these provisions I have discussed can be eliminated from the bill before the House is called upon to vote on its passage.

Mr. CURTIS of Missouri. Mr. Chairman, I yield myself 15 minutes.

Mr. TEAGUE of California. Mr. Chairman, will the gentleman yield?

Mr. CURTIS of Missouri. I yield to the gentleman from California.

Mr. TEAGUE of California. I have a question and I would appreciate very much an answer for the record from the chairman of the committee or the gentleman from Missouri, either. In my home county there are two small nonprofit corporations that have been classified as such by the State of California and the Federal Government. They pay no income tax but they do have, in their operations from time to time, savings accounts in the bank, and one of them, I believe, has a few stocks. The other has a few municipal bonds. My question is, Are these dividends and earned interest payments subject to the withholding provisions of the pending bill?

Mr. CURTIS of Missouri. The answer to that, I believe, is that the bank interest is exempt, but dividends from stocks would be subject to withholding.

Mr. TEAGUE of California. It would work a great hardship on these two small corporations which are engaged in youth activities and are just barely able to make ends meet. If 1 percent is withheld from their dividends it would be hard on them.

Mr. CURTIS of Missouri. I thank the gentleman who has pointed out just one of the numerous ways in which this provision is going to work hardship and actually not obtain the results expected of it.

Mr. Chairman, I am opposed to this bill. It is very bad economics, and additionally is bad tax law.

When this matter was before the Rules Committee and we were requesting the opportunity to let the House consider the three features of this bill, the gentleman from Virginia [Mr. SMITH] made the remark that if these three features, the ones that have been pointed out here, investment credit, withholding of interest and dividends, and the taxation of foreign subsidiaries, were removed, the bill would be gutted; and, as a matter of fact, that is a true statement. Take those features out of this bill and it is not a major bill at all, it is just a collection of a few odds and ends here and there.

There is one portion of the bill in which I happen to be strongly in favor, although there is opposition to it, we have just listened to, that opposition expressed by the gentleman from New York [Mr. KEOGH].

The three features to which I refer are the tax equalization provision, the taxation of co-ops, the taxation of mutual stock savings and loan and mutual banks, and the taxation of stock in mutual fire and casualty companies. Actually those three things, in my judgment, should be on the floor under a separate bill where we could evaluate them, because they all deal with the same tax theory. Other than that I do not think we would miss a single thing in this bill if the rest of it went down the drain.

The basic reason this is bad tax legislation is that this is not a balanced tax bill. The chairman of our committee, for whom I have great admiration, was very careful in his choice of words when he said that the revenue impact for its first full year would show a balance, but the first full year of effect would not be the fiscal year 1963. For the fiscal year 1963 this bill is a budget buster.

The gentleman from Arkansas pointed out that the estimates submitted to our committee would show that possibly this would not be more of an imbalance for the present budget for the fiscal year 1963 than had been anticipated by the President. But here is the thing to be noted. The manner in which these revenues and loss of revenues were estimated was under techniques never before used by the Committee on Ways and Means, never before used by the Treasury Department, and really they are fantastic. They say the imbalance there is supposed to be not more than $300 million, when actually if we use the traditional manner of estimating revenue loss it is about $1 billion, because the Secretary of the Treasury has said this investment credit is going to stimulate the economy in these areas and the Treasury will gain tax revenues from that kind of stimulation.

That is not the extent of this pipe-dreaming. That in turn is going to create a psychological effect on the rest of the economy which is going to be stimulated. That is the basis upon which the Committee on Ways and Means has come before this House and said that this is not going to have a $1 billion imbalance effect upon the budget for fiscal 1963. That, actually, is nonsense.

I asked the Secretary of the Treasury this question when he was testifying before our Committee on Reciprocal Trade, because so much of this bears on our foreign investments. I asked him: "Does this jibe with the very rosy estimates that were made for fiscal 1963 budget on revenues based upon an economy that was going to reach certain high peaks when the months of January and February indicate that we are not moving forward to that extent?"

Indeed, we have to revise our budget estimates downward, not upward. I submit the overall impact of this bill is bad economics.

Note, however, the motion to recommit with reference to this $1 billion bonanza. When it was $1.8 billion—really the estimate in this new latest version, which nobody, even our staff of the Joint Committee on Taxation had an opportunity to analyze. That is the Treasury estimate of what these changes were to be, but the original loss was $1.8 billion, and about 75 companies would get over $1 billion of benefits from this particular feature. That in itself is bad tax legislation.

I want to call attention to some—I do not know what adjective to use that would be parliamentarily correct to describe the statement that is contained in the report in regard to this investment credit. On page 8 it is stated:

> Realistic depreciation alone, however, is not enough to provide either the essential economic growth or to permit American industry to compete on an equal basis with the rapidly growing industrial nations of the free world. The major industrialized nations of the free world today provide not only liberal depreciation deductions but also initial allowances or incentive allowances to encourage investment and economic growth. This is true, for example, in Belgium, Canada, France, West Germany, Italy, Japan, the Netherlands, Sweden, and the United Kingdom.

I want to say that is not true. I heard that the Secretary of the Treasury has been making these statements. I guess this is where the data comes from. He has been making these statements in speeches, not before the Committee on Ways and Means but outside the Committee on Ways and Means. I think this statement is designed to confuse and relates to another method of depreciation that is used in some of these countries. This, incidentally, is exactly what the Republicans incorporated in the provisions of the revision of 1954, which was bitterly opposed by the Democrats at that time as a bonanza when, indeed, it was not, because it did not give more than 100 percent back in depreciation.

The term "incentive allowance" is used to refer to an allowance or subsidy which is not deducted from the cost for purposes of depreciation. The Secretary, I think, is seeking to create the impression that Canada, Japan, and most of the seven major industrial nations of Western Europe provide for such allowances analogous to the investment credit allowance in this bill. Now, that is not true.

There is no other reason for listing those countries in here than to try to create the impression in the minds of the House that this was analogous.

There are no so-called incentive allowances in Canada, France, West Germany, Italy, and Japan. Thus, in the five major industrial countries, other than the United Kingdom, it has not been deemed necessary or desirable to resort to this gimmick.

Now, the United Kingdom does have some sort of selective incentive which has some counterparts in our existing law. For example, there is an incentive of 40 percent for ship construction. We pay 50 percent of the cost of U.S.-flag vessels, plus the cost of whatever additional feature plus the additional speed which may be incorporated as a national defense measure. In other words, there are these special kinds of incentives in our law, and the British seem to be somewhat similar to that. They also provide 20 percent for machinery and equipment, but for the most part the useful lives used are much longer even than ours.

What is most important, even with this incentive allowance, British industry has been hard put to even keep pace with its competitors on the Continent who do not have the benefit of this.

Two other nations, Belgium and Sweden, adopted it in 1959; and the Netherlands in 1960. Of course, there has been no experience in these countries on which we can rely.

Now, moving on, if I may, to the second feature here, which has been well discussed, I only want to point out a couple of things on the withholding of interest and dividends. First, in regard to the $4 billion figure that you have heard as the amount that is not returned on the tax return of taxpayers. It was not pointed out that a great part of that—and we do not have our estimates too well in mind—is paid to people who are not taxpayers: children, people over 65. That has been the big problem in the committee. Much of this $4 billion is

not slippage at all. It is not people gypping on their taxes, but the fact that we have got a lot of people who receive these interests and dividends who are not taxpayers. That is the reason the committee has gone to this rather extravagant extreme to try to do something about the nontaxpayers.

Now, the gentlemen on the majority side have used as their plea for withholding of interest and dividends the old, old argument that on its face looks accurate, but just as you examine beneath the surface you see how inaccurate it is. Here is the argument. The gentleman from New York used it. It is used constantly, and that is, if we are going to withhold on the wages and salaries of our people, why should we not withhold on interest and dividends? The answer is a very clear one. Wages and salaries constitute over 70 percent of the income, and when you withhold on wages and salaries, you have a taxpayer. Indeed, we give special credits to that taxpayer who we know is going to pay some taxes so that he can get his proper exemption and so forth. But, interest and dividends constitute less than 10 percent of the income of our people, and we do not have a taxpayer necessarily.

There is the trouble. In fact, we have seen the situation where so many of these people are not taxpayers at all. That is where the logic of this thing falls down. That is why under Democratic administrations and Republican administrations nothing has been done to withhold in this area. What has been done is to try to hit at the slippage because nobody wants to have people gypping on their taxes and to try to get compliance in other ways. Indeed we are moving forward to do that. I think, indeed, we can and that needs to be considered, because this is an administrative monstrosity and, incidentally, is not going to do very much toward cutting down on people who want to evade their taxes. Anybody who wants to evade, all he has to do is file one of these some 350 million certificates that will be filed and it will be difficult to police it. So it is going to do very little there.

Mr. Chairman, I wanted to devote a little time, if I might, to the problem in regard to the taxation of foreign income. I submitted some supplemental views which are in the committee report on this point. Indeed, the chairman, the gentleman from Arkansas [Mr. MILLS], referred to a statement which I did send out to some of my colleagues saying that this, in effect, was "Yankee come home." Twelve of the twenty sections of this bill that pertain to legislation deal with altering the incidence of foreign taxation. Whatever we do in this area toward tightening it up, regardless of the equity arguments, are going to make a problem for our people abroad in competing with the Russians and in competing with Western Europe. Whatever is done here is going to make it more difficult. I question the pleas in equity. That is the sole basis, you might say, on which the administration has presented these features. I have said this: "Look, now is not the time to change the rules of the road that have been established for 30 or 40 years in how investments abroad are being handled. Now is the time to try to help out in this critical period and to go in accord with the proposals."

Mr. Chairman, I might say that this is contrary to the statements the administration is making in the area of trade—and this actually flies in the face of what we have seen in the trade bill hearings—but let me quote, if I may, from the majority report on the Boggs bill just recently, February 9, 1960. Under the foreign investment incentive section of 1960, designed to aid American business competing abroad. This was the Boggs bill. I would be very much interested to hear the gentleman from Louisiana coment on this and tell us what has happened since 1960 that behooves him to come in and support this kind of bill. Here is what the majority report said. Incidentally, I was not too keen on this:

> The postponement of American tax as long as the funds are used in foreign operations is necessary to place the U.S. corporations operating abroad on a competitive basis with other corporations (either U.S.- or foreign-owned) which operate in the same foreign countries and pay only the taxes of the foreign countries. However, by ending the deferral of U.S. tax at the time the funds are brought back for use in the domestic market or for distribution to stockholders, your committee's bill provides assurance that a tax at least equal to the full U.S. tax will be paid before the funds enter the domestic market.

Indeed, that is what the present law is. This was a bill to further encourage and enable our people to compete in the markets abroad.

This bill would seek to make it more difficult for our foreign investment. Our people have told us they have not had a real chance to look at this bill. I wanted to point that out. All this talk about how much work the committee did in studying this bill—and indeed, it is true—we did devote 10 or 11 months to it—but when the time came to putting in this particular provision in regard to taxing the earnings of foreign subsidiaries, that was not even considered by the committee. It was one of these things that was rushed up, written Lord knows where, in the committee, and voted by a purely partisan vote of 15 to 10. And the 15 knew no more of what was in it than the 10 opposing it did.

So it was put in here. No hearings were held on that aspect.

Mr. Chairman, this can do more damage to the United States in regard to our position in the world today, both for peace and in competing with Russia in the economic field, than anything I can think of. I think it is preposterous that we should even consider legislating in this fashion in an area that is that important to the United States. And frankly, I am disappointed and shocked that the Committee on Ways and Means, in which I have so much pride, would handle an important feature of tax legislation in this summary fashion. And if for no other reason, I am very hopeful that this bill will be defeated so that we may let it go back to the committee and those parts of the bill that have merit—and they are the minor parts, I do recognize—can come out and go on their own merits.

Mr. MEADER. Mr. Chairman, will the gentleman yield?

Mr. CURTIS of Missouri. I yield to the gentleman from Michigan.

Mr. MEADER. Mr. Chairman, first I should like to commend the gentleman from Missouri for the additional views in the report. I think every Member of the House should read those views.

Second, I should like to agree with him that less than 2 years ago, on May 18, 1960, this body adopted H.R. 5, the Boggs foreign investment tax incentive bill, by a vote of 195 to 192. Every member of the Committee on Ways and Means on the Democratic side who voted on the bill voted for that bill. That was to encourage the participation of the American business community in our foreign economic policy, in strengthening the free areas of the world to resist Communist infiltration and domination, economic and military.

Now this bill in its present form, the earned income tax provision, moves in exactly the opposite direction. How can they possibly justify it when they are also asking us for more foreign aid funds, and for greater latitude in the executive branch on foreign trade for the purpose of furthering our foreign economic policy?

Mr. CURTIS of Missouri. I thank the gentleman for his contribution. Let me say, and I hate to say it, but it is the truth, this is a purely political deal. This was the price that the AFL-CIO demanded for their support of this bill, because they are so strongly opposed to the investment credit aspect of it. I think the gentlemen on the majority side know that that was the price paid at the White House, and the dictates came down to the Ways and Means Committee and we here are receiving it now on the floor of the House.

Mr. BOW. Mr. Chairman, will the gentleman yield?

Mr. CURTIS of Missouri. I yield to the gentleman from Ohio.

Mr. BOW. Mr. Chairman, I want to compliment the gentleman from Missouri on the statement he has made here today. I ask unanimous consent to extend my remarks in the RECORD immediately following those of the gentleman from Missouri [Mr. CURTIS].

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. LINDSAY. Mr. Chairman, will the gentleman yield?

Mr. CURTIS of Missouri. I yield to the gentleman from New York.

Mr. LINDSAY. Mr. Chairman, I should like to commend the gentleman on the very pertinent and excellent presentation he has made, particularly in respect of the international aspects of this bill. If this proposal had ever been suggested some years ago on the minority side of the aisle, we would have been accused of being totally reactionary, of being retrogressive, of reaching back into the Dark Ages and being isolationists. This provision is in direct conflict with highly desirable measures designed to bring the European Economic Community and the United States closer together. I submit that if this part of the bill is enacted, the Congress and the United States as a whole will regret it.

Mr. CURTIS of Missouri. I thank the gentleman.

Mr. ALGER. Mr. Chairman, will the gentleman yield?

Mr. CURTIS of Missouri. I yield to the gentleman from Texas.

Mr. ALGER. In view of the Trade Expansion Act of 1962 that is before our committee, and the fact that it seems to be going in the opposite direction from what we are asked here, I would like to ask the gentleman if he would comment at this time for the Members of the House so that it will be in the RECORD, and expand on his views if he can, so that we can read it in the morning, as to the inconsistency of the two bills, taxes on the one hand and tariff on the other.

Mr. CURTIS of Missouri. I thank the gentleman. I would simply make this comment. One question I had directed to all of the administration witnesses who have appeared in behalf of the reciprocal trade extension—and I am referring to the Assistant Secretary of State, the Secretary of the Treasury, the Secretary of Commerce and the Secretary of Labor—has been along this line. How can you reconcile the restrictions being imposed in this bill, which was then before them and they had knowledge of it in the foreign investment aspects with the trade aspect. Can you really separate trade from investment, economically? And the answer is in the record. I think there is no reconciliation. The statement of the Secretary of the Treasury was that it was equity reasons that required that we have these aspects in the bill. I again say the equity arguments, in my judgment, do not bear weight, but now is certainly not the time to be changing the rules of the road in this important aspect of our foreign economics.

Mr. ALGER. Is it not also true that Secretary of Commerce Hodges testified on the tariff bill and even though we know how important tax measures are, that he did not know what was in the tax bill or even how it would affect trade and tariffs?

Mr. CURTIS of Missouri. Yes; Secretary Hodges said he was unfamiliar with the legislation, which is a very strange reply.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BOW. Mr. Chairman, the bill before the House is replete with inequities, injustices and other undesirable provisions. Its inevitable effect will be to restrain American private enterprise both at home and abroad, and to enlarge Federal control over private enterprise. But for the moment, Mr. Chairman, I wish to discuss briefly one of this bill's most undesirable sections—that having to do with taxation of foreign income.

The two most obnoxious phases of this section of the bill are the so-called gross-up plan and the controlled foreign corporation tax. Together, they will make it extremely difficult, if not impossible, for American business to compete in many foreign markets and in international commerce generally.

The gross-up proposal would require that a U.S. corporate shareholder must include in its income subject to U.S. taxes, the amount of foreign tax paid by a foreign subsidiary to a foreign country.

The controlled foreign corporation tax in effect would provide for current American taxation of income of so-called controlled foreign corporations—that is, foreign corporations which are at least 50 percent American owned. These taxes would be imposed currently even though the earnings may not have been paid to American owners and may never be paid to them. Furthermore, this scheme allows no deductions for possible losses by these foreign corporations and allows no loss carryovers.

The very able gentleman from Missouri, Mr. CURTIS, an outstanding member of the Ways and Means Committee, expressed the situation succinctly in his separate views on the pending tax bill. He said these two foreign income provisions threaten the ability of American private enterprise to compete and share in world trade, by imposing American taxes on veritably phantom income—income that has never been received.

That is precisely what these sections would do, Mr. Chairman, impose a tax on phantom income.

They would seriously aggravate the tax disadvantages under which American-owned foreign enterprises must operate and compete even under existing law.

To the considerable extent that these proposed imposts would curtail the ability of American private enterprise to participate in the development of the emerging new countries, that much would these provisions require greater dependence on less effective governmental aid with its immeasurably greater cost to U.S. taxpayers.

One of the excuses advanced by these provisions is that they will discourage the export of American jobs. But the fact is that with a possible few exceptions, no American jobs are exported because of the existence of American-controlled overseas companies. Rather, such companies use many American-made component parts in foreign manufacturing operations, and they help to create foreign markets for other American products. Department of Commerce figures submitted to the Ways and Means Committee showed that American exports, with respect to U.S.-controlled foreign subsidiaries, amounted to $2.2 billion in 1959 and $2.7 billion in 1960.

The foreign income provisions represent a sharp abrupt reversal of American foreign policy. Almost since the end of World War II we have been hearing of the benefits of trade, not aid. A few short weeks ago, President Kennedy submitted to the Congress a special message urging prompt action on his trade expansion program in order to facilitate greater American participation in world markets. The serious deficit in our balance of international payments situation has been a matter of grave concern to Republicans and Democrats alike.

Yet in spite of all this, we have here a program which will discourage American private enterprise participation in world commerce and will inevitably worsen, rather than improve, our balance-of-payments problem; and a program which the administration is doing all in its power to push to enactment. There is no logic to it.

Most of us in the House, I think, probably would vote gladly for special provisions to impose normal U.S. taxes on tax-haven foreign corporations operated primarily for the purpose of avoiding U.S. taxes. But this is not the objective of this bill. The blunderbuss approach of its foreign income sections obviously and admittedly is aimed at all American-controlled foreign corporations, even though they may be unquestionably and historically legitimate and aboveboard.

It is not my intention to take the time now to detail the many injustices and inequities which would be created by the gross-up and its accompanying complicated tax credit formula, or by the controlled foreign corporation plan. For such a detailed discussion, I commend the further views of Congressman CURTIS of Missouri in the committee report. As usual he is sound and constructive.

I do wish to register my complete and hearty disapproval of these schemes and to call the attention of my colleagues to the disastrous effects they would have on the efforts of American private enterprise to expand its activity in world commerce. That activity will contract sharply, rather than expand, if these provisions are allowed to become law. This is an eventuality I believe none of us want to see happen.

Mr. KEOGH. Mr. Chairman, I ask unanimous consent that the gentleman from Indiana [Mr. DENTON] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DENTON. Mr. Chairman, there has been so much cloudy controversy over the investment credit section of H.R. 10650 that I have made every attempt to become as familiar with this provision as is possible for someone who does not claim to be an expert on tax matters. I say cloudy controversy because I am convinced that a considerable part of the discussions that we Members have had among ourselves off the floor has come about through failure to interpret properly the tax incentive and to find out just what it would mean to businesses in our respective districts.

Probably the size of H.R. 10650 and of its report have had a great deal to do with this. I frankly must admit that I took one look at the report and quickly put it aside without the least intention of attempting to go through it. Last week I began to hear on the one hand from sources in whom I have complete confidence that the tax incentive is exactly what business needs to retool producing equipment and update plants and factories. Then I was told by sources in whom I have complete confidence that this shaggy piece of legislation has no place in our law books because it does

practically nothing for the business community. That is when I began to realize that I was going to have to do some reading on my own.

First off let me apologize to members of the House Ways and Means Committee for refusing originally to wade through the 240 pages of the bill and the 303 pages of the report. I recognize that this lengthy material constitutes considerable work and penetrating thought on the part of the dedicated members of that committee, and I thank them for this contribution. After having studied it, I can now present it to my colleagues as recommended reading. I will not attempt to convey the impression that it is the kind of literature with which you can relax of an evening, but I will say to you that, once you have had the opportunity to peruse it carefully, you will have a much better appreciation not only of the committee's contributions, but also of what this new legislation can do for the general economic welfare.

Mr. Chairman, I also took it upon myself to discuss the tax incentive provision with some of my business friends whose ability to invest in new machinery will be substantially affected by this legislation. We sat down and figured out just what the tax incentive could mean to individual companies. I must confess that our calculations were based on the original proposals, so I have had to revise the figures since learning that the bill would be amended down to 7 percent; yet I still come up with what looks to the average businessman like an excellent opportunity to move ahead and, in doing so, to contribute to the stimulation of the general economy.

So far as I can determine, the tax incentive would be advantageous to large and small coal companies alike. The industry in general has done a remarkable job in keeping its prices competitive in the fuels market, as shown by the fact that bituminous coal today is sold on the average at the mine for $4.65 a ton compared with the 1948 average of $4.99. This reduction was achieved despite the spiraling costs of labor, equipment, and supplies over the past decade and a half. It came about because the industry was willing to invest heavily in modernizing and mechanizing. From a per-man-day average of 6.26 tons in 1948, efficiency of bituminous coal production in this country rose to 14.27 tons per man-day last year, in contrast to 2.1 tons for runnerup Czechoslovakia.

Unfortunately, this progressive spirit is not reflected in sales volumes. Despite these bargain prices, bituminous coal output declined from 599 million tons in 1948 to less than 400 million last year.

The coal industry must be given every opportunity to expand its markets. The tax incentive provision of H.R. 10650 comes as a new hope for coal companies. Much of the mining equipment introduced in the immediate postwar years has by this time become obsolete because of the emphasis placed on research and development in the past decade and more. Replacement should not be delayed. The investment credit, by virtue of making it possible for coal companies to purchase new equipment, can make the difference between stabilized cost and inflation. In turn, the cost savings, no matter how marginal, can make the difference between getting coal orders and in not getting them. With some coal companies working only 2 or 3 days a week, even minute price changes can make the difference between staying in business and closing down.

I appeal to my colleagues to make it possible for the coal industry, whose difficulties have been compounded by a miscellany of competitive inequities, to continue the progress that has enabled it to become the most efficient coal mining industry in the world. Through the tax incentive, the coal industry will at last have an opportunity to enjoy a return to high production levels and our mining communities will perhaps emerge from the chronic economic stagnation that has prevailed these many years.

For the coal-carrying railroads, the tax credit will have a dual benefit. Long burdened by economic woes, they have found it difficult to replenish and replace rolling stock, particularly gondolas and hoppers. The legislation before us today can make it possible for railroads to invest in the equipment they have neglected buying. I also remind my colleagues that many of the diesel engines put into service following the conclusion of World War II are coming to the end of the line and are about to follow the old iron horse to its Valhalla. The new models are expensive, but they are necessary and the railroads should be encouraged to order them now. The tax credit will provide that encouragement, and in consequence it will put some thrust into the economy of communities that build and make parts for railroad equipment.

The second benefit to the railroads will come through increased coal sales. In 1960 the class A coal-carrying railroads realized a total of $1,101,612,000 in revenue from coal traffic. That income from moving coal amounted to 13.1 percent of the total freight revenue of those rail lines.

Mr. Chairman, tax incentive provision of H.R. 10650 is needed to give a boost to the coal industry and every industry allied with it. Most of all, it is needed by the hundreds of thousands of families who depend upon these industries for their livelihood.

Mr. KEOGH. Mr. Chairman, I yield 15 minutes to the distinguished gentleman from Oregon [Mr. ULLMAN], a member of the committee.

Mr. ULLMAN. Mr. Chairman, I am sure that I am like many others in this body in that there are some provisions of this bill with which I am not in complete agreement, other provisions which I think could be improved upon, and still other provisions with which I am in strong agreement. The important point from the standpoint of the vote which faces us is that on balance, I think that this bill represents a step forward and, moreover, one which needs to be taken in this session of the Congress.

As is well known, our committee has worked long and hard on this measure, from extensive hearings through even more extensive executive sessions to finally bring to the floor a bill which represents a consensus at least of the majority of the committee. Major revisions of the revenue laws are always complex, always touched with controversy, and, I suppose, practically never satisfy anyone completely. At the same time, it has been 8 years since the last major revision of the Internal Revenue Code and I believe that the record shows that we need to have action now. In the time allotted me I want to indicate why I believe action is needed, as well as making the record clear as to my own views on this complex and important piece of legislation.

The bill before us has two general goals—one might be termed the economic policy goal of providing increased growth, both in our domestic economy and also in our international trade position; while the other general goal is that of improved equity in our tax structure. It must be emphasized that these are complementary goals and that the bill before us is intended to provide a balanced approach. Thus, for example, the tightening of the code in some areas together with revisions of tax treatment in other areas is intended, in a substantial measure, to balance the revenue decreases which will be a result of providing inventives to economic growth. At the same time, it should be remembered that increased economic growth itself will result in increased revenues to the Federal Government. In the face of the continuing heavy burdens which the global struggle places upon the American people, as leaders of the free world, it is this economic growth which offers the best hope for a future lessening of the relative tax burden on individuals.

The central feature of the measure before us in terms of its economic growth objective is, of course, the investment credit provision. The need for such an objective was pinpointed by the President in his message of last year when he pointed out that "modernization and expansion of the Nation's productive plant and equipment are essential to raise our productivity, to accelerate economic growth, and to strengthen our competitive position in world markets." Behind this statement of need lies the fact that our economic growth rate has fallen off in the past decade at a time when the growth rates of both the Soviet Union and our allies in Western Europe have been twice or three times our own. This glaring disparity is at the root of our balance-of-payments problem on the one hand and reflects a dangerous situation in terms of our national security on the other. It is significant that such other major industrial nations of the world as Belgium, Canada, France, West Germany, Italy, Japan, the Netherlands, Sweden, and the United Kingdom all provide some form of investment incentive allowances to encourage economic growth.

Therefore, Mr. Chairman, I feel that the need for action to secure increased economic growth is established. I recognize that there are differences of opinion as to the best means of attaining our goal—ranging from those on the one hand who argue for a stimulus to consumer spending in the form of increased personal exemption to those on the other hand who would prefer across-the-board depreciation increases. The administration has concluded on the basis of its studies, and our committee has concurred, that the investment credit approach is the most practicable and desirable. Since the minority of our committee continues to argue for the depreciation approach, I want to make clear my own opposition to this substitute proposal. Two points need to be emphasized. In the first place, the investment credit approach goes markedly further than the depreciation approach in securing increased investment for the same amount of revenue lost. Secondly, the credit avoids the distortion of costs which results from the depreciation approach. In other words, the investment credit is both more direct and more effective than the increased depreciation technique of stimulating investment.

While, therefore, I am in support of the investment credit provision of this bill, Mr. Chairman, I must express my deep regret that our committee saw fit to extend it, even in part, to regulated utilities. I was strongly in opposition to this in the committee, I am strongly in opposition to it now, and I sincerely hope that the other body will delete it from the bill when and as they take action on this legislation. In view of the fact that utilities are regulated monopolies with guaranteed rates of return and with a utility responsibility to provide all the investment needed to meet demand, I can see absolutely no reason for offering them a tax incentive to do what they are required to do anyway. Furthermore, our experience under sections 167 and 168 of the present code have, in my opinion, shown conclusively that it is unwise public policy to do so. Since, under the rule adopted, there can be no opportunity to attempt the deletion of the language extending the investment credit to regulated utilities, I will not dwell longer on this point but I ask unanimous consent to include at the end of my remarks a detailed memorandum on the reasons for excluding utilities from this tax incentive.

I want to turn now, Mr. Chairman, to the remaining provisions of the bill before us—those dealing with improved structural equity. The most important of these, from the standpoint of revenues to be gained, is the provision for instituting a withholding system on dividend and interest income. There is some controversy regarding this provision, but it seems to me that much of it is based on lack of understanding. It must be recognized that we are not imposing any new taxes by the establishment of withholding on dividend and interest income. These are taxes which are already due but which, in many instances, are not being collected. The provision of this more efficient way of insuring collection of these taxes will result, therefore, in greater equity for other taxpayers—both for wage and salary earners and for receivers of dividend and interest income who are already meeting their full tax liability. The institution of withholding on these two forms of income merely extends a system of tax collection which has proved outstandingly successful in the case of wage and salary incomes.

Our committee has recognized that there are some who receive dividend and interest income whose actual tax liability is less than the 20-percent rate to be withheld under this provision. It should be remembered that studies have indicated that this is a relatively small minority of those receiving interest and dividend income. In 1960, for example, studies of the Survey Research Center at the University of Michigan revealed that nearly 80 percent of liquid assets in this country are owned by those with annual incomes in excess of $4,000 and that less than 10 percent of those with incomes of less than $5,000 a year own stocks. Still, as I have said, our committee recognized that there are some whose tax liability on these forms of income would be less than 20 percent. In order to secure maximum equity and convenience for these people, we have provided two methods for preventing any substantial overwithholding. One is to allow all such receivers who anticipate no tax liability at all on their interest and dividend incomes to file statements to that effect and to secure exemption from withholding; the other is to allow, for those who have some liability, but less than a 20-percent liability, prompt refunds on any overwithholding that occurs. In my opinion, the proposed withholding system, with these guards against hardship on small income receivers, represents an important step toward greater equity in our tax structure.

Next, I wish to express my strong approval of the provisions of the bill before us dealing with the taxation of cooperatives. The problem here was to reaffirm the intent of the 1951 act in such a way as to meet the objections which had developed in certain court decisions. Cooperatives themselves have sought legislation which would clarify the tax liability of the individual patron on these patronage refund allocations. Most cooperatives have consistently specified this liability in their bylaws and have argued, with merit I believe, that the patron's membership under such conditions constitutes the logical showing of his consent to the investment of a portion of his patronage refunds in the cooperative. The bill which we have before us accepts this logical approach and strengthens it by requiring that each cooperative must clearly notify its members of the bylaw provisions on this point. In this way, we will be meeting the requirement of patron consent without adopting a procedure that would be punitive and unduly burdensome in character from the standpoint of cooperatives.

A substantial portion of this bill deals with foreign income and with the complex array of operations and transactions which characterize the modern business world. No one would claim that it is an easy thing to achieve equity in our tax structure as between various types of business organizations located in a number of different countries and subject to a variety of tax jurisdictions. But the evidence does indicate that in far too many cases our laws are inadequate to do the job of preventing abuses and insuring the equal treatment which we have every right to demand in our total tax structure.

It is in the interests of fairness to all American taxpayers, then, and not to penalize legitimate oversea investment that these tax reforms are suggested. In the hearings on H.R. 10650, Secretary of the Treasury Dillon said:

> We are not critical of investment abroad. We are not critical of investment by U.S. business in Europe in industrialized areas, investment that is made for business reasons. The only thing that we are suggesting, and we feel is equitable, is that special tax reasons are not a good reason any more for investment in that area, and we are asking that this special incentive, this special privilege, be removed.

These remarks of the Secretary set the tone for the foreign income sections of this bill.

Although we are talking in terms of equity, let us admit that the question of foreign investment touches upon the U.S. balance-of-payments problem, a problem to which we have devoted many, many hours and thousands of lines in the CONGRESSIONAL RECORD. A preliminary study for the year 1960 alone shows that the flow of capital from the United States to Western European subsidiaries exceeded dividends remitted to the parent corporations by $470 million.

Tax deferral on foreign-earned income, for example, creates a twofold problem: earnings are not repatriated and foreign investment is artificially encouraged. This multiple effect is seen particularly in the so-called tax haven countries whose tax rates are well below those of the United States. Any subsidiary organized in one of these foreign countries enjoys a considerable advantage over a U.S.-based company as long as its earnings are retained abroad. There seems little doubt that many subsidiaries have been located in tax haven countries primarily, if not solely, for tax reasons. Switzerland, Panama, Liberia, the Bahama Islands, Liechtenstein—these are among the nations most favored for the organization of paper subsidiaries. In Switzerland alone, information furnished by the consulate general in Zurich indicates that as of March 31, 1961, there were 517 American-owned corporations, 170 of them created in the 12-month period preceding that date.

The bill before us does not take a meat ax to investment abroad by U.S. corporations. Its purpose is selective—to do some trimming on those types of foreign investment which give an unfair advantage to certain firms at the expense of others.

Certainly, there is no one in the Treasury Department or in the Ways and Means Committee who does not recognize the importance of foreign investment to our economy and to our hopes for the free world. At the same time, all of us have a responsibility to equalize tax treatment and to insure that investment abroad is actually contributing sound economic goals.

Mr. Chairman, no portion of the pending tax bill, H.R. 10650, has been so misrepresented by its critics as the sections

dealing with taxation of income earned by Americans overseas.

It is difficult to understand why, because the foreign income provisions of the bill are aimed at a single objective which should cause no controversy—the goal of equal tax treatment of income earned abroad and income earned here in the United States. This will be accomplished by eliminating the use of foreign tax havens and closing other loopholes which allow income earned abroad to escape taxation.

Why should Americans living overseas, and enjoying the protection of American citizenship, escape U.S. income taxes? Why should Americans be able to set up foreign trusts and foreign investment companies to escape U.S. taxation? And finally, why should U.S. businesses operating overseas enjoy tax privileges denied to their competitors operating solely in this country? These are questions that are legitimately raised by anyone with an interest in tax equity and sound economics, for the future health of our economy clearly calls for the elimination of special tax advantages which are making it more profitable for American firms to operate through subsidiaries abroad than to remain in this country and provide jobs for American workers.

Mr. Chairman, I doubt that any Member of this House wishes our tax laws to be used to take jobs away from American workers. But that is precisely the heart of the matter to which I am addressing my remarks.

Our current period of business expansion is now in its 13th month—but 6 out of every 100 able and willing workers in this country are still looking for jobs and unable to find them. We have so far been unable to develop a complete solution to the problem of recurring recessions and the unemployment and human misery that accompany them. We also face severe economic dislocations brought on by automation and the simple movement and change of a dynamic economy.

We need every job the American economy can provide to take care of our growing labor force and of those whose skills become out-of-date in this world of fast-moving technological change. Can we, therefore, continue to countenance tax laws which induce American business to move out of this country—and take jobs with them? What we need, instead, are tax laws that will help American business to better produce at home for oversea sale and thus help solve our unemployment problem by raising our national output. Such laws are embodied in other sections of this bill.

Those who oppose the adoption of H.R. 10650 say that its foreign income provisions are inconsistent with our traditional American policy of free movement of investment capital. They contend that this legislation moves in a direction opposite to that of President Kennedy's Trade Expansion Act. That is incorrect.

Imposition of U.S. taxes on certain types of American business operations overseas will in no way interfere with the free flow of American capital around the world. Foreign investment opportunities which are appealing on their own merits will not be hindered. The legislation seeks merely to do away with certain situations where present tax avoidance possibilities—of and by themselves—provide the margin of profitability which causes American firms to establish overseas subsidiaries.

Nor will our export trade be hurt. On the contrary, it will be helped. Opponents of the legislation cite the exports made by American firms to their foreign subsidiaries in support of their argument that adoption of this bill will impair U.S. export sales. The precise volume of such export sales to subsidiaries is unknown, though certain companies have testified that their own sales to subsidiaries are quite large. But what about the export sales which are being lost because American firms are manufacturing overseas rather than at home? Does anyone really believe that direct sales to subsidiaries outweigh the $9.3 billion in sales by American-owned manufacturing subsidiaries in Europe alone?

H.R. 10650 will not interfere with legitimate foreign business operations of American firms. Manufacturing and construction companies will not be affected if they use their retained earnings in their own business—earnings which may now be held idle or used, tax free, for additional investment in new businesses in industrialized countries at the cost of still more American jobs.

The legislation does provide a direct inducement to American firms to invest funds in the underdeveloped countries—thereby supplementing our foreign aid program and removing some of the burdent of development aid from the American taxpayer. All present tax advantages for legitimate investment in underdeveloped countries will be retained and, in addition, profits earned in industrialized countries will be allowed to be reinvested in less developed countries without payment of U.S. tax.

I would like now to discuss the foreign income provisions of H.R. 10650, section by section, to demonstrate how totally lacking in validity are the charges that its adoption will, in any way, injure legitimate U.S. business operations abroad.

Section 13 is the one that has been most attacked. What does section 13 do?

It taxes the income of U.S.-owned insurance companies operating overseas solely for the purpose of tax avoidance—a purpose which is demonstrated by the fact that they write insurance against risks of loss on property located in this country.

It strikes at a gross abuse of our tax laws, under which patents, copyrights, exclusive formulas and processes developed in the United States may be used abroad by U.S.-owned foreign subsidiaries to create income which remains tax free until it is returned as a dividend to this country.

Section 13 would also eliminate the present tax deferral privilege on the typical tax-haven operation of U.S. business subsidiaries—mere paper companies in many cases—which exist mainly for the purpose of receiving income they have done nothing to earn. This income, from dividends, interest, rents and royalties would, in normal circumstances be received by the U.S. parent corporation and taxed.

Profits earned in trade by the typical tax-haven subsidiary would be subjected to U.S. tax under section 13 of the bill. Such subsidiaries frequently perform little actual business service. They merely collect income from the United States or from foreign manufacturing operations, and are located in low- or no-tax countries solely for tax-saving purposes.

These tax-haven companies are sometimes used as a device through which to sell—on paper at least—products manufactured in this country. This creates the opportunity for direct escape of U.S. taxes. Other tax-haven companies market goods produced by U.S.-owned subsidiaries in foreign countries whose taxes are roughly comparable to our own. In that case, the availability of the tax haven serves directly to lure U.S. manufacturing operations overseas.

The attraction of tax avoidance through the use of tax havens is strong—and growing. Our information is incomplete but indications are that their total number has doubled in each of the past 2 years. About 1,000 American-owned companies operate in Switzerland alone, and the vast majority of them seem to have tax avoidance as their principal purpose for being.

Since it is in our national interest to encourage investment in newly developing countries, such passive tax-haven company income would remain unaffected by the bill if invested in an active business in a less developed country.

Section 13 also strikes at tax-free retention of profits abroad. Such profits are frequently reinvested in new and diversified businesses because of the inducement offered by the tax saving. They may even be invested in the United States, under schemes which avoid U.S. tax even though, in effect, the making of such investments constitutes a repatriation of earnings.

In none of these cases is the existing tax deferral privilege justified—and section 13 seeks to end that deferral.

Unjustified avoidance of U.S. taxes is also clearly possible in situations where U.S. firms either buy or sell from or through foreign subsidiaries. The fact that U.S. taxes may be deferred on earnings of foreign subsidiaries constitutes an inducement for U.S. parent companies to transact business with their subsidiaries at something other than fair market prices, so that the subsidiary profits will be artificially inflated. Section 6 of the bill, therefore, establishes criteria for allocating income between parent and subsidiary in cases where determination of a fair market price for goods bought and sold is difficult. This change is necessary because present law, which requires actual case-by-case determination of fair market prices, has proved unworkable. There are, at present, more than 3,000 pending disputes outstanding between the Internal Revenue Service and business taxpayers on this issue of price determination. Internal Revenue has estimated that

enforcement of this section of existing law—which is far from effective and still worsening—requires the full time of almost 20 percent of its most highly paid agents.

Section 11 of the bill contains the so-called gross-up provision. This correction in the method of taxing dividends received by American companies from their foreign subsidiaries is long overdue. Under existing law, domestic corporations are allowed to deduct from their tax liability on dividends received from their foreign subsidiaries a proportionate part of the foreign taxes paid by such subsidiaries. This benefit is designed solely to eliminate double taxation of such dividends. It should not serve to reduce the overall U.S. and foreign tax below 52 percent. However, because of certain technical aspects of the computation of the foreign tax credit, the effect is to allow both a deduction and a credit for foreign tax. Depending on the amount of foreign tax, a rate differential of as much as 12 percent is possible in total U.S. and foreign taxes paid. There is no justification for such a provision, which not only discriminates between U.S. firms and American-owned companies operating overseas, but among U.S. companies operating in different foreign countries. Section 11 of the bill thus merely insures that all dividends from foreign subsidiaries, regardless of where they are incorporated, will be subject to a combined U.S. and foreign tax of at least 52 percent.

There are other provisions of the bill which relate to the taxation of distributions received from foreign corporations. These, like the gross-up provision, are intended to insure that upon repatriation of foreign-earned income to the United States, a fair share of United States taxes will be paid.

Section 16 of the bill will assure imposition of U.S. taxes, at ordinary income rather than capital gain rates, on the undistributed profits of U.S.-owned foreign corporations which are sold or liquidated.

Section 9, section 15, and section 18 of the bill seek, respectively, to close the tax loopholes used by those who set up foreign trusts or foreign investment companies or who invest in foreign real estate to escape U.S. taxes. In all three cases, the bill goes no further than to establish equitable rules under which these operations will be taxed in the same manner as similar activities in this country.

Another area where action is long overdue is the existing law which allows American citizens residing abroad to escape U.S. tax on income earned abroad. In these times, when the bulk of our national budget is spent on national defense, space efforts, foreign aid, and interest on the national debt, all Americans, wherever they are living, benefit from expenditures made by the Federal Government. While hardship may be endured by Americans residing abroad in certain countries, there are other Americans, including motion picture actors, who reside abroad purely to avoid U.S. taxes.

So long as such American citizens enjoy the benefits, privileges, and protection that go with American citizenship, they should pay their fair share of the dollars America spends to strengthen and defend the free world. Section 12 of the bill, therefore, limits the amount of income that may be excluded from taxation by U.S. citizens residing abroad to $20,000 for the first 3 years of foreign residence, and to $30,000 thereafter. These amounts are more than high enough to retain any existing incentives for Americans to work abroad, while at the same time closing the unwarranted loophole under which hundreds of thousands of dollars may be earned abroad by American citizens without the payment of a single dollar of tax to the United States.

My summary of the foreign income provisions of H.R. 10650 should make it entirely clear, Mr. Chairman, that this legislation does not seek to penalize, and will in no way injure, Americans living abroad or legitimate U.S. business operations overseas.

It will merely remove existing inequities and abuses in our tax law which make it more attractive for some Americans and some types of U.S. business to live and operate abroad, rather than at home.

In the process, it will help the American economy and the American worker by keeping jobs in this country, where they are needed to insure that all of our citizens have proper opportunities to realize their potential as individuals and as citizens.

One of the most difficult and most persistent problems faced by those who write the revenue laws of this Nation is to afford equitable treatment to what are often dissimilar organizations and situations. This is the problem which has concerned the committee in recommending changes in the tax laws for mutual thrift institutions and for mutual fire and casualty insurance companies. I have consistently fought for continued recognition of the differences between mutual and stock companies, differences which I believe are not without importance to our society. The various mutual companies were organized in response to strongly felt needs and they have continued to play a vital role in the economy.

It must also be recognized, however, that in the light of current conditions we are obliged to review the tax treatment of mutual institutions and companies to assure nondiscrimination as between the mutuals and the stock and fire and casualty insurance companies and as between the mutual thrift institutions and the commercial banks. The primary goal of the committee in these provisions has been to achieve what we may call competitive equity.

In search of this goal, we recommend the provision of loss protection accounts for mutual insurance firms and mutual thrift institutions, in recognition of their special situation, while extending regular tax rates to their remaining income. It seems to me that this furnishes the most practicable approach to reaching the substantial revenues which have hitherto gone untaxed without jeopardizing the continued existence and prosperity of these forms of business organization.

The provisions of the bill dealing with the treatment of gains from the sale of depreciable property represents, in my opinion, a major step toward closing an important loophole in our tax laws. Under the present law, a taxpayer can deduct a depreciation allowance from his ordinary income and then, if he sells the property, enjoy the much lower capital gains rate of tax on the difference between its depreciated value and the sale cost. It is especially true under the liberalized depreciation provisions of the law, which allow a substantially greater depreciation rate in the early years, that this provides a tax incentive to the acquisition of assets for purely speculative reasons.

The administration recommended that the entire gain from the depreciation allowance on property, both real and personal, be treated as ordinary income and denied the lower capital gains rate. The committee has recommended extension of this treatment to personal property only. While I would not agree completely with the administration position, I do feel the benefits of liberalized depreciation, beyond the straight-line method, should not be given a double-barreled character by allowing capital gains treatment on their value at the time of sale of an asset. I feel most strongly that this incentive to speculative purchase and sale transactions in real as well as personal property should be eliminated, and I hope that the other body will give consideration to such a further tightening of this aspect of our tax laws.

The committee has made some progress in the area of tax treatment of entertainment expenses. Most Americans are shocked at the idea of tax-free yachts, fishing camps, and so forth, and all of us would welcome the opportunity of making a clear-cut distinction between reasonable and unreasonable expenses in the operation of a business. Unfortunately, the distinction is not easy to make. There is, no doubt, some justification for saying that a lot of insurance is sold on the golf course and that a number of contracts are signed at the nightclub table or hunting lodge, but it is evident also that there is wide latitude here for purely personal, or at least nonbusiness, entertainment.

In addition, it must be recognized, if we are to be realistic, that major changes in this aspect of our tax law may well have substantial effects on certain sectors of the economy. Our committee has not gone as far as many of us feel it should but we have eliminated the old Cohan rule under which travel and entertainment expenses could be deducted on an unsupported and estimated basis—a rule which furnished an incentive to overestimation of such expenses, I might add—and this bill would require the substantiation of all such expenses claimed and limit their deductibility to the extent to which they can be shown to be business related. I support this section of the bill as another step in the right direction but suggest that the treatment of entertainment expenses is an area that needs continuing study.

Finally, I want to comment briefly on the action of the committee relative to the deductibility of legislative expenses incurred by businesses and their associations. As my colleagues on the committee know, I do not feel that this section has any place in this bill and I opposed its inclusion. I recognize the argument that lobbying, if I may use that term in the nonderogatory sense, is a basic right of American citizens and that legislative matters are of direct concern to the conduct of a business. At the same time, there is some question in my mind as to whether or not legislative expenses should be in effect subsidized by all American taxpayers, many of whom have no legislative representative of their own and no direct stake in the activities of particular lobbyists.

The bill allows the deduction of legislative expenses for appearances, materials, and communications with legislative bodies at all levels of government, but specifically excludes advertising, expenses relating to political campaigns and expenses to influence public opinion or voting. The importance of these exclusions should be emphasized. Nevertheless, this provision for legislative expenses, as well as the one for entertainment expenses, needs, in my opinion, continuing study by the Ways and Means Committee and by the Congress.

In summation then, Mr. Chairman, the bill before us represents the considered judgment of a majority of our committee. It is based on long and careful consideration of the various arguments and counterarguments presented to us and while it is possible that none of us is in complete agreement with every specific provision, it is in my opinion a major step forward in an area of basic importance. Because I believe that the balance of the bill is definitely on the side of progress in this difficult area and does represent the most practicable measure which could be worked out by our committee, I urge my colleagues to vote for its passage.

MEMORANDUM: THE CASE AGAINST INCLUSION OF REGULATED UTILITIES UNDER THE INVESTMENT CREDIT

1. UTILITIES' INVESTMENT NEEDS ARE DETERMINED BY PUBLIC DEMAND

The public utilities are regulated monopoly industries which are legally obligated to serve public needs and which construct their facilities on a demand basis to meet public requirements. Studies of investment in both the telephone and electric power industries conclude that the relationship between present demand and capacity is the primary determinant of investment. Investment in utilities does not occur spontaneously to create new demand but is determined by demand.[1]

2. UTILITIES ARE REGULATED MONOPOLIES WITH GUARANTEED RATES OF RETURN AFTER TAX

In return for their authorization to operate as regulated service corporations, they are assured consumer rate charges which will cover their costs of operation, including Federal income taxes, plus a just and reasonable rate of return on investment. This rate of return is set so as to attract the capital needed to serve the public convenience and necessity. The rate of return presently available to utilities, when adjusted for the lack of risk on that investment, equals or exceeds the rate of return in other industries that will obtain after credit has been granted. Furthermore, the rate of return is gaged to enable the utility to obtain adequate capital at whatever cost is required. (See exhibit 1.)

Because the corporate income tax is treated as a cost of operation, the utilities and their investors do not bear the burden of the tax. They are therefore not subject to the disincentive effects which the tax may have on investment decisions of other industries not sheltered by regulated monopoly conditions. In addition, the risk of investment in the utility field is less than in industry generally. The utilities have no difficulty raising capital needed for expansion.

3. UTILITIES WILL NOT RAISE INVESTMENT SIGNIFICANTLY IN RESPONSE TO THE CREDIT

With a captive monopoly market, guaranteed rates of return, ready access to capital funds, and need for new investment determined largely by secularly increasing consumer demand, public utilities are not likely to respond in the same manner as other industrial corporations operating in competitive markets to tax incentives such as the investment credit.

Unlike manufacturers who can stimulate new markets by developing new products, the gas and electric utilities offer a commodity that has changed imperceptibly over the past half century. Their need for new investment is a need for satisfying growing consumer needs that they are legally required to meet and that they can readily project for the years ahead.

4. EXPERIENCE WITH AMORTIZATION PROGRAM IN REGULATED INDUSTRIES WAS UNSATISFACTORY

The unsatisfactory results of attempts to stimulate public utility investment are exemplified by the recent experience with accelerated amortization in the electric utility field. This experience was critically reviewed by the Congress when it restricted the further issuance of amortization certificates in 1957. Chairman BYRD, of the Senate Finance Committee, in commenting on the matter in 1957, stated that he regarded such rapid tax writeoffs for utilities as without any justification whatever because utilities are guaranteed profits.[2]

The report of the Senate Judiciary Committee made by its Subcommittee on Antitrust and Monopoly concerning the experience of regulated industries under rapid amortization stated:

"Grave consequences have followed the enormous grants of tax amortization to operating utilities in the electric power field. Consumers have fared badly, for the Federal Power Commission rules that lower rates were not the purpose of the tax amortization statute, and the courts have sustained the FPC. As a result of the hearings, the Federal Power Commission surveyed operating utilities and it was established that to an unsuspected extent, tax-free dividends were being paid. Public power witnesses complained of predatory practices by utilities enjoying the lower net taxable income coming from high-depreciation charges, and the subcommittee obtained a listing of all acquisitions made by utilities subsequent to obtaining amortization."[3] (See also exhibit 2.)

5. INVESTMENT CREDIT WOULD COMPLICATE RATE REGULATION AND TEND TO BE PASSED ON TO CONSUMERS

The extension of the investment credit to the utilities would tend to bring heavy pressure on the various regulatory commissions to pass the benefit on to consumers in the form of lower rates. Assuming such a passthrough, there would be little, if any, incentive effect to utility investment. While some of the pass-through would serve to reduce costs slightly for industrial users, much of the benefits would affect residential consumption.

There is, however, serious doubt as to how the investment credit might be treated by the various regulatory agencies. While existing law would appear generally to call for the flow-through approach, it is possible that the credit might lead to pressures for some type of tax-normalization approach which would permit the utilities to retain the credit in addition to their fair rate of return on investment. In any event, the credit would gravely complicate the regulatory process and become a continuing source of controversy and litigation.

In view of the conflicting pressures on the regulatory agencies, the treatment of the credit would probably not be uniform in all jurisdictions. Moreover, before the issues were resolved there would be a period of uncertainty and confusion which would not be favorable for investment or the orderly operation of the utilities. Granting the credit to utilities would introduce discriminatory treatment of different firms, as regulatory agencies respond with different procedures for passing the credit through to consumers.

Special difficulties would be involved in applying the flow-through principle to the credit because, unlike general tax reduction, the credit would vary from year to year with the capital expenditures of the utility corporation. This variance in the tax reduction from year to year would make it extremely difficult for the regulatory authority to determine the proper rate adjustments. Substantial tax credits would be likely to go neither to lower rates nor to additional investment, but into dividends to shareholders. The resulting erratic distribution of the credit in the regulated area and the numerous disputes it would engender would not serve the best interests of either the utilities industry or the Nation in the long run.

6. INSIGNIFICANT EFFECT OF THE CREDIT ON CONSUMER DEMAND

Some utilities have contended that if the credit were passed on so as to lower the cost of service to consumers, this would increase demand and therefore provide a basis for additional investments in production facilities.

Estimates of the possible effect of passing on the entire amount of the benefit of a 4-percent credit in the form of lower utility rates suggest an average reduction of cost to electricity consumers of about 1¼ percent.[4] For the average residential customer whose electric bill was about $7.25 a month in 1959, the resulting reduction would amount to about 9 cents a month. Similarly, for industrial and commercial customers whose average electric bill in 1959 was $880 a year or about $73 a month, the adjustment would be about 92 cents a month.

These reductions are so small as to be an insignificant stimulus to the consumer in changing his use of electricity, even if the demand were reasonably elastic. While reliable estimates are not available on the elasticity or responsiveness of demand for electric power to price changes, there is reason to believe that it has a relatively low degree of elasticity.[5]

7. HIGH LEVELS OF EXCESS CAPACITY NOW EXIST IN THE ELECTRIC UTILITY INDUSTRY

The high levels of excess capacity which now exist in the case of the electric utilities suggest that the investment credit would not be effective and is not needed in this area.

The data on the growth of excess reserves of kilowatts stated as a percentage of December peak loads indicates that in the postwar period reserve capacity over the peak load reached a level of 19.3 percent in 1954, declined to 17.3 percent in 1956, but rose steadily since then to a high of 28.6 percent for 1960.[6] (See exhibit 3.)

The 1956 report of the Joint Committee on Internal Revenue Taxation on the 5-year amortization program indicated that the Office of Defense Mobilization operated on the assumption that an excess capacity reserve in the neighborhood of 24 percent would be required for full mobilization in 1955, which is well above the actual reserves maintained during the Korean war. When reserve capacity reached 20 percent, the goal was closed, presumably because this level was deemed adequate.[7]

8. THE INVESTMENT CREDIT IS ESPECIALLY INAPPROPRIATE FOR GAS PIPELINES

The natural gas pipeline industry has expanded at a very rapid rate without the investment credit. As of the end of 1960, the index of plant investment was around 350, as compared to 100 at the end of 1950.

So far as we know, no desirable expansion or modernization has been prevented by lack of readily available funds.

There is serious question whether it would be in the public interest to encourage any increased rate of expansion in view of the depletable nature of gas. The Federal Power Commission's latest annual reports show that, according to estimates by the American Gas Association, the gas reserve life index for the country has declined from 22.1 years at the end of 1958 to 21.1 years at the end of 1959 and 20.1 years at the end of 1960.[8] Expansion of interstate natural gas pipelines can be effectuated only with a certificate of convenience and necessity issued by the FPC. The Commission requires an affirmative showing of the adequacy of reserves before any such certificate will be granted. Certification procedures are designed to assure orderly growth in the industry, and will limit the extent to which the investment credit can stimulate growth.

9. THE INVESTMENT CREDIT IS A SELECTIVE STIMULUS TO INVESTMENT

The investment credit has been carefully designed to provide the maximum stimulus to investment in those areas of the economy that compete with foreign producers for markets here and abroad and in those areas of the economy where stagnant economic conditions have caused business to fall behind in its modernization of equipment.

The investment credit specifically excludes buildings and residential construction, as investment in those areas contribute little to modernization of the Nation's industrial productivity. Excluding utilities is but another way in which the impact of the credit is focused on investment that will best strengthen our industrial efficiency.

10. THE CREDIT IS NOT DISCRIMINATORY TO PUBLIC UTILITIES

The credit is not discriminatory to the public utility industry. The legally intended incidence of the income tax paid by the public utilities is on their consumers. Consistent with this principle, the benefits would be passed on to consumers and the utilities would have no net gain from receiving the credit.

11. PURPOSE OF STRENGTHENING INTERNATIONAL COMPETITIVE POSITION OF AMERICAN INDUSTRY IS PRIMARILY APPLICABLE TO BUSINESSES OTHER THAN PUBLIC UTILITIES

The credit is primarily intended to aid manufacturing and other industries in modernizing, eliminating obsolete equipment, and strengthening their competitive position, with reference to foreign competition. These goals are largely inapplicable to utilities which have for the most part a domestic market and only indirectly are concerned with problems of foreign competition. The need for the credit is clearly greatest in the case of manufacturing and other businesses which need to keep abreast of foreign competition now receiving special investment tax incentives.

12. INDUSTRIALS WOULD NOT CONSTRUCT THEIR OWN UTILITY FACILITIES TO OBTAIN ADVANTAGE OF THE CREDIT

The proportion of the total electric power generated by industrial firms has declined steadily since the late 1930's. (See exhibit 4.) This suggests that the utility industry has been able to make increasing use of economies of scale in large generating plants. Increasing size of generating installations makes it uneconomic for most manufacturers to generate their own power. As the initial investment has an expected life of about 40 years, and most industrial plants would have a highly variable need for power over that period, it is highly unlikely that a shift to self-generating power by industrial corporations would be stimulated by the credit.[9] In fact the current trend would appear to be in the opposite direction. Many companies now lease production machinery, vehicles, and special equipment, as well as buildings, in order to minimize the capital investment required and permit flexible changes in the product line, method of production, and location.

13. IMPACT OF THE CREDIT ON SMALL UTILITIES

It has been contended that the investment credit would be a boon to small utilities that do not have ready access to the capital market and have a low rate of return. With the exception of a few firms that account for a very small part of the market, there does not appear to be any support for the contention that rates of return are lower in small utilities. Furthermore, about four-fifths of the investment in utilities is concentrated in firms with over a quarter of a billion dollars in total assets that have ready access to the capital market and a rate of return that appears comparable to manufacturing when it is discounted for the lack of risk in utilities and the greater ratio of debt to equity financing. (See exhibit 5.)

14. CONCLUSION

The available evidence indicates that the credit would not achieve its intended incentive to investment in the case of the regulated monopoly industries. The application of the credit would be inappropriate in the case of corporations enjoying sheltered markets and guaranteed rates of return which in effect insulate them from the corporate income tax. Exclusion of utilities from the credit will not impair their right to realistic depreciation revision which may be found appropriate in the light of Treasury depreciation studies. Extension of the credit to utilities on the other hand would cost disproportionate amounts of revenue. As recognized by important sectors of the utility industry itself, the credit might be prejudicial to the best interests of the utilities in the long run.

EXHIBIT 1

State court opinions favoring passthrough of tax incentive benefits. In holding that utilities should be required to pass on to their ratepayers the benefits of liberalized depreciation under section 167 of the Internal Revenue Code, the Pennsylvania Superior Court said (*City of Pittsburgh* v. *Pennsylvania P.U.C.*, 182 Pa. Superior Ct. 551, 128 A. 2d 372, 382–383):

"Counsel asserts that, since utilities are an important segment of the national economy, they must likewise benefit. The weakness in this assertion is in failing to recognize the distinct nature of a utility as a regulated quasi-monopoly. As such it may obtain funds for modernization and expansion at the current reasonable cost, and it is allowed to pass this cost on to its customers in an annual depreciation allowance and its annual allowable net return as well. In fixing the rate of return the commission takes cognizance of the cost of capital to the utility. It appears therefore that this general desire of Congress to provide working capital and funds for modernization and expansion is, and has been for many years, adequately met for public utilities through rate proceedings."

Similarly, the Supreme Court of Illinois, said (*City of Alton* v. *Commerce Commission*, 19 Ill. 2d 76, 165 N.E. 2d 513, 520–521):

"Under the policy of this State, utilities are allowed a rate of return calculated to attract the capital required for necessary expansion. * * * Since in this respect utilities differ from other corporations, the purpose of section 167 would not be thwarted nor would discrimination be introduced into the Federal tax law by requiring utilities to pass the savings of accelerated depreciation on to their customers. * * * utilities are at least partial monopolies, and no competition exists to induce them to pass savings on to the public."

EXHIBIT 2

HISTORICAL PRECEDENT OF ACCELERATED AMORTIZATION

The FPC, in line with perhaps the majority of other regulatory bodies passing on

[1] See Avram Kisselgoff and Franco Modigliani: "Private investment in the electric power industry and the acceleration principle," Review of Economics and Statistics 39 (1957), pp. 363–379, and Paul G. Clark, "The telephone industry: A study in private investment," in Wassily Leontieff, Studies in the Structure of the American Economy (New York: Oxford University Press, 1953), pp. 243–94.

[2] U.S. Senate, Committee on Finance, "Rapid Amortization of Emergency Facilities," hearings before the Committee on Finance, 85th Cong., 1st sess. on S. 1795, May 7 and 9, 1957, p. 9.

[3] U.S. Senate, Committee on the Judiciary, Subcommittee on Antitrust and Monopoly, "Rapid Amortization in Regulated Industries," 85th Cong., 2d sess., S. Rept. No. 1380, Mar. 12, 1958, p. 67.

[4] The 1¼-percent figure is based on an estimate of $118 million credit which the electric power utilities would have received on their 1959 eligible investment in relation to $9.5 billion of operating revenues. With the smaller 3-percent credit figure this reduction for residential consumers would, of course, be smaller.

[5] Although no estimates of the response of consumer demand to changes in electric prices are available, economic studies have demonstrated an extremely low change in demand in response to the price of heating fuels. For each 1-percent decrease in price, less than three-tenths of 1 percent increase in revenue can be anticipated. (See A. M. Strout "Weather and the Demand for Space Heat," Review of Economics and Statistics 43 (May 1961) pp. 185–192.) Though somewhat greater substitution among fuels can be anticipated in the long run, competition between fuels is effectively limited by the high costs of conversion and one can expect little response from the consumer to a reduction in prices.

[6] Data from June 1961 issue of FPC "Electric Power Statistics."

[7] U.S. Congress, Joint Committee on Internal Revenue Taxation, "A Report on 5-Year Amortization of Emergency Defense Facilities Under Sec. 168 of the Internal Revenue Code of 1954," December 1956, p. 25.

[8] 40th annual report, p. 62; 41st annual report, p. 64.

[9] Profitability calculations indicate that the value of the credit is less on 40-year assets than on assets with a shorter life. Hence there is less incentive to the industrial producer here than in an investment in production machinery and equipment with a life of 15 years.

the issue, permitted utilities to normalize income taxes paid with the benefit of accelerated amortization under section 168 of the Internal Revenue Code. (The FPC and many State commissions have adopted the same procedure with respect to liberalized depreciation under sec. 167). Utilities thereby accumulated very substantial reserves. Yet the fact is, as set forth at some length in a report of the Subcommittee on Antitrust and Monopoly of the Senate Judiciary Committee, that accelerated amortization had no real tendency to encourage construction of emergency facilities.

For example, the subcommittee said:

"Under the policies then (i.e., April 1955) in force, no clear relation to defense needs was required for approval of certificates for electric power generation as they were granted on the basis of total demand, including civilian as well as military needs. The lack of incentive was indicated by the fact that in the few instances where proposed facilities were held ineligible—because of location in target areas—the utility companies constructed them despite the rejection."

The subcommittee further said:

"Of the applications considered by the Department of the Interior and the Office of Defense Mobilization, approval was given to facilities scheduled to bring in 13,013,450 kilowatts. Applications which were denied because of their target area location totaled 5,298,000. All of the projects so denied still are scheduled for completion in 1958, despite the withholding of the tax-amortization inducement."

EXHIBIT 3.—*System capacity and peak loads, 1940–60* [U.S. totals for major systems in kilowatts]

End of year	Dependable (adverse water year)	December peak loads	Indicated reserves (excess of dependable over December peak load as percent of peak)
1940	34,408,184	27,948,071	23.1
1941	37,358,709	31,581,206	18.3
1942	39,665,535	32,942,464	20.4
1943	42,416,767	37,060,061	14.5
1944	43,760,322	37,858,847	15.6
1945	45,373,031	37,868,925	19.8
1946	45,701,894	43,173,898	5.9
1947	48,146,326	47,554,537	1.2
1948	52,689,808	51,611,873	2.1
1949	59,285,449	54,238,069	9.3
1950	65,574,290	61,719,096	6.2
1951	72,687,954	67,869,436	7.1
1952	80,035,407	73,055,403	9.6
1953	89,892,220	78,592,567	14.3
1954	102,055,254	85,560,948	19.3
1955	114,512,197	96,291,077	18.5
1956	120,453,230	102,723,432	17.3
1957	128,325,252	107,388,343	19.5
1958	141,827,422	113,679,341	24.8
1959	154,537,818	121,501,158	27.1
1960	165,536,249	128,713,483	28.6

Source: June 1961 issue of FPC "Electric Power Statistics."

EXHIBIT 4.—*Generating capacity, privately owned electric utilities and industrial establishments 1939–60*

[In thousands of kilowatts]

Year	Combined capacity	Privately owned utilities capacity	Industrial establishments	
			Capacity	Percent of combined capacity
1939	44,483	33,908	10,575	24
1940	45,433	34,398	11,035	24
1941	47,631	36,041	11,590	24
1942	49,626	37,442	12,184	25
1943	51,717	39,128	12,589	24
1944	52,610	39,733	12,877	24
1945	53,064	40,307	12,757	24
1946	53,104	40,355	12,749	24
1947	54,416	41,987	12,429	23
1948	58,436	45,381	13,055	22

EXHIBIT 4.—*Generating capacity, privately owned electric utilities and industrial establishments 1939–60*—Continued

[In thousands of kilowatts]

Year	Combined capacity	Privately owned utilities capacity	Industrial establishments	
			Capacity	Percent of combined capacity
1949	63,954	50,484	13,470	21
1950	69,106	55,175	13,931	20
1951	74,544	60,192	14,352	19
1952	79,435	64,349	15,086	19
1953	87,053	71,201	15,852	18
1954	95,413	79,127	16,286	17
1955	103,311	86,887	16,424	16
1956	107,790	91,145	16,645	15
1957	114,474	97,376	17,098	15
1958	126,256	108,202	18,054	14
1959	136,510	118,999	17,511	13
1960	145,793	128,000	17,793	12

Source: FPC.

EXHIBIT 5

IMPACT OF THE INVESTMENT CREDIT ON SMALL UTILITY COMPANIES

The attached tables present the investment in utility companies, their rate of return, and the percent of total investment held by companies, by size of total assets. For purposes of comparison a similar table has been prepared for all manufacturing corporations. The tables indicate:

(1) Investment is heavily concentrated in utility companies with more than a quarter of a billion dollars of assets. (See table 1.) Firms of that size have ready access to the capital market and can attract equity or debt capital on favorable terms.

(2) The rate of return as reported by utilities of different sizes does not appear to vary systematically (see table 2), while the rate of return increases with the size of the firm. (See tables 2 and 3.) Thus while there may be some justification in special aid to small manufacturing corporations to help them raise their return, no such aid to the utilities would appear necessary or desirable.

The rate of return as reported by the telephone industry appears higher than that reported by the gas and electric utilities but this is partially the result of the fact that 30 percent of the investment in gas and electric utilities is being depreciated under accelerated methods while only 1 percent of the investment in telephone and telegraph is being depreciated under these methods. When the guaranteed nature of utility income and their generally high ratio of debt to equity capital is considered, utility rates of return are roughly comparable to the return in manufacturing. Ratios of bonds with maturity of one or more years to total capital account are about 16 percent for manufacturing, 35 percent for communications, and 52 percent for gas and electric companies. If equity financing requires a yield approximately 1½ to 2 times that required for bonds, the difference in capital structure alone would account for the observed differences in rate of return.

COMMENTS RELATED TO THE EXCLUSION OF THE UTILITIES UNDER THE INVESTMENT CREDIT

It has been argued that the credit will aid small utility companies that have difficulty financing new investment projects by issues of stock and bonds in the capital market. Clearly such companies are an infinitesimal portion of the industry. If future investment is roughly proportional to the present investment in utility companies corporations with assets in excess of a quarter of a billion dollars will receive four-fifths of the $325 million investment credit that will be granted by the pending tax bill.

If it is desired to achieve a compromise, and accord the small utilities some credit, much of the revenue cost of granting a credit could be removed by coupling the credit with restrictions as to the size of the company which could enjoy the benefit.

TABLE 1.—*Investment in electric, gas, and telephone utilities by size of firm, 1958–59*

[Percent of total investment]

Size of firm	Telephone communications	Gas production and distribution[1]	Electric companies and systems
Under $100,000	0.2	(2)	(2)
$100,000 less than $500,000	.8	0.3	(2)
$500,000 less than $1,000,000	.7	.1	(2)
$1,000,000 less than $2,500,000	.7	.5	0.2
$2,500,000 less than $5,000,000	.4	.6	.4
$5,000,000 less than $10,000,000	.8	1.2	.2
$10,000,000 less than $25,000,000	1.2	3.1	.9
$25,000,000 less than $50,000,000	.8	4.4	1.4
$50,000,000 less than $100,000,000	1.9	8.6	2.5
$100,000,000 less than $250,000,000	.8	16.7	18.3
$250,000,000 and over	92.0	57.5	76.1
Total percent	100.0	100.0	100.0
Total amount (in billions of dollars)	$24.0	$14.5	$40.8

[1] Excluding natural gas production.
[2] Less than 0.05 percent.

TABLE 2.—*Rate of return and investment in public utilities as measured by the ratio of net profits after taxes to total assets less accumulated depreciation and amortization by size of corporation*[1] *(tax year: 1958–59)*

Total assets of corporation	Telephone communication		Gas production and distribution[2]		Electric companies and systems	
	Investment	Rate of return	Investment	Rate of return	Investment	Rate of return
	Millions	*Percent*	*Millions*	*Percent*	*Millions*	*Percent*
Under $100,000	42.3	5.3	5.2	0.9	3.3	3.0
$100,000 less than $500,000	190.9	2.9	37.8	1.7	16.7	13.9
$500,000 less than $1,000,000	158.2	2.9	15.9	.2	19.9	4.2
$1,000,000 less than $2,500,000	180.0	2.1	65.6	4.0	68.2	6.9
$2,500,000 less than $5,000,000	96.4	4.9	86.7	5.3	165.0	1.0
$5,000,000 less than $10,000,000	253.3	4.1	171.2	3.7	88.4	4.5
$10,000,000 less than $25,000,000	255.3	3.6	451.3	3.9	382.3	3.1
$25,000,000 less than $50,000,000	202.7	4.0	633.4	3.7	553.1	3.8
$50,000,000 less than $100,000,000	457.2	3.6	816.2	3.0	1,002.7	3.3
$100,000,000 less than $250,000,000	120.4	5.8	2,424.7	1.7	7,467.7	2.8
$250,000,000 and over	22,092.9	5.7	9,798.7	2.1	31,019.8	2.8
Total	24,002.6	5.5	14,506.7	2.3	40,786.6	2.8

[1] Rate of return is the ratio of net profit after tax to total assets. Investment is the total assets of the company.
[2] Excluding natural gas production.

NOTE.—The rate of return estimates are based on net income for tax purposes related to net total assets. These rates will be much smaller than book net income related to equity.

TABLE 3.—*Investment and rate of return in manufacturing as measured by the ratio of net profits after taxes to total assets less accumulated depreciation and amortization (tax year: 1958–59)*

Total assets of corporation	Investment	Rate of return[1]	Percent of total investment
	Millions	*Percent*	
Under $25,000	310	(2)	0.1
$25,000 under $50,000	607	(2)	.3
$50,000 under $100,000	1,771	(2)	.8
$100,000 under $250,000	5,112	1.3	2.2
$250,000 under $500,000	6,131	3.8	2.6
$500,000 under $1,000,000	7,942	3.7	3.4
$1,000,000 under $2,500,000	12,315	4.6	5.2
$2,500,000 under $5,000,000	10,237	5.3	4.3
$5,000,000 under $10,000,000	11,177	6.0	4.8
$10,000,000 under $25,000,000	17,695	5.6	7.5
$25,000,000 under $50,000,000	13,523	5.5	5.7
$50,000,000 under $100,000,000	18,552	6.1	7.9
$100,000,000 under $250,000,000	25,586	6.2	10.8
$250,000,000 and over	104,808	5.5	44.4
Total	235,836		100.0

[1] Measured by the ratio of net income after taxes to total assets less accumulated depreciation and amortization.
[2] Losses reported in 1958–59.

NOTE.—The rate of return estimates are based on net income for tax purposes related to net total assets. These rates will be much smaller than book net income related to equity.

EXHIBIT 6

STATEMENTS CONCERNING UTILITY TAX BENEFITS BASED ON INVESTMENT

1. John P. Madigan, the Hartford Electric Light Co., Hartford, Conn., in a speech at National Conference of Electric and Gas Utility Accountants, Chicago, Ill., April 20, 1959, concerning liberalized depreciation (sec. 167):

"In general, the main purpose was to encourage industry to modernize its machinery and equipment. In our industry, however, to be realistic, accelerated depreciation does not stimulate to any great extent the replacement of obsolete equipment. Does anyone seriously contend that our plant would not have been expanded as fully or as rapidly, or that our maintenance program, involving replacements of units of property, would have been curtailed if it were not for accelerated depreciation? Perhaps it achieved all these things for other taxpayers, but certainly not for us. What was achieved was, in effect, nothing more than a reduction in tax equivalent to the lowering of the present corporation rate of 52 percent, and, if income taxes had actually been reduced in such manner, would anyone argue that we ought to be allowed to retain the savings over and above the fair and normal rate of return?"

2. Federal Power Commission, in its 1956 decision in the Amere Gas case, in which it ruled that utilities should receive the benefits of the tax savings under rapid depreciation, said: "The extraordinary ability and willingness to attract capital and construct new facilities causes us to question whether the incentive provided by section 167 of the Internal Revenue Code is necessary or desirable for this industry or will, in the long run, be as beneficial to the public interest." (While this decision related to the gas industry, the FPC statement is even more applicable to the electric industry.)

3. Value Line Investment Survey, in a press release of February 26, 1962, said: "In the past, investor-owned electric utilities (which account for more than 75 percent of the industry) have had to sell new securities to raise 67 percent of their new construction budgets. But, the Value Line Survey points out, a rising cash flow from depreciation and tax savings from accelerated depreciation has recently reduced the need for new capital to about 50 percent of construction outlays. The proposed tax credit for new investment in equipment, if enacted, would further bolster internal cash generation."

4. William R. Connole, former FPC Commissioner, in a dissent in the Amere Gas case in 1956, said utilities "not only have the privilege and the incentive to expand, but indeed have a clear-cut, universally recognized and inescapable obligation to do so. * * * And it would be a vain act indeed were the Congress to enact a statute which would purport to cure a nonexistent problem or to provide encouragement where none is needed, indeed where none can be inferred without impugning the willingness of utilities themselves to conform to their existing obligations and the ability of the regulatory community to meet its statutory and constitutional mandate."

Mr. CURTIS of Missouri. Mr. Chairman, I yield such time as he may desire to the gentleman from Pennsylvania [Mr. SCHNEEBELI].

Mr. SCHNEEBELI. Mr. Chairman, before proceeding with any comment on any part of this tax bill, I want first to congratulate our committee chairman for the tremendously effective job he has accomplished in bringing the bill to the House floor in the form that it now assumes. I have marveled at his single-mindedness and tenacity of purpose and his ever-pervading drive and forcefulness in bringing about this legislation. His logic and concentration is so important in the committee's work, and he brought out the bill in a most expeditious manner considering the diversified thought required by the complexities of the many problems. His patience and tolerance toward committee neophytes such as myself is the mark of an understanding gentleman. I thank him for his cooperative attitude.

There is much in the bill which commends itself to your favorable consideration, approval, and action, but, as may be expected in a bill with so many facets and avenues of approach, there are bound to be several areas which lend themselves to legitimate and honest dispute.

I rise to speak of my opposition to that portion of the bill which concerns itself with the withholding of 20 percent of the income arising from dividends and interest.

First of all, the method proposed is inexact, inaccurate, and unnecessary. It is neither workable nor practical. Its operational and clerical problems posed to banks and corporations are immense. It proposes to cover people who are in the zero to 91-percent bracket by a constant 20-percent blanket deduction. In this respect it is different than wage withholding inasmuch as wage withholding closely parallels the bracket in which the wage earner finds himself. However, the withholding rate will tax many people who are not subject to tax in the first instance and will be an inadequate rate for many others who are above the 20-percent bracket. This inexact approach will cause much turmoil and paperwork between the individuals and the Internal Revenue Service with its resultant confusion.

Secondly, the proposal would rob tax-exempt institutions such as hospitals, colleges, as well as pension funds of 3 to 4 months' usage of 20 percent of this large part of their income. These institutions invest their endowment funds in dividend-paying securities and 20 percent of these funds would be tied up for 3 or 4 months by the withholding system. Being deprived of this income, these tax-exempt institutions would have to go out to borrow money to provide the additional working capital needed for their operations.

Since we are opposed to withholding, do we then condone this leakage in Federal tax revenue? Do we recommend that we should tolerate this tax loss in the hopes that the situation will clear up on its own? Definitely not. We deplore this loss, much of which can be attributed to oversight and thoughtlessness.

What then do we have to offer instead of withholding?

First, more effective education of the public by dividend-paying corporations and the banks and savings institutions as well as the Internal Revenue Service relative to the responsibility of the taxpayers in this area. Further, a reminder by the Revenue Service that new electronic machinery will catch up with them and this action will bring very effective results. The reminders to the taxpayers of the effective use of automation are already bringing some conscience-stricken taxpayers to the point of voluntarily paying back taxes because they are afraid of being caught by automation. Last January, voluntary payments which will yield a total of about $600,000 were reported and Internal Revenue Commissioner Caplin states that the gradual shifting to automation data processing equipment to check returns has produced payments from taxpayers who believe that they may now be caught.

The second approach instead of withholding is through the scientific and accurate use of electronic processing machinery known as ADP—for automatic data processing. By feeding it the information provided by dividend and interest-paying institutions, each taxpayer's income is definitely cataloged by the push of a button. There should be no haphazard, arbitrary approach such as withholding offers when we have this new modern-day method of the ADP machinery. The United States prides itself upon its scientific advances and technological know-how, so why cannot we put it into effective work in this area where it will do so well?

This year the national processing center at Martinsburg, W. Va., will be fully in use as will the ADP machinery at the first of nine internal revenue district centers at Atlanta, Ga. Next year, Philadelphia will be fully implemented and by 1966, all nine districts will have complete facilities for this project. Income-producing institutions will be feeding these machines with total information relative to taxpayers. It is interesting to note that banks that report 29 percent of all the savings deposits in the country voted 2 to 1 that they would prefer sending to the Revenue

Service information on all interest payments over $10 a year rather than to submit to withholding provisions. This cutoff point of $10 would account for more than 95 percent of all interest revenue in the United States.

Not only are the payers interested in this approach to control of taxable income, but so also are the 15 million people who own stock and the more than double that number who receive interest payments. The more than 40 to 50 million taxpayers who receive interest and dividend income are concerned about the proper approach to this problem, and I am sure that your constituent mail reflects this interest in this portion of the bill.

In the interest of testing the good intentions and good faith of the Treasury Department, an amendment was introduced in committee terminating withholding at the end of 1966, at which time ADP would be fully in effect. After a trial period of 3 or 4 years of withholding, a time of appraisal seemed appropriate, at the time ADP was fully implemented throughout the country, and a gage of its value could be reviewed. This amendment was turned down flat since the Treasury Department has no intentions of giving up this highly unsatisfactory withholding approach. They want to keep their hand in the taxpayers' pockets and grab this money, much of which does not belong to them in the first place.

It is recommended therefore that serious consideration be given to the denial of this haphazard system of withholding with its accompanying exemptions certificates, refunds, claims, and counterclaims in favor of more scientific approach of ADP recommended by commonsense and by the 40 to 50 million taxpayers concerned. With the millions of dollars invested in ADP equipment, we certainly have no defense in denying its full and proper use in this field. Accordingly, it is recommended that you vote in favor of a recommittal motion containing the recommendation that the withholding feature of this bill be eliminated, and that we proceed with full use of further education, Internal Revenue Service warnings and the scientific features of ADP.

Mr. CURTIS of Missouri. Mr. Chairman, I yield such time as he may consume to the gentleman from Ohio [Mr. HARSHA].

Mr. HARSHA. Mr. Chairman, I would like to call my colleagues' attention to one phase of the Revenue Act of 1962, otherwise known as H.R. 10650, the omnibus tax bill, that is certainly discriminatory as it applies to some public utilities.

Section 2 of this act states substantially that in the case of public utilities—such as electric power companies, telephone companies, water companies, and local gas distribution companies—the investment credit available is to be only at the rate of 3 percent instead of the 7 percent available to certain other concerns. This is certainly an unconscionable position to adopt and highly discriminates against an important segment of our free enterprise system.

The President stated in his Economic Report:

> We must scrutinize our tax system carefully to insure that its provisions contribute to the broad goals of full employment, growth, and equity.

Unquestionably such discrimination does not contribute to full employment and certainly there is nothing equitable about it.

The President further stated that the tax credit would stimulate investment in capacity expansion and modernization, and contribute to growth of our productivity and output. To deny these public utilities the same opportunity as other domestic concerns is to stifle the expansion and growth productivity in that particular field.

The President further indicates that the stimulus the tax credit provides to new investment will have favorable effects on the level of economic activity during the year and that this will in turn add to Federal revenues. If this tax credit will have such a stimulus on business in general it certainly would equally stimulate the economic activity of these utilities if given equal treatment or application.

The argument was advanced in the committee report that the smaller credit was provided to certain utilities because much of its benefit in these regulated industries is likely to be passed on in lower rates to consumers, thereby negating much of the stimulative effect on investments. This I seriously question because utilities have a very small margin with which to make much needed expansion and modernization, although most of them earnestly endeavor to keep abreast of the times by sound expansion and modernization. There is always need for more expansion and advanced technology in our utilities.

However, assume this position is true—that the benefits from this tax credit were passed on to the consumers—I ask you, gentlemen, what is wrong with that? Are not our overburdened taxpayers and consumers entitled to some benefits? What better way to stimulate the economy than to give the consumer more purchasing power in the form of reduced rates? Certainly increased purchasing power will create a demand for more products and in turn create more jobs. Obviously this would provide additional revenues for our Government. It would help lessen the burden on unemployment and welfare funds. All of which would do much to enhance the free enterprise system and most assuredly be a contributing factor toward full employment and economic growth. But, no, we are going to discriminate against these utilities. In other words, this administration says we do not want them to have full economic expansion and growth, we do not want the consumer to receive lower rates, we do not want the consumer to have better service and more purchasing power. This is a rather untenable position to say the least.

We have just voted down an opportunity here today to amend this bill and provide for a reasonable up-to-date accelerated depreciation rate so that all free private enterprise could have an equal tax incentive, one that was not discriminating but equitable. One that would have enabled all business to contribute on an equal basis to full employment and capacity expansion and growth.

Now before we are through with this bill you will have an opportunity, I hope, to recommit this legislation to the committee with instructions to delete the tax credit feature and substitute therefore an accelerated rate of depreciation. I urge you to at least treat all business equally and give the utilities an equitable share in this measure.

I contacted one of the utilities in my district about this inequitable tax treatment and asked their position on the problem and I would like to give you the advantage of their judgment on this provision which to my humble opinion seems very sound.

When informed that they would only receive a 3-percent tax credit as contrasted to the 7 percent granted other industries, here was their response:

> It would be dreadful to so discriminate against such an important segment of America's free enterprise economy. It seems to us that three erroneous assumptions are made
>
> 1. That the amounts which investor-owned utilities will spend on construction will not be affected by whether or not a tax incentive is available.
>
> 2. That utilities not in the transportation field are not subject to competition, and
>
> 3. The reduction in taxes would be passed on to electric consumers through the State regulatory processes and, thus, would not serve as an expansion incentive.
>
> We believe these arguments are demonstrably invalid
>
> 1. The availability of the tax incentive to the utility industry would lead to increased capital investment by utilities. The electric utility industry is the most capital-intensive segment of the economy. In most industries, $1 of plant investment is expected to produce several dollars of annual revenue, but in the electric utility industry it requires about $4.50 of plant investment to produce $1 of annual revenue. Because of this relationship between revenue and plant investment, any reduction in the carrying charges associated with plant investment, of which Federal income taxes are an important part—about 25 percent thereof—would have a far greater effect on investment decisions in the regulated electric utility industry than in any other industry.
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> Further, it is invalid to believe that the public utility industry has no optional investment opportunities, for in this category would come office buildings, garages, service centers, and other similar facilities and associated machinery and equipment not directly associated with providing electric service. In addition to these optional decisions, there are other desirable investments with considerable flexibility as to time the investment is made, such as major interconnection facility investments.
>
> 2. The electric industry is engaged in active competition. This is certainly proved by our company, which has vigorously pursued every avenue of technology and management know-how to achieve reduction in price in order to improve our competitive position relative to other energy forms. To lessen the tax credit available to our industry would serve to vitiate these efforts, especially since the inclusion of oil, coal, and natural gas pipelines would provide these other energy industries with a competitive cost advantage that would not otherwise be attainable on the basis of technology or free-

> market economics alone. For example, in residential heating, electric energy competes with all other fuels, but especially with natural gas.
>
> 3. The fact that some or all of the tax benefits would be passed on to the consumers would in no way lessen the incentive for expansion of capital investment. It would tend to stimulate such investment even more. The consequence of a price reduction in the cost of electric energy would be an increase in demand for more service, and certainly through the mechanism of this demand increased capital investment would be stimulated. Indeed, even if it were assumed that through the regulatory processes the entire savings in taxes, resulting from the tax credit, would be passed along to the consumers in the form of a rate decrease or the avoidance of a rate increase, the impact, proved by rate decreases in the past, would be an increase in consumer demand. Historically, an increase in consumer demand has resulted in repeated and large investment expenditures by the utility industry.
>
> Finally, for those concerned with the economy of Ohio, recognition should be given to the encouragement of increased electrification to greatly aid the depressed coal industry.

I believe this same sound reasoning would apply generally to other utilities as well. This discrimination is certainly unjust and contradicts the very purpose for the tax credit. If not corrected in this bill, I trust the Ways and Means Committee will soon see the folly of their position and equitably correct it.

Mr. CURTIS of Missouri. Mr. Chairman, I yield 10 minutes to the gentleman from Michigan [Mr. MEADER].

Mr. MEADER. Mr. Chairman, the tax bill, H.R. 10650, which we are considering under a closed rule, has practically nothing to recommend its adoption and contains many provisions which should impel its overwhelming defeat.

The Ways and Means Committee, commencing on May 3, 1961, and concluding on June 9, 1961, took extensive testimony for 24 days, which is contained in four volumes and a total of 3,613 printed pages. Many individuals, trade associations, companies, as well as officials of the Federal Government, spent a great deal of time and effort preparing and presenting their views and, of course, the committee members spent a great deal of time listening to and absorbing the views of witnesses and cross-examining them.

Subsequently, the Ways and Means Committee spent many days in executive session considering the testimony and the possible provisions of a tax bill and arrived at tentative conclusions which were announced at the end of the last session.

Subsequently, in the early part of this year, the Ways and Means Committee met again for many days in executive session, and on February 27, 1962, announced that it had agreed upon certain provisions to be included in the bill introduced by the chairman. Thereafter, H.R. 10650 was introduced, and the Committee on Rules was asked to grant a closed rule. While this request was pending, the Ways and Means Committee underwent another change of position and announced that the bill would be modified again so that the loss of revenue it provided would not be as great.

It is apparent that the Ways and Means Committee, with respect to the foreign income tax provisions of the bill, after exhaustive consideration of the testimony, simply threw all of the expert advice developed painstakingly and at great expense of man-hours, together with the committee's own time, out the window and adopted punitive provisions whose parenthood is somewhat in doubt.

I wish to direct my comments on H.R. 10650 to the foreign earned income taxing provisions of the bill and their effect on our foreign economic policy.

I do not wish to discuss the technical details of these provisions, most of which are contained in section 13 of the bill, but call the attention of the committee to the very cogent and clearly expressed views of the Hon. THOMAS B. CURTIS contained on pages B 29 to 36 of the committee report.

Mr. Chairman, the April 1956 edition of Fortune magazine published an editorial entitled "The American Game," a portion of which I want to quote:

> The real source of America's strength lies in its own flexible and dynamic system of private enterprise, and in the projection of that system abroad.

I incorporated the editorial in remarks I offered to the House in the CONGRESSIONAL RECORD, volume 102, part 7, pages 8753 to 8754. I regard that editorial, and particularly the paragraph I quote, as identifying the most powerful and effective weapon we possess with which to fight our ideological war against communism. The real contest is for the minds and attitudes of the peoples of the new nations emerging from colonialism, most of them loosely classified as underdeveloped by our standards. In this contest our deeds certainly will speak louder than words. A demonstration that free economic and political institutions are superior to the organized slavery of communism is ideological cash in the bank of world public opinion; high sounding oratory, slogans, and headlines without performance are debits against international good will.

I have always felt that our assistance in economic development overseas should be provided by the American business community with their own capital at no cost to the taxpayers, and that the role of our Government is to foster and facilitate private capital investments overseas by using its personnel and diplomatic sanctions and instruments to break down artificial barriers to trade and investment and thus contribute to the attractiveness of private capital investments abroad.

One of the principal efforts of my service in Congress, has been an attempt to direct the efforts of our Government along those lines. In 1951 I urged the creation of a commission to study the problem and map a course to achieve that goal. That effort, I am unhappy to say, was unsuccessful—CONGRESSIONAL RECORD, volume 97, part 3, pages 4209 to 4212.

In 1956, Congress created the Development Loan Fund. I offered an amendment to the declaration of purposes of the fund to indicate that in assisting underdeveloped areas it was the intent of Congress that we foster free enterprise economies.

As many of you know, that idea was strenuously opposed by both the State Department and the ICA, and it is due, in my judgment, only to the statesmanship and clear thinking and foresight of two of our former colleagues, the Honorable John Vorys, of Ohio, and the Honorable Brooks Hays, of Arkansas, that the free enterprise idea was incorporated into the charter of the Development Loan Fund as follows:

> The Congress accordingly reaffirms that it is the policy of the United States, and declares it to be the purpose of this title, to strengthen friendly foreign countries by encouraging the development of their economies through a competitive free enterprise system; to minimize or eliminate barriers to the flow of private investment capital and international trade; to facilitate the creation of a climate favorable to the investment of private capital; and to assist, on a basis of self-help and mutual cooperation, the efforts of free peoples to develop their economic resources and to increase their productive capabilities.

The Act for International Development of 1961—Public Law 87-195—contains the following provision:

> It is the policy of the United States to strengthen friendly foreign countries by encouraging the development of their free economic institutions and productive capabilities, and by minimizing or eliminating barriers to the flow of private investment capital.

In President Kennedy's message to the Congress on March 14, 1961, "Inter-American Fund for Social Progress"—House Document No. 105—there appears the following:

> U.S. business concerns have also played a significant part in Latin American economic development. They can play an even greater role in the future. Their work is especially important in manufacturing goods and providing services for Latin American markets. Technical expertness and management skills in these fields can be effectively transferred to local enterprises by private investment in a great variety of forms—ranging from licensing through joint ventures to ownership.
>
> Private enterprise's most important future role will be to assist in the development of healthy and responsible private enterprise within the Latin American nations. The initiation, in recent years, of strikingly successful new private investment houses, mutual investment funds, savings and loan associations, and other financial institutions are an example of what can be done. Stimulating the growth of local suppliers of components for complex consumer durable goods is another example of the way in which domestic business can be strengthened.
>
> A major forward thrust in Latin American development will create heavy new demands for technical personnel and specialized knowledge—demands which private organizations can help to fill. And, of course, the continued inflow of private capital will continue to serve as an important stimulus to development (CONGRESSIONAL RECORD, vol. 107, pt. 3, p. 3910).

In the declaration to the peoples of America of the delegates at Punta del Este, August 16, 1961, one of the goals is described as follows:

> To stimulate private enterprise in order to encourage the development of Latin American countries at a rate which will help them to provide jobs for their growing

populations, to eliminate unemployment, and to take their place among the modern industrialized nations of the world.

As late as March 7, 1962, in a press conference, the President said:

Private capital is necessary in Latin America. There isn't enough public capital to do the job.

The provisions of section 13 of H.R. 10650, which relate to taxation on foreign earned income will be most damaging to American companies' oversea operations, cannot help but induce them to refrain from further investment or expansion and tend to dry up the flow of American capital into economic activities overseas. This action is diametrically opposed to the administration's pronouncements favoring economic development of underdeveloped areas and particularly the support of the so-called Alliance for Progress program by American private capital investment.

Actually, these activities of the American business community should be encouraged by the tax incentive program embodied in the Boggs bill, H.R. 5, which passed the House of Representatives in the 86th Congress.

It is worth noting that H.R. 5, the foreign investment tax incentive bill, was adopted by the House by a vote of 195 to 192 on May 18, 1960, and that none of the Democratic members of the Ways and Means Committee voted against the bill. Supporters of H.R. 5 included the chairman of the Ways and Means Committee, the gentleman from Arkansas [Mr. MILLS], and the majority whip, the author of the bill, the gentleman from Louisiana [Mr. BOGGS].

The gentleman from Louisiana [Mr. BOGGS] eloquently and forcefully advocated this stimulant to American capital investment overseas and among other things said the following—CONGRESSIONAL RECORD, volume 106, part 4, page 4962:

Each year we hear we will be able to reduce foreign aid. We started the foreign program back in the time when General Marshall was Secretary of State. Many of you were here then. I say to you there has not been a year when the foreign aid program has not been presented to us with recommendations for greater and greater expenditures. If there is to be any answer to foreign aid—and I do not maintain that this is the only answer by any stretch of the imagination—but if there is to be any answer at all, the answer must come from the private sector of our economy. I know a lot of people believe this is just a scheme to make some already rich people richer, that this is a scheme for some people to avoid paying taxes. I can assure you that nothing could be further from the truth.

If this bill has any objective at all, the objective is to make it possible for the American entrepreneur, small, middle-sized, big, and biggest, if you will, to be able to take up where the American taxpayer's dollar leaves off. That is the only purpose of this bill. If it were not for that I would not be standing here talking to you about it.

Is it possible for this to happen? I do not know; nobody else knows. But I will tell you this, that if you removed from the world market the American investment that has been made in the world, you would have a severe and terrific depression in this country, because all we get from those investments are profits, not losses. Secondly, you would have a balance-of-payments situation, to which the gentleman from Wyoming referred a little while ago, which would make our present deficit look like a Sunday afternoon picnic; third, there would not be any way on earth to raise the amount of taxpayers' dollars that would be required to pick up where private enterprise left off in all these countries. This is just a matter of fact. These are not my words; these are the words of people who have studied this thing for months and years. I would refer you to the studies made by the Committee for Economic Development, the Rockefeller Brothers reports, the Hoffman study recently made, the Straus committee report, the Boeschenstein committee report, and many others.

Earlier in that speech he said:

The simple fact is that American capital has gone abroad to protect markets or to develop markets that would otherwise have gone to their competitors. As I said a moment ago, one of our toughest competitors is the Communist bloc. * * *

Mr. Chairman, I do not want to overstate the case for H.R. 5. It is not going to solve our world political or economic problems. It is not going to do away with foreign aid. It is not going to raise standards of living abroad by 100 percent in the next 2 years.

As I have said, it is essentially a modest piece of legislation. It will facilitate expansion of American private business overseas. It will bring greater equity in our existing system of taxation. It will contribute to the objectives that we have in fighting the cold economic war with our archenemies. H.R. 5 will help. It will not hurt.

The passage of this bill by this House will be a mark of the growing maturity of this country. It will reflect the need to bring our tax laws into conformity with our position in the world economy. It will be a positive step in the direction of accomplishing important national objectives.

It is a vote of confidence that the American businessman operating competitively under the American flag can meet the Soviet economic challenge.

Mr. Chairman, shortly there will come before us President Kennedy's proposal for vastly expanded authority in the Executive to decrease tariffs. Likewise, we will shortly be considering foreign aid legislation, including the Alliance for Progress. It is an anomaly that the administration will advance these two proposals involving vast transfers of our legislative authority to the executive branch of the Government and in the case of foreign aid, the appropriations of huge sums of tax money to fight the cold war, when the New Frontier is aiming a devastating blow at the contribution of the American business community in fighting the ideological battle with communistic imperialism.

Mr. Chairman, it seems to me more than a fortuitous circumstance that this same kind of double-think exists not only in the New Frontier, but in the legislative department of the AFL-CIO. Yesterday I received two letters from Mr. Andrew J. Biemiller, director of the department of legislation of the AFL-CIO. One letter with accompanying pamphlets urged my support of the so-called Trade Expansion Act of 1962, which has as one of its announced objectives, an increasing role for our American free enterprise system in international trade and commerce.

Paradoxically, the second urges my support of the tax bill that is now before us, H.R. 10650. One of the bases on which the AFL-CIO position favoring the tax bill is predicated pertains to the provisions of the bill imposing more stringent tax treatment on participation by our American free enterprise system in international trade and commerce. These tax proposals that the AFL-CIO espouses would impede the expansion of export markets for U.S. produced goods, would strike a devastating blow at the ability of the American business flag to survive competitively in world trade, and would constitute a political retreat for America in the face of the Communist threat to the free world survival.

Mr. Chairman, in his letter on tariffs, Mr. Biemiller espouses willingness to increase the exposure of our domestic markets to imports by reducing the protective tariffs that safeguard our markets for domestic producers and material. In contrast, Mr. Biemiller's tax letter would reduce the ability of American free enterprise to export and compete with the other industrialized nations of the world. These conflicting viewpoints urged by Mr. Biemiller in behalf of the AFL-CIO leave me somewhat confused, but confused only as to what the AFL-CIO really wants as its national objective—economic retreat or economic expansion. Mr. Biemiller has not succeeded in confusing me as to where I stand on the urgent issues of what America's policy should be in today's dangerous world.

I am categorically opposed to the policy of economic retreat and isolationism inherent in the foreign income provisions of the tax bill now before us. Based on firsthand study of international problems, I am convinced that American free enterprise and the people-to-people communications that it fosters in world commerce are greatly superior in fighting international communism to the reliance on a sterile policy of endless foreign aid through government-to-government channels, such as are implicit in this Treasury-sponsored tax bill and the New Frontier's foreign aid program.

Mr. Chairman, there are plenty of deterrents to American private capital investment overseas already. I have consistently urged that these deterrents be identified and eliminated or minimized.

Just recently, we witnessed the expropriation of vast amounts of American properties in Cuba. Similarly, one of the states of a presumably free and friendly country, Brazil, has confiscated a telephone company. These actions must give pause to any American manager of an enterprise responsible to his stockholders for the proper employment of capital and thus constitute a threat inhibiting the investment of American private capital abroad. These, however, of course, were actions of other governments, one of them being a Communist-dominated regime.

What possible excuse can we give for the action proposed here of imposing a punitive tax on foreign operations which is bound to undermine the confidence of the American business community in the stability of their Government's policy with respect to capital investment.

Even if the punitive provisions of section 13 of H.R. 10650 never become law, the very fact that they were seriously considered by the Congress and strenuously advocated by the New Frontier constitutes a threat of which the American business community is bound to be aware and in governing their policies and the management of their stockholders' funds, may well have widespread repercussions on the health of our entire economy. I hope the House of Representatives will forthrightly, speedily and vigorously repudiate the hate business philosophy implicit in these provisions.

In this context of international relations it should be observed that one of the most deplorable features of this tax bill is section 21, relating to treaty obligations. This section squarely overrides the principle of international law, embodied in section 7852(d) of the Internal Revenue Code, that the tax laws of the United States shall not apply in any case where their application would be contrary to any treaty obligation of the United States.

Section 21 raises a question of international law and elementary morality.

As of today there are 21 bilateral tax treaties in effect between the United States and foreign countries. If the Congress of the United States should ride roughshod over our treaty obligations, we must be prepared for retaliation by the other parties to these treaties.

More important still, the United States can ill afford the moral condemnation that will inevitably be forthcoming if it disregards international law and treats its treaty obligations as so many scraps of paper. Does this American policy of unilateral treaty abrogation provide any assurance to our Western Hemisphere allies of the sincerity of our intentions in regard to the much heralded Alliance for Progress? Just the opposite, Mr. Chairman. Does this policy of repudiating our solemn treaty obligations serve to strengthen our current endeavors to create new trade commitments among the countries of the free world? Again, Mr. Chairman, the answer is inescapably and emphatically in the negative.

Before the eyes of world opinion the U.S. Government has held itself out as the champion of morality in world affairs. We have repeatedly called the Government of Communist Russia to task as a treaty violator. How can we continue to take this firm moral position if we ourselves disregard treaty obligations when it suits our purpose to do so?

The principle of section 21 is thoroughly unsound. Its consequences could plague the United States in its foreign relations for years to come. It should be defeated; it should never have been proposed in the first instance.

The foreign income provisions of the tax bill will undermine and debilitate American business operations abroad and prevent private American capital from making the contribution to strengthening the free world through economic development which it otherwise could and would make without any cost to the American taxpayers. This is most unwise and amounts to killing the goose that lays the golden eggs.

Mr. CURTIS of Missouri. Mr. Chairman, I yield 10 minutes to the gentleman from Ohio [Mr. BETTS].

Mr. BETTS. Mr. Chairman, at a time when the American taxpayer is hoping for a simplification of tax procedures, this bill offers only more complexities. In particular, the section on withholding of income tax on dividends and interest is the worst offender. If there are any doubts about this, one has only to read that portion of the bill which deals with this subject. He will find 46 pages of complex rules which, of course, will be implemented by an equal number of pages of regulations. He will certainly not find it a simple matter to understand all he is supposed to do.

No one condones the failure to include taxable dividends and interest in a tax return. No doubt there have been many violations. But it is fair to assume that only a small fraction of these failures are willful violations and that the great majority include omissions due to oversight or plain ignorance. The fact that there has been a campaign to educate the public supports this belief. However, I am of the opinion that this campaign has not been given sufficient time to work and has not followed basic considerations. Treasury officials say they have been making speeches on the subject and that banks and corporations have been advising their depositors and shareholders that interest and dividends are taxable. But the average taxpayer does not hear the speeches or take the time to read and study all the notices that come with corporation or bank statements. The simple device of a notice in red ink on the face of a 1040 form that these items are taxable would have involved little effort and would have effectively apprised millions of taxpayers of something they did not know or had overlooked. They would thus have been spared the complicated procedures of this proposal.

If on the other hand, as might be implied in the bill, the failure to include the tax on interest and dividends is a matter of fraud on the part of the taxpayer, then there is no way of guessing how many fraudulent refund claims might be filed. There is no provision for the issuance to the individual of any statement or receipt of the amount withheld from him. This means that the Internal Revenue Service would have no ready means of verifying claims for refunds. It is entirely within the realm of possibility that we could be in for a worse problem on refunds than we are on withholding.

Completing the individual income tax form 1040 today is a formidable undertaking. This year's form is entirely new and yet it is supposed to be a simplified form. Those who have already completed their form this year know just how simple it is. I suppose it is simpler than last year's form but making a complex form simpler still does not make it a simple form.

To cope with these proposed withholding taxes, the form 1040 has to be substantially changed. Lines must be added for reporting dividends not subject to withholding tax and lines must be added to report interest not subject to withholding tax. Lines must also be added to report interest on which tax has been withheld and lines to report dividends on which tax has been withheld. More lines must be added so the taxpayer can add up in one place those dividends on which no tax has been withheld or which he is not entitled to tax credit, and other lines must be added for other computations. On the dividends and interest on which tax was withheld, he must divide the total by four, add the result back in to ascertain 100 percent of his taxable dividends, and also to ascertain the amount of the credit.

The taxpayer's only way of learning whether tax has been withheld on particular payments of dividend or interest is just to appraise and study the payment he received. He then must consult very complex regulations, definitions, and instructions to form a legal opinion as to whether withholding was required on the particular payment. When he has reached this happy point, he is now ready to tackle the other schedules on the tax return with which we are all familiar.

In addition to these difficulties, the withholding provision contains the certain possibility of creating ill will between the taxpaying public and the Internal Revenue Service. Basically, as is well known, the bulk of the huge annual revenue collections of this country are collected under the self-assessment system, and this system survives only with the helpful cooperation of the some 60 million taxpayers who annually do battle with form 1040 and many other Federal tax forms and faithfully report their tax liability. But with this proposal there is going to be incessant controversy between taxpayer and tax collector so that taxpayers can secure the full credit for tax withheld or refund for tax overwithheld. Taxpayer indignation is also going to be extended to the payor of the dividends or interest.

Our whole economic system is based on credit. If the average American did not pay his bills, all commerce would come to a halt. Until I am given proof to the contrary, I prefer to believe that he will also pay his just taxes. There is no absolute exactitude in our system, and there can be none. There is an underlying basic honesty which has made the system work better than any other in the world. I am opposed to anything that will destroy this fundamental premise on which our collection procedures are based.

Let us recognize that this withholding should in a large number of cases be known as a proposal for overwithholding. The rate of withholding is to be 20 percent and there is no withholding offset for deductions and exemptions that are generally available to a taxpayer in computing tax liability. Thus, the administration-supported withholding provision which has been approved by the unanimous vote of the majority membership of the Committee on Ways and Means has a built-in guarantee that millions of taxpayers will be subjected

to a denial of funds at the time they are due and to the inconvenience of having to ask the tax collector for money that belongs to the taxpayer.

Mr. Chairman, I regret to say that when the voting public of this country, including the more than 30 million taxpayers who will be exposed to the infernal nuisances of the withholding tax monstrosity contained in H.R. 10650 realize what has been inflicted on them, their acceptance of our voluntary system of tax compliance will be impaired.

There seems to be an odd misconception that there are just a few people in this country with enough capital to own shares of stock or to own interest-producing investments. Let me warn you that there are more than 30 million. The number of persons holding shares of stock alone exceed 15 million. How many voters this represents I do not know. Certainly some of the 30 million are perhaps not of voting age—but they do have parents and other relatives of voting age.

If the shotgun approach of the Treasury withholding proposal were the only technique available for capturing unreported income and if the Treasury technique were workable, then perhaps it would be appropriate to give consideration to a withholding procedure. The fact is the Treasury plan is neither necessary nor workable.

For those of you who have been willing to listen, or to read, you have been shown by very simple facts that withholding taxes on dividends and interest are not necessary to close the underreporting gap of this type of income.

You have been shown in the House hearings and in statements on this floor that the Internal Revenue Service has today and has had for years the administrative tool to close this gap—but has not used it.

You have been told that the administrative procedures of the Internal Revenue Service are now well advanced into the electronic age. The Service has installed the automatic data processing machinery for handling taxpayers accounts which can trace underreporting of income automatically.

You have been shown that the Treasury came over to the Congress last year and begged for, and was given, the taxpayer account numbers bill as the last necessary tool it needed to make the automatic data process installation completely effective. The Commissioner of Internal Revenue himself has announced just within the last few weeks that on January 1, 1965, the Service's electronic automatic data processing operation will be fully operable on a national basis.

When the Treasury Department secured the enactment last year of the taxpayer account number bill, Treasury officials made representations to the distinguished chairman of the Finance Committee showing clearly that automatic data processing and taxpayer accounts numbers could close the gap on underreporting of income and the chairman referred to these statements on the floor of the Senate stating the following:

This legislation, the Treasury testified, would result in closing loopholes so that those who are now avoiding the payment of taxes would be compelled to pay by operating this new number system through computing machines.

He further said:

The tax revenue, the Treasury testified, would be increased by $5 billion.

And he added:

The Treasury has told me it is the largest loophole closing bill that has ever been proposed.

It is thus clearly shown that the Internal Revenue Service has the working tools now in its hands to close any gap on the underreporting of dividends and interest: Automatic data processing and the authority to use taxpayer account numbers combined with electronic equipment to trace, automatically, any underreporting of income.

It is beyond belief that instead of relying on this simple instant method of modern tools to check and correct any underreporting of dividends and interest, the administrative monstrosity of a poorly conceived withholding system is to be imposed as a millstone on the necks of both taxpayers and the Internal Revenue Service.

Mr. Chairman, the proposed withholding tax system has many infirmities that should be considered in determining a position on this important subject. Let me take you through just one of them.

It has been known from the time these withholding proposals were first sent to the Congress that the withholding tax system would collect tax from many millions of people who would not owe any Federal tax at all or would owe less than the amount of tax withheld.

It was known in advance and is known now that these people who will be the victims of overwithholding number in the millions and a large part of them are our senior citizens living on small pensions or annuities or on small retirement funds.

To make this bill politically more salable a gesture was made to try to alleviate the situation of the excessive withholding on these people and the perfectly unnecessary withholding on such things as the savings of children.

Very late in the day in the committee consideration of this bill, when the administration realized that it would have trouble with this overwithholding on the House floor, some exemption-certificate rules were added to the bill on a vote-seeking basis.

One rule provides that a child under 18 may file an exemption certificate with a withholding agent to escape withholding.

Another rule provides that a person over 18 can secure a partial withholding exemption if he certifies—and listen to these amazing words carefully—that he "reasonably believes that he will not—after the application of the credits against tax provided by part IV of subchapter A of chapter 1 other than the credits under sections 31 and 39—be liable for the payment of any tax under chapter 1."

I invite your attention to the fact that the rule I have just read is for the little man. He is supposed to understand it.

Of course, the little man is a seasoned tax lawyer. He is quite an expert on part IV of subchapter A of chapter 1. And, of course, he knows by heart all about the credits under sections 31 and 39. Section 31 is only a full page of fine print. Section 39, on which the little man is expected to be an expert, begins on page 210 of the bill and prints three pages of complex rules.

This is all the little man has to read, understand, and take responsibility for in signing his exemption certificate to escape withholding. If he is a seasoned tax lawyer or a Member of Congress he can probably handle the problem and sign his name to the exemption certificate form with some sense of assurance.

But a surprise is in store for him. He was only reading the full contents of page 197 of the bill. He should have studied closely page 199. He would have then discovered that this exemption certificate is no good as to interest on bonds, debentures, notes or certificates of indebtedness issued by a corporation. Nor is his exemption certificate any good as to interest on savings in something called a transferrable certificate or share in a savings bank or building and loan association or that kind of an institution. He will also be shocked to learn that his exemption certificate is meaningless as to interest-paying obligations of the United States—Government bonds. Further, he will discover that if he had followed the Government's urgings over many years and invested in Government savings bonds, he will have to work out a separate exemption certificate every time he cashes in a baby bond.

As to whether his partial exemption certificate is worth anything if he holds a joint account with his wife is an answer he will not have until the Treasury issues a multipage regulation to cover joint accounts.

Such is one of the items of partial—and I quote—"relief"—unquote—for the little man from this withholding tax system.

Then the bill has another great relief project—and again I must quote the word "relief"—for some more of the little men. This one is for the little man who will owe some tax, but less than the 20 percent tax withheld, and who "reasonably expects" not to have more than $5,000 of gross income—or $10,000 if he is married.

This part of the bill which prints up a mere 3½ complex pages advises this little man that he can get a tax refund every quarter if he will don his hair shirt, take his tin cup in his hand, and crawl to the Federal tax collector's office begging to get his own money months after it is due him. To secure these refunds every quarter through the red-tape mill of a Federal agency this little man has to be real sharp. He has to fill out a tax refund claim form—not yet designed—which will be worked out under these 3½ complex pages of statute—and probably 10 times that many pages of regulations—and in that claim for refund he must compute something called a refund allowance as of the time the claim for refund is filed. His refund allowance takes a page of tax bill to define.

All this little man has to do to work out how much refund allowance he must claim is to figure, and listen carefully to this from proposed section 3484 and

its multiple subdivisions. His refund allowance is to be—

The excess, if any, of—

(1) an amount equal to 22 percent of—

(A) the total of the deductions which, on the basis of facts existing at the time the claim for refund is filed, such individual would be allowed for the taxable year under section 151 (relating to deductions for personal exemptions), plus

(B) in the case of an individual who, at the time the claim for refund is filed, reasonably expects that he will be allowed a credit under section 37 (relating to retirement income) for the taxable year, the amount which, at such time, such individual reasonably expects to be the amount of his retirement income (as defined in section 37 (c) and as limited by section 37(d)), for the taxable year, less—

Now add this to what I have just read to you—he must now compute—

(C) the amounts (other than amounts on which tax is required to be deducted and withheld under this chapter) which, at the time the claim for refund is filed, such individual reasonably expects to be includible in his gross income for the taxable year; over—

At this point—if he is still able to speak—he finds the answer to the mystery to what that word "excess" is all about. It is the excess of everything I have read to you over—

the amounts of tax with respect to which an allowable claim for refund has been previously filed.

This is the key to the system for simple, quickie refunds to the little man on whom tax has been overwithheld. He is supposed to battle these complexities and a Federal agency to get the small amount of money he needs for a daily living which was withheld from his interest and dividends.

From the quotations I have just given you from the statute you will note that even the bill is not optimistic about a quick refund. Those quotations which talk about the claim for refund the little man has filed in previous quarters does not talk about refunds that have been paid to the little man. The bill uses the word "filed" and talks about a refund claim filed, not a refund claim which has been paid.

Now this provision of the bill providing for these quickie refunds for the little man also shows tender solicitude for children on whom tax has been overwithheld.

It has a solicitous provision with the curious title "Individuals Not Eligible for Refunds," and this clause provides that a child is not eligible for this simple administrative relief "unless at the time the claim for refund is filed, he—the child—reasonably expects that no deduction would be allowed for him under section 151(e)(1)(B) for the taxable year of his parent." This reasonable expectation has to be entertained by the child under the language I have just read to you and that reasonable expectation has to be worked out from the child's knowledge of section 151(e)(1)(B). That section prints in the existing revenue laws only two long closely printed pages.

Will the Commissioner of Internal Revenue accept the reasonable expectation of an infant in arms, or that of a child aged 2, 4, 6, 8, or 10? What will the regulations say as to the age at which a child can develop enough competence to reasonably expect what will be allowed for him under the two printed pages of section 151(e)(1)(B)?

I have just given you a small, and a very simple, sample of the mumbo-jumbo that is to be inflicted on the voting public by the 45 technical pages of this bill imposing the withholding taxes. One could take any other topic in the withholding tax area and give you an equally illuminating sampling.

These withholding taxes are not to begin until 1963—which is conveniently after the elections in the fall of 1962. The public, therefore—and by public I mean the 30-odd million citizens of this country who vote and on whom this monstrosity is to be inflicted—will not know what is happening to them during the elections this coming fall. But they will find out in 1963 and they will feel it all during 1963 and all during 1964. And I emphasize—this public I am talking about is not a tiny little minority of rich capitalists. It is 30 million American voters spread through every State in the country. This is not a "soak the rich" provision; it is a "soak most of the voting public" provision—a "tax overwithholding" provision.

Witness after witness appeared before the House Committee on Ways and Means and revealed all these truths time and time again and everything they said has been swept aside or ignored by the administration and the committee majority. These witnesses might as well have stayed home for all the value their appearance at the hearings had in advising many Members of this legislative body.

Recently there have appeared in the CONGRESSIONAL RECORD desperate statements seeking to defend the administration's untenable position in favor of an unworkable overwithholding system and against effective use of automatic data processing machines and its taxpayer account number system in lieu of this unwise withholding system.

I would remind you again, as was cited on page 4630 in the CONGRESSIONAL RECORD for March 20, 1962, that as recently as last fall Treasury spokesmen told the distinguished chairman of the Senate Committee on Finance that the taxpayer account number system, coupled with automatic data processing, would, to quote again the chairman's statements on the Senate floor, "result in closing loopholes so that those who now are avoiding the payment of taxes would be compelled to pay by operating this new number system through computing machines," and that "the tax revenue, the Treasury testified, would be increased by $5 billion"; and further, "the Treasury told me it is the largest loophole closing bill that has ever been proposed."

But now we are told on this floor on March 22 in a speech supporting the administration position and quoting Treasury officials that the automatic data processing and account numbers system is just about so much junk. That it is uneconomic to use it to identify delinquent taxpayers or for purposes of closing any gap on the underreporting of income on tax returns.

If it is this bad and this useless, why all this administrative work and huge appropriations to set it up? Why has it been pointed to with so much pride and fanfare?

If the dividend and interest information returns on Form 1099 are also just so much junk why are people forced to the expense of filing them by the hundreds of millions and why are they to be fed into the automatic data processing machines? Why are all paying agents now being compelled by law to put each taxpayer's account number on these Forms 1099?

Why are we told—despite the Treasury's quoted position of just last fall that the taxpayer account number bill was the largest loophole closing bill in history and that this plus the automatic data processing system will increase revenue by $5 billion—and why are we told in this March 22 speech on page 4778 of the RECORD words to the following effect:

First. That what is really missing is $800 million of revenue, not $600 million.

Second. That automatic data processing plus account numbers can only catch up with $200 million of this.

Third. That even automatic data processing will cost $27 million of administrative expense.

If these administration-inspired contentions are correct, it looks like an admission that automatic data processing is just about 75 percent defective.

The Treasury knows, and it knows very well, that the withholding tax system will not—I repeat not—add to the tax rolls the name and address of a single tax dodger.

The Treasury also knows, and knows very well, that its automatic data processing machines, when fed the information returns on form 1099, will add—I repeat will add—to the tax rolls the names and addresses of people who have received dividends and interest—and that the names and addresses of the tax dodgers will then automatically go on the tax rolls. They will be right there included with the names of the honest people. The machines will have caught the dishonest or careless man without harassing the honest and careful man.

The Treasury knows that this proposed withholding tax system which might collect $1,000 from the tax dodger who actually owes $5,000 tax on his dividends or interest will not collect the missing $4,000 and will not reveal the name and address of the tax dodger. It is true the automatic data processing machines may not automatically collect that $1,000 but they will identify the tax dodger who owes the $5,000 and make the collection of the entire amount possible. The Treasury has to chase him anyway to get the $5,000—which is no more work than chasing him to get the $4,000. Now he is identified and out in the open.

Apparently the face of this administration is so deeply committed to imposing this overwithholding tax on 30-odd million taxpayers, that it has to

resort to the amazing technique of deprecating and complaining about the inadequacies and weaknesses of its automatic data processing tool. It just does not dare admit that it already has the very administrative tool that makes a dividend and interest withholding system unnecessary.

In the administration's attempt to gloss over the needless hardships and inequities that will result from this Treasury proposal, we are told that the problem of overwithholding has been much magnified—that it is not really much of a problem. This we are told, despite the many simple truths only one of which is that a 20-percent withholding rate is automatically 10-percent overwithholding on all taxpayers who are in the 20-percent bracket. The effective rate, we all know, of the 20-percent bracket is only 18 percent because of the standard deduction.

Then we are given the same old phrases which attempt to parallel wage withholding with withholding on dividends and interest. But in the midst of these phrases you are not reminded of some simple facts that show there is no basis for saying that they are alike.

For example, an individual usually has one employer with whom he has a direct personal relationship, and no one has any trouble figuring out what the word "wages" means. In contrast, recipients of dividends and interest are nearly always just strange names on a paying agent's mailing list. And in this bill it takes four pages of complex technical rules to define the different kinds of dividend items subject to withholding. These pages are supplemented by other pages of exceptions or refinements.

It is not so simple as the Treasury and the committee majority would lead you to believe.

The Treasury officials who now give us warm assurances about the simplicity of withholding taxes and about the glories of the exemption certificate system apparently have done an about face since these same Treasury officials testified before the Committee on Ways and Means in public hearings last year and made the point that the withholding tax system would be unduly complex if payees were permitted to file exemption certificates to claim exemption from withholding tax. These Treasury officials overlook the fact that they recommended against any use of exemption certificates just last year. You can find these conflicting Treasury recommendations in the Treasury statements on pages 11, 39, and 277 of the Ways and Means Committee printed hearings.

The statement of my good friend from New York also shows that Treasury officials are disturbed by having to find some current sophistries to avoid the impact of another truth spoken in the past by a senior official. The present Deputy Commissioner of Internal Revenue had stated in a public speech:

> One of the important changes needed to make the information system an effective substitute for withholding is to obtain taxpayer account numbers on all fo ms 1099 and similar documents.

This was not too long before Congress passed the taxpayer account number legislation.

Not only will these taxpayers find their accounts completely scrambled by a no-receipts withholding system, but they are going to find the new form 1040 which must be designed to cope with all this gobbledygook a massive "inconvenience" to "experience". They are going to have to study numerous pages of instructions, and tedious legends on their forms 1040, to cope with the mystery of which dividend and which interest payments they receive fall under the withholding system and which do not. And then they will have to compute their refunds and establish their entitlement to them. Yes—certainly they "may experience inconvenience." Let us not be deceived by the blandishments of the Treasury that conceal a design to harass our taxpayers and collect taxes that are not due.

What I have said so far, as has been the case with the many full exposés of this unbelievable withholding tax proposal, will be brushed aside by the administration's propagandists. They have been feeding all of you and the press a steady patter of cliches erected around their theme song—withholding taxes are necessary to catch the cheaters, the tax dodgers.

But pause for a moment to think of the realities here, the real facts.

Over 30 million people are going to have this bumbling system fastened around their necks like a millstone.

You know, I know, and the administration knows, that these many millions of people are not cheaters—are not tax dodgers. Basically they file honest tax returns and report their dividend and interest income.

You and I know that it is the tiny fraction, the small fringe of taxpayers who are the cheaters and whose income tax returns are open to question.

But over 30-odd million people are going to be punished for the sins of the very, very few. These innocent millions are not going to like it when they have to pay taxes that may not be due to catch a few who may owe taxes.

And why is this bumbling monstrosity to be visited upon them?

Because, as I have said, the Treasury Department and the Internal Revenue Service are now seeking to discredit as a solution a simple new modern electronic tool that is now being installed to aid tax enforcement. I refer, of course, to automatic data processing.

Do you know that for many, many years payors of dividends and interest—called paying agents—have been required to file with the Internal Revenue Service information returns listing the amounts of dividends and interest they pay and listing the names and addresses of the payees on forms 1099?

And do you know that these paying agents file nearly 200 million of these forms 1099 each year?

In recent years the Internal Revenue Service has stepped up the associating of these information returns with the tax returns of the people to whom the interest and dividends were paid. This "matchine process" will be strengthened under ADP. This is a technique the service has now in its hands for checking failures to report dividends and interest. This is a tool it will not use because the administration has decided to urge a more costly withholding tax system which will certainly cost the Treasury itself $25 million a year in direct administrative cost, plus untold millions of dollars representing the tax deductions for the administrative expense piled on paying agents and taxpayers, plus untold millions of dollars lost through the absolute impossibility, built right into this bill, of checking the tens of millions of credit and refund claims this bumbling system will generate.

None of us is in favor of tax avoidance—and all of us want the tax dodgers brought to heel. But it is so easy, and so simple, and so inexpensive to close any gap on reporting of dividends and interest with simple existing administrative tools rather than resorting to the cumbersome withholding system proposed by this bill.

Why does the Treasury want to arouse the ire of so many millions of taxpayers? Why does the Treasury want to make the already complex individual income tax Form 1040 twice as complex? Why does the Treasury value so little the taxpayer goodwill so important to the successful operation of our income tax self-assessment system? Why does the Treasury insist on further complicating our already incredibly confused income tax structure?

The answer is simple: Once having made the mistake of proposing withholding taxes the administration cannot afford to lose face by admitting its mistake—by conferring error no matter how potent it may be.

In closing, I would make the point mentioned earlier that these 30 million American taxpayers who will be adversely affected by this bill represent not less than that many voters. They are the voice of public opinion, and public opinion is still a strong force in this country.

The millions of people may not know today what is about to happen to them—and they will not know until this withholding tax monstrosity starts grinding at them in the year 1963—when the 1962 elections are safely behind.

These millions of voters are going to grow angry when they find their accounts are confused; when they learn that money they have budgeted for necessary living expenses never reaches them but has been diverted into the Federal till; when they learn that to straighten out their accounts, to secure their refunds, to establish their credits, they are going to have to do business with a myriad of complex new forms and rules—and that for securing credits and refunds they are completely at the mercy of the whims of the redtape mill of the Federal Government.

They will not feel the impact for the fall election of 1962 in any big way, because the overwithholding tax does not fall on them until 1963. But beginning then these 30 million tax-bruised Americans are going to make their feelings

felt at the polls at every opportunity. And that is a lot of votes.

When the questions come to you—"How did you vote and why?"—what are you going to tell them?

I know you will be honest and tell them the truth.

The truth you will tell them is the administration's economists and professors dreamed up an unwanted gadget called the investment credit for business. Having no business experience these economic planners ignored the national need for depreciation reform—campus economists were certain the investment credit gimmick would save the country. But it cost money. Who is going to pay the freight? Well the administration—the Treasury and the majority party in the Congress—agreed this withholding tax on the little man was a good idea to raise most of the money to pay the freight of the economists' dream boat, the investment credit. The little man must produce money to pay this subsidy to the businessman.

You might go further and tell them that when the administration first came to Congress to seek the investment dreamboat it was to be a 15-percent dreamboat. Then in the middle of 1961 it was reduced to an 8-percent dreamboat. Then the spokesman for the economists and professors said that a dreamboat credit of less than 7 percent was worthless for their grandiose schemes.

The 8-percent dreamboat was disclosed to the world by the committee as recently as March 1?, 1962. And then, although nearly a year had been spent on celebrating and building the dreamboat, suddenly a few days after March 16 it was discovered that the country really did not need an 8-percent dreamboat credit. One much less would do the job.

But since the spokesmen for the economists and professors had said repeatedly that less than a 7-percent credit was not a good dreamboat, the dreamboat was sliced down to look like a 7-percent dreamboat; but inside the dreamboat a $100,000 figure was cut to $25,000—this the voters cannot see easily—and then a 50-percent figure was cut to 25 percent—this is even harder for the voters to see—and now we have just about a 3-percent dreamboat, which is certainly useless now for the great economic revolution it was supposed to create. But face must be saved, and the public interest is quite unimportant.

So now our 30 million voters are to take the overwithholding tax licking to supply the funds to just give a small bonus—an outright subsidy—to some business, mostly big business. Wait until the millions of voters wake up to this.

One other observation may be in order and that is the treatment of many diverse proposals in one bill which has to be voted on as a single issue. Including all the items with respect to income earned abroad as one, I count nine separate and distinct provisions. I find it difficult to rationalize a situation which prohibits a vote on each issue separately. I know the answer is that it is next to impossible to treat the bill otherwise. But it is hardly fair that the fortunes of one group of taxpayers has to rise or fall on the merits of the proposals affecting another. There is simply no community of interest between a farmer's cooperative and the subsidiary of a U.S. company doing business in a foreign country. And yet, with respect to the tax treatment of each in this bill, we are asked to vote for both or against both.

H.R. 10650 is objectionable because it affects so many groups with so many varied interests and requires that they be considered as one. The omnibus bill is customary practice in the House but in this instance it reveals in a harsh manner the inequities that it can produce.

The minority motion to recommit offers the only possibility of remotely removing any of these inequities. Unless the motion is carried, the bill should be defeated.

Mr. MILLS. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania [Mr. DENT].

Mr. DENT. Mr. Chairman, I rise to support this legislation because I feel that it contains certain tax reforms that have been long overdue.

I cannot be accused as some have been of supporting the so-called Boggs bill, H.R. 5. I think I can speak from the opposite viewpoint. I said then, if you will remember, that time would cure everything, that if you lived long enough they would be back in here sooner or later recognizing the dangers I pointed out. I happen to be one of those who believes that foreign investments in American branches and production facilities have done more to curtail the growth of our domestic economy than any other single factor.

This is no time for a detailed discussion of the relationship of foreign investments to imports and exports and the depreciating effect of low wage competition of foreign-based American facilities in competition with domestic production for both our domestic market and our foreign market. It may come as a surprise to most of you that as far back as 1954, 30 percent of all of the imports into the United States came from American investments overseas. It seems somewhat strange to me how one can plead for tax advantages for foreign investors while at the same time depreciating the effect of investment credits. We in the United States may have a main plant in one State and have subsidiaries in other States. Whether we have different tax bases in these States makes no difference when it comes to assessment of the Federal tax. We in the United States cannot expand our facilities unless we do so out of tax-paid dollars. Just as the chairman of the Committee on Ways and Means so ably said, instead of criticizing this feature which is trying to equalize and put on the basis of equity foreign investments by American companies, we should be demanding that American investments here in the United States receive at least the same treatment. We are not asking for any more. We must realize that you cannot give an incentive to foreign investors with American capital and take away incentives in the United States.

During the past year I have been privileged, although you would not know it, to serve as chairman of a committee studying the impact of imports and exports on our employment. If you will take the time to read the printed hearings—you probably will not have time—you will note that the question of tax haven industries overseas creates by far the most damaging impact upon our domestic economy. Time has not been allotted to me to give you the complete story, but let me for a moment give you some detailed figures that have been put out by our own Department of Commerce.

In the last 7 years investments in Western Europe have amounted to $5,141 million. These investments returned to the American investor $2,261 million. Here comes the real crux of the whole program. We are told it is proper to give out-of-country investors the right to invest profits in underdeveloped countries as an aid to those countries.

Let us see how far this aid has gone. In the underdeveloped countries in the last 7 years Americans invested $5,552 million, but they took out of these same countries a profit of $8,794 million. I do not believe that bleeding red on the floor of this House is going to convince any sober-minded American that American investors are interested in anything except profit. That is what investments are for, whether they are made here in America or they are made in foreign countries. If you tie investments overseas with a complete embargo on the products of those plants coming into the United States, you might have a reasonable base upon which to place an argument that we should help underdeveloped countries with our private investments.

EXODUS OF AMERICAN INVESTMENTS AND PRODUCTION OVERSEAS

The proposal to tax overseas earnings same as U.S. domestic earnings means nothing when profits overseas can be what they have been:

Dollars invested abroad and the income the United States gets back

[In millions of dollars]

	Investment	Income
Investments in Western Europe:		
1956	516	280
1957	631	311
1958	422	326
1959	780	363
1960	1,522	427
1961	1,500	526
Total	5,141	2,261
Investments in underdeveloped areas:		
1956	1,270	1,406
1957	1,187	1,540
1958	780	1,429
1959	707	1,386
1960	608	1,474
1961	1,000	1,550
Total	5,552	8,794
Investments in Latin America:		
1956	836	800
1957	800	915
1958	317	653
1959	347	600
1960	267	641
1961	800	770
Total	3,037	4,379

You will note that the investments total, for this period alone, $13,750,000,000. Considering the ratio of 3 to 1, in cost differentials, between the United States and the Common Market, the $5 billion spent in Europe represents approximately $15 billion that would have had to be spent in the United States to build the same facilities; the figure in the underdeveloped countries is even more dramatic. It would have required a minimum of $32 billion in domestic investment.

Is there any wonder the opponents of this legislation who are in the international trade profits race have steamed up the little investors dividend receivers to kill the bill before us?

Of recent date, there has been a series of articles appearing under the caption of "Loopholes, Inc." The extent of foreign investments and their impact on the American economy, makes it imperative that this Congress pass this legislation at this time. I would suggest, also, that the Committee on Ways and Means pursue its study even further in this area of tax dodging. In this regard, I would like to quote from the Daily News, of New York:

LOOPHOLES, INC.—FAT CORPORATIONS AGILE AT DODGING THE TAX SQUEEZE

(By Joseph Martin and Kermit Jaediker)

NO. 1

WASHINGTON, March 5.—While Joe Blow sweats and schemes to lop a measly 25 bucks off his Federal income tax and then stays awake nights wondering if maybe he didn't go a little too far, a sizable number of American corporations are savings hundreds of millions yearly through one of the sweetest collections of tax dodges in or out of the book.

And they're sleeping quite peacefully nights.

This is because they have something Joe hasn't got and probably never will have—gall. Plus a highly paid array of brains behind them. Plus a little thing called a foreign subsidiary. No matter how bright Joe is, or gutsy, on a salary of five or six grand a year, he just can't go around setting up foreign subsidiaries.

The News has taken a deep, searching look into this phase of business and what it found proved highly fascinating. Also educational.

And now we're passing it all on to you, Joe, just to let you know that, in spite of what the pessimists say, there are still people with ingenuity and pluck and that with such attributes behind them, plus a good hunk of cash, a man can really go somewhere. And we don't mean jail.

The Internal Revenue Service, headed by Commissioner Mortimer M. Caplin, is all wrought up over these dodges but most of them lie within or on the razor edge of the law, and even in cases where they seem to cross the edge, it's up to Uncle Sam to prove there was criminal intent behind them.

This is difficult. The Treasury Department, which drafts legislation in such matters, has been trying desperately to plug up loopholes in the law. But this is difficult, too.

THE GENIUSES AND THE DODGERS MULTIPLY

The fun all began less than a dozen years ago.

What led to it was the Government's policy to encourage investment in Europe. Investment grew and then some unknown tax genius got an idea and investment boomed. The idea was some sort of tax dodge.

As time passed and more geniuses got into the act, the dodgers multiplied, flowered. Frills were added. The trickery developed to a point where the job of organizing it and putting it into motion became a pretty big thing, almost an industry.

The dodgers, or "tax avoidance devices" as the Government cautiously puts it, all hinge on the establishment of a foreign subsidiary. Government sources estimate that there are around 20,000 foreign corporations owned directly or indirectly by U.S. shareholders, and most of them are getting juicy tax breaks—but there's nothing fishy about it.

The fishy stuff is pulled by an untold number of Johnny-come-latelies who suddenly discovered what a tax bonanza foreign trade could be, if you had the gray matter and the daring.

To savor their shenanigans to the full, you must first understand precisely what the corporations are seeking to avoid—the 52-percent corporation tax exacted by Uncle Sam.

This is a pretty agonizing bite. For instance, if Loopholes, Inc., earned a modest $2 million last year, it had to fork over $1,040,000 of it to the Government.

TAX HAVENS, WHERE THE BITE IS LIGHT

It so happens, however, that there are other nations in the world that don't bite so hard. These are known, quite aptly, as tax havens. Panama won't tax a corporation a red cent if it doesn't transact business there. The same goes for several other places, including Bermuda, Nassau, Venezuela, Liechtenstein, Liberia.

Switzerland's cantons, or provinces, charge a tax but it's laughably small, not more than 8 percent.

So Loopholes, Inc., fed up with that 52-percent horror, sets up a subsidiary in one of these low-tax or no-tax countries. It goes without saying that good old Loopholes must be engaged in exporting or importing. Most of these companies are situated on the Nation's east and west coasts, with the greatest concentration in New York.

There are, basically, two types of foreign subsidiaries. There's the bona fide type that actually does something for a living. It may sell the parent company's products, or manufacture them, or assemble them, or mine ore.

And there's the type that twiddles its thumbs.

This type is a dummy, known in the trade as a shell. And that's just what it is—an empty shell that produces nothing, sells nothing, assembles nothing, yet still has a vital function: to keep those taxable corporate millions out of the hungry fingers of Internal Revenue.

THE SHELL GAME, MOST FLAGRANT OF THEM ALL

Some of the bona fide subsidiaries aren't above a little tax finagling, but let's deal with the shell game first. It is the most flagrant finagler of all.

The machinery for acquiring a subsidiary is all laid out for Loopholes, Inc., by some smart tax consultants. They advertise their wares in come-with-us-now-to-a-land-of sunny-skies-and-no-taxes brochures that read as enticingly as the booklets of a steamship company touting luxury cruises to Hawaii.

These brochures never, never mention that dirty word, "shells." But the Government strongly suspects that after the company has read the booklet and loved what it read and gotten together with the consultant, somehow the structure of a shell takes form; in some instances, anyway. After all, most tax consultants do organize bona fide subsidiaries.

Let's say the shell is to be set up in Panama.

For a fee of around $500 to $1,000 a Panama lawyer or CPA establishes a corporation called El Fakero. Its office is his office. By law, all these corporations must be proclaimed by signs on the facade of the building and it's quite a sight to see, in Panama or Nassau, a modern office building whose front is plastered with signboards as far up as the second or third story.

In addition to the initial fee, Loopholes, Inc., must get up licensing fees of about $250 a year. But look what Loopholes gets for its dough:

In pre-Panama days, Loopholes had a big customer in London. Loopholes would sell London four or five shiploads of home appliances a year. For the sake of simplicity, let's say the London firm paid $100,000 a cargo, and that the cargo actually cost Loopholes $50,000 to produce.

FIFTY GRAND PROFIT, BUT OH HOW IT'S NIPPED

That meant Loopholes made a profit of $50,000 per cargo. But Loopholes didn't keep the 50 grand; there was Uncle Samuel holding his mitt out. Out of that $50,000 in earnings, Loopholes had to pay $26,000 in U.S taxes.

But that was in pre-Panama days. Now, on paper if not in actuality, Loopholes sells the same cargo to its own subsidiary, El Fakero, at slightly above cost, $52,000; it could actually sell at cost, but that might be a little too raw. It's got to show it's making some profit.

El Fakero sells the same cargo to London for the usual price of $100,000. Thus El Fakero garners a profit of $48,000. If El Fakero were in New York, where Loopholes is, it would have to pay a 52 percent corporation tax on the $48,000, but El Fakero is in Panama, where there is no tax. Uncle Sam, who used to collect more than half the profits of Loopholes' export business, now collects nothing.

In other words, Loopholes siphons its profits from the tax-happy United States to tax-less Panama. So far so good. Now, there's a new problem: How to get that 48 grand back to the United States. Under law, once the earnings land in the United States, they become taxable.

At this point El Fakero gets kind to papa. It lends Loopholes the $48,000. Loans, of course, are not taxable here. El Fakero even garnishes the dish by charging Loopholes, its own daddy, 6 percent interest on the loan. Daddy-O isn't sore. When Pop's tax expert fills out the old income tax blank, he puts that interest down as a deduction.

What this boils down to is that the $48,000 profit has finally come home, pure profit, yet taxless, because now it isn't profit but a loan.

AND THE SHIPMENT NEVER REACHES PANAMA

Remember us saying a little while ago that Loopholes sells the cargo to El Fakero on paper?

Actually that shipload of appliances never goes to Panama. It goes, as usual, direct from New York to London. And El Fakero doesn't really send the profits back to Loopholes. It never gets the profits. The profits are sent directly from London to New York.

The entire transaction, selling to El Fakero, reselling to London, that phony loan—all this is performed on paper at the home office.

After all, El Fakero couldn't possibly receive a cargo, or ship it. El Fakero doesn't exist. It's just a name on a document of incorporation lying in the filing cabinet of the Panama lawyer or CPA who set El Fakero up. A ghost with a slight Spanish accent amiably thumbing its nose at the U.S. Internal Revenue Service.

NO. 2

In a long desk-studded room in one of the New York City district offices of the U.S. Internal Revenue Service, trained agents are going over income tax returns. They're not the familiar white 1040 forms issued to most citizens. They're the blue 1120 forms issued to corporations.

An agent studies the return of an outfit we'll call Tinhorn, Inc., and suddenly his eyes glow. It is the same glow that lights

the eyes of a homicide squad detective when he glances at a window at the scene of a murder and spots a fingerprint.

The clue the Internal Revenue man has spotted doesn't concern anything as drastic as murder. It may not even be illegal, in the strict sense of the word.

But it is tricky as hell, a gizmo designed to keep Uncle Sam from taxing a chunk of Tinhorn's profits, and if the Government can get the goods on Tinhorn, Tinhorn will have to pay through the nose.

COSTS HIGH, PROFITS LOW: SUSPICIOUS

The clue lies in the ratio of the magnitude of Tinhorn's operations to Tinhorn's profits. If the scope of operations is tremendous and the cost high and the profits curiously low, the agent smells a foreign subsidiary set up to avoid the American 52-percent corporate tax.

The agent turns to page 3 of the return. Item L asks if the corporation has a foreign subsidiary and Tinhorn has left this question blank. This could be an honest error of omission. But the agent is suspicious.

If he has time to handle the assignment, the agent grabs his hat and hurries up to the office of Tinhorn, Inc. He meets Frank Tinhorn, the president, and gets right down to cases.

"You own a foreign subsidiary?" the agent asks.

Tinhorn goes a little gray, but he doesn't dare get caught in an outright lie. He admits he owns one in a country in Latin America.

"How come you didn't mention it on your income tax form?" demands the agent.

Tinhorn forces a smile. "Didn't I? It must have been an oversight."

The agent has hit paydirt. The country where the subsidiary is situated is notorious for its shells—ghost companies that exist for the sole purpose of preventing the United States from collecting the 52-percent tax on the parent company earnings.

"Let's see your books," says the agent.

Here he comes a cropper. The books may contain only vague references to transactions with El Spooko, the subsidiary, or there may be two sets of books. The set Tinhorn shows the agent says nothing.

MUST CLEAR IT WITH STATE DEPARTMENT

The only possible source of information is El Spooko. Since the agent can't be spared for a prolonged investigation of Tinhorn's dealings, his office phones the Office of International Operations of the Internal Revenue here in Washington, and they assign a man to the job.

This agent, before boarding a jet, must first see someone in the State Department. State might very well reject his request to go south of the border. The country where El Spooko is located may be conducting delicate diplomatic negotiations with the United States and it just wouldn't do right now, old chap, to have an American agent gumshoeing around down there.

However, if the striped-pants boys see no obstacles, the agent flies to the city where El Spooko was incorporated. It's a shell all right—no staff whatever.

Its office is the office of the local attorney who set El Spooko up. As a rule, this worthy tells the agent to go scram, or the Spanish equivalent thereof. But there are other avenues of inquiry.

Internal Revenue agents whom we interviewed declined to disclose the techniques they use in tax-haven countries to get at business records or loosen up tongues, but it's no secret that employees in banana republics often have greasable palms.

The agents did not deny that they had friends who would not hesitate to sneak, after dark, into a government building.

Next morning the agent would awake to find an unmarked envelope in his mailbox and some very interesting evidence in it, along with a curt note to please, senor, hurry up and photostat the contents as they must be back in the files in an hour.

The evidence might consist only of some names and addresses, but they are leads and the investigator continues his inquiry.

Some of these investigations last as long as 2 years. But even if the Government thinks it finally has a case against Tinhorn, it has to prove it in court. And that isn't always possible.

If the Government wins out, then Tinhorn must come across with taxes, plus penalties and interest, which could add up to millions.

The most productive source of information is the informer.

There's nothing more heart-warming to Internal Revenue than to have the bookkeeper of a New York corporation walk in and announce that he just got fired and that he is now going to retaliate by squealing on his boss who runs a shell subsidiary. He might even show the Government the company's books.

Or, maybe Tinhorn's wife has learned he's keeping another woman. That makes wifey a potential informer. And the same goes for the mistress, especially when Tinhorn gives her the gate.

CANARY TREATMENT, BELOW THE BORDER

The informer is rewarded with up to 10 percent of the taxes collected as a result of his or her information.

Last year the Internal Revenue Service paid $548,914 in rewards to 706 pigeons for information resulting in the collection of $12 million from all kinds of taxpayers. This dough, by the way, wasn't exempt from Internal Revenue Service. Every pigeon must pay income tax on the profits of his squeal.

Business chiselers operating shell subsidiaries seem to take a squeal in pretty civilized fashion, at least in the United States. There is no record of any informer ever getting knocked off or pushed around here.

The chiselers get a bit less inhibited, though, when they're handling a canary below the border. There, for example, a man suspected of blowing the whistle on an American firm was suddenly whisked out of bed one night and grilled. He denied everything.

He was suspended by his hands outside a window, nine stories up, and that got him talking. He unloaded all the info he had given an American agent, with the result that the U.S. company was able to take measures to cover its tracks.

THEY PLAY TRICKS, THE BIG AND THE SMALL

Corporation tax abuses committed with the help of subsidiaries are so new, in some instances, that Commissioner Mortimer M. Caplin, boss of the Internal Revenue Service, has developed a special training course to make enforcement personnel completely hip on tax avoidance patterns to divert abroad income that should be taxed in the United States.

"In recent months," Caplin told the News, "the need for a more vigorous tax enforcement program in the international area has been strongly emphasized.

"Among the many approaches used are sham corporations with no real business purpose or function, unrealistic sale or purchase prices in transactions between the domestic company and its foreign affiliates, and failure to properly allocate various expenses.

"We have discovered that these devices are used by all types of taxpayers, regardless of size or reputation, and many cases involving large corporations are now under active audit in the field. Undetected, these schemes cause a loss of revenue to the United States and create competitive economic inequities through tax dollars saved."

The Government is now busy trying to strengthen Internal Revenue's hand through new legislation designed to plug up tax law loopholes.

Under present tax laws, profits earned abroad by U.S. firms with foreign subsidiaries are subject to American taxation only when the earnings arrive here. This gives such companies a tremendous advantage over domestic corporations that get their profits solely in the United States.

The firms with subsidiaries, and we're talking about the honest ones, can continually postpone transfer of foreign profits and use the enormous tax saving to expand abroad.

OVERHAUL SYSTEM, PRESIDENT URGES

Tax deferral had for some time been favored by the Government as a means of encouraging American investment to restore the economies of wartorn nations, but now President Kennedy would like a complete overhaul of the system.

"Certainly," the President told Congress in a plea for tax reform, "since the postwar reconstruction of Europe and Japan has been completed, there are no longer foreign policy reasons for providing tax incentives for foreign investments in the economically advanced countries."

Not long ago the Treasury Department drafted legislation to kill tax deferral altogether by taxing the earnings of subsidiaries yearly, with the exception of those in underdeveloped countries.

But the House Ways and Means Committee refused to go along with this. The committee did make it clear, however, that it was anxious to stamp out the abuses, such as sham subsidiaries, phony loan gimmicks, and improperly inflated pricing.

Treasury redrafted legislation with this express aim. Among other things, the new measures would hit the liquidation gimmick hard. But first those laws have to be passed.

It may take months for them to be enacted and even then there's no certainty that the laws will emerge in their original form. And even if they should, there's no guarantee that the smart operators won't ignore the new laws, or try to.

After all, the profits are beautiful and the tax experts who advise the chiselers are bright and imaginative.

NO. 3

You've just mailed your form 1040 to the Internal Revenue people and you're feeling great. You're entitled to a $300 tax refund. Junior had his tonsils taken out, the wife had a cyst removed from her left hip and little Amelia has been getting shots to jazz up her blood. What with all the medical bills, and a few more items, Uncle Sam owes you money for a change. That 300 smackers should be just enough to get you a new set of golf clubs.

But you commit a fatal error. You tell the missus about the refund, and goodby golf clubs. She says, with typical womanly logic, "Fine. Now we can get a new car."

So, with the refund and $700 from your bank account, you and wifey go to your neighborhood auto dealer and wifey picks out a shiny new compact worth $2,000. You tell the dealer you're putting $1,000 down and financing the rest.

From that moment on, you, Joe Blow, ordinary citizen, become the hub of a web of intrigue, foreign and domestic, through which some very slick gents in the auto-financing business pocket millions of dollars that ordinarily would go in the form of taxes to the Internal Revenue Service.

JUST MORE GRIST FOR THE OLD MILL

You play no part in the intrigue.

The auto dealer tells you that the $1,000 loan will be provided by a finance company, with appropriate carrying charges.

He adds that inasmuch as this is a loan, a credit insurance policy on your life will be

required. It goes, without saying, of course, that you pay the premium.

But you see nothing wrong with that. After all, if you drop dead before you've paid off the loan, why should the poor finance company be stuck?

Now here's what the dealer doesn't tell you. The finance company has an American insurance firm issue the policy. Since there are oodles of Joe Blows all over the United States buying cars on credit, the insurance company handles oodles of premiums.

If the firm were taxed by the United States on all those premiums, or earnings, the taxes would be immense. The U.S. corporate tax on earnings is 52 percent—more than half the profits.

Not that the American insurance firm would be exactly heartbroken. It still would be making lots of income.

But the finance company has other plans. At its bidding, the American insurance outfit keeps only 12 percent of the premium and then, as a bookie does when he's overloaded with bets on a certain horse, the company "lays off" the remaining 88 percent of your premium to an insurance company in Europe.

THEY LAY IT OFF IN TAX HAVENS

It's not just any old part of Europe. The European insurance firm is situated in a tax-haven country like Switzerland or Liechtenstein, where income taxes on corporation profits are either very small or nonexistent.

So what happens to the profits? The lion's share is shifted to a no-tax country. The premium may seem small. But multiply it by thousands of Joe Blows getting insurance and it all becomes quite imposing. And it all escapes that nasty 52-percent tax.

At this point you may be impelled to ask why the men who run the finance company are so anxious to throw pretty American dollars to a firm in Europe.

It's quite simple, Joseph. That tax-haven insurance company in Europe is a foreign subsidiary owned by the American finance company.

By running an insurance company in a tax-haven country, those finance company foxes keep the bulk of the premiums out of reach of the Internal Revenue Service's hungry hooks. Now how does the finance company get those profits back?

Well, if the subsidiary sent the profits back as profits, the U.S. Internal Revenue crowd would promptly demand their 52-percent cut. So the subsidiary sends the profits back in the form of a "loan." Loans are not taxable.

As in the case of the shell or dummy subsidiary described in yesterday's article, the entire insurance transaction is performed on paper in the United States. Actually the premium money never leaves the United States and the loan never really takes place—except in the finance company's books.

ACTUALLY THERE IS VERY LITTLE RISK

You might say, wanting to be fair about it, those foreign insurance firms deserve a break—after all, they're shouldering the bulk of the risk, all those Joe Blows might drop dead any day.

The truth is that there is very little risk in this branch of insurance. Car loans usually are on a short-term basis, 1 year, 2, 3, and as a rule within those time periods Joe Blow manages to stay alive.

So basically it isn't the risk that is laid off, it's the profits. And they're laid off in such a way that the United States doesn't get a piece of them.

At this point we would like to make it clear that not all auto-finance companies indulge in this foreign subsidiary dodge. Only some. But those that do are cleaning up.

We also want to add that there's nothing illegal about shifting the premiums to a tax-haven country. The only thing smelly about the deal is that loan back. But it's plenty smelly.

By the way, the insurance company in Europe could be a shell, with no staff whatever, or it could be an actual subsidiary. The point we want to make is that some bona fide subsidiaries and their parent companies also indulge in monkey business.

Here's another example. This one constitutes the most prevalent abuse in the foreign subsidiary setup.

Bigshot, Inc., a large American corporation, manufactures quite an assortment of articles, including, let's say, left-handed monkey wrenches.

THE LABOR IS CHEAP AND THE TAXES ARE NIL

So many southpaws in America are becoming mechanics that lefthanded monkey wrenches are selling like hotcakes. Bigshot's profits boom—but Uncle Samuel keeps grabbing 52 percent in corporate taxes.

If Bigshot could somehow divert a chunk of the profits to some tax-haven country, it would make much more money.

So Bigshot opens a subsidiary in a tax haven. A real factory, which we'll call Halfshot, Inc., goes into operation. Labor is cheap, but what's more important, there are virtually no income taxes on Halfshot's earnings.

In the fair competitive market, the wholesale price of a shipload of lefthanded wrenches is, let's say for the sake of simplicity, $1 million. Halfshot sells its wrenches to Bigshot, but not at the regular market price of $1 million per shipload. Instead, it charges Bigshot $2 million.

Awful, isn't it? Here's a kiddie company soaking its papa company twice as much as it would charge a stranger.

It isn't a bit awful, when you get down to cases. Because when Bigshot pays Halfshot that $2 million, the overcharge—$1 million—represents profits actually made in America and therefore subject to the American corporate tax of 52 percent or $520,000. Now that $1 million, worth $520,000 to Internal Revenue, eludes Internal Revenue and slips off to Halfshot, which is really Bigshot's baby.

Halfshot may do one of two things with the bonanza.

ONE GOT CAUGHT MOST OF THEM DON'T

It might invest it in still another operating subsidiary in Europe. This could go on and on until Bigshot runs a dozen subsidiaries—a hundred subsidiaries. The reinvested money is not subject to American taxation. What's more, Bigshot has become an international empire. With its built-up power and prestige, it will draw even more shareholders.

On the other hand, if Bigshot wanted the elusive profits back right away, it could simply arrange to have them sent back as a phony loan.

One company, with a subsidiary based in Latin America, used the inflated price gag with minor variations, but got caught and the U.S. Government clouted it with a $4,500,000 tax bill. In most instances, however, the boys don't get caught.

Some American corporations have the temerity to buy at inflated prices not from a genuine subsidiary but from a shell, a nonexistent subsidiary.

Such corporations cotton to the loan gizmo. Firms operating with shells are generally "closely held"—that is, there are only a handful of shareholders and when the "loan" is made, each shareholder gets a big chunk of pie.

Yes, the shareholder has to pay personal income taxes on his cut, but the savings on corporate taxes make that cut much, much larger.

THEY KILL THE GOOSE BUT KEEP THE GOLD

Another nice tax gimmick, to which construction firms and movie companies are especially partial, is liquidation.

Way it works, an American movie firm sets up a subsidiary in a foreign tax haven to produce a single film overseas. After the subsidiary cleans up on the film, assuming it's a hit, the present company liquidates the sub—puts it out of business.

Had the film been made in Hollywood, the earnings would have been subject to that 52 percent tax. But when a foreign subsidiary's liquidated, the movie company has to pay Uncle Sam only a capital gains tax. This is 25 percent—or 27 percent less than the corporate profits tax. The tax-haven country, of course, charges little or nothing.

It used to be deemed foolish to kill the goose that lays the golden eggs, but in this instance, the goose doesn't start laying eggs until it's dead.

NO. 4

It isn't only the big, bad corporations that make money in foreign lands and keep the profits away from Uncle Samuel. Joe Blow does it too, as soon as he grabs a fat job abroad.

There must be something in that alien air. Or maybe it's the comfortable feeling a man gets knowing there's a couple of thousand miles of deep salt water between him and the Internal Revenue Service.

Americans living overseas enjoy tax breaks undreamed of by Americans at home. You'd think that would satisfy them, but it doesn't. In spite of all the wonderful exemptions they get, they are blithely pocketing an estimated $200 million a year due our Government in Federal income taxes.

The individual American abroad isn't as cagey as the domestic corporation that sets up a foreign subsidiary as a tax dodge. What he owes the Government he owes purely out of ignorance. Just how much of this ignorance is real or feigned isn't known.

In an effort to pierce the dark veil of alleged dumbness, a gallant but paltry number of U.S. Government tax specialists—17 in all—are now flitting from foreign city to foreign city, setting up shop in American Embassies and consulates.

There are an estimated 575,000 American wage earners scattered throughout the world and it is the duty of the 17 to acquaint a large percentage of them with the harsh facts of tax life.

THE GLOBAL GANDER SEEMS TO PAY OFF

The round-the-world junket of the specialists, inaugurated in 1956, seems to be paying off.

In 1958, their program of education among the benighted "exiles" helped bring in 269,572 oversea returns and a total of $152,680,000 in taxes. Last year there were 394,827 returns and a total tax take of $272,441,000.

But Internal Revenue experts believe the current tax delinquency overseas is still close to 50 percent.

In one foreign district (a district may cover several countries), two hotshot Government specialists working less than 4 months picked up $500,000 in delinquent taxes from persons who had not previously filed oversea returns, primarily because they didn't know they were supposed to file.

The specialists reported back that in the main the taxpayers they talked with were downright "eager" to file and pay.

A specialist who worked elsewhere found little of this unwanted eagerness in his bailiwick. "Some of them," he morosely reported back, "take off for the hills when they know we're in their country."

The guys and gals who hit for the highlands apparently were getting salaries well over $20,000 a year and fell into what the

Internal Revenue people here call the "physical presence category."

These are Americans who live in a foreign country fairly long, but gad about. They are specifically required to be in a foreign country at least 510 full days during any consecutive 18 months. Also they can't work for the U.S. Government.

THE FIRST 20 GRAND IS EXEMPT FROM TAX

Americans in the "physical presence" category must pay taxes only on earned income exceeding $20,000. The first 20 grand is exempt from tax.

An American earning $20,000 a year, having a wife and two children, must kick in roughly $4,000 in Federal income taxes if he lives in the United States.

If he enjoyed physical presence status overseas, he would keep the four grand. The $4,000 is often a big selling point when an American company is trying to lure a bright technician or executive into working in a foreign subsidiary. The four grand amounts to a salary boost that in effect is subsidized by Uncle Sam.

But there's an even sweeter category than "physical presence."

To establish himself in this lovely classification, an American must have "bona fide residence" in a foreign country for one full tax year. He must set up permanent headquarters for himself and his family and settle down in the community.

If he fills the bill, he is completely exempt from paying any Federal tax on earned income.

The only income a bona fide resident may be taxed on is income derived from dividends, alimony, interest, capital gains, or a killing at Monte Carlo.

Government employees—and this goes for GI's—are completely excluded from the benefits enjoyed by non-Government residents overseas. The only exemptions they get are those that you, living here, get.

Why did American non-Government residents abroad become such a favored class?

The answer goes back to President Truman's point 4 program, which earmarked $48 million to develop the world's backward areas. Something had to be thought up to attract American managers, technicians and skilled workmen to go overseas for 18 to 36 months. The something turned out to be the big tax break.

THE GIMMICK: LIFE IN TAX-HAVEN LAND

Now such dedicated technicians and workmen as Hollywood movie stars, producers and writers are cashing in on the break.

All they have to do is establish bona fide residence in a tax haven and every dime of their earnings—even if aforesaid earnings are $1 million a year—goes untaxed by the United States. Dozens of movie people are doing it.

Ava Gardner restricted her income to U.S. tax-free earnings abroad and now some sources estimate her worth at more than $5 million.

Actor William Holden has been another beneficiary of the oversea tax break and he doesn't mince words about it. He's said frankly he'd much rather work in Europe than pay the enormous tax exacted here.

Writer William Saroyan, currently escaping a big tax bite on earnings abroad, says he hopes to pile up enough cash through the exemption to pay off an old tax bill of $20,000 confronting him on his return home.

Many others drawn by the Old World charm of Europe are leasing or buying homes or villas there, among them Yul Brynner, Jack Palance, Paulette Goddard, Audrey Hepburn, Van Johnson, George Sanders, Mel Ferrer, and Norman Krasna.

Brynner and company may not be wholly motivated by tax avoidance, but those who are may be in for an unpleasant setback.

KENNEDY SEEKS TO NO THE SETUP

President Kennedy, in a plea to Congress for tax reform, made it abundantly clear he didn't like a tax setup favoring citizens overseas. He said:

"I believe it is an unsound policy for the U.S. Government generally to subsidize through tax exemption those of its citizens who wish to live abroad. This is especially so for individuals who establish their residence abroad for tax purposes even though the nature of their business does not require it.

"It is manifestly unfair to other taxpayers to continue these exemptions which also contribute to our adverse balance-of-payments position."

The President called for complete elimination of the tax exemptions granted citizens living in economically developed countries and the Treasury Department drew up legislation in line with Kennedy's demands.

The House Ways and Means Committee deemed this a bit drastic. A compromise was worked out, which, though somewhat diluted, would hit such high-salaried foreign residents as movie stars pretty hard.

TECHNICAL EXPERT WILL STILL BE CLEAR

Under the proposed legislation, which is not expected to be put to a full vote for several months, the so-called bona fide resident loses his tax-free status. And he has to put in 3 years abroad to qualify for any exemption, at which time only the first $20,000 of his earnings will be exempt from tax. Beginning with 4 years, the exempt amount rises to $35,000.

This will still be a boon to many company executives and technical experts, but the benefits for film folks with astronomical earnings will be on the thin side. The bulk of their wages will be taxed precisely as earnings are taxed this side of the Atlantic.

No story about taxes and Americans abroad could be quite complete, we think, without the one about Charley Lehigh.

Charley, now 33, was an accountant employed in the Caracas, Venezuela, office of an American oil company. One day he went to a local racetrack called the Hippodrome. It was the first day at the track.

For $2.40 he bought a pool ticket. He picked the first six winners of the day's card.

He won $293,813. That's no misprint—$293,813.

Next day, naturally, he was back at the track. This time he dropped $2,000. He decided then and there he was through with horses.

Like the good American citizen he was, he filed an income tax return. But he contended that under exemption as an American abroad he could keep his horse winnings.

The Internal Revenue Service sharply disagreed. Ruling him deficient in the payment of his taxes, the IRS hit him with a tax bill which, including penalties and interest, totaled $304,225.76.

HE FOUGHT SUIT FOR 6 LONG YEARS

But the Government made a couple of mistakes. First, it sent the deficiency notice by ordinary mail. Secondly it addressed the notice to "Apartado 53, Correos Este, Distrite Federal, Venezuela," a post office mailbox.

The letter from the IRS came back with the notation that it had been incorrectly addressed. The post office had more than 3,000 mail boxes and Charley's box was "Apartado 5375" and not "Apartado 53."

The Government sued Charley and Charley fought back, for 6 bitter years. The case moved up to the U.S. Western District Court of Arkansas, the State in which Charley now resides. Charley's sole defense was that he had not received the notice and therefore the tax assessment was nullified.

The court cited the tax laws which stipulate (a) that such notices must be sent out as registered or certified mail and (b) that it is the responsibility of the Government to make every effort to establish the correct address and send the notice to that address.

The court ruled that whichever party, tax collector or taxpayer, failed to comply with the tax laws, that party must take the consequences.

In this case, Internal Revenue took the consequences and Charley took the dough.

His hometown in Arkansas is appropriately named—El Dorado.

Mr. CURTIS of Missouri. Mr. Chairman, I yield 10 minutes to the gentleman from Texas [Mr. ALGER].

Mr. ALGER. Mr. Chairman, I will attempt to add a few additional thoughts here today, if that is possible, but I want to clearly identify myself at the outset with my colleagues on the Republican side of the Committee on Ways and Means, particularly with the minority report. I would identify my views very closely with the views expressed in both the separate views and the views expressed by the gentleman from Missouri [Mr. CURTIS]. I will add to those views.

There have been several contradictions I would like to make now to statements made earlier, which I will not develop, but I merely want to mention because others have and will develop them further today and tomorrow.

This bill is not a balanced budget bill.

Our position on the Republican side is a very responsible position. Indeed, I would challenge the gentleman from Oklahoma who spoke earlier about irresponsibility that the irresponsibility lies clearly on the Democratic side on this bill. I think the rule suggested by the Republican side was a good one, and would not live to haunt us. It asked for action on a series of amendments. The gentleman from Louisiana said that this bill had the fullest consideration ever given to a bill in committee. Well, apparently I find that is not the case, because somebody did not give consideration properly, for example, to this question of foreign investment.

This matter of investment credit has been designated heretofore as a bonanza, and so that my colleagues can look at it in the morning before debate concludes, I shall extend my remarks as to the withholding feature and shall describe it.

Now, to go on to what I did want to speak of, I want to speak briefly on the foreign investment feature. We have the Trade Extension Act of 1962 before us at this time, and I was appalled to see that the Secretary of Commerce did not understand the implications of the tax bill before us when it is so closely tied to the trade bill before our committee, which will be before this House fairly soon.

I would like to quote Secretary Hodges' statement before the Eighth Annual Business International Washington Roundtable, when he said this:

> To the extent that U.S. investment abroad increases the financial strength and the competitive capacity of American companies, it reinforces our domestic economy.

I would say "amen" to that, even though this bill would virtually destroy

what Secretary Hodges himself said would be good for this country. Secondly he said:

> And, to the extent that the earnings on these investments are returned to the United States, they make a direct contribution to improving our balance of payments.

I say on both counts the Secretary is right. What a pity he could not have so testified before the committee during the hearings earlier this year.

Now, I would like to refer to a statement made on page b-24 of the supplemental views. It is about as strong a statement as I have ever heard in a report:

> The real purpose of this part of the bill is to prevent American business from operating in the world market—an astounding proposition in view of the Kennedy administration's trade program. When taken together, the administration would invite the foreign-owned producer to come in duty free while locking his American-owned competitor in the closet.

Now, my colleagues, while there are very few here, I want to point out to you that in the tax bill before us today and in the trade bill before the Committee on Ways and Means, which is holding hearings at this time, and the hearing will be going on, one thing clearly stands out. The Democratic Party seems determined to prevent U.S. industry from competing in the world market, and oddly enough, that is the conclusion so clearly borne out in both bills. Somebody is masterminding the destruction of private enterprise in the United States. Now, I have already quoted from page 24 of the supplemental views. Now, let me tell you what the tariff bill does and see how it relates to this. It gives the President of the United States the right to cut the tariff 50 percent in 5 years; it does away with the peril point, the escape clause, the Tariff Commission findings; takes away from the Congress all control, at a time when our tariffs are lower than the rest of the world, so that the rest of the world can flood this market with imports and we cannot compete abroad.

That brings me to this tax bill. What does this tax bill do? The tax bill says we are going to tax income before it is repatriated and put our American industry at a disadvantage as far as tax burdens are concerned, which the foreign nations do not have, making it impossible for our industry to compete. It has been said time and time again that foreign nations do not have the tax burden to carry that the U.S. industry does.

So, I ask you, put the tariff bill and the tax bill together, and what have you got? You have the destruction, as I see it, of the private enterprise system at a time when we are engaged in a life struggle with communism.

We are destroying the genius of the American people and making it impossible for our industry to compete.

Mr. Chairman, since time is running short, I ask permission at this point to include as a part of my statement the statement which I would have given, save for the debate I have heard today and the manner in which I have changed my remarks, because I am fearful that we are unaware, even as Secretary Hodges was, that the tax bill and the trade bill are closely related. I would like to insert as a part of my views for those to read who are so minded, which I had prepared for tomorrow's debate, my speech entitled "The Disastrous New Foreign Tax Features." I will be around tomorrow, as I know my colleagues will, to expand on these views.

I hope to possibly see this bill defeated or, rather, recommitted so we can strike out of the bill those parts which we know are dangerous. I certainly want to make it clear that I share with my colleagues on the majority side, as do the Republicans on this side, the view with reference to those sections of the bill that we think are worthwhile and necessary. We are heartily opposed to the three sections—investment credit, the foreign control investment tax, and the withholding provision.

Mr. Chairman, I shall withhold my remarks on those other sections which the gentleman from New York and the other Members on the Republican side will expand for you.

The novel and far-reaching foreign tax provisions of the Revenue Act of 1962—H.R. 10650—became known only after the bill first became public on or about Friday, March 16. Complex and intricate, yet comprehensive in scope, these provisions go far beyond any attempt to reach so-called tax haven income abroad or to close tax loopholes or to reach tax evaders.

No hearings have ever been held by any committee of the Congress on these proposals as now constituted. Consequently, only a handful of Members of the Congress and the interested public at large can possibly comprehend the revolutionary impact which these complicated measures will have.

In their application they will actually result, in a very few years, in a revenue loss rather than an offsetting gain. They will injure our balance of payments in the longer run, and reduce U.S. jobs. They will require more U.S. aid dollars to the less-developed countries, and they will conflict with our expanded export trade objectives. Here are some of the things these measures will do:

First. Tax at the foreign operating level, as if it were tax-haven income, the earnings derived from all expansions of U.S. industries in developed countries unless confined to the same trade or business carried on since December 31, 1962, or for a consecutive 5-year period—section 953(b)(3), page 120. This foreshadows the demise of U.S. industry in the Common Market, for example, since it will permit normal expansion into new competitive product lines and evolutionary operations only on penalty of a U.S. tax burden borne by no European competitor. The U.S. oil company desiring to develop new facilities in Europe will be deterred, and this will retard its oil production in the less-developed countries.

Second. Tax operating U.S. manufacturing firms overseas on foreign operating income deemed by the Treasury Department to be attributable to the use of American technology such as patents, copyrights, and processes—section 952(c), page 110. This fantastic and unworkable proposition would require the tracing of income from such historic inventions as Bell's transistor through endless transactions into countless products in the assembly chain of innumerable user companies. No foreign competitor would have to bear this added tax and administrative burden.

Third. Tax at the operating level, as if it were a tax haven, the operating income of centralized multicountry selling companies formed to market U.S. products made abroad—section 952(e)(2), page 112. Foreign competitors in the Common Market will suffer no such tax restraint, since their governments encourage marketwide selling and do not commonly tax even repatriated earnings from lucrative foreign opportunities.

Fourth. Class as so-called personal holding company income, and subject it to tax-haven treatment, a large variety of ordinary operating income of foreign subsidiaries of widely owned U.S. parent companies, such as interest on loans and installment sales, rentals of equipment, and dividends from local operating affiliates—section 952(e)(1), page 112. This would subject vast amounts of ordinary operating business income to a noncompetitive tax on the preposterous theory that it is "personal holding company income," a theory not applicable to the ever-present foreign competition.

These new taxes on foreign operating earnings of U.S. firms, newly pieced together bit by bit under the disguise of correcting tax abuses, would, in fact—

First. Reduce U.S. tax revenue. In most cases, the so-called tax-haven company is used solely to reduce foreign taxes. The less foreign tax paid, the more U.S. taxes will be collected when the funds are repatriated. Why? Because the foreign tax is deducted as a tax credit from the U.S. tax. Any provision increasing the foreign-tax burden of these companies automatically reduces the U.S. tax on account of the same income.

Second. Atrophy the present foreign market position of U.S. firms overseas, now to be more valuable to foreign interests free of these new burdens.

Third. Reduce U.S. exports, since Commerce figures show that a large percentage of our exports are instigated by our foreign subsidiaries.

Fourth. Reduce U.S. jobs, dependent upon these exports and the investment of remitted earnings to the United States.

Fifth. Injure our balance of payments through the inevitable dwindling of the present repatriation surplus, and through a tax-induced flight of U.S. private capital from the stock of U.S. firms doing business abroad into portfolio investments in foreign companies not subject to these new taxes.

Sixth. Increase foreign aid, since Commerce figures show U.S. industry's profits in places like Europe flow to the less-developed countries. As noted, profits of U.S. oil companies' subsidiaries

in Europe go in quantity into new investment in exploration and development in Latin America, Africa, and the Middle East where the oil is. The gross-up, also a part of this bill, will intensify this aid drain since U.S. firms will have to repatriate more from the less-developed low-tax nations to pay the U.S. tax on money they will have already paid in tax on the host governments there.

Seventh. Conflict with the objectives of the pending trade bill—H.R. 9900—since foreign trade and foreign investments are working partners, not conflicting antagonists.

Mr. Chairman, I would like to devote my remarks also to the "billion-dollar loophole" as the investment credit has been called. I cannot claim authorship for this description. It is taken from an editorial appearing in the Washington Daily News on February 14, 1962. I request permission to include this editorial in the RECORD at the conclusion of my remarks.

Why is the investment credit a billion-dollar loophole? Because we pay the taxpayer a subsidy for doing something that he was going to do anyway, and then give him a deduction on top of the subsidy. Here is how it works:

Let us take a manufacturing company that deducts from its taxes about $1 million per year on account of depreciation. It annually invests about the same amount, or slightly more, for new equipment. That process will continue whether we pass this bill or not. Under this bill, however, that company will get a bonanza of $70,000 without doing anything additional. What is worse, we do say to the company: "We will not charge you for this bonanza; you go ahead and write off the $70,000 as a part of your depreciation just as if you had never received the credit."

Now, my example does not involve a very large company. It would not be in the first 500 in regards to size—it might not even be on a list of the first 1,000 companies; it might not even qualify for listing on the New York Stock Exchange. To this hypothetical company—and thousands more like it—the bill gives a handout which grows with the size of the company's investment.

Let us take another example: We read about the thoroughbred yearling sales—racehorses—in the State of Kentucky. Suppose a racing stable buys three yearlings for $30,000. We will subsidize a part of the cost. In addition, the stable will pick up the full $30,000 and write that amount off over the racing life of the horses. Under this bill, the Government will pay a subsidy for every yearling sold.

There are other innumerable instances where there can be no justification for subsidizing the purchase of property by the taxpayer.

For example, the Government already subsidizes 50 percent of the cost of construction of U.S.-flag ships. The President's budget shows expenditures under this program for fiscal 1963 amounting to $122 million. Yet, this bill provides an additional subsidy of 7 percent for each and every subsidized vessel built in the United States.

On the other hand, there is rank discrimination against the utilities. The bill provides for only three-sevenths of the subsidy per dollar of investment by the regulated utilities. And why? Because, we are told, the utility would be required to reduce its rates and thereby to pass on the tax saving to its customers. Therefore, the administration says, it would not accomplish anything. I ask you: Is passing on a saving to the customer wrong? I do not think so.

At the end of World War II, we had about 6,000 independent telephone companies in the United States. Almost half of these have since been swallowed up by the larger companies. This Congress purports to look with favor upon small business. These 3,000 independent telephone companies are small business, and much more deserving of a subsidy, if we are going to give one, than would be a lot of other businesses which will get this windfall.

This bill gives the independent telephone company less than one-half of the subsidy for the same dollar of investment which it gives to the racing stables, gambling casinos, and the like. Yet, the administration purports to be concerned over the domination of the communications industry by one or two large industries. It just does not make sense to me.

The withholding provisions of this bill will produce a boom for the computer people. If we pass this bill, we will be requiring the banks, insurance companies, and other paying agents, to install additional computers. In a vast majority of cases, these computers are rented rather than sold to the customer.

Under this bill, the companies, which are making and renting computers, will get a credit—an actual tax subsidy—equal to 7 percent of the value of every computer leased to a customer. You will be told that the bill permits them to pass this credit on to the customers. I doubt whether that is very realistic. They obviously cannot favor new customers over the old customers who rented computers before this "bonanza" took effect.

The investment subsidy is referred to by the proponents as being necessary to provide an incentive for American industry to modernize and expand in order to create more jobs. Yet, when the head of one of our largest labor unions—Walter Reuther—appeared before the committee in connection with the trade bill, he pointed out that our problem today was not lack of capacity to produce, but lack of customers to buy.

We all know very well that industry expands without any incentive if there is a market for its products and will not expand where there is no market even if the Government does pay a part of the cost. The bill does not create any new market for our goods.

Most large corporations in American business have long-range programs for both replacement and expansion of facilities. These programs will be carried on regardless whether Congress approves this subsidy. The bill merely adds another burden to the individual American taxpayer for the financing of another Government subsidy program.

What will this subsidy really cost the American taxpayer? The true cost has been confused in the Treasury's statements by offsetting "stimulative effects" and psychological impacts which are supposed to minimize—actually to reduce by one-half the cost of this subsidy.

An impartial estimate was prepared by the staff of the Joint Committee on Internal Revenue Taxation—using the same assumptions which the Secretary of the Treasury adopted in a recent speech—but without taking into account any of these psychological factors.

Where will we get the money for this scandalous handout? This brings me to my second and major objection to this bill.

The principal major revenue-raising provision is withholding on interest and dividends—section 19. This is supposed to produce about $600 million. When all of the other provisions of the bill are taken together, we still have a deficit—and this only because the majority is determined to give industry this subsidy which industry did not seek and, in general, has actually opposed.

At the outset, I would like to challenge those who claim that there is any analogy between withholding on interest and dividends and withholding on wages and salaries.

If we pass this bill, there will be more than 500 million savings accounts, insurance policies, shareholder accounts, cooperative patron accounts, Government bond redemptions, and the like, which will be subject to withholding. This is more than five times greater than the number of accounts subject to withholding on wages and salaries. Yet, 90 percent of personal income is paid in the form of wages and salaries, while only 10 percent is paid in the form of interest, dividends, and the like. About one-third of the more than 500 million accounts will involve withholding of $1 or less.

In the case of withholding on wages and salaries, the employee claims his exemptions, and the withholding tables take into account his standard deductions. Yet, there is overwithholding in more than 40 million cases each year.

This bill provides for across-the-board withholding of 20 percent without taking into account the standard exemptions and deductions. It will cover all payments of interest, dividends, Federal bond redemptions, patronage dividends, interest and dividends on life insurance policies, and savings accounts, to mention only a few. It is an undisputed fact that an across-the-board rate of 20 percent for withholding will result in overwithholding.

How does the individual avoid this overwithholding? He cannot avoid it. For those 18 years of age and over, an exemption certificate may be filed only if the individual reasonably believes that he will owe no tax whatsoever from any source.

If an individual has wages on which taxes may be withheld, or will receive dividends and interest, which after all of his exemptions and deductions, will give rise to a tax liability of $1, the individual cannot file an exemption

certificate. The full amount of that individual's income from savings accounts, dividends, Government savings bonds redemptions, dividends or interest on life insurance policies, annuities, or any other similar transaction, will be subject to withholding.

No record will be made of this withholding. The individual will get no receipts for the amounts withheld. Obviously, it will be impossible for the Treasury to make any record of the exemption certificates which may be filed.

For those few who may wish to cheat, the withholding provision is no deterrent. In fact, under this provision they could obtain refunds of taxes which they did not pay. The Internal Revenue Service will have no records to show which accounts on which there has been withholding and which accounts were exempted.

By the Treasury's own admission, it cannot keep any records. No one will ever know how much of the revenue from withholding will represent taxes actually due and how much will consist of amounts collected in excess of any tax liability. We do know that the latter will be a substantial factor in any revenue yield from withholding. It is for that reason that I unequivocally state that the Service is not ready for any system of withholding at this time.

A glaring inequity lies in the treatment of tax-exempt institutions. A token exemption procedure is provided for those individuals who owe no tax; namely, those who are not taxpayers in its broadest sense. The same exemption is not extended to churches, charitable foundations, pension trusts, and other organizations which are tax exempt. Such organizations can only exempt themselves from interest on bank accounts. Their dividends will be subject to withholding irrespective of their exempt status.

I realize that these tax-exempt organizations can file quarterly claims for refunds. While they are awaiting the processing of that claim, other funds will be withheld from them. In the withholding-refund cycle, the Government will always be ahead. Therefore, the bill permanently deprives these organizations of a part of their funds—and for no valid reason.

The tax-exempt organization cannot be avoiding taxes, because it owes none. If an exemption procedure is practical for individuals, it is certainly that much more practical to extend the same privilege to tax-exempt organizations.

For the reasons I have stated, I recommend to the House that it consider carefully its vote on these two provisions from the tax bill:

The investment credit should be stricken from the bill because it is an outrageous subsidy and cannot be justified in the face of an ever-increasing Federal deficit; and

The withholding provision should be stricken from the bill because the Internal Revenue Service is not ready for it. It will result in taxpayer confusion and administrative chaos.

And, I might add, that when the Internal Revenue Service does complete its installation of automatic processing equipment to handle all of these returns, withholding will be unnecessary. A 20-percent withholding rate not only will produce massive overwithholding, but in those other cases where the effective tax exceeds 20 percent, provides no assurance that the full tax will be collected. The automatic matching of information returns with taxpayer returns will result in the collection of any taxes which may be due.

[From the Washington Daily News, Feb. 14, 1962]

BILLION-DOLLAR LOOPHOLE

The proposed investment tax credit might almost be termed the handout nobody wants. Yet it is urged by the President and conceded an excellent chance of approval by Congress.

Labor union leaders condemn it as a windfall for industry and industrial leaders are hardly more favorably inclined.

Emerson P. Schmidt, economic consultant for the U.S. Chamber of Commerce, told the Joint Economic Committee of Congress:

"A mere tax credit for investment is a loophole in the sense of not being available to all; it is a subsidy which general taxpayers should resent."

George G. Hagedorn, director of research for the National Manufacturers Association, told the same committee:

"It is difficult to see how giving $1.5 billion with one hand, and taking the same amount away with the other, could increase the flow of savings available for investment. The chief result of the proposed investment credit would be to distort the patterns of capital formation, rather than to increase them in amount."

Under the plan, industries adding to their equipment would get an 8 percent tax credit. Thus if they spent a million dollars they could deduct $80,000 from their taxes.

As encouragement to the whole of industry this is pure gimmick. It is unfair to high-employment service industries with relatively small invested capital. It is unfair to companies which have built their plant and prefer to emphasize sales promotion with their money.

If the Government is able to give back to industry some of its own money, it should consider a cut in present sky-high taxes on business income, which inflate retail prices and discourage risk taking in new ventures.

Even more urgent is the modernization of depreciation tables for tax purposes. These should recognize that much modern machinery has a far shorter useful life than equipment in the last generation when these tables were written. Recent revision of these tables for the hard-pressed textile industry has been highly constructive. Other branches of industry should be given similar treatment promptly. American depreciation allowances are the least generous in the whole industrialized world.

Unsound provisions in our tax regulations are a basic hindrance to employment and economic progress. The remedy lies in removal of these obstacles rather than in new loopholes, still further cluttering up the tax system.

Congress has gone pretty far toward approval of this misguided plan but there still is time to substitute sound legislation.

Mr. KING of California. Mr. Chairman, I yield 15 minutes to the gentleman from Kentucky [Mr. WATTS].

Mr. VANIK. Mr. Chairman, will the gentleman yield?

Mr. WATTS. I yield to the gentleman from Ohio.

Mr. VANIK. Mr. Chairman, in order to conserve the time of the committee, I want to take this opportunity to set forth a series of questions which relate to the investment credit and withholding sections of the bill. It is my hope that the distinguished chairman or some other member of the Committee on Ways and Means will respond to these questions during the course of general debate tomorrow.

First. If the tax credit principle is adopted, would it not serve as an impetus to higher investment spending in periods of higher profits in order to conserve tax liability, and correspondingly slow down investment in periods of recession and low profits when there will be less tax liability toward which to apply the credit?

In other words, will the tax credit serve as an accelerator toward boom or toward recession rather than as an economic stabilizer or constant stimulant?

Second. When the Treasury first submitted the tax credit proposal last year, it was established as an incentive for investment in excess of normal new investment. As modified, the investment credit is made to apply on the first dollar of investment including such new investment as the taxpayer would undertake in the normal course of events. Would this not serve to provide a taxpayer with a bonus for doing something he would do anyway?

Third. Should a taxpayer be rewarded for such new investment annually required in the normal course of his business?

Fourth. On page 459 of the committee hearings, Dr. Heller is reported to have said: "Other countries have benefited from systematically investing a bigger share of their gross national product in plant expansion and modernization. With less of their total income going into military and foreign-aid expenditures, they have been able to spend more on automation and other forms of industrial improvement without squeezing their output of consumer goods."

Did the hearings before your committee indicate that this country was lagging behind in defense plant expansion and modernization?

Fifth. As a matter of fact, does not the lag in growth in this country result from dispropriationate growth in military production?

Sixth. Will the tax credit prove most beneficial and serve as a tax windfall to the defense contract producers who are already the recipients of Government aid in the form of defense contracts, many of which are noncompetitive? Since military contracts are already a great prize—highly sought for—why should defense contractors be included in this bonanza?

Seventh. Insofar as the tax credit provides a credit against taxable income over and above regular depreciation, does not it constitute a return or recovery of capital to the taxpayer in excess of his original investment? If he collects

depreciation plus 7 percent, does not the investor eventually get 107 percent on his investment or 114 percent if he is in the top tax bracket?

Eighth. Will an American taxpayer, for example, a utility, serving Washington, be entitled to a tax credit for the procurement of an electric turbine generator made in Switzerland provided it is acquired for use in the United States?

Ninth. Just how will that application of the tax credit create jobs in the United States?

Tenth. In the testimony before the committee, the Secretary of the Treasury indicated that his office was undertaking a revision of schedule F to synchronize it into the tax credit provisions. Am I correct in understanding that an updating of schedule F could cost the Treasury as much as another $1 billion annually?

Eleventh. Will the tax credit be applicable at the normal rate or the utility rate to (a) corporations engaged in international communications; (b) interstate gas or oil pipelines; (c) production of electric power for interstate consumption; and (d) natural gas extraction?

Twelfth. The staff of the Joint Committee on Internal Revenue has estimated that the revenue loss attributable to the investment credit under the bill before committee amendments would total $10,365 million for the period 1962–66 and approximately $26,635 million for the 10-year period 1962–72. Will you kindly advise the estimated Treasury loss in the same periods with the committee amendment?

Thirteenth. If the dividend withholding provisions are adopted, will they not serve to compel corporations to issue stock dividends instead of cash dividends, thereby reducing annual tax collections of cash dividends taxable as ordinary income?

Fourteenth. Will the increased use of stock dividends taxable at the lesser rate as capital gains substantially offset anticipated Treasury gains in dividend withholding?

Fifteenth. Has the Treasury provided any estimate of tax loss resulting from the shift of corporate profit distribution from cash dividends to stock dividends?

Sixteenth. If the withholding principle is enacted into law, would it not have the effect of driving investors into the tax-exempt issues where they would not be subject to withholding or to deposit in foreign banks or in foreign branches of American banks?

Seventeenth. Will foreign branches of American banks be compelled to withhold from savings accounts of American investors?

Eighteenth. Would the dividend withholding provisions relieve a taxpayer from any further obligation to report and pay on dividend income in his quarterly returns of estimated income?

Nineteenth. Under the withholding sections, withholding corporations are given express authority to use the Government's money for its own purpose for a period up to 30 days after the tax quarter period.

Does this grant of authority destroy the traditional trust relationship relating to tax funds which are the property of the United States?

Twentieth. Am I correct in understanding that the legislation actually invites the withholding institution to use these funds as part compensation for the additional expense of withholding?

Twenty-first. What recourse would the Government have against a withholding agent who permanently used withheld funds and fled into bankruptcy or receivership or simply absconded?

Twenty-second. Is there truth to the current report of the Bureau of National Affairs to business executives that the Treasury is working on further changes in the Internal Revenue Code to reduce the present 91-percent individual tax rate to 70 percent along with a cut of 2 or 3 percent in the lower tax brackets as well as the elimination of deductions for mortgage interest and property taxes?

Mr. WATTS. Mr. Chairman, I, too, would like to compliment the excellent work not only of our chairman but of the Members on both sides of the aisle for the many months that we have considered this tax bill.

Mr. Chairman, I urge rapid passage of the balanced tax bill so painstakingly constructed by the Ways and Means Committee. Its major provision—the investment credit—is essential to the economic health of our Nation.

Our ability to defend ourselves, to lead the free world, to create more jobs, to assure adequate business profits, to provide better highways, better schools, better housing—all of these urgent national needs are directly dependent on our capacity to accelerate our economic growth.

The tax bill now before us will increase that capacity by providing a tax credit for new investment by American industry in machinery and equipment.

This strong incentive to increase capital goods expenditures in this country by increasing the profitability or rate of return on such investment is the most effective and economical way of increasing our national growth.

The importance of increasing capital investment has recently been brought home to us with startling clarity by the experience of other major industrialized nations which have been outpacing us in overall economic growth. This growth has in almost every single case been accompanied by a level of capital investment correspondingly higher than our own.

New investment will create more jobs, as new technological developments, new processes, and new products are incorporated into our economic bloodstream through use of more productive equipment.

A rising level of investment will help sustain the pace and duration of the present economic recovery throughout this year and thereafter. It will reduce our vulnerability to an early slowdown in the present economic expansion, and avert any early return to a pattern of economic decline and recession.

New investment will stimulate more efficient production through employment of more modern equipment—and more efficient production is essential to maintenance of price stability.

New investment is the key to expanding our commercial trade surplus, for only if American industry is as modern and efficient as any in the world will we be able to sell at competitive prices both in world export markets and against imports in our markets here at home. A larger trade surplus is crucially important if we are to wipe out the deficit in our international balance of payments. With increasing imports it is becoming constantly more important that we step up our competitive resistance at home and our ability to sell abroad.

Other nations now give investment in machinery and equipment more favorable tax treatment than American industry receives at home—thus encouraging American capital to move abroad. The investment credit provision of the pending bill will lessen this inducement to foreign investment and spur increased investment in our own productive capacity.

Mr. Chairman, the administration tax measure before us is a balanced bill. It provides a maximum stimulus to our economic growth at a minimum cost in terms of tax revenues lost. Some substitute proposals for the administration's investment tax credit would provide relatively little stimulus to growth in relation to their heavy cost in lost tax revenues.

A 40-percent first-year depreciation writeoff would, for example, cost more than four times as much as the investment credit—$5.3 billion compared to $1.2 billion. And it would require just that level of first-year writeoffs—a whole 40 percent—to increase the profitability of a typical 15-year asset as much as the investment credit would.

There has been proposed a 20-percent increase in all depreciation allowances. While the cost of both proposals would be roughly the same over a 10-year period, the investment credit would provide several times as much actual incentive to new investment—in terms of increased profitability—as would the alternative suggestion.

Get more credit by 7 percent now, whereas the 20 percent depreciation is spread over a number of years.

The relative merits of the two proposals are most clearly seen when it is realized that about an 80-percent increase in annual depreciation writeoffs—rather than a mere 20 percent—would be required to achieve a rise in the profitability of investment equal to that attainable by the 7-percent investment credit. And such an 80-percent increase would involve a cost over the next 5 years about twice that of the investment credit.

I would also like to emphasize that, contrary to the assertions of some, the investment credit gives the same dollar benefit to all taxpayers, whether large or small. The very fact that it is a direct credit against tax instead of a deduction makes it the same for all taxpayers, regardless of tax brackets. A

corporation paying tax at the 52-percent rate or at the 30-percent rate or any individual, whether in a high or a low bracket, will obtain the same tax reduction in dollars for the same amount of investment. Accelerated depreciation deductions, on the other hand, do favor the more prosperous corporation.

Moreover, the investment credit provision contains several features specifically designed to be of aid to our small businesses. Among these are the allowance of the credit for up to $50,000 per year on purchases of used property, and the allowance of the credit to the lessees of property in certain cases. Credit goes initially to lessor and he can treat the lessee as if he had bought it. Many of our small businesses cannot afford expensive new machinery and equipment, and it is their practice to modernize by replacing old, wornout equipment with more modern used equipment. The bill recognizes this problem and permits a credit for used property within limits commensurate to the needs of small businesses.

It is also a growing practice for some of our small businesses—which find it difficult to make the large outlays required for purchasing equipment—to lease it instead. By permitting the investment credit to be granted to lessees, the bill insures that small businesses will be able to gain the benefits of the credit.

One of the most significant benefits of the investment credit is its effects in materially shortening the payout period, which the businessman takes into account in weighing the feasibility of an investment. This payout period represents the time required for an investment to be recouped by the taxpayer. For a 15-year asset, a 7-percent credit—combined with double-declining balance depreciation—permits 27 percent of the cost of an asset to be recovered tax free in the first year, 39 percent in 2 years, and 65 percent in 5 years. The credit is especially effective in speeding investment cost recovery since it operates in the first year when funds are most needed and does not reduce depreciation deductions thereafter.

One of the major objections to the investment credit has been that it will give a tax benefit to companies which might have undertaken an expansion program without any additional tax incentive. This is, of course, true of any incentive, but it is incontestable that the best way to increase overall investment is to increase the incentive to invest. While the marginal investment produced by the incentive credit will never be precisely measurable, there is no doubt that a 7-percent credit against taxes will play a major role in influencing business decisions.

The investment credit is essential to increasing our export trade, so that we can earn the foreign exchange we need to wipe out our balance-of-payments deficits—deficits which have cost us almost $6 billion in gold in the last 4 years.

Substantially increased investment is necessary if we are to attain the degree of competitive effectiveness and productivity which can enable the Nation to balance its international payments without withdrawing its national security forces from oversea bases and abandoning the less developed countries of the free world to economic, political and military penetration of the Communist bloc.

The investment credit, by increasing efficiency, will make our producers more competitive both in foreign and domestic markets, will be of significant help to the U.S. trade position—and this is particularly important in the light of the coming trade legislation.

As for the implications for our national growth, I cannot do better than to quote the detailed discussion of this subject contained in a recent speech by Henry H. Fowler, Under Secretary of the Treasury. He gave the following factual analysis:

> Fifty percent of our present productive capacity was installed before or during World War II. More than 65 percent was installed before the Korean war. Thus, of all business plant and equipment, less than one-third is modern in the sense of being new since 1950.
>
> Estimates show that there has been a startling rise in recent years in the proportion of our national machinery and equipment which is over 10 years old. It now averages more than 9 years, and from 1954 to 1959 the stock of equipment over 10 years old rose by 50 percent. In a dynamic economy that average should be falling as new equipment is put into place.
>
> Meanwhile, other countries have been lowering the average age of their fixed capital. The German example is the most spectacular—their proportion of capital equipment and plant under 5 years of age grew from one-sixth of the total in 1948 to two-fifths in 1957.

Mr. Fowler went on to discuss the leveling-off in business expenditures on plant and equipment. Such investment for 1961 was more than 3 percent below 1960, and more than 6½ percent below 1957. While an increase is expected in 1962, the proportion of gross national product devoted to such investment will still be substantially below 1957 and 1958. The 1962 investment is expected to be about 6.5 percent of gross national product, compared to 8.3 and 8.4 percent in 1957 and 1958. Commenting on this lagging investment Mr. Fowler continued:

> This pattern is even more disturbing when measured against the performance of investment levels in productive machinery and equipment in other industrialized societies.
>
> Our gross fixed capital expenditures (other than housing) have declined from 12.5 percent of gross national product in 1948 to 9.5 percent in 1960. By comparison, the investment ratio in Western European countries rose from an average of 13.3 percent of gross national product in 1951–55 to 15.1 percent of gross national product in 1956–60.
>
> Even greater percentages of gross national product are said to be devoted to new machinery and equipment in Japan. This means our manufacturers must compete against their friendly rivals in the free world to get a larger share of export markets and to keep imports from getting a larger share of our domestic markets, with our machinery and equipment being replaced at a much slower rate than theirs.

Mr. Chairman, the investment credit is needed today to help keep the current recovery moving forward. In the last 12 months we have witnessed a substantial economic advance. But by late 1962 our continued advance will depend heavily on the ability of fixed investment outlays as a key expansionary force.

Increasing investment levels in machinery and equipment will help make our present economic recovery a vigorous and longer lasting one. The completion of plans and the authorization of additional private expenditures on machinery and equipment and the plants and facilities necessary to house them will create more jobs in the capital goods industry and more demand for a wide variety of products and services. This is the sector of the economy which has been lagging behind for the last 4 years. There is a strong association between full employment, vigorous and long upswings in the economic cycle, and the healthy increase in the levels of capital goods expenditures. The projection of a substantial increase in investment levels for machinery and equipment, whether for modernization or expansion, would be added assurance that the current recovery would achieve full employment and promise to be more enduring than the last one. The early enactment of the investment credit, as contained in H.R. 10650, would provide a strong incentive for this increased investment.

In summary, the investment credit provision of the legislation before us is important because this country has not been producing at full capacity for some years. Our Nation's reserves—the talent and skills of our people and the quality of our raw materials and physical plant—are impressive, but they are not presently being fully utilized and our level of unemployment is uncomfortably high.

We simply must grow faster, for economic strength is essential to our survival as a free and prospering nation. Certainly growth alone, or larger investment by itself, is no guarantee that we can solve all of our pressing problems. But accelerated growth—to which new investment can make such a vital contribution—will provide the economic underpinnings of our country's future strength.

An expanding economy will enable us to meet the challenges that confront us in the international area, and will furnish additional revenues that will enable us to provide better for the public and private needs of all of our people. The investment credit will greatly increase the ability of American business to make a maximum contribution to the achievement of these goals.

I call upon every Member of this House to join in passing the pending tax bill and without delay, for the stimulating effect of the investment credit is urgently required if our economy is to operate at full speed. This bill is an investment in America's future. It therefore merits the affirmative vote of the distinguished Members of this House on both sides of the aisle.

Mr. CURTIS of Missouri. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. DEROUNIAN].

Mr. DEROUNIAN. Mr. Chairman, before discussing the withholding provisions of this bill I must comment on the remarks made by the gentleman from Massachusetts [Mr. O'NEILL] when the rule was being debated. I recall that he stated in castigating the minority side for seeking a modified closed rule: "Why do not the Republicans bring in a rule where we could reduce oil depletion?" I think that is a very good question and I will give you a very good answer: We are only 10 on a committee of 25. I say that I do not think the chairman of our committee would dare bring that rule up to reduce the percentage oil depletion because it would be embarrassing to his majority leader, the gentleman from Oklahoma [Mr. ALBERT], who comes from an oil-producing State. He would be embarrassing his majority whip, the gentleman from Louisiana [Mr. BOGGS], who comes from an oil-producing State. He would be embarrassing a lot of subcomittee chairmen on his side who come from oil-producing States. I would make this categorical statement that a bill to reduce oil c—etion allowances does not have a chance while the Democrats are in control of Congress.

Mr. LINDSAY. Mr. Chairman, will the gentleman yield?

Mr. DEROUNIAN. I yield to the gentleman from New York.

Mr. LINDSAY. That sounds like a big, great national issue.

Mr. DEROUNIAN. The majority leader of this House would not vote to reduce oil depletion, and the Democrats know it.

Let us get to the import of this bill.

Mr. Chairman, I wish to go on record as being unalterably opposed to the withholding tax on dividends and interest embodied in H.R. 10650. It is nothing more than a fraudulent scheme to destroy the exemptions which this Congress has written into our revenue laws for the young, for the old, for the thrifty, and for the small investor. It is a classic example of the meat-ax approach, and if we pass this bill we will be back here next year only because the people will not yet know what we have done to them. Undoubtedly with this in mind the administration asks that the withholding not be made operative until after January 1, 1963—after the November elections.

I would call this bill the IBM tax bill. By withholding, we make it essential for most businesses to rent a computer. By the investment credit, we give the computer companies a windfall or tax subsidy on every computer that they rent. For most of them, this will be the equivalent of a special tax rate on all of their new business. No one has estimated how much this would cost the Treasury, because no one can foresee the magnitude to which this bill will stimulate the demand for computers. As the caption of a recent article in the Wall Street Journal, on February 8, 1962, read, "Withholding Tax on Interest Promises Computer Boom and Depositor Confusion."

We have all heard the glib statement that "since there is withholding on salaries and wages, there should also be withholding on dividends and interest." Those who have studied the matter should know better than to advance such a specious argument.

In the case of withholding on salaries and wages, there is only one employer-employee relationship at any one time during the taxable year. The employee is permitted to claim any exemptions to which he might be entitled. The rate of withholding is supposed to take into account his normal deductions. Every effort has been made to be certain that there is no "overwithholding." Yet, the Treasury processes 40 million refunds each year on account of overwithholding. Instead of adding to this, we should be taking steps to minimize overwithholding on wages and salaries.

The new bill provides for a flat rate of 20 percent for withholding. The statistics show that for a large number of taxpayers, the rate of withholding is excessive. Furthermore—and this is particularly significant—the Treasury does not propose to keep any record of this withholding in order that it might refund to the individual money which has been unjustly withheld. The taxpayer gets no information return, and the Treasury keeps no records of withholding.

You will be told that the bill avoids any hardship because it provides for an exemption certificate for any taxpayer who will not owe any tax. You may not be told how this certificate will work. How effective will it be?

Except for those under 18 years of age, no one can file an exemption certificate who will file a return showing $1 of tax liability. In other words, to file an exemption certificate, you cannot be a taxpayer. If any part of your income is taxable, regardless of whether the tax on that income is paid by withholding, declaration of estimated tax, or otherwise, you cannot file an exemption certificate. It is an all-or-nothing proposition. Who can take this gamble and run the risk of incurring the penalty if they guessed wrong?

Of course, the fine is only $500 or imprisonment for not more than 1 year or both for filing a false certificate, but each individual will have to file an exemption certificate each year for each shareholder account, each transaction with a cooperative, each bond coupon cashed in, each savings bond redeemed, and each savings account on which interest may be credited. Multiply the $500 fine by the number of accounts, and you get a better idea of what the penalties might be in the case of a taxpayer who guessed wrong.

How many accounts will there be subject to withholding? Does anyone have any idea? In a recent speech, the Commissioner of Internal Revenue stated that there were 350 million payments of $10 or over just on accounts of dividends, saving account interest, and Federal and corporate bonds which would be subject to withholding. If we add to that number all of the accounts on which the payment would be less than $10, the dividends from cooperatives, interest credit on life insurance policies, and the other transactions which will be subject to this withholding provision, we get an astronomical figure. Five hundred million would be way too low. My guess is that it will exceed 1 billion transactions, but no one has any way of knowing. In a majority of the cases, the amounts involved will be nominal so that withholding will be nothing more than a nuisance tax.

What does this mean? There are more than 52 million savings accounts in our commercial banks and more than 29 million savings accounts in the savings and loan associations. In the case of commercial banks alone, there are about 32 million savings accounts on which the amount withheld will be less than $1. There are more than 50 million accounts overall on which the amount withheld will be less than $10.

The number of shareowners having a stake in American industry has more than doubled. More than 15 million Americans own shares in our major corporations. More than 3 million of these are shareowners with low incomes, for whom relief from double taxation of their dividend income makes the investment of their savings in American industry worth the risk. The bill would nullify that exemption as to these small shareholders. With respect to the first $50 of dividend income, the bill would levy a withholding tax of 20 percent even though the law says that the income is exempt. In the case of withholding $10 or less, the shareholder is required to wait until the end of the year and swear out a claim for refund to get his money back.

If the Treasury believed for a minute that these millions of small savers were going to file claims to get back withholdings of $1 or less, the administration-sponsored measure would result in a loss of revenue because of the administrative costs. Obviously, the Treasury is counting on the fact that very few depositors will go to the trouble and expense of swearing out a claim for refund to cover less than $1, particularly since most of these taxpayers will not even have a record of the amounts which have been withheld. There is no requirement for either the Treasury or the withholder to furnish the depositor with such a record.

We are adopting a scheme whereby the Government of the United States proposed to supplement its income by the simple expedient of collecting a small amount, not otherwise due, from millions of individuals who can reasonably be expected either to forget or to neglect to prosecute claims for the refund of their money. Many of our elder citizens will die without getting their money back. I doubt if such a proposal could get past the Better Business Bureau if it were not the Government itself.

The Treasury has the means at its disposal to collect any taxes on this money which might rightfully be due. The system of assigning numbers to taxpayers, and installing automatic data-processing centers for handling taxpayers' returns, could readily be extended

to cover the matching of information returns with the individual returns. The Treasury is already using a "meat ax" on the paying agent in order to obtain such information returns.

I would like to include as part of my statement an announcement in the Washington Post of February 27, 1962, under the masthead "IRS Warns of Fines if Deadline Not Met," and the news release issued by the Internal Revenue Service, to which the newspaper refers:

[From the Washington Post, Feb. 27, 1962]

IRS WARNS OF FINES IF DEADLINE NOT MET

The Internal Revenue Service warned businessmen yesterday they will face fines of $1 if they willfully fail to report by Wednesday a 1961 payment to customers, stockholders and others.

Corporations, banks, insurance companies and other firms must file information returns covering all dividend payments of $10 or more and all payments of $600 or more in interest, fees, commissions, pensions, annuities, rents and royalties.

The announcement said penalties would be imposed for willful failure to file the returns. A spokesman, asked to specify the penalties, said a fine of $1 may be imposed for each offense.

IRS said the filing of information returns is becoming more important because of its shift to computer processing of income tax returns. The computers will automatically check data on information returns against the income reported by individual taxpayers.

[From Internal Revenue Service news release, Feb. 26, 1962]

Internal Revenue Commissioner Mortimer M. Caplin today reminded persons engaged in trades and businesses they are required to file by Wednesday, February 28, information returns on forms 1099 and 1096 reflecting payments of $600 or more to those with whom they did business in 1961.

The Commissioner pointed out that with the advent of the automatic data processing system, the Service will be making maximum use of these forms in checking whether the recipients of the income are reporting it on their Federal tax returns.

He said the Service therefore will check closely to see that banks, savings and loan companies, credit unions, insurance companies, and other business entities are meeting the requirement of filing information returns. These are necessary on payments of interest, rents, royalties, annuities, pensions, fees, commissions, etc., aggregating $600 or more.

The Service will also check to see that such forms are filed reflecting payments of dividends of $10 or more, as required by law.

Unlike Federal tax returns, the information returns are not filed with district directors of Internal Revenue. They are required to be filed with Internal Revenue Service centers, the addresses of which are listed in the instructions for such forms. The internal revenue laws provide penalties for willful failure to file these returns on or before the due date.

Forms 1099 and 1096, and the instructions, can be obtained from any Internal Revenue office.

In the same speech to which I referred previously, the Commissioner objected to the use of his new computer system for collecting any taxes which may be overlooked on dividends and interest because he stated that the cost of matching information returns would run about $5.5 million a year. This certainly is not an unreasonable expense if we can avoid at double the cost imposing the burdens of this withholding provision on individuals, churches, charitable organizations, and the like. It would be cheap at twice the price. However, the Commissioner then complains that a mere determination of the tax due would not produce the revenue—that the taxpayers would not pay their tax even if the Treasury billed them. I do not accept that statement.

All we have to do is look at the volume of consumer credit on which our economy is predicated if we have any doubt of the inherent capacity and integrity of the American citizen to pay his bills. All our commercial transactions are based upon the extension of credit to the consumer. However, the administration would have us believe that he cannot be trusted. This is indeed astounding.

If we pass this bill—with the withholding provision in it—we will be giving our approval to this administration's claim that the millions of recipients of dividends and interest are deadbeats, bill skippers, and cannot be trusted. I, for one, am unwilling to do this because I do not believe it.

Mr. Chairman, in order to illustrate that confusion was rampant on this section of the bill, this provision was changed four times before the bill was finally drafted as it came before the House today.

Mr. Chairman, speaking of the bill, reference was made to the expense accounts by another speaker. May I say this: One day in the committee we had what we called "Billy Day" because we passed this provision that if a businessman or taxpayer had proved he had spent $100 on entertainment, and if it were legitimate and provable, he could claim only 50 percent of it. In other words, the taxpayer proved himself 100-percent innocent but they found him 50-percent guilty. Even the Democrats who voted for this provision against the protest of the Republicans had to run from the Restaurant Union, the Bar Tenders Union, and then 16 Congressmen from the city of New York issued a release that this was an unreasonable provision, a provision which their own party had backed. Then we changed it, and rightfully so. So all of this bill has not been carefully thought out. There has been pressure in many cases. For that reason unless a motion to recommit by the minority side is approved, I am certainly not going to vote for the bill, and one of the main reasons will be this withholding provision.

Mr. KING of California. Mr. Chairman, I yield 10 minutes to the gentleman from Missouri [Mr. KARSTEN].

Mr. KARSTEN. Mr. Chairman, I am going to support this bill.

Mr. Chairman, the Revenue Act of 1962 is one of the most important measures upon which we shall vote during this session of Congress. Its impact upon our economy may be greater than any other single piece of legislation that has come before the Congress in recent years.

In its strict sense, it is a revenue bill but in its application it is much more than that. It represents an effort on the part of the administration and the Congress to encourage the modernization of American productive facilities to make them more competitive in expanding world trade and to stimulate our own economic growth. To accomplish these broad objectives we must first substantially increase the rate of capital equipment investment in order that our industries can provide themselves with modern tools and equipment. I know that American industry can successfully compete with any nation in the world if we will but make the effort to do so.

This bill is the instrument by which we can expand the economy of the United States, improve our competitive position, and open up new export outlets abroad.

Our economy is growing but it must grow at a faster rate during the decade ahead if it is to expand sufficiently to attain a gross national product of some $800 billion, and to provide 13 million new jobs by 1970. A large part of the gross national product will depend upon the ability of American industry to make its products competitive with products of other nations, both at home and abroad. Equally important will be the labor force of 85 million workers. In short, we must outproduce and outsell our competitors if we are to gain any economic ground in the next decade.

To accelerate business investment, the bill generally provides, in section 2, an allowance against income tax of 7 percent of the cost of new depreciable property, excluding real estate. This means principally machinery and plant equipment.

Testimony presented to the committee shows that if full advantage is taken of the investment credit provisions over the next year it will represent a plant modernization program approximating $40 billion. By 1970 we may expect a program aggregating almost $60 billion which will mean higher income, fuller employment and greater use of American industrial capacity.

The plant modernization program is really an investment in the future of America.

Tax programs as a business incentive have been in use by foreign countries for many years. This has resulted in many American companies locating new plants abroad, where they have been able to secure the benefit of so-called foreign tax havens.

If our domestic plant modernization program is to be successful we must also eliminate these foreign tax-haven incentives, which are resulting in the exportation of American industry and American jobs. Section 13 of the bill makes substantial progress in discouraging such practices by closing the tax loopholes on income earned abroad.

These two sections, section 2 to encourage the modernization of our domestic productive capacity, and section 13 to discourage the exportation of American industry abroad, constitute the major premise of the Revenue Act of 1962.

Furthermore, even though the allowance of the 7-percent investment incentive tax credit will result in a revenue loss of an estimated $1.175 billion in a full year of operation, the revenue-raising provisions which are contained in the other sections of the bill will more than offset this loss. In fact, the Treasury Department has estimated that the overall revenue effect of this bill will result in a net revenue gain of $120 million to the Government in a full year of operation. In addition, the revenue-raising provisions of this bill will provide greater overall equity in our income tax system through the elimination of a number of loopholes and special tax preferences that are presently contained in our tax laws.

In addition to the elimination of the foreign tax haven incentives referred to previously, the bill would make a number of changes in the tax treatment of foreign income which are designed to insure that such income bears its fair share of the current tax burden.

Another revenue-raising provision would impose stricter limitations on allowance of income tax deductions for business entertainment and related expenditures by requiring a more proximate and direct relationship between such expenditures and the active conduct of a trade or a business than is required under present law. This provision is designed to deal with the widely publicized and flagrant abuses that have developed under present law in the business entertainment expense area. It would also overrule the so-called Cohan rule of present law, under which courts have permitted a deduct on for estimated amounts of business entertainment expenses in situations in which there was insufficient evidence to establish the actual amounts of such expenses. Under the bill, no deduction would be allowable for unsubstantiated business entertainment expenses.

The bill would also subject mutual insurance companies to a revised tax formula which would take into account the underwriting income realized by such companies. Under present law, mutual insurance companies are taxed only on their investment income, whereas competing stock insurance companies are taxed on both their underwriting and investment income. Under the bill, more equitable tax treatment is provided for these competing forms of business organizations.

Another revenue-raising provision would close a loophole that exists under present law which effectively permits the conversion of ordinary income to capital gains in circumstances in which property which has been subjected to depreciation is sold for a price in excess of its depreciated cost. Under the bill, any excess of the price for which such property is sold over its depreciated cost, which is attributable to depreciation deductions taken with respect to the property after December 31, 1961, will be treated as ordinary income rather than as capital gain.

In the area of the tax treatment of cooperatives, the bill would provide that the profits realized by these organizations will be taxed currently, either to the cooperative or to its member-patrons. This treatment is in accord with the intent of Congress in enacting legislation on this subject in 1951, but which intent was thwarted by certain court decisions. This provision of the bill will also go far toward eliminating the competitive inequities that exist under present law between cooperatives and competing forms of business organizations.

The most important revenue-raising provision contained in the pending bill is the one that will institute a system of withholding a tax at source on interest and dividends. This withholding system is designed to insure the collection of some $600 million of taxes on these income items which are presently due and owing to the Federal Government, but which, through negligence, inadvertence, or design, are not being reported by some taxpayers on their tax returns, and with respect to which tax is not being paid. It should be emphasized that this provision is in no sense a new or additional tax but is merely a method of collecting taxes that are imposed by present law. In order to minimize the inconvenience and hardship to taxpayers, however, exemption certificate procedures that are provided for those taxpayers who owe no current taxes and rapid, quarterly refund procedures are provided for taxpayers with respect to whom excess tax might be withheld.

These revenue-raising sections, as well as a number of other similar provisions contained in the bill, will provide greater equity in our income tax system and the revenue gains resulting therefrom will preclude the investment incentive credit from resulting in any overall revenue impact. I strongly urge my colleagues in the House to vote in favor of the pending bill.

Mr. CURTIS of Missouri. Mr. Chairman, I yield such time as she may require to the gentlewoman from New Jersey [Mrs. DWYER].

Mrs. DWYER. Mr. Chairman, the Revenue Act of 1962 as reported from the Committee on Ways and Means is, in my judgment, a bad bill and I intend to vote against it unless appropriate amendments are adopted or a motion to recommit the bill is successful.

It is a bad bill, I believe, because it is discriminatory, because it fails to cover a number of the most glaring loopholes in our tax laws, and because at a time when a balanced budget is essential this bill will almost certainly produce a significant budget deficit in fiscal year 1963.

It is important to emphasize, Mr. Chairman, that a vote against the pending bill would not be a matter of fiscal irresponsibility. On the contrary, it would be the most responsible possible vote. Members of Congress are sometimes accused of voting for expensive new Federal programs and then refusing to vote for the revenue measures necessary to pay for them. This is not the case with the pending legislation. The budget for fiscal 1963, as submitted by the President, was proposed to be balanced, and without the new revenues specified in the present bill. The revenues now under consideration are earmarked, in effect, to pay for the investment tax credit which is included in the same bill. In other words, the defeat of the bill would not affect the budget one way or another.

Before dealing with the substance of the tax bill, there is another consideration I believe we should keep in mind. It is no secret that a great many Members on both sides of the aisle are seriously disturbed about the provisions of this bill, either in whole or in part. To save as many of these votes as possible, it is being suggested by some that the House ought to pass the bill and then let the Senate delete or amend the questionable provisions. This argument has all the earmarks of irresponsibility, and I for one cannot accept it. Certainly, we in the House should not have to depend on our colleagues in the Senate to correct our mistakes. Unless we are satisfied that this is the best bill that can be written, we should return it to the Ways and Means Committee with instructions to rewrite the bill accordingly.

The greatest inequity in the bill, Mr. Chairman, is the impact of the proposed withholding scheme for income from dividends and interest on the millions of Americans who have a savings account, a few shares of stock, or an insurance policy. Despite the efforts of the committee to provide for quarterly refunds where a person's tax liability is less than the amounts of income withheld, the proposed plan will still result in a great deal of overwithholding. And overwithholding, by its very definition, deprives the taxpayer of income that belongs to him, not to the Government. Moreover, the procedures required to administer this withholding plan are necessarily involved and will introduce into the lives of taxpayers, especially the smaller taxpayers, a new flood of complicated tax forms, exemption certificates, refund claims and the like.

For these reasons, it is apparent, I believe, that the heaviest burden of the withholding plan will fall on those persons least able to carry it. This is a complete reversal of the basis on which our revenue system rests. To deprive people who need every cent of their income, especially the older and retired members of our population, of any part of that income for periods of a month or more cannot be justified. It is likewise unjustifiable to subject people unnecessarily to increasingly complicated income tax returns, especially people who cannot afford the services of tax accountants or lawyers.

I share the concern of the administration and the committee at the substantial loss of revenues from interest and dividends due to the failure of many taxpayers to report such income. I cannot believe, however, that the only alternative to these losses is the proposed withholding system, as full of inequities and other objectionable features as it is. I strongly agree with the minority report on the bill that the administration should pursue measures already initiated in an effort to increase the rate of compliance

before resorting to the extreme solution of withholding. The use of information returns, for example, would be a simpler and much more convenient method of obtaining maximum compliance, especially since many people who do not report income from dividends and interest fail to do so only because of ignorance of the requirement.

The immediate purpose of the withholding provision is, of course, to raise sufficient new revenue to help pay the cost in lost revenues of the proposed new investment credit. There is an unfortunate irony involved in this arrangement. What it comes down to, apparently, is this: a highly inequitable revenue-raising procedure, particularly burdensome to those with lower incomes, is to be the means of providing a special tax windfall or bonanza to big business—a windfall which business in general has not asked for.

The purpose of the investment credit—to provide an incentive for economic growth and business expansion, an objective universally shared—can be achieved at far less cost to the taxpayers and without requiring costly tax windfalls by substituting for the tax credit a provision allowing for increased depreciation of the same kind of business assets. Instead of tax forgiveness or a new form of subsidy, this would be tax postponement. It would also, so far as I can determine, be a more effective and longer lasting form of incentive for business growth. And it would accomplish this without requiring the imposition of a withholding system, since its effect on the budget would be substantially more moderate than the investment credit.

There seems to be general agreement on all sides, Mr. Chairman, that we should use the tax system as a tool to achieve greater economic growth—together with all that economic growth means in terms of higher employment, a stronger competitive position in foreign trade, increased national security, and an improved balance-of-payments position, as well as greater overall prosperity for our people.

In seeking these objectives, however, we should use discrimination in the means we choose. We should make certain that in helping one part of the country we are not hurting another. We should avoid forcing one group of our people to pay for the prosperity of other groups. And we should take care not to open larger loopholes in our tax laws when we purport to shut existing ones.

In my judgment, Mr. Chairman, the pending bill fails on all these counts, and for that reason I must vote to recommit the bill or, failing that, I must vote against it on final passage.

Mr. CURTIS of Missouri. Mr. Chairman, I yield 3 minutes to the gentleman from New York [Mr. DOOLEY].

Mr. DOOLEY. Mr. Chairman, I strongly oppose this legislation.

We have heard many good arguments, fortified by statistics, against H.R. 10650, the Revenue Act of 1962. Most of these presentations have been in the form of possible national effects that would result with enactment of this bill.

I would like to read into the RECORD, however, the remarks of a president of a savings bank located in my district. I think they will add greatly to the current discussion. The writer of the statement, Mr. Danby C. Osborn, is not only one of my constituency's leading citizens but also one who has devoted his life to building a savings institution which has lent strength and vitality to the community which it serves.

Mr. Osborn's letter reads as follows:

THE HOME SAVINGS BANK,
White Plains, N.Y., March 27, 1962.

Hon. EDWIN B. DOOLEY,
Congress of the United States,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN DOOLEY: In reply to your letter of February 6, and as you suggested in that letter, I am taking the liberty of outlining for you in short form the effects that passage of the new tax bill would have on the Home Savings Bank here in White Plains, if passed.

First, my desk is out on the bank floor and I have many opportunities to greet and talk with the customers of the bank. I detect a very strong resentment on the part of many customers as to possible withholding. One result of the passage of the withholding provision would, we think, temporarily cause some withdrawals on the basis of psychological reaction, even though there would be no point in people doing so. As far as the bank itself is concerned, this represents a massive clerical job making the banking operation more cumbersome and less efficient, in addition to more expensive. The end result will be that the customer will suffer in some way, although the degree cannot be measured. It is true that if the withholding provision is passed, it will affect all financial institutions equally, therefore there is no disadvantage competitively.

Second, as to the revised schedule in the bill to increase the Federal tax on mutual savings banks and savings and loan associations, a short form summary will work out as follows: The deduction of 3 percent of net new real estate loans to be allowed as a free bad debt reserve would not give us the equivalent deduction available under the alternate of taking 60 percent of net taxable income.

Our net taxable income for the year 1962 is projected at	$500,000
Less 60 percent	300,000
Net subject to tax	200,000
Approximate tax	100,000

It can readily be determined that the effect of this tax proposal will deprive the bank of approximately 20 percent of its net retention for reserves. The bank would therefore be 20 percent less effective in its ability to set aside reserves in relation to deposit growth. Instead of being able to support deposit growth of $6 million adequately, the figure would be reduced to approximately $4,800,000. Growth would have to be arbitrarily controlled within these figures as a savings bank cannot continuously take on new growth without setting aside adequate reserves for the protection of depositors. The result would be at the very least about $1,250,000 less going into the mortgage market each year. This figure probably would be somewhat larger as it would be natural for the bank to seek tax exempt securities up to a certain point, therefore making still less available for the mortgage market.

The effect of this bill in our opinion is directly contrary to the objectives of the administration which seeks economic growth in the country to keep up with the population growth. Any country which puts the damper on thrift incentive and the progress which it produces, is performing a great disservice to the public.

Very sincerely yours,
DANBY C. OSBORN,
President.

Mr. MILLS. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose, and the Speaker having resumed the chair, Mr. ROOSEVELT, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 10650) to amend the Internal Revenue Code of 1954 to provide a credit for investment in certain depreciable property, to eliminate certain defects and inequities, and for other purposes, had come to no resolution thereon.

SEVENTY-FIFTH ANNIVERSARY OF THE INTERSTATE COMMERCE COMMISSION

Mr. FORRESTER. Mr. Speaker, I ask unanimous consent for the immediate consideration of the joint resolution (H.J. Res. 441) to commemorate the 75th anniversary of the Interstate Commerce Commission.

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The Clerk read the resolution, as follows:

Whereas April 5, 1952, is the seventy-fifth anniversary of the Interstate Commerce Commission; and

Whereas the Interstate Commerce Commission is the oldest regulatory agency in the United States, having been established by the Act to regulate commerce enacted on February 4, 1887; and

Whereas the duties and responsibilities of the Interstate Commerce Commission have been expanded throughout the past seventy-five years so that its activities in regulating the transportation industry now affect the life of every citizen of the United States: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is authorized and requested to issue a proclamation designating the 5th day of April 1962 as Interstate Commerce Commission Day, for the purpose of commemorating the seventy-fifth anniversary of the Interstate Commerce Commission.

The joint resolution was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

HOUR OF MEETING TOMORROW

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 11 o'clock tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

PERSONAL ANNOUNCEMENT

Mr. CLEM MILLER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. CLEM MILLER. Mr. Speaker, during the last few days there has been a flurry of statements, speeches, and press releases concerning a book called "The Liberal Papers."

It has been alleged that this book or these papers were sponsored, proposed, supported, produced, or published by certain Members of this body—apparently because these Members of Congress are further alleged to be or to have been members of the liberal project.

Since the matter has been raised on the floor of the House, it now seems proper for me to comment here.

A Republican National Committee press release dated March 20, 1962, stated that the liberal project is or was sponsored by 35 Democrats, all present or former Members of the House of Representatives. This same press release also included the following correction:

Press reports used as source material for Republican National Committee comment on "The Liberal Papers" erroneously named Representative GEORGE P. MILLER, Democrat, California, as one of the sponsors. It is now understood that Representative CLEM MILLER, Democrat, California, was the person whom the press dispatches meant to name.

We deeply regret any injustice done to Representative GEORGE P. MILLER.

Insofar as any press release or any press report meant to name me, it was done without my knowledge or authority. If I had been informed it would have been repudiated.

I am not and never was a member of any liberal project. I do not and never did sponsor, propose, or support the book, "The Liberal Papers," or these papers separately, or the views expressed by their authors. I have had nothing to do with producing or publishing the book or the papers.

Although I have not read the book or the papers, I personally disagree with and do not and never did endorse the views or proposals which they express, as they have been reported by the press and as stated in the various press releases on this subject.

THE DEAD SEA SCROLLS

Mr. MATTHEWS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point and include a talk by Mr. LIBONATI.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. MATTHEWS. Mr. Speaker, each Thursday morning a number of us meet for an hour's discussion of religion and for spiritual fellowship to help us meet the problems of the day. At one of our meetings several weeks ago, our able colleague, Hon. ROLAND V. LIBONATI, Representative from Illinois, gave a splendid talk on the discovery of ancient Hebrew manuscripts known as the Dead Sea Scrolls in a cave in the desert of Judea. This talk was so well received by our group that I know it will be of interest to all earnest students of religion. I am, therefore, happy to enclose a copy of this scholarly and inspiring address by our colleague, ROLAND V. LIBONATI, the gentleman from Illinois.

ADDRESS BY HON. ROLAND V. LIBONATI

It is now 15 years since the discovery of ancient Hebrew manuscripts, now known as the Dead Sea scrolls, in a cave in the desert of Judea.

They shed light on a number of questions—archeology, paleography, the text of the Old Testament, Jewish history, and other fields of knowledge.

We are specifically concerned with the connection of the documents with the New Testament and the relationship of the sect that produce these documents, with the origins, the spread, the organization, and tenets of Christianity.

It was in a cave, west of the Dead Sea, near the Khirbet Qumran, that the Bedouin discovered the first manuscript in 1947.

The scrolls were more or less complete, carefully wrapped in linen and preserved in jars. They comprised biblical texts in Hebrew; two scrolls of Isaiah's, one complete of writings heretofore unknown, labeled "Sectarian—A Commentary or Midrash"; on the first two chapters in "Habacuc, the War of the Sons of Light and the Sons of Darkness"; a collection of 35 hymns or thanksgiving songs, and the community rule or manual of discipline; and, lastly, a work of an apocalyptic character, the lost "Apocalypse of Lamech," in a fragile condition. In addition, a large number of fragments (600) purchased from Bedouins and dealers, others collected during the systematic excavation of the cave in 1949, in possession of the Palestine Museum.

The genuineness of these scrolls is now accepted. The age or date of the actual composition on the copied scrolls is undetermined. The placing of the scrolls in the cave was determined through various explorations nearby, and the finding of similar jars with coins dating from the time of Augustus to that of the Jewish revolt of A.D. 66–70. During this later period, the buildings were destroyed by fire and abandoned. The conclusion can be fairly drawn that the scrolls were stored away for safekeeping before A.D. 70, and thus belonged to the early New Testament or pre-Christian period. Further explorations confirmed these conclusions, the central community building was built during the reign of Hasmonean John Hyrcanus (135–104 B.C.) and occupied until about 30 B.C. when it was ruined by an earthquake. It was rebuilt early in the first century A.D., and occupied until the time of the first Jewish war.

ORIGIN OF THE QUMRAN SECT

Regarding the precise origin of the Qumran sect and, notably, the historical identification of the persons mentioned in their scrolls ("Teacher of Righteousness," "Wicked Priest and the Invading Kitten," etc.) there have been a wealth of theories. However, there is some measure of agreement, now, among scholars as to broad outlines of the genesis and history of the sect.

The Dominican fathers actually working on the cave material in Jerusalem state that the remote origin of the sect takes us to the pietist milieu centered around the temple of Jerusalem, early in the second century B.C. The sect emerged as a distinct body in the Maccabean revolt of 166 B.C. as an element in the Hasidim "the pious," who rallied to the standard of Judah. From this period dates the war scroll and, possibly, an early form of the rule. After some years (Damascus document 20 years), the sect definitely broke with official Judaism. Some date this during the reigns of the two Maccabees, Jonathan 160–146 and Simon 142–134. Others during the early Hasmoneans, after 134 B.C.

The sect was led into exile, in all probability, by the "Teacher of Righteousness," who organized it there. "Damascus" was a symbolical name for Qumran.

From 142–134 B.C. were composed the "Teacher of Righteousness," the "Habacuc Commentary," and the gradual compilation of the rule in part or the whole by the same teacher. A final point regarding the connections of the Qumran sect. Many points of contact exist between their writings and the Old Testament Apocrypha (the books of "Henoch" and of the "Jubilees," the testament of the "Patriarchs," the "Assumption of Moses," etc.), which date from the second century B.C. to the first century A.D. It is significant that in all the Qumran caves, fragments of these Apocrypha and other similar works, previously unknown or lost, have been found.

The evidence seems to point, more and more, to the conclusion that it was the Qumran community that was responsible for these writings.

The Essenes were akin to the Qumran. Their practices were much like those of the Qumran community; i.e., exclusiveness, practice of celibacy, community goods, great attention to ritual purity, scrutiny of the law, secret doctrines and practices, abundant literary activity, allegorical ex-egisis of the Old Testament, general organization, etc. The location of the Khirbet Qumran corresponds exactly to the location of the principle center of the Essenes, as given by Pliny: near the shores of the Dead Sea, far from the noisesome city of Egaddi to the south.

The Essenes opposed slavery, practiced alms-giving and measure of hospitality in the cities. Palestine and Syria were not mentioned in the Qumran rule. It is said that the Damascus sectaries and Qumran represented the first and second stages in sect development and the Essenes, the third. We speak of the Qumran community as a group of Essenes.

Most of the books of the Old Testament were written during a period from about the eighth to the third centuries, B.C., but came from documents and fragments that are older. A few books are later than the third century, for example, "Ecclesiastes."

All the original manuscripts are lost, although it is now possible that there are fragments of the original manuscripts among those recovered from the Dead Sea caves. Even in the first century, B.C., only copies were available; some of these must have been copies many copyings removed from the originals.

We do not know how the earlier Hebrew Scriptures were preserved when the kingdoms of Israel and Judah were overcome and their temples destroyed. Did some of the archives survive? Did some priests escape and take the scriptures with them? Did the scriptures go with the people into exile? Who preserved the writings of the prophets? Who did the first compiling? The selecting?

The editing? We do not know the answers to these questions.

We do know that, during the passage of time, there were many variations in the manuscript copies and a standard text seemed necessary. It was completed in the seventh and eighth centuries A.D. by the Massoretes.

To Jewish scholars who, for several centuries of the Christian era, labored to insure a reliable text of the Old Testament Books of the Bible, the word "Massorah" meant tradition, and they were meticulous and scrupulous in their scholastic standards. They maintained the purity of the sacred text. There was never any certain way of determining how near these texts were in accuracy to the originals. It will be seen that the Hebrew University Isaiah Scroll, dating more than 1,000 years before our Massoretic Text, Ben Asher and Ben Naphtali (10th century A.D.), brings to Isaiah valuable assurance. Unfortunately, this reassurance is a good deal disturbed by fragments from Qumran cave 4, which show that certain other books of the Old Testament, the "Massoretic Text," is not as reliable as was accepted. The Books of the New Testament were written in a shorter period (from the last half of the first century to the end of the second century), with allowance for insertions, alterations, down to almost the fourth century. Here, again, we have none of the original manuscripts, only copies, the earliest of which cannot be older than the fourth century A.D.

After the writing of the Old Testament, other religious writings were composed, some in cryptic form; i.e., elaborate allegoric symbols were used, which only the initiated would understand, a security measure in case the writings fell into the hands of the enemy; example, the "Book of Daniel," Old Testament, and the "Book of Revelations," New Testament.

Some of these writings were predictions, especially the downfall of oppressive rulers against the Jewish nation, and a prediction which increasingly appeared was that of the coming of the "Anointed One" (Messiah). A considerable number of Jews believed it; there were some who did not.

There was considerable literature on Apocalyptic and Eschatological writings, and others of different style and content.

Now the Bible is an ecclesiastical selection from this far greater literature, and is not the same in all communions; the selection made by the Catholics, for instance, is somewhat larger than that made by the Protestants. And, of course, the Jewish Bible does not contain the New Testament. The selection was made by custom and selections were different from place to place. But later conventions were held, i.e., the Rabbinic Synod of Jamnia, circa A.D. 100, and several Christian church councils, where the books to be included were decided upon. Each communion, for itself, called, in Latin, canonical—"rule."

SIGNIFICANCE OF THE DISCOVERY

Until public interest was aroused by an article by Edmund Wilson, May 14, 1955, these were ignored by scholars of the New Testament; perhaps many of them do not have an adequate training in Hebrew to study these texts. Which is not a very good reason, in that many could rely upon the technical study under Semitic specialists, of whom there are a number in their field.

Others belittled Mr. Wilson's qualifications as a scholar, being a reporter. Experts on the scrolls have a high regard for his talented competency in his writings, by transmitting correctly what these experts have been thinking about them.

The scholarly Prof. M. Dupont-Semmer, University of Paris, and Prof. William Albright, Hopkins University, both agree that the new evidence bids fair to revolutionize our approach to the beginnings of Christianity. There is a concurrence among many distinguished scholars in their predictions that the subject must be reconsidered, completely.

New Testament scholars say that it is too early, yet, to draw inferences; we must wait until more is known and understood about it, perhaps for 50 years.

In 50 years they will no longer be teaching. Their unfortunate successors will inherit from them nil in this study. The fact is that an interpretation of the main significance of these documents is being studied now. No one can deny that the reconstruction of our detailed view of Christian origins will take considerable time and will involve prolonged debate. But that is a better reason for beginning the study on procedure now, rather than postponing it. Any mistakes, pointed by future discoveries, will give impetus to revision based on truth.

It has long been known that Christianity absorbed elements from pagan religions in the Mediterranean area, during the early centuries of its development.

The new slant on liturgical reform has been given impetus through the studies of the Dead Sea Scrolls. These studies have been carried out by scholars of all denominations. We have discovered a basic authority for comparisons of what has been written of the Biblical beginnings of Christianity at its source, and those writings subsequent to the scrolls. The public image of all churches of the Christian faith must be oriented with the new discovery. A complete survey of what we considered perfect in the liturgy of the church must be studied. The liturgy must be understood to hold its rightful place in the celebration of the ceremony and, if its true purpose is to be realized, in the majestic worship on the part of all. Christians worship as members of Christ's body. We worship with Him as one person the Father. To us, alone and together, the Holy Spirit is the soul of Christ's body—its living and creative force.

These concepts of religion are truly realistic in divine worship and must be made lucid in this life, through faith. These tenets are held by all Catholic scholars. To make these things real, the Holy Father, Pope John the Shepherd, has reiterated, time and again, that the Almighty must receive, directly, the prayers of the faithful, and this obligation must be kept uppermost in the minds of the laity, even while praying to one of the saints for intercession, in one's behalf, to the Almighty. The congregation should be considered as worshiping a family of Christ. The ritual should be close, in its inspiration, to the Last Supper. The apostles, together and alone, felt their oneness with Christ. They understood, in gesture and in language, the rite. This spirit of intimacy and closeness of friendship and love is the goal of all reforms.

The liturgy is simple. God the Father is the center. The approach to the Father is through the Son. The power that moves is the Holy Spirit. God is the core of all creeds in our formulas of faith. It is an approach, in common, to God and in God. The Roman liturgy is God centered in all its forms with great concern contributing to its majesty and beauty. Protestants are sometimes misled by Catholics who habitually are pursuing or straying into fields of minor devotions. Thus, the layman becoming an active participant in the church's worship gaining greater understanding of the Word of God would show a better and greater understanding for the separated churches. He would no longer be a mere occupant of a pew, praying without any attention given to the meaningful liturgy moving toward the true worshipful acceptance of God through Christ and the Holy Spirit as one.

After all, the study of the Dead Sea scrolls only brings out, more basically, the great truth that, without Christ, both the Old and New Testaments would be only a historical or mythical record of the lives of patriarchs who, in their predictions and parables given to the world, communed with God and left His messages unfulfilled to posterity.

Without Christ there would be no liturgy—no center or core of God's pattern and no Christian doctrine. Even paganism might still have its collection of gods personifying nature's forces, etc., for worship, as a religious contribution, to the edification of the ignorant masses.

WHAT THE SCROLLS CONTAIN

Bedouins—Qumran cave 1947. Scrolls, 11 6 separate compositions.

Two versions of one of the compositions make seven called the "Seven Dead Sea Scrolls."

By manuscript is meant written by hand.

Scholars use the word "manuscript." They do not mean an original composition, but, really, a copy.

1. St. Mark's Isaiah Scroll.

Longest of the manuscripts; 54 columns in Hebrew contain complete "Book of Isaiah."

Strips of leather, stitched at the edges. 1 foot wide by 24 feet long. Condition good. This differs from the Massoretic text (translated in our Bible); it is, in the main, the same.

2. The Hebrew University Isaiah Scroll.

Another scroll, also of Isaiah, not complete, deteriorated. There is a large section with parts missing. Most of chapters 38 to 66 (the end) and several smaller sections containing parts of some of the earlier chapters.

Text close to Massoretic text (our Bible).

3. Mildrash on the "Book of Habakkuk."

A mildrash is an explanation or commentary applied to a sacred text. (Modern mind thinks this is a peculiar way.) The special nature of the commentary in this scroll, plus its reference to a Teacher of Righteousness, have made it the occasion of much controversy.

Five feet long, six feet wide (originally seven inches longer). The beginning is missing, there are holes, but find condition good. Continue page 24, first paragraph; second paragraph.

This is the first of seven references to a Teacher of Righteousness.

4. The Manual of Discipline.

A manuscript of two scrolls, with two sections reunited. It is 6 feet long, 10 inches wide (originally a foot or more longer). Coarse quality of leather in good condition. Other fragments appear to be a part of this scroll. The scroll described a covenant of steadfast love, in which members of a dedicated community are united with God. Then follows an account of the two spirits in man, the spirit of light and truth and its antagonist, the spirit of darkness and error. After this come the rules of the order, describing the entrance requirements and the penalties for the infringements of the rules. In conclusion, a long psalm of thanksgiving.

5. The War of the Sons of Light and the Sons of Darkness.

This is well preserved. It is a scroll 9 feet long and 6 inches wide. It still has its wrappings. It describes a stylized conflict between the righteous and the wicked—seems to be a narrative of an actual war. It is similar to the "Book of Revelations" in the New Testament. Apocalyptic in nature (writings of Greeks and Hebrews, second century B.C. to third century B.C., revealing the righteous purpose of God in relation to the end of the present world order. It is also eschatological, the last things to do with culminating events, particularly death and judgment. The end of the world order and the establishment of a supernatural regime.

In the Old Testament this is known as "the day of the Lord."

6. The Thanksgiving Psalms.

Consists of four rolls of leather, width about 13 inches. These are parts of 20 psalms, very similar to those in the Old Testament.

7. Aramaic Scroll.

This was first called Lamech. It is written in Aramaic, not in Hebrew. This scroll contains chapters from the "Book of Genesis," expanded by material from folklore tradition.

There are two of copper, recently found. Also, there are many fragments collected that are still being deciphered.

THE LATE HONORABLE JOHN W. MURPHY

Mr. SCRANTON. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SCRANTON. Mr. Speaker, Pennsylvania's 10th Congressional District, along with his legion of friends and admirers all over America, are saddened today to learn of the death early this morning of John W. Murphy, chief judge of the Federal district court of the middle district of Pennsylvania and a very distinguished former member of the House of Representatives.

Judge Murphy died as he lived, with great courage, with great dignity and with the lasting admiration of everyone who knew him.

He was a native of the hard coal region of Pennsylvania and it was once said about him that though on occasion he could be the gentlest of men, a fight with John Murphy never really began until John Murphy was on the floor.

That is the way he lived his life, fighting for the things he believed in, and the causes he espoused were many and worthy.

He served in the House of Representatives of the United States in the 78th and 79th Congresses and, though his political affiliation was different than mine, I know of no man I respected more.

He became a great Federal judge, known for his learning and for his fierce impartiality. It was a well-deserved honor in 1955 when, after 9 years in the middle district court, he became chief judge.

John Murphy never knew what was meant by the word "quit." The memory of his courage, tempered only by his resignation to God's will, will never be forgotten by those who knew him.

He was a distinguished lawyer, and his keen mind found stimulation in the world of ideas. He studied philosophy, law, history, and theology; and in northeastern Pennsylvania we loved this man.

The bare bones of any man's biography can never hope to catch the spirit of the life he lived. It is easy to recount that John William Murphy was born in the small town of Avoca, Pa.; that he attended the public schools and was graduated from the Wharton School of the University of Pennsylvania in 1926 and from the law school of the same university in 1929; that he was assistant district attorney in Lackawanna County from 1934 until 1941; that he served ably in the Congress from 1943 to 1946; that his ability was recognized when he was named a member of the Joint Committee on the Investigation of the Pearl Harbor Attack.

These are simply some of the highlights from a great life, but for those of us who knew him, it is the warm, mature personality of John Murphy that will be remembered.

Our great respect and affection for him is carried over in our condolences to his dear wife, his fine sons and daughters, his brother, his sisters, and his grandchildren.

The world John Murphy walked in was better for his having been there. May he rest in eternal peace.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. SCRANTON. I am delighted to yield to our distinguished Speaker.

Mr. McCORMACK. I am grieved to learn of the death of my dear friend, Judge John Murphy. I met the gentleman from Pennsylvania [Mr. SCRANTON] earlier today, and he told me of the passing of our late beloved colleague and my valued friend.

John Murphy was one of the most dedicated Members of this great body, serious, able, courageous. He represented the people of his district and the people of our country in a responsible manner and in an honorable and trustworthy way. He was a man imbued with the love of his fellow men, with a fine, noble, understanding mind.

Between us there developed a very close and strong friendship, a friendship I valued very much and one that continued after his service in this body by an exchange of letters with each other and occasionally seeing each other at such times when he visited Washington.

As I said at the outset, I am deeply grieved at his passing. I extend to Mrs. Murphy and her loved ones my profound sympathy in their great loss and sorrow.

Mr. SCRANTON. I thank the Speaker very kindly for his wonderful words. I know they will go to the hearts of our late colleague's family.

Mr. CURTIN. Mr. Speaker, will the gentleman yield?

Mr. SCRANTON. I yield.

Mr. CURTIN. Mr. Speaker, I join with my colleagues in noting with deep sorrow the passing of the Honorable John W. Murphy, of Scranton, Pa.

Judge Murphy was a former outstanding Member of this House and an illustrious jurist who served with great distinction in the Federal District Court for the Middle District of Pennsylvania for 16 years.

His passing away today marks the end of a distinguished career on the bench for this highly respected jurist.

All who appeared before him as an advocate during the years when he served in this Federal court were impressed by his fairness, his patience, and his knowledge of the law.

The Federal judiciary has lost a distinguished member with the death of Judge Murphy. Our sympathy goes out to his bereaved family.

Mr. FLOOD. Mr. Speaker, today I received the sad news of the death of one of our former colleagues and for the past 16 years a Federal judge for the middle district of Pennsylvania, the Honorable John W. Murphy, of Scranton.

Judge Murphy was a native of my congressional district, having been born in Avoca, and served in this body as the Representative from Lackawanna County, which is the adjacent congressional district to mine, during the 78th and 79th Congresses, resigning in July of 1946 to become a Federal judge.

Judge Murphy was a graduate of both the Wharton School of Finance and the Law School of the University of Pennsylvania and, therefore, had an impressive educational background upon which to launch his truly outstanding public and professional career.

Judge Murphy served as an assistant district attorney of Lackawanna County and member of the bar of Lackawanna County courts, Pennsylvania Superior Court, Pennsylvania Supreme Court, and the Supreme Court of the United States.

He served also as the director of the Lackawanna County Bar Association, member of the executive committee of the Pennsylvania Bar Association, and member of the American Bar Association. He also served as president of the Purple Club, member of the Scranton Club, and Fourth Degree Knights of Columbus. Judge Murphy is survived by his wife and four children—two sons and two daughters.

Judge Murphy was an outstanding Federal judge—well grounded in the law, firm but fair in his decisions and judgments. He was always a distinct asset to the Federal judicial system and leaves a great void with his passing. I knew Judge Murphy well and I am deeply saddened at the news of his death. To his wife and children, I extend my deepest sympathy in this period of their great loss.

Mr. SCRANTON. Mr. Speaker, I ask unanimous consent to insert the remarks of our distinguished colleague, the gentleman from Pennsylvania [Mr. FLOOD], at this point in the RECORD, and ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the life, character, and public service of our late colleague.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mrs. GRANAHAN. Mr. Speaker, I deeply regret the passing of Federal Judge John W. Murphy, of Scranton, Pa., who was a distinguished and effective Member of the House of Representatives in the 78th and 79th Congresses. He was a close friend of my husband during their service here together, and I came to like and respect him highly. He was truly a gentleman, a fine person. Congressman Granahan and I always enjoyed being with Mr. and Mrs. Murphy.

Few men have won such recognition as an outstanding Member of Congress in such a short period of time as the late Judge Murphy did when he served here for less than two full terms. His work on the Joint Committee to Investigate the Pearl Harbor Attack won him the admiration of everyone familiar with his painstaking research and remarkable memory for detail in playing such an important role in that investigation. He was delighted at the opportunity to serve as a Federal judge, since law and the concept of justice under our Constitution were of such exciting interest to him, but I know that his decision to leave the Congress made many of his friends and colleagues a bit sad, knowing that he had the ability to become a truly great Member of this body.

I take this opportunity to express to the judge's fine family my sincere and heartfelt condolences. Judge Murphy was an outstanding citizen of our State, a man of integrity and decency.

Mr. GAVIN. Mr. Speaker, it was with deep sadness I learned of the passing of our good friend and former colleague, Judge John W. Murphy, of Scranton, Pa.

Judge Murphy was elected to the 78th and 79th Congresses, serving from January 1943 until he resigned July 17, 1946, to become judge of the U.S. District Court for the Middle District of Pennsylvania.

I counted John as my good friend whose lines of friendship extended to all elements of our social life. He was a man who contributed much to the life of the area in which he lived and the State he represented. While serving in the Congress he won the respect and admiration of the Members on both sides of the aisle.

He was a very kind and friendly man with the highest concept of citizenship; a firm believer in our American way of life with deep faith in the principles and ideals of our Government. It can be said that he was an outstanding citizen and a great American.

In all his actions John moved with ease and courtesy and respected in others the qualities he possessed himself—sincerity of conviction and frankness of expression.

So today it is with a feeling of sadness that we who were privileged to serve with him in the House record his passing. I shall remember him for the many acts of kindness that indicated his friendship and good will toward me and the Members of the House.

I extend to his family my deep and sincere sympathy.

Mr. WALTER. Mr. Speaker, the passing of the Honorable John W. Murphy, chief Federal judge of the middle Pennsylvania district court, removes a distinguished jurist, not from the State, but from the entire country.

It was my good fortune to know Judge Murphy for many years, and to have served with him in this great body, the House of Representatives, for 3 years.

One of the great marks of this man was his ability to be impartial and fair in all of his dealings, be it in the courtroom as a prosecutor or later as a judge. I have known few men who possessed the courage and wisdom displayed at all times by Judge Murphy.

Truly, Judge Murphy was a self-made man. He started earning money as a breakerboy in an anthracite mine in his hometown of Avoca, Luzerne County. After graduation from his hometown high school, he continued his studies at the University of Pennsylvania where he received a bachelor of science degree in 1926 and a law degree 3 years later.

Active in politics in his State, he came to this great body, the House of Representatives in 1943, and served with distinction. Former President Harry Truman recognized John's great abilities and appointed him to the Federal courts to serve in the middle Pennsylvania district.

His knowledge of the law was recognized nationwide, as he served on the board at the university school of law and also participated in a number of seminars at leading universities of the country. Judge Murphy also served on the Committee on Operation of the Jury System in the U.S. Courts for the Judicial Conference of the United States.

All of us join in extending deepest sympathy to his wife, Ella, and their two daughters and two sons.

THE VETERANS' HOME LOAN PROGRAM

Mr. KORNEGAY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. KORNEGAY. Mr. Speaker, I am anxious to say a few words today concerning the direct home loan program administered by the Veterans' Administration. This is a program which has worked exceedingly well and which has reflected great credit upon the veterans of this country.

As of February 28, 204,482 loans have been made under this program, with a total dollar value of $1,747,913,165. The average direct loan has amounted to $8,548, but under the provisions of Public Law 87–84, the maximum amount is $15,000. I am particularly interested in this act because it has had such a vital effect upon our economy and because it has worked so well in the small communities and rural areas of America.

I am distressed, however, by the fact that the provisions of Public Law 87–84 are not being fully complied with in the executive branch. That legislation, among other things, authorized $100 million immediately upon enactment of the legislation, which was July 6, 1961; after June 30, 1961, $400 million was to be available, an additional $200 million for June 30, 1962, $150 million after June 30, 1963, a like amount for June 30, 1964, and on June 30, 1965, $100 million, and on June 30, 1966, another $100 million. This program and this law if fully implemented would have wiped out the waiting list which existed, but I regret to say that administrative action has been taken to withhold between $250 and $300 million, thus maintaining the present loan disbursement rate and not reducing the long waiting list.

The Congress and the country should bear in mind that these astronomical sums authorized above are not the usual type of appropriations. This is a veterans' program on which the Federal Government has made a profit.

Interest, of course, is charged at the going rate and direct loans are only made after commercial lending facilities have been found to be unwilling to make loans. Yet on this program to date the Federal Government has shown a net profit of $92,800,000. For that reason I am at a loss to understand, and I am greatly distressed by, the decision in the executive branch to withhold these funds.

Before our Committee on Veterans' Affairs this morning, the national commander of AMVETS made a strong plea for the release of these funds and for full implementation of Public Law 87–84. I certainly support this sound and conservative position, and I am happy to know that the Subcommittee on Housing of our committee expects to look into this matter in the immediate future. It will certainly have my support in seeing that these funds are released and that the backlog of loan applications is erased and the program put on a current basis as intended and authorized by the Congress.

DIRECT HOME LOAN PROGRAM ADMINISTERED BY VETERANS' ADMINISTRATION

Mr. RANDALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. RANDALL. Mr. Speaker, I would like to associate myself with the remarks of my colleague [Mr. KORNEGAY], and suggest in discussion today with the chairman of the Committee on Veterans' Affairs of the House, hearings are scheduled to begin by the Housing Subcommittee of the Committee on Veterans' Affairs in reference to the problem the gentleman just discussed. These hearings will begin on April 4, and have to do with implementing the provisions of the GI Direct Loan Act passed in the last session of the Congress.

NEW YORK WORLD'S FAIR

The SPEAKER. Under previous order of the House, the gentleman from New York [Mr. ROSENTHAL] is recognized for 30 minutes.

Mr. ROSENTHAL. Mr. Speaker, today is the anniversary of my first month as a Member of this distinguished body, and I am both proud and grateful for the opportunity which permits me to address the House. Because of the fact that the proposed New York World's Fair is contained within the geographical limits of the Sixth Congressional District of New York, which I have the honor of representing, I have taken a special interest in the progress and development of this exciting venture. It was gratifying to me when President Kennedy on March 13 requested from the Congress an appropriation for an exhibit by this Government. That request is now under consideration by the House Committee on Appropriations and I am hopeful that favorable action will be forthcoming.

President Kennedy has stated that the basic purpose of the fair is to help achieve "peace through understanding," and it has been suggested that the theme of our American exhibit be called "Challenge to Greatness." Today, I want to direct my remarks to a suggestion that I make to the Honorable Robert Moses, president of the New York World's Fair Corp., for an exhibit which I feel is necessary to mirror the true greatness of our land.

I am fearful that at present there is no plan to include in any of the exhibits in the fair a theme which I submit is vitally important, particularly when the fair is viewed in the context of the continuing world struggle for men's minds between freedom and totalitarianism. This theme is the difference between what totalitarianism offers: a sterile security and absence of responsibility for making the key decisions of life, an unquestioning acceptance of authority, a rejection of the concept of man as a free individual who controls his own destiny, and what our free Western way of life offers—freedom of thought, of enterprise, of religion, with an acceptance of man's right to dignity as a free individual. Our record of progress in understanding our fellow men, in granting them the same right to mutual respect and dignity which we ask from them, is one of which we can well be proud.

I would suggest that this theme could best be illustrated by a separate Hall of Human Relations, to be one of the buildings in our U.S. Government exhibit. The very existence of such a hall would be a notice to visitors from overseas of the importance our country places on the continuing improvement in human relations. It would stand forth as a beacon light aimed at mutual understanding amid the many displays which would celebrate our country's leadership in achieving physical wealth, comfort, and power. It would serve to underline the fact that to our country the most important thing is still mutual respect and understanding, is still enhancement of the dignity of the individual, not simply feeding and clothing him and ministering to his physical needs at the cost of denying him the freedom which is an essential aspect of his needs as a spiritual being with a soul and mind. The theme of the entire exhibit might well be "How Man Can Better Understand His Fellow Man."

The forthcoming World's Fair will exhibit to visitors, not only from every part of our own country, but from every part of the world, a cross section of our American way of life. The fact that ours is a society of abundance which has reached levels of production far superior to that attained in any other country in the world, will, of course, be amply demonstrated not only by the displays of our many industrial giants but also by any display sponsored by our Government. Our achievements as a producer of things needed by man for satisfaction of his physical needs will be shown for all the world to admire. The richness and dynamic forces of our economy will be demonstrated not only in every exhibit with American sponsorship, but also in the way of life existing in the surroundings of the fair—the wonders of the mighty city of New York. Truly the fair will serve to prove that our free enterprise economy offers to mankind the most effective machinery for solving the basic problems of human existence.

There will also be, I am sure, a thoroughly adequate presentation of our country's preeminence in production of devices for recreation and entertainment. Our leadership in the fields of television, radio, motion pictures, sports, and other areas for recreational purposes will be effectively portrayed by displays at the fair. In addition, I am confident that there will be presentations which will make manifest our country's progress in the last half century in the arts—in painting, sculpture, music, and literature.

Another equally important achievement, our tremendous advances in education and science, will also be the subject of important comment and illustration. We shall proudly show our success in the effective elimination of illiteracy, our extraordinary expansion of facilities for education, for science and research, our great strides in space exploration, in electronics, in medicine, in the life sciences, and in conservation of our natural resources.

In the social sciences there will undoubtedly be displays to illustrate our remarkable economic development, the establishment of a social security system which helps minimize unemployment and promises a more secure old age for most Americans. There will be showings to reflect our country's proud history—its dedication to freedom of thought and expression and of economic opportunity, its concern with the poor and oppressed, its embodiment in our Constitution of guarantees of political and economic equality for all.

It is no accident that since the end of World War II our country has made marked advances in the elimination of many of the gaps which existed between the guarantees of equality embodied in our Constitution and our actual practices. As examples, let me point out that since 1945, 21 States have enacted legislation against discrimination in employment based on race, creed, color, ancestry, or national origin; 9 States have enacted legislation against such discrimination in housing; and a substantial number of States have enacted or strengthened previously existing laws against such discrimination in places of public accommodation. There is no need for me to restate that which is already familiar to you—the record of the Federal Government in helping bring about compliance with the constitutional requirements of equal protection of the laws and protection of due process.

We pride ourselves that it is a peculiarly American tradition that our religious communities, unlike those in Europe and Asia, seek no aid from the State and are protected against control or interference by the State by the first amendment. Our people have an uninhibited freedom of choice as to which religious group, if any, they wish to become affiliated with. This practice of mutual noninterference has served to make our country the strongest bastion of religious faith in the world today, even though it is also one of the few multisectarian countries in the world. This is an important example of what our country has done and is doing to spread understanding of man by man. Instead of religious strife and discord, there exists a wholesome dialog among the major religions—Catholicism, Protestantism and Judaism—the product of which is a growth of mutual understanding and respect and a recognition that differences of religious belief may exist alongside of cooperation toward improvement of the moral and spiritual standards of mankind and for strengthening existing safeguards of the dignity of the individual and against discrimination and prejudice based on race or ancestry.

Voluntary activity for civic betterment, as the strengthening of our American democracy, is not limited to religious groups. The vastness and diversity of voluntary organizations and of their activities in the body politic has been notable. The role of such groups as initiators of movements for laws against discrimination, for sociological and psychological exploration of the nature and sources of discrimination and prejudice and for development of educational programs to combat these patterns, is sometimes overlooked. The very existence of voluntary organizations of this type is an evidence of the concern of most Americans for the protection of the democratic rights of all Americans, and for better understanding by all persons of the nature of these rights.

This is part of the image of our country which should certainly be included in any presentation sponsored by our Government at the World's Fair. We should not leave the field to our detractors who make much of our shortcomings, and carefully suppress our great strides forward in the protection of equality of opportunity, in the elimination of discrimination, in the erection of safeguards of freedom of thought, speech, press, and religion.

There is a vast reservoir of material for presentation visually of the full picture. The upsurge of concern for human

rights has been reflected in every one of our mass media. Television, motion pictures, the theater, radio, the press, periodicals and books have all dealt interestingly and successfully with situations involving such constructive developments. Their products could easily be reflected in an exhibit at the World's Fair.

I would like to comment briefly on a few of the concepts which should be embodied in the exhibits in such a Hall of Human Relations. Our Nation, truly indivisible, nevertheless consists of people who trace their ancestry to over 50 different nations, who adhere to over 250 different religious sects, and represent all the races of mankind. Under our free way of life our American unity has been able to draw upon and even help keep vital the unique aspects of each of the many national and religious cultures from which our people have sprung. This can be demonstrated in exhibits.

It is no accident that the United States of America was founded, settled, and developed by those from all over the world who sought freedom to worship as they pleased, to live as they wished, who thirsted for new worlds to explore and conquer, who searched for new sources of wealth, for a better life. The contributions to freedom and our country's welfare made by the successive waves of immigrants—the Germans of 1848, the Irish, the Jews, the Negro slaves, and even the indentured servants and the contract and coolie laborers—whether they came willingly or not, should be the source of a display. What they did to settle the prairie, to build our railroads, dig our mines, build our factories and develop our great universities—all should be shown.

Of course, exhibits should show how we have moved toward human equality from the Emancipation Proclamation to the many laws against discrimination in employment, education, housing, and places of public accommodation. The exhibit should show our progress toward implementing the beliefs on which the Founding Fathers based themselves—that the essence of the democratic philosophy is the dignity of the individual, a philosophy which flows from our Judeo-Christian heritage.

If our free world is to survive and triumph over totalitarianism, we must bring home to every human being we can reach the awareness that those who nurture and spread racial and religious hatred do so in order to dissolve the mutual respect and trust which is an essential ingredient for the successful operation of democratic life. The lessons of nazism, fascism, and communism—that to conquer and impose totalitarianism a minority must split the democratic majority by sowing racial and religious hatred—have been learned by every would-be dictator. We who prize our American democracy must be constantly reminded that we must checkmate the hate spreaders. This the exhibit should do by illustrating how hatemongering served to throw the world into the cauldron of war from times of antiquity to the present.

Of course, the hall, like our country's exhibit at the Brussels Exposition, should also note that the task of insuring mutual understanding and full protection of equality of opportunity is by no means done. There should be a section dealing with what remains to be done—our unfinished task—complete elimination of public school segregation, wiping out of our racial ghettos, the end of segregation in interstate commerce, and the banning of religious and racial discrimination in employment everywhere. To fail to acknowledge the existence of such shortcomings would be to open ourselves to charges of hypocrisy and failure to take advantage of the opportunity to use the exhibit to press for continued progress in the field of human relations.

My constituents in the Sixth Congressional District are already proud of the fact that the World's Fair is located in their backyard. But if the proposal I have just set forth is acted on favorably they will be doubly proud. They themselves are a kind of League of Nations, from all parts of the world. They are concerned with the need for strengthening our democracy in every possible way. Hence, they will certainly hail the inclusion of a Hall of Human Relations in our country's exhibit at their World's Fair.

AMENDING RULES OF THE HOUSE OF REPRESENTATIVES RELATING TO APPOINTMENT OF PROFESSIONAL AND CLERICAL STAFFS OF COMMITTEES

The SPEAKER pro tempore (Mr. LIBONATI). Under previous order of the House, the gentleman from Iowa (Mr. SCHWENGEL) is recognized for 60 minutes.

GENERAL LEAVE TO EXTEND REMARKS

Mr. SCHWENGEL. Mr. Speaker, I ask unanimous consent that all Members who wish to do so may have 5 legislative days in which to extend their remarks on the resolution on which I propose to speak at this time, House Resolution 570.

The SPEAKER pro tempore (Mr. LIBONATI). Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. SCHWENGEL. Mr. Speaker, I rise today to speak on behalf of House Resolution 570, which was introduced by myself, and is a resolution which proposes to amend the Rules of the House of Representatives relating to the appointment of professional and clerical staffs to committees of the House so that the minority may have on its own motion more and better staff representation on the various committees of the House.

The extensive research I have made, the experience I have had on my own committee, and in reading and studying numerous articles that have been written by prominent members of the press, who have a good understanding of the legislative needs of this country, indicate, it seems to me, a great need for early consideration of this important question. From conversations I have had with many Members of the Congress who have had an opportunity similar to mine, I find that they share my concern about the present inadequacy and inefficiency of our committee system.

They believe with me that problems that are presented to the minority would be relieved, if not resolved, by the adoption of my resolution.

Mr. Speaker, it may be repetitious but it is not trite to remind ourselves that representative government is on trial before a great cross section of the world, especially that section that seeks to be free is on trial, too, before the eyes of those who are not yet free and may want to be free.

It behooves us, then, it seems to me, to set an example to prove anew to ourselves and to the world that our system holds more promise for the people than any other ever offered. To do this we must do all we can, whenever we can, within the framework of constitutional government, to improve the legislative processes upon which progress, growth, and freedom of opportunity depends in our country.

It is not hard for those of us who serve in the Congress to appreciate the fact that more has happened, through and with elected representatives in this Government of ours, to benefit people, both in protecting their individual rights and promoting their general welfare, than has happened anywhere else in all the rest of history.

The programs inspired by freedom and liberty, initiated here and promoted all over the land, have led us into a prosperity and abundant life unmatched anywhere else in the world.

This growth and activity has also brought problems. It has made our society a complex one. Dealing with these problems calls for our very best efforts.

It is my feeling, Mr. Speaker, that the adoption of my bill, or some similar legislation, will do much toward increasing the necessary research that is needed to present intelligent answers to the difficult problems that are presented. The security that could come to qualified members of our staff would encourage them and the committee to apply its very best efforts toward the resolving of the issues that are so important, as we deal with the problems on our domestic front, while at the same time contend with the problems that present themselves in foreign affairs. It may be well to note that what we do here makes so much difference in so many different places in the world where we have the emerging democracies.

My research has found that there are a few committees that are truly bipartisan or nonpartisan and where the minority seems to be very well satisfied. Therefore, I have written my bill so that these staffs and these arrangements will not be disturbed. My resolution proposes that when a minority, by a majority vote of the minority, is dissatisfied

they may, on their own motion, call for arrangements whereby they will be given 40 percent of the professional staff and 40 percent of the clerical staff.

This, I am sure, will create a situation where we will be better able to fulfill our obligation as a minority. It will help us to become more effective—to become a constructive opposition and to be prepared to present well-thought-out answers based upon research and study as well as to more intelligently and effectively challenge the weaknesses and inadequacies of the propositions that are presented to the committees at the present time.

It is my feeling, Mr. Speaker, also that the programs offered by the majority would be better with this kind of a challenge. It would result in much more care in preparing legislation to carry out the program of the administration in power.

From my experience I have noted that even with a completely inadequate minority staff situation, our critical viewpoints have resulted many time in great changes and improvements which I believe establish this point beyond question.

Mr. Speaker, with the adoption of this resolution, I think we will be more truly a representative Government. Our Government will function better when and if we have better and more talent applied to these complex problems that are presented to this, the greatest legislative body in the world.

Mr. Speaker, to show the almost impossible and intolerable situation that prevails I call attention to the situation that the minority must contend with in some of the House committees. Time does not permit me to go into a discussion of the situation that prevails in all of the committees. So, let us just take a couple of them that point up this inequity and unfairness that I have been talking about and referring to. The great Committee on Education and Labor, for instance, has 40 employees, with an authorization to spend $633,000. All of the employees, except two owe their jobs and loyalty to the majority.

Mr. Speaker, the Committee on Government Operations, as of January 23, 1962, had 77 employees. The minority has 3 of the 77. This committee has an authorization to spend $640,000.

Mr. Speaker, here are two examples of the gross inequities that exist. It is easy to see that this kind of situation is intolerable for the minority and almost impossible for a minority under this situation to be a positive and wholesome influence in the committees. I believe representative government as we know it will not function at its best until and unless this unfair and unfortunate circumstance is fairly dealt with and fairly received.

I hope, Mr. Speaker, that the Rules Committee will give immediate consideration to this resolution so that the merits of it can be given consideration on the floor of the House.

Mr. Speaker, next week I plan to talk about the last section of this bill which will deal with the discussion of the special committees that have been created by the House and how they would be benefited by some further amendment of the House rules.

Mr. LANGEN. Mr. Speaker, will the gentleman yield?

Mr. SCHWENGEL. I would be glad to yield to the gentleman from Minnesota.

Mr. LANGEN. Mr. Speaker, I thank the gentleman for yielding in order that I might compliment him for the resolution he has introduced and the very excellent statement he has made in its behalf. The statement, I am sure, indicates his dedicated concern that we increase the productivity and the efficiency of this House and that the principle of democracy be carried out to its fullest degree.

Mr. Speaker, I want to share with the gentleman from Iowa the concern that early and favorable consideration might be forthcoming on his resolution.

Mr. SCHWENGEL. I thank the gentleman.

Mr. McVEY. Mr. Speaker, will the gentleman yield?

Mr. SCHWENGEL. I would be glad to yield to the gentleman from Kansas.

Mr. McVEY. Mr. Speaker, I want to associate myself with the remarks made by the gentleman from Iowa and I wish to commend the gentleman for introducing House Resolution 570. I am pleased to say that I have also introduced an identical resolution and I hope that other Members of Congress will do likewise.

Since this is my first term in Congress, I sometimes have an advantage over Members with longer periods of service since my first impressions are still fresh in my mind. One of my first impressions has been the extreme partisanship demonstrated in the committees, as well as on the floor of the House. Along with this partisanship, I have oftentimes experienced a feeling of helplessness in the committee rooms because I have not been coached and prepared by staff members so that my knowledge is equal to that of Members of the majority party.

Like the gentleman from Iowa, I am a member of the subcommittee of the Public Works Committee investigating graft in our Federal aid highway program. Certainly, the professional staff members employed by the majority party have done an excellent job in conducting their investigations and the consequent hearings; however, their skills and services have been used according to the dictates of the majority members to whom they owe both allegiance and employment. Incidentally, the recent hearings on the graft in the highway program in Massachusetts have revealed almost unbelievable facts, yet these hearings have been closed after barely scratching the surface. We minority members feel that a broader investigation of the Massachusetts Federal aid highway program should be made; however, we do not have the professional staff necessary to continue, nor did we have sufficient professional staff to allow us to participate as effectively in these hearings as we might have done under more favorable circumstances.

By concidence, I am also a member of the House Administration Committee which is charged with the duty of reviewing the budgets of all other House committees. While this particular committee is considered to be a minor one, if it were properly staffed and operated, it could exert a major influence on the composition and operation of all other committees of the House. Unfortunately, the minority party to my knowledge, does not have a single employee on the professional staff of the House Administration Committee. Certainly, it should be obvious that we are handicapped in virtually all matters under consideration before that committee.

I want to make it clear that I have always found the professional staff members of the majority party on both these committees on which I serve, to be extremely courteous and helpful; however, a member of the minority party hesitates to discuss matters which might oppose the views of the majority party with these employees.

One of the great political strengths of America lies in the fact that we have a two-party system. It is not only desirable, but it is necessary to the maintenance of the two-party system that these parties oppose each other. If they were both in agreement, then the two-party system would be abolished and America would be the loser. Constructive and honest opposition is a healthy balance preventing one-sided rule and also preventing any tendency toward improprieties; however, this type of opposition is very difficult to maintain in the Congress where the rights of the minority party are not adequately protected in the committees, which are the workshops of this great body.

Because our body operates on the committee system, I think it is imperative that this resolution be adopted so that minority rights may always be justly protected.

Mr. KEARNS. Mr. Speaker, I rise in support of House Resolution 570 amending the Rules of the House of Representatives relating to the appointment of professional and clerical staffs of the committees of the House.

I have been in the forefront of this fight for committee minority rights from the very beginning.

The Washington (D.C.) Post recently pointed out editorially that the lopsided staffing of congressional committees has reached a point of shocking unfairness to the Republicans who are in the minority.

Roscoe Drummond, in a series of brilliant articles, has shown that the staff members are the real workhorses of the committees. They make investigations, draft reports, submit recommendations, and carry a large part of the legislative burden. This is what I have been fighting about in the Education and Labor Committee.

It is extremely interesting to go back over the recommendations made by the Joint Committee on the Organization of Congress in Report No. 1011, 79th Congress, 2d session, which was filed on March 4, 1946. The Joint Committee was headed by Senator Robert M. La Follette, Jr., of Wisconsin, and the then Representative A. S. MIKE MONRONEY, of Oklahoma, for the House.

The report filed by these able Members of Congress and their colleagues on the Joint Committee states that the professional staff members "should be paid salaries ranging between $6,000 and $8,000 a year, large enough to command a high level of technical skill, and appointment to these positions should be so restricted that only persons with adequate experience and understanding of the committee's work can qualify."

The Joint Committee also recommended that: "such personnel be eligible for appointment solely on merit and have qualifications to be determined by the director of congressional personnel. They should be appointed without regard to political affiliation and only persons whose qualifications are approved by the director of congressional personnel should be eligible for appointment by the committee. The staff members would be considered permanent employees of the Congress and should not be dismissed for political reasons."

A study prepared for me by Dr. George B. Galloway, senior specialist in American government and public administration, shows that the experts on the committee staffs in the House who have been appointed by and are responsible to the Democratic Party outnumber those selected by the Republicans by 14 to 1, and on the Senate side the ratio is 13 to 1.

The Washington Post editorial concludes that:

To deprive the minority of experts, therefore, is to cripple it as an effective opposition. The Republicans as a group need to wake up and demand a better distribution of the committee experts, and if the Democrats have any regard for their own welcome when and if they become a minority, they can scarcely afford to refuse.

In my fight in the Education and Labor Committee for minority rights, I have received constant encouragement and aid from members of both parties, and I am very grateful for this bipartisan encouragement and aid, and I consider the help I have gotten highly important.

I include at this point in my remarks a study prepared at my request by Dr. George Galloway of the Library of Congress, as well as other items related to my remarks:

MINORITY STAFFING OF CONGRESSIONAL COMMITTEES

(By George B. Galloway)

In the official tabulations of committee employees that have been published semi-annually in the CONGRESSIONAL RECORD since 1946, such employees have been identified by name and profession. In the "Profession" column of the tables the following titles have appeared, among others: "Clerk to the minority," "Minority clerk," "Minority staff member," "Secretary to minority," "Minority secretary," "Minority professional staff member," "Minority counsel," "Minority clerical assistant," "Minority staff assistant," and so forth. These titles have not been defined in the tables or in the accompanying text, but it is assumed that they refer to committee employees who serve the minority members of the committees.

The official tabulation of committee employees of the House of Representatives during the 6-month period from July 1 to December 31, 1961, as published in the CONGRESSIONAL RECORD of January 23, 1962, at pages 799–806, shows that 538 persons were employed by committees of the House during that period and that 20 of them were listed as minority employees. Eleven committees had some minority employees. The following table gives the breakdown of these figures:

Minority staffing of House committees during 87th Cong., 1st sess.

Committee	Total employees	Minority employees
Agriculture	12	0
Appropriations [1]	49	1
Armed Services	18	0
Banking and Currency	16	2
District of Columbia	10	1
Education and Labor	10	1
Investigating staff	60	1
Foreign Affairs	16	0
Government Operations	57	2
House Administration	3	0
Interior and Insular Affairs	10	0
Interstate and Foreign Commerce	27	0
Judiciary	49	0
Merchant Marine and Fisheries	10	1
Post Office and Civil Service	10	0
Public Works	49	0
Rules	3	1
Science and Astronautics	10	0
Un-American Activities	60	0
Veterans' Affairs	18	1
Ways and Means	19	1
Small Business	30	2
Export Control	5	0
Total	538	20

[1] Not including investigating staff.

The official list of Senate officers and employees for the period October 1, 1961, through December 31, 1961, inclusive, shows that 15 employees of the Senate during this period were listed as minority employees. Of this number, 11 were listed as counsel, 1 as secretary to the minority counsel, 1 as a staff member, 1 as an assistant staff director, and 1 as a clerk. The breakdown of these figures by committee is shown in the following:

MINORITY STAFF MEMBERS OF SENATE COMMITTEES [1]

Committees:

Appropriations, investigations division, counsel; Government Operations, reorganization and international organizations, counsel; Government Operations, investigations, chief counsel; Judiciary, administrative practice and procedures, counsel; Judiciary, antitrust and monopoly legislation, counsel, secretary to counsel, counsel, counsel; Judiciary, constitutional rights, counsel; Judiciary, Federal judicial system, counsel; Judiciary, Immigration and Naturalization, staff member; Post Office and Civil Service, investigations, counsel; Public Works, investigations, clerk; Rules and Administration, counsel; Special Committee on Aging, assistant staff director.

On February 7, 1962, Senator CURTIS offered an amendment to a money resolution providing that for every 10 employees of Senate investigating committees the minority party would be entitled to one. After debate, his amendment was rejected by a vote of 55 to 30 (CONGRESSIONAL RECORD, Feb. 7, 1962, pp. 1872–1875). This vote disposed of the question of minority staffing of Senate investigating committees for the time being.

No data are available showing how many committee employees in addition to those designated "minority employees" serve minority as well as majority committee members. Political affiliation sometimes is and sometimes is not an important consideration in staff appointments. Likewise, staff members in some instances are assigned exclusively to serve the majority, and in other instances are made responsible for serving both majority and minority.

[1] For the period Oct. 1, 1961, through Dec. 31, 1961.

[From the Washington Post, Mar. 27, 1962]

LOPSIDED STAFFS

The lopsided staffing of congressional committees has reached a point of shocking unfairness to the Republicans, who are in the minority. Senator CARL T. CURTIS and Roscoe Drummond have been digging out the facts. Their data show that in the House of Representatives the experts on the committee staffs who have been appointed by and are responsible to the Democratic Party outnumber those selected by the Republicans by 14 to 1. On the Senate side the ratio is 13 to 1.

When experts were first generally employed to serve congressional committees some years ago, there was a strong effort to select professionals who would be aloof to partisan allegiance. This policy might have been maintained with frequent shifts in party control, but with the long predominance of the Democratic majority it has been largely discarded. The result is gross understaffing for the minority.

Mr. Drummond has pointed out that these experts are the real workhorses of the committees. They make investigations, draft reports, submit recommendations, and carry a large part of the legislative burden. Because of the heavy pressures on Members of Congress in many spheres, it is impossible for them to find time for detailed investigative and research work even if they were properly trained for it. To deprive the minority of experts, therefore, is to cripple it as an effective opposition. The Republicans as a group need to wake up and demand a better distribution of the committee experts, and if the Democrats have any regard for their own welfare when and if they become a minority, they can scarcely afford to refuse.

[From the Washington Post, Mar. 7, 1962]

WILL THE GOP ACT?

(By Roscoe Drummond)

The heavy ice of Democratic resistance to anything more than a token representation of the Republican Party on the powerful professional staffs of congressional committees is beginning to break a little bit.

Not much—but enough to show that when individual senior Republicans insist upon some of their rights as a minority party, it is not going to be easy for the Democratic chairman to stand forever against reform.

Senator PRESCOTT BUSH, of Connecticut, ranking Republican member of the Joint Economic Committee, which is responsible for studing the administration's new trade bill, has finally pressured the Democrats to allow the minority to employ the services of one expert and a secretary. The same for Representatives JOHN W. BYRNES, of Wisconsin, minority member of the House Ways and Means Committee, chairman of the Republican policy committee in the House.

But because the top Republican leadership in Congress has not yet been willing to make the crucial, if unpleasant, fight for adequate, competently paid professional staffing on all the committees, the minority representation remains so sparse it can hardly be seen with the naked eye. At present any little bare bone tossed to the minority is due largely to the character and whim of the Democratic chairman.

Thus Representative CARROLL D. KEARNS, of Pennsylvania, senior Republican on the House Committee on Education and Labor, himself a good scrapper, has run up against a "Berlin wall" in the form of Democratic Chairman ADAM CLAYTON POWELL, of New York.

Here is Chairman POWELL's record on staffing: When he became chairman last year his committee had a professional staff of 20; now it has about 48. Mr. POWELL assured Mr. KEARNS that if the committee received sufficient funds, he would authorize a minority professional staff of four, two professionals and two secretaries. With Mr. KEARNS' assistance the committee received the largest investigative appropriation in its history, $633,000. Now Chairman POWELL has cut the minority staff to two, one professional, one secretary. Thus on the vital House Education and Labor Committee the proportion of majority to minority staff is 24-to-1.

It needs to be understood that adequate and competent professional staffs for both the majority and minority parties are not a routine housekeeping matter. It is crucial to the effective functioning of the committees and to the functioning of our two-party system of government. One of the surest ways to cripple the minority is to deprive it of professional staffs on the congressional committees. There is no reason to doubt that the Democrats know exactly what they are doing in holding the minority staffs to somewhere between puny and zero.

These professional staffs draft practically everything which emerges from the congressional committees—every report, every finding every recommendation, nearly every proposal for investigation.

What do you think the minority party staff can do when it is outnumbered 24 to 1?

It can't even keep track of what is going on.

With such egregious imbalance as now prevails, the Republican teams of these committees are usualily left on the bleacher seats in center field with the majority at bat all the time.

Many Republican Congressmen are becoming restive under the inaction of their own leadership. Representative BRUCE ALGER, of Texas, for example, has just written every colleague in the House demanding a Republican conference to deal with this matter. Representative THOMAS B. CURTIS of Missouri and Senator CARL CURTIS of Nebraska, whose campaigns to end this crippling inequity have been lonely ones, are gaining new supporters.

What surprises me is that the leadership of the Republican Party has been willing to let this go on so long. If the Republican leadership does not get up out of its rocking chair soon—something is going to bust.

ALL AMERICA CITY AWARD TO ROCKVILLE, MD.

The SPEAKER pro tempore (Mr. LIBONATI). Under previous order of the House, the gentleman from Maryland [Mr. MATHIAS] is recognized for 10 minutes.

Mr. MATHIAS. Mr. Speaker, I hope I will be pardoned an understandable pride in calling to the attention of my colleagues the great honor bestowed on the city of Rockville, county seat of Montgomery County in my Sixth Congressional District of Maryland. For the second time in 7 years Rockville has won the All America City Award.

The coveted All America City flag which will fly over Rockville's new city hall this year is a tribute to the dynamic and constructive spirit of its people. Through active and conscientious participation in citizen planning committees the people themselves have been responsible for expanding services to keep pace with Rockville's rapid growth.

Rockville is one of 11 cities in America selected by the National Municipal League and Look magazine for the 1961 national annual award. In 1954 this Maryland city was chosen for adopting a bold, new and effective municipal administration.

Under the leadership of Mayor Alexander Greene and City Manager Walter Schriber, men of vision and acknowledged administrative ability, these citizen action groups have successfully contributed their efforts to bringing major needed services to their fast growing community.

Rockville today is the fourth largest incorporated city in Maryland. In the last decade its population has skyrocketed from 6,900 to more than 29,000. It is practically within sight of the Washington Monument and it is assuming an increasingly important status in the National Capital metropolitan area.

Among the major civic improvements in 1961 noted by the judges are, first, a comprehensive recreation program; second, a new $3 million water system; third, a modern $1.5 million sewer system; and, fourth, purchase of a civic center, construction of a 500-seat auditorium and a teenager's recreation center.

Here is an example of democracy at work—where the people do not stop with choosing their local government officials, but instead continue to manifest their interest in government by actively participating in their government. It is an actual instance of practical application of the ideal of government expounded nearly a century ago at Gettysburg by President Lincoln: "government of the people, by the people, for the people." It is assuring the rights of local government and control by assuming local responsibility.

Mayor Greene and his council, Frank A. Ecker, Glenn Koepenick, Ralph E. Williams and Achilles M. Tuchtan can well be proud of their city and its citizens. I hope that the people of Rockville will continue their untiring efforts to insure good government for themselves and their families by willingly assuming the burdens of citizen cooperation.

Awards for Rockville come naturally to a community which gives strong endorsement to its citizen government. The All American City Award is the fourth honor accorded Rockville this year. The others include:

First. An American Municipal Association citation for its successful month-long voter registration campaign last May.

Second. The Municipal Finance Officers Association recognition of the city's distinguished financial reporting.

Third. Acknowledgment by the National Association for the Advancement of Colored People for exceptional progress in race relations.

Mr. Speaker, I am proud to represent a city such as Rockville which embodies in its civic life those standards of democracy that we in the Congress endeavor daily to preserve at home and encourage throughout the world.

OPERATION HELP

The SPEAKER pro tempore (Mr. LIBONATI). Under previous order of the House, the gentleman from Pennsylvania [Mr. CURTIN] is recognized for 10 minutes.

Mr. CURTIN. Mr. Speaker, there occurred recently an event which I think is so unique and so remarkably humanitarian in its scope and impact upon the imagination of Americans everywhere that I believe it should be brought to the attention of this House. I refer to Operation Help, which was carried out last Sunday, March 25, by some 750 Allentown area men and boys who left their day with their families, and, in some cases, their offices and workbenches, for a mass trip to storm-damaged Ocean City, N.J., in a project designed to aid in cleaning up that storm-marked city.

These volunteers, nearly all of whom I am proud to say are residents of Lehigh County in our Eighth Pennsylvania Congressional District, were enrolled during a 12-day drive after the program was originated by Charles Zaimes, news director of Allentown radio station WSAN and a former staff member of the Allentown Call-Chronicle newspapers. From all walks of life, there assembled a gigantic Operation Help motorcade which gathered at the Allentown Fair Grounds Sunday at 4 in the morning, armed with hammers, shovels, strong arms, and strong backs. After church services for Protestant, Catholic, and Jew, they embarked in buses, trucks, and automobiles in a convoy that stretched for 1 mile. Escorted by Pennsylvania and New Jersey police, the motorcade arrived at Ocean City shortly after 9 in the morning. Within a few minutes, the men were at work—moving sand, repairing boardwalk installations, doing general cleanup work, and helping with the task of roping off completely ruined areas where security precautions are necessary.

They labored until late in the afternoon before returning home. In the words of John T. Cathers, Allentown newspaper columnist and writer, they went to their offices and shops Monday morning "with blisters on their hands and muscles strained, but with the satisfying feeling of having done a job well."

In the words of Charley Zaimes:

The thanks for the success of this whole operation belongs to the hundreds of people

who gave up a day with their families just to help somebody else. We must thank the many others who supported the project in many ways—companies who gave us money, wives who packed lunches, older folks who helped in financial support, and the men who drove their own cars and brought their own gas. We are especially proud of the men and boys who behaved themselves in a manner that can make the entire Lehigh Valley feel proud. There was not one disorderly incident. The Ocean City police lauded the behavior of the men. And there were only four casualties—minor injuries, treated at the CAP field hospital.

In this day of uncertainty and so much that is written and said about the inhumanity of man for man, I submit that this is a refreshing and heartening evidence of the ingrained compassion which illustrates the truth that the true test of mercy is the feeling for another's adversity.

Mayor Nathaniel Smith, of Ocean City, perhaps said it best when he observed:

We'll never forget Allentown, its strong arms of friendship in our hour of need. We are grateful. But grateful hardly seems the right word. Gov. Richard J. Hughes said. These are "men with an indomitable human spirit."

But perhaps the most poignant message of gratitude was to be observed in the moist eyes and unspoken words of the residents of the New Jersey shore community which was battered by the terrible storm of March 6 and 7.

The contribution of these Allentown area men cannot be measured in muscle power and human heart alone, but also in the example to which this Operation Help served to inspire the people of Ocean City and other area towns. As Mayor Smith pointed out:

Our people have been dog tired from trying to dig out of the mess, but after watching the Allentown group in action, I know our people will redouble their efforts.

I am sure that all of the Members of this House will want to join in saluting an inspired army of volunteers who not only received no pay for their work but did, in fact, contribute their money as well as their time to make Operation Help possible. Here we have a marvelous display of what commonsense, good will, and unselfishness can do to help make America a better place in which to live.

LABOR RELATIONS IN AIRLINE INDUSTRY

Mr. LANGEN. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. FORD] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. FORD. Mr. Speaker, for the past several years an interunion dispute between the pilots and flight engineers has focused public attention on labor relations in the airline industry. Strikes and numerous strike threats have impaired public confidence in airline operation. Numerous Presidential emergency boards and special commissions, one specifically appointed by the President to study this dispute, have made recommendations which would result in fair and equitable solution. These commissions and boards have been comprised of neutral experts in the field of labor-management relations. In many instances they were expert also in the problems involved with these two airline operating unions.

In practically every instance, after hearing testimony involving thousands of pages and innumerable exhibits, it was agreed that the present crew complement of four should be reduced to three. It was further recommended that the unions merge or get together to take care of their problems and that provisions be made to provide the necessary training, job protection, and severance pay arrangements for the personnel involved.

The AFL–CIO has concerned itself with this problem. President Meany appointed two separate committees in an effort to resolve ALPA–FEIA differences. One committee was comprised of Walter Reuther, UAW, and George M. Harrison, Brotherhood of Railway & Steamship Clerks. The other committee was made up of the presidents of the Glass Blowers Union, Communications Workers, and Stage and Motion Picture Employees. These trade union leaders, long experienced in interunion disputes, could not bring about an amicable settlement.

The President of the United States endorsed the report of the Presidential Commission on the Airlines Controversy. In urging the parties to negotiate a final settlement of their differences, the President stated:

There can be no legitimate excuse for interruptions of service now that these Commissions have marked out the areas of fair and reasonable settlement. The public deserves, expects, and demands that such settlements be reached.

At the time the Feinsinger Commission made its first report, nearly a year ago, Secretary of Labor Goldberg stated that the men who made up the Commission were "the best and most objective men that could be obtained in the country to deal with this problem." He said further that the administration was 100 percent behind the Commission and urged that the unions cooperate by reaching an agreement based on it. The Honorable Najeeb E. Halaby, Administrator of the Federal Aviation Agency and aviation adviser to the President, urged acceptance of the report stating that "public confidence in the aviation community is at stake."

The Nation can ill afford to have its system of air transportation harassed by competing unions, particularly since solutions have been offered which carry with them the endorsement of the President of the United States; and recommendations by public bodies comprised of professional men whose integrity and expertise is unquestioned. Collective bargaining rights under our democratic system carry with them certain obligations and responsibilities. The time has long since passed when the unions representing the pilots and flight engineers should manifest concrete evidence of willingness to assume their obligations and responsibilities in a resolution of this dispute.

QUESTIONNAIRE RESULTS

Mr. LANGEN. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. FINDLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. FINDLEY. Mr. Speaker, each year, I send questionnaires to determine the attitude of people of west-central Illinois on proposals before Congress. I find this legislative survey extremely valuable, because it provides an indication of public sentiment on these proposals, and also provides a great amount of information and opinion which those responding add to their answers.

The survey is not complete and a final report will be made later.

To keep the survey as impartial as possible, names are selected at random.

Preliminary totals

	Yes	No
Should the Federal Government pay for job training for the unemployed?	2,701	5,695
Do you favor a medical program for the aged financed by higher social security taxes?	3,395	5,607
Does the feed grains program meet with your approval?	1,322	5,312
Do you favor a pay raise for Federal employees?	2,527	5,061
Should the United States purchase $100,000,000 in United Nations bonds?	2,813	5,281
Should the United States continue foreign aid to governments which curb freedom of speech, press, and religion?	1,836	6,954
Should the Federal Government pay for public fallout shelters?	2,604	4,908

NEWSPAPER MONOPOLY IN ERIE, PA., MUST BE INVESTIGATED

Mr. LANGEN. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. KEARNS] may extend his remarks and include extraneous matter at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. KEARNS. Mr. Speaker, I am introducing a resolution today calling upon the Committee on Interstate and Foreign Commerce, acting as a whole or by subcommittee, to conduct a full and complete investigation and study of the newspaper monopoly in Erie, Pa., under which the Erie Morning News and the Erie Daily Times are denying full and honest news coverage to the people of Erie and vicinity.

The text of my resolution follows:

Resolved, That the Committee on Interstate and Foreign Commerce, acting as a whole or by subcommittee, is authorized and directed to conduct a full and complete investigation and study of the newspaper monopoly in Erie, Pennsylvania, under which the Erie Morning News and the Erie Daily Times are denying full and honest news coverage to the people of Erie and vicinity.

For the purpose of carrying out this resolution the committee or subcommittee is authorized to sit and act during the present Congress at such times and places within the United States, whether the House is in session, has recessed, or has adjourned, to hold such hearings, and to require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member.

The committee shall report to the House as soon as practicable during the present Congress the results of its investigation and study, together with such recommendations as it deems advisable. Any such report which is made when the House is not in session shall be filed with the Clerk of the House.

NEEDS OF OUR OLDER CITIZENS

Mr. LANGEN. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. MORSE] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. MORSE. Mr. Speaker, there has been a great deal of discussion in the Congress and in the press about the needs of our older citizens. Dozens of approaches have been suggested by public and private persons to meet the needs of these men and women. It seems to me that the Congress has consistently ignored one avenue to greater financial security which is more obvious than any other. I refer to the stringent income limitation now imposed on recipients of social security benefits and which I propose to ease in the bill I today am introducing.

The present limitation stifles the initiative of our older citizens. It erroneously presupposes a "rocking chair at 65" attitude which deprives our Nation of the skills of many people who still have a great deal to contribute to our economy and growth.

Even more important is that the current limitation, especially for those receiving lower benefit amounts, means real economic hardship. The inequity is compounded by the fact that the outside earnings test applies only to earned income. Thus, one man will have his benefits cut off because he is fortunate enough to have a job, while his neighbor, whose income is from stocks and bonds, receives all of his social security benefits without question.

My bill would permit a social security recipient to increase his outside job income to $1,800 annually without loss of benefits. I am most anxious that my colleagues on the Ways and Means Committee take action on the measure so that senior American citizens can have reasonable security in their retirement years.

TRIBUTE TO A PUBLIC HEALTH SERVICE OFFICER

Mr. RANDALL. Mr. Speaker, I ask unanimous consent that the gentleman from Rhode Island [Mr. FOGARTY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. FOGARTY. Mr. Speaker, I would like to draw the attention of the House to the retirement on April 1 of this year of one of our distinguished commissioned officers of the Public Health Service.

This man is Dr. G. Halsey Hunt, who is leaving the position of Chief of the Division of General Medical Sciences, National Institutes of Health, after 26 years of outstanding service to this Nation. I am very proud for the RECORD to show that this man is a graduate of Brown University, Providence, R.I.

During his 6-year assignment to the National Institutes of Health, Dr. Hunt directed programs of great significance and impact on several of our more crucial medical problems in this country today. These include research in aging, research in the basic medical and biological sciences, the improvement of clinical research throughout the Nation, and the development of improved mechanisms to aid the medical research activities of our private institutions.

The House is aware of my interest in the field of aging because of the measure we initiated to hold the White House Conference on Aging in January last year. Research is a very major part of our concerns with the problems of the aged and Dr. Hunt in 1956 was the first Director of the National Institutes of Health Center of Aging Research. In 1958 he was named the first Chief of the newly established Division of General Medical Sciences and the Center for Aging Research was assigned as a component of that Division. In the past 4 years the extramural activities of the National Institutes of Health in research in aging have grown from 274 research projects at a level of $4.5 million in 1958 to nearly 900 throughout the Nation at a level of approximately $30 million. There is no question that these programs already have provided real help for the citizens and will make even greater contributions in the future.

The Division of General Medical Sciences was established to help fill a gap area in our medical research effort, that is, the expansion and improvement of the roles of basic biomedical research and research training in the conquest of man's diseases. Fundamental research and research training in the medical and biological sciences are the necessary first steps in understanding man and his diseases and in devising those therapeutic measures which can help him recover from his diseases and keep him healthy. The great import of these programs under Dr. Hunt's direction on the American biomedical community is evinced by the overwhelming demand of our medical scientists for grants that would enable them to conduct research and research training in the basic sciences. This is apparent in the growth of the Division from an appropriation level of $26,637,000 in 1958 to $122 million today.

It is very correct and significant that there have been introduced in both the House and the Senate measures which would elevate the DGMS to the status of an Institute of the National Institutes of Health—a lasting tribute to Dr. Hunt's skill.

He also played a key role in the concept, organization, and initiation of two programs of high-ranking significance These are the Clinical Research Center's program which is improving and intensifying the levels of clinical research throughout the Nation, and the general research support grant program which is a mechanism for great flexibility and effectiveness in providing grant funds to private institutions for the encouragement and improvement of our research and research training programs.

His versatility is illustrated by the fact that in 1945, after 9 years as a surgeon in the Public Health Service, he was brought into the Public Health Service here in Washington to carry out a study on group practice. His administrative accomplishments, in addition to those as a surgeon, were such that he became Assistant Chief and then Chief of the Division of Hospitals in 1947 and 1949 respectively, and from 1952 to 1956 he was Associate Chief of the Bureau of Medical Services and Assistant Surgeon General. An example of a success in each of these assignments is illustrated, for example, by his skill in maintaining a high level of professional standards in Public Health Service hospitals across the Nation despite severe budgetary handicaps.

Such a varied and distinguished career on the part of Dr. Hunt obviously bespeaks character and competence of a truly remarkable nature. On behalf of the American people I would like to thank him sincerely for his productivity, proficiency, and dedication to the health of the Nation and I want to wish him every success in his new endeavors as associate executive director of the Educational Council for Foreign Medical Graduates.

BILL TO INCREASE AMOUNT OF OUTSIDE EARNINGS ALLOWED SOCIAL SECURITY RETIREMENT RECIPIENTS

Mr. RANDALL. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. HULL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HULL. Mr. Speaker, I introduce, for appropriate reference, a bill to increase the amount of outside earnings allowed recipients of social security retirement benefits.

My bill would strengthen and modernize the social security program by increasing the opportunities that beneficiaries would have for performing work without losing their entitlement to benefits. The proposal would increase the annual amount individuals are permitted to earn without suffering deductions from their social security benefits to $1,800 a year from the present inadequate, unfair, and outdated level of $1,200.

One of the major economic problems facing this country today is the difficulty that our older citizens encounter in trying to provide a decent and dignified life for themselves on small fixed incomes, incomes which remain constant while the cost of living climbs ever higher.

These citizens paid funds for their retirement—through social security assessments and other means—in years when the American dollar had not depreciated to the extent at which it stands today. Many contributed toward retirement on the basis of a 100-cent dollar and now are being repaid on the basis of a 45-cent dollar.

The earnings limitation of $1,200 a year penalizes people for living long lives, for having the spirit to want to go on working past the retirement age specified by social security regulations and for having the ability to do so.

Raising the earnings limitation to $1,800 would not completely solve the financial problems of older citizens but it would ease them in many cases.

The fact is, this earnings limitation or retirement test poses an almost insoluble dilemma. There is, on the one hand, the need to conserve the funds of the program by not paying benefits to people who have substantial work income, and, on the other hand, the need to avoid interfering with incentives to work. Both of these objectives cannot be fully accomplished. The best that can be done is to accommodate the two and that is the purpose of my bill.

It is absurd, in my opinion, to have statutes on the books which virtually force full retirement on persons reaching the age of 62 or 65 years. Such regulations not only hurt the individual but also the Nation as a whole, which loses the skills that many older citizens can contribute to our economy. Many citizens are not interested in severing all ties with gainful employment merely because they have reached a certain age. Many hundreds of thousands want to go on working and need to go on working on a reduced basis and should have the opportunity to do so.

My bill would accomplish this goal of providing a better phasing-out process between full employment and full retirement and it would partly compensate for the reduced purchasing power suffered by our elder citizens, through no fault of their own, because of the drastic devaluation of the American dollar which has occurred since the adoption of the Social Security Act in 1935.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. CANNON (at the request of Mr. ALEXANDER), on account of death in family.

Mr. BYRNE of Pennsylvania (at the request of Mr. GREEN of Pennsylvania), on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. CURTIN, for 10 minutes today.

Mrs. DWYER (at the request of Mr. LANGEN), for 15 minutes, on March 29.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mrs. SULLIVAN.

Mr. FINO.

Mr. MILLS to revise and extend remarks he made in general debate today in Committee of the Whole and to include extraneous material, charts and tables, and committee amendments that will be offered tomorrow to H.R. 10650.

Mr. RANDALL and to include extraneous matter.

Mr. DEROUNIAN in two instances in connection with his remarks on the tax bill this afternoon and to include extraneous matter.

Mr. ALGER (at the request of Mr. LANGEN) to include extraneous matter in connection with his remarks on the tax bill.

Mr. DENT (at the request of Mr. RANDALL) to revise and extend his remarks made in Committee of the Whole today on the bill H.R. 10650 and to include extraneous matter.

Mr. ULLMAN (at the request of Mr. RANDALL) to revise and extend remarks made in Committee of the Whole today on H.R. 10650 and to include extraneous matter.

(The following Member (at the request of Mr. LANGEN) and to include extraneous matter:)

Mr. BEERMANN.

(The following Members (at the request of Mr. RANDALL) and to include extraneous matter:)

Mr. NATCHER.

Mr. JENNINGS.

Mr. BAILEY.

Mr. SANTANGELO.

SENATE JOINT RESOLUTION AND CONCURRENT RESOLUTION REFERRED

A joint resolution and a concurrent resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S.J. Res. 29. Joint resolution proposing an amendment to the Constitution of the United States relating to the qualification of electors; to the Committee on the Judiciary.

S. Con. Res. 65. Concurrent resolution designating the week of May 20 to May 26, 1962, as National Highway Week; to the Committee on the Judiciary.

SENATE ENROLLED JOINT RESOLUTIONS SIGNED

The SPEAKER announced his signature to enrolled joint resolutions of the Senate of the following titles:

S.J. Res. 152. Joint resolution to provide for the reappointment of Dr. Caryl P. Haskins as Citizen Regent of the Board of Regents of the Smithsonian Institution.

S.J. Res. 153. Joint resolution to provide for the reappointment of Dr. Crawford H. Greenewalt as Citizen Regent of the Board of Regents of the Smithsonian Institution.

ADJOURNMENT

Mr. RANDALL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

Accordingly (at 6 o'clock and 36 minutes p.m.), under its previous order, the House adjourned until tomorrow, March 29, 1962, at 11 o'clock a.m.

REPORTS OF EXPENDITURES OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS INCURRED IN TRAVEL OUTSIDE THE UNITED STATES

Mr. BURLESON. Mr. Speaker, section 502(b) of the Mutual Security Act of 1954, as amended by section 401(a) of Public Law 86-472, approved May 14, 1960, and section 105 of Public Law 86-628, approved July 12, 1960, require the reporting of expenses incurred in connection with travel outside the United States, including both foreign currencies expended and dollar expenditures made from appropriated funds by Members, employees, and committees of the Congress.

The law requires the chairman of each committee to prepare a consolidated report of foreign currency and dollar expenditures from appropriated funds within the first 60 days that Congress is in session in each calendar year, covering expenditures for the previous calendar year. The consolidated report is to be forwarded to the Committee on House Administration, which, in turn, shall print such report in the CONGRESSIONAL RECORD within 10 legislative days after receipt. Accordingly, there are submitted herewith the reports from the House Committee on Agriculture and the House Committee on Interstate and Foreign Commerce.

Also submitted are supplemental reports from the House Committee on Banking and Currency and the House Committee on Government Operations.

Report of expenditure of foreign currencies and appropriated funds by the Committee on Agriculture, U.S. House of Representatives, expended between Jan. 1 and Dec. 31, 1961

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Hon. D. R. (Billy) Matthews: Italy	Lira	39,200	63.12	73,425	118.23	19,756	31.00			132,381	212.35
Hon. Clifford McIntire: England	Mark					3,729.85	934.80			3,729.85	
	Pound	13-8-3	37.65	8-16-6	25.10	1-0-0	2.80	3-16-0	10.65	28-2-9	1,011.00
Hon. Paul C. Jones:											
Belgium	Belgian franc			250	5.00			100	2.00	350	7.00
Denmark	Danish kroner	275.20	40.00	240.80	35.00	20.64	3.00	41.28	6.00	577.92	84.00
Norway	Norwegian kroner	120.70	17.00	193.83	27.30			14.20	2.00	328.73	46.30
Sweden	Swedish kroner	242.50	47.00	129.00	25.00			20.64	4.00	392.16	76.00
England	Pound	17.00	47.60	10.6	29.90	13.3	37.20	3.5	10.00	44.5	124.70
France	Franc			49.00	10.00			24.50	5.00	73.50	15.00
Hon. Ralph Harvey:											
France	do	294.00	60.00			5,708.70	1,162.67			6,002.70	1,222.67
Italy	Lira	124,200	200.00	55,890	90.00	124,104	200	15,525	25.00	319,719	515.00
Germany	Mark	179.55	99.75					39.90	10.00	179.55	109.75
Total			612.10		365.53		2,371.47		74.65		3,423.75
Hon. Ross Bass:											
Argentina	Peso	4,974.00	60.00	3,251.00	35.00	1,575.00	19.00	497.00	6.00	10,297	120.00
Chile	Escudo					75.00	71.36			75	71.36
Germany	Mark					8,885.62	2,353.60			8,885.62	2,353.60
Italy	Lira	18,600	29.95	22,300	35.91			15,171	24.43	56,071	90.29
Switzerland	Swiss franc	313.46	72.73	386.95	89.78			241.70	56.08	942.11	218.59
France	French franc	367.50	75.00	220.50	45.00			161.70	33.00	749.70	153.00
Hon. Harold D. Cooley:											
Belgium	Belgian franc	5,780.00	115.00	4,250.00	85.00	4,268.00	85.79			14,298	285.79
Egypt	U.A.R. pound	84.31	202.35	45.25	108.62			8.93	21.45	138.50	332.42
France	Franc	1,787.00	364.69	1,020.00	208.10	4,655.00	950.00	495.13	101.15	7,957.13	1,623.94
Germany	Mark					4,441.71	1,116.10			4,441.71	1,116.10
Italy	Lira	18,630	30.00	21,815.73	35.13	620,300	998.87	9,936.00	16.00	670,681	1,080.00
Switzerland	Swiss franc	787.50	183.52	360.00	82.71	2,045.00	474.47	1,128.57	261.85	4,321.07	1,002.55
Total			1,133.24		725.25		6,069.19		519.96		8,447.64

MAR. 27, 1962.

HAROLD D. COOLEY,
Chairman, Committee on Agriculture.

Report of expenditure of foreign currencies and appropriated funds, Committee on Interstate and Foreign Commerce, U.S. House of Representatives, expended between Jan. 1 and Dec. 31, 1961

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Samuel N. Friedel:											
Japan	Yen		135.00		60.00		90.00		86.11		371.11
Hong Kong	Dollar		190.00		84.00		98.00		48.16		420.16
Bangkok	Baht		95.00		45.00		45.00		40.00		225.00
India	Rupee		108.00		40.00		22.00		40.08		210.08
Israel	Pound		105.00		80.00		90.00		41.70		316.70
Greece	Drachma		115.00		60.00		50.00		30.50		255.50
Rome (Italy)	Lira		118.00		55.00		40.00		27.00		240.00
Paris (France)	Franc		141.00		51.00		80.00		30.10		303.00
Germany	Deutsche mark		47.00		30.00		33.00		9.05		119.05
Willard S. Curtin:											
Germany	do		22.31				1,000.10				1,022.41
Spain	Peseta		20.00		14.38		4.70				39.08
Robert W. Hemphill:											
Germany	Deutsche mark						1,082.70				1,082.70
Spain	Peseta		20.00		10.00		5.00				35.00
Abner W. Sibal:											
England	Pound		43.00		40.00				7.00		90.00
Belgium	Franc		25.00		20.00				4.80		49.80
France	do		68.00		37.00				15.00		120.00
Austria	Schilling		40.00		30.00				5.00		75.00
Germany	Deutsche mark		13.95		6.32				2.00		22.27
Italy	Lire		55.00		50.00				15.00		120.00
Morgan M. Moulder:											
Germany	Mark		50.00		65.00		125.00		11.88		251.88
Brazil	Cruzeiro		88.68		98.00		60.00		41.46		288.14
Spain	Peseta		135.00		215.00		265.00		49.12		664.12
Germany	Mark						1,647.90				1,647.90
James C. Healey:											
Spain	Peseta				372.00		120.00		188.00		680.00
Mexico	Peso		80.00		130.00		60.00		87.25		357.25
France	Franc						392.00				392.00
Torbert H. Macdonald:											
Italy	Lire		549.00		399.00		140.00		46.48		1,134.48
Germany	Mark						1,099.70				1,099.70
Total			2,263.94		1,991.70		6,551.00		825.69		11,632.33

RECAPITULATION

Foreign currency (U.S. dollars equivalent) $11,632.33

MAR. 27, 1962.

OREN HARRIS,
Chairman, Committee on Interstate and Foreign Commerce.

Report of expenditure of foreign currencies and appropriated funds, Committee on Banking and Currency, U.S. House of Representatives, expended between Jan. 1 and Dec. 31, 1961

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Hugh J. Addonizio:											
Brazil	Cruzeiro	26,812.8	70.50	37,000	105.72			23,187.2	66.25	88,000	242.46
Argentina	Peso	8,044	109.09	5,950	70.68	6,100	73.58	1,456	18.06	22,500	271.41
Peru	Sol	1,826.40	68.15	900	33.59			218.60	8.16	2,945	109.90
Mexico	Peso	1,268.90	101.59	1,800	144.12			278.10	22.30	3,347	268.01
Germany	Deutsche mark					3,800	950.00			3,800	950.00
Mrs. Leonor Sullivan:											
Germany	do	305.68	76.42	256.72	64.18	108	27.00	129.60	32.40	800	200.00
Austria	Schilling	3,008.75	123.95	2,810	112.40	250	10.00	241.25	13.65	6,500	260.00
Greece	Drachma	908	30.25	1,820	60.66	165	5.50	607	20.25	3,500	116.66
Turkey	Turkish lira	204.50	29.39	510	56.65			75.50	8.40	850	94.44
Iran	Rial	11,980	126.06	1,400	18.42			320	4.30	13,700	148.68
India	Rupee	621	89.36	250.30	53.30	111.60	23.74	102.10	21.70	985	188.30
Thailand	Baht	757.90	36.33	958.10	46.43	100	4.80	174	8.34	2,000	95.92
Hong Kong	Hong Kong dollar.	646.10	113.35	892.05	156.50	326.15	57.22	283.46	49.73	2,147.76	376.80
Japan	Yen	27,433	76.20	32,400	90.00	4,326	12.00	4,847	13.47	69,006	191.67
Transportation	Deutsche mark					9,389.67	2,353.30			9,389.67	2,353.30
Jacob H. Gilbert:											
Brazil	Cruzeiro	20,449	58.43	36,750	105.00	3,800	10.86	2,251	64.29	83,500	238.58
Argentina	Peso	7,900	95.29	9,250	111.58			1,500	18.09	18,650	224.96
Peru	Sol	1,585.50	59.16	300	11.19	900	33.59	214.50	8.00	3,000	111.94
Mexico	Peso	912.34	73.04	1,900	152.12			334.66	26.80	3,147	251.96
Germany	Deutsche mark					3,800	950.00			3,800	950.00
William A. Barrett:											
England	Pound	23-8-7	65.62	56-5-5	157.55	7-1-0	19.75	13-5-0	37.08	100-0-0	280.00
Denmark	Kroner	727.50	105.45	583.70	84.60			88.80	12.87	1,400.00	202.92
Germany	Deutsche mark	1,279.20	319.80	1,640.80	260.20	550.00	137.66	139.40	34.85	3,610.00	792.50
Austria	Schilling	3,703.40	142.44	2,541.60	97.75	1,422.75	55.10	720.00	27.69	8,387.75	322.98
Italy	Lira	32,491	52.32	53,283	85.80	26,466	42.62	17,049	27.45	129,289	208.19
Thomas L. Ashley:											
Denmark	Kroner	402.20	57.93	244.80	40.30	46.00	7.67	123.00	20.50	813.00	135.50
Germany	Deutsche mark	497.11	124.28	552.12	138.03	70.40	17.60	80.37	20.09	1,200.00	300.00
Austria	Schilling	4,055.25	162.21	2,984.25	119.37	780.50	31.22	580.00	22.80	8,380.00	335.20
Greece	Drachma	937.00	31.22	1,764.00	58.79	426.00	14.20	373.00	12.45	3,500.00	116.66
Turkey	Lira	436.10	48.45	361.40	40.16			92.50	10.28	890.00	98.89
Iran	Rial	2,311	30.41	2,100	27.63	450	5.92	520	6.84	5,381	70.80
India	Rupee	473.20	100.69	347.40	73.99	91.50	19.47	72.50	15.42	985.00	209.57
Thailand	Baht	757.90	36.39	1,240.60	59.55	250.00	12.00	461.50	22.14	2,710.00	130.08
Hong Kong	Hong Kong dollar.	678.60	119.05	743.30	130.40	220.00	38.60	242.55	42.55	1,884.45	330.60
Japan	Yen	87,380	242.72	80,136	222.60	27,410	76.15	8,928	24.80	203,854	566.27
Transportation	Deutsche mark					8,722.20	2,180.55			8,722.20	2,180.55
Mrs. Martha W. Griffiths:											
Austria	Schilling	2,519.40	100.78	2,774.50	110.98	550.00	22.00	656.10	26.24	6,500.00	260.00
Greece	Drachma	930.00	31.00	1,713.50	57.10	70.50	2.35	336.00	11.21	3,050.00	101.66
Turkey	Lira	272.00	30.22	559.00	62.12	150.00	16.67	106.00	11.76	1,087.00	120.77
Iran	Rial	2,062.00	26.35	1,317.00	17.33			319.00	4.20	3,698.00	47.88
India	Rupee	447.73	95.28	340.40	72.40	111.60	23.74	100.27	21.37	1,000.00	212.76
Thailand	Baht	728.20	34.93	980.70	47.03	125.60	6.03	334.50	16.03	2,169.00	104.02
Hong Kong	Hong Kong dollar.	630.20	110.56	942.90	165.42	321.70	56.44	293.45	51.48	2,188.25	383.90
Japan	Yen	26,856	74.60	36,504	101.40	6,660	18.50	1,783	32.73	81,803	227.23
Transportation	Deutsche mark					8,068.40	2,019.65			8,056.40	2,019.65
Orman S. Fink:											
Brazil	Cruzeiro	18,339.6	82.39	42,750	122.14			27,010.4	60.03	92,100	264.56
Argentina	Peso	7,112	85.79	8,550	103.14			1,813	21.87	17,475	210.80
Peru	Sol	1,521.00	56.75	1,150	42.91			329.00	12.28	3,000	111.94
Mexico	Peso	791.98	63.42	1,760	140.91	1,570	125.70	159.02	12.75	4,281	342.78
Germany	Deutsche mark					3,800	950.00			3,800	950.00
Robert H. Poston (includes trip around the world and trip to Western Europe):											
England	Pound	17-9-1	48.87	7-6-6	20.53	1-19-3	5.50	2-5-0	6.30	29.00	81.20
Denmark	Kroner	71.670	103.84	445.00	64.54	192.40	27.88	44.90	6.50	1,399.00	202.76
Germany	Deutsche mark	86.865	211.66	794.40	190.10	146.50	36.03	98.00	24.00	1,879.55	498.39
Austria	Schilling	4,872.85	179.72	3,638.00	147.62	791.70	30.45	847.45	32.60	10,150.00	390.39
Greece	Drachma	853.00	28.42	1,159.00	38.64			438.00	14.60	2,450.00	81.66
Turkey	Lira	306.00	33.96	255.60	28.40			68.40	7.60	630.00	69.96
Iran	Rial	2,039.00	26.83	500.00	6.58			261.00	3.31	2,790.00	36.72
India	Rupee	43.435	92.41	13.050	27.77	6.700	14.26	42.15	8.97	67.00	143.41
Thailand	Baht	757.90	36.35	698.00	33.38			136.10	6.05	1,590.00	75.78
Hong Kong	Hong Kong dollar.	420.85	73.83	544.37	95.54	96.61	17.30	92.00	16.14	1,156.03	202.81
Japan	Yen	41,410	114.00	29,568	82.46	4,140	11.50	6,534	18.15	81,600	226.11
Italy	Lira	15,632	25.22	19,550	31.60	6,300	10.20	4,600	7.44	46,082	74.46
Netherlands	Guilder	55.15	15.32	2,550	7.08	835	2.32			3,900	24.72
Transportation	Deutsche mark					8,072.97	2,023.30			8,072.97	2,023.30
Seymour Halpern:											
Italy	Lira	130,410	210.00	74,520	120.00	58,470	98.15	22,356	36.00	675,400	462.15
Transportation	Deutsche mark					4,387.80	1,099.70			4,387.80	1,099.70
William S. Moorhead:											
England	Pound	70-0-3	207.20	40-15-0	114.10	49-14-2	139.18	9-13-8	27.13	174-3-3	487.63
France	Franc	993.35	202.27	1,196.25	243.43	419.40	85.42	261.20	53.28	2,849.20	582.36
Italy	Lira	113,360	182.53	74,430	120.50	176,940	284.78	11,920	19.02	376,649	606.83
Israel	Pound	200.69	115.56	260.40	134.44	141.25	66.39	140.00	64.81	921.25	381.20
Jordan	Dinar	6.215	17.40	8.550	23.94	7.435	20.82	2.300	6.44	24.500	68.60
Total			5,670.69		5,568.79		14,381.95		1,175.11		27,023.23

BRENT SPENCE,
Chairman, Committee on Banking and Currency.

Supplemental report of expenditure of foreign currencies and appropriated funds by the Committee on Government Operations, U.S. House of Representatives, expended between Jan. 1 and Dec. 31, 1961

RECAPITULATION

[U.S. dollars equivalent or U.S. currency]

Committee	Lodging	Meals	Transportation	Miscellaneous	Total
Full committee	$1,507.49	$1,321.53	$4,790.64	$555.90	$8,175.56
Executive and Legislative Reorganization Subcommittee	256.44	117.28	2,107.16	34.68	2,515.56
Military Operations Subcommittee	555.85	446.74	257.38	111.64	1,371.61
Foreign Operations and Monetary Affairs Subcommittee	1,595.72	1,569.34	9,507.59	2,335.70	15,008.35
Special Government Information Subcommittee	1,665.07	1,967.58	3,616.95	435.83	7,685.43
Grand total	5,580.57	5,422.47	20,279.72	3,473.75	34,756.51

RECAPITULATION

Foreign currency (U.S. dollar equivalent)	$34,756.51
Appropriated funds:	
H. Res. 70, 87th Cong	572.20
Defense (MATS) TWA	399.40
Total	35,728.11

MAR. 23, 1962.

WILLIAM L. DAWSON,
Chairman, Committee on Government Operations.

Report of expenditure of foreign currencies and appropriated funds by the Committee on Government Operations, U.S. House of Representatives, expended between Jan. 1 and Dec. 31, 1961

FULL COMMITTEE

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Christine Ray Davis:											
Austria	Schilling	1,302.70	49.50	750	28.50	487.50	18.53	460.00	17.48	3,000	114.01
Denmark	Kroner	253.48	36.79	200	29.08	140	20.36	186.05	27.04	779	113.27
England	Pound	16-8	46.08	6-8	17.98	49-13	139.52	9-16	27.54	82-5	231.12
France	Franc	1,412.10	287.01	869.40	173.01	1,632	324.77	315	62.69	4,228.50	841.48
Germany	Deutsche mark	277.40	69.36	259.40	64.85	395	98.91	122	30.55	1,053.80	263.67
Italy	Lira	117,870	186.23	119,000	188.02	4,381	6.92	11,209	17.71	252,460	398.88
Spain	Peseta	2,856	46.45	1,850	30.25	617	10.06	577	9.41	5,900	96.17
Transportation [1]							856.00				856.00
James A. Lanigan:											
France	Franc	723.40	147.65	763.30	155.79	1,954.43	398.90	295.30	60.27	3,736.43	762.61
Germany	Deutsche mark	189.10	39.82	103	25.78	395	98.87	67.90	17.00	725	181.47
Denmark	Kroner	210	30.53	195.30	28.40	280.70	40.81	114	16.58	800	116.32
England	Pound	12.13.0	35.54	5.7.2	15.03	75.7.0	211.73	9.17.0	27.68	103.4.2	289.98
Austria	Schilling	1,219.50	47.44	807.50	31.41	492	19.13	711	27.66	3,230	125.64
Italy	Lira	37,720	60.92	63,410	102.41	47,710	77.06	20,760	33.53	169,600	273.91
Spain	Peseta	1,677	27.34	2,436	39.70	670	10.92	1,509	24.60	6,292	102.56
Transportation [1]							856.00				856.00
Miles Q. Romney:											
France	Franc	786	156.41	662	131.74	1,761	350.44	109	21.69	3,318	660.28
Germany	Deutche mark	175	43.82	131	32.80	407	101.91	107	26.79	820	205.32
Denmark	Krone	210	30.53	197	28.64	84	12.21	74	10.76	565	82.14
England	Pound	12-14-0	35.69	7-9-0	20.93	23-5-0	65.33	4-18-0	13.77	48-6-0	135.72
Austria	Schilling	1,219	46.82	708	26.90	779	29.60	855	32.49	3,561	135.31
Italy	Lira	39,700	62.73	65,300	103.17	75,340	119.04	23,400	36.97	203,740	321.91
Spain	Peseta	1,677	27.33	2,892	47.14	4,149	67.63	840	13.69	9,558	155.79
Transportation [1]							856.00				856.00
Total			1,507.49		1,321.53		4,790.64		555.90		8,175.56

[1] Round-trip steamship transportation purchased by U.S. State Department before departure via United States Lines (SS *United States*) reading New York-LeHavre, France and return. Return portion of ticket turned in to Embassy in France and applied against return transportation via air.

RECAPITULATION

Foreign currency (U.S. dollar equivalent)	$8,175.56
Appropriated funds: H. Res. 70, 87th Cong	471.00
Total	8,646.56

JAN. 30, 1962.

WILLIAM L. DAWSON,
Chairman, Committee on Government Operations.

SUBCOMMITTEE ON EXECUTIVE AND LEGISLATIVE REORGANIZATION

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Elmer W. Henderson:											
Senegal	Franc	4,220	17.58	1,700	7.08	175	0.77	80	0.33	6,175	25.76
Ghana	Ghana pound	20.8	57.10	11	30.80	3	8.40	1.12	3.14	36	99.44
Nigeria	Nigeria pound	36.12	102.30	13	36.40	33	92.40	4.8	11.44	87	242.54
Sudan	Sudan pound	5.200	14.50	1	2.90			1	2.90	7	20.30
Kenya	East African schilling.	194.70	27.16	120	16.80	21	2.94	39	5.46	374	52.36
Uganda	do	75.40	10.50	70	9.80	10	1.40	19	2.66	174	24.36
United Arab Republic	Egyptian pound	12.14	27.30	6	13.50	3	6.75	3.85	8.75	25	56.30
Transportation [2]							1,994.50				1,994.50
Total			256.44		117.28		2,107.16		34.68		2,515.56

[2] NOTE.—Air transportation, Washington, D.C., to Dakar, Accra, Lagos, Khartoum, Nairobi, Kampala, Cairo, and return via Pan American Airlines. Ticket purchased by U.S. Department of State out of counterpart funds.

RECAPITULATION

Foreign currency (U.S. dollar equivalent)	$2,515.56

JAN. 30, 1962.

WILLIAM L. DAWSON,
Chairman, Committee on Government Operations.

Supplemental report of expenditure of foreign currencies and appropriated funds by Committee on Government Operations, U.S. House of Representatives, expended between Jan. 1 and Dec. 31, 1961

SUBCOMMITTEE ON MILITARY OPERATIONS

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Hon. R. Walter Riehlman:											
England	Pound	8	22.48	13	36.53	5	14.05			26	73.06
Denmark	Kroner	208	41.68	100	14.34	105	15.27			413	71.69
Germany	Deutsche mark	106.15	26.58	205.15	51.37	292	73.12	200	50.08	803.30	201.15
Austria	Schilling	2,103	79.91	1,019	38.72	640	24.32			3,762	142.95
Italy	Lira	107,642	170.07	90,900	143.46	10,650	16.83			209,092	330.36
Greece	Drachma	426	14.19	647	21.55	142	4.73			1,215	40.47
Egypt	Egyptian pound.	12.525	28.18	10.250	23.06	1.925	4.33			24.700	55.57
Lebanon	Lebanese pound.	63.90	21.28	51	16.98	17.10	5.69			132.00	43.95
Israel	Israeli pound	20.100	9.31	42.900	19.86	21.000	9.72			84.000	38.89
Jordan	Jordanian pound.			2.000	5.60	12.000	33.60			14.000	39.20
France	Franc	712.46	141.97	377.25	75.07	280	55.72	300.35	61.56	1,680	334.32
Total			555.85		446.74		257.38		111.64		1,371.61

RECAPITULATION

Foreign currency (U.S. dollar equivalent)	$1,371.61
Appropriated funds:	
H. Res. 76, 87th Congress	101.20
Defense (MATS) TWA 10-16-61	96.00
Defense (MATS) TWA 12-18-61	151.70
Defense (MATS) TWA 12-22-61	151.70
Total	1,872.21

WILLIAM L. DAWSON,
Chairman, Committee on Government Operations.

MAR. 23, 1962.

Report of expenditure of foreign currencies and appropriated funds, Committee on Government Operations, Foreign Operations and Monetary Affairs Subcommittee, U.S. House of Representatives, expended between Jan. 1 and Dec. 31, 1961

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Hon. John Monagan:											
Brazil	Cruzeiro	12,200	36.63	3,980	11.95	18,285	54.91	12,163	36.53	46,628	140.02
Argentina	Peso	7,936	95.61	2,738	33.02	2,898	34.95	1,221	14.72	14,793	178.30
Chile	Escudo	61.80	58.80	9.92	9.44			27.77	26.42	99.49	94.66
Peru	Sol	2,300	83.82	938	35.00	607	22.64	102	3.80	3,947	147.26
Panama	Balboa								16.30		[1] 16.30
Venezuela	Bolivar								76.05		[1] 76.05
Curaçao	Guilder								33.48		[1] 33.48
Puerto Rico	Dollar								53.31		[1] 53.31
Hon. George Meader:											
Brazil	Cruzeiro	12,200	36.63	15,614	46.89	18,285	54.91	13,543	40.67	59,642	179.10
Argentina	Peso	3,224	38.89	2,919	35.21	2,898	34.95	976	11.77	10,017	120.82
Chile	Escudo	61.80	58.80	31.24	29.72			24.77	23.57	117.81	112.09
Peru	Sol	1,841	68.69	1,364	50.89	607	22.64	67	2.50	3,879	144.72
Panama	Balboa								16.30		[1] 16.30
Venezuela	Bolivar								76.05		[1] 76.05
Curaçao	Guilder								33.48		[1] 33.48
Puerto Rico	Dollar								53.31		[1] 53.31
Hon. Henry Reuss:											
Argentina	Peso	1,612	19.34	1,475	17.79	2,898	34.95	406	4.89	6,391	77.07
Chile	Escudo	61.80	58.80	23.46	22.32			28.92	27.52	114.18	108.64
Peru	Sol	1,841	68.69	1,455	54.29	607	22.64	268	11.04	4,199	156.66
Panama	Balboa								16.30		[1] 16.30
Venezuela	Bolivar								76.05		[1] 76.05
Curaçao	Guilder								33.48		[1] 33.48
Puerto Rico	Dollar								53.31		[1] 53.31
John T. M. Reddan:											
Brazil	Cruzeiro	12,200	36.63	7,692	23.10	18,285	54.91	12,963	38.93	51,140	153.57
Argentina	Peso	2,728	32.94	3,214	38.78	2,898	34.95	1,126	13.58	9,966	120.19
Chile	Escudo	61.80	58.80	50.37	47.93			26.77	24.52	137.94	131.25
Peru	Sol	1,150	42.91	1,625	60.63	607	22.64	347	12.94	3,729	139.12
Panama	Balboa								16.30		[1] 16.30
Venezuela	Bolivar								76.05		[1] 76.05
Curaçao	Guilder								33.48		[1] 33.48
Puerto Rico	Dollar								53.30		[1] 53.30
Total			798.04		516.94		366.09		1,009.95		2,720.02
Lanham Connor (reporter):											
Brazil	Cruzeiro	12,200	36.63	7,264	21.81	18,285	54.91	12,408	37.26	50,157	150.61
Argentina	Peso	2,728	32.90	520	6.27	2,898	34.95	296	3.57	6,442	77.69
Chile	Escudo	61.80	58.80	78.23	74.43			26.17	24.90	166.20	158.13
Peru	Sol	690	25.74	1,339	49.96	607	22.64	212	7.91	2,848	106.25
Panama	Balboa								16.29		[1] 16.29
Venezuela	Bolivar								76.05		[1] 76.05
Curaçao	Guilder								33.47		[1] 33.47
Puerto Rico	Dollar								53.30		[1] 53.30
Leslie Grant (ICA):											
Brazil	Cruzeiro	10,400	31.23	12,593	37.82	18,285	54.91	17,295	51.94	58,573	175.90
Argentina	Peso	3,224	38.89	2,200	26.53	2,898	34.95	261	3.14	8,583	103.51
Chile	Escudo	61.80	58.80	34	32.35			24.77	23.57	120.57	114.72
Peru	Sol	1,150	42.91	1,225	45.70	607	22.64	128	4.77	3,110	116.02
Panama	Balboa								16.29		[1] 16.29
Venezuela	Bolivar								76.05		[1] 76.05
Curaçao	Guilder								33.47		[1] 33.47
Puerto Rico	Dollar								53.30		[1] 53.30

See footnotes at end of table.

Report of expenditure of foreign currencies and appropriated funds, Committee on Government Operations, Foreign Operations and Monetary Affairs Subcommittee, U.S. House of Representatives, expended between Jan. 1 and Dec. 31, 1961—Continued

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Frank Hill (Navy Department):											
Brazil	Cruzeiro	7,800	23.42	33,889	101.77	18,285	54.91	16,283	48.90	76,257	229.00
Argentina	Peso	3,224	38.89	2,836	34.20	2,898	34.95	366	4.41	9,234	112.45
Chile	Escudo	61.80	58.80	66.80	63.64			23.77	22.62	152.46	145.06
Peru	Sol	660	25.74	1,020	38.05	607	22.64	32	1.19	2,349	87.62
Panama	Balboa								16.29		[1] 16.29
Venezuela	Bolivar								76.05		[1] 76.05
Curaçao	Guilder								33.47		[1] 33.47
Puerto Rico	Dollar								53.30		[1] 53.30
John Robinson (ICA):											
Brazil	Cruzeiro	12,200	36.63	12,823	38.51	18,285	54.91	16,593	49.83	59,901	179.88
Argentina	Peso	2,976	35.89	3,340	40.28	3,898	34.95	316	3.81	9,530	114.93
Chile	Escudo	61.80	58.80	87.34	83.10			35.92	34.18	185.06	176.08
Peru	Sol	1,074	40.07	1,958	73.05	607	22.64	481	17.94	4,120	153.70
Panama	Balboa								16.29		[1] 16.29
Venezuela	Bolivar								76.05		[1] 76.05
Curaçao	Guilder								33.47		[1] 33.47
Puerto Rico	Dollar								53.30		[1] 53.30
Melvin Sinn (State Department):											
Brazil	Cruzeiro	10,400	31.23	44,180	132.67	18,285	54.91	18,336	55.06	91,201	273.87
Argentina	Peso	3,224	38.89	4,209	50.77	2,898	34.95	346	4.17	10,677	128.78
Chile	Escudo	61.80	58.80	52.28	49.74			26.77	24.99	140.35	133.53
Peru	Sol	660	24.62	1,387	51.75	607	22.64	162	6.04	2,816	105.05
Panama	Balboa								16.29		[1] 16.29
Venezuela	Bolivar								76.05		[1] 76.05
Curaçao	Guilder								33.47		[1] 33.47
Puerto Rico	Dollar								53.30		[1] 53.30
Transportation [1]											8,530.00
Grand total			1,595.72		1,569.34		9,807.89		2,335.70		15,008.35

[1] Only summary figures available from Department of State.

[1] 9 round-trip airline tickets via Pan American Airways at $950 each.

RECAPITULATION

Foreign currency (U.S. dollar equivalent)	$15,008.35

WILLIAM L. DAWSON,
Chairman, Committee on Government Operations.

JAN. 30, 1962.

SPECIAL SUBCOMMITTEE ON GOVERNMENT INFORMATION

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Samuel J. Archibald:											
United Kingdom	Pound	27-2-6	76.56	22-4-1	85.00	42-10-0	119.00	2-3-6	6.07	95-0-0	266.65
France	Franc	841	171.05	821	167.73	290	59.15	226	48.15	2,118	446.09
Germany	Deutsche mark	224	53.23	423	100.70	316	75.25	37	8.80	1,000	237.98
Italy	Lire	71,371	114.98	105,756	170.30	22,511	36.25	10,836	17.45	210,474	338.93
Greece	Drachma	484	16.15	786	26.19			30	1.00	1,300	43.34
Egypt	Dollar							75	1.60	75	1.60
Philippines	Peso	60.48	18.90	66.08	20.65	26.78	8.37	10.05	3.14	163.40	51.06
Hong Kong	Hong Kong dollar.	285.00	50.00	408.12	71.60	145.06	25.45	20.80	3.65	858.98	150.70
Japan	Yen	40,230	112.00	51,318	142.85	17,352	48.30	5,130	14.25	114,120	317.60
Transportation [1]							934.80				934.80
Phineas Indritz:											
United Kingdom	Pound	25-6-0	70.84	15-3-4	42.47	8-3-8	22.91	2-5-0	6.30	50-18-0	142.52
France	Franc	700	142.57	708.20	144.24	89.20	18.17	368.58	74.66	1,863.98	379.64
Germany	Deutsche mark	185.25	46.43	160.55	40.24	133.50	33.47	60	17.29	568.20	142.43
Italy	Lire	45,890	73.73	52,190	84.04	22,000	35.43	22,995	37.03	143,074	230.23
Greece	Drachma	450	15.00	869	28.97	90	3.00	583	19.43	1,992	66.40
Egypt	Egyptian pound.			.40	.90			.45	1.01	.85	1.91
Philippines	Peso	50.10	18.22	62.75	22.82	7.40	2.69	25.70	9.35	145.95	53.08
Hong Kong	Dollar	210	36.91	100.50	17.67	28.60	5.03	32.10	5.64	371.20	65.25
Japan	Yen	21,860	60.72	29,517	81.99	5,425	15.07	8,333	23.15	65,135	180.93
Transportation [1]							934.80				934.80
Jack Howard:											
United Kingdom	Pound	25-6-0	70.90	29-13-4	83.07	16-13-5	46.69	9-15-11	27.42	81-8-8	228.08
France	Franc	832.45	169.82	857.75	174.98	253.35	51.68	181.45	37.02	2,125	433.50
Germany	Deutsche mark	181.80	43.28	257.33	61.28	487.57	116.09	108.05	25.72	1,034.75	246.37
Italy	Lira	68,325	110.05	91,200	147.00	17,505	28.06	8,380	13.52	185,500	298.72
Greece	Drachma	377	12.53	621	20.70	123	4.10	78	2.60	1,199	39.93
Egypt	Egyptian pound.			.70	1.57			.35	.79	1.05	2.36
Philippines	Peso	60.10	18.60	74.60	23.37	28.20	8.81	10.40	3.25	163.30	51.03
Hong Kong	Dollar	285	44.74	298	51.75	50	10.88	88.00	6.66	647	113.50
Japan	Yen	41,500	115.28	63,300	175.71	12,360	34.33	7,560	20.79	124,660	346.11
Transportation [1]							934.80				934.80
Total			1,055.07		1,967.88		3,616.95		435.83		7,685.43

[1] Round-trip air transportation purchased by U.S. State Department before departure via Pan American Airways System, reading "Washington-New York-London, etc., and return."

RECAPITULATION

Foreign currency (U.S. dollar equivalent)	$7,685.43

WILLIAM L. DAWSON,
Chairman, Committee on Government Operations.

JAN. 30, 1962.

See footnotes at end of table.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1867. A communication from the President of the United States, transmitting a report by the Secretary of the Treasury reviewing the wide variety of measures undertaken by this administration to cope with the urgent balance of payments problem that faces this country; to the Committee on Ways and Means.

1868. A letter from the Secretary of Defense, transmitting a semiannual report with respect to the exercise of authority granted him to establish or develop installations and facilities required for advanced research projects, pursuant to Public Law 85-685; to the Committee on Armed Services.

1869. A letter from the Comptroller General of the United States, transmitting a report on the review of Government housing rental rates at Los Alamos, N. Mex., Atomic Energy Commission, September 1961; to the Committee on Government Operations.

1870. A letter from the Secretary of the Interior, transmitting a report relative to operations of the Department of the Interior during calendar year 1961 under the Saline Water Act of 1952, Public Law 448, 82d Congress, as amended; to the Committee on Interior and Insular Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. COOLEY: Committee on Agriculture. S. 860. An act to provide greater protection against the introduction and dissemination of diseases of livestock and poultry, and for other purposes; with amendment (Rept. No. 1516). Referred to the Committee of the Whole House on the State of the Union.

Mr. DELANEY: Committee on Rules. House Resolution 579. Resolution for consideration of H.R. 10700, a bill to amend the Peace Corps Act; without amendment (Rept. No. 1517). Referred to the House Calendar.

Mr. LANE: Committee on the Judiciary. H.R. 298. A bill to provide for the recovery from tortiously liable third persons of the cost of hospital and medical care and treatment furnished by the United States; with amendment (Rept. No. 1534). Referred to the Committee of the Whole House on the State of the Union.

Mr. RUTHERFORD: Committee on Interior and Insular Affairs. House Joint Resolution 449. Joint resolution providing for the establishing of the former dwelling house of Alexander Hamilton as a national memorial; with amendment (Rept. No. 1535). Referred to the Committee of the Whole House on the State of the Union.

Mr. O'BRIEN of New York: Committee on Interior and Insular Affairs. H.R. 10062. A bill to extend the application of certain laws to American Samoa; with amendment (Rept. No. 1536). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. WALTER: Committee on the Judiciary. S. 193. An act for the relief of Rev. Patrick Floyd; without amendment (Rept. No. 1518). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 899. An act for the relief of Liu Shui Chen; without amendment (Rept. No. 1519). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. H.R. 1372. A bill for the relief of Rocco Cambrea; with amendment (Rept. No. 1520). Referred to the Committee of the Whole House.

Mr. POFF: Committee on the Judiciary. H.R. 1533. A bill for the relief of Lee Kyong Ja; without amendment (Rept. No. 1521). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. H.R. 1700. A bill for the relief of Jaime Abejuro; without amendment (Rept. No. 1522). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. H.R. 3005. A bill for the relief of Sister Mary Aurelia (Chiara Di Gesu); without amendment (Rept. No. 1523). Referred to the Committee of the Whole House.

Mr. MOORE: Committee on the Judiciary. H.R. 5689. A bill for the relief of Felicja Saulevicz; with amendment (Rept. No. 1524). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. H.R. 6344. A bill for the relief of Mon (Fred) Young; without amendment (Rept. No. 1525). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 971. An act for the relief of Salvatore Briganti; with amendment (Rept. No. 1526). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1305. An act for the relief of Kazuo Ito and Satomi Ito; without amendment (Rept. No. 1527). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1520. An act for the relief of Mary Elizabeth Sidor Polkowska; without amendment (Rept. No. 1528). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1578. An act for the relief of Edward Yin Liang; without amendment (Rept. No. 1529). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1638. An act for the relief of Felix Ledina Mendoza; without amendment (Rept. No. 1530). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1841. An act for the relief of Maria Zambetouila; without amendment (Rept. No. 1531). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1874. An act for the relief of Roland Fernando Mishutani; without amendment (Rept. No. 1532). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 2101. An act for the relief of Aida Mary Sorino Boccalery; without amendment (Rept. No. 1533). Referred to the Committee of the Whole House.

Mr. POFF: Committee on the Judiciary. H.R. 1404. A bill for the relief of Mrs. Frances Mangiaracina, and her children, Concetta Maria, Rosetta, and Tomasino; with amendment (Rept. No. 1537). Referred to the Committee of the Whole House.

Mr. CHELF: Committee on the Judiciary. H.R. 1650. A bill for the relief of Irene Kemeny; without amendment (Rept. No. 1538). Referred to the Committee of the Whole House.

Mr. MOORE: Committee on the Judiciary. H.R. 1651. A bill for the relief of Adela Glicman; with amendment (Rept. No. 1539). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ABBITT:

H.R. 10965. A bill defining the jurisdiction of the U.S. Supreme Court and all Federal courts inferior thereto, in certain instances; to the Committee on the Judiciary.

By Mr. CELLER:

H.R. 10966. A bill to fix the fees payable to the Patent Office and for other purposes; to the Committee on the Judiciary.

By Mr. CLARK:

H.R. 10967. A bill to amend title 23 of the United States Code to provide for a National Highway Academy; to the Committee on Public Works.

By Mr. COHELAN:

H.R. 10968. A bill to amend section 2304 of title 10, United States Code, to provide that military procurement agencies shall comply with State minimum price laws for certain perishable subsistence items; to the Committee on Armed Services.

By Mr. DIGGS:

H.R. 10969. A bill to help achieve the objectives of the Employment Act of 1946 by providing standby authority to accelerate capital expenditure programs of the Federal Government and State and local public bodies; to the Committee on Public Works.

By Mr. KARTH:

H.R. 10970. A bill to amend the Davis-Bacon Act, as amended; the Federal Airport Act, as amended; and the National Housing Act, as amended; and for other purposes; to the Committee on Education and Labor.

By Mr. KLUCZYNSKI:

H.R. 10971. A bill to amend title 23 of the United States Code to provide for a National Highway Academy; to the Committee on Public Works.

By Mr. KYL:

H.R. 10972. A bill to amend section 401 of the Internal Revenue Code of 1954 to provide that plans which provide certain medical and other benefits for retired employees and their families may be qualified pension plans; to the Committee on Ways and Means.

By Mr. LAIRD (by request):

H.R. 10973. A bill to amend the act of September 30, 1961, relating to the application of the antitrust laws to certain organized sports; to the Committee on the Judiciary.

By Mr. McFALL:

H.R. 10974. A bill to amend section 2304 of title 10, United States Code, to provide that military procurement agencies shall comply with State minimum price laws for certain perishable subsistence items; to the Committee on Armed Services.

By Mr. REUSS:

H.R. 10975. A bill to amend the Internal Revenue Code of 1954 to provide for the nonrecognition of gain on the disposition of stock of a corporation by a retiring employee of such corporation, where the employee is required to make such disposition and where he reinvests the proceeds thereof in other securities; to the Committee on Ways and Means.

By Mr. RIVERS of Alaska:

H.R. 10976. A bill to authorize the construction of the Bradley Lake project in the State of Alaska for the generation of hydroelectric power; to the Committee on Public Works.

By Mr. ROGERS of Texas:

H.R. 10977. A bill to provide that certain information relating to the national security shall be made available to the Speaker of the House of Representatives; to the Committee on Post Office and Civil Service.

By Mr. ROOSEVELT:

H.R. 10978. A bill to provide for the establishment, ownership, operation, and regulation of a commercial communications satellite system, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. SANTANGELO:

H.R. 10979. A bill to amend the Internal Revenue Code of 1954 to provide that the undistributed investment income of a tax-exempt nonprofit organization (other than a religious or educational organization) shall within certain limits be taxable as regular business income; to the Committee on Ways and Means.

By Mr. VINSON:

H.R. 10980. A bill to amend section 2304 of title 10, United States Code, to provide that military procurement agencies shall comply with State minimum price laws for certain perishable subsistence items; to the Committee on Armed Services.

By Mr. BOW:

H.R. 10981. A bill to provide for the medical and hospital care of the aged through a system of voluntary health insurance, and for other purposes; to the Committee on Ways and Means.

By Mr. BUCKLEY (by request):

H.R. 10982. A bill to authorize an adequate White House Police force, and for other purposes; to the Committee on Public Works.

By Mr. HAGEN of California:

H.R. 10983. A bill to amend the Agricultural Adjustment Act of 1938, as amended, to provide for marketing quotas on Irish potatoes through establishment of acreage allotments; to the Committee on Agriculture.

H.R. 10984. A bill to amend section 2304 of title 10, United States Code, to provide that military procurement agencies shall comply with State minimum price laws for certain perishable subsistence items; to the Committee on Armed Services.

By Mr. HARVEY of Michigan:

H.R. 10985. A bill to continue for a temporary period the existing suspension of duty on certain amorphous graphite; to the Committee on Ways and Means.

H.R. 10986. A bill to amend the Tariff Act of 1930 to place certain natural amorphous graphite on the free list; to the Committee on Ways and Means.

By Mr. JENSEN:

H.R. 10987. A bill to establish a cropland retirement program; to the Committee on Agriculture.

By Mr. MacGREGOR:

H.R. 10988. A bill to amend the Mutual Security Act of 1954 relating to certain reports required of expenditures by committees, Members, and employees of Congress and for other purposes; to the Committee on Foreign Affairs.

By Mr. CLEM MILLER:

H.R. 10989. A bill to amend section 2304 of title 10, United States Code, to provide that military procurement agencies shall comply with State minimum price laws for certain perishable subsistence items; to the Committee on Armed Services.

By Mr. MORSE:

H.R. 10990. A bill to amend title II of the Social Security Act to increase to $1,800 a year the amount of outside earnings permitted without deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. MURPHY:

H.R. 10991. A bill to amend the law relating to pay for postal employees; to the Committee on Post Office and Civil Service.

By Mr. TUCK:

H.R. 10992. A bill defining the jurisdiction of the U.S. Supreme Court and all Federal courts inferior thereto, in certain instances; to the Committee on the Judiciary.

By Mr. HULL:

H.R. 10993. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted during a calendar year from $1,200 to $1,800 without deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. PUCINSKI:

H.R. 10994. A bill to amend the Immigration and Nationality Act; to the Committee on the Judiciary.

By Mr. KEARNS:

H.R. 10995. A bill to establish the Capitol Hill National Historical Park and to provide for the protection and preservation of its historic character, dignity, and environment; to the Committee on Interior and Insular Affairs.

By Mr. LATTA:

H.J. Res. 678. Joint resolution to amend the Constitution of the United States to provide the right of States to establish their own election districts; to the Committee on the Judiciary.

By Mr. KEARNS:

H. Res. 580. Resolution to authorize the Committee on Interstate and Foreign Commerce to conduct an investigation and study of the newspaper monopoly in Erie, Pa.; to the Committee on Rules.

By Mr. DERWINSKI:

H. Res. 581. Resolution amending the Rules of the House of Representatives relating to the appointment of professional and clerical staffs of the committees of the House; to the Committee on Rules.

By Mr. McVEY:

H. Res. 582. Resolution amending the Rules of the House of Representatives relating to the appointment of professional and clerical staffs of the committees of the House; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII,

The SPEAKER presented a memorial of the Legislature of the State of New York, memorializing the President and the Congress of the United States to authorize a review of plans for the multipurpose development of the Genesee River Basin, which was referred to the Committee on Public Works.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDONIZIO:

H.R. 10996. A bill for the relief of Dr. Kyu Soo Kim; to the Committee on the Judiciary.

By Mr. INOUYE:

H.R. 10997. A bill for the relief of Chi Sheng Liu; to the Committee on the Judiciary.

By Mr. MOSS:

H.R. 10998. A bill for the relief of Lucy Maica; to the Committee on the Judiciary.

By Mr. SCOTT:

H.R. 10999. A bill for the relief of Edward Kuen Sang Shum; to the Committee on the Judiciary.

By Mr. SHELLEY:

H.R. 11000. A bill for the relief of Donald A. MacMasters; to the Committee on the Judiciary.

H.R. 11001. A bill for the relief of Jannie Lim; to the Committee on the Judiciary.

By Mr. TEAGUE of Texas:

H.R. 11002. A bill to incorporate the Metropolitan Police Relief Association of the District of Columbia; to the Committee on the District of Columbia.

By Mr. FLYNT:

H.R. 11003. A bill for the relief of Lloyd T. Bridges; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

268. By the SPEAKER: Petition of James E. Collins, city clerk, Niagara Falls, N.Y., requesting the appropriation of the sum of $23,000 to carry out a survey to study flooding conditions on the upper Niagara River; to the Committee on Appropriations.

269. Also, petition of David J. Calderon, mayor, San Fernando, Calif., relative to opposing any amendment to the Constitution of the United States which would subject income from State and local bonds to a Federal tax; to the Committee on the Judiciary.

270. Also, petition of Henry Stoner, Fort Wayne, Ind., relative to congratulating the Supreme Court for having decided favorably for Baker in the Tennessee reapportionment case; to the Committee on the Judiciary.

271. Also, petition of Raymond Hanson and other citizens of the United States of America, Christian National Crusade, Los Angeles, Calif., relative to requesting the Congress of the United States to take whatever steps are necessary to withdraw from the United Nations; to the Committee on Foreign Affairs.

EXTENSIONS OF REMARKS

Farm Bureau's Sane Policy

EXTENSION OF REMARKS

OF

HON. RALPH F. BEERMANN

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 28, 1962

Mr. BEERMANN. Mr. Speaker, on March 13, the American Farm Bureau Federation, through its president, Charles B. Shuman, presented its views on general farm legislation before the House Agriculture Committee.

One might ask: What of it? What is extraordinary about the presentation of testimony on farm legislation by a farm organization? Is it not as routine as the convening of the House or the Senate?

But this was not an ordinary presentation. It had great significance as follows:

First. It illustrates the steady rise in influence in Washington and elsewhere of the American Farm Bureau Federation, the farm organization which believes in free enterprise for agriculture.

Second. Conversely, it illustrates the defeat of the administration's supply-management concept, which means Government control of all agriculture in production and marketing, and so forth; and the decline in influence of the Secretary of Agriculture, Orville Freeman.

Third. It emphasizes the complete bankruptcy of farm policy based on controls.

Bear in mind that the American Farm Bureau Federation has consistently and effectively opposed the supply-management approach of Orville Freeman, Secretary of Agriculture. Just before this session of Congress, an administration spokesman assailed farm bureau and Mr. Shuman in a statement. The Democrats control the Agriculture Committee 21 to 14. Apparently some of the Democrats on the committee, are committed to the supply-management concept.

How does it happen then that farm bureau, the leading farm organization opposing the administration's farm policy, is called upon to tell what it thinks should be done about the farm problem?

Well, as I have indicated, the administration is getting nowhere fast. Last session the Congress turned down Mr. Freeman's bid for complete power in the farm field, via the so-called omnibus farm bill. This year the Secretary has come forward with other control proposals which also are in a dismal state. Recently, as you know, both the House and Senate Agriculture Committees turned down the Secretary's effort to maintain dairy price supports at $3.40 per hundredweight. Last year Secretary Freeman arbitrarily raised dairy price supports from $3.22 to $3.40. Since then half a billion dollars worth of dairy surpluses have accumulated in Government hands.

Fourteen members of the House committee asked that the farm bureau, which has some very sensible farm proposals pending, be called upon for testimony. Hopefully some of the Democratic members of the committee will also realize that the Democratic farm policies are just about bankrupt and that a fresh, more sensible approach is badly needed.

For several years now the farm bureau has been insisting that the Government should get out of agriculture as soon as possible, and in particular the bureau has opposed plans to run every farm and farmer from Washington.

Every day that passes illustrates the wisdom of the farm bureau approach. It is a great organization, and all of us should be grateful to the men who lead it and to its members for its influence on the American scene.

The National Lottery of Denmark

EXTENSION OF REMARKS

OF

HON. PAUL A. FINO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 28, 1962

Mr. FINO. Mr. Speaker, I would like to point out to the Members of this House the benevolent influence of the national lottery of Denmark.

Denmark, like the other countries where government controlled and operated lotteries are legal and proper, has reduced gambling to an orderly minimum by complete state control. They have no underworld problem and illegal betting is not the source of difficulty to the police as it is here in America.

The gross annual receipts of the Danish national lottery came to over $6 million last year and the profits to the Government were applied to the general fund of the treasury.

Mr. Speaker, we can derive a tremendous revenue here in the United States if we copied a page from the Denmark story. A national lottery in this country can bring into our coffers over $10 billion a year in new income which can help lower our income taxes and reduce our national debt.

Why cannot we follow the wisdom of our foreign friends?

Tax-Exempt Foundations—A Source of Philanthropy and an Escape From Taxation

EXTENSION OF REMARKS

OF

HON. ALFRED E. SANTANGELO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 28, 1962

Mr. SANTANGELO. Mr. Speaker, I have this day introduced a bill to remove the income tax exemptions granted to foundations to the extent that they do not distribute their investment income. The income tax shall not apply to more than 40 percent of the undistributed investment income and shall be at the rates payable by the ordinary taxpayer. My bill continues the exemption granted to religious and educational foundations under the tax laws.

The purpose of my bill is to see to it that the foundations carry out their philanthropic, charitable, scientific, and welfare purposes, and to stop the accumulation of billions of tax-exempt dollars which are not being used for charitable purposes, but are being used for private purposes and in unfair business competition. If the foundations do not distribute their investment income for the purposes for which they were organized, then the foundations, in my opinion, must pay taxes on the undistributed investment income. My bill will bring into the general treasury of the United States several hundred million dollars annually.

The Ways and Means Committee is considering the major tax refund tax bill, H.R. 10650. This tax bill is designed to have all taxpayers assume their share of the cost of the operation of Government, the defense of our Nation, and the carrying out of our social measures. The administration tax reform measure seeks to provide incentives to expand our economy and the rate of growth. The tax reform measure is closing many tax loopholes. It seeks to withhold a 20-percent tax on income paid by corporation dividends and on savings banks deposits. It is requiring the insurance companies, the casualty companies, and the mutual companies to pay taxes. It is requiring foreign corporations owned by U.S. citizens to pay on their earnings, and it requires that excessive reserves should also be subject to tax although not distributed.

The history of foundations is phenomenal and apparently it is leading to abuse and circumvention of payment of taxes. Over $12 billion of the Nation's wealth has been drawn from our economy for tax purposes. The growth of tax exempt foundations within the past few years has been extraordinarily phenomenal. From 1952 to 1960 the number of tax exempt foundations has increased from 12,295 to 45,124, an increase of 367 percent. This means that 45,000 taxpayers with $12 billion of assets and an annual income estimated at $100 million a year are enjoying tax exemptions. These foundations receive this tax exemption because we believe that they should use this income and the donations which they receive for charitable, scientific, philanthropic, educational and welfare purposes, but the history of the operations of the foundations indicates that they do not use more than 60 percent of their funds for such purposes. Some foundations carry out their purposes diligently and meticulously. Some foundations, while enjoying tax advantages, participate in commercial enterprises and possess business advantages over their competitors by reason of these tax exemptions.

According to an authority and specialist in this field, the pattern among large foundations appears to make grants at between 3 to 3½ percent of the total assets, while the assets accumulate at an undetermined and varying higher rate. I would like to set forth three classic examples of the growth of these foundations within the past 7 years, what they are giving in grants, and to what extent their assets have increased.

While the great Rockefeller Foundation made grants in 1959 in the tremendous sum of $22,599,735, a truly sizable sum, its assets increased from $318,229,000 to $647,694,858, an increase of $329,464,858. This increase of approximately $330 million was tax exempt. Have you pondered as to how much in taxes which the Rockefeller foundation legally avoided in 6 years did the small taxpayer have to pick up? The Ford Foundation was extremely generous in 1959 and made grants to the extent of $110,132,848, but its assets increased from $520,232,000 to $3,316 million, an increase of $2,795,768,000. This means that approximately $2,750 million which was not distributed and which was not used for charitable, scientific or welfare services legally escaped taxation in 6 years. The John A. Hartford Foundation, which was chartered in my city, New York, in 1953, had approximately $3 million of assets. In 1959 its assets exceeded $413 million, an increase of $410 million. In 1958 it made grants of $3,945,813. This means that $393 million of income legally avoided taxes, not only in the State of New York, but also in the Federal Government.

I believe that these undistributed funds should be subject to taxes, just as the income of the ordinary taxpayer is subject to taxes.

Inasmuch as we want all people, corporations, domestic and foreign, to carry the cost of Government, and inasmuch as we recognize the laudible purposes of foundations, we should grant them tax exemptions only to the extent that they carry out their purposes; but when they do not carry out their purposes and accumulate their funds which are being used for other purposes and which are derived from their investments and business enterprises, these undistributed funds should be subject to income taxes just as the income tax that you or I or any other taxpayer might be called upon to pay.

More Conservation Funds Needed

EXTENSION OF REMARKS

OF

HON. W. PAT JENNINGS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 28, 1962

Mr. JENNINGS. Mr. Speaker, my colleague on the House Agriculture Committee, the Honorable RALPH R. HARDING, of Idaho, yesterday appeared before the Agriculture Subcommittee of the House Appropriations Committee in support of additional funds for conservation activity in the coming fiscal year. His statement reflects my interest and concern over the need for adequate funding of our important conservation programs. Under leave to extend my remarks in the RECORD, I include his statement made to the subcommittee.

Serving with Representative HARDING on the Agriculture Committee has given me firsthand knowledge of his interest in the farmers of the Nation and in our conservation practices. He is dedicated to the maintenance of a sound farm economy, and he knows well that proven conservation programs contribute not only to the future of our farmers, but to every citizen benefiting from alleviation of soil and water problems.

I have had expressions of concern from my constituents over the future of our conservation programs. Therefore, I share the sentiments expressed by Representative HARDING and commend his statement to the attention of my colleagues, as follows:

MORE CONSERVATION FUNDS NEEDED

(By the Honorable RALPH R. HARDING, of Idaho)

Thank you for this opportunity to appear before the Agriculture Subcommittee of the House Appropriations Committee to express my concern over the amount of the funds included in the budget of the Department of Agriculture for conservation.

There are three areas which I would particularly urge your subcommittee to survey closely in this regard.

First, I hope you share my disappointment over the fact that no additional funds have been requested to increase the level of technical people available for soil conservation districts. This not only leaves new soil conservation districts out on a limb, of which there are five in Idaho, but limits the activities of the older districts, most of which now have inadequate technical assistance.

The amount included in the fiscal 1962 budget for assistance to soil conservation districts was $89,636,000. For fiscal 1963 it is $90,725,000. While it would appear that there is an additional $1,089,000 available to aid districts in handling the increasing number of requests for assistance they are receiving from the Nation's farmers and ranchers, actually this amount is for $900,000 to accelerate soil surveys and $189,000 to expand snow surveys.

I want to make it clear I strongly favor these additional funds for the soil and snow surveys but regret the failure to include funds for stepping up soil conservation efforts generally.

Of the $900,000 included for soil surveys my State of Idaho would receive $22,200.

As you know, these soil surveys must be made on the land of each soil conservation district cooperator before his conservation plan can be developed. Farm and ranch planning needs each year in Idaho have exceeded the acreage of standard soil surveys being mapped by some 50,000 to 100,000 acres. No modern soil surveys have been published in Idaho, though three are now underway.

In view of the fact that it is estimated it would require 40 years to complete standard soil surveys on all agricultural land in Idaho at the 1961 rate I endorse most enthusiastically the inclusion of the $900,000 in the budget for this purpose nationally.

The snow survey and water forecasting operation of the Department of Agriculture is an extremely important tool for countless people and groups throughout Idaho and the West generally.

Since most of the water for agriculture, industry, municipalities, and power in the Western States comes from snow that falls in the mountains, streamflow forecasts, well in advance of the planting season, give farmers and ranchers a chance to adjust their schedules in accordance with the available water supply. Economic losses would have been far greater if these forecasts were not available.

Of the $189,000 included for snow surveys, my State would be the top participant, receiving $46,632.

I am advised by conservation officials in my State that they now have 164 staff members working with Idaho farmers and that an additional 84 staff members are desperately needed—72 technicians and 12 clerical persons—if soil conservation services are to be stepped up at all.

Typical of the reports of need I have received is this statement from the secretary and treasurer of the Blaine Soil Conservation District at Hailey, Idaho, C. W. Gardner, who writes:

"To meet and sustain the demand here, it would take five technicians, including a part-time stenographer. Approximately the equivalent of three men are allotted to our district leaving us short of help by two men. If we could get one more man, it would make a great difference to our program. We have talked to supervisors of other soil conservation districts and find they have the same shortage of technical help as we do."

What meeting this demand for assistance means to Idaho farmers is well illustrated by this paragraph from a recent letter which came to my office from a Twin Falls, Idaho, farmer and rancher, Ellis Fuller, who states:

"The technical assistance provided in the past to farmers and ranchers in our Twin Falls Soil Conservation District by this agency has in my opinion been the deciding factor of whether or not many of us are still in the farming business since we have just gone through three of the shortest water years on record."

Also, I am advised that several new responsibilities have been assigned to soil conservation districts, including civil defense, radiological monitoring, technical service to ACP and rural development which are taking valuable time away from regular demands made upon personnel of the SCS offices.

I support the recommendation of the Idaho Association of Soil Conservation Districts, which is that 1½ men be added to each district over the next 3 years. It is estimated this would cost around $4,000 per district on an annual basis. For Idaho this means an increase in the soil conservation budget of $220,000 for fiscal 1963 and $600,000 for the 3-year period. It is my understanding the National Association of Soil Conservation Districts also supports this.

Second, I hope you share my concern over the fact that the national authorization for agricultural conservation program assistance for aiding the farmers in bearing the cost of applying certain soil and water conservation measures has been reduced by $100 million—from $250 million in fiscal 1962 to $150 million for fiscal 1963.

Idaho's allocation of funds under this program had been $1,821,000 for 1962. This investment and Idaho farmers' and ranchers' investments through ACP totals some $3,500,000.

This reduction would mean that Idaho's allocation would be only a little more than half of what it has been—or less than $1 million.

In our State, with the third largest irrigated acreage in the United States, any reduction in the funds spent for water conservation, which makes up by far the largest part of ACP activity in Idaho, cannot be taken lightly.

Certainly present effort in water conservation should at least be maintained if budget considerations prevent any strengthening of our efforts in this regard.

Third, in 1960 the Congress appropriated $850,000 to construct soil and water conservation research facilities in the Snake River Valley area at Kimberly, Idaho, to serve as headquarters for expanded research so badly needed in this area.

Only through this expanded research effort can permanent answers to the many water supply and management drainage, salinity and alkali, erosion, tillage, and other soil and water problems be obtained.

I understand that plans for these facilities will soon be completed, that construction will be started early this summer, and the buildings will be completed and ready to occupy in the spring of 1963. However, I am disturbed to learn that the fiscal 1963 budget provides no operating funds with which to buy needed equipment and to initiate staffing. It seems only logical that funds should be provided in the coming fiscal year so that at least some of the equipment can be purchased, arrangements for experimental land made, and staff assembled late in the year.

Therefore, I would recommend that up to $300,000 be provided this year and the balance of the $600,000 proposed increase be added next year to operate this program. This would permit purchase of the most essential equipment, leasing or otherwise arranging for land, recruitment of the staff so that an active program can be underway as soon as the construction is completed.

In view of the fact that 81 percent of the needed soil and water conservation work is yet to be done in Idaho, I am gratified by President Kennedy's recognition of conservation needs as illustrated by his special message to the Congress on this subject February 28 as well as his stated plan to convene a White House Conference on Conservation this year.

As the President said in that message on conservation, "Much progress has been made * * * but nearly three-fourths of private crop and range lands still need improved conservation practices. Joint action to conserve this basic resource—the land—must be continued and intensified for the benefit of future generations."

I would certainly agree with this and the President's further statement that any funds

spent for conservation are "the highest form of national thrift" and that "actions deferred are frequently opportunities lost."

I strongly urge your approval of the three budget changes I have recommended—more technical assistance, adequate ACP help and funds for more quickly utilizing the Snake River Valley soil and water conservation research facilities.

Farms Important to Cities

EXTENSION OF REMARKS

OF

HON. WM. J. RANDALL

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 28, 1962

Mr. RANDALL. Mr. Speaker, yesterday the Secretary of Agriculture, the Honorable Orville Freeman, made another fine speech urging equality to our Nation's farmers. He addressed the Sales Executive Club in New York City at the Roosevelt Hotel in his continued determination to see that businessmen understand the importance of farm prosperity to business and the great job of food production farmers have accomplished for all consumers. In addition to outlining the facts of the farm situation and its relationship to our national economy, he makes a plea for businessmen to understand the complex problem facing our farmers.

It seems to me that Secretary Freeman has done a very thorough job in explaining to the city dwellers in New York that while there are fewer than 15 million persons actually living on farms today—or only about 8 percent of our country's population, nevertheless, when you add the 40 million who live in small towns and serve and supply small communities together with those who process, transport, and merchandise the products of agriculture and the 6 million people who provide supplies farmers use, the agricultural population comes nearer to 40 percent rather than 8 percent, and 40 percent is quite a substantial part of our total population.

The Secretary told the sales executives the farmer needs their understanding and support and as a very important customer of theirs deserves it. We are indeed fortunate to have a Secretary of Agriculture at last who defends farmers and points out their contribution to our national welfare.

Secretary Freeman's address follows:

FARMS IMPORTANT TO CITIES

(Address by Secretary of Agriculture, Orville L. Freeman)

I am most appreciative of this opportunity to talk to one of the country's most influential business groups—and particularly at a time of impending crisis in our national agricultural policy.

You are involved in this crisis—not only as citizens, but as businessmen. The American farmer stands today at a major crossroads, and you—believe me—stand there with him.

A turn in the wrong direction at this critical juncture would have drastic repercussions, not only on the farmers, not only on rural America, not only on small business, but on big business as well—they would all be hit where it would hurt. The impact would be felt through the whole economy. The consequence for agriculture, for the family farm system that has proved the most efficient in the world, could be catastrophic.

If I sound like a prophet of doom, let me hasten to say that I have every confidence that the Congress, in the next few weeks, will point our agricultural policy down the road recommended by the President—a straight road leading to the heart of the agricultural problem. If we are unwilling to face up to hard decisions now, we will find ourselves meandering around in a morass of costly, futile half measures that will lead us nowhere, except possibly to disaster.

In the next few minutes I want to describe the choices now open to us and tell you why the decision is as much a matter of concern to you people of the Nation's business as it is to the people of the Nation's farms.

Agriculture's basic problem is one that no business could tolerate and survive. In plainest terms, it is overproduction. Our agricultural plant, for a variety of reasons including an astounding surge in farm technology, is turning out more than we can possibly absorb, now or in the foreseeable future, domestically, and for export. The inevitable consequence is a glutted market for prime commodities, depressed farm prices, and inadequate return to the producer.

In our free enterprise economy, it is a fact of life that continued excess supply drives prices down below the cost of production. Every businessman lives with this fact every day in the operation of his business.

It requires no more than the exercise of commonsense, therefore, to perceive that the remedy for the present situation in agriculture is to adjust production to demand. But it requires a rather penetrating look at the peculiarities of agricultural economics to perceive why this is easier said than done.

Our agriculture consists of nearly 4 million farms. Of these, 1.5 million produce 87 percent of the total output. These are the commercial farms—the marvelously efficient family farms that roll out the bulk of our excess production year after year. The other 2.2 million farms, producing less than 13 percent of the total output, present a different kind of problem—one that can only be solved by a careful process of readjustment between people and resources.

The crux of the problem of oversupply is thus the astonishing and increasing productivity of 1½ million commercial farms. This is where a meaningful downward adjustment of output must be made.

I believe the efficient farmer in this country is prepared to make this adjustment. He is a businessman, after all, as keenly aware as anyone else of the depressing effect of oversupply. The critical question is the question of method: How can the needed adjustment be brought about with the greatest degree of certainty and the least degree of interference in the farmer's business?

The method proposed in the administration's food and agriculture program for the sixties is based essentially on the proposition that the producers of surplus commodities should have an opportunity to impose effective methods of supply management upon themselves through the time-honored democratic instrument of the ballot. Thus if a two-thirds majority of the producers of wheat or feed grains or dairy products voted in referendum to accept marketing quotas, all of the producers of that commodity would be obliged to comply.

There is nothing startlingly new in this idea—it represents the extension to other commodities of the system of supply management successfully employed for years by the producers of cotton, rice, peanuts, and tobacco.

It also represents a realistic and long-overdue acknowledgment of the fact that cuts in farm price supports do not mean cuts in total production. If the experience of the fifties taught us anything, it should have taught us that.

We entered 1952 with a Government stockpile of $2.5 billion worth of farm produce—not an unreasonable supply for emergencies and market stability. By the end of 1960—after 8 years of no supply management and progressively lower price supports, mistakenly calculated to discourage production, the surplus inventory in Government hands had jumped to $9 billion worth of foodstuffs that costs us a billion dollars a year to handle and store.

This is the choice then, that faces us today at what I believe to be a critical crossroads of farm policy.

On the one hand, a direct and purposeful system of agricultural self-discipline, exercised through democratic processes, which offers definite assurance of results in terms of lower total output, a fair standard of farm income, and reduced costs to the taxpayer. This alternative calls for effective supply management with price supports adequate to assure the farmer of a reasonable and stable return for his investment, labor and skill.

On the other hand, the choice is a policy that lets the farmer "go it alone" as best he can, producing without any attempt to adjust supply and without price supports for his product. Given 3½ million farmers all "going it alone," the result—as documented by four recent independent studies by State universities and committees of Congress—would be a disastrous drop in farm income, the threat of bankruptcy for thousands of farmers and the very real danger of a searing farm depression, with consequences for the national economy that I hesitate to contemplate.

Now let me go back to my statement that the businessman is standing with the farmer at the present crossroads in agricultural policy. What is his stake in the decisions that must be made?

We have a way of talking about farm interest and city interests as if the two communities were a million light-years apart.

When the businessman thinks of the farm, it is apt to be in terms of an irritating and expensive situation that concerns an insignificant 8 percent of the population, somewhere "out there."

This is an illusion I wish we could dispel.

It is easy to underestimate the farm population. There are fewer than 15 million people living on farms today—about 8 percent of the country's population—or about the same as the population of the New York metropolitan area.

Would anyone suggest that the New York area is not vitally important to the national economy? The influence of this metropolis is felt from one end of the country to the other and around the globe.

In the same way the importance of agriculture to the economy is far greater than the farm population alone would indicate. Remember that farmers and their families are only one part of the agricultural population. There are another 40 million people who make up our rural population, and a large number of them are the smalltown families who service and supply the farm communities.

Ten million people have jobs storing, transporting, processing, and merchandising the products of agriculture.

Six million people have jobs providing the supplies farmers use.

Add them all up—the farmers, the smalltown shopkeepers and bankers, the truckers, processors, wholesalers and retailers—and the agricultural population is far closer to 40 percent than to 8 percent of the Nation.

Forty percent of the population is a lot of customers. Whatever affects their pocketbooks, shows up in your order books. When their business is good, your business will be

better. When a customer that big has a problem, business has a problem.

The farmer stands just as tall when you measure him as a producer, too. In fact, he leads all others as the biggest single industry in the Nation.

The investment in agriculture was over 200 billion in 1961. That's about three-fourths of the value of current assets for all corporations in the country. It is three-fifths of the market value of all corporation stocks on the New York Stock Exchange.

That is big business indeed.

The investment in agriculture represents $21,300 for each farmworker. In manufacturing it is less than $16,000 for each worker.

Every bale of cotton on its way to the gin, every bushel of grain delivered to an elevator, every head of cattle shipped out of the feed lot, sets in motion a process that means not only more food and fiber for the country, but incomes throughout the marketing system.

Farmers sent more than $20 billion worth of food to the domestic market in 1961. By the time we paid for it, it was worth another $40 billion—twice again as much. About half of that money was wages for the men and women who process, store, ship, and finally sell our food to us in the store. This marketing bill was income to the trucking and rail companies that hauled the food. It was profits for the companies handling farm foods. And they in turn, bought containers and fuel, paid rents, interest, and taxes, until the dollars that started on the farm had been multiplied over and over throughout the economy.

Selling to the farmer is measured in billions of dollars. When he buys—he buys a lot.

Last year, for instance, the farmer grossed nearly $40 billion—$35 billion from his crops and livestock. He paid nearly $27 billion for everything he needed to run his business.

The farmer puts out about $2.5 billion a year for the purchase of trucks and tractors and other machines and equipment. About $1 billion is spent by the primary iron and steel industry for equipment and new plants.

He spends $3.4 billion for fuel, lubricants, and maintenance for his equipment. Farming uses more petroleum than any other single industry.

And to keep his farm going, the farmer uses 27 billion kilowatts of electricity, enough to run Baltimore, Chicago, Boston, Detroit, Houston, and Washington, D.C. for a year.

And while you think about the farmer, don't overlook his wife. She's spending money, too—about $12.7 billion of realized net income last year—for household repairs, and clothes for the family; for television sets, radios, refrigerators, and stoves. Carpets were out in farmhouses too, and they were replaced, along with chairs and lamps. Nylons and lipstick, soap and toothpaste are all as necessary on the farm as they are in the city. A good part of the money went for food, too.

It would be hard to find a more important customer and business partner than the farm family.

All of which is to say that a thriving productive agricultural economy touches every aspect of our lives. It provides us with food and fiber at bargain rates, helping to free more of the national income for other consumer goods—the products you want to sell.

The grocery bill is a good example; just after the war, the family grocery bill was about a fourth of the average take-home pay. Today it is less than a fifth, although retail food prices have gone up. They would be a lot higher if it weren't for the fact that the farmer is now getting 13 percent less than he did a decade ago for his part of the typical "market basket" of food.

But this boon to the food buyer means less return to the food producer. The most recent figures show that the annual farm income is $965 per person—and about a third of that comes from nonfarm work and other nonfarm sources.

The rest of us average $2,216.

Incomes of farm families are lower today, compared with those of nonfarm families, than they have been since just before the war.

The American farmer cannot be expected to continue to invest his capital, labor, and skill, for a material reward so far below the national average.

Nor can any other segment of the economy afford to look on with indifference when the agricultural economy is depressed.

Higher incomes for farmers will mean more purchases by farmers—more equipment and machinery; more fuel, oil, and other petroleum products; more pesticides, containers, and other production materials; more money on the same furniture, clothing, cars, and other goods that the city dweller buys.

As businessmen and sales executives your stake in the impending decisions on agricultural policy is a very large one indeed. The farmer needs your understanding and support. As an important customer he deserves it.

His technological skill, which lies at the base of a mammoth industry and assures the Nation's abundance, has earned it.

I sincerely hope you will give it to him.

The Future Homemakers of America Deserve Our Support

EXTENSION OF REMARKS

OF

HON. WILLIAM H. NATCHER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 28, 1962

Mr. NATCHER. Mr. Speaker, this year National Future Homemakers of America Week will be observed from April 1 through 7, and I am glad to have this opportunity to commend the over 500,000 young women and their able leaders who are members of this outstanding organization. I believe they fully deserve our support and recognition because these young ladies are not only contributing greatly to personal, family, and community living today, but are conscientiously preparing themselves for the vital role they will play in the future of this country.

The Future Homemakers of America is an incorporated, nonprofit national organization composed of students studying homemaking in junior and senior high schools. Any girl who is taking or has taken a homemaking course in school is eligible for membership. The U.S. Office of Education and the American Home Economics Association serve as cosponsors, and cooperating groups are home economics sections of the National Education Association and American Vocational Association.

The Commonwealth of Kentucky was the first State to charter the Future Homemakers of America, and in the Second Congressional District of Kentucky, which I have the honor to represent, local FHA chapters are extremely active and well organized. Their influence on the community is felt in innumerable ways, and not only do these young women benefit personally by their FHA membership, but the lives of their future husbands and children will be enriched by the valuable instruction they are now receiving. These girls are ably assisted in their endeavors by their home economics teachers and other interested women who appreciate and understand the importance of training them in the fine art of homemaking.

Not only in the Second District, but throughout the State of Kentucky, FHA'ers are very active and a good illustration of this is a State project entitled "Clean Up, Don't Litter Up." This project contributes to the national project, "Youth Can Do." One hundred and ninety-seven chapters have participated by sponsoring locker clean-up projects, helping clean up parks, and distributing 8,850 red plastic litter bags stamped with the FHA emblem and chapter name. Also, 3,609 individual FHA'ers have carried out such related projects as: having family work-together days, keeping homes and yards clean, removing trash, doing special house-cleaning projects, and painting the interior of their homes. The Kentucky FHA chapters have been commended by the State citizens' beautification committee for "outstanding accomplishments to make Kentucky a cleaner, greener land." To me, this is a very fine example of one of the many ways in which members of the Future Homemakers of America contribute to the betterment of their family and community life.

The proposed national program of work for 1962–65 for the Future Homemakers of America deserves our consideration as I believe it expresses exceedingly well the high ideals and objectives of this organization. The overall goal is "to help individuals improve personal, family, and community living," and the four national objectives are: first, discovering myself and my worth to others; second, contributing to the joys and satisfactions of family living; third, strengthening my education for future roles; and, fourth, launching good citizenship through homemaking. This program crystallizes in a national program of work the aims, ambitions, and desires of the Future Homemakers of America to be good citizens now and successful homemakers in the future.

The very foundation of our Christian civilization is based on the family unit, and it is the wives and mothers of America who have the responsibility for providing the cohesive and stabilizing influence so necessary to the continuance of an integrated family life. The training our young women are now receiving in their FHA work will enable them to assume with dignity, warmth, intelligence, and understanding the all-important role of homemaker. They will bring to the future homes of America the truth and love, faith and security that must be present in each home if we are to successfully preserve the ideals of Western civilization against the materialistic forces at work in the world today.

Mr. Speaker, the closing words of the FHA creed are:

We are the Future Homemakers of America. We face the future with warm courage and high hope.

It is a pleasure at this time to commend the FHA'ers all over our country who are doing such an outstanding job of preparing themselves for the vital position of homemaker, and I think we can face the future with high hope knowing that our homes will be in good and capable hands.

H.R. 9900: A New Trade Policy

EXTENSION OF REMARKS

OF

HON. CLEVELAND M. BAILEY

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 28, 1962

Mr. BAILEY. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following statement which I made before the Ways and Means Committee of the House of Representatives on March 27, 1962, with respect to H.R. 9900 the proposed new trade policy presently being considered by that committee:

REMARKS OF HON. CLEVELAND M. BAILEY, OF WEST VIRGINIA, BEFORE HOUSE COMMITTEE ON WAYS AND MEANS ON H.R. 9900, PROVIDING A NEW TRADE POLICY, TUESDAY, MARCH 27, 1962

Mr. Chairman, and gentlemen of the committee, this is not the first time I have faced your group to plead the cause of industry and job security. I can, I hope, envision the same cordiality and courtesy that have been extended to me on my previous appearance to discuss major provisions of our international trade policy, with particular reference to the Reciprocal Trade Agreements Acts of 1934 as amended.

I want to reiterate today what I have always said in addressing your committee on this subject, and I quote, "I do not oppose the idea of reciprocal trade agreements. What I do ask is that greater safeguards be thrown around basic American industries to assure a fair profit return on investments in our industries and to protect the jobs of working men and women in these United States, and particularly in my State of West Virginia."

I am quite aware, Mr. Chairman, that the world situation today is quite different from what it was in 1934 when the late Secretary of State Cordell Hull proposed reciprocal trade agreements legislation in an effort to revive international trade.

May I remind the committee that the policy statement by the Congress preceding the passage of the original Reciprocal Trade Agreements Act in 1934 stated quite clearly that the legislation was being enacted to revive world trade and to create additional jobs for working men and women within these United States.

The present trade agreements, as renewed and extended since 1934, which will expire on June 30 of this year, have fallen far short of the objectives set forth by the Congress, particularly in the field of creating new job opportunities for American workers.

Mr. Chairman, I appear today somewhat in the role of amicus curiae. By this, I mean a friend of the committee, who has a full knowledge of the heavy responsibilities facing you in shaping legislation that will permit us, as a Nation, to play a proper role as leader of the free nations and, at the same time, safeguard the interests of American citizens.

You, Mr. Chairman, and the senior members of this committee, will easily recall my activities in the field of reciprocal trades and international agreements. You will also recall that I sponsored in the 82d Congress, in 1951, the escape clause provisions contained in section 7 of the present Reciprocal Trade Agreements Act. I had then, and still have, considerable pride in what I did.

May I add, Mr. Chairman, that the faults of our present Reciprocal Trade Agreements Act are not chargeable to what the act contains, but rather to maladministration of the peril point and escape clause provisions of the act.

Proper administration of the act from 1951 to the present date might have obviated the necessity for the formation of a new approach to world trade policies, as contained in H.R. 9900, which is aimed at stabilizing our own economy and the economies of our sister nations, members of the General Agreement on Trades and Tariff.

The provisions of H.R. 9900 virtually wipe out the peril point and escape clause provisions, except as these safeguards are applied to that group of basic American industries that could not be protected under the provisions contained in H.R. 9900. I refer here, to loans to industries and reimbursement of lost wages to workers.

To me there are certain fundamental principles in our tariff and trade legislation that must not only be preserved but made more effective if we are to get the maximum benefit from it. We cannot have the most extensive trade if the domestic economy is not preserved at its highest level. A lagging U.S. economy becomes a poorer market for other countries. It is a well-established fact that we both import less and export less when our economy is in a recession or when it is not going full blast.

The character of our trade legislation has a great deal to do with the tone of our economy. Even if our imports and our exports are each less than 4 percent of our total national product, the effects produced by certain competitive imports reach far beyond anything suggested by their volume.

It was this latter fact that was recognized by Presidents Roosevelt and Truman and echoed by President Eisenhower, when they adopted and adhered in principle to the policy that the trade program was not to injure or jeopardize our industry. Such good as would come from the expansion of trade was not to be in the nature of helping one segment of our economy, namely, the exporters and importers, at the expense of other segments, such as manufacturing, mining and farming. It was not thought to be good public policy to help one group if it could only be done to the injury of other groups that are entitled to the equal protection of the law.

The value of the trade program was to be found in the expansion of trade on a fair competitive basis. Otherwise the undesired effects of injury of domestic industry would be inevitable.

Therefore tariffs were to be reduced with the greatest of care. This precautionary approach was greatly stressed by Secretary of State Cordell Hull and his subordinates, no less than by his successors and by our various Presidents. In 1949 the peril point was adopted by the Congress. This simply put into statutory form the policy that had been so widely proclaimed.

In other words, before we entered into any trade agreements we asked the Tariff Commission to set guidelines for the President to follow. In that manner the Congress kept its hands on the tariff-cutting powers of the President.

The peril-point approach, of course, is nothing final because no one can foresee just what effect a tariff reduction will have before it is actually made. Also, the President under the law was permitted to breach the peril point. In the latest trade agreement this was done in over 60 items.

More important than the peril point is the escape clause. It backstops not only the peril point but also provides for a remedy when injury occurs that was not foreseen by the Tariff Commission. The escape clause is the best instrument to carry out the principle of no injury to domestic industry.

While it is the best instrument and while it has been in effect nearly 11 years it has not been effective because of the manner of its administration.

The remedy to this lies in strengthening of the clause rather than eliminating it or setting it so far back that it would seldom be invoked and only then as a last resort and without guidelines established by Congress. This is provided for in section 305 of the bill.

The present bill, if I read it right, would set aside the no-injury principle in behalf of adjustment assistance. Under those circumstances, there would, of course, be no place for the peril-point findings since it would be expected that reduced tariffs would injure our industries. Once this injury had gone far enough, adjustment assistance could be extended to the workers and to the industry.

The idea would be that enactment of the bill would stimulate exports sufficiently to offset or more than offset the unemployment caused by increased imports.

Mr. Chairman, the big question that we face in unemployment is one that in my judgment cannot be solved or even greatly mitigated by stimulating our exports.

The number of workers employed in export activities of all kinds, all the way from production through shipping, has been greatly exaggerated. There is a simple way of measuring this without too much of a margin of error. We can apply to export activities its proportionate share of the gross national product which is well above $500 billion today, around $540 billion, in fact. We can relate employment in export activities including all indirect employment attributable to it, to the total employment required to produce the total national product and come out with a fairly reliable answer.

If 67 million workers in all occupations and trade are employed to produce a gross national product of over $500 billion, how many workers would be required to produce $20 billion of exports? In 1961 our exports were roughly $20 billion. Let us put the gross national product at a flat $500 billion.

This means that exports were 4 percent of the gross national product. This in turn would mean that 4 percent of the 67 million employed workers would cover all the workers for which exports could possibly be responsible, including their share of bankers, teachers, insurance writers, real estate operators, brokers, wholesale and retail clerks, Federal, State and local governmental workers, and so forth.

This total would be 2,680,000 workers employed as a result of our exports. This is less than the more than 4 million unemployed today.

Should tariff reductions lead to an export increase of $5 billion in a few years' time, employment would rise by 670,000. If this could be done in 3 years, we would gain some 230,000 per year.

Put this alongside of the net increase in the number of workers each year of more than a million and alongside of the million or more who are estimated to be displaced by automation each year and we find exports at the most optimistic level not making much of a dent.

If we have to reduce our tariffs still more in order to gain this $5 billion increase in our exports we will increase competitive imports by some similar volume. These imports, coming into increasing competition with our own producers, would not only displace many of our presently employed workers but, by creating unfavorable market conditions, would prevent or greatly discourage expansion of the industries that would be hit. The retarding effect on employment might be greater than the actual displacement of workers.

There have been flat statements that exports would expand employment much more than imports would hurt. This is not sustained by commonsense or experience. Imports usually consist of goods that have a lot of labor in them, such as glassware and pottery. Our exports are mostly products that have less labor; so the very opposite would be true. Imports upset more employment dollar for dollar than exports can create.

It is generally recognized that we badly need more growth and development in this country in order to keep up our employment. We will not get this growth and expansion if more and more industries are confronted with ever sharper import competition. Instead of expanding here, these industries, when they can, will expand overseas. Instead of employing more people here they would employ workers in other countries.

It does not look to me that trading cuts in our own tariffs for tariff cuts by the European Common Market or by Japan can do anything but put us at a great disadvantage.

The competitive advantage already lies on their side. It will gravitate still more in their favor the more we cut our tariff. From 1950 to 1960 our imports from the six Common Market countries increased 300 percent. Our exports increased only 112 percent. It is true that our exports are still higher than our imports from them, but the trend is running rapidly in the other direction. A heavy part of our exports to them consists of machinery, and it is not hard to forecast what that means.

A (United States) community which depends on jobs which depend on export sales of what the jobs produce is more vulnerable to depression via unemployment of its workers than one where the jobs are generated by national (domestic) consumption of what the jobs produce.

We are already a low tariff country. Our tariff protection is only 30 percent of what it was when we started reducing it. We are rapidly losing our technological advantage over the other industrial countries. This is easy enough to understand because of the great amount of modern machinery that has been installed overseas in the past 10 or 12 years. Productivity has risen rapidly there and will continue to do so as those countries continue their mechanization. This in turn will give greater competitive effect to their lower wages.

I do not believe that we have yet had the full brunt of competition from either Europe or Japan. Their exporting capacity is still rising. Europe has been so busy internally that they have used much of their productive capacity to supply their home demand. This will be changed as they catch up. They are creating a mass market that we will be less and less able to penetrate and stripping off our own tariffs will not make us more competitive. It would only make us more vulnerable than we are already.

It is claimed that we must give the State Department more bargaining power. I do not feel that they have used well the bargaining power they have had in the past 28 years. Otherwise why are we now faced with obstructive tariffs in Europe after these many years of so-called shrewd Yankee bargaining? Evidently there has been nothing like an 80-percent tariff reduction by the Common Market countries, such as we have made. This is not all. Some of the worst barriers that we encounter abroad are not tariffs but quotas or other import restrictions. For example, a few years ago, we were exporting well over 50 million tons of coal a year. We are now down to a little more than 35 million tons. West Germany has applied an import quota.

It is not an exorbitant tariff that is stopping us but a quota. The same sort of restriction rather than the tariff stops or restricts our exports of other products. Automobiles are a good example. One of our Ford or Chevrolet cars sells in Europe at around double the price in this country, not because of an excessive tariff but because of other burdens, such as internal taxes. What good would it do to bargain for a tariff cut on our cars? It would help very little.

We have been trading horses for rabbits these many years in the trade program. It has become a habit. Now the proposal is to cut tariffs in wide swaths, or by categories. This is the precise opposite of what was preached at the beginning and right along in this trade program. The greatest care was to be used. Evidently this was not carried out but that was the avowed policy. If we desert this policy now we could end up by having our tariff at ground level while other countries would still keep us out wherever it suited them.

I cannot have confidence in the State Department's bargaining powers. They are altogether too prone to reduce our tariffs because they think that is what they want to do in any case; and they evidently have not been very anxious to exact much in return. That is why I think that Congress should continue to exercise the constitutional authority to regulate our commerce and in fact to bring back to Congress some of the authority that has been leeched away by the State Department.

I would like to offer to this committee certain provisions that should go into the bill under any condition. This will include a shorter period of extension, one not to exceed 3 years; because Congress will otherwise not have another chance at legislation before 1967 and that is too long a time to wait. Times are changing rapidly and we should remain more liquid or fluid in order to meet necessary changes.

Above all, we should have an escape clause that would do what was so repeatedly avowed as policy. Prevention of injury to our industry by imports will not hurt our trade anymore than the establishment of fair competition has hurt domestic business and trade. It has helped rather than crippled our economic activity. The same would be true with import competition. For once we should try it.

We should have pretrade agreement hearings to preserve the proper caution, and while precise peril-point findings may not be necessary, the Tariff Commission should be able to lay down guidelines for the State Department.

The authorization should be for much less than 50 percent tariff reduction. We have already cut to the quick in too many cases. The free trade proposals except with respect to tropical woods should be set aside. We must not forget that the removal of tariffs on imports from the Common Market would apply to imports from all other countries except the Communist orbit. Japan would give the Europeans a run for their money in the American market. Between them, our competing industries would be reduced to rubble.

We should by all odds retain and strengthen the escape clause. This is the most important of all. It would be better to remedy injury in this fashion than to add to our redevelopment burdens.

Under the provisions of chapter 3, section 221, of H.R. 9900, the President will be given authority to give special attention to certain of our basic industries that cannot be properly protected by the proposals contained in the new act for loans to rehabilitate and modernize certain industries and a subsidy, referred to as compensatory wages, that will be paid to displaced workers. This means that the protection afforded by the peril point and escape clause in the present Tariff Act would not be applicable to industries in general, but only to this small group that H.R. 9900 proposes to help in the way of loans and compensatory wage payments.

It would appear from the provisions of H.R. 9900 that the President would have sole authority to reduce existing rates up to 50 percent without the necessity of a hearing before the Tariff Commission under the "escape clause" to prove injury.

Under the provisions of H.R. 9900, certain articles that are now subject to duty could be removed from the dutiable list and placed on the free list. In fact, the proponents of the legislation produced a list of some 27 articles that might well be placed on the free list. Here, I would like to pose a question, the answer to which might assist the committee in redrafting this proposal. Should coal and coke, as suggested, be placed on the free list, I am quite anxious to find out if the present duty contained in the Reciprocal Trade Agreement between the United States and the Dominion of Canada, which fixes an import duty of 50 cents a ton on American coal will be invalidated.

In this connection, may I call to the attention of the committee that 7 years ago, the United States was exporting 15 million tons of soft coal to West Germany to fuel its modern industrial establishments. Four years ago, the West German Republic, without consulting the United States, and without consulting the General Agreement on Trades and Tariffs, to which both West Germany and the United States are parties, placed an import duty of $4.76 a ton on shipments of U.S. coal to West Germany. American imports of soft coal into West Germany immediately dropped to less than 5 million tons because American producers of coal could not produce the coal, and pay the ocean freight and this $4.76 import duty, causing the loss of our exports of approximately 10 million tons of coal.

The West German Republic immediately imposed an import quota, limiting shipments of U.S. soft coal to 4,400,000 tons annually. This has since been increased to 5 million tons, but the import duty has increased to $5 per ton. What I would like to know is if articles of coal and coke are placed on the free list, will that invalidate the present German quota of 5 million tons that may be admitted free of the $5 per ton import duty?

Mr. Chairman, H.R. 9900, now before your committee for consideration, contains no provision that I have been able to locate that would remove these roadblocks to a free flow of commerce between our Government and that of the governments of West Germany and Canada.

Among one or two other suggestions I shall make later in my brief, I think the committee should write clarification language to correct this situation. I do this because the major objective of this proposed new legislation is to increase American exports. This cannot be done unless other negotiating nations on articles on the free list remove every vestige of their impediments to the free flow of articles in commerce.

The administration's position, contained in the following comments from the Department of State, appears to be one of further negotiations with Canada and West Germany. These negotiations will lead nowhere unless definite provisions are contained in whatever reciprocal agreement has been worked out with these two nations.

One is forced to the conclusion that no agreement has been reached, and that these restrictions will continue and will be a major roadblock to the objectives of the proponents of the new trade agreement which is predicated on vastly increasing our exports.

The State Department informs me that in 1961 U.S. exports of coal totaled:

Type	Quantity	Value	Percent of domestic production
	Tons		
Bituminous	34,974,050	$312,069,000	8.7
Anthracite	1,546,498	22,353,000	8.7
Coke	445,232	8,211,000	9

"Our imports, in contrast, were insignificant, amounting to 164,259 tons of bituminous, 792 tons of anthracite, and 126,518 tons of coke. And virtually all of these entered areas along the Canadian border which are not readily reached from coal centers in the United States. Our total trade in coal with Canada was substantially in our favor with exports exceeding imports by more than 900,000 tons of anthracite, and 11 million tons of bituminous.

"Eighty-four percent of our coal exports in 1961 went to five countries: Canada, Japan, Italy, West Germany, and the Netherlands. Exports to Japan have shown a particularly favorable development in recent years (exports of bituminous have more than doubled since 1958 and reached a record level of 6.6 million tons in 1961). Canada, West Germany, and the Netherlands maintain restrictions of various kinds on the importation of coal, and European producers, faced with the loss of their railroad market, have been demanding a national fuels policy to regulate competition. Pressures in Western Europe to limit coal imports are not likely to diminish. To hold and to expand this export market will require persistent effort, backed by usable bargaining authority.

"Among the measures already taken to assist exports are:

"1. Removal of trade barriers:

"Representations have been made on a continuing basis over the last 3 years at levels as high as the Under Secretary of State for Economic Affairs. As a result of these representations, the quota for imports of American coal into Germany was increased by 600,000 tons a year effective January 1, 1961. Missions in Brussels and Luxembourg are following closely proposals for a unified energy policy in Western Europe and are under standing instructions to make known our strong opposition to the development of a restrictive policy inimical to our export interests.

"2. Federal procurement:

"In 1961 the Department of Defense began buying American coal for use by U.S. troops in Germany.

"In the future, the U.S. Government will continue to seek the reduction of barriers to the export of U.S. coal. It will continue its efforts to eliminate quantitative limitations against U.S. exports as well as to press for the reduction of tariff barriers."

I am deeply grateful that the President has seen fit to approve a unanimous decision of the Tariff Commission, after a hearing to prove injury in the field of sheet, crown, and cylindrical glass articles. This decision will be quite beneficial to the unemployment situation in West Virginia where glass is our second most important product. It is also proof that the escape clause is workable where formal hearings to prove injury are proven to the satisfaction of our present bipartisan U.S. Tariff Commission.

There are other facets of the glass industry—and I refer to handmade and blown glass tableware articles—which received a sharp reduction of import duties under the recent negotiations concluded at Geneva. My concern, Mr. Chairman, is predicated on the fact that I have seven plants producing this type of glassware located in my congressional district. The reduction in these import duties came about through authority granted to former President Eisenhower in the extension of the Trade Agreements Act of 1958 to make reductions of 5 percent a year for the years of 1958 to 1962. What assurance does this type of glass industry have that under the new authority granted to the President under the provisions of H.R. 9900 that they will not face a further 50 percent reduction in these import duties which would leave them with little or no protection and could well destroy the oldest industry in the history of America.

Another important factor in our West Virginia economy is the pottery industry. In fact, one of the installations in my State is the world's largest pottery producer. I refer to the Homer Laughlin China Co. at Newell, W. Va. There are four additional plants producing this article of glassware located in West Virginia. Careful study of the proposed new legislation, H.R. 9900, would indicate that this industry will not be further harmed by our tariff policies and that import duty rates will remain stationary. In fact, it might be benefited through the negotiations at Geneva, which reduced the import duty on Kaolin clay, one of the basic ingredients in the manufacture of chinaware and vitreous china products.

In recent days the President has overridden the unanimous decision of the Tariff Commission on hearings to prove injury in the ceramic tile industry. I have one plant in my congressional district producing this type of tile products where several hundred people are employed. Their present employment is 60 percent of their normal capacity, which means that a sizable number of workers, in fact 40 percent of their normal employment, have been displaced. This, Mr. Chairman, is one more proof of why West Virginia's economy is in sorry condition.

Mr. Chairman, I appreciate this opportunity to discuss the problems concerned in our proposed new trade policy. May I express the hope that the members of the committee will give careful consideration to the points I have made. I am leaving with the members of your committee, in mimeographed form, some of the proposed changes that would provide greater safeguards and still give the President the additional authority he needs in negotiating new and adjusting existing trade agreements.

Report on a Study Mission Abroad on Export Credit Insurance Programs

EXTENSION OF REMARKS

OF

HON. LEONOR K. SULLIVAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 28, 1962

Mrs. SULLIVAN. Mr. Speaker, the New York Times last Sunday carried an interesting and informative article on page 1 of the business section on the subject of the new export credit insurance program just placed in operation last month as a joint venture of the Export-Import Bank and numerous American private insurance firms. More than 600 applications have already been filed under it and 128 have been approved. This program was established under temporary authority granted for 1 year by a bill which we enacted into law last year on recommendation of the Committee on Banking and Currency. More than 60 insurance firms are participating.

As a member of the subcommittee which originally considered the enabling legislation, and which will have jurisdiction again in this session in recommending whether to continue, expand, or abandon the experimental program of credit risk guarantees, I had the great privilege of making a factfinding trip for the committee last October which took me around the world and into many of the countries which are operating either privately run or Government-run credit risk insurance programs for their exporters.

This trip convinced me that American manufacturing firms can and should compete for more markets overseas; and, with a good credit risk insurance program available to them to underwrite credit defaults, there is no reason why they cannot increase exports substantially.

After my return to St. Louis last November, I discussed this issue in appearances before numerous groups of interested citizens—the League of Women Voters, a group of college alumnae, a women's group action organization, and the Foreign Credit Chapter of the St. Louis Association of Credit Management, among others.

To the credit men, as a prelude to a panel discussion later in the evening with officials of the Export-Import Bank participating, I presented some of the technical aspects of the issue and said this:

Frankly, I do not know whether it will be practical—whether it will work—to have private insurers underwriting some of the credit risks for American exporters and having the Government agency (Export-Import Bank) underwrite the political risks. That's the way we have set it up. We will give it a try. It is worth trying. After all, we have long experience here in the United States in having private enterprise and Government work cooperatively on programs which private enterprise alone could not handle—or which, for reasons of public policy, should not become private monopolies. Capitalism is not a bad word in the United States compared to many other countries, particularly since our kind of capitalism is so much different from the kind of capitalism which has existed in so many other countries.

But on my recent trip, interviewing many officials of export insurance agencies—both Government operated and privately operated—I was told over and over that credit insurance must be comprehensive in coverage, in order to be reasonable enough in price to be practical. If the private insurers can pick and choose as to risks, and make the Government agency carry all the high risk coverage, I just don't know what the outcome will be. We'll try it and see. Also, there may be reasons to worry over the banking institutions getting into the insurance business, because—again—experience abroad has indicated that these two operations, that is, export credit and export risk insurance, are not necessarily complementary functions in a single institution, and may, in some instances, be antagonistic.

In any event, as we go into this more seriously, as we will probably have to in order to assure American firms a better share of foreign markets, then we may have to think in terms of encouraging comprehensive

credit insurance coverage on all exports of a particular firm on a long-term basis, not just on shipments going into countries considered unstable politically, or economically, or both.

Mr. Speaker, I think that the talk I gave to the League of Women Voters of St. Louis on my return from my around the world trip last November, being less technical, would be of wider general interest and constitutes, I believe, a worthwhile form of report on the value of such factfinding assignments. I therefore submit it for inclusion in the RECORD, as follows:

REPORT ON A STUDY MISSION ABROAD ON EXPORT CREDIT INSURANCE PROGRAMS

(Speech by Hon. LEONOR K. SULLIVAN, Member of Congress, to the St. Louis League of Women Voters, Nov. 16, 1961, St. Louis, Mo.)

When Mrs. Pinkus' invitation reached me in Athens to attend and speak at today's luncheon meeting, I sent word back immediately that I would be delighted to accept, and for several reasons, including some highly personal ones.

First of all, I felt that the information I was obtaining in my interviews with government officials in the countries I was visiting would be of immense interest to the members of the League of Women Voters, for no organization has been more devoted to the cause of effective international relationships than the league.

And, on the more personal level, I have always been proud of my own longstanding membership in this organization, because I think the league, you women, have done more over the years than any other group of Americans to demonstrate the validity of women suffrage, now 41 years old.

If every American woman took as strong and as effective an interest in politics, in the political process, as do a high proportion of the members of the League of Women Voters, I believe that most of today's pressing internal problems would long since have been solved.

We will, of course, never achieve perfection in our political affairs any more than we can achieve perfection in any human endeavors and relationships. But much as we appreciate our freedom as a people, and much as we pride ourselves on the achievements of our way of life I think we women in this room would be the last to say that what we now have is good enough.

On the other hand, thanks to women like you and thanks to the causes in which you believe and for which you work so hard, the United States, with all of its faults as a practicing democracy, is a mighty wonderful place to come home to after an extended trip abroad.

We have far too much poverty here in the United States, but the worst of our poverty is luxury compared to some of the common sights I saw in India, or in parts of Iran, or in the slums of Hong Kong.

We have illiteracy even today in our country, and too much ignorance of sanitation and hygiene and personal and family care, and of these things we are ashamed—but, as a people, we care, and are trying to solve those problems. In too many of the areas of the world, however, no one apparently cares. There is a kind of social anarchy which seems to stifle the individual conscience in the face of widespread abject misery.

Rags and tatters, sickness and malnutrition, neglect and despair, ignorance and apathy, and overwhelming unrest needs crowd in upon your heart and make you want to cry over the seeming hopelessness of it all. And yet it is not hopeless. For one thing, we cannot permit hopelessness to conquer—and in all of these areas there is ever-greater recognition by national leaders and local officials of the ways in which help can be obtained and can be put to use.

As a Member of Congress who has, in 9 years, voted for billions of American aid for peoples abroad, I have always known that American aid by itself cannot overcome the accumulated deficits of centuries in meeting the needs of undeveloped and underdeveloped nations. At the same time, it is evident, after a trip to some of these areas, that while often appearing to be futile, the aid is not money down a rathole. But we find we must run like everything just to keep even with where we are, to prevent deterioration in already desperate economic situations. The aid we provided for industrial expansion or for communications or for other great leaps from primitive to modern productive methods has been making a dent—a big dent—but the most effective aid we can give is in the education of the children.

Habits of thinking which date back not only hundreds but even thousands of years must be changed in the course of a generation or, at most, in the course of a lifetime, if we are to achieve any really significant improvement in the living conditions of millions of people in impoverished lands. Patience in the face of adversity, resignation in the face of extreme suffering and hardship, and fortitude in the face of natural disaster are spiritual virtues all of us recognize and applaud. But when these attitudes become a way of life—as they have for the masses in many areas over many centuries—there is little chance for inspiring them to take arms against their sea of troubles—mountainous seas of incredible troubles—and by opposing, end them. The problem for enlightened leaders of such countries is to train the children who will be tomorrow's adults to want to change conditions which, while clearly intolerable, are nevertheless tolerated. Of course, there is some political danger in this—political dynamite—for no one can really be sure what changes will then be sought—and in what manner. Fortunately for the principles in which we believe, our help is avidly being sought in this educational process. Let's make sure we take full advantage of this ideological advantage.

The interest in America, the desire for more American teachers and for American teaching methods, and the admiration for our political processes were widespread and sincere, and reassuring, in most of the have-not areas I visited. So let us not be deterred from continuing our efforts in such areas, just because we cannot achieve miracles overnight. The Middle East, for instance, and parts of Asia, will require not overnight miracles but hard, long, consistent efforts over many years to show any real improvement; in the meantime, however, we are only keeping even at most.

My impressions on these points were sidelights of my trip, for I was not on a factfinding tour of impoverished areas of the world for purposes of evaluating foreign aid. However, I think every Member of Congress should be required, as a part of the job, to go abroad periodically, to at least some of the underdeveloped areas for a personal look into conditions we are trying to help improve. Such trips are often ridiculed as taxpayer-financed pleasure junkets. Actually, we can pay for such trips without dipping into the Federal Treasury for dollars by using counterpart funds—foreign currencies which we own in the billions and which we cannot use for purely American purposes except in comparatively minute quantities. These are funds we have accumulated chiefly from the so-called sale of surplus foods, and are usable by this Nation, for only limited purposes, primarily for grant or loan bank to the same countries which issued the blocked currencies. Members of Congress must account for every drachma or kroner or mark or yen or lira or other unit of counterpart currency which we draw and spend on these trips and of course only our necessary official travel expenses, hotels, meals, and transportation are covered. Any personal expenditures we make with counterpart funds, and there is, of course, a strong urge to buy all sorts of things, must be repaid by us into the Treasury in dollars, so actually, our official trips abroad bring into the Treasury at least some dollars which wouldn't otherwise be there. But that's hardly a reason to go.

For certainly those are not fun trips. They are hard work. Spending a few days in a series of countries is hectic—almost frantic. Your digestion is in constant turmoil. I virtually gave up eating. Travel connections have a habit of going awry; my luggage was torn to shreds. I had the feeling that each time I picked up my suitcase, that my lingerie and makeup were going to spill all over the airport terminal or hotel lobby. Restaurant meals everywhere were terribly expensive and hotel rooms were often outrageously overpriced. It just burns me up to pay the equivalent of $31.50, say, for an ordinary hotel room and the equivalent of $7 or $8 for an ordinary meal, as we had to do, for instance, in Vienna. Surprisingly enough, most of the restaurants we patronized appeared to be crowded with local people and not tourists, and I just wonder how they can manage such expenses unless there is a two-price system we weren't aware of.

But I am far off my subject. As I started to say, I was not on a foreign aid factfinding tour, although I think every Member of Congress, regardless of the jibes we get about plush junketing in some of the newspapers, should be required during every 2-year term to visit at least several countries receiving foreign aid and study the problems our officials face. Only then can we legislate intelligently on the measures we must decide in the international field.

But my trip was for another purpose. It was to assess some of the programs now operated by foreign countries for aiding their industries to compete for international trade. As we all know, foreign trade is the lifeblood of nearly every one of our allied nations and, in fact, of virtually every nation. We in the United States have been tremendously fortunate ever since 1939 and the start of World War II in Europe in having huge markets anxious to buy our goods. Foreign sales representatives became order takers and not salesmen; furthermore, we came to assume that a perpetual huge balance of trade in our favor is some sort of American constitutional right. Now we are awakening to some new and sobering facts of international trade. And the realization comes at a time when our quarter-century-old Reciprocal Trade Agreements Act is about to expire again, and when the longstanding bitter opposition to this act is preparing to renew the attack with increased ferocity.

I think I should make one thing clear at this point, before this audience, on the reciprocal trade issue. I have always supported the program, as I know the league has. However, we must all recognize that some areas of this country and some industries in this country, and their employees, have suffered serious financial setbacks from vast increases in imports manufactured under substandard working conditions. So it is not enough for us to wave the banners of free trade and denounce as narrow and selfish those American interests which complain that they are adversely affected by imports. It makes a difference whose ox is gored, whose job is hurt, whose business is affected by imports. We must recognize, therefore, that when a tariff concession to another country causes economic hardship to an industry or locality in our country,

machinery has to be worked out to give American businesses and American workers adversely affected a fighting chance to survive and adjust, so that the burden of our enlightened foreign trade policy does not rest unfairly on just a few Americans, comparatively speaking.

But that approach is far different from the attitude of some groups in this country which want to build a trade wall around us against any imports which compete in any way at all with American products. Sometimes it takes the stiff competition of imports to goad and push American firms into more efficient, more effective production methods. In this competition the consumer benefits, and all America benefits.

Too, as our Cabinet members stressed during the recent historic trade conferences in Japan, the balance of trade is still far in our favor—by two-to-one in Japan, for instance. Certainly, we cannot expect to sell abroad if we do not buy from those who buy from us.

At the same time, it is becoming increasingly obvious that American business cannot expect to hold on to present foreign markets and expand into new ones unless we gear our efforts to the changed international situation. A dozen years ago, Western Europe was in tatters; but now, thanks to the Marshall plan, and other forms of help we provided, plus the incredibly hard work of the peoples of these countries, Western Europe is a booming economy. Whereas once we had to supply them with most of their basic industrial needs, today these countries are competing with us everywhere in the free world. To hear some of our businessmen complain about this situation, one would think it was a tragedy, a boomerang, for the United States. Actually, this situation represents one of the greatest sources of allied strength in our efforts to assure the survival of freedom. And let's never allow anyone to forget it.

We pushed the so-called Inner Six nations into forming the Common Market and helped it to take hold; now, with Great Britain seeking admission to this phenomenally successful experiment almost with hat in hand, and with the other countries of the previous Outer Seven also seeking either full or associate membership in the Common Market, we are facing a brand new foreign trade picture. Now what do we do? Do we approach the problem realistically, and work out trade relationships which will further unite the free world, or do we crawl into a shell of economic isolation and abandon our 25-year-old liberalized trade policies? I have no easy solution to meet this challenge. I don't think there is one. But I do know this: that the coming session of Congress will be torn asunder with the intensity of the debate on all phases of this issue; for the time being, at least, it may be all we can do to secure an extension of the expiring Reciprocal Trade Agreements Act until more study can be given to practical means for adjusting our foreign trade policy to the new realities. But even that will be a major legislative battle.

It is good to have as much discussion and debate on this issue as possible, and as widespread public participation in that debate as possible. The high tariff people have been working diligently for years to rebuild the old walls, or to prevent further lowering of the present restrictions. On the other side are some who say remove all restrictions. Both groups have an advantage in this coming fight in that they know exactly what they are for and what they are against; the moderates, on the other hand, are squeezed from both sides and must come forward with solutions which are not only reasonable and effective but which in a democracy, are politically achievable.

Some of you may think it is not really such a hard problem for us in the Congress. I always enjoy hearing from league members who write to me in support of reciprocal trade; sometimes, however, while a league member is writing to me in favor of the act's continuation and expansion, her husband is writing from the office or plant on his company stationery urging exactly the opposite; the decisions we must make are not easy ones.

If more American firms entered foreign markets, it would be easier to work out reciprocal trade arrangements. Their value would be better understood. But, aside from the new complications in the foreign trade picture resulting from the Common Market developments, American business firms have many deep-seated problems in expanding foreign sales. I mentioned the fact that we are not yet foreign-sales conscious—most medium-sized and smaller firms in this country have not been active in international trade for a variety of reasons, and the bigger firms which have been in the field have often demonstrated a disinterest in expanding their markets. Time after time I heard on my trip that inquiries from foreign businessmen to American firms for price quotations have gone unanswered; that when an order is reluctantly accepted it is delayed in delivery; that when finally delivered the shipment is often improperly packaged for the climatic conditions experienced.

Certainly we know how to crate and ship any piece of equipment anywhere in the world—our Armed Forces do it all the time and do it well. This information is available to American business. Yet I heard of a shipment of machinery which arrived in such rusted and corroded condition that it practically had to be rebuilt to be of any use.

In Hong Kong, I heard a fantastic story, but unfortunately a true one, involving an inquiry written on a rather unattractive piece of stationery by a local businessman who wanted a price quotation from an American manufacturer. Now I know, as a Member of Congress, that when anyone writes to me it makes no difference at all what the condition of the letter or postcard or writing might be—that message is important to the person who sent it. And I try to answer it accordingly. But the American firm involved in this episode—I shall not name it because I am sure it is not alone in this mistake—ignored the inquiry because it wasn't nicely typed on good stationery and came from someone the front office had never heard of. After a reasonable interval with no response from America, the foreign businessman tried a German firm. Someone there was willing to decipher the messy letter. The upshot was that a $19 million order which could have gone to a U.S. firm went to a German firm instead. He didn't have to lose that order.

We have experts in the trade needs of every country in our various American embassies abroad. They told me, in most of the countries I visited, that they see few American businessmen seeking orders—and willing to do real selling to get them. Yet these countries are in the market for a vast variety of things we can make just as well as, or better than, other exporting countries and which we could sell competitively. Furthermore, there is machinery, particularly through our Export-Import Bank, for the financing of a wide variety of American products needed by friendly nations.

It was in an effort to encourage more American firms to get into this field—and thus assure more American jobs—that I joined this year in a subcommittee of the Committee on Banking and Currency to recommend congressional passage of a new program of credit insurance on American exports. The bill was signed by President Kennedy and is now law. Under it, private insurance and lending institutions, in cooperation with the Export-Import Bank, can provide insurance to American exporters to guarantee them against credit defaults on foreign sales; the Export-Import Bank, meanwhile, will underwrite the political risks of expropriation, nationalization, currency blockage, and so on. At least 19 other nations have extensive programs of this nature—some governmental, some private, but all closely allined to national policy determinations. For use—except for the political risk guarantee—it is a new and experimental thing—put on the books on a trial basis just for 1 year. Next year, we shall take it up again.

It was in preparation for next year's hearings and deliberations on this issue that I was asked to look into the operations of some of the 19 other plans—in Austria, Western Germany, Greece, Turkey, Iran, India, Thailand, Hong Kong, and Japan. I wish I had covered fewer countries and each at greater length. Three or four days is enough to get the basic information—to talk to the appropriate officials, both theirs and ours, but it is not enough time to adjust one's body clock and digestive system, when hopping from country to country. Nevertheless, it was fruitful in terms of information and technical advice. But it was often rugged.

There were several of us from the Banking and Currency Committee on the trip, including one other woman, Congresswoman MARTHA GRIFFITHS, of Michigan, who has one of the most incisive minds in the Congress and can quickly grasp and broadly develop through appropriate questions the basic facts in any technical legal or financial issue. Although I outrank her on the committee, I had to go some to hold up my end of it as the senior member of the group. In any event, the foreign trade officials in one after another of the countries we visited—although assuring us that women had full political rights in their countries—nevertheless indicated to us they were surprised and impressed that not one but two women were members of an American congressional fact-finding mission on a technical issue, and that a woman was the senior ranking member of the mission. While this was flattering to us individually, it brought home to us the fact that even today, almost everywhere, women in public life, even when they hold positions of importance, have to prove over and over again that their sex is not a bar to doing their jobs.

Many impressions press in upon me in thinking back over the trip; it will take me some time to sort them all out and put them in proper perspective. Of all of the places I visited, Hong Kong made the deepest impression. Of course, the Taj Mahal was breathtaking, and so was the 4-hour automobile trip through India's back-country roads to get to it, that was breathtaking for other reasons—chokingly hot and dusty and bumpy through miles of wretched misery. West Germany, on the other hand, was busy, prosperous, active, earnest, worried over Berlin. Austria was expensive; Greece placid and beautiful and tremendously pro-American; Turkey has been going through an internal convulsion which recently saw the execution of its previous leadership. Iran was hot and arid and with widespread poverty ingrained through thousands of years and yet with tremendous natural resources. Incidentally, some of its areas produce some of the most beautiful fruits I have ever seen—I can't give you any information on how they taste, however—I wasn't eating by that point in the trip. India, as you know, teems with humanity and much of it in the cities is homeless—it is no wonder that the life expectancy of an Indian at birth is 32 years. Thailand was as picturesque as could be but one is held at arm's length—the officials we talked to were correct and courteous and most pleasant but the warmth we found

in, say Greece, was not present here. The Japanese also, were the soul of courtesy, and most informative for the purposes of our study mission, and also quite insistent about Japan's need to increase exports to the United States with an implied warning behind it that Japan always has a readymade customer at its back door.

Now isn't it ridiculous of me to try to summarize in a sentence or in less than a sentence * * * in a phrase * * * the situations in these countries which are so very important to us? I apologize for it. I shouldn't have attempted that. The only reason I did so was because I had mentioned that Hong Kong made the deepest impression, and it didn't seem right to ignore all of the other countries I visited.

Hong Kong made a deep impression primarily because it is the Berlin of the East, right on the border of Red China, within sight of the guns of the border patrols, and within sight of Red China's farms which feed Hong Kong. It was a creepy feeling to know much of the food we were being served undoubtedly came from across the border. It was not conducive to a good appetite, assuming I would have had one anyway.

I drove close enough to see some of Red China's farms, being worked, I imagine, by people not getting enough to eat. Communist China, as you have read, has been gripped with food shortages. Yet thousands of tons of Red China's desperately scarce foodstuffs go to Hong Kong to earn foreign exchange. Then a lot of that same food goes back to Red China, in the form of gift packages sent to starving relatives in the interior from escapees safe in Hong Kong, refugees now going without enough food in order to be able to afford to send some to their relatives back home. This was a most heart-rending lesson in Communist economics, human suffering just does not count at all.

Hong Kong provides, I believe, the most spectacular nighttime view I have ever seen. The lighted harbor is just beautiful. The lights twinkling up the mountain from the storybook harbor form a fairyland of scenic delight. The darkness, of course, covers all of the ugliness, all of the poverty and misery, all of the teeming chaos.

St. Louis may not be so spectacularly beautiful at night, at least, not yet. But oh, how beautiful it is, day or night, to these eyes. And how nice to come home to, after an extended trip abroad, or an extended session of Congress in Washington.

Thank you for inviting me to share some of my impressions with you. As you continue to work hard on the issues of foreign trade and international relationships—please be assured that what you stand for, what you work for, is terribly important. It is important to our country, yes; it is even more important to millions upon millions of disadvantaged and hungry and illiterate and disease-racked and miserable human beings who could not dare to hope for a better life for their children, if not for themselves, were it not for the fact that there are so many decent people like you working to do something about it. Thank you.

HOUSE OF REPRESENTATIVES

THURSDAY, MARCH 29, 1962

The House met at 11 o'clock a.m.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Matthew 9: 36: *When He saw the multitudes, He was moved with compassion on them.*

Most merciful and gracious God, we humbly acknowledge that we are living in days when multitudes are baffled and bewildered, feeling that something within the heart of humanity has gone terribly and tragically wrong.

Inspire the God fearing everywhere to declare plainly by character and conduct that their faith in Thee is active and alert although too great for their groping minds to fully explain and express in formula and creed.

Grant that we may possess a victorious faith which fulfills itself in faithfulness and is manifested in an unswerving loyalty to that which is noble and true.

Give us a greater concern and compassion for all mankind and may we never forsake the weary and lonely who have fallen under some heavy burden which we might have lifted.

Hear us in His name who looked upon the multitude with compassion. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Ratchford, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills of the House of the following titles:

On March 12, 1962:

H.R. 10060. An act to provide for a further temporary increase in the public debt limit set forth in the Second Liberty Bond Act.

On March 16, 1962:

H.R. 7856. An act granting the consent of Congress to an amendment to a compact ratified by the States of Louisiana and Texas and relating to the waters of the Sabine River.

On March 20, 1962:

H.R. 2990. An act to confer jurisdiction upon the Court of Claims to determine the claim against the United States of Amis Construction Co. and San Ore Construction Co.;

H.R. 3879. An act to authorize and direct the Secretary of Agriculture to convey to the State of Wyoming for agricultural purposes certain real property in Sweetwater County, Wyo.;

H.R. 7666. An act to amend section 17(a) of the Revised Organic Act of the Virgin Islands pertaining to the salary of the government comptroller; and

H.R. 8723. An act to amend the Welfare and Pension Plans Disclosure Act with respect to the method of enforcement and to provide certain additional sanctions, and for other purposes.

On March 22, 1962:

H.R. 5143. An act to amend section 801 of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed a joint resolution of the following title, in which the concurrence of the House is requested:

S.J. Res. 171. Joint resolution providing for the establishing of the former dwelling house of Alexander Hamilton as a national memorial.

COMMITTEE ON APPROPRIATIONS

Mr. THOMAS. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight Friday to file a report on the second supplemental appropriation bill for 1962.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BOW reserved all points of order against the bill.

HON. DAVID J. ARNOLD

Mr. FLYNT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. FLYNT. Mr. Speaker, early this morning I received the sad news of the death of an outstanding Georgian and a warm personal friend of mine, the Honorable David J. Arnold, of Griffin, Ga.

Mr. Arnold was a prominent businessman, banker, a former chairman of the Fourth District Democratic Executive Committee, and a former member of both houses of the General Assembly of Georgia.

Our State has lost an outstanding businessman, banker, political leader, and I have sustained the loss of a lifelong, loyal, and devoted friend.

Mr. Arnold was a man possessed of a dynamic personality as well as the very highest character and integrity.

He was a public minded, progressive businessman, successful in banking and related businesses.

He was president of the Commercial Bank & Trust Co. of Griffin, Ga., a strong and progressive financial institution.

Mr. Arnold was born in Hampton, Henry County, Ga., June 26, 1897. He graduated from Hampton High School in 1913 and from the Riverside Military Academy in 1914. He graduated from the Georgia School of Technology with a B.S. degree in electrical engineering in 1918, and afterward attended the U.S. Military Academy.

Mr. Arnold was a member of the Baptist Church and the Sigma Alpha Epsilon Fraternity.

In 1929–31 he represented Henry County in the House of Representatives of Georgia. He was a member of the Georgia Constitutional Commission of 1945 which revised and delivered the present constitution of Georgia.

In 1933 he moved to Griffin, Ga., where he made his home until his death.

In 1942 he was elected to the State senate from the 26th senatorial district which, at that time, comprised the counties of Spalding, Butts and Fayette. In 1944 he was elected to the house of representatives from Spalding County. He was a member of the State Democratic

executive committee, and was a member and a former chairman of the Fourth District Democratic Executive Committee.

On February 24, 1922, in McDonough, Ga., he married Miss Ethel Miriam Sloane, who with their daughter, Miss Miriam Arnold—Mrs. William Newman—survive him.

David J. Arnold was the son of Dr. Robert Johnson Arnold, a prominent physician of Henry County, Ga., who was himself a representative in the General Assembly of Georgia, from Henry County, in 1913–17, and Nellie Curry Arnold.

His sister, Mrs. Frances Arnold Brown, is the widow of Hon. Paul Brown, late a Representative of the 10th District of Georgia.

He is also survived by a brother, Robert O. Arnold of Covington, Ga., a prominent textile manufacturer, businessman, former mayor of Athens, Ga., and presently chairman of the board of regents of the university system of Georgia.

David Arnold, throughout his life, was an able, courageous and strong individual who, through his ability and his influence, played a major role in the life of his community and his State. His influence was an influence for good and our community and our State are better places because of the impact of his activity and of his life.

He will be missed and mourned by his family, his friends, and the community of which he was a part.

Mrs. Flynt and our children join me in extending to Mrs. Arnold and daughter, Mrs. Newman, and Mr. Arnold's brother and sister, our heartfelt sympathy in their bereavement.

CALL OF THE HOUSE

Mr. GROSS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 49]

Anderson, Ill.	Dingell	Shelley
Andrews	Pascell	Sheppard
Ashley	Hoffman, Mich.	Short
Bates	Norrell	Smith, Miss.
Bennett, Mich.	Nygaard	Spence
Blatnik	O'Hara, Mich.	Steed
Blitch	Powell	Stubblefield
Brooks	Rains	Teague, Tex.
Celler	Reuss	Tollefson
Clark	Roberts, Ala.	Tupper
Colmer	Scherer	Vinson
Dawson	Scott	Walter
Dent	Seiden	Wilson, Ind.

The SPEAKER. On this rollcall 395 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

MINORITY VIEWS

Mr. McCULLOCH. Mr. Speaker, I ask unanimous consent that the minority members of the Select Committee on Small Business be permitted to file minority views to accompany House Report No. 1471 and that such views be printed as part II of such report.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

REVENUE ACT OF 1962

Mr. MILLS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 10650) to amend the Internal Revenue Code of 1954 to provide a credit for investment in certain depreciable property, to eliminate certain defects and inequities, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H.R. 10650, with Mr. ROOSEVELT in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on yesterday the gentleman from Arkansas [Mr. MILLS] had 2 hours and 11 minutes remaining; the gentleman from Illinois [Mr. MASON] had 2 hours and 15 minutes remaining.

Mr. MILLS. Mr. Chairman, I yield 1 minute to the gentleman from Louisiana [Mr. HÉBERT] and ask unanimous consent that he may proceed out of order.

The CHAIRMAN. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. HÉBERT. Mr. Chairman, as will be recalled, on last Wednesday this Committee considered a bill which authorized proceeding with the so-called RS–70 which was recommended by the Committee on Armed Services under the direction of its distinguished chairman, the gentleman from Georgia [Mr. VINSON]. He and the Armed Services Committee received a vote of confidence in this House by a vote of 403 to 0 to proceed with the RS–70.

This action of the chairman of the Committee on Armed Services of the House was based on an interchange of letters from President Kennedy and Secretary of Defense McNamara assuring the committee a new study would be made of the proposed program of the RS–70.

Subsequent to that action there appeared in the press of the Nation a statement from a so-called high spokesman of the Department of Defense who said, in effect, that the exchange of letters meant nothing; that nothing new was promised, and that the same program would continue in effect. This statement caused considerable confusion and misunderstanding.

I think it important to bring to the attention of the House at this time, in view of that vote and in view of the conflicting statement, a statement released at 10:30 this morning by Mr. McNamara, Secretary of Defense. This is a most important statement, and I ask your indulgence to pay very close attention to it.

I now read the complete text of the statement issued a few hours ago by Secretary of Defense McNamara:

I am disturbed by reports that the study of the proposed RS–70 weapons system which I pledged in my letter of March 20 to Chairman VINSON, is being handled in a routine fashion.

The Air Force is carrying out the study at my request. It prepared the instructions for the study on March 20 and issued them on March 21. The study is being carried out by an Air Force military-civilian team under the direction of the Under Secretary, Dr. Joseph Charyk. Maj. Gen. David Burchinal, Director of Plans, has been assigned the responsibility for studying the operational uses of the system. Gen. Bernard Schriever, commander of the Air Force Systems Command, will be responsible for preparing detailed analyses of alternative development plans, including plans for the integration of reconnaissance strike components into the aircraft, for flight test of the completed systems, and for possible flights of test aircraft beyond the three presently authorized. Working with General Schriever and General Burchinal on the state of technical development of the important components of the system, including the sideview radar, data processing and display systems, is the Assistant Secretary of the Air Force for Research and Development, Dr. Brockway McMillan. Dr. McMillan will be assisted by a team of experts from Wright Field.

More than 10 different contractors are scheduled to assist the Air Force in the restudy of the program over the next several weeks.

Members of the Committee, I submit this answers in full the position of the Department of Defense and of Mr. McNamara, whom I congratulate on this statement, which fortifies the position of the House and that of Chairman VINSON and the Committee on Armed Services in the procedure which was adopted.

There are many who have misinterpreted and distorted exactly what the situation was following the conference between President Kennedy, Secretary McNamara, and Mr. Vinson. It has been baldly misrepresented by some reporters and commentators that Mr. VINSON and the Committee on Armed Services had capitulated because it, in its wisdom, had substituted the word "authorize" for "direct." The statement made by the so-called high spokesman in the Office of Defense gave strength to this inaccurate presentation. It was a gratuitous slap not only at Mr. VINSON and the Committee on Armed Services but at the entire House of Representatives which had voted 403–0 to support Mr. VINSON and his committee.

Surely a rose by any other name is still a rose and smells just as sweet. Just as positive are the real and true facts surrounding the now famous stroll in the White House rose garden by President Kennedy and Mr. VINSON. No matter how distorted and misrepresented the facts have been they are still the facts and Secretary McNamara, by his statement, has substantiated these facts as presented to this body last Wednesday. Facts are facts even distorted by misrepresentation.

And if I may be permitted to paraphrase some remarks of Mr. VINSON to the Committee on Armed Services: "The only smell is the sweet fragrance of the

rose garden and Secretary McNamara's statement takes care of that."

Mr. VINSON has not capitulated, the Committee on Armed Services has not capitulated, the House of Representatives has not capitulated, and Secretary McNamara boldly and firmly stands behind his agreement to take a new look at the RS–70 program and, if found feasible, to proceed with its production as authorized.

I hope this sets and keeps the record straight.

Mr. MILLS. Mr. Chairman, I yield 15 minutes to the gentleman from Louisiana [Mr. BOGGS].

Mr. BOGGS. Mr. Chairman, the Committee on yesterday consumed about half of the time allocated for general debate, and at about 4 o'clock this afternoon we will cast, in my opinion, two of the most important votes that we will be called upon to cast in the 87th Congress, if not in the postwar history of the United States of America.

The vote will come, first, as I understand, on a motion to recommit to be offered by a distinguished member of the minority of the Committee on Ways and Means, and in the time allotted to me I will seek to analyze, as best I can, the proposals which have been brought to our attention that will be in the motion to recommit.

We have been informed that that motion will include two items: No. 1, a straight striking of the investment credit without any substitution therefor; and No. 2, a straight striking of the withholding provisions without any substitution therefor. There may or there may not be other provisions in the motion to recommit, but I am informed—and I may be presuming because the minority at any time may change its mind—that these will be the elements in the motion.

Mr. Chairman, let us try to analyze what is involved here. There has been discussion in the business community as to whether or not we should substitute for the tax incentive, for the investment credit, what is called a fast writeoff, fast depreciation. Some segments of the business community have said that they would prefer that approach.

There has been some discussion in the business community in which some businessmen have expressed a preference for so-called fast writeoff, or fast depreciation. As far as I know there has been no element in the business community which has taken the position that they need nothing.

Mr. Chairman, here in the year of our Lord 1962, with a growing competitive free enterprise, modernized industrial plants in the Common Market countries of Europe and in Japan in the Far East, I know of no one in the business community who does not maintain that we need stimulation for new investment in the United States of America at this time.

Mr. Chairman, the motion to recommit does not substitute anything for the provisions which we in the committee have submitted for consideration to this House. The committee looked at great length to the suggestions about a fast writeoff. The committee came to the conclusion that under existing legislation, wherever a given industry could present a case in which they showed that, because of obsolescence related to automation or because of any number of other economic factors, a more rapid depreciation rate was justified, then under existing law the Treasury Department can prescribe regulations therefor right now without changing a sentence in the law as it stands.

Mr. WILLIS. Mr. Chairman, will the gentleman yield?

Mr. BOGGS. I will be glad to yield to the gentleman from Louisiana.

Mr. WILLIS. Do I understand that the investment credit which the gentleman is now talking about is not a substitute for the normal depreciation under our laws, but is in addition thereto?

Mr. BOGGS. The answer is "Yes"; most assuredly yes.

Mr. Chairman, to carry on the line of thought for just one moment, in the case of the great textile industry which has maintained, and I think with considerable justification, that it has been subjected to intense import competition, that industry is now operating all over our country, both in New England and in the Southeast, with new depreciation schedules which are on the books which reflect a realistic life. But more is needed.

But, I say, Mr. Chairman, that this recommital which we will have says that business does not need anything more. Now, frankly, I must say that I confess some surprise about this approach coming from this side of the aisle.

Many of us on our side of the aisle have been confronted in political forums and the other areas of public expression with the charge that our party has been unfriendly to business, that we have not been sympathetic to the need for investment, that we do not understand the requirements of capital, that we do not know how much it takes to invest to provide for just one employee, that we are not aware of this great trend of foreign competition, that seeing American industry pricing itself out of the world market we are unwilling to do anything about it.

One would think after hearing these expressions, all of which are subject to rather careful scrutiny, that maybe our side of the aisle would be opposing the investment tax credit and this side of the aisle would have proposed it. As a matter of fact, it really is incomprehensible how the great Republican Party, which has declared repeatedly that it is the party of business and free enterprise, should be completely opposed to this proposal in the light of the modern conditions.

Let us look at some of the conditions confronting industry. Let us try to ascertain as best we can why industry needs some provision at this time.

First, our population is growing at a phenomenal rate. We read about the so-called population explosion in Asia and Africa and Latin America and elsewhere in the world, but believe me, there is a population explosion in the United States. The population of my State of Louisiana is 4 million or thereabouts, maybe a little more or a little less. In the course of 12 months we add to the United States of America a brandnew State the size of Louisiana in population, about 5 million in 12 months. This means that by graduation from high schools and colleges and training schools and other preparatory institutions it is incumbent upon our Congress to provide assurance that the economy will provide well over a million new jobs per annum for new people entering the labor market.

In addition to this, this challenge comes at a time when we see moving into the economy a force which very few of us understand, and that is a force called automation. All of you experience automation every day. I look around the Capitol here and I see we have automated elevators. I guess it is a good thing in order to give employment to these youngsters that we still keep them on these elevators, but they do not need to be on them. There is an elevator right over here that you can get on after 5 o'clock in the afternoon and there is no boy on it. All you do is press a button and go where you want to go. We keep the boys on to let them go to school and get an education, and so on. But in the office buildings in New York City, Detroit, New Orleans, San Francisco, Los Angeles, and Buffalo, there is nobody running elevators any more. That is just one example.

Years ago in my State, in the growth of sugarcane we used literally thousands and thousands of man-hours, and we used labor in the rawest sense of the word. Today it is estimated that 1 man-hour of labor in the Louisiana sugar fields is the equivalent of 4,000 man-hours of labor in southeast Asia producing the same thing.

In every form of industry we see the need for automation. Elsewhere in the world, there has been a faster pace of automation than in the United States. In the six countries now comprising the European Common Market the industrial plant percentagewise is probably 50 percent more modern than the American industrial plant.

Now what does that mean? That means that a plant built, let us say in 1958 producing a given manufactured article, is competing with a plant built in the United States in 1945 or 1950. It means that the plant built in Europe or the plant built in the Far East, let us say in Japan, is more modern and more automated, more productive, more competitive than the plant built in Detroit or Buffalo or Schenectady or New York.

What else does it mean? Well, it may mean that this plant is built to compete effectively in the American market, but it more probably means that it competes more efficiently and more effectively in the marketplace of another country such as Brazil, Argentine, or Peru, or some other country in the world.

Now what does that mean? Let us look at that for a moment. How does that affect it? You hear about the balance of payments. What is the balance of payments? What does a deficit in the balance of payments mean? How does that affect you and me? How does it affect your constituents? What does it do to business in Charleston, S.C., may I ask my good friend and colleague from

that great State [Mr. RIVERS]. Well, let us analyze it for a moment. When you have a deficit in the balance of payments, you have an outflow of gold. Why do you have an outflow of gold? Because it is more profitable then for money to go elsewhere than it is for it to remain here in this country. What happens when that comes about? You see it happening all around you right now. The interest rate in the mutual thrift institutions today is about 4¼ percent. The interest rates in the savings banks are higher than they have been at any time since the 1920's. Interest rates generally are higher than they have been since that time.

What does that mean? That means that a school bond issue in Charleston, S.C., may cost twice as much as it would cost if the interest rate had been lower. That means that rather than build a particular facility which is desperately needed, again because of the population explosion, the local taxpayers may not be able to afford it. What does that mean? It means that instead of having new jobs for new construction and instead of buying new materials and buying materials and steel and automobiles for transport and instead of building houses for the workers to live in, these things do not happen. What does that mean? That means that you have a backup all the way down the line. What does that mean? Does it mean new employment? No, it means unemployment. What does that mean? That means more deficit financing. That means more problems of inflation. It means more problems as to the stable dollar.

What else does it mean in the world picture? Does it mean that we recapture the markets that we must have to correct the balance of payments? No, it means we continue to lose those markets. Now how do we bring about a balance in this balance-of-payments proposition? Let us look at the factors affecting the balance of payments which contribute to the imbalance. What are the minus factors that affect the outflow of American dollars? They are military establishments all over the world. There are foreign aid programs. There is tourism, people traveling all over the world. There are investments all over the world.

Now let us take the plus factors one at a time. What are the plusses of the balances of payments?

First. The return from investments abroad, in other words, a comeback of the dividends.

Second. Tourism, people traveling in the United States from elsewhere.

Third. Most important of all, American exports to other places in the world.

Now what do you do about that? Can we at this stage of our history call our troops back to our shores? Can we abandon the posts and bases that we have?

Can we abandon the Air Force base? Can we leave Germany with the Berlin crisis a continuing cancer for the whole free world? Dare we abandon our bases in the Far East with the Red Chinese Communists sitting there waiting to gobble up all of southeast Asia? Dare we do it? If we did, we could save 3 or 4 billions a year in the balance of payments. We cannot do it, I do not believe. So we cannot have much saving there.

We have effected quite a lot of savings in certain buying policies. We are now insisting that our troops buy more from American producers so that we do not have a drain on dollars there. There are several other things we could do which become almost totalitarian. We could stop people from traveling abroad; we could say this to your constituents who want to go to Europe or to Asia or somewhere else: You cannot take more than $100 with you. Other countries have had to do this. We do not do it, and let us hope we will never have to do it.

What are the plusses? The plusses are, No. 1, exports. Last year we had a surplus of exports over imports of about $5 billion. The whole impact of the tax incentive program is to give our industry a competitive position wherein it can recapture some of the export markets it has lost and couple that with the trade program where they will be able to move in and compete for this vast new growing outlet in the Common Market of Europe. Those are the issues involved.

I say that it is an act of foolishness, I say it is dangerous, I say we are taking a chance today that we should not take in saying to American industry whether it be big, small, little, or in between, or however you may describe it—in saying we are not going to give you any help whatsoever in this world situation we now face. That is what the situation is. I could go on and show you graphs and diagrams, show you the massive effects of this credit.

This credit is estimated at $1.2 billion in tax revenue, but let me tell you what that means. That means that there must be many more dollars invested in order to get the credit. I know a lot of people who are now waiting to find out whether or not we pass this law as to whether they will go ahead and make these investments. Few people realize the extent of the effect that the help here provided will have. The stimulation will indeed be tremendous. Not only will we recapture the $1,200 million but there will be a net gain in the future that will greatly exceed that figure, because for a company to gain a credit of 7 percent on a given amount of money they would have to invest many millions of dollars. That is the whole principle involved in this tax incentive program.

What happens if we do nothing? Let us examine that for just one moment. The rate of growth in our country last year despite all the so-called stimulation was something around 3 percent. The rate of growth in the six Common Market countries approached 6 percent. In our country last year—these are facts; I am not trying to gild them over—I know we continued to suffer from economic unemployment, but today in the six Common Market countries there not only is full employment, there is overemployment. In Belgium, for instance, rather than there being unemployment, people are now what they call overemployed; they have more than one job. Some people have two jobs, some people have three. As a matter of fact, a few years ago, prior to the Treaty of Rome and the beginning of the Common Market, there was vast unemployment in Italy. Today, thanks to the free movement of workers from Italy to Belgium, to West Germany, and France, there is practically no unemployment in Italy. Now, England, the United Kingdom, is reversing 500 years of foreign policy in deciding to come in as a full participating member of the Common Market. When England goes in there will be 225 million trained people, there will be a market as vast as the one we experienced in the original common market, called the United States of America.

In light of these conditions, in light of modernized industry in this new era, in light of the new political impetus operating in united Europe, are we to sit back and say to our industry, to our business people, our railroads, our transport industry, to our utilities, to our service industries, that we are not going to give you one iota of help despite these new conditions that prevail in the world in which we live today? That is what the motion to recommit will do and I trust when that vote comes at 4:15 this afternoon each and every one of you will remember that. The telegrams you have received, telegrams against the program, are telegrams hoping for a substitute. If this is voted down there will be no substitute and we will be confronted with a real economic crisis in our country.

There is one other matter I would like to deal with for a few moments. The other segment has to do with withholding. I do not like withholding. When I get a check over here from the Sergeant at Arms office it is withheld on. A fellow who works in a plant is withheld on. If anybody pays a nickel in wages, a part of it is withheld. We have worked out this proposition so that anyone who has no tax liability will have nothing withheld by the execution of a simple statement, pure and simple. In the case of elderly people it will amount to a very considerable sum of money, as you know, because of the special provisions and the exemptions provided to people who are old. In the case of young people 18 years of age and under there is an outright exemption. This means that the only people who can conceivably have any real complaint are those people who do not want to pay their taxes.

Mr. Chairman, this does not impose a new tax, this does not make a liability that does not exist now under the law as it is, under the Internal Revenue Code of 1954 drafted under the direction of the late distinguished and lovable gentleman from New York, Dan Reed, and I sat there and worked with him on it. Under that code this tax is due.

This provision is based on the fact that there is almost a billion dollars of taxes—$850 million, to be exact—being evaded and avoided in this area, sometimes through negligence, sometimes through ignorance, oftentimes and unfortunately probably more frequently through fraud and dishonesty.

The CHAIRMAN. The time of the gentleman from Louisiana has expired.

Mr. MILLS. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. O'NEILL. Mr. Chairman, will the gentleman yield?

Mr. BOGGS. I yield to the gentleman from Massachusetts.

Mr. O'NEILL. I think the remarks of the erudite, learned gentleman are to be commended. I would like to know, how do you answer the businessmen who are objecting to the fact that there is so much work going to be entailed in their operations by this change?

Mr. BOGGS. It is due to the system we are living in today. The so-called redtape involved here is less complex than the redtape involved in withholding on wages. The withholding system under the bill is efficient.

If there was any other way of getting this revenue nobody would be here advocating this. But here is the situation: We are doing this for justice to the honest taxpayer, for justice to the man who sits down and says, "Here is how much I earned. I do not like this tax. I think it is too high. Here is what I can claim in exemptions and in deductions and here is my check for what I owe the Government of the United States."

In justice to that honest man, I do not see how we can vote for this proposal which says we ought to knock that out of the bill and we are not going to knock out the other provisions.

Let us analyze the motion to recommit just a bit further. There are many things in this bill. There is one proposal which seeks to equalize the tax formula between the so-called stock insurance companies and the so-called mutual insurance companies. There is another proposal which seeks to equalize the formula between the so-called mutual thrift organizations, such as building and loan associations, and mutual banks and commercial banks. There is another provision in this bill which seeks to equalize the tax situation between the corporate entity paying 52 percent and the cooperative entity paying a different percentage. There are other provisions in the bill which seek to make some delineation on what a man can spend under the word "entertainment" or "business expense." There are other provisions dealing with incomes abroad. But, this motion to recommit deals with none of those. The people involved in all of these areas of taxation feel that in some respects, at least, they are being imposed upon.

The committee, in its wisdom, in its judgment, after months and months and months of hearings and executive consideration, decided on these formulas which, in its collective judgment, it feels are fair, equitable, and justified. But, now, all of a sudden, we are to be confronted with a motion to recommit. It says nothing about the co-op who complains; it says nothing about the mutual who complains; it says nothing about the hotel that complains; it says nothing about the big investor who complains, but it is taking a swipe to cut the throat of American business and protect those who are refusing to pay their just taxes by striking out withholding.

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield myself such time as I may require.

Mr. Chairman, I was trying to get the attention of the gentleman from Louisiana to suggest to him that those who have complaints about these other sections of the bill which he referred to will have ample opportunity to express that dissatisfaction on the final passage of the bill.

Mr. VAN ZANDT. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. VAN ZANDT. Mr. Chairman, in opposing H.R. 10650, a 240-page tax bill, I do so on the grounds that the bill has been amended in a halfhearted manner several times since being reported out by the House Committee on Ways and Means. It is still in my opinion an unsatisfactory bill. The amendments referred to were drafted hurriedly and rushed through the committee for the purpose of quieting criticism and in the hope of garnering sufficient votes to secure approval by the House of Representatives.

H.R. 10650 as reported by the committee left much to be desired. Even with the subsequent amendments, the bill is still bad legislation, and I intend to oppose enactment of it in its present form.

When voting on the rule which brought this bill to the floor of the House for 8 hours of debate, I voted in the negative because the rule is meaningless since no amendments are permitted except as part of the motion to recommit the bill.

The fact that the bill has been amended several times by the committee since it was reported out of committee, reveals the glaring weakness of the legislation. In addition, the closed or gag rule denies many of us the opportunity to amend the bill, and by so doing, to eliminate further complexities of our tax problem as well as a loss of revenue. The result is that the bill is being described as a budget buster, since in its present form it will actually decrease rather than increase tax revenue; thus, adding to our national debt which is now $300 billion and since January 1961 has been increasing at the rate of $1 billion monthly.

The section of H.R. 10650 which has attracted the most criticism from my congressional district is the proposal to withhold taxes on interest and dividends. Speaking frankly, in order to pay part of the tax bonanza to business, many millions of our people who have a savings account, a share of stock, or an insurance policy, or who belong to a cooperative, will be subjected to withholding on the interest or dividends they receive. According to the Commissioner of Internal Revenue, when we count only payments of $10 or more, there will be more than 350 million savings and shareholder accounts alone that will be subject to withholding.

If Mrs. Jones has a savings account of $100, instead of getting at 4 percent $4 interest credited to her account, she will get only $3.20. The bank will send 80 cents to the Treasury. The bank will not, however, tell the Treasury whose account this 80 cents was taken from. To get the other 80 cents, she will have to go through the redtape, trouble, and expense of filing an exemption certificate every year or filing for a refund. She will have to do this even though she owes no taxes.

This provision will produce massive overwithholding and will be an administrative nightmare not only for these millions but also for the banks, savings and loan associations, cooperatives, corporations, insurance companies, and the Internal Revenue Service.

In my study of this particular provision, many experts on tax laws insist that the bill in its present form is "full of bugs," principally because the proposal on the withholding of interest is not all inclusive since no provision is made for interest withholding by private lenders—those other than banks and corporations who lend money. My source of information tells me that such exceptions would encourage loan sharks and fly-by-night operators in the credit field.

Mr. Chairman, after reading most of the hearings and listening to the debate on the bill I am convinced there is still much confusion in the minds of many of us as to the actual intent of the legislation. Therefore this bill should be returned to the House Committee on Ways and Means for further hearings. We still have ample time left with several months ahead of us before adjournment and for that reason a further effort should be made to bring to the floor of the House a bill stripped of confusion and inequities, and one that will promote tax equality in the truest sense and yet produce badly needed revenue for our Government.

Mr. KNOX. Mr. Chairman, I yield myself 15 minutes.

Mr. Chairman, the bill we are now considering contains several gross inconsistencies with other administration programs and fails to take adequate and proper notice of the economic facts of life applicable to this Nation and its world position. The Revenue Act of 1962 has been billed by administration spokesmen as the first step in a program of sweeping tax reform. Reforms usually are considered to be attempts to improve that which is being reformed. While the bill before us strikes off in the wrong direction from any number of standpoints, I intend to discuss here only a few of the more unwise and unjustified measures being advocated.

Section 19 of this bill, which deals with withholding on dividends and interest at a flat 20-percent rate will, in operation, result in approximately $600 million of increased revenues if Treasury Department estimates are correct. This would be fine except for a number of things. First, this increased revenue will to a significant extent stem from unjust enrichment of the Federal Government at the expense of unsophisticated taxpayers who have no tax liability. The Internal Revenue Service will in effect slip its fingers into the pockets of millions of Americans, remove small sums to which it is not entitled and hope

that these taxpayers will not notice and ask a refund, and then attempt to justify this confiscatory action on the grounds that the millions of dollars gained in aggregate are partially balancing out other provisions of this bill. This concept of so-called tax reform is completely repugnant to any sense of equity or justice in our manner of tax collection. It is precisely this type of concealment of hidden charges that President Kennedy complained of in his message on consumers the other day. Yet we have in this bill an administration proposal that the Federal Government should set the questionable example of following a hidden-charge policy—a policy of taxation without tax liability; for who is to doubt that literally millions of small shareholders who have no tax liability will have tax withheld but no tax refund.

I can find no protection for the consumer in this attitude. I submit that before our Government starts demanding better treatment of the consumer on the part of the so-called private sector we had better start showing some concern in the public sector for better treatment of our taxpayers.

Second, this withholding proposal will tend to have a stifling effect on our economy by blunting the incentive to invest on the part of millions of small investors who will be discouraged from investing by the administrative complexities of this section. This factor alone could offset any benefits estimated to accrue from this section of the bill. In addition this blunting of capital available to strengthen the upward thrust of the economy could well result at a time when a much faster growth rate is vitally necessary.

Third, the proposal to withhold interest and dividends would work a hardship on the millions of small investors who depend upon this income as a vital supplement in providing for their daily needs. Only through filing papers and more papers saying they expected to pay absolutely no tax for the coming year could they hope to have the use of these funds on a timely basis throughout the year.

Finally, this withholding portion of the bill will result in an administrative monstrosity and add further complications to an already overly complex tax reporting system. It is, as is pointed out in the committee report, conservatively estimated that half a billion accounts will be affected by this proposal. To be sure many of these will involve only nominal amounts, but it is precisely these accounts which the Treasury impliedly expects that citizens will forget. However, if they refuse to overlook this Treasury pickpocket attitude I mentioned earlier, it is obvious that a great deal of time and expense will be expended in correcting the massive overwithholding. In addition, the taxpayer affected is going to have a difficult time in determining what if any refund he is entitled to since the bill provides for no certificates similar to W-2 forms for the citizen to use to substantiate his claims. Further, a "break" is given to the big investor which is inequitable, in that he, even though he should be taxed at a higher rate, will only have taxes withheld at the 20 percent rate.

While I certainly feel that income properly subject to taxation should be reported, the withholding proposal advocated in this bill will be, if adopted, questionable in revenue effects, inequitable in operation, and result in compounded confusion and an administrative nightmare. There are better ways of correcting any underreporting in this area without deliberately imposing a system that will inevitably result in overwithholding.

Now—the investment credit provisions as contained in section 2 of the bill will fall far short of the boost for our economy that its supporters claim for it, and at the same time will contribute substantially to another monstrous Federal deficit for fiscal 1963. The combination of adverse effects of this bill could literally cause irreparable harm.

This provision of the bill has been soundly opposed by nearly every major segment of our economy. The reasons for this opposition are plain. To begin with, this proposal will not result in any great boost for our economy, nor will it result in any substantial modernization of our Nation's manufacturing equipment. What it will do is provide a "windfall" for a relatively small portion of our economy and provide no incentive to further invest whatsoever for vast segments of it. The provision will greatly reward those companies which have done little or nothing over recent years to keep up to date in modernization, and will in effect penalize the most forward-looking firms. In addition, the provision completely ignores the service and distributing segments of the economy.

A far wiser, more equitable, and vastly more beneficial course of action, both from the standpoint of immediate effect and long term results would be to undertake a significant overhaul of the depreciation rates and schedules and provide inventory tax deferrals as outlined in the minority views of the committee report and embodied in the bill, H.R. 10608, introduced by our esteemed colleague, the gentleman from Wisconsin [Mr. BYRNES].

Of course, one standout factor in the administration's proposal on investment credit is the adverse effect it would have on the budget balance for fiscal 1963 and subsequent years. The effect far outweighs the minute plus factor the provisions could add to our Nation's economy. Before we recklessly cut our Nation's tax revenues in the face of enormous increases in Federal spending, we should take all measures necessary to determine that the proposal will have a beneficial effect on our economy of considerable proportions. This would not be the result of the present investment credit provision in the bill before us. This provision was adopted by a majority of the committee despite overwhelming testimony against the proposal and clear cut indications of the far more desirable effects of basic depreciation reform both as to schedules and rates. This testimony came from tax experts and economists from nearly every segment of our economy as outlined in the minority views. The end result of the majority decision of the committee is to force a watered-down, unwanted administration proposal down the throats of business.

I highly recommend to the House that we approve the motion to recommit the bill directing the Committee on Ways and Means to eliminate section 19 which provides for the withholding of interest and dividends, and section 2 the investment credit provision. By this action the House would be easing the tax burden of the taxpayers and producing a savings of $940 million in the fiscal year just ahead, which begins July 1, 1962. We would then have a truly revenue producing bill and not a revenue loss of just short of $400 million dollars in fiscal 1963.

Two sections of the bill dealing with the taxation of oversea income, sections 11 and 13, the so-called gross-up and U.S.-controlled foreign corporation taxation proposals are unjustified in concept and dangerous in contemplated operation. These provisions will further handicap the ability of U.S. businessmen to compete in world markets. The net result of these provisions will be to injure U.S. business at home, increase vastly the cost of doing business overseas, violate innumerable reciprocal tax treaties, and vitiate any attempt by this administration to make this Nation more competitive in world markets. It would wrap our corporations which have foreign subsidiaries in a choking cloak of redtape and burden them with additional taxes that their foreign competitors do not face. It is, as the minority report points out, "isolationism at its very worst." It would rob many of our companies of the benefits of patents and processes now used to this country's advantage. It would expose the economies of our free world allies to Communist economic exploitation to our direct detriment. It would be inequitable in that it would impose double taxation on foreign income but would provide for no similar Government share in bearing of losses in foreign ventures. It would break faith with hundreds of U.S. businesses which this Government has encouraged and induced to expand overseas in an effort to speed developments of those nations. It would greatly impede development of the emerging nations in that U.S. firms could no longer invest with confidence because they would have no assurances that they would not be discriminated against by Presidential decree that that nation was no longer on the qualified list of underdeveloped countries. Thus, this provision runs exactly contrary to every foreign policy statement of this administration and previous administrations, and throws a shadow of grave doubt on the sincerity of Kennedy administration statements about wanting to make this Nation competitive in the world of today and tomorrow.

We are hearing much talk in this session of the Congress about the need to improve America's economic strength both at home and abroad. The Committee on Ways and Means is presently

conducting hearings on the President's tariff proposals. One thing is becoming increasingly clear. Tariff revision alone will not make this Nation competitive in world markets. All it alone will do is open this Nation to a flood of imports, while we hope to obtain similar lowering of tariff walls abroad. A vital ingredient in any effort to improve our position is missing, and it is the true key to expanded trade and economic growth. This key is basic tax reform. The need is patently and plainly evident that we must clarify and simplify our tax system, not add further confusion. We must provide sound, logical tax programs that will enable our firms, be they of manufacturing, service or distributive nature, to modernize and expand to the maximum degree possible. We must remove a significant portion of the overwhelming tax burdens our businesses bear, so that we do not send them into the world trade battle with their hands tied behind their backs. If we are to accept the challenges and promises for the future offered by an expanding European Common Market, by an increasingly competitive Japan, by rapidly industrializing and modernizing nations all over the globe; if we are to realize fully the vast potential inherent in this Nation, then we must do one thing. We must, beginning right now, stop harassing, hindering and handicapping our American free enterprise system and start giving it the freedom and encouragement it needs.

Mr. KUNKEL. Mr. Chairman, will the gentleman yield?

Mr. KNOX. I yield to the gentleman.

Mr. KUNKEL. What I would like to know is how they arrived at their estimate of how much money they have lost by the failure of these people to pay taxes. How can they get any kind of an accurate slant on that?

Mr. KNOX. The question was asked by the committee at the time representatives of the Treasury Department appeared before the committee. Through their actuaries they claimed that there was approximately $600 million that was lost revenue. How they determined it, we would have to find out from the actuaries, or perhaps some other member of the committee may have access to that information. I do not.

Mr. KUNKEL. Mr. Chairman, will the gentleman yield further?

Mr. KNOX. I yield to the gentleman.

Mr. KUNKEL. If they know that that revenue has been lost, why do they not collect it?

Mr. KNOX. Of course, they have the tools to collect it. If this was actually a loss, they should have made an effort to collect it.

Mr. KUNKEL. If they can make an accurate estimate, then why can they not make the collection?

Mr. KNOX. They certainly have all the tools to go ahead. They have, in the Internal Revenue Service, all of the investigators and auditors, and so forth; and, of course, if they are not astute enough to go out into the field and do the job, then it is not the responsibility of Congress to do the job for them, a job which rightfully belongs in the administration.

Mr. WIDNALL. Mr. Chairman, will the gentleman yield?

Mr. KNOX. I yield to the gentleman.

Mr. WIDNALL. Does the gentleman have any estimates of the windfall, the bonanza that would be given to companies such as the telephone company and International Business Machines?

Mr. KNOX. I am reluctant to name any specific companies, but it is true that it runs into hundreds of millions of dollars.

Mr. WIDNALL. Mr. Chairman, will the gentleman yield further?

Mr. KNOX. I yield further.

Mr. WIDNALL. I ask this question as I happen to be a stockholder in both companies. I think it is dead wrong for either one of them to get any money out of this bill, because of the fact that they have proven in the past their ability to finance every blessed program they want. This is force feeding to companies that do not need it. It gives them a tremendous tax windfall.

Mr. KNOX. I agree with the gentleman. Of course, some companies, such as those the gentleman has mentioned, have made it publicly known that they were not interested in the so-called 7 percent credit.

Mr. WIDNALL. I thank the gentleman.

Mrs. CHURCH. Mr. Chairman, will the gentleman yield?

Mr. KNOX. I yield to the gentlewoman from Illinois.

Mrs. CHURCH. Mr. Chairman, I must at the beginning make honest confession: I am certainly no tax expert, as are the members of the Ways and Means Committee of the House. One statement however can be made with equal truth. After I sat here yesterday for 4 hours listening to the pros and cons expressed on this legislation, it was evident to me that my worst fears were justified as a taxpayer of this country, which is, of course, what I am. And there are millions like me who have long merited relief from, rather than addition to the tax burdens, which profligate congressional spending has placed on this country.

As I watched the deliberations of the House Committee on Ways and Means, which I honor and respect, over a period of many months, I became convinced, from the testimony of those in my district who thought that they might be adversely and unjustly affected, and of all in my district who feared that the eventual bill might not even meet its announced goal, that this Congress must examine the legislation closely and discriminately. The discussions here yesterday and again today, equally convince me that the committee has brought out on the floor a bill that is inequitable and discriminatory and in itself bound not to serve the purpose of a revenue bill. The purpose of a revenue bill is either to increase revenue or to so stimulate the economy as to make available more tax money as well as more income for the people. This bill will do neither. I regret that in the brief time allotted to me, I cannot in detail expose the full weaknesses and dangers inherent in its passage. I would say to the gentlemen, whose work on the committee I also greatly admire, that unless this bill is improved through the motion to recommit, I shall certainly vote against it. In fact, considering the other features of the bill which we have been denied the right to change by amendment or to make good substitution for, I am inclined at this moment to assure the gentleman that I will vote against the bill anyway.

Mr. KNOX. I concur in the views expressed by the gentlewoman.

Mr. Chairman, I reserve the balance of my time.

Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. FINO].

Mr. FINO. Mr. Chairman, at the very outset, I want to say that I am opposed to this tax-reform bill and will vote against it.

Under this bill, a tax break is proposed, not for the hard-pressed American taxpayers who sorely need tax relief, but for businesses which invest in machinery and equipment for expansion purposes. Of course, this tax credit to business will mean a tax loss to our Treasury amounting to over $1 billion. So to recoup this loss it is proposed in this bill that we increase tax collections, and this, in substance, amounts to a tax bill.

There are two proposals in this tax bill which are very objectionable. The first one is the proposal to impose a heavier tax on mutual savings banks and savings and loan associations. This would certainly have a serious and disturbing effect on the whole home-building industry in this country.

This tax, if it goes through, will cut deeply into the net profits of these associations by lowering the net earnings and thereby threatening the rate of return they pay their depositors who alone share in these earnings.

We all know that the mutual thrift institutions are the primary source of mortgage funds that finance the building and buying of homes. This proposed tax will reduce the savings and thereby constitute a threat to the availability of mortgage funds for home construction in the United States. It will force interest rates on mortgages to a higher level which will discourage the demand for housing loans. A seriously retarding effect on the national economy will be the logical consequence.

The other equally objectionable part of this legislation is the proposal to withhold Federal income tax on interest and dividends. For many years, tax administrators, legislators, and other economists have echoed the warning that the tax structure should be simplified. Yet, we have before us a proposal which leads us away from simplicity. Millions of additional operations would have to be performed both by taxpayers and the Government in order to carry out this proposal.

This administration would lead us to believe that the withholding system will be a simple procedure with little additional compliance and administrative cost. However, if we look into the actual mechanics of operation that will be required, we can readily see that it will be far from simple. Take the case of the banking financial institutions, for

example, who have millions of depositors. These institutions will be required to make millions of withholding entries on these records. Even exempting individuals under 18 and over 65 years of age, will not lessen the job to any great degree. On the contrary, it may cause additional confusion and work, because the institutions will be confronted with handling numerous exemption certificates.

Furthermore, although not compelling under the proposal, good business practice will require the institutions to spend time-consuming efforts in informing the interest recipients about the operation of the provision. Notification to the depositors as to how much has been withheld from their interest payments will be necessary. In some cases the banks and other associations will even have to help depositors fill out their income tax returns to reflect the withholding properly.

This problem will be accentuated, because individuals will be discouraged from depositing their funds in banks and savings institutions. They will be reluctant to become involved in the withholding procedures. They will be more inclined to shift their savings to tax-exempt and tax-deferred investments, or to spend most of their small surpluses which they might otherwise save. Thus, thrift would be relegated to a low priority.

The impact on life insurance companies will be one of additional cost of operations. This not only will be adverse to the industry but also to the economy in general. Even on simple accounts the insurance companies will face costly bookkeeping expenses of recording the amounts withheld from accounts. Other transactions will create more serious and costly problems. Certain contractual arrangements such as policyholder dividend accumulations, interest added to certain death benefit payments, and interest paid under death benefit settlement options will require more extensive bookkeeping operations.

We must remember also that life insurance companies depend largely on earnings from investments to meet their contractual policy commitments. The life insurance industry has estimated that withholding 20 percent of its investment income from dividends and interest will deprive it, for varying periods of time, the use of about half a billion dollars over a period of 12 months. This in turn will deprive the economy of these much needed funds.

There are an estimated 15 million stockholders, most of them wage earners, in the United States. Accounting entries must be made by the distributing corporation to show the extent of the withholding of tax on their dividends. It takes little imagination to realize the cost of this kind of a system to a large company such as the American Telephone & Telegraph Co., which has nearly 2 million shareholders, or to the United States Steel Corp., which has about a third of a million shareholders. Furthermore, even though most small corporations will have many less stockholders than the giant corporations, the additional cost to them may be relatively more burdensome, and deprive them of a relatively greater portion of needed capital.

Serious skepticism has been raised by well-informed groups about the validity of the estimated revenue loss that presently results from unreported interest and dividends. Thus it would be foolhardy to embark now upon such an undesirable program of withholding. At least the decision whether or not to impose such a system should be held in abeyance until the public is given greater assurance of the reliability of the estimates. This is important for at least two reasons. First of all, unless it is clearly demonstrated that this evasion does in fact exist to the extent alleged, the business community should not be subjected to administrative burdens which will certainly be difficult to rescind. Secondly, we have spent little time in allowing our educational program in this area to work. The educational program to which I refer is the practice of interest and dividend payers notifying the recipients of their legal tax liability on these forms of income. Moreover, we are now establishing a nationwide automatic data processing system which should ferret out tax evasion methods. This is a taxpayer number and electronic computer system to make sure that dividends and interest are reported.

I dread the thought that we might embark on a program of tax withholding on interest and dividends before we have had a satisfactory test period for the educational and automatic data processing programs. Such a withholding system would result in unnecessary business expense, additional governmental administrative costs, individual taxpayer hardships, and retarding effects on the economy. A proposed program that would have these undesirable results is one that must be unequivocally defeated.

The ill effects and the hardships this bill will cause are too great to justify its passage or even to warrant further consideration. I urge the Members of this House to vote against this bill.

Mr. KNOX. Mr. Chairman, I yield 15 minutes to the gentleman from California [Mr. UTT].

Mr. TEAGUE of California. Mr. Chairman, will the gentleman yield?

Mr. UTT. I yield to the gentleman from California.

Mr. TEAGUE of California. On pages 166 and 192 of the bill before us providing for a tax on farmer cooperatives and providing for the withholding of patronage dividends, REA cooperatives are obviously excluded and exempted. I call this rank and inexcusable discrimination.

Mr. UTT. Mr. Chairman, I would like to open my remarks by quoting a statement made by the present chairman of the Ways and Means Committee when he was debating the tax revision bill of 1954:

> Mr. Chairman, I find myself today in a position that I do not relish because of the great affection I have for the chairman of the Committee on Ways and Means and all the members of the committee, many of whom are in disagreement with the position I shall take on this bill.
>
> May I say, Mr. Chairman, that the gentleman from Arkansas expressed the sentiments which I have today.

Further quoting the gentleman from Arkansas, CONGRESSIONAL RECORD, volume 100, part 3, page 3525, he stated:

> This bill is taxing for another year at the present 52-percent rate all the corporations in the United States that earn money, but as a handback with the other hand in the same taxable year, $619 million goes to corporations that can qualify for these enlarged benefits that are extended under the bill in the form of additional depreciation and in the form of loss carrybacks and so on, and even depletion is affected here in some instances for some corporations. But the great majority of the corporations in the United States, Mr. Chairman, have received no tax relief since this administration came into office last year.

The majority of the Ways and Means Committee has presented a tax bill which does exactly what the gentleman from Arkansas so abhorred in 1954.

Mr. Chairman, I wish at this time to call your attention to some of the statements made by the Democratic Members of the House Ways and Means Committee during the debate on the tax revision bill of 1954 with specific reference to investment incentives. Mr. Forand made the following statement on the floor of this House:

> The Republican program, as enunciated by the President, and as set forth in this bill, provides for a return to the theory of Alexander Hamilton and later Andrew Mellon—a theory that places property rights ahead of human rights; a policy of trickle down—that is, the idea that if you take care of those at the top of the economic ladder, the benefits eventually will trickle down to those at the bottom. That theory was used in the 1920's and resulted in the never-to-be-forgotten depression of the early 1930's.
>
> Emphasis is being placed on the need for incentives to business to increase productive capacity. That would be wise in normal times. But we know that today we have more production than we can consume. What we need right now is consumer dollars, so that goods will start moving, and thus create a demand for more production. Raising exemptions will mean more consumer dollars. Evidence of the need of this is all around us.

The following is a statement made by Congressman Eberharter on March 17, 1954:

> Of course, Mr. Chairman, we have succeeded in doing this; we succeeded in alerting the people of the country to the fact that this is a tax bill slanted in one direction. When you look at the figures and search through them, instead of all this smokescreen and talk about incentive, when you get down to the cold facts and figures, you cannot help but conclude that 90 percent, at least, of the benefits of this reduction will go to those who are best able to pay taxes.

I am now going to quote some statements made back in 1948—CONGRESSIONAL RECORD, volume 94, part 1, pages 915 and 916—by the late Speaker, the Honorable Sam Rayburn:

> I know this, and I repeat it, that if something disturbs our economy and we do not have this great national income to pay taxes upon, this tremendous debt of $250 billion is going to press down on your dollar and mine and is going to squeeze the value out of that dollar and it will be worth less than it is now.
>
> Those who would recklessly cut taxes at the risk of deficit spending may, indeed, be endangering their country to enemies, both foreign and domestic, against whom they have sworn to protect and defend.

The gentleman from Massachusetts, Representative PHILBIN, stated also during the debate in 1954:

> Tax bills, like other bills, should be determined on principles; not upon sheer expediency. Call it the trickle-down theory, or whatever you will, any measure based on promoting the prosperity of the privileged group and the vested classes in order thus to permit better conditions and standards for wage earners, small businessmen, farmers, and workers, and the rank and file must be considered, I think, basically unsound, not only as it relates to the principles of social justice, but also as an effective revenue-producing mechanism. I must reject such a shortsighted, outdated policy as well as its underlying philosophy.

Mr. Chairman, I now wish to quote a statement by the present Speaker of the House, the gentleman from Massachusetts, which he made and is recorded in the CONGRESSIONAL RECORD, volume 100, part 3, page 3550:

> There is a clear, sharply cut issue here; whether or not the Members of the House are going to vote for the trickling-down policy, whether or not there are enough independent Republicans who will vote against that policy. It is a question of the trickling-down policy on the one side and the policy of the Democratic Party of helping the people generally, on the other side; of starting at the base rather than starting at the upper levels. That is a clear-cut issue which cannot be denied. When we vote in a comparatively short time, that is going to be the issue. From my experiences with the trickling-down policies of the Republican Party, in past years, I should say that very little has trickled down to the people.
>
> I know that pressure has been brought upon my Republican colleagues. I am not going to comment harshly upon that. But if there were a Democratic President and the same kind of pressure were being exerted upon the Democrats, the Republicans would be hollering to the high skies.
>
> While there are provisions of the pending tax bill that I favor and support, if the motion to recommit is defeated, because of the inequitableness of the bill from an overall angle, I cannot in conscience vote for its passage.
>
> I hope that the sound policy of the Democratic Party in the people's interests will be supported by a majority of the Members of the House today.

Mr. Chairman, the main reason that I have referred to the debate in 1954 with specific reference to the trickle-down theory of aid to business is because every campaign I had following 1954, I was dubbed as "Trickle-Down UTT," who only wanted to help the economic royalists. We have before us today a bill which not only helps the economic royalists by the benefits to them but clobbers the little taxpayer throughout all America, not only by adding to the tax liabilities but loading him down with paperwork to defend himself against massive overwithholding. All of the remarks which I have just quoted support the Republican position on the current tax bill.

Now, Mr. Chairman, I shall direct my remarks to section 13 of the pending bill, which deals with the tax treatment of foreign based subsidiaries. We had a liberal discussion opposing tax loopholes in so-called tax havens, and then without any hearings we proceeded to expand the tax treatment of these subsidiaries without any public hearings and without any information from the administration, as to the collateral economic impact upon these foreign based subsidiaries.

Section 13 might well be entitled "The Fast Buck Section for the Temporary Benefit of the Treasury." I say this because we are proposing to kill the goose which lays the golden eggs, and our foreign based subsidiaries will not be able to meet the competition of other foreign corporations operated in the same field. Our foreign based subidiaries were given this tax treatment to permit them to compete in the foreign field.

One of the arguments which has been repeatedly advanced in support of the imposition of a new U.S. tax against the operating income of our American subsidiaries in developed foreign countries is that these firms send more U.S. dollars abroad than they bring home to the United States.

But the fact is that this allegation is entirely contrary to the mass of evidence which was presented last summer on this subject to our committee. In case after case, witness after witness spelled out to us the infirmity of these claims as applied to specific U.S. subsidiary operations in these countries. In addition, a little-noticed study by the Department of Commerce confirmed that these findings as to particular companies are true overall as well. Finally the very latest Government figures on the balance of payments, released only last week by the Department of Commerce, show that in 1961, during the very time when Government witnesses were presenting their foreboding predictions to our committee, the balance of payments situation—as influenced by these subsidiaries—was in course of rapid improvement, even in developed markets such as Western Europe and Canada.

Before expanding in some detail upon these considerations, I should like to point out that the Treasury Department's attempt to segregate the so-called developed countries from less-developed areas of the world for balance-of-payments purposes is entirely unsound. One illustration will suffice: Many of the major U.S. oil companies are integrated on a worldwide basis. Outside of the United States, they derive their raw products, by and large, from the less-developed areas of the world. In the main, they market these products through subsidiary corporations in the developed areas of the world. More than 70 percent of the products produced abroad are marketed abroad, chiefly in Western Europe. To market these products in Western Europe they must build refineries, pipelines, distribution facilities, and gasoline pumps in Europe. Nearly 50 percent of our current investment in Europe is in this kind petroleum investment. Now, obviously, if we restrict these European investments through new taxation, we will retard not merely the ability of these firms to expand competitively within these foreign markets, but also we will literally shut down some of the wells in the less-developed countries of the world, countries we are trying to aid through such things as the Alliance for Progress.

Leaving this basic fallacy aside, however, the figures presented to our committee show that, on a developed country basis alone, our foreign subsidiaries contribute substantially to our balance-of-payments account. A summary of data presented by 19 companies covering the 4 years 1957 to 1960 show this in striking fashion. These firms, chiefly operating through subsidiaries in developed countries, in 1960 alone contributed over $600 million net to our balance of payments. Their combined dividend repatriations, repatriated royalties and fees and U.S. exports traceable to their oversea investments, amounted to nearly $700 million in that year, while the outflow of new capital from the United States and their imports from abroad were substantially less than $100 million. Why do we want to inflict new competitive burdens upon these highly desirable operations?

Let me give you another illustration of the kind of subsidiary operation overseas which would be caught up and placed in a straitjacket, sacrificed to theories not compatible with the facts. International Telephone & Telegraph is the largest American-owned international enterprise in the electronics and telecommunications field. It is 92 percent owned by 90,000 U.S. shareholders. Its operations are two-thirds abroad and one-half in Europe—so that the proposed legislation would have an unusual impact on this company.

It operates 22 plants and laboratories in the United States in the States of California, Illinois, Indiana, Massachusetts, Mississippi, New Jersey, Rhode Island, Virginia, Missouri, and North Carolina, and it is about to break ground for one in Tennessee.

It employs 22,000 people in the United States and the payroll of these U.S. companies since inception has been approximately $1 billion. These companies were started with and supported by foreign capital and earnings. These earnings were, moreover, United States taxed on repatriation before investment.

In Latin America, it operates 13 plants, laboratories, and radio and telephone operating companies in 8 countries. It has 17,000 employees in this area. The value of its assets there at replacement would approach $300 million. It has been an average of 33 years in these countries, in Argentina for 36 years. These are underdeveloped countries, and its plants were largely financed by European earnings. Again, such earnings were United States taxed on repatriation before investment.

It has other plants in Australia and sales and communication operations throughout the Far East.

In particular, in Europe, it operates 70 plants and laboratories in 14 countries. These are operating plants, not sales offices, in every country in Europe except Luxembourg. It has 93,000 employees

in Europe. Its assets at cost in Europe approximate $450 million. It has been in these countries for an average of 36 years; one company in Belgium has been in business for 79 years. These companies have largely financed themselves through partial reinvestment of earnings and local borrowings in Europe. This growth has enabled them to finance United States and Latin American development as well as their own.

ITT's foreign subsidiaries have remitted 50 percent of earnings except when blocked by currency restrictions. They have remitted net $215 million to the U.S. economy in the last 10 years—$166 million of it from Western Europe alone. In 1960, these subsidiaries remitted $48 million of which $34 million came from Western Europe.

ITT has incurred serious risks and losses in exposed positions during World War II and recently in Cuba. Its stockholders have taken the brunt of these risks in all these periods. It maintains an export surplus from the United States.

Over the past 10 years this export surplus has been over $175 million net, $100 million of which is directly traceable to its own foreign companies, and the majority of the remainder is by reason of its established position in the countries to which it exports from the United States.

What possible justification could exist for the United States reaching into these foreign operating companies and imposing a new U.S. income tax which the local competitors in these growing markets will never have to pay?

A special survey by the U.S. Commerce Department permits a more complete story to be told. Thus study covered operations of 155 U.S. manufacturing companies, located mainly in developed countries. The study, in turn, is backed by examples of actual experience of individual American companies.

Note that these 155 companies, on an overall basis, returned to the United States from their manufacturing subsidiaries $1.3 billion more than they withdrew from the United States in 1960.

The operations of these companies thus are shown to have added to the financial strength of the United States. Supplies of dollars in this country were built up, not drained away.

The Commerce Department survey covered a large sample of manufacturing companies. If all American companies abroad were counted—from trading subsidiaries to oil drilling—the favorable effect on the United States shown by the Commerce survey, industry officials said, would be much larger.

For example, these officials estimate that all U.S. companies overseas buy a total of $5 billion worth of American goods each year—as against only $1.8 billion worth shown in the sample survey.

Similarly, total payments to the United States from foreign-earned royalties, license payments, management fees and the like are estimated to be running at the rate of $400 million annually—as against only $148 million shown in the manufacturing survey.

Finally the latest balance-of-payments figures published by the Government in the March issue of "Survey of Current Business" show that, during 1961, there has been substantial improvement in the ratio of repatriation of dividends to new capital outflow, even in the case of Western Europe and Canada which are the world's most developed countries aside from the United States. The figures just released by the Department of Commerce—"Survey of Current Businesses," U.S. Department of Commerce, March 1962, page 22—for Western Europe and Canada, which are the only figures separately published for developed countries, found that the level of 1961 repatriation of the income to the United States is almost exactly in balance with the new outflow of direct investment capital. In other words, the new outflow in 1961 amounted to $973 million, while repatriated income was $968 million in that year. These figures do not, of course, include exports from the United States which are generated by the existence of these investments overseas.

I referred earlier to the special survey of 155 major firms for 10 months of 1960 in which the Department of Commerce found that such exports to Western Europe alone for 10 months of 1960 amounted to approximately $712 million and exceeded imports to the United States from such sources sevenfold.

I note that the majority of the Ways and Means Committee in its own report on this tax bill found as a fact that—and I quote:

> The location of investments in these (developed) countries is an important factor in stimulating American exports to the same areas (p. 57).

I call your particular attention to remarks of Secretary of Commerce Luther H. Hodges prepared for delivery March 16—less than 2 weeks ago—at the Eighth Annual Business International Washington Roundtable.

The Secretary says:

> While the basic aim of our tax policy is to stimulate domestic growth, we are not unmindful of the problems faced by U.S. subsidiaries abroad—including the problem of competing with foreign companies subject to different total tax obligations.
>
> U.S. investment abroad is important to our export expansion program. Direct investments in manufacturing facilities abroad stimulate our exports of capital equipment, our exports of parts and raw materials, and our exports of finished products to fill out the lines of subsidiaries producing and selling abroad.
>
> To the extent that U.S. investment abroad increases the financial strength and the competitive capacity of American companies, it reinforces our domestic economy. And, to the extent that the earnings on these investments are returned to the United States, they make a direct contribution to improving our balance of payments.

In my judgment, it would be very foolish for the United States, at the very moment when the Common Market we encourage is moving into high gear, to place obstacles in the way of our firms getting established in that profitable market. I have no doubt that if we enact this bill and place these tax obstacles in force, we will worsen our balance of payments in due course, because we will destroy the foundations of future profit from these markets. As far as revenues are concerned, we might get a little bit more tax revenue for a short time. In the longer pull, however, we will curtail the growth of our firms in these new markets and our tax revenues will unquestionably be less than they would have been if we never had erected the obstacles in the first place. For these reasons I think it would be a tragedy if the House should pass this pending tax legislation.

Mr. KNOX. Mr. Chairman, I yield such time as he may desire to the gentleman from Nebraska [Mr. BEERMANN].

Mr. BEERMANN. Mr. Chairman, the Ways and Means Committee has written into the Revenue Act of 1962 a provision for taxing the dividends of farmer cooperatives which, if enacted, will violate the fundamental rights of millions of farmers.

This substitute provision, which displaced a perfectly fair provision for taxing co-op dividends, states that if the bylaws so provide, a co-op may retain dividends and patronage refunds indefinitely but the farmers must pay the tax. This means that a co-op may declare a book dividend of $100 for the year 1962, keep the money for working capital, and make the farmer pay the income tax. It may do the same for the fiscal year 1963, and again the year after that, and keep on doing it for as many years as it likes.

Now, I am a farmer and familiar with co-ops and I know that no farmer in his right mind would think of giving the co-op managers the taxing power which the Ways and Means Committee now proposes to give them by law.

It is no answer to say that the farmer can quit the co-op if he does not like the bylaws. In practice, millions of farmers have no such choice. For them, membership in the local is a necessity, not a choice. In some great agricultural areas, and in the case of many farm products, especially fruits and vegetables, practically the entire marketing facilities are in the hands of the co-ops. The farmer who tried to operate outside the co-op framework would find himself without buyers and without marketing facilities. His only alternative would be to stay in the co-op or quit farming.

The original provision for taxing co-op dividends, which the Ways and Means Committee first wrote into the Revenue Act, was fair to the farmer, fair to the co-ops, and fair to the Government which is entitled to some tax revenue from co-ops profits. The original bill provided for a three-way option. The farmer could agree to pay the tax and let the co-op keep the money; or the farmer could tell the co-op if it wanted to retain the money, it would have to pay the tax; or the farmer could get the money and pay the tax.

I am delighted that the American Farm Bureau Federation, which is always on the alert to guard the real interests of the farmer, promptly announced its opposition to the new co-op tax section of the Revenue Act. Said the Farm Bureau:

> In our opinion, this procedure does not adequately protect the rights of the individual farmer member.

I would concur in that statement and add that Congress would be far wiser to enact no legislation at all on co-op taxation than to accept what the Ways and Means Committee has written into the bill.

Mr. FINDLEY. Mr. Chairman, will the gentleman yield?

Mr. BEERMANN. I yield to the gentleman from Illinois.

Mr. FINDLEY. Mr. Chairman, I desire to associate myself with the gentleman's statement and commend him on it.

Mr. MILLS. Mr. Chairman, I yield such time as he may desire to the gentleman from Michigan [Mr. LESINSKI].

Mr. LESINSKI. Mr. Chairman, I am disappointed in the tax bill which has been reported by the Committee on Ways and Means, for I had hoped that the Congress would enact this year a general revision of the tax laws of a much broader scope to eliminate all the various loopholes and special concessions and, most important, to give relief to the hard-pressed individual taxpayer and small businessman, such as I had proposed early in this Congress in my bill, H.R. 244.

It is advocated by some economists that when an economy needs stimulation, the Government should either increase Federal spending or cut taxes. Either course calls for deficit spending, which I am not advocating as a standard practice, but which I recognize as a necessary evil in an emergency if there is sufficient justification for it. I believe justification for it has been shown by the administration in its recommendations for various spending programs and by H.R. 10650 which, if enacted, will assist the economy of the Nation.

I would propose, therefore, that Congress enact a measure this year to reduce individual and small business income taxes and I would offer as a suggestion the bill, H.R. 10478, which I have introduced to provide for an increase over a 2-year period in the personal income tax exemptions of an individual taxpayer—from $600 to $700—and in the surtax exemption of a corporate taxpayer—from $25,000 to $29,000. This legislation should be enacted this year and reenacted every 2 years for a total of 12 years to raise the individual exemptions to a total of $1,200 and the corporate surtax exemption to $50,000, as is suggested by another bill of mine, H.R. 10477.

This is a modest proposal, but one which I believe in the long run would be of great value to the economy of the Nation. The tax cut would serve two purposes: It would return money to the citizens so they could meet their local needs, such as schools, and it would stimulate the economy. I have noted that the average annual increase to the Federal Treasury since 1945 has been $2.7 billion. The program outlined above would cost less than $2 billion annually so in the long run the growth in the economy and consequent increase in tax revenues would help make up the deficit.

Back in 1913 when the first modern Federal income tax was adopted, a married couple with two dependents enjoyed an exemption of $4,000. Today, the exemption allowed is only $2,400. In terms of purchasing power, the $4,000 exemption allowed in 1913 is the equivalent of about $12,123 today. Of course, I do not say that we should raise exemptions to that level because I realize it would mean too great a loss to the Federal Treasury.

Bringing the comparison more up to date, one would need $1.67 today to buy what a dollar bought in 1945. In other words, one needs about 60 percent more money today to buy what one could in 1945. And since 1945 the amount of revenue received by the Federal Government from individual and corporate income taxes has almost tripled.

In view of that, I believe some tax relief is called for.

By proposing a tax reduction for individuals and small business, I realize that I am taking the opposite position to the administration. But I feel that because of the high taxes now imposed on our people by the Federal Government, they are becoming less and less willing to accept the responsibility of paying for local obligations, such as schools, essential community facilities, civic improvements, health care for the aged, and so forth, which historically have been the responsibility of the local communities, and of the individual and his family. Because of the Federal tax structure, business, especially small business, finds it difficult to accumulate capital for reinvestment and expansion. Consequently, more and more demands are being made on the Federal Government for assistance in these various areas, and the more demands that are made the more new programs have to be established to furnish the assistance. As the Government expands, it needs more money to operate.

I believe that if the administration feels it can afford to spend several million or billion dollars on various programs, then it can afford to give individuals a cut in taxes and let them use that money back home to pay for their local needs instead of looking to the Federal Government to meet those needs. Unless this is done and the trend continues as it has in the past, the individual will find himself in the same plight as the workers in England who, according to a recent report, are grumbling because taxes take about 40 percent of their salaries and there is no relief in sight.

You might call this proposal to cut taxes appropriation in reverse. Instead of taking money from the people, deducting administrative costs from the amount received, and returning a lesser amount to the people, you let the people have the money to dictate how they want it spent.

If some of them decide to spend it to purchase new cars, new household items, and other hard goods, which I believe many would do, production would be increased and men would be put back to work. We are all very much aware of the unemployment problem in the country. In my own area, for example, employment in one plant dropped from a peak of 23,000 to about 3,700 to 3,900 at the present time. Workers with as high as 27 years of seniority have been unemployed from 18 to 23 months. They cannot find work anywhere and there will not be any jobs unless there is an increase in demand with a consequent increase in production.

If these people are put back to work, the Government, instead of having to pay money out for unemployment compensation, will gain added revenues from payroll taxes, while saving money. In fiscal year 1961 over $22 million was given to Michigan by the Federal Government for the Temporary Unemployment Compensation Act.

A man on unemployment compensation or one facing the prospects of unemployment is not going to spend his money on major items of production; he is going to conserve it to make sure that he and his family will continue to eat as long as possible.

That might be the solution to the consumer riddle which is puzzling President Kennedy and his advisers according to the following article which recently appeared in the March 25, 1962, issue of the Detroit News:

[From the Detroit News, Mar. 25, 1962]

UNITED STATES TRIES TO PEP UP BUYING—KENNEDY LOOKS TO CONSUMERS FOR LIFT IN BUSINESS

(By Tom Joyce)

WASHINGTON, March 25.—President Kennedy and his economic advisers are trying to solve the "consumer riddle" that is jamming up the gears in the administration's attempt to shift the Nation's economy into high speed.

The experts are frustrated by what appears to be increased reluctance of the consumer to part with his dollars.

Administration sources are convinced that the consumer "is loaded." But so far this year he has not shown any great desire to spend, especially for hard goods.

KENNEDY PLEA

In his economic message last January, Mr. Kennedy outlined what was described as a "bold approach to get the country rolling."

Mr. Kennedy said that while the momentum of the economy had been restored, he wanted the means to "sustain our prosperity and accelerate our growth."

Congress has already responded to part of the President's program by approving his manpower retraining proposal. And there is some chance for favorable action soon on the administration's tax reform bill, intended to provide business with an incentive to invest in new tools of production.

UP TO CONSUMER

In the long run, however, it is the consumer—the buyer of automobiles, televisions and black-eyed peas—who has the economic growth rate throttle in his hands.

And he isn't pushing it forward fast enough to suit economists, who want at least a 4½ percent annual growth rate.

Commerce Department figures show that in the last quarter of 1961 the level of disposable income was at $375.6 billion, compared to $354.9 for 1960.

At the same time, savings in 1961 were $27.1 billion while they were only $22.7 billion in 1960.

On top of greater savings, borrowing for installment credit is down.

While automobile sales have shown gains after the 1958 recession, the value increase has been slowed by the acceptance of lower-priced compact cars.

SEEK TO CUT IDLE

The administration first is seeking full employment—or what economists call full employment.

In realistic terms, this means bringing the unemployment rate down to 4 percent, which in today's labor force would mean roughly 2.9 million unemployed workers instead of the present 4 million.

To attain this, there must be an improvement in the Nation's economic growth from the present 3½ percent annually.

Price stability and equilibrium in the balance of payments are the other main goals.

To solve the balance-of-payments problem the administration is hoping that Congress will pass the President's proposed trade law that would slash tariffs.

NEED NEW PRODUCTS

But in the final analysis, it is the consumer, not governmental measures, that will determine whether the goals will be attained.

The administration is hoping for a buying spree this spring, especially in the appliance, automobile and housing fields.

A major problem, according to experts who study "the enigma of the consumer" is that there are not enough new products to get people excited about buying.

One of the real hopes for the future is in the fast-growing field of research and development.

Mr. Chairman, there may be some who will say that the Government in these times cannot afford the loss to the Treasury which will result from enactment of a bill such as I am proposing. While there may be some loss at first, I do not believe it will be a total loss for it will be made up in various ways, some of which I have mentioned.

Most of the savings to the individual taxpayers will end up in the form of spending on goods and services. These purchases will stimulate business and will result in increased business profits and increased income to the Treasury from Federal taxes on those profits. In stimulating business, the additional purchases will provide more jobs and help to alleviate unemployment conditions such as exist in my district and other sections of the country and will provide more revenue for the Government from the additional income taxes that will be paid. There will be less demands on the Federal Government and economies can be effected in Government operations.

Business will be encouraged to reinvest money for expansion, which will add to the growth of the economy.

I believe that if we can afford a deficit as is anticipated in H.R. 10650, with the expectation that it will be eventually recouped through stimulation of the economy, we can afford a deficit by cutting income taxes as I am proposing, with the same expectation.

I urge the House to give serious consideration to this proposal.

Mr. MILLS. Mr. Chairman, I yield 10 minutes to the gentleman from Virginia [Mr. HARRISON].

Mr. HARRISON of Virginia. Mr. Chairman, for months I have listened to the tales of woe and disaster that this bill will bring to the widows of America. The mail that is coming in, obviously inspired, from people whom I suspect are not widows, tries to tell me what this measure will do to the widow's mite. For months in committee we have heard about the effect of withholding on the poor widows. For 2 days here in this debate we have listened to what will happen to the widows, and I have reached the point of such emotional feeling in my bosom that it makes it difficult for me to speak without taking my towel in hand and shedding tears.

Mr. Chairman, the first thing we ought to look at, however, is which widows are we talking about? They are not the old widows, because any widow over 65 is not affected by this bill. So we start out with the proposition that we are dealing with young widows. Then we might also go into inquiring—which widows are we talking of, since we realize that this bill does not cover the widow who earns her living by the sweat of her brow working 8 or 10 or 12 hours a day in a laundry; or in the agricultural areas of our Nation in a processing plant or in the harvest fields. Oh, no, Uncle Sam takes his share of that widow's mite before he lets it get into her hands. Therefore, Mr. Chairman, we are dealing with young widows—and, wealthy young widows. You know it is my sad duty to confess that there was a day in my life that I would have been willing to contribute to the tax bill of wealthy young widows, if it would make them happy. But unfortunately the inexorable march of years has made me such a stranger to those sentiments that I now prefer my own pocketbook to those of rich young widows who are not paying their fair share of taxes by failing to report them.

So when we come to the tragic story of the widow and the orphan let us bear in mind that we are talking about the orphan over the age of 18 and the widow who is younger than 65, and on whose income on top of any earnings she owes taxes she is not reporting.

And we are also including the old women who wear pants and who have bald heads and wear beards, who are not paying their share of taxes. I do not see any reason why I should continue to pay taxes on their income which for one reason or another they are not reporting.

Now, I want to say just a word about the investment tax feature. My friends on the other side have gone full swing on this. American businesses today are fat cats, they say. A previous speaker referred to them as economic royalists, but in committee these gentlemen were so interested in American business that they offered as a substitute for this provision of the bill the Baker-Herlong bill. With reference to the Baker-Herlong bill, I asked the Secretary of the Treasury one question: What would have been the effect on the revenue this year if that bill had been enacted into law 6 or 7 years ago when it was first proposed by the NAM. And he answered that question by saying it would have produced a deficit in fiscal 1962 of $23 billion.

Mr. BYRNES of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. HARRISON of Virginia. I yield.

Mr. BYRNES of Wisconsin. If my memory serves me right that question came from the Democratic side of the committee. The only issue as I understand was whether we were going to table the motion or not table it and give further consideration to various aspects of the Baker-Herlong bill.

Mr. HARRISON of Virginia. The gentleman's memory is precisely correct and there was 1 Democratic vote for it and 10 Republican, those people who now say a bill of $1,200 million a year is too much to give the economic royalists are the same people who a few weeks ago wanted to give them $25 billion a year.

Mr. BYRNES of Wisconsin. Mr. Chairman, will the gentleman yield further?

Mr. HARRISON of Virginia. I yield.

Mr. BYRNES of Wisconsin. Was not the issue the question of a motion to lay on the table so we could not consider any of the revisions in the Baker-Herlong proposal? Was not that the issue before us in the committee?

Mr. HARRISON of Virginia. The issue was to take up a bill. There was 1 Democratic vote and 10 Republican votes for it. That was the issue.

Mr. BYRNES of Wisconsin. I want to be fair and I know the gentleman wants to be fair. Was not the issue the question of whether we would table the motion to consider the substitute?

Mr. HARRISON of Virginia. The question was the effort to get it up and out. Then, the gentleman from Wisconsin proposed a bill that would give great aid to these economic royalists. It was an amazing combination of CURTIS, Ikard and rapid depreciation and the kitchen sink, and what it would cost nobody knew exactly because everybody knew it was not going to be seriously considered.

Mr. BYRNES of Wisconsin. Was not the effort to get the bill up so we could have fair discussion of it?

Mr. HARRISON of Virginia. On yesterday the distinguished gentleman from Ohio said he did not want an open rule but one under which he could offer that bill to aid these people whom today the Republicans call fat cats and economic royalists. Now they are going to offer a motion to recommit the effect of which my good friend the gentleman from Wisconsin has said will be to give American business no incentive in their competition with foreign business. Yet it is a fact that in every Western nation of the world there is a special tax incentive given by the government of that country for the purpose of enabling them to compete with American industry.

Mr. BYRNES of Wisconsin. I hope the gentleman will review the surveys that have been made by the Treasury as to what the situation is in these other countries in face of the remark the gentleman has just made, because the gentleman from Missouri analyzed that statement that was made at one time by the Secretary of the Treasury that they had these incentives but if you will look at yesterday's RECORD you will find how wrong that statement is.

Mr. HARRISON of Virginia. The gentleman from Missouri also said in connection with the foreign tax provisions of this bill, "Yankee come home." The position of the gentleman from Missouri and the gentleman from Wisconsin is that the Yankee cannot stay home. They want to make him go abroad. They will give him nothing in the way of a tax incentive if he keeps his

plant and whistle blowing here in America. But it is made sacred if he takes his plant abroad.

In connection with the matter of competition, the gentleman from Wisconsin knows that in Belgium there is a special tax reduction equal to 30 percent of the amount of investment in industrial property in actual depreciation.

The gentleman from Wisconsin wants American industry not to compete with that.

American industry is told, in effect: "Go to Belgium if you want to compete with the Belgians; you will get no such consideration here."

In 1961 the Canadian Government introduced an incentive for new capital expenditure in the form of an increase of 50 percent in capital consumption allowances otherwise available. American industry is told: "Go to Canada if you want to compete with the Canadians; you will get no such consideration here."

France permits a variety of special incentive deductions, including two ordinary annual deductions in the first year of the life of the asset and a 10-percent initial allowance. American industry is told: "Go to France if you want to compete with the French; you will get no such consideration here."

Japan permits an initial allowance equal to 33⅓ percent of the cost of the asset. American industry is told: "Go to Japan if you want to compete with the Japanese; you will get no such consideration here."

The Netherlands provides an equivalent to an investment credit of approximately 10 percent. American industry is told: "Go to the Netherlands if you want to compete with the Dutch; you will get no such consideration here."

The United Kingdom permits the deduction of an initial allowance over and above the first regular depreciation in amounts ranging up to 30 percent of the cost of the asset. In addition, the British have an investment allowance ranging from 10 to 40 percent of the cost of the asset. This investment allowance is deductible in addition to ordinary depreciation and the initial allowance. American industry is told: "Go to Great Britain if you want to compete with the British; you will get no such consideration here."

Italy provides for depreciation substantially in excess of realistic depreciation as its means of stimulating investment, permitting a reduction from the normally useful depreciable life of as much as 40 percent. American industry is told: "Go to Italy if you want to compete with the Italians; you will get no such consideration here."

The cry is, "Yankee, come home," but the tax incentive to bring him home, or keep him home, is attacked here. The American businessman will read the message as, "Yankee, go abroad, if you are to survive."

For my part, I want to continue to hear the factory whistles blowing in Virginia.

When the sun rose yesterday the gentleman from Wisconsin had a program for American business, but when the sun set last night he had nothing but a motion to strike.

Mr. Chairman, Mr. Emerson said: "Inconsistency is the hobgoblin of little minds." But if this be true, I concede that the Republican membership of the Committee on Ways and Means of the House are the greatest minds in America. As far as I am concerned, the gentleman knows that in offering his motion to recommit it will strike at the very heart of this bill and the reason for its existence, the reason for its being here. None of the rest of the measure will become law in that event. That means that the gentleman is in favor of leaving undisturbed the tax treatment of some of these huge corporations that are masquerading as farm cooperatives. It means leaving undisturbed the complete tax exemption of mutual insurance corporations on their income from underwritings. The gentleman knows it will leave undisturbed the disgraceful tax advantage held by mutual thrift institutions with assets of $110 billion, which pay no tax, or practically no tax. It means the end of the bill.

Frankly, I am tired of paying other people's taxes. I think the time has come to take a step toward equalization of taxes. My criticism of this bill is that it does not go far enough in discouraging these foreign tax havens, it does not go far enough in correcting tax inequalities. I am perfectly willing to pay my income tax, but I am tired of paying it for other people who have the same income I do and who do not pay their fair share of the taxes.

Mr. KNOX. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. ARENDS].

Mr. ARENDS. Mr. Chairman, for over a year the Congress has had under consideration President Kennedy's recommended revisions in our tax laws. This is the second day we have formally debated the committee bill.

I only wish, Mr. Chairman, we would be as careful in considering the spending measures as we are in our consideration of a revenue raising measure. If we were, we would not have to be considering a tax increase bill but rather might be considering a tax relief bill. I am not complaining that we have taken so much time on this tax bill. I am complaining that we have taken so little time on the spending measures.

Mr. Chairman, I should like to call attention to the dangerous numbers game the President has been playing with the American people for the past 2 months. He is playing this same numbers game with the 1963 budget as he played with the current 1962 budget.

The object of the Kennedy numbers game is to see how large a financial burden the American people will bear. The test of political skill is for the President to announce a number, higher than the previous one, without the American people being aware that it was higher. By quietly announcing increased deficits in the budget the President is hoping the mounting unpaid bills will not be noticed and the American people will not checkmate him in his moves.

As I reconstruct it, this is the way the President played the game with the 1962 budget:

January 16, 1961: President Eisenhower submits a realistic budget for 1962 showing a $1.5 billion surplus.

February 27, 1961:

President Kennedy has told leading congressional Democrats he is banking on an upturn in the economy to hold next year's budget deficit to $1.5 billion.—Associated Press.

March 24 and 28, 1961: President Kennedy delivers two budget messages to Congress and now proposes a $2.8 billion deficit.

May 8, 1961:

Budget director David E. Bell indicated to Congress today that the Federal books were likely to be more out of balance next year than had been officially estimated. Mr. Bell declined to pinpoint the outlook as of now, but there are signs pointing to a deficit at least $1 billion greater than the figures given by Mr. Kennedy.—New York Times.

May 20, 1961:

Elmer B. Staats, Deputy Director of the Budget, said yesterday that President Kennedy's estimate of a $2.8 billion Federal 1961–62 deficit is obviously too low. He said that the Government's red ink operations in the next fiscal year probably would be twice this amount, or about $5.6 billion.—Washington Post.

October 16, 1961: Secretary of the Treasury C. Douglas Dillon announces that the deficit will pass the $6.75 billion mark.

January 18, 1962: An official forecast puts the deficit at $7 billion.

That was the way the game was played last year—from $1.5 billion surplus to $7 billion deficit in 7 steps.

Now it appears that the game is starting all over again. Just 10 weeks ago the President's budget message to Congress showed a $500 million surplus. Yesterday, the New York Herald Tribune reports:

The Federal Government will have a sizable budget deficit next year instead of the slender surplus that President Kennedy predicted in January. The best judgment of Government experts is that the fiscal 1963 deficit will total at least $2 billion and could surge past $4 billion.

This is distressing news for all Americans. It is also distressing that the Kennedy administration does not square with the American people, but instead chooses to play this highly irresponsible numbers game.

Mr. KNOX. Mr. Chairman, I yield 5 minutes to the gentleman from Indiana [Mr. ADAIR].

Mr. ADAIR. Mr. Chairman, if I could have the attention, please, of the chairman of the committee, I have a somewhat lengthy question which I would like to put to him.

Under section 17 of the bill—page 175—a member patron—and I emphasize the word "member"—may evidence his consent to have his patronage dividends, arising from his business activities, included in his gross income for Federal income tax purposes in either of two forms: First, he may file a written consent to that effect with the cooperative. Second, the member patron is deemed to have given such consent if he becomes a member of the cooperative or if he remains a member thereof after he has notice of a bylaw adopted by the cooperative providing that membership in the cooperative constitutes such consent.

An example of such a bylaw appears on page A135 of the committee report.

As the able chairman of the Ways and Means Committee well knows, many cooperatives have heretofore distributed so-called scrip—that is, capital stock, revolving fund certificates, retain certificates, and the like—to their patrons who were entitled to patronage dividends. Presumably many cooperatives will continue to issue such scrip to those of their patrons who have given their consents to have their patronage dividends included in their gross incomes. I am certain that the distinguished gentlemen from Arkansas is also well aware that the terms "sale" and "sell", as defined by section 2(2) of the Securities Act of 1933, mean dispositions of securities which are the result of voluntary acts performed by the recipient of the securities. This rule is predicated upon basic principles of the law of contracts.

My question is this: Am I correct in understanding that it is the intention here that a person, who either merely becomes a member of a cooperative or merely continues his membership therein with knowledge of an outstanding bylaw of the type previously referred to, shall not be deemed to have performed a voluntary act, within the purview of the Securities Act of 1933, in connection with the distribution of such securities of this cooperative as may be issued to him as a consequence of his having evidenced his consent solely by way of the bylaw consent form?

Mr. MILLS. Mr. Chairman, will my friend from Indiana yield?

Mr. ADAIR. I would be delighted to yield to the chairman of the Committee on Ways and Means.

Mr. MILLS. The gentleman is entirely correct in his understanding. This provision to which the gentleman refers applies only with respect to income tax consequences and does not in any way affect the application of the Securities Act of 1933.

Mr. ADAIR. I thank the gentleman very much.

Mr. Chairman, turning now to another matter, this proposed Revenue Act of 1962—H.R. 10650—contains certain provisions relieving private U.S. investments in the less-developed countries of the world from these punitive new taxes. I note that the new U.S. tax on earnings from new investments is not applicable to so-called less-developed areas of the world.

However, there is one major aspect of the new tax bill which will operate to drain private capital from the less-developed countries. I refer to the so-called gross-up tax, which applies under this bill with especially heavy impact to the less-developed countries. This is for the reason that the gross-up, as pointed out on page 51 of the committee report, has its heaviest impact when the foreign tax rate is one-half of our 52 percent rate, or in that neighborhood. Since income tax rates in the less-developed countries are generally lower than they are in the developed countries, they tend to fall in this area of maximum impact. Therefore, in its practical application, the gross-up amendment would require the U.S. parent corporation to bring home more money from the less-developed countries in order to pay the increased U.S. income tax and still have enough left over to continue regular dividend payments to its U.S. shareholders.

In effect, the gross-up levies a U.S. tax of 52 percent on the amount of tax already paid by the U.S. subsidiary corporation to the host government. In other words, the new tax is a tax upon money which can never be repatriated or brought back to the United States, because it has already been paid to the host goverment. Obviously, therefore, the parent corporation must bring back additional earnings of the subsidiary with which to discharge this new tax assessment in the United States.

This seems particularly startling in view of the fact it has only been 2 years since the House considered and passed H.R. 5. While this bill never became law, its central purpose was to stimulate investment in Latin America by providing some amelioration of the impact of U.S. taxes in those areas. It is surprising, to say the least, to find the House now proceeding on exactly the opposite course: to soak U.S. business in the less-developed countries with an added U.S. tax.

I suspect your bewilderment will be complete, as is mine, when I remind you that only last year we enacted into the very preface of the foreign aid bill, the Act of International Development of 1961, the policy of "minimizing or eliminating barriers to the flow of private investment capital" to Latin America and other recipients of our foreign aid.

Now, this year, we are asked to enact a tax bill which will have the direct and immediate effect of draining additional private capital from these needy countries. This violates the aid bill we enacted last year, and can only lead to the demand for increased foreign aid dollars to replace the money which will have to be brought back to pay these additional U.S. income taxes.

Mr. MILLS. Mr. Chairman, I yield 5 minutes to the gentleman from Massachusetts [Mr. BURKE].

Mr. BURKE of Massachusetts. Mr. Chairman, there has been a great deal of detailed discussion on the floor of many aspects of the bill now before the Committee. I am sure it is unnecessary for me to remind my colleagues that in any large tax bill, due to the nature of the subject, it is impossible for everyone to be completely satisfied. Certainly this is true of the bill which has been reported from the Committee on Ways and Means and which is now under consideration here. However, we must be fair-minded and objective and, to the best of our ability, bear in mind the overall public interest, and vote accordingly. On this basis I am constrained to vote in favor of this bill although I must make it quite plain that there are, indeed, provisions of the bill which I think should not be in it, and there are two particular points I want to make.

First, in the Committee on Ways and Means I opposed with all the force that I could command the provision for withholding on interest. In fact, I made several attempts to have the subject of interest separated from the subject of dividends but was unsuccessful. I am strongly opposed to the withholding provision on interest, and I regret that this provision is in the bill.

Second. At the same time, Mr. Chairman, I must make it clear that the principal reason I have supported this bill is the provision in it to stimulate our domestic economy so that we will be in a better competitive position at home and abroad. The investment credit provision is in my judgment necessary and it will help do the job. This is a key provision of the bill and I have strongly supported it from the very beginning. I have been willing to lend my support to the bill because of this provision, even though I oppose other provisions.

In the light of what I have just said, Mr. Chairman, I oppose the motion which will be offered to recommit this bill to strike out the investment credit provision. As they have explained it, their motion will provide for striking both the investment credit and the withholding and for this reason I will vote against the motion. I am doing so because of my strong support for the investment credit provision. It is a key part of the bill. It will help American business compete. If the motion had gone only to the interest area I would have a different position. However, the motion will undertake to strike out the investment credit provision, the very heart of the bill, and the reason why I supported the bill in the first place, and I cannot vote to recommit this bill to strike out this provision. I therefore oppose the motion to recommit.

Mr. Chairman, the entire Nation, the entire business community of this country, is looking forward to this tax investment credit. This will be a shot in the arm to business in this country. I am surprised to see that there are Members of this House who are opposing these provisions, particularly because this will help small business, businesses which have acquired new machinery. That will help the small businessman in this country. It will help the farmer and the other business people in the Nation. It certainly deserves the support of the entire membership of this House and I certainly hope that the motion to recommit will not prevail.

Mr. KNOX. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. LINDSAY].

Mr. LINDSAY. Mr. Chairman, I have asked for this time to make some comments on what has happened in this bill. I do so with all due deference to the Committee on Ways and Means, because I know how much time the members of the committee have put into this subject under the leadership of the distinguished chairman of the committee, a man for whom I have the highest regard, and the distinguished ranking minority member of the committee.

I begin by not taking it lightly that, to start out, this bill will create a deficit in fiscal 1963 of $1 billion; thereafter, $300 million per year. I do not shy away from Federal spending when I think it is in the best interests of the United States. But also I think that the Congress has an obligation and a duty

to have the courage to pay for the programs it enacts. Therefore, I think it is imperative that we not take steps that will reduce Federal revenues. That is point No. 1.

Point No. 2: The devices built into this bill are unmodern. What the majority of the committee has done is to create devices and proposals which are in effect reactionary.

I am glad that the gentleman from Missouri [Mr. CURTIS], pointed out yesterday the inaccuracy of some of the statements that have been made around here on the subject of what the booming countries of Europe have been doing. These countries, with very limited exceptions, and those very narrow and specific, use accelerated, rapid depreciation techniques. Most of them use the double declining balance method. If we, in this country, want to provide a real incentive for economic growth, to stimulate growth, the way to do it is not by this 7-percent credit gadget, which is discriminatory and limiting, but by a method which grants accelerated, rapid depreciation. Contrary to what the gentleman from Massachusetts said a moment ago, this bill does not help small business. It would leave out large segments of the economy and provide a windfall, as has been pointed out, for other segments of the economy. Why on earth we cannot use the tried technique that modern Europe has discovered the most helpful is beyond me. I honestly think that what happened to the majority here is that they were sold a bill of goods, which was the idea of, perhaps, one or two men connected with the administration who eventually got their way. I think we are going to live to regret what we do in this bill, if we choose this tax credit, windfall device instead of going the modern way.

Let me talk now for a moment about the taxation of foreign income. One problem in connection with this that has not been sufficiently emphasized is that the bill will abrogate certain treaty obligations that we have. I am referring to that little last section in the bill, section 21, which reads as follows:

> Section 7852(d) of the Internal Revenue Code of 1954 (relating to treaty obligations) shall not apply in respect of any amendment made by this act.

Now what this means is that if there is anything in this bill that is in conflict with a convention or treaty to which the United States is a party, the bill will override it. Now how reactionary can you get? The Organization of European Cooperation and Development—OECD—is one of the vehicles in Europe of which the United States is a member, thank heavens, that is creating one of the most wonderfully exciting economic climates for growth in the world. There is a provision in this convention, which the U.S. Government agreed to, which provides that income which is not paid out shall not be taxed. We here are flying right in the face of that convention to which the United States is a party.

I might point out also that under treaties to which the United States is a party, there are provisions for withholding of taxes on dividends of nonresidents, which is less than the 20 percent which is provided for in the committee bill. This bill will abrogate those treaties.

Mr. Chairman, we in this country must learn how to compete. I wish that the distinguished gentleman from Louisiana, the majority whip, who spoke a little while ago were present on the floor now, as I listened to his remarks with interest and with astonishment, and I would like him to listen to me. He spoke eloquently about the new Europe. And yet he advocated a course of economic isolationism and of sheer reaction. The bill will do exactly the opposite of what he says it will do. From the 7-percent tax credit provisions straight through to the provisions concerning the treatment of foreign income, the bill flies right in the face of and is directly contrary to the efforts we must make in the United States to learn how to compete with Europe and to draw closer to the European Economic Community. We are damaging our position abroad by this bill and retreating to an economic isolationist view that I thought we had long since given up.

Mr. Chairman, it seems to me that if this country is going to learn how to compete in Europe and elsewhere we should not be shying away from efforts that U.S. businesses wish to make to invest abroad and to explore new markets. I can assure the Members of the House, if these provisions with respect to repatriation of foreign income go through, it will not result in repatriation of profits that are made abroad by U.S. companies. The fact is that these companies want to expand abroad. They want to grow in Europe and elsewhere and to explore new markets. They will repatriate only so much of their profits as is necessary to pay the U.S. tax. And do you know what that will result in? It will result in higher foreign taxes and, consequently, higher credit against that tax and therefore lower tax revenue to the United States.

The balance-of-payments question was mentioned by the distinguished majority whip. I submit that the statement the gentleman made is like something out of the Dark Ages. You do not cure the problem of balance of payments by this kind of retrogressive reactionary taxation. You do it by increasing your exports. You do not increase your exports by discouraging U.S. investments abroad. This is directly contrary to what this Congress must do with reference to liberal reciprocal trade legislation. It is contrary to the growing effort to gradually bring U.S. private free enterprise into the area of foreign aid so that the burdens of the Government are lessened over the years.

I submit that this bill is an unmodern, reactionary retrogressive approach to the modern problems of today. I oppose the 7-percent tax credit provision. I oppose those provisions in the bill that have to do with the taxation of oversea income.

Mr. Chairman, I submit that the motion to recommit should be carried.

Mr. MEADER. Mr. Chairman, will the gentleman yield?

Mr. LINDSAY. For a brief question.

Mr. MEADER. First, I would like to associate myself with the remarks the gentleman has been making. I sought to have the gentleman from Louisiana [Mr. BOGGS], when he made his remarks, yield to me, and he refused to do so. I should like to ask the gentleman this question which I would have put to the gentleman from Louisiana. The gentleman from Louisiana talked about our endeavor to compete with the Common Market producers and Japan. Let me ask the gentleman from New York whether or not in his opinion this punitive tax on foreign income would not effectively freeze out our competition with foreign manufacturers and more than offset any benefit they might obtain from the tax credit provision?

Mr. LINDSAY. Absolutely. The gentleman is correct.

One final comment, and that is on a matter mentioned by the chairman of the Ways and Means Committee yesterday. He suggested that an official of the Eisenhower administration, the former General Counsel for the Treasury Department who happens to be my brother, made a speech in September of 1960 in which he pointed to the large amount of dividend and interest income tax owed the United States. When we go back into the House I shall ask consent to have the pertinent parts of that speech placed in the CONGRESSIONAL RECORD.

What was said in that speech and what I say here is that in 2 or 3 years this withholding provision will be totally unnecessary. It will be just as archaic as can be because due to modern data processing and new accounting systems being employed by the Internal Revenue Service, all income owed to the U.S. Government will be collected. Meanwhile, we know perfectly well that this device is designed to create massive overwithholding, a windfall to the Government of money that does not belong to it and which should be placed into the economic stream of the United States in order to promote economic growth.

I suggest that it is important and necessary in considering this motion to recommit that the Congress remember it is time for our tax structure to be modernized, that it is high time the distinguished members of the Committee on Ways and Means stop tinkering with the tax laws and undertake real tax reform, which we do not have in this bill. This bill if passed in its present form will do nothing but impose a period of economic isolation upon the United States, will not provide the kind of economic incentive that is needed for growth that we must have in this country, and does not face up to the problem that we must face up to most of all, which is how to compete. We shy away from it. It is high time that we started moving forward in this regard instead of backward.

Now, Mr. Chairman, I should like to examine in greater detail the three troublesome provisions in this bill.

In this connection I should like to say that I have had some very expert assistance from distinguished tax authorities

in my community. I should like to express my appreciation to them for their contribution toward the improvement of this important piece of legislation.

One of these authorities is my brother, David A. Lindsay, who, as the distinguished chairman of the Ways and Means Committee referred to earlier in the debate, was General Counsel of the Treasury under the Eisenhower administration. His research and contribution in connection with this bill was particularly aimed at the withholding provision. He is opposed to it, as he is to the 7-percent tax credit provision and the provision relating to oversea income. But more on this later.

I should like first, Mr. Chairman, to discuss the 7-percent tax credit provision.

All of us, I believe, recognize the need to encourage business expansion through investment in new machines and facilities, and the desirability of overhauling a tax system which at the present time retards rather than furthers this end.

Most businessmen believe that the best means of reaching this objective is to liberalize the tax law dealing with depreciation by permitting businesses to write off the cost of depreciable property over a shorter, more realistic number of years. Through its current revision of Bulletin F, the Treasury Department is furthering this end but everyone recognizes that administrative measures alone will probably be insufficient to stimulate the amount of new investment which is necessary if our economy is to expand to the extent to which it is capable.

Notwithstanding this background, the administration and now the Ways and Means Committee have come up with a new, complicated, and totally untested investment credit plan which is supposed to accomplish this end. Clearly, the burden is on the proponents of this plan to show that it is preferable to faster depreciation.

As I mentioned earlier, rapid depreciation is the modern way to stimulate economic growth. It has been found effective and workable in the booming countries of Europe, most of which use the double declining balance method of depreciation. Incidentally, the statements made by some that European countries use the method of incentive proposed by the majority are simply not true. I was glad that the gentleman from Missouri [Mr. CURTIS] yesterday straightened out the record on this.

Nothing that I have read or heard has convinced me that this credit plan will do a better job than faster depreciation in stimulating the economy. On the contrary, I believe that the tax credit proposal represents an ill-advised device which may not accomplish the desired goals and will introduce additional inequities and loopholes into a tax law already overburdened in that respect.

First, it is the almost unanimous testimony of the business community that the investment credit will not encourage as much new investment as would a liberalized depreciation program. It is those businessmen and not Mr. Surrey's economists who will be making the investment decisions which we are trying to influence. It would be risky to buy such a provision under any circumstances, but it would be senseless to adopt it when it is opposed by the very group it is meant to benefit.

Second, the application of the tax credit will be highly discriminatory, since it will apply only to investments which are made in the future. No tax credit will be available for investments made in the past, even though they have equally served to stimulate our country's economic growth. The result of this legislation will be that those who have already modernized their productive facilities without waiting for a handout from the Government will suffer for their initiative while those who would not modernize without receiving a tax lollipop will be rewarded for their indolence. There is no justification for playing favorites in this manner.

Finally, the investment credit amounts to a giveaway to business. When combined with depreciation, the credit will give a businessman a greater tax benefit than if he had deducted the entire cost of his investment property in the year of acquisition. This is just the same as though the Government actually paid part of the businessman's cost for the property. It is different from depreciation, where a businessman can never recover in deductions more than his purchase price. At a time when the expenses of the Government are increasing, it makes no sense to subsidize business in this manner.

The accelerated depreciation program which the Republican minority recommends is the modern method. It is the system used by the booming countries of Europe, and found workable. First, it would accomplish the necessary goal of furthering business expansion. Second, it would be nondiscriminatory. Finally, it would permit a taxpayer to recover only the cost of his property and not an amount in excess of his cost. The tax credit proposal should be rejected.

Now I should like to examine in greater detail than I did in my opening remarks the proposed tax treatment of foreign income.

In May of last year, President Kennedy submitted to Congress his tax message containing, among other things, proposals to change the existing tax treatment of foreign subsidiaries. In general, the administration proposed that the profits of foreign subsidiaries of U.S. corporations be taxed currently as if distributed to American shareholders. This would be in contrast to present law under which the profits of a foreign subsidiary are not subject to tax until they are repatriated as a dividend.

As I review the events leading up to the reporting of this bill, I find the numerous and diverse administration pronouncements and committee press releases on this subject confusing and disheartening. The apparent lack of confidence in what should be done in the foreign areas by the proponents of legislation certainly does not give one the confidence that the hastily contrived provisions in the present bill represent a proper step for Congress to take at this time. Indeed, there is every indication that the bill may seriously interfere with the ability of American business to compete abroad and to retain and build foreign markets.

Before commenting on the bill, I think it might be well to be sure we all understand the provisions of existing law as well as their origin and purpose. It has become popular to refer to the tax treatment of foreign subsidiaries as a form of so-called tax deferral. The administration has referred to this tax deferral as a special incentive feature of our tax laws which favors foreign investments. Our tax jurisdiction over a corporation is determined on the basis of whether it is considered a domestic or a foreign corporation. A domestic corporation is taxable with respect to its worldwide income, while a foreign corporation is taxable only on its U.S. income. The present tax laws define a domestic corporation as one created or organized in the United States or under the laws of the United States or of any State or territory. A foreign corporation is defined by the law as one which is not domestic. Thus, the test of foreignness is based upon the place of incorporation regardless of the nationality of the stockholders. This definition of jurisdiction has been in our tax laws since 1913.

To the extent that shareholders of a foreign corporation are U.S. taxpayers, the U.S. tax on their share of the corporate profits is deferred until distributed as a dividend. This so-called deferral of tax results from the recognition under our tax laws that a corporation and its shareholders are separate taxable entities. This latter principle applies equally to domestic and foreign corporations.

Thus, it is these two principles—namely, the limitation of our tax jurisdiction over foreign corporations and the recognition of separate corporate entities—which are presently under attack. Neither of these principles was intended by Congress to extend special tax advantages to foreign investment. They are instead basic and proven durable parts of the structure of our present income tax system.

In the foreign area, H.R. 10650 incorporates substantially the administration's proposals. Briefly the provisions which affect the tax treatment of foreign subsidiaries are as follows:

Certain types of income of a foreign subsidiary would be taxed to domestic shareholders with a 10 percent or greater stock interest even though the profits of the foreign corporation are not distributed. In general, this income would be taxed to the shareholders as if it had been distributed by the subsidiary as a dividend. For this purpose a subsidiary is defined as any foreign corporation in which Americans have at least a 51 percent stock interest. The 51 percent test is met where the requisite stock interest is either direct or indirect, and in the latter connection the bill contains complex rules for determining indirect stock ownership.

Foreign subsidiary income which is taxed to shareholders under the bill is divided into two categories. First, the bill lists the following specific types of income which are subject to tax:

First. Income from insurance and reinsurance of U.S. risks.

Second. Income from patents, copyrights, royalties and similar property, developed in the United States or acquired from an American shareholder. In addition to the royalties received from patent licenses and the gains from the sale of patents, this type of income would also include income from the use or exploitation of a patent or similar property. Thus, profits of a manufacturing subsidiary would be included and subjected to U.S. tax to the extent that they are attributable to the use of a patent.

Third. Personal holding company-type income such as interest, dividends, rents, royalties, and so forth, with the important addition of so-called sales income. For this purpose, income from the purchase and sale of property is treated as sales income if it has the following characteristics: First, the property is purchased from or sold to a related company; second, the property is manufactured outside the subsidiary's country of incorporation; third, the property sold is destined for markets outside the country of incorporation; and, fourth, the amount of income thus earned exceeds 20 percent of the subsidiary's income, other than personal holding company income.

For purposes of applying U.S. tax to this type of income, the definition of a foreign subsidiary is modified to require that the 51 percent or greater stock interest be held by five or fewer American shareholders. If more than 20 percent and less than 80 percent of the subsidiary's income consists of personal holding company type income, including sales income, only that portion will be taxable to the U.S. shareholders. But if this type of income represents more than 80 percent of the corporate profits, then the entire income of the corporation will be subject to U.S. tax. The application of the tax to this type of income may be avoided to the extent that it is reinvested in a less developed country operation.

A second category of income which is made subject to U.S. tax by the bill is that portion of a foreign subsidiary's profits which is not invested in certain specific forms of permissible investments. This rule applies to the foreign subsidiary's entire foreign income regardless of its character. The types of investment which are permissible and which prevent the application of U.S. tax are:

First. Property which is located outside the United States and is used in connection with the subsidiary's existing business.

Second. Property in a business—whether existing or new—in a less-developed country.

Third. A 10-percent or greater stock interest in a foreign corporation which is engaged in business in a less-developed country. This type of investment is permitted only where four or fewer shareholders have a 51-percent or greater stock interest in the less-developed country corporation.

Another provision applicable to foreign subsidiary operations relates to the tax treatment of redemptions or liquidations of stock in a controlled foreign corporation. Under the bill gain from such transactions would be treated as a dividend and taxable to American shareholders as ordinary income to the extent of their share of profits. Similar treatment would be applicable to the gain realized by an American shareholder from the sale of such stock. The effect of these rules would be limited to shareholders with a 10-percent or greater stock interest.

These are the principal provisions which would make basic changes in the tax treatment of foreign subsidiaries. They would become effective for taxable years beginning after December 31, 1962.

These provisions of the bill should be analyzed in the light of the several policy objectives which have been suggested by the administration, and which, presumably, are the basis upon which the committee has approved the bill. As I understand it, this legislation is intended to accomplish three objectives: First, It would tend to improve the U.S. international balance-of-payments position; second, it would achieve a greater degree of so-called tax neutrality in the treatment of domestic and foreign income; and third, it would remove the opportunity for abuses of the U.S. tax system which are available under existing law. There is grave doubt in my mind whether the present bill will be useful in accomplishing any one of these objectives.

BALANCE OF PAYMENTS

In considering the desirability or efficacy of the proposed tax measures in improving the balance-of-payments position in the United States, we should first determine the scope and nature of the immediate problem. For the past 3 years the United States has had an overall balance-of-payments deficit ranging between $3.5 billion and $4 billion. This deficit takes into account all forms of our international payments and would include, in addition to private investment, such items as military expenditures overseas, as well as such large nonrecurring transactions as the purchase by Ford Motor Co. of British interests. The Department of Commerce figures for the period from 1958 through 1960 show that income returning to the United States from direct private foreign investments far exceeds capital outflows of direct private foreign investment during this period. These figures also show that this excess of return over capital investment is increasing each year. In other words, foreign investment is making an increasingly large contribution to the improvement of our balance-of-payments situation.

The causes of the deficit are not easily isolated. Indeed, it may be attributable to different items in different years. For example, in 1960 a large portion of the deficit was attributed to the outflow of so-called hot money. This outflow, accountable for $1.5 and $3 billion in 1960, is partly due to adjustments in foreign interest rates on the one hand, and short-term gold speculation on the other. In either case, the problem was of a short-term nature. Changes in our income tax laws would hardly be the way to handle these problems. The reason that such short-term problems become critical is that we do not have an adequate margin in our balance of payments at the present time. The most obvious way of alleviating the deficit is to build up our existing trade surplus, that is, increase our exports. Another possibility is to prevail upon the advanced European economies to carry a greater share of oversea aid. Both these approaches should be developed by the present administration.

Changes in our tax laws which would discourage foreign investment could hardly be consistent with a long-range policy, since it is these investments which will ultimately build a strong return flow of income to the United States and strengthen our balance of payments situation for the future.

It is unlikely that the proposed changes in the tax law would, in fact, be effective in increasing the return of dollars to the United States on a short- or long-term basis. To the extent that this is an objective, it is based on the erroneous assumption that the primary basis for retaining income abroad, whether it be derived in the form of royalties, interest, dividends, and so forth, is an overall tax advantage. It is extremely doubtful whether significant amounts are retained abroad for tax reasons. Profits are retained abroad to expand the capital of existing business operations or to provide funds for new investment opportunities. Thus if income which is not subject to tax under existing law is made subject to tax by the bill, it is likely that only the amount needed to pay the U.S. tax will be repatriated. Even this may come from the profits of the domestic corporation rather than from repatriated profits. Thus, the bill may accomplish very little in improving our balance of payments situation. Indeed, one effect may be to encourage European countries to collect more tax, consequently increasing the foreign tax credit and reducing the net U.S. tax.

I think there may be another misconception underlying the provisions of the bill. I have gotten the impression that the administration in advancing its tax program in this area, has assumed that American production presently based abroad can compete for the same markets by producing in the United States and exporting. This assumption ignores the realities of present-day international competition. There are American businesses which have been forced to move production abroad in order to retain foreign markets. That someone is going to produce abroad is a reality that cannot be avoided. If American business cannot compete by U.S. production, it must go abroad if foreign markets are to be retained and built. U.S. business no longer has a monopoly in the world of finished manufactured goods. While the present bill does not propose to tax production income as did the original tax message, it does propose to tax income from activities incidental to such foreign production and to this extent, may cut down the rate of growth of American-owned foreign production, vis-a-vis, our competitors abroad. In the long run, therefore, these tax provisions will tend to cut down on the return flow of income to the United States.

TAX NEUTRALITY

The administration has also advanced in support of its proposals in the foreign area, the need to revise the tax treatment of foreign income to achieve a greater equality between tax burdens on foreign income and tax burdens on domestic income. The assumption that neutrality or equality in tax burden should be measured by the U.S. tax system is unwarranted. The form and direction of neutrality in the bill may create discrimination against our own taxpayers.

The bill provides that an American parent corporation will be taxable with respect to its foreign subsidiary's income from patents, copyrights, secret processes, and the like, which were acquired from the domestic corporation or developed in the United States. While this provision appears to deal with a situation described by the Treasury Department as a so-called tax haven abuse, it extends beyond this purpose by imposing a U.S. tax on a portion of the profits of almost every operating foreign subsidiary controlled by American shareholders. For example, when a foreign manufacturing subsidiary sells its product abroad, a portion of its profit will in many cases be attributable to the use of patents, processes, and similar property acquired from the parent corporation. To the extent that the subsidiary's profit may be so characterized, it would be subject to U.S. tax under the bill. Parenthetically, it is appropriate to indicate at this point that there is a constitutional question as to the validity of a tax on shareholders with respect to corporate profits. This royalty provision, however, goes even further. It apparently would impose a U.S. tax at the shareholder's level even where the subsidiary had no income, that is, a royalty income would be imputed to the subsidiary even where it had none. This provision is nothing more than an indirect method of getting at the profit of manufacturing subsidiaries. It approaches the original proposal in the President's tax message which would have eliminated the deferral of U.S. tax entirely in the case of subsidiaries in developed countries. It is interesting to note that the present bill goes even further than the President's tax message in imposing tax on royalty income of subsidiaries in underdeveloped countries.

In other respects, the provisions of the bill deal primarily with problems characterized by the Treasury as tax haven abuses. Let me illustrate. The provisions of the bill would tax on a current basis the profits of a Belgian, German, or Swiss subsidiary which sells products manufactured in France by a French subsidiary. Very often this takes the form of a chain of corporations with the American parent company at the top, the Swiss subsidiary in the middle, with the production corporation formed as a subsidiary of the Belgian, German, or Swiss companies. The production company sells its output through its Belgian, German, or Swiss parent company which may coordinate the entire foreign sales effort of a complex of producing companies. Under present law, the income of neither the production company nor the Belgian selling company is subject to U.S. tax, until such time as the earnings are distributed to the American parent. The income of the French subsidiary is, of course, subject to a French tax at the rate of 50 percent. The proposal would tax the income of the Belgian selling subsidiary currently unless reinvested in operations in less developed countries. This means that the American-owned foreign producer would be faced with the alternative of paying the tax on this income or placing the funds in what may be a risky venture in a less developed country, thus depriving its European facility of expansion capital. In order to compete effectively with foreign producers it is likely that the taxpayer will, in most cases, elect to pay the tax, while the foreign-owned producer will continue to defer its national tax on the profits realized by its Swiss selling company.

By imposing tax on these operations, it cannot be expected that they will be removed from Europe and conducted in the United States. If they are moved anywhere, it is most likely they will be conducted in the country where the production takes place. In this way the overall tax burden of the American-owned foreign enterprises will be increased and our own ultimate tax reduced as a result of the increased foreign tax credit. This form of tax neutrality makes little sense. Instead our objective should be to assure that American-owned business based abroad be given maximum tax equality with its foreign competitors.

It is a well known fact that most of the European countries permit local enterprises to utilize the financial and other facilities available in Switzerland to the same extent as the United States does today. It would seem to be an unwise policy to unilaterally adopt tax measures which would require basic changes in American-owned operations abroad, while our foreign competitors continue to enjoy the status quo.

The idea that a dollar earned by American business abroad should bear the same income tax burden as a dollar earned in the United States assumes that the foreign tax credit granted under our law adequately compensates for imposition of foreign taxes. However, this is only true where the taxing jurisdictions have comparable tax systems. A credit for foreign income taxes is wholly inadequate where turnover taxes and miscellaneous excise taxes account for most of the national revenue of the foreign taxing jurisdiction. Subjecting income to tax in the United States would result in double taxation rather than tax equality.

The provision which imposes tax on a foreign subsidiary's profits which are not invested in certain forms of permissible property may be characterized as the allowance of a special deduction from taxable income for certain types of preferred investments. Application of U.S. tax under this provision may be prevented by reinvesting profits in the subsidiary's existing business, but profits used to start a new business would be subject to tax. Tax could also be avoided by investing in a less developed country operation. These distinctions lack a sound basis in tax policy. If the impact of foreign competition forces the subsidiary into other fields, the same tax treatment should apply in this situation as is applicable when the subsidiary expands existing plant facilities to meet the increased output or greater productivity of its foreign competitors. In his balance-of-payments message to Congress last year, President Kennedy assured us that he did not intend to propose tax rules which would penalize legitimate investment abroad. The term "legitimate investment" is his, not mine. I cannot understand why an investment in a new business—whatever that may be—is any less legitimate than the expansion of an existing one.

In regard to the deduction allowed for profits invested in less developed countries, I can appreciate the administration's recognition of the need to continue the application of tax deferral in these cases. For obvious reasons, we should encourage the flow of private capital to these areas. However, this principle applies equally to profits earned in the United States. The basis of the bill's attack on American-owned foreign subsidiaries is that their profits should be subject to the same tax burden as are domestic corporations. Once this is achieved through elimination of tax deferral, uniform tax rules should apply. If we are encouraging foreign subsidiaries to invest in less developed countries, domestic corporations should receive the same encouragement. In withholding the tax deduction for these investments from domestic corporations, the bill is applying a double standard. To this extent it may well have a reverse effect; that is, it may encourage American business to establish production facilities abroad to obtain benefits not otherwise available. Indeed, serious consideration should be given to the possibility that the net effect of narrowing tax deferral generally will create a greater incentive for American business to take advantage of the remaining areas of deferral by moving production abroad.

TAX AVOIDANCE

The third objective advanced by the administration in support of its tax proposal in the foreign area is that there is a need for corrective legislation to deal with the so-called tax haven abuses. There are two features of our present tax law which encourage this form of tax avoidance. First, as I have already indicated, our income tax does not extend to the foreign income of a foreign corporation. It becomes important, therefore, to define for this purpose the source of the corporation's income. The tax law has long contained source rules. For example, the source of income derived from the purchase and sale of property, that is, export income, is derived from the country in which title to the property passes to the purchaser. The source rules also provide that royalties from patents and other similar rights have a source in the country in which the patent is used. The source of dividend income is in the country where the payer is incorporated and the source of interest is in the country where the debtor resides.

A domestic corporation receiving income in these forms would, of course, be subject to tax regardless of the source. However, if the domestic corporation creates a foreign corporation and places in that foreign corporation the right to receive items of foreign income, the U.S. income tax is postponed until the foreign corporation distributes its income in the form of a dividend to the U.S. corporation.

Tax avoidance in this area should be defined rather precisely because there are many misconceptions about it. First, there are cases in which taxpayers selling abroad can and do avoid U.S. tax by abusing existing source rules. Most of this type of avoidance occurs in the area of intercompany pricing. The term "tax avoidance" has also been used to describe the completely legitimate methods used by large publicly held American corporations with foreign operations to minimize U.S. taxes.

Let me illustrate. A domestic manufacturing corporation sells part of its output abroad. Instead of selling directly to customers or to independent brokers, it sells to its own foreign subsidiary at cost plus a 5 percent markup. Any further profit realized by the foreign subsidiary would not be subject to U.S. tax until distributed to the parent as a dividend. If arm's-length prices of comparable products are cost plus 20 percent, then there is clearly a distortion of the domestic corporation's income. But if the 20 percent profit margin is reflected in the intercompany price and the subsidiary on sales to third parties realizes an additional 20 percent profit, there has been no distortion or tax avoidance. Nevertheless, the bill would impose U.S. tax on the subsidiary's profits in either case.

To the extent that this is a problem, the Treasury Department has adequate tools under existing law. Artificial intercompany pricing arrangements may be attacked under section 482 of the Internal Revenue Code. In this connection it is noteworthy that the bill contains special provisions amending section 482 to assure that a proper allocation of income is reached in these cases. Why then does the bill impose U.S. tax on the sales income which is allocated to the foreign subsidiary under section 482, as amended, since by definition the intercompany prices thus determined are proper? There is such a disparity between the corrective measure and the abuse that it is difficult to tell precisely what lies behind this provision of the bill.

Tax avoidance has also been used to describe the organization of an American-owned foreign corporation in such a manner as to minimize foreign taxes.

Thus, an American corporation with a manufacturing subsidiary in Germany may be taxable by the United States on export profits even though no part of the operation has any connection with the United States other than ownership. This may be illustrated by the chain of corporations I have already described, that is, an American corporation with a Belgian, German, or Swiss, or some other subsidiary through which its foreign operations are coordinated.

It is not clear why the United States has an interest in the extent to which an American-owned foreign subsidiary competing with European-owned companies minimizes foreign taxes. Indeed, the reduction of foreign taxes reduces the foreign tax credit and will increase the ultimate U.S. tax imposed at the time of repatriation. The present system enhances the possibility of increased revenues. In any event, the answer to this problem does not lie in imposing unilateral penalties on the current profits of foreign-based American-owned business operations. This is an international problem which should be resolved on a multilateral basis.

As already indicated, the bill would also impose a tax on profits of a foreign subsidiary which are not invested in certain specific types of permissible property. This provision is in the nature of a tax on accumulated profits. A possible basis for the provision is that amounts are now being held abroad simply for the purpose of avoiding the current imposition of U.S. tax. While there may be isolated instances of this, it is unlikely that the intensity of foreign competition would permit large accumulations of idle capital abroad. Here again, there seems to be little relation between the abuse and the sanction.

Drastic changes in existing tax treatment of foreign income are premature. Even if changes were limited, as the present bill is not, to problems of avoidance of U.S. tax, information as to the extent of this form of tax avoidance is wholly inadequate. For example, prior to 1960 the Internal Revenue Code required information to be filed as to each creation of a new foreign corporation. However, because of a defect in the law, few returns were received. This defect was corrected in 1960. The inadequacy of this type of information was illustrated in one of the documents supporting the President's tax message in which it was admitted that the only information available on the number of American-owned Swiss corporations was obtained through the consulate general in Zurich.

In 1960 the code was also amended to require domestic corporations to file annual information returns covering the activities of their foreign subsidiaries. The first returns under this amendment will be filed this year. It seems to me that Congress would be acting prematurely if it approved any legislation in this field at the present time before this new information is received and analyzed.

I would like to call your attention to an effect this bill will have which has received little notice but is what I regard to be an unprecedented and unwise action on the part of Congress. Because of certain changes that the bill makes to existing law, it will result in abrogating certain treaties. To the extent that the bill's provisions are inconsistent with a treaty obligation of the United States, the law will prevail and the treaty obligation will be abrogated. The reason for the provision—and I am referring to section 21—is that a number of the provisions in the bill are in conflict with income tax conventions we have negotiated with European countries. I question the wisdom of abrogating by legislation our treaty obligations even in the technical field of international taxation, particularly, when we are approaching a time of negotiation in trade and other economic matters with the Common Market countries. It seems to me that the problem of so-called tax havens is a proper subject for multilateral discussion with Europe and may even be susceptible to solution through international agreements. With these discussions forthcoming, and the U.S. position in world competition rather precarious, I cannot think of a more inappropriate time than the present to enact hastily prepared legislation which would change longstanding rules for the taxation of American business abroad.

Lastly, Mr. Chairman, let us examine in greater detail the withholding proposal. I am opposed to it and do not think that the majority has made out a case for it.

I share the concern of the Treasury and the committee about the failure of some taxpayers to report fully and properly all of their income on which tax is owed. All of us, I am sure, would want to support any plan that would improve the reporting of income, provided of course the gain to be derived from any plan exceeds the costs of administration, and provided the plan is fair.

Withholding on wages has served us well. The proposed plan to withhold 20 percent of tax on interest and dividends, however, bears little or no relationship to our system of withholding on wages. In point of fact, it would be extremely expensive and perhaps impossible to equate interest and dividend withholding with wage withholding.

Wage withholding is coupled with safeguards—safeguards for the taxpayer and safeguards for the Government. In wage withholding, overwithholding is effectively kept to a minimum—and almost eliminated. The 18-percent rate has built into it the standard deduction. Each wage earner may use his personal exemption, including all his exemptions for dependents, in fixing the amount of withholding. An information return, form W-2, tells him the gross amount to report, and the amount of the tax withheld to credit. The W-2 form also provides an immediate check to the district director, who must compute prompt refunds where necessary. No such system is proposed or is apparently now in the cards for dividend and interest withholding.

The bill would impose withholding on interest and dividends at a flat 20 percent rate without adjustments for personal exemptions and without accompanying W-2 type receipts to assist taxpayers and the Treasury. At the last minute, the committee amended the bill to permit exemption certificates, but as hastily drafted, the provisions for exemption certificates add more confusion than equity to the withholding proposals.

Exemption certificates are in no event permitted for interest on marketable securities. Apparently exemption certificates are permitted for some individuals

but not exempt organizations—in the case of dividend income.

In the case of individuals, the paying agents are supposed to keep track of the ages of exempt persons under age 18. An individual over age 17 must file an exemption certificate annually—if, subject to severe penalty for error, "he reasonably believes that he will not"—after application of certain credits—"be liable for payment of any tax."

In the usual situation, where securities are held in the name of brokers or nominees, the use of exemption certificates is left to the discretion of the Secretary or his delegate.

Many nonresident aliens are now subject to withholding at less than the proposed 20 percent rate by treaties. We are now asked to abrogate these solemn international compacts by voting a provision to the effect that in the case of interest and dividend withholding, the tax "required to be deducted and withheld shall not by reason of the provisions of any treaty be less than 20 percent of such amounts." So much for the good faith of the United States of America under this proposal that the majority is now making.

Much emphasis is placed on the quick refund procedure—proposed quarterly refunds for overwithholding. Qualification for quarterly refunds, however, is complicated, confusing, and extremely limited. The amount of refunds may not exceed what is defined as an individual's refund allowance. The refund not exceed what is defined as an individual's expected deductions for personal exemptions, plus, second, his retirement income, less, third, any income which is not subject to withholding for dividends and interest. No claim for refund may be filed by an individual whose gross income is expected to exceed $5,000, or a married individual whose income of himself and his spouse is expected to exceed $10,000 or a head of a household or surviving spouse who expects his gross income to exceed $10,000, or by a child, unless he expects that his parents will not be allowed an exemption for him for the taxable year.

Even with these limitations, the Internal Revenue Service will be flooded with refund claims, and refunds will have to be paid on faith. It will be absolutely impossible to handle prompt refunds and check the propriety of the refund claims.

It should be observed that in the wage field, many persons would not have the money to pay the tax if the tax is not withheld. In the case of dividends and interest the reporting problem seems greater than the paying problem, and the major problem of reporting is not solved by the bill before us. What is needed is information.

Substantial funds have been appropriated for the much celebrated electronic or automatic data processing program for the Internal Revenue Service. To make this program work, the Congress, at the request of the administration, has passed a law requiring the use of numbers on tax returns and information returns. The combination of information returns with a numbered account for each taxpayer, with full use of automatic data processing, is now promised. Clearly, if automatic data processing will be as effective as promised by its proponents in the Internal Revenue Service, withholding on dividends and interest soon will be outmoded or, if needed, will at least be workable. Until automatic data processing is in full swing, or a more workable and fair method of withholding is devised, we should not adopt the stopgap, crude, unfair method of withholding of the kind presented to us in this bill.

Much of my research on the subject of withholding has been provided by the former General Counsel of the Treasury Department, Mr. David A. Lindsay. Yesterday, it will be recalled, the chairman of the Ways and Means Committee referred to a speech made by Mr. Lindsay, who is my brother, in September 1960 in which reference was made to the amount of uncollected taxes represented in dividends and interest. The implication was clear, unfortunately, that Mr. Lindsay favored withholding. Quite the contrary, he opposes it; and in his speech he points out that modern data processing will make withholding archaic and that it will result in unfair, massive overwithholding. When the committee rises and we go back into the House, I intend to ask unanimous consent to have the pertinent parts of Mr. Lindsay's speech inserted at this point in the RECORD:

REMARKS BY DAVID A. LINDSAY, GENERAL COUNSEL, U.S. TREASURY DEPARTMENT, BEFORE THE TAX INSTITUTE SYMPOSIUM, CHICAGO, ILL., SEPTEMBER 29, 1960

A subject of interest to the Treasury and management alike is the gap in reporting certain income and possible measures that might be taken to close the gap. While the problem is not limited to dividends and interest, particular attention has been given to those items in recent years. Recent studies have indicated a gap in the amount of dividends paid to individuals and the amount of the dividends reported on individual tax returns of approximately $1 billion, or failure to report about 10 percent of the total amount of dividends received.

It should be noted that a portion of unreported dividends would not have been taxable since the total includes amounts received by individuals required to file but not subject to tax and by individuals entitled to an offset as a result of the $50 dividend exclusion.

It was also estimated that about $3 billion of interest, which is about one-half of the interest received by individuals, was not reported. Here again, a portion of the unreported interest would not have been taxable.

In the last session of Congress, the Senate Finance Committee instructed the staff of the Joint Committee on Internal Revenue Taxation, in cooperation with the Treasury, to study the possibility of instituting a withholding system. While the Treasury's own studies on withholding have covered broader areas than dividends and interest, the Senate Finance Committee and the joint committee staff have focused attention on dividends and interest, and more particularly on dividends. As a result of joint studies to date, it appears that it would be extremely difficult, if not impractical, to institute an adequate withholding system for interest payments at this time.

While the mechanics of withholding are less difficult in the case of dividends, here, too, there are a number of difficult problems.

From the standpoint of the Internal Revenue Service, a withholding system on dividends and interest would appear to require dividend and interest payers to furnish a form or forms similar to the W-2 form used with wages. Such a form would show the taxpayer the net dividend or dividends he received, the tax withheld, which he should take as a tax credit, and the gross dividend to be reported in his return. The form would be attached to the return. It would be used to support and to speed refunds in the many instances of overwithholding due to withholding in the case of tax-exempt institutions and nontaxable individuals and overwithholding in the case of elderly and retired persons, many of whom would be in low-income brackets.

With exceptions, it would be simpler from the standpoint of management to handle withholding without issuing a W-2-type form to the taxpayer.

The largest gap in interest and dividend reporting comes from the cumulative effect of many failures to report small amounts. Particularly with respect to interest, we are dealing with a myriad of small holdings and small accounts. Moreover, in many instances there are interposed between the payer and the recipient a number of levels or tiers, such as transfer agents, nominees, and fiduciaries. In addition, there is a large turnover in shareholder accounts.

If across-the-board withholding is instituted without the necessity of payers furnishing statements on W-2-type forms to taxpayers, the Treasury might be faced with a problem as, or possibly more, serious than the present gap in reporting. The Internal Revenue Service would be pressured to make refunds promptly, as it does in the case of overwithheld wages, but without the benefit of a simple check against the taxpayer's copy of the withholding form, and without time to make an audit of the claimant's tax return.

Ultimately, through the development and utilization of electronic data processing machines, referred to as our automatic data processing program, it is possible that withholding on dividends, interest, and other items as well, will become unnecessary or, if considered advisable, will be more practical than it is at the present time. To achieve optimum utilization of electronic data processing machines, it will be necessary to introduce a permanent taxpayer account numbering system, primarily based on social security numbers. A taxpayer account numbering system would be helpful even without automatic data processing as it would clearly facilitate matching of returns. Names appear in a variety of ways, and addresses vary. Numbers can be compared with exactitude. Also, to achieve optimum results, it is necessary to increase our efforts toward coordinated planning among Federal and State tax collecting agencies and management.

Not only the Internal Revenue Service but also several of the large corporations which disburse their own dividends, and many of the disbursing agents, primarily banks and trust companies, have on order, or plan to order, expensive machinery, some of which could dovetail with the Federal program and some of which might not. In planning for the future use of such machines, it is essential that mutual problems and needs are understood in the hope that the planning can be coordinated intelligently.

In the meantime, every effort should be made to improve reporting of dividends and interest as well as other forms of income within the framework of existing law. It appears that much of the gap in reporting is due to negligence, but some of the failure to report is willful.

Last year the Treasury called upon many groups active in the dividend and interest field to cooperate in an information program designed to obtain more complete reporting of dividend and interest income. The program resulted in more than 75 million special notices being mailed to recipients of dividends and interest. This distribution was supplemented by a coordinated information campaign using newspapers, magazines, radio, and television. National associations notified their State and local members in writing and orally, urging full cooperation. Posters were prepared and distributed. In some areas there was joint sponsorship of newspaper items on the subject. Excellent cooperation was given by tens of thousands of corporations, banks, and individuals.

Only about 5 months have elapsed since the filing date for the returns covering the year 1959, and therefore it is too early to appraise fully the extent of increased reporting of dividends and interest. Nevertheless, we do have indications of the program's success from district directors' offices, from examinations of selected tax returns before and after the program was instituted, and from the increase in receipts from individuals on nonwithheld income. Larger surveys are underway and should be completed by the end of the year. These should provide further information on the effectiveness of the program.

As indicated earlier, some of the failure to report is willful. The Department of Justice readily agreed to cooperate with the Service in a vigorous enforcement program. Special attention has been given to cases involving the failure fully to report dividends and interest. More than 300 such cases are now in various stages of investigation or prosecution. Thirty-one convictions have been obtained resulting in the imposition of fines ranging up to $30,000, and in some cases imprisonment.

It is expected that the matter of withholding will be considered by the 87th Congress and that advantages and disadvantages of withholding will be weighed against the results of the program which I have just described.

I shall not venture a prediction concerning either future congressional action in this area or the possibility that immediate solutions to problems presently inherent in withholding will be found. I do suggest, however, that legislation for the sake of legislation, legislation that ignores the major area of gap by focusing only on dividends or by setting a ceiling under which amounts distributed would not be subject to withholding, would be ineffective for purposes of closing the gap.

Mr. MILLS. Mr. Chairman, I yield such time as he may desire to the gentleman from Texas [Mr. THOMPSON].

Mr. THOMPSON of Texas. Mr. Chairman, I shall vote for the bill and against the motion to recommit.

Mr. Chairman, one of the constructive features of the bill now before us is the encouragement and financial assistance it gives farmers who wish to modernize equipment and increase efficiency of their crop and livestock production operations.

The significant provision in relationship to agriculture is the allowance of a 7-percent tax credit for investment in equipment and machinery.

The growing importance of mechanization to American agriculture is illustrated by the fact that as of today the investment in machinery and motor vehicles on farms is nearly $16 billion.

Farmers annually spend over $2.5 billion for machinery and motor vehicles.

The rapid expansion in mechanization of farm operations began back in the 1940's when wartime labor shortages and favorable prices encouraged a substitution of machinery for hand labor. More recently the cost-price squeeze has caused farmers to continue investing in machinery and equipment to achieve lower unit costs that will maintain, and even increase, incomes.

In the Corn Belt, farmers producing 10,000 to 14,000 bushels of corn can reduce harvesting and storing costs from 10 to 15 percent through use of mechanical picker-sheller and mechanical drying equipment.

Mechanical cherry pickers and associated equipment reduce harvesting costs in Michigan about $35 per ton.

On medium and large clay-soil cotton farms in the Mississippi Delta, advanced technology including mechanical harvesting would increase returns to land and management severalfold compared with current practices. Similar comparisons indicate more than a doubling of returns on deep, moderately sloping land in southwest Oklahoma.

Even in livestock production the shift from a low to a high level of technology will increase the income one man can earn by 70 to 80 percent in poultry, hog, and dairy enterprises. Improved technology in livestock production requires increased investments in buildings as well as in machinery and equipment, but it is clear that increased mechanization is a must for both the livestock and the crop farmer.

Under the bill the tax savings resulting from investment credit on a $5,000 tractor would be $350, reducing the farmer-buyer's net outlay to $4,650.

Other tax savings range from $217 on irrigation equipment to more than $2,000 on a large, caterpillar type tractor.

Tax savings resulting from the investment credit on purchases of a typical list of farm equipment items follow:

Item	Approximate cost	Reduction in cost through tax savings from 7-percent credit	Net cost after 7-percent credit
Cottonpicker, self-propelled, 2-row	$17,000	$1,190	$15,810
Tractor, 80-89 horsepower	5,000	350	4,650
Large caterpillar-type tractor	30,000	2,100	27,900
Self-propelled combine, 16-foot	8,500	595	7,905
Rice self-propelled combine, 18-foot	10,000	700	9,300
Cornpicker, sheller, and dryer	8,000	560	7,440
With tractor	13,000	910	12,090
Mechanical cherry-picker and associated equipment	11,000	770	10,230
IRRIGATION SYSTEM (SOUTHEASTERN STATE)			
General farm	3,100	217	2,883
Tobacco farm	4,600	322	4,278
Peach orchard	8,900	623	8,277

Mr. MILLS. Mr. Chairman, I yield 5 minutes to the gentlewoman from Michigan [Mrs. GRIFFITHS].

Mrs. GRIFFITHS. Mr. Chairman, surprising as it may seem to some of my friends on my side of the aisle, I would like to say a few kind words about the tax-investment credit. It has been said both privately and publicly, and by polls taken in some newspapers, that this is really a bonanza for the rich. To some extent it is a bonanza. They are already permitted a 100-percent writeoff on their equipment in their plants, and this will give them 7 percent more. But it is not a bonanza aimed only at those who own plants; it is a bonanza aimed at the long lines of unemployment throughout this Nation.

Those lines of unemployment in our hometowns have been created in this country because of the lack of customers. America was the first nation that discovered businesswise that customers were better than colonies. You could pay any price for raw material if you could ask any price for the finished product. We are the largest sellers of goods abroad, but we regard that market as a secondary market. We are not too interested, really.

Today, however, through our own efforts we have poured our own treasure into building up the nations of the world. Therefore, it is essential that we be able to compete in the marketplaces of the world on a fair basis. That is all we are asking, not to lower our own standard of living, but to be able to sell. This bill is one attempt to make it possible for American industry to compete on a fair basis.

We have more equipment that is 10 years old than any nation in the free world. We give less of a writeoff. We have less capital formation on a percentage basis than any nation in the free world. We are up against the tough realities of life. We have to be able to sell, not alone in this Nation, not alone in Europe, but we must be able to sell in the rest of the Americas, in Asia, in Africa, and the only way we are going to be able to do it is to have productive machinery combined with the smartest management and the most productive labor in the world. Then we will be a great competitor.

This part of the bill is an earmarked tax reduction as opposed to an earmarked tax. It is an ear-marked tax reduction, to make possible the building up of additional and better equipment in this country in order to make us better competitors in the markets of the world.

I urge you to oppose the motion to recommit and to vote for the bill which will put America back to work.

Mr. BAKER. Mr. Chairman, I yield 5 minutes to the gentleman from Kansas [Mr. ELLSWORTH].

Mr. ELLSWORTH. Mr. Chairman, the administration's proposal to start taxing foreign income earned by overseas branches or subsidiaries of American firms is bad—bad for American workers' job security, bad for the gold flow problem, and bad for America's position as the powerful industrial and economic leader of the free world.

The administration's public relations campaign on this issue has been dominated by four myths—and these same myths have even cropped up here in Committee debate yesterday and today. The administration and its followers continue to cling to the old mythology—probably mostly to avoid that very worst of Government embarrassments: the admission that they have been wrong all along.

The first myth we have heard is that American investment in Europe means less investment and so less jobs in the

United States. Mr. Chairman, that is nonsense. Establishing plants in Europe has been imperative to preserve or create markets that would otherwise have been lost to European competitors. There was no chance of supplying those markets with goods made in America—because of transportation or other costs, or because of the necessity for close knowledge of local conditions, or because of other marketing or business reasons.

In fact, it is not possible to find any significant value or volume of imports back to the United States from branches set up abroad.

In fact, the opposite is true: Overseas branches and subsidiaries create and preserve job opportunity and security for American workers. In each of the last 4 years, for example, 19 big American firms alone sold over $150 million worth of American-made equipment, components, supplies, and materials to their worldwide branches.

This ties in to the second myth: The outworn slogan that cutting down on European investment would substantially help the balance of payments. There is a grain of truth in this, as there is in all myths, but basically it is nonsense. Look at the facts.

With no allowance for offsets, the gross cost to our balance of payments, of the invasion of Europe in the peak year of 1960, was only $280 million. Compare that figure with the $31 billion of total payments by the United States, with the payment deficit itself of $3,900 million, or with the payment outflow on direct investment account of $1,700 million.

Moreover, the figures usually cited are phony because they include locally borrowed money—Belgian francs, for example, borrowed at subsidized rates of interest—and reinvested or plowed back earnings of firms already established overseas.

Obviously, these amounts have no impact whatever on the American balance of payments and should not be included as if they did.

A third myth that administration followers have repeated over and over again, in an effort to sell their trade bill, is the myth that American firms establish branches in Europe to get inside the tariff wall around the Common Market. That is not so. They establish branches in Europe because the markets for their products are big and growing bigger.

I challenge anyone to name a single American company whose main reason for setting up operations in Europe was the new Common Market tariff.

The fourth myth is the false idea that the exclusion of oversea income from U.S. taxation was invented in the postwar period as an incentive for private investment. That is not so. The provision has been in the law since the Revenue Act was enacted in 1913, and it should be left there now.

To sum up, Mr. Chairman, I urge the committee to decide this issue on the basis of the facts, and its appreciation of the fast-moving world we live in—not on the basis of a series of myths, palmed off on us in the course of a high-powered advertising campaign.

The administration's proposal is bad—bad for American workers' job security, bad for the gold flow problem, and bad for America's position as the industrial and economic leader of the free world.

I urge the committee to defeat this portion of the pending bill.

Mr. MILLS. Mr. Chairman, I yield 10 minutes to the gentleman from California [Mr. KING].

Mr. KING of California. Mr. Chairman, I wish to address myself to what I consider to be the central issue in this debate, the matter of dividend and interest withholding.

The Republicans have described this provision as resulting in massive overwithholding. The description in my opinion does not square with the facts.

These are the simple facts.

First. At the present time, there is positive evidence of evasion to the extent of $850 million in taxes a year. On this figure, there is no dispute.

Second. This is not corrected by publicity campaigns. A large-scale effort to tell dividend and interest recipients about their tax liability in 1959 did not reduce the tax evasion.

Third. This tax evasion will not be stopped by information returns and automatic data processing.

Fourth. The withholding provisions of the bill are simple and efficient. The overwithholding involved is completely trivial. I use the word "trivial" intentionally.

To indicate the magitude of the evasion problem, I direct your attention to the following table:

TABLE 1.—*Selected examples of substantial underreporting of dividends and/or interest in 1961 fraud-prosecution cases* [1]

Case No.	Dividends and/or interest: Determined to be reportable	Reported on return	Underreported	Tax year	Adjusted gross income per return	Occupation of taxpayer
1	$3,823	$3,462	$361	1954	$10,727	Busdriver.
	5,303	3,995	1,308	1955	11,279	Schoolteacher.
	6,130	4,118	2,012	1956	10,631	
	6,969	4,163	2,806	1957	10,499	
	7,089	4,007	3,082	1958	8,646	
2	1,284	----------	1,284	1954	1,518	Insurance agent and farmer.
	1,319	----------	1,319	1955	2,639	
	1,403	----------	1,403	1956	4,571	
	1,905	----------	1,905	1957	4,966	
3	567	80	487	1954	(521)	Attorney
	900	110	790	1955	528	
	1,233	148	1,085	1956	121	
4	267	----------	267	1955	5,448	Farmer and dairy operator
	2,149	----------	2,149	1958	5,485	
5	3,353	924	2,429	1955	10,451	Insurance salesman
	4,562	1,556	3,006	1956	8,810	
	4,167	2,184	1,983	1957	7,375	
6	6,109	250	5,859	1954	1,581	Truck gardener.
	5,778	----------	5,778	1955	1,640	
	5,704	----------	5,704	1956	1,604	
	5,387	----------	5,387	1957	1,621	
7	493	----------	493	1954	(?)	Check cashier.
	591	----------	591	1955	(?)	
	728	----------	728	1956	(?)	
	636	----------	636	1957	(?)	
	901	----------	901	1958	(?)	
8	1,002	----------	1,002	1954	4,025	Doctor.
	985	----------	985	1955	4,147	
	1,301	----------	1,301	1956	(50)	
	1,473	908	565	1957	3,674	
9	10,410	4,235	6,175	1953	4,403	Wholesale merchant.
	11,733	5,755	5,978	1954	558	
	13,336	11,977	1,358	1955	7,418	
10	95	----------	95	1956	(?)	Attorney and tax practitioner.
	398	----------	398	1957	(?)	
	346	----------	346	1958	(?)	
11	802	----------	802	1955	7,951	
	1,098	----------	1,098	1956	15,198	Printer.
	2,428	----------	2,428	1957	14,275	
	2,518	----------	2,518	1958	5,341	
12	1,038	----------	1,038	1954	4,140	Dance studio manager.
	1,220	----------	1,220	1955	2,576	
	1,615	----------	1,615	1956	3,982	
13	$12,248	$2,505	$9,743	1955	$13,501	Retail merchant, investor.
	14,546	2,901	11,739	1956	26,180	
	9,309	3,137	6,072	1957	(17,968)	
14	16,703	----------	16,703	1955	(?)	Retired.
	18,852	----------	18,852	1956	(?)	
	19,100	----------	19,100	1957	(?)	
15	866	113	753	1954	440	Chiropractor
	1,189	114	1,075	1955	462	
	1,987	655	1,332	1956	2,424	
	2,618	1,105	1,513	1957	1,512	
16	3,590	480	3,110	1954	6,166	Dentist.
	4,727	520	4,207	1955	4,400	
	5,402	650	4,752	1956	7,720	
	6,205	632	5,573	1957	8,837	
	7,293	1,991	5,302	1958	11,084	
17	2,648	----------	2,648	1954	6,202	Service station appliances.
	4,484	----------	4,484	1955	6,185	
	4,544	----------	4,544	1956	6,613	
	4,984	----------	4,984	1957	6,805	
18	1,993	----------	1,993	1954	2,216	Dentist.
	1,952	----------	1,952	1955	2,101	
	2,129	----------	2,129	1956	2,133	
	2,257	----------	2,257	1957	789	
19	4,181	51	4,130	1954	(21,027)	Drycleaning and laundry.
	3,900	----------	3,900	1954	(15,041)	
	4,606	2,100	2,506	1955	(5,834)	
	8,499	1,556	6,943	1956	(7,85[illegible]	
	9,725	8,600	1,125	1957	14,079	
20	5,916	1,533	5,383	1954	403	Fruit dealer and moneylender.
	6,234	1,109	5,124	1955	(14)	
	7,088	897	6,191	1956	(524)	
	8,435	871	7,564	1957	(612)	
	8,906	1,439	7,467	1958	(483)	
21	24,666	13,729	10,937	1954	3,640	Loan business.
	31,771	19,827	11,944	1955	13,540	
	31,612	20,462	11,150	1956	14,089	
	29,108	22,176	6,932	1957	16,561	
22	8,125	1,723	6,402	1954	9,032	Attorney and farming rentals.
	11,417	1,592	9,825	1955	1,036	
	9,121	1,826	7,295	1956	19,431	
23	2,602	----------	2,602	1954	5,680	Naval officer.
	2,082	680	2,762	1955	8,250	

See footnotes at end of table.

TABLE 1.—*Selected examples of substantial underreporting of dividends and/or interest in 1961 fraud-prosecution cases* [1]—Continued

Case No.	Dividends and/or interest: Determined to be reportable	Reported on return	Underreported	Tax year	Adjusted gross income per return	Occupation of taxpayer
24	$3,623	$270	$3,351	1956	$4,089	Ice company operator.
	3,960	510	3,450	1957	6,677	
25	2,082	----------	2,082	1954	(?)	Attorney.
	1,741	----------	1,741	1955	(?)	
26	855	----------	855	1954	(?)	Insurance business.
	1,811	----------	1,811	1955	(?)	
	3,016	----------	3,016	1956	(?)	
	5,837	----------	5,837	1957	(?)	
27	2,427	813	1,614	1954	3,781	Salesman.
	2,939	998	1,941	1955	3,416	
	3,334	1,214	2,120	1956	3,753	
	3,848	1,633	2,215	1957	3,546	
	3,959	1,942	1,987	1958	4,834	
28	3,458	806	2,652	1954	3,412	Funeral home operator.
	5,250	757	4,493	1955	5,063	
	3,992	1,083	2,909	1956	3,935	
	4,030	1,383	2,647	1957	577	
29	990	----------	990	1955	3,907	Funeral director.
30	$2,086	----------	$2,086	1956	$6,003	Funeral director.
	3,076	----------	3,076	1957	6,191	
	8,936	----------	8,936	1954	3,924	Engineer investor.
	14,681	----------	14,681	1956	4,914	
	23,338	----------	23,338	1956	4,396	
31	1,050	----------	1,050	1954	(?)	Attorney.
	1,689	----------	1,689	1955	(?)	
	1,975	----------	1,975	1956	(?)	
	1,779	----------	1,779	1957	(?)	
32	4,489	$397	4,092	1954	22,431	Partner, bottling company.
	7,562	2,292	5,270	1955	34,020	Investor.
33	21,474	10,421	11,053	1954	6,898	
	21,197	9,759	11,438	1955	9,455	
	24,675	13,568	11,107	1956	11,450	
34	1,278	192	1,086	1955	12,999	Doctor.
	1,439	137	1,302	1956	11,530	
	1,347	130	1,217	1957	10,981	
	1,477	127	1,350	1958	12,941	

[1] Convictions secured during 1961.
[2] No return.

Source: Treasury Department.

TABLE 2.—*Selected examples of substantial underreporting of dividends and/or interest in 1960 fraud-prosecution cases* [1]

Case No.	Dividends and/or interest: Determined to be reportable	Reported on return	Underreported	Tax year	Adjusted gross income per return	Occupation of taxpayer
1	$6,110	$250	$5,860	1954	$1,582	Farmer.
	5,779	----------	5,779	1955	1,641	
	5,705	----------	5,705	1956	1,606	
	5,388	----------	5,388	1957	1,621	
2	4,490	397	4,093	1954	22,432	Picture theater.
3	1,993	871	1,094	1954	3,109	Maintenance service.
	1,994	837	1,157	1955	4,079	
	927	----------	927	1956	4,912	
	2,194	1,696	498	1957	5,379	
4	3,143	----------	3,143	1953	1,490	Broker, sales.
	5,695	----------	5,695	1954	1,501	
	6,046	----------	6,046	1955	1,402	
5	7,371	----------	7,371	1953	4,366	Homebuilder and farmer.
	10,459	----------	10,459	1954	24,464	
6	16,221	3,449	12,872	1955	19,082	Furniture store.
7	7,009	3,030	3,979	1951	11,765	Attorney.
	5,947	3,439	2,508	1952	13,563	
	5,631	2,899	2,732	1953	(831)	
	11,725	7,709	4,016	1954	20,841	
8	20,785	6,183	14,602	1954	5,453	Rental property.
	48,062	9,498	38,216	1955	33,775	
	47,689	29,046	18,643	1956	45,098	
9	3,186	75	3,111	1954	4,349	Dentist.
	4,283	75	4,208	1955	4,400	
	4,828	75	4,753	1956	7,720	
	5,665	92	5,573	1957	8,223	
	5,292	----------	5,292	1958	10,802	
10	1,396	----------	1,396	1953	3,289	Self-employed.
	1,576	----------	1,576	1954	2,764	
	1,835	----------	1,835	1955	2,046	
	2,400	----------	2,400	1956	4,240	
11	2,377	----------	2,377	1953	(863)	Cattle dealer.
	3,610	----------	3,610	1954	4,735	
12	12,473	6,128	6,345	1955	20,661	Executive.
	15,216	6,442	8,774	1956	79,820	
	21,777	18,947	2,830	1957	96,223	
13	2,961	1,961	1,000	1953	12,436	Salesman and salesgirl.
	3,171	2,035	1,136	1954	12,637	
	3,677	2,209	1,468	1955	10,600	
14	100,457	----------	100,457	1953	(?)	Real estate.
	78,673	----------	78,673	1954	9,554	
	68,086	----------	68,086	1955	5,588	
	74,406	22,540	51,847	1956	252,043	
15	3,140	----------	3,140	1953	2,000	Extractor.
	3,109	----------	3,109	1954	2,117	
	2,860	746	2,814	1955	2,948	
	2,231	1,420	1,811	1956	1,567	
16	28,608	----------	28,608	1953	(?)	Not stated.
	26,143	----------	26,143	1954	70,347	Delinquent return.
17	1,778	325	1,453	1953	1,660	Farming.
	1,939	350	1,589	1954	2,124	
	2,341	365	1,976	1955	1,993	
18	2,347	1,119	1,228	1956	7,480	Not stated.
19	7,163	----------	7,163	1955	16,876	Farmer.
	12,837	----------	12,837	1956	16,288	
20	$14,647	----------	$14,647	1952	(?)	Not stated.
	14,989	----------	14,989	1953	(?)	
	15,412	----------	15,412	1954	(?)	
	16,704	----------	16,704	1955	(?)	
	18,852	----------	18,852	1956	(?)	
	19,101	----------	19,101	1957	(?)	
21	11,718	----------	11,718	1954	(?)	Do.
	15,266	----------	15,266	1955	(?)	
22	3,122	----------	3,122	1955	(?)	Do.
	2,640	----------	2,640	1956	(?)	
23	973	----------	973	1953	$3,800	Store manager.
	1,117	----------	1,117	1954	7,446	
	1,423	----------	1,423	1955	7,652	
	3,609	----------	3,609	1956	24,659	
24	422	----------	422	1953	(?)	Farming.
	1,669	$658	1,011	1954	3,823	
	2,520	792	1,728	1955	2,907	
	2,424	1,436	988	1956	424	
25	2,239	----------	2,239	1953	8,615	Tax assessor and movie operator.
	2,486	----------	2,486	1954	9,045	
	3,113	----------	3,113	1955	10,638	
26	7,304	4,875	2,528	1952	16,161	Miscellaneous warehousing and trading.
9	5,303	5,271	32	1953	14,409	
	7,456	5,646	1,810	1954	15,969	
27	2,234	361	1,873	1954	12,712	Physician and surgeon.
	2,086	611	1,475	1955	13,668	
	3,203	2,310	893	1956	14,203	
28	5,064	2,580	1,084	1957	16,336	
	3,714	2,697	1,017	1958	15,445	
29	4,550	----------	4,550	1953	1,632	Retired mail carrier.
	4,664	----------	4,664	1954	1,622	
	6,010	----------	6,010	1955	1,654	
	7,308	----------	7,308	1956	1,824	
30	12,771	4,043	8,678	1954	8,514	Dentist.
	12,082	6,459	5,613	1955	11,247	
	12,877	6,892	5,985	1956	11,950	
	14,902	8,390	6,512	1957	13,612	
31	5,504	523	4,981	1953	7,883	Not stated.
	7,126	573	6,553	1954	9,088	
	8,453	1,023	7,430	1955	8,558	
	10,362	1,523	8,739	1956	6,761	
32	7,228	121	7,106	1953	2,288	Self-employed.
	6,705	1,508	5,198	1954	7,600	
	9,811	164	9,647	1955	10,652	
	18,671	336	18,335	1956	10,762	
	15,848	476	15,372	1957	13,610	
33	117,367	89,940	27,427	1953	89,940	Investments.
	113,671	93,532	20,139	1954	609,516	
	66,602	60,225	6,267	1955	153,896	
	112,950	91,410	21,540	1956	140,116	
34	5,515	2,548	2,967	1953	6,103	Printer.
	4,923	3,023	2,880	1954	6,494	
	6,015	2,885	3,130	1955	7,846	
	6,803	3,426	3,377	1956	9,300	

[1] Convictions secured during 1960.
[2] No return.

Source: Treasury Department.

TABLE 3.—*Selected examples of substantial underreporting of interest income uncovered in 1960 information document survey* [1]

Case No.	Interest covered by information documents			Adjusted gross income per return	Payer of underreported interest	Case No.	Interest covered by information documents			Adjusted gross income per return	Payer of underreported interest
	Determined to be reportable	Reported on return	Under-reported				Determined to be reportable	Reported on return	Under-reported		
1	$1,254		$1,254	$1,373	Commercial bank.	11	$2,263		$2,263	$7,549	Credit union.
2	1,055	$75	980	120,305	Savings and loan association.	12	1,562		1,562	5,681	Savings and loan association.
3	3,235		3,235	7,084	Corporation.	13	2,875		2,875	6,902	Corporation.
4	1,211		1,211	(2)	Commercial bank.	14	1,028		1,028	5,913	Commercial bank.
5	2,598		2,598	(2)	Corporation.	15	2,152		2,152	(2)	Life insurance company.
6	1,052		1,052	3,120	Commercial bank.	16	1,311		1,311	(2)	Commercial bank.
7	1,010		1,010	11,736	Savings and loan association.	17	2,636		2,636	6,534	Do.
8	1,468		1,468	102,330	Commercial bank.	18	1,227		1,227	21,084	Do.
9	946		946	9,163	Life insurance company.	19	1,962		1,962	55,062	Do.
10	1,015		1,015	373	Commercial bank.	20	1,200		1,200	54,620	Corporation.
						21	6,970		6,970	(2)	Do.

[1] Underreporting confirmed by audit.
[2] None returned.

Source: Treasury Department

TABLE 4.—*Selected examples of substantial underreporting of dividend income uncovered in 1960 information document survey* [1]

Case No.	Dividends covered by information documents			Adjusted gross income per return	Case No.	Dividends covered by information documents			Adjusted gross income per return
	Determined to be reportable	Reported on return	Under-reported			Determined to be reportable	Reported on return	Under-reported	
1	$1,250		$1,250	$354	11	$16,814	$15,890	$924	$34,161
2	3,962	$2,984	978	2,984	12	18,075	12,220	5,855	18,932
3	2,520	1,317	1,203	93,993	13	4,544	3,278	1,266	85,481
4	5,304	4,642	1,162	7,166	14	1,742	905	837	3,247
5	5,393	1,983	3,410	6,764	15	974		974	(2)
6	1,764	583	1,181	15,256	16	25,238	23,728	1,510	55,235
7	5,367	4,387	980	8,966	17	947		947	(2)
8	14,156	9,845	4,311	49,274	18	3,161	1,974	1,187	5,084
9	2,724	1,603	1,121	2,230	19	5,407		5,407	(2)
10	18,864	17,496	1,368	45,884	20	3,515		3,515	3,562

[1] Underreporting confirmed by audit.
[2] None returned.

Source: Treasury Department.

In 1959, under Republican auspices, there was a massive public information program. Banks flooded their depositors with notices telling them that they should report and pay tax on interest income. Corporations included the same kind of notices with their dividend checks. Both the banks and the corporations saw the handwriting on the wall; they saw withholding in the offing if this publicity campaign did not work. What happened? There was, on the basis of comparative audits by the Internal Revenue Service, more underreporting in 1959 than there was in 1958.

What about information returns? The case has been put by the minority that this tax evasion on dividends and interests can be stopped by greater use of information returns along with automatic data processing. What this would require is that every bank and corporation would have to submit an information return on all the dividends and interest they pay. Then the machines would match these information returns with the tax returns of the recipients to find out what dividends and interest were not reported.

This system would require 750 million information returns, 750 million to be matched with about 60 million tax returns.

This would increase by five times the number of information returns that are now received by the Government.

The result of all this matching, after the cost of preparing the information returns and preparing the information for the machines, is just a list of discrepancies which may be explained by other reasons than underreporting. In any case the discrepancies would have to be followed up by correspondence or office audits, with the taxpayer interrupting his own business to come to the internal revenue office, or by field audits with the agent going to the taxpayer's office. After settling the tax liability, it may still be necessary to use special collection procedures, tax liens, and the like, to get the money.

The Commissioner of Internal Revenue, the very capable Mortimer Caplin, has estimated that an information return procedure would produce only $200 million of revenue at a cost of $27 million. Withholding will produce $650 million of revenue at a cost of only $19 million.

I think it is clear that there is a massive tax evasion problem in the matter of dividends and interest. Publicity has not worked. Information returns will not work. Withholding, however, will work simply and efficiently.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. KING of California. I yield to the distinguished Speaker.

Mr. McCORMACK. These are the people under the present law who are supposed to pay their taxes and are not paying them; is that not correct?

Mr. KING of California. The distinguished Speaker is precisely correct.

Mr. McCORMACK. I do not understand how any Members can permit a situation like that to continue when everybody else is covered by withholding, everybody who works, no matter where they are working. Here $650 million is lost from people who are supposed to pay their taxes but are not doing so. I do not see how anybody can vote to eliminate the withholding feature of this bill.

Mr. KING of California. I certainly agree with the gentleman.

Under the bill, after exemption certificates, 15 million people will be subject to withholding. Out of these cases there will be overwithholding in only 2 million cases and in 1 million of these the overwithholding will be less than $10. In virtually all of the other cases, there will be quarterly refunds.

Two million cases of overwithholding out of fifteen million. Only 13 percent. Seventy-three percent of the persons subject to wage withholding have overwithholding today and on wage withholding there are only annual refunds.

To call this massive overwithholding, as the minority does, is, and I am using a charitable phrase, misrepresentation.

Under the bill, the filing of exemption certificates will be extremely easy for those who expect to have no tax liability. The filing of refund applications will be equally easy.

Before voting on the motion to recommit, I want you to give serious thought to the matter of whose interest you are serving when you vote to delete dividend and interest withholding.

A vote to recommit is not a vote to protect low-income widows and orphans. They are protected under the bill.

A vote to recommit is not a vote to prevent massive overwithholding. Compared to what we now impose, with virtually no protest, on wage earners, the overwithholding on dividends and interest under this bill is trivial.

A vote to recommit is a vote for tax evaders, conscious or unconscious. The record is clear. The alternatives to withholding would not work. Withholding will work with minimum inconvenience to the people involved.

No doubt many people have written to you on the basis of frightening propaganda that they have been given about withholding. On any objective analysis of this problem, these scare stories have no substance. These stories have been manufactured by people who know what the facts are and they have been deliberately circulated among other people who do not know what the facts are. The membership of this House should not be taken in by such tactics.

Mr. BAILEY. Mr. Chairman, will the gentleman yield?

Mr. KING of California. I yield to the gentleman from West Virginia.

Mr. BAILEY. Mr. Chairman, I am concerned about a fixed group under this withholding provision of this proposed legislation. I am chairman of a subcommittee that is now conducting nationwide hearings in the field of aid to the aged. I should like the gentleman to explain, so the record will show clearly, what the situation is as it affects our older citizens who have some dividend and interest income. If it is true that nobody after retirement age will be covered by this bill, that answers a part of the problem. Could the gentleman from California say whether people who have reached the retirement age are exempt from the provisions of this bill?

Mr. KING of California. They are not exempt, but there are procedures designed to afford them relief.

Mr. MILLS. Mr. Chairman, will the gentleman yield?

Mr. KING of California. I am pleased to yield to the distinguished chairman of the committee.

Mr. MILLS. Is it not true that this matter of whether taxes on interest and dividends are to be withheld from a person above the age of 17 is dependent upon that individual's tax liability? If the individual at any age over 17 feels that he will not owe a tax on the amount of interest or dividend that he receives when he receives it, then he can advise the institution of that fact and there will be no withholding with respect to him, either of interest or dividends; is not that true?

Mr. KING of California. The chairman of the committee is correct.

Mr. MILLS. It should be borne in mind by the gentleman from West Virginia, our friend, Mr. BAILEY, that the people to whom he refers over 65 have what we call a double exemption. Instead of a $600 exemption from income, they are entitled to a $1,200 exemption. A man and his wife, living together, filing a joint return would, therefore, get $2,400 of income before they would be required to pay any tax, not taking into consideration any other deductions. So that most of these people to whom the gentleman refers would be entitled to file an exemption certificate and withholding would not occur against them.

Mr. BOGGS. Mr. Chairman, will the gentleman yield?

Mr. KING of California. I yield to the gentleman from Louisiana.

Mr. BOGGS. The additional fact is that it seems that most of these people are in a special category which is not subject to the tax.

Mr. MILLS. And, in addition, there is a $50 exclusion with respect to dividend income, as the gentleman from California knows, so that all these things added together mean that most of the people over 65 will be entitled to file a certificate exempting them from withholding.

Mr. BAILEY. Mr. Chairman, will the gentleman yield further?

Mr. KING of California. I yield to the gentleman from West Virginia.

Mr. BAILEY. I would like the distinguished gentleman to clarify this situation. In the event an individual files a statement saying that they are not subject to the payment of taxes and files that with the concern from which they are getting their dividends or interest, and suppose that concern does not honor that affidavit or sworn statement and puts that person on the list for withholding, and I am thinking of a man and woman who are trying to live now on $100 a month, and I certainly would not want to see them lose $20 of that because the concern which was paying them the dividends or interest left them on the list to be withheld against and made the deduction.

Mr. MILLS. On the day that the individual is notified of the fact that there has been tax withheld unjustifiably, he can apply for a refund from the Internal Revenue Service, and we are assured by the Internal Revenue Service and the Treasury that these refunds will be forwarded to the people in not longer than 3 to 4 weeks. Actually, there is not a lengthy period involved at present from the time of receipt of a claim for a refund and the time of the actual mailing of that refund. So that at the most, in the instance to which the gentleman from West Virginia refers, there need be a delay of no more than 3 weeks before this person would receive the refund.

Mr. BAILEY. I thank the gentleman.

Mr. MILLS. Mr. Chairman, will the gentleman yield?

Mr. KING of California. I yield to the gentleman from Arkansas.

Mr. MILLS. Would the gentleman from California restate the information he gave the House a few minutes ago on this question of overwithholding in the area of interest and dividends? The charge has been made, as the gentleman knows, that there would be massive overwithholding, and that seems to justify some people in believing that no effort should be made to try to close this gap of escaping tax dollars that are presently due and owing on interest and dividends. Would the gentleman point out to the House what he said a few minutes ago with respect to the number? Did he say there would not be over 13 percent of people who draw interest and dividends who would be overwithheld on; is that the gentleman's statement?

Mr. KING of California. That is correct. The percentage is 13 percent.

Mr. MILLS. Did not the gentleman say that there are some 37 million people presently having salaries that are overwithheld on?

Mr. KING of California. The gentleman is correct.

Mr. MILLS. What percentage of people is that?

Mr. KING of California. The percentage of people there is 73 percent.

Mr. MILLS. And there are only 13 percent here; is that correct.

Mr. KING of California. The gentleman is correct.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. KING of California. I yield to the gentleman from Iowa.

Mr. GROSS. The gentleman from Virginia [Mr. HARRISON] seemed to give the impression that all of these people were wealthy young widows. Does the gentleman concur in that and could he break that down to tell us what percentage of these are wealthy young widows?

Mr. KING of California. I am not able to answer that question.

Mr. Chairman, I suppose I have received more mail opposing the withholding provision than any other Member of this House, not only because of membership on the committee but also because I am a Representative from one of the largest districts in the country. It seems clear that the vast majority of these letters were stimulated. In most instances, I cannot remember the number, perhaps an aggregate of five or six hundred letters have been stimulated by corporations, or by institutions whose leaders through the last month or two have agreed with the Treasury officials that they can live with this provision; that they can live with withholding; that it is not going to immeasurably increase their employee team; and that it is not going to bring about a reduction in the interest paid or dividends.

I must add that I do not want to seem unsympathetic about this hardship. I only wish that some of this concern about aged couples might be expressed by the same Members who are now weeping about overwithholding when it comes to legislation that deals with aged people who are in need. While I have some concern for the overwithholding that will be imposed on the couple with several thousand dollars of dividend income, I must admit that I have greater concern for the aged couple that has several thousand dollars of medical expenses and no dividend income. I have greater concern for the aged couple who are striving to make ends meet on inadequate relief payments.

Unfortunately, many of the people who have opposed dividend and interest withholding have used up all of their sympathy in bemoaning the plight of our senior citizens with common stock and have none left over for senior citizens with common sickness.

Of course, the matter of some overwithholding on aged couples has as much relation to the present problem as the famous red herring. It has been

enormously exaggerated, frequently by the same people who show very little concern for legislation dealing with the welfare of elderly persons who are in need.

Mr. Chairman, I would like now to answer some specific points that are raised about withholding in the minority report.

First. ADP should be substituted for withholding.

The minority report stresses that the Internal Revenue Service is adopting an automatic data-processing system and that this, coupled with account numbers and information returns, should be used to collect the unreported tax on dividends and interest.

The report fails to state that an ADP information return system would probably be more burdensome on the payers of dividends and interest, would be unworkable in some areas, and would, for a higher cost, recoup only one-third as much of the unreported tax as withholding.

Use of ADP information returns would necessitate requiring information returns with respect to almost all dividend and interest payments. At present, only interest payments over $600 must be reported and no reporting is required in the case of bond interest. Because of the millions of interest payments, the information return requirement would be very burdensome on the payers. When the purchaser of a bond receives interest only part of which is includible in his income, he nevertheless will be subject to audit since the information return will show him receiving the whole interest payment. On the other hand, there will be no information as to the amount taxable to the seller.

Even with an expanded information return system and a matching of these returns with the returns of the dividend and interest recipients, not one cent of tax would have been collected. There would have to be audit and enforcement followup in each case where a discrepancy is indicated. The Commissioner of Internal Revenue estimates that no more than $200 million of the $800 million annual revenue loss could be recouped through these enforcement procedures. This would be at a cost of $27 million. For only $19 million, withholding can recoup $650 million each year and still leave free the ADP audit procedures to recapture most of the remaining $150 million of the yearly revenue loss.

Second. Overwithholding on wages example of problem in dividend and interest area.

The minority report states that, despite the allowance for personal exemptions and the standard deduction, wage withholding results in 40 million annual refund claims. This figure is used to show the magnitude of the probable overwithholding on dividends and interest where no such allowance is permitted.

The minority report ignores the fact that much of the overwithholding on wages is voluntary through individuals claiming less than the number of exemptions to which they are entitled. This is done so that withholding will completely cover the wage earner's tax liability or as a form of savings. In addition, very few of the 40 million taxpayers who claim refunds complain of having to do so.

Third. Twenty percent withholding rate exceeds effective rate of tax.

The minority report states that a withholding rate of 20 percent is higher than the average effective tax rate for most recipients of interest and dividends.

The 20 percent withholding rate equals the tax rate at the first bracket. While a taxpayer at the first bracket will have a somewhat lower effective rate because of the standard deduction and dividend exclusion and credit, it is not possible to set a withholding rate at the exact effective rate because of the need for an even gross-up factor.

In addition, many interest and dividend recipients are taxable at higher than the first brackets. For example, about two-thirds of the dividend and interest recipients who file tax returns have gross income over $5,000. In comparison, almost two-thirds of those individuals reporting wages have gross income under $5,000.

Fourth. Unclaimed refunds will be large.

The minority report states in several different places that withholding will result in a large windfall to the Government in the form of unclaimed refunds. As an example, it indicates that there are some 32 million bank accounts involving withholding of less than 40 cents, and that many of the depositors in these accounts will not undertake to file either an exemption certificate or a claim for refund with the result that these withheld funds will be a windfall to the Government.

These figures are very misleading. The 32 million accounts evidently include accounts paying no interest because they are dormant accounts or accounts where no interest is paid as a matter of bank policy. Therefore, this figure in itself is open to question.

However, even assuming they are correct, it is by no means true that all the withheld funds will be forfeited to the Government. First, many of these small accounts will be automatically exempt through the exemption for all school savings accounts without regard to the filing of exemption certificates. It is estimated that savings accounts of 6 million children will fall in this category.

Second, many of the depositors will have other income—such as wages—and, as a result, will owe tax for the year. These individuals are required to file income tax returns on which they will be able to take credit against their tax liability for the 40-cent withholding. The returns will clearly show that these individuals must report their interest income and also that they may take a credit for any withheld tax. There should be no reason for them to forget to take the credit.

Third. Even though they owe no tax for the year, many of these depositors will be required to file tax returns because they have more than $600—$1,200 if over 65—of income. The returns will clearly indicate they are entitled to a refund.

Fourth. Many of these individuals will avail themselves of the exemption certificate procedure.

Therefore, after taking into account all these different situations, it seems clear that only a very small number of people will in fact forfeit their withheld tax.

Fifth. Estimate of unreported tax is overstated.

The minority report states that the Treasury estimate of $800 million of unreported tax is grossly overstated.

These revenue figures are based on Treasury estimates from data compiled from 1959 returns—the latest data available. They are in substantial accord with the estimates of the prior Republican administration. For example, Mr. David A. Lindsay, former General Counsel of the Treasury, in an address before the Tax Institute Symposium on September 29, 1960, estimated that $4 billion of interest and dividends were not reported on tax returns of individuals. To quote him:

> Recent studies have indicated a gap in the amount of dividends paid to individuals and the amount of the dividends reported on individual tax returns of approximately $1 billion, or failure to report about 10 percent of the total amount of dividends received.
>
> * * * * *
>
> It was also estimated that about $3 billion of interest, which is about one-half of the interest received by individuals, was not reported.

Sixth. There will be massive overwithholding.

The minority report repeatedly states that the withholding system will result in "massive overwithholding." In this connection, it claims that very few people will be able to avail themselves of the exemption procedures. In addition, the minority argue that the quarterly refund mechanism will be available to only a relatively few individuals.

In this respect, the minority report misstates the facts. It is estimated that 22.5 million individuals receive interest and dividends. Only 2 million of these individuals will be subject to overwithholding and only 1 million of them to the extent of more than $10 annually. Of the latter 1 million, those with annual income of less than $10,000—$5,000 if single—would be eligible for quarterly refunds.

In fact, overwithholding is almost completely avoided by the exemption system. Eight million nontaxable individuals would be eligible to file exemption certificates and, thereby, completely exempt their dividends and most forms of interest from withholding. An additional 6 million schoolchildren would be automatically exempt from withholding on their school savings accounts.

Now, Mr. Chairman, I will speak on the treatment of foreign investment income which is provided by the Ways and Means Committee bill. Of the 12 sections of the bill dealing with foreign income and assets, the minority views concentrate on section 13, dealing with controlled foreign corporations. I will do likewise.

The separate views of the Republican members of the Ways and Means Committee are not very clear as to just why it is desirable to continue to allow American controlled foreign investments to continue to postpone payment of U.S. tax beyond citing a long parade of previous reports which have favored this. The recommendations of these reports, however, related to the special time and circumstance when the report was written.

The importance of considering the circumstances of each report is made clear on page B22 of the minority views. The statement is made about the policy of deferring U.S. tax on foreign investment income that "the concern of the Treasury stems from the fact that the policy succeeded. Western Europe was transformed from a debtor to a creditor of the United States. The policy was and still is sound." Look at that statement carefully. Tax policy is credited with changing Western Europe from a debtor to a creditor of the United States. The other side of this coin is that the United States was changed, with respect to Western Europe, from a creditor to a debtor. This is the policy that they argue "still is sound." It is sound, on their argument, to continue to build up U.S. debts to Western Europe. What kind of policy is this?

The committee bill recognizes that encouragement of foreign investment had some of the effects that the minority views attribute to it but it also recognizes that this is not always appropriate.

From the standpoint of the economy, there is always some benefit to investment and consequently we tend to look on foreign investment as a good thing because it is investment. Some of the mystery surrounding foreign investment might be removed if we catalog the benefits of investment and then ask how these are affected if the investment takes place abroad.

Investment increases the return on capital funds through the profit earned. In addition, investment increases productivity and thereby jobs and wages. It is clear from our own economic history that the increase in capital invested in American industry has enormously increased U.S. output and the share of labor in this increased output has remained remarkably stable.

Despite all of the mystery surrounding foreign investment, which is accentuated by dark references to the balance of payments, investment of American funds in foreign countries has the same kind of effects. It increases the return on American capital. The return on American capital invested abroad is apt to be relatively good compared to investment in the United States, because funds are being placed in a market where there is, relative to the United States, a capital shortage. On the other hand, many of these foreign investments have particular risk problems associated with them. On balance, the prospective profits must offset the extra risks because foreign investment is undertaken freely.

Foreign investment, like investment in the United States, does increase productivity and wages. Unlike domestic investment, however, the increase in wages and productivity is paid almost entirely to the nationals of another country, wherever the investment takes place.

I want to talk particularly about how these effects of investment work out in the relatively developed countries, such as Western Europe, Canada, Australia, and Japan. Before commenting on these, I will say that foreign investment in the less developed countries has significant advantages to the United States because it tends to bind these countries more closely to the Western alliance. For investment in these less developed countries, some tax advantage is reasonable as an extension of the international political policy of the United States. The committee bill provides this.

In dealing with the more developed countries, however, we are dealing with our trading partners and our approach should be one of enlightened self-interest and not of disguised foreign aid.

Put on these terms, there is no great advantage to the United States in increasing productivity, jobs, and wages in countries like Japan and Germany instead of in the United States. The United States does not have an unlimited supply of investment funds. Actually, we are sufficiently concerned about our available investment funds that in this bill we are providing an investment credit designed to increase investment in American industry.

When funds of American investors are invested in Western Europe or Japan rather than in the United States, it is true that the American investors will derive dividend income from this investment. But this is the sort of return on investment which would arise even if the investment took place in the United States. The difference is that the investment return through increased productivity, higher wages and more jobs takes place in Western Europe or Japan rather than in the United States.

The minority views seem to imply that U.S. capital being invested abroad has no impact on the United States unless it is used to produce something for sale here in competition with U.S. producers. This is a very narrow view. Basically it is a use of capital that could have been employed to increase productivity in the United States. No matter how the investment is used abroad—to produce things for sale in the United States, to cut American producers out of an export market, or to develop a completely new product—this is capital not available in the United States.

A great deal of the investment each year is out of the internal funds of corporations, retained profits, and the depreciation reserves. When American investment takes place in Western Europe or Japan, these retained profits and depreciation reserves will now be in American-owned foreign corporations and are likely to be reinvested abroad instead of here. Foreign investment has a continuing tendency to build up productivity, jobs, and wages abroad, rather than at home.

How is all this related to trade? So far as trade in commodities is concerned, the United States still has a favorable balance although our wage rates are higher than those of any other country. The fact is that the United States has such an advantage in productivity arising from the level of education of our workers and from the quantity of capital which our workers use that they can pay the higher money wages and still compete in most products. In many particular lines of products, the rapid improvement of productivity in Western Europe and Japan has cut into this United States advantage and we find ourselves less competitive.

The basis of the controlled foreign corporation provisions of the committee bill is simply that the present law does not justify continued unlimited deferral as an encouragement to investment of new U.S. funds in the developed countries. Encouragement to U.S. capital to invest in the developed countries makes investment and productivity there higher than it would have been anyway, and investment and productivity here lower than it would have been.

An American business firm might be considering a domestic investment that would promise a return on the investment of 20 percent a year, which after the U.S. taxes would be reduced to 10 percent a year. The same firm might have the possibility of investing abroad in a project which, after making an allowance for the special risks of foreign investment, would return 16 percent a year but which would be taxed at only 25 percent.

On a before-tax basis, the U.S. investment is clearly the more efficient, a 20-percent return compared to a 16 percent return. On an after-tax basis, however, the parent company would realize only 10 percent on its U.S. investment and 12 percent on its foreign investment.

This is the distortion of investment decisions which the committee bill wants to end. The committee bill does not penalize foreign investment. The foreign tax credits are still available as they are under present law, but by reducing the opportunity for the parent company to defer tax on income earned through a foreign subsidiary we simply bring the tax treatments closer together. A foreign investment which is relatively inefficient compared to a U.S. investment will be less likely to appear efficient on an after-tax basis.

In view of the fact that American labor has a substantial interest in domestic investment to increase its productivity and wages in this country, this is a minimum requirement. We are not penalizing; we are just reducing the special encouragement. The fact that the investors themselves might retain a higher portion of their profit when the investment is foreign should not be controlling when we are considering the interests of all of the people in the United States.

The Ways and Means Committee bill does not go as far as achieving complete equality in applicable tax rates on U.S. funds invested in developed countries and in the United States. The committee was impressed with the problem faced by American investors who have a going business situation in the developed countries. A heavier tax on their retained earnings than that on their immediate foreign competitors would be a handicap. The committee bill permits continued deferral on the operating income of an American-controlled foreign corporation

which is reinvested in substantially the same trade or business which the controlled corporation is conducting.

The committee bill also recognizes the national advantages of encouraging investment in the less developed countries. Certain income which is invested in those countries is permitted to continue to enjoy deferral even though the investment in a less developed country might be in a new trade or business.

The committee bill is a realistic adaptation of foreign economic policy to the 1960's. It is not subject to the attack made by the minority views in the committee report that this does not conform to the foreign economic policy of the 1940's and the 1950's when we were participating in the economic recovery of Western Europe and Japan. In the words of the minority views themselves, we have gotten Western Europe out of the debtor class. We do not have to continue making the United States more of a debtor by encouraging investment that raises productivity, jobs, and wages in Western Europe and Japan at the expense of the United States.

The committee bill treatment of foreign investment income is consistent with the word "reciprocal" in our reciprocal trade program. Reciprocal trade is based on open competition. By removing trade barriers, it lets countries realize their respective productivity advantages in developing foreign markets. Under freer trade, the countries of Western Europe and Japan would realize some of the productivity improvements that have come about through recent investment in those countries in the same way that the United States will be able to realize all the productivity improvement arising from its own investment. In this open competition between productivities, there is no justification for our continuing to provide favorable tax treatment to investments which increase productivity abroad compared to investments which increase productivity at home.

Mr. Chairman, I urge rejection of the motion to recommit, and I urge passage of the bill.

Mr. BAKER. Mr. Chairman, I yield such time as he may desire to the gentleman from New York (Mr. OSTERTAG).

Mr. OSTERTAG. Mr. Chairman, I rise in opposition to this tax measure in its present form and ask unanimous consent to revise and extend my remarks. Two glaring deficiencies and inequities in the committee bill cause me to rise in opposition to the bill, even as it is proposed to be amended by the committee.

The first of these is the 7-percent investment credit—which I understand business has not asked for and does not want—and which even former President Truman's economic adviser, Leon Keyserling, calls a tax bonanza.

Members of the Ways and Means Committee have said repeatedly that this proposal perverts the tax laws into an annual subsidy to one segment of the American business community and constitutes a discriminatory loophole which must be dealt with by future Congresses. Note that the windfall from this proposal would be enjoyed by only one segment of the business community. It ignores the service industries and the distribution and retail segments of our economy. It favors the large and penalizes the small.

The committee has recognized that the proposal in its original form would have created tremendous inequities even among the relatively few businesses which would benefit from it. So, the committee has offered an amendment which would limit the windfall to any one company. When we find that a windfall has to be limited, are we not required to find that the whole proposal is a bad one? Can a limitation make it better? I believe there is no such thing as being a little bit evil.

In addition, let me point out that this tax proposal would not accomplish the objective the administration claims for it. Almost without exception, every major organization testifying before the committee, including both the chamber of commerce and the AFL–CIO, opposed the proposal, either doubting that it would produce the benefits claimed, or maintaining the plan was discriminatory.

When a bad bill produces limited windfalls for only a few—when even these few do not want it—and when the only other result is a revenue loss of more than $1 billion, we have no choice but to refuse to enact it into law. I believe the committee has no choice but to agree to remove this section.

Again, Mr. Chairman, section 19 of the bill, providing for withholding on interest and dividends, attacks the historic American principle of voluntary self-assessment, which is the foundation on which the American tax system has produced more revenue—voluntarily—notwithstanding excessively high rates, with greater compliance than any other revenue system in the world.

In addition, withholding on interest and dividends is an administrative monstrosity. It cannot possibly be handled in the same manner as withholding on wages and salaries. The Ways and Means Committee had great difficulty in finding procedures they thought even workable, and the procedure adopted by the committee at the last minute will produce administrative chaos, as well as the further inequity of massive overwithholding. Any additional revenue produced by the measure—and I cannot believe it could possibly be as large as the administration claims—would have to be gobbled up by the increased cost of managing this tremendous administrative job.

But, the greatest evil in this withholding proposal is found in the hardship to the small investor and the small depositor. More than 3 million of the shareholders in American industry are in the low-income group. We have exempted $50 in his dividends from tax. Now, we are asked to nullify that exemption by a withholding tax, even where there is in all likelihood no tax liability. Many of these shareholders will find the filing of claims too onerous, or will overlook filing claims for the refund of nominal amounts.

In addition, more than 7 million depositors in savings and loan associations receive interest, or dividends, of less than $10. And there are 32 million bank accounts which would involve the withholding of less than 40 cents.

The claim has been made that, since we have withholding on wages and salaries, this is no different. On the contrary, there is a world of difference. In the case of wages and salaries, there is only one employer-employee relationship, only one withholder, only one reporter. But with this proposal, we would enforce a withholding relationship whose ramifications are endless and beyond imagination.

Beyond this, we would force every individual who owns a few shares of stock, every individual who has a savings account, in other words, every individual who practices the good old-fashioned American virtue of thrift—we are going to force him to determine what has been withheld. We are going to force him to perform mathematical gymnastics every year—or every quarter—to determine what the Government owes him as a refund. We are going to do this, because the administration and the Ways and Means Committee could find no answer to the problem of asking the companies and financial institutions to report to the taxpayer the amounts they have withheld on his account. We must protest any such additional burden on the already overburdened taxpayer.

I could cite further horrors about this proposal—its inequity regarding churches, charitable organizations, and pension funds, the tremendous bookkeeping and reporting load placed on our businesses and financial institutions. But, the real evil, the greatest hardship, is the burden on the individual, and particularly the individual who needs all of the product of his labor.

It is for these reasons, Mr. Chairman, that I believe we must vote to strike these provisions from the bill. I hope all Members of the House who truly have concern for the best interests of the people of America will join me in this conviction and belief.

Mr. BAKER. Mr. Chairman, I yield 7 minutes to the gentleman from New York (Mr. BARRY).

Mr. BARRY. Mr. Chairman, I believe that the Revenue Act of 1962—H.R. 10650—is seriously defective for the reason that it represents an attempt to influence foreign policy through taxation. This is especially objectionable since, as I now understand it, the Ways and Means Committee did not, in fact, conduct any hearings on certain complicated provisions of the present bill dealing with controlled foreign corporations.

It is true that the majority report recognizes "the need to maintain active American business operations abroad on an equal competitive footing with other operating businesses in the foreign countries"—page 62. The majority report also recognizes that "the location of investments in these countries is an important factor in stimulating American exports to the same areas"—page 57.

In this regard, I would like to refer to a statement by the Otis Elevator Co., which appeared in the CONGRESSIONAL RECORD of January 30, 1962. It points

out that, although Otis has preferred to supply foreign markets by exporting from the United States, it was at times necessary to locate abroad in order to maintain its position in elevator markets throughout the world. Despite an initial adverse effect on the balance of payments, Otis has, over the past 15 years, brought into the United States more than $12 million for each million sent out in loans and investment.

The statement also points out that over 90 percent of the $63 million worth of equipment Otis has exported over the past 15 years has gone to countries where Otis has its own organization. This investment, therefore, has resulted not in an export of jobs as is often claimed by the Treasury Department, but is the direct cause of a great many jobs which otherwise would not now exist.

Apparently the Ways and Means Committee was unanimous in believing it would be a grave foreign policy error for the U.S. Government to carry out the request of the Treasury Department, that full U.S. income tax be imposed upon foreign subsidiaries of U.S. companies at the operating level. On this subject, the committee found:

> To impose the U.S. tax currently on the U.S. shareholders of American-owned businesses operating abroad would place such firms at a disadvantage with other firms located in the same areas not subject to U.S. tax (pp. 57–58).

Despite these reassuring utterances from the committee's report, an examination of the actual provisions of section 13 of the bill itself discloses that the committee has in fact adopted much of the philosophy which these quoted phrases from the report seem to reject. I am afraid that the casual reader of the bill and the committee report might be led to the conclusion that the bill is merely designed to reach such things as passive income or personal holding company type income or tax-haven income or income siphoned abroad but in truth derived from activities carried on within the United States.

Let me say that if the proposed new taxes were confined to these kinds of income, it could properly be regarded as a true tax-haven measure free from foreign implications. According to my information, this area of the bill was so limited until approximately 2 weeks ago, at which time this portion of the bill was suddenly removed from normal committee drafting channels and substantially overhauled and redirected into its present condition.

The result of this maneuver is the bill now before us, the provisions of which have been public for only 10 days. The Ways and Means Committee did, in fact, consider and reject the entire original philosophy of the Treasury Department with regard to a current taxation of foreign earnings, as noted earlier. The committee and its staff did consider and did unanimously adopt provisions designed to reach true tax-haven operations. But the effect of the present section 13 has never been the subject of any hearings by any committee of the Congress, except in a very general way.

Under the circumstances, only a handful of Members of the Congress and the few interested public at large have had time to comprehend the revolutionary impact which these complicated measures will have. Moreover, the committee bill, as now constituted, would have the following effect on our economy:

First. Any first-time investment in a developed country, such as Western Europe, would be a so-called nonqualified investment for tax purposes. This means that no American manufacturer, no matter how difficult it might be for him to export his product to Europe, would be able to enter that market, except under a tax burden which would not be fully borne by his European competitors. This does not sound solely like a tax measure to me, but rather as an indirect attempt to regulate the flow of competitive American capital.

Second. U.S. manufacturers already in Europe will be allowed to go into production of new lines only upon payment of this added U.S. tax at the European operating level which will retard growth of U.S. firms in European markets. Since present tax laws on foreign dividends are merely deferred until brought into the United States it is self-deluding to estimate that this measure will create sufficient new tax revenues to materially offset the cost of the domestic investment credit.

With regard to our competitive ability, foreign observers seem to realize the disadvantages to many U.S. companies which apparently the administration fails to recognize. For example, the March 10 issue of the Financial Post of Toronto, Canada, carried an article entitled "Here's Where United States Aids Rivals in Other Markets," which says in part:

> It is certainly clear, in the field of foreign trade, that a foreign corporation controlled by Canadians, or an overseas trade corporation in Britain, will have a decided advantage over its U.S.-owned competitors after the New Frontier people in Washington achieve their ends. The new law will also serve to trim American sails in Europe, increase the downward pressure on the U.S. dollar, and indirectly assist Britain's entry in the Common Market.
>
> Let's hope that Ottawa encourages Canadian business to take full advantage of the mistakes south of the border.

Third. The claim that the bill reaches only passive, rather than operating, situations is not correct. All large, widely held manufacturing corporations derive income in the form of interest from installment sales, rentals of equipment and dividends from local operating affiliates. In such situations, this is normal operating business income. Yet this bill treats such income as personal holding company income, without regard to the kind of operation in which it is produced.

Fourth. For some reason not made clear the drafters of this bill have taken a dislike to the oversea use of a centralized multicountry selling company, organized to sell U.S. products made abroad. Let us suppose the case of an American firm in the Common Market, which has been manufacturing various products in different countries over a period of many years. Instead of having an operating sales force attached to each plant, the company concludes to set up a centralized sales company and sales force. This will reduce operating expenses and render the company's products more competitive throughout the market and in areas outside the market, such as north Africa and the Middle East. For some undisclosed reason the drafters of this measure object to that, even though no element of avoidance of U.S. tax is in any way involved in this situation.

Fifth. In one other respect, the provisions of H.R. 10650 deal with operating foreign earnings rather than so-called tax-haven income. The Treasury Department, under this bill, would have power to determine what amount of a company's foreign income should be attributed to patents, copyrights, formulas and processes originally developed in the United States. This could cause many problems as I doubt that many American oversea subsidiaries operate without using some processes which were originally developed in the United States. I feel certain that an attempt to break down gross income from a particular sale of a product, as between amounts attributable to this kind of intangible process, on the one hand, and to production, distribution, advertising, and management on the other hand, would present a fantastic problem. Obviously, this bill goes far beyond the taxing of patents which have been assigned to shell corporations overeas and there licensed to foreign operators.

We should not consider this bill as an isolated tax measure and ignore the effect it will have on our foreign policy. Hearings are already underway to consider the Trade Expansion Act of 1962, in which the President asks for significantly increased authority to lower American tariffs so that foreign trade barriers will in turn be lowered for American exports. Many companies, however, cannot compete through exports alone, as they find that often they must compete from within a foreign market or get out. Surely at this moment, when we are on the verge of entering a new era of foreign trade, it would be unwise as well as unfair to penalize those companies whose foreign interests, such as those of the Otis Elevator Co., are directly responsible for a healthy balance of exports.

Finally, we must remember that our foreign relations are not dependent solely upon our diplomatic corps, but also upon our private firms abroad. By working in harmonious cooperation and competition with all sectors of a foreign community, these firms are not only a source of profit to the United States but a source of strength in tying together the free community of nations. To place prohibitive restrictions against them will in the long run weaken not only our own country's position abroad, but the entire free world.

Mr. Chairman, although taxation has been a subject of keen interest to me over two decades I cannot qualify as an expert on the meaning of this bill, since I have only had a few hours to consider these complicated provisions. Nevertheless, I will say this: I have become satisfied that many features of this bill impinge heavily upon the area

of our national foreign economic policy, and are, as my distinguished colleague from Missouri [Mr. CURTIS] has noted, isolationist in concept and discriminatory in effect. Before they are enacted into law I am convinced that interested members of the public should be given a full opportunity to consider and study these proposed measures and to testify as to their desirability and effect before the appropriate committees of this Congress.

Personally, I doubt very much that our tax laws should be used as an instrument to retrench America's position in the world's markets. Even more do I doubt that this should be done in haste and without adequate hearing. The House should not pass on to the Senate ill-considered, complicated, or slovenly legislation on the unsound theory that the Senate will correct its imperfections.

Mr. MILLS. Mr. Chairman, I yield such time as he may desire to the gentleman from California [Mr. ROOSEVELT].

Mr. ROOSEVELT. Mr. Chairman, the Committee on Ways and Means is to be congratulated for their combined efforts in the development of their report accompanying H.R. 10650.

The tax bill, as presented, will go a long way toward closing the present tax loopholes which have allowed too many Americans to escape their just tax obligations.

The effect of this bill will be felt in southern California where so many Americans have been deprived of their income as a result of the general exodus of American capital and American motion picture stars to foreign countries because of tax advantages available under prior tax laws.

The limitation of $20,000 per year for the first 3 years, and $35,000 per year thereafter, on the tax-free income that nonresidents may bring home will act to stop the trend of runaway film production. I hope the industry realizes southern California is the home of the film industry and that this foreign runaway production should come home.

Those who have helped make this industry successful—the electricians, the grips, and other related crafts—should not be penalized because the producers and stars have been able to run away through a tax loophole.

Again I wish to commend Mr. MILLS, Mr. KING, and others of the Committee on Ways and Means for their efforts which have gone a long way toward putting a stop to this run away motion picture film production. I also trust the industry will realize the Congress will do whatever is necessary in the future to keep this industry at home and, because of this realization, I hope they will more carefully police their own activities, and unite wherever possible for measures in the general interest of the industry.

It is true that some inconvenience will come to some persons who will have no tax liability by the withholding provisions of this bill. But this is far outweighed by the large revenue which will be collected from those who actually owe it and who today are receiving an undeserved and unfair exemption. Once this is understood, I believe most good citizens will, perhaps with some annoyance, comply fully with the law.

Mr. MILLS. Mr. Chairman, I yield 10 minutes to the gentleman from Florida [Mr. HERLONG].

Mr. HERLONG. Mr. Chairman, my concern about this bill has been with the overall revenue effects of it as it was brought out by the Committee on Ways and Means and as it will be amended by committee amendments which will later be proposed.

The categorical statement has been made that this bill as brought out by the Committee on Ways and Means is not in balance from a fiscal standpoint.

Mr. Chairman, I want to state at this time that in my judgment the bill as developed by the Committee on Ways and Means will not operate to unbalance the budget for fiscal 1963 or later years but will, on the contrary, contribute toward a surplus.

In estimating the revenue consequences of a measure of this scope, a number of considerations must be taken into account. The estimated effects will vary with the basis of comparison we use and the time periods being considered.

One convenient and commonly used basis for evaluating revenue measures is the gross full year effect after all features of the bill are fully effective. This means offsetting the gains and losses directly and immediately involved in the legislation without allowance for indirect or side effects. On this basis the direct estimated revenue effect of this bill, as it will be amended by the Committee on Ways and Means, would be to increase revenues by $120 million a year. This type of estimate is presented in a table which the Treasury Department has prepared which shows the extent to which the direct loss from the investment credit is offset by other provisions of the bill when all are fully effective. These estimates are based on 1962 levels of income, and this is another thing we have to take into consideration.

This relatively simple approach is useful for some purposes, but it has obvious limitations for some types of revenue estimates. The indirect or side effects of changes in economic conditions may be highly important factors that must be allowed for in estimating some revenue changes. For example, the estimates of tax yields in the President's budget messages and in midyear reviews of the budget are always predicated on the levels of income and profits which are expected to prevail and the revenue estimates, as you know, are revised as expectations of income levels change.

It should be noted that in considering earlier tax bills allowances have been made for the stimulative effects of proposed tax changes on revenues. Spokesmen for the previous administration testified before the Senate Finance Committee in 1954 that the revenue loss that might be expected from more liberal depreciation allowance would be largely recouped through the resulting expansion in investment corporate profits, individual incomes, and employment.

The anticipated effects on economic conditions are of particular significance for the current bill. The purpose of the investment credit is to stimulate increased investment and increase economic growth. The indirect effects on the economy and levels of income must also be estimated and taken into account to obtain a realistic picture for Federal budget purposes. The overall result when all the provisions are fully effective will thus be a net gain in revenue substantially greater than the $120 million that might be expected if we still operated on a static basis and if there were no improvements in our economy by reason of this tax credit.

For estimates of revenue effects for fiscal year 1963 we must also take into account the varying effective dates of provisions in the bill. Some are effective as of the start of this calendar year, some next January 1, and one becomes effective on July 1 of this year. Accordingly, the results that we can expect in the fiscal year starting July 1, 1962, will be different from those of a full year in which all of the provisions have had the opportunity to become fully effective.

Mr. Chairman, the Treasury Department estimates for fiscal 1963 for the bill as amended by the Committee on Ways and Means, these figures show a fiscal year revenue loss for the investment credit of $560 million. Then we offset that by a gain of some $240 million from other provisions of the bill. The net revenue loss, then, for fiscal 1963 would be $320 million. However, these figures give inadequate recognition to the stimulative effects of the credit. These figures allowed for some expansion of investment and rise in incomes, which was computed from statistical relationships in past years between investment and gradual changes in the cost of capital goods and cash flows. But these figures do not allow fully for the market change in the area of investment decisions that will be made by the enactment of the credit. We may confidently expect a sharp rise from the old, established trends as the advantages of the credit bring a quick and substantial shift in the relationship between net investment costs, cash flows, and rate of return from capital goods.

Mr. Chairman, when full recognition is given to the change in levels of investment and incomes that will result from enactment of the credit we must anticipate larger tax bases and a rise in tax revenue.

Mr. Chairman, the Secretary of the Treasury has said that in view of all these factors he is confident that enactment of this bill without any amendment to it, except the committee amendments, will not result in an overall revenue loss to the Government in fiscal 1963, but will, in fact, provide a net gain. The net gain will be larger in successive years as the rates of investment and economic growth are enhanced.

Mr Chairman, revenue estimates running some 15 to 16 months ahead are, of course, only approximations at best. But if we are to act prudently we must endeavor to appraise all of the relevant factors as carefully as we can. I believe the analysis and appraisal provided by the Secretary of the Treasury is as complete and sound as any we could make at

this time. I am pleased to note that he shares my conviction that this bill as developed by the Committee on Ways and Means will make a net contribution to the tax revenue in fiscal 1963 and an even greater contribution in future years.

The details of these estimates are as follows:

TABLE 1.—*Treasury Department estimates of revenue effect*[1] *of bill as amended by the Committee on Ways and Means when changes are fully effective, without taking into account the effect on the economy of the provisions*

[In millions of dollars]

Revenue bill of 1962:	
Investment credit	−1,175
Withholding on dividends and interest	+650
Mutual banks and savings and loan associations	+200
Entertainment expenses	+125
Capital gains on depreciable property	+100
Mutual fire and casualty companies	[2]+40
Cooperatives	+36
Foreign items:	
Controlled foreign corporations	[3]+86
Gross-up of dividends	+30
All other items relating to taxation of foreign income, etc	+30
Total	+120

[1] At levels of income and investment estimated for the calendar year 1962 except that the estimate of revenue gain from change in taxation of mutual banks and savings and loan associations is based on income levels for the calendar year 1963, the 1st year affected.

[2] A summer transitional period has been completed for fire and casualty companies.

[3] The revenue estimates for the controlled foreign corporation provision do not take into account additions to the tax base, in the form of royalties, rents, etc., which reliable evidence indicates will be forthcoming but which cannot be quantified with an acceptable degree of accuracy.

Source: Office of the Secretary of the Treasury, Office of Tax Analysis, Mar. 20, 1962.

TABLE 2.—*Treasury Department estimates of revenue effect of bill as amended by the Committee on Ways and Means (see note) for the fiscal year 1963 taking into account its estimate of effect on the economy of the provisions*

[In millions of dollars]

	Revenue effect	Effective date
Revenue bill of 1962:		
Investment credit (see note)	−560	Jan. 1, 1962
Withholding on dividends and interest	+195	Jan. 1, 1963
Mutual banks and savings and loan associations		Do.
Entertainment expenses	+40	July 1, 1962
Capital gains on depreciable property		Jan. 1, 1962
Mutual fire and casualty companies		Jan. 1, 1963
Cooperatives		Do.
Foreign items:		
Controlled foreign corporations		Do.
Gross-up of dividends		Do.
All other items relating to taxation of foreign income, etc.	+5	Do.
Total (see note)	−320	

NOTE.—In estimating the net revenue cost of the investment credit, its favorable effects on the level of investment were computed from statistical relationships in past years between investment and gradual changes in the cost of capital goods (profitability) and cash flow. This procedure thus does not take into account the especially favorable impact on businessmen's decisions to invest of the sudden improvements in these factors resulting from the enactment of the credit. Taking this into account should produce more favorable effects than the table shows for the investment credit. It will eliminate the overall net revenue loss for the bill as a whole and instead would yield an overall net gain.

Source: Office of the Secretary of the Treasury, Office of Tax Analysis, Mar. 20, 1962.

Mr. BAKER. Mr. Chairman, I yield such time as he may consume to the gentleman from California [Mr. BALDWIN].

Mr. BALDWIN. Mr. Chairman, I rise in opposition to H.R. 10650. This bill in its present form would not, in my opinion, provide any financial assistance to our U.S. Treasury. In fact, it would actually reduce our revenues during fiscal year 1963. The budget for fiscal year 1963 is precariously balanced at the present time. The President this week submitted to Congress a request to appropriate $800 million for an immediate public works program, of which $350 million would be applicable to fiscal year 1963. This would reduce his estimated budget balance for fiscal year 1963 to only $113 million. H.R. 10650 would turn this narrow surplus into a deficit for fiscal year 1963.

Although this tax bill proposes to close certain loopholes it would open a new loophole in the form of a 7-percent tax credit for purchase of equipment by business concerns, which would be as big a new loophole as all existing loopholes which are supposed to be closed by this bill. Therefore, nothing would be gained in the way of financial revenues for the Treasury. I do not believe we should grant a 7-percent tax credit at the present time in view of our high level of Federal expenditures. I see no justification to allow a business firm not only to write off 100-percent depreciation on equipment but also to be able to take a 7-percent tax credit off its net tax bill as well.

Mr. BAKER. Mr. Chairman, I yield such time as he may consume to the gentleman from California [Mr. ROUSSELOT].

Mr. ROUSSELOT. Mr. Chairman, I rise in opposition to H.R. 10650, the Revenue Act of 1962.

My reasons for opposing this legislation are:

First. Enforcement of withholding tax on dividends and interest would be a bureaucratic nightmare. Canada has repealed a law requiring a withholding tax on dividends and interest because it was impossible to administer. I say that instead of the withholding tax we should enforce with greater vigor the existing tax law respecting dividends and interest.

Second. It does not give a much needed tax break to large and small retail distributors. I believe these types of businesses should be allowed to defer taxes in an amount equal to 20 percent of their investment inventory.

Third. The 8-percent investment tax credit for manufacturing firms puts the bill in the red by at least $400 million. This flies in the face of the admonition expressed in President Kennedy's 1962 budget message:

> To plan a deficit would increase the risk of inflationary pressures, damaging alike to our domestic economicy and to the international balance of payments.

I think a far sounder approach to the problem of how to encourage more capital investment is to allow a more liberal depreciation allowance than present law permits. A more liberal depreciation allowance for all businesses, not just a few, would help to create the desire on the part of businessmen to expand and modernize their enterprises. This creates one united front within our free enterprise system. The bill before us is discriminatory against small businesses.

Fourth. The tax on foreign subsidiaries of domestic corporations provided for in H.R. 10650 is discriminatory. The subsidiaries will have to pay taxes to the U.S. Government as well as to the governments of the countries in which they are located. Secretary of Commerce Luther Hodges has stated that foreign subsidiaries are an important adjunct to our domestic economy. It seems unwise, therefore, to increase their tax burden and thereby weaken their ability to compete with foreign corporations.

Fifth. For some years there has been a desire to place an equitable tax levy on cooperatives; however, if there is to be a tax on cooperatives such as H.R. 10650 proposes, it should apply to all cooperatives. I strongly urge the defeat of H.R. 10650 so that a new bill can be considered by the Ways and Means Committee.

Mr. BAKER. Mr. Chairman, I yield such time as he may consume to the gentleman from Ohio [Mr. HARSHA].

Mr. HARSHA. Mr. Chairman, I find myself in a rather unique position when considering this tax measure. On the one hand, my Republican friends have adopted the position that the tax credit proviso is not the most acceptable and best method for providing tax relief to certain of our industries. They prefer an accelerated rate of depreciation. With this, I find I must agree. However, on the other hand, I find considable merit in the tax credit approach and I would like to explain to my colleagues my reasons, with the hope or thought in mind that if not today, at some future date, this type of tax incentive be added to the law.

While I agree that the change in depreciation rates will provide the most equitable tax incentive without discrimination to all concerned, I still believe there is considerable merit to the tax credit approach for new investment.

The administration has admitted that the recovery from the so-called recession has not been as full or as rapid as was anticipated. Unemployment is considerably higher than desired. So the President is asking for an additional $0.6 billion to construct public works projects in the depressed areas to help alleviate unemployment and to encourage economic development. The depressed areas legislation was passed by this Congress to encourage business expansion and growth in these areas of substantial and persistent underemployment. This carries with it a price tag of roughly half a billion dollars. These are only immediate and temporary measures to try to eradicate this problem.

While a tax credit as suggested in this bill would be a long-term answer to these problems, this method of encouraging business expansion has been termed by some as a windfall to some industries and a loss of revenue to the Treasury, unbalancing the budget. Call it what you will, it does no more to unbalance the budget than the $0.6 billion for public works and the $0.5 billion for area redevelopment. But the important

feature that seems to be overlooked is that by this tax credit incentive new business would be created, existing business would be encouraged to expand thereby providing new jobs, enhancing the economy on a long-term basis. I repeat, Mr. Chairman, on a long-term permanent basis, not just a temporary shot in the arm manner to boost the economy for the time being.

If this country is to continue to compete favorably with the Common Market and other free nations in the field of international trade, industry, and business must have better tax incentives to expand and promote growth and production. Because our standard of living is so much higher than that in the Common Market countries, we cannot hope to compete unless we do grant more tax incentives.

This House will soon be considering legislation to beef up the unemployment compensation payments and to make permanent the increase in payments we granted last year. This will add to the expense of industry, add to their tax burden and further burden the national budget. It is far better to grant tax relief to provide additional jobs and to get the unemployed off the relief and welfare rolls than to continue to spend money for their assistance while unemployed.

In my humble opinion, there would be no loss in revenue to the Treasury by granting such a tax incentive because the demand for new equipment, the expansion of business would create enough new jobs to more than offset the loss of revenue from the tax credit. In addition thereto, we would save the money spent on area redevelopment, short-term public works projects, and increased unemployment benefits.

The Sixth District of Ohio is one of the depressed areas of this country. Six out of the nine counties have been officially designated as such by the Department of Commerce. Many of the areas have their overall economic development programs approved and are proceeding with specific projects, yet no appreciable change has been made in the rate of unemployment.

However, the Norfolk & Western Railway is in the process of developing a great industrial park in Scioto County. The Norfolk & Western is spending its money to acquire this site because of its faith in the future of this area. The land acquisition alone amounts to approximately $1 million. This tax credit incentive will enable diversified industry to expand and locate on this site. It will create new permanent jobs for the people of this depressed area, thereby taking them off the relief rolls and relieving the State and Federal Governments of this financial burden. It will certainly expand our economic growth and add materially to our gross national product. But, above all, it will be a permanent, lasting addition to our economy via the free enterprise system without intervention of the Federal Government, and, in the long run, mean more to the people of this country than any other single action this Congress could take.

I would earnestly urge my colleagues, with the sincerest conviction, that should this tax credit proviso be deleted from the bill today that it be included at a later date in an appropriate measure. I feel that it will go a long way to answering the problem of the Common Market and expanding our own growth and economy.

I regret that I am going to have to vote for the motion to recommit with instructions, because I am violently opposed to a withholding tax on dividends and interest and this will have the effect of voting down also this tax credit incentive, yet I strongly favor it. That is why I said to you earlier that I am in a difficult position, but rest assured I believe such an incentive should be in the law to encourage new business and industrial expansion.

Mr. BAKER. Mr. Chairman, I yield such time as he may consume to the gentleman from Minnesota [Mr. LANGEN].

Mr. LANGEN. Mr. Chairman, it is rather unique that we have before us today a major tax bill that proposes absolutely no increase in revenue. This is particularly unique when you consider the financial plight of this nation.

We have already increased the temporary debt limit by $2 billion and will be asked to increase it by another $8 billion before this session ends. About 10 percent of our national budget is spent in just paying the interest on this staggering debt.

It is argued that the compromises have leveled the inequities of the original package; that no longer does the bill represent a loss of revenue. I wonder. Some of the revenue-producing provisions of the bill will not take effect until later years, so the prospect for fiscal 1963 is to unbalance the budget by perhaps several hundred million dollars.

Then, just what is this tax proposal, and what does it propose to accomplish? First of all, it contains a dozen different tax changes, none really related to the others. We are asked to vote "yes" or "no," with no chance to consider each unrelated feature on its own merit. I consider this a poor way to legislate.

Even if this tax package corrected a host of glaring inequities, there might be some reason for considering it. But it does not. It opens as many new loopholes as it closes. And in my opinion, these are discriminatory loopholes.

The Revenue Act of 1962 does absolutely nothing except shift the tax burden from one group to another; a basic shift from big business to the individual.

The bill attempts to give consideration to large corporations as an incentive to expand and improve. I have yet to hear any enthusiastic utterings from either big business or labor. In fact, a relatively small group of the largest corporations will really benefit from this windfall, to the disadvantage of smaller industries and the individual taxpayer.

I certainly recognize the need to speed the economic growth of this Nation by encouraging investment in plant and equipment. I have seen proposals, however, that I feel would go much further toward meeting this objective. But here we are today, forced to consider this whole hodgepodge tax package, including the provisions for business incentive, on a take it or leave it basis. The American public deserves a bit more consideration than this.

We all know that you cannot create bonanzas for big business and still balance the ledger without penalizing some other group. This country has a ready scapegoat, the little man who needs every dollar he can lay his hands on. Take the withholding feature on interest and dividend income as an example. Even with the paupers oath exemption in the compromise, we force a great many people to live on 20 percent less income for a whole year before they can be eligible for refunds. And I fail to see that the resulting muddle of overwithholding is going to be eliminated in practice.

Sometimes I wonder what our people back home think when they finally realize what their Congress is doing. They certainly realize this shift of the tax burden is not in favor of the individual and is not in the interest of balancing future budgets. They certainly must come to the conclusion that their Government must seriously distrust the man on the street by the implication that he uses every conceivable loophole to avoid paying his just taxes. One of these days he is going to wonder just who owns this country. And when he exerts the privileges of his rightful ownership, we may find the distrust on the other foot.

Not all of the features of this bill are bad. But enough of them are bad to make the whole package objectionable, especially when we are not allowed to work our will on it. With the increase in the debt limit facing us, I see no merit in a measure that does nothing to raise revenues. Even if this bill corrected inequities, it might be good. But it does not. It merely shifts the tax burden from one group to another, creating more inequities than it solves.

To say that I have serious reservations about this piecemeal tax package is the understatement of the session. I am sure many other Members have similar reservations. It is unfortunate that the taxpayers of our Nation must lose once more by the refusal of this body to allow their elected representatives the privilege of considering more responsible alternatives.

Mr. BAKER. Mr. Chairman, I yield such time as he may consume to the gentleman from New York [Mr. DEROUNIAN].

Mr. DEROUNIAN. Mr. Chairman, the bill that is before you today is a hodgepodge of lures, a hodgepodge of conflicts. Various little expedients, enticements, and panaceas have been put into the bill in hasty fashion right and left to lure a vote here and a vote there in a desperate effort to get this unwise tax package passed and over to the Senate.

The administration which wants to move this bill is promising almost all things to all men to get your votes on this floor knowing perfectly well that once you have sent it to the other body you will have lost complete control of it. Those of you who are planning to

vote for the bill because of any of these scattered panaceas or because of some particular provision for which you may have a great enthusiasm are certainly risking great disillusionment.

This is particularly true for the big cure-all. Those of you who have some special reasons, good or bad, for favoring the investment credit need not expect to find it continued in effect very long if it ever is enacted into law. I predict that if the investment credit becomes operative the consequent revenue loss will be such as to cause Treasury to urge its repeal more urgently than it advocated its enactment.

I think most of you know in your souls that the investment credit is a subsidy which the business community of the United States does not want and that if enacted it is just a temporary pork barrel subsidy, mostly going to big business. Big business may accept the sop handed to it on a silver platter and will not make one additional dime of equipment expenditure other than that which it would make anyway. If the investment credit were the only subject before you it could not muster a majority vote on the floor of this House. It is just that bad.

But those who will vote for this credit will be augmented by the splinter votes of those of you who find some little allure here and there in other provisions of the bill in some of the hastily added, but temporary, panaceas.

Some of these splinter votes, for example, will be the votes of persons who did support the administration's efforts to put increased taxes on mutual savings banks, building and loan associations, et cetera. Just to get the bill reported out of the Ways and Means Committee, the tough administration proposals had to be severely watered down. Many of you who did not like the original tax proposals for these banking institutions will no doubt vote for the bill on the basis that you had better play safe and accept the watered down tax provisions.

But the impact of section 8 on these institutions was only watered down to make this part of the bill palatable on the floor of this House. Once the House passes this bill with these provisions in it we risk not recognizing them when they may return to us with the full administration proposals restored. This will be at a time when we will have little or no effective control over any provisions of the bill.

Some more splinter votes are produced by the truly phony, but temporary, panaceas which were hastily put in to make the withholding tax provisions less unpalatable. Notice I did not say "more palatable."

These panaceas are entirely illusory. One of them is the exemption certificate for children, another is the exemption certificate for those persons who can swear they will owe no income tax at all, and another panacea is the so-called quickie quarterly refund for small taxpayers.

If you have taken time to read these provisions of the bill containing these panaceas you will be shocked at their complexity and amazed that any reasonable person would think the millions of lower income people they are supposed to benefit could make use of them.

But they are put in, and very deliberately, with the thought of soliciting a few more votes on the House floor to help get a majority for this bill. And you have been and will be given all sorts of sweet cliches about how sweeping and effective these panaceas are. But, mark my words, the passage of these withholding provisions in the House bill are just the beginning. The Treasury will be back seeking more stringent rules. We will then have no practical say about the ground rules we established in these temporary items that procured your vote to send the bill to the Senate. The proposed rules will not work and the Treasury will need more stringent rules to replace those it is now willing to accept.

When some of the supporters of this bill tell you with vigor that the withholding tax exemption certificate and refund provisions are very simple and work very easily, ask them about the 98 percent of the 30 million voters who will wear the hair shirt of the withholding tax who cannot possibly use the exemption provisions.

And, also, when they tell you such things—as I am sure they will—ask them this: If that is so, why did the administration repeatedly oppose exemption certificates on the ground that they would be unworkable and too complex? This is spread throughout Treasury testimony of the printed Ways and Means hearings; it is there for you to read. Pleasant words today on this floor cannot erase or obliterate those printed facts.

Many of you are disturbed about the provisions of the bill which put crushing and destructive penalties on U.S. business overseas and I refer to such sections as section 11, section 13, section 15, and section 16. But many of you cannot possibly understand them as written because of their technical complexity. As a result many of you are being lulled into voting for this bill by sweeping cliches by administration spokesmen to the effect that all these sections do is dispose of the problem of those little old sham, phony paper foreign corporations, or those nasty Americans who do some tax chiseling abroad, and also some mumbo-jumbo about the balance of payments, plus pontifications about equality, equity, and neutrality. None of these party line approaches that are being fed to you by every possible medium tell you the real truth.

These are commerce control clauses, not revenue legislation. These provisions are being inflicted on all American oversea businesses of every kind, every single company that flies the American flag through American voting control. Included in their sweep are not only the small fraction of 1 percent of the tax dodgers but the entire group—100 percent—of American controlled oversea companies. Every single company. All honest businesses are lumped in with the tax fraud artists and treated at the fraud level.

Not revealed to you by all the cliches and sweeping broadsides that have been aimed at you is the fact that these provisions are very carefully tailored to cut the throat of U.S. business overseas and to turn their oversea markets over to foreign-owned companies.

Do not take my word for this, just read the bill. I think everyone of you owes a duty to his country, before you vote for this bill, to read the two minority reports which discuss these sections. They are true and they are factual and, because of space limitations, even they do not disclose the entire horror picture of these provisions of the bill.

For years without number every administration has encouraged American business to go overseas, to carry the flag and build up the rest of the world. For years without number every administration, except this one, has cheered for U.S. oversea business. Yet one section of the bill is carefully contrived to punish American oversea business for having gone overseas, and to punish it retroactively all the way back to March 1, 1913. March 1, 1913, is the date the U.S. income tax was first imposed.

The section is section 16 and if you do not believe it is retroactive all the way back to March 1, 1913, read for yourself its true effective date. Just read line 13 of page 161. Just pick up your bill and read the words "after February 28, 1913."

Do you know that under the provisions of section 13 of this bill American individuals who have committed the crime of being controlling stockholders of a good, honest business corporation which in England pays a 53-percent British income tax, will be taxed currently on the earnings of that British corporation at the individual income tax rates, and those rates, as you know, go as high as 91 percent. This is to be done even though British income tax on that British company's earnings has been paid at the British 53-percent rate. Even though this bill would tax these stockholders as high as 91 percent, it also denies them the right to take a foreign tax credit for the 53-percent British income tax paid. This is not taxation; this is confiscation. And I am not talking about tax dodgers. I am talking about sturdy, honest American businessmen.

This section 13 does do this and no administration spokesman can deny it. Does party loyalty require that you vote and cheer for this?

Do you know—it is on the public records—that one of the principal supporting reasons Secretary Dillon gave the Ways and Means Committee for the provisions of this bill which are deliberately intended to destroy and cripple U.S. oversea companies is this shocker; that he wants this done in order to please the finance ministers of the six European Common Market countries?

They want to get the American-owned companies out of their countries and Mr. Dillon wants to help them do this—and this is the weapon for doing it. Do not take my word for it; read page 33 of the Secretary's printed testimony to the Ways and Means Committee.

But I have not heard of a single one of these European foreign ministers proposing that the companies of his own country be treated this way. They

preach "Yankee, go home" and the Secretary agrees and this is his weapon to make the Yankee businessman come home.

Who are you going to vote for: the American businessman or the European finance ministers? This issue is just that raw.

You have the amazing situation on this floor today that many of the sections of this bill, if voted on individually, would be voted down. Put together in a package with the panaceas and lures of the kind I have mentioned they are expected collectively to cook up enough votes to send this bill to the Senate. And I must repeat, then you will find the lures and panaceas removed. What many of you want will have disappeared—only the pain will remain. But it will be too late because your vote will have been used to move this bill this week.

How many of you have any real stomach for voting to put the hair shirt of withholding taxes on 30 million American voters in order to finance a cockeyed administration economic gadget which would feed a lot of pork barrel money into big business. How popular are you going to be at home when the truth of this seeps back to your constituents?

It will be a lame excuse to try to describe to constituents the last-minute razzle-dazzle in the Ways and Means Committee which was used to set up a smokescreen to the effect that the investment credit really would not cost anything at all that was noticeable. If it were going to cause the great administrative revolution that its proponents claim, it would have to be expensive. It is still expensive, but you are being fed a party line in every administration speech on this floor that it will do great things at just about zero cost. It is amazing how little regard some people have for the intellectual acuteness of Members of this body.

What is at stake in this bill is a lot more than party loyalty. Basically, the public welfare is at stake. The only driving reason to pass this bill in this House is to save the faces of the administration, the Treasury and of some American colleges at the expense of the public welfare.

In conclusion, I want to remind you that even the national honor is at stake in this bill. A number of provisions of this bill directly violate a great many tax treaties to which the United States is a party. When we signed these treaties we pledged our national honor to respect them. But section 21 of the bill as a two-line unilateral legislative fiat nullifies these treaties. Again, do not take my word, read section 21. And do not let anyone tell you it is meaningless and just affects one little old clause in one little old treaty. Read the minority report for the true full facts.

I think the basic issue for everyone of you in this bill is whether you wish to save the national interest by voting down the bill or wish to decide that party loyalty and saving the administration face is more important than the public welfare. The issue is that blunt and that brutal.

Mr. BAKER. Mr. Chairman, I yield such time as he may consume to the gentleman from Michigan [Mr. CHAMBERLAIN].

Mr. CHAMBERLAIN. Mr. Chairman, I am disappointed in this bill. Ever since I came to the Congress I have been hearing talk of major tax reform, but we never get around to doing anything. As one who has consistently advocated the reduction or repeal of our discriminatory excise taxes, I want to take this opportunity to call attention again to the fact that the 10-percent tax imposed during the Korean war to discourage automobile production is still on the books although almost every other excise tax has been reduced or repealed. I regret that our Ways and Means Committee has not seen fit to rectify this inequity and that they see nothing wrong with imposing a 10-percent excise tax on one class of manufacturing and not so taxing other manufacturing. As I have urged for the past 6 years, the time for tax reform in this area is long overdue.

Another inequity the committee has ignored in reporting this bill is the fact that the personal exemption has remained unchanged since 1948 and that inflation during this period has in effect reduced the tax benefit of this exemption. We have shown considerable concern about the adjustment of the salaries of Federal employees to compensate for the periodic increases in cost of living. Why should we likewise not be concerned over maintaining the dollar value of the personal exemption for our Nation's taxpayers? According to my own rough computations, we should raise the personal exemption to more than $750 today to maintain the same relative tax advantage accorded the taxpayer in 1948 when the $600 figure was enacted. I regret we have not yet found time to get about the much needed job of major tax revision.

Mr. Chairman, for the reasons that have been brought out in this debate, I intend to support the motion to recommit this bill.

Mr. BAKER. Mr. Chairman, I yield 5 minutes to the gentleman from Missouri [Mr. HALL].

Mr. HALL. Mr. Chairman, I would like to qualify on the basis of the proposer of two additional tax revision bills which I still think would be excellent legislation; and as a taxpayer-doctor I cannot support this bill in its present form for many reasons involving the district from which I come, and the people I represent. But I would like to address myself to three, primarily.

Unfortunately the trend in Washington seems to be not to simplify our tax laws, but to make them increasingly difficult to understand. Instead of recognizing that we ought to start again—from scratch—and make our tax laws simple and understandable to those who must pay taxes; over the years the Congress has relied instead on patchwork legislation, amending previous laws, eliminating old loophooles, and sometimes creating new loopholes in the process.

The end result has been a bureaucratic nightmare, so involved and so detailed that the responsibility for determining tax liability is less and less in the hands of our elected officials, and more and more in the hands of nameless clerks in the Office of Internal Revenue, who implement the law and write regulations. Sometimes they twist the original legislative intent.

I regret to say that the legislation being considered this week on the floor of the House falls into this category. New complex regulations are being piled on top of old complex regulations so that the end result will resemble a patchwork quilt understandable only to the most competent tax accountants, and subject to different interpretation even among them. A year ago the President indicated that he would authorize a study of our tax laws in order to form a basis for overall and comprehensive tax revision.

This has not come to pass, and the legislation before the House this week is, at best, a temporary expedient, which does not begin to touch upon our real problems in the field of taxation.

Secondly, the foreign provisions of the proposed Revenue Act of 1962, hastily and ill conceived, are based on four false assumptions:

First is that because a U.S. corporation owns over 50 percent of the voting stock of a foreign corporation, the former can cause the latter to do what the executive branch of the U.S. Government presently believes these foreign corporations should do. This ignores the corporate laws of foreign countries, the concessions and permits granted by foreign governments for such ownership, the minority stockholders in such corporations, the economic well-being of the foreign corporations and the economic and political interests of the countries in which they are located, and the customs and traditions of those countries. To be successful and endure, a foreign corporation, regardless of stock ownership, must conduct itself in the economic interest of the country of incorporation, not in the interest of the U.S. Internal Revenue Service or in accordance with what some members of the present administration of the U.S. Government think it should do.

Secondly, probably recognizing point one, the executive branch of the U.S. Government says, "So what, you'll be taxed anyway." There are already too many provisions of the present revenue code that tax on the basis of constructive receipt of income instead of actual. The proposed bill is a further and major step in that direction. This is a vicious doctrine. Regardless of how well tax bills are written, they cannot be made exact quantitative formulas in the matters in question. This leaves in the hands of the thousands of agents of the Internal Revenue Service the arbitrary power, with only lengthy and costly recourse, to determine matters of great importance and in effect dictate how foreign business should operate.

Thirdly, contrary to the protestations of the Treasury Department, the long-

term effect of the foreign provisions of the bill would be to:

First. Reduce U.S. tax revenues. A great part of the new taxes imposed by the bill would be taxed by the foreign countries in which U.S. subsidiaries operate, and revenue now received by U.S. industry from foreign subsidiaries would be dried up by the advantages given foreign competition.

Second. The present foreign business of U.S. firms would be hampered to the point that they would probably have to cease operations and their business would be surrendered to foreign companies.

Third. U.S. exports would suffer by reason of the fact that a large part of exports from the United States is made to foreign subsidiaries. As a corollary, employment in the States would suffer.

Fourth. The position of the United States with respect to the balance of payments would suffer from a drying up of royalty, dividend, and other income from abroad and what would undoubtedly follow is a flight of foreign capital from the stock of U.S. companies by reason of the more favorable position of foreign companies in oversea markets.

Finally, or fourth, the foreign provisions of the proposed tax bill are inconsistent with the administration policy, with which I fully concur, as expressed in H.R. 9900 with respect to foreign trade. The results of the application of the tax bill would hinder rather than encourage foreign trade. Here is an excellent example of the right hand of government not knowing, or at least not caring, what the left is doing. The foreign tax provisions are well calculated to alienate allied nations and lose friendship in others.

Third. I believe it totally fails to accomplish its avowed purpose—the stepping up of incentives in order to create new jobs. Thus far the only real progress in putting men back to work since a year ago January has taken place in two fields. First, we have added almost 100,000 employees on the Federal payroll; and, second, we have called up approximately 155,000 reservists. The former method is indefensible and the latter method hardly can be considered a solution to problems of unemployment, nor is it likely to result in an increase in our gross national product.

Reliance on an investment credit rather than on an accelerated depreciation allowance means that we are unwilling to listen to businessmen on questions involving business.

A basic fundamental of tax legislation would seem to be that it not be discriminatory. Yet the use of investment credits is discrimination at its worst. Firms which have expanded on their own without tax inducements, will be penalized in favor of their competitors who by sitting tight, will now receive a tax windfall for their delay.

The use of an investment credit would have very limited if any effect on the retail and service industries, and in our changing economy these industries have been providing a larger and larger share of job opportunities.

On the other hand the United States ranks among the very lowest countries in the world in its allowances for depreciation. One reason that our oversea competitors have made such rapid inroads in American markets is that they have the advantage of being able to write off obsolete equipment at a faster rate than their American counterparts. Combine this easier depreciation schedule with our foreign-aid dollars, and a lower wage rate, and it is not difficult to see why we are being caught in a competitive spider web.

Still another aspect of H.R. 10650 to which I strenuously object is the provision to institute a 20 percent withholding tax on dividends and interest.

Here we are not getting at the wealthy stockholder or the millionaire. His stockholdings are such that he would not dare to evade his taxes. We are instead reaching the widows, the retirees, and those who have small but important savings in banks, in savings and loan institutions, and in stocks, others are thrifty or frugal enough—still to be encouraged in the United States of America—hoping to have put a fund in interest-bearing trusts, not Federal bonds, for their children's education. There are literally hundreds of thousands of these people with limited incomes. A great many of them are over 65 years of age.

In most instances a 20 percent withholding tax is far more than they ultimately are required to pay. These are the people least able to hire accountants or attorneys to handle the maze of paperwork that would allow them to be exempt from its provisions. They have a difficult enough time filing one tax report a year, let alone trying to keep up with quarterly refunds. There are many such retired persons in the Ozarks, and may their tribe increase.

These are the people we are threatening with a new bureaucratic nightmare. I submit that the great majority of these people are honest, they do pay their taxes, it is not necessary to send a swarm of internal revenue agents to harass them as was done recently in the town of Fordyce, Ark.—see daily CONGRESSIONAL RECORD, March 28, 1962, page A2411.

These are the same people for whom the costs of food, of shelter, of housing, of medical care, pose a special problem. I will not be a party to any bill which adds to that problem and therefore I will not support H.R. 10650 in its present form.

Mr. BAKER. Mr. Chairman, I yield such time as he may require to the gentleman from New Jersey [Mr. WALLHAUSER].

Mr. WALLHAUSER. Mr. Chairman, the Revenue Act of 1962, in my opinion, will not accomplish either one of the purposes of a revenue act, which in the first place would seem to be to raise revenue, or in the second place should be designed to stimulate the economy and produce more income for the citizens of the United States, but actually its passage could well have the contrary effect.

The investment credit proposal, which apparently has not been demanded by the main beneficiaries, will provide an unlooked for windfall to a relatively small group. If we were assisting the individual, or if we were rewarding, in a definite and proven way, industry for providing more jobs, one could find no great fault with this effort, but my opinion is that this will not bring about the desired result. The tax on savings institutions could well hurt the housing industry and the financing of homes which is so important in the economy of this Nation, and the withholding on interest and dividends will produce massive overwithholding to the disadvantage of untold numbers of people and prove to be a costly and unnecessary headache for those whose duty it would be to administer this section of the act.

In general, there are so many features of this legislation that could be classed as either unnecessary or unfair, that I have come to the conclusion that I will have to vote against this legislation in its present form.

Mr. BAKER. Mr. Chairman, I yield 5 minutes to the gentleman from Montana [Mr. BATTIN].

Mr. BATTIN. Mr. Chairman, I appreciate the time of the Committee and have some questions and observations concerning the tax bill. The debate so far follows along the lines dealing primarily with the question of withholding on interest and dividends. I would like to ask the gentleman from Wisconsin if it is not true under the present law, that any person who files a fraudulent tax return, that is, leaving out part of his or her income which is derived from any source, is subject to imprisonment in a Federal penitentiary?

Mr. BYRNES of Wisconsin. Of course, if a person files a fraudulent return and it is proved to be a fraudulent return that person would be subject to a criminal penalty, the gentleman is absolutely right.

Mr. BATTIN. It would seem to me then, following the law that we presently have on the statute books, it is not so much a question of people not paying their taxes, but it is a question of failing to enforce the present laws. Therefore, the statements made today are an indictment of a great many people in this country. To say on this floor there are a lot of dishonest people in the United States who do not believe in paying their share of the taxes, and that is what has been said here, is far from the truth.

I would prefer to think, and I certainly believe that a great percentage of the people in this country are honest and they do pay their fair share of the taxes. The figures that are pulled out of the air, for example, a loss in taxes of $850 million from interest on income, is just a figure. Nobody has taken this floor during the 2 days of debate and given any legitimate figure and information as to where they get a tax loss figure of $850 million, or what this new bill would bring in. To bring in legislation just for the sake of trying to bring a bill before the House for consideration that does not do equity to the people involved, as the gentleman from Virginia [Mr. HARRISON] says, to the young widows who are not paying their tax is to me an indictment of a great many people, literally hundreds of people who have written

to every Member of this Congress saying that they are living off of income that they receive from interest and dividends and to penalize them because we are not enforcing the present laws of this country seems to me to be a rather shabby way to treat the taxpayers of this country.

Mr. BAKER. Mr. Chairman, will the gentleman yield?

Mr. BATTIN. I yield to the gentleman from Tennessee.

Mr. BAKER. I compliment the gentleman on his observation, and his excellent remarks. You are absolutely correct. I think more than 90 percent of these taxpayers would pay their tax if they were properly informed and they would include the interest and dividends in their gross income.

The criminal sections apply equally to that part.

Mr. BATTIN. I thank the gentleman.

Mr. GEORGE P. MILLER. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. Fifty Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll and the following Members failed to answer to their names:

[Roll No. 50]

Andrews	Fogarty	Selden
Barrett	Gray	Shelley
Bates	Hebert	Sheppard
Bennett, Mich	Hoffman, Mich	Short
Brooks	Holifield	Smith, Miss.
Carey	Johnson, Wis.	Spence
Clancy	Jones, Ala.	Teague, Tex.
Colmer	Kearns	Tollefson
Curtis, Mass.	Moulder	Tupper
Davis, Tenn.	Nygaard	Walter
Dent	Powell	Wilson, Ind.
Dingell	Rains	
Evins	Roberts, Ala.	

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. ROOSEVELT, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 10650, and finding itself without a quorum, he had directed the roll to be called when 398 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

Mr. MILLS. Mr. Chairman, I yield 5 minutes to the gentleman from Georgia [Mr. FLYNT].

Mr. FLYNT. Mr. Chairman, I support the Revenue Act of 1962 which is designated as H. R. 10650.

Like most of us when any revenue bill comes up, when any tax bill comes up, there is a normal human tendency to view it with misgivings. That was my reaction when I first began to study the bill which the Committee on Ways and Means reported to the House of Representatives.

When I first began to study this bill, I reached the conclusion that if I had drawn it, I would have made certain major changes in it to begin with. Then upon reading it further and upon reading portions of the hearings before the Committee on Ways and Means, and upon reading the committee report which accompanied H.R. 10650, I began to see that there was good, sound, logical reasoning for nearly every single provision in this Revenue Act of 1962.

Time will not permit me to give any more than just a brief résumé of what this bill would do. I could not even begin to read the index in the time that I have been allowed. Therefore, the bulk of the time allotted to me today will be used to discuss two things which we understand will be contained in the motion to recommit.

I am opposed to the motion to recommit. I shall vote against the motion to recommit.

I shall vote for the bill.

Let me address brief remarks to what the bill as a whole does. First, it provides a new tax on certain potential sources of revenue which may not have been paying their fair share of taxes under the revenue laws which now exist.

Mr. Chairman, this bill provides some limitation on the deduction of entertainment expenses.

This bill provides for increased taxation of our mutual thrift institutions, mutual savings banks, and savings and loan associations.

Mr. Chairman, this bill changes the tax treatment of mutual fire and casualty companies.

Mr. Chairman, this bill changes the tax consequences with respect to the sale of depreciable property.

Mr. Chairman, this bill changes the tax treatment of the earnings of cooperatives.

With regard to those sections which provide for increased taxation of our mutual thrift institutions, mutual savings banks, and savings and loan associations, I certainly do not want to penalize those institutions which encourage thrift. At the same time, when certain of those institutions reach maturity and attain the financial stability that they no longer need the benefits which were provided under the laws which made possible their creation and their establishment, then they should realize they have reached maturity and should assume their normal share of the tax responsibility just like other taxpayers whether they are individuals or corporations.

It is both the obligation and responsibility of all businesses as well as individuals to assume the burden of taxation. This applies not only to mutual savings institutions but also to cooperatives and related membership type corporations.

Like all good citizens I am confident that they will willingly accept the provision of this bill.

It is the responsibility of every segment of the economy to pay its fair share and to assume its responsibility toward paying the taxes which must sustain and support the Treasury of the United States if we are to maintain fiscal strength and financial stability at a time when we need them perhaps more than ever in the history of our country.

Mr. Chairman, this is the first major revision of the internal revenue laws which has been presented to the House of Representatives during the five terms I have served as a Member of this body. I want to take this opportunity to commend the Committee on Ways and Means, and especially the chairman of the committee, the gentleman from Arkansas [Mr. MILLS], who spoke yesterday, and the gentleman from Louisiana [Mr. BOGGS], who spoke earlier today, for their very forthright statements. I want to commend them for the forthrightness and accuracy with which they have explained every single essential element of this bill which is before us today.

Let me come to a major point that I think is in the mind of each of us. It is one about which I had some concern initially, and at the time I read it and discussed it I had considerable reservation about that provision of the bill which provides for withholding of dividend payments and interest payments on certain types of accounts. When I asked these questions which came to me, as they must have come to many of you, I went to the chairman of the Committee on Ways and Means, discussed them with him item by item and question by question; and in every instance he gave me what I thought was a fair answer, a reasonable answer, which answered every question I had raised to him and which I feel answered every single question which has been raised in the many letters which I have received from constituents who reside in the district I represent.

Let me make this as clear as I can: The withholding provision does not impose a new tax on anybody. It collects no tax that would not be due in the absence of this provision. It levies no increased tax on anybody except, Mr. Chairman, those persons who for one reason or other during the years prior to now have evaded a substantial portion of tax liability on income from these sources.

Mr. WIDNALL. Mr. Chairman, will the gentleman yield?

Mr. FLYNT. I yield to the gentleman from New Jersey.

Mr. WIDNALL. Does not this withholding tax take away from the people that which they are entitled to and which the Government is not entitled to and that they will have difficulty getting it back?

Mr. FLYNT. I will say to the gentleman from New Jersey that I disagree with the premise upon which his question is based. I do not believe they have to sue the Government or the Internal Revenue Service to get back any money due them under the law as it is written, and certainly if it is not in it it can be corrected at the proper time.

All the taxpayer has to do is to file a claim for exemption at the source saying that he has reason to believe there will be no tax liability upon him, and then no taxes will be withheld from his dividends or interest. I ask the chairman of the Committee on Ways and Means if I have stated the situation correctly on that point.

Mr. MILLS. The gentleman has correctly stated the situation.

Mr. FLYNT. Furthermore, in regard to the question of withholding of taxes on dividends or interest, if there is no tax liability there is no tax withheld for the individual under 18 years of age, as I understand it, regardless of

what his tax liability may be. All they have to do is file a document with the Internal Revenue Service.

There is no tax withheld on them anyway so long as the institution knows they are under 18 years of age. Normally, every taxpayer, regardless of age, regardless of their financial circumstances, if they will file a truthful statement that they have reason to believe there is no tax liability on them for the coming year, then all they have to do is to file that with the institution which would normally pay them the dividend and the interest to which they would be entitled.

Mr. BYRNES of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. FLYNT. I yield to the gentleman from Wisconsin.

Mr. BYRNES of Wisconsin. I think it has been overlooked by the chairman of the committee and by the gentleman here that these exemption certificates have to be filed every year. That is number one. And, number two, they are not filed with the Revenue Service, they are filed with anybody with whom you have an account. If you have stock in 10 different companies you have to make sure that on file with each one of those individual companies is a certificate, and you have to do that every single year.

Mr. FLYNT. I may say to the gentleman if I had accounts or stocks with 10 or more corporations or 10 or more savings institutions I should be delighted to file the necessary exemption certificate or pay the tax due.

The question has come up that some people would be penalized and that some people would suffer hardship and inconvenience by this new provision. I do not believe that to be the case. I believe that people with no tax liability will be excluded from the withholding on their dividends, savings, and savings bond interest by filing a simple exemption certificate with the payer of the dividend or interest certifying what? Certifying that he has reason to believe he will not be liable for the payment of any income tax for the year in question. For those under the age of 18 the exemption certificate can be filed whether or not the individual expects to have any tax liability.

Those who have some tax liability but less than the amount withheld will apply for a quarterly refund on a simple form supplied by the Internal Revenue Service. Refunds will in most cases be received in a month, as they are now being received by the 35 million taxpayers who have income from salaries and wages, who are already paying withholding from their salary or pay check, whether paid weekly, monthly, bimonthly, or on any other basis within the calendar year.

I have been convinced that withholding is necessary, that it is in the best interest of the Treasury of the United States, and above that, Mr. Chairman, it is in the best interest of those taxpayers who year in and year out and month in and month out pay and pay willingly the necessary tax burden which is theirs.

Withholding of taxes on interest and dividend payments is essential as a matter of equity and as a matter of fiscal responsibility.

There is absolutely no reason why those who receive all or part of their income from interest and dividends should not have their taxes withheld—as wage and salary earners have been for 20 years. What is being considered is not a new or additional tax but simply a method of collecting taxes which are now owed the Government but not being paid.

In addition, the fiscal soundness of the pending bill depends heavily upon enactment of the withholding section, which is the largest single source of uncollected taxes owed: $650 million.

Individuals would suffer no hardship and little inconvenience.

Withholding will pay for itself hundreds of times over.

The estimated administrative cost of the withholding system is $19 million per year but $650 million in presently evaded taxes will be collected.

Withholding is necessary. Publicity campaigns aimed at increasing the level of voluntary reporting of interest and dividend income have simply not worked, and attempted enforcement by tax return audits has been unproductive.

The alternatives are less effective and more costly. Automatic data processing—even when the system is fully in operation, which it will not be for several years—is no solution to the problem of mass nonreporting. Automatic data processing does not collect taxes. Even with a vast increase in information returns which would have to be filed by business, it would merely identify suspected tax evaders. Use of automatic data processing would have to be coupled with an increase of thousands in Internal Revenue's enforcement staff. Even then, only the largest suspected evasions could be checked. At the most this system would collect about $200 million in evaded taxes and would cost some $27 million.

The system will be simple and convenient for payers of interest and dividends. They will make their payment of withheld taxes to the Government in one lump sum quarterly. They will not be required to keep detailed records of individuals to whom they make dividend and interest payments. In addition, they will be permitted to retain use of the withheld taxes for certain specified periods before they are turned over to the Government—a provision which will help offset the cost of withholding.

A strong reason for including the withholding provision on income from interest and dividends is that about $15 billion in dividends and interest were reported by individuals on tax returns in 1959, the latest year for which complete Treasury data are available. In addition, there were about $3.7 billion in dividends and interest that should have been reported in that year but were not. Most of this amount was subject to tax and the Treasury Department estimates that this underreporting resulted in a revenue loss of about $800 million in taxes for the year. Withholding will result in the collection of about $650 million of this amount and it is believed that almost all of the remaining gap will be accounted for when the automatic data processing system is fully developed.

Certainly this is a loophole which should be closed and one which can be closed by enactment of the committee bill but not by the motion to recommit.

Mr. Chairman, may I briefly discuss the investment credit provision. I am convinced, as I hope many of you will also become convinced, that if we are to successfully compete with those nations which are presently a part of the European Common Market, it is going to be necessary for us to do everything we can to make it possible for American industry to cut its production costs wherever it can. I believe this investment credit provision, coupled with a liberalized depreciation schedule, to be submitted by the Commissioner of Internal Revenue, will make it possible for American industry to compete on nearly an equal basis with its counterpart industry anywhere in the world. I believe we can successfully compete if our tax structure is realistic.

In conclusion, Mr. Chairman, let me emphasize that one of the main purposes of this investment credit provision is to create additional jobs for Americans.

Mr. Chairman, I have every confidence that this Internal Revenue Act of 1962 will be fairly enforced; that it will accomplish the purpose which the majority of the Committee on Ways and Means feel should be accomplished. I support the bill as reported by the majority of the Committee on Ways and Means.

Mr. Chairman, I shall therefore oppose the motion to recommit and on final passage I shall vote for the bill as reported.

Mr. BAKER. Mr. Chairman, I yield 10 minutes to the gentleman from Indiana [Mr. HALLECK].

Mr. HALLECK. Mr. Chairman and members of the Committee, I am sure the gentleman from Georgia [Mr. FLYNT], who just preceded me, had nothing to do with the quorum call, and I certainly had nothing to do with it. However, I am glad we do have a few more folks here. I am quite sure there is no filibuster on; at least, I hope there is not, because possibly we might as well go on and dispose of this matter this evening.

Now, I would like to say at the outset a word of commendation for those who have spoken on this very complex and difficult matter. I have listened to the debate. I just want to say that it has been constructive, thoughtful, and helpful. Divergent viewpoints have been expressed, and that is as it should be. I do not know how much I can add to what has already been said, but I am going to try it, anyway, and possibly I can clarify the positions that some of us take.

Mr. Chairman, I have been majority leader of this House of Representatives on two different occasions, in the 80th and 83d Congresses. In the 80th Congress, Harold Knutson, of Minnesota, was chairman of the Committee on Ways and Means. In the 83d Congress Dan Reed, of New York, was chairman of the

Committee on Ways and Means, as my very good and able friend, the gentleman from Arkansas [Mr. MILLS], is now chairman of the great Committee on Ways and Means. And, may I say, as I am sure he knows, that certainly for him I have only the highest respect and admiration.

So, having said as much, I think I can sincerely and truthfully say that I know something of the burdens that are carried by the majority when they bring a tax bill to the floor. That is as it should be, because they have the primary responsibility. But, by the same token, those in the minority have their obligation to try to assist as best they can in writing good tax legislation.

So, Mr. Chairman, we shall have a motion to recommit on our side that I trust will prevail. As I remember it, we had in the 80th and 83d Congresses substantial tax reductions for the American people, and we on our side were happy to write this tax reduction into law first in the 80th Congress, which, if I remember correctly, was passed over a Presidential veto, and that meant, of course, that there was very substantial support for the bill on the Democratic side of the aisle.

Before I speak on the motion to recommit, I just want to refer to what has already happened. We, on our side, tried to vote down the previous question, because we felt that under the limited rule that would be applied—not an open rule but a limited rule—we could offer three amendments that could have been debated in a limited way, with each being considered on its own merits. Our effort against the previous question did not prevail, so the vote came on the rule. It is a matter of record that while I supported the opposition to the previous question in order to try to amend the rule, I voted for the rule in order to bring this matter to the floor, because I realized that we still had the privilege of offering a motion to recommit and that the vote on the rule was in reality simply the beginning of the legislative process that I think we should carry on.

Now, as to the motion to recommit. There were some references made in the debate yesterday to what some called Republican irresponsibility. Well, as I view this motion to recommit, there is nothing irresponsible about it. I might say if one wanted to kick these charges around one might say that perhaps there is something a little irresponsible in a bill here presented by the committee that in my considered judgment is not a balanced bill, but one which would result in several hundreds of millions of dollars lost in revenue. I do not know how responsible it is to bring in here what is called a tax investment credit. The strangest thing about it all is that so far as I can discover the great majority of the business people who are supposed to be the beneficiaries of this action are against it. I might say that this business of what is referred to as withholding of interest and dividends, now made in my opinion unworkable and administratively impossible, results in, I am quite sure, without regard to what anyone might say about filing notification, not in withholding of amounts due, but overwithholding of income needed by millions of people in this country living on dividends and interest.

The motion to recommit is simple and understandable. First of all, in its general effect it will remove any adverse revenue implications that exist in the committee bill. I say that because it will add in my opinion probably $500 million in revenue in the coming year to the already hard-pressed Treasury of the United States. It will eliminate what I believe is an unwarranted subsidy or windfall for certain business interests of the country under the tax credit. There has been some talk about how we Republicans just do not want people to have jobs. Well, first of all, as to who wants this tax credit, we have a chamber of commerce in the State of Indiana. I would say on the whole it is composed of smaller businessmen. There are some larger ones in the organization. But here is what they have just sent to me with respect to the investment credit provision:

> It was the recommendation of a majority of the committee that this proposal not be approved by the Congress for the reason that it had many of the characteristics of an outright subsidy and discriminated against businesses that had gone ahead with expansion and modernization of plants in previous years. The committee majority was of the opinion that a general revision in depreciation schedules and overall tax reform would serve as a greater and more lasting stimulus than the investment credit.

Now, that is the business side of our economy.

I have here a letter from Andrew J. Biemiller whom all of us refer to as "Andy." He served here with us, and he and I have been good friends for years. He writes for the American Federation of Labor and Congress of Industrial Organizations. One would think that the AFL-CIO would be primarily interested in jobs. If this tax credit gimmick is going to provide jobs, then why would Mr. Biemiller write to me as follows:

> Although the AFL-CIO is unhappy with the investment tax credit proposal in the bill, it is far preferable to the accelerated depreciation provision which will be proposed in the motion to recommit.

Mr. Chairman, for the information of all of us—and I trust the information will get to Mr. Biemiller—there will be no arrangement for accelerated depreciation in the motion to recommit. So, if the AFL-CIO is unhappy, as they say, with the investment tax credit idea, then they must be satisfied that that arrangement is not going to provide real jobs.

Mr. Chairman, when we get ready to draw a motion to recommit—and may I say this to some of my friends on our side of the aisle, because it is primarily a minority responsibility—there are all sorts of different ideas about what it ought to be.

Some say it ought to be a straight motion without instructions. Others say it ought to be a motion with instructions. When you get down to the business of a motion to recommit with instructions, I think every one of us ought to recognize that you cannot write complex legislation in that fashion and probably should not undertake it. I think that is one reason why the motion to recommit will not deal with this matter of accelerated depreciation.

I think I should say this, in all sincerity, too, that at this juncture of the affairs of this session of the House of Representatives, a straight motion to recommit would probably mean the end of legislation in this direction. And if that is true then the same result exactly is achieved by the vote on final passage of the bill.

Mr. Chairman, the motion to recommit will simply strike out two sections. And in connection with striking out those two sections it will help tremendously in the fiscal situation of our hard-pressed Government.

Just a further word about the so-called investment credit. As I have said, I think it is discriminatory. I do not think it is sound tax policy. After the credit is given, there still would be granted 100 percent depreciation.

Section 19, which likewise would be stricken out, as I say, refers to the withholding of interest and dividends. I say it will be overwithholding. I say that with the improved methods in the Internal Revenue Service, with a better realization on the part of the people who receive these interest and dividends that they should pay taxes on them, I cannot see any reason why we cannot move without what I say would add to the harassment of millions of taxpayers all over the country.

Mr. Chairman, let me make one other thing clear. As I said, it has been intimated in a place or two, if not openly charged, that when we move to strike out section 19, the withholding provision, that somehow or other we are for tax evasion. Nothing could be farther from the truth. No one condones tax evasion; certainly I do not. But I do not want to compound the confusion that certainly would result if this section goes into effect.

I sometimes wonder why it was put in here, except that apparently it was felt by the administration that they had at least to create the appearance of having a balanced bill, a bill that would not result in a loss of revenue. As I say, if you want to be sure that we do not have an unbalanced bill then I say to you vote for the motion to recommit.

If this bill is just the beginning, if a balanced bill is the goal, let us make sure that we do not start off with the wrong kind of a beginning. There are 21 sections in this bill. The motion to recommit would strike out two of them. I have heard it said here time and again that this strikes out the heart of the bill; that it destroys the bill; that there is nothing left. We always hear about crippling amendments. If we adopt this motion to recommit, in my opinion, it would not strike out the heart of the bill; nothing at all like it. It does do away with two sections that in my opinion are not necessary and should not be adopted at this time.

Mr. Chairman, I certainly hope that the motion to recommit is adopted.

Mr. MILLS. Mr. Chairman, I yield 10 minutes to the gentleman from Missouri [Mr. BOLLING].

Mr. BOLLING. Mr. Chairman, it is a little difficult to get up at this hour, at a point when Members are beginning to cry for a vote; but I have had the privilege of spending about 10 years on the Joint Economic Committee, an assignment which I have taken very seriously. I have been rather fascinated by some of the discussion I have heard, particularly from the other side of the aisle.

I am sure there is no partisanship at all in the recommittal. There was no partisanship at all in the phalanx of votes which attempted to set up a unique method of considering a tax bill. One does not have to look very far back in the record to see that when the Republican Party was in the majority in the House of Representatives, it took exactly the same attitude on a tax bill under those circumstances that we who are in the majority take today. I am sure no one would deny that. That is the ordinary standard approach and the phalanx yesterday, the unanimous, I believe, Republican vote, was a sure indication that this bill was going to receive completely nonpartisan, nonpolitical consideration.

Now let us take a look at this question of recommittal. If we are talking of legislating in a constructive way; if we are talking about passing legislation in a constructive fashion, then I ask—what is constructive about a motion to recommit which offers no alternatives to the two sections, but simply strikes them out. What is constructive about saying, "No, we will not have any part of an effort to solve this fundamental problem that confronts America in dealing with the world situation"—a problem that has been studied and restudied and concerning which problem this is the first real effort to do something? And that is the question of the investment credit provision.

For years and years I have heard my friends on the Republican side talking about how we could, if we would only unleash private enterprise, more effectively compete with the Soviet Union. Then when the Democrats bring in a bill which tries to give private enterprise a more equitable situation in relation to all our friends in Western Europe, where they can write off investments much more quickly than we can in this country, then the Democrats are attacked as being in favor of a bonanza for business. What is the true inward attitude with reference to this problem? It is no secret—everybody in business knows what the real underlying reason is for being against the investment credit provision—they want more, and on more favorable terms. This is not enough. They want a more advantageous pitch, from their point of view.

Mr. Chairman, this is the fair and aboveboard way to meet this problem. This provides, frankly, for an incentive—frankly, it provides a subsidy to increase the amount of investment in automated machinery and the amount of investment in new and modernized equipment. When I tell you that every country in Western Europe has more favorable terms for writing off investments, it is not a myth. And it is not an exaggeration to say that with one or two exceptions the free countries of Western Europe are all experiencing greater economic growth than the United States. Certainly, we have to learn to compete more effectively. Certainly, we have to do things in the field of trade. But this is a good beginning. It is a good start. But our Republican friends on the other hand would offer us nothing as an alternative. They just say, "You are going to try to make a start, but we want nothing in this direction." That much is clear. They take a purely negative position on investment credit—no alternative—nothing—just strike it out.

The other section which they wish to strike out and about which they cry these crocodile tears and about which they tell us that in time when we get these automatic data processing machines in operation—and I know something about this and, fortunately, one of those automatic data processing installations is going into my district and I know when it is going to be set up and it is certainly going to be a number of years from now even if it is on schedule—as I was saying, this provision about which they cry these crocodile tears and say that everything will be all right when these machines get into operation should be adopted now because we need to see now, today, that this loophole is closed. There are many other loopholes and I hope when we have passed this tax bill, and it becomes law, that the great Committee on Ways and Means and this time in a more bipartisan manner will go to work to see if we cannot close a great many of the other loopholes that exist.

This business of crying for the widows and the orphans on the withholding tax provision is as phony as the thing we used to experience when we used to have the office of rent control. The big owners of apartment houses never came to see us; they always sent in to us the ones who had just one or two apartments to rent. They always came and told us what a terrible hardship they were going to experience. The people who are really fighting this withholding on interest and dividends are not the widows and the orphans misled by propaganda, because, despite the fact that they may have to file a certificate once a year, this does not represent a hardship.

If you say that some people will have more withheld than is necessary, what is the answer? That is exactly the present situation that we have when we withhold on salaries and wages; a great many people find at the end of the year that they have had too much withheld.

What is the difference between income from dividends and interest and income from wages and salaries? Why should they not be treated with complete equity?

So what I am saying in effect is that this bill takes a major step forward in a critical area of the U.S. economy, and that is to encourage investment. Mr. Khrushchev has said, and said repeatedly, that he will bury us; and when he talks about burying us he is not talking about burying us with bombs. He has said that he would bury us in what he calls peaceful economic competition. We have the opportunity in this investment credit section of the bill to strike a blow at his attempt to bury us; and in the withholding section of the bill we have a chance to bring equity to a tax structure, greater equity to a tax structure which is not as equitable as it could be.

Mr. BAKER. Mr. Chairman, I ask unanimous consent that the gentleman from New York [Mr. GOODELL], the gentleman from Wisconsin [Mr. SCHADEBERG], and the gentleman from Illinois [Mr. MICHEL] be permitted to extend their remarks on this bill at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. GOODELL. Mr. Chairman, I rise in opposition to the bill.

As far as I can make out, the only people for the bill are, for some mysterious reason, in the Kennedy administration.

Top union officials opposed the investment tax credit proposal of the bill which would give companies an extra 7-percent credit for expansions meeting with Government approval. The AFL-CIO said it "would grant a major tax windfall to corporations without accomplishing its basic purpose of increasing the efficiency of American productive capacity." A survey revealed that only 1 out of 68 corporations felt the tax credit would have any significant effect on major expansion programs.

Approval of the provision is unique in the history of the Ways and Means Committee. I am amazed the committee would insist on providing a tax benefit so overwhelmingly opposed by virtually all segments of our society. The bill, by dictating what expansion is worth a tax credit, amounts to a drive to put Uncle Sam on the board of directors of every company in America.

The bill also provides for the withholding of taxes on dividends and interest with a complicated procedure for exemptions thrown in at the last minute in an attempt to save the bill.

Big investors have not stirred much on this issue, but average workingmen and retired persons have been pouring an avalanche of mail into Washington against the plan.

What it amounts to is that individual taxpayers will be further harassed by the Government with special certificates, forms, filings and redtape in order to keep the money that they did not owe to the Government in the first place.

I do not think that we have to hit the average honest taxpayer over the head with a sledge hammer in order to catch up with the evaders.

The bill piles complicated new features on a tax code already beyond the comprehension of most. It is a burdensome travesty of reform.

Mr. SCHADEBERG. Mr. Chairman, I am opposed to this bill.

It seems to me that in this day in which this 87th Congress has deemed it necessary to raise the national debt limit by $15 billion and, as is common knowledge, will be asked to raise the debt limit by another $8 billion before the end of this 1962 fiscal year, it is

highly inadvisable and irresponsible to grant a 7-percent investment windfall over and above the 100-percent writeoff business and industry by law can obtain for new equipment and fixtures. We can hardly justify this in view of the increasing attempt of this administration to reach deeper and deeper into the taxpayer's pocket for additional revenues.

In this same bill we find that the Ways and Means Committee deems it necessary to withhold taxes on interest and dividends. On the surface this appears to be reasonable, if, of course, you accept as I do not, the principle of withholding—the right of Government to take a portion of the taxpayer's—citizen's—earned dollar before he receives it, but a careful investigation of the withholding-on-dividends proposal—section 19 of the bill—reveals that this proposal will be especially harmful to our elder citizens, those this administration claims needs socialized medical care because of their unfortunate financial circumstance. Let us put this in proper perspective: Why cannot our elder citizens care for the themselves? Is it not because of inflation which has devaluated their savings? As the years pass by and our citizens approach retirement years, many of them have decreasing income. Having, with no little sacrifice on their own part, invested their small savings, we now want to withhold 20 percent of the income on their savings. This is a hardship on those who can least afford it, since those who have little income—and thus the withholding is not a sizable amount—will be placed in the position of having to claim from the Government that to which under law the Government has no legitimate right and—if made legal—no moral right. Not only will the person not have use of the money withheld—which is needed, but in many cases the individual will have to secure professional advice to recover what was withheld. He will be the victim of technicalities that will result in loss of much-needed income. We ought to be at least as interested in people as we are in their tax dollar.

The facts are that this proposal will require additional help by the Internal Revenue Department to meet the additional load of correspondence associated with the attempt of the ones whose tax on dividend was withheld to recover payment.

It is my understanding that dividends and interest over $10 have to be reported to the Government on form 1099. It is a simple thing to compare form 1099 against the individual income-tax returns.

Let us simplify, not further complicate, our tax structure.

Mr. MICHEL. Mr. Chairman, on April 20 of last year the President sent to Congress a message containing a series of proposals on the review of certain of the present tax laws. Included in these proposals was a recommendation that Congress correct the present inequity in the application of the tax to certain cooperatives.

The President said:

> Contrary to the intention of Congress, substantial income from certain cooperative enterprises, reflecting business operations, is not being taxed either to the cooperative organization itself or its members.

The President pointed out that this inequity had resulted from court decisions which held that patronage refunds in certain forms are nontaxable. The President further recommended that the law be clarified so that all earnings are taxable either to the cooperative or to their patrons.

If my colleagues will bear with me for a few moments, I would like to review the history of the situation which led up to the recommendations of the President.

In 1951 Congress amended the Internal Revenue Code to provide that earnings of farmers' marketing and purchasing cooperatives are taxable in the hands of either the cooperatives or their patrons. Earnings distributed to patrons, in the form of cash, securities, other scrip, or book credits were to be considered taxable income of these patrons.

However, Federal appellate courts have held that some cooperative-issued securities or other scrip were of questionable value, did not in fact represent income to the patrons, and therefore were not taxable to them.

The result is that the earnings of some cooperatives have not been taxed, that is, neither the cooperative nor their patrons paid.

This situation has led to extended consideration of means whereby the objectives of the 1951 amendments could be implemented.

In 1957 the Treasury Department recommended a withholding system on noncash cooperative dividends. The Congress did not take action on this proposal.

In 1959 the Treasury proposed that Congress tax cooperatives on all earnings which are not either first, paid to patrons in cash; or second, paid to patrons in scrip redeemable within 3 years and bearing interest of at least 4 percent.

In response to the request of the President, the Ways and Means Committee conducted hearings last year and has now brought forth a bill which purports to provide for the clarification of the present law. However, in my humble opinion, I submit that the only thing which has been done by the committee and which is part of the tax reform bill before you today is to take from the patron 20 percent of something which he does not have and turn it over to the Treasury, and it forces the cooperative to be the collection agent.

I refer to the provision of the bill which will require that the cooperative withhold at least 20 percent of the patronage dividend allocated to the patron. The real question as to whether or not the scrip certificate or allocation made by the cooperative constitutes taxable income to the patron has not been solved.

Under the 16th amendment, Congress has the power to lay and collect taxes on incomes, from whatever sources derived. The principle has long been recognized by the courts that what is not in fact income cannot be made income by legislative action or by regulations of the executive branch.

In his appearance before the Ways and Means Committee, May 3, Secretary Dillon pointed out that several court decisions have nullified the intent of the 1951 legislation and have held that a patron does not realize income on scrip having no market value. For example, in the Carpenter case—1955—the U.S. Court of Appeals for the Fifth Circuit held that the revolving fund certificates under consideration in that case did not constitute income to the patron. The court added, and I read:

> It is fundamental in income taxation that before a cash basis taxpayer may be charged with the receipt of income he must receive cash or property having a fair market value, or such cash or property must be unqualifiedly subject to his demand (219 Fed. 2d 635).

In the Long Poultry Farms case—1957—the U.S. Court of Appeals for the Fourth Circuit commented as follows:

> It is argued that under implied agreement arising out of the provisions of the bylaws taxpayer in effect received in cash the amount of the credit and reinvested it in the revolving fund of the cooperative; but this is simply to exalt fiction and ignore reality.
>
> * * * * *
>
> To require the inclusion in income of contingent credits, such as are here involved, would be to require the patrons of cooperatives to pay tax upon income which they have not received, over which they have been given no control and which they may never receive. Apart from the question of constitutionality of such a requirement, which would be a serious one, it is a safe assumption that Congress never intended to impose upon the patrons of cooperatives the hardship and burden which the taxability of these contingent credits would involve (249 Fed. 2d 726).

Those supporting this tax proposal reason that the patron being made aware of the new provision will have consented to this method of taxation at the time of entrance into the cooperative. I doubt seriously whether the courts will sustain this view. In my opinion, patrons will resent this effort to pass along to them a tax liability which is not correctly their responsibility. It places the Government in a position, as I indicated before, of collecting by the withholding method a tax which the patron does not owe under the interpretation of the courts. This, I feel, is an injustice to the patron and it could have serious repercussions on the many patron members of farm cooperatives. For example, those few farmers who enjoy prosperity to the extent that their taxable income exceeds the 20-percent level, would be required to take funds from their own receipts to pay the difference in the tax as it would be assessed.

It does not seem quite right to me to make farmers or other patrons pay tax out of his own pocket when he receives no cash dividend over which he can exercise real dominion or control, and I submit that the courts could hold that he has not received any taxable income because he does not have readily realizable economic value.

Under the provisions of this bill, 20 percent of the so-called patronage dividend or allocation would be withheld by the cooperative except in certain cases, and the balance of the dividend under the bylaw-consent provision would be held by the cooperative and reinvested for an indefinite period of time and with no assurance that it would ever be paid to the patron. The only alternative for the patron in this situation would be for him to withdraw his membership from the cooperative.

If the courts sustain this point of view which I have presented to you this afternoon—and I have no doubt but what they will—the administration will be in the same untenable position it is in at the present time in regard to collecting this tax from the patrons or from the cooperatives.

I am sure my colleagues appreciate the fact that in certain areas of this country the farmer is limited in membership to a single cooperative, and he has no alternative but to join this cooperative if he wants to market his farm products. To impose this withholding tax on such a patron and force him to maintain his membership in such a cooperative appears to me to be an extremely burdensome load and could be only interpreted by the patron as the cost of membership in such an organization.

Mr. BAKER. Mr. Chairman, I yield the balance of the time on this side to the gentleman from Wisconsin [Mr. BYRNES].

The CHAIRMAN. The gentleman from Wisconsin is recognized for 35 minutes.

Mr. BYRNES of Wisconsin. Mr. Chairman——

Mr. BELCHER. Mr. Chairman, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield.

Mr. BELCHER. In the past few minutes I have heard the gentleman from Missouri and the gentleman from Georgia trying to explain what this bill would do for business. I represent one of the fine industrial cities of the country. Not less than 200 of the businessmen of this city have written me about this investment credit, not a single one supporting it.

I am in this position if I should vote for this bill of having to ask the gentleman from Georgia and the gentleman from Missouri to come out to my district and explain one by one to each of these fine successful businessmen in my district just exactly what they face and show how this would increase their operation or provide more jobs.

I just doubt very seriously if the gentleman from Georgia and the gentleman from Missouri would consent to come out to my State and explain this to my businessmen.

Mr. BYRNES of Wisconsin. Mr. Chairman, I am going to attempt to be just as dispassionate as I possibly can in discussing the merits of this bill and the motion to recommit. First, however, let me set the record straight. The President, I understand, at his press conference today accused the Republicans of attempting to kill the bill and all the proposals that are in it.

I think the President should either have a little better liaison as to what is happening up here or, at least, make some check before he indulges in statements like that. There is no effort to kill this bill as such. There is every effort being made to improve the bill and put it in a condition where this House can be proud to pass it. We do not want to be put in a position of passing a bill that in the future we will be embarrassed by having approved.

This bill contains 21 sections. Generally speaking, 18 of those sections are fairly well worked out and represent desirable changes. Some of the things that the President suggested we were trying to kill today are in the 17 or 18 sections that we on our side participated in improving and encouraged adoption of. On those 18 matters all of us on the committee as individuals in a bipartisan or nonpartisan manner attempted to bring equity into the solution of the problem that exists. I will vote for the bill with all of these 18 sections, if we can eliminate the 3 items we will talk about in the motion to recommit.

Do you know what the remaining 18 sections will do for the revenue? They will add $500 million to the fiscal position of our Government. You cannot say that is not of some significance. They talk about our trying to gut the bill and get rid of the bill completely. If our motion to recommit is adopted and this bill is passed, you will still have made some very important changes in the tax laws and you will improve the fiscal situation by $500 million a year, instead of putting it in a deficit position, which would be the case if you adopted the bill without the motion to recommit.

There are three sections I would like to deal with and on which there is controversy. Peculiarly enough, it seems it was only when we got down to these items that they were not concerned about what the Republicans wanted to do to try to assist them. We tried to be helpful in writing provisions that would meet the situation.

First, let us take the taxation of foreign-controlled corporations. There are other sections in this bill that close up real loopholes in this foreign field, and I am for them. I supported them wholeheartedly. There is another proposition, however, that we ended up with the last day of the session and reversed the action taken by all members of the committee on a proposition that was presented to us by the staff of the Joint Committee on Internal Revenue to take care of the problem that exists here and really hit at the abuses. But, the whiplash came from downtown, and I am not talking necessarily about the White House. I am talking about the AFL-CIO. They said if you do not expand this we are going to have to be against your bill.

So, what happened? On a purely partisan vote they reversed what the committee did. The committee had turned down the Treasury's proposals three or four times, if I am not mistaken. But they reversed the position they had taken, as far as adopting the staff proposal was concerned, by a purely partisan vote. They said, No, we have to get into this area. We want to discourage Americans from being able to operate aboard. This is the most astounding feature of this legislation. At a moment when our Government is prepared to pour more billions into foreign aid to provide economic development for other parts of the world, the Treasury Department is asking for new restrictions which are plainly designed to reduce American industrial activity abroad.

Mr. Chairman, this is inconsistent with the statement of the President urging the stimulation of private enterprise participation in oversea economic development activity. It is inconsistent with the statement of Secretary Dillon, when he was urging the Committee on Ways and Means only 21 months ago to provide tax incentive measures, when he called for his deferral of income abroad by U.S. business corporations. It is inconsistent with the State Department proposal in connection with the Alliance for Progress. It is against the commitment that we signed as an article to the OECD, that agency on which we depend for development and assistance. It is inconsistent with the maintenance by the Commerce Department of a costly bureau devoted to finding better investments abroad for American business.

It is inconsistent with the almost 50 years of U.S. policy designed to encourage and assist American businessmen in expanding our markets and facilities overseas for the benefit of the American worker and the American investor and the American exporter and the U.S. Treasury, which benefits from the income brought back home from such enterprise; yes, and benefit the American balance of payments which result from the bringing back of funds earned abroad. It is inconsistent with the pattern established by other industrial nations of the world through their progressive administrations, including this one up to now. Mr. Chairman, I refer to the pattern of encouraging and enabling our own businessmen to compete at least on equal terms with their competitors of other nationalities. This provision is inconsistent with the standard of fairness toward American businessmen which our own Government has urged to invest billions of dollars abroad to seek expanding markets. It is inconsistent with commonsense, and it is inconsistent with the national interest.

Since World War II, Mr. Chairman, our American business concerns have penetrated with great initiative and great courage into all corners of the free world—many of them areas which have historically been the exclusive preserve of European firms and cartels. They have done so in the belief, supported by the statements of every President, including the present one, that such penetration of foreign markets was in the national interest.

They have competed successfully on their own grounds abroad with such foreign industrial giants as the $9 billion Royal Dutch Shell complex and the $2 billion Unilever concern, both of which are of mixed British and Dutch ownership, with Volkswagen, Siemens, and

Krupp of German, with Philips of Holland, Hitachi of Japan, Fiat of Italy, Imperial Chemicals, British Petroleum, and others—all companies with sales or assets in the billion-dollar class. They have faced the vigorous competition of Pirelli, Renault, and Thyssen, SKF and Petrofina, of Mitsubishi, of Mannesmann, Montecantini, and others. They have competed with them not only in their own countries but in the all-important third-country markets of the world, such as the growing markets of South America, Africa, and Middle East. They have done this without subsidy, without many of the Government helps which are available to the European and the Japanese, and without obscure banking and insurance tieins.

And they have done these things, Mr. Chairman, with honor to themselves and honor to their country. They have played by the rules, and better, they have maintained the high standards of ethics, employee and community relations, fair play, and good products and services. Today in all parts of the world the brand names of American products are popular and friendly symbols of American life.

These business ambassadors have conducted themselves so well that they have not been subjected to the taunt "Yankee go home." But if the Treasury has its mysterious way in this legislation they will hear the cry from Washington of "Yankee come home." And those who are considering investments abroad are already hearing the words, "Yankee stay home."

Now, we have had the suggestion made that if we close this up we are going to be able to provide for the exportation of jobs; that this investment means we will have no jobs for workers here and they will be going abroad. Well, this argument that this bill will provide jobs for Americans is merely a demogogic appeal which has no real basis in fact.

Now, my colleague, the gentleman from Louisiana [Mr. BOGGS], who is present here, agreed with me on this point at one time, because he went over to the Senate Finance Committee in 1960 and he appeared on a bill over there which he was sponsoring. And, what did he say?

> In addition to that I found that a lot of these old shibboleths that make the rounds just are not so. For instance, that investment means the export of American jobs. This is one we hear quite frequently.

In other words, it is just one of these cats under the bed. That is what the Congressman from Louisiana, the present whip of the majority, told the U.S. Senate in 1960. And, I agreed with him and I agree with him now.

Mr. BOGGS. Mr. Chairman, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield to the gentleman from Louisiana.

Mr. BOGGS. If the gentleman is so touchy about that, why did he not make it a part of his motion to recommit?

Mr. BYRNES of Wisconsin. I will be glad to go into that, because I had intended to do so before I finish. We did make that effort. We made the effort when we proposed that you give us a rule to make it possible to offer a substitute for this provision, a substitute that the committee had agreed on up to the final day.

That is what we asked you to vote for, to give us that opportunity to make that our alternative and to make that proposed substitute. You turned it down. I am not dumb enough that I am going to have to be turned down twice by the same people. As far as I am concerned, I lost that battle, but the battle will continue.

Mr. BOGGS. If the gentleman will yield, the gentleman still has the opportunity, does he not?

Mr. BYRNES of Wisconsin. I have learned what the chances of that opportunity are, and you showed us that just the other day by turning down our proposal to have a substitute rule.

Mr. Chairman, I would like to assess, though, a little bit, this argument that the U.S. oversea firms are costing Americans jobs.

Mr. BOGGS. Mr. Chairman, will the gentleman yield once more?

The gentleman referred to me.

Mr. BYRNES of Wisconsin. I thought I yielded to the gentleman. Go ahead; all right.

Mr. BOGGS. I believe it will save time, and we will yield the gentleman additional time.

The argument the gentleman advances so far as having been defeated on the third proposition, would also apply to the other propositions, would it not, since he was also defeated on his other parts of his motion to recommit.

Mr. BYRNES of Wisconsin. No, sir; just on one, not all of them.

Mr. BOGGS. If the gentleman will yield further, on his open rule proposition, the gentleman had three of them.

Mr. BYRNES of Wisconsin. I am not going to yield further, because this has nothing to do with the subject which I quoted the gentleman on.

But I would like to assess this argument that U.S. oversea firms are costing Americans jobs. In the great majority of cases American business has gone abroad because it has found it necessary to do so in order to hold or to penetrate foreign markets in order to meet foreign competition.

I might say that there are American firms abroad which do export to the United States, but most U.S. firms in the foreign lands are selling their total output in the foreign market. That was the evidence before the committee.

Let us first consider the U.S. firm abroad which exports to the United States. The fact that the foreign subsidiary is American owned is not in any real sense the cause of any loss of jobs in the United States. The economic facts of life are such that if an American-owned foreign subsidiary were not manufacturing a given product which was being exported to the United States, you can be quite sure that this same product would be manufactured abroad and exported to the United States by a foreign company. Let us not delude ourselves in the thinking that Great Britain, Western Germany, Japan, or any other industrial, advanced country does not have the economic know-how, the capital, and the will to produce quality products which can be exported and sold in the U.S. market. If American jobs are being lost by the importation of products from abroad, the problem will not be cured by putting an American-foreign subsidiary out of business and turning that business over to a foreign-owned corporation. In any specific case, if we want to protect American workmen from the competition of foreign imports the real answer is in the tariff laws and the remedy is to apply effective tariff protection against the importation of such products. This is a matter about which I am gravely concerned and it is a matter which I am sure many of us want to explore in great depth in our consideration of the proposed Trade Expansion Act of 1962.

It is, therefore, obvious that in those cases where American-owned firms are exporting to the United States, the proposed restrictions on these firms operating abroad will not themselves in any way benefit the workers in our own domestic industry. The only real effect of such restrictions will be to penalize American-owned firms abroad and turn the business over to foreign-owned companies. If under the policies of the administration we are to further lower our tariffs to the benefit of foreign imports, it is far better that at least we permit U.S. enterprises to participate in this trade through their oversea affiliate rather than to leave the market entirely to foreign-owned firms.

By far the great majority of U.S. firms operating abroad today sell their output in the foreign country where they are operating or in other foreign markets. Because of foreign tariffs, import quotas, exchange restrictions, and nationalistic laws favoring the development of local industry it is not always possible to effectively compete in these foreign markets with exports from the United States. If Americans wish to share in these markets it is therefore necessary for them to establish oversea subsidiaries.

If the proponents of this bill prevail and crippling restrictions are placed on U.S. firms abroad then it will be no longer possible for U.S.-owned foreign subsidiaries to continue to share in these foreign markets. And if the U.S. firms are forced to retire from these markets under the "Yankee come home" philosophy, this business will then fall to the foreign competitors. Here again the result would be the surrender of world markets to foreign competitors.

Actually, rather than exporting jobs, U.S. private investment abroad provides jobs at home. These investments abroad provide a market for the export of U.S.-made machinery and equipment as well as raw materials, intermediates, components, and spare parts used in processing finished products and maintenance. On the other hand if these industries are owned and controlled by nationals of Western European or other countries it quite naturally can be assumed that they will turn to their mother countries for their equipment and raw materials. This would reduce exports from the United States, and the related U.S. jobs, to say nothing of the loss of dividends that now flow back to the United States from American-owned

firms abroad to provide dividends to the shareholders of the U.S. parent companies and tax revenues to the U.S. Treasury.

Let me give you another little example of this job proposition that is talked about. I would like to quote from the Secretary of Commerce, and this is not going away back here. This was just March 16. Let me quote him in a speech he made. He said this:

> U.S. investment abroad is important to our export expansion program. Direct investment in manufacturing facilities abroad stimulates our export of capital equipment. Our export of parts and raw materials and our export of finished products do fill out the lines of subsidiaries producing and selling abroad.

That is jobs here that that investment created, and the Secretary of Commerce tells you so.

Mr. Chairman, he goes further and says this:

> To the extent the United States invests abroad, the financial strength and the competitive capability of American companies reinforces our domestic economy. To the extent that the earnings of these investments are returned to the United States, they make a direct contribution to improving our balance of payments.

The very thing that we keep saying we want to do.

Mr. Chairman, this bill closes the door to do it. That is why we are against it and are trying to make a correction in this bill as far as the taxation of controlled foreign corporations are concerned. We are not trying to kill the bill. We are trying to eliminate this bill which will handicap the purpose that the Secretary of Commerce has told us should be our objective. That is what we are trying to do.

Mr. Chairman, why should not Americans be able to compete abroad on an equal basis with the German and French and British counterparts? If they reduce their foreign taxes by operating, let us say, in Switzerland, for their sales operation, who benefits? The United States benefits because when they bring that money back we insist that in toto there should have been a 52-percent tax paid. So, if they have already paid 20 percent, we assess the balance. If they have already paid 52 percent to the German Government or the French Government, we get nothing. Sometimes I just cannot fathom the logic of some of these proposals.

Mr. Chairman, let me talk about the subsidy to business on which the President put such great reliance for accomplishing such wonderful objectives. In fact, we are going to have no more problem with the Soviets, one would conclude from listening to the gentleman from Missouri who preceded me, because this is just going to put us so far ahead that we will not have to worry about the Soviets or the Communists or any other problems like that. But the gentleman from Missouri mentioned that he serves on the Joint Economic Committee. I wonder if the gentleman was present before that committee when Leon Keyserling, the former economic adviser to President Truman testified this year and commented on the tax credit proposal. What did he call it? To refresh the gentleman's memory, he called it a tax bonanza. I do not often agree with some of the economic philosophy of Leon Keyserling, but with this one I do.

The administration presented the proposal on the basis that we should put our depreciation law on a par with that of other countries. That has been expressed here. That is, we have got to get our depreciation laws on a par with those of some of our foreign competitors. But this does not change depreciation laws one iota. They also suggest that it is necessary to spur modernization and I am going to suggest to you that there is a very serious question whether it can do that to any degree. But what about depreciation? It is not depreciation reform, and that is what is needed, and that is what we attempted to give you when we asked for a rule which would make a depreciation reform provision eligible as a substitute for this bonanza section. But that has nothing to do with this provision here.

Under this proposal—and I hope you will follow me on this, because it is not so complicated; in fact, it is very simple, what this bill does under this proposal. A businessman goes out and buys an item and pays $20,000 for it; let us say a machine, or something of that kind, that he uses in his business. It is depreciated. He gets a subsidy for buying that of $1,400, or 7 percent. The Government might just as well, to all intents and purposes, write him a check at that time and say: "You send us the bill and prove that you have this item and it is in place and operating and that it has cost you $20,000; here is your check." But we do make him wait until he files his income tax return and then instead of sending the check his return shows what he owes Uncle Sam and he can deduct $1,400. There is not much difference between the two. It is just that he has to wait a little longer under that system.

Now, what does the taxpayer do then? Although this equipment really cost only $18,600—that is, $20,000, less $1,400—he puts the equipment on his books at $20,000, and through depreciation he gets his $20,000 back. In fact, what he has gotten back is $21,600 from the Government for an investment of $20,000 over the period of time.

To me, that is the gimmick; that is the bonanza; that is the windfall. It is not depreciation reform, because it has nothing to do with how he depreciates this item. The committee would not even permit us to say to this man at least, "Put it on your books for $18,600," because that is all he paid for it. Oh, no, we could not do that.

What about the incentive to expand and modernize? And mark you this: this credit is given not for any increase in investment over what they are investing now, as proposed in the original Treasury suggestion. The original proposition that came from the President—yes, at least, that had that merit, that you only got the credit as you invested more than you had been investing. But not this one—not as it comes to us today. You get it for just doing what you planned to do all the time and you even get it for the fact that by happenstance the machine was put into operation in your plant after the first of this year even before the bill is passed. That is a bonanza. That is a windfall in my book. The taxpayer is going to get credit for doing just what he planned. There are some that have to expand and have to go in and make certain investments. There are certain of your utilities. There is one large utility that will get $80 million a year for doing what it has to do to serve its customers and for doing what it intended to do, but you are going to give them a handout. They do not want it. Why? Because it disrupts their whole bookkeeping operation.

The inequities in this thing are multitudinous. I hope some of you would at least just skim through the minority report where we set out some of those inequities. But let me say this: Nobody is for this credit. The gentleman from Indiana [Mr. HALLECK] referred the letter from the AFL–CIO. I would call your attention to their statement which they issued in Florida and you can see whether it is going to stimulate business and create jobs.

I refer the Members to the statement issued by the American Federation of Labor-CIO executive council, which met at Bal Harbour, Fla., on February 23, 1962. This is pretty current, too. They knew what was in the bill. They knew what the economic situation was that we faced. But what did the executive council of this organization say?

I quote:

> The AFL–CIO has strongly and vigorously opposed the investment tax credit proposal as one that would grant a major tax windfall to corporations without accomplishing its basic purpose of increasing the efficiency of American productive capacity.

Yet, we find all the great economists on the Democratic side today telling us the great wonders that are going to be produced. No, the major business organizations, the major labor organizations, in effect, say, "It stinks"—and I join them.

You have not heard much about the farmers. The farmers have something to say about this too and we finally find the National Farmers' Union and the American Farm Bureau in agreement. On the other provision, we found the NAM and the AFL–CIO in agreement. Now we even find these two great farm organizations in bed together. Let me tell you what they say:

> The overwhelming majority of farmers due to catastrophic low prices do not enjoy the privilege of contributing income taxes to their Government.

That is one of the items we also have in the motion to recommit to strike out.

Then they go on to say:

> Also urge your influence to delete provision giving huge private corporations operating at less than full capacity over $1\frac{1}{2}$ billion and private electrical power monopoly over $100 million in tax subsidies which would result in the flight of capital overseas and further aggravate the dollar crisis.

It is signed "James G. Patton, president, National Farmers' Union."

What about the American Farm Bureau? They have a longer list but they

point out that they are opposed to this bill. They say:

Our major objections to this legislation are (1) to section 2, the credit for investment in certain depreciable property.

They make the following statement:

SEC. 2. Credit for investment:

The proposed investment credit is a selective form of tax relief—in reality a subsidy. This is clearly indicated by the fact that the proposed credit would be allowed as a deduction from the amount due as taxes rather than as an adjustment in the amount of income subject to tax and the fact that it would not reduce the basis of capital assets for depreciation purposes. The result would be to give some taxpayers a competitive advantage at the expense of others. Furthermore, the adoption of this special treatment for some taxpayers would postpone the day when the present burdensome level of income tax rates can be reduced for all taxpayers. It would be far better to liberalize the treatment of depreciation.

Reports indicate that a motion may be made to recommit the bill with instructions for the Ways and Means Committee to make certain changes, including the addition of an inventory investment credit. In our opinion, the proposal for an inventory credit is as objectionable as the proposed investment credit and for approximately the same reasons.

I would suggest that they in this same letter take the same position as the Farmers' Union, opposed to the withholding tax on dividends and interest. They also make this statement:

SEC. 19. Withholding tax on dividends and interest:

We are opposed in principle to the application of a withholding tax to dividends and interest.

The problems involved in applying withholding to dividends and interest are entirely different from those involved in the withholding of taxes from wages and salaries. The application of withholding to dividends and interest inevitably would lead to confusion and inequity for individual taxpayers, to say nothing of the greatly increased paperwork that would be required of concerns responsible for withholding.

The Republicans do favor acceleration of depreciation and depreciation reform, something that business can depend on, can plan on. Let me point this out, and I think it is one of the bases for the great concern that American business has about the possible adoption of this credit. They know it cannot be anything else but temporary. There was even language when it was first submitted to us that indicated that that might have been the intention of the drafters, and then they came back and said, "No, we think that ought to be permanent." But it can only be temporary, and everybody knows it. It is just a loophole. The temporary nature of this provision will be assured as soon as the taxpayers wake up and find out who will be getting the windfall resulting from the passage of this credit, and they are going to be down here in droves, saying, "Repeal that." The businessmen know that they cannot make any plan to buy a machine that will be installed 3 years from now on the basis of this credit, because they cannot get the credit until 3 years from now when the plant is in operation, and by that time the law will probably be repealed. A true depreciation reform would be meaningful, and we could live with it. It would not be just a plain subsidy. How much will this investment credit really cost? The staff of the Joint Committee on Internal Revenue estimated $20 billion by 1972.

Here is their estimate:

ESTIMATED REVENUE LOSS UNDER INVESTMENT CREDIT PROVISION OF H.R. 10650 AS AMENDED BY WAYS AND MEANS COMMITTEE FLOOR AMENDMENT, 1962–72, ASSUMING AN ANNUAL INCREASE OF 5 PERCENT IN INVESTMENT IN ELIGIBLE ASSETS [1]

Revenue loss attributable to investment credit on assets acquired or constructed in calendar year

[Millions]

On current revenue loss basis [2]		Including deferred revenue loss [3]	
Calendar year	Revenue loss	Calendar year	Revenue loss
1962	$1,400	1962	$1,400
1963	1,470	1963	1,500
1964	1,540	1964	1,610
1965	1,620	1965	1,730
1966	1,700	1966	1,810
1967	1,790	1967	1,900
1968	1,870	1968	2,000
1969	1,960	1969	2,100
1970	2,060	1970	2,200
1971	2,190	1971	2,310
1972	2,270	1972	2,430
1962–66 [4]	7,710	1962–66 [4]	8,040
1962–72 [4]	19,820	1962–72 [4]	20,980

[1] This is the level of increase assumed by the Secretary of the Treasury in address on Mar. 19, 1962.

[2] Without allowance for fact that some of the revenue savings arising out of the $25,000 limitation will be lost in subsequent years through operation of the carryforward provision.

[3] With allowance for the assumption that 50 percent of the revenue savings arising out of the $25,000 limitation will be lost in subsequent years through operation of the carryforward provision.

[4] Detail will not necessarily add to totals because of rounding.

We Republicans urged a 20-percent increase in the amount of depreciation that could be taken. We still urge that, but we are opposed to this so-called depreciation reform.

The President said in his press conference this afternoon that the tax burden should be spread equally. This handout does not spread it equally. Let me make that statement very positively. It is as inequitable as can be. How he can make that statement and then say we should support this particular proposal I cannot understand. If this proposal cannot be replaced by true depreciation reform it should be beaten; and the motion to recommit will so provide. If it is stricken out then the committee can move on—and I am talking about the Ways and Means Committee—move on to the consideration of true depreciation reform.

Now let me talk to the third item that we object to, and that is the matter of withholding on dividends and interest. We are told that this is simple. I state to you in all sincerity I am absolutely convinced that this provision is going to create a nightmare of redtape for those who have interest income or any dividend income or who have any connection with the paying of interest and dividends. It cannot help but do it. There are 350 million savings and shareholder accounts in this country, accounts where the dividend and interest amount to over $10. I suppose that today's interest will approach $250 but look at all the accounts below that. They are not taken into consideration in this $350 million. So you can add hundreds of millions more. It does not take into account either the patrons of cooperatives who have their accounts; it does not take care of policyholders in insurance companies and payments of interest and additions to policies they hold. A modest estimate is at least 500 million accounts that will be subject to filing an exemption certificate. Some will not file and then there will be overwithholding on many of them.

Let me tell you something about this exemption certificate on which the chairman placed so much reliance to the extent that he has now made it into a fair proposition.

It is peculiar that the Treasury Department in our executive session when we were considering this matter said, "Oh, you cannot do that because that will make it unworkable." They said we might apply it limitedly for a while to those over 65, but they recognized at that time that you cannot exempt all of these people, all of these accounts. You would make an impossible situation for us, they said.

The committee removed the exemption. Then they came back and gave it to everyone. I suppose if we had some more time, if this bill was not up today, we would have another session of the committee and we might even have a change in the investment credit feature, because we have had a change there since we reported the bill out last week.

There is no matching of any records of the payer corporation or company with what the taxpayer's records show or what he says as to how much has been withheld. There is no attempt to balance them or match them and see that it is properly enforced. Also, I do not know where the gentleman gets the idea that we are going to have a revolution in the Revenue Service, that if you apply for a refund you will get it back in 2 or 3 weeks. The American people will be glad to learn of this miracle that is coming about. If they have to process all of these certificates and applications for refunds we are going to be waiting a long time to get that done.

There is nothing in this to assure us that you are going to have any more accurate reports of dividends or interest received, there is nothing in here to assure that people will not file for a refund who are not entitled to it, because there is no way to determine it. They do not match them up today.

We say they can be matched today. That they can match the reports that are filed by banks and by corporations with the Internal Revenue Service, and they can do a better job of enforcement and use this effort that we made in the last 2 years to encourage a better compliance. I am not suggesting, and nobody on this side suggests, that people should get by without paying their legitimate tax, but we do say we should not get our administrative machinery so overburdened with redtape that we will make our whole tax system look ridiculous and the voluntary compliance part of it fall down.

Mr. Chairman, I wrote people in my district who communicated with me a year or so ago when we were working on this subject. They wrote me they thought the withholding of dividends and interest was a bad thing. I wrote them and said that if a feasible and administrative way can be found, and that is what the committee is working on, to try to find a feasible way to do it, if it can be found I am going to be for withholding, even though it is different than withholding on wages. But I have had to come to the conclusion that we have not come up with it yet and a feasible way to do it is not in this bill without creating an undue burden on our people who have 500 million accounts scattered all around the country.

We therefore propose in our motion to recommit to strike this section.

Let me talk about the budget and fiscal effects a minute because that does concern some people. The majority of the committee went back to cut down the cost of the bill. There has been a lot of figure juggling in this whole thing. We have heard about this bill being in balance. We heard talk about the other bill being in balance.

First we had the items in the bill as reported by the committee. These are found in your committee report. Then the majority, as I stated, got scared that the deficit would be too big, so they went back and they added an amendment to the bill. This amendment will be presented. But, what will the bill cost now after this amendment is adopted?

The staff of the Joint Committee on Internal Revenue Taxation has furnished us with a report. When fully effective, according to the staff of the Joint Committee on Internal Revenue Taxation, this bill is still $295 million a year out of balance. As far as fiscal 1963 is concerned, this bill is still $1,090 million out of balance. Now, that is the estimate of the staff of the Joint Committee on Internal Revenue Taxation, and I will stand by their estimates much before I will stand by any Treasury estimates.

I will insert the prepared table at this point:

Revenue estimates for H.R. 10650

[In millions]

	Treasury	Staff
(a) Fully effective (table 1, p. 5, of report):		
Estimate in report	−$505	−$775
Committee amendment	+625	+480
Final result	+120	−295
(b) Fiscal 1963 (table 3, p. 6, of report):		
Estimate in report	−1,425	−1,550
Committee amendment [1]	+625	+460
Final result	−800	−1,090
(c) Fiscal 1963 (with adjustment for incentive table 4, p. 7):		
Estimate in report	−660	
Committee amendment	+350	
Final result	−310	

[1] Using full year effect.

Treasury hopes final result for fiscal 1963 will be no loss, for reasons indicated in footnote 1 to table 4 in report. [Not printed in RECORD.]

Now, also, contrary to what the chairman told you yesterday, these losses are not taken into account in the budget, and I would ask you to turn to the budget of the United States, the small one that they put out, and read on page 20 where the President says:

Any net reduction in fiscal 1963 revenues resulting from the adoption of the investment credit is expected to be offset by additional revenue resulting from the enactment of measures to remove defects and inequities in the tax structure.

And he goes on with these other items that were supposed to be in the bill. This budget does not take into consideration any fiscal effect of this bill presently before us and, as I just pointed out, you are still voting for a deficit, a shortage of receipts, of over $1 billion in 1963 unless you get rid of this investment credit.

Now, what will be the effect if the motion to recommit is adopted? If you adopt the motion to recommit and strike out the investment credit and the section on withholding, where are you left fiscally? According to the staff of the Joint Committee on Internal Revenue Taxation, you will have a plus of $500 million. If you use the figures of the Treasury, it will be $560 million-plus.

I trust, Mr. Chairman, that the motion to recommit will be adopted and, if it is, I shall vote for the bill and for the passage of the bill, but if the motion to recommit is defeated, then the bill should be defeated and let those who insist on the $1 billion tax bonanza take the responsibility.

Mr. MILLS. Mr. Chairman, I ask unanimous consent that the gentleman from Ohio [Mr. VANIK] may extend his remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. VANIK. Mr. Chairman, during the course of the debate on this bill, I have endeavored to place into the RECORD my opposition to the investment tax credit and to the withholding provisions. The investment tax credit creates a bigger loophole than those which the bill attempts to close. I fear that if this tax credit is adopted, it would simply serve to stimulate higher investment credit in periods of high profits in order to conserve tax liability. In periods of recession and reduced profits there would be less or no taxable income toward which the credit would apply. Thus the credit will serve to increase the severity of economic impact. The annual loss to the Treasury will increase until it reaches over $26 billion in the next 10 years.

I represent a community where perhaps less than 10 percent of the residents own any stock and where the average bank deposit is under $1,000. In my judgment the $8 withheld from these savings accounts would constitute improper withholding and result in the unjust enrichment by the Federal Government. The overwhelming number of people in my district—whether they report interest income or not—are overpaying their Federal taxes. They file short forms. They overlook hundreds of millions of dollars in allowable deductions which would reduce their taxes. They will be reluctant and overly cautious in signing exemption applications. Their withheld income will be confiscated for all practical purposes. They will develop a bitterness against the entire income tax system and join in causes to destroy it.

They are bitter about big loopholes in our tax laws. Why do we omit discussion of the oil depletion allowances, the capital gains loophole, the stock option abuse? Has it become a violation of the rules of the House to discuss the propriety of reducing the fat oil and gas depletion allowances?

If the motion to recommit removes the sections on investment credit and withholding my objections to this bill have been substantially met and I must support such a motion. I cannot permit partisan considerations to keep me from doing what I believe should be done.

Mr. MILLS. Mr. Chairman, I ask unanimous consent that the gentleman from Oklahoma [Mr. STEED] may extend his remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. STEED. Mr. Chairman, those of us who have a particular interest in the smaller businesses of this country have over a long period of time developed an approach, and almost an instinctive way of looking at proposed legislation. Legislation which is described by its sponsors as being "in the national interest" is frequently in the interest of only a small portion of the Nation. And, all too commonly, it is the big business element of the economy which will benefit from the legislation, either to the exclusion of or directly contrary to the interests of the small business community.

Small business encompasses so many variables that the impact of a particular piece of legislation is bound to vary, depending upon the competition in the industry, the point in the chain of production or distribution at which the business is placed, and so forth. So it is not always easy to gage the effect of a bill upon small business. But, if we are to keep alive the small business element of our economy, it is absolutely essential that an attempt be made to analyze every piece of legislation from this point of view. Unlike big business interests, the small business community has neither the resources nor the experience to make itself heard. So, if such an examination is not made here—in the Congress itself—it is likely that it will not be made at all.

The Revenue Act of 1962—and particularly the investment credit—is no exception to this general rule. There are many of us who are in complete accord with the motivating policy behind the legislation. It is crystal clear that, in order to maintain the economic health of this country, it is necessary to raise our level of investment in productive equipment. The rate of growth necessary to continued and expanded national prosperity; the attainment of full employment; the restoration of a balance in our

international payments—all these can be helped immeasurably by an increase in investment in more modern and more efficient equipment. The granting of a tax credit, based upon the amount of such investment, is quite obviously a powerful incentive in this direction.

But, granting that big and powerful enterprises will benefit from such a tax credit, the troublesome question which must linger in the minds of many Congressmen is this: What is in it for small business? Is this simply another instance of legislation designed to aid big business, with only an incidental boost to the small firms which constitute the vast majority of all American businesses? Certainly this is a legitimate question, and one with which we should concern ourselves today.

The first area of scrutiny is, logically, the type of purchases which would be eligible for the credit under the proposed legislation. It is important to note that not only machinery or heavy equipment is eligible, but also cash registers, counters, refrigeration equipment, and so forth. Thus, manufacturers are not the sole beneficiaries of this bill. Small wholesalers, retailers—small businesses in every trade and every role—will be able to benefit.

Further, used assets—which are more likely to be sought by the small firm than by its larger competitors—are eligible to the extent of $50,000 a year. There are comparatively few small businesses whose purchases of used equipment, even under the impetus of a tax incentive, would exceed that figure. From the point of view of the small firm, it is particularly interesting to note a side benefit which can be expected to develop. The credit, by accelerating modernization, should certainly increase the supply and thus reduce the prices of used machinery and equipment replaced by the purchase of new assets.

Inventory is not included among the types of purchases which would be eligible for the credit. The small businessman does not suffer particularly from the exclusion; rather, it is the giant retailer, who could use excess funds to increase his inventory substantially, who would get a windfall if the legislation were to include such a provision. A substitute proposal includes a reduction in closing inventory. It is apparent that a one-shot reduction of this nature would be of dubious value as a lasting and sustained incentive; that the stimulus to increases in inventory would be incongruous in a bill designed to encourage modernization of productive facilities; and that it is readily subject to abuse.

Further, from the point of view of the small businessman, such a provision might well be a curse in the guise of a blessing. Since reduced closing inventory becomes reduced opening inventories of the following year, the tax bite is postponed only so long as sales and purchases remain at a high level. When a firm is confronted with declining sales and the need to curtail inventory, however, the chickens come home to roost; the tax payable is increased at the worst possible time.

As to the choice between a credit and a form of increased depreciation deduction, there can be no doubt as to the superiority of the credit. The credit not only acts as a substantially more effective incentive to increased investment; it also has some distinct advantages from the point of view of the small firm. The credit is a direct reduction of tax liability. It does not affect a firm's pretax earnings figure, as would increased depreciation. The small business, which even in the best of times has difficulty showing a sufficiently favorable profits statement to obtain adequate financing, is taking a real risk by increasing its depreciation and thereby impairing its earnings. The credit, on the other hand, presents no such problems. Quite the contrary, it increases cash flow and increases the profitability of new investment, without affecting pretax earnings. Further, it leaves the tax basis untouched. An increased deduction, of course, reduces the basis against which further depreciation may be taken.

This comparison is on the assumption that the alternative to the credit is a form of actual increased deduction. The substitute proposal, however, does not even do that; it simply shortens by approximately one-sixth the period of time during which a taxpayer may take the very same deductions as are available under existing law.

The most important distinction between the two approaches is, of course, the impact which each has upon the lower bracket taxpayer. The deduction for depreciation takes the form of a reduction of income, the value of which in terms of tax saving is much greater for the high-bracket taxpayer. The credit, on the other hand, simply takes the form of a deduction from tax liability.

Thus, a 7-percent credit against tax liability is equivalent to a first-year deduction—over and above allowable depreciation—of $14 per $100 of eligible investment for corporations subject to the 52-percent corporate income-tax rate. But, for a corporation with taxable income of less than $25,000, and therefore subject only to the 30-percent normal tax rate, the equivalent deduction is more than $23. For an unincorporated businessman subject only to the 20-percent starting rate for individuals, the equivalent deduction is $35. For the small businessman, then, the credit is clearly the more desirable approach.

Finally, I should like to point out that the limitation on the amount of tax liability which may be eliminated by the credit is almost irrelevant to the small business community. The recent reduction in the limitation, to $25,000 plus 25 percent of the tax in excess of that amount, actually had the effect of increasing the proportion of the total benefits provided by the legislation which flows to small business. The new lower limit will not affect any business whose expenditures on eligible equipment do not exceed $357,000 per year. Obviously, no more than a handful of truly small businesses would be adversely affected by such a provision. That this is so is illustrated by the fact that the maximum business loan which the Small Business Administration can make to a small business—including the cost of construction, as well as the purchase of equipment—has been set by Congress at $350,000.

In short, I have been measurably reassured by my scrutiny of the bill. It is not a windfall to big business. It does not simply scratch the back of the fat cats. It is not designed primarily as a boon to large enterprises which would be making such expenditures even in the absence of the legislation. It is a significant contribution toward the strengthening of our economy. And it does adequately provide for the interests of small business.

I am for it.

Mr. MILLS. Mr. Chairman, I ask unanimous consent that the gentleman from South Carolina [Mr. HEMPHILL] may extend his remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. HEMPHILL. Mr. Chairman, on yesterday, I voted against the previous question and against the rule allowing debate on this bill. I wanted the Ways and Means Committee to take this bill back and rewrite it. I know they were crying this was the best they could do, but I was of the opinion they could do better. I also voted against the rule because I wanted to have open and free debate. I did not believe it when they said it would take a week to study out this legislation and debate it out and that the House could not work its will. I would not have cared if it had taken a month.

I do not like the withholding feature in particular. I am happy they eliminated any withholding of people not liable for tax and under 18 as I was much concerned that the savings of old and young people would be greatly affected.

We of the textile area are most happy that the President of the United States has seen fit to try to help the textile people. The period of starvation has been a long one and the previous administration exhibited the worse sort of hypocrisy in dealing with the textile industry. I think they wanted the textile money and the textile support, but did not want to be of any real help, and they were not.

This new incentive plan should be a great help in retooling and expanding the textile industry so necessary to our part of the country. New industry means new jobs, steady employment, consumer market and 1,000 other things beneficial to our people. Along with a few others here of the affected textile areas, I have often voiced my concern over the plight of the textile industry in the future.

President Kennedy is the first President I have served under who ever offered any real sympathy or took any partial action. For this reason, I endorse that particular feature of the legislation.

I am well aware of the fact that the tax treatment with reference to foreign

properties and investments will be changed. Certainly the American investor and the American industrialist needs to have something done to protect the export of American capital, American manufacturing and American jobs. Why should the American manufacturer or investor be penalized because of domestic investments? It does not make sense.

I am happy that the original plan of the tax treatment of the saving and loan institutions was changed. The initial approach was too harsh, and, along with others, I contacted members of the Ways and Means Committee hoping to lessen the harshness of the treatment. I am happy that the Ways and Means Committee did lessen the harshness, and I salute the distinguished Congressman from New York, Hon. EUGENE KEOGH, for his unfailing efforts to help the thrift institutions.

Again, I say I do not like the withholding, but I do not want to work an injustice on all of us who, salaried, have to pay withholding.

Mr. MILLS. Mr. Chairman, I yield myself 10 minutes.

Mr. ALBERT. Mr. Chairman, will the distinguished gentleman yield?

Mr. MILLS. Gladly.

Mr. ALBERT. Mr. Chairman, as the debate on this important matter draws to a close, I think it would be in order for me to say that I believe I express the feeling of all the Members of the House on both sides of the aisle when I say that the management of this bill by the distinguished gentleman from Arkansas, [Mr. MILLS] has given us legislative leadership of the highest order. Those who have listened to the debate on this bill, as I have, will also agree with me, I am sure, when I say that this debate has been in the finest traditions of the House of Representatives. The Committee on Ways and Means has done a tremendous job with a difficult subject over a long period of time and has brought this bill to the House for our consideration. I had hoped that the distinguished minority leader of the House, the gentleman from Indiana [Mr. HALLECK], for whom I have great personal affection and the highest regard, would have found it possible to support this bill.

I am sorry that this bill has taken, as it did on the motion on the previous question on the resolution that made the rule in order, a partisan direction. I had hoped that this bill could be supported as we supported the Manpower Retraining Act a few days ago in a bipartisan spirit. But, Mr. Chairman, I am prepared to say that if we must pass this bill by Democratic votes, we are prepared to take the responsibility. We believe this bill is good for America and that whatever is good for America is good for either political party.

Mr. Chairman, those who have said that we should strike out the investment credit provision, which stands out in bold letters in the title of this bill, remind me, if the distinguished gentleman from Arkansas will yield further for that purpose, of the old Arkansas story of a man who was cleaning a White River catfish and when it started squirming he said, "Hold still, fish, all I am going to do is to try to gut you."

Mr. Chairman, it seems to me that the presentation which the gentleman from Arkansas has made, and others on his committee, has made it clear that this is the heart and the soul of the measure.

I am not one, Mr. Chairman, who believes that the treatment we give to one taxpayer should not be applicable also to another. I see no reason why we should treat the man who works for wages differently from the person who receives his incomes from dividends or interest. Above all, I do not for my part desire to vote to permit a large group of taxpayers to continue to evade the payment of their taxes.

Mr. Chairman, if the gentleman will yield further, I would like to take this opportunity, since it has been referred to, and because I think it states the position of those of us who are supporting this bill, to read the statement of the President of the United States on this bill at his weekly press conference this morning, and I read:

> I want to take this opportunity to stress again the importance of the tax bill now before the House of Representatives. An attempt is being made in that House to defeat this bill by sending it back to committee, and if it is killed, we will have lost a most valuable opportunity to find jobs for the college and high school graduates who will be seeking those jobs in June of this year. We will lose our best hope of modernizing our machinery and our equipment, and giving our industry an inducement to step up their investment so that they can compete on more equal terms with foreign investors and producers.
>
> We will be abandoning an effort to close those foreign tax havens that drain our jobs and dollars away from our shores, and we will be permitting $630 million a year in taxes due from stockholders and bondholders to go uncollected, even though these taxes are on the books. Even though one-third of these people are paying their taxes in good faith, yet because of the difficulty of collecting them, nearly $630 million due to the Treasury does not come in each year, which means that those wage earners, the small business men and others who have their taxes withheld from their salaries and their paychecks must pay more.
>
> We need this bill, finally, to help close off our loss of gold in our balance of payments. To make that less, we must modernize our equipment and our businesses so that they can compete, and we must close the loopholes which permit and encourage industry to invest overseas. I hope that every Member of the House of Representatives who believes in spreading the tax burdens fairly, who wants to improve our balance-of-payments position, who wants this country to grow with new equipment and new jobs, will support this bill as the best means of achieving these goals today. And I find great difficulty in understanding the position of any political party which makes it a matter of party objective to defeat this bill at this most important time.

Mr. HALLECK. Mr. Chairman, will the gentleman yield to me for a brief observation?

Mr. MILLS. I am glad to yield to the gentleman from Indiana.

Mr. HALLECK. Mr. Chairman, I listened with attention to what I understand are words from the President of the United States. As I understood it, he said that an attempt will be made to send the bill back to the committee, to kill it. I am sure the gentleman from Arkansas will understand that a motion to recommit with instructions directs the committee to report back forthwith with whatever instructions the motion to recommit contains. Then we vote on that as an amendment to the bill, back in the House, and then we go on to pass the bill or defeat it, whatever may be the case.

Mr. MILLS. The gentleman from Indiana has properly stated the situation, as I understand it; and that is why I wanted to take just a few minutes to point out why I thought my friend from Indiana [Mr. HALLECK] and those who intended to vote for a motion to recommit were making a mistake.

Mr. Chairman, I have nothing but the greatest respect, admiration, and affection for every Member of this House regardless of his political party. I know that when a majority of the membership of this House becomes informed and advised with respect to a matter, almost without exception that majority will do the right thing.

Mr. Chairman, there is no argument on the part of our Democratic colleagues or Republican colleagues on the Committee on Ways and Means about the requirements of the future for providing improved ways for business to recoup out of profits before taxes the investments that they make in the operation of the business and the creation of jobs. There is an argument about whether or not we should provide any of that recoupment through an investment credit. There is an argument about whether we should adopt this provision, and it is referred to as a gimmick. I said on yesterday, Mr. Chairman, that I originally had as much question about this proposition as anybody in the Congress ever had. I went into it, as did my Democratic colleagues on the Committee on Ways and Means. Of their own free volition, after having studied the matter fully, they concluded that it was in the national interest. It is in the national interest. And Mr. Chairman, during consideration of this matter by the committee as originally proposed with the help of the Republican members of the committee, we approved the investment credit provision by making it nondiscriminatory, by providing a flat rate, and by making it apply to those who are small as well as to those who operate the larger businesses. We made it applicable to the operations of the dairy farmer in Wisconsin as well as to the cotton farmer in Arkansas.

Mr. Chairman, I feel as confident about this point as I have ever felt about anything that this is a step in the right direction to help business to gain momentum in the creation of jobs.

Now let us see what my friend, the gentleman from Wisconsin, says and let us see what his position is, and I have great respect for him. The gentleman from Wisconsin bemoans the fact that the committee has seen fit to go into the operations of foreign corporations owned by Americans and to tax certain

profits of their businesses by saying they cannot be deferred from the American tax. I have some sympathy with that point of view. But then what does he say? He says, "I am perfectly willing for these American-owned profits abroad to be deferred from the American tax, but I ask the membership of this House to deny an American business operating here at home, which is trying to create more profits and more employment—deny that business even a 7-percent investment credit."

Now I am interested in the operation of American-owned businesses abroad as well as he is, in seeing that they can operate, but I am also interested in the operation of businesses here in the United States that I know will be helped as the result of this section of the bill dealing with the investment credit.

He suggests that we take out of the bill in his motion to recommit the provision for withholding of tax on interest and dividends, and they have offered every conceivable excuse in the world for not wanting it. They say it will cause overwithholding. They say it imposes a burden upon people who live off interest and dividends that ought not to be imposed upon them. They say it will cause a lot of paperwork. But what are they suggesting as an alternative? They are asking you to strike this out and let the Internal Revenue Service collect this money by making these cross-checks with their automatic data processing machines. How much is involved in this cross-checking? Can the Internal Revenue Service with their machines check a return without having the information recorded from a report from somebody on interest and dividends? Ask your bankers, ask your building and loan people and ask your mutual savings banks which they would prefer. Ask them whether they prefer to have to write down the name and address of everyone to whom they pay interest and the amount or would they rather do it through a simple and efficient system of withholding. The fact of the matter is that the only way in the world that their suggestion would work would be to have every dollar of interest paid by every one of these institutions reported to the Internal Revenue Service; and the Internal Revenue Service as an adjunct of the Treasury Department has that authority today. Do you want to defeat this and force the Internal Revenue Service into that position in order to collect this $800 million-plus that is now escaping from taxation? I do not think a reasonable person would say that that procedure which will be forced upon these institutions would be preferable to the procedure we provide for in the bill. And then we hear some say, "You are not going to help these people. They will have to file this statement every year that they owe no tax." Of course, that is true, but they overlook the fact that the bill does provide the authority once this is done and an experience record is established to permit the Secretary of the Treasury to dispense with that requirement for filing of these statements each year.

But there is one thing, my friends, I think, are overlooking. What effect does this proposal to strike out the withholding provision have on the payment of taxes by the American farmer? The provision on cooperatives in this bill states that, as to the cooperative when it allocates to the American farmer who is a member of that cooperative a part of the profits from the business that he is giving to the cooperative, there shall be a withholding of tax. We have said in the withholding provision that we do not think it is fair for this cooperative to hold his money, requiring him to pay the tax out of the profits from other income on this income that is being withheld from him by the cooperative. So we say the cooperative must give up 20 percent of the amount allocated to its patrons to cover the first bracket of the tax of this farmer.

Mr. BYRNES of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. MILLS. I yield.

Mr. BYRNES of Wisconsin. Can the gentleman tell us how this cooperative will handle the exemption certificate? How are they to tell what is going to be withheld on other funds?

Mr. MILLS. The cooperative will handle the exemption certificates all right. The gentleman realizes the same rules apply here that apply to other payors. But what I am concerned about is that the gentleman has not provided in his motion to recommit a motion to strike out this arrangement on cooperatives that will impose upon his farmers and my farmers the requirement to pay a tax on money that the cooperative is withholding out of his pocket and not giving to him.

This provision in the bill says that the cooperative must pay 20 percent to the Government to represent the first bracket of the tax of that farmer. I hope, therefore, that those of you who are concerned about this aspect of the matter will think twice before you vote for the motion to recommit.

Mr. Chairman, I hope that the membership of the House, not on a partisan basis, will vote down this motion to recommit. I hope then that the membership again not on a partisan basis will send this bill on to the Senate where hearings have already been scheduled to begin, I think, on Tuesday of next week, where adjustments, if necessary, can be made in it filling the needs and the requirements of the hour as seen by those in the other body.

Mr. Chairman, I urge the passage of this bill. I urge the rejection of this motion to recommit.

The CHAIRMAN. The gentleman from Arkansas has 10 minutes remaining.

Mr. WHARTON. Mr. Chairman, it is clear that we have here just another attempt at revenue revision, rather than legislation designed to raise necessary funds for the Federal Government to operate.

This bill proposes to reduce Federal income via a 7-percent subsidy to industry on new equipment. On the other hand, it aims to penalize our businessmen who have successfully penetrated foreign markets. Possibly the administration feels that this would be an even break, but I have serious doubts on that score.

Next we come to the controversial withholding provision aimed at that substantial segment of the American people who have worked and saved money, investing it in a savings institution or in dividend paying stocks. Whether 20 percent of their income is withheld or they file a sort of paupers' oath stating their low incomes are not subject to taxation, they are involved in bureaucracy, delay, and redtape where they have never been before. Mind you, these are the people who habitually pay their tax, their funds are right there on deposit as security to the Government in case they do not, and they know it. Now, we hear a great deal about tax loopholes. How about gambling establishments, racetracks, and sporting events where it is a well-known fact that, frequently, no tax whatsoever is collected on taxable income?

During my 12 years in the House, I have never received such a volume of mail unanimously opposed to a single bill. It comes almost entirely from little people who rely upon this income after a life of toil and savings. Have we reached a point where the old-fashioned virtues are to be penalized by bureaucracy, delay, and redtape? Avid supporters of the Kennedy administration say that they are reluctant to go along with this measure, and I hope that they will heed their consciences in preference to political expediency.

As someone has very aptly put it, the whole ramshackle structure of Federal taxes is a tangled growth of imposts tacked onto the last clear thought on taxation back in Woodrow Wilson's time.

No adjustment for tax grievance in any one sector of American life, no denial of established tax privilege to any one sector of American life can correct the Federal tax system without creating new injustices.

This withholding proposal clearly demonstrates that taxes require thinking through all over again, and the bill should be returned to committee.

Mr. SANTANGELO. Mr. Chairman, I oppose the motion to recommit and support this tax bill.

Fiscal responsibility requires that we raise and provide the funds to carry out the progressive programs of the Kennedy administration. To do otherwise would be irresponsible.

The motion to recommit seeks to eliminate the tax incentive features for our industry. It would prevent the expansion of their facilities to provide additional employment and which would enable them to compete with foreign industries and earn profits upon which they could pay taxes. The incentive program is a far-reaching and farsighted program and will promote the rate of growth of industry in our country so that it could compare with the rate of growth in those countries in Europe which were devastated by the war and which had to rebuild from the ground up.

The second feature of the motion to recommit is to prevent the withholding of taxes on interest and dividends. The wage earners of our country pay

their taxes when their employers withhold the tax on their wages. The professional man, the businessman and the nonsalaried workers pay estimated taxes on the estimated earnings or profits from their occupation or profession. For the past several years our Government and especially the Internal Revenue has engaged in a publicity campaign urging the American people to pay taxes on the interest they receive on their savings accounts and on dividends which they receive on their investments.

To a certain extent some of our citizens have heeded the call of their Government and have paid their taxes on their interest and dividends. But, unfortunately, a large percentage of American taxpayers have failed to report their interest and dividend payments. It has been reliably estimated that over $4 billion of interest and dividends have not been reported. The estimated tax on this unreported and undisclosed income would be approximately $824 million. Another lower estimate is $625 million. In any event, it is a sizable sum. The nonpayment of these taxes by the shirking taxpayers puts a burden upon the honest citizen who has his taxes taken from his wages or who pays his estimated tax and who reports truthfully the interest and dividends he receives.

A vote against this tax bill is a vote to permit those taxpayers who seek to cheat the Government to put upon the honest taxpayers a burden which they should not sustain.

Safeguards are provided for in this bill. Children under the age of 18 are exempt from paying taxes on their interest or dividends because they are not taxpayers or earn insufficient funds.

Our senior citizens above the age of 65 are also exempt from the provisions of withholding taxes on interest or dividends.

Those taxpayers between the ages of 18 and 65 who believe that the interest and dividends are not sufficient for them to pay taxes may be exempt by filing a certificate so stating and they will thereby be exempt from the withholding provisions.

During this year we have approved measures which would give aid to the unemployed, and aid to dependent children. We have increased payments to the aged of our community and to the blind and disabled. The cost of such a program was $140 million. This requires the raising of money in order to provide the much needed facilities and help which we, as a responsible and understanding and humanitarian government, want to provide for our less fortunate people. To vote against this tax bill while at the same time voting in favor of the authorization for such programs is being hypocritical and dishonest.

When we approve a far-reaching program, as responsible legislators, we must raise the funds to provide the money to implement and carry out the beneficial programs that we adopt. This measure is a far-reaching measure. It will carry out the Kennedy program and will move our Government forward. It will tax those American citizens who are living in Europe and who are exempt on the first $35,000 of their income. This bill reaches out and equalizes the competitive conditions between different types of banks and insurance companies. It will permit us to provide for the defense of our country and to continue the programs in outer space and to develop heroes like John Glenn.

Without the funds to carry on this research, we cannot compete with a totalitarian monolithic government like Russia. To oppose this measure would be to grant to the communistic countries an advantage over our democracy. On balance this is a very important measure and as a responsible American citizen and as a person who believes we must implement the social programs espoused by the Democratic Party, I must vote for this tax measure.

I trust that the motion to recommit will be defeated and that this measure will pass.

Mr. O'HARA of Illinois. Mr. Chairman, I am supporting H.R. 10650 because I believe firmly that a tax bill must be balanced and that the best guide for the action of the House is the recommendation of a majority of the members of the Ways and Means Committee, who wrestle for days and weeks with the complex and technical problems of taxation. The Honorable THOMAS J. O'BRIEN is the Chicago member of that distinguished committee. No man is held in higher esteem by the Members of this body and none has a richer background in experience.

Taxes never are popular with those upon whom they are imposed, and yet no American would wish our Government, our way of life, our economy, and our security to fall apart because of lack of revenues. I suppose no tax bill is entirely pleasing to everyone. If tax bills were not brought to the House in blanket form, and Members who had not had the benefit of the lengthy hearings and studies of the Ways and Means Committee were permitted to vote on each item according to their individual whims or interests, we could expect legislative chaos and surely would end up with a barren Treasury. No matter what administration is in power, Democratic or Republican, I feel that a sense of fiscal responsibility compels my support of a blanket tax bill reported by the Ways and Means Committee, even though there may be items on which I would be in disagreement, as doubtless is the case with members of the Ways and Means Committee. After all, in the final analysis good legislation is the child of compromise.

I commend the great Ways and Means Committee on the manner in which in the present bill it has worked out differences in the spirit of compromise. I was troubled by the many letters I had received from aged persons, subsisting on small returns in interest and dividends, and who could ill afford to have withholdings even for a brief time of the money they needed for livelihood. That the Ways and Means Committee worked out in a sympathetic commonsense manner by providing that there would be no withholding when one notified the Government in writing that his total taxable income would not subject him to an income tax. Fair and simple, the bill assures the Government getting the tax from those who should pay, gives complete immunity of withholding to those who have no tax liability.

In the last Congress I have supported the bill introduced by the very able gentleman from Louisiana [Mr. BOGGS], as regards taxation of American industries with foreign operations. The approach in H.R. 10650 is different and this is in an area where there may be honest differences of opinion, largely stemming from the fact that there is scant historic background and shifting conditions in a changing world give confusion to the making of charts. The gentleman from Louisiana is supporting H.R. 10650—indeed his speech this afternoon ranks with the great orations in the history of this Chamber—and this is proof conclusive that he accepts the provision in the present bill, subject to revision later if circumstances and developments would seem to demand.

Mr. Chairman, while supporting H.R. 10650 as necessary tax legislation if our Government is to have the funds for survival, and every legitimate source of tax income is tapped according to its ability and its responsibility, I think it only fair that I should include in my remarks some excerpts from a letter I received today from Lajos Schmidt, distinguished Chicago lawyer and member of one of the Nation's largest law firms specializing in international law. Mr. Schmidt writes me from London:

> In writing this letter from London I want you to know the feeling of the American business community abroad, as well as the feeling of leading foreign businessmen, on the effect of H.R. 10650. * * *
>
> Leading foreign businessmen have in fact stated that this legislation would seriously hamper the competitiveness of American companies abroad. As you know, it is increasingly difficult to export finished merchandise from the United States because of the extremely high cost of American labor. As a defense, the ingenuity of American businessmen discovered the possibility of exporting parts and components from the United States and transforming same into finished goods abroad. Through this device hundreds of thousands of new jobs were created in the United States. In fact, it is my opinion that our export volume has increased from year to year partly due to the extremely substantial production of parts and spare parts exported from the United States to controlled foreign subsidiaries. In order to stay competitive in the foreign markets—notwithstanding the handicap of expensive labor—American companies provided sales and service support for their domestic and foreign manufacturing companies through so-called base companies which derived a part of the profit and provided the foreign manufacturing and assembly plants with fixed and working capital.
>
> The new legislation will eliminate the most useful activities of the so-called base companies. The result will be either that these foreign companies will not be able to expand, and thus utilize an increased number of American parts and components and production parts and the multimillion dollars worth of capital assets, or that the U.S. parent companies must contribute investment funds to these foreign enterprises in order to keep them competitive. In both instances the results are disastrous. In the first instance, American job opportunities

will be lost and our balance of payments will deteriorate through a diminishing amount of export from the United States. In the second instance, capital, which otherwise would have been used for investment purposes in the United States, would flow abroad which would finally result in a decreased investment and productivity in the United States itself.

Your friends like Congressman Boggs and others who explored all the ins and outs of this question reached the conclusion that H.R. 5 would have helped American foreign business and the American economy in general. As you stated, in your opinion Congressman Boggs is one of the ablest Members of the House.

Mr. ALGER. Mr. Chairman, too little attention in this debate, it seems to me, has been given to the comparative consideration of this tax bill and the Trade Expansion Act of 1962, both measures coming before the Ways and Means Committee. Interestingly enough, both give evidence to the attempt being made by both the administration and Democratic congressional leaders to lessen the competitive position economically of the United States in the world today. Three general and related statements can be made about the provisions of these bills, even before any attempt is made to wonder why this is being done. First, both bills lessen U.S. industry's ability to compete in the world market. Second, both bills increase Government's control over industry and in so doing threaten to destroy private enterprise, replacing our private ingenuity and incentive with Government-controlled industry. The answer to socialism, communism's challenge of Government-controlled industry, is not to shackle our own with similar controls. On the contrary, we should free up our industry in both tax and trade to place our Nation in a better position economically to compete for the world's market, as freemen and private enterprise.

Freedom and private enterprise can run circles around men who work for Government in Government-controlled industries.

Let us look at both the tax and trade bills. The minority report, the Republican separate views, states the case well, on the tax effect of U.S. foreign controlled corporations—pages 21–27 of the report. These points are made:

First. Congress cannot constitutionally tax shareholders on the undisturbed income of foreign corporations, except in case of evasion. Until the court decides this after costly litigation we will not know if this tax is even constitutional.

Second. This tax bill reverses a longstanding U.S. policy of encouraging expansion of U.S. industry abroad. Trade not aid was part of this theme.

Third. Tax deferral abroad was considered so important last year by the Democrats that H.R. 5 was sponsored with this statement in the report of their position:

> The postponement of American tax as long as the funds are used in foreign operations is necessary to place the U.S. corporations operating abroad on a competitive basis with other corporations, either United States or foreign owned, which operate in the same foreign countries.

Today's tax bill completely reverses this policy of last year and many years in the past, placing our U.S. corporations at a disadvantage by now increasing their tax burden.

Fourth. Foreign investment of U.S. industry that accumulates abroad in the long run helps, not hurts, the balance-of-payments problem because a dollar invested abroad increases exports from the United States and produces dividends to the American investor which ultimately exceed the dollar invested. This bill now contradicts this undisputed logic.

Fifth. Any attempt to keep American business at home through the tax laws is isolationism at its worst. The tax laws would then become the equivalent of a discriminatory tariff or duty, applicable only to the American-owned business operating overseas but not to its foreign-owned competitor.

Sixth. Until there is free trade with others, nations lowering tariffs to meet ours, Congress should not penalize the American businessman further for going abroad in order to seek and make a place in that market.

Seventh. American corporations must compete with foreign owned. If the American firm cannot invest equally abroad with his competitors, foreign capital will take its place. Then income flowing back to the United States will be less.

Eighth. The other 14 major industrial nations do not tax undistributed earnings as we are here seeking to do. On the contrary many adopt tax incentives to encourage investment abroad.

Ninth. Liberalized depreciation, not investment credit, as here proposed is the area too where foreign nations can outcompete the United States. In the first 5 years, while U.S. industry can depreciate less than 50 percent of the cost of equipment Japan can write off 100 percent, Germany 67 percent, and others can do likewise.

Tenth. The use of so-called tax havens by an American-owned foreign company actually produces more tax revenue for the United States when funds are repatriated.

Eleventh. The tax bill is likely to cause foreign nations to increase their tax of U.S. industry there to soak up the differential in tax which would otherwise go to the United States. This too will serve to drive American business out of the European market.

Twelfth. The tax on U.S.-controlled foreign corporations violates our tax treaties with other nations. For one, the U.S. membership of the Organization for Economic Cooperation and Development—OECD—permits the United States taxing American shareholders only on those profits which are distributed by the company. This bill violates our agreements with Sweden, the United Kingdom, Germany, France, Netherlands, Denmark, Norway, Switzerland, Austria, Italy, Belgium, Greece, Ireland, and Canada.

Boil these statements down—they say one thing. American firms are in for tougher times in trying to compete in the world market.

Now let us look at the Trade Expansion Act of 1962. The President is given carte blanche authority to cut tariffs 50 percent on broad categories of products and remove all tariffs that are lower than 5 percent. What is and what will be American industry's position in world market? Will it be easier to compete or not?

First of all, U.S. tariffs are now among the lowest in the world. Others in reciprocal trade agreements do not match ours.

On the contrary they impose, in violation of GATT agreements, quotas, licenses, embargoes, cartels, registrations, levies, and subsidies and many other restrictive controls, more restrictive than are tariffs as a control of the free flow of trade. American industries are already hurt not because of ability to compete but because other nations unfairly keep up trade barriers. So what will lowering our tariffs accomplish? Further harm to U.S. industry, less ability to compete. The Trade Act of 1962 asks the Congress to abandon, first, the no-injury policy; second, item-by-item consideration of products in trade; third, the peril point and escape clause protection; fourth, Tariff Commission findings. In place of this the shift of power goes to the President or to whomever he delegates to single out industries and products for devastating foreign competition by lowering our tariffs while others keep up their tariffs and other controls. Then the President, or whomever he delegates, can single out or deny any industry harmed for Federal aid in loans, guarantees, and advisory help as well as monetary assistance to that industry's workers who are displaced by foreign imports; fifth, any court review; sixth, congressional jurisdiction.

Now put the two bills together. What do we have? We have a tremendous increase of governmental control over industry and the transfer of tremendous power to the President by Congress over U.S. industry, dictatorial in scope, beyond recall or repair in damage. Of course, political friends or foes can be properly rewarded or punished. Beyond dictatorial power we see, second, U.S. industry cannot compete with other nations if our creative genius and private initiative is destroyed by bureaucratic governmental control through tax and tariff. Destroyed it will be through regulation by tax and tariff as these bills spell out. Well might we pause to ask ourselves, what is our national purpose? Who is behind this scheme? Why do the President and the Democratic leaders of Congress insist on these two pieces of bad legislation? Our only hope lies in the commonsense and intelligence of our people to see the danger and deny this power and governmental control over our private enterprise and personal freedoms.

Mr. PELLY. Mr. Chairman, several days ago, on March 19, I introduced legislation, H.R. 10809, to amend the Export Control Act of 1949, to extend such act for 2 additional years and to require a prohibition thereunder of all exports of agricultural commodities to Communist countries.

H.R. 10809 would not only extend the Export Control Act of 1949 for 2 additional years, but it would bring Public Law 480 as administered under the Export Control Act into line with the foreign aid law, Public Law 87–197, thus eliminating the inconsistency in our foreign policy with respect to these exports.

I explored this matter in some detail in my remarks incident to the introduction of the bill. As a result, my office has been the recipient of a large volume of mail from hundreds of people almost 100 percent in support of the legislation.

One letter which I received a day or two ago is from a young lady, an anti-Communist student of Taiwan, presently residing here in Washington, D.C. Included with her letter was an English translation of an editorial which appeared in the Central Daily News, Taipei, Free China, under date of March 20, 1962. I am informed that the Central Daily News is regarded as the most influential and esteemed newspaper in free China. Inasmuch as these editorial comments are on the subject of food to Red China, I believe it is particularly appropriate to include the text of the editorial comments in the CONGRESSIONAL RECORD, as an additional argument for the passage of H.R. 10809:

FAMINE RELIEF VERSUS SUPPLY TO THE ENEMY

> Following Pearl S. Buck's letter to the editor of the Washington Post, advocating sale of U.S. surplus food to Communist China, it is reported that two American trade corporations are applying export licenses from the U.S. Government for shipment of food grains to the Reds. As humanitarian reasons are widely used in this matter, we wish to call attention to the difference between famine relief and supply to the enemy from a humanitarian point of view. Without a clear understanding of this important point, any famine relief can only strengthen the vicious force on the mainland and good intention may well produce bitter results. That is a very dangerous game.
>
> We, the free Chinese, are, as always, very much concerned about our brethren on the mainland who are living in misery under the cruel rule of international communism. We have repeatedly endeavored to work out some sort of arrangement to relieve the famine on the mainland. We had made appeals to international charity organizations with a view to contacting the Chinese Communists indirectly, in the hope that some ports at the mainland coast might eventually be opened, so that food could be brought into the mainland and be distributed to the starving people. However, the cold-blooded Communists, without the slightest regard to the welfare of the people, relentlessly rejected our offer.
>
> The Chinese Communists have not been inactive on this matter. They began to buy food from the free world since the beginning of last year. They bought 28 million bushels of wheat and 12 million bushels of barley in their first transaction with Canada, and 2,200,000 bushels of wheat in the second, and 186,700,000 bushels of wheat and 46,700,000 bushels of barley in the third. Of those transactions, as we had closely watched, not even a single word had been mentioned in their broadcasts, newspapers, magazines, and official publications by the Communists. On February 28 this year, Prime Minister Deifenbaker of Canada announced that shipments of grains sold to Red China started from last June. However, among thousands of thousands of letters we received from our relatives on the mainland, none of them indicated any knowledge of such grains, and among thousands of thousands of people who escaped recently from the mainland, none of them ever ate such wheat or barley.
>
> Then where have those grains been? They were disposed of by the Communist leaders. Some of them were used to feed the soldiers who are guarding the regime, some went to other Communist countries, such as Albania, to uphold Red China's international prestige in the Communist world. While large quantity of Canadian grains have been sold to Red China, yet no people in the street have eaten or even heard of it. Will the Chinese Communists treat American grains in a different way and distribute it to the starving people? Certainly not. The American press are not unaware of this fact. Papers like the New York Mirror and the New York Daily News have already pointed out editorially that sale of food to Red China will only reinforce the power of the vicious tyranny which is now in crisis and prolong the sufferings of the mainland people. These are most significant opinions.
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> All the facts behind the Bamboo Curtain indicate that the Red regime is deeply resented by the people. If they know that the Americans are supplying food to their Red masters so that the tyrannical regime might survive, they will certainly feel disgusted.
>
> Under such circumstances, we may easily realize that to sell food to the Reds is actually to strengthen the enemy. The needy people, however, will have no chance to be benefited. Only after the recovery of the Chinese mainland to the free world, the work of famine relief can be carried out in the true sense of the word.
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> We point out the importance of this matter in the hope that the American people will not be fooled by few naive persons such as Pearl S. Buck and that the American Government will stand firmly opposing any kind of activities which will help the enemy.

Mr. Chairman, I think about every argument pro and con has been used in the debate on H.R. 10650.

As to the investment-tax credit, as far as I have heard from businessmen who have studied this proposal, it is a handout available to those who invest in tangible personal property and certain real property used in business such as blast furnaces and outdoor machinery.

It is odd that no industrialists or businessmen who stand to benefit have pressed for any such a credit. This benefit would be above the normal 100 percent depreciation on business assets which is allowed, and I wonder if business is not just a little embarrassed or suspicious to be in the position or on the receiving end of such a selective tax credit. Perhaps some persons guess it is political bait and wonder what eventual price they or others will be asked to pay for it.

According to the chairman of the Ways and Means Committee, this credit involves a loss to the Treasury in the form of tax income of $1,175 million.

I have argued always that the business tax is too high, and I would support a general tax cut as against this special credit to certain favored taxpayers who are expanding or installing new facilities.

Actually, the fiscal picture of the country does not justify any tax reduction. Instead, we should be voting an increase in Federal revenue to offset the huge spending of this administration. We should be reducing the deficit and not increasing the national debt.

Here is the story:

On March 27, 1961, the President forecast a $2.1 billion deficit in his budget. On May 25, he said this deficit would be $3.6 billion.

In July, the figure went up again. This time the President said the deficit would be $5.3 billion.

On January 18, 1962, he came up with a new revised red figure of a $7 billion deficit forecast.

Now, with 5 months to go until the end of the fiscal year, the estimate is for a $9.4 billion deficit by June 30, 1962.

Congress has boosted the debt limit to $300 billion because the Government is overspending. The President is asking an $8 billion further increase in the legal debt limit.

The Treasury has estimated that, by imposing a withholding of 20 percent of interest on savings accounts and dividends payable, some of the tax credit windfall will be made up. I do not doubt that some revenue will be collected by this means that otherwise would be lost. However, I think the redtape and cost to corporations to achieve this revenue is unconscionable.

Therefore, I shall vote to recommit this bill to the committee under the motion which will be offered and which would require the committee to report it back to the House with the tax credit and withholding sections eliminated.

If the motion to recommit fails, as I suspect it will, then I shall vote against the bill on final passage. This is because in all conscience I cannot vote for legislation which will increase the deficit, not only next year, but in the years to come.

Mr. DADDARIO. Mr. Chairman, parts of this tax bill relating to the question of withholding on interest and dividend payments have raised a number of doubts in my mind concerning whether this system will not create more hardship than it will ease. While I recognize that the committee has done much to smooth this problem, it would seem to me that it can still interrupt a flow of cash income to those who earn it, and that such an interruption can work hardship on many who need to meet regular payments.

Aside from individuals who may be hurt, my attention has also been drawn to a specific problem relating to corporations. Although corporations subject to overwithholding also may claim quarterly refunds in addition to using a tax offset, there can be no question that this bookkeeping may involve a delay in the receipt and employment of cash income. When the House considered the Life Insurance Company Income Tax Act of 1959, it was noted that investment income is the principal source of such a tax. However companies must keep their funds constantly in productive use to build up this income, and a delay in the cash flow such as is proposed here would actually cause a loss to the Government in taxes by hobbling efforts to build that income.

I would like to pose a specific problem. Unfavorable underwriting results have placed one company in a position where it is not anticipated that Federal income tax will be paid over the next several years. However, withholding from the income on securities held in this company's portfolio would affect this company's position severely, as 20 percent of its dividend income amounts to about

$800,000 annually, or $200,000 a quarter—obviously an important factor in its cash flow during the year. It is not a large company, and the offset would not meet its needs. While this company is in a position in which many other companies do not find themselves, it raises a question of whether such problems have been considered and whether, in fact, it is an unnecessary hardship to impose withholding of interest directed to institutional holders or corporations where extensive auditing makes certain that every cent of taxable income is reported under existing law. This injustice should be examined as this bill moves further toward enactment into law.

Mr. ADDABBO. Mr. Chairman, it is with regret that I must offer opposition to this bill, H.R. 10650, although it contains several good provisions as to closing tax loopholes, but the people of my district have expressed opposition to this bill, especially the withholding tax on savings interest and dividends. I do not believe that the withholding on interest and dividends is a fair method of collecting tax because the tax reduces the amount of earned interest the taxpayer would have received because of the deductions every 3 months—this takes from him money on which he would otherwise be receiving interest.

It is my belief that the American taxpayer does not seek, in the majority, to defraud the Government and is agreeable to paying his fair share. Under the new system of identification numbers instituted by the Internal Revenue Service, any tax fraud or failure to report can easily be determined.

The tax bill benefits many large concerns which, I believe, if they wish to expand their operations could do so under present high profits.

There is nothing in this tax reform measure which would touch on our greatest source of additional revenue and which needs great revision, and that is the tax credits allowed for oil and mineral depletion. This remains at its high level of 27½ percent. I have introduced legislation relative to a more equitable tax plan for said depletion allowances.

If we are to benefit the economy of this Nation, we must start with the small taxpayer so that on this foundation can be built proper safeguards and tax revision.

Mr. LIPSCOMB. Mr. Chairman, I believe that the tax bill before the House, H.R. 10650, is poor legislation in various vital respects which if enacted could adversely affect the interest and welfare of large segments of the public and our economy.

Certain sections in this tax measure embody needed tax revision and reform that should help toward achieving an improved tax structure, but these in my opinion are far outweighed by the inadvisable sections of the bill.

It is unfortunate that a tax measure with controversial and far-reaching tax provisions such as H.R. 10650 contains comes before us under a closed rule. The bill departs drastically from existing tax philosophy in significant ways and I believe the membership of the House should be given a chance to pass on these aspects of the bill separately. This consideration is not given under the gag rule.

One of the specific sections of H.R. 10650 with which I am not in agreement is the provision for withholding of 20 percent of interest and dividend by the Federal Government. This provision can very adversely affect large groups of people who rely on income from interest and dividends for their livelihood. Many of these are not taxpayers at all in the sense that they would be owing these amounts in taxes under the present system. I have received much mail from residents of the district I represent who advise they will be severely handicapped under interest and dividend withholding.

The withholding of tax could result in significant overwithholding because of the fact that many citizens could not be aware of the fact that interest and dividends had been withheld, many would not know how much had been withheld, and many for one reason or another would fail to claim refunds due or would not submit exemption certificates.

We have heard several times since H.R. 10650 has been under consideration that this provision would be an administrative monstrosity. With that I thoroughly concur.

Another extremely questionable provision of the bill is the proposal to provide a 7-percent investment credit on the purchase of depreciable property. The very amount of the credit, 7 percent, appears to have been nervously and haphazardly arrived at after much last-minute scrambling to settle on some figure which it is thought would help bring about a so-called balanced tax bill revenuewise, which could be displayed to the House as good because it is "balanced." This interest credit gimmick would amount to an outright subsidy to certain areas of our business economy which would be denied to others. Indications are that in many cases the investment credit approach would amount simply to a tax windfall.

Additionally, an unfortunate aspect of this provision is that the Congress in effect forgoes the opportunity to make really sound and lasting gains toward achieving economic incentives through providing adequate depreciation allowances.

In addition to some of its obvious, serious drawbacks, the investment credit approach—so appealing apparently to those intent on shifting ever-increasing authority over our economy and our citizens to an all-powerful Central Government—could establish an unfortunate precedent for future tax tampering and regulation of our economy. What is to prevent legislation from being requested next year, or the next, raising or lowering the 7-percent figure? Or revising its application, according to the goals of Government planners? Before long the Congress could be confronted with the proposal that a set figure for credits for a specified purpose is far too rigid and that flexibility is needed to enable the President to raise or lower the investment credit rate adequately to take care of the needs of the economy. The investment credit plan opens the door for just this type of action in the future, another example of a surrender to centralized government of authority delegated by the Constitution to Congress.

Sections of the bill pertaining to tax on foreign income could seriously interfere with the ability of American firms to compete in foreign markets and generally in international commerce. As has been brought out, the proposal in the bill for taxing of unrealized foreign income moves directly opposite to the 1960 foreign investment tax incentive bill. Despite the many months consumed on tax hearings little opportunity has been afforded for adequate study of certain sections of the bill pertaining to foreign income taxation.

I shall vote for the motion to recommit H.R. 10650 with instructions to delete these sections of the bill, and in the event this motion is not accepted by the House, will vote in opposition to passage.

Mr. PHILBIN. Mr. Chairman, heavy, oppressive taxation is without question reducing our high American standards of living and discouraging those attributes of initative and incentive that lie at the very foundation of our great, free enterprise system.

The pending bill does not presume to furnish real substantial relief for the harassed and taxridden American people. The burning need of the hour is a thorough and basic overhauling and general revision of an archaic, obsolete, unrealistic and incompatible tax system that stems virtually from the horse-and-buggy days and has little reference or applicability to the complex, highly industrialized and mechanized economic society in which we live.

The bill hardly moves in the direction of valid, necessary fundamental tax reform, although I understand such sweeping legislation, long overdue, will be proposed to the Congress, probably before the end of the session. This bill is admittedly piecemeal, comprising vexatious, cumbersome, contradictory and administratively complicated and complicating provisions.

I will not analyze the bill in its entirety at this time. But I will touch very briefly upon some of its provisions I deem to be open to some question as valid, permanent tax legislation.

First. The application of the withholding principle to interest and dividends is bound to be confusing and meddlesome and it falls seriously short of revenue-producing potentials.

Millions of honest, hard-working, industrious taxpayers, many banks, corporations and other thrift and savings institutions would be visited with inconvenience, expense and delay, in some cases causing worry and perhaps hardship.

Since many of the people affected are of the rank and file, who must rely in many cases upon interest and dividends for the support of themselves and families, this provision simply adds another vexation to many others that stem from current tax procedures.

There are many people involved who are already paying their due taxes with scrupulous regularity and honesty even as they are heavily burdened by current taxes. The vexations arising from this provision cannot be solely justified by the relatively meager returns they promise.

Second. Investment tax credits would be helpful to business, but in my opinion it would be far more helpful to provide more realistic depreciation features and fast writeoffs. This field is extremely complex and must be approached with utmost care and most skillful and exacting legislative draftsmanship.

Third. Taxation of foreign income. This provision strikes me as being inconsistent and contradictory of present foreign aid and development programs as well as proposed trade policies. On the one hand, Congress passed laws giving special tax incentives to American business entrepreneurs operating in foreign countries; by this bill, Congress imposes additional onerous taxes upon American businessmen doing business overseas, limits or cancels the tax deferral provisions and makes it impossible for these concerns without crippling, oppressive taxes to utilize profits made abroad in their domestic operations here at home.

Thus, one large internationally known concern employing about 1,000 people in my district is virtually completely barred from using its oversea profits to expand, repair, or otherwise improve their holdings, property, working equipment, capital, and labor improvement operations in my district, so vital to the livelihood of many of my constituents. This kind of economics and this kind of taxation is hard for me to comprehend.

There are other objections and shortcomings of the bill I will not enumerate. Notwithstanding contrary views, it could result in a deficit budget; it gives handouts and windfalls to a favored few; it does not provide adequate writeoffs; it is contradictory in its terms and levies; it does not give the broad tax relief the American people urgently need.

I believe Congress and the committee should take another careful look at the tax picture and come forth with a bill that will relieve our people and businessmen of heavy burdens, strengthen the economy, spur prosperity, increase jobs and employment, insure a balanced budget, and promote prosperity in the country and help dollar imbalances.

In this way the President's overall economic plan for forward-moving, dynamic progress in business, standards of living, and improved prosperity for all the people can be substantially encouraged and advanced. I hope and urge that this course may be adopted.

Notwithstanding the fact that I favor something far more comprehensive and that I am very much opposed to some of the specific provisions of the bill, I am reluctant to vote to block a plan, inadequate in some respects as I feel it is, designed by the President and his advisers and the very able, distinguished gentleman from Arkansas, my friend, Mr. MILLS, and his fine committee, with the view to checking loopholes, providing substantial business incentives by way of tax credits, and aiming at a balanced budget and fiscal stability.

These are considerations which, however untimely some of the specific provisions of the bill may be, must be carefully weighed.

Moreover, the bill goes to the other body where we are assured it will be considered further and perhaps revised in those particular instances that need revision most, and I hope that this may be done.

I also urge, as I have done for some time past now, that the administration at an early date present its proposals for general tax revision, because if anything needs to be done in this country to improve economic health and to relieve business and the people of serious burdens, it is to make drastic sweeping tax reforms that will bring our tax system up to date and eliminate many inequities and injustices that have crept into it throughout the years, not only as a result of basic concepts long since outmoded, but also because of numerous unrelated and uncoordinated piecemeal amendments and changes that have been incorporated into our basic tax laws.

ENACTED ALMOST 50 YEARS AGO

The preservation of the American free enterprise system must always be in our minds. Viewing the steady decline in small business, it is easy to understand that we must provide more incentives, as well as more encouragement, for Americans who are engaged in, or who would like to be engaged in, business operations of their own.

Of these encouragements, proper tax treatment would surely be most effective if it is wisely and judiciously combined, according a larger and fairer share of Government procurement to small business, so that it successfully may compete and survive in the midst of the cyclonic changes that are sweeping through our economic system.

It is not only small business alone that needs to be helped. Big business must also receive fair, appropriate tax consideration that will make due allowances for its financing needs and for plowing more of its profits into the constructive channels of expansion and modernization and growth that must be enjoyed by all business—small and big—if our free enterprise system is to thrive and grow to meet the demands and needs of modern life.

Certainly, there can be no more important aim of a well-conceived tax system than that of lightening the burdens of the people who toil—the workers, the farmers, the skilled craftsmen, the artists, the white-collar workers, the professional classes and all members of the great masses of our people and middle-class citizens who have such a great stake in American prosperity and who are entitled to enjoy the fruits of their labors, their skills, their hard work, their initiative and creative abilities.

It is a formidable challenge, to be sure, to revise the tax system in ways that will bring the results we hope for in the big, complex economic society which is growing and developing so rapidly. But I firmly believe that there is in this Congress the bold, imaginative leadership, knowledge, ability and experience to undertake this great, necessary work to join with the President, and the executive agencies of the Federal Government in preparing and hammering out an overall, comprehensive tax measure that will raise the huge revenues we need these days and, at the same time, insure fairness, equity, justice, and decent consideration for our taxpayers and our people.

Since we have received assurances that this task will be undertaken at an early date, it is my hope that the shortcomings of the present bill may be resolved and corrected in a broad tax bill that will be adjusted to the times, to the problems and to the complexities of modern life. Nineteen of 21 sections of the bill are not generally objectionable to the Members of the House. Under the parliamentary situation that now obtains adequate corrective action is fraught with real difficulty. Although I am not satisfied with some provisions, under the circumstances I do not desire to obstruct a measure which we are assured by the President and the committee is necessary to balance the budget and make desirable changes in the tax system. But I hope that general tax revision will soon be tackled and adopted in the interest of equity and justice for the people and the strengthening of the economic system.

Mr. STRATTON. Mr. Chairman, I rise in support of the pending legislation.

Any change in existing tax legislation is always difficult, as is shown by the fact that this bill is the first major alteration to be adopted in our tax laws by the House in nearly a decade. I support it, however, for reasons which I feel are persuasive.

The chief purpose of the bill—and my main reason for supporting it—is to stimulate new job opportunities, especially in unemployment areas such as we now have in upstate New York, by making it easier for businesses and manufacturing concerns to expand and to acquire new, modern machinery. One of the principal reasons why our section of the country has suffered so heavily from foreign import competition is that foreign manufacturers have had the benefit of the most modern, most automated machinery available, supplied to them in most cases, incidentally, with the help of U.S. foreign aid funds, while competing American firms over here are obliged to keep operating with overaged and obsolete machinery simply because under existing tax arrangements they cannot afford to buy new machinery.

This bill will give U.S. firms a better break against these foreign firms by allowing them a tax credit or forgiveness of 7 percent for any sums spent to buy new equipment, or otherwise to expand their firms. The more businesses can expand, the more new jobs there will be available. Surely we desperately need some such shot in the arm as this to stimulate new jobs in upstate New York. It is my understanding that this proposal has met with wide support from business groups, who also feel it will have a beneficial effect in our area.

Incidentally, this tax credit will also apply to farmers who purchase new machinery, or otherwise expand their facilities. Anything we can do to create new jobs at home and to prevent jobs going overseas will be of great help to all of us.

Now, because this much-needed economic shot-in-the-arm, by easing some tax burdens, will result in some loss of total Government revenue, it is necessary for us to make up for this lost revenue in some other way. Otherwise we unbalance our budget, run a deficit, and risk fiscal irresponsibility. The committee proposes to make up this loss largely by extending to those whose incomes come from dividends or interest on bank accounts the very same tax withholding features that have applied to those whose income is through wages and salaries ever since the outset of World War II.

Because withholding does not now apply to these two special types of income, we are told that the very staggering sum of some $600 million in taxes, which should properly be paid to the Government, is lost each year. Thus by extending this familiar withholding feature to dividends and interest, therefore, we not only pick up this sizable sum, already due to the Government, but we do it without adding any new tax over and above what is already legally due and payable to the U.S. Government.

This much needs to be clear. The bill does not involve any new tax here, only a new method of collection.

I am sure all of us must agree that it is a desirable thing for the Government to collect all the taxes that are due to it fairly and equitably among all classes of taxpayers.

Of course, many persons who receive some of their income from dividends and interest—widows and orphans, for example—do not have enough income from this source actually to be taxable. Obviously it would place an unfair and unnecessary burden on such persons if they were to have a portion of this income withheld and then have to wait until the end of the year to get it back in a refund.

Therefore, the Committee on Ways and Means has wisely added several important features to protect people of this sort. These, incidentally, have largely been overlooked in published accounts of the bill.

First. No one under 18 will have any tax withheld from dividends or interest.

Second. No one who expects to have no tax liability at the end of the year will have any tax withheld at all. All that will be necessary will be for him to sign a simple statement to this effect at the start of the year.

I was also worried that perhaps this new withholding procedure might impose some unnecessary administrative burdens on the corporations or banks required to withhold these taxes. Of course these concerns already do withhold taxes on wages and salaries, and I am glad the bill before us does contain some further features to ease the burden on these concerns, so that with the help of the modern automatic business machinery now in general use today, the implementation of this withholding provision should not be unnecessarily burdensome, costly, or harmful.

In summary, then, I support the legislation because I am convinced it will help us compete more effectively with foreign firms, and will help stop the flow of jobs out of our State to countries abroad that we have been witnessing in recent years. The bill will accomplish this result without unbalancing our budget simply by collecting from one group of taxpayers the taxes they already owe under present law and it will collect them by means of the same procedure we have been applying for years to wage earners and salaried personnel without objection or complaint. Surely this is an eminently fair procedure, it seems to me, to accomplish so vital and necessary a result.

Mr. LANE. Mr. Chairman, I strongly oppose that provision in the Revenue Act of 1962 which imposes a withholding tax at a rate of 20 percent on dividends and interest, and patronage refunds of marketing or producer cooperatives.

This is one of those devices that appear to be so reasonable on the surface, but would, in fact, lead to confusion, waste, and overtaxation. It would intercept part of the interest due to millions of small bank depositors, and the dividends due to millions who own a few shares of stock, under conditions which would prevent them from ever getting the refunds to which they are entitled.

Section 8 is deceptive, impractical, and unfair. Its proponents try to equate withholding on dividends and interest, with the successful withholding on wages and salaries, but ignore the marked differences between the two.

As to withholding on wages and salaries there is only one employer-employee relationship at any one time during the taxable year; the employee claims exemptions to which he is entitled; and the rate of withholding takes into account his normal deductions. In spite of all these precautions to have the tax withheld approximate the tax that is due for the year, the Treasury Department processes more than 40 million refund claims annually, because of "overwithholding" on salaries and wages.

Extension of withholding to interest and dividends will be taxing "in the dark," with none of the safeguards mentioned above. The withholding rate of 20 percent provided in this bill is higher than the average effective tax rate for most people who receive some income through interest and dividends.

Early this year, the Commissioner of Internal Revenue estimated that there were more than 350 million interest and dividend accounts which would be affected by withholding if applied only to payments of $10 or more. When we add the number of people whose income of this nature would be less than $10, the total number of accounts would reach 500 million.

Withholding will result in depriving many people of their money who will not owe any tax. There is no procedure under this bill whereby the individual is advised as to the total amounts, or the separate amounts, which have been withheld from payments otherwise due him. The Treasury will collect a large sum to which it has no right. The taxpayer will have no knowledge of the facts. And no plan has been proposed to refund the overwithholding due him, in the absence of a claim.

The commercial banks have 52 million separate accounts. In more than 80 percent of them, the interest paid amounted to less than $12 per quarter. In almost two-thirds of the accounts, the interest paid amounted to less than $12 per year. The interest paid on about 32 million of those accounts did not exceed $62 million in the aggregate. There will thus be 32 million accounts involving the withholding of less than 40 cents. Many of these depositors will not bother to file either an exemption certificate or a claim for refund, in order to recover a tax of less than 40 cents. The cost to the Government in processing a claim for 40 cents would in itself make the withholding impracticable. This is the ridiculous aspect of the proposed withholding tax.

More than 3 million Americans with low incomes are shareholders in our corporations. The law exempts $50 in dividends from tax. That exemption will be nullified by imposing a withholding tax on total dividends of $50 a year and less where there is no tax liability. Millions of shareholders will be discouraged by the redtape of filing refund claims, or in the confusion will neglect to do so.

The Government will in effect enrich itself at the expense of small depositors and shareholders, collecting a tax which is not due.

If this provision is not stricken from the Revenue Act of 1962 it will victimize millions of Americans who practice thrift in order to supplement their meager incomes through interest and dividends. It will cause them to question the good faith of their own Government.

The proposed withholding of taxes on interest and dividends is ill conceived, unjust, and dangerous.

It must be defeated.

Mr. MILLS. Mr. Chairman, that concludes debate on the measure on this side.

The CHAIRMAN. All time for debate having expired, under the rule the bill is considered as having been read for amendment.

No amendments to the bill are in order except amendments offered by direction of the Committee on Ways and Means. Are there any committee amendments?

Mr. MILLS. Mr. Chairman, there are committee amendments. I offer the first committee amendment.

The Clerk read as follows:

Page 6, line 9, strike out "8" and insert "7".

Page 6, line 15, strike out "$100,000" and insert "$25,000".

Page 6, line 16, strike out "50" and insert "25".

Page 6, line 17, strike out "$100,000" and insert "$25,000".

Page 7, line 15, strike out "$50,000" and insert "$12,500".

Page 7, line 15, strike out "$100,000" and insert "$25,000".

Page 7, line 21, strike out "$100,000" and insert "$25,000".

Page 7, line 24, strike out "$100,000" and insert "$25,000".

Page 10, line 4, strike out "50 percent" and insert "3/7".

Page 11, line 13, strike out "$100,000" and insert "$25,000".

Page 24, line 6, strike out "$100,000" and insert "$25,000".

Page 24, line 9, strike out "$100,000" and insert "$25,000".

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

Mr. MILLS. Mr. Chairman, I offer another committee amendment.

The Clerk read as follows:

Committee amendment offered by Mr. MILLS: Page 51, strike out lines 13 through 23, and insert:

"(A) first out of its earnings and profits accumulated in taxable years beginning after December 31, 1951, to the extent thereof,

"(B) then out of the reserve for losses on qualifying real property loans, to the extent additions to such reserve exceed the additions which would have been allowed under subsection (b)(4),

"(C) then out of the supplemental reserve for losses on loans, to the extent thereof,

"(D) then out of such other accounts as may be proper.

"This paragraph shall apply in the case of any distribution in redemption of stock or in partial or complete liquidation of the association, except that any such distribution shall be treated as made first out of the amount referred to in subparagraph (B), second out of the amount referred to in subparagraph (C), third out of the amount referred to in subparagraph (A), and then out of such other accounts as may be proper."

Page 52, line 2, strike out "(A)" and insert "(B)".

Page 52, line 3, strike out "(B)" and insert "(C)".

Page 52, line 11, strike out "(1)(A)" and insert "(1)(B)".

Page 52, line 20, insert quotation marks after the period.

Page 52, strike out lines 21 to 24, inclusive.

DEFINITION OF "QUALIFIED LOAN"

Page 49, lines 18 to 20, strike out "any loan of the taxpayer secured by an interest in improved real property,", and insert: "any loan secured by an interest in improved real property or secured by an interest in real property which is to be improved out of the proceeds of the loan,".

Page 51, line 2, strike out "of the taxpayer".

DEFINITION OF "DOMESTIC BUILDING AND LOAN ASSOCIATION"

Page 55, lines 5 and 6, strike out "the second paragraph of".

Mr. MILLS (interrupting the reading of the committee amendment). Mr. Chairman, I ask unanimous consent that the further reading of this amendment be dispensed with. It was printed in the RECORD yesterday in connection with my remarks dealing with the section on savings and loan associations.

The CHAIRMAN. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

Mr. MILLS. Mr. Chairman, I offer some clerical amendments to correct certain clerical errors in the bills.

The Clerk read as follows:

Committee amendment offered by Mr. MILLS:

Page 42, line 16, strike out "522" and insert "552".

Page 89, line 13, strike out "(B)" and insert "(B))".

Page 150, line 12, strike out "954" and insert "955".

Mr. MILLS. Mr. Chairman, I would now like to comment briefly on the committee amendments which have been offered to the bill.

The series of committee amendments, in addition to certain clerical amendments, relate to two basic subjects—the investment credit provision contained in section 2, and the provisions contained in section 8 relating to mutual savings banks, savings and loan associations, and cooperative banks.

The first group of amendments, those related to the investment credit, have the following effect:

First. The amount generally allowable as a tax credit is reduced from 8 to 7 percent of the qualified investment.

Second. The amount available for most regulated public utilities as a tax credit is reduced from 4 to 3 percent of the qualified investment.

Third. The bill as reported limits the allowance of the tax credit to the full amount of the tax liability up to $100,000 and to 50 percent of the liability in excess of $100,000. The committee amendments reduce the amount of tax liability which may be fully offset by a tax credit from $100,000 to $25,000. They also provide that the credit may offset only 25 percent of the liability above $25,000—instead of 50 percent above $100,000. The amendments relating to mutual savings banks, savings and loan associations, and cooperative banks relate to three subjects:

First, in the case of stock savings and loan associations, an amendment is made which is concerned with the priority of payments to stockholders of these associations. Under the bill as reported, distributions to stockholders are considered as being made first out of post-1962 reserves for losses on qualifying real property loans, then out of pre-1963 supplemental reserve for losses on loans. No taxes have been paid by the associations on amounts in these reserves, so taxes must be paid by the association at the time of the distributions. Only when these reserves are exhausted are distributions considered as being made out of earnings and profits accumulated since 1951 on which taxes have already been paid by the association. The committee amendments, in general, reverse the priority for these distributions to stockholders. They are first to be considered as made out of the tax-paid earnings and profits accumulated since 1951 and only when these funds are exhausted will they be treated as paid out of reserves for losses on qualifying real property loans, and after that from the supplemental reserve for losses. The committee amendments retain the priority provided by the bill in the case of distributions in redemption of stock or in partial or complete liquidation of the association.

Second, the definition of qualified loans is expanded to include not only loans secured by an interest in improved real property but also loans secured by an interest in real property which is to be improved out of the proceeds of the loan. This merely carries out the initial intent of the committee as already is expressed in the committee report.

Third, the definition of a building and loan association is broadened to include those who make loans of the type permitted to be made by a Federal savings and loan association by any part of the section 5(c) of the Home Owners Loan Act and not merely by the second paragraph of that section 5(c).

Mr. Chairman, under leave to extend my remarks, I would like to insert at this point a summary of the bill as it would be amended by the committee amendments:

SUMMARY OF H.R. 10650, THE REVENUE ACT OF 1962 (INCLUDING EFFECT OF COMMITTEE AMENDMENTS)

Section 1. Short title, etc.: The act is to be cited as the "Revenue Act of 1962."

Section 2. Investment credit: Under the committee amendments, an investment credit against tax liability is provided. It generally is 7 percent (3 percent in the case of certain public utilities) of investments in new tangible personal property and most other depreciable real property except buildings and structural components of buildings. No credit is allowed for property with a useful life of less than 4 years. For property with a life of 4 to 6 years, one-third of the investment is taken into account; for property of 6 years to 8 years, two-thirds is taken into account; and for property with longer lives, the full amount of the investment is taken into account. Purchase of used property, up to $50,000 worth, also is eligible for the credit. The credit may offset tax liability in full up to $25,000, but above that point the credit may not reduce tax liability by more than 25 percent. Any unusued credit may be carried over for 5 years and used in those years to the extent permissible under the applicable limitation. This provision is effective for taxable years ending after December 31, 1961, but only with respect to property acquired or to the extent constructed, reconstructed or erected after that date.

Section 3. Appearances with respect to legislation: A deduction is provided for costs relating to appearances before, presentation of statements to, or communications sent to a legislative body, a legislative committee or individual legislator, if the expenses are otherwise ordinary and necessary business expenses. A deduction also is allowed for the portion of dues paid to an organization which are used for similar legislative expenses to the extent they are related to the businesses of its members. In addition, the communication of information between the taxpayer and the organization with respect to legislation is deductible. This provision does not permit the deduction of expenses incurred for advertising or for attempts to influence the general public, or segments of the public, or for expenses concerned with political campaigns. This provision applies to taxable years beginning after December 31, 1962.

Section 4. Entertainment expenses: Deductible expenses for entertainment, amusement or recreation generally are limited to those directly related to the active conduct of a trade or business and in the case of facilities, a further restriction is imposed to the effect that the facility must be used primarily for the furtherance of the taxpayer's trade or business. An exception to this limitation is provided for business meals where the surroundings are such as to be conducive to a business discussion. Eight

other specific exceptions also are provided. A second feature of the provision limits the deduction for business gifts to $25 per year per individual recipient. In a third feature of the provision, rules are set forth providing that the deduction of entertainment or travel expenses will be denied unless they are substantiated as to amount, time and place, business purpose and business relationship to the taxpayer of the persons involved. Fourth, in the case of traveling expenses, only a reasonable allowance for amounts spent for meals and lodging is to be deductible rather than the entire amount so spent. This provision applies to taxable years ending after June 30, 1962, for periods after that date.

Section 5. Distributions in kind by a foreign corporation: Distributions in kind from foreign corporations to domestic corporations are treated as having a value equal to the fair market value of the property distributed (and not the adjusted basis of this property in the hands of the distributing corporation where this is lower). This applies to distributions made after December 31, 1962.

Section 6. Allocation of income in the case of sales to or from a foreign corporation: Where goods are purchased or sold by a domestic corporation to a related foreign corporation, the taxable income arising from these transactions is to be allocated between the parties on the basis of the location of the assets used in the operations, the payroll attributable to them and the related selling expenses. Other factors may also be taken into account. This rule is not to apply where an arm's length price can be established by the taxpayer for the purchases or sales. Sales commissions of a related corporation are to be treated under similar rules. This is effective for taxable years beginning after December 31, 1962.

Section 7. Foreign personal holding companies: At present, the entire income of a foreign personal holding company is taxed to the U.S. shareholders if 60 percent (50 percent after the first year) or more of its income is from passive sources (such as interest, royalties, and dividends). The bill provides that if 20 percent or more of the income is from these passive sources, then the passive portion of the income is to be taxed to the U.S. shareholders and if more than 80 percent of the income is from these passive sources, then the entire income is to be taxed to the U.S. shareholders (to the extent of their holdings). This applies to taxable years beginning after December 31, 1962.

Section 8. Mutual savings banks, etc.: Mutual savings banks, domestic building and loan associations and cooperative banks under present law are allowed to add all of their income to bad debt reserves until reserves reach 12 percent of deposits. In lieu of this, they are to be permitted deductions for additions to bad debt reserves generally of up to 60 percent of their taxable income (before this deduction) or, if larger, an amount bringing their reserves up to 3 percent of improved real property loans, plus a reasonable addition for other loans (existing reserves in excess of this amount are disregarded).

Under the committee amendments in the case of stock savings and loan associations, distributions to shareholders will be considered as paid first out of already tax-paid funds and, only when these are exhausted, out of reserve funds on which a tax has to be paid by the association at the time of distribution. Also, under the committee amendments a domestic building and loan association is defined as one which is insured under the National Housing Act or subject to State or Federal supervision but only if substantially all of its business consists of accepting savings and investing the loans in residential real property or in loans authorized for a Federal savings and loan association under section 5(c) of the Home Owners Loan Act. In addition, the exemption for Federal savings and loan associations from the excise taxes on communications and transportation of persons is repealed.

Generally, these provisions are effective for taxable years ending after December 31, 1962. The excise tax changes, however, are effective as of June 30, 1962.

Section 9. Distributions by foreign trusts: Distributions by foreign trusts established by U.S. grantors (or added to by U.S. transferors) are to be taxed to any U.S. beneficiaries in substantially the same manner as if the beneficiaries had received this income directly in the year earned rather than later when the distribution is made. However, the additional tax is payable at the time of the actual distribution. For those preferring not to make the calculations required under this exact method of taxation, an averaging device is provided. This applies to distributions made in taxable years beginning after the date of enactment of the bill.

Section 10. Mutual fire and casualty insurance companies: Mutual fire and casualty insurance companies are to be taxed on their total income less a deduction for additions to a reserve for protection against losses equal to one-fourth of their underwriting gains plus 1 percent of their insurance claims. After a 5-year interval, the 1 percent set aside with respect to insurance claims and one-half of the amount attributable to underwriting gains is brought back into the taxable income to the extent not already offset by losses. The remainder, to the extent not offset by losses, will remain in the loss reserve but no amount may be added to this reserve which would build it up to a level of more than 10 percent of the current year's premiums. Companies whose total receipts do not exceed $75,000 are to remain exempt from tax, and companies with total receipts of between $75,000 and $300,000 will be taxed only on their investment income. For those with gross receipts above $300,000, a special deduction of $6,000 is provided which decreases as gross receipts rise and disappears at a level of gross receipts of $900,000. Factory mutual companies are to be taxed like stock companies without the special reserve referred to above. However, in computing their underwriting profits they will be permitted to determine their premium income on the basis of "absorbed" premium deposits (i.e. in general, excluding the portion of the deposit returnable to the person insured). The amount so determined is then increased by 2 percent. Reciprocal underwriters and interinsurers are in effect permitted to combine the underwriting income of their corporate attorney in fact with their own for purposes of offsetting losses but not for the purposes of computing additions to their loss reserve. These provisions apply to taxable years beginning after December 31, 1962.

Section 11. Domestic corporations receiving dividends from foreign corporations: Where a domestic corporation receives a dividend from a foreign corporation, the amount included in its tax base, if it elects the foreign tax credit, is to be not only the dividend itself but also the tax paid by the foreign corporations as well. Also, where a foreign corporation is eligible for the 85 percent intercorporate dividends received deduction with respect to income earned in the United States, the 15 percent of this income for which no deduction is allowed is not to be treated as foreign source income for purposes of the foreign tax credit. The subsection of present law making the foreign tax credit available for royalty income received from wholly owned subsidiaries in certain cases is repealed. These amendments become fully effective for distributions received by domestic corporations after December 31, 1964. In the case of distributions received by domestic corporations before 1965 but in taxable years after December 31, 1962, the new rules are to apply in the case of distributions made out of profits of a foreign corporation accumulated in taxable years beginning after December 31, 1962.

Section 12. Earned income from sources outside the United States: Under existing law individuals who are present in a foreign country or countries for 17 out of 18 months may exclude from their U.S. tax base up to $20,000 per year of income earned abroad. If they are bona fide residents of a foreign country there is no ceiling on this exclusion. In the case of these bona fide foreign residents, a ceiling is to be provided of $20,000 for the first 3 years they are abroad and $35,000 thereafter. In addition, contributions made by employers for employee benefits under qualified plans with respect to future employment are to be taxable to the employee when he receives these amounts after retirement. Generally these provisions are effective with respect to taxable years ending after December 31, 1962.

Section 13. Controlled foreign corporations: In the case of controlled foreign corporations, where more than 50 percent of the stock is owned by U.S. persons, U.S. shareholders who own 10 percent or more of the stock in these corporations are to report for tax purposes the undistributed earnings of these corporations to the extent they represent: (a) income from insuring or reinsuring U.S. risks; (b) income from patents, copyrights, and exclusive formulas or processes developed in the United States or acquired here from related persons; (c) passive types of income; and (d) income from purchases or sales with related persons where the goods are produced or grown and the property is sold for use outside of the country of incorporation of the foreign corporation involved. In these latter two cases, the combination of the two types of income must equal 20 percent of total income before it is taken into account (and sales income must equal 20 percent of income other than the passive income to be taken into account). Where this combined income equals more than 80 percent of the total, then all income is attributed to the shareholders. However, reductions in the income taxed to shareholders are allowed in these two latter cases to the extent the income is invested in active business in less developed countries, where the corporation in which the investment is made is, to the extent of 50 percent or more, owned by 5 or fewer U.S. persons, but only if the taxpayer has at least a 10 percent interest.

To the extent the 10 percent U.S. shareholders are not taxed on the income of the controlled foreign corporation under the provisions described above, they are to be subject to taxation on the undistributed earnings of the controlled foreign corporation to the extent these earnings are not invested in substantially the same trade or business as that in which the taxpayer was engaged for the prior 5 years (or on December 31, 1962), or invested in less developed countries in new trades or businesses or in the controlled subsidiaries, 50 percent or more of which is held by 5 or fewer U.S. persons. The 50 percent test referred to above is relaxed where the foreign country prohibits ownership by Americans and others of as much as 50 percent of the stock of a corporation established under their laws.

Undistributed earnings which are taxed to the U.S. shareholders under any of the above provisions may be actually distributed to U.S. shareholders without further payment of tax. These provisions apply to taxable years of foreign corporation beginning after December 31, 1962, and to taxable years of U.S. persons falling in such years.

Section 14. Ordinary income on certain gains from depreciable property: In the case of personal property and most real estate,

other than buildings and structural components, when such property is sold or exchanged at a gain, this gain, to the extent of depreciation taken for taxable years beginning after December 31, 1961, is to be treated as ordinary income for tax purposes. In the case of dispositions of property other than by sale or exchange this same treatment is to apply except that the amount of the presumed gain is to be determined by the excess of the fair market value of the property at the time of its disposition over its then adjusted basis.

This treatment is to apply in the case of most dispositions of property whether or not gain is otherwise recognized. The treatment described above does not apply, however, in the case of gifts although in the case of charitable contributions the amount of the charitable contribution deduction which may be taken is reduced by the amount which would be treated as ordinary income if this provision were applicable. Other exceptions are provided for property transferred by death, for transfers where no gain is recognized and the basis of the property is carried over to the transferor, and for transfers in like kind exchanges and involuntary conversions to the extent no gain is recognized. In the case of partnerships, distributions to partners or sales of partnership interests are taxed to the partners to the extent of the underlying depreciable property in much the same way as if the depreciable property had been sold directly.

The bill also provides that in computing the basis on which depreciation may be taken salvage value may be ignored to an amount equal to 10 percent of the cost or other basis of the property. Also, under the bill taxpayers are permitted to elect after this bill is enacted to change their method of depreciation with respect to property coming within the scope of this provision from any declining balance, or sum-of-the-years digit method to a straight-line method.

This provision applies to taxable years beginning after December 31, 1961, and ending after the date of enactment of this bill.

Section 15. Foreign investment companies: When stock in foreign investment companies is sold, the gain realized by the U.S. shareholders is to be ordinary income to the extent of the earnings and profits of the corporation accumulated in taxable years beginning after December 31, 1962. In the case of stock in a foreign investment company acquired from a decedent, the basis of the stock is not to be increased at the date of death to the extent of the amount which would have been taxed as ordinary income to the decedent had he sold the stock before death. A deduction for estate tax attributable to this amount will be allowed, however, upon subsequent sale of this stock by the heir or legatee.

The companies and shareholders can avoid the treatment described above if the companies distribute 90 percent or more of their taxable income, other than capital gains, designate in a written notice to the shareholders each year their ratable share of the capital gains of the corporation and provide such other information as the Treasury requires to enforce this provision. The shareholders, however, must also report as capital gains their share of the capital gains of the corporation, whether the gains are distributed or not.

These provisions apply with respect to taxable years beginning after December 31, 1962.

Section 16. Gain from sales or exchanges of stock in foreign corporations: Where there is a redemption or liquidation of the stock of a controlled foreign corporation or where stock in such a corporation is sold, then any gain to the extent it represents earnings and profits of the corporation accumulated abroad is to be taxed to 10-percent U.S. shareholders as ordinary income or as dividends. In the case of the redemptions and liquidations, the earnings and profits taken into account are those accumulated since February 28, 1913. In this case, a foreign tax credit is to be allowed corporate shareholders for taxes paid to foreign countries. In the case of sales and other exchanges, the earnings and profits taken into account with respect to any shareholder is his share of profits accumulated during the period in which he held the stock. In this case, no foreign tax credit is available. These provisions apply with respect to sales or exchanges occurring after the date of enactment of this bill. This applies to sales, etc., after the enactment of this bill.

Section 17. Tax treatment of cooperatives and patrons: Cooperatives are to receive a deduction for patronage dividends paid to their patrons in cash or by allocations if the patron has the option to redeem the notices of allocation in cash for a 90-day period after they are issued or if he consents to this income being treated as constructively received by him and then reinvested in the cooperative. The patron may give his consent individually in writing or the cooperative may through its bylaws require all members (after notification) to give this consent. In the case of allocations which do not qualify, the cooperative will initially be taxed on this type of patronage dividends. However, when such a patronage dividend is redeemed, the cooperative will receive a deduction (or refund of tax) at that time.

Where consent is given, or where the option to receive cash was available, the patron will be required to pay taxes on the patronage dividends which arise from business activity. The patron will also be required to take into account nonqualifying patronage dividends when they are redeemed (assuming they arise from business activity).

In addition, all cooperatives (rather than merely tax-exempt cooperatives as under present law) are given until 8½ months after the end of the year in which patronage occurs to allocate amounts to the accounts of their patrons and in most cases are also given this same period of time for the filing of their own income tax returns. These provisions apply to taxable years of cooperatives beginning after December 31, 1962, and with respect to amounts received by patrons attributable to years of the cooperatives to which the new law applies. The new provisions will not, however, apply to future redemptions of patronage dividends declared when the old law was applicable.

Section 18. Inclusion of foreign real property in gross estate: Real property located outside of the United States, in the case of citizens or residents of the United States, is to be included in their tax base for purposes of the Federal estate tax imposed at the time of their death. This provision will be fully effective for decedents dying on or after July 1, 1964. For those dying after the date of enactment of this bill, and before July 1, 1964, real property located outside of the United States will be included in their gross estate only if acquired on or after February 1, 1962.

Section 19. Withholding of tax on interest, dividends and patronage dividends: Withholding at the source is provided for dividends, most interest and patronage dividends at a rate of 20 percent. No receipts are required to be given by the payers to the taxpayers under this system and no significant change is made in the information returns which presently must be filed by the payers with the Federal Government.

No withholding is to occur in the case of dividends, savings account interest, or Government series E bond interest if the recipient files an exemption certificate indicating that he is under age 18. These exemption certificates may also be filed (but on an annual basis) by those over age 18 with respect to any year in which they reasonably expect to have no income tax liability. Claims for quarterly refunds may also be filed by individuals where there is expected to be significant amounts of overwithholding of their tax liability. Corporations and tax-exempt organizations may also file for quarterly refunds. In addition, corporations may claim credits on their dividend or interest payments for amounts withheld with respect to dividend or interest payments they receive. Tax-exempt organizations may also claim credits with respect to amounts withheld on the dividend and interest payments they receive against wage and salary withholding on their employees for income tax and social security tax liability.

Generally these provisions apply in the case of interest and dividends paid on or after January 1, 1963.

Section 20. Information with respect to foreign entities: A number of changes are made in the annual information return which domestic corporations presently are required to file with respect to their subsidiaries or foreign corporations which they control. The changes are: this return is to be filed not only by corporations but by others as well which control foreign corporations; "control" is defined more broadly by adding certain constructive ownership rules; information must be provided not only with respect to subsidiaries of foreign corporations but also for other foreign corporations which are further down the chain of ownership; and additional information may be required which is similar or related in nature to that already specified.

Present law also requires U.S. citizens or residents who are officers or directors of a foreign corporation within 60 days of its organization or reorganization and also 5-percent shareholders who have this status within 60 days of the organization or reorganization to supply certain information to the Treasury Department with respect to the corporation. This same information is also to be required of U.S. citizens or residents who at some later time become officers, directors or shareholders with an interest of 5 percent or more. A penalty provision also is provided.

Generally these additional information requirements become effective as of January 1, 1963.

Section 21. Treaties: It is made clear that any provision contained in this bill is intended to have precedence over any prior tax treaty obligation.

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

The CHAIRMAN. Are there any further amendments?

Mr. MILLS. There are no further amendments, Mr. Chairman.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. ROOSEVELT, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 10650) to amend the Internal Revenue Code of 1954 to provide a credit for investment in certain depreciable property, to eliminate certain defects and inequities, and for other purposes, pursuant to House Resolution 576, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

Mr. BYRNES of Wisconsin. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. BYRNES of Wisconsin. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. BYRNES of Wisconsin moves to recommit the bill (H.R. 10650) to the Committee on Ways and Means with instructions to report the same back to the House forthwith with the following amendment:

Strike out section 2 and section 19 of the bill.

The SPEAKER. The question is on the motion to recommit.

Mr. BYRNES of Wisconsin. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 190, nays 225, answered "present" 0, not voting 21, as follows:

[Roll No. 51]

YEAS—190

Abbitt
Abernethy
Adair
Addabbo
Alford
Alger
Andersen, Minn.
Anderson, Ill.
Arends
Ashbrook
Auchincloss
Avery
Ayres
Baker
Baldwin
Barry
Bass, N.H.
Battin
Becker
Beckworth
Beermann
Belcher
Bell
Berry
Betts
Bolton
Bow
Bray
Bromwell
Broomfield
Brown
Broyhill
Bruce
Byrnes, Wis.
Cahill
Cannon
Casey
Cederberg
Chamberlain
Chenoweth
Chiperfield
Church
Clancy
Collier
Conte
Cook
Corbett
Cramer
Cunningham
Curtin
Curtis, Mass.
Curtis, Mo.
Dague
Derounian
Derwinski
Devine
Dole
Dominick
Dooley
Dowdy
Durno
Dwyer
Ellsworth
Fallon
Feighan
Fenton
Findley
Fino
Fisher
Ford
Frelinghuysen
Fulton
Garland
Gavin
Glenn
Goodell
Goodling
Grant
Griffin
Gross
Gubser
Hagen, Calif.
Haley
Hall
Halleck
Halpern
Harrison, Wyo.
Harsha
Harvey, Ind.
Harvey, Mich.
Hays
Hiestand
Hoeven
Hoffman, Ill.
Horan
Hosmer
Jonas
Johansen
Judd
Keith
Kilburn
King, N.Y.
Knox
Kunkel
Kyl
Laird
Langen
Latta
Lindsay
Lipscomb
McCulloch
McDonough
McIntire
McVey
MacGregor
Mailliard
Martin, Mass.
Martin, Nebr.
Mathias
May
Meader
Merrow
Michel
Miller, N.Y.
Milliken
Minshall
Moore
Moorehead, Ohio
Morse
Mosher
Natcher
Nelsen
Norblad
O'Konski
Osmers
Ostertag
Pelly
Pike
Pillion
Pirnie
Poff
Quie
Ray
Reece
Reifel
Rhodes, Ariz.
Riehlman
Robison
Rogers, Colo.
Rogers, Fla.
Roudebush
Rousselot
St. George
Saylor
Schadeberg
Schenck
Scherer
Schneebeli
Schweiker
Schwengel
Scranton
Seely-Brown
Shriver
Sibal
Siler
Smith, Calif.
Smith, Va.
Springer
Stafford
Taber
Teague, Calif.
Thomson, Wis.
Utt
Vanik
Van Pelt
Van Zandt
Waggonner
Wallhauser
Weaver
Weis
Westland
Whalley
Wharton
Whitten
Widnall
Williams
Wilson, Calif.
Winstead
Younger

NAYS—225

Addonizio
Albert
Alexander
Anfuso
Ashley
Ashmore
Aspinall
Bailey
Baring
Barrett
Bass, Tenn.
Bennett, Fla.
Blatnik
Bloch
Boggs
Boland
Bolling
Bonner
Boykin
Brademas
Breeding
Brewster
Buckley
Burke, Ky.
Burke, Mass.
Burleson
Byrne, Pa.
Carey
Celler
Cheif
Clark
Coad
Cohelan
Cooley
Corman
Daddario
Daniels
Davis, James C.
Davis, John W.
Davis, Tenn.
Dawson
Delaney
Dent
Denton
Diggs
Donohue
Dorn
Downing
Doyle
Dulski
Edmondson
Elliott
Everett
Evins
Farbstein
Fascell
Finnegan
Flood
Flynt
Fogarty
Forrester
Fountain
Frazier
Friedel
Gallagher
Garmatz
Gary
Gathings
Giaimo
Gilbert
Gonzalez
Granahan
Gray
Green, Oreg.
Green, Pa.
Griffiths
Hagan, Ga.
Hansen
Harding
Hardy
Harris
Harrison, Va.
Healey
Hebert
Hechler
Hemphill
Henderson
Herlong
Holifield
Holland
Huddleston
Hull
Ichord, Mo.
Inouye
Jarman
Jennings
Johnson, Calif.
Johnson, Md.
Johnson, Wis.
Jones, Ala.
Jones, Mo.
Karsten
Karth
Kastenmeier
Kee
Kelly
Keogh
Kilgore
King, Calif.
King, Utah
Kirwan
Kitchin
Kluczynski
Kornegay
Kowalski
Landrum
Lane
Lankford
Lennon
Lesinski
Libonati
Loser
McDowell
McFall
McMillan
McSween
Macdonald
Mack
Madden
Magnuson
Mahon
Marshall
Matthews
Miller, Clem
Miller, George P.
Mills
Moeller
Monagan
Montoya
Moorhead, Pa.
Morgan
Morris
Morrison
Moss
Moulder
Multer
Murphy
Murray
Nedzi
Nix
Norrell
O'Brien, Ill.
O'Brien, N.Y.
O'Hara, Ill.
O'Hara, Mich.
Olsen
O'Neill
Passman
Patman
Perkins
Peterson
Pfost
Philbin
Pucher
Pucinski
Purcell
Rains
Randall
Reuss
Rhodes, Pa.
Rivers, Alaska
Rivers, S.C.
Roberts, Tex.
Rodino
Rogers, Tex.
Rooney
Roosevelt
Rosenthal
Rostenkowski
Roush
Rutherford
Ryan, N.Y.
Ryan, Mich.
St. Germain
Santangelo
Saund
Scott
Shelley
Shipley
Sikes
Sisk
Slack
Smith, Iowa
Smith, Miss.
Spence
Staggers
Steed
Stephens
Stratton
Stubblefield
Sullivan
Taylor
Teague, Tex.
Thomas
Thompson, La.
Thompson, N.J.
Thompson, Tex.
Thornberry
Toll
Trimble
Tuck
Udall, Morris K.
Ullman
Vinson
Watts
Whitener
Wickersham
Willis
Wright
Wright
Yates
Young
Zablocki
Zelenko

ANSWERED "PRESENT"—0

NOT VOTING—21

Andrews
Bates
Bennett, Mich.
Brooks, Tex.
Colmer
Dingell
Hoffman, Mich.
Jensen
Mason
Nygaard
Rains
Roberts, Ala.
Selden
Sheppard
Short
Tollefson
Tupper
Walter
Wilson, Ind.

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Colmer for, with Mr. Brooks against.
Mr. Walter for, with Mr. Dingell against.
Mr. Short for, with Mr. Sheppard against.

Until further notice:

Mr. Andrews with Mr. Tupper.
Mr. Rains with Mr. Wilson of Indiana.
Mr. Roberts of Alabama with Mr. Bates.
Mr. Selden with Mr. Jensen.

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the passage of the bill.

Mr. BYRNES of Wisconsin. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 219, nays 196, not voting 21, as follows:

[Roll No. 52]

YEAS—219

Abbitt
Addonizio
Albert
Alexander
Anfuso
Ashley
Ashmore
Aspinall
Bailey
Baring
Barrett
Bass, Tenn.
Beckworth
Bennett, Fla.
Blatnik
Bloch
Boggs
Boland
Bolling
Bonner
Boykin
Brademas
Brewster
Buckley
Burke, Ky.
Burke, Mass.
Burleson
Byrne, Pa.
Carey
Celler
Cheif
Clark
Coad
Cohelan
Cooley
Corman
Daddario
Daniels
Davis, James C.
Davis, John W.
Davis, Tenn.
Dawson
Delaney
Dent
Denton
Diggs
Donohue
Dorn
Downing
Doyle
Edmondson
Elliott
Everett
Evins
Farbstein
Fascell
Finnegan
Flood
Flynt
Fogarty
Forrester
Fountain
Frazier
Friedel
Gallagher
Garmatz
Gary
Gathings
Giaimo
Gilbert
Gonzalez
Granahan
Grant
Gray
Green, Oreg.
Green, Pa.
Griffiths
Hagan, Ga.
Hansen
Hardy
Harris
Harrison, Va.
Healey
Hebert
Hechler
Hemphill
Henderson
Herlong
Holifield
Holland
Huddleston
Hull
Ichord, Mo.
Inouye
Jarman
Jennings
Johnson, Calif.
Johnson, Md.
Johnson, Wis.
Jones, Ala.
Jones, Mo.
Karsten
Karth
Kastenmeier
Kee
Kelly
Keogh
Kilgore
King, Calif.
King, Utah
Kirwan
Kitchin
Kluczynski
Kornegay
Kowalski
Landrum
Lane
Lankford
Lennon
Lesinski
Libonati
Loser
McDowell
McFall
McSween
Macdonald
Mack
Madden
Magnuson
Mahon
Marshall
Matthews
Miller, Clem
Miller, George P.
Mills
Moeller
Monagan
Montoya
Moorhead, Pa.
Morgan
Morris
Morrison
Moss
Moulder
Multer
Murphy
Murray
Nedzi
Nix
Norrell
O'Brien, Ill.
O'Brien, N.Y.
O'Hara, Ill.
O'Hara, Mich.
Olsen
O'Neill
Passman
Patman
Perkins
Peterson
Pfost
Philbin
Pucher
Pucinski
Purcell
Reuss
Rhodes, Pa.
Rivers, Alaska
Rivers, S.C.
Roberts, Tex.
Rodino
Rooney
Roosevelt
Rosenthal
Rostenkowski
Roush
Ryan, Mich.
Ryan, N.Y.
St. Germain
Santangelo
Saund
Scott
Shelley
Sikes
Sisk
Slack
Smith, Iowa
Smith, Miss.
Smith, Va.
Spence
Steed
Stephens
Stratton
Stubblefield
Sullivan
Teague, Tex.
Thomas
Thompson, La.
Thompson, N.J.
Thompson, Tex.
Thornberry
Toll
Trimble
Tuck
Udall, Morris K.
Ullman
Vinson
Watts
Whitener
Wickersham
Willis
Wright
Yates
Young
Zablocki
Zelenko

NAYS—196

Abernethy
Adair
Addabbo
Alford
Alger
Andersen, Minn.
Anderson, Ill.
Arends
Ashbrook
Auchincloss
Avery
Ayres
Baker
Baldwin
Barry
Bass, N.H.
Battin
Becker
Beermann
Belcher
Bell
Berry
Betts
Bolton
Bow
Bray
Breeding
Bromwell
Broomfield
Brown
Broyhill
Bruce
Byrnes, Wis.
Cahill
Cannon
Casey
Cederberg
Chamberlain
Chenoweth
Chiperfield
Church
Clancy
Collier
Conte
Cook
Corbett
Cramer
Cunningham
Curtin
Curtis, Mass.
Curtis, Mo.
Dague
Derounian
Derwinski
Devine
Dole
Dominick
Dooley
Dowdy
Dulski
Durno
Dwyer
Ellsworth
Fallon
Feighan
Fenton
Findley
Fino
Fisher
Ford
Frelinghuysen
Fulton
Garland
Gavin
Glenn
Goodell
Goodling
Griffin
Gross
Gubser
Hagen, Calif.
Haley
Hall
Halleck
Halpern
Harding
Harrison, Wyo.
Harsha
Harvey, Ind.
Harvey, Mich.
Hays
Hiestand
Hoeven
Hoffman, Ill.
Horan
Hosmer
Jonas
Judd
Keith
Kilburn
King, N.Y.
Knox
Kunkel
Kyl
Laird
Langen
Latta
Lipscomb
McCulloch
McDonough
McDowell
McIntire
McMillan
McVey
MacGregor
Mailliard
Marshall
Martin, Mass.
Martin, Nebr.
Mathias
May
Meader
Merrow
Michel
Miller, N.Y.
Milliken
Minshall
Moore
Moorehead, Ohio
Morse
Mosher
Natcher
Nelsen
Norblad
O'Konski
Osmers
Ostertag
Pelly
Pike
Pillion
Pirnie
Poff
Quie
Randall
Ray
Reece
Reifel
Rhodes, Ariz.
Riehlman
Robison
Rogers, Colo.
Rogers, Fla.
Rogers, Tex.
Rousselot
St. George
Saylor
Schadeberg
Schenck
Scherer
Schneebeli
Schweiker
Schwengel
Scranton
Seely-Brown
Shipley
Shriver
Sibal
Siler
Smith, Calif.
Springer
Stafford
Staggers
Taber
Taylor
Teague, Calif.
Thompson, Wis.
Utt
Vanik
Van Pelt
Van Zandt
Waggonner
Wallhauser
Weaver
Weis
Westland
Whalley
Wharton
Whitten
Widnall
Williams
Wilson, Calif.
Winstead
Younger

NOT VOTING—21

Andrews
Bates
Bennett, Mich.
Brooks, Tex.
Colmer
Dingell
Hoffman, Mich.
Jensen
Kearns
Mason
Nygaard
Rains
Roberts, Ala.
Selden
Sheppard
Short
Tollefson
Tupper
Walter
Wilson, Ind.

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Brooks for, with Mr. Colmer against.
Mr. Dingell for, with Mr. Walter against.
Mr. Sheppard for, with Mr. Short against.
Mr. Rains for, with Mr. Bates against.
Mr. Roberts for, with Mr. Tollefson against.

Until further notice:

Mr. Andrews with Mr. Wilson of Indiana.
Mr. Selden with Mr. Jensen.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. MILLS. Mr. Speaker, I ask unanimous consent that Members desiring to do so have 5 legislative days to extend their remarks in the RECORD on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. MILLS. Mr. Speaker, I ask unanimous consent that those Members speaking on the bill be permitted to include extraneous material, such as charts and tables, with their remarks.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

REVENUE ACT OF 1962

Mr. RANDALL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. RANDALL. Mr. Speaker, under the closed rule which was sustained by the vote of the House, it was quite apparent that only very few Members could be allotted time to participate in debate with only a total of 8 hours divided equally between the minority and the majority. This meant that most of the membership would be limited to extending their remarks in the RECORD so that there could be preserved a record of the reasons for the votes which were taken.

We supported the closed rule. Like many Members we are against the closed or gag rule in principle, but recognize where there is a legislative body the size of the House of Representatives, it becomes almost a procedural necessity. Yet, just a few short weeks ago, there were those who wanted to increase the size of the House. When the committee has had almost a year to consider the provisions of the bill and then the membership is given a total of 8 hours to debate the bill, without the right of amendment by Members other than those of the Committee on Ways and Means, this seems like cloture that should not exist, and yet, objectionable as the closed rule is in principle, it becomes a necessity to maintain orderly procedure on such a controversial measure. There are instances in the older RECORDS of the House that where a revenue measure came before the body under an open rule permitting unlimited debate, the story goes, the argument continued on for months and in desperation the weary Members finally recommitted the bill as the only way to terminate debate.

The next vote by yeas and nays was on the motion to recommit offered by the minority pursuant to the terms of the closed rule. We voted against the motion to recommit for the reason that it was not a simple motion to recommit but instead, one with instructions. Section 2, the credit for investment in certain depreciable property was stricken in its entirety and also section 19, the withholding of income tax at source on interest, dividends, and patronage dividends was stricken. We could not support such a limited motion for the reason that to take these two provisions only out of the bill, or to simply lift these two provisions in their entirety from the bill without any effort whatsoever to improve or to modify for the better the other deficiencies was not acceptable.

And what is also true is that to remove only section 2 and section 19 and allow the rest of the bill to stand sets the bill up as a purely revenue-producing bill without much, if any, effort to correct tax inequities. To be blunt, it is a tax increase bill by disallowing entertainment expenses, on raising the rates on mutual savings banks, and mutual insurance companies and from such sources as requiring the payment of tax by domestic corporations receiving dividends from foreign corporations. Also, left in the bill by the limited motion to recommit was the increase in the gains from the disposition of depreciable property as well as the change in tax treatment of cooperatives. We could not join in such a motion to recommit containing only such limited instructions for reasons we will hereinafter set forth.

As we have written repeatedly to our constituents, when a closed rule is adopted and there is allowed only one motion to recommit with no amendments permitted by the membership except only committee amendments, the issue concerns a package and under such a parliamentary situation, the burden is on each Member to carefully weigh the good against the bad as to this package, the desirable against the unacceptable, the favorable against the objectionable. Does the good and bad balance out evenly? Is it 51 to 49 percent, 55 to 45 percent, 60 to 40 percent, or 65 to 35 percent, or just what percent is good and what percent is bad? No one can say. In matters of legislation such mathematical certainty cannot be achieved. But if there is any more bad than there is good in the bill, then the bill should not be supported on final passage.

And at this point, Mr. Speaker, we should point out there are two paths to follow—one is, that if the good in the package is almost as large a quantity as the bad, a Member should vote for the measure on final passage to send the bill to the Senate in the hope that the Senate will improve the bill, or as it is sometimes put, "clean it up," which means improvement, simplification, or some betterment in the bill. But it must be emphasized that this is always relying upon just a hope or faith that the other body will make improvements. The other path demands of us that we cannot proceed upon such a premise because by doing so we avoid our responsibility as Members of the House and shift the burden wholly to the Senate. It is for this reason that we voted "no" on H.R. 10650 on final passage. As

it turned out the bill was approved by the House and does go to the Senate, and if there are changes made by the Senate to where it can be made acceptable, those of us who opposed it on final passage may have the opportunity to support the measure after it returns from conference.

Mr. Speaker, we wish to make it very plain that we are not against anything just for the sake of being negative. We are certainly not against the tightening of tax loopholes which we thought was one of the original purposes of the bill, and we are certainly not against any equitable provision which would have raised revenue, because we had thought that such was one of the principal and paramount purposes of this measure. And we are not against the tax credit for investment as a principle. We like to believe that we are moderate in our approach to most legislation. But here we are dealing with a bill which is cited as the Revenue Act of 1962, and I had thought we were all most interested in a balanced budget. My point is, that if the principle of investment credit is good, then let us be sure and certain that it is going to work and I would have hoped that as to this provision the committee would have been a little more conservative. By this I mean there should be nothing sacred or even magical about the figure of 8 percent or 7 percent. My present belief is that we should have tried a 2- or 3-percent credit as a trial to find out or first determine the amount of response from industry. Or if the larger investment credit were set up, then provide for a trial period of from 2 to 3 years, rather than setting this provision up suddenly and all at once as a permanent part of our tax structure and allowing this tax credit for investments to recur year after year, until it could be reevaluated in the light of actual experience.

I am certain every member of the Ways and Means Committee would admit that the tax credit for investment is unprecedented in all of our tax history and it is my opinion that we should have moved a little more cautiously, or carefully, and with a smaller percentage credit to find out the response and benefit, if any, that could or might come from such an experiment.

We proceeded today to grant a credit in substantial proportions which will most likely change this measure from a revenue-producing bill to a measure which can well create a further budget imbalance. Today the House voted a credit that American industry had not asked for and did not expect to receive. This is the only case in all tax legislation where an investor can recover his entire investment through depreciation and then obtain a tax credit over, above and beyond his original investment just as an inducement to make that investment.

The President's original proposal was that the credit be as an incentive over normal investment. For example, if a car leasing corporation would normally spend $100 million a year to replace their old cars, the President proposes that they be given an investment credit beyond this normal replacement. But instead, our Committee on Ways and Means decided to go far beyond this and go back to the very first dollar of investment. How can the tax authorities know what is a normal investment? Well, while we are certainly not expert in the tax field, we suppose there are statistics which can be checked against every business and against every industry which reveal what has been the normal investment or reinvestment that is shown by the depreciation over a period of years. Beyond this normal investment an incentive would be realistic. But to go back to the very first dollar of investment is hardly an incentive for investment which would otherwise be made anyway, but is nothing more or less than an unprecedented and even unexpected tax reduction.

A main objection to the bill as it stood before final passage is that we had all along believed that it was designed to raise revenue and, of course, the committee believes that in the long run these incentives will accelerate business growth and increase revenue, perhaps some day, or at some unknown and uncertain time in the future, but when all is said and done we do not have a bill which is a revenue-producing bill in this calendar year or in the upcoming fiscal year. The important thing which must be understood is that if, because of new demands for our national defense, there may have to be further expenditures, then a deficit should not be further contributed to by a so-called revenue bill which has been turned into, not a revenue bill at all, but a bill which was changed from its earlier large revenue loss to a somewhat smaller revenue loss.

If this bill were simply a bill to fill loopholes we could support it very cheerfully. Instead it has become a bill by which we turn over in tax credits, large sums of money only to those who have depreciable property and then the committee was faced with no other choice but to cast about elsewhere to find ways and places to make up this loss. It seems that this must have been about what went on within the committee: The committee members having once agreed to give an investment credit for one segment of our economy to enjoy, there was nothing else left for them to do but to find ways to offset this loss, and this they did by means of withholding interest and dividends and by such other means as increased taxation of savings institutions and mutual insurance companies, as well as the disallowance of business expense account and in other ways.

Our vote against H.R. 10650 on final passage should not imply that we are not for an improved Federal tax structure and, of course, passage of the bill by the House does not determine its final content. The bill does contain some good features, but it was not a well-balanced piece of legislation. In the final analysis, we had to determine whether the good outweighed the bad by enough to warrant support.

For the reasons cited above and for others we will omit to enumerate at this time, we could not support H.R. 10650 on final passage.

WHO PAYS THE TAXES?

Mr. McSWEEN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. McSWEEN. Mr. Speaker, last year each dollar in the Federal budget was paid in to the Treasury as follows: from individual income taxes 53 cents, from corporation income taxes 28 cents, from excise taxes 11 cents, and 8 cents from all other sources. The individual taxpayer pays more than half of the Federal budget revenues through a combination of income and excise taxes.

The average taxpayer with a modest income would probably be surprised to learn just how important to supporting the budget his tax contribution really is. Some persons are under the impression that the wealthy, whose tax rate goes as high as 91 percent, are footing most of the bill. This was the case many years ago, but last year all taxpayers earning $15,000 and over contributed only 31 percent of all Federal taxes, including social insurance.

By comparison all taxpayers earning less than $8,000 paid 45 percent of all Federal taxes, including social insurance, or 14 percent more than the group having incomes of $15,000 and over. So it is the hard-working, average American citizens who are shouldering a major portion of the Federal tax burden.

HOW IT'S SPENT

A typical family whose income is $500 per month—approximately the national average—pays income taxes of $600 per year and other Federal taxes—on gasoline, cigarettes, automobiles, tires, telephone and telegraph service, bus, train, and airline tickets, and so forth—of $492 per year. Thus the total Federal tax bill of a typical family earning $500 per month is $1,092 per year, which is almost $1 for every $5 earned or 1½ hours in wages for each 8-hour day. Local and State taxes are in addition.

The Federal Government last year spent this $1,092, as follows:

	Percent	Amount
Major national security	58	$634
Interest on national debt	11	120
Veterans	6	66
Agriculture	6	66
Labor and welfare	6	65
Commerce, housing, and space	4	44
International	4	44
Natural resources	3	33
General government	2	22

This heavy tax burden is often not fully realized. The excise taxes are "hidden." Income taxes are withheld from the wage earner at the source and are thus paid on the installment plan. But taxpayers are becoming more concerned with how their tax dollar is spent. They are unhappy with heavy Federal spending and deficits.

A budget of $92.5 billion has been recommended for next year, the largest since World War II. At the rate of current spending the budget will exceed $100 billion by 1964, irrespective of the effect of new demands for additional spending being advocated daily by pressure groups and lobbying organizations.

The spenders are becoming stronger. Our budget deficits since World War II, including over $7 billion this year, have added over $35 billion to the national debt. The pressure for additional taxes is becoming greater. It is easy to see that we must either increase tax revenues or reduce our rate of increasing expenditures.

My constituents tell me in no uncertain terms that taxes are already high enough. I wholeheartedly agree. In fact, we should make every effort to reduce our rate of increasing expenditures and for an early tax cut. Mr. Speaker, I shall continue my efforts for economy in Government in the interest of the hard-working average citizen whose taxes support our Government. I urge the House to remember that the average taxpayer is carrying a heavy tax burden that should be lightened and could be lightened if Congress would only practice care in the spending of his tax dollars.

TO AMEND THE SMALL BUSINESS ACT

Mr. SPENCE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. SPENCE. Mr. Speaker, I have today introduced a bill (H.R. 11020) to amend the Small Business Act, as amended. This bill would place the revolving fund of the Small Business Administration, out of which are financed that agency's programs of financial assistance to the small business community, on a more permanent basis and eliminate unnecessary duplication, by removing the statutory limitation on authorizations to appropriate to the fund and the separate limitations on the amounts of appropriated funds which may be utilized for each of the Small Business Administration's financial assistance programs. Utilization of funds for these programs would, of course, continue to be controlled by the Congress through the normal appropriation process, and the House and Senate Appropriations, Banking and Currency, and Small Business Committees would continue to exercise the same degree of cognizance as they do now regarding the operations of the Small Business Administration.

Under unanimous consent, I include the bill at this point in the RECORD, together with the message from the President urging prompt consideration of this legislation:

A bill to amend the Small Business Act

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4 of the Small Business Act, approved July 18, 1958 (72 Stat. 384), as amended, is amended by striking out subsection (c) and inserting in lieu thereof the following:

"(c) There is hereby established in the Treasury a revolving fund referred to in this section as 'the fund', for the Administration's use in financing the functions performed under sections 7(a), 7(b), and 8(a) and under the Small Business Investment Act of 1958, as amended, including the payment of administrative expenses in connection with such functions. All repayments of loans and debentures, payments of interest, and other receipts arising out of transactions financed from the fund shall be paid into the fund. As capital thereof, appropriations are hereby authorized to be made to the fund, which appropriations shall remain available until expended. The Administration shall pay into miscellaneous receipts of the Treasury, following the close of each fiscal year, interest on the outstanding cash disbursements from the fund, at rates determined by the Secretary of the Treasury, taking into consideration the current average yields on outstanding interest-bearing marketable public debt obligations of the United States of comparable maturities as calculated for the month of June preceding such fiscal year."

THE WHITE HOUSE,
Washington, March 5, 1962.

Hon. JOHN W. McCORMACK,
Speaker of the House of Representatives, Washington, D.C.

DEAR MR. SPEAKER: I am transmitting herewith for appropriate reference a bill to amend section 4(c) of the Small Business Act, as amended. This section deals with the revolving fund of the Small Business Administration, out of which are financed that agency's programs of financial assistance to the small business community.

This bill would place the fund on a more permanent basis and eliminate unnecessary duplication, by removing the statutory limitation on authorizations to appropriate to the fund and the separate limitations on the amounts of appropriated funds which may be utilized for each of the Small Business Administration's financial assistance programs. Utilization of funds for these programs would of course continue to be controlled by the Congress through the normal appropriation process, and the House and Senate Appropriations, Banking and Currency, and Small Business Committees would continue to exercise the same degree of cognizance as they do now regarding the operations of the Small Business Administration.

By making the Small Business Administration a permanent agency of the Government in 1958, the Congress wisely recognized the important role that this agency has played in assisting the small business sector of our economy, which comprises by far the greatest number of businesses in the United States and plays a key part in the economic life of our Nation. Under the current administration, that agency has vigorously expanded its assistance to the small business community by increasing significantly the number of small businesses assisted by its programs of business loans, loans to small business investment companies and State and local development companies, procurement and technical assistance, and management assistance.

It is now time to remove the unnecessary statutory limitation on appropriations and on usage of appropriated funds which has resulted in uncertainty regarding the future of these programs and necessitated a double congressional review of funds.

In no respect would the proposed amendment diminish the controls which the Congress presently exercises over the size and character of the programs administered by the Small Business Administration, pursuant to the Small Business Act and the Small Business Investment Act of 1958. These two statutes and the operations of the agency are under frequent study in Congress. Since 1953, when the agency was established, amendments have been made to either or both of basic statutes in every year except two. Indeed, each has undergone numerous and substantial revisions. There is no reason to expect that this legislative activity with its attendant scrutiny of the agency's operations by the Banking and Currency Committees will diminish.

Moreover, the progress of the Small Business Administration in discharging its statutory duties is under the continuing observation of the Senate and House Small Business Committees. At least once a year each of these committees holds hearings at which the Administrator of the Small Business Administration testifies in detail concerning the operations of his agency. The resulting reports issued by the committees contain thorough reviews of the agency's programs and evaluations of its success in conducting them.

Finally, in the course of the budgetary process, the agency's activities are reviewed annually by the Appropriations Committees and the Congress to determine the amount of additional capital for the revolving fund which the agency will require to carry out its financial assistance programs.

However, the necessity for obtaining statutory authorization for additional appropriations virtually every year before Congress can appropriate funds in the regular appropriation act creates unnecessary duplication and confusion. During the last session of the Congress four separate statutes provided increased authorizations to appropriate to the SBA revolving fund, in addition to the actual appropriations themselves contained in the regular appropriation act and a supplemental appropriation act. Sound budgetary procedures argue against this type of duplication and repetitive review over an agency which the Congress has declared to be a permanent one and over programs which serve such an important purpose in assisting our small business community.

The proposed legislation would also simplify the method of computing the interest payable from the revolving fund to the Treasury, and would effect a number of clarifications in the language of the act. A detailed analysis of the bill is attached.

It is my hope that the Congress will consider this proposal promptly and that the bill will be enacted into law.

Sincerely,

JOHN F. KENNEDY.

PROTECTION FROM THERMONUCLEAR ATTACK

Mr. BOW. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BOW. Mr. Speaker, I ask a moment of this House's time to make a suggestion which I think may prove valuable to every Member. Hardly a day goes by that I fail to hear from a constituent on a topic that is of universal concern across our land—protection from thermonuclear attack. I know that many of my colleagues in the Congress have the same experience. We are asked difficult questions daily by the citizens of our district: Shall I build a fallout shelter? Shall the community build fallout shelters? Will shelters built only for fallout

do any good when the blast and thermal effects of thermonuclear weapons are so severe?

Until now, I have been telling these good people that I personally do not believe we will be attacked, but that I cannot take upon myself the responsibility for making such a decision for them. Anything is possible and none of us has the gift of second sight.

But now, I am happy to say, I can provide new and extremely useful information on this problem. To put it simply, it is this:

It is entirely possible to build a community shelter today with ordinary materials at an ordinary cost that will provide protection over more than 90 percent of the blast area of any bomb. This valuable information has just come to me from the brick and tile manufacturers of my district. It is drawn from a professional study published by the Allied Masonry Council following some 6 years of research by the engineers of the Structural Clay Products Institute.

This study describes seven different walls for various protective needs and three different concepts for shelter designs. It provides useful data on the effects of blast, thermal effects, and radiation, and it contains much interesting data on the psychological and physiological factors in shelter operation.

Let me give you specific information on just two of the walls described in the study entitled "Protective Construction for School and Community Shelters."

One is a 10-inch-thick brick wall reinforced with metal rods. It was first developed years ago to resist earthquakes, tornadoes, and other natural forces. It was later tested for protection against nuclear attack, both at Coal City, Ill., and in the Government's Operation Plumbbob tests in Nevada in 1957. The one-story structure built for the Nevada test withstood a blast force—known as overpressure—of 10 pounds per square inch on its front wall. This wall, I am informed, flexed less than half an inch, less than half what had been expected. Ten pounds per square inch is the force generated by a 20-megaton bomb at a range of 5.1 miles from ground zero. Any wall that will resist a force of 10 pounds per square inch, it is calculated, will provide blast protection over 88.7 percent of the blast area of any thermonuclear weapon.

Yet the cost of this wall in windowless design is less than that of a light metal panel or double plateglass wall to cite two comparative examples. This means that a new schoolhouse might be built in windowless fashion—as many are today—with this thin, extremely strong reinforced masonry wall to resist blast. If an attack occurred, the occupants could then retire to a thick, sand-filled wall built for fallout protection in the interior of the school. This "safety core" would provide protection from radiation until radioactive decay made it possible to emerge into the larger space and, ultimately, the outside world. Or, the shelter might be located underground for maximum protection. In any case, the schoolyard is the logical location for a community shelter.

The second wall has been developed especially for shelter design. It represents a major step forward in protective construction in that it is incredibly strong, extremely economical, and attractive in appearance. As designed, this wall is 24 inches thick, of brick and tile construction with metal rods. It will withstand a blast overpressure of up to 50 pounds per square inch. Mr. Speaker, this is the blast force generated at a range of fewer than 3 miles from ground zero in a 20-megaton surface explosion.

This study makes an extremely vital point: It is entirely possible to survive thermonuclear blast and fire, as well as fallout, over the greatest part of the anticipated area of destruction. It is entirely possible to do so without extraordinary expense in most cases.

I unreservedly recommend this study on protective construction to the Members of this House. So that you may have the opportunity of examining this information, I will shortly mail to every Member of the Congress a four-page insert from a booklet that contains the basic data I have mentioned here. Should you then wish to have the larger booklet with the more comprehensive data on thermonuclear effects and shelter operation, you will be able to obtain it.

Meantime, I wish to commend the masonry industry for having undertaken this study. I should add, in truth, that I am not surprised. It is entirely consistent with the fine record of service which this important segment of the largest single industry in America has been contributing for many years.

URGENT RELIEF IS NEEDED FOR OUR NEW YORK STATE DAIRY FARMERS

Mr. STRATTON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. STRATTON. Mr. Speaker, I have today introduced a House joint resolution to raise the support price for manufactured milk to $3.40, effective upon the first of the month following adoption of the resolution and until the end of the year. I offer this legislation because of the urgent crisis that confronts dairy farmers not only in my own State of New York but throughout the country as a result of the action of certain Republican and southern Democratic members of the Committee on Agriculture.

This coalition, Mr. Speaker, has turned down flatly President Kennedy's effort to keep our dairy support price pegged at its present level until the end of the year so that we in Congress can find time to consider and debate a new and effective means of assisting the hard-pressed dairy farmers of the Nation. As a result of this refusal to report out favorably to the floor House Joint Resolution 613, the support price of manufactured milk will fall on Sunday from $3.40 a hundredweight to $3.11 a hundredweight. In the New York-New Jersey milkshed area this means a net drop in the farmer's blend price of about $0.15 a hundredweight, or a total loss for all the dairy farmers in our milkshed of $1.5 million a month or $12 million for the balance of 1962.

Considering the serious economic squeeze our New York dairy farmers are in already, it is hard for me to understand how anyone could refuse to act to extend to them the help they need and want.

Mr. Speaker, I suppose the air will be filled after April 1 with all sorts of charges and recriminations and there will be, I am sure, a major effort launched to confuse the farmers and the public about what has happened here.

Let me make it clear first of all that the action of the Secretary of Agriculture which, we are told, will be taken on April 1 in dropping the price support on milk by $0.29 is not a voluntary action. Given the refusal of the Committee on Agriculture of this House to pass the President's saving resolution, the Secretary has no alternative under the present law. The law requires him to fix the support price for milk products above 75 percent of parity—which today is $3.11—only if such an increase is needed to insure an adequate supply of milk. Of course, in view of the present surplus in production and the surprising decline in consumption of milk, we have no need to stimulate additional supply.

Yet it is clear that this present law is far too harsh and far too unrealistic in the present circumstances. To force the Secretary to act at this time under the present law would, as I have suggested, saddle a disaster on our dairy farmers which they surely do not deserve and for which they are most assuredly not responsible. Therefore, we must change the law, and provide some immediate relief. That is what the President's proposal—which has now been rejected—would do. That is what my substitute resolution would also do.

I offer it because I cannot believe that the dairy farm families of upstate New York or elsewhere in the country—or the people themselves for that matter—will condone the refusal of the committee to provide this simple measure of relief.

So let us take another look at the situation. Even if, as things now stand, we cannot change the law in time to prevent the disastrous price drop on April 1, let us at least get relief back to our dairy farmers as quickly as possible.

We in New York State are proud of the contribution our dairy farmers have made to the high standard of living that this country enjoys. From 1950 to 1961 the average milk production per cow in New York increased 24 percent. Although the number of milk-producing cows remained about the same from 1950 to 1961, just short of 1.5 million head, milk production increased during that same period from approximately 8.8 billion pounds to 10.6 billion pounds.

In spite of this enormous increase in productivity, the dairy farmer's income has remained at virtually the same level through this 11-year period. And during this same period the prices farmers have had to pay for their goods have risen some 15 percent.

If the support price for milk is allowed to drop 29 cents during the rest of this year, and the dairy farmers in New York are deprived in this way of $12 million in income, we will be turning our backs on our State's No. 1 industry, and on our farmers who have heartily contributed to increased productivity, which is the source of our economic growth.

We cannot afford, as a country, to turn our backs on this group of Americans who produce such an important commodity. Milk is an essential part of the American diet, and it should be so. President Kennedy, in a speech made before the National Conference on Milk and Nutrition held in Washington on January 23 of this year, said:

> I have long been convinced that milk is an important aid to good health. This has led me to direct that milk be served at every White House meal from now on. And I expect that all of us will benefit from it.

I therefore have today wired each member of the great Committee on Agriculture urging them, in the light of the facts I have presented here, to reconsider the whole matter of temporary relief, and to adopt my resolution as speedily as possible. In this undertaking, I invite the support of every Member of this House who believes in fair play, whether he represents an urban or a rural area.

Let us not make the dairy farmers of upstate New York pawns in some complex political power game that is none of their affair.

"THE LIBERAL PAPERS"

Mr. O'HARA of Michigan. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. O'HARA of Michigan. Mr. Speaker, during the last 2 weeks there has been considerable discussion in the Congress and in the press of a collection of essays published by Doubleday-Anchor Books entitled "The Liberal Papers." The Republican National Committee and a number of Republican orators have contended that this publication was sponsored by a group known as the Liberal Project. In addition, they have charged that statements made by the authors of essays included in "The Liberal Papers" represent the views of, or are endorsed by, members of the Liberal Project. They allege that I was or am a member of the Liberal Project and that I, therefore, am a sponsor of the publication and that the views expressed therein are my views or are endorsed by me.

I am not now nor was I at any time a member of a Liberal Project nor any other group of that type. I did not sponsor the publication of "The Liberal Papers" nor was I in any way involved in its publication.

Sometime during the late winter or the spring of 1960, I was invited to hear statements presented by various scholars expressing their views and analyses of current public issues. The purpose of these sessions, as it was explained to me, was to permit an exchange of ideas between those charged with the responsibility for framing the Nation's policies and making its laws and members of the academic community. Following this, I was invited on several occasions to participate in discussions with persons from the academic world in the offices of other Members. I attended part of just one such discussion, but because of other business, I was unable to remain throughout the presentation. I also was sent a copy of a foreign-policy paper prepared by Mr. James Warburg, which may or may not be the basis for this contribution to "The Liberal Papers."

The above activities constitute the extent of my connection with any liberal project or "The Liberal Papers." I have never at any time participated in discussions with such a group with regard to the foreign or domestic policies the United States should pursue or with regard to ideas expressed by any of the authors of the papers or any other person who may have been asked to speak on public policy questions. Neither did I agree to support the viewpoints of any such persons or to support or sponsor the publication of any statements expressing their views. I did not assent to the use of my name by any person in connection with "The Liberal Papers," the Liberal Project, or any similar group, and was not at that time aware that my name had been so used.

I am more or less familiar with Mr. Warburg's thesis after scanning the paper sent to me. I am not in agreement with his analysis of U.S. foreign policy nor with his recommendations. I have never seen the other essays contained in "The Liberal Papers," nor have I met their authors. I have not yet even read the book.

However, the senior Senator from Kentucky [Mr. MORTON] has been kind enough to provide Members of Congress with excerpts from "The Liberal Papers," apparently selected by the research staff of the Republican National Committee. These excerpts, found in Mr. MORTON's statement before the Senate on March 15, 1962, deal with recognition of the Communist governments of China, East Germany, North Korea, and North Vietnam; atomic testing; civil defense; West Berlin; the DEW line; aid to Communist countries; Cuba; border disputes between China and neighboring states; the status of Formosa, the Pescadores and the offshore islands; and other matters.

Since I have never read "The Liberal Papers," I cannot say whether the excerpts from these essays accurately reflect the views expressed by the authors. However, I can say without qualification that the portions of "The Liberal Papers" quoted by the Senator from Kentucky [Mr. MORTON] are not and never have been my views of the international situation.

The quotation designated No. 8 in the remarks of the Senator from Kentucky says, in part, that—

> Most Americans are filled with the basically irrational conviction that the only way to avoid military conflict with the Communist world is to prepare for it.

I freely admit that I am one of those Americans holding the allegedly irrational conviction that the essential element of our foreign policy should be the maintenance of military and economic strength adequate to discourage armed aggression by the Sino-Soviet bloc and to successfully resist any such aggression. My disagreement with this and other quoted portions of the book is made clear by my public and private statements, both before and after becoming a Member of this House, and by the votes I have cast as a Member of this House.

AIRLINE INDUSTRY PLAGUED BY STRIKES AND STRIKE THREATS

Mr. JARMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. JARMAN. Mr. Speaker, for the past few years our scheduled airline industry has been plagued by strikes and strike threats, most of which have been connected with a jurisdictional dispute between rival unions over the makeup of jet aircraft crews.

Despite solutions recommended by labor committees, by impartial commissions, and by emergency boards appointed by the President of the United States, despite continued and consistent willingness of the airlines to accept proposed solutions, the interunion struggle continues unabated.

Rarely a day goes by that some new notice of strike action against one or more of our U.S.-flag airlines is not brought to the public's attention. One day it is an announcement of a strike vote, or perhaps the results of such a vote, another day it is a strike deadline, another day it is a last-minute averting of a strike, and so on.

Caught in the middle of this dispute are the airlines who suffer severe economic penalties with each new strike or strike threat announcement by one or the other of the rival unions. The airlines sell seats and, I dare say, there is no more perishable commodity produced by any business today than an empty airline seat.

Yet, passengers, understandably, hesitate to book passage on airliners that might not be flying, particularly if there is another choice available. Or having booked in advance and paid their fares, who can blame those who get their money back and make arrangements with nondomestic airlines not plagued with such uncertainty?

The effect of all this on a vital American industry that last year suffered its worst financial loss in history is obvious. So is the effect on airline employees who frequently are furloughed because of the shutdowns caused by this interunion dispute. At one point last year some 70,000 airline employees were idled, as one of these unions walked out.

Recently, I called attention on the floor to the drastic year-by-year reductions in the share of international air

traffic carried by U.S.-flag airlines. This problem, a serious factor in our overall balance of payments deficit, is greatly aggravated by the effect of the continuing dispute between pilots and flight engineers.

When we should be doing all in our power to increase the traffic of our own flag airline system to insure the economic strength it needs to compete with government-owned foreign carriers, we are permitting an internal labor union dispute to drive the business to foreign airlines.

As President Kennedy so correctly observed, "the public deserves, expects, and demands" that settlement be reached. The Secretary of Labor said, "The Nation cannot, especially at this critical time, afford continuous warfare and interruptions in the vital air transportation industry."

I most heartily agree. I would urge the members of the feuding unions to recognize their responsibility, not only as employees of a vital national industry but as citizens of a nation whose welfare is threatened today as never before in history. There must be a reasonable solution to this dispute in the immediate future and the Government must bend every effort to insure that there is. We cannot continue to saddle our airline industry with unfair economic penalties of this kind and expect them to continue as free enterprise companies.

PERSONAL ANNOUNCEMENT

Mr. KEARNS. Mr. Speaker, I was standing behind the rail eulogizing our great Speaker after Drew Pearson's article about him. I was here and qualify and vote "no" on the last vote.

The SPEAKER. The Chair regrets that the gentleman cannot be recorded after the vote has been announced. The gentleman can state for the RECORD that he would have voted "no."

AIRLINE INDUSTRY PLAGUED WITH STRIKES AND STRIKE THREATS

Mr. GOODELL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. GOODELL. Mr. Speaker, for more than 6 years there have been widespread strikes and work stoppages in the scheduled airline industry. During this period many of you have heard the phrase "jet crew complement." This involves the question of how many crewmembers you are going to have in a jet aircraft and what will be the qualifications pertaining to the men selected. Each week for the past several months we have seen news stories indicating that some airline is threatened with a strike apparently evolving from this issue. No doubt the public is beginning to wonder what it is all about; and, of course, the public is the one group that suffers since patrons are unable to make reservations with assurance that the reservations will be honored or that a strike over this issue will not delay their travel plans.

President Kennedy has referred to the crew complement problem as an interunion dispute. The pilots belong to the Air Line Pilots Association—ALPA—and the flight engineers to the Flight Engineers International Association—FEIA. The interests of the two groups conflict in that ALPA wants to provide jobs for pilots in the jet age, and the FEIA wants to safeguard jobs for its members.

During 1958 to 1959 several of our larger domestic and international airlines agreed to add a third pilot in jet aircraft and also agreed to the assignment of the specialist flight engineer at the engineer's panel of jet aircraft. The Federal Aviation Agency regulations do not call for or require a third pilot.

So it seems that the actual difference that is really causing all the trouble is that ALPA says the third man in the crew should be a pilot certificated to function as a flight engineer, and FEIA says the third man should be a specialist flight engineer although they would consider giving him some added pilot training.

Early in 1961, the National Mediation Board found in a United Air Lines dispute the duties of pilots and flight engineers were not sufficiently different to justify them being represented by two bargaining agents. This decision precipitated a seven-carrier, nationwide strike, causing the airlines millions in revenue loss, placing thousands of their employees on furlough, and causing the traveling public untold inconvenience and hardship.

The strike ended when the President of the United States appointed a three-member Commission headed by Professor Feinsinger to investigate and make recommendations concerning the crew complement dispute. In May 1961, the Commission, having studied the problem, recommended that jet aircraft be flown by three-man crews and called for an ALPA-FEIA merger with details to be worked out by the unions.

The airlines accepted the recommendation of this Commission. Later it became evident the unions were not in agreement. In October 1961, the Commission made a second report continuing to ask for merger and listing detailed recommendations for the selection of the crew complement problem.

President Kennedy, in endorsing this last report, said: "One thing is clear; we cannot have further strikes over these disputed issues. There can be no legitimate excuse for interruptions of service now that these Commissions have marked out the areas of fair and reasonable settlement. The public deserves, expects, and demands that such settlements be reached."

Again, the airlines accepted the report.

The problem still faces the air carriers. We continue to see the threats of strikes against the airlines flowing from this problem. The industry is presently suffering financial hardships and the employees realize there is a possibility of furloughs, should strikes be called against the airlines.

I have brought this to the attention of the House because I feel we are all interested in this problem. I feel that the crew complement issue should be settled rapidly. I urge the Department of Labor to help bring this matter to a satisfactory conclusion so that the airlines can begin to operate without the threat of strikes over the issue.

BILL TO PROVIDE FREE ENTRY OF A MICROCALORIMETER FOR USE OF UNIVERSITY OF COLORADO

Mr. DOMINICK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. DOMINICK. Mr. Speaker, several weeks ago I introduced a bill, H.R. 10554, to provide for the free entry of a microcalorimeter for the use of the University of Colorado in the performance of research under a grant from the Federal Government. The bill is now pending before the Committee on Ways and Means.

Recently, Mr. Lawrence T. Paddock, editor of the Boulder (Colo.) Daily Camera, published a very excellent explanation of this scientific instrument and the purpose for which it will be used by the university. Although Mr. Paddock may have been overly kind to me, since this is, after all, a team effort, I am grateful for his explanation of the instrument, and I believe many of my colleagues will find it helpful in understanding the urgent need for this apparatus by the University of Colorado. Therefore, under unanimous consent, I include Mr. Paddock's article at this point in the RECORD:

THREE CHEMISTS AT UNIVERSITY WAITING FOR MICROCALORIMETER

What is a microcalorimeter?

To Congress it's a 50-pound block of copper, 1 foot in diameter and 8 inches tall, which has caused a bill to be introduced to have it imported duty free into the United States from France.

To three chemists at the University of Colorado waiting to use it, the microcalorimeter is a device which measures very small amounts of heat radiated over a long period of time.

Congress became involved in acquiring the microcalorimeter when the Colorado University chemists discovered they would have to use some of a $25,000 U.S. Public Health Service grant to pay import duty for the device.

Representative PETER H. DOMINICK, Republican, of Colorado, introduced a bill to abolish the duty.

The Colorado University chemists—Prof. John R. Lacher, Associate Prof. Stanley J. Gill and Assistant Prof. Mancourt Downing—will use the device to study the heat effect of energies, of chemical interaction in large biological molecules.

"We also will use it to measure the heat effects on germination of certain seeds and perhaps to discover what happens when the seeds are subjected to radiation," Gill explained.

The chemists are engrossed in the first year of a 4-year project designed to tell them something about the forces that determine the biological behavior of materials.

The microcalorimeter is essential to their work.

This unique device has been developed during the last 40 years by French physical chemist, Prof. Edouard Calvet of Marseilles.

Calvet's instrument uses 1,000 tiny thermocouples, devices to detect temperature differences, much like those found in home furnaces connected to thermostats.

Calvet's microcalorimeter was shipped from Marseilles January 15. Present location is unknown.

DOMINICK's bill would allow the full amount of the Federal grant to be used for the research project. He said it was "self-defeating" for the Government to make grants for scientific research with one hand and take part of the grant back in the form of customs duties with the other.

"Congress has recognized this contradictory situation in other instances and has waived the customs duty," DOMINICK said.

REORGANIZATION PLAN NO. 2 OF 1962—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 372)

The SPEAKER laid before the House the following message from the President of the United States, which was read and together with the accompanying papers, referred to the Committee on Government Operations and ordered to be printed:

To the Congress of the United States:

I transmit herewith Reorganization Plan No. 2 of 1962, prepared in accordance with the provisions of the Reorganization Act of 1949, as amended, and providing for certain reorganizations in the field of science and technology.

Part I of the reorganization plan establishes the Office of Science and Technology as a new unit within the Executive Office of the President; places at the head thereof a Director appointed by the President by and with the advice and consent of the Senate and makes provision for a Deputy Director similarly appointed; and transfers to the Director certain functions of the National Science Foundation under sections 3(a)(1) and 3(a)(6) of the National Science Foundation Act of 1950.

The new arrangements incorporated in part I of the reorganization plan will constitute an important development in executive branch organization for science and technology. Under those arrangements the President will have permanent staff resources capable of advising and assisting him on matters of national policy affected by or pertaining to science and technology. Considering the rapid growth and far-reaching scope of Federal activities in science and technology, it is imperative that the President have adequate staff support in developing policies and evaluating programs in order to assure that science and technology are used most effectively in the interests of national security and general welfare.

To this end it is contemplated that the Director will assist the President in discharging the responsibility of the President for the proper coordination of Federal science and technology functions. More particularly, it is expected that he will advise and assist the President as the President may request with respect to:

(1) Major policies, plans, and programs of science and technology of the various agencies of the Federal Government, giving appropriate emphasis to the relationship of science and technology to national security and foreign policy, and measures for furthering science and technology in the Nation.

(2) Assessment of selected scientific and technical developments and programs in relation to their impact on national policies.

(3) Review, integration, and coordination of major Federal activities in science and technology, giving due consideration to the effects of such activities on non-Federal resources and institutions.

(4) Assuring that good and close relations exist with the Nation's scientific and engineering communities so as to further in every appropriate way their participation in strengthening science and technology in the United States and the free world.

(5) Such other matters consonant with law as may be assigned by the President to the Office.

The ever-growing significance and complexity of Federal programs in science and technology have in recent years necessitated the taking of several steps for improving the organizational arrangements of the executive branch in relation to science and technology:

(1) The National Science Foundation was established in 1950. The Foundation was created to meet a widely recognized need for an organization to develop and encourage a national policy for the promotion of basic research and education in the sciences, to support basic research, to evaluate research programs undertaken by Federal agencies, and to perform related functions.

(2) The Office of the Special Assistant to the President for Science and Technology was established in 1957. The Special Assistant serves as Chairman of both the President's Science Advisory Committee and the Federal Council for Science and Technology, mentioned below.

(3) At the same time, the Science Advisory Committee, composed of eminent non-Government scientists and engineers, and located within the Office of Defense Mobilization, was reconstituted in the White House Office as the President's Science Advisory Committee.

(4) The Federal Council for Science and Technology, composed of policy officials of the principal agencies engaged in scientific and technical activities, was established in 1959.

The National Science Foundation has proved to be an effective instrument for administering sizable programs in support of basic research and education in the sciences and has set an example for other agencies through the administration of its own programs. However, the Foundation, being at the same organizational level as other agencies, cannot satisfactorily coordinate Federal science policies or evaluate programs of other agencies. Science policies, transcending agency lines, need to be coordinated and shaped at the level of the Executive Office of the President drawing upon many resources both within and outside of Government. Similarly, staff efforts at that higher level are required for the evaluation of Government programs in science and technology.

Thus, the further steps contained in part I of the reorganization plan are now needed in order to meet most effectively new and expanding requirements brought about by the rapid and far-reaching growth of the Government's research and development programs. These requirements call for the further strengthening of science organization at the Presidential level and for the adjustment of the Foundation's role to reflect changed conditions. The Foundation will continue to originate policy proposals and recommendations concerning the support of basic research and education in the sciences, and the new Office will look to the Foundation to provide studies and information on which sound national policies in science and technology can be based.

Part I of the reorganization plan will permit some strengthening of the staff and consultant resources now available to the President in respect of scientific and technical factors affecting executive branch policies and will also facilitate communication with the Congress.

Part II of the reorganization plan provides for certain reorganizations within the National Science Foundation which will strengthen the capability of the Director of the Foundation to exert leadership and otherwise further the effectiveness of administration of the Foundation. Specifically:

(1) There is established a new Office of Director of the National Science Foundation and that Director, ex officio, is made a member of the National Science Board on a basis coordinate with that of other Board members.

(2) There is substituted for the now existing Executive Committee of the National Science Board a new Executive Committee composed of the Director of the National Science Foundation, ex officio, as a voting member and Chairman of the Committee, and of four other members elected by the National Science Board from among its appointive members.

(3) Committees advisory to each of the divisions of the Foundation will make their recommendations to the Director only rather than to both the Director and the National Science Board.

After investigation I have found and hereby declare that each reorganization included in Reorganization Plan No. 2 of 1962 is necessary to accomplish one or more of the purposes set forth in section 2(a) of the Reorganization Act of 1949, as amended.

I have found and hereby declare that it is necessary to include in the reorganization plan, by reason of reorganizations made thereby, provisions for the appointment and compensation of the Director and Deputy Director of the Office of Science and Technology and of the Director of the National Science Foundation. The rate of compensation fixed for each of these officers is that which I have found to prevail in respect of comparable officers in the executive branch of the Government.

The functions abolished by the provisions of section 23(b) of the reorganization plan are provided for in sections 4(a), 5(a), 6(a), 6(b), and 8(d) of the National Science Foundation Act of 1950.

The taking effect of the reorganizations included in the reorganization plan will provide sound organizational arrangements and will make possible more effective and efficient administration of Government programs in science and technology. It is, however, impracticable to itemize at this time the reductions in expenditures which it is probable will be brought about by such taking effect.

I recommend that the Congress allow the reorganization plan to become effective.

JOHN F. KENNEDY.

THE WHITE HOUSE, *March 29, 1962.*

PROGRAM FOR WEEK OF APRIL 2, 1962

Mr. LANGEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. LANGEN. Mr. Speaker, I take this time to inquire of the distinguished majority leader as to the program for next week.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. LANGEN. I yield.

Mr. ALBERT. In response to the gentleman I may say that the program for next week is as follows:

Monday is Consent Calendar day, and there are 13 suspensions as follows:

H.R. 10162, amend Bretton Woods Agreements Act.

H.R. 852, independent medical review of veteran claims.

H.R. 857, appeal veterans' claims.

H.R. 10743, increase disabled veterans' compensation.

H.R. 10069, authorizing additional prosthetic research.

H.R. 10788, amend section 204, Agriculture Act, 1956, relating to the regulation of textile imports.

H.R. 946, oysters, loans to planters.

S. 860, agriculture, livestock and poultry diseases.

S. 1037, agriculture, license fees, perishable commodities.

H.R. 8484, authorized site, Theodore Roosevelt Birthplace.

H.R. 8567, trial boards, U.S. Park Police.

H.R. 10062, extend the application of certain laws to American Samoa.

H.R. 1171, public use of fish and wildlife areas.

And I may advise the membership, Mr Speaker, these bills may not be called in the order listed.

Tuesday is Private Calendar Day, and we will also consider the second supplemental appropriation bill for 1962, and H.R. 10700, to amend the Peace Corps Act.

On Wednesday there will be a joint meeting to receive the President of Brazil; and on Wednesday, Thursday, Friday, and Saturday H.R. 4999, Health Professions Educational Assistance Act of 1962, if a rule is reported.

H.R. 4441, expenses, payment to New York.

This program, of course, is subject to the usual reservation that conference reports may be called up at any time.

Any further program will be announced later.

If the gentleman will yield further, in connection with the announcement of the distinguished guest of the Congress on Wednesday, I will submit a consent request.

Mr. Speaker, I ask unanimous consent that it may be in order on Wednesday, April 4, for the Speaker to declare a recess for the purpose of receiving in joint meeting the President of Brazil.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

ADJOURNMENT TO MONDAY, APRIL 2

Mr. ALBERT. If the gentleman will yield further.

Mr. LANGEN. I yield.

Mr. ALBERT. There is no further legislative business for the week. In view of that, Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

Mr. GROSS. Mr. Speaker, reserving the right to object, the gentleman mentioned something about expenses to New York. Whose expenses are being paid to New York?

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. GROSS. Yes; I shall be glad to yield.

Mr. ALBERT. That has to do with the payment of certain expenses of certain New York police. It has nothing to do with any trips to New York, I advise the gentleman from Iowa.

Mr. GROSS. I thank the gentleman for that information.

Now, can the gentleman give us any idea as to the Easter recess? I have waited a couple of weeks trying to find out.

Mr. ALBERT. I hope the gentleman will bear with us for at least 1 more week.

Mr. GROSS. That is about all I guess I can do, bear with the gentleman. I hope the gentleman can soon give us some information about it, for I like to make some plans in advance if I am going to take a trip of a few thousand miles.

Mr. ALBERT. If the gentleman will bear with us we will try to accommodate him at a very early date.

Mr. GROSS. I thank the gentleman and withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma that when the House adjourns today it adjourn to meet on Monday next?

There was no objection.

NEW YORK STATE'S REFUSAL TO CONFORM TO DRINKING AGE LAWS OF ALL NEIGHBORING STATES

The SPEAKER. Under previous order of the House, the gentlewoman from New Jersey [Mrs. DWYER] is recognized for 15 minutes.

Mrs. DWYER. Mr. Speaker, on eight occasions within the past week I have inserted in the CONGRESSIONAL RECORD a series of statements, together with supporting news stories and editorials, developing various aspects of the tragic situation resulting from the State of New York's refusal to conform its drinking age law with that of 48 of the other 49 States of the United States, including all of the States along its borders and the Government of Canada.

The fact that New York State persists in allowing 18-year-olds to consume hard liquor, while all her neighbor States prohibit drinking until the age of 21, has created a chain of hundreds of drinking havens around the borders of that State to which hundreds of thousands of young people from the age of 14 on up have flocked from New Jersey, Connecticut, Pennsylvania, Massachusetts, and Vermont.

The consequences of these havens, and of New York's stubbornness, has been a rising tide of fatal and near-fatal automobile accidents involving young people returning to their homes after drinking sessions in New York. These are the tangible tragedies, the countable consequences of New York's failure to act. Beyond them, and of perhaps far greater significance, are the countless family misfortunes, the heartaches brought by the moral and psychological dissolution of young people who truly were not old enough to drink.

Legally, Mr. Speaker, under the 21st amendment to the U.S. Constitution, the State of New York has exclusive jurisdiction to regulate the transportation, sale, and consumption of alcoholic beverages within its own borders. There is nothing, directly, that its neighboring States or the Federal Government or the Government of Canada can do to force New York to change its teenage drinking law. But there are moral and political considerations that surpass the legal limitations. The five States most directly involved have an unavoidable obligation to protect the lives and welfare of their own young people who are lured across the border into New York by that State's free-and-easy liquor laws. And New York cannot rely on a legalistic States right argument to deny the validity of the interest of all its neighbors in the damaging impact of New York's law.

Our interest in New Jersey, Mr. Speaker, and in Pennsylvania, Connecticut, Massachusetts, and Vermont, is the fundamental one of self-preservation. The interest of the Congress and of all our sister States may be less basic but is no less real and valid. It lies in the preservation of the Federal system of government which we have nurtured in this country for 165 years. New York is threatening the easy and cooperative functioning of that system in a highly sensitive area of interstate relations. New York is forcing its sister States to adopt extraordinary measures of law enforcement to cope with the problems created by New York. New Jersey, for example, is utilizing police roadblocks to check on teenagers returning from New York on Friday and Saturday evenings. The results of one such check showed no

less than 93 percent of teenagers who admitted to having consumed alcoholic beverages in New York that evening.

Connecticut has the same problem. The State police this year have maintained a series of weekend roadblocks along the length of the border it shares with New York in an effort to discourage teenagers from going to New York to purchase liquor.

In Pennsylvania, Vermont, and Massachusetts, the Connecticut and New Jersey story is repeated. Increasing traffic fatalities and other highway accidents are directly related to teenagers drinking in New York. Three of the first six highway deaths in Connecticut this year have been blamed on teenage drinking. Nine deaths in New Jersey since last September involved teenagers returning to the State after drinking in New York. In one recent Vermont accident alone, seven teenage boys were killed instantly on their way back home from a drinking session in New York. And this is only a small sampling of the havoc New York is wreaking on its neighbors.

This is not a new situation, Mr. Speaker, but it has become increasingly serious in recent years. It has led several Governors to appeal repeatedly to New York State to revise its drinking age upward. Just last week, the Governors of New Jersey and Pennsylvania joined in a direct appeal to the Governor of New York. The Governors of Connecticut and Vermont have also done so. And the New England Governors Conference officially asked New York to comply with the drinking age specified in the laws of all their member States.

I have been actively involved in this struggle myself since 1955, when I introduced the first resolution adopted by the New Jersey Legislature calling upon the State of New York to raise its drinking age. Later that year, I testified personally before a New York legislative committee on the same subject. I have discussed it both personally and by letter with individual State legislators and with the Governor of New York.

The reaction I have received—like that received by all who have tried to do something—has ranged from chilly negativism to a meaningless form of sympathy, meaningless because the sympathy is seldom translated into any kind of action by State officials with the authority to do something.

This does not mean that the people of New York are blind and deaf to the appeals of their neighbors or to the tragedies brought about by their lawmakers' refusal to heed such appeals. On the contrary, Mr. Speaker, all the evidence supports the contention that New Yorkers themselves oppose their State's 18-year-old drinking age law. I have received a great many letters from residents of New York assuring me that they and their friends support our efforts to raise the drinking age from 18 to 21. The Gannett newspapers, among many others in the State, have carried on a consistent campaign toward this objective. And my good friend, New York State Assemblyman Russo, from Staten Island—a major source for New Jersey youngsters seeking illicit drink—who has introduced bills each year to make New York's law conform to its neighbors, has reported that the people of New York are in favor of raising the drinking age to 21 by a margin of 10 to 1. And just this week, the Board of Supervisors of Rockland County, N.Y.—the scene of much out-of-State teenage drinking—unanimously urged the State legislature to raise the drinking age.

The discouraging fact is, Mr. Speaker, that the New York Legislature and other responsible State officials have so far refused to listen even to their own people. But there is too much at stake for any of us to become discouraged. New York will listen eventually, and it is up to us—the Congress included—to bring that eventuality about at the earliest possible time. There have been enough studies, hearings and consideration already given in New York to the question of teenage drinking. The time for action is now, and I maintain that the way to get action is to let the people know the awful facts and to give voice to their cries of outrage.

One of the most tragic of the facts, and one that is often overlooked, is that New York's 18-year-old minimum drinking age is not the real minimum. Children, boys and girls of 14 and 15 and 16 are able to obtain alcoholic beverages in New York with relative ease. This situation, disclosed in actual interviews with the boys and girls themselves and common knowledge to anyone familiar with the facts of life in New York, demolishes one of the central contentions of New York officials who oppose raising the drinking age. These officials contend, with some truth, that older teenagers are able to drink even in States with a 21-year-old drinking law, by falsifying their ages. But they could never maintain, for obvious reasons, that this "slippage" extends to younger teenagers in such States.

By no stretch of the imagination are children of 14, 15, or 16 capable of handling liquor without inviting disastrous results. And these results are not exclusively the rising tide of traffic fatalities stemming from drinking in New York. The far greater consequences, often intangible and private in nature, are essentially moral and psychological.

One other particularly disturbing fact, Mr. Speaker, was revealed in a front-page story in the Newark Evening News whose very able New York correspondent, Mr. Guy Savino, this week performed a journalistic service in the highest traditions of the profession. Mr. Savino learned that a private foundation to which the New York State Liquor Authority has frequently turned for guidance on juvenile drinking has as its executive director a man who is also counsel for the New York Importers and Distillers Association, an organization Mr. Savino described as no stranger to Albany.

The conflict of interest in this situation is blatantly apparent. The private foundation, the Mrs. John H. Sheppard Foundation, not only shares an office with the Distillers Association but has made a number of special studies for the State Liquor Authority on which the authority has quite apparently relied. And the authority has been a persistent and forceful opponent of those who would change New York's minimum age to conform with the laws of surrounding States.

As Mr. Savino describes it:

> The liquor authority is considered one of the chief reasons the legislature is determined not to change the New York law.

He also points out, from his wide first-hand knowledge of New York politics, that despite heavy attack on the authority for its stand on teenage drinking it has managed to exert considerable influence in Albany.

Mr. Speaker, I include the following text of Mr. Savino's story in the Newark Evening News of March 27:

> DRINKING STUDIES—ADVISER ON LIQUOR DIVIDES HIS TIME
>
> (By Guy Savino)
>
> NEW YORK.—A foundation to which the State liquor authority has turned for guidance on juvenile drinking has as its executive director a man who is also counsel for a State liquor organization.
>
> This man of dual responsibilities is Lester H. Schreiber. He simultaneously serves the Mrs. John H. Sheppard Foundation, nonprofit organization that has made studies for the liquor authority, and the New York Importers and Distillers Association, no stranger to Albany.
>
> The association and the foundation share offices with the Schreiber firm at 720 Fifth Avenue.
>
> A reporter calling at the office found the name of Schreiber's firm on the left-hand side of the door and the whisky group's name on the other. There was no mention of the foundation.
>
> The liquor authority has been one of the sternest foes of those who would change New York's minimum drinking age to conform to that of surrounding States such as New Jersey and Connecticut.
>
> For many years the authority has been under persistent attack on the age question. But it has warded off such criticism and, while doing so, has managed to exert considerable influence in Albany.
>
> The liquor authority is considered one of the chief reasons the legislature is determined not to change the New York law. In this State 18-year-olds are permitted to drink at bars and to buy liquor in retail stores. In every other State the age limit is 21.
>
> New Jersey, Pennsylvania, Vermont, and Connecticut are fighting to get the New York law changed. But their efforts are making little headway against the powerful front the lobbyists for the liquor industry have erected in Albany.
>
> An idea of the power of the lobby is gleaned from the statement today by Assemblyman Lucio Russo, Republican, of Staten Island, who each year introduces a bill to make New York's law conform to its neighbors.
>
> "The people of this State are 10 to 1 for conformity with other States," said Russo. "We are under terrific pressure from the public. Something has to give. Now I am certain something will give. But it will not happen this year—unless there is a big change up in Albany. The whole situation is amazing."
>
> The outcries in New Jersey and other States against the New York law are actually repetitious of protests within the State.
>
> In 1952 a Nassau County grand jury, aroused over juvenile drinking and failure of police and liquor authorities to do a better job in keeping youngsters out of bars, issued a stinging presentment.
>
> The authority, according to the record, sent a deputy commissioner, Michael J.

Moore, a resident of Nassau, to confer with the aroused people of the county.

Said the 1952 report:

"Mr. Moore expressed the opinion that since no accurate knowledge of the character and extent of the real problem appeared to be available, it would be well to arrange for a scientific survey and study by a capable, objective, and trustworthy organization.

"He suggested specifically that the citizens' committee seek from the Sheppard Foundation support of a survey of that type to be conducted by one of the local colleges. His suggestions were accepted readily and acted upon favorably."

The foundation then engaged Hofstra College to study the use of alcohol by people between the ages of 14 and 18 or 19 who live in Nassau County.

The year 1952 brought an outcry from Buffalo, too. The citizenry angrily denounced juvenile drinking, pointing to the fact that at Angola-on-the-Lake, a resort community, juveniles from other States were taking advantages of the low age limit. Like the grand jury in Nassau, a panel in Erie County issued a blistering persentment.

Whereupon the liquor authority designated another deputy commissioner, William Buscaglia, to confer with the people of Erie County.

Said the report:

"He [Buscaglia] pointed out that the suggested survey should not be considered in any sense a substitute for the performance of official duty by any unit or agency of government. Rather, he characterized it as a logical means of presenting an accurate analysis of an involved social problem by objective scientific procedures."

Continued the report:

"The Sheppard Foundation again responded promptly and a survey was thereafter undertaken by the University of Buffalo for the foundation."

Both the Nassau and Buffalo reports were completed. Both were thick with compilations of statistical material. The sum and substance of both reports was that not as many juveniles as it is thought were drinking, only a small percentage (by their own admission) were intemperate and most of them got their first taste of alcoholic beverages at home.

The Sheppard Foundation has arranged other studies for other States. One was made in Wisconsin by the University of Wisconsin. Another was made in Kansas by the University of Kansas.

Thousands of high school students and youths of high school age were questioned.

Schreiber told the News the foundation is planning to move into New Jersey shortly for a survey. What college has been selected to make the survey is not known.

In its preface to the Wisconsin survey, the foundation explained that it had been named in honor of the late Jeanie Rumsey Sheppard who once served on the State liquor authority.

"These studies," said the foundation, "are being made to obtain factual scientific and reliable data for the advancement of knowledge and understanding of the use of alcoholic beverages and to foster public education for the promotion of temperance.

"The foundation was organized by her friends to perpetuate her work and ideals, and in recognition of her great contribution to State control of alcoholic beverages."

The situation Mr. Savino describes is too obvious to require much comment from me. It emphasizes in a most striking manner the urgent need for all who are interested in decency, in the protection of our youth, and in respectful and neighborly relations between the States, to make their voices heard and their influence felt in the capital of New York.

In their own best interests, Mr. Speaker, the State of New York and the liquor industry in that State should act now before the public outcry brings action of a different and more extreme kind.

It is well to remind our friends in New York that, while the Constitution prohibits Federal legislation affecting the internal regulation of drinking in individual States, the Constitution also provides for amendments to that document which would have force and effect in all 50 States. Since 48 of the 50 States already prohibit the serving of liquor to teenagers, it may well be that a constitutional amendment establishing a uniform drinking age in the United States would be sympathetically received.

In any event, Mr. Speaker, this is a situation which calls for immediate action. We have already waited much too long for New York State to respond to the humanitarian appeals of its sister States. It is time for Congress to act, if only to give voice to the high moral principles that have always been upheld here in the Capitol by the representatives of all the people.

EVEN THE LIBERAL WASHINGTON POST CHARACTERIZES THE PRESIDENT'S $600 MILLION PUBLIC WORKS PUMP PRIMING PROGRAM AS A NEW WPA

Mr. LANGEN. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. CRAMER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. CRAMER. Mr. Speaker, hearings are underway before the Public Works Committee of the House, on which I serve, on H.R. 10318, providing for a $2 billion in standby capital improvements program; and a recently proposed amendment, which I can only interpret as a sweetener, proposed only this last Monday for $6 million more in public works to be made available, $25 million in fiscal year 1962, $350 million in 1963, and $225 million in 1964, without relationship to continuing unemployment generally, and goes so far as to propose public works grants up to 100 percent of the cost of any public works project, Federal, State, or local.

The editorial appearing in the Washington Post today properly points out numerous weaknesses in the proposal and, in particular, the fact that it is a warmed-over version of a program that was discarded nearly 30 years ago, known as the WPA.

Even George Meany, president of the AFL-CIO, who testified before our committee today, admitted that over the 3-year period the bill would provide only 90,000 jobs directly for the estimated unemployed which exceed 5 million, using the following analysis:

The job-creating effect of public works construction is about 100 on-site and off-site man-years of work per $1 million of construction expenditure. * * * Thus, this $600 million public works program could result in a total increase in public works expenditures of $900 million, including the $300 million in matching funds from the State and local governments. It could result in the creation of about 90,000 on-site and off-site jobs.

He goes on to suggest that the purchasing power resulting would provide an additional 135,000 jobs for a maximum overall impact of approximately 225,000 jobs for the total 3-year authorization period. This, of course, as is customary for a spokesman for labor, is an optimistic approach.

This obviously shows that this makework proposal is totally inadequate to do anything substantial and certainly insufficient to overcome the shortcomings of the proposal itself. Therefore, I commend the editorial to the attention of my colleagues:

A New WPA?

The President's recommendation for a $600 million public works program correctly diagnoses the need for a stimulus to speed the lagging recovery. His therapy is far more dubious.

The high estimates of gross national product in 1962 put out by the administration have been questionable from the beginning. Events since January have made them more questionable, and the administration seems about to recognize this. Hence the President proposes to spend a total of $600 million, of which $25 million would go out in fiscal year 1962, if the Congress acts promptly, $350 million in fiscal 1963, $225 million early in fiscal 1964. The money is to be spent on capital projects that can be quickly initiated or accelerated and that can be completed within 12 months after startup. It is to be spent in 958 areas comprising 38 percent of the population.

A program of this sort has the earmarks of economic ineffectiveness and political mischief. The immediate stimulation in any case would be small—witness that only $25 million would be spent in the next 3 months in the uncertain case that the Congress acts promptly. The money would be spread very widely, over 38 percent of the population, which works out at an average of $8.60 per head in those areas. It will not be concentrated on the real trouble spots. To select projects by the criterion that they can be terminated within 12 months means to rule out from the start any new major construction and many other high priority projects. What this comes down to is a new WPA, with priority on getting out the money and only secondary regard for what is produced by it.

The political overtones of the proposal are plainly audible. A wide range of localities, far beyond the areas of greatest need, is made eligible because that is the way to bring on board the necessary number of legislators. This means also that the administrator, whoever he may be, will have wide latitude in selecting locations. Much money will be wasted doing low priority things to get done a few with high priority. Projects based on such criteria of "need," moreover, give little hope of ever coming to a logical end. Permanent pork barrel for the administration is the most likely end of the story.

The economy needs stimulation, but not so desperately that time could not be spared to look for a better way of applying it. Activity continues to go up, after all, and is expected to keep going up. The Nation can afford to do this in a way to get the most for its money. In fact, given the urgent need to raise productivity, it cannot afford to do it any other way. The administration can justify a tax cut that would enlarge the

now badly mutilated investment tax credit for new equipment. It can justify public works expenditures for well-selected public investment that will increase output in later years. Compared with these alternatives, the WPA approach is the least attractive. Almost 30 years after the invention of that institution, the administration should be able to think of something better.

"GOD IS REAL"

Mr. LANGEN. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. AYRES] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. AYRES. Mr. Speaker, I call to the attention of my colleagues a book entitled "God Is Real." This tells the poignant story of the experiences of Dr. Dallas P. Billington, founder and pastor of the Baptist Temple in Akron, Ohio.

It has been my good fortune to know Dr. Billington for many years. His book is autobiographical. It is a graphic portrayal of the life and times of a devoted servant of God. It contains pertinent commentary on our way of life, advice and counsel, and a most interesting description of the struggles and success of a man who has spent his lifetime helping others through understanding.

The book is good reading. I highly recommend it to my colleagues. The Library of Congress card number is 62-13202. I am pleased that my hometown of Akron has been chosen by Dr. Billington as the place he has taken "root" after extensive travels across the Nation.

In these days when the emphasis is on materialism, when fear and trepidation stalk the world, the quiet, confident counsel and the deep and abiding faith of a man like Dr. Billington are invaluable. In an age when faith is assailed daily with doubt, the reassurance of the invulnerability of the Supreme Being is a source of inspiration to all of us.

GREEK INDEPENDENCE DAY

The SPEAKER pro tempore (Mr. GEORGE P. MILLER). Under previous order of the House, the gentleman from New York [Mr. RYAN] is recognized for 10 minutes.

Mr. RYAN of New York. Mr. Speaker, March 25 marked the 141st anniversary of the start of the Greek War of Independence. Throughout the war the Greeks displayed the fighting talents of which Homer sang and the individualism which enlivened their ranks in the Trojan War of antiquity. The determined stance of the outnumbered Greeks served as an inspiration to 19th-century liberals who flocked to the support of Greek independence. Throughout Europe arms and money were channeled to the cause of Greek freedom. Across the Atlantic Jefferson and Monroe expressed their earnest hope for the success of the Greek revolt.

Four hundred years of Turkish oppression had only intensified the desire of the Greek people for independence, and the battles of the Greek War of Independence were savage. For 6 years the war was bitterly fought in the mountains and ravines by small bands of guerrillas. Off the coast the Greeks and Turks engaged in bloody naval skirmishes. The Greek partisans, aided by European volunteers, were able to do so well that Sultan Mahaud was forced to call on help from the Mehemet Ali, pasha of Egypt. The pasha, who used Crete as a base of operations, was briefly successful in employing his disciplined troops against the Greek guerrilla bands. However, the Greeks were soon reinforced. They united with British, French, and Russian forces under the able command of Lord Cochrane at sea and General Church on land. The Egyptians and Turks were decisively defeated by the naval forces of the allies at the Battle of Navarino on October 20, 1827.

The success of the Greek revolution served to hearten the liberals of the 19th century even as the victory of allied forces in Greece after World War II inspired those dedicated to freedom in the 20th century. In both struggles the American Government was firm in its commitment to the independence of the Greek people and to the ideals of democracy.

That the struggle for independence is a continuing one no people know better than the Greeks. After the triumph of 141 years ago, after having gained freedom from 400 years beneath the yoke of the Ottoman Empire, Greece was still to have her troubles with Turkey. In the 19th century and in the 20th there was armed conflict between the two countries. Greece suffered most when, as one of the Allies, she was the victim of a combined Turkey and Germany. But Greece again emerged independent.

In happy contrast today Greece and Turkey are allied in the struggle to maintain freedom. They are allied with Western Europe, Canada, and the United States in NATO.

Though the path of independence has been a rocky one for the Greeks, true to their heritage they have, nevertheless, maintained their individuality, their homogeneity, their distinct culture, and their faith in freedom. The influence of ancient Greece on centuries of succeeding generations has been stronger than any other heritage of the Western World. The aid which the Western World gave to Greece in her struggle for independence might be regarded as the payment in part of a debt of the ages. All Western civilization can trace its origins to ancient Greece. The cradle of democratic government, the Greek city states are studied today by political scientists tracing the development of political institutions back through the millenniums to the first rule by the people, the demos, still reflected in the word "democracy."

In all phases of civilization today we can trace the heritage back to ancient Greek culture. In law, in language, in literature, in the arts, in medicine, in athletics, in philosophy, in architecture, in history itself, as well as in our political institutions, we find the elements and the inspiration of modern life. The ideas of freedom, the ideals of true democracy stem from the philosophy and political theories of Socrates, Plato, and Aristotle. Through Greek learning and its influence on successive cultures, the ideas of the early Greeks have been carried forward down the centuries. The Romans were unable to conquer the Greek civilization. Rather were they instrumental in spreading it, and through its incisive influence upon their own, all succeeding cultures were enriched by it. Homer can be traced through Virgil, Dante, Milton, directly through the literatures of Italy, France, England—all modern literature in short. Greek influence is indicated by the tiny insignia of physicians today. The staff and serpent familiar as the mark of medicine was that of Aesculapious, the Roman god of medicine, identified with the Greek god of healing, Asklepios. More scientifically, Hippocrates of ancient Greece is today known as "the father of medicine," as Herodotus is called "the father of history."

The contributions of the Greeks to life today are not, however, only those of the past glories of ancient Greece, brought down through the ages. There are those brought to us by the Greek immigrants to the United States. They averaged less than 10 a year until 1870 and did not begin to increase appreciably until the early 20th century. There are in this country today some million and a half Americans of Greek origin. Although few in number, there were, nevertheless, men of reputation and ability who early made contributions to the country of their adoption. One, Michael Anagnos, a great educator of the blind, was the subject of many public eulogies at the time of his death in 1906. The founder of a Greek school in Boston, he became the son-in-law of Dr. Samuel Gridley Howe and Julia Ward Howe. He was the founder of the Perkins Institute for the Blind; and in 1900 represented both his own institution and the U.S. Government at the International Congress of Teachers and Friends of the Blind which met in Paris

Other schools and educational organizations were founded by the Greeks in America and led to the comment that they were seekers after wisdom, a phrase which so aptly reminds us of the debt of the ages to Socrates and his world of ancient Greece.

Among the physicians of note whom Greece has given to America is Dr. Papanikolaou, famous for his long recognized contributions to the field of cancer research. There is Dr. L. Hadjopoulos, with his record of brilliance, who was connected with Bellevue and other hospitals in New York.

New York has been well aware of those of Greek origin who have made reputations in various fields of endeavor: research chemists, bacteriologists, lawyers, athletes, musicians. There is the world famous Dimitri Mitropolous.

The revival of Greek culture during the Renaissance greatly enriched the civilization of the Wsetern World. Its influence is apparent all around us. In Washington the Library of Congress

building is considered an outstanding specimen of Renaissance architecture. But for a direct copy of the architecture of ancient Greece what more beautiful edifice can be found than the Lincoln Memorial?

Greece has always shown devotion and admiration for America and her people. Ever since the Greek war of independence there has been an appreciation of the practical sympathy and support which the Americans then evidenced. The bonds of sympathy stretch back to the birth of democracy in ancient Greece, the heritage in the greatest democracy in modern times, and the truly democratic nature, temperament, and upbringing of the people of Greece as well as those of America.

In the quality of their performance and in endurance, whether it be in philosophy, in political contributions, art, architecture, literature, or the pursuit of freedom, the Greeks since ancient times have excelled. This excellence may be directly attributable to the overriding quality of the Greek character—the emphasis upon the independence of the individual. It is that independence which we honor. And it is, indeed, in the struggle for the preservation of an order in which the independence of the individual is respected that the whole Western World is today united.

PERSECUTION OF SOVIET JEWS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. HALPERN] is recognized for 15 minutes.

Mr. HALPERN. Mr. Speaker, nowhere are the Soviets more vulnerable than in their claims that the U.S.S.R. is a freely established union of many nationalities, a union wherein the principle of self-determination is respected as a fundamental human right.

The Soviets never tire of making this extraordinary claim.

Their constitution flatly asserts the guarantee of freedom to national minorities.

Their laws reinforce this assertion.

And, in their political propaganda they labor to the point of nausea the fallacy that self-determination of peoples is a principle of Soviet policy. In contrast, they declare that the United States is an imperialistic colonial power seeking only the enslavement of man.

On numerous occasions in the past I have discussed in speeches from this floor of Congress the oppressive colonial nature of the Soviet system.

I have cited the case of Soviet oppression of Lithuanians.

I have pointed out the enormity of Soviet oppression of Ukrainians.

Today, I again want to turn my attention to another Soviet minority group, the Jews, a people who have suffered miserably under Soviet rule; a people who now are faced with prospects of a heightened anti-Semitic campaign.

The Soviet leaders claim that all national groups in the U.S.S.R. have the right of cultural freedom.

What, then, is the present state of cultural freedom for the Jews?

Let me say at the beginning that the present state of cultural freedom for the Jews is now as it has been for decades—almost totally nonexistent.

The Soviet Government has had one solitary goal regarding Soviet Jewry: to destroy the Jewish consciousness; to obliterate the feeling among Jews of having a common identity; and to force upon them complete and total assimilation into their totalitarian, godless way of life.

The Soviet Government has continued a longstanding policy of what could be called de-Judaization. In continuous pursuit of this policy the Soviets abolished Yiddish schools, liquidated institutions dedicated to the study of Jewish history and literature, denied the right of Jews to publish their language, and destroyed the vigorous and culturally important Yiddish theater.

More than all of this, the Soviets have struck at the heart of Jewish religious life, the synagogue. There is no freedom of religion in the Soviet Union, that is, no freedom to perpetuate religion. The only existing freedom is that which gives the state the right of antireligious propaganda so that in the course of time the religious faith of the 2½ million Jews will be so eroded under constant Soviet attacks that the driving force of Jewish unity, belief in one God, and faith in the common destiny of the Jewish people, will be weakened and the idea of Jewish existence disintegrate and vanish.

American observers now returning from the Soviet Union attest to the fact that the number of synagogues has been reduced practically out of existence. Let me quote from a report by Harrison Salisbury, correspondent for the New York Times, after his recent tour of the Soviet Union. Mr. Salisbury recalled that the Jewish community in Kiev, the capital of the Ukraine, once used to be the great center of Jewish life and culture and had many synagogues. Today, he said, a single synagogue survives in the heart of the old Podol, the poor Jewish quarter of the city. And what is the condition of this synagogue? It is a small building, he tell us, rundown and worn, on a neglected side street. Mr. Salisbury then records this dialog:

"Is this the only synagogue in Kiev?" a recent visitor asked in surprise.

"Oh, no, there are others," said the tough-visaged administrator of the congregation, probably a nominee of the state security apparatus.

A bearded ancient with a black skullcap shook his head sadly and muttered: "That is not true."

The other synagogues, it finally developed, were two meeting rooms—one on the second floor and the other to the rear in a kind of storage building. Unfortunately, the keys could not be found so that these "beautiful rooms," as the administrator described them, could not be shown.

"Have any synagogues been closed recently?" the administrator was asked.

He shrugged his shoulders and said he had not heard of any.' It might be true. Perhaps there were not enough people to support a synagogue.

"We have complete freedom to worship or not to worship," he said belligerently. "Just as you have in America."

"How many members are there in the congregation?" he was asked.

"We keep no statistics," was the reply.

"How many Jews are there in Kiev?"

"Ask the city council. That is not our business."

The old man with the beard and the skull cap shook his head in resignation.

This is a sad story indeed. It records the act of purposeful destruction of the religious life of one of our great world religions, Judaism.

But, the range of Soviet attacks on Soviet Jewry has extended far wider than in the cultural and religious fields. Soviet Jews have long suffered exclusion from diplomatic careers in the Soviet state. They have experienced grave discriminations in admissions to schools of higher learning. What has made discrimination of this dimension so easy has been the Soviet practice of clearly indicating on all official papers the designation of the person's ethnic origin.

The universal character of world Jewry, and particularly the establishment of Israel, has provided the Soviet Government with a convenient excuse for oppressing Soviet Jews. One familiar charge frequently made against Soviet Jews is that they consort with foreign agents and engage in treasonable activities. In November of last year Rowland Evans, Jr., disclosed so perceptively and brilliantly in the pages of the New York Herald Tribune the most recent Soviet attempt to discredit Soviet Jewry. He reported the incident, previously kept secret from the outside world, that Gedalia Rubinovich Pechersky, a leader of the Leningrad Jewish community, along with two subordinates, was arrested in June 1961 and at a secret trial in October convicted of treason. Trud, one of the leading Soviet newspapers, finally revealed the nature of their crime in an article dated January 19, 1962, entitled "Zionism: A Mask for Spies." This article declared that members of the Israeli Embassy in Moscow had allegedly engaged in espionage activities. Trud made this charge:

> Facts show that the subversive activity of members of the Israeli Embassy against the Soviet Union is conducted with the knowledge of the Israeli Government and on the orders of their transoceanic masters.

The article went on to say:

> Being in complete economic and political dependence on the U.S. imperialists, the Israeli Zionists have completely subjugated their home and foreign policy to the interests of the transatlantic bosses. The Zionist organization and parties of Israel have actually become branches of the American intelligence service.

After making this broad assault on Israel as well as the United States, the article got down to specific charges:

> Soviet citizens Pechersky, Dynkin, and Kaganov, recruited by the members of the Israeli Embassy, have recently been exposed. It has been irrefutably established during the trial that besides collecting and handing over spy information to the Israeli diplomats, the traitors Pechersky, Dynkin, and Kaganov spread rumors and inventions slurring the Soviet political and public system and circulated anti-Soviet literature published in Israel, which they received secretly from staff members of the Israeli Embassy, Prat, Sharett, and others. They have also confessed * * * that the tapes with recordings of slanders against Soviet life confiscated from them were specially prepared for their masters, who planned to use it for anti-Soviet propaganda.

The article concluded with this inflammatory exhortation against alleged treasonable activities of Soviet Jews:

> The Soviet people are incensed by the behavior of the Israeli diplomats, who are using their trips in the U.S.S.R. and meetings with Soviet citizens for subversive activity. It is high time for the Zionist provocateurs to realize that their subversive activity against the Soviet Union arouses the wrath and contempt of all Soviet people, regardless of nationality.

There seems to be little doubt that this recent attack on the Jewish community leaders of Leningrad represents ominous forebodings for the future of Soviet Jewry. Indeed, Rowland Evans speculates that this attack could be, in his words, "a harbinger of a new anti-Jewish campaign."

Another straw in the wind to show the present mood of the Soviet Government is the recent report of March 19 by Theodore Shabad, the New York Times correspondent in Moscow, that the Soviets have prohibited the sale of matzoh from state-operated bakeries. True, to the non-Jew this restriction may seem unimportant. But matzoh is the traditional unleavened bread which is so vital a part of the Jewish Passover festival. And to the practicing Jew, this recent Soviet restriction represents another assault on his religious beliefs and an attempt to further erode Judaism from the life of Soviet Jewry.

In the light of these facts that I have brought out here today, certainly the much-voiced Soviet claim of freedom of national minorities has a hollow sound.

There is no genuine freedom for the national minorities in the Soviet Union. These national groups are consistently faced with the calculated Soviet campaign of erosion of their identities.

Can the Soviet Jews withstand the corrosive force of Soviet discriminatory policies?

That is, of course, a serious question that Jews throughout the world now ask themselves.

But, of one thing we can all be confident, and it is that the Jewish people have for thousands of years survived tyrannies.

It is not now a question of whether, they, as a people, will survive the tyrannical regime of the Soviets that now seeks their extinction. There can be no doubt that they will. The question is whether we, the American people, Jew and non-Jew, can sit back, sympathetic, yes, but perhaps too passive in our reliance on our confidence in their eventual survival.

This is a dastardly form of blatant persecution—one which calls for loud voices of protest by our Government, by our officials, by our citizenry, and by free peoples everywhere.

By publicly decrying this maltreatment we will contribute immeasurably to the awakening of the world to another vicious example of the true nature of the Communist way of life.

This is my purpose today: To protest before this great forum of the American people this maltreatment of our fellow man and I do so with all the vehemence that is within me.

MEANS TEST IN FEDERAL PROGRAMS

Mr. LANGEN. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. CURTIS of Missouri. Mr. Speaker, one of the major arguments advanced by those who favor the King-Anderson bill for limited hospital insurance under social security is that the present Kerr-Mills Act involves a degrading means test. The Secretary of Health, Education, and Welfare used this line of argument in testifying before the Ways and Means Committee last July:

> Requiring older people who have always been financially independent to undergo a means test, with its investigation of their personal circumstances, when serious illness strikes, denies them dignity and self-respect in their days of retirement.

Some of the Secretary's supporters, notably our former colleague, Aime Forand and his senior citizens groups, have attacked the Kerr-Mills bill for requiring a pauper's oath. Mr. Speaker, the pauper's oaths, if such they are, are created by the States under present welfare laws. The Kerr-Mills Act permits them to liberalize existing means tests. It helps older people meet their medical bills so they can stay off relief. Instead of denigrating this fine piece of legislation, the people who are really concerned with the health problems of our aged should be pressing for broader implementation of the Kerr-Mills Act at the State level.

Mr. Speaker, while I have favored liberalizing means tests where their impact is harsh or unjust, I firmly believe in the principle of a means test as do most Americans. Our programs in health, education, and welfare should be focused where there is proven need. We must introduce a scale of priorities in our social expenditure. The Federal Government cannot afford to distribute benefits indiscriminately without reference to an established scale of needs. Both sound fiscal management and social justice point toward the institution of a fair means test. And, Mr. Speaker, this is the conclusion previous Congresses and administrations have reached time and time again. I submit for consideration the following listing of Federal programs financed from general revenue and incorporating a means test. I have omitted the annual means test we all face in the income tax as well as the OASDI earnings test. When we review the facts, can we in all fairness say that these tests are degrading? Or should we conclude that they help us direct assistance to those who are really in need.

OLD-AGE ASSISTANCE

This program generally provides Federal funds for State programs under which needy aged persons are given money to be used to purchase food, clothing, and shelter, and under which medical care is provided.

To be eligible for a Federal contribution, the State must submit a plan, one requirement of which is as follows:

> (10) if the State plan includes old-age assistance—
>
> (A) provide that the State agency shall, in determining need for such assistance, take into consideration any other income and resources of an individual claiming old-age assistance;
>
> (B) include reasonable standards, consistent with the objectives of this subchapter, for determining eligibility for and the extent of such assistance; and * * * (42 U.S.C. 302(a)(10)).

The means test for the medical assistance for the aged not on old-age assistance is also contained under this section. It provides as follows:

> (D) include reasonable standards, consistent with the objectives of this subchapter, for determining eligibility for and the extent of such assistance (42 U.S.C. 302(a)(11)(D)).

AID TO DEPENDENT CHILDREN

This program provides for Federal contributions to the States for needy dependent children, including a temporary program for the children of unemployed parents.

As in the old-age assistance program, the State must submit a plan, one requirement of which is as follows:

> (7) provide that the State agency shall, in determining need, take into consideration any other income and resources of any child claiming aid to dependent children.

Eligibility for the parents of such children is limited as follows:

> (11) provide, effective October 1, 1950, that no aid will be furnished any individual under the plan with respect to any period with respect to which he is receiving old-age assistance under the State plan approved under section 302 of this title (42 U.S.C. 602(a)(7) and (11)).

AID TO THE BLIND

This program provides for Federal contributions to State programs in behalf of needy individuals who are blind.

As in the old-age assistance program, the State must submit a plan, one requirement of which is as follows:

> (8) provide that the State agency shall, in determining need, take into consideration any other income and resource of the individual claiming aid to the blind; except that, in making such determination, the State agency shall disregard either (i) the first $50 per month of earned income, or (ii) the first $85 per month of earned income plus one-half of earned income in excess of $85 per month (42 U.S.C. 1202(a)(8)).

Eligibility for an individual is limited as follows:

> (7) provide that no aid will be furnished any individual under the plan with respect to any period with respect to which he is receiving old-age assistance under the State plan approved under section 302 of this title or aid to dependent children under the State plan approved under section 602 of this title (42 U.S.C. 1202(a)(7)).

AID TO THE PERMANENTLY AND TOTALLY DISABLED

This program provides Federal contributions for State programs under

which needy permanently and totally disabled individuals receive assistance.

As in the old-age assistance program, the State must submit a plan, one requirement of which is as follows:

(8) provide that the State agency shall, in determining need, take into consideration any other income and resources of an individual claiming aid to the permanently and totally disabled (42 U.S.C. 1352(a)(8)).

Eligibility for an individual is limited as follows:

(7) provide that no aid will be furnished any individual under the plan with respect to any period with respect to which he is receiving old-age assistance under the State plan approved under section 302 of this title, aid to dependent children under the State plan approved under section 602 of this title, or aid to the blind under the State plan approved under section 1202 of this title (42 U.S.C. 1352(a)(7)).

LOW-RENT HOUSING

Under this program, the Public Housing Administration is authorized to make loans to public housing agencies for the development, acquisition, or administration of low-rent housing for persons of low income.

In making the loans, the administration retains the right to maintain the low-rent character of the housing project.

A low-income family is defined as:

(2) The term "families of low income" means families who are in the lowest income group and who cannot afford to pay enough to cause private enterprise in their locality or metropolitan area to build an adequate supply of decent, safe, and sanitary dwellings for their use (42 U.S.C. 1402(2)).

Determinations of eligibility for tenancy in these projects is determined as follows:

(8) Every contract made pursuant to this chapter for annual contributions for any low-rent housing project initiated after March 1, 1949, shall provide that—

(a) the public housing agency shall fix maximum income limits for the admission and for the continued occupancy of families in such housing, that such maximum income limits and all revisions thereof shall be subject to the prior approval of the Administration, and that the Administration may require the public housing agency to review and to revise such maximum income limits if the Administration determines that changed conditions in the locality make such revisions necessary in achieving the purposes of this chapter;

(b) a duly authorized official of the public housing agency involved shall make periodic written statements to the Administration that an investigation has been made of each family admitted to the low-rent housing project involved during the period covered thereby, and that, on the basis of the report of said investigation, he has found that each such family at the time of its admission (i) had a net family income not exceeding the maximum income limits theretofore fixed by the public housing agency (and approved by the Administration) for admission of families of low income to such housing; and (ii) lived in an unsafe, insanitary, or overcrowded dwelling, or was to be displaced by any low-rent housing project or by any public slum-clearance, redevelopment, or urban renewal project, or through action of a public body or court, either through the enforcement of housing standards or through the demolition, closing, or improvement of a dwelling unit or units, or actually was without housing, or was about to be without housing as a result of a court order of eviction, due to causes other than the fault of the tenant: *Provided*, That the requirement in (ii) shall not be applicable in the case of the family of any veteran or serviceman (or of any deceased veteran or serviceman) where application for admission to such housing is made not later than October 1, 1961;

(c) in the selection of tenants (i) the public housing agency shall not discriminate against families, otherwise eligible for admission to such housing, because their incomes are derived in whole or in part from public assistance and (ii) in initially selecting families for admission to dwellings of given sizes and at specified rents the public housing agency shall (subject to the preferences prescribed in sec. 1410(g) of this title) give preference to families having the most urgent housing needs, and thereafter, in selecting families for admission to such dwellings, shall give due consideration to the urgency of the families' housing needs; and

(d) the public housing agency shall make periodic reexaminations of the net incomes of tenant families living in the low-rent housing project involved; and if it is found, upon such reexamination, that the net incomes of any such families have increased beyond the maximum income limits fixed by the public housing agency (and approved by the Administration) for continued occupancy in such housing, such families shall be required to move from the project (42 U.S.C. 1415(8) (a), (b), (c), and (d)).

FARM HOUSING

Under this program, the Secretary of Agriculture is authorized to extend financial assistance through the Farmers Home Administration to owners of farms in the United States to construct, improve, or repair farm dwellings and outbuildings.

To be eligible for assistance the farmer must meet the following requirements:

(c) In order to be eligible for the assistance authorized by subsection (a) of this section, the applicant must show (1) that he is the owner of a farm which is without a decent, safe, and sanitary dwelling for himself and his family and necessary resident farm labor, or for the family of the operating tenant, lessee, or sharecropper, or without other farm buildings adequate for the type of farming in which he engages or desires to engage; (2) that he is without sufficient resources to provide the necessary housing and buildings on his own account; and (3) that he is unable to secure the credit necessary for such housing and buildings from other sources upon terms and conditions which he could reasonably be expected to fulfill (42 U.S.C. 1471 (c)).

SCHOOL-LUNCH PROGRAM

The purpose of this program is to safeguard the health and well-being of the Nation's children and to encourage the domestic consumption of nutritious agricultural commodities.

Lunches served by schools participating in the school-lunch program under this chapter shall meet minimum nutritional requirements prescribed by the Secretary on the basis of tested nutritional research. Such meals shall be served without cost or at a reduced cost to children who are determined by local school authorities to be unable to pay the full cost of the lunch. No physical segregation of or other discrimination against any child shall be made by the school because of his inability to pay. (42 U.S.C. 1758).

VETERANS PENSIONS

Pensions are paid to veterans of World War I, World War II, or the Korean conflict who meet service requirements and the following income limitations:

Annual income		Monthly pension
More than—	Equal to or less than—	
	$600	$85
$600	$1,200	70
$1,200	$1,800	40

Source: 38 U.S.C. 521(b).

If the veteran is married or has a child or children, he would be eligible for the following pension if he meets the following income limitations:

Annual income		Monthly pension		
More than—	Equal to or less than—	1 dependent	2 dependents	3 dependents
	$1,000	$90	$85	$100
$1,000	$2,000	75	75	75
$2,000	$3,000	45	45	45

Source: 38 U.S.C. 521(c).

The widow of a veteran of World War I, World War II, or the Korean conflict who meets the service requirements or who at the time of his death was receiving compensation or retirement pay for a service connected disability is entitled to a pension if she meets the following income limitations:

Annual income		Monthly pension
More than—	Equal to or less than—	
	$600	$60
$600	$1,200	45
$1,200	$1,800	25

Source: 38 U.S.C. 541(b).

If the widow has one child, she would be entitled to the following pension if she meets the following income limitations:

Annual income		Monthly pension
More than—	Equal to or less than—	
	$1,000	$75
$1,000	$2,000	60
$2,000	$3,000	40

Source: 38 U.S.C. 541 (c).

A child of a veteran of World War I, World War II, or the Korean conflict who meets service requirements or who was entitled to receive compensation or retirement pay for a service connected disability would be entitled to a pension of $35 a month ($15 per month for each additional child), the total distribution of which would be to the child in equal shares, provided the child's annual income does not exceed $1,800.

In determining annual income under this chapter, all payments of any kind or from any source—including salary, retirement or annuity payments, or similar income, which has been waived, irrespective of whether the waiver was made pursuant to statute, contract, or otherwise—shall be included except—

(1) payments of the six-months' death gratuity;

(2) donations from public or private relief or welfare organizations;

(3) payments under this chapter, and chapters 11 and 13 (except section 412) of this title;

(4) payments under policies of United States Government life insurance or National Service Life Insurance, and payments of servicemen's indemnity

(5) lump sum death payments under subchapter II of chapter 7 of title 42;

(6) payments to an individual under public or private retirement, annuity, endowment, or similar plans or programs equal to his contributions thereto;

(7) amounts equal to amounts paid by a widow or child of a deceased veteran for—

(A) his just debts.

(B) the expenses of his last illness, and

(C) the expenses of his burial to the extent such expenses are not reimbursed under chapter 23 of this title;

(8) proceeds of fire insurance policies. (38 U.S.C. 503).

VETERANS HOSPITAL OR DOMICILIARY CARE AND MEDICAL TREATMENT

The Administrator, within the limits of the Veterans' Administration facilities, may furnish hospital care which he determines is needed to—

(1) a veteran of any war for service-connected disability incurred or aggravated during a period of war, or for any other disability if such veteran is unable to defray the expenses of necessary hospital care (38 U.S.C. 610(a)(1)).

Note that the determination of inability "to defray the expenses of necessary hospital care" is made under administrative regulations.

OTHER PROGRAMS

While these programs do not contain a means test as such, they are intended to help the needy.

Indian Health:

Hereafter the Secretary of the Interior is authorized, in his discretion and under such rules and regulations as he may prescribe, to make advances to old, disabled, or indigent Indian allottees, for their support, to remain a charge and lien against their land until paid; such advances for fiscal years after 1939 to be made from appropriations specifically available for such purposes (25 U.S.C. 306a).

SURPLUS FOOD PROGRAMS

The law authorizes the appropriation of funds to encourage the exportation and domestic consumption of agricultural products:

Such sums shall be maintained in a separate fund and shall be used by the Secretary of Agriculture only to * * * (2) encourage the domestic consumption of such commodities or products by diverting them, by the payment of benefits or indemnities or by other means, from the normal channels of trade and commerce or by increasing their utilization through benefits, indemnities, donations or by other means, among persons in low income groups as determined by the Secretary of Agriculture (7 U.S.C. 612c)

To prevent waste of commodities in private stocks or acquire through price-support operations by the Commodity Credit Corporation before they can be disposed of in normal domestic channels without impairment of the price-support program or sold abroad at competitive world prices:

The Commodity Credit Corporation is authorized, on such terms and under such regulations as the Secretary of Agriculture may deem in the public interest * * * (3) in the case of food commodities, to donate such commodities to the Bureau of Indian Affairs and to such State, Federal, or private agency or agencies as may be designated by the proper State or Federal authority and approved by the Secretary, for use in the United States in nonprofit school-lunch programs, in nonprofit summer camps for children, in the assistance of needy persons, and in charitable institutions, including hospitals, to the extent that needy persons are served (7 U.S.C. 1431).

It is under the authority of the above two provisions that the President's pilot food stamp plan is being carried out.

MATERNAL AND CHILD HEALTH SERVICES

The law authorizes appropriations "for the purpose of enabling each State to extend and improve, as far as practicable under the conditions of such State, services for promoting the health of mothers and children, especially in rural areas and in areas suffering from severe economic distress"—42 U.S.C. 701.

This program requires the States to submit a State plan which, while not setting forth a means test, does require the State plan to "(7) provide for the development of demonstration services in needy areas and among groups in special need"—42 U.S.C. 703(a).

SERVICES FOR CRIPPLED CHILDREN

The law authorizes appropriations "for the purpose of enabling each State to extend and improve (especially in rural areas and in areas suffering from severe economic distress), as far as practicable under conditions in such State, services for locating crippled children, and for providing medical, surgical, corrective, and other services and care, and facilities for diagnosis, hospitalization, and aftercare, for children who are crippled or who are suffering from conditions which lead to crippling"—42 U.S.C. 711.

CHILD WELFARE SERVICES

The law authorizes appropriations "for the purpose of enabling the United States through the Secretary to cooperate with State public-welfare agencies in establishing, extending, and strengthening public-welfare services (hereinafter this subchapter referred to as child-welfare services) for the protection and care of homeless, dependent, and neglected children, and children in danger of becoming delinquent"—42 U.S.C. 721.

NATIONAL DEFENSE EDUCATION ACT LOAN PROGRAM

This program authorizes Federal grants to universities and colleges for the purpose of making loans to students: "(1) such a loan shall be made only to a student who (A) is in need of the amount of the loan to pursue a course of study in such institution"—20 U.S.C. 425(b)(1)(A).

TREATMENT OF NARCOTIC ADDICTS

In providing treatment to narcotic addicts:

Any such addict may be required to pay for his subsistence, care, and treatment at rates fixed by the Surgeon General and amounts so paid shall be covered into the Treasury of the United States to the credit of the appropriation from which the expenditure for his subsistence, care, and treatment was made. Appropriations available for the care and treatment of addicts admitted to a hospital of the Service under this section shall be available, subject to regulations, for paying the cost of transportation to any place within the continental United States, including subsistence allowance while traveling, for any indigent addict who is discharged as cured (42 U.S.C. 260(b)).

WITHHOLDING OF TAX ON DIVIDENDS AND INTEREST

Mr. LANGEN. Mr. Speaker, I ask unanimous consent that the gentlewoman from Ohio [Mrs. BOLTON] may extend her remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mrs. BOLTON. Mr. Speaker, like many of my colleagues I have received an avalanche of mail in opposition to the proposed withholding of a 20-percent tax on dividends and interest as provided in H.R. 10650. The minority report of Republican members of the House Ways and Means Committee describes this plan as an "administrative monstrosity." The phrase is a masterpiece of understatement.

As the proposal stands, injustice will be done to a tremendous number of our citizens. The Government will receive withholding money belonging to people who do not have a tax to pay and cannot file for an exemption certificate. If these people are to obtain the amount withheld which is rightfully theirs, they would have to file a claim for refund. If the Treasury gives these claims the attention they deserve, the refunds will be slow in coming. The cost of examining and paying the claims will be out of all proportions to revenue derived. The Treasury cannot honor the claims without investigation in fairness to all taxpayers.

A huge percentage of the amount withheld is so small that a claim for refund is not justified. One Ohio savings and loan association made a study of its accounts and found 57 percent of them received less than $20 interest in 1961 at a 4-percent rate.

Many other taxpayers entitled to deduct the amounts withheld will not claim the deduction from their tax because they will not understand how to make the deduction. The net result is that the Treasury will be the beneficiary of money to which it has no legal right which will mean actual hardship to many individuals and heavy expenses to companies and banks.

The burden of administration falls upon all who pay interest and dividends—savings and loan associations, banks, corporations, et cetera. The Treasury has stated these organizations will be permitted to use the money withheld for a short period of time and by employing it, be compensated for their extra expense. That, Mr. Speaker, borders on the ridiculous and the absurd.

Mr. Speaker, there are many reasons why this tax bill should not be enacted in its present form, but this provision

for withholding on dividends and interest is foremost among them. It is my earnest hope that the bill will be recommitted.

TAX REFORM LEGISLATION

Mr. LANGEN. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. HARVEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. HARVEY of Indiana. Mr. Speaker, the administration, by the very nature of the provisions in H.R. 10650, has recognized a need for tax reform legislation. Certainly if this Nation is to prosper and maintain industrial supremacy, Congress has the responsibility to provide business and industry with a tax climate conducive to sound economic growth.

The captains of American industry are charged today with the responsibility for providing 1 million new jobs each year. Inasmuch as the administration's tax proposal relates in part to the problem of industrial expansion, this bill, in my opinion, is probably one of the most important domestic issues facing us this session. In an effort to meet the needs of an expanding labor market, this bill suggests an expedient subsidy for industry, through the introduction of the 7-percent tax credit for new investment.

One might be led to believe that all phases of business and industry will share in the opportunity to participate in the tax credit for new investment; actually this is not the case. A token 3-percent tax credit for new investment has been awarded to public utilities whereas, on the other hand, the construction industry will not be permitted the privilege of participation. The tax credit feature in this bill is highly discriminatory and can only lead to future tax proposals in order to provide similar tax credits to the businesses which have been barred in this legislation.

Careful examination of the content in this proposal has revealed to me that the small businessman engaged in either a service or distributive type of enterprise will receive practically little or no tax relief at all.

Twice in 15 months the administration has requested the Congress to raise the ceiling on the national debt limit; twice the Congress has responded favorably. Now we are approached and asked to support a bill that will guarantee a substantial tax loss to the Treasury with, I might add, many limited, discriminatory, tax-relief features.

If the administration is genuinely interested in providing industry with a tax climate that will enable our economy to enjoy an increased rate of growth, I suggest the adoption of a general tax reform proposal, such as the type proposed during the last session, the Herlong-Baker bill. Only in this way, in my opinion, will our economy absorb the expanding labor market and provide the Treasury with increased revenue that is so vital to meeting the problem of the balance of payments.

I wish to also voice displeasure over the proviso which would withhold taxes on dividends and interest. There has been no demonstrated proof that enough revenue would be received from evaders of these taxes to even pay the additional personnel needed to administer and police such a program.

I had hoped that H.R. 10650 would be recommitted to the House Ways and Means Committee so that consideration could be given to the tax problems of small business as proposed by me in H.R. 10376. This bill, H.R. 10376, if enacted, would provide much needed tax relief for small business through reduced rates for the small businessman.

COMMITTEE ON GOVERNMENT OPERATIONS

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the Committee on Government Operations may have until midnight tomorrow to file its report entitled "Overseas Military Information Programs."

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

CREATION OF FEDERAL FAIR EMPLOYMENT PRACTICES COMMISSION

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. SHELLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SHELLEY. Mr. Speaker, today I am introducing a bill to authorize establishment of a Federal Equal Employment Opportunity Commission which is intended to take steps to eliminate discrimination in employment opportunity. In my mind, establishment of such a Commission is one of the most efficacious ways to obtain the social and economic benefits of fair employment practices in our Nation.

Mr. Speaker, I join with a number of my colleagues in the introduction of this proposed legislation, because I have seen firsthand the operation of such a commission in San Francisco and California. Experience shows that these two commissions actually have worked well to eliminate discrimination on account of race or religion by promoting the voluntary compliance among our people.

Equal employment opportunity is the opening of the doors to all our people on an equal basis for jobs which are available in our industries, our service organizations, and employment units.

Mr. Speaker, I firmly believe, the refusal to employ an applicant competent to do the work solely because of his race, country of origin, or age, is diametrically opposed to the American principle of liberty and justice for all. It is also a contribution to lessened efficiency and success of our national endeavors.

To my way of thinking, Mr. Speaker, discriminatory practices in employing an individual which assumes that a member of a minority racial or ethnic group cannot or should not be permitted to rise above a certain job classification, without regard to education, intelligence, personality, and capability is unsound economically and morally wrong. When such practices exist, they deprive individuals in the United States from achieving the jobs to which they are best prepared by ability and inclination. Such practices deprive our country of much needed talent. Such practices, relegating an individual to drawing water or hewing wood for his lifetime because of his race, color, or creed, not only deprives individuals of positions commensurate with their capacity, and to depress their standards of living, but, as well, operates to the serious detriment of the development and growth of this country.

Mr. Speaker, one often hears that good behavior cannot be legislated. Inherent in this argument is the overlooking of legislation as an educational tool. An equal employment opportunity law does more than prohibit prejudiced behavior—the closing of opportunity solely because of race or national origin or religion or age. Individuals subject to the law adapt to the law and savor its full meaning. The penalties of the law are only a minor part of its influence. Individuals learn from laws, accommodate themselves to them and come to accept them as normal human behavior.

Our experience in California, where we have had antidiscrimination legislation for some years, amply brings out the point that good laws create good habits in accordance with the intent of the legislation. With such a statute on the books many employers are quite willing to hire the best qualified applicant without reference to race, color, or creed. Many employers with whom I have discussed the situation in California have told me that they do not give any consideration to such factors as race, religion, or ethnic background in selecting qualified employees. At the same time the existence of the Fair Employment Practices Act fortifies and justifies his selection.

Mr. Speaker, relatively speaking, once such legislation is in effect, not many complaints are brought to the commission. The San Francisco Commission on Equal Employment Opportunity began functioning during the middle of 1957. It was the first fair employment practices law adopted in California. It continued operation until the middle of September of 1960. The San Francisco commission was terminated because of the enactment by the California State Legislature of the State Fair Employment Practice Act in September 1959, which provided that local commissions were allowed 1 year to terminate their pending cases. During the operation of the San Francisco commission, some 90 complaints were filed. A number of these complaints were found to be

without adequate foundation and of those remaining the great bulk of them were satisfactorily adjusted with employment of the aggrieved party or other forms of settlement ranging from collection of backpay or the processing of the complaint through normal company procedures. In no case did a complaint of discriminatory employment practice reach the state of an open hearing.

Mr. Speaker, the first executive director of the San Francisco commission was Edward Howden. With the formation of the California Division of Fair Employment Practices, he was chosen as division chief. Under his able and devoted leadership, complaints with the State division, excepting five, have been resolved through investigation, conference, and conciliation, without public disclosure of the names of the parties and without public hearings.

Based on the successful record of these two commissions in California, and those in other States and cities in the United States, I feel it may be statistically demonstrated that such a Federal commission would insure great rewards to the people and economy of our Nation.

Mr. Speaker, several times over the years I have been asked why I have strong feeling relative to the creation of such a governmental commission. A factor going into my belief occurred in my childhood. I have very vivid recollections of my father telling me of some of his personal experiences when he first came to this country as a young immigrant from Ireland; how as a husky, healthy man of 21 or 22 years of age he had come to this land of freedom and opportunity in about 1889 or 1890 and was shocked by signs "No Irish need apply." How in other instances he would not be hired when the prospective employer found he was a Catholic. These stories, told me as a young boy, shocked me—and when they were related to me by my father, who became an American citizen on the very first day he was eligible to do so and was proud that he picked this country as his own.

I have seen in my lifetime other cases of discrimination, Mr. Speaker, based on religion, race, color, or years of maturity. Is it not about time we stopped this and became the great country in all ways?

Perhaps, Mr. Speaker, the achievements of a Federal Commission will be best marked—as I believe they are in State and local commissions—by the opening of new doors of employment opportunity to those who never have nor will approach a commission with a complaint, but who have and will benefit from the growing awareness in the United States of the existence of fair employment practices commissions.

Mr. Speaker, I would like to say a few additional words about the need of this legislation to protect the older worker—who indeed may be no older than 40 or 45 years of age—in his quest for employment. This prejudice against the mature or older worker who has lost his job in most cases through no fault of his own is one of the toughest to combat, in some cases because there might be an additional cost toward the pension fund because of the older age. The additional cost of group insurance on account of workers in the higher age brackets is quite small and where the fund is vested, as most of them are, there may be no additional cost at all.

Mr. Speaker, in steadiness, and in performance, these mature or older workers have generally established themselves as the backbone of the labor force. Discrimination against hiring such workers, once they are laid off in the ebb and flow and vicissitudes of business, creates unwarranted hardship. The committee bill, which I have the honor to introduce and cosponsor, bars discrimination on account of age along with discrimination because of color, religion, and national origin, to the end that equal opportunity shall exist for our entire working population.

It is my sincere hope that the vigilance of our laws, Mr. Speaker, and the awareness of our citizens will not terminate until our fellow Americans are protected in the right to employment on a merit basis alone.

EIGHTIETH ANNIVERSARY OF THE KNIGHTS OF COLUMBUS

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from Rhode Island [Mr. FOGARTY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. FOGARTY. Mr. Speaker, today marks the 80th anniversary of the Knights of Columbus.

The story of the Knights of Columbus begins on January 16, 1882, in the parish rectory of St. Mary's Church in New Haven, Conn. The good that would come of a selective, pledge-bound organization of Catholic men had been realized by one of the priests of the Parish, Rev. Michael J. McGivney, the renowned but humble founder of this great order. He resolved to meet the need of the times by recommending the formation of an organization founded on principles in harmony with church and church regulations, a Catholic organization combining fraternal benefits with initiation and selective membership features. Losing little time in the contemplation of the good things such a society could accomplish, Father McGivney set about the task of bringing it into existence. He invited nine men of the parish to talk it over with him. They met at the rectory on January 16, 1882. In a little more than 2 months after the first informal meeting, on March 29, 1882, the charter of the Knights of Columbus was granted and approved by the general assembly of the State of Connecticut.

The purposes for which the Knights of Columbus was founded by Father Michael J. McGivney and those associated with him as stated in the charter were these:

(a) Of rendering pecuniary aid to its members, their families and beneficiaries of members and their families;

(b) Of rendering mutual aid and assistance to its sick, disabled and needy members and their families;

(c) Of promoting social and intellectual intercourse among its members and their families, and

(d) Of promoting and conducting educational, charitable, religious, social welfare, war relief and welfare, and public relief work.

Thus was born the order which has grown in the 80 years that have passed, to a membership of 1,150,000 Catholic men in nearly 5,000 councils in all of the 50 States, all of the Provinces of Canada, in Newfoundland, Mexico, Cuba, Panama, Puerto Rico, and the Philippine Islands.

It was the intention of the founders of the order to confine its activities to the State of Connecticut. Fate decreed otherwise.

Council No. 21 was to have been instituted in Stonington, Conn., on the 15th of April 1885. On the eve of that date a fire destroyed the building in which the ceremonies were to be held. This incident, considered a misfortune at first, was a turning point in the history of the order. Since no other hall was available in Stonington, the officers in charge of the institution, the candidates and the visitors moved across the boundary to our State, Rhode Island, and carried out their scheduled program in Westerly. The unit remained there and became known as Narragansett council, the first council ever formed outside the confines of the State in which the order was founded. With the institution of Narragansett Council No. 21, the idea developed that the order should spread to every State in the Union.

From this humble beginning the order has expanded in Rhode Island until at the present time there are 35 councils with a total membership of close to 15,000.

On April 23, 1893, the Rhode Island State Council was formed. Representatives of the six councils then in existence went into session and elected the first State officers. They included: State chaplain, Rev. William B. Meehan, of Leo council; State deputy, Miles A. McNamee, of Tyler council; State secretary, Eugene J. McCarthy, of LaSalle council; State treasurer, Thomas F. Clarke, of Delaney council; State warden, Thomas Cowley, of Narragansett council; and State advocate, J. Joseph Crofton, of Newman council. Thirty-nine additional State deputies have headed the order in Rhode Island during the intervening years up to the present time. Rhode Island has been honored by the election of four supreme directors during these years. Our first State deputy, Miles McNamee, served as supreme director in 1893. Matthew J. Cummings service in this office covered the years of 1902 and 1903. Charles P. McAlevy was supreme director from 1924 through 1930 and James W. McCormick, Rhode Island's sole living supreme director, served the order from 1945 through 1955.

Seventeen of Rhode Island's past State deputies are still living. The dean of this select group is the Honorable Edward P. Quigley, president of the Providence City Council who this year celebrated

50 years membership in the order. Dr. William L. Callahan, superintendent of the Burrilleville School System, is also marking his golden anniversary of membership this year. Other living past State deputies in the chronological order of their service are: James W. McCormick, John B. O'Rourke, Thomas J. Curley, Donald J. Murray, James F. Stewart, William J. Lynch, Dr. James A. O'Leary, Joseph A. McGarry, Sylvester A. Pezzullo, Joseph H. Driscoll, Leo A. Warburton, Peter J. Barrett, Anthony Giannini, Irvin S. Kane and Paul V. McPeak. James R. McCloskey of East Providence is the present State deputy.

His Excellency Russell J. McVinney, the most reverend bishop of the diocese of Providence, addressed a letter to the Knights of Columbus which appeared in the Providence Visitor on March 23 which stated in part:

MY FELLOW KNIGHTS: When Reverend Michael McGivney and his friends conceived the idea of a Society of Catholic laymen which would, through its dedicated membership, promote, defend and vindicate Catholic thought and the Catholic way of life, they did not in their most sanguine dreams envision the vigorous influential society we know to be the present Knights of Columbus. United in fraternity, charity, and patriotic loyalty, the Knights of Columbus are indeed exemplars of the virtues dearest to the Catholic American heart. Never have they been found wanting.

I would reecho these warm sentiments of tribute of Bishop McVinney coupled with personal genuine felicitations to my brother knights of Rhode Island and throughout the order on this 29th day of March 1962, which marks the glorious 80th anniversary of the Knights of Columbus, an order dedicated and inspired in its service to God.

Mr. Speaker, the Reverend Edmund Fitzgerald, chaplain of Delaney Council No. 57 of the Knights of Columbus, has sent to me a copy of a resolution passed by the General Assembly of the State of Rhode Island. Under leave to extend my remarks I include that resolution, together with the covering letter from Father Fitzgerald:

DELANEY COUNCIL No. 57,
KNIGHTS OF COLUMBUS,
Pawtucket, R.I., March 16, 1962.

Hon. JOHN E. FOGARTY,
U.S. House of Representatives,
Washington, D.C.

DEAR MR. FOGARTY: At the request of Delaney Council 57, the Rhode Island General Assembly passed the enclosed resolution on the occasion of the 80th anniversary of our order, which is to be celebrated on March 29.

Since you were our honored guest at the fourth degree exemplification in Newport last June (and are recognized as an outstanding member of the fourth degree yourself), we thought you might want to have some mention of the 80th anniversary made in Congress on or near the 29th of the month.

We also felt that you might be good enough to have the Rhode Island resolution inserted in the CONGRESSIONAL RECORD, so that all may see and know how highly our State regards our venerable order.

Many thanks for your kind help in this project.

With a fraternal blessing,
Rev. EDMUND H. FITZGERALD,
Chaplain.

HOUSE RESOLUTION 1436

Resolution of the General Assembly of the State of Rhode Island and Providence Plantations, extending to the Knights of Columbus personal congratulations upon the occasion of the 80th anniversary of the founding of the Knights of Columbus

Whereas the general assembly wishes to take this occasion to extend personal congratulations upon the occasion of the 80th anniversary of the founding of the Knights of Columbus, whose charter was granted by the General Assembly of the State of Connecticut on March 29, 1882; and

Whereas on March 29, 1962, the more than 1 million members of the Knights of Columbus in the more than 5,000 councils in the United States, Canada, Cuba, Mexico, Puerto Rico, Panama, and the Philippines will observe this anniversary; and

Whereas it is recognized by country, church, community, and fellow men, acknowledging contributions made by the Knights of Columbus in the fields of religion, social welfare, youth work, and patriotic endeavor; and

Whereas we of the general assembly now honor and commemorate the efforts, energy, and enthusiasm of the members of the Knights of Columbus, a Catholic fraternal order, in their work of citizenship and charity which so add to the State of Rhode Island and the well-being of our people; and

Whereas we of the general assembly assure our citizens that they should be grateful for the fine record of economic, social, and spiritual values the organization has made to this State and the Nation for the past 80 years. "Charity, unity, fraternity, and patriotism" are the basic principles of the organization, and we express our sincere wish that the Knights of Columbus shall continue to enjoy an existence, abundant with usefulness, productivity and well directed endeavor in the service of God and the Nation; requesting the secretary of state to transmit to the Knights of Columbus a duly certified copy of this resolution.

Attest:

AUGUST P. LAFRANCE,
Secretary of State.

TARIFF COMMISSION SHOULD BE SUPPORTED

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from Connecticut [Mr. MONAGAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. MONAGAN. Mr. Speaker, on February 28, 1962, the U.S. Tariff Commission issued a finding which recommended an increase from 20 to 35 percent in the duty on imports of foreign produced pins.

A major portion of the U.S. manufacturers of pins are located in my district and this finding of the Tariff Commission was welcome since the increase in volume of low-wage imports has had a serious effect upon business and employment in our area.

The recommendation of the Tariff Commission will go to the President for action, and before taking action, the President will consult with the Trade Policy Committee.

In support of the finding of the Tariff Commission, I have written the following letter to all the members of the Trade Policy Committee and it is my earnest hope that they will recommend to the President that he sustain the action of the Tariff Commission:

MARCH 21, 1962.

DEAR MR. SECRETARY: The U.S. Tariff Commission has reported to the President that an increase in duty from 20 to 35 percent is necessary to remedy the injury sustained by the straight pin industry as a result of trade agreement concessions. In this report, dated February 28, 1962, the Commission specifically found serious injury to domestic industry. In 1957, the Tariff Commission had found a threat of serious injury.

I am deeply concerned about this matter because some of the largest pin producing plants in the country are in my district and this district is one of labor surplus and in some sections has been classed as a "depressed area." The continually increasing volume of these low-cost imports will inevitably have an effect upon business activity and employment in our area. The Commission has found that the volume of imports is 50 percent greater in 1961 than it was in 1956. It is essential that this increase be held under control. Imports now constitute one-third of the domestic market.

It is significant to note that the net profits of domestic products declined from 5.6 percent of net sales in 1957 to 1.8 percent in 1960.

It is my understanding that the Trade Policy Committee, of which you are a member, presently has this case under consideration for a recommendation to the President.

The Tariff Commission is cautious about making findings in cases such as the instant one and, therefore, when a finding of serious injury has been made, it has the greatest significance. In view of this finding and having in mind the injury which will come to employment and business activity through the increased volume of imports, I strongly urge you to review this matter with care, and to recommend to the President that he approve the report and recommendations of the Tariff Commission.

Sincerely yours,

JOHN S. MONAGAN.

THE EUROPEAN COMMON MARKET—A CHALLENGE TO AMERICA

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New Jersey [Mr. THOMPSON] is recognized for 30 minutes.

Mr. THOMPSON of New Jersey. Mr. Speaker, the European Common Market undoubtedly is one of the greatest challenges to historic American trade policies and practices which has developed in the entire history of our country.

This administration has put forward constructive proposals in answer to the challenge of the European Common Market.

One of the finest analyses of the complexities underlying the foreign trade challenges facing the United States today was made in the address by John S. Stillman, Deputy to the Under Secretary, U.S. Department of Commerce, to the fourth annual midwinter industrial conference sponsored by the industrial management clubs of southern New Jersey, at Pennsauken, N.J., January 20, 1962.

Because of the light this speech sheds on the basic problems which face our country today as a result of the development of the European Common Market, I include this speech here for the information of my colleagues:

ADDRESS BY JOHN S. STILLMAN, DEPUTY TO THE UNDER SECRETARY, U.S. DEPARTMENT OF COMMERCE, TO THE FOURTH ANNUAL MIDWINTER INDUSTRIAL CONFERENCE SPONSORED BY THE INDUSTRIAL MANAGEMENT CLUBS OF SOUTHERN NEW JERSEY, JANUARY 20, 1962, PENNSAUKEN, N.J.

I am indeed happy to be with you, and to participate in this important conference on "Tomorrow's Industrial World."

On behalf of Secretary Hodges and Under Secretary Gudeman, I wish to thank your Congressman, Frank Thompson, and the chairman of your program committee, Mr. John Scudder, for asking our Department to take part in such an interesting and worthwhile program. I was honored to be chosen as the Secretary's representative.

You are to be commended on your choice of subject matter today. It shows how enlightened and forward-looking are the businessmen of south Jersey. In fact although many of my colleagues on the New Frontier are gathered in the Armory in Washington tonight with President Kennedy and his Cabinet to celebrate the first anniversary of his inaugural, I have no regrets about being here instead, to discuss some of the problems posed for our Nation by the European Common Market, and to tell you of some of the things the Kennedy administration has done to promote business and industry—both here at home, as well as overseas—in our first year in office.

Your program lists my topic as "The European Common Market—A Challenge to America." I shall explain what it is, and how it has developed, and then point out that, while we welcome the development of this new economic and political force whose ultimate aim is a United Europe—which aim U.S. policy has fostered since its inception, as a great bulwark in the free world's struggle against Soviet expansion—it is indeed a challenge to the health of our economy because of its threat to our exports.

Following that, in order to lay the foundation for an explanation of the new trade program being proposed this year to replace the Reciprocal Trade Agreements Act—originally passed in 1934 and expiring this summer—I shall outline the vital importance of exports to our balance of payments problem, as well as to the economy of our country to your State, and to these five counties.

I shall briefly describe our Department's efforts to increase exports, and such details as have been announced of the proposed new trade legislation, including the proposals to alleviate any dislocation caused to specific firms, or their employees, by increases in competitive imports resulting from trade liberalization under the new program. This legislation will be known as the Trade Expansion Act of 1962, and will shortly be submitted to the Congress with a special message from the President. Our Department has been working closely with other agencies of the Government in preparing this new approach to tariff negotiations, and in studying its impact on our economy.

Finally, I shall be glad to answer questions on these subjects, on the state of the Nation's business, or on any other aspect of the work of our Department, or the program of the administration.

Three decades ago, in the early days of the New Deal, the plethora of new Federal agencies created to deal with the domestic problems arising out of the depression were often jocularly referred to as "alphabet soup." Now, we have the same problem of throwing around initials when we get into the international economic field in Europe with EEC, EFTA, OEEC, OECD, and GATT. I don't want to get into the international defense treaty organizations—such as NATO, SEATO, and CENTO, any of the U.N. organizations, or economic or political groupings in other areas of the world—it's enough to explain the differences between the first five, because they are all essential to understanding the jargon of world trade.

In order to understand how the European Common Market came into being in 1957, we have to go back to the beginning of the post-World War II period. At the war's end, most of the industrialized countries of Western Europe were faced with great physical destruction and economic dislocation—bombed-out factories, housing in rubble, disrupted transportation and communication facilities, a neglected agriculture, and a demoralized population. Although the needs of the European nations for industrial goods were great, they lacked sufficient international monetary reserves—gold and dollars—with which to buy critically needed goods to rebuild their economies, and they had little to sell abroad to earn the necessary dollar exchange. For the United States was almost the only source of supply.

The United States, inspired by the most laudable humanitarian motives, undertook many measures to help the devastated countries rebuild their industrial plant and regain viable economies. The most important of such measures was the phenomenally successful Marshall plan—proposed by Secretary of State Marshall in a speech at the Harvard commencement in June 1947.

Under the Marshall plan, you will recall, the United States provided Western Europe with dollar aid with which to buy food, machinery, and other American commodities. We also provided a great deal of production know-how, with many prominent American businessmen to explain it, including our Secretary of Commerce, Luther Hodges, then an executive of Marshall Field's Fieldstone Mills. The Marshall plan was known officially as the European recovery program, the ERP. You will also recall that, when the Marshall plan was proposed, it was the expressed view of the U.S. Government that it was the business of the Europeans to take the initiative in preparing a joint recovery program.

The Western European countries, accordingly, met in Paris in 1947 where they drew up a joint recovery program, and, in April 1948, they formed the OEEC, the Organization for European Economic Cooperation, to carry out the ERP. At the same time, in April 1948, the Economic Cooperation Act, implementing the Marshall plan, was adopted by the U.S. Congress.

In the same year that the Marshall plan was proposed, 1947, the United States also took the lead in proposing an approach to the solution of international trade problems through a reduction in the many kinds of trade barriers, tariffs, quotas, etc., with the aim of expanding world trade. The United States invited other major trading nations to participate in negotiating the General Agreements on Tariffs and Trade (GATT), a multilateral trade agreement which was concluded at Geneva in 1947 by 23 countries, and which entered into force in January 1948. The GATT provides general trade rules and schedules of tariff concessions for each participating country. The rules protect the concessions from nullification or impairment. At the end of 1961, there were 44 members of GATT. Together, they account for over 80 percent of the international trade of the whole world. Their schedules of tariff concessions cover about 70,000 items. (The U.S. schedule has about 4,000 items.) The Common Market nations are among the signatories to GATT.

The year 1947 which saw the inception of the GATT, of the Marshall plan, and of the OEEC was the turning point for Western Europe. Under the leadership of Paul-Henri Spaak of Belgium, and of Jean Monnet and Robert Schuman of France, and of other far-sighted Europeans, the movement for European economic and political cooperation and unity developed rapidly. The rate of economic recovery also proceeded at a quick pace. The bombed-out factories were replaced by new modern plants with all the latest automated machinery and modern American mass-production methods. It is this, even more than lower wage rates, that makes European manufactured goods so competitive with ours on the world market today. It makes it imperative that we accelerate the modernization of our own industrial plants and increase our research and development expenditures. The economic report which the President will release on Monday places great stress on this, and I urge you all to read it carefully. It is the reason why the President in his tax message last year recommended an investment tax credit, now set at 8 percent, to give industry a $1.5 billion incentive to modernize, as well as more rapid depreciation rates.

To return to the Europe of the late 1940's there was an urgent need among the OEEC countries to reduce the barriers to trade which had been erected under pressure of balance of payments difficulties. The OEEC set up technical committees to deal with special sectors (agriculture, transport, coal, steel, etc.). It also worked out a code of liberalization of trade and other transactions. In 1950, parallel action was taken by the OEEC in the field of payments, with the creation of the European Payments Union which provided for multilateral settlement of all European payments, and for credit to meet temporary payments imbalances. Within the framework provided by the OEEC, there was continuous consultation between the member governments, and by the early 1950's the increase in Europe's production and trade had exceeded all expectations.

The European nations, once their shattered economies had begun to recover, naturally wished to have a greater part in shaping their own destiny. The rise of the United States and of the Soviet Union as superpowers dwarfed even the major nations of Europe. A larger European entity was needed to mobilize and use the potential of Europe.

These various objectives tended to reinforce each other. Only if France and Germany could pull together could Europe hope to shape its own political and economic future. Only dynamic industries could expect to flourish within any common market and compete in the outside world. Growing economies would enable Europe to develop and mobilize the resources for prosperity at home and to play a greater role in the world.

European integration was put forward by its proponents as the best route to these objectives. Cooperation among governments, as in the OEEC, was useful but not sufficient. The pursuit of these common purposes required some transfer of national authority to European agencies which were to exercise their powers in the interests of the whole European community.

The first step on the road toward economic integration had been taken in 1948 when the Low Countries, Belgium, the Netherlands, and Luxembourg, decided to form a custom union which became effective in 1948, the Benelux. This was really the embryo of

the Common Market, or the EEC, the European Economic Community, the Common Market's official name. So, already out of the ashes of war, a new strength was developing—and instead of communism sweeping westward from the Soviet eastern European satellites where Communist puppet governments were taking over under the guns of Russian tanks, and threatening to draw Western Europe into an abyss of economic chaos, a revived private enterprise economy was being restored to buttress the democratic governments of the free Western European countries.

A big step forward in this regard was taken in 1948 when the United States, France, and Great Britain agreed to the formation of the West German Republic. The Soviet threat made it all the more urgent to heal the wounds on the western side.

A concrete step of forging bonds to tie West Germany firmly to Western Europe (to mix several metaphors) was taken in 1952 with the formation of the European Coal and Steel Community—as a result of the Schuman proposal of 1950. This organization of the Benelux Powers, France, West Germany, and Italy, thus, became the first of the three components of the European Community (Eurcom), and the immediate precursor of the European Common Market. European integration of coal and steel was designed to enable West Germany to join in the constructive task of building Europe on a basis which buried the past. The historic enmity of France and Germany, which had blocked all attempts at European unity in the past, began to melt rapidly between the stick of the Soviet threat from the east and the carrot of greater profits from economic efficiency and freer internal trade.

The next and more far-reaching step along the road to European integration and unity was taken in June 1955, when the proposal for the creation of a Common Market was put forward at a meeting of the Foreign Ministers of the Six in Messina.

Two years later, in March 1957, treaties were signed in Rome by the six countries that had formed the Coal and Steel Community, creating the other two components of the European Community: Euratom—as its name implies—the European Atomic Energy Community, for joint development of peaceful uses of atomic power, and the Common Market—the European Economic Community (EEC)—the most significant of the three. The Rome Treaty, creating the Common Market, which went into effect on January 1, 1958, bound its six signatories to create an Economic Community during a transition period of from 12 to 15 years, divided into three stages.

The Common Market was intended to be much more than a customs union. Besides the key provisions of the Rome Treaty which stipulate that all tariffs, quotas, and other barriers to trade within the Community be removed in gradual stages during the transition period and that a uniform external tariff be created between the EEC and the rest of the world, and that trade agreements be negotiated by the Common Market as a unit, the treaty provides for the working out of a common commercial policy, of a common agricultural policy, and of a common transport policy. The treaty also provides for the removal of restrictions on the movement of labor, services and capital, and for the right of establishment of business enterprises within the Community. It likewise contains provisions aimed at regulating private cartels, at coordinating monetary and fiscal policies to promote equilibrium in the member states' balance of payments, as well as high employment and price stability in each member country. It also provides for the harmonization of social policies, including the equalization of wages for men and women.

To further these aims, the treaty provided for the creation of a social fund to finance the retraining, resettling, and the granting of other assistance to workers who might be harmed by the liberalization of trade within the Community—a kind of trade adjustment program.

The treaty also created a European investment bank to finance development projects in the Community's underdeveloped areas, such as southern Italy and elsewhere.

In addition, the treaty created an oversea development fund for economic development and social projects (such as hospitals and schools) in the associated countries and territories of the Common Market. For the European Common Market extends beyond Europe into Africa and other continents. Presently associated with it are some 16 independent countries and a number of areas in varying degrees of dependency. Most of these associated countries are in Africa. Their combined population exceeds 50 million, and they possess important natural resources. Under present arrangements, the Common Market has extended the benefits of that Market to the exports of the associated oversea countries, while allowing the latter to maintain restraints on imports.

As of now, the Common Market has impressively surpassed its original timetable, and has exceeded the fondest hopes of its founders. Because of the favorable economic situations in the Common Market area, the removal of internal trade barriers among the six member states was considerably accelerated. By January 1962, internal tariffs had been reduced 40 percent, with a further 10 percent cut expected soon, making it 50 percent. In addition, most quotas on industrial products were eliminated by the end of December 1961. The building of the eventual common external tariff was likewise speeded up; this is the tariff which the Common Market will levy on incoming goods of nonmember states, and which has caused American producers great concern.

The rate structure of the common external tariff for most industrial products was virtually completed in July 1960, and the first step in adjusting the individual tariffs of the member states toward the rates of the common external tariff was taken in January 1961, 1 year ahead of schedule. At that time, all of the member states adjusted their existing tariff rates 30 percent toward the ultimate common external tariff which will apply to a wide range of industrial products. The full effect of the common external tariff will not be felt until the end of the transition period, when the external tariff is to be established on a uniform basis. In the case of certain industrial products, however, whose existing tariffs were either 15 percent above or below the ultimate common external tariff, the final external tariff went into effect in January 1961.

How was the rate structure of the common external tariff determined? Under the rules of the GATT—to which the six Common Market states are signatories—the general rate of the customs duties to be applied to nonmembers of the customs union was not to be higher than the rate which was in force in the member countries when the union was formed. The Common Market's external tariff was, therefore, in principle, to be based on the arithmetic average of the rates of customs duties existing in the six member states on January 1, 1957. Although there are many exceptions to the rule, the general result of the averaging of the external tariffs meant that, in the former relatively high tariff countries such as France and Italy, the old tariffs would be lowered, while those in the Benelux countries and in West Germany would be raised.

It is obvious that the Common Market's eventual common external tariff will make it very difficult for American producers to compete effectively against European producers in the Common Market countries. It is equally obvious that such competition will increase rather than lessen, when the present Common Market is enlarged by the inclusion of Britain and other European nations, as seems likely to occur.

Why did Britain and the other OEEC countries not join the Common Market originally? Britain held back for a number of reasons: because of the close trade ties with her Commonwealth, and because of her domestic agricultural policy, as well as for political reasons. Other OEEC countries, particularly the neutral states of Sweden, Switzerland, and Austria, were likewise unprepared to join the Common Market in the early days of its formation.

Both Great Britain and these other countries had hoped that, instead of a customs union, a free trade area could have been formed comprising all members of the OEEC. When this did not materialize, and the customs union of the six came into being, Britain and six other European nations (Sweden, Norway, Denmark, Switzerland, Austria, and Portugal) formed, in 1960, the European Free Trade Association—the EFTA—or the Outer Seven, as it is commonly known. The EFTA—like the Common Market—aimed at the complete removal of internal trade barriers among its members. Unlike the Common Market, however, the members of the EFTA were to be free to adopt their own commercial policy and to determine their individual tariffs toward nonmember countries. The EFTA was strictly a commercial arrangement, and was in no sense aimed at the economic or political unification of the member states.

Most of the seven are now in various stages of negotiating to join with the six—as are also Turkey and Ireland—into an expanded Common Market. An agreement for the association of Greece with the European Economic Community—signed in March 1961—is presently awaiting ratification.

An enlarged Common Market, comprising most of the Western European countries, would possess great economic and political strength. But, even without these accessions—of which Greece, Ireland, the United Kingdom, Denmark, and Norway will probably be among the first—let's look at the formidable economic entity the EEC has now become.

It has a population of 173 million people, excluding that of the associated overseas countries. It has a larger labor force than the United States, despite its smaller population. Its economic growth rate in recent years has been well over 6 percent, as contrasted to ours of 2½ percent in the comparable period (although fortunately ours has been 8 percent this year recovering from the recession). The EEC's industrial production index (with a 1958 base period of 100) rose from 111 in January 1960 to about 132 last October. Last year its external trade increased by 23 percent. There is an acute labor shortage in northern Italy, Holland, West Germany, and much of France. I was in Milan and Turin last September, and things were really booming. Today, the Common Market is the world's second largest producer of steel.

Even more remarkable, Western Europe never felt our recession of 1960–61. It used to be said that, when the American economy caught cold, Europe got pneumonia. That is clearly no longer true; we don't yet know if the reverse will be.

In trade last year we exported about $3.5 billion worth to the six. Of this, about one-third was agricultural products and only one-fourth was manufactured goods. Our import purchases from the EEC were about $2.2 billion. Of New Jersey's production, the outlook for an expanded market in chemicals and sophisticated electronics and electrical machinery is good, but the import competition will also be tougher in some

heavy electrical equipment, office and photographic equipment, and instruments.

It is clear from these facts that, while an economically strong and eventually politically integrated Europe gives the United States a strong partner in the cold war—and, therefore, we welcome it—it is also indeed a challenge to our exports and to the growth of our economy.

Let's now be specific.

Under present circumstances, the external tariff barriers of the Common Market make it very difficult for U.S. producers to compete effectively, and it will become increasingly more difficult as the time nears for the complete removal of internal trade barriers, and the full implementation of the common external tariff.

An American-made car, for example, could be exported to Germany prior to the Common Market at a duty of 17 percent. A French-made Dauphine would have paid the same amount. Today, the Dauphine pays 11.9 percent which will probably be reduced to 8.5 percent in 1962, and at the end of the transition period it will be reduced to zero. On the other hand, the American car now must pay 18.86 percent, and eventually will have to pay 23.2 percent. This is a disadvantage hard to overcome.

A similar pattern could develop for many of the $3¼ billion worth of American products now sold to the Common Market—a pattern whose net effect would be a shrinkage of American foreign commerce, a severe loss of jobs and profits, a serious blow to our position of leadership to the free world.

We are in a position today to avert such a situation. We can do this by bargaining with the nations of the Common Market to persuade them to welcome American-made products on a truly competitive basis by lowering their external tariff barriers. But we can do this only by accepting their products on the same basis, that is, by lowering our own barriers to their trade. Only in this way will our Common Market—50 States, 185 million people strong—be able to continue to do an expanding business with theirs, a business upon which many jobs and many enterprises absolutely depend.

This is no giveaway program. It is a straight business deal. The Common Market will lower its external tariff wall only if we are prepared to lower ours. We can lower ours only when we give President Kennedy the necessary new legislative authority to do so—which is why the President will send new trade legislation to Congress later this month. When Congress passes the new trade act, the resulting gains will far outweigh the losses.

To mitigate any temporary dislocations which American business firms may incur from expanded international trade—exports and imports—the administration is proposing a trade adjustment program which will be realistic, businesslike, and economically sound. Where assistance is required, it will not be in the form of a subsidy, nor will it be used to prop up a permanently inefficient enterprise. It will be utilized to strengthen the ability of our businessmen and workers to compete and, thus, to prosper, and to strengthen our free enterprise system.

In this connection, it is interesting to note that, while the Common Market treaty provides for adjustment assistance, should it be required as a result of the lowering of internal trade barriers, there has been no occasion to date to draw on such assistance, despite the fact that the reduction of internal tariffs has been speeded up considerably. The removal of internal trade barriers among the six has, in fact, stimulated trade, and promoted economic growth and prosperity.

Assuming we do receive the requisite tariff reducing authority, we must then ask whether the best method to negotiate with our European friends is to swap one brick at a time off our respective tariff walls, or to offer to trade layer for layer? Most Europeans are convinced that item-by-item reciprocal tariff reductions, the one brick at a time approach, no longer can achieve reductions which will substantially increase the flow of trade from the United States to Europe and vice versa.

Once we know that the Common Market external tariff wall is going to come down, thereby assuring access for products made in the United States, we will stop exporting capital and jobs to Europe in order to get behind the tariff wall. If this happens, we will have launched an attack on our balance of payments and our unemployment problems simultaneously.

And, if you don't think this flight of U.S. capital and jobs to Europe is of consequence, let's look at the record. In the last decade, our private capital investments in all of Western Europe more than tripled. For the Common Market area, U.S. private direct investments rose from $637 million in 1950 to more than $2.6 billion in 1960, and exceeded $3 billion in 1961. According to a recent survey, American manufacturing companies plan to spend in the Common Market countries over one-third of their planned capital expenditures for 1962 of more than $1.6 billion. Nearly one-half of their oversea investment planned for 1962 will go to Europe as a whole. Another survey reveals that more than 700 U.S. firms have located in the Common Market countries in the last 5 years. It is obviously much better for this country, when there is a business choice, for American businessmen to invest in new modern plants and equipment in the United States than in highly developed industrialized countries who are not short of capital. It is also much better for this country to export goods rather than to export jobs.

It is, in fact, in our highest national interest that we make every effort to increase our exports. Without a new trade law, our exports will undoubtedly decline, rather than rise. If that were to occur, it would adversely affect our balance-of-payments position which we can ill afford to have happen. Our serious balance-of-payments difficulties are known to all. For the last several years, despite our having sizable export trade surpluses (our export trade surplus for 1961 exceeding $5 billion), we have had very large overall deficits in our balance of payments which have resulted in a sharp decline in our gold holdings during this period of more than $5½ billion. Our gold stocks will be reduced to a dangerously low point if this trend continues. They have already reached their lowest level since 1939. Rising export sales, and a larger export trade surplus, are essential, if we are to reverse this trend.

Not only does our export trade directly affect our balance-of-payments position, but it creates jobs for American workers. One out of every three manufacturing workers in the United States is employed in making goods for export. In New Jersey, 505 firms employing 296,404 workers made goods for export in 1960. The value of your State's manufacturing exports was $897 million. This placed your State seventh in the Nation. The value of exports per worker here averaged $3,000.

Translating these figures to your five-county basis—as I believe Camden, Gloucester, Salem, Mercer, and Burlington are all represented here—this works out at 75 plants exporting more than $25,000 in 1960, for a total value of $108 million, and employment of 55,000 workers.

A further reason for the United States to maximize its exports is to help us to meet our share of the collective economic growth target set last November by the OECD nations—the Organization for Economic Cooperation and Development—of which the United States is a full member. OECD's goal is for a 50-percent increase by 1970 in the combined real gross national products of the 20 member nations. The latter include all of the former OEEC nations and Canada, as well as the United States.

This new organization—the OECD—which came into being in September 1961—is, in fact, a reconstitution of the former OEEC whose tasks were considered to have been largely accomplished. Like the OEEC, the keynote of the new organization is cooperation. OECD's aims are, however, more outward looking than were those of OEEC which was mainly concerned with European reconstruction. OECD is designed for the tasks of the sixties by providing a forum for consultation aimed at maximizing the member nations' economic growth, at aiding the less developed countries to achieve sound economic expansion, and at contributing to the expansion of world trade on a multilateral, nondiscriminatory basis in accordance with international obligations. OECD's Council of Ministers has stressed the need to reduce trade barriers between its member state, and between the OECD countries and the rest of the world.

The achievement of OECD's growth target for 1970 would result in the addition of nearly $500 billion in the member nations' combined GNP, which would approach the present entire output of the United States. As Under Secretary of State Ball has pointed out, it would mean adding to the Atlantic community the economic equivalent of a new country of the present size and wealth of the United States. This, in turn, would mean a stronger free world and would help to insure the maintenance of peace and security.

To meet our share of OECD's growth target for 1970, we shall need to maintain price stability and to avoid inflation, and to attain—and maintain—equilibrium in our balance of payments. One of the best ways of strengthening our balance-of-payments position, and of eliminating our large payments deficits, is to generate an export trade surplus sufficiently large to offset our private and public expenditure abroad. President Kennedy has called for a 10 percent increase in our exports, which goal, the President is convinced, is not beyond our reach. To achieve that goal, however, the President will need a new trade incentive for the new trading age in which we live.

The time for decision is upon us. The Common Market countries, this month, entered the second stage of their three stage transition period. The passing to the second stage is considered by European experts as the "point of no return" for the economic integration of the Common Market nations. A further acceleration of internal tariff cuts is anticipated, as well as of the steps leading to the eventual common external tariff.

The Department of Commerce, in line with President Kennedy's mandate that it provide energetic leadership to American industry in the drive to develop export markets, is exerting every effort to help expand our exports. Secretary Hodges has put new drive into the national export expansion program, which program, as you know, is designed not only to increase our exports, but also to encourage a greater number of American business firms, not presently in the export trade, to participate in that trade. The 33 regional export expansion committees have been most succesful in stimulating an increasing number of American manufacturers to enter the export market. In addition, Secretary Hodges, last year, invited approximately 900 trade associations, which have specific commodity interests, to participate in the national export expansion program, and he offered them the facilities of the Department to help them set up and carry out export promotion activities.

Among the Department's recent and most ambitious export promotional aids is the

permanent trade center program which went into effect in 1961 with the opening of the first U.S. permanent trade center in London in June of that year. Other trade centers are planned for Bangkok, and for selected areas in Africa, Latin America, and Western Europe. The Departments of Agriculture and State collaborate with the Department of Commerce in managing the trade centers program. These permanent trade centers are designed for the use of U.S. producers and exporters who are interested in exploiting the opportunities of a specific market area. The U.S. Government provides attractive display facilities at no cost to the exhibitor, but participating firms are expected to pay their packing, shipping, and insurance costs to the display point. The goods may be sold abroad, or returned to the United States at the exhibitor's expense. The exhibit themes are worked out in cooperation with trade associations and industry groups. As an example of the sales opportunities provided by these trade centers, nearly $1½ million worth of goods were sold in the London center's first 3 weeks of operation.

Another of the Department's export promotion efforts is our international trade fairs program which offers the newcomer to foreign trade a means of breaking into the export market, while, for those already in that market, it is an excellent medium to increase foreign sales and find new markets. The U.S. Government sponsors the exhibits of American products at these international trade fairs. A midwestern machine tool manufacturer has informed us that, since the appearance of his products in a series of United States small business exhibits in India, he is getting across the board orders from that part of the world. International trade fairs do more, however, than sell American goods. As President Kennedy has pointed out, "they are a positive force for greater international understanding."

A further effort of the Department of Commerce to promote trade and commercial understanding between the United States and foreign countries is our trade missions program. Under this program, from four to six American businessmen at a time—under the leadership of a Department of Commerce official—spend up to 2 months visiting a foreign country or group of countries where they meet with foreign businessmen and foreign government officials for the purpose of promoting American exports, or U.S. capital investment, the latter in the developing areas of the world. The trade missions carry specific requests from American companies seeking overseas trading partners, and they frequently have several hundred business proposals to offer foreign businessmen. On their return to the United States, the missions' findings are relayed to business firms through written reports, consultations, and business conferences. The trade and investment opportunities generated by the trade missions are published in the trade press, as well as in the Department's Foreign Commerce Weekly. The trade missions have proved to be so valuable in promoting U.S. exports that the Department has doubled the number of its trade missions from 11 to 18 a year.

Besides these direct contacts with foreign buyers, the Department provides a number of other promotional aids to U.S. exporters. These include (1) trade lists of foreign business firms, (2) world trade directory reports, (3) a world trade information service, (4) trade contact surveys, and (5) a trade opportunity service. Information on these promotional aids is likewise published in the foreign commerce weekly.

A new service of the Department of Commerce of interest to all businessmen is the business service center which was recently opened in the Department's Washington headquarters. This is intended to enable businessmen coming to Washington with specific problems to find the right Government official quickly, and to see him a short time later. A businessman may either write directly to the Business Service Center, indicating when he will be in town and on what kind of business, or he may contact any of the 33 field offices of the Department of Commerce and ask that the center be notified of his expected arrival date and of his problem.

I would like to emphasize that the vigorous efforts of our Department—which I have briefly outlined—to expand American exports will be sustained, and will not be confined solely to periods of our balance-of-payments difficulties. In today's increasingly competitive world, it is only by increasing our exports that we shall be able to maintain our position as the world's leading trading nation, and our position of free world leadership. In order for our export expansion efforts to succeed, however, we need the full cooperation of American businessmen. We hope that an increasing number among them will acquire the habit of exporting, and that they will discover at firsthand the great opportunities that exist for profitable export sales. We are convinced that there are literally thousands of products now made in this country which could easily be sold abroad with a minimum of adaptation to foreign market needs.

So, let's all work together for more exports—of goods and not of jobs. To do this, and to meet the challenge of the European Common Market, I urge your support for the Trade Expansion Act of 1962. While it is the President's program, it has strong bipartisan support: for example, Henry Ford's speech of 2 days ago, former Secretary Herter's statement of last October, and former President Eisenhower's statement of last December supporting President Kennedy's contention that the United States needs a new trade policy to meet the new challenge posed by the European Common Market, and that the gradual liberalization of trade restrictions—with adequate safeguards for possible injury—will yield positive benefits for the American economy.

REPORT OF THE COMPTROLLER GENERAL

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. KASTENMEIER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. KASTENMEIER. Mr. Speaker, I would like to direct the attention of the House to the February 1962 report of the Comptroller General in "Review of Selected Highway Transportation Activities of the Post Office Department." This report is particularly useful to illustrate what proper agency response can and should be to recommendations of the Comptroller.

The report noted the following deficiencies in Post Office Department contracting for star route service:

First. Authorizing major changes in the service provided by existing contracts without advertising.

Second. Acquiring additional service under existing contracts without negotiating with the contractors for fair and reasonable reductions in contract rates [illegible]

In addition the report disclosed a particular need for more adequate documentation in support of contractors' claims of increased operating costs. But even while the reviews were in progress the Department began streamlining its contracting procedures.

The report also recommended replacing highway post office service with less costly transportation. It noted that the Bureau of Operations did not document operational justification for not authorizing such replacement. Within 3 months of this recommendation regional officials in the San Francisco and Los Angeles area had discontinued the HPO's discussed.

Other regional officials advised the Comptroller of similar plans either to discontinue HPO service or survey the real postal service needs of their respective areas. This action, regional officials declared, would save hundreds of thousands of dollars in operational expenditures.

Certainly, the Post Office Department should be commended for taking top speed action to accept, implement and benefit from recommendations of the Comptroller General for money saving improved business procedures.

The Comptroller General is an agent of the Congress, not responsible in any way to the Executive. His well trained staff is constantly reviewing executive operations to check on wasteful procedures. The reactions of different agencies to recommendations made by this impartial judge are often markedly different.

The Deputy Postmaster General informed the Comptroller that his "comments had been helpful in clarifying problem areas in highway transportation activities and that the Department" intended to use his "suggestions and recommendations to the fullest extent."

Mr. Speaker, I strongly urge that other agencies subject to review by the Comptroller General at present or in the future follow the example set by the Post Office Department by taking immediate action on the Comptroller's recommendations.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. RYAN of New York, for 10 minutes, today.

Mr. HALPERN (at the request of Mr. LANGEN), today, for 15 minutes.

Mr. THOMPSON of New Jersey, for 30 minutes, today, and to revise and extend his remarks and include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mrs. KEE.

Mr. LANE and to include extraneous matter.

Mr. VAN ZANDT and to include extraneous matter.

Mr. KNOX and to include "My Office Report."

Mr. FINO.

Mr. BYRNES of Wisconsin to revise and extend his remarks made in Committee and to include extraneous matter and tables.

Mr. KNOX to revise and extend his remarks made in Committee and to include extraneous matter.

Mr. PUCINSKI.

Mr. O'KONSKI.

Mr. LINDSAY to include with his remarks in general debate on the tax bill a speech prepared by a former General Counsel of the Treasury Department.

(The following Members (at the request of Mr. LANGEN) and to include extraneous matter:)

Mr. HALL.

Mr. DEVINE.

(The following Members (at the request of Mr. GONZALEZ) and to include extraneous matter:)

Mr. BAILEY.

Mr. GILBERT in two instances.

Mr. TUCK.

Mr. DANIELS.

Mr. KOWALSKI.

Mr. THOMPSON of Texas to include tables in his remarks of today on H.R. 10650.

Mr. MOSS (at the request of Mr. GONZALEZ) and to include extraneous matter, notwithstanding the fact that it exceeds two pages of the RECORD and is estimated by the Public Printer to cost $202.50.

ADJOURNMENT

Mr. GONZALEZ. Mr Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 43 minutes p.m.), under its previous order, the House adjourned until Monday, April 2, 1962, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1871. A letter from the Secretary of Agriculture, transmitting a draft of a proposed bill entitled "A bill to amend section 6 of the act of May 29, 1884"; to the Committee on Agriculture.

1872. A letter from the Secretary of the Treasury, transmitting a draft of a proposed bill entitled "A bill to amend the Tariff Act of 1930, as amended, to provide for reimbursement of services performed at foreign stations, and for other purposes"; to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. McCULLOCH: Select Committee on Small Business. Minority views on small business problems in the tomato industry (Rept. No. 1471, pt. 2). Referred to the Committee of the Whole House on the State of the Union.

Mr. POWELL: Committee on Education and Labor. H.R. 10682. A bill to authorize the establishment of a Youth Conservation Corps to provide healthful outdoor employment for young men and to advance the conservation, development, and management of national resources to timber, soil, and range, and of recreational areas; and to authorize pilot local public service employment programs; without amendment (Rept. No. 1540). Referred to the Committee of the Whole House on the State of the Union.

Mr. COOLEY: Committee on Agriculture. S. 1037. An act to amend the provisions of the Perishable Agricultural Commodities Act, 1930, relating to practices in the marketing of perishable agricultural commodities; with amendment (Rept. No. 1546). Referred to the Committee of the Whole House on the State of the Union.

Mr. HARRIS: Committee on Interstate and Foreign Commerce. H.R. 6949. A bill to amend section 4(e) of the Natural Gas Act, to authorize a gas distributing company to complain about a rate schedule filed by a natural gas company and to give the Federal Power Commission authority to suspend changes in rate schedules covering sales for resale for industrial use only; without amendment (Rept. No. 1547). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. CHELF: Committee on the Judiciary. H.R. 3595. A bill for the relief of Anna Isernia Alloca; with amendment (Rept. No. 1541). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. H.R. 3633. A bill for the relief of Angelina Rainone; with amendment (Rept. No. 1542). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. H.R. 4655. A bill for the relief of Adell Anis Mansour; with amendment (Rept. No. 1543). Referred to the Committee of the Whole House.

Mr. MOORE: Committee on the Judiciary. House Joint Resolution 677. Joint resolution relating to the admission of certain adopted children; without amendment (Rept. No. 1544). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. H.R. 6330. A bill for the relief of Vincent Edward Hughes; with amendment (Rept. No. 1545). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BOGGS:

H.R. 11004. A bill to amend the River and Harbor Act of 1945; to the Committee on Public Works.

By Mr. COHELAN:

H.R. 11005. A bill to amend section 2304 of title 10, United States Code, to provide that military procurement agencies shall comply with State minimum price laws for certain perishable subsistence items; to the Committee on Armed Services.

By Mr. CORBETT:

H.R. 11006. A bill to permit the Postmaster General to extend contract mail routes up to 100 miles during the contract term; to the Committee on Post Office and Civil Service.

By Mr. GARLAND:

H.R. 11007. A bill to amend the Internal Revenue Code of 1954 to provide for the medical care of the aged through the allowance of a tax credit as an incentive for health insurance coverage; to the Committee on Ways and Means.

By Mr. GONZALEZ (by request):

H.R. 11008. A bill to amend the Small Business Act to provide that the program under which Government contracts are set aside for small-business concerns shall not apply in the case of contracts for maintenance, repair, or construction; to the Committee on Banking and Currency.

By Mr. HAGEN of California:

H.R. 11009. A bill to amend section 2304 of title 10, United States Code, to provide that military procurement agencies shall comply with State minimum price laws for certain perishable subsistence items; to the Committee on Armed Services.

By Mr. McFALL:

H.R. 11010. A bill to amend section 2304 of title 10, United States Code, to provide that military procurement agencies shall comply with State minimum price laws for certain perishable subsistence items; to the Committee on Armed Services.

By Mr. CLEM MILLER:

H.R. 11011. A bill to amend section 2304 of title 10, United States Code, to provide that military procurement agencies shall comply with State minimum price laws for certain perishable subsistence items; to the Committee on Armed Services.

By Mr. RODINO:

H.R. 11012. A bill to amend the Small Business Act to make it clear that disaster loans in cases of flood or other catastrophe may be made with respect to property of any type (including summer homes as well as other residential property); to the Committee on Banking and Currency.

By Mr. RYAN of Michigan:

H.R. 11013. A bill to amend the Internal Revenue Code of 1954 to allow a taxpayer a deduction from gross income for tuition paid by him for his education, or the education of his spouse or a dependent, at a duly accredited public or private educational institution; to the Committee on Ways and Means.

By Mr. WATTS:

H.R. 11014. A bill authorizing construction of dam on North Fork of Red River in Powell County, Ky., for flood control and other purposes; to the Committee on Public Works.

By Mr. WILLIS:

H.R. 11015. A bill to provide for public notice of settlements in patent interferences; to the Committee on the Judiciary.

By Mr. LOSER:

H.R. 11016. A bill to amend the Code of Law for the District of Columbia to give the Commissioners of the District of Columbia or their duly designated representative authority to transfer title to motor vehicles when the only assets of a decedent's estate consist of not more than two motor vehicles; to the Committee on the District of Columbia.

By Mr. TOLL:

H.R. 11017. A bill to amend section 4281, title 18, of the United States Code to increase from $30 to $100, the amount of gratuity which may be furnished by the Attorney General to prisoners discharged from imprisonment or released on parole; to the Committee on the Judiciary.

By Mr. WHITENER:

H.R. 11018. A bill to amend the act concerning gifts to minors in the District of Columbia; to the Committee on the District of Columbia.

H.R. 11019. A bill to provide that the Uniform Limited Partnership Act shall apply in

the District of Columbia; to the Committee on the District of Columbia.

By Mr. SPENCE:

H.R. 11020. A bill to amend the Small Business Act; to the Committee on Banking and Currency.

By Mr. DERWINSKI:

H.R. 11021. A bill to provide for the application of power revenues from reclamation projects to the reduction of the public debt; to the Committee on Interior and Insular Affairs.

By Mr. ELLIOTT:

H.R. 11022. A bill to limit importation into the United States of America of crude petroleum and certain petroleum products; to protect the welfare of those engaged in the domestic petroleum industry, particularly small independent oil producers and small independent oil refiners; and for other purposes; to the Committee on Ways and Means.

By Mr. O'KONSKI:

H.R. 11023. A bill to establish a joint select committee to determine whether and what kind of local self-government for the District of Columbia will be in the national interest; to the Committee on Appropriations.

By Mr. OLSEN:

H.R. 11024. A bill to amend the Civil Service Retirement Act so as to include as creditable service certain service performed by emergency relief project employees; to the Committee on Post Office and Civil Service.

By Mr. RANDALL:

H.R. 11025. A bill to amend section 715 of title 38, United States Code, to authorize the issuance of total disability income provision to national service life insurance policies to age 65, under certain conditions; to the Committee on Veterans' Affairs.

By Mr. SHELLEY:

H.R. 11026. A bill to prohibit discrimination in employment in certain cases because of race, religion, color, national origin, ancestry, or age; to the Committee on Education and Labor.

By Mr. SMITH of Mississippi:

H.R. 11027. A bill to amend the Agricultural Adjustment Act of 1938, as amended; to the Committee on Agriculture.

H.R. 11028. A bill to amend that part of the Flood Control Act of 1946 relating to the modification of the project for the lower Mississippi River; to the Committee on Public Works.

By Mr. WHARTON:

H.R. 11029. A bill to amend the Federal Reports Act of 1942 to clarify the responsibility of persons to furnish information requested by Federal agencies, and for other purposes; to the Committee on Government Operations.

By Mr. GLENN:

H.J. Res. 679. Joint resolution to amend the Federal Trade Commission Act, to promote quality and price stabilization, to define and restrain certain unfair methods of distribution and to confirm, define, and equalize the rights of producers and resellers in the distribution of goods identified by distinguishing brands, names, or trademarks, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. LENNON:

H.J. Res. 680. Joint resolution providing for the establishment of the North Carolina Tercentenary Celebration Commission to formulate and implement plans to commemorate the 300th anniversary of the State of North Carolina, and for other purposes; to the Committee on the Judiciary.

By Mr. STRATTON:

H.J. Res. 681. Joint resolution to fix the support price for milk and butterfat at the level prevailing prior to April 1, 1962; to the Committee on Agriculture.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. GONZALEZ:

H.R. 11030. A bill for the relief of Mrs. Nina Bray; to the Committee on the Judiciary.

By Mr. HÉBERT:

H.R. 11031. A bill for the relief of George Wm. Rueff, Inc.; to the Committee on the Judiciary.

By Mr. LIBONATI:

H.R. 11032. A bill granting a renewal of patent No. 92,187 relating to the badge of the Sons of the American Legion; to the Committee on the Judiciary.

H.R. 11033. A bill granting a renewal of patent No. 55,398 relating to the badge of the American Legion Auxiliary; to the Committee on the Judiciary.

H.R. 11034. A bill granting a renewal of patent No. 54,296 relating to the badge of the American Legion; to the Committee on the Judiciary.

By Mr. RAY:

H.R. 11035. A bill for the relief of Alvin Roy Chin; to the Committee on the Judiciary.

By Mr. SHIPLEY:

H.R. 11036. A bill for the relief of Eugene McVaigh and others; to the Committee on the Judiciary.

By Mr. WRIGHT:

H.R. 11037. A bill for the relief of Mrs. Laverna Ramsey; to the Committee on the Judiciary.

SENATE

THURSDAY, MARCH 29, 1962

(Legislative day of Wednesday, March 28, 1962)

The Senate met at 11 o'clock a.m., and was called to order by the President pro tempore.

Rev. Ellsworth Erskine Jackson, D.D., minister of the Market Square Presbyterian Church, Germantown, Philadelphia, Pa., offered the following prayer:

"Our Father, which art in heaven, hallowed be Thy name. Thy kingdom come. Thy will be done in earth, as it is in heaven."

We bless Thee for the holy state in which Thou dost dwell, and toward which Thou art guiding us, Thy children.

We confess that we have not always been obedient and loving sons and daughters. O Thou great Searcher of hearts, cleanse our souls, that we may be vessels fit for Thy service.

Today our hearts are full of gratitude for the heritage that is ours. We give Thee thanks for daily bread, daily loves, and daily duties, for the dancing sunbeams of this spring day, for the signs of new life, and for the song of the returning birds.

We pray for the coming of that day when the morning shall dawn, a morning without the clouds of suspicion, dread, and fear; when no one shall be afraid, but every man shall dwell under his own vine and fig tree, and all—from the least unto the greatest—shall know the Lord; when nations shall learn war no more; when swords and spears shall be beaten into plowshares and pruning hooks.

We pray for the day when the Prince of Peace shall come, and for the new world declaration of independence from tyranny, bondage, and slavery, that He shall give, for that day when sin, suffering, and death shall be no more.

Grant and bestow upon us Davidic courage to face the lion and the bear, and protect the sheep of Thy pasture.

Give us minds that can think Thy thoughts after Thee, and hearts that can love God and our fellow man, and eyes that will look for heroic and noble virtues in others, and will see beyond the color of skin, the length of the nose, and the slant of the eye.

Bless the Senate and all its Members. May wisdom be given to each Member, as together they plan for the national welfare and security.

We invoke Thy blessing upon the President of the United States and all others who serve Thee and this Nation.

This we ask in the Name that is above every name, the Name of Jesus Christ, our Lord. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, March 28, 1962, was dispensed with.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the Senate by Mr. Miller, one of his secretaries.

REORGANIZATION PLAN NO. 2 OF 1962, RELATING TO CERTAIN REORGANIZATIONS IN THE FIELD OF SCIENCE TECHNOLOGY—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 372)

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which, with the accompanying paper, was referred to the Committee on Government Operations:

To the Congress of the United States:

I transmit herewith Reorganization Plan No. 2 of 1962, prepared in accordance with the provisions of the Reorganization Act of 1949, as amended, and providing for certain reorganizations in the field of science and technology.

Part I of the reorganization plan establishes the Office of Science and Technology as a new unit within the Executive Office of the President; places at the head thereof a Director appointed by the President by and with the advice and consent of the Senate and makes provision for a Deputy Director similarly appointed; and transfers to the Director certain functions of the National Science Foundation under sections 3(a)(1) and 3(a)(6) of the National Science Foundation Act of 1950.

The new arrangements incorporated in part I of the reorganization plan will constitute an important development in executive branch organization for science and technology. Under those arrangements the President will have permanent staff resources capable of advising and assisting him on matters of national policy affected by or pertaining to science and technology. Considering the rapid growth and far-reaching scope of Federal activities in science and technology, it is imperative that the President have adequate staff support in developing policies and evaluating programs in order to assure that science and technology are used most effectively in the interests of national security and general welfare.

To this end it is contemplated that the Director will assist the President in discharging the responsibility of the President for the proper coordination of Federal science and technology functions. More particularly, it is expected that he will advise and assist the President as the President may request with respect to:

(1) Major policies, plans, and programs of science and technology of the various agencies of the Federal Government, giving appropriate emphasis to the relationship of science and technology to national security and foreign policy, and measures for furthering science and technology in the Nation.

(2) Assessment of selected scientific and technical developments and programs in relation to their impact on national policies.

(3) Review, integration, and coordination of major Federal activities in science and technology, giving due consideration to the effects of such activities on non-Federal resources and institutions.

(4) Assuring that good and close relations exist with the Nation's scientific and engineering communities so as to further in every appropriate way their participation in strengthening science and technology in the United States and the free world.

(5) Such other matters consonant with law as may be assigned by the President to the Office.

The ever-growing significance and complexity of Federal programs in science and technology have in recent years necessitated the taking of several steps for improving the organizational arrangements of the executive branch in relation to science and technology:

(1) The National Science Foundation was established in 1950. The Foundation was created to meet a widely recognized need for an organization to develop and encourage a national policy for the promotion of basic research and education in the sciences, to support basic research, to evaluate research programs undertaken by Federal agencies, and to perform related functions.

(2) The Office of the Special Assistant to the President for Science and Technology was established in 1957. The Special Assistant serves as Chairman of both the President's Science Advisory Committee and the Federal Council for Science and Technology, mentioned below.

(3) At the same time, the Science Advisory Committee, composed of eminent non-Government scientists and engineers, and located within the Office of Defense Mobilization, was reconstituted in the White House Office as the President's Science Advisory Committee.

(4) The Federal Council for Science and Technology, composed of policy officials of the principal agencies engaged in scientific and technical activities, was established in 1959.

The National Science Foundation has proved to be an effective instrument for administering sizable programs in support of basic research and education in the sciences and has set an example for other agencies through the administration of its own program. However, the Foundation, being at the same organizational level as other agencies, cannot satisfactorily coordinate Federal science policies or evaluate programs of other agencies. Science policies, transcending agency lines, need to be coordinated and shaped at the level of the Executive Office of the President drawing upon many resources both within and outside of Government. Similarly, staff efforts at that higher level are required for the evaluation of Government programs in science and technology.

Thus, the further steps contained in part I of the reorganization plan are now needed in order to meet most effectively new and expanding requirements brought about by the rapid and far-reaching growth of the Government's research and development programs. These requirements call for the further strengthening of science organization at the Presidential level and for the adjustment of the Foundation's role to reflect changed conditions. The Foundation will continue to originate policy proposals and recommendations concerning the support of basic research and education in the sciences, and the new Office will look to the Foundation to provide studies and information on which sound national policies in science and technology can be based.

Part I of the reorganization plan will permit some strengthening of the staff and consultant resources now available to the President in respect of scientific and technical factors affecting executive branch policies and will also facilitate communication with the Congress.

Part II of the reorganization plan provides for certain reorganizations within the National Science Foundation which will strengthen the capability of the Director of the Foundation to exert leadership and otherwise further the effectiveness of administration of the Foundation. Specifically:

(1) There is established a new office of Director of the National Science Foundation and that Director, ex officio, is made a member of the National Science Board on a basis coordinate with that of other Board members.

(2) There is substituted for the now-existing Executive Committee of the National Science Board a new Executive Committee composed of the Director of the National Science Foundation, ex officio, as a voting member and Chairman of the Committee, and of four other members elected by the National Science Board from among its appointive members.

(3) Committees advisory to each of the divisions of the Foundation will make their recommendations to the Director only, rather than to both the Director and the National Science Board.

After investigation I have found and hereby declare that each reorganization included in Reorganization Plan No. 2 of 1962 is necessary to accomplish one or more of the purposes set forth in section 2(a) of the Reorganization Act of 1949, as amended.

I have found and hereby declare that it is necessary to include in the reorganization plan, by reason of reorganizations made thereby, provisions for the appointment and compensation of the Director and Deputy Director of the Office of Science and Technology and of the Director of the National Science Foundation. The rate of compensation fixed for each of these officers is that which I have found to prevail in respect of comparable officers in the executive branch of the Government.

The functions abolished by the provisions of section 23(b) of the reorganization plan are provided for in sections 4(a), 5(a), 6(a), 6(b), and 8(d) of the National Science Foundation Act of 1950.

The taking effect of the reorganizations included in the reorganization plan will provide sound organizational arrangements and will make possible more effective and efficient administration of Government programs in science and technology. It is, however, impracticable to itemize at this time the reductions in expenditures which it is probable will be brought about by such taking effect.

I recommend that the Congress allow the reorganization plan to become effective.

JOHN F. KENNEDY.

THE WHITE HOUSE, *March 29, 1962.*

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed a joint resolution (H.J. Res. 441) to commemorate the 75th anniversary of the Interstate Commerce Commission, in which it requested the concurrence of the Senate.

HOUSE JOINT RESOLUTION PLACED ON CALENDAR

The joint resolution (H.J. Res. 441) to commemorate the 75th anniversary of the Interstate Commerce Commission was read twice by its title and placed on the calendar.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

REPORT ON OVEROBLIGATION OF AN APPROPRIATION

A letter from the Secretary of Agriculture, reporting, pursuant to law, on the overobligation of an appropriation in that Department; to the Committee on Appropriations.

REPORT UNDER SALINE WATER ACT OF 1952

A letter from the Secretary of the Interior, reporting, pursuant to law, under the Saline Water Act of 1952, for the calendar year 1961; to the Committee on Interior and Insular Affairs.

ADDITION OF CERTAIN LANDS TO NATIONAL FORESTS IN COLORADO AND NEW MEXICO

A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to add certain lands to the Pike National Forest in Colorado and the Carson National Forest and the Santa Fe National Forest in New Mexico, and for other purposes (with an accompanying paper); to the Committee on Interior and Insular Affairs.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

Resolutions adopted by the Board of County Supervisors of Alpine County, Calif., and the City Council of the City of Santa Rosa, Calif., protesting against the enactment of legislation to impose a Federal income tax on income derived from public bonds; to the Committee on Finance.

A resolution adopted by the Yorkville, N.Y., Zionist District No. 6, of the Zionist Organization of America, protesting against the Arab boycott on transactions with Jews; to the Committee on Foreign Relations.

A letter in the nature of a memorial from the National Sculpture Society, of New York, N.Y., signed by C. Paul Jennewein, president, remonstrating against the enactment of legislation providing Government support of the fine arts, as outlined in Senate bill 741; to the Committee on Labor and Public Welfare.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of executive business, to consider the nominations on the Executive Calendar.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. EASTLAND, from the Committee on the Judiciary:

James A. Coolahan, of New Jersey, to be U.S. district judge for the district of New Jersey;

Robert A. O'Neal, of Indiana, to be U.S. marshal for the southern district of Indiana;

Robert E. Hauberg, of Mississippi, to be U.S. attorney for the southern district of Mississippi;

Alfred W. Moellering, of Indiana, to be U.S. attorney for the northern district of Indiana;

Wesley E. Brown, of Kansas, to be U.S. district judge for the district of Kansas; and

Jesse E. Eschbach, of Indiana, to be U.S. district judge for the northern district of Indiana.

By Mr. LONG of Missouri, from the Committee on the Judiciary:

John W. Oliver, of Missouri, to be U.S. district judge for the western district of Missouri; and

John K. Regan, of Missouri, to be U.S. district judge for the eastern district of Missouri.

By Mr. McCLELLAN, from the Committee on the Judiciary:

Dan M. Douglas, of Arkansas, to be U.S. marshal for the western district of Arkansas; and

Alfred P. Henderson, of Arkansas, to be U.S. marshal for the eastern district of Arkansas.

By Mr. SCOTT, from the Committee on the Judiciary:

Ralph C. Body, of Pennsylvania, to be U.S. district judge for the eastern district of Pennsylvania.

EXECUTIVE REPORTS OF COMMITTEE ON ARMED SERVICES

Mrs. SMITH of Maine. Mr. President, from the Committee on Armed Services, I report favorably the nominations of 1 lieutenant general in the Air Force, 3 generals, 5 lieutenant generals, 42 major generals, and 4 brigadier generals in the Army, 3 rear admirals in the Naval Reserve, 2 vice admirals to be retired, and 1 vice admiral for special assignment in the Navy; also the nominations of 4 brigadier generals and 1 major general in the Marine Corps Reserve. I ask that these names be placed on the Executive Calendar.

The PRESIDING OFFICER. The nominations will be placed on the Executive Calendar, as requested by the Senator from Maine.

The nominations are as follows:

Maj. Gen. Harold W. Grant, Regular Air Force, to be assigned to a position of importance and responsibility designated by the President, in the rank of lieutenant general;

Lt. Gen. Paul D. Harkins, U.S. Army, to be assigned to a position of importance and responsibility designated by the President, in the rank of general;

Maj. Gen. James Lowell Richardson, Jr., Army of the United States (brigadier general, U.S. Army), to be assigned to a position of importance and responsibility designated by the President, in the rank of lieutenant general;

Walter A. Churchill, for temporary appointment to the grade of major general in the Marine Corps Reserve;

Charles H. Cox, George E. Tomlinson, and John L. Winston, for permanent appointment to the grade of brigadier general in the Marine Corps Reserve;

Charles F. Duchein, for temporary appointment to the grade of brigadier general in the Marine Corps Reserve;

Charles E. Rieben, Jr., Stephen E. Jones, and Moore Moore, Jr., for temporary promotion to the grade of read admiral in the Naval Reserve;

Vice Adm. Roland N. Smoot, U.S. Navy, and Rear Adm. George L. Russell, U.S. Navy, for appointment to the grade of vice admiral on the retired list;

Rear Adm. Robert T. S. Keith, U.S. Navy, for commands and other duties determined by the President, for appointment to the grade of vice admiral while so serving;

Lt. Gen. Garrison Hold Davidson, Army of the United States (major general, U.S. Army), for appointment as senior U.S. Army member of the Military Staff Committee of the United Nations;

Maj. Gen. Thomas Weldon Dunn, Army of the United States (brigadier general, U.S. Army), and Maj. Gen. John Southworth Upham, Jr., U.S. Army, to be assigned to positions of importance and responsibility designated by the President, in the rank of lieutenant general;

Lt. Gen. Barksdale Hamlett, Army of the United States (major general, U.S. Army), and Lt. Gen. Paul Lamar Freeman, Jr., Army of the United States (major general, U.S. Army), to be assigned to positions of importance and responsibility designated by the President, in the rank of general;

Maj. Gen. Frank Schaffer Besson, Jr., U.S. Army, to be assigned to a position of importance and responsibility designated by the President, in the rank of lieutenant general; and

Lt. Gen. Hamilton Hawkins Howze, Army of the United States (brigadier general, U.S. Army), and sundry other officers, for appointment in the Regular Army of the United States.

Mrs. SMITH of Maine. Mr. President, also from the Committee on Armed Services, I report favorably 11,696 appointments and promotions in the Navy in the grade of captain and below; 3,349 appointments and promotions in the Marine Corps in the grade of colonel and below; 13,001 appointments and promotions in the Regular Air Force in the grade of major and below, 3 colonels to be permanent professors at the U.S. Air Force Academy, and 1,388 appointments and promotions in the Army in the grade of colonel and below.

All of these names have already appeared in the CONGRESSIONAL RECORD. In order to save the expense of printing on the Executive Calendar I ask unanimous consent that they be ordered to lie on the Secretary's desk for the information of any Senator.

The VICE PRESIDENT. Without objection, it is so ordered.

The nominations ordered to lie on the desk are as follows:

Warren L. Mobley, and sundry other officers for temporary appointment in the Marine Corps;

Edward G. Abersold, and sundry other officers for promotion in the Regular Air Force;

Herbert A. Adamson, and sundry other officers for promotion in the Regular Air Force;

Col. Alfonse R. Miele, Col. Wilbert H. Ruenheck, and Col. Wayne A. Yeoman, for permanent professors of the U.S. Air Force Academy;

Richard J. Camden, and sundry other officers for appointment in the Regular Air Force;

Clark E. Aamodt, and sundry other officers for promotion in the Regular Air Force;

William R. Abele, and sundry other officers for permanent appointment in the Marine Corps;

John C. Abercrombie, and sundry other officers for promotion in the Regular Army of the United States; and

Horace E. Knapp, Jr., and sundry other officers for permanent appointment in the Marine Corps.

By Mr. CANNON, from the Committee on Armed Services:

Maj. Gen. Marshall Sylvester Carter, Army of the United States (brigadier general, U.S. Army), for appointment as Deputy Director, Central Intelligence Agency, with the rank of lieutenant general.

By Mr. JACKSON, from the Committee on Armed Services:

Edward A. McDermott, of Iowa, to be Director of the Office of Emergency Planning.

The PRESIDENT pro tempore. If there be no further reports of committees, the nominations on the Executive Calendar will be stated.

FARM CREDIT ADMINISTRATION

The Chief Clerk proceeded to read sundry nominations in the Farm Credit Administration.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The PRESIDENT pro tempore. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

ASSISTANT SECRETARY OF STATE

The Chief Clerk read the nomination of Robert J. Manning, of New York, to be an Assistant Secretary of State.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

U.S. ARMS CONTROL AND DISARMAMENT AGENCY

The Chief Clerk read the nomination of Dr. Franklin A. Long, of New York, to be an Assistant Director of the U.S. Arms Control and Disarmament Agency.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

AGENCY FOR INTERNATIONAL DEVELOPMENT

The Chief Clerk proceeded to read sundry nominations in the Agency for International Development.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The PRESIDENT pro tempore. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

DIPLOMATIC AND FOREIGN SERVICE

The Chief Clerk proceeded to read sundry nominations in the Diplomatic and Foreign Service.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The PRESIDENT pro tempore. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of all these nominations.

The PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. MUSKIE, and by unanimous consent, the Committee on the Judiciary was authorized to meet during the session of the Senate today, to receive testimony by the Attorney General of the United States on proposed wiretap legislation.

TREASURY-POST OFFICE DEPARTMENTS APPROPRIATIONS, 1963

The Senate resumed the consideration of the bill (H.R. 10526) making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies for the fiscal year ending June 30, 1963, and for other purposes.

The PRESIDENT pro tempore. The unanimous-consent agreement entered into yesterday now comes into effect.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. WILLIAMS of Delaware. Mr. President, let me ask whether the Senator from Virginia [Mr. ROBERTSON] desires to obtain recognition by the Chair at this time.

Mr. MANSFIELD. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator from Montana will state it.

Mr. MANSFIELD. Let me ask the Chair what the pending measure is and under what auspices it is being considered.

The PRESIDENT pro tempore. The Senate has before it House bill 10526, making appropriations for the Treasury Department and the Post Office Department, the Executive Office of the President, and certain independent agencies for the fiscal year ending June 30, 1963; and the question is on agreeing to the motion of the Senator from Delaware [Mr. WILLIAMS] to suspend the rule.

Mr. MANSFIELD. I thank the Chair.

Mr. ROBERTSON. Mr. President, this morning I conferred with the distinguished Senator from Delaware [Mr. WILLIAMS] concerning the suggestion which he made shortly before the taking of the recess yesterday, namely, that today he might move to suspend the rule, in order to offer to the pending appropriation bill an amendment relating to the privilege of civil service employees to address public meetings.

The Senator from Delaware told me that upon further reflection, he realized that I, and perhaps all the other members of the Appropriations Committee, would feel that we would have to oppose such a motion in connection with his amendment, because the amendment would apply to only this one appropriation bill, and because there had been no opportunity for the committee to consider the matter, and because we realize what we would be faced with in conference; and that, therefore, no doubt we would be inclined to endeavor to prevent such a change in this bill, in order to avoid encountering such a jam with the House conferees.

So he said he would like to have the privilege of explaining to the Senate why he had brought up this matter; and he said that at a later time—in fact, I believe it will be next week—when the supplemental appropriation bill comes before the Senate, he intends to present the matter to the special subcommittee of the Appropriations Committee which will deal with the supplemental bill, so that if they wish to move to suspend the rule and include such an amendment, they can do so.

Mr. President, I yield the floor.

Mr. WILLIAMS of Delaware. Mr. President, as the Senator from Virginia has said, I discussed this matter with him following the taking of the recess last night.

I understand that the Senator from Virginia is in sympathy with what we are trying to do in this case, and I also understand that he is not in agreement with the new ruling by the Civil Service Commission and, in particular, as it has been interpreted by the Attorney General.

I recognize the reason for his decision that as chairman of the subcommittee and as the Senator in charge of the pending bill he could not accept the amendment at this time.

Under the circumstances I said that rather than put him in a position in which, as chairman of the subcommittee and as Senator in charge of the bill, he would have to oppose such a move at this time I would wait until the supplemental appropriation bill came up next week, at which time I would hope to have the support of almost all the members of the Appropriations Committee.

I should like to have an understanding with the Senator from Virginia so no question will be raised about the propriety of taking up the matter at that time.

As I stated before, I am certainly not in the least trying to change practices which have no doubt been in effect for civil service employees under all preceding administrations with which I have had experience, both Democratic and Republican. We are not trying to change that practice one iota, but the recent ruling passed down by Commissioner Macy in February of this year—I think the actual ruling was passed down on the 10th of January—provides that now civil service employees can go out before interested public groups, service clubs, and so forth, and speak on behalf of the administration's legislative program.

The Attorney General has ruled that that is in accord with the laws as he interprets the intent of Congress. That was not my understanding. But the Attorney General in making the ruling has gone further and said that while this ruling would extend to civil service employees the legal right to speak against the administration's program if they so desired, it would, nevertheless, be considered "a serious impropriety" on their part if they did say anything against the programs. He even went so far in his ruling as to say that if a civil service employee objected to any legislative program of the administration he could voice his objections to his superior officers only, but once the superiors said, "This is our policy or legislative program," then, notwithstanding the private beliefs of the civil service employee, it was his responsibility to ignore his own opinion, and go out and speak on behalf of the administration's proposal.

I do not believe that a civil service employee—I do not care under which political party—should be ordered by his superior either to support or defeat a legislative program. That was not the intention of Congress, and the whole principle of civil service was that employees would not be involved in legislative programs or political activities.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield to the Senator from Florida.

Mr. HOLLAND. Is my understanding correct that the two distinguished Senators intend to leave me this problem by consigning it to the Deficiencies and Supplementals Subcommittee, of which I am chairman, which is going to handle the next appropriation bill?

Mr. ROBERTSON. Mr. President, may I answer that question?

Mr. HOLLAND. Yes.

(At this point Mr. HICKEY took the chair as Presiding Officer.)

Mr. ROBERTSON. Yesterday I stated that although I was in sympathy with the objective of the Senator from Delaware, because I thought under the Hatch Act civil service employees were prohibited from taking part in political campaigns, yet I would have to object, under the rules of the Senate, to any amendment that was legislation on an appropriation bill; and I called attention to the fact that the Senator had not mentioned it to the subcommittee or to the full committee, and that the Appropriations Committee had not considered it.

Then I mentioned the fact that this bill will not become a law until the 1st of July, and that the bill applies only to two Departments, the Treasury and the Post Office Departments and a few independent agencies, but that next week we would have before us a supplemental bill that would become law as soon as it was agreed to in the two Houses and approved by the President, that it applied to nearly all agencies, and that if the Senator wanted the Appropriations Committee to consider the advisability of suspending the rules and putting legislation on an appropriation bill, he should go before the proper subcommittee and present his views. That is as far as I went. I did not commit myself to legislation of this character on an appropriation bill.

Now, to that extent I unloaded the problem on my distinguished friend, the Senator from Florida.

Mr. HOLLAND. Mr. President, I appreciate the benevolent design of the Senator from Virginia, and also that same design on the part of the Senator from Delaware, but I remind both of them that there are some very urgent items in the supplemental bill, for example, one which relates to the State of the Senator from Delaware—the disaster relief items which apply to property damage along the middle Atlantic seaboard, including Delaware, by the recent storm—and there are other urgent items in that bill. While I am not going to prejudge, and while I always welcome the appearance of the Senator from Delaware or any other Senator before the committee, I call attention to the fact that if there are to be highly debatable issues which would delay passage in both Houses of the supplemental bill, containing as it does these urgent items, I would not be inclined to put on that bill a proposal of general legislation which is so highly controversial.

Mr. ROBERTSON. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. ROBERTSON. That is the reason why the Senator from Virginia declined to say he would support the suggestion as to that bill. It is controversial. It is an amendment of the Hatch Act, really amplifying what we thought was meant. But there can be no doubt of the fact that it will not be easy to get the House conferees to agree, and it may involve considerable debate on the floor of the Senate.

All the Senator from Virginia said was that we should certainly leave the amendment off this bill, and if the Senator is going to bring it up, let the whole committee know what is involved. The Senator from Arizona will read what the instructions are as to legislation on an appropriation bill. I was operating under the instructions of the committee.

Will the Senator yield and permit the Senator from Arizona to read what the instructions are?

Mr. WILLIAMS of Delaware. Yes, I yield.

Mr. HAYDEN. Mr. President, I would like to advise the Senate with respect to the standing order of the Committee on Appropriations, adopted away back in 1931, which has been followed scrupulously ever since. It reads as follows:

> The following rule for the guidance of members of the committee in handling bills on the floor of the Senate was submitted by the chairman and adopted:
>
> "Any member or ex-officio member of the Committee on Appropriations of the Senate who has in charge an appropriation bill, is hereby authorized and directed to make points of order against any amendment offered in violation of the Senate rules on the floor of the Senate to such appropriation bill."

Mr. WILLIAMS of Delaware. I thank the Senator for reminding me of that rule. I am well aware of the rule, but it has been suspended many times.

Mr. HAYDEN. The point I am trying to make is that the rules must be suspended by a two-thirds majority.

Mr. WILLIAMS of Delaware. The motion to suspend the rules has on occasion been made by the chairman of the committee, the senior Senator from Arizona, for whom I have such great respect, and I have supported suspension of the rules many times. This is not a new procedure.

Mr. HAYDEN. There is no question that the rules can be suspended by a two-thirds majority, but we cannot accept amendments of this kind except by that action.

Mr. WILLIAMS of Delaware. It is a fact that there is a procedure for suspending the rules. I intended to call the matter to the attention of the committee earlier, but the bill was reported on the 16th of March and I have been trying ever since the 27th of February to get a reply from the Attorney General. I am not going to accept all of the responsibility for having delayed. I was waiting, very properly, for a reply from the Attorney General, but the Attorney General was on his worldwide tour, and he was not able to answer the letter. But now that he is back he has sent the reply.

In this reply he has ruled very specifically that civil service employees can and are expected, notwithstanding their personal opinions, to defend the legislative programs and policies which are outlined by this administration without any regard to what they may privately believe. On the other hand, he rules that if they say anything in opposition to the administration's program it would be considered "a serious impropriety." Therefore, they would, undoubtedly, jeopardize their promotional chances. I think it is grossly unfair to civil service employees to expect them to promote the policies of the administration without any regard to the question of whether they believe in them or not.

I should like to quote one sentence from the Attorney General's letter. He refers to the administration as "they." He says:

> And they are entitled to that cooperation and support from him even though he may not agree with the policy.

It is going pretty far to say in effect that the administration can order civil service employees to lobby for the administration's legislative program but that they dare not oppose it. The ruling means that, if this stands, since the administration has sent to the Congress a recommendation for a pay bill for the civil service employees the employees must support it whether or not they agree with the formula in that bill. Under the ruling they are supposed in all their public utterances to defend in its entirety the administration's recommendation on its pay bill.

Certainly it was not the intent of Congress that the employees be restricted from expressing their personal opinions. Under this ruling if employees speak before any public groups they are to endorse or explain the administration's views only without regard as to whether or not they are for them. They dare not say one word against the

administration's formula in the pay bill, and they are not to say one word against the postal rate increase.

If any Director of Internal Revenue Service says one word against the proposed tax bill or the formula in the pending tax bill, which will come before our committee next week, he will be violating the ruling. They must advance the administration's views only. They cannot speak against it even though there are items in that bill which they think would not work to the best interests of the people.

My own opinion is that the civil service employees ought to stay out of discussions on pending legislative programs. Surely, they have a right to petition the Congress as to matters dealing with themselves. No one quarrels with that right. They have always had that right.

So far as the administration programs are concerned, with respect to whether we should amend the tax laws, whether we should increase or lower taxes, whether we should change the formula for the paying of taxes, that is something for the Congress to determine after consulting with the administration and after public hearings. Congress is to make that determination. These people merely carry out the law. Surely, they can interpret it once it has been passed.

I do not think we ought to condone such arbitrary power on the part of this administration. It is something never suggested before by any administration. To my knowledge no administration has ever suggested that it have that power—the power to mobilize 1 million civil service employees with instructions that they have to defend the New Frontier policies.

Mr. HOLLAND. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. HICKEY in the chair). Does the Senator yield?

Mr. WILLIAMS of Delaware. Khrushchev may be able to do that in Russia, but in America that is not the way we operate.

I yield to the Senator from Florida.

Mr. HOLLAND. I think the Senator will recall various occasions in the past when the Senator from Florida, as chairman of a subcommittee handling appropriations for the Department of Commerce and other agencies, has joined the Senator from Delaware in efforts to secure general legislation on an appropriation bill. The Senator from Florida wishes to give clear notice now, however, that this is a different situation, when there is talk about putting such an item on a supplemental bill which contains so many emergency items.

I have in my hand a communication from the President, printed as Document No. 365 of the House of Representatives of the 87th Congress, containing two urgent items. There are other urgent items in the other supplemental requests, but these two I wish to bring to the attention of my distinguished friend from Delaware.

The first is under "Funds appropriated to the President" for "Disaster relief," $25 million. This is the explanation:

> This proposed supplemental appropriation is needed to provide immediate relief to the coastal areas of the eastern seaboard which were devastated by recent storms. Amounts are also included to cover flood damage in West Virginia, Kentucky, and Idaho.

Then, for the Small Business Administration, there is a request for an urgent appropriation of $10 million for their disaster relief funds. This is the explanation, in part:

> The recent storms on the Atlantic coast and floods in other areas have resulted in extensive damage to businesses and homes. These additional amounts will be used to assist in restoring the damaged properties.

I have the full document available, if the Senator wishes to read it. I think the Senator will agree that it would be unfortunate indeed for us to get mixed up in a fight with the very excellent committee of this body which handles civil service items. We have had some fights with that committee before. I note on the floor now the ranking minority member of that committee, the Senator from Kansas [Mr. CARLSON].

Mr. WILLIAMS of Delaware. The Senator from Kansas is a cosponsor of the pending proposal.

Mr. HOLLAND. It would be even more unfortunate to have this urgent item, which will become available as soon as the bill is signed by the President, tied up in a conference fight with the other body.

While I am always willing to hear the distinguished Senator—he is invited now to appear, if he wishes, in the hearings—I wish to tell him that even if I become sold on his plan entirely, and I may be, I shall never agree to put this amendment on the supplemental bill, because of the urgent nature of the items covered by it.

I suggest that we shall be considering civil service items, to be reported from that legislative committee. The proper place for the Senator to be heard, and the proper place for him to seek to impose his amendment, it seems to me, would be in the consideration of a bill from the proper legislative committee.

Mr. WILLIAMS of Delaware. Mr. President——

Mr. HOLLAND. I repeat, I invite the Senator from Delaware to come before our committee. He will have a courteous and full hearing. I do not wish to have him think, from that statement, I am encouraging him to do so, because I think the supplemental bill is the very last one of the appropriation bills which should be used in this way, to inject items which are apt to prove obstructive in their nature both on the floor of the Senate and in conference.

Mr. WILLIAMS of Delaware. Mr. President——

Mr. HOLLAND. I wish to proceed a little further than I had intended. I close on this item by saying at this point, I remind the Senator that the Senate Committee on Post Office and Civil Service has been exceedingly interested always in insisting upon its jurisdiction. On one or two occasions the committee has yielded to the Appropriations Committee, when urgent items had to be passed, which I could recite, but in the normal instance the committee has insisted there be hearings before the committee with respect to matters which propose to change the law which is under their jurisdiction. I hope that my distinguished friend will be mindful of that trouble which we have had in the past, both on this floor and in conference, before insisting upon anything.

My distinguished friend from Virginia [Mr. ROBERTSON] has handed to me the United States Code, titles 1 to 9. In title 5, section 1181 there is reference to "Executive employees; use of official authority; political activity; penalties; reports to Congress."

I ask unanimous consent that the section be printed in the RECORD at this point.

There being no objection, the section was ordered to be printed in the RECORD, as follows:

> § 1181. Executive employees; use of official authority; political activity; penalties; reports to Congress.
>
> (a) It shall be unlawful for any person employed in the executive branch of the Federal Government, or any agency or department thereof, to use his official authority or influence for the purpose of interfering with an election or affecting the result thereof. No officer or employee in the executive branch of the Federal Government, or any agency or department thereof, shall take any active part in political management or in political campaigns. All such persons shall retain the right to vote as they may choose and to express their opinions on all political subjects and candidates. For the purposes of this section the term "officer" or "employee" shall not be construed to include (1) the President and Vice President of the United States; (2) persons whose compensation is paid from the appropriation for the office of the President; (3) heads and assistant heads of executive departments; (4) officers who are appointed by the President, by and with the advice and consent of the Senate, and who determine policies to be pursued by the United States in its relations with foreign powers or in the Nation-wide administration of Federal Laws. The provisions of the second sentence of this subsection shall not apply to the employees of The Alaska Railroad, residing in municipalities on the line of the railroad, in respect to activities involving the municipality in which they reside.
>
> (b) Any person violating the provisions of this section shall be removed immediately from the position or office held by him and thereafter no part of the funds appropriated by any Act of Congress for such position or office shall be used to pay the compensation of such person: *Provided, however*, That the United States Civil Service Commission finds by unanimous vote that the violation does not warrant removal, a lesser penalty shall be imposed by direction of the Commission: *Provided further*, That in no case shall the penalty be less than ninety days' suspension without pay: *And provided further*, That in the case of any person who has heretofore been removed from the service under the provisions of this section, the Commission shall upon request of said person reopen and reconsider the record in such case. If it shall find by a unanimous vote that the acts committed were such as to warrant a penalty of less than removal it shall issue an order revoking the restriction against reemployment in the position from which removed, or in any other position for which he may be qualified, but no such revocation shall become effective until

at least ninety days have elapsed following the date of the removal of such person from office.

(c) At the end of each fiscal year the Commission shall report to the President for transmittal to the Congress the names, addresses, and nature of employment of all persons with respect to whom action has been taken by the Commission under the terms of this section, with a statement of the facts upon which action was taken, and the penalty imposed (Aug. 2, 1939, 11:50 a.m. E.S.T., ch. 410, § 9, 53 Stat. 1148; July 19, 1940, ch. 640, § 2, 54 Stat. 767; Mar 27, 1942, ch. 199, title VII, § 701, 56 Stat. 181; Aug. 8, 1946, ch. 904, 60 Stat. 937; Aug. 25, 1950, ch. 784, § 1, 64 Stat. 475.)

AMENDMENTS

1950—Subsec. (b) amended by act Aug. 25, 1950, which added the provisos to give the Civil Service limited discretion in the imposition of penalties and removed the restriction against reemployment.

Subsec. (c) added by act Aug. 25, 1950, to require the Civil Service Commission to make annual reports to Congress.

1946—Subsec. (a) amended by act Aug. 8, 1946, to permit Alaska Railroad employees to participate in local political matters involving municipal governments only.

1942—Subsec. (a) amended by act Mar. 27, 1942, to except part-time officers and employees serving without compensation or nominal compensation during World War II, but such amendment has been omitted as it expired on Mar. 31, 1947, under provisions of section 645 of Appendix to Title 50, War and National Defense.

1940—Subsec. (a) amended by act July 19, 1940, to give all persons the right to express their political opinions.

Mr. HOLLAND. That is the section which I understand the distinguished Senator proposes to amend. It is very obvious that it deals with the controversial section of the Hatch Act.

Mr. WILLIAMS of Delaware. Mr. President, if the Senator will yield to me for the purpose of clarifying the RECORD, I submit that the amendment which I propose would not amend that section. What I propose is merely a limitation on the appropriation bill. The Senator from Florida has in other years voted for such limitations even though it was legislation on an appropriation bill. We passed such a proposal last year unanimously through the Congress.

Mr. HOLLAND. The Senator is correct, except that he would have to limit himself to a regular appropriation bill, and not to a supplemental appropriation bill.

Mr. WILLIAMS of Delaware. Not necessarily.

I say to the Senator from Florida that I am as much interested as he is in those emergency appropriation items in the supplemental appropriation bill. I represent one of the areas which is involved. But these agencies have adequate funds to proceed. I have talked with their representatives, and while they need the extra money they can proceed with existing funds. They will need the money to implement their funds as they deplete them. I am wholeheartedly in support of their request.

But this proposal would not tie up anything. There is somewhat of an emergency in regard to this ruling. This represents a drastic change in the policy on the part of the administration in regard to the activities of civil service employees.

I emphasize again that the reason this was not done before is that I had to wait about a month to get an answer from the Attorney General. The Attorney General was on a worldwide tour. I do not find fault with him for going away. Some people would say that he should have stayed away a little longer. I am glad that he is back.

The Senator from Kansas [Mr. CARLSON] to whom the Senator referred as one who might object to the usurpation of the jurisdiction of the committee is a cosponsor of this amendment. He recognizes its importance.

I have every intention of going along with the request of the Senator from Virginia [Mr. ROBERTSON], and I would be delighted to wait and consider this subject in connection with a supplemental bill.

I appreciate the offer of the Senator from Florida to afford me a hearing if that action is taken, but I would not appreciate being heard before a chairman of a committee who has already said that he will oppose the measure after he has heard it. If we are to take such a firm position in advance we should have the vote now. Let us settle the issue today if we can get the kind of hearing that has been proposed.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield to the Senator from Kansas.

Mr. CARLSON. I believe that my interest in behalf of civil service or Federal employees in this Nation is well known. In my past years of service in the Senate I have been greatly distressed by the situation in this regard, and I was greatly distressed when the ruling was issued early this year. At that time I made some statements on the subject on the floor of the Senate. I had discussed it with the Chairman of the Civil Service Commission. I told him I thought the ruling was unfortunate, because we have a group of Government workers who should be free from pressure from any admininistration or group.

I do not see how those employees can be free from such pressure under the ruling that the Commission has issued, which states that the employees may, and possibly should, go out and make speeches in behalf of proposals of the administration. For that reason I support the proposal of the Senator from Delaware.

However, I think it is unfortunate that the measure is proposed as an amendment to the pending bill, but it is the first opportunity to present it. I assure the Senate that it is an action which I think should be taken in the interest of our Government employees. Several employees have called my attention to the fact that they did not want to be placed in that position. If we take the one step proposed, and our Federal employees must go out and defend the administration's position, what might be the next step? The next step might be that they would engage in political activities. That is something we should try to avoid.

I hope the Senate will give some thought to that problem when the issue is presented today. I sincerely regret that it is before us at the present time. However, I commend the Senator from Delaware for bringing the issue to the attention of the Senate. I think we should take some action on it. We ought to express our views on it, and I hope we may have the opportunity to do so.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. HOLLAND. So far as the Senator from Florida is concerned, he had heard all these points stated before. He is inclined to think that he will agree with his friends from Delaware and Kansas when the proper time comes to take appropriate action upon the proposal. The Senator from Florida notices that the amendment that has been offered by the Senator from Delaware would not apply in any case until the appropriation bill for the regular year 1963 would become operative, and that will not be until after July 1.

He sees no point at all in the Senator's urging his proposed change in the appropriation in the way he has offered it at this time, which would not bring any immediate relief. Certainly long before July 1 there will be civil service bills reported from the committee of which the distinguished Senator from Kansas [Mr. CARLSON] is such an able member, and of which the Senator from South Carolina [Mr. JOHNSTON] is the able chairman. I think that would be the time to consider the measure.

So long as there are disaster items in the supplemental bill, I am going to be very hard to sell. As sincerely as I invite and as cordially I will welcome the Senator from Delaware, the Senator from Kansas or anyone else before the hearings on the supplemental bill, I am not inclined to encumber emergency items in such a way as is now proposed. I will be very difficult to sell on the inclusion of any such item in the supplemental bill.

I reiterate my intention to extend every courtesy to any Senator who may have an interest in this or any other proposal on which he may wish to be heard. I shall be insisting on the same philosophy as I have expressed here. There must be more appropriate ways to present the issue than by attaching to a supplemental appropriation bill containing various emergency and disaster items a general legislation measure which is highly controversial.

That is all I care to say.

Mr. WILLIAMS of Delaware. Mr. President——

Mr. HOLLAND. I strongly support the position taken by my friend on the other side of the aisle. I think the Hatch Act should operate fully in both directions, and that there should be no partisan implications. But this is not the time to present such a measure. In hearings on a supplemental appropriation bill there would be opportunity at an appropriate time to consider such a proposal.

Mr. WILLIAMS of Delaware. Mr. President, the Senator from Florida said that he would object to a highly controversial proposal being added to a supplemental appropriation bill. As I see it, my amendment is not a highly controversial matter. The issue was explained yesterday. The Senator from Virginia [Mr. ROBERTSON] and the Senator from Florida [Mr. HOLLAND] both said that they were for it in principle. I have yet to hear one Senator say that he is opposed to the principle of the amendment. All Senators are saying is, "Do not do it today. Do it tomorrow."

I will yield to any Member of the Senate who says that he is opposed to the principle of the amendment or that he defends the ruling handed down by Commissioner Macy and the interpretation placed on the ruling by Attorney General Kennedy. I do not think the Senator from Florida is in favor of that ruling. If we are opposed to the ruling there is nothing controversial about it: let us go ahead and do the job. Let us not put it off.

The reason I suggested the use of a supplemental bill is that that bill would become law immediately upon its receiving the signature of the President and would mean an immediate overriding of the ruling of Commissioner Macy. But if, without regard to the merits of the proposal, we are to have determined opposition on the part of the subcommittee, let us have such determined opposition today and let us settle the question now.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I promised to yield first to the Senator from Iowa.

Mr. MILLER. Mr. President, I wish to ask the Senator from Florida a question. In view of the Senator's comments about the undesirability of putting the kind of amendment proposed on supplemental appropriation bills, do I correctly understand that the Senator would have no objection to placing it upon the bill that is now pending before the Senate?

Mr. HOLLAND. On that question I shall be governed by the attitude of the Senator who is handling the bill and who conducted the hearings. I understand from him that this subject was not brought before his subcommittee. Certainly it was not brought before the full committee. I think such a question, on such an important matter, should be considered.

I wish to comment on a statement of the Senator from Delaware. There are 10 Senators in the Chamber. There are 90 additional Senators. Some are quite obstinate in their adherence to their views, whatever they may be. I shall never assume that 10 Senators can speak for all 100. Besides, the chairman of the legislative committee who is involved in this matter is not present in the Chamber. I do not believe that any other member of that committee is in the Chamber except my distinguished friend, the Senator from Kansas [Mr. CARLSON].

Furthermore, unlikely as I am ever to try to speak for 90 absent Senators, I am much less likely to try to speak for the attitude of the other body. We do not have the faintest information on what their attitude would be in the event of a conference.

I believe that the distinguished Senator from Delaware probably has a very meritorious proposal. I shall probably be joining him at the time the measure comes before the Senate in the proper way. The Senator has an unfortunate aptitude, however, for advancing proposals at a time when it is least appropriate to consider them, and I think that this is one of those times.

I hope the distinguished Senator will give us an opportunity to vote for this proposal as an amendment to a civil service bill coming from that committee. My friend from Kansas is still in the Chamber. I am sure he would tell us that his committee has been diligent, and that it will make reports. Probably it already has made reports on certain bills. There will be appropriate bills for such an amendment.

If such action cannot be taken, there are certainly more appropriate bills in connection with which to advance such a proposal than a supplemental appropriation bill containing disaster relief items. There are certainly opportunities for Senators to be heard. I have already said that we invite Senators to a hearing before the subcommittee which I have the responsibility of heading and which will consider supplemental bills.

But let us have some approach that is at least partially regular and would give Senators who have some responsibility in the field of appropriations an opportunity to weigh the merits and demerits of the proposal and decide whether they favor it, and, if so, in what kind of bill they propose to place such a proposal.

I will stand with the Senator from Virginia in opposing the placing of this particular amendment on the bill.

Mr. ROBERTSON. I should like to answer as the chairman of the subcommittee handling the bill on the floor of the Senate. I thought I had made it perfectly plain yesterday that I opposed the proposal. I made a point of order against it, which was sustained. The distinguished Senator from Iowa then brought in an amendment which is even broader than the Williams amendment. He would not only prohibit civil service workers from speaking out at a meeting, but he would also prohibit their sending even a written statement to be read at the meeting. In addition, he would include State employees of the Soil Conservation Service in the prohibition. The chairman of our full committee has stated that even if I wished to do so, I am precluded by the rules of the Committee on Appropriations to agree to accept it. I am compelled to follow the rules.

So what is the situation? The Chair has ruled that an amendment similar to the amendment of the distinguished Senator from Iowa is out of order.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. ROBERTSON. The Senator has filed no notice that he would move to suspend the rule. Therefore, under the rule his amendment is out of order.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. MILLER. Does the Senator from Virginia realize that my amendment has not been offered? I believe I understood the Senator from Virginia to say that it had been.

Mr. ROBERTSON. Oh, if the Senator wishes to go through the process, he can offer it. The Chair will rule on it, and we will then vote. However, he cannot move to suspend the rule, because he must first give a full day's notice. If the Senator wishes to follow that path, he may do so. We know where that effort will wind up.

Mr. MILLER. I merely wish to point out that the Senator from Iowa has not yet offered the amendment; that the amendment which had been offered, and to which the point of order was made by the Senator from Virginia, was the amendment of the Senator from Delaware, and not the amendment of the Senator from Iowa.

Mr. ROBERTSON. I understand that the Senator had asked if an amendment which was broader than the one to which I had objected was satisfactory to me. I said of course it was not satisfactory.

Mr. MILLER. The only question that the Senator from Iowa asked informally of the Parliamentarian was whether or not my amendment would conform with the changes made by the Senator from Delaware to the extent of not being subject to a point of order. I received that assurance.

Mr. ROBERTSON. I do not know who gave the Senator that assurance. I do not know how it could be given. If the Senator wishes to bring up the amendment, I will make a point of order. Then we will see what happens. The distinguished Senator from Delaware first brought up the matter. I discussed it with him. He agreed that it should not be put on a bill that applies to only two departments of the Government, and which law shall not become operative until next July, and which we know the House conferees will not accept. There is no point in arguing it one way or the other. We know they will not accept it.

Mr. MILLER. I would merely like to point out that the amendment I had prepared is identical to the amendment identified as "E" of the Senator from Delaware, in the first part of the amendment. The original amendment of the Senator from Delaware, amendment B, read:

> No part of any appropriation contained in this or any other Act.

The Senator from Virginia made a point of order against the words "or any other Act."

Thereupon the Senator from Delaware offered his amendment E, which reads:

> No part of any appropriation contained in this Act.

He deleted the words "or any other Act." The Senator from Iowa had the same words in his amendment in order

to conform it to the Williams amendment.

Mr. ROBERTSON. If the Senator will read the RECORD he will find that the distinguished minority leader, the Senator from Illinois [Mr. DIRKSEN] asked why we did not have a ruling on the point of order made by me. Rule XVI in two places prohibits us from adding legislation limiting an appropriation based on a contingency that may happen in the future. That prohibition is contained in two places in rule XVI. The Williams amendment also provided that his amendment was to apply even on legislation which had not yet been introduced. The Presiding Officer ruled that the Williams amendment was out of order, because it applied to all acts.

Then the minority leader insisted that we have a ruling on the point that I had made, with reference to a limitation based on a contingency happening in the future.

That is just as crystal clear as anything can be. We cannot say, "You can have this money, but if at some future time you make a speech, you cannot have it." We cannot say, either, "You can have this money, but if you write a letter which is read at a public meeting, you cannot have the money."

As I pointed out, the whole purpose of the restriction is to keep the Appropriations Committee from exceeding its functions, which is solely to appropriate money.

The rule has been relaxed with respect to one phase, namely, that we can say specifically, "You shall not spend this money for one purpose, propagandizing." That is the present law. That provision will be in the appropriation bill for the independent offices, and will apply to all agencies, when it comes from the House.

The second part of the Williams amendment, the real heart of the amendment, and as offered by the Senator from Iowa is to amend the Hatch Act with respect to the right of civil service employees to attend and speak at public meetings and functions. But the Miller amendment, as I pointed out, goes beyond the Williams amendment. The Williams amendment applied only to speaking. The Senator from Iowa does not want civil service employees to write anything. The Senator from Iowa also wants to include State employees who are paid with Federal funds.

Mr. WILLIAMS of Delaware. Will the Senator take the amendment as I submitted it? That is the amendment that we are discussing here—not the Miller amendment.

Our amendment would apply only to these two agencies that are mentioned in the bill. It would give an indication that the Senate disapproved the use of money in that manner.

Mr. ROBERTSON. The Senator from Virginia will not accept it. He has said so time after time. He does not think that he has a right to take it. He will not take it. He knows the House will not take it. I will not yield for 1 minute on that.

Mr. WILLIAMS of Delaware. Then we will vote on the question today.

Mr. MILLER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. Does either of the Senators in control of the time yield for that purpose?

Mr. MILLER. I withdraw my request.

Mr. COOPER. Mr. President, I do not intend to speak on the procedural question, because that has been fully debated. I do wish to take this opportunity to say that I hope there will be some way, either with respect to the pending bill or another bill, to avoid such a situation being brought about by a civil service ruling. This is a matter on which there should be no partisanship. It should not be a Republican issue or a Democratic issue. When we consider the history of the efforts that have been made in this country to secure a free and independent civil service, under which the employees would not be under pressure by the administration in power, it is unexplainable that we should see such a situation develop in a new administration which has characterized itself as one of high purposes—one, in its own words, devoted to improving the quality of the people of this Nation in the fields of education and general cultural activities. It is truly unexplainable to see such a callous, cynical and, I may say, monstrous attempt made to influence employees and to deny them—there would be such a denial—their freedom of expression and political rights.

I think it is unexplainable. I also believe the President himself can stop it. It ought not to be necessary to quarrel about it. The President should direct the Civil Service Commission to stop the order and to cancel it.

Mr. President, I simply wished to express myself on the situation. As I said, I have not in any way been able to speak about the procedural question. However, I am speaking about the question of substance and of the honor of the administration, after all the years that have been spent to achieve an independent civil service.

I hope this situation can be corrected by an order of the President so as to restore to the civil service their proper independence and remove any attempt to influence them, interfere with their political liberty and right of political expression.

Mr. ROBERTSON. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Virginia will state it.

Mr. ROBERTSON. The distinguished Senator from Delaware told me over the telephone this morning that although he had filed a motion to suspend the rule respecting his amendment, he had decided not to bring it up and would not ask for a vote.

Mr. WILLIAMS of Delaware. The Senator is correct; but I did so with the understanding that consideration would be given to such an amendment on the supplemental appropriation bill. But the chairman of the subcommittee handling the supplemental appropriation bill has indicated that he will oppose such an amendment to that bill without regard as to its merit. If there is to be such opposition anyway, we might just as well vote now.

I was and still am willing to withdraw my amendment on the basis of a statement that I will get a hearing before a committee. But when the chairman of the committee says in advance that he will oppose the amendment after hearing a discussion on it, why waste time?

This is a very important proposal. We are dealing with policies regarding 1 million civil service employees. I have not heard any Senator say—and if there is one I shall be glad to yield to him—he will defend the Commissioner's ruling and that the rule should stand or that he thinks the administration should be able to direct the civil service employees to speak for the administration's proposed legislation but that it would be a great impropriety if the civil service employees spoke against proposed legislation. I do not think civil service employees should be used for the purpose of either supporting or defeating pending legislation.

Mr. PASTORE. Mr. President, will the Senator from Delaware yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. PASTORE. The Senator from Rhode Island certainly opposes that. I think it is a rule I could support. What we seek to do is to say to certain civil service employees, "If there is a matter pending on which you are versed, a bill about which the people wish to know something, from hearing about it in a political campaign, we would like to have you go out and explain it."

For example, the President of the United States has spoken about the Common Market and free trade. What would be wrong with having someone from the State Department, who is a civil service employee, or someone from the Commerce Department, who is a civil service employee, explain the Common Market or free trade to people who might be interested in those subjects, not on the basis that they are trying to sell something, but are merely trying to explain the purpose.

If an employee of the Department of Commerce does not like a suggestion that is being made by the President of the United States, the Senator from Delaware is saying he ought to be invited to the Rotary Club to oppose the administration.

Mr. WILLIAMS of Delaware. I have never said anything of the kind.

Mr. PASTORE. Is not that what the Senator suggested?

Mr. WILLIAMS of Delaware. No, I did not. If the Senator from Rhode Island had been in the Chamber he would have known that. But he has come into the Chamber after the debate is over and seeks to interpret what another Senator has said. If he wants to be certain of what has been said I suggest that he remain in the Chamber and listen.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. PASTORE. The Senator from Rhode Island heard the Senator from

Delaware say that if there was any Senator in the Chamber who challenged him, he should speak up. I spoke up.

Mr. WILLIAMS of Delaware. Yes; but the Senator should speak his own opinion and not try to speak the opinion of another Senator.

Mr. PASTORE. I am speaking my opinion; I did not speak the opinion of the Senator from Delaware at all.

Mr. WILLIAMS of Delaware. Thank you.

Mr. ROBERTSON. Mr. President, the Senator from Virginia cannot be the keeper of the conscience of the Senator from Delaware; but when he told me he would not bring up his amendment, I so informed the majority leader. The majority leader is not in the Chamber. The minority leader was so informed; he is not here. The majority whip was so informed; he is not here. A number of members of the Committee on Appropriations, who feel it necessary to protect the bill, are not in the Chamber.

If the Senator from Delaware feels he has sufficient reason under those circumstances—and we expect to vote in about 5 minutes—to go back on what he told me——

Mr. WILLIAMS of Delaware. Let us complete the rest of our conversation. The Senator from Virginia indicated that in principle he favored this proposal, and I understood he would like to support it if it were offered to the supplemental appropriation bill.

Mr. ROBERTSON. I beg the Senator's pardon; I did not say that. I said I am in sympathy with the purpose and intent of the Senator's proposal, but I cannot accept it on the pending bill. I said the more appropriate way would be to offer it to the supplemental appropriation bill; then it would become effective almost immediately. The bill under consideration will not become effective until July 1. The supplemental appropriation bill will apply to a number of departments. The pending bill applies to only two.

If the Senator proposed his amendment to the supplemental appropriation bill, he could appear before the committee, and the committee could then vote on whether the subcommittee chairman handling the bill would be authorized to move to suspend the rule.

Mr. WILLIAMS of Delaware. On that point I agree, and I would agree again. But the point I make is that since the time I spoke to the Senator from Virginia, the chairman of the Subcommittee on Supplemental Appropriations has indicated he will oppose the amendment without regard to its merits. What is the use of postponing this question for a hearing before a committee when the chairman of the subcommittee has already rendered a decision? I think this far too important a proposal.

Mr. ROBERTSON. I shall have to oppose the Senator's proposal. A vote has been ordered. I am ready to vote.

Mr. MANSFIELD. Mr. President, will the Senator from Delaware yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. MANSFIELD. I feel quite certain the Senator from Virginia did not say he would not consider the proposal on its merits. The Senator from Delaware must have misunderstood, because I have known the Senator from Virginia, both in the House and the Senate, for 20 years——

Mr. WILLIAMS of Delaware. I did not mean to suggest that the Senator from Virginia is going back on his word or that he would not be fair.

Mr. MANSFIELD. He has always said he would be willing to consider the proposal on its merits. I am sure he would say so again.

Mr. ROBERTSON. I am simply not at liberty to accept any legislation on the pending bill.

Mr. MANSFIELD. That is understood. I hope this problem can be settled amicably.

Mr. WILLIAMS of Delaware. I hope so too. I am willing to go along with the Senator in that desire. But I think the majority leader will agree that recognizing the circumstances, at least we are entitled to a hearing on the supplemental appropriation bill without having the question prejudged by the chairman of the subcommittee which will handle that bill, in a statement that while he might favor the proposal he would not accept it under any circumstances.

All I seek to do is to get the proposal before Congress in some manner. The reason why I did not submit it to the committee earlier is that I waited for nearly 30 days for a reply to a letter I sent to the Attorney General. I am not raising any question about that; that is beside the point. However, I did not get a reply to my letter of February 27 until the last weekend.

The Senator from Massachusetts [Mr. SALTONSTALL] with whom I spoke about the situation, thought we had worked out a constructive solution. I still am willing to go along with such an arrangement.

Mr. SALTONSTALL. Mr. President, will the Senator from Delaware yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. SALTONSTALL. Mr. President, I shall simply say, as I have said in a private conversation with the Senator from Florida [Mr. HOLLAND], that I talked with the Senator from Delaware this morning on this problem. I told him that I thought the proper procedure would be not to push his amendment at this time because there had not been any opportunity for the committee to discuss it or hear it. I said that if he wished to write a letter to the chairman of our committee, the distinguished Senator from Arizona [Mr. HAYDEN], and would send a copy of it to me, I would agree to bring it up before the full Committee on Appropriations when the supplemental appropriation bill was being considered.

I did not commit myself to say that the committee would agree to or act upon the Senator's proposal, but I said I would agree to bring it before the committee. My idea in making that proposal was that the supplemental bill will cover all departments of the Government, whereas the bill now under consideration covers only two departments of the Government; therefore, the other departments would not be considered in the pending bill. That was the result of the conversation I had this morning with the Senator from Delaware. I said that if he would write a letter to the chairman of the committee, I would agree to bring it before the committee to see if they would consider the Senator's proposal when the supplemental appropriation bill was considered by the Committee on Appropriations.

Mr. WILLIAMS of Delaware. I thank the Senator from Massachusetts. That is exactly as I understand the matter.

I am not asking any member of the committee to say he will vote for this amendment without looking at it. But I am asking that there not be a predetermination by any member of the committee to oppose my proposal, no matter what it covers.

If I now withdraw my amendment I think I should have assurance that the proposal will be considered on its merits, rather than to be opposed solely on the basis that it is to be offered as an amendment to the supplemental appropriation bill.

The PRESIDING OFFICER. The hour of 12 o'clock has arrived.

Mr. MANSFIELD. Mr. President, I ask that the time under the unanimous-consent agreement be extended 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WILLIAMS of Delaware. Mr. President——

Mr. MANSFIELD. Mr. President, will the Senator from Delaware yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. MANSFIELD. Mr. President, it appears to me that this proposal does not, in effect, have the prerequisites for consideration on the basis of an amendment to an appropriation bill, but, instead, that it would best be considered as a piece of regular legislation, because it is specifically, at least to an extent, tied up with the Hatch Act. Furthermore, the procedure under the rules relating to appropriation bills calls for the maintenance of a rather delicate balance.

I understood the Senator from Massachusetts to say he had discussed this matter with the Senator from Delaware, and that the Senator from Delaware had agreed to write a letter to the chairman of the Appropriations Committee; and that, on the basis of the letter, the Senator from Massachusetts, the ranking member of the committee on the Republican side, would take up this matter with the chairman of the committee, and would see what could be done at a future time.

I hope the Senator from Delaware will not attempt at this time to bind the committee to an agreement to consider the proposal in connection with the supplemental appropriation bill, but—instead—will, following the debate which has been had, provide an opportunity to determine what could be done in a regular parliamentary manner in connection with his proposal.

Mr. HOLLAND. Mr. President, will the Senator from Delaware yield to me?

Mr. WILLIAMS of Delaware. I yield.

Mr. HOLLAND. In the absence of the majority leader, I had already gone further, I think, than the Senator has indicated he had gone in his conference with the Senator from Delaware, which the Senator had very kindly communicated to me.

I told the Senator from Delaware that I now invite him to appear before the Appropriations Subcommittee which I happen to head, and there be heard; and I stated that any other Senator could be heard there at the same time. But I also told the Senator from Delaware that I would be hard to sell on his proposal to include in that appropriation bill general legislation of this type, regardless of whether I support the proposal, even when properly presented as an amendment to a supplemental appropriation bill, for that bill includes appropriations of $35 million in emergency funds for disaster relief and loans to the areas on the middle Atlantic coast, and elsewhere, because of recent storms and floods.

I now repeat that I gladly invite the Senator from Delaware to appear before the subcommittee; and he does not have to write a letter to anyone—any more than he has had to do so in the past; and he will be heard fully and courteously.

My own feeling is that he will be coming to the wrong place in order to get such a controversial proposal enacted into law as part of that particular appropriation bill. I am frank to make that statement.

Mr. MANSFIELD. Mr. President, if the Senator from Delaware will yield further——

Mr. WILLIAMS of Delaware. I yield.

Mr. MANSFIELD. I would have no doubt that if this proposal were made before a regular Appropriations Subcommittee, all members would approach the proposal with open minds, and would consider it on its merits.

Mr. HOLLAND. Mr. President, I certainly agree with the statement of the majority leader. I, at least, mean that if I thought this proposal should not be considered as an amendment to a particular appropriation bill, I would vote to add it as an amendment to another bill. Every one of the 27 members of the Appropriations Committee has a right to cast his vote on any such matter as he thinks best, and that is what generally is done. If I felt that such a proposal should be attached to an appropriation bill, I would be glad to assist in getting it so attached.

However, for the reasons I have already stated, I do not think it would be appropriate to attach it to the supplemental appropriation bill.

Mr. WILLIAMS of Delaware. But do I correctly understand the Senator from Florida to say that he would approach this matter with an open mind?

Mr. HOLLAND. Yes, as to its desirability; but I have already said that I do not think it would properly be a part of the supplemental appropriation bill.

Mr. CARLSON. Mr. President, will the Senator from Delaware yield to me?

Mr. WILLIAMS of Delaware. I yield.

Mr. CARLSON. In view of the statements which have been made, I hope the Senator from Delaware will withdraw his amendment at this time. Of course, I said earlier that I regretted the decision which had been made in regard to the announced position taken by the Civil Service Commission. I believe that was a mistake.

Mr. HOLLAND. Mr. President, if the Senator from Delaware will yield further, let me say that I think we need to have an opportunity to have more light thrown on this matter and more consideration given to it. As I understand, yesterday the proposal was changed several times, with the result that at various times three different versions of it were under consideration, following the making of the various changes.

I invite the Senator from Delaware to appear before the Appropriations Subcommittee which I happen to head—and of course I am a member of other Appropriations Subcommittees, and I am also a member of the full Appropriations Committee. One of the members, as the Senator knows, is the distintinguished Senator from Massachusetts [Mr. SALTONSTALL]—and there is no more highly respected member than he—who already has taken a clear position on this matter.

So I think the Senator from Delaware will serve best his own cause, rather than do it a disservice, if he thus proceeds to lay a predicate for a sound hearing of his proposal and for its consideration by the committee.

Mr. WILLIAMS of Delaware. That is what I wanted, Mr. President—to have the matter heard and fairly considered; and the Senator from Florida has now assured us that such will be the case, and I know the Senator from Florida well enough to know that he means it. This is an important matter because it relates to all civil service employees. Before concluding, however, I point out that this proposal is not one to amend the Hatch Act. Instead, it would amend a law which previously was enacted as a part of an appropriation bill. It was approved in July of last year as part of the Department of Commerce appropriation bill and covered not only the appropriations made under that act but also the appropriations made under all other appropriation acts of that year. In view of the language used at that time, I supported it, and I think it received the unanimous support of the Appropriations Committee notwithstanding the fact that all recognized that it was legislation on an appropriation bill. All of us supported it at that time and thought that the language was broad enough to protect the workers.

The PRESIDING OFFICER. The additional time made available for debate on this subject has expired.

Mr. WILLIAMS of Delaware. Mr. President, may we have an additional 5 minutes?

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the time for debate on this matter be extended for 5 additional minutes.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. DIRKSEN. Mr. President, will the Senator from Delaware yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. DIRKSEN. I wonder whether the distinguished majority leader will restate his assurances in regard to this matter.

Mr. MANSFIELD. The assurances were made by the distinguished senior Senator from Florida [Mr. HOLLAND]. I am prepared to support him in what he has stated today on the floor of the Senate, and I think that is satisfactory to the Senator from Delaware.

Mr. WILLIAMS of Delaware. Yes; it is.

Mr. DIRKSEN. In the interest of clarity and understanding, may I ask the Senator from Florida to restate the understanding?

Mr. HOLLAND. Mr. President, the first time I discussed this matter today, I stated to the Senator from Delaware that as chairman of the subcommittee which handles the supplemental appropriation bill—which soon will be before the Senate; the hearings on it will begin next week—I cordially invite him to appear before the subcommittee and state his case. I told him he would receive a courteous and generous hearing, and so will any other Senators who wish to appear in connection with the matter.

I also told him that in my judgment that bill would be an unfortunate one to which to attach his proposed amendment—even if all of us agreed that it was appropriate to attach his amendment to an appropriation bill—because of the fact that that bill includes appropriations of $35 million of disaster relief funds, to enable badly needed disaster relief work to proceed immediately on the middle Atlantic seaboard and at other places, but particularly there.

In my last statement, to which the Senator from Montana has referred, I said that probably I would maintain the position that the supplemental appropriation bill would be an unfortunate bill to which to attach the amendment; but I said that as a member of the full committee, if I were "sold" upon the desirability of attaching this amendment to any appropriation bill, I certainly would feel free to endeavor to attach it to the next bill which comes up—a bill which would not include such emergency items—because it will not be effective until the 1st of July.

I have expressed the hope that that course would be followed, because there has been no hearing on this question. The wording has been changed even since it has been introduced. We do not have the presence of the senior Senator from South Carolina [Mr. JOHNSTON], who is chairman of the legislative committee involved. We do not know what his attitude would be. I think a hearing either before the subcommittee, and getting to the full committee through that course, or before any other subcommittee, and getting to the full committee in that way, will give more light on this matter and probably will result, in my judgment, in the adoption of the amendment.

I have expressed general approval of the objectives which I understand the Senator from Delaware has in mind. I am going to be hard to "sell" that such a proposal should have application on an emergency appropriation bill which contains disaster funds, without knowledge of what the legislative committee feels should be done, and of course without knowledge of what the other body may decide is its own position, either through the committee or the conference which would ensue.

I think that is a pretty sound position and makes good commonsense. I think it will give us light, where nobody has had any light on it, because no Member of Congress saw the wording until yesterday, and it has been changed twice since that time.

I think the Senator from Illinois will say it is a fair proposal and fairly made.

Mr. WILLIAMS of Delaware. I would like to comment on what the Senator from Florida said about the language and the fact that it was changed. First it was extended to cover all other acts, and the second change was to confine it to this bill alone. The substance of the language remained the same in both amendments.

Mr. MANSFIELD. Mr. President, I may add to what the Senator from Florida has said that the ranking minority member of the Appropriations Committee has said he has discussed this matter with the Senator from Delaware and has suggested that a letter be written to the chairman of the Appropriations Committee, the Senator from Arizona [Mr. HAYDEN], that every consideration be given to the expression by the Senator from Delaware.

Mr. SALTONSTALL. That is correct.

Mr. DIRKSEN. Only one comment, Mr. President. I think there is a tendency to look with real disfavor upon a line or a proposal being attached to an appropriation bill. I do not regard that as an absolute. First, under the rules, we do provide for suspension of the rules to admit legislation on an appropriation bill; but it is never to be forgotten that we are dealing with funds out of the Federal Treasury, and that it is within the province of Congress, and in fact its duty, to prescribe proper limitations for the extension of the funds and to delimit the purpose for which they are expended. This proposal comes within that purview. So limitations are always in order.

It is not always easy to spell out in an amendment language which does not admit of contingency or give directions which are subject to points of order; but if Congress is not to utilize the power to place a limitation on the funds, then it will have to make an accounting for the extravagance and waste that occur.

But, more importantly, and as involved in this amendment, Federal employees may be undertaking something that, in my judgment, is in contravention of the Hatch Act, and, along with that, something which goes to the heart of the ruling that was issued by Mr. Macy on the Civil Service Commission.

I do not concur with that ruling at all. There were 1,079,000 civil service employees as of June 30, 1961. If we are going to turn them loose to become propagandists and salesmen, then I despair of the very future of our Government, because they would do so if they had a vested interest in something that served their purpose and well-being. And, believe me, that is a very substantial machine.

This is a serious matter. Therefore it merits careful attention on the part of the Senate.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. PASTORE. Is it not a fact that the pending appropriation bill does not become operative until the 1st of July 1962?

Mr. DIRKSEN. That is correct.

Mr. PASTORE. I quite agree with the Senator that there are instances in which there have been motions to suspend the rules in order to have limitations on an appropriation bill. That is perfectly proper. In this particular case I think the amendment is far reaching. We are assuming many things for which no proof has been given. What we are saying here is that this administration is deliberately employing civil service employees to go out and campaign politically. That is the implication that has been leveled at the Senate, not only today, but yesterday.

I believe the place where the amendment ought to go is before the legislative committee. There everybody will be able to vent his spleen. Everyone can make whatever political speech he desires to make. Everybody can make whatever whistlestop speech he wishes to make. Then it can be ascertained whether this administration is deliberately using civil service employees to play the game of politics, as it has been accused of doing. I am not in favor of that practice but I do not believe the administration has been doing it. That is my objection to the amendment at this time.

Mr. DIRKSEN. Mr. President, are we still within the time limitation?

The PRESIDING OFFICER. The time has expired.

Mr. DIRKSEN. I ask unanimous consent that the time be extended for 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DIRKSEN. I can concur with what the distinguished Senator from Rhode Island has said, but I call attention to the fact that when we go before the Appropriations Committee with a legislative proposal dealing with this subject matter, time runs out, and I have seen it happen so often in both branches of Congress, so that we get nowhere. So, as a matter of quiet desperation, ofttimes we have to resort to limitations on appropriation bills to get done what we desire. I do not think there is anything wrong with it, nor is that technique offensive under the rules. When we are dealing with limitations, sometimes it is the only effective course we can pursue.

Ever since the Pendleton Act, which goes back to 1893, the whole hope has been to establish a career service based upon merit, so that those who are in the service are protected, and I think they must be protected regardless of the administration that is in power, so they can freely refuse to become salesmen or propagandists for something, or can enter into such activity within the provisions of the Hatch Act. That security of the American citizen who works for his Government must always be protected. That is the first consideration.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. PASTORE. I agree wholeheartedly with what the Senator has said. I believe in the Hatch Act. I do not believe we ought to use career or civil service employees to play politics. I have said that before. This is a serious question, because several letters in the possession of the Senator from Delaware have exceedingly disturbed him over the way this administration is alleged using civil service employees to play the game of politics, something which has never been done before. I do not believe it. That accusation has not been proved. It has not been documented. The Senator from Rhode Island does not believe the case has been proved.

Mr. DIRKSEN. What disturbs me is Mr. Macy's letter, which was read on the floor today, wherein he says, in response to the Senator from Delaware, that in his remembrance or recollection this has never been done before. There we are dealing with something that is new, and in fact quite disturbing.

Mr. WILLIAMS of Delaware. Mr. President, with the assurance I have received from the minority leader, the majority leader, the ranking minority member of the committee, and the chairman of the Appropriations Committee that this matter will be considered on its merits I am not going to press at this time for a suspension of the rules; instead I will appear before the Appropriations Committee at the appropriate time, and I will notify the chairman of the committee of the request for such an opportunity. I think this is far too important to be brushed aside. I notify the Senate that I will not press the matter now.

I desire to say this in reply to what the Senator from Rhode Island has said about this ruling being nothing new. I asked Chairman Macy for a copy of the ruling and I also asked him to search the records, to see if there were any precedent for such a ruling heretofore. I quote from Chairman Macy's letter, under date of February 15:

To the best of my knowledge, the text of this statement has not been previously distributed.

Chairman Macy went further. I asked him to give his interpretation of the law as he understands it, not as I understand it. I wish to quote from Chairman Macy's statement in which he refers to the law as it governs the manner in which the civil service employees can speak before interested public groups on

behalf of or against pending legislation. He stated:

A more difficult decision is faced when new or changed programs are pending before Congress in the form of proposed legislation. Definitive statutory language prohibits the use of appropriated funds for "publicity or propaganda designed to support or defeat legislation pending before Congress."

I repeat that sentence:

Definitive statutory language prohibits the use of appropriated funds for "publicity or propaganda designed to support or defeat legislation pending before Congress."

That is not my statement. That is Chairman Macy's argument on the existing law. He states further:

Aware of these implications, however, the career official may explain the position of the administration in the proposed legislation before interested public groups.

I then directed a letter to the Attorney General, and I received his reply thereto as to his interpretation of this ruling. The Attorney General in his reply, which I did not receive until a couple of days ago, upheld the legality of the ruling for civil service employees to support the position of the administration or as he says "to explain."

I then asked if civil service employees are to speak in behalf of the administration programs and are so directed what would happen if they spoke against pending legislative proposals of the administration. I should like to read the question and the answer.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. WILLIAMS of Delaware. Mr. President, with the withdrawing of the motion, there will be no vote at this time, will there?

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. In just a moment. May I have a ruling?

Mr. ROBERTSON. Mr. President, I ask unanimous consent that my colleague may have an additional 5 minutes to complete his statement.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WILLIAMS of Delaware. We have debated this subject. I wish to read my question to the Attorney General, in my letter of February 27. This question was based on the premise that his ruling confirmed their right or duty to to speak for pending legislation.

I asked:

Can career employees who may differ with the position of the administration speak before interested public groups in opposition to the administration's position on pending legislation without any fear of retaliation or without jeopardizing the security of their position?

The question was asked in the event the Attorney General ruled that they could be instructed to speak for the program.

I ask unanimous consent that the Attorney General's reply be printed in the RECORD at this point.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

The legal considerations pertinent to your question concerning a career employee's publicly expressed opposition to an administration's legislative recommendation are to a large extent the same as those discussed above. But, granting the legality of such public action in a particular instance, I believe it would nevertheless constitute a serious impropriety. Although a career official is entitled and expected to present his independent views to his superiors, they in turn are entitled to his cooperation and support in respect of a policy once it is settled. And they are entitled to that cooperation and support from him even though he may not agree with the policy. Whatever may be proper for such an official acting in a clearly private capacity, I think it would be a distinct breach of his duty as a career official to use his official position publicly to oppose the policies of the administration he serves.

Mr. WILLIAMS of Delaware. In the letter the Attorney General states that the career employees can legally speak either for or against pending legislation but, that it would be considered to be a "serious impropriety" if they exercised their right to express opposition. He insists that the administration is entitled to the public support of these civil service employees even though they may not agree with the policy which they are being asked to defend.

I shall not ask again to include in the RECORD the complete ruling of Commissioner Macy and the letter or ruling of the Attorney General, but Senators who are interested in the full correspondence can find it in yesterday's CONGRESSIONAL RECORD on pages 5286 and 5287. Commissioner Macy's letter and ruling as well as the Attorney General's interpretation are all in the RECORD along with a copy of the provision of law which we are proposing to amend.

Again I wish to call specific attention to the fact that what we are proposing to amend is a legislative proposal which was attached last year to an appropriation bill by the Appropriations Committee and which was approved by the Congress. It represents section 509 of the General Government Matters, Department of Commerce, and Related Agencies Appropriation Act, 1962, which is now Public Law 87-126.

Mr. President, I ask unanimous consent that the provision of law which we are seeking to amend at this time be printed in the RECORD as a part of my remarks.

There being no objection, the provision was ordered to be printed in the RECORD, as follows:

Section 509 of the General Government Matters, Department of Commerce, and Related Agencies Appropriation Act, 1962, approved August 3, 1961 (Public Law 87-126):

"No part of any appropriation contained in this or any other Act, or of the funds available for expenditure by any individual, corporation, or agency included in this or any other Act, shall be used for publicity or propaganda purposes designed to support or defeat legislation pending before Congress."

Mr. WILLIAMS of Delaware. I point out again that the provision of the law which I am seeking to amend, upon which the ruling is based, is a legislative proposal which was approved by the Congress last year on an appropriation bill and supported, as I understand, by every member of the Appropriations Committee with the full knowledge that it was legislation governing the rights of employees to actively support or oppose pending legislation.

To make sure there is no misunderstanding, I read the law as it was approved and as it was intended:

No part of any appropriation contained in this or any other Act, or of the funds available for expenditure by any individual, corporation, or agency included in this or any other Act, shall be used for publicity or propaganda purposes designed to support or defeat legislation pending before Congress.

We thought we had done the job properly when we passed that provision. It clearly says: "designed to support or defeat."

Clearly it was the intention of the Congress to prevent civil service employees from being used to support or to defeat legislation.

However, since there has been a ruling that this language is not adequate, what I propose is to broaden the language to make sure we override the recent ruling and reestablish civil service employees to their historical basis.

Mr. President, I withdraw the motion to suspend the rules.

Mr. ROBERTSON. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Virginia will state it.

Mr. ROBERTSON. Is my understanding correct, that yesterday, by unanimous consent, the committee amendments were agreed to?

The PRESIDING OFFICER. The committee amendments have been agreed to.

Mr. ROBERTSON. Mr. President, if there are no further amendments to be proposed, I ask for the third reading of the bill.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. DIRKSEN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DIRKSEN. Is there an appeal pending from the ruling of the Chair on yesterday?

The PRESIDING OFFICER. The Senator made an appeal yesterday.

Mr. DIRKSEN. Mr. President, I withdraw the appeal.

The PRESIDING OFFICER. The appeal is withdrawn.

The bill is open to further amendment. If there be no amendment to be proposed, the question is on the engrossment of the amendments and third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill (H.R. 10526) was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (H.R. 10526) was passed.

Mr. ROBERTSON. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. TALMADGE. Mr. President, I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion to

lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

Mr. ROBERTSON. Mr. President, I move that the Senate insist upon its amendments, request a conference with the House of Representatives thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. ROBERTSON, Mr. MCCLELLAN, Mr. MONRONEY, Mr. BIBLE, Mr. HAYDEN, Mr. JOHNSTON, Mr. HRUSKA, Mr. KUCHEL, and Mr. ALLOTT conferees on the part of the Senate.

Mr. MUSKIE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. MUSKIE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BURDICK in the chair). Is there objection? The Chair hears none, and it is so ordered.

CALL OF THE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will now proceed to the consideration of measures on the calendar, beginning with Order No. 1197, S. 1180.

CARLOS TEODORO TREVINO SANCHEZ

The bill (S. 1180) for the relief of Carlos Teodoro Trevino Sanchez was considered, ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Carlos Teodoro Trevino Sanchez shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee.

KENNETH DAVID WOODEN

The bill (S. 1962) for the relief of Kenneth David Wooden was considered, ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor child, Kenneth David Wooden, shall be held and considered to be the natural-born alien child of Harold Hoover Wooden, a citizen of the United States: *Provided*, That no natural parent of Kenneth David Wooden, by virtue of such parentage, shall be accorded any right, privilege, or status under the Immigration and Nationality Act.

DOMENICO MARTINO

The bill (S. 2003) for the relief of Domenico Martino was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of paragraph (9) of section 212(a) of the Immigration and Nationality Act, Domenico Martino may be issued an immigrant visa and admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of such Act: *Provided*, That this Act shall apply only to grounds for exclusion under such paragraph known to the Secretary of State or the Attorney General prior to the date of the enactment of this Act.

TINA JANE BELAND

The bill (S. 2099) for the relief of Tina Jane Beland was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor child, Tina Jane Beland, shall be held and considered to be the natural-born alien child of Marcel Albert Beland and Lottie Beatrice Beland, citizens of the United States: *Provided*, That the natural parents of the said Tina Jane Beland shall not, by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act.

FELIPE O. PAGDILAO

The bill (S. 2147) for the relief of Felipe O. Pagdilao was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Felipe O. Pagdilao shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such a quota is available.

MANUEL ARRANZ RODRIGUEZ

The bill (S. 2186) for the relief of Manuel Arranz Rodriguez was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Manuel Arranz Rodriguez shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act upon payment of the required visa fee.

WONG GEE WONG

The bill (S. 2232) for the relief of Wong Gee Wong was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor child, Wong Gee Wong, shall be held and considered to be the natural-born alien child of Hom Quock Min, a citizen of the United States: *Provided*, That the natural parents of the said Wong Gee Wong shall not, by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act.

LEE R. GARCIA

The bill (S. 2243) for the relief of Lee R. Garcia, also known as Lino Rios Garcia, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Attorney General is authorized and directed to cancel any outstanding orders and warrants of deportation, warrant of arrest, and bonds, which may have issued in the case of Lee R. Garcia, also known as Lino Rios Garcia. From and after the date of the enactment of this Act, the said Lee R. Garcia, also known as Lino Rios Garcia, shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or any such warrants and orders have issued.

ROBERT RABIN

The bill (S. 2284) for the relief of Robert Rabin (Kazuo Inoue) was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor child, Robert Rabin (Kazuo Inoue), shall be held and considered to be the natural-born alien child of Stanford Rabin, a citizen of the United States: *Provided*, That the natural parents of the said Robert Rabin (Kazuo Inoue) shall not, by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act.

BYRON WONG

The bill (S. 2300) for the relief of Byron Wong was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Byron Wong shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act upon payment of the required visa fee. Upon granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

ARIE ABRAMOVICH

The bill (S. 2736) for the relief of Arie Abramovich was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Attorney General is authorized and directed to cancel any outstanding orders and warrants of deportation, warrant of arrest, and bonds, which may have issued in the case of Arie Abramovich. From and after the date of the enactment of this Act, the said Arie Abramovich shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or any such warrants and orders have issued.

DR. TING-WA WONG

The Senate proceeded to consider the bill (S. 315) for the relief of Dr. Ting-Wa Wong, which had been reported from the Committee on the Judiciary, with an amendment, in line 6, after the word "of", where it appears the first time, to strike out "the date of the enactment of this Act" and insert "September 11, 1958,"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Ting-Wa Wong shall be held and considered to have been lawfully admitted to the United States for permanent residence as of September 11, 1958, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

MARIJA GRUSKOVNJAK

The Senate proceeded to consider the bill (S. 317) for the relief of Marija Gruskovnjak which had been reported from the Committee on the Judiciary, with an amendment, on page 1, line 7, after the word "fee.", to strike out "Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.", and insert "Upon the enactment of this Act, the Attorney General shall reduce by one number the number of refugees who may be paroled into the United States pursuant to sections 1 and 2(a) of the Act of July 14, 1960 (74 Stat. 504), during the fiscal year ending June 30, 1962."; so as to make the bill read:

Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Marija Gruskovnjak shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the enactment of this Act, the Attorney General shall reduce by one number the number of refugees who may be paroled into the United States pursuant to sections 1 and 2(a) of the Act of July 14, 1960 (74 Stat. 504), during the fiscal year ending June 30, 1962.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

YICK YUEN LEE

The Senate proceeded to consider the bill (S. 732) for the relief of Yick Yuen Lee, which had been reported from the Committee on the Judiciary, with an amendment, in line 6, after the word "of", to strike out "Soon Lee, a citizen" and insert "Mr. and Mrs. Soon Lee, citizens"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor child, Yick Yuen Lee, shall be held and considered to be the natural-born alien child of Mr. and Mrs. Soon Lee, citizens of the United States: *Provided*, That the natural parents of the said Yick Yuen Lee shall not, by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

RUDOLPH AMBRA

The Senate proceeded to consider the bill (S. 1630) for the relief of Rudolph Ambra, which had been reported from the Committee on the Judiciary, with an amendment, in line 7, after the word "fee", to insert a colon and "*Provided*, That nothing in this act shall be construed to waive the provisions of section 315 of the Immigration and Nationality Act."; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purposes of the Immigration and Nationality Act, Rudolph Ambra shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee: *Provided*, That nothing in this Act shall be construed to waive the provisions of section 315 of the Immigration and Nationality Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ORSOLINA CIANFLONE IALLONARDO

The Senate proceeded to consider the bill (S. 1915) for the relief of Orsolina Cianflone Iallonardo, which had been reported from the Committee on the Judiciary, with an amendment, in line 5, after "(Public Law 86-363)", to insert a colon and "*Provided*, That the natural parents of the beneficiary shall not, by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act, and the provisions of section 24(a)(7) of the Act of September 26, 1961 (Stat. 657), shall not be applicable in this case.", so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Orsolina Cianflone Iallonardo is deemed to be within the purview of section 4 of the Act of September 22, 1959 (Public Law 86-363): *Provided*, That the natural parents of the beneficiary shall not, by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act, and the provisions of section 24(a)(7) of the Act of September 26, 1961 (Stat. 657), shall not be applicable in this case.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MICHELE EMILIO MAFFEO

The Senate proceeded to consider the bill (S. 1937) for the relief of Michele Emilio Maffeo, which had been reported from the Committee on the Judiciary, with an amendment, to strike out all after the enacting clause and insert:

That, notwithstanding the provisions of sections 212(a)(9), (10), (17), and (19) of the Immigration and Nationality Act, Michele Emilio Maffeo may be issued an immigrant visa and admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of such Act: *Provided*, That these exemptions shall apply only to grounds for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

HAJIME SUMITANI

The Senate proceeded to consider the bill (S. 1943) for the relief of Hajime Sumitani, which had been reported from the Committee on the Judiciary, with an amendment, in line 7, after the word "fee", to insert a colon and "*Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the Immigration and Nationality Act."; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Hajime Sumitani shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the Immigration and Nationality Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ANIELA WOJTOWICZ

The Senate proceeded to consider the bill (S. 2167) for the relief of Aniela Wojtowicz, which had been reported from the Committee on the Judiciary, with an amendment, on page 1, line 7, after the word "fee.", to strike out "Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available" and insert "Upon the enactment of this Act, the Attorney General shall reduce by one number the number of refugees who may be paroled into the United States pursuant to sections 1 and 2(a) of the Act of July 14, 1960 (74 Stat. 504), during the fiscal year ending June 30, 1962."; so as to make the bill read:

Be it enacted, That, for the purposes of the Immigration and Nationality Act, Aniela Wojtowicz shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the enactment of this Act, the Attorney General shall reduce by one number the number of refugees who may be paroled into the United States pursuant to sections 1 and 2(a) of the Act of July 14, 1960 (74 Stat. 504), during the fiscal year ending June 30, 1962.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MRS. HEGHINE TOMASSIAN

The Senate proceeded to consider the bill (S. 2184) for the relief of Mrs. Heghine Tomassian, which had been reported from the Committee on the Judiciary, with an amendment, to strike out all after the enacting clause and insert:

That, for the purposes of the Immigration and Nationality Act, Mrs. Heghine Tomassian shall be deemed to have been born in France.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

JOZEF BUDNY

The Senate proceeded to consider the bill (S. 2203) for the relief of Jozef Budny, which had been reported from the Committee on the Judiciary, with an amendment, on page 1, line 7, after the word "fee", to strike out "Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available." and insert "Upon the enactment of this Act, the Attorney General shall reduce by one number the number of refugees who may be paroled into the United States pursuant to sections 1 and 2(a) of the Act of July 14, 1960 (74 Stat. 504), during the fiscal year ending June 30, 1962."; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Josef Budny shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the enactment of this Act, the Attorney General shall reduce by one number the number of refugees who may be paroled into the United States pursuant to sections 1 and 2(a) of the Act of July 14, 1960 (74 Stat. 504), during the fiscal year ending June 30, 1962.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JAMES TAKEO NIGO

The Senate proceeded to consider the bill (S. 2276) for the relief of James Takeo Nigo, which had been reported from the Committee on the Judiciary, with an amendment, in line 6, after the word "residence", to strike out "on February 18, 1955" and insert "as of the date of the enactment of this Act upon payment of the required visa fee."; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, James Takeo Nigo shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act upon payment of the required visa fee.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

GEORGE ROSS HUTCHINS

The Senate proceeded to consider the bill (S. 2339) for the relief of George Ross Hutchins, which had been reported from the Committee on the Judiciary, with an amendment, to strike out all after the enacting clause and insert:

That, notwithstanding the provision of section 212(a)(3) of the Immigration and Nationality Act, George Ross Hutchins may be issued a visa and be admitted to the United States for permanent residence if he is otherwise admissible under the provisions of that Act: *Provided*, That the exemption granted herein shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

SHUNICHI AIKAWA

The Senate proceeded to consider the bill (S. 2340) for the relief of Shunichi Aikawa, which had been reported from the Committee on the Judiciary, with an amendment, in line 6, after the word "residence", to strike out "on January 25, 1955" and insert "as of the date of the enactment of this Act,"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Shunichi Aikawa shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MARIA CARMINA CONTI

The Senate proceeded to consider the bill (S. 2389) for the relief of Maria Carmina Conti, which had been reported from the Committee on the Judiciary, with an amendment, on page 1, line 8, after the word "Act", to insert a colon and "*Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said Act."; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of paragraph (1) of section 212(a) of the Immigration and Nationality Act Maria Carmina Conti may be issued an immigrant visa and admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of such Act: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said Act. This Act shall apply only to grounds for exclusion under such paragraph known to the Secretary of State or the Attorney General prior to the date of the enactment of this Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ELAINE ROZIN RECANATI

The Senate proceeded to consider the bill (S. 2418) for the relief of Elaine Rozin Recanati, which had been reported from the Committee on the Judiciary, with an amendment, to strike out all after the enacting clause and insert:

That, in the administration of the Immigration and Nationality Act, section 352(a)(2) shall not be held to have been or to be applicable to Elaine Rozin Recanati, a citizen of the United States, provided she returns to the United States for permanent residence prior to March 15, 1967.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

HRATCH SAMUEL ARUKIAN

The Senate proceeded to consider the bill (S. 273) for the relief of Hratch Samuel Arukian, which had been reported from the Committee on the Judiciary, with an amendment, to strike out all after the enacting clause and insert:

That, for the purposes of the Immigration and Nationality Act, Hratch Samuel Arukian

shall be deemed to have been born in Ethiopia.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

NINA LONGFIELD-SMITH

The Senate proceeded to consider the bill (S. 2011) for the relief of Nina Longfield-Smith, which had been reported from the Committee on the Judiciary, with an amendment, at the beginning of line 5, to strike out "Nina" and insert "Antonia"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor child, Antonia Longfield-Smith, shall be held and considered to be the natural-born alien child of Captain and Mrs. John W. Longfield-Smith, citizens of the United States: *Provided*, That the natural parents of the beneficiary shall not, by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended, so as to read:

A bill for the relief of Antonia Longfield-Smith.

WAHIDI ROMANOS JARIASH

The Senate proceeded to consider the bill (S. 2461) for the relief of Wahidi Romanos Jariash (also known as Waheeda Bachus Romanos), which had been reported from the Committee on the Judiciary, with amendments, on page 1, at the beginning of line 3, to strike out "That, notwithstanding the provisions of paragraphs (22) and" and insert "That, notwithstanding the provisions of paragraph"; in line 6, after the name "Wahidi", to strike out "Romanos" and insert "Romanus", and in line 7, after the name "Bachus", to strike out "Romanos" and insert "Romanus"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of paragraph (25) of section 212(a) of the Immigration and Nationality Act, Wahidi Romanus Jariash (also known as Waheeda Bachus Romanus) may be issued an immigrant visa and admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of such Act. This Act shall apply only to grounds for exclusion under such paragraphs known to the Secretary of State or the Attorney General prior to the date of the enactment of this Act.

The title was amended, so as to read:

A bill for the relief of Wahidi Romanus Jariash (also known as Waheeda Bachus Romanus.)

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

SALLY ANN BARNETT

The Senate proceeded to consider the bill (S. 2562) for the relief of Sally Ann Barnett, which had been reported from the Committee on the Judiciary, with amendments, in line 5, after the name "Ann", to strike out "Barnette" and insert "Barnett"; in line 7, after the initial "W.", to strike out "Barnette" and insert "Barnett", and in line 8, after the name "Ann", to strike out "Barnette" and insert "Barnett"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor child, Sally Ann Barnett, shall be held and considered to be the natural-born alien child of Mr. and Mrs. Charles W. Barnett, citizens of the United States: *Provided*, That no natural parent of Sally Ann Barnett, by virtue of such parentage, shall be accorded any right, privilege, or status under the Immigration and Nationality Act.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

The title was amended, so as to read:

A bill for the relief of Sally Ann Barnett

BILL PASSED OVER

The bill (H.R. 3008) for the relief of Hom Hong Hing, also known as "Tommy Joe" was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. MUSKIE. I ask that the bill go over.

The PRESIDING OFFICER. The bill will go over.

JOHN E. BEAMAN AND ADELAIDE K. BEAMAN

The bill (S. 508) for the relief of John E. Beaman and Adelaide K. Beaman was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any statute of limitations or lapse of time, suit may be instituted in the United States Court of Claims at any time within one year after the date of the enactment of this Act to hear, determine, and render judgment on the claim of John E. Beaman and his wife, Adelaide K. Beaman, for compensation for depreciation of real property owned by them, the value of which allegedly has depreciated as the result of jet aircraft activities carried on by the United States at and in the vicinity of MacDill Air Force Base, Tampa, Florida.

Sec. 2. Proceedings in the suit authorized to be instituted by the first section of this Act, appeals, and judgments rendered therein shall conform to proceedings, appeals, and judgments in cases heard under section 1491 of title 28, United States Code. Nothing in this Act shall be construed as an inference of liability on the part of the United States.

HARVEY BURSTEIN

The bill (S. 2151) for the relief of Harvey Burstein was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Harvey Burstein of Mamaroneck, New York, is hereby relieved of all liability to repay to the United States the sum of $1,047.34, representing overpayments of salary which he received as an employee of the Department of State for the period from October 7, 1953, through February 19, 1954, as the result of his appointment to a position in grade GS-14 in violation of section 1310 of the Supplemental Appropriation Act, 1952 (the so-called Whitten amendment), as amended.

Sec. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Harvey Burstein, the sum of any amounts received or withheld from him on account of the overpayments referred to in the first section of this Act.

EDWARD L. WERTHEIM

The Senate proceeded to consider the bill (S. 2549) for the relief of Edward L. Wertheim which had been reported from the Committee on the Judiciary, with an amendment, on page 1, at the beginning of line 5, to strike out "the payment of compensation and allowances" and insert "medical care"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of Veterans' Affairs is authorized and directed to pay, out of any money available for medical care to veterans, to Edward L. Wertheim, of Douglaston, Long Island, New York, the sum of $314.07, in full satisfaction of all his claims against the United States for reimbursement of certain medical expenses which he incurred while receiving outpatient medical treatment during the period from November 14, 1959, through June 16, 1960, after his discharge from the Veterans' Administration Hospital, New York City, New York, on November 10, 1959, the said Edward L. Wertheim having failed to obtain an authorization for such outpatient treatment as a result of erroneous advice given him by an official of the United States.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the thrd time, and passed.

BILL PASSED OVER

The bill (S. 17) conferring jurisdiction on the Court of Claims to make findings with respect to the amount of compensation to which certain individuals are entitled as reimbursement for damages sustained by them as a result of the cancellation of their grazing permits by the U.S. Air Force, and to provide for payments of amounts so determined to such individuals, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. MUSKIE. I ask that the bill go over.

The PRESIDING OFFICER. Objection is heard. The bill will go over.

MARLYS E. TEDIN

The Senate proceeded to consider the bill (S. 704) for the relief of Marlys E. Tedin which had been reported from the Committee on the Judiciary, with amendments, on page 1, after line 9, to strike out:

Sec. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Marlys E. Tedin, the sum of any amounts received or withheld from her on account of the payment referred to in the first section of this Act.

And, in lieu thereof, to insert:

Sec. 2. That Elizabeth O. Reynolds of Pine Ridge, South Dakota, is hereby relieved of all liability for repayment to the United States of the sum of $646.30, representing an amount erroneously paid her for cost-of-living allowance during the period from March 19, 1956, to August 14, 1956, while she was an employee of the Public Health Service on detail at Seattle, Washington, from her headquarters at Juneau, Alaska.

And, on page 2, after line 11, to insert a new section, as follows:

Sec. 3. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated to the said Marlys E. Tedin and Elizabeth O. Reynolds, the sum of any amounts received or withheld from them on account of the payment referred to in the first section of this Act.

So as to make the bill read:

Be in enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Marlys E. Tedin of Sitka, Alaska, is hereby relieved of all liability for repayment to the United States of the sum of $580.38, representing an amount erroneously paid her for cost-of-living allowance during the period from September 23, 1955, to March 26, 1956, while she was an employee of the Public Health Service on detail at Seattle, Washington, from her headquarters at Juneau, Alaska.

Sec. 2. That Elizabeth O Reynolds of Pine Ridge, South Dakota, is hereby relieved of all liability for repayment to the United States of the sum of $646.30, representing an amount erroneously paid her for cost-of-living allowance during the period from March 19, 1956, to August 14, 1956, while she was an employee of the Public Health Service on detail at Seattle, Washington, from her headquarters at Juneau, Alaska.

Sec. 3. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Marlys E. Tedin and Elizabeth O. Reynolds, the sum of any amounts received or withheld from them on account of the payment referred to in the first section of this Act.

The amendments were agreed to.

The bill was ordered to be engrossed for a third time, read the third time, and passed.

The title was amended, so as to read:

A bill for the relief of Marlys E. Tedin and Elizabeth O. Reynolds.

BILL PASSED OVER

The bill (H.R. 1361) for the relief of James M. Norman was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. MUSKIE. Mr. President, I ask that the bill go over.

The PRESIDING OFFICER. Objection is heard. The bill will be passed over.

ERNEST JOHN LARGE

The bill (H.R. 1492) for the relief of Ernest John Large was considered, ordered to a third reading, read the third time, and passed.

EUGENE C. HARTER

The bill (H.R. 2180) for the relief of Eugene C. Harter was considered, ordered to a third reading, read the third time, and passed.

GEORGE A. McDERMOTT

The bill (H.R. 3376) for the relief of George A. McDermott was considered, ordered to a third reading, read the third time, and passed.

THEODORE T. REILMANN

The bill (H.R. 6216) for the relief of Theodore T. Reilmann was considered, ordered to a third reading, read the third time, and passed.

GEORGE W. ROSS, JR.

The bill (H.R. 7676) for the relief of George W. Ross, Jr. was considered, ordered to a third reading, read the third time, and passed.

DR. CARL F. ROMNEY

The bill (H.R. 8780) for the relief of Dr. Carl F. Romney was considered, ordered to a third reading, read the third time, and passed.

WALTER SINGLEVICH

The bill (H.R. 8781) for the relief of Walter Singlevich was considered, ordered to a third reading, read the third time, and passed.

HARRY A. SEBERT

The bill (H.R. 8947) for the relief of Harry A. Sebert was considered, ordered to a third reading, read the third time, and passed.

BILLS PASSED OVER

The bill (H.R. 1961) to amend sections 1, 17a, 57j, 64a(5), 67b, 67c, and 70c of the Bankruptcy Act, and for other purposes, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. MUSKIE. I ask that the bill go over. This item is not calendar material.

The PRESIDING OFFICER. Objection is heard. The bill goes over.

The bill (H.R. 4473) to amend the Bankruptcy Act with respect to limiting the priority and nondischargeability of taxes in bankruptcy was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. MUSKIE. Over. This is not calendar material.

The PRESIDING OFFICER. The bill will be passed over.

SEYMOUR ROBERTSON

The bill (S. 505) for the relief of Seymour Robertson was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay out of any money in the Treasury not otherwise appropriated, to Seymour Robertson, of Pearl River, New York, the sum of $1,269.01. The payment of such sum shall be in full settlement of all claims of the said Seymour Robertson against the United States for loss of compensation incurred by him between April 21, 1944, and November 27, 1944, the period during which he was denied the opportunity to perform service in the field service of the Post Office Department following his discharge from the United States Navy: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

NORTH CAROLINA TERCENTENARY CELEBRATION COMMISSION

The joint resolution (S.J. Res. 147) providing for the establishment of the North Carolina Tercentenary Celebration Commission to formulate and implement plans to commemorate the 300th anniversary of the State of North Carolina, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) there is hereby established a commission to be known as the North Carolina Tercentenary Celebration Commission (hereafter referred to in this joint resolution as the "Commission") which shall be composed of fifteen members as follows:

(1) Four members who shall be Members of the Senate, to be appointed by the President of the Senate;

(2) Four members who shall be Members of the House of Representatives, to be appointed by the Speaker of the House of Representatives; and

(3) Seven members to be appointed by the President.

(b) The President shall, at the time of appointment, designate one of the members appointed by him to serve as Chairman. The members of the Commission shall receive no salary.

SEC. 2. (a) The functions of the Commission shall be to develop and to execute suitable plans for the celebration of a series of anniversaries occurring during 1963, commemorating the three hundredth anniversary of the Carolina charter of 1663, together with significant events in the history of North Carolina from 1663 to 1763, both years inclusive.

(b) In carrying out its functions the Commission is authorized to cooperate with and to assist the Carolina Charter Tercentenary Commission and any other agency created or designated by the General Assembly of the State of North Carolina for the purpose of planning and promoting the Carolina charter tercentenary celebration. If the participation of other nations in the celebration is deemed advisable, the Commission may communicate to that end with the governments of such nations through the Department of State.

SEC. 3. The Commission may employ, without regard to the civil service laws or the Classification Act of 1949, as amended, such employees as may be necessary in carrying out its functions. Service of an individual as a member of the Commission, on a part-time or full-time basis, with or without compensation, shall not be considered as service or employment bringing such individual within the provisions of section 281, 283, 284, 434, or 1914 of title 18 of the United States Code, or section 190 of the Revised Statutes of the United States (5 U.S.C. 99).

SEC. 4. (a) The Commission is authorized to accept donations of money, property, or personal services; to cooperate with patriotic and historical societies and with institutions of learning; and to call upon other Federal departments or agencies for their advice and assistance in carrying out the purposes of this joint resolution. The Commission, to such extent as it finds to be necessary, may, without regard to the laws and procedures applicable to Federal agencies, procure supplies, services, and property and make contracts, and may exercise those powers that are necessary to enable it to carry out efficiently and in the public interest the purposes of this joint resolution.

(b) Expenditures of the Commission shall be paid by the executive officer of the Commission, who shall keep complete records of such expenditures and who shall account also for all funds received by the Commission. A report of the activities of the Commission, including an accounting of funds received and expended, shall be furnished by the Commission to the Congress within three months following the celebration as prescribed by this joint resolution.

(c) Any property acquired by the Commission remaining upon termination of the celebration may be used by the Secretary of the Interior for purposes of the national park system or may be disposed of as surplus property. The net revenues, after payment of Commission expenses, derived from Commission activities, shall be deposited in the Treasury of the United States.

SEC. 5. The Commission shall expire upon the completion of its duties, but in no event later than April 1, 1964.

The preamble was agreed to.

BILL PASSED OVER

The bill (S. 919) to amend section 9(b) of the act entitled "An act to prevent pernicious political activities" to eliminate the requirement that the Civil Service Commission impose no penalty less than 90 days suspension for any violation of section 9 of this act was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. CARLSON. Over, by request.

The PRESIDING OFFICER. The bill will be passed over.

LATIN AMERICAN AND UNITED STATES POLICIES

The resolution (S. Res. 302) to print, with illustrations, a report on "Latin American and United States Policies," submitted by Senator MANSFIELD, was considered and agreed to, as follows:

Resolved, That there be printed with illustrations, as a Senate document, a report entitled "Latin American and United States Policies", submitted by Senator MIKE MANSFIELD to the Senate Committee on Appropriations on January 13, 1962; and that two thousand additional copies be printed for use of that committee.

PRINTING OF ADDITIONAL COPIES OF HEARINGS OF SPECIAL COMMITTEE ON AGING

The resolution (S. Res. 310) authorizing the printing of additional copies of part 1 of its hearings entitled "Retirement Income of the Aging," for the use of the Special Committee on Aging was considered and agreed to, as follows:

Resolved, That there be printed for the use of the Special Committee on Aging two thousand five hundred additional copies of part 1 of its hearings entitled "Retirement Income of the Aging," held by the special committee during the Eighty-seventh Congress, first session.

WINIFRED S. GUNN

The resolution (S. Res. 315) to pay a gratuity to Winifred S. Gunn was considered and agreed to, as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Winifred S. Gunn, widow of John O. Gunn, an employee of the Senate at the time of his death, a sum equal to one year's compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

G. L. BERNHARDT CO., INC.

The bill (H.R. 9612) relating to the elections under section 333 of the Internal Revenue Code of 1954 by the shareholders of the G. L. Bernhardt Co., Inc., of Lenoir, N.C., was considered, ordered to a third reading, read the third time, and passed.

CHRISTINE FAHRENBRUCH

The bill (H.R. 3105) for the relief of Christine Fahrenbruch, a minor, was considered, ordered to a third reading, read the third time, and passed.

PERPETUAL SUCCESSION OF AMERICAN NUMISMATIC ASSOCIATION

The bill (S. 2939) to grant the American Numismatic Association perpetual succession, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. MUSKIE. Mr. President, there is an identical House bill on the calendar, Calendar No. 1276, H.R. 10573.

I ask unanimous consent that the Senate proceed to its consideration.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H.R. 10573) to grant the American Numismatic Association perpetual succession.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be offered, the question is on the third reading of the bill.

The bill was ordered to a third reading, was read the third time, and passed.

Mr. MUSKIE. Mr. President, I ask unanimous consent that the Senate bill, S. 2939, be indefinitely postponed.

The PRESIDING OFFICER. Without objection, the bill will be indefinitely postponed.

THE 25TH ANNIVERSARY OF SOIL CONSERVATION DISTRICTS

The resolution (S. Con. Res. 62) commemorating the 25th anniversary of the establishment of soil conservation districts was considered and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That Congress hereby acknowledges the debt owed the soil conservation districts, expresses its appreciation of, its gratitude to, and its pride in these districts which are the custodians of the Nation's agricultural lands, and extends its congratulations to the fifteen thousand nonsalaried supervisors, commissioners, and directors of soil conservation districts, and the thousands of their predecessors who pioneered in this remarkable demonstration of self-government and grassroots democracy.

MRS. EVA LONDON RITT

The Senate proceeded to consider the bill (S. 2143) for the relief of Mrs. Eva London Ritt which had been reported from the Committee on the Judiciary, with an amendment, to strike out all after the enacting clause and insert:

That, in the administration of the Immigration and Nationality Act, as amended, Mrs. Eva London Ritt shall be held and considered to be and to have been on July 30, 1961, within the purview of section 354(5) of that Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

HARRY E. ELLISON

The Senate proceeded to consider the bill (S. 2319) for the relief of Harry E. Ellison, captain, U.S. Army, retired, which had been reported from the Committee on the Judiciary, with an amendment, on page 1, at the beginning of line 9, to strike out "February 26, 1943" and insert "September 10, 1942"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Harry E. Ellison, captain, United States Army, retired (O1797269), of Seattle, Washington, is hereby relieved of all liability for repayment to the United States of the sum of $3,998.54, representing the amount of overpayments of basic pay, foreign duty pay, and rental and subsistence allowances received by him for the period from September 10, 1942, through January 31, 1954, while he was serving as a member of the United States Army, such overpayments having been made as a result of administrative error.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Harry E. Ellison, the sum of any amounts received or withheld from him on account of the overpayments referred to in the first section of this Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JOSEPH MIKULICH

The Senate proceeded to consider the bill (S. 2375) for the relief of Joseph Mikulich which had been reported from the Committee on the Judiciary, with an amendment, to strike out all after the enacting clause and insert:

That, for the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor child, Joseph Mikulich, shall be held and considered to be the natural-born alien child of Mr. Sebastian F. Mikulich, a citizen of the United States: *Provided*, That the natural parents of the said Joseph Mikulich shall not, by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MARIA HUSZTY BOROS

The Senate proceeded to consider the bill (S. 2471) for the relief of Maria Huszty Boros which had been reported from the Committee on the Judiciary, with an amendment, on page 1, line 7, after the word "fee.", to strike out "Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available." and insert "Upon the enactment of this Act, the Attorney General shall reduce by one number the number of refugees who may be paroled into the United States pursuant to sections 1 and 2(a) of the Act of July 14, 1960 (74 Stat. 504), during the fiscal year ending June 30, 1962."; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Maria Huszty Boros shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the enactment of this Act, the Attorney General shall reduce by one number the number of refugees who may be paroled into the United States pursuant to sections 1 and 2(a) of the Act of July 14, 1960 (74 Stat. 504), during the fiscal year ending June 30, 1962.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

KIM CAREY

The Senate proceeded to consider the bill (S. 2486) for the relief of Kim Carey (Timothy Mark Alt) which had been reported from the Committee on the Judiciary, with an amendment, in line 7, after the word "States", to insert a colon and "*Provided*, That the natural parents of Kim Carey (Timothy Mark Alt) shall not, by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act."; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, Kim Carey (Timothy Mark Alt) shall be held and considered to be the natural-born alien child of Mr. and Mrs. Raymond L. Alt, citizens of the United States: *Provided*, That the natural parents of Kim Carey (Timothy Mark Alt) shall not, by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

GIUSEPPE ANIELLO

The bill (H.R. 1352) for the relief of Giuseppe Aniello was considered, ordered to a third reading, read the third time, and passed.

MRS. ELBRIEDE PRISCHL ROGERS

The bill (H.R. 1451) for the relief of Mrs. Elbriede Prischl Rogers was considered, ordered to a third reading, read the third time, and passed.

EDVIGE CIANCIULLI

The bill (H.R. 1671) for the relief of Edvige Cianciulli was considered, ordered to a third reading, read the third time, and passed.

MOHAN SINGH

The bill (H.R. 2684) for the relief of Mohan Singh was considered, ordered to a third reading, read the third time, and passed.

MRS. VARTANUS UZAR

The bill (H.R. 6082) for the relief of Mrs. Vartanus Uzar was considered, ordered to a third reading, read the third time, and passed.

ATHANASIA DEKAZOS

The bill (H.R. 6276) for the relief of Athanasia Dekazos was considered, ordered to a third reading, read the third time, and passed.

MRS. IZABEL A. MIGUEL

The bill (H.R. 6343) for the relief of Mrs. Izabel A. Miguel was considered, ordered to a third reading, read the third time, and passed.

TEOFILO ESTOESTA

The bill (H.R. 6740) for the relief of Teofilo Estoesta was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (H.R. 7777) for the relief of Elisabetta Piccioni was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. MUSKIE. I ask that the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

SISTER M. THEOPHANE

The bill (H.R. 8422) for the relief of Sister M. Theophane (Jane Carroll) was considered, ordered to a third reading, read the third time, and passed.

PRESERVING RIGHTS OF CERTAIN RESERVISTS AND NATIONAL GUARDSMEN

The bill (S. 2697) to amend chapters 33 and 35 of title 38, United States Code, to preserve the rights of reservists and National Guardsmen called or ordered to active duty on or after August 1, 1961, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on

Labor and Public Welfare, with amendments, on page 2, line 4, after the word "the", to strike out "eight-year period" and insert "eight- and five-year periods"; in line 7, after the word "of", to strike out "active"; in line 8, after the word "to", where it appears the first time, to insert "(1)"; in line 9, after "1961", to insert a comma and "or (2) an involuntary extension of an enlistment, appointment, period of active duty, period of active duty for training, or other period of obligated service in any branch of the Armed Forces after August 1, 1961." "; in line 13, after the amendment just above stated, to strike out "Notwithstanding the final termination date of January 31, 1965, prescribed in subsection (a) of this section, such veteran may be afforded education or training beyond such date for a period equal to but not greater than the period of active duty disregarded in the case of such veteran under the provisions of the first sentence of this subsection." "; on page 3, line 1, after the word "of", to strike out "active"; in line 2, after the word "to", where it appears the first time, to insert "(1)"; in line 3, after "1961", to insert a comma and "or (2) an involuntary extension of an enlistment, appointment, period of active duty, period of active duty for training, or other period of obligated service in any branch of the Armed Forces after August 1, 1961." ", and, after line 7, to insert a new section, as follows:

SEC. 3. Section 2 of Public Law 86-236, and section 5 of Public Law 86-785, are each amended by inserting "(a)" immediately before "In the case of", and by adding at the end thereof a new subsection as follows:

"(b) In computing the five-year period prescribed in subsection (a), the Administration of Veterans' Affairs shall disregard in the case of any eligible person any period of duty performed by such person pursuant to (1) a call or order to active duty as a Reserve on or after August 1, 1961, or (2) an involuntary extension of an enlistment, appointment, period of active duty, period of active duty for training, or other period of obligated service in any branch of the Armed Forces on or after August 1, 1961."

The PRESIDING OFFICER. The question is on agreeing to the amendment on page 2, line 4.

The amendment was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendment on page 2, line 7.

The amendment was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendment on page 2, line 8.

The amendment was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendment on page 2, line 9.

The amendment was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendment on page 2, line 13.

The amendment was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendment on page 3, line 1.

The amendment was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendment on page 3, line 2.

The amendment was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendment on page 3, line 3.

The amendment was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendment on page 3, after line 7, to insert a new section.

Mr. MUSKIE. Mr. President, I offer an amendment to that committee amendment.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 3, line 13, it is proposed to strike out the word "Administration" and insert in lieu thereof the word "Administrator." This amendment is offered at the request of the author of the bill, the Senator from Texas [Mr. YARBOROUGH].

The PRESIDING OFFICER. The question is on agreeing to the amendment to the committee amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment, as amended.

The committee amendment, as amended, was agreed to.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted in the Senate and House of Representatives of the United States of America in Congress assembled, That section 1613 of title 38, United States Code, is amended—

(1) by inserting "(a)" immediately before "No";

(2) by inserting ", except as provided in subsection (b) of this section," immediately before the words "in no event"; and

(3) by adding at the end thereof the following new subsection:

"(b) In computing the three-year period referred to in section 1612(a) of this title and the eight- and five-year periods referred to in subsection (a) of this section, the Administrator shall disregard in the case of any eligible veteran any period of duty performed by such veteran pursuant to (1) a call or order to active duty as a Reserve on or after August 1, 1961, or (2) an involuntary extension of an enlistment, appointment, period of active duty, period of active duty for training, or other period of obligated service in any branch of the Armed Forces after August 1, 1961."

SEC. 2. Section 1712 of title 38, United States Code, is amended by adding at the end thereof the following new subsection:

"(c) In computing the five-year period following duty with the Armed Forces referred to in paragraph (3) of subsection (a) of this section the Administrator shall disregard any period of duty performed by an eligible person pursuant to (1) a call or order to active duty as a Reserve on or after August 1, 1961, or (2) an involuntary extension of an enlistment, appointment, period of active duty, period of active duty for training, or other period of obligated service in any branch of the Armed Forces after August 1, 1961."

SEC. 3. Section 2 of Public Law 86-236, and section 5 of Public Law 86-785, are each amended by inserting "(a)" immediately before "In the case of", and by adding at the end thereof a new subsection as follows:

"(b) In computing the five-year period prescribed in subsection (a), the Administrator of Veterans' Affairs shall disregard in the case of any eligible person any period of duty performed by such person pursuant to (1) a call or order to active duty as a Reserve on or after August 1, 1961, or (2) an involuntary extension of an enlistment, appointment, period of active duty, period of active duty for training, or other period of obligated service in any branch of the Armed Forces on or after August 1, 1961."

The title was amended, so as to read:

A bill to waive certain time limitations prescribed in chapters 33 and 35 of title 38, United States Code, in the case of certain veterans and eligible persons ordered to active duty with the Armed Forces, or whose period of duty with the Armed Forces was involuntarily extended, on or after August 1, 1961.

The PRESIDING OFFICER. That concludes the call of the calendar.

ORDER FOR ADJOURNMENT UNTIL MONDAY NEXT

Mr. MUSKIE. Mr. President, I ask unanimous consent that when the Senate adjourns today, it adjourn to meet at 12 o'clock noon on Monday next.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRANSACTION OF ROUTINE BUSINESS

By unanimous consent, the following routine business was transacted:

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. DIRKSEN, from the Committee on the Judiciary, without amendment:

S.J. Res. 99. Joint resolution to commemorate the 75th anniversary of the Interstate Commerce Commission (Rept. No. 1311).

WORK STOPPAGES AT MISSILE BASES (S. REPT. NO. 1312)

Mr. McCLELLAN. Mr. President, on behalf of the Committee on Government Operations, I submit a report made to it by the Permanent Subcommittee on Investigations entitled "Work Stoppages at Missile Bases." This report is a factual presentation of the evidence developed by the subcommittee during the course of 8 days of public hearings held in April and May of 1961, along with certain findings and conclusions of the subcommittee. I ask that the report be printed.

Mr. President, in May of 1961, at the close of these hearings, I spoke at length before the Senate as to the shocking disclosure of work stoppages, wildcat strikes, featherbedding, and other improper activities which resulted in unnecessary delays and excessive costs in this Nation's intercontinental ballistics program. However, because of the extreme importance of this program upon which our very existence as a Nation depends, I should like to summarize the subcommittee's findings as based on the evidence in the record of the public hearings, as well as the beneficial results flowing from the hearings.

From the commencement of the missile base construction program in 1956

and during the ensuing 4½-year period, that is, until March 31, 1961, over 325 work stoppages occurred at some 19 missile operational and test sites resulting in a total loss of 162,872 man-days.

Our space and missile programs were intolerably delayed by wildcat strikes, work stoppages, slowdowns, and a deliberate policy of low productivity engaged in by workers at missile bases. The rate of slow productivity is estimated to have reached as low as 40 percent of normal capacity.

It was demonstrated at the public hearings that many of the workers on missile construction projects, through strikes and other pressure tactics, including featherbedding and loafing, have collected millions of dollars in exorbitant, unnecessary overtime pay.

The subcommittee found that the officers of the international unions, whose members were involved in these practices, took no action to control their local officers or discipline their local unions during the 4½-year period to prevent the work stoppages. In this connection it was not until the subcommittee had commenced its inquiry into this situation that the building and construction trades department of the AFL-CIO, issued a statement of policy opposing work stoppages at missile bases. I might add, Mr. President, that this action proved ineffectual since, immediately following the statement of policy, some 39 strikes occurred at missile bases including strikes by workers of locals affiliated with unions adopting the no-strike policy.

The subcommittee found also that management, as well as military and civilian Government officials, were not blameless. It was apparent that many employers, operating on a cost-plus-fixed-fee contractual basis, were indifferent to excessive overtime payments, overmanning of jobs and improper supervision. The military and civilian Government officials are to be criticized for their passive attitude over a 4½-year period without taking aggressive action.

In this investigation the subcommittee also found that many of the strikes and work stoppages were due to jurisdictional disputes between building and construction labor unions and the industrial labor unions arising out of the application of the Davis-Bacon Act to Government contracts for construction of missile bases and the installation and checkout of ground support equipment. The problem in this area, the subcommittee found, is attributable to a delay on the part of the Department of Labor in establishing a well-defined criteria upon which the application of the act can be based.

Mr. President, I am indeed gratified to be able to report to the Senate that the hearings held by the subcommittee relating to work stoppages at missile bases have produced some extremely beneficial results.

First, on February 27, 1961, following the subcommittee's inquiry, the Office of the Secretary of Defense issued a memorandum setting forth guidelines with a view of limiting the amount of overtime work which would be permitted at missile sites and missile test centers. We have been advised by the Office of the Secretary of Defense that this action has had a salutary effect in controlling excessive overtime which heretofore has resulted in exorbitant costs to the Government.

Second, on April 25, 1961, the Secretary of Labor established a Missile Site Public Contracts Advisory Committee for the purpose of recommending to the Secretary impartial criteria for the determination of what is or is not the construction under the Davis-Bacon Act.

On October 14, 1961, the Secretary of Labor released a report of the Committee dated August 25, 1961, wherein the Committee recommended certain defined standards to be used in applying the act to missile sites and missile test sites. Under date of December 16, 1961, the Secretary of Labor advised that the standard recommended by the Missile Site Public Contracts Advisory Committee were still under study and as yet have not been approved. The subcommittee has recommended in its report that the Secretary take action on the Committee's recommendations as soon as is practicable.

Third, on May 21, 1961, President Kennedy, by Executive order, established the Missile Sites Labor Commission under the chairmanship of the Secretary of Labor, Arthur Goldberg, with the objective of bringing to an end the work stoppages and assuring an uninterrupted and economical operation of these programs. The accomplishments to date of the Missile Sites Labor Commission have indeed been most worthwhile. For example, in June of 1961, the first month after the establishment of the Commission, man-days lost due to work stoppages totaled 312, as compared to 26,217 man-days lost in June of 1960. I reported the accomplishment of the Commission to the Senate on July 28, 1961, and commended the President and the Secretary of Labor.

However, Mr. President, in addressing the Senate on September 23, 1961, I made note of the fact that I was skeptical of the lasting success of the Missile Sites Labor Commission not because I doubted the industry and the good faith of this Commission, but because it is dependent completely on voluntary cooperation between labor, management, and Government. The number of man-days lost due to work stoppages was drastically reduced following the hearings by this subcommittee and the establishment of the Missile Sites Labor Commission. Some losses did continue. As I pointed out, the man-days lost during the last half of 1961 were a small fraction of the losses that had occurred during the previous 4½ years. However, a disturbing trend has been noted so far during 1962. During January, some 2,400 man-days were lost due to work stoppages as compared with the monthly average of 835 man-days lost for the previous 5-month period. The effect of this was to bring the work at missile sites from well under the 1960 national average of time lost to a point somewhat in excess of the national industrial average.

If this is a continuing trend, it cannot be treated lightly. As a matter of fact, not only did the number of man-days lost increase during January, but the number of types of disputes increased. Notable among the increased types of disputes is the increasing frequency of jurisdictional disputes; this is unpardonable.

In February, we see that the same trend continues: At missile sites throughout the country 2,465 man-days were lost. It would be some comfort to be able to say that the outlook for March is more favorable. Unfortunately, there is every indication that the work record at missile sites for March of this year will be worse than either January or February.

Mr. President, on September 23, 1961, I introduced a bill (S. 2631) which would prohibit strikes at certain strategic defense facilities, including missile bases. In introducing this proposed legislation, I questioned whether or not this Government should be required to depend solely upon labor-management voluntary cooperation for the uninterrupted and economical operation of this most vital program. At that time I urged Senators to consider and study this proposed legislation very carefully. In the light of recent experience I urge that the Senate consider immediate action on this legislation.

The PRESIDING OFFICER. The report will be received and printed, as requested by the Senator from Arkansas.

BILL INTRODUCED

A bill was introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BIBLE (for himself and Mr. CANNON):

S. 3089. A bill to amend the act directing the Secretary of the Interior to convey certain public lands in the State of Nevada to the Colorado River Commission of Nevada in order to extend for 5 years the time for selecting such lands; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. BIBLE when he introduced the above bill, which appear under a separate heading.)

CONVEYANCE OF CERTAIN PUBLIC LANDS TO COLORADO RIVER COMMISSION OF NEVADA

Mr. BIBLE. Mr. President, on behalf of my colleague, the junior Senator from Nevada [Mr. CANNON], and myself, I introduce, for appropriate reference, a bill to amend the act directing the Secretary of the Interior to convey certain public lands in the State of Nevada to the Colorado River Commission of Nevada in order to extend for 5 years the time for selecting such lands.

The need for this legislation arises from the fact that when the original bill was passed on March 6, 1958, the State of Nevada was required to select and purchase the land within a 5-year period. The bill also provided that the land must be appraised and a plan of development submitted prior to the purchase by the State.

Four years have now passed and the Bureau of Reclamation has just completed the appraisal of the property. The State of Nevada is not satisfied with these appraisals, and negotiations are now underway seeking a revision. Unless the extension of time is granted, the period will expire and the State will be forced to accept the Bureau's findings or forfeit its right under the bill.

Governor Sawyer has urged that this measure by speedily considered so that the State will be in a position to more properly exercise its option which means so much to the development of southern Nevada.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3089) to amend the act directing the Secretary of the Interior to convey certain public lands in the State of Nevada to the Colorado River Commission of Nevada in order to extend for 5 years the time for selecting such lands, introduced by Mr. BIBLE (for himself and Mr. CANNON), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

AUTHORIZATION FOR COMMITTEES TO REPORT ON NOMINATIONS DURING RECESS

Mr. MUSKIE. Mr. President, I ask unanimous consent that committee reports on nominations may be filed during the recess of the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

PURCHASE OF UNITED NATIONS BONDS—AMENDMENT

Mr. SCOTT submitted an amendment, intended to be proposed by him, to the bill (S. 2768) to promote the foreign policy of the United States by authorizing the purchase of United Nations bonds and the appropriation of funds therefor, which was ordered to lie on the table and to be printed.

NOTICE OF HEARINGS ON IMPROVEMENT OF EDUCATIONAL QUALITY ACT

Mr. MORSE. Mr. President, due to the floor situation last week, it became necessary to postpone previously scheduled hearings upon S. 2826, the Improvement of Educational Quality Act.

It now appears feasible to reschedule the hearings on this important part of the President's program; I therefore give notice to all having an interest in this legislation that the subcommittee will convene on April 10, 11, and 12, 1962, to hear testimony on the bill.

The hearings are open. The meeting will start at 10 a.m., Tuesday, April 10, 1962, in room 4232, New Senate Office Building.

It is anticipated that only administration witnesses will be called the first day, all other witnesses being heard on April 11 and 12.

NOTICE OF HEARING ON NOMINATION OF WILLIAM B. JONES TO BE U.S. DISTRICT JUDGE, FOR DISTRICT OF COLUMBIA

Mr. EASTLAND. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Wednesday, April 4, 1962, at 10:30 a.m., in room 2228, New Senate Office Building, on the nomination of William B. Jones, of Maryland, to be U.S. district judge, for the District of Columbia, vice F. Dickinson Letts, retired.

At the indicated time and place persons interested in the hearing may make such representations as may be pertinent.

The subcommittee consists of the Senator from South Carolina [Mr. JOHNSTON], the Senator from Nebraska [Mr HRUSKA], and myself, as chairman.

FACTS AND FABLES ON AMERICAN INVESTMENT ABROAD

Mr. MORTON. Mr. President, both Republican and Democratic administrations have recognized for many years the great value of American investment abroad in stimulating U.S. exports and in promoting the economic and social development of the free world. Under this longstanding attitude of encouragement, the successful operation of American private enterprise abroad has become a show window for democracies in their struggle against Communist ideologies. Private investment abroad has become, indeed, a major weapon in the defense of freedom.

It is surprising, therefore, that in this year when economic competition with both the Communists and our allies has become more intense, the current administration has reversed longstanding policy and would openly discourage foreign investment. The attack takes the form of a proposal to place unprecedented tax burdens on American business firms abroad. Some of our colleagues in the Senate have forewarned us that this extreme proposal will be offered as an amendment here.

I hope the Committee on Finance and the Senate will review soberly, without the sound and fury and confusion that have hitherto marked some of the discussion on this issue, the proper taxation of foreign income earned by foreign subsidiaries of American business firms.

The subject is of such vital importance that it should command a careful examination to separate fact from fable, sound principle from emotional prejudice. I am concerned that some of the recent speeches have echoed old slogans, superstitions and shibboleths against American investment abroad which have been long since disproved. We have been lectured on this complex subject in the manner of a professor speaking to uninitiated freshmen; but a little analysis of the lectures discloses that the professor perhaps has not completed his homework. In fact, as I examine some of the recent discourse, it seems evident some of my friends are talking about an imaginary world of their own rather than the world in which we actually live and conduct business today.

And so my purpose is to review a few of these fables and fictions about foreign investment and see if we can bring to bear some of the light of fact and reality.

We should bear clearly in mind, as the context for this discussion, just what has been proposed by the administration and by some of our colleagues in the Senate. The proposal concerns the taxation of American parent corporations on the income earned by their subsidiary corporations in the developed countries of the world—subsidiaries which are chartered and operated under the laws and tax systems of a foreign country. Under our present system, the United States follows the normal and logical principle of taxing this income when it is received in the United States, that is, the American parent corporation is taxed when income earned by subsidiaries abroad is received by the American parent. The basic proposal of the administration, however, is that the United States should tax the American corporation as soon as its subsidiaries earn the income in the foreign country—even before this income is received by the parent corporation in the United States. We should understand that this proposal to tax undistributed foreign income is unprecedented in this country or so far as I know in any other country. In effect we would be taxing one corporation on income earned by another; and one country would be taxing income earned in another country and retained for business purposes in the other country.

Aside from the important question of whether such a strange law would be constitutional—and there are many who believe it would not be—one of the results of such a law would be, of course, to reduce American investment in economic opportunities in foreign countries. Thus it is inevitable that in our examination of this issue, we find both sides concentrating on arguments about the good or bad effects of American investment abroad. If these investments actually are harmful to our domestic economy and to the free world, as claimed, then perhaps we should impose restrictions on the flow of investment to foreign countries; if these investments are generally beneficial to the United States and the free world, then certainly we should not take sweeping action to choke them off.

I should like to make one further point clear at the outset. I join my friends in condemning any business which would twist and distort the reasonable and legitimate principle of present law to arrive at unreasonable and illegitimate ends. We should not allow companies to evade taxes by crediting foreign subsidiaries with income which is properly attributable to activities in the United States. We should not permit companies to evade taxes by piling up income in foreign subsidiaries far beyond the amounts needed for any business purposes, solely in order to avoid returning the income to the United States and paying a proper

tax on it. I will support any sound administrative action or new legislation which is needed to correct tax abuses and evasions. We should make certain, however, that the pending tax bill does just this, nothing more.

The problem is that the proposal made by the administration, and supported now by some Senators, permits no distinction between improper tax evasions and perfectly normal and justified business investment abroad. The proposal, I reiterate, would tax the undistributed income of foreign subsidiaries in developed countries no matter how desirable this business activity might be in our own interest. Surely our fundamental approach must be to strike at the shady and harmful, not at the legitimate and beneficial.

Similarly, while I am pleased that the House has rejected the administration's basic proposal, the pending House bill includes other provisions, notably in section 13, which would go far beyond the correction of abuses and evasions and would tax substantial portions of the income of many foreign subsidiaries. These complex provisions were inserted by the Ways and Means Committee in the closing days of its consideration, without time for thorough study of the new language, reversing the much more reasonable approach approved earlier by the Committee on Ways and Means. Thus there has been much confusion and uncertainty with respect to these provisions.

Although my comments today are mainly on the administration proposal, both the House bill and the administration proposal move in the same direction; the difference, although it is an important difference, would be one of degree.

Both of these proposals would hurt American firms in their efforts to sell American goods abroad, place American firms abroad at an acute disadvantage with their foreign competitors, violate longstanding and ethical principles of taxation, and negate the very objectives of the President's trade program.

Let me now proceed to review some of the basic fallacies which have entered into the recent discussion of taxation of foreign income.

I. THEY NEVER COME HOME

First, we have been presented in recent weeks with the strange concept that when American businessmen invest abroad, they are throwing their money into a sort of bottomless pit from which nothing of value ever returns to the United States. We have been told that American funds are invested abroad, and stay there perpetually, for the sole benefit of foreign economies, not our own.

To be more specific, I wish to offer for the Senate's consideration a few phrases of the junior Senator from Oklahoma [Mr. MONRONEY], presented to us on last February 12:

> There is in fact little, if any, repatriation of earnings on these investments abroad.

And I quote further from a few sentences later:

> I cannot see any reasonable prospect, unless there is a severe war scare or a severe threat of the taking over by an irresponsible or unreliable government, that the dollars will finally come back to the United States in the form of dollars to be taxed.

And a moment later, all qualifications were dropped and we were confronted with the remarkable statement that under present U.S. policy:

> We insure that the dollars will never return to the United States. They will go on and on, like the babbling brook, and forever the income from the original investment will remain abroad to benefit the economies abroad.

The junior Senator from Oklahoma has not been alone in this view. In fact, he was assured by the junior Senator from Tennessee [Mr. GORE], a most prolific speaker on this subject, that his statement was correct. On March 1 the junior Senator from Tennessee reminded us again:

> Having gone into bricks, mortar, and machinery in Europe, these profits never come back to the United States to be taxed * * * in such an instance, deferral extends into eternity.

Mr. President, these statements by my friends, who are very able and usually well informed, reflect a strange misunderstanding of the purpose and the results of foreign investment. They attribute to American businessmen either an altruism or a muddle-headedness in foreign investment which must come as a surprise to most observers of American business. For the simple truth is that the only reason American business ever invests a dollar abroad is a cool calculation that this dollar in the foreseeable future will return many more dollars to the United States. That is the only reason for sending the dollar abroad in the first place, and the reason for reinvesting it there. Americans are not in business abroad out of benevolence to foreign countries.

Experience overwhelmingly demonstrates that despite certain handicaps American business in fact has been singularly successful in returning earnings to this country from its investments abroad. Far from the little or no return of which my friends speak, the facts are that American direct investment abroad returned $2.4 billion in earnings to this country in 1960, $2.2 billion in 1959, $2.2 billion in 1958, $2.3 billion in 1957, and so forth. In the years 1950 through 1960, repatriated earnings from abroad amounted to $20.5 billion—and it is difficult to see how one could dismiss such a sum as little or nothing.

It is well known, further, that the income returned to this country from American investment abroad far exceeds our outflow of capital to foreign countries. From 1950 through 1960, for example, the outflow of direct investment amounted to $12 billion. And so we had $8.5 billion more coming back to this country than we sent abroad.

Moreover, from 1957 through 1959, American subsidiaries in Europe, the area most often singled out for discussion, distributed an average of 53 percent of their earnings to their U.S. parents—a perfectly normal and natural ratio of dividend payout to the funds retained for reinvestment.

And so, if we are to distinguish between fact and fable in examining the value of foreign investment, we must recognize what should have been obvious all along—American business invests abroad in order to bring back to this country far more than it sends out. This is in fact what has happened in a dramatic way, bringing billions in income back to the United States. To curtail this investment would be to undermine a major source of strength for our American economy.

II. THE FLOOD OF IMPORTS AND EXPORTING JOBS

A second unfounded fear with respect to foreign investment rests on the old superstition that American business invests in manufacturing facilities abroad in order to send back a flood of goods into the United States. And this, we have been told, has dire effects in displacing the jobs and wages of American workers.

To offer for your examination some of the words of this fable, I quote from the junior Senator from Tennessee [Mr. GORE] on February 12:

> There are many instances in which virtually entire industries have been moved abroad * * * and then the product is shipped back to the United States. Payrolls are lost. People are left unemployed.

I regret to say that our distinguished majority leader, who has a deserved reputation for his scholarly and factual approach to the problems before us, also has told us:

> Some of the companies are incorporated in other lands, but their main source of consumption or sale is in the United States.

In the same vein, the senior Senator from Tennessee [Mr. KEFAUVER] has reported:

> The record shows that quite often the factory built abroad with American capital * * * competes by means of importing materials back to the United States.

And even the President, in his December speech to the AFL–CIO, expressed the fear that American investors will decide to build plants in Europe and then American labor will suffer and "the country suffers."

And what are the facts? We have here a strange case of alarm about an almost negligible level of imports from American subsidiaries abroad, or other allegedly adverse effects of foreign investment. At the same time my friends overlook the far greater exports and the other beneficial results attributable to our foreign subsidiaries. My friends strain to concoct an imaginary mountain out of a molehill, while overlooking the real mountain.

The real mountain in the case of foreign subsidiaries is not the displacement of American business but the additional business created for American firms. The Department of Commerce, in its special study of foreign investment in 1957, found that of all the goods manufactured abroad by firms with even 25 percent or more American ownership, only 6 percent were sold in the United States, and 94 percent were sold in foreign countries. More important, in a later survey, in 1960, the Department of

Commerce reported that foreign subsidiaries of American firms accounted for the sale abroad of $2.7 billion of products made in America. While all the imports into the United States from these same subsidiaries amounted to only $475 million. In other words, exports developed by our foreign subsidiaries amounted to almost 6 times the imports we received from them.

I do not contend, of course, that none of these export sales could have been achieved without the foreign subsidiaries; it is conceivable that some of the sales would have been made anyhow by the American parent. But certainly the foreign subsidiaries contributed very substantially to these export sales, many of which would not have been made otherwise; and in view of the 6-to-1 ratio the net effect of the investment in these subsidiaries certainly has been to provide thousands of jobs and hundreds of thousands of dollars in wages for American workers.

A favorable balance in trade is evident in any reasonable breakdown of the Department of Commerce study of 1960. If we consider manufacturing subsidiaries only, worldwide exports amounted to $1.8 billion and imports to $379 million. If we consider all subsidiaries in Western Europe alone, exports amounted to $712 million and imports to $96 million. And if we consider only manufacturing subsidiaries in Western Europe, exports amounted to $291 million and imports to $90 million. It should also be noted, perhaps, that the great bulk of these exports were sent directly to the foreign subsidiaries; only a relatively small portion was attributed more indirectly to the activities of the subsidiaries abroad.

The reasons for this striking surplus of exports over imports, with respect to foreign subsidiaries, are not difficult to understand. They have been described in convincing detail by businessmen relating their actual experience abroad. Some foreign subsidiaries, of course, are primarily engaged in marketing goods made in America. And even when an American firm establishes a manufacturing plant abroad, it often creates an immediate sale for American machinery and equipment. Operation of the plant then often provides a continuing demand for American materials and components. Servicing of the goods made and sold abroad creates a continuing demand for American spare parts. There is often a corollary need for American technical and advisory services. And the American firm which has established a foot in the door of the foreign market, through the establishment of a plant there, often finds that it can then sell abroad many other products, manufactured in America, which otherwise could not penetrate the foreign market. All these are reasons why foreign investment stimulates far more in exports made in America than in imports to America.

It is good to know that the Secretary of Commerce seems to understand the importance of foreign investment in developing our exports, even if the President and some of his other supporters evidently do not. The Secretary of Commerce in an address last March 16 made precisely the point I am emphasizing today. He said:

> U.S. investment abroad is important to our export expansion program. Direct investments in manufacturing facilities abroad stimulate our exports of capital equipment, our exports of parts and raw materials, and our exports of finished products to fill out the lines of subsidiaries producing and selling abroad. Our overall economic objectives require the continued expansion of U.S. investment.

Let me emphasize that we are concerned here with a basic question: Why do American firms decide to invest in facilities abroad? It is clear that the major purpose, with very few exceptions, is not to send products back to the United States, or to sell goods in foreign markets which otherwise could be supplied from the United States. The major purpose and effect by far are to reach foreign markets which cannot be reached satisfactorily from the United States. There are many reasons for this: to avoid prohibitive foreign tariff walls, import quotas, or currency restrictions; to meet foreign legal requirements; to avoid prohibitive freight costs; to compete against lower cost production by foreign competitors; or to realize the benefit of better relations with foreign governments, customers, and employees. When American firms invest abroad for these reasons, they do not displace production in their American plants; their principal competition is not with American business, but with foreign business; and they develop markets and income for Americans which otherwise would go to competing foreign firms. If we penalize foreign investment through the administration's proposed tax law, we will simply surrender many of these markets to our foreign competitors, with seriously adverse effects on our own economy.

And finally on this point of imports and exports, I must confess amazement that the administration and some of the other proponents of new tax burdens on foreign investment also profess to be advocates of liberal trade. The evidence is unmistakable that American foreign investment contributes inseparably to the healthy stimulation of American foreign trade. We cannot restrict one and encourage the other; or be "half free and half protectionist." The advocates of liberal trade properly recognize that we must import from abroad if we are to sell abroad. They apparently are agreeable to a large volume of imports from foreign firms as a means of sustaining a large volume of U.S. exports—and yet they view with alarm the much smaller level of imports from American firms abroad. They insist, and rightly so, that we must increase our exports—and yet they also insist that we must reduce the foreign investment which, as we have clearly seen, is a major generator of exports. They want America to show the free world that its ultimate economic and political strength lies in unfettered exchange of resources, technology, and capital; yet they would impose restrictions on investment of American capital abroad, at the very moment that U.S. businesses are striving to hold their ground in international competition with a resurgent Europe and Japan. I particularly regret that the junior Senator from Tennessee [Mr. GORE], who came to Congress as a disciple of the great Cordell Hull, should now become one of the principal purveyors of the discredited protectionist slogan about exporting American jobs. Can it be that those who profess to wear the mantle of Cordell Hull have now put on the garb of a new protectionism? We are all concerned with American economic progress, but certainly we should recognize that sound foreign investment, just as foreign trade, is a major contributor to our domestic economic strength and to jobs and wages for American workers.

III. THE DRAIN ON OUR BALANCE OF PAYMENTS

A third major fiction repeated almost constantly in the discussion of foreign investment is that investment by American business firms abroad results in a serious drain on our balance of payments. This supposition is advanced so often there is little need to quote here the many variants in the language employed. Perhaps the succinct summary of the junior Senator from Oklahoma [Mr. MONRONEY] will suffice. On February 12 he assured us:

> It is the investment abroad which causes the difficulty.

And again we find that an imaginary world has been described to us. We can reconstruct the major effects of direct foreign investment on our balance of payments with a little arithmetic. With respect to capital movements, we should of course place the outflow of funds for direct investment abroad on the minus side of the ledger; and on the plus side we would place the return of earnings from these investments. As we have already seen, the return of earnings exceeded the outflow of investment by $8.5 billion during the period from 1950 through 1960. More specifically, we find that the net contribution on this account to our balance of payments amounted to $854 million in 1960, $925 million in 1959, $1.1 billion in 1958, and so forth. In fact, each year during this 11-year period, the earnings from foreign investment exceeded the outflow of capital, and thus made a welcome contribution to our balance-of-payments picture.

Again, the Secretary of Commerce has recognized this contribution to our balance of payments even if others in the administration have not. The Secretary of Commerce said on March 16:

> To the extent that the earnings on these investments are returned to the United States, they make a direct contribution to improving our balance of payments.

And as we have seen, the extent to which these earnings are actually returned is very great—amounting to $20.5 billion in 1950 through 1960.

I think the Senate will be interested in some examples of how foreign investments made by American companies strengthen the U.S. balance of payments through the return of profits to this country.

I have developed some data from the experience of several large organizations.

Earnings remitted to General Motors in 1961 from the business done by this company outside of Canada and the United States, plus the excess of GM exports over imports, contributed $450 million to the flow of funds into this country. In the 16 years since the end of World War II, the net inflow of funds from General Motors to the United States from its foreign activities have amounted to approximately $5 billion.

The Standard Oil Co. of New Jersey in 1960 repatriated to the United States, dividends and profits totaling $514 million. In the same year, that company made new direct investments in foreign operations of about $180 million. Allowing for other factors, Jersey Standard's worldwide operations contributed a net exchange gain of over $300 million to the U.S. balance of payments. The major portion of this net inflow of funds, it should be added, was derived from the developed countries of the world. In the 5-year period, 1956–60, Jersey Standard repatriated to the United States, profits and dividends amounting to $2.5 billion, while it made new direct investments of about $1 billion net, contributing a net gain of $1.5 billion in U.S. balance of payments.

Another company, Procter & Gamble, invested in the past 10 years a total of $11 million abroad and returned to the United States as dividends $47 million, thus contributing to the United States in dividends more than four times the amount of dollars sent out of the country.

Many of the investments which have produced these exchange gains for the United States would probably not have been made if the provisions on foreign income sought by Treasury and by a few of my colleagues had been in effect.

Although the balance-of-payments discussion is often confined to a comparison of capital outflow and the return of earnings, this is by no means the only, or perhaps even the major, consideration. We must also apply our arithmetic to the tabulation of exports and imports attributed to foreign subsidiaries. And again the balance is dramatically in our own favor; I reiterate that the exports attributed to foreign subsidiaries—in the Commerce Department study of 1960—amounted to six times more than the imports from these subsidiaries, or a favorable balance of $2.2 billion in this one year alone.

The simple truth is that the overall surplus of exports over imports, and the surplus of earnings returned over direct investment funds sent abroad, comprise the two largest favorable factors in our balance of payments. It is strange indeed that in seeking to redress our payments deficit, some would concentrate their attack on the very sources of our strength.

IV. THE OUTMODED LOOPHOLES

Fourthly, Mr. President, in reviewing a few of the most important fables that have been advanced about foreign investment, we should examine this colorful word "loophole" which has been dinned into our ears and, I fear, into the consciousness of some, with reckless abandon. I am afraid that we have here—unwittingly, I am sure—an endless repetition of label phraseology which tends to foster misunderstanding and prejudice rather than careful and objective analysis.

As a corollary on this point, we have been told in effect that the purpose of this so-called loophole—the present treatment of foreign subsidiary income—was to encourage investment in the rebuilding of Europe after World War II. It is asserted that this policy is now outmoded, and, ergo the so-called loophole must be repealed.

For example, the junior Senator from Tennessee [Mr. GORE] told us on February 12 that while the free world was suffering from a dollar shortage after World War II:

> There may have been justification for a policy of tax incentives to encourage such investment.

And a moment later he asserted:

> The need for such a policy ended in 1954 or 1955. But we still have the policy.

And at another point, the Senator complained:

> Long after the goals of this policy had been accomplished, the policy was continued.

I regret to say that our President also has fallen into this error. In his recent address to the AFL–CIO convention, the President stated:

> We passed laws in the days of the Marshall plan when we wanted capital over there, and as a result of that there are provisions on the tax book which make it good business to go over there.

I do not know whether the junior Senator from Tennessee [Mr. GORE] has misinformed the President, or whether the administration has misinformed the junior Senator from Tennessee, but I do know they are equally wrong. One would expect the President certainly would have been informed of the facts. The truth is that there were no substantive changes in the relevant tax laws in the Marshall plan period. Rather, the basic provision involved here has been a part of our income tax law ever since the law was first enacted in 1913. It was not enacted in 1913 to extend a special inducement for foreign investment, because foreign investment was not a major goal or issue at all at that time. The provision was placed in our income tax laws from the outset because of basic considerations of fairness in correctly defining just what is taxable income and what is a taxable entity. And yet this is what my friends endlessly call a loophole.

The existing law simply recognizes the elementary principle that income must be received before it is taxed. It recognizes the principle of national sovereignty that one country should not tax income earned and retained for proper business reasons by a local taxpayer in another country. It recognizes the principle of integrity of the corporate charter in that one corporation cannot be arbitrarily taxed on income earned by another corporation, a separate legal entity.

The principle, in fact, is precisely the same as that applied and generally accepted with respect to business within the United States. Unless the related corporate accounts are consolidated, which produces the same effect taxwise as in branch operations, a domestic parent corporation pays taxes on the earnings of a domestic subsidiary only as dividends are received by the parent corporation. And similarly, the stockholders of a domestic corporation pay taxes on the earnings of the corporation only when, and to the extent that, dividends are received by the stockholder.

And so our present law is not a loophole, or a special inducement for foreign investment enacted after World War II; it simply asserts basic tax equities which have been an integral part of our income tax system from its foundation.

V. EQUALITY WITH DOMESTIC INVESTMENT

Mr. President, the final myth we shall consider today is the repeated and important contention that the principal effect of the administration's proposal would be simply to place foreign investment on an equal tax footing with domestic investment. I regret to say that the distinguished Secretary of the Treasury has been perhaps the chief expositor of this strange conclusion.

The problem with this argument is that it looks entirely in the wrong direction. It relates foreign investment solely to domestic investment, but this misses the main point. The vast majority of American business abroad is not in competition with American business at home. American business goes abroad to compete in foreign markets with foreign firms.

Foreign markets, as we all know, are developing at a tremendous pace. There is a striking increase in demand for both capital equipment and consumer goods. Great economic opportunities are opening up—for someone. But the taxation of undistributed earnings of American subsidiaries would place American firms at a grave disadvantage in their competition for these markets with foreign firms—for, as we have seen, no other major trading country in the world has embraced so drastic a tax provision. In fact, many foreign countries give special tax benefits to help their firms in international competition.

Thus the principal effect of the administration's proposal would be not to help business at home, but to discriminate against American business abroad in its competition with foreign firms. Moreover, there is little evidence that promising economic opportunities at home are being neglected because some funds are going abroad to develop opportunities there.

VI. SUMMARY

In summary, Mr. President, I believe we have replaced these fables with these facts:

Fable: Funds invested in American business abroad never return to provide income and revenue to this country. Fact: Earnings returned to this country amounted to $20.5 billion from 1950 through 1960—far exceeding the funds invested abroad.

Fable: American investment in foreign subsidiaries results in serious displacement of goods made in America and causes unemployment in this country. Fact: Foreign subsidiaries were the channel for $2.7 billion in exports of American-made goods in 1960 alone—six times the imports sent back to this country from these subsidiaries. These exports mean good jobs and good wages for thousands of Americans.

Fable: Foreign investment results in a serious drain in our balance of payments. Fact: The earnings and exports generated by foreign investment constitute the major favorable factors in our balance of payments.

Fable: The proposal to tax undistributed earnings of foreign subsidiaries would remove a glaring loophole which reflects an outmoded post-World War II policy of inducing investment in Europe. Fact: The basic provision under attack was part of the income tax law of 1913 and has been retained since then because it expresses the fundamental and equitable principle that income should be taxed only as received by the taxpayer.

Fable: The principal effect of the administration proposal would be to place domestic investment on a par with foreign investment. Fact: The proposal would have little effect on domestic investment; instead of helping the American economy, its principal effect would be to give foreign competitors a major advantage over American business abroad.

And this, it seems to me, is a strange objective for American policy.

TRIBUTE TO ARTHUR E. BURGESS

Mrs. SMITH of Maine. Mr. President, I want to say a word of tribute to the retiring staff director of the Senate Republican policy committee, Arthur E. Burgess. He gave me and my office more cooperation and more assistance than any other staff director has.

In my opinion, he has been the best staff director the Senate Republican policy committee ever had, and his appointment illustrated the wisdom of the late Styles Bridges, who, in appointing him, exercised his prerogative and power as the chairman of the committee, just as Senator Hickenlooper did in his choice of Mr. Teeple.

I do not know Mr. Teeple, but I do know that he will have some very large shoes to fill in the record of his predecessor, Art Burgess.

CHRONIC DISEASE AND MEDICAL CARE

Mr. HICKEY. Mr. President, Dr. James W. Sampson, the director of public health for the State of Wyoming, will deliver a thought-provoking paper to members of the medical profession in Wyoming tomorrow morning. He has provided me with an advance copy and which I ask unanimous consent for it to be made a part of the RECORD immediately following my remarks.

The paper is particularly interesting to me because Dr. Sampson headed a committee concerned with problems of the aaging while I was Governor of Wyoming; and in this paper he deals positively with medical care recognizing both the problems of the profession and the problems of the aging. I commend the contents to my colleagues as a positive approach to a common ground in the health field.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

CHRONIC DISEASE AND MEDICAL CARE

(By James W. Sampson, M.D., director, Wyoming Department of Public Health)

Gentlemen, the local health officer in Wyoming has an unusual opportunity to exert leadership in the field of chronic disease as he is basically and primarily a private physician who has his own patients to satisfy as well as himself.

As a civic-minded, community-oriented individual he is a public health officer who functions with little pay, and unfortunately little, if any, thanks.

Advances in all sciences and technology, with the raising of the standard of living over the past half century, has brought about miraculous things. Among them and particularly in the medical field has been the reduction of infant mortality, the virtual elimination of some diseases in our part of the world, examples being typhoid, smallpox, and malaria, though they still wreak havoc in some parts of the world today.

By advancement in anesthesiology and the control of sepsis, we are at a point where various surgical procedures can now accomplish almost unbelievable things in all parts of the human body.

Brain surgery, heart and lung surgery are not now restricted to the hands of one or two in some of the leading medical centers of the world. Stomach and intestinal surgery is now perfected to a point where it may be done safely in the hands of the competent surgeons who practice in any licensed hospital in America.

We mention here the dramatic, which has been observed by most of us. I could also mention the control or detection, as well as treatment of nonsurgical conditions such as stroke, diabetes, and polio.

We recognize that specific therapy goes back many, many years, that quinine was used in 1638 empirically. The era of chemotherapy began with Ehrlich with his discovery of salvarsan. It is hard to realize that Ehrlich did not die until 1915. Yet, it was not until 1935 that the day of antibiotics dawned when the sulfonamides were introduced in the form of prontosil and we began, almost day by day, to see the dramatic change in medicine.

I would be remiss, however, to feel that this was the breakthrough which has caused us to have an older and older population. This goes back well over a hundred years and more and such classics are available in the medical literature as John Snow's report on cholera and the Broad Street pump in London.

The Panama Canal, where disease need be conquered before it could be built, is an example of disease control through altering enviroment, using the combined efforts of many disciplines, notably engineering.

Without a modern, safe, and reasonably economical water supply and sewage system no present-day community could exist.

Our increase in palatable and wholesome foods has raised our physical capacity and being to the place where we are truly a productive people.

The saving of the lives of infants and children, by saving our youth, an example being pneumonia, which was a killer of about one-fourth of the young men who acquired the disease when I left medical school in the thirties, and other advances has permitted people to live to an older and older age.

Chronic disease is not limited to the elderly, as we all know, but being elderly permits one to be the active proprietor of more and more of the chronic diseases. Some individuals can have a half dozen and exhibit pride in the accomplishment.

The field of public health has been the active area for the professional career of physicians for at least 200 years. This means that it is one of the recognized specialties. During this time, I am sure, it is impossible to point a finger of scorn at this group and say that public health physicians have introduced socialized medicine.

By and large, public health has had the same interest as the profession as a whole, and that is, to eliminate disease and by definition to promote public health.

We have helped by keeping statistical accounts of a vital nature which has helped the public as a whole and the profession specifically to know where we are, where we have been, and where we need to go in health matters and in many other ways.

No one questions our right in the field of acute communicable disease, to quarantine, which is one of the most arbitrary of police powers, nor are we questioned as to our right to educate, to assist with immunization and help control these conditions, or to point up the incidence and, in general, interest ourselves in this field.

We have, I feel, the same responsibility to both the public and to the medical profession when it comes to chronic disease.

There are at least hundreds of cases of some type of chronic disease in a treatable or arrestable condition in Wyoming unknown to the patient or physician and these we would like to uncover. When these cases turn up, our already overworked physicians will be up against it, for, as I see public health, we are not planning to go into the treatment business.

May I say that to me our most critical area in health is the shortage of physicians, nurses and the entire paramedical personnel field.

What are the conditions of which I speak? You could compile a list yourself, for I have no new or esoteric diseases to report. We are briefly touching on some of them at this meeting. Heart disease, cancer, diabetes, glaucoma, arthritis, sclerosis, and so forth.

Medical care has unfortunately become a political football. It has almost become a dirty word. This is unfortunate since it is one of our basic rights as individuals in this modern day.

You will note, please, I have mentioned medical care and not the means of achieving it and certainly not of paying for it. I hope in the short time allotted me to present some of my views on this serious and important subject.

To go back historically and look at the time when the physicians' position became different in this matter, we must look to 1935. The exact day is not important nor was anyone aware of it at the time. Some are not even aware of it today. Prior to that time, and with some known exceptions, most of what could be done for a patient could be done at home and with the medications carried by the physican in his handbag. These medicines were neither complicated nor expensive.

The home at that time also was not as complicated as it is today neither was our society.

With the change developed by blood transfusions and other wonderful techniques; together with the antibiotics and other, and need I say expensive drugs, the practice of medicine became a new matter both to the physician and his patient, as well as to the community at large.

The physician could no longer treat the patient at home when procedures which require hospital equipment were indicated. Certainly he could not furnish expensive medicine out of his own pocket for all his charity patients. Equally, if not more important, he could not stand expensive malpractice suits for failure to supply his poorest patient with indicated therapy or diagnostic methods. If such were indicated for those who could afford them, the doctor became vulnerable, if he did not use them for those who could not pay. For it is a legal fact that one is charged with supplying adequate and usual treatment available in your community and this applies to the poor as it does to the rich and this is as it should be.

People have selective memories. They grow nostalgic about the charity, kindness and personality of the old time family doctor. Yet today, if one tried to get by on charity, kindness, and personality he would find that today's patient wants a physician up-to-date, able and with the most modern armamentarium if their own person or family is afflicted.

They damn the cost of medical care, measuring in inflated dollars medications and treatment which permit them to live, yea, to recover in a few days from an illness which 30 years ago would have meant weeks or even months in bed, if they were fortunate enough to recover. When did you last see "blood poison"?

The physician, like his patient, being a member of the human race has forgotten something too. This is his responsibility as a civic-minded member of his community. His need to exercise medical leadership in a large, varied and extremely numerous group of conditions which are of grave concern to many laymen in his area.

All the newspaper publicity, the TV ads and the public relations men cannot compare with the interest shown by just one physician when he gives an hour of his time by visiting and discussing matters with, say, a group of parents of mentally retarded children, or spastics, or a group interested in multiple sclerosis, mental disease or cancer.

If physicians do not exercise their leadership in areas of medical concern, ignorant but interested laymen will. We will then find programs develop which are unsound and not acceptable to the medical profession and we will not have bonifide substitutes to relieve the problems presented. Logically we are considered obstructionists who are interested only when we personally are affected, viewing this from the standpoint of the concerned layman.

Now as to medical care. We in the Wyoming Department of Public Health do not view this matter as relating only to the aging, nor do we view it from the standpoint of the indigent. Though we must admit that these are the areas which are most critical.

We are conducting an experiment in Albany County on home care. We know that even with money it is almost impossible for some persons with chronic conditions to have proper professional supervision at home. This can also apply to convalescents and to some conditions for which one could be discharged from the hospital sooner with a saving to the patient and with the release of a hospital bed.

You will hear more about the Albany County project later in the program and I am sure you will find the topic timely and interesting.

Medical care for the aging is a subject which is controversial not as to need as much as to method and as to who should be entitled to it.

The Mills-Kerr bill is Public Law 86-778 and is currently functioning in a number of States. Wyoming is not one of them as the 36th legislature did not provide enabling legislation nor did it appropriate the needed funds to implement this law, which in our State would be on a 50-percent matching basis.

The King-Anderson bill is not law. It is proposed legislation and would provide "payment for hospital services, skilled nursing services, and home health services furnished to aged beneficiaries under the old-age, survivors and disability insurance program (social security), and for other purposes."

It was my intention to list the various matters covered in these two bills. The one that is a law and the proposed one. However, I have requested copies of each and am supplying them to you with the request that you review them and draw your own conclusions.

Since I am satisfied with neither of the bills I am suggesting a new approach.

To me social security is a fact. It has been a factor in the lives of many Americans since 1935. It has, for those covered by it, one feature which was called to our attention at the White House Conference on Aging in January 1961 by Mr. Larson, the man who wrote "A Republican Looks At His Party," which is very important to our American concept of freedom and that is the permissive mobility it gives. One's social security follows one from State to State and one of our basic freedoms is our ability to go where we please, when we please if transportation is available and within our means.

I would like the same permissive mobility included in a medical care plan but safeguards must be built in so that each State pays only its proportionate share of the recipients care. This I will develop later.

Before going further I would like to make it clear that I prefer an economy and condition which would make everyone self-sufficient and not dependent upon the State.

One of my concerns in the matter of aging and medical care is the apparent willingness of States, at least some of them, to await Federal leadership. Perhaps this spells up what has become apparent to me after 2 years of active interest in this area the fact that both the Federal Government and State government have responsibility in this matter.

I would propose that an X percentage of the personal income tax collected by the Federal Government be returned to the State from which it is collected, earmarked for a medical care program for the aging. Such a fund would be set up and used for that purpose only. It would be administered by the State under laws passed by each State for its own use and conditions. Appropriations needed in greater amounts than that furnished by the X percent should be appropriated by the State to implement their own program.

Administration of such program should be under the supervision of the State health department, which has had wide experience in this field, as exemplified by the crippled children's program which has been functioning many years.

This agency would contract with both the physicians and the hospitals on such a basis as would be acceptable by the physicians of that State and with the hospitals on a similar basis.

An understanding should be reached through the State medical society on such matters as utilization, overutilization and abuses at the onset. Provision for review and adjustment of fees should be made periodically.

If sufficient funds were available a State might actually purchase standard Blue Cross and Blue Shield. If a person carried such a standard plan the State might pay the difference and supply the preferred plan. Any private type of insurance with the resources and ability, should also be considered from the standpoint of our belief in free enterprise.

Since funds would come from personal income tax those on the program could be given credit if they purchase their own. These are details which could be worked out.

I would also consider the number of years an individual resided in a State. A "bank" can be established which would credit and debit States and a patients' cost could be prorated on the basis of the number of years of residency in each State, example of 25 years in Wyoming 10 years in Colorado, and 3 years in California. The bank system is present now in Blue Cross.

To start this program the Congress could appropriate the equivalent of the X percentage of the 3 years just preceding.

I feel a Federal office should be maintained in HEW, which could exercise much the same type of control as the Inspector General of the Army, and who would be responsible that certain standards are maintained, as is done in the crippled children's program.

I do feel strongly that Wyoming as a State has the integrity, ability, and capacity to carry out such a program and with some assistance in financing can solve such problems on its own.

I am satisfied that all the other States should face up to the matter and make their own decisions.

To me, one of the advantages is that our own tax money would be coming back for a most useful purpose.

Using the 1960 census figures Wyoming had almost 26,000 persons over 65 years of age, current standard Blue Cross and Blue Shield is $14 per month. This would mean that for $364,000 all people in Wyoming over 65 could have standard Blue Cross and Blue Shield, per month or $4,368,000 per year. This is a lot of money.

Between 1950 and 1960 Wyoming's population 65 years of age increased 42.6 percent. In actual numbers the increase was 7,743 from 18,165 to 25,908. There were 3,500 more men over 65 years of age and 4,393 more women. The men outnumber the women by 13,440 to 12,468. This difference is not as large as in 1950. In 1950 there were 125 men per 100 women. In 1960, 108 men per 100 women. The ratio of men to women is still atypical but it is approaching the national ratio which shows more women than men 65 years of age and older.

The older groups show an even greater percentage increase. The population 75 years of age and over increased 57.6 percent and the population over 85 years of age increased 72 percent.

To close my dissertation on aging, elder care, and chronic disease, I shall read what two of our poets have to say.

Robert Browning in his poem, "Rabbi Ben Ezra," said:

"Grow old along with me!
The best is yet to be,
The last of life for which the first was made;
Our times are in his hand
Who saith, "A whole I planned,
Youth shows but half; trust God: see all, nor be afraid.' "

And Longfellow:

"Age is opportunity no less
Than youth itself, though in another dress
And as the evening twilight fades away
The sky is filled with stars invisible by day."

It seems to me that it takes a bigger heart and a more serene mind to care for our older crippled individuals than it does to care for our crippled children.

The reason is fairly obvious. A child has an appeal to the paternal or maternal instinct present in all normal individuals.

A helpless child can be snuggled, cooed at and cared for without bringing up the unpleasant picture of a possible future of our own.

While the majority of our senior citizens develop into dignified and wholesome examples, as in the case of Churchill and Grandma Moses, a too large number become bedfast, confused cripples, who may have nasty dispositions and unpleasant personalities, which, while occasionally, are the result of organic changes, are most often a defense against a hostile world.

It has amazed me during the past year or so to observe how patients can change from a disagreeable helpless invalid, to a fine and wholesome, active person through the efforts of those who care for them because they care about them.

It is a fact that older patients can be rehabilitated and made productive just as child patients can.

This is not only a wonderful thing in itself, but can be tremendously important viewed from a financial standpoint, be it that of the individual or the State.

We should be selfish in this for we can, by our example and attitude, establish the pattern of care which we would like available to us when we need it, for we can assume, that barring an atom war which would exterminate the human race, that we can live to an age which may require some supervision over our personal needs or activities.

SHORTAGE OF ENGINEERS AND SCIENTISTS

Mr. PELL. Mr. President, earlier in the session, my distinguished colleague, the Senator from Wisconsin [Mr. PROXMIRE], brought to our attention a serious problem facing the United States in the 1960's. I am referring to our shortage of engineers and scientists, and to the danger of an increasing gap between the number of Soviet and American professionals in this field. In so doing, he cited "Education and Professional Employment in the U.S.S.R.," by Nicholas DeWitt, which points out:

Since the average quality of Soviet science and engineering graduates is comparable to that of American graduates, the superiority in numbers must be considered a crucial advantage.

In this respect, I find it alarming that "during the current decade, the Soviet rate of production in these fields will reach 250,000 a year, more than twice the expected American rate."

While our total college enrollment for 1958–60 increased by 18.9 percent over the 1957 level, engineering enrollment fell by 9.2 percent over those 3 years. Although this downturn was halted in 1961, the increase was but three-tenths of 1 percent; engineer enrollment was still far below the 1957 level.

With these disturbingly low figures in mind, and with the hope of discovering an explanation for them, I requested Mr. G. G. Gould, the technical director of the U.S. Naval Underwater Ordnance Station in Newport, R.I., to poll his staff of 174 engineers on the matter. They were asked:

First. Why do you feel that enrollment of engineers is declining?

Second. What influenced you to become an engineer?

Third. Would you advise your son to become an engineer?

The 130 responses to these questions shed light on some important factors which, to a large extent, have been neglected. For example, 31 percent felt that inadequate high school preparation coupled with the difficulty of an engineering curriculum accounted for the low figures. Accordingly, Mr. Gould emphasizes that there exists, "an ever-increasing gap between the quality of instruction up to and including the high school level and the requirements for admission to engineering courses in college."

Twenty percent replied that high school or home guidance was crucial in determining their choice to enter the engineering profession. This brings to the fore another aspect of the important role played by our high schools in this area.

Only about one-third gave an unequivocable "yes" to the question: "Would you advise your son to become an engineer?" Mr. Gould makes the interesting observation, and I quote him directly:

The major, single cause for failure to attract young talent is the social status of the engineering profession. The most important ingredient for building up the future engineering capability is to provide a respectable social status to the engineering profession.

In further support of this point, 16 percent of the respondents explicitly did state that the lack of prestige of the profession was the major factor in keeping engineering enrollments low.

This survey along with the letter and comments by Mr. Gould comprise a useful study of this especially important problem. It could provide the basis for improving many of our educational policies. I ask unanimous consent that the survey and accompanying material be printed in the RECORD at this point.

Mr. President, I also ask unanimous consent to insert in the RECORD an editorial which appeared in the February 17 edition of the New York Times which makes additional interesting observations about the need for more engineering graduates.

There being no objection, the survey, material, and editorial were ordered to be printed in the RECORD, as follows:

TECHNICAL DIRECTOR, U.S. NAVAL UNDERWATER ORDNANCE STATION,
Newport, R.I., December 22, 1961.

Hon. CLAIBORNE PELL,
U.S. Senator,
Newport, R.I.

MY DEAR SENATOR PELL: As I mentioned to you in our telephone conversation, this station's supervisory staff appreciates and welcomed the opportunity of meeting you at their last monthly meeting.

We have canvassed our professional employees to obtain a sampling of their opinions regarding enrollment in engineering curriculums and also to determine what influenced each to become an engineer. You may find the results of this poll, enclosed herewith, to be of interest. Also enclosed is a memorandum from our personnel director which discusses in more detail some of the responses to the questions.

It is interesting to note that insufficient salary is listed as a reason for declining interest by only one-quarter of the staff. This confirms my own beliefs which have been formulated over a period of 25 years in active practice as an engineer. It is my belief that the major, single cause for failure to attract young talent is the social status of the engineering profession. Historically, this has been the case for a long time. Before World War II, not too many entered the profession since the needs were small. There appeared to be a short upsurge in the number of young people who wanted to be trained as engineers shortly after World War II. I believe this stemmed directly from the postwar realization that it was American technology, based on American engineers' know-how, that contributed so importantly to our success in the war.

When the shouting and the memories declined, the engineering profession once more found itself in the position of being "just workers." This, to a large extent, is exemplified in our technical societies. The large engineering companies and utilities play a leading and guiding role in the affairs of the engineering societies. This is different from many other professions such as for medicine, law, or physics wherein the individual is the key to the activities and guidance of his professional society. The most important ingredient for building up the future engineering capability of this country is to provide a respectable social status to the engineering profession. This should be done in many different ways, but perhaps the single, most effective way is to require, by legislation, licensing of all engineers.

I hope these comments and survey are of value to you in the important task you have undertaken. This is a vital problem not only to those in the engineering profession but to our entire Nation. I would welcome an opportunity to assist you in any way I can toward finding acceptable courses of action. We look forward to seeing you at your convenience early next year.

Very truly yours,

G. G. GOULD.

(Enclosure.)

SURVEY BY MR. G. G. GOULD

1. Why do you feel that enrollment of engineers is declining?

Insufficient salary, 20 percent; lack of prestige, 16 percent; more difficult curriculum, 15 percent; inadequate preparation at high school level, 16 percent; cost of education too high, 4 percent; other careers more lucrative, 7 percent; scientists overshadow engineers, 5 percent; interruption of education by military service, 1 percent; soft living of youngsters—lack of drive, 10 percent.

2. What influenced you to become an engineer?

Personal aptitude, 12 percent; curiosity and desire to know how and why things worked, 18 percent; guidance received in high school or at home, 20 percent; liked and excelled in math and science, 24 percent; subsidy by GI bill, 1 percent; employment as mechanic or technician, 3 percent; promising future, 13 percent; experience in Armed Forces, 4 percent.

3. Would you advise your son to become an engineer?

Yes, 34 percent; no, 8 percent; if he had interest and aptitude, 56 percent.

4. When did you graduate?

Did not, 1 percent.

[From the New York Times, Feb. 17, 1962]

THAT ENGINEER SHORTAGE

Once again a high Government official—this time Secretary of Health, Education, and Welfare Ribicoff—has sounded the alarm about the shortage of engineers and engineering students. The number of students in college has been climbing sharply, but the number of freshman engineering students has remained roughly constant these past several years. Only about 45,000 engineering graduates received degrees last year as against the 72,000 new engineers the Department of Labor believes we will need annually during the next decade. There are chronic vacancies in good engineering schools. Mr. Ribicoff raises the specter of the balance of brain power tipping against us, especially since the Soviet Union is turning out many more engineers than we are.

That there is a genuine shortage of top-flight engineering talent is clear. What is less clear is why engineering is proving so relatively unattractive to college students despite the many exhortations on this subject which have been published in recent years. Economic theory tells us that when a particular talent is in short supply, the market acts to correct the situation by raising the earnings of those having this ability, thus stimulating entrance of newcomers into the field in order to correct the shortage. It would be useful to know why this has not happened with regard to engineers. Moreover, it is doubtful that all our engineers are being used properly. Many are probably engaged in work in which engineering education is not really required.

We would question any automatic assumption that the United States must produce more engineers simply because the Soviet Union produces so many. Attentive readers of the Soviet press have been noting suggestions there recently that perhaps Soviet schools are turning out too many engineers and not enough people who are capable of running an enterprise efficiently and economically. Soviet engineers are often used in the kind of post to which we assign people with an education in business administration or economics. There is no magic in simply turning out a very large number of engineers.

SCIENCE LEADER IN HOUSE: GEORGE PAUL MILLER

Mr. ENGLE. Mr. President, on March 23 the New York Times ran a biographical story on my old friend and colleague, Representative GEORGE P. MILLER, of California. In the same edition it ran an article on the committee that Congressman MILLER has headed since last fall, the House Science and Astronautics Committee. I commend the articles to the attention of my colleagues.

The biographical sketch does an excellent job of catching the personality, spirit, and character of GEORGE MILLER. It describes him as more interested in committee work and the problems of his constituents than in seeking publicity. Here the article hits on a quality that is unique among men in public life. It is this quality that has endeared him to the people of Alameda County who have sent him to Congress nine consecutive times. And it is this quality that makes GEORGE MILLER the outstanding public servant that he is.

The country as a whole is beginning to hear a lot about Congressman GEORGE MILLER. Under his leadership, the House Committee on Science and Astronautics is being transformed in scope and purpose to consider the broad scientific problems confronting the Nation. GEORGE MILLER cares intensely about solving the troubles that plague a country with an exploding growth in population. That is why he feels that more important than being the first to the moon is the scientific knowledge derived from space technology that can be used to improve life here on earth.

I ask unanimous consent that the articles in the New York Times be printed in the RECORD at this point.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the New York Times, Mar. 23, 1962]

SCIENCE LEADER IN HOUSE: GEORGE PAUL MILLER

WASHINGTON, March 22.—On the wall of GEORGE PAUL MILLER's fifth story office in the Old House Office Building is an aerial photograph of the San Francisco area where he was born 72 years ago. The picture is a sentimental reminder to a reminiscent Congressman of a varied life that has included careers as a civil engineer, travel agent, street sweeper, fish and game official, State legislator, and U.S. Representative, in that order.

To the new chairman of the House Committee on Science and Astronautics, the picture is also a bothersome reminder of problems confronting him as a legislator—problems including the future of the San Francisco area and of the Nation in the future.

As he notes, in another few decades, some 14 million persons are expected to be crowded into the area—a population growth that prompts him to ask:

"How are you going to feed and clothe all those people there and in similar metropolitan areas throughout the Nation without some breakthroughs in science?"

His concern helps explain why he is now attempting to redirect his committee away from its emphasis on space exploration into becoming the scientific observer and policy-setter of Congress.

AN UNUSUAL MEETING

One of the first steps was taken today when a panel of distinguished scientists was assembled before the committee for a discussion—unusual in the annals of Congress—that ranged from the possibility of life on other planets to the impact of Federal research grants on universities.

Mr. MILLER accepts the race to the moon as inevitable and necessary. But more important than being first to the moon, in his opinion, are the scientific knowledge that will flow from space technology and the resulting technical advances here on earth.

His emphasis on the scientific importance of space exploration reflects his proudly mentioned educational background as a civil engineer. As one of the few engineers in Congress, he likes to needle his lawyer colleagues in the House with the comment:

"You guys think in circles; I am one of the few guys around here who has been trained to think in straight lines."

Mr. MILLER is the son of a Sacramento River dredger captain. He received his civil engineering degree from St. Mary's College near his boyhood home of San Francisco in 1912. The next decade he divided between practice as an engineer and World War I service as a first lieutenant in the field artillery.

TURNED TO STREET SWEEPING

In the 1920's, he switched over to running a travel agency, an enterprise that failed in the depression. Thrown on relief, he was forced to sweep streets in Alameda, Calif., to receive relief allotments. The street-sweeping interlude led him into politics.

He served two terms in the California State Assembly from 1937 to 1941 and then became executive secretary of the California Division of Fish and Game.

In 1944 he was elected as U.S. Representative from the Eighth Congressional District in Alameda County and has been successively reelected ever since.

In Congress, he gained a reputation as a quiet-spoken legislator who voted a moderate liberal line and was more interested in committee work and the problems of his constituents than in seeking publicity.

By virtue of his membership on the Armed Services Committee he was assigned to a special House committee that set up the National Aeronautics and Space Administration and the House Space Committee. With the death last fall of Overton Brooks, of Louisiana, he moved over a seat to become chairman of the committee.

HELPED OCEANOGRAPHY

Previously he served as chairman of the Oceanography Subcommittee of the House Merchant Marine and Fisheries Committee.

While in that post, through persuasion and testimony, he was able to convince the scientific community of oceanographers that it should bring in industry to help in the expanding program of oceanographic research.

Colleagues describe Mr. MILLER as an easy-going, story-telling person with a quick, perceptive, analytical mind. A somewhat cautious person, he dislikes controversy, but can be a skilled politician in averting or settling an argument.

Despite his 72 years, Mr. MILLER is a spry man who likes to take jaunts in the Washington countryside and hikes in the Sierras of California. Some 7 years ago he broke the sonic barrier aboard a Navy jet fighter.

Mr. MILLER was married in 1927 to the former Esther Perkins, who had come from Overton, Nebr., to be a personnel manager in a San Francisco department store. They have one daughter—Mrs. Ann Miller Muir, of San Lorenzo, Calif.—and two grandchildren.

[From the New York Times, Mar. 23, 1962]

SCIENTISTS AND CONGRESS PONDER IF LIFE EXISTS IN OTHER WORLDS

(By John W. Finney)

WASHINGTON, March 22.—In the dimly lit caucus room of the House of Representatives today, a committee of Congress and a group of scientists discussed whether life exists in other worlds.

The scientists told the Congressmen that life might well have developed on far distant planets. But they were pessimistic, for political reasons, about ever establishing radio contact.

They were pessimistic because they doubt that legislators on other planets, any more than on this earth, would put up the money to build the costly transmitter needed to send messages to other worlds.

A serious discussion of such a subject would have caused laughter and ridicule a few years ago. The subject is one that scientists prefer to talk about only in private to avoid public scorn. Thus today's discussion pointed up a significant transformation taking place in consideration in Congress of scientific problems.

Under the leadership of its new chairman, Representative GEORGE P. MILLER, of California, the House Committee on Science and Astronautics is being transformed in scope and purpose into the first group in Congress to consider the broad scientific problems confronting the Nation.

The result is to fill what has been regarded within the executive branch and the scientific community as the major gap in the present organization of the Government to handle scientific problems and policies.

For congressional hearings, the committee today had an unusual slate of witnesses—12 of the Nation's outstanding scientists who make up the committee's advisory panel on science and technology. There was a foreign scientist, Sir Bernard Lovell, director of the Jodrell Bank Experimental Station in England. It was Dr. Lovell, along with Dr. Harrison S. Brown, a geochemist at the California Institute of Technology, who discussed, in answer to committee members' questions, the possibility of life in other worlds.

From an astronomical point of view, Dr. Lovell said, there is a real possibility because at least 4 percent of the billions of

stars in the universe must have planets capable of sustaining organic development.

A BIOLOGICAL PROBLEM

The question at this point, he said, is primarily biological. One positive clue was obtained recently, he pointed out, with the discovery of biochemical substances in some meteorites. Further evidence to answer the question, he said, will be obtained when searches are carried out for biological life on nearby Mars and Venus.

Dr. Lovell said, however, it would not be worthwhile to listen for messages for other worlds on a sporadic basis, such as was done in 1960 by scientists at the National Radio Astronomy Observatory in Green Bank, W. Va.

To do the job properly, he said, will require a number of finely instrumented radio telescopes developed to attack the problem on a long-term basis. He then expressed doubt that any nation would be willing to take on a project so expansive and so speculative.

Perhaps if disarmament is achieved, he said, it will then be possible to divert some of the military radar "dishes" to listening for messages from other planets.

Dr. Brown described the possibility of extraterrestrial life as "one of the most important, exciting questions confronting us."

CALLS LIFE ABUNDANT

His own personal bet, he said, is that life is "a very abundant commodity in our universe." But the chance of receiving signals from these other worlds, he said, depends largely upon how they have behaved and whether they have appropriated money to attempt to establish contact.

"Here I become somewhat gloomy," he said, "when I think about other legislatures in other worlds voting money for powerful transmitters to send signals that may or may not be heard in a few million years."

"The task that confronts us now," he said, "is how can we make the proper decisions in the legislative branch."

Behind this comment was the fact that jurisdiction over scientific problems is now fragmented among several congressional committees, with no one committee exercising an overall policy review. It is this latter role that the House Science and Astronautics Committee, originally set up primarily to handle the space program, is now trying to fulfill.

Dr. Brown used this example to illustrate his basic theme that "one of the most important tasks confronting us is how, in the democratic system, to make the correct decisions on problems involving technical and scientific considerations."

PART OF ANSWER FOUND

In recent years, he said, a "generally satisfactory" answer to this problem has been developed within the executive branch with the activation of the President's Science Advisory Committee, the creation of the Office of Scientific Adviser to the President and establishment of the Federal Council on Science and Technology to coordinate Government research programs.

NEEDED: WATCHDOG ON FEDERAL EXPENDITURES

Mr. WILEY. Mr. President, the Nation—experiencing skyrocketing expenditures—could benefit, I believe, by the creation of a permanent Hoover-type commission to keep a watchful eye on Federal spending. Over the years there has been an accumulation of evidence to demonstrate the need for greater protection for the taxpayers' money:

First. Examples of waste and duplication;

Second. Unnecessary stockpiling; and

Third. Need for elimination of Federal agencies for services performing activities that could better be handled by local and State governments, private enterprise, and so forth.

Previously, especially appointed Hoover Commissions—reevaluating Federal operations—have made recommendations that saved billions of dollars.

Recently there has been new evidence of the need for a more watchful protection of the taxpayers' pocketbook, such as:

First. Executive multibillion-dollar stockpiles of defense materials, now under investigation.

Second. Reports that foreign nations, recipients of U.S. aid, salt away instead of utilizing such funds.

Third. And other evidence from time to time of administrative deficiencies: lack of coordination in procurement, service, and other operations; unnecessary competition among Federal agencies, or with private enterprise; redtape entanglements; and other activities that either bog down efficiency or result in wasting money.

Taxpaying citizens, in my judgment, should not have to wait, however, until wide margin misjudgments become public scandals, resulting in loss of millions or billions of dollars. To the contrary, I believe that the extremely high level of Federal expenditures—currently at about $93 billion—requires constant watchfulness to:

First. Reevaluate the operations of the Federal Government to promote more (a) efficiency in administration; (b) realistic policies governing extensions and limitations of governmental activities; (c) effective staffing of—but not empire building in—Federal agencies; (d) elimination of agencies or activities after need has expired.

Second. Eliminate activities that are nonessential, or that can better be performed by State or local governments, or private enterprise.

Third. Eliminate unnecessary competition among Federal agencies or services.

Fourth. Avoid costly waste and duplication.

Fifth. Keep a watchful eye on expenditures of the taxpayers' money, to avoid over or reckless stockpiling whether for defense or any other purpose.

Sixth. Generally to promote greater efficiency and economy to serve the public interest.

Earlier this session, I introduced a bill—S. 2727—for establishing a permanent Hoover-type watchdog commission. Currently, the measure is pending before the Government Operations Committee in the Senate. Recognizing the need for ever-growing watchfulness in this field, I am recommending the committee take prompt action to consider and favorably report the bill to the Senate.

Recently, the Committee for Constitutional Government, Inc., published an article by the distinguished senior Senator of Virginia [Mr. BYRD], entitled "Crisis." Reflecting further upon the unparalleled and apparently unceasing upward trend of Federal spending, I request unanimous consent to have the article printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CRISIS

(By Senator HARRY FLOOD BYRD, of Virginia)

It was with a good deal of reluctance and, I will say, a good deal of sadness that, as chairman of the Senate Committee on Finance, I was compelled to ask for an increase in the Federal debt limit from $298 to $300 billion. I did so because I was told that unless the debt limit was increased, our Government could not pay its current bills.

I do not recall in my long service on the Senate Committee on Finance that there ever before arose such a condition as was presented to us.

It had to be recognized that the failure of this Government to pay its bills would create chaos at home and abroad in the free world. Such a situation could not be permitted to occur.

Under circumstances which had been allowed to develop, we were virtually forced to go more deeply into debt to pay running expenses continually coming due in excess of revenue income.

Federal financial crises such as this are recurring with increasing frequency. Enactment of the bill raised the limit on the Federal debt $7 billion in 8 months.

A year ago the debt limit was $293 billion. In June 1961, at the request of the administration, the debt limit was raised to $298 billion. Now, at the request of the administration, it has been raised to $300 billion.

Treasury figures relating to the recent $2 billion debt increase show deterioration in the fiscal situation has been precipitous since the June request to raise the debt limit to $298 billion.

Unnecessary spending is increasing. Nonmilitary Federal expenditures in the first 7 months this year, through January 1962, ran 10 percent higher than during the same period last year.

Total Federal expenditures in the July-January period were $3.9 billion higher than last year; nonmilitary expenditures increased $2.4 billion and military expenditures increased $1.5 billion.

We have been the policeman, the banker, and the Santa Claus for the free world more than 15 years. Recent figures showed U.S. foreign aid has totaled more than $100 billion, and it is continuing.

Meanwhile we are faced with a menacing deficit in the balance of international payments between the United States and nations we have assisted. It has run as high as $4 billion a year.

This situation, in combination with domestic deficits which threaten or cause inflation, has resulted in a drain on our gold supply. We have lost 30 percent of our gold in relatively few years. I emphasize: We have lost 30 percent of our gold reserves.

We are already laboring under a terrible tax burden. It is confiscatory in some areas. Deficits are continuing; and the debt is at a peak never reached even for 4 years of global shooting war.

In addition to $300 billion in direct debt, we have assumed contingent liabilities at home and abroad amounting to untold billions more.

Now we propose to underwrite the debts of the United Nations.

Before July 1962, the administration is going to ask that the debt limit be raised again by $8 billion, lifting the limit by $15 billion in a year. As the situation stands now, this will be the year of the highest revenue and the highest debt in history.

It is clear that continually raising the statutory limit on the Federal debt is only temporizing with dangerous deterioration in the Government's basic fiscal condition.

As chairman of the Finance Committee—and I hope I shall be joined by other Senators—I shall oppose to the utmost of my capacity raising the debt limit an additional $8 billion, to $308 billion for the next fiscal year when the administration says there will be a balanced budget.

A thorough examination of the financial position of the United States should and will be made by the Senate Committee on Finance before the next request to raise the limit on the Federal debt is granted.

Work on the examination has started. The Government's obligations are huge, complex, and worldwide. The study will be exhaustive. It is concerned with hard facts as distinguished from fiscal fantasy.

As a starting fact—regardless of how important the justifications were—there have been 24 Federal deficits in the past 30 years. The deficit last fiscal year was $3.9 billion. This year, ending June 30, 1962, it will be $7 billion to $10 billion, to make it a total of $11 billion to $14 billion for the 2 years. It is my frank and considered opinion that there will not be a balanced budget next year. I would be willing to venture, as strongly as I can, the prediction that there will be a very substantial deficit unless something is done to stop unnecessary spending in the fiscal year beginning on the first of July 1962.

Is it possible for us to destroy ourselves from within? Every American should ask himself that question.

Nothing could serve Khrushchev better. Survival of free nations, including our own, depends on the financial soundness of this Government.

Neither our form of government nor our system of enterprise can survive insolvency. All of us know that we cannot continue much longer to spend and spend, and tax and tax, and borrow and borrow.

Nothing now before Congress or any other branch of Government is more important than protection of the Nation's fiscal structure. It is being examined. Meanwhile further impairment should be stopped.

THE ADMINISTRATION DAIRY PROGRAM—MALHEUR COUNTY FARM BUREAU RESOLUTION

Mr. MORSE. Mr. President, the Willowcreek Center of the Malheur County Farm Bureau has brought to my attention a resolution adopted by that organization concerning certain provisions of the administration's proposed dairy program, as outlined in S. 2786. I feel, sure that many Senators are receiving similar communications and therefore might be interested in the statement of the Willowcreek Center, Malheur County Farm Bureau membership on this subject. Accordingly, I ask unanimous consent that Mr. Dudley De Long's letter of March 17, 1962, together with the accompanying resolution, be printed at this point in my remarks.

There being no objection, the letter and resolution were ordered to be printed in the RECORD, as follows:

MARCH 17, 1962.

Hon. WAYNE MORSE,
U.S. Senate,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: The members of the Willowcreek Center, Malheur County Farm Bureau, have been studying the administration's proposed dairy program as outlined in H.R. 10010 and S. 2780.

Enclosed you will find a copy of a resolution from our membership committee, which has been approved by the board of directors of Malheur County Farm Bureau, stating our views on this proposed dairy program and how we feel it will affect us as farmers in Malheur County.

There are approximately 800 dairy farmers in Malheur County. They could all be classified as small dairy farmers or family-sized dairy farms. There are 13 dairy farms producing grade A milk, the balance are members of Farmer's Cooperative Creamery, producing milk for manufacturing purposes. Malheur County ranks second in milk production in the State.

As operators of small dairy farms we are very concerned that the choice offered farms in this proposed bill in a free economy amounts to no choice at all and the Government can retain the right to break the free market by releasing its accumulated surplus.

We appreciate your effort in behalf of Malheur County farmers and ranchers in the past and respectfully request you give this your consideration.

Yours sincerely,

DUDLEY DE LONG,
Dairy Chairman.

Whereas we the members of Willowcreek Center, Malheur County Farm Bureau, have studied the administration's proposed dairy program: Therefore be it

Resolved, That we oppose this type of program; namely, national milk orders and compulsory checkoff.

We believe the compulsory checkoff is unnecessary as the dairy farmer is contributing toward dairy research, advertising, and education on voluntary and in some instances compulsory programs. Approximately 800 dairy farmers in Malheur County contributed nearly $18,000 in 1961 to the Oregon Dairy Products Commission.

This type of program would work a great hardship on the young dairy farmer entering the dairy business as under this program he would have to purchase a quota as well as stock and equipment to enter dairying.

We oppose the regimentation and Government control of this type of program.

DUDLEY DE LONG,
Dairy Chairman, Willowcreek Valley Farm Bureau.

KAY NAKAMOTO,
Chairman, Willowcreek Valley Farm Bureau.

FEDERAL SUPPORT OF EDUCATION—RESOLUTIONS OF AMERICAN COUNCIL OF LEARNED SOCIETIES

Mr. MORSE. Mr. President, Dr. Gerald F. Else, chairman of the department of classical studies at the University of Michigan, has kindly called to my attention, in a letter dated February 21, 1962, certain resolutions adopted by the American Council of Learned Societies at its annual meeting on January 21, 1962.

In view of the widespread respect with which the American Council of Learned Societies is held throughout American higher education, it is my judgment that the resolutions of the organization would be of great interest to my colleagues.

Therefore, I ask unanimous consent that the letter of Dr. Else and the resolutions of the American Council of Learned Societies be printed at this point in my remarks.

There being no objection, the letter and resolutions were ordered to be printed in the RECORD, as follows:

THE UNIVERSITY OF MICHIGAN,
DEPARTMENT OF CLASSICAL STUDIES,
Ann Arbor, Mich., February 21, 1962.

Hon. WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: I wish to call to your attention the accompanying resolutions which were adopted by the American Council of Learned Societies on January 21 of this year. You will note that the first resolution speaks in especially urgent terms about the need for Federal support of summer and academic year institutes for secondary school teachers in the basic humanistic and the social studies as well as in the fields which are now covered by the National Defense Education Act. The effect of the present act, with its support for the upgrading of secondary school teaching in some fields and not others, is a growing imbalance which bids fair to threaten the quality and integrity of American secondary education as a whole. I hope you may see your way, both as a Member of the Senate and in your capacity as a member of the Senate Committee on Labor and Public Welfare, to support this badly needed readjustment.

Although the need which is identified by the second resolution is perhaps not quite so urgent and pressing at this moment, the same long-range arguments apply to it and support it.

It is appropriate to point out to you that these resolutions were adopted by a unanimous vote of the delegates to the council, representing the 30 leading scholarly organizations in this country in the fields of the humanities and the social sciences.

Yours very truly,

GERALD F. ELSE,
Chairman.

The resolutions quoted below were adopted by the American Council of Learned Societies at its annual meeting on January 21, 1962.

The council is a private, nonprofit federation of national scholarly organizations concerned with the humanities and the humanistic aspects of the social sciences. It is a member of the International Union of Academies.

"*Resolved*, That this council regards it as imperative, in the national interest and for the strengthening of American education on the broadest possible front, that the Federal Government extend its support of summer and academic year institutes for secondary school teachers to include the basic humanistic and social studies on the same basis as modern foreign languages, mathematics, and the natural sciences.

"*Resolved*, That this council very strongly urges that the Federal Government, in the national interest and for the strengthening of our scholarly and intellectual resources on the broadest possible front, extend its support of higher education and research to include all the humanities and the social sciences on the same basis as mathematics, the natural sciences, and technology."

MORSE-TOWER DEBATE

Mr. MORSE. Mr. President, on February 7, 1962, the Columbia Broadcasting Co. released a prerecorded broadcast of a debate which took place under the auspices of the committee on discussion and debate materials of the National University Extension Association.

It was a pleasure to participate in the discussion with the junior Senator from Texas [Mr. TOWER] on the question, "What Should Be the Role of the

Federal Government in Education?" At this time I should like to express my appreciation to Dr. Homer Babbidge of the American Council on Education, who acted as moderator, to Dr. Bower Aly, executive secretary of the committee on discussion and debate materials, and to the Columbia Broadcasting System for bringing to the American public this public interest program.

Mr. President, I ask unanimous consent that a transcript of that debate be printed at this point in my remarks.

There being no objection, the transcript was ordered to be printed in the RECORD, as follows:

WHAT SHOULD BE THE ROLE OF THE FEDERAL GOVERNMENT IN EDUCATION?

WEDNESDAY, FEBRUARY 7, 1962.

ANNOUNCER. The CBS radio network presents a special recorded discussion on the question, What should be the role of the Federal Government in education? Our guests are: The Honorable WAYNE MORSE, U.S. Senator from the State of Oregon; and the Honorable JOHN TOWER, U.S. Senator from the State of TEXAS. Conducting the discussion will be Dr. Homer D. Babbidge, of the American Council on Education.

This broadcast is being presented in cooperation with the committee on discussion and debate materials of the University Extension Association. It signals the opening of the new high school debate season across the United States. Each year, the committee recommends a problem to be debated by high school societies throughout the country as the national high school debate problem of the year. Every year, to mark the opening of the high school debate season, the problem is discussed by eminent speakers from public life. You are about to hear the discussion of this year's topic.

Here now is Dr Babbidge.

Dr. BABBIDGE. The participants in today's discussion are not only both Members of the U.S. Senate, they are both former college professors. The senior Senator from Oregon, the Honorable WAYNE MORSE, was a professor and dean of the law school at the University of Oregon for 15 years until his election to the Senate in 1944. Prior to that he taught, appropriately enough for today's discussion, argumentation at the Universities of Wisconsin and Minnesota. Senator JOHN G. TOWER, the recently elected junior Senator from Texas, hasn't had time to do as much teaching and legislating as his opponent in this debate since he is at 36 the youngest and newest Member of the U.S. Senate. He has nonetheless taught political science at Midwestern University in Wichita Falls, Tex., for some 8 years. Another thing these two educator-Senators have in common is membership on the Senate Committee on Labor and Public Welfare, which has jurisdiction over all education legislation coming before the Senate. So that as these two gentlemen discuss the subject of Federal aid to education, it is fair to say that the radio audience is being treated to a lively discussion of a vital topic by two men who will have much to say about the actual resolution of this issue. These two Senators have sharply contrasting views on the issue under discussion, as I think will be amply clear as our debate gets underway.

I trust that neither will take offense when I say that one of them, Senator MORSE, takes what is termed a liberal position, while the other, Senator TOWER, takes a frankly conservative position; but as former teachers and now legislators, they are agreed, I am sure, that the clash of their contrasting views on this issue is a precious part of both the teaching and the legislating arts. They would concede too, I think, that there are positions on the issue of Federal aid to education other than those that they take. I suspect that if we had 10 Senators participating in this discussion we might well identify 10 positions on the issue, each held by its proponent with much the same earnest conviction that characterizes the views of our participants today. So in that spirit of a good debate between two knowledgeable men who believe strongly in their respective and contrasting views, I take pleasure in initiating this discussion on the subject of the role of the Federal Government in American education.

Senator MORSE, I wonder if you would be willing to start things off by taking a few minutes to state your position?

Senator MORSE. Dr. Babbidge, Senator TOWER, and friends. It is with great pleasure that I join with my good friend Senator TOWER in a discussion concerning what I believe to be one of the most important issues to face the Congress and the country in this decade. I am proud to appear to urge the affirmative of the question that Federal financial assistance be given to the States to meet in part the educational needs of the nearly 40 million boys and girls in our public elementary and secondary schools. As a Senator I have long supported such a program. In 1947, I supported Senator Taft, and in 1949, Senator Thomas and Senator Taft in their efforts to provide needed financial assistance without Federal control of the local education operation. As chairman of the Education Subcommittee of the Senate Committee on Labor and Public Welfare, I was pleased to respond to President Kennedy's vigorous call to action, and I am happy to report that S 1021, the administration's program, was passed by the Senate last May 25 after 10 days of floor debate. Before we enter into the positive evidence to support the position I hold, I feel it would be most helpful to straighten out a few misconceptions.

The first misconception, I believe, that should be laid to rest, is that this is something new. Federal aid to our public schools for operation and maintenance, which includes teachers' salaries and Federal aid to help build schools, has been a part of our law and on the statute books for over 10 years. Public Laws 815 and 874 were first enacted in 1950. Public Law 815 provides construction money, and Public Law 874 provides money for operation and maintenance of public schools in federally impacted areas. You may say, "But Mr. Senator, these are only specialized cases. This isn't a general program of Federal aid." True in part, but did you realize that the 3,965 school districts participating in Public Law 874 money contain about 11 million schoolchildren, a third of all our public school children, or that under Public Law 815, since 1950 the Federal Government has contributed $1,080 million to local school districts to build schools. Almost $2½ billion has been spent for both of these programs in 10 years. These figures show that in this area alone, we have through our National Government been giving a support to local education where there were special hardships created by moving into a community a new Federal airbase, an atomic production plant, or other Federal installations.

But long before this—before even the adoption of our Constitution when we were operating under the Articles of Confederation in 1785—the Congress in the Survey Ordinance of 1785 provided that there should be reserved the lot number 16 of every township for the maintenance of public schools in each township.

Thus we see that public aid for public schools is no new thing. What is new is that we now stand on the threshold of being able to pass a law which will for this day and age begin to make a significant contribution to all the public school children in each of our States. During the course of testimony presented to my subcommittee, and there was a great deal of it—our hearing record when printed ran to over 1,300 pages—witness after witness spoke of the classroom shortage and the teacher shortage. It is a misconception to think that there is no need for substantial financial support to the American school system. According to statistics recently released by the Office of Education, it was stated that we have a shortage of 127,200 classrooms in our elementary and secondary schools.

What does this mean? It means that 1,693,262 American boys and girls are being shortchanged educationally. These are the numbers of students in excess of normal classroom capacity. When we as legislators are told these things, in my judgment we have a clear duty under the general welfare clause of our Constitution to take appropriate legislative action. This we are doing through our action on S. 1021, the Public School Assistance Act of 1961. Classrooms, however, do not teach children. Dedicated men and women of the teaching profession are needed for the teaching. Where do we get them? We aren't, apparently, willing to pay for the professional training necessary to qualify for full certification under the State laws. But I salute these trained and competent young men and women who choose teaching as a career because they are performing a great public service. We start our teachers in Washington, D.C., at $4,800 a year. Now, that is a fairly high entrance salary by comparison with other big cities; yet a college senior graduating in electrical engineering from Georgia Tech in 1959 could expect to receive an annual paycheck of $6,360.

This is an interesting commentary on our standards of value. Part of the price we are paying for this inversion and subordination of human values is that we have a great many teachers who cannot meet the State certification standards: 89,700 elementary and secondary school teachers out of the 1,400,000 teachers in our schools are teaching under substandard credentials, and in this introductory statement, I want to say that I have no doubt about the need for Federal aid to education. We have got to do it in a way that reserves to the States the control over the local school district. What we need to remember, as I have said so many times and want to stress again, we are never going to keep ahead of the Communist segment of the world in manpower, but we have just got to see to it that we keep ahead of it in brainpower, and I think that the Federal Government has a share, but only a share, of the responsibility to help the States, and it is because of that responsibility that I am glad to bespeak for the administration the adoption of Federal aid to education legislation.

Dr. BABBIDGE. Thank you very much Senator WAYNE MORSE. Now, Senator TOWER, I wonder if I could ask you similarly to take a few minutes to state your position.

Senator TOWER. Dr. Babbidge, Senator MORSE. I have been a consistent opponent of Federal aid to education for two basic reasons. First, it is not the function of the National Government to finance our public school system. Indeed the maintenance of a public school system is not one of the enumerated powers found in article I of the Constitution. It is a State responsibility as is implied in the 10th amendment to the Constitution which says that all powers not delegated by the Constitution to the United States nor prohibited by it to the States are reserved to the States respectively and to the people.

Further, I am apprehensive of Federal financing of public schools on the grounds that I believe that it could ultimately lead to Federal control of our educational system. I think that probably there conceivably might not be too much abuse of that by any administration that we might anticipate over

the next few years, but ultimately it could become a tool in the hands of unscrupulous politicians for the brainwashing of American youth. I don't think we should be smug and say that it can't happen here. The Germans are very highly intelligent people, but it took Hitler only 7 years to brainwash the youth of Germany.

And so I think it is very good to have decentralized control of your public school system. The Congress doesn't appropriate money unless it determines how that money is to be spent; and the tendency over the past few years has been for the Congress to determine more and more in detail how Federal money should be spent, especially in the Federal grant and aid field.

Now we don't usually tie many strings, I am afraid, to a lot of the foreign aid money that we give away, but when it is given to the States, there are strings attached. I think that education needs can best be determined on the local level. I believe they can best be met at the local level. I think that people in their capacity as citizens of the community or the State are more familiar with their own educational needs. I think that money collected in the States and in the communities can be more efficiently and more economically spent if it stays there rather than if it goes to Washington, and we knock off some for administrative costs and then return it to the States or to the local governments and tell them precisely how they can spend it. I think that a tax forgiveness plan to the States for educational purposes would be good.

I think that the Federal Government could relinquish to the States certain sources of taxation that might conceivably have preempted ordinary State sources so that people in their capacity as individuals and citizens of the community can do for themselves the things that should and must be done. I think our people have shown traditionally that they do recognize what their foibles and weaknesses, their shortages, their shortcomings, and their needs are and will move to meet them.

I would like to cite one example in my State. There is a city near Dallas called Irving, Tex., In 1950, Irving had a population of less than 5,000. In 1960, it had a population of 50,000, so while the population has increased 1,000 percent, they have kept pace with their public school construction program to the extent that they have no classroom shortages in Irving. I think that our people can be relied on to make their own decisions on the local level. I think we have no confidence in the ability of people to govern themselves, in the ability of people to exercise freedom of choice wisely on the local level if we insist that only the Federal Government knows what the educational needs of the country are and only the Federal Government will be responsible in this field.

Dr. BABBIDGE. Thank you very much, Senator TOWER. You have indicated, both of you, the desire to avoid Federal control of education at the local level. I wonder if you, Senator MORSE, share the degree of apprehension expressed by Senator TOWER.

Senator MORSE. Dr. Babbidge, I think Senator TOWER draws very clearly the differences of opinion between us in regard not only to this issue but the other issues that he mentions. I want to say to my good Republican friend from Texas that I am a Taft man on this issue because I want to read what we find in the——

Senator TOWER. May I say, Senator, that in the Republican Party we always have disagreed agreeably.

Senator MORSE. Well, that is certainly true of the Democratic Party. But let me point out what the Taft principle is in regard to Federal aid to education, because even back in 1947 he was charged with being a creeping Socialist because he favored Federal aid to education. Let's take a look at the language in 1021. It is the language that is taken from the Taft philosophy and provides that in the administration of this title no department, agency, officer, or employee of the United States shall exercise any direction, supervision, or control over the policy determination, personnel, curriculum, program of instruction, or the administration or operation of any school or school system. May I say, Dr. Babbidge, that as Bob Taft used to point out if anybody has any stronger language that will guarantee to a greater degree local control of education than that language, give it to me, and I'll write it into the administration's bill. But, Taft was also right when he said, "You can't get stronger language." Now, also don't forget that Senator TOWER and I and 98 other Senators are going to be sitting in the Senate of the United States if a Federal aid to education bill is adopted, and if any Federal agency or official tries to interfere or dictate or direct educational policy at the local level, we will be heard from. We need to remember that when you pass legislation Congress doesn't pass out of the picture after the legislation is passed. We sit there with the responsibility of watchdogging the administration of that legislation, and I want to say that I haven't any worry at all about the Federal Government dominating education in the States with this kind of a safeguard in it.

Senator TOWER. As I noted awhile ago, for the immediate future there might not be any fear of Federal control, but I think it could be a foot in the door and over a long period of time could result in Federal control. Since Senator MORSE has quoted a man that I admire very greatly, Senator Taft, I would like to quote Representative JOHN LESINSKI, who was formerly chairman of the House Committee on Education and Labor and who was a leading liberal within the Democratic Party, and he had no illusions. This is what he said: "It is impossible to draft a general Federal aid bill which will not contain a great deal of Federal control over local school systems. I am convinced after the hard study we have put to the question, that no acceptable bill preventing the Federal domination of local schools can be drawn. I reluctantly come to the conclusion, but I had to face the facts." So I think there could be a danger of Federal control, and sometimes, of course, the majority in the Congress might be inclined to be swung in one particular direction to the extent that they would abdicate their responsibility to supervise Federal expenditures without Federal control. Of course, I would trust the system much more with a Republican majority than I would with a Democratic majority, but I think in principle it is a bad idea. I would like to point out too that in past so-called aid to education programs that many of these were not designed primarily as aid to education.

Now, Senator MORSE has mentioned the land-grant system. I would point out that land grants were made for a great number of things—for homesteads, for railroads—and actually a minority percentage of land-grant money went to the public schools, and it went to the undeveloped lands of the West primarily. And this was a program aimed at attracting immigrants to this underdeveloped area rather than a program aimed at education. As far as impacted areas are concerned, I think that everybody, be he liberal or conservative, has recognized the very clear responsibility of the Federal Government to aid school systems in areas where the Federal Government has gone in and preempted taxable land where, in military establishments, they have moved in a number of dependents that must be schooled, and, of course, this program should be continued and without strings attached.

Senator MORSE. I would like to make this reply to Senator TOWER in regard to this matter of Federal aid, and it is my reply to the very able Democratic colleague that he quotes, that we need to remember that Congress grants the appropriations. There is your constant check on any attempt on the part of the Federal Government, and I don't think any attempt would be made, but let's assume that it is, the appropriation check is a very important one. Now, let us go to these aids that we are already receiving. Let's take Oregon and Texas for example. My State at the present time receives $3,745,636.58, as of last year, by way of Federal aid from all these various aid programs—don't forget that this is Federal money, and the test is, does this Federal money go into the schools?

That's the test. It does go into the schools, and, therefore, in fact is Federal aid. The Senator from Texas' State received $22,083,141.29. Now this is Federal money that presently is being spent in our two States, and similar amounts are spent elsewhere in the country; and I am looking for the evidence that shows the Federal dictation into the school policies, into the curriculum, and into the standards of the schools, and it hasn't been presented to my committee. In fact, let's not forget that back in 1862, Abraham Lincoln signed the Morrill Act after Buchanan and the administration preceding him had vetoed it, and he vetoed it on the ground that he thought the time might come, as Senator TOWER does now, that the Federal Government might interfere in these land-grant colleges. Abraham Lincoln had no such fear. He signed the bill, and he has been justified over the years by this tremendous Federal aid program for our land-grant colleges.

Senator TOWER. Actually, however, in other areas of Federal grant-in-aid, as I said, although you might build in some mechanism into the bill that would prevent the exercise of Federal control, ultimately I can see it eaten away and see it slip away. Pursuant to the Federal Social Security Act of 1935, for example, States had to form agencies along lines prescribed by the Federal Government for old-age assistance programs, aid to the needy blind, and aid to dependent children, etc., so they did tell them how the money could be spent. Now, I doubt too that this conforms to the spirit of the Constitution—this business of Federal aid to education.

I remember that Judge Pine in his district court decision in the classic case of *Youngstown Sheet and Tool* v. *Sawyer* said that past wrongs unchallenged do not clothe present similar wrongs in a cloak of legality. I think it does do violence to the spirit of the Constitution, and as long as we are talking about this business of Federal control, let me note that here are some of the controls that are built in to the National Defense Education Act, Public Laws 85 and 864. With respect to the payment of Federal capital contributions, the Commissioner of the Office of Education of HEW sets the date for filing applications by the educational institution, etc. Participating institutions must make an agreement with the Commissioner providing for certain conditions which must be met. Loans made by an institution to a student are subject to such conditions, limitations, and requirements, etc. There are many, many more of these that we could go on reading, but the point is there will be Federal control.

And I don't recognize the need—I would point out that over the past few years, classrooms are being built at a greater rate than the President projects, we will need to have classrooms built over the next 10 years. He projects something like 600,000. We have been building at a rate roughly of 70,000, and, by the way, we have reduced our shortage from 370,000 in 1954 to 127,000 in 1961.

Senator MORSE. Let me very quickly point out that we need to distinguish among Federal aid programs. There are Federal aid programs in which the Federal Government does have a responsibility in connection

with the program itself in regard to its standards and its operation—the roadbuilding program, for example. It is quite proper for the Federal Government to lay down the standards if you are going to get Federal money for a roadbuilding program, but in those laws the standards are written in. In your Federal aid to education program, let me make very clear that noninterference is written into the law as mandate upon the Federal Government. As to the constitutional argument, I have no doubt the Supreme Court has already held it under the 10th amendment.

Of course, the Federal Government isn't limited, as has been argued, to the literal delegation that you have in the Constitution. You have this matter of the general welfare, and—what's more important—the defense of this country; because it is our most important defense weapon to see to it that we develop the brainpower of our boys and girls in this great contest against totalitarian societies that threaten us.

Dr. BARRIDGE. Gentlemen, I am terribly sorry to say that our time for discussion has already been exhausted. I know that each of you has a great deal more to say on behalf of his position. We can only be grateful that you will have more than a half hour in which to debate this issue when it arises in the Senate. I should like to express my appreciation to both of you, Senator WAYNE MORSE, of Oregon, and Senator JOHN TOWER, of Texas, for your willingness to discuss here today the role of the Federal Government in education as a contribution to the annual national high school debate. My thanks too to Dr. Bower Aly and the National University Extension Association for their sponsorship of this worthy debate.

ADJOURNMENT UNTIL MONDAY, APRIL 2, 1962

Mr. MORTON. Mr. President, in compliance with the order heretofore entered, I move that the Senate adjourn until 12 o'clock noon on Monday next.

The motion was agreed to; and (at 12 o'clock and 59 minutes p.m.) the Senate adjourned, under the order previously entered, until Monday, April 2, 1962, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 29 (legislative day of March 28), 1962:

FARM CREDIT ADMINISTRATION

The following-named persons to the office indicated:

Jennings B. Fuller, of Wyoming, to be a member of the Federal Farm Credit Board, Farm Credit Administration, for a term expiring March 31, 1968.

William T. Steele, Jr., of Virginia, to be a member of the Federal Farm Credit Board, Farm Credit Administration, for a term expiring March 31, 1968.

ASSISTANT SECRETARY OF STATE

Robert J. Manning, of New York, to be an Assistant Secretary of State.

U.S. ARMS CONTROL AND DISARMAMENT AGENCY

Dr. Franklin A. Long, of New York, to be an Assistant Director of the U.S. Arms Control and Disarmament Agency.

AGENCY FOR INTERNATIONAL DEVELOPMENT

Walter L. Lingle, Jr., of Ohio, to be a Deputy Administrator of the Agency for International Development.

John L. Salter, of Washington, to be Assistant Administrator for Congressional Liaison, Agency for International Development.

Herbert J. Waters, of Virginia, to be Assistant Administrator for Material Resources, Agency for International Development.

DIPLOMATIC AND FOREIGN SERVICE

The following-named Foreign Service officers for promotion from class 2 to class indicated:

To be class 1

Ward P. Allen, of Virginia.
Herbert P. Fales, of California.
Spencer M. King, of Maine.
Walter W. Orebaugh, of Oregon.
Henry C. Ramsey, of California.
Paul B. Taylor, of the District of Columbia.

To be class 1 and to be also a consul general of the United States of America

H. Gardner Ainsworth, of Louisiana.
William O. Baxter, of the District of Columbia.
James D. Bell, of New Hampshire.
Findley Burns, Jr., of Minnesota.
Frank P. Butler, of New Jersey.
John A. Calhoun, of California.
Robert G. Cleveland, of New York.
Stephen P. Dorsey, of the District of Columbia.
Arthur B. Emmons 3d, of Massachusetts.
G. McMurtrie Godley, of New York.
Joseph N. Greene, Jr., of the District of Columbia.
Richard H. Hawkins, Jr., of Pennsylvania.
George Mason Ingram, of Tennessee.
Harold G. Kissick, of Missouri.
John Gordon Mein, of Kentucky.
Sydney L. W. Mellen, of Pennsylvania.
Francis E. Meloy, Jr., of Maryland.
David G. Nes, of Maryland.
Leon B. Poullada, of California.
Richard H. Sanger, of Maryland.
William J. Sheppard, of Kansas.
Ben S. Stephansky, of Illinois.
Leonard Unger, of Maryland.
Harvey R. Wellman, of New York.
Francis T. Williamson, of Virginia.

The following-named Foreign Service officers for promotion from class 3 to class indicated:

To be class 2

George O. Barraclough, of California.
William D. Brewer, of Connecticut.
William T. Briggs, of Virginia.
James J. Byrnes, Jr., of Pennsylvania.
Philip H. Chadbourn, Jr., of California.
Edward W. Clark, of New York.
Ralph S. Collins, of Tennessee.
John E. Crawford, of Minnesota.
John Hugh Crimmins, of Virginia.
Kennedy M. Crockett, of Texas.
Alfred P. Dennis, of Virginia.
Leon G. Dorros, of New York.
Hermann F. Eilts, of Pennsylvania.
Halvor O. Ekern, of Montana.
Julian P. Fromer, of New Jersey.
Michael R. Gannett, of Connecticut.
James F. Grady, of Massachusetts.
Joseph A. Greenwald, of Illinois.
Philip C. Habib, of California.
Richard C. Hagan, of Illinois.
William L. Hamilton, Jr., of Maryland.
L. Douglas Heck, of Maryland.
John L. Hill, of Wisconsin.
John D. Iams, of Oklahoma.
George R. Jacobs, of Illinois.
J. Roland Jacobs, of California.
William E. Knight 2d, of Connecticut.
Samuel Owen Lane, of California.
Thomas B. Larson, of Maryland.
John H. Lennon, of California.
Irvin S. Lippe, of Michigan.
Walter Q. Loehr, of California.
David E. Mark, of New York.
Albert P. Maylo, of Michigan.
John A. McKesson 3d, of Florida.
Joseph A. Mendenhall, of Virginia.
Joseph J. Montllor, of Alabama.
Walter J. Mueller, of Connecticut.
Thomas E. Nelson, of Washington.
Horace J. Nickels, of Maryland.
Nils William Olsson, of Illinois.
Glvon Parsons, of Texas.
Charles F. Pick, Jr., of Florida.
Mrs. Margaret H. Potter, of the District of Columbia.
C. Hoyt Price, of Arkansas.
Joe Adams Robinson, of Oklahoma.
John Frick Root, of Pennsylvania.
Henry J. Sabatini, of the District of Columbia.
Joseph A. Silberstein, of Maryland.
Eldon B. Smith, of Kansas.
Rufus Z. Smith, of Illinois.
William J. Stibravy, of New Jersey.
James S. Sutterlin, of Maryland.
Emory C. Swank, of Maryland.
Robert Adams Thayer, of Virginia.
John L. Topping, of Virginia.
Oliver L. Troxel, Jr., of Colorado.
Albert S. Watson, of Connecticut.
C. Thayer White, of Texas.

The following-named Foreign Service officers for promotion from class 4 to class indicated:

To be class 3

Robert Anderson, of Massachusetts.
Howard J. Ashford, Jr., of Colorado.
Alfred L. Atherton, Jr., of Massachusetts.
John Campbell Ausland, of Pennsylvania.
John George Bacon, of Washington.
Robert J. Barnard, of Wisconsin.
John L. Barrett, of Texas.
Carl E. Bartch, of Ohio.
Williams Beal, of Massachusetts.
Robert M. Beaudry, of Maine.
Slater C. Blackiston, Jr., of North Carolina.
William G. Bowdler, of Virginia.
Thompson R. Buchanan, of Maryland.
William A. Buell, Jr., of Rhode Island.
Paul C. Campbell, of Pennsylvania.
William A. Chapin, of Illinois.
Mrs. Anne W. Claudius, of New Mexico.
Richard H. Courtenaye, of California.
John B. Crume, of Kentucky.
Phillip B. Dahl, of Illinois.
Arthur R. Day, of New Jersey.
John B. Dexter, of Maryland.
John R. Diggins, Jr., of Maine.
Paul F. DuVivier, of New York.
Miss Margaret A. Fagan, of Iowa.
Benjamin A. Fleck, of Pennsylvania.
Magdalen G. H. Flexner, of the District of Columbia.
Robert C. Poulon, of Illinois.
A. Eugene Frank, of New Jersey.
Miss Betty C. Gough, of Maryland.
Pierre R. Graham, of Illinois.
Lawrence E. Gruza, of Connecticut.
James C. Haahr, of Minnesota.
William C. Hamilton, of Connecticut.
Robert Whitcomb Heavey, of California.
Martin Y. Hirabayashi, of Washington.
Rogers B. Horgan, of Virginia.
Robert B. Houghton, of Michigan.
Thomas D. Huff, of Indiana.
Elmer C. Hulen, of Kentucky.
Johannes V. Imhof, of California.
Edward C. Ingraham, Jr., of New York.
Charles K. Johnson, of California.
Richard E. Johnson, of Illinois.
Curtis F. Jones, of Maine.
William Kane, of Virginia.
Miss Sofia P. Kearney, of the Commonwealth of Puerto Rico.
Joseph T. Kendrick, Jr., of Oklahoma.
Bayard King, of Rhode Island.
Gordon D. King, of the District of Columbia.
Walter E. Kneeland, of Texas.
Lowell Bruce Laingen, of Minnesota.
Donald E. Larimore, of Illinois.
Earl H. Lubensky, of Missouri.
Michael B. Lustgarten, of New York.
Doyle V. Martin, of Oklahoma.
Edward E. Masters, of Ohio.

James A. May, of California.
Stephen H. McClintic, of Maryland.
Earl R. Michalka, of Michigan.
Kermit S. Midthun, of Michigan.
Carl J. Nelson, of Virginia.
Cleo A. Noel, Jr., of Missouri.
Donald K. Palmer, of Michigan.
Stephen E. Palmer, Jr., of New York.
Stephen Peters, of Virginia.
T. Howard Peters, of Washington.
Elmer C. Pitman, of Indiana.
Paul M. Popple, of Illinois.
Francis C. Prescott, of Maine.
Edwy L. Reeves, of Virginia.
Edwin C. Randall, of Illinois.
John Church Renner, of Ohio.
Robert M. Sayre, of Florida.
David T. Schneider, of New Hampshire.
Talcott W. Seelye, of Massachusetts.
Robert H. Shields, of California.
Richard E. Snyder, of New Jersey.
Karl E. Sommerlatte, of Florida.
C. Melvin Sonne, Jr., of Pennsylvania.
Moncrieff J. Spear, of New York.
William Perry Stedman, Jr., of Maryland.
Lee T. Stull, of Pennsylvania.
Godfrey Harvey Summ, of Virginia.
Malcolm Thompson, of Massachusetts.
Edward J. Thrasher, of New York.
Philip H. Valdes, of New York.
Miss Eulalia L. Wall, of Texas.
Sidney Weintraub, of New York.
Charles S. Whitehouse, of Rhode Island.
Edward H. Widdifield, of California.
J. E. Wiedenmayer, of New Jersey.
Wendell W. Woodbury, of Iowa.
Charles G. Wootton, of Connecticut.
Elmer E. Yelton, of Texas.

The following-named Foreign Service officers for promotion from class 5 to class indicated:

To be class 4

Miss Jane S. Abell, of New Hampshire.
Richard H. Adams, of Texas.
James E. Akins, of Ohio.
Robert J. Allen, Jr., of the District of Columbia.
Miss Marion E. Anderson, of Connecticut.
J. Anthony Armenta, of California.
James H. Ashida, of Washington.
Robert A. Aylward, of Massachusetts.
Henry Bardach, of Texas.
Richard W. Barham, of Texas.
Raymond Bastianello, of Texas.
Raymond J. Becker, of California.
John J. Bentley, of California.
Philip B. Bergfeld, of California.
Roland K. Beyer, of Wisconsin.
Joel W. Biller, of Florida.
Robert R. Bliss, of Michigan.
Charles W. Brown, of California.
Max R. Caldwell, of Texas.
Alan L. Campbell, Jr., of North Carolina.
Robert V. Carey, of Colorado.
Robert J. Carle, of California.
Roy O. Carlson, of Illinois.
Frank C. Carlucci, of Pennsylvania.
Joseph A. Cicala, of Connecticut.
Walter F. X. Collopy, of Connecticut.
Thomas F. Conlon, of Illinois.
J. Stewart Cottman, Jr., of Maryland.
Robert G. Cox, of New Mexico.
Everett L. Damrot, of Ohio.
Allen C. Davis, of Tennessee.
John G. Dean, of New York.
Thomas A. DeHart, of California.
Willard A. De Pree, of Michigan.
A. Hugh Douglas, Jr., of Rhode Island.
J. Fred Doyle, Jr., of Colorado.
Michael E. Ely, of the District of Columbia.
Alfred J. Erdos, of Arizona.
Stockwell Everts, of New York.
Thomas A. Fain, of Oklahoma.
Michael A. Falzone, of New York.
Glen H. Fisher, of Indiana.
Eric W. Fleisher, of Maryland.
Arva C. Floyd, Jr., of Georgia.
Francis L. Foley, of Colorado.
Jack Friedman, of the District of Columbia.
Alexander S. C. Fuller, of Connecticut.
Ramon M. Gibson, of Missouri.
Wayne R. Gilchrist, of Texas.
Howard C. Goldsmith, of Ohio.
John W. Gordhamer, of California.
Ernest B. Gutierrez, of New Mexico.
Frank J. Haughey, of California.
Theron S. Henderson, of Massachusetts.
J. William Henry, of Arizona.
Henry L. Heymann, of Pennsylvania.
Benjamin C. Hilliard 3d, of West Virginia.
Wilbur W. Hitchcock, of New Jersey.
Herbert M. Hutchinson, of New Jersey.
Richard C. Johnson, of Massachusetts.
Wesley E. Jorgensen, of Washington.
Lewis D. Junior, of Missouri.
John M. Kane, of Illinois.
C. Dirck Keyser, of New Jersey.
Lucien L. Kinsolving, of New York.
Leslie A. Kileforth, of California.
Archie S. Lang, of Illinois.
Paul Baxter Lanius, Jr., of Colorado.
Myron Brockway Lawrence, of Oregon.
Edwin D. Ledbetter, of California.
Owen B. Lee, of Massachusetts.
Edward V. Lindberg, of Virginia.
Ralph E. Lindstrom, of Minnesota.
Richard G. Long, of Illinois.
Stephen Low, of Ohio.
Julian F. MacDonald, Jr., of Ohio.
Robert J. MacQuaid, of Pennsylvania.
Kenneth W. Martindale, of Florida.
William G. Marvin, Jr., of California.
Miss Virginia E. Massey, of Ohio.
C. Thomas Mayfield, of Wisconsin.
David H. McCabe, of Virginia.
Franklin O. McCord, of Iowa.
Miss Elizabeth McCrory, of California.
John M. McIntyre, of Illinois.
Frazier Meade, of Virginia.
Miss Gertrude M. Meyers, of Minnesota.
John L. Mills, of Georgia.
Miss Marion K. Mitchell, of New York.
Edwin H. Moot, Jr., of Illinois.
Benjamin R. Moser, of Virginia.
Leo J. Moser, of California.
Ernest A. Nagy, of California.
Philip C. Narten, of Ohio.
Richard D. Nethercut, of Florida.
Marshall Hays Noble, of New York.
Richard W. Ogle, of Indiana.
Joseph E. O'Mahony, of New York.
David B. Ortman, of Maryland.
J. Theodore Papendorp, of New Jersey.
Chris C. Pappas, Jr., of New Hampshire.
James B. Parker, of Texas.
Raymond L. Perkins, Jr., of Colorado.
George R. Phelan, Jr., of Missouri.
Frederick P. Picard III, of Nebraska.
Charles H. Pletcher, of Minnesota.
Sol Polansky, of California.
Richard St. F. Post, of Connecticut.
Harry A. Quinn, of California.
Peter J. Rainerl, of New York.
George E. Ranslow, of California.
G. Edward Reynolds, of New York.
W. Courtlandt Rhodes, of California.
Owen W. Roberts, of New Jersey.
Robert E. Rosselot, of Virginia.
Samuel O. Ruff, of North Carolina.
Anthony E. Sega, of New York.
Harry W. Shlaudeman, of California.
Warren E. Slater, of New York.
Michel F. Smith, of New Hampshire.
Benjamin L. Bowell, of Maryland.
Paul K. Stahnke, of Illinois.
Edward H. Thomas, of New Jersey.
Donald R. Toussaint, of California.
Maurice E. Trout, of Michigan.
Nicholas A. Veliotes, of California.
Abraham Vigil, of Colorado.
Jack L. Vrooman, of California.
John P. Wentworth, of Washington.
Merrill A. White, of Texas.
Charles L. Widney, Jr., of Georgia.
Frontis B. Wiggins, Jr., of Georgia.
Arthur H. Woodruff, of the District of Columbia.
Robert C. Wysong, of Indiana.
Charles T. York, of New York.
Dan A. Zachary, of Illinois.

The following-named Foreign Service officer for promotion from class 6 to class indicated:

To be class 5

Charles R. Stout, of California.

The following-named Foreign Service officers for promotion from class 6 to class indicated:

To be class 5 and to be also a consul of the United States of America

Anthony C. Albrecht, of Pennsylvania.
J. Bruce Amstutz, of Massachusetts.
Oler A. Bartley, Jr., of Delaware.
Miss Helene A. Batjer, of Nevada.
Mrs. Erna V. Beckett, of California.
Miss Eleanor Bello, of New York.
David A. Betts, of New York.
Eugene H. Bird, of Oregon.
John P. Blane, of Alabama.
Wesley D. Boles, of California.
H. Eugene Bovis, of Florida.
Arthur E. Breisky, of California.
Everett E. Briggs, of Maine.
Carleton C. Brower, of California.
Bazil W. Brown, Jr., of Pennsylvania.
Thomas R. Buchanan, of Illinois.
Walter S. Burke, of California.
Michael Calingaert, of the District of Columbia.
Charles R. Carlisle, of Florida.
Eugene E. Champagne, Jr., of New York.
Gordon Chase, of Massachusetts.
Don T. Christensen, of California.
Richard D. Christiansen, of Michigan.
Edward M. Cohen, of New York.
Michael M. Conlin, of California.
Edwin G. Croswell, of Ohio.
James C. Curran, of Massachusetts.
Daniel H. Danields, of Texas.
John G. Day, of New York.
Robert S. Dillon, of Virginia.
Theodore B. Dobbs, of Virginia.
Robert W. Drexler, of Wisconsin.
Miss Sharon E. Erdkamp, of Nebraska.
Fred Exton, Jr., of California.
Charles E. Exum III, of North Carolina.
Thaddeus J. Figura, of Illinois.
Robert L. Flanegin, of Illinois.
Robert L. Funseth, of New York.
Miss Kathryn M. Geoghegan, of Colorado.
Maynard W. Glittman, of Illinois.
Miss Fannie Goldstein, of New York.
Benjamin C. Goode, of Ohio.
Robert Earl Gordon, of Oregon.
Walter V. Hall, of Virginia.
Mrs. Winifred T. Hall, of New Jersey.
Miss Jessie L. Harnit, of Washington.
Miss Elizabeth J. Harper, of Missouri.
Miss Theresa A. Healy, of New York.
Roger P. Hipskind, of Illinois.
Thomas J. Hirschfeld, of New York.
Wallace F. Holbrook, of Massachusetts.
Robert M. Immerman, of New York.
George W. Jaeger, of Missouri.
James T. Johnson, of Montana.
Donald A. Johnston, of New York.
Adolph W. Jones, of Tennessee.
Ellis O. Jones III, of Connecticut.
George F. Jones, of Texas.
Edward E. Keller, Jr., of California.
Charles S. Kennedy, Jr., of California.
Thomas F. Killoran, of Massachusetts.
James A. Kiemstine, of Pennsylvania.
Robert M. Kline, of Connecticut.
Tadao Kobayashi, of Hawaii.
George B. Lambrakis, of New York.
Peter W. Lande, of New Jersey.
Joseph P. Leahy, of New York.
Herbert Levin, of New York.
Gerald Floyd Linderman, of Ohio.
Robert Gerald Livingston, of Connecticut.
John Lloyd 3d, of New Jersey.
Alan Logan, of California.
Peter P. Lord, of Massachusetts.
J. Daniel Loubert, of Maine.
James Gordon Lowenstein, of Connecticut.

Walter H. Lubkeman, of New York.
David A. Macuk, of New Jersey.
Miss Mary Manchester, of Texas.
Charles E. Marthinsen, of Pennsylvania.
Robert W. Maule, of Washington.
Paul B. McCarty, of California.
Mrs. Kathryn Z. McCoy, of Indiana.
Elwood J. McGuire, of Connecticut.
Miss Mary Willa McKenzie, of Virginia.
Miss Charlotte M. McLaughlin, of Washington.
William P. McRory, of Georgia.
Mrs. Marian D. Miller, of New Jersey.
Robert Marden Miller, of California.
Jay P. Moffat, of New Hampshire.
James B. Moran, of Washington.
Richard H. Morefield, of California.
Byron B. Morton, Jr., of New Jersey.
William G. Murphy, of Massachusetts.
Beauveau B. Nalle, of Virginia.
Jay R. Nussbaum, of New York.
John L. Offner, of Pennsylvania.
Charles R. O'Hara, of Maryland.
James A. Parker, of Maryland.
John Marshall Pifer, of Virginia.
Miss Isabelle Pinard, of California.
Mark S. Pratt, of Rhode Island.
Roger A. Provencher, of Colorado.
Charles N. Rassias, of Massachusetts.
Miss Elizabeth J. Rez, of Pennsylvania.
Edward B. Rosenthal, of New York.
James D. Rosenthal, of California.
Charles E. Rushing, of Illinois.
John D. Scanlan, of Hawaii.
Peter Semler, of Virginia.
Spiros A. Siafacas, of Florida.
David E. Simcox, of Kentucky.
Thomas W. M. Smith, of Massachusetts.
Miss Nancy L. Snider, of California.
Richard L. Springer, of Ohio.
Miss Margaret A. Stanturf, of Missouri.
Mrs. Helen S. Steele, of California.
Franklyn E. Stevens, of California.
Roger W. Sullivan, of Massachusetts.
George H. Thigpen, of California.
Francis Hugh Thomas, of Pennsylvania.
Miss Tomena Jo Thoreson, of North Dakota.
Miss Thelma R. Thurtell, of California.
Frank M. Tucker, Jr., of Pennsylvania.
D. Dean Tyler, of California.
Julius W. Walker, Jr., of Texas.
William Watts, of New York.
Norman M. Werner, of Texas.
Mrs. Marguerite G. Whitehead, of Washington.
Joseph Charles Wilson, of Ohio.
Raymond S. Yaukey, of Maryland.
Albert L. Zucca, of New York.

The following-named Foreign Service officers for promotion from class 7 to class indicated:

To be class 6

Madison M. Adams, Jr., of Alabama.
Daniel W. Alexander, of Washington.
George Anetro, of Ohio.
Julio Javier Arias, of Arizona.
Terrell E. Arnold, of California.
Thomas H. Baldridge, of Iowa.
David P. Banowetz, of Louisiana.
Thomas J. Barnes, of Minnesota.
John M. Barta, of California.
Norman E. Barth, of Illinois.
Eugene J. Bashe, of California.
Frank C. Bennett, Jr., of California.
Harry E. Bergold, Jr., of New York.
Richard C. Bialock, of Oklahoma.
Carroll Brown, of Alabama.
David W. Burgoon, Jr., of Illinois.
Alanson G. Burt, of California.
Harry A. Cahill, of Virginia.
Robert S. Cameron, of California.
William Clark, Jr., of California.
John R. Clingerman, of Michigan.
Ernst Conrath, of Wisconsin.
Richard T. Conroy, of Tennessee.
Goodwin Cooke, of New York.
Emmett M. Coxson, of Illinois.
Robert P. DeVecchi, of Pennsylvania.
Lloyd L. DeWitt, of California.
Miss Rose M. Dickson, of New York.
Robert B. Dollison, of Florida.
Robert W. Duemling, of California.
Charles E. Duffy, of Iowa.
William L. Dutton, Jr., of Iowa.
William J. Dyess, of Alabama.
Miss Regina Marie Eltz, of Alabama.
Thomas O. Enders, of Connecticut.
Miss Mary L. Eysenbach, of Connecticut.
Miss Margot J. Fellinger, of New Jersey.
Charles E. Finan, of Washington.
Howard V. Funk, Jr., of New York.
George A. Furness, Jr., of Massachusetts.
Herbert Donald Gelber, of New York.
James L. Gorman, of Oregon.
John M. Gregory, Jr., of Virginia.
Philip J. Griffin, of the District of Columbia.
John C. Griffith, of Connecticut.
John O. Grimes, of the District of Columbia.
Brandon H. Grove, Jr., of New Jersey.
Kent H. Hall, of California.
Kenneth O. Harris, of West Virginia.
Douglas G. Hartley, of the District of Columbia.
Ashley C. Hewitt, Jr., of California.
Thomas J. Hill, Jr., of Massachusetts.
Michael P. E. Hoyt, of Illinois.
Edward Hurwitz, of New York.
Robert E. Jelley, of California.
Alton L. Jenkens, of Massachusetts.
Mrs. Lucy N. Johansen, of Oregon.
Peter E. Juge, of Louisiana.
Frederick T. Kelley, of Massachusetts.
Edson W. Kempe, of California.
James E. Kerr, Jr., of the District of Columbia.
John W. Kimball, of California.
Robert Kurlander, of New York.
Frederick H. Lawton, of New Jersey.
Alan F. Lee, of Illinois.
Melvin H. Levine, of Massachusetts.
Wingate Lloyd, of Pennsylvania.
Roger S. Lowen, of New York.
Edward J. Maguire, Jr., of California.
Edward J. Malonis, of Massachusetts.
Miss Barbara J. Marvin, of California.
Wade H. B. Matthews, of North Carolina.
Henry Ellis Mattox, of Mississippi.
James A. Mattson, of Minnesota.
W. Douglas McLain, Jr., of Illinois.
Francis Terry McNamara, of New York.
Noble M. Melencamp, of Kansas.
Alan G. Mencher, of California.
Herbert T. Mitchell, Jr., of North Carolina.
John C. Monjo, of Connecticut.
Richard B. Moon, of Missouri.
John T. Morgan, of Illinois.
Gottfried W. Moser, of New York.
Richard F. Nyrop, of Minnesota.
Robert B. Oakley, of Louisiana.
Oscar J. Olson, Jr., of Texas.
Ronald D. Palmer, of Michigan.
Thomas J. Pape, of Texas.
Lawrence Pezzulio, of New York.
Homer R. Phelps, Jr., of New York.
Dale M. Provenmire, of Ohio.
Frederick D. Purdy, of Pennsylvania.
Walter G. Ramsay, of Virginia.
William E. Rau, of Missouri.
George B. Roberts, Jr., of Pennsylvania.
John T. Rogerson, Jr., of Florida.
Bernard J. Rotklein, of Minnesota.
Valentine E. Scalise, of New York.
Roger C. Schrader, of Missouri.
Glenn E. Schweitzer, of California.
Leslie Andrew Scott, of New York.
Richard C. Searing, of New Jersey.
Arthur P. Shankle, Jr., of Texas.
Robert Lee Shuler, of Virginia.
John P. Shumate, Jr., of California.
William L. Simmons, of Mississippi.
Kenneth N. Skoug, Jr., of Minnesota.
Clint E. Smith, of New Mexico.
Joseph L. Smith, of Indiana.
Walter Burges Smith II, of Rhode Island.
Wayne S. Smith, of California.
C. Richard Spurgin, of Illinois.
Linwood R. Starbird, of Maine.
Andrew L. Steigman, of New York.
Daniel P. Sullivan, of Virginia.
John J. Sullivan, of Massachusetts.
Francis J. Tatu, of California.
John J. Taylor, of Tennessee.
James M. Thomson, of Minnesota.
Donald C. Tice, of Kansas.
Blaine C. Tueller, of Utah.
Louis Villalovos, of California.
Donald B. Wallace, of Indiana.
Leonard A. Warren, of Nevada.
Ronald A. Webb, of California.
Alfred J. White, of the District of Columbia.
Albert W. Whiting, of Kansas.
Marshall W. Wiley, of Illinois.
James P. Willis, Jr., of California.
Herbert Gilman Wing, of Pennsylvania.
Brooks Wrampelmeier, of Ohio.
Edward E. Wright, of Louisiana.

The following-named Foreign Services officers for promotion from class 8 to class indicated:

To be class 7

Morton I. Abramowitz, of Massachusetts.
David Anderson, of New York.
Gustav N. Anderson, of New York.
Robert E. Armstrong, of Illinois.
Rodney E. Armstrong, of California.
James K. Baker, of Maryland.
Carl A. Bastiani, of Pennsylvania.
Richard D. Belt, of Ohio.
Calvin C. Berlin, of Ohio.
Donald P. Black, of California.
Thomas D. Boyatt, of Ohio.
Thomas Stanley Brooks, of Wyoming.
Charles F. Brown, of Nevada.
Robert L. Bruce, of California.
John Allen Bucke, of Indiana.
Garrett C. Burke, of Iowa.
John A. Bushnell, of Connecticut.
Homer M. Byington III, of Connecticut.
Thomas J. Carolan, Jr., of Maryland.
David W. Carr, of Massachusetts.
George F. Carr, Jr., of Texas.
Allen E. Caswell, of New York.
George W. F. Clitt, of California.
Temple G. Cole, of Kentucky.
Francis B. Corry, of Wisconsin.
John P. Crawford, of Ohio.
Robert B. Duncan, of New Jersey.
Thomas P. H. Dunlop, of North Carolina.
Ollie B. Ellison, of Illinois.
Ralph Estling, of California.
John A. Ferch, of Ohio.
Harvey Fergusson, of New Jersey.
Richard Flanagan, of Massachusetts.
Carroll L. Floyd, of California.
Alec L. France, of Ohio.
Jay P. Freres, of Illinois.
Norman H. Frisbie, of Massachusetts.
Robert E. Fritts, of Illinois.
Peter F. Frost, of Connecticut.
Robert H. Frowick, of Connecticut.
J. David Gelsanliter, of Ohio.
Alan A. Gise, of Indiana.
Philip H. Gray, Jr., of Vermont.
Robert T. Grey, Jr., of Connecticut.
George G. B. Griffin, of South Carolina.
Kurt F. Gross, of Wisconsin.
John B. Gwynn, of the District of Columbia.
Joseph M. Hardman, of Oregon.
Douglas James Harwood, of Connecticut.
Walter A. Hayden, of New York.
Keith M. Heim, of Nebraska.
Peter T. Higgins, of California.
David C. Holton, of Virginia.
Hume A. Horan, of the District of Columbia.
Serge P. Horeff, of California.
Richard H. Howarth, of Pennsylvania.
Richard C. Howland, of New York.
Marvin W. Humphreys, of the District of Columbia.
Dee Valentine Jacobs, of Utah.
Louis E. Kahn, of California.
Robert E. Kaufman, of the District of Columbia.
Gerald B. Krogfus, of Minnesota.
Kenneth A. Kurze, of Rhode Island.
Paul L. Laase, of Nebraska.
John J. LaMazza, of New York.

William E. Landfair, of Ohio.
Norman D. Leach, of California.
Stephen J. Ledogar, of New York.
Mark C. Lissfelt, of Virginia.
Jon S. Lodeesen, of Tennessee.
Arturo S. Macias, of Wisconsin.
Harry Macy, Jr., of Florida.
Richard R. Martin, of the District of Columbia.
James K. Matter, Jr., of Michigan.
John D. McAlpine, of Illinois.
David W. McClintock, of California.
Howard M. McElroy, of New York.
George A. McFarland, Jr., of Texas.
William G. Miller, of Rhode Island.
Miss Priscilla E. Mitchell, of Indiana.
Robert J. Morris, of Iowa.
André J. Navez, of Massachusetts.
Richard A. Neale, of Michigan.
Edward V. Nef, of the District of Columbia.
Joseph K. Newman, of New Jersey.
Albert W. Noonan, Jr., of Illinois.
William Ophuls, of Florida.
Gerald G. Oplinger, of Pennsylvania.
James Ozzello, of Washington.
Robert P. Paganelli, of New York.
Miss Alison Palmer, of New York.
Jack R. Perry, of Georgia.
Robert F. Pfeiffer, of New York.
Thomas R. Pickering, of Pennsylvania.
William Polik, of New York.
Peter Andrews Poole, of New York.
Henry E. Powell, Jr., of Georgia.
Russell O. Prickett, of Minnesota.
Anthony C. E. Quainton, of Washington.
Kenneth N. Rogers, of New York.
David Rowe, of Maryland.
George L. Rueckert, of Wisconsin.
Thomas J. Scanlon, of California.
Charles W. Schaller, of Wisconsin.
William C. Sergeant, of Florida.
Carl G. Shepherd, of New York.
Pierre Shostal, of New York.
Robert Siegel, of New York.
Michael B. Smith, of Massachusetts.
Richard W. Smith, of New York.
Roger A. Sorenson, of Utah.
Frederic N. Spotts, of Massachusetts.
John W. Stahlman, of Ohio.
Paul E. Storing, of New York.
Donald P. Swisher, of California.
T. Elkin Taylor, of Georgia.
Richard W. Teare, of Ohio.
Nathaniel B. Thayer, of Massachusetts.
Alan R. Thompson, of the District of Columbia.
Richard S. Thompson, of Washington.
George R. Tolles, of Ohio.
Thomas M. Tonkin, of Illinois.
Joseph W. Twinam, of Tennessee.
Matthew H. Van Order, of Minnesota.
Thomas H. Walsh, of Texas.
John A. Warnock, of California.
E. Allan Wendt, of Illinois.
Olin S. Whittemore, of Michigan.
A. Norman Williams, of Michigan.
Roderick M. Wright, of California.
Michael G. Wygant, of Massachusetts.
Joseph R. Yodzis, of Pennsylvania.

The following-named persons, now Foreign Service officers of class 2 and secretaries in the diplomatic service, to the office indicated:

To be also a consul general of the United States of America

D. Eugene Delgado-Arias, of Florida.
Henry Clinton Reed, of Ohio.

The following-named person, now a Foreign Service officer of class 3 and a secretary in the diplomatic service, to the office indicated:

George D. Whittinghill, of New York.

Joseph A. Todd, of Alabama, for reappointment in the Foreign Service as a Foreign Service officer of class 3, a consul, and a secretary in the diplomatic service of the United States of America, in accordance with the provisions of section 520(a) of the Foreign Service Act of 1946, as amended.

Miss Geraldine B. Stibbe, of Ohio, for appointment as a Foreign Service officer of class 3, a consul, and a secretary in the diplomatic service of the United States of America.

The following-named persons for appointment as indicated:

Valentin E. Blacque, of Minnesota, to be Foreign Service officer of class 4, a consul, and a secretary in the diplomatic service of the United States of America.

Miss Margaret Wiesender, of Wisconsin, to be Foreign Service officer of class 4, a consul, and a secretary in the diplomatic service of the United States of America.

Morris H. Lax, of Maryland, a Foreign Service Reserve officer, to be a consul of the United States of America.

The following-named Foreign Service Reserve officers to the office indicated:

To be secretaries in the diplomatic service of the United States of America

John B. Brady, of California.
Frederick P. Jessup, of Connecticut.
Joseph W. Smith, of Maryland.

EXTENSIONS OF REMARKS

Self-Government for District of Columbia

EXTENSION OF REMARKS

OF

HON. ALVIN E. O'KONSKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 1962

Mr. O'KONSKI. Mr. Speaker, the Senate District Committee has indicated it will soon hold hearings on President Kennedy's home rule bill (S. 2342) which provides for a locally elected mayor and seven-man city council for the District of Columbia. Senator MORSE has a bill pending, S. 287, and there are bills pending in the House by Congressman SCHWENGEL (H.R. 7198), Congressman AUCHINCLOSS (H.R. 5465), Congressman YATES (H.R. 49), Congressman MULTER (H.R. 830), and Congressman ASHLEY (H.R. 3151). In the 86th Congress the House considered four different bills and the Senate passed S. 1681, which did not pass in the House. Year after year the time of Congress and the time of the Senate District Committee and the House District Committee is consumed with lengthy testimony by interested witnesses in long hearings on various home rule bills. Not only is a great deal of time consumed in these hearings, but it imposes an unreasonably large expense on Congress to devote so much effort to this one subject year after year. Local self-government for the District of Columbia was tried for over 70 years, and ultimately abandoned because of its continual failure. In 1802 Washington had a mayor appointed by the President and a city council elected by the people. In 1812 the city council was permitted to elect a mayor. From 1820 until 1871 the mayor was elected by the people every 2 years. In a recent book by James H. Whyte, entitled "The Uncivil War," which is very favorably written from the standpoint of the District of Columbia, there is an account of the last mayor's election in Washington in 1869, which ultimately resulted in Congress doing away with the mayor system of government. The writer says "the Washington municipal election of 1869 was also a bloody one." A riot developed, stones were thrown by a mob, and the police were obliged to fire into the crowd to disperse it, killing one person and wounding a score of others.

The incumbent mayor claimed that the election was fraudulent, and refused to turn over the office to his elected successor. Finally, the new mayor had to break in the door. Under the last mayor the city of Washington fell into a financial crisis, and even the furniture in the mayor's office was seized after a court judgment had been granted to a local firm on a bill for furnishing goods to the District government. The Senate District Committee investigated the city government, and found it was overdrawn at the bank and had $100,000 in dishonored checks. The salaries of teachers, police, laborers, and employees of the fire and other departments were in arrears and there was no money to pay them. In 1871 Congress abolished all the existing forms of the mayor-type of government, and consolidated the entire District of Columbia into a territorial form of government, consisting of a Governor appointed by the President, and a legislative assembly, consisting of a council of 11 members appointed by the President, and a House of Delegates of 22 members elected by the local citizens. This type of government was unable to solve the tremendous financial problems of the District, and was finally abolished by Congress in 1874 when the District once more was tottering on the brink of the financial abyss.

Things have changed a great deal since 1874. However, the fact remains that the District of Columbia is an unique place, founded solely for the purpose of being the permanent home of the National Government. The residents here now have a right to vote for President and Vice President under the 23d amendment to the Federal Constitution. Like other Americans, they should be able to elect the officials who make the laws that regulate their lives in some form of local self-government. But the national interest does not permit us in Congress to return to the mayor-type of government which was such a failure in the 1870's. Therefore, it does not seem in the national interest to devote time in each session of Congress to long hearings on the merits of proposed mayor and

city council forms of government similar to those discredited by the historic records. The local residents in the District of Columbia have a great concern with local self-government. The rest of the people of the United States have a concern with the District of Columbia as the seat of the National Government. I am introducing a bill today to authorize a joint select committee of the Senate and the House of Representatives to inquire into a proper form of local self-government for the District of Columbia. Such a committee, rather than concerning itself with the specific provisions of a specific bill, will invite witnesses and political scientists from all over the United States to address themselves to the proposition of whether or not the national interest can be adequately protected under any form of local self-government, while at the same time allowing District of Columbia residents to exercise the basic right of electing the people who make the laws. Both the Republican and Democratic national platforms call for self-government for the District of Columbia, as well as national representation. I am hopeful that the best minds in the field of government addressed to this specific problem can suggest to us in Congress some way to protect the national interest and at the same time accommodate the natural desires of the local residents of the District. A joint select committee of the kind I am asking Congress to establish will be able to inquire into this entire problem objectively and free from the pressures which naturally arise in connection with a specific bill. When that committee makes its report to Congress, we will have some guidelines to help us in our deliberations on whether or not local self-government is feasible for the District of Columbia, and, if so, what form it should take.

The National Lottery of France

EXTENSION OF REMARKS

OF

HON. PAUL A. FINO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 1962

Mr. FINO. Mr. Speaker, the national lottery of France should be of particular interest to the Members of this House. Critics of the idea of a national lottery often try to say that such a plan would not produce tremendous profits. It has been claimed that only a small percentage of the gross receipts would find their way into the Treasury. The French lottery, however, disproves this belief.

In France, almost one-third of the gross receipts of their national lottery are retained as profit by the Government. In 1961, gross receipts amounted to $140 million. This was over $6 million more than a year before. The profit to the Government was $45 million; here, again, almost $3 million more than the previous year. Quite a tidy sum the French Government applied to their general budget.

Mr. Speaker, here in the United States billions of dollars are gambled annually, and most of it illegally. Only through a national lottery can we legally tap this tremendous source of revenue. Our own national lottery can easily pump into our Federal Treasury over $10 billion a year in additional revenue which can be used to relieve the heavy tax burden of our taxpayers and also help reduce our big national debt.

Greek Independence Day

EXTENSION OF REMARKS

OF

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 1962

Mr. PUCINSKI. Mr. Speaker, last Sunday marked the 141st anniversary of Greek Independence Day.

Many peoples associate their origin with certain heroes who have saved them from extinction, or who have performed some epic deed which has been of vital importance to the preservation of the nation. The history and mythology of the ancient Greeks are full of such heroes—some of them real, some only imaginary and fanciful, products of gifted imaginative writers. But these ancient figures, representing the spirit of freedom and other noble ideals, were among the first symbols of the Western idea of freedom. From Greek history the idea had entered the broad stream of Western civilization. Thus our debt to the Greeks is immense, and that is one of the numerous reasons why the celebration of Greek Independence Day is of momentous significance today.

After enjoying the best of the ancient world, and after giving birth to the noblest of human ideals, that of freedom, the glory of Greece passed into history, and in the 15th century the Greek people came under the sway of the Ottoman Turks. Then for about 400 years they were subjected to the sultan's alien and unwanted rule. During those years it was not possible for the Greeks, without effective outside aid, to free themselves. But early in the 19th century they had their chance, seized upon it, proclaimed their independence on March 25, 1821, waged a long and uphill fight against their oppressors, and finally regained their national independence. Since then Greece has been independent and the Greeks free. And throughout these 141 years they have guarded their freedom with uncommon jealousy. At times when they were waging wars against terrific odds, and the friends of Greece were not in position to aid them, they went through agonizing ordeals. They were on the verge of loosing their freedom to the Communists soon after the last war. I am happy to say that then we were able to help them to retain their freedom and independence.

On this 141st anniversary of their independence day we wish the people of Greece peace and prosperity. The great dedication that the Greeks have demonstrated to the principles of democracy have been an inspiration to freedom-loving people throughout the world.

The large community of Americans of Greek descent has made a tremendous contribution toward strengthening the fibers of democracy here in the United States.

It is fitting that we pay tribute to Greek Independence Day and find in this tribute continued inspiration for the preservation of democracy in our own Nation.

A Tribute to Our Nuns

EXTENSION OF REMARKS

OF

HON. THOMAS J. LANE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 1962

Mr. LANE. Mr. Speaker, the most respected persons in every community are those who are devoting their lives to the service of God.

The humblest of His missionaries are the nuns: members of the various religious orders for women who sanctify their daily lives with prayer and imitate the example of Christ who spent himself in doing good for mankind.

There are many people in the secular world, absorbed in the pursuit of success and personal gratification, who have no idea concerning the labor of love that characterizes these self-sacrificing Sisters.

But wherever there are people in need; from youngsters in school, to the sick, the aged and the despairing; there you will find a nun who, through the healing grace of divine love, finds joy in helping others.

Lord, what will You have me do? Thy will be done on earth, as it is in heaven.

The Sister-Servants of the Holy Ghost of Perpetual Adoration alternate prayer and work.

The Sisters of Bon Secours do nursing work in homes and hospitals, care for crippled children, the aged and the chronically ill and conduct schools for professional and practical nursing.

The Xavier Mission Sisters help win souls for Christ in Japan and India.

The Medical Mission Sisters care for the sick and suffering in India, Pakistan, Africa, Venezuela, and Vietnam.

The Sisters of the Good Shepherd care for confused and rejected girls with problems, giving them warm acceptance, love, security, and guidance.

The Sisters of Charity serve in colleges, schools, hospitals, child-care homes, and missions.

The Daughters of St. Paul bring God's word to souls everywhere through the press, motion picture, radio and television.

We in Massachusetts have a better knowledge of the work done by the Sisters of Notre Dame and the other teaching orders that staff the many parochial schools in this area.

It is impossible for me to name and thus give equal honor to all of the religious communities for women. The composite day of a typical nun starts with sanctification through prayer, adoring Him in contemplation, and thence to her duties as an expert teacher, who is a sweet mother to schoolchildren, opening their minds to His wonders, teaching them to sing His praises, teaching His word by print. She is a lovable daughter to the aged, a tender nurse to the afflicted, seeking to help His poor and needy.

Everyone who knows of their pure lives and good deeds looks up to these servants of God.

There is no better way to express our appreciation of them than by bringing to the attention of the public the poem, "A Nun," written by Joseph P. Laruffa, which appeared in the March 11, 1962, issue of Our Sunday Visitor, the national Catholic Action weekly. It is my privilege to insert this tribute in the CONGRESSIONAL RECORD:

A NUN

(By Joseph P. Laruffa)

A nun is a gallant lady;
A dedicated woman;
A spouse consecrated to Christ;
A person cherished and loved by all.

To students in schools and colleges,
A nun is an expert teacher;
To the physically and mentally ill, a tender nurse;
To the aged, a lovable daughter;
To orphans and the homeless, a sweet mother;
To all—a nun is a devoted sister.

The nun has left her mother and father,
And her sisters and brothers,
That she may be a sister to all men and women.

The nun has left the world and consecrated herself to Christ,
That she may be of service to all,
And win the world for Him.

They are all doing their very best to win immortal souls for Jesus Christ,
And their greatest thrill and happiness is:
He very affectionately calls each nun,
"My Spouse" and "My Sister."

Tribute to the Little-People-to-Little-People Program

EXTENSION OF REMARKS

OF

HON. DOMINICK V. DANIELS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 1962

Mr. DANIELS. Mr. Speaker, I would like to take this opportunity to congratulate my good friend and colleague, Congressman PETER RODINO, of New Jersey, on his recent presentation of the very meritorious proposal on the little-people-to-little-people program and to express my admiration for his enterprising 10-year-old son, Peter. I refer to young Peter's efforts in initiating a program to encourage letterwriting among the children of this country for the purpose of informing the children of the world on the true meaning of Americanism.

The overall aim of this children's crusade is to promote the exchange of ideas to acquaint the youngsters of other nations about the United States and by so doing contribute to the understanding of the fundamental ideas of all facets of our American way of life.

I admire the spirit of these young people in giving such serious thought to the problems of the times and for their recognition of this unique opportunity to increase the knowledge and respect of other youngsters throughout the world by a friendly exchange of letters and thereby offer a contribution to the good will and mutual understanding so essential for the eventual achievement of world peace and security.

Various groups—veterans, labor, civic, and parent-teacher groups—all have given their support to this children's crusade.

Assuredly, this is a program that is deserving of our encouragement and support.

To Spend Tax Dollars for St. Lawrence Seaway Promotion Would Add Injury to the Nation's Competitive Ocean Ports and the Nation's Railroads

EXTENSION OF REMARKS

OF

HON. JAMES E. VAN ZANDT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 1962

Mr. VAN ZANDT. Mr. Speaker, the St. Lawrence Seaway has been in operation for three navigational seasons and is preparing for a fourth. Considering that it was one of the most controversial and dubious proposals ever to come before the Congress, and considering especially the self-liquidating requirements specified by Congress in the enabling law, let us check to see whether or to what extent the project is measuring up to the rosy picture painted by its sponsors.

Those of us who opposed construction of the seaway did so on grounds that the projected volume of traffic was grossly exaggerated while the estimated cost of construction was unrealistically low, that the level of tolls initially agreed upon would not recover the cost, including depreciation and interest, and that the seaway would, therefore, become a burden on taxpayers contrary to the law and the assurances of its sponsors.

We also contended that it would largely benefit and be used by vessels of foreign registry to the detriment of American shipping, that it would divert large tonnages from established eastern and gulf ports, and that it would work further serious hardships on other established forms of transportation, especially railroads, upon which the Nation must rely the year round, both in peace and war, for most of its transportation needs.

I suggest, Mr. Speaker, that on the basis of experience in the first three navigational seasons, the results may be even more serious than we envisioned.

Consider first the matter of cost.

The Corps of Engineers in June 1953 set a figure of $88 million as the U.S. share of construction cost. On this basis, and the need for additional funds to provide for working capital and interest charges during construction, Congress appropriated a total of $105 million. Subsequently, an estimated $21 million of the U.S. cost, covering construction of the Point Rockaway lock and dam, was transferred to Canada, leaving approximately $67 million as the total estimated cost to the United States.

Four years later, in 1957, we were told by the Administrator of the Seaway Corporation that the original cost figures were "not realistic," which I may say came as no surprise to those who opposed it. Accordingly, we were asked to increase the appropriation to $140 million, which was done. Then we were told by the General Accounting Office that the fully reckoned cost of U.S. participation was not $67 million, but $146.5 million, or more than double the Corps of Engineers 1953 estimate. The seaway thus becomes another in the long, almost unbroken, list of waterway improvement projects which the Corps of Engineers has vastly and inexcusably underestimated as to cost.

Take the anticipated level of seaway traffic.

For 1959, the first year of navigation, we were told that the seaway could be counted upon to move a total of 25 million tons; the Welland Canal, a total of 40 million tons. The actual figures of 20,579,461 tons for the seaway and 27,435,491 tons for Welland were, respectively, 17.7 percent and 31.4 percent below the amounts predicted.

In 1960, when the seaway was expected to handle 29 million tons and the Welland Canal 43 million tons, the actual tonnage figures of 20,310,346 for the seaway and 29,249,698 for Welland were, respectively, 30 percent and 32 percent short of the mark.

Now we are told that the results for 1961 were equally disappointing: 23,355,921 tons actually handled on the seaway as against 33 million tons predicted, and 30,675,297 tons actual on Welland as against 46 million tons predicted.

Take the level of tolls, which according to the law, were to make the seaway self-supporting and reimburse the Government for the entire cost, including interest and depreciation, over a period of 50 years.

In 1959, the seaway produced toll revenue amounting to $10,049,179, or over $3 million short of the $13.1 million predicted in that year. Welland revenues totaled only $1,227,531 as against $2,060,000 predicted. In 1960, when seaway revenues were expected to total $15,196,000, the actual take was only $10,130,318, leaving a deficit of over $5 million. Revenue from the Welland in 1960 totaled $1,326,498 as against $2,215,000 predicted.

Revenue figures for 1961 are not yet reported, but in the light of the disappointing results trafficwise in that year, there is little reason to hope that the revenue picture will be better.

In part, of course, the mounting deficits are attributable to the failure of the seaway to attain the promised volume of traffic. In other part, however, they result from still another miscalculation by seaway advocates, involving the composition of traffic.

Bulk cargoes moving over the seaway in 1960 comprised 88.9 percent of total seaway traffic, whereas in setting the level of tolls, they were estimated at only 80 percent. The rate on bulk cargo is only 40 cents a ton as compared with a rate of $1.25 a ton for general cargo, which amounted to only a little more than half the predicted volume in that year.

At present levels, therefore, it is clear that the tolls are producing far less revenue than predicted and far less than is needed to make the seaway self-sustaining. Moreover, the gulf separating promises and performance, which is growing wider every year, can only mean that the present toll structure, if continued, will prove even less adequate for the future. Thus, in violation of the law and the now discredited assurances of advocates, the seaway threatens to become another heavy burden on the already overburdened taxpayer.

Let us consider now the warning of opponents that the seaway would largely be used by vessels of foreign registry to the detriment of American shipping.

In 1960, transits of the St. Lawrence River, both upbound and downbound, totaled 6,869. Of that number, only 438, or 6.4 percent, were by ships registered to the United States. This was 117 fewer U.S. transits than in 1959, the first year of operation.

Statistics for the 1961 season are not yet reported. But it is known that one major American shipping concern, despite heavy subsidies from the Government, has drastically curtailed service through the seaway and admitted that it "pulled a boner" in entering the trade in the first place.

At a hearing before the Federal Maritime Board in June, 1960, a representative of Grace Lines testified that no matter how long Grace remains in seaway service, it will "not make money." Acknowledging what he called "basic errors" in planning, the Grace representative told the Board with refreshing candor: "We should have looked at a map" to note the vastly larger distance, by water, through the seaway to the Caribbean, as opposed to direct rail from Midwest points to the Atlantic coast. This, he said, has minimized any all-water advantages to the Caribbean.

A favorite claim of seaway enthusiasts is that it can accommodate 90 percent of the world's merchant marine. But they do not add that, as a practical matter, most American vessels, in order to use the St. Lawrence, must load only at about half their capacity or less, whereas capacity loading is necessary if U.S. vessels are to have any chance of overcoming the advantage of substantially lower labor costs enjoyed by their foreign competitors. Even the Liberty and Victory ships of World War II, when fully loaded, exceed the 25-foot safe maximum permitted by the seaway. It is clear, therefore, that the seaway primarily benefits and is largely used by foreign shipping to the further detriment of our own embattled and heavily subsidized merchant marine.

As to established east and gulf coast ports, and other competitive agencies of transportation, the effect of the seaway is being felt in the form of substantial traffic diversion. If the seaway is benefiting port cities on the Great Lakes, it is clearly detrimental to ports such as New York, Philadelphia, Hampton Roads, New Orleans, and Galveston, as well as to the railroads with which the seaway is in competition.

Great concern over the future of the Philadelphia port and ports along the eastern seaboard was manifested recently by the Greater Philadelphia Chamber of Commerce when it announced its opposition to the attempt of Secretary of Commerce Hodges to obtain funds to promote the St. Lawrence Seaway which is declared to be "lagging after only 3 years of use."

The impact of the St. Lawrence Seaway on the Philadelphia deepwater port, which extends from Trenton to Wilmington on the Delaware and its tributaries, is having serious effect on the Philadelphia port through the diversion of shipping, according to an editorial in the March 24, 1962, issue of the Philadelphia Bulletin. The editorial stresses the fact that Philadelphia's port is the largest in the Nation in terms of water borne foreign cargo, and over 100 million tons of all kinds of cargo valued at $3 billion passes through it in a year. It is revealed the port's activities are responsible directly for 96,300 jobs and a payroll of $512 million, not to mention the 350,000 jobs that benefit indirectly in the allied service businesses. From a tax standpoint, it is stated that revenues amount to $133 million, plus another $60 million in customs collections. In plain words, every ton of cargo passing through the Philadelphia port generates an estimated $12 that circulates throughout the area's economy.

The dire financial condition of the entire railroad industry, particularly in the East where the competition of the seaway is felt most severely, is well known. The Erie-Lackawanna Railroad suffered last year a deficit of approximately $26 million, and the Baltimore & Ohio lost $31 million. Yet these and other railroads, competitive with the seaway, are expected to provide standby service during the 4- to 5-month period each year when the seaway becomes an iceway and cannot be used for navigation.

In short, it has become increasingly clear that those who opposed construction of the seaway have been vindicated in that position, while the proponents have been proved wrong. This fact, however, has apparently not dampened the ardor of seaway advocates, for the same interests are back at the old stand asking the Congress to pour good money after bad. On the one hand, they are asking the allocation of additional tax dollars to make what we are told are needed "improvements" and to promote use of the facility by recalcitrant shippers and shipping companies. On the other hand, it is said by some that the way to increase use of the seaway is to lower the tolls or wipe them out entirely. Next, I predict we shall hear pleadings to repeal or amend the law providing for self-liquidation of the seaway out of tolls.

The proposal to spend tax dollars for seaway promotion would compound the injury both to competitive ocean ports and to railroads, who would be forced to help foot the bill for a campaign designed to divert still additional traffic from them. It would place the Federal Government in the unbecoming and unwelcome role of advocating the use of certain ports at the expense of others—a position historically avoided for the best of cause.

The responsibility of the Federal Government is to all citizens, all communities, and all sections of the country in equal measure, and it is unthinkable that any of its resources should be used to advance the interests of some to the detriment of others. Seaway promotion is not now and never will be a proper function of the Department of Commerce or of any other agency of the Federal Government, and the spending of either tax dollars or toll revenue for that purpose should be expressly prohibited. In the absence of specific authorization by the Congress, which I sincerely hope and trust will not be forthcoming, the Comptroller General should make it his business to see that not a single dollar of tax or toll revenue is used for seaway promotion.

The clamor for reduction or elimination of tolls is in many respects the unkindest cut of all. When seeking congressional approval and funds for construction of the seaway, a spokesman for the Great Lakes-St. Lawrence Association assured us that it would yield conservatively $27,875,000 a year in revenues, an amount which, he said, would be "twice as much as necessary" to make the project pay for itself.

However, even before the seaway was completed, and before a single ship or a single ton of freight had moved over it, this same advocate, speaking this time for prospective seaway users, completely reversed his position. With the seaway assured, he stated before a congressional committee that "any attempt to set tolls at a level which would theoretically yield such revenues—as would be required to make the seaway self-sustaining—will defeat the purpose of the seaway, as it will drive traffic to alternate competitive routes, and that the revenues from the remaining traffic will be far from enough to meet these increased charges."

Experience in the 3 years since the seaway was opened to navigation seems to bear out the latter evaluation of the project as an unsound economic undertaking. But one wonders why this advocate waited until the seaway was virtually a reality before making his true views known.

In this connection, we should not overlook that the costs required to be returned under the law do not include

even larger related costs of work such as deepening the connecting lake channels and the dozens of lake harbors to enable them to handle oceangoing ships. Dredging the connecting lake channels alone to the required depth of 27 feet has been estimated to cost a minimum of $150 million, while the necessary harbor work will add hundreds of millions of dollars more. It is enough that users of the St. Lawrence will have the benefit of these publicly provided facilities free of charge, without saddling on taxpayers the cost of the St. Lawrence itself.

I suggest, Mr. Speaker, that to follow further the advice of those who have led us into this costly economic blunder would be sheer folly and gross abdication of our responsibility to the Nation as a whole. Not one additional penny should be poured down the St. Lawrence River drain, and certainly we should not be so naive as to entertain seriously the ridiculous notion of trying to bail it out by allocating millions of tax dollars for seaway promotion.

I further suggest that we resolutely hold the line against all attempts to reduce or eliminate seaway tolls, which would serve only to shift an even larger share of the burden to taxpayers and to saddle the already hard-pressed railroads with still another subsidized competitor. Let us now recognize the St. Lawrence Seaway for the "white elephant" that it is. But let us not compound the error by following further the misguided advice of those responsible for the present sorry mess.

Reapportionment of Legislative Districts by Federal Edict

EXTENSION OF REMARKS

OF

HON. WILLIAM M. TUCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 1962

Mr. TUCK. Mr. Speaker, article III, section 2, of the U.S. Constitution, confers upon the U.S. Congress exclusive right to define and regulate the appellate jurisdiction of the Supreme Court of the United States. The same section of our Constitution confers upon Congress the exclusive power to establish and maintain Federal courts inferior to the Supreme Court.

I have introduced a bill, H.R. 10992, having for its purpose, defining the jurisdiction of the U.S. Supreme Court and all Federal courts inferior thereto, in certain instances. The bill reads as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That neither the Supreme Court of the United States, nor any Federal court inferior thereto, shall have jurisdiction, either original or appellate, to change, modify, direct, or set aside any apportionment or reapportionment of legislative districts adopted by the law-making bodies of the respective States.

The Supreme Court decision in the Tennessee apportionment case—Baker against Carr, decided March 26, 1962—marks a new and shocking interference by the Federal judiciary with the right of the sovereign States to conduct their domestic affairs. Going far beyond any alleged denial of franchise because of race, color, religion, or sex, reversing a uniform course of prior judicial decisions, the Court asserts a novel judicial power under which the Federal courts are encouraged to intervene in what are essentially political questions, heretofore uniformly entrusted to the States. This unfortunate decision does not arise out of any issue dividing the North and the South. It must prove as obnoxious to Michigan as to Louisiana; to California as to Virginia. As an instrument for destroying the delicate balance of State-Federal relationships, it is unique and unprecedented, even for a court well-known for its disregard of the rights of the States.

The decision in the Tennessee apportionment case is a wide departure from the wise policy of judicial restraint. It strikes destructively at the Federal Union obtained by the Constitution.

The Court has assumed for the Federal judiciary, power to review the acts of a State legislature respecting the apportionment or reapportionment of the State into legislative districts. This assumption of jurisdiction necessarily implies the assumption of power to direct by judicial edict any such apportionment or reapportionment in a manner agreeable to the views of the Federal courts rather than to those of the legislature or the people of the respective States. In order to reach this conclusion the court reversed and set at naught a long line of decisions of the Supreme Court holding that it had no such power as it now assumes to exercise.

The time has now come when we must recognize that the Supreme Court is using, and for a long time has used, the nebulous provisions of section 1 of the 14th amendment to nullify explicit provisions of the Constitution. Not regarding the provisions of article 1, section 8 of the Constitution, to wit: "Congress shall have power to make all laws which may be necessary and proper for carrying into execution all powers vested by this Constitution in the Government of the United States or any department or office thereof," the Supreme Court has not only placed interpretation on the powers delegated to the Central Government by section 1 of the 14th amendment, but it has by judicial fiat sought to carry such interpretation into execution in plain defiance of the explicit mandate of the Constitution.

Section 5 of the 14th amendment, far from obviating the above provision of article 1, section 8, undertakes to preserve to Congress all powers regarding the enforcement of the provisions of the 14th amendment, by the following language:

Congress shall have power, by appropriate legislation, to enforce the provisions of this article.

If the Supreme Court can usurp the powers of Congress with respect to enforcing the provisions of the 14th amendment, why can it not usurp the powers exclusively delegated to Congress by article 1, section 8. The language of delegation is exactly the same, that is to say:

Congress shall have power.

From a reading of the decisions of the Supreme Court during recent years, without recourse to the Constitution and the amendments thereto, one must conclude that the 10th amendment had been deleted from the Constitution. In case this amendment has been forgotten it reads:

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

For many years the Supreme Court has been encroaching upon the powers of the States, without so much as mentioning the 10th amendment, the great bastion established by the Constitution to preserve the States.

The Congress must begin to consider whether a disposition is not developing through the vast powers assumed by the Supreme Court and the Executive to crush Congress between the upper and nether millstones of the overwhelming powers of the judicial and executive departments.

The bill does not deprive any aggrieved person or set of persons of a forum to which they may go for redress in this class of cases. The courts of the respective States have ample powers which they may and do frequently exercise.

Congress has a clear duty to undo the mischief of the Tennessee decision through exercise of its power to withdraw the jurisdiction which the Federal courts have now assumed in such cases. The bill which I have introduced does just that.

If our distinctive way of life which all patriotic Americans love and cherish is to survive, an end must be made forthwith to these Federal incursions into the rights of the States and localities.

Congress has the power to lay the hand of restraint upon the Federal judiciary and stop these judicial indiscretions and abuses. I hope it has the will.

Evaluation of the Civilian Conservation Corps

EXTENSION OF REMARKS

OF

HON. JOHN E. MOSS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 1962

Mr. MOSS. Mr. Speaker, the Nation's economic recovery during recent months has not provided jobs for millions of Americans. Unemployment has become an especially tragic fact of life for our young people who, lacking in experience and proper training, are unable to compete effectively in a labor market requiring increasingly higher skills.

At the same time, Americans have been showing an increased appreciation of

the natural resources of our land. Greatly expanded efforts at conserving these abundant resources for future generations are being demanded by the public.

Fortunately, history offers a practical method of coping with the problems of inadequate use of our human resources and improper use of our natural resources. Of course, I am referring to the Civilian Conservation Corps, the very successful experiment of the 1930's. Legislation currently is pending before the Congress to establish a Youth Conservation Corps which would be very similar in nature and purpose to the old CCC. In the House H.R. 10682 is now awaiting action by the Rules Committee. This, in my opinion, is a unique opportunity to apply tested techniques in dealing with important problems facing the country.

In considering this legislation, I should like to commend to my colleagues the following evaluation of the Civilian Conservation Corps:

EVALUATION OF THE CIVILIAN CONSERVATION CORPS

The United States still is reaping vast benefits from a notable experiment of the depression, the Civilian Conservation Corps. Irreplaceable natural resources were saved by the CCC during the 1930's for present and future generations. Also, more than 2 million young Americans were provided with useful employment and invaluable job training and thereby kept out of probable soup lines and possible ventures into delinquency.

Many American citizens undoubtedly are better citizens today because of their experience with the CCC and American natural resources certainly are more abundant due to the highly successful conservation efforts of the corps.

The CCC met with the general approval of the Nation with little relation to economic or political philosophy. When the idea was revived by the Kennedy administration in 1961 it was still being referred to as the least criticized of all the agencies of the Roosevelt era.

HISTORY

The CCC was authorized by Congress in the spring of 1933, and the first camp was opened in Virginia within 30 days. The period of most intensive activity was from 1935 through 1938. By the end of fiscal 1942 liquidation was virtually complete (1, 2).[1]

Once established, the CCC idea gained the overwhelming support of the Nation, and by 1935 almost every county within the United States had made a request for the establishment of one or more camps. During most of the 8-year span of its existence there were CCC camps in 48 States, Alaska, Hawaii, Puerto Rico, and the Virgin Islands.

EXTENT OF ACTIVITIES

The total number of enrollees given employment from the beginning up to June 1941 was 2,545,000, distributed among 1,500 camps. There were 150 principal types of work experience, of which the most important were forest protection, reforestation, soil conservation, recreational development, range rehabilitation, flood control, aid to wildlife, reclamation and emergency rescue work. The total yearly cost of each enrollee in the CCC from 1935 to the close of activities was $1,000 per man. This figure, about 10 percent higher during the first 2 years principally due to the cost of land acquisition, covers all costs including those necessary to carry out conservation projects (3).

In brief, CCC enrollees planted nearly 3 billion trees, built 1 million miles of roads and trails, constructed over 85,000 miles of telephone lines, erected 4,000 fire towers, and 100,000 bridges and buildings. More than 4 million acres of forest land were improved as protection against fire. The accompanying table (4) gives a detailed accounting of accomplishments. The value of this work on public lands alone has been estimated by forestry and park officials at $1,500 million.

Type of job or project classification

	New work	Maintenance
Structural improvements:		
Bridges (vehicle) ... number	38,550.0	9,559.0
Buildings (equipment and supply storage houses) ... number	3,390.0	1,812.0
CCC camps:		
Latrines and toilets ... number	12,096.0	4,605.0
Lookout houses ... do	1,187.0	928.0
Lookout towers ... do	3,116.0	1,884.0
Shelters ... do	2,290.0	748.0
Impounding and large diversion dams ... number	7,022.0	3,465.0
Fences ... rods	28,717,301.5	7,119,518.9
Telephone lines ... miles	88,883.5	271,615.3
Transportation improvements:		
Airplane landing fields ... number	80.0	88.0
Truck trails or minor roads ... miles	126,230.5	580,966.5
Erosion control, treatment of gullies:		
Check dams:		
Permanent ... number	318,056.0	31,080.0
Temporary ... do	6,341,147.0	148,791.0
Seeding and sodding ... square yards	478,499,555.0	22,332,119.0
Tree planting gully ... square yards	864,830,313.0	125,962,616.0
Forest culture:		
Field planting or seeding (trees) ... acres	2,355,867.5	298,213.0
Forest stand improvement ... acres	4,004,063.0	16,755.0
Forest protection:		
Fighting forest fires ... man-days	6,450,403.1	
Tree and plant disease control ... acres	7,955,707.8	718,059.7
Trees, insect pest control ... acres	13,009,701.0	178,974.3
Landscape and recreation:		
Public campground development ... acres	52,319.6	49,457.5
Other activities: Timber estimating ... acres	38,493,621.7	65,170.9

The effectiveness of the CCC in forest fire protection has been emphasized by foresters in both Eastern and Western States. Soon after the liquidation of the corps, State forestry officials in West Virginia reported that the reduction in CCC firefighting efforts resulted in a 20-percent increase in acres burned in areas having camps the previous year. The State foresters in Kentucky, New Jersey, Massachusetts, and Connecticut made similar reports (11). In 1940 the CCC camps contributed 174,788 man-days fighting fires.

Most of the standard CCC camps in the continental United States were distributed between the Department of the Interior and the Department of Agriculture. In the former, the National Park Service had from 80 to 90 percent of the camps, and in the latter the major portion were assigned to the Forest Service. During the peak activity, Agriculture had from three to four times the number of camps as Interior; as of October 1, 1935, the ratio was 1,751 to 489 (1).

EDUCATION IN THE CCC

Supplementary to the emergency conservation work of the CCC an educational program was established. In the formative days of the corps there was coolness and even hostility to any educational activity other than the work experience program, but after a number of false starts a firm program was established. Through trial and error it was found that an academic type of school program did not conform to the needs or the desires of most enrollees. The final result was a program of vocational training, work experience, training in leisure time activities, health education, physical activities and Red Cross training. The latter became a requirement early during the CCC and the others were added later.

On the academic level, criticized by some of the public school sector, the CCC taught 80,000 functional illiterates to read. It taught all enrollees skills in the use of tools, machinery, heavy equipment, office procedures, and others, in accordance with the assignment given. All had work experience in resources conservation. At the close of CCC activities some enrollees had been promoted to supervisory positions in camps.

Academic subjects, within the meaning of the CCC organization, were literacy, language usage, arithmetic, social studies, science, citizenship, conservation, health and hygiene, and occupations. Of these subjects, the final four accounted for about 75 percent of the total enrollment in the corps areas which were carefully studied (4).

The most widely taught vocational subjects were farm management, clerical training, typing, radio code, care and use of tools, carpentry, concrete construction, machine operation, road construction, cooking and baking, forestry, motor vehicle mechanics, blacksmithing, arc welding, acetylene welding, surveying, vehicle operation, woodworking, and photography. In one large corps area studied in detail, typing, cooking and baking, carpentry, and motor vehicle mechanics and operation were chosen by more than half of all enrollees (4).

Avocational skills were taught to a large percentage of the enrollees. Music and dramatic activities were the most popular in this field.

EFFECTS ON ENROLLEES

Through all the literature assessing the value of the CCC to the Nation and to the former enrollees themselves, there is ample evidence of an astounding impact. It is difficult to find criticism of the purposes, and considering the fact that it was created during a period of political controversy, there is no significant complaint regarding its mode of operation. Twenty years after the demise of the CCC a great residue of good will became apparent as soon as a similar type of organization was proposed by President Kennedy.

One weakness in the CCC, for which others share responsibility, but often admitted by friends of the organization, was the lack of coordination between the corps and the community to which the boys returned. The CCC did not seem to give enough instruction in jobseeking before enrollees were discharged, and it lacked the means to follow up. Few communities at that time had the necessary counseling and guidance services now widely available through the U.S. Employment Service to assist in job placement activities. Since 2 years was the maximum term of enrollment, those discharged during the earlier years of the corps returned to their communities before the impact of the defense buildup prior to World War II. Many of these remained jobless for some time.

SOME EVALUATIONS

Most of the studies on the net effect of the CCC on the enrollees and ex-enrollees may appear subjective. In several of the reports consulted evaluations appear more like informed opinions, but they are the result of thoughtful study and merit attention. One made in 1936, and therefore at a time of severe unemployment, covers a sampling of 6,500 youths from the Greater Cleveland area who had been discharged from the corps. Trained social workers from Western Reserve University interviewed 272 former enrollees. Irrespective of their reasons for leaving camp, 80 percent had been unemployed prior to enrollment but after returning home 70 percent had obtained jobs. Of those who obtained work more than 50 percent were working full time and approximately 20 percent were in WPA or National Youth Administration part-time projects. Exact data were presented to show that in the case of those who held full-time jobs both before and after enrollment in the CCC, weekly pay had increased by more than $3 and the length of workweek had dropped approximately 4 hours. Most were working more than 40 hours weekly, but the 40-hour standard was still not accepted at this time in many areas. Sixty percent of the group came from foreign-born white parents more than half of whom were of Slavic origin. In 40 percent of the cases the youth lived with one parent or none (5).

ADJUSTMENT TO COMMUNITIES

During the fiscal year ending June 30, 1940, a total of 227,431 enrollees returned to their home communities. During 4 months of this period discharges ranged from 41,000 to 70,000 monthly, representing a sizable impact on many communities. The way in which these young men adjusted to their surroundings, in those instances where figures are available, is of importance in making an objective evaluation of the CCC. A study made for the American Council on Education presents a very creditable impression, gathered from extensive interviews of 419 former enrollees plus the comments of family members, friends, neighbors, and employers. In the case of 30 percent of the boys interviewed the CCC experience did not seem to be significant, but only a very few indicated any dislike for the organization. Most of this group said the CCC was "all right." With the remaining group the attitude expressed ranged from friendly to very enthusiastic.

Of those who had left the CCC, 71 percent indicated desire to enroll again.

Of those still in the CCC, 81 percent expressed intention to enroll again.

Of the entire 419, 69 percent considered themselves better for the experience.

Of those who thought the CCC had had little effect on them, parents and friends generally disagreed (6).

Social workers, judges, parole officers, youth organizers, and many others familiar with the work of the CCC appeared before the Congress in 1961 to urge the establishment of a Youth Conservation Corps or similar type of organization. Many of the witnesses spoke from personal knowledge of the effects of the CCC on underprivileged, homeless, or unemployed youth in a much less highly urbanized society than exists today.

RELATION TO JUVENILE DELINQUENCY

Intruding into the testimony of the majority of those urging the legislation was the pervasive problem of juvenile delinquency. Some of the witnesses had devoted a lifetime to work among underprivileged and often delinquent young people. It was the unanimous opinion of those who had observed the effects of the CCC that it had been invaluable in reducing or preventing delinquency. An overwhelming number of youth workers were of the opinion that it was imperative that potential delinquents be removed from the environment that has contributed so much to their difficulties if they are to acquire any degree of social responsibility and self-respect. The prevailing opinion of those appearing before the congressional committee favored the camp idea and a new environment.

A recent study in Minnesota, comparing delinquent youths who participated in a forestry camp with a matched group remaining in a more conventional correctional institution, reports significantly greater improvement among the campers.

WORK RECORD

In seeking work after returning home, the CCC became an opening wedge because of the generally good impression the organization had made throughout the Nation. One large eastern company which had established a preference system for CCC "alumni" reported that 90 percent of those hired proved to be good workers. The New York State Board of Education reported that CCC men generally had a high reputation, with 70 percent of those hired being successful in their work. Approval came from Piper Aircraft Co., Thompson Products, Inc., of Cleveland, Ohio, the National Standard Parts Association, Detroit, Mich., and Marshall Field & Co. of Chicago. The Lockheed Aircraft Corp. agreed to cooperate in training CCC enrollees who passed their preliminary employment test (6).

The American Council on Education study further reports that out of a total of 224 men who left camps in one area, 18 percent were employed within 1 month, 60 percent within 1–5 months, and 77 percent of the total within 1 year (6).

ADAPTABILITY OF CCC

The retooling of the American economy after the opening of hostilities in Europe in 1939 materially altered the emphasis within the CCC; it then rapidly became both a training ground for workers in the war industries, and a direct participant in war production through the rehabilitation of military camps, military construction and other activities. The flexibility shown at this period has been mentioned as an argument for a permanent CCC-type organization. It proved that its method of organization, training and operation was highly flexible and well adapted to quick conversion to emergency functions when needed, and capable of similar rapid conversion to its regular duties in the area of resources conservation.

EFFECT ON MILITARY SERVICE

Many young men were toughened before entering military service because of their tour in the CCC. The mayor of Portland, Oreg., stated that during his World War II duty as a Navy officer he believed that former CCC boys in his command were more mature and adjusted than boys without this training. Selective Service officials share this view.

MILITARY INFLUENCE IN THE CCC

During the final years of the CCC the military emphasis was one feature disturbing to friends of the corps. A report on the corps in 1942 expressed objection to the influence of the military and stated that it was considered too authoritarian for a democratic organization engaged in conservation work (7).

HEALTH

On the healthful quality of CCC experience there seems to be complete agreement. The effect of outdoor living, good food, clean living quarters, and medical care, both in camp and in nearby medical facilities when required, have not been questioned. Surveys conducted by the War Department on a large number of enrollees selected from the entire area of operation showed an average net gain in weight of from 8 to 12 pounds per man after 6 months' duty. During the period 1933–35 the average death rate was 2.87 per thousand, in contrast with a rate of 8.07 among unselected men of a similar age group (American Experience Table of Mortality) (2).

YOUTH WORK EXPERIENCE

Strong support for the CCC developed as a byproduct of the dispute between the professional educators and those responsible for the educational activities within the corps. In 1939 President Franklin D. Roosevelt ordered a merger of the CCC and the National Youth Administration and their transfer to the newly formed Federal Security Agency. The previous year Congress had approved the use of NYA funds for the training of needy young persons no longer in school but who were unable to obtain employment. When the combined agency began to engage in educational activities at the very time agitation was developing to make the CCC a permanent body, a division developed between the CCC–NYA and certain public school organizations having close ties with the U.S. Office of Education, also a part of the Federal Security Agency. Leading the battle was the Educational Policies Commission which, briefly stated, recommended that all educational activities of the CCC–NYA be discontinued and transferred to local control, the Federal Government to continue to provide the necessary funds. (Some of the arguments used by the Educational Policies Commission in 1941 are similar to those used by the opponents of Federal aid to education in 1961.) Prof. Charles Hubbard Judd of the University of Chicago, long one of the leaders among American educators, administered the critics a stern rebuke for "suffering from intellectual myopia" and calling them persons who "fail to get any view of the vast social horizon which lies beyond their immediate selfish interests" (9). Prof. Paul Terry of the University of Alabama, a leader in the South, reminded his colleagues that since the establishment of the first Latin grammar school in 1635 there has been nothing to prevent educators from developing a work experience program for community youth, but that until regular educational forces demonstrate their ability to do as well or better than the CCC that this program should remain a Federal activity (10).

CONSERVATION ACTIVITIES

Viewed broadly there is overwhelming opinion that the CCC was a success. It demonstrated to the Nation that a large number of men can be put to work on useful, permanent projects on short notice and that the corps could change its course of operation quickly when emergency directs. The CCC gave Federal and State conservation officials their greatest opportunity to serve the Nation in an entire generation. The benefits from the $30 per month allotment paid each enrollee, much of which was sent home, benefited many others, including some who were destitute. During the first 2 years alone more than 1 million young men received employment from which 3,200,000 others benefited. The total amount paid to enrollees for the entire service period of the CCC, 1933–41, amounted to $302,686,581 and these benefits were estimated to have been shared by approximately 8 million persons.

Officials of the National Park Service and the Forest Service stated that at the end of the first 2 years of operation the CCC had advanced the development of forestry and park facilities by from 10 to 20 years. The value of this to the Nation was estimated at $426,500,000 for the period 1933–35. Business recovery was stimulated during this time through the expenditure of $390 million for manufactured articles, automotive and construction equipment, food, clothing and many other items.

[1] Reference to "Sources of Quoted Materials" on final page indicated by numbers.

PRAISE AND CRITICISM OF THE CCC

A close scrutiny of a mountain of literature on the CCC discloses very little unfavorable comment. The contention between the professional educators and the CCC–NYA educational program was in no sense an attack on the basic idea but was rather a jurisdictional dispute in which the motives of certain critics do not appear to have been totally unselfish.

Examination of the congressional hearings in 1961 relating to S. 404 and H.R. 7536 (87th Cong., 1st sess.) uncovers little criticism of the CCC or that part of the proposed legislation providing for establishment of a Youth Conservation Corps. During these hearings witnesses time and time again harked back to the CCC to prove the desirability and practicality of the YCC proposal.

Although the bill, H.R. 8354, favorably reported by the House Education and Labor Committee provided only for pilot YCC projects, this was obviously done in the hope that future expansion of the program would be possible. Taking note of the great praise for the CCC it had heard, the committee expressed the view that it could not state "too emphatically that the successful Civilian Conservation Corps experience in giving valuable work-training experience and counseling to youth while at the same time adding to the national wealth through conservation and natural resource development justifies a much more extensive program" (12).

In summation, the basic approach and techniques of the CCC have been tested and found to be sound. However, since the corps was abandoned a tremendous backlog of conservation work has accumulated. We are continuing to fall behind at an alarming rate in reforestation, reseeding of rangelands, improvement and protection of watersheds, and other soil and moisture conservation measures essential to the protection and sound development of our natural resources.

The current proposal to establish a Youth Conservation Corps presents a unique opportunity to deal with important national needs. It is not often that government is provided with tried and tested, but at the same time, bold and imaginative approaches to solving major problems. The Civilian Conservation Corps provides such an example and its obvious benefits should be welcomed without further delay.

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Strikebreaking at the Taxpayer's Expense

EXTENSION OF REMARKS

OF

HON. FRANK KOWALSKI

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 1962

Mr. KOWALSKI. Mr. Speaker, the rights of America's working men and women are being eroded away by the bureaucracies of our Government, by policies that jeopardize the national defense and condone a shocking waste of the taxpayer's money.

On February 21 of this year I introduced a bill (H.R. 10341) to promote the national defense, to eliminate waste, and to protect the rights of American workers.

This bill would prohibit payment by the Federal Government of strike costs arising from a lawful labor dispute, except in those cases when the President and/or the Secretary of Defense personally determine that such payment is in the national interest.

I am informed that hearings will be held in the next few weeks, so I take this opportunity to present the background and the compelling reasons for this legislation.

In this imperfect world, if man is to be something more than a commodity, the final economic security of the workers rests in their collective power to bargain with the managers who use and profit from their skills. The law of the land sanctifies this right.

But as a segment of our Government assumes an ever-increasing role as a consumer of industrial products and user of contracted services, the conflict between the rights of the individual and the policies of Government becomes ever more severe. This conflict comes to focus in the aircraft industry.

In the aircraft industry, 90 percent of everything produced is sold to the Government. Many of the machines, plants, and production facilities are furnished by the Government. Government supplies are often furnished and payments are advanced to facilitate financing. The equity of the stockholders in this industry is extremely low. The Government is both the investor and the consumer.

It is perhaps a natural development in this industry that the Government should come to play a partisan role, a role favoring production and priorities in any dispute between labor and management. It is this partisan role of Government that challenges labor's basic right to collective bargaining. This is an unwarranted and unnecessary conflict.

Many of the problems labor faces are multiplied because of the ability of the employer to bring the vast resources of Government into play against unions and, in that way, cause the American taxpayer to work in behalf of the employer against his own best interests.

Large segments of organized labor pay a terrific price for the strife that defense procurement policy encourages.

To give you an idea of the price tag I would like to cite the case history of the United Aircraft Corp. strike in Connecticut and the role of the Government in that dispute.

The United Aircraft Corp. has nine plants in Connecticut and one at West Palm Beach, Fla. At the time of the strike, the workers in these plants were represented by four lodges of the International Association of Machinists, and two locals of the United Auto Workers. The IAM and the UAW, during late 1959 and early 1960, engaged in negotiations with the UAC concerning grievances, procedures, seniority, and union security. Pay was not an issue. As months went by, negotiations deteriorated. The UAW locals went out on strike June 7, 1960, and the IAM lodges struck the next day, June 8. The strike was not successful. The UAW and IAM were forced to accept negotiated strike agreements and everything was over August 8, 1960. The strike had lasted 2 months.

This strike was no different than many others where labor lost—the workers had to eat crow. But at the Pratt & Whitney plant in East Hartford, and the Hamilton Standard plant at Windsor Locks, the crow was especially distasteful. At Hamilton Standard, out of 11 elected union officers, only 3 were called back to work. Out of seven shop committeemen, only two were recalled, and little better than half of the strikers were recalled in the 4-month period agreed upon for rehiring members of the union.

At Pratt & Whitney hundreds of workers were not recalled and only about half the elected union officials were returned to work. Many of those recalled lost seniority rights, and some had to accept cuts in pay up to 65 cents an hour.

On January 1, 1961, the terminal date for rehiring union members, hundreds were still out of work. Yet, the plant was running with very heavy overtime. To add insult to injury, the company, immediately after the January 1 terminal date, went into a hiring program and rehired many of the strikers as new employees. Many of these men and women suffered losses of up to 30 years' seniority, cuts in hourly pay, labor grades, and shift changes. As a result, some 500 workers filed unfair labor charges against the United Aircraft Corp. These charges are still pending.

The unions for years had suspected that in a labor dispute with a defense contractor, the Government always paid the lion's share of the cost of the strike. No one knew this for certain and no one knew the components of these strike costs.

Having become acquainted with the capabilities of the General Accounting Office when I was in the Army, I asked this agency of Congress to investigate the Pratt & Whitney and the Hamilton Standard strikes to see how much the

Government is being asked to pay for these strikes.

In June 1961 I received the report on the Pratt & Whitney strike, signed by Joseph Campbell, Comptroller General of the United States.

The Comptroller General's report analyzed five major components of the cost of these strikes. There are no doubt other components, but the Comptroller General identified the following: Costs for the recruitment of replacements, overtime premiums, production labor variance, the training of replacements, and spoiled work. All of these costs increased substantially during and after the strike over the targets agreed upon by the Navy and Pratt & Whitney. Overtime alone increased by $2 million.

Let me summarize the Comptroller General's report in his own words:

> Pratt & Whitney's proposed final prices for engines and spare parts produced under fixed-price incentive contracts during 1960 exceeded the target prices negotiated by about $10.8 million. In an advisory audit report to the Bureau of Naval Weapons with respect to these price proposals, the Navy Area Audit Office estimated that, on an overall basis, Pratt & Whitney's final prices included strike costs of about $10 million. Under the incentive provisions of the contracts, Pratt & Whitney's share of such strike costs would be about $2.5 million and the Government would bear the remainder, or about $7.5 million.

According to the Comptroller General's report on the strike at Hamilton Standard, the taxpayer is being asked to pay strike costs of $1.5 million.

In other words, the United Aircraft Corp. has asked the Government to lay out $9 million to subsidize the cost of strikebreaking in its East Hartford, Windsor Locks, and North Haven plants in Connecticut. How much UAC is asking for strike costs in its other plants is still an open question.

Following the Comptroller General's report, I tried to find out how the Navy and the Department of Defense would react to this multi-million-dollar price tag. It would take the rest of the morning to describe to you the evasions, and the deceptions, and the labyrinth of obstructionism that I encountered in trying to get an answer to my question.

Finally I got the answer. In January, at a meeting in my office with representatives of the Departments of Labor, Defense, and the General Accounting Office, a Mr. Pilson, speaking for Defense, said that under established policy, the Navy, during the period of the strike, authorized management to expend additional funds for overtime premiums, recruitment, production variance, training, and excessive spoiled work. This authorization permitted expenditures above target prices. Under this policy, Mr. Pilson said, strike costs uncovered by the General Accounting Office will be paid by the Government. Furthermore, he volunteered that "a prudent contractor anticipating a labor dispute would include certain contingencies in his target prices and the Government would pay these costs."

There you have it. It is the clearly stated policy of the Department of Defense that if there is a labor dispute in a defense plant, the Government is on the side of management, and the taxpayer—that includes the men on strike—will be expected to pay the major part of the cost of the strike. When a union bargaining agent sits at the bargaining table the gun pointed at his head is paid for by the Government.

This is the case history of one dispute. What is the situation in other disputes? How many millions of dollars has the taxpayer paid to break lawful strikes? I cannot tell you, but believe me, it is a lot.

During the fiscal year 1961, the Defense Department awarded $24.3 billion worth of prime contracts. Of this amount, 100 companies received $17.3 billion worth of prime contracts. There were seven major strikes in these latter companies—strikes involving $3.5 billion worth of defense contracts. It is very difficult to estimate how much these strikes cost the taxpayer, but if the Pratt & Whitney costs are used as a yardstick, then potentially these strikes could have cost the taxpayers at least $50 million.

But defense plants are not the only areas where the Government is a potential partisan in a labor-management dispute. The pilots of Southern Airways can testify with chapter and verse how the Government has worked against their interests in the current airline strike through subsidizing the pay of replacements. In my bill, H.R. 10697, I attempt to come to terms with this problem.

As the Government enters into other areas of our economy—for example, subsidies to railroads and other services—the power of unions to bargain effectively will be seriously curtailed. And as this trend continues, the rights of the individual and his bargaining organization will be subordinated to and finally destroyed by the demands of Government. Some say this is necessary. I do not agree.

The Government policymakers, inspectors, and contracting officers say that the overriding consideration is production and service. They argue that the national interest comes first. I do not believe the bureaucrats in Defense are competent to judge what is in the national interest. This can only be decided at the highest administration and congressional level.

One thing is certain—the present defense procurement policy is a far cry from our national interest.

Present policy promises to subsidize on management's behalf the failure of labor negotiations, and it thus destroys much of management's incentive to bargain in good faith. Present defense policy not only encourages strikes, it not only prolongs strikes, but as a result it curtails production when production is vitally needed. It wastes millions of the taxpayers' dollars that could be used for essential social and educational programs. It seriously erodes the power of collective bargaining and adds to our staggering unemployment. And it causes untold damage to the lives and the futures of thousands of working men and women and their families.

These problems are complex and do not yield to easy solutions. They will not be solved by 1 bill or by 100 bills, but we can begin.

We can begin the search for a new policy, a policy that will take the Government out of its partisan role and to assign it a more constructive, a more flexible, a more human role, a policy that is truly in the national interest.

In developing this new policy, the Government must address itself to certain urgent tasks. The Government must use more intelligent planning to level out the enormous fluctuations in the feast-or-famine defense industry. It must work to expose the myth that it has helped to create: the myth that says wage demands are inflationary. It must accept its responsibility to the workers who suffer from the fluctuations and shifts in defense needs by granting severance or relocation pay to the workers displaced. It must retrain the men whose skills have become obsolete in fast-changing defense technology. It must scrutinize its policy of heavy overtime allowances in labor surplus areas. And it must, through the NLRB, police rehiring policies following a strike.

I would further suggest that there is a pressing need for a standing committee, composed of representatives from labor, management, Congress, the administration, and interested segments of the public, to investigate the role of the Government as a consumer and to help develop this new and constructive policy.

To conclude, I am convinced that if Government were assigned a more positive and human role, management would discover in itself and in labor a new spirit of cooperation at the bargaining table, strikes would be few and shorter, overall production and employment would increase at a saving of millions to the taxpayers. Finally, the working men and women of America would achieve greater union security and greater economic justice.

Man is the most important concern of government. As great as America is, we can have a better life.

The text of H.R. 10341 is as follows:

[87th Cong., 2d sess.]

H.R. 10341

In the House of Representatives, February 21, 1962; Mr. KOWALSKI introduced the following bill, which was referred to the Committee on the Judiciary:

A bill to amend the Act of June 30, 1936, the Walsh-Healey Act, to disallow certain items of excessive costs incurred by contractors and directly attributable to the employment of individuals to replace employees engaged in a strike against such contractor.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first section of the Act of June 30, 1936, as amended (41 U.S.C. 35), is amended by redesignating paragraphs (a) through (e) thereof as paragraphs (1) through (5), respectively; by inserting "(a)" immediately before "In any contract made and entered into by an executive department"; and by adding at the end thereof the following new subsections:

"(b) In all contracts for procurement of personal property made and entered into by any agency of the United States (other than contracts for procurement on a fixed-fee basis), there shall not be included as an allowable item of cost any costs incurred

by the contractor which are directly attributable to the employment of individuals to replace employees engaged in a strike against the contractor, including but not limited to costs of excessive spoilage of material, costs of training replacements, costs incurred in advertising for and employing replacements, and costs of overtime payments paid to such replacements which are in excess of those reasonably to be expected to have been paid the employees replaced.

"(c) No contract for procurement of personal property shall be made and entered into by any agency of the United States on a fixed-fee basis unless the contractor warrants that he has not included in the computation of the contract price any amounts for costs expected to be incurred by him and directly attributable to the employment of individuals to replace employees engaged in a strike against the contractor, including but not limited to costs of excessive spoilage of material, costs of training replacements, costs incurred in advertising for and employing replacements, and costs of overtime payments paid to such replacements which are in excess of those reasonably to be expected to have been paid the employees replaced.

"(d) The President, personally, or the Secretary of Defense, personally, may waive the application of subsection (b) or (c) of this section in the case of any contract entered into pursuant to chapter 137 of title 10, United States Code, or title III of the Federal Property and Administrative Services Act of 1949 where he determines that the national security so requires."

Bill of Rights Day

EXTENSION OF REMARKS

OF

HON. JACOB H. GILBERT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 1962

Mr. GILBERT. Mr. Speaker, December 15 of last year—Bill of Rights Day—marked the 170th anniversary of the Ratification of our American Bill of Rights. In keeping with the great tradition of observing the anniversary of this historic ratification, a special ceremony was held at city hall in New York City under the auspices of the Bill of Rights Day Association.

Presiding at the exercises was the Honorable Edward D. Re, chairman of the Foreign Claims Settlement Commission of the United States, who brought from Washington, on this memorable occasion, the personal good wishes and congratulations of President John F. Kennedy. The 1961 Bill of Rights Day citations—awarded annually to outstanding businessmen, public servants, and leaders of our community for their devoted services in all walks of life—were this year given to Hon. Adlai E. Stevenson, U.S. Ambassador to the United Nations; Hon. Paul R. Screvane, deputy mayor of New York City; Dr. Harry D. Gideonse, president of Brooklyn College; and Mr. Raymond C. Deering, executive vice president of Hanover Trust Co. In the absence of Mayor Robert F. Wagner, Chairman Re presented these recipients and awarded them the Bill of Rights Day citations.

Mr. Speaker, the statements of each of these men on the meaning and importance of the Bill of Rights are particularly noteworthy. For, by their personal accomplishments, they themselves constitute a living tribute to, and an exemplification of, the highest ideals of personal, civic, and political liberty enshrined in our Bill of Rights.

It is in the spirit of Dr. Re's remarks calling for the attention of all Americans to the remarkable handiwork of the framers of our Constitution that made possible our American way of life, that I wish to offer these remarks to the people of our Nation. I am happy to join in the spirit of Bill of Rights Day by bringing to the attention of my colleagues and fellow Americans the tribute to our Bill of Rights by each of these outstanding Americans.

Mr. Speaker, the proceedings of the ceremony are as follows:

REMARKS OF HON. EDWARD D. RE, CHAIRMAN, FOREIGN CLAIMS SETTLEMENT COMMISSION OF THE UNITED STATES ON THE OCCASION OF THE AMERICAN BILL OF RIGHTS DAY OBSERVANCE, CITY HALL, NEW YORK CITY, FRIDAY, DECEMBER 15, 1961

This ceremony, in recognition of the 170th anniversary of the ratification of our Bill of Rights, is an occasion for profound thanksgiving to Almighty God and to the patriotic men whose wisdom and foresight gave to America a legacy of liberty and freedom. It is in this spirit that we, as Americans, do well to give public expression of our gratitude to the framers of our Constitution for their remarkable handiwork that has made possible our American way of life founded upon the solid bedrock of equality and justice for all.

It is indeed appropriate and necessary that we are reminded in this solemn manner of the priceless heritage that they thereby made possible for themselves and for all future generations. And when the origins of this heritage, and the freedoms that it assures, are obscured by the passing of time or attitudes of indifference and dispassion, a ceremony commemorating the ratification of the Bill of Rights assumes special importance and significance.

THE MEANING OF THE BILL OF RIGHTS

It is befitting to be reminded that it is the Bill of Rights that forms the foundation of our civil and political liberties and is the supreme law of the land which guarantees the personal freedoms of all Americans, regardless of one's station in life, religion, or the accidents of race, color, or national origin. It serves a valuable purpose to recall that it is the Bill of Rights that furnishes the moral influence and the legal authority for the equality of treatment and equality of opportunity enjoyed by all Americans.

It is therefore fitting that the anniversary of the ratification of the first 10 amendments to the Constitution, our Bill of Rights, should be remembered by the Nation that for 170 years has reaped the immeasurable blessings of life and liberty that are enshrined in that charter: freedom of religion, freedom of speech, freedom of the press, freedom of assembly, and the free right to petition the Government for a redress of grievances.

Those who have long enjoyed these freedoms must never forget that men have gained them only after great struggle, and have died to preserve them. We who have seen these rights and privileges lost in other continents and countries can now better appreciate their true meaning and the emptiness of life without them.

By these realizations we are strengthened in the unalterable determination that in America such rights and privileges will never be lost, curtailed, or weakened.

SIGNIFICANCE OF THE BILL OF RIGHTS AWARDS

The American Bill of Rights Day Association is today extremely proud of the distinguished recipients of the Bill of Rights Award for the year 1961. In honoring the Honorable Adlai E. Stevenson, this country's Ambassador to the United Nations, for his public record as statesman and leader which stands as a monument of achievement and dedication to the principles enshrined in the Bill of Rights—in paying tribute to the Honorable Paul R. Screvane, deputy mayor of New York City, for his understanding and devotion to the ideals expressed in the Bill of Rights in both public and private life—in citing Dr. Harry D. Gideonse, the president of Brooklyn College, for his dedication to our way of life and our system of public higher education which has developed the great municipal college in Brooklyn, and greatly advanced the cause of education in the State and the Nation—in honoring Mr. Raymond C. Deering, executive vice president of Manufacturers Hanover Trust Co., for his contribution as an outstanding banker, financier, and philanthropist—the American Bill of Rights Day Association has singled out outstanding Americans whose achievements in their respective fields symbolize true Americanism and illustrate the greatness that may be achieved in a free society founded upon our Bill of Rights.

THE UNIVERSAL DECLARATION OF HUMAN RIGHTS

It is also significant that this Bill of Rights Day celebration by the people of New York City follows the 13th anniversary of the adoption of the Universal Declaration of Human Rights by the United Nations General Assembly. This great declaration also stands as a permanent testimonial to the undying quest of all mankind for civil, political, and personal liberty. And to us assembled here today, it is indeed a humbling thought to realize that this universal declaration—embodying the ultimate ideals and goals of all mankind—is itself founded upon our own Bill of Rights and our own Declaration of Independence. The legacy of our Bill of Rights thus deserves not only our debt of gratitude, but that of all mankind.

May we therefore depart from this solemn ceremony with the renewed determination to strive to extend to all people the freedoms and liberties that we have secured for ourselves. Only thus may it be said that we are truly worthy of the benefits that we reap from the past—and the responsibilities that we owe to the future.

THE BILL OF RIGHTS DAY MESSAGE OF PRESIDENT JOHN F. KENNEDY

Distinguished guests, honored recipients, ladies and gentlemen, and fellow Americans: It is my honor at this time to read the message of the President of the United States and to extend the President's congratulations to the award recipients. The President's message reads as follows:

"Twenty years ago President Roosevelt proclaimed the first Bill of Rights Day to remind us of our heritage of freedom and our charter of liberty.

"In our complex and difficult world today it is more important than ever to keep in mind this document of democracy.

"To the schoolchild, the words of the Bill of Rights only begin to have meaning—his concept of our country is just growing. To the lawyer, each phrase has its elaborate history of constitutional development and refinement. But to most of us, the Bill of Rights means freedom. It is a document whose four corners hold the ideas by which we live and for which many have given their lives.

"It is particularly fitting that the Bill of Rights Day Association has selected this day to honor a group of distinguished Americans. Please extend my congratulations to Governor Stevenson, Paul Screvane, Dr. Harry Gideonse, and Raymond Deering."

PRESENTATION OF THE RECIPIENTS OF THE BILL OF RIGHTS DAY AWARDS

Ladies and gentlemen, at this time it would be my great privilege and pleasure to introduce to you the mayor of the city of New York. Traditionally it has been Mayor Wagner who has made the presentation of the awards to the respective recipients. This year the mayor cannot be with us and therefore I normally would have had the equally great pleasure of introducing the deputy mayor who, as we all know, presently enjoys the additional title of president-elect of the city council. But as it develops, the deputy mayor, Mr. Screvane, is also one of the recipients of this year's Bill of Rights Awards. Therefore, it will be my added privilege to present to this audience the recipients of this year's Bill of Rights Awards and to read the citations.

I will therefore ask Governor Stevenson to kindly rise while I read the citation that is printed on this award:

CITATION, 1961 BILL OF RIGHTS DAY AWARD TO HON. ADLAI E. STEVENSON, U.S. AMBASSADOR TO THE UNITED NATIONS

"The Honorable Adlai E. Stevenson, U.S. Ambassador to the United Nations, whose wide interest and wholehearted participation in the civic and political life of the community, State and Nation have helped make our country a better place in which to live; whose understanding and devotion to ideals expressed in the Bill of Rights as exemplified in his public life have won for him the everlasting appreciation of all Americans; whose public record as Governor and Ambassador is a monument of achievement and dedication to the principles enshrined in the Bill of Rights; whose keen awareness of the true responsibilities of Government have made possible a better appreciation of the American way of life in the interest of world peace and understanding."

Ladies and gentlemen, the Honorable Adlai E. Stevenson.

Governor STEVENSON. Professor Re, Mr. Screvane, Dr. Gideonse, and Mr. Deering, ladies and gentlemen. I count this a very great honor that you have done me this morning. I am also profoundly flattered by the inscription on this citation that you have just read. I take great pride and satisfaction that you consider me worthy of such sentiments. It is not, however, this citation alone which is my principal satisfaction today. It is the fact that here in New York, and throughout the country as well, Americans are once again observing the anniversary of one of the most precious jewels in our country's crown. Our farms and our factories may give us our living, but the Bill of Rights gives us our life. So I am happy to join with you today, not only in observance but also in a rededication. To me, any celebration of the Bill of Rights is an occasion for pledging ourselves anew to the principles which it affirms. For the true glory, I suspect, of our Bill of Rights and our Constitution is not in the words that were written 170 years ago, but in the deeds—the sometimes difficult deeds—that we perform under its mandate, today and every day. Thank you, Dr. Re.

CITATION, 1961 BILL OF RIGHTS DAY AWARD TO HON. PAUL R. SCREVANE, DEPUTY MAYOR OF NEW YORK CITY

Dr. RE. Thank you very much, Governor Stevenson. I wonder if I may call upon Deputy Mayor Paul R. Screvane to rise while I read the citation inscribed on his award:

"Hon. Paul R. Screvane, deputy mayor of New York, whose wide interest and wholehearted contributions to the civic and government life of our city have helped make New York City a better place in which to live; whose awareness of the responsibilities of government has resulted in numerous improvements and betterments for the common welfare; whose understanding and devotion to the ideals expressed in the Bill of Rights as exemplified in his public and private life have won for him the everlasting appreciation of all Americans in general and all New Yorkers in particular."

Ladies and gentlemen, the Honorable Paul R. Screvane.

Deputy Mayor SCREVANE. Thank you very much, Professor Re. Ambassador Stevenson, Dr. Gideonse, Mr. Deering, distinguished guests, ladies and gentlemen. I am especially honored to receive this citation today in this beautiful room here in city hall, a building which is part of the heritage of our great city of New York. This is a work of art. Ambassador Stevenson earlier, when he was in my office, prayed the day doesn't come when the bulldozers might take care of this magnificent structure.

We look upon the Bill of Rights as our most precious gift, one which sets the framework for the freedoms we enjoy here today. As we preserve all of the great works of our country—written words, structures—I think this is the opportunity, on a day such as this, to rededicate ourselves and to fight with everything at our command, to see that these cherished rights are preserved here, in our own beloved United States, and, insofar as is humanly possible, are granted to all the peoples of the world. Certainly, it is appropriate, at this time, as we view the international scene and we see nation after nation in which these fundamental rights have been destroyed, to reaffirm our faith in our country and, as the Ambassador said, to rededicate ourselves, so that our country will never suffer the same fate as those imprisoned behind the Iron Curtain. This can only come about by the sincere and dedicated effort of our American people. We must start, very obviously, with our children in the schools.

I am honored, I am delighted to be singled out to receive this citation today and to participate in these magnificent ceremonies. I want especially to thank our talented singer who rendered the national anthem and our great department of sanitation for the wonderful music they have provided today. Thank you very much.

CITATION, 1961 BILL OF RIGHTS DAY AWARD TO DR. HARRY D. GIDEONSE, PRESIDENT OF THE BROOKLYN COLLEGE

Dr. RE. Thank you very much, Deputy Mayor Screvane. Will Dr. Harry D. Gideonse please rise while I read the citation inscribed on this award:

"Dr. Harry D. Gideonse, president of the Brooklyn College, whose leadership, wide interest and wholehearted participation in the civic and cultural life of the city of New York and of the Nation have helped make our community and Nation a better place in which to live; whose dedication to the American way of life and to our system of public higher education helped to develop the very best talents of all students in a great municipal college in the Borough of Brooklyn; whose awareness of the responsibility of government in the field of higher education has helped to fulfill America's promise of equality of opportunity to all; whose qualities of heart and mind and dedication to the principles of equality and justice for all have earned for him the gratitude of all Americans."

Ladies and gentlemen, President Gideonse of Brooklyn College.

Dr. GIDEONSE. Mr. Chairman, honored guests, I came here to listen and not to speak. The Bill of Rights is the most important part of the Constitution. To men like Thomas Jefferson its addition to the Constitution was a condition of his willingness to accept the Constitution itself. Jefferson and those who thought and felt the way he did, were somewhat frightened at the possibility of democratic government becoming despotic. Jefferson used to speak of unqualified democracy as majoritarian despotism, and he wanted a Bill of Rights to insure that the sheet anchor of individual freedom would be part of the Constitution itself.

The Constitution should say, as it does in the Bill of Rights, that there are certain, to the individual, sacred freedoms concerning which the majority was not even to discuss the possibility of legislative control of the minority. This is the document that we are honoring here today and I am very happy with the Deputy Mayor's comparison with the architecture of this building. The Bill of Rights is—like the building—something that has come as the development of a tradition over time, every word in it clarified by controversy, by political and legal struggle, by sacrifice even of life in the process of clarifying what it means to us today.

De Tocqueville once said "freedom is my passion." Freedom has been a passion to me all of my life and I am very happy to see in this citation a recognition of the work of a team of colleagues in building an institution that is, I hope, today a tower of strength because we have succeeded in making a reality of the equality of opportunity that is the foundation of all the aspirations of the citizens of a free society.

Thank you, sir.

CITATION, 1961 BILL OF RIGHTS DAY AWARD TO MR. RAYMOND C. DEERING, EXECUTIVE VICE PRESIDENT, MANUFACTURERS HANOVER TRUST CO.

Dr. RE. Thank you very much, President Gideonse. May I ask Mr. Raymond C. Deering to rise while I read his citation:

"Mr. Raymond C. Deering, executive vice president, Manufacturers Hanover Trust Co., whose wholehearted and dedicated interest in community affairs has earned for him the appreciation and gratitude of the people of the city of New York; whose administrative and managerial skills and talents have helped develop a great banking institution in the city of New York for the benefit of the entire community; whose keen awareness of the needs of his fellow man has caused him to give of himself to such an extent that he truly deserves the recognition due an outstanding banker and philanthropist."

Ladies and gentlemen, Mr. Raymond C. Deering.

Mr. DEERING. Thank you, Professor Re. Mr. Ambassador, Mr. Screvane, Dr. Gideonse, ladies and gentlemen, it is indeed a high honor to receive this citation. Although at first banking may seem somewhat remote from the Bill of Rights, our American system of free enterprise, of which our free, competitive banking system is an essential part, could not exist without the fundamental guarantees of individual liberty provided by the 10 original amendments to our Constitution. If anyone is not aware of the importance of the Bill of Rights, let him read the press reports about life behind the Iron Curtain where the individual has no rights, and about the thousands of people who risk their lives to escape to freedom. To be sure, there is banking in those countries, but it isn't our kind of banking, because it isn't free enterprise. Free enterprise has made our Nation great, and will keep it great as long as the Bill of Rights endures. Thank you.

Dr. RE. Thank you very much, Mr. Deering. Ladies and gentlemen, it is my honor at this time to call upon Rabbi Elihu Michelson of the Jewish Welfare Board, to deliver the benediction. Rabbi Michelson.

BENEDICTION ON THE OCCASION OF THE BILL OF RIGHTS DAY CEREMONY, DELIVERED BY RABBI ELIHU MICHELSON OF THE JEWISH WELFARE BOARD

RABBI MICHELSON. O God, and God of our fathers, we ask Thy blessing upon those of us gathered here, upon our city, State and Nation. May this great country ever promote Thy kingdom on earth, may it be a mighty advocate of justice, freedom, and peace among men. All men created in Thine

image thereby have innate worth and dignity. Make us sensitive to their rights as Thy children. So may we be worthy of Thy blessing now and in the long years which are to come, so may we help bring glory to Thy name, until the time when nation shall not lift up sword against nation neither learn war any more. Let us all say amen.

CONCLUDING STATEMENT OF DR. EDWARD D. RE

Dr. RE. Ladies and gentlemen, this concludes the ceremony. However, I would like to thank not only all of the distinguished ladies and gentlemen that have come here—some from Washington, others from near and some from far—but also the teachers from our public schools and our private schools that brought so many of their pupils here. I am very grateful for the cooperation that the association receives annually and I would like to thank once again Captain Rossini for having given so much of himself in having made this ceremony possible. Ladies and gentlemen, our final thanks are to Commissioner Frank J. Lucia and to Mr. John M. Celebre through whose good offices we are permitted to hear this beautiful music. Ladies and gentlemen, thank you very, very much.

Lightning on the Left

EXTENSION OF REMARKS

OF

HON. DURWARD G. HALL

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 1962

Mr. HALL. Mr. Speaker, under leave to extend and revise my remarks I wish to insert my "Report from Washington" dealing with the issue of "Lightning on the Left":

While a great deal of attention has been focused on the so-called thunder on the right, the nation has received very little information regarding the lightning on the left.

Consider the recent publication of a book by Doubleday entitled "The Liberal Papers." Written by 12 Democrat Congressmen, here are a few of the foreign policy recommendations advanced by its authors:

Recognition of Red China and her admission to the U.N.; Recognition of Red China's claim to Formosa and the Pescadores; financial aid for Red China; Expulsion of West Germany, Italy, Scandinavia, and France from NATO; shutdown of American missile bases in Europe; Invitation to Russia to plug in on a bidirectional DEW line (our radar warning network against nuclear attack).

The Communists, in their wildest dreams, never hoped for such concessions.

Still another quote from "The Liberal Papers":

"As the cold war continues, it becomes increasingly difficult for decent Americans, humane enough to prefer peace to an egocentric national honor, to be outspokenly and genuinely anti-Communist."

The sponsors of these incredible views include Chester Bowles, Presidential foreign policy adviser; Mr. Wolf and Mr. Johnson, who are officials of AID (Agency for International Development); and Marcus Raskin, an employee of the National Security Council, our highest level strategic planning agency.

Still another example of lightning on the left can be found in the recent policy position by the Americans for Democratic Action:

"The administration should press forward with its proposed agreement banning atmospheric tests without inspection. Inspection at this time should not be made a condition of agreement."

It seems the ADA has forgotten that we did participate in such an agreement with Russia, and that they brazenly broke this agreement last October with over 40 nuclear blasts including a 58-megaton superbomb.

The ADA policy is far to the left of the instructions given to the disarmament negotiating team now representing this administration at Geneva. These instructions make inspection an absolute essential for any further nuclear test bans, and are basically sound.

Some of the other ADA policies call for recognition of Communist China and its admission to the U.N.; shipment of surplus foods to Red China and a removal of trade barriers with that country; and a hands-off policy toward Cuba.

ADA has vigorously opposed all aid to Spain while in the same policy statement it has supported aid, including military equipment, to Tito's Yugoslavia.

ADA has condemned what it called the imperialist policies of the Netherlands and called for a cutoff of aid to the Dutch, but it has remained strangely silent about Indian aggression against Goa, Communist aggression against South Vietnam and Indonesia.

None of the persons associated with "Thunder on the Right" hold any positions of executive responsibility in Government, and those in the "irresponsible fringe" are hardly in a position to effect national policy.

On the other hand, the 35 ADA'ers in key administrative positions includes: Arthur M. Schlesinger, Jr., Presidential administrative assistant and a former national ADA chairman; Chester Bowles, Special Adviser to the President on Foreign Policy; G. Mennen "Soapy" Williams, Assistant Secretary of State for African Affairs; Philip H. Coombs, Assistant Secretary of State for Educational and Cultural Affairs; Jonathan B. Bingham, U.S. Representative on the U.N. Trusteeship Council; J. Kenneth Galbraith, U.S. Ambassador to India; James Loeb, U.S. Ambassador to Peru; Abraham Ribicoff, Secretary of Health, Education, and Welfare; Orville Freeman, Secretary of Agriculture; Theodore C. Sorenson, Special Counsel to the President; and Arthur Goldberg, Secretary of Labor.

The policy's advocated by the ADA and "The Liberal Papers" are reflected daily in important administration decisions.

Consider for example our virtual withdrawal from Laos, our 7-month delay in resumption of nuclear tests following the Russian test series of last October, sharply increased trade with the Communist bloc during the past year, continued foreign aid to such countries as Poland and Yugoslavia, our failure to act decisively following Brazil's confiscation of American property a month ago, the action of the President last April lifting regulations to curtail free mail delivery of Communist propaganda, substantial American contributions to various U.N. agencies which furnish direct financial and technical assistance to Communist countries including Cuba, our U.N. vote against Portugal with the possible repercussions against our use of the vital air base in the Azores, and so on * * * ad infinitum.

Certainly rightists are not always right and should exercise more responsibility than has been evidenced on some occasions in the past, but they are not in power or in position to damage good government. Has the time not come when the Washington press corps should awaken to the lightning on the left?

Foreign Oil Imports

EXTENSION OF REMARKS

OF

HON. ELIZABETH KEE

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 1962

Mrs KEE. Mr. Speaker, yesterday the very able and distinguished Director of the Office of Emergency Planning, Mr. Edward A. McDermott, assured the National Coal Policy Conference that his Office is maintaining a constant surveillance of the mandatory oil import control program. While I can appreciate that Mr. McDermott's position in this regard is confined to the national security aspects of imports and their effect on domestic fuel capacities, I think it important that the OEP acquaint itself with the full impact of residual oil imports on America's coal mining companies.

Many mines in West Virginia are working only 2 or 3 days a week; governmental studies would therefore be inclined to assume that these mines would be ready for full production in the event of an emergency. The fact is that some of the mines not working regularly may be close to the breaking point and could go out of business on extremely short notice. Perhaps the quickest way for Mr. McDermott to familiarize himself with these implications of the national fuels problem would be to note carefully the statement presented to the House Ways and Means Committee last week by the Honorable Thomas Kennedy, president of the United Mine Workers of America. Mr. Kennedy, using statistics that were compiled in the bitter experience of mine closures and layoffs that have plagued coal-producing States for a decade and a half, warned that the recent increase in residual oil import quotas is another step toward what he called the eventual destruction of the coal industry in America.

It is a dangerous and disheartening thing to witness the gradual but rapidly accelerating disintegration of the coal industry and the States that depend upon that industry for a livelihood—

Mr. Kennedy said

Mr. Speaker, under prevailing conditions, international oil interests are literally dictating how much employment will be available in West Virginia's mining areas. As shown in Mr. Kennedy's testimony, these imports are expropriating—or confiscating—3 million man-days of work for coal miners annually. When losses to railroads and other affected industries and businesses are added to the damage that foreign oil has inflicted on the coal industry, the impact on West Virginia's overall economy is staggering. Since 1947, when the first danger signs of the deadly effects of foreign oil on the American economy first were cited over the Atlantic coastline, a total of 2,172,227,000 barrels of residual oil entered U.S. markets. That figure includes shipments through last December 31 and does not include the more

than 60 million barrels that have already arrived at our ports thus far this year. In those 15 years, the floods from foreign refineries into east coast fuel markets amounted to more than one-half a billion tons of coal in energy equivalent. A very high percentage of that coal would have been mined in West Virginia, the Nation's foremost coal-producing State and principal supplier to New England and the other seaboard fuel markets.

Now that the Ways and Means Committee has heard Mr. Kennedy's story of distress directly attributable to residual oil imports, I hope that the new trade bill will contain guaranteed protection for the economy of coal-producing States. A reduction in imports is imperative so far as West Virginia is concerned.

I commend to your attention the remarks of Mr. Kennedy before the Ways and Means Committee. They will be included when the report is ready and I trust that my colleagues will be watching out for it. His prepared statement, which was made available to a number of Members of the House and Senate, was an excellent presentation in itself, yet he contributed so much other information extemporaneously that the entire testimony should be studied carefully. I am sure that the office of Mr. McDermott can also profit handsomely from Mr. Kennedy's remarks. In gaining this information, the Office of Emergency Planning will be much better equipped to carry out its stipulated duties with regard to protecting the ability of the United States to provide the increased energy that will be necessary in any emergency.

Central Ohio Public Opinion Poll

EXTENSION OF REMARKS

OF

HON. SAMUEL L. DEVINE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 1962

Mr. DEVINE. Mr. Speaker, under leave to extend my remarks, I am including in the CONGRESSIONAL RECORD my periodic newsletter dated March 28, 1962.

This newsletter gives the results of a public opinion poll reflecting the views of some of the people from the central Ohio area.

Twenty thousand questionnaires were mailed and 6,318 persons answered. This again demonstrates the keen interest of Ohioans in the affairs of this National Government.

DEAR FRIEND: The temperature is increasing here in Washington, not only with the arrival of spring and cherry blossoms budding, but in the legislative halls as more bills emerge from the committees for debate and vote.

By the time you receive this second newsletter of 1962, the controversial omnibus tax bill should be disposed of by the House. This legislation has been considered for weeks in the Ways and Means Committee, and now the Rules Committee has granted a closed or "gag" rule which means there will be 8 hours' debate, but no amendments are permitted.

This "gag" rule could very well spell doom for this proposal because there are at least three areas, including the 20 percent withholding tax on dividends, interest, and savings, which should be reexamined. (On this latter subject, I have received nearly 3,000 letters in the last 3 weeks, and only 7, thus far, favor this provision.) In its present form, I intend to vote against this bill.

Spending continues to dominate the thinking in Washington. It looks like this fiscal year will end June 30 with a deficit approaching $10 billion. In case there is any doubt, deficit means your Government is spending a great deal more than it is taking away from you in taxes; this is often called fiscal irresponsibility and properly so. There are several ways to solve this problem: Raise taxes or reduce expenditures. I am sure the latter course is much more appealing to you as you have so often expressed in your letters to me for over 3 years.

After the Revenue Act of 1962 is concluded this week, we will have the routine appropriation requests, together with many of the bills proposed by the President. The foreign aid bill will request nearly $5 billion, but the final amount is purely speculative at this time.

Reciprocal trade and related tariff matters have been in hearing since March 12, again before the Committee on Ways and Means. With the European Common Market, the trade policies of this country must be closely reviewed to determine what is in the best interest of the wage earners, business, and the whole economy of our Nation. There is also the important underlying issue of a further transfer of power from the legislative to the executive branch of the Government. Without question, this is the most important legislation facing this session of the 87th Congress.

Further, the much publicized medical care legislation is pending before the Ways and Means Committee. Much has been claimed relative to the benefits senior citizens will receive under the King-Anderson bill (H.R. 4222). In fact, there will be a Cecil B. De Mille-type extravaganza produced in Madison Square Garden, N.Y., May 20, by the promoters of the compulsory social security-type program. Everyone is certainly entitled to express his opinion as to the merits of any proposed legislation; and, in order that there be no misunderstanding of the King-Anderson bill, you should know it does not pay for physicians' services at home, office, or in hospital; it does not pay surgeons' bills; it does not pay for dental care; it does not pay for drugs and medicines outside of hospital or nursing home; it does not provide your exclusive choice of diagnostic physicians; it does not provide any benefits for over 4 million senior citizens who are not receiving benefits under social security. It does provide hospital and nursing home care, but the recipient must pay a minimum of $20 and a maximum of $90 on the basis of $10 a day for each of the first 9 days.

The return of questionnaires on the public opinion poll which accompanied the January 17 newsletter was another demonstration of the keen interest central Ohio people have in the affairs of their Government—the response of 31.6 percent, which is well above the congressional average. Many of you have requested the results of the poll which I am happy to set forth below:

1. Medical, hospital, and nursing benefits for senior citizens compulsory social security system: Yes, 21.4 percent; no, 70.5 percent; undecided, 8.1 percent.

2. Federal aid to education on public school level: Yes, 18.5 percent; no, 77.1 percent; undecided, 4.4 percent. Private or parochial school level: Yes, 5.1 percent; no, 92.1 percent; undecided, 2.8 percent. College level: Yes, 23.7 percent; no, 67.4 percent; undecided, 8.9 percent.

3. Authorize President to purchase $100 million in United Nations bonds: Yes, 10.8 percent; no, 81.6 percent; undecided, 7.6 percent.

4. Increase in postal rates of 25 percent to meet Post Office deficits: Yes, 49.7 percent; no, 41.6 percent; undecided, 8.7 percent. (Passed House, now in Senate.)

5. Free mailing of Russian propaganda as matter of reciprocity: Yes, 3.6 percent; no, 93.6 percent; undecided, 2.8 percent. (Rejected in House, now in Senate.)

6. Foreign aid to Communist controlled or satellite countries: Yes, 3 percent; no, 94.2 percent; undecided, 2.8 percent. Neutral countries: Yes, 30.9 percent; no, 56.5 percent; undecided, 12.6 percent. NATO countries: Yes, 62.5 percent; no, 25.2 percent; undecided, 12.3 percent.

7. Create Department of Urban Affairs and Housing: Yes, 9 percent; no, 80.9 percent; undecided, 10.1 percent. (Rejected by House by vote of 264–150.)

8. Relaxation of tariffs and trade restrictions: Yes, 24.8 percent; no, 56.1 percent; undecided, 19.1 percent.

9. Shipping exports such as surplus foods, ball bearings, jet aircraft, locomotives, etc., to Communist controlled or satellite countries: Yes, 3.3 percent; no, 94.7 percent; undecided, 2 percent.

10. Continued nuclear testing by U.S. Government: Yes, 85.7 percent; no, 8.3 percent; undecided, 6 percent.

The following persons from our area have visited our Washington office since our last newsletter: John E. Compson, Mrs. Evaline Grant, Mrs. J. S. Summer, Mary Louise Briscoe, Herbert G. Davis, Cameron E. Williams, Ruth Hill, Lucille Walston, Evan E. Williams, William S. and Richard Rambo, Mr. and Mrs. Harry Hofheimer and sons Steve, Craig, and John, Enoch R. Rust, Howard P. Chester, R. F. Dreyer, A. E. Dewey, Mr. and Mrs. George A. Roberts, Fred Presutti, Daniel H. Dunbar, Tim A. Wilder, George W. Rowe, Victor E. Vaile III, Richard S. Mann, Jim Burtch, Thomas Palmer, Melinda Kuntz, W. M. O'Neill, Jr., O. E. Anderson, Mr. and Mrs. Earl L. Hamilton, Martha Bush Park, Mr. and Mrs. Ernest W. Moser, Atlee J. Reeb, Mr. and Mrs. George D. Striner, Bernard and Fred Davidorf, H. O. Parker, John W. Baker, John E. Senn, Richard I. Eidson, Joe Linville, Clyde Mann, Herschel White, Mr. and Mrs. Andrew J. White, Jr., Julie Kraft.

Mike Lewis, Byron Miesse, John Hines, Scott P. Burns, Dr. and Mrs. James J. Hughes, Pat Hone, Alan Norris, Richard H. Hamilton, Mr. and Mrs. Raymond A. Jacobs, Lynn W. Turner, Nancy L. Wesney, T. Ed. Waller, Marcus Long, Phil O'Day, F. M. Smetz, Jack Welch, William W. Stansbury, Guy Morrison, Ray E. Armstrong, Carl M. Poston, Jr., Dean W. Simeral, Stan Andrews, Mr. and Mrs. Harry Linebaugh and Harriet, F. W. Boulger, George Hahn, C. P. Sullivan, E. Padgette, F. W. Armstrong, Cynthia and Judith Yenkin, Vera L. Reynolds Tedrick, Susie M. Greenidge, Gary L. Jones, L. S. Rinehart, H. Joel Teaford, Mrs. James B. Campbell and Joan, Mr. and Mrs. Richard K. Hood, Mr. and Mrs. Joseph De Vennish and Joe, Julio, and Suzie, Mrs. J. C. Reddington and Bill, David D. White, John Moses, Donald H. Williams, Carter and Mrs. P. S. Jastram Whitney, Gilbert Coddington, William E. Grabiel, Robert H Foster, Mr. and Mrs. Monroe Courtright, Robert E. Marshall, Floyd W. Will, Jerry L. Snowden, George W. Roloson, George U. Sanderson, W. Perry Rawn, Jack Cummins, Dwight W. Motis, Jack Teller, Charles E. Laird, Bert Ebright, E. F. Evans, Ralph Connell, William H. Haskett, Jack Cornish, E. Paul Howard, Paul S. Glawa, Lee Cook, Lindsay Evans, J. F. Harner, D. R. Foltz, W. L. Walker, C. W. Watts, J. W. Lehman, W. B. Marshall, R. G. Parkinson, Herbert T. Olpp,

J. Merle Brill, William E. James, W. V. Ashton, Richard E. Morris, Walter B. Harpule, Jack E. Gordon, Richard C. Arnold, M. G. Kearns, and J. D. Solt.

Sincerely,

SAMUEL L. DEVINE,
Member of Congress.

Federal Aid to Education Must Reach All Our Young People

EXTENSION OF REMARKS
OF
HON. JACOB H. GILBERT
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, March 29, 1962

Mr. GILBERT. Mr. Speaker, I am including in the CONGRESSIONAL RECORD my statement to the Committee on Education and Labor on the important subject of Federal aid to education, showing that continued Federal support of educational institutions which do not comply with constitutional principles is unconscionable and should be stopped without further delay:

STATEMENT OF HON. JACOB H. GILBERT, OF NEW YORK

Mr. Chairman and members of the Committee on Education and Labor, your committee has under consideration my bill, H.R. 668, which would provide that Federal aid be withheld from schools which discriminate between students by reason of their race, color, religion, ancestry, or national origin.

I appreciate the opportunity to speak in favor of this vitally needed legislation and to urge your support and favorable action.

In his message to the Congress concerning aid to education, President Kennedy stated: "Our progress as a nation can be no swifter than our progress in education. Our requirements for world leadership, our hopes for economic growth, and the demands of citizenship itself in an era such as this all require the maximum development of every young American's capacity." Please note the words "every American." They include Negroes, Puerto Ricans, and members of all minority groups in the United States now denied educational opportunities.

Your committee approved a $3.3 billion bill to help build public school classrooms and pay their teachers. There is another bill pending, providing for Federal aid to higher education which would cost many additional millions. Last year the National Defense Education Act was extended and broadened, and this authorized Federal expenditure of more than a billion dollars. In 1961, the Federal Government was obligated to expend $487,704,470 under our various education grants-in-aid programs. We should now take necessary action to insure that all the young people of this Nation share equally in the benefits such funds are meant to provide.

The Supreme Court has decreed that racial segregation in the public schools is inherently unequal, and has observed that the opportunity for education where the State has undertaken to provide it, is a right which must be made available to all on equal terms.

Under the segregated school system which has prevailed in many States, Negro children are denied the educational opportunities to which they are entitled. Lack of educational opportunity is one of the crucial factors handicapping the Negro in his struggle for equality. Records show that many are prevented from attending school at all. their schools are, in the main, small and substandard. their teachers do not have the training and teaching background demanded by schools of the white children. Negro children in numerous localities are required to travel many miles in order to attend the nearest Negro school. Obstacles of all kinds have been placed in the way of the Negro to prevent him from gaining the necessary learning which would enable him to reach his full potential as an educated person.

The practice of denying Negroes admission to institutions of higher learning is equally shocking. The report of the Civil Rights Commission dealing with denial of the equal protection of the laws in public higher education in 1960 is indeed an indictment of the whole American community. The Commission reported great progress in the past 20 years in eliminating denials of equal protection, but discrimination continues to be the pattern in the Deep South, and Negroes are the principal victims of such discrimination. The Commission reported that in Alabama, Georgia, Mississippi, South Carolina, Florida, and Louisiana, education for the Negro is indeed separate and unequal, not only at the college level but also in preparation for college. The Commission stated that "this inferior preparation of the Negro high school student in the segregated high school of the South helps perpetuate the problem of segregation and discrimination at the college level" and that "educational deprivation of Negroes is similarly transmitted from the educationally, economically, and culturally deprived parent to the child." It is reported that the United States has permitted southern legislatures to create separate land-grant colleges for Negroes and to channel almost all Federal funds for specific programs in such institutions to the separate white colleges. In the allocation of Federal money for research for college housing and for educational institutes, white colleges and white students have been altogether disproportionate beneficiaries.

The Commission report concludes that "the total impact of Federal aid to public higher education in these States has been to increase the discrepancy between the amounts spent by the States themselves for white institutions as compared with Negro institutions."

The Commission made a clear recommendation that the Federal Government end financial aid to publicly controlled institutions for higher education which continue to discriminate on grounds of race, religion, or national origin.

Congress should provide that all Federal grant-in-aid programs involving education are to benefit all our youth, not just one segment of our population. The discrimination now prevailing in our institutions of learning based on color, race, religion, or national origin, must be eliminated.

I maintain that continued Federal support of educational institutions which do not comply with constitutional principles is unconscionable, and such support should be stopped without further delay.

Health Services for the Aged Under Social Security

EXTENSION OF REMARKS
OF
HON. VICTOR A. KNOX
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Thursday, March 29, 1962

Mr. KNOX. Mr. Speaker, there has been considerable mail coming into my office regarding medical care for the aged under a compulsory approach within the framework of the Social Security Act. Some of the letters state that because of living on a limited income individuals do not have funds to pay doctor's bills and for the medicine that is prescribed by physicians, and with the enactment of the King-Anderson bill such services would be provided. Because of this apparent misunderstanding of the administration's proposed medical care program I devoted the contents of my March News Report to a description of the major provisions of this legislation.

Under leave to extend my remarks, I wish to insert into the RECORD the text of my report.

The report follows:

HEALTH SERVICES FOR THE AGED UNDER SOCIAL SECURITY

I have received considerable correspondence expressing either a pro or con view with respect to the proposal to provide medical care for the aged under a compulsory approach within the framework of the Social Security Act. Much of this mail indicates a misunderstanding of what the Kennedy administration's proposal on this subject would and would not do in the way of covering medical needs. For this reason I will devote the contents of this report to a description of the major provisions of the administration-proposed King-Anderson bill which would provide a limited compulsory health care program.

WHO WOULD BE ELIGIBLE

Only persons who have reached the age of 65 and are entitled to monthly social security benefits would be eligible for services under the program. There are nearly 4 million persons over 65 who are not eligible for social security benefits and who therefore could not receive medical care under the administration's plan.

WHAT MEDICAL SERVICES WOULD BE PROVIDED

Inpatient hospital services would be provided up to 90 days. This would include bed, board, drugs, and other supplies and services customarily furnished by the hospital. The patient would pay a deductible amount of $10 a day for each of the first 9 days with a minimum deductible of $20 and a maximum deductible of $90.

Nursing home services would be provided up to 180 days, which would be available after a patient had been transferred from a hospital. The services provided by the nursing home would include bed, board, nursing services, drugs and other services and which are customarily provided by such homes.

Home health services would be provided for up to 240 visits during a calendar year which would be furnished by or through a public or nonprofit agency under a plan prescribed by a doctor, including nursing care, physical, occupational, and speech therapy, medical supplies (other than drugs) and appliances for temporary use, and certain part-time or intermittent home services.

Outpatient hospital diagnostic services which are customarily furnished by or through the hospital to its outpatients for diagnostic study would be provided with the patient paying $20 for each hospital outpatient diagnostic study.

WHAT MEDICAL SERVICES WOULD NOT BE PROVIDED

The plan would not pay doctor's fees except to the limited extent they may be covered as part of a hospital's services. The services that a patient's private doctor provides would not be covered. The patient would pay physician and surgeon fees. Calls to a doctor's office and house calls made by a doctor would be paid by the patient.

No drugs would be paid for unless they are provided as part of the hospital or nursing home services, which would mean that the prescription of a doctor would still have to be paid for by an individual. No private duty nursing services are provided.

There is no coverage for services provided by mental or tuberculosis hospitals.

In essence what the proposal adds up to is the payment of the cost of hospital care and substitutes for hospital care within the limits prescribed.

FINANCING

The social security taxes now imposed with respect to an employee would be increased under the administration proposal by one-fourth of 1 percent, and three-eights of 1 percent for the self-employed. The taxable earnings base upon which one contributes to the social security fund now would be increased from $4,800 to $5,200 a year. An employee making $100 or more a week at the present time pays $150 in social security taxes this year, and under the present law this will increase to $174 next year and reach a maximum of $222 in 1968—with the employer paying like amounts. Under the medical care plan, the social security tax for both the employee and employer would rise to $201.50 next year and reach a maximum of $253.50 for each in 1968. The combined employer-employee rate of social security tax under the President's proposal would reach a total of 9¾ percent of payroll on January 1, 1968, without any further liberalization in the social security program beyond that proposed in the bill. The adequacy of even this financing arrangement has been contested by some actuarial experts.

Medicare

EXTENSION OF REMARKS
OF
HON. CLEVELAND M. BAILEY
OF WEST VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, March 29, 1962

Mr. BAILEY. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following radio script under date of March 28, 1962, as a legislative proposal of the utmost importance to the people of the new First Congressional District which I am proud to represent. Each week in my radio report to my constituents I discuss items which I believe to be of prime interest to them. This week I spoke on an item in the President's legislative program; the so-called medicare bill, H.R. 4222.

The article follows:

MEDICARE

Ladies and gentlemen of the radio audience, today I would like to discuss with you one of the most important items of the President's legislative program; the so-called medicare bill, H.R. 4222. It is also known as the King-Anderson bill.

Every day I get letters from my district for and against health insurance for the aged under social security. Often they refer to the King-Anderson bill—which contains the President's proposal and is before the Ways and Means Committee of the House. This mail indicates that most people just haven't been told the facts about this proposal, so I would like to discuss today the need for such a plan, what the King-Anderson bill provides, who would be covered by it, and how the program would be financed.

There are 17 million people in this country over 65. Almost 173,000 of them are in West Virginia. As a group they have low incomes. As a group they have the most illnesses and the highest hospital and medical costs. Their ability to get, pay for and keep private insurance is less than for any other segment of the population. Older people postpone getting the medical care they need because they just don't have the money to pay for it. When a catastrophic illness does strike, it often wipes out the old persons' savings, takes his home if he has one, and drains the finances of his children and other relatives. No wonder the dread of being sick is such a worry to the older folks.

Better ways of helping the aged pay the cost of health care have to be found. There is almost complete agreement on that point. The disagreement comes on what method will be used. The present administration believes, and I agree with them, that the soundest, most inclusive and most efficient method is to establish a prepaid form of insurance under the social security system. This is what the King-Anderson bill would do.

I think we should make it clear from the beginning. The bill would not provide any care at all. It would simply provide a way of paying for care. The benefits spelled out in the bill are these:

First, it would provide up to 90 days of inpatient hospital service for each illness. This would be subject to a deductible amount—to be paid by the patient—of $10 a day up to 9 days (the minimum deductible would be $20 and the maximum $90).

Second, it would pay for up to 180 days of care in a skilled nursing home after transfer from the hospital. This would be subject to a maximum of 150 "units of service" with one "unit" equal to 1 day of hospital care and 2 days of skilled nursing home care. For example, if a patient used up all of his 90 days at a hospital he would be eligible for only 120 days of nursing home care.

Third, it would pay the cost of as many diagnostic services as might be required subject to a $20 deductible for each diagnostic study.

Fourth, it would provide up to 240 home health care visits a year. This includes intermittent care and therapy under a plan established by a physician.

Now it is obvious that the benefits I have just named will not include all the costs of illness, but it will take care of the brunt of them. Statistics show that it is the hospital costs that hurt, they make up 70 percent of the medical expenditures of older people.

Persons eligible for benefits would be all those 65 and over who are eligible for payments under social security and the railroad retirement law. Approximately 144,000 people in West Virginia would be immediately covered because that is the number now in the social security system. Such eligible persons have been blanketed in under all previous amendments to the social security law.

The plan would be self-financing and self-supporting. Workers in covered employment would have their payroll deduction increased by one-fourth of 1 percent on the first $5,200 of earnings instead of on the first $4,800 as is now the case. Self-employed persons would contribute three-eights of 1 percent.

Some of my letters refer to the Kerr-Mills program and say, "Let's stick to that." Well, as some of you know, last year West Virginia made a valiant effort to meet the medical care needs of our older people through the Kerr-Mills program. With the Federal Government putting up 80 percent of the cost, we found we could not afford an adequate MAA plan for our aged. So the program went on the rocks for awhile. Then the State legislature retrenched to a more limited coverage. We still don't know how we are going to come out financially. We do know that in December only 8,157 persons received MAA payments and the average payment was $41.37. I believe we will still need a Kerr-Mills program even if we do establish health insurance under social security. We will need it because we will have to take care of those who are truly "medically indigent" and who will not be eligible under the new plan. Since 83 percent of those 65 and over in West Virginia are covered by social security, we would expect the number to need MAA under Kerr-Mills to be comparatively small.

Some of my correspondents berate the Kennedy proposal as "socialized medicine." Frankly, I think this is nothing but a scareword slogan adopted by those who want to defeat the bill. The bill would provide social insurance to help retired people to pay some of the costs of health care just as their present social security check helps them to pay for a roof over their heads and bread and butter.

I see nothing in the King-Anderson bill that would affect the physician-patient relationship. I see nothing which would interfere with the doctor's choice of the hospital to which he would send the patient. I like the fact that the old person can receive payments when he needs care. He wouldn't have to prove poverty or exhaust hard earned savings. He would simply collect the benefits which he helped pay for during his wage-earning period and which are his by statutory right. What could be more fair or more American?

HOUSE OF REPRESENTATIVES

MONDAY, APRIL 2, 1962

The House met at 12 o'clock noon.

Dr. John Hayward, First Baptist Church, Logan, W. Va., offered the following prayer:

Isaiah 40: 31: *They that wait upon the Lord shall renew their strength; they shall mount up with wings as eagles; they shall run and not be weary; they shall walk and not faint.*

God of all goodness, grace, and glory who hath brought us to another day of decision, grant that Thy purpose and power might be demonstrated through these chosen Representatives of our beloved Nation.

May their plans and programs not only find favor in the sight of their fellow citizens, but may they do that which is well pleasing in Thy sight as well.

Renew the strength of all that call upon Thee. Guide, guard, and cleanse our people and lead us as a nation to be the servants of mankind. For we ask this in the name of the One who came not to be ministered unto but to minister, even Jesus Christ, our Lord. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, March 29, 1962, was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Ratchford,

one of his secretaries, who also informed the House that on the following dates the President approved and signed bills of the House of the following titles:

On March 30, 1962:

H.R. 5968. An act to amend the District of Columbia Unemployment Compensation Act, as amended.

On March 31, 1962:

H.R. 641. An act to provide for the free entry of an intermediate lens beta-ray spectrometer for the use of Tulane University, New Orleans, La., and to amend section 165 of the Internal Revenue Code of 1954 with respect to treatment of casualty losses in areas designated by the President as disaster areas.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H.R. 1352. An act for the relief of Giuseppe Anielio;

H.R. 1451. An act for the relief of Mrs. Elfriede Prischl Rogers;

H.R. 1492. An act for the relief of Ernest John Large;

H.R. 1671. An act for the relief of Edvige Cianciulli;

H.R. 2180. An act for the relief of Eugene C. Harter;

H.R. 2684. An act for the relief of Mohan Singh;

H.R. 3105. An act for the relief of Christine Fahrenbruch, a minor;

H.R. 3376. An act for the relief of George A. McDermott;

H.R. 5082. An act for the relief of Mrs. Vartanus Uzar;

H.R. 6216. An act for the relief of Theodore T. Reilmann;

H.R. 6276. An act for the relief of Athanasia Dekazos;

H.R. 6343. An act for the relief of Mrs. Izabel A. Miguel;

H.R. 6740. An act for the relief of Teofilo Estoesta;

H.R. 7676. An act for the relief of George W. Ross, Jr.;

H.R. 8422. An act for the relief of Sister M. Theophane (Jane Carroll);

H.R. 8780. An act for the relief of Dr. Carl F. Romney;

H.R. 8781. An act for the relief of Walter Singlevich;

H.R. 8947. An act for the relief of Harry A. Sebert;

H.R. 9612. An act relating to the elections under section 333 of the Internal Revenue Code of 1954 by the shareholders of the G. L. Bernhardt Co., Inc., of Lenoir, N. C.; and

H.R. 10573. An act to grant the American Numismatic Association perpetual succession.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 10526. An act making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies for the fiscal year ending June 30, 1963, and for other purposes.

The message also announced that the Senate insists upon its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. ROBERTSON, Mr. MCCLELLAN, Mr. MONRONEY, Mr. BIBLE, Mr. HAYDEN, Mr. JOHNSTON, Mr. HRUSKA, Mr. KUCHEL, and Mr. ALLOTT to be the conferees on the part of the Senate.

The message also announced that the Senate had passed bills, a joint resolution, and a concurrent resolution of the following titles, in which the concurrence of the House is requested:

S. 273. An act for the relief of Hratch Samuel Arukian;

S. 315. An act for the relief of Dr. Ting-Wa Wong;

S. 317. An act for the relief of Marija Gruskovnjak;

S. 505. An act for the relief of Seymour Robertson;

S. 508. An act for the relief of John E. Beaman and Adelaide K. Beaman;

S. 704. An act for the relief of Marlys E. Tedin and Elizabeth O. Reynolds;

S. 732. An act for the relief of Yiek Yuen Lee;

S. 1180. An act for the relief of Carlos Teodoro Trevino Sanchez;

S. 1630. An act for the relief of Rudolph Ambra;

S. 1915. An act for the relief of Orsolina Ciantione Iallonardo;

S. 1937. An act for the relief of Michele Emilio Maffeo;

S. 1943. An act for the relief of Hajime Sumitani;

S. 1962. An act for the relief of Kenneth David Wooden;

S. 2003. An act for the relief of Domenico Martino;

S. 2011. An act for the relief of Antonia Longfield-Smith;

S. 2099. An act for the relief of Tina Jane Beland;

S. 2143. An act for the relief of Mrs. Eva London Ritt;

S. 2147. An act for the relief of Felipe O. Pagdilao;

S. 2151. An act for the relief of Harvey Buratein;

S. 2167. An act for the relief of Aniela Wojtowicz;

S. 2184. An act for the relief of Mrs. Heghine Tomassian;

S. 2186. An act for the relief of Manuel Arranz Rodriguez;

S. 2203. An act for the relief of Jozef Budny;

S. 2232. An act for the relief of Wong Gee Wong;

S. 2243. An act for the relief of Lee R. Garcia, also known as Lino Rios Garcia;

S. 2276. An act for the relief of James Takeo Nigo;

S. 2284. An act for the relief of Robert Rabin (Kazuo Inoue);

S. 2300. An act for the relief of Byron Wong;

S. 2319. An act for the relief of Harry E. Ellison, captain, U.S. Army, retired;

S. 2339. An act for the relief of George Ross Hutchins;

S. 2340. An act for the relief of Shunichi Aikawa;

S. 2375. An act for the relief of Joseph Mikulich;

S. 2389. An act for the relief of Maria Carmina Conti;

S. 2418. An act for the relief of Elaine Rozin Recanati;

S. 2461. An act for the relief of Wahidi Romanus Jarlash (also known as Waheeda Bachus Romanus);

S. 2471. An act for the relief of Maria Huszty Boros;

S. 2486. An act for the relief of Kim Carey (Timothy Mark Alt);

S. 2549. An act for the relief of Edward L. Wertheim;

S. 2562. An act for the relief of Sally Ann Barnett;

S. 2697. An act to waive certain time limitations prescribed in chapters 33 and 35 of title 38, United States Code, in the case of certain veterans and eligible persons ordered to active duty with the Armed Forces, or whose period of duty with the Armed Forces was involuntarily extended, on or after August 1, 1961;

S. 2736. An act for the relief of Arie Abramovich;

S.J. Res. 147. Joint resolution providing for the establishment of the North Carolina Tercentenary Celebration Commission to formulate and implement plans to commemorate the 300th anniversary of the State of North Carolina, and for other purposes; and

S. Con. Res. 62. Concurrent resolution commemorating the 25th anniversary of the establishment of soil conservation districts.

TREASURY AND POST OFFICE APPROPRIATION BILL, 1963

Mr. GARY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 10526) making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies for the fiscal year ending June 30, 1963, and for other purposes, with Senate amendments thereto, disagree with the amendments of the Senate and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

The Chair hears none, and appoints the following conferees: Messrs. GARY, PASSMAN, CANNON, PILLION, and TABER.

COMMITTEE ON THE JUDICIARY

Mr. CELLER. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary be privileged to sit tomorrow, Tuesday, during the sessions of the House.

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. GROSS. Reserving the right to object, Mr. Speaker, and I shall not object, I hope that in the future chairmen of committees or others transacting business on behalf of the committees will go to the microphone when transacting the business of the committees so that the Members of the House may know what is taking place.

I withdraw my reservation of objection.

Mr. HALLECK. Reserving the right to object, Mr. Speaker, did I correctly understand that the request is for the Committee on the Judiciary to sit during the sessions of the House?

Mr. CELLER. On tomorrow, during general debate.

Mr. HALLECK. That is the reason I have risen here. It has been the rule as I have understood it that committees could sit only by special permission during general debate. I subscribed to that rule. I think that committee people should be here when bills are actively under consideration.

Mr. CELLER. I amend the request.

The SPEAKER. By implication it was there, but the gentleman amended the request.

Mr. HALLECK. I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

CHANGES IN PROGRAM FOR THIS WEEK

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, I take this time to advise the House of some changes in the program for this week.

First, the bill H.R. 10788, to amend section 204, Agricultural Act, 1956, relating to the regulation of textile imports, will not be called up under suspension of the rules, as previously announced.

Next, I should like to advise the House that the bill H.R. 10700, to amend the Peace Corps Act, will be called immediately after the call of the Private Calendar tomorrow and will be followed by the second supplemental appropriation bill for 1962.

I should like also to advise the House that the distinguished chairman of the Committee on Ways and Means (Mr. MILLS) has advised that he will call up later in the week but not before Wednesday under unanimous consent the following bills:

H.R. 3508, amending Tariff Act re airfreight forwarders.

H.R. 6682, free entry of fowling nets.

H.R. 8938, tariff classification, lightweight bicycles.

H.R. 8952, amending Internal Revenue Code with respect to the conditions under which the special constructive sale price rule is to apply for purposes of certain manufacturers' excise taxes.

ANNUAL REPORT OF SURGEON GENERAL—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 375)

The SPEAKER laid before the House the following message from the President of the United States, which was read and, together with the accompanying papers, referred to the Committee on Interstate and Foreign Commerce and ordered to be printed:

To the Congress of the United States:

Under the provisions of title VII of the Public Health Service Act, as amended, I transmit herewith for the information of the Congress the Sixth Annual Report of the Surgeon General of the Public Health Service summarizing the activities of the health research facilities program.

JOHN F. KENNEDY.

THE WHITE HOUSE, *April 2, 1962.*

CONSENT CALENDAR

The SPEAKER. This is Consent Calendar day. The Clerk will call the first bill on the Consent Calendar.

SURVEY TO DETERMINE PRACTICABILITY OF ADOPTION BY UNITED STATES OF METRIC SYSTEM OF WEIGHTS AND MEASURES

The Clerk called the bill (H.R. 2049) to provide that the National Bureau of Standards shall conduct a program of investigation, research, and survey to determine the practicability of the adoption by the United States of the metric system of weights and measures.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

PRINCE GEORGES COUNTY SCHOOL BOARD, MARYLAND

The Clerk called the bill (H.R. 6759) for the relief of the Prince Georges County School Board, Maryland.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

REVISING FORMULA FOR APPORTIONING CASH ASSISTANCE FUNDS AMONG STATES UNDER NATIONAL SCHOOL LUNCH ACT

The Clerk called the bill (H.R. 8962) to revise the formula for apportioning cash assistance funds among the States under the National School Lunch Act, and for other purposes.

Mr. FORD. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

NATIONAL FOREST

The Clerk called the bill (H.R. 9822) to provide that lands within the exterior boundaries of a national forest acquired under section 8 of the act of June 28, 1934, as amended (43 U.S.C. 315g), may be added to the national forest.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any other provisions of law, lands heretofore or hereafter acquired under section 8 of the Act of June 28, 1934 (48 Stat. 1272), as amended (43 U.S.C. 315g), which are within the exterior boundaries of a national forest and which are determined by the Secretary of Agriculture to be suitable for administration as a part of the national forest may be set apart and reserved by the Secretary of the Interior by public land order as a part of such national forest. Lands so set apart and reserved shall be subject to the laws, rules, and regulations applicable to lands set apart and reserved from the public domain within such national forest.

Mr. ASPINALL. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ASPINALL: On page 1, line 3, after the word "That" strike out the words "notwithstanding any other provisions of law".

The SPEAKER. The gentleman from Colorado is recognized.

Mr. FORD. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I am glad to yield to my colleague.

Mr. FORD. What is the intent and purpose of this amendment?

Mr. ASPINALL. It was pointed out by our colleague, the gentleman from New Mexico (Mr. MORRIS), that there was an implication if the language was left in the bill that there might be some effect relative to oil and gas leasing on public lands. We have no intention to upset established procedures in oil and gas matters. The Department has suggested that the amendment would meet with their approval, accordingly the amendment is being offered at this time.

Mr. FORD. Does this meet with the agreement of the minority as well as the majority?

Mr. ASPINALL. The gentleman is correct. The gentleman from Pennsylvania is present, if he wishes to state otherwise.

The SPEAKER. The question is on the amendment offered by the gentleman from Colorado (Mr. ASPINALL).

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GRANTING CONSTRUCTIVE SERVICE TO MEMBERS OF THE COAST GUARD WOMEN'S RESERVE

The Clerk called the bill (H.R. 4783) to grant constructive service to members of the Coast Guard Women's Reserve for the period from July 25, 1947, to November 1, 1949.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any person who was a member of the Coast Guard Women's Reserve and who served on active duty therein for at least one year prior to July 25, 1947; who was separated therefrom under honorable conditions; and who also had membership therein for any period between November 1, 1949, and July 1, 1956, shall be deemed to have served on inactive duty with the Coast Guard Women's Reserve from July 25, 1947, to November 1, 1949, in the grade or rating satisfactorily held on active duty prior to July 25, 1947.

SEC. 2. Creditable constructive service for a person qualified under section 1 hereof shall be applied when providing retirement benefits under the Army and Air Force Vitalization and Retirement Equalization Act of 1948, as amended, or any other Act under which the individual may be entitled to retirement from the Armed Forces.

SEC. 3. Additional pay accruing to any person by virtue of increased creditable service resulting from the inclusion of constructive service creditable by application of section 1 hereof shall not be made for active or inactive duty for which pay is authorized by competent authority which is performed

prior to the first day of the calendar quarter next succeeding the calendar quarter in which this Act becomes effective.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PROMOTING THE PRODUCTION OF OYSTERS BY PROPAGATION OF DISEASE-RESISTANT STRAINS

The Clerk called the bill (H.R. 7336) to authorize the Secretary of the Interior to make loans to certain producers of oysters, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress finds that in certain areas of the United States the oyster industry is threatened with extinction because of the excessive mortality of oysters in such area from an undetermined cause. It is the purpose of this Act to provide supplementary financial assistance to producers of oysters in any area of the United States in which the economic stability of the oyster industry is endangered by the excessive mortality of oysters, and to develop an immune strain of oysters to such excessive mortality.

SEC. 2. The Secretary of the Interior (hereafter in this Act referred to as "the Secretary") is authorized to make loans to producers of oysters in any area or region of the United States where he finds that the excessive mortality of oysters has caused a need for credit among such producers which is not readily available from responsible private sources or from public sources on reasonable terms, for the purpose of affording such producers a reasonable opportunity to work out their difficulties. Such loans shall be made at such rate of interest, not to exceed 3 per centum per annum, and on such general terms and conditions as the Secretary shall prescribe for such area or region.

SEC. 3. Any loan made under this Act may be made for such period of time as may reasonably be required by the needs of the borrower and shall be secured by the personal obligation and available security of the borrower concerned. In the case of loans to corporations or other business organizations, any such loan shall be secured by the personal obligation and available security of each person holding as much as 10 per centum of the stock or other interest in such corporation or organization.

SEC. 4. In any case in which the Secretary determines, with respect to any area or region of the United States, that the excessive mortality of oysters presents an immediate and substantial threat to the economic stability of the oyster industry in such area or region which cannot be eliminated solely by the making of loans under this Act, he is authorized to acquire oyster brood stock which in the opinion of the Secretary possesses some resistance to the casualties agent of such excessive mortality, and furnish to the producers of oysters in such area or region resultant seed oysters for the propagation of oysters which, in the opinion of the Secretary, will not be subject to such excessive mortality: *Provided*, That the Secretary's authority to purchase oyster brood stock shall be conditional upon the participating States paying one-third of the cost of such stock made available to oyster producers within the States. Such seed oysters shall be furnished by the Secretary on such general terms and conditions as he may deem appropriate to carry out the provisions of this Act.

SEC. 5. The aggregate sums loaned under this Act in any fiscal year shall not exceed $3,000,000.

With the following committee amendment:

Strike out all after the enacting clause, and insert in lieu thereof the following: "The Secretary of the Interior is authorized with respect to those States where he finds that excessive mortality of oysters presents an immediate and substantial threat to the economic stability of the oyster industry in such area or region, to acquire oyster brood stock that he believes possesses resistance to the causative agent of such excessive mortality. The Secretary may thereafter transfer such brood stock to the particular States involved for planting in spawning sanctuaries and protection of such State or States. Distribution of the resultant seed oysters by the States shall be in accordance with plans and procedures that are mutually acceptable to the Secretary and the cooperating States: *Provided*, That the purchase of oyster brood stock hereunder by the Secretary shall be conditional upon the participating State or States, in each instance, paying one-third of the cost of such brood stock. The Secretary of the Interior is authorized to cooperate with the States in any manner necessary to accomplish the purposes of this Act."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill to promote the production of oysters by propagation of disease-resistant strains, and for other purposes."

PROVIDING PROTECTION FOR THE GOLDEN EAGLE

The Clerk called the resolution (H.J. Res. 489) to provide protection for the golden eagle.

There being no objection, the Clerk read the resolution, as follows:

Whereas the population of the golden eagle has declined at such an alarming rate that it is now threatened with extinction; and

Whereas the golden eagle should be preserved because of its value to agriculture in the control of rodents; and

Whereas protection of the golden eagle will afford greater protection for the bald eagle, the national symbol of the United States of America, because the bald eagle is often killed by persons mistaking it for the golden eagle: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the first section of the Act entitled "An Act for the protection of the bald eagle", approved June 8, 1940 (54 Stat. 250; 16 U.S.C. 668), is amended by inserting immediately after the words "American eagle" the words "or any golden eagle".

SEC. 2. Section 2 of such Act is amended by inserting immediately after the words "bald eagle" the words "or the golden eagle".

With the following committee amendment:

Strike out all after the resolving clause and insert in lieu thereof the following: "Whoever, within the United States or any place subject to the jurisdiction thereof, without being permitted to do so as hereinafter provided, shall take, possess, sell, purchase, barter, offer to sell, purchase or barter, transport, export or import, at any time or in any manner, any bald eagle commonly known as the American eagle, or any golden eagle, alive or dead, or any part, nest, or egg of the foregoing eagles, shall be fined not more than $500 or imprisoned not more than six months, or both: *Provided*, That nothing herein shall be construed to prohibit possession or transportation of any bald eagle, alive or dead, or any part, nest, or egg thereof, lawfully taken prior to June 8, 1940, and that nothing herein shall be construed to prohibit possession or transportation of any golden eagle, alive or dead, or any part, nest, or egg thereof, lawfully taken prior to the addition to this Act of the provisions relating to preservation of the golden eagle.

SEC. 2. Whenever, after investigation, the Secretary of the Interior shall determine that it is compatible with the preservation of the bald eagle, or the golden eagle to permit the taking, possession, and transportation of specimens thereof for the scientific or exhibition purposes of public museums, scientific societies, and zoological parks, or for the religious purposes of Indian tribes, or that it is necessary to permit the taking of such eagles for the protection of wildlife or of agricultural or other interests in any particular locality, he may authorize the taking of such eagles pursuant to regulations which he is hereby authorized to prescribe: *Provided*, That bald eagles may not be taken for any purpose unless, prior to such taking, a permit to do so is procured from the Secretary of the Interior.

The committee amendment was agreed to.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. CONTE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. CONTE. Mr. Speaker, today this great body has approved a very worthwhile measure which goes far toward extending legal protection against the useless slaughter of two majestic specimens of our Nation's wildlife—the bald eagle and the golden eagle.

The bald eagle was designated by our Founding Fathers as an official symbol of our country and is displayed today, among other places, on the great seal of the United States. The bald eagle has, however, been rapidly disappearing over the years. As a result, the Congress, in 1940, approved a measure against the capture and killing of bald eagles without special permission from the Secretary of the Interior.

Since that time there has been growing concern that this protection of the bald eagle was inadequate primarily because of one of those unexplainable quirks of nature—the similarity of species. Until the 4th year of its life when it develops its characteristic white feathers, the bald eagle so closely resembles it brother, the golden eagle, that only trained ornithologists can distinguish between them. Those who would kill the golden eagle for profit or for protection against its alleged predation on wildlife and the young of herds either intentionally or inadvertently often kill some of our dwindling supply of bald eagles as well. New documentation of

this fact has been presented in just the past few days. Out in New Mexico, where eagles are hunted for commercial purposes, two men were apprehended early in March for the illegal possession of 5 complete skins of bald eagles and 1 dozen separate bald eagle tails. They were fined $100 each under the Bald Eagle Act of 1940. The bill before the House today further stops this needless and harmful slaughter of eagles.

It also provides more than satisfactory protection for agricultural and other interests who claim that the golden eagle is sometimes a predator. Expressly delineated in this bill are provisions for the Secretary of Interior to establish regulations under which the golden eagle may be taken. So I am most satisfied that this measure is a good and a fair one to all concerned.

Having introduced a bill, House Joint Resolution 479, similar to the one considered today, I am most pleased to have played a role in its successful passage.

Mr. GOODLING. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. GOODLING. Mr. Speaker, House Joint Resolution 489 and identical bills are designed to conserve two of our most interesting species of wildlife—species whose numbers are declining at an alarming rate. The likeness of one of these, the bald eagle, was chosen by the Second Continental Congress in 1782 to symbolize the strength and freedom of our Nation. That likeness graces the great seal of the United States.

The other is an equally majestic creature—the golden eagle. Unlike the bald eagle which is indigenous only to our continent, the range of the golden eagle extends into Mexico and over much of the Eastern Hemisphere.

The title of the legislation we are considering states clearly that the fate of both species is dependent upon protection for the other.

The feeding habits of the two species are not similar. The bald eagle feeds mostly on fish and carrion while the golden's fare is carrion, rabbits, and rodents. Scientists have long since exonerated both species. Neither is responsible for serious depredations on domestic livestock, game, or fish. Authentic testimony indicates golden eagles have been observed hunting jackrabbits, gophers, and rodents among flocks of sheep without molesting a lamb. It has long since been conceded that the golden eagle and the bald eagle play an important role in the balance of nature.

Because it is our national bird, the great decline in numbers of the bald eagle received public attention first. In 1940 Congress, in its wisdom, gave it complete protection except for very limited control under special permit by the Secretary of the Interior.

The legislation helped but the decline in numbers continued. That is a partial reason for this legislation we are considering today.

Protection for the golden eagle is nonexistent in at least eight States and in some others only token protection is given.

The need for this legislation can be rather simply stated. The trained ornithologist has great difficulty in distinguishing golden from immature bald eagles. This similarity exists until the bald eagle is in its fourth year. As a result, great numbers of each are shot. The decline in numbers is alarming. A recent survey by the National Audubon Society indicates the entire population of bald eagles in the United States is less than 5,000.

In my State of Pennsylvania we have the Hawk Mountain Sanctuary Association. It is ideally situated on a migration route and fall flights are carefully noted. In the 7-year period from 1935 to 1941, 434 golden eagles were observed. In the same length period from 1954 to 1960, 290 were observed. During those same periods, 364 and 259 bald eagles were counted. At that rate of decline, and it is safe to assume that the flights are generally comparable, by 1967 or 1968 the golden eagle will have gone the way of the passenger pigeon and the American bison. Our population of whooping cranes in the wild is slightly more than 30. Did we wait too long to do something about this species?

The killing of eagles appears to fall into three categories, namely pleasure, profit, and ignorance. There are a few shooters who appear to derive pleasure from using high-powered rifles mounted with powerful scopes to take these magnificent birds.

The most destructive is probably the second group of people who kill these birds for profit.

Here light planes are used and the commercial shooters are equipped with high power shotguns. The birds simply have no chance. The word "sportsmen" would be a misnomer if applied to these people. There is a profit motive. The sale of feathers to dealers, curio shops, and Indian tribes has become a lucrative business.

The third group falls into the biologically ignorant class. In spite of all the scientific evidence to the contrary, there are those who insist eagles are harmful predators and should be destroyed. Every bit of evidence today points up the fact that eagles are beneficial to man. Their economic value is no longer challenged by those who are familiar with these birds and their living habits.

The aesthetic value of the golden and bald eagles is probably the greatest of all. A minister recently preached a sermon on the theme "The Soft American." In his concluding remarks he compared the oyster and the eagle. The former remains in one place, leads a sedentary life, opens its shell occasionally to allow food to float in. The eagle is a majestic creature, a symbol of power and beauty, fearless, ready to fight if need be, rears its young in the most difficult and inaccessible places and travels miles in search of food. The powerful, soaring flight is equaled by no other creature. He concluded by asking this simple question: When our Founding Fathers wanted a national emblem, which did they choose? The answer is obvious and just as they chose the bald eagle, the national emblem of our close neighbor, Mexico, is the golden eagle.

The hourglass is running low. The continued killing has already drained the breeding stock in Western United States to an alarming degree. There are outstanding ornithologists who believe it is already too late. A defeatist attitude at this point is not the answer. A concerted effort by all friends of conservation will reverse the trend.

Are you willing to face the jibes, darts, and jabs of both friend and foe if, through unwise practices, we allow our national emblem to become extinct? All can help avoid the eventuality by supporting this legislation.

THE STATUS OF THE GOLDEN EAGLE IN NORTH AMERICA

(By Dr. Walter R. Spofford, associate professor, State University of New York)

Formerly the golden eagle was widely distributed over most of the open and upland country of North America. In eastern America, persistent persecution has reduced it to virtual extinction and it is already a rare bird in most Western States. The major population is confined to Arctic and Boreal regions, and now these eagles are in great danger.

Although the golden eagle along with other predators has long been the victim of misguided persecution, during the last 25 years a veritable slaughter of these great birds has taken place. Flying light airplanes equipped with machine-mounted shotguns, hired eagle killers hunt down and shoot from the air every eagle reported over large areas of the range country of the Southwest. Drastically effective, as many as 25 eagles in a day, over 1,000 in a single winter and over 12,000 in 20 years are credited to a single bounty hunter in Alpine, Tex.

These winter eagles are not Texas eagles, or Mexican eagles. They are eagles which breed over the far reaches of Arctic and Boreal America, and migrate south in autumn. Feeding upon prey which hibernates in winter, Arctic eagles start south in September when the ground squirrels go underground. Further south, as marmots also hibernate, Boreal eagles begin to move and by late October the flight moves across Montana and Wyoming where riflemen shoot them by tens and fifties to sell their feathers to curio shops and the Indian trade. Further south they reach the sheep range country where the yearly kill of staggering proportions takes place. Although doubtless the kill includes many bald eagles, hawks, and vultures, there is no doubt that the chief victim is the golden eagle.

Nowhere is there a large eagle congregation. Rather, eagle pairs and singles course far and wide over mountains and valleys. Daily these are shot down and other eagles move in. Each day's shooting creates a vacuum into which other eagles move and are then shot themselves. Just as surely as a single leak drains a reservoir, so virtual extermination now threatens the whole eagle population of Alaska, Canada, and northern United States.

To realize that this will soon cause the extermination of our remaining golden eagles, one has only to recall that in the memory of man far less drastic persecution has reduced our Appalachian golden eagles to near extinction. Today, each autumn, thousands of people journey hundreds of miles to stand upon a ridge in Pennsylvania to watch the Quebec remnant pass in review.

(NOTE.—Dr. Spofford is recognized as this Nation's leading authority on the golden eagle.)

THE FEEDING HABITS OF THE GOLDEN EAGLE—WITH PARTICULAR REFERENCE TO THOSE EAGLES NESTING WITHIN THE BIG GAME AREAS OF WESTERN AMERICA

The findings reported in the following are taken from various identified sources, compiled and annotated by Dr. Walter R. Spofford, State University of New York, Syracuse, N.Y.:

"Based on the findings of qualified wildlife technicians in nine Western States, Canada, and Alaska, rabbits and rodents are the dominant food of the golden eagle over its wide range in North America" (Arnold, L. W., 1954, "The Golden Eagle and Its Economic Status," circular 27, Fish and Wildlife Service, U.S. Department of the Interior (p. 13)).

"A study of the stomach contents of the winter golden eagle in Kansas revealed that: 11 had eaten cottontail rabbit, 7 jackrabbit, 9 prairie dog, 1 woodchuck, 1 ground squirrel, 1 opossum, 1 fox squirrel, 1 red-tailed hawk, 1 short-eared owl; 81 percent of the food was rabbit or prairie dog" (Gloyd, H. K., 1925, "Field Studies of Diurnal Raptors of Eastern and Central Kansas." Wilson Bulletin, 37: 133–149).

"Among the 51 stomachs of the golden eagle, packrabbits or cottontails comprised the sole contents of 22 and the partial contents of 10" (Woodgert, W., 1952, "Food Habits of the Golden Eagle." Journal of Wildlife Management).

"At a golden eagle nest in Nevada, there were the remains of 36 jackrabbits, 1 cottontail, 1 ground squirrel and 1 sage grouse" (Murie, O. J., 1952, "A Price on His Golden Head." Audubon magazine, 54: 232–236).

"A family of golden eagles consumed 540 ground squirrels in 3 months" (Finley, W. L., 1906, Condor, 8: 4–11).

"In northern Colorado, the food of nesting golden eagles was found to be principally marmot or 'woodchuck'" (Packard, F., 1945, "The Birds of Rocky Mountain National Park," Auk, 62: 371–394).

"At a nest of the golden eagle in Wyoming, the chief food was jackrabbits (mainly), cottontails, and ground squirrels." (Williams, R., 1943 Wyoming Wildlife, VIII (12): 2–8).

"At a nest in the Colorado State antelope range, there were remains of 60 rabbits and 28 prairie dogs and in the West, where the golden eagle is resident, rabbits and rodents are often considered economic liabilities; consequently, the pressure exerted on their populations by the golden eagle is favorable to livestock, game, and forest management" (Arnold, L. W., 1954, "The Golden Eagle and Its Economic Status," circular 27, Fish and Wildlife Service, U.S. Department of the Interior).

It is well attested that golden eagles will eat carrion in preference to killing live prey. "An experiment proved that the carcass of a jackrabbit or of a lamb which had been dead for 2 days or more was preferred even though live lambs of all ages were in the immediate vicinity" (Sperry, C. C., 1937, "Eagles vs. Lambs in Western Texas," MS., in files of Fish and Wildlife Service, U.S. Department of the Interior).

"At the Bear River Migratory Bird Refuge, on December 28, 1953, there were 82 golden eagles and 12 bald eagles feeding upon dead fish frozen in the ice" (Wilson, V. T., 1954, Audubon Field Notes, 8: 206).

The relation of the golden eagle to big game species will be examined in the following citations:

"The hunting and food habits of the golden eagle in the Tarryall Mountains, Colo., were observed and studied with great interest because many people consider these birds responsible for considerable predation of bighorn sheep, especially lambs. During the entire period of study not a single eagle was seen to attack or molest the bighorn sheep in any manner.

"As many as seven prairie dogs were found in one eagle nest at one time. The sheep were not disturbed when the eagles came close by. These observations are not conclusive, but they do indicate that, in the Tarryall Mountains, the eagle is a minor factor" (Spencer, C. C., 1943, "Notes on the Life History of the Rocky Mountain Bighorn Sheep in the Tarryall Mountains of Colorado," Journal of Mammology, 24: 1–11).

"Because so much credence has been placed in the possibility of eagles being responsible for a major part in lamb loss, it was surprising to find that bighorn sheep paid scant attention to them."

"In the spring of 1940 an eagle's nest was watched in the very heart of the lambing grounds. Two eaglets were raised. From June 1 to August 1, the nest was well supplied with food. Jackrabbit and ground squirrels were the most common food items. No remains of lambs or sheep were found." (Honess, R.F., & N.M. Frost, 1942, "A Wyoming Bighorn Sheep Survey." Wyoming Game and Fish Department Bulletin, 1: 56.)

In spite of persistent beliefs that the presence of eagles is inimicable to antelope, "Competent observers (Williams and Matteson, 1948) believe there is a greater abundance of breeding golden eagles in Wyoming on the basis of comparable area, than in any other western State; yet, through various management practices which place little or no weight on the influence of the golden eagle, a remnant antelope population of fewer than 5,000 in 1900 was increased to a point where more than 41,000 were harvested in 1952."

In 1947 and 1948 a study was made on two tracts of more than 100 square miles on the Colorado State Antelope Refuge. Six nests of golden eagles were watched in this area. The range was extensively used by antelope, deer, cattle, and sheep. At one eagle's nest were 26 hind feet of cottontail rabbit and 21 hind feet of jackrabbit. "It would appear that the number of nesting golden eagles had no appreciable effect on the antelope population."

"Under a four-phase utilization program involving sheep, cattle, antelope, and to a lesser extent deer, there was competition for forage. Therefore it is believed that the destruction by the golden eagles of rabbits and prairie dogs which were in direct competition for forage with the four major species, outweighed whatever minor negative influence there might have been." (Arnold, L. W., 1954, "The Golden Eagle and Its Economic Status." Circular 27, Fish and Wildlife Service, U.S. Department of the Interior.)

"The Idaho Mountain-Sheep Survey (Ellis, 1941), also revealed no reliable evidence of predation by eagles on lambs or mature bighorns during the yearlong study."

"In a study of the bighorn in Arizona, cooperatively conducted by the National Association of Audubon Societies, the Arizona Game and Fish Commission, and the University of Arizona in 1937, A. A. Nichol found that three major factors operated to the detriment of this species. Poaching, roads, and drought, and the greatest of these was poaching. No eagle depredations on bighorn sheep were observed during this investigation." (Arnold, L. W. (citation above).)

It is beyond dispute that upon occasion golden eagles have killed and preyed upon domestic lambs and large game. But these are of unusual occurrence and take place only under extreme conditions. Several of these are cited in the following account. It is to be noted that such cases are sufficiently rare as to warrant a separate documentation of each.

A golden eagle killed a bighorn lamb at the San Andres National Wildlife Refuge in New Mexico. But even in this case, as Arnold, 1954, points out, a search of six nests in this region failed to turn up another case. (Kennedy, C. A., 1948, "Golden Eagle Kills Bighorn Lamb." Journal of Mammology, 29: 68–69.)

Murie described the killing of a caribou calf in Alaska by golden eagles, as witnessed by a Mr. A. Brown. In a study of the food habits of the eagles in the Mount McKinley region, however, Murie found that the food was 86 percent ground squirrel, 6 percent marmots, and 3 percent mice. Traces of caribou hair and sheep were found in a remaining several percent, some of which were believed to be carrion. Eagles raid the caches of meat made by wolves. (Murie, A., 1944, "The Wolves of Mount McKinley." Fauna of the U.S. National Parks, Fauna series 5.)

Without further citation, it may be pointed out that popular opinion about the golden eagle stems largely from the occasional instances when an eagle attacks a domestic animal. Without further contact and familiarity with the actual habits of the eagle, biased information becomes legendary and prejudice substitutes for knowledge.

Many ranchers with long experience have never found any actual predations by eagles.

Of David Cook, sheepherder of the Warren Livestock Co. of southeastern Wyoming:

"All the stories of eagles killing young domestic sheep he had ever heard of were based upon hearsay. During his years of experience in southeastern Wyoming as a sheepman he has never found a single individual that had ever observed an eagle actually killing a lamb. Eagles, ravens and vultures prey on lambs dying of other causes, or already carrion." (Williams, R. B. and C. P. Matteson, 1948, "Wyoming Hawks." Wyoming Game and Fish Department, Bulletin 5, 84 pages.)

"W. H. Delvin, foreman for one outfit in the Colorado area, stated that he has never seen nor heard of an eagle's killing a lamb or a sheep in this area during his 20 years of experience." (Arnold, L. W., 1954, "The Golden Eagle and Its Economic Status." Circular 27, Fish and Wildlife Service, U.S. Department of Interior.)

U.S. DEPARTMENT OF THE INTERIOR,
NATIONAL PARK SERVICE,
Washington, D.C., February 16, 1962.

Mr. CHARLES H. CALLISON,
Assistant to the President, National Audubon Society, New York, N.Y.

DEAR MR. CALLISON: Thank you for your letter of February 7 inquiring as to the findings of Mr. and Mrs. Ralph Welles on the significance of golden eagle predation on bighorn populations. The findings are summarized in the book, "The Bighorn of Death Valley," fauna No. 6, fauna of the national parks of the United States. This volume is in page proof at present and we hope that it will be off the press by the middle of March.

In answer to your question, during 1,693 hours of observing bighorn, no specific interest in bighorn was shown by golden eagles. No anxiety was displayed by bighorn toward golden eagles as such, even though on one occasion (p. 180), "We watched three golden eagles circle slowly in and come to water at Old Spring while a band of five bighorn containing one 6-month-old lamb lay in siesta on a point a hundred yards away. Ewes with wet lambs show anxiety over large flying birds but so do they of almost everything that moves in their vicinity at that time." These are some additional observations regarding ravens and bighorn, but they do not materially change the picture.

In brief, the observations of the authors do not rule out the possibility that golden eagles occasionally may try to attack small

lambs, but with the added possibility of a successful defense by the mother (as observed in deer); however, no such encounters and no evidence of predation by eagles was observed.

Sincerely,

LOWELL SUMNER,
Principal Biologist.

CLAREMONT GRADUATE SCHOOL,
Claremont, Calif., February 3, 1962.

Mr. CHARLES H. CALLISON,
National Audubon Society, New York, N.Y.

DEAR CHARLES: While it is true that golden eagles take an occasional young antelope, deer, or bighorn, there is no evidence whatever that the populations of these species were ever affected for the worse in the long run by golden eagle predation. Only when the antelope, deer, or bighorn were continuously hunted by man with his ever-more efficient firearms and transportation had a decrease in these big-game animals been observed.

In the instances of the antelope, deer, and bighorn nature has provided for a continuing surplus which compensates for natural predation. But the natural increase of the bighorn and the pronghorn cannot make up for an overkill by human hunters. With the deer, in most parts of its range, it is different. In many, if not most parts of the deer range, the increase of the animal is sufficient more than to compensate for both natural predation and reasonable hunting pressure.

As a field biologist for more than 40 years in the Western States (employed by the University of California, the U.S. Department of Agriculture and the U.S. Department of the Interior) I feel that the golden eagle should be fully protected and that no appreciable damage would be done either to the pronghorn or to the bighorn, provided careful and effective control of human hunting is maintained. Certainly there would be no damage to the deer.

Sincerely yours,

WALTER P. TAYLOR,
Lecturer in Conservation Education.

WASHINGTON STATE UNIVERSITY,
Pullman, Wash., February 20, 1962

Mr. CHARLES H. CALLISON,
Assistant to the President, National Audubon Society, New York, N.Y.

DEAR MR. CALLISON: In answer to your letter of the 7th of February, I am enclosing a quotation from my 1950 paper "Life History, Ecology and Range Use of the Pronghorn in Trans-Pecos Texas" (American Midland Naturalist, 43: 310–315). I doubt that the depredation of golden eagles on domestic sheep is as serious as it is purported to be, but it is difficult to prove this point. I have no data to support my hypothesis. This is something that would have to be researched. On the matter of depredation on pronghorn antelope I can confidently say that the golden eagle is not a significant factor in affecting numbers. The enclosed reprint "Regulation of Numbers of Pronghorn Antelope in Relation to Land Use" contains a section (two pages—276–277) documenting the fall and rise of the pronghorn population in trans-Pecos, Texas, throughout a period of drought. During all of this time golden eagles were being controlled in the trans-Pecos region. It seems that the populations fluctuate with drought and correlated range conditions rather than with controlled eagles.

If I can be of further assistance, please let me know.

Very sincerely yours,

HELMUT K. BUECHNER,
Associate Professor of Zoology.

MONTANA STATE UNIVERSITY,
Missoula, Mont., February 5, 1962.

Mr. CHARLES H. CALLISON,
National Audubon Society, New York, N.Y.

DEAR CHARLIE: I certainly hope that you will be able to get Senate Joint Resolution 105 to protect the golden eagle enacted into law. There is serious need for this type of legislation.

Because the golden eagle is already a relatively scarce resident in most of the Western States and because its nesting sites are frequently difficult of access, there has not been an intensive study made of these birds. I believe there is a project underway in Arizona but I do not have any details on who is conducting the research or the objectives of the studies. You might obtain more information on this by writing to Dr. Lyle Sowls, leader, Arizona Cooperative Wildlife Research Unit, University of Arizona, Tucson, Ariz.

I have visited a good many golden eagle nests in the West over the past 20 years but have never made an intensive quantitative study of the species. From the analysis of food at the nest and observations of golden eagles hunting, I would conclude the following: that during the nesting period the golden eagle feeds largely on such rodents as ground squirrels, marmots, snowshoe rabbits, and other small rodents and lagamorphs. In certain areas they take sage grouse, ring-necked pheasants, and blue grouse, but these have always constituted a very minor item in their diet during the nesting season.

In the fall and winter, my observations have been confined largely to these birds in Wyoming, Idaho, and Montana. In 1948, 1949, and 1950, I had unusual opportunities to observe golden eagles hunting in the Upper Green River Basin of Wyoming. Here the populations of jackrabbits were tremendously high and the golden eagles fed almost exclusively on these.

In 1957 and 1958 jackrabbits had reached excessively high numbers in and around Gooding, Idaho, and parts of eastern Oregon. Again golden eagles were there in relatively large numbers and were feeding primarily on the jackrabbits.

In Montana I have made many observations of golden eagles in mule deer and bighorn sheep country. I have yet to see them attack a bighorn sheep but I have seen them attack mule deer fawns. I think there is little doubt that they occasionally take the young of big game animals but to my knowledge there is no evidence that they exert a depressing effect upon populations of these animals.

I have not had the opportunity to observe the golden eagle in antelope country but I would doubt very much whether a single raptor could seriously depress a single prey species such as the antelope. In the last 10 years the problem wildlife managers have faced over most of the antelope range is not one of predation but obtaining a sufficient harvest to keep these big game species within the carrying capacity of their ranges. This is only being accomplished by heavy hunting pressure. Again, to my knowledge there is no scientific evidence that the golden eagle is a serious predator on antelope.

We have an interesting situation in Montana where many hundreds of eagles migrate into the eastern portion of the State and winter there. Each year large numbers are shot by sportsmen, wardens, and others who cannot resist taking a shot at a bird of prey. This population probably represents many of the birds from central Canada. In this area they also feed heavily on jackrabbits and to some extent on sage grouse and game birds but predation on antelope during the winter months is, I believe, quite limited.

I have not had the time or opportunity to study this situation in any detail but we do know that many golden eagles are killed in this winter concentration in eastern Montana. Someday we hope to be able to explore the situation in greater detail.

I am including a reprint of a food analysis of 51 golden eagle stomachs obtained in March of 1948. Although a small sample, I think this gives an indication of the food habits at this time of year.

There is need for considerably more study of the golden eagle but I think it can safely be stated that this predator alone does not act as a limiting factor or population depressor on big game species.

Sincerely,

JOHN J. CRAIGHEAD,
Leader.

[From the National Parks Magazine, March 1962]

A VICTIM OF THE BOUNTY HUNTER IS THE GOLDEN EAGLE, KING OF THE BIRD WORLD

(By John J. Stophlet)

Far above Arizona's Dragoon Mountains, a golden eagle appears. I watch enthralled as the great eagle of the West, on 7-foot spread of wings, planes out across the valley. He moves with grace and beauty, his huge wings trapping the warm convection currents rising from the earth, enabling him to keep aloft with little effort. The eagle scans the earth below with sharp, telescopic eyes, searching for prey. The bronze hackles on his head gleam in the sunlight. He is a correlated mass of hollow bones, muscle, tendons, nerves, and feathers in a beautiful, living machine—a marvel of aerodynamics. In the ensuing weeks—spent on a ranch in the shadow of the Dragoons—I had ample opportunity to observe and marvel at a creature which has rightly been called the king of birds.

The scene shifts to west Texas. A magnificent golden eagle soars in wide circles above the desert. To the south, shimmering in the heat waves, rise the rugged peaks of the Chisoe Mountains. A green strip of vegetation belts the sinuous Rio Grande as it crooks into the Big Bend. Across an invisible line near the mountains, there is sanctuary for golden eagles and all other wildlife in the Big Bend National Park. But, outside of this invisible line, golden eagles are "fair game."

A mile away, two men climb aboard a small airplane. The motor starts, lifting the plane above the yucca and mesquite flats, to roar into the sky. The man sitting beside the pilot is "riding shotgun"—the weapon across his knees, cocked and ready. In a matter of minutes the eagle is sighted and they close in for the kill. The eagle sees the monster approaching and attempts to flee—but eagles are no match for airplanes. There is a blast from the gun. The great wings crumple; blood stains the glossy feathers; the "eagle eye" is glazed. The king is dead.

This tragedy has been enacted for years by the bounty hunters above the plains and mountains of Texas as well as other places in the West. The bounty hunters kill eagles for a profit, collecting twice—once on a bounty paid by the ranchers, and again by selling the skins and feathers to the Indian artifacts industry for conversion into Indian headdresses for the tourist trade. The ranchers of west Texas have an organization known as the Big Bend Eagle Club, in which they hire hunters to shoot eagles. One hunter boasted he had killed about 12,000 in 20 years. How many of these might have been immature bald eagles? One hunter hired by the club averages about 1,000 eagles a year; and beginning in 1945, he slaughtered 8,300 in about 7 years. How many thousands have been killed since then? In one 4-hour aerial eagle hunt, 16 of the big birds were destroyed.

The commercialized slaughter of the golden eagle is strongly reminiscent of the wholesale destruction wrought against the American bison—or the passenger pigeon—by the market hunters of times past. No animal—from the polar bear in Alaska to the golden eagle of the Texas plains—can long withstand the concerted and deadly hunting from airplanes that is taking place today. It is a war of extermination against an interesting and valuable member of the wildlife community.

GOLDEN EAGLE IN HISTORY

The golden eagle is circumpolar in distribution, breeding in the Northern Hemisphere in Europe, Asia, and America. In the long history of mankind the eagle has been the symbol of bold strength and courageous character. The bird appeared on the seal of the King of Ur, in double-headed form in Hittite art, on certain coins of the Mohammedans, and on the flags of Turkoman princes. These eagle symbols were probably derived from forms similar to our native golden eagles as closely allied species are found in the Old World. To the early Greeks the eagle was the messenger of Zeus, and the only bird that dwelt in heaven—a fancy based, perhaps, on the high-flying habits of these great birds. A silver eagle standing on a spear, symbol of power and sovereignty, was placed on military standards and carried into battle by the legions of Rome.

In the Scottish Highlands, where golden eagles have nested since time immemorial, the bird is now completely protected, with severe penalties for its destruction. One of Britain's finest naturalists, Seton Gordon, who has spent a lifetime studying the golden eagle, has described its home in the Outer Hebrides in his delightful book, "The Golden Eagle: King of Birds." A particularly poignant passage is the following: "One Hebridean haunt of the golden eagle is a deep glen in the island of Harris. A high rock, often dark and grim in driving rain, rises sheer from a loch lonely and unfrequented, and on a small ledge high on this rock the eyrie is placed. The glen is little more than a hundred feet above the Atlantic yet the impression given is of much greater height, for the scenery is grand and Alpine in character. The eagles, as they rise in spirals high above their nesting rock, must in clear weather see the cone of Boreray of St. Kilda on the far Atlantic horizon; they must see the ocean swell break in white spray against the rocky shore of Gaaker, nursery of the gray seal. In early summer they must see the snowfields on the Cuillin of Skye across the Minch, faint and nebulous in the far distance. They must often see herds of red deer grazing on the green, grassy slopes beneath them, and note the white forms of the black-faced sheep which also find pasture here."

SELDOM SEEN IN EAST

In the Eastern United States the golden eagle is rare, despite the fact that Maurice Broun, during 12 autumns at Pennsylvania's Hawk Mountain Sanctuary, saw 651 of these birds migrating south along the Kittatinny Ridge. There is little information on the birds in the East, either past or present. Golden eagles still nested in two or three counties in Maine in 1949. A few pairs are reported breeding in the Appalachians, and the last known nesting in Tennessee's Cumberland Mountains was in 1932.

Dr. Walter R. Spofford, who has studied the golden eagle in the East for more than 20 years, writes in a recent letter: "Since no nests in the northern Appalachians were known from about 1880 until about 1951, it might be thought that they are coming back. But the places I have found are all long occupied, and I believe there have been a few remnant pairs for half a century, and I can't really say there is reason to believe they are coming back as yet. There is more reason to believe they are decreasing, because the wilderness is itself disappearing so fast." So we see that isolation is essential to the welfare of the birds. But to really see the bird in its glory, one must go to the wilderness areas of the Far West.

The home range of the golden eagle in the vastness of the West is usually confined to the wildest mountain ranges. He rides the wind above the wild canyons of the Guadalupes to the shining peaks of the Tetons, and north to the wilderness of Denali. The nesting territory defended by a pair of eagles is large, approximately 20 to 60 square miles in extent. The average area is about the size of a township, 36 square miles.

The nests are usually built on cliffs with a far-reaching view of the countryside, but are also frequently built in trees. The aeries are immense structures composed of large sticks with a lining of grasses, weeds, and lichens. In the humid Pacific coast redwood belt, the nests are more warmly lined with rabbit fur, soft mosses, and eagle down. In California, nests have been found more than 90 feet up in giant pines and redwoods. Sparrow hawks and western kingbirds sometimes take up housekeeping in the lower parts of the eagle's nest. Although the eggs are usually two, sets of one are common, three are rare, and a set of four has been recorded. Incubation requires 43 days. The nestlings are covered with white down at birth, and remain in the nest from 9 to 11 weeks. There is evidence that the golden eagle does not nest every year; consequently it is a slow breeder, and deserves a full measure of protection.

Of the food of the golden eagle much has been written. Some 60 kinds of animals—from deer and antelope to mice, birds, frogs, and even insects—are taken. Attacks on full-grown deer and antelope by a combined force of two or three eagles seem to be rare indeed—the consensus being that the animals attacked were probably either sick or in an otherwise weakened condition. The fact is that rabbits and rodents—the abundant and available prey of the West—form the staple diet of the great bird. Small mammals are usually caught by chasing them into the open and pouncing on them.

COORDINATED HUNTING EFFORT

Arthur Cleveland Bend, in "Life Histories of North American Birds of Prey," quotes a Mr. Willard, who witnessed another interesting method of capture. "In company with some friends one day, I watched a pair of these eagles hunting jackrabbits. They swooped down and drove the rabbits to cover under a mesquite bush. Then one alighted close by and began to walk toward the rabbit. He was so frightened he dashed from his shelter only to be snatched up by the other eagle which had been hovering close overhead." Porcupines fall prey to the bird at times. One eagle was found dead as a result of an encounter with one of these mammals, stuck full of quills.

In the earlier days of the West, when prairie-dog towns extended from horizon to horizon in certain places, golden eagles had good hunting. More recently, a pair of eagles nesting near one such "dog-town," and feeding two young, consumed more than 600 prairie dogs in a period of 4 months. Thus we see the service these birds may perform for both farmer and rancher; they are one of nature's important checkreins on this prolific little rodent.

There is an interesting story of an eagle's Shangri La high in the mountains of Alberta Province, in Canada, known for centuries to the Indians of the region as the Valley of the Eagles. In the caverns of a sheer rock-face golden eagles are said to have built their nests and have formed a colony. If the story is true, this is a most unusual performance, because normally these eagles are solitary birds. Because of deep winter snows, the area is inaccessible until late in the season. One day in August, so the story runs, a man saw 21 golden eagles near the cliff. One may hope that the birds will continue to nest and rear young in their wilderness fastness, secure against destruction by man and his machines.

For the golden eagle is a persecuted bird. It is trapped, shot and poisoned throughout the West. It has a price on its golden head. It is when the golden eagle attacks domestic stock of the ranchers that it gets into trouble. There is no doubt that the bird has acquired a taste for lamb, but this has been much exaggerated.

The eagle's situation is complicated by local conditions such as lambing time, the unavailability of rodents and carrion as food, and many other factors. Eagles that kill stock can be controlled by the proper authorities but these do not include every nimrod in the country. Today, the golden eagle is being gunned down from airplanes in the name of "sport," and under the pretext that all eagles are guilty of killing stock.

Fortunately for the eagle, there is a ground swell against such "sporting" practices and human prejudices. It is gathering momentum fast, and I feel sure it will eventually bring victory to the golden eagle in its fight for survival. Senator RALPH YARBOROUGH, of Texas, has already introduced a Senate joint resolution for Federal protection of the golden eagle. It is significant that this legislation has been introduced by a Texan. One would not expect it from this quarter were the eagle such a threat to the livestock industry as some would have us believe.

HUNTERS CONFUSE SPECIES

One good argument for complete protection of the golden eagle is the fact that, up to the third year of life of the bald eagle, the two birds are practically indistinguishable in the immature stage even by experts. It is not until the fourth year that the bald eagle acquires the white head and tail. Undoubtedly many immature "baldies" are killed in cases of mistaken identity.

Why do we want to save the golden eagle? One of America's greatest naturalists, Dr. Olaus J. Murie, has stated the answer eloquently: "The fact that we have through the centuries recognized the qualities, the living beauty, of a bird sufficiently to engrave its image on the emblems of our sovereignties, places us high in the animal kingdom. A species that can produce a Shakespeare, Rembrandt, Beethoven, Gandhi, and Lincoln should not fail to enrich itself by reaching a friendly hand toward another species in difficulty. There is at stake in this particular instance not only the fate of a great bird, but also the human capacity to tolerate, to appreciate, and to enjoy."

Today, there are many thousands of people who would go far to observe an eagle of any kind. And they have the right to expect the great golden eagle of the West—the living embodiment of freedom—to remain a part of the rich wildlife heritage of this country. They would agree with wise King Solomon that among the many things "too wonderful to understand" is "the way of an eagle in the air."

[From the Audubon magazine, March–April 1962]

EAGLES AND OUR RUINED GRASSLANDS

(By Ian I. McMillan)

The golden eagle long has been the subject of study in the sparsely settled hill country halfway between San Francisco and Los Angeles where I was raised. As a native of this grain and livestock area in California's San Luis Obispo County, I have been observing the ways of the eagle for nearly 40 years, both as a youth and as a wheat and cattle grower.

During this time I have heard and read many stories about eagles but none ever misrepresented them so grossly nor incriminated them so falsely as that which appeared in the November 1961 issue of Sports Afield.

Westbrook Pegler dipped his pen in some bitter gall for that wild piece of nature faking evidently designed to rationalize an organized program of eagle extermination in the destitute goat and sheep pastures of west Texas.

Incredibly, he branded the rare bald eagle, our national bird, as "no good," a bloodthirsty killer of "grown deer or antelope," a "demon which can crack the back of a sheep with one blow of its beak."

He pictured an eagle so filled with lamb "that it couldn't get off the ground," with lamb's hearts tumbling out when the head of the bird was yanked off by the stockman who had caught it.

As authority for this ballyhoo, he referred to the fanciful reports of commercial operators who make a business of shooting eagles from airplanes over the barren reaches of the Texas goat country. To this he added cynical aspersions on the laws that protect the bald eagle and belittling references to the symbolic significance of our national bird.

It is too much to expect, I suppose, that anyone glorifying a program of organized annihilation would have much knowledge of land use in the Southwest although Pegler is a longtime resident of the region. If he did have, he would have observed that wherever conditions of land abuse and range ruin prevail, as they do throughout the afflicted rangelands of west Texas, it must be expected that the native eagle, too, will be in trouble.

The real trouble here lies not in the existence of too many eagles but in too many goats and sheep. It lies in the excessive, ruinous, grazing practices that have rendered a fertile grassland, once the realm of the eagle, into a miserable thorn-scrub waste only fit for the goat.

The real argument for the eagle is not only an expression of rightful sentiment, it is also one of reason, calling for commonsense and decency in our use of the land.

I saw the Texas eagle country—the goat and sheep pastures of west Texas—in the spring of 1961. For many years I had heard of this region as a great cattle producer, especially that part known as the highland Hereford country around Marfa and Alpine where the commercial eagle hunters now operate.

What I saw in west Texas, however, was a far cry from the fabled cattle country of our expectations. On the ranges where once the fabulous herds of the Texas Trail fattened in grass to their bellies, we found an economy of goat and sheep raising eking out a miserable existence on the remnants of a ruined grassland. Where Davy Crockett and his heroic band of frontiersmen rode on to the Alamo through a "sea of grass," we found a thorn-scrub wasteland, the final outcome of continued overgrazing and land abuse.

It would only be in keeping with this welter of depletion and devastation that the native eagle, too, would be marked for extirpation so that a few more goats or sheep might fully complete their work of ecologic ruin.

But the goat and sheep ranchers of west Texas with their hired eagle killers are by no means alone in their maltreatment of the western range and the irresponsible annihilation of its native predator species. All along our homeward journey, from the Pecos to the Pacific, on through southern New Mexico, Arizona, and at last to some of our own badly beaten ranges in central California, we witnessed the same general symptoms of ecologic illiteracy and its appalling effect on the land.

Among these symptoms the needless killing of wild predators was always prevalent. In New Mexico we saw ranges fully as overgrazed as the devastated goat pastures of Texas. And here, as in Texas, prominent, influential sheepmen quite brazenly and naively testified to killing eagles each year by the hundreds.

In Arizona even the cattlemen's association approves a Federal program of widescale poisoning of coyotes. In a valley near Tucson it was significant to find a project to reestablish a now rare local race of bobwhite quail common in the early days. It requires a grassland habitat and it was hard to believe that such a habitat once prevailed where now there are only mesquite thickets, bare ground, and starving cattle. Again we were witnessing the end product of land misuse, with indiscriminate predator control the telltale hallmark.

In thus pointing out the deplorable land-use conditions which in other States have been associated with the destruction of the eagle and other wild predators, it would be most appropriate if I could claim something better for my own home territory in central California. Regrettably, however, I am unable to do so.

Shortly after our return from Texas I was looking over a local problem of the same kind of range ruination that had been so common along our homeward trip throughout the Southwest. With me were my brother, Eben, who lectures throughout the country each year on wildlife ecology, and Enrico Bongio, the representative of several local sportsmen's groups.

The range conditions we were appraising were on a portion of the vast public domain, the federally owned lands which comprise much of our semiarid western range. These public ranges are administered by the Bureau of Land Management, with grazing privileges leased to private livestock interests.

What we found was nothing short of sickening. On a range known in previous seasons as a productive shrub-grassland, well populated with wildlife, including quail and the introduced Chukar partridge, we found a barren waste, caused by the stripping off in one grazing season of practically all vegetative cover. The fine, rich, arid-land soil, developed under a protective plant cover, was already showing evidence of wind erosion. And the prospect of what a heavy rain do to these steeply sloping, bare hillsides was discouraging to contemplate.

The only sign we could find of the plentiful wildlife of former years was several dried carcasses. Within 3 miles we identified the remains of three coyotes, three bobcats, and two badgers. All had evidently been killed in a subsidized program carried on at public expense to protect illegal, ill-advised, and ruinous sheep grazing on the public lands.

In a matter of weeks the sheep not only rendered this range unfit for game and other wildlife, but for sheep and cattle as well. And here again, as my wife and I had noted in our trip through the devastated ranges of the Southwest, the incriminating hallmark of range abuse was the extermination of native predators.

As overgrazed land deteriorates, perennial vegetation gives way to annual, seed-producing shrubs and weeds. Rodents multiply on the abundance of seeds, bringing an increase in the predator population. Ranchers are then quick to blame the predators for their troubles, whereas the basic cause is their abuse of the land.

Oddly, however, in California and especially in my own area where golden eagles are still common, there is no appreciable antagonism among the local stockmen or sportsmen against the eagle. In fact, the California Fish and Game Code has been revised in recent years to protect all birds of prey. In San Luis Obispo County a recently enacted ordinance prohibits the taking of eagles or their eggs, even by holders of scientific collecting permits. The rare bald eagle, of course, has even more complete and stringent protection.

Sheep raising is an important industry in this area. At Camp Roberts, a large military reservation in northern San Luis Obispo and southern Monterey Counties, sheep are grazed by the thousands on range where eagles are common residents. Yet the official predator control activities that operate on this reservation to annihilate all mammalian predators have fortunately left the eagle alone.

In nearby Monterey County, the Hunter Liggett Military Reservation spreads over hundreds of thousands of acres of California's best wildlife habitat. Under a program of predator control administered by the Fish and Wildlife Service, mountain lions, coyotes, bobcats, and other mammalian predators have been virtually exterminated in this area.

Deer, at the same time, have overpopulated the range. Dying or weakened deer are commonly seen. An annual, public doe shoot has recently been inaugurated to curtail the excessive herds. Golden eagles are common on this reservation and may be preying to some extent on the excessive deer herd, although no reports of such predation have been noted. But certainly they have not kept this herd from becoming overabundant, and if eagles are taking a few weak, sickly fawns that would otherwise soon die from other causes, it would be to the benefit of the deer, the range, and the whole ecologic complex.

This principle is probably in operation on the overgrazed ranges of west Texas where eagles may be taking a few starving, weakened sheep, goats, or antelope. In a few specific cases it may be permissible to remove the particular bird involved. But even this type of restricted, specific control would not be treating the basic problem which is one of untended, unmanaged goats and sheep, overgrazing and further depletion of a range that has long suffered from too much livestock.

With regard to the wild claims that the antelope must be protected from the eagle, it should be borne in mind that while eagles may take an occasional antelope fawn, the two species were getting along compatibly until the sheep and the goat entered the scene in west Texas. Where sizable antelope populations are established to the point of range capacity, it would be proper to have the eagle fulfill its natural, beneficial role of keeping this prey species wild and healthy.

What sportsman worthy of the name would want to reduce the native antelope to the ecologic status of the goat? Those who would rightfully preserve both the eagle and the antelope have good reason to contend that the eagle should not be exterminated so as to make of the wild antelope a species of semidomesticated game, easily hunted and taken by an equally ersatz form of human hunter. Commercial interests are as badly out of place in the promotion of antelope shooting as in promoting the business of eagle hunting.

For as long as I can remember a pair of golden eagles has nested each spring in a large, lone oak on my neighbor's grain and cattle ranch. One day a few years back I answered the telephone to hear from this rancher, Iver Hansen, that the eagles had eaten one of his calves.

"Ian," he said, "it looks like those old eagles are starting to kill calves. What shall we do?"

"Well Iver," I answered, "if they are killing calves we'll certainly have to do something to stop it. But first let's be sure they are doing the killing."

We agreed then to wait and watch for more proof. As it turned out, the cattle on this range were Angus heifers having their first calves. Angus calves are typically small and some of these calves were exceptionally small and weak. Some were dead at birth. Eagles in this region commonly feed on carrion and evidently this pair had started to feed on a calf almost, but not quite, dead. The rancher finding the eagles feeding on

this calf, which still showed some sign of life, took it to be a kill.

We have waited for another case on which to judge this pair of eagles once and for all but nothing of the kind has developed. That was some 4 years ago and the eagles are still hunting and nesting in their traditional range without any sign of molesting calves.

In reading the wild indictment of the eagle in Sports Afield I thought of how easily Iver Hansen could have jumped to an erroneous conclusion, shot his eagles, spread the alarm and set into operation an irresponsible eagle-killing program such as evidently is now a general practice in some parts of the Southwest.

In arguing for proper consideration of the eagle it is common to encounter that asinine question, "What good is an eagle?" My answer is that we need to save the eagle, not only for what we gain from having eagles, but also for what we gain from saving eagles.

We need to exercise and develop the human attributes that are required in the preservation of such things as eagles for these are the same attributes so vital in working out an approach to the proper care and use of the land, and to our own survival.

Through observing and understanding such things as the role of eagles in nature we can come to understand the ecological principles which govern the survival not only of wild eagles but the long-term welfare of our own species.

NATIONAL TRANSPORTATION WEEK

The Clerk called the resolution (H.J. Res. 628) authorizing the President to proclaim the week in May of each year in which falls the third Friday of that month as National Transportation Week.

There being no objection, the Clerk read the resolution, as follows:

Whereas transportation has changed the United States from a wilderness to a rich homeland and brought the shores of the Atlantic seaboard close to the waters of the Pacific and is even today by land, by water, and in the air knitting the United States more firmly into one Nation indivisible; and

Whereas transportation has given the farmer a market in the city for his products and the city worker an outlet in the country for the goods he has manufactured; and

Whereas a prosperous and efficient transportation industry is vital to the defense of the United States: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is requested and authorized to officially proclaim annually the week in May of each year in which falls the third Friday of that month as National Transportation Week, and to issue a proclamation inviting the people of the United States to observe such period with appropriate ceremonies and activities, as a tribute to the men and women who, night and day, move goods and people throughout our land.

With the following committee amendment:

Strike out the preamble.

The amendment was agreed to.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CENTENNIAL ANNIVERSARY OF THE LOYAL WAR GOVERNORS' CONFERENCE

The Clerk called the resolution (H. Res. 505) extending the greetings of the House of Representatives to the city of Altoona, Pa., on the occasion of the centennial anniversary of the Loyal War Governors' Conference.

There being no objection, the Clerk read the resolution, as follows:

Whereas September 24, 1962, will mark the centennial anniversary of the Loyal War Governors' Conference at the Logan House in Altoona, Pennsylvania, where, during the original conference, thirteen northern Governors pledged united support to President Abraham Lincoln in the conduct of the Civil War; and

Whereas the Blair County, Pennsylvania, Historical Society, in cooperation with the Altoona, Pennsylvania, Chamber of Commerce, is sponsoring a commemorative celebration to be held in Altoona, Pennsylvania, during 1962, with invitations to be extended to the Governors of the States represented at the original conference; and

Whereas the Legislature of the State of Pennsylvania has appropriated funds to assure the success of such commemorative celebration in calling to the attention of the people of the United States the important part played by such conference in the conduct of the Civil War: Now, therefore, be it

Resolved, That the House of Representatives extends its greetings and felicitations to the city of Altoona, Pennsylvania, on the occasion of the centennial anniversary of the Loyal War Governors' Conference to be commemorated in such city during 1962, and hereby commends the people of such city for their efforts in keeping alive the memory of the spirit of cooperation evidenced by the pledge of united support made to President Lincoln in 1862, which pledge of united support played an important part in the conduct of the Civil War.

With the following committee amendment:

Strike out the preamble.

The amendment was agreed to.

Mr. VAN ZANDT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. VAN ZANDT. Mr. Speaker, House Resolution 505, introduced by me on January 10, 1962, extends the greetings and felicitations of the U.S. House of Representatives to the city of Altoona, Pa., commending the residents of that city for their effort in keeping alive the memory of the spirit of cooperation which welded the Northern States together 100 years ago when this Nation was involved in the terrible Civil War.

It was in my home town of Altoona, Pa., that the Governors of 13 States met on September 24, 1862, to pledge their united support to President Abraham Lincoln in the conduct of the war. This historic meeting, held in the famed Logan House, Altoona, Pa., had a definite impact on the preservation of the Union.

This year's centennial celebration is being sponsored by the Blair County Historical Society and the Altoona Chamber of Commerce. Mayor Roy F. Thompson is serving as honorary chairman for the 3-day event commemorating the Loyal War Governors' Conference of 1862 which was attended by Pennsylvania's Gov. Andrew Curtin and his war colleagues.

Invitations for this year's celebration are being extended to President John F. Kennedy and the Governors of the States represented at the original conference. Gov. David Lawrence, of Pennsylvania, will be their host. The program will include a military-civic parade and a costume ball.

Fifty years ago, a half century after the original meeting was held, President William H. Taft participated in the commemorative ceremonies conducted at Altoona.

Historical accounts of this meeting, held at a critical time in the Nation's history, show that President Lincoln was much moved by the action taken by the Loyal War Governors' Conference, with the result that his conduct of the war was bolstered immeasurably by the support pledged to him at that time.

The Governors of 13 States attended the conference, and it should perhaps be pointed out that the Governor of Michigan was unable to personally attend the meeting, but that he was represented by a delegate. The Governor of New York State also found it impossible to be present. The following States were represented by their Governors: Connecticut, Illinois, Iowa, Indiana, Maine, Massachusetts, Minnesota, New Hampshire, Ohio, Pennsylvania, Rhode Island, Wisconsin, and the loyal Virginia State government, then in exile at Alexandria.

The resolution, prepared at this informal meeting and signed by the heads of the States, was then forwarded to the other Union States for signing by those Governors.

I have been informed that resolutions, similar to my House Resolution 505, now pending before you, have also been introduced in both houses of the Pennsylvania legislature to place added emphasis on this historic occasion.

The resolution was agreed to.

INDEPENDENT MEDICAL REVIEW OF VETERAN CLAIMS

The Clerk called the bill (H.R. 852) to amend chapter 3 of title 38, United States Code, to authorize the Administrator of Veterans' Affairs to establish medical advisory panels to resolve conflicts of evidence in questions involving service connection of disabilities or deaths.

Mr. FORD. Mr. Speaker, reserving the right to object, I would like to have some clarification of this if I might, from the chairman of the Committee on Veterans' Affairs. I raise the question primarily because the Bureau of the Budget, as I understand from the committee report, is strongly opposed to this legislation. Has there been some modification by the committee to make it more palatable to the Bureau?

Mr. TEAGUE of Texas. I will yield to the gentleman from Pennsylvania [Mr. SAYLOR], who has a particular interest in this bill.

Mr. SAYLOR. Mr. Speaker, will the gentleman yield?

Mr. FORD. I yield.

Mr. SAYLOR. This bill was opposed by the Bureau of the Budget; and though some changes in procedures have been made, I assume the Bureau is still opposed. That is not unusual. I will say to the gentleman. This bill is merely an effort to try to make sure that there is

a reexamination of medical evidence in all of the cases where it is requested.

Mr. FORD. How does the procedure proposed in the pending bill tie in with the next bill on the Consent Calendar which provides for an appeals board, the next bill being H.R. 857? Is there any connection? It seems to be a little confusing.

Mr. TEAGUE of Texas. Mr. Speaker, will the gentleman yield?

Mr. FORD. I yield.

Mr. TEAGUE of Texas. Let me give you an example of the thing we are trying to correct. It is the case of a young man who was shot through the chest during World War II. The injury never completely healed. He went on for a number of years going from doctor to doctor. Finally a doctor told him he had cancer. Nobody knows what causes cancer. So we asked the American Medical Association to appoint a board of 12 cancer specialists to examine this patient and tell us whether he did in fact have cancer. They replied saying "Yes." That is the kind of thing for which this bill is needed.

We found out that the veterans board handling this case did not have a single cancer expert on it. We think this is wrong, and H.R. 852 is designed to correct this situation.

Mr. FORD. What will be the criteria for a particular case being considered by this independent medical board? Will all cases be considered? Will there be a limited number? And if a limited number, how will they decide which one or ones?

Mr. TEAGUE of Texas. If a case is turned down and if the veteran can bring in new medical evidence which would indicate there should be further consideration, this would direct the Administrator to send this case to the Chief Medical Director of the VA and if denied there to an independent medical expert.

Mr. FORD. Does the gentleman have any estimate of how many out of a hundred or a thousand that come up before the Board of Veterans Appeals each year will be so handled?

Mr. TEAGUE of Texas. I am sorry, I do not have that information. We have had 20 cases of this type decided so far. The cost has been approximately $150 per case.

Mr. VAN ZANDT. Mr. Speaker, will the gentleman yield?

Mr. FORD. I yield to the gentleman from Pennsylvania.

Mr. VAN ZANDT. When the gentleman speaks of a board, does he mean the Board of Appeals?

Mr. TEAGUE of Texas. No. We are speaking of a panel of medical experts of the kind mentioned previously—a panel, under the bill, appointed by the President. We recently had a veteran who died at Walter Reed. He had cancer of the spine. There were certain degenerations of the backbone, but he was rated nonservice connected. We send that case to the panel, and asked them, when did that case start? The panel gave us the information.

Mr. VAN ZANDT. But was the case originally disposed of by the Board of Veterans Appeals?

Mr. TEAGUE of Texas. It was denied.

Mr. VAN ZANDT. What you are asking for is when the Administrator exercises his right of review in the Board of Veterans Appeals decision, the Administrator may get the advice of a medical board?

Mr. TEAGUE of Texas. If the veteran can bring in additional medical evidence intimating there should have been a different decision and to have it reviewed fresh by the Chief Medical Director of the VA and or an independent medical expert.

Mr. FORD. Let me ask one further question.

If this independent medical review is held and this board or this group adopts a different attitude to the Board of Veterans Appeals, which prevails?

Mr. TEAGUE of Texas. The panel would then prevail and would be binding on the VA.

Mr. FORD. That is included as a matter of law?

Mr. TEAGUE of Texas. It is included in the bill.

Mr. FORD. There is no question about that?

Mr. TEAGUE of Texas. In my mind, there is no question. The gentleman will find on lines 6 and 7 of page 5 of the reported bill that it is made quite clear.

Mr. FORD. We are making a little legislative history here, and we ought to know one way or the other.

Mr. SAYLOR. This is correct. I will give another case in which we just had it similarly approved by an independent board. A man was operated on with a spinal anesthesia while he was in the Navy. From that time on he had certain disabilities. The Board of Veterans Appeals from 1943 down until the independent medical expert pilot study of 20 cases, held that this man did not have a service-connected disability. When an independent group of medical experts were asked to examine the files on this case and determine whether or not the injury to his spinal column occurred while he was in the service, the answer came back unanimously that the injury had occurred in the service and it was service connected.

Mr. FORD. I am glad to have these illustrations, but I do not think we ought to pass legislation whereby we convene a panel, and their recommendations are made and it is purely academic. They are going to be followed or they are not going to be followed. I understand from what the chairman of the committee just said, and the gentleman confirms it, when these independent panels make a decision, that is it, the decision of the Board of Veterans Appeals to the contrary notwithstanding?

Mr. SAYLOR. That is correct.

Mr. TEAGUE of Texas. This case must be denied twice by appeals before it will go to the independent medical panel required by H.R. 852.

Mr. GROSS. Mr. Speaker, reserving the right to object, the gentleman's statement just made partially answers the question I was just about to ask, in reference to the criteria by which a veteran can secure the services of this independent review board. In other words he has to be turned down twice by the Veterans' Administration?

Mr. TEAGUE of Texas. He must have been, and he must have new medical evidence.

Mr. GROSS. This can become expensive if it results in a loose operation. Somebody is going to have to pay for some expert medical men on these independent review boards. I assume that will be at the rate of $75 or $100 a day.

Mr. TEAGUE of Texas. The pilot study cost on an average of $150 per case.

Mr. GROSS. The criterion then will be, he must be turned down twice?

Mr. TEAGUE of Texas. Yes, and there must be new medical evidence.

Mr. VAN ZANDT. In the event that the veteran does present new medical evidence, does it have to go to the Veterans' Administration requesting a review and, in turn, he refers it to the panel?

Mr. TEAGUE of Texas. It goes first to the Chief Medical Director of the Veterans' Administration, then to the independent medical panel.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) chapter 3 of title 38, United States Code, is amended by adding immediately after section 217 the following:

"§ 218. Medical advisory panels

"(a) The Administrator is authorized to employ experts or consultants on a temporary or intermittent basis, in accordance with section 55a of title 5, to serve on panels for the purpose of rendering opinions to him with respect to the question of whether or not a disability or death is service connected, in cases where the Administrator has found that there is material doubt or material conflict of medical evidence on such question. No person may be a member of any such panel unless he is a member of a board or section referred to in subsection (b).

"(b)(1) The boards referred to in subsection (a) are the following American Specialty Boards:

"(A) American Board of Anesthesiology
"(B) American Board of Dermatology
"(C) American Board of Internal Medicine
"(D) Sub Specialty Board—Allergy
"(E) Sub Specialty Board Gastroenterology
"(F) Sub Specialty Board Pulmonary Diseases
"(G) The American Board of Obstetrics and Gynecology
"(H) American Board of Ophthalmology
"(I) American Board of Orthopedic Surgery
"(J) American Board of Otolaryngology
"(K) American Board of Pathology

"(2) The sections referred to in subsection (a) are the following Medical Specialty Sections:

"(A) Anesthesiology
"(B) Dermatology
"(C) Diseases of the Chest
"(D) Experimental Medicine and Therapeutics
"(E) Gastroenterology and Proctology
"(F) General Practice
"(G) General Surgery
"(H) Internal Medicine
"(I) Laryngology, Otology, and Rhinology
"(J) Military Medicine
"(K) Nervous and Mental Diseases
"(L) Obstetrics and Gynecology

"(M) Ophthalmology
"(N) Orthopedic Surgery
"(O) Pathology and Physiology
"(P) Pediatrics
"(Q) Physical Medicine
"(R) Preventive Medicine
"(S) Radiology
"(T) Urology."

(b) The analysis of such chapter 3 is amended by inserting immediately below

"217. Medical advisory panels."

the following:

"218. Medical advisory panels."

With the following committee amendment:

Strike out all after the enacting clause and insert: "That chapter 71 of title 38, United States Code, is amended by adding at the end thereof the following:

"'§ 4009. Medical evaluation of claims

"'(a) Where the claim of any veteran or survivor of a veteran under chapter 11 or 13 of this title is denied on the ground that a disability or death is not service-connected, and medical evidence in the case has been submitted to the Administrator which tends to support the claim of service-connection, then, upon appeal and at the request of the veteran or survivor, the case must be referred to the Chief Medical Director of the Department of Medicine and Surgery. The Chief Medical Director shall render an opinion to the Board on the medical aspects of the case, with particular attention being given to the medical evidence which tends to support the claim of service-connection. Before the appeal is finally acted upon by the Board, the opinion rendered by the Chief Medical Director shall be considered by the Board.

"'(b) Where the claim of any veteran or survivor is denied on appeal after an opinion rendered by the Chief Medical Director under subsection (a) has been considered, and the claim is later reopened or subsequently considered after the veteran or survivor has submitted additional medical evidence which tends to support the claim of service-connection, and the claim is again denied, then upon the request of the veteran or survivor submitted in connection with appeal to the Board, the case must be referred to a medical advisory panel established under section 218 of this title for evaluation. The panel shall render an opinion to the Board on the medical aspects of the case, with particular attention being given to the medical evidence which tends to support the claim of service-connection. The opinion of the panel shall be binding upon the Board in its final disposition of the case. The Administrator shall furnish a copy of such opinion to the claimant or his representative, with such modifications as may be necessary if the opinion would otherwise disclose matter that would be injurious to the physical or mental health of the claimant.'

"SEC. 2. Subchapter II of chapter 3 of title 38, United States Code, is amended by adding at the end thereof the following:

"'§ 218. Medical advisory panels

"'(a) The President, after obtaining recommendations from appropriate persons or entities not involved in the evaluation or adjudication of veterans' claims, shall from time to time designate medical experts who may be appointed for service upon advisory panels established under this section for the purpose of considering cases referred to such panels under section 4009(b) of this title.

"'(b) Where any case appealed to the Board of Veterans' Appeals is to be referred to a medical advisory panel under section 4009(b) of this title, the Administrator shall appoint, on a temporary or intermittent basis in accordance with section 55a of title 5, medical experts to serve on such panel from among persons designated by the President under subsection (a) of this section. The Administrator shall make such appointments in such a way as to provide equal opportunities for service on such panels to medical experts qualified in the same specialties.'

"SEC. 3. (a) The analysis of chapter 71 of title 38, United States Code, is amended by adding at the end thereof the following:

"'4009. Medical evaluation of claims.'

"(b) The analysis of chapter 3 of title 38, United States Code, is amended by inserting immediately below item 217 thereof the following new item:

"'218. Medical advisory panels.'

"SEC. 4. The amendments made by this Act shall be effective January 1, 1963."

The committee amendment was agreed to.

Mr. LANE. Mr. Speaker, where a claim of any veteran or survivor of a veteran is denied on the grounds that the disability or death is not service connected the claimant is apt to believe that the Board of Veterans Appeals merely rubberstamps the lower level decision on his case. He assumes that all sections within a Government agency automatically stick by one another.

It is almost impossible to convince him otherwise unless there is an independent panel of medical experts, free from any control by the Veterans' Administration, to whom his claim will be submitted for evaluation.

The establishment of such medical advisory panels will be helpful in determining borderline claims and will inspire, in the veteran, the confidence that his claim is receiving objective consideration.

In addition, there are conflicts of medical evidence in questions involving service connection of disabilities or deaths that can be resolved only by recourse to independent medical panels.

H.R. 852 is in two parts. The first provides that when a claim for disability or death involving service connection is submitted on appeal and contains medical evidence tending to support the claim of service connection, the veteran may request that the case be referred to the Chief Medical Director of the Veterans' Administration. That official shall thereafter render an opinion to the Board of Veterans Appeals on the medical aspects of the case with particular reference to whether the evidence supports the claim of service connection. Before the appeal is finally decided, the opinion rendered by the Chief Medical Director must be considered by the Board.

The second part of H.R. 852 provides that, in cases where the claim is denied by the Board but is subsequently considered and additional medical evidence submitted, then at the veteran's request in connection with the appeal to the Board, the case shall be referred to a medical advisory panel established from among experts designated by the President. That panel shall render an opinion to the Board on the medical aspects of the case, with particular attention being given to the medical evidence which tends to support the claim of service connection. The opinion of the panel shall be binding upon the Board of Veterans Appeals.

As H.R. 852 would help to improve the quality of adjudication in service-connection cases involving conflicts of medical evidence, and because it would be beneficial to the small number of veterans and survivors whose claims were clouded by these contradictions, it merits our support.

Mr. KORNEGAY. Mr. Speaker, as chairman of the subcommittee I am happy to support this important legislation. Hearings were held last month on this and related bills.

The bill, as reported, provides that where a claim of any veteran or survivor of a veteran is denied on the grounds that the disability or death is not service connected, claim under certain circumstances shall be submitted to an independent medical panel for evaluation. The findings of that independent medical panel shall be binding upon the Veterans' Administration.

The medical advisory panels are to be selected from among experts designated by the President to serve in this capacity.

The bill is in two parts and provides that when a claim for disability or death involving service connection is submitted on appeal and contains medical evidence tending to support the claim of service connection the veteran may request that the case be referred to the Chief Medical Director of the Veterans' Administration. That official shall thereafter render an opinion to the Board of Veterans Appeals on the medical aspects of the case with particular reference to whether the evidence supports the claim of service connection. Before the appeal is finally decided the opinion rendered by the Chief Medical Director must be considered by the Board.

In cases where the claim is denied by the Board but is subsequently considered and additional medical evidence submitted, then at the veteran's request in connection with the appeal to the Board, the case shall be referred to a medical advisory panel established from among experts designated by the President. That panel shall render an opinion to the Board on the medical aspects of the case, with particular attention being given to the medical evidence which tends to support the claim of service connection. The opinion of the panel shall be binding upon the Board of Veterans Appeals.

The appointment of the panel from among experts designated by the President is designed to make the panels independent of any control by any official of the Veterans' Administration. The Administrator shall make such appointments in such a way as to provide equal opportunities for service on such panels to experts qualified in the same specialties.

The Veterans' Administration reports that the cost of this activity has been approximately $150 a case and of the 20 cases summarized the findings of 3 were reversed by the independent medical experts. On a percentage basis this represents a 15-percent reversal which the committee believes is quite worth while generally and particularly to the three individuals concerned and their families.

This avenue of appeal should be further utilized and the subject legislation will permit this course of action and though the VA has always had authority to proceed in this fashion it is not fully utilizing the findings of independent medical experts.

Perhaps two cases will suffice to prove the worth of this particular piece of legislation.

The first case involved a veteran who served between March and November 1941 and September 1944 and January 1946 contracted multiple sclerosis. The case was denied by the Board of Veterans Appeals or other offices of the Veterans' Administration on five separate occasions. As a result of this independent medical review the Chief Medical Director has ruled that the lay affidavits proved that multiple sclerosis did exist within the period which permits service connection. In this case the veteran's widow received total disability compensation for 1 year and will now receive dependency and indemnity compensation for herself and her three children. The children will also be eligible for benefits provided by the War Orphans' Educational Assistance Act.

This second case concerns a veteran who had active service from November 1942 to August 1943. He was operated on in a Navy hospital and given a spinal anesthesia. He has been suffering from neuritis of the legs and impotency since the operation. The case was denied several times by the Board of Veterans Appeals, yet the independent medical expert ruled that the case should be service connected and stated that the record supports the diagnosis of a post-spinal anesthetic arachnoiditis, because his problems developed following this procedure. After 20 years, equity and justice will prevail.

Mr. HALPERN. Mr. Speaker, I am pleased to associate myself with this legislation, which I strongly feel is long overdue and much needed. I have long advocated its objectives and have introduced a similar measure, H.R. 10804.

This bill will go a long way toward judiciously expediting conflicts in evidence in matters involving service connection of disabilities or deaths of veterans.

This bill provides that where a claim of any veteran or survivor of a veteran is denied on the grounds that there is no service connection for death or disability, claims, under certain circumstances, shall be submitted to an independent medical panel for evaluation.

The findings of this advisory panel, members of which are to be selected from among experts designated by the President, shall be binding upon the Veterans' Administration.

The independent panel will be free of any control by officials of the Veterans' Administration and service on the panel will be open to qualified experts on an equitable basis. This measure will bring to bear expert medical testimony in service connection cases involving conflicts of medical evidence. It will be of considerable value in settling many claims in question.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CASES APPEALED TO BOARD OF VETERANS APPEALS

The Clerk called the bill (H.R. 857) to amend section 4005 of title 38, United States Code, to provide that cases appealed to the Board of Veterans Appeals shall contain a brief statement of the facts of the case appealed, with a citation and application of the law, together with the recommendations of the office appealed from, and for other purposes.

Mr. FORD. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice inasmuch as it is scheduled for consideration under the suspension calendar today.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

WAR ORPHANS' EDUCATIONAL ASSISTANCE ACT

The Clerk called the bill (H.R. 1811) to amend chapter 35 of title 38, United States Code, relating to war orphans' educational assistance, in order to permit eligible persons thereunder to attend foreign educational institutions under certain circumstances.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1723(c) of title 38, United States Code, is amended by adding at the end thereof the following new sentence: "Notwithstanding the first sentence of this subsection, enrollment in a foreign educational institution may be approved by the Administrator in the case of any eligible person, if (1) the subjects to be taken by such person at such foreign educational institution are an integral part of and are fully creditable toward the satisfactory completion of an approved course in which such person is enrolled in an institution of higher learning in a State or in the Republic of the Philippines, and (2) the tuition and fees for attending such foreign educational institution are paid for by the educational institution (in a State or in the Republic of the Philippines) in which such person is enrolled."

With the following committee amendment:

On page 2, strike out lines 3 to 7, inclusive, and insert in lieu thereof the following: "institution of higher learning (hereafter in this sentence referred to as his "principal institution") which is located in a State or in the Republic of the Philippines, (2) the tuition and fees for attendance at such foreign educational institution are paid for by the principal institution, and (3) the principal institution agrees to assume the responsibility for submitting to the Veterans' Administration required enrollment certificates and monthly certifications of training as to attendance, conduct, and progress."

The committee amendment was agreed to.

Mr. TEAGUE of Texas. Mr. Speaker, the purpose of this bill is to amend appropriate sections of title 38, United States Code, to permit eligible beneficiaries under the War Orphans' Educational Assistance Act to attend foreign educational institutions under certain limited circumstances. As originally enacted in 1956 as Public Law 84-634, war orphans were not authorized to enroll in a course at an educational institution located outside of the several States or the Commonwealth of Puerto Rico. A subsequent amendment, Public Law 85-460, extended the program to courses pursued in the Republic of the Philippines.

This bill would not authorize enrollment in foreign educational institutions other than in the Republic of the Philippines. However, it would recognize the practice of some schools operated in the United States of offering programs which include prescribed study in a foreign educational institution, for example, a junior year abroad. This legislation would thus permit an eligible war orphan to participate in a junior year abroad program. As an example, it would not provide for eligible beneficiaries to enroll for a 4-year course at Oxford University or some other foreign school.

The bill has been amended along the lines suggested by the Veterans' Administration and its enactment, in amended form, would involve no additional cost. As reported by the committee, the bill is favored by the Veterans' Administration.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

INCREASED COMPENSATION FOR BLIND VETERANS

The Clerk called the bill (H.R. 3728) to amend title 38 so as to authorize the Administrator to assign a total rating for compensation to a veteran granted service connection for blindness of one eye who subsequent to separation from active duty incurs blindness in the remaining eye.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. FORD. Mr. Speaker, reserving the right to object, I note that there is no statement from the Veterans' Administration with reference to this legislation. I understand that may have been corrected. Would the chairman tell us what the facts are, please?

Mr. TEAGUE of Texas. That is correct, Mr. Speaker. At the time this bill was reported, we had not received a report from the Veterans' Administration. In the past year the Veterans' Administration had recommended a favorable report, but the Bureau of the Budget wished an unfavorable report. Since then we have received a favorable report from the Veterans' Administration and no objection from the Bureau of the Budget.

Mr. Speaker, I ask unanimous consent to include that report at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The report is as follows:

VETERANS' ADMINISTRATION,
Washington, D.C., March 28, 1962

Hon. OLIN E. TEAGUE,
Chairman, Committee on Veterans' Affairs, House of Representatives, Washington, D.C.

DEAR MR. TEAGUE: The following comments are submitted in response to your request for a report on H.R. 3728, 87th Congress.

This bill proposes that any veteran who has suffered blindness of one eye as a result of service-connected disability and blindness of the other eye as a result of non-service-connected disability, not the result of his own willful misconduct, shall be entitled to the disability compensation rate for service-connected blindness of both eyes.

In accordance with existing law and the Veterans' Administration Schedule for Rating Disabilities, 1945, a veteran who enters service with blindness of one eye and incurs blindness in the other eye as a result of service is entitled to the statutory rate of compensation payable for service-connected blindness of both eyes. However, if a veteran enters service with two good eyes, incurs blindness of one eye in service, and then subsequent to service suffers blindness of the other eye as a result of a non-service-connected cause, he is entitled to compensation only for unilateral blindness. The ultimate resulting total blindness is the same in both of these cases. In each case the loss of a veteran's sight of one eye in service was a direct causative factor in such total blindness. It is our opinion that the two cases should be equally compensated.

A comparable situation exists in connection with bilateral kidney involvement. Currently, if a person enters service with the loss or loss of use of one kidney and while in service incurs severe involvement of the other kidney he may be given a total disability rating for compensation purposes. However, where a person incurs the loss or loss of use of one kidney in service and subsequent to service suffers a severe involvement of the other kidney as the result of a non-service-connected cause, the disability rating cannot be more than 30 percent—the rate for unilateral loss only—even though the veteran is actually totally disabled. The resulting disability is again the same in each case. We believe that they should be equally compensated.

It is estimated that H.R. 3728, if enacted, would affect some 40 cases during the first year at an additional cost of approximately $118,000. The additional cost would continue in about the same amount for the 4 succeeding years. If the bill is broadened to cover the cases of bilateral kidney involvement, discussed above, it is estimated that it would affect a negligible number of cases (5) at an additional cost the first year of approximately $10,000. This cost would also continue in the same amount for each of the succeeding 4 years.

The Veterans' Administration recommends favorable consideration of H.R. 3728, but suggests that it be broadened to include cases of bilateral kidney involvement. If you concur, our legislative staff will be available to your committee to assist in preparing an appropriate amendment of the bill to accomplish this purpose.

Advice has been received from the Bureau of the Budget that there is no objection from the standpoint of the administration's program to the presentation of this report to the committee.

Sincerely,

J. S. GLEASON, JR.,
Administrator.

Mr. FORD. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 11 of title 38, United States Code, is amended by adding at the end thereof the following new section:

"§ 360. Special consideration for certain cases of blindness

"Where any veteran has suffered blindness in one eye as a result of service-connected disability and has suffered blindness in the other eye as a result of non-service-connected disability not the result of the veteran's own willful misconduct, the Administrator shall assign and pay him the applicable rate of compensation under this chapter as if his blindness in both eyes were the result of service-connected disability."

With the following committee amendment:

On page 2, after line 8, insert the following:

"SEC. 2. The analysis of such chapter 11 is amended by adding at the end thereof the following:

"'360. Special consideration for certain cases of blindness.'"

The committee amendment was agreed to.

Mr. TEAGUE of Texas. Mr. Speaker, today, a veteran who enters service with blindness of one eye and incurs blindness in the other eye as a result of service is entitled to the statutory rates of compensation payable for service-connected blindness of both eyes. However, if a veteran enters service with two good eyes, incurs blindness of one eye in service, and then subsequent to service suffers blindness of the other eye as a result of non-service-connected cause, he is entitled to compensation only for unilateral blindness. The ultimate resulting total blindness is the same in both of these cases. In each case the loss of the veteran's sight of one eye in service was a direct causative factor in such total blindness.

The rating today under existing law may be as little as 30 percent and as high as 100 percent for the loss of one eye. In all cases, there would be added to that the statutory award rate of $47. The bill, if enacted, would provide a rate of $309, $359, or $401 monthly depending upon the nature of the veteran's eye condition.

The bill, if enacted, would affect some 40 cases during the first year at an additional cost of approximately $118,000. The additional cost would continue in about the same amount for each of the 4 succeeding years.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to amend title 38, United States Code, so as to authorize the Administrator to assign a total rating for compensation to a veteran granted service-connection for blindness of one eye who subsequent to separation from active duty incurs blindness in the remaining eye."

A motion to reconsider was laid on the table.

PARAPLEGIC HOUSING PROGRAM

The Clerk called the bill (H.R. 4012) to amend section 801 of title 38, United States Code, to provide assistance in acquiring specially adapted housing for certain blind veterans who have suffered the loss or loss of use of a lower extremity.

Mr. FORD. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

BURIAL EXPENSES OF CERTAIN DECEASED VETERANS

The Clerk called the bill (H.R. 4901) to amend section 904, title 38, United States Code, so that burial allowances might be paid in cases where discharges were changed by competent authority after death of the veteran from dishonorable to conditions other than dishonorable.

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

RESTORATION OF CERTAIN WIDOWS TO BENEFIT ROLLS

The Clerk called the bill (H.R. 5234) to amend title 38, United States Code, to provide for the restoration of certain widows and children to the rolls upon annulment of their marriages or remarriages, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph (3) of section 101 of title 38, United States Code, is amended by striking out "and who has not remarried (unless the purported remarriage is void)" and inserting in lieu thereof the following: "and who has not remarried or (in cases not involving remarriage) has not since the death of the veteran, lived with another man and held herself out openly to the public to be the wife of such other man".

SEC. 2. Section 103 of title 38, United States Code, is amended by adding at the end thereof the following:

"(d) The remarriage of the widow of a veteran shall not bar the furnishing of benefits to her as the widow of the veteran if the remarriage is void or has been annulled by a court of competent jurisdiction on a ground going to the essentials of the marriage relationship and in the annulment action (1) there was no fraud or collusion by the woman and (2) she either was the aggrieved party or was mentally incompetent at the time of the remarriage.

"(e) The marriage of a child of a veteran shall not bar the payment of benefits to such child as the child of the veteran if such

marriage is void or annulled by a court of competent jurisdiction."

SEC. 3. Section 3010 of title 38, United States Code, is amended by adding at the end thereof the following:

"(f) The effective date of the award of benefits to a widow or child upon annulment of a marriage shall be the date of annulment if a claim therefor is filed within one year from the date the judicial decree of annulment becomes final; in all other cases the effective date shall be the date the claim is filed."

With the following committee amendments:

On page 2 strike out lines 5 to 16 inclusive and insert in lieu thereof:

"(d) The remarriage of the widow of a veteran shall not bar the furnishing of benefits to her as the widow of the veteran if the remarriage is void, or has been annulled by a court with basic authority to render annulment decrees unless the Veterans' Administration determines that the annulment was secured through fraud by either party or collusion.

"(e) The marriage of a child of a veteran shall not bar recognition of such child as the child of a veteran for benefit purposes if the marriage is void, or has been annulled by a court with basic authority to render annulment decrees unless the Veterans' Administration determines that the annulment was secured through fraud by either party or collusion."

On page 3, line 8, strike out "or child" and insert "or of an award or increase of benefits based on recognition of a child;".

On page 3, line 10, after the word "date" insert "the judicial decree".

On page 3, line 10, after the word "annulment" insert "becomes final".

The committee amendments were agreed to.

Mr. TEAGUE of Texas. Mr. Speaker, under existing law, payments of benefits to the widow of a veteran are terminated upon her remarriage unless the remarriage is void.

In some States, annulment of some marriages is considered to relate back to the date the relationship was entered into; however, in such cases no benefits become payable under Veterans' Administration laws unless the marriage was void. Because of the diversity of State laws on the question of which marriages are void and which marriages are voidable—that is, require judicial action to declare their nonexistence—identical factual situations can lead in some cases to restoration of widow's benefits and in other cases to continued denial thereof.

The reported bill provides a uniform rule, under which widow's benefits may be restored in such cases if, first, the remarriage is void; or, second, the remarriage is annulled, unless the annulment is procured by fraud.

The bill also applies the same tests in determining whether benefits will be paid to or because of a child. The term "child" in veterans' laws generally requires that the person be unmarried.

The bill, as reported, incorporates the suggestions for amendment made by the Administrator in his report, and it is believed to be in the best interest of veterans and their widows that legislation of this type be enacted.

The Veterans' Administration advises that the number of cases affected and the resulting additional benefit costs will be relatively small, and recommends favorable consideration of the amended bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PAYMENT OF PENSION WHILE HOSPITALIZED

The Clerk called the bill (H.R. 8282) to amend section 3203(d) of title 38, United States Code, to provide that there shall be no reduction of pension otherwise payable during hospitalization of certain veterans with a wife or child.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3203(d) of title 38, United States Code, is amended (1) by inserting immediately after "any veteran" the following: "having neither wife nor child", and (2) by striking out paragraph (2) and inserting in lieu thereof the following:

"(2) The provisions of paragraph (1) shall also apply to a veteran being furnished such care who has a wife but whose pension is payable under section 521(b) of this title. In such a case, the Administrator may apportion and pay to the wife, upon an affirmative showing of hardship, all or any part of the pension which the veteran would receive but for this subsection."

SEC. 2. (a) The amendments made by this Act shall not apply to cases in which pension is payable pursuant to section 9 of the Veterans' Pension Act of 1959.

(b) The amendments made by this Act shall take effect on the first day of the first calendar month which begins more than ninety days after the date of enactment of this Act.

With the following committee amendments:

On page 2, beginning on line 4, strike out "pension which the veteran would receive but for this subsection" and insert "amounts in excess of $30 per month which would be payable to the veteran while being furnished such care if pension were payable to him under section 521(c) of this title".

On page 2, line 11, insert "(b) and (c)" after "9".

On page 2, line 14, strike out "ninety" and insert "thirty".

The committee amendments were agreed to.

Mr. TEAGUE of Texas. Mr. Speaker, under the provisions of the Veterans' Pension Act of 1959, Public Law 86-211, a special provision was enacted which provided that no pension payment in excess of $30 a month would be paid to a veteran after the second full calendar month following admission of the veteran to the hospital or domiciliary at the Veterans' Administration's expense; however, in the case of a veteran with a child, children, or wife the amount of his pension otherwise payable could be apportioned to the dependents—wife, child, or children. This action was based upon the recommendation of the Veterans' Administration.

The new reduction principle enunciated in Public Law 86-211 applies to those receiving pension under the new program and is a sound one; however, its application has involved some administrative difficulty and some needless administrative expense. The net result of this bill is to provide that the pension payment will continue to be paid to the veteran who has a wife, child, or children while he is being hospitalized at Veterans' Administration expense instead of going through the somewhat cumbersome procedure of having the Veterans' Administration formally apportion that pension to his wife, child, or children. However, the reduction provision would continue to apply to certain veterans who are not living with nor reasonably contributing to their wives.

Technical amendments have been suggested by the Veterans' Administration which have been adopted. Favorable action on the bill, as amended, is recommended by the Veterans' Administration.

The Veterans' Administration has indicated that the enactment of the bill would not result in any significant change in the program or in cost and would simplify procedure.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PAYMENT OF BENEFITS TO BENEFICIARIES OF DECEASED VETERANS

The Clerk called the bill (H.R. 8415) to change the classes of persons eligible to receive payments of benefits withheld during the lifetime of deceased veterans while being furnished hospital or domiciliary care.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3203(a)(2)(A), title 38, United States Code, is amended by striking out the words "third, if no spouse or child" and all that follows down through "brothers and sisters in equal parts" and inserting in lieu thereof the following: "third, if no spouse or child, then to the dependent parents in equal parts".

SEC. 2. The amendment made by this Act shall also apply to cases in which pension eligibility is subject to the provisions of section 9(b) of the Veterans' Pension Act of 1959.

Mr. TEAGUE of Texas. Mr. Speaker, this bill amends section 3203 of title 38, United States Code, to provide that compensation, pension, or retirement withheld from competent veterans who are receiving from the Veterans' Administration hospitalization, institutional, or domiciliary care may only be paid upon death of the veteran to the spouse, the children, or to the dependent parents. If there are no such persons in the classes named, only so much of the lump sums as is necessary to provide reimbursement for the expense of the last illness and burial would be paid. The proposal removes brothers and sisters and nondependent parents from the permitted class of beneficiaries.

Under existing law when a veteran having neither wife, child, nor dependent parent is furnished hospital treatment by the Veterans' Administration, any compensation or retirement pay which he is receiving continues without reduction until the first day of the seventh month following the date of admission. If the care extends beyond that period and the benefit is $30 a month or less, it continues without reduction; if greater than $30 a month, then the veteran may not receive more than 50 percent; however, upon the veteran's discharge from the hospital, a lump sum of the money withheld is paid to him.

On the other hand, if the veteran dies, payments today go to the spouse, children, father and mother, brothers and sisters. The effect of this legislation removes brothers and sisters and makes the payment applicable only to the spouse, children, and dependent parents.

The Veterans' Administration in formally requesting this enactment estimated a relatively small saving in benefit cost, but the precise amount could not be determined.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WAIVER OF INDEBTEDNESS TO UNITED STATES IN CERTAIN CASES

The Clerk called the bill (H.R. 8802) to amend title 38 of the United States Code to provide for waiver of indebtedness to the United States in certain cases arising out of default on loans guaranteed or made by the Veterans' Administration.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subchapter III of chapter 37 of title 38, United States Code, is amended by adding after the semicolon in section 1820(a)(4) the following: "and the authority to waive or release claims may include partial or total waiver of payment by the veteran or his spouse, following default and loss of the property where the Administrator determines that the default arose out of compelling reasons without fault on the part of the veteran or that collection of the indebtedness would otherwise work a severe hardship upon the veteran;".

Mr. TEAGUE of Texas. Mr. Speaker, this bill would permit waiver of recovery from veterans or their spouses of any indebtedness owed the United States resulting from payment of loan guaranty claims or from default of direct loans under circumstances in which there has been default on the loan and loss of the property and the default arose out of compelling reasons without fault on the part of the veteran or where collection of the indebtedness would otherwise work a severe hardship upon him.

The existing law provides that the Administrator may pay, compromise, waive, or otherwise dispose of claims against the United States in a general manner. But the Veterans' Administration is officially requesting the enactment of this legislation in order to provide for more equitable settlements to veterans who come within the general meaning of the terms of the legislation. The Veterans' Administration believes that administrative action granting total forgiveness of indebtedness would, on the basis of hardship, be questionable without the specific authority which this legislation would provide.

The Veterans' Administration believes that the resulting financial loss to the Government would be small and that any increase in administrative cost would not be significant.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CHANGES IN THE DEPARTMENT OF MEDICINE AND SURGERY OF THE VETERANS' ADMINISTRATION

The Clerk called the bill (H.R. 8992) to amend certain administrative provisions of title 38, United States Code, relating to the Department of Medicine and Surgery in the Veterans' Administration.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title 38 of the United States Code is amended as follows:

(1) Section 233 is amended—

(A) by adding the following at the end of the catchline: "; personal property";

(B) by striking out "and" at the end of subparagraph (3) and inserting "; and" in lieu of the period at the end of subparagraph (4); and

(C) by adding the following new subparagraph

"(5) reimburse employees for the cost of repairing or replacing their personal property damaged or destroyed by patients or domiciliary members while such employees are engaged in the performance of their official duties."

(2) The analysis of chapter 3 regarding section 233 is amended by inserting the following before the period at the end thereof: "; personal property".

Sec. 2. Chapter 17 of title 38 of the United States Code is amended as follows:

(1) By adding at the end of subchapter II the following new section:

"§ 618. Therapeutic and rehabilitative activities

"The Administrator, upon the recommendation of the Chief Medical Director, may utilize the services of patients and members in Veterans' Administration hospitals and domiciliaries for therapeutic and rehabilitative purposes, at nominal remuneration, and such patients and members shall not under these circumstances be held or considered as employees of the United States for any purpose. The Administrator shall prescribe the conditions for the utilization of such services."

(2) The analysis of subchapter II is amended by inserting immediately below

"617. Invalid lift for pensioners."

the following:

"618. Therapeutic and rehabilitative activities."

Sec. 3. Section 4108(a) of title 38 of the United States Code is amended as follows:

"(a) Within the restrictions herein imposed, the Chief Medical Director may rate any physician appointed under paragraph (1) of section 4104, or on a temporary full-time or part-time basis under section 4114(a), of this title as a medical or surgical specialist, and, upon the recommendation of the Assistant Chief Medical Director for Dentistry, may rate any doctor of dental surgery or dental medicine, appointed under paragraph (1) of section 4104, or on a temporary full-time or part-time basis under section 4114(a), of this title as a dental specialist; however, no person shall at any time hold more than one such rating."

Sec. 4. Title 38 of the United States Code is further amended as follows:

(1) Section 4105 is amended by inserting immediately after the words "United States" in paragraph (1) the following: ", except as provided in section 4114".

(2) Section 4114 is amended—

(A) by adding the following at the end of the catchline: "; residencies and internships";

(B) by amending subsection (a) to read as follows:

"(a)(1) The Administrator, upon the recommendation of the Chief Medical Director, may employ, without regard to civil service or classification laws, rules, or regulations—

"(A) physicians, dentists, nurses, dietitians, social workers, librarians, and other professional, clerical, technical, and unskilled personnel (including interns, residents, trainees, and students in medical support programs) on a temporary full-time or part-time basis; and

"(B) physicians, dentists, nurses, and other professional and technical personnel on a fee basis.

"(2) Personnel employed under paragraph (1) of this subsection shall be in addition to personnel described in section 4103, paragraph (1) of section 4104, and section 4111 of this title and shall be paid such rates of pay as the Administrator may prescribe.

"(3)(A) Temporary full-time appointments of physicians, dentists, and nurses may exceed ninety days only if the Chief Medical Director finds that circumstances render it impracticable to obtain the necessary services through appointments under paragraph (1) of section 4104 of this title. Temporary full-time appointments of other personnel shall not exceed ninety days.

"(B) No part-time appointment shall be for a period of more than one year, except for appointments of physicians, dentists, nurses and interns, and residents and other trainees in medical support programs."

(C) By adding the following new subsection:

"(c) When the Chief Medical Director determines that it is not possible to recruit qualified citizens for the necessary services, appointments under this section may be made without regard to the citizenship requirements of section 4105 of this title or of any other law prohibiting the employment of, or payment of compensation to, a person who is not a citizen of the United States."

(3) The analysis of chapter 73 regarding section 4114 is amended by inserting the following before the period at the end thereof: "; residencies and internships".

Mr. TEAGUE of Texas. Mr. Speaker, this bill, which was suggested and formally transmitted to the Congress by the Veterans' Administration, relates entirely to certain administrative provisions affecting the Department of Medicine and Surgery of the Veterans' Administration.

Section 1 would provide relief to an employee in the medical program whose personal property is damaged or destroyed in the performance of his or her duty as the direct result of patients' actions at the hospital or domiciliary. This section would authorize the reimbursement of cost of repair or replacing such property.

Section 2 authorizes the utilization of the services of patients and members in Veterans' Administration hospitals and domiciliaries for therapeutic and rehabilitative purposes without, however, conferring an employment status.

Section 3 of the bill would extend the 15-percent specialty allowance, which is paid to certain doctors, who have passed specialty boards, such as neurology, internal medicine, dentists, and so forth, to temporary full-time or part-time positions who meet the necessary qualifications. At the present time this allowance may be paid only to career personnel.

The last section, section 4, would amend section 4114(a) of title 38, United States Code, and permit the Veterans' Administration to employ persons in the Department of Medicine and Surgery on a temporary full-time, part-time, or fee basis, without regard to the civil service or classification laws, rules, or regulations.

The Veterans' Administration advises that the enactment of this bill would not result in substantial additional cost to the Government.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ESTABLISHING OFFICES OF THE VA IN EUROPE

The Clerk called the bill (H.R. 9561) to amend section 624 of title 38, United States Code, to authorize the furnishing abroad of hospital care and medical services for wartime service-connected disabilities.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. FORD. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

STATUTORY AWARD FOR APHONIA

The Clerk called the bill (H.R. 10066) to amend title 38 of the United States Code to provide additional compensation for veterans suffering the loss or loss of use of both vocal cords, with resulting complete aphonia.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. PELLY. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

ENDOWMENT AT AGE 96—WORLD WAR I TERM INSURANCE

The Clerk called the bill (H.R. 10068) to amend section 742 of title 38, United States Code, to permit veterans holding U.S. Government life insurance to exchange such insurance for a policy providing death protection only, with correspondingly reduced premiums.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. FORD. Mr. Speaker, reserving the right to object, I would like to ask some questions concerning this legislation. It seems to be very comprehensive legislation that might have far-reaching results. It appears that unless some helpful statement can be made at this time, we ought to pass it over and take a look at it before the next call of the Consent Calendar.

Mr. TEAGUE of Texas. Mr. Speaker, I might say to the gentleman that the mail which Members receive concerning insurance always pertains to World War II veterans, but the mail which the committee receives pertaining to insurance is for World War I veterans who say that they cannot afford to continue their term insurance, and they cannot afford to drop it.

Mr. Speaker, this bill was suggested by the Veterans' Administration to deal with this problem. It does not cost additional money. It is an attempt to answer the problem of these older veterans who did not convert their policies but who have reached a point where it is so expensive they cannot afford to continue it, and they cannot afford to drop their insurance.

Mr. Speaker, I would say to the gentleman that this has been very carefully considered. It was reported unanimously by the subcommittee as well as by the full committee.

Mr. FORD. Mr. Speaker, does it have a retroactive effect?

Mr. TEAGUE of Texas. No, it does not.

Mr. FORD. Mr. Speaker, I withdraw my reservation.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 742 of title 38, United States Code, is amended by inserting the subsection designation "(a)" immediately before "Regulations", and by adding at the end thereof the following:

"(b) Any person holding insurance on the five year level premium term plan who has attained the age of sixty-five years may convert such insurance to a policy of level premium term to age ninety-six insurance, providing death protection only and having no cash or other values. Premiums for such insurance, settlements thereon involving annuities, and all other calculations on such insurance shall be based on such mortality tables and rate of interest as the Administrator may prescribe."

With the following committee amendments:

Strike out all after the enacting clause and insert the following: "That section 742 of title 38, United States Code, is amended (1) by inserting '(a)' immediately before 'Regulations'; and (2) by adding at the end thereof the following:

"'(b) An insured who on or after his sixty-fifth birthday has a five-year level premium term policy of insurance in force by payment of premiums may exchange such policy for insurance on a special endowment at age ninety-six plan upon written application; payment of the required premium; and surrender of the five-year level premium term policy and any total disability provision attached thereto with all rights, title, and interest thereunder. However, if it is found by the Administrator subsequent to the exchange that prior thereto the term policy matured because of total permanent disability of the insured or that he was entitled to total disability benefits under the total disability provision attached to such policy, the insured, upon surrender of the special endowment at age ninety-six policy and any provision for waiver of premiums issued under subsection (c) of this section with all rights, title, and interest thereunder, will be entitled to benefits payable under the prior contract. In such case, the cash value less any indebtedness on the endowment policy shall be refunded together with any premiums paid on a provision for waiver of premiums. Insurance on the special endowment at age ninety-six plan shall be issued at the attained age of the insured upon the same terms and conditions as are contained in standard policies of United States Government Life Insurance except:

"'(1) the insurance shall not mature and no benefits shall be paid thereunder because of total permanent disability;

"'(2) the premiums for such insurance shall be as prescribed by the Administrator;

"'(3) such insurance cannot be exchanged, converted, or reconverted to any other plan of insurance;

"'(4) all cash, loan, paid-up, and extended term insurance values shall be as prescribed by the Administrator; and

"'(5) the insurance shall be subject to such other changes in terms and conditions as the Administrator determines to be reasonable and practicable.

"'(c) The Administrator shall, upon application made by the insured at the same time as he exchanges his term policy for an endowment policy issued under the provisions of subsection (b) of this section, and upon payment of such extra premium as the Administrator shall prescribe, include in such endowment policy a provision for waiver of premiums on the policy and on the provision during the total permanent disability of the insured, if such disability began after the date of such application and while the policy and the provision are in force by payment of premiums. The Administrator shall not grant waiver of any premium becoming due more than one year before receipt in the Veterans' Administration of claim for the same, except as provided in this subsection. Any premiums paid for months during which waiver is effective shall be refunded. The Administrator shall provide by regulations for examination or reexamination of an insured claiming waiver of premiums under this subsection, and may deny waiver for failure to cooperate. If it is found that an insured is no longer totally and permanently disabled, the waiver of premiums shall cease as of the date of such finding and the policy and provision may be continued by payment of premiums as provided therein. In any case in which the Administrator finds that the insured's failure to make timely claim for waiver of premiums, or his failure to submit satisfactory evidence of the existence or continuance of total permanent disability was due to circumstances beyond his control, the Administrator may grant waiver or continuance of waiver of premiums. If the insured dies without filing claim for waiver, the beneficiary, within one year after the death of the insured, or, if the beneficiary is insane or a minor, within one year after removal of such legal disability, may file claim for waiver with evidence of the insured's right to waiver under this subsection. Policies containing a provision for waiver of premiums issued under this subsection may be separately classified for the

purpose of dividend distribution from otherwise similar policies not containing such provisions.'"

The committee amendments were agreed to.

Mr. TEAGUE of Texas. Mr. Speaker, this bill permits any one of the approximately 14,000 World War I term policyholders of U.S. Government life insurance, upon attaining 65, to exchange his policy for a new type of policy called endowment at age 96. The premiums on the new policy are as indicated in the table reproduced below:

Premium rates per $1,000 insurance for special endowment at 96

Age at issue	Monthly		Quarterly		Semiannual		Annual	
	Without premium waiver	With premium waiver	Without premium waiver	With premium waiver	Without premium waiver	With premium waiver	Without premium waiver	With premium waiver
65	$2.70	$3.77	$8.08	$11.28	$16.08	$22.40	$31.80	$44.53
66	2.77	3.93	8.29	11.76	[illegible]	23.41	32.72	46.42
67	2.85	4.13	8.53	12.29	[illegible]	24.48	33.62	48.53
68	2.94	4.30	8.79	12.86	17.61	25.62	34.73	[illegible]
69	3.03	4.48	9.06	13.40	[illegible]	26.69	35.79	[illegible]
70	3.14	4.68	9.39	14.00	18.71	27.88	37.09	[illegible]
71	3.26	4.88	9.75	14.60	19.42	29.07	38.51	[illegible]
72	3.40	5.08	10.17	15.20	20.25	30.26	40.19	[illegible]
73	3.56	5.29	10.65	15.82	21.21	31.51	42.03	[illegible]
74	3.76	5.54	11.25	16.57	22.40	33.00	44.42	[illegible]
75	4.01	5.80	12.00	17.53	23.90	34.91	47.43	[illegible]
76	4.30	6.23	12.86	18.64	25.62	37.11	50.90	[illegible]
77	4.65	6.69	13.91	20.01	27.70	39.87	54.93	[illegible]
78	5.07	7.26	15.17	21.72	30.20	43.29	[illegible]	[illegible]
79	5.58	7.95	16.69	23.78	33.24	47.50	65.92	[illegible]
80	6.18	8.74	18.49	26.15	36.82	52.07	[illegible]	108.24
81	6.90	9.72	20.64	29.08	41.10	57.94	81.51	119.82
82	7.75	10.87	23.18	32.52	46.17	64.78	91.55	128.41
83	8.77	12.23	26.23	36.59	52.24	72.86	103.60	144.47
84	9.99	13.84	29.88	41.40	59.51	82.47	118.01	163.49
85	11.49	15.93	34.37	47.65	68.45	94.94	135.74	188.18
86	13.50	18.63	40.38	55.73	80.42	110.98	159.47	220.07
87	16.16	21.98	45.35	63.06	90.31	125.58	179.08	249.02
88	19.33	25.15	48.85	69.25	97.28	137.91	192.90	293.42
89	17.66	25.53	52.83	76.37	105.20	152.09	208.62	301.56
90	19.22	28.90	57.50	84.00	114.50	168.59	227.04	334.30

NOTE.—This policy is available only at ages 65 or over as a conversion from a USGLI 5-year term.

For many years the Committee on Veterans' Affairs has been greatly concerned with the problem of granting some relief to the holders of term insurance who have reached advanced ages and who are paying rates which may be described as prohibitive. Presumably, the policyholders continue to pay for this high-cost protection because of their desire to give their widows or some member of their family a cash benefit at the time of their death. The exceedingly high rates which must be charged on this insurance, and which increase with each 5-year renewal, are graphically shown on the table reproduced below:

U.S. Government life insurance—Comparison of annual premiums per $1,000 insurance

Age at issue	Special endowment at age 96		Regular U.S. Government life insurance premiums for comparison purposes	
	Without premium waiver	With premium waiver	5-year term (net after dividends)	Book rates, 5-year term
65	$31.80	$44.53	$34.00	$46.78
70	37.09	55.28	54.29	72.77
75	47.37	69.22	82.96	111.16
80	73.00	103.24	132.08	176.96
85	153.73	198.18	206.23	302.92
90	227.04	334.30	------	682.78

NOTE.—The premiums on the endowment policy are set at issue and remain the same throughout the duration of the contract.

The committee has been urged on numerous occasions to freeze the premiums of these policyholders at a given age or to provide them with paidup policies. Both of these proposals would be unfair to the other policyholders not similarly well treated. In addition it would cost approximately $75 million to meet the deficiency in the trust fund should any one of these two alternatives be adopted. The committee felt it was unwise to report or seriously consider a benefit this costly for such a limited group of veterans.

In all World War I term policies there is a clause which provides that when the veteran becomes permanently and totally disabled at any age the policy matures, premiums are waived, and the individual is entitled to receive $5.75 each month during the period of disability for each $1,000 of insurance. This payment reduces the face value of the policy but continues so long as the disability exists even though the face value of the policy is exceeded.

The new policy provides death protection only and will not mature because of permanent total disability. However, the new policy may be issued either with or without a permanent total disability waiver of premium rider. Those who add the rider will, of course, pay an added premium for it.

The bill authorizes three basic changes in the present policy carried by World War I term policyholders. First, the premiums would remain constant; they would not increase every 5 years as term policies do. Secondly, the permament and total disability features would be removed; and lastly, the policy would have cash surrender, loan, paidup, and extended values which term policies do not provide.

The bill, as reported, which embraces the basic amendments suggested by the Veterans' Administration, is a real step forward and meets a longstanding need of the veteran in this particular group. Appreciation is due Mr. William Poissant, chief actuary of the Department of Insurance of the Veterans' Administration, who originated this proposal. He is to be commended for this positive approach in solving a long-term problem.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to amend section 742 of title 38, United States Code, to permit the exchange of five-year term policies of United States Government life insurance to a special endowment at age ninety-six plan."

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. TEAGUE of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks in the RECORD concerning the veterans' bills which will be considered today and passed.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

ASSIGNMENT OF NATIONAL SERVICE LIFE INSURANCE

The Clerk called the bill (H.R. 10669) to liberalize the provisions of title 38, United States Code, relating to the assignment of national service life insurance.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 718 of title 38, United States Code, is amended (1) by inserting "(a)" before the first sentence; (2) by adding "The provisions of this subsection shall not be applicable to insurance maturing on or after the date of enactment of this amendatory Act" at the end of subsection (a); and (3) by adding the following new subsection:

"(b) Except as to insurance granted under the provisions of section 722(b) of this title, any person to whom insurance maturing on or after the date of enactment of this amendatory Act is payable may assign all or any portion of his interest in such insurance to a widow, widower, child, father, mother, grandfather, grandmother, brother, or sister of the insured when the designated contingent beneficiary, if any, joins the beneficiary in the assignment. Such joinder shall not be required in any case in which the insurance proceeds are payable in a lump sum."

With the following committee amendments:

On page 1, line 7, strike out "amendatory Act" and insert in lieu thereof "sentence".

On page 2, line 4, strike out "amendatory Act" and insert in lieu thereof "sentence".

The committee amendments were agreed to.

Mr. TEAGUE of Texas. Mr. Speaker, this proposal, suggested by the Veterans' Administration and formally transmitted to the Congress, broadens the assignment provisions of national service life insurance available to World War II veterans. The amendments adopted by the committee are technical in nature, and

make no change in the substance of the bill.

It is a view of the Veterans' Administration that assignment should be permitted by any person entitled to insurance benefits whether such person is the principal or contingent beneficiary and that such assigment should be permitted whether delivered to the VA before or after payments of the insurance are made. Today, under existing law, an assignment may be made only by a designated principal beneficiary to a permitted class of relatives of the insured—widow, widower, child, father, mother, grandfather, grandmother, brother, or sister; designated contingent beneficiaries if any, must join in the assignment; and the assignment must be delivered to the Veterans' Administration before any payments of the insurance have been made to the beneficiary.

The bill would be applicable only to insurance maturing on or after the date of enactment. It would not have any adverse effect on the national service trust fund nor would it result in any additional benefit cost to the Government. Little or no additional administrative costs would be involved.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FUNDS FOR STATE CHARITABLE INSTITUTIONS, WASHINGTON

The Clerk called the bill (H.R. 8030) to amend the act admitting the State of Washington into the Union in order to authorize the use of funds from the disposition of certain lands for the construction of State charitable, educational, penal, or reformatory institutions.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to provide for the division of Dakota into two States and to enable the people of North Dakota, South Dakota, Montana, and Washington to form constitutions and State governments and to be admitted into the Union on an equal footing with the original States and to make donations of public lands to such States", approved February 22, 1889 (25 Stat. 676, as amended), is amended by inserting before the period at the end of the first sentence in the fourth paragraph of section 11 a comma and the following: "except that proceeds from the sale and other permanent disposition of the two hundred thousand acres granted to the State of Washington for State charitable, educational, penal, and reformatory institutions may be used by such State for the construction of any such institution".

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

THEODORE ROOSEVELT BIRTHPLACE

The Clerk called the bill (H.R. 8484) to authorize establishment of the Theodore Roosevelt Birthplace and Sagamore Hill National Historic Sites, N.Y., and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to preserve in public ownership historically significant properties associated with the life of Theodore Roosevelt, the Secretary of the Interior may acquire, by donation from the Theodore Roosevelt Association, the sites and structures known as the Theodore Roosevelt House situated at Twenty-eight and Twenty-six East Twentieth Street, New York City, consisting of approximately one and one-tenth acres, and Sagamore Hill, consisting of not to exceed ninety acres, and the improvements thereon, together with the furnishings and other contents of the structures.

SEC. 2. (a) In accordance with the Act entitled "An Act to create a National Park Trust Fund Board, and for other purposes", approved July 10, 1935 (49 Stat. 477), as amended, the National Park Trust Fund Board may accept from the Theodore Roosevelt Association $500,000 and such additional amounts as the association may tender from the endowment fund under its control, which funds, when accepted, shall be utilized only for the purposes of the historic sites established pursuant to this Act.

(b) Nothing in this Act shall limit the authority of the Secretary of the Interior under other provisions of law to accept in the name of the United States donations of property.

SEC. 3. When lands, interests in lands, improvements, and other properties comprising the Theodore Roosevelt Birthplace and Sagamore Hill, as authorized for acquisition by section 1 of this Act, and a portion of the endowment fund in the amount of $500,000 have been transferred to the United States, the Secretary of the Interior shall establish the Theodore Roosevelt Birthplace and Sagamore Hill National Historic Sites by publication of notice thereof in the Federal Register.

SEC. 4. The Secretary of the Interior shall administer, protect, and develop the Theodore Roosevelt Birthplace and Sagamore Hill National Historic Sites in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1 and the following), as amended and supplemented.

SEC. 5. The executive committee of the Theodore Roosevelt Association, having by its patriotic and active interest preserved for posterity these important historical sites, buildings, and objects, shall, upon establishment of the Theodore Roosevelt Birthplace and Sagamore Hill National Historic Sites, serve in an advisory capacity to the Secretary of the Interior in matters relating to their preservation.

SEC. 6. There are authorized to be appropriated such sums as are necessary to accomplish the purposes of this Act.

With the following committee amendments:

Page 1, lines 9 and 10, strike out the words "one and one-tenth acres," and insert in lieu thereof "eleven one-hundredths of an acre,"

Page 2, line 1, strike out the word "acres," and insert in lieu thereof "acres at Cove Neck, Oyster Bay, Long Island,".

Page 2, line 9, before the words "the endowment" insert "time to time from".

Page 3, line 6, Strike out all of section 5 and insert in lieu thereof the following:

"SEC. 5. The Theodore Roosevelt Association, having by its patriotic and active interest preserved for posterity these important historic sites, buildings, and objects, shall, upon establishment of the Theodore Roosevelt Birthplace and Sagamore Hill National Historic Sites be consulted by the Secretary of the Interior in the establishment of an advisory committee or committees for matters relating to the perservation, development, and management of the Theodore Roosevelt Birthplace and Sagamore Hill National Historic Sites.

Page 3, line 12, strike out all of section 6 and insert in lieu thereof the following:

"SEC. 6. The Act entitled 'An Act to incorporate the Roosevelt Memorial Association' approved on May 31, 1920 (41 Stat. 691) as amended by the Act approved on May 21, 1953 (67 Stat. 27), which changed the name of such corporation to the Theodore Roosevelt Association, and by the Act approved on March 29, 1956 (70 Stat. 60), which permitted such corporation to consolidate with Women's Theodore Roosevelt Association, Inc., is hereby further amended by adding to Section 3 thereof a new subdivision as follows:

"'(4) The donation of real and personal property, including part or all of its endowment fund, to a public agency or public agencies for the purpose of preserving in public ownership historically significant properties associated with the life of Theodore Roosevelt.'

and by deleting the word 'and' at the end of subdivision (2) of section 3."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that all Members desiring to do so may extend their remarks on the bill just passed at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. RUTHERFORD. Mr. Speaker, the merits of this bill are so clear that I shall not speak for more than a few minutes. A month or 6 weeks ago, I went with four of my colleagues on the Interior and Insular Affairs Committee to visit Theodore Roosevelt's birthplace on East 20th Street in New York City and his home at Sagamore Hill, Long Island. We were impressed, first, with the kindness and hospitality with which we were received by such distinguished citizens as Mrs. Richard Derby, youngest daughter of Theodore Roosevelt; Mr. Oscar S. Straus, grandson of his Secretary of the Navy; and Mrs. Reginald P. Rose, chairman of the Sagamore Hill Committee.

We were impressed, secondly, with the magnificent job that the Theodore Roosevelt Association has done over the years not only in maintaining and preserving Sagamore Hill and its invaluable contents—Theodore Roosevelt's furniture, his trophies, his books, his pictures—but also in rebuilding his birthplace and filling it and the adjoining home of his Uncle Robert with mementos of his life. And we were impressed, in the third place, with the rare opportunity which the offer of the Theodore Roosevelt Association to donate these properties and a fund of $500,000 or more to the American Government presents. Like the chairman of our full Committee on Interior and Insular Affairs, I say that this bill deserves to pass by a unanimous vote of the House.

In so saying, however, I realize that some Members of the House will be wondering what the cost of upkeep will be.

The estimate given us by the National Park Service experts is that it may run, at current prices, to $95,000 a year. In addition, about $325,000—a somewhat more generous estimate than others have made—may be needed for certain developments at Sagamore Hill—reconstruction and restoration of outbuildings, provision for the accommodation of visitors, and the establishment of nature trails on some of the 85 acres on which the home stands. I may ask, parenthetically, what better way of marking Theodore Roosevelt's love of the outdoors there could be than this.

Even if all this cost had to be borne by the Treasury, it would be a small price to pay in tribute to a great American. But, as I have already said, the Theodore Roosevelt Association has offered to donate a fund of more than $500,000 to the Government along with the buildings, furnishings and land. This fund and the income which will be derived from visitors' fees, if they are charged, will go a long way toward meeting these costs.

The bill contains no new or unusual features that require discussion. The Committee amendments were all suggested or concurred in by officers of the Theodore Roosevelt Association and by officials of the National Park Service. I may, however, call particular attention to the amendment to section 5 of the bill which provides that the Secretary of the Interior shall consult with the Theodore Roosevelt Association in establishing an advisory committee to work with him in preserving, developing, and managing the two Theodore Roosevelt historic sites. I think that such a committee will serve a useful purpose and will assure the continued interest and support of those who, up to now, have contributed so generously to preserving his memory and his possessions.

There is no doubt, Mr. Speaker, that Theodore Roosevelt is one of the great Presidents of the United States. His life as an author, a statesman, a soldier, a conservationist—all these are made clear at Sagamore Hill and at his birthplace. I treasure the memory of my visit to those places. I want others, now and in the future, to have the same opportunity and the same pleasure that I had. They will be better Americans for it.

I, therefore, recommend that the House pass the bill, as amended.

Mr. ASPINALL. Mr. Speaker, among the many great men who have occupied the Presidential chair from the beginning of the Republic until the present, there are few who could match, and none that I can think of during the 20th century who could excel, Theodore Roosevelt in versatility, in range of interest, and in forcefulness of leadership. He is clearly the outstanding President of the long years between the end of the Civil War and the beginning of World War I. The whole country is indebted to him, and we from the West especially so.

I am, for this reason, especially glad to commend to the House the enactment of H.R. 8484 by our colleague, the gentleman from Texas, Congressman RUTHERFORD, and to note that its companions are H.R. 8486 by the gentleman from Pennsylvania, Congressman SAYLOR, H.R. 8487 by the gentleman from Colorado, Congressman CHENOWETH, House Joint Resolution 539 by the gentleman from New York, Congressman LINDSAY, and my own H.R. 8485.

Sagamore Hill on Long Island is a place name familiar to all of us. It was Theodore Roosevelt's home from 1884 until his death in 1919. It is now owned by the Theodore Roosevelt Association. The association believes, and I thoroughly agree, that it deserves to be taken into public ownership and to be preserved in perpetuity as a national historic site. Sagamore Hill itself, the Theodore Roosevelt birthplace in New York City, and a substantial endowment fund are all being offered as gifts to the American people. H.R. 8484 will authorize acceptance of these gifts and the maintenance of the two homes for the benefit and inspiration of the public by the National Park Service.

I know that many Members on both sides of the aisle will want the opportunity to pay tribute, even if it is the presentation of just a few remarks to the memory of Theodore Roosevelt. The permission I have just obtained will permit them to do so. For myself, I say only that this is a good bill—a bill which I am pleased has had the unanimous support of the House.

IMPORTATION OF HONEY BEES

The Clerk called the bill (H.R. 8050) to amend the act relating to the importation of adult honey bees.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act of August 31, 1922 (42 Stat. 833; 7 U.S.C. 281), is amended to read as follows:

"SECTION 1. In order to prevent the introduction and spread of diseases dangerous to the adult honeybee, the importation into the United States of all honeybees of the genus Apis in the adult stage is hereby prohibited, and all adult honeybees offered for import into the United States shall be destroyed if not immediately exported: *Provided*, That such adult honeybees may be imported into the United States by the United States Department of Agriculture for experimental or scientific purposes: *Provided further*, That such adult honeybees may be imported into the United States from countries in which the Secretary of Agriculture shall determine that no diseases dangerous to adult honeybees exist and that adequate precautions have been taken by such countries to prevent the importation of honeybees from countries where such dangerous diseases exist, under rules and regulations prescribed by the Secretary of the Treasury and the Secretary of Agriculture."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING THE EXCHANGE OF CERTAIN LANDS AT ANTIETAM NATIONAL BATTLEFIELD SITE

The Clerk called the bill (H.R. 10098) to authorize the exchange of certain lands at Antietam National Battlefield site.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That effective January 1, 1963, the Whitman National Monument, established pursuant to the Act of June 29, 1936 (49 Stat. 2028; 16 U.S.C. 433k–433m), shall be known as the Whitman Mission National Historic Site.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TRIAL BOARDS FOR THE U.S. PARK POLICE

The Clerk called the bill (H.R. 8567) to authorize the Secretary of the Interior to create trial boards for the U.S. Park Police, and for other purposes.

Mr. FORD. Mr. Speaker, it is my understanding that this proposal is scheduled for consideration under suspension today. Therefore I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

EMERGENCY LOANS TO OYSTER PLANTERS

The Clerk called the bill (H.R. 946) to extend to oyster planters the benefits of the provisions of the present law which provide for production disaster loans for farmers and stockmen.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of section 2(a) of the Act entitled "An Act to abolish the Regional Agricultural Credit Corporation of Washington, District of Columbia, and transfer its functions to the Secretary of Agriculture, to authorize the Secretary of Agriculture to make disaster loans, and for other purposes", approved April 6, 1949, as amended (12 U.S.C. 1148a 2(a)), is amended to read as follows: "The Secretary is authorized to make loans (1) to farmers and stockmen for any agricultural purpose and (2) to oyster planters for any purpose relating to the planting, cultivation, and growing of oysters, in any area or region where he finds that a production disaster has caused a need for credit for such a purpose which is not readily available from commercial banks, cooperative lending agencies, or other responsible sources."

With the following committee amendment:

Strike out all after the enacting clause and insert: "That subsection (b) of section 321 of the Consolidated Farmers Home Administration Act of 1961 is amended by striking out 'farmers or ranchers' and inserting 'farmers, ranchers, or oyster planters' and by striking out 'farming or ranching' and inserting 'farming, ranching, or oyster planting.'"

The committee amendment was agreed to.

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. JOHNSON] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. JOHNSON of Maryland. Mr. Speaker, I rise in support of H.R. 946. After making a most careful study of existing legislative proposals on the provision of disaster loans to our farmers—and this includes oyster planters—in an effort to determine if our oyster planters who were confronted with difficulties by the mysterious "virus X" could qualify in disaster loan programs sponsored by the Government.

While the incursion of this deadly virus has not to date noticeably affected our oyster planters, the neighboring waters of Virginia have felt the impact of this deadly virus and I am apprehensive lest our adjacent waters are likewise affected.

Mr. DOWNING's measure, H.R. 946, would end loan discrimination against oyster planters. My study reveals oyster planters have been excluded from various disaster loan programs.

I can remember too well the extensive damage that two hurricanes have brought to our dirt and oyster farmers. The economy of my district suffered serious damage, particularly our oyster farmers. While we have a public law which makes a source of credit available to dirt farmers, our oyster farmers are entitled to no such relief. Mr. DOWNING's measure rectifies this injustice and I wholeheartedly support the passage of this bill.

Mr. LANKFORD. Mr. Speaker, the action taken by the House today in approving H.R. 946 is of great importance to the Fifth District of Maryland.

Farming of oysters is a major industry in the estuaries of my district, as it is in the estuaries of almost every coastal State. The oyster planter is an underwater farmer. He either buys or produces his own seed, which he plants on his growing beds. The success of oyster planting is adversely affected by unfavorable weather conditions in the same way as land farming. Severe storms damage the beds and the oysters planted on them. In such cases the oysters resting on the leased bottoms are covered with a deposit of sand and mud so that they are smothered and die, or the oysters may actually be swept off the hard grounds onto the adjacent soft mud where they sink into the bottom. The bottoms themselves are frequently rendered unsuitable for future planting without extensive restoration work by the planter. Some planted beds of oysters have been killed by a sharp drop in salinity brought about by the torrential rains which accompany hurricanes. Such a loss was sustained by oyster planters some years ago in our sister Chesapeake State of Virginia. Oysters can live in brackish waters with a salinity of about five parts of salt to a thousand parts of water. If the salt content is reduced below this level for any extended period of time, these wonderful bivalves cannot survive. During a hurricane the vast amount of fresh water flowing down a river, such as the Potomac, could greatly dilute the salt and be just as destructive to oysters as if they were covered with silt and mud. The parallel to the problems of the land farmer is striking indeed.

Oysters are the only cultivated marine animals in the waters of the United States. Since oysters are sedentary for all their adult life, they remain on the bottom locations where they are laid down by the planter. This single characteristic has made possible the development of marine underwater farming. There is every expectancy that the crop will remain where it is planted until it is ready for harvesting, unless it is moved by man or moved or destroyed by storms.

Today, our oyster planters, who are so important to the future development of our marine food resources, are not afforded the assistance from the Federal Government needed for them to recover from natural disasters. H.R. 946 provides this assistance by placing oyster planters in the same category as land farmers under the provisions of the Consolidated Farmers Home Administration Act. No additional appropriations are needed now to effectuate this legislation since emergency loans to planters would be within the total funds authorized each year by the Congress to the Farmers Home Administration. Personally, it is my fervent hope that oyster planters are never forced to use the provisions of this legislation. They are independent, responsible, hard-working people who are used to handling their affairs very much like the land farmers in this great land of ours. But when disaster strikes from natural forces beyond their control, I feel they deserve to have the same consideration and Federal support as the land farmer would have in comparable circumstances.

The need for this legislation is urgent. The recent coastal disaster which damaged shellfish all the way from New York to North Carolina is an excellent example of the need. There is every reason to believe that comparable storms will occur in the future. We should be prepared to help these farmers of the sea to restore their unique business.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CERTIFICATES OF CITIZENSHIP IN THE CANAL ZONE

The Clerk called the bill (H.R. 9351) to authorize the issuance of certificates of citizenship in the Canal Zone.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 101(a)(38) of the Immigration and Nationality Act (66 Stat. 171; 8 U.S.C. 1101(a)(38)), is amended by adding thereto the following sentence: "For the purpose of issuing certificates of citizenship to persons who are citizens of the United States by virtue of section 303 of this Act, the term 'United States' as used in section 341 of this Act includes the Canal Zone."

With the following committee amendment:

On line 7, after the words "United States" strike out "by virtue of section 303 of this Act".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REGULATION OF TEXTILE IMPORTS

The Clerk called the bill (H.R. 10788) to amend section 204 of the Agricultural Act of 1956.

Mr. FORD. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

Mr. CURTIS of Missouri. Mr. Speaker, reserving the right to object, it seems to me that a bill of this extensive nature has no business on the Consent Calendar. I understand it is also listed for consideration under suspension. And it is my understanding that it will not be brought up under suspension today. I would like to see it withdrawn from the Consent Calendar. And in order to start it on its way, I would object.

Mr. FORD. Mr. Speaker, I withdraw my unanimous-consent request that the bill be passed over without prejudice, so that those who want to object may do so at this point.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. CURTIS of Missouri. Mr. Speaker, I object.

Mr. GROSS. Mr. Speaker, I object.

H.R. 10788

Mr. FINDLEY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. FINDLEY. Mr. Speaker, one of the most widely heralded proposals before this session of Congress is the one to increase Presidential authority to lower tariffs.

From studying the avalanche of material emanating from the State Department and the White House, one might conclude that the goal of the administration is a greater degree of free trade among nations.

H.R. 10788 should make us all pause and wonder just what is afoot.

Testifying in behalf of this bill before the Committee on Agriculture on March 23, Assistant Secretary of Commerce Hickman Price, Jr., had this to say:

I appear here today to provide you with the view of the Department of Commerce and of the departments represented on the Interagency Textile Administrative Committee in support of H.R. 10788, introduced by the chairman to amend section 204 of the Agricultural Act of 1956.

The Interagency Textile Administrative Committee was established by the President's Cabinet Textile Advisory Committee at the direction of the President to carry out the rights and obligations of the United States under the short-term arrangement relating to international trade in cotton textiles and textile products provided for in the International Textile Agreement of July 21, 1961, at Geneva. The Departments represented are State, Treasury, Agriculture, Labor, and Commerce.

At the direction of the President, acting under authority of section 204 of the Agricultural Act of 1956, which we now seek to amend, the State Department called a conference of the principal countries engaged in importing and exporting cotton textiles. The conference agreed upon the short term arrangement mentioned above which provides for the orderly international marketing of textiles between participating countries for a period of 1 year ending September 30, 1962. A long term cotton textile arrangement, expected to come into force on October 1, 1962, was later drafted.

In both arrangements, provisions permit the United States to take action to prevent trade with nonparticipants in the arrangements from frustrating the purposes of the arrangements. Participants will undertake under the terms of the arrangement not to export in amounts sufficient to disrupt the markets of importing countries.

The amendment to section 204 which would be provided by the enactment of H.R. 10788 now under consideration would clearly establish the authority of the President to prevent a minority of countries engaged in textile trade who are not participants to the arrangements to gain an advantage over the participants in the competition for our textile markets.

Probable shipments from nonparticipants in volume which may be sufficient to jeopardize the orderly marketing provided by the arrangements have been brought to our attention and we urge your early and favorable action on H.R. 10788 to provide clear authority in the President to deal with such action.

This legislation would clarify Presidential authority to help rig the world cotton textile market through multination agreement and to discriminate against cotton from nations not in the deal.

All this started innocently enough back in the 1930's when Government established an acreage control and price-support program to help the cotton farmer. One thing led to another, because controls beget controls. Artificial pricing led to export subsidies. Export subsidies gave foreign textile mills an unfair advantage over U.S. mills.

In this bill we have the most colossal offspring of all: legislative authority for a program aimed at rigging cotton textile markets on an international scale.

This smacks of the discriminatory quota and cartel schemes which have already supplanted tariffs as regulators of a great portion of world commerce.

The prize example in the United States is our sugar quota system. Government decides who gets how much of U.S. sugar business. Sugar trade has become part and parcel of foreign policy, and the private enterprise market in U.S. sugar is almost a thing of the past. The consumer pays the penalty, and our rigged markets irritate sugar producers and would-be producers not in the favored circle.

Is this where we are headed in the New Frontier foreign trade program? Are we to scrap the equitable, honest, and open tariff system in favor of deals worked out by Executive authority, deals like the one just concluded in cotton?

Secretary of State Dean Rusk, speaking February 21, 1962, at the Chamber of Commerce of Charlotte, N.C., had this to say:

Either we believe in capitalism, in the freedom of individual enterprise, or we do not. And we do not if we hold with massive Government intervention to distort and freeze the operation of the market. If we look to Government to rig the game, we may as well look to it to play the hands. If we mean to discourage the forces of free enterprise all around the world, I can think of no better way of doing it—without even stirring from our chairs—than to shrink from competition behind unrealistic tariff walls.

How can Mr. Rusk reconcile this statement with his Department's support of H.R. 10788? Are we not, in this bill, shrinking from competition behind quotas? Are we not indeed violating our most-favored-nation policy in foreign trade?

To paraphrase Mr. Rusk: Either we believe in free trade or we do not. And we do not, if we hold with massive Government intervention to distort and freeze the operation of the world cotton textile market.

If we look to Government to rig the game, we may as well look to it to play the hands. If we mean to discourage the forces of free enterprise all around the world, I can think of no better way of doing it—without even stirring from our chairs—than to shrink from competition behind quotas.

PAYMENTS OF COSTS OF RESEARCH AT UNIVERSITIES

The Clerk called the bill (H.R. 6984) to provide for a method of payment of indirect costs of research and development contracted by the Federal Government at universities, colleges, and other educational institutions.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. FORD. Mr. Speaker, reserving the right to object, I am very familiar with a number of instances where there might be a controversy concerning this legislation. Perhaps the gentleman from Wisconsin has a comment or two; and I yield to him at this time.

Mr. LAIRD. Mr. Speaker, I believe this legislation should be studied very carefully. The House of Representatives took action just this last week to limit again the overhead costs as far as research grants in the Department of HEW are concerned, particularly at the National Institutes of Health, to 15 percent. Personally I favor a 20-percent limitation as far as these costs are concerned. The whole matter is presently under study by the various subcommittees on appropriations, because we have the Department of Defense granting indirect costs up to 100 and 121 percent. I think this whole matter should be gone into very carefully. I believe this bill should be looked at thoroughly and not considered under the procedure of the Consent Calendar.

Mr. SMITH of Iowa. Mr. Speaker, will the gentleman yield?

Mr. FORD. I yield to the gentleman from Iowa.

Mr. SMITH of Iowa. This bill has nothing to do with the percentage to be allowed. It does not change that in any ways. It just provides that the estimated amount will be the amount paid. The total amount to be paid will not be changed.

Mr. LAIRD. If you will notice the report, Wilbur J. Cohen, Assistant Secretary of the Department of Health, Education, and Welfare, makes it very clear that the bill does not apply to that department because of the 15 percent limitation which is written into the appropriation act for that particular department. There is consideration at the present time about writing similar legislation into all of the appropriation acts so that we will have a specific figure set in all the departments of the Government.

Mr. MEADER. Mr. Speaker, will the gentleman yield?

Mr. FORD. I yield to the gentleman from Michigan.

Mr. MEADER. This bill was reported unanimously by the Committee on Government Operations as the result of hearings and in response to an appeal by the American Council on Education. It happens that the University of Michigan has had to wrestle with this problem. It arises because in January of 1956 the Comptroller General in a ruling provided that under cost-type research contracts there could not be a fixed rate for a certain percentage of administrative costs agreed upon between the Government agency and the educational institution conducting the research, because of a provision of a general bill which would prohibit the cost-plus-a-percentage-of-cost type of contract. The Comptroller General appeared before the committee and had no objection to this bill. The reason for asking for this authority in the research contract is that at the present time an estimate is made of indirect cost. Then after the research contract is fulfilled and completed, there is in effect a renegotiation of the indirect cost which may result in increasing the allowance on indirect cost or decreasing it. But in the meanwhile, in addition to all of the bookkeeping and auditing required in this procedure, the institutions are unsettled as to their own budgeting of their affairs, because they do not know just what they are eventually going to receive. This bill would be of benefit both to the Federal Government and to the research institutions. They would have definite knowledge of what they were going to receive. It would be subject to negotiation, of course.

Mr. LAIRD. Mr. Speaker, if the gentleman will yield further, the gentleman from Michigan has made a point which bears on my discussion of the bill. I feel that we should have a uniform policy in the Government. We will have some paying 50 percent, some 58 percent, and some 15 percent. The point I am making is whether you negotiate before or after; I believe a uniform indirect cost rate should be established. One department should not have one particular limitation and another department have an open-end proposition. I believe this whole matter needs careful and thorough study by the Congress.

Mr. MEADER. Is it the interpretation of the gentleman from Wisconsin that the passage of H.R. 6984 would permit the Department of Health, Education, and Welfare in its research grants to contract for a fixed rate for indirect costs in excess of the limitation of 15 percent contained in the appropriation bill?

Mr. LAIRD. Certainly, that is true as far as contracts are concerned. The limitation applies only to grants. Many people are shifting away from the grant approach and using the contract approach, because there is no limitation on the contracts. This whole proposition is under investigation by the Committee on Government Operations. I am in favor of that investigation. I think it will bring out a great deal of information which will have a bearing on the handling of these matters.

Mr. SMITH of Iowa. The information that we already have is that 6.6 percent was too much.

Mr. FORD. Mr. Speaker, it is obvious that there is a great deal of interest and some controversy in this area and bearing this situation in mind, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

ELIMINATING REQUIREMENTS FOR CERTAIN DETAILED ESTIMATES IN ANNUAL BUDGETS

The Clerk called the bill (H.R. 10613) to eliminate the requirements for certain detailed estimates in the annual budgets.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, reserving the right to object, I note in the report that this bill is for the purpose of eliminating from the President's annual budget certain detailed data on the purchase, hire and use of passenger motor vehicles. I also note in the report on page 2 where it is stated that there will be a reduction in printing of about 25 pages. On page 6, if I can read correctly, it says it will be a reduction of five pages. I wonder which it is?

Mr. SMITH of Iowa. We were told it would be 25 pages in the President's budget report. However, they will have to notify the Committee on Appropriations and give them a detailed list; 25 pages is the amount we were told.

Mr. GROSS. Let me ask the gentleman this question. Is the Cadillac brigade listed in the 5 or 25 pages? Are the chauffeur-driven Cadillacs and the person to whom they are assigned listed?

Mr. SMITH of Iowa. In this 25 pages, as you well know, are listed all of the cars the various agencies purchase. Instead of putting it into the budget, it is being put in the report given to the Committee on Appropriations and any Member of Congress who wants it.

Mr. GROSS. The gentleman still has not answered my question. Is the Cadillac brigade listed by car and whether it is chauffeur driven and to whom it is assigned? Could we get that information; can the gentleman tell me?

Mr. SMITH of Iowa. This partciular 25 pages, I understand, lists the cars and the agencies that they were purchased for.

Mr. GROSS. But not to whom the cars are assigned; is that correct?

Mr. SMITH of Iowa. I do not believe that is in the present budget.

Mr. GROSS. I wonder if the gentleman's committee can be helpful, since this report is to be made available to Members, in finding out to whom the Cadillacs and the Lincoln Continentals and the Chrysler Imperials are assigned, and whether they are chauffeur driven? This brigade is growing by leaps and bounds. I find it more and more difficult in driving to work to make my way through the Cadillac brigade. I would appreciate any information I can get.

Mr. SMITH of Iowa. I do not think this has anything to do with getting the names of the chauffeurs.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (d) of section 5 of the Act of July 16, 1914, as amended by section 16 of the Administrative Expenses Act of 1946 (5 U.S.C. 78(d)) is repealed.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

PROVIDING MORE REASONABLE ALLOWANCE FOR TRANSPORTATION OF HOUSE TRAILERS OR MOBILE DWELLINGS BY CERTAIN GOVERNMENT OFFICERS AND EMPLOYEES

The Clerk called the bill (H.R. 10652) to amend the Administrative Expenses Act of 1946 to provide a more reasonable allowance for transportation of house trailers or mobile dwellings by certain governmental officers and employees upon their transfer from one official station to another.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the last sentence of subsection (b) of the first section of the Administrative Expenses Act of 1946 (5 U.S.C. 73b–1) is amended by striking out "to a reasonable allowance, not to exceed 20 cents per mile, in lieu of such transportation" and inserting in lieu thereof, "in lieu of the transportation to which he would otherwise be entitled under subsection (a) of this section, to a reasonable allowance, not to exceed 20 cents per mile for transportation of the house trailer or mobile dwelling if such trailer or dwelling is transported by such officer or employee, or, if such trailer or dwelling is not so transported by such officer or employee, to commercial transportation of the house trailer or mobile dwelling, at Government expense, or reimbursement to such officer or employee therefor, including the payment of necessary tolls, charges, and permit fees, except that no payment under this sentence shall exceed

the maximum payment to which such officer or employee would otherwise be entitled under this section for transportation and temporary storage of his household goods and personal effects in connection with this transfer".

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

VOLUNTARY OVERSEAS AID WEEK

The Clerk called the Senate concurrent resolution (S. Con. Res. 61) requesting the President to designate the week of March 25, 1962, as "Voluntary Overseas Aid Week."

The SPEAKER. Is there objection to the present consideration of the Senate concurrent resolution?

Mr. GROSS. Mr. Speaker, reserving the right to object, and I shall not object, I simply want to comment that this is the first legislation that I can remember that has come to the floor of the House since I have been a Member of this body, dealing with foreign aid or having to do with aid to foreigners that has not called for millions or billions of dollars. I am delighted that we are making this record here today. I believe it is the first bill that does not call for a huge appropriation for foreigners.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the Senate concurrent resolution?

There was no objection.

The Clerk read the Senate concurrent resolution, as follows:

Whereas United States voluntary agencies have participated actively in international social and economic development efforts in many countries; and

Whereas the Government of the United States and its people have endorsed and supported the efforts of these agencies to provide varied types of assistance over a large area of the world; and

Whereas the people-to-people concept of assistance typified in the programs of these agencies is a reflection of American good will and our belief in human dignity and the democratic way of life; and

Whereas it is the declared policy of the Congress to encourage the continued contribution of these agencies in the less developed countries through their various programs of technical assistance and relief. Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress that people-to-people programs administered by nonprofit voluntary agencies registered with the Committee on Voluntary Foreign Aid evidence our friendship for peoples in other lands.

The President of the United States is requested to issue a proclamation designating the week of March 25, 1962, as Voluntary Overseas Aid Week.

With the following committee amendments:

On page 1, strike the "Whereas" clauses.

On page 2, line 7, strike "March 25, 1962", and insert "April 9, 1962".

Amend the title to read as follows: "Requesting the President to Designate the Week of April 9, 1962, as Voluntary Overseas Aid Week."

The committee amendments were agreed to.

The Senate concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

VALIDATION OF PAYMENT OF CERTAIN ALLOWANCES, PUBLIC HEALTH SERVICE

The Clerk called the bill (H.R. 10195) to validate payments of certain special station per diem allowances and certain basic allowances for quarters made in good faith to commissioned officers of the Public Health Service.

Mr. GROSS. Mr. Speaker, reserving the right to object, here is another of these bills correcting someone's mistake. I want to find out exactly who is responsible. It seems that some 60 people are going to get a windfall to the tune of an average of about $600 each. I wonder if some member of the committee which handled this bill could tell me who was responsible for making this mistake?

Mr. LANE. I would like to answer the gentleman's inquiry by stating that of course the Department followed the procedure that has been carried on for a good many years, as I understand, and just continued where payments had been made until these new quarters were built. This, after all, validates these special per diem allowances for quarters and basic allowance for quarters on Indian Health facilities, and this legislation, as the gentleman well knows, was recommended to us by the Department of Health, Education, and Welfare.

As the gentleman from Iowa says, it relieves a group of 67 Public Health officers of repayment of money they received as allowance for quarters in the way it had been followed down through the years but which some clerk who wrote the report declared to be improper because new quarters had been provided.

This bill recommends this procedure. The Bureau of Accounts has declared that the overpayments were invalid. All this happened back a few years ago. The amount, as is explained in the report is $40,562. We have only been able to collect about $2,000 of this amount from these Public Health officers. It was felt that to relieve them of this payment would help to build up the morale of these Public Health officers who for the most part are working in Alaska and other remote areas.

Mr. GROSS. I have followed the gentleman's statement. I read all that in the report. He still is not coming anywhere close to answering my question. Will the gentleman tell us who made this mistake and what is being done about it?

Mr. LANE. I am sorry to say to the gentleman that we do not know who made the mistake.

Mr. GROSS. Did you not ask? Did you not have hearings? Did you not seek to find out who made the mistake?

Mr. LANE. We did not have hearings. It came to us in the form of an executive communication.

Mr. GROSS. Is this the way you treat all executive communications? Just take them for what they appear to be on the surface or on paper?

Mr. LANE. No; I may say to the gentleman that on many, many occasions we hold hearings, of course. But in this one particular case because of the fact that the Department of Health, Education, and Welfare felt these men should be relieved of this payment we have gone along. As I say, these men for the most part are employed in these remote areas.

Mr. GROSS. I may say to the gentleman that I do not want any group of people, Public Health officers, or others to profit personally from mistakes made at the expense of the taxpayers of this country. This type of thing is costing the taxpayers thousands, hundreds of thousands, perhaps millions of dollars every year. I think you ought to bring these people in here and find out who is responsible for making the mistake in the first instance. It is high time someone began to take an interest in this Government and its operations.

I now yield to the gentleman from Michigan.

Mr. FORD. I am somewhat surprised that the Committee on the Judiciary seemed to be so anxious to help the Public Health Service out of this predicament. Why should these people be relieved of their indebtedness any more than the sailor, the airman, or the soldier whom some paymaster overpays? If this bill passes, these Public Health Service men are given relief but the many others in the Armed Forces are hounded to death.

Mr. LIBONATI. Mr. Speaker, will the gentleman yield?

Mr. GROSS. If the gentleman from Michigan has finished his statement.

Mr. LIBONATI. I understand he has.

Mr. FORD. I want to say right here and now that I intend to ask that this bill be passed over without prejudice. There seems to be an inequality of treatment. As soon as this Department comes in and asks for relief for its employees because of an error by the Department, there is some affirmative legislative action taken, but if there is a poor single individual who is confronted with the problem of repayment through no fault of his own, he gets no consideration whatsoever. I am sick and tired of the various departments being bailed out; and as far as I am concerned, this legislation can rest on the Consent Calendar for a long time.

Mr. LIBONATI. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Illinois.

Mr. LIBONATI. Unfortunately, in this specific instance there were no accommodations in Alaska that could be used for the ordinary purposes, so they were placed in lesser accommodations. The costs there are significantly higher than in other places. These men were placed under better conditions, with private families in some instances, and naturally the costs increased. I think the gentleman should withdraw his objection.

Mr. FORD. There is a basic question here, which is the failure of somebody in the administration of the Public Health Service to realize overpayments were being made.

Mr. LIBONATI. But we should not penalize the officers who had to take these accommodations as they were provided.

Mr. FORD. Then the question asked is pertinent, Who was responsible and what happened to him?

Mr. LIBONATI. I will say the Department itself through the disbursing officer.

Mr. FORD. Let us find out who the disbursing officer is.

Mr. LIBONATI. That would not give the gentleman the right to object to a bill which is for the purpose of providing equity in a case.

By this action, the gentleman from Michigan prejudices the interests of U.S. health officers who were ordered to Alaska by assignment of the Public Health Service, whereat housing and living conditions unbeknown to them was either inadequate as to normal accommodations, or the costs were in excess of the statutory limit of the remuneration allowed to them under the statutes, which were insufficient to meet these costs. The Health Administration approved the added costs under these emergency conditions. And now you refuse to permit these added costs to be waived against their personal accounts and assumed by the Government. Your objection prevents the committee from dealing equitably in this matter and charge this added expense, where it belongs, to our Government.

Mr. FORD. Let us take one thing at a time.

Mr. LIBONATI. It is easy for the gentleman to object. It is difficult for us to understand that after receiving testimony in executive session and passing favorably on this bill for presentation on the floor and have the gentleman take an economic position that is not a popular one in accordance with the disposition of similar legislation in the past.

Mr. GROSS. Mr. Speaker, let me say just this: These people are Public Health officers and they went from quarters for which they were paying rental into rent-free quarters. It is hard for me to believe anyone could go from quarters for which they paid rent into quarters on which there was no rental and not know it. This is pretty hard for me to understand. This I would like cleared up before I vote for this bill.

Mr. CELLER. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from New York.

Mr. CELLER. I would like to clarify the record and say this specifically to the gentleman from Michigan, that the Committee on the Judiciary has had numerous bills whereby we have forgiven debts of this character. This is not discriminatory legislation in favor of the employees of this particular division. We have done this many times.

Mr. GROSS. Let me ask the gentleman this question: Who is responsible for this overpayment?

Mr. LANE. I have already answered that. There is nothing that we have in our record to show that. As I have already stated, it went on and on. It had previously been done for a good many years. I want to answer the gentleman by saying that they paid rent. The question was presented to officers occupying the new quarters, and they prescribed the difference between the rental charges paid and the basic allowance for the quarters received as valid payments.

Mr. CELLER. In other words, there was a difference, and that is the reason why we bring in this legislation. They had paid rent in the new quarters but there was a difference that had to be rectified. As soon as it was found out the payments were stopped and the matter was investigated.

Mr. FORD. I think it might be well this afternoon to establish some precedent that these kinds of bills will not go through on the Consent Calendar unless the Committee on the Judiciary finds out who was responsible for the error and also determines what action is being taken against the person responsible for the error so we will know what the full record is.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

CANAL ZONE CODE

The Clerk called the bill (H.R. 10931) to revise and codify the general and permanent laws relating to and in force in the Canal Zone and to enact the Canal Zone Code, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. PELLY. Mr. Speaker, reserving the right to object, it is my understanding that the bill H.R. 10931 is a recodification of the laws in force in the Canal Zone.

This is a monumental piece of work, and the cost of printing in the RECORD would amount to a considerable sum of money. I think it would be in the interest of economy for some Member to ask unanimous consent to place a statement in the RECORD in lieu of printing the entire bill.

Mr. WILLIS. Mr. Speaker, will the gentleman yield?

Mr. PELLY. I yield to the gentleman from Louisiana.

Mr. WILLIS. I had in mind doing just that, Mr. Speaker, on account of its size. This bill represents comparatively simple legislation. It is a codification of the law of the Canal Zone, as the gentleman has so ably stated.

Mr. PELLY. I withdraw my reservation of objection, Mr. Speaker.

Mr. WILLIS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include extraneous matter, and also ask unanimous consent that the bill not be printed in the RECORD, in view of its size.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. WILLIS. Mr. Speaker, the Committee on the Judiciary unanimously reported this bill to revise the Canal Zone Code.

The bill which came to us in an executive communication from the Governor of the Panama Canal, was prepared, pursuant to the congressional mandate in Public Law 85-596, under the supervision of the Governor, by a lawbook publishing company with the assistance of a distinguished and hard working advisory committee appointed by former Gov. William E. Potter. The advisory committee included the U.S. district judge, the U.S. attorney, the General Counsel of the Canal Zone, representatives of the Canal Zone Bar Association, the law revision counsel of the House Committee on the Judiciary, and the former General Counsel of the Panama Canal, who had drafted the 1934 code.

Despite its size, this bill is a relatively simple piece of legislation. It revises and codifies the general and permanent laws relating to and in force in the Canal Zone. The code enacted in 1934 has not been kept up to date and, I believe, is now out of print; and no cumulative supplement has been published since 1943. Generally, this bill restates the 1934 code, as amended, with further amendments to bring that code up to date and to include modern developments in the law.

For example, this bill makes applicable to the Canal Zone the "Federal Rules of Civil Procedure" and the "Federal Rules of Criminal Procedure," which were promulgated after the enactment of the 1934 code. It also incorporates a number of uniform State laws that have been enacted by a substantial number of States; and since the 1934 code was based on the California Code, it incorporates a number of California amendments.

Every effort has been made to keep out all controversial innovations, and I am confident that that has been done. Aside from the cost of publishing the code, the enactment of this bill does not incur any expenditure of funds.

ANALYSIS OF THE BILL

AUTHORIZATION

The proposed revised code was prepared pursuant to the act of August 6, 1958—Public Law 85-596 (72 Stat. 515)—authorizing the Governor of the Canal Zone to have prepared a revision of the Canal Zone Code, approved June 19, 1934 (48 Stat. 1122), as amended, and upon completion thereof to submit it to the Congress for its consideration.

STAFF OF REVISERS ENGAGED

The code revision was prepared, under the general supervision of the Governor of the Canal Zone, by the Equity Publishing Corp., an established law revision organization, under a contract with the Canal Zone Government, as authorized by the act of August 6, 1958. The contract was entered into on August 20, 1959, and work thereunder proceeded under deliberate schedule until completion of the draft legislation in April of 1961. Members of the staff of Equity Publishing Corp. were for a number of years engaged in editorial work on the United States Code, including revision work on titles 18—"Criminal Procedure"—and 28—"Judiciary and Judicial Procedure." They brought to the revision of the Canal Zone Code a

number of years of experience in the codification and revision of Federal, State, and territorial laws.

CODE ADVISORY COMMITTEE

To assist him in the exercise of his responsibility in the preparation of the proposed Canal Zone Code revision, the Governor had the advice of an advisory committee, appointed by him under section 3 of the authorizing act of August 6, 1958. The composition of the committee was as follows:

Hon. Guthrie F. Crowe, U.S. district judge for the District of the Canal Zone.

Hon. Rowland K. Hazard, U.S. District attorney for the Canal Zone.

Dr. Charles J. Zinn, law revision counsel for the Committee on the Judiciary, U.S. House of Representatives.

Merrill Whitman, Esq., Secretary, Panama Canal Company.

Dr. Carlos Icaza A., representing the Canal Zone Bar Association.

William J. Sheridan, Jr., Esq., representing the Canal Zone Bar Association.

Dr. L. S. Carrington, alternate for Canal Zone Bar Association members.

Woodrow de Castro, Esq., alternate for Canal Zone Bar Association members.

Paul A. Bentz, Esq., former General Counsel, Panama Canal Company, and codifier by Presidential appointment of the 1934 Canal Zone Code.

David J. Markun, Esq., General Counsel, Panama Canal Company, chairman.

Col. Thomas J. Henderson, U.S. Army, staff judge advocate, U.S. Army, Caribbean, sat with the advisory committee as liaison officer for the commander in chief, Caribbean Command, from December 1959 until completion of his tour of duty in the Canal Zone in June 1960, and Lt. Col. Frank O. Hamilton, U.S. Army, deputy staff judge advocate, U.S. Army, Caribbean, served in such capacity since June 1960. Mr. W. Allen Sanders, attorney, Office of General Counsel, Panama Canal Company, served as secretary to the committee.

In the course of the revision work, the advisory committee held regular meetings at which it considered and made recommendations on proposals initiated by members of the advisory committee, the revisers, and other sources, and made recommendations on queries presented by the revision editors. The equity editors attended a number of the meetings with the advisory committee, at periodic intervals as the work on the revision progressed, at which drafts of the code revision were reviewed.

MAJOR OBJECTIVES OF REVISION

Section 1 of the draft bill would enact the proposed new revised code. The revised code would accomplish seven major objectives:

First. Omission of repealed, superseded, or obsolete laws.

Second. Reconciliation of conflicting laws.

Third. Modernization of arrangement, language, style, and terminology, with appropriate changes in outmoded designations of offices, agencies, and officials.

Fourth. Clarification and improvement of provisions governing practice, pleading, and procedure in the Canal Zone courts.

Fifth. Inclusion of certain amendments to corresponding provisions in the California codes, which, in the judgment of the revisers and the advisory committee and the Governor, represent improvements that are adaptable to conditions in the Canal Zone. Titles 3 through 6 of the 1934 Canal Zone Code were derived principally from the codes of the State of California.

Sixth. Inclusion of the provisions of acts that amended the 1934 code—there has been no cumulative supplement to that code since 1943; existing independent acts relating solely to the Canal Zone; and provisions on subjects which experience has shown should be covered in the code.

Seventh. Substitution, with respect to a few subjects, of provisions similar to those in other jurisdictions and more modern in concept than those in force under the present 1934 code.

SOURCE LAWS

The revision is based on the seven titles of the Canal Zone Code of 1934, acts amendatory thereto, and independent acts, which, although not specifically amendatory to the 1934 code, affected its provisions in some way, or related solely to matters in the Canal Zone.

The Canal Zone Code of 1934 consists of the following seven titles: "Title 1, Personal and Civil Rights"; "Title 2, Operation and Maintenance of the Canal and Government of the Canal Zone Generally"; "Title 3, the Civil Code"; "Title 4, the Code of Civil Procedure"; "Title 5, the Criminal Code"; "Title 6, the Code of Criminal Procedure"; and "Title 7, the Judiciary."

ARRANGEMENT OF REVISED CODE

To modernize and improve the arrangement of the code, the old classification was substantially changed. Under the new classification of titles, as set out in this bill, the proposed new code contains eight titles as follows: "Title 1, General Provisions"; "Title 2, Administration and Regulation"; "Title 3, Judiciary"; "Title 4, Civil Laws"; "Title 5, Civil Procedure and Evidence"; "Title 6, Crimes and Criminal Procedure"; "Title 7, Decedents' Estates and Fiduciary Relations"; and "Title 8, Domestic Relations."

Title 1, "General Provisions," retains as a chapter therein, the provisions on personal and civil rights, and, as in the case of title 1 of the U.S. Code—also designated "General Provisions"—is extended to include provisions which, under the rearrangement, are of general application or do not lend themselves to more specific classification. These provisions were largely taken from other titles of the 1934 code, and in some cases consolidated. They cover such subjects as the designation, scope, and application of the new code and future supplements, rules of construction—such as general definitions—maxims of jurisprudence, and holidays.

Title 2, "Administration and Regulation," although redesignated and rearranged, retains all the extant laws set out in title 2 of the 1934 Code, relating to the area of the Canal Zone, to the organization, powers, and duties of the Canal Zone government and the Panama Canal Company, and to the regulation of various functions and activities in the Canal Zone such as those pertaining to aeronautics, customs, health and safety, internal security, the postal service, professions and occupations, shipping, and a number of others. Important provisions carried into this title are those from the Act of July 25, 1958, Public Law 85-550, 72 Stat. 405, popularly known as the Canal Zone Wage and Employment Practices Act.

In title 2, no substantive change is made in existing provisions relating to the organization or the powers and duties of the Canal Zone Government and the Panama Canal Company and of the officials thereof. These provisions are revised, however, to reflect these matters more accurately, considering particularly the changes made by such amendatory acts as the act of June 29, 1948, chapter 706, 62 Stat. 1075—Panama Railroad Company Act—and the act of September 26, 1950, chapter 1049, 64 Stat. 1038—Reorganization Act of 1950.

Title 3, "Judiciary," mainly contains provisions that are set out in title 7 of the code of 1934, and provisions taken from titles 4 and 6 of that code. They are revised and supplemented for the purpose of improving the organization and efficiency of the courts and of clarifying their jurisdiction, powers, and general duties, as well as the general powers and duties of judicial officers and court personnel. However, no new courts or judgeships are created, the present judicial structure being considered appropriate for the Canal Zone. The arrangement of provisions in title 3 is suggested to some extent by the arrangement of corresponding provisions in title 28, United States Code.

Title 4, "Civil Laws," contains provisions that are set out in title 3—the Civil Code—of the 1934 code, except for a considerable number of provisions of the latter which, in the interest of improved classifications, are transferred to other titles.

Title 5, "Civil Procedure and Evidence," contains, among other things, provisions that are a part of title 4 of the 1934 code. These provisions, however, are extensively revised because of changes made in court practice and procedure, as discussed below under "Judicial Procedure."

Title 6, "Crimes and Criminal Procedure," combines in one title provisions that constitute titles 5 and 6 of the 1934 code. These provisions, too, are extensively revised, as indicated in greater detail below in the discussion of the changes respecting "Crimes" and "Judicial Procedure."

Title 7, "Decedents' Estates and Fiduciary Relations," and title 8, "Domestic Relations," contain provisions that are parts of titles 3 and 4 of the 1934 code. In a number of jurisdictions, the subjects these two titles cover are set up as separate classifications in a code, and it is considered that setting forth these special fields of law as separate titles in the new code is a definite improvement from the standpoint of facilitation of use and ready reference.

Although many of the objectives of the code revision are those common to code revisions generally, such as the omission of repealed or superseded material, the modernization of language, and so forth, a number of the improvements that are embodied in the proposed revised code deserve special mention.

JUDICIAL PROCEDURE

With respect to one of the principal aims of the revision, the Honorable W. E. Potter, then Governor of the Canal Zone, in a letter to the Speaker of the House of Representatives, dated March 14, 1958, as set out in the House and Senate reports accompanying H.R. 11549, which became the revision-authorizing act of August 6, 1958, referred to above, stated, in part:

> In the judgment of the Canal Zone judiciary, law enforcement officials, and members of the Canal Zone bar, which view is shared by this office, there is a particular need to give consideration to the desirability of revising and modernizing the provisions of the Canal Zone Code prescribing rules of procedure in both civil and criminal actions in the courts of the Canal Zone. One of the principal objectives of the proposed legislation would be to authorize a study of the feasibility of extending to the Canal Zone, in whole or in part, the Federal Rules of Civil Procedure and the Federal Rules of Criminal Procedure before verdict. (The Federal criminal rules after verdict are already applicable in the Canal Zone, and the Federal civil rules are applicable to suits filed in the Canal Zone District Court under the Federal Tort Claims Act; the Supreme Court admiralty rules are applicable here with respect to suits in admiralty.) In this connection, it is believed that a thorough study needs to be made of the question whether the Federal civil and criminal rules can be made applicable to the Canal Zone in their entirety, or whether appropriate limitation or qualification of their applicability would be called for in the light of the particular legal and factual situations met in the Canal Zone.
>
> In connection with this phase of the proposed study, it is considered that it would be necessary to examine and review the provisions of title 3 through title 7 of the present code to determine the necessity for or desirability of amendments to or repeals of such provisions contained in these titles as would be rendered obsolete by, or would be in conflict with, the Federal civil or criminal rules, to the extent that such rules are proposed for adoption in the Canal Zone Code.

After a thorough study, the revisers concluded that it was both feasible and highly desirable to make the Federal Rules of Civil Procedure and the Federal Rules of Criminal Procedure applicable to the Canal Zone district court almost in their entirety. An excellent precedent exists, since Congress took this step in the organic acts of Guam and the Virgin Islands and the former civil and criminal procedure in these territories was very similar to that contained in the Canal Zone Code of 1934.

The adoption of the Federal rules for the Canal Zone district court will have two very desirable results: First, it will improve the court procedure in the Canal Zone, considered as a separate jurisdiction, by adopting the modern principles incorporated in the Federal rules by the U.S. Supreme Court, which principles have gained the approval of the bench and bar and have been adopted in a number of States; and, second, it will coordinate the Canal Zone more fully with the Federal judicial system, particularly with regard to actions of a Federal nature.

Because of conditions in the Canal Zone, some modifications in the application of the Federal rules in the Canal Zone are desirable. In addition, there are certain areas of court procedure which are not covered by the Federal rules but by precedent, Federal statute, or the law of the State in which the U.S. district court, is held. Therefore, titles 5 and 6 of the proposed new code make the application of the Federal Rules of Civil Procedure and the Federal Rules of Criminal Procedure subject to the other provisions of the code, and these titles contain additional provisions modifying the application of the provisions of the rules or supplementing them. This has made it possible to omit a large number of sections of the 1934 code.

The magistrates' courts in the Canal Zone have limited jurisdiction, and the general application of the Federal rules to them is not feasible. However, some of the former procedure was applicable to both the district court and the magistrates' courts and to some extent it has been possible to adopt the provisions of the Federal rules for the magistrates' courts. The revised titles on civil and criminal procedure each have a chapter specifying the provisions of the Federal rules and of that title which apply in the magistrates' courts. For the purpose of flexibility, the district court is given power to prescribe supplementary rules governing the procedure in the magistrates' courts and each magistrate's court is authorized to adopt additional rules that are not inconsistent with those prescribed by the district court.

CRIMES

One of the fields of law in which improvement, supplementation, and modernization of language are needed in the Canal Zone is that pertaining to crimes and criminal enforcement. Local experience has shown that the present title defining crimes and prescribing punishments therefor—title 5, Canal Zone Code 1934—is inadequate in some respects. To remedy this situation, a few new sections, patterned upon additional laws in the California Penal Code—the original source of title 5, Canal Zone Code 1934—are added to part 1 of title 6 of the new code, and a separate section in this bill amends section 14 of title 18, United States Code, to extend to the Canal Zone a greater number of penal sections of that title than the number now applicable thereto under such section 14. Other sections of title 18, United States Code, relating to crimes against the postal laws, are made applicable to the Canal Zone by a section in the new Canal Zone Code—title 6, section 2001.

Further, as in the revision of title 18, United States Code, which was enacted into law in 1948, every effort has been made to harmonize the punishment provisions of sections defining crimes of similar gravity, and also, as in the revision of title 18, United States Code, the policy of omitting requirements for minimum fines and minimum terms of imprisonment, of providing only for maximum fines and maximum terms of imprisonment, and of providing for alternative penalties of fines, or imprisonment, or both, has been followed in nearly every case, to give the courts wider discretion in imposing punishment according to the gravity of a particular commission of an offense. As a part of this policy, provisions making mandatory the imposition of both fine and imprisonment are eliminated and provisions for alternative penalties are substituted.

Another improvement in the new crimes title—title 6—is the rearrangement of the subject matter in part 1, which is the part defining crimes and offenses and prescribing the punishment therefor. In title 5 of the Canal Zone Code of 1934, most of the sections are grouped together in chapters under such general headings as "Crimes By and Against the Executive Power," "Crimes Against the Postal Service," "Crimes By and Against Public Justice," "Crimes Against the Persons," and so forth. This arrangement resembles, to some extent, the arrangement of penal sections in title 18, United States Code, before that title was revised. In part 1 of title 6 of the new code, the present arrangement of the penal statutes is discarded and the sections are reclassified to chapters arranged in alphabetical order, with each chapter carrying, in its heading, a more definite and precise designation of the subject matter it contains. The latter is the more modern arrangement, and it has been used successfully in revised title 18, United States Code, and many State codes. It was adopted in the Virgin Islands Code of 1957, the penal statutes of which were derived from the same original source as those of the Canal Zone Code and the Penal Code of California.

Finally, for the purpose of establishing uniformity of style, the penal statutes are for the most part rewritten to follow the style of title 18, United States Code.

OTHER IMPROVEMENTS OF SPECIAL INTEREST

In addition to the general revision of court procedure and the strengthening of the criminal provisions, the following new provisions contained in the code are of particular interest:

First. The Uniform Rules of Evidence are adopted for civil and criminal actions—title 5, section 2731 and the following. This modern statement of the best common law principles of evidence is highly desirable in the Canal Zone in view of the lack of a body of precedent, scarcity of legal reference material, and the fact that the Federal rules cover the general subject of evidence only by reference to laws of the State, rules formerly applied in equity, or the principles of the common law.

Second. Modern provisions are adopted on the procedure for hospitalization of the mentally ill—title 5, section 1631 and the following—and the determination of the mental competency of defendants in criminal actions—title 6, section 4861 and the following.

Third. The probation procedure is improved and parole is authorized—title 3, sections 511-513; title 6, sections 4491,

4492, 6621 and the following—and provisions for good conduct allowances for prisoners are inserted—title 6, section 6541 and the following.

Fourth. The Uniform Criminal Extradition Act is adopted for local offenses—title 6, section 5021 and the following.

Fifth. Provisions relating to the coroner and postmortem examinations are brought up to date—title 6, section 4781 and the following.

UNIFORM ACTS

In keeping with the legislative trend in other jurisdictions, and, on the recommendations of local authorities, to provide for legislation on subjects now not covered or inadequately covered, the new Canal Zone Code, as set out in this bill, includes a number of uniform acts promulgated by the National Conference of Commissioners on Uniform State Laws in addition to those included in the code of 1934. Each of the additional acts was given careful consideration before the decision was made to adopt it for the Canal Zone, and as a general rule a uniform act was not adopted unless it had also been adopted in a substantial number of other jurisdictions.

AMENDMENTS OF OTHER LAWS

Sections 2 to 14 of the bill amend sections in titles of the United States Code, and other acts. For the most part, the amendments are made necessary or desirable by the revision of the Canal Zone Code set out in section 1 of the bill.

SAVING CLAUSES AND RULES OF CONSTRUCTION

Sections 15 to 19 and 23 of the bill are saving clauses, and sections 20 to 22 and 24 thereof establish rules of construction, with respect to the matters referred to in those sections.

EFFECTIVE DATE

Section 25 of the bill establishes the effective date of the new code and the other sections set out in the bill.

REPEALS

Section 26 of the bill provides for the specific repeal of all laws incorporated in the revised code as set out in the bill.

REVISION NOTES AND TABLES

The revisers have prepared revision notes for each section of the proposed new code and for each section of the bill that would enact it. They point out and explain the important changes made in the text. References to court decisions are supplied wherever necessary and appropriate.

Reference tables have also been prepared to facilitate the study of all interested in the revision. Those tables show the distribution of sections of the Canal Zone Code of 1934, other acts of the Congress and uniform acts, into the proposed new code, and list omitted laws, with the reason for the omission.

NEED FOR ENACTMENT

The considerations that prompted the Congress to authorize preparation of the revision pursuant to the act of August 6, 1958, 72 Stat. 512, are set forth in detail in House Report No. 1669 of April 29, 1958, and Senate Report No. 1897 of July 23, 1958, accompanying H.R. 11549. Those reports point out and explain the urgent need for revision of the 1934 Canal Zone Code. Nearly 30 years have elapsed since the 1934 code became the local law of the Canal Zone. As noted above, many of its provisions are obsolete, or are superseded by or in conflict with later laws, and as a whole the code is in great need of modernization from the standpoint of arrangement and style, the omission of obsolete laws or terms, the reconciliation of inconsistent laws, modernization of practice and procedure in the courts, and the inclusion of laws on subjects which experience has demonstrated should be covered.

COOPERATION WITH COMMITTEE

The Committee on the Judiciary appreciates the close cooperation it has received from the Government of the Canal Zone throughout its consideration of the bill. In particular, Gov. W. A. Carter and his successor, Gov. R. A. Fleming, together with their general counsel, David J. Markum, and the Governor's assistant, W. M. Whitman, have worked closely with the committee's law revision counsel and have assisted the committee greatly.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The SPEAKER. That concludes the call of the Consent Calendar.

PAN AMERICAN DAY

Mr. O'HARA of Illinois. Mr. Speaker, on behalf of the Committee on Foreign Affairs I offer a resolution—House Resolution 583—designating April 16, 1962, for the celebration of Pan American Day, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the House of Representatives hereby designates Monday, April 16, 1962, for the celebration of Pan American Day, on which day, after the reading of the Journal, remarks appropriate to such occasion may occur.

The resolution was agreed to.

A motion to reconsider was laid on the table.

COMMITTEE ON PUBLIC WORKS

Mr. McFALL. Mr. Speaker, I ask unanimous consent that the Committee on Public Works may sit during general debate during the entire week.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

CALL OF THE HOUSE

Mr. GROSS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. BECKWORTH. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 53]

Addonizio	Fascell	O'Neill
Alford	Flood	Osmers
Anderson, Ill.	Fogarty	Passman
Andrews	Frelinghuysen	Powell
Ashley	Gavin	Rains
Avery	Glenn	Reece
Barry	Goodell	Rivers, S.C.
Bass, N.H.	Granahan	Roberts, Ala.
Boland	Grant	Rogers, Colo.
Bolling	Harrison, Va.	Roosevelt
Bonner	Harvey, Ind.	Schadeberg
Boykin	Hoffman, Mich.	Scott
Bromwell	Hull	Scranton
Broyhill	Jarman	Selden
Buckley	Johansen	Shelley
Byrne, Pa.	Johnson, Md.	Sikes
Cahill	Jones, Ala.	Slack
Casey	Jones, Mo.	Smith, Miss.
Cederberg	Kearns	Thornberry
Clancy	Keogh	Vanik
Clark	Kilgore	Waggonner
Coad	Kluczynski	Walter
Cooley	McDowell	Whalley
Corbett	McIntire	Whitener
Davis, Tenn.	Mathias	Whitten
Diggs	May	Wickersham
Dowdy	Moorehead, Ohio	Wilson, Ind.
Elliott	Morrison	Yates
Evins		Zelenko

The SPEAKER. Three hundred and forty-five Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

BRETTON WOODS AGREEMENTS ACT

Mr. SPENCE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 10162) to amend the Bretton Woods Agreements Act to authorize the United States to participate in loans to the International Monetary Fund to strengthen the international monetary system.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Bretton Woods Agreements Act, as amended (22 U.S.C. 286—286k-1), is amended by adding at the end thereof the following new sections:

"SEC. 17. (a) In order to carry out the purposes of the decision of January 5, 1962, of the Executive Directors of the International Monetary Fund, the Secretary of the Treasury is authorized to make loans, not to exceed $2,000,000,000 outstanding at any one time, to the Fund under article VII, section 2(i), of the Articles of Agreement of the Fund. Any loan under the authority granted in this subsection shall be made with due regard to the present and prospective balance of payments and reserve position of the United States.

"(b) For the purpose of making loans to the International Monetary Fund pursuant to this section, there is hereby authorized to be appropriated $2,000,000,000, to remain available until expended, to meet calls by the International Monetary Fund. Any payments made to the United States by the International Monetary Fund as a repayment on account of the principal of a loan made under this section shall continue to be available for loans to the International Monetary Fund.

"(c) Payments of interest and charges to the United States on account of any loan to the International Monetary Fund shall be covered into the Treasury as miscellaneous receipts. In addition to the amount authorized in subsection (b), there is hereby authorized to be appropriated such amounts

as may be necessary for the payment of charges in connection with any purchases of currencies or gold by the United States from the International Monetary Fund.

"SEC. 18. Any purchases of currencies or gold by the United States from the International Monetary Fund may be transferred to and administered by the fund established by section 10 of the Gold Reserve Act of 1934, as amended (31 U.S.C. 822a), for use in accordance with the provisions of that section. The Secretary of the Treasury is authorized to utilize the resources of that fund for the purpose of any repayments in connection with such transactions."

SEC. 2. The last sentence of section 7(c) of the Bretton Woods Agreements Act (22 U.S.C. 286e) is amended to read as follows: "The face amount of special notes issued to the Fund under the authority of this subsection and outstanding at any one time shall not exceed in the aggregate the amount of the subscription of the United States actually paid to the Fund and the dollar equivalent of currencies and gold which the United States shall have purchased from the Fund in accordance with the Articles of Agreement, and the face amount of such notes issued to the Bank and outstanding at any one time shall not exceed in the aggregate the amount of the subscription of the United States actually paid to the Bank under article II, section 7(i), of the Articles of Agreement of the Bank."

Mr. KILBURN. Mr. Speaker, I demand a second.

Mr. GROSS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GROSS. Is the gentleman opposed to the bill?

The SPEAKER. Is the gentleman from New York opposed to the bill?

Mr. KILBURN. No; I am very strongly for it.

Mr. GROSS. Mr. Speaker, I demand a second.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. GROSS. I am unequivocally opposed to the bill.

The SPEAKER. The gentleman qualifies.

Without objection, a second will be considered as ordered.

There was no objection.

Mr. SPENCE. Mr. Speaker, this is a bill (H.R. 10162) authorizing the United States to participate in loans to the International Monetary Fund to strengthen the international financial system. The bill was reported favorably by the committee by a vote of 24 to 1. It was sent here by the President with a message urging that it be enacted into law.

The Secretary of the Treasury testified in favor of the bill; the Chairman of the Board of Governors of the Federal Reserve System testified in favor of it; among others, the AFL-CIO introduced a statement favoring it. Nobody testified against it, and nobody offered to testify against it.

It is a bill in the best interest of the United States, one which will help our country in its balance-of-payments situation and in stabilizing the dollar.

Mr. Speaker, I ask unanimous consent to insert at this point in the RECORD a copy of the committee report.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The committee report follows:

The Committee on Banking and Currency, to whom was referred the bill (H.R. 10162) to amend the Bretton Woods Agreements Act to authorize the United States to participate in loans to the International Monetary Fund to strengthen the international monetary system, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF THE BILL

H.R. 10162 would authorize the Secretary of the Treasury to make loans to the International Monetary Fund up to $2 billion when appropriated. The enactment of this legislation is a prerequisite to U.S. participation in proposed arrangements with the International Monetary Fund and nine other major industrial nations of the free world. Under these proposed arrangements the United States and the nine other major industrial countries concerned will undertake to make available in case of need a total equivalent to $6 billion in additional resources in the form of loans to the Fund.

In addition, the bill would authorize such amounts to be appropriated as may be necessary for the payment of charges to the International Monetary Fund on any U.S. purchases of gold or currencies from the Fund; permit any gold or currencies so purchased to be transferred to and administered by the Treasury Exchange Stabilization Fund established by section 10 of the Gold Reserve Act of 1934; and authorize the issuance of special non-interest-bearing notes to the International Monetary Fund in such amount as would be necessary for any U.S. purchase of gold or currencies from the Fund.

THE BACKGROUND OF THIS LEGISLATION

The Bretton Woods Agreements Act of 1945 authorized participation by the United States in the International Monetary Fund and the International Bank for Reconstruction and Development. The purpose and mission of the International Monetary Fund which is of particular interest here is the promotion of international cooperation on exchange and monetary problems through consultation and collaboration among its member nations. The Fund has been provided with financial resources which may be made available to its membership for correction of temporary maladjustments in their balance of payments.

The International Monetary Fund (referred to hereafter as the "Fund") is presently composed of 75 member nations with available resources at the end of 1961 totaling almost $15 billion. As the Fund gained experience in the postwar period it became an increasingly vital instrument of international monetary cooperation. Since its inception, the Fund has been able to render assistance to its members in excess of $6 billion. Of this amount, more than $3½ billion has already been repaid. Indeed, with this experience, and with the Fund an increasingly effective international monetary mechanism it soon became evident that its resources should be enlarged for increased service to its membership.

In 1959, after considerable analysis and study the member nations of the Fund agreed to increase its resources. A general increase in initial quotas by 50 percent was adopted, although many members agreed to increase their quotas by a substantially larger percentage. Accordingly in 1959 the Congress authorized an increase in the U.S. quota from $2,750 million to the present level of $4,125 million. The additional resources of the Fund thus made it possible for it to meet large demands for assistance, including the recent drawing by the United Kingdom in August of 1961 of currencies totaling $1.5 billion.

With the steps taken by the major industrial nations of Western Europe in making their currencies convertible, and with the consequent effect on the flow between such countries of short-term funds, and greater freedom of capital movements, the President in transmitting his message on balance-of-payments problems, early in 1961, fully recognized the need for appropriate measures to deal with these problems. The Fund and its Managing Director also initiated studies in connection with this situation and at their annual meeting in September 1961 the Governors of the International Monetary Fund were in general agreement as to the desirability of strengthening the Fund to cope with any large strains possible of development in the international monetary structure. By decision dated January 5, 1962, the Executive Directors of the Fund agreed to strengthen the Fund through a standby currency lending agreement among the 10 major industrial countries, which, in addition to the United States, include Germany, France, Italy, the Netherlands, and Belgium (members of the Common Market), and Canada, Japan, Sweden, and the United Kingdom. This agreement among the 10 governments concerned is embodied in an exchange of letters initiated in Paris, France, on December 15, 1961.

H.R. 10162, an amendment to the Bretton Woods Agreements Act, is necessary to enable the United States to meet its commitment and adhere to this decision of January 5, 1962, of the Executive Directors of the Fund.

The record reflects very clearly that the International Monetary Fund has been outstandingly successful in bringing about greater freedom in international transactions while playing a major role in encouraging and in actively promoting adoption among its membership of sound fiscal, monetary, and exchange policies and practices.

THE NEED FOR THE PROPOSED INTERNATIONAL MONETARY FUND BORROWING ARRANGEMENTS

A recognition of the growing economic strength of the major industrial nations of Western Europe, and an improving balance-of-payments situation, as well as a liberalization of payments promoted by the Fund, led these nations to make their currencies convertible at the close of 1958. In early 1961, these countries took the formal step of declaring their currencies convertible within the meaning of the Fund's articles by accepting the obligations of article VIII of the Fund Agreement not to impose restrictions on current international transactions without the prior approval of the Fund. The establishment of external convertibility for the major currencies of the free world was accompanied by measures liberalizing trade and capital movements, and led to a freedom in the exchange markets of the major industrial countries which had not existed for decades. This widespread convertibility of currencies, so useful and productive for growth of world trade, has facilitated movements of short-term funds in substantial amounts from country to country, in response to such factors as interest rate differentials, arbitrage possibilities, and currency speculation.

The two major world reserve currencies—the U.S. dollar and the British pound sterling—have been subjected to rather heavy strains as a result of such short-term capital flows. The United States in 1960 and 1961 incurred basic deficits in its balance of payments (reflecting all transactions in trade, services, military and economic aid expenditures, and long-term investment) aggregating $1.9 billion and $0.6 billion, respectively. The outflow of short-term capital in these years (including unrecorded transactions which largely reflect short-term capital) totaled $2 billion and $1.8 billion, respectively, amounts which exceeded such basic deficits. The overall deficit of the United States in its balance of payments, as a consequence, was $3.9 billion in 1960 and about $2.4 billion in 1961.

It is well recognized that the stability of our dollar is vital to effective functioning of the international monetary system. A large portion of the monetary reserves of the free world are held in the form of dollars. Also, world trade and payments are to a large extent conducted in dollars. It is in the interest of the free world, as well as the United States, to avoid any undesirable impact on the functioning of the international monetary system occasioned by developments associated with the recent greater freedom of capital movements.

As we have pointed out the need for measures to deal with these new problems which have arisen was recognized early in 1961 by the President, in his message on the balance of payments, and by the Managing Director of the Fund. The Fund also initiated studies on ways in which to deal with the problem, and at the annual meeting of the Fund in Vienna, Austria, in September 1961, the Fund's Governors generally agreed that it was desirable to strengthen the Fund's ability to meet any major needs evidenced in the international monetary structure. Final negotiations thereafter took place in the Executive Board of the Fund and among the governments of 10 major industrial countries. Detailed arrangements are embodied in two documents: An exchange of letters among the 10 governments concerned, initiated in Paris on December 15, 1961, and a decision of the Fund's Executive Directors dated January 5, 1962. Copies of these documents are included in the hearings of your committee.

THE NATURE OF THE SPECIAL BORROWING ARRANGEMENTS AGREED UPON AMONG THE 10 MAJOR INDUSTRIAL NATIONS

Ten major industrial countries of the free world, including the United States, have agreed to lend their currencies to the Fund up to an equivalent total of $6 billion. The U.S. share in these lending arrangements is $2 billion. Five nations of the European Economic Community (Common Market)—Germany, France, Italy, the Netherlands, and Belgium—would stand ready to lend up to an aggregate of $2,450 million. The United Kingdom would lend up to $1 billion, while three other nations—Canada, Japan, and Sweden—would lend up to a combined total of $550 million. The accompanying table indicates the 10 participants in the plan, the amounts of their individual new credit arrangements, and their position in the Fund as of November 30, 1961:

Participants in the special borrowing arrangements and their position in the International Monetary Fund as of Nov. 30, 1961

[Expressed in millions of U.S. dollars]

Participant	New credit arrangement	Fund quota	Fund holdings of currency	
			Amount	Percent of quota
Germany	1,000	787.5	150.2	19
France	550	787.5	361.1	46
Italy	550	270.0	27.2	10
Belgium	150	337.5	181.1	54
Netherlands	200	412.5	169.9	41
Subtotal	2,450	2,595.0	889.5	
Canada	200	550.0	337.9	61
Japan	250	500.0	321.0	64
Sweden	100	150.0	87.5	58
Subtotal	550	1,200.0	745.4	
United Kingdom	1,000	1,950.0	2,508.0	129
United States	2,000	4,125.0	2,445.1	59
Subtotal	3,000	6,075.0	4,953.3	
Grand total	6,000	9,870.0	6,588.2	

Source: International Monetary Fund.

Thus the five member nations of the Common Market are agreeing to lend up to an amount which is almost as large as the present sum of their quotas in the Fund. The United States and the United Kingdom, by contrast, will stand prepared to lend amounts about half as large as the present quotas in the Fund. The new credit arrangements of the Common Market countries are equal to about 275 percent of the Fund's holdings of their currencies at the end of 1961. The relatively greater participation by the Common Market countries reflects the increased strength of their balance of payments and reserve positions and the greater responsibility which they can now assume in defending the stability of the international monetary system.

The 10 participants would lend stated amounts of their currencies to the Fund if and when supplementary resources should be needed to forestall or cope with an impairment of the international monetary system. The understandings reached set forth in detail the procedures to be followed by the participants in consulting among themselves and acting upon any requests made by the Fund for loans.

In the event any one of the 10 participating governments wishes to make use of the resources of the Fund and which would require recourse to the funds provided under the new lending arrangements, the participant would consult both the Managing Director of the Fund and all of the other 9 nation participants. The Fund's usual policies and procedures governing the use of its resources will continue to apply.

Where the Managing Director considers that the Fund's resources need to be supplemented by borrowing in order to deal with a situation, he would, in consultation with the participants, propose the total amount to be borrowed and the amounts of each currency to be supplied. The participants would then consult among themselves in order to reply to the Managing Director's proposal. Every effort would be made to reach unanimous agreement on proposals, but should this not prove possible a voting procedure would decide the question of lending to the Fund. It has been agreed that the country proposing to draw on the Fund would not be entitled to vote, and a decision would be reached by a two-thirds majority of the other voting participants and a three-fifths majority of their votes weighted according to lending commitments of each participant. A participant which itself has a balance-of-payments problem and is losing reserves would not be expected to lend to the Fund. This procedure is designed to take account of the right of each participant to safeguard its own position—since there could be substantial changes in the position of individual participants between now and some future time when lending may be needed—while at the same time giving due weight to a collective judgment on the needs of the international monetary system. It should be emphasized here again that participation under the foregoing arrangements is limited to the 10 member governments and does not extend to the entire membership of the International Monetary Fund.

Any loans made to the Fund will carry a 5-year maturity, and bear interest at 1½ percent annually in addition to an initial transfer charge of one-half of 1 percent. Use of the Fund's resources by a participant government would be subject to the usual terms—that is, 3- to 5-year repayment, a service charge of one-half of 1 percent, and annual charges varying with the size of the drawing and its duration. A drawing participant is expected to make earlier repayment if its balance-of-payments position has improved, and if such repayment occurred, the Fund would also make advance repayment to lender nations. A participant country which made loans to the Fund but subsequently itself encountered a balance-of-payments need, it is assured, would be able to obtain prompt repayment from the Fund.

The new arrangements are to enter into force upon completion of legislative and other requirements enabling formal adherence of at least seven participants with commitments totaling $5.5 billion. The arrangements cannot enter into force, therefore, without the adherence of each participant with a commitment greater than $500 million—specifically, that is France, Germany, Italy, the United Kingdom, and the United States. The arrangements are to remain in force for 4 years, but may be extended for an additional period or periods. The arrangements cannot be amended without the unanimous consent of the participants.

THE SCOPE OF PARTICIPATION BY THE UNITED STATES AND U.S. DRAWING RIGHTS ON THE FUND

As has been indicated, the proposed arrangements cannot be operative without the participation of the United States. Participation must be to the full amount of $2 billion, and in no lesser amount; otherwise, it would be necessary to renegotiate the entire arrangements with the participating governments.

It is not anticipated, however, that the United States would have to make use of the authority to lend to the Fund in the foreseeable future and this point was stressed in the testimony of the Secretary of the Treasury. The arrangements are intended to make it possible for the Fund to assist participating countries having serious balance-of-payments problems and losing reserves by permitting the Fund to borrow as needed from countries with payments surpluses and increasing reserves. Under the present U.S. balance-of-payments circumstances (and since the Fund still has almost $2½ billion available in dollars from the existing U.S. quota), it is regarded as extremely unlikely that the United States could be called upon to lend to the Fund in the foreseeable future.

On the other hand, the new arrangements would be of great importance to the United States should the need ever arise to request a drawing from the Fund. H.R. 10162 assures the United States of the availability of currencies needed, in the event a U.S. drawing should become necessary. The United States has never drawn on the Fund and has large unused drawing rights.

The drawing rights of the United States are of real interest, and may be summarized as follows:

About $1.7 billion could be drawn on a virtually automatic basis, with an additional $1 billion readily available, and with larger amounts permitted in serious situations and in furtherance of U.S. measures designed to correct a balance-of-payments deficit situation.

As the Fund stands at this moment, it lacks the resources in gold and convertible currencies which could be used by the United States in those amounts which the United States as a member would be entitled to request or draw in time of need. At the close of 1961, the Fund held only $1.6 billion in the currencies of the major industrial countries other than the United States and the United Kingdom—the latter has recently required large assistance from the Fund. The Fund also had available $2.1 billion in gold reserves. Against these resources, however, the Fund had outstanding commitments under standby arrangements with the United Kingdom and other members amounting to $1.4 billion.

In his message of February 6, 1961, on balance of payments, the President also referred to our drawing rights in the International Monetary Fund and said that U.S. access to Fund's resources must be regarded as part of our international reserves available to be drawn upon as necessary. The proposed arrangements authorized by H.R. 10162 furnish added assurance that the Fund could obtain the currencies which would be needed in the event the United States should ever request a drawing. For this reason, the arrangements will be to the advantage of the United States and the position of the U.S. dollar even if it is never necessary for the United States to call upon the Fund for such assistance.

Finally, the knowledge that the major industrial nations of the free world are agreed in strengthening further the large resources in gold and other assets which now stand behind the dollar, with a large supplementary pool of usable foreign currencies through these new Fund borrowing arrangements, will act as a strong deterrent to any speculation against the U.S. dollar. For that matter also, the position of the other major world currencies, and of the entire free world monetary system, will also inherently benefit from the presence of these new and additional resources in the International Monetary Fund.

In the course of his testimony in support of H.R. 10162, William McChesney Martin, Jr., Chairman of the Federal Reserve Board, indicated that the Federal Reserve System had initiated foreign exchange operations to acquire convertible foreign currencies for the primary purpose of safeguarding the value of the dollar in the international exchange markets. This step will not, of course, solve the basic problems of the deficit existing in our balance of international payments accounts. The Federal Reserve System actions are principally aimed at discouraging speculation against the dollar. Chairman Martin under questioning, testified that this new foreign exchange program was established with the full approval of the Secretary of the Treasury and the National Advisory Council on International Monetary and Financial Problems. Additionally, in reply to questioning regarding the legal aspects of engaging in such foreign exchange operations, Mr. Martin stated they had been reviewed and concurred in by the General Counsel of the Federal Reserve System, the General Counsel of the Department of the Treasury, and the Attorney General of the United States. Chairman Martin testified also that the foreign exchange operations would supplement the operations of the stabilization fund of the Treasury, as well as complement the arrangements for the International Monetary Fund contemplated by H.R. 10162.

Your committee expects that the System's arrangements with foreign reserve banks will be confined to normal banking transactions incidental to the establishment and use of reciprocal balances and will in no wise involve matters normally negotiated through Executive agreements.

In order to avoid the possibility of conflicts between System operations and the foreign financial policies of the United States, your committee further expects (1) that the President and the Secretary of the Treasury will take full responsibility for defining the foreign financial policy of the United States as it relates to the conduct of foreign financial operations; (2) that if any instance should arise where the Federal Reserve System fails to conform its activities to the foreign financial policies of the United States as set forth by the President or the Secretary of the Treasury, the Secretary will inform the proper congressional committees; and (3) that the Secretary of the Treasury will inform the proper congressional committees concerning any significant "cooperative arrangements between Foreign Central and Reserve banks."

CONCLUSIONS AND FAVORABLE RECOMMENDATION ON H.R. 10162

The National Advisory Council on International Monetary and Financial Problems, under the chairmanship of the Secretary of the Treasury, includes in its membership the Secretaries of State and Commerce, Chairman of the Federal Reserve Board, and the President of the Export-Import Bank. Their report on special borrowing arrangements of the International Monetary Fund, January 1962, discussed the financial climate and pressures which contribute to fluctuations in the balances of payments of the leading industrial countries having convertible currencies. In this special report the National Advisory Council points out that it is in the interest of the international community to prevent such circumstances from impairing the stability of the international monetary system. In commenting upon the arrangements which are embodied in H.R. 10162 the Advisory Council indicated they are "well adapted to dealing with the monetary system that has emerged in recent years and will contribute significantly to the maintenance of sound international monetary conditions."

The President, in his letter to the Speaker of the House of Representatives, dated February 2, 1962, urging draft legislation (introduced as H.R. 10162) to implement the recommendations of the National Advisory Council stated:

"The new proposals would strengthen the position of the dollar as the world's major reserve currency. They would also provide new armament for the defense of the currencies of the free world and for reinforcing the entire international monetary system."

The Secretary of the Treasury, in his testimony to your committee, stated that it is "essential to us and to other countries that the dollar be maintained as a sound and reliable currency at its present parity," and he describes in detail the extreme importance for the United States represented in the provision of these additional resources to the International Monetary Fund. The resources involved in this legislation would greatly reinforce the Fund's ability to assist the United States should that ever become necessary. The legislation will provide an additional means of assistance to the United States in handling its balance-of-payments problem.

Your committee is in full accord with these conclusions and favorably recommends H.R. 10162 as a highly desirable step in supporting the stability of the U.S. dollar and a strong international monetary system.

Mr. SPENCE. Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. MULTER].

Mr. MULTER. Mr. Speaker, this bill seeks congressional authorization for the amendment of the Bretton Woods Agreement which brought into being the International Monetary Fund.

In September of last year at the meeting of the Monetary Conference in Vienna there was considerable discussion as to how the Fund could be strengthened and made more effective in its prospective operations.

I think there is none who can deny the fact that since the Bretton Woods Agreement was authorized by the Congress in 1945, the International Monetary Fund has done a tremendously effective job in stabilizing the currencies of the world and in stabilizing the U.S. dollar.

Despite what may be inferred in at least one of the additional views filed with the committee report, there was no agreement made in Vienna in September 1961, nor any agreement made at the board meeting that followed in December 1961, which would bind the Congress to anything. The congressional advisers who attended, representing both parties at the Vienna Conference, went as advisers and with no attempt to bind the Congress in advance to anything.

Secretary Dillon, acting for the U.S. Government at that Conference, and later at the board meeting, has worked out an agreement with 9 of the other countries that participate in the Fund, there being 75 in all, which agreement cannot become effective unless and until this bill, H.R. 10162, that is now before you, is approved by both bodies of the Congress and signed by the President of the United States.

The bill seeks agreement to an authorization for each of the 10 countries, including the United States, to make available to the International Monetary Fund an additional $6 billion of which sum, the United States will make available $2 billion. I emphasize this makes it available and does not appropriate it. Even after this authorization should be enacted and the money appropriated, it does not mean that the $2 billion will be advanced to the International Monetary Fund unless and until there is a need for it. Even after the need is demonstrated, if the United States feels that it can, without adversely affecting its balance of payments, without affecting the stability of the U.S. dollar when called upon, it alone will determine how much of that $2 billion shall be advanced, and if so, at what time.

The sole purpose of this new agreement and of the authorization you are asked to give to the agreement now, is to make available hard currencies in the event the international situation should require a strengthening of the currencies of the world, so that we can do our part in that regard.

I would like to point out to you at this time that not a single witness appeared before the committee in opposition to this bill. It has bipartisan support. There is not a single member of the majority party on our committee who opposes it. There was but one member of the minority party who did vote against it in committee.

In addition, I would like to point out to you, that in all the years that the Fund has been in existence the U.S. Government has not once been required to call upon that Fund to stabilize the dollar.

Great Britain has found itself in a position where it was required to do so and did call upon the Fund to the extent of about $1½ billion, of which a third has already been repaid.

There is no better way of helping to stabilize the currencies of the world than to strengthen the hand of the International Monetary Fund so that it can continue to do the effective job it has done thus far.

I indicate to you that one reason why the 10 major countries of the free world deem it desirable that this agreement be effectuated is because in the last few years many of the currencies of the world have now been made freely convertible.

You will probably recall that up to a short time ago the U.S. dollar and the British pound sterling were the only two currencies freely convertible throughout the world. Now because of the

strengthening of the economies of most of the countries in the so-called European Common Market, their currencies have become freely convertible. The German mark, the Italian lira, and the French franc are now freely convertible. Because of this now much freer trade in the currencies, in these so-called hard currencies, it is essential that we set up this additional machinery so that we can make available to the International Monetary Fund additional hard currencies so that in the event a demand is made upon the Monetary Fund for hard currency that may be temporarily in short supply, the hard currency that is needed can be made readily available. We thus can continue to help to have a stabilized economy throughout the free world.

Mr. JONAS. Mr. Speaker, will the gentleman yield?

Mr. MULTER. I yield to the gentleman from North Carolina.

Mr. JONAS. The press reported last year that at the Vienna meeting the Finance Minister of France read our delegates a public lecture on fiscal responsibility, and he was quoted as saying that he would not recommend that his country contribute any money to a fund that would be used to feed the engines of inflation. Can the gentleman tell the House whether France is contributing part of this additional capital and, if so, how much?

Mr. MULTER. May I first say that the distinguished ranking member of the committee, the gentleman from New York [Mr. KILBURN] and the gentleman in the well, were advisers at the Vienna Conference. We attended all of the meetings. We listened very carefully to all that was said, including the remarks referred to. I am sure I can speak for both of us in saying to the House that the quotations referred to in the press were not accurate. There was no lecture delivered to the United States at that conference by France or by any of the other countries. The point was made and made effectively, just as we have been trying to do in this country, that it is essential for the stability of the world currencies that there be economic fiscal responsibility in each of the participating governments. And, each of these major governments, Germany, France, Italy, Belgium, Netherlands, Canada, Japan, Sweden, the United Kingdom, and ourselves, are seeking to pursue these economic fiscal plans and programs responsibly and with responsibilty.

To answer the question specifically as to the participation of each of the countries, you will find set forth in the printed hearings the names of each of the countries and the amounts that they have contributed to the Fund. The original participation by France in the Fund was $787.5 million and——

Mr. JONAS. What is the amount for France, is the question I asked the gentleman.

Mr. MULTER. France has agreed to make available an additional $550 million of the $6 billion sought to be made available by this agreement. This arrangement, to become effective, requires that at least 7 of the 10 countries approve this agreement and that at least $5.5 billion be authorized by the countries participating: Germany, $1 billion; France, $550 million; Italy, $550 million; Belgium, $150 million; Netherlands, $200 million; Canada, $200 million; Japan, $250 million; Sweden, $100 million; United Kingdom, $1 billion; and the United States, $2 billion.

The stabilization activities of the International Monetary Fund should not be confused with the unilateral activities carried on by our Government looking solely toward stabilization of the dollar. Quite apart from and independent of, yet obviously somewhat related to these international operations, are the operation by the Secretary of the Treasury of his stabilization fund and the purchase by the Federal Reserve System of foreign currencies with U.S. dollars.

Mr. GROSS. Mr. Speaker, I yield 5 minutes to the gentleman from California [Mr. ROUSSELOT].

Mr. ROUSSELOT. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROUSSELOT. Mr. Speaker, first, I would like to list the special reasons this legislation is most inappropriate at this time. We are, in effect, being asked to authorize an expenditure of $2 billion to be invested in the International Monetary Fund. This special supplemental resource agreement was designed at the 1961 annual meeting of the IMF held in Vienna. This so-called special agreement was made pursuant to article 7, section II of the Bretton Woods Agreement Act. Let me quote from article 7 entitled "General Scarcity of Currency":

> The Fund may, if it deems such action appropriate to replenish its holdings of any member's currency, take either or both of the following steps:
>
> 1. Propose to the member that, on terms and conditions agreed between the Fund and the member, the latter lend its currency to the Fund or that, with the approval of the member, the Fund borrow such currency from some other source either within or outside the territories of the member, but no member shall be under any obligation to make such loans to the Fund or to approve the borrowing of its currency by the Fund from any other source.
>
> 2. Require the member to sell its currency to the Fund for gold.

This part of the act clearly states that the IMF management could require any member to sell its committed currency to the IMF for gold.

Furthermore, I have always maintained that article 3, section 4(a) of the act could well be applied to this special resource. It reads:

> Each member which consents to an increase in its quota shall, within 30 days after the date of its consent, pay to the Fund 25 percent of the increase in gold and the balance of its own currency. If, however, on the date when the member consents to an increase, its monetary reserves are less than its new quota, the Fund may reduce the proportion of the increase to be paid in gold.

The IMF could well make demands on the gold supply of a borrowing country using the special resource according to the basic tenets of the act. I am convinced that the management of the IMF could and would do this.

I question the value of the IMF at this time to our national interest. Though we have poured $4.125 billion into the IMF, we have borrowed nothing from it. We have been able to acquire needed foreign currencies without going through it.

Second, I seriously doubt that Harry Dexter White, who helped design the IMF and who served as its first Executive Director, had the best interest of his country in mind. I sincerely believe that White knew the IMF would help to dissipate the gold reserve of the United States.

Third, throughout the Vienna proceedings last year, country after country told us that we are going to have to do a better job of managing our own currency if we are to relieve pressures on our gold reserve. In the March 27, 1962, issue of the Washington Evening Star Columnist Constantine Brown predicted trouble unless the United States in its haphazard way does not end this gold outflow. Mr. Brown quoted a Swiss banker as follows:

> A SWISS LOOKS AT U.S. SPENDING—TROUBLE PREDICTED UNLESS AMERICA ENDS GOLD OUTFLOW AND GOOD SAMARITAN ROLE
>
> (By Constantine Brown)
>
> "You are still the richest country in the world," he said, "not only in raw materials but in inventive genius, know-how, and daring. But at the rate of your expenditures for domestic progress, defense, and particularly your indiscriminate desire to help the rest of the world—regardless of its desserts—you will not be able to continue to discharge this self-imposed obligation without serious consequences. The gold outflow should be a real warning.
>
> "Your rate of taxation—direct, indirect and invisible—has not yet reached the saturation point, but you are not far from it. Since it is obvious that all your political men are pledged to the continuation of this role of the world's good Samaritan, I cannot see the end of these expenditures. Even in the highly problematic circumstances that there may be a lessening of the arms race, you will be compelled by drastic economic necessities to divert the billions you are spending on defense to social works. This means the burdens of taxation will continue.
>
> "The outflow of gold is continuing at a more alarming pace than the average American citizen and even your lawmakers realize. In order to provide the huge amounts needed for social engineering and increased help to the underdeveloped countries which would follow the highly unlikely slowing down of the arms race, you will have to increase the taxation of every American—from factory worker to the man living on modest retirement and the coupon clipper.
>
> "Despite your present efforts, it will be difficult for you to regain your position in the world markets because of the high and increasing cost of production. You will continue, of course, your democratic form of government, but don't forget history. There have been many instances when the tax collector has become more of an oppressor of the people than the secret police in a dictatorship. In order to gather the necessary funds to continue your gigantic self-imposed task from cradle to grave the income tax collector will become more arbitrary and increasingly consider the taxpayer as a lemon which must be squeezed to the last drop. And in the long run, this will cause you serious trouble."

Fourth, we only have to look at table 1 in the January 1962 message from the President of the United States relative to special borrowing arrangements of the International Monetary Fund to see how exchange holdings of the 10 countries which are parties to the special resource agreement have changed during this period 1951–61:

TABLE 1.—*Official gold and foreign exchange holdings, 1951 and 1958–61*

[End of period, millions of U.S. dollars]

Country	1951	1958	1959	1960	1961	Increase(+) or decrease(−)
United States	22,873	20,582	19,507	17,804	17,063	−5,810
United Kingdom	2,374	3,105	2,750	3,239	3,318	.....
Germany	518	5,782	4,593	6,737	6,437	.....
France	616	1,050	1,720	2,070	2,816	.....
Italy	774	2,082	2,763	3,060	3,309	.....
Belgium	1,054	1,497	1,222	1,422	1,552	.....
Netherlands	554	1,470	1,339	1,742	1,723	−15,040
Canada	1,826	1,948	1,876	1,836	1,933	.....
Sweden	481	473	494	488	562	.....
Japan	979	861	1,322	1,824	1,611	.....
Total of listed countries	32,052	38,800	37,656	40,242	41,182	.....
World total	49,020	57,285	57,040	59,700	61,060	.....

Members of the House should note that while the holdings of the United States have decreased the holdings of the nine other countries have increased. Why should we establish an additional way to deplete our gold supply?

Fifth. The committee heard only two witnesses, both of whom were able Government spokesmen. Adverse opinion should have been heard. Members of the committee should always have the benefit of opposing views.

Sixth. The point I wish to make is, Where do we get this $2 billion within our Government resources? Where do we get the $2 billion to make available to this special resource fund? The answer is simple. We have to go to the taxpayers. I am getting a little sick and tired of the unnecessary multibillion dollar spending authorization which we Members of Congress are asked to consider that are above and beyond normal expenditures. We are now being asked to make $2 billion available to an international lending agency from which our country has never borrowed 1 cent.

The question arises: Why is it necessary to authorize additional amounts to the IMF when we have not used it? We acknowledge we probably will not use it in the future, except in unusual times of speculation. I say that we already have the facilities to purchase currencies without going through the IMF.

In conclusion, I cannot in good conscience support this proposal to authorize the spending of dollars on a scheme which is of questionable value from our standpoint. I say that we can acquire foreign currencies which we need in order to improve our balance-of-payments situation without getting ourselves more deeply involved in the web of IMF affairs.

Mr. SPENCE. Mr. Speaker, I yield 3 minutes to the senior minority member of our committee, the gentleman from New York [Mr. KILBURN].

Mr. KILBURN. Mr. Speaker, this is a good bill. This Fund was set up in order to strengthen the currencies of the nations with which we deal, to which we export. It took them some time, but those currencies are now in pretty good shape and this Fund did it to a large extent; so that our people here in exporting our goods will be paid in currencies that are good. It just helps this country. The Fund has been well managed. There have never been any losses and, as I say, we receive sound currencies for our goods.

The Fund last year was drained of about $1.5 billion, as the gentleman from New York [Mr. MULTER] said. If there had been a drain on the dollar at the same time the Fund would have been hard put to it. We got by all right and England came back, and is coming back. The need for this extra money is remote, but it is a backlog that every currency country with which we deal knows is there and everybody who deals with them knows is there. It just keeps those currencies sound, just the same as the FDIC keeps the banks sound.

This $2 billion is simply a standby. They simply put a note in and they cannot use any of it unless the matter goes to our Committee on Appropriations. So it is nonsense to say, where are we going to get the $2 billion? No one is going to get any of it until it goes to the Committee on Appropriations eventually, if it is necessary to appropriate the money. This House is in control of that.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. KILBURN. I yield to the gentleman.

Mr. HALLECK. Can the gentleman tell us how the committee stood on this matter?

Mr. KILBURN. I think the vote was 24 to 1 in favor of it.

Mr. HALLECK. The minority members were in favor of this measure?

Mr. KILBURN. The vote was 24 to 1, so all but one minority member was in favor of it.

Mr. HALLECK. I thought I should make this observation. As far as I am concerned, I am going to stand with the committee, because I think the bill is a good bill.

Mr. KILBURN. I think Secretary Dillon did a wonderful job in convincing these other countries to put in their share, because some of them put in a bigger share percentagewise than we did. They all worked together in order to help world trade. I think that everybody here ought to be for this bill because it is good for our country.

Mr. GROSS. Mr. Speaker, I yield 4 minutes to the gentleman from Illinois [Mr. DERWINSKI].

Mr. DERWINSKI. Mr. Speaker, I should like to emphasize the very obvious fact that has been developed in the brief debate up to this point; namely, that major attention and discussion should be given a bill that may ultimately cost $2 billion. It may never call for an appropriation of $2 billion if we accept the interpretation of both the gentlemen from New York [Mr. MULTER and Mr. KILBURN], but theoretically this bill could cost us $2 billion. I should like to make the record clear in this respect.

I was one of the 24 members of the committee who voted for the bill because I appreciate the need for stabilizing the American dollar in the world market. Despite contradictory statements, this bill is intended to strengthen the American dollar since the fiscal policies of the administration at this time are such that the dollar is increasingly suffering from a lack of confidence abroad.

Therefore, the point I wish to make, is that you cannot take a subject of this importance and potential cost and discuss it in 40 minutes under suspension of the rules. I would suggest that the practical step for us to take is not to suspend the rules, but ask that the bill be brought before the Rules Committee. The Rules Committee is now liberalized and will obviously grant the rule. Then we will get sufficient time to discuss the bill and the House could then reach its decision armed with more information and facts that the proper amount of time would certainly produce.

Frankly, in the Banking and Currency Committee there was considerable discussion about the failure to have witnesses other than two Government witnesses. To my knowledge there were no other economists, private or public, who were invited to express their views before the committee. The Senate hearings are proceeding in a similarly restricted pattern.

I would further observe that within the committee there was a discussion of when and at what length a request for the rule would be made. One of the members of the majority expressed an opinion as to the need for more facts in this case. As a matter of fact, there was an attempt within the committee to have a representative of the International Monetary Fund come before us. Unfortunately, this could not be arranged.

I speak to you as a member of the committee who supported the bill that we do not have enough information at this time. We did not have thorough enough hearings, and now by following this procedure, we use uncalled-for legislative programing. As a proponent of the bill, I suggest the sound policy for us to follow this afternoon is not to suspend the rules but to have the chairman of the committee request a rule that, when granted, will give us enough time to explore this issue fully.

I direct your attention to the individual views which I have included in the committee report, which underline the basic fact that this additional $6 billion is needed to provide a backstop for the American dollar in the international monetary market. It is not needed to bolster the British pound or to bolster the French franc. It may be needed to support the American dollar. That is why I did support it. I wish to emphasize that the fiscal irresponsibility of the Kennedy administration is directly responsible for the continued weakening of the dollar in the international money market.

Mr. MULTER. Mr. Speaker, will the gentleman yield?

Mr. DERWINSKI. I yield to the gentleman from New York.

Mr. MULTER. I should like to direct the gentleman's attention to the fact that in committee no one asked for additional hearings and only one member of the committee as far as I know was in opposition to the bill. The only motion made was that the chairman take such steps as might be necessary to bring the bill before the House. The only thing at issue under this procedure is not whether or not to cut off debate, but whether this bill will be approved or rejected. Either we ratify the agreement or disaffirm it. The bill must be voted up or down, with no amendment. We cannot change the agreement.

Mr. DERWINSKI. I did not make the point that it could not be amended. I made the point that even with the present size of the Federal budget a bill carrying a potential cost of $2 billion should be given fuller treatment in debate, if debate in the House of Representatives has any value these days. Therefore, I suggest we vote down the suspension of the rules.

As the legislative branch constitutionally responsible for the appropriation and revenue measures necessary to sustain our Government, we have a tremendous responsibility to protect the dollar at home and abroad. I cannot conceive Congress being so indifferent to our imbalance of payments, and our indefensible spending excesses abroad, to completely ignore the fact that these conditions now being fostered by the administration make this bill before us necessary. That is why I support the bill but urge you to permit full-scale discussion and debate so that the matter may be thoroughly aired and all Members be acquainted with this issue.

Mr. GROSS. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, I join with those who protest that a $2 billion bill is being called up in the House under suspension of the rules with only 40 minutes of debate and absolutely no amendment allowed. It seems that the larger the bill in money the more the gag rule is applied.

I should like to ask the gentleman from New York or some member of the committee one simple question: Is this allegedly to stabilize international currency or to stabilize the American dollar? What is the purpose of the $2 billion?

Mr. MULTER. It is for the dual purpose; and also so that there will be no question about it, it is to stabilize the American dollar.

Mr. GROSS. I thank the gentleman for his answer.

Let me refer you to page 107 of the hearings where a question was asked by Mr. SCRANTON of Mr. Martin, Chairman of the Federal Reserve Board, as to the purpose of this legislation. Mr. Martin's response was this:

> Mr. SCRANTON. * * * perhaps the overall sole purpose of the Federal Reserve's activities that you are discussing this morning in foreign exchange, are for the stabilization of the dollar; is that correct?
>
> Mr. MARTIN. That is correct.
>
> Mr. SCRANTON. And not for the stabilization of foreign exchange; is that correct?
>
> Mr. MARTIN. That is correct.

Mr. MULTER. Mr. Speaker, will the gentleman yield?

Mr. GROSS. No, I do not yield. The gentleman did not yield to me a little while ago, and I do not yield to him any further at this time.

This is not for a dual purpose according to Mr. Martin, Chairman of the Federal Reserve Board.

Mr. MULTER. The chairman was referring to something entirely different.

Mr. GROSS. I do not yield at this time.

Mr. MULTER. Will the gentleman not yield for a correction of the gentleman's statement?

Mr. GROSS. No, I decline to yield because I read from the hearing record and that is sufficient as far as I am concerned.

Mr. MULTER. Will the gentleman yield?

Mr. GROSS. Mr. Speaker, I demand the regular order.

The SPEAKER. The gentleman from Iowa declines to yield.

Mr. GROSS. Now, then, on page 58 a question was asked of Mr. Dillon by Mr. DERWINSKI and this was Mr. Dillon's reply:

> But certainly, if we continue to have $3 billion deficits every year, they won't have confidence in the dollar.

Now this bill, according to Mr. Martin, is to provide for confidence in the American dollar in the international money market and Mr. Dillon on the other hand says, if we are going to run deficits, that foreigners will have no confidence in the dollar. Why should we not do first things first? Why should we not deal with cause instead of effect and, that is, to balance the Federal budget and to put integrity and stability into the American dollar? That is the only way we are ever going to have stability in the American dollar anyway. That is what Mr. Dillon apparently is saying, that there will be no confidence in the dollar unless balanced budgets are provided.

Mr. ASHBROOK. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Ohio.

Mr. ASHBROOK. I would ask the gentleman, from listening to the debate, I am not sure that this is going to cost us anything. But can the gentleman tell us what was meant when he said this was a $2 million "chit"—I think that was the word referred to.

Mr. GROSS. The gentleman from New York [Mr. MULTER] referred to it as a chit—yes, a chit is the British designation of an I O U.

Mr. MULTER. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield since I mentioned the gentleman's name. I yield very briefly.

Mr. MULTER. I just want to say, I did not use the word "chit." I tried to make it quite clear that probably we would never be called upon to use any of this money.

Mr. GROSS. But the gentleman will have to admit that this does become an immediate obligation upon the taxpayers of this country, and may be used to the extent of $2 billion.

Mr. MULTER. Not until it is appropriated. This is an authorization. If, and when, it is appropriated, to the amount that it is appropriated, it may be used.

Mr. GROSS. All right, but does not the gentleman expect the money to be appropriated, if it is needed?

Mr. MULTER. Every dollar that is needed has to be appropriated.

Mr. GROSS. And if it is appropriated, it will be spent and gone—

> Where the woodbine twineth
> And the whangdoodle whangeth.

Mr. MULTER. Mr. Speaker, will the gentleman yield further?

Mr. GROSS. I decline to yield. The gentleman has time on his side and we are short on this side. Remember that it was you on that side of the aisle who brought this bill under suspension of the rules with only 20 minutes of debate on each side.

Mr. MULTER. Does not the gentleman from Iowa want the House to know the facts?

Mr. GROSS. Mr. Speaker, I decline to yield.

Now let us take a look at this Monetary Fund. Let us see what Secretary Dillon says as to how this Fund operates:

> Secretary DILLON. Under the rules of the Monetary Fund, Mr. PATMAN, we have what amounts to an automatic right to draw as much as $1,700 million. In addition, there is another billion dollars which the Fund almost automatically grants to any country which shows that it has need and which states that it is undertaking a stabilization effort. The Fund does this without inquiring into the detail of that stabilization effort.
>
> That would make a total of about $2,700 million. Beyond that, the Fund requires the presentation of a program to be sure that the stabilization effort has a good chance of success, so that the Monetary Fund can look forward to being repaid within the 3 to 5 years which the loans are for.

In other words, if this $2 billion is approved American taxpayers will have $6,125 million in this international Fund. Now of this amount, we could borrow $1,700 million of our own money—of our own money, mind you—without trouble. Then if we needed more we could, without too much trouble, borrow another $1 billion of our own money to a total of $2,700 million. But from there on we

would start crawling and begging for money even though we would have $6,125 million in the Fund. That is where and when we could get the back of somebody's hand.

Mr. ROUSSELOT. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from California.

Mr. ROUSSELOT. Is it not true that under the original agreements one of the purposes for which money can be borrowed from this Fund is to facilitate the extension and growth of international trade? Is it not conceivable under this proviso that some of the 75 nations participating in this Fund could borrow it to relieve unemployment?

Mr. GROSS. Certainly they could draw it all down and there would be nothing left for us.

Mr. Speaker, I want to read to you how the testimony went on this bill. On page 74 of the hearings the gentleman from Pennsylvania [Mr. MOORHEAD] asked this:

> Mr Secretary, would you not say this proposal is unique in that the United States is one of the prime beneficiaries of the agreement rather than one of the prime contributors to it in the light of economic facts today?
>
> Secretary DILLON. I would say you are exactly 100 percent correct in that statement that we are one of the great beneficiaries, one of the prime beneficiaries rather than one of the prime contributors.

Now, I ask you when the United States puts $6,125 million into this Fund, a fund of $15 billion, would you not agree we are one of the prime contributors? But when it is provided that the United States can only borrow $2.7 billion out of this fund without crawling on hands and knees to the other 73 countries would you say that we are one of the prime beneficiaries?

Let us vote down this additional $2 billion. If they have not used it in the past they certainly do not need it now.

Mr. Speaker, let us do what we ought to have long since started to do—balance our budgets and by so doing provide the integrity that will again make the American dollar respected in world money markets. This is a subterfuge and I predict the day will come when failure to face the facts of life in this and other international policies will haunt Members of Congress.

Mr. SPENCE. Mr. Speaker, I yield 1 minute to the gentleman from Oklahoma [Mr. ALBERT].

Mr. ALBERT. Mr. Speaker, I take this time only because of the fact that the question has been raised as to why this matter was brought up under suspension of the rules. The request to program this bill under suspension of the rules came from the distinguished chairman of the committee, the gentleman from Kentucky [Mr. SPENCE]. The matter was discussed with the minority leader and the Speaker. It was decided that since this bill had been reported by almost a unanimous vote from the Committee on Banking and Currency and was of such type as to require a closed rule, it would be in the interest of orderly procedure to proceed with the matter under suspension of the rules. The Speaker agreed and accordingly recognized the gentleman from Kentucky for that purpose.

Mr. HALL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HALL. Mr. Speaker, I rise in opposition to the consideration of this matter under suspension of the rules.

Mr. Speaker, it is already obvious that the single most important issue to be resolved when the Congress reconvenes in 2 weeks will be the issue of foreign trade and so-called protective tariffs. And gold is to foreign trade what bread is to butter, or honey on biscuits. Neither should be considered—as with quotas or subsidies; without a long, incisive, and hard look at production costs.

Since the heart of my remarks concerns gold, let us start by digging a piece of gold out of the earth and presenting it at the U.S. Treasury. If we have in our hand one thirty-fifth of an ounce of gold, and give it to the Treasury the Treasury will pay us one dollar, or $35 for one full ounce.

The Treasury takes the gold and locks it up in Fort Knox. But the "influence" of that gold enters our currency system or barter and trade plan, because in order to balance its books, the Treasury issues a "gold certificate," stating that it processed one thirty-fifth of an ounce of gold, into Fort Knox.

A dollar's worth of gold has entered the gold stock, the Treasury has paid out a dollar and gotten credit for one dollar, and the system remains in balance.

But there is only the beginning, not the end. The Federal Reserve System is allowed to create purchasing media in an amount up to four times the dollar amount of gold certificates it holds. It does this by regulation and through a variety of methods, but the end result is that for each dollar of "gold certificate" it holds, it can create $4 of purchasing media.

This purchasing media in turn goes into circulation and comes home to "roost" in the commercial banking system. By law, the member banks are allowed to create purchasing media, in the form of loans, in an amount approximately six times the amount of their reserve accounts with the Federal Reserve System. So actually each dollar created by the Federal Reserve System can turn into $6 in the general circulating supply of money. Therefore in effect, by simple multiplication one thirty-fifth of an ounce of gold supports $24 of purchasing media by the user—we the people.

Now, how much gold do we have stored away in Fort Knox? From 1914 to 1935 it never rose above $5 billion, and our money in circulation amounted to about $20 billion worth.

In the 2 or 3 years preceding 1940, when foreign financial assets fled to the States, our gold holdings climbed to about $18 billion. By 1942 we had almost $20 billion in gold. It was these holdings that made it possible for us to virtually finance World War II.

In 1945 we had roughly $95 billion in circulation. Today that figure is about $140 billion. Almost all of this increase in purchasing media has been inflationary, paper and not specie, and the result of this inflation can be measured by the rise in the price level since 1939.

Some of our so-called "modern" economists, the Keynes theorists, the Galbraiths, and the Schlesingers and the Hellers claim that this steady rise in the price level is "a stimulating thing," and "does no harm." The second named even says in public and print—"The answer to C. is a W. F. State."

Well, until 1955 it was hard to prove that we were suffering from our unsound monetary measures, because the rest of the Western World was running on the same or even a worse, inflationary engine; and besides, we had the gold to build on.

But here is where some international monetary developments began to show us the fallacy of our thinking, and the key lies with our method of making international payments. Although we here in America cannot take our dollars down to Fort Knox and convert them to gold, all the foreign central banks are not subject to the same restriction. Every American dollar in the hands of foreign banks is a claim on one thirty-fifth of an ounce of gold in Fort Knox.

And here is where our own domestic inflation enters the scene.

Since 1950 most of the free world industrial nations have effectively combated their domestic inflation and have established sound currencies. The foreigners have stopped inflating and we have not. Actually, also, from direct and recent observation, they are more prosperous and have less unemployment—another story.

To illustrate the point, let us assume that your name is General Motors and you build "Chevies" for General Motors; and my name is Volkswagen and I build Volkswagens. You build your cars in the United States and I build mine in Germany. In 1950, you offered to the American public a pretty good car for $2,000. I offered to the German public a pretty good Volkswagen for $2,000, too. The American public did not want to buy any Volkswagens, because, after shipping expenses and import duties, they cost more than the domestic product, and we were still upset and nervous.

In 1960, you were offering to the American public a somewhat improved car, but because of inflation you had to ask about $4,000 for it. But I have not had inflation in Germany, and I am still building my Volkswagens for $2,000. I can load them on a costly ship, pay the import duty, insure them, and sell them on the wharf in New York City for a lot less than you can sell yours there; or even f.o.b. Detroit. Pretty soon I start selling a lot of Volkswagens in the United States. Now here is the crucial point as far as the American public is concerned. It makes no difference whether it pays its paper dollars to Chevrolet or to Volkswagen; but from

the standpoint of the Federal Government, it makes a great deal of difference.

If the public buys nothing but cars from General Motors—or from Chrysler, or Ford, or from American Motors and others—then the number of paper dollars floating around the country remains simply a number of paper dollars in circulation—United States of America. But if the public starts buying Volkswagens, the payment of a paper dollar to a foreign person gives rise to that foreign person's deposit in his foreign bank and I have just described, how foreign central banks have the right to demand for their dollars, not just paper, but gold.

In a simplified sketch, that is what has happened. As a result of our domestic inflation, our international trade has begun to go against us, and foreign claims on our gold supply have risen. In 1950, the amount of net foreign short-term claims on our gold supply was $7 billion. Today, it is about $18 billion. Our gold supply has dropped from $25 to $10 billion. Today, net foreign shortterm claims against our gold actually exceed the total amount of gold we have on hand. Our so-called free gold—the amount exclusive of that which is set aside to support our money in circulation—amounts to $6 billion, and foreign claims against it amount to $18 billion.

Today, we are in a position in which the gold in Fort Knox supports not only our own purchasing media, but also is more than entirely subject to short-term foreign claims which, in turn, are the basis for the foreign currencies in circulation. This is why General Eisenhower said 2 or 3 years ago—we must not deflate the dollar further, as the entire world hangs upon it. We have in 1961.

Obviously, if we are going to avoid serious international monetary problems, the dollar must remain as good as gold.

All right, then, how good is the dollar? Going back to my example, Mrs. Volkswagen and I do not think it is very good. We have accumulated a lot of dollars in Germany, each one of them a claim on one thirty-fifth of an ounce of American gold, but we are worried because so many other people also have claims on this gold, and if everybody wanted gold at once, we would not be able to pay off. It is like the fellow who plays table-stakes poker, and suddenly finds that he does not have enough chips left to call the bet.

At the recent International Monetary Fund Conference in Vienna, central bankers from Germany, Holland, and Belgium gave us an extremely serious warning. They know the international belief in the soundness of the dollar must be preserved. What they fear most deeply, is that one or two nations may demand gold for their dollars in the near future; say to the sum of $2 billion. If we make good and deliver the gold, the free reserves of gold at Fort Knox will drop to about $4 billion and foreign claims will drop to about $16 billion. Foreign claims will then amount to four times the American free gold reserve, and if this happens some of the other claimholders might rush up to the window to get their gold while there is still some left.

A RUN ON THE "WORLD'S" GOLD BANK

It would take less than 2 days for us to be snowed under by our obligations. Foreign central banks which are not able to get gold for their dollars would find that they have built their own currencies on top of mere paper promises that cannot be kept, and their own currencies will be regarded as worthless. They would topple one by one just as the Austrian kreditanstalt collapsed in the early 1930's. The result could be as bad as or worse than what happened in the thirties, only then the Communist nations were not standing by ready and able to fill the vacuum.

This is the reason why our domestic monetary policies should be viewed with the greatest gravity and concern. It is not simply a question of a little rise in our price level, but a question of our setting off an international monetary debacle that would make the experiences of the 1930's seem like a summer picnic.

Now I have diagnosed some of the symptoms. If I can revert to my past profession for a moment, let us talk about the cure. And the cure involves actions in many different fields. Like castor oil, the taste may not be to our liking.

First, we must recognize that for all the words that have taken place since January 20, 1961, the situation has not been reversed. In fact, it is getting worse. Reports for the third quarter of the year disclose that American gold was seeping to foreign countries at a rate of $3 billion a year, or about twice the rate recorded for the first 6 months of 1961.

So the patient—you and I—is not getting any better. If anything, our fever is going up, infection is setting in, and while the doctor stands beside the bed, the mortician—Mr. Khrushchev—is waiting just outside the door.

The sound thinkers in our society know what the remedy must be, but the politicans have not demonstrated the courage and fortitude to do what must be done if we are to survive.

Second, we must establish, immediately, sound monetary policies. These include final halt to inflation—not just a slowdown—because like a sleigh ride down a steep hill, the faster you go the harder it is to apply the brakes.

For all the political appeal of low interest rates, our interest rates must remain at least as high as the level of the foreign nations so that short-term funds will not leave our shores to gain additional interest.

The Federal budget and the national debt must be reduced; so that we can demonstrate to the world our determination to maintain a sound currency. This goal seems further away than ever, in light of the anticipated $10 billion deficit for the current fiscal year. To those who ask me why I have voted against so many of the vast new spending proposals of this administration, it is because no one in Washington has yet told me where these new spending dollars are going to come from. All the pious words about economic growth and gross national product and social needs, do not change the fact that we have less, and less, and less gold with which to meet bigger and bigger obligations.

Third, we must—we must take immediate steps to encourage our industrial power to compete in world markets. This means applying our antitrust laws equally, as much to labor monopolies as to business monopolies. It is completely illogical to allow national—and attempt international—wage fixing and prejudge and condemn price fixing. It means increasing greatly the tax-credit allowances for depreciation of machinery and plant, so our industrial complex can compete with the vast new industrial machine which our tax dollars and protective investments have built overseas.

It means reducing the incremental tax rates on corporate and personal earnings so that new energies can be injected into economic activity. It means cutting to the absolute minimum all governmental interference with free market forces.

And finally, it means that we must drastically reduce the amounts we give, grant, and loan abroad, because it is this single item that has had the greatest effect on our international payments.

That, I submit, is what we should do.

It is also the standard by which we should measure and judge every action of the present administration.

No one expects the problem to be licked overnight, but we might still save the day by making a start and seeing how far we can go. It is not the distance but the direction that means so much. We must go to bat. If we cannot get a home run, let us at least bunt—or something—to get on base.

Therefore, Mr. Speaker, I urge all Members to vote down this suspension of the rules and thereby sending another $2 billion, after bad ones.

Mr. GROSS. Mr. Speaker, I yield a minute to the gentleman from North Carolina [Mr. JONAS].

Mr. JONAS. Mr. Speaker, I certainly appreciate the remarks of the distinguished majority leader and his explanation of the reasons for selecting the suspension of the rules procedure for the consideration of this bill. While I recognize that the responsibility of determining what procedure to use must necessarily rest upon the House leadership, nevertheless I feel so strongly that the procedure adopted in this case was unwise that I feel compelled to let the record so show.

We are not dealing today with peanuts. This bill authorizes a future appropriation of $2 billion. A bill involving that amount of money should not, in my humble judgment, ever be considered under a suspension of the rules procedure which limits debate to 40 minutes and does not give the membership of the House an opportunity to debate it on its merits.

I have profound respect for the members of the great Committee on Banking and Currency, and concur in many of their recommendations. But they are asking us to take too much on faith here today when they ask us to support an authorization for an appropriation of $2 billion without adequate time for discussion and careful consideration.

It is a sad commentary when a Member of Congress, who is being asked to vote on a $2 billion bill, can get only

1 minute and a half to discuss it. I do not have the privilege of serving on the Committee on Banking and Currency and did not hear the testimony or listen to the discussion in executive session before the bill was reported. I have been spending 5 hours a day for weeks now in an Appropriations Committee hearing room and am therefore naturally not as familiar with this subject as are members of the committee. But I am very much interested in the subject and would like to know more about it than is possible under the procedure being used today. This is not an inconsequential bill and I would say most respectfully to those who programed it for consideration this afternoon under suspension procedures that a bill of this importance and that involves this amount of money deserves more consideration than it can possibly receive today.

What is the hurry? Why all of this haste? Why is the membership of the House not given an opportunity to debate this bill adequately so that those of us who are not members of the committee can have some of our questions answered? This bill deserves more than the casual consideration it can receive when debate is limited to 40 minutes. I have not finally decided how to vote because all of the questions in my mind have not been resolved and there is no time left to ask other questions. If I finally decide to vote "no" it will be a vote of protest against this kind of procedure when a bill of such importance is under consideration.

Mr. GROSS. Mr. Speaker, let me point out that this $2 billion is exactly the same amount by which Congress increased the debt ceiling not so long ago. The gentleman from Arkansas [Mr. MILLS] is on the floor and will understand that this $2 billion obligation is exactly the same amount by which Congress voted to increase the debt ceiling only a few weeks ago. I opposed that measure as I oppose this obligation.

Mr. SPENCE. Mr. Speaker, I yield 5 minutes to the gentleman from Wisconsin [Mr. REUSS].

Mr. REUSS. Mr. Speaker, I want to address myself to the gentleman from Iowa [Mr. GROSS]. I have heard the gentleman on many occasions urge this body to vote against measures which would help our friends and allies throughout the world, on the ground that they ought to be helping us. What is ironic to me is that here comes along a bill, the bill under consideration here today, H.R. 10162, in which our allies, for a change, help us. To find the gentleman opposed to a bill like this is strange, indeed.

All in the world this bill does is to enable our country to safeguard the dollar by getting help from the British, the French, the Italians, the West Germans, the Government of the Netherlands, and Belgium, so that—God forbid—should the dollar undergo pressure as it did in October 1960, they can come to our aid and make available to us their currencies.

This is the most pro-American, self-advantageous bill I can imagine. I think Secretary of the Treasury Dillon and Managing Director Per Jacobsson of the International Monetary Fund, the beloved chairman of the House Committee on Banking and Currency, the gentleman from Kentucky [Mr. SPENCE], and the gentleman on the minority side, the gentleman from New York [Mr. KILBURN] deserve great credit for placing before this House the carefully worked out document which is contained in H.R. 10162.

As far as the liability of the United States for the $2 billion out of the $6 billion is concerned, this is in a very real sense a liability on paper only, for the reason that in this agreement it is set forth with great clarity that no country is obliged to contribute its portion of the total $6 billion figure until and unless that country gets out of its balance-of-payments difficulties.

Now, this country is taking serious and important steps to rid itself of our balance-of-payments deficit. But it is perfectly obvious that this is not going to happen for some time to come. Therefore, during the life of the agreement that we are contemplating here this afternoon, this is 100 percent in our interest. We are going to have to put in nothing, and the other countries are exposing themselves to a very real liability.

I would be the first to say that it is high time that they did so expose themselves, but we should recognize that it would be a catastrophic thing to the dollar if we should vote down this agreement here this afternoon. I hope that we will vote it up tremendously.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. REUSS. Yes, I yield to the gentleman since I mentioned his name.

Mr. GROSS. Now, would you think it was a good deal to give me $100 to carry around for you just so that at some distant date when you might want 50 or 75 cents, you could get it from me?

Mr. REUSS. Yes, if the $100 I was to give you was in a postdated check 4 years hence, and if, as a price for giving it to me, you paid me the $400 you owed me.

Mr. FULTON. Mr. Speaker, will the gentleman yield?

Mr. REUSS. I yield to the gentleman from Pennsylvania.

Mr. FULTON. I think the gentleman made a good point in that the fund is well managed. It is good banking; it is good practice. And, our good Secretary Dillon tells us it is in good condition. When you are investing in a situation of this kind, it is a banking transaction and it is good for the stability of currency and of assistance to business. So, I imagine everybody interested in good business at home and abroad is interested in this bill.

Mr. REUSS. For once we have a tremendously good bill for the United States, and it is cause for real concern that some Members here are apparently going to vote against something which is 100 percent in our national interest.

Mr. SPENCE. Mr. Speaker, the United States has been the financial leader of the world for a long time. It would be a tragic thing to repudiate this agreement that has been made by our representatives with nine of the leading industrial countries of the world. It would place us in a difficult international position. When you cast your vote today, you are casting a vote that could mean much to the future of the country and the international financial system. We initiated this. We should act on it promptly to let the other nations know that we will not repudiate the agreement.

If we vote it down today, we will destroy the confidence in us of the other nations who are parties to the agreement. I ask you to vote for this bill and to see that we hold our place in the field of international finance and retain our leadership which we have maintained so long.

Mr. FINNEGAN. Mr. Speaker, during the consideration of H.R. 10162 it might be well to briefly recall the genesis of this legislation. As we know that the Congress in 1945 authorized the original Bretton Woods Agreements Act. From this step the International Monetary Fund and the International Bank for Reconstruction and Development resulted. Today we are considering a proposal which will vitally specifically affect the activities of the International Monetary Fund. As we know, also, this Fund was set up to promote international cooperation on exchange and monetary problems among its membership, presently composed of 75 nations. The financial resources of the Fund have been available since 1945 to aid its membership in correcting temporary imbalances of their international payments. Its success in this regard led the Fund membership in 1959 to agree to increase its resources and the Congress accordingly authorized the U.S. quota to be raised from $2,750 million to its present level of $4,125 million. This action complements the step taken by the rest of the membership in increasing their initial quota by at least 50 percent. As recently as August 1961 these additional resources made it possible to meet the assistance required by the United Kingdom in their drawing totaling $1.5 billion.

Beginning in 1958 and during the ensuing period the major industrial nations of western Europe have taken the appropriate steps to make their currencies convertible. This has had a vital effect on the flow between these countries of short-term funds and greater freedom in the handling of capital movements.

The President in his balance-of-payments message early in 1961 recognized the need for appropriate action. During this period also the Fund and its Managing Directors were in general agreement concerning the desirability of strengthening the International Monetary Fund. On January 5, 1962, a decision was made by the Executive Directors of the Fund resulting in a standby currency lending agreement among the 10 major industrial countries, which in addition to the United States include Germany, France, Italy, the Netherlands, and Belgium—members of the Common Market—and Canada, Japan, Sweden, and the United Kingdom.

H.R. 10162 is an amendment to the basic Bretton Woods Agreements Act and is necessary on the part of the

United States in order to meet its commitment and adhere to this decision of January 5, 1962, of the Executive Directors of the Fund. As a nation whose currency is the major medium of exchange for the entire world, and a leader in international monetary cooperation, this legislation is necessary as a means of promoting and encouraging among the International Monetary Fund membership sound fiscal, monetary, and exchange policies and practices.

Mrs. SULLIVAN. Mr. Speaker, H.R. 10162 is an authorization for a total equivalent to $6 billion in additional resources which the Secretary of the Treasury may loan to the International Monetary Fund. When and in the event this is appropriated at some possible future date this amount will be available as one step in strengthening the international monetary structure and the American dollar.

Our entering into this arrangement through this legislation is keyed to an international agreement involving nine major industrial nations of the free world and the United States. The Secretary of the Treasury has assured your committee that this agreement among the major industrial nations is "essential to us and to other countries that the dollar be maintained as a sound and reliable currency at its present parity."

The U.S. dollar today is the world's major reserve currency. H.R. 10162 seeks to strengthen the position of our dollar and in aiding the currencies of the free world will be materially assisted through this legislative proposal in contributing strength and structural soundness to the entire international monetary system.

In voting for H.R. 10162 we are providing an additional means of assistance to the United States in handling its balance-of-payments problem. We know from the outflow of gold in our country and the depletion of our gold reserve that every reasonable measure should be taken to assure that such a step is speedily and expeditiously taken where it will serve to alleviate in some degree our present imbalance.

Mr. RYAN of Michigan. Mr. Speaker, H.R. 10162 will permit the Secretary of the Treasury to loan up to an equivalent total of $6 billion to the International Monetary Fund. This legislation is necessary arising out of an agreement among the 10 major industrial countries of the free world, including the United States. It does not involve the remaining 65 members of the International Monetary Fund. It does involve those 10 major industrial countries of the free world who have acted to make their currencies convertible.

The U.S. share in these lending arrangements is $2 billion. At the present time and in the foreseeable future it is not anticipated that this standby authorization will require a $2 billion expenditure on the part of the United States. Loans from the remaining nine industrial free nations would involve a total of up to $2,450 million from the membership of the Common Market, that is, Germany, France, Italy, the Netherlands, and Belgium. The United Kingdom would lend up to $1 billion while three other nations, Canada, Japan, and Sweden, would lend up to a combined total of $550 million. The five member nations of the Common Market are agreeing to lend up to an amount which is almost as large as the present sum of their quotas in the Fund.

The proposed arrangements authorized by H.R. 10162 furnished added assurance that the Fund could obtain the currencies which would be needed in the event the United States should ever request a drawing, however, unlikely as it may be at the present moment. Thus the arrangements embodied in this legislation are to the advantage of the United States and the position of the U.S. dollar. This standby arrangement would permit the agreement among these major industrial nations to become operative and permit the United States to obtain, in the event it should ever be necessary, the currencies up to the full measure which our drawing rights and eligibility entitle us.

Mr. WIDNALL. Mr. Speaker, during the 15 years of its existence the International Monetary Fund has made useful and constructive contributions to stability in the free world's international payments system. This in turn has facilitated the expansion of trade between the free world nations.

The Fund has not cured all of the financial problems of the 75 member countries, nor was it ever designed to do so. It has not and cannot relieve any member nation of its own ultimate responsibility for its own finances. This fact was forcibly expressed by Mr. George Champion, chairman, the Chase Manhattan Bank, New York, N.Y. In his statement which appears on page 163 of the hearings, and I read:

> At this point, I believe it is important to emphasize that the possible availability of additional funds to the IMF in no way provides a crutch for the United States or any other country to avoid correcting a basic deficit in its international balance of payments. Thus passage of H.R. 10162 would make it no less essential for the United States in particular to take the steps necessary to get its own balance of payments in order: to balance the Federal budget, to maintain a sound dollar, and above all to keep our costs under control and improve our competitive position in world markets. Nor does adoption of this new arrangement relieve other countries of the necessity of offsetting a larger proportion of U.S. military expenditures abroad, and providing greater economic aid for lesser developed countries. All these policies must be pursued vigorously by our own Government and by others which must cooperate with us, whether or not the arrangements contemplated under H.R. 10162 are adopted. Indeed, restoring a balance to U.S. payments with other nations holds a top priority among all our problems and nothing should deflect us from it.

What the Fund does do, is provide a mechanism for minimizing the impact of temporary strains that may develop in member nation international accounts.

For much of the 15 years' existence of the Fund the U.S. dollar was the only freely convertible member currency. It is not surprising therefore to find that of the $6 billion of currency sales made by the Fund during this period that two-thirds of such currency sales, or $4 billion, were sales to other member countries of U.S. dollars. But that picture is rapidly changing. Within the past couple of years currencies of about a dozen of the major industrial countries have become convertible. This fact is recognized in the legislation before us.

This legislation would authorize the United States to participate, with nine other member industrial countries in providing the Fund, on a loan basis, with an additional $6 billion of usable currencies for the benefit of the participating countries. The U.S. commitment would be $2 billion or one-third of the $6 billion total.

It is a coincidence, of course, that the $6 billion of currency sales made by the Fund over the 15 years of its life is the same as the $6 billion proposed addition to its usable resources. But what is of real interest is the shift in the source of the usable funds. In place of the dollar being called upon to provide two-thirds of the usable funds, as has been true over the life of the Fund to date, the new arrangement only looks to the dollar to provide one-third of the augmented usable resources. Real progress has been and is being made in improving the international payments system of the free world nations.

Last year, Fund sales of member currencies amounted to the equivalent of $2.5 billion. Over 99 percent of these currency sales by the Fund were in the currencies of the 10 countries participating in this new currency loan agreement. Sales of U.S. dollars by the Fund amounted to $821 million or approximately one-third of the total currency sales in 1961. Clearly the currencies of the nine other countries participating in this new currency loan arrangement, have proven to be usable currencies in relieving stresses on the international payments system. This fact emphasizes the potential importance of this new arrangement to the participating countries in general and the United States in particular.

After the large British drawing last summer of the equivalent of $1.5 billion of currencies to meet a temporary payments crisis, in large part arising because of speculative movement of funds, the Monetary Fund had remaining only $1.6 billion of the currencies of the eight other countries which are parties to this new agreement, to meet a drawing request from the United States should that have been necessary or desirable. Under this new arrangement that $1.6 billion potentially could be increased by the equivalent of $3 billion to $4.6 billion. In other words, our own drawing rights from the Fund would become more meaningful as the Fund would have access to a much larger amount of usable currencies should such a need ever arise.

The United States never has made a currency drawing from the Fund; neither has Canada, Germany, Italy, or Sweden. 4 of the other members of this new 10-nation agreement. I believe that all of these nonuser countries earnestly hope that it never will be necessary for them to draw from the Fund. The very existence of the availability of a huge pool of usable currencies certainly should discourage purely speculative forays against any of the participants' currencies. Thus, although it may be possible for the Fund to operate without recourse to this special currency borrowing authority, positive gain still can come purely from the existence of such authority.

Mr. Speaker, I think this is a good bill. I think it will strengthen the free world's international payments system. That is in the interest of expanding free world trade. I hope this legislation is adopted.

Mr. MOORHEAD of Pennsylvania. Mr. Speaker, today, your Committee on Banking and Currency brings to the floor of the House a foreign-aid proposal which is unique in that the United States is the primary beneficiary of the agreement.

This is important: The primary beneficiary of the proposed amendment to the Bretton Woods Agreement is the United States of America.

The International Monetary Fund has a sufficiently large supply of dollars and of pounds to cover any conceivable borrowing by any European country.

The Fund does not have a sufficiently large supply of key European currencies to meet a large borrowing by the United States.

As of the end of last year the United States had a virtually automatic right to draw from the Fund $1.7 billion and almost as free a right to an additional $1 billion or a total of $2.7 billion. Yet, at the same time, the total funds of the International Monetary Fund in currencies of major industrial countries other than the dollar and the pound amounted to only $1.6 billion.

Today, if the United States made a large request on the Fund, Mr. Per Jacobsson, Managing Director of the Fund, would be in a position like Mother Hubbard and find that his cupboard was almost bare of the currencies the United States would need.

Enactment of H.R. 10162 will make possible the stocking of the International Monetary Fund cupboard primarily for the benefit of the United States. Naturally, the other nine participating countries would also benefit because the international trade of the free world requires a stable dollar because it is the primary free world reserve currency.

What kind of a situation is this agreement designed to guard against?

Recent history gives us an answer.

From October 1960 through January 1961 there was a crisis of confidence in the dollar.

During these 4 months we lost $1\frac{1}{4}$ billion in gold.

The price of gold on the London free market went up to $40 per ounce.

The gamblers on the international money markets were at work. In this international poker game they were betting against the dollar.

President Kennedy's strong message to Congress on February 6, 1961, helped to restore confidence in the dollar and for many months thereafter our gold outflow was halted.

What will happen in the next poker game?

If speculation results in a breakdown in the international payments system, all of us here and all of our constituents would suffer. An international financial crisis could lead to an international depression.

Sound monetary and fiscal policies at home are essential to keep the dollar stable, but sometimes these are not enough. Sometime it may be necessary to protect ourselves against the operations of these international speculators by beating them at their own game. To do this we need immediate access to large amounts of foreign currencies to buy back dollars as fast as the speculators try to sell them. This way the game becomes strictly heads we win, tails they lose—and no gambler who plays the odds will take that sort of bet.

The operations of the Treasury Stabilization Fund and of the Federal Reserve will help but they may not be able to provide a sufficiently large amount of key foreign currency to defeat the speculators.

That is where the enactment of this bill, H.R. 10162, becomes important.

Why is H.R. 10162 needed?

The need for H.R. 10162 which amends the Bretton Woods Act of 1945 reflects the important changes which have come about in the world economy in recent years. Recovery from wartime devastation is complete: the economies of the industrialized world are healthy and growing and so is their participation in the trading and financial arrangements of the free world. As a result, currencies, particularly those of Western Europe, have become increasingly strong, and free convertibility of these currencies has been an accomplished fact since 1958. In other words, the free world economic situation today closely resembles that for which U.S. policy has been working since the end of World War II.

Nevertheless, this highly desirable state of affairs has given rise to a new problem. Direct control over short term capital movements is no longer possible, with the result that balances of payments are subject to wider fluctuations as individuals with funds to invest seek out high interest rates and opportunities for speculative gain. There is nothing unusual, or even particularly undesirable, in such a situation so long as the nations affected by these swings are able and willing to cooperate through their own fiscal and monetary operations and through the IMF to maintain a high degree of stability between their currencies.

Maintaining this stability is of special importance to the United States, and its trading partners, since the dollar—along with the pound—has become and is likely to remain the leading international reserve currency for the world. However, the fact that foreign governments, institutions, and individuals both hold and use dollar deposits in the United States to carry out their international financial transactions makes the dollar very sensitive to short term capital movements of all kinds.

At present there is no longer a dollar shortage and a number of strong currencies have emerged in Europe, most notably those of Germany, France, and Italy. Over the past 10 years the total gold and foreign exchange holdings of continental European countries have grown from $7.4 billion to $23.1 billion, and foreigners altogether now have about $18.5 billion in claims against the dollar.

The emergence of these strong currencies with their substantial dollar backing has created a need commonly recognized by the 10 nations participating in this proposal to provide the IMF with access to sufficient resources to enable it to forestall or counteract any movements which are likely to affect adversely the major world currencies. To accomplish this purpose the 10 nations concerned agreed to terms and conditions under which they would be prepared to consider loans in their own currencies to the Fund according to the following schedule:

[Dollars in millions]

	Special resources	Present IMF quota per country	Special resources as percent of present IMF quota
United States	$2,000	$4,125.0	48.4
United Kingdom	1,000	1,950.0	51.2
Germany	1,000	787.5	126.9
France	550	787.5	69.8
Italy	550	270.0	203.7
Japan	250	500.0	50.0
Canada	200	550.0	36.3
Netherlands	200	412.5	48.4
Belgium	150	337.5	44.4
Sweden	100	150.0	66.6
Total	6,000	9,870.0	

The relative financial strength and reserve positions of industrial countries other than the United States and the United Kingdom is reflected in the fact that they have been asked to provide a larger share of the funds to be loaned relative to their IMF quotas than have these two countries. In fact, the sums they agree to consider lending are almost as large as their present quotas in the Fund.

STATUS OF IMF RESOURCES: THE NEED FOR THIS PROPOSAL

Strictly speaking, the IMF is not short of funds. At the end of last year it had $3.2 billion in gold and $11.5 billion in member currencies. However, a substantial portion of these funds are in the currencies of the less developed nations of the world. These currencies are not in sufficient demand in the settlement of international transactions to make them readily usable by the Fund. Countries which find it necessary to borrow from the IMF to stabilize their own currencies generally need dollars, pounds, marks, francs, or lira—or the currencies of the other industrial nations. These are readily acceptable to meet obligations, to buy back their own currencies through stabilization fund operations or to hold as reserves against contingencies. At latest count—December 31, 1961—the Fund held about $6.6

billion in the currencies of the 10 industrial nations participating in this new arrangement. However, 5 billion of this is in dollars and sterling, leaving only $1.6 billion in the other eight currencies.

Under IMF procedure, any member is given the full benefit of doubt with respect to drawing rights on currencies up to an amount equal to its paid in gold subscription to the fund plus an amount equal to the total of that currency currently drawn from the IMF by other countries. On December 31st these drawing rights for the United States amounted to about $1.7 billion plus liberal rights to an additional $1 billion.

In other words, on that date the IMF would have found it extremely difficult to meet a request by the United States for drawings on currencies other than sterling to which it was entitled.

It is exactly this weakness in the IMF which the present proposal is designed to correct. While it is not anticipated that the United States will find it necessary to borrow from the IMF, this proposal is of particular importance to us, as well as to the nations which hold dollar reserves, since an inability to withstand pressures on the dollar would impair the whole international monetary structure. Actually, many of the current pressures are purely speculative and the very fact that sufficient resources might be available to offset capital flights makes these flights unlikely. Knowledge that pressures against devaluation can be met discourages much speculative behavior because people know it cannot succeed. The arrangements being considered here will augment IMF resources by permitting it to borrow the currencies of the other participants whenever pressures against any one of them threaten to impair the world payments system.

BORROWING AND LENDING ARRANGEMENTS UNDER THE PROPOSAL

All lending and borrowing arrangements for these funds are subject not only to the approval of the managing director of the Fund, but also to that of the participating members. This means full consideration will be given to the present capabilities of the participants to respond to requests from the Fund. Specifically, a participant would not be called upon to lend to the IMF if it is currently experiencing balance-of-payments problems. In other words, the burden of lending to the Fund will be placed on those participants which have balance-of-payments surpluses. Since the current agreement is for 4 years, it seems unlikely that the U.S. balance-of-payments position would improve sufficiently to warrant calls from the IMF to the extent of the $2 billion which this bill authorizes for that purpose.

However, although it is unlikely that the United States will be called upon to loan its currency to the IMF our agreement to consider doing so, along with that of the other participants, is required as a part of our adherence to the terms established for these special IMF borrowing arrangements. Should we refuse to pass this bill and appropriate these funds, the arrangements will not become effective and the exercise of our drawing rights on the Fund may be jeopardized.

Should our balance-of-payment position improve sufficiently to warrant a loan to the IMF, the maximum outstanding at any one time is not to exceed $2 billion and the duration of the loan is not to exceed 3 to 5 years. However, loans are to be repaid by the Fund as soon as they have been repaid to it by countries borrowing from the Fund. Moreover, if at any time that a loan to the IMF is outstanding the United States encounters balance-of-payments difficulties, we may request and will receive prompt consideration for immediate repayment. These loans will receive a transfer charge of one-half percent and will earn interest for the Treasury at the rate of 1½ percent per annum under present IMF arrangements.

Borrowing from the Fund takes the form of purchases of other members' currencies for the borrower's own. Should we borrow under the arrangements of the new scheme, this bill amends the Bretton Woods Agreement so that we may lodge with the IMF non-interest-bearing Treasury notes, which may not be reloaned by the IMF, against our drawings—purchases—of other currencies. These notes will return to the Treasury when our debts to the IMF are paid off. It should also be noted that there will be no gold payments to the Fund by the United States as a consequence of our adherence to this arrangement. Further, any currencies acquired under this arrangement will be transferred to and administered by the Treasury Exchange Stabilization Fund.

To conclude, in the modern world of exchange convertibility and growing free trade, the currencies of any of the leading industrial nations, including the United States, are likely to come under pressure from time to time. The proposed IMF arrangements which this bill makes possible will serve our purposes as well as those of the rest of the free world by supplementing IMF funds when and if this becomes necessary to forestall or cope with any impairment of the functioning of the international money system for which we have worked so many years.

Mr. Speaker, under unanimous consent I wish to include as part of my remarks a report dated January 10, 1962, which I made to the chairman of the Banking and Currency Committee on the question of the proposed changes to the International Monetary Fund.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., January 10, 1962.

Hon. BRENT SPENCE,
Chairman, Banking and Currency Committee, U.S. House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: The purpose of this letter is to report to you on the discussions which I had in Europe on the question of the proposed changes to the International Monetary Fund.

My study of the International Monetary Fund and the proposed changes thereto ranged inevitably into a discussion of balance of payments and thence into the balance of trade in our relations with the European Economic Community.

It became obvious to me that unless the deficit in our balance of payments is sooner or later corrected, no additions to the International Monetary Fund would be sufficient. Therefore, it became necessary for me to discuss in my meetings abroad the balance-of-payments situation. In the United Kingdom, where balance-of-payments deficits have become a chronic problem, there is much more concern about our balance-of-payments situation than there is on the Continent of Europe. The attitude on the Continent probably results from the fact that any improvement in our balance-of-payments situation must almost inevitably result in some corresponding reduction in the favorable balance of payments enjoyed recently by the major continental countries.

The underlying cause of our payments deficit has been that we have been operating on assumptions that are no longer true. For example:

1. We have assumed, after it was no longer true, that we were the only economically strong nation in the free world.

2. For years, because of our surplus, we have gotten into the habit of giving not only dollars but also trade and tariff concessions without adequate reciprocity.

3. Similarly, we have carried a disproportionately heavy share of the cost of developing Western Europe and aiding underdeveloped countries, because we (and the Europeans) have been slow to recognize the extent of European recovery.

4. Trade and business relations and particularly American investment in Europe have grown around these assumptions.

The English position is that it will be difficult for us to correct this situation. In the Bank of England it was said that it will be as difficult as changing the course of one's bloodstream. On the Continent, it was pointed out that the situation was not so difficult because it was within our control. We could (1) reduce foreign aid, (2) reduce our Armed Forces abroad, and (3) prohibit American investment abroad.

These suggestions, of course, fail to take into account basic political positions.

The continental powers definitely did not want to see us finance our deficit by increasing our already favorable balance of trade.

Insofar as the United States is concerned, we would like to increase our balance of trade surplus which would increase our economic activity and reduce unemployment. Naturally, the growth and expected enlargement of the European Common Market pose the question as to whether or not the Common Market would be harmful or beneficial to us economically. If the Common Market countries proceed to eliminate internal tariffs and yet keep a high external tariff, it is clear that the economic results would be detrimental to the United States. With the entrance of the United Kingdom into the Common Market, the tendency would seem to be the other way. The United Kingdom would like to join the Common Market and keep special preferences for the Commonwealth countries. The continental powers will not agree to this and in both England and France I heard the suggestion that the solution might be to keep the external tariff wall as low as possible so that not only Commonwealth countries, but also the entire free world could compete in the Common Market.

Naturally, this would be beneficial economically to the United States, if we are prepared to compete in the Common Market, and in third markets with the Common Market countries. Insofar as the Congress is concerned, such policies, which might include tax incentives for plant modernization and liberalized tariff arrangements, would not come before the Banking and Currency Committee. However, in dealing with the affairs of the International Monetary Fund, we must consider whether or not our own economic policies are, as Walter Lippmann said recently, to "come together in one great trading community which includes not only Western Europe and North Africa, but also Japan, Australia, Latin America and Africa—or do we go our separate ways, fragmenting the non-Communist world."

If we work out a trading relationship tying the free world together, then this relationship will be based primarily upon the dollar and secondarily on the pound as the reserve currencies of the world. If this system should break down, all the free world would feel the consequences, quite possibly another depression. We appear to have learned how to prevent severe depression on a national scale. We have not yet developed a mechanism to prevent an international depression resulting from an international monetary panic where the dollar is involved. The proposed special resources for the International Monetary Fund will certainly help, and may be sufficient to solve the problem. I believe that the Banking and Currency Committee should support these proposals and at the same time observe the system closely for any further improvements that could be made.

Respectfully submitted,

WILLIAM S. MOORHEAD

The SPEAKER. The question is on the motion of the gentleman from Kentucky [Mr. SPENCE] that the House suspend the rules and pass the bill H.R. 10162.

The question was taken; and the Speaker announced that in his opinion two-thirds had voted in favor thereof.

Mr. GROSS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 256, nays 94, not voting 86, as follows:

[Roll No. 54]

YEAS—256

Abbitt
Addabbo
Albert
Anfuso
Arends
Ashley
Aspinall
Auchincloss
Ayres
Bailey
Baldwin
Barrett
Bass, Tenn.
Bates
Becker
Beckworth
Belcher
Bennett, Fla.
Betts
Blatnik
Boling
Bolton
Brademas
Breeding
Brewster
Brooks
Broomfield
Broyhill
Burke, Ky.
Burke, Mass.
Burleson
Byrnes, Wis.
Cannon
Carey
Celler
Chamberlain
Chelf
Chenoweth
Cohelan
Conte
Cook
Corman
Cramer
Curtin
Curtis, Mass.
Curtis, Mo.
Daddario
Dague
Daniels
Davis, John W.
Delaney
Dent
Denton
Derounian
Dingell
Dominick
Donohue
Dooley
Downing
Doyle
Dulski
Dwyer
Edmondson
Ellsworth
Fallon
Farbstein
Feighan
Fenton
Finnegan
Fino
Fisher
Ford
Frazier
Frelinghuysen
Friedel
Fulton
Gallagher
Garmatz
Gary
Giaimo
Gilbert
Gonzalez
Goodling
Gray
Green, Pa.
Griffin
Griffiths
Gubser
Hagen, Calif.
Halleck
Halpern
Hansen
Harding
Hardy
Harris
Harrison, Va.
Harvey, Mich.
Hays
Hedley
Hechler
Holifield
Holland
Horan
Hosmer
Inouye
Jarman
Jennings
Joelson
Johnson, Calif.
Johnson, Wis.
Judd
Karsten
Karth
Kastenmeier
Kearns
Kee
Keith
Kelly
Kilburn
Kilgore
King, Calif.
King, N.Y.
King, Utah
Kirwan
Knox
Kunkel
Laird
Landrum
Lane
Lankford
Lesinski
Libonati
Lindsay
Loser
McFall
MacGregor
Mack
Madden
Magnuson
Mahon
Mailliard
Marshall
Martin, Mass.
Martin, Nebr.
Meader
Merrow
Miller, Clem
Miller, George P.
Milliken
Mills
Moeller
Monagan
Montoya
Moorhead, Pa.
Morgan
Morris
Morse
Mosher
Moss
Moulder
Multer
Murphy
Murray
Natcher
Nedzi
Nelsen
Nix
Norblad
Norrell
Nygaard
O'Brien, Ill.
O'Hara, Ill.
O'Hara, Mich.
Olsen
Ostertag
Perkins
Peterson
Pfost
Philbin
Pike
Pillion
Pirnie
Poage
Poff
Powell
Price
Puciński
Purcell
Quie
Randall
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Riehlman
Rivers, Alaska
Roberts, Tex.
Robison
Rodino
Rooney
Rosenthal
Rostenkowski
Roush
Rutherford
Ryan, Mich.
Ryan, N.Y.
St. Germain
Santangelo
Saund
Saylor
Schneebeli
Schweiker
Schwengel
Scranton
Seely-Brown
Shelley
Sheppard
Shipley
Shriver
Sibal
Sisk
Slack
Smith, Iowa
Smith, Va.
Spence
Springer
Stafford
Staggers
Steed
Stephens
Stratton
Stubblefield
Sullivan
Teague, Calif.
Teague, Tex.
Thomas
Thompson, N.J.
Thompson, Tex.
Thompson, Wis.
Toll
Trimble
Tuck
Tupper
Udall, Morris K.
Ullman
Van Zandt
Vinson
Wallhauser
Walter
Watts
Weaver
Weis
Westland
Widnall
Willis
Wright
Young
Zablocki

NAYS—94

Abernethy
Adair
Alexander
Alger
Andersen, Minn.
Ashbrook
Ashmore
Baker
Baring
Battin
Beermann
Bell
Bennett, Mich.
Berry
Bow
Bray
Brown
Bruce
Chiperfield
Church
Collier
Colmer
Cunningham
Davis, James C.
Derwinski
Devine
Dole
Dorn
Durno
Everett
Findley
Flynt
Forrester
Fountain
Garland
Gathings
Gross
Hagan, Ga.
Haley
Hall
Harrison, Wyo.
Harsha
Hemphill
Henderson
Herlong
Hiestand
Hoeven
Hoffman, Ill.
Huddleston
Ichord, Mo.
Jensen
Jonas
Kornegay
Kyl
Langen
Latta
Lennon
Lipscomb
McCulloch
McDonough
McMillan
McSween
McVey
Mason
Matthews
Michel
Miller, N.Y.
Minshall
Moore
O'Konski
Pelly
Ray
Reifel
Rogers, Fla.
Rogers, Tex.
Roudebush
Rousselot
St. George
Schenck
Scherer
Short
Siler
Smith, Calif.
Taber
Taylor
Tollefson
Utt
Van Pelt
Wharton
Whitten
Williams
Wilson, Calif.
Winstead
Younger

NOT VOTING—86

Addonizio
Alford
Anderson, Ill.
Andrews
Avery
Barry
Bass, N.H.
Blitch
Boggs
Boland
Bonner
Boykin
Bromwell
Buckley
Byrne, Pa.
Cahill
Casey
Cederberg
Clancy
Clark
Coad
Cooley
Corbett
Davis, Tenn.
Dawson
Diggs
Dowdy
Elliott
Evins
Fascell
Flood
Fogarty
Gavin
Glenn
Goodell
Granahan
Grant
Green, Oreg.
Harvey, Ind.
Hebert
Hoffman, Mich.
Hull
Johansen
Johnson, Md.
Jones, Ala.
Jones, Mo.
Keogh
Kitchin
Kluczynski
Kowalski
McDowell
McIntire
Macdonald
Mathias
May
Moorehead, Ohio
Morrison
O'Brien, N.Y.
O'Neill
Osmers
Passman
Patman
Pucher
Rains
Reece
Rivers, S.C.
Roberts, Ala.
Rogers, Colo.
Roosevelt
Schadeberg
Scott
Selden
Sikes
Smith, Miss.
Thompson, La.
Thornberry
Vanik
Waggonner
Whalley
Whitener
Wickersham
Wilson, Ind.
Yates
Zelenko

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The Clerk announced the following pairs:

Mr. HÉBERT with Mr. OSMERS.
Mr. MORRISON with Mr. SCHADEBERG.
Mr. ELLIOTT with Mr. WHALLEY.
Mr. EVINS with Mr. GLENN.
Mr. MACDONALD with Mr. HOFFMAN of Michigan.
Mr. SIKES with Mr. GOODELL.
Mr. ADDONIZIO with Mr. BARRY.
Mr. O'NEILL with Mr. ANDERSON of Illinois.
Mr. BOLAND with Mr. CLANCY.
Mr. ALFORD with Mr. GAVIN.
Mr. COOLEY with Mrs. REECE.
Mr. DOWDY with Mr. WILSON of Indiana.
Mr. FOGARTY with Mr. JOHANSEN.
Mr. ROOSEVELT with Mr. MATHIAS.
Mr. ROGERS of Colorado with Mr. CORBETT.
Mr. WICKERSHAM with Mr. MOOREHEAD of Ohio.
Mr. THOMPSON of Louisiana with Mr. HARVEY of Indiana.
Mr. HULL with Mr. MCINTIRE.
Mr. BOGGS with Mr. BASS of New Hampshire.
Mr. YATES with Mr. CAHILL.
Mr. RAINS with Mrs. MAY.
Mr. ROBERTS of Alabama with Mr. CEDERBERG.
Mr. KLUCZYNSKI with Mr. BROMWELL.

Mrs. ST. GEORGE changed her vote from "yea" to "nay."

Mr. GUBSER changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. SPENCE. Mr. Speaker, I ask unanimous consent that all Members who so desire may insert their remarks on this bill before the rollcall, and include therein extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

INCIDENTAL USE OF FISH AND WILDLIFE AREAS

Mr. DINGELL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1171) to increase the public benefits from the national fish and wildlife conservation area through their incidental or secondary use for public recreation, and for other purposes, as amended.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in recognition of mounting public demands for recreational opportunities on national wildlife refuges, game ranges, national fish hatcheries, and other conservation areas administered by the Secretary of the Interior for fish and wildlife purposes; and in recognition also of the resulting imperative need, if such recreational opportunities are provided, to assure that any present or future recreational use will be compatible with, and will not prevent accomplishment of, the primary purposes for which the said conservation areas were acquired or established, the Secretary of the Interior is authorized, as an appropriate incidental or secondary use, to administer such areas or parts thereof for public recreation when in

his judgment public recreation can be an appropriate incidental or secondary use: *Provided*, That such public recreation use shall be permitted only to the extent that is practicable and not inconsistent with other previously authorized Federal operations or with the primary objectives for which each particular area is established: *Provided further*, That in order to insure accomplishment of such primary objectives, the Secretary, after consideration of all authorized uses, purposes, and other pertinent factors relating to individual areas, shall curtail public recreation use generally or certain types of public recreation use within individual areas or in portions thereof whenever he considers such action to be necessary: *And provided further*, That none of the aforesaid refuges, hatcheries, and conservation areas shall be used during any fiscal year for those forms of recreation that are not directly related to the primary purposes and functions of the individual areas until the Secretary shall have determined—

(a) that such recreational use will not interfere with the primary purposes for which the areas were established, and

(b) that funds are available for the development, operation, and maintenance of these permitted forms of recreation. This section shall not be construed to repeal or amend previous enactments relating to particular areas.

SEC. 2. In order to avoid adverse effects upon the wildlife populations of the said areas that might otherwise result from public recreation or visitation to such areas, the Secretary is authorized to acquire limited areas of land for recreational development adjacent to the said conservation areas: *Provided*, That the acquisition of any land or interest therein pursuant to this section shall be accomplished only with such funds as may be appropriated therefor by the Congress or donated for such purposes, but such property shall not be acquired with funds obtained from the sale of Federal migratory bird hunting stamps.

SEC. 3. In furtherance of the purposes of this Act, the Secretary is authorized to cooperate with public and private agencies, organizations, and individuals, and he may accept and use, without further authorization, donations of funds and real and personal property. Such acceptance may be accomplished under the terms and conditions of restrictive covenants imposed by donors when such covenants are deemed by the Secretary to be compatible with the purposes of the wildlife refuges, game ranges, fish hatcheries, and other fish and wildlife conservation areas.

SEC. 4. The Secretary may establish reasonable charges, fees, and permits for public use of national wildlife refuges, game ranges, national fish hatcheries, and other conservation areas administered by the Department of the Interior for fish and wildlife purposes of this Act. A violation of such regulations shall be a petty offense (18 U.S.C. 1) with maximum penalties of imprisonment for not more than six months, or a fine of not more than $500, or both.

SEC. 5. There is authorized to be appropriated such funds as may be necessary to carry out the purposes of this Act, including the construction and maintenance of public recreational facilities.

The SPEAKER. Is a second demanded?

Mr. TOLLEFSON. Mr. Speaker, I demand a second.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. TOLLEFSON. I am.

The SPEAKER. The gentleman qualifies.

Without objection, a second will be considered as ordered.

There was no objection.

Mr. DINGELL. Mr. Speaker, I yield myself such time as I may use.

Mr. Speaker, this bill was reported unanimously by the Committee on Merchant Marine and Fisheries and reported to that committee unanimously by the Subcommittee on Fish and Wildlife.

The function of this bill is to recognize that the wildlife refuges, the installations and facilities of the Fish and Wildlife Service are being utilized to near the brink of destruction through overuse. The number of visitors at the refuges and game ranges has increased from 3,500,000 in 1951 to approximately 11 million in the year 1960.

In addition to this, there are around a million persons a year who use the fish hatcheries for picnicking, for camping, and for similar outdoor recreation. With the anticipated increase in outdoor recreation, the subcommittee and full committee expect that this use will increase very substantially in the foreseeable future.

It was significant to note that there was no witness in opposition to this measure.

Briefly, Mr. Speaker, the measure provides, in recognizing the mounting public demands and increased outdoor recreation in this country, that the Congress for the first time finds that public recreation is one of the functions that can usefully and appropriately be provided in the fish and wildlife refuges throughout of the Federal Government.

Furthermore, the bill provides that recreation shall be recognized only as an appropriate incidental and secondary use of these facilities, and that these facilities shall be so operated as to protect their main use for wildlife, for the benefit of which all refuges and other fish and wildlife areas and installations have been established. There is a safeguard which requires that where additional lands are required that these lands shall be acquired not through duck stamp funds, which are secured from the sale of migratory bird stamps to hunters, fishermen, and the like, but rather from appropriated funds. The Secretary must make certain findings before he throws these areas open to public use; the bill requires him to find, for example, that there is sufficient money available to administer and protect these areas, and he must find that the utilization for recreational use will not be harmful to the basic purpose of the refuges.

There are certain other things that the House should bear in mind in the consideration of these measures, and that is during large parts of the year migratory waterfowl refuges are nearly idle. For example, in the southern part of the United States the large part of the migratory waterfowl leave during the summer months and move to the north to breeding grounds. There are certain refuges which are established, the sole purpose of which is to provide resting places as the migratory waterfowl pass on from north to south and south to north.

During the balance of the year there are certain types of recreation that can be made available to our people on these refuges, including fishing, swimming, camping, boating, and other useful and wholesome recreation.

I want to pay tribute to the chairman of the full committee, the subcommittee, the ranking minority members of the full committee and subcommittee, and the members of the full committee and the subcommittee who worked so hard to make this bill a sound and a comprehensive piece of worthwhile wildlife legislation.

I would also like to pay tribute to the distinguished gentleman from Iowa [Mr. JENSEN], whose good work on behalf of this bill is well known to the membership of the committee and whose efforts have brought it to fruition.

I should like also to pay tribute to the gentleman from Nebraska [Mr. CUNNINGHAM], who also worked on behalf of this bill and sponsored an identical piece of legislation.

Mr. SAYLOR. Mr. Speaker, will the gentleman yield?

Mr. DINGELL. I yield to the gentleman from Pennsylvania.

Mr. SAYLOR. I would like to commend the committee for bringing this bill to our attention and to the floor for action.

Just so that the record is clear, I want to make sure that the sentence which appears on page 3 of the report is not misconstrued. If you will look at page 3 of the report, the second paragraph, you will find this sentence:

> However, such use will entail the addition of facilities such as parking areas, acquisition roads, sanitary facilities, dock and launching ramps, and campgrounds, to encourage the widest possible use of the areas.

My question is, in light of this sentence, Is it intended that the secondary use will in any way interfere with the primary use of these areas and the purpose for which they were originally established?

Mr. DINGELL. The gentleman is absolutely correct as to that point. As a matter of fact, the whole redraft of the bill, which was done by the subcommittee with the consent and approval of the author, is that recreation is purely a secondary use and that it shall not be permitted to run away, as it has in some instances, for example, in some of the national parks; in addition to this, that the administration shall be such as to protect the program for waterfowl, migratory game, and so forth, which utilize it, and preserve the refuge for its primary purpose.

Mr. SAYLOR. Is there any remedy provided at this time in case there is a misuse of an area by the public so that it could be returned to its original use?

Mr. DINGELL. There is no such language in the bill. However, I would call the attention of my good friend to line 5, page 3, of the bill, where it says:

> *Provided*, That such public recreation use shall be permitted only to the extent that is practicable and not inconsistent with other previously authorized Federal operations or with the primary objectives for which each particular area is established: *Provided further*, That in order to insure accomplishment of such primary objectives, the Secretary, after consideration of all authorized uses, purposes, and other pertinent factors relating to individual areas, shall curtail public recreation use generally or certain types of public recreation use within individual areas or in portions thereof whenever he considers such action to be necessary.

Mr. SAYLOR. In other words, if the Secretary did open one of these areas to a secondary use and found that there had been abuse, the Secretary has in this bill the authority to restrict such uses?

Mr. DINGELL. That is correct. Further, there is this very strong mandate, I will say to the gentleman. The Secretary must determine before he can open these refuges in any fiscal year, first, that such recreational use will not interfere with the primary purposes for which the areas were established; and second, that funds are available for the development, operation, and maintenance of these permitted forms of recreation. This section shall not be construed to repeal or amend previous enactments relating to particular areas.

Mr. ANDERSEN of Minnesota. Mr. Speaker, will the gentleman yield?

Mr. DINGELL. I yield to the gentleman from Minnesota.

Mr. ANDERSEN of Minnesota. I would like to compliment the committee for bringing out this bill. I furthermore would like to commend the gentleman from Iowa [Mr. JENSEN] and the gentleman from Nebraka [Mr. CUNNINGHAM] for providing us an opportunity to discuss a measure of this nature here today.

I am vitally interested in this legislation because we in Minnesota are blessed, as you well know, with many lakes, and therefore fish and wildlife and recreation are important to that area. The increase in the numbers of visitors to these refuges and fish hatcheries is plainly evident in my State and I have no doubt that the use of these facilities will increase still more in the foreseeable future.

In my own congressional district in southwest Minnesota, there is now being planned a great wildlife refuge and recreational area near Ortonville, Minn., known as the Big Stone Lake-Whetstone River project. When completed this area will provide recreation for additional thousands of people.

Now is it not a fact that the Fish and Wildlife Service today does not have any authority whatsoever with respect to restrooms and sanitation facilities in refuges of this nature?

Mr. DINGELL. There is no such clear statutory provision at this time.

Mr. ANDERSEN of Minnesota. Of course, if we do not provide for such facilities, we are apt to destroy the entire purpose of the refuge by having no control whatsoever of sanitation in that area; is that correct?

Mr. DINGELL. The gentleman is correct. In the same way, the areas are in grave danger of overuse at this time, and this bill sponsored by the gentleman from Iowa will be of significant help in providing the administration that is necessary.

Mr. ANDERSEN of Minnesota. As the gentleman has stated, we might as well utilize the secondary benefits in areas of this nature.

Mr. DINGELL. That is correct. And, over the years we hope to have, in order to preserve the migratory wildfowl, some 4.5 million acres purchased by proceeds of duck stamp sales.

One thing I want to stress is that the recreation contemplated is not wild motorboating, water skiing, and so forth, since these often, almost invariably are destructive of refuge purposes.

Mr. Speaker, I reserve the balance of my time.

Mr. TOLLEFSON. Mr. Speaker, I yield 5 minutes to the gentleman from Iowa [Mr. JENSEN].

Mr. JENSEN. Mr. Speaker, the gentleman from Michigan, Mr. DINGELL, has explained this bill quite in detail. I want to thank and compliment the gentleman for the untiring, effective, hard work that he did in perfecting this bill, with the full cooperation of the members of the Committee on Merchant Marine and Fisheries for their unanimous support and for bringing this bill to the floor of the House today.

Mr. Speaker, this bill provides in short that the Fish and Wildlife Service may expend appropriated funds and donated funds for recreational facilities in wildlife refuges, which up to this time has not been their privilege. We have in this Nation hundreds of thousands of acres in wildlife refuges. Because of the great demand, nationwide, for additional recreational areas, this bill, if made law, will make it possible for people in many areas of America to enjoy the recreational facilities that will be provided under the provisions of this bill. It will provide for those facilities and it will not in any way interfere with wildlife. It will provide sanitary facilities, swimming, boating, fishing, and skiing on the ponds and lakes within the wildlife refuges, to the end that it will save millions upon millions of dollars for the American taxpayers, millions of whom are urging greater recreational facilities in their respective areas.

Mr. Speaker, I am pleased to report that the Department of Interior is in full support of this bill. However, they have made certain recommendations, after Mr. CUNNINGHAM and I introduced the original bill, that the bill be amended in certain respects. Those recommendations have been incorporated in the bill now before the House.

The Izaak Walton League is in full support of this bill, and also the Sport Fisheries Institute of America. I have letters here substantiating that statement.

Mr. Speaker, I know that if this bill is made law it will provide recreational areas for people in many sections of America and especially for the children of America who need outdoor recreation. It may to some extent reduce juvenile delinquency, because, as the old saying goes, "Take your boy to the great outdoors fishing and hunting and you will never have to go hunting for your boy."

Mr. Speaker, so far as I know there is no opposition to this bill. We can only hope that it will be adopted by both Houses of Congress by unanimous vote.

Mr. TOLLEFSON. Mr. Speaker, I yield 5 minutes to the gentleman from Nebraska [Mr. CUNNINGHAM].

Mr. CUNNINGHAM. Mr. Speaker, I should not like this opportunity to pass without expressing my deep appreciation to the chairman and members of the committee who reported out this bill, especially my dear friend and most able colleague, the gentleman from Michigan, who I know has worked extremely hard on this particular legislation.

There are many areas of the country that are not so fortunate as to have an oversupply of recreational facilities. Many States in the Midwest and in the old area of the dust bowl and others just do not have places to get away to and have a little relaxation.

This legislation will enable the Federal Government to take advantage of facilities they now have and provide some bare necessities so that the less fortunate people who cannot go to more expensive resorts, or to places at great distances away, may enjoy a little recreation and outdoor activity. I think it is a great step forward. I think it is going to be a great boon to what we often refer to as the "little people of America." So I am happy to have had a part in the introduction and passage of this legislation and again I wish to express my very deep appreciation of the committee's action and of their thorough consideration of this problem.

Mr. DINGELL. Mr. Speaker, I yield such time as he may require to the gentleman from West Virginia [Mr. BAILEY].

Mr. BAILEY. Mr. Speaker, I wish to commend the members of the committee that brought this legislation to the floor. It enables me to comply with the request of the Izaak Walton League, the Rod and Gun Club, and Sportsmen Unlimited in my State who have requested me to support this legislation. It is a pleasure to do so.

Mr. DINGELL. Mr. Speaker, I yield such time as he may require to the gentleman from California [Mr. GEORGE P. MILLER].

Mr. GEORGE P. MILLER. Mr. Speaker, I want to congratulate the gentleman from Michigan [Mr. DINGELL] for bringing this legislation to the floor. It was my privilege to serve with him on the Committee on Merchant Marine and Fisheries for many years and I know of his devotion to the subject of wildlife, its protection and its uses for the benefit of the people of the country and particularly the sportsmen and the little people.

Mr. Speaker, I am happy to support the legislation.

Mr. DINGELL. Mr. Speaker, I thank the distinguished gentleman from California. Let me say that the Committee on Merchant Marine and Fisheries was honored to have the distinguished gentleman with us for a number of years before he went on to greater things. We are keenly aware of his interest in this subject.

Mr. Speaker, I yield such time as he may require to the gentleman from California [Mr. DOYLE].

Mr. DOYLE. Mr. Speaker, with my cordial compliments to the distinguished gentleman from Michigan [Mr. DINGELL] and all who were instrumental in bringing this very worthy provision, as specified under H.R. 1171, to the floor of the House this day under suspension of rules so that it could be promptly adopted by this great legislative body, I wish also to state that I recognize in its basic provisions a very logical and strength-giving use of the lands under the Department of Fish and Wildlife in the best interests of millions of the citizens of our beloved Nation for recreational activities and programs as well as the enjoyment of God's out of doors in a very much larger way and manner than has ever been possible before.

With the cooperation of the Department of Interior in this matter through the office of its able Secretary, there will be made available in these areas amassed by the Department of Fish and Wildlife opportunities for active recreation in such recreational participation as photography, sightseeing, picnicking, camping, boating, fishing, hunting.

Mr. Speaker, it should be significant that the American people love to be in the native habitat of wildlife in our mountain, lake, and stream areas for the number of visitor days of public use of wildlife refuges and game ranges has perceptibly increased from 3,500,000 citizens of America in the year 1951 to about 11 million in the year 1960; and about 1 million persons a year visit our fish hatcheries. Of course, the active recreational uses by the visitors to these areas will be restricted to the extent it is practical and not at all inconsistent with the primary objectives for which these fish and wildlife areas were originally set aside. There are about 140 of such areas out of the total of 289 wildlife refuges on which public recreational activities are now permitted and the logical and natural demand for further use of these areas and for additional areas is the natural result of the pleasures of our daily life.

The estimated cost for the administration of these recreational facilities annually, I am informed by the committee, will be less than a million dollars, and I am also very pleased to see that section 2 of this worthy bill specifies cooperation with private and public agencies and individuals engaged with furnishing such recreational programs.

Mr. Speaker, a few minutes ago I was asked by a fellow colleague of this great legislative body what experience, if any, my great interest in support of this bill stemmed from and I was pleased to relate that it does so from the fact that for 15 years at Long Beach, Calif., I had the great privilege of being chairman of the Public Recreation Commission—without pay. In this official capacity it was my pleasure to attend several State and National conferences on this subject of recreation. True, Mr. Speaker, a person is naturally strengthened and gets stronger in spirit, mind, and body by a constructive use of his or her leisure time. And, may I respectfully say that a family which plays together stays together more nearly than any other typical family. In like manner whatever a person does when he has nothing to do definitely contributes to his or her strength of character and contribution to our Nation's strength, structure, or stability—or lack of it. So, I am pleased to join in congratulations to the committee for bringing this bill to the floor at this time. I feel sure all of my colleagues will join in unanimous, or practically unanimous, support of this bill. I urge unanimous support.

Mr. DINGELL. Mr. Speaker, I yield such time as he may require to the gentleman from California [Mr. HAGEN].

Mr. HAGEN of California. Mr. Speaker, I, too, wish to commend the gentleman from Michigan [Mr. DINGELL] for bringing this bill to the floor and the gentleman from Iowa [Mr. JENSEN], who worked with him on this bill. It represents an expanded use of a great national resource to the detriment of no one and to the benefit of thousands and thousands of people.

Mr. TOLLEFSON. Mr. Speaker, I yield 2 minutes to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to speak out of order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, I am sure that the Members of the House who voted so enthusiastically a few minutes ago to toss another $2 billion into the kitty for the International Monetary Fund will be interested to know that when this Government bought some 240 million French francs on March 1 of this year, the money did not come from the International Monetary Fund. The Federal Reserve put $50 million into the purchase of some 240 million francs. I am sure that everyone who so enthusiastically voted, as they did a little while ago, will agree that this action is not designed to help resolve the financial imbalance that this country now has with foreign countries. It was another $50 million contribution to the imbalance existing between the United States and foreign countries.

Mr. TOLLEFSON. Mr. Speaker, I yield such time as he may desire to the gentleman from Iowa [Mr. JENSEN].

Mr. JENSEN. Mr. Speaker, I am very happy that I hear no opposition to this bill. I must say that I appreciate the support of this bill by the gentleman from Washington [Mr. TOLLEFSON]. He has been very kind in taking care of the things that are necessary to be looked after when a bill comes to the floor, and he has been very kind in supporting the bill. I say that also in behalf of every member of the Committee on Merchant Marine and Fisheries. It is very wonderful to know that they did favor the bill, and I know why: Because it is a bill which will be good for the American people and for the economy of our country.

Mr. DINGELL. Mr. Speaker, I yield such time as he may desire to the distinguished chairman of the Committee on Interior and Insular Affairs, the gentleman from Colorado [Mr. ASPINALL].

Mr. ASPINALL. Mr. Speaker, I want my colleagues to know that I favor the bill, and particularly favor that part of the bill which is in section 4, which gives the Secretary of the Interior the authority to establish "reasonable charges, fees, and permits." However, there is this one question I should like to direct to the attention of the gentleman from Michigan [Mr. DINGELL]; that is, whether or not he considers the language in the first part of the bill, which refers to the jurisdiction of the Secretary of the Interior over other "conservation areas administered by the Secretary of the Interior for fish and wildlife purposes," would include any of the jurisdiction of the National Park Service.

Mr. DINGELL. The answer to that question is no. The committee was referring exclusively to the areas administered by the Fish and Wildlife Service. In line 20 on page 2 of the bill appears similar language:

> And other conservation areas administered by the Secretary of the Interior for fish and wildlife purposes

This is the land we are seeking to legislate for here.

Mr. ASPINALL. I am glad to have that as part of the legislative history of this measure.

Mr. DINGELL. Mr. Speaker, I yield such time as he may desire to the gentleman from Florida [Mr. HALEY].

Mr. HALEY. Mr. Speaker, I notice in the report on the bill the Department estimates the cost at somewhat less than $5 million, and the annual maintenance and administrative expense at $1 million. I wonder if the gentleman can enlighten us a little bit about the $5 million. If it is thought that the cost of construction may not go over $5 million, why is not a limitation put in the bill so that this will not be an open end bill?

Mr. DINGELL. I may state for the committee it is not the intention of the committee to establish a large new program of expenditure, but the committee was never able to get a concrete estimate of the overall cost. However, the committee was able to get this estimate, which we regard as being in a sense at least an initial limitation on the amount which will be spent. It is my experience that the Fish and Wildlife Service has not been given attention to the degree it should. I am quite sure that over the years this will be brought very carefully to the attention of the appropriate committees of Congress.

Mr. HALEY. I assure the gentleman that I hope the Committee on Appropriations will take into consideration the remarks just made by the gentleman from Michigan.

Mr. DINGELL. The distinguished gentleman from Iowa, the author of the bill, is a member of the Committee on Appropriations. He is very careful with public funds, and I am sure he will watch this matter very carefully to be certain that it is handled economically.

Mr. HALEY. The gentleman from Iowa [Mr. JENSEN] has just assured me that he will.

The SPEAKER pro tempore. The question is, Will the House suspend the rules and pass the bill, as amended?

The question was taken, and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

The title was amended so as to read: "A bill to assure continued fish and wildlife benefits from the national fish and wildlife conservation areas by authorizing their appropriate incidental or secondary use for public recreation to the extent that such use is compatible with the primary purposes of such areas, and for other purposes."

GENERAL LEAVE TO EXTEND

Mr. JENSEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

STATEMENT OF THE CASE ON CLAIMS APPEALED TO BOARD OF VETERANS APPEALS

Mr. TEAGUE of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 857) to amend section 4005 of title 38, United States Code, to provide that cases appealed to the Board of Veterans Appeals shall contain a brief statement of the facts of the case appealed, with a citation and application of the law, together with the recommendations of the office appealed from, and for other purposes, as amended.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4005(e) of title 38, United States Code, is amended to read as follows:

"(e) (1) Where a claimant or his representative within the time specified for filing an application for review on appeal expresses in writing dissatisfaction with, or objection to, the decision of the agency of original jurisdiction on any issue, the activity concerned will prepare a statement of the case consisting of—

"(A) a summary of the evidence in the case pertaining to the issue or issues as to which there is dissatisfaction or objection;

"(B) a citation or discussion of the pertinent law, regulations, and where applicable the provisions of the schedule for rating disabilities; and

"(C) the decision on the issue or issues and a summary of the reasons therefor.

"(2) Copies of the statement of the case prescribed by paragraph (1) of this subsection will be furnished the claimant, and to his representative if there is one. The claimant will at this time be advised of his right to appeal and that, if he desires to file an application for review on appeal, he should set out in his application specific allegations of error of fact or law, relating such allegations where feasible to specific items in the statement of the case. The claimant will be afforded a period of thirty days from the date the statement of the case is mailed to him or the remainder of the period specified in subsection (a) of this section (or, in the case of simultaneously contested claims, the period specified in section 4007 of this title), whichever is the greater, to perfect his appeal. If the claimant fails to respond, but the expression of dissatisfaction which he filed contains specific allegations of error of fact or law the case will be forwarded to the Board for appropriate action on the record as it then exists; otherwise the case will be closed by the agency of original jurisdiction.

"(3) In any case where furnishing a statement of the case as required by this subsection would disclose matters that would be injurious to the physical or mental health of the claimant, the Administrator may modify the statement furnished claimant to eliminate such material. In such a case, if the claimant has designated a representative, the Administrator may, nevertheless, furnish a full statement of the case to the representative, unless he finds that the relationship between the claimant and the representative is such that the disclosure to the representative would be as harmful as if made to the claimant.

"(4) Any statement of fact which is contained in the statement of the case and to which no exception is taken by the claimant or his representative shall be prima facie evidence of the correctness of such statement of fact.

"(5) If an application for review on appeal is filed after a statement of the case has been presented to a claimant the activity concerned will review such application to determine if it is defective in specific allegations of errors of fact or law. If it finds the application to be defective the activity will advise the claimant or his representative of this fact and afford a reasonable time for the application to be amended to cure the defect. If the claimant does not take advantage of this opportunity the case will be referred to the Board for appropriate action which may include dismissal for insufficiency.

SEC. 2. The amendments made by this Act shall be effective January 1, 1963.

The SPEAKER pro tempore. Is a second demanded?

Mr. SAYLOR. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

Mr. TEAGUE of Texas. Mr. Speaker, I yield to the gentleman from North Carolina [Mr. KORNEGAY], chairman of the subcommittee handling this bill.

Mr. KORNEGAY. Mr. Speaker, this bill, as reported, seeks to provide that cases appealed to the Board of Veterans Appeals shall contain a brief statement of the facts of the case appealed with a citation and application of the law, together with the recommendations of the office appealed from.

Prior to forwarding the appeal, the statement of the case would be submitted to the appellant or his agent and he would be allowed 30 days in which to perfect his appeal. If the claimant fails to respond but the explanation of dissatisfaction which he filed contains specific allegations of error of fact or law, it will be forwarded to the Board for review on the record as it then exists. Otherwise, the case will be closed by the agency of original jurisdiction. It is further provided that any statement of fact to which no exception is taken by the claimant shall be prima facie evidence of the correctness of that particular fact.

The Veterans' Administration filed, under date of May 25, 1961, a report on this proposal which is adverse. Subsequently, however, in testimony before a special subcommittee the General Counsel of the Veterans' Administration on March 1, 1962, while not advocating the legislation, made the following comments and suggestions on the bill which were adopted by the committee.

The General Counsel said:

Legislation pending before this committee, H.R. 857, introduced by Mr. TEAGUE of Texas on January 3, 1961, is an interesting and far-reaching bill directed toward this situation. While we did not recommend enactment of H.R. 857 in our report of May 25, 1961, for several reasons—particularly our uncertainty as to the overall purpose of the bill—we concede that, with certain modifications, it could accomplish a worthwhile improvement in due process.

H.R. 857 would require, in cases appealed to the Board of Veterans Appeals, that the agency of original jurisdiction prepare a statement of facts in the case, the law applicable, and a discussion of the application of the law to the facts, together with recommendations with respect to the disposition of the appeal. This statement would be furnished to the appellant for the purpose of obtaining his concurrence in the accuracy of the statement. In the event of nonconcurrence the appellant would be required to furnish exceptions to the statement. If concurrence were not obtained or exceptions filed within a specified time, the appeal would be dismissed. If legislation along those lines is to be favorably considered we suggest modifications in the bill which would provide the dissatisfied claimant with the information as now required by the bill, be applicable to a greater number of cases and eliminate the penalty of dismissal of the appeal for failure to concur or furnish exceptions.

Specifically, we suggest that it would be workable to require that in all cases in which the claimant expresses dissatisfaction with or objection to the decision of the agency of original jurisdiction on any issue, the agency prepare—

(a) A summary of the evidence in the case pertaining to the issue as to which there is dissatisfaction;

(b) A discussion of the pertinent law, regulations and provisions of the schedule for rating disabilities where applicable;

(c) The decision on the issue and a summary of the reasons therefor.

This "Statement of the Case" would be furnished the claimant and his representative if there is one. He would, as in the past, be advised of his right to appeal, and required to set out in his appeal allegations of error of fact or law and urged to relate such to specific items in the "Statement of the Case." If an appeal is filed which is defective in specification of errors of fact or law the agency of original jurisdiction would advise the claimant of the deficiencies and seek to have the appeal amended, but the final determination as to the adequacy of the appeal would be made by the Board of Veterans Appeals.

The bill, modified as suggested, would, in our opinion, have these effects:

(a) The complete explanation of the evidence and law would eliminate many appeals based on misunderstanding rather than belief of error.

(b) The claimant would be afforded an opportunity (1) to furnish new and material evidence in instances wherein the record was incomplete, and (2) to more effectively present his contentions on appeal.

(c) The implications of an adversary proceeding which are inherent in H.R. 857 as now drafted would be avoided.

(d) Lighten the burden of the Board of Veterans Appeals in that the issues for its consideration would be more specifically delineated.

There are 42,700 cases appealed annually. There are a number in addition to this in which dissatisfaction is expressed with the initial decision but in which for various

reasons appeals are never filed. We estimate that the total cases to be included under the suggested procedure would be approximately 60,000 annually. At the request of the chairman of the House Veterans' Affairs Committee, a pilot study was conducted of 100 cases under a procedure resembling that prescribed by H.R. 857 as now drafted. This study was restricted to an outline or index of the material rather than a complete analysis of the evidence, and full discussion of the pertinent law and regulation. The average cost of preparing these summaries was $21.29. These summaries were furnished to accredited representatives but not to the claimants. They were not adequate and under the modifications we are suggesting these costs would necessarily be substantially increased.

H.R. 857 provides that no disclosure of any matters will be made to a claimant when such disclosure would be injurious to his physical or mental health. There are a significant number of cases in this category and broad discretion would necessarily have to be delegated to medical authorities and adjudicating officials at the local level to determine the cases in which disclosure can be safely made. The largest category are those cases involving the more serious psychiatric disorders. If the claimant is incompetent, disclosure may be made to his guardian in some cases. In others, where his guardian or custodian is a close family member, as his wife, full disclosure would be just as harmful as if made to the claimant. Other cases in which the full facts may not be disclosed are diseases where the prognosis is poor, as in malignancies, and those of misconduct origin, wherein the claimant would not desire the information to come into his home. If these claimants have accredited representatives, there would be no particular problem. If they do not, the "Statement of the Case" would have to be modified to eliminate material which would be injurious to the health or welfare of the claimant but to still contain all the information which could safely be furnished.

In view of the broad discretion which must be exercised to protect the claimant and insure due process within the framework of beneficial legislation, we believe that any legislation in this area should be in the broadest of terms to allow the Administrator the maximum leeway in its administration.

We are not advocating at this time the enactment of H.R. 857, even if modified as suggested. There would be a substantial administrative cost and we have not resolved in our own minds the question of whether the improvements would justify these expenses and have not thus far discussed with the Bureau of the Budget the relationship of such a proposal to the administration's program.

Mr. Speaker, in 1961, in response to the request of the committee, 10 regional offices summarized 10 different cases along the lines sought to be accomplished by the "Statement of the Case." This summary was then presented to third-year law students who were required to write findings of fact and conclusions of law as provided in Public Law 87-97, approved July 20, 1961. The results were published in Committee Print No. 118, 87th Congress. Thus, the Veterans' Administration has had some experience in preparing summaries—an experience which can logically be expected to improve as more use is made of this procedure. The average cost of preparing such summaries in 1961 was $21.29 and it is believed quite warranted and fully justified in view of the improvement in quality of decisions which will be rendered and the doing of greater equity to the veterans. Also, there will be some savings of an unknown amount in the Board of Veterans' Appeals as a result of this "Statement of the Case," and certainly service to the veteran and to his representatives will be improved. The Veterans' Administration report suggests a maximum annual expenditure of $800,000.

The committee, in 1961, requested the Veterans' Administration to provide 10 summaries from 10 different regional offices; and when these summaries were obtained the Veterans' Affairs Committee submitted them for review to a number of third-year law students—students who were selected by the deans of some of the outstanding law schools in the country, such as Harvard, Yale, Georgetown, California, Virginia, and so forth. These summaries, together with the Board of Veterans' Appeals decisions and the decisions and statements of the law students, were first printed as House Committee Print No. 118. Portions of this same study appeared in the daily RECORD on September 13, 18, 20, 21, 22, and 23, 1961, at pages A7197, A7398, A7461, A7570, A7618, and A7683. I commend this review to the Members. These comparisons make interesting reading.

Mr. Speaker, under unanimous consent, I include in the RECORD at this point certain summaries prepared late in 1961, after the original summaries, by the Veterans' Administration regional offices.

Also, under unanimous consent, I include in the RECORD a decision of the Ministry of Pensions in England for comparison purposes. This latter case was heard and decided by the pensions appeals tribunal in 21 calendar days, a lapse of time which stands in sharp contrast to the experience under the appellate apparatus of the Veterans' Administration. Without going into the merits of this English decision, I believe Members will be impressed as I was with the thoroughness with which the case was reviewed.

STATEMENT OF CASE FOR APPELLATE REVIEW

ISSUE: SERVICE CONNECTION FOR DEATH CAUSED BY MALIGNANT FIBROSARCOMA OF RIGHT THIGH WITH METASTASES

Military medical records

Service: August 12, 1943, to December 7, 1943. Honorable.

August 12, 1943: Induction examination W.D. AGO Form No. 221 revealed under item No. 43, "Skin scar inner side—right thigh—removal of tumor—not disqualifying."

September 24, 1943: Admitted to station hospital, Fort McClellan, Ala., and treated for sarcoma, fibrosarcoma, right thigh, 3 by 2 cm. EPTI. The veteran complained on admission to the hospital of pain and stiffness in right leg due to tumor in scar on thigh. Reference also made to pain in leg since operation and recent swelling. A tumor in the muscle of the right thigh was removed in August 1942, prior to entry into service. The operation took place at the Memorial Hospital, Johnstown, Pa. The veteran stated that ever since the operation, the leg had become stiff. He noticed a swelling in the scar and a pricking pain in the thigh. The original tumor was on the medical surface of the lower third of the right thigh. He stated that the tumor was always present but small. Then suddenly it started to enlarge and became the size of a large grapefruit when it was removed in civilian life. Physical examination showed a small walnut sized tumor at end of scar.

October 7, 1943: Excision of tumor was performed. Histological examination of specimen revealed fibrosarcoma.

October 7, 1943: A laboratory pathological report based on a specimen which consisted of three pieces of tissue revealed fibrosarcoma. The slides were sent to Lawson General Hospital.

October 30, 1943: A laboratory pathological report from Lawson General Hospital, Atlanta, Ga., confirmed a diagnosis of neurogenic sarcoma.

November 4, 1943: Veteran was transferred to Lawson General Hospital, Atlanta, Ga., and remained there until discharged on December 7, 1943. The veteran stated that he suffered some discomfort following the operation in civilian life but he did not complain to his induction board because he wished to get into the Army. Shortly after induction, he noted a swelling beneath the lower end of the scar on the right thigh and a pain in this region. During hospitalization at the Lawson General Hospital, he had no complaints except for a weakness of the right leg. A review of the other systems of the body revealed no abnormalities.

November 14, 1943: X-ray therapy section felt that the surgery performed at Fort McClellan was adequate and that no X-ray treatment was indicated.

November 26, 1943: X-ray showed no evidence of metastases.

December 4, 1943: The recommendation of the Disability Discharge Board was that the veteran should be separated from service by a Certificate of Disability for Discharge, for sarcoma, fibro, recurrent, right thigh, which the Department of the Army held existed prior to and was not aggravated by service.

December 7, 1943: A final endorsement from Headquarters, Lawson General Hospital, Atlanta, Ga., honorably discharged the veteran on December 7, 1943.

Veterans' Administration medical records

November 9, 1958: Veteran admitted to VAH, Montrose, N.Y. Clinical data says he was "well" until 2 months prior to hospitalization. Veteran's death on November 30, 1958, was caused by fibrosarcoma, malignant neoplasm, undifferentiated, connective tissue, right thigh, primary site; lungs and brain metastatic site. The interval between onset and death was 15 years.

Adjudication actions (and medical and lay evidence submitted)

January 17, 1944: Compensation claim for growth on thigh of right leg was filed by the veteran.

February 28, 1944: Service connection denied for sarcoma, fibrorecurrent, right thigh. It was determined that the condition was noted at the time of induction. There was no evidence showing aggravation of the preexisting disability during his short tour of active duty. The operative surgery performed during service was remedial and did not add to the disablement beyond the increase which, on accepted medical principles, would be due to natural progress of the condition.

March 3, 1945: Veteran notified of the decision denying his claim for compensation.

February 26, 1946: Statement of Dr. E. C. Boyer received showing that he last examined the veteran on December 29, 1945. He stated that the veteran was under his care from August 11, 1942, date of operation, to the date of induction into the Armed Forces. He states that his diagnosis was a moderate degree sarcoma, removed August 11, 1942, at C. V. Memorial Hospital, Johnstown, Pa., involving deep muscular

tissue. He states that he applied the necessary dressing and gave him sedative for pain.

March 7, 1946: Compensation claim reconsidered and previous decision denying benefits was confirmed.

February 14, 1952: Received statement from Dr. Richard D. Kraft, dated August 6, 1951. Examination showed a postoperative surgical scar 10 inches in length on right thigh, with a pea-sized, hard-fixed tender nudular mass, palpable at the center of the surgical scar.

February 20, 1952: Prior denial confirmed.

March 8, 1956: Veteran submitted a statement of health accompanying his application for renewal of insurance, averring he had no medical attention other than 2 dental fillings and he was still enjoying good health.

March 12, 1956: A supplemental statement from Dr. Edwin C. Boyer dated March 19, 1948, was submitted, together with a typed statement from the veteran, indicating veteran had good surgical results from the preservice operation performed on August 11, 1942, for the removal of a myotoma, right thigh.

March 14, 1956: The chief medical director upon request, reviewed the entire record and expressed the following opinion: The prior existence of a tumor in the right thigh is a matter of record. The recurrence of such tumors without aggravating cause is the rule rather then the exception in the natural history of such growths. The interval on August 11, 1952, and the recurrence which led to the operation on October 7, 1953, is not unusual. Certainly, such a delay would not invalidate the position of nonaggravation by service. A photocopy of said opinion is attached, marked "Exhibit A."

May 9, 1956: Veteran submitted a signed statement from comrades showing that the veteran had participated in actual basic training with members of Company C, 31st Battalion, Infantry Replacement Training Center, Fort McClellan, Ala.

September 18, 1956: All the evidence of record was thoroughly reviewed, consisting of all allegations of the veteran, and by rating action, the prior denial of service-connected benefits was confirmed.

January 29, 1957: The veteran submitted a letter to the Board of Veterans Appeals dated January 23, 1957, outlining his position in his attempt to establish service responsibility for the tumor of the right thigh.

March 5, 1957: Decision by Board of Veterans Appeals affirmed the denial of service connection holding: The surgery in service had the effect of ameliorating the recurrent condition and formed no basis for the grant of service connection. The recurrent fibrosarcoma was not unusual by reason of the inherent character of the disease and was not accelerated in progress by physical activity or injury in service. A photocopy of the decision is attached and marked "Exhibit B."

November 12, 1958: Veteran reopened the claim and submitted supplemental application, claiming aggravation by service of the right thigh condition. The veteran also alleged total disability which rendered him unemployable, based on a chest condition.

June 16, 1959: Application for dependency and indemnity compensation by veteran's parents, Mary Sutolovic and John Sutolovic, was received.

June 25, 1959: Rating decision on death claim denied service connection for the cause of death.

August 24, 1959: Appeal form 1-9 filed by deceased veteran's father.

September 28, 1959: Hearing held on appeal to the Board of Veterans' Appeals. Claimant mother of the deceased veteran, and Charles Zeglin, service representative, testified the growth on veteran's right thigh was aggravated during service by reason of arduous basic training as evidenced by his postservice symptoms and complaints.

March 17, 1960: Board of Veterans' Appeals affirmed the denial of service connection for the cause of death, malignant fibrosarcoma of right thigh. Holding: Recurrences do not establish aggravation in the absence of sudden pathological development or advancement of the basic condition such as to establish increase of the preexisting disability during service. A photocopy of the decision is attached and marked "Exhibit C."

June 7, 1961: The entire claims record was referred to Dr. John McK. Mitchell, dean of the Medical School, University of Pennsylvania, for an opinion from a specialist in the field of malignant growths, and who is not affiliated with the Veterans' Administration. Said opinion was made by Robert G. Ravdin, M.D., a consultant on the staff of the university hospital, which is quoted in part: That the boy had a malignant tumor prior to his entry into the Army, had a clinical course entirely compatible with the nature of the tumor and in no sense ascribable to his military experience. Except, that his life was undoubtedly extended by the adequate and proper surgery performed under military auspices. He subsequently died of the tumor as might have been anticipated. A photocopy of the report is attached and marked "Exhibit D."

Laws and regulations

A veteran who served during a period of war is presumed in sound condition except for defects noted when examined and accepted for service. Clear and unmistakable evidence that the disability existed before service will rebut the presumption (38 U.S.C. 311).

Service connection may be granted for disability resulting from disease or injury incurred in or aggravated by wartime service (38 U.S.C. 310).

Where there is an increase in a preexisting disability during service, the disability will be considered to have been aggravated by service, unless there is a specific finding that the increase in disability is due to natural progress of the disease (38 U.S.C. 353) (38 CFR 3.306).

Regional office determinations

1. A nondisqualifying skin scar resulting from the removal of a tumor on the inner side of right thigh, was noted on induction examination.

2. The tumor which was removed approximately 1 year prior to service was pathologically identified as a sarcoma.

3. Manifestations of stiffness, swelling, and pain in the right thigh, persisted in the postoperative scar, ever since his preservice operation.

4. The tumor was noted approximately 6 weeks after induction and was radically excised in October 1943.

5. There was no injury or trauma to his right thigh in service.

6. A nodule in scar was reported by his personal physician on examination in August 1951, approximately 7½ years after service.

7. The recurrence of the malignant tumor in service is entirely compatible with the nature of the tumor in its natural course and progress.

Regional office conclusions

1. The evidence in its entirety clearly and unmistakably establishes the preservice existence of the malignant tumor and rebuts the presumption of soundness (38 U.S.C. 311).

2. The recurrence of the preservice tumor was due to the natural progress of the disease and cannot be considered to have been aggravated in service (38 U.S.C. 353; 38 CFR 3.306).

Action taken

Held service connection is not in order for malignant fibrosarcoma of right thigh with metastases, which resulted in veteran's death.

Appellate determinations attached

March 14, 1956, marked "Exhibit A."
March 5, 1957, marked "Exhibit B."
March 17, 1960, marked "Exhibit C."

STATEMENT OF CASE FOR APPELLATE REVIEW

ISSUE: SERVICE CONNECTION FOR CAUSE OF DEATH (OSTEOGENIC SARCOMA WITH SECONDARY CARCINOMA EVIDENCED IN LUNGS)

Military medical records

Service: February 11, 1918–June 12, 1919. Honorable.

February 6, 1918: Examination by local draft board showed slightly enlarged tonsils.

February 15, 1918: Physical examination at place of mobilization was within normal limits except for patulous inguinal rings, slight genu varum, and vision of 20/30, O.D.

October 5, 1918: Field medical record card shows gunshot wounds of jaw and elbow.

October 5, 1918: Hospital No. 6 report shows superficial wound of the right cheek for which a dry dressing was applied. He was discharged to duty, as healed, on October 11, 1918.

April 16, 1919: Field medical card shows treatment for acute, catarrhal bronchitis, bilateral. He was discharged to duty, chest clear and condition good, on April 24, 1919.

June 12, 1919: Physical examination at time of discharge from active duty showed no defects per report from the Adjutant General.

Veterans' Administration medical records

November 17, 1937: Physical examination at Veterans' Administration facility, Pittsburgh, Pa., was within normal limits except for hyperopia with corrected vision of 20/20 bilateral, external hemorrhoids, distant breath sounds with prolonged expiration. Orthopedic investigation of the left arm revealed a superficial, indistinct, nontender, nonadherent cicatrix about one-half inch in circumference which was not depressed. The underlying musculature did not appear to be involved by the scar which was located 1 inch below the left elbow joint on lateral aspect of the dorsal surface. The scar overlay part of the extensor muscle of the forearm. No objective tenderness was elicited although veteran alleged subjective tenderness of the forearm muscles and the elbow joint. The left elbow was 1 inch greater in circumference than the right with mild crepitus. Flexion of the left elbow extended from 160° through 55°. Extension was absent from 160° to 180°. Supination and pronation were present through an arc of 150° with complaint of pain on motion. The left shoulder, wrist, hand, and finger joints had abnormality. Right- and left-hand grips were equal. No scars were noted of the face and no abnormality was found in the right arm or either lower extremity. X-ray of the left elbow showed some roughening of the joint surface with interarticular space clear. A bony spur was visualized attached to the posterior surface of the olecranon process and there was a suggestion of two small foreign bodies above the elbow joint. Diagnoses were: Cicatrix, left forearm, traumatic arthritis, left elbow, with limitation of motion, and foreign bodies above elbow joint.

February 24, 1939: Physical examination at Veterans' Administration facility, Pittsburgh, Pa., was within normal limits except for the left forearm which was held in 170° extension and complete pronation in the standing position. There was crepitation felt over the head of the radius with attempted supination. There was thought to be posterior displacement of the head of the radius. Extension against resistance was two-thirds that of the right. X-ray showed possible roughening of the joint surface with narrowing but no definite evidence of bone destruction or production in the region of the elbow joint. The small bone spur was

again noted on the posterior surface of the olecranon.

May 16, 1947: Veterans' Administration physical examination at VA office, Johnstown, Pa., for purpose of ascertaining need for hospital treatment. X-ray showed old fractice of ulnar coronoid, a spur on the olecranon, and normal articular surfaces without bony ankylosis. Hospitalization refused by veteran.

February 26, 1954: Physical examination at VA office, Johnstown, Pa., disclosed moderate varicose veins of the lower extremities, X-ray evidence of mottled densities through both lung fields, and moderate eburnation involving the subchondral opposing surfaces of the component bones. There was slight irregularity of the olecranon process of the ulna. Bony deformity of the left elbow was noted, particularly on the lateral aspect which was moderately tender. Complete flexion and extension thereof could not be performed and there was crepitation on movement. Hand grip approximated that of the right hand and there was no atrophy. Reflexes were equal and active. Sensation was difficult to evaluate due to veteran's suggestibility. Pneumonitis and depressive reaction were diagnosed also.

February 1, 1960: Admitted VA hospital, Altoona, Pa., for swelling and pain of left shoulder for approximately 2 months.

February 23, 1960: Transferred to VA hospital, Pittsburgh, Pa. Admission examination showed a distinct painful swelling of the entire anterior aspect of the left shoulder extending from the midclavicular region to the insertion of deltoid muscle. This condition, according to the veteran, had its onset 2 months prior to admission. The left shoulder joint was frozen but flexed and abducted to 45 degrees. Diagnosis, following X-ray and biopsy, was of osteogenic sarcoma of the left humerus and left glenoid. The entire tumor mass was excised on March 7, 1960 when a four-quarter amputation was done of the entire left arm.

May 6, 1960: Death occurred in VA hospital, Pittsburgh, Pa., from metastatic extensions into the lungs of the primary osteogenic sarcoma of the upper left humerus.

August 22, 1960: Opinion from assistant chief medical director for professional services, VA central office: "After review of the evidence submitted on this case, it is my opinion that there is no relationship between the shrapnel wounds of the left elbow and the osteogenic sarcoma of the humerus and glenoid which caused the veterans' death."

August 25, 1961: At request, case referred to National Institutes of Health for formal ruling "whether the shrapnel was cause of Mr. Kozel's death."

September 1, 1961: Opinion from National Cancer Institute, of the National Institutes of Health, to the effect that the cause of death was in no way related, directly or indirectly, to veteran's service-connected left elbow injury (photostatic copy attached) (exhibit A).

Adjudication actions (and medical and lay evidence submitted)

May 24, 1937: Compensation claim received for shrapnel wound of left elbow.

July 26, 1937: Service records reviewed.

December 16, 1937: Service connection acknowledged for limitation of extension of left forearm with a noncompensable evaluation assigned. Service responsibility denied for bronchitis and hemorrhoids. Permanent and total disability pension, without regard to service connection denied.

May 10, 1938: Statement received from G. H. Miles, M.D., showed chronic myositis with limitation of extension and flexion of left forearm. Displacement of head of radius due to bone injury in elbow. Very painful and sore in both the upper arm and forearm, this can be improved by adequate treatment.

May 27, 1938: Rating of December 16, 1937, confirmed.

August 1, 1938: Statement received from G. H. Miles, M.D., relating veteran's recent symptomatology. Indicating left arm became very painful after using the arm, due to myositis.

October 31, 1938: Statement received from G. H. Miles, M.D., relating increased severity of veteran's left arm symptoms.

March 13, 1939: Increased (compensable) evaluation of permanent partial 36 percent assigned for ankylosis of left elbow effective from October 31, 1938.

June 4, 1947: Rerated under the provisions of Public Law 458, 79th Congress, with prior, protected rating retained.

January 29, 1954: Claim for total disability received with statement from G. H. Miles, M.D., which showed deformity of left elbow post-traumatic, atrophy of muscles of left arm neuritis of left arm and shoulder. Symptoms now severe and disabling. Prognosis gradual increase of symptoms, probably ankylosis of joint.

April 5, 1954: Permanent total non-service-disability pension granted on basis of individual unemployability, based on evaluations of 30 percent non-service-connected pneumonitis, and 20 percent for depressive reaction. Service-connected evaluation of 20 percent for ankylosis, left elbow was retained.

April 1, 1957: Rated not permanently and totally disabled due to receipt of notice of full time employment at Cresson State Hospital.

April 22, 1960: Nonservice pension restored based on amputation, left arm.

June 7, 1960: Application for Dependency and Indemnity Compensation or Death Pension received from veteran's widow.

June 24, 1960: Cause of death, osteogenic sarcoma with secondary carcinoma evidenced in lungs, rated as nonservice connected and that the service-connected left elbow condition had not been a contributory factor.

June 8, 1961: Advisory opinion by Director, Compensation and Pension Service, Department of Veterans' Benefits, concurred in denial of service connection for the cause of death.

July 18, 1961: Appeal received from veteran's widow appealing from denial of service connection for cause of death and requesting a personal hearing.

September 12, 1961: Letter from the Deputy Administrator that "the facts in this case preclude payment of service-connected death benefits."

October 11, 1961: Personal hearing on appeal in regional office afforded to veteran's widow and two witnesses, at which time a statement from G. H. Miles, M.D., dated June 23, 1961, and photostatic copies of chest X-ray interpretations dated February 23, 1955, and August 11, 1959. These were taken at the State hospital where the veteran has been employed. Comparison of film dated February 23, 1955, with film of August 18, 1954, showed no change in either lung field. There was a granularlike mottling scattered throughout both lung fields. Impression silicotic. Comparison of film of August 11, 1959, with film of February 2, 1959, revealed the same mottling densities scattered throughout either lung field, suggestive of pneumoconiosis. No parenchymal lesions noted.

Mrs. Kozel testified in effect that her husband always had difficulty working with his arm, since his discharge from service. But that she "never knew nothing about the shoulder until now," and he had "no lump" when we was admitted to the hospital, "he never had no swelling" of any kind, because even when he worked at the State sanatorium they rubbed his arm and gave him pain pills.

Laws and regulations

Service connection may be granted for disability resulting from disease or injury incurred in or aggravated by wartime service (38 U.S.C. 310).

Presumptive service connection may be granted for a chronic disease becoming manifest to a degree of 10 percent or more within 1 year from the date of separation from such wartime service, notwithstanding there is no record of evidence of such disease during the period (38 U.S.C. 312).

Service connection may be granted for disability which is proximately due to or the result of a service-connected disease or injury (38 C.F.R. 3.310).

The death of a veteran will be considered as having been due to a service-connected disability when the evidence establishes that such disability was either the principal or a contributory cause of death (38 CFR 3.312).

Regional office determinations

The rating board, having considered the evidence, the appellant's contentions, the testimony, and evidence adduced at the hearing held on appeal in the regional office together with opinion of the chief of the cancer section, of the National Cancer Institute, concluded:

1. The first manifestations of the cancerous conditions occurred some 40 years after separation, during December 1959 and January 1960.

2. There is no etiological relationship shown between veteran's service-connected left elbow injury and the osteogenic carcinoma affecting the upper portion of the left humerus and lung sarcoma; nor are they shown to be proximately due to or the result of his service-connected condition.

Regional office conclusions

1. Osteogenic sarcoma with secondary carcinoma evidence in lungs was not incurred in or aggravated in service (38 U.S.C. 310).

2. Sarcoma of the left humerus and carcinoma of the lungs did not become manifest to a 10-percent degree within 1 year from the date of separation (38 U.S.C. 312).

3. The evidence does not show that veteran's service-connected left elbow injury, was either the principal or a contributory cause of death (38 C.F.R. 3.213).

Action taken

Service-connection denied for osteogenic sarcoma with secondary carcinoma evidence in lungs which resulted in veteran's death.

No certification has been made to the Board of Veterans' Appeals.

MINISTRY OF PENSIONS AND NATIONAL INSURANCE—ENTITLEMENT—REPORT OF MINISTRY REPRESENTATIVE

(Sitting at Lands Court Tribunals, 3, Hanover Square, December 8, 1961, London, W. 1)

DEFENDANT—APPEAL AGAINST REJECTION UNDER ARTICLE 4(3) R.W.—DISABILITY: ACUTE LYMPHOCYTIC LEUKEMIA

Composition of tribunal: Chairman, Sir Stafford Foster-Sutton, Q.C.; medical member, Dr. R. A. Hickling, M.B., F.R.C.P., M.R.C.S.; service member, Mr. F. W. Hall. Decision of tribunal: Reserved.

1. Was the appellant present? Yes.

2. Was the appellant medically examined? No.

3. Was the availability of the signed M.S. opinion made known by M.R.? Yes.

4. Was the M.S. opinion produced? Yes.

5. Appellant's representative, Mr. Peter Ripman (of counsel, instructed by Messrs. Culross & Co.).

Col. Geoffrey Fawcett Taylor, M.A., B. Ch., M.R.C.P., M.R.C.S., L.R.C.P., attended and later gave evidence on behalf of the appellant, and Dr. C. W. A. Emery, C.B.E., M.B., B. Ch., also gave evidence for the Ministry. Several members of the press and public attended the hearing.

The chairman opened the proceedings by explaining that the appeal was governed by article 4(3) of the warrant. This meant that the Ministry had the onus of establishing their case beyond reasonable doubt.

Mr. Peter Ripman began his opening address, which occupied approximately 2 hours, by saying that the appellant was now deceased but his father was present in court today and could be called as a witness if desired. However he was naturally diffident about giving evidence, and Mr. Ripman did not think he could really make a useful contribution.

Spr. ——— entered the Army on March 1, 1956, and was discharged with leukemia on April 15, 1958, and died shortly afterwards. At the post mortem, death was found to be due to acute lymphatic leukemia. He listed certain basic facts, which he thought were common ground between the Ministry and the appellant, viz:

1. The etiology of acute lymphatic leukemia is uncertain.

2. The only known cause is radiation—that did not mean that there were not other causes, but simply that radiation was the only known one.

3. The normal incidence in Spr. ——— age group, i.e., the early twenties, was extremely small—about four per million according to Dr. Sladden on page 54 of the evidence.

4. That Spr. ——— went to Christmas Island in August 1957. There had been two explosions there in May and one in June 1957 at a distance of not less than 400 miles. On November 8, 1957, there was a further explosion at a distance of not less than 25 miles, and this could have been seen from the air at any place on the island. This bomb was in the megaton range, i.e., 1,000 times that of the kiloton weapons used at Hiroshima and Nagasaki.

5. Spr. ——— contracted the disease on Christmas Island.

He was one of only a few thousand personnel on the island, whereas his chances of getting leukemia in ordinary circumstances was about 1 in 250,000. If the matter stopped there, there would be at least a very strong suspicion of a connection between service on Christmas Island and the disease.

There were two main arguments put forward by the Ministry:

(a) That the time factor, some 8 weeks, between the fourth explosion on November 8, 1957, and the onset of leukemia, was too short to permit of any causal relationship; and

(b) The alleged absence of fallout.

As to (a) at least it must be clear that such an argument was quite inappropriate to Mr. ——— contention that the former explosion caused it. In any event, investigation of all the evidence showed, in his submission, that there was no real weight in the contention that 7 or 8 weeks was too short a time.

Paragraph 12 of the medical services opinion on page 20 stated that expert knowledge as to atomic radiation was based largely on the bombs dropped at Hiroshima and Nagasaki, and Dr. C at the inquest on Spr. ——— (p. 17) had repeated that the only evidence was the Japanese cases. Again Dr. Levitt at paragraph 3 on page 27 said: "The evidence has come almost entirely from two sources, first, from the afterhistory of the survivors of the bomb explosions at Hiroshima and Nagasaki; and, second, from an investigation into the leukemogenic effect of radiations when used in the treatment of ankylosing spondylitis." Further confirmation of this would be found in the first report of the medical research council, 1956, at paragraph 28 on page 9. The Ministry say that this sort of leukemia does not appear within 2 months of an explosion. But how reliable were the Japanese statistics? To accept them presupposed that every case in Japan was observed and diagnosed with such rapidity as to enable a date to be given as to its onset. Mr. Ripman submitted that such a presupposition was quite unjustified. Dr. Levitt, on page 27, had said: "Of the 52 cases of acute leukemia, however, 25 were myelogenous, 14 were lymphatic and 6 unclassified. The relatively high incidence of acute lymphatic leukemia seems to have been overlooked by medical services, and is of special interest as it is known that lymphatic leukemia is a rare disease in Japan independently of atomic radiation exposure. * * * However, the Hiroshima survey cannot be taken as a guide to the shortest latent period in acute leukemia for the chaos that prevailed in the early months of the explosion made it highly unlikely that the condition would have been distinguished from blood failure and death from the direct effect of the explosion. * * * Indeed, Court-Brown and Doll say, 'the rates (of leukemia) in the first 2 years may be underestimated since medical organization was incomplete in this period.'" Moreover, paragraph 21 of medical services opinion, on page 22, agreed that "making a firm diagnosis in the early stages of leukemia is often extremely difficult." The Japanese statistics were based on the work of the American Atomic Bomb Casualty Commission, to which reference was made at paragraph 33, page 10, of the M.R.C. first report of 1956. Mr. Ripman quoted from paragraph 56, page 14 of this M.R.C. report, and said that the information regarding one case of leukemia in January 1947, some 14 months after the explosion of August 1945, confirmed the details given by Colonel Taylor on page 28 of the statement of case. Mr. Ripman also referred to paragraph 59 of the M.R.C. 1956 report as supporting his submission that data relating to the Japanese explosions only started in January 1947 and questioned how many Japanese had contracted leukemia and died before the American Commission came on the scene at all. It must be remembered that the Hiroshima and Nagasaki bombs were kiloton weapons but the one at Christmas Island was 1,000 times greater, and the results from it must be treated with great caution.

Although it was right to mention that Dr. Levitt had subsequently withdrawn his support of the claimant's case (for reasons which counsel could not accept and which he would deal with later) what Dr. Levitt had said in his report of April 27, 1959, was no less reliable, scientifically. On page 27 he had said "The second objection, namely that there were no symptoms of radiation exposure after the explosion, is readily met. In the atomic bomb casualty survey reported by William C. Moloney and Marvin A. Kastenbaum * * * approximately one-third of all the cases of leukemia discovered (17 out of 50) had no radiation complaints immediately after the explosion even though 10 of the patients with no radiation complaints were as close to the hypocenter as 1,500 meters."

Spr. ——— had died from lymphoblastic leukemia, the most acute and rapid type, in which signs and symptoms moved with extreme rapidity.

Mr. Ripman cited paragraphs 6, 7, 8, 10, 11, and 12 of the M.R.C. second report of 1960 also paragraphs 40, 41, and 42, and observed that knowledge of the effects of radiation was still advancing at a tremendous pace, although there were still many gaps. He then turned to the evidence given at the inquest on Spr. ———, and said there appeared to be some rather alarming discrepancies in the views expressed by Dr. C and Lieutenant Colonel D and it was odd that medical services had apparently had to rely on this sort of anonymous evidence. Dr. C had said "the incidence of leukemia is increasing and this does bear relationship to radioactive fallout." Colonel D said he knew of no case of acute lymphoblastic leukemia having ever been recorded on the literature as being attributable to radiation effects, and later, that he thought there was no connection between radioactivity and lymphatic leukemia. This must surely show either that Colonel D was not very familiar with the up-to-date publications, or he had completely misunderstood them. However, Professor Windeyer agreed it was a possibility, and indeed, Mr. Carter, the Ministry's representative today, had assured him that the Ministry did not contend otherwise. Colonel D had also said that ——— was the wrong kind of leukemia. In other words, that if there were any relationship to fallout, he would have expected ——— to have developed a myeloid leukemia. But this was like saying that a man who developed pneumonia after exposure on a hilltop couldn't say it was due to that exposure, simply because a doctor had thought it would be more likely for him to have merely caught a cold. Paragraph 12 of medical services opinion on page 20 admitted that rays emitted by radioactive material may penetrate the body and leave in their tracks a breaking down and disintegration of body cells which give rise to overt radiation damage, and further that both bone and lymphatic tissue are readily destroyed. Mr. Ripman repeated that there was no justification for claiming that an acute lymphatic leukemia could not arise within 2 months of, and be due to, a nuclear explosion such as that of November 8, 1957, and that the time factor had no relevance to the earlier explosions in May and June 1957.

As to (b) the alleged absence of fallout on Christmas Island. Undoubtedly there was evidence to that effect, but how reliable was it? The War Office measurements had been directed to detection of gamma rays, but Colonel Taylor would say that those were by no means the only ones—we were concerned with beta rays too. He referred to the War Office letter of July 16, 1959, paragraph 2 on page 30, and claimed that air sampling and sticky paper testing would not disclose the presence of beta rays. Again, the War Office letter of September 10, 1959, paragraph 4 on page 35, dealt only with neutron and gamma radiation, yet the first M.R.C. report of 1956, paragraph 19, page 5, stated that beta particles were valuable therapeutically to destroy tissue. In Dr. Levitt's opinion, on page 24, he said: "The second, so-called tropospheric fallout, proceeds over a matter of a few weeks following the explosion. It consists of relatively fine material, suspended in the lower layers of the atmosphere and it is deposited largely as a result of rain, falling out fairly widely in the area of the test site. * * * Turning now to the question of possible exposure from fallout the position is quite different * * * this hazard is much less manageable and much less predictable. We have only to recall the accidental exposure of 28 American servicemen and 239 Marshallese to the fallout from the March 1, 1954, explosion, in spite of all precautions. Ninety percent of these men developed skin burns and epilation. * * * Another freak fallout from the same explosion involved the fishermen in a small Japanese boat, the *Fukuru Maru* who were no less than 90 miles from the explosion center. Every man on the boat sustained injury from exposure to fallout and at least one has died. Not only were the fish and the boat itself found to be heavily contaminated with radioactive dust on its return to harbor, but for weeks afterwards large quantities of fish caught in the neighborhood had to be destroyed. Were it not for the accident to the fishermen this fish would have been

eaten without investigation since the radioactivity can only be determined by physical investigation.

Dr. Antoinette Pirie has said, on page 56 of the evidence: "It seems to me, therefore, impossible to be completely satisfied that the nuclear explosions on Christmas Island, whether before or after the arrival there of the deceased are causally unrelated to his death. The factor that weighs most with me in coming to this decision is the habit of radioactive fission products to be unevenly distributed in the environment and to become concentrated in particular organs of particular animal and plant species." Mr. Ripman asked the tribunal to pay particular attention to the phrase he had stressed, for a reason which he would make clear later on.

On page 51 there appeared a report by the senior scientific liaison officer of the New Zealand Scientific Office in London, showing a spectacular buildup of strontium 90 radioactivity in New Zealand soil over recent years. Strontium 90 was described as the most dangerous of all highly radioactive fission products and arrived in the soil from the fallout of nuclear explosions in the atmosphere. * * * It remained radioactive for years and could cause bone tumor, leukemia, and other cancers. New Zealand was some 2,500 miles away from Christmas Island, yet strontium 90 had trebled there. Fallout came down in rain, and on Christmas Island there had been heavy rainfall, plus the land crabs. Spr. ———, commanding officer, had reported, on page 16, "We had a lot of rain and at times the tents were waterlogged. The men had camp beds which they put on wooden boxes mainly to stop land crabs getting in at night. The beds were well above the water level."

It was true that Dr. Levitt had withdrawn his support for the claim, because he appeared to have accepted the War Office evidence of no fallout, which Mr. Ripman and Colonel Taylor, on behalf of the appellant, did not, but even Dr. Levitt said no more than that "it is unlikely that deceased was exposed to either immediate exposure or fallout to an extent which might lead to the development of leukemia." Unlikely could mean no more than that it was more probable there was no connection, than that there was. In this case the balance of probability had to be such that it left no room for a reasonable doubt.

Examination of Spr. ——— femur showed 0.15 strontium 90 units—but no blood tests had been carried out, and in Mr. Ripman's submission a test on one femur was unreliable as it would not show the constant level throughout the body. Colonel Taylor had drawn attention to this at page 29 where he said "no evidence of strontium 90 in other parts of the body where it may have been higher" and "What were strontium 90 levels in other bones of ———?" and he would remind the tribunal of Dr. Pirie's point that radioactive fission products tend to be unevenly distributed and to become concentrated in particular organs of particular animal species.

The Ministry seemed to think that only strontium 90 need be considered. But cesium 137, C^{14} (carbon), strontium 89, iodine 131, and beryllium 7 were all radioactive products which were potentially dangerous and must be seriously considered. Cesium 137 was not mentioned in the first M.R.C. report of 1956 but it figures prominently on page 35 of the second report of 1960, and that emphasized the extent to which knowledge on the subject of radiation hazards was advancing.

Dr. Levitt, on page 26, said "It must be explained that the significance of 90 strontium in this particular case is not its presence in bone, although great prominence is given to 90 strontium as a long term and long range hazard to the general world population, the real significance of strontium in the deceased's body was not the probability or even the possibility that it led to his leukemia, but as an index to the much higher exposure which he must have sustained to a host of other radioactive elements of short life and only local significance, which are released on the spot." Yet, said Mr. Ripman, all we know is that nothing is known, apart from the presence of strontium 90 in the deceased's body.

As regards Professor Windeyer's report on page 45, that gentleman started with the assumption that the War Office evidence of no fallout was conclusive. But that was the very essence of the case. It really didn't need a doctor to give such an opinion if the measurements were accepted—a competent lawyer or even a layman could do as well. The opinions of medical services were basically submissions founded on the evidence as a whole. They did not add any weight at all to the evidence. It was really extraordinary that paragraph 17 of the opinion on page 21 merely repeated what the pathologist at the inquest had said as regards 0.15 strontium 90 units being a normal constituent of bone. When this had been challenged by Dr. Levitt, the Ministry had had to refer the point to Professor Windeyer for an explanation.

So far as the medical evidence was concerned, Dr. Levitt's original report still held good as to its scientific content and was supported by those of Colonel Taylor, Dr. Sladden, and Dr. Pirie. Against it, was the opinion of Professor Windeyer and the medical services, based on an assumption which he had tried to show was completely unjustifiable. The Ministry had to discharge the burden of proof beyond all reasonable doubt, and if he were asked whether they had done so, there could only be one answer—they had not.

Col. Geoffrey Fawcett Taylor gave his qualifications, adding that he was retired from the Indian Army Medical Corps and was formerly consultant physician to 14th Army. He had also been consultant physician to King Edward College, Lahore. He had been on pension tribunals in 1938, and was so serving in 1943 when the burden of proof was transferred from the claimants to the Ministry. He had become interested in leukemia and radiation after a colleague, who was a radiologist, had developed acute leukemia and died within 3 weeks. He had been asked to write a thesis on the subject, but had decided there was not enough evidence to warrant his doing so.

Lymphoblastic leukemia was the most primitive leucocyte and ran a very short course. Its appearance was also probably shorter, but this had never been proved. It was quite clear to him that beta rays had never been tested for on Christmas Island. Air samples and sticky papers indicated tests for gamma rays only. To test for beta rays was a much more complicated affair requiring great technical skill. Beta radiation from iodine 131 and strontium 89 was the important thing and was now the object of routine testing following the recent series of Russian experiments. There were appreciable risks from beta rays such as cesium and carbon 14. Iodine 131 and strontium 89 and 90 were the most highly concentrated, and strontium 89 might be up to 48 times that of strontium 90. These products figured much more in the 1960 M.R.C. report. He produced a map of the world showing the Pacific, South America and North Russia to be the areas of greatest concentration of strontium 90, and the Pacific—which included Christmas Island—to be the highest of them all. An explosion within hundreds of miles of Christmas Island must have produced radioactivity which would fall to earth in the rain. In his opinion this was not examined or reported upon by the authorities on Christmas Island, and it could easily have affected Spr. ——— supplies of drinking water. It was impossible to accept the War Office evidence as true. In a recent B.B.C. "Panorama" program, it was stated that the concentration of strontium 90 in Lapland was 100 times that of the United Kingdom. He confirmed that in man there was no known cause of leukemia other than radioactivity. In his view Spr. ——— must have run a greater risk of leukemia by his service on Christmas Island. He produced an extract from the British Medical Journal of July 22, 1961, page 211, showing eight cases of leukemia following treatment with radioactive iodine. There was no known threshold below which radioactivity could be said to be safe, and it followed that repeated small doses might have a cumulative effect. He referred to Lord Adrian's committee which had reported 20 cases occurring as a result of mass radiograph. On Christmas Island it was likely that strontium 89 and iodine 131 would be more dangerous than strontium 90. The quantity of strontium 90 in Spr. ——— bone was therefore meaningless. He agreed that most young men of 21 would have a level of 0.15 strontium 90 unit in their bone now.

Ministry representative questioned Colonel Taylor as follows:

"Question 1. To take your last remark first, would you agree that 0.15 strontium 90 units in bone is not only a normal constituent now, but was also normal in a man of 20 at the time of the inquest on Spr ——— in August 1958?

"Answer 1. Yes, but as I have already said, I don't regard that as being really relevant to this appeal.

"Question 2. Would you agree that in ordinary civil practice, where there had been no suggestion whatever of radioactivity, signs and symptoms in a case of acute lymphatic leukemia would arise and progress at the same rapid rate as in the case of Spr. ———?

"Answer 2. Yes, it would be impossible to distinguish one type of case from the other.

"Question 3. Do you agree that the references made by Lt. Col. D at the inquest to cases of leukemia setting in 8 months after exposure to radiation, related only to investigations among patients treated with X-rays for ankylosing spondylitis?

"Answer 3. Yes.

"Question 4. As I understand your oral evidence today, you are suggesting that certain radioactive isotopes, such as cesium, carbon 14, strontium 89, and iodine may have been present on Christmas Island, undetected by the War Office measurements, and may have contaminated Spr. ——— drinking supplies thereby inducing his leukemia? If that were so, is it not strange that out of some 2,500 troops on the island, only one person was affected?

"Answer 4. No; such a proportion is about the same as revealed by the Japanese investigations. In fact, however, there was another naval lieutenant who served at Christmas Island and died of leukemia, which doubles the proportion."

M.R. then informed the tribunal that a case was known to the Ministry of a naval officer who died of aplastic anemia following treatment of an influenza-type illness with sulfonamide drugs, but in that case there was no suggestion of any connection with radiation and the circumstances were distinguishable from ———.

Colonel Taylor insisted that treatment could only have followed the aplastic anemia, which was very similar to leukemia, and did not detract from his point that two serving personnel on Christmas Island had been involved.

"Question 5. You have referred to the inhabitants of Lapland as having a concentration of strontium 90 100 times higher than that of the United Kingdom. Is there any

evidence of an increase in the incidence of leukemia there, or anywhere else in these areas of increased strontium 90 deposits?

"Answer 5. Owing to the long half life of strontium 90 it is too early to say."

At this point the hearing was adjourned for the luncheon interval from 1 to 2 p.m., and on resumption, M.R. called Dr. C. W. A. Emery, C.B.E., M.B., B.Ch., and questioned him as follows:

"Question 1. Having read all the evidence, and listened to the oral evidence today, in your opinion was Spr. ——— leukemia due to radiation from any of the nuclear explosions on or near Christmas Island?

"Answer 1. No.

"Question 2. Has the fact that this was an acute leukemia, manifesting full clinical symptoms within 2 months of the explosion on November 8, 1957, any effect on your answer?

"Answer 2. No. In the first place the evidence is that there was no radiation on or near Christmas Island. In the case of the bombs dropped at Hiroshima and Nagasaki there was intensive radiation, yet the increase in incidence of leukemia is described in the M.R.C. reports as a delayed effect, manifesting itself some 18 months later. There was one case noted in the Atomic Bomb Casualty Commission's records within a few months, yet the experts found it difficult to attribute that to fallout. The reason being, in my opinion, that the effect of radiation is to depress the blood-forming elements and it requires a period of some 18 months for the body to react to this depression, which it does by creating a proliferation of the white blood cells, and this is leukemia.

"I am puzzled by the suggestion that because this was an acute leukemia of the type which runs a short course, that this fact, by itself is to be explained by nearness to an explosion or is proof of irradiation. This type of leukemia will run exactly the same course no matter where you find it and in the known absence of irradiation of any sort.

"Question 3. There has been reference made to leukemia having followed X-ray treatment for ankylosing spondylitis. Is there any medical reason for distinguishing this sort of leukemia from that following H-bomb irradiation?

"Answer 3. Yes, indeed. In ankylosing spondylitis one is applying intense radiation to already diseased bone. The ligaments are calcified, and the disease occurs usually in the older age groups.

"Question 4. It is known that Spr. ——— bone contained 0.15 unit of strontium 90. Is that any evidence of his recent exposure to a nuclear explosion?

"Answer 4. In my opinion, no. The chart on page 46 shows that such a concentration was normal in his age group at that time; it is typical of millions of people who had not been within a thousand miles of such an explosion.

"Question 5. We accept that leukemia can be induced by atomic or therapeutic radiation; but in your opinion can it be induced by strontium 90, caesium, strontium 89, iodine, or carbon 14?

"Answer 5. If you will let me off strontium 90 for the moment; there has been no evidence to date of any cases of leukemia following the accident off Bikini Atoll in 1954 where there was a really heavy fallout, so great that it could be picked up by the hand. There is no evidence that strontium 90 has caused leukemia in any man.

"Question 6. Have you ever heard of anyone, either accidentally or deliberately, eating food contaminated with strontium 90?

"Answer 6. Yes. After the Bikini accident to which I have referred, the islanders of Rongelap continued eating their ordinary diet—which consists mainly of fish—for at least 2 days before they could be evacuated, and no cases of leukemia have so far been reported. It is true that strontium 90 has a half life of 28 years, so there is still time for something of this sort to happen, but it has not done so up to 7 years after the incident. As regards deliberately, we have all read in the newspapers recently of the experiment by three scientists at Harwell who have been on a strontium 90 diet for 31 days. One must assume that they do not anticipate any harmful results.

"Question 7. In view of what you have just said, do you consider that the suggestion that Spr. ——— might have eaten land crabs at Christmas Island could have any bearing on the development of his leukemia?

"Answer 7. Frankly, I find it difficult to follow Dr. Pirie's reasoning on this point. It is well known that different things show great variation in concentration of radioactivity. For example, breakfast cereals have a fairly high concentration, brazil nuts higher still. If you travel from Edinburg to Aberdeen the background radiation is twice as high owing to the granite buildings in Aberdeen. If you go on to Karela State in India it is 40 times greater. But the point is that the human body has learned to adjust itself to these variations over the centuries, and no harm results. We are meeting these radioactive elements from outer space all the time, and indeed they are essential to our functions. It is like saying that water is necessary to our bodies, but if one's head is held under water long enough, that is a bad thing. Although it is natural that there should be a certain amount of public anxiety over this question of artificial radioactivity, I think sometimes that these fears have been exaggerated. Already there seems to be less reason for apprehension over the last series of Russian experiments than was at first thought.

"Question 8. Can you give the court any statistics as to the increase in the incidence of leukemia before, and after, the atom bomb explosions in Hiroshima and Nagasaki in 1945?

"Answer 8. Yes; if you will look at table 1A, appendix A, page 52, of the M.R.C. second report of 1960, you will see that there has been a gradual and steady rise in the incidence from about 1935 and that it had doubled before 1945. That rise has continued since 1945 but there has been no sudden, dramatic, leap upward, and in fact the incidence has not again doubled. These figures are for England and Wales, but they are applicable to the world as a whole and show, in my opinion, that the rise in leukemia is not in general related to artificial radioactivity.

"Question 9. You have read the opinion of Professor Windeyer, an acknowledged expert in the field. Do you consider that a person of his standing would be likely to have accepted the War Office evidence as to the absence of fallout on Christmas Island without realizing the possibility of the existence of the other radioactive substances mentioned today by Colonel Taylor; or that he would have given the opinion he did if he had thought they could have had any bearing at all on Spr. ——— case?

"Answer 9. Definitely not.

"Question 10. Is it a fact that none of these substances, i.e., caesium, iodine 131, strontium 89, strontium 90, and carbon 14, would exist unless there has been some degree of fallout?

"Answer 10. Yes; in these circumstances, it is, and, moreover, caesium does not stay long in the body.

"Question 11. Is radioactive iodine fairly easily detectable?

"Answer 11. Yes; for example, by the use of geiger counters. This is often done in our hospitals and is used in connection with certain conditions of the thyroid gland.

"Question 12. Had the War Office reported the presence of radioactive iodine on Christmas Island, can you say whether the Ministry would have accepted the possibility that the other substances might also have been present?

"Answer 12. Yes, certainly; but of course the War Office did no such thing."

Dr. Emery was then cross-examined by Mr. Peter Ripman, as follows:

"Question 1. Do you agree that radiation is a cause of leukemia?

"Answer 1. Yes.

"Question 2. And that it is the only known cause?

"Answer 2. No; there is evidence that benzine may be another cause—a known cause, yes. Cause of most cases is quite unknown but unconnected with radiation.

"Question 3. Have there not been a number of cases in which leukemia has been caused by intensive radiation, and is it not invariably fatal?

"Answer 3. Yes; the treatment by X-rays of ankylosing spondylitis, but it is not clear whether the cause was the gamma rays by themselves or in association with the disease itself. Certainly there is no known cure for leukemia.

"Question 4. Do you not agree that a number of cases have occurred due to fallout?

"Answer 4. In the Japanese cases fallout did not occur. I agree that any conclusions based on the Japanese explosions, as to fallout, are unreliable, we must take our lessons from the 1954 Bikini fallout.

"Question 5. But surely the medical services opinions (see par. 12 on p. 20) say that much of our knowledge of this serious and fatal consequence of exposure has been accumulated from the study of the U.S. Atomic Bomb Casualty Commission which has studied the immediate and long-term effects of the explosions over Hiroshima and Nagasaki? And does not paragraph 14 quote the M.R.C. first report of 1956: 'Concentric distribution of the radiation was not affected to the same degree as in Nagasaki by the irregular distribution of the radioactive fallout'? And do not Dr. Levitt, Colonel Taylor, and even Professor Windeyer all treat fallout as important and as having been responsible for some of the Japanese deaths? Are you really saying there was no fallout at Hiroshima and Nagasaki?

"Answer 5. If I said there was no fallout from the early Japanese explosions I withdraw that. What I had in mind was that there was no fallout of strontium 90 then; it did not occur until after the very heavy fallout following the Bikini accident in 1954 and so far no case of leukemia has been reported. There has been no real fallout from the recent Russian experiments as yet and it is not expected until the spring by which time iodine 131 will be dead.

"Question 6. Would you agree, Dr. Emery, that in 1957 the emphasis was on strontium 90 rather than on caesium, strontium 89, iodine 131, and carbon 14, and that there is no evidence that tests for the latter group were carried out by the War Office on Christmas Island?

"Answer 6. I must agree that I can see no direct evidence of that having been done.

"Question 7. Did you know about the eight cases of leukemia following treatment with iodine 131 reported by the BMJ?

"Answer 7. No; I had not heard of that until today.

"Question 8. No doubt you were surprised, but it is only in the last few years that the dangers of these things have become known.

"Answer 8. I would not agree with the last part of your comment, the dangers of iodine 131 have been known for a considerable time. I should still like to repeat that I know of no case in which leukemia in man has resulted from strontium 90, or of anybody getting leukemia as a result of fallout.

The average incubation period is about 22 months, and the peak in Japan was reached some 10 years after the A-bomb explosions. After that time, appearance of leukemia would still, in my view, be due to direct radiation and not to fallout.

"Question 9. Would you agree that leukemia is the primary thing to be feared from fallout?

"Answer 9. It may be something to be watched for but it is still true that no case has yet occurred following the 1954 accident. I am not saying Dr. Levitt, Dr. Pirie, and Dr. Sladden are all wrong in suggesting that leukemia may result from fallout. I am saying that it has not yet occurred, and that Spr. ——— leukemia, 2 months after the November 1957 explosion, was not due to fallout.

"Question 10. Is it right to say that the whole of your views on this case are based on the assumption that there was no fallout on Christmas Island, and that if we are right in saying that assumption is unjustifiable and that there was some fallout, your case falls to the ground?

"Answer 10. I do not agree. I maintain, certainly, that there was no fallout, but even if there were, I would still assert that Spr. ——— leukemia arose too soon to be causally connected with it; that it could not have been caused by strontium 90, and that I would need to be told a lot more about the degree of fallout or radiation which you think occurred."

Ministry representative submitted:

The tribunal will appreciate that I do not appear before them as an advocate interested solely in obtaining a favorable decision for the Ministry, but rather to present and explain the basis on which the Ministry rejected this claim, and to assist the court in any way possible to arrive at a correct decision on all the evidence.

With the tribunal's permission I would like to begin by dealing briefly with the law as it relates to cases of what I might call simple leukemia. This was laid down in the signpost judgment of Mr. Justice Denning, as he then was, in the high court case of Kinkaid, volume III, page 1445, of the "Selected Reports on War Pensions." In that case the judge said: "These cases of leukemia show a distressing likeness one to the other. A healthy man is suddenly struck down with it for no apparent cause and he dies. Most laymen would be prepared to assert that his dependents should have pensions, because a healthy man is not likely to be struck down in this way unless it is due to [war] service. The Minister, however, has rejected the claims, not for any want of sympathy, but because he is bound by the warrant to decide according to the certificate of his medical men. * * * Some of the claims have already come on appeal before the superior courts. In considering them the courts have insisted that the compelling presumption in the claimant's favor should be given its full force and that no claim should be rejected unless the Minister proves beyond reasonable doubt that the disease is not due to [war] service. * * * I have stressed my anxiety to find in the claimant's favor if it were possible to do so, because it is plainly the intention of the royal warrant that the cases should be approached in that way. Once, however, the evidence shows beyond reasonable doubt that the disease was not attributable to or aggravated by [war] service there is no option but to reject the claim. If I were to allow the appeal and award a pension in this case, it would mean that I should be giving the sanction of this court to the principle 'Fit for service, fit for pension.' * * * If sympathy and generosity were the guide, the principle would have been adopted long ago; but these cases have to be decided according to the royal warrant. * * * So at last we reach finality in these distressing cases of leukemia. In order to put them in their proper perspective, they must be regarded as cases of cancer. Leukemia is cancer of the blood. A series of cases have now shown that cancer, as a rule, is not attributable to or aggravated by [war] service * * * the only cases in which claims for a pension have been sustained for cancer is when the man was exposed to radioactive substance * * * or when there has been aggravation by delay in diagnosis or treatment due to [war] service."

The tribunal will observe that, although this judgment is dated May 7, 1948, the possibility of an exception to the principle that leukemia was unconnected with service, was already recognized in the eventuality of exposure to a radioactive substance.

In the present appeal concerning Spr. ———, in my submission the only feature distinguishing it from the principle laid down in Kinkaid's case is that his leukemia came on when he was serving on Christmas Island and in close time relationship to a nuclear explosion.

It is conceded by the Ministry that leukemia can be induced by ionising radiation. The issue, therefore, resolves itself into the single question,

Was it so brought about in this case by the effects of the nuclear explosion on November 8, 1957, or by the residual effects of the three preceding explosions on May 15 and 31 and June 16, 1957?

As to the first three, in May and June 1957, the evidence is that they were all more than 400 miles away from Christmas Island and that continuous routine air sampling and fallout detection apparatus was in use from April 1957 but showed no fallout in the area. Spr. ——— did not arrive on the Island until August 25, 1957.

As to the explosion on November 8, 1957, the evidence is that it occurred more than 25 miles away from Spr. ———; that the meteorological conditions were such that no fallout was expected to reach the island, and measurements, which are set out in detail in the evidence, showed that such was in fact the case. It is also established that the neutron and gamma radiation 10 miles distant from the explosion was appreciably less than that received in a few seconds from natural causes in any part of the world.

Spr. ——— reported sick on January 1, 1958, only 8 weeks after the explosion. Acute leukemia was immediately suspected and 2 weeks later he was flown home for treatment in a hospital which, unfortunately, proved ineffective. There can thus be no ground for thinking that the course of the fatal disease was adversely affected by delay in diagnosis or treatment due to service (the only other grounds mentioned in Kinkaid's case as exceptions to the general rule)

Dr. Levitt, a well known authority on the subject of leukemia and radiation and on whose report counsel for Mr. ——— has relied to a considerable extent today, withdrew his support for the claim on May 2, 1960, after he had been made aware of the facts disclosed by the War Office, saying "In the light of this new information the position must be accepted that it is unlikely that deceased was exposed to either immediate exposure or fallout to an extent which might lead to the development of leukemia."

All the evidence, as it then existed, was put before Prof. Sir Brian Windeyer (a member of the medical research council) on December 18, 1959, and his conclusion was "I am of the opinion that Sapper ——— death from acute lymphatic leukemia was not due to or accelerated by exposure to gamma or other forms of radiation directly or indirectly resulting from nuclear explosion."

This tribunal has had the advantage of hearing the medical views of Colonel Taylor and Dr. Emery, ranging over a wide field, from the significance of strontium 90 in the bones to land crabs on Christmas Island. It would be presumptuous on my part to attempt to assess the weight of this and the other documentary medical evidence, but it is the essence of the Ministry's case that the evidence of the War Office showing that there was no fallout or contamination on Christmas Island, has not been contraverted and that, having excluded this possibility, there is no factor of Spr. ——— service which could have affected his condition.

Both Dr. Sladden and Dr. Antoinette Pirie state that unassailable proof either for or against the claim does not appear to be available, and that therefore there is bound to be an element of doubt, so that a decision in favor of the claim would be justifiable. The learned president will, I hope, permit me to remind the court of the test of reasonable doubt as laid down in the two leading pensions cases—Irving (a Scottish decision), in volume II at page 412, where the Lord Justice-Clerk said: "The doubt must of course be a reasonable doubt, and not a strained or fanciful acceptance of remote possibilities. Further, the mere fact that the case is one of complexity or great difficulty is perfectly compatible with a decision being reached without reasonable doubt"; and Miller (an English decision), in volume I at page 624, in which Mr. Justice Denning, as he then was, said: "Proof beyond reasonable doubt does not mean proof beyond the shadow of doubt. The law would fail to protect the community if it admitted fanciful possibilities to deflect the course of justice. If the evidence is so strong against a man as to leave only a remote possibility in his favor which can be dismissed with the sentence 'of course it is possible but not in the least probable' the case is proved beyond reasonable doubt."

Having carefully considered all the available evidence, the Minister remains of the opinion that it is established beyond reasonable doubt that Spr. ——— was not exposed either to radiation or fallout from nuclear explosions during his service on Christmas Island, and that his leukemia was neither attributable to nor aggravated by any factor of his service.

Mr. Peter Ripman, in his closing address, questioned to what extent a judgment of 1948 could be relied upon now in a matter concerning leukemia and radiation, but observed that the leading medical opinion in Kinkaid was given by Sir Lionel Whitby who was himself a member of the Medical Research Council and whose collective views he had quoted in support of the appellant today. He stressed again that there had been no tests for caesium, iodine, strontium 89 or C. 14 and that these were all potentially dangerous substances. There was no suggestion of criticism in this, either of the War Office or anyone else; it was simply a commentary on the speed with which knowledge on the subject was advancing all the time. The so-called conclusive evidence of no fallout was not to be relied upon. The Ministry seemed to have concentrated on the explosion of November 1957 and the fact that ——— leukemia arose only 2 months later, but his case did not stand or fall on that. There may have been dangerous fallout of strontium 89 or the other substances from the earlier explosions in May and June—if so, the time factor was clearly irrelevant, though he was still contending that it was fundamentally unsound. Dr. Levitt only said it was "unlikely" ——— was exposed to fallout. This case had to be decided on a balance of probabilities, and even if the burden of proof had rested on the appellant, he would have discharged it and should get home by a margin.

The chairman said the tribunal would wish to consider all that had been said. He thanked both sides for their assistance, and said the tribunal's decision would be given in writing in due course.

N. G. CARTER,
Ministry Representative.

DECEMBER 12, 1961.

DECISION

This is an appeal by Mr. ———, on behalf of his son ——— (deceased), against the decision of the Ministry of Pensions and National Insurance that his son's death as a result of acute lymphocytic leukemia, was not attributable to his army service.

Mr. P. H. Ripman, of counsel, appeared on behalf of the appellant, and Mr. N. G. Carter, on behalf of the Ministry, at the hearing of this appeal.

Mr. ——— was medically examined for enlistment into the army in January 1956, and was placed in grade II A on account of a foot disability. He was enlisted and posted to the Royal Engineers on the March 1, 1956, and on August 18, 1957, he enplaned for Christmas Island, arriving there on August 25.

Prior to his arrival on Christmas Island there had been three explosions of nuclear devices at least 400 miles distant from the island; two in May and one in June 1957, and on November 8, 1957, a further explosion of a nuclear device, on this occasion in the megaton range, took place. Evidence regarding the proximity to Christmas Island of the last explosion is that it was more than 25 miles away.

On January 1, 1958, Mr. ——— was admitted into the R.A.F. Hospital, Christmas Island, with a condition which was provisionally diagnosed as acute leukemia, and on January 14, he was transferred by air to the United Kingdom and admitted into the R.A.F. Hospital, Wroughton, on January 19. The condition he was suffering from was then diagnosed as acute lymphocytic leukemia. He was invalided from the service as a result of this condition on April 15, 1958, and thereafter received treatment until he unfortunately died as a result of the condition on June 13, 1958.

As already stated, the Ministry maintains that Mr. ——— acute lymphocytic leukemia is not attributable to his army service, that is to say, no factor of such service could have had any connection either with the onset or course of the condition.

For the appellant it is argued that Mr. ——— condition from which he died was the direct result of the nuclear explosion which took place on November 8, 1957.

This appeal fails for consideration under article 4(3) of the royal warrant, under which there is a compelling presumption in the appellant's favor. That being so, the Ministry has to satisfy us of the correctness of its contention, beyond all reasonable doubt.

Shortly put, the issues we have to determine on this appeal are as follows: (i) whether the nature, type and character of the fatal disease can be attributed to the effects of ionizing radiation; (ii) whether the conditions on Christmas Island were such that the deceased could have been exposed to ionizing radiation, and if the answer to these two questions is in the affirmative; (iii) whether the evidence indicates that the deceased was or was not so exposed.

There was a sharp conflict in the medical evidence. On behalf of the Ministry, opinions given by Prof. B. W. Windeyer, M.B., B.S., F.R.C.S., M.R.C.P., D.M., R.E.F.F.R., consultant adviser to the ministry of health on radio therapy, and three opinions by the Ministry's medical services division, were submitted, and Dr. C. W. A. Emory, C.B.E., M.B., B. Ch., gave evidence at the hearing before us. On behalf of the appellant, opinions given by Dr. A. P. S. Sladden, M.D., M.A., Dr. Antoinette Pirie, M.A., Ph. D., and Dr. G. F. Taylor, M.A., M.B., B. Ch., M.R.C.S., L.R.C.P., (who also gave oral evidence) were submitted. Mr. Ripman also relied upon certain passages in opinions given by Dr. W. M. Levitt, M.D., F.R.C.P., F.F.R., department of radio therapy, London clinic.

The evidence shows that living conditions on Christmas Island left much to be desired, there was a considerable amount of rain, and at times, the tents in which the troops lived were waterlogged. It is also on record that there were a considerable number of rats and quantities of land crab on the island. There is also evidence that land crabs concentrate strontium 90 and other fission products in their bodies. It was not contended, however, that living conditions on Christmas Island played any part in the causation or aggravation of the fatal disease, nor was it seriously suggested that Mr. ——— had eaten land crab, it certainly was not part of the service diet of the personnel on the island. We mention these matters because they form part of the evidence contained in the statement of case, but we are satisfied that they have no relevance to the issues we have to determine.

After his decease, Mr. ——— right femur was sent to the radio biological research unit at Harwell, which reported that strontium 90 analysis of the bone, based on a single count, gave an upper limit of 0.15 s.u., and there is evidence, which we accept, that a concentration of 0.15 s.u. would be in the range of normal levels in the year 1957. We appreciate that radioactive strontium is not a normal constituent of bone, but are satisfied that the level mentioned was the normal level that could be expected to be found in human bones in 1957, due, no doubt, to the various radioactive explosions which have taken place. On the evidence before us, we think it highly improbable that the level would have been any different had Mr. ——— never been stationed on Christmas Island.

The nuclear explosions which took place in May and June 1957, were at least 400 miles from Christmas Island, and on the evidence we do not consider that there is any reasonable doubt that danger from radiation on that island, as a result of these explosions, was any greater than it would have been in the United Kingdom.

Apart from the findings as a result of the analysis of the bone, referred to above, it seems clear from the evidence that strontium 90 from the nuclear explosion on November 8, 1957, would not have been a significant factor on Christmas Island by January 1958, and we are therefore satisfied that strontium 90 arising from that explosion can be eliminated as a possible cause of the fatal disease.

The Ministry submitted in evidence a letter from the War Office, dated September 10, 1959, in which it is definitely stated that "Air sampling and fallout detection apparatus has been in continuous routine operation on Christmas Island since April 1957," and that "during this period no fallout has been recorded." The following passage also appears in the same communication:

"Instruments used to measure neutron and gamma radiation from nuclear explosions demonstrated that even at only 10 miles from the November 1957 explosion the radiation dose was appreciably less than that which is received in a few seconds from natural causes in any part of the world. Clearly, therefore, at distances greater than 25 miles the question of radiation dose to an individual does not arise. We trust this information will be of assistance to you."

Dr. Taylor said that he found it impossible to accept the War Office statement that there was no fallout following the November 8 nuclear explosion, that there must have been, and that strontium 89 and radioactive iodine would have been present as a result of fallout. He maintained that these hazards must have been present and that it was reasonable to think that they were responsible for Mr. ——— acute lymphocytic leukemia.

We have considered all of the evidence with anxious care. We accept the testimony of the War Office regarding the absence of fallout and the degree of radiation in respect of the November 8 nuclear explosion, and have reached the conclusion that the Ministry have established, beyond all reasonable doubt, that Mr. ——— was not exposed to either prompt radiation in the form of gamma rays or neutrons, or to radiation fallout, as a result of his service on Christmas Island, in excess of that which he would have received during the same period as a civilian in the United Kingdom.

We accept Professor Windeyer's opinion that the fatal disease was not due to or accelerated by exposure to gamma or other forms of radiation directly or indirectly resulting from nuclear explosion, and although, in view of the conclusions we have arrived at, the question whether or not lymphocytic leukemia was likely to have been induced within a period of 2 months, does not arise, we accept Professor Windeyer's opinion that it is highly improbable that it would be induced in that period.

In conclusion we wish to record our thanks to Mr. Ripman who put the appellant's case so ably and clearly, and to Mr. Carter, for their assistance at the hearing of this appeal.

For the reasons given, we regret that this appeal must be disallowed.

S. FOSTER-SUTTON,
Chairman.

DECEMBER 29, 1961.

Mr. KORNEGAY. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include certain pertinent material.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. BAILEY. Mr. Speaker, will the gentleman yield?

Mr. KORNEGAY. I yield.

Mr. BAILEY. I am asking this pointed question: Will this in any way curtail the right of the veteran whose appeal has been rejected by the office of original jurisdiction, we will say the area office of the Veterans' Administration?

Mr. KORNEGAY. No.

Mr. BAILEY. Just a minute until I finish: You are going to require him to furnish some additional information——

Mr. KORNEGAY. No, sir.

Mr. BAILEY. I am asking this question because I have seen the situation where the regional office back in my State turns down the request of the veteran and they come to me, numbers have, hundreds have, since I started my service in the Congress. I ask them to appeal their case if I think there is any merit in it. They get it here and we go down and I take whatever time is necessary to argue the case before the National Appeals Board and have succeeded in reversing the decision of the regional board in better than 50 percent of the cases they reported unfavorably on.

Can the gentleman advise me if there is to be any added information required of such a veteran? I just do not want anything in here which would curtail the veteran's right to an appeal under any circumstance.

Mr. KORNEGAY. I answer the gentleman's question in this way, Mr. Speaker, and say that this bill certainly does not add any burden to the veteran or to

the appellant. What it does is that upon his expression of dissatisfaction the office of original jurisdiction——

Mr. BAILEY. Which would be the regional office.

Mr. KORNEGAY. Which would be the regional office, is required to prepare a statement of facts in the case and its conclusions and recommendation.

Mr. BAILEY. That requested information would have to be supplied by the regional office, rather than by the veteran himself.

Mr. KORNEGAY. Yes. The regional office sends the claimant, the veteran or his representative, a copy and he has 30 days within which to file his exceptions to the statement of facts and recommendations as made by the regional office.

Mr. BAILEY. Under present law it is a 6-month period, is it not?

Mr. KORNEGAY. It is a year for an appeal. This does not change that period. The provisions of the bill state:

> The claimant will be afforded a period of 30 days from the date the statement of the case is mailed to him or the remainder of the period specified in subsection (a) of this section—
>
> Which is 1 year—
>
> (or, in the case of simultaneously contested claims, the period specified in section 4007 of this title), whichever is greater, to perfect his appeal.

And the last section involves 60 days.

Mr. BAILEY. If the gentleman will yield further, might I ask this question: Does this legislation have the support of the American Legion and the various veterans organizations, the Veterans of Foreign Wars, and so forth?

Mr. KORNEGAY. To my knowledge none of the veterans organizations has taken a specific position on this particular bill as reported. The bill was completely redrafted by the subcommittee following the testimony of the VA General Counsel, Mr. Cyrus Brickfield, a former employee of the House Judiciary Committee. His testimony was exceedingly helpful.

Mr. BAILEY. I thank the gentleman.

Mr. VAN ZANDT. Mr. Speaker, will the gentleman yield?

Mr. KORNEGAY. I yield.

Mr. VAN ZANDT. Is it not true that if this bill is written into law a veteran, say Mr. X, who has filed a claim with the VA and it is turned down at the regional level and he exercises the right of appeal and it goes to the Board of Veterans Appeals and is turned down there—then the Board of Veterans Appeals returns the decision, fully explained, back to the regional office. That decision, fully explained, is then made available to the veteran or his representative; is that right?

Mr. KORNEGAY. Generally you are right. However, the statement of the case, or summary, is prepared by the regional office before it goes to the Board of Veterans Appeals.

Mr. VAN ZANDT. Then he has the right, within 30 days, to file new evidence, and so forth?

Mr. KORNEGAY. Yes, 30 days to correct any errors made by the regional office.

Mr. VAN ZANDT. Is it not true that organized veterans associations have appeared in behalf of this type of legislation?

Mr. KORNEGAY. As I understand it, they have testified, but they did not have a resolution or formal position on this particular proposal.

Mr. VAN ZANDT. Originally, this proposal provided for an additional agency of Government to review the decision of the Board of Appeals?

Mr. KORNEGAY. That is another proposal not related in any way to this.

Mr. VAN ZANDT. Is this not a compromise?

Mr. KORNEGAY. No.

Mr. VAN ZANDT. This is separate and distinct?

Mr. KORNEGAY. This is separate and distinct, yes.

Mr. TEAGUE of Texas. Mr. Speaker, will the gentleman yield?

Mr. KORNEGAY. I yield to the gentleman from Texas.

Mr. TEAGUE of Texas. It is not significant that the veterans organizations are not committed to this, because their conventions did not make a decision or recommendation but, so far as I know, every veteran group supports it. However, as the gentleman from North Carolina made clear earlier, this bill was completely rewritten and we do not have the formal position of any organization on the reported bill. I may say to the gentleman from West Virginia, this would make his job about twice as easy. If this bill becomes law when you go down to the Board of Veterans Appeals you will have statements of fact and evidence, rather than someone's opinion.

Mr. SAYLOR. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, this bill will make the problem of the veteran a great deal simpler to the veteran himself and to his representative.

If this bill is passed, for the first time you will now have a record from the time a claim is filed until the decision on one piece of paper. He will have the findings of fact and conclusions of law in language which anyone can understand, and it will enable a veteran, who feels his rights have been prejudiced, to find out why his case has been turned down.

Mr. BAILEY. Mr. Speaker, will the gentleman yield?

Mr. SAYLOR. I yield to the gentleman from West Virginia.

Mr. BAILEY. I would like to know if it would obviate the necessity for my having to write to the regional office and asking that files be forwarded to me. Will this require that that be done?

Mr. SAYLOR. No. It will not be necessary for the gentleman to ask to have the file sent from the regional office to the central office so that they can be examined. This will give you a complete story, a factual account from the time a veteran files his claim until the final decision. It is for that reason the committee urges this bill be enacted into law.

Mr. BAILEY. I think that would be desirable. It would save me considerable time and effort and headaches in getting the information together.

Mr. SAYLOR. It will not only save Members of Congress their time, but it will save the veterans and the veterans' organizations a great deal of difficulty in trying to review some of the cases and in trying to find out why the Veterans' Administration or the Board of Appeals took the position it did. This will require the regional office to state to the veteran the facts and the law in simple language, and then if the veteran feels he is aggrieved, he now knows what he must do to overcome the adverse decision that has been rendered against him.

Mr. VAN ZANDT. This is the regional office's responsibility?

Mr. SAYLOR. This is the responsibility of the regional office, yes.

Mr. VAN ZANDT. This all took place prior to the claim being received and adjudicated by the Board of Appeals?

Mr. SAYLOR. No. This takes place after the Board of Appeals has acted. The Board of Veterans Appeals files very formal statements. They do not go into detail as to the facts that they found in the case or the law on which they relied.

The regional office will be required to give the veteran, at his request, an item by item account of the facts in the case and the law that was relied upon so that the veteran can understand his case.

Mr. VAN ZANDT. In the event the Board of Veterans' Appeals denies a claim and then they notify the veteran, instead of the Board of Veterans' Appeals citing a section of law, they will have to spell out that section of the law in plain language?

Mr. SAYLOR. That is correct.

Mr. ADAIR. Mr. Speaker, will the gentleman yield?

Mr. SAYLOR. I yield to the gentleman from Indiana.

Mr. ADAIR. I would like to ask the gentleman if he is not of the opinion that this would require a more careful and painstaking consideration of the veterans' cases and so would be of benefit.

Mr. SAYLOR. That is true, because we have found in our hearings that many times the Board of Veterans' Appeals relies upon a decision which relies on a decision, and when the final check was made, you found out the original decision had nothing to do with the facts of this particular veteran.

Mr. OSTERTAG. Mr. Speaker, will the gentleman yield?

Mr. SAYLOR. I yield to the gentleman from New York.

Mr. OSTERTAG. Is there a time element involved that the veteran must adhere to in resubmitting his appeal and in regard to the Veterans' Administration also notifying the veteran of the reason for the denial?

Mr. SAYLOR. No. There is a time period now of 1 year. We do not attempt to change that. The only thing we do, we give him a month after he receives his decision to request these items, findings of fact and conclusions of law, in his case.

Mr. OSTERTAG. The burden is on the veteran to require the adherence of that?

Mr. SAYLOR. To ask for it, yes, so that he will have a detailed account of his own case.

Mr. VAN ZANDT. Mr. Speaker, will the gentleman yield further?

Mr. SAYLOR. I yield.

Mr. VAN ZANDT. Is it not true that you are just giving the veteran here an opportunity to furnish additional information that was not in his claim originally?

Mr. SAYLOR. That is correct. In other words, many veterans will now see, when they examine the report that has been given to him by the regional office, where his case was short, and he will be able to find and fill in much of the lacking information and testimony to substantiate his case.

Mr. BECKER. Mr. Speaker, will the gentleman yield?

Mr. SAYLOR. I yield to the gentleman from New York.

Mr. BECKER. Does not the veteran on appeal have that right now?

Mr. SAYLOR. He does have that right now, but the language which the Board of Veterans' Appeals uses is such that most of the veterans and many of the representatives cannot understand it. They rely upon a citation, and that citation is not available to the veteran or to some of his representatives.

Mr. BECKER. Just one further question, if the gentleman will yield.

Mr. SAYLOR. I will be happy to.

Mr. BECKER. Is it a fact, though, that on the appeal the matter comes before the same group that his original claim was brought before; the same doctors?

Mr. SAYLOR. That is not necessarily so.

Mr. BECKER. But generally so, however?

Mr. SAYLOR. I might say that in the past 2 or 3 years now, both under the last Administrator of Veterans' Affairs and the present Administrator, if there was an appeal and they asked for a review of the decision of the Board of Veterans Appeals, there is a definite effort to give you a new board to examine the case.

Mr. BECKER. But there is nothing in the law requiring that?

Mr. SAYLOR. No.

Mr. VAN ZANDT. Mr. Speaker, if the gentleman will yield further, this does not in any way interfere with the right of an administrative review?

Mr. SAYLOR. This does not interfere in any way with an administrative review. That still remains.

I have no further requests for time, Mr. Speaker.

Mr. LANE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LANE. Mr. Speaker, a number of veterans are frustrated by the denial of their claims for disability compensation. They complain that they are kept in the dark concerning the reasons why their claims are rejected.

As a result, 42,700 cases are appealed every year. This does not take into account the additional cases in which the veteran is dissatisfied with the decision but believes that an appeal would only be a waste of time and money.

H.R. 857 seeks to bridge that misunderstanding and to clarify the issue for the veteran. It provides that cases appealed to the Board of Veterans' Appeals shall contain a brief statement of the facts of the case appealed, with a citation and application of the law, together with the recommendations of the office appealed from.

Prior to forwarding the appeal, the statement of the case would be submitted to the appellant or his agent and he would be allowed sufficient time in which to perfect his appeal. If the claimant fails to respond but the explanation of dissatisfaction which he filed contains specific allegations of error of fact or law, it will be forwarded to the Board for review on the record as it then exists. Otherwise, the case will be closed by the agency of original jurisdiction. It is further specified that any statement of fact to which no exception is taken by the claimant, shall be prima facie evidence of the correctness of that particular fact.

The General Counsel of the Veterans' Administration, on March 1, 1962, said:

> We concede that, with certain modifications, it [H.R. 857] could accomplish a worthwhile improvement in due process.

Specifically, the VA suggested that it would be workable to require that all cases in which the claimant expresses dissatisfaction with, or objection to, the decision of the agency or original jurisdiction on any issue, the agency prepare (a) a summary of the evidence in the case pertaining to the issue as to which there is dissatisfaction; (b) a discussion of the pertinent law, regulations, and provisions of the schedule for rating disabilities where applicable; and (c) the decision on the issue and a summary of the reasons therefor.

The bill, as modified, in the opinion of the VA, would have these effects: (a) the complete explanation of the evidence and law would eliminate many appeals based on misunderstanding rather than belief of error; (b) the claimant would be afforded an opportunity first, to furnish new and material evidence in instances wherein the record was incomplete; and, second, to more effectively present his contentions on appeal; (c) the implications of an adversary's proceeding which are inherent in H.R. 857 as now drafted, would be avoided; and (d) lighten the burden of the Board of Veterans' Appeals in that the issues for its consideration would be more specifically delineated.

In view of the broad discretion which must be exercised to protect the claimant from disclosures that would be injurious to his mental or physical health, and to incur due process within the framework of beneficial legislation, the VA believes that any legislation in this area should be in the broadest terms to allow the Administrator the maximum leeway in its administration.

The bill has been amended to adopt the principles thus outlined to the subcommittee. It has also been amended in an effort to meet the objections raised by some of the organizations by removing the requirement, in the bill as introduced, that the appeal would be dismissed if concurrence or exceptions were not filed within 30 days.

Translated into veterans' language, this would let the veteran know, in advance, as to whether he has a case for appeal or not. Furthermore, it would give him the opportunity to present new and material evidence, and to get a clearer view of his case that would help him to present it more effectively.

It will assure the veteran that he is not contending against invisible obstacles.

By strengthening and clarifying due process, it will help many claimants whose appeals are denied because of inadequate preparation of their cases, and save other veterans from appealing their cases when there is no justifiable basis for expecting a reversal of the original decision.

All in all, it will promote greater confidence among veterans in the administration of the appeals procedure.

Mr. TEAGUE of Texas. Mr. Speaker, I have no further requests for time.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Texas [Mr. TEAGUE] that the House suspend the rules and pass the bill (H.R. 857).

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

AUTHORIZING ADDITIONAL PROSTHETIC RESEARCH

Mr. TEAGUE of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 10069) to amend section 216 of title 38, United States Code, relating to prosthetic research in the Veterans' Administration.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (c) of section 216, title 38, United States Code, is amended by striking "$1,000,000" and inserting in lieu thereof "$2,500,000".

The SPEAKER pro tempore. Is a second demanded?

If not, the question is: Will the House suspend the rules and pass the bill H.R. 10069?

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

COMPENSATION FOR SERVICE-CONNECTED DISABLED VETERANS

Mr. TEAGUE of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 10743) to amend title 38, United States Code, to provide increases in rates of disability compensation, and for other purposes.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 314 of title 38, United States Code, is amended—

(1) by striking out "$19" in subsection (a) and inserting in lieu thereof "$20";

(2) by striking out "$36" in subsection (b) and inserting in lieu thereof "$38";

(3) by striking out "$55" in subsection (c) and inserting in lieu thereof "$58";

(4) by striking out "$73" in subsection (d) and inserting in lieu thereof "$77";

(5) by striking out "$100" in subsection (e) and inserting in lieu thereof "$107";

(6) by striking out "$120" in subsection (f) and inserting in lieu thereof "$128";

(7) by striking out "$140" in subsection (g) and inserting in lieu thereof "$149";

(8) by striking out "$160" in subsection (h) and inserting in lieu thereof "$170";

(9) by striking out "$179" in subsection (i) and inserting in lieu thereof "$191";

(10) by striking out "$225" in subsection (j) and inserting in lieu thereof "$250";

(11) by striking out "$450" in subsections (k), (o), and (p) and inserting in lieu thereof "$525";

(12) by striking out "$309" in subsection (l) and inserting in lieu thereof "$340";

(13) by striking out "$359" in subsection (m) and inserting in lieu thereof "$390";

(14) by striking out "$401" in subsection (n) and inserting in lieu thereof "$440";

(15) by striking out "$150" in subsection (r) and inserting in lieu thereof "$200"; and

(16) by striking out "$265" in subsection (s) and inserting in lieu thereof "$290".

(b) The Administrator may adjust administratively, consistent with the increases authorized by this section, the rates of disability compensation payable to persons within the purview of section 10 of Public Law 85-857 who are not in receipt of compensation pursuant to chapter 11 of title 38, United States Code.

SEC. 2. (a) Subsection (r) of section 314 of title 38, United States Code, is further amended by striking out "for all periods during which he is not hospitalized at Government expense" and inserting in lieu thereof the following: ", subject to the limitations of section 3203(f) of this title."

(b) Section 3203 of title 38, United States Code, is amended by adding at the end thereof the following:

"(f) Where any veteran in receipt of an aid and attendance allowance described in section 314(r) of this title is hospitalized at Government expense, such allowance shall be discontinued from the first day of the second calendar month which begins after the date of his admission for such hospitalization for so long as such hospitalization continues. In case a veteran covered by this subsection leaves a hospital against medical advice and is thereafter readmitted to hospitalization, such allowance shall be discontinued from the date of such readmission for so long as such hospitalization continues."

SEC. 3. Section 312(4) of title 38, United States Code, is amended by striking out "three" and inserting in lieu thereof "seven".

SEC. 4. This Act shall take effect on the first day of the second calendar month which begins after the date of enactment of this Act, but no payments shall be made by reason of this Act for any period before such effective date.

The SPEAKER pro tempore. Is a second demanded?

Mr. AYRES. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

Mr. TEAGUE of Texas. Mr. Speaker, the bill seeks to provide increases in the rates of service-connected disability compensation to reflect the changes which have occurred in the cost of living since the last compensation increase in 1957 was enacted, as well as to more adequately compensate our seriously disabled veterans.

Since the last compensation increase in 1957 there has occurred a 6-percent increase in the cost of living. The bill, as reported by the committee, provides increases ranging from 5.3 to 11.1 percent in the disability compensation rates payable to veterans disabled 10 to 100 percent. For those veterans receiving or entitled to receive one of the statutory award rates other than (k) or (q) the increases range from 8.6 to 20.8 percent. The overall average increase provided by the bill is approximately 9.3 percent. All of the rates for service-connected compensation have been increased with the exceptions noted above of the statutory award rate of $47 a month, which is in addition to the basic rates of compensation. The $67 a month rate for arrested tuberculosis is unchanged.

The exact effect on the 1,916,740 individual cases, showing the percentage of increase for each rating and the total cost of the bill, is shown by the table which follows:

Degree and paragraph	Wartime cases	Peacetime cases	Current wartime rates	H.R. 10743 as reported	H.R. 10743, percent increase over current rates	Cost of H.R. 10743 as reported
10%	701,000	51,500	$10	$10	5.3	$6,776,000
20%	281,500	16,000	20	28	5.6	6,960,000
30%	204,500	17,500	30	38	5.5	9,481,000
40%	153,500	7,000	40	50	5.1	7,747,000
50%	102,500	3,500	100	107	7.0	8,190,000
60%	79,500	4,000	120	128	6.7	7,950,000
70%	40,500	2,000	140	149	6.4	4,576,000
80%	27,500	1,000	160	170	6.3	3,142,000
90%	7,000	500	179	191	6.7	1,000,000
100%	74,500	10,000	225	250	11.1	24,900,000
(k)	3,000	500	500	550	10.0	1,900,000
(l)	2,500	200	350	380	8.6	905,000
(m)	200	30	401	440	9.7	104,000
(n)	150	50	450	525	16.7	178,000
(o)	2,500	200	450	525	16.7	2,401,000
(p)	4,200	800	1,000	290 (+525)	20.8	7,330,000
(s)	2,450	500	265	290	9.4	1,149,000
Total	1,794,440	122,300				98,364,000

(k) Anatomical loss, or loss of use of a creative organ, or 1 foot, or 1 hand, or both buttocks, or blindness of 1 eye, having only light perception, rates (a) to (j) increased monthly by $47 additional to basic compensation paid monthly for veteran with these disabilities (this $47 rate unchanged).

Anatomical loss, or loss of use of a creative organ, or 1 foot, or 1 hand, or both buttocks, or blindness of 1 eye, having only light perception, in addition to requirement for aid and attendance, [illegible] for each loss or loss of use by $47 additional to basic compensation paid monthly for veteran with these disabilities (this $47 rate unchanged).

(l) Anatomical loss, or loss of use of both hands, or both feet, or 1 hand and 1 foot, or blind both eyes with 5/200 visual acuity or less, or is permanently bedridden or so helpless as to be in need of regular aid and attendance, monthly compensation.

(m) Anatomical loss, or loss of use of 2 extremities at a level, or with complications preventing natural elbow or knee action with prosthesis in place, or has suffered blindness in both eyes having only light perception, or has suffered blindness in both eyes, rendering him so helpless as to be in need of regular aid and attendance, monthly compensation.

(n) Anatomical loss of 2 extremities so near shoulder or hip as to prevent use of prosthetic appliance, or suffered anatomical loss of both eyes, monthly compensation.

(o) Suffered disability under conditions which would entitle him to 2 or more rates in (l) to (n), no condition being considered twice, or suffered total deafness in combination with total blindness with 5/200 visual acuity or less, monthly compensation.

(p) In event disabled person's service-incurred disabilities exceed requirements for any of rates prescribed, Administrator, in his discretion, may allow next higher rate, or intermediate rate, but in no event in excess of $450.

(q) Minimum rate for arrested tuberculosis. ($265 monthly rate is unchanged.)

(r) Ineligible to compensation under (a), or the maximum rate under (q), and in need of regular aid and attendance, while not hospitalized at Government expense, additional monthly allowance.

(s) If totally disabled and (1) has additional disability independently rated at 60 per centum or more, or, (2) is permanently housebound.

Section 2 of the bill provides that a veteran who today is receiving the statutory award of $450 monthly, the most seriously disabled veteran, and who is also receiving $150 additional payment if he is not in the hospital may have his compensation continue until the first day of the second month which begins after his hospitalization. Today the added compensation of $150 a month is discontinued immediately upon his admission to the hospital. The committee believes it is unwise to penalize the veterans in this fashion since good medical practice requires these veterans to report to a hospital whenever they are in need of such care without suffering a financial loss. Advice received from the Veterans' Administration indicates there would be no great cost administratively or otherwise as a result of this section.

Section 3 increases the presumptive period for multiple sclerosis from 3 to 7 years. While the Veterans' Administration is opposed to this type of proposal, the committee took this action based on the recommendation of the National Institutes of Health. The committee believes the scientific studies of this Agency and its finding fully support the action taken. A letter from the National Institutes of Health is reproduced below:

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE, PUBLIC HEALTH SERVICE, NATIONAL INSTITUTES OF HEALTH,
Bethesda, Md., May 16, 1961

Hon. OLIN E. TEAGUE,
Chairman, Committee on Veterans' Affairs, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: In response to your letter of May 9, I have consulted with members of our scientific staff. It is their opinion that 7 years is not an unreasonable period to recognize as the interval between onset and diagnosis in multiple sclerosis. Under these conditions, the committee would be justified in enacting legislation providing for a 7-year presumptive period for this disease.

Sincerely yours,
RICHARD L. MASLAND, M.D.,
Director, National Institute of Neurological Diseases and Blindness.

The gentleman from New Jersey [Mr. WALLHAUSER] first called this matter to the attention of the committee when he inserted a statement on his proposal in

the record during the course of the hearings on compensation before the Subcommittee on Compensation and Pensions. This indicated by the following correspondence and statement:

STATEMENT OF HON. GEORGE M. WALLHAUSER, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW JERSEY

Mr. Chairman, I wish to thank you and the members of this subcommittee for allowing me the opportunity of submitting a statement in support of H.R. 2082, to amend the Veterans' Benefits Act of 1957 with respect to service connection of multiple sclerosis for an additional 4 years. This bill proposes to extend the presumptive period so that it will conform to highly respected and responsible medical opinion which indicates that the average number of years from first symptoms to diagnosis is 7.2 years.

It may not be necessary to remind the members of the subcommittee of the insidiousness of the disease but for the record I wish to note here that medical opinion has stated that the onset of multiple sclerosis is very often unnoticed by the patient himself, his relatives, and even by the general practitioner in the event that he sees the patient in early stages of the disease. Early warning signs are slurred speech, along with tingling sensations and numbness, poor coordination, especially in walking, and double vision. However, it should be noted a person with multiple sclerosis does not always have all of these symptoms, and someone having one or more may not have multiple sclerosis. Furthermore, and I wish to stress this point, many multiple sclerosis patients have remissions, periods of months or even years during which the symptoms disappear and the individual appears to be well.

Mr. Chairman, an outstanding authority, Dr. Thomas L. Willmon, medical and scientific director, National Multiple Sclerosis Society, has made the following statement to Mr. John W. Bill, national service officer of the Disabled American Veterans, in Newark, N.J., at his request:

"As you must know, the medical literature on multiple sclerosis makes many references to the fact that the diagnosis of this disease is a difficult one and subject to delays until it has progressed to the point that the physician may be certain that he is dealing with multiple sclerosis and not one of the many other conditions which may have to be considered in the differential diagnosis.

"I believe the best reference which you may make is the excellent study made by A. R. MacLean and Berkson, Jr., which appeared in the Journal of the American Medical Association, 1951, 146, 1367. * * * In their study of 418 cases they found that an average of 7.2 years had elapsed between the onset of the symptoms and the time the actual diagnosis was made. * * * I could only say additionally that in talking with many people who have multiple sclerosis I find that such a lapse as MacLean and Berkson describe is not only common but usual."

I have asked the National Institute of Neurological Diseases within the Public Health Service to furnish me information concerning the latest findings of its research of this point, and with your permission, I will submit the information upon receipt of it for the subcommittee's consideration.

Thank you, Mr. Chairman.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., May 5, 1961.

Hon. OLIN E. TEAGUE,
Chairman, House Veterans' Affairs Committee, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: In the statement I submitted to the committee in support of H.R. 2082 to amend the Veterans' Benefits Act of 1957 with respect to service connection of multiple sclerosis for an additional 4 years, I referred to my request of the National Institute of Neurological Diseases to furnish me additional information as to the number of years from onset to diagnosis.

I enclose herewith for the record copy of the reply to my letter from Dr. Richard L. Masland, Director of the National Institute of Neurological Diseases and Blindness.

With appreciation for your courtesy and cooperation, I am,

Sincerely
GEORGE M. WALLHAUSER,
Member of Congress.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE, PUBLIC HEALTH SERVICE, NATIONAL INSTITUTES OF HEALTH,
Bethesda, Md., May 3, 1961.

Hon. GEORGE M. WALLHAUSER,
House of Representatives, Washington, D.C.

DEAR MR. WALLHAUSER: This is in answer to your letter of April 24 concerning H.R. 2082 and a copy of your statement to the House Veterans' Affairs Committee.

Dr. Thomas L. Willmon, Medical and Research Director at the National Multiple Sclerosis Society, is in an excellent position to review all the published scientific data as well as incidence statistics and timelag data relating to onset and diagnosis of multiple sclerosis.

I have discussed with Institute scientists Dr. Willmon's reference to the study by MacLean and Berkson appearing in the Journal of the American Medical Association. Institute scientists have said that the timelag does differ with people but that 7 years is not an unreasonable period between onset and diagnosis.

I hope this further information will be helpful.

Sincerely yours,
RICHARD L. MASLAND, M.D.,
Director, National Institute of Neurological Diseases and Blindness.

Section 4 of the bill provides that increases granted shall be effective on the first day of the second calendar month which begins after the date of enactment.

The first year cost of this bill is $98,264,000, as indicated in more detail in the table previously referred to.

Hearings were held before the Subcommittee on Compensation and Pensions on April 25, 26 and 27, and May 10, 1961, on 64 compensation bills. I desire to express my particular appreciation to the gentleman from South Carolina, the chairman of the subcommittee, Mr. DORN, for his cooperation and assistance in this matter. All members of the Subcommittee on Compensation and Pension—Messrs. DORN, KORNEGAY, ROBERTS, FINO, and CHARLES M. TEAGUE were very helpful and cooperative on this bill.

The President had submitted a proposal drafted in the Veterans' Administration providing a smaller increase, at a total cost of approximately $65 million.

H.R. 879, a similar bill, passed the House on June 5, 1961, under suspension of the rules. There was no opposition to this proposal. The bill was developed through consultations with the President, and the President agreed to recommend a cost-of-living increase in service-connected compensation. The bill as reported by the committee provided a minimum cost-of-living increase to all categories, with increased amounts to the high disability groups. This bill, as passed on June 5, 1961, by the House had a first-year additional cost of $87,933,144. It provided an overall 9.2-percent average increase.

On July 17, 1961, it was taken up by the Senate. After considering the bill, the Senate Finance Committee cut the increases of the House bill for the 10-, 20-, and 30-percent groups in half which effected a savings of approximately $12 million, eliminated the 7-year presumption for multiple sclerosis, added the national service life insurance reopening amendment advocated by Senator LONG, and ordered the bill reported.

On September 1, 1961, the Senate passed H.R. 856, which had been reported on August 9 by the Senate Committee on Finance. This bill, which is identical to H.R. 11045, 86th Congress, and which in its original form was supported by the Veterans' Administration, provides for a modified life plan of insurance for World War II veterans. In reporting the bill, the Committee on Finance included as an amendment the provisions of H.R. 879, as passed by the House, and also added to it the so-called Long rider to permit reopening of the national service life insurance program. In the debate in the Senate on September 1, motion was made to remove the Long rider from the bill. This motion failed by a record vote of 50 to 18.

On September 6 the House passed, under suspension of the rules, S. 2051, which had to do with the War Orphans' Educational Assistance Act and, as an amendment, there was added the provisions of H.R. 879, the compensation increase bill, in the form in which it passed the House originally on June 5.

On September 14 the Senate passed H.R. 3587 providing outpatient care for Indian war veterans and added as an amendment the provisions of S. 2051 without the provisions of H.R. 879—in other words, without the service-connected compensation increase.

On September 22, 1961, the House concurred in the Senate amendments to H.R. 3587, thus sending it to the White House where it was signed on October 4, 1961, and is now Public Law 87-377. As enacted, it relates only to outpatient care for Indian war veterans and provides an extension of time for certain war orphans in the Philippines to initiate courses of training. No compensation matter was included.

In reporting this new bill, H.R. 10743, the committee is again endeavoring to provided a needed increase in the rates of compensation for service-connected disabled veterans and to avoid the parliamentary entanglements which have developed as a result of the actions of the other body.

Mr. Speaker, I ask unanimous consent to place in the RECORD at this point communications from several veterans' organizations expressing support for H.R. 10743.

There was no objection.

VETERANS OF FOREIGN WARS OF THE UNITED STATES,
Washington, D.C., March 28, 1962.

Hon. OLIN E. TEAGUE,
Chairman, Committee on Veterans' Affairs, House of Representatives, Washington, D.C.

DEAR MR. TEAGUE: The Veterans of Foreign Wars wholeheartedly supports H.R. 10743, the

compensation increase bill for service-connected disabled veterans which has been reported to the House.

The Veterans of Foreign Wars is proud of its unqualified and vigorous support of H.R. 879 and subsequent attempts in the first session to have a cost of living increase in the compensation rates for our service-disabled approved by the Congress. The Veterans of Foreign Wars shares the keen disappointment of so many in the Congress that this result has not been obtained. It is hoped that there will be no action to use H.R. 10743 as a vehicle for other unrelated and controversial veterans' legislation.

The speedy approval of H.R. 10743 will be deeply appreciated by the 1,300,000 members of the Veterans of Foreign Wars of the United States, and more particularly the service-disabled, many of whom are still suffering from the wounds and disabilities they received on the battlefield many years ago.

Sincerely yours,

ROBERT E. HANSEN,
Commander-in-Chief.

DISABLED AMERICAN VETERANS,
March 28, 1962.

Hon. OLIN E. TEAGUE,
Chairman, Committee on Veterans' Affairs, House of Representatives, Washington, D.C.

DEAR MR. TEAGUE: This refers to your letter dated March 22, 1962, stating that you expect to obtain House consideration of H.R. 10743 in the near future.

I am sure you realize that the DAV sponsored H.R. 9565, providing for a 15-percent across-the-board disability compensation increase. H.R. 10743, although not wholly meeting the desires of our organization of the wartime disabled, does provide substantial compensation increases for many service-connected veterans, especially those in the most seriously disabled categories. All things considered we believe that the proposals for increase contained in H.R. 10743 are the best that can be hoped for this session.

We strongly support the other provisions of the bill extending the presumptive period for multiple sclerosis to 7 years, and in regard to the hospital award adjustment date in certain cases of seriously disabled veterans involving aid and attendance.

Under the circumstances the Disabled American Veterans supports H.R. 10743, as reported by your committee on March 19, 1962, and we urge early passage by the House of Representatives of this much-needed legislation.

Sincerely,

FRANCIS R. BUONO,
National Commander.

WASHINGTON, D.C., *March 29, 1962.*

Congressman OLIN TEAGUE,
House of Representatives,
Washington, D.C.

On behalf of the BVA we wish to encourage prompt action on H.R. 10743 giving a compensation increase to disabled veterans. The BVA wholeheartedly supports this measure and wishes to thank you for your prompt action on our behalf.

WILLIAM M. HUGHES,
National President,
Blinded Veterans Association.

NEW YORK, N.Y., *March 29, 1962.*

Hon. OLIN TEAGUE,
Chairman, Veterans' Affairs Committee,
House Office Building, Washington, D.C.

The Paralyzed Veterans of America wholeheartedly supports H.R. 10743, which would provide a more liberal compensation increase to the most severely disabled veterans, and gratefully thanks you for your introduction of this bill. We respectfully request your continuing support.

ROBERT CLASSON,
Legislative Director,
Paralyzed Veterans of America.

WASHINGTON, D.C., *March 30, 1962.*

The Honorable OLIN TEAGUE,
Chairman, Committee on Veterans' Affairs, House of Representatives,
Washington, D.C.

In meeting assembled in Washington, D.C., March 31, 1962, the national executive committee of AMVETS wholeheartedly and unanimously endorsed H.R. 10743.

The enactment of a fair cost of living increase in compensation rates for this country's service-connected disabled is long overdue. AMVETS recognize that this situation is not the result of any oversight on the part of the House of Representatives and we sincerely hope that the Senate will refrain from attaching any unrelated and controversial riders to this compensation measure as they did during the last congressional session.

AMVETS would like to take this opportunity to express its deep appreciation to the House of Representatives, its Committee on Veterans' Affairs and particularly to its distinguished chairman, the Honorable OLIN E. TEAGUE, for outstanding efforts in caring for those who bear the battle scars of this Nation's wars.

EDWIN P. FITZELSKI,
AMVETS National Commander.

THE AMERICAN LEGION,
Washington, D.C., March 30, 1962.

The Honorable OLIN E. TEAGUE,
Chairman, House Veterans' Affairs Committee, House of Representatives, Washington, D.C.

DEAR MR. TEAGUE: We have your communication of March 22, 1962, requesting a statement of the American Legion's position on H.R. 10743, a bill dealing with the rates of service-connected disability compensation payments. The bill was introduced on March 14, 1962, and was reported by the House Committee on Veterans' Affairs in executive session on March 19, 1962.

Although hearings were not held on the subject bill, we have, on previous occasions, clearly set forth to the committee the position of the American Legion relative to service-connected disability compensation, including my own statement before the committee on February 27, 1962.

It has always been and continues to be the well established position of the American Legion that the service-disabled and the survivors of those who die of service-connected causes are the first concern of our organization and should also be that of the American public and the Congress of the United States.

For the record, I should like to reiterate the official position of the American Legion with reference to service-connected disability compensation. In 1952, we took issue with the Congress when it created an imbalance in the compensation structure by its act of granting greater compensation increases to those with service-connected disabilities evaluated at 50 percent or more. This imbalance was compounded by subsequent acts of Congress so that presently a veteran with a 90 percent disability receives but 79.5 percent of the payment received by a veteran with 100 percent disability. In short, this imbalance is reflected down through the several gradations of the various disability ratings. The bill, H.R. 10743, retains this imbalance.

The American Legion desires a true balance of payment based upon percentage of disability. The percentage ratings of disability are set forth in rating schedules and are based upon the theory of the average impairment of an individual's earning capacity. If this impairment does not reflect a true percentage of the payment for total disability, then it is obvious that the rating schedules should be amended accordingly.

The American Legion also espouses the principle that all service-connected disabled veterans should receive additional compensation for the care of their dependents. Under present law, such aid is limited to those having a disability rated at 50 percent or greater.

The American Legion states that the present compensation structure is inequitable and discriminatory to all but a negligible percentage of those veterans entitled to service-connected disability compensation. The instant bill fails to correct this. We believe the correction of these injustices is within the financial ability of the Nation and would be supported by the public and by a great majority of the Members of Congress.

We regret that H.R. 10743 fails in fundamental respects to meet certain of the needs of the service disabled. We believe also that its rate provisions are in part inadequate. We know the service disabled are entitled to much more; but, if it is your opinion that H.R. 10743 is the best that can be secured at this time, we will support the bill in the House.

In conclusion, may I state that we do not abandon these principles we believe to be proper, equitable, and just, and we will continue our fight for the service-connected disabled veterans.

I am pleased to note from your letter of March 22, 1962, that you expect to place in the RECORD my response and the responses of the other organizations.

Sincerely yours,

CHARLES L. BACON,
National Commander.

WASHINGTON, D.C., *April 2, 1962.*

The Honorable OLIN E. TEAGUE,
Chairman, House Veterans' Affairs Committee, U.S. House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: Catholic War Veterans of United States strongly support and endorse H.R. 10743 reported by your committee, providing increases in rates of compensation. Urge prompt House passage and hope for early Senate action.

JAMES W. HAFEY,
National Executive Director,
Catholic War Veterans, U.S.A.

Mr. AYRES. Mr. Speaker, will the gentleman yield?

Mr. TEAGUE of Texas. I yield to the gentleman.

Mr. AYRES. Mr. Speaker, I would like to join my chairman, the gentleman from Texas [Mr. TEAGUE], in commending the various veterans' organizations for the splendid cooperation that they gave us on this bill.

Mr. Speaker, I wonder if the chairman of the full committee would be so kind as to tell the Members of the House just what happened on our bill last year after it passed in this Chamber?

Mr. TEAGUE of Texas. Mr. Speaker, will the gentleman yield?

Mr. AYRES. I yield to the gentleman from Texas.

Mr. TEAGUE of Texas. Mr. Speaker, I think, maybe, it would be more proper for someone else to tell about that than for me to tell about it.

Mr. AYRES. But, are we going through the same basic procedure this year that we went through last year?

Mr. TEAGUE of Texas. If the gentleman will yield, actually, for the benefit of the Members of the House, since the 82d Congress there have been bills introduced to permit World War II veterans to reinstate their insurance. Each year those bills have been referred to a subcommittee until last year. Last year those bills were considered by the full committee. Each year the bills have been rejected. Late in the first session the full committee voted to table all pending insurance bills for the balance of the session.

Last year a bill to reopen insurance was attached to a compensation bill (H.R. 879) in the Senate and was sent over to the House. We did not take it up because we felt they were unfair in that after our committee had voted the bill down they tried to force us to pass a bill which our committee had refused.

Mr. Speaker, I am sure the Members of the House would not appreciate it if I went over to Senator BYRD and told him "just because your committee voted this bill down, I demand that you get a vote of the full Senate." That attitude, not on Senator BYRD's part I stress, was what stymied our compensation bill last year.

Mr. AYRES. I thank the chairman.

Mr. SAYLOR. Mr. Speaker, will the gentleman yield?

Mr. TEAGUE of Texas. I yield to the gentleman from Pennsylvania.

Mr. SAYLOR. Mr. Speaker, I want to say that in behalf of the membership on my side of the aisle I want to commend the chairman of the full committee and all of the members of the Veterans' Affairs Committee for having the courage to bring up this compensation bill. The men and women who deserve our utmost praise are those who bear a service-connected disability. They are the ones who are in greatest need, and the ones who have waited longest for attention from this Congress. I feel that the House of Representatives is to be commended for considering this bill.

I know that every man and woman with a service-connected disability has nothing but the highest praise for the chairman of this committee for once again bringing this bill to the floor of the House.

Mr. ADAIR. Mr. Speaker, will the gentleman yield?

Mr. TEAGUE of Texas. I yield to the gentleman from Indiana.

Mr. ADAIR. Mr. Speaker, I should like to add my commendation of the chairman and other members of the committee for the action taken, and to make this observation. I should like to ask the chairman if it is not correct that by and large this adjustment is little more than a cost-of-living adjustment, taking into account the time that has elapsed?

Mr. TEAGUE of Texas. I believe the average is 9.3. The statistics we have concerning the average cost-of-living increase since 1957 shows about 6 percent. I believe it is true that in some cases it is slightly below the cost of living, but in most cases it is something above the cost-of-living increase.

Mr. ADAIR. So it bears a reasonable relationship?

Mr. TEAGUE of Texas. That is correct.

Mr. BAILEY. Mr. Speaker, will the gentleman yield?

Mr. TEAGUE of Texas. I yield to the gentleman from West Virginia.

Mr. BAILEY. Mr. Speaker, I should like to thank the distinguished chairman of the committee for the action taken. The gentleman has indicated that this is a compromise proposal and that it has the approval of the various veterans' groups. Is it the gentleman's intention to have those letters to which he referred included in the RECORD?

Mr. TEAGUE of Texas. I will say to the gentleman that I shall ask unanimous consent to include them in the RECORD.

Mr. BAILEY. I thank the gentleman.

Mr. OSTERTAG. Mr. Speaker, will the gentleman yield?

Mr. TEAGUE of Texas. I yield to the gentleman from New York.

Mr. OSTERTAG. Mr. Speaker, first of all I want to commend the Committee on Veterans' Affairs and its chairman for bringing out a good, sound veterans' compensation benefit bill. As a member of the Committee on Appropriations and more particularly a member of the subcommittee that deals with the Veterans' Administration's appropriation, I wonder if the gentleman could enlighten us as to when these compensation benefits would take effect and how much the annual increase in cost would be; also, whether it should be considered in the 1963 budget bill.

Mr. TEAGUE of Texas. It would become effective the first day of the second month after enactment. Of course, as I do not have any idea of what action will be taken by the other body I could not possibly even suggest to the gentleman whether it would be in that budget or not. The cost of the bill will be approximately $98 million.

Mr. OSTERTAG. $98 million for a full year?

Mr. TEAGUE of Texas. That is correct.

Mr. OSTERTAG. Then if it is enacted during the current session of Congress it would affect the 1963 budget for veterans' compensation?

Mr. TEAGUE of Texas. Very definitely; just as last year when the President requested $65 million and we did not pass it, it affected the budget.

Mr. OSTERTAG. I thank the gentleman.

Mr. VAN ZANDT. Mr. Speaker, will the gentleman yield?

Mr. TEAGUE of Texas. I yield to the gentleman from Pennsylvania.

Mr. VAN ZANDT. Is it not true that the bill that is on the Speaker's desk as amended by the Senate provides an increase that ranges from about 7 to 9 percent?

Mr. TEAGUE of Texas. From 5.3 to 16 percent. The cost would be about $87 million.

Mr. VAN ZANDT. How does it compare with the bill now before us by way of percentage of increase?

Mr. TEAGUE of Texas. It would be just a little bit more. The most severely disabled receive the most, the range is from 5.3 to 20.8 percent with an overall average of 9.3 percent.

Mr. VAN ZANDT. None of these benefits would go to non-service-connected cases?

Mr. TEAGUE of Texas. This pertains only to service-connected veterans.

Mr. VAN ZANDT. Do the gentleman and his committee have any plans to take a look at the benefits paid to the non-service-connected veterans?

Mr. TEAGUE of Texas. I would say that there is a continuing look taken at the program concerning non-service-connected veterans. This last year we have had personal contact with between 5,000 and 6,000 cases. I should say there will be a continuing survey of this and I should hope that we come to some agreement among all the veterans' groups and the committee as to what action should be taken.

Mr. VAN ZANDT. Does the gentleman plan any hearings in the near future at the conclusion of this survey?

Mr. TEAGUE of Texas. I could not answer the question without consulting other members of the committee. I should expect to get the committee together to go over the findings of our staff concerning these 5,000 to 6,000 cases. We have found in our survey that there are thousands of veterans who have not chosen to go under the new law, Public Law 86-211, and there are millions of dollars that would be available to them if they were informed sufficiently to know that they should go under this bill.

Mr. VAN ZANDT. I thank the gentleman.

Mr. DORN. Mr. Speaker, will the gentleman yield?

Mr. TEAGUE of Texas. I yield to the gentleman from South Carolina.

Mr. DORN. Mr. Speaker, the committee is unanimous in supporting the chairman concerning this compensation bill. We feel it should have become law last year. We earnestly submit it for the consideration of the House again. Our disabled veterans, service connected, have not had a raise since 1957.

That has been 5 years. We very earnestly solicit the unanimous support of the House for this bill.

Mr. HALEY. Mr. Speaker, will the gentleman yield?

Mr. TEAGUE of Texas. I yield to the gentleman from Florida.

Mr. HALEY. I am heartily in favor of this bill. The gentleman as well as the other members of his committee have done a tremendous amount of work on this bill. I hope the House will unanimously pass this bill and I hope when it gets to the other body they will let this bill become law without attaching to it any kind of amendments.

Mr. BECKER. Mr. Speaker, will the gentleman yield?

Mr. TEAGUE of Texas. I yield to the gentleman from New York.

Mr. BECKER. I want to commend the committee. This bill has been a long time coming, and it is deserved. But

I would like to have the answer of my good friend from Texas to this. He mentioned that the Senate bill would have provided $65 million, and it was not included in the budget last year. Can the gentleman tell me why no amount was included in the budget this year?

Mr. TEAGUE of Texas. No, I am not aware whether it was included or not included, but I certainly have no reason to believe the administration will not accept this if it is passed by the Congress.

Mr. BECKER. The gentleman has not stated categorically that it is not included in the budget?

Mr. TEAGUE of Texas. No, because I am not sure whether or not it is.

Mr. SANTANGELO. Mr. Speaker, I want to commend the chairman of the committee for bringing out this bill. As I understand it, there will be an increase for those with service-connected disabilities which are rated between 10 percent and 100 percent. There have been very many complaints coming to me that the doctors have been reducing the rate of disability indiscriminately. Has the committee gone into that aspect? Will many of these people who are getting these benefits by reason of this increase have their disability rating lowered below 10 percent, and so disqualify them?

Mr. TEAGUE of Texas. This is a question that has been going on for a number of years, a question in which the committee has taken considerable interest. Two or three years ago there was much talk and consideration of this question, but last year, as far as the committee or its chairman are concerned, there have been very few complaints in this regard. If the gentleman gets complaints, the committee would like to see them.

Mr. SANTANGELO. I have taken up these complaints on individual cases, and I would like to send them to the committee for their perusal and consideration.

I commend the committee for the tremendous job they have done, at least in giving these men the increase in the cost of living which has occurred in the last few years.

Mr. LANE. Mr. Speaker, will the gentleman yield?

Mr. TEAGUE of Texas. I yield to the gentleman from Massachusetts.

Mr. LANE. I join the other Members here in complimenting the chairman and the Committee on Veterans' Affairs, each and every member of that committee, who have worked unselfishly on this matter not only this year but last year. I rise to support the bill, as I did on the previous occasion, knowing that this bill will of course inure to those veterans who are in great need.

May I say also that the Committee on Veterans' Affairs has presented to the House many, many fine pieces of legislation to inure to the benefit of the veterans. This has been a progressive day for the veterans.

Mr. Speaker, service-connected disabled veterans have seen their compensation payments decline by more than 6 percent in value since 1957, because the cost of living has increased by that amount during the past 5 years. An increase in compensation to make up for this deficit is clearly in order.

It is the purpose of H.R. 10743 to effect a reasonable increase in compensation payments that will restore their value—relative to today's cost of living. At the same time it gives us the opportunity to correct certain disparities that will provide greater relief for veterans with the more severe service-connected disabilities.

The bill provides increases ranging from 5.3 percent to 11.1 percent in the disability compensation rates payable to veterans disabled 10 to 100 percent.

It is regrettable that this bill was burdened with extraneous matters that prevented its passage last year. There is no justification for further delay. At a cost of approximately $100 million a year it will reverse the depreciation in compensation payments that has occurred since 1957, and will provide some small measure of relief for nearly 2 million veterans with service-connected disabilities. It is my personal belief that the increases should have been somewhat more, but I realize that this increase is far better than no increase at all, and for that reason I will vote for this bill.

The overall average increase provided by the bill is about 9.4 percent. All of the rates for service-connected compensation have been increased with the exception of the statutory award rate of $47 a month, which is in addition to the basic rates of compensation, and the $67 a month rate for arrested tuberculosis. Inasmuch as all veterans who are entitled to receive the $47 statutory rate will be benefited by the bill because of an increase in the basic rate, the committee felt fully justified in taking this action.

Any time that a veteran with arrested tuberculosis suffers a recurrence, he is immediately rated as totally disabled and the whole reduction formula starts again as if it were a new case. Veterans in this category are already receiving liberal treatment, in sharp distinction to other diseases and disabilities.

Section 2 of the bill provides that veterans who are receiving the statutory award of $450 and also additional compensation of $150 while not in a hospital will have their compensation continued until the first day of the second month which begins after they are hospitalized. It seemed reasonable to the committee and also good medical practice to permit these badly disabled service-connected cases to report to a hospital whenever they are in need of care without suffering a financial loss. Even at these rather liberal rates, many paralyzed veterans experience difficulty in making both ends meet, since some require 24-hour care in their homes and must pay out sizable amounts to individuals employed to take care of them.

Section 3 of the bill increases the presumptive period for multiple sclerosis from 3 to 7 years. This extension is warranted because of the slow and stealthy way in which this serious disability develops.

H.R. 10743 is a moderate, well thought-out bill with very substantial arguments to support it. It will become the major veterans' bill enacted into law during the 2d session of the 87th Congress.

Mr. TEAGUE of Texas. Mr. Speaker, what is done over in the other body is not something with which this committee is concerned. Usually when a bill is referred to a committee and the committee votes it down a time or two, it loses interest in it. But because of the great interest of the veterans' groups and the interest in the other body, we have taken that up for a number of years. We have handled it as squarely and fairly, in a democratic way, as any committee could. The sense of the chairman and this committee is that what happens on the other side of the Capitol does not reflect what we are going to do in this committee. I think our committee is perfectly willing and able to take care of its own legislation.

But we feel we have given this legislation every chance on earth, and I would hope that they will not insist on having a vote in the full House on a piece of legislation that has been turned down by the committee, beginning with the 82d Congress.

Mr. AYRES. Mr. Speaker, will the gentleman yield?

Mr. TEAGUE of Texas. I yield to the gentleman from Ohio.

Mr. AYRES. I would just like to say to the chairman, speaking as a ranking minority Member, that all the Members on our side will support the chairman 100 percent in his position on this.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. AYRES. Mr. Speaker, I yield 5 minutes to the gentleman from New Jersey [Mr. WALLHAUSER].

Mr. WALLHAUSER. Mr. Speaker, the presentation of this legislation, of course, is most gratifying and I commend the chairman, the gentleman from Texas [Mr. TEAGUE], and all the members of the committee. I am particularly grateful because included in the bill is section 3 which increases the presumptive period for multiple sclerosis from 3 years to 7 years. This section accomplishes the result sought by the bill, H.R. 2082, which I introduced on January 6, 1961, and which provided for a 7-year presumptive period. We know that highly respected and responsible medical experts have indicated that the average time for incidence is 7.2 years. We ought to remember that the onset of multiple sclerosis is very often unnoticed by the patient himself, his relatives and even by the general practitioner in the event he sees the patient in the early stages of the disease. We should also remember something about the warning signs of this dread disease which are, slurred speech, tingling sensations and numbness, poor coordination, especially in walking, and double vision. But, please note that people with multiple sclerosis do not always have all of these symptoms, and someone having them may or may not have multiple sclerosis. I would like to stress the fact that many multiple sclerosis patients have what is known as remissions, periods of months or even years during which the symptoms disappear and then reappear again. So we are

dealing with a disease that is very difficult for even the most scientific physician to determine whether or not a person has the disease in the early stages.

For instance, an outstanding authority, Dr. Thomas L. Willmon, medical and scientific director of the National Multiple Sclerosis Society has written to the national service officer of one of the great veterans' organizations to point out that this is a very difficult situation for a physician to definitely determine whether a patient has multiple sclerosis until it has progressed to a point where the physician is certain that he is dealing with it.

I was also very gratified to receive a signed letter from Dr. Richard L. Masland who is director of the National Institute of Neurological Diseases and Blindness, and an outstanding authority, in which he advises me that the institute of scientists have said that the timelag does differ with people, but that 7 years is not an unreasonable period between onset and diagnosis. So that this great Committee on Veteran's Affairs, in my judgment, Mr. Speaker, is to be congratulated for increasing the presumptive period from 3 years to 7 years, thus assisting many veterans who have had great difficulty after their service period to prove to the medical authorities that this dread disease was contracted while the veteran was in the service. I believe the passage of this will correct a situation which should not exist in connection with this disease, and one which seriously affects our veterans who suffer from it.

Mr. AYRES. Mr. Speaker, I yield such time as he may require to the gentleman from Massachusetts [Mr. MORSE].

Mr. MORSE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MORSE. Mr. Speaker, I rise with pleasure to support H.R. 10743 to increase the rate of compensation for service-connected disabled veterans.

This represents the second time in this Congress that the House will have approved such an increase. There is no reluctance on the part of this membership to recognize the needs of these Americans who were disabled in the service of their country. Traditionally, we have insisted that these veterans be treated justly. Certainly an increase in benefits to meet the rapidly increasing costs of living is only simple justice.

Had the will of this House in passing this legislation been reflected by our colleagues in the other body, our disabled veterans today would be receiving an increase in benefits. As we all know, the Senate tied to our original legislation a rider reopening the national service life insurance.

I sincerely trust that we in the House today, as we approve this drastically needed increase, are launching legislation which will clear the whole Congress and be signed into law, so that our 2 million service-connected veterans will not continue to be deprived of the compensation due them.

Mr. AYRES. Mr. Speaker, I have no further requests for time.

GENERAL LEAVE TO EXTEND

Mr. TEAGUE of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks in the RECORD.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

PERMISSION TO REVISE AND EXTEND

Mr. TEAGUE of Texas. Mr. Speaker, I ask unanimous consent that I may revise and extend my remarks and include therewith communications from various veterans' organizations.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. TEAGUE of Texas. Mr. Speaker, I have no further requests for time.

Mr. DONOHUE. Mr. Speaker, I consider it a duty to speak in favor of, and urge immediate adoption of, this measure, H.R. 10743, which basically provides increases in the current rates of veterans service-connected disability compensation, as well as granting more adequate compensation to our seriously disabled veterans.

As we all realize, the cost of living has been in an almost continuous rise over these past several years and the increased disability compensation rates contained in this measure are merely designed to reflect the cost of living changes that have occurred since 1957.

Such cost of living adjustment action for our service-connected disabled veterans is certainly in accord with the traditions and wishes of the American people in consideration of those veterans who were injured in the service of this country and the substantive action proposed in this bill has been recommended by the President himself.

I am particularly pleased by the provisions of section 3 of this measure which increase the presumptive period for multiple sclerosis from 3 to 7 years, which was recommended on the information and advice obtained from the National Institutes of Health.

Mr. Speaker, a primary concern of this Congress, in approaching this measure should be, in my humble opinion, the morale of those American citizens who are now undergoing military service and those who will be called to such service in the future.

In these difficult days we can, to my mind, take no sounder or wiser practical action, to sustain and increase that morale than by giving a concrete demonstration that they and their families will be ever extended the fullest measure of assistance if the individual serviceman should become disabled.

Let us also be mindful that, while we are called upon to approve massive appropriations for the rehabilitation of peoples in other lands, our first obligation is to our own American citizens, and we have an opportunity to fulfill a part of that obligation today. Let us seize the opportunity and promptly approve this bill.

Mr. DOYLE. Mr. Speaker, I commend the distinguished chairman, the gentleman from Texas [Mr. TEAGUE], and all the other members of the House Committee on Veterans' Affairs for bringing this important and timely bill to the floor of the House at this time under suspension of rules so that it will thus more promptly proceed to the other end of the Capitol for consideration, which I hope may be favorable, and, at an early date, passed. I describe this bill as timely, because it provides increases in rates by way of disability compensation for service-connected cases and increases those rates to reflect the changes which we all know have occurred in the cost of living of American veterans since there was a compensation increase in the year 1957. It also compensates more adequately for very seriously disabled veterans. The report of the committee expressly states that the bill would increase the monthly rates payable to veterans of all wars and also peacetime service who have a service-connected disability rated between 10 and 100 percent.

Mr. Speaker, those veterans who are entitled to receive compensation at one of the higher statutory award rates, which clearly runs to a maximum sum of $450, or as much as $600, each month if it be that the veteran concerned is entitled to the $450 rate and needs regular aid and attendance and who is not being cared for in a Veterans' Administration hospital.

The diligent committee reporting this bill and making this illuminating report tells us that since 1957 when the last compensation increase in service-connected cases was made there has occurred at least a 6-percent increase in the cost of living and that this bill, as reported by our committee, provides increases for such service-connected veteran cases ranging from 5.3 to 11.1 percent in the disability compensation rates which are payable to disabled veterans of 10 to 100 percent.

Mr. Speaker, I will not now take longer time and attention for the very splendidly prepared and submitted committee report specifically sets forth the tables of rates and compensation increases. I call this report to the attention of every Member of this House.

May I respectfully state to the distinguished chairman of this committee, the gentleman from Texas [Mr. TEAGUE], that I very frequently receive communications from distinguished veterans in the great 23d Congressional District of California, which I represent, urging that even though their disabilities may not yet have been proven as service connected, that they have vital concern and hope and prayers that with all of its many duties our Committee on Veterans' Affairs may be able before too long to undertake study and survey of their type of case.

Mr. PHILBIN. Mr. Speaker, I heartily congratulate the able, distinguished chairman and members of his outstanding House Veterans' Affairs Committee, for bringing this bill, H.R. 10743, to the floor of the House, since it provides increases in rates of disability compensation that are urgently needed by many

service-connected disabled veterans and their families to cope with the present high cost of living.

The bill will probably not be opposed and it is deserving of the unanimous approval of this House. Since the last compensation increase in 1957, there has been a very substantial advance in price levels and cost of necessities of life, estimated to be in the neighborhood of 6 percent, although this does not adequately reflect a true picture since disabled veterans have special problems of many kinds that make it difficult for them to get along on their limited income.

I think the committee has done a splendid job in preparing this constructive bill which will bring relief to one group of our fellow citizens, above all others, who are deserving of the affectionate solicitude of the Congress and this Government, and which takes notice of the fact that costs and prices of almost everything have risen since the last increase in compensation.

Perhaps the committee would be able to give its consideration to legislation which might tie the veterans' compensation rates to the cost-of-living index. I have always felt that this might possibly be the best way to take care of veterans' compensation benefits as well as social security and retirement benefits. I think that legislation of this kind has great possibilities and should be carefully explored by the administrative agencies and responsible committees of the Congress.

Early in his administration, our beloved, distinguished President, John F. Kennedy, recommended selective increases in compensation rates for veterans with service-connected disabilities to offset rises in the cost of living since the last increase in 1957 and to adjust rates in categories which are out of line.

He stated that the American people have traditionally insisted that these veterans who were injured in the service of their Nation be treated justly and humanely, and strongly pledged his administration to this end.

It will be gratifying to the American people, in my opinion, that this Congress should place its seal of approval upon this objective by unanimously passing this bill, because it will be, as many of its predecessors, another practical manifestation of the everlasting gratitude which is felt for our veteran heroes by the Congress and the people.

It is with a real sense of satisfaction, as well as a distinct pleasure, that I speak and vote in support of this fine, salutary, and helpful measure.

So far as I am concerned, I propose to join as I have done in the past with my many colleagues in this great body who are pledged to the cause of the disabled veteran and his dependents—indeed, to the cause of all our veterans—in moving in every just and practicable way to implement and perfect the constructive programs which Congress in its wisdom has set up to reinforce its deeply felt conviction that the veterans' cause is dear to our hearts and must ever be upheld.

Mr. ROBERTS of Texas. Mr. Speaker, I want to urge this House to give its unanimous consent to the passage of H.R. 10743. This bill will give across-the-board increases in benefits to our service-disabled veterans.

The increases in this bill are based on a sound appraisal of the ever-expanding cost of living.

A great number of the men in this body are veterans of this country's wars. Yet in the press and urgency of Congress and as day-to-day problems arise, some of us tend to forget the real meaning of the word "disabled." Let me call to mind a scene that—in one form or another—is branded into the memory of every man who shared the horrors of war. Remember the man next to you that fared less well than yourself. Maybe internal injuries or mangled limbs that could never be restored were his lot. Perhaps you saw, as I did, promising, healthy young men reduced by the cruelties of war to damaged hulks, never to be able to make their marks on the world. These men made the ultimate sacrifice. It is perhaps an unkind memory to force on you. But we must remind ourselves from time to time just what the words "service-connected disability" mean and what we owe these men.

Every man or woman, who in time of war or peace serves his country, acquires our debt. Those who suffer the vagaries of fate and are damaged in mind or body, either seriously or less so, are the ones to whom we owe the most. Though time may cloud our memory, there must never be a time when we forget those who did not die, yet lost a part of their lives in defense of our country.

Though we may hesitate at some measures that spend the Nation's money, we must not fall short of doing what can be done to recompense the losses of our disabled veterans.

This bill strives toward decency, assuring an adequate living allotment for the totally disabled, and a just compensation for the lesser disabled. I again urge this body to give its unanimous consent. Thank you.

The SPEAKER. The question is, Will the House suspend the rules and pass the bill H.R. 10743?

Mr. HALEY. Mr. Speaker, on that I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken and there were—yeas 347, answered "present" 2, not voting 87, as follows:

[Roll No. 55]

YEAS—347

Abbitt	Bass, Tenn	Broyhill
Abernethy	Bathin	Bruce
Adair	Becker	Burke, Ky.
Addabbo	Beckworth	Burke, Mass.
Albert	Beermann	Burleson
Alexander	Belcher	Byrnes, Wis.
Alger	Bell	Cannon
Andersen, Minn.	Bennett, Fla	Carey
Anderson, Ill.	Bennett, Mich	Cederberg
Anfuso	Berry	Celler
Arends	Betts	Chamberlain
Ashbrook	Blatnik	Chelf
Ashley	Bolling	Chenoweth
Ashmore	Bolton	Chipperfield
Aspinall	Bow	Church
Auchincloss	Brademas	Clark
Ayres	Bray	Cohelan
Bailey	Breeding	Collier
Baker	Brewster	Colmer
Baldwin	Brooks	Conte
Baring	Broomfield	Cook
Barrett	Brown	Corman
		Cramer
Cunningham	Joelson	Poage
Curtin	Johnson, Calif	Poff
Curtis, Mass.	Johnson, Md	Powell
Curtis, Mo	Jonas	Price
Daddario	Judd	Pucinski
Dague	Karsten	Purcell
Daniels	Karth	Quie
Davis, James C	Kastenmeier	Randall
Davis, John W	Kearns	Ray
Dawson	Kee	Reifel
Delaney	Keith	Reuss
Dent	Kelly	Rhodes, Ariz.
Denton	Kilburn	Rhodes, Pa
Derounian	Kilgore	Riehlman
Derwinski	King, Calif	Rivers, Alaska
Devine	King, N.Y	Roberts, Tex
Dingell	King, Utah	Robison
Dole	Kirwan	Rodino
Donohue	Kitchin	Rogers, Fla
Downing	Kornegay	Rogers, Tex
Doyle	Kowalski	Rooney
Dulski	Kunkel	Roosevelt
Durno	Kyl	Rosenthal
Dwyer	Laird	Rostenkowski
Edmondson	Landrum	Roudebush
Ellsworth	Lane	Roush
Everett	Langen	Rousselot
Farbstein	Lankford	Rutherford
Feighan	Latta	Ryan, Mich
Fino	Lennon	Ryan, N.Y
Fisher	Lesinski	St. George
Flood	Libonati	St. Germain
Foreman	Lindsay	Santangelo
Fountain	Lipscomb	Saund
Frazier	Loser	Saylor
Frelinghuysen	McCulloch	Schenck
Friedel	McDonough	Scherer
Fulton	McFall	Schneebeli
Gallagher	McMillan	Schweiker
Garland	McSween	Schwengel
Garmatz	McVey	Scranton
Gary	MacGregor	Seely-Brown
Gathings	Mack	Shelley
Giaimo	Magnuson	Sheppard
Gilbert	Mahon	Shipley
Gonzalez	Mailliard	Short
Goodling	Marshall	Shriver
Gray	Martin, Mass.	Sibal
Green, Oreg.	Martin, Nebr.	Siler
Green, Pa.	Matthews	Sisk
Griffin	Meader	Slack
Griffiths	Merrow	Smith, Iowa
Gross	Miller, Clem	Smith, Va
Gubser	Miller, George P	Springer
Hagan, Ga	Moeller	Stafford
Hagen, Calif	Moorhead, Pa	Staggers
Haley	Morgan	Stephens
Hall	Morris	Stratton
Halleck	Morse	Stubblefield
Halpern	Mosher	Sullivan
Hansen	Moss	Taber
Harding	Multer	Talle
Hardy	Murphy	Tollefson
Harris	Murray	Trimble
Harrison, Va.	Natcher	Tuck
Harrison, Wyo.	Nedzi	Tupper
Harsha	Nelsen	Udall, Morris K
Harvey, Mich.	Nix	Ullman
Hays	Norblad	Utt
Healey	Norrell	Van Pelt
Hechler	Nygaard	Van Zandt
Hemphill	O'Brien, Ill	Vinson
Henderson	O'Hara, Ill	Wallhauser
Herlong	O'Hara, Mich	Walter
Hiestand	O'Konski	Watts
Hoeven	Olsen	Weaver
Hoffman, Ill	O'Neill	Weis
Holifield	Ostertag	Westland
Holland	Pelly	Wharton
Horan	Perkins	Whitener
Hosmer	Peterson	Whitten
Huddleston	Pfost	Wickersham
Ichord, Mo	Philbin	Wilson, Calif
Inouye	Pike	Winstead
Jarman	Pillion	Wright
Jennings	Pirnie	Young
Jensen		Younger
		Zablocki

ANSWERED "PRESENT"—2

Michel	Williams

NOT VOTING—87

Addonizio	Boland	Clancy
Alford	Bonner	Coad
Andrews	Boykin	Cooley
Avery	Bromwell	Corbett
Barry	Buckley	Davis, Tenn
Bass, N.H	Burke, Pa	Diggs
Bates	Cahill	Dooley
Boggs	Casey	Dowdy
Elliott	Kluczynski	Rogers, Colo.
Evins	McDowell	Schadeberg
Fallon	McIntire	Scott
Fascell	Macdonald	Selden
Flood	Madden	Sikes
Fogarty	Mason	Smith, Calif.
Gavin	Mathias	Smith, Miss.
Glenn	May	Spence
Goodell	Moeller	Steed
Granahan	Moorhead	Thomas
Grant	Ohlo	Thompson, La.
Harvey, Ind.	Morrison	Thornberry
Hebert	O'Brien, N.Y.	Vanik
Hoffman, Mich.	Osmers	Waggonner
Hull	Passman	Whalley
Johansen	Patman	Whitener
Johnson, Wis.	Pilcher	Whitten
Jones, Ala.	Rains	Wickersham
Jones, Mo.	Reece	Wilson, Ind.
Keogh	Rivers, S.C	Yates
Kitchin	Roberts, Ala.	Zelenko

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Harvey of Indiana.
Mr. Morrison with Mr. Smith of California.
Mr. Thomas with Mr. Johansen.
Mr. Sikes with Mr. Avery.
Mr. Boland with Mr. Bates.
Mr. Fogarty with Mr. Dooley.
Mr. Keogh with Mr. Osmers.
Mr. Buckley with Mr. Mason.
Mr. Cooley with Mr. Goodell.
Mr. Zelenko with Mr. Bromwell.
Mr. Yates with Mr. Barry.
Mr. Evins with Mr. Gavin.
Mr. Byrne of Pennsylvania with Mr. Bass of New Hampshire.
Mrs. Granahan with Mr. Schadeberg.
Mr. Kitchin with Mr. Wilson of Indiana.
Mr. Boggs with Mrs. Reece.
Mr. O'Brien of New York with Mrs. May.
Mr. Alford with Mr. Hoffman of Michigan.
Mr. Macdonald with Mr. Moorehead of Ohio.
Mr. Addonizio with Mr. Clancy.
Mr. Elliott with Mr. Whalley.
Mr. Thompson of Louisiana with Mr. Mathias.
Mr. Diggs with Mr. Corbett.
Mr. McDowell with Mr. McIntire.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. CELLER. Mr. Speaker, I ask unanimous consent that in pursuance of a special order I have for this afternoon all Members who care to do so may extend their remarks following my remarks, and that all Members have 5 legislative days in which to extend their remarks in the RECORD on that subject and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

HADASSAH—A TRULY NOBLE WORK

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. PHILBIN. Mr. Speaker, I am pleased indeed to join with my able, distinguished friends from New York, [Mr. CELLER and Mr. RYAN] in hailing the 50th anniversary of the great Jewish charitable and social service activity, Hadassah.

This organization has chapters in my district and the work they perform and the good they accomplish would be difficult to measure by finite standards.

This organization represents the best traditions of kindness, mercy, and humane feeling, devotion to the aspirations and determination of a great people to labor unselfishly, to contribute most generously, and to strive wisely and humanely, to reach a firm hand of charity and assistance to those who are beset by misfortune and need.

Hadassah is comprised of loyal Americans and loyal Jews who are willing to give of themselves to help others and to exemplify in their relations with human beings the lofty idealism and noble precepts of the Golden Rule.

I congratulate Hadassah and its membership upon its anniversary and its constructive, heartwarming achievements throughout the years, and extend my best wishes for the continuance of its great work and successful expansion in the future of its solicitude and care for those who are unable to help themselves.

ANIMAL QUARANTINE LAWS

Mr. POAGE. Mr. Speaker, I move to suspend the rules and pass the bill (S. 860) to provide greater protection against the introduction and dissemination of diseases of livestock and poultry, and for other purposes, with committee amendments.

The Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That as used in this Act unless the context indicates otherwise—

(a) The term "Secretary" means the Secretary of Agriculture.

(b) The term "animals" means all members of the animal kingdom including birds, whether domesticated or wild, but not including man.

(c) The term "United States" means the States, Puerto Rico, Guam, the Virgin Islands of the United States, and the District of Columbia.

(d) The term "interstate" means from a State or other area included in the definition of "United States" to or through any other State or other such area.

SEC. 2. (a) The Secretary, whenever he deems it necessary in order to guard against the introduction or dissemination of a communicable disease of livestock or poultry, may seize, quarantine, and dispose of, in a reasonable manner taking into consideration the nature of the disease and the necessity of such action to protect the livestock or poultry of the United States: (1) any animals which he finds are moving or are being handled or have moved or have been handled in interstate or foreign commerce contrary to any law or regulation administered by him for the prevention of the introduction or dissemination of any communicable disease of livestock or poultry; (2) any animals which he finds are moving into the United States, or interstate, and are affected with or have been exposed to any communicable disease dangerous to livestock or poultry; and (3) any animals which he finds have moved into the United States, or interstate, and at the time of such movement were so affected or exposed.

(b) Whereas the existence of any dangerous, communicable disease of livestock or poultry, such as foot-and-mouth disease, rinderpest, or European fowl pest, on any premises in the United States would constitute a threat to livestock and poultry of the Nation and would seriously burden interstate and foreign commerce, whenever the Secretary determines that an extraordinary emergency exists because of the outbreak of such a disease anywhere in the United States, and that such outbreak threatens the livestock or poultry of the United States, he may seize, quarantine, and dispose of, in such manner as he deems necessary or appropriate, any animals in the United States which he finds are or have been affected with or exposed to any such disease and the carcasses of any such animals and any products and articles which he finds were so related to such animals as to be likely to be a means of disseminating any such disease: *Provided*, That action shall be taken under this subsection only if the Secretary finds that adequate measures are not being taken by the State or other jurisdiction. The Secretary shall notify the appropriate official of the State or other jurisdiction before any action is taken in any such State or other jurisdiction pursuant to this subsection.

(c) The Secretary in writing may order the owner of any animal, carcass, product, or article referred to in subsection (a) or (b) of this section, or the agent of such owner, to maintain in quarantine and to dispose of such animal, carcass, product, or article in such manner as the Secretary may direct pursuant to authority vested in him by such subsections. If such owner or agent fails to do so after receipt of such notice, the Secretary may take action as authorized by said subsections (a) and (b) and recover from such owner or agent the reasonable costs of any care, handling, and disposal incurred by the Secretary in connection therewith. Such costs shall not constitute a lien against the animals, carcasses, products, or articles involved. Costs collected under this section shall be credited to the current appropriation for carrying out animal disease control activities of the Department.

(d) Except as provided in subsection (e) of this section, the Secretary shall compensate the owner of any animal, carcass, product, or article destroyed pursuant to the provisions of this section. Such compensation shall be based upon the fair market value as determined by the Secretary, of any such animal, carcass, product, or article at the time of the destruction thereof. Compensation paid any owner under this subsection shall not exceed the difference between any compensation received by such owner from a State or other source and such fair market value of the animal, carcass, product, or article. Funds in the Treasury available for carrying out animal disease control activities of the Department of Agriculture shall be used for carrying out this subsection.

(e) No such payment shall be made by the Secretary for any animal, carcass, product, or article which has been moved or handled by the owner thereof or his agent knowingly in violation of a law or regulation administered by the Secretary for the prevention of the interstate dissemination of the communicable disease, for which the animal, carcass, product, or article was destroyed or a law or regulation for the enforcement of which the Secretary enters or has entered into a cooperative agreement for the control and eradication of such disease, or for any animal which has moved into the United States contrary to such law or regulation administered by the Secretary for the prevention of the introduction of a communicable disease of livestock or poultry.

SEC. 3. The Secretary, in order to protect the health of the livestock or poultry of the Nation, may promulgate regulations requiring that railway cars; vessels; airplanes; trucks; and other means of conveyance; stockyards; feed, water, and rest stations; and other facilities, used in connection with the movement of animals into or from

the United States, or interstate, be maintained in a clean and sanitary condition, including requirements for inspection, cleaning, and disinfection.

SEC. 4. The Secretary is authorized to promulgate regulations prohibiting or regulating the movement into the United States of any animals which are or have been affected with or exposed to any communicable animal disease, or which have been vaccinated or otherwise treated for any such disease, or which he finds would otherwise be likely to introduce or disseminate any such disease, when he determines that such action is necessary to protect the livestock or poultry of the United States.

SEC. 5. Employees of the Department of Agriculture designated by the Secretary for the purpose, when properly identified, shall have authority (1) to stop and inspect, without a warrant, any person or means of conveyance, moving into the United States from a foreign country, to determine whether such person or means of conveyance is carrying any animay, carcass, product, or article regulated or subject to disposal under any law or regulation administered by the Secretary for prevention of the introduction or dissemination of any communicable animal disease; (2) to stop and inspect, without a warrant, any means of conveyance moving interstate upon probable cause to believe that such means of conveyance is carrying any animal, carcass, product, or article regulated or subject to disposal under any law or regulation administered by the Secretary for the prevention of the introduction or dissemination of any communicable animal disease; and (3) to enter upon, with a warrant, any premises for the purpose of making inspections and seizures necessary under such laws and regulations. Any Federal judge, or any judge of a court of record in the United States, or any United States commissioner, may, within his jurisdiction, upon proper oath or affirmation indicating probable cause to believe that there is on certain premises any animal, carcass, product, or article regulated or subject to disposal under any law or regulation administered by the Secretary for the prevention of the introduction or dissemination of any communicable animal disease, issue warrants for the entry upon such premises and for inspections and seizures necessary under such laws and regulations. Such warrants may be executed by any authorized employee of the Department of Agriculture.

SEC. 6. (a) Whoever knowingly violates any regulation promulgated pursuant to the provisions of sections 1 through 5 of this Act shall be punished by a fine not exceeding $1,000 or by imprisonment not exceeding one year, or both.

(b) The Secretary may bring an action to enjoin the violation of, or to compel compliance with, any regulation promulgated or order issued under said sections, or to enjoin any interference by any person with an employee of the Department of Agriculture in carrying out any duties under said sections, whenever the Secretary has reason to believe that such person has violated, or is about to violate, any such regulation or order, or has interfered, or is about to interfere, with any such employee. Such action shall be brought in the United States district court, or the United States court of any Territory or possession, for the judicial district in which such person resides or transacts business or in which the violation, omission, or interference has occurred or is about to occur. Process in such cases may be served in any judicial district wherein the defendant resides or transacts business or wherever the defendant may be found, and subpenas for witnesses who are required to attend the court in any judicial district in any such cases may run into any other judicial district.

SEC. 7. Section 11 of the Act of May 29, 1884 (58 Stat. 734), as amended (21 U.S.C. 114a), is further amended by inserting the words "any communicable diseases of livestock or poultry, including but not limited to," after the word "eradicate".

SEC. 8. (a) The first section of the Act of March 3, 1905 (33 Stat. 1264), as amended (21 U.S.C. 123), is further amended by striking out the phrase "cattle or other livestock" and inserting in lieu thereof the words "any animals", and by inserting after the word "disease" the words "of livestock or poultry or that the contagion of any such disease exists or that vectors which may disseminate any such disease exist in such State or Territory or the District of Columbia".

(b) Sections 2, 3, and 4 of such Act (33 Stat. 1264, 1265), as amended (21 U.S.C. 124, 125, 126), are further amended by striking out the phrase "cattle or other livestock" each time such phrase appears in those sections and inserting in lieu thereof the words "quarantined animals".

SEC. 9. The first proviso under the heading "General Expenses, Bureau of Animal Industry" in the Act entitled "An Act making appropriations for the Department of Agriculture for the fiscal year ending June thirtieth, nineteen hundred and fifteen", approved June 30, 1914 (38 Stat. 419), as amended (21 U.S.C. 129), is further amended by striking out the phrase "cattle or other livestock" and inserting in lieu thereof the words "quarantined animals".

SEC. 10. Section 1114 of title 18 of the United States Code is amended by inserting after "wild birds and animals," the following: "any employee of the Department of Agriculture designated by the Secretary of Agriculture to carry out any law or regulation, or to perform any function in connection with any Federal or State program or any program of Puerto Rico, Guam, the Virgin Islands of the United States, or the District of Columbia, for the control or eradication or prevention of the introduction or dissemination of animal diseases;"

SEC. 11. The Secretary is authorized to issue such regulations as he deems necessary to carry out the provisions of this Act.

SEC. 12. The authority conferred by this Act shall be in addition to authority conferred by other statutes. Any provision of any other Act inconsistent with the provisions of this Act is hereby repealed.

SEC. 13. If any provision of this Act or application thereof to any person or circumstances is held invalid, the remainder of the Act and the application of such provision to other persons and circumstances shall not be affected thereby.

The SPEAKER. Is a second demanded?

Mr. HOEVEN. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. HOEVEN. Mr. Speaker, this bill has been thoroughly considered by the Livestock and Feed Grains Subcommittee and has the unanimous approval of the Full Committee on Agriculture.

We have considered legislation of this nature since 1960. The bill has been revised since that time and now it has the support of the livestock associations which at one time expressed some reservations about it.

The basic purpose of the bill is to give the Agricultural Research Service of the U.S. Department of Agriculture the necessary authority to prevent and to control the spread of serious animal and poultry diseases in this country.

Limited authority now exists in law for controlling such diseases as blue tongue in sheep, tuberculosis in cattle, dourine in horses, and cholera in hogs. This bill extends the coverage of the law to all dangerous communicable diseases of livestock and poultry.

The bill also gives the Department of Agriculture additional authority to deal with emergency situations arising from outbreaks of these communicable diseases, similar to that now in existence in regard to those specific diseases covered by statute.

The bill also gives the Department the authority to seize, quarantine and dispose of diseased animals.

As was pointed out by the gentleman from Ohio [Mr. LATTA] during the hearings before the subcommittee, the authority to stop and inspect a person was not necessary or desirable. The committee amendment makes clear the congressional intent that private citizens shall not be stopped and personally searched under this legislation.

Some apprehension has been expressed over the grant of additional authority to the Department of Agriculture. The committee has, I am sure, recognized this fact, but due to the increased access to the United States because of the St. Lawrence Seaway and modern methods of transportation, we felt that adequate authority should be given to the Agricultural Research Service which has the responsibility of keeping our livestock population safe and healthy, thus benefiting all our farmers and all our citizens.

Mr. WRIGHT. Mr. Speaker, as author of the companion House bill, H.R. 3693, I arise in support of this measure and urge its adoption.

This bill was introduced last year in both House and Senate. Senator HUMPHREY was the author of the bill in the other body, and I introduced the bill in the House in response to suggestions made to me by representatives of the Department of Agriculture and of the American Cattlemen's Association.

Both the Cattlemen's Association and the National Wool Growers' Association have formally adopted resolutions urging the enactment of this legislation.

The purpose of the bill is to plug existing loopholes and eradicate gaps in the animal quarantine and inspection laws. These laws have grown up in patchwork fashion over the years since 1884. From time to time, the Congress has enacted specific and particular bits of legislation aimed at the control and eradication of certain specific animal diseases, such diseases in particular as rinderpest and hoof and mouth disease. These laws have been superimposed one upon the other without orderly codifying.

Now, however, the Department of Agriculture points out that there exists a need to draw together in one bill the inspection and quarantine rights reposing in the Department and to broaden the coverage so as to make it apply to all dangerous communicable animal diseases that could infect and infest the livestock industry of our country to the detriment of all those engaged in that

industry as well as consumers who purchase the byproducts of the industry.

The bill invests in the Secretary of Agriculture the authority he needs to inspect, quarantine, and in some cases to dispose of animals which have been exposed to these dangerous communicable animal diseases.

The annual losses suffered in this country from livestock and poultry diseases amount to $2,700 million. Most of us recall the outbreak of hoof-and-mouth disease which occurred in Mexico in the 1950's. To control this one epidemic alone, the United States was forced to spend $140 million in our largely successful effort to eradicate the malady before it spread to this country.

As things now stand, the authorities conveyed under existing law are sporadic and inadequate. They apply to specific animal diseases only and not to the entire broad spectrum of dangerous communicable infestation. Today, for example, animals infected with a number of newly discovered diseases such as African swine fever and African horse sickness may well slip by our health authorities because of the ambiguities in our present laws. The damage which potentially could occur if this were to happen would be devastating.

A similar measure was approved in the other body in 1960 but failed of adoption in the House. At that time there existed some question in the minds of some of the members of the House Committee on Agriculture concerning whether or not the powers being conveyed to the Secretary of Agriculture might be so sweeping as to impinge unjustly upon the rights and freedoms of people transporting and selling livestock. The present bill takes into account those objections earlier voiced and contains safeguards against the possible abuse of these newly acquired powers, imposing certain restrictions upon the Secretary of Agriculture and his employees which were deemed to be in the interest of protecting individual rights.

If the Members of the House will bear with me briefly, I shall give a section by section analysis of the bill in order that we may understand exactly what it does and may see clearly just what new authorities it does grant to the Secretary of Agriculture and precisely what restrictions it imposes upon the discretionary exercise of his authorities.

Let us begin with the definitions contained in the very first section of the bill:

Subsection B removes an existing ambiguity by its definition of "animals." It defines the term to mean "all members of the animal kingdom including birds, whether domesticated or wild, but not including man." Thus we broaden the scope of the quarantine and inspection authorities of the Department of Agriculture so as not to restrict them artificially to specific members of the animal kingdom.

Subsection C defines the geographic scope of his power in keeping with the current concepts of the jurisdiction of the Secretary so as to include such territories as the Virgin Islands which were excepted in the old law of 1930.

Further in the bill, we seek by definition to give to the Department the same powers they have had in the past over specific and restricted animal diseases in order that these powers may apply to all dangerous communicable animal diseases that could threaten the livestock industry of the United States. We have discovered recently, for example, that certain animal parasites of an extremely dangerous nature have escaped from the former endemic areas of Africa. Under existing law the Department has no authority to quarantine for these particular parasitic diseases.

Section 2 conveys to the Secretary, when he deems it necessary in order to guard against the introduction or dissemination of a communicable disease of livestock or poultry, the right to seize or quarantine and dispose of diseased animals in a reasonable manner, taking into consideration the nature of the disease and the necessity of such action to protect the livestock and poultry of the United States. These powers are granted with respect to, first, any animals which he finds are moving or are being handled or have moved or have been handled in interstate or foreign commerce contrary to any law or regulation administered by him for the prevention of the introduction or dissemination of any communicable disease of livestock or poultry; second, any animals which he finds are moving into the United States, or interstate, and are affected with or have been exposed to any communicable disease dangerous to livestock or poultry; and, third, any animals which he finds have moved into the United States, or interstate, and at the time of such movements were so affected or exposed.

Subsection (b) of section 2 gives him powers when he determines that an "extraordinary emergency" exists, because of the outbreak of such a disease anywhere in the United States, and when he finds that such an outbreak threatens the livestock or the poultry of the country to "seize, quarantine, and dispose of, in such manner as he deems necessary or appropriate, any animals in the United States which he finds are or have been affected with or exposed to any such disease and the carcasses of any such animals and any products and articles which he finds were so related to such animals as to be likely to be a means of disseminating any such disease."

However, there is a provision at the end of subsection (b) which confers upon him the responsibility to cooperate with the States. This acts as a restriction upon his authorities in that it is *"Provided,* That action shall be taken under this subsection only if the Secretary finds that adequate measures are not being taken by the State or other jurisdiction." And even then the Secretary is required to notify the appropriate official of the State or other jurisdiction before any action is taken in such State or jurisdiction.

Now subsection (c) provides that "the Secretary in writing may order the owner of any animal, carcass, product, or article referred to in subsection (a) or (b) of this section, or the agent of such owner, to maintain in quarantine and to dispose of such animal, carcass, product or article in such manner as the Secretary may direct pursuant to authority vested in him by such subsections.

Subsection (d) requires the Department of Agriculture to compensate, "the owner of any animal, carcass, product or article destroyed pursuant to the provisions of this section," with one exception only, wherein it states, "such compensation shall be based upon the fair market value as determined by the Secretary of any such animal, carcass, product or article at the time of the destruction thereof."

Subsection (e) describes the only exception to that requirement that the owner be compensated, and that exception applies only as described in this subsection wherein it is provided that no such payment shall be made by the Secretary to anyone who has knowingly moved or handled any such diseased animals or animal product in violation of a law or regulation administered by the Secretary for the prevention of the interstate dissemination of the communicable disease involved.

Section 3 permits the Secretary to promulgate regulations of a sanitary character for means of conveyance and facilities handling these animals, railway cars, airplanes, trucks, and other means of conveyance, stockyards, feed, water and rest stations and other facilities.

Section 4 is a regulation which prohibits importing. It permits the Secretary to promulgate regulations prohibiting or regulating the importing into the United States of animals which are found to have been affected with or exposed to these dangerous communicable diseases.

Section 5 presented a point of controversy which has been equitably resolved, I believe, in the committee. It allows the Department to stop and inspect animals moving into the United States and into interstate commerce.

Subsection (1) allows the Department of Agriculture "to stop and inspect, without a warrant, any person or means of conveyance, moving into the United States from a foreign country, to determine whether such persons or means of conveyance are carrying any animal, carcass, product or article regulated or subject to disposal under any law or regulation administered by the Secretary for prevention of the introduction or dissemination of any communicable animal disease."

And subsection (2) of section 5 allows him, "to stop and inspect, without a warrant, any means of conveyance moving interstate upon probable cause to believe that such means of conveyance is carrying any animal, carcass, product, or article regulated or subject to disposal under any law or regulation administered by the Secretary for the prevention of the introduction or dissemination of any communicable animal disease."

And then subsection (3) of section 5 allows him, "to enter upon, with a warrant, any premises for the purpose of making inspections and seizures necessary under such laws and regulations."

And section 6 provides penalties for knowing violations with a fine not exceeding $1,000 or imprisonment not exceeding 1 year.

Section 6(b) grants the Secretary some injunctive powers that the Department has not heretofore had. He can bring an action to enjoin the violation of any regulations entered into pursuant to this act or can enjoin any interference by any person with an employee of the Department of Agriculture in carrying out the duties conferred upon him by this act.

Section 7 simply broadens the prohibited diseases under the law, as I mentioned a moment ago, by amending the old act so as to insert the words, "any communicable disease of livestock or poultry, including, but not limited to," after the word "eradicate."

Section 8 similarly broadens the scope of the law as to animals affected. Heretofore, there has been some question as to just which animals were involved in the quarantine laws. Poultry, for instance, have been in a field of question, but in this case it makes clear that it is to apply to livestock or poultry; it applies if the contagion of any disease exists, or vectors which may disseminate any such disease exist in such State or territory or the District of Columbia. And we would hark back to the very first page, where the definition, under subsection (b) defines the term "animals" to mean "all members of the animal kingdom including birds, whether domesticated or wild, but not including man."

The rest of the act is primarily technical. Section 9 similarly broadens the language of the old act so as to refer to quarantined animals.

Section 10 makes it clear that it does apply in the territories of the United States, in some of which the old act did not apply.

Section 11 allows the Secretary to issue regulations for carrying out the provisions of the act. And sections 12 and 13 are the usual savings clauses contained in all such legislation.

Mr. Speaker, I believe this bill needs to be passed in this session of the Congress. The domestic livestock and poultry business of our Nation is an industry producing a gross annual income of more than $15 billion. In my own State of Texas alone, it provides an income in excess of $900 million annually. The health and welfare of this great American industry is presently threatened by the somewhat sporadic nature of our existing laws and the unintended restrictions imposed by those laws upon the powers of the Department of Agriculture to move swiftly and effectively to stamp out and eradicate potentially dangerous diseases. This bill removes those unfortunate restrictions and enables the Department to perform its work while protecting the legal rights and privileges of all people legitimately engaged in that industry. I urgently recommend its adoption and request the support of the Members of the House.

The SPEAKER. The question is on suspending the rules and passing the bill S. 860, as amended.

The question was taken; and (two-thirds having voted in favor thereof), the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

AMENDMENTS TO PERISHABLE AGRICULTURAL COMMODITIES ACT, 1930

Mr. POAGE. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1037) to amend the provisions of the Perishable Agricultural Commodities Act, 1930, relating to practices in the marketing of perishable agricultural commodities.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraphs (6) and (7) of the first section of the Perishable Agricultural Commodities Act, 1930 (7 U.S.C. 499a), are amended to read as follows:

"(6) The term 'dealer' means any person engaged in the business of buying or selling in wholesale or jobbing quantities, as defined by the Secretary, any perishable agricultural commodity in interstate or foreign commerce, except that (A) no producer shall be considered as a 'dealer' in respect to sales of any such commodity of his own raising; (B) no person buying any such commodity solely for sale at retail shall be considered as a 'dealer' until the invoice cost of his purchases of such commodity in any calendar year are in excess of $100,000; and (C) no person buying any such commodity for canning and/or processing within the State where grown shall be considered a 'dealer' whether or not the canned or processed product is to be shipped in interstate or foreign commerce, unless such product is frozen or packed in ice, or consists of cherries in brine, within the meaning of paragraph 4 of this section. Any person not considered as a 'dealer' under clauses (A), (B), and (C) may elect to secure a license under the provisions of section 3, and in such case and while the license is in effect such person shall be considered as a 'dealer'.

"(7) The term 'broker' means any person engaged in the business of negotiating sales and purchases of any perishable agricultural commodity in interstate or foreign commerce for or on behalf of the vendor or the purchaser, respectively, except that no person shall be deemed to be a 'broker' if such person is an independent agent negotiating sales for and on behalf of the vendor and if the only sales of such commodities negotiated by such person are sales of frozen fruits and vegetables."

SEC. 2. The first section of such Act (7 U.S.C. 499a) is further amended by adding at the end thereof the following new paragraphs:

"(9) The term 'responsibly connected' means affiliated or connected with a commission merchant, dealer, or broker as (A) partner in a partnership, or (B) officer, director, or holder of more than 10 per centum of the outstanding stock of a corporation or association;

"(10) The terms 'employ' and 'employment' mean any affiliation of any person with the business operations of a licensee, with or without compensation, including ownership or self-employment;"

SEC. 3. The third sentence of section 3(b) of such Act (7 U.S.C. 499c(b)) is amended to read as follows: "Upon the filing of the application, and annually thereafter, the applicant shall pay such fee as the Secretary determines necessary to meet the reasonably anticipated expenses for administering this Act and the Act to prevent the destruction or dumping of farm produce, approved March 3, 1927 (7 U.S.C. 491-497), but in no event shall such fee exceed $50. Such fee, when collected, shall be deposited in the Treasury of the United States as a special fund, without fiscal year limitation, to be designated as the 'Perishable Agricultural Commodities Act Fund', which shall be available for all expenses necessary to the administration of this Act and the Act approved March 3, 1927, referred to above: *Provided*, That financial statements prescribed by the Director of the Bureau of the Budget for the last completed fiscal year, and as estimated for the current and ensuing fiscal years, shall be included in the budget as submitted to the Congress annually. The Secretary shall give public notice of any increase to be made in the annual fee prescribed by him hereunder and shall allow a reasonable time prior to the effective date of such increase for interested persons to file their views on or objections to such increase."

SEC. 4. Section 3 of such Act (7 U.S.C. 499c) is further amended by adding at the end thereof the following new subsection:

"(c) A licensee may conduct business in more than one trade name or change the name under which business is conducted without requiring an additional or new licence. The Secretary may disapprove the use of a trade name, if in his opinion, the use of the trade name by the licensee would be deceptive, misleading, or confusing to the trade, and the Secretary may, after notice and opportunity for a hearing, suspend for a period not to exceed ninety days the license of any licensee who continues to use a trade name which the Secretary has disapproved for use by such licensee. The Secretary may refuse to issue a license to an applicant if he finds that the trade name in which the applicant proposes to do business would be deceptive, misleading, or confusing to the trade if used by such applicant."

SEC. 5. Section 4(a) of such Act (7 U.S.C. 499d(a)) is amended by inserting before the period at the end thereof ": *And provided further*, That the license of any licensee shall terminate upon said licensee, or in case the licensee is a partnership, any partner, being discharged as a bankrupt".

SEC. 6. Section 4(b) of such Act (7 U.S.C. 499d(b)) is amended to read as follows:

"(b) The Secretary shall refuse to issue a license to an applicant if he finds that the applicant, or any person responsibly connected with the applicant, is a person who, or is or was responsibly connected with a person who—

"(A) has had his license revoked under the provisions of section 8 within two years prior to the date of the application or whose license is currently under suspension;

"(B) within two years prior to the date of application has been found after notice and opportunity for hearing to have committed any flagrant or repeated violation of section 2, but this provision shall not apply to any case in which the license of the person found to have committed such violation was suspended and the suspension period has expired or is not in effect;

"(C) within two years prior to the date of the application, has been found guilty in a Federal court of having violated the provisions of the Act of March 3, 1927 (7 U.S.C. 491-497), relating to the prevention of destruction and dumping of farm produce; or

"(D) has failed, except in the case of bankruptcy and subject to his right of appeal under section 7(c), to pay any reparation order issued against him within two years prior to the date of the application."

SEC. 7. Section 4(c) of such Act (7 U.S.C. 499d(c)) is amended to read as follows:

"(c) Any applicant ineligible for a license by reason of the provisions of subsection (b) of this section may, upon the expiration of the two-year period applicable to him, be issued a license by the Secretary if such applicant furnishes a surety bond in the form and amount satisfactory to the Secretary as assurance that his business will be conducted in accordance with this Act and that he will pay all reparation orders which may be issued against him in connection with transactions occurring within four years following the issuance of the license, subject to his right of appeal under section 7(c). In the event such applicant does not furnish such a surety bond, the Secretary shall not issue a license to him until three years have elapsed after the date of the applicable order of the Secretary or decision of the court on appeal. If the surety bond so furnished is terminated for any reason without the approval of the Secretary the license shall be automatically canceled as of the date of such termination and no new license shall be issued to such person during the four-year period without a new surety bond covering the remainder of such period. The Secretary, based on changes in the nature and volume of business conducted by a bonded licensee, may require an increase or authorize a reduction in the amount of the bond. A bonded licensee who is notified by the Secretary to provide a bond in an increased amount shall do so within a reasonable time to be specified by the Secretary, and upon failure of the licensee to provide such bond his license shall be automatically suspended until such bond is provided."

SEC. 8. Subsections (c) and (d) of section 6 of such Act (7 U.S.C. 499f) are amended by striking out "$500" each place it appears and inserting in lieu thereof "$1,500".

SEC. 9. Section 7(c) of such Act (7 U.S.C. 499g(c)) is amended by striking the second sentence thereof and substituting therefor the following: "Such appeal shall be perfected by the filing with the clerk of said court a notice of appeal, together with a petition in duplicate which shall recite prior proceedings before the Secretary and shall state the grounds upon which petitioner relies to defeat the right of the adverse party to recover the damages claimed, with proof of service thereof upon the adverse party. Such appeal shall not be effective unless within thirty days from and after the date of the reparation order the appellant also files with the clerk a bond in double the amount of the reparation awarded against the appellant conditioned upon the payment of the judgment entered by the court, plus interest and costs, including a reasonable attorney's fee for the appellee, if the appellee shall prevail. Such bond shall be in the form of cash, negotiable securities having a market value at least equivalent to the amount of bond prescribed, or the undertaking of a surety company on the approved list of sureties issued by the Treasury Department of the United States."

SEC. 10. Section 7(d) of such Act (7 U.S.C. 499g(d)) is amended by striking the proviso at the end of the section and substituting therefor the following: "*Provided*, That if on the appeal the appellee prevails or if the appeal is dismissed the automatic suspension of license shall become effective at the expiration of thirty days from the date of the judgment on the appeal, but if the judgment is stayed by a court of competent jurisdiction the suspension shall become effective ten days after the expiration of such stay, unless prior thereto the judgment of the court has been satisfied."

SEC. 11. Section 8(b) of such Act (7 U.S.C. 499h(b)) is amended to read as follows:

"(b) Except with the approval of the Secretary, no licensee shall employ any person, or any person who is or has been responsibly connected with any person—

"(1) whose license has been revoked or is currently suspended by order of the Secretary;

"(2) who has been found after notice and opportunity for hearing to have committed any flagrant or repeated violation of section 2, but this provision shall not apply to any case in which the license of the person found to have committed such violation was suspended and the suspension period has expired or is not in effect; or

"(3) against whom there is an unpaid reparation award issued within two years, subject to his right of appeal under section 7(c).

The Secretary may approve such employment at any time following nonpayment of a reparation award, or after one year following the revocation or finding of flagrant or repeated violation of section 2, if the licensee furnishes and maintains a surety bond in form and amount satisfactory to the Secretary as assurance that such licensee's business will be conducted in accordance with this Act and that the licensee will pay all reparation awards subject to its right of appeal under section 7(c), which may be issued against it in connection with transactions occurring within four years following the approval. The Secretary may approve employment without a surety bond after the expiration of two years from the effective date of the applicable disciplinary order. The Secretary, based on changes in the nature and volume of business conducted by the licensee, may require an increase or authorize a reduction in the amount of the bond. A licensee who is notified by the Secretary to provide a bond in an increased amount shall do so within a reasonable time to be specified by the Secretary, and if the licensee fails to do so the approval of employment shall automatically terminate. The Secretary may, after thirty days' notice and an opportunity for a hearing, suspend or revoke the license of any licensee who, after the date given in such notice, continues to employ any person in violation of this section."

SEC. 12. The Act of June 10, 1933 (48 Stat. 123; 7 U.S.C. 581-589), popularly known as the Export Apple and Pear Act, is amended by adding at the end thereof a new section as follows:

"SEC. 10. There are hereby authorized to be appropriated such sums as may be necessary for the administration of this Act."

The SPEAKER. Is a second demanded?

Mr. HOEVEN. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. HOEVEN. Mr. Speaker, when this bill was originally reported from the committee there was some objection on the part of the National Association of Retail Grocers. It is my understanding that that objection has now been alleviated.

Mr. POAGE. That is my understanding. We adopted an amendment which was alleged to be satisfactory to the association. Since that time their attorney has expressed their approval of what has been done. Since that time we have not received any communication or letter of protest about it. He tells me they are very happy about what we did do.

Mr. HOEVEN. Mr. Speaker, during our consideration of this bill there were only two areas of basic disagreement. The first involved the status of frozen food brokers under the act and the second involved the licensing requirements of small retail grocers. The Committee on Agriculture and the Domestic Marketing Subcommittee have considered this bill and a similar bill by the gentleman from Maine [Mr. MCINTIRE] very thoroughly. The committee amendment to the bill, as has been pointed out, removed the objections of the frozen food brokers and the National Association of Retail Grocers—Nargus.

The committee amendment exempts frozen food brokers from the licensing provisions of the act. This was done on the theory that these brokers are merely acting for their licensed principals.

The committee amendment also exempts retail grocers who purchase in interstate commerce less than $100,000 worth, at net invoice cost, of the fresh fruits and vegetables covered by the act in any 1 calendar year. This was a compromise between the Department of Agriculture's recommendation for a $50,000 exemption and the Nargus proposal for exempting those retail grocers doing at least 90 percent of their business with a licensed wholesaler.

All parties, the Department, the committee, and the retail grocers agree that this new criteria is far superior to the present law which requires a burdensome and unwieldly check of grocers' records to determine whether more than 1 ton for more than 20 days per year was purchased by a retail grocer.

In addition to the two changes I have already discussed, the bill makes these further changes in the law:

First. Improves and clarifies provisions dealing with the eligibility for license, or for employment by licensees, of persons guilty of specified acts and persons affiliated with them;

Second. Authorizes increase of license fees from $25 per year to such higher rate not above $50 as may prove necessary;

Third. Eliminates the Export Apple and Pear Act from the acts administered with license fees received under the Perishable Agricultural Commodities Act; and authorizes appropriations to carry out the Export Apple and Pear Act;

Fourth. Regulates the use of trade names by licensees to prevent deception;

Fifth. Provides that opportunity for an oral hearing need not be provided in reparation cases unless the amount in dispute exceeds $1,500 (instead of $500);

Sixth. Makes it clear that in an appeal from a reparation order, bond must be filed within 30 days after entry of the order and provides that the bond shall be in cash, negotiable securities, or the undertaking of a recognized surety company; and

Seventh. Defers license suspension in case of appeal until all judicial appeals have ended.

S. 1037, as amended, was reported to the House unanimously.

Mr. HOEVEN. Mr. Speaker, I ask unanimous consent that the gentleman from Maine [Mr. MCINTIRE] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. MCINTIRE. Mr. Speaker, I support and urge passage of S. 1037, a bill providing for adjustment in the license

fees pertinent to the Perishable Agricultural Commodities Act.

I have introduced to the Congress a bill which, in effect, is companion to this legislation that is before the House today, legislation that is designed to clarify and strengthen the provisions of the Perishable Agricultural Commodities Act.

Mr. Speaker, this act has been in effect since 1930, functioning to effectuate and maintain high standards in the commerce of fruit and vegetables and to suppress unfair and fraudulent trade practices. It is under this authority that the Secretary of Agriculture issues licenses for a fee to brokers, commission merchants, and dealers engaged in the trade of perishable agricultural commodities, and licensees maintain a "good business" rating so long as they comply with the provisions of the act. Violation of the act's provisions can result either in suspension or revocation of license by the Secretary.

The legislation before this House effects certain technical adjustments in the Agricultural Commodities Act, and principally accomplishes three things: First, improves and clarifies provisions dealing with eligibility for license under the act; second, authorizes an increase of license fee from the now $25 per year to a level not in excess of $50; and third, establishes new criteria for exemption for the provisions of the act.

This legislation, Mr. Speaker, is the outgrowth of much study on the part of a multitude of individuals prominent in the fruit and vegetable industry and many conferences between these individuals and USDA officials of the Fruit and Vegetable Branch.

I would like to remind the Members of the House that the Federal Government is not confronted with any great measure of expense in administering this act, for fees and penalties collected under this authority make the act essentially self-sustaining. Such funds are held in the Treasury of the United States to help defray costs implicit to the act's administration.

However, ours is an economy of rising costs, and the costs associated with the administration of the Perishable Agricultural Commodities Act are no exception. It is for this reason that the instant legislation calls for a new ceiling on license fees, a new maximum that will permit this authority to operate along what would approximate self-sustained lines.

I firmly believe that this legislation is in the best interests of the fruit and vegetable industry, and its approval by the House of Representatives today will, I believe, go a long way in the direction of preserving the high standards that have been the hallmark of the fruit and vegetable trade.

Mr. HEMPHILL. Mr. Speaker, at the insistence of some of my very warm friends and valued constituents who are in the retail business in Rock Hill, S.C., I came here today prepared to oppose this legislation. These fine friends had written to me that this legislation was devastating to their business and would have an undesirable effect on small independent merchants and their operations.

Upon call of the bill under suspension, I was happy to hear the vice chairman of the Committee on Agriculture, the Honorable W. R. POAGE of Texas, whom I greatly admire, state that the bill had been amended and this amendment had been declared acceptable by those in the mercantile business, especially the small merchants, including the Retail Merchants Association. This was also referred to by the Honorable CHARLES HOEVEN, minority ranking member of the House Committee on Agriculture.

I am most happy that, again, the Congress of the United States, as representatives of the people, have the will, and the determination, to think of the smaller merchant. I am happy that the amendment has so provided that the small merchant is not hurt, and I congratulate the committee on accepting the amendment.

I hope in all other matters in which this Congress acts we will see fit to take care of the smaller businessman, as he is vital to the present and future economy and strength of this Nation.

EXTENSION OF REMARKS

Mr. POAGE. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to extend their remarks on this bill and on S. 860.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The SPEAKER. The question is on suspending the rules and passing the bill (S. 1037) as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

TRIAL BOARDS FOR U.S. PARK POLICE

Mr. RUTHERFORD. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 8567) to authorize the Secretary of the Interior to create trial boards for the U.S. Park Police, and for other purposes, with amendments as printed in the bill.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) in the making and enforcement of rules and regulations for the government, conduct, and discipline of the United States Park Police, the Secretary of the Interior may provide, in addition to any other penalties authorized by law, for fines of not to exceed $100 and for suspensions without pay for not more than seven days for any violation of such rules and regulations or for misconduct in office.

(b) Disciplinary action involving a suspension without pay for three days or less may be taken pursuant to a summary proceeding by the Chief of the United States Park Police. Any person subject to such a proceeding shall be entitled to a trial board proceeding upon his request made at any time prior to the imposition of summary penalties but not thereafter.

(c) Disciplinary action against any member of the United States Park Police involving a fine or a suspension without pay for more than three days shall be taken only after a proceeding before a trial board and on the basis of written charges referred to the trial board by the Chief of the United States Park Police. Any such charges referred to a trial board may be altered or amended in the discretion of the trial board under such regulations as the Secretary may adopt. The accused shall be entitled to an opportunity to be heard before the trial board on any charge referred to it and on any altered or amended charge.

(d) Any member of the United States Park Police accused of violating the rules and regulations for the proper government, conduct, and discipline of the United States Park Police, or for misconduct in office, shall be entitled to representation by counsel of his choice.

SEC. 2. (a) The Secretary of the Interior is authorized to create one or more trial boards for the trial of members of the United States Park Police who are charged with any violation of the rules and regulations for the proper government, conduct, and discipline of the United States Park Police or for misconduct in office; to prescribe the rules of procedure before such trial boards; and to change or abolish any trial board. Each trial board shall consist of three persons designated by the Secretary. One and only one member of each such board shall be a member of the United States Park Police; he shall, except in the case of a trial of an officer with the rank of inspector, have a rank no lower than that of the accused. The Secretary shall designate the chairman of each trial board.

(b) The findings and sentence of a trial board with respect to fines and suspensions within the limits authorized by this Act shall be final and conclusive unless notice of an appeal therefrom in writing is given within ten days to the Secretary of the Interior. The Secretary is authorized, but is not required, in his review of the evidence and findings of a trial board to receive new evidence, either oral, written, or documentary, and he is authorized to confirm or modify the findings and sentence of a trial board or to remand the case to the trial board for such further proceedings as he may deem necessary, but no such modification shall increase the severity of the sentence of the trial board. Notwithstanding the provisions of this or any other law, the decision of the Secretary on appeal with respect to fines and suspensions within the limits authorized by this Act shall be final and conclusive. Any other decision of the Secretary shall be subject to such appeal, if any, as may otherwise be authorized by law.

(c) The findings of a trial board which indicate the possibility of disciplinary action greater than the fines or suspensions authorized by this Act shall be referred with appropriate recommendations to the official of the Department who has been designated by the Secretary of the Interior to act in such cases. The decision of this official may be appealed to the Secretary of the Interior as in section 2(b) above.

SEC. 3. (a) The chairman of any trial board appointed pursuant to this Act is authorized to administer oaths and to take affirmations of witnesses before such board.

(b) Any trial board appointed pursuant to this Act shall, in any proceeding before it, have the power to issue subpenas in the name of the chief judge of the United States District Court for the District of Columbia to compel witnesses to appear and testify and to produce all relevant books, records, papers, or documents. Witnesses other than those employed by the United States Department of the Interior who are subpenaed to appear before a trial board shall be entitled to the same fees that are paid to witnesses for attendance before the United States District Court for the District of Columbia, but such fees need not be tendered to the witnesses in advance of their appearing and testifying or producing books, records, papers, or documents.

(c) Any willful false swearing on the part of any witness before a trial board provided for herein as to any material fact shall be deemed to be perjury and shall be punished in the manner prescribed by law for such offense.

(d) If any witness who has been personally summoned shall neglect or refuse to obey a subpena issued pursuant to this Act, the chairman of the trial board may report that fact to the United States District Court for the District of Columbia or to one of the judges thereof and said court, or any judge thereof, is authorized to compel obedience to the subpena to the same extent that witness may be compelled to obey the subpenas of that court.

SEC. 4. Each member of a trial board appointed pursuant to this Act shall take an oath for the faithful and impartial performance of the duties of the office.

SEC. 5. The rules and regulations of the United States Park Police which are in effect as of the date of the approval of this Act are hereby ratified and shall remain in force until changed, altered, amended, or abolished by the Secretary of the Interior.

The SPEAKER. Is a second demanded?

Mr. SAYLOR. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. RUTHERFORD. Mr. Speaker, the purpose of this bill is to furnish the Secretary of the Interior with a means for handling minor disciplinary problems in the U.S. Park Police comparable to that which exists for other police forces.

All of us realize, I think, that a police chief who does not have the means with which to enforce, quickly and fairly, the rules and regulations applicable to his force is in a pretty helpless condition. That is the situation today with the U.S. Park Police—a 225-man body which is in charge of the 783 units which make up the National Capital parks system here in the District of Columbia and in adjacent parts of Maryland and Virginia. Good as it may be for other types of cases, the disciplinary procedure which the civil service laws sets up is too slow-moving for a police force. In addition, in the Washington atmosphere, it lends itself too readily to abusive delays.

H.R. 8567, which I introduced last year, provides that the Secretary of the Interior may prescribe punishments ranging up to 7 days' suspension without pay and a $100 fine for infractions of the rules applicable to the Park Police. It provides, furthermore, that if the punishment is no greater than 3 days' suspension without pay, the Chief of the Park Police may impose it in a summary proceeding. In all other cases—and, in fact, even in the case I just mentioned if the accused demands it—the procedure will be to set up a three-man trial board.

The rights of the men are protected all along the line. Charges must be in writing, the accused must have an opportunity to be heard, trial boards will include one man from the Park Police in order to insure that the problems of the force are understood, an appeal is allowed to the Secretary of the Interior or a person designated by him, the sentence can be affirmed or reversed or reduced but cannot be increased on appeal, and the amount and kind of punishment that can be meted out either in a summary proceeding or in a trial board proceeding is severely limited.

This bill is 20 years overdue, but I deliberately delayed holding hearings on it in our National Parks Subcommittee until this spring so that it would not be overshadowed by last year's excitement in the local press and elsewhere about the Park Police. Charges of factionalism in this police force, of favoritism and influence, and of low morale have been made many times. They go back many years. I do not deny that the charges exist or even that there may be some merit to them, but we carefully refrained in the subcommittee from going into them and from trying to see whether they are true or not. If we had done that, we would have found ourselves in a quagmire of pettiness that we had no business getting into and we might well have come up with a piece of legislation that others would describe as vindictive and that would probably have been too closely tailored to immediate problems and personalities to be good over the long run.

I cannot say that I am fully satisfied with the U.S. Park Police in spite of apparent improvements since the time my bill was introduced, but I think that if H.R. 8567 is enacted and is justly administered, a good deal of the cause for complaint will disappear. I want, however, to reiterate one thing I said at our hearings—if this bill and other changes which the Department of the Interior has been making do not substantially lessen internal conflicts in the Park Police and improve its standing in the eyes of the citizenry, I shall move quickly to introduce a bill to abolish the Park Police and transfer its functions to the Metropolitan Police and other organizations.

In summary, let me say this—we have here a bill that will cost no money, that is long overdue, and that strikes a fair balance between the needs of a police chief for adequate disciplinary methods and the needs of his men for assurance of a fair hearing. More than this we cannot do at present, and I recommend enactment of H.R. 8567.

The SPEAKER. The question is on the motion to suspend the rules and pass the bill, as amended.

The question was taken; and (two-thirds having voted in favor thereof), the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. RUTHERFORD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks at this point in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

EXTENSION OF APPLICATION OF CERTAIN LAWS TO AMERICAN SAMOA

Mr. ASPINALL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 10062) to extend the application of certain laws to American Samoa, as amended.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, upon request of the Governor of American Samoa—

(a) the head of any Federal department, agency, or corporation may, notwithstanding any other provision of law, extend to American Samoa, without reimbursement, such scientific, technical, and other assistance under any program which it administers as, in the judgment of the Governor, will promote the welfare of American Samoa. The provisions of the preceding sentence shall not apply to financial assistance under any grant-in-aid program. The Governor shall not request assistance pursuant to this subsection which will involve nonreimbursable costs as estimated for him in advance by the heads of the departments, agencies, and corporations concerned in excess of an aggregate of $150,000 in any one fiscal year;

(b) the Secretary of Agriculture may extend to American Samoa the benefits of the National School Lunch Act (60 Stat. 230), as amended (42 U.S.C. 1751 et seq.); and

(c) the Secretary of Health, Education, and Welfare may extend to American Samoa the benefits of the Vocational Education Act of 1946 (60 Stat. 775; 20 U.S.C. 151 et seq.), the Library Services Act (70 Stat. 293; 20 U.S.C. 351 et seq.), the Hospital Survey and Construction Act (Act of August 13, 1946; 60 Stat. 1040; 42 U.S.C. 291 et seq.), and section 314 of the Public Health Service Act (58 Stat. 693; 42 U.S.C. 246), all as amended.

SEC. 2. In order to carry out the purposes of subsection (b) of section 1 of this Act, the National School Lunch Act, as amended, is further amended by striking out the words "Puerto Rico, Guam, and the Virgin Islands" wherever they appear in sections 4 and 5 thereof and inserting in lieu thereof the words "Puerto Rico, Guam, the Virgin Islands, and American Samoa", by striking from section 4 thereof the words "and the apportionment for the Virgin Islands" and inserting in lieu thereof the words "the apportionment for the Virgin Islands, and the apportionment for American Samoa", and by amending section 11, subsection (d)(1) to read "(1) 'State' includes any of the fifty States, the District of Columbia, Puerto Rico, Guam, the Virgin Islands, and American Samoa."

SEC. 3. In order to carry out the purposes of subsection (c) of section 1 of this Act—

(a) section 9 of the Act of August 1, 1956 (70 Stat. 909; 20 U.S.C. 34), is amended by inserting the words "and American Samoa" after the word "Guam" wherever it appears in the first sentence of subsection (a) and in subsections (b) and (c), by inserting the figure "$160,000" in lieu of the figure "$80,000", and by striking the words "to be available for allotment to Guam" and inserting in lieu thereof the words "one-half to be available for allotment to Guam and one-half to be available for allotment to American Samoa";

(b) the Library Services Act, as amended, is further amended by striking from section 4 thereof the words "to Guam and to the Virgin Islands" and inserting in lieu thereof the words "to Guam, the Virgin Islands and American Samoa"; by striking from section 6, subsection (a), the words "in the case of the Virgin Islands and of Guam and inserting in lieu thereof the words "in the cases of the Virgin Islands, Guam and American Samoa"; by striking from section 6, subsections (c) and (d) the words "Guam, and the Virgin Islands" and inserting in lieu thereof the words "Guam, the Virgin Islands and American Samoa"; and by striking from section 9 the words "Guam, or the Virgin

Islands" and inserting in lieu thereof the words "Guam, the Virgin Islands or American Samoa";

(c) the Hospital Survey and Construction Act, as amended, is further amended by striking from section 624 the words "Virgin Islands or Guam" and inserting in lieu thereof the words "Virgin Islands, Guam, or American Samoa"; by striking from section 631, subsection (a), the words "Puerto Rico, Guam, and the Virgin Islands" and inserting in lieu thereof the words "Puerto Rico, Guam, the Virgin Islands, and American Samoa"; by inserting in section 631, subsection (d), the words "American Samoa," after the words "the Virgin Islands,"; and by striking from section 652 the words "Virgin Islands or Guam" and inserting in lieu thereof the words "Virgin Islands, Guam, or American Samoa";

(d) section 314 of the Public Health Service Act, as amended, is further amended effective July 1, 1962, by inserting, in subsection (l) thereof, the words "and American Samoa" after the word "Guam" in the first sentence and the words "or American Samoa" after the word "Guam" in the second sentence.

The SPEAKER. Is a second demanded?

Mr. SAYLOR. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. ASPINALL. Mr. Speaker, I strongly recommend that favorable consideration be given to H.R. 10062, which extends the application of several laws to American Samoa. This is a bill that received comprehensive hearings before our Subcommittee on Territorial Affairs. It was introduced at the request of the Governor of American Samoa and carries strong endorsements from the Departments of the Interior, Agriculture, and Health, Education, and Welfare. The Governor of American Samoa, the Honorable H. Rex Lee, personally appeared before our subcommittee and explained how the provisions embodied in the bill would be utilized. In addition, Mr. Speaker, the gentleman from Washington [Mr. WESTLAND], a high-ranking member of our committee, and I visited American Samoa in December and convinced ourselves that the services that would be made available in this bill would assist the territory immeasurably. Our colleague from Ohio [Mr. KIRWAN], chairman of the Subcommittee on Appropriations for Interior Department and Related Agencies, made an on-the-spot study of conditions in American Samoa and will, I am sure, agree with me that we must extend all reasonable aid to the 20,000 American nationals who live in this unincorporated territory.

The United States has owned American Samoa for over 60 years. In many respects our Government can be proud of the progress the Samoans have made in those six decades but in other respects we have been neglectful. The executive and legislative arms of the Government must share in the neglect. We could have done better and we must do better. Blaming each other at this time will accomplish little. We can begin to make up for our lack of assistance and guidance of the territory by granting the provisions of H.R. 10062.

This bill will accomplish two purposes. First, upon the request of the Governor, it will make available to American Samoa without reimbursement the scientific and technical assistance the various Departments and agencies have to offer. Second, it will extend to American Samoa several Federal assistance programs presently available to the 50 States, Puerto Rico, the Virgin Islands, and Guam.

In the first category of assistance there could be included the revision of the territorial tax structures, education, agricultural and fisheries production and marketing, harbor and shipping improvements, public utilities, land planning and zoning. The bill provides that assistance in these fields will be made available only upon the request of the Governor and it carries a limitation of an aggregate of $150,000 in any one fiscal year.

The second purpose of the bill is to extend five public laws, applicable to Guam and the Virgin Islands, to American Samoa. These laws are so familiar to us that we may be surprised to find that American Samoa was overlooked when they were enacted. The laws are the National School Lunch Act, the Vocational Education Act, the Library Services Act, the Hospital Survey and Construction Act, and the part of the Public Health Service Act which refers to grants and services in the fields of venereal diseases, tuberculosis, and heart ailments.

This is not costly legislation. In fact, it requires no increase in authorized appropriations. Aid that may be requested under section 1 is limited to $150,000 a year. The sums of $80,000 and $10,000 for the Vocational Education and Library Services Acts, respectively, may be provided. For the other three acts the cognizant departments will have to justify their needs.

Mr. Speaker, this bill will provide the Governor of America Samoa several sorely needed tools that he can use to promote the welfare of the territory and its inhabitants. I urge its adoption.

The SPEAKER. The question is on the motion to suspend the rules and pass the bill, as amended.

The question was taken; and (two-thirds having voted in favor thereof), the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that any Member desiring to do so may extend his remarks in the RECORD immediately preceding the passage of the bill.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

TRIBUTE TO HADASSAH ON ITS 50TH BIRTHDAY

The SPEAKER. Under previous order of the House, the gentleman from New York [Mr. CELLER] is recognized for 2 hours.

Mr. CELLER. Mr. Speaker, I wish to pay tribute to one of the great women's organizations of our country, one whose work and influence reach far beyond the boundaries of the United States, one which, by deed and word, has given substance to our ideals and earned for us the respect, gratitude, and affection of millions. I refer to Hadassah, the Women's Zionist Organization of America, which this year is observing its 50th birthday.

Women, we have been told, in their private lives shun publicity when they reach the half-century mark. I would not wish to be ungallant and would be reluctant to offend the fair sex. But, in this instance, it would be ungallant and ungrateful as well, if the 50th birthday of an organization, a remarkable organization of women, was to go unnoticed. So, today, I would like to review a few of the long list of accomplishments of Hadassah.

Bible readers—and which of us does not find inspiration and strength in the Good Book—will recall that in the Book of Esther we find that young queen Esther had a Hebrew name, Hadassah. It was to this source that the group of women, meeting in February 1912, in New York City, went for their name. To one of the great prophets, Jeremiah, they went for their motto. They answered the prophet's question: "Is there no balm in Gilead? Where is the healing of the daughter of my people?" and proceeded to provide the balm and the healing in one of the most neglected places and amongst those living in misery: Palestine.

Palestine was a territory under the government of the then Ottoman Empire, the Turkish Empire with its heavy hand on two continents: Europe and Asia. The misrule which gave Turkey the name of the "sick man of Europe" was nowhere more evident than in the territory of Palestine. Here the remnant of a once-great Jewry lived in poverty and distress. Here Henrietta Szold, a native of Baltimore, a teacher, scholar and editor visited, and here she found her lifework and gave the pattern and plan to the organization she founded.

What we now take for granted as aid to the underprivileged was a bold and imaginative demonstration of human responsibility for others. The first target for healing was an eye disease that leads to blindness. And the first recipients of that healing were children. Hadassah's two nurses, who opened their tidy clinic in an old stone house with a lemon tree in the garden, gave treatment to clear up this trachoma to all who would come. It should be noted that this call went out to every child, irrespective of race or creed. Christians, Moslems, Jews, anyone who would accept help was gladly given it. When ignorance or timidity or fear prevented response, the nurses went to the homes. The response grew and so did the conquest of the disease.

The nurses, under Hadassah's guidance, then went into the schools where larger numbers could be reached. Palestine, known as the "land of the blind," was to be the great example to other eastern countries of the efficacy of preventive medicine. Its beneficence was later to be extended to Asia and Africa in their ascent from primitive procedures to modern scientific methods. But I am getting ahead of my story. I shall refer to Hadassah's work in what we have come to call the newly emergent countries later in my remarks.

With the opening guns of World War I, the American nurses of Hadassah were forced to leave Palestine, since Turkey expelled enemy aliens. One came home. The other offered her services to the allied army and died in Alexandria. The Palestine community suffered doubly during those war years. With allied approval and in allied convoys braving naval action and submarine warfare, a medical mission, directed by the same Henrietta Szold, proceeded in 1918 with medical personnel, sanitary engineers, nurses, and administrators, and with the necessary complement of supplies and drugs to bring relief to the community under fire and, at that time, being rapidly conquered by allied forces. After a perilous 3-month trip, the ship, dubbed SS *Hadassah*, finally made port. Dramatically, it was just in time to render assistance to General Allenby's forces in their campaign to drive the Turks out of the Holy Land. The medical unit set up field hospitals and clinics and sent out teams to combat epidemics, particularly of cholera. There are no statistics, but who can say that allied soldiers were not safeguarded against these dreadful accompaniments of war.

With the end of hostilities, Hadassah's ministrations began in ever-increasing tempo. Hospitals, clinics, school luncheons in rapid succession—and again I want to emphasize that these were administered on a come one, come all basis—brought the United States into the home of every family in that area. Even the families that did not participate directly benefited. For it is a fact of life that disease and epidemics do not observe boundaries or fences. The public health measures initiated by Hadassah were precisely those—public health benefits. Thus, American skill and American standards implemented American ideals, and Hadassah became a synonym for American health and healing.

One hesitates, in the midst of celebration, to bring in reminders of sorrow and tragedy. But one cannot ignore history. The tragic period of Jewish history, of the Nazi shadow over Europe culminating in World War II, is too well known to need recital here. But in the midst of man's inhumanity to man, which not only made countless millions mourn but brought horror and death to 6 million Jews, there are golden threads of heroism, of rescue and even of benefit to those whose needs are with us even today. A child-rescue program, called Youth Aliyah, or youth immigration, rescued thousands of children from Hitler's fury. Here, again, Hadassah was in the forefront with Miss Szold, then 75 years old, at the helm. What has made this child rescue program significant to the world as well as to those directly involved is the knowledge that has come to others concerned with children. The United Nation's Children's Fund, the United Nations Organization of Children's Villages, indeed, all those who labor with the neglected, the war orphans of other lands, the underprivileged and exploited innocent victims of brutality find their inspiration, their methods and their certain success in the schools, the villages and the seminars of Youth Aliyah in Israel. Teachers and psychologists and children's bureau administrators have come to Jerusalem, have toured the state, to visit, to study, and to return, refreshed and heartened, to continue to save children. If this had been Hadassah's sole contribution, we could here record it with pride, for our faith and our history remind us in the words of our great religious teachers that our first responsibility, if we are to assure our future, must be our children. In the words of Phillips Brooks:

> The future of the race marches forward on the feet of little children.

That future is being safeguarded by Hadassah on three fronts or, in our current language, on three frontiers: in our country, in Israel and, as I have indicated before, in some of the newly emergent countries of Asia and Africa. Let me speak of the last first. And may I mention that most publicized of all countries, the Congo. The first medical team to reach that country, to help with the withdrawal of the European power, came from Israel. In charge were doctors and sanitary engineers from Hadassah, trained by her and her partner, the Hebrew University Medical School. Does it seem extraordinary that an organization of women is involved in, helps maintain and work for and in a medical school? Perhaps it is extraordinary, but Hadassah has done just that for years.

After the Congo project, in fact before and during it and certainly since, there have been other teams sent in response to appeals for help. In Asia, there are Burma and Malaya, to mention two. Here, medical problems of immediate concern to the populace were solved by Hadassah's medical staff. Students from these and other countries are today studying in Hadassah's laboratories, in its medical center, in its nurses' training school.

Africa, too, has sent its students to Israel, while Hadassah has sent them its doctors and nurses to set up clinics, to supervise hospitals, and to train laboratory technicians. There is Liberia, which sent an S O S call for help in combating a blinding disease. Whole villages had been abandoned because blindness had struck, and no one knew its source. The Hadassah laboratory solved the mystery. From polluted waters it isolated the organism that caused infection and loss of sight. Clinics have been set up to clean up the infection and its source. An eye hospital is being built. Doctors, nurses, technicians are on the spot. Liberians are in Jerusalem, studying there, perfecting their skills. If you want an example of a peace corps, here it is, manned by Israelis whose work is made possible by American women.

This bright image of America is projected in Ethiopia, in Thailand, in 22 countries of Asia and Africa. Turkey, too, has sent its social workers and its teachers to conferences instituted by various Hadassah departments. The medical center, opened in 1961, has attracted doctors and students from every part of the world. Hadassah's motto, "The Healing of the Daughter of My People," embraces the curative, teaching, and research functions of modern medicine. It goes beyond that to social medicine, into a far-reaching social responsibility. For its patients are not quartered only in the wards of its hospitals, nor are its facilities limited to Jerusalem and Israel. Healing, teaching, and research recognize no boundaries even as disease and misery do not observe barriers. Hadassah's work transcends barriers. And the world is its beneficiary.

Thus far I have spoken of some of its major functions in Israel, in Africa, in Asia. I have not mentioned its education institutions in Israel which, like its medical work, is spreading to other continents. Tanganyika, for instance, has instituted a school patterned after one of Hadassah's.

But I would like to dwell for a few minutes on Hadassah's work here at home. An education program includes information, of a nonpartisan nature, on civic responsibility. Perhaps my colleagues have received letters from among their constituency, asking questions or expressing opinions on legislation. Hadassah women get out the vote. They regard the right to vote as a great responsibility. And they discharge that responsibility with the same vigor and thoroughness that they bring to all their activities.

In World War II they won numerous citations for all the services which modern war demands: they sold bonds, they manned blood banks, they participated in the USO. They marched in the Women's Defense Corps. But this was simply the responsible answer of responsible citizens, and they regard all this as inherent in that citizenship. That they go beyond this is evident in their program of study and of adherence to those precepts that made the United States of America great and that will keep it free. True to their motto, loyal to their country, faithful to the ideals of service, the women of Hadassah, more than 300,000 strong, kindle the 50 candles on their birthday cake, hopeful that its light will shine forth to guide to better health, to greater understanding, to peace, all men of good will.

Mr. LIBONATI. Mr. Speaker, the American women of the Jewish faith are celebrating the 50th year of the founding of Hadassah, the Zionist Organization of America. These public-spirited women, numbering over 300,000, whose charities have touched the hearts of unfortunates in many lands, are to be commended for their self-sacrificing efforts to alleviate the problems of a suffering humanity.

During the life of this organization, hundreds of thousands of women comprising its continuing membership have

contributed time and money toward the realization of its idealistic aims.

Hadassah has educated thousands of refugee children and immigrants to Jerusalem from all over the world. The building of schools, hospitals, and community centers together with spiritual, moral, and health programs have instilled hope and ambition in the suffering masses.

The enlightening programs of the organization on the American scene contribute to the rich philosophy of Jewish thought in the protection and promulgation of our freedoms and the defense of our democratic institutions.

The people of the United States are proud of the work of these fine women and congratulate Hadassah for a half century of their dedication to the high principles of their organization.

Mr. FRIEDEL. Mr. Speaker, as a Representative from the State of Maryland, I want to talk to my colleagues today about one of Maryland's most famous and dedicated daughters, Henrietta Szold, and the Hadassah.

This great lady was born in Baltimore in 1861 and it was she who first recognized the need for the establishment of a program of health for all who resided in the then barren land of Palestine and its nearby territories. To further her idea and her work, she established what is known as the Hadassah, the women's Zionist organization composed of Jewish women dedicated to helping build medical, educational, and social services.

Today marks the 50th anniversary of the Hadassah and it is fitting that we should take this opportunity to review the great work of this organization. The Hadassah program began as a modest attempt to raise the health standards of what was then Palestine. It has become an intricate system of healing, teaching and medical research as well as child rescue work, vocational education, social welfare, and land redemption, which has earned international renown.

Hadassah has always been able to go forward with its ever-expanding program, even in the face of emergency situations in Israel and the United States. During World War II, Hadassah mustered its membership at home and earned a citation for its war effort while it geared for medical cooperation with the allies on the Middle Eastern front.

This group, which was started by Henrietta Szold with a few scattered members, has now become an organization of 320,000 women working throughout the 50 States of our Union. Perhaps one of the Hadassah's greatest accomplishments was the establishment of the first Hadassah hospital and medical center which was built atop Mount Scopus, overlooking Jerusalem. After World War II, the Hadassah was forced to abandon this center but, undaunted, they built a still greater project. The Hadassah's new hospital and medical center officially started operations in Israel last year. This latest achievement by these noble ladies in the cause of international peace and understanding will probably become one of the greatest undertakings of its kind in the world.

I believe it is appropriate to note here that this great project is a direct result of the work of the Hadassah. It was not conceived or financed by the Government. This is indeed an outstanding achievement in this day and age but this is not surprising for the Hadassah has always tried to help Israel help itself.

However, I would like to point out that the Hadassah does not work solely for Israel. Hadassah keeps its members informed so that they may better understand and protect our democratic heritage and institutions at home and strengthen the role of democracy as a force for freedom and peace abroad. Hadassah also operates as a public relations arm of the United Nations Department of Public Information and is an accredited observer to the State Department.

On the local level, Hadassah disseminates information on political and economic issues and urges its members to participate in welfare and civic efforts.

The Hadassah has good reason to be proud of its accomplishments and its founder, Henrietta Szold. As this great organization celebrates its golden jubilee, I take this opportunity to extend my heartiest congratulations and best wishes to each and every one of its members for a job well done. May the future hold even greater successes and may Hadassah long continue as a messenger of peace, health, good will, and democracy to the peoples of the world.

Mr. GILBERT. Mr. Speaker, I am gratified to have this opportunity to join with my colleagues in the House of Representatives in paying tribute to one of the greatest organizations in the world—Hadassah, the Women's Zionist Organization of America.

A group of 12 Jewish women in New York City organized Hadassah in 1912 under the able direction of Henrietta Szold, scholar, social worker, teacher, and dreamer—the dream being to help others. Today, we find Hadassah in every State in the United States, in 700 cities and in some 318,000 American households.

Hadassah is now celebrating its golden jubilee; it deserves our sincere congratulations; it has our admiration and gratitude for its splendid contributions in many fields of service to humanity; its leaders and members, past and present, have our heartfelt thanks for their selfless devotion to their purpose: to foster Zionist ideals through education in America; to raise the health standards in Palestine, beginning in 1912, and later in Israel.

To do justice to the record of Hadassah, half a century of deeds of goodness and mercy, would fill volumes. The Hadassah program has become an intricate system of healing, teaching and medical research, child rescue work, vocational education, social welfare, and land redemption, and is of such magnitude and success that it has justly earned international renown.

In the United States, Hadassah keeps members informed so they may be enabled to understand and guard our democratic heritage and principles at home and to maintain the role of democracy as a force for freedom and peace abroad. Hadassah is objective and nonpartisan and fosters interest in major issues of the day. It organizes discussion groups and urges participation of members in welfare and civic efforts, so that its members are valuable to the community in which they make their homes. It fosters and makes possible closer links between the United States and Israel. It is a nongovernmental organization of the United Nations and operates as a public relations arm of the U.N. Department of Public Information, and as an accredited observer to the U.S. State Department. It is also affiliated nationally with organizations whose goals it approves and which perform outstanding service to our country.

To mention a few of its innumerable accomplishments, in 1913 Hadassah sent two American-trained nurses to Palestine to set up a small welfare station in Jerusalem for maternity care and the treatment of trachoma, then the scourge of the Middle East. Since then, it has created medical units in Palestine, established the school hygiene department in Jerusalem and a widespread system of preventative medical work; provided for Hadassah Hospital in Tel Aviv, helped with school luncheon programs in Israel, children villages; provided for a TB ward at Safad Hospital; took over supervision of playgrounds and established recreation programs in Palestine. Medical social service in Jerusalem was instituted. When war broke out in Europe, Hadassah's emergency shipments of medical supplies, foods, drugs, and equipment were shipped from the United States to Palestine; an American neurosurgeon was sent by Hadassah to Palestine to start the first department of neurosurgery; Pearl Harbor saw Hadassah mobilizing its entire membership to aid the American war effort and starting a blood bank; vocational high school for girls was opened in Jerusalem in 1942, beginning Hadassah's new vocational education program.

In 1948, when the new State of Israel was born, Hadassah expanded its services to cope with the problems brought about by the invasion from Arab States and the war of independence. An avalanche of immigrants poured in following the creation of Israel. Emergency hospitals were opened in the following period. In 1951, the Hadassah-Youth Aliyah rural vocation program was opened to train youth in a variety of agricultural and rural domestic science specialities; a training school for practical nurses was opened at Beersheba. Hadassah planted 300,000 trees in the Forest of 6 Million in 1952 and undertook Nachlet No. 8 land reclamation in the Huleh swamp region. Hadassah was assigned responsibility for the Salk vaccine mass polio immunization program in the Jerusalem area; it also pledged to build havens for younger children—later named for Anne Frank. Hadassah instituted Operation Immigrant Youth, an on-the-spot vocational education program for the young people in immigrant settlements.

In 1961, Hadassah Medical Organization moved its long-scattered installations into the newest, noble, and majestic landmark of Israel, the Hadassah-Hebrew University Medical Center—this will comprise 21 structures devoted to healing, teaching, and research. This was a great crown of achievement for Hadassah, a great goal realized. Doctors and nurses trained by Hadassah have also helped the peoples of other lands, in Asia and in Africa.

On this occasion of Hadassah's golden jubilee celebration, it is appreciated that millions of persons have been helped by this fine organization. I am proud that members of my family have been active in the work of Hadassah for many years.

Hadassah has now the privilege of looking back upon 50 years of toil, great personal sacrifices, and the joy of beholding the fulfillment of its ideas and aspirations to a far greater degree than the founders dared hope for.

We salute Hadassah. We pray that Hadassah may continue to have God's guidance and blessing so that its good works may ever increase and help mankind.

Mr. FINO. Mr. Speaker, I am glad of the opportunity to join my voice to the chorus of praise with which we celebrate the completion of a half-century of achievement of Hadassah, the Women's Zionist Organization of America. Hadassah is, of course, well known to the Jewish community, as the largest organization of Jewish women in the country, as a longtime supporter of the Zionist cause in America, and as the promoter, in the land of Palestine that has now become the independent nation of Israel, of great projects of health and medical care, of youth settlement, education, and vocational training, and of land conservation and productive use. Hadassah stands proudly among the American people, as a cooperative venture of the Jewish women among our citizenry; and Hadassah stands proudly before the world, as an outstanding example of the good that is accomplished by the enthusiasm, patient courage, and wisdom of a group of free and unselfish Americans. It is a good thing for the Nation that this widespread celebration of a significant anniversary is bringing before the American public the good that this fine organization is doing among us, and the benefit that Hadassah is bringing to the American reputation in Israel and in the neighbor lands where its beneficent influence is felt.

Mr. ROOSEVELT. Mr. Speaker, to the entire membership of Hadassah, on the occasion of its 50th jubilee, I extend my sincere personal greetings and congratulations.

The world—in the 1960's—needs your example of dealing with human relations; it needs the lessons we can learn from your fortitude, your conduct, and your forthright endeavors. The outstanding achievements of Hadassah are a source of deep satisfaction of all who value the freedom and dignity of mankind. Never in the history of the world has there been a greater need for spiritual and educational awakening. Your devotion to child welfare, social service, and vocational education is exemplary.

The facts and figures of your accomplishments are impressive, indeed. Volumes of statistics have been compiled to tell the astonishing progress of Israel in the past few years. But the real story is one of personal sacrifice and effort. For 80 generations the children of Israel wandered in exile and for 80 generations the yearning and the hoping refused to be extinguished. The great urge to return and reclaim your country was not religious alone; it was a national urge. The Jewish-American, rich though his heritage was, could not point to one homeland, as could the Irish, the Italian, the Spanish, and the Slav. The Jewish race faced an international problem. It was identified with trouble and too often the children grew up with a feeling of insecurity. When on the 14th of May in 1948 the declaration of a free Israel was made, the Jews in this Nation and in other parts of the world were no longer without a homeland. This was essential to the advancement of freedom throughout the world. In a long series of historic accomplishments the women of Hadassah represent a strong and vital effort in a great chain of events which helped bring about the State of Israel today.

Although Hadassah has been in the forefront in helping build medical, educational, and social services in Palestine and, since 1948, in Israel, we must not forget what you have done for America. It is important that you never diminish your ardent work in behalf of this Nation—in behalf of a better America. We need your high standards of contributions in the field of health and welfare to build the bonds of neighborliness between the United States and Israel.

Again I offer my heartfelt congratulations on this occasion. May your religious, educational, and social welfare projects be blessed with the continued success they so richly deserve.

Mr. ROSENTHAL. Mr. Speaker, I am very happy to have been given this opportunity to join with my colleagues here today in paying tribute to Hadassah, the Women's Zionist Organization of America, which is celebrating its golden jubilee year.

From a rather humble and inauspicious beginning in 1912, Hadassah has grown over the years, through the hard work and dedication of its members, into an organization with an enviable and remarkable record of accomplishment.

Orginally founded in New York by 12 farsighted Jewish women whose aim was to raise the public health standards in what was then Palestine, Hadassah has spread to all corners of the United States, and currently has over 300,000 members.

In line with its original intent, to bring medical knowledge and assistance to the Jews of the Middle East, Hadassah has provided hospital and health facilities, and staffed them with the necessary physicians, nurses, dentists, dietitians, and so forth, and with the necessary medical supplies.

Henrietta Szold, the leader of the Hadassah movement, was determined that her organization would provide a twofold service—the fostering of Zionist ideals in this country, and the beginning of medical training of nurses for assignment in Palestine. From 1913, when the first two nurses were sent to Palestine after having been trained in the United States, Hadassah continued to expand its areas of assistance during the next decade, and in an attempt to provide a better and more widespread system of medical assistance, opened a school of nursing in Jerusalem, and hospitals in Tel Aviv and Haifa.

In the decades since then, other programs have been adopted and put into effect—infant welfare, school lunch, treatment of tubercular patients, reforestation, recreational facilities, youth programs, vocational education, assistance to refugees, establishment of schools and ultimately a Hebrew University and Medical School, polio immunization, libraries, community health stations—all designed to help the people of Israel to help themselves, and in so doing to contribute to the well-being of their country and that of the whole world.

And, here in the United States, Hadassah nourishes and strengthens our democratic way of life, and provides an avenue of knowledge of our cherished traditions, our heritage of freedom, and our belief in the dignity of man as an individual. It encourages interest and participation in public affairs on all levels, disseminates information on various issues both local and national, and forms a bridge of understanding between our country and Israel, thus bringing our two democracies closer together and forging a bond between us for all the world to see and to admire.

I salute Hadassah, and all the women who, over the years, have made it the outstandingly successful humanitarian organization it is today.

Mr. GEORGE P. MILLER. Mr. Speaker, it is a great honor for me to participate today in the 50th anniversary of the founding of Hadassah, the Women's Zionist Organization of America.

In celebrating this day we are recognizing an outstanding achievement in public-spirited work. Hadassah, the largest Jewish women's organization in the world, holds a place unique in American society. Providing basic education in Judaism for Jewish life in America and participating fully in the democratic way of life, this religious group strengthens the Jewish community as it acts to preserve democracy and peace in the world. Within Hadassah we find Americans in whom we can all take pride.

Hadassah's dedication to humanitarian goals has resulted in amazing strides in social welfare work in Israel. It has been a pace setter and standard bearer in performing welfare and medical services.

I have had the privilege and honor of visiting in Israel and have personally visited the medical, social and vocational services being carried on by the local communities and organizations in Israel. The true pioneer spirit of Hadassah was a motivating force in aiding the dynamic development of this new nation during its critical years of nationhood. At times Hadassah had to enter new fields of service as soon as local government could take over following the establishment of the country. The various projects of Hadassah range from medical

and public health services to education and care for child refugees brought to Israel by Youth Aliyah.

This great women's organization stands today as an outstanding example of vision and imagination not only for Jewish women but for similar organizations throughout the world.

It is my hope that the years ahead will be filled with the same success of the past half century and it is a pleasure to extend such wishes to Hadassah on this occasion.

Mr. FLOOD. Mr. Speaker, today we pay tribute to Hadassah, the Women's Zionist Organization of America, on the observance of its golden jubilee. For 50 years Hadassah has been part of a great humanitarian adventure—the recreation of the Jewish state in its ancient homeland and the development of a successful countrywide program of public health, social welfare and education for thousands of Jewish people, first in Palestine, now Israel.

In the course of 50 years, Hadassah has grown from a small study group of American Jewish women to the largest organization of its kind in the world. It was founded by a Baltimore-born social worker and Hebrew scholar, Henrietta Szold, who returned from a visit to Palestine in 1909 to rally American Jewish women in a program of aid to the Jews in Palestine in their fight against disease, ignorance and poverty. In 1913, Henrietta Szold's first ambition was realized. Her small organization had raised enough money to send two Hadassah nurses to Palestine to start a modest maternity health program.

During the First World War, with the cooperation of Supreme Court Justice Louis Brandeis, Hadassah money sent a full medical unit into the war-harassed land. This medical unit found that by 1918 Jerusalem's population had been reduced almost by half—from 50,000 to 26,000—through plague, malaria, typhus, influenza, and cholera. Hadassah's volunteer medical services, in the years 1922 to 1931, opened scores of hospitals, clinics and mother-child welfare stations.

By 1948, when the State of Israel was created, the infant death rate, which had been 140 per thousand in 1918, was down to 29.

Over the past 50 years, Hadassah has raised a total of $200 million for the people of Israel. Two-thirds of this total has been devoted to the establishment of modern public health services throughout the Jewish State, medical and nursing schools, welfare, vocational and educational programs. Hadassah provided homes for over 75,000 Jewish children orphaned by Hitler.

Hadassah's most important recent achievement was the opening of the $25 million Hadassah-Hebrew University Medical Center on the western outskirts of Jerusalem, the focal point of all of Hadassah's health activities.

The Hadassah Medical Organization in Israel is planning to send special medical teams to a number of African countries to fight native diseases and to help the Africans cope with their own public health problems. As was the case in Palestine, blindness is a major problem. A survey of Tanganyika, Kenya, and Ethiopia shows that these countries had about 200,000 blind persons. The Hadassah Medical Organization in Israel will send two special teams of ophthalmologists to treat Africans inflicted with eye diseases. One team will establish an eye department in the hospital in Dar-es-Salaam, Tanganyika. Not only will native patients be treated but native physicians will be given special training as eye doctors. This program will be similar to one already established in Monrovia, Liberia, and staffed by a Hadassah medical team.

Hadassah has earned the admiration of us all for its half century of tremendous achievement.

Mr. TOLL. Mr. Speaker, I would like to say a few words in behalf of the remarkable women of Hadassah—the largest Zionist organization in the world—and to wish them well on this, their golden anniversary year.

Fifty years ago Hadassah came into existence, rallying the women Zionists of America to the cause of the people of Palestine.

At that stage Palestine was overrun by poverty, plague and death; a condition which was fast reducing the population to a state of helpless degradation.

Yet even then the land was viewed in Zionist circles as the logical site for the creation of a Jewish national state. And if such a state were to exist, there was no room there for the continued existence of poverty and sickness.

To meet the challenges involved, a call went out, in 1912, for the first convention of American Zionist women, under the leadership of Henrietta Szold, the great humanitarian and Zionist leader.

The convention decided, first of all, to attack the problem of disease in the Holy Land, raising funds to enable the dispatch of a medical mission to the area; the first such mission undertaken by Hadassah, but by no means the last.

From there, Hadassah went on to develop into a network of community health services, medical and nursing, research and educational projects that became, in effect, the foundation for the public-health facilities in Israel today.

The women of Hadassah place emphasis on serving and service. They do not content themselves with speech-making, and they translate their ideas into concrete terms.

Under one Hadassah program 100,000 homeless Jewish children—victims of the Hitler regime—have found a new life in Israel. Under another program, vocational and educational training has been provided to those persons denied the right to education under totalitarian rule. And in the matter of public health, modern-day Israel stands foremost in the world, as opposed to the sickly condition of Palestine 50 years ago.

The women of Hadassah have by now raised a total of almost $200 million, most of which has gone for medical services of one kind or another. In a world where sickness has so long thrived upon a lack of public spirit, it is encouraging to witness results such as these: results stemming from a basic interest in the welfare of mankind in general.

I include in my remarks an editorial from the Philadelphia Jewish Exponent of March 30 which is a splendid acknowledgment of the work of Hadassah and a salute to its magnificent achievement:

SALUTE TO HADASSAH

Fifty years ago—Purim of 1912—12 American women answered the call sounded by Henrietta Szold to form a women's Zionist organization to introduce modern health services to the Jewish population of Palestine. The group, founded in New York as the "Daughters of Zion," later changed its name to Hadassah, commemorating the Purim holiday on which it was founded. "Hadassah" is the Hebrew word for Esther.

Since its founding, the organization has become the largest Jewish women's organization in the world. For 50 years, it has dedicated itself to health programs, to interpreting the ideals of Jewish unity, to fostering Hebrew and—in recent years—to creating closer ties between Jews in Israel and Jews in other parts of the world.

Hadassah began its program modestly a year after it was founded, sending two nurses to Palestine as part of a mother-and-child care program in Jerusalem. Through the years, this effort expanded. In 1917, Hadassah organized and recruited the American Zionist Medical Unit composed of 44 specialists in various branches of medicine and a corps of trained nurses. By 1918, this unit was forming hospitals and dispensaries in Jerusalem, Jaffa, Tiberias, and Haifa for patients of all nationalities.

Over the years, other health services were provided: dental care, eye treatment, maternity clinics, milk pasteurization, malaria control, hot lunches for children. Infant mortality rates dropped substantially. Playgrounds were built, equipped, and supervised. By 1939, Hadassah opened a giant medical center, the Rothschild-Hadassah University Hospital and Medical School on Mount Scopus near Jerusalem—built at a cost of a million dollars. In 1940, in memory of Alice L. Seligsberg, one of its founders, Hadassah set up a $25,000 fund for prevocational and recreational programs for both Arab and Jewish needy children. On June 6, 1961 the new, modern Hadassah-Hebrew University Medical Center on the western outskirts of Jerusalem was opened, a magnificent $25 million institution which replaces the Mount Scopus Center abandoned since 1948.

There are other valuable services performed by Hadassah—including Youth Aliyah, which has brought thousands of young people to Palestine and Israel since 1934, and support of the Jewish National Fund.

We in Philadelphia take pride in this great endeavor; many women from our city have played vital roles in building Hadassah. Large sums of money are raised locally for Hadassah work, not the least of which is $90,000 given annually by the Allied Jewish Appeal to Youth Aliyah. To the organization, to its fine leaders throughout the country, and to the women in our own community who labor diligently on its behalf, our congratulations on a magnificent achievement. Truly, these have been 50 golden years for Hadassah.

Mr. PELLY. Mr. Speaker, I join with other Members of the House of Representatives today in recognition of and tribute to the Women's Zionist Organization of America, Hadassah, on the occasion of its golden jubilee year celebration.

Hadassah's inspiring record of past achievement during its first 50 years, as far as I know, is unequaled in the history of the world as far as women's broad social services are concerned, but I venture to say, furthermore, that in the

years ahead the measure of this accomplishment will continue to magnify and expand.

Certainly, Mr. Speaker, it is fitting and proper for the Congress of the United States to heed and honor the membership of Hadassah and for the Representatives of the people to express admiration and respect for those who are carrying on the splendid program of its founder-benefactor, Henrietta Szold.

For myself it is a privilege to extend best wishes on this occasion and to hope that the light of Hadassah may continue to shine before all mankind as an example of its good works.

As holy writ has it:

All the paths of the Lord are mercy and truth; unto such as keep his covenant and his testimonies.

Mr. FINNEGAN. Mr. Speaker, it is a pleasure to join with my colleagues today in commemorating the 50th anniversary of the founding of Hadassah, the Women's Zionist Organization of America.

This outstanding group of able, spirited and patriotic American Jewish women with a membership of 318,000 has a remarkable record of achievement. Since its origin in 1912, as the "Daughters of Zion, Hadassah Chapter," Hadassah has contributed some $200 million to the physical, moral and spiritual uplift of the Jewish people, first in Palestine, now Israel. A large portion of this money has gone into the establishment of Israel's public health service. Hadassah has built hospitals, medical and nursing schools, and in addition, is supporting extensive child welfare and vocational education projects. Hadassah has helped to maintain and educate some 75,000 children from 72 lands, brought to Israel since 1934. Its American affairs program is dedicated to strengthening "the heritage and institutions at home and the role of democracy as a force for peace and freedom abroad."

Hadassah is to be congratulated for its half century of dedicated service to a great humane cause.

Mr. STRATTON. Mr. Speaker, I am very happy to have this opportunity to join with my distinguished colleagues and many other well-wishers all over the world, in extending to the Hadassah Women's Zionist Organization of America my greetings on the occasion of their 50th anniversary.

The most well known aspect of Hadassah's work is its medical program. We are all familiar with the Hadassah-Hebrew University Medical Center in Jerusalem, which only recently was enhanced by the 12 stained glass windows created by the artist Marc Chagall. We are, I am sure, also aware of Hadassah's schools, clinics and health centers. I would like, today, to speak of a facet of Hadassah of which some may not be acquainted. I am referring to its work with children.

In 1934, shortly after Adolf Hitler came to power in Germany, Henrietta Szold, the founder of Hadassah, realized that the situation in Europe was rapidly becoming unbearable for Jews. Together with a number of other Jewish leaders, Miss Szold, therefore organized the "Youth Aliyah" movement. This organization, whose name means "youth migration," rescued thousands of children from the hands of the Nazis. The children, most of whom were orphans, were brought to Palestine and settled in Youth Aliyah centers attached to agricultural settlements. There they learned to live as free and equal members of the community without the fear and discrimination they had been subjected to in Germany.

After the war, tens of thousands of children who had survived the Nazi concentration camps but whose parents were killed by the Germans, were brought to Palestine by the Youth Aliyah. These children presented a difficult problem of adjustment. They had managed to save their lives only through cunning and had lost all confidence in their fellow human beings. The workers of Youth Aliyah, by patient understanding and loving care, managed miraculously to restore the children's confidence and educate them as responsible members of society. Those few children who were too emotionally disturbed to adjust are being cared for in special centers which are devoted exclusively to the rehabilitation of such youngsters.

Since the creation of the State of Israel in 1948 the Youth Aliyah has been bringing to the new state children from Middle Eastern and north African countries. These youngsters, most of them from the poorest homes, are being given new attitudes toward education generally, which their parents often find unnecessary; toward agriculture, which they have in the past looked down on as an occupation; toward women, whom they have regarded as inferiors; and toward democracy which they have never experienced.

In the 27 years of its existence Youth Aliyah has cared for and helped resettle more than 100,000 children from 72 countries. There are presently about 12,000 youngsters in 244 Youth Aliyah villages, centers, special schools and agricultural settlements. What a magnificent accomplishment.

Since its inception, the main support of Youth Aliyah has been Hadassah. For this achievement alone Hadassah deserves our congratulations. We are all aware that the future of man rests in the hands of our children and few tasks are more important than the proper care and upbringing of youth everywhere.

And so, Mr. Speaker, on this golden jubilee I wish Hadassah organization many more years of continued success and achievement, and I congratulate them also for the great job of community service which they performed and are performing in my home city of Schenectady and in many other communities around the Nation.

Mr. McDOWELL. Mr. Speaker, today, April 2, 1962, is a proud occasion for America, the occasion on which we commemorate the founding, in 1912, of Hadassah, the Women's Zionist Organization of America. Hadassah, in its half-century of existence, has had a slow and steady growth, from a study group in New York to a national organization with a membership well over 300,000. As a Zionist group, it has had the satisfaction of helping the neglected and impoverished territory of Palestine grow into the independent nation of Israel. As an American hand of strength and skill, reached out to help the land and people of Israel in projects of reclamation and land use, of the resettlement and education of youth, and of health and medicine, it has transmitted a favorable and beneficent image of our country in that danger spot of the free world, the Middle East, where Europe, Asia, and Africa meet.

America, as well as Israel, reaps benefits in good will, as well as the solid satisfaction of a worthwhile work accomplished, as Hadassah-trained physicians, dentists, nurses, and all the other professional people needed to establish sound systems of health and sanitation, go forth from Israel into Asia and Africa. The women of Hadassah have deserved well of their country, and their history nobly shows forth the influence of the Jewish tradition in the culture of America. Hadassah, throughout its 50 years of service, has remained true to the spirit of womanhood, being practical, patient, and persevering in the performance of good works; Hadassah has been true to the tradition of Esther, the Jewish heroine for whom it was named, in maintaining a heartfelt and undivided loyalty, at once to the cultural traditions and religious faith of the Jewish people, and to the political and national identity of the nation which is its home. May we long be represented before the world by such examples of people-to-people friendship and practical assistance that is furnished by Hadassah.

I include as part of my remarks an excerpt from a speech by Mrs. Raphael Tourover, a member of the National Board of Hadassah, which describes the wide scope of service of this great American organization:

You know some part of the assistance which Israel has provided with our help for the nations that are emerging towards independence and freedom in Asia and in Africa. The latest reports tell us that technicians from Israel are going into South America, and we know from reports on international affairs, that one of the greatest struggles which faces the free world today, is the struggle which is going on in some of the countries south of the border. It is there that the attack anew is being made upon the democratic process—for the democratic process comes under attack when men are hungry and there is not enough housing, not enough work, not enough opportunity, where there is no equality as to land-ownership; and where there is struggle for men to live a good life, for them to know that their children will have more opportunity than they had. It is to correct and change that for which we are struggling. When we arm for peace by sending men into these countries, whether it be in the Asian Continent, or in Africa or in South America, to teach men how to raise corn better, or to care for their cattle better so that there will be more food, a job is being done. You have helped to make that possible—both through your having assisted Israel to provide the technicians, and because as American citizens, you have paid tax dollars which have increased the foreign aid program under which these projects are carried out.

For years, you have done the job of preventing blindness for hundreds of thousands of people, first in Palestine and then in

Israel, in the program of trachoma eradication, and through the work of the Hadassah Medical Organization, now, today, by the training of men who have gone into Africa. The latest reports tell us that we have sent, through the Government of Israel and with the cooperation of the governments who wish to receive these teams, men and women, doctors and nurses, to set up training programs to teach the people how to do the job of providing for their own population. That is an armament for peace, because I can think of nothing that is more important than for men and women and little children who might have been blind, to see again. And so it is—we may repeat this again and again, in one thing or another—in malaria, in tuberculosis, in various other diseases which are endemic to the areas to which teams have gone, and find that you have increased the opportunities for peace in many parts of the world. You have given the opportunity for people to live a better life, and in some degree of security, because there is food and clothing and housing and hope that the day after tomorrow is going to be better than today. And I ask you, is it not important that we shall have sent hundreds of thousands of pounds of food—milk and cheese, corn, wheat, to many of these places including Israel, and that there are, therefore, opportunities for feeding people who are hungry? Remember, at least two-thirds of the world is hungry—is it not more important to think that these people will have been satisfied at least in some degree as to their food needs, than to think that we shall have sent them bullets and guns to destroy each other?

And so, in arming for peace on the international scale, Hadassah has done a tremendous job, because we have assisted in the provision of means and technicians for doing what I have just outlined. Israel's governments uses our doctors, uses our nurses, uses our technicians, sending them to countries as I have described, and receiving from those countries people who must be trained to be doctors and nurses and technicians.

Mr. MORSE. Mr. Speaker, in 1912 the Women's Zionist Organization of America, Hadassah, was founded. It would be wrong, however, to think that Hadassah serves the needs of Jewish people only, for it does a great deal of valuable work for people all over the world, regardless of whether they happen to be Jewish or not. Let me just read an excerpt from the New York Times of January 23, 1962, as an example of the spirit of Hadassah:

Dr. Mann (Kalman J. Mann, director-general of the Hadassah Medical Organization in Israel) told the national board, the ruling body of Hadassah, that a survey of Tanganyiki, Kenya, and Ethiopia had disclosed that these countries had about 200,000 blind persons. The survey was made last month by Prof. I. C. Michaelson, head of the department of opthalmology of the Hadassah Medical Organization to determine what could be done to reduce the incidence of eye diseases. Dr. Mann listed some of the acute health problems of the African and Asian peoples as malnutrition, ailments of the pregnant mother, leprosy, tuberculosis, and eye diseases.

In its effort to combat these diseases, the Hadassah Medical Organization has trained undergraduate Asian and African students in medicine and nursing at its center in Jerusalem. It also has postgraduate training for physicians from African and Asian countries in Israel.

I cite these facts to illustrate the kind of work that the members of Hadassah engage in all over the world. The principle is the universally admired one of helping those less fortunate than oneself.

On the 50th anniversary of its founding, the women of Hadassah are entitled to a real jubilee, Mr. Speaker, and they are entitled to good words—and good wishes—from every American. This is truly a humanitarian organization; it is truly American; may it have many more years of unselfish success.

Mr. MARTIN of Massachusetts. Mr. Speaker, I am happy to participate in a salute and a tribute to Hadassah, one of the great and outstanding women's organizations of America, which is celebrating its golden anniversary year.

The growth and progress of Hadassah since its founding 50 years ago eloquently attest to the sound principles upon which it was begun by a dedicated and inspired woman, Henrietta Szold, who was as keenly devoted to American democracy as she was to love for her Jewish heritage.

Founded with 12 members a half century ago by Miss Szold, Hadassah has seen its membership grow to an organization of more than 318,000 members, who seek to perpetuate the magnificent principles and ideals for which it was created.

The national chairman of the organization, Mrs. Rose Halprin, who has been active in Hadassah for 30 years, has said in a few words that its purpose "is to fuse American ideals and know-how and our own Jewish heritage. I think we have proved how smoothly these two cultures can merge, how much they can accomplish. We are not an organization. We are a way of life."

Devoted originally to helping to build medical, educational, and social services in Palestine, and since statehood was achieved in 1948, in Israel, more recently Hadassah has turned its attention to emerging nations in Asia and Africa, to which doctors and nurses trained by the organization have been sent. This is inevitably building good will and sympathetic understanding among nations.

With the rise of the abominable Hitler, Hadassah succeeded in the saving and rehabilitation of thousands of children from the agonies of Nazi persecution.

Over its 50 years of dedicated humanitarian service, Hadassah has found a warm place in the hearts of all men and women in whose veins flows the milk of human kindness. May this great organization continue to grow and prosper in its good works.

Mrs. WEIS. Mr. Speaker, it is a tribute to the vitality of our American democratic system that a private organization, Hadassah, today numbering 318,000 American Jewish women members, has been raising funds for half a century to provide aid for the Jewish people, first in Palestine, now Israel. Indeed, Hadassah has been a private peace corps—attacking poverty, disease, and ignorance; and by so doing, has contributed tremendously to the growth and economic development of modern Israel.

I am happy to join with my colleagues today in congratulating this remarkable group of women and their leaders for their courageous work on behalf of a great American humanitarian principle—that we share some of our blessings with less fortunate people beyond our own shores.

In its 50 years of dedicated service to the Jewish people, Hadassah has raised a total of $200 million. Two-thirds of this amount has been spent in laying the basic foundation for Israel's countrywide public health system. The balance has gone into social welfare, vocational and educational programs, and even land reclamation projects.

Hadassah's first medical aid program in Palestine took place before World War I. In 1913, two Hadassah nurses went out to that then disease-ridden land to institute some basic maternity health work. During the war, Hadassah sent a volunteer medical unit, and in the years that followed the First World War, Hadassah, through its hospitals, mother-child clinics, community health programs, diagnostic, clinical and research activities, laid the foundations for a countrywide public health system. In 1939 Hadassah opened its first medical center on Mount Scopus. Last August, the Hadassah-Hebrew University Medical Center was dedicated, a 21-building complex on the western outskirts of Jerusalem.

Hadassah's American affairs program aims to strengthen democratic institutions in the United States and increase the role of democracy as a force for peace and freedom in the world.

Hadassah's strength and vitality derives from the view, expressed by its leaders, that any aid which American Jews can provide in helping Israel solve her problems is inevitably a minor part of the job to be done and that the major role must be played by the Israelis themselves. This view is strikingly similar to that expressed by President Kennedy regarding our aid program for newly developing nations.

The enormous progress which Israel has made in the health field alone is proof that Hadassah money has been well spent and that Hadassah aid has been multiplied many times by Jewish initiative and enterprise and Jewish dedication to an independent future. To be without health is to be without earning power, and Hadassah has, by helping relieve the people in Israel of the burdens of needless sickness and death, enabled them to compete on equal terms with others.

Hadassah has contributed to solving the basic problems of human distress by combining idealism with a practical program. In the words of Hadassah's founder, Henrietta Szold, Hadassah has come to represent not only a faith but a way of life.

Mr. BURKE of Massachusetts. Mr. Speaker, generosity is, in fact, one of the outstanding traits of the American character. No country, to my knowledge, has ever matched us in the matter of generosity to our neighbors. Nor is our overall display of generosity limited to the actions of the Federal Government; for indeed we have countless private societies concerned with aiding and

improving the lot of people in many foreign lands.

Such is the purpose of Hadassah, the Women's Zionist Organization of America, which we hail today in honor of its service to mankind; a service that began some 50 years ago, and has grown by this time into one of the major beneficent forces in the world.

True to the customs of the Jewish faith Hadassah has sought to serve a dual purpose: to enhance the cause of Zionism, while at the same time benefiting the lives of all with whom it comes in contact, regardless of faith.

With these as their goals, the good women of Hadassah have raised almost $200 million in the past half century, two-thirds of which has gone for medical services to the people of Palestine, now known as the State of Israel.

Before Hadassah entered the picture, the health conditions in Palestine were utterly miserable. Cholera, malaria, typhus, influenza, dysentery, trachoma, and the dread Black Death plagued the people of the area—Jew and gentile alike—to the point where at one stage, toward the close of World War I, the several plagues were reported to have killed off half the population within the period of a few short years.

At the urging of their great leader, Henrietta Szold, the Zionist women of America banded together in 1912, to finance the creation of a volunteer medical unit. The unit was quickly dispatched to the Holy Land and soon was engaged in combating disease there, with astonishing results. In short time the people of Palestine were freed from the miseries of multiple plagues. But Hadassah had only begun. In the years 1922 through 1931 more money was expended by this organization, in the fight against the disease in Palestine, then the amount expended by the Palestine Health Department of the British mandate government.

Hospitals were established where before pestilence had reigned as king. Sight was secured where before trachoma had blinded thousands of children. Life was retained where before quick and agonizing death was a certainty.

Moreover, where at the beginning of the 20th century, there were fewer doctors per patient in Palestine than there were in almost any other civilized land, today the State of Israel boasts the world's highest doctor-patient ratio—a fitting tribute to the efforts of Hadassah.

All America joins today in singing the praises of this splendid organization, which so nobly has performed its service to mankind.

Mr. MONAGAN. Mr. Speaker, it is an honor and a personal pleasure for me to add my congratulations to those of my colleagues who have praised the varied and humane work of Hadassah, the Women's Zionist Organization of America, on its 50th anniversary. Its medical, social welfare, and vocational services in Israel should be a matter of pride to all Americans, since they are the result of a generosity and efficiency which are typically American. As one of Hadassah's biennial reports has stated, "American Zionists find no conflict between their duties and privileges as American citizens and their duties and privileges as part of the Jewish people. The large majority of American Zionists are reeply rooted in American culture and tradition. Their future and their national aspirations are identified with America and its national aspirations." The American affairs program of Hadassah is dedicated to strengthening the heritage and institutions of freedom at home and the role of democracy as a force for peace and freedom abroad. Hadassah is itself democratically organized, policy being the responsibility of the entire membership represented in an annual national convention whose decisions are carried out by a national board.

At such a national convention last year Mrs. Siegfried Kramarsky, Hadassah's national president, emphasized that a cardinal principle of her organization was the avoidance of any affiliation or identification with any political party in Israel. The mission of Hadassah is not political activity but service, both to Israel, and to the Diaspora, that is, to Jews throughout the world.

Prof. Oscar Handlin of Harvard University has noted that—

American Zionism of the last 50 years falls into a well-established American pattern. It is not the eccentric behavior of a single group, but rather the normal outcome of the freedom of group life in a democracy."

Professor Handlin observes in his essay "Israel and the Mission of America" that Americans of Irish, German, Polish, Albanian, Italian, Hungarian, and Czech ancestry have all at one time or another given help to the people of their homelands. He writes:

One need only remember, in this connection, the struggle that lasted more than a century, on the part of the Irish-Americans, to secure the independence of Ireland. As early as 1798 a group of Irish refugees fled, after the failure of the revolution that year, and organized here a liberation movement. * * * When home rule finally crowned the struggle, it was largely through Irish-American funds, men, and political pressure * * * In the same way the German-Americans from the 1830's onward were preoccupied with the unification and with the ultimate welfare of their homeland. The Poles in the United States organized to secure the independence of the Republic of Poland while the land was still a Prussian and Russian province. Comparable developments will be found among Americans of such diverse origins as the Albanians, Italians, Magyars, and Czechs. Actually it did not even require the stimulus of a movement for independence to call such activities into being. Analogous movements appear among such groups as the English immigrants who had no concrete grievances of this order. * * * That Jews should labor to create a prosperous, progressive democratic state in Palestine comported perfectly with their interests as Americans.

Hadassah will be saluted today as a great humanitarian organization. It is that and more. It is a great American organization.

Mr. FALLON. Mr. Speaker, this year is the golden jubilee of the Women's Zionist Organization of America, the largest and most constructively successful Zionist group in the world. Since 1912, Hadassah has built a nationwide medical and social welfare program in Israel, bringing up from poverty and disease into healthiness a population which is now one of the most vigorous and fastest growing in the world. This achievement is a striking example of humane beneficence, and a source of hope for underdeveloped and depressed areas all over the world.

From a small welfare station maintained by two nurses in 1913, the Hadassah-Hebrew University Medical Center, a complex of 21 buildings outside Jerusalem, has evolved. The center is now the focal point of Hadassah's social welfare and medical programs. But education is another of Hadassah's abiding interests. Miss Henrietta Szold, the founder of Hadassah, lived in Israel for 24 years, and during that time managed to keep the schools open—often by teaching herself—despite both political and financial difficulties. It is this spirit of persistence and the willingness to give of oneself that has made Hadassah so wonderfully successful in its humanitarian program.

Since 1913, Palestine's medical situation has not just leaped from destitution into plenty. The road has been hard and travel slow. Hospitals, mother-and-child clinics, community health programs, diagnostic, clinical and research activities, medical and nursing education, have been necessary to pave the way. Hadassah has contributed almost $200 million to the effort, and so has in a large part made the entire enterprise possible. For a long time, Miss Szold insisted that exactly 100 percent of Hadassah's solicitations go to the project in Palestine and Israel, and that all administrative and incidental expenses be payed for out of dues and special funds. Now that the organization has grown so large, the figure has been reduced to 96 percent, which is still a far greater fraction of money than that demanded by most charitable organizations. The project has called for sacrifice of time and money by the members of Hadassah; it could not otherwise have succeeded. That these sacrifices have been made, and that Hadassah's members have realized one of the highest goals of civilization itself, is demonstrated by the present condition in Israel, in contrast to what Palestine was when Miss Szold first arrived there.

Hadassah's activities have extended into Africa and Asia, where medical teams are now working to assuage the ravages of disease. All of us should look to these efforts and support them both as humanitarian in their own right and very much in the interests of our country. Hadassah is dedicated to "the heritage and institutions at home and the role of democracy as a force for peace and freedom abroad." No single organization has done so much to achieve these aims. Peace and freedom abroad are strengthened by the removal of social ills; our institutions at home are strengthened by the women of Hadassah.

who represent the very best which the American way of life has to offer.

Mr. SHELLEY. Mr. Speaker, I wish to join with Congressman EMANUEL CELLER, and a number of other of our colleagues in paying tribute to Hadassah, the Women's Zionist Organization of America, Inc., on the occasion of the 50th anniversary of its founding.

Henrietta Szold and her associates in the founding of this organization constructed an admirable instrument of American democracy and Jewish solidarity, whose triumphant and fruitful functioning through these 50 years has demonstrated to the world that there is no contradiction between being a good Jew and holding full membership in the American community; between being a friend of Israel and being a loyal American citizen.

Mr. Speaker, the publication last September of Irving Fineman's popular and inspiring biography of Henrietta Szold, under the title of "Woman of Valor," has served to make known to a wide public among the American people, not only the intrepid spirit of this splendid American woman, but the practical ideals and purposes of the nationwide organization which she founded: Hadassah. Carrying out her vision, Hadassah makes Israel known to the American people, furthers the Jewish education of American Jewish youth, and provides generous support in Israel of the medical and public health system, of child welfare and vocational education, of the Youth Aliyah projects for maintenance and education of young newcomers to Israel, and assists in land purchase and reclamation. That Israel stands as the bastion of democracy in the Near East, a firm friend of America, and an inspiring example of successful democratic teamwork in the economic, social, and political fields, is certainly to be credited in large part to the aid and encouragement provided by Hadassah.

Mr. Speaker, it is most gratifying to me, as a Representative from San Francisco, to know that the San Francisco Chapter of Hadassah was the winner in its class, for chapters with memberships from 1,001 to 2,500, in last year's new membership contest. Within this class, San Francisco was declared to have had the highest percentage membership increase for the year 1960–61.

Mr. Speaker, I hope that Hadassah may long continue its useful service to America, to Israel, and to the cause of individual freedom and national independence throughout the world; and that the San Francisco chapter may continue to maintain its honored position in this outstanding organization.

Mr. MURPHY. Mr. Speaker, a golden jubilee is a magnificent event, under any circumstances; but particularly so when it involves the achievements of persons of good will.

This year marks the half-century point in the life of Hadassah, the Women's Zionist Organization of America; a group that has served the cause of humanity from the beginning of its existence and undoubtedly shall continue to serve the same cause, in the stormy times ahead.

Founded in 1912 by the great humanitarian, Henrietta Szold, Hadassah entered at once into an effort to alleviate physical suffering among the people of Palestine. With this in mind, a nursing team was dispatched, at the expense of the organization, to minister to the masses of sick persons dwelling in the Holy Land.

At first there was opposition from the Turkish Government, which assumed the nurses were missionaries in disguise, come to convert the Moslems of the area. Also, for a time the British Government resisted the entrance of Miss Szold into Jerusalem, for fear that her pacifist inclinations rendered her an enemy of the British cause in World War I. All such objections ultimately were swept aside, however, when it became clear that Hadassah was, in fact, an organization dedicated to nothing more nor less than improving the lot of the Palestine population.

As time wore on, the work of the Hadassah medical corps began to effect wondrous changes on the people of the Near East. Nor was this service merely beneficial to the Jewish people alone, available as it was to those of every faith in need of medical care. By the time the State of Israel came into being in 1948, the dread disease of trachoma had been reduced among Palestine schoolchildren, Jews and gentiles alike, from 34 percent to 4.3 percent, and ringworm from 40 percent to 1 percent. Moreover, before the war began between Israel and the Arab nations, Arab royalty was visiting the Hadassah medical center on Mount Scopus, to get modern treatment unavailable in their homelands.

As of today, the women of Hadassah have raised $200 million, most of which as gone for medical services in the Near East. In a world where science has conquered all in some areas, yet failed to scratch the surface in others, it is highly gratifying to know that there is an organized body basically concerned with bringing the wonders of science to those who need it most.

It is a pleasure, therefore, to hail the work of Hadassah on this, the 50th year of their existence as an organization. May their efforts be crowned with success in the future as in the past.

Mr. SEELY-BROWN. Mr. Speaker, the opportunity which has been presented today to recognize in the House of Representatives the 50th anniversary of Hadassah, which will be observed in various parts of our country all this year—is one which I welcome. It seems to me to be a particularly appropriate occasion for me to speak briefly to the subject, not only in tribute to this well known, universally respected and greatly admired American organization and particularly to its several active chapters in my own congressional district; but also because the Committee on Foreign Affairs of the House of Representatives, upon which I have the honor to serve, properly will take notice of the great achievements of Hadassah through 50 years of service to humanity, as we seek to legislate for the continuing foreign aid program of the U.S. Government in a way which will assure the most effective use of the funds needed and provided.

Hadassah is a name which is familiar to newspaper readers in nearly every city, but assuredly not as many as should, except for its membership, are aware of the truly impressive achievements in a half century of service in the field of direct help to people in the Jewish homeland beginning 36 years before the State of Israel was born, as well as in the fields of information and education, medical and health services and community health activities, teaching and research, and vocational training.

The world was younger then, and its problems seemed fewer, back in 1912, when the noted scholar, social worker and teacher, Henrietta Szold, and a group of 12 Jewish women in New York organized what soon was called Hadassah, which is the name of a hardy plant, indigenous to Palestine, that binds barren soil and returns fruitfulness to the earth. Their purpose was to foster Zionist ideals for the Jewish homeland through education in America, to begin public health nursing and eventually the training of nurses, in Palestine.

The two American-trained nurses Hadassah sent to Palestine in 1913 to set up a small welfare station in Jerusalem for maternity care and the treatment of trachoma, then the scourge of the Middle East, grew into medical units, schools of nursing, hospitals, first in Tel Aviv and then in other cities, children's villages, health centers, and finally, the noble and majestic landmark of Israel, the Hadassah-Hebrew University Medical Center, near Jerusalem.

A mere recital of all of the achievements, without going into detail, would show how truly amazing Hadassah's record is. And, among hundreds of other good works of American citizenship, Hadassah was awarded a citation for selling $200 million in U.S. war bonds during World War II.

Hadassah raises its own money, receives no subsidy, and spends its funds in building and developing projects, then, after setting the standards, turns them over to the local communities in Israel, to be supported by the municipal or national governments.

Hadassah keeps its members informed so they may continue to understand and protect our democratic heritage and institutions at home, and strengthen the role of democracy as a force for freedom and peace throughout the world.

In 50 years of service, Hadassah has been in the front rank of American organizations which carry not only the American flag overseas, but the personification of both the heart and the purse of America.

Mr. ANFUSO. Mr. Speaker, the well-known Jewish women's organization Hadassah is today celebrating the 50th anniversary of its founding by the late Henrietta Szold, herself a noble and outstanding woman. This is an event which deserves to be noted and recognized publicly, for very few other women's organizations have attained such a record of achievements in the interests of humanity.

Hadassah, which now numbers some 300,000 women in the United States has centered its activities in the United States and in Israel. The most dramatic aspects of the organization's activities are the medical and health services in the State of Israel where over the years it has developed an intricate system of hospitals, medical care, health centers, research and training. I had occasion to see some of these institutions during my visit to Israel in 1957 and found them to be most modern in every respect and models of efficiency.

In addition to its medical services, Hadassah has numerous other projects in Israel which are equally important and play a significant role in the upbuilding of that country. Among such projects should be mentioned its activities in the rescue and rehabilitation of over 100,000 Jewish children and youths from various countries, uprooted by World War II and its aftermath, orphaned, some of them emotionally disturbed. These children were brought to Israel, provided with a home, care, education, vocational training, and the opportunity to become free and productive citizens of the new Israel.

In this country, Hadassah seeks to instill in its members an appreciation of Jewish traditions based on the Jewish faith, education in the ways of creative Jewish life, and an interest in national and international problems. It keeps its members informed so that they may have a good understanding of our democratic heritage.

On the occasion of the golden jubilee of this noble organization, I wish to commend its leaders and vast membership for their selfless and humane deeds which are an inspiration to all of us. May they continue to render this wonderful and noble services for many years to come. I congratulate them on their record of achievements.

Mr. BARRY. Mr. Speaker, this year, 1962, is the golden jubilee of Hadassah. The Women's Zionist Organization of America was founded in 1912, when its founder, Henrietta Szold, returned from a trip to Palestine. In her heart, Miss Szold was shocked by the conditions in the Holy Land, where children suffered paralyzing diseases and blindness. There were very few doctors there in 1912, very few in Jerusalem or anywhere else in Palestine.

As an index of Hadassah's subsequent success, this happened in 1960: 254 physicians, 514 nurses, and 1,352 other staff members of the Hadassah-Hebrew University Medical Center poured out of Jerusalem to the nearby village of Ein Karim, reputed birthplace of John the Baptist, to dedicate a $3 million building.

Quite a change in the health facilities, and much of it due to the work of Hadassah.

But medicine is not the only area in which Hadassah has been of service to the Jewish people and to the world. Miss Szold was also a great educator and a great emancipator as well. In the early thirties, she organized a program for bringing Jewish children out of Germany and into Palestine, where they were given the finest educational treatment. When the schools of the Holy Land were threatened by lack of finance and by political disputes, she saw that they stayed open.

These unquestionably good works have been made possible by the almost $200 million Hadassah has raised for their support. Now Hadassah has close to 400,000 members and has spread medical teams into the wilderness of Africa and Asia. The contemplation of an organization with such a spirit of generous and unselfish humanity is a source of inspiration and a source of hope for all of us. Hadassah makes the frustrating experience of surviving in a civilized world more bearable—not just for the sick but for the well also.

Mr. VAN ZANDT. Mr. Speaker, I would like to take this opportunity to honor Hadassah, the Women's Zionist Organization of America, on the occasion of its golden jubilee. It is always a pleasure to salute the efforts of persons vitally concerned with promoting good works throughout the world. And of all the organizations actively engaged in good works today, none, so far as I know, exceeds Hadassah in the matter of endeavor, nor in the matter of success.

Primarily, Hadassah is an organization devoted to interpreting the Israeli Republic to the American people. To this extent it may be classified as a partisan group, involved in the promotion of specific religious and culture customs and ideals. In another sense, however, it is basically nonpartisan, in that it is deeply involved in medical and public health programs beneficial to the members of each and every religion in the world. Moreover, it is a fact that these programs have gone into effect in a region once stricken with disease, and that today, in consequence of the programs, disease in that region is rapidly on the decline.

On these grounds, the world must pay heed to the efforts of Hadassah and its leadership, and hail their accomplishments in the name of progress. For disease is the primary foe of all mankind, and its destruction one of the basic goals of every civilized being.

In this connection, I might point out that it takes three things to stamp out widespread disease: First, medical knowledge; second, organization on a grand scale, and third, money—on even a grander scale.

Throughout the history of man, a traditional means of combating public health problems has been to cope with them on the local level; to raise just enough funds and to employ just enough doctors to eradicate disease in one small corner of the earth at a time. In this way, the wealthy sections of the world have grown healthy and comfortable, while the poverty-stricken sections have continued to grovel in the horror and indignity of illness and life-destroying plague.

The advance of medical knowledge alone has not been enough to remedy the situation. Why? Because so long as there is no money to pay for medical facilities in a given area, that area will remain unprotected against the evils of disease. It was this fact that turned the Near East into a den of pestilence at the close of the 19th century. And it was a reaction to this fact that brought about the good works of Hadassah.

A recent article by a British physician—Dr. Archibald Beatson—observes that there is a kind of hallucination prevalent in the world today, which the doctor describes as "imaginary poverty." This emotional disorder, Dr. Beatson declares, becomes commoner with advancing age. Almost uniformly, the victims of the disorder conclude, first, that they cannot afford necessities when in fact they have plenty of money for luxuries, and, second, that "life on earth will continue indefinitely," so they must not touch their capital "for fear of compromising the security of this interminable future."

Such a view is of course the most short-sighted in the world. Yet so popular is it in some quarters that none but the most ardent crusader can break it down in the interest of society in general. Such a crusader was Henrietta Szold, the late great humanitarian and Zionist leader, who inaugurated the good works of Hadassah, in the form of public health contributions to poorer people in other parts of the world. It was she who conceived the plan of placing a large share of Western wealth at the disposal of the poverty-stricken and disease-ridden people of the Near East. It was she who began the crusade, which is today the heart and soul of the Hadassah program for world betterment.

Henrietta Szold was born in Baltimore, the daughter of Rabbi Benjamin Szold, a noted reformer of the post-Civil War period.

In New York, following her father's death in 1902, Miss Szold became deeply involved in the ferment of Zionism there, and 7 years later set out on a trip to Palestine, where her interest in Zionism became linked with the suffering of the Near Eastern population. In Palestine she saw a child's trachoma-dimmed eyes covered with flies, and when she asked the child's mother why the flies were not brushed away she was told: "They will only return."

On her way home, Henrietta Szold wondered whether the flies must always return; whether trachoma need be as prevalent as the common cold; whether men and women must forever be debilitated by malnutrition and malaria. Was it, in fact, necessary, to surrender to fate in this way? Or was the child's mother merely surrendering to poverty. In all of Palestine there were, in 1909, only 45 doctors. There were more needed—many more. And there was money available—somewhere—to pay for their services.

On Purim—the Jewish feast day—in the year 1912, Henrietta Szold rallied U.S. women Zionists into a new organization which she named Hadassah, for the purpose of improving the health situation in Palestine through maintenance of a visiting nursing service. The cost for such an undertaking would of course be immense. But Henrietta Szold was not to be deterred by any such minor consideration. She had a vision—the vision of a Palestine in which the children could live in health, without the specter of disease lurking around every corner, ready to devour them at will.

The first Hadassah nurses sent to Palestine arrived at a time when the land was under Turkish control. Religious differences between the Turkish Government and the Palestinian Jews were already creating considerable controversy, and the Turks regarded the Hadassah nurses as missionaries, come to promote the Jewish faith among the non-Jews of the area.

In time, however, the genuine, apolitical nature of Hadassah became clear to the Turks who thereafter abandoned interference with the nurses' operations.

In World War I Supreme Court Justice Louis Brandeis urged Hadassah to send a full medical unit to the war-torn land. In the summer of 1918 the unit found that the Jerusalem population had been virtually cut in half, from 50,000 to 26,000 persons; and that those who survived were half naked and only half alive. Men, women, and children were reduced to fighting in the streets for scraps of garbage. Plague was rampant; malaria, typhus, influenza, cholera, dysentery, and the dread Black Death itself. In nearby Tiberius a Hadassah team found cholera engulfing the entire population. The reason? The people were using water from the Sea of Galilee for conflicting purposes: for cooking, for swimming, and for bathing of the dead. The Hadassah nurses went to work, advising the people of the reasons for their troubles, while at the same time ministering to the sick. In short time the death toll dropped and hope was restored to the Tiberians.

Following World War I, in which Hadassah established a 45-member medical mission to Palestine, the organization leader—Henrietta Szold—stepped up work on the Hadassah medical program. In 1927 she was elected director of education and health in the Palestine Zionist Executive, and 4 years later became director of social welfare. These and other duties kept her in Palestine for the last 25 years of her life.

With the appearance of nazism, the persecution of the Jews in Germany and in the nations conquered by Germany, Miss Szold abandoned her plans to retire, entering instead into a campaign to rescue Jewish people from the European Continent. This became known as Youth Aliyah—a youth rehabilitation program initiated in 1934, under which more than 100,000 children have been brought to Israel from other lands.

Meanwhile, the Hadassah medical program was forging ahead, with astonishing results. By the time the State of Israel was created, in 1948, the infant death rate, which had been 140 per 1,000 in 1918, was down to a Western-world normal of 29. Trachoma among schoolchildren was down from 34 percent to 4.3 percent; ringworm from 40 percent to 1 percent.

All of this Henrietta Szold has not lived to see, having passed away before the fruits of her labors were so fully demonstrated to the world. But Hadassah, the fiery instrument of her crusade, has in its current membership some 318,000 women—all of whom rejoice in the success of their endeavors, which Henrietta Szold began.

The women of Hadassah have by now raised a total of almost $200 million, two-thirds of which has gone for medical services. As of today, Israel has 4,700 physicians—the highest doctor-patient ratio in the world—and a fine new medical school.

If ever there was a legacy of value, this is it. If ever there was a leader worthy of followers, it was Henrietta Szold. If ever there was a humanitarian undertaking deserving the thanks of mankind, it is the Hadassah medical program: as noble an effort as ever was inaugurated on this earth.

Mr. KEOGH. Mr. Speaker, I am happy to join my colleague, the gentleman from New York [Mr. CELLER] in recognition today of the 50th anniversary of the founding of Hadassah.

Hadassah is the Women's Zionist Organization of America. I would like to take a few moments to recount, in a summary manner, a few of the fine activities of this organization with which I am familiar.

It has been truly said that, "The women of Hadassah have proved in an infinite number of ways their concern for a better world." The following are some of its worthwhile projects: A comprehensive medical program setting the standard in Israel for healing, teaching, and research; the rescue and rehabilitation of uprooted children; a vocational education program pioneering in Israel the difficult problem of secondary education in a young and complex community; the raising of more money for Jewish national fund projects than any other single organization in the world; the buying and selling of more than half the total of Israel bonds purchased by American women; and this year the opening in Israel of the magnificent new Hadassah-Hebrew University Medical Center.

The far-reaching benefits resulting from the Hadassah program of education are illustrated by some of the news items coming from Israel: 17 students from 9 Afro-Asian countries begin medical studies in Israel; director of Neurim goes to Tanganyika to supervise establishment of rural vocational centers; Hadassah ophthalmology chief surveys needs in 3 African countries; 3 Thailand physicians came to Israel for postgraduate studies; several large grants awarded to Hadassah medical men for research in arteriosclerosis, leukemia, pediatrics, cancer, psychiatry, vision, and trachoma; 2 Liberians study at Hadassah's school of printing, and so forth.

This is, indeed, a splendid contribution to the underdeveloped countries and to the progress of world medicine. It is also in harmony with our own efforts to improve conditions in underdeveloped countries as evidenced, for instance, by the activities of the Peace Corps.

The Women of Hadassah can be proud of their record of achievement and their work underscores the truth of the words of an African educator who said, "Teach a woman and you educate a nation."

Mr. Speaker, I congratulate the women of Hadassah and wish for them many, many more years of fruitful existence.

Mr. FARBSTEIN. Mr. Speaker, 50 years, by any measure of time, is a relatively brief period. In terms of the life of an organization, 50 years is a virtual beginning.

But in the 50 brief years during which the Women's Zionist Organization of America—Hadassah, as it is more familiarly known—has been in existence, it has already been responsible for creating a modern miracle, while amassing a remarkable record of service that circles the globe.

Mr. Speaker, it is my great pleasure to take this occasion to extend my congratulations to Hadassah which this year marks its golden jubilee in honor of a half-century of dedicated service to humanity.

Time does not permit a full recounting of the achievements of this organization, but I would like to briefly review these five golden decades.

The basic principle of Hadassah is a simple one—to help those less fortunate than ourselves.

Hadassah's program of service began in 1912 as a modest and altruistic attempt to raise the health standards of what was then known as Palestine. From that small beginning, which saw two American-trained nurses establish a small welfare station in Jerusalem for maternity care and the treatment of the dread eye disease, trachoma, has come the most modern, best equipped institution of its kind in the Middle East—the Hadassah-Hebrew University Medical Center which officially opened in modern Jerusalem last summer.

Creation of this medical center—a vast complex of healing, teaching, and research institutions—was made possible only through the efforts of the selfless services performed by Hadassah's members. It has been hailed as a modern medical miracle in an area of the world where, unfortunately, disease is still far too common.

But creation of this hospital center out of a veritable desertland has been only one achievement in Hadassah's half-century of service.

Unique in its flexibility, Hadassah has always been able to go forward with an ever-expanding program—even in the face of emergency situations in Israel and the United States.

Thus, during World War II, Hadassah mustered its membership at home—earning a citation for its war efforts—while gearing at the same time for medical cooperation with the allies on the Middle East front.

When the postwar wave of immigration threatened to inundate Israel, Hadassah responded with a magnificent program of social and economic rehabilitation. Today that concept has been expanded to include a vast program of vocational education in Israel.

Here at home, Hadassah keeps its members constantly informed about world affairs in order that they might be better able to understand and protect our democratic institutions in the vital role which Hadassah members have as homemakers and mothers.

Hadassah interprets Israel and its people to the American public, forging,

thereby, closer links between two sister democracies. And through its youth program, Hadassah seeks to perpetuate its work—to assure many, many more years of noble service.

Mr. Speaker, in adding my voice in tribute to the accomplishments of Hadassah's 318,000 members in the organization's more than 1,300 groups throughout the United States and Puerto Rico, I wish them well in the ventures being planned for the future, and every success for the speedy dawning of better tomorrows which their work will bring.

Mr. SIBAL. Mr. Speaker, today we recognize the 50th anniversary of Hadassah, which was founded in 1912 to provide health centers in Palestine. Since then Hadassah has devoted its energies to youth welfare and training, nurses training, and vocational training schools, as well as the construction of medical centers and hospitals.

Hadassah is the largest organization of Jewish women in the world, with a membership of more than 318,000 in the United States and Puerto Rico.

All of us, Mr. Speaker, can join in saluting the impressive achievements of these dedicated women and wish them continued success in the future.

I am very proud of the active part in Hadassah's achievement being played by Jewish women in my district of Fairfield County.

The first Hadassah chapter in the county was founded in 1926 and is now celebrating its 35th anniversary. There were 39 charter members. The first president was Mrs. Samuel Mellitz, whose husband has served as a distinguished member of the Connecticut supreme court of errors. Among the organizers who are still living are Mrs. Benjamin Bresler, Mrs. Arthur B. Weiss, Mrs. Nathan S. Levin, Mrs. Samuel Eisenberg and Mrs. Sarah Friedman. Mrs. Meyer Dworkin, mother of Sidney Dworkin, a member of my staff, is a past president of the chapter.

Hadassah in the county has grown from these early days to include chapters in Danbury, Norwalk, Westport, and Stamford, as well as Bridgeport.

The Bridgeport chapter has grown so large that it has been divided into three groups under the presidency of Mrs. Gerard Fisher of Fairfield. The group presidents are Mrs. Harvey Roseman of the Jesse Sampter group; Mrs. Nathan Alpert of the Henrietta Szold group; and Miss Emma Hurwitz of the business and professional group.

Mrs. Martin Steinberg is president of the Danbury chapter; Mrs. William Freedman of South Norwalk heads the Norwalk chapter; Mrs. S. A. Strassler is president of the Westport chapter; and Mrs. Aaron Weisman and Mrs. Richard Hendler are presidents of the two groups in Stamford. Serving on national committees of the organization are Mrs. Max Swire, Mrs. Charles Snow and Mrs. William Wallitzer, all of Bridgeport; Mrs. Norman Dube of Danbury; Mrs. Samuel Zales of Stamford; and Mrs. D. Leonard Cohen of Westport. Mrs. Herman Shulman is a past national president of Hadassah and is a resident of Stamford.

These women can well be proud of their work and draw inspiration on this occasion for even greater efforts in the future.

It is a pleasure and a privilege to offer them this tribute.

Mr. MOORHEAD of Pennsylvania. Mr. Speaker, Hadassah, named after the Biblical Queen Esther, celebrated its 50th year on February 24. Organized in 1912 this group not only survived but achieved great works during the most traumatic half century in all of Jewish history. Members of Hadassah have lived through two World Wars, through the terrible persecution of their race in Germany, and finally in 1948, the joyous formation of the Jewish Republic, Israel.

True religion requires commitment—the determination to accept responsibility and the faith to carry through—no matter what the project may be. This, Hadassah has had in full measure. The task has been twofold—of the spirit and of the body. Hadassah has worked to foster Zionist ideals all over the world and to protect the health of the people of Palestine.

It has contributed immeasurably to the health of Palestine—with beautiful hospitals, with nursing schools, even with basic research from which the whole world benefits.

These "Daughters of Zion" are the very finest exemplification of the character of their namesake—Esther.

Mr. HEALEY. Mr. Speaker, today is the golden anniversary of Hadassah, the Women's Zionist Organization of America. Founded in 1912, by Miss Henrietta Szold, Hadassah has been dedicated to raising the standard of health in Palestine, encouraging the development of Jewish life in America, and fostering Jewish ideals. Today there are over 1,300 chapters with 318,000 members.

Many years before I came to Congress, I became familiar with the work being done by Hadassah through my longtime friends, Mr. and Mrs. Frank Pierce. Belle Pierce is at the present time chairman of the Hadassah chapter of the Jewish Center of University Heights in my congressional district. This is one of several very active Jewish centers in the Bronx. All of these chapters are to be highly commended for their fine work.

Mr. Speaker, the accomplishments of Hadassah are far too numerous for me to mention but a few here today. Most of you already have knowledge of the very remarkable achievements in the past 50 years, in community health services, teaching and medical research, youth activities, and child rescue work, land reclamation, resettlement and rehabilitation of homeless Jewish refugees from many lands, and other important social work.

The Hadassah Hebrew University Medical Center, opened in June 1961, is a noble landmark in Jerusalem and is a long-awaited dream of the people of Israel. The hospital, laboratories, and schools are already in operation, and eventually there will be 21 structures in this vast center of teaching and medical research.

In the United States, Hadassah conducts a general and Jewish education program. Nonpartisan and objective, Hadassah keeps members informed so they may understand and protect our democratic heritage and institutions at home, and strengthen the role of democracy as a force of freedom and of peace abroad. The two democracies have been brought closer together by Hadassah's interpretation of Israel and its people to the American public.

Mr. Speaker, Hadassah has every reason to proclaim its 50th anniversary with pride. It is a pleasure for me to speak of this great organization in the House of Representatives. Here in America, it is achievements like those of Hadassah which are such an intrinsic part of our precious privilege as free citizens in a free democracy. I take this opportunity to extend my praise and best wishes to Hadassah.

Mr. CURTIS of Massachusetts. Mr. Speaker, congratulations to Hadassah on its half century of achievements in the fields of health and education. Hadassah, the Women's Zionist Organization of America, and the largest Jewish organization in the world with a membership of over 300,000 devoted women, is this year celebrating its 50th anniversary. Women of America have made large and generous contributions to Hadassah and can take pride in its accomplishments.

The Hadassah program began as a modest attempt to raise the health standards of what was back in 1912 Palestine. It has become through the intervening years an intricate system of healing, teaching and medical research, child rescue work, vocational education, social welfare, and land redemption—a program which has earned international renown.

An impressive monument of Hadassah accomplishment is seen in the beautiful new Hadassah Hospital, in the environs of Jerusalem. It was my good fortune to visit this hospital last fall. At that time I wrote of my visit as follows:

> The construction of the new Hadassah Hospital is nearly completed and the hospital is in full use. It is an imposing structure beautifully located on high ground close to the city. It replaces the previous hospital on Mount Scopus, which unfortunately is now in no man's land and cannot be used, although the buildings are kept up by caretakers under international agreement. * * * Even a short stay in Israel leaves an unforgettable impression of the fortitude and determination which have made possible the remarkable development of this country despite the hardships it faces.

As part of my remarks I include a summary of Hadassah from 1912 to 1962 entitled the "Five Golden Decades," which gives a brief but eloquent picture of devotion to duty and ideals.

FIVE GOLDEN DECADES

THE BEGINNING YEARS

Year 1912: February 24, 1912.

Under the direction of Henrietta Szold, noted scholar, social worker, teacher and dreamer—which is what every Zionist was in those days—a group of 12 jewish women in New York City organizes the "Daughters of Zion." Later they take the name "Hadassah," which is the Hebrew name of Queen Esther and also means "myrtle"—the hardy plant, indigenous to Palestine, that binds barren soil and returns fruitfulness to the

earth. Their motto becomes, and remains, the words of the Prophet Jeremiah—"the healing of the daughter of My people."

Their purpose is twofold: to foster Zionist ideals through education in America; and to begin public health nursing, and eventually training of nurses, in Palestine. The drama of their goals and their achievements writes half a century of history for the Jewish people in Israel and the United States. The bare facts of their odyssey of faith and service constitute an epic without parallel.

Year 1913:

Hadassah sends two American-trained nurses to Palestine to set up a small welfare station in Jerusalem for maternity care and the treatment of trachoma, dread eye disease, then the scourge of the Middle East.

Year 1914:

World War I. Already based in Palestine, Hadassah rushes one of its trained nurses to Alexandria, Egypt, to aid in the refugee health crisis there. Health conditions in Palestine become intolerable. Appeals bombard the Zionist Organization of America, asking for a medical unit to the Holy Land.

Year 1916:

The purchasing and supplies bureau of Hadassah is organized.

Year 1918:

The American Zionist medical unit is born. In the spring of 1918 Hadassah equips, and in cooperation with other organizations, dispatches and arranges to maintain a unit of 45 physicians, sanitarians, dentists, and nurses in Palestine. The unit has to bring its own drugs, instruments, linen and clothing. It opens the first, emergency, but modern, "American-style" hospital-and-clinic operations in Jerusalem, Jaffa, Tiberias and Safad. Intensive campaigns against malaria, cholera, trachoma and scalp diseases are initiated. Sanitation activities are started in rural and urban communities under supervision of military authorities then in Palestine.

The Henrietta Szold School of Nursing, first nurses' training school in Palestine, is opened in Jerusalem.

Year 1919:

The school hygiene department of Hadassah, another "first," is organized in Jerusalem and starts systematic examinations of children.

Year 1920:

Other beginnings are laid for what eventually become a widespread system of preventive medical work, unique for that part of the world.

Junior Hadassah, Hadassah's daughter organization, is born.

THIRD DECADE: CONSOLIDATION

Year 1933:

A building fund campaign is launched for the erection of the Rothschild-Hadassah-University Hospital on Mount Scopus in Salem.

Year 1934:

Medical social service is instituted through the Nettie Lasker Social Service Department in Jerusalem.

The cornerstone is laid for the Rothschild-Hadassah-University Hospital, Mount Scopus, Jerusalem.

The Youth Aliyah (immigration) movement is initiated in Germany by Recha Freier and German youth leaders, and by Henrietta Szold, who becomes its first director in Palestine. This post Miss Szold holds until her death in 1945. Purpose: to rescue and transfer Jewish children from Europe for resettlement, maintenance, and education in Palestine. The first group of children arrives in Ein Harod, February 19, 1934.

Year 1935:

Hadassah becomes official American agency for Youth Aliyah.

Year 1939:

This year sees the opening of the extraordinarily beautiful, architecturally exciting Rothschild-Hadassah-University Hospital on Mount Scopus. It becomes known as the first medical center in Palestine, though its medical school, a joint project with the Hebrew University (housed in a building named for Dr. Nathan Ratnoff) is for postgraduate students and research only. Also included is a spacious new building for the Henrietta Szold School of Nursing.

Year 1940:

War has broken out in Europe. Hadassah's emergency shipments of medical supplies, food, drugs, and equipment begin going from the United States to Palestine.

FOURTH DECADE: WAR AND REBIRTH

Year 1941:

An American neurosurgeon, crucially needed in this war area, is sent by Hadassah to start the first department of neurosurgery in Palestine.

Home medical services start in Jerusalem.

Pearl Harbor: Hadassah mobilizes its entire membership to aid the American war effort; starts a blood bank.

Year 1942:

Full cooperation of Hadassah's personnel and institutions in Palestine is offered to the U.S. War Department; a system of seminars and research exchanges between Allied medical men and Hadassah and Hebrew University scientists begins.

The Louis D. Brandeis Vocational Center and its Alice L. Seligsberg Vocational High School for Girls, first of its kind in the country, opens in Jerusalem—beginning Hadassah's new vocational education program.

Year 1944:

Hadassah expands medical aid to help refugees streaming into Palestine.

Initial planning begins for a postwar health program to come. Apprenticeship workshop for fine mechanics and precision instruments open in Brandeis Vocational Center in Jerusalem.

Year 1945:

Apprenticeship printing workshop for boys opens in Brandeis Vocational Center.

The Hebrew University-Hadassah Medical School campaign gets underway in cooperation with American Friends of the Hebrew University.

Hadassah becomes "health arm" of Jewish Agency; begins expansion of all services to fill needs of refugee newcomers and postwar Palestine.

Henrietta Szold dies. Jews everywhere, all Israel and the children she mothered, mourn.

Year 1946:

Hadassah is awarded a citation after its American affairs committee announces the sale of $200 million worth of war bonds.

The postgraduate medical fellowship program starts; first Hadassah fellows arrive in United States.

Year 1947:

Ground is broken for an extension of the Henrietta Szold School of Nursing, and biology building of the postgraduate medical school on Mount Scopus.

Hadassah launches its first Youth Aliyah building project.

Year 1948:

April 13, 1948. Tragedy. Dr. Haim Yassky, medical director of HMO for 26 years, is killed with 75 doctors, healers, research workers, hospital personnel and scientists of Hadassah and the Hebrew University en route from Jerusalem to Mount Scopus.

May 14, 1948. Miracle. The State of Israel is born. Hadassah further expands services to cope with problems brought about by the invasion from Arab states and the War of Independence. This takes place as an avalanche of immigrants pours in following the creation of Israel.

Jerusalem is besieged. Hadassah stays and sets up what it hopes will be a temporary hospital and nursing school in five outmoded buildings after being forced to come down from Mount Scopus. (Mount Scopus is still under U.N. jurisdiction.)

Year 1949:

The Hebrew University-Hadassah Medical School, the only medical school in Israel, opens in Jerusalem with a student body of 50.

Ramat Hadassah Szold, Youth Aliyah reception center, opens in Alonim, near Haifa.

Hadassah takes over administration of the only leprosarium in Israel.

Hadassah establishes an emergency 100-bed hospital in Rosh Ha-ayin for Yemenite immigrants, doing its work so quickly and effectively that in 1951, the hospital closes: Mission accomplished.

The Lasker Hygiene and Child Guidance Center is established in Jerusalem.

The Hadassah-Yassky Memorial Hospital opens in Beersheba and becomes the first hospital to serve the Negev. (Turned over to the municipality in 1959.)

The Fashion and Design Institute, a 2-year, junior-college-level institution, opens at Brandeis Vocational Center on an experimental basis.

Year 1950:

The 50,000th child is accepted by Youth Aliyah.

A building fund campaign is launched for a new Hadassah-Hebrew University Medical Center which will comprise a teaching hospital, medical and nursing schools, and laboratories. Site: Ein Karem, then considered a suburb of Jerusalem.

The Hotel Management Institute opens at Brandeis Vocational Center. (The institute is moved to Tel Aviv in 1951, and turned over to Ministry of Labor and other Israel groups in 1960.)

The Hadassah nutrition department is transferred to the Government and becomes the Institute for Nutrition Education, retaining Hadassah standards and personnel.

To meet Israel's challenge of increased population, Hadassah institutes Operation Immigrant Youth, an on-the-spot vocational education program for the young people in immigrant settlements (maabarot).

Year 1956:

Another community health station is established in the all-Arab village of Abu Ghosh where no other medical facilities exist.

HMO mounts a 48-hour mobilization of all health services during the Sinai outbreak. Hospitals double bed capacity; emergency reception centers are set up; staff goes on serving civilians and all others along the front lines and elsewhere.

Hadassah's Nachlat No. 10 for the Jewish National Fund in the Bar Giora area is begun.

Year 1957:

Hadassah is assigned responsibility for the Salk vaccine mass polio immunization program in Jerusalem area.

Pledge is made to build havens for younger children; later named for Anne Frank.

Largest gain in history of Hadassah raises its total membership to 315,000.

Year 1958:

An experimental public library and reading room is opened at the Kiryat HaYovel Community Center in cooperation with Israel UNESCO Committee, the national and university library, the Ministry of Education, and the Jewish Agency.

Construction soars skyward on the medical center. Interior finishing work begins. The medical center area is officially named Kiryat Hadassah, and becomes officially part of Jerusalem.

The entire maabarot program (Operation Immigration Youth) at Talpiot, Castel, and Beth Shemesh, begun in 1954, is transferred to Israel agencies which pledge continuance of the pattern set up by Hadassah.

THE MAGNIFICENT ACHIEVEMENT

Year 1961:

June 6, 1961: Hadassah Medical Organization moves its long-scattered installations into the newest, noble, and majestic landmark of Israel, the Hadassah-Hebrew University Medical Center, during a dramatic Operation MD—Moving Day—cavalcade.

Year 1962:

Hadassah begins celebration of its truly blessed and golden jubilee.

Mr. BOLAND. Mr. Speaker, 50 years ago the U.S. Women's Zionists envisioned an organization dedicated to education and public service. They established Hadassah to fulfill their vision. Today on this golden anniversary of Hadassah we salute with pride their splendid American organization. Translating its goals into action and achievement, Hadassah has earned a position of worldwide admiration and respect. It stands today as a symbol of achievement in social welfare.

The 318,000 members of Hadassah may look back proudly at their half century of progress. In their efforts to provide education for intelligent and useful Jewish life in America, in their endeavors to work toward peace in the world, and in their active participation in preserving the democratic way of life in the United States, the women of Hadassah deserve our highest tributes. In addition to this spirited work, there is also the more tangible philanthropic labor of Hadassah which stands as a monument to the whole Zionist movement. The primitive and disease ridden Palestine of 1912 now has one of the most modern medical centers in the world. The women of Hadassah raised nearly $200 million, two-thirds of which has gone for medical services. Israel now has the world's highest doctor-patient ratio.

Mr. Speaker, in my home city of Springfield, Mass., the Hadassah chapter was organized in 1924 through the efforts of Mrs. Abraham Cheffetz and Mrs. Jacob Ginsburg. Mrs. Cheffetz was elected the first chapter president by 20 charter members. The chapter has grown over the years and now there are 1,050 Hadassah chapter members with Mrs. Louis Mindel as president. In 1925 the new Springfield chapter was honored with a visit by the founder of Hadassah, Miss Henrietta Szold, noted scholar, social worker, and teacher. The Springfield Hadassah chapter raises approximately $25,000 a year to support various projects.

The youth program of Hadassah, the Youth Aliyah, is one of the finest humanitarian projects in the world. The child rescue and rehabilitation program now provides care and education for the young newcomers to Israel and, in addition, participates in the purchase and reclamation of land.

Other Hadassah health projects in Israel include medical and public health services, infant and child welfare, school hygiene, antitrachoma work, and immigrant medical service. The broad scope of Hadassah's accomplishments is an inspiring example of social and civic responsibility fulfilled.

On the occasion of the 50th anniversary of Hadassah we celebrate remarkable achievement by the Jewish women of America. We are proud to join the voices of praise and congratulations which Hadassah so richly deserves.

Mr. DELANEY. Mr. Speaker, 50 years ago, a group of earnest women met in New York City and founded Hadassah, an organization whose humanitarian achievements have become almost legendary.

From that small beginning, the organization has grown until today it has a membership of well over 300,000.

During the 50 years, Hadassah has raised some $200 million, most of which has been used for medical, educational, and social services—first, in Palestine, and, since 1948, in Israel. Hospitals have been built, medical training provided, child-care centers established. Hadassah-trained doctors serve not only in Israel, but also in the less developed countries of Asia and Africa.

Under its Youth Aliyah child rescue-rehabilitation program, prior to World War II, thousands of youngsters were brought to the safety of Palestine from Nazi countries in Europe. Late in 1960, the 100,000th child arrived in Israel under a later continuation of that program.

No mention of Hadassah would be complete without paying tribute to its founder, and, for so long, its guiding spirit, Henrietta Szold. This great woman devoted most of her 85 years to good works, and Hadassah continues as living monument to her memory.

Mr. Speaker, it is a privilege to join my colleagues in felicitating Hadassah on its golden jubilee.

Mr. HALPERN. Mr. Speaker, hail to the ladies of Hadassah.

This is the salute I have repeated on the floor of this House on several occasions in paying tribute to the wonderful, dedicated women who comprise this magnificent organization.

Each salute has been inspired by a timely example of their altruistic achievement, and each has been intensified by the organization's ever-increasing, almost unbelievable devotion, dedication, and accomplishment.

Another milestone has been reached, and once again I say hail to Hadassah. This time I add a hearty birthday greeting, and I am delighted to join my colleagues in this significant, well-deserved congressional tribute commemorating the organization's golden jubilee celebration.

This year Hadassah is 50 years young, an age characterized by the beauty of maturity, the calm of experience, the inner glow of attainment. An organization, like a woman, grows more beautiful and productive with age. When the unsure feelings of youth are replaced by the solid basis of accomplishment—when the facade of sheer physical beauty is replaced by the intrinsic, priceless beauty that is brought about by attainment and unselfish contribution—then age becomes a blessing, a badge to be worn with pride.

As I said in my remarks to this House last September 27 when I commented on Hadassah's outstanding 47th annual convention in Denver, I have never ceased to marvel at the singular lack of selfishness and the magnificent spirit of devotion to a cause, which characterizes this organization.

Hadassah, the woman's Zionist organization, was born in 1912 when a small group of women met in the vestry room of New York's Temple Emanu-El. They initiated what has become one of the most significant group efforts ever organized to carry out humanitarian principles.

The minutes of this 1912 meeting long since have disappeared, but this much is known: The assembly was called by Henrietta Szold, an American Jewess who had traveled extensively through Palestine, now Israel. This great lady had developed the idea of forming small groups of Zionist women with the intention of sponsoring health projects in Palestine. The stated purpose of Hadassah, as recorded at the time was:

To promote Jewish institutions and enterprises in Palestine, and to foster Jewish ideals.

Since that eventful meeting 50 years ago, Hadassah has enjoyed an incredible growth in membership and scope of activity. It is now an integral part of virtually every American community.

All Americans have every reason to be proud of Hadassah's achievements both as a guardian of American democratic principles and as a vital instrument for bringing to the good people of Israel and countries in Africa and Asia medical knowledge and techniques that are pertinent to advancing the health of men, women, and children there.

The more than 319,000 American women who belong to over 1,300 Hadassah chapters throughout the United States have contributed through devotion and hard work to the strengthening of the principles of democracy. They have been and are supporting educational, civic, and youth activities in the United States as well as the operation of a network of medical institutions and educational programs in Israel, and training, through its institutions in Israel, physicians and nurses as part of their aid to Afro-Asian nations programs.

Its members have made a valuable contribution to the propagation of American spiritual and moral values through their outstanding leadership in numerous communities across the Nation. They are to be commended for their work in advancing the principles of human rights and the dignity of man, and promoting understanding and brotherhood.

Hadassah's program in Israel is manifold in its multiplicity and magnificent in its management. The Rothschild-Hadassah University Hospital, formerly in five makeshift hospitals in Jerusalem, now occupies two new structures. It is complete with 25 departments and 31 Hadassah institutes and laboratories. It will treat approximately 15,000 inpatients annually.

There are other facilities for mother and child care, for outpatient service, for treatment of lepers, for treatment of psychological disturbances in children. The organization runs a series of community services including the Kiryat Yovel Community Health Center, 12 community health centers in Jerusalem, a school hygiene service, a dental

hygiene service, antitrachoma service, district health and medical service, and the Hadassah-Straus Health Center.

Nursing and medical schools under the aegis of Hadassah include the Henrietta Szold-Hadassah School of Nursing and the Hebrew University-Hadassah Medical School. Since 1946, a comprehensive fellowship program has enabled more than 200 Hadassah physicians, nurses, and hospital administrators to receive specialized training in universities and hospitals in the United States and Europe. American medical authorities are also sent to Israel to teach new skills.

The Hadassah-Hebrew University Medical Center is a vast complex of buildings, housing the 500-bed hospital, the medical school and nurses' training school, clinical and preclinical laboratories, research laboratories, and a mother-and-child pavilion. Dedicated as it is to the principles of humanitarianism, it is a magnificent blending of the latest in modern technology and the oldest of philosophies—love of mankind. Mrs. Halpern, who prizes her Hadassah membership so dearly, and I visited the site of the center during our honeymoon trip to Israel early in 1960. We were impressed beyond words by what we saw underway at the time and we are sure the finished product is indescribable. We hope to see it with our own eyes in the very near future.

In addition to the tremendous scientific achievements which will be made under the aegis of this medical center, the ladies of Hadassah have also made possible one of the most significant contributions ever made to the development of modern art. The synagogue which has been built on the grounds of the center features 12 magnificent stained glass windows created by one of the geniuses of contemporary art—Marc Chagall. These windows represent the best in contemporary technique and reflect the inspiration of religious faith. It is not surprising that the ladies of Hadassah should have been responsible for such a flawless merger of art and science, for a vital part of their philosophy has always been that cultural contributions go hand in hand with scientific advancement.

It takes no small amount of determination—and capital—to create such an institution as the Hadassah-Hebrew Medical Center. The ladies of Hadassah raised nearly $20 million for this facility which in total cost about $24 million. This represents voluntary contributions on the part of the membership. The ladies should be enthusiastically commended for their generosity and sense of purpose in this effort, even though I am sure there was considerable sacrifice on their part.

But, again, it is axiomatic that any project of this organization should be carried out with devotion to the cause and little regard for the personal sacrifices which may have been involved. This idealism has inspired the ladies of Hadassah to exert every possible effort to bring Israel the most modern medical care facilities, educational opportunities, and public health institutions, and to assist in providing the means for a full-scale war against the scourges of disease and poverty which afflict the less fortunate nations of the world.

Their zeal in these objectives is equaled only by their participation and leadership in community activities throughout our own country. Hadassah members have contributed immeasurably to the enhancement of American spiritual and moral values. Foremost among their objectives have been the advancement of principles of freedom and human rights and the promotion of greater human understanding.

Their local activities include keeping its membership fully informed so they may be able to understand and protect our precious democratic heritage and institutions at home, and strengthen the role of democracy as a force for freedom and peace abroad.

Nationally, Hadassah, as a nongovernmental organization of the United Nations, operates as a public relations arm of the U.N.'s Department of Public Information and as an accredited observer to the U.S. State Department.

On the local level, Hadassah disseminates information on political and economic issues, organizes discussion groups, urges participation of members in welfare and civic efforts which are in consonance with Hadassah's program.

On Zionist affairs, Hadassah interprets Israel and its people to the American public, thus forging closer links between the United States and Israel, democracy's outpost in the Near East. Factual information on current developments in the Middle East and monthly analyses of U.S. foreign policy, particularly as it relates to the Middle East, are made available to chapters. The organization also is particularly active in Zionist youth activities, education, and the Junior Hadassah, composed of young Zionist women.

Hadassah's ability to provide its members with an opportunity for self-fulfillment is the magnetic influence which is attracting American Jewish womanhood to its ranks. This fact in itself serves to underscore to the peoples of the world what can be achieved within the framework of American democratic society—a society which has as its hallmarks freedom of expression, freedom of activity, freedom of association, and affiliation.

The basic Hadassah approach of helping man to help himself is today a cardinal tenet in our foreign aid program. It is an approach that brings dignity to people who must turn to us for help and it is an approach that cannot but stimulate a regard for the United States, where Americans face up to their responsibilities under freedom by sharing their opportunities with those who need the sharing.

All this and more has been demonstrated by the women of Hadassah. We, Americans of all faiths and creeds, are proud of Hadassah. And we take pride and joy in celebrating this 50th anniversary of its founding. May God grant that Hadassah will continue to move forward to new horizons for the benefit of mankind.

Mr. ROONEY. Mr. Speaker, I should like to add a word of commendation in connection with the celebration on April 2, 1962, of the 50th anniversary of the founding of Hadassah, the Women's Zionist Organization of America.

During the 50 years of its existence, Hadassah has grown to be the largest Jewish women's organization in the country, and has exerted a beneficent influence out of all proportion to its size. Hadassah has been a bond of sisterhood among Jewish women, and has served Jewish youth in America by furthering projects of education in Judaism. Hadassah has contributed greatly to the worldwide movement that culminated, in 1948, in the formation of the new State of Israel. In the old mandate of Palestine, and in the new State of Israel, the contribution of Hadassah to the health and medical care of the inhabitants, to the education of youth, and to the reclamation, conservation, and productive use of land has been enormous. We Americans, of all faiths and races, can well be glad and proud to have our country symbolized, before the peoples of Asia and Africa, by the deeds and the spirit of Hadassah. I am glad to take this opportunity to express my admiration for this organization and the fine women who compose its membership, and my hope that its excellent and public-spirited work may long continue.

Mr. REUSS. Mr. Speaker, in 1918, a great American woman—teacher, scholar, and social worker—wrote:

> Herein lies the task of the historian. He must find the perspective for us. He must trace out the road—the details he may not slight. He must arrange them in patterns. He must fashion for us the soul of men.

The woman was Henrietta Szold. And today we pay tribute to a great American organization, Hadassah, which she founded and which now marks its golden jubilee year. As she outlined the task of the historian, so is it now fitting at this half-century juncture to recount the contributions of the 318,000 women who constitute the strength of this unique organization.

Organized in 700 cities, in 1,320 chapters and groups in the United States and Puerto Rico, Hadassah represents a pioneering, humanitarian, and educational force that reflects the highest elements of the American way of life and the deepest roots of our Biblical tradition. Its ideals and purposes have attracted the dedication and the boundless energies of women from every walk of life and every age group. The single-mindedness of purpose that motivates these women welds them into a cohesive, constructive, and dynamic force that has recorded an unusual chapter of accomplishment.

It is a story that predates our point 4 program, our Marshall plan, our U.S. Operations Mission and our Peace Corps. Back in 1912, Henrietta Szold saw a great need in an underdeveloped country. She recognized its potential in human material and natural resources and she organized the instrument of service which would bring to that neglected area and people the dynamics of American spirit and skill.

The country marked for that service was Palestine and the choice was a natural one. It came from the collective memories of a great and glorious past, from a sense of identification with its people and from an age-old yearning to rebuild the land of their fathers—to bring a broken and scattered people home.

Our USOM conceives of its task as one which works itself out of a job by eventually turning over the responsibility to the recipient of its service and instruction. In Hadassah parlance, this is known as their "devolutionary" policy which has, from its inception, been goal for the organization and incentive for the communities it serviced. Hadassah's hospitals in Tel Aviv, Haifa, Beersheba, Safed; its school luncheon, hygiene, and playground programs have all been turned over to their respective municipalities or to the Government of Israel after a period of training to qualify the new agencies to assume responsibility.

It is worth noting that this basic principle of translating service and dependence into self-reliance and personal confidence—a forerunner of our own foreign aid program—has been successfully implemented these past 50 years by this remarkable American women's organization.

As we survey with Hadassah the maturity of its half century, we pause to pay tribute to its crowning achievements—the courage and idealism that literally moved a mountain in the hills of Judea to create the magnificent Hadassah Hebrew University Medical Center, which is the largest and most modern center of teaching, healing, and research in the Middle East. We pay tribute to Hadassah's work in Youth Aliyah, that symbol of humanity and tenderness which became the response to the anguished cries of the Nazi holocaust. Youth Aliyah is a superb rescue and rehabilitation movement that has given life and new hope to over 100,000 youngsters who today represent some of the finest human material in Israel. We salute the many other services which this organization has rendered both in Israel and in our own country.

Hadassah's membership represents an enlightened and active citizenry, participating in vital American and United Nations endeavors with the same zeal and intelligence which they demonstrate in their service to Israel.

Mr. DADDARIO. Mr. Speaker, Americans of all creeds and races have occasion today to pay tribute to the continuing success of a great organization, Hadassah, the Women's Zionist Organization of America. Through half a century of dedicated service in this country, in Israel, and more recently in a number of newly developing nations of Africa, Hadassah has built a record worthy of emulation by any group truly interested in benefiting their fellow human beings. From the small body of women who joined with Miss Henrietta Szold in founding the organization in 1912, Hadassah has grown until more that 318,000 members now lend their ideas, energies, and funds to its important work. We all know of the monumental work which Hadassah carried out in the early years of Israel's existence—in helping create a working public health service in the midst of a country in the turmoil of a troubled birth, in transporting thousands of children, victims of the Nazi horror, to a new land and life, and in countless other ways assisting an ancient state in its reincarnation.

Perhaps less well known are some of the other fields into which this noble organization is currently moving. Under Hadassah auspices an extensive survey was carried out in recent months in Tanganyika, Kenya, and Ethiopia and discovered that some 200,000 persons in those countries were blind.

As it has so often done in other instances, Hadassah plans to meet this enormous challenge by establishing a special eye department in the hospital at Dar-es-Salaam in Tanganyika and by sending teams into the field to provide necessary medical assistance. A similar project was previously begun at Monrovia, Liberia.

One measure of the vitality of Hadassah was reported by the New York Times during the organization's 47th annual meeting last August in Denver. At that time the 1,500 delegates approved a $10 million budget for this year. The preceding year the organization had succeeded in raising for its many beneficent activities almost $11 million. All this by volunteers throughout the United States without benefit of professional fund raisers. And the results of this type of voluntary collaboration are even more impressive. Within recent years the organization has centered its activities around the establishment of Hadassah-Hebrew University Medical Center on the western outskirts of Jerusalem, a magnificent edition to the world's health facilities. Many other projects offer impressive testimony to the admirable ideals and efforts of Hadassah.

In my own district, the Hartford chapter of Hadassah is one of the largest and most active civic organizations. Among the oldest chapters of Hadassah in Connecticut, the Hartford group has 3,000 of the State's 10,000 members. In Hartford alone, Hadassah raises some $60,000 a year for the support of the Hebrew Medical Center in Jerusalem, the Youth Aliyah dedicated to finding a homeland in Israel for displaced Jewish children in many lands, and the other major programs of the organization. Hadassah makes a vigorous contribution to the life of the Hartford community and its members set a splendid example for their fellow citizens.

I take particular personal satisfaction in the expansion of Hadassah's work into the underdeveloped nations. This affords the strongest indication of the universal humanitarian character of the goals which Hadassah has adopted. The organization's motto, "Healing, Teaching, Research," reflects the transcendent values which it seeks to promote. All of us must be grateful for the devotion to duty of the women of Hadassah. May their labors continue to bear fruit as they proceed through their second half century of invaluable service to their coreligionists and to all mankind.

Mr. ADDABBO. Mr. Speaker, it gives me pleasure to join with my colleagues today in paying tribute to Hadassah in its 50th anniversary year.

From its modest beginning in 1912, when it was founded by 12 Jewish women in New York City, Hadassah has grown rapidly in membership and service. Today this organization has a membership of 318,000—including juniors—and can point with justifiable pride to its many accomplishments through the years.

In 1913, two American-trained nurses were sent to Palestine to set up a welfare station in Jerusalem and in 1961, the Hadassah-Hebrew University Medical Center was opened. It is impossible to here recount the numerous contributions made by this organization during its 50 years of outstanding service.

Hadassah is an effective force at the local, State, national, and international level for the benefit of all mankind.

I join my colleagues in commending Hadassah for its meritorious service, especially the fine work being done by the chapters in my congressional district which have achieved so much for the community and all those they have worked for, and I wish for them continued success in their every endeavor.

Mr. YATES. Mr. Speaker, today, April 2, marks the 50th anniversary of the establishment of Hadassah, the Women's Zionist Organization of America and the largest Jewish women's group in this country. Founded in 1912 by the late Henrietta Szold, a noted social worker and teacher, it was originally organized in New York under the name of "Daughters of Zion." Its name was later changed to "Hadassah," which is the Hebrew name for Queen Esther of the Bible.

From its beginnings by a group of 12 women Hadassah has over the past half century grown to an organization of 318,000 women in more than 1,300 chapters throughout the United States and Puerto Rico. Its motto through all these years has been the words of the Prophet Jeremiah: "The healing of the daughter of My people."

The history of Hadassah over these past 50 years has been truly an epic of healing and of service which has few parallels in the annals of mankind. What was begun as a modest program to raise the standards of health of the people in Palestine a half century ago has blossomed forth into an elaborate system of hospital and medical services, social welfare and child rescue work in Israel which is today recognized internationally and universally acknowledged.

The high points of Hadassah achievements are: a comprehensive medical service to the people of Israel which includes healing, teaching, and research; a rescue and rehabilitation program which brought some 100,000 uprooted children from many lands to Israel where they found a home and shelter; a vocational education program to train scientifically the young men and young women of Israel in order to enable them to enter the country's expanding economy; and the establishment of the Hadassah-Hebrew University Medical Center near Jerusalem, officially opened in June 1961, which contains a hospital, laboratories, schools, and is practically

a "city of science" in itself and one of the greatest in the world.

Hadassah takes its inspiration from the basic tenets of Judaism and seeks to impart them to its members to broaden their appreciation of Jewish life. It also seeks to broaden their understanding of world events and national problems in our own country to make them better citizens.

I wish to extend to them my best wishes on this golden anniversary and my hopes that Hadassah and its members will continue their noble and inspiring work for many decades.

Mr. LINDSAY. Mr. Speaker, today marks the golden jubilee of Hadassah, the Women's Zionist Organization of America. Usually, when women reach 50 years they would just as soon not mention their age, but Hadassah is unusual. It is unusual in various respects. It was founded by a woman who was both a scholar and a practical person, Henrietta Szold. Hadassah is unusual, also, in that it comprises a large group of people, 318,000 members, engaged in helping others who, in most cases, they never have seen and probably never will see. Hadassah is unusual, too, in having translated dreams into permanent realities. Hadassah is an American organization which has built, in Israel, and supports, great medical and public health institutions and training centers. Moreover, Hadassah maintains a program of child rescue and rehabilitation which, so far, has saved, educated, or reared over 100,000 youngsters. Hadassah also conducts activities designed to continue and maintain the American way of life, here in our own country.

A recent novel bewailed the activities of many Americans abroad, and created the phrase "The Ugly American." Hadassah, however, by carrying out many of our Nation's noble traditions of privately financed generosity abroad, may be described as "The Lovely American."

Mr. DONOHUE. Mr. Speaker, I am pleased to join with my colleague, the distinguished gentleman from New York [Mr. CELLER], and heartily agree with his comments in saluting the founder of that great organization, Hadassah, and congratulating its membership upon the 50th anniversary of their remarkable work on behalf of all humanity.

Henrietta Szold would have done enough to earn fame and the admiration of a wide American public if she had never founded Hadassah. She would have done enough to earn the lasting gratitude of the Jewish people, of America and of Israel, if she had done nothing in her life but found Hadassah. During the 52 years of her life before she founded the organization, Henrietta Szold had taught French, German, algebra, and botany, mastered Hebrew, helped edit both the Jewish Encyclopedia and the American Jewish Year Book, contributed to numerous newspapers and learned journals, and started an Americanizing school for immigrant Russian Jews in Baltimore.

Daughter of the learned and zealous Baltimore rabbi, Benjamin Szold, famous for his campaign to educate freed Negroes after the end of the Civil War, Henrietta Szold achieved an equal fame by her literary and editorial achievements, and by her zeal for the Zionist cause. After her father's death, in 1902, she started a Zionist study group for young women, which led to the foundation, in 1912, of Hadassah, as an organization of Jewish women dedicated to the encouragement of Jewish and Zionist education in the United States, and the operation of a visiting nurse service in Palestine.

Hadassah had, through many years, the good fortune to retain the services of its wise, patient, and energetic founder. It was in fulfillment of her planning that the organization grew slowly, from a little New York study group and its two nurses to a nationwide organization of more than 300,000 members, whose health and medical services in Israel have done and are doing inestimable good, and whose child rehabilitation program, Youth Aliyah, has helped more than 100,000 children to take their responsible places in the community of Israel. Henrietta Szold is quoted as having said:

> I see no sense in any movement which is not built up slowly.

Hadassah has been built up slowly, and there is in the movement, as a legacy from its great founder, that deep sense which is wisdom, enlightened by conscience, and energized by a sensitivity to human suffering. May the growth of Hadassah long continue, for the good of the world, for the glory of Israel, and for the honor of America.

Mr. MULTER. Mr. Speaker, it is a rare honor indeed to be able to pay tribute to an organization, which in its unobtrusive and magnanimous achievement, has made as its principal goals the betterment of our fellow men. In carrying out its mission, it has, by far, exceeded the expectations of its founder and principal motivating force, Miss Henrietta Szold.

Originally formed as an instrument for promoting Jewish institutions and enterprises in Palestine and fostering Zionist ideals in America, it had, and does to the present day, have as its principal task the improvement of the health standards, facilities, and hygienic standards of the people of Israel, regardless of race or creed.

It is therefore appropriate on this, its 50th birthday, to review the achievements of Hadassah by elucidating some of the notable events in its evolution.

The beginnings were modest enough. Hadassah was formed early in 1912, when 12 women led by Miss Szold met in the vestry rooms of Temple Emanu-El in New York City, adopted a constitution, and founded the Daughters of Zion, Hadassah Chapter. Today, it is worldwide. Its more than 1,320 chapters represent all the 50 States and Puerto Rico, which, with a membership of over 300,000 individuals, maintain and provide for a vast program of enlightened activities in the new State of Israel.

But to educate a population to understand its health problems and to demand a high standard of medical services, both preventive and curative, is a never-ending task. True, such standards have been incorporated into Israel's public-health programs, but the obligations do not end here.

Hadassah, in January 1962, decided to undertake to send medical teams to the new emerging nations of Africa to fight disease and aid the natives in coping with their staggering public-health needs and to aid them in formulating and implementing programs in their own areas.

It was the existence of disease and pestilence in the Palestine governed by the old Turkish Empire which so moved Miss Szold when she first visited the area in 1909. It is to the memory of this woman that so many members of Hadassah today turn for inspiration. It was Miss Szold who in the early days of Hadassah's inception and struggle from infancy to maturity set the pace. She became a mentor and diplomat, and eventually the very embodiment of the ideals which have inspired so many others to help the less fortunate. Even when she was in her seventies, she continued to exhibit the drive and meticulous industry which are the primary factors behind any success story. It is little wonder, then, that she rose to the highest councils and executive functions in the Zionist movement, and in later years made Palestine her home. In time she came to be known as the mother of the Yishu—the name for the Jewish settlement in Palestine before the establishment of the State of Israel.

As Mrs. Rose Halpern, national chairman of the golden jubilee committee, has said:

> Miss Szold did not regard the American Zionist unit as an expedition for a limited time. Its major motivation was not establishing a hospital. To her it was the genesis of countrywide constructive institutional medical service.

Because of her belief that a journey of a thousand miles begins with one step, Miss Szold made sure that Hadassah's early programs did not by their weight carry the movement to an early grave.

Hadassah's first attempt in 1913 was the sending of two nurses to Palestine to establish a small welfare station in Jerusalem which provided maternity care and treated disease. The years following saw Hadassah's growth and influence spread throughout Palestine. Through the gradual establishment of hospitals, child welfare clinics, diagnostic, research, and community health programs, medical and nursing educational facilities, a very fine public health system came into being. Today, Israel has the highest doctor-patient ratio in the world. The multifarious diseases which afflicted and debilitated the people of the Middle East for centuries have to a large degree been annihilated in the areas where the beneficent resources and work of Hadassah have been applied and faithfully adhered to.

By 1939, Hadassah opened its first medical center on Mount Scopus. Nine years later, because of the Jordanian-Israeli dispute, the area came under the supervision of the United Nations, thereby forcing the hospital to close its doors. But Hadassah did not close its doors. New ideas were directed to the planning of two efforts; the construction of a new medical center, and in conjunction with the Hebrew University, the building of Israel's first medical school. At the same time, Hadassah replaced its Mount Scopus facilities by establishing a network of four hospitals in Jerusalem. On May 17, 1949, Hadassah and the Hebrew University opened the first medical school in the State of Israel. At the dedication ceremonies, the Prime Minister of Israel remarked:

> [The institution] is bound up with one of the most active organizations in the Zionist movement—Hadassah—that has for more than 30 years left its stamp both on the history of the world's largest Jewish community and on the fulfillment of Zionism in Israel.

In August 1960, 254 physicians, 514 nurses, and over 1,000 other staff members viewed the dedication of the multimillion-dollar Hadassah-Hebrew University Medical Center, which has since become the focal point for its overall social welfare and medical programs. Considering that in 1909, when 12 doctors were situated in Jersualem and 45 scattered throughout Palestine, the center alone could stand as a monument to the fortitude of its designers and organizers. There is more.

One of the most imaginative rescue undertakings was the Youth Aliyah, instigated and led until her death in 1945 by Miss Szold. Its purpose was to save Jewish children from persecution and resettle them in Palestine. It began in 1934 with the rescue of Jewish children from Germany, and eventually extended to the Nazi-occupied countries, and concentration camps. By the end of 1945, some 17,000 children had been rescued. In 1954 the number had risen to 62,000. In America the leading promoter of the enterprise was Hadassah, with the women's branches of the religious and labor branches of Zionism also participating. In all, Hadassah, either directly or indirectly, has been responsible for the transportation of over 100,000 Jewish orphans, who in turn have shown their gratitude by aiding immeasurably in the building of the Jewish nation.

From this incomplete sketch, one can draw only one conclusion as to the character of the Hadassah women. Their acts are selflessly devoted to service. They do not fall into the idle pastime of self-praise and fanciful notions, but have consistently translated their ideas into realizable objectives. In undertaking to educate a population to understand its medical problems and to demand a high standard of medical service, the support of the Youth Aliyah program, vocational education, and land reclamation projects, they have not compromised their belief in the democratic ideals or allegiance to their greatest exponent, the United States of America. On the contrary, Hadassah's traditional policy toward Israeli politics has been a steadfast refusal to affiliate or identify itself with any political party within the country. Consistent with this is Hadassah's dedication to strengthening the heritage and institutions so inherently a part of our own American democracy, and by their deeds, have come to espouse its cause as a force for peace and freedom abroad. In this way, Hadassah's desire for a two-way passage between America and Israel is maintained, while at the same time fulfilling their avowed responsibility to the perpetuation of the Jewish faith and way of life.

Hadassah thus has proven that allegiance to a faith and belief and to one's community and country need not be compromised or come into conflict. It has become an example of a democracy's unflinching dedication and high regard for the interests of all mankind. To the ideal, and the realization of its ultimate purpose by deeds of accomplishment personified by Hadassah, we express our deepest admiration and gratitude. It is a magnificent refutation of all those forces at large today who wish to denigrate our American way, whether it be here at home or abroad. We are proud to add these words of praise and recognition of the deeds of a truly munificent organization of American women.

Mrs. KELLY. Mr. Speaker, I am glad that the veteran dean of our New York delegation [Mr. CELLER] has called our attention to the good and useful works of Hadassah and that he has given us the opportunity to pay tribute to that magnificent organization as it celebrates its jubilee. We are accustomed, in this House, to debate and controversry. We should, more often, take the time to salute our citizens who have served humanity in a constructive and positive way. As a woman, I am familiar with the record of Hadassah's many achievements—its battle against disease, its rescue of refugee children, its scientific research, its establishment of hospitals, clinics, health centers and schools, its service in many lands, to the Arabs and Jews in Israel, the people of newly independent nations in Asia and Africa. And I know how Hadassah has inspired American Jewish women to work together in a service organization, dedicated to making this a better world.

Many of us have been to Israel. We are stirred and stimulated by its unprecedented growth. I have visited this little country with my colleagues in the House Committee on Foreign Affairs, and I have seen how it has taken in a million people, transforming them into productive members of its society, in a few short years. Our own Government has made substantial and large-scale contributions to this effort. And our aid has been most effectively used.

But it is important to recognize that Israel was not built overnight or in the 14 short years of her contemporary history. The restoration of Israel began long before the State of Israel was established. It began with the early pioneers who came to Palestine almost a century ago, and who tried to extract life from desert and stone.

Among those pioneers were American women, who, half a century ago, sent the first medical mission to Palestine to help mothers and children. It was the first of Hadassah's many contributions to that country. As people came to settle and develop the new land, Hadassah's institutions expanded and its services grew.

Fifteen years ago this summer the United Nations came to Palestine to make a political decision on the future of the country. A special committee toured the land and talked to its people. It soon became clear that the foundation of the Jewish state had already been laid. The Jews offered an exhibit of work done and deeds accomplished. Officially, the U.N. recommended the establishment of the State of Israel. In truth, the U.N. was actually recognizing the State of Israel. For all practical purposes, it was already there.

Hadassah did much to make that state a reality. By the time the U.N. went there, the tiny medical missions of 1912 and 1918 had grown into a magnificent hospital on the top of Mount Scopus. And one of the highlights of the U.N. visit to Palestine in the summer of 1947 was the visit to that institution, and to the Hebrew University nearby.

Many of the doctors and nurses who proudly showed the U.N. diplomats through their modern gleaming hospital that day did not live to see the establishment of Israel. On April 13, 1948—just 30 days before the official proclamation—75 doctors, nurses, and scientists of Hadassah and Hebrew University, including Dr. Haim Yassky, the director of Hadassah Medical, were ambushed and burned to death in a bus on the road up to Mount Scopus.

And, tragically, the hospital building, isolated on Mount Scopus, never again has been permitted to serve Israel and Jerusalem because it was cut off from the Jewish state. It remains neglected and unused even to this day, an unpleasant reminder of the waste of war and the stubbornness of unreconcilement.

But it is tribute to the resiliency and dynamism of Hadassah that it continued its work in besieged Jersusalem, using outmoded buildings and, undaunted by the loss of its Mount Scopus Hospital, it has built a new hospital and medical center at Ein Karem—a showplace of the human spirit which was finally opened last June.

Hadassah's work has far from ended. Before the Arab-Israel war, Hadassah ministered to the needs of Arabs and Jews alike. Inside Israel, it continues its work, giving health and prolonging life to men, women, and children of all creeds. Its work has helped to overcome differences and to promote cooperation and understanding. Someday, we hope soon, Arabs and Israelis will come together in peace.

When that day comes, Hadassah will have a new and challenging opportunity. Its knowledge, its skill, and its spirit will cross frontiers and reach the Arab peoples, even as it is already reaching the many peoples of Africa. When that day comes, the peoples of the Near East will count new blessings.

Mr. ADDONIZIO. Mr. Speaker, the proposition that greatness in one produces greatness in many finds no better evidence for its veracity than the Women's Zionist Organization of America and the manner in which it has carried forward the work begun by its founder, Henrietta Szold. It has now attained a membership close to 400,000, raised some

$200 million for its work, and become the second largest Jewish fundraising organization. This remarkable progress began in 1912, and this year, 1962, all of us join the women of Hadassah in celebrating the 50th anniversary of their group.

Hadassah began in the tiniest way. Henrietta visited Palestine with her mother in 1909, and among the sights presented to her horrified eyes was that of children suffering from trachoma—children whose eyes were covered with flies. The population had all the destitute fatalism of the impoverished and the doomed. When one mother was asked why she did not brush the flies away from her child's eyes, she replied, "They will only return." If a great many tourists have run away from such realities, or been indifferent to them, their selfish insensitivity has in large part been compensated for by Miss Szold and by Hadassah. Upon her return from Palestine, Henrietta proposed to her Zionist study circle—the original Hadassah—that two public health nurses be sent to Palestine to help combat the raging diseases there. Fortunately, the philanthropist Nathan D. Straus agreed to pay the nurses' first year salaries; otherwise the project would have been too costly. In 1912, a total of eight women's study groups met in Buffalo and established the national organization, calling it Hadassah in honor of Miss Szold's original group.

Truly extraordinary are the changes in Israel health statistics since Hadassah began its work. By 1948, when the present state was established, the infant death rate, which had been 140 per 1,000 in 1918, was down to a Western World normal of 29. Trachoma among school children was down from 34 to 4.3 percent, ringworm from 40 to 1 percent. In 1912 there were only 12 doctors in Palestine and 45 in all Palestine. Israel now has 4,700 physicians—giving it the world's highest doctor-patient ratio—and an excellent medical school for training new doctors.

It has been said:

> The 24 years she spent in Palestine converted Henrietta Szold from an admirable woman of her day into a great woman. Yet for all those years she refused to regard herself as anything but an American on a particular mission about to return home.

The selfless nature of this spirit of helpfulness has transformed Hadassah from an admirable organization meeting the problem of its time to a great organization. It is by such activities as this that we will win the favor of the undeveloped peoples who are destined to play so great a part in coming world affairs. For this pioneering effort, we owe the women of Hadassah a great debt. It is, however, a debt we can never repay, for Hadassah has built its own monument in the welfare of the people of Israel.

Mr. RODINO. Mr. Speaker, it is very gratifying to me that the Women's Zionist Organization of America receives generous commendations on the floor of the House of Representatives of the United States. All of us owe Hadassah our sincere thanks as well as expressions of admiration and encouragement. Much to my delight, there are many Hadassah groups in my district, and I know many of their people personally. It accordingly gives me great personal pleasure to be able to say that these groups are a credit to my own State and to all the United States.

Medical missionary work produces no reward other than that of benefiting others. While there is no higher reward, such values are perceived only by the selfless and the truly good. Any beneficent enterprise which is conducted on the scale of Hadassah's activities exerts a valuable influence upon the communities in which it works. It constitutes a reassertion by positive action of the efficacy of our most basic principles and ideals.

The progress and development of Israel is one of the important phenomena of recent times, for it is the concrete realization of a humane ideal. I am sure that the efforts of Hadassah in elevating the conditions of health, sanitation, and social welfare in that area have been an important factor in Israel's growth. But this is not to imply that these efforts have been limited to Israel; on the contrary, there are medical teams now fighting disease in Africa and Asia under the sponsorship of Hadassah and the Hadassah Medical Organization in Israel.

Initiated by Henrietta Szold in 1912, Hadassah has revolutionized the area of Palestine by making a weak and disease-ridden population into a strong and healthy one. This result is much greater than Israel itself. When there are so many depressed and underdeveloped areas in the world, the achievements of Hadassah prove the humanity of more prosperous countries and bring reason for faith to the hopeless. Civilization itself has no worthier goal than the civilizing of unfortunate peoples.

I know that the people of my district join me in congratulating Hadassah on its 50th birthday and in sending the ladies of Hadassah every good wish for the future. If their future is like their past, our wishes will be fulfilled.

Mr. LANE. Mr. Speaker, the best qualities of a people are revealed by what they do voluntarily, of their own free will.

Hadassah, the Women's Zionist Organization of America, is the dynamic proof of this fact.

Because the Jewish people have suffered so much throughout history, they have developed the compensating strength of understanding, sympathy, and compassion. In proportion to their numbers, they lead all other groups in the heart and work and money they give to charitable causes. In my own community of Greater Lawrence, they have been active in raising funds to build and maintain the Bon Secours Hospital, which is organized and managed by an order of Catholic nuns.

Hadassah is the largest Jewish women's organization in our country. Its practical idealism provides opportunity and fulfillment for tens of thousands of Jewish women who want to help those less fortunate than themselves. It was 50 years ago that, stirred by the plight of their kinfolk in Palestine, they decided to come to their aid. Year after year since then, by their zeal and their own efforts, they have raised and forwarded large sums of money to that area, in the successful struggle to overcome ignorance, poverty, and disease. That help grew in range and effectiveness, after the Republic of Israel was born. Medical, educational, and social services were organized and supported by Hadassah.

Without this material help and encouragement, the modern and progressive nation of Israel might not have succeeded in overcoming the formidable obstacles that threatened its survival and growth. It might not have become the inspiring example of what people can accomplish through faith, hard work and cooperation to raise the general standard of living, and thus encourage the peoples of neighboring countries to seek the same goals.

Hadassah is proud of its accomplishments, not only in Israel but in Asia and Africa. It has trained doctors and nurses as missionaries of hope to go forth and help the backward peoples of other lands, and open the door to a healthier and happier future.

America admires the devoted women of Hadassah; their philanthropic spirit, and their good work for humanity.

We congratulate Hadassah on its golden jubilee.

Its record of achievement in the past is the incentive for its greater future.

Mr. ZABLOCKI. Mr. Speaker, I am deeply grateful to our distinguished colleague from New York, the chairman of the Judiciary Committee [Mr. CELLER], for having brought to our attention the notable achievements of Hadassah, the Women's Zionist Organization of America, and its great contributions to the betterment of mankind over the past 50 years.

In Milwaukee the chapter of Hadassah has a membership of approximately 2,800 women. It, along with chapters in 700 other American cities, has been active in fostering medical programs in Israel and elsewhere in the world.

Just 1 year after its founding in 1913, Hadassah sent two American-trained nurses to Palestine to set up a small welfare station in Jerusalem for maternity care and the treatment of trachoma, the dread eye disease of the Middle East.

In 1918 Hadassah, cooperating with other organizations, sent a medical unit of 45 physicians, dentists and nurses to Palestine. This unit established the first modern American-style hospital clinic services in four cities. Intensive campaigns against malaria, cholera, trachoma and scalp diseases were begun and sanitation programs initiated. The Henrietta Szold School of Nursing—named after Hadassah's scholarly founder—was the first nurses training school in Palestine.

From 1921 to 1931, Hadassah contributed to scores of hospitals, clinics and mother-child welfare stations. In 1933 this remarkable organization launched a building fund campaign for the construction of the Rothschild-Hadassah

University Hospital in Jerusalem. It was the first medical center in Palestine when it opened in 1939. Ten years later the Hebrew University-Hadassah Medical School was opened in Jerusalem with an initial class of 50 students.

Today Hadassah is expanding its work to help a number of African countries cope with their health problems. Plans are already underway to send a medical team to Tanganyika to combat eye diseases.

For these health services and its many other accomplishments in related fields, Hadassah is to be highly commended for five truly golden decades of service to mankind. We wish them many more years of fruitful service.

Mrs. GRANAHAN. Mr. Speaker, I certainly want to take advantage of this opportunity today to participate in a formal tribute in the Congress of the United States to the 50th anniversary of Hadassah. The good works of this dedicated organization have stood out over the years as a symbol of humanity's better nature. We hear often of man's inhumanity to man; in Hadassah we see the opposite side of that coin—woman's humanity to humanity. For 50 years, the women of Hadassah, gladly and proudly, made many sacrifices of money, but also, and more importantly, of time, effort and thought, to alleviate human suffering.

Philadelphia's Hadassah organization is one of many such groups in the United States, and if they are all as active, as energetic and as effective as Philadelphia's Hadassah, then it is no wonder that this organization over the years has achieved such wonders and accomplished so much.

In this 50th anniversary year, I am happy to join my colleagues here in the House in saying to Hadassah: May the next 50 years be even more rewarding. If that wish comes to pass, all humanity will benefit, for Hadassah's support of medical research has been helping the sick of the whole world.

Mr. PUCINSKI. Mr. Speaker, today marks the 50th anniversary of the formation of Hadassah, an organization which through its humanitarian deeds has brought inspiration to people of all faiths, ethnic backgrounds, and racial origins throughout the world.

In paying tribute on this 50th anniversary to Hadassah, we simultaneously pay tribute to the dedicated American women of the Jewish faith who have made this inspiring organization possible. Through their unselfish efforts in this cause, they have given living meaning to the principles on which our own great Nation was founded and continues today to set an example for the entire free world.

A large measure, perhaps the greatest credit for the maturity with which Israel accepted the mantle of independence in May of 1948 must go to the women of Hadassah. The standards and the system of public health so prevalent in Israel's development as a separate nation were established on the foundation laid by this organization.

In 1912 a dozen American Jewish women offered their good will and technical assistance to the people of Israel. In the five decades of development that followed, Hadassah's activities have expanded until they reach into every corner of the land, and touch every citizen.

Hadassah is CARE, the 4-H, and the Peace Corps somehow all uniquely joined together to preserve the health and welfare of all Israel citizens. Its task has been performed so well, in fact, that doctors and nurses trained at the Hadassah-Hebrew University Medical Center are now lending their services to people throughout the Afro-Asian nations.

Israel's present hospital system, its medical education, and vocational education institutions, its research facilities, child welfare agencies and clinics were established and assisted by Hadassah. The Youth Aliyah, for example—Israel's organization for the resettlement of orphaned and immigrant children—has successfully helped more than 100,000 children from 72 countries to find homes again. Hadassah consistently contributes more to this cause than any other organization in the world.

The success with which Hadassah has coped with the obstacles of fear and superstition is an inspiration to medical teams everywhere. The newly emerging states are facing many of the problems which were so successfully faced by Hadassah 50 years ago. It is to the everlasting credit of the Jewish people that the knowledge gained from these early experiences is now being imparted to dedicated people of all races and religions in the new African and Asian states.

The women of Hadassah are to be congratulated for the skill and compassion they have contributed in freeing so much of our world from the scourge of sickness and disease. Their success is a tribute to the brotherhood of all men.

Mr. CAREY. Mr. Speaker, I commend our colleague, the distinguished chairman of the Committee on the Judiciary and dean of the New York congressional delegation, the Honorable EMANUEL CELLER, for taking time today to pay honor to Hadassah, the Women's Zionist Organization of America, on the 50th anniversary of the founding of this fine order by Miss Henrietta Szold in the year 1912.

The work of Hadassah in the field of public health has earned for the organization an international reputation. When Hadassah came into being in 1912 the land of Palestine was full of plague, disease, and pestilence. The population was rapidly decreasing. With the appearance of American medical aid under the auspices of Hadassah, health has returned to the country in 50 short years.

By 1948, the year that the State of Israel was launched among the nations of the world, the infant death rate had dropped from its alltime high of 140 per thousand in 1918 to a Western World normal of 29 per thousand. Trachoma, malaria and ringworm, once the scourge of the Near East, are now on the verge of elimination in Israel, thanks to Hadassah.

It is fitting that we mark the tremendous growth and effectiveness of Hadassah's dedicated membership. The force of peace and freedom has been measurably advanced by this splendid group. The understanding and interpretative dissemination of the message of the people of Israel to the American public has brought about great mutuality in the resolution of the problems facing both of our nations.

The interest of this order in the amplification of opportunity in the field of youth conservation, education, and the preservation of heritage is most laudable. Truly all of us who cherish freedom should herald this commemoration of the unselfish and unswerving purpose of its founder. Counting its years, this order has had a span measurably short of a lifetime but numbering the lives it has saved and served its contribution is immense and magnificent. It is my hope that the women of Hadassah in my community and throughout the land will continue their zeal and diligence until the cause of justice, brotherhood, and the common bond of Israel and America truly reward their efforts.

Mrs. DWYER. Mr. Speaker, many of us here have been privileged in past years to join in public recognition on the floor of the House of the yearly anniversaries of Hadassah, the Women's Zionist Organization of America.

Each of these past anniversaries, in retrospect, has become a milestone of accomplishment leading to the summit of this year's golden jubilee year. It is especially fitting, therefore, that the House should recognize this significant occasion and consider the role of Hadassah and the inspiring work of service its members have performed in Israel and the United States.

Through my many friends in Union County who are members of Hadassah, I have followed and marveled at the growth of the organization. From a group of 12 women in New York in 1912, led by the late Henrietta Szold, Hadassah has magnified in numbers to nearly one-third of a million members, in over 1,300 chapters in almost 700 cities and every State in the United States. From a modest nurses training and public health nursing program 50 years ago, Hadassah has expanded in service in truly breathtaking fashion—embracing all who need help in the open arms of its generous and compassionate members.

The good works of Hadassah are everywhere in evidence; caring for the sick, pushing ahead the frontiers of knowledge through education and research, providing a haven for the young and homeless, giving to youth the training and the opportunity to become productive members of a new and exciting society, and redeeming the land and rehabilitating the people of Israel.

Hadassah's ever-flexible, ever-expanding program ranges from encouraging interest and understanding among its members of our democratic heritage at home to creating the social and economic conditions in Israel which will assure the strength of freedom and democracy in that tiny and hazardous corner of the earth.

In everything it does, Hadassah's focal point is people, human beings who need help or who seek an opportunity for service. And the means it employs are appropriate to the objectives: discussion groups, publications, youth activities and study here in the United States, aimed

at enriching their members' lives both as Jews and as American citizens; and in Israel, clinics, health centers, research institutes, hospitals, community centers, medical and nursing schools, vocational training, agricultural settlements, youth rehabilitation centers, immigration assistance—the almost endless gamut of social welfare services which the people of a young and rapidly growing nation so badly need.

It would be a foolish and hopeless endeavor, Mr. Speaker, to attempt to assess in any precise way the good that Hadassah has accomplished. It is beyond calculation, both in magnitude and meaning. For who can reduce to quantities the meaning of a life saved or of hope restored? Who can count the blessedness of relief from misery, pain, and fear?

As representatives of all the American people, let us congratulate our friends and fellow citizens of Hadassah and assure them they have the gratitude and admiration of all of us as they go about doing good.

Mr. DOOLEY. Mr. Speaker, it is with pride that I join my distinguished colleagues today in a salute to the Hadassah Women's Zionist Organization of America. On the occasion of their golden jubilee it is fitting that we congratulate the 318,000 American women of Hadassah, who have, with their tradition of 50 years of service and good works, set an example for us all.

In 1912, on the Jewish holiday of Purim, a small group of women met in New York to form the Hadassah organization. A year later the first Hadassah nurses were sent to Palestine to combat the shocking health conditions in that country. Today, the Hadassah Medical Organization has become a vast system of healing, teaching and medical research, child rescue work, vocational education, social welfare, and land redemption. It includes the new Hadassah Hebrew University Medical Center in Jerusalem, which has been hailed as one of the finest institutions of its kind in the world; a community health center; a mental hygiene and child guidance center; Israel's only leprosarium; a medical, a nursing, and a dental school, and many other institutions too numerous to mention.

Through the work of Hadassah the backward, disease-ridden country of Palestine has emerged as the dynamic, pioneering State of Israel. It is characteristic of the ladies of Hadassah that they have utilized the American spirit of pioneering and combined it with our love of liberty. These are the selfsame traditions that the United States of America and the State of Israel have in common. Both were forced to fight a war in order to achieve independence, both were developed by immigrants who flocked to their shores from all parts of the world, and both have conquered the desolate land which had stood neglected for centuries.

Israel, like America, also feels that it has a duty to work with less fortunate nations of the world. Within Israel's technical assistance program in the newly developing Afro-Asian countries, Hadassah plays a major role. In Liberia, Tanganyika and Ethiopia hospitals and antitrachoma programs have been set up with the aid of Hadassah medical teams. These teams do not only supervise the programs, but also teach the doctors and nurses of the host country to take over the programs. In addition, students from at least 10 different African and Asian nations are receiving an excellent medical education in Hadassah's medical school in Israel. Thus, the work of Hadassah not only serves the cause of good health throughout the world, but, in addition, is a vehicle for the American and Western tradition of freedom in the underdeveloped nations of the world, setting an example and proving the power of democracy as the best vehicle for development.

For all these reasons and for the wonderful work Hadassah has done in vocational education and in the resettlement and rehabilitation of thousands of children from all parts of the world, I am proud to hail it today. I only hope that we will soon see the day when disease and poverty have been conquered and Hadassah's mission will be gloriously complete.

Mr. SANTANGELO. Mr. Speaker, it is a privilege for me on this 50th anniversary to participate in doing honor to Hadassah, the Women's Zionist Organization of America.

In celebrating this day we recognize the public-spirited work of Hadassah, the largest Jewish women's organization in the world. This organization has participated fully in the democratic way of life and has fortified its activities by providing basic education in Judaism.

Its religious fervor has manifested itself in deeds of charity and in social welfare work not only in America but also in that great democratic state in the Near East, Israel. This organization, guided by tender hands and humane hearts, has ministered medical services to those in need.

The world is indebted to Miss Henrietta Szold who founded Hadassah in 1912. Over 318,000 members in over 1,300 chapters follow the principles of Henrietta Szold and Hadassah. They are dedicated to raise the standard of health in Palestine and to foster Jewish ideals. We congratulate them on their past accomplishments, we encourage them to continue their fine work, and we wish them well.

Mr. SCRANTON. Mr. Speaker, I would like at this time to say a few words apropos of Hadassah, the Women's Zionist Organization of America—a group engaged in work of the utmost importance to the cause of humanity.

Fifty years ago Hadassah entered the struggle for better living conditions in Palestine, which by then was already the prospective site of a Jewish national state. In 1912 plague and death dominated the land and poverty prevented the presence of adequate medical facilities. In answer to all of this, Hadassah was organized in America and went to work raising funds for medical assistance to the people of Palestine.

Since that time, the effort has been continued and expanded to the point where disease in that area has all but been erased, with the aid of $200 million, raised by the women of Hadassah.

By the time the State of Israel was born, in 1948, the infant death rate, which had been 140 per 1,000—in 1918—was down to a Western World normal of 29. Trachoma, the dread eye disease, was down from 34 to 4.3 percent; ringworm from 40 to 1 percent.

To accomplish results of this nature it was necessary to build many hospitals—and Hadassah accomplished the task. In a recent visit to Jerusalem, I had occasion to visit one of these hospitals, which impressed me as being among the most modern in the world.

To the women of Hadassah belongs the pride of knowing that theirs was an errand of mercy, crowned with success.

And as one of those who have viewed their success, in terms of the happy and healthy Israel population, I hail their cause, in the name of humanity.

Mr. ZELENKO. Mr. Speaker, I wish to take this opportunity to commend Hadassah, the Women's Zionist Organization of America, on the occasion of its golden jubilee celebration.

We are all acutely aware of the tremendous accomplishments that Hadassah has made in the past half-century. Hadassah can be proud to look back on a remarkable record of achievement and forward to a future of continuing services in Israel and the United States. Founded in February 1912, the Hadassah program began as a modest attempt to raise the health standards of what was then Palestine. It has become an intricate system of healing, teaching, medical research, child rescue work, vocational education, social welfare, and land redemption which has earned international renown.

Unique in its flexibility, Hadassah has always been able to go forward with its ever-expanding program, even in the face of emergency situations in Israel and the United States. During World War II, Hadassah mustered its membership at home and earned a citation for its war effort while it geared for medical cooperation with the Allies on the Middle Eastern front.

In postwar Israel, after the creation of the state, Hadassah met the new challenge—the sudden flood of new immigrants—by a program of social and economic rehabilitation.

Hadassah's program in the United States stresses our democratic heritage and is pointed toward strengthening the role of democracy as a force for freedom and peace abroad. Objective and nonpartisan, Hadassah encourages interest in major issues by providing factual information to its members. It is its desire to forge closer links between the sister democracies, the United States and Israel.

From my own personal observations on several recent trips to Israel, I could not help but notice the scope and size of the many Hadassah projects mushrooming throughout this young democracy. These effective and useful projects have cemented the already firm bond of friendship between Israel and the United States.

The impact that Hadassah has had on the growth of Israel is incalculable. In fact, during my last visit, in a conference

with Premier Ben-Gurion, this observation was made to me by the Premier.

I am thus proud to join in this 50th anniversary celebration, proclaiming Hadassah's golden jubilee year.

Mr. MACDONALD. Mr. Speaker, this year, Hadassah, the Women's Organization of America, is celebrating its 50th anniversary as a nationwide movement of women dedicated to service to the United States and Israel. Hadassah, with a membership of 318,000 is the largest group of its kind in the world. I want to take this opportunity to extend my hearty congratulations and sincere best wishes to this fine organization. As Hadassah looks back at a remarkable record of 50 years of high achievement and progress, I wish to express the heartfelt desire that it will continue to grow and prosper.

I have been most impressed with Hadassah's history of medical service to Israel. From its inception in 1912 continuing to the present day, Hadassah has provided an ever-expanding program of medical care to the people of Israel. The goal of medical aid and public health service was foremost in the mind of its founder, Miss Henrietta Szold, a Baltimore schoolteacher, Hebrew scholar, and social worker. Miss Szold was distressed by the prevalence of malaria and trachoma in Palestine, where there was little, if any, medical aid available. This emphasis in medical programing may be seen in Hadassah's motto which is taken from the words of the prophet, Jeremiah: "The healing of the daughter of my people."

In 1913, the second year of Hadassah's existence, the organization sent two American-trained nurses to Palestine to set up a welfare station in Jerusalem for maternity care and the treatment of trachoma. By 1918, the Henrietta Szold School of Nursing, the first nurses' training school in Palestine, was opened in Jerusalem. Today the school of nursing has complete housing and teaching facilities for 150 student nurses.

In 1939, the Rothschild-Hadassah-University Hospital in Mount Scopus was opened. Another first for Hadassah, as this was the first medical center in Palestine. The medical school, at that time, was for postgraduate students and research only. In June of last year, the Hadassah-Hebrew University Medical Center was dedicated, a majestic 21-building complex devoted to medical healing, teaching, and research activities.

The Hebrew University-Hadassah Medical School is, in my estimation, the outstanding achievement of Hadassah's half century of existence. The school, which is Israel's only medical school, opened in 1949 with an initial student body of 45. Today, the medical school has a student body of over 700, and one of the finest faculties in the world. The Hebrew University Medical School has already given Israel a corps of expertly trained physicians. Graduates of the school constitute 90 percent of the hospital resident physicians in Israel. Since 1946, a comprehensive fellowship program has enabled over 200 Hadassah physicians, nurses, and hospital administrators to receive specialized training in universities and hospitals in the United States and Europe.

The Hadassah program began as a modest attempt to raise the health standards of Palestine. This program has grown into an intricate system of healing, teaching, and medical research. Hadassah has laid the foundation of a significant public health program through its hospitals, mother-and-child clinics, community health programs, diagnostic, clinical and research activities, medical and nursing education.

It is my devout hope that all the countries of the Middle East will put aside petty bickering and jealousy in order that the benefits that flow from this great school may be utilized by all the people of the Middle East. Such a development would stabilize peace and inure to the benefit of all mankind.

Mrs. GRIFFITHS. Mr. Speaker, 1962 marks the golden jubilee of the women's Zionist organization of America—Hadassah.

Organized in New York in 1912, under the direction of Henrietta Szold, this group can look back on five decades of outstanding achievement.

The beginning years were devoted to initiating, expanding, and consolidating a program which laid the foundation for what was to become a widespread medical system.

The purpose of Hadassah then as now is dual in nature—fostering Zionist ideals in America and establishing public health nursing in Palestine.

The American Zionist Medical Unit, the Henrietta Szold School of Nursing, Hadassah Hospital, and Rothschild-Hadassah University Hospital are but a few of the achievements of those early years.

As the stirrings of World War II were first felt, it was Hadassah that initiated the Youth Aliyah movement that would eventually transfer over 100,000 Jewish children from Europe into Israel.

During the war Hadassah membership was mustered behind the American war effort and in postwar Israel, after the creation of the new state, this organization met a new challenge—the sudden flood of new immigrants—by a program of social and economic rehabilitation.

Perhaps the most magnificent accomplishment of Haddassah is the Hadassah-Hebrew University Medical Center which rests on a hill above Ein Karem. This veritable city of science opens its healing doors to all, no matter what creed or nationality.

Thus from its initial modest attempts to improve medical standards in Palestine, Hadassah has developed an internationally renowned medical, educational, and social welfare system.

While its roots are in the beginnings of the Jewish people, in the United States it has found the healthy suroundings and conditions that have enabled it to grow and thrive.

In the United States achievements like Hadassah's are an intrinsic part of our privilege as free citizens in a democracy. Because of this freedom, Hadassah has helped interpret Israel and its people to the American public and thereby has strengthened the bonds between our two countries.

Mrs. GREEN of Oregon. Mr. Speaker, today is the 50th anniversary of Hadassah, the women's Zionist organization of America, and I rise in tribute to its achievements.

Hadassah has grown from a handful of dedicated individuals devoted to the ideals of their religion and the problems of public health nursing to the largest Jewish women's organization in the world with active interests in public health, medical research, child rescue work, vocational education, social welfare, and land reclamation.

Clearly, this is no organization withdrawn from society or prone to righteous pleading: it is an actual organization. There is no gap between its beliefs and its practical undertakings. The expansion of the activities of the association came in response to the calamities of disease, ignorance, poverty, and war. Its devotion to these universal and unending tasks has not eroded its patience nor its energies in coping with them.

Its health activities have fulfilled pioneering roles not only in Israel but also in the newly developing Afro-Asian countries. Hospitals and medical teams have conducted work in Monrovia and Tanganyika, and medical education is supplied to students from many countries of Africa and Asia.

Hadassah is an example of the close affinity of spiritual values and practical service to mankind. Its outlook is not narrowly sectarian but broadly humanitarian. In pursuit of its aims it has cooperated with other service organizations, such as the National Citizens Committee of the WHO and the National Civil Liberties Clearing House.

I congratulate Hadassah in its golden jubilee year as an outstanding group dedicated to the highest ideals of democracy and good will.

Mr. COHELAN. Mr. Speaker, it is indeed a privilege and a pleasure to join with my colleagues in extending warm congratulations and good wishes to the women's Zionist organization of America—Hadassah—on the occasion of their 50th anniversary.

This outstanding group of public-spirited, patriotic American Jewish women has a remarkable record of achievement. These achievements include development in the State of Israel of hospitals, health centers, research, training, and medical care services. They include the rescue and rehabilitation of over 100,000 Jewish children from various countries, uprooted by World War II and its aftermath.

In addition, I would like to point out that Hadassah promotes good Americanism. It does this through an information program where members receive study materials on vital domestic and international issues so that they may participate actively and intelligently in community, State, and national affairs.

Hadassah is to be congratulated on its half century of constructive, humane work. May its efforts be crowned with success in the future as they have in the past.

Mr. KARTH. Mr. Speaker, this year we celebrate the golden jubilee of a most unique service organization, Hadassah, the women's Zionist organization.

Organized in 1912 by that remarkable humanitarian, Miss Henrietta Szold, the Hadassah program was originally intended to raise the health standards of Palestine. In 1913 Hadassah sent two American trained nurses to Jerusalem to establish a welfare station for maternity care and the treatment of trachoma. By 1918 the Henrietta Szold School of Nursing, the first such school in Palestine, was opened in Jerusalem. Today the school of nursing has facilities for the housing and teaching of 150 student nurses.

In the five decades of its existence Hadassah has assiduously pursued its original purposes of fostering Zionist ideals in America and establishing public health nursing in Palestine.

During the cruel years of World War II Hadassah put its substantial efforts in the movement of the transfer of 100,000 Jewish children from Europe into Israel. When the new State was founded the ladies of the Hadassah successfully met the challenge of the flood of new immigrants with a social and economic rehabilitation program.

Today in Israel the new Hadassah-Hebrew University Medical Center in Jerusalem—a 21-building complex devoted to medical healing, teaching, and research—stands as an imposing monument to the greatness of this organization. Not only is Israel benefited but the center, through its medical education programs, has been the means of serving the cause of health and taking the western tradition of freedom into many Asian and African nations.

I am proud on this occasion to salute the work of the more than 318,000 members in over 1,300 chapters throughout the country who carry forward the principles of Miss Henrietta Szold.

Mr. GIAIMO. Mr. Speaker, I wish to join my colleagues in offering congratulations and commendations to Hadassah on the occasion of the observance of its golden anniversary.

In its 50 years of life, Hadassah has grown from the zeal and determination of one dedicated American woman, Miss Henrietta Szold, into an organization of more than 300,000 women, whose devotion to principle is more than praiseworthy and whose accomplishments are virtually unequalled.

Hadassah was established to promote Jewish institutions and enterprises in Israel and to foster the ideals of Judaism. But Hadassah's value is not limited to its work for Israel. By keeping its members fully informed on all issues facing America and the rest of the free world, Hadassah assures the perpetuation of an enlightened citizenry and the enhancement of America's spiritual and moral values.

Hadassah's activities in Israel date back to 1913, when the organization sent two nurses to that area to offer assistance to the medically backward populace. The extent of the organization's work can be measured by the better than $200 million which since has been raised to contribute to medical centers in Israel and finance other Hadassah projects. Hadassah's most magnificent accomplishment is the recently opened 21-unit complex, the Hadassah-Hebrew University Medical Center consisting of a 500-bed hospital, medical school and a nurses training school, clinical and preclinical laboratories, research laboratories, and a mother-and-child pavilion. In addition, the organization runs a series of community services, 12 community health centers in Jerusalem, school hygiene and dental hygiene services, and antitrachoma facilities. There are facilities for treatment of lepers and psychological disturbances.

Hadassah is also responsible for enabling teams of medical specialists to be sent to Liberia, Tanganyika, and other emerging nations in Africa.

The Hadassah-Hebrew University Medical Center stands as a living memorial to the dedication of these women, to their humanitarianism and devotion to the principle that there is joy and meaning in giving.

I am sure that Americans of all religions join with us in paying tribute to Hadassah. I would like to add a special word of congratulations to many friends who are hard-working, dedicated members of Hadassah. They are a tribute to their religion, their community, and their country.

We are all proud of the motives of Hadassah; we are thrilled by its accomplishments.

Mr. MERROW. Mr. Speaker, congratulations are in order to one of America's most outstanding women's organizations on the occasion of its 50 years of dedicated service to the people of Israel.

Hadassah, the women's Zionist organization of America, started as a modest medical mission to Palestine in 1912. Over the course of the past half century, it has contributed $200 million toward the establishment and maintenance of community health services, medical and nursing schools, land reclamation programs, vocational and educational projects, all of which have literally transformed the face of that ancient land.

There is no better way to fight communism than to battle with ignorance, poverty, and disease. Hadassah's private aid program for the people of Israel, in the best of American traditions, is helping this new nation to help itself, and in so doing is contributing to the cause of democracy and freedom around the world.

HADASSAH: AMERICA'S GOLDEN GIFT OF GOOD WILL TO ISRAEL

The SPEAKER. Under the previous order of the House, the gentleman from New York [Mr. RYAN] is recognized for 10 minutes.

Mr. RYAN of New York. Mr. Speaker, the story of Hadassah's 50 years of growth and accomplishment is the story of some half-million American women. Each one of these members deserves remembrance and recognition for her part in the work of Hadassah, and for her representation of the best in the tradition of America and of Judaism. Undoubtedly, there is many an individual active member of Hadassah, a health worker or teacher, an officer or historian or publicist, whose life story would tell how Hadassah has helped the land and people of Israel. The story of Hadassah is characterized by the story of its founder, Henrietta Szold, whose purposes and methods are still faithfully reflected in its operations.

Henrietta Szold was one of America's great heroines. Her story is an inspiring example to our young people, and our country takes on a glory in the eyes of people in foreign lands when they perceive what has been done in Israel, both by Henrietta Szold personally and by the Jewish women of America through the organization she founded.

Mr. Speaker, in 1882, as the tide of Jewish immigration into the United States, swelled by the exiles forced out of Russia by anti-Semitic governmental policies, reached overwhelming proportions, Henrietta Szold perceived that the situation of the Jewish immigrants was becoming desperate. She perceived that these new immigrants needed a pathway out of their old land of despair and repression into the new land of hope and opportunity. She met them as friend and kinswoman, collected groups into a night school in Baltimore, and proceeded to introduce them to the English language, to American ways, and to the skills they would need in order to make a living in their new land. The school grew gradually from 30 pupils to hundreds.

After the death of her father, Rabbi Benjamin Szold, of Baltimore, Henrietta Szold moved to New York and gathered a small group of women around her for the study of Zionist thought. She visited Palestine to study the prospects of building a Jewish homeland there. Upon her return, in 1908, she began building a relationship between her New York study group and the land of Palestine; and this culminated, in 1912, in the formation of the society then called the Daughters of Zion: Hadassah Chapter. In 1913 the newly formed active society took its first tangible step; it sent two trained nurses to Palestine. This was the small, modest beginning of a program that was to reach staggering proportions. By the end of World War I Hadassah managed to send off to Palestine a group of 45 people in all: doctors, nurses, and assistants. With the arrival of this group in Palestine, they started the first nurses' school in the land, forerunner of the present magnificent Hadassah Medical Center, opened near Jerusalem in the summer of 1960.

In 1920, having started the American operations of Hadassah, Henrietta Szold went to live in Palestine. She founded, in 1932, the first school for social service in Palestine. At Hitler's accession to power, in 1933, she was one of the first to perceive the full meaning of the Nazi triumph in Germany, in its relation to the German Jews, and to form a practical plan for the removal of as many young people as possible from the area of danger. Under the wing of Hadassah, she organized Youth Aliyah for the transportation, settlement, and training of young immigrants into Palestine. By 1960, this organization had welcomed into the Jewish homeland more than 100,000 homeless young people and

helped them to become educated, self-supporting, confident and hopeful citizens of the new nation of Israel.

As an American, I am proud of Henrietta Szold. As a New Yorker, I am happy that it was in New York that she started the great organization, Hadassah, the Women's Zionist Organization of America, that is now celebrating its golden jubilee.

As a West Side New Yorker, I am most proud to have as a neighbor one of the finest of the more than 300,000 fine women who make up the present membership of Hadassah, Mrs. Siegfried Kramarsky. Mrs. Kramarsky was elected last summer to a second term as president of Hadassah, the culmination of a great career of service to Israel and to America. In past years she has been national vice president of the Hadassah and Youth Aliyah chairman and national treasurer of Hadassah. In 1951 she was chairman of the national convention of Hadassah, and she has been a delegate to several World Zionist Congresses. I salute Mrs. Kramarsky, of 101 Central Park West, who is demonstrating the qualities of leadership that I am happy to find so often associated with the West Side of New York.

Hadassah has achieved results that are statistically impressive, but beyond measure in terms of human values. One child saved from misery, starvation, crippling disease, and the general hopelessness that faced Jewish refugee children during the Nazi rule in Germany and Europe has incalculable value. Two years ago Hadassah and Israel greeted the 100,000th child received and cared for in Israel under the auspices of Hadassah's Youth Aliyah program. This program includes all the physical care each child needs: care for his health, nutrition, education, training and opportunity to work and become a self-supporting, contributing member of the community of Israel.

I have been inspired, in studying the history of Hadassah and its accomplishments, by the exciting description written by Mrs. Siegfried Kramarsky in Hadassah magazine, last December, of the new Hadassah-Hebrew University Medical Center in Jerusalem and of its spiritual center, the synagogue with its world-famous stained glass windows by Marc Chagall. The occasion was the exhibition of the Chagall windows at the Museum of Modern Art in New York prior to their shipment to Israel for installation. In discussing this topic, Mrs. Kramarsky includes a dramatic paragraph on what the medical center means, and I should like to quote this paragraph as a vivid illustration of Hadassah's accomplishments.

She wrote:

> First of all, we did more than build a medical center. In true chalutzik tradition, we built a city—Kiryat Hadassah—at Ein Karem, to the west of Jerusalem in the direction toward which the city is growing. We built a road to the city, Derech Henrietta Szold. We built reservoirs for water, we installed powerlines for electricity, for telephones, and all the utilities needed for a city. We leveled and terraced 300 acres of rocky ground. And in this city we built a temple of healing, research, and teaching which reflects Hadassah's history and its goals, in this traditional and ongoing part of its manifold program.

Mr. Speaker, this 50th anniversary of Hadassah is a golden milestone in a road of human endeavor and human betterment that leads ever forward into the future. May Hadassah continue, with increasing success and enthusiasm, along the admirable course in which it has achieved such memorable triumphs.

Mr. BECKER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BECKER. Mr. Speaker, the Women's Zionist Organization of America, known as Hadassah, is celebrating its 50th anniversary and I must extend my congratulations as well as my appreciation for the great work they have accomplished.

Not only in the United States have they extended themselves for the good of mankind; but certainly in the State of Israel both prior to its recognition as a country and in the years following Hadassah has helped make life better for hundreds of thousands of people.

I visited Israel some years ago and had the good fortune to see many of the good works of Hadassah. These ladies have been instrumental in raising funds for vital educational institutions, hospitals, clinics, and for the care of children.

Another vital necessity in the State of Israel was trees. Hadassah took charge of this project and today trees are growing all over the country.

There are so many good things, such as the training of doctors and nurses, so badly needed, that it is difficult to mention them all in a short space of time.

I hope in the years ahead Hadassah will continue its great work for the common good.

Mrs. CHURCH. Mr. Speaker, will the gentleman yield?

Mr. RYAN of New York. I yield.

Mrs. CHURCH. I thank the gentleman.

Mr. Speaker, I am honored today, as a Member of this House of Representatives of the United States, to be among those rising to pay just tribute to the goal and to the accomplishments of Hadassah. On this, its golden jubilee celebration, one can only wonder that so much of good has been so miraculously accomplished within the short span of 50 years.

Founded in 1912, under the vision and dedication of the great and justly revered Henrietta Szold, this organization has been a force, in America and in Israel, for social benefit and democratic—yes, and sisterly—understanding. It will continue to be an indissoluble link between women of good heart and high purpose, both here and in Israel.

Others will rise, I know, to recount its great and varied accomplishments for youth and family and nation. Others will seek to describe its full record of social and economic betterment through education, leadership, and particularly, medical aid.

I seek in particular to stand as an eyewitness to such accomplishment, as seen on my three unforgettable trips to Israel, in 1955, 1957, and 1959, when I actually witnessed the progressive miracle of the development of the nation itself, and the contribution thereto made by Hadassah—and by Youth Aliyah.

I have twice visited, under the guidance of the devoted and capable Mrs. A. M. Dushkin, the Hadassah-Hebrew University Medical Center at Kiryat Hadassah in the Judean Hills: once when only the framework stood as a monument to faith that the whole would be safely completed, and once again when that almost unparalleled center for research, teaching, and, of course, actual medical care was well-nigh completed. It was officially opened on June 6, 1961.

Twice also has it been my privilege, again with my friend, Mrs. Dushkin, to witness the successful work being carried on at the Kiryat Yovel Community Health Center, a pilot project emphasizing the interlocking relationship between a patient and his family and community surroundings. It is reliably reported that this center has approximately 22,000 patients annually, and gives aid to about 45,000. Small wonder it is that this center, beneficiary of Hadassah's generous aid, has become a model for adaptation by other agencies and countries. In addition, in 1959, I spent a whole memorable day at the Alice I. Seligsberg Vocational High School in Jerusalem, where students are given the so-needed training for vocations—and training, also, in Hadassah principles for living. And these represent, indeed, although famous, only a part of the activity and success of Hadassah.

I could not fail today to say, "Well done." I could likewise not fail to say, "May your strength continue and your horizon of service be continually expanded." From what I know of the vision, capacity, power, and consecration of Hadassah women, many of whom I am proud to call my friends, I am sure that their dream of service for the years ahead will indeed grow and likewise be always realized.

Mr. WALLHAUSER. Mr. Speaker, will the gentleman yield?

Mr. RYAN of New York. I yield.

Mr. WALLHAUSER. Mr. Speaker, it gives me great pleasure to pay a sincere and deserved tribute to Hadassah on the occasion of the organization's 50th anniversary.

Hadassah is an organization of which all Americans may well be proud. It exemplifies the highest Jewish and American traditions and its splendid record of accomplishment stands as a beacon for all of us.

Just 50 years ago, representatives from eight women's Zionist groups in several different cities met and established the national organization. They adopted the name of the New York group—Hadassah—the name of the ancient Jewish queen of Persia.

From such small beginnings, Hadassah has grown over the years to an organization of more than 318,000 members, organized in more than 1,300 local groups. But the story of Hadassah is

not the history of numerical growth alone. If that were the case, we would not be observing this anniversary today. Hadassah has been, and is, a living instrument for living service. Its first project, with the help of the eminent philanthropist, Nathan Straus, was the sending of two public health nurses to Palestine in 1913, to provide maternity care and to help combat trachoma and other diseases that were raging among children there.

Through the 50 years that followed, including two world wars, Hadassah has labored tirelessly in Palestine and later in Israel to establish and to develop public health, social welfare, and vocational programs.

Since its organization, Hadassah has raised $200 million, two-thirds of it for medical and health services. It has established hospitals, mother-and-child clinics, and community health programs. It has provided for research activities and medical and nursing education. In 1939 Hadassah opened its first medical center on Mount Scopus. Last August the Hadassah-Hebrew University Medical Center, a 21-building complex on the western outskirts of Jerusalem, was dedicated.

In addition to its health services, Hadassah has contributed to the development of Youth Aliyah facilities and vocational centers for the teaching of commercial subjects and skilled trades. In many ways Hadassah has profoundly influenced and continues to influence American Jewish life, and life in Israel.

Hadassah has remained true to the ideals of its founders, and its accomplishments have exceeded their fondest hopes. For their idealism, their work, and their accomplishments each individual member of Hadassah merits the highest of accolades.

Mr. FULTON. Mr. Speaker, will the gentleman yield?

Mr. RYAN of New York. I yield.

Mr. FULTON. Mr. Speaker, I would like to join the gentleman from New York in giving every credit to Hadassah and its fine work through the years. We are now celebrating its 50th anniversary. I hope all of the ladies of its membership will be as fresh in another 50 years as they are now.

I close by saying that the gentleman has made a splendid statement and I hope the next 50 years of this organization will be as productive as the first.

A TRIBUTE TO HADASSAH

The SPEAKER. Under previous order of the House, the gentleman from Illinois [Mr. O'HARA] is recognized for 15 minutes.

Mr. O'HARA of Illinois. Mr. Speaker, I would like at this time to pay honor to an organization worthy of the highest praise; an organization that has brought the benefits of the 20th century to a region recently beset with problems reminiscent of the 10th century; an organization which has made generosity its battle cry and progress its design.

By this I refer to Hadassah, the Women's Zionist Organization of America—a group that has done more to promote the cause of progress in the Near East than any other organization in existence today.

Hadassah came into being back in 1912 and is currently engaged in celebrating its golden jubilee year. In the elapsing interval the women of Hadassah have worked vigorously toward their goal: promoting the interests of Zionism, while at the same time raising the living standards of the people of Israel, formerly the State of Palestine. I am happy and privileged to join with the distinguished gentleman from New York, [Mr. CELLER], whose long leadership in good works has been an inspiration to his colleagues and his countrymen, and others in paying tribute.

The need for assisting the people of Palestine became obvious toward the close of the last century. Ruled by a hostile government, politically powerless in themselves, and beset on all sides by enemies of long standing, the Palestine population fell prey to poverty, misery and disease. It was this condition that prompted Henrietta Szold, the great humanitarian, scholar and Zionist leader, to send out a call, in 1912, for the first convention of Zionist women held in this country.

As one of the first to conceive of establishing a Jewish national state, Miss Szold was anxious to abolish suffering among the people of the Holy Land. On a trip through Palestine in 1909 she had witnessed, firsthand, the horror of a people in torment. Trachoma, the terrible disease of the eyes, was blinding children by thousands. Malaria, cholera, and dysentery were rampant on all sides. Medicine was needed, but there was very little medicine available in Palestine. Doctors were needed, but in 1912 there were only 45 doctors in the whole country.

To meet the crisis, Miss Szold proposed a plan to the persons assembled at the first convention of American Women Zionists. Funds were available in America, she pointed out, to finance the visit of an American medical team to Palestine. All that was necessary was to raise the funds and hire the team. This was agreed to, and in 1913 Hadassah dispatched two American-trained nurses to Palestine to set up a small welfare station in Jerusalem for maternity care and for the treatment of trachoma.

Five years later, in 1918, the American Zionist Medical Unit was formed, on a permanent basis. In the spring of 1918, Hadassah equipped, and in cooperation with other organizations, dispatched and arranged to maintain a unit of 45 physicians, sanitarians, dentists, and nurses in Palestine. In the same year, the first modern "American-style" hospital and clinic operations were inaugurated in Jerusalem, Jaffa, Tiberias, and Safad. That same year the Henrietta Szold School of Nursing was opened in Palestine. In 1921 Hadassah Hospital was opened as the first modern house of healing in Tel Aviv. A year later another Hadassah hospital went into operation in Haifa. In the years from 1922 through 1931, Hadassah's volunteer medical services spent more money than the health department of the British mandate government.

By the time the State of Israel came into existence in 1948, the infant death rate had dropped from 140 per 1,000—in 1918—to a Western world normal of 29. Trachoma among schoolchildren was down from 34 to 4.3 percent; ringworm from 40 to 1 percent.

With medical results such as these to show to the world, the women's Hadassah might well be expected to rest upon their laurels. But that is not the case. In January of this year it was announced that the Hadassah Medical Organization was planning to send medical teams to African countries to fight native diseases and to cope with public health problems far from home. Furthermore, it is an interesting fact that before the war with the Arabs began, it had become the custom for Arab royalty to visit the Hadassah hospitals in Israel, in order to obtain medical treatment unavailable in their homelands.

Meanwhile, Hadassah had expanded its horizons, to enter the field of child rescue work, vocational education, social welfare, and land redemption.

In the matter of child rescues, Hadassah intervened in Europe, at the height of Nazi barbarism, to begin transporting Jewish children to Israel. By recent count, the total number of rescued children is in excess of 100,000. Overseeing this work is an organization named Youth Aliyah, of which Hadassah is the official American representative. There are today some 244 Youth Aliyah villages, agricultural settlements, and special schools and centers in Israel, where the young newcomers are taught academic and vocational subjects plus recreational and cultural activities.

In the matter of vocational education, Hadassah was instrumental in establishing two vocational training centers, one located in Jerusalem, the other in Romema. Both are named after the late Justice Louis D. Brandeis.

Through the Jewish National Fund, Hadassah has also participated in the reclamation of tens of thousands of acres for farm and industrial sites. Much of this land is being cultivated by immigrant families, enabling them to earn a living while contributing to Israel's agricultural development. An integral partner in the Jewish National Fund since 1925, Hadassah has raised more money for projects sponsored by the fund than any other organization in the world.

So it has gone, over the years: the work of Hadassah stimulating the spread of health, initiative, and welfare in a region formerly stricken with poverty and disease.

It behooves each and every person concerned with the cause of progress to salute the good women of Hadassah on this, their golden anniversary year.

For all my constituents in the Second District of Illinois, and for myself, I extend felicitations and every good wish to Hadassah, organization of nobility.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. RYAN of New York. I yield to the gentleman from Oklahoma.

Mr. ALBERT. Mr. Speaker, I wish to commend the gentleman for taking this

time to speak in reference to Hadassah. I join him in extending congratulations to Hadassah on the 50th anniversary of its organization.

Mr. RYAN of New York. I thank the gentleman.

Mr. GIAIMO. Mr. Speaker, will the gentleman yield?

Mr. RYAN of New York. I yield to the gentleman from Connecticut.

Mr. GIAIMO. Mr. Speaker, I also would like to join in congratulating the gentleman on his very fine thoughts and sentiments, and wish to express my very best wishes to Hadassah on the 50th anniversary of its organization.

I have quite a number of friends in my district who have worked very hard for our local Hadassah. They are to be commended for the fine work they have done and are continuing to do.

Mr. RYAN of New York. I thank the gentleman for his contribution.

GENERAL LEAVE TO EXTEND REMARKS

Mr. RYAN of New York. Mr. Speaker, I ask unanimous consent that all Members may include extraneous matter in their extension of remarks on Hadassah.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

ARTHUR HOLLY COMPTON

The SPEAKER. Under previous order of the House, the gentleman from Ohio [Mr. BOW] is recognized for 20 minutes.

Mr. BOW. Mr. Speaker, I rise with humility today to pay tribute and honor to a truly great American whose death we all mourn.

Arthur Holly Compton was born in Wooster, Ohio, September 10, 1892, the son of Elias and Otelia Compton. His father served as president of Wooster College, and it was there in that fine community and educational institution that Arthur Compton found the pathway that was to lead him to the Nobel prize and to become one of the great scientific geniuses of our time. He was a noble educator, an ordained Presbyterian minister, and a humane and warm friend of those who knew him.

It has been my privilege, Mr. Speaker, to serve in recent years as a regent of the Smithsonian Institution.

Dr. Compton served as a citizen regent of the Smithsonian Institution from June 20, 1938, until his death on March 15, 1962. During this almost a quarter of a century of service to the Smithsonian Dr. Compton gave most freely of his time and wisdom for the welfare of the Institution. His eminence as a physicist, and especially his great contributions to the scientific study of cosmic rays, made him very much interested in the scientific programs of the Astrophysical Observatory of the Smithsonian Institution, and his advice to the staff of the observatory was most significant in the outstanding recent development of this part of the Smithsonian. Dr. Compton was also keenly concerned with the whole range of scholarly activities at the Smithsonian. On more than one occasion he spoke of the fact that the unique position of the Smithsonian in relation to the Federal Government allowed the Institution to serve the Nation by special contributions in cultural and artistic matters as well as in its programs of research in pure science.

In speaking of his sorrow at the death of Dr. Compton, Leonard Carmichael, Secretary of the Smithsonian Institution, said:

All of us at the Smithsonian are deeply saddened by the death of Dr. Arthur H. Compton. His wisdom and counsel in the affairs of the Board of Regents of the Smithsonian have contributed in a most significant way to the present-day development of the Institution. He had a broad vision of the role of the Smithsonian in American life. His fellow regents and the members of the staff of the Smithsonian Institution feel a very deep sense of personal loss in his death.

I shall miss my friend at the regents meeting. So many times he would talk to me of Wooster and his boyhood days. I was proud to represent the home district of the distinguished Compton family.

Mr. Speaker, on March 20 in the memorial chapel at the College of Wooster memorial services were held, and the memorial address by Dr. Howard F. Lowry, president of the College of Wooster, expresses with clarity the life and accomplishments of the distinguished son of Wooster. Under unanimous consent, I include Dr. Lowry's address at this point in my remarks.

Dr. Lowry said:

Arthur Compton was one of a handful of men who brought in our modern world. He was known everywhere, and he wore degrees and honors and citations and memberships from learned societies from many nations. During the past few days messages have come from governments and from famous men and women. But today, as the winter turns to the first hours of spring, two blocks up the street from the house of his youth and in this chapel which he first knew as a boy of 9 and has loved ever since, he is in our thoughts today, not as a famous man, but as a son returned to his alma mater and to his old friends.

There are many forms of genius, and love and human understanding are among them. They will outlast so much else—even the Nobel Prizes and so many things on which men and institutions set their hearts. Arthur Compton deeply cared for his fellow men, and, therefore, we speak of him today not only in pride and gratitude but, unashamedly, in love.

At the outset I want to give my own feeling about him. I suppose I have never known a nobler man or one more entirely lovable. Anyone who once knew Arthur Compton well could never be the same person again—at least, not willingly. He was that kind of man.

At dusk on the evening of February 5, 1905—he was then 12 years old—he sat on the steps of the porch in front of the house on College Avenue. He saw three bright stars in a row, and one very bright star near them. According to Mr. Blackwood's account of that evening, Arthur asked, "Papa, what are these?" And Dr. Compton replied, "That is the constellation of Orion and to the east the dog star, Sirius." Elias Compton had been preparing for years for that moment. He taught his son as he taught so many of us. He took Arthur into the house and showed him a set of star maps studied over many years. Arthur's older brother, Karl, had been listening to all this. He was later to share with Arthur the scientific adventure, to be the companion of his work over the year. Karl, whose own fame is secure as a scientist and educator and patriot, was one who in the hard work of World War II and the immense decisions that followed quite literally gave his life for his country as clearly as any fallen soldier. And that evening in February, Karl said, "Art, here is a book you should read, 'The Sun, Moon, and Stars for Beginners,' by Agnes Giberne." In a few days Arthur owned a telescope that cost him $3.95. "No better telescope is made"—said the Sears, Roebuck catalog—none at least, "of this size."

And so on that evening in February there opened to Arthur Compton the way that lead him finally into the very secrets that live in the heart of the sun. That evening, together with another day that he always remembered, the day he heard of a French scientist and his wife who had discovered a wonderful new substance called radium—these were the inspirations to a grand career.

Any road, as Thomas Carlyle would put it—even that little college avenue road—will lead you to the end of the world. That is, if you have the mind and the heart to go. It led Arthur Compton, at least, through his baccalaureate degree at Wooster, the graduate school at Princeton, a brief period of teaching and research in industry, and, during World War I, to research in aeronautics for the Signal Corps. At the end of the war he went to Cambridge, England, where, at the Cavendish Laboratories, he came under the instruction of the great Ernest Rutherford, the pioneer in the research that was now to be his own. Arthur has spoken many times of what the spirit of Rutherford meant to him in those formative years. In 1920 he became head of the Physics Department of Washington University; in 1923, professor of physics at the University of Chicago; and then in 1927, his research on X-rays brought him—when he was only 35 years old—the Nobel Prize in physics.

He never stopped to rest upon his laurels. A new mystery was haunting him—the mystery of the cosmic days. What were they? Where did they come from? What was their effect on human life? From 1931 to 1933 he headed the world survey of cosmic days that took him and his family into the Himalayas, the high Andes, and the Alps. In 1941 he began, with others, the work in atomic energy—the exciting story of research, adventure, and high organization that he has told in his book, "Atomic Quest." Much the best tribute any of us could now pay him would be to read that fine book again.

On the morning of December 2, 1942, with a few other men who had worked with him, Arthur Compton saw the opening of our modern age—when in the room under the stadium at Stagg Field in Chicago he saw the first sustained nuclear reaction. During the rest of the war, carefully guarded, worrying about more things than most men have been asked to worry about in so short a time, he headed as Director, the U.S. Government's plutonium research project—with the result that is now history. It was a race against time. And some of you are alive today partly because that victory was won.

From 1945 to 1953 Arthur served Washington University as chancellor, and from 1953 to 1961 as professor of natural philosophy. Meanwhile, he was full of all humanitarian causes to which he could lend his hand—a very good hand, because he spoke as a man who had made himself an authority in one field and therefore, could venture, as Mr. Einstein ventured, into great work for his fellow men. The development of research on cancer in this country owes more to Arthur Compton than anyone has ever said. He was head of the Layman's Missionary

Movement for many years. He took a great part in the work of Freedom House, and was general chairman of World Brotherhood, the organization that began as a branch of the National Council of Christians and Jews. He was later one of the general chairmen of the World Brotherhood along with Conrad Adenauer and Carlos Romulo.

Then a year ago Arthur Compton planned to do the work to which he greatly looked forward, the work of sharing on the campuses of three institutions—Washington University, University of California, and the College of Wooster—a continuation of the study of science and human responsibility. He was to come to us this spring.

In this remarkable life's journey he was not alone. We think today of his beloved mother. Arthur told me many times that no honor ever came to him in his own life that meant so much to him as the day when she was made the American Mother of the Year. She brought up her family, you remember, "simply by the Bible and a little commonsense." They were enough.

And one thinks of Mary, the sister whom he loved so much. He once said, "The real beginning of much of my mind started in India when I went there to see Mary, stayed several months, and learned much I had known nothing of before." And we think also of Karl and Wilson, and of his two sons of whom he was so proud—Arthur Allen, here today from the Philippines from his work with the Department of State, and John, professor of philosophy at Vanderbilt University.

Anybody who has ever visited him at Otsego Lake and shared the nights and days there remembers a warm-hearted, loving family, with grandchildren and nieces and nephews and their children. And of course, we think today of Betty McCloskey Compton, whom he met in Wooster and whom he married in 1916, the partner and inspirer of all his undertakings. Arthur Compton was a man who was in love all the rest of his life. There is no other way to say this. In World War II when he was being cleared to take on high and secret responsibilities, he demanded that his wife receive security clearance also. And this is the way he explained it: "It is simply unrealistic to suppose that I would keep from her matters that strongly affected me." And he always said that "Atomic Quest" was her story as much as his.

Out of this rich and varied life the familiar points shine very clear, much as Orion shone in the sky that February night. First of all, Arthur Compton had all the high properties of genius—the flash of insight that crowned laborious research, the swift powers of associating ideas, all the mathematics he needed in order to think his way through what he had to think, and amazing manual dexterity that assisted him in the experiments of his life. Some of his friends used to say of Arthur that he could blow glass to fit any idea he wanted. At age 11, just down the street, he set up a scroll saw; at 15 he built himself a 30-foot glider and flew it; at 16 he published three articles on aeronautics; and at 17 he put together an astronomical clock. These were merely the preludes to high endeavor.

The night I will never forget as long as I live—it is not very often a person is given a chance to see something like this—we were having dinner at Oxford, where he was Eastman professor. At dinner in a most casual way he was talking about cosmic rays. A certain rather homely idea arose. As I looked across the table I could see the snap of the fire in his eyes. During the rest of the dinner he was full of thought. We both went to our rooms, and at 12 o'clock he knocked at my door. He stood almost trembling, and in his hand were long sheets of mathematical calculations which represented how he had spent the last 4 hours racing toward the development of the idea that had set him off.

From childhood on his life was drenched with wonder. All the freshness of the early world gave a daily beauty to his life. He was an exciting person to be with—one of the essentially youngest men I think I have ever known. Every morning he seemed "to go out as Adam went out naming the first animals of the world"—with freshness and newness, and with some rebirth of his own spirit. And all of this made him one of the most delightful of companions. He treasured and loved life. And he loved not only the big things, but all the small concerns of every day—sports and games, tennis and swimming, the light falling across the lake at evening or arising out of a child's face, music and singing, mandolins and campfires, canoes, and still rivers and high mountains, flowering trees and the veining of the leaf, and all the ordinary events in the life of his friends, he seemed to treasure as he did the great things round which his mind was turning.

As much as any other man I have ever known, he represented the two worlds that inevitably form your life and mine—the Hellenic world that wants to know and the Hebrew-Christian world that wants to care and to live in the presence and under the command of eternal things. At Chartres Cathedral, one of the most interesting of all the carvings is that of Pythagoras. I remembered this not long ago when I realized that Arthur in "Atomic Quest" had put as the motto of his first chapter, the account of the historical search for atomic power, these words which are at least attributed to Pythagoras, "Seek therefore to find of what and how the world is made, that you may learn a better way of life." The title of the fifth chapter of the book, once atomic power had been found, and after the world stood in perilous balance, is: "Hope," headed by these familiar words. "And behold * * * a great and strong wind rent the mountains, and broke in pieces the rocks before the Lord; but the Lord was not in the wind: and after the wind an earthquake; but the Lord was not in the earthquake: and after the earthquake, a fire; but the Lord was not in the fire: and after the fire a still small voice."

That still small voice ruled Arthur Compton's life. It was not just his extraordinary intelligence that made the lucid soul and high character that he was. Basically and very simply it was his religious insight, his daily abiding sense of God as the best one knows and the one reality a man is willing to serve. He was a great defender of the Christian faith, not by making false analogies to science, though occasional zealots have twisted words in this way. Churches should remember what Arthur Compton said to them because, as all high culture has always done, he made a true distinction between science and religion, though finding in them no incompatibility. These were his words: "If a religion which makes the assumption—that there is a God to whom men stand as His children—does not have its own evidence it should not look to science."

Out of his religion arose Arthur Compton's passion for a better existence for mankind. He had participated in decisions that a man simply cannot join without shortening his own life. He had had to share in courses of action where he knew that he simply could not be wholly right. All that he could do was to be as logical and as right as he could. Therefore, out of the depths of his heart, he saw both the danger and the opportunity of the modern world. And he believed that there was possible for man on earth now for the first time in history, a life that would honor men and not degrade them, when men would have enough to eat and wear and enjoy in ways that belong to human beings who have passed beyond the animal stage. To this great cause of our time, the brotherhood of men as sons of the living God, Arthur Compton's life summons us afresh this very day. He hoped, for example, that this college would never settle merely for the wan and self-regarding intellect, but that it would live in the conviction that there are things that can be done in the world and that there is a real contest for real and important ends.

His love and care for Wooster is something that I someday hope to be able to tell. As trustee, alumnus, as the friend of so many of us, he loved Wooster as few men have loved it. Like many others he has put down something of himself in this place: therefore, you can no more remove the abiding spirit of Arthur Compton from this campus than you can stop the green of the returning year.

It is a memory of Cambridge in 1954 that is the central one for me. There were Betty, and Tom Hall and Mary Hall from St. Louis, the same Dr. Thomas Hall, professor of biology at Washington University, who is here today with Chancellor Tolman. We were living in a little house by the side of the river and were meeting with a few men about what could be done for the cause of science and human responsibility. We had our conferences in the house of Charles Darwin's grandson—Darwin's picture looking down from the wall. It was naturally a very thoughtful time. I remember the evenings when we took the long walks, stopping in at the antechapel:

"Where the statue stood
Of Newton with his prism and silent face,
The marble index of a mind for ever
Voyaging through strange seas of thought, alone."

We went into King's College Chapel and heard the great organ in that wonderful place.

And then in the evening we would find on the Darwin piano the score of the "St. Matthew Passion" and the great oratorios of the Christian Church: "I know that my Redeemer liveth. And He shall stand at the last day upon the earth."

I have tried to ask myself what Arthur Compton would above all want said here today in this chapel which meant so much to him. This is hard to decide, because he liked so much and his mind went everywhere. But I dare to choose these words:

"Thou shalt love the Lord thy God with all thy heart, and with all thy soul, and with all thy mind. And thou shalt love thy neighbor as thyself."

And so with pride and thanksgiving and renewal of spirit this college thinks today of her fine son. And to God be the praise, and the power and the glory, world without end.

Mr. Speaker, I am sure that all of those who knew and loved Dr. Compton at Wooster has a deep understanding of the thoughts expressed by Dr. Lowry, who was so very close to Arthur Compton.

I was also impressed, Mr. Speaker, with the remarks made at the memorial service at Wooster by Chancellor Carl Tolman, Washington University, St. Louis, Mo., and under leave to extend my remarks, I include his remarks at this point:

REMARKS MADE AT THE MEMORIAL SERVICE FOR ARTHUR HOLLY COMPTON BY CHANCELLOR CARL TOLMAN, WASHINGTON UNIVERSITY, ST. LOUIS, MO., AT WOOSTER, OHIO, MARCH 20, 1962

Arthur Holly Compton was my friend. I am not unique in this. He was the friend of every person who ever worked with him. He was the friend of science, of education, of

humanity. He was one of the greatest friends that Washington University, in which I occupy his former seat as chancellor, has ever had. He was one of the foremost citizens of the world, and one of the greatest men of our time.

Washington University owes much to Arthur Compton. In 1945 he turned from his war work and came back to Washington University, the same place at which, in the early 1920's, he had done the research that had brought him the Nobel Prize—but this time he came as chancellor. He threw into it the same dedication and brilliance that had solved so many scientific problems—and ushered in at our university a new era of vitality, growth, and higher standards that still continues, and has raised our institution in St. Louis to new eminence and respect. He left the chancellorship in 1953 to become distinguished service professor of natural philosophy—to work patiently at understanding and teaching what was to his mind the ultimate synthesis: that is, that the sciences and humanities work and fit together to lend the life of man more dignity, meaning, and usefulness—and that all, including man, work together for the greater glory of God.

The day before yesterday, a memorial service honoring Arthur Compton was held at Washington University. As one looked about one at the hundreds of persons gathered in the university chapel, one had a very strong sense of Arthur Compton's unique capacity for friendship. There was almost no one among the hundreds present who had not been directly and personally involved with him in some common labor, some service, some venture for human well-being.

And whether one's association with Arthur Compton was intellectual (a discussion of some point in education or science) or whether it was practical, human well-being was always the motivation.

Courage, idealism, self-effacement, good humor, belief in the possibility of the extraordinarily difficult—these traits came together in Arthur Compton. Though his responsibilities were remarkably varied, he remained in all of them a truth-seeker, a scholar. His professional career ended, as it began, in a quest for understanding.

It isn't easy to adequately describe Arthur Compton. The same words have been used so often for lesser men that they sometimes seem to have lost their meaning—and yet for him they are all true. He was a giant—in science, in intellect, in his effect on the world about us. Although he played a major role in some of the most awesome and terrible events of human history—the release of atomic energy and its use in war—he was always optimistic of the future and very hopeful about mankind.

A great man is the sum of the influences which have molded him. Arthur Holly Compton was molded at Wooster College. He was born here, reared here, and did his undergraduate work here. His family roots are deep in the town and College of Wooster and it is not coincidental that the name of Compton is perhaps the greatest family name in American science and education. His father was a beloved and respected professor of philosophy at the College of Wooster. He was a deeply religious man, an ordained minister in the Presbyterian Church. In Arthur Compton's book "Atomic Quest", he states of his father, that it was important to him that his teaching should be in a Christian college. To him, the old saying, "Science and religion flow from the same source" was a fundamental truth. That precept guided the son as well as the father throughout his life.

Shortly before the war, Arthur Compton accepted the chairmanship of the board of trustees at the College of Wooster. One of his major responsibilities was to help find a new president for Wooster. Even though at the time he was heavily engaged in working on the atom bomb, he felt that this was too important a job to be postponed or put aside. To quote from his book:

"A college or a university is to me a living, almost a sacred thing. It carries on with a spirit of devotion the noble purposes of its founders. In American life, it is questionable whether over the centuries any other institutions have been as influential for the public welfare as have been those concerned with higher education. Among such institutions the College of Wooster has held an honorable place."

Under his leadership the board chose Dr. Howard Foster Lowry to be president of this institution, and his record through the years shows how wise Dr. Compton was in this as in so many other things. One recalls Dr. Lowry's connection with the College of Wooster, like that of Dr. Compton himself, was close and intimate and in fact, that he had lived in Dr. Compton's house while attending this college. Dr. Compton gave the chief address at Dr. Lowry's inauguration in October 1944. His subject had to do with education for freedom, something which was always close to his mind and heart. In "Atomic Quest" he quotes his thoughts during that speech:

"The challenge of a great human objective was what we needed. That objective, as I saw it, was to build a society where every person could grow to his fullest stature as a free and responsible citizen. If the College of Wooster could contribute toward establishing such a society, we should have done a great service toward building a stable peace."

His loss was perhaps an even greater blow to men generally than to his native town, his college, and his family. It is impossible ever to fully replace a man like Dr. Arthur Holly Compton. Society owes much to the College of Wooster for what it did in training and molding this great man who has had so much influence on our two institutions of higher learning, and on the world.

Mr. Speaker, volumes could be written regarding this illustrious citizen of our Nation. Statesman, churchman, scientist, humanitarian, the whole story cannot and will not be told, but for generations to come he will live by reason of his accomplishments and because of his great contributions to mankind.

To his wife and children and to his brother, I know a grateful Nation joins me in an expression of condolence.

HADASSAH

Mr. LATTA. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. CONTE] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. CONTE. Mr. Speaker, I should like to add my congratulations and best wishes to those being extended today to Hadassah, the Women's Zionist Organization of America.

A golden jubilee is both an occasion for celebration and for rededication. Hadassah has much to celebrate, for its record of 50 years of devotion to building medical, social, and educational facilities and services throughout Israel has provided that country with a firm foundation for its present spectacular growth and progress. In darker days, human suffering and need were partially eliminated through the conquering bonds of human compassion which the women of Hadassah experienced.

The rededication of which I speak has already been given by Hadassah, and today many who have received their professional training through this organization are carrying its spirit and their abilities to the far corners of the globe where human suffering exists today. We know the good work of Hadassah will continue in this world where the need for it is seemingly endless. The future of the peoples with whom we are becoming closer neighbors depends in great part upon the attitude which we as Americans take toward them.

It is a privilege, indeed, for me to join my colleagues in paying tribute to this great organization of hope—Hadassah.

Mr. LATTA. Mr. Speaker, I ask unanimous consent that the gentleman from Kansas [Mr. SHRIVER] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. SHRIVER. Mr. Speaker, it is a privilege for me to join in paying tribute to the outstanding record of achievement and service by Hadassah, the Women's Zionist Organization of America. I want to extend congratulations and best wishes to this organization of Jewish women as it observes its 50th anniversary this year.

I am aware of the noble efforts which have been exerted through the humanitarian programs of Hadassah. Hadassah has conducted a significant informational program designed to promote understanding and to protect our democratic heritage and institutions. Through this program, the organization has strengthened the role of democracy as a force for freedom and peace abroad.

Hadassah's greatest services and achievements have been in forging a common bond between the United States and the State of Israel. During its 50 years of devotion to the development of Israel, the women of Hadassah have built hospitals, provided community health centers, and promoted medical education and research in our sister democracy. This organization has been instrumental through its Youth Aliyah program in the resettlement and rehabilitation of over 100,000 Jewish youths from over 72 lands.

Less than a year ago the Hadassah Medical Organization marked a major milestone when it moved into the newest, noble, and majestic landmark of Israel, the Hadassah-Hebrew University Medical Center.

I am proud that within my Kansas congressional district the Jewish community in Wichita has made a significant contribution to the worthy achievements of this organization.

The Daughters of Zion—predecessor to today's Hadassah—was organized in Wichita in 1904. Mrs. Harry Rosenbloom led the organization as president for 25 years. In 1928 the Daughters of Zion was organized as Hadassah, and

Mrs. John Berkowitz of Wichita became its first president. The Wichita chapter of Hadassah has grown from 40 members in that first year to a present membership of over 200.

It is heartening to see the women of this Nation devote themselves to the healing, teaching and medical research, child rescue work, vocational education, social welfare, and land redemption of their fellow men in another land. They are contributing to the strengthening of democracy and freedom throughout the world. May God bless their efforts and grant them the strength and means to continue their important work.

EAST MINUS WEST EQUALS ZERO

Mr. LATTA. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. BRUCE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BRUCE. Mr. Speaker, there has just been published by G. P. Putnam's Sons, of New York, a book which I think is deserving of the attention of my colleagues. It is titled "East Minus West Equals Zero." It was written by Werner Keller.

While I certainly do not want to detract in the slightest from the national talents of the Russian people as demonstrated in many fields, especially in the arts, there seems to be no question but that historically, in its technical accomplishments, Russia has profited greatly from the advances made in Western Europe and America.

The author shows that this has continued to be true since Russia has fallen under the domination of the Communists who have made it national policy to do so. Keller has compiled vast information proving how Soviet atomic and other scientific espionage plus the forced deportation of German scientists has made possible all the Soviet Union's outstanding up-to-date technical accomplishments. Again, without wishing to underrate whatever natural scientific aptitudes the Russian people may have, I think it is important that we be informed on the facts presented in this book so that we may have a better view of the true technical potential of the Soviet Union.

In the excellent introduction to the book, its translator, Constantine FitzGibbon, makes this analysis of the Soviet's propaganda, after their success with sputniks, satellites, and so forth:

> See, they say, we can circle the globe; therefore we are the most advanced country; therefore communism, the real communism that will bring you peace, prosperity, and freedom, is just around the corner. And a lot of people, not least in the highly industrialized West, fall for this type of argument. * * * If the world is sufficiently terrified of Russia's industrial-military might, it may surrender its liberties, and the conspiracy will thus have achieved total power."

And the purpose of this book is to expose the lie behind the argument.

Except for the fact that the book might have made a clearer distinction between the Russian people and the Communist tyrants who have enslaved them, I feel it is worthy of recommendation.

The complete introduction by Mr. FitzGibbon follows:

> This book is part of the cold war. Those who are too fastidious, too frightened, too frivolous or too stupid to join in the struggle that is now taking place to decide humanity's future, and even more those who desire a totalitarian victory, will dismiss it. But for those of us who are interested and engaged it states an important thesis.
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> Dr. Keller's argument, briefly, is that the Russians, coming late into the world of history, were still technologically in Western leading strings when the Communists seized power. Imaginatively the Russians were, of course, our equals, as were predynastic Egyptians and presumably Cro-Magnon man too, and no intelligent person, least of all Dr. Keller, would presume to say that a Pushkin, a Dostoievski, a Mayakowski or a Pasternak was in any way inferior to his Western peers. But whereas the arts are produced by individuals who may on rare occasions be uneducated, stupid or even mad, the sciences, and even more so the applied sciences, can only flourish well in a society that is itself deeply imbued with skills and techniques which have been developed and passed on over the generations. A man of genius may have the idea of a house, but it takes many men with very varied knowledge to build and furnish it. And this is, of course, even more so in the case of sustained laboratory work, of creating an industry, of constructing a technology. On the other hand any reasonably intelligent and educated man can be taught a simple technique. Therefore the Russian method, in the four centuries before 1917, was to import the technicians and copy their techniques. This of course was a practice also followed by other countries determined to catch up with their neighbors, but nowhere in Europe to the same extent as in Russia, for no other land was so lacking in a craftsman-artisan class. And since Western techniques were constantly being improved, this was not an operation that could ever be completed unless and until such an indigenous class came into existence. And this in turn implied the existence of a certain social stability and a certain measure of freedom for the artisans. Since all this was lacking, new technicians had to be imported with each new generation. On the occasions when Russian xenophobia won the day, and the foreigners were excluded or driven out, Russian technology immediately fell badly behind that prevailing in more civilized lands.
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> When Lenin seized power in Russia as the head of a small minority party with a conspiratorial past, he was confronted with two, among many, problems. He and his friends were committed to the Marxist analysis of the past which Marx had extended into a prophecy for the future as well. And Lenin held absolute power in a backward, primarily agrarian country. But the Marxist interpretation was already proved false by this very fact, for Marx had postulated revolution in advanced, industrialized societies. Therefore the sensible, indeed the honest, conclusion for the Russian Communists to draw would have been that Marxist theory was not applicable to, and should not be applied in, Russia. A liberal regime in Russia, which had then existed in embryonic form for a dozen years and had come to birth in the spring of 1917, might have given that great country the opportunity of developing into a healthy, happy, and unique society. However it was this regime that the Bolsheviks had destroyed, and any return to a Kerensky-type government would have meant the end of absolute power for the Soviets. The Bolsheviks were men of violence, of the political underworld where crime, deceit, murder and the secret police are the order of the day. Therefore after waiting hopefully for the "German October" that should have justified Marx but never came, and meanwhile subsisting on Western charity and Western trade, they chose what was for them the inevitable, the violent solution. If the theory did not fit the facts, then the facts must be changed.
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> Stalin presided over the great betrayal of the revolution which was, as we can now see, inevitable if Marxist-Leninism was not to be simply and quietly scrapped. The facts, so stubbornly at variance with the theory, had to be remodeled, if the theory were to survive. This was done in two ways.
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> The facts could apparently be altered by the substitution of lies for truth. This has always been a major weapon in the hands of the Bolsheviks. They are not, in their jargon, inhibited by any sentimental bourgeois morality, and part of that morality involves a respect for truth. They have none. Unlike Marx, the latter-day Marxist regard words as mere weapons in their unending conspiracy to rule the world. To call this propaganda is to underestimate its power and extent: it is a basic readjustment of what we call thinking into what they call dialectical materialism. Whatever forwards the conspiracy is truth: whatever does not is either irrelevant or must be crushed and silenced by force. The world saw this in its purest form in the farrago of nonsense that the old Bolsheviks spouted out, against themselves, in the purge trials of the middle thirties.
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> But that was not all. If Marxism postulates an industrial society as a prerequisite to socialism and communism, and if Russia were not then an industrialized country, it must be transformed into one with all speed. Thus would the facts be made to fit the theory. And this was done, regardless of the cost in human suffering. The liquidation of the kulaks to provide slave labor was perhaps the largest act of human brutality then seen, only to be surpassed by Auschwitz and the Chinese massacres of a dozen years ago. Millions of peasants were murdered or shut away in concentration camps, while the country starved, and all because Stalin was determined to industrialize Russia with all speed. The series of 5-year plans began. And as Dr. Keller points out with a mass of confirming evidence, the West was called in to provide the skill and the knowledge to get industrialization underway. We provided it.
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> Russia survived the onslaught of Stalin's ally, Adolf Hitler; whether she could have done so without American help in the form of massive lend-lease shipments is doubtful. Once that war was nearly won America, and to a lesser extent Britain, believed naively that the Russian leaders must surely have learned from their past mistakes and would now pursue the paths of welfare and peace along which the West was prepared to help them. But such gentle and sensible ambitions have no place in dialectical materialism, save insofar as their enunciation may be used tactically to forward the conspiracy aiming at total, permanent domination of the globe. Nor could the Russian leaders learn any fundamental lessons from the past, for such lessons inevitably run counter to the dogma which, with each passing year, becomes more and more remote from the reality.
>
> Russia therefore resumed industrialization at once, with the same violence and using the same methods as before. The immediate objective was and is to achieve a military position of such strength that absolute global power can be obtained, either with or without war. Dr. Keller describes in detail how they have set about achieving it: on the one hand was the vast war booty from industrial Germany, in the form of plant, technique, and highly skilled labor; on the other their enormous espionage apparatus, both military and industrial; subsidiary to these were such minor sources of profit as the anxiety of Western businessmen to trade with their mortal enemies; and behind it all was the mass of the Russian people, gelded by an omnipotent police force and compelled to work for purposes that are inhuman and often in conditions that were and are bestial. Industrialization has always, and in all lands, been a painful and even a disgusting business. Its justification, in free countries, is that it ultimately produces a higher living standard. But the Russian and Chinese industrializations have only incidentally and partially produced such a result, for the purpose of the Bolsheviks is and remains to achieve world power through military might.
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> Much was, indeed, achieved. Atom bombs were made, then hydrogen bombs; satellites have circled the globe and the moon; huge numbers of submarines apparently prowl the oceans, and rockets are poised to destroy foreign cities. At vast cost Russia became the second most powerful military nation in the world. All this had and has nothing to do with humanity's dream of peace, prosperity, and freedom.
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> But it did give the Russians a marvelous weapon for their propaganda armory. See, they say, we can circle the globe: therefore we are the most advanced country; therefore communism, the real communism that will bring you peace, prosperity, and freedom is just around the corner. And a lot of people, not least in the highly industrialized West, fall for this type of argument. It is, of course, a lie: Russia is neither closer to, nor further from, true communism because of the sputniks than Hitler was because of the autobahn or than Franco is because he has built hydroelectric installations in the Pyrenees. But the argument is not meant to be true in our sense. Its dialectical-materialistic truth lies in the fact that if the world is sufficiently terrified of Russia's industrial-military might, it may surrender its liberties, and the conspiracy will thus have achieved total power.
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> And the purpose of this book is to expose the lie behind the argument. That Russia is a mighty power goes without saying. Russia was a mighty power in 1914, in 1815, in 1712. But as Dr. Keller explains in such lavish detail, Russian power now as then is relatively weak when compared with that of the West as a whole, precisely because the West was and is the prime source of Russian power. And since Russia lacks the basic potential—educated, that is to say free, men in numbers approaching our own—it can never catch up on its own, though by devoting vast effort and energies to specific projects it may occasionally lead the West in certain fields.
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> This is a heartening and valuable contribution to understanding the world of today and tomorrow. It is not, however, any sort of encouragement to complacency. If Russia can now threaten us as she does, we have only ourselves to blame. We gave her the arms and the technical knowledge, even as we threw away our own arms and allowed our technical skills to stagnate in unnecessary economic depressions or wasted them on the creation of useless and ugly objects. It was traitors from our side, not agents from theirs, who won them our most closely guarded military secrets. And it is our newspapers that naively swallow their propaganda open-mouthed before passing it on, unwittingly to confuse and deceive our people.
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> Nevertheless, it is we in the West who are the more powerful, and not only because we have greater native skill and greater industry. Permanent and continuing achievements in science and technology depend, as they also and more obviously do in the humanities, upon intellectual freedom. And freed is indivisible. In the absence of government by consent, and when the liberty of the individual is denied over a broad sector of his life, the springs of intellectual vitality gradually run dry. A tyranny, itself fundamentally unstable, ultimately destroys the ability and the will of its citizens to serve it creatively. Once the gloss has worn off, the outside world sees its material achievements as the barren tokens of a society which has ceased to serve humanity. If this book should lead a few more people to be less frightened, more determined, and more skeptical about Russian claims, it will have contributed to the future welfare of all mankind, including the large and unhappy numbers that now live in the darkness and fear which threaten us all.
>
> CONSTANTINE FITZGIBBON.

CERTAIN IMPORT DUTIES

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Connecticut [Mr. MONAGAN] may extend his remarks at this point in the RECORD and include a letter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. MONAGAN. Mr. Speaker, in connection with the February 28, 1962, finding of the U.S. Tariff Commission that the duty on imports of straight pins be increased from 20 to 35 percent, I have written the following letter to President Kennedy who shortly must consider the recommendations of the Tariff Commission. In writing this letter, I have sought to express the importance to the people and businesses of the Naugatuck Valley of sustaining the finding of the Commission. The letter follows:

MARCH 30, 1962.

THE PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: On February 28, 1962, the U.S. Tariff Commission issued a report which recommended an increase in the duty on imports of pins from 20 to 35 percent ad valorem. The basis of this increase was the finding by the Commission that serious injury had been sustained by the pin industry through the rapidly increasing volume of low-wage imports.

A large portion of the domestic pin industry is in my district. This district has been hard hit in the field of bicycles, rubber footwear, watches and clocks and brass goods by the increasing flow of imports from countries whose wages are a fraction of those paid in our factories.

These imports have already had a substantial effect upon business and employment in our area and they will continue to do so unless there is some reasonable regulation. In the instant case, the Tariff Commission found in 1957 that a threat of injury existed, but in the brief time since that decision the deteriorating situation has compelled the Commission to make a finding that serious injury has been caused.

If confidence in the procedure for relief is to be maintained and reliance on the executive branch as a protector of domestic business and employment is to be sustained, the decision of the Tariff Commission must be supported.

In the pin industry, imports are 50 percent over their volume in 1957 and constitute one-third of the domestic market. Surely this is a more than sufficient contribution for this industry to make to free trade.

The opportunities to take action in the area of trade regulation in support of industry and employment in western Connecticut have been meager, but in the instant matter there is an opportunity to take reasonable steps which are less than those sought but are strongly recommended by the Tariff Commission after careful study. In the interest of the people of my district, I urge you to sustain the findings of the Tariff Commission and that you permit the recommended increase to go into effect.

Very truly yours,

JOHN S. MONAGAN,
Member of Congress.

COMMUNICATIONS SATELLITE CORPORATION

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Arkansas [Mr. HARRIS] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. HARRIS. Mr. Speaker, today I have introduced another bill to provide for the establishment and ownership of a commercial communications satellite system. The provisions of the bill are identical with those of the bill which has been reported favorably today by the Senate Committee on Aeronautical and Space Sciences.

It is my understanding that this bill embodies a compromise between those who have advocated a publicly owned communications satellite corporation and those who have insisted that ownership be limited to communications common carriers.

Our Committee on Interstate and Foreign Commerce has already held hearings on this legislation and in the course of the hearings various alternative solutions including solutions similar to the one contained in the present bill were discussed. I am introducing this bill so that our committee will have before it when it meets in executive session all of the various alternatives which have been presented for the creation of a communications satellite corporation, which, while privately owned, yet is responsive to vital public needs.

PROTECTIVE CONSTRUCTION FOR SCHOOL AND COMMUNITY SHELTERS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Rhode Island [Mr. FOGARTY] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. FOGARTY. Mr. Speaker, I would like to compliment the gentleman from Ohio [Mr. BOW] on his remarks and add a few of my own. As someone whose background has been in the building industry and who still maintains an interest in it, I am familiar with the study, "Protective Construction for School and Community Shelters." It is extremely useful information which is badly needed at this time. I receive the same

kind of letters mentioned by my colleague from Ohio.

I am particularly disturbed by the letters—I am glad to say that there are few of them—which are defeatist in tone. These people are apparently so convinced that no substantial protection of any kind is available that they are subscribing to this foolishness that building shelters is somehow an aggressive action. First, I cannot understand how anyone can conclude that a shelter constitutes aggression when it can be used for nothing but protection. If we are to seriously concern ourselves with this idea, then we had better discard our bombs, airplanes, and missiles. They are certainly capable of aggressive use. No one in this country wants to attack anyone. We seek only peace, but we have the obligation to ourselves and our children to protect ourselves. We have a double obligation when it is well within our means, technologically and financially, to do so. Now we have clear and specific information from a reputable and venerable industry that tells us how we can better defend ourselves. The point that this study makes, and that I am making here, is that it is not impossible to build effective blast protection into our community shelters; it is, in fact, quite feasible to do so. In my opinion, we will be derelict in our obligations to our communities if we do not recommend that they do so.

TRIBUTE TO MR. JUSTICE-SELECT BYRON R. WHITE OF THE SUPREME COURT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. BOLAND] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. BOLAND. Mr. Speaker, I was delighted to learn Friday night that President Kennedy has selected Deputy Attorney General Byron R. White to succeed retiring Justice Charles Evans Whittaker on the Supreme Court bench. The President has made an exceptionally fine choice in selecting Mr. White for this august judicial position.

A Rhodes scholar and former All-American football player, Byron White is known to his friends as "Whizzer" White. He once served as law clerk to the late Supreme Court Chief Justice Fred Vinson. He is a man of high caliber, balanced personality, a fine intellect, and a lawyer with a profound and scholarly interest in the law.

Byron "Whizzer" White has a thorough grasp on the currents and cross-currents of thought in this age in which we live, and he has a very deep understanding of the American people and a knowledge of their problems. All of these attributes combine to make Byron White an exceptionally high choice for appointment to the highest judicial bench in the country.

Mr. Speaker, I had the distinct pleasure to first meet and get to know Byron "Whizzer" White in Ohio during the 1960 presidential campaign when he headed the National Citizens for Kennedy Committee. Ever since then I have been impressed by the vigor and spirit with which he attacks every problem. May I take this opportunity to offer my congratulations and prayers to Mr. Justice-Select Byron R. White.

PRESIDENT KENNEDY'S PROGRAM OF MEDICAL CARE

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. STRATTON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. STRATTON. Mr. Speaker, in view of the great interest which has been created in the country by President Kennedy's proposal to provide medical care for our retired citizens as a part of the social security system, I believe it will be of considerable interest to Members of the House to know that the Republican-controlled board of supervisors in my home county of Schenectady voted unanimously in favor of a resolution supporting President Kennedy's position on this vital issue.

Under leave to extend my remarks, I include herewith the text of the resolution:

RESOLUTION 57

Resolution on approval of legislation—Medical care, social security

Whereas the life span of our elderly citizens is constantly increasing with new medical advances in the prevention and treatment of chronic diseases of the aged; and

Whereas due to advanced years, spiraling inflation, as well as the increased costs of medical care, a large segment of our population is finding it increasingly difficult to meet the treatment costs involved: Now, therefore, be it

Resolved, That the Schenectady County Board of Supervisors support and register its approval of pending legislation in Congress that incorporates into provisions of the Social Security Law, medical assistance to eligible recipients of social security; and be it further

Resolved, That copies of this resolution be transmitted to U.S. Senators JACOB K. JAVITS and KENNETH B. KEATING; Congressmen SAMUEL S. STRATTON, WILBUR D. MILLS, EUGENE J. KEOGH, and STEVEN B. DEROUNIAN.

CONTRIBUTION OF THE PATENT SYSTEM TO AMERICA'S MILITARY AND INDUSTRIAL STRENGTH

The SPEAKER. Under previous order of the House, the gentleman from Indiana [Mr. ROUDEBUSH] is recognized for 30 minutes.

Mr. ROUDEBUSH. Mr. Speaker, understandably, as a member of the Science and Astronautics Committee, I am concerned with new inventions which are developed in order to meet specific national goals. Some provide the means to insure America's national security. Others advance our abilities in the peaceful uses of atomic energy and in the exploration of outer space. However, the special research programs which are undertaken to provide new solutions to problems in these advanced fields are only a small part of the scientific and technological know-how which has made it possible for the United States to secure its eminence in many aspects of scientific endeavor. Today it is one of the principal deterrents to further Communist aggression.

During World War I, the United States was described as the arsenal of democracy. Our ability to convert American industry into the production of countless items necessary to sustain Allied forces was predicated upon the broad base of patents granted for products and processes which had been developed almost entirely through private expenditures for peaceful purposes.

Mr. Speaker, let me cite one example. The American automobile industry as well as our petroleum industry for many years cooperatively developed the internal combustion engine and the fuel for its operation so that maximum efficiency might be obtained. If the consumption of a given amount of gasoline could produce more horsepower-hours of work, great economies could be realized by our consumers. Naturally, the widespread usage of automobiles in this country provided an incentive to these two major industries to seek new technological breakthroughs. In fact, as the number of automobiles on the highways increased, the petroleum industry had to change its refining processes radically. It had to raise the proportion of gasoline in relation to the other products derived through the refining process in order to meet the demand for automotive fuel. Many patents were granted to the petroleum industry on new cracking processes. Likewise, there were important developments by the automobile, aircraft, and accessories industries which contributed to increased efficiency in the use of petroleum. A patent on a fuel additive, tetraethyl lead, which was developed by the General Motors research laboratories, contributed to the availability of high-octane fuels. All these developments played a major part in making it possible for our long-range bombers to complete their missions over occupied Europe and return to our bases with a minimum amount of the airplanes' payload preempted for the weight of engines and the necessary fuel.

As our industries proceeded to meet the problems of mobilizing our resources at the start of World War II, we had available advanced materials of every kind and description: machine tools, chemical products and processes, electronic devices, and pharmaceutical preparations. They had been developed through the incentive of the patent system to meet the peacetime needs of our economy. Without this vast accumulated knowledge and scientific information, it is doubtful whether the magnificent record of the Office of Scientific Research and Development under the direction of Dr. Vannevar Bush would have been possible. It directed the mobilization of our Nation's scientific and technical manpower and created the

greatest industrial research and development organization man has ever known.

A number of articles written by Dr. Bush were published in 1946 in a book entitled "Endless Horizons." Mr. Speaker, I wish to insert excerpts from Dr. Bush's articles on the contribution of patents to the Nation's welfare at this point in my remarks:

Research is also affected by the patent laws. They stimulate new invention and they make it possible for new industries to be built around new devices or new processes. These industries generate new jobs and new products, all of which contribute to the welfare and the strength of the country.

It is important that the patent system continue to serve the country in the manner intended by the Constitution, for it has been a vital element in the industrial vigor which has distinguished this Nation.

Mr. Speaker, Dr. Bush devoted a chapter "Endless Horizons" to research on military problems. Again, I wish to insert a quotation by Dr. Bush:

It is true that the services have been charged with the defense of our country. It does not follow from that premise, however, that all aspects of the civilian economy which have vital military significance should be the exclusive function of the military. Not only would that be illogical, it would be a great practical mistake. The military cannot be expected to be experts in all the complicated fields which makes it possible for a great nation to fight successfully a total war. The job of fundamental research can succeed best if given to those best trained to handle it.

Civilian science must clearly do the job, which by specialized training it is equipped to do. Civilian science cannot make its true contribution, however, if its efforts are subject to the complete direction of the military or if it has no independent funds. The real answer to the problem, of course, is a partnership between the military and civilian scientists. But a true and effective partnership can come about only if both are equals in a common endeavor. They must be equals and independent in authority, in prestige, and in funds.

Mr. Speaker, one of the major contributions of the Office of Scientific Research and Development was its mobilization of independent inventors through the National Inventors Council to meet the urgent problems of not only our military effort but the new tasks of providing increased food production, better medicines for combat casualties, as well as the many other problems of mobilization that were suddenly thrust upon us.

Dr. Bush reviewed the contributions of the patent system in stimulating new industries in "Endless Horizons." Mr. Speaker, I wish to insert a further excerpt from his writings at this point in my remarks:

The United States had developed marvelously in a technical way. Much of this advance has been due to the innate ingenuity of its people, and the patent system has been one of the main rocks on which the prosperity of the country has been erected. The character of the people has not changed, but the times have changed decidedly. Other countries, not previously technically minded, are going forward rapidly in this direction. Competition in technical affairs will be keen, and any nation which does not rapidly progress will drop into a secondary position in a technical world. The patent system, built exceedingly wisely in the early days of our history, and developed carefully and skillfully in the hands of the Patent Office, the attorneys and the courts, is no longer completely in tune with modern conditions. It should be maintained and strengthened. Alteration is now essential if it is to continue to be a firm foundation for industrial advance. Modifications should be entered upon carefully and thoughtfully, without destroying any vital part of the structure, but nevertheless courageously and thoroughly. Such a procedure is essential for the welfare of the country.

The greater problem of the stimulation of new industries is related to the more comprehensive program. The benefits to be derived from a modernization of the patent system are dependent upon the treatment accorded by the people of this country to their industries generally.

The frontiers have disappeared. No longer may a citizen break new ground beyond the horizon. But the opportunity for pioneering in the application of science to human needs remains, and calls for the same virtues of courage, independence, and perseverance. It still is possible to enter uncharted regions in industry, and it is still hazardous thus to open new territory for the national welfare.

There has been a powerful trend toward stronger government control of large industry in recent years. Unfortunately this has resulted in many measures which have borne heavily, and which have added artificial hazards to those naturally in the path of new ventures. Independence has been curtailed. Legal complexities have been multiplied. The making of a large profit has been frowned upon. The creation of truly new industries and products has been rendered nearly impossible. This trend must reverse.

The removal of unnecessary hurdles in the patent system will help. It can provide, however, only part of the essential correction. He who brings a new product or a new industry into being, with consequent gainful employment and a quickening of the national tempo, must be truly encouraged. As he takes great risks, and as many failures in new ventures are inevitable for each success, so must he feel secure in the earning of that speculative profit which is his incentive. It is the function of government to protect him from badgering by any organized group, so long as he regards the primary rights of others in his attempt to advance. Above all it is the function of government to see that he is constrained in his activities within the path of legitimate effort in as simple a manner as possible.

The patent system requires modification in this regard. But the welfare of the pioneer should be always prominently in mind wherever Government control of industry is considered, in regulations concerning fair competition, in systems of taxation, in rules regarding the issuance of securities, and in all other control which affects him. Upon his progress depends the standing of our country in a shrunken world of intense competition, and the standard of living of our people compared to those of other lands. We sadly need to return to the realization that the pioneer is a benefactor, against whom the door of opportunity must not be closed.

Mr. Speaker, the statements from "Endless Horizons" to which I have just referred were written in 1946. Dr. Bush has continued to serve humanity and the advancement of science as chairman of the Board of Merck & Co., one of America's great producers of pharmaceutical products.

On December 8, 1961, Dr. Bush testified before the Subcommittee on Antitrust and Monopoly of the Senate Committee on the Judiciary. His statement represents his considered judgment on the role of patents in our economy and particularly their contribution to the Nation's needs under emergency conditions.

In addition to his contribution as the wartime Director of the Office of Scientific Research and Development, his achievements in advancing American scientific progress and development as well as engineering education are unique. At the age of 70, in addition to his position with Merck & Co., he serves as the honorary chairman of the Massachusetts Institute of Technology. He joined the faculty of MIT in 1919, became professor of electrical engineering in 1923, and vice president and dean of engineering in 1932. In 1939, he was elected president of the Carnegie Institution of Washington.

The views he expressed before the Senate Antitrust Subcommittee necessarily represent the considered judgment of an individual who has a lifetime association with the advancement of America's scientific and technical know-how. His views provide a guide to all of us who are concerned with the mobilization and advancement of our country's scientific potentials.

Mr. Speaker, I wish to insert pertinent excerpts from this testimony at this point in my remarks:

Sometimes I make inventions. My first patent issued in 1913; my latest, but I trust not my last, a few weeks ago.

I have had responsibility for the patent affairs of industrial companies. For example, I was one of the founders of Raytheon, Inc., and in its early days had charge of its research and its patenting. It would not be alive today if it had not been for the patent system. I am now chairman of the board of Merck & Co., Inc., and am especially interested in its research program and its results. Since I have heard remarks about the profits of pharmaceutical companies, I might add that I did not join Merck in order to make money; I attended to that aspect of my affairs adequately in my youth.

I joined because I wanted to participate in the exciting venture of creating new drugs to cure men's ills, and I have been amply rewarded by seeing some of my friends made well by drugs that were unknown 10 years ago.

I have had experience with the relations of nonprofit institutions to the patent system. When I was vice president of the Massachusetts Institute of Technology, I drew up their patent policy. I did the same when president of the Carnegie Institution of Washington.

Not many men have worked with the system in industry, academic institutions, and Government. During the war, when I was Director of the Office of Scientific Research and Development (OSRD), I had in my organization a patent department. It had much to do, as modern radar, proximity fuses, etc., were developed under our programs. It was also involved with the atomic bomb development. OSRD had a Committee on Medical Research, which early realized that penicillin would be of value in fighting the war, and shepherded it into production for that purpose. There were important patent relationships in that connection.

I was Chairman of the President's Science Advisory Board appointed in 1943 to study the patent system, and I was a member of a similar Patent Survey Committee created in 1945.

I am one of few recently to propose a program of far-reaching changes in the patent

system to bring it in line with modern conditions. This appeared as Study No. 1, conducted by your sister Subcommittee on Patents, Trademarks, and Copyrights, entitled "Proposals for Improving the Patent System," and published in 1956. I am still learning things, and I would not today attempt to support every proposal I then made.

I continue to be convinced, however:

1. That the patent system is an essential part of our free enterprise system.

2. That it has been responsible for a significant part of the great technical and industrial advance of this country; that in particular it has made possible that salutary advent of many small independent individual companies.

3. That the system is not perfect, and that revisions should be made which would bring it into step more fully with modern conditions.

4. That when such a revision is made, it must be done on an overall basis, by a group that fully understands the system, and also understands modern research and development, and that any attempt to do it piecemeal would inevitably result in damage to the system and to our national progress.

Let me give an example from my own experience. I have not counted the number of patents issued to me, I suppose it is 20 or 30. Two or three of them have been of some importance, others have not. I still have hope for one or two more. I think my batting average is good. I understand that less than 1 of 20 issued patents ever comes into real use. For the pharmaceutical industry, the ratio is about 1 out of 10. When a pharmaceutical company is conducting research on drugs, it is fortunate if 1 in 6 of its programs results in even on salable product. The successful one has to pay for all the others that result in patents never used, and for the greater number of ventures that never even get to the patent stage. Royalties under licenses issued to all comers just will not do it, since none of the many licensees can hope to earn enough to afford to develop the market. The successful venture must yield a large profit, measured in terms of its cost of production and distribution, not only to pay for the cost of its development, but also to pay for a lot of development on other products which never arrived. This is particularly true today when the vigorous competition in the industry renders brief the life of many a new product before its equivalent is found in some other field of chemistry, or until it is made obsolete by something better.

Let me add a word about the role of patents in encouraging the disclosure of new discoveries. This is a vital function of the system, and if we debase patents to the point where they are not worth obtaining, we will lose the benefit of today's open system of industrial and scientific knowledge. As I have said, perhaps 1 patent in 10 will ever amount to anything commercially. But all 10 add to the sum of knowledge, and it may be one of the commercial failures that leads someone else to an important leap forward. This universal publication of scientific findings, permitted and, indeed, required by the patent system, is one of the keys to modern drug research.

These men are not industrial hacks, but dedicated professional specialists. They would feel they were debasing their common dedication to knowledge if they could not publish the results of their work, and direct their own efforts to expanding the sum of knowledge already discovered and published by others. They are not interested in discovering what they must keep secret, or in discovering a second time what someone else has already discovered and kept to himself. Secrecy would destroy this teamwork, and deprive us of its highly productive results.

Mr. Speaker, there are many citizens who believe that Government-supported research can provide many of the answers which our country seeks. To be sure, the Government today is making vast expenditures for research and development but the major share of the actual research work is performed by private industry. This is as it should be if we are to make the best use of the vast resources of our free enterprise system to achieve our national goals.

The report of the President's Council of Economic Advisers states:

> Approximately three-fourths of the Nation's total research and development effort is performed by industry, and over half of this is financed by the Federal Government.

The report of the Council of Economic Advisers shows that in 1960 the total expenditures for research and development in the United States were approximately $10½ billion. Of this sum, more than $4¼ billion represented expenditures by American industry with no assistance from the Federal Government.

Mr. Speaker, in view of Dr. Bush's experience in coordinating Government-sponsored research during World War II, I request leave to include further relevant statements on this subject from his testimony before the Senate Antitrust and Monopoly Subcommittee:

> I know something about Government research. For one thing, I was once Chairman of the National Advisory Committee for Aeronautics, with its great laboratories which performed essential service developing the science of aeronautics. There are very important things that Government laboratories can do well, and some things they must do if they are to be done at all. But inventing, developing, promoting new products for public use through industrial channels is just not one of them. We know this if we examine the record.
>
> There is one final point I would emphasize. We hope to avoid a nuclear war, and I believe, if we keep our courage and vigor, that we can do so. But no man will deny that we live in hazardous times, and that a great war might be started, perhaps by accident or irresponsibility. If it came, it would be far more terrible than any war in history. This time, in addition to hydrogen bombs, with their burns and radiation, we might meet also a still more appalling weapon in the hands of men with no conscience: biological warfare. This is no time to weaken our medical system, or the pharmaceutical industry which supports it.
>
> The patent system is one of the important factors in the great growth and prosperity which this country has enjoyed. It needs to be strengthened for its intended purpose.

On the subject of penicillin production during World War II, he said:

> The story there is a very interesting one, indeed. We all know that Fleming discovered the properties of penicillin. Some 15 years went by with nothing being done. Florey then got enough of the material together to show its great importance, all of this work being done in Great Britain.
>
> In OSRD during the war there was a Committee on Medical Research, a committee made up of very distinguished medical men, and they realized after the advent of Florey that this material could be of great importance in the fighting of the war.
>
> Therefore, two programs were undertaken: one to produce penicillin and the other to synthesize it.
>
> The reason for the second program was this. It appeared that by the methods of producing penicillin then available, namely, surface fermentation, that it would be utterly impossible to produce enough material to supply the needs of the armed services, to say nothing of the general public. Hence, a program was undertaken to synthesize penicillin in the hope that this would make it possible to increase the supply.
>
> However, several pharmaceutical companies, at my request, started in to manufacture penicillin, doing so by the old, simple surface fermentation methods.
>
> They did so at their own expense. They spent the money for new plant, for facilities. They did so in spite of the fact that we all thought at that time that that method of production would soon be superseded. As a matter of fact, what happened was dramatic. First it was discovered that penicillin could be made by deep fermentation, which greatly improved the production.
>
> Second, it was found that the bugs that make penicillin could be trained to make more. That is a most extraordinary thing.
>
> By cultivating the particular mold that makes penicillin under conditions where mutants could be saved and put to work, it was finally possible to produce a strain of mold that produced 80 times the penicillin of the original mold.
>
> These two things together made it possible to produce penicillin in the quantities needed for the fighting of the war and also for the civilian population.
>
> That is the beginning of penicillin.
>
> The synthesis program went ahead at the same time.
>
> As you all know, successful synthesis was not accomplished for many years thereafter. Only recently, in fact. Nevertheless, we had arrangements so that the pharmaceutical companies which were engaged in this whole program exchanged their information from day to day through a scientific committee that I set up.
>
> In order to make this possible, there were contacts with my office. That committee handled the whole affair for me to see that everyone that was working in the field attempting to improve the process of production or attempting to synthesize was kept informed of the day-to-day progress throughout the field.

Mr. Speaker, nevertheless, Dr. Bush emphatically disapproves of compulsory patent licenses in peacetime as indicated by the following colloquy between him and Senator KEFAUVER:

> Senator KEFAUVER. The particular point I wanted to ask you about was, and I am quoting from apparently your directive or definition of your directive:
>
> "Dr. Bush intends to arrange for the licensing on reasonable terms of any patents subject to disposition under the contracts in a manner designed to protect the public interest and the equities of the inventor and the pioneering and other organizations, American and British, which have already made, or in the future may make, valuable scientific, or technical contributions toward the goal of synthesis."
>
> I wanted to ask you in the first place how you arranged the licensing, what the terms were?
>
> Mr. BUSH. Well, on your first point, when it was arranged for complete collaboration between every group of investigators working on the problem, so that the day-to-day information was passed from one to the next, it was obvious that there had to be some arrangement for cross-licensing, some arrangement for general licensing, in order that there should be a reasonable relation between these groups.
>
> We could hardly expect that they would interexchange information freely unless there was some arrangement.
>
> In the second place, the way that the licenses were finally arranged was this.
>
> At the end of the program when OSRD—the war was over and OSRD was about to fold up, a scientific committee examined the contributions of each individual company that had been engaged, and recommended a system of licenses that they felt was equitable.
>
> And that system was put into effect, and no pharmaceutical company made any objection to the findings.
>
> Senator KEFAUVER. Where were the patents lodged?
>
> Mr. BUSH. Patents were lodged in individual companies in relation to others.
>
> Senator KEFAUVER. Then there was a requirement that there be cross-licensing with others?
>
> Mr. BUSH. That is right.
>
> Senator KEFAUVER. Was that an important factor in getting distribution of penicillin?
>
> Mr. BUSH. We were fighting a war, Mr. Chairman. When you are fighting a war you do a lot of things that you don't do in peacetime. I can't imagine today that you could get the kind of collaboration that we then had between pharmaceutical companies. We had a collaboration that was extraordinary. It showed on the part of the pharmaceutical companies that they could put their personal and private affairs aside in the public interest. They collaborated to the best way possible.
>
> Under those circumstances, we did what was fair and reasonable. That does not in any way apply to the situation in peacetime.
>
> Senator KEFAUVER. I have heard many fine commendations of how you handled it back during the war.
>
> Mr. BUSH. Well, we got a result, which was the most important thing.
>
> Senator KEFAUVER. Yes, that is right. That is what we want, what everybody wants.
>
> But the thing is that by requiring cross-licensing you did get penicillin at lower prices to the people.
>
> Mr. BUSH. The people at that time were the U.S. Government.
>
> Senator KEFAUVER. Yes, I know, and the Federal Government then let individuals have it when they showed they needed it. And then you did get increased research for the synthesis of penicillin.
>
> Mr. BUSH. We got the greatest teams working that was possible on the synthesis of penicillin.
>
> Senator KEFAUVER. And you got lower prices for penicillin?
>
> Mr. BUSH. And we got——
>
> Senator KEFAUVER. You got lower prices than if you just let one person make it; didn't you?
>
> Mr. BUSH. I didn't pay the prices and I don't remember how those prices were negotiated. I do know that all of the original sales were to the U.S. Government, to the military services.
>
> Mr. CONNOR. Dr. Bush, may I just supplement that by reminding the chairman that the sales of penicillin that were actually made during the war years and later were made not as a result of the OSRD synthesis contracts but out of the separate fermentation arrangements that the pharmaceutical companies went ahead with at their own expense, and there was no price control over the penicillin that was produced. As a matter of fact, they did a remarkable job in making fermentation-type penicillin and making it available in the abundant quantities and at ever-increasing reduced prices. But this had nothing to do with the OSRD synthesis.
>
> I might also say that the arrangements for this collaboration were so unusual from a legal point of view that we considered that in order to get this cooperation we had to have complete interchange of technical information which ordinarily would be a violation of the antitrust laws.
>
> But under the wartime statutes, we had available a procedure whereby we could get special approval of the Attorney General for the arrangements, we applied for, and after a period of time got that special approval and thus were able to proceed.
>
> Senator KEFAUVER. My question is OSRD, through Dr. Bush and you, determined that the best way to get more penicillin at a reasonable price was to license and cross-license a number of companies.
>
> Mr. BUSH. We didn't care what the price was at the time so long as we got it.
>
> Senator KEFAUVER. Was that the best way, was that the reason you did that, because you thought it was the best way to get it?
>
> Mr. BUSH. I did it that way because that was the way we could get it to the boys that were wounded in the field the fastest. The first time we treated a patient it cost $50,000 for the penicillin. We didn't care what the cost was. We wanted the penicillin and we wanted it in the field. We took the method that would get it there fastest and in the best quantity.
>
> Senator KEFAUVER. Whether we are in war—and, of course, men in war are entitled to first preference—whether we are in war or not, it is important that the sick people who need a drug also get it and to be sure that they have it in sufficient quantity and that they get it at the lowest possible and reasonable price, isn't that true?
>
> Mr. BUSH. Yes, and if you want to do that, my suggestion to you is that you support the present pharmaceutical industry, which is doing a magnificent job of doing just that.

Mr. Speaker, in view of the vast expenditures of business funds to suport research and development programs, many of my colleagues are concerned that there be a fair and effective patent policy where private contractors carry on Government-sponsored programs to assist our defense efforts.

The fact that the most difficult contracts are usually awarded to organizations which have demonstrated a marked research ability is not coincidental. Contracting offices, in order to secure the most expeditious results, select firms who possess experience and employ trained personnel who can contribute to a particular research development. The personnel in question have often been recruited directly from the campus of America's scientific schools and trained by the contractor for a period of years so as to be able to apply the information which they learned in school. The assignment of such personnel to Government-sponsored contracts makes it impossible for these individuals to contribute their knowledge and skills to the commercial developments of the contracting firm to which they ordinarily would be assigned.

None of us can approach any problem without instantaneously drawing upon our past experience and the knowledge we have obtained from many sources. Hence, it is to be expected that when a research contract is granted to private industries, all of the accumulated knowledge and know-how of the organization which accepts the responsibility of fulfilling Government-sponsored research will contribute to this task. The Government may pay the cost of a specific program, but no contracting officer can provide compensation for the work and training which has preceded the award of this contract. The needs of the Federal Government may adequately be insured by providing that every Government department shall have the right without payment of any royalty to a patented invention that is developed with Government financial support. This royalty-free license should not be limited to the department or agency that granted the contract, but it should apply to every governmental need which such a patent may serve.

On the other hand, Mr. Speaker, it seems only fair that the contractor should retain all of the commercial rights for any nongovernmental application of a patent that may result from such a development. This is not only a question of equity, but far more important, it insures that the research teams of private contractors will be assembled to vigorously carry out Government-sponsored research. Furthermore, Mr. Speaker, in the long run it will cost the Federal Government less to proceed in this manner, as otherwise the price any reliable contractor would demand before assuming the responsibility for a national research project would be far higher. Their trained personnel and all of their present know-how would have to be included in the contract cost.

In conclusion, Mr. Speaker, our patent system gives the United States a tremendous headstart in undertaking assignments. We all take pride in the achievement of Colonel Glenn in his orbital flight. May I remind my colleagues that the American patent system provided a wealth of information which private contractors and the National Aeronautics and Space Administration were able to utilize in perfecting the equipment for Project Mercury. The patent system has served us well since the birth of our Republic, and its greatest fruits will develop in the future.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. CORBETT (at the request of Mr. HALLECK), for the week of April 2, on account of illness.

Mr. BYRNE of Pennsylvania (at the request of Mr. GREEN of Pennsylvania), on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. CELLER, for 1 hour on April 10.

Mr. RANDALL, for 30 minutes, on tomorrow.

Mrs. SULLIVAN (at the request of Mr. RANDALL), for 15 minutes, on tomorrow.

Mr. KARSTEN (at the request of Mr. RANDALL), for 15 minutes, on tomorrow.

Mr. O'HARA of Illinois, for 15 minutes, today, to revise and extend his remarks and to include extraneous matter.

Mr. BOW, for 1 hour, today.

Mr. RYAN of New York, for 10 minutes, today.

Mr. BOW (at the request of Mr. LATTA), on Wednesday, April 4, for 1 hour.

Mr. ROUDEBUSH (at the request of Mr. LATTA), for 30 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL

RECORD, or to revise and extend remarks, was granted to:

Mr. PUCINSKI.

(The following Members (at the request of Mr. LATTA) and to include extraneous matter:)

Mr. ALGER.

Mr. FINDLEY.

Mr. FINO.

(The following Members (at the request of Mr. ALBERT) and to include extraneous matter:)

Mr. GRANT.

Mr. MACDONALD.

Mr. ADDONIZIO.

SENATE BILLS, JOINT RESOLUTION, AND CONCURRENT RESOLUTION REFERRED

Bills, a joint resolution, and a concurrent resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 273. An act for the relief of Hratch Samuel Arukian; to the Committee on the Judiciary.

S. 315. An act for the relief of Dr. Ting-Wa Wong; to the Committee on the Judiciary.

S. 317. An act for the relief of Marija Gruskovnjak; to the Committee on the Judiciary.

S. 505. An act for the relief of Seymour Robertson; to the Committee on the Judiciary.

S. 508. An act for the relief of John E. Beaman and Adelaide K. Beaman; to the Committee on the Judiciary.

S. 704. An act for the relief of Marlys E. Tedin and Elizabeth O. Reynolds; to the Committee on the Judiciary.

S. 732. An act for the relief of Yick Yuen Lee; to the Committee on the Judiciary.

S. 1180. An act for the relief of Carlos Teodoro Trevino Sanchez; to the Committee on the Judiciary.

S. 1630. An act for the relief of Rudolph Ambra; to the Committee on the Judiciary.

S. 1915. An act for the relief of Orsolina Cianfione Iallonardo; to the Committee on the Judiciary.

S. 1937. An act for the relief of Michele Emilio Maffeo; to the Committee on the Judiciary.

S. 1943. An act for the relief of Hajime Sumitani; to the Committee on the Judiciary.

S. 1962. An act for the relief of Kenneth David Wooden; to the Committee on the Judiciary.

S. 2003. An act for the relief of Domenico Martino; to the Committee on the Judiciary.

S. 2011. An act for the relief of Antonia Longfield-Smith; to the Committee on the Judiciary.

S. 2099. An act for the relief of Tina Jane Beland; to the Committee on the Judiciary.

S. 2143. An act for the relief of Mrs. Eva London Ritt; to the Committee on the Judiciary.

S. 2147. An act for the relief of Felipe O. Pagdilao; to the Committee on the Judiciary.

S. 2151. An act for the relief of Harvey Burstein; to the Committee on the Judiciary.

S. 2167. An act for the relief of Aniela Wojtowicz; to the Committee on the Judiciary.

S. 2184. An act for the relief of Mrs. Hegghine Tomasian; to the Committee on the Judiciary.

S. 2186. An act for the relief of Manuel Arranz Rodriguez; to the Committee on the Judiciary.

S. 2203. An act for the relief of Jozef Budny; to the Committee on the Judiciary.

S. 2232. An act for the relief of Wong Gee Wong; to the Committee on the Judiciary.

S. 2243. An act for the relief of Lee R. Garcia, also known as Lino Rios Garcia; to the Committee on the Judiciary.

S. 2276. An act for the relief of James Takeo Nigo; to the Committee on the Judiciary.

S. 2284. An act for the relief of Robert Rabin (Kazuo Inoue); to the Committee on the Judiciary.

S. 2300. An act for the relief of Byron Wong; to the Committee on the Judiciary.

S. 2319. An act for the relief of Harry E. Ellison, captain, U.S. Army, retired; to the Committee on the Judiciary.

S. 2339. An act for the relief of George Ross Hutchins; to the Committee on the Judiciary.

S. 2340. An act for the relief of Shunichi Atkawa; to the Committee on the Judiciary.

S. 2375. An act for for the relief of Joseph Mikulich; to the Committee on the Judiciary.

S. 2389. An act for the relief of Maria Carmina Conti; to the Committee on the Judiciary.

S. 2418. An act for the relief of Elaine Rozin Recanati; to the Committee on the Judiciary.

S. 2461. An act for the relief of Wahidi Romanus Jariash (also known as Waheeda Bachus Romanus); to the Committee on the Judiciary.

S. 2471. An act for the relief of Maria Huszty Boros; to the Committee on the Judiciary.

S. 2486. An act for the relief of Kim Carey (Timothy Mark Alt); to the Committee on the Judiciary.

S. 2549. An act for the relief of Edward L. Wertheim; to the Committee on the Judiciary.

S. 2562. An act for the relief of Sally Ann Barnett; to the Committee on the Judiciary.

S. 2697. An act to waive certain time limitations prescribed in chapters 33 and 35 of title 38, United States Code, in the case of certain veterans and eligible persons ordered to active duty with the Armed Forces, or whose period of duty with the Armed Forces was involuntarily extended on or after August 1, 1961; to the Committee on Veterans' Affairs.

S. 2736. An act for the relief of Arie Abramovich; to the Committee on the Judiciary.

S.J. Res. 147. Joint resolution providing for the establishment of the North Carolina Tercentenary Celebration Commission to formulate and implement plans to commemorate the 300th anniversary of the State of North Carolina, and for other purposes; to the Committee on the Judiciary.

S. Con. Res. 62. Concurrent resolution commemorating the 25th anniversary of the establishment of soil conservation districts; to the Committee on the Judiciary.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 1352. An act for the relief of Giuseppe Aniello;

H.R. 1451. An act for the relief of Mrs. Elfriede Prischl Rogers;

H.R. 1492. An act for the relief of Ernest John Large;

H.R. 1671. An act for the relief of Edvige Cianciulli;

H.R. 2180. An act for the relief of Eugene C. Harter;

H.R. 2684. An act for the relief of Mohan Singh;

H.R. 3105. An act for the relief of Christine Fahrenbruch, a minor;

H.R. 3379. An act for the relief of George A. McDermott;

H.R. 6082. An act for the relief of Mrs. Vartanus Uzar;

H.R. 6216. An act for the relief of Theodore T. Rellmann;

H.R. 6276. An act for the relief of Athanasia Dekazos;

H.R. 6343. An act for the relief of Mrs. Izabel A. Miguel;

H.R. 6740. An act for the relief of Teofilo Estoesta;

H.R. 7676. An act for the relief of George W. Ross, Jr.;

H.R. 8422. An act for the relief of Sister M. Theophane (Jane Carroll);

H.R. 8780. An act for the relief of Dr. Carl P. Romney;

H.R. 8781. An act for the relief of Walter Singlevich;

H.R. 8947. An act for the relief of Harry A. Sebert;

H.R. 9612. An act relating to the elections under section 333 of the Internal Revenue Code of 1954 by the shareholders of the G. L. Bernhardt Co., Inc., of Lenoir, N.C.; and

H.R. 10573. An act to grant the American Numismatic Association perpetual succession.

ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 29 minutes p.m.), the House adjourned until tomorrow, Tuesday, April 3, 1962, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1873. A communication from the President of the United States, transmitting amendments to the budget for the District of Columbia for the fiscal year 1963 involving a decrease of $1,300,000 in Federal funds appropriated for loans to the District and an increase in the amount of $30,537,666 in appropriations from the District of Columbia funds (H. Doc. No. 376); to the Committee on Appropriations and ordered to be printed.

1874. A communication from the President of the United States, transmitting amendments to the budget for the fiscal year 1963 for the military functions of the Department of Defense, redistributing the funds requested for the Army Reserve Forces, involving an offsetting increase and decrease of $6,900,000 (H. Doc. No. 377); to the Committee on Appropriations and ordered to be printed.

1875. A communication from the President of the United States, transmitting an amendment to the budget for the fiscal year 1963 involving an increase in the amount of $6 million for the civil functions of the Department of the Army (H. Doc. No. 378); to the Committee on Appropriations and ordered to be printed.

1876. A communication from the President of the United States, transmitting amendments to the budget for the fiscal year 1963 involving a net decrease in the amount of $265,000 for civil functions of the Corps of Engineers, Department of the Army (H. Doc. No. 379); to the Committee on Appropriations and ordered to be printed.

1877. A letter from the president, Girl Scouts of the United States of America, transmitting the 12th Annual Report of the Girl Scouts of the United States of America, pursuant to Public Law 272, 83d Congress (H. Doc. 381); to the Committee on the District of Columbia and ordered to be printed with illustrations.

1878. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated October 6, 1961, submitting a report, together with accompanying papers and an illustration, on a cooperative beach erosion control study of Virginia Beach, Va., authorized by section 2 of the River and Harbor Act, approved July 3, 1930, as amended and supplemented (H. Doc. 382); to the Committee on Public Works and ordered to be printed with one illustration.

1879. A letter from the Comptroller General of the United States, transmitting a report on a survey of policies followed by selected medical schools in charging faculty salaries to research and training grants awarded by the National Institutes of Health (NIH), Public Health Service (PHS), Department of Health, Education, and Welfare (HEW), November 1961; to the Committee on Government Operations.

1880. A letter from the Comptroller General of the United States, transmitting a report on the review of negotiated fixed-price purchase orders for certain electron tubes issued to Raytheon Co. by Sandia Corp. and the Bendix Corp. under cost-type contracts with the Atomic Energy Commission (AEC); to the Committee on Government Operations.

1881. A letter from the Comptroller General of the United States, transmitting a report on the review of bonding program for employees of the Federal Government; to the Committee on Government Operations.

1882. A letter from the Administrator, General Services Administration, transmitting the report of the Archivist of the United States on records proposed for disposal under the law; to the Committee on House Administration.

1883. A letter from the Administrator, General Services Administration, transmitting a draft of a proposed bill entitled "A bill to amend section 142 of title 28, United States Code, with regard to furnishing court quarters and accommodations at places where regular terms of court are authorized to be held, and for other purposes"; to the Committee on the Judiciary.

1884. A letter from the Director, U.S. Information Agency, transmitting a draft of a proposed bill entitled "A bill for the relief of Ernst Haeusserman"; to the Committee on the Judiciary.

1885. A letter from the Secretary of Commerce, transmitting the Annual Report of the Foreign-Trade Zones Board for the fiscal year ended June 30, 1961, pursuant to Public Law 566, 81st Congress; to the Committee on Ways and Means.

1886. A letter from the Director, Bureau of the Budget, Executive Office of the President, relative to reporting that the appropriation to the National Mediation Board for "Salaries and expenses" for the fiscal year 1962, has been reapportioned on a basis which indicates the necessity for a supplemental estimate of appropriation; to the Committee on Appropriations.

1887. A letter from the Secretary of the Army, transmitting the semiannual report of the Department of the Army contracts for military construction awarded without formal advertisement for the period July 1–December 31, 1961, pursuant to section 605 of Public Law 87–57; to the Committee on Armed Services.

1888. A letter from the Assistant Secretary of Defense (Installations and Logistics) transmitting the 14th Annual Report on the National Industrial Reserve, pursuant to section 12 of Public Law 883, 80th Congress; to the Committee on Armed Services.

1889. A letter from the Comptroller General of the United States, transmitting a report on examination of income received by Grumman Aircraft Engineering Corp., Bethpage, N.Y., from commercial airlines for use of Government-owned facilities furnished under Department of the Navy facilities contract NOa–5682, pursuant to the Budget and Accounting Act, 1921 (31 U.S.C. 53), the Accounting and Auditing Act of 1950 (31 U.S.C. 67), and the authority as set forth in 10 U.S.C. 2313(b); to the Committee on Government Operations.

1890. A letter from the Comptroller General of the United States, transmitting a report on a review of domestic air travel by military and civilian personnel of the Department of Defense in first-class accommodations; to the Committee on Government Operations.

1891. A letter from the Chairman, U.S. Civil Service Commission, transmitting the 40th Annual Report of the Board of Actuaries of the Civil Service Retirement System for the fiscal year ended June 30, 1960, pursuant to the Civil Service Retirement Act (H. Doc. No. 380); to the Committee on Post Office and Civil Service and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, pursuant to the order of the House of March 29, 1962, the following bill was reported on March 30, 1962:

Mr. THOMAS: Committee on Appropriations. H.R. 11038. A bill making supplemental appropriations for the fiscal year ending June 30, 1962, and for other purposes; without amendment (Rept. No. 1548). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAWSON: Committee on Government Operations. Thirteenth report pertaining to oversea military information programs (Rept. No. 1549). Referred to the Committee of the Whole House on the State of the Union.

[Submitted April 2, 1962]

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DAWSON: Committee on Government Operations. Fourteenth report pertaining to surplus rubber disposal program (Rept. No. 1550). Referred to the Committee of the Whole House on the State of the Union.

Mr. POWELL: Committee on Education and Labor. H.R. 10896. A bill to assist the States in providing necessary instruction for adults not proficient in basic educational skills through grants to States for pilot projects, improvement of State services, and programs of instruction, and through grants to institutions of higher learning for development of materials and methods of instruction and for training of teaching and supervisory personnel; without amendment (Rept. No. 1551). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, pursuant to the order of the House of March 29, 1962, the following bill was introduced March 30, 1962:

By Mr. THOMAS:

H.R. 11038. A bill making supplemental appropriations for the fiscal year ending June 30, 1962, and for other purposes.

[Introduced and referred April 2, 1962]

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. HARSHA:

H.R. 11039. A bill to provide for the medical and hospital care of the aged through a system of voluntary health insurance, and for other purposes; to the Committee on Ways and means.

By Mr. HARRIS:

H.R. 11040. A bill to provide for the establishment, ownership, operation, and regulation of a commercial communications satellite system, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. BARING:

H.R. 11041. A bill to amend the act directing the Secretary of the Interior to convey certain public lands in the State of Nevada to the Colorado River Commission of Nevada in order to extend for 5 years the time for selecting such lands; to the Committee on Interior and Insular Affairs.

H.R. 11042. A bill to amend the Mineral Leasing Act of 1920 in order to authorize lithium, rubidium, cesium, or bromine leases and permits under the provisions of such act; to the Committee on Interior and Insular Affairs.

By Mr. BERRY:

H.R. 11043. A bill to provide for the medical and hospital care of the aged through a system of voluntary health insurance, and for other purposes; to the Committee on Ways and Means.

By Mr. EDMONDSON:

H.R. 11044. A bill to amend the District of Columbia Traffic Act, 1925, to exempt certain officers and employees of the Senate and House of Representatives from the requirements of such act relating to the registration of motor vehicles and the licensing of operators when they can prove legal residence in some State; to the Committee on the District of Columbia.

By Mr. HÉBERT:

H.R. 11045. A bill to amend the River and Harbor Act of 1945; to the Committee on Public Works.

By Mr. KING of New York:

H.R. 11046. A bill to authorize the delivery of mail to hospitals on Sunday in certain cases; to the Committee on Post Office and Civil Service.

By Mr. McFALL:

H.R. 11047. A bill to change the name of the Redondo Beach Harbor, Calif., to the Redondo Beach King Harbor, Calif.; to the Committee on Public Works.

By Mr. MACDONALD:

H.R. 11048. A bill to change the name of the United States Olympic Association to the United States Olympic Committee; to the Committee on the Judiciary.

By Mr. MORRIS:

H.R. 11049. A bill to provide for the relief of certain oil and gas lessees under the Mineral Leasing Act; to the Committee on Interior and Insular Affairs.

By Mr. RIVERS of South Carolina:

H.R. 11050. A bill to amend section 302 of the Career Compensation Act of 1949, as amended (37 U.S.C. 252), to increase the basic allowance for quarters of members of the uniformed services; to the Committee on Armed Services.

By Mr. WRIGHT:

H.R. 11051. A bill to amend title 23 of the United States Code to provide for a National Highway Academy; to the Committee on Public Works.

By Mr. BLATNIK:

H.R. 11052. A bill to amend title 23 of the United States Code to provide for a National Highway Academy; to the Committee on Public Works.

By Mr. DERWINSKI:

H.R. 11053. A bill to provide for the medical and hospital care of the aged through a system of voluntary health insurance, and for other purposes; to the Committee on Ways and Means.

By Mr. FULTON:

H.R. 11054. A bill to provide for the establishment of a Permanent Commission on Governmental Operations; to the Committee on Government Operations.

By Mr. GRAY:

H.R. 11055. A bill to authorize the Secretary of the Interior to adjust the legislative jurisdiction exercised by the United States over lands within the Crab Orchard National Wildlife Refuge, Ill.; to the Committee on Merchant Marine and Fisheries.

By Mr. ROOSEVELT:

H.R. 11056. A bill to amend the Mutual Educational and Cultural Exchange Act of 1961 to provide that works of art and other materials temporarily imported to further the purposes of such act shall be immune from judicial process; to the Committee on Foreign Affairs.

By Mr. TAYLOR:

H.R. 11057. A bill to declare that the United States hold certain lands on the Eastern Cherokee Reservation in trust for the Eastern Band of Cherokee Indians of North Carolina; to the Committee on Interior and Insular Affairs.

By Mr. EDMONDSON:

H. Res. 584. Resolution authorizing the printing of additional copies of House Document No. 234, 84th Congress, 1st session, entitled "The Prayer Room in the United States Capitol"; to the Committee on House Administration.

By Mr. DENTON:

H. Res. 585. Resolution providing for the consideration of the bill (H.R. 3745) to amend title 38, United States Code, to provide for the payments of pensions to veterans of World War I; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By Mr. STRATTON: Memorial of the Assembly of the State of New York memorializing Congress to amend the Social Security Act; to the Committee on Ways and Means.

By the SPEAKER: Memorial of the Legislature of the State of Alaska, memorializing the President and the Congress of the United States relating to incentive payments for the mining of gold; to the Committee on Interior and Insular Affairs.

Also, memorial of the Legislature of the State of Arizona, memorializing the President and the Congress of the United States to amend the Sugar Act for the purpose of encouraging the American farmer to produce a favorable portion of our sugar requirements within the continental United States; to the Committee on Agriculture.

Also, memorial of the Legislature of the State of Arizona, memorializing the President and the Congress of the United States to take favorable action on H.R. 10646, relating to increased compensation for enlisted reservists called to active duty; to the Committee on Armed Services.

Also, memorial of the Legislature of the State of Arizona, memorializing the President and the Congress of the United States to enact legislation which will permit the State of Arizona to sell certain lands to political subdivisions of the State for a nominal cost, provided such land is to be used for public purpose; to the Committee on Interior and Insular Affairs.

Also, memorial of the Legislature of the State of Arizona, memorializing the President and the Congress of the United States relative to requesting the Congress of the United States and the Secretary of the Interior to take appropriate action to name the Glen Canyon Dam the Fred T. Colter Dam; to the Committee on Interior and Insular Affairs.

Also, memorial of the Legislature of the State of Hawaii, memorializing the President and the Congress of the United States relative to opposing any amendment to the Constitution of the United States, which would have the effect of subjecting the income from State and local bonds to a Federal tax and for other purposes; to the Committee on the Judiciary.

Also, memorial of the Legislature of the State of Rhode Island, memorializing the President and the Congress of the United States relative to enacting legislation which would release and convey to the State of Rhode Island unused land and/or buildings, located within the State of Rhode Island and held by the Federal Government and its agencies, where said land and/or buildings are not necessary to the public defense; to the Committee on Government Operations.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CANNON:

H.R. 11058. A bill for the relief of Carl Adams; to the Committee on the Judiciary.

By Mr. DULSKI:

H.R. 11059. A bill relating to the effective date of the qualification of Bricklayers Local 45 (Buffalo, N.Y.) pension fund as a qualified trust under section 401(a) of the Internal Revenue Code of 1954; to the Committee on the Judiciary.

By Mr. LINDSAY:

H.R. 11060. A bill for the relief of the estate of Rafaello Busoni; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 11061. A bill for the relief of Jose F. Poblete; to the Committee on the Judiciary.

PETITIONS, ETC

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

272. By Mr. McCULLOCH: Petition of Harold Myers, Arcanum, Ohio, of the Miami Valley Tobacco Growers, and signed by approximately 1,500 residents of Darke, Miami, Preble, Montgomery, and Butler Counties; to the Committee on Agriculture.

273. By Mr. STRATTON: Petition of the 1961 Common Council of the City of Gloversville in opposition to the new trade expansion program of President Kennedy; to the Committee on Ways and Means.

274. By the SPEAKER: Petition of Kenneth A. Bollinger, city clerk, Allegan, Mich., relative to a resolution honoring Hon. CLARE E. HOFFMAN of the Fourth Congressional District of Michigan; to the Committee on House Administration.

275. Also, petition of Carlton R. Phillips, county clerk, county of Lake, Lakeport, Calif., relative to opposing legislation that would subject the income from State and local bonds to a Federal tax; to the Committee on the Judiciary.

276. Also, petition of Gladys H. Murphy, city clerk, Oakland, Calif., relative to opposing imposition of Federal income tax upon interest derived from public bonds; to the Committee on the Judiciary.

277. Also, petition of Ove P. Nielson, mayor, Mount Shasta, Calif., relative to opposing taxation of interest derived from improvement bonds; to the Committee on the Judiciary.

278. Also, petition of Raymond B. Harvey, mayor, Rolling Hills Estates, Calif., relative to approving the tax exemption of municipal issues; to the Committee on the Judiciary.

279. Also, petition of Tony Fazio, mayor, Morgan Hill, Calif., relative to opposing a Federal tax on income derived from State and local bonds; to the Committee on the Judiciary.

280. Also, petition of W. L. Cavalli, city clerk, Kings City, Calif., relative to opposing legislation that would have the effect of subjecting the income from State and local bonds to a Federal tax; to the Committee on the Judiciary.

281. Also, petition of Patricia Philbin, assistant clerk of the Board of Sacramento County, Sacramento, Calif., relative to opposing a Federal tax on the income derived from bonds issued by the various public agencies within the United States; to the Committee on Ways and Means.

282. Also, petition of Dorothy Sinclair, clerk of the board, Board of Supervisors, Crescent City, Calif., relative to opposing Federal income taxation on the interest derived from public bonds; to the Committee on Ways and Means.

283. Also, petition of Murray W. Snyder, chief clerk, County of Allegheny, Pittsburgh, Pa., relative to protesting the construction of a Lake Erie-Ohio River Canal; to the Committee on Public Works.

284. Also, petition of Seitoku Shinzato, secretary general, Okinawa Liberal Democratic Party, Naha, Okinawa, relative to a statement of opinions and demands made by the Okinawa Liberal Democratic Party concerning the new policy for Okinawa recently announced by the U.S. Government; to the Committee on Armed Services.

SENATE

MONDAY, APRIL 2, 1962

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

Dr. M. Jackson White, pastor, First Baptist Church of Clarendon, Arlington, Va., offered the following prayer:

Our Father, we come into Thy presence to thank Thee for the gift of Thy Son, and to recognize Thee as the giver of grace and love sufficient for our every need. Help us, we pray, to be humble enough to call upon Thee for wisdom, and to be courageous enough to follow Thy leadership.

As we seek to find the ways of peace for our generation, may we not forget that the ways of the Prince of Peace upon this earth were ways of love and sacrifice.

Grant that each of us may recognize the responsibility that is ours under God for the good of our fellow men everywhere. May we use the authority entrusted to us to establish equal rights for all, and to persevere in seeking the greatest benefit to all.

Give, we pray, to our President, health, wisdom, and courage commensurate to the demands that are made upon him.

May Thy Holy Spirit who was promised to "lead us into all truth" be granted to guide the deliberations of this body today.

This we ask through the grace of our Lord, Jesus Christ. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, March 29, 1962, was dispensed with.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Ratchford, one of his secretaries, and he announced that the President had approved and signed the following acts:

On March 30, 1962:

S. 2533. An act to amend the requirements for participation in the 1962 feed grain program.

On March 31, 1962:

S. 1691. An act to provide that any juvenile who has been determined delinquent by a district court of the United States may be committed by the court to the custody of the Attorney General for observation and study;

S. 1756. An act for the relief of the city of Pasco, Wash.; and

S. 2165. An act for the relief of Jean L. Dunlop.

REPORT OF SURGEON GENERAL OF PUBLIC HEALTH SERVICE—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 375)

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Labor and Public Welfare:

To the Congress of the United States:

Under the provisions of title VII of the Public Health Service Act, as amended, I transmit herewith for the information of the Congress the sixth annual report of the Surgeon General of the Public Health Service summarizing the activities of the Health Research Facilities Program.

JOHN F. KENNEDY.

THE WHITE HOUSE, *April 2, 1962.*

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed a bill (H.R. 10650) to amend the Internal Revenue Code of 1954 to provide a credit for investment in certain depreciable property, to eliminate certain defects and inequities, and for other purposes, in which it requested the concurrence of the Senate.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 10526) making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies for the fiscal year ending June 30, 1962, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. GARY, Mr. PASSMAN, Mr. CANNON, Mr. PILLION, and Mr. TABER were appointed managers on the part of the House at the conference.

HOUSE BILL REFERRED

The bill (H.R. 10650) to amend the Internal Revenue Code of 1954 to provide a credit for investment in certain depreciable property, to eliminate certain defects and inequities, and for other purposes, was read twice by its title and referred to the Committee on Finance.

CALL OF THE CALENDAR DISPENSED WITH

On request of Mr. MANSFIELD, and by unanimous consent, the call of the Legislative Calendar was dispensed with.

LIMITATION OF DEBATE DURING MORNING HOUR

On request of Mr. MANSFIELD, and by unanimous consent, statements in the morning hour were ordered limited to 3 minutes.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. DIRKSEN, and by unanimous consent, the Committee on Finance was authorized to meet during the session of the Senate today.

On request of Mr. MANSFIELD, and by unanimous consent, the Indian Affairs Subcommittee of the Committee on Interior and Insular Affairs was authorized to meet during the session of the Senate today.

EXTENSION OF TIME FOR JUDICIARY COMMITTEE TO FILE CERTAIN REPORTS

Mr. DIRKSEN. Mr. President, I ask unanimous consent that the time for filing of reports by the Committee on the Judiciary, pursuant to Senate Resolutions 48, 51, 53, 55, 56, and 57, be extended to April 30, 1962.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of executive business, to consider the nominations on the Executive Calendar.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, and withdrawing the nomination of Allen L. Cline, to be postmaster at Clayton, Ill., which nominating messages were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports were submitted:

By Mr. EASTLAND, from the Committee on the Judiciary:

Frank B. Ellis, of Louisiana, to be U.S. district judge for the eastern district of Louisiana.

By Mr. BYRD of Virginia, from the Committee on Finance:

Robert M. Ball, of Maryland, to be Commissioner of Social Security of the Department of Health, Education, and Welfare;

William M. Burkhalter, of Tennessee, to be a member of the Renegotiation Board; and

Raymond H. Dwigans, of Texas, to be collector of customs for customs collection district No. 24, with headquarters at El Paso, Tex.

By Mr. FULBRIGHT, from the Committee on Foreign Relations:

Executive K, 87th Congress, 1st session, International Convention for the Safety of Life at Sea, 1960; without amendment (Ex. Rept. No. 5).

The PRESIDENT pro tempore. If there be no further reports of committees, the nominations on the Executive Calendar will be stated.

U.S. DISTRICT JUDGES

The Chief Clerk proceeded to read sundry nominations of U.S. district judges.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The PRESIDENT pro tempore. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

Mr. LONG of Missouri. Mr. President, I want to commend my colleagues for the action they have just taken in unanimously confirming the nominations of John W. Oliver to be U.S. district judge for the western district of Missouri, and John K. Regan to be U.S. district judge for the eastern district of Missouri. It was my privilege to serve as chairman of the Judiciary Subcommittee that inquired into their qualifications or appointment as Federal judges, and it was certainly no surprise to those of us who have known these two men both professionally and personally over a great number of years, that they were found eminently qualified in every respect.

Mr. Oliver, of Kansas City, Mo., was born, raised, and educated in Missouri. Both his undergraduate and law degrees were earned at the University of Missouri. As a practicing attorney in Kansas City since 1936, he has earned the reputation of being one of the most able members of the Missouri bar. He has authored a number of published legal articles of note, and throughout his career, has given generously of himself to the service of the legal profession by way of service on numerous boards and study commissions, as well as to the civic and public organizations of his community and his State. For a number of years, he has been a book reviewer for the Kansas City Star in the fields of history, government, and politics.

Judge Regan, who leaves the bench of the circuit court of the city of St. Louis to assume his new duties in the U.S. District Court for the Eastern District of Missouri, has distinguished himself as a lawyer and as a judge. He, too, is a native Missourian, and has received all of his education in his home State. His professional life began as a prosecuting

attorney, led next to several years of a widely diversified and very active private legal practice in St. Louis, from which he was elevated to the State judiciary. As a practitioner and as a judge, he has been a studious and diligent servant in every sense of the word. His fellow attorneys and judges have strongly endorsed this appointment, as has the general public of the community he has well served for so many years.

The experience and demonstrated abilities that Mr. Oliver and Judge Regan bring with them to their new judicial offices will be great assets to our Federal court system, and our Nation is indeed fortunate to have them join its judicial branch.

U.S. MARSHALS

The Chief Clerk proceeded to read sundry nominations of U.S. marshals.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The PRESIDENT pro tempore. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

U.S. ATTORNEYS

The Chief Clerk proceeded to read sundry nominations of U.S. attorneys.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The PRESIDENT pro tempore. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

OFFICE OF EMERGENCY PLANNING

The Chief Clerk read the nomination of Edward A. McDermott, of Iowa, to be Director of the Office of Emergency Planning.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

CENTRAL INTELLIGENCE AGENCY

The Chief Clerk read the nomination of Maj. Gen. Marshall Sylvester Carter, Army of the United States (brigadier general, U.S. Army), to be Deputy Director, Central Intelligence Agency, with the rank of lieutenant general.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

U.S. AIR FORCE

The Chief Clerk read the nomination of Maj. Gen. Harold W. Grant, Regular Air Force, to be lieutenant general.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

U.S. ARMY

The Chief Clerk proceeded to read sundry nominations in the U.S. Army.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The PRESIDENT pro tempore. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

U.S. NAVY

The Chief Clerk proceeded to read sundry nominations in the U.S. Navy.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The PRESIDENT pro tempore. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

U.S. MARINE CORPS

The Chief Clerk proceeded to read sundry nominations in the U.S. Marine Corps.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The PRESIDENT pro tempore. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

THE AIR FORCE, THE ARMY, THE MARINE CORPS, AND THE NAVY

The Chief Clerk proceeded to read sundry nominations in the Air Force, the Army, the Marine Corps, and the Navy, which had been placed on the Secretary's desk.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The PRESIDENT pro tempore. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of all these nominations.

The PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

AMENDMENT OF SECTION 6 OF ACT OF MAY 29, 1884

A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to amend section 6 of the act of May 29, 1884 (with an accompanying paper); to the Committee on Agriculture and Forestry.

REPORT ON REAPPORTIONMENT OF AN APPROPRIATION

A letter from the Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that the appropriation to the National Mediation Board for "Salaries and expenses" for the fiscal year 1962, had been reapportioned on a basis which indicates the necessity for a supplemental estimate of appropriation; to the Committee on Appropriations.

REPORT ON INSTALLATIONS AND FACILITIES REQUIRED FOR ADVANCED RESEARCH PROJECTS

A letter from the Secretary of Defense, reporting, pursuant to law, on the establishment or development of installations and facilities required for advanced research projects, for the 6-month period ended December 31, 1961; to the Committee on Armed Services.

REPORT ON NATIONAL INDUSTRIAL RESERVE

A letter from the Assistant Secretary of Defense, Installations and Logistics, transmitting, pursuant to law, a report on the national industrial reserve, dated April 1, 1962 (with an accompanying report); to the Committee on Armed Services.

REPORT ON DEPARTMENT OF THE ARMY CONTRACTS FOR MILITARY CONSTRUCTION AWARDED WITHOUT FORMAL ADVERTISEMENT

A letter from the Secretary of the Army, transmitting, pursuant to law, his report on contracts for military construction awarded without formal advertisement, for the period July 1, through December 31, 1961 (with an accompanying report); to the Committee on Armed Services.

REPORT OF FOREIGN-TRADE ZONES BOARD

A letter from the Secretary of Commerce, transmitting, pursuant to law, a report of the Foreign-Trade Zones Board, for the fiscal year ended June 30, 1961, together with the reports covering the operations during the same period of Foreign-Trade Zones Nos. 1, 2, 3, and 5 (with accompanying reports); to the Committee on Finance.

REPORT ON REVIEW OF NEGOTIATED FIXED-PRICE PURCHASE ORDERS FOR CERTAIN ELECTRON TUBES ISSUED UNDER CONTRACTS WITH THE ATOMIC ENERGY COMMISSION

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the review of negotiated fixed-price purchase orders for certain electron tubes issued to Raytheon Co. by Sandia Corp. and the Bendix Corp. under contracts with the Atomic Energy Commission, dated March 1962 (with an accompanying report); to the Committee on Government Operations.

REPORT ON REVIEW OF BONDING PROGRAM FOR EMPLOYEES OF THE FEDERAL GOVERNMENT

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the review of bonding program for employees of the Federal Government, dated March 1962 (with an accompanying report); to the Committee on Government Operations.

REPORT ON REVIEW OF DOMESTIC AIR TRAVEL BY PERSONNEL OF DEPARTMENT OF DEFENSE IN FIRST-CLASS ACCOMMODATIONS

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the review of domestic air travel by military and civilian personnel of the Department of Defense in first-class accommodations, dated March 1962 (with an accompanying report); to the Committee on Government Operations.

REPORT ON SURVEY OF CERTAIN POLICIES FOLLOWED BY SELECTED MEDICAL SCHOOLS

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on a survey of policies followed by selected medical schools in charging faculty salaries to research and training grants awarded by National Institutes of Health, Public Health Service, Department of Health, Education, and Welfare, November 1961 (with an accompanying report); to the Committee on Government Operations.

REPORT ON EXAMINATION OF CERTAIN INCOME RECEIVED BY GRUMMAN AIRCRAFT ENGINEERING CORP., BETHPAGE, N.Y.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the examination of income received by Grumman Aircraft Engineering Corp., Bethpage, N.Y., from commercial airlines for use of Government-owned facilities furnished under Department of the Navy facilities contract No. a-5682, dated March 1962 (with an accompanying report); to the Committee on Government Operations.

ERNST HAEUSSERMAN

A letter from the Director, U.S. Information Agency, Washington, D.C., transmitting a draft of proposed legislation for the relief of Ernst Haeusserman (with accompanying papers); to the Committee on the Judiciary.

PUBLIC NOTICE OF SETTLEMENTS IN PATENT INTERFERENCES

A letter from the Acting Secretary of Commerce, transmitting a draft of proposed legislation to provide for public notice of settlements in patent interferences (with an accompanying paper); to the Committee on the Judiciary.

REPORT OF GIRL SCOUTS OF THE UNITED STATES OF AMERICA

A letter from the president, and national executive director, Girl Scouts of the United States of America, New York, N.Y., transmitting, pursuant to law, a report of that organization, for the fiscal year ended September 30, 1961 (with an accompanying report); to the Committee on Labor and Public Welfare.

REPORT OF BOARD OF ACTUARIES OF CIVIL SERVICE RETIREMENT SYSTEM

A letter from the Chairman, U.S. Civil Service Commission, Washington, D.C., transmitting, pursuant to law, a report of the board of actuaries of the civil service retirement system, for the fiscal year ended June 30, 1960 (with an accompanying report); to the Committee on Post Office and Civil Service.

AMENDMENT OF SECTION 142, TITLE 28, UNITED STATES CODE, RELATING TO FURNISHING OF CERTAIN QUARTERS AND ACCOMMODATIONS

A letter from the Administrator, General Services Administration, Washington, D.C., transmitting a draft of proposed legislation to amend section 142 of title 28, United States Code, with regard to furnishing court quarters and accommodations at places where regular terms of court are authorized to be held, and for other purposes (with an accompanying paper); to the Committee on Public Works.

DISPOSITION OF EXECUTIVE PAPERS

A letter from the Administrator, General Services Administration, Washington, D.C., transmitting, pursuant to law, a report of the Archivist of the United States on a list of papers and documents on the files of several departments and agencies of the Government which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition (with accompanying papers); to a Joint Committee on the Disposition of Papers in the Executive Departments.

The PRESIDENT pro tempore appointed Mr. JOHNSTON and Mr. CARLSON members of the committee on the part of the Senate.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

A concurrent resolution of the Legislature of the State of New York; to the Committee on Appropriations:

"RESOLUTION No. 189, MARCH 29, 1962

"Concurrent resolution memorializing the President and Congress of the United States to make funds available for a shore projection project between Fire Island Inlet and Montauk Point

"Whereas the recent storms and high tides, which caused widespread damage to public and private property and to the barrier beaches along the Atlantic coastline of the State of New York, have dramatically emphasized and have made more critical the need for action to protect life and property from the havoc of future storms; and

"Whereas the U.S. Army Corps of Engineers issued in July of 1958 a cooperative beach erosion control and interim hurricane study of that section of the Atlantic coastline of the State of New York between Fire Island Inlet and Montauk Point, which study called for a substantial shore protection project in said area; and

"Whereas a combined Federal project for beach erosion control and hurricane protection of said area was authorized by the Congress of the United States in the River and Harbor Act approved on July 14, 1960, with costs to be shared by the local, State, and Federal Governments; and

"Whereas the Congress has not as yet appropriated funds for the initiation of said project, which is estimated to cost approximately $40 million, and the President's budget for the fiscal year 1963 includes only $50,000 for preconstruction planning of said project; and

"Whereas the Governor of the State of New York has assured the Committee on Appropriations of the U.S. House of Representatives and the Chief of Engineers of the Dapartment of the Army of the State's firm intention to make available its share of the necessary funds for said project, and of the readiness of State officials to work with the corps: Now, therefore, be it

"*Resolved* (*if the senate concur*), That the President and Congress of the United States, be and they are hereby respectfully memorialized to implement said project with all possible urgency and expedition to provide the necessary Federal appropriations for that purpose; and be it further

"*Resolved* (*if the senate concur*), That copies of this resolution be transmitted to the President of the United States, the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States, and to each Member of the Congress of the United States, duly elected from the State of New York, and that the latter be urged to devote themselves to the task of accomplishing the purpose of this resolution.

"By order of the assembly.

"ANSLEY B. BORKOWSKI,
"*Clerk.*

"By order of the senate.

"JOHN J. SULLIVAN,
"*Secretary.*"

A resolution of the Senate of the State of Arizona; to the Committee on Armed Services:

"SENATE MEMORIAL 2

"Memorial urging the Congress of the United States to take favorable action on H.R. 10646, relating to increased compensation for enlisted reservists called to active duty

"*To the Congress of the United States:*

"Your memorialist respectfully represents:

"Whereas Representative W. J. BRYAN DORN has introduced H.R. 10646 into the House of Representatives of the United States, which bill grants an additional $100 per month for enlisted reservists called to active duty during the Berlin crisis last fall; and

"Whereas the enlisted reservists who have been called to active duty have entered the Armed Forces during peacetime, at great financial sacrifice to themselves and their families and at considerable sacrifice to their progress in their chosen vocation; and

"Whereas the 197th Fighter Group of the Arizona Air National Guard was called up during the recent Berlin crisis and approximately 500 Arizonians are now serving as enlisted reservists in the Armed Forces; and

"Whereas passage of H.R. 10646 by the Congress of the United States will permit the reservists and families of the reservists to cope with the unusual economic hardships caused by the unanticipated call to duty during the Berlin crisis: Wherefore your memorialist, the Senate of the State of Arizona, prays:

"1. That the Congress of the United States enact H.R. 10646 which will materially assist the reservists and the families of the enlisted reservists to cope with the unusual economic hardships caused by the unanticipated call to duty during the Berlin crisis.

"2. The secretary of state of Arizona is directed to transmit a copy of this memorial to the President of the Senate, and the Speaker of the House of Representatives of the United States and to each member of the Arizona congressional delegation."

A resolution of the General Assembly of the State of Rhode Island; to the Committee on Government Operations:

"HOUSE RESOLUTION 1177

"Resolution memorializing the Congress of the United States to enact legislation which would release and convey to the State of Rhode Island unused land and/or buildings, located within the State of Rhode Island and held by the Federal Government and its agencies, where said land and/or buildings are not necessary to the public defense

"Whereas the State of Rhode Island is desirous of developing and utilizing all unused real estate and buildings presently held by the Federal Government and its agencies to their fullest potential; and

"Whereas the Department of the Navy, Department of the Army, Department of Defense, and the General Services Administration, all within the Federal Government of the United States, have within their jurisdiction land and/or buildings which are not being used and are not necessary to the public defense; and

"Whereas the State of Rhode Island has requested the Federal Government and the said agencies to make a study of all unused land and/or buildings located within the State of Rhode Island and not necessary to the public defense: Now, therefore, be it

"*Resolved*, That the General Assembly of the State of Rhode Island earnestly urge the Congress of the United States to enact legislation which would release and transfer to the State of Rhode Island all unused land

and/or buildings held by the Federal Government and its agencies, and not necessary to the public defense; and be it further

"*Resolved*, That duly certified copies of this resolution be transmitted forthwith by the secretary of state to the Vice President of the United States, to the Speaker of the House of Representatives of the United States, and to each of the Senators and Representatives from the State of Rhode Island in the Congress of the United States, earnestly requesting that each use his best efforts to enact legislation which would carry out the purposes of this resolution."

A joint resolution of the Legislature of the State of Alaska; to the Committee on Interior and Insular Affairs:

"HOUSE JOINT RESOLUTION 76

"Resolution relating to incentive payments for the mining of gold

"Whereas the present national reserve of gold is not adequate to meet legal currency requirements; and

"Whereas the gold of the Nation is seriously overmortgaged in view of these currency requirements and the short-term dollar balances held by foreigners for which gold could be demanded; and

"Whereas if the gold reserve of the United States continues downward, a serious loss of confidence in the dollar will result; and

"Whereas any attempt to stem the outflow of gold by use of an embargo would adversely reflect on the credit of the Nation; and

"Whereas an increased stock of gold is needed to provide sufficient 'liquidity' for expanding world trade; and

"Whereas a raise in the price of gold will result in increased development of Alaska's natural resources and that of other States, and provide additional employment for our people and general prosperity for the State at this critical stage in its development as a State; and

"Whereas there is now pending in the U.S. Senate, Senate Joint Resolution 44, which proposes incentive payments of not to exceed an additional $35 per ounce for new gold produced in the United States in order to 'reverse the trend of a dwindling gold reserve;' " Be it

"*Resolved by the Legislature of the State of Alaska in second legislature, second session assembled*, That the President and the Congress of the United States are urged to approve and give effect to Senate Joint Resolution 44 of the current Congress to protect our national credit and assist in the needed revival of the gold mining industry which has yet to overcome the curtailment forced on its production during World War II and the depressed conditions caused by the Federal ceiling on its market price; and be it further

"*Resolved*, That copies of this resolution be sent to the Honorable John F. Kennedy, President of the United States; the Honorable Lyndon B. Johnson, Vice President of the United States and President of the Senate; the Honorable John W. McCormack, Speaker of the House of Representatives; and the members of the Alaska delegation in Congress.

"Passed by the house March 8, 1962.

"WARREN A. TAYLOR,
"*Speaker of the House.*

"Attest:

"ESTHER REED,
"*Chief Clerk of the House.*

"Passed by the senate March 14, 1962.

"FRANK PERATROVICH,
"*President of the Senate.*

"Attest:

"EVELYN K. STEVENSON,
"*Secretary of the Senate.*

"Approved by the Governor March 21, 1962.

"WILLIAM A. EGAN,
"*Governor of Alaska.*"

A joint resolution of the Legislature of the State of Arizona; to the Committee on Interior and Insular Affairs:

"SENATE JOINT MEMORIAL 3

"Joint memorial requesting the Congress of the United States to enact legislation permitting the State of Arizona to sell public lands granted to the State by the Federal Government to political subdivisions of the State at nominal cost, provided such lands are used for a public purpose

"*To the Congress of the United States of America.*

"Your memorialist respectfully represents:

"Whereas the State of Arizona holds title to considerable land granted to the State by the terms of the Enabling Act; and

"Whereas the Federal Government, in granting the land to the State of Arizona, has prescribed certain conditions and limitations; and

"Whereas the limitations prescribed by the Federal Government prohibit the sale of such lands to political subdivisions of the State for a nominal cost, provided the lands are to be used for a public purpose; and

"Whereas the State of Arizona has had a phenomenal growth and therefore political subdivisions of the State require lands which can be used for public purposes: Wherefore your memorialist, the Legislature of the State of Arizona, prays:

"1. That the Congress of the United States enact appropriate legislation which will permit the State of Arizona to sell certain lands to political subdivisions of the State for a nominal cost, provided such land is to be used for a public purpose.

"2. The secretary of state of Arizona is directed to transmit a copy of this memorial to the President of the Senate, the Speaker of the House of Representatives of the United States and to each member of the Arizona congressional delegation."

A concurrent resolution of the Legislature of the State of Hawaii; to the Committee on the Judiciary:

"SENATE CONCURRENT RESOLUTION 5

"Concurrent resolution relating to Federal income taxation of the interest derived from public bonds

"Whereas the State of Hawaii and the political subdivisions thereof have in the past and are now currently engaged in financing, through the issuance of bonds, needed public improvements such as the building of schools, highways, water and sewer distribution systems and other projects for the promotion of the health, safety, and welfare of the people; and

"Whereas the interest income which the owner derives from such bonds has in the past and is now currently exempt from the imposition of any Federal income tax; and

"Whereas the Federal taxation of the interest of such bonds, as income, would result in the curtailment of construction of needed public improvements, and would result in either an increase of taxes imposed by the State of Hawaii and any political subdivision thereof in order to pay higher interest costs, or the assumption by the Federal Government of the responsibility of financing such improvements; and

"Whereas there is currently a national movement to permit the imposition of the Federal income tax on the interest income from the bonds issued or to be issued by the several States and their political subdivisions: Now, therefore, be it

"*Resolved by the Senate of the First Legislature of the State of Hawaii, budget session of 1962 (the House concurring)*, That the Legislature of the State of Hawaii opposes any amendment of the Constitution of the United States, or any other action by the Congress of the United States, or the executive branch thereof, which would have the effect of subjecting the income from State and local bonds to a Federal tax or to cause the tax to be increased because of such bond holdings by a taxpayer whether or not the increase is in fact titled a tax; and be it further

"*Resolved*, That certified copies of this concurrent resolution be transmitted to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from Hawaii in the Congress of the United States.

"Adopted by the Senate of the State of Hawaii March 28, 1962.

"W. H. HILL,
"*President of the Senate.*

"———,
"*Clerk of the Senate.*

"Adopted by the House of Representatives of the State of Hawaii March 28, 1962.

"ELMER F. CRAVALHO,
"*Speaker, House of Representatives.*

"———,
"*Clerk, House of Representatives.*"

A concurrent resolution of the Legislature of the State of New York; to the Committee on Labor and Public Welfare:

"RESOLUTION 117

"Concurrent resolution memorializing Congress and the President of the United States to provide Federal narcotics hospital in the New York metropolitan area

"Whereas the human suffering and social and economic loss caused by drug addiction are matters of grave concern to the people of this State; and

"Whereas persons who become addicted to narcotic drugs are most often adolescents and young adults who are victimized before they are old enough to appreciate the tragic consequences; and

"Whereas the highly infectious scourge of drug addiction continues to take its toll of human lives and the health of thousands of its helpless victims; and

"Whereas essentially the entire illegal supply of narcotics in the United States is brought into New York State from foreign countries; and

"Whereas Federal authorities have not been able to sustain an effective attack against the smuggling of narcotics into the country; and

"Whereas the inability of Federal authorities to cope effectively with the illicit importing of narcotics has directly contributed to the increasing urgency of this most pressing medical and social problem; and

"Whereas effective, coordinated State, Federal, and local programs of treatment can be developed to save hundreds and ultimately thousands of young narcotics addicts from enslavement to drugs by offering them medical and psychiatric treatment; and

"Whereas the problem of drug addiction can be attacked effectively only if all levels of government, local, State, and Federal, shoulder their full measure of responsibility in research and prevention, treatment, and aftercare of drug addiction; and

"Whereas the State of New York has taken a major step forward to meet its share of these responsibilities by enactment of legislation and other action offering arrested drug addicts humane medical treatment instead of imprisonment, and by strengthening its program of voluntary commitments of noncriminal addicts to State hospitals for treatment; and

"Whereas it is the unanimous consensus of expert medical opinion that drug addicts share a common need for programs of planned hospitalization followed by intensive aftercare treatment; and

"Whereas New York State, and particularly the city of New York, by reason of its

national eminence as a seaport and the availability of illicit narcotic drugs smuggled into the United States from all over the world through the enormous port facilities of New York City, has the most serious addiction problem in the country; and

"Whereas hospital and aftercare treatment facilities, to be of maximum benefit to persons in need of such assistance should be located in areas of high concentration of addiction: Now, therefore, be it

"*Resolved (if the assembly concur)*, That the Congress and the President of the United States are hereby respectfully memorialized to take immediate steps toward providing affirmative support to State, local, and individual initiative in obtaining a Federal narcotics hospital in the New York metropolitan area to provide for:

"(a) extensive research in narcotics addiction;

"(b) addict treatment services affording adequate inpatient care; and

"(c) aftercare services for released addicts; and be it further

"*Resolved*, That copies of this resolution be transmitted to the President of the United States, to the Secretary of the U.S. Senate, to the Clerk of the House of Representatives of the United States and to each Member of Congress duly elected from the State of New York and that the latter be urged to assert their best efforts to the task of accomplishing the purpose of this resolution.

"By order of the senate:

"JOHN J. SULLIVAN,
"*Secretary.*

"By order of assembly:

"ANSLEY B. BORKOWSKI,
"*Clerk.*"

A letter in the nature of a petition from the Veterans of World War I, Washington, D.C., signed by John Bashara, national commander, transmitting a report of that organization relating to pensions for World War I veterans; to the Committee on Finance.

A resolution adopted by the Board of Supervisors of Del Norte County, Calif., protesting against the enactment of legislation to impose a Federal income tax on income derived from public bonds; to the Committee on Finance.

The petition of Joseph F. Martin, Jr., of Dearborn, Mich., favoring the enactment of legislation to provide health insurance for retired persons; to the Committee on Finance.

By Mr. GOLDWATER:

A joint resolution of the Legislature of the State of Arizona; to the Committee on Interior and Insular Affairs:

"HOUSE JOINT MEMORIAL 2

"Joint memorial requesting the establishment of a national cemetery in Arizona

"*To the Congress of the United States of America:*

"Your memorialist respectfully represents:

"The State of Arizona does not have a national cemetery within its borders even though, proportionately, there are more veterans in Arizona than in most States of the United States. The influx of veterans into the State of Arizona is due to the fact that for many years there have been many military installations located in the State. Moreover, thousands of veterans have moved to Arizona to take advantage of the dry, healthful climate.

"A deceased veteran, who has expressed a desire to be buried in a national cemetery, has to be transported to a distant point in another State for burial: Wherefore your memorialist, the Legislature of the State of Arizona, prays:

"1. That the Congress provide for the establishment of a national cemetery in the State of Arizona."

RESOLUTIONS OF KANSAS LIVESTOCK ASSOCIATION

Mr. CARLSON. Mr. President, the Kansas Livestock Association, at its annual convention in Wichita, Kans., on March 17, adopted several resolutions in regard to the livestock industry and proposed agricultural legislation.

The members of the Kansas Livestock Association are substantial farm operators in the State of Kansas, and there were over 1,500 in attendance at this meeting.

In their discussion of the proposed farm legislation, they stated definitely they were opposed to any feed grain program unless it was voluntary, and the decision to participate rested entirely with the individual producer.

These livestock producers consume largely the feed grain produced on their farms in their own feedlots.

It was their contention that the farmers who have followed recommended cropping and farm programs, based on soil conservation and improvement, have been penalized in all farm programs.

I ask unanimous consent that the resolutions adopted by the Kansas Livestock Association that affect Federal programs and Federal problems be printed in the RECORD.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

RESOLUTIONS ADOPTED AT THE 49TH ANNUAL CONVENTION OF THE KANSAS LIVESTOCK ASSOCIATION, MARCH 17, 1962, HOTEL BROADVIEW, WICHITA, KANS.

SOIL AND WATER CONSERVATION

The Kansas Livestock Association favors the following items of policy related to soil and water conservation in Kansas:

1. Water rights: The Kansas Livestock Association stands for the reservation of water rights to the States with the Federal Government and its agencies being required by Federal law to abide by State laws governing water rights.

2. Watershed development: The Kansas Livestock Association is vitally interested in development of our watersheds and urges that steps be taken to speed up the procedures by which this is accomplished. We recommend the education of urban citizens as to the benefits; a full use of capabilities of private engineers in planning and design; a policy of balance between public and private use of land and water; a simplification of land use studies and programs, and detection of unnecessary complexities; a study of stream channel condition toward the end of initiating a program of channel maintenance; and finally, an initiation of efforts to improve relations with the Corps of Army Engineers. All these we feel will help in the aforesaid watershed development.

3. Lyon Creek Reservoir: Maintain the position as stated in 1960 and 1961, which is that an organized watershed should be permitted adequate time to develop a program without interference from outside sources.

BRUCELLOSIS RECERTIFICATION

Whereas Kansas is well along in the brucellosis certification program and we believe that more consideration should be given to official calfhood vaccination in recertification: Be it

Resolved, That in any range or semi-range area, any modified certified county or area shall be elegible to recertify by calfhood vaccination when 80 percent of the breeding cattle herds in such county or area can show positive evidence to the fact that all of the heifers retained or added annually in the herd have been officially calfhood vaccinated. Any herd not so vaccinated shall be submitted to the required blood test each 3 years. The market cattle testing program for recertification would be used to the fullest extent in conjunction with this plan; be it further

Resolved, That a copy of this resolution be sent by the secretary of the Kansas Livestock Association to the chairman and members of the Brucellosis Committee of the United States Livestock Sanitary Association; secretary of the American National Cattlemen's Association; chairman of the National Brucellosis Committee.

SHEEP FROM SCABIES-FREE AREAS

Whereas all the sheep in the western part of the State of Kansas have been inspected for sheep scabies, under State and Federal inspection, and this area has been officially declared clean by the United States Department of Agriculture under the national agreed plan; and

Whereas thousands of feeder lambs go from Kansas to Colorado each year; and

Whereas the State of Colorado still requires that sheep from this scabies-free area in Kansas be dipped before entering Colorado: Be it

Resolved, That the Kansas Livestock Association request the livestock sanitary officials of the State of Colorado to recognize the scabies-free area in Kansas as it exists today and any subsequent free area in Kansas, and to cease at once in requiring that sheep from the Kansas scabies-free area be dipped to enter Colorado; be it further

Resolved, That a copy of this resolution be sent by the secretary of the Kansas Livestock Association to the proper livestock sanitary officials of the State of Colorado.

FOOT-AND-MOUTH DISEASE

Whereas the cattle industry of the United States must constantly work to prevent any outbreaks of foot-and-mouth disease in this country; and

Whereas foot-and-mouth disease has been introduced into this country, in the past, on nine different occasions; and

Whereas the President of the United States has had a scientific mission investigate the present status of foot-and-mouth disease in certain South American countries with the possibility of reducing the restrictions placed upon animals and fresh meats from these areas: Now, therefore, be it

Resolved, That the Kansas Livestock Association requests the Congress of the United States and the Secretary of Agriculture to continue to prohibit the importation of cloven-hoofed animals and the fresh meats thereof from countries where foot-and-mouth disease or rinderpest exist and, further, that no portion of such country (such as the island of Tierra del Fuego) be regarded as free from these diseases and, further, that the Secretary not permit any relaxation in the present requirements imposed on animals and meats from the countries referred to until it has been definitely proven beyond any doubt that there could be no hazard to the livestock of this country; and be it further

Resolved, That a copy of this resolution be sent by the secretary of this association to the Secretary of Agriculture and to the congressional delegates from the State of Kansas.

PUBLIC RELATIONS

The agriculture industry in Kansas is being represented erroneously to the general public as becoming a diminishing factor in the State's economy.

The reverse is true. Farming, together with its many related industries which are

dependent upon farming and livestock production, continues to be the major segment of the Kansas economy. These agricultural enterprises produce personal income more than double the income from any other business activity. Most Kansas manufacturing and industry spring directly from agriculture and are dependent on agriculture for their existence. We are proud that the great potential for further industrial development in Kansas lies in the broad field of industry directly related to farming: Be it

Resolved, therefore, That members of this association be on the alert for opportunities to create more favorable public understanding of agriculture's true role as a dominant, essential factor in the economy of Kansas and the Nation.

FARM PROGRAM—DIVERTED ACRES

Whereas the present farm bill before Congress provides that the Secretary of Agriculture may authorize the grazing of diverted acres both under feed grain and wheat programs; and

Whereas this provision in the bill would bring many new producers into livestock production; and

Whereas this could easily upset the delicate balance of supply and demand in meat production: Be it therefore

Resolved, That the Kansas Livestock Association aggressively oppose the passage of a farm bill which could allow unrestricted grazing of diverted acres.

FARM PROGRAM—FEED GRAIN

Since livestock feeding is an increasingly important part of Kansas livestock production, with the result that our State is fast becoming a deficient food area: Therefore be it

Resolved, That the Kansas Livestock Association aggressively oppose any mandatory feed grain program or enforced cross-compliance with other commodity control programs.

TRANSPORTATION

Whereas interstate motor vehicles transporting agricultural commodities are exempt at the present time from registration with, and regulation by the Interstate Commerce Commission; and

Whereas the Congress is considering legislation to require ICC registration of these exempt carriers: Therefore be it

Resolved, That the Kansas Livestock Association favors the continuance of both these exemptions.

PRAIRIE NATIONAL PARK

Whereas the Federal Government already has jurisdiction of approximately 40 percent of the land and water area of the continental United States and all its territories and possessions; and

Whereas substantial additional acreage is continually being taken over for various purposes; and

Whereas Pottawatomie County already has lost 29,000 acres to Tuttle Creek Reservoir and is in the process of losing substantially more in the Vermillion Reservoir; and

Whereas the Federal Government already owns about 110,000 acres of grassland in the State of Kansas: Therefore be it

Resolved, That the Kansas Livestock Association go on record in opposition to the taking of 57,000 acres of privately owned grassland for a Prairie National Park.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BYRD of Virginia, from the Committee on Finance, without amendment:

H.R. 10043. An act to amend Public Law 86-272, as amended with respect to the reporting date (Rept. No. 1316); and

H.R. 10607. An act to amend the Tariff Act of 1930 and certain related laws to provide for the restatement of the tariff classification provisions, and for other purposes (Rept. No. 1317).

By Mr. BYRD of Virginia, from the Committee on Finance, with amendments:

H.R. 9778. An act to provide for the free entry of certain steel and steel products donated for an addition to the Chippewa County War Memorial Hospital, Sault Ste. Marie, Mich. (Rept. No. 1318).

By Mr. RUSSELL, from the Committee on Armed Services, with an amendment.

H.R. 9751. An act to authorize appropriations during fiscal year 1963 for aircraft, missiles, and naval vessels for the Armed Forces, and for other purposes (Rept. No. 1315).

REPORT ENTITLED "ORGANIZATION OF FEDERAL EXECUTIVE DEPARTMENTS AND AGENCIES" (S. REPT. NO. 1313)

Mr. McCLELLAN. Mr. President, on behalf of the Committee on Government Operations, I submit a report entitled "Organization of Federal Executive Departments and Agencies," and ask that it be printed.

I ask unanimous consent that I may have printed at this point in the RECORD, as a part of my remarks, a press release, which I have issued regarding the contents of this report.

The PRESIDING OFFICER (Mr. McNAMARA in the chair). The report will be received and printed, as requested by the Senator from Arkansas; and, without objection, the release will be printed in the RECORD.

The press release presented by Mr. McCLELLAN is as follows:

As chairman of the Committee on Government Operations, I am filing a report on behalf of the committee on the "Organization of Federal Executive Departments and Agencies," depicting the number of Federal employees assigned to the Executive Office of the President, the 13 departments, and to the 52 independent agencies of the Federal Government, as of January 1, 1962.

The 2,418,864 employees reported by the executive branch of the Government compares to 2,344,410 reported on January 1, 1961: an increase of 74,454 during the calendar year 1961. For security reasons no employees of the Central Intelligence Agency are reported.

The Executive Office of the President reduced its personnel by 1,144, due primarily to the transfer of 1,106 civil defense employees from OCDM to the Department of Defense. The 13 executive departments reported total net increases of 57,643, and the 52 independent agencies net increases totaling 17,955.

The total of 2,418,864 employees reported by the executive branch represents an increase of 457,835 over the number employed as of January 1, 1950, the low since World War II, and prior to the Korean conflict. During the last 15 years, beginning on January 1, 1947, when this committee released its first report, there has been an overall net increase of 156,239 employees.

The largest increases during 1961 were reported by the Department of Defense, 27,027; Post Office, 13,075; Health, Education, and Welfare, 8,024 (attributed largely to the amendments to the Social Security Act); Agriculture, 3,774; Treasury, 3,455; Interior, 2,973; and State, 1,386. A reduction of 2,821 was reported by the Department of Commerce, of which 2,307 were in an employment status as of January 1, 1961, in connection with the 1960 census.

The independent agencies reported a net increase of 17,955 in 1961. A similar increase of 17,286 in 1960 aggregates a total of 35,241 new employees in these agencies during the past 2 calendar years. In 1961, the largest increases were reported by the Tennessee Valley Authority, 3,690; the Federal Aviation Agency, 3,480; the National Aeronautics and Space Administration, 2,984; the Veterans' Administration, 2,983; the General Services Administration, 1,407; and the Housing and Home Finance Agency, 1,017.

As of January 1, 1962, 171,700 civilian employees of the executive branch were engaged in oversea activities, of which 62,227 were American citizens and 109,473 were nationals of other countries. This was an increase of 1,869 American citizens and 1,074 foreign nationals over 1961.

The employment statistics contained in the report were developed by the committee staff, based on information furnished by officials of the executive branch, to accompany a chart outlining the organization of the major components of the Government, both of which are being released by the committee today.

SECOND SUPPLEMENTARY REPORT ENTITLED "PROBLEMS OF THE DOMESTIC TEXTILE INDUSTRY" (S. REPT. NO. 1314)

Mr. PASTORE, from the Committee on Commerce, submitted a second supplementary report entitled "Problems of the Domestic Textile Industry," which was ordered to be printed.

COMMUNICATIONS SATELLITE ACT OF 1962—REPORT OF A COMMITTEE

Mr. KERR. Mr. President, from the Aeronautical and Space Sciences Committee, I report, with amendments, the bill (S. 2814) to provide for the establishment, ownership, operation, and regulation of a commercial communications satellite system, and for other purposes, and I submit a report (No. 1319) thereon. Pursuant to the order of the Senate of February 6, 1962, I ask that the bill be referred to the Committee on Commerce for such action as they deem necessary.

The PRESIDING OFFICER. The report will be received and the bill will be referred, as requested by the Senator from Oklahoma.

REPORTS OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS

Mr. HAYDEN. Mr. President, in accordance with the Mutual Security Act of 1954, as amended, I ask unanimous consent to have printed in the RECORD the reports of Senator CLAIR ENGLE and the Committee on Agriculture and Forestry concerning the foreign currencies and U.S. dollars utilized in connection with foreign travel in 1961.

There being no objection, the reports were ordered to be printed in the RECORD, as follows:

Report of expenditure of foreign currencies and appropriated funds by Senator Clair Engle, between Jan. 1 and Dec. 31, 1961

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Venezuela	Dollar		13.79		3.55				1.64		18.98
Peru	do		24.09		12.71		9.83		8.00		54.63
	Sol			1,215	45.00	2,153	79.74	492.75	18.25	3,860.75	142.99
Bolivia	Dollar		9.25		2.11		1.90				13.26
	Boliviano			160,000	13.27					100,000	13.27
Chile	Dollar		24.93		.80				2.61		28.34
	Escudo			25.20	24.00	21.71	20.68	19.66	18.72	66.57	63.40
Argentina	Dollar		46.00		17.37		24.27		21.80		109.44
	Peso			889	10.84	2,880	35.10	632	7.74	4,401	53.68
Paraguay	Dollar		10.34		3.84						14.18
Brazil	do		61.81		20.98		3.07		8.17		94.03
	Cruzeiro			66,945	164.71	15,000	40.54	21,000	56.75	96,945	262.00
Barbados	Dollar		37.80				1.08				38.78
Total			228.01		$19.15		217.11		143.66		907.95

RECAPITULATION

Foreign currency (U.S. dollar equivalent)	$535.34
Appropriated funds: Government department: Department of the Army	372.61
Total	907.95

FEB. 15, 1962.

CLAIR ENGLE,
Member of Congress.

Report of expenditure of foreign currencies and appropriated funds by the Committee on Agriculture and Forestry, U.S. Senate, expended between Jan. 1 and Dec. 31, 1961

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator B. Everett Jordan:											
United States	Dollar		15.50		127.30		1,085.03		73.34		1,301.17
Denmark	do		134.12		47.90		69.26		18.92		270.20
Norway	do		33.00		28.85		36.02		29.84		127.71
Sweden	do		38.30		44.45		17.37		43.79		143.91
Germany	do		30.77		82.46		59.44		131.83		313.50
France	do		5.11		18.47		51.52		16.27		91.37
Belgium	do		7.00		4.57				12.86		24.43
Austria	do		85.53		16.32		8.64		35.80		146.29
Italy	do				8.69		1.97		.85		11.51
Spain	do				7.25		4.88				12.13
Austria	Schilling			2,240.24	87.10			2,759.76	107.30	5,000.00	194.40
Denmark	Kroner			1,079.74	156.94	237.15	34.47	2,258.95	327.61	3,575.84	519.02
Jordan:											
France	New franc			123.65	27.22					133.65	27.22
Sweden	Kroner			254.39	49.30	120.95	23.44	374.67	72.61	750.00	145.35
Subtotal			528.33		706.82		1,392.04		871.02		3,328.21
Senator Maurine B. Neuberger:											
Ethiopia	Ethiopian dollar.	37.50	15.00	12.50	5.00			3.75	1.72	53.75	21.72
France	Franc	460	94.00	540	110.12	200	41.00	300	61.00	1,500	306.12
Ghana	Pound	4/-/-	11.40	18/-/-	50.90			3/-/-	8.45	25/-/-	70.75
Kenya	East African shilling.							353	50.00	353	50.00
Spain	Peseta	3,000	50.00	4,000	67.00			2,000	33.00	9,000	150.00
Subtotal			170.40		233.02		41.00		154.17		598.59
Senator Stephen M. Young:											
Venezuela	Dollar		13.79		3.55		2.25				19.59
	do		24.09		12.71		9.83		8.00		54.63
Peru	Sol			1,215	45.00	2,153	79.74	492.75	18.25	3,860.75	142.99
Bolivia	Dollar		9.25		3.13		1.90				14.28
	Boliviano			160,000	13.27					160,000	13.27
Chile	Dollar		20.77		6.42				6.18		33.37
	Escudo			25.20	24.00	21.71	20.68	19.66	18.72	66.57	63.40
Argentina	Dollar		46.00		17.37		24.27				87.64
	Peso			889	10.84	2,880	35.10	632	7.74	4,401	53.68
Paraguay	Dollar		10.34		3.49						13.83
Brazil	do		61.81		16.68		3.07		2.53		84.09
	Cruzeiro			65,971	178.29	15,000	40.54	15,974	43.17	96,945	262.00
Barbados	Dollar		37.80		5.53		1.08				43.31
Subtotal			223.85		340.28		219.36		104.59		888.08
Grand total			752.58		1,280.12		1,652.40		1,129.78		4,814.88

RECAPITULATION

Foreign currency (U.S. dollar equivalent)	$2,019.92
Appropriated funds: Government department: Department of the Army	2,794.96
Total	4,814.88

MAR. 29, 1962.

ALLEN J. ELLENDER,
Chairman, Committee on Agriculture and Forestry.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BUSH:

S. 3090. A bill for the relief of Antonio da Costa; to the Committee on the Judiciary.

By Mr. ROBERTSON (by request):

S. 3091. A bill to amend section 3515 of the Revised Statutes to eliminate tin in the alloy of the 1-cent piece; to the Committee on Banking and Currency.

By Mr. MOSS:

S. 3092. A bill to provide that benefits payable under title II of the Social Security Act shall not be considered as income in determining eligibility of veterans for nonservice-connected disability benefits; to the Committee on Finance.

By Mr. MAGNUSON (for himself and Mr. BARTLETT) (by request):

S. 3093. A bill to make clear that fishermen's organizations, regardless of their technical legal status, have a voice in the ex-vessel sale of fish or other aquatic products on which the livelihood of their members depend; to the Committee on Commerce.

(See the remarks of Mr. MAGNUSON when he introduced the above bill, which appear under a separate heading.)

By Mr. HUMPHREY:

S. 3094. A bill to provide for the conveyance of certain mineral rights to Christmas Lake, Inc., and Karlson Development Corp.; to the Committee on Interior and Insular Affairs.

By Mr. MORSE:

S. 3095. A bill to abolish the death penalty under all laws of the United States except the Uniform Code of Military Justice; to the Committee on the Judiciary.

(See the remarks of Mr. MORSE when he introduced the above bill, which appear under a separate heading.)

By Mr. WILLIAMS of New Jersey (by request):

S. 3096. A bill to amend the Small Business Act to provide that the program under which Government contracts are set aside for small business concerns shall not apply in the case of contracts for maintenance, repair or construction; to the Committee on Banking and Currency.

By Mr. KEFAUVER (by request):

S.J. Res. 178. Joint resolution extending the duration of copyright protection in certain cases; to the Committee on the Judiciary.

CONCURRENT RESOLUTIONS

DESIGNATION OF WEEK OF NOVEMBER 4–10, 1962, AS NATIONAL COUNTRY MUSIC WEEK

Mr. KEFAUVER submitted the following concurrent resolution (S. Con. Res. 66); which was referred to the Committee on the Judiciary:

Resolved by the Senate (the House of Representatives concurring), That the President of the United States is requested to issue a proclamation setting aside and designating the period beginning November 4, 1962, through November 10, 1962, as National Country Music Week, as a tribute to the native country music of America and to the men and women who devote their lives to the continuation and preservation of the native country songs of our land, and calling upon the people of the United States to observe such week with appropriate ceremonies and activities.

STUDY OF UNEMPLOYMENT PROBLEMS BY JOINT ECONOMIC COMMITTEE

Mr. BUSH submitted a concurrent resolution (S. Con. Res. 67) to authorize a study of unemployment problems by the Joint Economic Committee, which was referred to the Committee on Banking and Currency.

(See the above concurrent resolution printed in full when submitted by Mr. BUSH, which appears under a separate heading.)

RESOLUTIONS

DISAPPROVAL OF AGREEMENT BETWEEN DEPARTMENT OF THE INTERIOR AND STATE OF CALIFORNIA UNDER PUBLIC LAW 86–488

Mr. MORSE (for himself, Mr. DOUGLAS, and Mr. PROXMIRE) submitted a resolution (S. Res. 322) to request the Committee on Interior and Insular Affairs to express disapproval of the proposed agreement between the Department of the Interior and the State of California under Public Law 86–488, and to notify the Department of the Interior that any such agreement hereafter submitted shall conform to the intent of Congress, which was referred to the Committee on Interior and Insular Affairs.

(See the above resolution printed in full when submitted by Mr. MORSE, which appears under a separate heading.)

STABILIZATION OF DOMESTIC FARM LABOR FORCE—ADDITIONAL COPIES OF HEARINGS ON SENATE BILL 1129

Mr. WILLIAMS of New Jersey submitted the following resolution (S. Res. 323); which was referred to the Committee on Rules and Administration:

Resolved, That there be printed for the Committee on Labor and Public Welfare, two thousand two hundred additional copies of volume II of the hearings on S. 1129, a bill to stabilize the domestic farm labor force, held by its Subcommittee on Migratory Labor during the 87th Congress, first and second sessions.

AMENDMENT OF FISHERY MARKETING ACT

Mr. MAGNUSON. Mr. President, on behalf of the senior Senator from Alaska [Mr. BARTLETT] and myself, I introduce, for appropriate reference, a bill to amend the Fishery Marketing Act. I ask unanimous consent that a statement prepared by me relating to the bill, be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the statement will be printed in the RECORD.

The bill (S. 3093) to make clear that fishermen's organizations, regardless of their technical legal status, have a voice in the ex-vessel sale of fish or other aquatic products on which the livelihood of their members depends, introduced by Mr. MAGNUSON (for himself and Mr BARTLETT), was received, read twice by its title, and referred to the Committee on Commerce.

The statement presented by Mr. MAGNUSON is as follows:

STATEMENT BY SENATOR MAGNUSON

Senator BARTLETT joins with me in introducing, by request, legislation that warrants the attention of the Congress and all who have concern for the welfare of our fishing industry. This proposal has for its broad purpose the establishment of a sound economic relationship between fishermen, fish dealers, and canners, a relationship beneficial to the further development of the fishing industry and of service to the public interest.

This bill would amend the Fisheries Marketing Act of 1934, an act originally designed to provide fishermen as primary producers with the right of self-association for cooperative improvement of their conditions. The amendment seeks to bring the Marketing Act up to date by relating it to the practical problems that presently cloud the rights of fishermen to associate themselves together, whether in unions or cooperatives, and collectively bargain for a fair return on the fish harvested by their labors at sea.

The need for this legislation has grown steadily more urgent during recent years. The reasons are complex but generally boil down to a single major consideration. As a result of antitrust actions and Federal Trade Commission rulings, many fishermen find themselves in what amounts to a legal no man's land when it comes to bargaining collectively with fish buyers over the conditions and price under which they will deliver their fish. Likewise the buyers, be they dealers or canners, cannot engage in group bargaining with fishermen.

Many harmful results flow from this unusual condition. First and foremost is that fishermen and buyers, often at the height of the harvesting season, have disagreements over the price of fish. Unable to bargain out their differences around a table, they engage in a constant and sometimes lengthy bickering. Meanwhile, all suffer losses; fishery management and conservation deteriorates; needed technological improvements fail to materialize and an important basic industry slips steadily backward.

The existing unstable relationships did not arise overnight, nor are they the product of any particular group or governmental agency. The problem arose primarily because of the peculiar circumstances of the industry itself, because of the unique status of the fisherman as a sort of combination producer-worker-independent entrepreneur. In short, fishermen simply do not fit into the legal patterns created for other groups.

Undoubtedly, there is no quick prescription to produce stable relationships in the fishing industry. However, the Marketing Act does appear to offer the most constructive possibilities. It has already been relied upon extenaively and can best be adapted to the special characteristics of the industry. What would seem to be in order is that it be amended to clearly establish the legal right of all fishermen to organize into associations of their own choosing, unions or cooperatives, and the reciprocal right of such associations and buyers or associations of buyers to engage in collective bargaining over fish prices or other methods of compensation.

Many legislative efforts along this line have been undertaken over the past 10 years. Some hearings have been held, but neither the Congress nor the industry have been sufficiently aroused to give this problem the consideration it requires. It is our hope in introducing a bill at this time, to have this proposal thoroughly studied by all segments

of the industry to enable them to be in agreement and then corrective legislation will be possible.

What is needed above all is to bring together in a comprehensive record the facts pertinent to the problems we are striving to solve with this legislation. To guide us we need the ideas and mature judgments of the producers, the dealers, the canners, and all others who make up the U.S. fishery. Out of such an approach, I am sure, will emerge a solution that will help us to legislate a foundation for stable relationships between the several divisions of our industry.

INCREASED OPPORTUNITY FOR TRAINING OF PHYSICIANS, DENTISTS, AND PROFESSIONAL PUBLIC HEALTH PERSONNEL—AMENDMENTS

Mr. WILLIAMS of New Jersey. Mr. President, I submit, for appropriate reference, amendments to S. 1072, the Health Professions Educational Assistance Act, which would include optometry as one of the professions eligible for the assistance authorized by the act. As introduced, S. 1072 would provide grants for the construction of medical, dental, osteopathic, and public health teaching facilities and scholarship grants for students in these professions. In my judgment, provision should also be made for optometry, which has a vital role in protecting the vision of our citizens. I was glad to see the House Interstate and Foreign Commerce Committee has given recognition to the need to assist optometric training by amending the companion bill, soon to be considered in the House, to authorize construction grants for schools of optometry.

S. 1072 would authorize annual appropriations of $75 million for the construction of new facilities and the rehabilitation of existing ones. One of my amendments would increase this amount by only 1 percent in order to make sure funds are available for optometric schools and colleges. The amendments would also make students of optometry eligible for scholarship grants on the same basis as provided in the bill for medical, dental, and osteopathic students.

THE NATION'S VISION NEEDS

Mr. President, few Americans go through life without at some time requiring professional vision care. Every year more than 30 million Americans obtain vision care, and millions more who need such care neglect, or are unable, to seek it. As the average age of our population continues to rise, more and more Americans are living beyond the age at which unaided vision serves their needs. With our expanding school population, correction of vision defects and preventive vision care become increasingly important if we are to make sure our children have the opportunity to develop and utilize their total capabilities and talents. We shall never know, for example, how many unfortunate children have been handicapped in learning reading skills because of an undetected vision problem, and consequently how many potential scientists and other badly needed professional people already have been lost to our society.

During the 1950's the ratio of our population wearing spectacles increased more than 10 percent, and today two out of three adults are receiving professional eye care services. As our need for advanced scientific and technical skills increases, and our civilization becomes more mechanized, not only will the demand for professional vision care rise, but vision requirements will also become more exacting.

THE ROLE OF OPTOMETRY IN AMERICAN VISION CARE

Approximately 75 percent of all Americans visit optometrists when they seek vision care. Yet today there is only 1 optometrist for each 10,000 persons. The need is estimated to be 1 for each 7,000 persons. This means that a total of 710 optometric graduates—nearly double the number graduated in 1961—is needed annually just to keep pace with the Nation's estimated annual population increase. There are only one-fourth as many certified ophthalmologists—the optometrists' counterpart in the medical profession—as optometrists. They are for the most part located in the larger metropolitan areas, such as Boston, Chicago, and so forth, while the vast majority of the 75 percent of our population which relies upon optometrists is in smaller communities.

In addition to the need for more optometrists to insure adequate vision care for our civilian population, the armed services lack sufficient optometrists to meet present service needs. There are only some 350 commissioned optometrists on active duty, holding ranks ranging from second lieutenant to colonel in the Army and Air Force, with corresponding ranks in the Navy. While the Armed Forces do not have to add to their optometric manpower each year, the present lack illustrates the serious problem which would confront this Nation should there be a national emergency requiring a substantial increase in our Armed Forces.

OPTOMETRIC EDUCATION

Mr. President, optometric education in the United States is available in only 10 schools and colleges of optometry. While two new schools have been established in the past 10 years, two others have merged and one has been discontinued. The 10 schools are presently able to process between 350 and 400 graduates a year, while, as I have noted earlier, the immediate annual replacement need is for over 700. In the foreseeable future, our population increase will necessitate an additional 360 graduates a year. There is also a problem of geographical distribution which contributes to the need for additional optometric educational facilities.

The Massachusetts College of Optometry has to provide not only optometrists for Massachusetts, but for all of New England and New York State. The nearest school to my State of New Jersey is the Pennsylvania State College of Optometry in Philadelphia. The southeastern section of the United States does not have a single school of optometry and the same is true of the Rocky Mountain area. There are no schools of optometry in the vast region west of the Mississippi River, north of Texas, and east of the Sierra Mountains. This area must be served by optometrists who have traveled thousands of miles to secure their education.

Our optometric colleges are also being called upon to train optometrists for Latin America, Asia and Africa. Moreover, Western Europe is dependent upon London and the United States to train its optometrists. Up to now the optometrists of all of the British Commonwealth were trained in London, but this source of optometric personnel is already failing to meet the need. We can anticipate that the phenomenal increase in literacy among both children and adults in countries such as Ghana, Liberia and the East African federations will make a rapid increase in optometrists imperative. However the increasing needs of the underdeveloped countries are met, we can be certain that a large share of the burden will fall on American centers of training in optometry and physiological optics.

THE OPTOMETRIC CURRICULUM

There was a time when anyone could offer to examine eyes and prescribe glasses. Today, in order to secure an original license to practice, an optometrist must be a graduate of an accredited school of optometry. All schools of optometry require a minimum of 5 years of study at the college level and some require a sixth year for the O.D. degree. In addition to these educational requirements, a State board examination is required. Every one of the 50 States and the District of Columbia, either by legislation or regulations having the force of law, make this a requirement to practice.

The optometric curriculum includes subjects related to vision care, such as physics, optics, mathematics, and so forth. However, it also includes courses in anatomy, physiology, pathology, and so forth, and devotes about one-fourth of the student's work to a broad study of the human body with particular emphasis on eye diseases and symptoms of other diseases which can be detected in the eyes. Optometrists do not, of course, treat patients medically; however, the long study devoted to eye and other diseases enables the optometrist to refer, for appropriate professional medical care, patients whose eyes reveal evidences of possible diseases.

Mr. President, in his health message to Congress the President stated that "modern health care is extremely complex. It demands the services of a skilled and diversified team of specialists and technical personnel." Optometrists are certainly an essential part of this team. I am convinced that extension of assistance authorized by S. 1072 to optometry would be in our national interest and that failure to do so would adversely affect the visual care of millions of Americans. For these reasons, I urge favorable consideration of my amendments when S. 1072 comes before the committee and the full Senate for action.

The PRESIDING OFFICER. The amendments will be received, printed, and appropriately referred.

The amendments were referred to the Committee on Labor and Public Welfare.

COMMUNICATIONS SATELLITE AUTHORITY ACT—AMENDMENT

Mr. KEFAUVER (for himself, Mrs. NEUBERGER, Mr. YARBOROUGH, Mr. GORE, Mr. MORSE, and Mr. BURDICK), submitted an amendment intended to be proposed by them, jointly, to the bill (S. 2814) to establish a Communications Satellite Authority to provide for the development of a global communication system, and for other purposes, which was referred to the Committee on Commerce, and ordered to be printed.

AMENDMENT OF AGRICULTURAL ADJUSTMENT ACT OF 1938, RELATING TO MARKETING QUOTAS ON IRISH POTATOES—ADDITIONAL TIME FOR BILL TO LIE ON DESK

Mr. MUSKIE. Mr. President, the bill (S. 3050) to amend the Agricultural Adjustment Act of 1938, as amended, to provide for marketing quotas on Irish potatoes through establishment of acreage allotments, introduced by me on March 22, 1962, has been held at the desk for the addition of potential cosponsors. I ask unanimous consent that the bill remain at the desk for another week for the same purpose.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOTICE OF RECEIPT OF NOMINATION BY COMMITTEE ON FOREIGN RELATIONS

Mr. FULBRIGHT. Mr. President, as chairman of the Committee on Foreign Relations, I desire to announce that today the Senate received the nomination of Edwin M. Martin, of Ohio, to be an Assistant Secretary of State for Inter-American Affairs.

In accordance with the committee rule, this pending nomination may not be considered prior to the expiration of 6 days of its receipt in the Senate.

NOTICE OF RESCHEDULING OF HEARING ON NOMINATION OF OSCAR H. DAVIS TO BE ASSOCIATE JUDGE, U.S. COURT OF CLAIMS

Mr. KEATING. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that a public hearing has been rescheduled on the nomination of Oscar H. Davis, of New York, to be associate judge, U.S. Court of Claims, vice Joseph W. Madden, retired, for Thursday, April 5, 1962, at 10 a.m., in room 2300, New Senate Office Building.

At the indicated time and place persons interested in the hearing may make such representations as may be pertinent.

The subcommittee consists of the Senator from Mississippi [Mr. EASTLAND], the Senator from South Carolina [Mr. JOHNSTON], and myself, as chairman.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. JACKSON:

Article entitled "Program Planning for Space Communications," written by Senator MAGNUSON and published in the January 1962 issue of Astronautics magazine.

Mr. MANSFIELD. Mr. President, is there further morning business?

The PRESIDING OFFICER. Is there further morning business?

TEACHER OF THE NATION: DR. FRANK C. BAXTER

Mr. KUCHEL. Mr. President, undoubtedly all in this body and elsewhere over our Nation who had the privilege of attending college cherish in memory vivid recollections of one particular professor whose personality, devotion, and knowledge made him stand out preeminently as both a grand, lovable character and an inspiring, rewarding instructor.

The teaching profession is one of our Nation's noblest callings. It embraces earnest, unselfish service on behalf of successive generations; and its rewards all too often are little more than a feeling of satisfaction at having made every effort to encourage young minds, to inspire a hunger for knowledge, to point the way to satisfaction of human curiosity, and to stimulate the intellectual processes.

In common with a countless number of fellow alumni of my alma mater, I was delighted to learn that the 1962 Teacher of the Nation is one whose years at the University of Southern California stamp him as a truly unforgettable faculty member.

The International Senior League, in observance of Teacher Remembrance Day, in a few weeks will present the Apple of Gold Award in Los Angeles to Dr. Frank C. Baxter, of South Pasadena, a noted lecturer on literature and drama and professor emeritus of English at the University of Southern California.

At a time when intensive debate centers on the adequacy of our educational processes and institutions, the designation of Professor Baxter as 1962 Teacher of the Nation focuses attention on the incalculable worth of a teacher with rare capacity for humor, contagious enthusiasm for the subjects which he knows thoroughly, and selfless devotion to his profession.

Dr. Baxter, who retired from active teaching at the end of the last academic year, was one of those who pointed the way by which radio and television can satisfy the human desire for knowledge and broaden our cultural outlook. He intrigued innumerable off-campus Americans into continuing their education and acquiring a familiarity with the finest in literature, notably Shakespeare, whose dramatic works he loved, the history of books, and the evolution and expression of humor.

All who had the good fortune to be exposed to his stimulus and guidance will join in congratulating Professor Baxter on this Teacher of the Nation honor, and likewise will feel gratitude to those of the International Senior League who selected him for such distinction.

I simply want the RECORD to disclose my own esteem for the honor that has brought this teacher the national award.

GOLDEN ANNIVERSARY OF HADASSAH

Mr. KEATING. Mr. President, this year marks the golden anniversary of Hadassah, the Women's Zionist Organization. With a membership of 318,000 it is the largest Zionist group in the world, and certainly one of the most active.

Hadassah originated in the determination of a Baltimore schoolteacher and social worker, Miss Henrietta Szold, who traveled to Palestine—as it then was—in 1909. The sickness that was prevalent and the complete inadequacy of medical care disturbed her greatly. Three years later, with a dozen other women, Miss Szold founded the Daughters of Zion, Hadassah Chapter. Temple Emanu-El, then at 43d Street and Fifth Avenue, was the first meeting place of the small but devoted group.

The purpose of the organization was twofold, to encourage Zionist ideals in America and to improve health facilities and opportunities in Palestine. Later officially renamed Hadassah, Hebrew for Queen Esther, the organization has, through the years, opened and supported hospitals, clinics, community health programs, research, and medical and nursing educational facilities.

A year ago, the 21-building Hadassah-Hebrew University Medical Center was dedicated on the Judean hills west of Jerusalem. It is the center of social welfare and public health programs in Israel and is a fine monument and continuing source of inspiration to this organization which did so much to make it possible.

In the United States, the Hadassah program is dedicated to strengthening "the heritage and institutions at home and the role of democracy as a force for peace and freedom abroad."

Mrs. Rose Halprin, the former president of the organization, who is national chairman of the golden jubilee committee, and Mrs. Siegfried Kramarsky, present national president, have done a fine job in their plans for commemoration of this important occasion. We all join in wishing them continued success in their constructive and purposeful efforts.

On this 50th anniversary jubilee, all America salutes the work and ideals of Hadassah.

Mr. KEFAUVER. I wish to salute Hadassah in this, its golden jubilee year, for what is truly a half century of service to mankind.

This great organization has come a long way since that day in 1912 when 12 American Jewish women led by Henrietta Szold founded it in New York City

and dedicated it to those in need of care and healing.

Today, Hadassah's members number more than 318,000 women in the United States and Puerto Rico. They may point with pride to hospitals, clinics, community health services, and nursing, medical and dental schools in Israel as living monuments to the Hadassah creed.

They may take equal pride in the great Hadassah youth programs, which began with the rescue of Jewish children from Hitler's Germany and have since helped to resettle and rehabilitate in Israel more than 100,000 Jewish youth from 72 lands.

And in years to come, hundreds of thousands of trees and the fruits drawn from tens of thousands of acres of reclaimed land will testify to the vast amounts of money raised by Hadassah so that the desert of Israel may bloom.

I have made several visits to Israel since its founding as a state, and I have seen at first hand many of Hadassah's good works.

These good works are at once a rebuke to the enemies of mankind, a declaration that unselfish giving inevitably triumphs over evil, and an inspiration to all who yearn for wholeness of body and spirit.

Mr. DOUGLAS. Mr. President, the Senate of the United States is, it seems to me, the proper forum in which to record extraordinary achievements of those Americans who, with deep conviction, passionate faith, and effective means, bring honor to all Americans. Today I want to recall here the work of a great organization of women who, for 50 years, have labored to bring health and healing, education and enlightenment to those sorely in need. I salute today this organization of American women who gave depth and meaning to the American dream and reality to the Judaic injunction to love their neighbors as themselves. They have extended their neighborhood to include the Middle East and Asia and Africa.

This organization of Jewish women called Hadassah celebrates this year its 50 years of service. In numbers, according to their rolls, well over 300,000. Their last figures were 318,000, but more are joining. They have their chapters and groups in every State and in the Commonwealth of Puerto Rico. They are a constituency of which any Senator or, for that matter, any American may boast. For wherever they have brought their healing, their schooling, their skills, and devotion, they have created an image of the United States which has brought us glory and earned our gratitude.

Too often, in these days of tension, of cold wars and hot words, of criticism abroad and at home, of pressures and demands, the image of America has been obscured. We are pictured as the "ugly American," although we know that America has never coveted any lands or goods nor sought to exploit. We have, since the war, endeavored to help, to send our skills and our substance, to give assistance to those who are striving to raise themselves upward for higher standards of living, for education, for a better life. Too often, for our pains, we have been misunderstood or maligned. But, through Hadassah, the American image has been given a dimension of clarity and brilliance that replaces the blur of misunderstanding and distrust.

Let us, then, turn to Hadassah's record. In 1912, a small group of women organized for a new "enterprise." They were to foster Jewish ideals and to implement those ideals with works of healing. They began very modestly the following spring in a simple little house with two American trained nurses. And they began, where pioneers have always begun, with people at hand. They began with children. The place of their beginnings was Palestine, the Holy Land.

Their organizer and first president was Henrietta Szold. Born in Baltimore, the daughter of a distinguished and learned rabbi, Henrietta Szold was early imbued with a love of learning and an even deeper love of humanity. In her young adulthood, she was a teacher. But her schoolroom soon included her community. She is credited with organizing one of the first Americanization classes in the country. It may here be mentioned that when the late Mayor Fiorello La Guardia of New York City gave her the keys to the city, he explained that he was repaying a lifelong debt. Had it not been the Americanization classes of which she was, if not the originator, one of its imaginative creators, which gave him and millions like him their chance and helped to weld them into what we know as the American people?

It was this same Miss Szold who reminded her fellow citizens of the need for their concern in an underprivileged area of the world, where their coreligionists, detoured under the suzerainty of the Turkish Empire from the stream of modern life, were living in misery, ill health, and destitution. Thus, the first clinic was the first fruit of that direction. From that modest beginning were to flow the results in better health, in modern sanitation, in child rescue and rehabilitation, in vocational education, in land irrigation, in short, the sinews of health—mental and physical—which are today the bases of modern systems in the modern democracy we know as Israel.

From that care for young children, safeguarding their eyesight and their general health, instructing in hygiene, supplying lunches in the schools, Hadassah went on to inaugurate clinics for mothers and infants. They built hospitals. They conducted campaigns for modern sanitation. They built schools, they planted trees, and engaged in a system of irrigation which cleared swamps and brought life to desert soil. As Hadassah women they did all these things. But they made a contribution uniquely their own. They brought America to the Middle East.

Let me cite some specific achievements. Centuries of neglect and misrule had made much of the Middle East a land of desolation and desolate people. A short rainy season made swamps of one area and desert of another. The swamps bred disease, the desert starvation. With the advent of the bold and venturesome Americans, experts were brought in. The swamps were drained, irrigation ditches covered the land. But something more happened, something in the nature of a miracle, for with drainage and public health, the malaria-bearing mosquito was vanquished and with it the disease, which had undermined the health of those who came to rebuild the wasteland.

Perhaps this does not seem a great achievement. Let me remind you that when the United States was building the Panama Canal, it was Government and not civilians, it was an Army Medical Corps that vanquished malaria and yellow fever and safeguarded the health of the native as well as the American. And so it was in Palestine. The whole population benefited. Disease and its carriers need no visas nor passports to cross boundaries. They attack with impunity friend and foe, native and visitor. Who helps eradicate disease benefits all mankind. But malaria was only one foe that this health-saving organization conquered. There have been many: trachoma, tropical diseases indigenous to the area, leprosy, the curse mentioned in Scriptures. The assault goes on now in the modern laboratories of Hadassah's new medical center. Techniques developed here, refined or modified there, are waging a war on cancer, on tuberculosis, on heart disease, on those ills that plague mankind, that cripple or kill. Research, no less than healing, is exportable. And we, here in the United States, through this American organization, are both exporters and importers of better health, of modern standards, of American know-how and of American neighborliness.

Through two World Wars, Hadassah has fought its gallant battles against the foes of all mankind. It has rehabilitated the victims of that brutal period of nazism; it has developed the capacities of those who came to learn; it has fostered good relations and better understanding between our two democracies, the newly created Israel and the United States. Perhaps here, too, the exchange has been mutually beneficial. In vocational education, the young people of Israel must grapple with problems created by a world of machines. Hadassah provides a partial answer in its vocational schools, the one named Brandeis in honor of America's great jurist and the others for Hadassah leaders. But there is more to schools than curriculums and books. There are human beings with God-given abilities. How to develop these human abilities occupies our educators and psychologists. In Israel they are coming up with interesting and sometimes revealing studies. "The proper study of mankind is man" said the 18th-century poet, Alexander Pope. It is just as true today. To develop in young people their potential, to give meaning to lives in a mechanized world requires insight, compassion, knowledge. The findings in Hadassah's schools are being made available to us, just as our skills are helping them.

Nor is this limited to America and to Israel. One of the countries we call newly emerging, bringing itself up by the

bootstraps, is Tanganyika. What, you might ask, has Tanganyika to do with this discussion? It is relevant, for Tanganyika has agricultural problems similar to Israel's. And in Israel Hadassah operates a rural vocational school in which young people, Arabs as well as Jews, are taught better farming methods, proper planting to yield maximum results, farm implement repairs and the like. The girls are taught home economics for agricultural areas, classes or groups like our 4-H Clubs. Tanganyika saw Hadassah's work and found it suitable for its own purposes. The result: the director of this school spent a month in that African country, setting up, directing, and demonstrating his methods. Is this not part of America's program in helping the uncommitted nations, newly freed and ever striving to catch up to the ways of the contemporary world?

For a brief review I would like to comment on Hadassah's place in the World Health Organization of the United Nations. Its director and its medical personnel are active and creative participants in that body, the sole object of which is to advance better health among all nations. There is complete freedom in exchange of problems and solutions. Every step forward is a boon to all mankind. Every disease threatens the safety and well-being of all. In the deliberations, the studies, the publications, Hadassah-trained personnel make significant contributions. That is as it should be, for Hadassah's motto has been and is today, "the healing of the daughter of my people," to which there are no restrictions or exemptions. Hadassah's healing has always been available to all, regardless of color, race, or creed. In the wards of Hadassah's hospitals, in its laboratories and nurses' stations, merit and diligence are the sole criteria. The American ideal of democracy and the Judaic ideal of brotherhood find their fusion in Hadassah, United States of America, and Hadassah in Israel.

If I seem to have stressed Hadassah's role in Israel and now in Asia and in many countries in Africa, I would not be misunderstood about its role at home. For Hadassah is an educational institution of broad scope. Bible study and civic responsibility, youth programs and seminars, United Nations participation in nongovernmental commissions, all these engage the interest and concern of Hadassah members and groups. Just as in war Hadassah's contributions were cited by our various governmental agencies, so in peace Hadassah women work to answer the question: "What can we do for America?"

The answer is provided in Volta, Liberia, Ethiopia, and 19 other countries in Africa, in Malaya and Senegal, in Turkey and in Israel. It was provided in the Geophysical Year, when scientists cooperated. It is produced in the social medicine community health records of its pilot plant at Kiryat Yovel, a community health program which is the model in the World Health Organization; it is propounded in the children's villages, where social workers from around the world come to observe and learn. Hadassah in its 50 years has shown us what vision and work can do to make life richer and fuller, not for itself alone but for millions all over the world.

Today from its medical center, opened in June 1961, Hadassah sends its message again: healing for the sick, courage for the suffering, peace for the tormented. High on the hill above the spires of Ein Karem, the traveler can say with the psalmist, "I will lift up mine eyes to the hills, whence cometh my help." May Hadassah's future be worthy of the past, and may there come to all mankind healing and peace.

Mr. PROXMIRE. Mr. President, I am happy to join other Senators in the tribute to Hadassah on the occasion of the celebration of its 50th anniversary, and in recognition of this historic event. It is encouraging to know, amidst the complex problems of the world in which we live, that the dedicated women of Hadassah carry on the fine work that they have established over a period of 50 years and that they help materially in the promotion of the ideals for which we stand in America.

The magnificent program of health services, education and child rehabilitation through Youth Aliyah which Hadassah has maintained in Israel stands as a monument to the founder of Hadassah, the great American woman, Henrietta Szold. Miss Szold, born and reared in Baltimore, knew in 1912, when Hadassah was founded, that there was need of health services in Palestine for the inhabitants of that land, and for those who were then engaged in the building of what has become the State of Israel. She inaugurated a program of health services, child feeding, with a minimum budget and staff, and at the same time, organized in America a group of women to promote that work, understanding the needs as they were then presented, but more, understanding that in doing this work they were associating themselves with the age-old dream of the Jewish people to live as of right and not as of sufferance in a land which they called their own. It was thus that Hadassah came to be known as the Women's Zionist Organization of America, a name which it proudly bears, representing 318,000 American Jewish women throughout the United States and Puerto Rico. It may well be said, as has been referred to often before, that Hadassah was in a very real sense the first peace corps, for through its work, volunteers were sent to Palestine to teach and to heal. Since the early beginnings in 1912, the health services have become a dominant part of the extensive Hadassah program, given without discrimination to Jew, Christian, and Arab alike.

This culminated this past year in the opening of the Hadassah Hebrew University Medical Center built on the hillsides of Judea, overlooking the city of Jerusalem. There, in a 500-bed hospital, with related medical services, curative and preventive medicine go hand in hand with research and public health programs, for Hadassah recognizes that it is not enough to cure the body—there must be teaching, as in the Hebrew University Hadassah Medical School. It is a service of increasing magnitude to the people of Israel and to many others who benefit from what is done in that democracy of the Middle East.

Significantly, many nations from Asia and Africa have turned to Israel for help in their own health problems. There has developed a working service with Israel; many examples of American know-how provided by Hadassah personnel trained by Hadassah and in Hadassah institutions. Thus it has been possible to provide assistance as it has been requested, either through the agencies of the United Nations, or through foreign aid programs set up by the United States. Why do these developing nations turn to Israel? The answer is simple: There is in Israel great similarity to the background of these new nations. Israel has emerged in 14 years as a free and independent state. The nations of Asia and Africa who are now so emerging see what Israel has accomplished, and recognizing that they can learn from those who have done so much in so short a period of time, they are encouraged to believe that they can do the same.

There is no question but that the assistance which Israel has given to these countries is in large measure due to the patterns which organizations like Hadassah has set, the American know-how which has been given, the personnel which has been provided. Example after example could be given, in the provision of teams of doctors and nurses in the countries of Africa, technicians in other fields of endeavor in southeast Asia, students brought to Israel for education in the Hebrew University Hadassah Medical School, nurses trained in the Henrietta Szold School of Nursing which is a part of the medical center, students trained in youth rehabilitation and as teachers—all designed to increase the standard of living in the countries to which they will return when their courses are completed, and all destined to develop a background in which the ideas which promoted the inauguration of the programs may flourish.

As we look at what has been done, we know that it is good. The lives of thousands of people have been made better, if in no other respect than the saving of the eyesight of those who have heretofore suffered from trachoma. The teams from Israel who have accomplished this have done so because of work—hard work—daily service to people in need. It has not been a promise; it has been action; it has not been tied to the acceptance of a particular philosophy or political orientation. The motivation has been service—service to one's fellow man, belief in his right to life, liberty and the pursuit of happiness. Hadassah has inspired this throughout its existence, these past 50 years, and continues to inspire it for all who come under its influence. I pray that this great American Jewish organization may continue to grow, that its influence may be spread worldwide to benefit mankind and to set an example for all the world to follow. This great American voluntary organization deserves our commendation.

The strength of America, and its influence in the free world, depends in large measure on the understanding of

the grassroots in our country for the needs of those who are not so privileged as we; Hadassah reaches into those grassroots, teaches its members to understand the needs, and demands of them action and funds—large funds—voluntarily given. In doing this, the Hadassah woman maintains the highest ideal of American democracy, for side by side with the heroic program which I have described, she is equally concerned with what is going on in our country and has been active in the education of its members on issues involving basic American principles. The voice of the American woman is heard often in these Halls of Congress, and often that voice has been influenced by what the woman has learned through her work in Hadassah.

As Hadassah faces another decade of growth, in a world struggling for freedom, we salute the work done, and look forward to continued growth and success. We add our congratulations for past achievements; to the gallant women who have made it possible we say, "Well done," even as we know that the past is prolog and that the future opens ever-widening areas of service for them in their magnificent program of serving mankind and building a better world in which all may live in security and peace.

Mr. BUSH. Mr. President, today I had the very great pleasure of attending a luncheon given by the Senator from Minnesota [Mr. HUMPHREY], and the Senator from New York [Mr. JAVITS], in honor of the national leaders of Hadassah, who are in Washington to celebrate the golden jubilee of this great organization, numbering some 318,000 women of Jewish faith, and having branches or chapters in every State in the Union, including Alaska and Puerto Rico. Hadassah is the women's Zionist organization of America and is the largest Jewish women's organization in the country. It has devoted the past half century to helping build the medical, educational, and social services in Palestine, and, since 1948, in the State of Israel. The doctors and nurses trained by Hadassah have carried their knowledge and devotion to other peoples in Asia and in Africa. I was happy today to be the guest of these two Senators, and I extend my congratulations to this distinguished group of people who have so assiduously and devotedly conducted their affairs in behalf of humanity.

Mr. KUCHEL. I join my able friend from Connecticut in the comments he has made with respect to Hadassah and the interest it has taken in the basic humanities. Its contribution to mankind and to the new democratic State of Israel does not go unnoticed among peoples, not only in this country, but in all countries on the globe. I am most happy to associate myself with the comments my friend from Connecticut has made.

Mr. SCOTT. Mr. President, without assuming to repeat the various tributes which have been paid here today to this deservedly celebrated and very distinguished group of Hadassah women who are observing their golden jubilee, I should like to add that I had the opportunity also of attending this interesting luncheon at which Senator HUMPHREY commented that there were more Senators present than one sometimes sees on the floor, and certainly more than are normally present at a luncheon on a busy day while the Senate is in session.

However, there is an excellent reason for this, because the humanitarian work which this organization has done, and which has been cited in some detail by other speakers, commends itself to the attention of all Americans as well as of those persons overseas who have been helped by their generosity and zeal and compassion.

Therefore, it is a great pleasure for me to note the convention here in Washington of Hadassah, and to wish them well and to wish them many, many more years of successful continuance of their great humanitarian work in the tradition of our American way of life, which is to help others unselfishly and to give of our time and of our efforts and of our substance, so that others may live a better and more fruitful and more wholesome and a happier life.

Mr. PROUTY. Mr. President, this is the 50th anniversary year of Hadassah, The Women's Zionist Organization of America.

Except in relation to the span of human life 50 years is not a long time, but any organization which during the first half century of its existence has been as successful as Hadassah in furthering its ideals and objectives is assured of permanence and ever-expanding good works.

In the field of education and health, through its dedication to the preservation of democratic institutions and because of its devotion to Jewish traditions and culture it has served the needs of mankind well.

I congratulate the members of this great organization on the occasion of its golden jubilee and for its notable achievements during this period. Undoubtedly, I will not be alive when Hadassah celebrates its centennial anniversary but I know that with each passing year the scope of its activities and influence will be expanded and broadened for the benefit of humanity everywhere.

Mr. CASE of New Jersey. Mr. President, today I was privileged to join in the celebration marking the 50th anniversary of establishing Hadassah, the Women's Zionist Organization of America, which has done so much to assist the new democracy in the Middle East, the nation of Israel.

These women, through the years, have accomplished remarkable progress in helping improve the health, education, and social welfare of our good friends in Israel. Their intelligent generosity through five decades has helped this fledgling nation to achieve the kind of social progress which many new nations seek to emulate. I offer my warm congratulations on this happy anniversary.

Mr. ENGLE. Mr. President, it is a pleasure to join in the tribute honoring Hadassah on its 50th anniversary.

This great humanitarian organization began in 1912 with a group of 12 women. Its modest objective was to raise the health standards in Palestine. Today this group numbers 318,000. Its objectives and programs have webbed in many directions.

When the Hadassah-Hebrew University Medical Center opened in Palestine last June, it climaxed almost 50 years of progress. Only one aspect of Hadassah has not changed in 50 years—the burning dedication of the ladies of Hadassah to lend a helping hand and heart to the ill, the homeless, and the weak. The services that Hadassah has rendered in every field of social endeavor can perhaps be equated. But the good will, the understanding, the example that Hadassah has inspired in every corner of the world can never be equated.

My congratulations to a great organization and a great group of women.

Mr. COOPER. Mr. President, our colleague, the senior Senator from New York [Mr. JAVITS] is unavoidably absent today. He has asked me to have placed in the RECORD for him a statement that he intended to make today honoring Hadassah on its 50th anniversary.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR JAVITS

It was in Baltimore half a century ago that a group of women met under the leadership of Henrietta Szold and organized Hadassah, with the twin objectives of bringing the message of Zionism to American women and the service of healing to the impoverished people of Palestine—Arab and Jew alike.

In the 50 years that have passed since then, Hadassah, the Women's Zionist Organization of America, has compiled a record of extraordinary service in the furtherance of its twin objectives. More than 300,000 women are dedicated members of this great American organization, and their name has become a synonym for all that is good in American social welfare throughout the Middle East and Africa.

The opening of the Hadassah-Hebrew University Medical Center in Jerusalem last year was an historic landmark in that part of the world and a fitting climax to a half century of devotion to an ideal. The medical center is the focal point of the vast network of health and sanitation services which would not have been possible without the initiative of Hadassah. Many diseases have been eradicated, and tuberculosis, particularly among the Arab population in Israel, has been reduced to insignificance. Infant mortality has declined, life expectancy has been extended and health standards have been raised to a level of the most advanced Mediterranean countries, thanks to Hadassah's pioneering efforts.

Hadassah represents an enormous achievement in saving human lives, and it represents one of the most effective ways in which American women have been able to devote themselves to a great humanitarian appeal. I congratulate Hadassah on its golden jubilee and extend my warmest good wishes for even greater achievements in the service of mankind for the next 50 years.

Mr. COOPER. Mr. President, I join my colleagues in their congratulations to Hadassah on the organization's 50th anniversary. Hadassah deserves and enjoys the gratitude of the people of our country of all creeds for its social and humanitarian achievements—for the people of our country and for the people of Palestine.

Mr. CLARK. Mr. President, we are today paying tribute to the Hadassah

Women's Zionist Organization of America on the occasion of its golden jubilee.

This group of ladies has in the past 50 years established a remarkable record of achievement and service. Hadassah has created in the State of Israel a comprehensive public health program. Its facilities include the new 21-building medical center in Jerusalem, child guidance and health centers and schools for nurses and doctors throughout the country.

Not satisfied with its projects in Israel, Hadassah is, in addition, now assisting many of the new Afro-Asian nations, to set up similar programs.

Hadassah helps interpret Israel to the American people by providing a basic Jewish education as a background for intelligent and creative Jewish living in America.

It carries on a project for youth, Junior Hadassah, which provides fellowships and other grants for travel and study in Israel. Its dedication to America's heritage and to "the role of democracy as a force for peace and freedom abroad," should set an example for other Americans.

Earlier today the Senator from New York [Mr. JAVITS] and the Senator from Minnesota [Mr. HUMPHREY] tendered a luncheon to some of the fine women of Hadassah who are in Washington attending their golden jubilee celebration. I was privileged, as was the senior Senator from Oregon [Mr. MORSE], to appear at that luncheon and to have the privilege of talking to these fine ladies who are doing such wonderful work in behalf of both the land of their racial background and the land of which they are proud to be citizens, America.

May Hadassah continue its wonderful work for many years to come.

OUTLOOK FOR ST. LAWRENCE SEAWAY

Mr. WILEY. Mr. President, the shipping season for the St. Lawrence Seaway is expected to open about mid-April.

The annual expansion of trade and commerce through the seaway—since its completion in 1959—is resulting in real economic benefits for my home State of Wisconsin, the Great Lakes region, and the Nation.

For 1962, the outlook promises still further progress.

Unfortunately, antiseaway interests continue to snipe at the waterway—at the interests of the whole Great Lakes region—at the $140 million investment of the American taxpayer and the whole Nation.

In a weekend address over Wisconsin radio stations, I was privileged to discuss the seaway outlook as well as some of these problems.

I ask unanimous consent that excerpts of the address be printed in the RECORD.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

EXCERPTS OF ADDRESS BY SENATOR ALEXANDER WILEY

Friends: A bright economic outlook for Wisconsin and the Nation depends upon maximum utilization of all our economic potentials.

At this time, I want to discuss with you the greatest economic development—since the westward thrust of railroads: that is, the St. Lawrence Seaway.

As author of the seaway law, I am particularly gratified by the benefit's annually accruing to Wisconsin and the whole Great Lakes region.

Following its completion in 1959, there has been a marked increase in: trade and commerce, more jobs; expansion of services and other enterprises; more demand and markets for our goods and services; greater activity for our water, rail, and road transportation enterprises; greater concentration of national interest upon Wisconsin and the Great Lakes as a "Mecca" for tourism and other economic rewards.

NEEDED: TRADE PATTERNS ORIENTED TO SEAWAY

Unfortunately, however, governmental and nongovernmental trade patterns have not yet been adequately revised to take advantage of the seaway route for commerce. For this reason, I, joined by other Great Lakes Senators, recommended a special study by the Defense Department on transportation patterns for the Great Lakes. Following completion of the study, evidence was revealed of a wide range of differing practices and often uncoordinated policies include:

Wide discrepancies exist, in inland freight rates; e.g., as between Midwest to Atlantic and Gulf ports; and Midwest to Great Lakes ports;

There were instances in which procurement agencies failed completely to consider Great Lakes ports in their contracting procedures for shipment of materials;

There is a lack of information to governmental shippers on the advantages of Great Lakes Seaway shipping.

Approximately $840,000 could have been saved by use of Great Lakes ports for shipment of military equipment during 1961—if all factors were considered—including making available of adequate amounts of American flag shipping.

For these reasons, then, it is imperative that additional action be taken to encourage—both Government and nongovernmental enterprise—to become informed about—and utilize to a larger extent—this less expensive seaway route.

1962 SHIPPING SEASON

As things look now, the 1962 shipping season—following the winter ice breakup—will open in about mid-April. To obtain maximum benefits, now and in the years ahead, however, further constructive action is needed, including, I believe, the following:

1. Further improving and developing ports and harbors—experiencing increased traffic as a result of the seaway.

2. Completing the deepening and improving of the Great Lakes connecting channels—to allow deep-sea shipping to extend to all of the Great Lakes-St. Lawrence system;

3. Establishing a District Office of the U.S. Department of Commerce in Milwaukee, to provide assistance to business and industry—in Wisconsin and elsewhere in the Midwest—in efforts to expand trade. Incidentally, funds for the office have been included in the 1963 budget;

4. Encouraging free enterprise and governmental interests to revise trade patterns to take advantage of the Seaway's less expensive routes to and from ports of the world; and

5. Also, we need to guard against efforts by "old foes" of the Seaway—who never seem to fade away.

GUARDING AGAINST OLD FOES

Despite the facts that Congress authorized U.S. construction on the seaway; the American people have a $140 million investment; and the operations of the waterway have demonstrated real economic benefits to the American people, there are still attempts to sabotage the seaway. The recent sneak attacks include:

1. A bill introduced in Congress to prohibit the dissemination of seaway information by the corporation. This effort is contradictory to the need—and for that matter—to general policy. Instead of prohibiting information, there is—in my judgment—a great requirement for more information on the operations and benefits of utilizing the seaway. The measure should—if considered at all—be killed.

2. An effort by eastern seaboard interests to change the formula for cost computation of seaway operations—and, as a result, threatening to drastically increase tolls and, by so doing discourage traffic.

Interestingly, the sniping communities in the past, have asked for and received millions—yes, billions—of dollars for development of navigation, port and harbor facilities, flood control, and other programs in their own backyard, without pay back obligations such as required by the WILEY-sponsored seaway law.

Recognizing that selfish interests, however, will continue to snipe at the seaway, we need then to be extremely aware and watchful; to protect not only our interests in this new door of opportunity for trade in commerce, but also the investment in the seaway by the American taxpayer.

NEEDED: CONGRESSIONAL ACTION ON COMPROMISE DAIRY LEGISLATION

Mr. WILEY. Mr. President, the Secretary of Agriculture within 1 year has hiked, then dropped, dairy price supports; created greater costs for the price support program; and piled up higher stockpiles of dairy surpluses.

If this is good dairy policy, the Nation and the farmer cannot stand it too long. To the contrary, such action, in my judgment, is erratic, conducive to instability, and dangerous to the agricultural economy.

After "upping" support levels from $3.22 to $3.40 per hundredweight for manufacturing milk last year, the Secretary now announces a 29 cents per hundredweight drop to $3.11. According to predictions, the drop will cost the American dairy farmers about $250 million. In my home State of Wisconsin, alone, the No. 1 dairy State, the income loss is estimated to reach about $50 million.

This is a hard blow to the dairy farmer. In the face of a lack of stable, realistic policy by the administration, then, the Congress should now step into the gap.

Realistically we recognize that, with the present supply-demand situation involving substantial dairy surpluses, there is little likelihood of getting a return to the $3.40 level of price supports.

The Congress, however, can and should enact a compromise bill authorizing price support levels somewhere between the $3.11 and $3.40, perhaps within the $3.22 to $3.30 range. This would, I believe:

First. Prevent too great a drop in income for the dairy farmer—still caught in a cost-price squeeze.

Second. Help to remedy the supply-demand situation.

Third. Serve the taxpayer by holding down the costs of the price support program, without rendering as much of a blow to the dairy farmer.

To prevent an economic catastrophe in dairying—and a demoralizing of the dairy farmer, however, fast action is now needed by Congress.

SALINE WATER CONVERSION

Mr. ANDERSON. Mr. President, on March 28, it was my pleasure to address the Conference on Saline Water Conversion of the Department of the Interior. Nearly 600 persons, including some of the best scientific brains in the country participated in an all-day session dedicated to the problems and progress in this all-important field.

The worldwide importance of the saline water conversion program was summed up by President Kennedy when he stated:

No water resources program is of greater long-range importance—for relief not only of our shortages, but for arid nations the world over—than our efforts to find an effective and economical way to convert water from the world's greatest, cheapest natural resource, the sea.

As many of the Senators will recall, last year we authorized a stepped-up water program in two areas—an augmented research and development program and studies of large demonstration plants wherever feasible.

The results of our action for the past 10 years are now bearing fruit. Of the five demonstration plants authorized in 1952, three of those located in Freeport, Tex., San Diego, Calif., and Webster, S. Dak., are in operation. Bids for the brackish water plant at Roswell, N. Mex., were opened on December 12, 1961, and it is expected that construction will start soon. The fifth, a 250,000-gallon per day sea-water plant utilizing a freezing process, will be started at Wrightsville Beach, N.C., in 1962.

Mr. President, on March 27, a report of the Department of the Interior on the operations of the Saline Water Act of 1952 for the calendar year 1961 was transmitted to the Congress. Because of the great interest in the program I request unanimous consent that the report be made a part of the RECORD following my remarks.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., March 27, 1962.

Hon. LYNDON B. JOHNSON,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: Operations of the Department of the Interior during calendar year 1961 under the Saline Water Act of 1952 (Public Law 448, 82d Cong., 2d sess., as amended) are summarized in this letter which is my report required by the act. More detailed information is given in the "Saline Water Conversion Report for 1961" of the Office of Saline Water.

The enactment of new legislation to expand and extend the saline water conversion program, the initiation of demonstration plant operations, the acceleration of research and development activities, and the Woods Hole Conference jointly sponsored by the Office of Saline Water and the National Academy of Sciences-National Research Council, combine to make 1961 the most significant year in the history of the Department of the Interior's program to develop low-cost saline water conversion processes.

During the 1st session of the 87th Congress a number of bills were introduced by various Senators and Representatives to enlarge the scope of activities of the Office of Saline Water. On June 26, 1961, the administration submitted draft legislation for the consideration of the Congress. The proposed bill was introduced in the Senate by Senator CLINTON P. ANDERSON, of New Mexico, and in the House of Representatives by Congressman WAYNE N. ASPINALL. Following extensive hearings before the Subcommittee on Irrigation and Reclamation of the Interior and Insular Affairs Committee of the House of Representatives, Congressman WALTER ROGERS, chairman, and before the Senate Interior and Insular Affairs Committee, Senator CLINTON P. ANDERSON, chairman, the Congress enacted Public Law 87-295, which was approved by President Kennedy on September 22.

This new law authorizes $75 million for research and development activities during fiscal years 1962-67, inclusive, and directs the Secretary of the Interior to recommend to the Congress authorization for construction and operation, or for participating in the construction and operation, of a demonstration plant for any process which has promise of accomplishing the purposes of the Saline Water Conversion Act.

In order to expedite the directive of the Congress immediately to accelerate the pace of research and development, the Department requested a supplemental appropriation to augment the regular appropriation of $1,755,000. The Congress approved a supplemental appropriation of $3.5 million to initiate critical new activities, with particular emphasis being placed on basic research.

This essential work is conducted by the Office of Saline Water through its Research Division by means of contracts and grants awarded to individuals, universities, private research organizations, industrial firms, and by use of the facilities of existing governmental laboratories. These activities are directed toward the objective of increasing knowledge in science and engineering in order to make scientific principles and data available for use in practicable applications of saline water conversion. Such work is basic in nature and may involve studies of fundamental concepts in all areas of science and engineering. These activities are primarily concerned with new ideas evolved as a result of theoretical or exploratory investigations into the nature of water conversion processes and the interpretation of preliminary findings relating to new or improved processes. Eighteen basic or fundamental research investigations were supported by the Division of Research during the past year. Those studies include exploratory research, extraction and use of byproducts, use of atomic energy in conversion, corrosion, improved membranes, scale prevention and control, thermodynamics of solutions, polarization, transport depletion, dropwise promoters, heat transfer, and the physical chemistry of adsorption.

To assist the Office of Saline Water to outline a meritorious, long-range fundamental research program, the National Academy of Sciences-National Research Council was asked to organize a detailed review of the basic research needs in this field. This request resulted in a month-long conference, supported jointly by the Office of Saline Water, and the National Science Foundation, at Woods Hole, Mass., June 19-July 14. Some of this Nation's most distinguished scientists and engineers participated in that study. Their objective—to outline a program of research designed to meet the water problems of a generation hence. The proceedings of this conference are being published and will be available from the National Academy of Sciences-National Research Council.

We have but scratched the surface in our basic research endeavors. Heavy emphasis on fundamental research is essential if we hope to take large strides toward our goal of attaining truly low-cost conversion. Most scientists and engineers agree that the most effective and economical methods of saline water conversion may yet remain to be discovered and that the foundation of an effective program is continuous fundamental research.

To convert sea or brackish water to fresh is relatively simple, but to do it at low cost is extraordinarily difficult. It presents many chemical and mechanical problems of considerable magnitude. We know the end result of many natural phenomena, but we do not understand how those phenomena occur. During the next few years it is anticipated that the major research effort will be concerned with such fields, disciplines, or problems as basic properties of solutions, transport phenomena, liquid-solid transitions, nonbiological membranes, liquid-vapor transitions, ion-exchange, and electrochemical separation methods, biology, liquid-liquid transitions, and byproduct utilization.

Applied research, or engineering development studies of the Office of Saline Water are conducted by the Division of Processes Development. This Division is responsible for developing practical uses of scientific knowledge for application to the production of devices, systems, materials, or processes for converting saline water to fresh water through the development and testing of bench-scale equipment, pilot units, and complete pilot plants.

Pilot plants are an important phase of the applied research activities. A pilot plant is a research and development tool which serves to bridge the gap between laboratory development on the one hand and demonstration or commercial plants on the other. A pilot plant size is determined by the technical requirements of the particular situation to provide the required technical knowledge and data.

During the year pilot equipment was being operated on sea water to develop methods of scale control. Several small solar distillation pilot units are being operated to determine ways of reducing capital costs and improving efficiencies. Developmental work on electrodialysis processes is being carried out at the Bureau of Reclamation Laboratories in Denver, Colo. Good data is being obtained from a 15,000-gallon-per-day pilot plant using one type of freezing process. Developmental efforts continue on another freezing method in a 35,000-gallon-per-day pilot plant. Twenty-five research and development contracts were active during the year.

At the close of the year plans were moving ahead for the construction of a pilot plant test station at Wrightsville Beach, N.C., on land donated and improved for this purpose by the State of North Carolina for the Department of the Interior. This facility will provide a location where pilot plants can be tested under the same conditions which will facilitate accurate comparison of test data.

In the coming year complete pilot plant units are scheduled for the thin-film evaporator and liquid-liquid heat transfer combined with vapor reheat cycles. Applied research on a laboratory level is planned on dropwise promoters, humidification phenomena, special studies on energy transfer, and new concepts for use of solar energy. Developmental work will be started on a trailer-mounted, self-contained mobile unit which is expected to have many uses, including operation under emergency conditions caused

by natural disasters such as flood or hurricane, and in connection with civil defense applications.

A third freezing process, which makes use of larger ice crystals to facilitate washing operations, is scheduled for pilot plant evaluation in a 10,000-gallon-per-day plant. The development of the gas hydrate process is planned at the pilot plant level and a small pilot plant to determine the feasibility of the solvent extraction process will be built.

On June 21, President Kennedy pressed a special magnesium button on his desk in the White House which signaled the actual startup of the Department's first saline water conversion demonstration plant. Vice President LYNDON B. JOHNSON, together with a large congressional delegation, assembled in Freeport, Tex., to personally participate in the dedication ceremony of this first plant. Designed to convert sea water to fresh water at the rate of 1 million gallons per day at an anticipated cost of $1 to $1.25 per 1,000 gallons, the plant, in many ways, has exceeded expectations.

Freeport, Tex., was in the very heart of the ravaged area resulting from the destructive power of Hurricane Carla which swept the Texas coast in mid-September. Although the saline water conversion plant bore the full fury of the storm, it suffered only minor damage from the hurricane winds; but the plant was flooded with 6 feet of sea water which caused considerable damage to pumps, motors, and electrical switchgear.

Anticipating a critical water shortage in the disaster area, efforts to repair the damage were conducted on a 24-hour-per-day schedule in order to provide a source of pure water in the Freeport area. Four days after the tidal floodwaters receded, the plant was again producing potable water.

A second demonstration plant, designed to desalt brackish water at the rate of 250,000 gallons per day was dedicated on October 20 with appropriate ceremonies at Webster, S. Dak. Initial data obtained from the operation of this plant indicate a conversion cost in the range of 85 cents per thousand gallons.

Construction of a second 1 million gallons per day sea water conversion demonstration plant was completed at San Diego, Calif., on September 3. Preliminary testing and start-up operations of this plant were underway at the close of the year.

Bids for a 1 million gallons per day brackish water conversion plant to be erected at Roswell, N. Mex., were opened on December 12. Following a careful engineering evaluation of the bids received, a construction contract will be awarded. Construction of a 250,000 gallons per day sea water conversion plant utilizing a freezing process will be started at Wrightsville Beach, N.C., in 1962.

While these five plants will demonstrate the feasibility and reliability of the selected processes, together with needed and useful engineering and operating data, they cannot be expected to demonstrate the economic potential of the various processes. Additional demonstration plants will be needed to prove the feasibility of new processes as they are developed in sizes up to 1 million gallons per day. To verify the economic potentials of the processes presently being demonstrated, the plants ranging in size from 5 to 25 million gallons per day capacity will be required. These large plants will serve the important purpose of providing water supply in addition to advancing the objectives of the program.

The expansion of the demonstration plant program to provide for plants of a size to determine the economic potential of new or improved processes is set forth in Public Law 87-295. Proposals requesting authorization for additional demonstration plants will be submitted to the Congress on an individual basis accompanied by a report on the size, location, and cost of the proposed plant, the engineering and economic details, and the tentative arrangements for financial participation by interested governmental agencies or by industry.

As a result of a paper prepared by the Office of Saline Water for presentation to the North Atlantic Treaty Parliamentarians Conference, in Paris, November 13-17, the NATO Parliamentarians recommended that the Office of Saline Water be used as a clearing house for all NATO national studies on this subject. We have accepted this responsibility for the purpose of eliminating, to a large degree, any duplication of research effort and to stimulate the search for low-cost saline water conversion processes through international cooperation.

Sincerely yours,

STEWART L. UDALL,
Secretary of the Interior.

THREATENED DESTRUCTION OF THE INDIANA DUNES

Mr. DOUGLAS. Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a statement which I have prepared on the subject of the threatened destruction of the Indiana Dunes.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR DOUGLAS

The announcement of Bethlehem Steel that it has sold 2½ million cubic yards of sand from the dunes to a contractor who in turn has sold it to Northwestern University to fill in the lakefront at that institution, and that it will start to destroy the dunes on May 1, is a brutal and antisocial act. It is an attempt to confront the Congress and the President with an accomplished fact, before they can move to save this rarely beautiful area for the people * * * and for posterity. It is like attacking and mutilating a beautiful woman so that she may not belong to anyone else.

The business manager of Northwestern University is reported to have told friends of the dunes that he did not care where the sand came from and that Northwestern was determined to go ahead with the contract, and furthermore, that he would not discuss the matter. I cannot believe that this attitude represents the real opinion of the president, trustees, faculty, alumni and students of this great university, and I appeal to them to reverse this position. If Bethlehem is deprived of a market for the sand it may be deterred from destroying the dunes. Northwestern by using the sand becomes a partner to the crime. Because a university is the repository of the intellectual heritage of the past, and helps to create the culture of the future, I still hope that Northwestern will not lend itself to this wanton destruction. For the dunes are a priceless gift of nature, a peerless recreation area created over the millenia of time, and a famous laboratory for naturalists. They should be saved as the everlasting heritage of mankind. For as Carl Sandburg has said, "The dunes are a signature of time and of eternity. Their loss would be irrevocable."

May I also make one final appeal to the officers, directors, and stockholders of Bethlehem to call off their brutal plan. Does that corporation want to be known to the Nation and to posterity as the ravager and destroyer of nature? Bethlehem has only a few days in which to redeem itself.

I appeal also to the Senate Interior Committee to approve for passage our bill to save the dunes, S. 1979, at the earliest possible moment. Time is of the essence. The friends of beauty and of the outdoors should rally to the defense of this uniquely beautiful area.

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

UNITED NATIONS BONDS PURCHASE

Mr. MANSFIELD. Mr. President, I move that the unfinished business, S. 2768, be laid before the Senate and made the pending business.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate resumed the consideration of the bill (S. 2768) to promote the foreign policy of the United States by authorizing the purchase of United Nations bonds and the appropriation of funds therefor.

Mr. SPARKMAN obtained the floor.

Mr. HAYDEN. Mr. President, will the Senator from Alabama yield?

Mr. SPARKMAN. I yield.

TRIBUTE TO EVERARD H. SMITH, CHIEF CLERK, COMMITTEE ON APPROPRIATIONS

Mr. HAYDEN. Mr. President, on April 1, 1913, a young man was employed by the Senate Appropriations Committee as an assistant clerk. Today that young man is the chief clerk of the committee, and is entering upon his 50th year of association with the committee. His name, if anyone need be told, is Everard H. Smith.

I believe it to be only fitting that we pause for just a moment in our deliberations and pay homage to someone who exemplifies the finest characteristics of a true public servant. He has served the Congress faithfully and well. His devotion to duty has long been a byword among all those who have had the good fortune to know him. His sincerity, his loyalty to the Senate, his integrity—these are qualities which, when referring to Everard, one takes for granted.

When Everard first came with the Senate Appropriations Committee, the annual budget totaled just over $1 billion. This coming year, fiscal 1963, the budget request is for just under $100 billion. But he has not been merely a witness to that growth. For 49 years he has driven himself to master the changing intricacies of budgetary procedures, devouring fiscal and related dates better to serve the Senate so that it might better serve the country.

Today the Senate Appropriations Committee has what I am sure he would call a large staff, for he remembers the days when the staff consisted of a chief clerk, an assistant clerk, and a typist. Between them, these two clerks handled all the appropriations bills.

During the war years Everard and his staff of one clerk, Cecil Tolbert, handled over $450 billion in appropriations. The largest single appropriation bill which he ever handled was the Military Appropriation Act for 1944, which totaled $59 billion. In those times I recall coming down on the back elevator from the floor to the corridor beside the entrance to the Appropriations Committee. It would be late at night, but regardless of the hour, the light would peep from under the

doorway, and inside I would find Everard racking up a bill. It was not uncommon for him to work far into the night, catching a nap in his office before he started the next day's work. I venture to guess that if I had looked into the committee last night, I would have found him there, if there was a job to be done.

And so in the name of all of us who know him, I wish to congratulate Everard on the magnificent job he has performed, and is still performing. Everard Smith epitomizes the very highest type of public servant—giving of himself in order to better assist the Senate in its work.

Mr. DIRKSEN. Mr. President, I first came to know Everard Smith when I served on the Appropriations Committee in the House of Representatives. Later, as a member of the Senate Committee on Appropriations, I came to know him much better and to develop a high respect and deep affection for his fidelity to duty and his willingness always to be of utmost assistance to every member of the committee.

So today, I want to praise his work and pay testimony to the character of a great public servant.

Once upon a time, he was asked what different positions he filled during the course of his lifetime. I think his first job was in the Census Bureau in 1910. Thereafter, he became a schoolteacher in the District of Columbia, and left that position to become an assistant clerk to the Appropriations Committee of the Senate at an annual salary of $1,440. In 1933 he became the chief clerk of that committee, and presently holds that position. So that today he begins his 50th year of duty with the Appropriations Committee.

I learned years ago that one could depend on him to perform many tasks, and there are so many tasks in that committee that deal with abstruse matters. It makes no difference what the pressures on him are, his work has been always willingly rendered, and is uniformly accurate.

He possesses that rare quality of foreseeing what a person wants to know and is always ready with the answer.

I might point out that the Senate Committee on Appropriations was established in 1867. That was 95 years ago. So I had the thought that Everard Smith, who came to work with the committee in the 63d Congress, in 1913, has served with the committee over half the time of its existence.

He has had personal contact with an estimated 147 members of the committee over a long period of time, and he served when very distinguished personages were chairmen of the committee. They include Thomas Martin, of Virginia; Francis Warren, of Wyoming; Wesley Jones, of Washington; Frederick Hale, of Maine; Carter Glass, of Virginia; Kenneth McKeller, of Tennessee; Styles Bridges, of New Hampshire; and our present very distinguished, and I mean our very distinguished, chairman, the Hon. Carl Hayden, of Arizona.

I am certain that if those chairmen and committee members whom Everard Smith has served so well could be here today, they would want to pay a warm and fervent tribute to his services.

So many times I have sat on the floor when appropriation bills were here for consideration, and there, in his customary self-effacing manner, along the rear wall of the Senate Chamber, was Everard Smith, ever on call and ever ready to perform his duties and to give advice to Members of the Senate as they considered the intricate and, shall I say, difficult appropriation bills.

His broad knowledge of the workings of the Federal Government would be hard to equal. It has been nurtured by a keen mind, an avid interest in his work, and a desire to learn all he can, that he might always serve the Senate better.

May this body, and our country, always have such devoted public servants—men of the caliber of Everard Smith.

Mr. MANSFIELD. Mr. President, I wish to join in the remarks made by the distinguished President pro tempore of the Senate, the senior Senator from Arizona [Mr. HAYDEN], and by my distinguished colleague the minority leader, the Senator from Illinois [Mr. DIRKSEN].

I have know Everard Smith for almost 20 years. I have found him to be a diligent and a conscientious member of the staff of the Appropriations Committee of the Senate. He has been an outstanding public servant. He has performed magnificently in behalf of the Senate as a whole.

With Everard Smith, as with his colleagues on the staff of the Appropriations Committee, there were never any party lines. He was there to serve members of the committee as a whole. He was there to serve the Senate as well. He was and he is a good public servant.

Mr. SPARKMAN. Mr. President, I wish to take a moment to join in the tribute to a very fine, faithful, and competent servant of the Senate of the United States and of the country as a whole. I am glad the distinguished chairman of the Committee on Appropriations took this opportunity to pay tribute to this man.

I am not a member of the Appropriations Committee, but as a Member of the Senate I can testify as to the contacts I have had with Mr. Smith. I have always marveled at his competent grasp of the facts and figures relating to appropriations, particularly those running in such proportions as the chairman has brought out, barely under $100 billion.

With respect to whatever item, regardless of how large or small, or how important, he knows the facts surrounding it and he is always ready and eager to be of service to any Member of the Senate who needs help.

I join in paying tribute to him, a fine and distinguished public servant.

Mr. STENNIS. Mr. President, I welcome this opportunity to add my tribute to Everard H. Smith as he enters this his 50th year of public service with the Senate Appropriations Committee.

There are very few people who can hope to boast of serving one body as long as he. There are even fewer who can point to a record of serving so faithfully and so well. But Everard Smith is not one to boast or to point to a record. I have known Everard since 1947, and through the years of our cordial relationship and he has always exercised the self-effacing role of a teacher, a giver of facts, with patience and understanding born of a deep desire to assist us all to the best of his ability.

I have seen Everard Smith under severe pressures—the type which arise when Congress is attempting shortly to adjourn, late at night, when tempers and moods are not always the type to quiet the nerves, when issues are being pressed for a quick decision. Yet always he has remained calm and objective; his advice sage; his opinions, when asked, worthy of careful consideration.

Never to my knowledge has he allowed these pressures to sway his honest judgment. He has always been impartial in his work, letting the facts tell the story, regardless of whether they would seem to favor one Member or another, one party or the other. We know we can depend on his storehouse of factual knowledge.

His devotion to his work is proverbial. And the love and respect which his staff has for him do not preclude their reciting a favorite anecdote about him. It was after a particularly hard session of Congress. Everard had as usual been working with the untiring vigor which benumbed his younger associates. The Senate had departed for a much needed rest, but Everard was still at his desk, compiling the laws and statistics necessary for appropriations documentation. The then chairman, realizing how hard Everard had worked, told him to take a vacation. But Everard continued to work at his desk. After several failures the chairman threatened drastic action if Everard did not take some time off. Everard followed orders; he took a few days off—the only vacation I have known him to take.

Everard can be justly proud of his distinguished record. I am proud to be numbered among his friends.

MASS TRANSPORTATION DEMONSTRATION PROJECTS

Mr. LAUSCHE. Mr. President, in 1961 the Congress appropriated $42½ million to be used by way of loans or grants to urban communities for the development of mass transportation demonstration projects. The law provides that the Federal Government will put up two-thirds and the local government one-third of the cost of such experiments.

There are in the making two interesting applications for the use of the $42½ million. The City of Ithaca, N.Y., was and I understand is contemplating a project of free bus transportation at a cost of $150,000, of which $100,000 was to be put up by the Federal Government.

The latest news on this subject appears in Orlando, Fla. In that community a program is being promoted under which the Federal Government will provide the moneys for the building

of a 7-mile modern monorail transportation system. The cost of a monorail system ranges from $2.06 million per mile to $5.8 million per mile. Cost estimates made in 1959 on the feasibility of a 15.85-mile monorail system in New Orleans were $2.06 million per mile, including rolling stock, structure and road bed, stations, and so forth. A 1954 study by Coverdale and Colpitts estimated the capital cost per mile for a 45-mile monorail system in Los Angeles to be $2.82 million. A capital cost of $4.70 million per mile for a 53.9-mile system in Detroit was the estimate of a 1958 study by the City of Detroit Rapid Transit Commission.

The Orlando newspaper carried a sketch in color showing the construction of the proposed monorail. In the sketch appears the statement:

Experimental installation, won't cost us 1 red cent. Ninety percent of cost Government sponsored.

Below the sketch is the intriguing declaration:

Who could ask for a better tie-in.

The word is current that the moneys assigned for this subject will be greatly expanded in the 1962 session of the Congress. If Ithaca is to have free bus transportation, and Orlando, Fla., is to have a 7-mile monorail built by the Government, to what extent is this program to develop by way of expenditures when the other communities of the United States become conscious that moneys of that character are available from the Federal till?

The deficit operations undoubtedly will grow larger. The national debt will be expanded. The cost of providing these services will be staggering. Increased Federal debt means increased cost to the Federal Government, and ultimately to the taxpayer for the carrying of this Federal debt. It is estimated in the fiscal year 1963 budget report that $9.4 billion will be required to carry only the interest charges on this ever-increasing debt. This is the largest single outlay by the Federal Government, with the exception of appropriations for the national defense.

If the Federal Government continues injecting itself into these new fields, I can easily visualize a $10 billion annual interest cost by the close of 1963; a further drop in the purchasing power of the dollar; and a more rapid depletion of our already dangerously low gold reserves.

That condition, of course, is going to grow worse if we are to provide free transportation to local communities, and if the Federal Government is going to build monorails.

I do not blame the Orlando people for attempting to get the project for that city, but I do suggest that danger lies ahead on the Federal level if programs of this type are to be carried into effect.

The vision of tax reduction, the vision of balancing the budgets, the vision of reducing the national debt, slowly retreat to the dim distance, because what we are doing means increased national debt, increased taxes, and reduced purchasing power of the dollar—none of which is healthy for the citizen or healthy for the security of our country.

MILITARY IMPLICATIONS OF SPACE DEVELOPMENT

Mr. DODD. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. DODD. Mr. President, there has come to my attention an article entitled "Rockets and Strategy" which appeared in the Moscow Red Star, organ of the Soviet Army, on March 18. I believe this article is significant because of its frank discussion of the military implications of space. The article is also significant because of the claim that development of global rockets invalidates our radar warning system. As the author of the article points out:

All this has now lost its significance, because rockets can fly into U.S. territory from directions quite different from those in which these installations are located. As one British paper wrote, due to the existence of global rockets, the U.S.S.R. can bomb the United States from the back door, launching their rockets over the Pacific Ocean or even over the South Pole and South America.

Mr. President, I would recall to my colleagues the debate in the Senate on the subject of the Antarctic treaty in the month of April 1960. In ratifying this treaty we, in effect, abandoned the massive claims to Antarctic territory, valid under international laws, built up through decades of heroism and sacrifice by Admiral Byrd and other American explorers. We committed ourselves to regard the vast Antarctic Continent as an international scientific preserve, where all nations would be free to explore and to carry on scientific activities. We agreed that no military installation of any kind was to be established in the Antarctic.

In the course of the debate on the treaty, those of us who opposed its ratification warned that the Antarctic might have unforeseen military utility. The chickens are now coming home to roost, and much faster than we had anticipated. If the Soviets now have, or will have, rockets that can fly across the South Pole to strike at our cities, then obviously we should have radar installations and, ultimately, antimissile installations on the shores of the Antarctic Continent. But our hands, unfortunately, are tied by the improvident treaty which we ratified.

Mr. President, I ask unanimous consent that the article "Rockets and Strategy" from the Moscow Red Star of March 18, be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TEXT OF RED STAR ARTICLE ON SPACE WAR

(Article by candidate of military sciences Lt. Col. V. Larionov: "Rockets and Strategy")

Speaking at a meeting with voters on March 16, Comrade N. S. Khrushchev pointed out the complete lack of foundation of the policy of the U.S. aggressive circles who are striving to unleash a new war and who at the same time count on escaping retaliation and sitting it out beyond the ocean.

To safeguard against the retaliatory blow of the Soviet Union, the American militarists have created a system of radar and other installations, with the intention of intercepting rockets coming in approximately from the direction of the North Pole, that is, over the shortest route. The hopes of U.S. military circles to protect themselves against a retaliatory rocket blow are now, as never before, lacking in foundation. Our scientists and engineers have created a new intercontinental rocket which they have termed global; this weapon is invulnerable to antirocket defense.

The new global rockets can fly around the globe in any direction and strike any given target. The precision of the calculations were demonstrated by the flights of the spaceships Vostok I and Vostok II. Thus the tremendous capital invested by the United States in establishing a radar system and reliable means of warning brought no profit. All this has now lost its significance, because rockets can fly into U.S. territory from directions quite different from those in which these installations are located. As one British paper wrote, due to the existence of global rockets, the U.S.S.R. "can bomb the United States from the back door, launching their rockets over the Pacific Ocean or even over the South Pole and South America."

The global rockets created by our scientists and engineers are a clear demonstration of the inexhaustible strength and might of the Soviet state and new proof of the serious lagging of the United States behind the Soviet Union in the development of contemporary, powerful rocketry. Characteristic in this connection are the reports of the foreign press that the Western military experts did not consider the creation of global rockets possible before the end of the sixties. And this at a time when the American militarists are literally crawling out of their holes to put the most modern achievements of science at the service of the arms race. It is no secret that all work for the conquest of space in the United States is done predominantly for military ends.

Official American political and military figures do not hide this fact. U.S. President John Kennedy declared as far back as 1960 when he was still a Senator: "Dominance in space will be the essence of the coming decade. The state that controls space will also control the earth." The Chief of the Air Force Ballistic Missile Division, Major General Ritland, expressed this idea more frankly: "We are reaching for space not because it lures us as everything unexplored does, but because it is a deployment area in which strategic operations can be conducted with great efficiency."

It is obvious that the theoretical and practical conquest of space is conceived primarily in the interests of strategy, since the creation and utilization of various space systems and flight apparatus can lead immediately to major strategic results. The working out of efficient means of striking from space and of fighting with space weapons in combination with nuclear weapons places in the hands of the strategic leadership a new, mighty means of affecting the military-economic potential and the military might of the enemy.

According to the views of Western theoreticians, a war with the use of space weapons and thermonuclear weapons will acquire the character of a war "that knows no limits, either in space or in time; in other words, one that will turn into an implemented system of global destruction."

This global system of destruction is expressed in American strategy by the recognition of the air and outer space as the decisive sphere of operations of a future war. Nuclear air and space power is regarded as the material force of this strategy and assessed as the main factor for victory.

The basis of air and outer space power must consist in aerodynamic flight machines which include piloted long-range aircraft, ballistic rockets, and various types of space installations of existing or planned types. The military program of the American Government is organized on the basis of these views. One must stress, however, that the composition of the U.S. military program is not only influenced by the acknowledgement of the decisive role of space weapons in a future war, but also by the level of scientific-technical achievements in this field.

Not counting on catching up with the U.S.S.R. in the conquest of outer space in the next few years, the leaders of American policy and the strategists of the Pentagon believe that this can be achieved as a result of setting up and implementing a long-term program. There are also other reasons why the Americans are openly proclaiming long-term programs for expanding their arsenal of space weapons.

The United States in this way hopes to create the appearance of being a peace power and of having great scientific-technical capabilities, thus boosting its shaken authority among its partners in the aggressive blocs.

Outwardly, the American program of cosmic military research planned for up through 1975 looks very impressive. It is planned to implement it in three stages. On the first stage, in the years 1962–65, it is planned to create cosmic military systems insuring the successful operation of military forces in all spheres: on land, in the air, and on the sea. These include means for the reconnaissance of the strategic means of the enemy located on land and under the sea, and for safeguarding the radio navigation of rocket-carrying submarines and aircraft—carriers of nuclear weapons.

For the reconnaissance of land targets it is planned to launch into orbit 20 experimental models of the Samos system and in the following years an additional 8 sputniks per year. It is intended to photograph land targets and even small objects on the territory of the Socialist countries with their help.

It is also proposed to create on the basis of communication sputniks a united global communication system which would insure the directing of the U.S. Armed Forces deployed on U.S. and foreign territories, and also on the directing of the armed forces of the countries of all the imperialist aggressive blocs.

By 1965, it is planned to produce means for combating ballistic rockets while they are still in the powered stage of their trajectory and for identifying and counteracting sputniks. Even now, however, a certain pessimism is being displayed in this connection, particularly after the announcement of the creation of global rockets in the U.S.S.R. "The defense experts of the Western countries," says the Daily Herald, "are faced with an almost insoluble problem."

The broadly conceived American plans for the military utilization of cosmic space envisage the creation of new systems of armament for conducting independent offensive and defensive operations in space and of space systems for dealing nuclear blows against land targets, after 1965. This stage envisages the improvement of existing, and the production of new, types of ballistic rockets which will make it possible to launch into orbit around the earth sputnik ships readily recognizable as possible carriers of thermonuclear charges. It is planned to place aboard such ships a crew of two to three people, and optical, television, and photographic equipment. It is not considered possible to create experimental models of space flight devices for destroying land targets with nuclear charges carried by missiles of the space-to-earth class before 1966.

In the more distant future, after 1970, it is planned to conquer other planets and to establish a military base on the moon. Even though these prospects are very distant and problematic, American theoreticians are already hurrying to estimate in advance the military importance of the moon and the possibilities which will arise in connection with its conquest.

The assistant editor of the Air Force Journal says, for example: "The conquest of the moon will, in addition to its purely scientific importance, also play an important role in the military field. Powerful telescopes installed on the moon can be utilized for reconnaissance purposes and in case of war the moon will be a base from which nuclear weapons will be used."

Such are the plans of the American imperialists aimed at the utilization of space for military aims. But even the American specialists themselves are sceptical in their assessments of the possibility of implementing them. The leader of the organization for space research admitted in one of his statements that "some of our plans for launching of cosmic missiles are insufficiently realistic. Above all, we have not even attained those results in the technology of space research which were planned earlier. The relation of the number of successful launchings to the number of failures has in fact not changed * * * (Red Star ellipsis). We have encountered a number of serious difficulties in the field of power installations and in guidance systems. We are primarily concerned about the problem of reliability. In the near future, we cannot even count on three successful launchings out of four attempts."

Trying to attain general and complete disarmament, the Soviet Union is resolutely opposed to the use of outer space for military purposes. A level of scientific-technical progress which is higher than that in the United States permits the Soviet Union confidently to retain its lead in the conquest of space for scientific aims.

In the past few days the world has been extensively discussing the report on the creation of the world's first global rocket. According to the admission of foreign military specialists, the creation of a global weapon in the U.S.S.R. will undoubtedly have a serious influence on contemporary military strength. It will make the lovers of military adventures more thoughtful.

INCREASE IN SALARIES OF FEDERAL JUDGES

Mr. DODD. Mr. President, on March 22 I introduced a bill calling for an increase in salaries of Federal judges. Since that time, there has been brought to my attention a resolution unanimously adopted by the house of delegates of the American Bar Association at its annual meeting in St. Louis during August of 1961.

Through this resolution, the American Bar Association records itself in favor of an increase in judicial salaries, and I ask unanimous consent to have this resolution printed at this point in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Whereas the American Bar Association was one of the chief sponsors of the Commission on Judicial and Congressional Salaries, which in 1954 recommended increases in the compensation of members of the Federal judiciary and the Congress; and

Whereas at the 1954 annual meeting this association approved prior action of its board of governors urging adoption of the Commission's recommendations; and

Whereas Congress in 1955 increased congressional and judicial salaries but not to the extent recommended by the Commission; and

Whereas since that time three salary increases have been granted to Federal employees, one in 1955, a 7½-percent increase, one in 1958, a 10-percent increase, and one in 1960, a 9-percent increase, but these increases were not applied to congressional and judicial salaries: Now, therefore, be it

Resolved, That this association reaffirms its aforesaid approval and urges the Congress to increase the judicial and congressional salaries to the level recommended by the said Federal Commission on Judicial and Congressional Salaries.

GLENN R. JACK.
BERNARD G. SEGAL.
FRANCIS W. HILL, Jr.
CHARLES S. RHYNE.

CALL FOR MODERATION IN DEBATE BETWEEN LIBERALS AND CONSERVATIVES

Mr. DODD. Mr. President, I think many of us here have had occasion to study and to admire the writings of Dr. Stefan Possony who, I believe, is internationally recognized as one of our most profound scholars on subjects related to the cold war. Dr. Possony has recently been appointed director of the international political studies program of the Hoover Institute at Stanford University.

Dr. Possony has written an article calling for moderation and commonsense in the national debate that is now going on between liberals and conservatives. I believe Dr. Possony's article has in it much food for thought for the people on both sides of the argument.

Mr. President, I ask unanimous consent to insert into the RECORD at this point the text of the article "Back to Reality," by Dr. Stefan Possony in the Palo Alto, Calif., Times, Saturday, March 3, 1962.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

BACK TO REALITY—COMMONSENSE NEEDED IN NATION'S BIG DEBATE

(By Dr. Stefan Possony)

Americans are justly proud of their pragmatic commonsense. Unfortunately, when it comes to politics, they like to fight about words and often forget reality. The present ideological debate between conservatism and liberalism could be very healthy if it succeeded in breaking down the tedium of conformism which has characterized American politics during the last one or two generations. Yet this debate will be counterproductive and divisive if it is not soon permeated by commonsense and anchored to the real issues confronting this Nation.

The debate between conservatives and liberals is far more sober and mutually responsive than the customary purple prose would indicate. The frequent use of superlatives such as "extreme," "ultra," "arch," and "super" affixed to "left" or "right," in most instances obscures rather than clarifies the real issues.

Are there American extremists? There is an extreme left—the Communists and crypto-Communists; and there is an extreme right—the neo-Fascists and Nazis. There are more extreme leftwingers than is generally admitted and fewer extreme rightwingers than is generally asserted.

I would judge that 95 percent of the American population reject dictatorship, whether from the right or from the left, and are willing to stake their fortunes on constitutional government. Only those who favor dictatorship should be called extremists. We must give the left or right believers in constitutional government the benefit of the doubt that they are moderates and not extremist reactionaries or revolutionaries.

AGREED

The majority is agreed, I think, on the essential point: our laws and institutions need improvements to be instituted through constitutional procedures. There are disagreements on preferences and methods of implementation, and there are arguments on whether a proposed reform constitutes regress or progress. Everybody prefers health, wealth, and happiness to disease, poverty, and frustration, but among the nonextremists I never met people who want to turn the clock back or, conversely, to leap forward and compress decades into weeks.

We are able to argue sensibly about what is to be done and how to do it; and we also can have rational reasons for not taking action or for undoing measures which did not pan out. But if the debate degenerates into name calling and if mutual misunderstandings are fomented, democratic government cannot survive and the authoritarian minority will prove to be right; the dictator soon will take over.

TRIVIA

Much of the current conservative-liberal debate is concerned with trivia. No problem is so insignificant that we can afford to overlook it. Theoretically, every little crack in our society may provide an opening to the enemy. But in the present situation we might as well concentrate on the really important problems confronting the Nation; e.g., the threat of communism and nuclear war, and the need to devise an effective strategy to keep the Republic—or democracy—afloat.

The trouble is that the old labels of "liberal" and "conservative" just do not fit these pressing problems. Nuclear disarmament is advocated by both liberals and conservatives, and there are liberals and conservatives who believe that the United States should win the nuclear armaments race. Conservatives pride themselves on being strongly anti-Communist but many liberals oppose communism just as firmly.

The suggestion that the United States should win the cold war has been rejected by ultraliberals as well as by arch conservatives, but has been endorsed by proponents of both creeds. Thus, many conservatives and liberals are united in their belief that the debate about the respective merits of conservatism and liberalism can continue only so long as the free world is not destroyed.

There are naturally differences of opinion on how the victory of freedom over dictatorship can be achieved, but it is unlikely that optimal strategic solutions will emerge from the current liberal-conservative confrontation. And, naturally, those pseudoliberals and pseudoconservatives who can't be bothered with the cold war, are what Communists, in their poetic moments, have called midwives of the revolution.

PUERILE

Some of the current debate strikes this observer as puerile. For example: liberals accuse conservatives of misconstruing the Communist threat as being exclusively internal and indeed many conservatives do. The conservatives retort that liberals see only the external threat and this is true of many. Also, there are quite a few liberals who, while denying the threat of subversion in the United States, are impressed by the threat of internal revolution in underdeveloped countries. In the real world, of course, the external and internal threats are intertwined, in the United States as well as everywhere else. There is no intellectual reason why the two sides should not agree on this platitude.

Liberals get nervous when conservatives discover Communist infiltration but they rarely take forceful stands disassociating themselves from Communists, nor do they warn against Communist manipulation. Similarly, conservatives do not always draw a sharp line against totalitarians on the right.

The liberals have a point claiming that conservatives don't want to face up to the high cost of defense and conservatives often do fail to recognize that the winning of the cold war and the avoidance of the hot war necessarily must swallow up huge resources.

Some conservatives instinctively doubt Soviet technological proficiency and are inclined to "prove" that sputniks and luniks are fakes; if they were right the conflict could be won at lesser cost.

But liberals instinctively accept Soviet claims at face value and some of them profess to fear that the Soviet economy actually is about to reach and overtake the American economy; if so, we might no longer be able to win or could win only by adopting Communist economic management in this country. Such a debate based upon instinctive and irrational judgments has an enormous "stupidity quotient," if I may coin the term.

TAXING

Conservatives like to argue that we tax ourselves into bankruptcy, just as many liberals advocate that we can tax ourselves into prosperity. Taxation hits every American in his own pocket but he persists in thinking about this issue ideologically rather than with commonsense. Why don't we look for the smartest tax system? Granted that the definition of "smart" varies with the dosage of conservatism and liberalism.

Yet conservatives might find that indirect taxation is not in every instance preferable to the income tax; and perhaps liberals might at long last admit that too steeply progressive tax rates are self-defeating and destructive of economic progress.

In a rational debate, a good conservative could allow that, in a modern society, national overhead must grow if the society is to be run effectively. And a good liberal should be able to admit that bad tax systems have destroyed democracies and that many economic activities which the taxpayers now are financing without direct benefit to themselves, could be run profitably by private and taxpaying industries.

ROLE

Perhaps the most nonsensical argument deals with the role of the government. The conservative is inclined to regard the state as evil, hence he feels that, as a matter of course, he must mistrust every government. This presumption is anarchistic and not conservative. True conservatives realize that the state is a necessary institution; whether it is good or bad depends on its organization and management. If the state is not allowed to carry out, with full authority, those functions which only the state can fulfill, society will suffer.

To the liberal, the state is the great problem solver, and he professes to be unconcerned about the dangers of excessive state power. Yet this adulation of the state has nothing to do with liberalism. It is socialism which asserts that the economy, and most other public activities, should be strictly controlled and even run, by a governmental bureaucracy.

A true liberal would recognize the limits to state effectiveness and realize that to enhance the welfare of the people, the state must function as one institution among many. If the state is overloaded with functions it cannot handle well, it will be ineffective; and absolute power corrupts absolutely.

TROUBLE

Thus, both too much state or too little state means trouble and chaos. Trying to win the contest against communism with a state which is either obese or undernourished, is doing it the hard way.

I would be happy if we could substitute for the old tired debate, an argument between the enthusiasts and the skeptics. Those are the two types of political thinkers whom the American people really need. The enthusiasts must tell us what needs to be done, and the skeptics should dilute the optimism by insisting on economy in reform and they should warn us against undesirable side effects.

A nation progresses most effectively if idealists and realists supplement each other. A debate between true conservatives and true liberals is as indispensable for a well-functioning society as blood circulation in a body. Let the conservative argue for the lower and the liberal for the higher limits of effective government. But conservatism cannot be anarchism and liberalism cannot be socialism. A genuine conservative can no more strike the pose of the ostrich than a genuine liberal can fancy himself to be the architect of utopia. No ideology has the secret of welfare and peace.

Our form of government is based on the assumption that the best solutions arise from a dynamic and rational debate between differing viewpoints. The lesson we have to learn is to debate more with logic than opinion, more with facts than epithets, and more about real threats than through emotional anxieties. Democracy is debate but irrational debate deprives democracy of its survival chance. Democracy can prosper only if it learns from experience.

POWER IN SPACE

Mr. DODD. Mr. President, a few weeks ago it was my privilege to address the Foreign Relations Commission of the American Legion in Washington. My theme was that our space program placed too much emphas on the peaceful, scientific exploration of space or, to be more precise, that it placed too little emphasis on the military aspects of space. I pointed to statements of experts like General LeMay and General Schriever, who had warned that the Soviets would be able to exclude us from space and to impose their will on earth if they defeated us in the crucial race for a maneuverable space vehicle, capable of rendezvousing with, inspecting, and, if necessary, destroying other objects in space.

I mentioned the development of the laser, an instrument capable of focusing a beam of light so sharply that it is theoretically capable of destructive power at distances of thousands of miles. If the laser were wedded to a maneuverable space vehicle, this combination would open up fantastic new possibilities for defense and offense.

In this week's issue of U.S. News & World Report, Mr. President, there is an article which deals graphically with the military potentialities of lasers in the space race. To the best of my knowledge, this is the first full discussion of the subject that has yet appeared in any American periodical.

Mr. President, I ask unanimous consent to have the text of my address before the American Legion Foreign Relations Commission and the article from U.S. News & World Report printed in the RECORD at the conclusion of my remarks.

There being no objection, the address and article were ordered to be printed in the RECORD, as follows:

POWER IN SPACE AND PEACE ON EARTH

(Speech by Senator THOMAS J. DODD, Democrat, of Connecticut, before the Foreign Relations Commission of the American Legion, American Legion Washington, D.C., headquarters, Wednesday, February 28, 1962)

We live in an era when the survival of freedom depends on many things.

It depends on the supremacy of our economy and on its continued vitality.

It depends on our military strength in being, both conventional and nuclear.

It depends on our statesmanship, and on our ability to comprehend an enemy more cunning and more determined than any adversary we have had to face in our long history.

It depends on our courage and on our steadfast adherence to those principles that gave this Nation birth and have thus far, in every major conflict, inspired it to victory.

It depends also on our ability to push ahead, far faster than our adversary, toward the fantastic new horizons which modern technology has brought into view.

The past 17 years have witnessed the creation of the atom bomb, the hydrogen bomb, the intercontinental ballistic missile, the 100 megaton warhead, and the manned satellite.

In the wings, almost ready to be brought on stage, stands the neutron bomb, a kind of death-ray weapon that could be used with devastating effect on the battlefield.

And at a distance of no more than 5 or 10 years, stands the effective conquest of space by man. Let us hope that it will be for purposes of peace only. But we cannot ignore the possibility that space may also be used for the purposes of war.

The dawning of the space age was dramatically confirmed by two events of the past week. These events, also, make it essential that we reexamine our national effort in space.

The first event was John Glenn's historic three-orbit flight around the world in the *Friendship 7* capsule.

The second event was Khrushchev's proposal that the Soviet Union and the United States embark on a series of cooperative space enterprises.

John Glenn's flight was one of the proudest and most jubilant moments in our Nation's history, and justly so.

It succeeded in persuading a free world that had begun to fear the Soviets were forever ahead of us in the space race, that American technology would soon establish its preeminence in this field, as it has in every other field.

The whole world applauded John Glenn's accomplishment.

They applauded the flight as one of mankind's great triumphs in the never-ending struggle to extend the frontiers of knowledge.

They applauded, too, because Project Mercury was conducted according to the rules of openness which honest men everywhere believe must prevail if there is to be any hope of peace on earth.

In commending John Glenn on his flight, President Kennedy said that "In this new space ocean we must be second to none." I am sure we all agree with this.

There is, however, a danger in the aftermath to the John Glenn flight. The danger is that we will all feel so proud and so good about it, and about the recent successes of our satellite program, that we will be inclined to assume that all is well in space.

I believe we would be honoring John Glenn in the most effective way of all if we used his flight as the starting point for a reexamination of our entire effort in space.

First, we must ask ourselves whether we are doing as much as we might be doing.

And, second, we must also ask ourselves whether the basic orientation and structure of our space program is what it ought to be; whether we have perhaps not placed too much emphasis on the peaceful, scientific exploration of space, and too little emphasis on the development of military space power.

We are a peace-loving nation, peace loving almost to the point of self-effacement and folly. This redounds to our moral credit. But we are up against a foe who, unfortunately, is singularly unimpressed by morality or moral credit.

When we had a monopoly on nuclear technology, we offered, through the Baruch plan, to place all of our technology and our entire stockpile at the disposal of an international atomic authority, if other nations did likewise. This offer was certainly one of the most far visioned and generous in history. But it was rejected out of hand by the Soviets.

It was rejected by them because they understood, far better than we understand, the weaknesses of Western democracy; because they were confident that we would not push ahead with all our energies, that our pace could be further slackened by skillfully plied propaganda, and that the time was not too far distant when they could outstrip us in the realm of nuclear technology.

And while we dawdled along with no sense of urgency, the Soviets forged ahead on many fronts. Despite our very great nuclear headstart, we beat them by only a hair's breadth to the hydrogen bomb. We dawdled for a few more years—and then, in rapid succession, the Soviets beat us to the ICBM, beat us to sputnik, beat us to the moon shot, and were the first to put a man into space. In recent months, through their perfidious unilateral termination of the nuclear testing moratorium, the Soviets have shot ahead of us in important areas of nuclear technology. Among other things, they have exploded a 58-megaton bomb, and have demonstrated the almost certain capability to equip operational missiles with 100-megaton warheads.

These have been devastating humiliations for a nation whose primacy in the field of technology had been taken for granted by the entire world. The Kremlin has exploited these successes in a massive propaganda campaign designed to persuade people of the superiority of the Communist system. But far more ominous than their psychological warfare implications were the military implications of these successive humiliations.

We are, at last, mounting a space effort which may permit us to overtake the Soviets and put an end to the humiliations of recent years. In its overall scale, this effort is truly massive. We have thus far put up 67 satellites, against the 14 satellites which the Kremlin has hurled into space. In most aspects of space science, our program has already far surpassed the Soviet space program.

But we must ask ourselves whether the Soviets have been placing as much emphasis on their scientific space effort as we have on ours; whether all the secrecy surrounding the Soviet space program has to do with pure scientific research—or whether this secrecy is not intended to conceal a massive Soviet technological effort designed to establish the Kremlin's unchallenged military control over the space environment surrounding the earth.

All the evidence, in fact, indicates that the Soviets have been placing their prime emphasis on the development of manned spacecraft. *Vostok II*, in which Cosmonaut Titov circled the earth for 24 hours last August, was a 5-ton vehicle capable of accommodating two or three men, or of carrying a sizable nuclear payload. The Soviets claimed, in addition, that Titov had been able to pilot *Vostok II* to an earth landing.

In terms of the development of a maneuverable spacecraft and of giant boosters to hurl them into space, I have been told that the Soviets are at least 18 months ahead of us. This is a frightening thought.

No less an authority than Gen. Bernard A. Schriever, the top military man in the U.S. missile program, has foreseen the possibility that the Soviets may beat us to the development of true military vehicles for space use and has warned against it. General Schriever has insisted that we must place more emphasis on manned spacecraft and space platforms, that we must develop a capability to rendezvous with, inspect, and, if necessary, destroy unidentified satellites.

"If we cannot deal with such satellites," General Schriever warned, "the ability of this Nation to exist and to preserve its essential values will be severely compromised or nonexistent."

He cited our failures to follow up on our early starts in aviation and rocketry as, "examples to indicate the danger that lies in inadequate planning for the future. Now we may find ourselves in a similar position in regard to space."

Gen. Curtis LeMay, the commander of our Strategic Air Command, has issued a similar warning. "The first nation to develop a manned space vehicle with complete mission flexibility," said the General, "could possibly dominate the space above the atmosphere."

But despite the warnings of our military men, our space effort, as it is now structured, is dedicated primarily to the peaceful pursuits of science. Of the $50 billion that is scheduled to be spent in the current decade, only some $15 billion will go for direct military applications.

As President Kennedy pointed out in his reply to Khrushchev, we have from the beginning steadfastly advocated the ideal that space should be a domain of peace, barred to weapons of war. We have urged the creation of an international space agency through which the great nations of the world could pool their technologies and their efforts, in the common interest of mankind.

In a historic demonstration of our own dedication to the ideals which we proclaimed, we established a civilian space agency, the National Aeronautics and Space Administration, to assume direct responsibility for our major national effort in space.

But unfortunately, the openhanded attitude of this country toward the sharing of scientific information and techniques has been met with customary perverseness by the Kremlin.

The Kremlin is always willing to take whatever information we have to offer. It eagerly accepts every invitation to exhibits of American space technology and to the public launchings of American space vehicles. But the Kremlin has divulged virtually no information in return, while every vehicle thus far launched in its space program has been launched in secrecy, without forewarning and without foreign observers.

When Congress passed the National Aeronautics and Space Act in July 1958, it declared that, as far as the United States was concerned, "activities in space should be devoted to peaceful purposes for the benefit of mankind."

At the same time, however, Congress recognized that we are up against an adversary whose attitude is not governed by humanitarian or pacifist considerations. It realized that what should be devoted to peaceful purposes, may not, in fact, be dedicated to such lofty ends.

Congress, therefore, made a clear-cut division in the assignment of responsibility. All matters pertaining to the exploration or peaceful uses of outer space were to be handled by the civilian agency, NASA. Those activities associated with the development of weapons systems and the defense of the United States were assigned to the Department of Defense.

The legislative branch was wise enough to realize that such a division of authority was bound to result in interdepartmental disputes—in competition for personnel, in conflicting estimates of priorities, in rival claims of jurisdiction. It, therefore, provided that conflicts as to the assignment of responsibilities between NASA and Defense were to be resolved by the President, with the advice and assistance of a group known as the National Aeronautics and Space Council.

The Space Council is under the able chairmanship of Vice President LYNDON JOHNSON. No more fortunate selection could have been made for this position. I know from firsthand experience how much dedication and time and thought the Vice President has given to problems of space.

The other members of the Space Council include: the Secretary of State, the Secretary of Defense, the Administrator of NASA, and the Chairman of the Atomic Energy Commission. The armed services are not directly represented on this all-powerful body.

Today, scarcely 3 years after the passage of our space act, a careful reading of the press will reveal to anyone that there is a serious division within our national space program with regard to its basic orientation.

NASA's primary dedication to the cause of science and space exploration has led it to the conclusion that we must get to the moon ahead of the Soviets as a matter of national prestige. The overriding importance which they attach to this project is indicated by the fact that they have allocated the staggering sum of $25 billion for this one project.

The moon project is of the greatest importance. It will mark man's first serious venture into space from earth's immediate environment. It will extend man's scientific knowledge almost as much as it will his physical reach. The ultimate scientific benefits, direct and indirect, are beyond calculation.

Our military space experts are, however, convinced that we must, in the first place, think in terms of the national security of the United States rather than in terms of scientific prestige and pure scientific accomplishment. They, therefore, favor an all-out program to devise and perfect defensive and offensive space systems for the protection of the free world. Their prime concern is with control of the earth's immediate space environment rather than with probes into outer space.

Few of us can even begin to imagine the fantastic weapons systems that the future will bring. But that there will be weapons systems in space is a fact on which virtually every military space expert is agreed.

General LeMay, speaking in Detroit last October, expressed confidence that eventually there will be developed "a manned vehicle that can take off from existing runways, go into orbit, maneuver into a parking orbit, deorbit, maneuver while reentering the earth's atmosphere, and land at an airbase in the conventional manner."

It is something to think about that our entire ICBM warning system might overnight become worthless if the Soviets were, in secret, to develop a fleet of such spacecraft, capable of launching nuclear warheads from overhead positions. It would take only minutes from the moment of launching to the moment of impact. Civil defense would become meaningless.

Speaking from a background of full knowledge of our classified military research and development programs, General LeMay made these further suggestions as to the space weapons of the future:

"Perhaps they will be weapons that will enable us to neutralize earth-based ICBM's.

"Perhaps they will be weapons that strike with the speed of light.

"If a new generation of armaments operated in space can neutralize an aggressor's ICBM's, the world will enter a new era in warfare. Furthermore, war in the future may be waged and decided without a weapon being applied against an earth target. Space capabilities may bring about the technological disarmament of nuclear weapons. It may also remove major wars from the surface of the earth."

General LeMay's prophetic words may be difficult to credit, even in this age of technological miracles. But when the general spoke of weapons that strike with the speed of light, he was not speaking about things that are vague theoretical concepts.

In the vacuum of space, certain weapons whose powers are greatly reduced by the earth's atmosphere could operate effectively, over long distance, against hostile spacecraft. Many possibilities are being explored. Nuclear accelerators could discharge concentrated beams of energy at speeds which would make it impossible for enemy spacecraft to maneuver out of the way. Projectiles launched by nuclear explosions could have a devastating effect. Also under research and development is the laser, an instrument that has the ability to focus a beam of light so sharply as to be effective at a distance of hundreds of miles. And the speed of the laser is precisely the speed of light—186,000 miles per second. Very primitive lasers are already in existence both in this country and in the Soviet Union.

If any of these potential weapons should be developed, as the experts believe they can be, and if they were then wedded to space vehicles, the military possibilities would be virtually unlimited.

It is against the background of these facts and possibilities that we must reassess our space program with a view to determining whether we are allocating the necessary priorities to our military space effort, and whether the mechanism of coordination between NASA and Defense cannot somehow be improved in a manner that brings benefits to both our scientific and military efforts in space.

Money is part of the problem. One of the ranking military experts told me that they could effectively use two or three times the funds now assigned for our military space program, and that such an increase in funding would produce a phenomenal acceleration in this program.

Personnel is another part of the problem. In our free society, scientific talent gravitates toward the agency which has access to the most funds, the best facilities, and the first call on the country's resources. In the current competition for space experts and supporting technological personnel, NASA is clearly in the driver's seat. This situation was dramatically and publicly underscored when NASA took over from the Army the incomparable ballistic missile team that Wernher von Braun had built up at the Huntsville Laboratory, and Caltech's famed jet propulsion laboratory in Pasadena.

Despite this combination of handicaps, the Defense effort in space has scored some outstanding successes. Only last week, for example, the press reported that, while NASA still seemed solidly wedded to liquid fuel rockets and had held back on funds for solid fuels, the Air Force had successfully test fired a giant solid fuel rocket of 600,000-pound thrust. The Air Force pointed out that with its five test firings to date of solid fuel rockets, it has scored a 100-percent untarnished record." It added, with justifiable pride, that there had been no comparable series of tests in the entire history of rocket development.

In re-examining our space program, I believe we can learn much from our recent experiences with the test ban moratorium.

We embarked on this moratorium because certain of our scientific experts and certain political advisers persuaded President Eisenhower that the only way to stop the nuclear arms race was for us to stop running. If we stopped running, so the argument went, then the Russians would stop running—and we would continue to enjoy the technological superiority which was ours on the day the moratorium began.

For 3 years, we adhered scrupulously to this moratorium. Despite justified suspicions of Soviet intentions, we did not even make serious preparations to test if the Soviets should first violate it.

Our good faith and our patience were rewarded by Khrushchev's unilateral termination of the test ban negotiations and by the massive series of 50 atmospheric tests which the Soviets conducted last September. According to the experts, these tests have brought the Kremlin superiority in at least several vital areas of nuclear weapons technology.

Against this background, unless the Soviets should miraculously agree to submit to an international space authority and open up their territory to inspection, we must assume the worst about their intentions in space.

We must assume that the Soviet Union's design for world conquest will be manifested in outer space as it is on earth. We must assume that they are at this very moment engaged in a massive effort to develop military space capabilities with a view to forcing the submission of the free world.

This evaluation of Soviet intentions is in no way altered by Khrushchev's recent proposal that the United States and the Soviet Union engage in a joint space effort. It is to be noted that Khrushchev nowhere suggested that he is now willing to permit the U.N. or some other international authority to witness and inspect the launchings of all space vehicles from Soviet territory. He has simply proposed that some launchings be carried out on a cooperative basis.

The Soviets are today far ahead of us in the development of a maneuverable space vehicle. We are far ahead of them in space science and in the development of communications, navigation, and weather satellites.

As it is now couched, Khrushchev's proposal boils down to the fact that the Soviets want to get their hands on American knowhow in those areas where we are greatly ahead of them, while they are prepared to surrender no knowledge and no control in the one area where they are unquestionably ahead of us.

Let us not be deluded into concluding such a one-sided agreement. As President Kennedy has pointed out, our experience of the past 12 months justifies a healthy skepticism about Soviet intentions.

If there is to be an agreement of any kind on the joint exploration of space, it will have to be based, in the first instance and from the very first day, on the prohibition of secret launchings of space vehicles of any kind. This would involve prior announcement of all launchings, international inspection of all payloads, and international observation of all space shots.

Anything less than such an agreement would be an open invitation to a repetition of the kind of perfidy that the Soviets practiced on us in the case of the nuclear test ban moratorium.

The proposal that we give priority to national security projects in our space program does not mean that we would have to abandon or even seriously restrict our peaceful goals in space.

To a very large degree, especially in the first phase of space exploration, our military objectives in space and our peaceful objectives run completely parallel. Because of this, the collaboration between NASA and the Defense Department has been remarkably effective.

The Navy has been responsible for the successful development of our weather satellite program, our communications satellite program, and of our navigational satellite program. NASA has been conducting our scientific probes of the space environment, many of our studies in space biology, and our Mercury astronaut program. All of these can either serve the world community in peace or can serve to enhance our national security in the event of war.

We must recognize, however, that our very access to the space environment for peaceful activities will in the future depend on our ability to protect the men and equipment we send there. If the Kremlin should ever succeed in gaining military control of near space, that is, of the regions close to earth, it would be in a position to shoot down our vehicles already in space and deprive us of future access to space.

This, I am told by the experts, is not a fantasy of worried minds. It is a serious physical probability that we dare not overlook in determining the orientation of our national space policy.

We have now reached the point in the development of space science and space technology where our scientific and our military efforts in space must begin to diverge at a number of points. Our Military Establishment is now confronted with the practical need to develop technologies and hardware specifically adapted to military purposes. The existing structure may have been adequate for the past. But, for the future, I believe it is essential that our military experts be made more nearly equal partners in the direction of our overall space program.

The basic problem is to so adjust and so coordinate our space programs that competition, friction, and overlapping are reduced to a minimum, that priorities are established which give due consideration to both the requirements of science and the requirements of defense, that the special genius of our military for getting things done is given proper scope.

In the first place—without in any way disparaging NASA, which is really an incredibly competent organization—I believe that greater military participation in the direction of our space program would automatically step up its tempo. This is so for two reasons.

First of all, military risk calculations are a great deal different from the risk calculations under which civilian agencies are, rightly, obliged to operate. Second, the sense of urgency which stimulates our Defense Establishment is almost impossible to duplicate in a nonmilitary atmosphere.

In our nuclear submarine program, in the Navy's Polaris missile program, in the Air Force's Minuteman program, our armed services have repeatedly demonstrated the capability to carry out the most massive projects within time limits that exceed the most optimistic expectations. But they can only do so if they are given the necessary authority and the necessary facilities.

What concrete changes can we make in our space program to give our armed services more say than they have today?

We might consider the advisability of adding representatives of the three armed services to the National Aeronautics and Space Council.

We might further consider the advisability of appointing a qualified and selected military officer as Executive Director of the Space Council, with full powers, subject to the decisions of the Council, to assign priorities, and to coordinate and balance our military needs and scientific space program.

For this purpose, we should select a man who combines outstanding technical competence with faith in space and the military potentialities of space, and with a profound determination to make America preeminent in this vital new arena. I know that we have such men in our military service today.

There are, perhaps, other measures that might be taken that would also serve the purpose. But what is clear is that we can no longer indulge in wishful thinking about space.

We can no longer permit ourselves to be paralyzed by the hope that we can negotiate an enduring peace in space when we have not yet been able to negotiate a stable peace on earth.

We must have a space program that is second to none. If we must redouble our effort to overtake and surpass the Soviets in the crucial race for manned space vehicles, then I am convinced that America can find both the means and the personnel to do so.

We must have a space program that gives priority to the security of our Nation.

We must provide the Defense Department with the directives and facilities to proceed, as a matter of the utmost urgency, with the development of military space systems. We must give particular priority to the building of the basic space vehicle which General LeMay has described—a craft that can maneuver into and out of orbit, and perform all essential military functions in space and the upper atmosphere.

Let us by all means strive to place space at the service of mankind.

Let us always keep the door open to an agreement insuring that space will become a domain of peaceful cooperation between the great powers.

But in the absence of a properly safeguarded agreement, we must bend ourselves to be supreme in space power, as we are supreme in naval power and air power.

For this will be the price of preserving our freedom in the fantastic technological world of the future.

[From U.S. News & World Report, Apr. 2, 1962]

LIGHT RAY: FANTASTIC WEAPON OF THE FUTURE?

Suddenly the idea of death rays—light shot through guns—has moved out of the realm of science fiction.

All around this country, big research laboratories are pressing a serious and mushrooming drive to harness light waves for fantastic new weapons and a variety of important nonmilitary uses.

Scientists are astonished at what can be done by taking ordinary light, intensifying it and using it as ammunition.

Their secret is to use new devices called lasers to make ordinary light travel in almost perfectly parallel beams instead of spreading out. That is something that does not occur naturally. The result is light rays of incredible power and sharpness.

Already scientists are firing light rays brighter than the center of the sun. Extremely short bursts of light have sheared holes through tempered steel. Similar rays could easily blind human beings. There is talk of light rays powerful enough to kill at long range.

Military uses for such a discovery are now getting serious attention. Authorities see the United States in a race with Russia for a radical new family of important weapons. It is a race that could have far-reaching effects in the years ahead.

Most important military use being investigated for light rays is as an antimissile device. Such a weapon would play a key role in future defense. Big companies are now reporting breakthroughs on the way to controlling light waves for weaponry.

Important nonmilitary uses are also seen ahead.

Present light-ray guns, some no bigger than flashlights, can be made to focus their beams to a point narrower than the edge of a surgeon's scalpel. They have already been used to perform knifeless eye surgery on animals and humans.

Directional light rays have also demonstrated promise as a means to carry voice, TV and other communications over vast distances—with a theoretical capacity millions of times greater than the best radio link.

Bell Telephone Laboratories, with 150 scientists and their assistants assigned to this field, is making headway with research devices that promise to harness light waves just as radio waves have been harnessed. Other important applications are foreseen.

It is in the field of weaponry, however, that the U.S. Government is most interested. Military spending in this area is now at millions of dollars and just starting to soar higher.

The Department of Defense, sensing important new weapons ahead, has moved in to coordinate and monitor spending by the Army, Navy, and Air Force. Spending by those services, originally aimed at basic research, now has been broadened to include studies of specific weapons ideas.

The curtain is being raised on concepts of future weapons heretofore held secret. Here are some of the weapons now being talked about:

Antimissile weapons: Light rays, vast in power and range, and aimed like searchlights, would be swept across the heavens at almost the speed of light. Enemy warheads would be knocked off course or, ideally, destroyed in flight. Capability exists, experts say, to destroy missiles over great distances. That is one version. In another, incoming missiles would be found, tracked and destroyed by the same device. Says one authority: "With light rays, you can hit anything you can point your finger at."

Antisatellite weapons: A beam concentrated on a satellite would exert enough power to send it flying off its course. Its electronic gear could be heated beyond critical limits. For other purposes, the orbit of an enemy satellite might be controlled by gentle pulses, nudging it first one way and then another—taking control from the enemy.

Antiaircraft guns: Big enemy planes, struck by light rays, could be slowed down and thrown off course. Their fuel tanks could be set ablaze. Light rays are seen as especially promising against low-flying planes.

Space spotlight: Spy satellites equipped with light guns could illuminate target areas on earth and take extremely detailed photos, even at night. Visible light, under these circumstances, would not harm people. If infrared light were used, they would not even know they were being photographed.

Orbiting death rays: Some experts say that if harmful rays were substituted for visible light, and shined on earth from a satellite, whole areas could be terrorized. Studies are now testing the effect X-rays or gamma rays might have on people when concentrated from a height of hundreds of miles.

Tactical death rays: The idea of death rays, in the science-fiction sense, holds little appeal for U.S. scientists. In the words of one: "The world already possesses enough ways to kill people—and much cheaper than by death ray." The military, however, is financing preliminary studies of such concepts.

That is just a partial list of what many experts see ahead.

NIKE-ZEUS WEAKNESSES

Main search going on at this time is for a truly effective missile killer. Defense planners claim that the Nike-Zeus antimissile missile—a nuclear warhead shot into space by a rocket—is much further along than any light-ray idea, but will never provide adequate defenses for this country.

What is needed, experts say, is a more radical and imaginative weapon. Idea of light rays as a missile killer is, therefore, at the center of attention of Pentagon planners.

Major breakthroughs, now gaining in promise, are based on a discovery that gave birth to two separate devices—and opened a whole new field of thinking about the use of electromagnetic radiation as a force.

MASER AND LASER

Scientists call these devices by their initials. One is "maser," for microwave amplification by stimulated emission of radiation. The other is "laser," for light amplification by stimulated emission of radiation.

Masers, which use invisible radio microwaves, were developed in 1954 by Dr. Charles H. Townes and a group of coworkers at Columbia University. Masers have already revolutionized some branches of science.

Lasers—sometimes called optical masers—work only with visible light, another form of radiation. The first laser was successfully operated in 1960 by Dr. Theodore H. Maiman, then at Hughes Research Laboratories.

It is the development of the laser that brought the death ray out of the realm of theory. What the laser does is amplify light in the same way a loudspeaker amplifies a voice signal.

The main difference is this: Normal radiation—from a radio antenna or from a light bulb—is incoherent and spreads in all directions. A laser in effect turns ordinary light from a jumble of waves, vibrating helter-skelter at different energies, into a coherent beam of very sharp frequency. All the light waves, as they leave the laser, are moving in step.

The result is an almost perfect ray—intense red light bursting out in a narrow beam of 400 trillion unbroken waves a second. One scientist compared it to a spot of light as big as a fingernail, but as bright as a million 100-watt light bulbs.

Even over vast distances, this beam would spread relatively little. If an inch-wide beam were fired from Los Angeles, it could be trained on a single building in San Francisco.

A beam shot to the moon—a quarter of a million miles away—would illuminate an area only about a mile wide. By contrast, if the best available searchlight could reach the moon, its incoherent beam would spread over a distance of 25,000 miles, with correspondingly reduced illumination.

Lasers producing such brilliance today in laboratories are no bigger than ordinary pistols. Laser devices being sought for use against enemy missiles, however, would be much larger. That's because vast amounts of energy, measured in millions of millions of watts, will be required at the source.

Scientists are confident they will be able to generate and amplify the enormous energy required, assuming that the energy is ideally focused. There is no fundamental limit to the power of a laser beam. Focusing has presented a major challenge—the need to confine the light into the narrowest possible beams, thus increasing its power and destructiveness for use in weaponry.

Progress along those lines now is being reported. Scientists at Westinghouse Electric's Defense Center in Baltimore were able to achieve an increase of more than 200 times in the coherence of laser radiation, bringing its performance nearly to its theoretical diffraction limit.

Another problem being investigated is the effect of clouds on light rays. Laser light is obstructed by clouds. Scientists believe this can be overcome in a variety of ways, in the case of missile defense.

One plan would use seeding rockets to break up cloud formations in vital areas. Another would burn holes through cloud cover with bursts of directed light, following through the hole with other bursts.

Most promising is a plan to use laser rays in satellites, placing the entire antimissile weapon above the clouds. The Pentagon is pushing top secret studies along those lines. In one study—called BAMBI—the idea is to intercept and destroy enemy missiles moments after they leave their launch pads.

A LOOK AHEAD

How far off in the future are the practical results of these devolpments?

Today's lasers are research devices found in laboratories. For some of the ideas, it will be a long way from laboratory to practical use. The goals vary. Already, for example, laser ranging equipment is being built. Practical prototypes of laser systems for navigation are expected in another 3 years. Communications carried by light waves are beyond that. Even more distant—perhaps by the end of the decade—are the ambitious types of weapons.

Overall, almost 20 different approaches are being made in this country to perfect lasers. More than 400 U.S. companies are now working on lasers or their component parts. A dozen different types of lasers have been built. Main challenge is not to come up with different types of lasers, but to improve their performance, overcome obstacles.

Breakthroughs, major and minor, are starting to pile up as more money is funneled into laser work. In addition to Westinghouse's progress in further intensifying laser beams, other companies and universities have reported significant advances.

Bell Laboratories, with a succession of firsts, Raytheon, International Business Machines, Hughes Aircraft, and other big firms have all reported techniques to improve laser operation.

SECRECY AND COMPETITION

Some advances in this field are still secret.

One reason for secrecy is the competition among the big laboratories themselves. Many scientists believe that, in the field of electronics, the laser will prove comparable in importance to development of the transistor. It could change the whole course of electronics. Individual companies want to be first.

Other secrecy is applied by the Pentagon. Russia, too, is deeply involved in light-ray research. That is clear from what is known of solid-state physics in the Soviet Union.

In both the United States and Russia, light rays have moved out of the realm of theory. The race now is to put them to work.

LIGHT RAYS: A PEACEFUL FUTURE, TOO

More than 400 companies in the United States are now working—in one way or another—to harness light rays from "lasers" for practical, nonmilitary uses. Among the most promising fields:

Communications

Biggest drive underway is to control light waves so they will carry messages in the same way radio waves do at present. The advantages would be staggering. One beam theoretically will allow transmission of 100 million simultaneous telephone calls, more than all the Nation's long-distance lines combined.

Such performance is possible because the high frequency of laser light enables it to carry great chunks of information—for voice, television and other traffic. Signals would be static free and jamproof. Also spyproof, because the laser's highly directional beam would not "leak" to any important degree.

Distances, too, are measured in superlatives. A light beam would carry messages between satellites, to the moon and to planets 10 light-years apart. Power required to send messages to the moon: less than used to light a Christmas-tree bulb.

Astronomy

Light rays, used with telescopes, will give astronomers clearer pictures of the moon and planets than ever before, and will enable them to chart stars now invisible on earth. Stars that give off red light will be detected, experts say, even if that light is only one-tenth of the intensities that can now be identified.

Another use: Light beams can be used like radar, but with greater precision. The moon will be charted by bouncing laser beams off the lunar surface, recording its depressions and heights in great detail.

Power transmission

A directed beam of light, say some scientists, will be comparable to a wire for carrying power—conducting light and not electricity in this case. A 200-inch telescope in space with a laser light source would produce a spot of light 6 inches in diameter, some 1,000 miles away. That is one way of transferring power from a space station to a satellite. Other uses are seen. That 6-inch spot—without a vast input of power—would be enough to heat up a pot of coffee at 1,000 miles.

Knifeless surgery

The laser's beam is so intense when focused at short range that it is already being used experimentally to burn off tumors of the retina of the eye in animals, and to weld damaged retinas of humans.

Predictions are heard that light rays will be valuable as a tool for delicate brain surgery. The beam, when tightly controlled, is powerful enough to cut through human tissue with precision now impossible.

Navigation

Light will measure long distances with millionth-of-an-inch accuracy. Using reflection techniques similar to radar's, it will be capable of outperforming radar, particularly for space navigation. Aboard spaceships, lasers will operate at low power over long ranges, be compact in size and practically noiseless in operation.

Other uses

Scientists believe the laser offers promise as a powerful tool in space, in sciences such as chemistry and biology and in industry as a whole.

Now in sight: light rays useful for optical research and instrumentation, for welding metals, for data processing, and as a scientific tool to investigate the properties of matter.

PERMISSION FOR JOINT ECONOMIC COMMITTEE STAFF MEMBER TO BE PRESENT IN SENATE CHAMBER

Mr. BUSH. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield to the Senator from Connecticut.

Mr. BUSH. Mr. President, I ask unanimous consent that when I address the Senate today on the question of unemployment, a member of the staff of the Joint Economic Committee, Mr. Donald A. Webster, may be present in the Senate Chamber.

The PRESIDING OFFICER (Mr. METCALF in the chair). Is there objection? The Chair hears none, and it is so ordered.

UNITED NATIONS BONDS PURCHASE

The Senate resumed the consideration of the bill (S. 2768) to promote the foreign policy of the United States by authorizing the purchase of United Nations bonds and the appropriation of funds therefor.

Mr. SPARKMAN. Mr. President, I ask unanimous consent that the committee amendments to S. 2768 be agreed to en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments agreed to en bloc are as follows:

On page 1, after line 6, to strike out:

"SEC. 2. Amounts received from the annual repayment of principal and payment of interest due on such bonds shall be deposited into the Treasury of the United States as miscellaneous receipts."

And, in lieu thereof, to insert:

"SEC. 2. The amount of United Nations bonds purchased with moneys appropriated pursuant to the authorization contained in the first section of this Act shall not exceed by more than $25,000,000 the aggregate amount of such bonds purchased or agreed to be purchased by other nations."

And, on page 2, after line 7, to insert a new section, as follows:

"SEC. 3. There shall be deducted from the annual payment of the assessed share of the United States of the budget of the United Nations an amount equal to the corresponding annual installment of principal and interest due to the United States on account of bonds purchased pursuant to section 1."

So as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated to the President, without fiscal-year limitation, out of any money in the not otherwise appropriated, $100,000,000 for the purchase of United Nations bonds.

SEC. 2. The amount of United Nations bonds purchased with moneys appropriated pursuant to the authorization contained in the first section of this Act shall not exceed by more than $25,000,000 the aggregate amount of such bonds purchased or agreed to be purchased by other nations.

SEC. 3. There shall be deducted from the annual payment of the assessed share of the United States of the budget of the United Nations an amount equal to the corresponding annual installment of principal and interest due to the United States on account of bonds purchased pursuant to section 1.

Mr. MANSFIELD. Mr. President, on behalf of myself and the minority leader, the Senator from Illinois [Mr. DIRKSEN] I send to the desk an amendment in the nature of a substitute for the bill S. 2768, and ask that it be stated.

The PRESIDING OFFICER. The amendment of the Senator from Montana will be stated.

The LEGISLATIVE CLERK. It is proposed to strike all after the enacting clause and insert the following:

That there is hereby authorized to be appropriated to the President, without fiscal-year limitation, out of any money in the Treasury not otherwise appropriated, $100,000,000 for a loan to the United Nations. It is the intent of the Congress that the proceeds of the present loan shall not be used to relieve States Members of the United Nations of their obligation to pay arrearages on payments of any United Nations assessments.

SEC. 2. The amount of money to be lent to the United Nations pursuant to the authorization contained in the first section of this Act shall not exceed by more than $25,000,000 the aggregate amount of loans made or agreed to be made by other nations.

SEC. 3. There shall be deducted from the annual payment of the assessed share of the United States of the budget of the United Nations on amount equal to the corresponding annual installment of principal and interest due to the United States on account of the loan made pursuant to section 1.

SEC. 4. Nothing herein shall be regarded as authorizing the United States to participate in any future United Nations borrowing. It is the sense of the Congress that the United States shall use its best efforts to promote a pattern of United Nations financing (including a vigorous program for collection of delinquencies on annual assessments of nations and maintenance of such annual assessments on a current basis) that makes unnecessary any future large-scale borrowing.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Montana and the Senator from Illinois.

CRIME IN THE WASHINGTON, D.C., AREA

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield to the Senator from Mississippi.

Mr. STENNIS. I have been greatly concerned with the alarming increase of crime in recent months in the Washington area. A few days ago I addressed myself to this question on the Senate floor, pointing out that Washington's law-abiding citizens are captives within their own homes after dark—justifiably afraid to go out on the streets.

Mr. President, I raise the question: "Is this America?"

The crime situation in the District of Columbia is stark evidence of what happens when certain groups are coddled and led to believe they are above and beyond and outside the long arm of the law.

I advocated on the Senate floor that this matter be taken right to the door of the White House and the Department of Justice. If those responsible officials would send down the word for more convictions and stiffer punishment, that word would travel very fast and bring results.

I invite the attention of the Congress and the American people to the speech by Deputy Police Chief Edgar E. Scott, of the Washington Metropolitan Police force, delivered recently to the Federation of Women's Clubs here.

Chief Scott makes a long step forward to a solution of the law enforcement problem by making a full statement of the facts as they actually exist, rather than smoothing them over. He makes another step forward as he points out the particular group chiefly responsible for this growing evil which terrorizes the people here, creating a national scandal.

This crime, unless halted, will continue to be a mark of shame on the Nation's Capital.

Mr. President, I ask unanimous consent that Chief Scott's speech in full be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

WASHINGTON'S CRIME PICTURE

(Address by Deputy Chief of Police Edgar E. Scott, Chief of Detectives, Metropolitan Police Department, Washington, D.C.)

Dear friends, the problems of our day are many, as you know, but I think you will agree that none are more important than the subject of today's discussion, because of not only the seriousness of it in our daily lives, but because it is tied in with every other problem, from getting to the corner store up to the national defense and freedom from communism.

I think we can learn something by a quick look at crime in the Nation's Capital in the last decade. In 1952 there were 23,000 part 1 offenses. By various techniques, overtime work, surveillance, and investigation this was gradually reduced to 15,000 in 1957. However, the trend was suddenly reversed in 1957 and has gradually risen since until we find ourselves back where we were in 1952, or, to be exact, at 21,943 part 1 offenses for the last 12 months. This is an increase of 592 crimes over the 12 months ending February 28, 1961—up 2.8 percent overall. But I believe you will want to know in the category of robbery, a great majority of which were the street robberies in which the many vicious and needless assaults occurred, which sent many to hospitals and several to their deaths, the rise was from 1,708 to 2,068—up 360 cases, or 21.1 percent.

Of more concern than the 1 year's increase, probably would be the approximately 35-percent increase in part 1 offenses in the last 5 years after we had reduced it by 35 percent during the previous 5 years. This—in spite of the increased manpower and the dogs. We wonder what the figure would have been without these.

I understand that you would like to know what the ethnic ratio is in these statistics so that the community can best know how to prepare to remedy the situation.

The overall crimes (part 1) are about 80 percent by colored, but in the category of robberies committed in public space, which you are most concerned with today, the percentage committed by colored is 94.1 percent; by white is 5.9 percent. There was a total of 1,598 of these cases; 1,505 were committed by colored; 93 were committed by white. Of these crimes 734 (45.9 percent) were committed against colored complainants; 884 (54.1 percent) were committed against white complainants.

I think you would agree that it is only fair to say that if 50 percent of the citizens have 20 percent of the delinquents to rehabilitate and the other 50 percent have 80 percent of the delinquents, and both groups were having very little success, then the group with 20 percent could feel more concern over their failures.

Our main concern then is why, and what can be done about it. Economic conditions, the spread of the criminal element over the entire city (crime has tripled in some of the outlying precincts in 10 years), moral deterioration, and citizens' irresponsibility are some of the causes.

Under irresponsibility we might well list the group of citizens who were on the bus when the driver was beaten and robbed and failed to give their names as witnesses. This case alone would not require too much concern, because we solved it without them, but it reflects a trend.

Would you believe that another group of our citizens could be present at a party and witness the killing of one of the guests, and some of the other guests help the killer take the body away in a truck, and after it was

found, 2 days later, have to be arrested and charged with misprision of a felony to get the truth?

Or, that businessmen and other citizens would act as fences for your household furnishings, jewelry, etc., after it is stolen; or, that we could find on the books of a notorious fence, at the time of arrest, the names of many citizens who hold down good jobs, but have their order in for the articles the fence is to have the shoplifter steal?

There are parents who permit their children to bring weapons and stolen property into the house, in addition to roaming the streets, and say nothing; and then, if they are arrested, they say, "I told you not to get caught."

It is citizens who keep the lotteries and bootleggers operating.

We are thankful for the many who do help us. They are from every group and sometimes endanger their lives to help.

There are other reasons for crime, which, I believe demand more of the attention of good law-abiding citizens such as are in this room today, and that, before the situation worsens. I refer to the civil libertarians, who, for politica' or selfish reasons, under the guise of individual rights, would break down law enforcement entirely and give the criminal a license, and encourage him to commit these heinous crimes.

Also, those who are in authority and who are sentimental enough to be influenced by these pressure groups into making decisions which produce new technicalities and loopholes for the criminal to evade the consequences of his crime, and to prepare and encourage him for the next victim.

The good substantial people need to use their organizations to work for good law enforcement, so as to counteract the work being done by some members of other groups to break it down. We take courage in the fact that there are so many good substantial citizens in every group, and we believe that all of these will refuse to be taken in by the statements made for political and selfish reasons, and will join with others to work for good law enforcement for all, regardless of their ethnic makeup.

In this connection, let us look back at certain court rulings. Of course, some would say that we dare not give you the truth on this because it might reflect on the confidence in the courts. With this theory I disagree. We wonder if some of these are thinking that to give the facts might have a bearing on their next promotion or appointment. I have great confidence in our trial court judges and many appellate court judges, who are experienced and dedicated, but you certainly have a right to know about the restrictive rulings by a few which have gone so far beyond the proper balance between the rights of the individual, and the rights of the law-abiding public.

The great blow against law enforcement, in Federal jurisdictions especially, was on June 24, 1957, the date of the Mallory ruling. After that day, we said there would be this rise in crime, and that many crimes that were solved, would not be solved. That was the turning point, and as more restrictive rulings were added, more criminals came to Washington, and statistics have continued to rise.

This ruling restricts the use of confessions which are voluntarily given, merely because they are given while in police custody, prior to arraignment. I could add more than a score of reasons why the results of Mallory are so disastrous. Here are a few. It means that all the dedicated officers that you have paid to have trained are unworthy to question a criminal, even when there is no claim that the statements given are involuntary; that multiple crimes cannot be solved, and multiple defendants cannot be detected; that surveillance must be set up to catch them in the act, such as the 7,000-plus hours recently performed in liquor stores. This type of arrest is more dangerous to both the perpetrator and the officers. Then there is the dilemma when handling juveniles who are to be waived to the adult court. Statements made before arraignment are inadmissible, but he can't be arraigned while under juvenile court jurisdiction. These are just a few.

Then came the Durham rule which produced the height of confusion. Only one other State has adopted it. This provides that, if a crime was the product of mental disease or defect, the defendant must be found not guilty. It also places the burden on the government to prove sanity. On this ruling, a mere sociopath may escape punishment for his crime, and many have found this easy method of using the revolving doors of the hospital, and many others have just simply walked away. One of these committed the crimes of murder and robbery in Indiana and made the "10 most wanted" list. Another poisoned the well water and and killed a family in West Virginia. Another, the "wild man of Swampoodle," killed two people in the District of Columbia, to mention a few. The psychiatrists, in general, don't want this mindreading responsibility. Then usually no two are of the same opinion. In the John D. Leach case there were three psychiatrists. One said that he had a defect, but not a disease; another said he had a disease, but not a defect, and the third said he had neither. Then one said the crime was the product of a disease, another said it was the product of a defect, and one said it was neither the product of a disease nor a defect.

Then we have had rulings on what constitutes probable cause for arrest, and on search and seizure which sometime seem to have developed into a quest for technicality upon which the guilty can be freed, rather than a quest for a substantiation of guilt. This encourages more crime. It indicates to the criminal that if he can commit these heinous crimes without being seen by witnesses, or being caught in the act, or, without leaving any technical evidence, he will be assisted in evading detection. (The terrorizer case, the Blue Turner case, the Ella Work case.)

Now we believe in rehabilitation, but no one can be rehabilitated by assisting them to hide the truth.

I am sure you will agree that the recent stiffer sentences handed out to robbers is one method that will make some of them think before going on the prowl for victims to strike down. They understand this very well. In 1938 we apprehended the Towson gang from Baltimore for many armed robberies and assaults. Also, the Tippett brothers. Towson was sentenced to 63 to 80 years, and his confederates to almost as much. The Tippetts received 21 to 35 years. This was headlined. There was very little robbery here for that year.

There are many laws which need your attention. The wiretapping bills, the alcoholic beverage control bills, etc. You should arrange for notice of hearings on all these, in time to make yourselves heard.

There is another bill being proposed which would tighten Federal laws against police brutality and the use of third-degree methods to secure confessions, which sounds good on the face of it, but I expect most Members of Congress will be watching that closely to see whether or not we don't already have enough laws to punish those who may commit these offenses, but to be sure that the civil libertarians don't use this method of applying the Mallory law to the State courts.

Sometimes we are perplexed as to how it is that public servants, in high office, could take no stand whatever on legislation designed to remedy such law as the Mallory rule when others, holding the same positions were proponents of the remedial legislation.

I certainly agree with Mr. Hoover that the fight to maintain moral standards and good law enforcement is tied in with the fight against communism, because I believe that nations fall from weakness and corruption from within rather than the power from without. If this great free country should ever fall it would be because we were weak and unfit.

It was Emerson who once said, "The thing that makes this country great is not the material wealth, the value of the crops, or the size of the cities, but it is the kind of youth the country turns out." That is just as true today.

It seems that some members of the appellate courts have allotted to themselves the task of punishing the police for alleged mishandling of criminals, and that the need for this is based on hearsay evidence. However, it is the public who is punished by these restrictive rulings, which encourage more crime. Also, for the judicial branch of the Government to undertake to punish the executive branch is certainly not needed, as the executive branch already has the machinery to regulate its own members and that machinery is functioning well.

So, we have shown, clearly we think, the answer to how to handle the criminal himself, and the great need of the cooperation of the citizens in this, but, getting at the causes of crime requires the attention of all good citizens in all groups to the raising of the moral standards and the spiritual well-being of the community. This requires these groups to organize even to the extent of having block leaders to know what is going on, to cooperate with the police when necessary, and to work with the homes, the schools, and last, but not least, the churches.

You may be sure that your police department, which is second to none, will continue to give you all-out service, with emphasis on screening applicants, training in police-community relations, courtesy, ethics, integrity, and professionalization in every sense of the word, and as you have seen, will root out and punish wrongdoing, if any.

Your police officials today are concerned not so much for their sake, as for yours. The indifferent, the indolent, and the complacent usually see their rights become a prey to the active, and see them chipped away and eventually vanish. This requires eternal vigilance to maintain liberty, freedom, and security. It requires the attention of each of us.

To the civil libertarians who scream about the Constitution, due process, and the Bill of Rights, I would call attention to the fact that the preamble to the Constitution states that the purpose of the Constitution was "To establish justice, insure domestic tranquillity, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity."

DOWN, DOWN GOES OUR GOLD RESERVE—WHY NOT ACT? SOLUTION IS AVAILABLE

Mr. GRUENING. Mr. President, wifl the Senator yield?

Mr. SPARKMAN. I yield.

Mr. GRUENING. Mr. President, I note by this morning's press that in the week ending March 28, 1962, our Nation's gold reserves declined $100 million. This is the largest weekly loss in 4 months.

The statement of the U.S. Treasury for March 27, 1962, shows our gold reserve was down to slightly over $16,608 million—which brings our reserves to the lowest point since 1939.

How long, Mr. President, will this Nation continue to ignore the clear and present danger which exists in our declining gold reserves?

How long, Mr. President, will we continue to decline to take the very practical steps needed to replenish our gold reserves by recognizing that gold miners cannot afford to mine gold with machinery purchased at 1962 prices while receiving 1934 prices for gold?

A solution has already been proposed in Senate Joint Resolution 44; namely, a subsidy for newly mined gold while keeping the price of gold pegged at $35 per ounce.

Time is running out.

Gold mines already closed cannot be opened overnight. If we continue to disregard the warning of danger ahead contained in this continued flight of gold from our shores, we will find that the time is past when any subsidy will be able effectively to bring about the opening of sufficient mines soon enough to make the vital difference in our gold reserves.

I have before stated on this floor that gold is a weapon and that the time had come to arm. I restate that call to arms today in the hope that it will be heeded and action taken before it is too late.

COMMERCIALISM IN BASEBALL

Mr. KEFAUVER. Mr. President, for some time I have felt a deep concern about the cold commercialism that rules baseball in this country. Our national sport has suffered, I believe, from the appalling absence of humanity in the front office.

I have a disturbing feeling that the businessmen are taking the fun out of baseball. They judge a game by the score in the box office, not on the playing field—by the ring of the cash register, not the roar of the crowd.

Of course, I don't expect the businessmen of baseball to sacrifice their investment for the sake of the sport. But I am concerned, Mr. President, over their habit of putting profits ahead of the players who are traded, and often treated, like cattle.

This was brought forcefully to my attention again today by an article I read in the distinguished baseball magazine, Baseball Monthly. It was written by Mr. Carl Furillo, a former star player with the Brooklyn and Los Angeles Dodgers. He claims in his article, entitled "My Case Against Baseball," that he was summarily dismissed after an injury and, later, was blackballed for openly opposing his dismissal.

For the consideration of the Senate, I would like to read excerpts from this article which appears in the current issue of Baseball Monthly. Mr. Furillo declares:

> Take any kid—yours, if you have one who's baseball minded—and take a look at the contract the major leagues will ask him to sign.
>
> Sure, some of us have made good money. Look at it this way: You're a salesman and a good one and you're making $15,000 a year and some other outfit offers you $25,000 to go with them. What do you do? You tell your company about the offer and if they don't come up with something to satisfy you, you give them notice and leave. They don't tell you that you have to work for them or nobody.
>
> I know about the arguments in favor of the reserve clause and I agree with some of them. That still doesn't make it right. I say put a limit on the time a club can own a player—say 3 years. I know one thing; the contracts now are all in favor of the owners. There is nothing in them for the players.
>
> As I said, I'm not just thinking of myself. I'm thinking of all the kids that play the game. It just isn't fair the way the owners can treat the players like cattle. Slavery was supposed to have been abolished 100 years ago.
>
> Take the matter of sales and trades. I maintain that the players should get a fair percentage, say 10 percent, or something, if they are traded or sold. You can figure the velue and the player should get a cut of wnat the club gets for selling or trading him. He gets nothing except transportation to his new home.
>
> A club can fire you any time it wants to. The owners can sell you and they can tell how much money they'll pay you and if you don't like it, you can sit home until the cows come home and join you.
>
> And that's what I've had to do. I didn't like what the Dodgers tried to do to me and I'm paying for it. As Dick Young, the columnist for the New York News put it: "The only ones allowed to hire lawyers are the owners, not the ball players."
>
> Well, I hired a lawyer and I'm a dead duck, as far as baseball is concerned.

UNITED NATIONS BONDS PURCHASE

The Senate resumed the consideration of the bill (S. 2768) to promote the foreign policy of the United States by authorizing the purchase of United Nations bonds and the appropriation of funds therefor.

Mr. SPARKMAN. Mr. President, it is my responsibility to state the case in support of Senate bill 2768, recently reported favorably by the Committee on Foreign Relations. The bill would authorize the President to buy $25 million worth of U.N. bonds and thereafter match purchases of such bonds by other nations up to an aggregate total of $100 million.

This could be the occasion for an elaborate oration about the United Nations. It would be fully consistent with the traditions of this body to talk at length about the trials and tribulations of the U.N. I might review in detail its successes and failures and discuss the hopes that its supporters hold and the disappointments and criticisms of those who have their doubts about the organization. It might be worthwhile to dwell upon the dangers for the United States which some forecast in the U.N.'s activities and to balance against such dangers an appraisal of the opportunities inherent in the U.N. and the advantages to this country in our participation.

If I had ample time I could make an edifying presentation on these topics. I do not intend to do so, however, because for many weeks now all of us have had thrust at us in the press, on the radio, and on television a great amount of worthwhile and serious discussion of these important considerations concerning the U.N. It seems to me, however, that this worthwhile debate boils down to one general conclusion; namely, that the U.N. is a very important institution and that it is in the interest of the United States to have it succeed.

There has been no serious disagreement among the many witnesses who appeared before the Committee on Foreign Relations about the worth of the United Nations. There is likewise no disagreement in the committee as to the value of the U.N. I feel quite sure that sentiment in the Senate as a whole is the same. I think we can therefore lay this subject to one side as not being an issue with respect to S. 2768.

Mr. President, I could also launch into a lengthy discourse on how the U.N. came to get involved in the two operations which have caused the current deficit; namely, the maintenance of the United Nations Emergency Force in the Middle East and the U.N. force in the Congo. I could review the Suez crisis and recall to the minds of my colleagues what Mr. Nasser did and what Israel did and what Anthony Eden did, and so forth. Likewise, in the case of the Congo it might be interesting to review the names which have long since become familiar because we have seen them so often in the headlines. Names like Kasavubu, Lumumba, Adoula, Tshombe, and Gizenga. Each brings to our minds an image of particular policies and conflicting interests in the web of controversy which has been characteristic of the Congo for the past 2 years.

I would be the first to admit that the U.N. operations in the Congo are not free from controversy. But I nevertheless think that for the purpose of the debate on this bill these controversies are not really relevant. I think it is fair to say the Committee on Foreign Relations is agreed that the U.N. had to go into the Gaza Strip and had to send some kind of a force to the Congo and that, in the prevailing circumstances, it was inevitable that the United States would have to pay a large share of the cost. Few would argue that it is possible to eliminate these two important peacekeeping activities anytime soon. They have been costly and they will continue to be costly. The Middle East force is now costing about $9.7 million a year and the Congo costs are running at the rate of about $11 million a month. There is no question but that these operations are the main source of the financial troubles of the United Nations.

Mr. President, there is one other subject which could be discussed in great detail but which over the weeks since the Congress has been considering this matter has ceased to be an issue. I refer to the causes, the dimensions, and the seriousness of the financial crisis which faces the United Nations. Let me try to state the essential facts briefly.

First, the order of magnitude of the problem: At the end of 1961 the United Nations deficit stood at about $114 million. The Secretary General told the Assembly that the deficit would probably increase to $170 million by June 30, 1962. The $114 million deficit as of December 31, 1961, was made up of a $13.1 million

deficit in the U.N. General and Working Capital Funds, a $28.4 million deficit in the Middle East Emergency Force account and a $74.7 million deficit in the Congo account.

The second agreed fact about the nature of the financial problem is that the difficulty is not to be attributed to the regular U.N. budget. As a matter of fact, during the years that the U.N. has been in operation there has been an almost 100-percent payment of all of the assessments for the regular budget. I might illustrate by giving a few figures. Assessments for the regular budget prior to 1959 have been paid in full. Out of the 1959 budget of $61.5 million, only $53,000 was due as of the end of 1961. The 1960 budget was $58.3 million of which $3.2 million remains unpaid, and of that amount $2.5 million is owed by a single country—Nationalist China. The 1961 budget was $69.3 million and as of December 31, 1961, $9.7 million was uncollected, of which Nationalist China was again the largest debtor, owing $3 million. Thus it can be seen that payments by all the membership of the U.N. on the regular budget, including the Communist countries, has been excellent. Arrearages are reported from time to time but usually this can be traced to a difference in the fiscal year of some of the members and the fiscal year of the U.N. which is the calendar year.

I might comment, in connection with the statement I have just made, that there have been times when the United States would have been shown as delinquent, simply because of the difference in its fiscal year and the fiscal year of the U.N.

In the third place, Mr. President, and growing out of what I have just said, there is the undisputed conclusion that the sole cause of the U.N. deficit is the failure on the part of many member states to pay their assessed contributions for the Emergency Force in the Middle East and for the U.N. military operation in the Congo. Payments on account of these operations have been most unsatisfactory.

There have been three main categories of nations which have not paid.

There are those who say that they have been unable for economic reasons to afford to pay. One may be a bit cynical about these poverty pleas in view of the fact that the assessments of some countries are very small, but no doubt in some cases there has been a real financial hardship.

The second category of nonpayers includes a number who could afford to pay and who say that they may eventually pay if their obligation to do so is clarified. These are the countries who argue that the assessments for the two peace and security operations are not binding, as are the assessments for the regular budget, but are suggested amounts which members ought to pay on a voluntary basis.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield to the Senator from Florida.

Mr. HOLLAND. Are the items which certain nations claim are not properly assessable to all the members the subject matter of the litigation now pending before the World Court?

Mr. SPARKMAN. Yes. That question has been certified to the World Court. It is our contention that they are just as binding upon these nations as are the regular budget assessments. However, other countries have contended that they are not. Therefore, the question has been submitted to the World Court.

Mr. HOLLAND. Mr. President, will the Senator yield further?

Mr. SPARKMAN. I yield.

Mr. HOLLAND. Does the Senator intend to deal with that question later in his remarks? If so, I will not ask further questions at this time.

Mr. SPARKMAN. Yes. However, if the Senator has any other questions, I would suggest that he ask them now.

Mr. HOLLAND. Have any of the nations who owe substantial amounts indicated they will not be bound by the decision of the World Court?

Mr. SPARKMAN. I do not know of any. I shall be glad to check the record more closely. However, I do not know of any nation which has said it would not be bound if the Court says it was bound. As a matter of fact, I have set out the record of payments in the regular budget to show that they have respected the assessments on that budget.

Mr. HOLLAND. I heard that portion of the Senator's speech, and I thought it was very illuminating. The next question I want to ask him is this: Does the Senator from Alabama feel that a decision by the World Court holding that these special assessments are just as assessable against all members and just as collectible against all members as are the regular annual assessments will make it virtually certain that the funds covered by the proposed bond issue or by the proposed loan will be repaid by the United Nations?

Mr. SPARKMAN. That is our belief. The witnesses who appeared before us were confident that that would be true.

I remind the Senator, although I feel certain he is aware of it, that in the future it is proposed to include assessments for these two activities as a part of the regular budget rather than to have them as separate assessments.

Mr. HOLLAND. Will that action and that course be followed regardless of what the decision of the World Court may be on this point?

Mr. SPARKMAN. The Senator is asking me about something to which, frankly, I do not know the answer. I do not know what would be the effect of an adverse decision by the World Court with respect to that particular question.

Mr. HOLLAND. Has the case been argued before the World Court?

Mr. SPARKMAN. Not yet. It is expected to be argued during the latter part of this month or next month.

Mr. HOLLAND. Is the decision likely to be forthcoming at an early date following the conclusion of the action by Congress on this subject?

Mr. SPARKMAN. Of course, we realize that we are speculating on the question, but it is probably that a decision could come in the latter part of May or the first part of June. By the way, the new assessments will become effective on July 1.

Mr. HOLLAND. Can the Senator advise us whether any of the nations which are indebted in large amounts because of the special assessments differentiate between their support of the operation in Israel and the operation in the Congo?

Mr. SPARKMAN. Yes; there is some difference in the support. Without looking at the record, I feel certain that the largest debtor is Russia. Russia does not support either of those programs. Some nations are opposed to one program but support the other. I cannot give the names of those nations at the moment, although the hearings contain a table which shows the arrearages in each instance. By reference to the table, it may be seen which nations support one activity but not the other.

Mr. HOLLAND. I thank the Senator from Alabama.

Mr. SPARKMAN. I thank the Senator from Florida for his illuminating questions.

Mr. COOPER. Mr. President, will the Senator from Alabama yield?

Mr. SPARKMAN. I yield.

Mr. COOPER. On the question of the case referred to the International Court, is not my understanding correct that the only question that has been referred to the Court is the issue of arrears on past assessments? The Court has been asked to determine if assessments fixed in past years to support the Mideast and Congo operations which are unpaid can be enforced against member nations as proper expenditures of the regular annual budget of those years? The question before the Court does not refer to the bond issue.

Mr. SPARKMAN. The Senator from Kentucky is correct. As I have said, the new assessments are contemplated to be a part of the regular budget.

Mr. COOPER. I think it is correct to say that the resolution passed by the General Assembly on December 20, 1961, authorizing the issuance of $200 million of bonds provides that the regular budget of the United Nations in future years, shall include funds for the payment of interest and principal to retire the bonds.

Mr. SPARKMAN. The Senator is correct.

Mr. COOPER. In other words, the member nations of the U.N. are bound by the resolution of December 20 to provide funds in the yearly budget for principal and interest on the bonds purchased. Is that correct?

Mr. SPARKMAN. The Senator from Kentucky is correct.

Mr. COOPER. I thank the Senator. I shall not intervene further on this issue.

Mr. SPARKMAN. I welcome the questions and the comments of the Senator.

Mr. HOLLAND. Mr. President, will the Senator further yield?

Mr. SPARKMAN. I yield.

Mr. HOLLAND. I will ask the Senator from Kentucky also to give attention to my question. Do I correctly understand that arrearages on both operations, the one in the Gaza Strip and the

one in the Congo, are involved in the litigation now pending before the World Court?

Mr. SPARKMAN. The Senator is correct. The question before the World Court, without attempting to state it in exact wording, but in substance, is, are special assessments of the type made for these operations binding upon member nations the same as the regular budget?

Mr. HOLLAND. And there were arrears on special assessments for both operations?

Mr. SPARKMAN. Yes. A few minutes ago I gave the figures of the amounts that were in arrears.

Mr. ELLENDER. Mr. President, will the Senator from Alabama yield?

Mr. SPARKMAN. I yield.

Mr. ELLENDER. Do I correctly understand that the refusal by Russia and other countries to pay assessments stems from the Congo operation?

Mr. SPARKMAN. And also the Gaza Strip operation—the two operations.

Mr. ELLENDER. I was coming to that. Does the Senator know what is the amount now due?

Mr. SPARKMAN. I gave the precise figure a few minutes ago; but roughly $114 million is the sum total. That involves three items: the deficit in the general operations budget, which was about $10 million or less; the operation in the Gaza Strip, amounting to approximately $25 million; and the operation in the Congo, which was $74 million.

Mr. ELLENDER. In any event, there has been a refusal on the part of Russia, Israel, and other nations to pay their just assessments?

Mr. SPARKMAN. I am not certain that Israel refused. I will check into that.

Mr. ELLENDER. As I remember, Israel refused to pay some portion of the assessment.

Mr. SPARKMAN. If Israel is one of the deficit countries, that probably would be true.

Mr. ELLENDER. If the United Nations borrows money to make up for these deficit assessments, how can we expect to assess other nations to pay indirectly what they refuse to pay directly?

Mr. SPARKMAN. Many nations decline to pay on the excuse that such assessments are illegal; and the question submitted to the World Court is whether such payments are illegal. It is believed that if the Court determines they are legal, such nations will pay the assessments.

Mr. ELLENDER. Does the Senator believe that even the French and the Russians would pay these amounts indirectly? Because that is what the proposal amounts to.

Mr. SPARKMAN. Yes. Witnesses who appeared before the committee were rather strong in their conviction that the nations in arrears would pay if the Court held that the assessments were binding.

Mr. ELLENDER. Will the proposed loan be made before the Court decision is rendered or afterward?

Mr. SPARKMAN. We certainly hope that the proposed legislation can be pushed through. The loan ought to be made by July 1. I think it is reasonable to say that the Court decision might come in the latter part of May or the first part of June.

Mr. ELLENDER. But if every nation which now refuses to pay can be induced to pay—and, as I understand, the refusal to pay is the cause at issue now—would it not be a good idea to arrange matters so that the loan would not be made unless the Court decision were favorable?

Mr. SPARKMAN. That proposal was made in the committee, but the committee decided against it, for the simple reason that some countries are already purchasing bonds. Denmark, Finland, and Norway have already put their money on the barrelhead. Other countries also will soon make payments.

Mr. ELLENDER. That was the next question I intended to ask. Does the U.N. now have authority to borrow funds?

Mr. SPARKMAN. Through this method, yes. At the same time the question was propounded to the International Court, three things were provided. If I remember them correctly, the first was that the bond issue would be favored; second, that the question would be propounded to the International Court; third, that the item would be made a part of the regular budget starting July 1, and that a determined effort would be made to collect the arrearages from the countries which are in default.

Mr. ELLENDER. Can the Senator from Alabama state whether the countries which are willing to purchase the bonds, more or less on a matching basis, as in the past, would go along with the proposal if this resolution were adopted?

Mr. SPARKMAN. The substitute?

Mr. ELLENDER. Yes.

Mr. SPARKMAN. I do not think there is any question about that. I think it is perfectly all right. Actually, what the substitute really would do—and this is the principal difference between it and what the committee reported—would be to leave with the President the decision as to whether there shall be a purchase of bonds or whether there shall be a loan or a series of loans. A certain degree of flexibility is provided, but the proposal still provides for matching above $25 million.

Mr. ELLENDER. If that is true, then in my judgment there is not much difference between this and the other resolution.

Mr. SPARKMAN. The other one provided only for the purchase of bonds; this one would give the President the option of lending.

Mr. ELLENDER. I thank the Senator from Alabama.

Mr. COOPER. Mr. President, will the Senator from Alabama further yield at this point?

Mr. SPARKMAN. I yield.

Mr. COOPER. The Senator from Louisiana has raised an important question and I should like to have the Senator's opinion and interpretation of the substitute bill: I support financing the U.N. in the present crisis by the purchase of bonds, as recommended by the President and modified by S. 2768 reported by the Senate Foreign Relations Committee.

The Senate Foreign Relations Committee has reported a bill which authorizes an appropriation to the President for the purchase of $100 million of United Nations bonds. Under the bill the President is authorized to purchase $25 million of the bonds and additional bonds to a total of $100 million to the extent that other countries purchase bonds.

A substitute for the committee bill has been offered. So far as I can ascertain, the only substantial difference between the substitute and the measure reported by the committee is the use of the word "loan" in the substitute, instead of the use of the word "bonds" in the measure reported by the committee.

I ask the Senator from Alabama this question: Is not the purchase of bonds a loan?

Mr. SPARKMAN. Yes. Let me say that in drafting the substitute, that it was fully agreed by those who participated.

By the way, the Senator from Vermont [Mr. AIKEN] is the one who advocated a direct loan, rather than a purchase; and I am sure that when he makes his presentation here on the floor, as he will do soon, he will state that it is considered by all that a bond issue is a loan; in other words, a purchase of bonds would be in compliance with this provision in regard to the making of a loan.

Mr. COOPER. Under the substitute, can the President, if he so desires, purchase United Nations bonds, authorized by the resolution of the General Assembly, to be repaid in 25 years, with interest at 2 percent?

Mr. SPARKMAN. That is correct.

Mr. COOPER. Is it clear that the President has authority to purchase bonds if he desires?

Mr. SPARKMAN. Yes. In other words, the President will be authorized to purchase $25 million without reliance upon matching by other nations; but any purchases by him in addition to that amount would have to be made on a matching basis. The bonds are 25-year bonds, but I suppose it would be possible to pay them off in less time. The bonds do carry 2 percent interest.

Mr. COOPER. Yes.

My questions do not go to the conditions reported by the committee; I think all of us understand them.

Mr. SPARKMAN. Yes.

Mr. COOPER. I wish to emphasize this interpretation, because the substitute has been termed a "compromise" in press reports, giving the impression that the substitute makes a substantive change. I do not believe it is a compromise or that it contemplates any substantive change. Consequently, I wish to have it stated by the Senator in charge of the bill that under the terms of the substitute, the President may, if he so desires, purchase United Nations bonds in the form in which they have been authorized by the resolution of the General Assembly.

Mr. SPARKMAN. Yes. If the President wishes to do so, under the provisions of this substitute he may follow

exactly the plan laid down in the Foreign Relations Committee report.

Mr. COOPER. Yes.

Is the Senator from Alabama of the opinion that the fact that the word "loan" has been substituted for the term "United Nations bonds" in any way implies that the President may not purchase United Nations bonds if he desires to do so?

Mr. SPARKMAN. That he may not?

Mr. COOPER. Yes.

Mr. SPARKMAN. No, it carries no such implication. Instead, it gives the President some right of flexibility in the matter and a wide range of discretion. For instance, the President can purchase in exactly the way the committee has reported the measure, if he so desires—that is to say, $25 million of the United Nations bonds, as a purchase on our own, and then, in addition, match what the other countries subscribe.

Or if it is decided that there will not be enough subscriptions—although that is now a moot question, because approximately $50 million have already been definitely subscribed, and even more than that have been promised—but if the sale of the bond issue had not been successful, then the President might have said, "We will just make you a loan, on our own"; and that could have been done. But, again, it would have been subject to the limitations stated.

Mr. COOPER. Yes.

I want the point made clear, because although it may not be intended, the newspaper reports caused some confusion in the minds of many persons, and possibly in the minds of Senators. So I want it made clear that under the terms of the substituted measure the President can purchase United Nations bonds. Its meaning must be clear to the Congress and to the people of the United States.

Mr. SPARKMAN. Yes, under the terms of the substitute the President can purchase United Nations bonds in exactly the way he chooses.

Mr. COOPER. Yes.

During the hearings objection was raised by representatives of the Department of State to any method other than a purchase of United Nations bonds. One of the chief objections was that other methods would necessitate a reconvening of the present session of the General Assembly or a call of a special session, or until the next session of the General Assembly convened. I should like to ask this question: In the event the President decided not to purchase U.N. bonds, but instead decided to make a short-term loan or some other type of loan, would this action necessitate a meeting of the General Assembly?

Mr. SPARKMAN. In my opinion it would—not from our standpoint, but from the standpoint of the United Nations.

Mr. COOPER. Yes. I think the Senator is correct, because under the resolution the Secretary General of the United Nations has no authority, except to accept purchases of bonds, as provided by the resolution of the General Assembly.

Mr. SPARKMAN. Yes. Heretofore various General Assemblies have given the Secretary General authority to make loans; but that was not done at the last session of the General Assembly. Under this resolution, there was no such alternative.

Mr. COOPER. I may say that other methods, in addition to a bond issue have been proposed. But the Secretary of State and others have argued that any other method would be more costly than the bond issue, and would not secure the support of as many members of the United Nations as a bond issue method. I may say that I agree with these arguments. I think they are correct.

I am raising this point today because I still believe the bond-issue method is the best one. Pledges for the purchase of $52 million of bonds under the provisions of the resolution of the General Assembly have been made, I am informed, by other countries. I understand a total of 49 members have either pledged or are considering making pledges.

I wish to state that I hope the President will make our loan to the U.N. by the purchase of bonds, on the basis of the very arguments which he and the Secretary of State and others have made in its support during the last 3 months. The arguments convinced me and 8 or 10 others on our side.

I shall vote for this measure; I hope very much that the President will proceed to make the loan to the United Nations, by the purchase of U.N. bonds.

Mr. SPARKMAN. The Senator from Kentucky has referred to the number of nations which are participating. I think he may be interested in knowing that three nations have actually purchased these bonds and have paid the money. In addition, 19 nations have made specific pledges to purchase. Eleven other nations have promised to purchase, but have not announced the specific amounts. So at present the total is $3,669,354.

Nineteen other nations are in favor, but have not yet stated the exact amounts.

Nineteen other nations are actively considering participation.

Eleven nations have stated they do not intend to purchase.

Mr. MILLER. Mr. President, will the Senator from Alabama yield?

Mr. SPARKMAN. I yield.

Mr. MILLER. In view of the statistics the Senator from Alabama has stated, can we correctly conclude that some of the nations which now have arrearages in their special assessments have indicated a desire to purchase the bonds or have indicated an interest in purchasing them?

Mr. SPARKMAN. Some of them have. The Senator from Vermont [Mr. AIKEN], who has studied this matter, says that one has made such an announcement.

Mr. AIKEN. Yes, I think so.

Mr. SPARKMAN. But only 11 have definitely said they will not buy.

Mr. AIKEN. The nations that have indicated a willingness to buy bonds for the most part have been those who pay their assessments promptly, anyway; and it is the other 75 or 80 nations we would like to get contributions from.

Mr. SPARKMAN. Certainly, those who have paid their assessments are in the forefront of those nations that have announced they are going to buy bonds.

Mr. MILLER. Mr. President, if the Senator will yield, how is it we were able to get some of these nations to buy bonds when at the same time they are not willing to practice fiscal responsibility in the United Nations and pay up their regular assessments?

Mr. SPARKMAN. They probably feel that if the General Assembly by a two-thirds vote has adopted the plan, perhaps there is a then greater responsibility upon them, rather than when they are assessed by the Secretary General. I do not know. I cannot explain their motives except to make that suggestion.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. ELLENDER. Since the short colloquy I had with the Senator a few moments ago, I have carefully gone over the substitute. I do not detect any language in the measure giving the President power to buy bonds or loan money. I assume that as a part of making a loan he has authority to buy bonds.

Mr. SPARKMAN. Yes. It would include that.

Mr. ELLENDER. There is no specific authority for it.

Mr. SPARKMAN. It is not spelled out in so many words, but it was agreed, by those writing the substitute, that the word "loan" would include buying bonds. I think the senior Senator from Vermont [Mr. AIKEN] will admit that a bond issue, in his interpretation, would be a loan.

Mr. ELLENDER. Even with the language as it is now incorporated in the proposal, wherein it provides for a loan to be made to the United Nations, that will not preclude other nations from purchasing bonds as agreed to?

Mr. SPARKMAN. That is correct.

Mr. ELLENDER. I hope the Senator is right.

Mr. SPARKMAN. I do not want the Senator to misunderstand—nor does it preclude us from buying bonds, subject to the limitation.

Mr. ELLENDER. I understand, but it is specifically written into the measure that this money is being authorized for the purpose of a loan.

Mr. SPARKMAN. That is correct.

Mr. ELLENDER. Why not include in the bill the words "buying bonds"?

Mr. SPARKMAN. It would have been satisfactory to me. I am saying, as a part of the record, that, according to my interpretation, buying bonds is one form of making loans. I am sure the senior Senator from Vermont [Mr. AIKEN] who has been most active in this question, will say the same thing.

Mr. AIKEN. Mr. President, if the Senator will yield, the White House legal advisers have advised that buying bonds constituted a form of loan.

Mr. ELLENDER. If this is so, why not say so. That way there will not be any "ifs" or "ands" about it.

Mr. AIKEN. I am going to say why. This, however, would constitute a precedent on the part of the United States, I believe, because I do not think our Government has ever bought a bond for any purpose of this kind. Whether other nations have, I am not able to say. But the White House legal advisers have so advised them; and they could have bought bonds under the Aiken-Hickenlooper-Morton amendment, but only for 3 years.

Mr. ELLENDER. But the first proposal provided for the purchase of bonds.

Mr. AIKEN. That is correct.

Mr. ELLENDER. Here is included authority to make loans, and included in the making of loans is authority to buy bonds.

Mr. SPARKMAN. That is correct.

Mr. ELLENDER. I hope the Senator is right in his declaration that this can be done.

Mr. SPARKMAN. Because there has been a dispute about the precise legal nature of these obligations, the General Assembly agreed last December to submit this question to the International Court of Justice. It is expected that the court will hear arguments on the case in the next month or so and that its decision will be rendered sometime in the summer.

I might interject at this point that the decision of the Court is really not relevant to the question of the likelihood of the repayment of the U.N. bonds because those bonds are going to be paid back out of the regular budget of the U.N. as to which no one has ever raised a question about the binding nature of the assessments.

The third category of members who have not paid any Middle East and Congo assessments consists of nations who say that they do not intend to pay these assessments. Some do not want the operations to succeed—the Communist countries are in this group. Some say that the U.N. has not conducted its activities properly—in this group are Belgium and France with respect to the Congo. Some say that victims of aggression should not pay—this is the plea of the Arab States with regard to the Middle East force.

It will be clear from what I have said that some of the reasons for nonpayment of assessments for the Middle East and Congo operations will disappear when the World Court decision is rendered. The U.S. Government is confident that the decision will be that these special assessments are just as binding as the assessments for the regular budget. Those who have had their doubts about the legal question will presumably pay when the doubt is resolved.

Those who for foreign policy or national political reasons have not paid will also have to pay up eventually or they will lose their vote in the General Assembly.

Some have tended to make light of the seriousness with which nations would view the loss of their vote in the General Assembly. The overwhelming weight of judgment on this point is, however, that members of the United Nations do regard loss of the vote as a serious sanction and that none of them is likely to let matters go that far.

There is one reason for nonpayment of peace and security assessments which deserves separate discussion because the World Court argument does not touch it. It lies at the heart of the financial problem of the U.N., and would not be disposed of even if the $200 million worth of U.N. bonds were bought tomorrow. I refer to the argument on the part of many members of the U.N. friendly to the United States that the charter of the U.N. and all of the understandings which surrounded the founding of the organization carry with them the intention that the big powers—particularly the five permanent members of the Security Council—should be responsible for preserving peace in the world. It follows, according to this line of thinking, that these stronger powers have the obligation to pay the cost of the peace and security undertakings of the U.N.

Now, the countries which advance this contention are not quarreling about the scale of assessments for the regular budget which goes to pay for the General Assembly sessions, the World Court, the Security Council, and so forth. As to these activities there is wide agreement that the current assessments, according to which the United States pays 32 percent, are quite reasonable. When it comes to the extraordinary peace and security operations, however, like the Middle East force and the Congo military effort, a great many members of the U.N. argue that there ought to be a different scale of assessments and that the larger powers should pay higher percentages than they now pay toward the regular budget. When the U.N. deficit grew to alarming proportions last year the General Assembly had long discussions about what would be a proper scale of assessments for the peace and security operations. It was very clear that it was going to be very difficult to reach agreement. It was also reasonably clear that sentiment was running heavily in the direction of having the U.S. assessment percentage go above 32 percent for these peacekeeping undertakings. It was against this background, therefore, that the U.N. came to an agreement on a temporary financial plan for solving its financial difficulties.

Mr. President, all that I have been saying so far is, I believe, not a matter of serious disagreement. In summary, first, there is no dispute about the value of the U.N. and its activities; second, there is no dispute about the importance to the security of the United States of the Middle East and Congo military operations; and, third, there is no dispute about the urgency of the financial questions facing the U.N. organization. Mr. President, I shall therefore devote the main part of my remarks to the single issue as to the part the United States should play in helping the U.N. solve its financial crisis.

The first requirement in meeting the current financial crisis is to raise a large sum of money. One can get an idea of the order of magnitude of the sum that is needed by recalling again the prediction of the Secretary General that the U.N. deficit would probably reach $170 million by June 30, 1962. Added to this figure is the projection that military operations in the Congo and the Gaza strip will be running at the rate of $140 million a year. The total of these two needs over the next year or so is $310 million. Now the bond proposal calls for $200 million. This is a reasonable figure when measured against the $310 million figure which I have just mentioned, because, in addition to the $200 million that will be raised by the bonds, there will be some arrears which will be paid up and the special assessment of $89.7 million for the two military operations is supposed to carry those operations through June 30, 1962.

The second requirement of a good financial plan is related to the first requirement for a large sum. Because a large amount of money is needed it is also necessary to spread the repayment of this large amount over a long period of time so that the burden on the less wealthy members of the U.N. can be kept small. The U.N. plan calls for repayment over 25 years, which means that the repayments annually will be approximately $10 million; $10 million annually spread over 104 countries, with the United States paying a little less than one-third, would not constitute an unreasonable burden on the others.

The third requirement is to raise the money quickly. In order to attract such extraordinary funds quickly it is necessary to pay some interest. The U.N. has considered that it would be unreasonable to ask for such a sum on a grant basis. How should the interest rate be set? It should be low enough so that the total charge for interest spread over the 25 years will not in itself be an unreasonable burden on U.N. members. The rate of interest need not be as high as the rate for commercial borrowing or even the rate of 3 to 5 percent which is charged by the World Bank on its loans. Normal business interest rate would not be appropriate for the government lenders in this case who are in effect temporarily bailing out their own organization. No government would wish to profit from the financial misfortune of the U.N. On the other hand, however, there must be some interest charge, so that nations which are in doubt about whether to buy bonds may have some incentive to do so. A reasonable interest rate may also attract bond purchases by nonmembers of the organization who may not feel the same obligation to help it in its distress. Likewise, some incentive is appropriate in order to attract possible purchases by nonprofit, nongovernmental organizations. The interest rate of 2 percent which has been agreed upon by the U.N. is a good compromise of these considerations.

The fourth requirement of a good financing method is that it must not result in any inconsistency with the object of the temporary nonassessment financing. One of the primary objectives of the exercise is to create a pause while the U.N. members can take stock of the financial situation in the U.N. and agree on a better system for paying for peace and security operations—in other words,

to bring about a breathing spell. Any temporary financing must permit the organization to borrow time so that a favorable World Court decision can start payments flowing on old obligations and so that a new scale of assessments for peace-keeping operations can be worked out.

During this breathing spell the typical nation which has not paid its obligations will be thinking of three burdens which it will have to meet: First, the burden of its past debts; second, the burden of the new assessments which will come after the breathing spell is over; and, third, the burden of paying off the temporary loan or whatever has made possible the breathing spell. For a nation which has not been paying, these three burdens would come as quite a jolt if they were simultaneous. It is most desirable, therefore, to be able to spread out over a long period of years any part of this financial burden. It is not possible to postpone payment of assessments but it is possible through a long-term loan to spread out the repayment of the loan. This, of course, is exactly the reason why the 25-year period for repayment of the U.N. bonds was selected.

Perhaps I can use a homely analogy to illustrate the predicament of many nations in the United Nations. Let us take the case of an industrious man and his wife in the early years of their marriage. They wanted to start their married life with new furniture and new household appliances, and so forth. The man has a good job but he finds it necessary to borrow in order to meet the installment payments on the various items of capital equipment which he and his wife have purchased. In the early years of his marriage he finds it barely possible to meet the installment payments and he is not able to save anything out of his earnings. Suddenly, the couple's child becomes ill and doctor and hospital bills become very expensive. It is obvious in this emergency situation that the couple cannot pay everybody at once. What they need is a loan repayable over a period of years at a low rate of interest. In other words, they need a financial breathing spell in order to extricate themselves from their temporary emergency. A sympathetic bank will give them this breathing spell, because the man has a good job and is reliable, and he is a good financial risk. The bank knows that he will ultimately work his way out of his temporary trouble.

To follow the analogy, the U.N. in its early years was not very expensive. It held conferences and that was about all. But over the years U.N. activities have gradually expanded and nearly everyone believes that the U.N. programs and services are extremely valuable. The regular budget for 1955 was $40 million. In 1958 it was $51 million and now in 1962 it is $74 million. Nevertheless, in spite of these increases the U.N. members have been able to pay the regular budget assessments quite well.

Along came the Middle East emergency in 1956, however. Then came the Congo crisis in 1960. The Middle East operation was not so bad; it has cost an average of about $20 million a year. But the Congo military cost is about five times as much. Both operations together total much more than the regular budget.

This burden became too much for U.N. members and they began to balk against special assessments. They used all of the arguments which are spelled out in the committee report and which I have summarized earlier. The result was, however, that in order to retain the regular percentages of assessments for these peace and security operations the United States had to agree to a system of rebates for the benefit of the smaller countries. The United States agreed to make up the difference accounted for by these rebates through voluntary contributions toward the Middle East and Congo operations over and above our assessed share of 32 percent. As is well known, the combination of our 32 percent share plus our voluntary contributions brought us to the point that we have been contributing 47 percent of the total cost of these operations. These arguments made in the United Nations about the legality of the assessments and proposals for a higher scale of assessments by the larger countries made it obvious that there was a need for a breathing spell, which the General Assembly decided could be provided by a bond issue, which is the same thing as a long-term, low-interest loan.

From the special point of view of the United States the 25-year, 2-percent interest bond plan has other advantages. These are covered more fully in the committee report and they have often been repeated in the public statements of those who have been interested in this issue and I shall not do more than summarize these advantages at this time. Repayment of the bonds out of the regular budget of the U.N. insures repayment regardless of the decision of the World Court on the question of the binding nature of the special assessments. Repayment of the bonds out of the regular budget insures that every nation, no matter how poor, will share to some extent in solving the financial crisis. Repayment of the bonds out of the regular budget will, over the 25-year period, result in the United States paying for this portion of the peace and security operations in the Middle East and Congo not at a rate of 47 percent, which we have been paying, but at a rate of 32 percent, which is our share of the regular budget.

Mr. President, I should like to summarize now the reasons why I believe and the committee believes that the U.N. plan—which the U.S. representatives supported—is a good plan: First, the amount of bonds to be purchased is large enough to do the necessary job of refinancing; second, the 25-year period of the bonds spreads the burden over a long enough period so that there will be no hardship on any country; third, the interest rate of 2 percent is sensible considering the various factors which I have mentioned; fourth, the bond plan buys time to work out a scale of assessments for the U.N.'s necessary military activities in such a way that at the end of the breathing spell the members will not be faced with the untimely necessity of repaying the whole $200 million; and, fifth, repayment of the bonds out of the regular budget makes repayment certain, insures that everybody will participate and reduces the cost to the United States.

I should like to conclude this discussion by pointing out the political risk of reopening the bond question in the General Assembly. The United States has always been a strong supporter of the U.N. This has been a bipartisan matter in our domestic politics. The United States has been the host to the U.N. in New York. We are active in all of the organs and all of the agencies of the U.N. The organization is popular with the American public. U.N. decisions on economic or political or financial matters have never yet been antagonistic to basic U.S. interests. In short, the U.N. has been valuable to us and all the world knows it.

The decision of the United Nations on how to meet the financial crisis came last December when the Congress was not in session. The President of the United States and other high officers of the Government found it necessary to take a position and to vote yes on the financial plan which the Secretary General presented. As is well known, many other proposals were considered and discarded. It is also well known that the U.S. representatives helped to formulate the bond plan. Our representatives did not sponsor the plan because in the absence of congressional approval they knew that they could not commit the United States to buy bonds. Nevertheless, our Government had to vote one way or the other and the President decided to vote in favor of the bond plan. The plan was agreed to by better than a two-thirds majority of those present and voting.

At this point some people interject the contention that the President should have consulted the Congress before he instructed Ambassador Stevenson how to vote. I think no one would argue seriously that the matter was of such importance that the President should have called a special session of the Congress before instructing our delegate how to vote in the General Assembly. We are talking, therefore, about some kind of informal consultation.

Let us consider what such consultation would have been like. Suppose that Adlai Stevenson had called me up last December and told me about the situation in the General Assembly. Suppose he had described to me the various possible financial methods. Since I was not a member of the delegation and could not have known what the temper of the other countries was I would have had no choice but to ask Mr. Stevenson whether the bond plan was the best that we could get. It would not have been reasonable for me to have said: "Mr. Stevenson, you are wrong. You are misjudging the views of the other countries. You had better go back to the hall and give them a lecture on their underdeveloped sense of financial responsibility."

Of course, I would not have done so, and I dare say that no other Senator or Representative would have done so.

In a situation of that kind one must take the judgment of the man who is on the spot. This is why it seems to me that the Founding Fathers were right

when they provided in the Constitution that the President would have the responsibility for the day-to-day conduct of the foreign relations of the United States.

Now it may be that the President of the United States and Secretary Rusk and Ambassador Stevenson and Eugene Black, President of the World Bank, and former U.N. representative Cabot Lodge and former U.N. representative James Wadsworth are all wrong in their judgment that the bond proposal is a reasonable way to help get the U.N. out of its difficulties. It does not seem likely to me that all these gentlemen could be wrong. I agree with their judgment. It seems to me that the United States would look pretty foolish in these circumstances to ask that the General Assembly debate begin all over again.

If this were a case where a decision of the U.N. had really hurt us, had really adversely affected our vital interests, then I would agree that we must do whatever is necessary to protect our interests—even to the extent of calling for a special session of the General Assembly.

But the issue we have before us is not that kind of issue. We are arguing over financial details. Should the loan be 25 years or 3 years? Should it be 2 percent or 2.9 percent? Should it be $200 million or some other figure? Compared with dozens of other questions which we have to argue about here in the Senate, these are fairly minor matters.

The U.N. bond plan is a good plan. It may not be perfect but is satisfactory. Other countries would be astonished if we were to call for a special session now. We would look ridiculous. The United States would suffer a political defeat. We would stir up resentment toward us. I feel sure that we would come away from a special session now with a far less advantageous financial solution than the one which we have before us today.

Mr. President, I have tried to demonstrate that the U.N. bond proposal is sound and is in the interest of the United States. I have tried to show that the question is not whether we can think of a better plan but rather whether we should say yes or no to the plan which the United Nations selected. I have tried to persuade my colleagues that it would be very harmful to ask the U.N. to reconsider its decision.

Other member states are doing their share in the purchase of bonds. Let me summarize the status of purchases and pledges by other countries as of March 23, 1962:

First. Eleven countries have indicated that they may not be able to subscribe to the U.N. bond issue.

Second. Nineteen other members have the question under active consideration.

Third. Twenty-one governments have indicated a favorable response, without signifying an amount.

Fourth. Eleven nations have let it be known privately that they definitely will subscribe to approximately $4.4 million worth of bonds.

Fifth. Seventeen countries—Australia, Austria, Burma, Canada, Ceylon, Congo (Leopoldville), Denmark, Ethiopia, Germany, Iceland, India, Ireland, Malaya, Pakistan, Sudan, Sweden, and the United Kingdom—have announced publicly their intention to purchase about $45 million, bringing formal and informal commitments to $49.4 million.

Sixth. Finland and Norway made the first formal purchases of United Nations bonds, totaling $3.3 million—Finland subscribed for twice the amount of its annual assessment and Norway for slightly more than twice its share of the regular assessment.

Since the table was prepared on March 23, I have received a later table dated March 26, which shows purchases by three nations—Denmark, Finland, and Norway—totaling $5,780,000. The table shows specific pledges by 19 additional nations totaling $43,285,000, bringing the total of subscriptions, including the purchases actually made, to $49,065,000.

I ask unanimous consent that the table dated March 23, 1962, and the later table of March 26 may be printed at this point in the RECORD.

The PRESIDING OFFICER (Mrs. NEUBERGER in the chair). Is there objection?

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

BOND PURCHASES BY OTHER NATIONS

As of March 23, 1962, the Department of State has been advised as follows about other nations' plans to purchase bonds:

Actual purchases:	
Finland	$1,480,000
Norway	1,800,000
Total, 2 nations	3,280,000
Publicly announced pledges:	
Australia	4,000,000
Austria	900,000
Burma	100,000
Canada	6,240,000
Ceylon	25,000
Congo (Leopoldville)	50,000
Denmark	2,500,000
Ethiopia	200,000
Germany	10,000,000
Iceland	80,000
India	2,000,000
Ireland	300,000
Malaya	340,000
Pakistan	500,000
Sudan	50,000
Sweden	5,800,000
United Kingdom	12,000,000
Total, 17 nations	45,085,000
Confidential pledges, 11 nations	4,409,354
Favorable responses, 21 nations.	
Total, purchases, pledges, favorable responses, 51 nations.	
Subtotals:	
Purchases and pledges, 30 nations	52,700,000
Purchases, 2 nations	3,200,000
Pledges (public), 17 nations	45,100,000
Pledges (confidential), 11 nations	4,400,000
Noncommittal, issue being discussed, 19 nations.	
Issue not yet discussed, 10 nations.	
Do not plan to subscribe, 11 nations.	
No approach by U.S. Representative, 4 nations.	
No reply received, 1 nation.	

BOND PURCHASES BY OTHER NATIONS

As of March 26, 1962, we have been advised as follows about other nations' plans to purchase bonds:

Actual purchases (3 nations):	
Denmark	$2,500,000
Finland	1,480,000
Norway	1,800,000
Total	5,780,000
Specific pledges to buy (19 nations):	
Austria	$900,000
Australia	4,000,000
Burma	100,000
Canada	6,240,000
Ceylon	25,000
Congo (Leopoldville)	50,000
Ethiopia	200,000
Germany	10,000,000
Iceland	80,000
India	2,000,000
Ireland	300,000
Israel	200,000
Liberia	200,000
Malaya	340,000
Pakistan	500,000
Sudan	50,000
Sweden	5,800,000
United Kingdom	12,000,000
Venezuela	300,000
Total	43,285,000
Total, purchases and pledged	49,065,000

Specific amounts unannounced: 11 nations.

Nations that have notified us confidentially that they plan to buy bonds in the amount of $3,669,354.

In favor of issue—no specific amount: 19 nations.

Nations that have indicated a favorable response, without signifying an amount.

Issue being actively considered: 19 nations.

Nations that have the question under active consideration.

Do not plan to subscribe: 11 nations.

Nations that have indicated that they do not plan to subscribe.

Mr. SPARKMAN. The United Nations has reached a crucial moment of confidence and support. Although we may be disappointed in the response of others the United Nations is too important to us for this country to waiver now in its support. The bond plan is sound. There are many advantages to the United States in it which do not accrue to others. Time has gone beyond the point when an alternative such as the 3-year loan should be considered. The wise course is for the United States to participate in the bond plan. The bill before the Senate provides a reasonable safeguarded policy for the purchase of the United Nations bonds.

Madam President, as I said at the beginning of my address, my remarks had been prepared prior to the offering by the majority leader and the minority leader of the amendment in the nature of a substitute, which would provide for a possible bond purchase plan and also would permit the alternative of a direct loan plan, depending upon the judgment, discretion, and wishes of the President of the United States.

I shall support the substitute plan. As I said, in answer to questions by the Senator from Kentucky, the President may, if he sees fit to do so, follow exactly

the plan that was laid down in the committee bill which was reported to the Senate. He may mix that in with other forms of loans. Whatever plan he adopts I shall certainly abide by and shall be glad to support. It will be my purpose to support the substitute plan, that being the plan that has been worked out on a bipartisan basis. It has been introduced by the majority leader and the minority leader, working together, and subscribed to by the Senator from Vermont [Mr. AIKEN] and the Senator from Iowa [Mr. HICKENLOOPER]. Because it has been worked out on this completely bipartisan basis, I shall be glad to support it. I hope the Senate will adopt it by an overwhelming vote.

Mr. MANSFIELD. Madam President, I wish to commend the distinguished Senator from Alabama, who was the acting chairman of the Committee on Foreign Relations during the lengthy hearings held on the proposal which is now before the Senate. I wish also to thank him for his cooperation and understanding in working out a reasonable accommodation between the bill reported by the Foreign Relations Committee and the measure supported by the distinguished Senator from Vermont [Mr. AIKEN] and the distinguished Senator from Iowa [Mr. HICKENLOOPER]. I believe I should say for the RECORD that if it were not for the understanding and consideration shown by the distinguished Senator from Alabama [Mr. SPARKMAN], the distinguished Senator from Vermont [Mr. AIKEN], the distinguished Senator from Iowa [Mr. HICKENLOOPER], the distinguished Senator from Kentucky [Mr. MORTON], and the able and distinguished minority leader [Mr. DIRKSEN], it might not have been possible to arrive at the accommodation and thus make it possible to present a united bipartisan front in behalf of the amendment in the form of the substitute which is now before the Senate.

Therefore I believe great honor and tribute is due to the distinguished Senator from Alabama [Mr. SPARKMAN] for the many contributions he has made to working out this reasonable accommodation.

Of course I believe that great honor must also be given to the distinguished Senator from Vermont [Mr. AIKEN], who raised many pertinent questions in the first place, who offered many constructive suggestions, in the second place, and who, finally, was able to bring about a reasonable accommodation based on tolerance and understanding and mutual interest in the United Nations and its relations to the United Nations, so that it is possible now to have this proposal before the Senate.

I shall have more to say later in the afternoon.

Mr. CAPEHART. Madam President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. CAPEHART. The so-called compromise on the United Nations bond issue, in my opinion, is no compromise at all.

It is a liberalization of the original bill, because it permits the President either to make a loan or to sell bonds; whichever he chooses.

No terminal date is provided. The President may sell 50-year bonds or 25-year bonds or 10-year bonds. Or, he may make a 50-year loan. At least the so-called compromise gives him authority to do so. No interest rate is specified.

Thus, it seems to me that under the compromise, Congress is completely abdicating its authority in these matters, because Congress would be leaving these decisions entirely to the discretion of the President.

We would simply be saying to the President: "Here is a blank check for $100 million. You may lend it, or you may sell bonds; or you may lend it at any interest rate you choose; or you may set any interest rate on the bonds, and for any period you wish."

No, in my opinion, this is not a compromise. Congress would simply be more liberal with the President than if it had approved his original proposal for a straight $100 million bond issue for 25 years at 2 percent. I was opposed to that plan also, because I believe now is the time to find out whether other nations are going to support the United Nations.

In the Foreign Relations Committee I proposed that we lend the United Nations half of its debt, if other nations will lend the other half, on a short-term basis, in order to put its house in order.

The proposal before the Senate goes much beyond that.

While this may be a bipartisan agreement, as a member of the Foreign Relations Committee I am not agreeing to it.

Mr. AIKEN. Madam President, I have listened to the eloquent speech of the Senator from Alabama [Mr. SPARKMAN], regarding the proposed legislation which is before the Senate. I admit that there is some temptation to reply to some of the statements which he made. Instead, he and I have already agreed upon the compromise proposal, and therefore I will forgo the pleasure of replying to any arguments he made in favor of U.N. bonds, and speak very briefly about the compromise proposal which has been offered by the Senator from Montana [Mr. MANSFIELD] and the Senator from Illinois [Mr. DIRKSEN].

Madam President, while the substitute for S. 2768, the United Nations fund bill, as offered by the leadership of the Senate, does not provide the legislation which I would have preferred, it nevertheless represents a fair compromise relating to this important matter which we are now considering.

The bill as introduced and as reported by the Senate Committee on Foreign Relations would have authorized to be appropriated the sum of $100 million for the purchase of United Nations bonds.

The President could not have used this fund for any other purpose or in any other way.

The substitute amendment which was offered by Senators HICKENLOOPER, MORTON, and myself would have authorized to the President an appropriation of $100 million which could be used for the purpose of making loans to the United Nations over the next 3-year period.

Since legal authorities have advised the White House that the purchase of bonds is, in effect, a loan, the real restriction against the purchase of bonds would have been in the time limitation in the substitute.

Nearly everyone, Mr. President, supports the United Nations in principle.

The backers of the Aiken-Hickenlooper-Morton substitute have no desire to impede the carrying out of worthwhile programs by the U.N., including programs for establishing and maintaining peace.

In fact, just the reverse is true.

We desire to see the United Nations a multilateral organization in fact, carrying out its programs efficiently, with each member state sharing its proper responsibilities in this respect.

Therefore, Madam President, when White House representatives approached me last week, seeking a mutual ground for our efforts, I welcomed this approach.

In sharp contrast to the methods exercised by certain members of our State Department and our representatives at the U.N. over the last 3 months, it was a pleasure to deal with the representatives of the White House.

We had little difficulty in agreeing on the compromise proposal which had been submitted by Senators MANSFIELD and DIRKSEN.

This proposal, Madam President, authorizes an appropriation to the President, without fiscal year limitation, of $100 million for a loan to the U.N.

It is our understanding that with this authority, the President may loan to the United Nations up to $100 million, but not necessarily all at one time or in one loan.

I ask the Senator from Alabama if that is his understanding, too.

Mr. SPARKMAN. The Senator is correct. In the substitute, "loan" and "loans" are used.

Mr. AIKEN. Yes; either one.

The proposal will also authorize the President to arrange for the terms of such loans, such as duration of the loan, rate of interest, and manner of repayment.

Accepting the definition of "purchase of bonds" as constituting a loan, the President would be authorized by this substitute to make loans for 6 months, a year, 3 years, or even 25 years.

This proposal gives the President a leverage over the financing of the U.N. which he could not have had under the original bill.

This proposal does indeed put great responsibility upon the President, but, in my opinion, that is where the responsibility belongs.

In the compromise proposal, it will be noted that the Congress does not intend that any part of the loans made to the United Nations be used for paying arrearages of member states which refuse to accept their responsibility.

With the power granted to the President by this compromise proposal, he can

insist that the intent of Congress be carried out as a condition of making any loan.

Section 4 of the compromise expresses the sense of Congress that the U.N. shall conduct "a vigorous program for collection of delinquencies on annual assessments of nations and maintenance of such annual assessments on current bases that make unnecessary any future large-scale borrowing."

As a condition for making loans, the President can insist that this sense of Congress shall be heeded. In other words, he may withhold a loan to the United Nations unless U.N. officials show indications that they take seriously the concern of Congress that delinquent assessments must be collected.

I have described briefly the sense of the original bill, the Aiken-Hickenlooper-Morton substitute, and the Mansfield-Dirksen compromise.

I strongly favor approval of the compromise.

As has been stated many times before, the opinion of the International Court of Justice at The Hague, expected sometime late this spring or in the summer, as to the binding character of the assessments made for the support of Middle East and Congo operations will have a profound effect upon the future of the U.N. itself.

I hope that if and when this compromise amendment is approved by both Houses of Congress and the money to implement it is provided by the appropriations process, the President will be extremely careful in using his authority to make these loans.

If the United Nations officials perform their duties efficiently and vigorously, the U.N. should not be in dire financial straits again.

As has been pointed out, $142 million in 1962 assessments is now due the United Nations. That is in addition to the approximately $90 million of back assessments which are due.

United Nations authorities have announced the sale of $50 million worth of bonds to other countries.

Certainly, the money received from these two sources should carry the U.N. operations through well into this fall.

Since the United States, however, is now currently obligated for assessments amounting to approximately $53 million, and since this country has previously waited until after July 1 before paying its assessments, if the U.N. can show that it is desperately in need of funds, I would suggest that Congress provide for the payment of our assessments before July 1. This matter could easily be handled in a supplemental appropriation bill which I understand will come before the Senate in a few days.

Finally, let me express the hope as strongly as I can that the United Nations officials, the member states and our own U.N. mission will take heed of what we are doing and saying here in Congress.

Let them understand that while we are all for the United Nations and will continue to be generous with our support, the U.N. must put its financial house in order, adopt sound methods in conducting its business, and stand undeviatingly for the purpose for which it was organized.

THE UNITED NATIONS AND THE UNITED STATES

Mr. PROXMIRE. Madam President, the New York Times this morning has published an editorial entitled "The U.N. and Us." The editorial is an answer by a responsible, careful, thoughtful, authoritative newspaper to attacks made recently against U.S. policy toward the U.N. In the course of its editorial, the New York Times says:

> Let us bear in mind that the U.N. today, imperfect as it is, disappointing as it often is, full of tensions as it is, still is a diplomatic instrument such as never before existed in this world. As President Kennedy has taken pains to point out, we work easily and profitably through the Organization of American States, through NATO, and through other less than universal organizations. But if we want to speak to 103 nations, we can find no better forum—no other forum than the General Assembly.

Further on, the editorial states:

> There is no contradiction, and must be no contradiction, between loyalty to our alliances and loyalty to the principles of the U.N.

The editorial concludes:

> What our foreign policy demands is not less use of the U.N. but a fuller development of its possibilities, both in the prevention of war and in the humanitarian, cultural, and economic fields. To downgrade the U.N., to undercut it, would be reopening the way to world chaos.

Madam President, I ask unanimous consent that the entire editorial be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE U.N. AND US

The United Nations is changing. The number of member countries has more than doubled since the day in 1945 when 50 delegations signed the charter in San Francisco. As the new members, many from Africa, some from Asia, have come in, the balance of power in the Assembly has altered drastically.

Another change in the U.N., resulting partly from the increase in membership, is a bolder policy in time of international crisis. United Nations troops do patrol duty in the Gaza strip and on the shores of the Gulf of Aqaba; and in the Congo they have been engaged in costly fighting.

Such considerations as these certainly had something to do with the attention that has been paid to the recent independent audit of the U.N. made in a speech before the National Press Club by Senator JACKSON, of Washington. Senator JACKSON may not have intended to attack the U.N.—or the crucial bond issue that now seems likely to pass—but what he said at the time he said it could only serve to damage the prestige of the U.N. in the United States and to undermine its influence at a critical moment in the history of both U.N. and the United States.

What Senator JACKSON said would have startled some of his great Democratic mentors, such as the late Woodrow Wilson, the late Franklin D. Roosevelt, and others who hoped that out of the League of Nations and subsequently out of the United Nations might come a new concept of international comity. Let us bear in mind that the U.N. today, imperfect as it is, disappointing as it often is, full of tensions as it is, still is a diplomatic instrument such as never before existed in this world. As President Kennedy has taken pains to point out, we work easily and profitably through the Organization of American States, through NATO and through other less than universal organizations. But if we want to speak to 103 nations, we can find no better forum—no other forum than the General Assembly.

We seek for peace and security in our entire foreign policy, and this happens to be the one aspiration that is mentioned over and over again in the charter. It is also the ultimate purpose of our alliances; and what Senator JACKSON fails to realize—or refuses to recognize—is that there is no contradiction, and must be no contradiction, between loyalty to our alliances and loyalty to the principles of the U.N.

In cases where there may seem to be such conflict—the case of Portugal and her colonial policy, for example—the conflict is not between loyalty to NATO and loyalty to the United Nations but rather between formerly blind support of an ally (even when the ally was wrong) and loyalty to the principles of the United States. To work with and through the Atlantic Alliance, the Organization of American States and our many other treaties does not mean that we cannot or should not also work with and through the one organization existing on a global scale, the United Nations. We can and must do both.

What our foreign policy demands is not less use of the U.N. but a fuller development of its possibilities, both in the prevention of war and in the humanitarian, cultural, and economic fields. To downgrade the U.N., to undercut it, would be reopening the way to world chaos.

DO WE RELY ON THE U.N. TOO MUCH?

Mr. PROXMIRE. Madam President, the New York Times magazine of yesterday, April 1, 1962, contained an article entitled "Do We Rely Too Much on the U.N.?" In the article two viewpoints were expressed, one by the distinguished junior Senator from Washington [Mr. JACKSON], and one by Mr. Harlan Cleveland, of the State Department. The views of the Senator from Washington are taken from a speech delivered by him recently, and which, as I understand, has already been placed in the RECORD by the distinguished Senator from Arkansas [Mr. FULBRIGHT], chairman of the Committee on Foreign Relations. However, the reply by Harlan Cleveland is so much to the point that I think it also should be called to the attention of the Senate. In the course of his speech, the Senator from Washington said:

> No doubt the quiet, steadying majority of the American people have a more balanced view of the United Nations, and see it for what it is: an aspiration and a hope, the closest approximation we have to a code of international good conduct, and a useful forum of diplomacy for some purposes.

DIRECT REPLY TO JACKSON

In reply to that statement by Senator JACKSON, Mr. Cleveland says:

> The problem, I suppose, is that many people have thought the United Nations was no

more than what the Soviets want it to be—a far-off vision of better times, a rather ineffective guide to good deportment and a permanent diplomatic conference. This would be a fair description of the old League of Nations. It obviously is not a fair description of a family of organizations employing some 51,000 civilian and military personnel, spending $551 million a year, making loans last year of about $700 million more and maintaining peacekeeping presences that range from 1 unarmed civil servant employed part time in Togo, through the 5,300 armed men from 7 countries who try to keep peace in the Middle East, to the 17,000 hardened troops from 20 countries stationed in the Congo.

Mr. Cleveland goes on to say:

What part of all this world work—

That is, the foreign policy objectives and actions of our Government—

do we rely on the United Nations to do?

Further, Mr. Cleveland says:

Even in the immediate and direct confrontations of great powers, the U.N. has a useful, if limited, role. It serves as a major world forum, not to be ignored merely because it lacks power.

The U.N. has also served as a diplomatic arena in which to explore solutions to great-power differences. The Jessup-Malik agreement to end the Berlin blockade was worked out in the U.N.'s corridors, and so was last winter's agreement to get disarmament talks going again. And a few days ago those useful corridors were used once more as United States and Soviet representatives began talks on joint projects in outer space.

In latent confrontations, the U.N. can become (as it has in the Congo) an operational third party, providing police force and nation-building help where it would be too dangerous to world peace for the great powers to provide the needed police or aid in competition with each other. International action has been a major contributory factor in the process whereby nearly a billion people have achieved their independence from colonial rule with such astonishingly little bloodshed.

Mr. Cleveland then said:

What I have called "other peoples' disputes" find the United Nations working in its peacemaking role—factfinding, conciliating, and mediating, and thus avoiding the need for the United States to take a direct hand as third party. Getting national leaders to play it cool—to talk out their differences—is a prime function of the world organization. For in a world of nuclear weapons the unleashing of force—at any level—is a dangerous pattern.

Finally, in the broad task of community building, the United Nations is in action all over the world. More than four-fifths of its personnel are engaged in technical, economic, scientific, financial, educational and social-welfare problems in as many countries as the U.N. has members.

Finally, Mr. Cleveland said:

In playing on the great organ of international relations, it is not enough to stomp on the pedal of unilateral action, or pick out a thin melody on one of the several international consoles before us. Our problem is not to choose as our favorite one or another of the interlocking concerts of nations—the regional, the Atlantic and the almost global. Our task is, rather, a complex exercise in orchestration working through each grouping for such purposes, and at such times, as seem appropriate from the standpoint of our own national interests. We are big boys now, and we have learned how to do more than one thing at a time in our foreign policy.

Madam President, I ask unanimous consent that the entire article written by Harlan Cleveland, and published in the New York Times magazine of April 1, 1962, be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

DO WE RELY TOO MUCH ON THE U.N.?

(By Harlan Cleveland)

The story goes that a United Nations delegate was in Central Park, watching his daughter play on a seesaw with another little girl. To his horror, he saw his youngster suddenly abandon her end of the seesaw while she was down, leaving her young friend to a crash landing on the other end.

The delegate comforted the injured child, then turned in fury to his own: "How many times have I told you never to get off a seesaw unilaterally?"

The case against unilateral action on a seesaw is overwhelming, but the case for multilateralism in world affairs is less obvious. Indeed, voices are beginning to be raised in alarm over too much multilateralism.

Do we rely too much on the U.N.? The answer, I believe, is "No." But we do quite frankly use it to pursue our interests, in company with 103 other countries which use it to pursue their interests.

It obviously does not subtract from our vital interests to engage with dozens of other countries in acts of consensus that associate them with us in pursuing interests that are similar to ours. Indeed, it is precisely because the U.N. has become important to vital American interests that U.S. relations with the organization have become the subject of wide public faith.

The problem, I suppose, is that many people have thought the United Nations was no more than what the Soviets want it to be—a far-off vision of better times, a rather ineffective guide to good deportment and a permanent diplomatic conference. This would be a fair description of the old League of Nations. It obviously is not a fair description of a family of organizations employing some 51,000 civilian and military personnel, spending $551 million a year, making loans last year of about $700 million more and maintaining peace-keeping presences that range from 1 unarmed civil servant employed part time in Togo, through the 5,300 armed men from 7 countries who try to keep peace in the Middle East, to the 17,000 hardened troops from 20 countries stationed in the Congo.

Where does the U.N. fit into our foreign policy?

The purposes of American foreign policy can be readily, almost too automatically, put into verbal capsules:

We are helping to bind the world's "north" into a workable and prosperous community of free industrial nations.

We are helping to develop the world "south" to the point of partnership with the older industrial powers.

We are helping to build enduring bridges between north and south—through aid, trade, and a shared sense of responsibility for rapid and peaceful change.

We are by these means helping to make the free world hum with the cheerful and contagious noises of success—and helping to subvert oppression elsewhere by demonstrating that free choice works better, and feels better, than coercion.

The crises and opportunities we face from day to day in the Department of State generally fall into one of four categories. Each is important, but some are more important to us and some are more important to others.

First are the immediate confrontations of the great powers—direct (Berlin, Korea, nuclear testing) or indirect (Vietnam).

Second are the latent confrontations of the great powers: situations which could lead to a toe-to-toe power rivalry. Laos and the Congo are the obvious current examples.

Third are "other peoples' disputes": West New Guinea, Kashmir, or the unliquidated Arab-Israel war. We are in the middle on most such disputes—because the middle is where the power is plugged into world politics, and we cannot escape the consequences of our own power. Our interests in all such disputes have this in common: they all hold latent dangers of spreading into larger conflicts. We would not be able to escape later, larger conflicts, so we have to try to limit or help settle the earlier, smaller ones.

In a fourth category, we can place the whole constructive task of building the kind of world community we want to live in. We help in many ways to build free institutions inside other peoples' societies, and we help to fashion an intricate web of relations among these societies—trade pacts, public and private exchanges of persons, technical and scientific conferences, political dialogs and, where necessary, military arrangements.

What part of all this world work do we rely on the United Nations to do—or, more accurately, what part do we and others do together by using the United Nations?

Even in the immediate and direct confrontations of great powers, the U.N. has a useful, if limited, role. It serves as a major world forum, not to be ignored merely because it lacks power.

The U.N. has also served as a diplomatic arena in which to explore solutions to great power differences. The Jessup-Malik agreement to end the Berlin blockade was worked out in the U.N.'s corridors, and so was last winter's agreement to get disarmament talks going again. And a few days ago those useful corridors were used once more as United States and Soviet representatives began talks on joint projects in outer space.

In latent confrontations, the U.N. can become (as it has in the Congo) an operational "third party," providing police-force and nation-building help where it would be too dangerous to world peace for the great powers to provide the needed police or aid in competition with each other. International action has been a major contributory factor in the process whereby nearly a billion people have achieved their independence from colonial rule with such astonishingly little bloodshed.

We do not really want a great-power confrontation everywhere in the world; that would be too risky and appallingly expensive. No thoughtful American wanted the Marines to stay in Lebanon. We didn't want to have to use our own forces or those of NATO to frustrate the Soviet design for a satellite called the Congo.

Over the years, successive U.S. Governments have gradually helped build a U.N. capacity to act on a limited scale to prevent great-power confrontations by making them unnecessary, to prevent big wars by preventing or rapidly stopping little wars. This has been the U.N. role, combining international conciliation with the presence of limited peace-keeping forces, in Indonesia, Greece, Palestine, Kashmir, Korea, the Middle East, Lebanon, and the Congo.

In each of these cases, it conceivably would have been possible for the United States of America alone to step in and throw its weight around—that is to say, it had enough weight for the purpose. But politics is not just a matter of weight.

In every one of these eight cases, the United States at some stage decided its national interests would be better served by

getting an international presence into the center of the stage, rather than taking the center of the stage itself. Now, with the benefit of hindsight, each of those eight decisions still appears to have served us well.

What I have called "other peoples' disputes" find the United Nations working in its peacemaking role—factfinding, conciliating and mediating, and thus avoiding the need for the United States to take a direct hand as third party. Getting national leaders to play it cool—to talk out their differences—is a prime function of the world organization. For in a world of nuclear weapons the unleashing of force—at any level—is a dangerous pattern. Finally, in the broad task of community building, the United Nations is in action all over the world. More than four-fifths of its personnel are engaged in technical, economic, scientific, financial, educational and social-welfare problems in as many countries as the U.N. has members. International administrators can often do things more effectively, and with less cost to the American taxpayer.

This is why previous U.S. administrations, like the present one, have thought it better, in some places and for some purposes, to get other countries working with us in tackling economic growth and social reforms. And this is why the United States each year invests 10 to 15 percent of its aid money as contributions to international organizations which collect aid money from other countries to supplement ours.

Because we happen to be talking about the United Nations, let us not fall into a doctrinal error which is too common among the U.N.'s friends as well as its foes. People keep talking about the U.N. as if it were the only international peacemaking and community-building enterprise in which we are—or should be—involved. There are of course others, and they are crucially important, too.

The Organization of American States is engaged in building with new enthusiasm a very special community, based on the long tradition of hemispheric solidarity, newly reinforced by the Alliance for Progress and the menace of a frankly Communist beachhead in the Caribbean.

The Atlantic community was born as an abstract concept, but the Marshall plan, the North Atlantic Treaty and the Organization for Economic Cooperation and Development have given it flesh and blood. Its military stance makes a free world possible. The shares values of the Atlantic nations are humanity's pride; indeed, their most eloquent restatement is the preamble to the United Nations Charter.

For many of us, the prospective partnership between the European Common Market and the great common market of North America is the most exciting single job of institution building now in progress. With its resurgent strength, the Atlantic community promises to fill the role Gladstone predicted for the United States as "head servant in the great household of the world." But the household will comprise the United Nations, more than half of whose members have been started on the road to independence by these same Atlantic partners.

In playing on the great organ of international relations, it is not enough to stomp on the pedal of unilateral action, or pick out a thin melody on one of the several international consoles before us. Our problem is not to choose as our favorite one or another of the interlocking concerts of nation—the regional, the Atlantic and the almost global.

Our task is, rather, a complex exercise in orchestration working through each grouping for such purposes, and at such times, as seem appropriate from the standpoint of our own national interests. We are big boys now, and we have learned how to do more than one thing at a time in our foreign policy.

Mr. DWORSHAK. Madam President, will the Senator from Wisconsin yield?

Mr. PROXMIRE. I am happy to yield to the Senator from Idaho.

Mr. DWORSHAK. Does the Senator from Wisconsin know whether the United Nations has given any recognition of or assistance to the valuable efforts being made currently by the United States in preserving peace in South Vietnam?

Mr. PROXMIRE. It is my understanding that in South Vietnam, as in many other parts of the world—past, present, and, I am sure, future—the United Nations is likely to respond to initiative, leadership, and efforts on the part of the United States to have the United Nations help us in situations such as currently developing in South Vietnam. I would be delighted if the Senator from Idaho would indicate to me the specific instances in which the President of the United States or our delegate to the United Nations, under orders of the President, has requested the United Nations to step into the South Vietnam situation. Or more important would the Senator indicate when the South Vietnamese Government requested U.N. intervention?

Mr. DWORSHAK. Does not the Senator from Wisconsin recognize that the action—military and otherwise—of the United Nations in the Congo, on the African Continent, is no more important than the provision of assistance to the United States in her efforts to preserve the peace in South Vietnam? Would not the Senator from Wisconsin recognize that it is just as important to curb Communist aggression in southeast Asia as it is to curb Communist aggression in Africa?

Mr. PROXMIRE. I would agree, and I think the situation in the Congo is an instance in which the United Nations has worked with great effectiveness. As a matter of fact, if the United Nations had not stepped in there, I think we might have had a confrontation between the United States and Soviet Russia or else we might have had a surrender to and an appeasement of Soviet Russia, either of which would have been very damaging to freedom in the world. I think the effective United Nations action in Africa constitutes one of the brightest pages written thus far.

Mr. DWORSHAK. In view of the fact that—for some reasons—the United Nations has not been willing to step in, in connection with the difficulties in southeast Asia, even though it has been willing to take action in connection with the difficulties in Africa, certainly the Senator from Wisconsin does not mean to imply that at the same time the United Nations has not been willing to aid certain nations in their efforts to preserve the peace in southeast Asia. Is that not as important as the efforts being made in the Congo?

Mr. PROXMIRE. It is my understanding that the United Nations has offered its good offices in connection with the situation in Laos. Of course, the situation in South Vietnam is complex and difficult, and I think any possible participation by the U.N. will depend as it should on initiative on the part of the legally constituted Government of South Vietnam.

Although the United Nations is not doing a full and complete job—and the evidence which I submitted for the RECORD suggests that there have been many frustrations and many disappointments, and I believe that the Senator from Idaho will agree that many times the action of the United Nations could have been more effective—nevertheless, I believe that, over all, the United Nations has, in this confusing and complex world of ours, done a magnificent job to help achieve a more peaceful world.

Mr. DWORSHAK. I have no criticism to make of the policy of the United Nations in regard to exerting its pressures in attempting to preserve the peace in southeast Asia. But the question is, who took the initiative in southeast Asia and who took the initiative in getting the United Nations to act to preserve the peace in the Congo, and what is necessary to be done in order to obtain recognition by the United Nations of the serious threat to the peace which today exists in southeast Asia?

Mr. PROXMIRE. I am sure the Senator from Idaho recognizes the very great difficulty we had and the very fortuitous circumstances which enabled the United Nations to become active in Korea; and it was a fortuitous circumstance which permitted it. Through an ingenious refinement in U.N. machinery, and the specific request by President Kasavubu, we were able to get United Nations action in the Congo. Once again I ask the Senator from Idaho to indicate what initiative the South Vietnamese Government has taken thus far to obtain United Nations action in South Vietnam. The Senator from Idaho rightly indicates this is a very dangerous area, in terms of preserving the peace; and, of course, it is also an area which has involved immense expense, and also endangers the lives of thousands of Americans.

Mr. DWORSHAK. I thank the Senator from Wisconsin.

Mr. CARLSON. Madam President, will the Senator from Wisconsin yield?

Mr. PROXMIRE. I yield.

Mr. CARLSON. I have been much interested in the debate between the Senator from Wisconsin and the Senator from Idaho in regard to the United Nations.

It was my good fortune to attend a meeting of the Christians and Jews in Wichita, Kans., on March 8. On that occasion, our former Ambassador to the United Nations, Henry Cabot Lodge, spoke about the United Nations.

As has been stated on this floor, Ambassador Lodge supports the United Nations bond issue. He was very frank in his speech; and I believe it should be included—at least, in part—in connection with our debate on this subject.

So, Madam President, will the Senator from Wisconsin yield for that purpose?

Mr. PROXMIRE. I am glad to yield for that purpose.

Mr. CARLSON. On that occasion, Ambassador Lodge stated:

So, to deal with this Communist nonmilitary danger we must be affrmative.

But that is not enough. What we do affirmatively must also be done unitedly. The free world must be organized on an efficient operational basis.

Ladies and gentlemen, we are not organized that way today. We and our allies are all too often at sixes and sevens.

Now, we know that we cannot get effective action against communism through an obsolete conglomeration of independent nation states, none of which can cope with a Communist danger which is organized on a worldwide scale, and which ignores national boundaries.

But we also know that we cannot get this unified action through existing multilateral organizations with large memberships of large and small states, each with one vote and full veto powers, because we have seen how cumbersome, how incapable of fast and flexible cohesive action such organizations are.

There is in the world today no organization consisting solely of five or six big highly developed nations. Yet might not such an organization be able to get results which would help the underdeveloped countries and the small powers and generally advance the cause of human freedom?

Somewhere there must be a place which expresses the power facts in this world—if for no other reason than to make it possible to fix the responsibility. In saying this I am not running down either NATO or the United Nations; I merely say that they cannot do all that needs to be done.

NATO is a vital military organization. If it did not exist, Europe would unquestionably have been the target of Soviet military imperialism, with mortal danger for us.

The continued existence of the United Nations in a different way is also a vital American interest. Let me try to tell you why.

World stability would be much less without it—which is surely one reason why the Soviet Union continually harasses it—and the United States is vitally interested in a stable world. When the United States came to the defense of Korea in 1950, we were very much aided by United Nations support. During my service at the United Nations, it played a vital part in bringing about a cease-fire and withdrawal at the time of the dangerous Suez crisis in 1956. The creation of the United Nations force in the Gaza strip has converted that area from an explosive to a quiet one. The United Nations validated our action in Lebanon in 1958—a decision of great value. The creation of the United Nations presence in the Congo has so far prevented that country from becoming the cause of a confrontation between the great powers, with the great danger of world war which such a confrontation would entail.

Then, the Security Council has often promoted peace. The late Secretary General did much to prevent disputes from becoming acute and his successor has made an auspicious beginning. The work of the United Nations in the fields of health, food, technical assistance, and economic aid generally are a healing and constructive influence.

Having said this, I will add that the United Nations is certainly far from perfect and must not be supported exclusively or predominantly by the United States. Senator Vandenberg well said that if the United States paid most of the bills and the other member states did not pay their share, it would mean that other members did not consider that their membership was valuable, which in turn would mean that the United Nations would eventually be without value for the United States. While therefore I support the United Nations bond issue, I do so as part of a vigorous U.S. policy to put the United Nations on a sound footing. We cannot longer delay the day when all the United Nations members make up their minds whether they want the United Nations to continue or not. No one must think that the United States will in the future pick up the check and make up the deficit.

So I do not speak in any lack of respect for the United Nations and for NATO. But we do need something more and an organization such as I describe, which unites power and responsibility in one place and has a really able man as Secretary General, who would be a sort of international sparkplug and catalyst, would give us at least somewhere to turn when we are distressed, as we must be distressed today, at seeing the big Western Powers so obviously not in agreement with each other.

We are in a race for survival; we cannot win the race if we are dressed up in period costume. We need something new.

You may remember that in 1959 I took what might be called a postgraduate course in international relations when I was the official U.S. escort for Chairman Khrushchev on his American tour. This gave me an opportunity to hear him talk and to gage his thought. It led me to the conclusion that he often bases his course of conduct in international relations in his belief on the divisions among the free nations. Marxism and Leninism tell him that capitalistic nations will be divided and will destroy each other. His own observation tells him that this is so. And then he wants to believe it. Certainly, when you follow the course of events, there are enough divisions among us to justify his belief.

Yet, fellow citizens—and I leave this thought with you in conclusion—we in the West have much greater resources than exist on the other side of the Iron Curtain. We hold the trump cards. If we were capable of unified action, we could put him out of business insofar as his capacity to harass us diplomatically is concerned.

To organize the forces of freedom is perhaps the greatest single step which we of the free world can take toward building a stable world in which communism and the other forces seeking worldwide chaos and domination will be rendered harmless.

Madam President, I think those words, coming from our former Ambassador to the United Nations, Henry Cabot Lodge, should be placed in the RECORD, because I believe that those of us who are concerned about the future welfare of the United Nations realize that constructive action must be taken so as to put the United Nations on a sound financial basis.

I sincerely hope the action taken by the Senate, as it proceeds to vote on the question of the passage of this particular measure, will be a step in that direction.

GROSS INJUSTICE TO THE DAIRY FARMER

Mr. PROXMIRE. Madam President, last Wednesday the Senate Committee on Agriculture and Forestry rejected the resolution recommended by the President of the United States and by the Secretary of Agriculture, sponsored by the Senator from Minnesota [Mr. HUMPHREY] and myself, to maintain price supports for dairy products throughout 1962.

That decision of the Senate Committee on Agriculture and Forestry, combined with a comparable decision by decisive majority of the House Agriculture Committee, ended the possibility that dairy farmers would be able to maintain their income in 1962 at something like 1961 levels.

DAIRY FARM INCOME ALREADY SHAMEFULLY LOW

Madam President, that was a real tragedy. The fact is that dairy farm income throughout America is tragically and shamefully low. The statistics of the Department of Agriculture show that dairy farm income varies from about 33 cents an hour in eastern Wisconsin to about 67 cents an hour in the northeastern part of our country—that is, New York, Pennsylvania, Vermont, and so forth.

This low income is earned by farmers who have an investment that averages $40,000 to $50,000 a farm; farmers who take a great risk with this investment, because of weather, price fluctuations, and so forth; farmers who work very long hours. Statistics from the Department of Agriculture show that dairy farmers work longer hours than the farmers producing any other commodity.

Of course, dairy farmers have vastly increased their efficiency. Farmers generally have increased their efficiency three times as rapidly in the last 15 years as have people off the farm.

THIRTY-PERCENT CUT IN NET INCOME

So this cut in income, which will result in a reduction of 10 percent in gross income and 30 percent in net income, is a serious tragedy throughout the country, and especially in Wisconsin, the Nation's leading dairy State.

Madam President, if this reduction would accomplish anything, if it would put the farmers in better shape in the long run, if it would help solve the farm problem generally, then there might be some reason for supporting this cut which the House and Senate Agriculture Committees have imposed on the dairy farmer. But the fact is that the cut accomplishes nothing.

The recommendation of the Secretary of Agriculture and the President that price supports remain at their present level throughout 1962 was part of their long-range plan for the dairy farmer, and fitted into the long-range plan. Its adoption would not have prevented the committees of the Senate and the House, and Congress generally, from working out a dairy program which would have reduced overproduction, and perhaps have helped, have gone at least a part of the way toward solving the problem of underconsumption. But the committees rejected it.

STEEL WAGE MAINTAINED; DAIRY INCOME CUT

Madam President, it is especially ironic that last week the Senate Committee on Agriculture and Forestry took this step, because this past week the United Steelworkers signed an agreement with steel management to maintain steel wages at their current level throughout the coming year.

This wage agreement has been hailed, and rightly so, as a mark of real statesmanship on the part of the union and its members, and represents a real sacrifice on the part of the union workers. It does represent a real break from the past, when every year there would be a wage increase followed by a price increase. I feel the union deserves much credit for this statesmanship.

How ironic it is that all we asked was that the dairy farmers be able to maintain their income during the coming year. The fact is that dairy farmers have an income of about one-sixth of that of the steelworkers. For every $1 the dairy farmer earns, the steelworker gets $6, on an hourly basis.

There has been talk about steelworkers increasing their efficiency. I am sure they have, but far, far less than the dairy farmers have. So at a time when dairy income is already low, when dairy farmers are increasing their efficiency, we see that the position of statesmanship is to let their income drift lower; and this is what the Senate and House Agriculture Committees have done.

REPUBLICANS UNANIMOUSLY VOTED AGAINST DAIRY FARMER

Madam President, I feel that in these matters we should do all we can to avoid partisanship. On this issue I cannot avoid partisanship. The fact is that every single Republican on the Agriculture Committee, without exception, voted against the resolution that would have maintained dairy price supports. Every one of them voted, in effect, to require the Secretary of Agriculture, according to his conscience, his own legal advice, his own interpretation, to reduce dairy price supports on April 1—yesterday. Every Republican on the Senate Committee on Agriculture and Forestry voted that way.

After the resolution was defeated, I asked unanimous consent that the resolution be reconsidered for the purpose of amending it to modify the resolution to provide for a compromise price support of $3.25. A distinguished Republican member of the Committee on Agriculture and Forestry objected to my request that the resolution be reconsidered. This objection effectively blocked any action by me to save at least part of the dairy farmer's endangered income.

I then asked if any member of the prevailing side, any one of the Republicans, or any one of the southern Democrats, who voted against the resolution, would ask for reconsideration. As a member of the prevailing side, any one of them had a right to reconsider. He could not have been blocked. Any Republican could have forced a vote. But, not one single Republican would agree to ask for reconsideration of the matter.

SOUTHERN DEMOCRATS WALKED OUT ON DAIRY FARMER

If we want to be fair, Madam President, we must recognize that the Senate Committee on Agriculture and Forestry is not controlled by the Republicans, but that the Democrats have an 11-to-6 majority on the committee, and that while not a single Republican voted for the resolution recommended by the President and the Secretary of Agriculture, which would have maintained dairy farm income throughout the rest of the year, not one single southern Democrat of the six southern Democratic members of the committee voted for it—not one. All voted against it, notwithstanding that the present democratically appointed Secretary recommended it. Not one of the six southern Democrats voted for it.

All northern and western Democratic members of the committee voted for the resolution.

But the southen Democratic-Republican coalition has a 12-to-5 stranglehold on the Senate Agriculture Committee and it is solid, monolithic, unanimous in walking out on the dairy farmer.

Mr. COOPER. Madam President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. COOPER. I am a member of the Committee on Agriculture and Forestry. Of course, it is correct that the President recommended the passage of the resolution, as did the Secretary of Agriculture. The Senator knows that the Secretary of Agriculture has the authority and the duty on April 1 of each year to fix price supports for manufacturing milk, which has the effect of giving price supports to milk producers. That is the duty of the Secretary of Agriculture.

It is a fact that in about 1953 or 1954, as the Senator knows, we had developed a tremendous surplus of manufactured milk products, such as butter, cheese, and dried milk, and by efforts of the Eisenhower administration they were able to bring supplies into better balance with demand. The price was fixed at $3.22 a hundredweight in 1960, as I remember.

Last year Mr. Freeman—and I am not now challenging his sincerity in doing this—raised the price support to $3.40 on April 1. In this last year great surpluses have been created. On April 1 of this year it was again his duty to fix price supports, and he knew that, and the Senator knows it. Instead of doing that, he tried to shift the burden upon the Congress. He went to the House of Representatives and offered a so-called bill to fix price supports, and it was refused by the House Committee on Agriculture. Several days passed. April 1 came along.

There was a special meeting of the Senate Committee on Agriculture and Forestry in which we voted on the resolution supported by the Senator from Wisconsin. Even if it had been passed, there was no possibility of it being passed by the House of Representatives.

The Senator knows the basic fact, which is that this question involves the duty of the Secretary of Agriculture. If he made a mistake last year in raising price supports to $3.40, encouraging a large production of milk and helping to create this situation, then I think it is going quite far to blame it on some of us who voted against the resolution, when efforts were made to take the burden of this decision from the Secretary and to place it on the backs of others.

Mr. PROXMIRE. Madam President, I am delighted to reply to the distinguished Senator from Kentucky.

In the first place, I reply that the diminution in the surpluses of dairy products which took place during some of the years in which Secretary Benson presided over the Department of Agriculture had nothing to do with the fluctuations in price supports. I have made a very careful study of the problem. My study shows that the theory for which Secretary Benson used to argue, for which some agricultural economists still mistakenly argue—that when price supports are reduced production goes down because the farmers are discouraged from producing, and the housewife buys more milk—is not a correct theory. The record shows that exactly the opposite is true in most cases. In only 2 years since 1949 has there been a consistent cause-to-effect relationship between the cutting or the increasing of price supports and what happened to the milk production. There is no consistent cause-to-effect relationship. As a matter of fact, if there is a relationship to be considered, it is that there is a tendency on the part of farmers to produce more when the prices are low, because they are forced to produce more in order to maintain their income.

The main burden of the argument of my good friend from Kentucky, who is a wonderful man and a very distinguished member of the committee, is that the Secretary was free to set the price supports at any level at which he wished to set them. I am inclined to agree. That judgment is correct. I have said it is correct. I have said that Secretary Benson could set price supports where he wished to set them under the law of 1949. I have said that Secretary Freeman could also.

FREEMAN CONVINCED HE HAD TO DROP PRICE SUPPORTS

But that is not the position of Secretary Freeman. It is not the advice he is getting. I am sure that Secretary Freeman is a sincere and honest Secretary of Agriculture. He has stated his conclusion. He has told the Congress. The President said, in his message of January 3, that the administration had no alternative under the Agricultural Act of 1949 except to establish price supports at 75 percent of parity. The Agricultural Act is very clear. It provides that price supports must be set between 75 percent and 90 percent, at that level which is necessary to assure an adequate supply.

The Secretary says that price supports set at 75 percent of parity will assure more than an adequate supply, and that therefore he cannot go above 75 percent unless Congress acts to hold the law in abeyance.

FREEMAN ERROR—NO ALIBI

There is a technical reason why I think the Secretary is wrong. I have written to him about it. He does not agree with me. I shall come to that point a little later in the discussion.

The following situation confronted the committee last Wednesday. The Secretary had said:

> If you act to pass the resolution we can maintain price supports; if you do not act, I am compelled, under my interpretation of the law, to drive the price support down.

It seems to me that under those circumstances the committee should have supported the resolution.

I have great respect for my friend from Kentucky. I know he is absolutely sincere in his objection to my position.

Madam President, I wish to conclude by taking up the arguments against the resolution.

The first argument is that if we maintain price supports we shall have relatively higher prices at the present time for farmers, and they will increase their production. I have already dealt with that argument. I have already dealt with the argument not only from the standpoint of experience but also from the standpoint of the record, which shows the argument is false. The resolution would not have increased production. The production increase argument also clashes with the commonsense fact that farmers produce more with low prices because they have to do so to maintain their income.

CONSUMER PRICE WILL NOT COME DOWN

Now I wish to deal with the other side of the argument. The argument is that if we lower the support prices which the farmer receives, the housewife will not have to pay so much for milk.

Agricultural officials are said to have made estimates that, with a cut in price supports, it might be possible for the housewife to pay 1 cent or 1½ cents less per quart for milk.

An article was published in the New York Times the other day, in which the Secretary of Agriculture is quoted as saying:

> Every time that the Secretary of Agriculture increases supports an eyelash, we hear great protestations of how much it is going to increase the cost of food. And now that we are dropping price supports, why, we will watch with interest to see whether it affects the consumer on the other end.

Madam President, the fact is that this price support cut will not affect the consumer on the other end one iota.

The same newspaper, the New York Times, which reported the price support story and the agricultural officials' estimates, also reported this:

> Spokesmen for the retail milk industry said here yesterday that Secretary Freeman's action—
>
> Reducing price supports—
>
> would have no effect on the price of milk at retail in this area.

That is not only true in New York, but it is also true throughout the country. We have seen that happen over and over again.

In 1954 the price supports were cut from $3.74 to $3.15. There was misery for the dairy farmers in my State. It was a devastating cut. What happened to the price of milk? There was no evidence that there was any cut in the price which the housewife had to pay for milk.

PREDICT RECORD PROCESSOR PROFITS

I make the prediction this afternoon on the floor of the Senate that 1962 is going to be another one of the best years for National Dairy, for Foremost Dairy, for Beatrice, and for the other big dairy processors. They will enjoy high profits as they did in 1954, which was a great profit year. As I recall, it broke all records. Why? Because price supports were shoved down by Secretary Benson.

What will happen is that the big processors will pay the farmers much less, but they will charge the housewives the same amount. This will greatly increase their profit margin, and the processors will get the entire benefit. Therefore, consumption will not increase as the price to the farmer goes down, because the housewife will have to pay exactly the same price.

Finally I should like to deal a little more technically with the argument raised by the Senator from Kentucky.

The argument has been made over and over again, especially by distinguished members of the Committee on Agriculture and Forestry who are members of the Republican Party, that Secretary Freeman was free to maintain price supports even if the resolution was not defeated. Well, the Secretary was convinced he could not. As I said, he is an honest man. He is a very able man, and he has excellent advice. He was advised by his counsel, as Secretary Benson received advice from his solicitor, that he could not maintain price supports.

WHY FREEMAN WRONG

What Secretary Freeman overlooks is that what the law provides only that the parity price for wholesale milk must be on a moving average not the parity equivalent ratio. For example in the month of December 1961, the parity price would be about $5.12, that is 100 percent of parity. But what Secretary Benson did and what Secretary Freeman is doing also is to provide that the parity equivalent—that is, the ratio which is used to convert the price of all milk at wholesale to determine at what price manufacturing milk will be supported—or the parity ratio should also be put on a moving average. This Benson action was double modernization. It is double sliding scale, sliding down, not up. It is double jeopardy.

There is not a single word in the statute to provide that the parity ratio has to be put on a moving average at all.

I have questioned responsible people in the Department of Agriculture. They have not been able to show me any facts to change my mind. If the ratio were not put on a moving average, but were kept at 88 percent, instead of letting it fall to 79 percent as the Department has done, then 75 percent of parity would be $3.38 and not $3.11. Of course, there is a whale of a difference between the two.

In other words, if the Secretary had reversed Benson and had gone back to the historical parity-equivalent ratio, then he would have been able to maintain virtually the same price support level throughout 1962. But this is a matter of a difference of opinion between the junior Senator from Wisconsin, who is supported by a number of people in the dairy industry, and dairy leaders versus the Department of Agriculture. The Department is convinced that they are correct. The Secretary is acting on the basis of his conscience.

I think we must recognize, Madam President, that the Secretary of Agriculture did ask the Congress to act, so that he could be clear on the law, and so that he would have a right to maintain price supports and to maintain the income of the dairy farmers throughout this year.

NEW APPROACH TO LAND USE

Mr. PROXMIRE. Madam President, the Wisconsin Agriculturist carried an article in a recent issue supporting title I of the agriculture bill which is now before the Senate and the House of Representatives, and pointing out why title I has great merit. I ask unanimous consent that the article entitled "A New Approach to Land Use" may be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A NEW APPROACH TO LAND USE

The controversial supply management parts of the administration's new farm bill have drawn fire and counterfire. They've crowded out nearly any notice to the proposed law's new approach to land use.

Most agricultural programs of the past have considered land in terms of soil and water conservation and crop uses. The new bill would expand agricultural land use programs to include recreational needs, wildlife uses, and natural scenic beauty.

The bill calls for pilot projects (1) to encourage land- and water-use adjustments for recreational and wildlife uses, (2) to shift cropland into permanent or longtime grass cover, (3) and to promote tree planting on cropland.

The proposed program would allow the Federal Government to share costs with local agencies in acquiring and developing recreational and wildlife areas. This could include the development of hunting areas and wildlife refuges along flood plains or water courses. It would authorize loans and technical assistance to groups and individuals in developing hunting, fishing, and other recreational facilities—such as lakes for swimming and boating or campsite areas.

COULD DEVELOP CITY GREEN BELTS

Under the program the Government could help local watershed projects meet recreational needs—such as swimming and fishing facilities, parking and campsite areas. Of course, the primary purpose of the project would still be flood prevention and water control.

U.S. Department of Agriculture could—directly or through local agencies—acquire easements on land to preserve its scenic value by keeping the area in trees, in open countryside or other suitable uses.

Actual ownership of such lands would remain in private hands. But the purchase of easements would allow cities and towns to develop green belts around them and prevent the haphazard gulping up of entire countrysides by sprawling, overflowing cities.

Agricultural conservation program (ACP) payments could be made to landowners for developing wildlife areas on a longtime basis. The law would allow the Farmers Home Administration to make loans to farm families for developing hunting, fishing, or recreational areas, providing they had income-producing possibilities.

Under the proposed law farmers could sign 5- to 10-year agreements to shift cropland to grass for a yearly rent of this land. Such a program would help reduce the possible flood of conservation reserve acres back into crops.

The Government could also enter contracts—perhaps for 15 years—with landowners to put their land into trees. The Government would help share the cost and make annual payments on these acres.

PROJECTS HAVE WORTHY GOALS

Purpose of the pilot projects is to develop methods of eventually removing around 50 million acres out of crops and putting them into grass, trees, wildlife, fishing, and recreational areas.

Reducing crop acres could help ease grain surpluses. It is hoped that developing wildlife, fishing, and recreational areas on farms might provide an additional source of income for many farm families.

Putting more acres in grass and trees would aid soil and water conservation. Trees are one crop of which we foresee no surpluses—but rather a constant increasing demand for lumber and tree products.

These are all worthy goals. The sooner we think in terms of all the needs and uses of our land, the sooner we will develop good land-use programs.

Perhaps more adequate safeguards should be written into the bill to protect landowners from overly ambitious officials using the rights of eminent domain. But certainly the guiding principles behind this new land-use approach deserve our support.

FARMER SUBSIDIZES CONSUMER

Mr. PROXMIRE. Madam President, in the March 17 issue of Wisconsin Agriculturalist appeared an article entitled "You Get a Bargain When Buying Food." The article shows how the efficiency of the farmer has reduced the real cost of food to the consumer. For example, it points out that in 1948 a chuck roast weighing 2.1 pounds could be purchased with 1 hour's wages. Thirteen years later, 1961, the consumer with 1 hour's wages could purchase 4 pounds. In 1948 he could have purchased 2.2 dozen eggs with 1 hour's wages; last year 3.8 dozen. In 1948 he could have purchased 6.9 quarts of milk; last year he could have purchased 8.9 quarts. In 1948, with 1 hour's wages, the consumer could have purchased 31 pounds of potatoes; in 1961, 44 pounds.

Madam President, I ask unanimous consent that the fine article to which I have referred entitled "You Get a Bargain When Buying Food," showing how the farmers subsidize the consumer, be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

YOU GET A BARGAIN WHEN BUYING FOOD

At the rare times that farmers go to the bargaining table to try for better prices, or when a Government program threatens to increase the price of a food item slightly, certain consumer interests begin complaining about the supposedly high cost of food.

A couple of years ago when dairymen shipping to Chicago markets threatened to have their cooperatives divert milk to nonfluid use unless they got a substantial price increase, consumers in Chicago were quite vocal in complaining about the prospect of increased milk prices.

SLOWER RISE THAN WAGES

Apparently the consumer doesn't realize the bargain he's getting when he plunks his money down to pay the week's grocery bill. Food prices may have risen in recent years, but they haven't kept up with wages.

Back in the period 1947–49, it took 59 hours of work for the average wage earner to buy enough farm-grown food to feed his family for a month. Today he can buy that same amount of food by working only 28 hours.

During 1947–49, 1 hour's work was worth 6.9 quarts of milk. Today it's worth 8.9 quarts—a 29-percent increase in the milk a man can buy with an hour's wages.

Back 15 years ago, an hour's work would earn enough to buy 2.1 pounds of chuck roast—today it earns enough to buy 4 pounds. In that same time, the price of eggs has gone down from 2.2 dozen per hour to 3.8 dozen per hour.

MORE SPUDS PER HOUR

To put it another way, wages have risen by 32 percent in terms of potatoes.

Back in 1947–49, 26 percent of the average take-home pay went for food. Today it's 20 percent.

Looking at prices on a dollar basis, we see that farm food has gone up 13 percent since 1947–49. All food, including imports, seafood, and high-priced food sold in restaurants, has gone up 21 percent. But all items other than food have gone up on the average by 32 percent.

Housing costs are up 33 percent, rent 44 percent, transportation 50 percent.

Looking at it from the other direction, we can see where food savings come from. Today's farm worker produces 80 percent more food than he did in 1947–49. He clothes 26 people, against 15 of 1947–49. Since 1947–49, the price the farmer gets for food at the farm gate has dropped by 13 percent.

The American worker can buy 37 ounces of round steak with an hour's wages. The British worker can buy 19 ounces, the French worker 7 ounces, the Russian worker 4 ounces.

Russians spend half of their income for food, the French and English about 30 percent. Americans spend 20 percent of their incomes for food.

The character of the consumer seems to have changed in recent years. The grocery shopper will buy a frozen TV dinner which costs as much as a good steak but is made of cheaper cuts of meat in small quantities.

YOU PAY FOR PACKAGING

The TV dinner is typical of the convenience foods, which may be low quality, but are simple to prepare. It has been said that in a TV dinner you pay more for the packaging than you do for the food. At any rate, a large part of the price of convenience food is in the packaging, and in preparation which is traditionally done at home.

Another good example of added food costs due to packaging is what's happened to crackers. The cat in the cracker barrel is legend. Crackers don't come in barrels any more—they are packed in sanitary boxes. The improved packaging adds to the cost of crackers, but the consumer seems willing to pay for it.

Next time you hear somebody complaining about the supposedly high cost of food, just ask him if he'd like to go back to the good old days of 1947–49 when food prices were lower, but wages were lower still. Ask him if he'd go back to the days when it took 21 more hours of work per month to pay the grocery bill than it takes today.

SHARECROPPERS FUND REPORTS ON CONDITION OF FARMWORKERS

Mr. PROXMIRE. Madam President, the National Sharecroppers Fund, Inc., is performing an outstanding public service by drawing attention to the serious economic and social problems of farmworkers in our country. As a group, small farmers, sharecroppers, migratory farmworkers, and imported farm labor fare less well than any other segment of our generally prosperous Nation. Their plight appeals to our sense of humanity. And their continued existence as grotesquely underpaid workers is a drag and a drain on the more productive parts of the national economy.

Each year our gross national product is far less than it could be because these workers and their families contribute so little to it. In addition, as an exploited form of labor they are the cause of serious structural imbalances in our farm economy.

The National Sharecroppers Fund annual report for the year is entitled "The Condition of Farmworkers in 1961." I ask unanimous consent that it be printed at this point in the RECORD, along with a letter from the fund's distinguished chairman, Dr. Frank P. Graham.

There being no objection, the letter and report were ordered to be printed in the RECORD, as follows:

NATIONAL SHARECROPPERS FUND, INC.,
New York, N.Y., March 26, 1962.

DEAR FRIEND: I am pleased to send you the National Sharecroppers Fund's annual report, "The Condition of Farmworkers in 1961," but regret that the record of progress for the farmworker during that period has been so slight. As the report says, "He continued to receive the lowest wage rate and suffer the highest unemployment rate in the entire economy."

As the report points out, the Nation's 2.1 million farmworkers received an average of $870 during the year for farmwork, supplemented by $246 for off-farm labor. They were unemployed about half the year.

For small farmers and sharecroppers, the situation is equally precarious. A Department of Agriculture economist estimates that almost three-quarters of the family farmers remaining on the land cannot expect a cash income of over $2,500 a year. All but 120,000 sharecroppers in the South have been forced into the migrant stream or the slums of industrial cities.

As the report points out, progress achieved last year was small, but hope for the future has grown. Five bills to aid migrants passed the Senate, the AFL-CIO convention pledged continued organizing support for farmworkers, and there has been a dramatic growth of public concern for agricultural labor.

We look forward to an active and fruitful year of building upon this growing concern to bring about wider gains for this disadvantaged group in 1962.

With every good wish.

Sincerely yours,

FRANK P. GRAHAM,
Chairman.

THE CONDITION OF FARMWORKERS IN 1961

(Report to the board of directors of National Sharecroppers Fund, Inc., by Fay Bennett, executive secretary)

"Here in the heart of the Nation's richest farm country (California's Central Valley) 400 members of farm labor families are sweating out the harvest in 18th century conditions. Most of the one-room shacks have 8 to 10 occupants. One spigot supplies water for the entire camp." (The New York Times, July 30, 1961.)

"I came away angry and sick from the tomato fields just 30 miles south of the glitter and wealth of Miami Beach. I found the same crude exploitation, the same dreadful living conditions, just 30 miles south of New York City." (Dale Wright, "The Forgotten People" series in the New York World-Telegram and Sun, Oct. 23, 1961).

"John Morrison, 38-year-old migrant laborer from southeastern Missouri, dropped his hoe after 10 hours of chopping cotton on the J. E. Pollard farm here (in eastern Arkansas) yesterday and collected $3 for another day's work. His wife and their flushed 11-year-old daughter, who had weeded cotton under the hot sun all day alongside them, piled into their 1946 Buick along with the Morrisons' 8-month-old baby and 9-year-old daughter (and headed for Michigan) 'to see if we can find work in the cherry orchards.'" (The New York Times, July 16, 1961.)

THE YEAR IN BRIEF

The year 1961 was one of only slight progress for the American farmworker, but there are many indications of growing public concern for his condition. He continued to receive the lowest wage rate and suffer the highest unemployment rate in the entire economy. He continued to face crippling competition from hundreds of thousands of foreign farmworkers from underdeveloped countries. Despite his urgent need for such coverage, the American farmworker continued to be excluded from most laws providing a minimum wage, unemployment insurance, workmen's compensation, legal safeguards of the right to bargain collectively, and other legislation long accepted as necessary protection for the great majority of workers. Secretary of Labor Arthur Goldberg, Chairman of the President's Committee on Migratory Labor, reported at the end of 1961:

"It has become increasingly apparent that our Nation can no longer be satisfied with a farm labor system based on the availability of a vast army of underemployed and economically displaced people. The time has come when we must strive to accomplish in agriculture what we have already accomplished in most other sectors of our economy—the restoration of respect and dignity, based on good wages, good working conditions and steady employment to the men, women, and children who labor for hire on American farms."

REVOLUTION ON THE FARM

The traditional family farm, worked by members of the family and perhaps a hired hand who shared the farmer's table, may join the horse-drawn plow in the museum unless the availability of low-cost labor and other special subsidies for big business are withdrawn. In fruit, vegetables, and cotton, the family farm faces its greatest threat from the giant corporation—the "agri-business"—controlling thousands of acres of land, industrialized through heavy capital investment in machinery, and hiring up to thousands of farmworkers for relatively short periods of time. The latest Census of Agriculture shows only 3.7 million farms in America in 1959, a drop of almost one-third from the 5.4 million farms in 1950. Forced off the land were over a million family farmers (at least 4 million persons), whose land was consolidated into larger units as total farm acreage declined by only 3.3 percent. Thus, hundreds of thousands of former independent and tenant farmers have been forced into the hired farm labor force while others have migrated to the cities to compete for a diminishing number of unskilled jobs.

A U.S. Department of Agriculture economist reported that only a quarter of the remaining family farms have sufficient resources and productivity to return annual profits of $2,500: "There is a great deal of heartache here—more than 2.5 million families are in the process of being uprooted." These are the fruits of the American agricultural revolution.

While Federal farm programs are admittedly directed toward helping the more fortunate of the disadvantaged, many family farms have found stability on a new level, especially in livestock and grains production. For the marginal family farmer, however, the USDA says, "The hard fact is that the plight of the uprooted, or those on the verge of being uprooted, by present-day machine advance within the historic institution of the family farm, runs deeper than can be reached by farm programs."

SHARECROPPERS IN THE SIXTIES

Thirty years ago, there were almost 3 million sharecroppers and tenant farmers in the 16 Southern States. Today, there are less than 380,000, of whom 120,000 are sharecroppers. A majority of those displaced are Negroes, who are being forced off the land at a rate double that of white farmers. Many have exchanged their cabin in the cotton for the broken-down truck or shack of the migrant worker, or unemployment in a city slum. The Census Bureau reported at the end of 1961 that during the past decade, almost 1.5 million Negroes migrated from the South—a record for any decade in history.

Living conditions among sharecroppers continued to be among the lowest in the country. In Fayette County, Tenn., where 68 percent of the farmers are sharecroppers or tenants, median farm family income averages $1,140 a year, less than a quarter of the national average. Housing remains substandard, and medical care and educational standards are equally low. The outlook for their future opportunities is dim. A U.S. Department of Labor spokesman predicts that not more than 10 percent, maybe only 5 percent, of the youth growing up on American farms today will be able to earn a living from farmwork. A recent study showed that 67 percent of migrants from low-income rural areas lacked an elementary school education, and only 10 percent were high school graduates.

FEDERAL PROGRAMS: FARMERS HOME ADMINISTRATION

During 1961, the U.S. Department of Agriculture's FHA made 6,373 direct or insured farm ownership loans totaling almost $95 million. In addition, 83,000 farm operating loans in the amount of $270.7 million, and 11,000 rural housing loans for $89 million, were made to family-size farmers. The total amount for all types of loans, including emergency, livestock, soil, and water conservation, and watershed and flood protection, was over $500 million, a 46-percent rise over 1960.

But in many Southern States, racial discrimination continued to appear in the withholding of FHA loans from those who need them most—the Negro farmers and sharecroppers who otherwise would be forced off the land. A recent study showed that FHA committees, "as far as can be determined, have no Negro members anywhere in the United States." Local committee approval of all loan applications is a power that has sometimes been turned into a weapon of intimidation against Negroes exercising their civil rights.

AREA REDEVELOPMENT ADMINISTRATION: PROGRESS VERSUS LOCAL INITIATIVE

The passage of the Area Redevelopment Act by Congress in June 1961 brought an appropriation of $100 million for loans for the economic development of depressed rural areas, and additional funds for public loans, direct grants, and a retraining program to be divided between rural and urban areas. By the end of 1961, $309,300 was committed to rural development projects: 641 counties, many of them in the South, were designated eligible for special assistance; and 200 of these were included in development programs approved by the USDA and USDC.

As with FHA programs, however, the requirement of "local initiative" hampered the full utilization of ARA potential in the rural South. Local ARA committees generally excluded Negroes from their membership, and were composed primarily of local government and business leaders.

In Mississippi, local opposition resulted in the withdrawal of an ARA training project for 1,200 unemployed farmworkers, most of them Negroes, who were to have been trained to operate farm machinery.

HIRED FARMWORKERS: EMPLOYMENT AND EARNINGS

Excluding family labor, students working during school vacation, and other casual workers, the hired farm labor force numbered 2,162,000 in 1960 (latest published figures), reflecting no change from the previous year. Increased labor demands by agribusiness offset mechanization and reflected the proportionate shift from family to hired labor in American agriculture. Seventy percent of the wage bill for this labor was paid by only 5 percent of the farms, while the majority of family farmers hired no labor at all.

The average farmworker earned only $879 from farm labor during 1960, a small increase over the previous year. His total yearly income, including nonfarm earnings, was $1,125. He was able to find farmwork for only 139 days of the year, and nonfarmwork for 28 days. Migratory workers, who are forced to seek work away from their homes, found farmwork available only 123 days and earned $819 on the average. Thirty-five days of nonfarm labor gave migrants a total average income of $1,016. Composite hourly wages (an average weighted to include free room and board when given) rose slightly to 83.4 cents for 1961. Despite these increases, however, the disparity between farm and nonfarm wages continued to grow: since 1947–49, the purchasing power of farm wages has increased 22 percent, but the purchasing power of industrial wages has risen by about 40 percent. The American farmworker continues to earn less than one-third the wage of the unskilled nonfarm worker.

IMPORTED FARMWORKERS IN 1961

Employment of foreign nationals, on the 2 percent of American farms that hire them, showed a small decline between 1960 and 1961. A total of 308,935 farmworkers were admitted for temporary employment during the year, compared with 334,729 in 1960. Mexican braceros accounted for almost all of this total, numbering 291,420—a drop from 315,846 in 1960. About 8,900 British West Indians, 8,600 Canadians, and 40 Japanese farmworkers were also employed. Texas and California employed over half of these foreign workers, and with four other States, accounted for more than three-quarters of the total.

The Bureau of Immigration and Naturalization reported that in fiscal 1961, another 230,000 Mexicans were admitted to the United States under temporary work visas or as permanent residents. In addition, a total of almost 62 million border crossings (in both directions) were made by Mexican nationals, the majority of whom had daytime jobs in border areas. The service reported a total of 30,000 deportations or departures of illegally admitted Mexicans during the year.

PUERTO RICAN WORKERS

The Puerto Rican farm labor program continued to expand in 1961, with 13,765 farmworkers contracted for in 14 States, a 6-percent increase over 1960. The terms of the contracts, however, remained unchanged from the previous year, except for the addition of English-language lessons after working hours on some farms. Wages remained between the 80 cents an hour minimum and $1 an hour in specialized crops, with a guarantee of 160 hours of employment in each 4-week period. Group medical insurance was also provided.

ORGANIZATION OF FARMWORKERS

Last year was a dramatic one in the history of efforts of farmworkers to organize. The Agricultural Workers Organizing Committee (AWOC), chartered by the AFL–CIO to work in California, reported that over 12,000 farmworkers had joined their union, despite well-financed opposition from agribusiness. AWOC also estimated that its efforts have resulted in a wage rise of $20 million. Despite this progress, the AFL–CIO executive council announced in July that financial aid to AWOC was being withdrawn. Nevertheless, the farmworkers' union continued to organize, relying upon support from local unions, area councils, and the determination of its staff and membership. After the urging of many groups, including NSF, the AFL–CIO's annual convention in December reversed the earlier decision and pledged the "loyalty and support of the * * * AFL–CIO" for continued farm-labor organizing efforts in California.

The International Brotherhood of Teamsters signed two important contracts with Bud Antle, Inc., and Jim Mapes in California.

The Amalgamated Meat Cutters Union (AFL–CIO), whose agricultural workers division was formerly the National Agricultural Workers Union, began an organizing drive among rice mill workers in Louisiana, led by former NAWU president, H. L. Mitchell.

FARM LABOR IN CONGRESS

While farm labor gained support in Congress, especially in the Senate, no major victories were won this year. Against determined opposition from labor, church, and civic groups, the Mexican farm labor program (Public Law 78) was extended for 2 years with only minor reforms. In signing the extension, however, President Kennedy noted that the administration has "broad authority to regulate the conditions under which Mexican workers are to be employed" and pledged to use it to prevent future adverse effect upon domestic farmworkers.

After 2 years of study, the Senate Subcommittee on Migratory Labor, chaired by Senator HARRISON A. WILLIAMS, JR., recommended a 10-point program designed to end the exclusion of farmworkers from existing labor and social legislation. Five bills were passed by the Senate and sent to the House, where they awaited action at the end of 1961. The Senate-passed bills include support of migrant education and health services, limits on child labor, crew leader registration, and the establishment of a public advisory committee. The remaining five bills, which await action in the Senate, provide for a minimum wage for farmworkers, the right of collective bargaining, housing, stabilization of employment, and child care centers.

In other Federal action, the omnibus housing bill, passed by Congress in 1961, provides for direct low-interest Government loans to both farmworkers and employers for workers' housing.

STATE LEGISLATION

A roundup of State actions on farm labor during 1961 shows a total of 105 proposals introduced in 23 State legislatures. Of these, 23 bills and resolutions were passed by 10 States, 69 were defeated, 1 was vetoed, and 12 received no action or were pending at the end of the year. Some of the new legislation was restricting, however.

In California, the legislature extended the State's disability insurance coverage to farmworkers for the first time, and a $1 an hour minimum wage for women and minors working in agriculture was set by the State industrial welfare commission. Wisconsin extended workmen's compensation to farmworkers. Among other new measures were: funds and facilities for migrant children's education in Colorado, Oregon, Wisconsin, and Pennsylvania; crew leader registration in New York and New Jersey, and cancellation of this requirement in Oregon; legislative or advisory committees on migrant labor established or continued in California, Connecticut, Colorado, and Oklahoma; labor camp licensing in Illinois; and sanitary inspections in California. North Carolina became the eighth State to regulate transportation of farmworkers.

NATIONAL SHARECROPPERS FUND EXPANDS ACTIVITIES

As a result of growing interest in the condition of farmworkers, increased financial support from the public has enabled the National Sharecroppers Fund to expand its programs in 1961.

These include developing wide support for remedial legislation in Congress and in several States. NSF presented testimony to Senate, House, and administrative hearings on the extension of the Mexican farm labor program, the 10-point program of the Senate Subcommittee on Migratory Labor, and on the amendments to Public Law 78.

NSF alerted and cooperated with labor, church, and civic groups on farm labor issues that demanded public action. Thousands of copies of literature were mailed in response to public inquiries, and detailed information was prepared for persons engaged in research and teaching. Ten thousand copies each of the annual NSF report, "The Condition of Farmworkers in 1960," and the special report, "Sharecroppers in the Sixties," were distributed to individuals, groups, and public libraries. NSF also provided speakers for school and radio programs.

The executive secretary of NSF was appointed to the Public Advisory Committee on Rural Areas Development by Secretary of Agriculture Freeman, and participated in a number of national conferences, including that of the National Education Association's Department of Rural Education, where she chaired the panel on education of migrant children.

Grants were provided by NSF for a survey of the conditions of sugarcane workers in Louisiana, and for the pension and insurance funds of retired members of the former Southern Tenant Farmers Union. Contributions were also made to the National Council on Agricultural Life and Labor, and support was given to the National Advisory Committee on Farm Labor and the Migrant Children's Fund.

A major project of the National Sharecroppers Fund during 1961 was a pilot effort in Fayette and Haywood Counties, Tenn., scene of the eviction last winter of 700 sharecroppers and their families. A Tennessee representative of NSF has been working in the area since June 1961 to acquaint residents with available Federal aid programs. After some white leaders refused to cooperate, NSF's representative formed a biracial committee to submit concrete proposals for economic development through the area redevelopment program. Federal technical assistance has been promised to aid the committee in developing industry to employ displaced farmers in Fayette County.

BUDGET BUREAU COMMENTS ON VALUATION OF IMPORTS

Mr. PROXMIRE. Madam President, in the course of hearings which I conducted in December 1961 for the Economic Statistics Subcommittee of the Joint Economic Committee, a question was raised regarding the valuation of imports in our foreign trade statistics.

Mr. Raymond T. Bowman, Assistant Director of the Budget Bureau for Statistical Standards—and I would add an outstandingly competent civil servant whose stature was recently recognized by his election as president of the American Statistical Association—has responded to that question by furnishing a detailed discussion of the valuation of imports for statistical and other purposes.

Since the record of the hearings has been printed, I ask unanimous consent that Mr. Bowman's letter be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

EXECUTIVE OFFICE
OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D.C., February 1, 1962.

Hon. WILLIAM PROXMIRE,
Chairman, Subcommittee on Economic Statistics of the Joint Economic Committee, U.S. Senate, Washington, D.C.

DEAR SENATOR PROXMIRE: You may recall that during my recent testimony before the Subcommittee on Economic Statistics questions were raised with regard to the valuation of imports in our foreign trade statistics. I am writing this pursuant to the commitment which I made to supply a written statement of the position of the Office of Statistical Standards on this matter.

The valuation of U.S. imports has been largely determined by the rule laid down by statute for goods subject to duties based on value. This rule is in fact rather complicated, providing for several alternative methods. In general, however, it results in the assignment of a foreign value, reflecting the value of the merchandise abroad prior to shipment, and therefore excluding ocean freight and insurance charges. Although this rule has not been applied in the past with uniform success to imports not subject to duties based on value, with the result that some freight and insurance charges have been included, new customs procedures recently adopted are expected to improve the consistency of the figures. This official import valuation rule may be referred to, somewhat loosely, as valuation f.o.b. exporting country.

The major alternative method, which is generally in use among other countries and is occasionally suggested for the United States, is referred to as c.i.f. valuation. To the value of the goods in the country of origin is added the cost of ocean freight and insurance involved in shipment to the importing country.

The resulting value is thus higher than the foreign value by the amount of ocean freight and insurance. Estimates for recent years indicate that for our import trade as a whole a c.i.f. valuation would raise the figures by a margin less than 10 percent, although for particular components of trade the percentage would be much higher.

There is something to be said for each of these two methods of valuation. As explained more fully below, c.i.f. valuation is the more appropriate measure of imports in relation to the domestic economy; f.o.b. valuation may be more appropriate in other contexts, particularly when the emphasis is on international payments. Ideally, a statistical system should produce both. However, this would be expensive and might be confusing, and to my knowledge it has not been seriously proposed except for the more limited proposal that we produce supplementary tabulations of a less detailed nature on a c.i.f. basis for publication by the U.N. in conjunction with similar data from foreign countries. If one were called upon to make a clear-cut choice between the two methods of valuation on purely statistical grounds, the choice would be a difficult one.

The fact is that neither this Office nor the other governmental agencies most concerned with foreign trade statistics have had occasion to make such a choice. The

fact that our tariff legislation has provided for valuation at foreign value has been generally accepted as decisive, and the question of maintaining our foreign trade statistical program on a different basis has been regarded as academic.

While it is fair to ask whether the law should be changed so as to provide for c.i.f. valuation, we in the Office of Statistical Standards have not felt that we have had any mandate to raise such an issue. A change in the method of valuing imports for duty assessment would raise important policy and administrative issues as well as statistical issues. Since c.i.f. values are higher than foreign values, a change in the official valuation would entail either higher effective duties at the present rates or a rewriting of the schedule of tariff rates to afford the same degree of protection at the new values as is intended at the present values. Such a change in the interest of providing c.i.f. import statistics could hardly be justified except on the basis of a consensus among users that there is a clear superiority in the c.i.f. data and an urgency in making the change. We have found no such consensus. Indeed in our frequent dealings with governmental users of these data we have found relatively little interest in this issue.

In the face of these considerations and in the absence of any clearly established net gain to be achieved by a change to a c.i.f. basis, it has been our position that the import valuation issue is not one of major importance.

We do not regard the issue as closed, and we recognize that developments in the field of foreign trade policy and in the uses to which statistics are put may bring changes in our own evaluation of the data and that by the major users. We shall therefore continue to be alert to this issue and receptive to the testimony of those dependent on the data.

I have stated above that both the c.i.f. and the f.o.b. basis for valuation have their respective advantages for particular types of analysis, and it may be useful to explain these advantages more fully. On behalf of c.i.f. valuation it may be said that we ordinarily think of the economic value of a commodity in a particular market as including all costs incurred up to the point of sale, and that we do not therefore separate out the transportation and other distribution costs. In an analysis of imports in relation to domestic production or consumption, c.i.f. values approximate more closely the values at which imports move into domestic trade. Thus it could be misleading to use the foreign value as a measure of the impact on the markets of the importing country of a bulk import for which transportation costs constitute a large proportion of the ultimate price. (It should be added, however, that even the c.i.f. figure is not strictly comparable with domestic statistics of production or consumption of a dutiable commodity since it excludes the duty which enters into the domestic price.)

When imports are valued c.i.f. and when exports are valued f.o.b., as they are by this country and most others, there results a certain kind of consistency between import and export figures, in that both are valued at the border of the country in question, with exports exclusive of, and imports inclusive of, costs of ocean transportation.

On the other hand there are equally, perhaps more, important uses for which the f.o.b. figure is superior to the c.i.f. In the analysis of foreign trade as such, with emphasis on its effects on international payments, the use of foreign value figures may be indicated. Economists have long argued that in discussions of international relations, a preoccupation with merchandise trade and trade balances to the exclusion of other types of transactions is misleading. A consideration of the nation's international position must take account not only of merchandise trade but of a variety of other transactions including transportation services, tourism, investment, loans, and gifts. Since these various types of payments respond to different sets of influences, it is important to measure and analyze them separately to the degree that this is possible. This is done in the body of statistics known as the balance of international payments, of which the trade figures comprise the major component.

In this context it is important to recognize that a c.i.f. import figure is not necessarily a measure of an international payment, since the freight and insurance may have been provided by U.S. companies. Moreover, even if part or all of this cost of ocean transportation were provided by foreign interests, and hence the occasion of an international payment, it is not necessarily a payment to the country from which the merchandise came, and hence the geographical allocation of it to the supplying country which occurs automatically in a c.i.f. figure is misleading. It is our practice to attribute only the merchandise to the country of origin. Estimates of freight and other costs of ocean shipping are made separately, from other data sources, and are incorporated into the comprehensive summary of the balance of international payments, broadly allocated according to regions of the world.

A related point is that since the commodity cost and the costs of ocean transportation are affected by different sets of forces, any analysis of commodities in international trade as such is more precise if carried out with foreign value figures, so that, for example, changes due to changes in ocean freight rates are not misinterpreted as reflecting basic changes in the cost or prices of the products at their source.

Although, as explained above, there is a certain consistency in valuing both exports and imports at the border, there is another kind of consistency in valuing both prior to ocean transportation. And this latter kind of consistency may indeed be much more important in connection with the problem of international comparability of figures.

This question of international comparability has attracted considerable attention in the discussion of valuation methods. It is of course true that most other countries use the c.i.f. basis for their imports, that the United Nations has recommended its use internationally, and that in our use of the f.o.b. basis we, along with Canada and less than a score of other nations, may be said to be out of step with the rest of the world.

This, however, must not be taken as evidence of the conceptual superiority of the c.i.f. method. In the selection of a U.N.-sponsored international standard to promote international comparability of foreign trade data, the case for c.i.f. was strengthened by (though by no means wholly based on) the simple fact that most countries already were using this basis. While we strongly endorse the objective of international comparability, we do not necessarily conform our own statistical program completely to an international standard if our objectives can better be met by the preparation of supplementary tabulations for international use, a project which has been considered intermittently.

Adoption of c.i.f. by this country would make our trade data more comparable with those of other countries in one sense—in that both would reflect the same concept—but would make them less comparable in another important sense. If all countries were to value imports c.i.f. a given flow of trade from country A to country B would necessarily be treated inconsistently by the export statistics of A and the import statistics of B, since the one would exclude while the other would include ocean freight. F.o.b. import figures avoid this inconsistency, since both country A and country B value the merchandise in the country of origin exclusive of ocean freight. This type of consistency makes possible comparisons of the figures of trading partners for the same components of trade, and facilitates investigations of discrepancies in these figures.

Much of the interest in the problem of international comparability stems from a feeling that our method of valuation puts us at a disadvantage when our figures are used for international comparisons and particularly in connection with trade negotiations. This reflects the significance commonly attached to imports and the trade balance both in total and for particular segments of trade.

An alleged undervaluation of our imports in relation to the imports of others may in theory take on significance in trade negotiations if imports are regarded as a measure of sacrifice or loss experienced by the importing nation entitling it to consideration by its trading partners in negotiations regarding trade barriers. C.i.f. import figures are larger than f.o.b. figures. It is argued that a nation comparing its import figures with those of other countries, or balancing them against its own export figures, can make a more effective plea for consideration at the hands of trading parties—i.e., can better demonstrate sacrifice or loss through international trade—if it uses c.i.f. than if it uses f.o.b. figures. And if one nation uses f.o.b. figures while most other nations use c.i.f., it may find itself at a debating disadvantage to the extent that the margin between c.i.f. and f.o.b. is significant.

One may agree in the abstract that such use of our import figures in comparison with those of other countries in trade negotiations might lead to some disadvantage if the differences were not known and allowed for. The question is whether our negotiators are so naive as to be taken advantage of by reason of this statistical difference. In the absence of evidence of serious official concern about this problem on the part of the interested agencies, we have not regarded it as a serious problem.

This review of the arguments for the respective valuation methods should indicate why although we continue to be open-minded on the issue, on balance we have found no clearly indicated superiority for either method, and certainly no basis for proposing a change with all that this would entail with respect to the tariff statute.

I repeat, we are interested in cooperating in the United Nations efforts toward international comparability, and it has been a matter of some regret that we have not yet felt able to prepare summary tabulations on a c.i.f. basis for submittal to the U.N. and publication in its compilations of world trade statistics. This project has been repeatedly discussed, but lacking any real support among governmental users of the data it has a low priority and has not yet found a place in the budget. We do not have an up-to-date estimate of the cost of such a project, and among our plans for the coming months is a review of this matter in anticipation of future budget recommendations.

I very much appreciate this opportunity to place our views on this matter in the record.

Sincerely,

RAYMOND T. BOWMAN,
Assistant Director for Statistical Standards.

SBIC PRESIDENT BACKS $500,000 LIMIT ON LOANS OR INVESTMENTS TO SINGLE FIRM

Mr. PROXMIRE. Madam President, Mr. Frank W. Norris, the president of Capital Investments, Inc., a small business investment company in Milwaukee, Wis., recently testified before the Select

Committee on Small Business at the special hearing held in Chicago.

I think Mr. Norris' testimony is an excellent summary of the purposes of the small business investment program. It also provides some useful comments and cautions on possible distortions in the program which may take it away from its original purposes.

I want to call special attention to Mr. Norris' endorsement of the $500,000 limit on loans or investments by a SBIC to any one small business firm. This limit, based on a Proxmire amendment to the Small Business Investment Act, was enacted into law last September. Mr. Norris states that he "thoroughly disagrees" with the interpretation placed on the limitation by the Small Business Administration, which permits a 50-percent exemption from this limit.

Mr. Norris appropriately likens this exemption to the ancient 16th century system of indulgences, under which those who did good could earn the right to sin in equal proportion. This outdated behavior code, Mr. Norris observes, has now been written into the official regulations governing the behavior of SBIC's.

Mr. Robert L. Banner, the assistant vice president of Capital Investments, has sent me a copy of Mr. Norris' statement. I ask unanimous consent that Mr. Banner's letter and the statement be printed at this point in the RECORD.

There being no objection, the letter and statement were ordered to be printed in the RECORD, as follows:

CAPITAL INVESTMENTS, INC.,
Milwaukee, Wis., March 20, 1962.

Hon. WILLIAM PROXMIRE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR PROXMIRE: I am enclosing a copy of the testimonial given by Capital Investments to the Senate Small Business Committee at its hearing in Chicago, February 26, 1962.

We thought you would be interested in our comments, even though they have not proved to be popular.

Yours very truly,

ROBERT L. BANNER,
Assistant Vice President.

TESTIMONY BY CAPITAL INVESTMENTS, INC.

My appearance here today is to identify our company with those of the industry who believe that the Small Business Act of 1958 was conceived on sound principles and designed to create a money facility which was not previously in existence.

We believe that the equity gap truly existed in certain financial areas and that a new financial organism had to be established to meet this need. I emphasize my use of the word "new" financial organism as opposed to the word "more."

There is little purpose to dwell on the adequacy or inadequacy of capital suppliers catering to the large capital user. We believe it to be self-evident that an increased demand for organizations servicing this area of capital requirements would be supplied if needed without the coaxing of Congress.

However, it is generally agreed that the capital needs of many worthy small businessmen could not be served economically through existing channels prior to the 1958 act, and obviously Government assistance was required to supply the incentive to build the commercial agency to provide this known need.

The SBIC's created by the act, as we see it, are licensed to serve this heretofore noncompetitive area by providing capital funds to the smaller business concerns.

Congress recognized that this activity had attached to it an inherent risk above and beyond the risk involved in a similar transaction normally offered to the public in the marketplace. Therefore, certain negative tax advantages were granted to SBIC stockholders in recognition of this higher risk. Since these same tax advantages are not available to investors in the usual course of business, this tax-privileged group should not be permitted to operate in an area which directly competes with existing organizations whose profitmaking activities are fully taxable.

I do not wish to infer that these tax benefits available to SBIC shareholders are unnecessary or improper but it is only reasonable to conclude that if SBIC's are arbitrarily permitted to abuse their territorial rights, these tax benefits will be exposed to well-deserved criticism.

We believe that it is entirely proper to hold all SBIC's to the $500,000 limit per borrower whether served by one or a group of participating firms. We feel that the Investment Division of the SBA should be given the authority to grant specific exceptions to this rule, but only after fully reviewing the pertinent facts of the investment under consideration.

I thoroughly disagree, however, with the current rule under which operations are now limited. This rule is similar in many respects to the ancient 16th century systems of indulgences whereby do-gooders could earn the right to violate the rules in somewhat the same proportion in which they had obeyed them. Under present SBA regulations, we are equating this 16th century practice into SBIC investment behavior.

If the $500,000 rule is a good limit, then it should be obeyed under all circumstances regardless of the SBIC's capital limit or its individual investment-getting necessity unless formal approval is provided by the SBA Investment Division to allow for specific exceptions.

It appears to us that many SBIC's unwisely gathered a large amount of public dollars in the public underwriting of their stock and are being forced by this excessive accumulation to invest in large business organizations and in large dollar amounts to acquire necessary earning assets. It seems unreasonable that a special set of regulations should be devised to cater to this mistake.

I am not attempting to interpret the intent of the legislature which gave much time and study to the Small Business Act of 1958 prior to its passage. I merely wish to endorse the proposed limit rule as being proper and adequate.

I realize that certain circumstances might require the investment of funds over and above the established limit but I believe that the SBA should reserve the right to pass upon the propriety of all such investments.

To support our endorsement of the $500,000 limit, I am prepared to report on the operating experiences of Capital Investments, Inc., of which I am the president.

Capital Investments, Inc., was the 11th SBIC in the Nation to be licensed, and was among the first 10 to offer its stock to the public.

Our stock was issued in September of 1960 at $11 per share and reached a market price of 10¾ shortly after the issue. From that low point, its market price climbed steadily to its present bid price of 19.

Estimated operating earnings for the year ending March 31, 1962, are $2.28 per share before reserve for income taxes, including $1.68 per share capital gains.

The largest total issue in which our company participated to date was $500,000.

Capital Investments has made two requests of the SBA to consider transactions of over $500,000. One such request was refused, and the second is still under consideration pending receipt of additional data.

The total assets of Capital Investments, Inc., at January 31, 1962, were $1,183,398. Ninety-five percent of our total assets is presently invested, or under formal commitment.

Our stock is selling at a price of over 70 percent above its original issue price. According to an article appearing in the February 15, 1962, issue of Forbes magazine, our market price appreciation has been exceeded by only two other SBIC's in the Nation.

We at Capital Investments earnestly believe that we are supplying a much needed capital service to worthy small business concerns which are materially benefiting by our capital assistance.

Our operating results for the fiscal year ending March 31, 1962, should be adequate proof of the economic soundness of our operating practices.

We are very interested in continuing to serve the small business concern with capital assistance, and we are perfectly willing to be regulated consistent with sound business practices within the intent and purpose of the Small Business Act of 1958. We feel that the SBIC industry on the whole should be similarly content.

Mr. PROXMIRE. Madam President, I yield the floor.

FALSE ATTACK IN PUBLICATION ROLL CALL

Mrs. SMITH of Maine. Madam President, a public official—and particularly Members of Congress—must expect all kinds of attacks, from serious to petty, from justified to unjustified, from sincere to contrived, from accurate to false.

I, myself, have been the target of many attacks and have become somewhat accustomed to them. However, I think probably the most petty, unjustified, contrived, and false attack ever made on me by a newspaper was that on the front page of the March 28, 1962, issue of Roll Call.

Within the short space of 16 lines in one column that publication managed to make 8 very specific falsehoods against me. For those who read the snide article, I would make the following corrections:

First. My stolen TV set was not a color set—it was a black and white set.

Second. It was not an expensive set.

Third. It was not stolen in broad daylight but instead, during the night, as I did not leave the office until after sunset that day.

Fourth. It was not stolen on the day of the Glenn orbit.

Fifth. I did not go into orbit.

Sixth. I did not taunt the Sergeant at Arms.

Seventh. I did not look into the police setup.

Eighth. I did not uncover Captain Harris, as I had never even heard of him until I read the story in the Washington Post.

This would be somewhat of a comedy of errors if it were not for the most serious misrepresentation of all—not a stated misrepresentation—but the clearly implied overall misrepresentation that I was the source of the information and the motivation for the Washington Post story written by John Lindsay.

The falsity of this tone of the story is revealed in a letter written to the editor and publisher of Roll Call by Mr. Lindsay in which he stated:

The unfortunate implication that a reasonable man may draw from a story on the front page of this week's issue of Roll Call is that Senator MARGARET CHASE SMITH, Republican, of Maine, was somehow involved as a source of information on the Captain Harris story. This is simply not true. I wrote the story for the Washington Post and the source of the information was an official publication of the U.S. Senate; namely, its quarterly reports on job titles and pay, published pursuant to a Senate resolution of the 86th Congress. I study this publication when it appears and it was obvious to me when Captain Harris' name appeared on the roster of the Capitol Police that something was afoot, there being only one captain of the Capitol Police. He is actually assigned to the Capitol by the Metropolitan Police Department. His name is not Ephram Harris. A comparison with the previous quarterly report revealed that Harris was carried through most of last year as a telephone operator. As a newspaperman, you know that nothing more was needed except explanation. At no time before or after did I discuss this with Mrs. SMITH or with anyone employed by or connected with her office.

In other words, both in fact and tone, the Roll Call article was false. The only allegation in the article with respect to me that was true was that I was perturbed over my set being stolen. I assume that that was a natural reaction as I do not know of anyone who would not be disturbed by having his television set stolen.

And as to Editor and Publisher Yudain's personal characterization of me as being "caustic," that is a matter of his personal opinion which is significant in that it reveals the motivation and purpose of the false article against me.

I would hope that the regular readers of Roll Call would find other articles in that publication more accurate than the false and snide article against me.

Mr. MANSFIELD. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNEMPLOYMENT

INTRODUCTION

Mr. BUSH. Madam President, on March 8 the Joint Economic Committee released its annual report on the Economic Report of the President. In separate views, the Republican members of the Committee said that the continued high rate of unemployment and the persistent deficit in the Nation's balance of payments were our two most serious domestic problems.

Today, as ranking minority member of the Joint Economic Committee, I wish to discuss in more detail the Republican position on one of these problems, unemployment. These remarks not only reflect my own views, but they are shared by the other minority members of the committee—Representatives THOMAS B. CURTIS, CLARENCE KILBURN, and WILLIAM WIDNALL, and Senators JOHN MARSHALL BUTLER and JACOB K. JAVITS.

Madam President, we believe that our unemployment problem—serious today—could become staggering by the end of this decade unless vigorous yet realistic action to combat it is taken on all levels of Government and in the private sector. Until we solve the unemployment problem, America will not be "on the move."

DIMENSIONS OF THE PROBLEM

The dimensions of the problem facing us are much greater than official figures indicate. A cheer went up in the administration when Labor Secretary Goldberg recently announced that the seasonally adjusted rate of unemployment fell from 5.8 percent to 5.6 percent of the work force from mid-January to mid-February. In other words, after 13 months of recovery, unemployment finally fell to the average level of the 1960 recession year.

Translated into people, more than 4.5 million persons are still out of work. In Connecticut alone, 68,900 people, or 6.3 percent of the labor force, are unemployed.

Not everyone has been swept away by optimism over the apparent progress being made in combating unemployment. On February 24, the AFL–CIO executive council said "a more adequate and aggressive program" was required to meet the Nation's needs.

It called the President's approach "overly timid." On the same day, Assistant Senate Democratic Leader HUBERT HUMPHREY was quoted by the press as saying of the administration's efforts in this area:

> There has to be a greater sense of urgency than now prevails.

While we may not agree entirely with the prescriptions offered by the AFL–CIO or by Senator HUMPHREY, we share their deep concern.

Why, when certain Labor Department statistics are improving all the time, is there still so much continuing concern about our unemployment problem? The answer is because the indicators tell only a part of the story.

Consider the following, for example:

First. Hidden unemployment. While their plight is not reflected in the unemployment totals, nearly 2.2 million Americans are involuntarily employed on a part-time basis. These people want and need full-time work but cannot find it. Although down from last February, their ranks were swelled by nearly 100,000 persons from mid-January to mid-February of this year. This was one factor which prompted Labor Secretary Goldberg on March 7 to admit:

> We have a major problem on our hands.

Second. Long-term unemployment. The number of persons unemployed over 6 months was higher in 1961 than for more than two decades. It stood at 804,000, or nearly 80 percent higher than the 1960 average. Secretary Goldberg told the Joint Economic Committee last month that the current rate was at "a very high level indeed." Even more alarming are indications that the overall 1962 average may be even higher than in 1961. The 1962 mid-February rate of 703,000 was not only higher than in January, but it was also higher, by 29,000, than in mid-February of last year, when the recession was at its worst.

Long-term unemployment of over 15 weeks has also increased sharply, rising from 956,000 in 1960 to over 1.5 million in 1961. In February of this year, the figure still stood at over 1.4 million. According to the Labor Department, long-term unemployment of 15 weeks or more has moved up to above 32 percent of total unemployment from only 25 percent prior to the 1960 recession. We must never forget that these cold, impersonal statistics reflect the hardship of countless families of unemployed auto workers in Detroit, coal miners in West Virginia, factory workers in Connecticut, and many others.

Nor should we forget that, by and large, the burden of long-term unemployment falls most heavily on the young and inexperienced worker, the Negro, and workers over 45.

Secretary Goldberg told the Joint Economic Committee that 33 percent of the very long-term jobless were men over 45, that 24 percent were Negroes, and that 9 percent were young people without previous work experience. Yet, he said that these groups, respectively, account for only 25, 11, and 1 percent of the civilian labor force.

Third. Duration of unemployment. The average duration of unemployment was 12.8 weeks in 1960. It jumped to 15.5 weeks in 1961. In the fourth quarter of 1961, when we were supposedly well along the road to recovery, it stood at 16 weeks. In February it was 16.1 weeks. So the average period of unemployment is becoming longer.

Fourth. Lag in the growth of the labor force. The Bureau of Labor Statistics predicted an increase of about 1 million in the total labor force during 1961.

What actually happened? The increase was less than 300,000, or about the same number as was called up by the Armed Forces, largely in October and November, precisely when the reported rate of civilian unemployment dropped from 6.8 to 6.1 percent. The 700,000 persons who were lost to the labor force, mainly for lack of job opportunities, will probably enter the labor force as recovery proceeds. When this happens—and in this we are supported by testimony of Walter Reuther before the Joint Economic Committee—unemployment will jump sharply. On March 12, Representative ALBERT RAINS, Housing Subcommittee chairman, estimated that if the labor force had shown its normal growth in 1961, "we would be speaking of well over 5 million unemployed."

Fifth. Shifts in employment. The Labor Department, March 13, admitted that of the industries which experienced employment cutbacks during the 1960–61 recession only the trade classification gained its May 1960 prerecession level by mid-February of 1962. Even after gaining 600,000 jobs during the recovery, manufacturing is still 450,000 jobs shy of the prerecession level, while the job

total in the construction, mining, and transportation group is also 450,000 less than in May 1960 and 100,000 less than at the bottom of the recession last February. Only jobs in the service industries have sharply increased, and much of this is in Government employment.

CAUSES OF UNEMPLOYMENT

Faced with a serious unemployment situation, we believe it essential to recognize the basic causes of the problem and then to seek out and apply the right remedies.

This the administration has failed to do. It has looked backward to the past both for causes and solutions. It considers our unemployment problem largely cyclical in nature and prescribes its favorite antiunemployment device—higher Government expenditures—as the cure-all for lagging demand. It persists in this policy in spite of the fact that it did not work in the 1930's and is not working now.

As if to prove its persistent attachment to error, the administration has now made the grandiose but largely empty gesture of asking Congress for $600 million for public works projects, in addition to the $2 billion already requested. This proposal is an extraordinary confession of failure by the administration. One can only wonder what pressures led to such a hastily contrived and ill-conceived proposal. It certainly is no solution to the unemployment problem. Estimates show that it will reduce unemployment by about 150,000 workers or by slightly over 3 percent of the 4.5 million jobless, and then only over a 2-year period. In the meantime, it diverts our attention from the real causes of the problem, further delays a genuine solution, and makes the job problem even more acute by inducing inflation. It is another illustration of this administration's preference for giving the appearance of action to really grappling with the hard, complex problems facing this country today.

Madam President, I ask unanimous consent to have printed at this point in the RECORD an editorial entitled "A New WPA?" published in the Washington Post of March 29, 1962.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

A NEW WPA?

The President's recommendation for a $600 million public works program correctly diagnoses the need for a stimulus to speed the lagging recovery. His therapy is far more dubious.

The high estimates of gross national product in 1962 put out by the administration have been questionable from the beginning. Events since January have made them more questionable, and the administration seems about to recognize this. Hence the President proposes to spend a total of $600 million, of which $25 million would go out in fiscal year 1962, if the Congress acts promptly, $350 million in fiscal 1963, $225 million early in fiscal 1964. The money is to be spent on capital projects that can be quickly initiated or accelerated and that can be completed within 12 months after start-up. It is to be spent in 958 areas comprising 38 percent of the population.

A program of this sort has the earmarks of economic ineffectiveness and political mischief. The immediate stimulation in any case would be small—witness that only $25 million would be spent in the next 3 months in the uncertain case that the Congress acts promptly. The money would be spread very widely, over 38 percent of the population, which works out at an average of $8.60 per head in those areas. It will not be concentrated on the real trouble spots. To select projects by the criterion that they can be terminated within 12 months means to rule out from the start any new major construction and many other high priority projects. What this comes down to is a new WPA, with priority on getting out the money and only secondary regard for what is produced by it.

The political overtones of the proposal are plainly audible. A wide range of localities, far beyond the areas of greatest need, is made eligible because that is the way to bring on board the necessary number of legislators. This means also that the administrator, whoever he may be, will have wide latitude in selecting locations. Much money will be wasted doing low-priority things to get done a few with high priority. Projects based on such criteria of need, moreover, give little hope of ever coming to a logical end. Permanent pork barrel for the administration is the most likely end of the story.

The economy needs stimulation, but not so desperately that time could not be spared to look for a better way of applying it. Activity continues to go up, after all, and is expected to keep going up. The Nation can afford to do this in a way to get the most for its money. In fact, given the urgent need to raise productivity, it cannot afford to do it any other way. The administration can justify a tax cut that would enlarge the now badly mutilated investment tax credit for new equipment. It can justify public works expenditures for well selected public investment that will increase output in later years. Compared with these alternatives, the WPA approach is the least attractive. Almost 30 years after the invention of that institution, the administration should be able to think of something better.

Mr. BUSH. Madam President, if the administration were right about the nature of the unemployment problem we face today, unemployment would have dropped dramatically with the increase in output and demand associated with recovery. This is precisely what happened in the three previous postwar recoveries. What happened this time?

Real gross national product last year grew about as fast as during earlier recoveries. Nine months after the slump hit bottom in February 1961, real GNP had gone up by 7.1 percent, compared with 6.8 and 7.6 percent in the two previous recoveries. Real GNP rose 11.1 percent in the 1950 recovery, mainly because of the sudden Korean war spending.

Yet in spite of this normal increase in output in 1961, Walter Reuther was able to come before the Joint Economic Committee and report what he termed "a shocker." Nine months after the bottom of the current recession, he said, unemployment had been reduced only 7.3 percent, contrasted with 20 to 30 percent in the earlier recoveries.

Looked at in another way, the increase in nonfarm jobs 11 months after the recession bottom in February 1961 was 946,000, compared with 1.9 million, 2.1 million, and 3.4 million in the other postwar recovery periods.

Remember, too, that these are nonfarm jobs. If we add farm jobs—which have been lost at an increasing rate—the picture now is even more distressing than in previous recoveries.

To make matters worse, a noneconomic factor—the callup of nearly 300,000 persons into the Armed Forces—accounted for a large part of the relatively modest decline in unemployment in 1961. Furthermore, of the employment gain, about 250,000 new jobs were accounted for by State and municipal employment and 70,000 by an increase in Federal civilian employment.

Thus, only one-third of the overall increase in employment was provided by the private sector. The rest was accounted for by stepped-up Government employment and by the fact that people moved into jobs vacated by those called into the armed services.

On the demand side, personal consumption expenditures on both a total and a per capita basis and Government purchases of goods and services hit record highs in 1961. Gross private domestic investment stood at the highest level in our history.

Taking the administration's own figures, we submit that with 7 percent of the labor force totally or partially unemployed during a period of brisk recovery, there is obviously a hard core of unemployment which is not readily affected by increased demand.

Actually the figure of 7 percent totally or partially unemployed may be too low. Out of a total civilian labor force of about 70 million persons, there are now 4.5 million unemployed and another 2.2 million nonagricultural workers involuntarily employed on only a part-time basis. This adds up to 6.7 million persons, or over 9 percent of the civilian labor force. If we were to add underemployment of agricultural workers, the figure for total and partial unemployment would be even higher.

We agree that demand must remain high if we are to enjoy prosperity. But the artificial and excessive stimulation of demand by the Federal Government cannot drive unemployment down to acceptable levels because it does not get at the basic causes. It is an inflationary force tending to raise prices, which hurts everyone. It also inhibits U.S. sales in world markets. Under such a policy our employment and balance-of-payments situations can only deteriorate further.

The administration's obsessive concern with artificially stimulating demand diverts our attention from the real nature of the problem before us. At root, that problem is one of deep-seated and massive changes which are transforming the economic structure of our Nation. These changes are signs of vitality, not stagnation. But the adjustments they force cause personal hardships, including transitional unemployment, sometimes of long duration.

We must identify the structural causes of our hard core unemployment and attack them with both general and selective weapons. These causes include: First, a pace of technological development so rapid that to describe it we have coined a new word—automation; second, the migration of industry; third, changes in the use of our resources; fourth, new

patterns of consumer demand, from hard goods to services, as incomes rise; fifth, high costs which impair our competitive position domestically and in the world; and sixth, an increase in that proportion of our labor force, made up of young people, workers over 45, and Negroes, which often suffers from discrimination and which, additionally, frequently possesses no skills or obsolescent skills.

The evidence that these factors largely account for our unemployment problem is abundant. We have already cited the failure of unemployment to drop significantly with increasing demand and output. In addition, the Bureau of Labor Statistics has said that long-term unemployment, which we have shown is growing, "provides at least a rough index of the trend in structural unemployment." The concentration of unemployment in certain industries, areas, occupations, and population groups lends further weight to the structural theory, as does the continuing shift in employment from goods-producing industries to service, distribution, and technical jobs. The impact of automation is clear. Fewer men can now produce more goods. Walter Reuther told the Joint Economic Committee that from 1953 to 1961 the decline in the number of production workers offset by the gain in white collar and technical employees resulted in a net reduction of 6 percent in manufacturing workers. Yet during the same period, he said, 24 percent more goods were being turned out. This technical revolution means that fuller utilization of our industrial capacity no longer guarantees a rising number of jobs.

ATTACKING THE PROBLEM

Mr. President, how do we attack this problem? Some progress in recognizing and attacking some of these structural problems has already been made, such as the passage last year, with bipartisan support, of the area redevelopment bill. We are also pleased that the manpower training and development bill, that became law in March, was very largely the version drafted by a Republican, Representative GOODELL, of New York, and was officially supported by the minority.

But much more needs to be done in certain areas. We do not paint the picture too darkly when we warn that an explosive social situation is developing in this country. Millions of anxious and brooding young people, older workers, and Negroes are suffering the frustration, hardship, and indignity of long-term unemployment. It is imperative that we recognize the gravity of the situation, and act to:

First. End the shameful waste of the talents, experience, and maturity of increasing numbers of workers over 45.

Second. Train high school "dropouts" to lives of useful and satisfying employment, and better prepare the young people still in school to meet the requirements of our modern society.

Third. End the all too frequent discrimination in employment against our Negro and other nonwhite citizens.

These problems, largely the products of automation, deficiencies in our educational system, and poor social attitudes, are bound to grow worse as the size of our labor force soars in the years ahead. The labor force will probably grow to 87 million persons by 1970, or about 14 million persons more than last year. In fact, during the 1960's we are facing the largest net increase in workers for any 10-year period in our history. And, even more sobering, the rate of increase will be largest in the age groups now suffering the highest rates and the longest duration of unemployment. The number of workers under 25 years of age is expected to increase about 46 percent by 1970; and the number of those over 45 years of age will increase by 20 percent.

Secretary Goldberg told the Joint Economic Committee that, considering the normal increases in the labor force, the need to find jobs for workers offset by advancing technology, and the need to provide full-time work for those now involuntarily employed part time, it would require 5.5 million new jobs to bring unemployment down to 4 percent by January 1963. As Secretary Goldberg said, this is "quite a formidable goal." Looking at the projected trends in labor force growth and in technological developments, the 4-percent unemployment goal may be even more formidable by 1970 unless we take the action that is needed now.

There is no magic formula to cure our unemployment problem. The dedicated and vigorous efforts of many persons at all levels of government and in private life will be needed in order to solve the urgent and highly complex tasks before us.

These efforts must be concentrated on the application of both general and selective remedies to ease the hardships of the long-term unemployed, to upgrade the Nation's skills to meet the needs of the technological revolution, to remove impediments to investment and growth in our free society, and to end the discrimination which affects many of our youth, older workers, and Negro citizens.

Among the general remedies, we believe that this country must maintain a healthy and sustainable rate of economic growth, in order to provide jobs for all who want them. The Federal Government can best contribute to this end, and to correcting cyclical unemployment, when it occurs, by following sound fiscal and monetary policies.

And, Mr. President, let me say that if we cannot balance our budget when we are making new highs of national income and gross national product, when do we expect to balance it? However, instead of balancing the budget in this fiscal year, we now face a deficit of approximately $8 billion; and those who thought we could balance the budget in fiscal 1963 have just about thrown up their hands in despair, and now we are beginning to hear estimates of a deficit of $2 billion or $3 billion or $4 billion for the fiscal year beginning July 1. Mr. President, this is not sound fiscal policy. In order to inspire the confidence of the people, the confidence of the savers—both corporate and individual—of this country, we must inspire their confidence in the fiscal policies and in the fiscal stability of the United States.

The problems of encouraging domestic economic growth and achieving full employment in an expanding economy—as well as correcting our balance-of-payments deficit—would diminish with a substantial increase in productivity in our industrial plant, provided prices to the consumer were reduced at the same time.

Mr. President, Chairman Martin of the Federal Reserve Board told the Joint Economic Committee:

> Much of our postwar economic trouble has been brought about by pricing consumers out of the market instead of into it.

The surest and the soundest way of bringing consumers back into the market is to lower prices by sharply increasing productivity, while restraining wage and profit increases. The result would be increased demand, higher output, and more employment, and without inflation. Deficit spending designed to increase demand at the high price levels now prevailing may succeed for a while, but it inevitably leads to even higher prices and a worsening of all our economic problems.

We do not mean to imply by this that workers and management should not share with the consumer in the benefits of greater productivity. The problem comes in trying to spell out precisely how the rewards of increased productivity should be allocated among workers, producers, and consumers. Some increase in wages would spur demand; higher profit margins would encourage job-creating investment; and reduced prices would stimulate consumer expenditures. In general, we feel that wages and profits should increase as productivity increases, but that they must be kept well within the limits of productivity gains in order to leave room for significant price decreases.

After all, price decreases in consumer goods are indirect wage increases, and this fact should never be lost sight of. If we could bring about a 10-percent reduction in consumer prices, it would be the same as a 10-percent increase in the wages of working men and women of this country.

In other words, management and labor, which now seek to maximize profits and wages by meeting limited demand at high prices, must start thinking in terms of maximizing profits and wages by meeting a much greater demand at lower prices.

How can we achieve the greater productivity which will make lower prices, higher output, and increasing employment possible? Primarily by new investment which takes advantage of every technological development to modernize our industrial plant and equipment. All of our experience proves that in the long run this will provide more, not fewer, jobs.

More liberal depreciation allowances is one fair and effective way of removing impediments to the modernization of industry and creating new job opportunities. In fact, we think the administration was neglectful for not liberalizing allowances early enough to remove this impediment to recovery during the 1960–61 recession. In a world in which technological change is very rapid, depreciation schedules must be changed to permit investment costs to be written off over the useful, competitive life of the equipment rather than over the period of its physical life.

The administration is trying to put through a tax credit as an incentive, and it is an incentive which, generally speaking, business management does not want. What they want is more freedom in connection with depreciation policies which will give a greater opportunity to build up depreciation reserves and establish reserves which will enable them, as their equipment becomes obsolete or uncompetitive, to replace it with new equipment or to use the reserves for expansion of plant and the creation of new job opportunities. The proposed tax credit will not provide businessmen with that kind of incentive, and we have much evidence of that fact from business leaders throughout the country, and particularly the small business people. They see very little stimulus in it or opportunity to create reserves that they need so much to renovate and modernize their plant and small business operations.

We favor a general revision of the tax laws which would work to increase savings, both corporate and individual, and serve to encourage capital formation for the expansion of job opportunities.

We also support the establishment of a Peace Production Board, first proposed by the Senator from New York [Mr. JAVITS] to indicate priorities required to accelerate national productivity and to encourage the formation of plant, community, and industry-wide labor-management-public committees designed to work in mutual self-interest for increasing productivity. In fact, one provision of the recently enacted manpower training and development law provides for the encouragement of such committees in an effort to get support at the grassroots level for labor-management cooperation.

The selective remedies needed to help solve our chronic unemployment problem include the strengthening of the unemployment compensation system, which is our strongest weapon for cushioning the hardships of those forced out of work.

The fact that even in this period of high unemployment jobs are going begging indicates that we must improve the U.S. Employment Service so that it can better serve to bring together what has been aptly called "the jobless man and the manless job." Ways should also be found to improve the coordination of efforts between those helping the man or woman who is out of work through compensation payments and those helping to find the unemployed a new job or to equip him with new skills.

Some progress in upgrading the Nation's skills can be made under the provisions of the manpower training bill, as well as under the public service training provisions of the proposed youth opportunities bill, particularly where the cause of unemployment is economic and not motivational, as is so often the case. We have to recognize, however, that these programs are limited in what they can do. State and local governments as well as private groups and individuals must play the major part in retraining older workers and in providing up-to-date training for young people.

Another area which requires further exploration is the encouragement of worker mobility. As difficult as the problem is, we should continue to seek sound and sensible ways of fostering and assisting the voluntary movement of workers from areas of high unemployment to those of relative labor scarcity. We should also seek to facilitate those movements of workers which are normally required in a dynamic economy and which sometimes result in frictional unemployment.

The injustice and waste caused by discriminatory employment practices is indefensible. It should be a matter of public policy that hiring be done on the basis of individual merit and ability to do a given job regardless of a person's race, creed, age, or sex. We think the Federal Government can and should play a more positive role in this area, but here again local efforts are essential if we are to make any real headway against the problem. What can be done by private groups was demonstrated last week when the Washington Urban League and the Merchants and Manufacturers Association, which represents 385 of the city's largest firms, agreed on a program of merit hiring in order to increase job opportunities for Negroes. We would like to see such programs extended to older workers and inexperienced young people as well.

A study of the unemployment problem immediately makes one thing evident—the need for more information in this field. Sound public policy starts with reliable and complete information. We need to know more, for example, about the nature and attitude of the unemployed, about the composition of the labor force, about the reasons why young people drop out of high school early, and why employers will not hire older workers. The list is endless.

In order to throw some light on critical areas of the unemployment problems, I am submitting a resolution today to authorize the Joint Economic Committee or a special subcommittee thereof, to make a complete study of unemployment, with particular attention to the causes and possible cures of the very long term unemployment. It is true that the unemployment problem has been studied before, but critical areas remain about which we still know very little. The information gap on unemployment is a powerful hindrance to sound public policy. We believe a useful guide to a further study of this problem is contained in the February 2 report of the Subcommittee on Economic Statistics of the Joint Economic Committee. This report points out the need for more information in a number of specific and important areas, such as on the nature and attitude of the unemployed and the nature and composition of the labor force. We sincerely hope this resolution is approved and the study initiated without delay.

Mr. President, I submit the concurrent resolution for appropriate reference.

The PRESIDING OFFICER (Mr. PELL in the chair). The concurrent resolution will be received and appropriately referred.

The concurrent resolution (S. Con. Res. 67) was referred to the Committee on Banking and Currency, as follows:

Resolved by the Senate (the House of Representatives concurring), That the Joint Economic Committee, or any duly authorized subcommittee thereof, as authorized by the Employment Act of 1946, as amended, is authorized and directed to make a full and complete study and investigation of any and all matters pertaining to the problems of providing full employment in our dynamic American economy, including among others, the following:

(1) The causes of and possible remedies for the persistently increasing rate of long-term unemployment;

(2) The economic costs of, reasons for, and possible solutions to, discrimination in employment based solely on age, race, or sex;

(3) The nature and attitude of the unemployed, including their aggressiveness in seeking work, their efforts to secure training or retraining, their willingness to move to accept jobs, their efforts to find self-employment, the relationship of unemployed workers to family units, and the effects of unemployment compensation, relief payments, and social security benefits on the efforts and attitudes of the unemployed;

(4) The nature and composition of the labor force, with particular reference to the reasons for and implications of sizable movements into and out of the labor force;

(5) The promotion of greater employment opportunities for the young and inexperienced workers, including the high school dropout;

(6) The barriers to worker mobility and the most practical means of encouraging and facilitating voluntary worker movements;

(7) The promotion of coordination between unemployment compensation systems and both public and private employment services and training or retraining programs;

(8) The possible ways to encourage earlier voluntary withdrawals from the labor force; and

(9) The geographic areas, skills or occupations in which labor is in short supply.

SEC. 2. For the purposes of this resolution, the joint committee, or any duly authorized subcommittee thereof, is authorized through January 3, 1963 (1) to appoint and fix the compensation of such experts, consultants, or organizations thereof, and clerical and stenographic assistants as it deems necessary and advisable; and (2) to hold such hearings, to sit and act at such times and places, to require by subpena or otherwise, the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, and take such testimony, and to make such expenditures, as it deems advisable. Subpenas shall be issued under the signature of the chairman or vice chairman of the joint committee and shall be served by any person designated by them.

SEC. 3. The joint committee shall from time to time report its findings and recommendations to the Senate and the House of Representatives and shall make its final report at the earliest practicable date, but not later than January 3, 1963.

SEC. 4. The expenses of the joint committee under this resolution, which shall not exceed $100,000, through January 3, 1963, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the joint committee.

CONCLUSION

Mr. BUSH. Mr. President, one conclusion clearly emerges from our study of the problem. The administration appears to misunderstand the basic nature of our dynamic and growing economy. It believes that U.S. Government spending will lead to prosperity and full employment. Yet this policy would take us down the well-worn path of inflation, if continued. It would neither solve our basic structural unemployment—which is the primary symptom of our dynamic and growing economy—nor would it solve our serious balance of payments problem. Indeed, it would make them worse.

This administration has failed to attack our unemployment problem realistically or with sufficient vigor or urgency. In fact, instead of improving, as the administration says, the hard core problem may actually be deepening.

Certainly the statistics I have previously quoted in this speech would indicate that it is deepening. Significant improvement cannot be expected until the administration discards its obsolescent economic theories in favor of ideas more appropriate to today's technological revolution.

We welcome this technological revolution. In the long run it will lead to a sharp expansion in job opportunities as well as to a significant improvement in our international competitive position. In the meantime we must ease and facilitate the adjustments which technological advancement and other structural changes cause.

Our aim should be creater productivity. With restraint by government, labor, and business, this could lead to lower prices that would spur sales at home, increase the standard of living for the low income groups, and better our competitive position in the world. This we need to do.

Unlike the administration, we have faith in the inherent dynamism and resilience of our free enterprise economy and believe that it can face up to the challenge. But it can only do so in a climate of confidence in which the keen imagination, resourcefulness, and the savings of our people will be encouraged, not discouraged. It was in this kind of atmosphere of confidence that the postwar "economic miracle" of Europe was fashioned. The American economy will fulfill its bright promise if only we provide incentives to invest, to expand and to modernize, and remove from our people the handicaps of punitive taxation.

Mr. President, I ask unanimous consent that a letter to the Senator from New York [Mr. JAVITS] from Walter W. Heller, Chairman of the President's Council of Economic Advisers, as well as the reply by the Senator from New York to Mr. Heller, be printed in the RECORD at this point.

There being no objection, the letters were ordered to be printed in the RECORD as follows:

FEBRUARY 16, 1962.

DEAR SENATOR JAVITS: In the hearings before the Joint Economic Committee you asked the council to provide an estimate of the losses the economy suffers because of racial discrimination. We agree that the economic costs of discrimination, past and present, are significant. It is for this reason that we devoted a special section to discrimination in the council's annual report. To my knowledge, this is the first time that the economic costs of discrimination have been discussed in either the President's Economic Report or the Council's Annual Report.

The economic losses caused by racial discrimination result from the failure to develop fully the inherent abilities of non-white Americans as well as the failure to utilize fully the skills and talents that this group presently possesses. Today's employment patterns and income differentials are telling results of long standing inequities in the patterns of education, housing, and medical care as well as of present discriminatory hiring and employment practices. The elimination of economic losses resulting from discrimination requires the elimination of barriers on all fronts.

The problem of estimating the gains resulting from the elimination of racial discrimination is a complex and difficult one. As you say, this is a relatively unexplored field of economics. While economists are increasingly concerned with the economic importance of developing our economic human resources, much work still remains to be done on developing quantitative estimates and procedures in this field.

The Council has to develop estimates of the losses that result from discrimination. Although a precise measurement of these losses is neither conceivable nor statistically possible, we are attempting to provide some conclusions on potential increases in output that might occur if discrimination in all areas were eliminated. This far increase, of course, would not occur immediately since the legacy of past discrimination would also remain. However, if the proper actions are taken, the sooner we can look forward to realization of some of these gains.

We will submit our estimates, though as they will inevitably be—of the losses caused by discrimination as well as to the gains to complete our work on them.

Sincerely,

WALTER W. HELLER,
Chairman.

MARCH 28, 1962.

DEAR MR. HELLER: Thank you very much for your letter of February 16 in response to my question to you at the hearings of the Joint Economic Committee on January 26. At that time I mentioned an estimate of the economic cost to the United States resulting from racial discrimination in employment.

Your letter states that the Council of Economic Advisers is now developing some estimates on this matter for submission to the Joint Economic Committee. I have that the forthcoming information will be a valuable aid to our consideration of this problem, if it does only represent a major factor in our National unemployment situation but is an affront to the very dignity of man which we as the world's leading bastion of freedom must always our honor to defend.

Mr. JAVITS. Only Hobby, the Secretary of Health, Education and Welfare in the Charter Day address at Howard University on March 2, 1954, estimated the economic loss from racial discrimination to the Negroes at billion and $30 billion annually. (This was 8 years ago—and since then our total national output has grown by $100 billion, nearly 25 percent, thus probably increasing the dimensions of this loss.) Mrs. Hobby said:

"Individuals who suffer discrimination cannot be full partners in an economy of plenty. They cannot afford to purchase their share of the goods we produce nor pay their potential share of taxes for the common good.

"The spiritual losses resulting from prejudice and discrimination are of course even more devastating than the economic losses. No one can measure in dollars the cost to human beings who suffer the stigma of segregation, the fear of persecution, or the anguish of seeing little children hurt and rejected."

I believe that an up-to-date estimate of the losses resulting from racial discrimination would contribute to our understanding of the causes basic to the unemployment problem and could serve as an added incentive to measures to bring to an end job discrimination on racial grounds—an inexcusable abuse of freedom in our Nation.

Sincerely,

JACOB K. JAVITS,
U.S. Senator.

Mr. KEATING. Mr. President, will the Senator yield?

Mr. BUSH. I yield to the Senator from New York.

Mr. KEATING. The distinguished Senator from Connecticut was kind enough to furnish me with a copy of the remarks he proposed to make today. I wish to take a minute to comment on what the Senator has said and to preface my remarks with a very high compliment to the distinguished Senator and my colleague from New York [Mr. JAVITS] for the very perceptive and careful analysis they have made of the economic situation.

As usual, I am impressed by the careful analysis which characterizes the Senator's remarks. He has made thorough study of the problem of unemployment and while he is critical of the record of the administration in this field, his emphasis is properly placed upon constructive proposals to alleviate the dilemma.

The Senator has expressed a sound position, which incidentally represents the views of all of the minority members of the Joint Economic Committee. We of the minority have an obligation to examine failures of public policy and to indicate to the public the type of alternatives which we think would better and more quickly resolve problems that face our country.

The Senator's comments on unemployment, and the comments by my distinguished senior colleague, Mr. JAVITS, on the contributory aspect of discrimination which aggravates the unemployment problems of minority groups, deserve thoughtful study and attention.

The new administration has expressed a determination to get America moving again. I am disturbed by the fact that our country is not moving as rapidly as we would like. This is true not only with respect to the solution to the problem of unemployment, but also of other important aspects of our economy. Housing starts are down quite significantly.

consumer spending has been unsteady. Only limited gains have been recorded in spending on heavy machinery, plant and equipment. Our gold supply continues to dwindle, while retail sales are steady, but not vigorous.

This slowdown in the recovery which characterized the closing months of 1961 was not unexpected. It is likely that the coming of the spring season and the favorable settlement of the steel strike will result in improvement in these indicators.

However, the point that bothers me, Mr. President, is that no matter how much improvement is recorded in the coming months, we will not live up to the optimistic predictions which the President made in his Economic Report and in his budget message, both of January 1962. The President predicted then that in the first 6 months of 1962 the gross national product would reach somewhere between $565 and $575 billion. Secretary Hodges has already watered this figure down to somewhere around $560 billion, if that high.

The President makes a great mistake in relying so heavily on overoptimistic economic predictions, which I call "goalsmanship." There is real danger in "goalsmanship." If we fall short of the President's goals in the early months of 1962, there is always the possibility that some sort of a business panic or business depression could be brought about by this fact alone. People are more sophisticated than this, but we still must tread lightly on the serious facts of economic life.

On unemployment, the administration has been talking about attaining a rate of unemployment of 4 percent. There is no question that this is desirable, but as the Senator from Connecticut [Mr. BUSH] has pointed out so eloquently, the hard facts of economic life are such that this is wishful thinking at the present time.

The perceptive and able national economics editor of the New York Herald Tribune, Mr. Joseph R. Slevin, recently wrote a hard-hitting article indicating that our unemployment rate has been sticky and that the prospects for improvement are anything but bright. I ask unanimous consent that Mr. Slevin's article appear at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

KENNEDY'S NO. 1 POLITICAL PROBLEM

(By Joseph R. Slevin)

WASHINGTON.—President Kennedy is face to face with a deeply disturbing and politically damaging job situation.

It has been 14 months since Mr. Kennedy entered the White House and the blunt fact is that unemployment remains a critical problem.

Nominee Kennedy promised that he would "get the country moving again," but a large number of voters are painfully aware that he hasn't got it moving strongly enough to provide jobs for the people who want to work.

The President is hearing from Democratic politicians who will be up for reelection next November and he is hearing from labor leaders who wholeheartedly indorse the official AFL–CIO view that his economic policies have been too "timid."

No matter how you look at the job figures they are bad news for Mr. Kennedy.

The so-called structural unemployment, that came in for so much attention during the 1960 campaign, still is very much with us.

The Pennsylvania steel and anthracite towns have the same pools of unemployment that they had in the fall of 1960. So do the New England textile communities, the West Virginia coal towns, the Detroit automobile centers, the Ohio steel cities, and the Minnesota iron range communities.

Mr. Kennedy held out the depressed areas program as his great campaign panacea but it has been of very little help in providing jobs. The number of long-term unemployed workers stubbornly is holding at just under 1.5 million people.

Total unemployment is down to 5.6 percent of the working force from the 7 percent level that it held during the recession but administration economists take little comfort from the decline.

Government manpower experts are convinced the true unemployment figure is much higher than the 4.543 million total reported for February and it's the true total that will be reflected in next November's voting.

The officials explain that many people are not listed as unemployed now because they are not actively looking for work—and they are not seeking work because they know that jobs are not available.

The evidence is in the civilian labor force. It actually was no bigger last month than it was in February a year ago despite the fact that there are 3 million more people in the country.

The experts say that a substantial part of those 3 million people are among the hidden unemployed.

Most economists find the employment figures even more discouraging than unemployment totals.

The Republicans haven't realized it yet but the employment reports show that the American economy has not bounced back from recession any more vigorously under President Kennedy than it did under President Eisenhower—and actually seems to be recovering more slowly.

The job figures dramatically point up the widening belief that the upturn has lost some of its steam. The recession ended in February 1961, and the recovery was a year old last month.

The startling and widely overlooked fact is that this is the only one of the four postwar recoveries that has been marked by substantially smaller employment gains in the second 6 months of the upturn than in the first 6 months.

Many experts argue that this demonstrates the Kennedy recovery has been the weakest of the four postwar recoveries.

The Government's nonfarm job figures, which are adjusted to eliminate seasonal distortions, disclose that employment went up 848,000 during the first 6 months of the 1961–62 recovery. But the rise then tapered off to a much smaller gain of 360,000 in the next 6 months.

Employment rose 601,000 in the first 6 months of the 1958–59 upturn but then it jumped a strapping 1,826 million in the next 6 months.

Similarly, employment went up 851,000 during the first 6 months of the 1954–55 upturn and soomed ahead another 1.388 million in the second half year. In the 1949–50 recovery, which was exaggerated by coal and steel strikes, employment bounced up 1.478 million in the initial 6 months and then skyrocketed another 2.243 million.

It's the flattening out of this upturn that the President and his advisers are worrying about.

The administration today is expected to announce its support of the Clark-Blatnik proposal for channeling up to $500 million of public works money into the hard-hit depressed areas, but that won't solve the central problem of sparking a faster, stronger recovery throughout the Nation.

Mr. Kennedy predicted in January that national production will jump to $600 billion next year and that the American economy will provide 5 million more jobs than it supplied in 1961. But, at the rate this boom has been going for the last 6 months, the United States won't even come close.

Mr. KEATING. Mr. President, Mr. Slevin's comments tie in very closely with the remarks of the able senior Senator from Connecticut on the problems of jobless Americans. The Senator not only has given us something to think about; but also he has suggested some things that we should do about it. That is the important thing, because the responsibility is ours, as well as that of the executive branch.

I commend the Senator from Connecticut for his careful and measured analysis of what is certainly America's No. 1 domestic problem.

Mr. BUSH. Mr. President, I thank the distinguished Senator from New York for his very keen and appropriate remarks apropos of the subject with which I have been dealing. I agree with what the Senator has said about the problem. I am delighted he has taken the trouble to examine my remarks so that he could make these acute observations concerning the problem.

I certainly agree with the Senator from New York. This hard core of unemployed, which is getting bigger almost without our being able to see it from month to month, is the No. 1 problem on the domestic front.

Mr. SCOTT. I wish to congratulate the Senator from Connecticut on the very thoughtful and persuasive presentation of what I think he has rightly called our No. 1 domestic problem.

I should like to ask the Senator from Connecticut whether he agrees with a thought which occurs to me. We are informed that the unemployment rate in Great Britain is now 2 percent, and that the average unemployment rate in the Common Market nations is 2.3 percent. We have all read of the migration of peoples. For example, we have read of the number of Spaniards who have gone to Belgium and, contrarywise, the number of Belgians who have found better jobs in the Netherlands and the number of Italian workers who are now working in France. We have read of the workers from all those countries who are now working in Great Britain. There is an actual shortage of labor.

Of course, when a figure of 2 or 2½ percent is reached, it means that for the most part the unemployed are disabled, unwilling to give up a more pleasant position, or are under no pressure or need to be employed. Is that statement correct?

Mr. BUSH. The Senator is correct. There is usually about that amount of

SEC. 4. The expenses of the joint committee under this resolution, which shall not exceed $100,000, through January 3, 1963, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the joint committee.

CONCLUSION

Mr. BUSH. Mr. President, one conclusion clearly emerges from our study of the problem. The administration appears to misunderstand the basic nature of our dynamic and growing economy. It believes that U.S. Government spending will lead to prosperity and full employment. Yet this policy would take us down the well-worn path of inflation, if continued. It would neither solve our basic structural unemployment—which is the primary symptom of our dynamic and growing economy—nor would it solve our serious balance of payments problem. Indeed, it would make them worse.

This administration has failed to attack our unemployment problem realistically or with sufficient vigor or urgency. In fact, instead of improving, as the administration says, the hard core problem may actually be deepening.

Certainly the statistics I have previously quoted in this speech would indicate that it is deepening. Significant improvement cannot be expected until the administration discards its obsolescent economic theories in favor of ideas more appropriate to today's technological revolution.

We welcome this technological revolution. In the long run it will lead to a sharp expansion in job opportunities as well as to a significant improvement in our international competitive position. In the meantime, we must ease and facilitate the adjustments which technological advancement and other structural changes cause.

Our aim should be greater productivity. With restraint by government, labor, and business, this could lead to lower prices that would spur sales at home, increase the standard of living for the low income groups, and better our competitive position in the world. This we need to do.

Unlike the administration, we have faith in the inherent dynamism and resiliency of our free enterprise economy, and believe that it can face up to the challenge. But it can only do so in a climate of confidence in which the vigor, imagination, resourcefulness and the savings of our people will be encouraged, not discouraged. It was in this kind of atmosphere of confidence that the postwar "economic miracle" of Europe was fashioned. The American economy will fulfill its bright promise if only we provide incentives to invest, to expand and to modernize, and remove from our people the handcuffs of punitive taxation.

Mr. President, I ask unanimous consent that a letter to the Senator from New York [Mr. JAVITS] from Walter W. Heller, Chairman of the President's Council of Economic Advisers, as well as the reply by the Senator from New York to Mr. Heller, be printed in the RECORD at this point.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

FEBRUARY 16, 1962.

DEAR SENATOR JAVITS: In the hearings before the Joint Economic Committee you asked the council to provide an estimate of the losses the economy suffers because of racial discrimination. We agree that the economic costs of discrimination, past and present, are significant. It is for this reason that we devoted a special section to discrimination in the council's annual report. To my knowledge, this is the first time that the economic costs of discrimination have been discussed in either the President's Economic Report or the Council's Annual Report.

The economic losses caused by racial discrimination result from the failure to develop fully the inherent abilities of nonwhite Americans as well as the failure to utilize fully the skills and talents that this group presently possesses. Today's employment patterns and income differentials are teh result of long standing inequities in the patterns of education, housing, and medical care as well as of present discriminatory hiring and employment practices. The elimination of economic losses resulting from discrimination requires the elimination of barriers on all fronts.

The problem of estimating the gains resulting from the elimination of racial discrimination is a complex and difficult one. As you are aware, this is a relatively unexplored field in economics. While economists are increasfngly concerned with the economic importance of developing our economy's human resources, much work still remains to be done on developing quantitative estimates and procedures in this field.

The Council has to develop estimates of the losses that result from discrimination. Although a precise measurement of these losses is neither conceptually nor statistically possible, we are attempting to provide some calculations of potential increases in output that could occur if discrimination in all areas were eliminated. This full increase, of course, would not occur immediately, since the legacy of past discrimination would still remain. However, the sooner actions are taken, the sooner we can look forward to realization of some of these gains.

We will submit our estimates—rough as they will inevitably be—of the losses caused by discrimination as soon as we are able to complete our work on them.

Sincerely,

WALTER W. HELLER

MARCH 28, 1962

DEAR MR. HELLER: Thank you very much for your letter of February 16, in reference to my question to you at the hearings of the Joint Economic Committee on January 25. At that time I requested an estimate of the economic loss to the United States resulting from racial discrimination in employment.

Your letter states that the Council of Economic Advisers is now developing some estimates on this matter for submission to the Joint Economic Committee. I hope that the following information will be of assistance in your investigation of this problem; it not only represents a major factor in our Nation's serious unemployment situation but is an affront to the very dignity of man which we, as the world's leading bastion of freedom, have pledged our honor to defend.

Mrs. Oveta Culp Hobby, our first Secretary of Health, Education, and Welfare, in the Charter Day address at Howard University on March 2, 1954, estimated the economic loss from racial discrimination to be between $15 billion and $30 billion annually. (This was 8 years ago—and since then our total national output has grown by $100 billion, nearly 25 percent, thus probably increasing the dimensions of this loss.) Mrs. Hobby said:

"Individuals who suffer discrimination cannot be full partners in an economy of plenty. They cannot afford to purchase their share of the goods we produce nor pay their potential share of taxes for the common good.

"The spiritual losses resulting from prejudice and discrimination are, of course, even more devastating than the economic losses. No one can measure in dollars the cost to human beings who suffer the stigma of ostracism, the fear of persecution, or the anguish of seeing little children hurt and rejected."

I believe that an up-to-date estimate of the losses resulting from racial discrimination would contribute to our understanding of the causes basic to the unemployment problem and could serve as an added incentive for measures to bring to an end job discrimination on racial grounds—an inexcusable abuse of freedom in our Nation.

Sincerely,

JACOB K. JAVITS,
U.S. Senator.

Mr. KEATING. Mr. President, will the Senator yield?

Mr. BUSH. I yield to the Senator from New York.

Mr. KEATING. The distinguished Senator from Connecticut was kind enough to furnish me with a copy of the remarks he proposed to make today. I wish to take a minute to comment on what the Senator has said, and to preface my remarks with a very high compliment to the distinguished Senator and my colleague from New York [Mr. JAVITS] for the very perceptive and careful analysis they have made of the economic situation.

As usual, I am impressed by the careful analysis which characterizes the Senator's remarks. He has made thorough study of the problem of unemployment, and while he is critical of the record of the administration in this field, his emphasis is properly placed upon constructive proposals to alleviate this dilemma.

The Senator has expressed a sound position, which incidentally represents the views of all of the minority members of the Joint Economic Committee. We of the minority, have an obligation to examine failures of public policy and to indicate to the public the types of alternatives which we think would better and more quickly resolve problems that face our country.

The Senator's comments on unemployment and the comments by my distinguished senior colleague [Mr. JAVITS], on the contributory aspect of discrimination, which aggravates the unemployment problems of minority groups, deserve thoughtful study and attention.

The new administration has expressed a determination to "get America moving again." I am disturbed by the fact that our country is not moving as rapidly as we would like. This is true not only with respect to the solution to the problem of unemployment, but also of other important aspects of our economy. Housing starts are down quite significantly.

consumer spending has been unsteady. Only limited gains have been recorded in spending on heavy machinery, plant and equipment. Our gold supply continues to dwindle, while retail sales are steady, but not vigorous.

This slowdown in the recovery which characterized the closing months of 1961 was not unexpected. It is likely that the coming of the spring season and the favorable settlement of the steel strike will result in improvement in these indicators.

However, the point that bothers me, Mr. President, is that no matter how much improvement is recorded in the coming months, we will not live up to the optimistic predictions which the President made in his Economic Report and in his budget message, both of January 1962. The President predicted then that in the first 6 months of 1962 the gross national product would reach somewhere between $565 and $575 billion. Secretary Hodges has already watered this figure down to somewhere around $560 billion, if that high.

The President makes a great mistake in relying so heavily on overoptimistic economic predictions, which I call "goalsmanship." There is real danger in "goalsmanship." If we fall short of the President's goals in the early months of 1962, there is always the possibility that some sort of a business panic or business depression could be brought about by this fact alone. People are more sophisticated than this, but we still must tread lightly on the serious facts of economic life.

On unemployment, the administration has been talking about attaining a rate of unemployment of 4 percent. There is no question that this is desirable, but as the Senator from Connecticut [Mr. BUSH] has pointed out so eloquently, the hard facts of economic life are such that this is wishful thinking at the present time.

The perceptive and able national economics editor of the New York Herald Tribune, Mr. Joseph R. Slevin, recently wrote a hard-hitting article indicating that our unemployment rate has been sticky and that the prospects for improvement are anything but bright. I ask unanimous consent that Mr. Slevin's article appear at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

KENNEDY'S NO. 1 POLITICAL PROBLEM

(By Joseph R. Slevin)

WASHINGTON.—President Kennedy is face to face with a deeply disturbing and politically damaging job situation.

It has been 14 months since Mr. Kennedy entered the White House and the blunt fact is that unemployment remains a critical problem.

Nominee Kennedy promised that he would "get the country moving again," but a large number of voters are painfully aware that he hasn't got it moving strongly enough to provide jobs for the people who want to work.

The President is hearing from Democratic politicians who will be up for reelection next November and he is hearing from labor leaders who wholeheartedly indorse the official AFL–CIO view that his economic policies have been too "timid."

No matter how you look at the job figures they are bad news for Mr. Kennedy.

The so-called structural unemployment, that came in for so much attention during the 1960 campaign, still is very much with us.

The Pennsylvania steel and anthracite towns have the same pools of unemployment that they had in the fall of 1960. So do the New England textile communities, the West Virginia coal towns, the Detroit automobile centers, the Ohio steel cities, and the Minnesota iron range communities.

Mr. Kennedy held out the depressed areas program as his great campaign panacea but it has been of very little help in providing jobs. The number of long-term unemployed workers stubbornly is holding at just under 1.5 million people.

Total unemployment is down to 5.6 percent of the working force from the 7 percent level that it held during the recession but administration economists take little comfort from the decline.

Government manpower experts are convinced the true unemployment figure is much higher than the 4.543 million total reported for February and it's the true total that will be reflected in next November's voting.

The officials explain that many people are not listed as unemployed now because they are not actively looking for work—and they are not seeking work because they know that jobs are not available.

The evidence is in the civilian labor force. It actually was no bigger last month than it was in February a year ago despite the fact that there are 3 million more people in the country.

The experts say that a substantial part of those 3 million people are among the hidden unemployed.

Most economists find the employment figures even more discouraging than unemployment totals.

The Republicans haven't realized it yet but the employment reports show that the American economy has not bounced back from recession any more vigorously under President Kennedy than it did under President Eisenhower—and actually seems to be recovering more slowly.

The job figures dramatically point up the widening belief that the upturn has lost some of its steam. The recession ended in February 1961, and the recovery was a year old last month.

The startling and widely overlooked fact is that this is the only one of the four postwar recoveries that has been marked by substantially smaller employment gains in the second 6 months of the upturn than in the first 6 months.

Many experts argue that this demonstrates the Kennedy recovery has been the weakest of the four postwar recoveries.

The Government's nonfarm job figures, which are adjusted to eliminate seasonal distortions, disclose that employment went up 848,000 during the first 6 months of the 1961–62 recovery. But the rise then tapered off to a much smaller gain of 360,000 in the next 6 months.

Employment rose 601,000 in the first 6 months of the 1958–59 upturn but then it jumped a strapping 1,826 million in the next 6 months.

Similarly, employment went up 851,000 during the first 6 months of the 1954–55 upturn and zoomed ahead another 1,388 million in the second half year. In the 1949–50 recovery, which was exaggerated by coal and steel strikes, employment bounced up 1,478 million in the initial 6 months and then skyrocketed another 2,243 million.

It's the flattening out of this upturn that the President and his advisers are worrying about.

The administration today is expected to announce its support of the Clark-Blatnik proposal for channeling up to $500 million of public works money into the hard-hit depressed areas, but that won't solve the central problem of sparking a faster, stronger recovery throughout the Nation.

Mr. Kennedy predicted in January that national production will jump to $600 billion next year and that the American economy will provide 5 million more jobs than it supplied in 1961. But, at the rate this boom has been going for the last 6 months, the United States won't even come close.

Mr. KEATING. Mr. President, Mr. Slevin's comments tie in very closely with the remarks of the able senior Senator from Connecticut on the problems of jobless Americans. The Senator not only has given us something to think about; but also he has suggested some things that we should do about it. That is the important thing, because the responsibility is ours, as well as that of the executive branch.

I commend the Senator from Connecticut for his careful and measured analysis of what is certainly America's No. 1 domestic problem.

Mr. BUSH. Mr. President, I thank the distinguished Senator from New York for his very keen and appropriate remarks apropos of the subject with which I have been dealing. I agree with what the Senator has said about the problem. I am delighted he has taken the trouble to examine my remarks so that he could make these acute observations concerning the problem.

I certainly agree with the Senator from New York. This hard core of unemployed, which is getting bigger almost without our being able to see it from month to month, is the No. 1 problem on the domestic front.

Mr. SCOTT. I wish to congratulate the Senator from Connecticut on the very thoughtful and persuasive presentation of what I think he has rightly called our No. 1 domestic problem.

I should like to ask the Senator from Connecticut whether he agrees with a thought which occurs to me. We are informed that the unemployment rate in Great Britain is now 2 percent, and that the average unemployment rate in the Common Market nations is 2.3 percent. We have all read of the migration of peoples. For example, we have read of the number of Spaniards who have gone to Belgium and, contrarywise, the number of Belgians who have found better jobs in the Netherlands and the number of Italian workers who are now working in France. We have read of the workers from all those countries who are now working in Great Britain. There is an actual shortage of labor.

Of course, when a figure of 2 or 2½ percent is reached, it means that for the most part the unemployed are disabled, unwilling to give up a more pleasant position, or are under no pressure or need to be employed. Is that statement correct?

Mr. BUSH. The Senator is correct. There is usually about that amount of

frictional unemployment. We would consider that pattern a normal situation, I believe.

Mr. SCOTT. The administration being faced with an unemployment rate of 6 or 7 percent has spoken, as the Senator has said, of 4 percent as some sort of ideal unemployment figure. I think most of us would agree that no unemployment figure is ideal so long as there are men and women who are able to work and who are unable to find work. The Senator's suggestion has been well made, having in mind the obligation which all of us have, regardless of party, to assist the administration, so far as we can, in solving problems in that field.

For example, I think it is well—and I hope the Senator agrees with me—that a minority bill in the House of Representatives, providing for workers' retraining, resulted in a much better bill with the help of both parties. I invite the Senator's attention to the fact that a year or so ago the report of the Committee on Unemployment Problems contained minority views which went a good deal further than the majority report in an attempt to meet and deal with those problems currently and promptly.

Nothing has happened with respect to the minority views. So far as I am aware, no attention has been paid to them. I think we need more in the way of actual solutions, in the form of intelligent tax relief, which would increase productivity. We need more in the form of affirmative action by the administration and legislatively. I do not think it is enough that for every mess there is a message. I wonder if the Senator agrees with me.

Mr. BUSH. I thoroughly agree with the Senator about the need for affirmative action. We need less punitive-type taxation and more incentive-type taxation. In large measure that kind of action has been responsible for the situation abroad. As the Senator has so wisely pointed out, the constant increase in the recovery on the continent of Europe has been stimulated very greatly by reasonable consideration of the savers and the entrepreneurs of the country—the manufacturers who have the courage to go ahead, expand, and modernize their plants. In that connection the United States, through the Marshall plan, certainly has been very helpful to them. But now they have the ball in their own hands and they are running hard with it. They are providing for us very serious competition in the markets of the world, and even in the markets of the United States. So, as I said earlier, we must take a leaf out of their book this time, review our whole tax structure, and find ways of raising the necessary revenue by incentive taxation rather than obtaining revenue of a punitive nature.

Mr. SCOTT. As I understand, no country in Europe has as high a tax rate as the United States, as those rates operate.

Mr. BUSH. I believe the Senator is correct.

Mr. SCOTT. Does not the Senator see significance in the heavy punitive tax in the United States and the less onerous taxes on the creators of jobs in European countries? Is there not a connection between the prosperity of the British lower income class, who are now prosperous and for the most part regard themselves as middle income people, and the desperate straits in which the people of parts of West Virginia and Pennsylvania, for example, find themselves?

In other words, the British worker, who in the past was far worse off than the Pennsylvania or West Virginia worker, now finds himself prosperous and able to afford not only the necessities, but a certain number of the luxuries of life.

Mr. BUSH. I thank the Senator for bringing out that point. I think the people of Europe have done a pretty good job of restraining costs and price increases, so that the pound sterling has kept its purchasing value and thus has contributed to an improvement in the standard of living for the workers in Great Britain. Employment has held up over there, as the Senator has so carefully pointed out. I thank the Senator very much for his observations.

Mr. SCOTT. I thank the Senator for yielding.

THE UNITED NATIONS BOND PURCHASE

The Senate resumed the consideration of the bill (S. 2768) to promote the foreign policy of the United States by authorizing the purchase of United Nations bonds and the appropriation of funds therefor.

Mr. MANSFIELD. Mr. President, before beginning my remarks, I ask unanimous consent that a report on the United Nations by the distinguished Senator from Iowa [Mr. HICKENLOOPER] and myself which was made to the Senate in 1959 and a speech by me entitled "The Congo and Policy Toward the New Africa" dated August 30, 1960, be included in the RECORD at the conclusion of my regular remarks. I ask for the inclusion of these two items because they bear direct relevance to the issue which is now before us.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibits 1 and 2.)

Mr. MANSFIELD. Mr. President, on behalf of the distinguished minority leader and myself, I have offered an amendment in the nature of a substitute for S. 2768.

I should like, at this time, to take a few moments to summarize the principal facts involved in this measure. The original executive branch proposal called for the purchase by the United States of $100 million of a $200 million United Nations long-term bond issue. This approach was propounded by the Secretary of State and other officials of the executive branch before the Foreign Relations Committee. These men understand the structure and complexities of the United Nations. They have to deal with the problems of conducting foreign policy in and through that organization as it has evolved over the years. They did not make the United Nations as it is now but they have to live with it and work with it and through it. The Secretary of State has immense responsibilities and what he says he needs to discharge them warrants every consideration from the Senate. His views were given that consideration by the Committee on Foreign Relations.

The views of the distinguished Senators from Vermont [Mr. AIKEN] and Iowa [Mr. HICKENLOOPER] also warrant the highest consideration and they were given that consideration by the committee. These two very able Senators offered in committee the principal alternative to the executive branch proposal. They suggested a short-term loan of $100 million to the United Nations, in lieu of the long-term bond purchase of the same amount.

The committee, in turn, proposed a third way. It accepted the Secretary's premise of a long-term bond purchase for $25 million while predicating any additional purchases up to $100 million on matching-purchases by other nations.

The measure now advanced by the distinguished minority leader and myself combines the three concepts. It makes available $25 million for immediate use and up to $100 million on a matching basis which the President may loan to the United Nations either on the basis of a promissory note which was the original Aiken-Hickenlooper approach or on the basis of a bonded indebtedness which was the Secretary of State's original approach and the approach in modified form which the Committee on Foreign Relations reported to the Senate.

The effect of this amendment, Mr. President, is to strengthen the hand of the President in dealing with the other states—members of the United Nations. It gives him greater discretion to do what will be most effective both in sustaining the United Nations and in inducing contributions to its financial support from nations which have been lax in meeting their responsibilities.

Mr. President, I would not want this occasion to pass without noting the highly significant contribution of the Senator from Vermont [Mr. AIKEN] and the Senator from Iowa [Mr. HICKENLOOPER] in formulating the measure which the minority leader and the majority leader have now offered in the Senate. Both Senators have been U.S. delegates to past sessions of the United Nations General Assembly. In that capacity, both have given exceptional service to the Nation. They are conversant with the intricacies and difficulties of the operations of that organization. As senior members of the Foreign Relations Committee they are also alert to the realities of the international situation and our foreign policies. As Senators, too, they have a high sensitivity to the currents of public sentiment within this Nation. They have made an outstanding contribution to the perfection of the legislation which we are now considering.

The amendment which the distinguished minority leader and I offer to the Senate merges the work of these two Senators with that of the Secretary of State and the Committee on Foreign Relations.

To reject this measure now will not be to strike at the deadbeats in the United Nations. It will be to strike at the combined judgment of some of the most experienced men in the Senate on these questions. It will be to strike at the President and the Secretary of State upon whom the great burdens fall. It will be to deny to them something which they regard as essential for the effective conduct of the foreign policy of the United States.

Is that what the Senate desires? Are we to reject this limited request for foreign policy—we who, year after year, have voted tens of billions for purposes of defense, purposes which are inseparable from those of foreign policy? Will we reject this request for foreign policy—we who have voted billions for the purposes of foreign aid, purposes which are inseparable from those of foreign policy?

What strange logic would impel us to throw a roadblock across one possible avenue of the Nation's search for peace and security, an avenue which involves a relatively small amount of public funds, when we are prepared to pave any number of other roads to the same end with billions on billions of dollars?

Mr. President, I venture to suggest that such doubt as may still exist in the Senate in regard to this measure does not derive primarily from questions of fiscal technique or costs. Rather, it may well arise from a much larger issue which we have begun to skirt but have not yet brought into clear focus. This is the issue which the distinguished Senator from Washington [Mr. JACKSON] attempted to raise a short time ago. It is the issue which the distinguished Senator from Minnesota [Mr. HUMPHREY] has mentioned recently. They deserve full credit rather than criticism for that effort, whether we agree or disagree with their conclusions. Mr. President, there is a concern—a growing concern—with the trend in the evolution of the United Nations organization and our position in it. The Senator from Washington has expressed one aspect of it, the Senator from Minnesota another.

Let me say, Mr. President, that this deeper concern—this concern with the trend in the United Nations—is an issue worthy of discussion by the Senate.

It is understandable that there should be concern with the course of developments in the United Nations over the last 15 years. Who in this body does not share it? Should there not be concern, in 1962, with the frustration of the high hopes of the war-torn world of 1945—the hopes for a decent and an enduring peace through the United Nations?

There most certainly should be concern. And in specifics, there should be concern not merely because the U.N. is in financial difficulties. There should be concern with the trends in structural evolution which have largely brought about these difficulties. There should be concern that significant political decisions have been made by preponderant majorities of the General Assembly but then the burden of their consequences—as in the Congo—have had to be borne by this Nation and a handful of others. Further, Mr. President, there should be an even greater concern with the manner in which these decisions have been made than with the financial burdens which they may entail. There should be an even greater concern that most of these critical decisions have been reached on the basis of one-state one-vote procedure in a General Assembly of 104 nations, ranging in population from 175,000 in the smallest to 407 million in one of the largest. There should be concern not only with the wide differences in character and capacities hidden beneath the one-state one-vote formula, but even more, in the inclination of member-nations to assume the responsibilities deriving from these decisions.

It is not finances which are at the heart of the United Nations problems. It is the procedural distortion between the power to make decisions and the power, the will and responsibility to carry out decisions which has produced these difficulties in the United Nations.

It is the air of detachment from reality which this distortion breathes into the operations of the United Nations which gives rise to concern. It is the trend toward intensification of this distortion which really endangers the United Nations.

Concern with this distortion is warranted and it is proper that it should be expressed in the Senate. For it is not difficult to see where the trend will lead if it is not checked. When the ties are loose between presumed influence and actual influence, between decision and responsibility, between word and deed, respect will wane. In the end, nations wholesale—as some are already doing—may well ignore the decisions of the United Nations, not only in regard to financial contributions but over the whole range of international problems and conflicts on which the U.N. might be expected to bring to bear a constructive influence. And in the end, whatever real capacity the organization still possesses to move the flow of events toward peace and justice may well disappear.

Mr. President, many members of this body have watched the development of the United Nations since its inception. Many in this body were instrumental in its creation, through the ratification process and the enabling legislation for United States participation. Seen in the perspective of 15 years, can any conclusion be reached other than that serious distortion has developed in the United Nations? Can any conclusion be reached other than that this distortion, if it is not corrected, will lead in the end, to innocuousness at best and to extinction at worst?

That outcome is not what successive Presidents and Secretaries of State—of both parties—have said is in the best interests of this Nation. They have all stressed the importance of a strong and vital United Nations to the world and to the United States as a part of the world. Nor—if we are to attach any significance to public opinion polls—is that outcome what ordinary men and women throughout this Nation still see as their best interests. Yet, the prospect for such an outcome is there and it is looming larger. It will not go away if we delude ourselves with the belief that it does not exist. It will not disappear if the Senator from Washington [Mr. JACKSON], the Senator from Iowa [Mr. HICKENLOOPER]; and the Senator from Vermont [Mr. AIKEN] are buried under an avalanche of highly unjustified criticism for having the temerity to discuss aspects of the problem.

So I say again, it is the trends of distortion in the United Nations, rather than the financial difficulties or clashing theories of funding which should give cause for concern to the Senate and to the Nation.

There are few avenues of peace still open in this era in which civilization's need for peace is immense and desperate. Yet if the gap between appearance and reality continues to widen, it will, for all practical purposes, close the avenue of the United Nations, whether we make a loan or buy bonds outright or on the installment plan, whether we invest $25 million, a hundred million or a billion in that organization.

Mr. President, let no one underestimate the value of the United Nations to this Nation in terms of our policies for the past 15 years, costs notwithstanding. For those who feel that it is incumbent on this Nation to do something about the Congo, or about any area of the world into which communism may drive or meander or where it may arise, let them ask themselves: would they prefer that the United States be directly and deeply involved with its Armed Forces in the Congo or wherever? For those who perceive that our interests and security are intermeshed with the situation in the Middle East, let them ask themselves: are we better off in having a U.N. peace team acting to promote a measure of stability in that region or would we prefer to have our forces in the midst of a Middle East set aflame by war? Go down the list of the international situations in which the United Nations is involved or has been involved, Mr. President, and ask the same question. Take Korea, as a specific. Is there any Member of the Senate who is prepared to say now on this floor: Take the United Nations out of that situation at once and let us worry about it all by ourselves; indeed, let us resume the war and carry on to military victory even if we must march to the walls of Old Cathay?

And for those who believe that propaganda victories in the cold war are the key to low-cost success in world politics, let them count the number of victories of this kind which have been achieved by this Nation in the votes in the General Assembly over the years.

If we start from that premise, if we assume that the bargain road to victory in peace goes by way of Madison Avenue, then we have no cause for concern or complaint with the United Nations. For the fact is that in the countless votes in the General Assembly since Korea, there have been very few, very few, decisions which were not identical with or reasonably reconcilable with our national policies. And the fact is that over the same period there have been countless decisions to which the Soviet Union has taken exception—and, many times, furious exception. Perhaps there may be some fear that the recent

enlargement of the United Nations membership may make these vote victories more difficult in the future. That may be so. But so long as this Nation is, and remains, more closely attuned to the reasonable hopes of the people of the world than any adversary, I am persuaded that we shall not lack for a continued and heavy balance of success in the votes of the General Assembly. No, Mr. President, from the propaganda viewpoint of the vote tallies, both the United Nations and our participation in it have been an outstanding achievement.

Why, then, the recent concern over the United Nations? Perhaps the concern arises from a growing awareness that the success of propaganda, however much it is to be preferred to failure, has a somewhat hollow and superficial ring. It may be that there is growing awareness that the victories of the vote counts in the General Assembly are forgotten soon after they are recorded; but, still, the grim problems of peace or war remain as intractable as ever, perhaps even more intractable. It may be that there is growing understanding that the vote victories in the General Assembly have only little relevance to the great and fundamental questions. Perhaps there may be a growing understanding that the distortions in the structure of the United Nations to meet the exigencies of the cold war may well have weakened the capacity of the United Nations to contribute effectively to peace.

Since that may be the case, it is to these distortions that I would direct the Senate's attention as an issue worthy of its consideration. As a practical matter, there is now one principal body functioning in political matters in the United Nations—the General Assembly. But the charter set up two primary bodies for political purposes, and, moreover, did not anticipate that the General Assembly would act at all on many of the kinds of specific questions on which in fact it has been acting. The General Assembly was not designed to meet a Congo crisis. It was not designed to meet a Middle East crisis. It was not designed to register the international Hooper ratings of the Soviet Union and the United States. Yet, it has been recast to serve all these functions and others.

It has been bent to these distorted functions, largely because of a prior distortion, a distortion in the Security Council. For a dozen years that body has made only minor contributions to order and stability in the world. Yet, it was that body which was intended by the charter to exercise the preponderant United Nations influence in specific international situations of tension. It was in that body that influence in specific situations was intended to be linked realistically with power and responsibility.

In retrospect, Mr. President, it is apparent that the Security Council stumbled largely on two rocks—on the burgeoning cold war and on the collapse of the Nationalist Government of China, on the Asian mainland. These factors, of themselves, may have doomed the Council to ineffectualness almost from the outset. Nevertheless, for the utter distortion of the original concept and functions of the Council, the world may largely credit the policies of the Russian Government. In the early postwar years, it set the patterns of behavior and procedure which have brought that body into disrepute and disuse. It did so by an excessive assertion of its national sovereignty, through the veto. It did so by disrupting the operation of the Council, time and again, for the most trivial reasons—reasons, indeed, which for the most part have long since been forgotten, but which, at the time, produced millions of words of worldwide newspaper copy.

In consequence, the Security Council became, not an instrument for the solution of situations of international tension, not for the possible reconciliation of great power difficulties in a universal setting, but, rather, a center for exacerbating them. And it evolved, next and naturally, into an arena for staging the wars of violent words, with the whole world as an audience. And from that, it was but a step to the darkened house, as the world wearied of that particular form of futile and repetitious melodrama, and looked elsewhere for fresh titillations.

This, then, was the first major distortion in the structure of the United Nations. And for this, as I have already said, the world can largely thank the Russians. This first distortion led to a second. And for the second distortion, Mr. President, integrity demands that we accept primary responsibility.

As the Senate knows, I am not addicted to Monday morning quarterbacking, and I have no joy in the hunt for scapegoats. In the light of all the circumstances of a dozen years ago, perhaps no other course than the one we adopted at that time was feasible. Certainly, there was no great objection to it in the Congress. I know I did not object to it. On the contrary, it was generally hailed as an act to creative statesmanship. Whatever the reason, the fact is that this Nation did take the initiative in seeking to shift to the General Assembly the influence, the authority, and the responsibility in political questions which were assigned by the charter to the Security Council. And in the years after Korea, we persisted in this pattern.

The influence could be shifted, Mr. President; and it was. But in the light of hindsight, it is now clear that it was illusory to expect the authority and responsibility in any significant degree to accompany the shift.

The shift, Mr. President, at first served the purposes of our policy and that of many other nations. It enabled military action with worldwide sanction to resist aggression in Korea. It resulted in the active participation of other nations in that struggle—participation which, however limited it may have been, nevertheless constituted a significant contribution to the war and a great contribution to bring the conflict to a halt. In the eyes of many at the time, moreover, the shift "saved" the United Nations from death by ineffectualness.

But, Mr. President, in the years after Korea, the shift of influence from the Security Council to the General Assembly was not halted. On the contrary, the General Assembly became involved in any number of specific international situations. Most of the time these involvements have been acceptable to us, and so we extoll the United Nations. On occasion they have not; and then we criticize it and worry about it. And the possibility is ever present, under the one-state one-vote formula, that we shall, at some time, find some involvement totally unacceptable. So we ask ourselves, Mr. President, what then? Do the lights then go out in the General Assembly, as they have already gone out in the Security Council? Do we then take the lead in putting them out?

In truth, how far these lights may already have been dimmed is an open question. The General Assembly has receded from its original paramount charter function of an international forum from whence the moral force of the world could thunder on the great issues of world peace and progress. The forum is still there; indeed, it is larger than ever. But the thunder has grown fainter as the Assembly has become increasingly a marketplace for the trading of votes. The thunder grows fainter as the Assembly tends to evolve into the steps of the local courthouse, for the transaction—on a vast and international scale—of trivial politics.

This, then, Mr. President, is the deeper crisis in the United Nations. It is the crisis of a moribund Security Council where, under the charter, decisions could be coupled realistically with the real and proportionate responsibilities of the various nations for the maintenance of peace. It is the crisis of a General Assembly which has been subtracting from its enormous potential of moral force as it has presumed to add to itself the functions of the Security Council, but without adequate responsibility, and under procedures which invite disrespect.

In a larger sense, Mr. President, the present difficulties of the United Nations are more than a matter of finance—more, even, than a matter of distorted and distended organization, for these difficulties, in themselves, are really but a reflection of the great crisis of our times. If the United Nations faces extinction by financial bankruptcy, world civilization, too, stands on the edge of the monumental human bankruptcy of war. The two distortions are now so interwoven that it is not likely that the one will be corrected in any lasting sense unless the other can also be corrected.

There are ways, Mr. President, in which the finances and operations of the United Nations can be returned to realism, through charter or procedural changes in the General Assembly or the Security Council or both. There are many technical possibilities. But let us not delude ourselves. Whatever modifications may be made in the U.N., however its members may be made to pay their bills, however we may count the votes, these modifications of themselves will have little, if any, lasting significance in terms of peace. They will have little significance unless they are coupled with a new realism in the national policies of all. What is needed is the realism which is capable of recognizing

and acting on the obvious fact that there is not and cannot be real benefit for the people of any nation, for any ideology, in the devastation of warfare in a nuclear age. There will need to be, too, on the part of all, the additional realism to recognize first that the cold war, whether pressed inside the United Nations or out, at best, represents an immense waste to all peoples and, at worst, a dangerous and childlike toying with the future of the human race.

These are the considerations which should concern the Senate. These are the considerations which should move this body to express its most profound counsel to the President. I am confident that he would welcome that counsel, not only on the United Nations but on any and all of the great issues of world peace.

But let us not quibble any longer with the President or the Secretary of State on this bill. Let us not flail the trivial when it has already been thoroughly threshed. Let us not trifle with the constitutional powers of the President in foreign policy and a Commander in Chief of the armed services. Let us not make light of our own powers in these matters of war and peace. Let us not present to the Nation and to the world a Senate which exhausts itself in building roadblocks to the conduct of foreign policy when it is incumbent upon us all to cooperate with the President in his search for the fine line which leads to a reasoned, a just, and a more stable peace. That is the line we must seek. We must seek it with compassionate heart and with the reason and the restraints of wisdom. We must find it and hew to it, for on that line depends the freedom and the happiness of the people of this Nation. On that line depends the survival of a world fit for the human race.

EXHIBIT 1

OBSERVATIONS ON THE UNITED NATIONS

(Report of Senator BOURKE B. HICKENLOOPER, Republican, of Iowa, and Senator MIKE MANSFIELD, Democrat, of Montana, members of the U.S. delegation to the 13th General Assembly of the United Nations)

SENATE RESOLUTION 110

IN THE SENATE OF THE UNITED STATES,
April 30, 1959.

Resolved, That "Observations on the United Nations" a report by Senator BOURKE B. HICKENLOOPER and Senator MIKE MANSFIELD, members of the U.S. delegation to the 13th General Assembly of the United Nations be printed as a Senate document, and that 5,000 additional copies be printed for the use of the Committee on Foreign Relations.

Attest:

FELTON M. JOHNSTON,
Secretary.

FOREWORD

We were appointed by the President and confirmed by the Senate in the 85th Congress as members of the U.S. delegation to the 13th General Assembly of the United Nations. Submitted herewith is our report covering this assignment. We were at the General Assembly from September 16, 1958, until December 13, 1958.

In this report, we make no attempt to catalog in full the international issues and other matters which were considered at the 13th General Assembly. The President may be expected to provide that information for the Senate in his next regular public account of U.S. participation in the United Nations. We direct this report, rather, to the particular role which, as congressional members of the delegation, we were called upon to play. In addition, we include general observations on the U.N. and U.S. membership therein. It is our hope that these observations may be helpful to the Committee on Foreign Relations and to the Senate in considering matters relating to the Nation's participation in the United Nations.

We take this opportunity to express our thanks to Ambassador Henry Cabot Lodge for his exceptional leadership of the U.S. delegation. We are also indebted to the civil servants of the permanent U.S. mission at the United Nations and the Department of State for their aid. We wish to note finally, the assistance of Mr. Francis R. Valeo, formerly of the staff of the Committee on Foreign Relations, who accompanied us on this assignment in the capacity of congressional consultant.

BOURKE B. HICKENLOOPER.
MIKE MANSFIELD.

OBSERVATIONS ON THE UNITED NATIONS

A. Work of congressional members at the 13th General Assembly

1. Committee Assignments

As congressional members of the delegation, our principal assignment was to represent the United States on Committees II[1] and V[2] of the General Assembly. Committee II considers matters of an economic and social nature. Committee V has responsibility for budgetary and fiscal questions as well as other aspects of the administration of the United Nations. Many questions coming before these Committees have a direct relationship to the work of the Committee on Foreign Relations and the Senate. In addition, we were charged from time to time with responsibility for representing the United States on other committees and at plenary sessions of the General Assembly.

2. Work on Committee II

The Economic and Financial Committee is a major focus of United Nations General Assembly activity. All 82 member nations are represented on it, as they are on all committees. A preponderant majority of these nations are what is described as underdeveloped. Over a score are newly independent. Through modern communications, all are aware of the gap between their living standards and those of more prosperous countries. Most of them harbor hopes, many unrealistic, of rapid economic development. The Economic Committee provides these nations and the more developed countries with a forum for the discussion of complex issues relating to economic development.

The Special Fund

The most important action taken by the Committee involved the creation of a Special Projects Fund to expand in depth the United Nations technical assistance activities. This Fund had previously been proposed by the U.S. Government.

The Special Fund has as one of its main objectives preliminary work which will pave the way for constructive use of development capital. Initially it will undertake a relatively small number of projects in two major fields: (1) resource and manpower surveys and (2) assistance in the establishment of regional and national training facilities.

Although the United States favored a close administrative link between the Special Fund and the United Nations expanded technical assistance program, the final decision was to create a parallel organization. This choice reflected the hope of many delegations that the Fund would eventually be transformed into a source for financing capital development.

The Fund will have an 18-member Governing Council, with equal representation from the contributing and the underdeveloped countries, which will approve projects submitted to it by the Managing Director. The Director is appointed by the U.N. Secretary General subject to confirmation by the General Assembly.[3] In addition, there will be a Consultative Board composed of the Secretary General of the United Nations, the President of the International Bank, and the Executive Chairman of the Technical Assistance Board. Various devices were included for the coordination of the activities of the Fund and the expanded program.

Taking into account the fact that a preponderant majority of the members of the United Nations have limited financial resources to devote to the international programs, the United States has volunteered to provide 40 percent of total contributions to the Special Fund and the United Nations technical assistance program, up to a maximum of $38 million.

In practice this means that the total size of these programs depends primarily on the willingness of other governments to match U.S. contributions. Pledges which have been made to the Special Fund up to the present time do not give rise to too much satisfaction on this score.

Review of United Nations expanded technical assistance program

Committee II also undertook a general review of the United Nations expanded technical assistance program. The review revealed that the number of contributors to the program was expected to reach 85 or 86 for 1958, and that 35 contributions had been increased over the 1957 level. During the review, the Committee was informed that 132 countries and territories had received United Nations services in some form in 1957. Equipment and supplies for these services were purchased from more than 50 countries. Experts were supplied by 76 countries to areas in need of their services, and 75 countries and territories provided training facilities for visiting observers and students.

In the distribution of technical assistance between different regions, there was a notable increase in the proportion received by Africa, especially the newly independent countries. Some increase was also reported in programs in Asia and the Far East.

FINANCIAL CAPITAL DEVELOPMENT

The financing of capital development is a matter of intense interest in the United Nations, partly because the new nations coming into the organization are among the underdeveloped and partly because of an increased awareness of the role that investment plays in economic advancement. As far back as 1947 the poorer nations began pressing for means of receiving aid for capital development through the United Nations. In 1952 they succeeded in having the Assembly adopt a resolution requesting the preparation of a plan for a special fund for grants-in-aid and for low-interest, long-term loans * * * to finance non-self-liquidating projects.

The vote on the resolution reflected a sharp cleavage between nations which wanted a United Nations fund and those which preferred other means of helping achieve the generally approved objective. The position of the United States, as well as of the United Kingdom, was that they could not contribute to such a fund while they were faced with the responsibility of

[1] Senator MANSFIELD.
[2] Senator HICKENLOOPER.

[3] Paul Hoffman, formerly administrator of the Marshall plan, has been made head of the Fund.

having to devote enormous sums to armaments and that only trustworthy disarmament agreements would enable them to divert important savings to such a fund. Not discouraged, the poorer nations pressed the debate in successive sessions of the General Assembly. Investigative bodies were established and draft plans drawn up for a Special United Nations Fund for Economic Development (SUNFED).

In 1957 at the 12th session of the Assembly the United States sought to achieve some compromise by proposing the Special Projects Fund. Those nations still hopeful of a capital development fund (SUNFED) were successful, however, in having the Assembly approve the statement, in the resolution setting up the Special Projects Fund, that—

As and when the resources prospectively available are considered by the General Assembly to be sufficient to enter into the field of capital development, principally, the development of the economic and social infrastructure of the less developed countries, the Assembly shall review the scope and future activities of the Special Fund and take such action as it may deem appropriate.

During the course of discussion of the Special Fund and related subjects U.S. representatives took pains to point out the many ways in which both the U.S. Government and U.S. private investment sources are helping finance economic development in other lands. It was stated, for example, that during 1957 U.S. Government loans and grants to the less developed countries amounted to almost $1.5 billion and that new private investment in these areas was of about the same size. In the immediate past, moreover, the U.S. Congress had authorized additional capital amounting to $2 billion for the Export-Import Bank and an additional $400 million for the Development Loan Fund. It was indicated, further, that the United States would propose substantial increases in the capital of the International Bank and in the quotas of the International Monetary Fund. It was also indicated that the United States was exploring informally whether there was international support for the establishment of an International Development Association affiliated with the International Bank which could extend the same kind of assistance to the less developed countries which the advocates of a United Nations capital fund had long had in mind. The U.S. representative pointed out that the feasibility of such an association would largely depend on the willingness of members to contribute financial support.

Regardless of these and other considerations, the 13th session of the Assembly approved a resolution urging member states "to continue working for the establishment of a United Nations capital development fund."

INTERNATIONAL TRADE AND COMMODITY MOVEMENTS

The United States had an opportunity to present its views on the difficult problems of international trade in certain key commodities, a question of particular concern to many of the underdeveloped countries whose economies depend heavily on these commodities. These countries have long sought means of achieving some kind of price stability and system of parity between the price of primary commodities and manufactured goods. The United States has argued that the artificial establishment of a given relationship between prices of primary and manufactured products is neither practical nor desirable. It has favored economic diversification and general economic development as one method of relieving underdeveloped countries from exclusive reliance on trade in a limited number of primary products. The United States reemphasized this view, stressing, however, it was prepared to examine alternatives with regard to specific commodity problems.

3. Work of Committee V

Most of the "housekeeping" chores of the United Nations are dealt with in Committee V, the Administrative and Budgetary Committee. The Committee goes over the budget of the organization, the scale of assessments for the support of the United Nations, and reviews the financial reports and accounts of the United Nations and subsidiary organizations supported by voluntary contributions.

Within recent years an increasing proportion of the United Nations budget has been going for operational activities such as supervising elections or plebiscites in dependent territories, keeping watch in troubled areas, and assistance of various kinds to individual governments. For 1959, assessments will amount to some $61.5 million, $10 million over 1958, a large part of the increase being accounted for by the cost of the United Nations observer group in Lebanon and the United Nations staff in Jordan for 1958 and 1959. The 1958 costs were included in the regular 1959 budget as a supplemental appropriation.

United Nations Emergency Force

The United Nations Emergency Force, stationed in the Middle East since 1956, is financed partly by assessment on member states and partly by what is called special financial assistance, largely from the United States. The Soviet Union and Communist bloc countries have refused to pay their assessments for the Emergency Force, alleging that those countries which launched the attacks against Egypt in 1956 should bear the cost. Other countries with limited financial resources have found it hard to pay an increased assessment of close to 50 percent to the United Nations.

Although the 13th session of the General Assembly authorized the Secretary General to spend up to $19 million for UNEF in 1959, dissatisfaction with the financing of the Emergency Force was indicated by the fact that there were 27 abstentions on the vote, besides the 9 negative votes of the Soviet bloc. Forty-two countries voted in favor. The United States has offered to provide special financial assistance of $3.5 million with additional offers made by the United Kingdom ($275,000), Japan ($10,000), and Ireland ($10,000). The balance of a little over $15 million was assessed against the membership on the basis of the regular scale of assessments.

United Nations public information policy

One attempt by the Fifth Committee during the 13th session to cut United Nations expenses led to a revealing debate on United Nations public information policy. The 12th General Assembly session had named an Expert Committee to suggest ways in which the costs of the information program could be cut and its effectiveness increased. What began as an effort to cut costs, however, ended as a debate on basic issues of freedom of information as they found expression in the United Nations program. In the committee debate the Soviet representative left no doubt that his Government desired that the United Nations in its information program avoid issues which would be opposed by governments and that it make information available primarily through government channels open to government censorship. The United States vigorously opposed any measure which would have the effect of limiting the United Nations' freedom to disseminate objective and factual information about its activities.

The cost of the program was not limited as the Expert Committee had recommended. The 13th Assembly, by a vote of 68 to 0, adopted a United States-United Kingdom resolution reaffirming the responsibility of the United Nations to disseminate information about its activities "to all the peoples of the world through any appropriate media."

B. General observations

1. Status of Congressional Members of Delegation

The U.S. delegation[1] to the United Nations General Assembly is appointed by the President and is responsible to him. It is an instructed delegation. Although delegates may make recommendations on policies, the course which it pursues at the United Nations is derived in its essentials from the leadership of the President whose views are cast into policies by the Department of State and other departments and agencies of the executive branch. These policies, in turn, reach members of the delegation as official positions, having been transmitted to them by the Department of State, through the U.S. Ambassador and the permanent U.S. mission at the United Nations.

Delegates project these positions in the various activities of the General Assembly. The positions may or may not reflect their personal views but they are, nevertheless, maintained and advocated as, indeed, they must be. Delegates at the General Assembly do not speak and act in an individual capacity. They speak and act on behalf of the President. They express the official policies for which the President is ultimately responsible. They are, in short, agents of the President for the period of their service at the United Nations.

Members of Congress who serve on delegations, of course, do not cease to be independent legislators except in the discharge of the specific assignment entrusted to them by the President and only for the duration of that assignment. It is not impossible, therefore, that congressional members of a delegation may assume a different position on any given issue when they cease to act as agents of the President and resume their legislative functions. It is essential that the executive branch understand fully this possibility, particularly in requesting congressional members of delegations to represent the United States and to maintain official positions at the United Nations on questions which may subsequently involve appropriations or other acts of the Congress.

Members of Congress have independent responsibilities to their constituents, which cannot in any way be compromised by service at the United Nations. We stress this point because we believe the practice of including Members of Congress on U.S. delegations is a desirable one. It is one which we should like to see continued, provided, of course, that it remains consonant with the concept of separation of powers within our Government.

2. Machinery for Representing the United States at the United Nations

Principal machinery

Assisting delegates to project official positions in the General Assembly is the U.S. permanent mission at the United Nations which operates under the direction of an ambassador.[2] The mission contains, on a continuing basis, approximately 100 employees. During the sessions of the General Assembly this force is supplemented by specialists brought in from the Department of State in Washington or from posts abroad.

[1] Members and alternates of the delegation to the 13th General Assembly were: Ambassador Henry Cabot Lodge, Ambassador James J. Wadsworth, Senator Mike Mansfield, Senator Bourke B. Hickenlooper, Herman Phleger, George McGregor Harrison, Marian Anderson, Mary Pillsbury Lord, Watson W. Wise, and Irving Salomon.

[2] At present, Mr. Henry Cabot Lodge.

From time to time, officials of other Government agencies also serve with the mission.

The permanent mission, under the Ambassador, constitutes the principal machinery by which the official positions of the United States are translated into action at the General Assembly. This machinery is closely guided from Washington, primarily through the Bureau of International Organization Affairs of the Department of State.

Effectiveness of the machinery

In commenting on the effectiveness of the machinery we make note of the fact that the matters which were considered at the 13th General Assembly were largely routine and repetitive. The 13th General Assembly was not called upon to deal with any new problem of significant proportions nor any existing major problem in a drastically different context. What was involved was largely a restatement of familiar questions and familiar positions with respect to these questions.

For these limited purposes, the machinery by which the U.S. delegation functions at the General Assembly is, in our opinion, adequate if not without shortcomings. As it now operates, the machinery is cumbersome and slow to respond to changing situations. It tends to give to the conduct of U.S. policy at the General Assembly a stylised appearance, a characteristic we may add which is found in the operation of most other delegations as well. We wish to stress that this observation in no way reflects upon the able and highly skilled personnel of the U.S. mission. Our reference is to the machinery by which they, no less than the members of the delegation, are required to function.

The principal factor underlying the shortcomings appears to be the degree of supervision and control which is exercised by Washington over the Ambassador and the permanent mission. It is true that suggestions for changes in position are made by the delegation and frequently approved by Washington. And certainly it is true that central guidance of policy is necessary. However, if policy is to be pursued effectively in a General Assembly which includes over 80 other nations—nations whose differing views as well as the idiosyncrasies of their representatives must be reckoned with—the Ambassador and the members of the permanent mission must have a measure of freedom for parliamentary maneuver.

We are not, on the basis of our limited experience, in a position to suggest precisely where the line ought to be drawn between firm central control over policy and flexibility in its pursuit at the United Nations. However, many of those who have worked day in and day out with other delegations over the years feel that the line as now drawn errs on the side of excessive central control. As a result, it is contended, other delegations are often unnecessarily antagonized or alienated on particular issues and U.S. representatives are frequently handicapped in their efforts to win support for undertakings in which we are interested.

Our experience at the United Nations suggests that there is some validity in this contention. It is certainly the case that the official position on almost any issue is spelled out by Washington in very minute detail. The delegation is guided very closely not only on questions of substance but often even on matters of procedure. Again, this is also the practice insofar as many other member nations are concerned.

Nevertheless, during the course of a General Assembly, unanticipated developments often create a need for changes—frequently minor changes—in positions or procedure. These changes almost invariably require prior clearance from Washington. The requirement would not be so burdensome, perhaps, if only one bureau of the Department of State were involved in sanctioning them. Not infrequently, however, even a slight change in the phrase of a statement of an official position at the United Nations may call for clearance by any number of bureaus and offices scattered through various executive agencies and departments.

Apart from the enormous cost in salaries and time which must be involved in these clearance practices, a desirable change may be so long delayed or so watered down before it is sanctioned by Washington that it loses all or most of its value in New York.

The United States has a highly competent Ambassador and an excellent staff in New York to conduct our business at the United Nations. These men and women appear well versed in the basic policies and positions of the United States and in the intricate requirements of parliamentary leadership and maneuver in the General Assembly. Much might be gained, therefore, if they were permitted a measure of greater flexibility. It should result in savings on costs of policy. It should permit more effective operations at the United Nations. Most important, increased flexibility should enhance the acceptability of our policies and give a greater vitality to our leadership in the United Nations.

What might also contribute to the latter end would be a more frequent rotation of the staff personnel of the permanent mission. Changes in personnel would bring fresh viewpoints and new approaches to old problems. In turn, many of the civil servants of the Foreign Service who have staffed the mission in New York for excessive periods would profit in their careers by an opportunity for experience elsewhere.

The benefits of the regular rotation of Foreign Service personnel abroad have long been recognized. It is not unlikely that similar benefits would flow from the regular rotation of U.S. personnel at the United Nations.

3. Observations on Changes Within the United Nations

Expanding influence of the General Assembly

Over the years, there has been a steady accretion in the functions of the General Assembly. The accretion has come largely from the transfer of duties from the vetomoribund Security Council. It also stems in part from a tendency in the General Assembly to bypass the Trusteeship Council and the Economic and Social Council or to duplicate the functions of these two other principal organs of the United Nations system.

A complex of causes underlies this expansion of the activity of the General Assembly. For our purposes, however, it is sufficient to note only that the development has taken place and has resulted in great changes in the nature and functions of that body.

In the early years of the United Nations, the Security Council, the Trusteeship Council, or the Economic and Social Council were the forums in which were dealt with in detail most of the principal issues which came before the United Nations. Those bodies are limited in membership. They are constituted, in theory at least, in such a fashion as to bring some equilibrium as between the desire to act and the responsibility and capacity for action. The General Assembly, on the other hand, contains all the member nations. In the circumstances, its one nation-one vote formula produces little relationship between the desire to act and the responsibility and capacity for action. Nor was it intended that it should. The General Assembly was supposed to serve primarily for the expression of the conscience of the nations of the world. It was to be the forum where all could at least be heard even if they could not act.

That early concept has now altered drastically. The General Assembly has become the body in which the desire for action, the call for action and such international capacity for action which may be marshaled are now largely centered. The one state-one vote formula, however, has not changed, while the membership of the Assembly has been expanding from 51 to 82 nations and new functions have been assumed. Nor has there been any change in its basic power. Under the charter, the General Assembly is still able only to recommend action to member states. It cannot order action or bind its membership to compel compliance with its recommendations.

The centering of United Nations activities in the General Assembly may be an inevitable change in the light of the international developments of the past decade. Whatever may be its necessity or virtue, however, the change has also produced adverse consequences. The divorce of decision from responsibility and power has led, for example, to a kind of parliamentary busybodyness, with virtually all states involving themselves in almost every issue, small or large, whether their relationship to it is close, remote, or nonexistent. It has led to a scramble for the votes of the uninterested states by the interested states with respect to any given issue. It has produced a good deal of logrolling among all the states. It has prompted, finally, a frantic search for the lowest common denominator of action in an effort to underscore recommendatory resolutions with impressive majorities.

This search very often does, indeed, find the lowest common denominator and frequently does produce impressive majorities. By the time it has done so, however, resolutions are more often than not so watered down as to be quite innocuous and on occasion quite meaningless. Nevertheless, the time of hundreds of delegates, with their staff support, is engaged in this pursuit at great cost to all the member states. Beyond cost, practices of this kind, if they are continued, may result in a serious undermining of respect for the organization throughout the world.

The growing use of the General Assembly for decision making of all kinds, further, has imposed a serious and inequitable burden on the states which take their United Nations obligations most seriously. Under the charter, there is no compulsion to follow a decision of the General Assembly. As already noted, that body recommends; it does not bind. In the spirit of the charter, however, recommendations of the General Assembly ought not to be lightly regarded. Indeed, they are not by many states. Others, however, can and do ignore them with impunity, most frequently because of disagreement with their content or because of the cost of abiding by them.

A classic example in this connection is, of course, the ignoring by the Soviet Union of the resolutions on Hungary in 1956 and, by contrast, the acquiescence in United Nations resolutions relating to the Suez crisis by the United Kingdom, France, and Israel during the same year.

In the present pattern of United Nations operations, those states which are most conscientious in meeting their obligations also bear an undue share of the financial burdens of membership. There is a disconcerting tendency on the part of many states to push resolutions in the General Assembly which require voluntary contributions to carry out their purposes. However, when it comes time to make these voluntary contributions, members often ignore the fact that they voted for them or discover that they cannot afford financial support for them.

A significant case of this kind arose during the 13th General Assembly. As already noted, the General Assembly has been debating the desirability of establishing a huge fund—the magnitude proposed has run from

hundreds to even billions of dollars—to finance economic development in member countries. In recent Assemblies, the pressure has been very heavy from certain states to bring about the creation of this fund. As noted, a special fund was, in fact, established during the 13th General Assembly. Not a single member stated opposed the creation of the fund. Seventy-seven voted in favor of it. As of March 13, 1959, however, only 54 governments had made pledges to the fund, for a rough total of $25 million. Of this amount, the United States contributed about $10 million. From 81 other states, none of which opposed this fund, has come a total of roughly only $15 million.

Contributions to the cost of United Nations activities must, of course, bear some relationship to capacity to pay. Indeed, a percentage formula is applied to that end in the case of regular annual assessments for United Nations support. At the same time, however, it seems to us that nations voting to establish programs involving voluntary financing have an obligation to support them, at least by token contributions. It is specious, it seems to us, to argue that some states are too poor to make a small payment to support measures which they have sponsored or approved. One has only to contemplate the costs of sending a delegation to the U.N. General Assembly, including the cost of often lavish social functions, for which funds are somehow found, to recognize how specious it is. Unless this issue is faced, a large measure of irresponsibility is introduced into the operations of the United Nations. In time, this irresponsibility can only serve to undermine the integrity of the United Nations.

4. Financing the United Nations

The above examples bring into relief the whole problem of financing the United Nations. Sooner or later this problem, too, will have to be faced with a great deal more candor by all the member states than any have so far been prepared to do. Year after year, at meetings of the General Assembly, there is a ritual of complaint from virtually all member states over the rising costs of United Nations operations. But year after year, member nations, by the resolutions which they pass in the General Assembly go on calling for costly new services and resisting efforts to end or to curb existing services. Year after year, the Secretary General finds his staff burdened with more and more duties while, at the same time, he finds it increasingly difficult to collect, not only voluntary contributions, but even regular assessments.

Attempts to lower operating costs are being made by the Secretary General. However meritorious, they are really peripheral to the problem. Savings that are made, in part, by squeezing personnel or at the expense of building maintenance and cleaning or similar housekeeping services may save a few thousand dollars. In the last analysis, however, they cannot be expected to have much effect on expenditures which already run well into tens of millions of dollars annually and promise to go on increasing.

It appears to us that the core of the problem of the rising costs of the United Nations, as already indicated, lies in the demands made upon the organization by the member states in the form of resolutions which establish new functions, expand or duplicate old functions, or perpetuate what are begun as temporary functions. A thorough and objective examination of this question seems to be entirely in order. The study is needed within the United Nations.

A similar study, however, is also needed at the national level, at least by this Government, for it is in national policies that demands upon the United Nations organization largely originate and, in all candor, many of these demands originate or are sustained by the policies of this Government. As a leading member and the principal financial contributor to the United Nations budget and voluntary programs and also to most of the specialized agencies, the attitude of the United States is bound to have a great influence on the fiscal policies and practices pursued within the United Nations system.

Further, we would suggest that the time has come to give serious consideration to modifying or to curbing the practice of financing various United Nations programs by voluntary contributions. One possible interim solution of this problem may be to require resolutions which involve voluntary contributions to carry in their texts the stipulation as to what countries are going to supply these voluntary contributions and in what percentages. In the long run, however, it seems essential to face the fact that if there are sound purposes for undertaking an action through the United Nations then it seems to us that there are sound reasons for financing such an action out of regular assessments which fall upon all members and which give due weight to capacity to pay. If nations are not prepared to bear a fair share of the cost of a particular program on that equitable basis, then there is a real question as to whether or not the program ought to be undertaken at all by the United Nations.

It is not encouraging, to say the least, when the Secretary General of the United Nations, the organization which carries such a large part of the hope of mankind for peace, must, in effect, go hat in hand to reluctant member nations in an effort to collect funds to operate its programs.

5. Concluding Comments

In the preceding sections of this report we have made observations on aspects of the U.N. and U.S. participation in the organization which impressed us most forcibly during our brief period of service as delegates. To summarize:

1. The practice of including Members of Congress in U.S. delegations to the General Assembly is a desirable one and should be continued, provided it is clear that they do not in any way compromise their independent responsibilities to their constituents by this service.

2. The personnel of the permanent mission under the Ambassador at the United Nations provides competent staff support for the U.S. delegations to the General Assembly. However, the effectiveness of the presentation and pursuit of U.S. policies in that body might be improved by permitting greater flexibility to the mission, by streamlining procedures within the executive branch on matters pertaining to our policies within the United Nations and by regular rotation practices for staff assigned to the permanent mission.

3. The changes which have taken place in the General Assembly in recent years have created a dangerous gap between calls for action and the responsibility and capacity to act. They have also produced parliamentary tendencies to busybody, to scramble for votes, to logroll, to water down resolutions. These tendencies, if they continue, may undermine respect for the organization throughout the world and reduce its capacity to make a contribution to peace. The changes in the role of the General Assembly, moreover, have imposed an inequitable burden on the nations which take the obligations of the charter most seriously.

4. The whole question of financing the United Nations needs to be examined with great candor. Present methods of supporting its activities in part by assessments and in part by voluntary contributions are inequitable and unsatisfactory. The problem of rising cost is inseparable from that of rising demands upon the organization by member nations. Both need to be studied and acted upon within the United Nations and within this Government which, as the largest contributor, exerts a great influence on fiscal developments within the United Nations system.

We make the above observations, emphasizing that they are based on our limited experience as delegates to the 13th General Assembly. Nevertheless, we make them in the hope that they may help to improve our participation in the United Nations and to strengthen that organization for the tasks of peace which are its primary reason for being.

We cannot conclude this report without noting that the United Nations cannot guarantee peace in a divided world. It is to be pointed out, however, that in many instances, through its activities, the organization has contributed to the maintenance of peace. The value of the United Nations in this sense has been demonstrated, notwithstanding criticisms of specific aspects of its operation which we have included in earlier sections of this report. How can a dollar value, for example, be placed upon its contributions to the prevention of conflict in Kashmir or in the Middle East? What has it been worth to the nations of the latter region, indeed, to all nations, to have had the United Nations Emergency Force interposed between hostile forces which might easily have triggered a worldwide conflict? In this way and in many others the United Nations has contributed to peace and, in effect, to the ends of U.S. policy and the policies of other nations.

Many of these contributions are directly traceable to the Secretary General of the organization. His objectivity and impartiality are universally recognized and have been widely utilized for peace. There is also a great potential for peace in the General Assembly which, despite its failure to act with promptness, clarity, and vigor on occasion, nevertheless, has provided a setting in which nations have been mobilized to throw their moral and other influence into the scales against aggression.

EXHIBIT 2

THE CONGO AND POLICY TOWARD THE NEW AFRICA

(Statement of Senator MIKE MANSFIELD, Democrat, of Montana)

Hopes rise and fall with respect to developments in the Congo. A road to an orderly and progressive future for that region opens one day only to be blocked the next by seemingly insurmountable obstacles. The problems of the Congolese transition are dumped suddenly on the United Nations to the tune of universal acclamation. Just as suddenly discordant notes are injected into the tune.

It is late in the day of this Congress to raise a question of this kind. I do so, however, because almost imperceptibly but deeply and rapidly, this Government is moving into involvement in the affairs of the Congo and Africa. Acts of the Senate are a factor in this trend in policy and, hence, the Senate shares responsibility for the form which the trend assumes. I would note in this connection that we have recently approved an increase in the President's contingency fund of $100 million and that this amount was sought by him in anticipation of needs in the Congo and elsewhere in Africa. Since we do have a responsibility it behooves us to see as clearly as we are able the essentials of the situation which exists on the African Continent and to consider the course which we are pursuing.

Let me say at the outset that the conduct of African policy for the past few years by the President, the Secretary of State and Mr. Lodge at the United Nations, in my opinion, deserves the support of the Senate

They have acted with insight and dispatch in dealing with the most uncertain situation.

It is no criticism of them to note that, of late, the waters of African affairs and, particularly, those in the Congo have become more turbulent. What is taking place in the Congo may spread to other parts of the African Continent. Indeed, in the last few days the short-lived unity of Senegal and the Sudan Republic in the Mali Federation has threatened to come apart in factional dispute.

In short, we are likely to be in for a protracted period of difficulties in Africa. It is not easy to define the sources of these difficulties even though it is essential for the Senate to make the effort. Africa from the point of view of our comprehension is a new continent. It has burst upon our awareness suddenly, after having been shut off almost entirely by barriers of nature and the closed doors of colonial enclaves. What we need to know now for effective policies is not to be derived from the old travel books on Africa and the attitudes which they induced. It is the emergent Africa, the Africa of today and, even more important, the Africa of tomorrow which we must seek to fathom. For it is to this new Africa that we must address our policies.

It will be sometime before the channels of objective information and skilled interpretation become fully adequate to this need. What pours out of Africa today is a confusing mixture of fact and fancy, of the sober and the sensational, of what is past and what is yet to be. However, there is a constant improvement in the flow of information as American reporters, writers and scholars converge on the African Continent and a network of American embassies develops in the new republics.

COLONIALISM

Some of the significant realities have already come into sharper focus. The first and most important of these is that European colonialism as a system of government is fast disappearing. At the end of World War II, there were four independent nations in Africa. Now, there are 24. By the end of the year, two more former colonies will become independent. Four African nations, including South Africa, signed the U.N. Charter in 1945. Ten African states are now members; 14 are likely to become members in the very near future.

It is clear that colonialism is rapidly disappearing as a political system in Africa. What is not so clear but what may be of even greater significance is that colonialism as a political propellant has not yet left the scene. The word still has the capacity to evoke a militant nationalism, and even racism, in Africans. Its capacity in this respect may increase before it begins to decrease. That is likely to be the case so long as any part of the African Continent remains under alien jurisdiction. It is likely to be the case so long as any independent nation of Africa, now dominated by European settlers, has still to evolve a workable system of government under which the peoples of varying races can live together in a reasonable acceptance of one another. It is likely to be the case until a free Africa persuades itself that it is a full and equal participant in the general affairs of the world.

The persistence of this political propellant may or may not be valid in logic. What matters from the point of view of policy, however, is that it exists in fact and it is likely to continue to exist for some time. A policy which, in concept or administration, ignores its existence rests upon a most fragile foundation.

POLITICAL INSTABILITY

Beyond the persistence of the factor of colonialism, there are other political realities in the African situation with which our policies must reckon. It is now apparent that the stability of the colonial system was imposed from without at the price of a large measure of social atrophy within Africa. The basic mode of existence for great numbers of Africans today differs little from the pattern of an earlier time with its multiple tribes, multiple languages, multiple customs, values and superstitions. Furthermore, the political boundaries which colonialism drew in Africa were more a consequence of power adjustments among the European nations rather than expressions of natural divisions and of human forces within Africa itself. Yet it is within these boundaries that African nations, today, are emerging into independence.

I do not make these observations in criticism. What is past is past and cannot be undone. I point to these factors because they are significant in the unstable situation with which our policies must deal during this period of transition in Africa. There will be strong pressures to pull apart the outwardly imposed political unities and to revert to the schismatic earlier pattern. The sophisticated nationalism of a handful of African leaders will not easily be transferred to the many. These leaders themselves will have to search for ways to reorder boundaries into new political units, knowing as they do the requirements for a durable statehood in the modern world. To a considerable extent this search can be fruitful and beneficial. Other consequences, however, may also be anticipated if the search becomes aggressive or if African leaders pursue concepts of pan-Africanism on the basis of a militant racism.

AFRICAN LEADERSHIP AND MODERN SKILLS

That brings me to still another significant factor in the African situation with which we must deal in policy. To a degree perhaps unparalleled since the revolutions of independence in the Americas, the great political transition in Africa depends upon a handful of trained and experienced leaders. And unlike the simple world of the Americas at an earlier time, Africa is being propelled, in independence, into the modern world of instant communications, missiles, nuclear power, and complex bureaucratic organization.

Few Africans have been introduced as apprentices and, even fewer as managerial participants in the affairs of the modern state, the modern economy, and the modern world. Yet many must learn rapidly if, to the bare bones of independence, there is to be added the sinews of economic and political organization which will give that independence beneficial meaning and durability for the people of Africa. The problem is not simply one of replacing the European colonial bureaucracies with U.N. or other bureaucracies and, then, with an African bureaucracy in the same form. However much replacements of this kind may be unavoidable for the present, the deeper problem is the development of responsible African government and responsible African management to guide the African peoples into a way of life suited to their needs and, at the same time, capable of peaceful, free, and constructive cooperation in the general progress of mankind.

The task which confronts an emerging Africa is monumental. Much will depend on an understanding and patient hand from the rest of the world. But even more will depend upon the dedication, the wisdom, and the realistic restraint of those few Africans who are now assuming the reins of political power. They, more than anyone else, will make the decisions which set the patterns, for better or for worse, for the new way of life in Africa.

OUTSIDE INFLUENCES

I turn now to the last significant factor in the African situation with which I wish to deal at this time. I have already noted that Africa's future is partially dependent on an understanding and patient assist from the rest of the world. There appears to be a great, a universal eagerness to lend a hand in Africa. We see it clearly in the Soviet Union and China. We see it clearly in Cairo. We see it clearly in Europe. We see it clearly in this country and in the United Nations.

What we do not yet see clearly is the nature of this hand. Certainly there is a human and sincere desire—and I am sure it exists among the people of all countries—to help those who for too long have been cut off from equal participation in the mainstream of human civilization. But is that all there is in the extended hands? Is there not also a certain eagerness to project into Africa the many ramifications of the cold war and other power rivalries which now plague the rest of the world?

The field is wide open for that game at the moment. Africa is in transition and its leadership has only limited experience. But transitions are not forever and those who have learned the way to national independence are equipped to learn other matters. Most important, I believe the emerging African peoples have had enough of the role of pawns moved on the chessboards of others. They will not meekly assume that role again and they will react against those who seek to return them to it.

It may be too much to expect but it is not too much to attempt to insulate an emergent Africa from the international political and ideological storms which now sweep the rest of the world. In any event, I believe that policies, in concept or administration, which deliberately seek to project these storms into Africa will redound neither to the benefit of the African nations nor even to the long-range interests of those nations which pursue them.

THE SITUATION IN THE CONGO

The factors which I have been discussing and with which our policies respecting Africa must contend are to be found to a greater or lesser degree throughout that continent. And they are of intense significance in the immediate crisis in the Congo. The propellant of colonialism still drives people in that region to militant action despite the fact that independence has been achieved, despite the fact that the Belgians are in rapid withdrawal as U.N. forces enter the situation. Furthermore, as the colonial system has been progressively dismantled, the outward political unity which this system created faces rising centrifugal pressures, not only in Katanga but elsewhere in that huge land. Also in evidence in the Congo is the countergroping of pan-Africanism to which I have already alluded; unfortunately, I may add, it has already taken on some dangerous racial overtones in the expression of differing attitudes toward U.N. forces supplied by African nations and those from elsewhere. In the Congo, too, is to be found an enormous gap between the immediate need for skilled Africans in government and management and the extremely limited supply. In the Congo, finally, we see the helping hand from the rest of the world extended in sincere understanding of the difficulties confronting this new nation but also with the muscles of the external power rivalries flexing here and there in an eagerness to plunge into the inviting situation.

U.S. INTERESTS

If we are to deal effectively in policy not only with the situation in the Congo but, in truth, with developments throughout Africa, we must not only see our interests clearly but we must pursue those interests in the light of significant factors of the kind I have been discussing today. Our interests are not hard to define. They arise, first and foremost from the universal implications of the

historic American doctrines of freedom. And men and women in Africa, today, are striving for freedom and its meaning for them. They may struggle awkwardly and ineptly, perhaps, and sometimes even blindly but, nevertheless, the struggle is authentic.

Furthermore American citizens have modest cultural and commercial ties with Africa and the prospects for the improvement of the ties are good as Africa develops in freedom. These, too, constitute American interests.

Finally we have an interest in human progress in peace in Africa. We have that interest in part because we cannot, and no people worthy of the name human can, close eyes to the desperate travails of a vast segment of the human family. We have it, too, because the peaceful progress of Africa is interrelated with the peace of the people of this Nation in this second half of the 20th century. We have this interest because of Africa can progress in freedom and peace, it will spare us the extension of the costly trappings of the cold war to still another continent.

FRAMEWORK FOR UNITED STATES POLICY

What, then, do these interests suggest as a proper course of policy for this Nation? I do not believe that they suggest that we plunge headlong into the turbulent troubles of Africa with eager dollars, with unsolicited advice, with an indiscriminate outpouring of new military and economic aid programs wherever takers may be found. It should be obvious, now, on the basis of experience elsewhere that this approach can guarantee neither to dispel Africa's troubles nor to exorcise communism from that continent. Equally, Mr. President, we must resist the easy temptation to pass off the difficulties in Africa as of little import to this Nation. In short, our important but limited interests suggest that we do not assume the role of either first or last among equals in our approach to Africa but that we take our place as true equals among outsiders while Africa develops within, under its own leadership and in accord with its own genius. This view presupposes a major effort of assistance by the United Nations, as Africans need it, seek it and can use it. But I hasten to add that that supposition is not the same as the glib slogan: "Let the United Nations do it."

With all due respect to Mr. Hammarskjold, a brilliant and dedicated man, the fact is that what needs to be done in Africa will not be done unless the policies of this Government and others and, most of all, the leadership of the new Africa permit it to be done.

PRINCIPLES OF A U.S. POLICY ON AFRICA

We cannot answer for others in this connection but we can look to our own policies on Africa and their administration. In the light of the analysis which I have attempted today, I would suggest that our policies must flow from the following principles:

1. This Nation should give its support, diplomatically and otherwise to the end that independence and human equality will eventually be achieved throughout Africa. Our support must go, as it has begun to go under this administration, to those who work oberly in Africa for these ends. May I say, in all candor, that this principle grows easier to maintain with consistency and dynamism as the nations of Europe with whom we are associated in other matters increasingly espouse it in their own African policies. The difficulties, however, are great and will remain great in those areas in Africa of heavy European settlement and I do not wish to make light of the task of those who must conduct our policies affecting those areas.

It seems to me particularly important that this principle find expression in the character and conduct of our expanding network of embassies in the new African republics. I hope that these establishments will be kept modest in size and character. I hope, further, that our official representatives will seek a fresh and full understanding of the situations which they encounter, based upon direct and broad contact with the peoples of these new nations. I hope, finally, that these embassies will be conducted in a manner which reflects the simple good will of this Nation toward the new republics of Africa and our sympathetic appreciation of their struggles. In sum, it seems to me of the utmost importance that now, at the beginnings of contact with the new Africa, our official representation be kept free of those characteristics which would invite a deflection of the political propellant of colonialism to this Nation.

2. In the absence of overriding considerations to the contrary, this Nation should use whatever influence it can against a centrifugal fragmentation of existing political units in Africa. However powerful the divisive forces of an ancient tribalism may still be, they are the forces of the dying Africa; they are not the strengths of the Africa that is struggling to come into being. May I say that to hold to this principle is not to stand against adjustments in present political boundaries. Such adjustments are to be anticipated and are to be encouraged if they lead to more practical political and economic units. We should resist these tendencies, however, if they derive either from a narrow tribalism or a sweeping racist pan-Africanism.

I realize that these particular problems must be dealt with primarily by the African peoples themselves. There is every indication, however, that the United Nations may be drawn increasingly into them. Since that is the probability, we must be prepared to exert our influence affirmatively in that organization and, in other ways, on the side of modern political progress in Africa.

3. We should recognize that the hopes for freedom and progress in Africa during this period of transition depend, perhaps, more on the caliber of men than on the forms of governments and we should lend a most understanding ear to those African leaders who, with sincerity, personal dedication, and realism seek to move their nations forward.

We must learn quickly, as much as we can about the emergent African leadership and, if we are to learn accurately, we will eschew such inapplicable frames of reference as pro-Communist or pro-Western. The leadership that matters for the future of Africa will be neither one nor the other. It will be pro-African in the finest sense of the term in that it will be dedicated to the welfare of its own peoples and will drive soberly but relentlessly to increase their capacity for survival and expression in the modern world.

4. We should join with all nations so inclined in an effort to lend a genuinely helpful hand to the vast needs of Africa for training in modern skills and for prompt economic and social development.

If Africa is to make the most of this help and, if the rest of the world is to gain from it in terms of peace, then it seems to me that this help must go to Africa free of any extension—expressed or implied—of the power conflicts and rivalries which divide the world. The challenge of Africa is not a call to greater propaganda battles between us and the Soviet Union. The challenge of Africa is to the world. It is a challenge to help open in peace the doors of modern life for the peoples of Africa, for their benefit and for the still unfathomed benefits which may flow to mankind from that opening.

SPECIFICS OF A U.S. POLICY

If we accept this as the deeper challenge of Africa then it seems to me that we must begin to seek agreement through our policies, in the U.N. and elsewhere, on the following points:

1. That all requests for military training missions and military aid from the African nations henceforth be referred to the United Nations and that such missions, as approved by the Security Council, be supplied solely under the aegis of the U.N.; further, that existing military aid missions in Africa be converted into U.N. missions at the request of any independent African nation and, as rapidly as possible.

2. That the United States seek agreement with the Soviet Union to the end that both nations shall refrain from seeking military bases in Africa and from sending military forces to any part of Africa except as the Security Council may direct; further, that existing bases of either nation in Africa be closed out in due course and any military forces of either nation on the African Continent be withdrawn as the Security Council may direct.

3. That the United Nations effort in the Congo, and similar efforts which may be required and sought elsewhere in Africa, henceforth be financed by a four-quarters fund: one-quarter supplied by the United States; one-quarter by the Soviet Union and Eastern Europe acting, as willing, in concert; one-quarter by Western Europe acting, as willing, in concert; and one-quarter by the other members of the United Nations.

4. That the four-quarters fund be used, further, as the principal instrument for financing a substantial program of technical aid to Africa, to be pursued predominantly through an expansion of educational and training facilities in that continent, with technicians and teachers supplied on a similar four-quarter division, under the general direction of the U.N. Secretary General; and further, as this effort comes into operation, that bilateral assistance by all nations in Africa be progressively curtailed.

My principal interest today has been to explore the limits of our proper concern in the unfolding situation in Africa. The difficulty which confronts our policy is not only that we may do too little but that we may be impelled to do too much and in ill-adapted ways and, hence, contribute to the creation on the African Continent of still another front in the cold war. We shall not be thanked by the Africans if that is the effect of our contribution regardless of its size and our good intentions. Nor will we serve the interests of this Nation by enlarging the already costly trappings of the cold war—notably, military and political aid, propaganda dissemination and increased defense expenditures—if it can be avoided.

I do not know if it will be possible to bring into being the beginnings of a constructive and cooperative approach to Africa along the lines of the suggestions which I have advanced. There is little ground for sanguine expectations. Nevertheless, I believe we should make, in policy, an effort of this kind. We should make it with all diligence and in all sincerity. We should make it in our own interests, in the interests of the emergent African peoples and in the interests of the peace of the world.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. AIKEN. I commend the majority leader for the speech which he has just delivered to the Senate. I realize that there are persons who will be rather critical of what he has said. Others will commend him for having the courage to say it.

We have reached a time when we should make a very searching analysis of the international organizations to

which we belong, including the United Nations. I have been disappointed this winter that there seems to be a group—I believe a small, but very intensive and vocal group, or at least one very fluent with their pen—who criticize anyone who dares to look inside the United Nations and try to determine whether it is accomplishing the purposes for which it was originally established and whether it is using the correct methods to accomplish such purposes.

I cannot help but recall that for 2 weeks in the Senate Chamber there was a very critical search of the systems of certain State governments here in the United States, and some of the very persons who applauded that searching review of our State systems seem to think it is rather horrendous even to take a casual look at the operations of the United Nations.

If the United Nations survives as an effective organization in the years ahead, it will be because some people have had the courage to insist that it carry on its operations as a sound, solvent, and efficient organization; and we cannot do that without opening the door and looking inside to see what is going on.

The Senator from Montana has made a great contribution today to the survival of the United Nations. There was a time when the United Nations was criticized solely by its old enemies. I think it is perfectly proper for the old, longtime friends of the U.N. to insist that it so conduct its affairs that it may live and be effective far into the future.

Mr. MANSFIELD. I wish to express my appreciation for the remarks just made by the distinguished senior Senator from Vermont, who has contributed a great deal, and constructively, to the proposed legislation now before the Senate.

As I look over this Chamber, I see four Members of the Senate, besides myself, who have served as delegates to the United Nations—the Senator from Kentucky [Mr. COOPER], the Senator from Vermont [Mr. AIKEN], the Senator from Minnesota [Mr. HUMPHREY], and the Senator from Oregon [Mr. MORSE]. They have all made contributions to various sound and constructive studies covering our relations with the United Nations.

I have been somewhat disturbed by the attitude taken in the press and by certain columnists in this country toward some of my colleagues on both sides of the aisle because they have spoken up and made constructive suggestions concerning the United Nations. We know that the organization is not perfect—far from it. We do not expect perfection. We know it is operating under handicaps which its founders did not foresee in 1945, when it came into being. But I say that Senators can and have the right to criticize constructively, as all of those who have spoken on this subject have done. We can be of help to an organization of this nature, in which we all believe. I point out to my friends who seem to find fault with both Democratic and Republican Senators because they have had the honesty to make their suggestions publicly, that they would do well to look at the mote in their own eyes. They are not perfect, either. I honor those Senators, regardless of their stand, for what they have had to say. I know that when the Senator from Washington [Mr. JACKSON] and the Senator from Minnesota [Mr. HUMPHREY] speak, they do so constructively. When the Senator from Vermont [Mr. AIKEN] offers an alternate solution to the proposal sent to the Congress by the administration, and is joined in such proposal by the Senator from Iowa [Mr. HICKENLOOPER] and other Members of the Senate, they do so constructively, on the basis of knowledge which they acquired as a result of their experience as delegates to the U.N. I say to them, "Be not of faint heart because of what is said about you in public print, but continue to do the best you can, and do it honestly and with integrity."

Mr. COOPER. Mr. President, I, too, appreciate very much the speech of the majority leader. As he has noted, I had the opportunity of serving as a delegate at three sessions of the United Nations General Assembly. I remember the pleasure I had in serving with the majority leader in 1951, at Paris.

I have noticed, particularly in my correspondence of the last year, the increasing attacks upon the United Nations. When I read the speech a few days ago of the Senator from Washington [Mr. JACKSON], while I did not agree with all of his conclusions, I thought it was well that he raised the questions that he did about the United Nations.

As certain doubts and questions are in the minds of a great many people in this country, I would be happy if the questions the people have about the United Nations could be thoroughly explored in debate on the floor of the Senate.

I once served on the Budget Committee for the U.N. I learned, as the Senator from Vermont [Mr. AIKEN] has learned, that the members of the United Nations must come to grips with their responsibility to participate in financing its regular operations, and also its peace and security operations, which perhaps were not foreseen clearly at the time of the ratification of the Charter.

There are in this country certain groups who are carried away by the United Nations, and believe it can solve all the problems of the world. It cannot, and these people are a little fatuous if they expect the U.N. to solve the issues between the great powers.

There are other people, who take the other extreme, and blame the U.N. for the crises and dangers we face. Some of the disillusionment with the U.N. arises from the frustration of people who are concerned about the world situation, and who look for some easy means to meet our dangers.

Some people say, "Get out of the United Nations," as if doing so would solve our problem. To the contrary, it would only increase our problems and dangers.

There is a point we can remember about the worth of the United Nations—and it is concerned with our vital self-interest. There are many places in the world at which we are in direct confrontation with the Soviet Union, and each of these places is an area of danger. Each is a place where fighting is possible, and which might grow into a nuclear war. This is the danger of Berlin. It may exist in other places.

The United Nations has moved into such places as the Middle East and the Congo and reduced the possibility of direct confrontation there of the United States and the Soviet Union. If the United Nations had not moved, intervention by the Soviet Union might have occurred, and our country would have been faced with the question of whether it, to, should move in directly.

This would have added to the number of points of confrontation between the Soviet Union and the United States, and would have increased the world danger which we face today.

So if there is no other reason why our people should feel that the United Nations serves a worthy purpose, in very simple terms, it has, in my view, prevented the multiplication of the places at which we would have been in direct confrontation with the Soviet Union, and the consequent possibility of war.

I believed that some of our people have not considered this possibility in relation to the situation in the Congo, unhappy as it has been. I do not know whether the same people who say, "Get out of the United Nations" would have been willing for the United States to take unilateral action in the Mideast and the Congo. They would be the first to oppose direct action.

There are many other reasons which lead me to support the U.N., but one reason is certainly our self-interest.

LET'S SUPPORT UNITED NATIONS

Mr. YOUNG of Ohio. Mr. President, the General Assembly of the United Nations has authorized the issuance of a $200 million bond issue in order to save this peacekeeping organization from threatened bankruptcy. President Kennedy has reaffirmed our Government's faith in the future of the United Nations by requesting the Congress to authorize the purchase of one-half of these 25-year 2-percent bonds by the United States.

The working capital of the United Nations has been greatly reduced. Money is urgently needed to carry on vital U.N. operations. It is true, as many critics of the U.N. have pointed out, that this emergency would not exist if all member nations paid their assessments as we do. Nevertheless, the emergency exists and the President is correct in urging emergency action to deal with it. The United Nations is too important in the preservation of world peace to allow a lack of funds to bring its work to a halt. Our purchasing these bonds may make the difference between an effective and crippled U.N. Those who oppose our doing so are playing into the hands of the Soviet Union which opposes the bond issue and long has been in arrears in various U.N. accounts, including the Congo, to the tune of $41 million.

We Americans should be doing everything possible to strengthen the United Nations, for it remains the world's great hope for a just and lasting peace. Yet

some Americans not only oppose our purchase of U.N. bonds, but are foolishly demanding that we withdraw from the U.N.

Among these are the lunatic fringe fanatics who would risk nuclear war and the end of civilization as we know it. They march under the illusory slogan of "total victory" in a world where an attempted "total victory" will more likely mean total destruction. They preach conservatism without conserving our essential freedoms. Under the guise of patriotism they would destroy our democracy, replacing it with a Fascist-like totalitarian form of government. For them the United Nations is a convenient scapegoat for all that is wrong with the world. With this lunatic fringe, there is no appeal to reason.

Other opponents are sincere in their longing for a return to our isolated past. These misguided Americans continue to view the world through blinders and see it as it was 50 years ago. For them the atom bomb, orbital rockets, intercontinental ballistic missiles, and other advances in warmaking do not exist. They mistakenly believe that a return to the outdated concept of fortress America is still possible in an age when nations have the power to destroy one another within 20 minutes without one soldier crossing a border.

Finally, there are the frustrated Americans who feel that since the United Nations has not solved all our international problems, this international agency should be discarded. There is probably not a thinking American who has not at one time or another been frustrated by the failure of the U.N. to solve a particular issue. It is true that it has often failed and undoubtedly there will be more failures. The U.N. offers no panacea, no cure-all for every international disease, and to view its purpose as such is to invite disappointment and frustration.

This organization is only one instrumentality of our foreign policy along with bilateral diplomacy and multilateral alliances such as NATO, the organization of American States, and the Southeast Asia Treaty Organization. Each has its own uses and purposes. Like all political instrumentalities it is imperfect, often unwieldy, and its uses are limited. However, those uses can be very important in the pursuit of some of our national objectives which cannot be pursued as effectively, if at all, by other means. For this reason, if for no other, we must support its continued existence which the purchase of these bonds will help insure.

The United Nations has had some notable successes. The specialized agencies have done important work with children, food, health, and economic development. It resolved the Suez crisis and has managed to insulate Egypt and Israel. Today, under unbelievably difficult conditions, it is attempting to resolve the crisis in the Congo.

It is interesting to note that critics of the U.N. Congo policy base their opposition on the mythical grounds that it is furthering Communist goals. One of the reasons for this bond issue is the fact that the Soviet Union is one of those nations which has refused to contribute financially or otherwise to the Congo operation. Certainly, were the U.N. action favorable to its interests, the Soviet Union would be delighted to contribute toward its success.

In short, the United Nations can only be measured in view of the alternative. It has worked and will work when it has had to, when both the United States and the Soviet Union wanted it to work, when bilateral or multilateral diplomacy could not succeed. If it has not solved all mankind's problems, it has on occasion prevented a confrontation of the great powers. This in itself is enough justification for its continuance.

Obviously, there is plenty of room for improvement in the U.N. toward this end all peace-loving nations must constantly strive. This bond issue may well help strengthen the authority of the U.N. Today, many nations refuse to contribute to one or more of the U.N. activities—the force in the Gaza Strip, the Congo, and others.

If each country were left free to control or interfere with U.N. activities because it disapproves of a particular undertaking, the result would be utter collapse of the world organization. The chief significance of the bond issue is that it will deprive recalcitrant members of this leverage. The bonds to be sold will be repaid as part of the regular budget. Each member will have to contribute its share of the repayment cost regardless of what the money is used for. This means that the Soviet Union and other defaulters must help pay off the bond issue as part of their regular assessment.

At the same time it approved the issue, the General Assembly, despite Soviet bloc opposition, appealed to the World Court for an advisory opinion on whether the charter binds U.N. members to pay their share of the cost of operations ordered for the purpose of maintaining peace. An opinion that such assessments are compulsory would subject defaulters—as the Soviet Union now is—to loss of voting rights.

The appeal to the Court and the bond issue should help end the attempt of the Soviet Union to impose pocketbook nullification of decisions of which they disapprove.

Mr. President, the United Nations will continue to be a vital instrument of foreign policy when the great nations wish to avoid direct conflict. We cannot allow it to die or atrophy. Repayment of these bonds will be incorporated in the mandatory annual budget dues of all U.N. members. Thus the U.S. share of the peacekeeping operations will be reduced from the present 47½ percent to our yearly budget assessment of 32 percent.

In this emergency, we can well afford to lend what amounts to 50 cents per capita of our population by approving the President's request for authority to purchase the U.N. bonds. In fact, we cannot afford not to do so. To abandon the U.N. would be, as one columnist put it, like shooting the sheriff because the desperadoes will not obey him.

Mr. HUMPHREY. Mr. President, earlier in the day I had given a release to the press. It refers to the address I intended to make in the Senate on the subject of the U.N. bond issue. Because the time of the Senate has been consumed in other debate, I have not had an opportunity to make the address. I wish to keep faith with the members of the press, some of whom have already used the statement. I therefore ask unanimous consent that this statement be printed in the RECORD.

There being no objection, the release was ordered to be printed in the RECORD, as follows:

HUMPHREY SUGGESTS SPACE ACTIVITIES, OCEAN, AND POLAR RESOURCES AS U.N. REVENUE SOURCES

Senator HUBERT H. HUMPHREY, Democrat, of Minnesota, today firmly backed the proposal for purchase of U.N. bonds, but called for American leadership to help put U.N. financing on a self-sustaining basis.

HUMPHREY urged consideration of a new method for long-range and continuing financing of the U.N. from revenue producing space activities and ocean and polar resources.

He urged prompt congressional action to help meet the immediate financial needs of the U.N., but he added:

"Purchase of U.N. bonds is a temporary expedient, and should not be looked upon as a precedent or as a final answer to the critical financial needs of the United Nations.

"The United Nations should seek new sources of revenue independent of contributions of its members. The real test of American leadership is our determination to put U.N. finances on a long-range self-financing basis.

"I suggest that new sources of wealth which are being opened by advances in science and technology outside the jurisdiction and present taxing authority of any national state may offer the means of financial assistance.

"The three important sources of potential revenue are space traffic and communication rights, ocean resources, and polar resources.

"Action could be taken authorizing exclusive U.N. tax rights to such new sources of wealth, even in advance of such sources becoming practicably usable.

"This would not provide an answer to the immediate financial problems of the U.N., but as science and technology progress further, these potential sources of wealth could become important to the life and strength of the U.N.

"It is entirely possible that within a decade or two the United Nations might obtain substantial revenue from these sources of wealth."

HUMPHREY suggested these specific possibilities of continuing revenue for the United Nations:

"1. Space traffic and communication rights: The use of orbiting satellites for relaying telephonic and TV signals is bound to have significant monetary value. The U.N. could be given exclusive authority not only to license and regulate, but also to tax this and other types of space traffic. Outer space belongs to no nation. It is international.

"2. Ocean resources (beyond the 3-mile or 12-mile limit): It soon will be feasible, using new technological advances, to drill for oil through the ocean bottom on the high seas. The U.N. should have the same rights to require a share in the production of oil wells on the high seas, as let us say Venezuela or Saudi Arabia have for wells drilled in their territories.

"Also, there are mineral bearing nodules that cover thousands of square miles of the ocean floor. New developments in underwater equipment operated by remote control may soon make their recovery economically feasible. Here is a potential source of income for the U.N. The U.N. could be granted exclusive authority to license, regulate and tax the exploitation of ocean resources outside presently recognized limits of national jurisdiction.

"3. Polar resources: Presently there is vast exploration of polar regions. There are known mineral resources in the Antarctic and possibly in the Arctic. Perhaps landed rights or transpolar routes or mineral development rights may one day have revenue yielding potential. It would seem wise to explore the possibility of an agreement conveying to the U.N. jurisdiction over and rights to regulate and tax the economic exploitation of all polar areas where national jurisdiction is presently unestablished or in dispute."

HUMPHREY urged that serious study be given to these proposals.

"The U.N. can learn from American history," he said, "that the power to lay and collect taxes may well determine life or death.

"With funds available for the next two years, the United Nations will have an opportunity to save itself from financial bankruptcy and political impotence and to explore a more permanent method to finance its operations for peace."

Mr. PROUTY. Mr. President, several hundred years ago in the British House of Commons, a great Whig authority used to say that the duty of an opposition was very simple—it was "to oppose everything, and propose nothing."

I am proud to say that the distinguished senior Senator from Vermont has brought to focus the error of this statement. On the United Nations bond question he has both opposed and proposed, and the result has been a salutary one. I congratulate him and the distinguished senior Senator from Iowa. I also wish to compliment the distinguished majority leader and the distinguished minority leader for their efforts to bring about a rapprochement on this question.

This unity of purpose, this desire and ability to effectuate a meeting of the minds on matters involving national security, without thought of partisan considerations is the strength of America.

But of the fruitful discussions that have taken place there may have emerged something greater, something more lasting, something more vital to the United States than a bill compromise wrought by reasonable men.

There has come forth the general recognition that in this country there is room for but one Secretary of State, and anyone who attempts to usurp that office—in New York or elsewhere—must be regarded as an interloper, however innocent his intentions.

No one of us is too wise, too smart, too experienced to learn. I am certain the President would be the first to say, after the exchanges of views which have taken place, that he has new insights and new information about the problem of United Nations financing and the concerns of the Senate.

It is devoutly to be hoped that from this day forward we will shape our policies by asking "What is good for the country?" and not "What will the world ever think of us?"

People from every side inquire: "Is the compromise a victory for the President? Is the agreement a victory for the Republican leadership?" My answer must be that if there is a victory, it is a victory for the American people.

I do not mean to suggest it is everything I had hoped for. In the cold light of day I would have to declare it is something better than displeasing and something less than perfection.

The issues of war and peace transcend the pure pleasures of partisanship, and politics has stopped—as it always must—at the waters edge.

When we first entered the United Nations nearly two decades ago, it was thought that the major powers—the permanent members of the Security Council—would keep the peace and bear the heaviest share of the expenses of the organization.

The financial burden still rests upon the shoulders of the major powers; particularly the United States. But the mantle of leadership has been stretched at the seams and does as much to cover the bare bones of Mali and Ghana as the shoulders of the United States.

In the General Assembly there is parity of power without parity of responsibility. The last to pay membership dues are too often the first to declare how the United Nations—even the world—should be run.

The terms of the compromise bill make it unmistakably clear that we are willing to help put the United Nations house in order, but that we are not ready to pay anyone's back rent.

The bill has another message for those official dreamers who believe the bond issue may have "important beneficial consequences as a precedent." The message is simply this: "Don't count on it."

The slogan now pervading the United Nations is "Pay what you want." Let us substitute for this byword, as the compromise bill does, "Pay what you must."

I am proud today to be a Member of this Senate. I am proud, too, that the President has been willing to scale the cliffs of compromise. And if his extremist friends should cause him grief because of the agreement, he ought to remember the old saying that the best soldiers come out of the highlands of affliction.

ORDER OF BUSINESS

Mr. MORSE. Mr. President, later this afternoon I shall speak on the subject of the San Luis contract, a threat to the 160-acre limitation. Before I turn to that subject there are two or three other items as to which I shall comment briefly.

I make my speech at a convenient time for the Senate this afternoon, in keeping with my policy of cooperation with the leadership of the Senate, because my colleagues can read my comments in the RECORD if they wish to do so. They know there will be no votes this afternoon on any subject matter. They have other meetings to attend. Therefore, I have agreed to present my comments on the subject matters I shall discuss at this late time this afternoon.

The PRESIDING OFFICER. The Senator from Oregon has the floor.

TRIBUTE TO HADASSAH

Mr. MORSE. Mr. President, this noon I had the privilege of being the guest of the Senator from Minnesota [Mr. HUMPHREY] and the Senator from New York [Mr. JAVITS], who were the Senate hosts for a great organization of women in the United States known as Hadassah.

Hadassah is an organization of Jewish women which has made a great humanitarian record, of which all Americans can be justly proud. It is an organization of Jewish women dedicated to a great objective; namely, the promotion and protection of human values.

The program of Hadassah in support of hospitals and in support of many great charitable institutions makes one very proud to be an American. I think it is particularly fitting that the record of man's humanity to man which Hadassah has made over the years should be a record made by an organization of Jewish women.

They are American women, Mr. President. As one of their spokesmen pointed out so eloquently in a brief speech she made at our luncheon this noon, they recognize the nonpartisanship of freedom. They appreciate the fact that liberty can be protected and defended only by constant vigilance.

This great organization of American Jewish women recognizes that we have moral responsibilities to carry out great spiritual teachings, such as the teaching that we are our brother's keeper.

I have noticed over the years that almost any community—in fact, I can say every community with which I have been familiar—which experiences a great need for some humanitarian program finds support from such women. It is interesting to note that the Jewish segment of the population always can be counted upon to carry its share of the burden, and usually more than its share of the burden.

That should not be surprising, because the trials and tribulations of the Jewish people throughout the ages have taught them the meaning of human freedom and personal liberty.

I speak of liberalism in the broadest sense when I say that great liberal causes are invariably understood by Jewish people. I have sometimes said that they are great liberals in the sense that they appreciate the importance of the protection of human liberty, freedom, and the preservation of a democratic system of government, which is, of course, the only true protection that the citizen has from the kind of tyranny, discrimination, and hardships to which Jews, under innumerable, nondemocratic governments, have been subjected over the ages.

I was particularly appreciative of the invitation of the Senator from Minnesota [Mr. HUMPHREY] and the Senator from New York [Mr. JAVITS] to be present at the luncheon this noon, because this year marks the golden jubilee of Hadassah. I thought it was particularly fitting and proper that the national representatives and the District of Columbia representatives of Hadassah should meet with Senators this noon at

a luncheon which was at least symbolic of our appreciation of the golden jubilee of Hadassah.

So from the floor of the Senate today I wish to extend personal congratulations to Hadassah and to express my great admiration for the humanitarianism of this great organization of American Jewish women, who appreciate the fact that, after all, each of us has a moral responsibility to do for those less fortunate than we those things that we would have done for us if we found ourselves in more unhappy circumstances. To the Hadassah women who honored us with the invitation to join with them for luncheon this noon, I say, "Thank you."

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. HUMPHREY. I appreciate the courtesy of the Senator from Oregon. I wish to join with him at this particular moment in saluting the Hadassah organization and in commending the ladies of the Hadassah on their outstanding work in the field of health, medical care, medical education, general education, and social welfare, a program which has been carried on here in the United States, in the State of Israel, Asia, Africa, and other areas of the world. The Senator from Oregon has clearly stated the broad objectives of Hadassah and has properly and forthrightly described the range of activities of this organization as well as the spirit that motivates it. It is indeed the spirit of compassion, the spirit of self-sacrifice, and the spirit of charity and kindness. It was my pleasure, as the Senator has indicated, to cosponsor with the Senator from New York [Mr. JAVITS] a luncheon this noon, which was very well attended. I might add that many Senators sent their regrets at not being able to attend because of other commitments. I have just told the Senator from New Mexico [Mr. ANDERSON] what a fine group was present. He expressed to me his deep disappointment in not being able to attend because of another engagement. I think nearly every Senator would have been present if it had been possible for him to be there, because we all respect the work of this fine group.

This is the 50th anniversary of Hadassah, the Women's Zionist Organization of America.

I commend Hadassah for its continuing record of humanitarian service. In carrying out its objectives of instilling an understanding of Jewish values by furthering the education and the advancement of the health of the people of Israel, its members, as Americans and as Jews, have played a vital role in aiding victims of religious persecution, in combating ignorance and poverty, and in aiding the creation of a new state. Through its aid to those in need and by its fostering of freedom and opportunity for others, it has been a living example of some of America's highest principles.

In extending congratulations to Hadassah on its golden anniversary, I also wish it well as it continues its fine efforts to help those who are oppressed achieve the peace and freedom they desire.

It seems to me appropriate at this time, if the Senator from Oregon will permit, to ask unanimous consent that the message of President Kennedy to Hadassah and the jubilee message of Mrs. Siegfried Kramarsky, national president of Hadassah, be printed at this point in the RECORD.

There being no objection, the messages were ordered to be printed in the RECORD, as follows:

PRESIDENT KENNEDY'S MESSAGE

Hadassah has demonstrated for more than a generation that our society receives in giving. Our significance as a Nation is often more visible in the hopes and aspirations that others entertain for us than in our estimates of ourselves. For many years, immigrants to these shores constantly rekindled the vision of opportunity and freedom that inspired our first settlers. Now the tide runs in new channels. For all men everywhere are immigrants to freedom and opportunity; as our Nation bends its strength and lends its hand to help them achieve this horizon of the spirit, in that act freemen discover their own worth.

Hadassah has realized this great truth for many years. It has brought not only help to others, but awareness to our own Nation. For that, you are to be thanked and commended.

As the world struggles from the dark ways of the past, and seeks the destiny of peace in freedom, organizations like Hadassah will continue to find a vital place in human affairs.

My best wishes and congratulations.

JOHN F. KENNEDY

HADASSAH JUBILEE MESSAGE

(By Mrs. Siegfried Kramarsky, national president)

The work wrought by Hadassah in the past 50 years is the theme of * * * this jubilee * * *. What inner drives and external circumstances shaped Hadassah history?

First, is the conviction that the Jewish people is one people whose genesis springs from Zion and whose destiny is forever linked with Jerusalem. This belief dominated the thoughts and acts of Henrietta Szold. She studied the laws governing the relationship between man and God, and man and man, which are distinctively Jewish, and practiced them. For her the mandate that man must love his neighbor as himself was universally relevant. She created Hadassah as a means for carrying out this mandate. From the small group of 25 women who met with her in 1912, Hadassah has become a tested, skilled instrument of service, viewing its role as that of faithful steward of the Jewish heritage and responsible partner in the shaping of Jewish destiny.

Over the years, Hadassah celebrations have become occasions for rededication to this dual role. As do all sensible organizations, Hadassah appraises its practical program from time to time, shifting its workaday emphasis as current needs change and capacity and experience increase. But the motivation and objectives are constant, and in this constancy lies the uniqueness of Hadassah.

Viewing itself as an organic and persistent institution in Jewish life, Hadassah finds no conflict between its beliefs and its practical undertakings. Henrietta Szold's simple resolution of this common conflict is, perhaps, her greatest and most enduring legacy to Hadassah. Indulging in endless and futile debate on how to make Jewish values fit contemporary life was not her way. Armed with a knowledge of these values, she appraised the contemporary scene and acted accordingly.

When in 1917, history demanded that American Jews send a medical unit to war-torn Palestine, Hadassah, founded only 5 years before, was already sufficiently well established to organize such a unit. This was Palestine within the Ottoman Empire. Two decades later a thriving, purposeful Jewish Yishuv was ready for a modern university hospital—Mount Scopus. This was Palestine under the British mandate.

Today the majestic buildings of the new Hadassah-Hebrew University Medical Center, set in the hills of Judea in the State of Israel, radiate the light of learning and the comfort of healing far beyond the borders of Israel.

Every age makes new demands. When Hitler was strangling Europe and speeding his final solution to the Jewish problem, Hadassah understood that the demand of Jewish history was, once again, to save a remnant. Accordingly, Hadassah undertook a new project—Youth Aliyah.

When the idea of a return to Zion moved from the realm of Messianic vision to the arena of practical politics, Hadassah participated wholeheartedly in the work of persuading the reluctant and convincing the skeptical that a Jewish return to Jerusalem was a realistic objective as well as a prayerful hope.

Like all revolutions, the rebirth of Israel has generated unprecedented problems. But the magnitude of the problems cannot mar the magic of the miracle. In Hadassah's view of Jewish history, the idea of Zion reborn is synonymous with Jewish identity and survival. In the recent past, circumstances forced Zionists to concentrate almost exclusively on establishing a Jewish state. The reality—that the state exists—in many senses, caught the Jewish people unprepared. Today, a most urgent problem is how to make the practical success of this first Zionist objective become a source of new glory and inspiration to the whole Jewish people. It is a noble problem, and how it will be dealt with will influence the character of the Jewish people for generations to come.

In every age and every place, Jews have been able to invent techniques of spiritual and cultural survival, within their tradition and relevant to their contemporary circumstances. Hadassah was one such invention, peculiarly suited to American Jewish life in the 20th century. From the very beginning, it did not restrict its objective to the physical alleviation of the pitiable condition of a handful of diseased, ignorant, poverty-stricken Jews who lived in Turkish Palestine. From the beginning, Hadassah looked upon itself as an institution for perpetuating, in thought and deed, distinctively Jewish learning, and considered its mission to be the handing down of eternal Jewish values from generation to generation. This sense of mission arms Hadassah with the strength to meet the changing pressures of contemporary history.

We are, therefore, not paralyzed by the fear of assimilation which pervades American Jewish thinking today. There has always been the threat of assimilation—in Babylon, in Rome, in Greece; in Germany, in Spain, in England and Russia and the United States. And always there has been the remnant who will not permit the House of Israel to perish. The spokesmen of this remnant may describe themselves as commanded by God or by conscience; as impelled by considerations of love of Israel, pride, or self-respect; of dignity or humanity. But, whatever contemporary principle or dogma they invoke, their unity lies in the fact that they see themselves as faithful stewards of an eternal people, whose history and destiny is indissolubly linked with the land of Israel. This is what Hadassah means by Zionism. And learning the laws and the prophets, the history and the geography, the philosophy and the literature, the science and the poetry, the beliefs and the hopes of this people constitutes Jewish education. Whether the learning goes on in a secret cave or in a modern, comprehensive school with the latest equipment, whether pedagogical and technological developments have changed methods of teaching; whether new insights into human emotions alter emphases and approaches, the core of what Jews must teach and learn today is what Jews have always needed to teach and learn.

As we celebrate our 50th anniversary, it is appropriate that we call to mind enduring ideas and unwavering commitments that are the essence of Hadassah. For though our achievements are great, it is the commitment of successive generations of Jews that forms the real bulwark against external assimilation or internal dilution of Jewish identity and responsibility. Membership in Hadassah is both the symbol and the pledge of this commitment. We are confident that each generation will find its own relevant and contemporary mode of meeting it. We are confident, too, that for hundreds of thousands of women, Hadassah will continue to be the organization through which they can most effectively fulfill themselves as Americans and as Jews.

In the Jewish tradition, a jubilee was more than a festive occasion. It comes with injunction: "And ye shall hallow the 50th year and proclaim liberty throughout the land and unto all the inhabitants thereof; it shall be a jubilee unto you." The relevance of this injunction is peculiarly poignant to us today. To heed it is the contemporary commitment of all humanity.

Mr. HUMPHREY. Mr. President, I also ask unanimous consent to have printed at this point in the RECORD messages from Presidents Franklin D. Roosevelt, Harry S. Truman, and Dwight D. Eisenhower sent on significant occasions in Hadassah's past.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

THE WHITE HOUSE,
Washington, D.C. October 16, 1936.
(Aboard President's Train.)

Mrs. EDWARD JACOBS,
National President, Hadassah, The Women's Zionist Organization of America, Philadelphia, Pa.

MY DEAR MRS. JACOBS: It seems to me that Hadassah has made a sound and sensible approach to its problems by emphasizing the safeguarding of health. I refer particularly to the wise emphasis being placed upon preventive medical work, hospitalization and nursing, which activities are designed to promote mental and physical fitness. Any group that enjoys the social security fostered by good health and the knowledge that ill health, when it occurs, will be combated vigorously, is strategically fitted to deal intelligently with problems that may arise.

During your convention many new and useful suggestions will be presented. I trust that these new ideas will prove useful in promoting the fine humanitarian work for the alleviation of human suffering in which you are engaged. It is both a privilege and a pleasure to extend my personal greetings to the Women's Zionist Organization of America upon the occasion of its 22d convention.

Very sincerely yours,

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE,
Washington, D.C., November 9, 1949.

MY DEAR MRS. HALPRIN: I am pleased to send greetings to you and to the members of Hadassah on the occasion of your 35th annual convention. It is reassuring to know that in addition to fulfilling their responsibilities as citizens, the members of Hadassah are carrying forward the ideals of American democracy through institutions which they have built and which they are supporting.

I hope that it will not be long before the international problems which confront the State of Israel, in which they are so deeply interested, will be solved peacefully and satisfactorily to all the parties interested. I hope too that the internal problems which inevitably confront a new-born nation will also be solved quickly and amicably. I am also hopeful that our country may be able to extend constructive assistance to the peoples in Israel and the neighboring lands, through the effectuation of our program on behalf of the peoples of underdeveloped areas.

Hadassah, in taking leadership in this field is making a great contribution to the welfare of the people not alone in Israel but in the Middle East. I wish them continued strength in their work.

Very sincerely yours,

HARRY S. TRUMAN.

THE WHITE HOUSE,
Washington, D.C., August 10, 1954.

Mrs. HERMAN SHULMAN,
National President, Hadassah, the Women's Zionist Organization of America, Inc., New York, N.Y.

DEAR MRS. SHULMAN: I am happy again to extend my warm greetings to Hadassah and to its delegates from all our States, Puerto Rico, and Alaska who have assembled for its 40th annual convention.

Your organization is indeed making an energetic and devoted contribution to the good of humanity through its civic, medical, and social welfare programs. I congratulate you on your remarkable spirit and your genuine accomplishments. May you have increasing success as you continue your work to help men know a better life.

Sincerely,

DWIGHT D. EISENHOWER.

Mr. HUMPHREY. I again thank the Senator from Oregon, who has spoken so eloquently of the work of Hadassah and who has helped this organization in many ways by his untiring efforts in the Congress and by his words and his deeds in the field of social welfare and social activity. It has been a rare privilege to have had the opportunity, which both the Senator from Oregon and the Senator from Minnesota have had on other occasions, to speak to the Hadassah organization. I thank the Senator.

Mr. YARBOROUGH. Mr. President, will the distinguished Senator from Oregon yield on the same subject?

Mr. MORSE. I yield, without losing my right to the floor.

Mr. YARBOROUGH. I thank the distinguished Senator for yielding to me.

GOLDEN JUBILEE YEAR IS MILESTONE OF HADASSAH GOOD WORK

Mr. President, this year is the golden jubilee year of Hadassah, the Women's Zionist Organization of America, the largest Jewish women's organization in the United States of America.

At a luncheon in Washington today, attended by the national leaders of Hadassah and a number of our colleagues in the Senate from both parties, Mrs. Seigfried Kramarsky, of New York, national president, spoke most concisely and eloquently of the goals of Hadassah and a program of healing, teaching, and research in Israel and of education in America.

It was my privilege to spend a short time in Israel last fall, all too short a time. But even in that brief visit, I saw evidence of the great medical, educational, and social services being rendered in Israel today just as there was in Palestine before 1948, before the independence of the present State of Israel was recognized.

It is a tribute to the dedication and humanitarianism of Hadassah that doctors and nurses trained by them carry knowledge and their humanitarian spirit to other peoples in Asia and Africa.

Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD at this point the remarks of Mrs. Siegfried Kramarsky delivered at the Washington luncheon today, which was so ably presided over jointly by Mrs. Kramarsky and the distinguished majority whip, the senior Senator from Minnesota, the Honorable HUBERT HUMPHREY.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

REMARKS BY MRS. SIEGFRIED KRAMARSKY, APRIL 2, 1962, AT HADASSAH GOLDEN JUBILEE LUNCHEON, NEW SENATE OFFICE BUILDING, WASHINGTON, D.C.

We are proud to be here today as representatives of more than a quarter of a million American citizens who are the members of Hadassah. This celebration tells more eloquently than any words what it means to live in a self-governing democracy, where the elected leaders of government and the citizens are partners in a mutual objective. America's goal of a world peace in freedom for all peoples everywhere is common to all its citizens of whatever faith or whatever political party.

In these days of turmoil and upheaval, it seems more important than ever for free people to avoid the deadening hand of conformity. We believe that the freedom of all to worship their own God is one of the great strengths of American democracy. The Jewish people have kept their identity through their devotion to their age-old tradition.

Hadassah is an organization especially adapted to American Jewish life in the 20th century. It believes that its important task is to transmit eternal Jewish values from generation to generation and to support and safeguard American democracy. These twin and harmonious objectives have armed us with the vitality to adapt to the changing pressures of contemporary history.

We accept the congratulations and good wishes of the Senate of the United States on the occasion of our golden jubilee, as an honor which we deeply appreciate. For us it means more than an endorsement of Hadassah's program of healing, teaching, and research in Israel and of education in America. It means the recognition that voluntary organizations like Hadassah have an indispensable role to play in the American commitment to freedom which engages the minds, attentions, and energies of all of us.

LOOK MAGAZINE PRAISES GALVESTON CITY

Mr. YARBOROUGH. Mr. President, the city of Galveston, Tex., has been honored as an All-America City in an article in the April 10, 1962, issue of Look magazine.

I have recently received a letter from Jane Douglas, coordinator of civic programs, Look magazine, who wrote:

It is with great pleasure that we announce that Galveston, Tex., is being honored this month as an All-America City.

The citizens of Galveston, by their outstanding action bringing about major civic improvements, have earned the coveted title for their community, and will receive one of the annual All-America City awards presented under the joint sponsorship of the National Municipal League and Look magazine.

The citations are given each year to 11 U.S. communities selected by a jury of distinguished citizens and experts on government impaneled by the league. As cosponsor, Look is proud to announce the names of the winning cities, together with the story of why they won.

Mr. President, the city of Galveston only last year was struck by the devastating Hurricane Carla, and the winning of this honor in a time of recovery from the hurricane damage is a signal honor.

Galveston has a proud history of rising above storm damage to new heights to remain at all times one of the great resort areas of the world.

With its many miles of sunlit open beaches, the island city of Galveston moves onward as a tourist mecca with the courage its people have always shown.

The Galveston News has published articles concerning the honor which has been earned by the city of Galveston. I ask unanimous consent to have printed in the RECORD an editorial from the Galveston News of Friday, March 16, 1962, entitled "More Favorable Winds," and a news story from the Wednesday, March 14, 1962, edition entitled "Galveston Selected All-America City."

There being no objection, the editorial and article were ordered to be printed in the RECORD, as follows:

[From the Galveston News, Mar. 16, 1962]

MORE FAVORABLE WINDS

Galveston gets a break. Long the "poison pen" target of sensational writers, she now has been crowned with honor by the judges of the 1962 entries in the All-America City annual contest.

This favorable projection into the national limelight came not merely as a recognition of progress by the adoption of a more modern form of government but more particularly the kindling of citizen initiative that made it possible.

The transition had its inception at the grassroots level where the League of Women Voters sowed the seeds of desire for a change. From these seeds Galveston's council-manager government was born.

It is too early to tell whether this new child will fulfill all the expectations of its parents. It has shown promise in its adolescence and there are high hopes it will grow to sturdy manhood with all the attributes of character and leadership to guide our city to better things.

The League of Women Voters, the Citizens Charter Committee, the chamber of commerce and the city administration are the instruments which have raised Galveston from comparative obscurity to a place of eminence among the Nation's most envied cities. They have thus rendered our city an immeasurable service and deserve the applause of every citizen.

These new laurels are to be treasured but we must not make the mistake of resting on them. We have scarcely started on a long journey to the "promised land."

Nearly all fields of activity are showing improvement, and they can be expanded much further and faster by implicit confidence in the integrity and abilities of our municipal leaders and a willingness of the citizens to give them every possible assist.

Dissension and petty criticism in this formative period are in strange contrast to the new conception of unity we have gained nationally. They should be discouraged by every citizen who is big enough to put Galveston's welfare above his personal likes and dislikes.

The winds of fortune are blowing our way and we will make a tragic mistake if we do not take fullest advantage of them. So, all hands on deck to help man the sails.

[From the Galveston News, Mar. 14, 1962]

GALVESTON SELECTED ALL-AMERICA CITY

NEW YORK.—Galveston, Tex., is named an All-America City in an announcement of this year's award winners by the National Municipal League and Look magazine, cosponsors of the annual awards.

The awards competition honors U.S. cities whose citizens have played an outstanding role in improving their communities.

Altogether, 11 cities this year will receive the All-America City title.

The winners were selected from a total of more than 80 contestants by a jury headed by Dr. George H. Gallup, director of the American Institute of Public Opinion.

The winning cities and their activities will be described in the April 10 issue of Look, on the Galveston newsstands March 22.

In addition to Galveston, the other award winners are Anacortes, Wash.; Falls Church, Va.; Hartford, Conn.; Independence, Mo.; Lynwood, Calif.; Milton-Freewater, Oreg.; Rockville, Md.; Salisbury, N.C.; Sioux City, Iowa, and Wichita, Kans.

In addition, the following cities were cited for honorable mention: Asbury Park, N.J.; Erie, Pa.; Fort Lauderdale, Fla.; Galion, Ohio; La Crosse, Wis.; Louisville, Ky.; Portsmouth, Ohio; Provo, Utah; Santa Clara County, Calif.; Topeka, Kans., and Wilmington, Mass.

Galveston is honored for a series of successful campaigns to reform the city government.

Led by the League of Women Voters, the citizens won a hard-fought victory for a new council-manager charter in 1960. But the battle was only half over.

Reform was not assured until 1961 when six of the eight candidates backed for city council by the Citizens Charter Committee were voted into office.

The new council has already begun vigorous enforcement of long-neglected ordinances against prostitution and gambling.

In addition, the budget deficit has been eliminated; city salaries have been increased, and $270,000 in needed city equipment has been purchased.

Last September, when Hurricane Carla struck Galveston, the new spirit of citizen cooperation helped keep down the death toll and hasten the city's recovery.

In three other winning cities, the city government was the focal point of citizen action.

WICHITA, KANS.

Wichita, Kans., won for a victory against standpat conservatism which hamstrung progress in this fast-growing community.

Citizen reaction began in 1957, when several hundred citizens founded Citizens Progress, Inc.

Over a 4-year period, this and other civic groups secured passage of sewage-treatment bonds; thwarted an attempt to change the city's commission-manager form of government, and stumped for, and won, the election of more forward-looking commissioners.

PUBLIC OWNERSHIP OF SPACE SATELLITES

Mr. YARBOROUGH. Mr. President, I ask unanimous consent that I may insert in the body of the RECORD at this point a very persuasive statement made last Friday, March 30, 1962, before the Senate Antitrust and Monopoly Subcommittee by the distinguished senior Senator from Oregon [Mr. MORSE]. His testimony is a strong argument for the ownership by the public through the Government of the proposed space satellite communications system. The Senator from Oregon has pointed out how any proposed method of ownership and control other than by the public, will be greatly detrimental to our national interest in speedily developing an efficient, economical space communications system. His statement deserves close study by all the Members of Congress.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR WAYNE MORSE BEFORE SUBCOMMITTEE ON ANTITRUST AND MONOPOLY LEGISLATION OF SENATE COMMITTEE ON THE JUDICIARY, ON SPACE SATELLITE LEGISLATION, MARCH 30, 1962

Mr. Chairman and members of the subcommittee, I appreciate very much the opportunity you have given me to testify on a subject that is of enormous interest to Americans of today and Americans of future generations.

Space research and technology have fired the imagination of the entire world. Colonel Glenn's magnificent and epochal flight is recognized by all as only a beginning. Today a few brave men risk their lives for a brief venture into the unknown—in the not too distant future, travel into deep space may become commonplace. Today a few signals are bounced off an experimental communications space satellite. Within the next 10 to 15 years, there is a good chance that communications between the most distant parts of the world will become cheap and reliable. Other potential uses of space technology and research such as meteorological and navigational research are now contemplated. According to many, there will come other uses that now defy the imagination. Our world is shrinking and our economic, political and social institutions are becoming more and more intertwined.

Achieving an inexpensive and reliable system of space satellite communication in the near future is a most urgent task. Such a system will further international understanding by bringing the peoples of the world closer, thereby creating broader and more numerous common interests; it will help the development of the poorer countries of the world for it will make them more accessible to those who can help them. Moreover, although the United States is presently in the vanguard of scientific knowledge and study of space, and has always directed much of its research to precisely the type of peaceful uses exemplified by the communications satellite, the Russians at this time have the rocket-launching capability to send a heavier and more complex satellite into space.

We must overcome this Russian advantage for space is one of the most significant areas in the competition between the free world and the Communist world. It is a competition as to which system produces more, better, faster, and for the benefit of the most people.

We must therefore insure that all our space programs, including communications satellites, continue to move along as rapidly

and efficiency as possible. In the past decade the American people have not hesitated to invest billions of dollars in these projects. Moreover, the fruits of this investment should, I urge, be used for the widest public interest and not primarily for the benefit of a privileged few. The communications satellite system must not fall under the dominance of one or more private corporations—who, properly and necessarily, owe a first duty to their stockholders to earn profits; the great potential of an artificial satellite system must not be used to enhance present monopolies or to facilitate conduct inconsistent with our antitrust laws. Finally, the system must lend itself readily to the needs of our foreign policy and of international cooperation.

All those objectives with respect to a communication system can be achieved by Government ownership. Their achievement will be very difficult, if not totally impossible, with any system of private ownership.

Before discussing the antitrust and monopoly issues—which permeate all aspects of the problem—I should like to make a few general observations.

SPACE A NATURAL RESOURCE

Space, whether used for communication, travel, research, or for anything else, is a natural resource which properly belongs to all the people. Unlike parks, rivers, and other God-given resources which are readily available for immediate use, space has become useful only through billions of taxpayer dollars, and billions more are still necessary. The fruits of these billions should therefore be utilized for the benefit of all the people, and should not be a gift to a few corporations. And a gift it would be, because it involves research that is beyond the capability of any private corporation to finance with its own funds.

Launching research, rocketry and satellite technology, and other aspects of the space program require such huge funds that private corporations could never have undertaken such a program, and could never pay the Government back for it. By the end of 1961 about 60 satellites had been launched. The techniques developed and data gathered from these programs will form the backbone of any future space program.

To give this dearly purchased know-how over for benefit of the private corporation and not for the public as a whole, would be like giving over the rights to develop atomic energy to a private corporation. Any private entity, no matter how widely owned, is necessarily in the business of making money, first and foremost. It has a duty to its stockholders to do so.

Inevitably, this private interest would clash with that of the public and we would see the all too frequent repetition of the unequal struggle between regulatory agency and industry, a struggle in which victory is rarely enjoyed by the public. It would be shocking if private business were to take over a major phase of our achievements in space after the taxpayers of the United States have spent billions of dollars to bring about those achievements.

FOREIGN POLICY CONSIDERATIONS

Ultimately, a worldwide communications satellite system will have to be operated on an international basis—even present international communications are partially owned by foreign governments which own all such facilities in their countries. It is therefore crucial, especially at this stage, to maintain a simplicity and flexibility in the organization of the system so that our Government will later be able to propose any system of ownership and control which is in the best interest of the United States and the world as a whole.

If the satellite is owned and controlled by a private group which is making good profits—and the prospects are that the ultimate revenue of an operable system will be in the billions—we will be forced into the position of either buying out the private owners with more taxpayers' money or setting up an incredibly unwieldy system of joint international operation.

As a Rand Corp. study recommended in 1960 and 1961: "The initial arrangements on the part of the United States for the management of the communications satellite system should be considered provisional and subject to systematic review. Therefore, the more flexible the initial arrangements are, the better."

Let us not ignore a few practical facts of life. If it should be concluded, after some experience, that the initial organizational structure was wrong, it would be rather easy to transfer a governmental project to private ownership provided such a transfer were to be in the public interest. On the other hand, it would be most difficult, to say the least, to force a privately owned organization to become governmental, or to transfer its assets and activities to the Government without heavy tribute.

Further, there is no great need to make a final organizational decision now—research and development are proceeding at high speed at this very moment and they will continue to do so even if we take no action on the organizational structure at this time. We don't even know how valuable this satellite system will be. The staff report of the Senate Committee on Aeronautical and Space Sciences issued on February 25, 1962, contains estimates of gross revenue ranging between $1 and $100 billion per year. Further, many of its potential uses are as yet undreamed of. Why, therefore, should we rush to give this system away?

MONOPOLY

Government ownership at the present stage is the only way of insuring that this great natural resource, made accessible only by the tax billions of all the people, will be enjoyed by all the people and not be given away as a private monopoly. For the foreseeable future, we should limit ourselves to one system. Two systems of space communications would involve enormous duplication which may always be wasteful. Moreover, the great potential economies of this system can only be realized if its huge capacity is utilized to the fullest. Thus, a commercial monopoly would be inevitable.

This monopoly, by definition, will represent the antithesis of our free enterprise system, for it will be free from the only effective control our system has ever devised against the excesses of self-interest—competition. It might well be the first time in our history that our Government had actually created a private monopoly.

Moreover, insofar as the common carrier members of this joint venture are concerned, the system would even lack the element of risk, an essential feature of free enterprise capitalism. Under both S. 2650 and S. 2814, their investment would be risk free, since the investment would be includible in their own rate bases. It would therefore be possible for these common carriers, by adding to our monthly telephone bills, to completely recoup their satellite investment, even though many of us would gain no benefits from the satellite for several years to come.

A private monopoly is also inconsistent with our traditional free enterprise system; it facilitates concentration and conduct inconsistent with our national antitrust policies.

In the first place, regardless of how widely based the ownership, the communications space satellite organization would inevitably be dominated by one of the most powerful monopolies in the world today—the American Telephone & Telegraph Co. This dominance would result from A.T. & T.'s contemplated investment in the company and its use of the company's facilities, each of which would be far greater than that of any other investor or carrier, and neither of which would be effectively limited in either S. 2650 or S. 2814. Such control would be further strengthened by the fact that several of the other participating companies, such as I.T. & T., RCA, and others, currently depend on A.T. & T. for the use of both domestic long distance and oversea facilities. This dependence would effectively deter them from opposing A.T. & T.'s wishes. As A.T. & T. came to dominate the satellite system—eventually the most important means of long-distance communication—this dependence would grow even greater and A.T. & T.'s present monopoly power would expand enormously.

Governmental ownership is the only way to insure that present and future competition in equipment procurement and communication is preserved. All the expected major participants in both the Kerr and the administration bills are competitors to a greater or lesser extent, either in (a) the manufacture or equipment, like RCA, I.T. & T., GE., and A.T. & T.'s affiliate, Western Electric, and other possible investors; or (b) in communications transmission. Yet, these competitors would be allowed to join together to control one of the greatest communications, transmission, and equipment using organizations in the entire world. It is hard to believe that there will be very much competition among these corporations in any of their activities, once they start working together on what is certain to be one of their most significant areas of operation.

Moreover, these bills would permit a merger of competing common carriers in those areas where A.T. & T. has not yet achieved a monopoly, such as telegraph communications. Such a merger would be in flat contradiction of Congress' frequently repeated refusal to sanction such a merger.

S. 2814, which would permit some ownership interest to anyone who can afford $1,000 per share, would permit competing equipment manufacturers to join together and to obtain control of one of the most substantial potential customers. This close-knit association would make it difficult to obtain any competition in any activity related to the satellite's operation such as equipment procurement or record communication, for there would be an inevitable tendency on the part of the corporation to favor its members and their affiliates in the purchase of equipment. In addition, the joint activities necessitated by joint operation of the satellite company would facilitate collusion in related areas, and it could be almost impossible effectively to police or prevent such activities. Thus, instead of furthering competition by giving all communications carriers and equipment manufacturers equal opportunities, S. 2650 and S. 2814 would encourage even greater concentration in a few companies and weaken what competition now exists.

These relationships with equipment manufacturers would also make impossible any effective rate regulation. This is because the difficulty of achieving true competitive bidding and the inevitable favoritism for the satellite corporations' owners and their affiliates might induce the corporation not to insist on the lowest prices from its related equipment manufacturers since the cost of such equipment will be reimbursable from the public through incorporation into the rate base and thus chargeable to satellite and telephone customers. This is not a fanciful possibility, for A.T. & T. and General Telephone buy virtually all their telephone equipment from their own subsidiaries and affiliates. The Federal Communications Commission has recently forced Western Electric to reimburse its parent, A.T. & T., for excessive cost of equipment on the ground

that Western Electric was making too high a profit in its sales to A.T. & T.

One can only speculate about the many other instances of such overpricing, of which the electrical equipment industry has been a recent unfortunate example. Moreover, where there are many related equipment suppliers as with the proposed satellite investors, it will be even more difficult for a regulatory agency to discover such overcharges.

Thus, companies which are partly regulated will be able to make high profits on their unregulated activities, which will be passed on to the consumer through the rate base of the regulated company.

As to the possibility of Government regulation of a private system, it must be pointed out that the people of the United States cannot rely on FCC or other regulatory agency, for history shows that any meaningful regulation is just not feasible. The accounting is too complex, and, frequently, there is neither time nor money to do an adequate job. Moreover, regulation from the outside can never be wholly effective.

For example, the FCC has never in its 26 year history held full formal rate hearings on A.T. & T. It therefore regulates only by compromising with A.T. & T. on a rate reduction when A.T. & T. achieves an excessively high overall profit percentage on all of its operations, competitive and monopolistic. This regulation of the overall percentaged return has enabled A.T. & T. to subsidize its competitive operations by high profits in monopoly operations.

Thus, another Rand Corp. study, published in October 1961, found that because the FCC has never concluded a formal rate hearing on A.T. & T., there was no way of knowing the true cost of operations and therefore whether the return was fair. It found also that rates for oversea service were totally unregulated and were producing an enormous profit return, that monopoly rates subsidized competitive rates, and that the decline in rates over the years has been less than the decline in costs.

The only way of preventing a repetition of this record with the space satellite system is by governmental ownership which would avoid the whole posture of private monopoly and impotent public regulation.

There are many other monopoly and antitrust considerations. I wish only to add a few points. Although the narrowly based ownership of S. 2650 is certain to frustrate antitrust policies, as Assistant Attorney General Loevinger has noted, the wider ownership of S. 2814 is no panacea. In the first place, class B stock—which is limited to communications carriers—is likely to be the source of most of the initial financing since the investment goes into the rate base and dividends on class A stock are unlikely in the early years. Class B stock is limited to common carriers, may be reapportioned according to use, and there is no limitation on the amount of such stock any one company may own. Most of the ownership will therefore go to the communications carriers and A.T. & T. will almost certainly wind up with most of it.

Secondly, how wide can the ownership be where the minimum price of class A stock is $1,000? Few private persons will be able to afford such stock, especially since dividends are not expected for awhile. Thus, only common carriers or large corporations are likely to invest in class A stock.

Thirdly, the ownership limit is 25 percent of outstanding class A stock, or 15 percent of authorized. For the reasons just set forth, class B stock would seem the likely method of early financing and, since relatively little class A stock will issue, the 25-percent figure would seem the more likely limit. Thus, A.T. & T. and I.T. & T. could easily hold 50 percent of the class A stock. And even when the 15-percent limitation become operative, those two plus RCA and GE can hold 60 percent. All are in the equipment manufacturing business. The temptation to divide up the equipment procurement among themselves and perhaps a few others will be very difficult to resist.

Finally, any system of wide private ownership inevitably raises many difficult problems of stock allocation, regulation, and the like. All of these unnecessary problems could be avoided by simply avoiding private ownership.

RESEARCH AND DEVELOPMENT

Government ownership is also the only way to insure the most efficient use and development of facilities. For a long time to come, there will have to be constant experimentation and development and many present or soon to be established facilities will become obsolete. Thus, the first system may be low-orbit because that may be the easiest to put into operation, although not the best from a long term viewpoint. Once a private investment is made in such facilities, there will be a natural inclination not to scrap this by rapid development of the more efficient synchronous system. Moreover, A.T. & T. laid a submarine cable in 1956 and is planning others in the next few years. Again, there may be a strong temptation not to render this equipment obsolete too quickly, since obsolete equipment may not be includible in the rate base and the investment will be lost. Inevitably, there will be a conflict of interest between preserving the value of the old, and the need for rapid development of the new. As Judge Loevinger stated.

"Your inventions never get developed if the ownership of the enterprise upon which you are depending for development essentially has adverse economic interests.

"It is not because there is actual suppression, but there is simply a lack of incentive to make the technological effort required to develop these things.

"Suppose that in the early days in the development of motor transport service we had decreed that all motor transportation should be owned by railroads.

"I think it is self-evident that we would not have quite the same system of motor transportation that we do have today. I think you can say this without reflecting in any way on the patriotism of the public spirit of the railroad executives. They simply would approach the matter from different viewpoints, and even in Government, as Secretary Freeman and I have recently demonstrated, there are legitimate differences of viewpoint." (Senate Small Business Committee hearings, 51-52.)

Such an inherent conflict can only be avoided if decisions as to obsolescence and development are made in the interests of all the people and under the real scrutiny of Congress, and not just on behalf of a private commercial monopoly.

Moreover, many aspects of satellite use may be unprofitable, such as extension to underdeveloped areas, and the development of meteorological and navigational data. These two latter uses, not directly related to communication transmission for profit, constitute two of the most important potential uses of a satellite system. Yet neither is likely to be developed by a private monopoly for neither is likely to be too profitable. I.T. & T. has already indicated it would expect some kind of Government subsidy for such use, even though the system was made possible only by taxpayer billions on research.

DOUBLE RETURN

Not only is there a reluctance to embark on nonprofitable enterprises, but the authors of S. 2650 and S. 2814 seem to have provided for a double return on the communications carriers' investments. Under both bills, communications carriers' investments go into their individual rate bases where they can be used to justify an increase in rates to ordinary telephone customers not only to secure reimbursement but to obtain a fair profit on this investment. It is contemplated, however, that all the stock in the S. 2650 corporation and the class A stock in the S. 2814 corporation will pay dividends sooner or later. Thus, a carrier will get not only higher rates on the increase on its rate basis resulting from its investment but will also earn dividends on the very same investment.

PRIVATE OWNERSHIP

There is no need for private ownership of the system to further research—almost all of this has for the last decade and is now being done by the Government with taxpayers' money, since the most important and costly research relates to rocket launching and satellite control in orbit and this is being done and paid for by the Government. Indeed, the amounts involved far exceed any investment which the private interests have been willing to pledge. An entire satellite system, including ground stations, has been estimated to cost about $300 million. The Government has already spent many billions on space research.

The experience of the private communications companies in long distance communication is not indispensable to create a viable satellite communications system. Indeed, the Army, Navy, and Air Force have the most experience in worldwide communications systems. The satellite system will not be merely an extension of present communications facilities, a mere cable in the skies. It is a unique new development with unimaginable possibilities of all kinds, and with the widest possible political, social and economic implications for the entire world. The communications companies' experience is of little significance in these areas.

Furthermore, since when is it necessary for a company's stockholders to be technically qualified, as the carriers' contention implies? How many of A.T. & T.'s 2 million shareholders are so qualified? Therefore, why must the satellite's shareholders be so qualified?

Thus, for our Nation to approach this vast horizon with only a view to commercial gain would proclaim our lack of sensitivity toward and exploration and development of the vast possibilities offered by a satellite system.

In short, there seem to be few, if any, good reasons for, and many good reasons against private ownership and control of this great natural resource at this time.

CONCLUSION

Private ownership of any kind of a space satellite system is not merely unnecessary and less efficacious. It would constitute a giveaway of countless billions in taxpayers' money to a monopoly which could not be effectively regulated, would be controlled by a few giant corporations and probably dominated by the greatest monopoly in our country today. Such a giveaway would also negate our antitrust policies, for it would increase concentration and discourage competition.

Government ownership on behalf of all the taxpaying Americans who have made our achievements possible, is the only feasible method of making the most of this great new opportunity for a more peaceful world bound together by ever-increasing ties of mutual interest.

Mr. MORSE. Mr. President, I thank the Senator from Texas [Mr. YARBOROUGH] for inserting in the CONGRESSIONAL RECORD a copy of my statement of last Friday in opposition to the administration's position in connection with the satellite program.

I shall speak at considerable length on this subject a considerable number of times before any final action comes to be taken on it in the Senate. However, I wish to say that it is a subject matter which in my opinion calls for the most thorough hearings and the most analytical cross-examination of witnesses for the administration, including the Secretary of State.

I shall in due course of time make a request that the Secretary of State be invited to testify on the subject, because in my judgment, the administration has not even started to scratch the surface of the foreign policy implications of this astounding proposal of the administration, to give away control of our whole satellite communications system to private monopolies in the United States.

One of the sad things about the rationalization being advanced by the administration is that it claims to be doing this in the name of private enterprise. Of course, there is no private enterprise connected with private monopoly. That is a strange definition of private enterprise.

Those of us who oppose the administration's program on this subject matter are the ones who are fighting to protect and develop private enterprise. We also feel that now is the time to take a look at the foreign policy implications and complications of such a proposal. As I indicated before the committee and as I say from the floor of the Senate today to the President of the United States: "We just are not ready for any such move as you are proposing to make in this giveaway program of control of satellite communications to private monopoly in this country."

Some of us will have much to say about the subject matter in due course of time

THE SERVING OF ALCOHOLIC BEVERAGES AT SOCIAL FUNCTIONS HELD IN THE CAPITOL AND SENATE OFFICE BUILDINGS

Mr. MORSE. Mr. President, I wish to speak on a delicate subject. No matter how I phrase my position, I am afraid I will offend some of my colleagues in the Senate. It always pains me when I offend my colleagues. But when I think they are wrong, I must risk their suffering at my expense.

I think they are wrong about a social policy that has been developing in the Senate with increasing frequency in recent years. I believe it ought to be stopped. I refer to official and semi-official and, I understand, sometimes unofficial use of the physical facilities in the Capitol and in the Senate Office Buildings. I do not know about the House, and I would not purport to advise the House. However, I have a responsibility to advise the Senate, as does each Senator.

There is a growing social pattern of holding affairs in rooms in the Capitol and in the Senate Office Buildings at which hard liquor is served. In my opinion it cannot be justified. In the opinion of millions of American citizens it constitutes a desecration of public facilities in the Capitol and in the Senate Office Buildings. It ought to be stopped forthwith. At least I think that official action should be taken by Congress and that Members of Congress should be asked to stand up and be counted on the issue. Let them answer back home for any vote in support of such a desecration of the buildings belonging to the taxpayers of this country.

Oh, there are many reasons that cause me to take this position. I mention only a few. First, I do not believe it is a good example for lawmakers to be setting for the youth of this country. Furthermore, the matter of the consumption of hard liquor from the viewpoint of many people involves a moral issue. I am not a prohibitionist in the sense that I advocat a return of the 18th amendment. But I am a prohibitionist in the sense that I believe we ought to prohibit the use of the public facilities of the Capitol and the Senate Office Buildings for any affair at which hard liquor is served. At least we ought to make it an issue of policy, to be approved or disapproved by Congress. I do not believe that Members of Congress should take it upon themselves to hold affairs and invite Members of Congress and members of the Cabinet and other public officials and private citizens to come to the Capitol and to the Senate Office Buildings for an affair at which hard liquor is served. From the standpoint of congressional policy the serving of hard liquor in the Capitol or in the Senate Office Buildings at any function that is carried on by the remotest stretch of the imagination as an official or semiofficial function of the Senate or of a committee or by a group of Senators cannot be justified, when it amounts to the setting up of a bar in connection with an affair.

I should much prefer that I did not deem it necessary to comment on this subject, but I am not responsible for decisions which result in the serving of hard liquor at these affairs. I am satisfied that if the question had been presented to us as a matter of policy, it would not be approved by Congress in a yea-and-nay vote.

I close my comments by saying that I will not knowingly attend such an affair; and if I find myself in such an affair, and hard liquor is being served, I will immediately absent myself from such an affair, because I do not think it is good public policy.

I wished to make this record this afternoon; and it will not be the last comment I shall make on this subject if the practice continues.

ABOLISHMENT OF DEATH PENALTY

Mr. MORSE. Mr. President, I introduce, for appropriate reference, a bill to abolish the death penalty under all laws of the United States except the Uniform Code of Military Justice.

Chapter II of title 18 relates to the destruction of aircraft or aircraft facilities or the destruction of motor vehicles or motor vehicle facilities. Section 34 of such chapter provides that whoever is convicted of any crime prohibited by such chapter, which has resulted in the death of a person, shall be subject to the death penalty or to imprisonment for life if the jury in its discretion so directs.

The first section of my bill abolishes the death penalty for the above-mentioned offenses and adds another penalty, that of life imprisonment without eligibility for parole. This provides two alternatives; namely, life imprisonment without eligibility for parole or life imprisonment.

Section 794 of title 18 of the United States Code relates to the gathering or delivering of defense information to aid foreign governments. Subsection (a) and (b) provides that any person who violates any of the provisions of such section shall be punished by death, imprisonment for any term or years, or for life.

Section 2 of my bill abolishes the death penalty with respect to such offenses and substitutes life imprisonment without eligibility for parole.

Section 1111 of title 18 of the United States Code relates to murder in the first degree. The punishment for murder in the first degree is death unless the jury qualifies its verdict by adding thereto "without capital punishment," in which event the individual is sentenced to imprisonment for life.

My bill abolishes the death penalty and substitutes life imprisonment without eligibility for parole.

Section 1201 of title 18 of the United States Code relates to kidnaping. The punishment for kidnaping is death if the kidnaped person has not been liberated unharmed and if the verdict of the jury so recommends, or by imprisonment for any term of years, or for life if the death penalty is not imposed.

Section 4 of my bill abolishes the death penalty and provides a third alternative, namely, life imprisonment without eligibility for parole.

Section 1716 of title 18 of the United States Code relates to injurious articles as being nonmailable. Whoever is convicted of any crime prohibited by such section which has resulted in the death of any person shall be subject to the death penalty or to imprisonment for life if the jury so directs.

Section 5 of my bill abolishes the death penalty and substitutes life imprisonment without eligibility for parole.

Section 1992 of such title relates to the wrecking of trains. Such section provides that whoever is convicted of violating any provision of such section which results in the death of a person shall be subject to the death penalty or to imprisonment for life if the jury so directs.

Section 6 of my bill abolishes the death penalty and substitutes life imprisonment without eligibility for parole.

Section 2031 of such title relates to rape. The penalty for rape is death, imprisonment for any term of years, or life.

Section 7 of my bill abolishes the death penalty and substitutes life imprisonment without eligibility for parole.

Section 2113 of such title relates to bank robberies and incidental crimes. Whoever, in committing any offense under such section or in avoiding, or attempting to avoid apprehension for the

commission of such offense, or in freeing himself or attempting to free himself from arrest or confinement for such offense, kills any person, or forces any person to accompany him without the consent of such person, shall be imprisoned not less than 10 years or punished by death if the verdict of the jury so directs.

Section 8 of my bill abolishes the death penalty and leaves the punishment at not less than 10 years.

Section 2381 of such title relates to treason. Punishment for treason is death or imprisonment for not less than 5 years and a fine of not less than $10,000.

Section 9 of my bill abolishes the death penalty and leaves the punishment at not less than 5 years and a fine of not less than $10,000.

Sections 10, 11, 12, and 13 of my bill are technical amendments made necessary by reason of the abolishment of the death penalty.

Section 801 of the act of March 3, 1901, relates to murder in the District of Columbia. The penalty for murder in the first degree in the District of Columbia is death unless the jury by unanimous vote recommends life imprisonment.

Section 14 of my bill abolishes the death penalty and provides life imprisonment without eligibility for parole as an alternative.

Section 808 of the act of March 3, 1901, relates to rape in the District of Columbia. The penalty for rape in the District of Columbia is not more than 30 years except that the jury may add to its verdict, if it be guilty, the words, "with the death penalty."

Section 14(b) of my bill abolishes the death penalty recommendation and substitutes two alternatives: life imprisonment without eligibility for parole and life imprisonment.

Section 909 of the act of March 3, 1901, relates to accessories after the fact in the District of Columbia.

Section 14(c) of my bill is a technical amendment made necessary by reason of abolishing the death penalty.

Section 14(d) of my bill which repeals sections 926, 1200 and 1203 of the act of March 3, 1901, is a technical amendment made necessary by the abolition of the death penalty.

Section 15 of my bill is also a technical amendment made necessary by the abolition of the death penalty.

Section 16 of my bill provides that any person against whom a sentence of death has been entered because of the conviction of a violation of any of the laws amended or repealed by this act, and who have not been executed before the enactment of this act shall be punished by life imprisonment rather than by death.

Mr. President, I ask unanimous consent that the bill be printed at this point in my remarks.

The PRESIDING OFFICER (Mr. SMITH of Massachusetts in the chair). The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 3095) to abolish the death penalty under all laws of the United States except the Uniform Code of Military Justice, introduced by Mr. MORSE, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 34 of title 18 of the United States Code is amended by striking out "the death penalty" and inserting in lieu thereof "imprisonment for life without eligibility for parole".

SEC. 2. Subsections (a) and (b) of section 794 of title 18 of the United States Code are each amended by striking out "death or by imprisonment for any term of years or for life" and inserting in lieu thereof "imprisonment for any term of years, imprisonment for life without eligibility for parole, or imprisonment for life."

SEC. 3. The second paragraph of subsection (b) of section 1111 of title 18 of the United States Code is amended by striking out ", shall suffer death unless the jury qualifies its verdict by adding thereto 'without capital punishment', in which event he shall be sentenced to imprisonment for life;" and inserting in lieu thereof the following: "shall be sentenced to imprisonment for life without eligibility for parole, or to imprisonment for life;".

SEC. 4. Subsection (a) of section 1201 of title 18 of the United States Code is amended by striking out "(1) by death if the kidnaped person has not been liberated unharmed, and if the verdict of the jury shall so recommend, or (2) by imprisonment for any term of years or for life, if the death penalty is not imposed" and inserting in lieu thereof the following: "by imprisonment for any term of years, imprisonment for life without eligibility for parole, or imprisonment for life".

SEC. 5. The last paragraph of section 1716 of title 18 of the United States Code is amended by striking out "to the death penalty or to imprisonment for life," and inserting in lieu thereof "to imprisonment for life without eligibility for parole, or to imprisonment for life,".

SEC. 6. The fifth paragraph of section 1992 of title 18 of the United States Code is amended by striking out "to the death penalty or to imprisonment for life," and inserting in lieu thereof "to imprisonment for life without eligibility for parole, or to imprisonment for life."

SEC. 7. Section 2031 of title 18 of the United States Code is amended by striking out "death, or imprisonment for any term of years or for life," and inserting in lieu thereof the following: "imprisonment for any term of years, imprisonment for life without eligibility for parole, or to imprisonment for life."

SEC. 8. Section 2113 (e) of title 18 of the United States Code is amended by striking out ", or punished by death if the verdict of the jury shall so direct".

SEC. 9. Section 2381 of title 18 of the United States Code is amended by striking out "shall suffer death, or".

SEC. 10. Section 3235 of title 18 of the United States Code is amended by striking out "with death" and inserting "by life imprisonment without eligibility for parole or life imprisonment under section 794(a), 794(b), 1111(b), 1201(a), 1716, 1992, or 2031 of this title".

SEC. 11. Section 3281 of title 18 of the United States Code is amended by striking out "by death" and inserting "by life imprisonment without eligibility for parole or life imprisonment under section 794(a), 794(b), 1111(b), 1201(a), 1716, 1992, or 2031 of this title".

SEC. 12. (a)(1) Except with respect to offenses committed before the date of enactment of this Act, sections 753 and 754 of title 18 of the United States Code are repealed.

(2) The analysis of chapter 35 of title 18 of the United States Code is amended by striking out

"753. Rescue to prevent execution.

"754. Rescue of body of executed offender."

(b) (1) Sections 3566 and 3567 of title 18 of the United States Code are repealed.

(2) The analysis of chapter 227 of title 18 of the United States Code is amended by striking out

"3566. Execution of death sentence.

"3567. Death sentence may prescribe dissection."

SEC. 13. (a) The following provisions of the Federal Rules of Criminal Procedure are repealed: The first sentence of rule 7(a), the first sentence of rule 24(b), and rule 38(a)(1).

(b) The second sentence of rule 43 of the Federal Rules of Criminal Procedure is amended by striking out "death" and inserting "life imprisonment without eligibility for parole or life imprisonment".

(c) Rule 46(a)(1) of the Federal Rules of Criminal Procedure is amended by striking out "death" both times it appears and inserting "life imprisonment without eligibility for parole or life imprisonment".

SEC. 14. (a) Section 801 of the Act entitled "An Act to establish a code of law for the District of Columbia", approved March 3, 1901 (D.C. Code, sec. 22-2404) is amended to read as follows:

"SEC. 801. Punishment.—The punishment of murder in the first degree shall be imprisonment for life without eligibility for parole or life imprisonment. The punishment of murder in the second degree shall be imprisonment for life or not less than twenty years."

(b) The first proviso of section 808 of such Act (D.C. Code, sec. 22-2801) is amended to read as follows: "': *Provided*, That in any case of rape the jury may add to their verdict, if it be guilty, the words 'with life imprisonment without eligibility for parole or life imprisonment', in which case the punishment shall be accordingly".

(c) Section 909 of such Act (D.C. Code, sec. 22-108) is amended by striking out "any crime punishable by death shall be punished by imprisonment for not more than twenty years. Whoever shall be convicted of being accessory after the fact to any crime" and inserting "murder in the first degree or rape shall be punished by imprisonment for not more than twenty years. Whoever shall be convicted of being an accessory after the fact to any other crime".

(d) Sections 926, 1200, and 1203 of such Act (D.C. Code, secs. 23-114, 23-706, 23-708) are repealed.

SEC. 15. (a) The Act entitled "An Act to prescribe the method of capital punishment in the District of Columbia", approved January 30, 1925 (D.C. Code, secs. 22-2402, 22-2801, 23-701, 23-702, 23-703, 23-704), is repealed.

(b) The last sentence of subsection (a) of section 3 of the Act entitled "An Act to establish a Board of Indeterminate Sentence and Parole for the District of Columbia and to determine its functions, and for other purposes", approved July 15, 1932 (D.C. Code, sec. 24-203), is repealed.

SEC. 16. All persons against whom a sentence of death has been entered because of conviction of violation of any of the laws amended or repealed by this Act, and who have not been executed before the enactment of this Act, shall not suffer death, but shall be punished by life imprisonment instead, in the same manner as if originally sentenced to life imprisonment.

Mr. MORSE. Mr. President, I am not wedded to the bill in the sense that I would not consider any amendment to it. I think the bill in the form in which I have introduced it is a good one. I believe it would be a good and wise law if enacted. As I said a couple of weeks ago, when the Senate debated capital punishment for the District of Columbia, I recognize the highly controversial nature of this subject. It may well be that some Senators, when they consider the bill will wish to provide for an alternative to life imprisonment without parole. They may wish to provide for some of these proposals, or all of them: life imprisonment without parole upon the recommendation of the jury; or life imprisonment with parole after 20 years of incarceration, upon a recommendation of the jury; or they may wish to propose variables, such as a sentence of imprisonment with or without parole.

However, the bill does not cover the subject of pardon. It does not cover the subject of a new trial in case evidence can be submitted that the individual found guilty in fact was not guilty. Neither does it deal with an individual who at one time may have been found guilty of a capital offense, was executed, but later was found not to be guilty; we cannot do anything about those persons after they have been executed. Surprisingly, throughout history the frequency of such cases has been alarming.

Mr. President, I close my comment on this subject by stating again, as the Senate has heard me say so many times on the matter of capital punishment, that, as a matter of religious conviction, I consider capital punishment to be immoral—or, as I have put it, I consider the taking of life a prerogative of God; and I think that in this development of our civilization, we should stop playing God in respect to the subject matter of capital punishment.

THE GLOVER-ARCHBOLD PARKWAY AND PLANS FOR HIGHWAY DEVELOPMENT

Mr. MORSE. Mr. President, before I discuss the subject of the San Luis contract, a threat to the 160-acre limitation, I wish to point out that this morning, I testified before the Senate Committee on the District of Columbia; and the Member of the Senate, the Senator from Massachusetts [Mr. SMITH] who now is the Presiding Officer of the Senate, was chairman of the Fiscal Affairs Subcommittee before which I then had the honor to testify. I testified in support of the Mansfield bill, which seeks to prohibit what is bound to be the ultimate destruction of the Glover-Archbold Park, in the District of Columbia, if we do not stop the District of Columbia Commissioners from their persistent endeavor to build a four-lane highway down the middle of that park. They base their claim and their attempt to get such permission on the fact that since 1893, I believe, the District of Columbia has retained a 100-foot right-of-way through that park.

Mr. President, it is rather sad to listen to the testimony of materialists, who sometimes unwittingly, I am sure, are not aware of the confessions to be found in their testimony, and are not aware that in supporting so materialistic an approach as the one the opponents of the Mansfield bill bespeak, they show a frightening lack of regard for the obligations owed to future generations of Americans.

As you will recall, Mr. President, this morning, in my appearance before the subcommittee, I testified that I thought the Commissioners of the District of Columbia should get up in the air in some helicopters and look at the District of Columbia from the air, and recognize what a small area still remains—in the entire District of Columbia—for the development of parks, for the development of beautification centers, for the development of a city which should be the most beautiful capital city in the world. Instead, it is very rapidly becoming, in my judgment, a very unattractive city, compared with developments which are taking place in some of the other capitals of the world.

In fact, Mr. President, the new part of New Delhi, India—and I refer to the planning, the parkways, and the general beautification of the new part of New Delhi—in my judgment shows a foresight, an appreciation of esthetic values, and an understanding of the obligations which the officials owe to future generations of Indians, which it would be very well to copy in the District of Columbia. Furthermore, Mr. President, New Delhi, India, is not the only capital city in the world which I would have the Commissioners of the District of Columbia visit, if they really need enlightenment. However, I do not think they do; I think they understand this matter. But they have not stood up against the pressure.

The Senate will recall that a few years ago I tried, here in the Senate, to lead a fight to protect Foggy Bottom from commercial development. But the private boys were more powerful; the commercial private boys ruled the day; and, once again, Congress yielded to the materialists. Actually, Mr. President, the entire Foggy Bottom area—in fact, the entire stretch along the Potomac—should be preserved for the beautification of this city.

Why are some so shortsighted, Mr. President? Why is it so difficult to get some lawmakers to understand the obligation they owe future generations of children.

Mr. President, this morning it would have been amusing—if it had not been so tragic—for all Senators to listen to the witness for the District of Columbia Commissioners point out that if the proposed four-lane highway is not built right through this precious park, it might even be necessary to tear down some private homes, and, even, to tear down the Towers Apartments. How terrible, Mr. President. That would be awful, would it not?

Well, Mr. President, I ask you to consider with me, for a moment, the philosophy of that witness—or, perhaps more accurately stated, to consider the lack of appreciation of that witness of what we owe the future boys and girls in the District of Columbia, as regards protecting them and providing them with a park or parks.

So my reply to General Clarke—for I was not concerned over the possibility that it really would be necessary to tear down private homes or that it really would be found, later on, that it would be necessary to tear down an apartment building—was that I was not concerned about that, when I considered the alternative, because what he was proposing was that a great, natural cathedral of God be destroyed.

Mr. President, the destruction of that park, in order to spread an apron of cement over which automobiles could run, would, in my judgment, be a form of desecration of a great spiritual value which apparently the advocates of the construction of a highway through the Glover-Archbold Park have never stopped to contemplate fully.

As I said this morning, and repeat here this afternoon, Mr. President, What price can we put on one of those cathedrals of God? They are priceless. If we destroy them, we destroy them for eternity. We may tear down apartment houses or private dwellings and build others, but we can never restore a park if we destroy it. It is a precious park. How can one evaluate it? As I suggested this morning, we should try to evaluate it in terms of its character-building potential for the little boys and girls who, over the years, are going to play in it.

Although it is being ripped into and cut back, I wonder if we are really fully appreciative of the great wealth in the form of Rock Creek Park, that was given to generations of people who will live throughout the course of time in this area. Price it for me, Mr. President. It cannot be priced in terms of square feet. We must consider its value in terms of its effect on the development of people. Intangible as this value may seem to be, it is a real one.

Let us consider the scoutmaster who takes a group of Boy Scouts or Girl Scouts into a few of the pockets that still remain in Rock Creek Park, which constitute a cathedral of God. While there, one is unaware of the fact that there is a city within miles. What is that worth to those boys or girls?

Consider the little park which the materialists would destroy, so far as its esthetic values, its beauty, or its recreational values are concerned. What is it worth? Do not give me an acreage value, because if the park is to be evaluated, I want to know about each little boy or girl who already has been inspired or who may be inspired in the future as he or she, in that setting of nature, experiences the inward feeling which permeates us and comes to dominate us when we commune with our God in one of His natural cathedrals.

And yet, in the name of materialistic expediency and convenience, the District of Columbia Commissioners are, in effect, arguing that it is all right to tear down this temple of God in order to prevent tearing down some private homes or the Towers Apartments. I do not buy such an argument. I would not buy it at 1 percent of the loss figured in terms of the price that the District Commissioners would put on it.

Let me repeat this afternoon what I said this morning. Let me tell Senators something about the District Commissioners. Once we decide as a matter of policy that they are not to be permitted to desecrate that park, and decide as a matter of policy that the park is to remain undefiled, we shall see how promptly they will come before the committees of Congress with an alternative plan for spreading their concrete. I have seen this happen too many times. What is needed is to say to the District Commissioners, "No, you don't. We are not going to let you get by with it." The way to stop them from getting by with it is to pass the Mansfield bill.

This is no new position with the Senator from Oregon. From the very beginning of the controversy over the Glover-Archbold Park I have worked hard in the Senate and as a member of the District of Columbia Committee to stop attempts to destroy this park. But materialists are persistent people. They never give up. Selfishness is a driving force and sometimes a sad manifestation of a shocking human frailty. They are not going to give up until we get some legislation on the books that says, "No, you don't." The Mansfield bill will do that.

There is another element that we ought to face. In 1923 and 1924 the Glovers and the Archbolds gave this park to the District of Columbia, and they gave it under specific limitations and in keeping with specific restrictions. The park was accepted. If I have ever seen a moral obligation translated into a legal requirement, it is in that instance. Of course, they did not have control of the 100-foot right-of-way, but a 100-foot right-of-way is a far cry from a four-lane highway. It is admitted by all that if we build a four-lane highway there, more than a 100-foot right-of-way will have to be taken. So, as I indicated this morning, the materialists are up to a little subterfuge, and we ought to stop them.

What kind of example is it for the U.S. Government to walk out on the moral and legal commitment—I shall have something to say about that subject in a moment—when they accepted the park with the understanding that the desires of the donors would be carried out in perpetuity?

These donors are great citizens with a social conscience. One would not have to talk to them about the obligations we owe to the young people of our country, to provide them with the cathedrals of which I am speaking this afternoon, which these great parks constitute.

I come from a section of the country where we know what cathedral after cathedral of nature does to people who come there for vacations and for recreation. We know what these natural cathedrals of God do in building the characters of people. One cannot walk into a great primeval forest, or along the banks of a roaring and raging rapids, or look at a falls back in the mountains, and not be a better person for having been there.

We cannot supply the boys and girls of the District of Columbia with a Multnomah Falls. We cannot supply them with nature's hidden cathedrals in the canyons of the Wallowa Mountains, but we can supply them with the Glover-Archbold Park.

The materialists would have us take it away not only from the children who could enjoy it, but also from the adult citizens. I ask, respectfully, but sternly, "What has happened to the sense of moral value on the part of the officials of the District of Columbia, when they can seriously advocate the destruction of that park?"

I have tried over the years to protect these few remaining acres of natural beauty. I did not endear myself to the wives of Members of Congress a year or two ago when I opposed their proposal to obtain control of an already-too-small park across from the British Embassy on Massachusetts Avenue. They wanted it so that they could build a clubhouse on it. What a place to select for a clubhouse.

Thus far we have succeeded in stopping it. I hope we can continue to succeed in stopping it. I wish the wives of Members of Congress would go up and down Massachusetts Avenue more often, if they require proof, to see the little children playing in that park. I say to Senators that the happiness of one little child playing for only one play period in that beautiful little park is worth more to the welfare of society than all the conversations over teacups that the wives of Members of Congress could conduct for years in a clubhouse built on that park site.

That is only another little example of the battle which confronts us in the endeavor to protect the few remaining areas of public domain in the District of Columbia from selfish materialists.

They are all materialistic in this regard, whether they be the wives of Members of Congress who wish to take away a part of a children's park for a teahouse or District of Columbia Commissioners who wish to destroy the Glover-Archbold Park.

I have spoken quite briefly on this subject this afternoon. It is a subject which needs to be discussed in great detail, and I am sure it will be if a serious danger develops that the materialists might succeed with their pressures in this session of the Congress.

One must forever be an optimist if one is to be a liberal. One must have faith that once the facts are made known on one of these great problems, which involves the social welfare of all of our people, one will obtain enough support so that finally the lawmakers will see to it that the materialists—even though they may be the District of Columbia Commissioners, or some automobile association, or some real estate group, or any other materialistic economic group—do not succeed, and will say to them, "You will not get by with it. We are not going to let you do it. We are going to put true values above the values of dollars. We are going to put esthetic values, the values of beauty, the values of character building, above what you claim to be transportation convenience."

Mr. President, when I think of all the places where one can build road accesses, other than by building a four-lane highway through this precious little park, for the RECORD this afternoon I take judicial notice that those making this recommendation in official positions in our Government must be told: "If you are that incompetent, then the time has come for us to get somebody with competence enough to recognize the importance of placing character building, esthetic values, and values of beautification, above materialism."

We must not permit the destruction of this natural cathedral of God known as the Glover-Archbold Park on the basis of any argument I have heard over the years or that I have heard today. Certainly we must not permit it on the basis of any such argument as, "If you do not let us destroy this natural cathedral we may have to take down the Towers Apartment or some private homes."

I am for keeping the park and, if their assumption be correct, for building apartments and private homes elsewhere.

I hope the Senate Committee on the District of Columbia will report favorably at an early date the Mansfield bill without any such proposal connected with it as was made by the Democratic Central Committee of the District of Columbia to the committee over the signature of Arnold C. Sternberg, chairman of the District Affairs Subcommittee of the Democratic Central Committee of the District of Columbia. The proposal is that the Mansfield bill be muddied with the proposal for a property exchange. His objective of obtaining some property for schools is laudatory and commendatory. But I say to Mr. Sternberg that his proposal is a good way to beat a bill, irrespective of what his motivations may be. I happen to think that we ought to build more schools in the District of Columbia. I think Mr. Sternberg knows that for years I have battled for more appropriations by the Congress so that the District of Columbia might have the funds with which to build schools. But I do not propose to endanger the protection of the Glover-Archbold Park with any real estate horse trading tied into it. I did not hear Mr. Sternberg earlier today. I shall read the transcript with interest and shall undoubtedly have a reply to make to him at a later date. But in essence I understand that he seeks to rationalize his position on the basis of land exchange precedents in some of the Western States.

The original purpose of the proposed legislation had nothing to do with the purposes of our drive to preserve the Glover-Archbold Parkway, but if the western land exchanges—and I have been generally opposed to them—are his precedents, he picked a pretty bad set, because many of those land exchanges have not been in the public interest. One is now pending in the Olympic Peninsula, at which, in due course of time, I shall ask the Senate to take a long, hard look.

Mr. President, I ask unanimous consent that the letter from Mr. Sternberg, in behalf of the Democratic Central Committee for the District of Columbia on the proposed land exchange involving the Glover-Archbold Parkway, be printed at this point in my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE DEMOCRATIC CENTRAL
COMMITTEE FOR THE
DISTRICT OF COLUMBIA,
January 20, 1962.

Hon. MIKE MANSFIELD,
The Majority Leader of the Senate,
U.S. Senate, Washington, D.C.

DEAR SENATOR MANSFIELD: We have read with great interest during the past fortnight of your concern with the affairs of the District of Columbia, specifically with reference to your bill (S. 2436) to transfer certain District lands, appurtenant to Glover-Archbold Park, to the National Park Service; and your espousal of a salary increase for the District's policemen.

While we can perhaps sympathize with the reasons underlying the proposed transfer of our city's parklands to the Federal Government and while we may agree that not only is our police force deserving of a salary increase, as indeed are all of our city's employees and, more especially, our public schoolteachers, we are sure there is no need to remind you of the District's pressing fiscal problems which at this writing render impossible all such proposed increases.

Short of desperately needed increases in our own District of Columbia taxes and an equally necessary and certainly justifiable increase in the Federal payment to the District, there is one small but effective way in which your bill, S. 2436, can help alleviate in some measure the city's sorry financial state.

In its fiscal year 1963 budget requests the Board of Education might have realized substantial savings of District funds in site costs had it been possible to utilize lands now in National Park Service and other Federal agency ownership. These project sites are as follows:

1. Proposed elementary school at North Dakota and Kansas Avenues NW.

Fort Slocum, under the jurisdiction of National Capital Parks, adjoins a proposed school site at the northeast corner of the old fort. A school site on the west side of the Government land would not only have been available without cost, but would have been a better location for the community than the proposed school site. The estimated cost of this site is $80,000.

2. Proposed elementary school at 20th and M Streets NE.

This location abuts the south boundary of the National Arboretum. A school site on 3 to 5 acres of land in the undeveloped southwest corner of the Arboretum would not only have been available without cost, but would have been a better location for the community. The estimated cost of this site is $1,325,000.

3. Proposed junior high school at North Capitol and Evarts Streets NE.

Approximately 27 acres of the Soldiers' Home grounds under the jurisdiction of the General Services Administration were proposed for the construction of a junior high school and a teachers college plant. As alternates it was proposed that the junior high school be located at North Capitol and Evarts Streets NE., and the teachers college at 13th and Upshur Streets NW. The estimated cost of the junior high school site is $2,400,000. The teachers college could be located on a small site at 13th and Upshur Streets NW., owned by the District.

4. Proposed junior high school at Alabama Avenue and Congress Street SE.

It had been originally intended that the proposed junior high school be located on a 10-acre portion of the Oxon Run Parkway under the jurisdiction of National Capital Parks. This piece of ground is now an undeveloped gravel fill and the new school would have added certain community facilities in an area which now has none. As an alternate to the Oxon Run site a 6.5-acre site on Alabama Avenue, which is poorly shaped, has been requested. The estimated cost of this site is $860,000.

From the above it will be seen that the substitution of land in Government ownership as sites for the four school projects listed would have saved the District of Columbia $4,665,000 in site costs. There is another cost to the District of Columbia in the tax loss resulting from the removal of the privately owned property from the tax rolls. An exhaustive search was made by the Superintendent of Schools in all these areas for available private land without improved property, but unimproved property is not available.

We, therefore, urge you, as part of your sponsorship of S. 2436, to make such amendments to the bill as will transfer these and such other parcels of land for which need may be demonstrated by the District of Columbia Government to the District in exchange for the Glover-Archbold parklands.

Should this, for some reason prove impossible to do we ask that you nonetheless undertake to effect the transfer of these lands from Federal to District of Columbia ownership so that the resulting economies may be used to fill the unmet needs of our city.

Respectfully yours,
ARNOLD C. STERNBERG,
Chairman, District Affairs Subcommittee, Democratic Central Committee of the District of Columbia.

Mr. MORSE. My recommendation to Mr. Sternberg is that he help us to get the Democratic Central Committee of the District of Columbia to get the Mansfield bill through unencumbered by any kind of a property exchange that he has in mind. Then we can work together, budgetwise, on Federal appropriations in regard to our requests for public works funds for the building of needed schools and the buying of necessary land on which to locate such schools. But we do not have to endanger the Mansfield bill by the proposal of the Democratic Central Committee of the District of Columbia. I say good naturedly and most respectfully to them that it is not good Jeffersonian democracy, either. It is not good Democratic Party policy. But it is good Democratic Party policy to fight for the kind of conservation program for which I am arguing today. I say to the Democratic Central Committee of the District of Columbia that it is good Democratic Party policy to take the necessary steps to leave the park as a great memorial, as I suggested earlier today, to a great public servant, Commissioner Wirth of our park system.

Talk about courage; talk about ability to take the heat; talk about standing up against pressure—Commissioner Wirth has never hesitated. Over the years he has fought for the preservation of the Glover Archbold Parkway. When the question was put to Commissioner Wirth this morning as to the use to which he thought the park should be put, he did not hesitate for a second. Quickly and eloquently he stated the position he has taken for years. In effect, he said, "It should be kept as a park. There should be no road through it—naught but trails. There ought to be some nearby place where little boys and girls, hundreds of whom do not get beyond the confines of the District of Columbia until they reach quite an age, can play."

Senators will remember that the point was brought out last year when we fought for the so-called open-space amendment to the public housing bill in the Senate. In the debate on the bill it was brought out that in some of our metropolitan areas there are little boys and girls who reach the age of 12 before they ever go beyond the city limits. It is easy for those of us more fortunately situated to be unaware of that fact or to ignore it. Last year when the housing bill was being considered in the Senate, I thought it was a pretty sad hour when the provision in regard to open spaces was lost.

Several Senators came to me and said, "I was not aware of what was involved." It was an old story. Senators were absent from the Chamber. The bell for the vote was rung. Senators came into the Chamber, received instructions from various individuals, and voted against our proposal. In some instances they voted against the best interests of their own communities.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. CLARK. I should like to commend my friend from Oregon for the defense he is making of the open-spaces provision. It was lost last year, but in my opinion it will not be long before the measure passes, because I believe the people of this country are beginning, slowly but surely—in large part by reason of the leadership the Senator from Oregon has taken—to appreciate the vital need for open spaces around our great metropolitan areas. The proposed legislation is coming as surely as we are standing on the floor of the Senate today.

I commend the Senator for his strong defense of the Glover Archbold Parkway. I wish him every success in his venture.

Mr. MORSE. I thank the Senator. In keeping with the great spirit of Gifford Pinchot from Pennsylvania, time after time the Senator from Pennsylvania [Mr. CLARK] has stood on the floor of the Senate and supported sound conservation proposals. Last year he supported the so-called open-spaces provision of the housing bill. He worked shoulder to shoulder with me when we both served on the District of Columbia Committee—and I regret that I no longer have his strong right arm there—and we fought together on the District of Columbia Committee in trying to protect the conservation areas of the District and in trying to warn the Senate that the materialists will take more and more of the open-space areas of the District of Columbia from the people if Congress does not do a better job of keeping its obligations.

I close my comment on this subject by saying that I would leave the Glover-Archbold Parkway as a great memorial

to a great public servant, the Commissioner of Parks, Mr. Wirth. I would leave it in perpetuity as a great natural cathedral of God Almighty, into which not only boys and girls, but also adults, may go, removed from the rumble of traffic and from the hurly-burly of commercial life, and, in that natural cathedral, commune with their God. Here is a value worth more than any materialistic value that I have heard any opponent of the Mansfield bill utter this morning.

FEDERAL ACADEMIC FACILITIES LOANS TO PRIVATE SCHOOLS

Mr. CLARK. Mr. President, last spring the distinguished senior Senator from Oregon joined me in sponsoring a bill, S. 1482, that would provide Federal academic facilities loans to private schools upon a finding by the Commissioner of Education that such a loan did not violate the first amendment prohibition against laws respecting an establishment of religion.

A church-related school denied a loan on this ground, or any taxpayer wishing to contest an approved loan to such a school would be given standing to sue in Federal court to determine the constitutional issue. Since there would have been a finding specifically denying a benefit to the church-related school on first amendment grounds, if this were the Commissioner's conclusion, the school would be able to show a specific economic injury under these circumstances which would entitle it to a review of the constitutional issues. The judicial review provision was worked out by Senator MORSE and myself after extensive consultation with constitutional law experts in and out of Government.

As do many others, WAYNE MORSE and I both believe that the question of the constitutionality of Federal aid to church-related schools is at the heart of the controversy over educational legislation and has already prevented the Congress from finally enacting any aid to education measures for the last several years. It is our belief that this question will continue to fester and breed division and controversy until it is finally and conclusively decided by the highest Court of the land. It is our purpose in submitting S. 1482 to facilitate a decision on this question by the Supreme Court.

The standing to sue provision of S. 1482 has attracted considerable attention and aroused much discussion among educators. Senator MORSE has written an article explaining this provision for the March issue of the Educational Executives' Overview, a leading professional magazine. I commend this article to the attention of all those interested in achieving an early end to the current congressional deadlock on Federal aid to education. In the words of Senator MORSE, with which I concur:

Incorporation of the Morse-Clark formula would provide an opportunity for a vote to be taken on the substantive merits of an aid-to-education bill because it would eliminate the hazards of the constitutional question. It would give an assurance to the Representatives and the Senators, and to their constituents, that they could await Court action to settle the controversy, confident that the courts, including the Supreme Court, would decide the matter with finality.

Mr. President, I ask unanimous consent that Senator MORSE's article in Overview be inserted in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A CLAUSE TO BREAK A DEADLOCK

(By Senator WAYNE MORSE)

An aid-to-education debate, which began in the Congress a year ago, has spread throughout the country. Not only teachers and school administrators, but business groups, the ministry, and the legal profession also, are engaged in thoughtful discourse on the issues involved in the controversy over the degree to which the Federal Government should aid the Nation's public and private schools.

From all sources, public and private, we now spend about $26 billion annually for the education of one-fourth of our 183 million population. The amount is frankly inadequate now; it will certainly not meet the costs imposed by the net addition to our school population of over 1 million boys and girls each year until 1965 and 600,000 a year after that.

In addition to new classrooms needed to house these children, we will have to replace existing classrooms which are becoming dangerously dilapidated. We know, also, that we will have to finance the replacement of the 1.6 million public school teachers who will leave the teaching field in the next 10 years and, in addition, find the money to hire 400,000 new teachers to take care of the added pupil enrollment in the public schools.

Since about 15 percent of our youngsters are taught privately, it is obvious that there will be additional costs of proportionate magnitude to be financed for this segment of our school population.

Recognition has been given to these school needs through passage in the Senate of S. 8 in the 86th Congress. This measure was limited to a school construction bill, but regrettably it died when the House Rules Committee voted to reject a request for a rule for conference. Most recently the Senate passed S. 1021, a more broadly based measure which provided grant money to the States for distribution to needy public school districts for payment of teachers, school construction, and operation and maintenance costs of schools.

This past session, the Education and Labor Committee of the House of Representatives took action on similar legislation by favorably reporting H.R. 4970. This was the measure which again met with difficulty in the House Rules Committee due largely, in the opinion of many observers, to the church-state controversy over the degree to which it is proper, constitutionally speaking, for the Government to assist parochial schools financially. The attempt to bypass the Rules Committee's tabling action failed to get the necessary number of votes. In my judgment, this last action does not truly represent the considered will of the House.

I fear that many who participate in this debate fail to distinguish between two different tests of proposed legislation. When I come to cast my vote upon a measure brought before me, I must, in conformity with my oath of office as Senator, first assure myself that the bill does not offend against the Constitution of the United States. This supreme law can be modified only by constitutional amendment; however, the Supreme Court has the only final authority to determine the meaning and application of the constitutional provisions. It exercises this responsibility in its judgments upon cases presented to it which involve a case or controversy, and it reaches into holdings upon constitutionality only when the matter cannot be settled on other legitimate legal grounds. When I apply the first test to a measure, then, my decision rests on whether the measure is a valid exercise of legislative power, in view of the language of the Constitution as interpreted by the Supreme Court. If I determine that it is, then I must weight the measure in the scale of public interest. Only if the measure satisfies both tests can it receive my affirmative vote.

Let us apply these tests to the public school bill of this session. According to testimony taken on S. 1021, consisting of a constitutional brief prepared by the General Counsel of the Department of Health, Education, and Welfare in consultation with lawyers from the Department of Justice, no constitutional barrier would preclude Federal aid to the public schools through the State educational authorities.

A review of the testimony given by other witnesses convinced me that the legislation was in the public interest. Hence, both tests being met, I supported the bill vigorously.

During the hearings before the committee, it was proposed that the bill be amended to include grants or loans to private, including church-related institutions. This immediately raised the question of whether such amendments could be reconciled with the interpretations given to the first amendment to the Constitution.

Admittedly this is a gray area in our constitutional law, for the reason that the Court has not ruled specifically on the points at issue. The Court has ruled that certain ancillary assistance relating to the health of the child (school lunch programs and school bus facilities) is proper. But the crucial question—whether a direct loan or grant of funds for general education purposes to church-related schools can be given—has not yet been reached.

The difficulty here is that for the Court to rule, a case must be brought before it. For a case to arise, someone must show that he has a "standing to sue," that he has suffered an injury requiring judicial remedy. Furthermore, the injury must be a real one, since the Supreme Court in the case of *Massachusetts* v. *Mellon* (262 U.S. 447 (1923)), ruled that a Federal taxpayer, by virtue of that fact alone, cannot challenge the use of money properly appropriated by the Congress. The reason for this ruling is that one taxpayer's contribution for the appropriated purpose is negligible. Because of this ruling it has become most difficult for a case to be presented which the courts will hear.

Senator JOSEPH CLARK, of Pennsylvania, and I sought counsel last spring with distinguished constitutional lawyers to see if we could not draft a bill which, in effect, would give the Federal taxpayer the right to institute suit in the Federal courts if a loan of Federal funds to a church-related school were to be either made or withheld by the Commissioner of Education.

* * * * *

Mr. MORSE. Mr. President, I thank the Senator from Pennsylvania for inserting in the RECORD my article on this subject. I was not aware that he was planning to do so. The section in the Clark-Morse bill which seeks to make it possible to have a quick judicial review of the meaning of the first amendment to the Constitution in respect to loans to private schools is a very sound section, in my judgment. The Senator from Pennsylvania and I, with the approval of the Attorney General and the knowledge of the President, worked with the Solicitor General in drafting the wording of that section of the bill.

It should be tried. I think it is the legal answer to a controversy that continues to split this Republic. I believe it is a controversy we must put behind us. The American people are entitled to know what the first amendment means in respect to legislation dealing with loans to private schools. I cannot imagine the court passing judgment on that subject matter without necessarily passing judgment upon the limits of the first amendment in respect to grants as well as loans.

The Senator from Pennsylvania is deserving of the high commendation of his constituents and of the people of this country for his statesmanship. This is another one of those delicate issues. It is surprising to me, as a horseman, to note how so many politicians are indulging in the old habit of shying away from the frightening ones. I believe we must get by this one.

The Clark-Morse bill should be passed at this session of Congress. We should get on our way with a case before the Supreme Court for a determination of the application of the first amendment to the whole subject matter of aid to private schools.

THE NATIONAL FARM

Mr. MORSE. Mr. President, Mr. George Diel, head, office of public affairs, Portland center of the General Extension Division of the Oregon State System of Higher Education, has brought to my attention a most interesting proposal presented by Dr. Ruth E. Hopson, associate professor of general science of the Portland Center, which was proposed to Secretary Freeman.

Dr. Hopson proposes that a national shrine in the form of a national farm be established to honor the American farmer and to promote an understanding of the problems of farmers.

Because I feel that many of my colleagues might wish to give consideration to the proposal advanced by Dr. Hopson, I ask unanimous consent that her letter dated January 31, 1962, be printed at this point in my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

OREGON STATE SYSTEM OF HIGHER EDUCATION,
GENERAL EXTENSION DIVISION,
January 31, 1962.

Hon. ORVILLE L. FREEMAN,
Secretary of Agriculture,
Washington, D.C.

DEAR SECRETARY FREEMAN: I was honored to attend the conference on land and people on January 15, 1962. Through the fine program that was presented there, I was challenged to think about problems to which I had given little attention before as well as others with which I was already familiar. Your desire to find uses for our surplus agricultural lands and the products of these lands, and to work for better incomes and therefore better living conditions for farm families is certainly commendable. I was especially impressed with the role of outdoor recreation in relation to these problems. I wish to thank you for your invitation to attend this conference, and to accept your further invitation to comment and make suggestions along the lines you mentioned.

I have great admiration for the efforts of the Department of Agriculture in the fields of conservation of our soils, waters, grasslands, wildlife, and forests. I am well acquainted with this program in Oregon, where I direct conservation workshops of teachers each summer. Men from the U.S. Forest Service and the Soil Conservation Service are on my staff. It is from this experience in conservation education that my major suggestion has come.

Although I am interested in many phases of the complex program that was outlined at the meeting, I shall confine my major comment and suggestion to one area, that of public understanding, with its implications in the field of outdoor recreation, possible employment for some farmers and others, worthwhile use of some agricultural lands.

I propose a new national shrine, the national farm, complete with farmers. The need for urban America to understand the problems of rural America has become acute. Without this understanding the cities do not support agricultural programs. The phenomenal growth of outdoor recreation in recent years, the crowding of our national parks and the interest in their interpretative programs may point the way.

Among those concerned with conservation education in the schools, there has been much discussion about reaching city people and making them aware of conservation problems. By sheer numbers, city people dominate our democratic form of government, but too few understand the problems of the land or care about them. The program I am proposing is designed to introduce city people to the farm in a way that might catch their imagination and so reach their understanding and support in conservation matters.

The national farms should be typical conservation farms, selected throughout the country, representing the major types of agriculture. These farms should become demonstration farms, not to show the farmers what to do, but to show city people what a farm is like and how it is a part of their lives. People should be encouraged to visit these farms on their vacations. An interpretative program should help those who visit the farm to understand what they see.

I know that this can be done, and that people will find it enjoyable, because every summer for the past 7 years, I have directed workshops for teachers in conservation education. Among other activities we visit a farm in the Willamette Valley of Oregon on the west side of the Cascade Mountains and one in the high plateau near Sisters, Oreg., on the east side of these mountains. Although this is a learning situation, we all have fun. Since these farms have been selected to show various conservation practices, we all learn about the soil and its best use, about farm forests, wildlife habitat, the production and use of water, and the intricate interrelationships of all of these. Forestry is farming too, and we also visit forests and learn about their management.

Many people welcome an opportunity to spend their vacations in worthwhile projects, especially outdoors. Families could visit the national farms as they do the national parks, and all learn together about the products of the land. Of course, these farms could also be used by schools, especially those close by. Perhaps the school camping program could be expanded to give each child a week on a farm sometime during his school career, as well as the week in an organized school camp which the program is already attempting to do.

If the importance of protecting our best farmlands were better understood, alternate plans might begin to route highways, urban sprawl, and other nonagricultural uses to the poorer lands.

If you find merit in the idea of the national farms, I should be glad to expand the idea and develop it further.

The folder of materials we received at the conference is much appreciated. I am studying these materials carefully for trends and implications that should modify the curriculum of our conservation workshops. "The Preliminary Report—A Land and Water Resource Policy for the U.S. Department of Agriculture" is a scholarly document which requires much careful study to understand its many ramifications. I am still studying it. However, I have observed an omission which I believe is serious. Although Wilderness was mentioned several times during the presentation at the conference, I find no mention of it in this important document. I deplore this lack. I hope that your staff will consult with Howard Zahniser, executive secretary of the Wilderness Society, who attended this conference, and who is conveniently located at 2144 P Street, NW., Washington 7, D.C., and correct this omission. At a time when the Wilderness bill has already passed the Senate and is predicted to pass the House this session, this is an important land use which should be included in such a statement of policy.

I was invited to this conference as president of the American Nature Study Society. I am now past president and member of the board. Although the ideas expressed above are my own, I know that the members of the American Nature Study Society are concerned about conservation, and the knowledge of our world that leads to the best practices. I am certain that they would be interested in the national farm idea.

I thank you again for the invitation to attend the conference on Land and People, and I hope that you may find some worth in my comments. This conference, along with the other brief opportunities to observe the Federal Government in action while I was in Washington, has lifted my horizons and interests in the many complex problems encountered.

Sincerely,

RUTH E. HOPSON, Ph. D.,
Associate Professor of General Science.

THE SAN LUIS CONTRACT: A THREAT TO THE 160-ACRE LIMITATION

Mr. MORSE. Mr. President, after the passage of almost 3 years, the Senate of the United States is called upon once again to protect the time-honored principle of the preservation of family-sized farms in Federal reclamation project areas.

We are called upon to preserve a fundamental congressional prerogative the Senate has seen fit to defend on many previous occasions—that of assuring that the executive branch of the Government shall carry out the intention of the Congress in administering Federal law.

At this time, I am unhappy to report the problem under consideration is that of again saving the keystone of Federal reclamation law, the 160-acre limitation.

In this case the limitation is being attacked by way of a contract on the San Luis project in the State of California, to which the Department of Interior is a party.

The Senate will recall that we took almost a week of our time in May 1959, to debate this matter of principle. I thought then, as a majority of Senators also may have thought, that we resolved

and settled the applicable policy at that time.

In 1959, we acted positively and, by amendment, removed from the San Luis bill, S. 44, a section which would have exempted a vast number of California acres, called the State service area from the historic acreage restriction program of the Federal Government. Now, I regret to say, some lawyers in the executive branch have concluded that when we struck out that exemption clause our "intent" was that it should apply. The House of Representatives will probably be amazed to learn that their "intent" also was misinterpreted.

I shall discuss at some length later, and place in the RECORD, a very interesting memorandum opinion issued by the Department of the Interior on this subject. However, I shall take a moment to read one part of it now. This paragraph is from the memorandum opinion of the Solicitor of the Department of the Interior:

Normally, when an exemption is removed from a bill before enactment, the presumption is that the legislative body intended the law to apply in the situation described in the exemption. To apply the rule here would be to say that Congress expressed its intent that the excess land laws should apply to State water deliveries. While some legislators probably had such an intent when they voted for the amendments, the legislative history indicates that this intent was not shared by all who so voted. Some took the view that the excess land laws would not apply to the State even without the exemption but that the exemption might in some harmful way change the application of the acreage limitation in the Federal service area.

Mr. President, that opinion was written by a lawyer; but he needs to go back to law school and refresh his memory and knowledge on how the courts determine legislative intent. If he would do so, he would find that that paragraph in his memorandum opinion is plain silly, because legislative intent is not legally determined by some lawyer's supposition as to what some Members of the Senate might have thought, and others to the contrary might have thought, when they voted on a bill. Most of this memorandum opinion is a conglomeration of silliness from the standpoint of legal analysis. It is too bad that we cannot spread on the official record the history of the opinions—note that I use the plural—that were written in connection with this subject by lawyers in the executive department before the final official opinion was rendered.

I am satisfied that the original opinion was against the final decision that was made. That is one of the things that disturbs me very much about the history of this controversy and compels me to make the speech I am making today. I make it regretfully because it is a speech in criticism of my own party's administration. However, I think my party, in the executive branch of the Government, is making a serious mistake in this instance and will rue the day that it allowed the final opinion to come to Congress.

Because I feel that such a serious mistake has been made, I submit for appropriate reference, on behalf of myself, the Senator from Illinois [Mr. DOUGLAS], and the Senator from Wisconsin [Mr. PROXMIRE], a resolution to correct the situation. In order that the text of the resolution may be before the Senate, I ask unanimous consent that it be printed at this point in the RECORD.

The PRESIDING OFFICER (Mr. BURDICK in the chair). The resolution will be received and appropriately referred.

The resolution (S. Res. 322) was referred to the Committee on Interior and Insular Affairs, as follows:

Whereas the Senate on May 12, 1959, during consideration of S. 44, a bill relating to the San Luis unit of the Central Valley project, struck from such bill section 6(a) which provided as follows:

"SEC. 6. (a) The provisions of the Federal reclamation laws shall not be applicable to water deliveries or to the use of drainage facilities serving lands under contract with the State to receive a water supply, outside of the Federal San Luis unit service area described in the report of the Department of the Interior, entitled "San Luis Unit, Central Valley Project", dated December 17, 1956."; and

Whereas by such action the Senate clearly expressed its will and intent to the effect that it was unwilling to exempt any part of the San Luis project or any waters flowing into and out of the San Luis Reservoir from applicable provisions of Federal law; and

Whereas the House of Representatives concurred in the action of the Senate by passage of S. 44 without incorporating in such bill any provision comparable to section 6(a); and

Whereas a proposed agreement between the Department of the Interior and the State of California has been submitted to the Committee on Interior and Insular Affairs of the Senate pursuant to Public Law 86-488 and is now before that committee for its consideration; and

Whereas that agreement, if approved by the Committee on Interior and Insular Affairs, would result in effectuating the policy contained in section 6(a) set out above and would counteract the expressed policy and intent of the Congress; and

Whereas in view of the determination by the Committee on Interior and Insular Affairs that hearings on the proposed agreement will not be conducted; Now, therefore, be it

Resolved, That the Committee on Interior and Insular Affairs of the Senate is hereby requested (1) to adopt a committee resolution expressing its disapproval of the proposed agreement between the Department of the Interior and the State of California heretofore submitted to the committee pursuant to Public Law 86-488, and (2) to notify the Department of the Interior that any such agreement hereafter submitted to the committee should conform to the policy and intent expressed by the Congress in enacting Public Law 86-488.

Mr. MORSE. A curious, almost novel, situation brings us to this discussion. Basically it is caused by a ruling of the Secretary of the Interior that we did not mean what we said in Congress when we refused to exempt the State service area under the San Luis development from the acreage restriction policy that has stood the test of time in the United States even though attached heretofore.

I would like to add that this resolution does not appear to me to be contrary to the wishes of a highly important and respected segment of the administration, and my justification in so stating is quite specific. The Attorney General, although he did not disagree with the Secretary of the Interior's remarkable conclusion as a matter of law, made a clear demand that these conclusions be submitted for congressional reexamination. In fact he said:

As you know, the policy of the Federal Government requiring acreage restriction in Federal reclamation projects is one of long standing and one not lightly abandoned. The Congress insisted upon the application of this policy in the Federal service area. Whether or not they intended the policy to apply to the State service area is not free from doubt. Strong arguments can be made to the effect that they did not intend to abandon the policy even within the area to be serviced by the State. The legislative history is far from conclusive * * *.

Having arrived at this conclusion as a matter of law I would nonetheless urge you to seek a congressional reexamination of this question. I think that the Congress itself should make a clear determination whether or not the acreage limitations should apply to the State service area.

So far as I am concerned I do not suffer from any of the legalistic doubts that concern the Attorney General. Nevertheless, my resolution is offered to provide Congress with an opportunity to make that reexamination which the Attorney General so earnestly advocates.

There are a few other things of a preliminary nature which I might add at this time for general information as we proceed in this discussion. The legal representatives of the Department of the Interior clearly said their ruling was based on the "intent" of the Congress. Naturally, I will not assume to speak for all Senators, even though I clearly recall an impressive majority of those present voted to eliminate the exemption from the 160-acre limitation and thereby provided a rather firm basis for concluding that it was not their "intent" that the exemption which they had just exercised should be considered as approved and controlling.

But, speaking for myself—and I have spoken of this at some length previously in our debate—I assure the Senate that I feel quite well qualified to express my own intent as a Senator without the assistance or interpretation of any of the lawyers who counsel and advise the Secretary of the Interior who made this ruling which even the Attorney General feels requires congressional reexamination.

For the benefit of the new Members of the Senate and to refresh the memory of the other Members of this body, I wish to recite the history of the San Luis bill during the 86th Congress. Hearings on S. 44, the San Luis bill, took place on March 16, 1959, before the Senate Committee on Interior and Insular Affairs, and on March 16, 17, and 19, of the same year, before the House Interior Committee. It became evident that the sponsors of the bills were anxious to get the legislation through as quickly as possible. Although agreement on H.R. 5687, the companion bill, was not reached until Friday, March 13, 1959, hearings were suddenly called on the bill on Monday, March 16, 1959.

Hearings before both Senate and House Interior Committees were held on

that day and concluded shortly thereafter. In looking at the record of the hearings it is apparent that those who later opposed section 6(a) of S. 44 which would have exempted the State service area, did not have an opportunity to express their views.

It later became apparent that the bill did not receive adequate study by the Senate committee. Several members of the committee arose, during the debate on the floor of the Senate, to state that the bill was not sufficiently studied. One of these, as I recall, was the distinguished Senator from Colorado [Mr. CARROLL]. One of the members of the Senate Interior Committee, the late Senator Neuberger, joined with the Senator from Illinois [Mr. DOUGLAS] and the senior Senator from Oregon in sponsoring an amendment which would delete section 6(a) from the bill. My colleagues will recall that sponsors of the bill contended that the deletion of section 6(a) made no difference, that in the words of the junior Senator from California it was "surplusage."

The answer of the three Senators sponsoring the amendment was, "If section 6(a) is surplusage, why not take it out." This the sponsors refused to do.

To further refresh the memory of the Members of the Senate, I shall briefly outline the provisions of Senate bill 44. The bill authorized the building of the San Luis Dam and the San Luis Reservoir and other facilities, at a cost of $290 million to the Federal Government. Additional appropriations were authorized for the building of a distribution system and drains at a cost of $192 million. The project was to be divided into two parts—the Federal service area and the State service area. The Federal service area was exactly defined. It constituted about 500,000 acres on the west side of the San Joaquin River, and would utilize about 1 million acre-feet of water a year.

The State service area presumably would comprise about 400,000 or 500,000 acres, since the San Luis Reservoir was designed to impound about 2 million acre-feet of water. The State service area was not defined. No one seemed to know where it was intended to be; and, so far as I know, no one knows to this day.

To put this legislation in proper perspective, it is necessary to describe the landownership pattern. In central California, large landownership predominates.

Mr. PROXMIRE. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I yield.

Mr. PROXMIRE. As I recall, in 1959 the Senate had prolonged debate on this issue; and, after that debate, the Senate refused to exempt the State part of the San Luis project from the 160-acre limitation. Is that correct?

Mr. MORSE. That is correct. As I pointed out, in May of that year, the Senate debated this question for 4 days, and decided by an overwhelming vote to delete the language exempting the State service area from the 160-acre limitation.

Mr. PROXMIRE. Is it not also true that the large landowners are, in effect, using subsidies contributed by all the taxpayers as a steppingstone by means of which to avoid the limitation?

Mr. MORSE. In my judgment that is also true. The State part of the project would not be possible without a Federal Government contribution to the project of many millions of dollars. The State service area is, so to speak, the second story. There is only one reservoir and there is only one main canal which will make possible the distribution of water from the Federal part of the project to the State part of the project.

Mr. PROXMIRE. Is it not also true that the Federal policy is determined by Congress, and not by the Secretary of the Interior?

Mr. MORSE. I always thought so. The Secretary of the Interior was wrong, in my judgment, in signing a contract which exempted, unconditionally, the State service part of the project from the 160-acre limitation.

Let me make very clear that I do not think the Secretary of the Interior can justify signing the contract; and I do not think he should have signed it, in the public interest. I am very sorry that a Secretary of the Interior of my party signed it.

Mr. PROXMIRE. Did the Secretary of the Interior explain why he overturned the policy of Congress, which specifically was to the effect that the State service area should not be exempt?

Mr. MORSE. I do not know of any adequate explanation by the Secretary of the Interior. He relied upon his Solicitor, apparently. But in my judgment his Solicitor is guilty of one misinterpretation after another; and before I finish this speech I intend to dwell at some length upon his chain of misinterpretations.

Mr. PROXMIRE. Who is to finance the State part of the project?

Mr. MORSE. We are told that the people of California, who are being asked to buy bonds—also underwritten by the people of California—will finance it.

Mr. PROXMIRE. Who will be the chief beneficiary of the decision to exempt large areas from the 160-acre limitation?

Mr. MORSE. In my judgment, the grant land corporations, including the Kern County Land Co., which own 348,000 acres; the Southern Pacific Co., which owns 201,000 acres; and the Standard Oil Co., which owns 218,000. I think there are many other relatively large landholders, which I shall name in a few minutes.

Mr. PROXMIRE. In light of that answer, why was the 160-acre limitation written into the law in the first place?

Mr. MORSE. In my judgment, Congress wisely inserted this limitation in the Reclamation Act of 1902, in order to distribute as widely as economically practicable the benefits of the Federal subsidy.

Let me repeat, as the Senator from Wisconsin has heard me say before, that I am always open to consideration of a modification of the land-limitation program under the 160-acre provision. But it must be done, in my judgment, not in this way, on this type of piecemeal basis, but on the basis of a proposed piece of legislation which will lay down a general policy statement, after its proponents come forward with proof as to why, as a matter of policy, the act of 1902 should be modified. But in my judgment there should be a policy statement, not his kind of piecemeal amendment of the 1902 act.

Mr. KUCHEL. Mr. President, will the Senator from Oregon yield to me?

Mr. PROXMIRE. Mr. President——

Mr. MORSE. Mr. President, when I finish this colloquy with the Senator from Wisconsin, I shall be glad to yield to the Senator from California.

I yield now to the Senator from Wisconsin.

Mr. PROXMIRE. In connection with the very point the Senator from Oregon is stressing, I wish to ask this question: Was not Congress seeking to encourage the family-sized farm, rather than the corporate farm?

Mr. MORSE. There is no doubt about that.

Mr. PROXMIRE. It seems to me that if that was the intention of Congress—namely, to seek to encourage the family-sized farm, rather than the corporate farm—then the piecemeal method which the Senator from Oregon has so well described has resulted, or would result, in giving the Kern County Land Co., the Southern Pacific Co., the Standard Oil Co., and similar companies many great benefits.

Mr. MORSE. There is no doubt that that is what Congress had in mind in 1902; and it is a very sound public policy.

When I say that I am open to consideration of some modification of the 1902 act, I wish to say that in my judgment the policy which Congress had in mind in 1902, insofar as the family farmer is concerned, is, generally speaking, as sound today as it was then. I am very much concerned about the family farmer in the United States.

I do not say that modern techniques of agriculture may not make it justifiable in some parts of the country to have an enlargement of the 160-acre limitation, and in other parts of the country—for instance, in the great fruitgrowing areas and in some of the exceedingly rich areas with great depth of topsoil and great fertility—may not justify a reduction of the 160-acre limitation.

But my plea is that we ought to look at it from the standpoint of a policy review of the Reclamation Act, and not from the standpoint of a piecemeal approach, such as is being made, with all the interesting overtones and undertones that exist.

Mr. PROXMIRE. Why has the 160-acre limitation which is a part of our reclamation law been so violently opposed?

Mr. MORSE. My opinion is that the great landed interests in California are, in effect, seeking a subsidy from the taxpayers of the United States, through the Treasury of the United States.

Mr. PROXMIRE. Why do not those who are opposed to it seek its outright repeal?

Mr. MORSE. My opinion is that they know Congress would not vote for a subsidized reclamation project without some

limitation, and repeal of this limitation would end the reclamation program. I need not tell the Senator from Wisconsin what we would hear from the conservation groups and reclamation groups if such a proposal were made.

Mr. PROXMIRE. What does the Senator think would happen to reclamation if Congress should allow the San Luis contract to stand?

Mr. MORSE. I think it would be difficult to have new reclamation projects authorized. I say to Senators who have sponsored reclamation projects that they should stand with us in opposition to this contract.

Mr. PROXMIRE. As a member of the Agriculture Committee, I say that we have been talking about taking land out of production, at great cost to the Federal Government, and at miserable cost to the farmers. What does the Senator think the San Luis project's effect would be on crop surpluses?

Mr. MORSE. It is a pretty speculative question, but my speculation is that it would have some indirect effects. For example, the growing of alfalfa on lands irrigated by San Luis water would indirectly affect the feed grain problem and the surplus milk problem in the State of the Senator from Wisconsin, and many others.

Mr. PROXMIRE. That response concerns me very deeply.

Mr. MORSE. The Senator has asked me to look into a crystal ball. It is very speculative, but, nevertheless, we can render our own valued judgment as to whether we are to vote for or against these measures only with some speculation or by gazing into a crystal ball now and then. All I am saying is that quite possibly there will be effects on our whole feed grain program and our agricultural surplus program.

Mr. PROXMIRE. One more question. I ask the chairman of the Subcommittee on Latin American Affairs of the Committee on Foreign Relations what our Latin American friends will think of us if we go to their countries preaching land reform and at the same time adopt legislation which would perpetuate agricultural feudalism in California?

Mr. MORSE. I think it would put us in a position of great inconsistency, which is so often our posture in Latin America. It would be pretty difficult to justify this kind of project. What we are trying to do is build up the family farm in Latin America and carry out what the President of Colombia told me about some time ago when he stressed the need for land reform that would develop the family farm in Latin America and, corollary to this, the importance not only of developing private ownership of the little family farm of a sufficient size to sustain the family, but of private homeownership in the city.

That is why, as the Senator from Wisconsin probably knows, we are working so hard in our committee to try to export to South America one of the great institutions of the private enterprise system of this country, known as the savings and loan association, or the home building and loan association, so we can strengthen private family homeownership in the city and have corresponding agricultural loan policies that will lead to land reform and develop family farms in rural areas. In my judgment, it is going to result in a bonanza to the big landowners. In my judgment, that is not the way to strengthen the concept of family homeownership.

I did not think it was necessary to go ahead with this project with the 160-acre limitation thrown out. As I shall show at some greater detail later in my speech, if that is the way California wanted it, I think California should have done the job.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. ANDERSON. I call the attention of the Senator to the fact that there is a provision in the San Luis Project Act, which we have been writing into all irrigation and reclamation legislation reported from the Senate Interior and Insular Affairs Committee. I refer to section 1(b) of Public Law 488, of the 86th Congress. This section reads as follows:

> No water provided by the Federal San Luis unit shall be delivered in the Federal San Luis service area to any water user for the production on newly irrigated lands of any basic agricultural commodity, as defined in the Agricultural Act of 1949, or any amendment thereof, if the total supply of such commodity as estimated by the Secretary of Agriculture for the marketing year in which the bulk of the crop would normally be marketed and which will be in excess of the normal supply as defined in section 301(b)(10) of the Agricultural Adjustment Act of 1938, as amended, unless the Secretary calls for an increase in production of such commodity in the interest of national security.

As one of the authors of the Agricultural Act for 1948–49, I submit that this provision deals adequately with the surplus crop problem with respect to lands to be irrigated by the San Luis project. The Senator from Wisconsin referred to the project as feudalism. I do not see anything feudalistic in it, because the law provides that the people in the San Luis Valley shall not produce crops which are in surplus. What is feudalistic about the law and the project?

Mr. MORSE. I think it would lead to the danger of feudalism in the California Valley. I think the language the Senator has read is about as meaningless as the 160-acre limitation has become as the result of this contract, because under the contract the purpose is, it seems to me, to make water available for more than 160 acres. We think a very interesting doctrine of intermingling is involved in this controversy. The result will be to have the water used without any relationship to the 160-acre limitation. The producers are not going to grow air on the land. Once they get the water, they are going to grow something. We shall not be very successful in telling them that they cannot grow crops there if we supply the water, having spent millions of dollars to get it there.

I say to the Senator from New Mexico—and this is speculative—that I think the language the Senator has just read would become meaningless, in practice a very short time after the accomplishment of the giveaway.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. KUCHEL. I recognize the right on the part of the Senator from Oregon to voice such opinions with respect to the San Luis contract as he desires to voice in such colorful language as he desires to utilize for the occasion. After he has concluded, so that I may not be attempting to interrupt him continuously, I intend to demonstrate the complete and utter fallacy of the opinions which the Senator is voicing.

With respect to a factual matter, upon which there could be no disagreement whatsoever, the people of California have voted to bond themselves in an amount of $1,750 million to build a part of a State system of water distribution. Since my friend suggested that there might be some question with respect to the amounts of money available from the State, I wish to disabuse his mind on that point.

I thank my friend. I shall not interrupt him too often. I shall wish to answer my friend's comments. I say to my friend—and he is my friend—that he is woefully and utterly wrong in the position he espouses on this floor tonight.

While I have not read the resolution, if what I believe to be the resolution and the effect of it were, God forbid, to be adopted by the Senate Committee on Interior and Insular Affairs, a frightening, grievous, unjustified wound would be inflicted upon the body politic of the people of California. I say that with the utmost of sincerity.

Mr. MORSE. I say to my very good friend—and he is my friend—that I find him as unconvincing now as he was in 1959. He made the same case in 1959, but the Senate left him, and rightfully. The Senate took a position in 1959 as to what the public policy should be. California should have respected it and followed it.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. MORSE. I am delighted to yield.

Mr. KUCHEL. The Senator is correct that the Congress of the United States has rendered judgment in this matter. The Solicitor of the Department of Interior has rendered an opinion. The Attorney General of the United States has rendered the same opinion. In conformity with those two opinions, the Secretary of the Interior, a member of the Cabinet of the administration, has approved a contract with the Governor of California.

I say to my friend that I think he and the Senator from Wisconsin are the lonely ones in this particular area, because those who have had the responsibility to reach decisions upon which to act in this field are unanimous in upholding the provisions of the contract.

Mr. MORSE. I am accustomed, in my public service, to seeing public officials yield to the kind of pressure to which the executive branch of Government and the California officials have yielded. That is an old, old game in American

politics, but that does not make it right. Why did the people of California not go to court? Why did they not test this provision in the courts? Why did they use the political route, after the decision in 1959?

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. MORSE. The Senator speaks about what the citizens of California are willing to do by way of floating a bond issue. I should think they would be willing to do so. I do not think one would have much trouble convincing the people of California that they ought to float a bond issue.

(At this point the President of the United States, Hon. John F. Kennedy, entered the Chamber.)

[Applause, Senators rising.]

The PRESIDENT. This is the way it was when I left the Senate.

Mr. MORSE. I tried to persuade the President to stay.

Mr. ANDERSON. Mr. President, will the Senator from Oregon yield at that point?

Mr. MORSE. Permit me to finish my comment.

I should think the people of California would float a bond issue, when they can get so much in return from the Federal Treasury. That is a pretty good horse trade, but it is not in the public interest.

In my judgment, the executive branch should not be a party to a contract which deletes the 160-acre limitation in this case. It ought to see to it that we preserve the policy principle of 1902. We should consider any proposed change in the reclamation law, so far as the 160-acre limitation is concerned—if it can be justified—in a separate and independent bill. That is the position of the Senator from Oregon.

If the Senator from California thinks for a moment that I have any hope of convincing him, he is mistaken. I do not. I think he is a very able representative in this instance of the selfish interests of California. I think they have been very selfish. That does not make the view of the Senator correct. He can say all he wishes, if he obtains any satisfaction from telling the Senator from Oregon that he thinks he is woefully mistaken. He may indulge himself, but that will not change the history of this whole controversy.

In my judgment, we settled the problem in 1959. It should have been left there. The Secretary of the Interior should not have made this arrangement. If the people of California did not like what was done in 1959, they should have gone into court.

The Senator remembers the debate in 1959. I thought we had an understanding as to what procedure was to be open to the people. The proponents thought we were wrong. The doors of the courts were open to them. In my judgment, they would have had a pretty tough time in court.

Mr. ANDERSON. Mr. President, will the Senator from Oregon yield to me?

Mr. MORSE. I yield.

Mr. ANDERSON. I point out to the Senator from Oregon that that is exactly the point on which the discussion turned in the Senate Committee on Interior and Insular Affairs both when we considered the bill, S. 44, 86th Congress, that became the San Luis Project Act, and when we considered the contract in February of this year.

When the question was before the Senate in 1959, the Senator from Oregon said:

> The Federal reclamation laws are applicable to Federal waters and not to State waters.

I interpolate to say that that is the problem the Interior Committee had to decide. Were these waters only waters from Federal facilities, or were some of them waters from State constructed and operated facilities?

When we tried to decide that question, we naturally turned to two documents. One was a document prepared by the Department of the Interior, which, for the first time, really undertook a study of the 160-acre limitation in all of its historic and legal ramifications.

I believe I should state to the Senator from Oregon that I have tried hard to learn the genealogy of the 160-acre limitation. I have defended and supported, and I expect to continue to support, the 160-acre limitation against all enemies, foreign and domestic. However, in the San Luis matter we were dealing with waters from State facilities and with waters from Federal facilities.

The Senator from Oregon, keen student of the law that he is, pointed out that the Federal reclamation laws are applicable to Federal waters and not to State waters. He went on to say:

> Here we have a similar case, a novel case, a precedent-making case; and I want the precedent to be established by the courts by way of judicial determination, and not on the floor of the Senate by political plays.

The Senator quoted exactly what was my position in the Interior Committee. If this is a question which should be determined by the courts, what we should do in the Senate Committee on Interior and Insular Affairs is to say: "We will leave the question to the courts; we decline to review this question legislatively." Then there will be a justiciable issue. There will be an issue to take to court.

I welcome that course of action, because I believe that the courts will establish the fact that when one deals with Federal waters the Federal limitation applies, and when one deals with State waters, even though there might be some intermingling, Federal law is not to be imposed upon the waters from State facilities delivered in a State service area.

As a legislator, I have no way of deciding the legal question. I must depend upon counsel for the Department of the Interior. I have to depend upon the ruling of the Attorney General.

I remind myself that early in life, when I first established my insurance company, a man said to me, "Any time you become your own lawyer you will have a fool for a client." Therefore, all my life, I have tried to get the best possible legal advice.

COMMITTEE RELIED ON LEGAL OPINIONS

In this particular instance the Interior Committee had the advice of the Attorney General of the United States. We also had the advice of the Solicitor of the Department of the Interior.

There are many able lawyers on our committee, and I am looking at one now. The committee decided to leave this question to the courts, as the Senator from Oregon himself urged in 1959. If anyone in California feels aggrieved, the courts are open to him.

We could have rushed in and said, "This contract is wrong." We could have overturned the decision of the Solicitor of the Department of the Interior. We could have overturned the concurrence of the Department of Justice. We could have said that two great divisions of our Government did not know what they were doing.

The committee tried to say, "We will pass this legal matter on to the courts. We will say that this contract, carefully entered into by the Department of the Interior, after the most exhaustive study anyone in the Department of the Interior has ever made—the first real study of the 160-acre limitation—was not an improper nor invalid decision under the law."

Then, if anyone wished to upset this contract, he could go into court.

JUDICIAL INTERPRETATION AVAILABLE

My very able friend from Oregon knows that I am not a lawyer. For that reason I speak freely on legal points. I know there may be other ways to accomplish the objective, but after our discussion—and there were many lawyers on the Interior and Insular Affairs Committee—it seemed that the only way we could obtain a judicial interpretation of the issue of whether the Federal limitation should apply to State-serviced areas was to let the contract stand as approved by the Secretary of the Interior and the Attorney General.

I do not say to my friend from Oregon that the decision was the only right decision that could have been made. I say what we did appeared to be right.

Mr. MORSE. Mr. President, I say to my very close and highly respected friend from New Mexico that whenever he talks on any subject he inspires me to refer to the many points he raises. His discourse to the Senate has greatly inspired me to comment on some of the implications, but I shall resist doing so, and I shall comment only briefly.

If the Senator would read the remainder of my speech in 1959 on that subject—in fact, I spoke several times on the subject—he would find that I discussed the doctrine of intermingling. He would find that I pointed out that the question is not one of Federal and State water, but that the whole project intermingles Federal and State jurisdiction. But who is the supplicant? Who seeks relief? Who is coming to the Government asking for help? The State of California.

In my judgment, when there is an intermingling of Federal and State questions, Federal and State waters, and Federal and State projects, I think it is clear that the Federal doctrine should apply, and if California does not want it that way, let it go its own way.

That is my first comment in regard to my point that the 1902 act applies to Federal waters. But we have not changed this situation one whit from the application of that doctrine merely because it is shown as a Federal-State project. In my judgment, the intermingling keeps the Federal policy in control. That is the question that ought to have gone to the courts.

The Senator has said that the partners do not like going to court. If that be true, they could have gone to court without the action the committee has taken; and they ought to do so. We have added to the question the position taken by the executive branch of the Government. When we get into the controversy, we find that it involves the question of the intent of Congress in regard to the 1959 act. What is the intent of Congress now in regard to the 1962 measure, upon which we are apparently about to take action? We would strengthen the position of those who wish to weaken the Federal Government. That happens to be one of the facts of legal life.

I say most respectfully that I think the Department of the Interior should have followed a handsoff policy. It should have said, "We covered this subject matter in 1950. We are not going to approve this contract. We are merely going to say to the parties, 'Go on to court'."

In effect, we are approving the contract. I do not think we should have done so in view of the act of 1959.

I would have liked to have the great lawyers of the Department of the Interior who rendered this final opinion do so without being assisted by those on the Hill.

Mr. ANDERSON. Mr. President, will the Senator yield at that point?

Mr. MORSE. I yield.

Mr. ANDERSON. The Senator has said that if we had wished, we could have adopted a handsoff policy. That is precisely what we did deliberately. No action of the Congress has in any way contravened the position of the Senator from Oregon [Mr. MORSE]. He now suggests that we make a political decision.

The Interior Committee took a completely noncontroversial, handsoff position. We said that we would not review the contract since the Secretary of the Interior had made certain findings and decisions, based on the concurrence of the Attorney General as to the law.

If these findings were wrong, they should be tested in a court of law. We adopted a handsoff policy, exactly as the Senator has suggested we should.

Mr. MORSE. The Senator from Oregon is trying to legislate a decision in order to make perfectly clear a disapproval of a political decision. If the Senator from New Mexico and I have ever seen a political decision, we now have one before us from the Department of the Interior, made in cooperation with some politicians in California. Let us face the realities of the question.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. MORSE. No, I am not quite through yet. I am trying to prevent a political decision. The Senator from New Mexico now has a political decision. In my judgment, the Department of the Interior should have made perfectly clear that it would stand by the decision that was made in 1959.

Mr. ANDERSON. Will the Senator indicate how the Interior Committee could have——

Mr. MORSE. I do not know why the Senator from New Mexico does not see that nonaction is action in a case such as the one before us. The most effective action we could have taken in order to help the political decision come to fruition would be to follow what the Senator has called a policy of nonaction in his committee.

Mr. ANDERSON. Mr. President, will the Senator yield at that point?

Mr. MORSE. I yield.

Mr. ANDERSON. Will the Senator indicate what the Interior Committee might have done that would have met with his approval?

Mr. MORSE. What I propose to do in the resolution.

Mr. ANDERSON. Is that political action or not?

Mr. MORSE. No, that is legislative action.

Mr. ANDERSON. The Senator from Oregon has said that we should have adopted a handsoff policy. Would he not agree that the Interior Committee did exactly what he urges? Would he not agree to that much at least?

Mr. MORSE. Let me point out what I propose to do.

Mr. ANDERSON. I do not question what the Senator proposes that we do.

Mr. MORSE. It is a fine proposal.

Mr. ANDERSON. The Senator has said that we should have adopted a handsoff policy. Would he agree that we did so?

Mr. MORSE. What the Senator calls a handsoff policy would sustain the hands of those who made a political decision—the Secretary of the Interior, his lawyers, and the politicians in California.

Mr. ANDERSON. Those are not our hands.

Mr. MORSE. What is that?

Mr. ANDERSON. Those are not our hands. The Interior Committee did adopt a handsoff policy. If the Interior Department was wrong, the Department should be brought into court.

Mr. MORSE. Oh, no. I say respectfully that if the Department of the Interior was wrong, we have a responsibility to repudiate its mistake.

Mr. ANDERSON. Then the Senator from Oregon did not wish us to adopt a handsoff policy?

Mr. MORSE. I wanted the committee to make a legislative policy when the Senator discovered that politics were being played with what I consider to be the great reclamation law of 1902.

Mr. ANDERSON. I do not believe that the Department of the Interior did any such thing.

Mr. MORSE. I know the Senator does not.

Mr. ANDERSON. For the first time in a long time I read every word in a very exhaustive, scholarly, technical legal document—a 50- or 60-page treatise—issued by the chief legal officer of the Department of the Interior.

Mr. MORSE. I read it, too. I will tell the Senator from New Mexico about doctors' theses. I believe he would be surprised to know that while sometimes a doctor's thesis might reach 2,000 pages in length, the doctoral committee might refuse the degree. Does the Senator know why? Because the contents of the thesis are not considered worthy of the degree. In my judgment, the long opinion of the Department of the Interior, which I also read, is not worthy of the degree. It ought to be rejected.

Mr. ANDERSON. I shall not argue with the Senator from Oregon on that point, because the able Senator from Oregon is a lawyer and I am not.

Mr. MORSE. The opinion is not pertinent to the policy issue involved here.

Mr. ANDERSON. When I hire a lawyer to do a job for me, unless I find him to be a poor lawyer, I accept his advice. The Department of the Interior appointed a lawyer to do this job.

Mr. MORSE. A poor one, on the basis of the advice given.

Mr. ANDERSON. He may be in error in this instance. But the best place to test that question is in the courts.

Mr. MORSE. A few moments ago I read the remarkable findings of that lawyer in respect to congressional intent.

Mr. ANDERSON. I thought I knew something about the congressional intent in this field, having had something to do with it. I said on the floor during debate on the San Luis bill in 1959 that we did not intend to apply the 160-acre limitation to the State serviced portion of this project.

No one challenged that statement. I believe it sets forth the legislative intent. The Senator from Oregon disagrees with me.

The Supreme Court on two or three occasions passed on statements made on the part of a Senator on the floor of the Senate, in the words of the Senator who was in charge of the bill. I was in charge of the San Luis bill, S. 44, 86th Congress.

Mr. MORSE. The Senator's statement is based on a false assumption with regard to a fact. We do not have a State project under consideration here. We have an intermingled project. In my judgment, in an intermingled project the Federal principle persists.

Mr. HUMPHREY. Mr. President, unfortunately I must leave the Chamber. I find this debate a very scintilating and intellectual discussion of a very complex issue. I hope the Senators will settle the issue.

Mr. ANDERSON. I hope the Senator from Minnesota will remain in the Chamber for a while and not go away uninformed on this subject.

I am certain that the Senator from Oregon understands my position on this subject. I tried very hard to find out what was the proper thing to do. I do not say that what I found was the only proper thing to do. I only say that I had learned very early in my life to depend on the advice of experts in the law for legal advice.

Some time ago, when I was in a different capacity in the Government service from the one I now occupy, that is, when I was an administrative officer of the executive branch, the Senate subpenaed the Secretary of Agriculture to produce certain records and to bring them forthwith to the Senate.

ADVICE OF ATTORNEY GENERAL

The solicitor of the Department of Agriculture advised me that, as a Cabinet officer, I need pay no attention to this demand from the legislative branch. However, I did not take his advice.

I went to the gentleman who was the chief of the law branch and the legal adviser to the Cabinet and the President of the United States, namely, the Attorney General of the United States. I asked the then Attorney General if I must obey the subpena of the Senate. He advised me that as a matter of law I would not be compelled to go to the Senate with the documents. However, as a personal friend, he suggested that I do so, and recommended that I make certain offers to the Senate. I did just that, and everyone was satisfied.

In the San Luis matter, the Attorney General gave me counsel and advice on December 29, 1961. On that day, he wrote to the Secretary of the Interior in a formal reply to a formal request for advice. Attorney General Robert Kennedy said:

> The legislative history is far from conclusive.
>
> * * *

I am sure the Senator from Oregon will agree that that is a good, honest statement of the situation.

> Nonetheless, and after a careful examination of the relevant laws and legislative history, I concur in the conclusion of your solicitor that the San Luis Act does not require that an agreement executed by you and the State of California contain provision imposing acreage restrictions upon the State service area.

The Interior Committee believed the Attorney General of the United States had a right, an obligation, and a very firm duty to advise a Cabinet officer in response to a request. An Attorney General's opinion, to a degree, at least, is binding upon a Cabinet officer. Attorney General Kennedy's opinion and advice to the Secretary of the Interior was instructive to and was given great weight by the Committee on Interior and Insular Affairs of the Senate.

Mr. MORSE. The Attorney General goes on to say:

> Having arrived at this conclusion as a matter of law, I would nonetheless urge you to seek a congressional reexamination of this question. I think the Congress itself should make a clear determination whether or not the acreage limitations should apply in the State service area. Fortunately, under the provisions of the San Luis Act they will have the opportunity to do so, and I sincerely hope that they will take positive action in this respect.

That is exactly what the senior Senator from Oregon is seeking to get Congress to do. That is the whole purpose of my resolution. That is why I want Congress and not the Committee on Interior and Insular Affairs to do the reexamining. I believe the Attorney General is quite right. We ought to have affirmative action by the entire Congress, if this mistaken legal conclusion of the Attorney General is to prevail. I do not want to see this question disposed of by the Committee on Interior and Insular Affairs. I want it disposed of by the entire Congress. That is what the Attorney General suggests.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. ANDERSON. The Attorney General suggests that Congress should make a clear determination. I referred to this point earlier, and I wish to refer to it again. What did the bill provide? It provided:

> No funds shall be appropriated to commence construction of the San Luis unit under any such agreement, except for the preparation of designs and specifications and other preliminary work, prior to ninety calendar days (which ninety days, however, shall not include days on which either the House of Representatives or the Senate is not in session because of an adjournment of more than three calendar days to a day certain) after it has been submitted to the Congress, and then only if neither the House nor the Senate Interior and Insular Affairs Committee has disapproved it by committee resolution within said ninety days.

The contract approved by the Secretary of the Interior and the Attorney General was duly referred to the Senate Committee on Interior and Insular Affairs. The committee considered the matter and voted not to disapprove the contract by resolution. I believe the committee's action was compliance with the Attorney General's recommendation.

Committee consideration and decision is congressional action. It is complete, final congressional action so far as the Senate is concerned.

The House has a right to disapprove it. If it does, no Federal funds can be appropriated and the contract will not be effective. However, the Senate committee decided that the contract was neither contrary to law nor to sound public policy. We made this decision upon the basis of the Attorney General's opinion and the opinion of the Solicitor of the Department of the Interior and the decision of the Secretary of the Interior. We carried out our congressional responsibility by so doing.

Mr. MORSE. That is where the Senator from New Mexico loses me. The committee had a perfect right to recommend to the Senate that it be approved. I do not believe, however, that the committee carried out the suggestion of the Attorney General, who said:

> Having arrived upon that conclusion as a matter of law, nevertheless I urge you to seek congressional reexamination of this question.

I believe that Congress itself should make a clear determination whether or not the acreage limitation should apply in a State service area.

I believe that the Committee on Interior and Insular Affairs of the Senate should have brought to the Senate a recommendation either for or against. It should have submitted the question to the Senate, and should not have decided to have the committee take care of the matter.

This is very important from the standpoint of congressional intent and policy. It is extremely important that this subject have congressional action. I propose, by the resolution which I have submitted, that the Senate take such action.

After the "whereas" clauses I provide in the resolution:

> *Resolved*, That the Committee on Interior and Insular Affairs of the Senate is hereby requested (1) to adopt a committee resolution expressing its disapproval of the proposed agreement between the Department of the Interior and the State of California heretofore submitted to the committee pursuant to Public Law 86-488, and (2) to notify the Department of the Interior that any such agreement hereafter submitted to the committee should conform to the policy and intent expressed by the Congress in enacting Public Law 86-488.

Mr. ANDERSON. I point out that the law does not provide for committee approval; it provides only for committee disapproval. The committee decided not to disapprove. Therefore we believe we have carried out the intent of the law.

I do not say it would have been impossible for the committee to write some language approving something or other which would be different from what the committee did. However I do believe that if the Senator from Oregon will examine very carefully Public Law 86-488, and most particularly the language which I previously read, he will realize that the San Luis contract has been submitted to Congress as the law provides. So far neither the House committee nor the Senate committee nor any other group has disapproved it. The 90-day period terminates, I believe around April 12 or so.

The committee believes it has complied with the law, both as to the letter and the spirit.

Mr. MORSE. I know the Senator thinks so; but when we are considering a question as controversial as this one, even in line with the spirit of the opinion of the Attorney General, upon which the Senator from New Mexico is relying, the opinion ought to be submitted to the Senate for confirmation. I believe that if it came before the Senate for confirmation, the probabilities are that the Senate would reaffirm the position it took in 1959. I do not think the Senate would approve of this contract because, in my judgment, it circumvents the Congressional action of 1959.

Mr. KUCHEL. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I am glad to yield to the Senator from California.

Mr. KUCHEL. Several moments ago the Senator from Oregon indicated that he felt that any question with respect to the contract and what might be termed loosely as "Federal waters" and "State waters" presented a problem which ought to be decided in court. If that is the Senator's position now, would he contend that if the contract goes into effect, any person would be precluded from litigating its validity?

Mr. MORSE. I am sure much litigation will result from the contract, but

I contend that, as a matter of public policy, the contract circumvents what I believe was the clear action of Congress in 1959. Do not forget that the exemption provision was stricken out in both Houses. On the House side, my very able colleague from Oregon Representative ULLMAN, offered the proposal to strike it. In my judgment, the House debate is crystal clear as to the action of the House in the adoption of the Ullman amendment.

I think that what is sought to be done by way of this contract is really undercutting the action of 1959. It builds up for court action and strengthens the position of those who wish to exempt the 160 acres.

Mr. KUCHEL. That is merely the Senator's opinion.

Mr. MORSE. What does the Senator mean by "opinion"?

Mr. KUCHEL. The Senator from Oregon has expressed the opinion that the contract violates a law of Congress. He has a right to that opinion.

Mr. MORSE. That is correct.

Mr. KUCHEL. But there are those who disagree with the Senator's opinion.

Mr. MORSE. That is correct; but the Senator did not succeed in 1959 in having his opinion sustained in the Senate; he was defeated.

Mr. KUCHEL. I deny the statement of the Senator from Oregon. The Senator is seeking to take the debate on the proposed amendment to the bill when it was pending and use things said in that debate as a basis for the conclusions he now attempts to draw. I vigorously disagree with the conclusions which the Senator from Oregon enunciates. I shall try as best I can, subsequent to the Senator's comments, to demonstrate their fallacy.

Mr. MORSE. I completely disagree with the Senator's interpretation of both my motivations and my conclusions. I know what happened in 1959. The Senate struck the proposed exemption from the bill; the House struck the proposed exemption from the bill. I think that is a pretty clear statement of congressional action. I believe the Secretary of the Interior flew squarely into the face of that action.

As I said earlier, I do not expect the Senator from California to agree with my opinion; but we shall not get anywhere in this debate by saying that I express an opinion and the Senator from California expresses a contrary opinion. It is my opinion that, as a matter of sound public policy, the Secretary of the Interior, to use a colloquialism, is "all wet" in the decision he has made. In my judgment, his Solicitor is quite wrong in his legal opinion.

I quite agree with the Attorney General of the United States that this question ought to be decided by Congress, not by the Committees on Interior and Insular Affairs. I think Congress ought to be called upon to act in this field; therefore, to accommodate Congress, I have submitted a resolution.

Mr. KUCHEL. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I yield.

Mr. KUCHEL. Is it not true that the San Luis law, as the able Senator from New Mexico [Mr. ANDERSON] has specifically stated, sets forth the specific condition on which action on the contract must be predicated and that that condition is the possibility of rejection by the Committees on Interior and Insular Affairs of the Senate and House? Is not that what the law requires?

Mr. MORSE. Is the argument of the Senator from California an effort to stop the Senate Committee on Interior and Insular Affairs from having its judgment affirmed or ratified by the Senate?

Mr. KUCHEL. The Senator from California is not trying to argue anything; he is only asking the Senator from Oregon if the San Luis law itself does not specifically provide that such contract, if any is negotiated, shall become effective 90 days after it has been submitted to the Committees on Interior and Insular Affairs of the Senate and House, if neither has rejected it.

Mr. MORSE. I do not agree with the Senator at all. Under the San Luis law, I think the Senate Committee on Interior and Insular Affairs, if it followed the position it was going to follow, should have taken the question to the Senate.

Mr. KUCHEL. I should like the Senator's permission now to ask the Parliamentarian, if that would help to guide my able friend, what effect the resolution would have.

Mr. MORSE. I should be very glad to have the Parliamentarian's opinion; but let me assure the Senator that it would not guide me at all.

Mr. KUCHEL. It would not persuade the Senator a jot or a tittle.

Mr. MORSE. The question is one of legislative obligation—not an obligation of the Parliamentarian, but of the Senate. I do not intend to make a superlegislator of him, although I have due respect for him within the framework of his limited functions. However, he cannot speak for me as a Senator. In my judgment, under this law, the effect of the contract, on the part of the Secretary of the Interior, was, by way of subterfuge, to get around the action taken in 1959. I think the Secretary made a great mistake.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. DOUGLAS. The Senator from Oregon well remembers the fight in 1959, does he not?

Mr. MORSE. Oh, yes.

Mr. DOUGLAS. Is it not true that although an attempt was made to exempt the San Luis project from the 160-acre limitation, we beat the proponents of that proposal on the floor of the Senate after 4 or 5 days; and that similarly they were defeated on the floor of the House?

Mr. MORSE. The great eloquence of the Senator from California [Mr. KUCHEL] did not prevail. The same argument just did not prevail; but they got around us through the Department of the Interior. As the Attorney General has said, I merely want Congress to take some action now, and I have submitted a resolution to provide for it. The Attorney General said:

> Having arrived at this conclusion as a matter of law, I would nonetheless urge you to seek a congressional reexamination of this question. I think that the Congress itself should make a clear determination whether or not the acreage limitations should apply in the State service area.

I think so too; therefore, I have submitted a resolution to bring about that result.

To return to where I was before this very interesting series of interruptions, I had pointed out that much of this land is owned by giant corporations. I have before me a list of the ownership of some 4 million acres. The total approximate acreage is 3,995,000.

First, the Standard Oil Co. owns 218,485.48 acres; 5½ percent. That is not a family farmer.

Other oil companies own a total of 264,678.64, or 6.6 percent. They do not seem to fit the garments of a family farmer.

Kern County Land Co. owns 348,026.46 acres, or 8.7 percent.

Mr. DOUGLAS. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I yield.

Mr. DOUGLAS. Kern County Land Co. is one of the largest land companies in the world, is it not?

Mr. MORSE. So I understand. Is it not one of the "little boys"?

Mr. DOUGLAS. This company has been behind the efforts to suspend the 160-acre limitation, has it not?

Mr. MORSE. That is what we pointed out in 1959; it is still true today.

Mr. DOUGLAS. That was the issue that was before us in the 1940's, was it not?

Mr. MORSE. That is correct. This is an old, bewhiskered contest in the Senate.

In southern California, large land ownerships predominate. Much of the area is owned by giant corporations. Here is a list of the ownerships of some 4 million acres:

Total approximate acreage, 3,995,000.

Owner:	Percent of total
Standard Oil (218,485.48 acres)	5.5
Other oil companies (264,678.64 acres)	6.6
Kern County Land Co. (348,026.46 acres)	8.7
Southern Pacific Railroad (201,851.75 acres)	5.1
Tejon Ranch (168,531.07 acres)	4.2
Boston Ranch (37,555.58 acres)	.9
U.S. Government (192,762.13 acres)	4.8
Other private holdings over 1,000 acres each owner (1,323,821.57 acres)	33.1
Private holdings under 1,000 acres each owner, including all city, State, county, and subdivided land (1,240,648.24 acres)	31.1

Mr. DOUGLAS. Mr. President, the Senator from Oregon has mentioned the Tejon Ranch, with more than 168,000 acres. Is this a little farm, operated by a small farmer?

Mr. MORSE. Oh, no; it is no small farm operated by a small farmer or operated by a family farmer. None of these holdings is operated by a little fellow. Over 64 percent of the nearly 4 million acres is held in private ownerships of over 1,000 acres per owner.

A look at these ownerships gives us a clue as to why there is so much opposition to the 160-acre limitation in California. Under reclamation law, landowners are supposed to get rid of their excess acreage in 10 years, if they are to benefit from water impounded in Federal projects.

Here are some rather detailed and recent statistics which include the names of the big landowners and the acreage they own:

Ownership statistics in San Luis Valley (including proposed Federal San Luis service area and surrounding areas), from 1956 maps

Owner	Acreage
Calflax	8,120.00
R. Thomas	3,520.00
J. E. O'Neill	4,480.00
P. C. Diener	6,240.00
Harnish—5 points	5,720.00
Airway Farms	3,260.00
J. Mouren	14,261.00
J. B. Hawkins	2,640.00
Anderson-Clayton	24,771.00
Kings County Land & Cattle Co.	2,300.00
Giffin, Inc.	13,722.00
Orchards	5,688.00
South Lake Farms	2,110.00
S.P. & Fresno Land Co.	7,679.00
J. P. Gibson	12,202.00
Cecil Howe	9,829.00
Colt Ranch	1,080.00
Price Griffin Ranch	890.00
Helen Lillis	20,414.00
L. J. Christie	10,739.06
P. B. Haber	1,000.00
M. J. Pucheu	1,900.00
Einstein Investment	1,920.00
Harnish Bros.	6,660.00
Pleasant Valley Farming Co.	8,436.85
Russell Giffin	7,680.00
Employees Enterprises	9,060.00
J. P. Bidarary	11,148.80
Bert Irola	2,040.29
Murietta Farms	4,960.00
Kerman Cattle Co.	5,200.00
United Farms	9,150.00
W. Gill & Sons	13,429.82
Newhall Land & Farming Co.	6,345.35
A. M. Domengine	9,786.50
J. & T. Harris	1,957.30
Sunset Farms	1,470.00
W. R. Farrell	2,080.00
M. & J. Errea	1,400.00
Redfern Ranches	7,893.77
Lyon & Hoag	7,254.16
V. C. Britton	4,495.13
S. Biancucci	1,324.00
Hotchkill Est.	5,120.00
Hammonds Ranches	7,514.44
W. J.-J. R. Hammonds	6,166.64
Frank Hogue	3,800.00
P. Choperena	5,238.00
Mendota Land Co.	1,180.00
Dean Mason	4,476.36
Don Mason	1,280.00
Belmont Farms	2,080.00
Y. S. Philobos	2,600.00
J. Etcheverry	6,880.00

None of these is a little fellow; none of them is a family-sized farmer.

Mr. DOUGLAS. Mr. President, will the Senator from Oregon yield further?

Mr. MORSE. I yield.

Mr. DOUGLAS. This itemization of holdings is under the heading "Other private holdings over 1,000 acres each owner"; and the total for these is 1,323,821.57 acres, or approximately one-third of the entire acreage in the whole area, is it not?

Mr. MORSE. That is correct.

It is important to understand that Federal reclamation projects in California are heavily subsidized. Some years ago it was estimated that it cost about $700 an acre, including interest, to irrigate acreage on Federal projects. Of this $700, $350 is interest free. Irrigators, it is estimated, pay on the average only $123 an acre. The remaining part of the $700 is subsidy. Reclamation projects are often heavily subsidized with power resources. On the San Luis Federal project the contribution of Central Valley will be $68 million.

Many Senators, I am sure, will recall that historic debate in 1959 on the San Luis project. They will recall how the Senator from Illinois [Mr. DOUGLAS] took the floor and, in a devastating analysis, and by the use of maps and charts and facts, showed how the U.S. Government was indirectly going to subsidize the great land barons of California and perpetuate a feudal land system which was inherited from old Mexico and Spain when the United States took over the area.

The Senator from Illinois brought out on the Senate floor facts which shocked and amazed Senators. He proved by admissions of representatives of the Southern Pacific Railroad that this great corporation owned 120,000 acres in the Federal San Luis area and many more thousands of acres in adjacent areas. He proved, furthermore, that the Southern Pacific Land Co., a wholly owned subsidiary of the Southern Pacific Railroad, had no intention of abiding by the 160-acre limitation. There had been vague talk about landowners agreeing to abide by the limitation; but the record of the hearing shows no such intent on the part of the big landowners.

It became apparent, as facts were developed on the Senate floor, that the San Luis "partnership" bill was devised as a new way to get around the limitation. California landowners have tried for years to escape the limitation. They have proposed that the State build the projects. They have attempted to convince the courts that the limitation is unconstitutional.

A number of times they have tried to convince Congress that the limitation should be repealed. They have argued that the 160-acre limitation was outmoded. But all their arguments have failed to convince the courts and the Congress. The U.S. Supreme Court in the Ivanhoe decision overturned the 4-to-3 opinion of the California Supreme Court, and upheld the limitation, saying: "What the United States subsidizes, it may regulate."

Mr. DOUGLAS. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I yield.

Mr. DOUGLAS. Is the Senator from Illinois correct in his impression that the attorney for California in this matter was the then attorney general of California, Edmund G. (Pat) Brown?

Mr. MORSE. I just do not know.

Mr. DOUGLAS. I think that is correct.

Mr. MORSE. I just do not know. But I do wish to stress, for this debate, the decision of the Supreme Court in the Ivanhoe case, in which the Supreme Court laid down, so far as I am concerned, the controlling language which in my judgment simply explodes the theory of the Solicitor for the Department of the Interior. That is why I said goodnaturedly, a few minutes ago, that if that opinion were a doctorate thesis, he would not get by the doctorate examining board, because in the Ivanhoe case the Supreme Court answered him when it said, "What the United States subsidizes, it may regulate." There is no way in which the Senators from California can eliminate from this debate, no matter in what phraseology they may clothe the San Luis project, the fact that it carries with it heavy Federal subsidies.

Mr. KUCHEL. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. Yes, I yield.

Mr. KUCHEL. I am going to try to prove to the Senator from Oregon—and if I fail to do so, I think I will help prove to most of the Members of the Senate—that the Senator from Oregon is 100 percent wrong; that the subsidy is all the other way around; and that the Commissioner of the Bureau of Reclamation, I will say to my friend, has formally and officially stated that with a combined reservoir at San Luis, the Federal Government will save money with respect to supplying supplemental waters to an enlarged Federal service area.

Mr. MORSE. The Senator from California may be able to paint this record with a black pen and try to convince us that it is white; but he is going to discover that we do not suffer from myopia. The California State Service Area could not exist without the Federal project. It is dependent upon the Federal project; the State service area is dependent for its very existence upon the Federal project. So long as that is true, no language which any Senator can phrase will change the fact that the State service area is the beneficiary of a Federal subsidy, under the Federal project. I have not heard any Californian suggest that we wipe out the Federal project. What would happen to the State service area if that were done?

Mr. KUCHEL. Mr. President, will the Senator from Oregon yield again to me?

Mr. MORSE. Yes, I yield.

Mr. KUCHEL. I am not going to make it a practice, tonight, to interrupt the Senator from Oregon——

Mr. MORSE. I find that very helpful, I may say.

Mr. KUCHEL. The reason why I shall not do so is that I should like to try to answer the allegations and the opinions which my able friend, the Senator from Oregon, has expressed.

I believe the San Luis contract represents real statesmanship, whereby the single reservoir site which the Supreme Being has placed in the San Joaquin Valley may be used both for the Central Valley project, a great, magnificent Federal undertaking, and also for the Feather River project, an equally great undertaking, to be paid for 100 percent by the people of the State of California. The representatives of the Federal Government and the State government were able to agree to use the one site which God Almighty provided for two purposes, a Federal purpose and a State purpose. I believe these responsible statesmen should be applauded, rather than abused.

Mr. MORSE. Oh, I do not abuse; I merely say they are dead wrong.

Mr. KUCHEL. My able friend abuses them a little.

Mr. MORSE. No; not a tiny bit. They are just wrong.

I repeat that everything the Senator has just said is irrelevant to the issue. The Supreme Court said, in the Ivanhoe case, that what the U.S. subsidizes it may regulate. If California did not have the Federal project, it could not have the project it is here asking money for. California is dependent upon the Federal project.

All the intermingling does not change the fact that it is Federal taxpayers' dollars that are intermingled. The Federal Government has the right to regulate the project. If the people of California did not want it in the first place, they should have built the State project and used the money of the people of California. They are not fooling the Senate. I do not quarrel with the Senator. Of course, when they come in and ask for assistance in the development of a project that is of value not only to California but to every State in the Union, they do not have a better friend in the Senate, and they will never have a better friend in the Senate, than the senior Senator from Oregon in seeking to help develop the economic productive power of California by way of great public works projects. But I do not propose to help them destroy a very precious Federal principle in order to get a project. That is exactly what it is proposed to have the Secretary of the Interior do.

Mr. ENGLE. Mr. President, will the Senator yield for a parliamentary question?

Mr. MORSE. I yield.

Mr. ENGLE. Am I to understand that the resolution offered by the Senator has been placed on the desk and appropriately referred?

The PRESIDING OFFICER. That is correct.

Mr. ENGLE. The resolution has been referred to the Senate Committee on Interior and Insular Affairs?

The PRESIDING OFFICER. That is correct.

Mr. ENGLE. I thank the Chair, and I thank the Senator from Oregon for yielding.

I know of no one in the Senate who has been a greater friend of reclamation development than the senior Senator from Oregon. Let me make it very clear that we support the 160-acre limitation under Federal reclamation law, and in the San Luis project we have applied the 160-acre limitation to the Federal service area.

We have refused, and we think on proper ground, to apply the 160-acre limitation to those parts of the project financed by the State of California. We do not agree with the distinguished Senator from Oregon that in so doing we have broken down in the slightest degree the principle of the 160-acre limitation.

That is precisely our position, and that is the one on which the position taken by the Secretary of the Interior is predicated.

I ask unanimous consent that, at the conclusion of the remarks of the distinguished Senator from Oregon, I be permitted to make a part of the RECORD, in an appropriate place at the end of his statement, the decision by the Secretary of the Interior under date of December 26, 1961, in which he quotes at great length from remarks made by the Senator from Oregon himself in respect to this decision. I am not implying, in making that statement, that the distinguished Senator from Oregon agrees with the decision finally reached, but this question was discussed when we had the San Luis project before us. I ask unanimous consent to have the Attorney General's opinion and the Solicitor's opinion printed in the RECORD at the appropriate place.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. MORSE. Mr. President, that is perfectly all right with me, but I want the RECORD to show that it was the plan of the senior Senator from Oregon, if I have not already mentioned it in my speech, to incorporate in the RECORD at the end of my speech the memorandum opinion which the Senator from California has just referred to, which is the opinion of December 26, 1961, from the Solicitor of the Department of the Interior to the Secretary of the Interior, which contains the quotations from statements made on the floor of the Senate in 1959 by the senior Senator from Oregon, to which the Senator from California has referred. However, they are selected statements. They did not represent the full position taken by the Senator from Oregon. At any rate, my statement of 1959 will speak for itself. I intended also to insert in the RECORD the agreement which the State of California and the Secretary entered into, the letter of the Secretary of the Interior to the Attorney General of December 26, 1961, and the opinion of the Attorney General of December 29, 1961, plus certain other materials to which I shall refer to later in my speech. I had planned to insert all those in the RECORD following my speech. I am very happy to join the Senator from California [Mr. ENGLE] in including the insertions he has referred to, plus the other material that I ask unanimous consent to have printed in the RECORD following my speech.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. DOUGLAS. I would like permission to inquire of the Senator from California if it is not true that the San Luis project is to be built from Federal and State funds. Is that not true?

Mr. ENGLE. That is correct. It is like building a two-story house. We wrote a program under which the Federal Government would build the first story, but would build it on a foundation that would enable the State to build the second story, and we gave the State the option of being able to build the second story, if it wanted to do so, provided that, if it took up the option, it had to pay the cost of building the second story and also the extra cost of the foundation under the first story in order to support the second story.

Mr. DOUGLAS. Could it build the second story without the first story?

Mr. ENGLE. Of course not. We agree with that, but that is neither here nor there. Let us assume we had a barrel setting here and someone came along with a bucket of water and put it in the barrel. Assume that someone else came along with a bucket of water and also put it in the barrel. The second person should be able to get a bucket of water out of the barrel without any inhibition by the first person, or the Federal Government, so long as he paid his share for the storage.

Mr. DOUGLAS. The Senator from California has given us the analogy of the waterbucket. I should like to refer to a Biblical analogy. We all remember in the Old Testament the story of the child who was claimed by two mothers. The child was brought before Solomon for a decision as to which mother the child belonged to. Solomon proposed to cut the child in half and to offer one-half of the child to one mother and the other half to the other mother. A child cannot be divided in half.

In the same way, I say that you cannot divide water and say that this water goes on Federal land and that water goes on State land. You cannot say correctly that on the Federal land there will be only Federal water, to which the 160-acre limitation will be applied and that on the State land there will be only State water, to which the 160-acre limitation will not be applied.

The dam is an organic unit. Water is indivisible.

Mr. ENGLE. I say to the Senator that there is not one child, but there are two children. It is not necessary to cut the child in two, and thereby to kill the child.

Mr. DOUGLAS. The proponents would kill the 160-acre limitation.

Mr. ENGLE. No; we would not. We will apply the 160-acre limitation without deviation to the Federal service area. The Government has said to the State of California: "With reference to that part of the project for which you pay every dime and every cent, you are entitled to make the decision with respect to the acreage limitations you wish, within your wisdom, in whatever degree that may be—whether it be 160 acres, 300 acres, 360 acres, or 400 acres."

That is what has been said. That is precisely the same as the colloquy in which the distinguished senior Senator from Oregon and I engaged on the floor of this body when the San Luis project was before the Senate. His remarks were absolutely appropriate at that time.

We did not prejudice the legal decision at all. If anyone wishes to take the case to court he may do so. We think he will lose.

We are now trying to make a legislative decision again on a question which was settled when the Congress passed the San Luis project.

We say that when the State pays its way, and its whole way, there should not be an extension and imposition of Federal reclamation law. However, when the Federal Government puts in money and when it is to be involved, then there will be applied the reclamation law. That is to be done.

Mr. DOUGLAS. If the Senator from California does not like the analogy of the child in the decision by Solomon——

Mr. ENGLE. I did not say I did not like it. I said it was not appropriate because there are two children involved instead of one.

Mr. DOUGLAS. The two are Siamese twins, joined together. If we try to separate the twins we shall kill them both.

Mr. ENGLE. That is not always true. We would not do so in this case. We have not done so in this case, either. We have designed the bill to take care of the 160-acre limitation.

I understand the position of the senior Senator from Oregon on that subject. I agree with him. I have always supported the 160-acre limitation. For 4 years I was chairman of the Subcommittee on Irrigation and Reclamation of the House Committee on Interior and Insular Affairs. I was chairman of the House Committee on Interior and Insular Affairs for 4 years. Never have I deviated from my support for the 160-acre limitation. I do not deviate now.

Moreover, I say that within the wisdom of the State of California and its legislature there should be devised an appropriate limitation with reference to its own service area, because it has paid its own money. It has paid the entire cost of the project, so far as the State service area is concerned. It is a matter perfectly within the jurisdiction of the State in that regard, not within the jurisdiction of the Federal Government under reclamation law.

I thank my distinguished friend from Oregon for yielding to me.

Mr. MORSE. Mr. President, I thank the Senator from California [Mr. ENGLE]. If there was any doubt or confusion in the mind of anyone as to whether this question involves an intermingled Federal-State project, the Senator certainly has settled the question. Of course, we have known for a long time that that is what is involved. It was so stated over and over in 1959. This is an intermingled project.

Our California brethren keep talking about the State project. There is no such project. There is a State project intermingled with and dependent upon a Federal project.

Mr. DOUGLAS and Mr. ENGLE addressed the Chair.

Mr. MORSE. I will yield to the Senators in just a moment.

The intermingling makes completely applicable the famous statement in the Ivanhoe case from which I do not intend to let my friends from California escape; namely, that what the United States subsidizes it can regulate. The United States can regulate this project because of the Federal money which is in it. Without any Federal money in it there would not be any project.

Our friends came to the Federal Government, in fact, hat in hand. I was glad to help them get some money for the project, because I think the general Federal policy was good. I shall help them get money again for a public works project in California, but I do not intend to help set aside laws as vital public policy as the Reclamation Act of 1902.

That is, in my judgment, what the proponents of the project are attempting, for the benefit of the big, powerful economic land dynasties whose names I have put into the RECORD this afternoon.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. MORSE. I yield to the Senator from Illinois.

Mr. DOUGLAS. Is not the attitude of the people who are defending the position of our two good friends from California, in saying that the second story of the dam is independent of the lower first story of the dam, similar to the position taken by the celebrated Californian, Gelett Burgess, in his limerick, which is well known:

> I wish that my room had a floor.
> I don't so much care for a door.
> But this walking around
> Without touching the ground
> Is getting to be quite a bore.

Is that not really the position of our good friends from California? They have the second-story State dam walking around without touching the first-story Federal dam. Are not the two inextricably bound together?

Mr. ENGLE. Mr. President, will the Senator yield to me?

Mr. MORSE. I yield to the Senator from California.

Mr. ENGLE. This brings us back to the proposition of which I was speaking. There is one thing I should like to make very clear in the RECORD. It is that water which will go into the San Luis project will come from the Oroville Dam, to be built by the State government as a part of the mammoth project now underway, sponsored by the Governor of California, Pat Brown, which will cost $1,750 million initially.

It is the case I stated to the Senator from Illinois, of a person picking up a bucket of water and pouring it in a barrel. Another person might say: "You cannot go back and get your bucket of water, though in fact you have paid for storage space in the barrel."

The State of California will originate the water at the Oroville Dam, on the Feather River. The State of California will bring the water to the San Luis project in its own canal. The State of California will pay for the storage facilities at the San Luis, including all of the costs, and that includes the cost of building heavier foundations for the lower part of the dam, because it is necessary to have a heavier foundation if a second story is to be built on a dam. The State of California is paying for that. The State of California is paying the cost of the extra height added to the dam. The State of California is paying the money necessary to take the water out and to put it on its own service area.

This reaches the point that it can truthfully be said that the State of California is paying for every red cent which is required to get the water, to get it where it is going, to store it when it reaches there, and to take it away.

Under those circumstances, we have said that the State of California should not be subject to the provisions of reclamation law requiring an acreage limitation, but should be permitted, within the discretion and sovereignty of the State, to select whatever limitation it deems to be appropriate, if any.

Mr. MORSE. Mr. President, I wonder why the Senator from California has ever wanted the San Luis project, if what he has told us meets the needs of California.

The controlling fact is that this river basin project is dependent upon the Federal part of it. In that project the American taxpayers have poured millions of dollars. They have a right to expect Congress to protect Federal-public policy in respect to any project subsidized to the tune of many millions of dollars. For that reason I repeat that the Ivanhoe decision is controlling.

The Congress also has refused to repeal the 160-acre limitation. The 1902 reclamation law stands as a bulwark against land monopoly. It is the extension of a land policy which has been in existence for more than 150 years as enunciated by Thomas Jefferson. It has been implemented by many statutes, executive policy decisions and court decisions.

Members of the Senate may recall that when the Senator from Oregon and the Senator from Illinois took the floor to develop facts on the San Luis bill there was little interest in the debate. Often only two or three other Senators were on the floor. But as the debate progressed, more Senators listened and as reports of the questions raised by the Senators got back to the country, letters, telegrams, and phone calls began to pour into the Capitol. People were beginning to wonder if there wasn't something wrong with the San Luis bill. Labor organizations, farm organizations, farmers and public-spirited citizens wrote and wired the Senators from Oregon and Illinois to keep up the fight to protect the country from the interests in California who wanted to use Federal expenditures as a stepping stone to evade the 160-acre limitation.

Senators may recall that the debate was carried on for 4 days and that on May 12 a large majority by voice vote deleted the objectionable provision from the bill. Now it appears that the fight must be made all over again.

The Attorney General has obviously very reluctantly agreed to the proposed San Luis contracts. He has said that strong arguments can be made against exempting the State service area from the limitation. He has further stated that the matter ought to be settled by Congress. It is obvious that the Attorney General has grave doubts about the decision on the San Luis contract that was issued by the Solicitor of the Department of the Interior.

The Solicitor discusses the Warren Act, which explicitly states that water from Federal reservoirs and passing

through Federal canals should be subject to the limitation. He argues on page 26 of the mimeographed copy of his opinion, and I quote:

Section 2 of the Warren Act standing alone requires the application of acreage limitations where the United States cooperates with an entity in the construction of irrigation facilities even where no Federal subsidy is extended to the lands served by the entity.

We agree with this conclusion and fail to understand why the Solicitor went on to ignore his own interpretation.

The Warren Act which the Solicitor discussed at some length and then ignored is quite revealing. I ask unanimous consent that it be printed in the RECORD at this point in my remarks.

There being no objection, the act was ordered to be printed in the RECORD, as follows:

TITLE 43, UNITED STATES CODE

SALE OR LEASE OF SURPLUS WATERS, WATER POWER, STORAGE CAPACITY, AND WATER TRANSPORTATION FACILITIES

§ 523. Storage and transportation of water for irrigation districts, etc.

Whenever in carrying out the provisions of the reclamation law, storage or carrying capacity has been or may be provided in excess of the requirements of the lands to be irrigated under any project, the Secretary of the Interior, preserving a first right to lands and entrymen under the project, is authorized, upon such terms as he may determine to be just and equitable, to contract for the impounding, storage, and carriage of water to an extent not exceeding such excess capacity with irrigation systems operating under section 641 of this title, and individuals, corporations, associations, and irrigation districts organized for or engaged in furnishing or in distributing water for irrigation. Water so impounded, stored, or carried under any such contract shall be for the purpose of distribution to individual water users by the party with whom the contract is made: *Provided, however*, That water so impounded, stored, or carried shall not be used otherwise than as prescribed by law as to lands held in private ownership within Government reclamation projects. In fixing the charges under any such contract for impounding, storing, or carrying water for any irrigation system, corporation, association, district, or individual, as herein provided, the Secretary shall take into consideration the cost of construction and maintenance of the reservoir by which such water is to be impounded or stored and the canal by which it is to be carried, and such charges shall be just and equitable as to water users under the Government project. No irrigation system, district association, corporation, or individual so contracting shall make any charge for the storage, carriage, or delivery of such water in excess of the charge paid to the United States except to such extent as may be reasonably necessary to cover cost of carriage and delivery of such water through their works. (Feb. 21, 1911, ch. 141, § 1, 36 Stat. 925.)

§ 524. Cooperation with irrigation districts, etc., in construction of reservoirs and canals.

In carrying out the provisions of the reclamation law, the Secretary of the Interior is authorized, upon such terms as may be agreed upon, to cooperate with irrigation districts, water-users' associations, corporations, entrymen, or water users for the construction or use of such reservoirs, canals, or ditches as may be advantageously used by the Government and irrigation districts, water-users' associations, corporations, entrymen, or water users for impounding, delivering, and carrying water for irrigation purposes: *Provided*, That the title to and management of the works so constructed shall be subject to the provisions of section 498 of this title: *Provided further*, That water shall not be furnished from any such reservoir or delivered through any such canal or ditch to any one landowner in excess of an amount sufficient to irrigate one hundred and sixty acres: *Provided*, That nothing contained in this section or section 523 of this title shall be held or construed as enlarging or attempting to enlarge the right of the United States, under existing law, to control the waters of any stream in any State. (Feb. 21, 1911, ch. 141, § 2, 36 Stat. 926.)

Mr. MORSE. It is clear that Congress intended by the Warren Act that when benefits are conferred pursuant to the Federal Reclamation Law upon an irrigation district or a similar entity by the making of Federal investments, those investments carry with them the excess land provisions of the Federal Reclamation Law and make applicable to the service areas of those entities, the so-called 160-acre limitation provisions of the Federal Reclamation Laws.

It is a novel experience to find the executive branch undertaking to reinterpret quite erroneously the intent of the legislative branch which had already gone to some pains to spell out and positively act to establish its intent. If this sort of practice prevails, our time honored system of checks and balances with the legislative, judicial, and executive branches is in real jeopardy.

But there are wider matters before you in this resolution. In our previous debate when we decided not to exempt the State service area from the fundamental acreage restriction policy, virtually all the Senators who expressed themselves on the matter said that they were acting on a matter of principle. I did also—repeatedly. And those principles still apply no matter how often we are required to reenunciate them.

It is fundamental that if we are going to make our form of democracy work, we adhere firmly to the family-sized farm principle handed down to us through Thomas Jefferson, Abraham Lincoln and Theodore Roosevelt—namely, that the land should be divided so that freeholders can become the owners of family-sized farms which they can be expected to cultivate and protect in the strongest economy that any government has yet devised. That is what Jefferson's preemption laws provided, Lincoln's Homestead Act ratified, and Theodore Roosevelt's reclamation law—which was lifted in large part verbatim from the Homestead Act—insured. This is the antithesis of what is contemplated by the Secretary of the Interior's ruling.

If we let the Secretary of the Interior's opinion stand we will be committing this Nation to the unhealthy and unwholesome policy of embracing corporate agriculture. Previously into the record of our debate there has been introduced the names of the corporations that own vast agricultural acreages in California that would be benefited by a windfall of multiple millions of dollars if we were to provide them with water for those undivided lands. Conversely, the more numerous small freeholders would be deprived of this water because there is not enough to go around in the arid areas of California. That is exactly what this Senate has rejected and refused to do repeatedly over the years. I do not think that any type of legalistic activities by the lawyers in the Interior Department are going to reverse the Senate's philosophy on this matter.

The basic question before this body in my resolution is simply this: What kind of a society do we want to create? What type of landownership do we want to encourage? The issue was clearly drawn in a statement by Mr. J. B. Quinn, master of the California Grange, on March 16 of this year. Mr. Quinn urged the application of reclamation law to all waters of the San Luis project. I ask unanimous consent that Mr. Quinn's comments, as set forth in the Fresno, Calif., Bee of March 16, 1962, be printed at this point in the RECORD:

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

The California State Grange since its inception in California in 1873, has stood for the greatest use of the State's natural resources for the combined use of the people of the State, arguing that the greatest good for the greatest number is the very foundation of representative government.

The present issue with respect to limitation of water from the storage capacity of the proposed San Luis Reservoir is not emotional. It is founded on sound economics.

The Federal Government already has expended close to $1 billion on water storage facilities such as Trinity, Shasta, Folsom, Friant, and other similar installations in California, regulating the flow of the Sacramento River and other streams.

The Grange considers that the moment waters from the proposed State-constructed Oroville Dam reach the Sacramento River, they are already a part of the Federal Bureau of Reclamation installations.

As to the economics of the water allocation: A trip through the west side of the San Joaquin Valley between Shafter and Tracy will show the present economy of the area's large-scale agricultural operations.

Note the dreary picture of most of this area. You ride for miles in every direction without seeing a home, church, or school. What you do see is substandard and would be good propaganda for some Soviet proponent. The business houses as a rule are secondary.

MIGRANT HOUSING

You do see the equipment sheds of the large corporate installations and the barracks of seasonal workers from another nation and the habitations of the migrant workers. This is an economy closely patterned after feudal Europe of 100 years ago.

The people who operate these large installations generally live far removed from the scene. They do not have to witness day by day such a pattern of life.

After a trip through the corporate farm belt, a journey through the east side of the valley from Escalon to Porterville will show the benefits of individual, independent family farm life.

Here you see thousands of modern homes of efficient, independent farmers. Notice the modern schools, the busy communities with farm families having sufficient independent income to buy the appliances, furnishings and other items so necessary to modern American life.

Then superimpose on this the western side of the valley.

First, 90 percent of the banks in the east side would close; 90 percent of the modern farm homes would be vacant; 90 percent of the schools would have no puplis, and 90 percent of the business houses would cease operations. And what about the tax rolls?

In place of a scene of rural life that is unmatched anywhere on the globe, there would exist the same dreary picture as on the west side of the valley.

Who would benefit? A comparatively few large corporate installations. How about the general economy of the State? Who would take the place of the thousands of independent, efficient family farmers and their families? These families buy millions of dollars each year of the output of California and America's giant industrial machine. How would this gap in sales be made up by the manufacturers of these modern necessities?

FAMILY FARMS

This is the real issue: Do we want the present system of efficient, independent family farms, or shall we go back to feudal Europe of 100 years ago and have a pattern of life similar to that?

By limiting the amount of water available to any individual or group, the same system of rural life now prevailing on the eastern side of the San Joaquin Valley will be perpetuated.

We believe the most potent foe of communism and all its evils is the efficient, independent, homeowning farmer. He is too busy wrestling with the soil and keeping his family supplied with the modern demands to pay attention to communistic ideals.

Let's keep this picture in California rural life and not further increase the corporate type of farm operation that eventually will destroy the present time of California agriculture.

This is the wish of the membership of the grange in California and we believe it is shared by an overwhelming majority of thinking citizens of California.

Mr. MORSE. In a letter addressed to me under date of January 15, 1961, Mr. Quinn wrote:

It is the sad story of large campaign contributors dictating the policies of the water allocation in California. We hope that men of your caliber in the United States Senate and similar men in the House of Representatives will check this giveaway to the corporate landowners in the western side of the San Joaquin Valley in California.

I ask unanimous consent that Mr. Quinn's letter be printed in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

SACRAMENTO, CALIF., *January 15, 1962.*

Hon. WAYNE MORSE,
Senate Office Building
Washington, D.C.

DEAR SENATOR MORSE: You remember our voluminous correspondence relative to the San Luis water project in California. At various times you have sent the writer memos you received from Secretary Udall which, we will say charitably, were evasive.

It is the sad story of large campaign contributors dictating the policies of the water allocation in California. We hope that men of your caliber in the United States Senate and similar men in the House of Representatives will check this giveaway to the corporate landowners in the western side of the San Joaquin Valley in California. These interests will be served in the State service area.

Could we lend any help from this end by appearance before the proper Senate committees? The writer will be glad to come to Washington if necessary. If time is urgent, you can telephone.

In the meantime with every good wish, believe me,

Sincerely,

J. B. QUINN,
Master, California State Grange.

Mr. MORSE. The San Luis contract is causing a great uproar among small farmers, labor, and political club groups in California. I have been getting considerable correspondence on the decision during the past few months. I also have received copies of protests sent to President Kennedy and Secretary Udall. A farmer from Dinuba, Calif., writes a post card, postmarked March 1, 1962:

DEAR SIR: I am a small farmer in central California farming 20 acres of vines. I am very unhappy about the San Luis project. Without the 160-acre limit we can't survive in farming. Please do what you can to apply the limitation.

AVAK AVAKIAN.

DINUBA, CALIF.

Another one from a small farmer reads as follows:

DEAR SIR: I am a small farmer and feel that the 160-acre limitation should remain. Let's keep our country strong. San Luis water should go to as many small farms as possible. Thank you sir.

JOHN SHAMSHOIAN.

FRESNO, CALIF.

I have another letter from Berge Bulbulian of Fowler, Calif. He says:

It is now time to act with vigor again lest the greedy corporation farm interests accomplish through edict what they could not accomplish through legislation.

There is the issue. Right in a nutshell, a small farmer in the little farm town in Fowler, Calif., understands when the rug is being pulled out from under him by a big Federal agency back in Washington.

I ask unanimous consent that Mr. Bulbulian's entire letter be printed in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

FOWLER, CALIF., *February 16, 1962.*

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: I am deeply concerned about the recent ruling of the Secretary of the Interior's ruling that the 160-acre limitation will not apply to the so-called State portion of the San Luis project.

I am a small farmer and a stanch supporter of the 160-acre limitation. I will not take your time to discuss the issues since you are more than familiar with them, having fought for the limitation with vigor in the past. It is now time to act with vigor again lest the greedy corporation farm interests accomplish through edict what they could not accomplish through legislation.

Please do what you can to have the contract rejected unless the 160-acre limitation is reinstated. Hearings should be called in California to review the contract or funds should be withheld unless reclamation law applies.

Many thanks for your support for this cause in the past and I hope you will see fit to act again.

Yours truly,

BERGE BULBULIAN.

Mr. MORSE. Mr. President, there are many, many others. I have a resolution against the San Luis contract and in favor of Federal reclamation laws passed unanimously by the Contra Costa Board of Supervisors. I ask unanimous consent that the Contra Costa resolution and letter of explanation which accompanied it be printed in the RECORD at this point.

There being no objection, the letter and resolution were ordered to be printed in the RECORD, as follows:

OFFICE OF DISTRICT ATTORNEY,
CONTRA COSTA COUNTY,
Martinez, Calif., February 16, 1962.

Hon. WAYNE MORSE,
U.S. Senate,
Senate Office Building, Washington, D.C.

DEAR SIR: Enclosed herewith is a copy of a resolution unanimously adopted by the Board of Supervisors of Contra Costa County asking that hearings be held on the applicability of Federal reclamation laws to the State San Luis service area, and a copy of a letter to the Senate and House Interior and Insular Affairs Committees.

We are aware of your efforts to retain the integrity of reclamation law and to avoid the inequities attendant upon the exception for the State service area. We appreciate the assistance you rendered in 1959, when the San Luis Act was before Congress, in eliminating the exception of the State service area from Federal law.

We hope that we may take the liberty of calling upon you to require that public hearings be held in California on this issue.

Very truly yours,

JOHN A. NEJEDLY,
District Attorney.

RESOLUTION 606

Resolution requesting congressional hearings on the application of the 160-acre limitation to the San Luis project

Whereas the State department of water resources and the Federal Bureau of Reclamation signed a contract for the joint construction and use of the San Luis project; and

Whereas the water from the San Luis project will be sold to water users in both the Federal San Luis service area and the State San Luis service area, said areas having a common boundary; and

Whereas Federal funds in excess of $260 million will be spent in the construction of said project; and

Whereas the aforementioned contract provides that the Federal reclamation laws including the 160-acre limitation will apply to the Federal service area but not to the State service area; and

Whereas this will result in adjacent landowners receiving water from the same project paying different prices for the water and will also result in an application of Federal reclamation laws including the 160-acre limitation to one landowner but not the other; and

Whereas the landowners in the Federal San Luis service area may be required to pay State and local taxes to help purchase their neighbors' water supply which will be free from the 160-acre limitation; and

Whereas the majority of land in the State service area adjacent to the Federal service area on the south is concentrated in single ownership holdings; and

Whereas it was the consideration of Congress in authorizing the San Luis project that Federal reclamation laws including the 160-acre limitation should apply to both the State and Federal service areas; and

Whereas said intention was made manifest by the congressional disapproval of the following provision of the San Luis bill:

"The provisions of the Federal reclamation laws shall not be applicable to water deliveries or to the use of drainage facilities

serving lands under contract with the State to receive a water supply, outside of the Federal San Luis unit service area described in the report of the Department of the Interior, entitled 'San Luis Unit, Central Valley Project,' dated December 17, 1956;" and

Whereas Robert Kennedy, U.S. Attorney General, in a letter to the Secretary of the Interior commenting on the Secretary's refusal to apply Federal reclamation law, stated:

"I * * * urge you to seek a congressional reexamination of this (160-acre limitation) question. I think that the Congress itself should make a clear determination whether or not the acreage limitations should apply in the State service area. Fortunately, under the provisions of the San Luis Act they will have the opportunity to do so, and I sincerely hope that they will take positive action in this respect"; and

Whereas the aforementioned contract is now awaiting congressional approval in the Senate and the House Interior and Insular Affairs Committees: Now, therefore, be it

Resolved, That this Board of Supervisors of Contra Costa County requests that this question be reexamined by Congress and that the Senate and the House Interior and Insular Affairs Committees hold hearings on the question of the applicability of Federal reclamation laws to the State San Luis service area and further request that said hearings be held in California where the lands and people to be affected are situated, and where such hearings shall be convenient to the people to be heard.

Passed and adopted on February 6, 1962.

Mr. MORSE. Mr. President, I have many other communications that have been directed to me by California people who strongly protest this assault on the 160-acre limitation. Here are a few examples: A letter from Bowker Diamond Bar Ranch, of Porterville, Calif.; a resolution against the San Luis contract passed unanimously by the 17 members of the E board of Fresno County Democratic Women's Club; a letter from the board of national missions of the Evangelical and Reformed Church; a resolution signed by 50 members of the Farmersville, Calif., Grange; a wire from Walter Packard, of Berkeley, Calif., and a letter from the Fresno-Madera Central Labor Council. I ask unanimous consent that these and a few other communications I have received on this question be inserted in the RECORD at this point.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

BOWKER DIAMOND BAR RANCH,
Porterville, Calif., February 24, 1962.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: The future of the homestead law of Lincoln of 100 years ago, enacted into the reclamation law of T. Roosevelt of 60 years ago, is at stake.

Our avowed foreign policy of "land for the landless" is on trial here at home.

Special interests with tens or hundreds of thousands of acres each (acquired ofttimes fraudulently from State or Federal Government in land frauds) are now close to robbing 185 million of us, of some three-quarter billion dollars worth of public water developed at Federal expense.

More important than the money value, the whole American way of life is at stake. Crawling into the driver's seat is as ruthless a crew of buccaneers as could be put into business suits. I leave it to your imagination what wreckage they leave in their wake.

Stark evidence of their mark is the comparison of happy towns where families live and own homes and ranches, versus the bunkhouse homeless-type factory-farm picture that they foster on the foreign west side of the San Joaquin Valley.

Another sad commentary on their activities is the mute evidence of the futility of appealing to those former representatives of true Californians, who seem now to act like they are bond servants of the huge landholders. We, the people, originally were assured of their sincerity of purpose when first they ran for office. How far some of them have strayed away from the homefront.

Honest polls of grassroot farm bureau members prove they favor retention of reclamation law even though they are otherwise ruled from the top down. California Grange favors, and always has favored, Lincoln's and T.R.'s sound policy on land and water.

Please eliminate all Federal money from any and every part of the San Luis project until recordable contracts are signed by every excess landholder including Irvine Ranch, Tejon Ranch, Kern County Land Co., Boston Ranch, Southern Pacific Land Co., Standard Oil Co., Boswell Ranches, and all the other excess holders north and south of the Tehachapi Mountains.

Sincerely,

VICTOR V. BOWKER.

P.S.—Please have this printed in any committee hearings or floor debate where this matter of San Luis may come up.

FARMERSVILLE GRANGE NO. 637,
Farmersville, Calif., February 21, 1962.

Hon. WAYNE MORSE,
Senate Office Building,
Washington, D.C.

MY DEAR SENATOR MORSE: At our regular meeting of February 15, 1962, we voted to support the 160-acre excess land law in all Federal reclamation projects in the State of California, the Central Valley project, the San Luis unit of the Central Valley project.

We are against the contract signed by Secretary of Interior S. Udall and the State of California exempting the 160-acre law on the San Luis project.

We would appreciate your prompt and kind attention on this matter. Thank you

Yours very truly,

RICHARD COOPER,
Master, Farmersville Grange.
RUTH CAMPBELL,
Secretary, Farmersville Grange.

Signatures attached: V. W. Noell, Strathmore, Calif.; E. L. Probst, Visalia, Calif.; Lela G. Noell, Strathmore, Calif.; Herbert B. Sims, Farmersville, Calif.; G. B. Jameson, Neil Campbell, Clare Chapman, Hiram D. Pearey, Visalia, Calif.; Lon Yates, Exeter, Calif.; Charlie Rector, Ray Rector, Lindsay, Calif.; Emma A. Michalke, Visalia, Calif.; E. Harrell, Emma Cooper, Eva Jameson, Hilda L. Collins, Edith B. Fearey, Visalia, Calif.; Annie J. Sims, Farmersville, Calif.; Emma M. Newsome, Josephine L. Probst, Visalia, Calif.; Lenora J. Epperson, Exeter, Calif.; Emma A. Michalk, Visalia, Calif.; Viola M. Lang, S. P. Lang, Wesley W. Smith, James W. Smith, Bertha J. Smith, Corinne Smith, Exeter, Calif.; Cecena Olivera, Manuel Olivera, Jean Michalk, Louis W. Michalk, Jr., Louis W. Michalk, Sr., Visalia, Calif.; Henry W. Michalk, Pauline L. Michalk, Davis, Calif.; Clarence Probst, F. J. Leitner, Roy Andrews, Hazel R. Andrews, Tulare, Calif.; Raymond W. Moos, Helen Moos, Allie F. Hifner, Earl Hifner, Visalia, Calif.; Blanche L. Routh, Alvin T. Routh, Farmersville, Calif.; C. H. Newsome, Jasie Newsome, Tulare, Calif.

FRESNO, CALIF., *March 5, 1962.*

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: The following resolution was passed unanimously by 17 members of the executive board of the Fresno County Democratic Women's Club meeting on March 5, 1962:

"We resolve that the proposed State-Federal San Luis contract include acreage limitation for all water delivered to the State service area."

We greatly appreciate the fight you have made for acreage limitation in the past, and urge you to continue the struggle.

Very truly yours,

Mrs. ANN M. LEAVENWORTH.

BOARD OF NATIONAL MISSIONS,
EVANGELICAL AND REFORMED CHURCH,
UNITED CHURCH OF CHRIST,
St. Louis, Mo., February 27, 1962.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: Knowing that you have long been a stanch defender of the acreage limitation principle in Federal reclamation law, I am taking the liberty of sending you a copy of a letter which I have written to President Kennedy protesting the recent Department of the Interior ruling, which would breach the principle in the so-called State service area of the San Luis project in California.

As you know, the forces of land monopoly in California are still struggling to bury the 60-year-old principle of acreage limitation. This device of exempting the area serviced by State water is their latest gimmick—as if it were possible to separate the Federal from the State aspects of this jointly financed project.

May I urge you once again to come to the support of the family farm and the acreage limitation in reclamation law. Please query the White House and the Department of the Interior on this issue, and plead with them to hold hearings on the issue in California so that the beneficiaries of acreage limitation can afford to appear and be heard.

Cordially yours,

Rev. SHIRLEY E. GREENE,
Secretary, Town and Country Church.

BERKELEY, CALIF., *December 10, 1961.*

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.:

A monumental error will be made by the Democratic Party if the contract exempting the service areas of the Kings, Kern, and San Luis project from the application of acreage restriction provision of the reclamation law are approved. A final decision will be made by Secretary Udall this month if you can help persuade the administration in Washington that the approval of these contracts goes contrary to the basic principles of the Democratic Party and may adversely effect the integrity of the reclamation program in the entire West for years to come. You will be doing a tremendous service to the people of California and of all the Western States; see Who's Who for my identification.

WALTER PACKARD.

CENTRAL LABOR COUNCIL,
Fresno, Calif., March 9, 1962.

Senator WAYNE MORSE,
U.S. Senator,
Senate Office Building,
Washington, D.C.

DEAR SIR: This Central Labor Council has consistently supported the principles of

Federal reclamation laws and their application to all waters which would pass through the San Luis project including those waters delivered to any so-called State service areas.

We wholeheartedly endorse your efforts to change the San Luis contract or attach riders on appropriations measures so that the 160-acre limitation will apply to all San Luis waters.

Sincerely,

W. T. O'REAR, *Secretary.*

DINUBA, CALIF., *March 1, 1962.*

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SIR: I am a small farmer in central California, farming 20 acres of vines. I am very unhappy about the San Luis project. Without the 160-acre limit we can't survive in farming. Please do what you can to apply the limitation.

AVAK AVAKIAN.

OAKLAND, CALIF., *February 18, 1962.*

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: I urge you to fight for application of acreage limitation to State service areas served by the San Luis project. Since the Interior Department decision went against us, California Democrats who want to uphold their party's principles are looking to Congress to reaffirm that it intends acreage limitation to apply whether Federal benefits and subsidies are reserved.

Does this threaten the end of western reclamation? Surely Congress is unlikely to appropriate more funds if they are to be monopolized by huge corporate landowners, and I, for one, would not have the nerve to ask it to do so.

I remember with much satisfaction your 1959 fight to remove the exclusion of State service areas from acreage limitation from the San Luis bill. I hope you will fight now to get the San Luis contract onto the Senate floor and once again settle the issue, or to attach an acreage limitation rider to the Oroville Dam flood control appropriations.

Very sincerely,

KEITH MURRAY.

ROLLING HILLS ESTATES, CALIF.,
January 1, 1962.

Hon. WAYNE MORSE,
Senate Office Building,
Washington, D.C.

MY DEAR SENATOR MORSE: It is a shame Attorney General Robert Kennedy failed to extend the 160-acre limitation with Federal money to California. Can the Federal legislature make the 160-acre limitation come with Federal money?

MRS. T. M. STOUL.

FRESNO, CALIF., *March 14, 1962.*

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: In the face of the gigantic sellout of reclamation law and the longstanding principles of the Democratic Party, liberal Democrats of California look again to you for the courage and integrity which you displayed in the earlier San Luis fights.

I hope you can win now as you did before. The use of the Federal-State contract to get around the law and the intention of Congress cannot redound to the advantage of those Democratic proponents who claim some political necessity inspires their desertion of principle.

The future development of the western San Joaquin Valley can be sociologically, economically, and politically sound only if the land is properly utilized for the benefit of valley residents. We need and want acreage limitation.

Best regards,

ROY F. GREENAWAY,
Fresno County Democratic Central Committee.

FRESNO, CALIF., *March 10, 1962.*

Hon. WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: We appreciate your past efforts in keeping the 160-acre limitation to all waters of the State-Federal San Luis project. We wish you to know that the small landowners, the working people, and the grassroot Democrats look to you and others to continue the fight to keep the acreage limitation.

The pressure of the large landowners and big business is great and influences California Congressmen.

Sincerely,

MRS. D. W. RABOUEN,
Chairman of Legislative Committee of the Fresno County Democratic Women's Club.

LA HABRA, CALIF., *March 6, 1962.*

Senator WAYNE MORSE:

We have just finished an article in the March issue of the Liberal Democrat on the Federal-State San Luis project.

May we let you know you have our support in your fight on this issue. We think one sentence in this article of particular significance: "It is scarcely consistent for the Democratic Party to enshrine the corporate land barons in California while President Kennedy urges land reform in South America through his Alliance for Progress." Good luck.

Sincerely,

ROBERT and MONA LONGBOTHAM.

OAKLAND, CALIF., *March 20, 1962.*

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.:

Support your efforts 160-acre limitation for California water plan Federal funds.

RICHARD L. SMITH,
Chairman, Research Committee,
Berkeley Young Democrats.

BERKELEY, CALIF., *March 20, 1962.*

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.:

The young Democrats of Berkeley having been consistently opposed to land monopoly wish to offer our support to any action favoring acreage limitation in water project.

LARRY JONES,
President, Berkeley Young Democratic Club.

TULARE COUNTY
POMONA GRANGE NO. 5,
PATRONS OF HUSBANDRY,
Visalia, Calif., March 12, 1962.

Hon. WAYNE MORSE,
U.S. Senator,
Washington, D.C.

DEAR SENATOR: The legislative body of the Tulare County Granges, known as Tulare County Pomona Grange, while assembled in regular session, at Dinuba, Calif., on March 8, 1962, unanimously moved to oppose any State-Federal contract or agreement which would delete or alter the present 160-acre limitation on water contracts, as established in the reclamation law.

Your immediate action and efforts will be greatly appreciated.

Very sincerely yours,

RUTH KIBLER, *Secretary.*
CHARLES NEWSOME, *Master.*

FRESNO, CALIF., *March 16, 1962.*

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: You have our complete support in your fight to enforce the 160-acre limitation on the entire San Luis project.

The 160-acre limitation is vitally important to the urban areas as well as the rural. For example, the largest single payroll in Fresno currently is made by the welfare department. These welfare payments are made to the poorly paid farmworkers of the big corporate farms during the "off" seasons. Without the 160-acre limitation on the vast acreage of the San Luis service area, this process of relief payments to underpaid farmworkers will become a staggering burden upon the community. And it must be noted that such inhuman treatment of farmworkers is inimical to a democratic society.

We are constantly grateful for your liberal leadership in the Senate.

Very truly yours,

Dr. and Mrs. RUSSELL LEAVENWORTH.

FRESNO, CALIF., *March 16, 1962.*

Hon. WAYNE MORSE,
Senate Office Building,
Washington, D.C.:

Please continue your great support on the San Luis measure.

Respectfully yours,

Mr. and Mrs. LEO VUCHINICH.

BERKELEY, CALIF., *March 19, 1962.*

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.:

The Grass Roots Democratic Club strongly opposes use of public funds to enrich large landowners and further land monopoly. We urge all necessary measures to insure application of the historic 160-acre limitation to all lands served by water developed by or passing through any Federal facility such as San Luis project.

ALBERT RAKBURN,
President.

CERRITO, CALIF., *March 27, 1962.*

Senator WAYNE MORSE,
Washington, D.C.:

We support and congratulate you on your continuing stand on the 160-acre issue.

Respectfully,

DICK FURY,
Vice President, California Federation of Young Democrats.

FRESNO, CALIF., *March 15, 1962.*

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: We are counting on you to get the 160-acre limitation included in the San Luis project. Your fight is important not only for San Luis but also for the whole reclamation policy and land distribution in the West.

Your effort and record in the past has been outstanding. Keep up the good fight.

Sincerely yours,

Dr. and Mrs. RUSSELL LEAVENWORTH.

BALLICO, CALIF., *March 11, 1962.*

Senator WAYNE MORSE,
Washington, D.C.

DEAR SENATOR MORSE: As a resident and property owner of California I would appreciate very much if you will carry on the fight for acreage limitation of water delivered to the so-called State service area.

Thank you.

Sincerely,

FLOYD H. BAKER.

ROLLING HILLS ESTATES, CALIF.,
March 18, 1962.

Hon. WAYNE MORSE,
Senate Office Building,
Washington, D.C.

MY DEAR SENATOR MORSE: It is mortmain to tax the people of California 23.5 percent of personal income to enrich large land corporations.

Whether it is mortmain in southern California or in central California, in State service areas or Federal service areas is beside the point.

Mortmain is a bad thing. The Federal standard—the 160-acre limitation should go wherever Federal money goes. The 160-acre limitation should go wherever federally developed water will go—including the Irvine Ranch way at the end of the proposed aqueduct in southern California.

This old States rights thing is a dodge to avoid Federal law. You apply the 160-acre limitation to the whole State of California, or refuse to appropriate, please.

Enclosed are the signatures of 56 more Californians who want you to uphold the 160-acre limitation.

Very truly yours,

Mrs. T. M. STOUT

CAMPUS CHRISTIAN ASSOCIATION
AT FRESNO STATE COLLEGE,
Fresno, Calif., March 19, 1962

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: I am writing in support of your efforts to preserve the 160-acre limitation on the San Luis project in California.

My father, D. N. Lindeman, was for years a Federal attorney on various land condemnation proceedings with the Bureau of Reclamation and Army Engineers. I have grown up knowing something of the importance of this acreage limitation for the benefit of family farming.

I am told by my farming friends that this limitation allows a sufficient acreage for an individual farmer that he can successfully earn a good living. If this is not so, perhaps the acreage limitation should be increased.

However, I stand strongly in favor of the small landowner in this matter, and against the unearned enrichment of huge landholdings in the San Joaquin Valley which would result from the lifting of acreage limitations on this project.

I have talked with others around the campus, and have found support here for this fight. Please know that there are Californians who are eager to have the valley developed for family farming.

Sincerely,

THOMAS H. LINDEMAN

BALLICO, CALIF., *March 16, 1962*

Hon. WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: I have kept up with the good work you have been doing in the past on the 160-acre limitation. I assure you it is appreciated not only by myself but by a lot of other small farmers like myself in this area.

The 160-acre limitation is still in trouble, and once again we are asking for your help. The State-Federal San Luis contract junks the so-called 160-acre limitation on all water delivered to a so-called State service area. We believe this contract violates the Federal reclamation law, ignores the intent of Congress in passing the San Luis legislation, and threatens efficient small farms throughout California. We urge that everything be done to correct this injustice.

I urge this letter be part of the record in the appeal of the State-Federal San Luis bill.

Sincerely,

LEO E. JOHNSON.

LOS ANGELES, CALIF.,
March 12, 1962.

Hon. WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: In 1959 you rendered a considerable service to the Nation in forcing the deletion of an express provision nullifying the irrigated acreage limitation in its applicability to the San Luis bill for a portion of the California Central Valley project. I was reminded of this recently in reading of the contract administratively deleting the acreage limitation signed by Secretary Udall of Interior with Governor Brown of California. The contract is completely at variance with the Nation's 60-year policy against public irrigation subsidy to farm latifundiism.

The so-called 160-acre limitation which is violated by this contract is actually a 320-acres-after-10-years provision, as you know. The owners of extensive corporate landholdings will get enough of a windfall during these 10 years, without extending it into perpetuity.

Furthermore, a 320-acre irrigated farm in California is good sized. The Bureau of Reclamation's study dated December 1961, on the proposed Auburn Dam-Folsom South Canal unit, also in California's Central Valley, indicates that irrigated farms there are 20 to 40 acres for fruits and vegetables, and of 40 to 80 animal units in size for dairy farms, and 150 to 200 animal units for beef farms. Presumably allowing a slight increase in size for calculation purposes, reclamation uses a figure of 40 acres for fruit and vegetable farms, and 320 acres for beef farms. The average it uses is 100 acres. While these are regarded as family farms, they are probably not that in the narrowest sense; they undoubtedly use hired labor to varying extents. As a consequence I do not believe it desirable to grant a longer than 10-year windfall to corporate latifundia.

I should like to urge you to use your efforts with the Senate Interior Committee to reject the contract before the deadline of March 31, 1962.

With appreciation of your many past efforts pro bono publico.

Yours respectfully,

JOE TOYOSHIMA

THE KINGS COUNTY FAMILY FARMERS,
Hanford, Calif., March 21, 1962

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR WAYNE MORSE: The Kings County Family Farmers at a meeting February 28, 1962, agreed to support the 160-acre limitation to all water of the State-Federal San Luis project. We are against letting the proposed contract now in the Interior Committee which will give away the water to the large excess landowners of the State to enrich themselves further, while the people help to subsidize these corporate farmers.

No project, State or Federal, should be built without the 160-acre limitation per ownership. There are too many people who would like to own their family size farm and bring up their children in a better way of living.

Our youth in 4-H and the future farmers can look with hope for the future in farming their own farms; and not this present hopelessness of trying to get started, only the few who have some rich uncle are lucky.

These excess land holdings throughout the State will create surpluses of food and fiber. They have enriched themselves with supports, soil bank payments, and subsidies of large sums of money from the Government, now they want the water.

We want more family size farms, 320 acres of ownership per man and wife is a good sized ranch.

Our cities cannot provide jobs for everyone in the future. There are too many people out of work. We also have many people coming from other States looking for work.

We hope you will use this letter in your testimony in your fight for the best interests of the people. We thank you for your good work.

The Kings County Family Farmers send you their best wishes.

Very sincerely,

Mrs. MARY ELIZABETH MENDES,
Chairman.

P.S.—Please enter this letter into the record of any hearings or deliberations on this matter. Thank you.

MEM.

KINGS COUNTY FAMILY FARMERS,
Hanford, Calif., March 21, 1962.

President JOHN F. KENNEDY,
Washington, D.C.

DEAR PRESIDENT KENNEDY: May we call your attention to the State-Federal San Luis project in the State of California. We urge the renegotiation of the contract to include the 160-acre limitation on all the water of the project.

It is a giveaway to the big powerful landowners to enrich themselves further without the 160-acre limit. We feel, to protect the family size farmer, is in the best interests of the people. This includes projects in all the other States.

In June of 1959, the Kings County family farmers, went to so much work to get signatures for the petition sponsored by the California Farm Research and Legislative Committee supporting Federal construction of the Trinity River division of the Central Valley project, that is the power feature of the project. We had the most signers from Kings County. I lost a nice fresh cow which had jumped the fence and cut her udder during the time we were getting the petition. I could not be home to take care of this cow; my children were going to school. Now, since we won most of the State's water and power projects to be constructed by the Federal Government, we want the 160-acre limitation on all water from both State and Federal projects, or I will always regret the loss of this cow. I am a widow with a family and have to support them on a farm.

We had understood the San Luis State-Federal project would have the 160-acre limit as the best way to help the majority of the people, only to learn that the big corporate landowners will get the water while we pay the bill.

As our President we hope you will do what is best.

Thank you kindly.

Very sincerely yours,

MARY ELIZABETH MENDES,
Chairman.

LATON, CALIF., *March 28, 1962.*

Senator WAYNE MORSE,

DEAR SIR: We are behind you 100 percent around here for your stand on 160-acre water-limitation law.

There are a lot of people, small farmers, going to go under if this is not enforced.

I might also add that we have written Secretary Udall but have not heard from him.

Thanking you again for your interest in our State.

Mr. and Mrs. A. L. HOLDER.

Mr. MORSE. Mr President, in the last few weeks I have been receiving signed copies of a petition which apparently is being circulated throughout the State. There are several hundred signatures on the ones I have received so far, and more come in every day. The petition reads:

We, the undersigned residents of California, strongly oppose the proposed State-Federal San Luis contract which junks the so-called 160-acre limitation on all waters delivered to a so-called State service area. We believe this contract violates the Federal reclamation law, ignores the intent of Congress in passing the San Luis legislation and threatens efficient small farm and small farm communities throughout California. We urge that this contract be reversed by whatever administrative or legislative action the friends of acreage limitation consider appropriate. We urge that President Kennedy order the contract to be renegotiated. We urge the congressional Interior Committees to reject the contract. We urge the Congress to attach riders requiring the application of the acreage limitation on appropriations for Oroville Dam and the San Luis project. We also support immediate application of acreage limitation on Kings and Kern contracts without any friendly court suits.

I ask unanimous consent that all names signed on these petitions be printed in the RECORD at this point.

There being no objection, the resolution and names were ordered to be printed in the RECORD, as follows:

We, the undersigned residents of California, strongly oppose the proposed State-Federal San Luis contract which junks the so-called 160-acre limitation on all waters delivered to a so-called State service area. We believe this contract violates the Federal reclamation law, ignores the intent of Congress in passing the San Luis legislation, and threatens efficient small farm and small farm communities throughout California. We urge that this contract be reversed by whatever administrative or legislative action the friends of acreage limitation consider appropriate. We urge that President Kennedy order the contract to be renegotiated. We urge the congressional interior committees to reject the contract. We urge the Congress to attach riders requiring the application of the acreage limitation on appropriations for Oroville Dam and the San Luis project. We also support immediate application of acreage limitation on Kings and Kern contracts without any friendly court suits.

Dorothy M. Penson, Bill Schmidt, Dave N. Schmidt, Kent K. Patton, Rolling Hills Estates, Calif.; Milton Femberg, M. A. Taylor, Elizabeth A. Taylor, Barbara Lieber, Stanley Lieber, Redondo Beach, Calif.; Henry P. Schrieber, Manhattan Beach, Calif.; Anita Nedleman, Ernest Pollak Joe ———, Redondo Beach, Calif.; Stan Perry, Thomas J. Casi, Allen P. Casey, Palos Verdes Estates, Calif.; John D. Casey, Rolling Hills Estates, Calif.; Vincent Gonnould, Los Angeles, Calif.; Richard G. Harris, Margaret May Harris, E. S. Maclvaney, Playa del Rey, Calif.; Patsy Lu Hoffman, Cecil E. Hoffman, Jr., Dorothy Francis, Roger V. Francis, Los Angeles, Calif.; Ben M. Shuster, Redondo Beach, Calif.; Harold Thomasian, Palo Verde Estates, Calif.; and Jack E. Cunningham, Manhattan Beach, Calif.

Roy R. C. Sanderson, Torrance, Calif.; Diane Schroerluke, Manhattan Beach, Calif.; Robert Cavanaugh, Redondo Beach, Calif.; Harry E. Parshall, Alice Parshall, Torrance, Calif.; Mrs. Martha F. Kingsley, Manhattan Beach, Calif.; Mary Jane Halwon, Arthur Halwon, Palos Verdes Estates, Calif.; Margery Stanton, Phyllis J. Walker, Rolling Hills; Guy Gerhart, San Pedro; L. O. Duterd, Donold Federman, Manhattan Beach, Calif.; Robert W. Booth, Lillian N. Booth, San Pedro; Jay Miller, Los Angeles, Calif.; Esther E. Quinn, San Pedro, Calif.; Thelma V. Taylor, Jean Laudon Taylor, Palos Verdes Estates; Julian Kerdsly, Calvin C. McDaniel, San Pedro; Ruth W. Emanuel, Palos Verdes; Mrs. Ruth Shuster, Redondo Beach; Clarise Geduld, Albert Geduld, Palos Verdes Estates; Dale D. Freeberg, Rolling Hills Estates; Emery L. Leonard, Palos Verdes Estates; Richard H. Huddleston, Palos Verdes Peninsula.

Carl Vittman, Oakland; Forrest C. Burk, Berkeley; James V. Bank, Alfred P. Aelme, Berkeley; Ruth Burnstein, Oakland; Rebecca F. Fury, El Cerrilo; Malcolm Anniston, Oakland; Dolores Bermak, Oakland; Bob R. Woods, Hayward; Leslie M. Worcester, Hayward; Elizabeth W. Andrews, Lora M. Shumer, Welcome Ann Skanna, Minot W. Tripp, Suzanne Eisenberg, Ralph O. Starr, Marga Stone, Berkeley; Ellie Sutter, Oakland; Phil Thomas, Oakland; Philip E. Parint, Oakland; Don Carter, Berkeley; Helen Kopp, Oakland; George E. Davis, Elaine Drukman, Mason Drukman, Berkeley; Rodney Larson, Oakland; Paul L. McKaskie, Berkeley; ——— ———, Oakland; Paula Plunder, Berkeley; Jean Opaydin, Oakland; Max Guber, Berkeley; ——— ———, Richard L. Smith, James T. Heavey, Oakland; Lawrence E. Jones, Berkeley; June ———, Oakland; Arthur A. Forney, ———; Shirley Burton, Jules Snyder, ——— ———, Henry P. Anderson, Berkeley; Keith Murray, Oakland.

Mrs. C. Thomsen, Fresno; Mrs. E. Lund, Karl P. Lund, Parlie; N. P. Jorgensen, Fresno, Calif.; Magnus Byerregaard, Sanger; A. E. Jorgensen, Del Rey, Harry Sorensen, Selma; Elmer Linnal, Sanger; Elmer B. Jensen, D. Mogensen, Fresno, Calif.; Hans C. Iversen, Del Rey, Calif.; G. M. Mekkcher, San Marshall; William B. Pelusen, Selma, Calif.; Herbert Swanson, Bob De Moss, Pearl Gilbert, Clarence E. Seaward, Loree Seaward, Carl Modine, Clara Swanson, Wayne Seaward, Viola De Moss, Marian Modine, Janice S. Seaward, Earl S. Hoogner, John Modine, C. L. Seaward, Kingsburg, Calif.; Elmer Carlson, Reedley, Calif.; Welden Andersen, Carl Huckabay, Kingsburg, Calif.

Morris Jacobsen, Sr., Mrs. Laura Jacobsen, Clifford Ericsen, Mrs. Clifford Ericsen, Mrs. Morris Jacobsen, Jr., Morris Jacobsen, Jr., Ray McNary, Mrs. Nina A. McNary, Edmond S. Peterson, Mrs. Doris Ann Peterson, Ronald W. Peterson, Mrs. Rosalee Peterson, Hugo E. Peterson, Mrs. Elfie Peterson, Stanley Olson, Fern Olson, B. P. Jacobsen, Betty Ohlstrom, Lawrence F. Arnst, Ruby J. Arnst, Hilda Gruenwald, Arthur F. Medlin, Louis N. Medlin, Kingsburg, Calif., Joe E. Dalrymple, Roseville, Calif.; C. F. Stone, Mrs. C. F. Stone, Mrs. A. W. Stone, Dinuba, Calif.; Charlie A. Johnson, Mrs. Charlie M. Johnson, Kingburg, Calif.; Marius Madsen, Fresno, Calif.

Joe M. Andrada, Mary Andrada, J. D. Johnson, Ruth Johnson, Hanford, Calif.; Gilbert E. Miguel, Emma P. Miguel, John Bento, Alice Bento, Lemoore, Calif.; Ida Miguel, Joe Miguel, Mr. and Mrs. A. P. Dorungos, Mr. and Mrs. Roger Schoonover, Mr. and Mrs. Anthony Domingos, Mr. and Mrs. Norbert Domingos, Rosemarie Ramos, Johnny Ramos, Julis Veneca, Mr. and Mrs. Manuel F. Silva, Hanford, Calif.; Mr. and Mrs. Tony Costa, Litson, Calif.; Mr. and Mrs. F. S. Mattos, Katherine Gallette,, Dewey Gallette, Lionel Brown, Mary T. Brown, Adelaide L. Gomes, J. A. Morisson, A. E. Morison, Manuel G. Rose, Isabel Rose, Manuel Costa, Jr., Hanford, Calif.

Sam Miller, Jessie Miller, Cecil R. Hicks, Domnick Marcus, Albert D. Marcuni, Lonnie C. Hicks, Victor N. Burton, John K. Bowker, Porterville, Calif.; Joseph A. King, Visalia, Calif.; Gary L. Rule, Eneles, Calif.; Fay Betts, J. H. Winters, Anna Mae Sutherland, Terra Bella, Calif.; Lynn H. Brown, Charles E. Hunting, Mrs. Mabel Hunting, Annie Cabibi, Porterville, Calif.; Dorothy M. Cabibi, Terra Bella, Calif.; Joseph Cabibi, Jr., Lige Meek, Porterville, Calif.; Edgar D. Sutherland, Terra Bella, Calif.; Eugene A. Haggerty, Porterville, Calif.; Carl F. Smith, Harry Paternostic, Terra Bella, Calif.; Gordon Reed, H. R. Buckner, Linsay, Calif.; Howard Baker, Jr., Terra Bella, Calif.; Al Encenos, Porterville, Calif.; John M. Moffin, Anna Mary Winters, Fred Betts, Terra Bella, Calif.; Pauline A. Haggerty, Porterville, Calif.

Virgil M. Goldsberry, Dorothy Goldsberry, Delhi, Calif.; Abbie A. Baker, Ballico, Calif.; Pat Noda, Turlock, Calif.; Fred Perry, Delhi, Calif.; Sam Ruwahara, Yoshi Kubo, M. Reichle, Lio Masuda, Turlock, Calif.; Edward G. Laurence, Modesto, Calif.; Joe Mattson, Foshio Asai, Lester Adams, Nobuhiso Clajiski, Kiliecil Yanaguchi, Turlock, Calif.; H. Monito, K. Yamamota, Ballico, Calif.; S. Kabo, Kyeshi Asai, N. Baba, Turlock, Calif.; Ken C. Myamoto, Winton, Calif.; George Zuyi, Don Toyodn, Yuk Yotsuya, Ben Kummoto, Lucille Kummoto, K. B. Mayamoto, Turlock, Calif.; Mrs. V. Tanako, Delhi, Calif.; Kabumi Miyamoto, Howard Laneyushi, Turlock, Calif.

Leo H. Avedikian, Harvey Stepanian, Fresno, Calif.; John H. Trober, Parlier, Calif.; John Krikorian, Dewey Allen, Fresno, Calif.; Avery C. Bingham, Kingsburg, Calif.; Sarah Booloodian, Fowler, Calif.; Anoush Bulbedium, Del Ray, Calif.; Paul L. Noble, Jr., Mrs. Eddie Sarkisian, Eddie Sarkisian, Fowler, Calif.; Avek Avakin, Dinuba, Calif., H. H. Bagasaan, Fresno, Calif.; Yervant Mikssanian, Fowler, Calif.; George Bagdasauan, Shehen Shopaglan, Fresno, Calif.; Olivia Roeba, Arnne V. George, John M. Christian, John George, Mr. and Mrs. Joe Faria, Sr., Hanford, Calif.; Alice E. Costa, Mrs. J. Theo Iemmon, Lemore, Calif.; Mrs. M. C. Costa, Mrs. Antone Macedo, Hanford, Calif.; Mrs. A. L. Holder, Slim Holder, Laton, Calif.; Manuel T. Pamara, Jr., Hanford, Calif.; William Reiser, Oakland, Calif.; M. S. Simas, Lemore, Calif.; Mary E. Mendes, Hanford, Calif.; Manuel L. Costa, Jr., Lemore; Robert L. Montgomery, Hanford, Calif.; G. Bulbulian, Del Ray, Calif.

Emile G. Benedetti, Oakland; T. P. Cobb, Castro Valley; Michael P. Henry, Jr., Oakland, Calif.; Luther Dohn, Hayward; C. E. Fuller, Alameda, Calif.; John Delgado, John B. Desmond, Hayward; Pat Guerra, George L. Ashl, Castro Valley; Thomas L. Moniz, Hayward; George R. Bacon, Benjamin Epstein, Oakland; Thomas Winnett, Berkeley, Calif.; Robert B. River, Oakland; Robert S. Ash, Castro Valley; Jody Kerrigan, San Lorenzo; Thomas Adam, Alameda; John J. Sing, Thelmer R. Lee, Richard K. Grouh, Oakland; Ralph Francisco, Hayward; Daniel N. Longaker, Charles G. Melgard, Berkeley, Calif.; Harry S. Whiteside, Frederick S. Curren, Vivian Mac Queen Peoples, Alameda; Janis E. Harrison, Charles L. Spann, Wm. G. Harrison, San Lorenzo; E. A. Johnson, Sr., Oakland.

Patricia D. Heavey, Joseph T. Pert, Oakland; Mary S. DeBarnabo, Reno E. DeBarnabo, San Leandro; Robert J. McColls, Alameda; Newton W. Elder, Allan Turner, Celia A. Turner, Barbara L. Connerse, Howard G. Converse, Alameda, Calif.; Robert E. Newton, Jarit Lindgren, Berkeley, Calif.; Coleman Foley, Tony Polvorosa, San Leandro; Louis R. Negrete, Oakland; Irving O. Johnson, John M. Peoples, Earl S. Hamlin, Alameda, Calif.; Charles A. Brown, Jacqueline Taber, Oakland, Calif.; Mrs. Glenn Ruth Pickford, Mrs. Pat Batton, Mrs. Helen Landes, Mrs. Toni Revilla, Jasmin Markanin, Sierra Madre; Barbara Holland, Patricia Pickford, Rollin Pickford, Jr., Fresno, Calif.

Mrs. Ann M. Leavenworth, Sara B. F. Rabown, Eloise F. Edmonds, Mrs. Carl Dyer, Joan Ross Logan, Lela Bullock, Marguerite Lopes, Emily D. Anderson, Susie McD. W. Rabown, Sarah E. Strother, Luella Sweitzer, Marguerite J. Peterson, Stella D. Hughes, Mel Livingston, Cappie Barrett, Margaret M. McMeikeu, Susan M. Lee, Jean J. Strong, Margaret E. Frodsham, Russell E. Leavenworth, Joycille P. Chettick, Grady T. Mullennix, Patricia E. Mullennix, Roger D. Chittick, A. Wayne Colver, Nancy Burton, Bent Burton, Fresno, Calif.; Joseph G. Dixon, Dan E. Amend, Scott Amend, ——— ———, Selma, Calif.; James N. Range, San Bruno; George McLain, Mal Sprigg, Mrs. Vriginia L. Sprigg, Fresno; Wm. Rahde, Mrs. Wm. Rahde, Clovis; ——— Jew, Firebaugh, Calif.

Artie Brown, Henrietta Weatherford, Peter Daniels, Orville Miles, Fresno, Calif.; James J. Brown, Ed Scott, Clovis, Calif.; James Waldron, Marguerite Hall, Louis Palomino, Wm. Reinehardt, Ed Fenske, Selma, Calif.; Fred Lee, Loa Cramer, Eva Harrell, Fresno, Calif.; Nora McCullough, John Lipscomb, Vera Gallant, Flossie Garvin, Leo Johnson, Ballico, Calif.; John Lundquist, T. E. Valenta, Delhi, Calif.; Floyd H. Baker, Ballico, Calif.; Kaoul Masuda, Turlock, Calif.; Vernon Lee, Charles W. Magneson, Ballico, Calif.

Carl R. Rasmussen, W. G. Joy, Lu Rasmussen, Lela Bullock, Helen K. FitzGibbon, Mary E. Joy, John E. Manning, Fresno, Calif.; John H. Kiel, Clovis, Calif.; Georgia La Franchi, Annie B. Daley, Fresno, Calif.; Don W. Parks, Sacramento, Calif.; George Bullis, Jackson C. Osborn, Stewart Zlokovich, John W. Masten, George Ollikkala, Robert P. Sanders, Edwin L. Myers, Fresno, Calif.; John B. Howard, Jeffa Nelson, Selma, Calif.; Bertha Davis, Fresno, Calif.; Henry Rutherford, Caton, Calif.; Lella Brown, Selma, Calif.

J. C. Baten, James E. Stewart, John J. Ferris, W. F. O'Rear, Roxie Mardesasian, Johanna Bos, Freida J. Nesta, Norene B. Koep, Rose Zadigian, Robert M. Parkeis, Ned Goochini, Thomas Riggs, S. T. Allen, Walton T. LaFleur, Kenneth E. Groff, Marty M. Ballis, Galen Larron, Vi Taccone, Florence Scambello, R. E. Elby, Ray Riedenauer, Leo Vuchinich, James Boffo, Mary Lou Morgan, Antoinette Jones, Robert T. McCartney, James R. Whiting, Henry Drycrund, Lloyd B. Klinnie, Amelia Duggin, Anne Hillyer, Gladys Morrison, Frank Glaroy, Dulce Rose, Ann Graydon, Nellie Hewitt, Margaret Burton, Josie L. Earl, Tom P. Paulos, Mike Augonstiek, George Rakos, Gregory Chiames, Mary Yates, Ida L. Rawlings, Gary L. Weatherly, Charles P. McLucas, Howard Hill, Alvin Hill, Frank Bartlett, John L. Gillows, Gerald Holmes, Henry Hill, Katherinne Pettinell, Florence Ziegelman, Velma Mahan, Erna Myers, Annie E. Bates, of Fresno, Calif.

Leo Vuchimil, Hal Logan, Ann Johnson, Roy Riedenauer, Victor Dictos, Alex Kisling, John P. Kaufman, Robert E. Ellis, Gertrude F. Ellis, Jacklyn McConnell, Ida Melba Ables, Ray Killebrew, Clarence E. Huss, Flossie L. Garvin, Jerot Elliot, Jim James, Gus M. Crouch, Genever Burts, Dan Ragsdale, Katherine Ragsdale, W. E. Pennington, Alice S. King, Sarah R. Lee, Jean Murdock, Molly Daniels, Ruby Coburn, Tony Montez, Fergus Stevens, James Lee Davis, Vernon Jenkins, Fresno, Calif.

Lenore Wax, Los Angeles, Calif.; Robert Nearesels, Bruce Hensell, Keith G. Wright, Carol Wright, Hy Romm, Los Angeles, Calif.; Neal E. Salisbury, Tarzana, Calif.; Emelka F. Gill, Howard Schumann, Los Angeles, Calif.; William W. Blanchard; Susie Darnold; Catherine M. Olenies, Van Nuys, Calif.; Thomas Andersen, Berkeley, Calif.; Glen Moss, Elliot Brill, Los Angeles, Calif.; Dan Healy, San Pedro, Calif.; Dean Ruby, Hollywood, Calif.; Robert S. Hall, Berkeley, Calif.; Richard S. Harmetz, Los Angeles, Calif.; Stephen Meyers, Susan Meyers, David Richardson, L. Lloyd Morgan, Berkeley, Calif.; Jack F. Moulder III, Sacramento, Calif.; Robert E. Dulber, Josiah Beaman, Edward J. Farley, Frank J. Kulger, Brian Massol, Donald L. Grimes, San Francisco, Calif.

Anna Badiou, Naomi Wilson, Ruth Grant, Nelle Harscher, Dora Riley, Ludie L. Poole, Charles W. Haynes, Hal I. Logan, Henry Krell, Arthur Wayne Robison, Raymond Hernandez, Frank Parisi, Joe Romero, Clarence Hess, Clifford L. Bonds, Fred S. Okazaki, Oscar F. Brown, Roy Scrivner, Sam Belopitos, Lillian Jansen, Pauline West, Solomon Marin, Mary Wallace, Homer L. Lowdermilk, Vernal McCaeider, Mack Zenish, Thomas Rivera, Mrs. T. Rivera, George Reitz, Carl Mosesian, Fresno, Calif.

We, the undersigned, urge Congress to apply the 160-acre limitation:

Marilyn K. Stouts, Rolling Hills, Calif.; Alva Scherich, Warren Scherich, Art Petseh, Jr., Mrs. Alice Skone-Palmer, Donald C. Skone-Palmer, North Hollywood, Calif.; Jane Dare, Rolling Hill, Calif.

Mr. L. C. Trouth, Jr., Palmer McCurdy, Mary B. McCurdy, Mrs. D. C. Trant, Woodland Hills, Calif.; Philip J. Fleeman, Calabasas, Calif.; Marilyn K. Stout, Thomas M. Stout, Rolling Hills, Calif.; Harold Orr, Mrs. Beatrice Orr, Redondo Beach, Calif.; Mrs. J. C. Bozanich, Playa del Rey, Calif.; Cornelius McGoldrich, Hermosa Beach, Calif.; Leland L. Goss, Rolling Hills, Calif.; Warren Schernoh, Torrence, Calif.; Margaret Goss, Rolling Hills, Calif.; William L. Gilbert, John C. Isaleo, Manhattan Beach, Calif.; H. T. Han, Palo Verdes, Calif.; R. B. Slaney, Nora E. Perren, W. V. Harris, Helen Harris, Duane A. Willis, Nancy Willis, Rollings Hills, Calif.

Richard Wyrick, W. Michael Hubbart, Douglas R. Hubbart, Alan Hubbart, Alex Babigian, Mary Hohesy, Fresno, Calif.; James M. Smith, Clovis, Calif.; Alan Panbostz, Thomas H. Lindeman, Alan Yengoyan, Vista, Calif.; Roy John, Robert L. Rawson, Jr., Earl Wallace, Ross Petters, Ron Schmidt, Reedley, Calif.; George Krumpelman, Kingsburg, Calif.; Marvin L. Warkentin, Dinuba, Calif.; Larry Mowinckel, Mark Tornhein, San Francisco, Calif.; Ken Campbell, Long Beach, Calif.; Steven Gabel, Gail Gabel, Seal Beach, Calif.; Kay Heringman, Los Angeles, Calif.; John Burton, San Francisco, Calif.; Ronald J. Mowey, Encino, Calif.; Laurence V. Minter, Berkeley, Calif.; Sarah Meyers, Los Angeles, Calif.; Lillian Wright, North Hollywood, Calif.; M. La Vern Osborne, Margaret K. Lindeman, Fresno, Calif.

Fannie Bradley, Hilmos, Calif.; Pauline L. Murphy, Ann W. Lundberg, Charles De Salles, Lois Bask, Turlock, Calif.; Elmer Backlund, Hilmar, Calif.; Don Dollis, Modesto, Calif.; Louis A. Yecny, Helen M. Yecny, Mrs. Manual Bellencourt, Hilmar, Calif.; Carl R. Grippen, Turlock, Calif.; Bill Waldroap, Delhi, Calif.

William A. Peterson, Robert J. Waltz, Richard L. Tupper, W. E. Pinegar, Paul J. Matthews, R. R. Kershaw, I. L. Brooks, D. L. Williams, A. C. Smith, M. G. Snaudy, W. H. Ussery, Fresno, Calif.; R. C. Frenzil, Stockton, Calif.; M. L. McCutchen, Riverbank, Calif.; Keith L. Bauer, J. O. Fanning, George C. Dado, Edward C. Timmerman, James C. Bellar, Harold E. Shaka, Wells Palmer, Ray C. Caress, Fresno, Calif.; Hazel M. Gaborsky, Oakdale, Calif.; H. L. Geter, H. J. Brady, Richmond, Calif.; F. R. Dietz, San Pablo, Calif.; E. H. Garrigan, Modesto, Calif.; Leo R. Silva, Riverbank, Calif.; Herman B. Hand, Fresno, Calif.

Herman A. Johnson, Oliver O. Wickstrom, M. A. Pyle, Ruth E. Pyle, Delbert G. Oliver, Kenneth Lundell, Jr., Hilmar, Calif.; Donald Lundell, Turlock, Calif.; Glenn Svelson, A. E. Lundell, Hilmar, Calif.; Herbert Stanliand, Turlock, Calif.; John D. Lubbers, Chas. F. Hoffman, Edwina Steinbach, Hilmar, Calif.; Jean C. Emory, Mrs. B. Stanliand, Turlock, Calif.; John Atkins, Harold Balmer, Mrs. Mildred Lubbers, Peter Bertelsen, Carl Salmonson, Hilmar, Calif.; John T. Sorensen, Anna K. Sorensen, Turlock, Calif.; Anne C. Bertelsen, Agnes W. Koch, Sylvia Salmonson, Henning Korka, Hilmar, Calif.; Mary Erickson, Santa Crus, Calif.; Ella E. Anderson, Wendell R. Anderson, David W. Lundquist, Hilmar, Calif.

Eleanore J. Bartholomew, Del Rey, Calif.; Richard W. Milton, Reedley, Calif.; Robert C. Melgard, Y. (Bill) Bulbulian, Parlier, Calif; Harold M. Bauer, Ruth A. Jepsen, Earl D. Lyon, Albert Landis, Ted Machanas, Fresno, Calif.; Lucy Anna Nielsen, Vernon A. Nielsen, William F. Hanson, Selma, Calif.; Ruth Larrabee, Fresno, Calif.; Souris Hamparsoomian, Selma, Calif.; Mary Ghghatti, John V. Ghitta, Fowler, Calif.; Frieda C. Tarrach, Roy E. Tarrach, Daly City, Calif.

Miriam I. Brittsel, Porterville, Calif.; Rose Weaver, Grace L. Williams, Dinuba, Calif.; Marie Thomas, Visalia, Calif.; Lena Jenken, Hannah J. Archer, Hattie E. Liebau, Dinuba, Calif.; Frances Vinyard, Etta Lee Tucker, DeEtta Mueller, Lena Baker, Emma A. Michalk, Visalia, Calif.; Lela G. Noell, Strathmore, Calif.; Edyth Gray, Dinuba, Calif.; Minnie Jennings, Ruth E. Curts, Porterville, Calif.; O. E. Spencer, Reedley, Calif.; H. B. Jergenmeyer, Dinuba, Calif.; J. L. Curts, Leo Wilson, Martin D. Hayes, Medith S. Throop, Porterville, Calif.; Edward L. Tucker, Visalia, Calif.; Albert Davis, Mary N Davis, Tulare, Calif.; Dale H. Wimp, Charlotte E. Cox, Visalia, Calif.; Ruth Spencer, Reedley, Calif.; Opal Wimp, Visalia, Calif.

Mortimer Myron Kibler, Visalia, Calif.; N. Clarence Gray, Dinuba, Calif.; Samuel Neilson, Cutler, Calif.; Virgil W. Noell, Strathmore, Calif.; Uda Cox, Fred A. Kame, Gertrude Kame, Etta Porte, Visalia, Calif.; Emma Muehlhauser, Dinuba, Calif.; Emma M. Newsome, Visalia, Calif.; Roy E. Archer, Oliver W. House, W. J. Liebau, Dinuba, Calif.; Amos E. Biddy, Minnie L. Biddy, Tulare, Calif.; Lela M. Hughes, Birdie Wilson, Flora Davies, Cecile Rhoadarmer, Frieda W. Walbridge, Porterville, Calif.; Elizabeth Neilson, Cutler, Calif.; Lottie Taggard, Porterville, Calif.; Ruth Kibler, Visalia, Calif.

Mark Kamiya, Marion Johnson, Bill Wynn, Bill Spann, Elvin Spann, David L. Zallinger, Kay Zallinger, Don N. Ferrari, Lorraine Ferrari, Roy Cherry, Cora Cherry, Leola Adcox, Vernon Cherry, John Hoefel, Louis Hoefel, Ballico, Calif.; Robert Madsen, Winton, Calif.

Robert de Fremery, San Anselmo, Calif.; Harlan Trett, Walnut Creek, Calif.; Harold H. Dawson, San Francisco, Calif.; A. W. Pattiani, Napa, Calif.; Robert Tideman, Larkspur, Calif.; Max Pausch, Berkeley, Calif.; B. H. Lecater, P. D. Campbert, Stephen J. Thomas, Hilda B. Crowell, Grace Benson, Jan M. Passmore, Marion Nancy Standring, Ruth H. De Jarlais, San Francisco, Calif.

Walter E. Packard, Emma L. Packard, Roy Nash, Martha P. Arnrich, Fred Arnrich, Felicia G. Bock, Lucille Jolley Nash, Berkley, Calif.; Ruth E. Murphy, South Santa Rosa, Calif.; Eloise B. Perkins, Richard R. Perkins, Gladys Locke Parsons, Charles K. Beck, Hilen M. Bock, Berkeley, Calif.; Frank M. Rudolph, Palo Alto, Calif.

Mr. MORSE. Mr. President, the petition refers to urging President Kennedy to order that the contract be renegotiated. I wish to say at this point that I was greatly honored by the very short visit to the floor of the Senate by the President, when he stopped in the Chamber a few minutes ago. I invited him to stay. I know it is not appropriate to quote what the President said, and I will not quote him. I believe he thought this was where he had been once before. Other matters made it impossible for him to stay with us. I should have liked to have heard from him. I should have liked to have had

him hear what these Californians are saying of this project.

Mr. President, political history shows that the last statewide Democratic officeholder who made an attack on the acreage limitations was the late Senator Sheridan Downey. He created such an uproar in the Democratic Party that he did not run for reelection in 1950. His successor was a Republican Senator, named Richard Nixon. The fate of Mr. Downey should serve as a warning to all responsible officials who pose as friends of the small farmers and workers, but then sell them out by making political deals with the large landowners.

Knowledge of the proposed San Luis contract has been general throughout California and the country. And protests were filed long before the final announcement was made. I have a copy of a wire from AFL–CIO President George Meany to Attorney General Robert Kennedy. I ask unanimous consent that Mr. Meany's wire be printed in the RECORD at this point.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

DECEMBER 26, 1961.

Attorney General ROBERT KENNEDY,
Department of Justice,
Washington, D.C.:

The American Federation of Labor and Congress of Industrial Organizations urges you to rule against the pending opinion on the San Luis project case submitted to the Department of Justice by the Interior Department's Solicitor. If the Solicitor's opinion voiding the 160-acre limitation on the State service area stands and is translated into policy of the Kennedy administration it will constitute a travesty on long existing policy and a complete misreading of the intent of the Congress. It also will place the Kennedy administration in the position of calling for land reform in Latin America while simultaneously strengthening the hold on California of the great corporation farmers who will be chief beneficiaries on the Interior Department Solicitor's opinion. In its recent policy resolution on natural resources, labor has again called for strengthening the principle of the family-sized farm and antimonopoly limitation on landownership on Federal reclamation projects. Consequences to the future of the Federal reclamation programs will be most grave unless the intent of Congress and policies as old as the Republic are retained on the San Luis project.

GEORGE MEANY,
President.

Mr. ENGLE. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. ENGLE. I feel obliged to say that I too ran for political office in California. The argument the Senator from Oregon is making with reference to what people are saying in California is not directed to the merits of the issue necessarily, but perhaps refers to the view of some people with respect to a particular controversy. I prefer to argue the case on the merits. I would add this comment: The Governor of our State has proposed the greatest water project ever initiated by any State government. He undertakes to spend $1,750 million of the State's money to build a State water program. That is only the start. The San Luis project is a cooperative venture between the State and the Federal Government. It lies in the middle of the transmission system from the north to the south of the water in the State water program.

If the program urged by the senior Senator from Oregon were to succeed, it would defeat the San Luis project. It would take it out of the middle of the Governor's program and the result would be the collapse of the State water program as we know it at the present time.

In other words, it would be like taking 40 feet out of the middle of a 300-foot bridge. There would be 40 feet across which we could not pass. We cannot afford to have that happen under any circumstances. If we are talking about political matters in the State of California, I suggest to my friend, the senior Senator from Oregon, that I believe the Governor and I know what we are doing. We are supporting a State water program that he is initiating, an integral part of which is the San Luis project. We cannot lose the project under any circumstances. We do not propose to lose it.

On the other hand, in maintaining the San Luis project we intend to maintain the integrity of the 160-acre limitation in the Federal service areas, and leave to the discretion and judgment of the Governor and the State Legislature of California the imposition, if any, of a State limitation on those areas exclusively served and paid for by the water users and taxpayers of the State of California.

Mr. MORSE. I have a brief comment to make in reply to the observation of the Senator from California. If he has any doubt of my enthusiastic support of the present Governor of California, Mr. Pat Brown, for reelection, let me relieve him of that doubt.

Mr. ENGLE. I have no doubt about it.

Mr. MORSE. I sincerely hope that he will be reelected. I want to see him reelected on the merits of the issue. I applaud him for seeking to develop the water resources of California. I completely oppose him when he seeks to change a Federal public policy in regard to the 160-acre limitation in connection with any project that is subsidized by millions of dollars contributed by Federal taxpayers, as is the case here.

I completely disagree with the Senator from California [Mr. ENGLE] that the application of the 160-acre limitation would destroy that project. Quite to the contrary, in my judgment, it would strengthen the public service of the project. In my judgment it would be a sound project for California. It is always understandable when on the floor of the Senate reference is made to groups in another Senator's State who take a position different from the position taken by a Senator from that State. In a case like that one is always met with the charge that he is not arguing the merits of the case.

But, Mr. President, I am arguing a very important facet of the merits of this case. Ours is a representative democracy. The California groups, representing the little farmers of California, representing the family farmers of California, have lived with this issue too. They are not speaking from a lack of information concerning the issue. In California, this is a hot issue. In California, it is a pitting against each other of some big, powerful, landed economic forces against the little family farmers represented by these protesters. That is the important fact. It deals with the merits of this controversy.

I hope we shall never reach the point in the United States where the will of the people, as expressed by petitions, by letters, and by telegrams of protest, will not be weighed in the consideration of the merits of the public policy question connected with any project. In this instance the public policy question is whether or not in California a project heavily subsidized with Federal funds shall be taken out from under the 1902 Reclamation Act, the 160-acre limitation act. All the senior Senator from Oregon is saying is that the point of view of those people must be brought to bear upon this issue in California. There is no doubt about the ability of the Senator from California to take care of himself in his State.

Mr. ENGLE. Mr. President, will the Senator yield for an inquiry?

Mr. MORSE. One sentence further. However, as a Senator and as a colleague of the Senator from California, I consider I have a trust to perform whenever I think a policy being followed in any State, whether it is his State or mine, is contrary to the public interest of the Nation as a whole. I think the policy being proposed by California, which certain interests have succeeded in having underwritten by the Secretary of the Interior, is not in the public interest. That is why I think it ought to be set aside. That is why I have submitted the resolution. That is why I have said I think we ought to carry out the suggestion of the Attorney General and have this question decided by Congress itself, not by the Committee on Interior and Insular Affairs.

I now yield to the Senator from California.

Mr. ENGLE. I thank the Senator from Oregon for yielding.

I am confident that he is, as he says, for the political success of Pat Brown; but he has made a statement on which I must comment at this moment; namely, that the San Luis project is heavily subsidized by the Federal Government. I have asserted, time and time again, that there is not one red cent of Federal money in the water to be supplied to the State service area. That is the ground upon which we assert that the Federal reclamation law should not apply. I wish to make that indisputably clear. We can disagree about the facts, but it seems to me that our assertion about the facts should be clear.

We in California say that we will pay every cent that it costs, not only to develop the water, but to transport it, to store it, and to take it away; and that, under those circumstances, the Federal reclamation law providing for the 160-acre limitation, or otherwise, should not apply.

I wish to have that statement in the RECORD at this point, because the senior

Senator from Oregon has used the phrase "heavily subsidized" by the Federal Government. The Federal Government is not putting a plugged nickel into a bucketful of water which will supply the service area served under the State of California.

Mr. MORSE. Mr. President, the Senator from California made a similar argument in 1959; but he is just as mistaken tonight as he was then. He cannot, with a phrase, eliminate the Federal project from the map. The taxpayers of the United States have poured millions of dollars into the inseparable Federal part of the San Luis project. The San Luis project would not exist without the Federal aspects of it. They are intermingled. In 1959, I argued the doctrine of intermingled waters, the interdependence of the State project upon the Federal project. Argument by analogy is always dangerous, but the Federal project is the parent of the State project. In a sense, the State project is the offspring of the Federal project. Without the Federal project and the millions of Federal dollars which have been spent on it, there would not be a State project.

That is the difference I have with the Senator from California. I do not intend to be caught up in a semantic argument with him. I simply say that California wanted the Federal project. In my judgment, without the Federal project California would never have gone forward with the State phase of the project, which is sought to be commingled with the Federal project. In my judgment, the Ivanhoe decision applies. Once there is a project which is dependent upon a prior-built Federal project, there is a Federal subsidy.

Mr. DOUGLAS. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I yield.

Mr. DOUGLAS. Is it not true that in connection with the Central Valley project, which the State of California wanted to carry through, California felt it could not put very much money into the project, so it asked the Federal Government for money, which has amounted to approximately a billion dollars? And have not the taxpayers of Oregon and Illinois contributed to that great project?

Mr. MORSE. The Senator is correct.

Mr. DOUGLAS. All we have asked in return for that money is that the historic principle of small farms and 160-acre farms be retained.

Mr. MORSE. The Senator is correct.

Mr. DOUGLAS. In other words, we are not interlopers trying to force our own system on the State of California; the taxpayers whom we represent have contributed a billion dollars to that State and we have asked only that the act of 1902 be observed. Is that not true?

Mr. MORSE. That is what the controversy is all about. The Senator is correct. That is what we are trying to make clear by this record.

Mr. DOUGLAS. We are not doing this to throw our weight around; we are doing it to try to preserve the small farms in one of the remaining great undeveloped agricultural areas of the Nation.

Mr. MORSE. We are doing it to stop a very dangerous precedent. Watch out. If California gets by with this, a precedent will be set for other projects in other parts of the Nation. All that will be necessary will be to have a State project intermingled with a Federal project. The 160-acre limitation will be wiped out.

Mr. President, I have received copies of two letters sent by James Patton, President of the National Farmers Union, to Secretary of the Interior Udall. I ask unanimous consent that Mr. Patton's letters be printed at this point in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

FEBRUARY 14, 1961.

Hon. STEWART L. UDALL,
Secretary of the Interior,
Washington, D.C.

MY DEAR MR. SECRETARY: Last year Congress refused to exempt water going to the State's part of the Federal San Luis project from the 160-acre limitation. It was obviously aware of the Warren Act of 1911 which provides that water in excess of that needed to irrigate a Federal project may be sold to private landowners outside the project but shall be subject to the 160-acre limitation. The act also provides that water from Federal reservoirs and passing through Federal canals and ditches shall also be subject to the limitation.

Now it appears that certain groups have been attempting and are attempting to accomplish administratively what they were unable to accomplish by congressional action. The lame-duck Secretary of the Interior and his Solicitor, in 11th hour actions, ignored the will of Congress by engaging in contract negotiations to deliver water from the proposed San Luis Reservoir to the State area without observance of the 160-acre limitation. All of the water flowing into the San Luis Reservoir will flow through the Delta Mendota Canal which was constructed entirely with Federal funds. Other facilities will be used which were also constructed entirely with Federal funds.

We have reached the inescapable conclusion that all water flowing from Federal reservoirs and through Federal canals or ditches should be subject to the limitation. Section 523, United States Code, is very explicit. It says that water in excess of that required to irrigate land in a Federal project "shall not be used otherwise than as prescribed by law as to lands held in private ownership within Government reclamation projects."

Friends of reclamation are apprehensive that the constant attempts of certain groups in California (including the Southern Pacific Railroad and the Kern County Land Co. which have become symbols of agricultural feudalism) are endangering the entire reclamation program. It is becoming increasingly difficult to obtain congressional approval of reclamation projects which are economically feasible and sorely needed to convert areas producing surplus commodities into areas which will produce vegetables, nuts, fruit, and alfalfa.

For these reasons, we urge you to use your great influence to reverse the policy of the past administration which played into the hands of those who would destroy all reclamation and many other programs designed for the benefit of family farmers.

With kindest personal regards.

Sincerely yours,

JAMES G. PATTON,
President.

SEPTEMBER 25, 1961.

Hon. STEWART L. UDALL,
Secretary of the Interior,
Department of the Interior,
Washington, D.C.

DEAR MR. SECRETARY: My attention was recently called to an article in the Western States News of September 1961. According to this article, entitled "San Luis Project Underway," State and Federal officials report "that satisfactory, if not speedy, progress is being made in negotiating the final stages of the Federal-State agreement on the San Luis unit of the Central Valley project." I call your attention to Public Law 86-488, 86th Congress, S. 44, June 3, 1960, and specifically to the words in section 2 of the law:

"Said agreement shall recite that the liability of the United States thereunder is contingent upon the availability of appropriations to carry out its obligations under the same. No funds shall be appropriated to commence construction of the San Luis unit under any such agreement, except for the preparation of designs and specifications and other preliminary work, prior to ninety calendar days (which ninety days, however, shall not include days on which either the House of Representatives or the Senate is not in session because of an adjournment of more than three calendar days to a day certain) after it has been submitted to the Congress."

The above-mentioned article makes no mention of the 160-acre limitation. It seems logical to assume that the California officials referred to are expecting to bypass the limitation on the State service area. It seems to us that the concentration of land ownership is a proper frame of reference in which to consider the proposed San Luis agreement.

On the west and south sides of the San Joaquin Valley land ownerships amount to about 4 million acres and according to the record of various county clerks are mainly concentrated in the hands of a few owners. Here is a list of the ownerships:

Owner	Acreage	Percent of total
Standard Oil Co.	218,485.48	5.5
Other oil companies	264,678.64	6.6
Kern County Land Co.	348,028.46	8.7
Southern Pacific R.R. Co.	201,851.75	5.1
Tejon Ranch	166,531.07	4.2
Boston Ranch	37,555.58	.9
U.S. Government	192,762.13	4.8
Other private holdings over 1,000 acres each owner	1,323,821.57	33.1
Private holdings under 1,000 acres each owner including all city, State, county, and subdivided land	1,240,648.24	31.1

Congress refused to approve a section of the bill authorizing the project which would exempt the State service area from the 160-acre limitation. The section was deleted by a voice vote in the Senate after all the facts had been aired on the Senate floor during the debate. The section was deleted by a substantial margin on the House floor after a 2-day debate. The evidence is overwhelming that the Congress did not want the State service area exempted from the 160-acre limitation.

Here are a few details about the background of the controversy. The bill was supported by all the special interest groups in California that I know of, including Kern County Land Co., Southern Pacific Railroad Co. and various other large landowners who are anxious to get Federal subsidies and have been fighting the 160-acre limitation for many years. While it is true that the Federal service area, consisting of 440,000 acres will be subject to the limitation under the legislation, another block of 500,000 acres is provided for in the joint project. The State is supposed to contribute funds to enlarge the project so that there will be sufficient water to irrigate the 500,000 acres. The point which should be emphasized is that facilities of the Federal Government already built, including the Delta-Mendota Canal, pumps, and so forth will be utilized. Utilization of Federal reservoirs and canals is a violation of the law according to the Warren Act of 1911 which says that water from Federal reservoirs and passing through Federal canals shall be subject to the limitation.

Farmers Union will oppose any scheme which results in an avoidance of the 160-acre limitation. The feasibility of the project is not dependent on size of the ownerships.

Farmers Union is not apologizing for its defense of the family-type farm and will go all out to defeat any appropriation measure which directly or indirectly perpetuates the system of agricultural feudalism in California. Conversely, we will use all our efforts to bring about authorization of feasible reclamation projects when the limitation is strictly adhered to.

Kindest personal regards.

Sincerely,

JAMES G. PATTON,
President.

Mr. MORSE. Mr. President, I have received a copy of a telegram sent by Thomas Pitts, secretary-treasurer of the California Labor Federation, to President John F. Kennedy. I ask unanimous consent that Mr. Pitts' message be printed at this point in the RECORD.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

DECEMBER 21, 1961.

Hon. JOHN F KENNEDY,
White House,
Washington, D.C.:

We are deeply shocked upon learning today that your Department of the Interior is contemplating a decision with regard to the joint-use facilities of the San Luis project in California which would abrogate the anti-monopoly principles of Federal reclamation law and, in the process, enthrone a handful of land monopolists who control better than 60 percent of the lands to be served water from this federally subsidized facility. We find it is difficult to believe that you had this in mind for the West when you spoke of the "New Frontier" during your election campaign.

Last weekend, while in South America, you demonstrated deep understanding of the vital importance of land reform to the flourishing of freedom and democracy. The high purpose of your administration, and indeed, the American people, was symbolized by the simple ceremony performed when a few parcels of land were transferred to "compesinos" in Venezuela. Mr. President, basically the same issues and values are at stake in regard to the San Luis project.

We frankly believe that the Nation's alliance for progress in South America will succeed only to the extent appointees in your administration are willing to apply the same values in California to fight the powers who rule over agricultural workers in our fertile valleys and mock our cherished concepts of political and economic democracy. As you pointed out in your campaign last fall: What America stands for at home is the image that we will project abroad.

We, therefore, earnestly request reconsideration of the Interior Department's contemplated decision on the San Luis project before it is made public. We urge you to take a direct hand in making sure that reclamation law is fully applied to the entire project, and that you overrule those who would subvert the declared principles of your administration which you have announced to the world in opposition to land monopoly.

THOMAS L. PITTS,
Secretary-Treasurer, California Labor Federation.

Mr. MORSE. Mr. President, I have received a copy of a letter sent by Dewey Anderson, one of the country's leading experts on natural resources and conservation, to Secretary Udall. I ask unanimous consent that Mr. Anderson's letter be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

JANUARY 11, 1962.

The Honorable the SECRETARY OF INTERIOR,
Washington, D.C.

MY DEAR MR. SECRETARY: If I read correctly the reasoning of your solicitor's brief covering the agreement for San Luis unit, Central Valley project, there is threaded all through it the conception that you cannot and should not apply acreage limitation under Federal law because the State's service area is to be served by waters "supplied without cost to the United States" (p. 20).

Repeated references to this line of reasoning appear. Among them:

That the waters flowing into the San Luis dam and later taken out to serve the State's "service area" are developed as the State's "own water at Oroville" (p. 18); and

"It was erroneously stated in the congressional debates that in the operation of the San Luis unit itself the State lands would have the benefit of a Federal subsidy" (p. 19); and

"A close examination of the act reveals that the general statement that water for the State service area is to be supplied 'without cost to the United States' is carried out by the detailed provisions" (p. 20); and

Federal limitations do not apply to lands served "at no cost to the United States" (p. 21) which is the situation the solicitor believes covers the San Luis project.

Now comes your solicitor's important point that "an examination of the California water plan, referred to in section I of the San Luis Act, reveals that the water to be collected at the dam at Oroville on the Feather River will be transported through the San Luis reservoir and canals to a State service area" (p. 23).

The fact that any waters impounded behind the Oroville Dam on the Feather River carry heavy Federal subsidy is clearly shown in President Kennedy's decision reported today:

"Mr. Kennedy approved a $66 million Federal contribution toward the cost of the Oroville Dam, which the State is now constructing. The Federal Government will bear 22 percent of the cost (exclusive of power facilities) of the Oroville project. It is one of the major structures of the State's multi-billion-dollar water plan. With planned power facilities, the dam is expected to cost $490 million." (Washington Post, Jan. 11, 1962.)

That this expenditure is charged to the account of the Army Engineers rather than to your Department makes it no less a Federal subsidy of the dam which will impound the main volume of water used in the State's San Luis and other projects.

I have taken the liberty of sending a copy of this letter to the Senate and House committees before which your contract with the State of California now rests.

Sincerely yours,

DEWEY ANDERSON.

(Cc: Senator Clinton P. Anderson, chairman, Senate Interior and Insular Affairs Committee; Congressman Wayne Aspinall, chairman, House Interior and Insular Affairs Committee; Senator Paul Douglas; Senator Wayne Morse; Senator Hubert Humphrey; Hon. Robert F. Kennedy; Theodore C. Sorensen.)

Mr. MORSE. Mr. President, a letter sent by Miss Anga Bjornson, treasurer of the Alameda County Democratic Central Committee, to Walter Packard, announces that the committee passed the same resolution urging the acreage limitation on all San Luis waters as was passed by the Contra Costa Federation of Democratic Clubs. I ask unanimous consent that Miss Bjornson's letter be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

PIEDMONT, CALIF., *March 9, 1962.*

Hon. WALTER PACKARD,
Berkeley, Calif.

MY DEAR MR. PACKARD: This letter is sent to inform you that the Alameda County Democratic Central Committee, assembled in regular meeting March 7 at 8 p.m. endorsed the same resolution that was adopted by the Contra Costa Federation of Organized Clubs of the Democratic Party supporting the Reclamation Act of 1902 and the 160-acre limitation now part of the Federal law whose purpose is to prevent unjust enrichment and monopoly control of our land.

Alameda County is the second largest county in the State of California.

Sincerely,

ANGA BJORNSON,
Treasurer of Alameda County Democratic Central Committee and Introducer of the Resolutions.

Mr. MORSE. Mr. President, a resolution passed by the board of directors of the California Democratic Council reads, in part:

We suggest further that in order to reduce the burden of costs to California and to insure water supply at a price farmers can afford, that the State seek to contract with the Federal Government for cooperative development of State irrigation facilities under reclamation law and integrated with the Central Valley project.

I ask unanimous consent that the resolution be printed at this point in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION PASSED BY BOARD OF DIRECTORS, CALIFORNIA DEMOCRATIC COUNCIL, APRIL 23, 1961

The California Democratic Council has persistently opposed unjust enrichment and monopolization of benefits from public water development projects. Thus we have joined other segments of the Democratic Party in upholding the Federal 160-acre limitation and power preference provisions. We believe the issues are the same when the State builds water projects, and are convinced that the only workable solutions are those of historic reclamation law. We are acting on repeated assurances that the lack of policies to govern the State water program would be remedied after passage of the Burns-Porter Bond Act.

Therefore, the board of directors of the California Democratic Council urges passage by the legislature of AB-1326 (O'Connell) to create a State 160-acre limitation, and AB-1606 (Burton) to give power preference to public agencies.

We suggest further that in order to reduce the burden of costs to California and to insure water supply at a price farmers can afford, that the State seek to contract with

the Federal Government for cooperative development of State irrigation facilities under reclamation law and integrated with the Central Valley project.

Mr. MORSE. Mr. President, before closing, I ask unanimous consent to have printed at this point in the RECORD an analysis together with a documentation of the present situation, written by Dr. Paul Taylor, of Berkeley, Calif. Dr. Taylor, one of the Nation's leading authorities on reclamation laws, was a consultant to the Secretary of the Interior from 1943 to 1952.

There being no objection, the analysis and documentation were ordered to be printed in the RECORD, as follows:

THE 90-DAY COUNTDOWN OF THE STATE-FEDERAL SAN LUIS CONTRACT REVIEW

The administrations of President Franklin Roosevelt, Harry Truman, and Dwight Eisenhower resisted the attempts of large landholders to destroy the antiwater monopoly provisions of national reclamation law. Under the present administration it appears that a half century of efforts described by Senator PAUL DOUGLAS on the Senate floor as "one of the greatest land steals that has ever been attempted in the history of this Nation" is now succeeding.[1]

While President John F. Kennedy was presenting land titles to campesinos at La Morita, Solicitor Frank Barry of Interior was denying that Congress applied acreage limitation to the State service area on San Luis project in California. He was mistaken. The facts are, Congress declared in the San Luis Act itself that reclamation law shall govern the Secretary of the Interior; Congress refused to exempt the State service area; and Congress refused to permit any exceptions to reclamation law at all.[2]

Acreage limitation, Solicitor Barry argues, is not applicable to the State service area because application could "precipitate a conflict with legitimate State authority which Congress was careful to avoid."[3] But neither the United States Supreme Court in 1959[4] nor the California Supreme Court in 1960,[5] when acreage limitation was before them, found conflict between acreage limitation and State authority. In these same years the legislature and people of California both repeated earlier authorizations to the State executive to accept Federal acreage limitation.[6] Solicitor Barry's conclusion is unsupportable. There is no conflict.

Solicitor Barry not only saw conflict where there is no conflict. Further, he failed to see Federal investment where there is vast investment. His opinion appears to say that acreage limitation should follow Federal investment. Yet he appears to overlook Federal flood control contributions to the State project, overlook Federal investment in 107 miles of San Luis canal and reservoir, overlook Federal maintenance of Sacramento River channel as a conduit for the State project, and overlook proposals to Congress of Federal loans to the State at low rates of interest, or even at no interest at all.[7] These are large errors.

The Justice Department is uneasy about Solicitor Barry's view of the law, although concurring in elimination of acreage limitation from the San Luis contract. The Attorney General says "Strong arguments can be made to the effect that [Congress] did not intend to abandon the policy even within the area to be serviced by the State."[8] The Justice Department covers its reluctance with hopes for "congressional reexamination" and "positive action." But review of contract by two committees is not the way to determine the intent of the whole Congress.

The Constitution provides for determination of congressional intent by the judiciary. In the courts the scales of justice are evenly balanced; in contract review they are not. Congress made sure before authorizing the San Luis project that there would be no exemption from, nor exception to reclamation law. Congress considered exemption of the State service area and rejected it. Now the committees that were denied the exemption they sought, with authorization already in hand, are the very ones to say whether or not there is to be exemption. In contract review they need only remain silent to gain what the whole Congress refused them. The procedure for contract review is inappropriate, both judicially and politically, to the function ascribed to it by the Justice Department.

It is common knowledge that holders of large tracts of irrigable land have worked persistently to escape the acreage limitation. Acreage limitation is the instrument of the public policy against water monopoly and land speculation that furnishes cardinal justification for opening the public treasury to help bring water to private lands.[9] Holders of large tracts of land have worked for two generations to throttle the policy without closing the doors of the treasury to themselves. In 1944 a blueprint of their tactics appeared, disclosing an intention to use the State of California as an instrument of escape.[10] Apparently they have succeeded in maneuvering the State at least momentarily into position: a State administration elected on a promise to support Federal acreage limitation and empowered by law to accept it, nevertheless now combats it.

Another blueprint appeared last year, one drawn for these final stages of escape. Legal counsel, experienced in opposing reclamation law, advised the State how to proceed step by step to nullify acreage limitation. The advice was given on an expressed assumption that neither the State administration nor the Federal Bureau of Reclamation desires to apply acreage limitation to the State service area.[11] Events in Washington and California appear to fit this blueprint. Acreage limitation is omitted from the State-Federal contract. The Department of Justice is making no challenge in the courts. People injured by abandonment of public policy are too scattered, too ill informed and ill equipped to take the case to the courts themselves, or perhaps they assume that their Government will go before the courts to represent them there, if necessary to protect the public interest. The contract is in the hands of committees with no desire to apply acreage limitation and the 90-day countdown has begun. All this follows the blueprint.

Should the executive branch of the Federal Government respond to plans made in California to avoid enforcement of Federal law, and particularly nonenforcement of this law? Some answer "Yes," among them the San Francisco Chronicle in a recent editorial: "The decision may be shaky legally but it is sound and practical. It has never seemed to us that [the Federal 160-acre limitation] could practically be applied to the highly developed, large-scale, corporation-dominated farming ventures of the lower Central Valley."[12] Others would answer: "The administration's first responsibilities are to the interests of the many for whom reclamation law was enacted, the many who need not live in the shadow of corporation-dominated farming communities if the law is enforced."[13]

The resistance of excess landholders to acreage limitation is not hard to understand. About 34 owners of irrigable land in the southern San Joaquin Valley, none of them with less than 5,000 acres, hold three-quarters of a million acres. A conservative estimate of public subsidy on earlier projects to irrigate private land in proximity to the State service area is $600 per acre.[14] The law permits subsidization of water for 160 acres per individual, or 320 acres for man and wife, viz. $96,000 and $192,000, respectively; acreage limitation forbids more. In addition, the law affords the valuable privilege of operating one's entire holdings with subsidized water for a decade prior to sale of excess lands at a fair appraised price. The complaint, apparently, is that this public generosity to individuals is too little.

Many examples of large holdings of excess land could be cited from public sources. One can serve as illustration. In southern California it appears that the 90,000-acre Irvine Ranch in Orange County will need more water, and is likely to obtain it as part of the State service area. Like managers of other large properties who are reluctant to sell their excess holdings to obtain water under reclamation law, the management of Irvine Ranch prefers to retain ownership of its lands. According to the Los Angeles Times the Ranch plans a new city with 55-year leases with reappraisal every 25 years.[15] The world has looked upon mortmain with distrust since the Middle Ages.

In sum it appears after defeat in Congress, after defeat before the Supreme Court, after repeated defeats by votes of the people of California, that interests desirous of participating in public financial generosity for water development free of the controls of acreage limitation, have turned now to the national administration to nullify the law.

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[1] CONGRESSIONAL RECORD, vol. 105, pt. 6, p. 7849.

[2] 74 Stat. 156 (1960); CONGRESSIONAL RECORD, vol. 105, pt. 6, pp. 7666, 7676, 7686.

[3] Solicitor Frank Barry's memorandum, agreement on San Luis unit, Central Valley

[4] *Ivanhoe Irr. Dist.* v. *McCracken* (357 U.S. 275).

[5] *Ivanhoe Irr. Dist.* v. *All Parties* (53 Cal. project, December 26, 1961, M-36635, p. 28, 2d, 692).

[6] Central Valley Project Act of 1933 authorizes acceptance of Federal aid under Federal law, and the State Water Bond Act of 1959 and 1960 (referendum) adopts "the provisions of the code governing the Central Valley project." (Cal. Stats. 1933, ch. 1042, sec. 15; Cal. Stats. 1959, ch. 1762, p. 4234, at 4235.)

[7] M-36635, p. 28; CONGRESSIONAL RECORD, vol. 105, pt. 6, p. 7056.

[8] Attorney General Robert Kennedy to Secretary of the Interior Stewart Udall, Dec. 29, 1961, pp. 2, 3.

[9] *Burley* v. *United States* (179 Fed. 1, 7, 8, 11, 12 (1910)).

[10] "Valley Divided," Business Week, May 13, 1944.

[11] Appendix to final report, general evaluation of the proposed program for financing and constructing the State water resources development system of the State of California, Department of Water Resources, Chas. T. Main, Inc., Boston, Mass., 2229-1-2A, October 1960, pp. 26-34; excess land law: a note on pressure versus principle in the courts, 12 Western Political Quarterly 828, footnote 1 (September 1959).

[12] Jan. 3, 1962.

[13] Editorial, Dinuba (Calif.) Sentinel, Jan. 17, 1950, quoted in personal testimony of Paul S. Taylor, prepared for presentation before State assembly water committee, Sacramento, Calif., Apr. 11, 1961, pp. 18, 19.

[14] Hearings, 1947, on S. 912, p. 864; letter from CLAIR ENGLE, et al., to California Attorney General Edmund G. (Pat) Brown, Feb. 4, 1957, in State brief, *Ivanhoe* v. *All Parties*, petition for rehearing of the appellant the State of California, in Supreme Court of the State of California (L.A. No. 23,043, app., p. 11).

[15] Los Angeles Times, Nov. 13, 1960. "Real estate, homes, and industry," sec. J, p. 15; see also Los Angeles Times, May 15, 1960, "2 Million Acres To Be Sold in Riverside County."

It will take courage to reject their program. Should the President now order inclusion of acreage limitation in the San Luis contract, however, President Kennedy can be sure of his own legal ground.[16] State law gives the Governor of California authority to accept acreage limitation, so he can be sure of his legal ground, too.[17] Moreover the Governor, if he wishes, can then proclaim both the triumph of his State water program and his adherence to the policy and specific platform on which he won by a million votes in 1958. This course offers solid ground for future hopes of popular support in California; abandonment of principle on a question never far from the surface in California for three generations offers none.

The Department of Justice should take this question to the U.S. Supreme Court. The Solicitor of the Interior Department apparently is willing to consider cooperating in a court test of his Kings and Kern opinion to which excess landholders object. Should there be any less willingness on the part of this administration to go into court to test the San Luis opinion, one so shattering to the prospect for creating modest landholdings and well-balanced communities through reclamation?[18]

The Secretary of the Interior warned recently that future national financial support for reclamation depends on preservation of acreage limitation by the West itself. He said: "I can't think of a worse time for us to abandon the traditional policy that has governed reclamation policy in the past" (Sacramento Bee, Oct. 20, 1961, p. A-10). Failure to attach to the proposal in the current budget to grant $66 million for flood control on Feather River to the State of California, a condition that reclamation law shall apply to the State service area, would belie emphatic assurances that there "will not be a plugged nickel of Federal money in the State project" given by California spokesmen to Congress in support of their demand for exemption of the State service area. Strict adherence to national policy now will strengthen western prospects for Federal help for future reclamation[19] and assure as well, in the words of the Supreme Court, that reclamation shall "benefit people, not land," and shall distribute these benefits "in accordance with the greatest good to the greatest number of individuals."[20]

In May 1959 Senators PAUL DOUGLAS, of Illinois, and WAYNE MORSE, of Oregon, defeated the attempt to remove acreage limitation from the State service area. During debate Senator DOUGLAS asked: "Is it not true that the wide distribution of the land and property has furnished the basis for economic democracy in the Middle West, and that out of the economic democracy in many States have come movements for political democracy; notably the LaFollette movement and, as well, the support which the great Senator Norris and others have received?"

This is the centennial year of the homestead law signed by Abraham Lincoln in 1862. This is the 60th anniversary of the national reclamation law signed by Theodore Roosevelt in 1902. Are we to celebrate these anniversaries with funeral pyres? And in what name would the fires be ignited? Not law. Politics? Surely not heads-up politics, good for the long pull. Surely not public policy. Surely not conservation. Surely not preservation of the American heritage.

Mr. MORSE. Mr. President, a resolution favoring acreage limitation on all San Luis water was passed by the Contra Costa Federation of Democratic Clubs. The resolution was signed by the Federation's president, John S. Page, who wrote:

The resolution was passed Saturday, March 3, 1962, by our convention, comprising 636 delegates representing 26 Democratic clubs by voice vote without noticeable dissent.

I ask unanimous consent that the resolution, which is signed by Mr. Page, be printed at this point in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

REPORT TO THE CONVENTION OF THE RESOLUTIONS COMMITTEE OF THE 14TH CONGRESSIONAL DISTRICT ENDORSING CONVENTION, CONTRA COSTA COUNTY FEDERATION OF DEMOCRATIC CLUBS, CONCORD, CALIF.

WATER

"We commend the board of supervisors and our elected representatives in the State legislature for their efforts to preserve an undiminished water supply from the Delta.

"We reaffirm the traditional opposition of the Democratic Party to unjust enrichment and land monopoly, and favor the continued integrated development of our national water resources under provisions of Federal reclamation law. We support the historic 160-acre limitation on all land served by water developed by or flowing through Federal facilities, such as the San Luis project. We urge both State and Federal Governments to institute whatever further measures are necessary to insure that unjust enrichment and monopoly do not result from the provision of public water to private land."

The foregoing resolution was passed Saturday, March 3, 1962, by our convention comprising 636 delegates representing 26 Democratic clubs by voice vote without noticeable dissent.

JOHN S. PAGE,
President, Federation of Democratic Clubs, Contra Costa County, Calif.

Mr. MORSE. Mr. President, in passing, let me say I do not think there is any doubt about the fact that in California this is a very serious issue; and it cannot be said that the people who have taken sides on this issue are not aware of the objectives of the contract with the Secretary of the Interior. The Democratic groups who have protested, the farm groups, and the individual small farmers know what the issue is. They are saying to the Congress, "We do not want you to let this contract change the Federal policy." They do not want such a change made by the contract which, in effect, waives the 160-acre limitation on the San Luis project, on which the Federal Government has—as the Senator from Illinois has said—spent huge sums of money, and in which it has invested so much by way of Federal subsidy. In my judgment, these people are saying to Congress that the decision of the Supreme Court in the Ivanhoe case should be followed, and they are saying that they think the Supreme Court was correct when it pointed out that "what the Federal Government subsidizes, it can regulate."

Mr. President, so far as I am concerned, that fairly well summarizes my policy position on this question. The small landowners, the family farmers, and the farmers in the more arid areas of California, who in my judgment will suffer if the contract with the Secretary of the Interior stands, are entitled to be heard from. In our representative democracy, I think they should prevail. I do not "buy" the argument that we should yield to the big landowners of California—the Southern Pacific Railroad's land company, the Kern County Land Co., and the other big landowners whose holdings I have stated for the RECORD. Those big landowners are asking for a policy which in my judgment is not in the national interest in connection with any project which involves a Federal subsidy.

If California did not want this Federal subsidy, California should not have requested it in the first place. But California has been the beneficiary of the subsidy, and it should follow the national policy; and since 1902 the national policy has required the 160-acre limitation.

Mr. DOUGLAS. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I yield.

Mr. DOUGLAS. As a matter of fact, the 160-acre limitation is a very lenient one, is it not?

Mr. MORSE. Yes; it is.

Mr. DOUGLAS. Because under it a husband can have 160 acres, and his wife can have 160 acres, and their child can have 160 acres——

Mr. MORSE. That is correct.

Mr. DOUGLAS. And on land where fruit is grown, such lenient regulation creates the possibility of riches "beyond the dreams of avarice," does it not?

Mr. MORSE. It certainly does.

Mr. DOUGLAS. Yet even this most lax restriction is being opposed by the big groups which possess tens of thousands of acres.

Mr. MORSE. Yes. Furthermore, in view of the fact that the Senator from Illinois has outlined the policy in the reclamation law of 1902, let me point out that there is no denying the fact that the policy therein stressed is the family-farm principle.

Mr. DOUGLAS. That is correct.

Mr. MORSE. And it is impossible to call the Kern County Land Co. a family farmer; likewise, it is impossible to call the Southern Pacific Railroad's land corporation, or any of the large number of other big operators, whose holdings I have listed for the RECORD, family farmers.

As I stated some time ago, basic to this controversy is the problem of corporate farming in the United States. The question is whether through this subterfuge the Federal Government is really going to become "a partner" of corporate farming. But I do not think that is in the national interest; and I think it just as important today as it was in 1902 that we protect the family farmer.

Mr. President, I urge the other Members of the Senate to study the record we have tried to make today. I urge them to read the communications and the material I have placed in the RECORD. I

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[16] See note 2, supra.

[17] See note 6, supra.

[18] Letter from California State Senator Virgil O'Sullivan to Frank J. Barry, Solicitor, U.S. Department of the Interior, Jan. 19, 1962.

[19] Senator CLAIR ENGLE, CONGRESSIONAL RECORD, vol. 105, pt. 6, p. 7856.

[20] *Ivanhoe Irr. Dist.* v. *McCracken* (357 U.S. 275, 297).

urge them to read our 1959 debate, which occurred on May 5, 7, 11, and 12 of that year, and to read Mr. Barry's legal opinion on the San Luis project. Mr. Barry is the Solicitor for the Department of the Interior.

This is an important issue. I think it bears on the integrity of the Senate and the vital principles of democratic government in which all of us believe and which all of us are obligated to uphold.

I am also most seriously concerned in this affair, because of a somewhat different role in which I serve the Senate. As a member of the Foreign Relations Committee of the Senate and as a member of its subcommittee which has to do with the republics south of the Rio Grande, it happens that I have been exposed to the "land reform" issue there.

I have visited those republics; and I have had opportunity to hear our President earnestly advocate the alliance for progress, by which we set such store in preserving the free world. Every time he has had access to a microphone, as he did recently in both Colombia and Venezuela, he has pointed out to our South American neighbors the benefits that he hopes will accrue to those nations through the Alliance for Progress. I fully agree with the President. I have stood shoulder to shoulder with my colleagues of the Foreign Relations Committee in urging a speeding up of the Alliance-for-Progress program; and land reform is one of the most essential needs throughout Latin America. Every time our President has spoken on this subject, he has spelled out "land reform" as an essential prerequisite to the success of the Alliance for Progress, and as a basic policy on the New Frontier to which his administration is completely dedicated.

As I have said, I happen to agree with his fundamental philosophy. It happens to be the same philosophy that we endorsed in passing the San Luis authorization bill minus exemption of a vast and undescribed State service area in California from the acreage restriction fundamental.

Therefore, I was filled with consternation when I returned from the President's recent visit to Colombia and Venezuela to find that at the very moment he was dedicating himself to these principles south of the Rio Grande his own Department of the Interior was starting to extinguish the only vestige of land reform that exists on the American statute books. I do not think the people in the Department of the Interior fully realize the consequences of their act. I think that they are myopic in their eagerness to benefit California's corporate farmers to the tune of millions of dollars. But I am afraid that their myopia was caused by their difficulty in solving what they considered a domestic political dilemma without really analyzing its international repercussions.

I have had some experience with the Latin Republics and know that they have not yet completely embraced the philosophy of land reform as a prerequisite to the Alliance for Progress. Among them are many leaders who are skeptical of the Yankee assurances. I would not relish having to justify to them land reform as a policy for export only while land monopoly is being preserved and fostered in California. I will have no part in embarrassing our President by imposing this task upon him, and if this ruling of the Secretary of the Interior is not reexamined and reversed by action on my resolution, this embarrassment to the President is inevitable.

I am not alone in feeling that the decision of the Secretary of the Interior to sign the San Luis contract was a repudiation of our much-advertised Latin American policy. Here is a wire from Rev. James L. Vizzard, of the National Catholic Rural Life Conference. I will read the telegram addressed to the Attorney General of the United States because I feel it expresses very succinctly the implication of the San Luis contract:

DECEMBER 27, 1961

Attorney General ROBERT F. KENNEDY,
Attorney General's Office,
Washington, D.C.

We understand you now have before you the opinion of the Department of the Interior's Solicitor, voiding application of the 160-acre limitation of Federal reclamation law on the State service area of the San Luis project in California. We most urgently request you to reject this opinion. It would destroy long standing and vital public policy. It is our judgment that the Solicitor's opinion has been dictated not by law and fact but by political expediency. The National Catholic Rural Life Conference has applauded the Kennedy administration's encouragement of land reform in Latin America. For years we, too, have been working toward the same end. It would be tragic if, by action of this administration, conditions should develop in this country which would call forth the rejoinder "physician, heal thyself"; for if the Solicitor's opinion is allowed to stand it will open the door wide to increased and more tenacious land monopoly in California. Acceptance of the Solicitor's opinion would be gravely disappointing and impossible to explain to those who are convinced that the family farm, and not land monopoly, deserves support of public policy.

Rev. JAMES L. VIZZARD, S.J.,
Director, Washington Office, National Catholic Rural Life Conference.

I commend Father Vizzard. In the telegram to the Attorney General he put the case against the contract succinctly and, I think, unanswerably. I do not think we have even started to contemplate the serious blunder that I think the Department of the Interior is committing, and I think it is time for us to correct it. We owe it to sound public policy. I say, most respectfully, that my party owes it to itself. It owes it to the American foreign policy dealing with land reform. It owes it to the people of the United States. I urge the leadership of my party in both the executive and legislative branches of Government to ponder this powerful, courageous, enlightened, soundly reasoned telegram of Father Vizzard, director of the Washington office of the National Catholic Rural Life Conference, to the Attorney General of the United States.

At this time I only wish to add a few more specifics to this story, among which are the fact that this deal was attempted almost surreptitiously after we decided this matter last time in a fashion that I felt was final as far as the Senate was concerned. Nothing happened to reverse our decision, or to reinterpret "intent," if you please, for some time. Then some representatives of the big California corporate farmers who have been named in our previous debate got busy to show that when the Congress said "No" they really meant "Yes." These groups do not give up easily when millions of dollars worth of water are the table stakes in this political game of poker. They set out to "educate" our downtown lawyers, and really did a job thereon. Apparently the Interior Department lawyers decided to get their legal advice from the spokesmen of the California corporate farmers, instead of following the guidance of the Senate it came to pass that on New Year's Eve, at the 11th hour, there was a wondrous explosion in the mimeograph rooms of the Interior Department. The fallout of this explosion included hundreds of pages of legal opinions guaranteed to confuse anybody, particularly on New Year's Eve when citizens were supposed to be looking the other way.

These opinions concern three cases all involving acreage restriction on California lands. In two of the decisions, by far the longest of them the legal people, as the saying goes, "stood four-square at the crossroads." In these two decisions, replete with polysyllables and citations and orders, the Secretary of the Interior stood firmly in battle upholding the basic theory of acreage restriction in California—at least as far as applied to developments on the Kings and Kern Rivers are concerned. There interior stood like the Rock of Gibraltar, not giving an inch on acreage restriction. But the third decision, having to do with the San Luis State Service Area, which is far more important and involves vast acreage which can only be described as everything outside the Federal reclamation area in California, took the opposite view and granted water to all the big landowners.

In fact, these opinions were so contrary that the Secretary of the Interior felt called upon to try to reconcile the contradictions in public announcements as he went galloping off in all directions simultaneously.

This truly requires the Senate's attention, as recommended by the Attorney General. If any of my colleagues wish to join with the Senator from Illinois [Mr. DOUGLAS] the Senator from Wisconsin [Mr. PROXMIRE], and myself in this resolution and care to express themselves in preliminary fashion now, it might be appropriate, or I am sure they will find occasion to do so later. But action is necessary for the opinion is now resting in our Committee on Interior and Insular Affairs, and under a rather tricky procedure all that they are required to do is nothing for 90 days, some 80 of which have already passed. Unless the Senate acts on my resolution, there will be an interpretation that the Senate approves what it had heretofore rejected emphatically.

I close by saying that I urge the Senate to read, to reread, and to ponder the telegram from Father Vizzard of the National Catholic Rural Life Council.

I ask Senators to read, to reread, and to ponder the protests of the various organizations from California, the pleas

of protest from the many petitioners whose names I put into the RECORD this afternoon.

I ask Senators to keep in mind the fact that this is a representative democracy and that the little people should have a voice in determining national policy in regard to the family farmer and his protection from the avarice, and selfishness of the great land corporations of California which, up until this moment, have been successful in this coup that they have staged against the interests of the people of this country.

Lastly, I repeat again that we should not embarrass the President of the United States as he will be embarrassed in the field of foreign policy, as brought out by Father Vizzard, through the reactions in Latin America, by not keeping faith in this instance in respect to the great project, subsidized, as the Senator from Illinois has pointed out in the debate, by many millions of dollars of the taxpayers' money, which would constitute a repudiation of the Reclamation Act of 1902.

No matter how vainly the Senators from California protest, it is really an attempt on the part of the Department of the Interior to wipe off the books the Ivanhoe decision, in which the Supreme Court of the United States said:

> Projects subsidized by the Federal Government can be regulated by the Federal Government.

Once more, for repetitive emphasis, I close by saying if it had not been for the millions of dollars of Federal subsidy money the San Luis project would not exist. That Federal money is so intermingled that neither the Democratic Governor of California nor the Republican and Democratic Senators from California in the Senate of the United States could separate the Federal aspect of the project.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. DOUGLAS. I commend the Senator from Oregon for the very able and public-spirited speech he has made. I think we all know the practical difficulties in such a situation as this. The land is owned at present by a relatively small number of persons and corporations, each one of which owns an enormous amount of land; not merely thousands of acres, but in many cases tens of thousands of acres, and in some cases hundreds of thousands of acres. They are organized. They are powerful. They do not wish to have their holdings broken up by the application of the 160-acre limitation, and they can marshal tremendous resources in support of their position and against anyone who tries to stand against them.

On the other hand, those who might benefit from the acreage limitation, the small farmers who would come into being if the huge estates were broken up, are persons in the future. They do not exist at present. Since they exist only in the future and not in the present, they lack voices and are in a sense unrepresented.

This has been the difficulty in the long struggle to preserve or to extend the democratic system of land ownership and management in California, handicapped as that State has been both by the old Mexican and Spanish estates and by the huge railway grants.

At times it seems almost a hopeless struggle to try to defend the principle of the small farms. I thought, along with the Senator from Oregon, that we had won in 1959. With him, I have been deeply disappointed by the turn of events.

In order to make my own position clear, may I say that I think we have a great Secretary of the Interior. He is a friend of the outdoors and a basic friend of the small farmer. When he was a Member of the House of Representatives, he fought the fight which the Senator from Oregon is fighting today.

He showed his friendship for the small farmer in his opinions on the Kings and Kern River lands, to which the Senator from Oregon has properly called attention. I think a mistake was made in respect to the San Luis project. Though I have a deep feeling of personal affection for the Secretary of the Interior and believe that he is a truly magnificent public servant, I must support the Senator from Oregon and the position which we both took some 3 years ago.

I congratulate the Senator from Oregon again for what he has done. Again I say that the Nation as a whole has poured hundreds of millions of dollars—well over a billion dollars—into the Central Valley of California to help the people of that State. This has been done not to make the rich richer; but, instead, to try to break up huge holdings, so that the small farmer may have at least some opportunity.

We are not interlopers, therefore, when we try to defend the principle of the small farm and when we urge that the money which our citizens have contributed be used, not to undermine economic and political democracy, but instead to strengthen it.

I thank the Senator from Oregon once again.

Mr. MORSE. I thank the Senator from Illinois for his comments. So that there will be no misunderstanding on his part, on the part of any of my colleagues in the Senate, or in the RECORD, I wish to have the RECORD show that I share his very high esteem for the Secretary of the Interior. I have supported, and I expect to support, the Secretary of the Interior time and time again on all issues in respect to which I believe he is supporting a policy in the public interest.

Earlier this afternoon I made a speech with respect to the position I had taken in connection with the Glover-Archbold Park in the District of Columbia. I testified this morning in support of the position taken by Secretary of the Interior Udall on that question. I have supported the Secretary of the Interior in regard to his far-seeing policy in connection with Bureau of Land Management affairs, reclamation affairs, O. & C. timber policies, and access roads.

In this instance I feel that he has only demonstrated that he is as human as the rest of us. As I so often have said about my own mistakes, when the Secretary makes a mistake, it is a very serious one. I think it is a very serious mistake, and I think the best service that we can perform for the very able Secretary of the Interior is to keep that mistake from being implemented. For that reason I have submitted the resolution.

I am about to yield the floor. I appreciate very much the presence of my two good friends from California, and their permitting me to make my major speech on this subject today. I agreed to do so at the late hour at which I started as an accommodation to my leadership in the Senate. As my leader said, "There is no doubt that the speech you will make will at least be read by many who will, in the next few days, just as they did in 1959, hear from the people in the country with regard to this project."

As I indicated earlier in my speech, there are also groups who are very much opposed to the policy, and are hopeful that the Senate will take the necessary action to save the Secretary of the Interior from his own mistake.

EXHIBIT 1

OFFICE OF THE ATTORNEY GENERAL,
Washington, D.C., December 29, 1961.

The Honorable the SECRETARY OF THE INTERIOR

DEAR MR. SECRETARY: This is in response to your letter of December 26, 1961, requesting my consideration of two opinions of Solicitor Frank J. Barry of your Department relating to the applicability of the acreage restrictions of the Federal reclamation laws. One of the opinions is concerned with the San Luis project authorized by the act of June 3, 1960 (74 Stat. 156) and the other with the Kings River and Kern River projects constructed under the authority of the Flood Control Act of 1944 (58 Stat. 887).

In the Kings and Kern River opinion Mr. Barry has concluded that the Federal reclamation laws do not authorize the Secretary of the Interior to enter into a contract with water-user organizations being serviced in the Kings and Kern River areas which provides that they may be freed by the excess land restrictions of those laws by making a lump sum or accelerated payment of the construction costs allocable to them. I agree with this conclusion.

The San Luis situation presents, in my judgment, a most difficult problem. Mr. Barry has concluded in his San Luis opinion that the act of June 3, 1960, does not require that a contract executed by the Secretary of the Interior and the State of California pursuant to section 2 of the act contain provisions applying the excess land limitations of the Federal reclamation laws to the "State's service area," i.e., the lands outside the "Federal San Luis unit service area" referred to in the act.

As you know, the policy of the Federal Government requiring acreage restrictions in federally financed reclamation projects is one of long standing and one not lightly abandoned. The Congress insisted upon the application of this policy in the Federal service area. Whether or not they intended the policy to apply to the State service area is not free from doubt. Strong arguments can be made to the effect that they did not intend to abandon the policy even within the area to be serviced by the State. The legislative history is far from conclusive. Nonetheless, after a careful examination of the relevant laws and legislative history, I concur in the conclusion of your Solicitor that the San Luis Act does not require that an agreement executed by you and the State of California contain provisions imposing the acreage restriction upon the State service area.

Having arrived at this conclusion as a matter of law, I would nonetheless urge you to seek a congressional reexamination of this question. I think that the Congress itself should make a clear determination whether or not the acreage limitations should apply in the State service area. Fortunately, under the provisions of the San Luis Act they will have the opportunity to do so, and I sincerely hope that they will take positive action in this respect.

Sincerely,

ROBERT F. KENNEDY,
Attorney General.

DECEMBER 26, 1961

Hon. ROBERT F. KENNEDY,
Attorney General,
Washington, D.C.

DEAR MR. ATTORNEY GENERAL: As you know, for some months the legal staff of this Department jointly with members of your staff have had under consideration questions relative to the applicability of the excess land limitation provisions of the Federal Reclamation Laws.

Specifically, these questions are, one, whether the San Luis Act of June 3, 1960 (P.L. 86-488) requires the application of the land limitation provisions to service by the State of California to lands outside the "Federal San Luis service area" in the event an agreement is concluded with the State of California pursuant to section 2 of the San Luis Act and, two, whether the land limitations, as prescribed under the Federal Reclamation Laws, may be voided by accelerated or lump-sum repayment of construction costs, as would be the case under the proposed contracts with water-user entities in the Kings and Kern River projects which are pending in this Department.

These legal questions have been the subject of extensive consideration and exchange of view between members of our respective staffs. I take this opportunity to transmit to you a signed copy of each of the formal opinions of Solicitor Barry of this Department with the request that I be advised, formally, of the position of the Department of Justice as soon as possible. In view of the desirability of reporting to Congress as to San Luis by January 1, and because of the imminent expiration of the current interim contracts for the Kings, and Kern projects, an expression of your Department's concurrence or nonconcurrence with Solicitor Barry's opinions will suffice.

Sincerely yours,

STEWART L. UDALL,
Secretary of the Interior.

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SOLICITOR,
Washington, D.C., December 26, 1961.

Memorandum 36635.
To: The Secretary.
From: The Solicitor.
Subject: Agreement for San Luis unit, Central Valley project.

There is now pending in the Department a proposed agreement with the State of California for the construction and operation of the San Luis unit of the Central Valley project in California. The agreement has been drafted pursuant to your Departments of the San Luis Act of June 3, 1960 (74 Stat. 156). In my opinion the draft conforms to law and may be signed by you on behalf of the United States.

The agreement makes no provision for the application of the excess land provisions of Federal reclamation laws to areas serviced by the State outside the Federal San Luis unit service area.

In my opinion of even date, subject "Excess Land Limitations, Kings and Kern River Projects," I concluded that accelerated repayment of the cost of construction cannot relieve excess landowners of the recordable contract requirement of section 46 of the Omnibus Adjustment Act of May 25, 1926, as amended. The issue under the San Luis agreement is whether, in view of the San Luis Act, the requirements of reclamation law apply to the State service area. I have reached the conclusion that they do not.

In the debates and hearings on the San Luis bills (S. 44 and H.R. 7155, 86th Cong.) it was reported that both California and the United States wanted a reservoir in the San Luis area but that only one reservoir site was available. Evidence indicated that the only way the requirements of both sovereigns could be satisfied was by joint use of the only available site. The San Luis Act of 1960 is therefore unusual in respect to its provision for the construction by the United States of joint use facilities, the funds being supplied partly by the United States and partly by California. The joint use facilities, of course, must be adequate to accommodate the needs of both the State and the United States.

If the joint project is built, water from the reservoir will be released and will flow southward to provide irrigation for the Federal service area and other water will be conducted through many of the same facilities to be delivered to the State service area and to Los Angeles and other cities.

Section 1 provides alternatives with respect to construction of the facilities. If the State agrees initially to share in financing of structures sufficiently large to serve both State and Federal needs, the Secretary must build the joint use facilities to such capacity. If no such agreement is made, the Secretary is directed nevertheless to build the dam and reservoir "* * * so as to permit future expansion."

The State is prepared to execute the proposed agreement in accordance with the first alternative. Under the terms of the agreement, the San Luis reservoir will be constructed with a storage capacity of 2,100,000 acre-feet. The State will have the right to use 1,100,000 acre-feet of this capacity and the Federal Government 1 million acre-feet. The costs of construction will be borne 55 percent by the State and 45 percent by the United States. The State will advance its share of construction costs on a monthly basis over the term of the construction period. The water which will be stored and transported in the State's allocated capacities will be carried to the San Luis unit by State facilities constructed as part of the State Feather River and Delta diversion projects.

The question of applicability of Federal acreage limitation laws to the State's use of waters impounded, stored and carried in the San Luis Unit first arises from the provision in section 1 that:

"In constructing, operating, and maintaining the San Luis Unit, the Secretary shall be governed by the Federal reclamation laws (Act of June 17, 1902 (32 Stat. 388), and acts amendatory thereof or supplementary thereto)."

The bill as originally introduced in the House and Senate made no specific reference to the subject.[1] In both the Senate and House Interior Committees, however, additional language was added (sec. 6(a) in S. 44, sec. 7 in H.R. 7155), as follows:

"The provisions of the Federal reclamation laws shall not be applicable to water deliveries or to the use of drainage facilities serving lands under contract with the State to receive a water supply, outside of the Federal San Luis unit service area described in the report of the Department of the Interior, entitled 'San Luis Unit, Central Valley Project,' dated December 17, 1956."

Senators DOUGLAS, MORSE, and NEUBERGER offered an amendment to strike section 6(a). After extended debate the Senate struck the provision. In the House, Mr. ULLMAN offered an amendment to strike section 7. The House also eliminated the language.

Proponents of S. 44 in the Senate contended the language of section 6(a) was surplusage and that even without it Federal acreage limitations would not apply to the State service area.[2] However, they disagreed on the effect of striking the language. Senator ENGLE thought striking it would not constitute an expression of any congressional intent.[3] Senator KUCHEL expressed a fear that striking it might be construed as an expression of congressional intent that the excess land laws should apply to the State service area.[4]

Senator DOUGLAS took the position that "the elimination of section 6(a) will make it clear it is the intent of Congress that Federal reclamation law shall not be barred from applying to" the State service area.[5]

Senator MORSE said:

"Let me state the situation as I believe it to be: With section 6(a) out of the bill, the Federal reclamation laws will remain unchanged. Then it will be for the courts to determine to what extent, if any, the Federal reclamation laws apply to the various phases of the San Luis project."[6]

These views were also reflected in the House where the amendment striking section 7 of H.R. 7155 was debated. The House Interior and Insular Affairs Committee had rejected an amendment offered by Congressman ULLMAN to strike section 7. Mr. ULLMAN and five other Congressmen signed a minority report indicating their nonconcurrence in the inclusion of section 7 in the bill. The majority report claimed that section 7 merely restated the law because accelerated repayment of construction charges precludes the application of Federal acreage limitations. This thesis is unsound.[7]

When H.R. 7155 reached the floor of the House, Representative ULLMAN again offered his amendment to delete section 7. In the debate, the supporters of section 7 averred that it merely restated the law. Representative COHELAN took the position that the acreage limitation should apply to the State's use of the water stored in the joint-use facilities.[8] Mr. ULLMAN[9] and the other supporters of his amendment, Representatives McFALL,[10] MILLER,[11] and ROOSEVELT,[12] took the position that section 7 might change Federal law and should thus be omitted. They did not express the intent necessarily to apply acreage limitations to the State service of water, but merely to assure that the Federal reclamation law would not be changed by the San Luis Act. The House supported the Ullman amendment 214 to 181.[13]

The House then amended S. 44 by substituting text of the House bill for all after

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[1] CONGRESSIONAL RECORD, vol. 105, pt. 6, p. 7484.

[2] Senator ENGLE: "I want to make a record which is very plain indeed that in my opinion the section is surplusage. It is merely a statement of what the law is" (CONGRESSIONAL RECORD, vol 105, pt. 6, p. 7496).

[3] CONGRESSIONAL RECORD, vol. 105, pt. 6, p. 7682.

[4] CONGRESSIONAL RECORD, vol. 105, pt. 6, p. 7988.

[5] CONGRESSIONAL RECORD, vol. 105, pt. 6, p. 7867.

[6] CONGRESSIONAL RECORD, vol. 105, pt. 6, p. 7989.

[7] See my opinion of this date, "Excess Land Limitations, Kings and Kern River Projects."

[8] CONGRESSIONAL RECORD, vol. 106, pt. 8, p. 10467.

[9] CONGRESSIONAL RECORD, vol. 106, pt. 8, p. 10556.

[10] CONGRESSIONAL RECORD, vol. 106, pt. 8, p. 10466.

[11] CONGRESSIONAL RECORD, vol. 106, pt. 8, p. 10556.

[12] CONGRESSIONAL RECORD, vol. 106, pt. 8, p. 10556.

[13] CONGRESSIONAL RECORD, vol. 106, pt. 8, p. 10564.

the enacting clause in the Senate bill.[14] In the Senate, the bill was quickly adopted after Senator ANDERSON assured Senator PROXMIRE that the acreage limitation question debated in the previous year in the Senate had not been adversely affected by the House amendments.[15]

Normally, when an exemption is removed from a bill before enactment, the presumption is that the legislative body intended the law to apply in the situation described in the exemption. To apply the rule here would be to say that Congress expressed its intent that the excess land laws should apply to State water deliveries. While some legislators probably had such an intent when they voted for the amendments, the legislative history indicates that this intent was not shared by all who so voted. Some took the view that the excess land laws would not apply to the State even without the exemption but that the exemption might in some harmful way change the application of the acreage limitation in the Federal service area. As Senator CARROLL put it:

"I am willing to go on record as to my legislative intent. I think the State of California should have control and jurisdiction over its own waters."[16]

* * * * *

"There is a deep-seated feeling that, however unwitting, an attempt is being made to undermine the effect of the Federal reclamation laws, which are vital to the West. Whether that feeling is founded on fact, the question has been raised. The more I think of the question and the more I listen to the debate, the more I feel section 6(a) must come out of the bill."[17]

Others took the view expressed by Senator MORSE:

"It is our position that we ought to leave to the courts the determination of these legal questions. We believe that even if section 6(a) is left in the bill, those questions will still have to be left to the courts. However, we also believe that section 6(a) confuses the issue. We believe that both sides in the controversy stand on an equal footing before the courts if we let the application of the bill go to the courts with section 6(a) eliminated."[18]

While strong arguments were made in both the House and Senate for the exemption incorporated in sections 6(a) and 7, and both committees reporting on the bill supported it, one of its leading proponents, Senator ENGLE, of California, acknowledged that it might just as well rest on an interpretation of existing law by the courts. His position was expressed by Senator MORSE as follows:

"The junior Senator from California, in my judgment, has never gone as far as the senior Senator from California has gone in respect to section 6(a). He has left me with the impression that he would be perfectly willing to have section 6(a) come out of the bill, because he does not believe it makes any difference whether it stays in or comes out. Of course, the junior Senator from California is in a position that many of us find ourselves in from time to time. He would like to go along with his colleague, because his colleague, the senior Senator from California, happens to be the leader in the fight for section 6(a), and therefore the junior Senator is not advocating deleting section 6(a). But certainly he has made it clear in the debate that he has no objection if it comes out. In other words, he is not insisting that it stay in."[19]

To this Senator ENGLE replied: "The distinguished Senator from Oregon has represented my position correctly."[20]

In my opinion the legislative history clearly indicates that Congress did not intend to require application of Federal acreage limitations by striking sections 6(a) and 7.

This brings us back to the question whether the Secretary being governed by the Federal reclamation laws "* * *" in constructing, operating, and maintaining the San Luis unit "* * *," must for that reason insist that landowners in the State service area comply with Federal acreage limitations. The legislative history makes plain the specific area embraced by the term "Federal service area" and the term is used in the act as referring to a specific area. The State service area is never defined and is characterized in the act as an area "outside the Federal San Luis unit service area."

It must be determined, then, what is included by the term "San Luis unit." From the text of the act it is plain that the unit includes the joint-use facilities and the facilities used exclusively for the Federal service area. Does it include the State service area?

Section 1 of the act provides that the Secretary may not commence construction until he has "* * *" secured, or has satisfactory assurance of his ability to secure, all rights to the use of water which are necessary to carry out the purposes of the unit and the terms and conditions of this Act."

If the Secretary cannot proceed until he has secured rights for the use of water for the State service area, it is plain that he cannot ever commence construction of the San Luis unit. The State of California had already initiated action to secure the rights to the use of water for the State service area and it was never contemplated that the Secretary should secure such rights. Indeed, the United States had already agreed with the State of California on the division of water and the right to the use of water for the State service areas had already been allocated to the State by said agreement.[21] By the same agreement the water for the Federal San Luis unit service area was allocated to the United States.

The words of section 1, then, limit the definition of the term "San Luis unit" so as to exclude a State service area, for it is obvious that the Secretary must acquire all necessary rights to the use of water for the purposes of the unit but not for the use of water in the State service area.

Section 1 further provides that the Secretary may not commence construction until he "* * * has * * * received satisfactory assurance from the State of California that it will make provisions for a master drainage outlet and disposal channel for the San Joaquin Valley, as generally outlined in California water plan, Bulletin No. 3, of the California Department of Water Resources, which will adequately serve, by connection therewith, the drainage system for the San Luis unit or has made provision for constructing the San Luis interceptor drain to the delta designed to meet the drainage requirements of the San Luis unit as generally outlined in the report of the Department of the Interior entitled 'San Luis Unit, Central Valley Project, Dated December 17, 1956.'"

Here again is a reference to the San Luis unit and this time the reference is tied to a report of the Department of the Interior. An examination of the report referred to defines the San Luis service area as follows:

"The irrigated area of the San Luis unit would contain about 485,000 irrigable acres. The western boundary of the service area would be elevation 485 as far south as the Pleasant Valley Canal, and from there it would average 455 feet in elevation, the grade of the Pleasant Valley Canal. The eastern boundary of the proposed service area is an irregular line representing the eastern edge of the better quality soils. Before construction begins minor modifications in these service area boundaries would be possible, but the irrigable acreage to be served now cannot be increased because of water supply limitations. The service area boundary is shown on plate 1" (pp. 23 and 24).

Plate 1 referred to is entitled "Central Valley Project—Ultimate Plan—West San Joaquin Division—San Luis Unit—California—Service Area." The service area of the San Luis unit is outlined on plate 1. Clearly the San Luis unit includes an area of irrigable land.

The "drainage requirements for the San Luis unit" are also described in the report at pages 73 and 74 as follows:

"Approximately 96,000 acres along the lower fringes of the service area will require a drainage system for the disposal of saline water unsuitable for reuse. The closed drain system for this area would consist of tile pipe drains, 10 inches to 24 inches in diameter, located at one-half mile intervals at approximate depths of 10 feet. The tile pipe would be connected to open drains carrying the waste flows to the interceptor drain. Trap boxes for deposit of silt would be provided in all closed drains at intervals of one-sixth mile. The San Luis interceptor drain, approximately 197 miles in length, would be an earth section channel extending from the vicinity of Kettleman City to Dutch Slough in the San Joaquin-Sacramento Delta. It would have a capacity of 300 cubic feet per second. Major structures along the interceptor drain include siphons under wasteways, floodways, existing canals, railroads, and highways; siphon spillways; reinforced concrete drops; State and county highway and farm road bridges; culverts; and irrigation ditch crossings. The closed pipe drain system would have a capacity sufficient to accommodate accumulated flows of 1 cubic foot per second for each mile of drain. The total volume of water to be wasted which would be handled by the drain system and interceptor drain would be approximately 127,000 acre-feet annually."

Further reference to plate 1 indicates that the drainage requirements of the San Luis unit are limited to the drainage requirements of the Federal San Luis unit service area. The conclusion is therefore inescapable that the San Luis unit does not include any lands "outside the Federal San Luis unit service area" and that it does not include the State service area.

Therefore, when the act states that "in constructing, operating, and maintaining the San Luis unit, the Secretary shall be governed by the Federal reclamation laws," it directs the Secretary to apply reclamation law, not to the State service area but to the Federal service area, which is the only area included in the unit.

Having determined that the language just quoted does not require the application of Federal acreage limitation to the State service area we must next inquire whether anything else in the act or in its legislative history requires this result. We have already seen that the elimination of section 6(a) from the Senate bill and of section 7 from the House bill cannot be interpreted as an expression of an intent to apply acreage limitations to the State service area.

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[14] CONGRESSIONAL RECORD, vol. 106, pt. 8, p. 10566.

[15] CONGRESSIONAL RECORD, vol. 106, pt. 8, p. 10696.

[16] CONGRESSIONAL RECORD, vol. 105, pt. 6, p. 7873.

[17] CONGRESSIONAL RECORD, vol. 105, pt. 6, p. 7873.

[18] CONGRESSIONAL RECORD, vol. 105, pt. 6, p. 7683.

[19] CONGRESSIONAL RECORD, vol. 105, pt. 6, p. 7994.

[20] CONGRESSIONAL RECORD, vol. 105, pt. 6, p. 7994.

[21] Agreement between the United States of America and the Department of Water Resources of the State of California for the coordinated operation of the Federal Central Valley project and the State Feather River and Delta diversion projects, dated May 16, 1960, contract No. 14-06-200-8363.

The concern of those opposed to the inclusion of section 6(a) and section 7 was to insure that the benefits of Federal expenditures should not be conferred on owners of excess lands and to insure that the nature of the Federal-State relationship would be the determining factor rather than the specific exemption they opposed. As the minority of the House committee reported:

"We cannot ignore the public interest in the handling of any Federal reclamation project in connection with the real possibility of enhancement of huge private interests through interest-free Federal investment. The intent of the basic Reclamation Act was to use such Federal investment so that no right to the use of water for land in private ownership exceeded 160 acres to any one landowner.

"H.R. 7155 authorizes a Federal reclamation project upon which the State is given authority to superimpose a State project addition. The arrangement will be worked out by contract. These are new and untried areas for reclamation. Under these circumstances it is imperative that we protect Federal interests and the basic concept of Federal reclamation law. By deleting section 7, we feel that this will be accomplished."[20]

The inquiry then is what is the nature of the Federal-State relationship upon which the opponents of sections 6(a) and 7 conceived the issue to turn.

In the House the principal opponents of section 7 were Representative COHELAN, of California, and Representative ULLMAN, of Oregon. Hereafter are a series of statements made by these Representatives during the House debate:

"Mr. COHELAN. Is the project as to San Luis more Federal, or more State? I am not clear on the hybrid character of it. It seems to me this is a very important point, because whether or not it is more Federal than State or more State than Federal has a great deal to do with whether the reclamation law applies."[21]

"Mr. Chairman, the amendment to delete section 7 from H.R. 7155 is intended to do only one thing, namely, remove that section of this bill which predetermines that Federal reclamation law shall be applied on the basis of who carries water from the San Luis Reservoir, the section which completely ignores the extensive Federal interest in San Luis itself and in the vast facilities which will bring that water to the San Luis pool.

"Congress cannot ignore that Federal interest. Indeed, the sole job of the Congress in this matter is to jealously protect the Federal interest."[22]

"Mr. ULLMAN. The issue is this: Shall Federal benefits and Federal safeguards follow Federal investment? I am not here to tell you that we should try to superimpose upon the State all of our Federal requirements. All I say is that Federal benefits should follow Federal investments. If we leave out section 7, you have a complete bill."[23]

"We are not attempting to foist anything upon the State. All we want to do is to safeguard our Federal investment. Make sure we maintain the safeguards on the Federal investment."[24]

"We have here a Federal-State project where an arrangement has not been worked out. We have no agreement and I have no way of knowing and no one has any way of knowing where the benefits will flow at this time. I only want Federal benefits to follow where Federal investment is made."[25]

In the Senate Senators DOUGLAS[26] and MORSE[27] expressed similar views.

The basis for opposing the granting of an exemption was the objection to the landowners in the State service area enjoying the benefits of Federal expenditures. Senators DOUGLAS and MORSE and Representative COHELAN assumed as a fact what was not a fact, that is, that the State service area would get the benefit of Federal investments. The Secretary is authorized by section 2 of the act to enter into an agreement so that the State could deliver water in its service areas "* * * without cost to the United States."

Representative ULLMAN saw the issue clearly. He said that he had "no way of knowing, and no one has any way of knowing, where the benefits will flow at this time."[28]

The assumption by some of the legislators that benefits would be conferred on the State service area which were produced by a Federal investment, referred specifically to the reclamation dams upstream in northern California,[29] the Delta Cross Channel, the Delta-Mendota canal, the Tracy pumping plant, and the sturdier base required for the joint-use facilities which will increase their capacity to provide both Federal and State needs. Also mentioned was the power produced at Federal dams up river.

If the State were to develop its own water at Oroville, release it so that it eventually discharged into the Sacramento-San Joaquin Delta and then were to take it out again to supply a project entirely its own, Federal reclamation laws would not apply to that project merely because State water had been commingled with water from Federal projects.

Senator MORSE's suggestion that courts "may find that the 160-acre limitation does not apply to commingled waters" (CONGRESSIONAL RECORD, vol. 105, pt. 6, p. 7871) is to the point and borne out by the authorities. It is the law that rights to the use of waters are not affected by their being commingled in a natural watercourse.[30]

I have requested the Commissioner of the Bureau of Reclamation to provide data concerning the San Luis unit. His memorandum, attached hereto as an appendix A, discloses that the State will not use the Delta Cross Channel, the Tracy pumping plant, or the Delta-Mendota Canal.

The use of the electricity at Federal dams to provide power at State projects cannot require the application of reclamation law Federal power is for sale by the Bureau of Reclamation. It is possible, but by no means certain, that the California Water Resources Board will purchase some of its needs from the Bureau.

However, there are thousands of users of Federal power in the West who are not required to comply with Federal reclamation laws. No statute has been found to suggest that Federal power, like Federal water, is available only to those who comply with Federal reclamation laws.

Indeed, there is a special rate for power used for Federal project pumping. This is lower than the rate charged non-Federal power users. In its operation of the San Luis, the State will not have the benefit of the Federal pumping rate.[31]

It was also erroneously stated in the debates that in the operation of the San Luis unit itself the State lands would have the benefit of a Federal subsidy. For example, Senator DOUGLAS said:

"Mr. President, the main new project which is to be carried out by the Federal Government under this bill is the dam creating the so-called San Luis Reservoir. This dam is to be constructed with Federal money, and the initial water behind this dam, therefore, will be water entirely assembled because of Federal expenditures.

"The rather indefinite proposal which is contained in the bill and which is supported by the testimony with respect to the bill is that the height of the dam will then later be raised as a result of expenditures by the State of California. Hence, it is argued that the quantity of water impounded behind the dam will be increased and the added amount of water would be due to State expenditures and would not be in any degree Federal water.

"The contention of the Senator from Oregon and of the Senator from Illinois is that one cannot cut the dam in two any more than Solomon's child could be cut in two. One cannot build a second story on a dam without a substructure going down deep into the earth, into the rocky formation, which is probably a more important part of every dam than that which is above surface. One cannot build a second story unless one has a first story."[32]

A close examination of the act will reveal that the general statement that water for the State service area is to be supplied "without cost to the United States" is carried out by the detailed requirements. Section 3 prescribed the provisions to be included in the agreement between the United States and the State. Subsection (b) of section 3 provides that "the State shall make available to the Secretary during the construction period sufficient funds to pay an equitable share of the construction costs of any facilities designed and constructed * * *" to such capacities that will permit immediate joint use by the State and the United States, or to such capacities as will permit future enlargement to accommodate the needs of the State. The proposed agreement provides that these payments are to be made monthly in advance. Subsection (d) of section 3 of the act reads:

"The United States and the State shall each pay annually an equitable share of the operation, maintenance, and replacement cost of the joint-use facilities."

Therefore, it is plain that the State will pay not only for a "second story," as Senator DOUGLAS puts it, but also will pay in advance its equitable share of the cost of the "first story."[33]

The question now is, do the Federal acreage limitations apply to lands served at no cost to the United States, by this joint Federal-State project? This question involves important relationships between the United States and the State. Section 2 of the act of February 21, 1911[34] (hereinafter referred to as the Warren Act), authorizes the Secretary of the Interior "to cooperate with irrigation districts, water users' associations, corporations, entrymen, or water users

[20] H. Rept. No. 399, 86th Cong., 1st sess., p. 25.

[21] CONGRESSIONAL RECORD, vol. 106, pt. 8, p. 10453.

[22] CONGRESSIONAL RECORD, vol. 106, pt. 8, p. 10467.

[23] CONGRESSIONAL RECORD, vol. 106, pt. 8, p. 10556.

[24] CONGRESSIONAL RECORD, vol. 106, pt. 8, p. 10556.

[25] CONGRESSIONAL RECORD, vol. 106, pt. 8, p. 10559.

[26] CONGRESSIONAL RECORD, vol. 105, pt. 6, pp. 7497, 7672.

[27] CONGRESSIONAL RECORD, vol. 105, pt. 6, p. 7992.

[28] P. 16, supra.

[29] Trinity, Shasta, Keswick, Folsom, Nimbus, Sly Park. See CONGRESSIONAL RECORD, vol. 105, pt. 6, p. 7672.

[30] 1 Wiel, Water Rights in the Western States (3d ed.), pp. 35–39.

[31] App. B attached.

[32] CONGRESSIONAL RECORD, vol. 105, pt. 6, p. 7671.

[33] The inclusion of facilities for the storage and delivery of water "to areas outside of the Federal San Luis unit service area" will not only not require any Federal investment, it will result in substantial saving to the United States in providing irrigation service to the Federal service area. App. C attached.

[34] 43 Stat. 523.

for impounding, delivering, and carrying water for irrigation purposes: *Provided* * * * that water shall not be furnished from any such reservoir or delivered through any such canal or ditch to any one landowner in excess of an amount sufficient to irrigate 160 acres.

Did Congress, in the San Luis Act, intend that section 2 of the Warren Act should govern the Secretary of the Interior in the administration of the San Luis unit?

While it is not necessary to decide here whether a State may be included in the terms of "irrigation districts, water users' associations, corporations, entrymen, or water users," I have no doubt that a State may be a contracting party under the Warren Act.

However, the State of California, in its participation with the United States in the San Luis project, is itself exercising far more than the powers of an irrigation district or water user association. It is exercising the highest function of a sovereign. Senator KUCHEL described the State plan in these words:

"Meanwhile, the people of the State, through their State government, have gone forward in the development of plans for a series of water projects to be developed and built by the State to bring supplemental water to those areas which need it by reason of the tremendous increase in population in my State.

"The State water plans, as conceived by the State government, is an $11 billion undertaking. A portion of the State water plan is termed 'the Feather River project.' In a word, a State project by which supplemental northern water would be transported over the mountains or around the coastline of Santa Barbara and Ventura Counties into all the areas of southern California, to be used in the main, of course, for supplying supplemental water for people and for industry as well as for agriculture."[35]

An examination of the California water plan, referred to in section 1 of the San Luis Act, reveals that the water to be collected at the dam at Oroville on the Feather River will be transported through the San Luis Reservoir and canals to a State service area which may include irrigable land, and certainly includes the municipalities of Santa Barbara, Los Angeles, and San Bernardino in southern California. The scope of the plan is described in its text, as follows:

"The final phase of the Statewide water resources investigation is presented herein as 'The California Water Plan.' Bulletin No. 3 describes a comprehensive master plan for the control, protection, conservation, distribution, and utilization of the waters of California, to meet present and future needs for all beneficial uses and purposes in all areas of the State to the maximum feasible extent. The plan is designed to include or supplement rather than to supersede existing water resource development works, and does not interfere with existing rights to the use of water.

"The California water plan includes local works to meet local needs in all portions of the State. It also includes the California aqueduct system, an unprecedented system of major works to redistribute excess waters from northern areas of surplus to areas of deficiency throughout the State. The plan gives consideration to water conservation and reclamation; to flood control and flood protection; to the use of water for agricultural, domestic, municipal, and industrial purposes; to hydroelectric power development; to salinity control and protection of the quality of fresh waters; to navigation; to drainage; and to the interests of fish, wildlife, and recreation. It contemplates the conjunctive operation of surface and ground water reservoirs, which operation will be essential to regulation of the large amounts of water ultimately to be involved.

"The California water plan is a master plan for the control, conservation, protection, and distribution of the waters of California, to meet present and future needs for all beneficial uses and purposes in all areas of the State to the maximum feasible extent. It is a comprehensive plan which would reach from border to border both in its constructed works and in its effects. The plan is a flexible pattern susceptible of orderly development by logical progressive stages, the choice of each successive incremental project to be made with due consideration to the economic and other pertinent factors governing at the particular time" (pp. XXV and 37).

In the debates on the San Luis Act the principal issue was the elimination of provisions expressly exempting the State service area. There was no clearly expressed consensus as to what reclamation law would mean with the exemption eliminated.[36] However, a common denominator of legislative intent can be derived from the debates.

First, Congress intended that no benefits were to be conferred on the State service area by Federal investments without carrying the burdens of Federal law.

Second, Congress intended no encroachment on the right of the State to develop its own resources, unless Federal interests could not otherwise be protected.

Senator DOUGLAS who represented those urging an extension of Federal law finally came around to the view that "the elimination of section 6(a) will make it clear it is the intent of Congress that Federal reclamation law shall not be barred from applying" to the State service area.[37] This is the view expressed by Senator CARROLL[38] and, in the House by Representative ULLMAN[39] who disavowed any intention unreasonably to foist Federal law on the State.

Nearly everyone characterized the arrangement at San Luis as unique. Certainly no one suggested that the only result consistent with reclamation law was to impose acreage limitations on the State. Indeed the real issue was recognized by Senator MORSE, who said:

"Let me ask the Senators from California whether they have ever thought that it is not beyond the realm of legal possibility that the courts might say that, because the two sovereigns entered into a joint enterprise, there was a great modification in respect of the application of the reclamation laws. I do not know what the court would hold. So far as I know, there is no U.S. Supreme Court decision precisely interpreting the legal effect of a joint venture of this type."[40]

In *Davies Warehouse Co.* v. *Bowles* (321 U.S. 144), the Supreme Court considered an act and its legislative history in many respects similar to the one here being considered. There, as here, Congress had omitted to be specific and had "* * * left to the administrator and the courts a task of unexpected difficulty." Here as there "relevant authorities and considerations are numerous and equivocal, and different plausible definitions result from a mere shift of emphasis." The case involved a conflict between a wartime price regulation by the U.S. Price Administrator and a State railroad commission. The Court resolved the issue in favor of State control saying:

"We think Congress desired to depart from the traditional partitioning of functions between State and Federal Government only so far as required to erect emergency barriers against inflation. No question as to the power of Congress to reach and regulate this business, should it find it necessary to do so, has been raised here. But as a matter of policy Congress may well have desired to avoid conflict or occasions for conflict between Federal agencies and State authority which are detrimental to good administration and to public acceptance of an emergency system of price control that might founder if friction with public authorities be added to the difficulties of bringing private self-interest under control. Where Congress has not clearly indicated a purpose to precipitate conflict, we should be reluctant to do so by decision" (321 U.S. 151–152).

"It will not be presumed that a Federal statute was intended to supersede the exercise of the power of the State unless there is a clear manifestation of an intention to do so." (*Schwartz* v. *Texas*, 344 U.S. 199, 202, 203. See also *Reid* v. *Colorado*, 189 U.S. 137; *Savage* v. *Jones*, 225 U.S. 501, 533; *Atchison, T. & S.F.R. Co.* v. *Railroad Commission*, 283 U.S. 380, 392). The Supreme Court has recently delineated the national policy requiring acreage limitation. In *Ivanhoe Irrig. Dist.* v. *McCracken* (357 U.S. 275, 297), the Court said, "The excess acreage provision acts as a ceiling, imposed equally upon all participants, on the Federal subsidy that is being bestowed."

This policy was recognized and acknowledged in the hearings, reports, and debates on the San Luis Act. The act itself refers to the Warren Act and when it does it limits its application to that aspect of the Warren Act which implements a national policy that Federal law must accompany Federal subsidy. Section 5 reads, in part, as follows:

"The Secretary is also authorized to permit the use of the irrigation facilities of the San Luis unit, including its facilities for supplying pumping energy, under contracts entered into pursuant to section 1 of the Act of February 21, 1911."

In Davies the Court had for a guideline a clearly defined Federal policy: a policy "to erect emergency barriers against inflation." Similarly, here, we have a clearly defined Federal policy: a policy that Federal law shall follow Federal investment.

Section 2 of the Warren Act standing alone requires the application of acreage limitations where the United States cooperates with an entity in the construction of irrigation facilities even where no Federal subsidy is extended to the lands served by the entity.

However, the legislative history of the San Luis Act exhibits a recognition by the Senate and the House that acreage limitation should apply where Federal investment is made and because of the Federal investment.[41] The Warren Act was enacted in 1911, before the maturity of national reclamation policy and long before anyone could get water for more than 160 acres by agreeing to sell his excess lands.

I am convinced that the problem we face here is precisely that faced by the Court in Davies and to which Senator MORSE referred.[42] We have a clearly defined Federal policy to apply to an act of doubtful meaning. In the consideration of the San Luis Act the Congress was scrupulous to avoid conflict with legitimate State authority. To paraphrase the words of the Davies opinion we should not precipitate a conflict with a

[35] S. Rept. No. 154, 86th Cong., 1st sess., p. 19.

[36] "I think whoever reads the RECORD should understand that there is no perfect unanimity of opinion and, therefore, no clear legislative intent concerning this question." Senator CARROLL, CONGRESSIONAL RECORD, vol. 105, pt. 6, p. 7989.

[37] CONGRESSIONAL RECORD, vol. 105, pt. 6, p. 7867.

[38] See p. 8, supra.

[39] See p. 16, supra.

[40] CONGRESSIONAL RECORD, vol. 105, pt. 6, p. 7684.

[41] Senator DOUGLAS, CONGRESSIONAL RECORD, vol. 105, pt. 6, p. 7672.

[42] See p. 25, supra.

State which Congress was careful to avoid, unless such conflict is necessary to carry out national policy.

Since the San Luis Act and national reclamation policy do not require the application of Federal acreage limitations to the State service area, and since the application of Federal law to the State service area would clash with another basic national policy to leave the State free where Federal interests are not impaired, I have concluded that Federal acreage limitations do not apply to the State service area and that the proposed agreement for San Luis may be signed by you in its present form.

FRANK J. BARRY, *Solicitor*.

U.S. DEPARTMENT OF THE INTERIOR,
BUREAU OF RECLAMATION,
Washington, D.C., December 20, 1961

To: Solicitor.
From: Commissioner of Reclamation.
Subject: Operation of the State water resources development system with specific reference to the joint-use facilities of the San Luis unit.

Neither the State water plan nor the proposed San Luis agreement now under consideration by the Secretary contemplates the use of Central Valley project facilities, other than the joint-use facilities identified in that agreement, to serve the State's service area.

The May 16, 1960, agreement with the State provides for a division of waters available to the United States and to the State in the delta. The water available to the State to meet its requirements in connection with the proposed San Luis agreement was considered to come from the yield at Oroville Reservoir and surplus flows available in the delta for transfer to and storage in its portion of the storage capacity in the San Luis Reservoir. The flows available to it in the delta were determined on the basis of surplus flows available after the diversion requirements of the Federal Central Valley project, including the San Luis unit, had been satisfied.

In order to provide service to its service area, the State has scheduled the construction of its project in such a manner as to have facilities required to provide its own service when that service is required. Specifically, Oroville Dam, the State's pumping plant in the delta, and the State's canal from the delta to the forebay to San Luis Reservoir are scheduled for completion by 1968. Neither the State water plan nor the proposed San Luis agreement provides for the use of the Tracy pumping plant, the Delta-Mendota Canal, the Delta Cross Channel, or any Central Valley storage facilities to provide water to the State's facilities.

In considering the power requirements of the joint-use San Luis features the proposed San Luis agreement contemplates the State shall furnish to the San Luis switchyard the energy required to lift the quantity of water into San Luis Reservoir that it stores in that reservoir, which water is delivered to the San Luis forebay through its facilities from the delta. The agreement also contemplates the State will supply the energy requirements to lift water at the Mile 18 pumping plant that is delivered to its facilities at Kettleman City, the terminus of the joint San Luis Canal.

If, at some future date, the State is successful in procuring some of its energy requirements from U.S. facilities, such energy will be supplied under a commercial-type contract, the same as is now in force with all other preference customers.

Federal Central Valley project water requirements for the Federal San Luis unit are accounted for and identified in permits obtained from the State water rights board.

FLOYD E. DOMINY.

U.S. DEPARTMENT OF THE INTERIOR,
BUREAU OF RECLAMATION,
Washington, D.C., December 20, 1961

To: Solicitor.
From: Commissioner of Reclamation.
Subject: Marketing of Central Valley project power to State of California.

You have inquired as to certain phases of the marketing of power from Central Valley project to the State of California, and in connection therewith we advise as follows:

1. Power developed by the Bureau of Reclamation and marketed by it is not now being supplied nor will it in the future be supplied to the State of California for irrigation pumping as a part of Federal project use.

2. Any power sold to the State for irrigation pumping or any other purposes would be sold under standard project rates applicable to all customers.

3. The Bureau of Reclamation presently has an effective contract with the State of California for its pumping needs at its South Bay Aqueduct pumping plant.

The general conditions of this contract are as follows:

Maximum contract rate of delivery 3,260 kilowatts. Service to be limited to Sundays, holidays, and the hours before 7 a.m. and after 10 p.m. on all other days.

Rate schedule R2-F2 which provides an estimated average rate per kilowatt-hour of 5.5 mills after allowing 5 percent discount for service at transmission voltage. The rate schedule referred to is the standard Central Valley project rate schedule applicable to all firm power service.

P.G. & E. will wheel power to the South Bay Aqueduct pumping plant at a cost to the United States of one-third mill per kilowatt-hour. However, the total cost to the United States is limited to $55,600 during the contract term which ends December 31, 1970.

FLOYD E. DOMINY.

U.S. DEPARTMENT OF THE INTERIOR,
BUREAU OF RECLAMATION,
Washington, D.C., December 20, 1961

To: Solicitor.
From: Commissioner of Reclamation.
Subject: Savings to the Federal Government through joint Federal-State construction of certain features of the San Luis unit, Central Valley project.

The attached table entitled "Capital Cost Allocation—Joint San Luis Division" indicates the extent of the construction cost savings to the Federal Government through joint construction of the features listed.

The second column under the broad heading "Share the Savings Method" shows the total cost of features involved if construction by the Federal Government to serve the Federal San Luis unit without State participation to be $226,038,000. Through joint construction with State participation, the Federal share of joint costs to achieve the same service to the Federal San Luis unit would be $196,211,000 under the "Share the Savings Method." The actual saving of costs provided for in the proposed agreement would assign a slightly lower portion of the joint costs, $194,827,000, to the Federal Government. Thus, a savings to the Federal Government of $31,211,000 would be possible through Federal-State sharing of the construction costs of the joint features.

The estimate of $45,557,000 for the cost of a San Luis Dam and Reservoir to serve only the Federal San Luis unit does not include provision for future enlargement assigned by the authorizing legislation. If such provision were included, a further savings to the Federal Government would be indicated.

While the above figures will vary as final designs and estimates are completed and actual construction costs incurred, we expect that the savings would remain of the same general magnitude.

There would be additional savings in the operation, maintenance, and replacement costs of the completed joint features. The magnitude of the savings will, of course, be determined by the agreement yet to be reached on the sharing of these costs.

FLOYD E. DOMINY.

Attachment.

Capital cost allocation, joint San Luis division

(A) PEAK CAPACITY METHOD

Feature	Total	Federal	Percent	State	Percent	Joint	Federal	State
	Cubic feet per second	*Cubic feet per second*		*Cubic feet per second*		*Thousands*	*Thousands*	*Thousands*
San Luis Dam and Reservoir	2,100	1,000	47.62	1,100	52.38	$101,530	$48,349	$53,181
San Luis forebay [1]	2,100	1,000	47.62	1,100	52.38	10,670	5,081	5,589
San Luis pumping-generating plant [1]	2,100	1,000	47.62	1,100	52.38	91,400	43,525	47,875
Mile 18 pumping plant	13,100	6,000	45.80	7,100	54.20	38,330	17,555	20,775
San Luis canal: [2]								
Reach 1 [1]	2,100	1,000	47.62	1,100	52.38	38,117	18,151	19,966
Reach 2	13,100	6,000	45.80	7,100	54.20	29,811	13,653	16,158
Reach 3	11,800	4,700	39.83	7,100	60.17	51,807	20,635	31,172
Reach 4	9,350	2,300	24.60	7,050	75.40	13,519	2,834	8,685
Reach 5	8,350	1,300	15.57	7,050	84.43	19,531	3,041	16,490
San Luis floodworks [3]			50.00		50.00	33,097	16,549	16,548
Power facilities:								
San Luis switchyard	2,100	1,000	47.62	1,100	52.38	4,268	2,032	2,236
San Luis—M transmission line	13,100	6,000	45.80	7,100	54.20	1,443	569	874
Mile 18, switchyard	13,100	6,000	45.80	7,100	54.20	1,625	744	881
Total cost						432,948	192,718	240,230
Percent							44.51	55.49

See footnotes at end of table.

Capital cost allocation, joint San Luis division—Continued

(B) WATER DELIVERY METHOD

Feature	Total	Federal	Percent	State	Percent	Joint	Federal	State
	Thousand acre-feet	*Thousand acre-feet*		*Thousand acre-feet*		*Thousands*	*Thousands*	*Thousands*
San Luis Dam and Reservoir	2,100	1,000	47.62	1,100	52.38	$101,530	$48,349	$53,181
San Luis forebay [1]	2,100	1,000	47.62	1,100	52.38	10,670	5,081	5,589
San Luis pumping-generating plant [1]	2,100	1,000	47.62	1,100	52.38	91,400	43,525	47,875
Mile 18 pumping plant	4,773	1,250	26.19	3,523	73.81	38,330	10,039	28,291
San Luis Canal: [2]								
Reach 1 [1]	2,100	1,000	47.62	1,100	52.38	38,117	18,151	19,966
Reach 2	4,773	1,250	26.19	3,523	73.81	29,811	7,856	22,955
Reach 3	4,773	1,000	21.76	3,523	78.24	51,807	11,273	40,534
Reach 4	4,023	500	12.43	3,523	87.57	13,519	1,432	10,087
Reach 5	3,748	225	6.00	3,523	94.00	19,531	1,172	18,359
San Luis floodworks [3]			50.00		50.00	33,097	16,549	16,548
Power facilities:								
San Luis switchyard	2,100	1,000	47.62	1,100	52.38	4,268	2,032	2,236
San Luis—M transmission line	4,773	1,250	26.19	3,523	73.81	1,243	326	917
Mile 18, switchyard	4,773	1,250	26.19	3,523	73.81	1,625	426	1,199
Total cost						432,948	196,188	236,760
Percent							45.32	54.68

(C) SHARE THE SAVINGS METHOD

Feature	Total	Federal	Percent	State	Percent	Joint	Federal	State
	Thousands	*Thousands*		*Thousands*		*Thousands*	*Thousands*	*Thousands*
San Luis Dam and Reservoir	$98,191	$45,557	46.39	$47,634	51.11	$101,530	$49,638	$51,892
San Luis forebay [1]	21,340	10,670	50.00	10,670	50.00	10,670	5,335	5,335
San Luis pumping-generating plant [1]	75,892	30,606	40.35	45,286	59.65	91,400	36,860	54,539
Mile 18 pumping plant	41,276	18,966	45.96	22,310	54.05	38,330	17,613	20,717
San Luis canal: [2]								
Reach 1 [1]	41,776	20,026	47.94	21,750	52.06	38,117	18,273	19,844
Reach 2	39,037	18,601	47.65	20,436	52.35	29,811	14,205	15,606
Reach 3	65,253	29,079	44.56	36,174	55.60	51,807	23,054	28,753
Reach 4	16,726	6,526	39.02	10,200	60.98	13,519	4,495	7,024
Reach 5	34,220	8,368	24.67	25,822	75.33	19,531	6,771	12,760
San Luis floodworks [3]	66,194	32,097	50.00	33,097	50.00	33,097	16,549	16,548
Power facilities:								
San Luis switchyard	5,172	2,405	46.50	2,767	53.50	4,268	1,985	2,283
San Luis—M transmission line	2,486	1,243	50.00	1,243	50.00	1,243	622	621
Mile 18, switchyard	1,776	864	48.65	912	51.35	1,625	791	834
Total cost	494,399	266,038		268,361		432,948	196,211	236,737
Percent							45.32	54.68

[1] These facilities are considered as complementary features to the main storage facility, capacity of which is given in thousands of acre-feet.
[2] Includes wasteway, right-of-way, and preconsolidation costs.
[3] Capacities of San Luis floodworks are independent of the San Luis canal capacity and therefore the costs have been split equally between the two agencies.

DECEMBER 30, 1961.

AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND THE DEPARTMENT OF WATER RESOURCES OF THE STATE OF CALIFORNIA FOR THE CONSTRUCTION AND OPERATION OF THE JOINT-USE FACILITIES OF THE SAN LUIS UNIT

1. This agreement, made this 30th day of December 1961, in pursuance generally of the act of Congress approved June 17, 1902, (32 Stat. 388), and all acts of Congress amendatory thereof or supplementary thereto, all of which are known as the Federal reclamation laws, and particularly pursuant to the act of June 3, 1960 (74 Stat. 156), and pursuant to the California Central Valley Project Act, which is Part 3, Division 6 (commencing at section 11100) of the Water Code of California, and the California Water Resources Development Bond Act, Chapter 8 of Part 6 of Division 6 (commencing at section 12930) of the California Water Code, between the United States of America, herein styled "the United States," acting through the Bureau of Reclamation, Department of the Interior, represented by the contracting officer executing this agreement, and the State of California, acting by and through its department of water resources, herein styled the "State."

Witnesseth that:

EXPLANATORY RECITALS

2. Whereas the California Water Resources Development Bond Act authorizes the construction of a reservoir near Los Banos in Merced County and related facilities as an integral part of the State water resources development system; and

3. Whereas the Federal San Luis Act, Act of June 3, 1960, authorizes construction of the San Luis unit of the Federal Central Valley project to furnish water to approximately 500,000 acres of land comprising the Federal San Luis unit service area in Merced, Fresno, and Kings Counties and for other incidental purposes; and

4. Whereas the State and Federal acts previously referred to authorized the coordinated operation of certain San Luis unit facilities, known as the joint-use facilities, and an equitable sharing of the costs of these facilities by the State and the United States; and

5. Whereas the United States and the Department of Water Resources of the State of California entered into an agreement on May 16, 1960, to provide for the coordinated operation of the Federal Central Valley project and the State Feather River and Delta Diversion projects, the first stage of the State water resources development system; and

6. Whereas the San Luis Reservoir site is a desirable location for off-stream storage required for the State Water Resources Development System and the San Luis unit of the Federal Central Valley project, and construction, operation, and maintenance of the joint-use facilities of the San Luis unit will bring about substantial reductions in cost outlays otherwise required of both the State and the United States, will efficiently develop water resources for the benefit of the people of California and the United States, will provide incidental recreational opportunities, and will make possible the furnishing of water to water-short areas in both the Federal and State services areas at the earliest possible date; and

7. Whereas the State is acquiring lands and interests in lands necessary for some of the joint-use facilities and is designing the San Joaquin-Southern California aqueduct of the State Water Resources Development System so that it may be integrated with the joint-use facilities; and

8. Whereas the responsibility of the State as a full participant in the construction, operation, and maintenance of the joint-use facilities is recognized and its obligation to State fiscal agencies, the legislature, and the bondholders in all matters is recognized so that officials of the State shall be in a position at all times to justify and explain fully all aspects of the joint-use facilities; and

9. Whereas it is desirable at this time to agree on principles of the financing, design, construction, operation, and maintenance of the joint-use facilities: Now, therefore, it is agreed:

DEFINITIONS

10. As used in this agreement:

(1) The "Federal San Luis Act" shall mean the Act of June 3, 1960 (74th Stat. 156).

(b) The "joint-use facilities" shall mean:

(1) San Luis Dam and Reservoir.

(2) San Luis Forebay, related dam, and related wasteway.

(3) San Luis pumping-generating plant.

(4) San Luis Canal, but not including water service turnouts and check structures and other appurtenances specifically associated with such turnouts.

(5) Flood retention basins, floodways, outlet channels, wasteways, equalizing reservoirs, check structures, and other structures, as necessary for the proper operation and maintenance of the San Luis Canal.

(6) Mile 18 pumping plant.

(7) Switchyard and related electrical facilities at San Luis pumping-generating plant and at mile 18 pumping plant, including any necessary transmission facilities between such plants.

(c) The "Federal San Luis unit service area" shall mean the area of approximately 500,000 acres in Merced, Fresno, and Kings Counties, as described in the report of the Department of the Interior entitled, "San Luis Unit, Central Valley Project," dated December 17, 1956.

(d) The "State service area" shall mean the area served by the State through the joint-use facilities which shall be limited to areas outside the Federal San Luis unit service area as described in the report of the Department of the Interior entitled, "San Luis Unit, Central Valley Project," dated December 17, 1956.

(e) "Elevations" are with reference to the U.S. Coast and Geodetic Survey datum unless otherwise stated.

(f) Any number used herein to specify a rate of flow of water, a volume of water, an elevation, or other physical quantity or dimension shall be deemed to include a tolerance consistent with reasonable and accepted engineering practice.

(g) "Fiscal year" shall mean the period July 1 through the succeeding June 30.

(h) The "agreement of May 16, 1960" shall mean the agreement entitled, "Agreement Between the United States of America and the Department of Water Resources of the State of California for the Coordinated Operation of the Federal Central Valley Project and the State Feather River and Delta Diversion Projects" dated May 16, 1960 and bearing Contract Number 14-06-200-6363.

TERM OF AGREEMENT

11. This agreement shall remain in full force and effect until terminated by the mutual consent of the parties.

CHARACTERISTICS OF JOINT-USE FACILITIES

12. (a) San Luis Reservoir shall have a gross storage capacity of 2,100,000 acre-feet with a corresponding maximum water surface elevation under normal operating conditions of 544.0 feet. Elevation of the minimum operating level for San Luis Reservoir shall be 326.0 feet, below which there will exist an inactive storage capacity of 80,000 acre-feet.

(b) San Luis Forebay and Reach No. 1 of San Luis Canal shall have a combined active storage capacity of at least 20,000 acre-feet with the water surface fluctuating under normal operation conditions between elevations of 217.0 feet and 225.0 feet measured at the San Luis forebay.

(c) San Luis Pumping-Generating Plant shall be designed to lift 11,000 cubic feet of water per second from San Luis Forebay into San Luis Reservoir when the water surface in San Luis Reservoir is at an elevation of 505.0 feet. The Pumping-generating plant shall be designed to allow 13,100 cubic feet of water per second to return from San Luis Reservoir to San Luis Forebay when the water surface in San Luis Reservoir is at an elevation of 425.0 feet.

(d) San Luis Canal shall consist of five reaches described in the following table:

Reach No.	Start of reach	End of reach	Approximate length (miles)	Design capacity (cubic feet per second)
1	San Luis Forebay	Mile 18 pumping plant	18	13,100
2	Mile 18 pumping plant	Panoche Creek	26	13,100
3	Panoche Creek	Five Points	34	11,800
4	Five Points	Arroyo Passajero	13	9,350
5	Arroyo Passajero	Kettleman City	16	8,350

San Luis Canal as a joint-use facility shall end at the northern boundary of the right-of-way for Milham Avenue west of Kettleman City and shall be designed and built to convey 7,000 cubic feet of water per second at that point with a water surface elevation of 313.5 feet under normal operating conditions.

(e) Mile 18 Pumping Plant shall be located at a point near the intersection of Mercy Hot Springs Road and Pipeline Road for the purpose of lifting water from Reach 1 to Reach 2 of San Luis Canal. The Mile 18 Pumping Plant shall be designed to transfer 13,100 cubic feet of water per second from the lower end of Reach 1 to the upper end of Reach 2.

CONSTRUCTION OF FACILITIES

13. (a) The United States shall design and construct the joint-use facilities with funds appropriated by the Congress and funds advanced by the State as provided in article 17 and with consultations with the State as provided in the following provisions of this article.

(b) The joint-use facilities shall be designed and constructed by the United States in such a manner as to permit the integration and coordinated operation with other units of the Federal Central Valley project and the State Water Resources Development System substantially as described in the California Water Resources Development Bond Act. The coordinated operation to be considered during design and construction shall be that described in article 19(c) herein to the extent that operational criteria have been agreed upon by the State and the United States at the time of design.

(c) Construction of the joint-use facilities shall be carried out in accordance with exhibit 1, attached hereto, entitled, "Control Schedule for San Luis Joint-Use Facilities," provided that the conditions of section 1(a) of the Federal San Luis Act regarding commencement of construction have been met.

(d) To accomplish the foregoing, the United States and the State must cooperate and consult closely in all stages of the design and construction of the joint-use facilities. During the design stage in particular, representatives of the two agencies shall review design progress and shall confer on the establishment of basic design criteria, the operational plan, and the overall program for construction of the joint-use facilities.

(e) The State may assign a representative to the Denver office and a representative to each San Luis unit field office of the Bureau of Reclamation to provide liaison services between the State and the United States and to facilitate the coordination of the work and the transmission of information. The United States shall provide necessary office space and minor office services. The United States will keep the representatives of the State informed on the progress of design and construction and on problems of concern to the State.

(f) Quarterly progress reports on design and construction, including costs thereof, in the form normally used by the United States, will be furnished by the United States for information of the State. By reports and by joint conferences the State shall be kept completely informed of the progress on and costs of the joint-use facilities. The United States shall furnish such other information in its possession as may be required by the State to prepare analyses, estimates, and reports as may be reasonably required from time to time.

(g) The United States shall make available at Denver to the State for review and comment, bid notices, plans and specifications for construction of major portions of the joint-use facilities as they become available.

LANDS AND INTERESTS IN LANDS

14. (a) Promptly after the execution of this agreement and for the purposes of this agreement the State shall convey to the United States title that is satisfactory to the United States to all lands and interests in lands that it has acquired up to that time or otherwise owns and which are required for the joint-use facilities.

(b) The State shall upon the request of the United States acquire such additional lands and interests in lands as are designated by the United States as necessary for purposes of the joint-use facilities. After any acquisition pursuant to this article and prior to the commencement of any construction thereon the State shall convey to the United States title to lands and interests in lands satisfactory to the United States: *Provided*, That the State furnish an appraisal report to the United States: *Provided further*, That the United States may proceed with the acquisition of the lands and interests in lands if the State fails to complete acquisition in accordance with a time schedule specified by the United States as adequate to avoid delay in construction.

COST OF CONSTRUCTION

15. (a) The cost of construction of the joint-use facilities to be allocated in accordance with article 16 of this agreement shall include:

(1) Payments made to contractors and force account costs for performance of the actual construction work.

(2) Costs of acquiring lands and interests in lands including legal, appraisal, and other administrative expenses directly attributable to such acquisition work.

(3) Surveys, studies, exploration, designs, preparation and review of plans and specifications in support of the construction of the joint-use facilities, and the supervision and inspection of construction work.

(4) Maintenance and repair costs incurred and costs of replacements made during construction, in accordance with article 20(c) herein.

(5) Cost of equivalent replacement for road utility, and other relocations.

(6) Cost of initial complement of heavy equipment required for operation and maintenance.

(7) Indirect costs distributed in the customary manner of the agency which incurred the related direct cost.

(8) Other expenditures actually incurred in the construction of the joint-use facilities, including the payment of claims.

(b) Expenses incurred by either the State or the United States prior to July 1, 1959, are specifically excluded from the cost of construction to be allocated in accordance with article 16 of this agreement.

(c) All costs incurred specifically for recreational development, or specifically for fish and wildlife enhancement are excluded from the cost of construction to be allocated in accordance with article 16 of this agreement.

SHARING OF COSTS OF CONSTRUCTION

16. The State shall pay 55 percent and the United States shall pay 45 percent of the actual cost of construction as specified in article 15.

PAYMENT OF STATE SHARE OF CASH EXPENDITURES FOR CONSTRUCTION

17. (a) The State's contribution to the cash expenditures for construction shall be made in advance installments on or before the first day of each month under the schedule provided in (b) of this article, based upon the State's percentage specified in article 16 of the estimated total expenditures to be made during that month: *Provided*, That adjustments for overpayments or underpayments shall be made quarterly. To the extent provided in subdivision (c) of this article, the monthly State contribution shall be in the form of credits as therein specified.

(b) Each year on or before January 30, the United States shall furnish to the State a schedule setting forth the estimated cash expenditures to be incurred for construction by months during the ensuing fiscal year and shall furnish any revisions of such schedule.

(c) The State shall receive credit for the cost of lands and interests in lands conveyed by it to and accepted by the United States, for funds advanced by it to the United States for the preparation of designs and specifications and for other advances made and expenses incurred by the State which may properly be considered construction costs under article 15. Following accrual, such credits shall be applied monthly commencing July 1, 1962, until the credits are liquidated.

(d) Upon completion of construction and transfer of the joint-use facilities or any operable unit thereof to a care, operation, and maintenance status, the United States shall submit to the State a final accounting of all costs and expenses incurred in connection with such construction, the amount of the total costs to be borne by each party, and the total contributions made by each party. Any necessary adjustments will then be made as soon as practicable thereafter to reflect accurately the proper amount of total costs of construction to be borne by each party.

FAILURE TO COMPLETE CONSTRUCTION

18. (a) If at any time after commencement of construction, it is determined by the United States that it will not complete construction of the joint-use facilities by virtue of the failure of Congress to make annual appropriations required for such purpose or for other cause, the State may elect to assume control of the joint-use facilities and complete construction of such facilities for its own use: *Provided*, That the consent of the Congress of the United States is obtained: *Provided further*, That the State shall reimburse the United States without interest for all contributions made by the United States toward the cost of the joint-use facilities of which the State assumes control pursuant to this provision.

(b) If at any time after commencement of construction it is determined by the State that it will not make the payments herein contemplated in order to complete construction, subject to applicable law, the United States reserves the right to complete only such construction as may be necessary to operate the San Luis unit as a part of the Federal Central Valley project under section 1 of the Federal San Luis Act.

OPERATION AND USE OF JOINT-USE FACILITIES

19. (a) The rights to use of the capacities of the joint-use facilities are allocated as follows:

Feature:	State share, percent	Federal share, percent
San Luis Reservoir	52.38	47.62
San Luis forebay	52.38	47.62
San Luis pumping-generating plant	52.38	47.62
San Luis Canal, reach 1	52.38	47.62
Mile 18 pumping plant	54.20	45.80
San Luis Canal:		
Reach 2	54.20	45.80
Reach 3	60.17	39.83
Reach 4	75.41	24.59
Reach 5	84.43	15.57

(b) The Congress has provided in the Federal San Luis Act and it is understood and further agreed that during the repayment period and so long thereafter as title to the works remains in the United States, the United States shall not be restricted in the use of its allocated capacities of the joint-use facilities of the San Luis unit which shall be sufficient to carry out the purposes of section 1 of the Federal San Luis Act and the planned and authorized operation of the Federal Central Valley project under Federal Reclamation law. The operation of the joint-use facilities also shall be subject to the obligations and limitations set forth in subsections (h), (i), and (j) of section 3 of the Federal San Luis Act. The State shall not be restricted in the exercise of its allocated right to the use of the capacities of the joint-use facilities for water service outside the Federal San Luis unit.

(c) The operation of the joint-use facilities shall be coordinated with other features of the Federal Central Valley project and the State Water Resources Development system enumerated in the agreement of May 16, 1960, in order to make sufficient water available to meet, insofar as possible, the annual diversion requirements of the United States and the State as set forth in article 12 of that agreement.

(d) In the event an obligation to reimburse the United States arises under subsection (i) of section 3 of the Federal San Luis Act, reimbursement shall be in accordance with terms specified by notice from the United States: *Provided*, That before making a determination that reimbursement is required under said subsection, the United States shall afford the State opportunity to be heard.

TRANSFER OF CARE, OPERATION, AND MAINTENANCE

20. (a) As the joint-use facilities or an operable unit thereof near completion, the United States shall notify the State, and the State shall furnish operating personnel to begin operation and maintenance of the completed works under the direction of the United States. After actual operation of such works has demonstrated to the satisfaction of the State that the design and construction has been properly executed, the United States shall initiate arrangements for an inspection preparatory to transfer from construction status to operation and maintenance status under the State. The inspection shall be made by representatives of the State and United States. Upon agreement by the State and the United States that the joint facility or unit is suitable for operation and maintenance status, and upon agreement as to operating criteria, the State shall assume responsibility for its care, operation, and maintenance.

(b) Upon assumption of care, operation, and maintenance pursuant to this article, the State will operate and maintain such facilities or unit in such a manner that the works shall remain in good and efficient condition to perform the storage and conveyance of water as well and as efficiently as on the date of transfer. No change which is substantial in the opinion of either party shall be made by the State in any of the joint-use facilities without first obtaining the written consent of the United States.

(c) Each joint-use facility or operable unit including appurtenant facilities, equipment, supplies, manuals, and records shall be transferred as a complete unit, insofar as possible, ready for operation in all respects. All replacements, repairs, and maintenance necessary while in construction status shall be made prior to the transfer and the costs shall be treated as construction costs and allocated accordingly.

(1) "Appurtenant facilities" shall include necessary office space, shops, warehouses, personnel housing, communications systems, and any other facilities required for full operation.

(2) "Records" shall include drawings or maps which show all lands, and interests in lands acquired, except temporary construction easements. Right-of-way boundaries shall be referenced to major structures of completed works or to erected permanent monuments. In the case of canals and pipelines, right-of-way boundaries shall be referenced to the center line, as well as major structures, at frequent intervals. The records also shall include "as-built" construction drawings which shall be brought completely up to date before transfer or as soon thereafter as can be reasonably done. In the case of canals and pipelines, which are constructed in sections but transferred as a whole, the "as-built" drawings shall be brought up to date at the conclusion of each contract or as soon thereafter as can be reasonably done.

(d) The State shall undertake promptly any maintenance and replacements on the joint-use facilities which are determined by either party to be necessary. In case of neglect or failure of the State to undertake such maintenance and replacements, after reasonable notice, the United States may cause the work to be done. The cost of maintenance and replacement shall be allocated between the State and the United States as provided in article 21 hereof, except that costs which the State and the United States shall agree are for extraordinary maintenance and replacements shall be allocated in accordance with article 16 hereof.

(e) The United States may from time to time make an appropriate inspection of the facilities and of the books and records of the State to ascertain whether the requirements of this agreement are being satisfactorily performed by the State. Such inspections may include physical inspection of all properties and the operations thereof and audit of the books and records of the State. The cost of such inspections shall be included as a part of the operation and maintenance expense of the joint-use facilities.

CARE, OPERATION, MAINTENANCE, AND REPLACEMENT COSTS

21. (a) The United States and the State shall each pay annually an equitable share of the operation, maintenance, and replacement costs of the joint-use facilities, including claims paid by either party. The method of computation of the share to be paid by each agency shall be mutually agreed to by the State and the United States before the transfer of care, operation, and maintenance of joint-use facilities.

(b) Prior to and following completion of construction and prior to transfer of the joint-use facilities to the State for care,

operation and maintenance, all costs of operation including costs of State operating personnel provided under article 20(a), shall be allocated in accordance with this article.

(c) In order that the United States may adequately justify each of its annual requests to Congress for care, operation, maintenance, and replacement funds, the State, on or before September 1 each year, shall submit to the United States for review and for inclusion in the budget to be submitted to Congress a written proposal describing care, operation, maintenance, and replacement work which the State intends to accomplish during the following fiscal year. The proposal shall set forth the estimated total costs to be incurred for care, operation, maintenance, and replacement of the amount of such costs to be paid by the United States. The State also shall furnish any subsequent revisions of these estimated costs. At monthly intervals during the fiscal year, or less frequently if the parties so agree, the United States shall advance to the State its estimated share of such costs. The appropriate share of each agency's costs shall be adjusted to the actual costs after the end of each fiscal year.

(d) The United States shall be responsible for and shall reimburse the State for the total cost of care, operation, maintenance, and replacement of any facility which is part of the Federal San Luis unit but not part of the joint-use facilities and which is operated by the State at the request of the United States.

RIGHT OF UNITED STATES TO ASSUME CARE, OPERATION, AND MAINTENANCE

22. (a) If the State shall have failed at any time, or from time to time, to comply with articles 19, 20, and 21 of this agreement, the United States may give the State written notice specifying the respect in which the State shall have failed to perform, and in the event the State fails to commence and diligently prosecute to completion the appropriate remedial measures to cure such default within a reasonable time fixed in the notice (but not less than 60 days) following the giving of such notice, the United States may take over the care, operation, and maintenance of the joint-use facilities, and thereafter care for, operate, and maintain the same. The State shall make available to the United States all appurtenant facilities, equipment, supplies, manuals, and records required by the United States.

(b) Whenever the United States shall assumed care, operation, and maintenance of the facilities pursuant to the provisions of subdivision (a) of this Article, the United States, upon written request by the State accompanied by assurances satisfactory to the United States may, upon 60 days' written notice to the State, return care, operation, and maintenance of the facilities to the State under the provisions of this agreement. In like manner, at any time during the period of care, operation, and maintenance by the United States, when in the opinion of the United States the State is in a position to resume care operation, and maintenance of the transferred works, care, operation, and maintenance thereof or any part thereof shall be retransferred to the State.

(c) During periods in which the United States has assumed the care, operation, and maintenance of the joint-use facilities the United States shall submit a statement to the State setting forth the estimated total costs to be incurred for care, operation, maintenance, and replacement during the next fiscal year and the amount of such costs to be paid by the State and also shall furnish any subsequent revisions of these estimates. At monthly intervals, or less frequently if the parties so agree, the State shall advance to the United States its estimated share of such costs. The appropriate share of any unobligated balance shall be returned to the State after the end of the fiscal year.

RECREATIONAL FACILITIES

23. The State shall complete plans for recreational development and shall incorporate in such plans reasonable incidental use of joint-use facilities for recreational purposes. The State shall construct, operate, and maintain all facilities other than joint-use facilities required to carry out such plans, and the cost of such construction, care, operation, and maintenance shall not be included in the cost of the construction, care, operation, and maintenance of the joint-use facilities. To the extent authorized and as agreed to by the parties, the United States shall make available to the State an appropriate share of the cost of construction of public recreational facilities.

TRANSFER OF MANAGEMENT OF FISH AND WILDLIFE RESOURCES

24. The transfer of management of fish and wildlife resources and management of the recreational and related aspects of the joint-use facilities, including water service for all reservoir and forebay perimeter uses other than agricultural uses, to appropriate State agencies or to the counties may be made as mutually agreed to by the parties to this agreement: *Provided*, That the United States shall be the marketing agency for water served directly from San Luis Reservoir and Forebay for agricultural purposes.

CONTINGENT PROVISIONS

25. Performance by the State and the United States shall be contingent on the following events: (1) The availability of Federal appropriations therefor; (2) The availability of State funds.

NOTICES

26. Any notice or announcement which the provisions hereof contemplate shall be given to one of the parties hereto by the other shall be deemed to have been given if deposited in the U.S. Post Office, on the part of the United States in a postage-prepaid envelope addressed to the Department of Water Resources at its office at Sacramento, Calif., or such other address as from time to time may be designated by the Director in a written notice to the contracting officer, and on the part of the State in a postage-prepaid envelope addressed to the Bureau of Reclamation, U.S. Department of the Interior, Sacramento, Calif., or such other address as from time to time may be designated by the contracting officer in a written notice to the State: *Provided, however*, That this article shall not preclude the effective service of any such notice or announcement by other means.

OFFICIALS NOT TO BENEFIT

27. No member of or delegate to Congress or resident commissioner shall be admitted to any share or part of this agreement or to any benefit that may arise herefrom, but this restriction shall not be construed to extend to this agreement if made with a corporation or company for its general benefit.

NONDISCRIMINATION

28. In connection with the performance of work under this contract, the State agrees as follows:

(a) The State will not discriminate against any employee or applicant for employment because of race, creed, color, or national origin. The State will take affirmative action to insure that applicants are employed, and that employees are treated during employment, without regard to their race, creed, color or national origin. Such action shall include, but not be limited to, the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination, rates of pay or other forms of compensation; and selection for training, including apprenticeship. The State agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the United States setting forth the provisions of this nondiscrimination clause.

(b) The State will, in all solicitations or advertisements for employees placed by or on behalf of the State, state that all qualified applicants will receive consideration for employment without regard to race, creed, color, or national origin.

(c) The State will send to each labor union or representative of workers with which it has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the United States, advising the said labor union or workers' representative of the State's commitments under this section, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

(d) The State will comply with all provisions of Executive Order No. 10925 of March 6, 1961, and of the rules, regulations, and relevant orders of the President's Committee on Equal Employment Opportunity created thereby.

(e) The State will furnish all information and reports required by Executive Order No. 10925 of March 6, 1961, and by the rules, regulations, and orders of the said Committee, or pursuant thereto, and will permit access to its books, records, and accounts by the United States and the Committee for purposes of investigation to ascertain compliance with such rules, regulations, and orders.

(f) In the event of the State's noncompliance with the nondiscrimination clauses of this contract or with any of the said rules, regulations, or orders, this contract may be canceled in whole or in part and the State may be declared ineligible for further Government contracts in accordance with procedures authorized in Executive Order No. 10925 of March 6, 1961, and such other sanctions may be imposed and remedies invoked as provided in the said Executive order or by rule, regulation, or order of the President's Committee on Equal Employment Opportunity, or as otherwise provided by law.

(g) The State will include the provisions of the foregoing paragraphs (a) through (f) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the President's Committee on Equal Employment Opportunity issued pursuant to section 303 of Executive Order No. 10925 of March 6, 1961, so that such provisions will be binding upon each subcontractor or vendor. The State will take such action with respect to any subcontract or purchase order as the United States may direct as a means of enforcing such provisions, including sanctions for noncompliance: *Provided, however*, That in the event the State becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the United States, the State may request the United States to enter into such litigation to protect the interest of the United States.

REMEDIES UNDER AGREEMENT NOT EXCLUSIVE—WAIVERS

29. Nothing contained in this agreement shall be construed as in any manner abridging, limiting, or depriving the United States or the State of any means of enforcing any remedy, either at law or in equity, for the breach of any of the provisions hereof which it would otherwise have. Any waiver at any time by either party to this agreement of its rights with respect to a default, or any other matter arising in connection with this agreement, shall not be deemed to be a

waiver with respect to any subsequent default or matter.

INSPECTION OF RECORDS

30. Subject to applicable laws and regulations, the proper officers or agents of either party shall have full and free access at all reasonable times to the account books and official records of the other party, insofar as the same pertains to the matters and things provided for in this agreement, with the right at any time during office hours to make copies thereof.

SUCCESSORS AND ASSIGNS BOUND—LIMITATION

31. This agreement shall be binding upon and inure to the benefit of the successors and assigns of the respective parties hereto, but neither party shall make an assignment under this agreement without the consent of the other.

In witness whereof, the parties hereto, by their respective officers thereunto duly authorized, have duly executed these presents on the day and year first hereinabove written.

Approved as to legal form and sufficiency:
FRANK B. HORNE,
Regional Solicitor, Department of the Interior.

Approved as to legal form and sufficiency:
P. A. TOWNER,
Chief Counsel, Department of Water Resources.

THE UNITED STATES OF AMERICA,
By H. P. DUGAN,
Regional Director, Region 2, Bureau of Reclamation.

STATE OF CALIFORNIA,
By WILLIAM E. WARNE,
Director, Department of Water Resources.
By EDMUND G. BROWN,
Governor of California.

(Chart not printed in RECORD.)

Mr. KUCHEL. Mr. President, first I wish to express my thanks to the senior Senator from Oregon for informing my colleague [Mr. ENGLE] and me some time earlier today that he intended to speak on the San Luis contract and then to submit a resolution requesting the Committee on Interior and Insular Affairs to register its disapproval of the contract. Otherwise I would not have been present in the Chamber this evening. I had two other engagements which would have required my presence elsewhere.

The senior Senator from Oregon [Mr. MORSE], the senior Senator from Illinois [Mr. DOUGLAS], and the junior Senator from Wisconsin [Mr. PROXMIRE] together have submitted a resolution which, if agreed to, would strike a death blow at the people of California and, to that extent, would damage the future of my State.

HISTORY OF SAN LUIS PROJECT

The question before the Senate is very involved and complex legal problem. As best I can, I wish to set forth now some of the history of the San Luis project.

Over the years the economy of California has been immeasurably assisted by Federal reclamation projects. I point out particularly the gigantic undertaking known as Hoover Dam. One of my late, great predecessors as a Senator from California, Senator Hiram W. Johnson, was finally able to fight through the Senate and the House of Representatives a project which now constitutes the difference between economic life and economic death in southern California. Hoover Dam supplies a great deal of the water and a portion of the electric energy necessary to sustain the economy of the southern section of my State.

North of Tehachapi Mountains is a farflung Federal reclamation project known as the Central Valley project, undertaken by the Government of the United States entirely and completely in accordance with the Federal reclamation law. That project brings to the parched areas of northern California supplemental waters, without which the economy of that great section of the State could not support the American citizens who are flocking into that area at a rate now estimated to be 600,000 a year.

The people of California are grateful for what the Federal Government has done for them in constructing reclamation projects. The water and power users who are benefiting from those Federal projects are now repaying into the Federal Treasury the money spent for them.

FEDERAL RECLAMATION LAW UPHELD

I stand on the floor of the Senate as an American Republican Senator ready to defend the Federal reclamation law. The Federal reclamation law has meant a great deal to us in America. The State from which the present occupant of the chair, the Senator from North Dakota [Mr. BURDICK], comes is interested in the continuation of a sound Federal reclamation policy. In the 10 years in which I have been permitted to serve my State in the U.S. Senate I have looked backward with gratitude for what the Senate has done again and again in approving repayable Federal reclamation projects for portions of the State of California.

However, the fact is that the people of California, which in December of this year will become the most populous State in the Union, ought not to look, and cannot look, to the U.S. Senate and the House of Representatives to solve all of our water problems. We ought not to do so, and we do not do so. Over the years local conservancy districts in my State have paid through taxes in excess of $4 billion in order to provide supplemental water for the members of their districts.

PEOPLE OF CALIFORNIA HELP SELVES

A number of years ago people in the government of California concluded that the time had arrived when the people of the State as a whole would be required to undertake a substantial portion of the responsibility of building water projects to serve people. Thus the State water plan of California was evolved. It constitutes an undertaking in the field of conservation and distribution of waters which, when completed, will cost the people of California more than $12 billion.

The great metropolitan area of Los Angeles has continued to grow. My own county of Orange, which adjoins Los Angeles County, is one of the rapidly growing areas in my State. Before World War II, when I practiced law in my home city of Anaheim, the population was about 11,000 to 12,000. Today the population is 111,000.

That is the course of destiny, whether Californians like it or not. Our State has experienced an amazing and unbelieveable increase in people.

SUIT IN SUPREME COURT

Meanwhile, the State of Arizona has filed a lawsuit against the State of California.

Across the street, in the United States Supreme Court, the good people of my neighboring State of Arizona are vigorously asserting claims to waters which flow from the Colorado River into southern California and which today sustain life there. This is the famous case of Arizona against California, argued before the Court this year and now in the process of decision.

So, Republicans and Democrats alike in California recognized that the time had come when the State must itself attempt to take surplus waters from northern California and through a State project, paid for by the people of the State, transport those surplus northern California waters into southern California to sustain the industrious, progressive millions of Californians there.

REFERENDUM ON BONDS FOR WATER PROJECTS

That was the genesis of the Feather River project. The Feather River project is a segment of the State water plan. A few years ago the people of California went to the polls confronted with a problem given to them by the State legislature:

> Do the people of California desire to bond themselves in an amount of $1,750 million in order to construct a gigantic State project from northern California through the Tehachapi Mountains into southern California as far south as the Mexican border?

The people of my State voted to burden themselves for their development and well-being.

So far as I know, California is the only State in this American Union the citizens of which have voluntarily assumed that kind of burden with respect to their own problems of water for the future. There is not another State in America which has done what the State of California has done. I believe it is to the credit of the citizens of California that they have done it.

ONLY ONE SITE SUITABLE

In envisioning the Feather River project to bring northern water into southern California, the State engineers determined that it would be necessary to store water somewhere in the San Joaquin valley to make that project feasible. The engineers went forth in the San Joaquin valley looking for the best available reservoir site at which to construct a State reservoir, to be paid for by State money, with no subsidy of any kind from the Federal Government.

The engineers found a reservoir site. It is the only reservoir site which the good God above us provided in all of San Joaquin valley. It is located at San Luis. That is west of Los Banos. Los Banos is a little to the west and north of the city of Fresno.

Moneys were appropriated by the State legislature, and the area of the dam site at San Luis was purchased by the people of California, with not a nickel's worth of subsidy from the Federal Government. Plans went forward for the State to construct a State reservoir, with State moneys, the use of the water stored therein to be subject to the laws of the State and the people of the State, acting through themselves or through their representatives in the State legislature.

THE CENTRAL VALLEY PROJECT FIGHT

Meanwhile, the Federal Government was operating the magnificent Central Valley project over a farflung area in both the Sacramento Valley and the San Joaquin Valley. The Federal reclamation law applied to it. It ought to apply to it.

I remember the fight when the theory of the Central Valley project was first enunciated in California. I remember the selfish interests who fought the Central Valley project. I remember the private utilities which tried to defeat the Central Valley project.

Greatly to their credit, the people of California approved it, and they wrote the State's participation in the Central Valley project into the laws of California. To the credit of the Government of the United States and the Congress, Federal participation in Central Valley project was worked out in Washington.

The Bureau of Reclamation, with the encouragement of the farmers and the citizens in the San Joaquin Valley, began to develop plans by which a larger Central Valley project service area might obtain supplemental water. The Bureau instructed its engineers to determine what was necessary in order to bring the benefits of Federal reclamation to a larger group of people.

FEDERAL SELECTION OF SAN LUIS

The Federal engineers came back and said they had found a reservoir site. It was at San Luis. They found what the State engineers found. There was only one reservoir site available for the State project and for the Federal project.

There we have the problem, Mr. President. Which sovereign should prevail? Should the State go forward with its new venture, designed primarily to bring water to people, to housewives, and to burgeoning industry, or should the Federal Government go forward to supply cheap water for agriculture?

I said earlier today, and I say most respectfully again, that I think it was to the high credit of the representatives of the Federal Government and of the State government that they agreed that that one reservoir site could be used for both the State project and the Federal project. Having made that decision, they determined that one reservoir site could hold a reservoir double in size, and thus provide storage capacity to service both sovereigns.

SAN LUIS LEGISLATION

That was the genesis of the San Luis project which I introduced three Congresses ago with my then colleague, Senator Knowland, of California. The Senate put its stamp of approval on that theory in that bill. In the next Congress my friend and able colleague from California [Mr. ENGLE] and I introduced the bill, and it came to the floor. I remember the debate that then ensued.

One vigorous and heated part of the debate on the San Luis legislation was with respect to what the Senator from Oregon refers to as the debate over section 6(a). The same provision was called section 7 in the companion bill in the House. The debate continued for many hours. My friend from Oregon and others contended that that provision of the bill ought to be taken out; others of us claimed it should not; still others said it made no difference whether it was in or out, because it was surplus.

In a word, the contested section of the San Luis legislation, approved by both Senate and House, provided:

> Federal reclamation laws shall not be applicable to areas served by the State of California.

FINDINGS OF HOUSE COMMITTEE

Now I shall read what the House report on the San Luis project states on this problem. I quote from page 11 of House Report No. 399, 86th Congress, 1st session, on H.R. 7155:

> Objection was raised in committee to this provision on the ground that it will exempt the State-served lands from the acreage limitation provisions of the Federal laws. In accepting section 7, a majority of the committee points out that there is nothing in the reclamation laws which, in the absence of a provision in the bill affirmatively making the land-limitation provisions applicable in the State-served area, would forbid the State from serving whatever lands it chooses on whatever terms it chooses.

I shall now quote that statement which appears in the report of the House Committee on Interior and Insular Affairs:

> In accepting section 7, a majority of the committee points out that there is nothing in the reclamation laws which, in the absence of a provision in the bill affirmatively making the land-limitation provisions applicable in the State-served area would forbid the State from serving whatever lands it chooses on whatever terms its chooses. In other words, mere deletion of section 7 would not accomplish the purpose of those who advocate requiring owners of the State-served lands to observe the limitations which are imposed on those served by the Federal Government. It is, furthermore, the view of the majority that there is no justification for writing an affirmative provision into the bill which would require such observance. Its reasons for this conclusion are these:
>
> (1) It is only by chance that there is any connection between the Federal and State projects. That connection arises from the physical fact that there is one and only one adequate reservoir site in the area and that both the Federal and State Governments need to use this site. If two sites existed, each government would be free to use one of them on its own terms, and the excess-lands question as applied to State-served lands would not even have arisen.

I agree with that statement and finding by the Committee on Interior and Insular Affairs of the House of Representatives. The Senate struck out of its bill provisions similar to section 7 in the House bill. I wish to be perfectly fair and candid. Some Senators said that meant that the people of California, merely because they were going to pay jointly for and jointly use one reservoir, would have the Government of the United States tell them what to do with their water. Others of us said that that was not so. Others said it did not make any difference; it was surplusage anyway.

QUESTION FOR COURTS

I thought my brother from Oregon made a helpful comment. It was referred to earlier by the distinguished junior Senator from New Mexico [Mr. ANDERSON], chairman of the Committee on Interior and Insular Affairs, when he commented on the record of that debate. I read from the CONGRESSIONAL RECORD, volume 105, part 6, page 79993, in which the distinguished Senator from Oregon said, in part:

> I do not know to what extent the San Luis project may involve both Federal and State waters, but I say that the place to determine that question is in the courts, and not on the floor of the Senate.
>
> I have told the Senator from California that I am not for the application of Federal reclamation laws to solely State waters. It would make no difference if I took an opposite view, because they could not possibly apply. But here we have a singular case, a novel case, a precedent-making case; and I want the precedent to be established by the courts by way of judicial determination, and not on the floor of the Senate by political plays. That is my point. So we should allow this kind of mixed case, in which there is involved a basic Federal dam, without which there would be no project at all, to be decided by the courts. We should leave it to the courts to determine to what extent and in what degree the Federal reclamation laws apply.

Those are the words of the Senator from Oregon in the debate in 1959. I think the verity expressed then exists today. If there is any person in this country who objects to the legality of the contract entered into by the Secretary of the Interior and the Governor of California, let him go across the street and file a lawsuit. That is the point I make.

It has been stated here tonight that this contract ought to be rejected. The bill authorizing the contract was approved in 1959 by the Senate Committee on Interior and Insular Affairs. I call the roll of the members of that committee:

The late James E. Murray, of Montana, chairman. I pay my respects to the late Jim Murray again. He was a devoted, courageous, independent Senator. He was chairman of our committee at the time the San Luis bill was considered and reported.

To continue with the list of members at that time:

Clinton P. Anderson, of New Mexico; Henry M. Jackson, of Washington; Joseph C. O'Mahoney, of Wyoming; Alan Bible, of Nevada; Richard L. Neuberger, of Oregon; John A. Carroll, of Colorado; Frank Church, of Idaho; Ernest Gruening, of Alaska; Frank E. Moss, of Utah; Oren E. Long, of Hawaii; Henry C. Dworshak, of Idaho; Thomas H. Kuchel, of California; Barry Goldwater, of Arizona; Gordon Allott, of Colorado; Thomas E. Martin, of Iowa; and Hiram L. Fong, of Hawaii.

When the roll was called in committee, every one of those distinguished and able

Senators on the committee voted in favor of the San Luis project.

TEXT OF LAW

What did the legislation provide? It authorized the Secretary of the Interior and the State government of California to enter into a contract for the joint construction and operation of a storage reservoir at San Luis.

I ask unanimous consent that the text of the San Luis Act be printed at this point in the RECORD.

There being no objection, the act was ordered to be printed in the RECORD, as follows:

PUBLIC LAW 86-488, 86TH CONGRESS (S. 44), JUNE 3, 1960

An Act to authorize the Secretary of Interior to construct the San Luis unit of the Central Valley project, California, to enter into an agreement with the State of California with respect to the construction and operation of such unit, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) for the principal purpose of furnishing water for the irrigation of approximately five hundred thousand acres of land in Merced, Fresno, and Kings Counties, California, hereinafter referred to as the Federal San Luis unit service area, and as incidents thereto of furnishing water for municipal and domestic use and providing recreation and fish and wildlife benefits, the Secretary of the Interior (hereinafter referred to as the Secretary) is authorized to construct, operate, and maintain the San Luis unit as an integral part of the Central Valley project. The principal engineering features of said unit shall be a dam and reservoir at or near the San Luis site, a forebay and afterbay, the San Luis Canal, the Pleasant Valley Canal, and necessary pumping plants, distribution systems, drains, channels, levees, flood works, and related facilities, but no facilities shall be constructed for electric transmission or distribution service which the Secretary determines, on the basis of an offer of a firm fifty-year contract from a local public or private agency, can through such contract be obtained at less cost to the Federal Government than by construction and operation of Government facilities. The works (hereinafter referred to as joint-use facilities) for joint use with the State of California (hereinafter referred to as the State) shall be the dam and reservoir at or near the San Luis site, forebay and afterbay, pumping plants, and the San Luis Canal.

The joint-use facilities consisting of the dam and reservoir shall be constructed, and other joint-use facilities may be constructed, so as to permit future expansion; or the joint-use facilities shall be constructed initially to the capacities necessary to serve both the Federal San Luis unit service area and the State's service area, as hereinafter provided. In constructing, operating, and maintaining the San Luis unit, the Secretary shall be governed by the Federal reclamation laws (Act of June 17, 1902 (32 Stat. 388), and the Acts amendatory thereof or supplementary thereto). Construction of the San Luis unit shall not be commenced until the Secretary has (1) secured, or has satisfactory assurance of his ability to secure, all rights to the use of water which are necessary to carry out the purposes of the unit and the terms and conditions of this Act, and (2) received satisfactory assurance from the State of California that it will make provision for a master drainage outlet and disposal channel for the San Joaquin Valley, as generally outlined in the California water plan, Bulletin Numbered 3, of the California Department of Water Resources, which will adequately serve, by connection therewith, the drainage system for the San Luis unit or has made provision for constructing the San Luis interceptor drain to the delta designed to meet the drainage requirements of the San Luis unit as generally outlined in the report of the Department of the Interior, entitled "San Luis Unit, Central Valley Project," dated December 17, 1956.

(b) No water provided by the Federal San Luis unit shall be delivered in the Federal San Luis service area to any water user for the production on newly irrigated lands of any basic agricultural commodity, as defined in the Agricultural Act of 1949, or any amendment thereof, if the total supply of such commodity as estimated by the Secretary of Agriculture for the marketing year in which the bulk of the crop would normally be marketed and which will be in excess of the normal supply as defined in section 301 (b)(10) of the Agricultural Adjustment Act of 1938, as amended, unless the Secretary calls for an increase in production of such commodity in the interest of national security.

SEC. 2. The Secretary is authorized, on behalf of the United States, to negotiate and enter into an agreement with the State of California providing for coordinated operation of the San Luis unit, including the joint-use facilities, in order that the State may, without cost to the United States, deliver water in service areas outside the Federal San Luis unit service area as described in the report of the Department of the Interior, entitled "San Luis Unit, Central Valley Project", dated December 17, 1956. Said agreement shall recite that the liability of the United States thereunder is contingent upon the availability of appropriations to carry out its obligations under the same. No funds shall be appropriated to commence construction of the San Luis unit under any such agreement, except for the preparation of designs and specifications and other preliminary work, prior to ninety calendar days (which ninety days, however, shall not include days on which either the House of Representatives or the Senate is not in session because of an adjournment of more than three calendar days to a day certain) after it has been submitted to the Congress, and then only if neither the House nor the Senate Interior and Insular Affairs Committee has disapproved it by committee resolution within said ninety days.

If such an agreement has not been executed by January 1, 1962, and if, after consultation with the Governor of the State, the Secretary determines that the prospects of reaching accord on the terms thereof are not reasonably firm, he may proceed to construct and operate the San Luis unit in accordance with section 1 of this Act: *Provided*, That if the Secretary so determines he shall report thereon to the Congress and shall not commence construction for ninety calendar days from the date of his report (which ninety days, however, shall not include days on which either the House of Representatives or the Senate is not in session because of an adjournment of more than three days). In considering the prospects of reaching accord on the terms of the agreement the Secretary shall give substantial weight to any relevant affirmative action theretofore taken by the State, including the enactment of State legislation authorizing the State to acquire and convey to the United States title to lands to be used for the San Luis unit or assistance given by it in financing Federal design and construction of the unit. The authority conferred upon the Secretary by the first sentence of this section shall not, except as is otherwise provided in this section, be construed as a limitation upon the exercise by him of the authority conferred in section 1 of this Act, but if the State shall agree that, if it later enlarges the joint-use facilities, or any of them, it will pay an equitable share of the cost to the United States of those facilities as initially constructed before utilizing them for the storage or delivery of water and will bear the entire cost of enlarging the same and if, as a part of said equitable share, it makes available to the Secretary sufficient funds to pay the additional cost of designing and constructing the joint-use facilities so as to permit enlargement, it shall have an irrevocable right to enlarge or modify such facilities at any time in the future, and a perpetual right to the use of such additional capacity: *Provided*, That the performance of such work by the State, after approval of its plans by the Secretary, shall be so carried on as not to interfere unduly with the operation of the project for the purposes set forth in section 1 of this Act and the use of the additional capacity for water service shall be limited to service outside of the Federal San Luis unit service area: *And provided further*, That this right may be relinquished by the State at any time at its option.

SEC. 3. The agreement between the United States and the State referred to in section 2 of this Act shall provide, among other things, that—

(a) the joint-use facilities to be constructed by the Secretary shall be so designed and constructed to such capacities and in such manner as to permit either (i) immediate integration and coordinated operation with the State's water projects by providing, among other things a capacity in San Luis Reservoir of approximately two million one hundred thousand acre-feet and corresponding capacities in the other joint-use facilities or (ii) such subsequent enlargement or other modification as may be required for integration and coordinated operation therewith;

(b) the State shall make available to the Secretary during the construction period sufficient funds to pay an equitable share of the construction costs of any facilities designed and constructed as provided in paragraph (a) above. The State contribution shall be made in annual installments, each of which bears approximately the same ratio to total expenditures during that year as the total of the State's share bears to the total cost of the facilities; the State may make advances to the United States in order to maintain a timely construction schedule of the joint-use facilities and the works of the San Luis unit to be used by the State and the United States;

(c) the State may at any time after approval of its plans by the Secretary and at its own expense enlarge or modify San Luis Dam and Reservoir and other facilities to be used jointly by the State and the United States, but the performance of such work shall be so carried on as not to interfere unduly with the operation of the San Luis unit for the purposes set forth in section 1 of this Act;

(d) the United States and the State shall each pay annually an equitable share of the operation, maintenance, and replacement costs of the joint-use facilities;

(e) promptly after execution of this agreement between the Secretary and the State, and for the purpose of said agreement, the State shall convey to the United States title to any lands, easements, and rights-of-way which it then owns and which are required for the joint-use facilities. The State shall be given credit for the costs of these lands, easements, and rights-of-way toward its share of the construction cost of the joint-use facilities. The State shall likewise be given credit for any funds advanced by it to the Secretary for preparation of designs and specifications or for any other work in connection with the joint-use facilities;

(f) the rights to the use of capacities of the joint-use facilities of the San Luis unit shall be allocated to the United States and the State, respectively, in such manner as may be mutually agreed upon. The United States shall not be restricted in the exercise of its right so allocated, which shall be sufficient to carry out the purposes of section 1 of this Act and which shall extend throughout the repayment period and so long thereafter as title to the works remains in the United States. The State shall not be restricted in the exercise of its allocated right to the use of the capacities of the joint-use facilities for water service outside the Federal San Luis unit service area;

(g) the Secretary may turn over to the State the care, operation, and maintenance of any works of the San Luis unit which are used jointly by the United States and the State at such time and under such conditions as shall be agreed upon by the Secretary and the State;

(h) notwithstanding transfer of the care, operation, and maintenance of any works to the State, as hereinbefore provided, any organization which has theretofore entered into a contract with the United States under the Reclamation Project Act of 1939, and amendments thereto, for a water supply through the works of the San Luis unit, including joint-use facilities, shall continue to be subject to the same limitations and obligations and to have and to enjoy the same rights which it would have had under its contract with the United States and the provisions of paragraph (4) of section 1 of the Act of July 2, 1956 (70 Stat. 483, 43 U.S.C. 485h-1), in the absence of such transfer, and its enjoyment of such rights shall be without added cost or other detriment arising from such transfer;

(i) if a nonreimbursable allocation to the preservation and propagation of fish and wildlife has been made as provided in section 2 of the Act of August 14, 1946 (60 Stat. 1080, 16 U.S.C. 662), as amended, the features of the unit to which such allocation is attributable shall, notwithstanding transfer of the care, operation, and maintenance to the State, be operated and maintained in such wise as to retain the bases upon which such allocation is premised and, upon failure so to operate and maintain those features, the amount allocated thereto shll become a reimbursable cost to be paid by the State;

(j) the State shall not serve any lands within the Federal San Luis unit service area except as such service is required as a consequence of its acceptance of the care, operation, and maintenance of works under paragraph (g) of this section.

SEC. 4. If the Secretary proceeds to construct, operate, and maintain the San Luis works under the terms of section 1 of this Act solely as a Federal project, the operation shall be subject to the following restriction: Whenever the chlorides in the water at the head of the Dela-Mendota Canal exceed one hundred and fifty parts per million during the months of July, August, and September, the mean daily diversion from the Sacramento-San Joaquin Delta to San Luis unit via Tracy pumping plant and Delta-Mendota Canal as measured at the San Luis pumping plant shall not exceed the mean daily import to the Sacramento Valley from the Trinity project.

SEC. 5. In constructing, operating, and maintaining a drainage system for the San Luis unit, the Secretary is authorized to permit the use thereof by other parties under contracts the terms of which are as nearly similar as is practicable to those required by the Federal reclamation laws in the case of irrigation repayment or service contracts and is further authorized to enter into agreements and participate in construction and operation of drainage facilities designed to serve the general area of which the lands to be served by the San Luis unit are a part, to the extent the works authorized in section 1 of this Act contribute to drainage requirements of said area. The Secretary is also authorized to permit the use of the irrigation facilities of the San Luis unit, including its facilities for supplying pumping energy, under contracts entered into pursuant to section 1 of the Act of February 21, 1911 (36 Stat. 925; 43 U.S.C. 523).

SEC. 6. The Secretary is directed to plan the works authorized in this Act in such a manner as to contemplate and make possible the future provision of Central Valley project service, by way of the Pacheco Tunnel route, to lands and municipalities in Santa Clara, San Benito, Santa Cruz, and Monterey Counties heretofore anticipated as a possibility by the Acts of October 14, 1949 (63 Stat. 852), and August 27, 1958 (72 Stat. 937). Construction of additional works to provide such service shall not be undertaken until a report demonstrating their physical and economic feasibility has been completed, reviewed by the State, and approved by the Secretary, and the works have been authorized by Act of Congress.

SEC. 7. The Secretary is authorized, in connection with the San Luis unit, to construct minimum basic public recreational facilities and to arrange for the operation and maintenance of the same by the State or an appropriate local agency or organization. The cost of such facilities shall be nonreturnable and nonreimbursable under the Federal reclamation laws.

SEC. 8. There is hereby authorized to be appropriated for construction of the works of the San Luis unit, including joint-use facilities, authorized by this Act, other than distribution systems and drains, the sum of $290,430,000, plus such additional amount, if any, as may be required by reason of changes in costs of construction of the types involved in the San Luis unit as shown by engineering indexes. Said base sum of $290,430,000 shall, however, be diminished to the extent that the State makes funds or lands or interests in land available to the Secretary pursuant to section 2 or 3 of this Act which decrease the costs which would be incurred if the works authorized in section 1 of this Act (including provision for their subsequent expansion) were constructed solely as a Federal project. There are also authorized to be appropriated, in addition thereto, such amounts as are required (a) for construction of such distribution systems and drains as are not constructed by local interests, but not to exceed in total cost the sum of $192,650,000, and (b) for operation and maintenance of the unit: *Provided*, That no funds shall be appropriated for construction of distribution systems and drains prior to ninety calendar days (which ninety days, however, shall not include days on which either the House of Representatives or the Senate is not in session because of an adjournment of more than three calendar days to a day certain) after a contract has been submitted to the Congress calling for complete repayment of the distribution systems and drains within a period of forty years from the date such works are placed in service. All moneys received by the Secretary from the State under this Act shall be covered into the same accounts as moneys appropriated hereunder and shall be available, without further appropriation, to carry out the purposes of this Act.

Mr. KUCHEL. Mr. President, the law set forth certain standards and the authority. Secretary Udall, representing the Kennedy administration, and Mr. Brown, Governor of California, entered into a contract to provide for this joint undertaking.

The Secretary of the Interior, as he should have done, asked his own solicitor for an opinion as to whether the acreage limitation provisions of Federal reclamation law must be written into the contract with respect to the State-service area. That opinion is being made a part of this RECORD. I quote one pertinent part of it, as follows:

> Since the San Luis Act and national reclamation policy do not require the application of Federal acreage limitations to the State service area, and since the application of Federal law to the State service area would clash with another basic national policy to leave the State free where Federal interests are not impaired, I have concluded that Federal acreage limitations do not apply to the State service area and that the proposed agreement for San Luis may be signed by you in its present form.

ATTORNEY GENERAL CONCURS

That is the official opinion of the Solicitor of the Department of the Interior. I think it is a correct opinion; so does the Attorney General of the United States, Hon. Robert Kennedy. Mr. President, I must say that it surprises me that a Member of Congress should want to have the Federal Government stretch its arm out into any State and tell the State how it must use its waters.

I take it that it is contended here by some that because there is a joint use of one reservoir, a contamination of the independent right of the people of our State results, thus causing them to lose their right to determine what they want to do with their waters in a system for which they are assuming full payment.

As has been suggested earlier, the Attorney General of the United States, Robert Kennedy, reviewed the position taken by the Solicitor of the Department of the Interior, and, in responding to a request from the Secretary of the Interior, Mr. Udall, said:

> After a careful examination of the relevant laws and legislative history, I concur in the conclusion of your Solicitor that the San Luis Act does not require that an agreement executed by you and the State of California contain provisions imposing the acreage restriction upon the State service area.

Mr. President, it is true that after the Attorney General of the United States thus confirmed the views of the Solicitor of the Department of the Interior, he went on to make a further statement, as my friend, the Senator from Oregon, has said. The Attorney General suggested—my friend, the Senator from Oregon, earlier tonight used the word "demanded," but I think it was merely a suggestion, not a demand—that Congress reexamine the question of the applicability of the Federal acreage limitation to the State service area.

CONGRESS HAS MADE DETERMINATION

If—as the Attorney General of the United States himself has concluded—the Congress ruled on this question when it passed the San Luis Act, why should the Congress be compelled to do so again? The Constitution of the United States does not require that a bill be passed twice before it shall become effective. I suggest that that part of the comments incorporated in the opinion of the Attorney General does not bear at all on his decision. His decision is that as to lands served through action of the people of California under

the Feather River project, to be paid for by the people of California, such lands are not required to be subject to the Federal acreage limitations.

This is not the first time that we have listened to debate on the problems incident to a jurisdictional dispute between the Federal Government and a State government, particularly with respect to water. There is now pending in the Committee on Interior and Insular Affairs, of which I am a member, a bill which seeks to eliminate a part of that jurisdictional strife between the Federal Government and the State of California. I hope the Senate will have an opportunity to pass judgment on it.

However, the fact remains that all too often we find in Washington, the National Capital, some persons who would like to have the Federal Government take over a little more of the responsibilities of the people of the States to decide their own problems, and would like to have the Federal Government purport to decide them here in Washington.

COMMITTEE HAS FULFILLED ITS RESPONSIBILITY

The regrettable resolution of my friend the Senator from Oregon has now been referred by the Chair to the Senate Committee on Interior and Insular Affairs. Earlier, the Senate heard the chairman of the Senate Committee on Interior and Insular Affairs speak. Two months ago the Senate Committee on Interior and Insular Affairs discharged its responsibility under the San Luis Act. The Senate Committee on Interior and Insular Affairs, in assuming the responsibility it has under the San Luis Act, considered this problem, and determined that there was no basis on which this contract should be rejected.

So, Mr. President, I hope and pray, and I have some slight reason to believe, that the members of the Senate Committee on Interior and Insular Affairs will take the same position with respect to the renewed assaults on this contract now being made by a very able Senator, who in this instance is simply wrong, wrong, wrong.

I do not for a moment deny the hazards of the possibility of unjust enrichment through the use of State moneys in the State project. I state affirmatively that that problem ought to be dealt with by the people of California and by their representatives, and not by the Congress of the United States.

CALIFORNIA'S PROBLEMS RECOGNIZED

Mr. President, several years ago, I had an opportunity to stand on this floor and debate the San Luis legislation which I helped get through the Interior Committee. When I saw it passed by the Senate, and subsequently passed by the House of Representatives, and subsequently become the law of this land when President Eisenhower affixed his signature to the bill, I permitted myself some inward pride. It is a wonderful thing to be able to come to the U.S. Senate, representing one's own people, and obtain recognition of the problems which one's own people have, and, in accordance with the terms of the Constitution, see the Congress of the United States offer a helping hand.

The San Luis project legislation and the San Luis contract are great milestones in the development of the State where I was born, where my father was born, where my immigrant grandfather came more than a century ago to live his life, and where, when I leave the U.S. Senate, I shall return—to California—to live out my life. What has been done by the Federal Government—first the Congress, and now the executive branch—in bringing into fruition the dreams of engineers and the dreams of the people of California in the joint construction and in the joint operation of one massive reservoir, ought not now in any fashion be frustrated as that dream begins to come true.

APPROVAL OF RESOLUTION WOULD BE DISASTROUS

If, as I said earlier—God forbid—the resolution of my three brethren were to be approved by the Committee on Interior and Insular Affairs, the Senate would frustrate and destroy many of the high hopes for the future of the people of the State of California, from which I come. That simply must not be; and, no matter how lurid or colorful are the charges which have been voiced against the contract here tonight by my colleagues, I say, Mr. President, that those charges are provably wrong, and the Senate ought not to approve an erroneous and false resolution based on erroneous and false premises, and mistaken philosophy.

Mr. President, I ask unanimous consent that excerpts from an article on this same problem, which I prepared for the Washington Post and Times Herald, which was published on March 4, on the San Luis contract be printed in the RECORD.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

> Some people now demand the contract be repudiated. They would tear down long years of planning to bring water to dry areas of California. They would frustrate and destroy my State's growth and future development.
>
> A few fancifully talk about "substitution of sound peacetime (Federal) development programs for defense spending." That is living in a dream world. California ought to be given credit for wanting to do all that it can for its own people. Of course, we need continued Federal help. But Congress ought not to be asked to assume the entire cost of satisfying our thirst. And I respectfully suggest there can be no "substitution" for "defense spending," particularly when we are about to increase defense spending this year by billions of dollars.
>
> I believe the intent of Congress, the rule of reason and the interest of the public require approval of the San Luis contract.
>
> The joint reservoir will serve both sovereigns. From the Federal standpoint, it will save money. According to the reclamation commissioner, were the dam to be constructed by the Federal Government alone to serve the Federal service area alone, Uncle Sam's cost would be $226,038,000. But through joint construction with State participation, the Federal share of joint costs to achieve the same service to the Federal area would be $196,211,000. The commissioner reports a Federal saving of $31,211,000 on a joint facility.
>
> Federal projects provide cheap water for farmers. Federal law makes no interest charge against the irrigator; power revenues reduce the cost of water to him. In the Central Valley Project the farmer pays $3.50 per acre-foot, as against a charge of $20 per acre-foot which the State must charge for its water, regardless of use.
>
> The State's Feather River project water will be expensive. All users, municipal, industrial, or farmer, will pay the same interest on the $1,750 million bonds. The project is power deficient. Thus, it must buy power for pumping. In the future as in the past, California farmers will continue to look to Federal reclamation projects, acreage limitation, and all, for their main source of supplemental water. Most of the Feather River water will go to cities and to industry. Incidentally, California contracts with irrigation districts provide for a 50-percent cut in delivery for farm use in any period of drought. And they require a $2-per-acre-foot surcharge on water delivered to excess (over 160 acres) lands. Thus, an excess land owner pays $22 against $3.50 the Federal Government requires.
>
> I am not unmindful of the problem of unjust enrichment. But Congress has neither the right nor the time to assume the responsibilities of the California Legislature. The unassailable fact is that a State project, built by State moneys, ought to furnish water under State law—not Federal law. Federal-State partnership of one reservoir cannot alter that fact.
>
> This contract must not be rejected. To contend that if it were repudiated the Federal Government would immediately supply all the money to solve California's water problems is nonsense.
>
> If the San Luis contract were to be rejected, a cruel, frightful wrong would be done to California. Rather than to attack a joint Federal-State water reservoir, America should salute California for assuming a multibillion-dollar burden. We don't want to dry up and blow away. We are eager for continued Federal cooperation, and we want to do our part. Secretary Udall does not want to dictate how Californians use their own water in their own waterworks. Neither does—nor should—Congress. After all, Californians are people, too.

UNEMPLOYMENT

Mr. MILLER. Mr. President, in his very able speech today, the distinguished Senator from Connecticut [Mr. BUSH] pointed out that this administration is taking the wrong approach in trying to solve the very serious unemployment problem which is with us today.

In this connection, I call attention to the recent proposal of the President, 1 week ago today, to inaugurate a $600 million public works program for the purpose, he said, of helping to relieve the unemployment problem.

In the Washington Post for Thursday, March 29, there appeared a lead editorial entitled "A New WPA?" which I ask unanimous consent to have printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

A NEW WPA?

The President's recommendation for a $600 million public works program correctly diagnoses the need for a stimulus to speed the lagging recovery. His therapy is far more dubious.

The high estimates of gross national product in 1962 put out by the administration have been questionable from the beginning. Events since January have made them more questionable, and the administration seems

about to recognize this. Hence the President proposes to spend a total of $600 million, of which $25 million would go out in fiscal year 1962, if the Congress acts promptly, $350 million in fiscal 1963, $325 million early in fiscal 1964. The money is to be spent on capital projects that can be quickly initiated or accelerated and that can be completed with 12 months after startup. It is to be spent in 968 areas comprising 38 percent of the population.

A program of this sort has the earmarks of economic ineffectiveness and political mischief. The immediate stimulation in any case would be small—witness that only $25 million would be spent in the next 3 months in the uncertain case that the Congress acts promptly. The money would be spread very widely, over 38 percent of the population, which works out at an average of $8.60 per head in those areas. It will not be concentrated on the real trouble spots. To select projects by the criterion that they can be terminated within 12 months means to rule out from the start any new major construction and many other high priority projects. What this comes down to is a new WPA, with priority on getting out the money and only recondary regard for what is produced by it.

The political overtones of the proposal are plainly audible. A wide range of localities, far beyond the areas of greatest need, is made eligible because that is the way to bring on board the necessary number of legislators. This means also that the Administrator, whoever he may be, will have wide latitude in selecting locations. Much money will be wasted doing low priority things to get done a few with high priority. Projects based on such criteria of need, moreover, give little hope of ever coming to a logical end. Permanent pork barrel for the administration is the most likely end of the story.

The economy needs stimulation, but not so desperately that time could not be spared to look for a better way of applying it. Activity continues to go up, after all, and is expected to keep going up. The Nation can afford to do this in a way to get the most for its money. In fact, given the urgent need to raise productivity, it cannot afford to do it any other way. The administration can justify a tax cut that would enlarge the now badly mutilated investment tax credit for new equipment. It can justify public works expenditures for well selected public investment that will increase output in later years. Compared with these alternatives, the WPA approach is the least attractive. Almost 30 years after the invention of that institution, the administration should be able to think of something better.

Mr. MILLER. Mr. President, also, in the Chicago Daily Tribune on the same day, the lead editorial, treating of the same subject, and entitled, "Forward to 1933," merits the attention of the readers of the CONGRESSIONAL RECORD, and I ask unanimous consent that it be inserted in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

FORWARD TO 1933

Part of the original New Deal of Franklin Roosevelt in 1933 was a public works program intended to provide jobs for the unemployed. That faded out with World War II, having accomplished little if anything in whittling down the total of unemployed. Now the New Frontier is back where we started in 1933. Twenty-nine years afterward, Mr. Kennedy wants $600 million for public works.

Representative BLATNIK, of Minnesota, one of the sponsors of the legislation, says that unemployment is "a persistent and menacing domestic problem." While unemployment is down to 5.6 percent of the working force, from a high of 7 percent, the civilian labor force in February was no bigger than it was a year ago. It is thought that the percentage decline does not reflect the hidden unemployed who are not reported because they are not actively looking for jobs.

This is an embarrassment to President Kennedy, who campaigned on the slogan that he was going "to get the country moving again." His union friends of the AFL-CIO are grumbling about the "timidity" of the administration's program.

Unemployment reports show that the economy has not bounced back from recession any more vigorously under Mr. Kennedy than it did under Mr. Eisenhower. The recession ended in February 1961 and the recovery was a year old last month. But the job figures indicate that the recovery has lost steam. Secretary of Commerce Hodges has conceded as much in saying his projections for the first 6 months were too high. This is the only one of the four postwar recoveries with substantially smaller employment gains in the second 6 months of the upturn than in the first 6 months.

In January Mr. Kennedy predicted that national production will hit $600 billion next year and that the economy will provide 5 million more jobs than in 1961. As things are going, these guesses look to be far overstated. Public works programs don't go with prosperity.

The $600 million Mr. Kennedy asks would be diverted to hard-core areas of substantial unemployment. We thought that the area redevelopment program of $390 million passed by Congress a year ago was supposed to correct this very problem. Now $600 million more is to be used to the same purpose in the name of public works.

There is another point Mr. Kennedy might explain. If Government spending is supposed to be the cure for unemployment, why would the cure not be effected by the staggering outlay of $89 billion in the current year and of $92½ billion budgeted by Mr. Kennedy for the year ahead? And how would another $600 million turn the tide when $92½ billion isn't going to do so?

One of these bright days Congress will wake up and discover that the administration has gone about the job of trying to get up a head of steam in the economy in the wrong way. If, instead of doing everything he has done, Mr. Kennedy had done three simple things, he would find that America really was moving.

Those things are (1) to cut Federal spending by billions; (2) to cut income taxes substantially for individuals and corporations, and (3) to allow fast depreciation on investment in new plant and equipment. It is Government itself which is cramping the economy.

MORTGAGE FORECLOSURES

Mr. MILLER. Mr. President, another indication of the serious situation of our economy and of the rather gratuitous suggestion that we are on the high road to recovery and are basking in the warmth of recovery is the situation relating to property foreclosures.

In today's Wall Street Journal, an article entitled "Rising Foreclosures Spur U.S. to Tighten Its Credit Machinery," points out, among other things, that last year lenders foreclosed some 73,000 homes, against 51,000 in 1960 and 44,000 in 1959.

I commend the FHA for steps it is taking in attempting to tighten up and avoid some of the abuses that have been growing and giving rise to unwise borrowing. At the same time I cannot help but recall that just about a year ago on the floor many warnings were sounded against what we called unwise money policies in the expanded housing program which was passed, unfortunately, in the previous session of Congress, and which, among other things, called for practically no downpayment of purchase money and some 35- to 40-year mortgages.

A reading of this article will indicate that the type of purchasing which has taken place tends to stymie the efforts of the FHA and encourages the unfortunate situation which has led to rising foreclosures.

I ask unanimous consent that the article in the Wall Street Journal to which I have referred be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

RISING FORECLOSURES SPUR UNITED STATES TO TIGHTEN ITS CREDIT MACHINERY

Along 5 blocks of Parkview Street on the north edge of Wichita, Kans., a visitor can count 58 houses with small, white placards in the front windows—warning trespassers away from Government property. The not-so-proud owners are the Federal Housing Administration and the Veterans' Administration, stuck after foreclosure of the easy-payment mortgages they insured. On the 14 houses in the 1300 block of nearby Evanston Street, 12 are now in foreclosure proceedings.

In the Lindenwood co-op housing development at the fringe of New York City stand 23 four-apartment structures, mostly vacant. The New York State Employees Retirement System, which loaned $5 million, has foreclosed on their Government-insured mortgages—so FHA is left holding the bag.

In 10 counties of south Florida, FHA's inventory of foreclosed homes has climbed from 40.5 years ago to 1,293, according to Area Director Billy Wilcox. Because of vandalism and deterioration, he figures it will cost $800 or more on the average to refurbish them for resale. Indictments for falsification of some FHA mortgage loan applications are being ground out. Predictions that the FHA will be holding more than 6,000 houses around Miami and Tampa before long are voiced at the agency's Washington headquarters.

TIGHTENING CREDIT MACHINERY

Glimpsing scenes like these, seeing the tide of foreclosures rising nationally, housing chiefs of the Kennedy administration are quietly trying to tighten up home credit machinery. FHA Commissioner Neal Hardy declares with deliberation that if his campaign for better screening is successful, "it might well lead to some increase in rejections" of applications for FHA mortgage insurance. He's calling for "prudence, sound judgment, restraint."

Yet officials find restraint a delicate, difficult business. It was at the Administration's urging that Congress last year made FHA credit terms the easiest ever (downpayments as low as 3 percent of purchase price; 35 or even 40 years to pay). Mr. Hardy still insists that was desirable legislation; he bristles at any suggestion FHA policies are becoming more "conservative." White House economists eager for full recovery and "economic growth" don't want to see a recent dip in housing starts grow deeper. Alabama's JOHN SPARKMAN, chairman of the powerful Senate subcommittee which keeps an eye on housing policy, is among legislators complaining the FHA should show more zeal in lubricating housing credit.

While the Government has been helping hosts of Americans to realize the dream of home ownership, the byproduct has been some nightmares.

ASTONISHED TEXAS BOOKKEEPER

Consider a 33-year-old Texas bookkeeper who just before Christmas moved his family into a new $20,000 home in Dallas, using as a trade-in his previous $13,000 house which carried a VA mortgage. The builder who accepted the trade-in decided it could not be profitably sold, so he made not a single mortgage payment. A few days ago the VA informed the astonished bookkeeper that under the rules of the game he was still liable for the debt on his old house. He faced payments of $120 monthly on his new house plus $76.87 on the old one—a load he considered impossible on a $500 monthly paycheck. So he agreed to foreclosure and will, shortly after a sheriff's sale, be presented by the VA with a bill for more than $1,000.

Note the probe by a Brooklyn, N.Y., grand jury into charges of shoddy construction of hundreds of homes in the Canarsie and Mill Basin neighborhoods. Investigators assertedly found improper fireproofing and drainage and faulty structural beams. Two builders have been indicted thus far. Brooklyn District Attorney Edward S. Silver states, "We had some indications that people in the VA and FHA had received money that they shouldn't have; it has to be checked out." U.S. Attorney Joseph Hoey says this information was "turned over to appropriate agencies. They are investigating to see whether any VA or FHA investigators had received gratuities to which they were not entitled."

FARCICAL CREDIT REPORTING

Home buyers are not the only ones who end up with nightmares. The president of a Miami mortgage company gives this example of what happens with what he calls "the farcical system of credit reporting we've had down here": A clean credit report was received on an applicant for a mortgage; his firm granted it and the VA insured it. Five months later, wanted to resell the mortgage, the firm asked for a supplementary credit report. The credit reporting service, taking another look at its records, found the borrower was not only a slow payer but had been convicted of a felony and indicted for murder.

Government men say they've been fed misleading information on lots of their Florida credit risks. FHA Director Wilcox, after ordering thorough rechecking of applications channeled through his office by "particular suspect operators," found 4 or 5 out of every 100 contained false claims. "Builders, real estate people, or mortgage lenders would tell people how to falsify applications," he says, "or even worse, these poor people signed blank applications, and someone else filled them in." Assistant U.S. Attorney Daniel Pearson, handling legal action on some cases, cites a couple of examples:

Two Miami real estate women, eager to sell a $10,000 house, found a lowly paid maintenance man willing to buy if he could raise a $9,150 FHA loan. His down payment, purportedly his own money, actually included $300 lent by the ladies, and his application was further reinforced by declaration of a fictitious second job.

Still under investigation, says Mr. Pearson, is the case of a young woman who bought a home with FHA blessing, supposedly after having borrowed money and placed it in a bank account to make a synthetic show of sufficient funds. Her application declared she worked full time for a manufacturer, whereas apparently she actually had only part-time employment. Prosecutor Pearson says the case is embarrassing because the woman's employment claim was not verified at the time of application; he says it jeopardizes a fraud case if FHA appears to have been negligent.

FHA's Mr. Wilcox sees only a minor relationship between fraudulent applications and the high foreclosure rate. "The foreclosures were mainly a product of the recession," he asserts. "People moved down here, bought homes, were dropped from their jobs. So they either turned in their keys or just picked up and left."

One of Florida's private mortgage experts puts it this way: "This petty finagling has been practiced in some degree since time immemorial; a broker in his zeal to make a deal, a builder in his zeal to sell a home will make little adjustments. Before the recession when everything was going smoothly, nobody said anything. Along came the downturn and the foreclosures, and now they're investigating the hell out out everything."

CONVENTIONAL MORTGAGES LEAST AFFECTED

While foreclosures are particularly heavy in certain places (the Wichita area, after heavy cutbacks in aircraft employment, has more than 4,000 homes foreclosed or in process of foreclosure, according to its homebuilders' association), a national trend is involved. Last year lenders foreclosed some 73,000 homes against about 51,000 in 1960 and 44,000 in 1959.

Though this is the worse showing since 1940, it is well below the foreclosure totals of the depression thirties. And, of course, only a tiny fraction of all outstanding mortgages are in bad shape. The Mortgage Bankers Association, checking 2.8 million mortgages held by its members last December 31, found that 0.37 percent of those insured by FHA were in foreclosure, and 0.32 percent of those backed by VA. The showing for conventional mortgages, those not insured by the Government, was far better: Only 0.07 percent were in foreclosure.

Harry Held, a senior vice president of big Bowery Savings Bank in New York, notes conventional mortgages are in less difficulty because they usually require downpayments of a quarter or a third of purchase price. He believes unemployment is a minor factor in foreclosure; he thinks that with home prices no longer rising many a couple with marital troubles is just walking out of a Government-insured house in which it has no great equity.

FHA held title to 25,394 homes at the end of 1961, up from 19,765 in midyear and 12,764 at the end of 1960. Its top man, Mr. Hardy, says the rising foreclosures and acquisitions "are becoming sources of concern" though not reaching a level that would strain the Agency's $51 billion insurance reserve fund.

Officials are tackling the default problem in a number of ways:

Better credit reports. A recent sampling of some 1,000 reports handed to the FHA by lenders as part of home buyers' insurance applications showed more than 70 percent were inadequate. About half of those failed to mention past credit delinquencies by the applicant. Mr. Hardy blames plain carelessness on the part of the private credit agencies which prepared the reports for the lenders, plus some deliberate falsehoods. The FHA chief is relying on exhortation to lenders to improve the quality of the credit reports. He has no plan to work up an approved list of credit reporting agencies eligible for FHA work. The VA is stepping up its spot checks of credit reports to verify their accuracy.

SHORTER MORTGAGES STRESSED

Propagandizing for prudence. FHA is stressing to home buyers that shorter term mortgages may be best. Mr. Hardy has circulated a declaration that home buyers "should be fully aware of the savings in interest costs which can result from higher downpayments and financing over a shorter period of time." FHA has mailed out 100,000 brochures to its approved lenders, with a similar message.

Local bans on speculative homebuilding. FHA has proclaimed that in seven Florida counties around Miami and Tampa, and in areas around Midland and Odessa, Tex., it will make no further mortgage insurance commitments to builders except when customers have signed up in advance of construction. Bernard Janis, president of the Miami Home Builders Association and himself a leading builder, says the industry in his area will not feel the impact for about 60 days because of a backlog of prior commitments; but he estimates it could then cut construction about 40 percent.

Close scrutiny of insurance applications. Mortgage lenders have complained bitterly about delays in FHA's processing; the agency takes 4 weeks or more to decide whether to accept or reject an application. Mr. Hardy has promised to cut out unnecessary delays, but he argues this is no time to relax barriers against bad risks. "I'll quit before we start cranking out insurance around here without looking at the applications," he declares.

More research on why mortgages go sour. The Census Bureau in late May will begin interviewing some 3,000 scattered ex-holders of foreclosed FHA, VA and conventional mortgages. Interviewers will ask about the home buyer's housing cost burden as a proportion of his income, and whether layoffs, strikes, sickness or marital spats helped cause the foreclosure. Preliminary interviews in Atlanta show foreclosed people are "happy to talk about what happened."

TARIFFS AND TRADE

Mr. MILLER. Mr. President, in the Wall Street Journal of March 29, 1962, two letters are set forth under the subject "Tariffs and Trade," one by Patrick M. Boarman, associate professor of economics, Bucknell University, and the other by Bruce L. Simpson, president of the National Engineering Co. These letters set forth different viewpoints with respect to the problems of reciprocal trade. Of course, reciprocal trade is going to be one of the most important issues and problems for this session of Congress to work out. I think both sides of the question should be analyzed, in an effort to come up with a fair and balanced answer.

I ask unanimous consent that the very able letters representing different viewpoints be placed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

TARIFFS AND TRADE

THE ISSUE ISN'T TARIFFS

EDITOR, THE WALL STREET JOURNAL:

For an economist who, with the majority of his colleagues, has year in and year out preached the doctrine of free trade, patiently explained the theory of comparative advantage, and exposed the fallacies of the protectionists, it is a peculiarly ungrateful task to have to say nay to the President's proposals for tariff reform. And yet it us urgently necessary that this be said before, in the general euphoria surrounding this venture, we are led to take a step which could end in national disaster.

Let it be said at the outset that tariff reduction is good, and for all those excellent reasons set forth in innumerable textbooks. But tariff reduction is at present only one of the adjustments the United States needs to

make if it is to survive, economically, in changed world surroundings.

Far more important than tariff reform is reform of our internal economy, away from the collectivist-inflationary policies of the Keynesian orthodoxy and back to the principles of a genuinely competitive market economy, to fiscal and monetary discipline in the public and private sectors.

It is one of the ironies of history that the United States, which reached the zenith of its economic power without benefit of Keynesianism, should be clinging doggedly in its hour of distress to economic shibboleths which were the ruination of our neighbors in Europe and which they have long since abandoned. Unless we too abandon these stale and unprofitable doctrines we cannot meet the serious economic challenge which these neighbors—in the Common Market and out of it—are now presenting to us.

There is as yet, unfortunately, little evidence that U.S. policymakers have awakened to the fact that the United States is no longer a free agent in the international economy; that it is no longer able to do what it wants internally, letting the world take the hindmost.

At bottom, the problem facing the Nation is not whether the movement for tariff reform (good in itself) will succeed, but whether domestic inflationary pressures—created by perpetually rising wages and Federal deficits—will be reduced or, optimally, eliminated altogether. If such pressures are not contained, excess demand at home (which is the initial form inflation takes) may be expected to consume exportable resources, thus slowing exports, and to suck in larger quantities of imports. Reduction of tariffs under such circumstances will merely have the effect of accelerating these unfavorable movements in the trade balance.

But let the protectionists, those manipulators of the power of government for selfish advantage, not take comfort in these observations. Only about 30 percent ($6 billion worth) of U.S. imports are directly competitive with American-produced goods. Consequently, the damage to American industry and to American job opportunities from marked increases in imports may not be as severe overall as is sometimes feared (though it is doubtless true that import-caused dislocations in specific industries and in individual firms could be considerable). There can be little doubt, in any case, of the ultimate value of subjecting domestic industry to the fresh winds of foreign competition. Economic stagnation breeds under the mantle of protectionism.

While it is likely, though not certain, that we shall be able to take the longrun structural consequences of increased imports in stride, this is definitely not the case with respect to the short-run balance-of-payments effects of increased imports. It is these effects which demand attention as never before.

Now it is argued that against the possible structural dislocations (unemployment) and the worsening of the balance-of-payments deficit which increased imports would bring about, must be set the presumed rise in exports which the lowering of other counties' tariffs (under a system of mutually negotiated tariff reductions) would induce. But it is precisely here that we find the rub: Will the mere lowering of other countries' tariffs bring about an increase in U.S. exports? Or are there other factors—domestic inflationary pressures, to name one—which would hold back U.S. export growth?

No responsible economist has ever argued for the abolition of all tariffs overnight since the ensuing shortrun dislocations in patterns of consumption, production, and employment could send the economy into a severe tailspin, internally. Moreover, in the present conjuncture, such action could bankrupt us externally as well. But it is the inflationists in our midst and the growth-at-any-cost advocates who make the laudable venture in even gradual tariff reduction so risky.

The issue is not tariff reform or no tariff reform. It is whether we should have tariff reform with, or tariff reform without internal fiscal, monetary, and economic reforms. The American people need to be alerted to the administration's deceitful attempt to befuddle the issues in noble rhetoric: To have it believed that tariffs can be lowered (with impunity) while at the same time the Nation continues its present inflationary course—Federal budget deficits and the coddling of labor bosses—unaltered. The one word which seems not to be present in the vocabulary of the New Frontier is "priorities." Everything is demanded, and promised, at once: From a landing on the moon, medicare for the aged, Federal aid for the colleges, foreign aid for India, shorter workweeks with higher pay, more subsidies for everybody.

According to the sophisticated reasoning of some, unless we Americans join the Common Market, we shall perish economically. Join it, by lowering our tariffs, and we shall be saved. This is not true. None of the nations now members of the Common Market were made economically virtuous by reason of their membership in that economic entity. They were virtuous, or returned to virtue (witness the case of France) prior to and as a condition of such membership. Nor can the United States expect to succeed, inside or outside of the Common Market, unless it mends its domestic ways.

The battle for tariff reform is the wrong battle being fought on the wrong battlefield.

PATRICK M. BOARMAN,
Associate Professor of Economics,
Bucknell University.

LEWISBURG, PA.

A BUSINESSMAN VIEWS TARIFFS

EDITOR, THE WALL STREET JOURNAL:

The lack of constructive argument on the proposed Kennedy tariff bill has anyone with a real acquaintance of our trading conditions abroad aghast at the naivete with which this measure has been accepted.

My claim to speak is based on nearly 30 years of business activity all over the world—particularly in Europe. I have just returned from another month in Europe, where I made a particular effort to inquire into the European Common Market and its effect on us.

First, we are being fed the theory—as a fact—that the European Common Market is a success, and that we better get in now while we can. This is simply not true.

Trade barriers are still up between the members of the European Common Market and will not be eliminated for another 5 years, if then. The elimination is slow, step by slow step; already, many exceptions are being acted on which will result in my opinion, in never bringing about a pure customs union.

Our own legislation, although supposed to span a period of 5 years, gives President Kennedy's Tariff Commission acceleration power—if they want it. We could very well, under the hazy idea of the importance of immediacy, go out ahead of the Common Market and cause the destruction of our protection. Furthermore, the European Common Market is at present a fairly well balanced unit with Germany, France and Belgium supplying industrial products, while Luxembourg, Italy and Holland supply agricultural. No one can forecast what will happen when England with her industrial potential begins to compete industrially, or when Norway and Sweden compete agriculturally. In a word, the European Common Market is at present in a state of flux and will be for some time, yet we are being importuned to take out at least a partial partnership in this unknown quantity.

Second, the political implications of our partial or, someday, full partnership with Europe have never been brought out, presumably because it is felt better tactics to let that happen gradually.

However, it is absolutely clear in Europe that political overtones are already acted upon. Some of these ideas are socialistic in the extreme, and if America were either a part of full partner, and that is the direction, it would ultimately cause a loss of a great part of our sovereignty.

For example, European Common Market officials are now proposing that labor fringe benefits be averaged up to the level of the most advanced member, on the basis that it would give those countries without such benefits an unfair economic advantage. America might, therefore, some day be in a position where, in order to hold a market within this zone, we could be forced to surrender certain rights of choice simply because, unless we did, we could be considered in unfair competition. We might have to give up economic advantages on which we depend.

Third, the effect of tariff cuts in the United States is much too quickly and vaguely put aside.

Considerable credibility is being given to the fact that labor rates in the European Common Market will come up to meet ours. This is simply not true. In our company we employ skilled mechanical engineers and draftsmen at an average rate of $700 a month. They are the best in our industry, and probably in the world, but last month in Europe I checked the rates on these men's opposite numbers in Switzerland, Germany, France, and England, and the rate was never over $200 a month.

Even assuming a 100-percent increase in efficiency for the Americans, that still means we are nearly 100 percent over the European cost in this field. How can we hope to compete in Europe with this disadvantage, particularly with mass produced products where labor is unskilled?

We have had tariffs for a long time. They are part of our calculations as an economic fact, and even if wrong, cannot be quickly altered without considerable adjustment. We have had the Reciprocal Trade Act since Roosevelt's time and generally it has allowed for an orderly adjustment of these matters.

This act already permits our Government to negotiate with others and to make arrangements with due hearings to interested parties, but it does in addition one thing that Mr. Kennedy's new bill proposes to change. It allows Congress to have some control of the procedure. In the new legislation, under the guise of the requirement for more efficient negotiation with the European Common Market, the new Tariff Commission will report to Congress. This means centralization of control in the Executive over tariffs and a surrender to the Executive of the power of Congress.

Section 8 of the Constitution gives to Congress, and only to Congress, the right to impose duties and to regulate commerce with foreign nations. James Monroe, who was responsible for this clause, named it as the most important in the Constitution, because it gave to Congress, the direct representative of the people, the power to adjust inequities.

I am horrified at the lack of thought given to this subject. It seems to me every American should ask himself what this would mean to him personally.

Why, for example, when our favorable balance of trade of $5 billion is eaten up by foreign aid and spending abroad, do we use this solution for attempting to cure our excessive foreign aid commitments?

Why shoud we not wait until the European Common Market becomes successful before we start tearing up our own system? We certainly can negotiate in 3 or 4 years as well as today.

What political implications are involved for us in the future, when we may have to follow our economic commitments which have been made in Europe?

Finally, does anyone really believe that increased imports of textiles from Belgium, electronic equipment from France, electrical components from Holland, machinery from Germany, and clothing from Italy at lower prices than American products, are really going to solve our problems?

BRUCE L. SIMPSON,
President, National Engineering Co.
CHICAGO, ILL.

GROSS NATIONAL PRODUCT AND INDUSTRIAL PRODUCTION

Mr. MILLER. Mr. President, along the line of recovery and prosperity, in today's Journal of Commerce the column known as Newsletter points out an interesting distinction between gross national product and the Federal Reserve Board index of industrial production.

Many comments have been made about gross national product and how it affects the economic well-being of our country. I am not so sure that many people who are talking about gross national product really know how significant it is or how to break it down into its significant parts; but the article in the Journal of Commerce points out we can be misled if we pay to much attention to gross national product, and that what really counts is the Federal Reserve Board's index of industrial production.

I ask unanimous consent that the article under the heading "Newsletter" be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

NEWSLETTER—BUSINESS OUTLOOK: FIRST QUARTER SAW UPTURN FALL OFF TO SLOW WALK

Business activity, moving at a fairly fast clip in the third and fourth quarters of last year, fell off to a slow walk in the first quarter of this year.

Of course, unfavorable weather during January and February is blamed for much of the slowdown. Unquestionably, the weather is a handy whipping boy, particularly since it can't talk back.

Now that spring is busting out all over, business activity is going to have to do better, or some new excuse will have to be found why it isn't.

GNP PARED

Now, the gross national product for the quarter just ended is being estimated at a seasonally adjusted annual rate of $548 billion as compared with earlier estimates of $550 billion or better.

This is an increase of only 1.1 percent from the fourth quarter of last year. In that quarter, GNP showed a gain of 3.1 percent over the third quarter.

The consolation prize is that the estimated first quarter GNP for 1962 was 9.4 percent higher than in the first quarter of 1961.

From the standpoint of determining business trends, it means absolutely nothing that GNP in the first quarter of this year was substantially larger than in the first quarter of last year. Even had it shown a decline from the fourth quarter of a few billion dollars, it still would have been substantially larger than in the first quarter of last year.

The real slackening in the rate of rise has been in the Federal Reserve Board index of industrial production. For the first quarter of this year, with the March index estimated on the basis of preliminary data, it averaged 114.7 percent of its 1957 base, a rise of only 0.7 percent from the fourth quarter, 1961, average of 113.9.

The rate of rise in the FRB production index has been falling steadily. In the second quarter of last year, it rose 5.6 percent, in the third quarter 3.7 percent, and in the fourth quarter 1.7 percent.

If this decline were to continue, the FRB index for the current or second quarter would be below the average for the first quarter.

Such a reversal of the uptrend in industrial production is hardly likely so soon, but it does appear that output in the second quarter is unlikely to average much higher than in the first quarter.

Regardless of everything else, it must be remembered that industrial production was stimulated somewhat in the first quarter by stepped-up steel production and stockpiling of steel against the possibility of a strike.

REVERSE ACTION

In the first quarter of this year, seasonally adjusted steel production was about 13 percent larger than in the fourth quarter of last year, comparing with a gain of less than 1 percent in overall industrial production.

With the threat of a steel strike eliminated, this stimulus to overall industrial output becomes nonexistent. Had it not been for the greater than seasonal rise in steel output, the FRB industrial production index would have averaged no higher in the first quarter than in the fourth quarter of last year.

EXCESSIVE POWER IS THE GREATEST EVIL

Mr. MILLER. Mr. President, in the March 26 issue of the Waterloo (Iowa) Daily Courier is a timely editorial entitled "Excessive Power Is Greatest Evil."

One of the problems we are facing in the United States today is the tendency to a more centralized government and an increased effort on the part of a few planners to try to control and plan the lives of all of us.

This editorial wisely points out the danger of such a trend, and emphasizes that the best ideas for political reform are those which improve the process for balancing off individual needs so that no group has too much power.

I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editoral was ordered to be printed in the RECORD, as follows:

EXCESSIVE POWER IS GREATEST EVIL

The veteran Associated Press news analyst, J. M. Roberts, recently included this comment in his column:

"In more than 30 years I have never known, personally, a Communist or a Fascist who didn't show signs of mental imbalance, in a strictly medical sense. Some of them are smart, but they all think their's is the only way of running things, and that they must fit all men into their mold. A wise man soon learns that there are many good ways of doing almost anything."

That is a wise statement. Political attitudes tend to be determined, not by any objective study of people and situations, but by harrowing personal experiences, feelings of insecurity and antagonism, ambition and self-interest. The Communist idea that greed may be removed from the human heart by attempting to create an economic system where greed is impossible is as false as the Fascist idea that some people are naturally superior and must have power in order for society as a whole to progress.

As a matter of observable fact, humanity is not perfectable by any artificial system or utopian organization which gives supreme power to an individual, a group of individuals or a class. As the wise observation says, power corrupts and absolute power tends to corrupt absolutely. Communism substitutes the lust for power in place of the lust for money; and ultimately those with power seize the material and sensual gratification which their power enables them to obtain.

That system is best in which the individual (both as an individual and as a member of a group) is free to pursue his self-interest and balance his needs against those of other individuals and other groups. Communism and fascism assume an ability and selflessness on the part of a small leader group which cannot exist. To use biological terminology, a nation creature cannot be a wholesome organism when a central brain attempts to direct all of the functions of all of the cells. No brain is adequate enough. Evolution proceeds when each cell surrenders a measure of control to the central governing system only when its own needs are better served thereby.

That is why we are suspicious of any plan which assumes superior intelligence by a central planning group. The best ideas for political reform are those which improve the process for balancing off individual needs so that no group has too much power.

MEDICARE

Mr. MILLER. Mr. President, in the Wall Street Journal for today, April 2, the lead editorial, entitled "Playing Politics With the Aged," merits the attention of all who are interested in the problems of medicare.

We all know that the Kerr-Mills Act has had only a short while for implementation by the various States. In my own State of Iowa the legislature has passed an enabling act, but it has not as yet passed an appropriation to enable our State to obtain the benefits under the Kerr-Mills Act.

My State is typical in this respect. It takes time for our States to move. We are not ready to kick aside the traces and jump into something unless we have a pretty good idea that it will really give the beneficial results intended.

The editorial very aptly points out that States do move slowly, and that we should give the States time to act before we are too sure the Kerr-Mills Act is not as successful as its proponents, the able Senator from Oklahoma and the able Representative from Arkansas, intend it to be.

I ask unanimous consent that the editorial may be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

PLAYING POLITICS WITH THE AGED

In the game of politics, a group that wants to push its own proposal is likely to spend a good deal of time attacking its opponents—and any alternative programs. If the attacks are frequent and violent enough, the opponents will be kept busy defending themselves. And no one is likely to have

much time for calm consideration of the group's own proposal.

This at least seems to be the thinking of the Kennedy administration as it promotes its plan to provide medical care for the aged through social security. One of the prime opponents of the proposal is the American Medical Association, so the AMA now is coming under heavy fire.

John M. Bailey, the Democratic national chairman, charged the other day that the national medical group "has stood for years against the social and economic advances that the Birch Society stands against today." "In fact," Mr. Bailey contended, "the American people are starting to regard the AMA as an ally of the John Birch Society in a surgical mask." One doesn't have to be a fan of the AMA to recognize this as wild political propaganda.

But the Democrats and the administration were not through with the AMA. A few days later, the President welcomed a group of 27 doctors to the White House. The group read a statement signed by 40 doctors who support the administration's medical care program, and the President said he hoped this support would convince other doctors of the wisdom of his plan.

A spokesman for the 27 doctors said he didn't know how many AMA members favored the social security approach but added that 75 percent of the 40 doctors who had signed the statement were members of the AMA. This is proof positive that at least 30 of the AMA's 140,000 members are all for the administration's proposal.

On the same day, Secretary of Health, Education, and Welfare Ribicoff attacked an existing Government program of medical care for the aged. The AMA and many other groups and individuals argue that this program, set up by the Kerr-Mills Act of 1960, deserves a fair test before the Government embarks on anything as extensive as medical care through social security. Under the Kerr-Mills plan, States can set up Federal-State medical programs for persons over 65 whose financial resources are limited; the Federal Government provides at least half of the funds.

So far as Mr. Ribicoff is concerned, the Kerr-Mills plan has already met its test and failed. The findings of a study conducted by his Department, he said, "support the conclusion that to rely on existing public assistance legislation alone as a means of meeting the medical care needs of aged persons would not only fail to cover many aged people in need, but would be very costly in general revenues."

Both Mr. Ribicoff's "study" and its conclusions, we believe, should be scrutinized carefully. The plan is dependent on voluntary action by the States, and State legislatures do not move rapidly. By January, the month on which Mr. Ribicoff's figures were based, 22 States had begun—but had only begun—to participate in the program.

Since January, Mr. Ribicoff concedes, six more States have joined the program. And it is certain there will be others, especially if the prospects for the social security program should dim. Any Government program, as the Secretary certainly should know, tends to grow as time goes along.

And then there's that comment that the Kerr-Mills plan alone would be "very costly." Is Mr. Ribicoff seriously suggesting that it would cost the taxpayers any less to provide medical care for all elderly citizens, whether they need financial help or not, than it would cost merely to care for those in need?

No one we know of is opposing adequate medical care for the elderly. But there is a very real public policy question whether this should be on a voluntary or a compulsory basis. And whatever anyone thinks about that, it's certain there hasn't been time to fairly assess the Kerr-Mills program—or the many new private insurance plans for the elderly.

However smart its politics may be, we can't see how the administration is serving the interests of the elderly or the public with its propaganda mixture of vilification and distortion.

UNITED NATIONS BONDS PURCHASE

Mr. MILLER. Mr. President, I understand that tomorrow the Senate will commence debate on the amendment in the nature of a substitute in respect to the United Nations bond issue. I have a copy of the amendment, offered by the distinguished majority floor leader and by the distinguished minority floor leader.

During the discussion on the amendment today a point was made that, among other things, the substitute would tend to provide an incentive to nations which have not been paying their obligations to the United Nations to start paying up. I believe what was referred to is section 4 of the proposed substitute, which states:

> It is the sense of the Congress that the United States shall use its best efforts to promote a pattern of United Nations financing (including a vigorous program for collection of delinquencies on annual assessments of nations and maintenance of such annual assessments on a current basis) that makes unnecessary any future large-scale borrowing.

Mr. President, I do not know how I shall vote on the substitute amendment. I wish to hear more discussion of it. I cannot find anything in this portion of the substitute which I have read which adds one iota to what is the position of all responsible Members of Congress, and of all responsible officials of this administration and of previous administrations, who have literally shouted it from the rooftops. This is merely an "abracadabra" on the policy, in fact, of all Americans; that is, that all members of the United Nations should pay their obligations.

I have been concerned about whether there is anything meaningful in the proposed United Nations bond issue as originally introduced, as it came from the Senate Committee on Foreign Relations, and as is now apparent in the substitute amendment, to give the leadership which our country must give in promoting the fiscal integrity of nations which at present are behind in their assessments and in their contributions to the United Nations.

I fear, Mr. President, that if we do not take some kind of action which will provide the leadership needed, a great opportunity will be lost.

I thank my able friend from California for yielding to me.

SAN LUIS CONTRACT—A THREAT TO THE 160-ACRE LIMITATION

Mr. MORSE. Mr. President, before I move that the Senate stand in adjournment I feel the highest respect I can pay to my friend from California [Mr. KUCHEL] would be to reply to him. I would not wish to have him think for a moment that he could make a speech on this subject matter and that the Senator from Oregon would be so discourteous as to ignore the speech, because if there is anything I have always wished to extend to my friend from California it is courtesy.

Therefore, in the spirit of courteous reply to my friend from California I wish to tell him I found him exactly as unconvincing tonight as he was in 1959 in regard to the San Luis project.

The Senator seems to be concerned about the arms of the Federal Government. While he was out for dinner I made that part of my speech which dealt with the many organizations in California which are protesting the contract, representing, as I stated, many of the so-called little people, who really are the great substance of this representative democracy. They point out in their petitions, which are being signed by the hundreds, and they point out in the resolutions which they are passing at meetings in California, that they consider there is a great Federal issue involved. They are asking the Federal Government to protect the national land policy.

I devoted myself to a discussion of that this afternoon and evening.

I say to my good friend from California, the great concern he has about the Federal Government involving itself in this matter, which I insist involves Federal policy, is a subject matter which I am sure he will wish to take up with the Californians, and the many organizations they comprise, who are taking exactly the same position as the Senator from Wisconsin, the Senator from Illinois and the Senator from Oregon.

Next I say that the Senator from California pointed out that my resolution is to go to the Senate Committee on Interior and Insular Affairs, which, he says, has already approved of the contract. I point out that we had heard earlier this afternoon of the position taken by the chairman of that committee, the very able Senator from New Mexico [Mr. ANDERSON]. Rightly or wrongly, the Senator from California left me with the impression that he thought the reference of my resolution to the Senate Committee on Interior and Insular Affairs would be more or less an ineffectual parliamentary procedure on my part. I hope not. I hope that after the debate today the Senate Committee on Interior and Insular Affairs will consider the case which was made in opposition to the contract and will at least send to the Senate a formal action for Senate approval or disapproval. I think that is in keeping with the position taken by the Attorney General, when he said he thought this matter should be determined by the Congress itself. It will not be determined by the Congress itself if it is determined by a committee and that is the last we see of it.

I shall be very interested in the transcript tomorrow.

I do not recall suggesting that the Attorney General had demanded that Congress take that course of action, but the Senator from California thinks he heard me make that statement. If he did, I certainly misspoke myself. But I do not recall saying that the Attorney General had demanded that course of action.

Several times I read the recommendation of the Attorney General. His recommendation was that the question be determined by the Congress itself. I agree with him. I think the only way we can have the Congress determine the question is to get it formally before Congress for a vote. I hope that the Senate Committee on Interior and Insular Affairs will give us that opportunity. Every Member of Congress ought to stand up and be counted on the public policy land question.

Although there is not too much time left, I shall watch the calendar. I shall keep in touch with the Committee on Interior and Insular Affairs, and if I should become convinced that the committee does not propose to take action, in adequate time, prior to the expiration of the period, I shall move to discharge the committee from further consideration of my resolution and bring it to the floor of the Senate, which is my parliamentary right. I shall do everything I can to have Members of the Senate stand up and be counted. If the Senate succeeds in evading what I think is an obligation that it owes to the American people on this question of public policy, it will not be because the senior Senator from Oregon did not do what he could under the rules of the Senate to get a vote.

I might be asked why I have postponed until this date a discussion of this subject. I have been prepared for some weeks to discuss the question. In fact, I took the floor of the Senate one afternoon and would have proceeded in a matter of 2 or 3 minutes to start reading the speech on this subject that I delivered today, as I had had it ready for quite some time, when I was prevailed upon by officials of the Senate to postpone a consideration of the question until there could be a further review of it. I always welcome the noncontroversial settlement of an issue if there is a chance to settle it noncontroversially on its merits. So I withheld discussion of the subject.

Last week it became perfectly clear that the question was not to be settled in any other way than to let the decision of the committee stand. Last week I asked the leadership to schedule my speech on this matter early today, and I was told that it would be so scheduled. But a little confusion developed in regard to the time schedule of the Senate later today, and I had no intention of breaking my record of cooperation with the Senate in regard to time schedule. The leadership asked if I would speak later today, after I refused a proposal that I allow some other Senator to obtain the floor and then yield to me, under a limited time schedule. I made it very clear to the leadership that no one would ever tell me how long I should talk in the Senate. I was assured that that was not the intention, but that would have been the effect.

I have cooperated by agreeing to speak at a later hour and on a good many other subjects which I originally had not intended to speak on, but I thought I might as well get them out of the way.

That happens to be the record in regard to the position of the senior Senator from Oregon concerning the time schedule for handling this subject. So let no one say that I did not proceed to take the necessary steps to bring the question before the Senate. It has been before the Senate for quite some time prior to today. But one could say it was before the Senate in a negotiable stage or status. Only when I became convinced that there would not be any noncontroversial settlement of the matter did I notify the leadership last week that the debate would start today. We have had it.

I wish to close by saying that there is another phase of the remarks of my good friend, the Senator from California [Mr. KUCHEL] that leaves me a little perplexed in regard to the nature of the intermingled and joint project. As I told him earlier today, all the denial on the part of the Senators from California as to whether the Ivanhoe case applies would be of no avail so far as the senior Senator from Oregon is concerned, because denial of the existence of a subsidy does not remove the subsidy. One can deny the fact—but he cannot change it by denial—that the Federal aspect of the project is basic to the project and always has been. We talk about the State authorities going out and deciding through their engineers that there was only one place at which a reservoir could be built. That was at San Luis.

That does not in any way change what happened. The fact was that California was very desirous of having millions of American taxpayers' dollars expended for the development of the Federal aspects of the project. They got them, and I am glad they did. They did. The project is a sound one. But when we start talking about State waters, we had better be sure that we know what waters we are talking about.

I point out that the streams tributary to the main stem of the Feather River are streams which, for the most part, originate on Federal lands. When the State of California interested itself in a State program that would create five holding dams, it had to obtain Federal approval, because that water, so far as many of the tributaries of the Feather River are concerned, originates on Federal forest lands. So even at that stage of development there was an intermingled project.

Well, they are going to bring all that water down to the Oroville Dam, which the State proposes to build, and use that as a source of backing up the water. There has been a great deal of talk about building a canal from the Oroville Dam to the San Luis Federal Dam. That has never gotten out of the talking stage. All I know is that one important knowledgeable Californian after another involved in this controversy for a long time report to me and to others that they will never live long enough to see that canal built from the Oroville Dam down to the San Luis Dam, and that it would be an inexcusable waste of money of the taxpayers of California to do so. If anyone wishes to talk about a real hot issue for Californians, just let him advocate that canal, with the Sacramento River not so far away.

All I know is that these Californians, several of them very high in the State government in recent years, and some still high in the State government, have been very frank with me about this. They laugh about it. They said: "We will tell you what will happen. We will put that water from the Oroville Dam into the Sacramento River. That is a God-given canal."

Of course that is a navigable stream. California does not own it.

The Presiding Officer and I and all the people in California and the other 180 million Americans own it.

That presents another interesting problem of intermingling, even if one wanted to claim that this water, much of which came off Federal forest lands and from tributaries off these lands backed up in pools by the Oroville Dam, is State water. If it is put in the Sacramento River, it becomes navigable water.

Then I am told by these high officials, who have been sweating this out for quite some time in California, that the so-called State aspects of the San Luis project involve an understanding that they are going to send this water on down into California from the San Luis Dam for domestic use by housewives and home laundries, and in drinking faucets.

But, I am told, when they floated the bonds, they floated them on the pledge that the water was going to be used for all uses, including agricultural uses. There seems to be a little confusion about that out there now. So we get an ancillary issue being raised, and that is whether or not the purposes for which they thought the bonds were being floated are the purposes for which the water involved will be used.

I have been told by one California official that there are some who look upon this as a full employment bill for lawyers in California, and have thus looked upon it for quite some time. We can well understand how that might be. However, I do not propose to let the internal problems of California, political, economic, or any other, divert me from my responsibility in the Senate, and that is to keep my eyes on the Federal policy question involved. I do not propose to let my very dear friend from California, who talks about California's State water problem, including a discussion of canals, which some people in California tell me will never be built, unless the Sacramento River runs dry, which is not probable, or let political maneuverings inside the State government and outside the State government of California have any influence whatsoever upon the position I take on this contract, even though my good friend thinks I am wrong, and is so very sure I am wrong that he emphasizes it by thrice repetition.

However, I take solace in the fact that if I am so wrong, there are thousands of people in California who are wrong with me, because there are thousands in California who have taken time to find out about this project and who think this contract is dead wrong, that the Secretary of the Interior was dead wrong in negotiating it, and that it ought to be set aside.

I agree with those Californians. When one of the best recognized authorities in all the United States, who happens to be a professor in one of the great institutions of higher learning in California, takes the position that the officials of California are dead wrong in this matter, I am inclined to follow the viewpoint of such a scholar, rather than the political requests of California politicians.

I believe that summarizes pretty well my complete lack of being in any way convinced by the noble effort of my friend from California. We have made clear for the record the wide chasm of difference we have on this matter as a matter of public policy. It may be that the political overtones in an election year on this issue are stronger than reason and may succeed for the time being in setting aside the 160-acre limitation. But that will not end the problem. It will continue to be an issue. The people will continue to take their accounting of the politicians for such a course of action against the public interest.

I should much prefer to see the State of California and the Department of the Interior work out a contract agreement which would really make them more cooperative associates in both a State and Federal water development in California than to go forward now with a contract which will open a Pandora's box of litigation, political controversy, and, judging from many of the communications I receive, a considerable amount of recrimination in the State of California.

All I can do is to plead with the Committee on Interior and Insular Affairs to take another look at this situation; to plead, through the debate this afternoon, with my party's administration to take a look at this matter, because of one thing I am certain—and I close with this statement: The issue will not be settled by the approval of this contract. Its approval will simply lay the foundation for a continuing controversy over this subject until this type of giveaway of a Federal interest is stopped, whether it be in California or Oregon or Florida, or anywhere else in the United States.

I do not believe the American people are ready to sacrifice the greatest protection we have had, since 1902, of the family farm land reform program for the United States. I do not believe they are ready to turn the principle of the 160-acre limitation over to the big corporate farmers of California or any other State, who have always found this arrangement to be a limitation upon their attempts to get a windfall from the Federal Government through the reclamation program, such as they will get if the contract negotiated between the State of California and the Department of the Interior is permitted to stand.

MESSAGE FROM THE HOUSE—ENROLLED BILLS SIGNED

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills:

H.R. 1352. An act for the relief of Giuseppe Aniello;

H.R. 1451. An act for the relief of Mrs. Elfriede Prischl Rogers;

H.R. 1492. An act for the relief of Ernest John Large;

H.R. 1671. An act for the relief of Edvige Cianciulli;

H.R. 2180. An act for the relief of Eugene C. Harter;

H.R. 2684. An act for the relief of Mohan Singh;

H.R. 3105. An act for the relief of Christine Fahrenbruch, a minor;

H.R. 3376. An act for the relief of George A. McDermott;

H.R. 6082. An act for the relief of Mrs. Vartanus Usar;

H.R. 6216. An act for the relief of Theodore T. Reilmann;

H.R. 6276. An act for the relief of Athanasia Dekazos;

H.R. 6343. An act for the relief of Mrs. Izabel A. Miguel;

H.R. 6740. An act for the relief of Teofilo Estoesta;

H.R. 7676. An act for the relief of George W. Ross, Jr.;

H.R. 8422. An act for the relief of Sister M. Theophane (Jane Carroll);

H.R. 8780. An act for the relief of Dr. Carl F. Romney;

H.R. 8781. An act for the relief of Walter Singlevich;

H.R. 8947. An act for the relief of Harry A. Sebert;

H.R. 9612. An act relating to the elections under section 333 of the Internal Revenue Code of 1954 by the shareholders of the G. L. Bernhardt Co., Inc., of Lenoir, N.C.; and

H.R. 10573. An act to grant the American Numismatic Association perpetual succession.

ADJOURNMENT

Mr. MORSE. Mr. President, unless there are other comments, I move that the Senate adjourn until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 9 o'clock and 54 minutes p.m.) the Senate adjourned until tomorrow, Tuesday, April 3, 1962, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate April 2, 1962:

U.S. MARSHAL

Jesse L. Dobbs, of Texas, to be U.S. marshal for the western district of Texas for the term of 4 years, vice Albert W. Saegert, term expired.

DIPLOMATIC AND FOREIGN SERVICE

Edwin M. Martin, of Ohio, a Foreign Service officer of the class of career minister, to be an Assistant Secretary of State.

U.S. ADVISORY COMMISSION ON INFORMATION

The following-named persons to be members of the U.S. Advisory Commission on Information for terms expiring January 27, 1965, and until their successors have been appointed and qualified:

Clark R. Mollenhoff, of Iowa.

Morris S. Novik, of New York.

POSTMASTERS

The following-named persons to be postmasters:

ALABAMA

Virginia H. Phillips, Tuskegee Institute, Ala., in place of Larry Robinson, deceased.

ALASKA

Bertha A. Bousley, Metlakatla, Alaska, in place of J. E. Evans, retired.

ARKANSAS

DeWitt C. Henry, Beebe, Ark., in place of H. A. Webb, removed.

Mary E. Benbrook, Norfork, Ark., in place of W. Q. Swearingen, retired.

CALIFORNIA

Marshall O. Clayton, Corcoran, Calif., in place of E. J. Craghill, retired.

CONNECTICUT

Donald T. Hogan, Plymouth, Conn., in place of M. E. Ryan, retired.

FLORIDA

T. Grayson Screws, Fellsmere, Fla., in place of H. E. Kesler, deceased.

Curtiss W. Hale, Hollywood, Fla., in place of C. W. Ten Eick, retired.

William M. O'Cain, Jasper, Fla., in place of K. L. Sandlin, retired.

Stanley P. Nalls, Lutz, Fla., in place of W. K. Sadler, resigned.

R. Louise Cox, Montverde, Fla., in place of V. M. Cox, retired.

Dale W. Campbell, Roseland, Fla., in place of D. C. Taylor, retired.

GEORGIA

Elizabeth B. Minton, Pine Mountain Valley, Ga., in place of R. O. Minton, retired.

IDAHO

Anna R. Lake, Roberts, Idaho, in place of Clara Hand, retired.

James E. Jensen, Shelley, Idaho, in place of H. T. Leavitt, removed.

IOWA

Deane A. Darrow, Pontanelle, Iowa, in place of E. C. Dodds, retired.

Ross B. Garrett, Glenwood, Iowa, in place of G. L. Pickel, retired.

John F. Loetz, Marquette, Iowa, in place of B. M. Presho, retired.

Eva M. Harman, Plymouth, Iowa, in place of R. D. Claus, deceased.

Edward E. Monteith, Seymour, Iowa, in place of O. G. Sharp, retired.

KANSAS

Gladys E. Higbee, Formoso, Kans., in place of J. F. Higbee, deceased.

John C. Burton, Syracuse, Kans., in place of E. A. Hoppe, deceased.

KENTUCKY

Harry Moberly, Richmond, Ky., in place of O. W. Hisle, retired.

LOUISIANA

Cora E. Johnson, Boyce, La., in place of G. E. Johnson, retired.

MARYLAND

Oran R. Wilkerson, Lexington Park, Md., in place of L. T. Oliver, deceased.

MASSACHUSETTS

Edward C. Berube, Fall River, Mass., in place of J. J. Higgins, retired.

Frank W. MacLaughlin, Gloucester, Mass., in place of D. P. Steele, transferred.

MICHIGAN

Clyde H. Schrock, Bellevue, Mich., in place of M. G. Keith, retired.

Charles G. Osborn, Hart, Mich., in place of H. W. Peacock, retired.

MINNESOTA

Earl C. Mittag, Eagle Bend, Minn., in place of O. B. Weibye, retired.

MISSISSIPPI

Mary A. Thomas, Greenwood Springs, Miss., in place of Erie Riggan, deceased.

James A. Raigins, Jr., Prairie, Miss., in place of I. L. Cain, retired.

MISSOURI

Glynn J. Evans, Carthage, Mo., in place of C. O. Smith, removed.

Truman R. Taylor, Neelyville, Mo., in place of E. S. Foster, retired.

MONTANA

Alice S. Fjell, Birney, Mont., in place of D. W. Carrigan, retired.

NEBRASKA

Thomas E. Dowd, Boys Town, Nebr., in place of Theresa Mullan, retired.

Ignatius A. Polaki, Loup City, Nebr., in place of R. C. Plants, retired.

NEW JERSEY

Claude R. Poyer, Belvidere, N.J., in place of N. H. Deshler, retired.

James P. DeMaio, Sr., Cedar Grove, N.J., in place of O. P. Jacobus, retired.

Francis M. McKenna, Closter, N.J., in place of A. M. Sweet, resigned.

Norman Anderson, Flemington, N.J., in place of Edwin Case, deceased.

C. Wesley Barclay, Ocean City, N.J., in place of T. L. Adams, retired.

Ralph J. Caneva, Park Ridge, N.J., in place of J. J. McNally, retired.

NEW YORK

James F. Hill, Centerport, N.Y., in place of Elizabeth Zoeller, retired.

Oreina L. Lavoie, Champlain, N.Y., in place of E. A. Coonan, deceased.

NORTH CAROLINA

Lemuel V. Young, Candler, N.C., in place of B. E. Brenton, resigned.

OHIO

Joseph M. Bellissimo, Avon Lake, Ohio, in place of F. M. DeChant, retired.

Karl A. Krendl, Spencerville, Ohio, in place of H. W. Rider, deceased.

Claude M. McGee, Wilberforce, Ohio, in place of R. B. Hickman, retired.

OKLAHOMA

Ellen P. Kingery, Billings, Okla., in place of V. C. Ford, retired.

Dale A. Brenner, Blackwell, Okla., in place of J. J. Higgins, resigned.

Willie B. Peacock, Fletcher, Okla.; in place of R. W. Lilly, resigned.

John H. McCasland, Oklahoma City, Okla., in place of F. M. Shaw, deceased.

PENNSYLVANIA

Marie J. Schoppy, Locust Gap, Pa., in place of J. J. McDonnell, removed.

Richard S. Krebs, Milton, Pa., in place of E. M. Crawford, retired.

TENNESSEE

Dorothy M. Barker, Readyville, Tenn., in place of Margaret Root, retired.

TEXAS

Luther G. Pool, Garland, Tex., in place of F. B. Crush, resigned.

Harry H. Mann, Levelland, Tex., in place of Rex Hudson, retired.

VIRGINIA

Lankford D. Malbone, Princess Anne, Va., in place of O. S. Chaplain, retired.

WEST VIRGINIA

Marvin L. Johnson, Logan, W. Va., in place of W. C. Browning, Jr., transferred.

WISCONSIN

Elgin F. Paci, Hillsboro, Wis., in place of E. C. Hammer, transferred.

Benedict C. Krause, Oak Creek, Wis. Office established November 1, 1961.

WYOMING

Clarence L. Campbell, Buffalo, Wyo., in place of T. P. Hill, Jr., retired.

IN THE ARMY

The following-named officers under the provisions of title 10, United States Code, section 3066, to be assigned to positions of importance and responsibility designated by the President under subsection (a) of section 3066, in rank as follows:

Maj. Gen. Charles Hartwell Bonesteel 3d, O18655, Army of the United States (brigadier general, U.S. Army), in the rank of lieutenant general.

Maj. Gen. Louis Watson Truman, O18755, U.S. Army, in the rank of lieutenant general.

IN THE MARINE CORPS

Lt. Gen. Alan Shapley, U.S. Marine Corps, to be placed on the retired list in the grade of lieutenant general in accordance with title 10, United States Code, section 5233.

Having designated, in accordance with the provisions of title 10, United States Code, section 5232, Maj. Gen. Carson A. Roberts, U.S. Marine Corps, for commands and other duties determined by the President to be within the contemplation of said section, I nominate him for appointment to the grade of lieutenant general while so serving.

IN THE AIR FORCE

The following persons for appointment in the Regular Air Force, in the grades indicated, under the provisions of section 8284, title 10, United States Code, with dates of rank to be determined by the Secretary of the Air Force:

To be majors

Richard W. Abele, AO854092.
Edward W. Ahrens, AO661577.
Shelton J. Anthony, Jr., AO830941.
John V. Armitage, AO434968.
Paul E. Bailey, Jr., AO857264.
Roland L. Banks, AO1575710.
Robert L. Barker, AO675022.
Henry G. Bartels, AO583048.
Earl F. Bassett, AO683805.
Max O. Biltoft, AO1637023.
Edward E. Brown, AO855473.
Richard A. Brown, AO937205.
John J. Brunelly, Jr., AO360595.
John R. Burke, AO412727.
Timothy J. Callahan, AO821217.
Julian R. Campbell, AO792368.
Salvadore R. Campisano, AO574144.
Paul T. Carter, AO867810.
Ralph L. Cavalli, AO867850.
Hubert J. Charon, AO678164.
Charles M. Clark, Jr., AO802724.
Victor K. Cline, AO739252.
Fred J. Clubb, AO664527.
John R. Cockley, AO1595427.
Roy W. Coffman, AO934590.
John J. Collins, AO1704165.
Philip S. Cox, AO854157.
Forest B. Crain, AO560846.
Harold S. Criner, AO1640347.
Alfred G. Damron, AO431128.
Thomas P. Davis, Jr., AO823036.
William J. Dess, AO825122.
William H. Diefenderfer, AO452764.
John W. Donahue, AO837793.
Harold A. Dorband, AO672047.
Ralph E. Durant, AO2059752.
Ralph W. Everett, AO759581.
George V. Fagan, AO1580916.
John T. Farady, AO2033126.
Charles L. Farris, AO873214.
Andrew J. Ferland, AO2032195.
Morton Fischer, AO2056367.
Nelson D. Flack, Jr., AO736172.
Bryan A. Flatt, AO666266.
Charles M. Floyd, AO784701.
Eugene A. Fucci, AO693664.
Kenneth A. Fugett, AO671237.
Robert B. Gallman, AO565398.
Everette T. Garrett, AO918234.
Robert G. Goforth, AO387949.
George P. Gould, AO866616.
Harry E. Grafton, AO813688.
Millard P. Gray, AO561134.
Thomas A. Gray, AO668234.
Joseph F. Gricius, Jr., AO861182.
Samuel R. Haggard, AO577795.
Robert S. Hall, AO768528.
George T. Hankins, AO2101546.
George E. Hardy, AO838029.
Harry D. Harrelson, AO1999450.
Harold Hendler, AO935919.
Jesse L. Hendricks, AO873253.
William R. Hipple, AO431363.
Nathan J. Hirsh, AO724043.
John R. Houck, Sr., AO448667.
John W. Houston, AO793774.
Kent P. Howard, AO452698.
William B. Hugill, AO372290.
Matson M. Jacks, AO561351.
Richard E. Jaggers, Jr., AO2076305.
Hubert O. Johnson, Jr., AO409669.
Eli G. Jordan, AO725310.
Robert E. Keir, AO935073.
Melvin R. Keller, AO547220.
Edwin E. Kelly, AO563489.
James J. Kenney, AO743030.
Richard G. Korthals, AO679078.
August R. Lawrence, AO2101974.
Harold C. Leahy, Jr., AO724324.
Andrew J. Ligon, AO726173.
Jesse E. Lloyd, AO2070870.
Edmund M. Manning, Jr., AO1994653.
Julius H. Massey, Jr. AO437247.
Thomas H. Mathieson, AO649519.
Ray F. McKissack, AO590271.
Nelder Medrud, Jr., AO2075022.
Harvey I. Mellion, AO1167114.
Gerald J. Miatech, AO561684.
Willis J. Michael, AO857997.
Julius D. Miller, AO745727.
Winston G. Miller, AO2080751.
Bruce E. Mills, AO758717.
Jerry Mitchell, Jr., AO793359.
Howard A. Moore, AO438257.
Freeman C. Northcott, AO525088.
Russell A. O'Connell, AO732326.
Harry L. Orthman, AO522765.
Cecil E. Petty, AO427654.
Frederick H. Pless, AO649836.
Herman L. Porterfield, Jr., AO649105.
Leo M. Pruett, AO569840.
Robert S. Redpath, AO776038.
Henry H. Reeves, AO399555.
Seymour S. Richmond, AO685958.
Samuel N. Roberto, AO590295.
Lewis M. Robinson, AO664248.
Leopoldo V. Rodriguez, AO664061.
George W. Roust, AO854861.
Ralph R. Ruyle, Jr., AO2062309.
Henry Scheingold, AO706755.
Owen H. Seatz, AO323765.
Roy H. Skeens, AO740965.
Harold R. Slagle, AO663189.
Carl D. Smith, Jr., AO663191.
James P. Smith, AO564326.
James P. Smith, Jr., AO650021.
Keith R. Smith, Jr., AO589785.
Ross E. Smith, AO875860.
William A. Smith, AO640689.
William R. Starr, AO2080932.
Ralph Stephenson, AO798044.
Carl L. Stieg, AO382956.
Charles A. Stone, AO427377.
Jay C. Swearingen, AO589734.
Wesley D. Sweetser, AO435108.
Robert A. Taylor, AO460149.
Derrill D. Trenholm, Jr., AO664848.
Robert L. Underwood, AO776694.
Green M. Wadsworth, Jr., AO1284793.
Donald M. Walker, AO741952.
Dock O. Waller, Jr., AO437291.
Harold W. Wanfried, AO736736.
Francis A. Waterhouse, AO819363.
William H. Wert, Jr., AO927672.
Scott L. Williams, AO874135.
Charles E. Wood, AO443387.
Ward D. Wood, AO673013.
Edward N. Wright, AO354576.
William E. Wright, AO660087.
Edward J. Zawalick, AO832043.
Walter R. Zealand, AO570900.
James A. Zweizig, AO821830.

To be captains

Arthur B. Abrams, AO2095801.
Richard E. Adams, AO3032857.
William A. Anderson, AO872383.
Tommy D. Badley, AO590881.
Donald Bagnard, AO2063330.
Robert D. Baird, AO2229729.
Mack E. Baker, AO784833.
Norman H. Beaulieu, AO2059887.
Theodore F. Beresford, Jr., AO3038531.
Raymond S. Berrier, AO711830.
Mac A. Bigelow, AO810803.
Donald A. Birch, AO933101.
John S. Boeman, AO720429.
James J. Bores, AO839478.
Albert C. Bridges, AO876703.
Robert K. Butler, AO894045.
Jack A. Cahill, AO747735.
Graham M. Carter, AO816993.
James E. Christie, AO1852623.
Cornelius J. Collins, AO676431.
Robert J. Cook, AO931267.
Richard L. Cournoyer, AO667142.
William A. Cox III, AO1857348.
Thomas L. Curkendall, AO2079607.
Jay E. Currie, Jr., AO943320.

John D. Dalton, AO1908310.
George W. Danner, Jr., AO687298.
William R. Darling, AO690634.
Thomas J. Dimalante, AO723590.
Harold R. Dimond, Jr., AO3034509.
Jackie R. Douglas, AO1904280.
James F. Douglas, AO798455.
Warren S. Dronen, AO802265.
Claiborne J. Duhon, Jr., AO2082399.
Stephen R. Dvorchak, AO2210371.
Edward J. Dwight, Jr., AO3038574.
Harry J. Eckhoff, Jr., AO1854897.
Herbert Edson, AO877205.
Harold O. Ekern, AO1904161.
David A. Elliott, AO2249871.
Albert L. Fein, AO859591.
John Ford, AO2081731.
Stanley J. Ford, AO2204960.
June B. Fowler, AO735991.
William G. French, Jr., AO876010.
Curtis R. Fulton, AO1905573.
Norman D. Gibson, AO940814.
Harry W. Glaze, Jr., AO748001.
John B. Greer, Jr., AO872337.
Samuel A. Groening, AO1910235.
Carl A. Group, AO2076632.
Fred V. Gunn, AO773628.
John L. Hahn, AO563191.
Rudolph J. Hamborsky, AO2065275.
Albert C. Hamby, AO937608.
Alfred W. Hammett, Jr., AO590918.
Robert C. Hansch, AO2094857.
James F. Harder, AO774883.
Donald J. Harney, AO2066343.
Jesse B. Havard, AO873813.
Horace P. Hawkes, Jr., AO817208.
William M. Herndon, AO802386.
Frank W. Hewett, AO489130.
Robert C. Hines, AO929435.
John M. Hokanson, AO2208197.
George R. Honold, AO841841.
Eugene P. Horton, AO677008.
Sherll D. Huff, AO590562.
Marion F. Humkey, AO831196.
William H. Jenkins, AO2029396.
George F. D. Jennings, AO781323.
Merrill E. Jensen, AO779877.
William E. Johns, AO671029.
Charles A. Jones, AO2073385.
Wilson H. Jones, AO804346.
Jean A. Kearby, AO696105.
George Kirkpatrick, AO682188.
Charles Konigsberg, AO738414.
Harold N. Kritzberg, AO687380.
George W. Lavie, Jr., AO860515.
Paul A. Lopapa, AO2057968.
Ralph S. Lucardi, AO814714.
Richard D. Machelski, AO825220.
Joseph H. Magrane, AO872927.
Willis P. Mark, AO926545.
Herbert F. Mayes, AO591388.
Mike D. McCarty, AO2060194.
Charles A. McConnell, AO590990.
Robert M. McFarland, AO717465.
Donald J. McGibbon, AO662809.
Charles R. McHenry, AO932556.
Robert I. McSweeney, AO692804.
Russell A. Meier, AO875752.
George P. Menosky, AO590778.
John M. Mickelson, AO2061403.
John H. Mingus, Jr., AO710997.
Harry V. Mitchell, AO2081530.
John A. Moe, AO784501.
Paul W. Montgomery, AO2061028.
Charles W. Moore, AO2093899.
Neal W. Moran, AO1910332.
Joseph R. Morin, AO554139.
Gordon K. Morse, AO872351.
Leonard R. Murph, AO808578.
Phillip L. Newsom, AO706747.
Daniel J. Nielson, AO877312.
John A. Norby, AO1864036.
Raymond A. Normandin, AO697671.
Howard T. Nuckels, AO2228191.
Albert K. Oechsle, AO791724.
Marvin R. Olsen, AO1850681.
Alfred C. Orlowski, AO584021.
Charles W. Parker, AO931260.
Robert E. Patterson, AO2307010.
Oscar W. Payne, AO1910179.
Herschel D. Peel, AO680701.
Kenneth R. Peters, AO2046784.
Norbert V. Phister, AO591025.
David H. Raner, AO762406.
Raymond R. Rath, AO2101686.
John S. Rigden, Jr., AO2073219.
Carroll W. Roberts, AO1905265.
George E. J. Roedner, AO774313.
James W. Ruddell, AO1908478.
Edward J. Sandini, AO783842.
Frank W. Scheible, AO407948.
Frank J. Schelling, AO2061267.
Glenn D. Seanger, AO788969.
Rex O. Shannon, AO767896.
Roscoe T. Sheldon, AO829088.
Donald R. Shilling, AO2027733.
Billy S. Shipley, AO2085214.
Bertram A. Silva, Jr., AO699262.
Billy D. Smith, AO2039035.
Phillip H. Smith, AO591254.
Sidney A. Soanow, AO2075912.
John T. Stark, Jr., AO591068.
Paul A. Steves, AO590662.
Frank A. Stoehrer, AO825707.
William E. Sullivan, AO2074610.
James R. Tackett, AO1856655.
Franklin G. Talley, AO1856514.
Julius H. Taylor, AO2098886.
Ivan B. Thompson, AO562200.
John K. M. C. Tracey, AO589587.
Fred W. Troxel, AO720969.
Robert D. Trudell, AO830120.
Turner O. Veith, Jr., AO1998977.
Henry L. Walker, AO1903039.
Williston L. Warren, Jr., AO770037.
Richard G. Webb, AO3007211.
Francis L. Webre, AO1559634.
Robert V. Welland, AO2094421.
Jerrie C. Wells, AO926373.
John F. Westphal, AO766133.
George T. Wheiden, Jr., AO775680.
William E. Whiteaker, AO550170.
Carl J. Wiederanders, AO881070.
Ernest N. Willard III, AO591284.
William R. Williamson, AO2206542.
Anthony E. Wilson, AO782086.
Charles G. Wilson, AO713034.
Stanton R. Withrow, AO875501.
Wion W. Worsley, AO865265.
William R. Wronski, AO764555.
Robert B. Yandell, AO1852948.
Ivan Yopp, AO1908980.
William B. Young, AO3001508.
William T. Young, AO1588977.
Barr D. Younker, AO838206.
Leroy E. Zirk, AO2062110.

To be first lieutenants

David J. Affholder, AO3094722.
Robert C. Amos, AO3094590.
Roger G. Andrews, AO3094879.
Darrell E. Arendts, AO3094556.
Alan H. Baer, AO3086547.
Edward P. Barrett, AO3093914.
Gayl D. Bernhardt, AO3086461.
Jack W. Beschta, AO3083727.
Frank J. Bielsik, AO3085519.
Norman D. Boice, AO3094901.
Patrick S. Boob, AO3094292.
Gordon S. Boucher, AO3086041.
Richard L. Bousman, AO3094253.
Joseph H. Brewer, Jr., AO3094082.
Arthur A. Brown, AO3086760.
John W. Buchanan, AO3094386.
Roland H. Buster, AO3095187.
Kayland E. Call, AO3085672.
Dennis F. Campbell, AO3094766.
Jerry D. Carson, AO3094821.
Charles D. Carter, AO3093428.
Elaine Y. Casteel, AL3060909.
Leonard P. Chaffin, AO3093459.
Joseph B. Cochran, Jr., AO3086648.
Alberto Condes de la Torre, AO3093999.
Robert A. Cross, AO3083983.
George A. Cude, AO3094910.
Conrad J. Dahl, AO3095082.
Robert L. Dentino, AO3093432.
Philip D. Desjardins, AO3094400.
Edward P. Doherty, AO2205109.
Darrell A. Downing, AO3093892.
Willis E. Easter, AO3094410.
Frank K. Edmondson, Jr., AO3093869.
Don L. Edwards, AO3082621.
Charles D. Eggleston, AO3085719.
Richard F. Engel, AO3086475.
Jerry H. Floyd, AO3095277.
Tedd J. Foote, AO3095094.
Bert L. Frescura, AO3094960.
Willie C. Gardner, Jr., AO3086224.
Ronald Gawlitta, AO3082299.
Floyd D. Gilbert, AO3094795.
Thomas E. Giles, AO3094913.
Theodore A. Hagen, AO3082289.
Joseph D. Haney, AO3086658.
Marion N. Hardesty, AO3085608.
Vincent R. Harter, AO3093170.
Charles K. Hayes, Jr., AO3040399.
Michael M. Hell, AO3086482.
Frederick C. Heinemann III, AO3093583.
John C. Hink, AO3083377.
Joseph M. Hoffman, AO3086566.
Denis E. Hoiberg, AO3093121.
Peter J. Horne, AO3086877.
Leonard W. Houston, AO3087445.
Jay D. Huber, AO3093099.
Loyal J. Huddleston, AO3094529.
Thomas F. Hughes, AO3086655.
Ronald K. Hunt, AO3086345.
Robert J. Irzyk, AO3086878.
Aubrey J. Jackson, AO3094174.
Preston C. Jackson, AO3094771.
Kevin B. Jeffery, AO3086366.
Arnold G. Johnson, AO3093507.
Joseph P. Johnson, Jr., AO3094323.
Carroll G. Jones, AO3086664.
William R. Jones, AO3086729.
Jon C. Kahl, AO3094323.
Charles L. Kirkpatrick, AO3094753.
Edward A. Koechle, AO3093440.
Joseph Koehly, AO3094162.
Stephen M. Korcheck, AO3094818.
Jerry L. Larson, AO3086924.
John K. Larson, AO3095148.
Royce J. Leonard, AO3052889.
Don R. Lewis, AO3095261.
Robert A. Liberty, AO3093279.
Lee H. Lovejoy, AO3086389.
Richard G. Luttrell, AO3094099.
Bruce G. MacLennan, AO3094812.
Ronald A. Martens, AO3085558.
John A. McAndrews, Jr., AO3082489.
Thomas J. McCarron, AO3086322.
Jimmie V. McClain, AO3085072.
George L. McCrea, AO3094033.
James R. McCutcheon, AO3094355.
Bobby J. McDonald, AO3037266.
Marie T. McGrath, AL3060905.
Mary F. McHale, AL3060918.
David R. McNabb, AO3085815.
Gary H. Mears, AO3085902.
Boyd W. Megginson, AO3094672.
James H. Miller, AO3086402.
Ronald A. Mitchell, AO3086455.
Edward R. Molpus, AO3094673.
Francis C. Moriarty, AO3082770.
Russell E. Mull, AO3094990.
Randall E. Murphy, AO3070254.
Richard C. Noakes, AO3094495.
James E. Northup, AO3094631.
Allan M. Norton, AO3093850.
Eleanor M. O'Brien, AL3060913.
Mortimer F. O'Connor, AO3094851.
Jerry L. Oglesby, AO3094945.
Orville V. Olsen, AO3095133.
William M. Orr, Jr., AO3093042.
James H. Page, AO3086508.
David D. Paisley, AO3094791.
David J. Parrish, AO3095190.
Donald T. Perrotta, AO3085429.
Fred A. Petty, AO3073525.
Mell T. Prather, Jr., AO3094366.
David J. Rachofsky, AO3085535.
Walter L. Raynaud, AO3093000.
William R. Reaugh, AO3093447.
Louis H. Reynolds II, AO3083952.
William F. Rice, AO3087094.
John E. Roberts, Jr., AO3095090.
Ivan D. Rosenzweig, AO3094068.
James D. Ross, AO3093254.
Richard H. Ruff, Jr., AO3095017.
Peter D. Savelle, AO3095101.
Norma E. Schluer, AL3060853.
Gerald P. Schwalb, AO3086500.
John M. Schweizer III, AO3086265.
Louis Schweizer, Jr., AO3094764.
Stanley D. Sebring, AO3085576.
Robert F. Smalls, AO3087205.
Anthony F. Spolidoro, AO3206780.
Jimmy J. Stanford, AO3095220.

John S. Stewart, AO3093357.
Leroy B. Sundbom, AO3087397.
Paul N. Swarstrauber, AO3095131.
Richard H. Taylor, AO3093452.
Jane E. Terry, AL3060912.
Ernest B. Thompson III, AO3094714.
Trelles Tidmore, AO3093371.
Gerald E. Timm, AO3094591.
Marvin L. Trice, Jr., AO3094018.
Walter Uhlenhoff, AO3094919.
Joseph W. Underwood, AO3082307.
James T. Wallace, AO3093304.
Gary E. Walton, AO3086435.
Gary L. Wamsley, AO3085953.
George E. Weaver, AO3094236.
Phillip F. Weaver, AO3094530.
William A. Weaver, AO3086814.
Larry L. Weidkamp, AO3087400.
Peter A. Wentz, AO3086699.
Eugene O. Westback, AO3093478.
Patrick W. Whitaker, AO3085977.
Richard W. Wilbur, AO3094858.
James D. Wilger, AO3086860.
James P. Wince, AO3094891.
Stephen C. Wuamett, AO3086678.
Donald C. Wunsch, AO3085130.
Joseph J. Zollmann, AO3087177.

To be second lieutenants

Distinguished Aviation Cadet Graduates

William E. Casey, Jr., AO3121794.
William D. Combest, AO3121901.
John K. Graves, AO3121797.
John L. Kelly, Jr., AO3121844.
George W. Otrin, Jr., AO3117495.

Distinguished Officer Training School Graduates

Christopher I. Branch, AO3120443.
James W. Fisk, AO3120566.
Duane D. Gill, AO3120575.
George F. Hanks, AO3120579.
James J. Holets, AO3120591.
Edward S. Moore II, AO3120636.
Louis J. Samelson, AO3120723.

The following persons for appointment in the Regular Air Force in the grades indicated, under section 8284 of title 10, United States Code, with a view to designation under section 8067 of title 10, United States Code, to perform the duties indicated, and with dates of rank to be prescribed by the Secretary of the Air Force:

To be first lieutenants, USAF (Medical Service)

Julius C. Archie, AO3079208.
Gerald N. Black, AO3078016.
Gene F. Brady, AO3089854.
Raymond A. Brown, AO3089440.
Peter H. Burbank, AO3089505.
Mervin F. Buss, AO3089992.
Donald I. Carter, AO3086274.
Frederick E. Coleman III, AO3079358.
Floyd P. Cooper, Jr., AO3078388.
Paul J. Corrigan, Jr., AO3101062.
Allen L. Crunkilton, AO3079061.
Elbert B. Gray, AO3074265.
James J. Gunter, AO3011638.
Hugh W. Hamlyn, AO3043687.
Leo C. Hedley, AO3089473.
James T. Hodges, AO3089381.
Jordan D. Johnson, AO3046765.
James J. Kehoe, Jr., AO3089626.
Kenneth R. Kwapich, AO3078601.
Joe D. Lindsey, AO3088992.
Thomas K. Massey, AO3086260.
Michael J. Parkhurst, AO3028513.
Mitchell C. Ragland, AO3089959.
James E. Richardson, AO3078539.
Stanley V. Rowney, AO3078286.
Brent C. Seager, AO3089634.
William J. Sears, AO3078723.
Lewis L. Smith, Jr., AO3088637.
William A. Stoker, AO3089423.
Nicholas T. Varkonyi, AO3112276.
Kenneth C. Walker, AO3089555.
George R. Weddington, AO3078477.
James B. Willging, AO3089411.
Robert J. Work, AO3078395.

To be first lieutenants, USAF (Veterinary)

Russell B. Barker, AO 3110716.
Richard A. Boster, AO3111184.
William E. Britz, Jr., AO3090938.
Vernon L. Carter, Jr., AO3089120.
Robert L. Fientge, AO3111021.
Frank C. Fraunfelter, AO3111628.
Wesley E. Jackson, AO3111341.
John T. LaCroix, AO3089080.
William F. MacKenzie, AO3089277.
James L. Murray, AO3088919.
Albert E. New, AO3110932.
William H. Pryor, Jr., AO3090792.
Dewey V. Sturges, AO3091279.
Donald C. Van Riper, AO3110846.
David H. Wood, AO3111220.

To be second lieutenants, USAF (Medical Service)

Valentine J. Belfiglio, AO3091764.
Thomas W. Bingham, AO3091165.
Paul E. Boehm, AO3097956.
Richard F. Boggs, AO3097704.
Raymond P. Conley, AO3106795.
Robert A. English, AO3110985.
David A. Fry, AO3112182.
James E. Gabriel, AO3112388.
William R. Gemma, AO3111340.
Wendell J. Greene, AO3112049.
Richard K. Hartman, AO3091876.
Richard T. Heyart, AO3097001.
Robert G. Houston, AO5702496.
Jack Hudock, AO3111739.
Charles C. Kidd, AO3094112.
Gerald R. Leopold, AO3110814.
William M. Mason, AO3111603.
Donald H. McDougald, AO3091754.
Francis Montague, AO3091341.
James I. Morton, AO3091804.
Howard W. Nickerson, AO3097372.
Clinton R. Park, AO3091697.
George Rider, AO3110712.
Bobbie S. Robison, AO3111841.
Torsten Rothman, AO3097738.
John F. Schulz, AO3111842.
Charles L. Silliman, AO3111855.
Michael F. Smith, AO3105490.
Alfred I. Strentzsch, Jr., AO3111174.
Bernard S. Tatera, AO3073468.
Dean Tillery, AO3061040.
John P. Van Ryseelberge, AO3095873.
Joe B. White, AO3091663.
Robert L. Woodward, AO3091879.

Subject to medical qualification and subject to designation as a distinguished military graduate, the following distinguished military student of the Air Force Reserve Officers' Training Corps for appointment in the Regular Air Force, in the grade of second lieutenant, under the provisions of section 8284, title 10, United States Code, with a view to designation under the provisions of section 8067, title 10, United States Code, to perform medical service duties, date of rank to be determined by the Secretary of the Air Force:

Carlold B. Harrah

Subject to medical qualification and subject to designation as distinguished military graduates, the following distinguished military students of the Air Force Reserve Officers' Training Corps for appointment in the Regular Air Force, in the grade of second lieutenant, under the provisions of section 8284, title 10, United States Code, with dates of rank to be determined by the Secretary of the Air Force:

James L. Ackerman
Donald L. Adams
Joseph F. Aleta
Stephen F. Altick
Edgar A. Altman, Jr.
Frederick H. Ambrosia
Alan H. Ammerman
Robert A. Andersen
William C. Andersen
Kenneth L. Anderson
William D. Anderson
Alan J. Andreoni
James G. Andrus
Joseph W. Ashy
James J. Baber, Jr.
Edmund J. Bak
Alvin F. Baker
Bobby L. Baker
Stanford O. Bardwell
Elliott B. Barnes, Jr.
Clyde E. Barnett
William Barreire
Benjamin B. Barrett III
Robert R. Barthelemy
William R. Baschnagel
Thomas M. Bates
Edward R. Batten
Carl E. Baum
John C. Baum
Larry J. Baumgardner
John M. Beakley
Bruce M. Beale
James W. Beattie
Eurael E. Bell, Jr.
Martin S. Berlin
Robert L. Biehunko
Arthur W. Bikker
Billy J. Bingham
Stuart C. Bischoff
Franklin J. Black
Albert W. Blair
John Blake
Joseph J. Blass
Michael E. Board
Paul I. Bowen
Tandy K. Bozeman
Robert A. Bragaw
Harold K. Bramble
Karl F. Brandt, Jr.
Richard D. Breslin
Robert H. Brookhamer, Jr.
Jack P. Brown, Jr.
Phillip R. Brown
Nelson E. Bruce
David L. Brungart
Elwood D. Bruton
Neil W. Bryant
Robert L. Buchenauer
Thomas F. Bundy, Jr.
Richard E. Bunting
Joseph A. Burkart II
James C. Burrus
William K. Butler
Philip M. Byrne
James E. Cain
John M. Canfield
Marvin L. Cannon
Terrell N. Cantrell
Kenneth W. Cargile
Edward Carlsen, Jr.
David R. Carlson
Peter F. Carpenter
Allen R. Carter, Jr.
Bruce R. Carter
Paul J. Cassidy
Robert T. Cates
Dwight B. Cavender
Charles O. Cecil
Duane B. Chase
James R. Clark
John W. Clark
Raeburn V. Coalson
Donald E. Coates
Donald R. Cochran
Algie J. Conner
Richard A. Connors
Daryle D. Cook
William L. Cope
Jerry Copeland
Stuart G. Cozzens
Gary L. Craig
Kerry J. Crane
Ronald E. Crispe
Thomas A. Crosby
Dennis E. Crouch
Sterling R. Cruger
Jerry H. Crunkleton
Larry K. Dagley
John J. Dalisa, Jr.
Ronnie D. Dalton
Robert P. Daniel
Donald B. Darby
Joseph E. Davies
Robert L. Davis
John A. Decaire
Robert P. Declerck
Joe L. Dewrell
Ernest R. DiPietro, Jr.
Gregory J. Divis
Darryl D. Dixon
Gernot S. Doetsch
Frederick G. Dosher III
Pete C. Dressen
John J. Driscoll
Robert L. Dubois
Lawrence Duffy
John H. Durnin
Charles E. Earnhart
Early T. Eastburn
James S. Egerton
Edward D. Ehrenberger
Richard J. Eichhorn
Paul W. Elder
John R. Erbey
John M. Fabian
Douglas T. Fairfull
Joseph M. Fassero
Peter F. Fausto
Jay S. Fein
Thomas P. Fetters
Fred M. Fink
William D. Fischer
Michael E. Flynn
Woodson M. Fountain
William G. Fox
Charles L. Frazier
Robert C. Frymire
Richard L. Fuller
Robert C. Furst
Jere A. Gainer
William A. Gallant
James S. Gallo
Eliot L. Gardner
James E. Gibson
Robert C. Gilden
Thomas P. Glanton
Kemper J. Gleason
Gary A. Godard
Wesley H. Goddard
Elmer E. Goins, Jr.
Bruce J. Gold
Theodore J. Gooding
Terrence D. Gossett
Sanders W. Grady
Robert C. Granville
Philip J. Greeley
Peter M. Green
John G. Griffith, Jr.
Ritchie L. Griffith
Richard W. Grimm
Charles E. Grinstead
Andrew P. Grose
John A. Grow
Charles P. Guarracino
Larry G. Gutz
Richard E. Hale, Jr.
Jack R. Hall
James H. Hamner
Howard T. Hanson
Richard A. Hanson
Robert G. Hanus
Charles C. Hartman, Jr.
Thomas E. Hassing
Charlie W. Hastings
Charles M. Hebert
Paul J. Hemschoot, Jr.
Arne T. Hendricks
Jon N. Hentoss
Sigwulf Hermann
Aubrey M. Herzik
Thomas C. Hiestand
Gayle W. Hill
James W. Hiller
Jerry M. Hobbs
Robert L. Hohman
Wayne I. Hollrah
David B. Hornbeck
Claude R. Horton, Jr.
Robert M. Howard, Jr.
John E. Howell
William Y. C. Howo
John R. Hugie
David W. Hutzelman
Anthony K. Hyder
Grover E. Jackson
Arlen D. Jameson
Jerry W. Jameson
Joseph F. Janni
Daniel J. Jarboe
Jerome J. Jasinowski
Lawrence W. Jenkins
Thomas L. Jenkins, Jr.
Thomas F. Jerrick
Bruce R. Johnson
Dean A. Johnson
Wesley I. Johnson
Howard Jones, Jr.
Julian W. Jones, Jr.
Patrick L. Jones
Daniel S. Jordan
Charles L. Karr
David Kauffman

John B. Keck
Robert M. Kelley
Virgil K. Kelley, Jr.
Arthur D. Kenney
Thomas E. Kenny
Waldemar K. Kerbel
Thomas J. Kielpinski
Forest M. Kimsey
Claude G. Kincade, Jr.
Eugene V. Kleiser
Robert W. Klotz
Casper H. Klucas
Charles H. Knittle
David B. Knox
Joseph A. Kremers
Gardner D. Krumrey
Robert J. Laacke
Peter D. LaBarge
Robert H. LaBounty
Robert W. Lambert
Paul M. Lang
James R. Langley
Richard L. Laurie
Eugene N. Lazaroff
William M. Leach
Joseph A. Lee
Donald R. Lehman
Charles J. Lemont
Godfrey W. LePage
Darrell J. Leslie
Morris B. Levine
John E. Lewis
Robert L. Liles, Jr.
Roger A. Limeberry
Wayne J. Lobbestael
Michael J. Loparco
Donald C. Lottmann
Bruce J. Lotzbire
Roy R. Love, Jr.
Roger L. Lowther
Terry R. Luke
David A. Lum
Graham D. Lynch
Valentine F. Lynch
David W. MacKenna
Jerry M. Magoulas
Thomas M. Mahon
Edward L. Mahoney
Russell W. Mank, Jr.
Glenn R. Manning
Harry F. Mapp, Jr.
Bernard Marcak
Don M. Martin
Raymond P. D. Massie, Jr.
Van D. Massirer
Egbert D. Maynard, Jr.
John T. McCaffrey
Larry K. McCallon
Michael E. McCarthy
William R. McCarthy
Samuel R. McCleery, Jr.
George E. McClomb
David O. McClure
Gary W. McCollum
Robert J. McConnell
Robert K. McConnell
James M. McCormack
James A. McEwen
Stanley A. McChan
David E. McIntyre
Gary N. McNitt
Cletus D. Meyer
Richard A. Meyer
Robert W. Meyer
Walter D. Meyer
Gary A. Michels
Charles L. Midyett
Herbert R. Miller
Hunter A. Miller
Robert L. Moore
Richard G. Morgan
Larry E. Morris
Robert M. Morton
John A. Muckstadt
Clyde Muirheid III
James V. Mullen
Michael E. Mulligan
Charles R. Munnerlyn
Milledge Murphey III
Gregory R. Myers
Michael R. Myers
Paul D. Myers, Jr.
Kevin M. Nagel
Kenneth L. Nicola
Leslie F. Noell, Jr.
Gary W. North
Francis T. Nuspickel
Robert W. Oakes
Ralph E. Oelmann
Barry J. O'Keefe
James M. Olander
George M. Oliver
David S. Olson
George H. Orlemann
David S. Osterhout
Alan M. Osur
James R. Oswald
Evans T. Parker
Gary L. Parker
John L. Parker
Allen C. Pate
John M. Paul
Winston K. Pendleton
James H. Perkins
John A. Petelin, Jr.
James E. Petersen
David W. Peterson
Edward A. Peterson
Galen N. Peterson
Frederick J. Petzold
Sam Piccolo
James J. Pieri
John D. Pietila
Robert B. Pitner
Charles R. Piver
James M. Pocsik
John E. Polk
Lloyd L. Poulter
Robert L. Proudfit
Lawrence D. Prybil
David A. Purcell, Jr.
William I. Pye, Jr.
Arthur W. Quade
James B. Quigley
Thomas W. Ratterree
Russel J. Reaver
Eric R. Reeves
Robert F. Reiman
Robert B. Rhodes
James C. Richards
Dennis B. Richburg
Albert E. Riester
Paul F. Riffel
Gregory W. Risch
Joseph E. Roberson
Lawrence B. Roberts
Travis L. Roberts
Irl D. Robinson, Jr.
William S. Rosenthal
Patrick H. Rossell
Paul F. Rost
Richard A. Russell
Francis Sabo
Ronald C. Sander
Edwin H. Sasaki
Stanley S. Sattinger
Wayne A. Sawyer
Rodney J. Sayles
Roger R. Schell
Casper J. Schichtle, Jr.
Dennis R. Schmidt
Richard J. Schulte
John J. Schulz
Jay R. Sculley
Daniel R. Seger
Jimmy R. Sharp
Paul D. Sharp
Marvin H. Shaub
Lawrence G. Shaw
Henry E. Shimoi
Ivan J. Singleton
Richard J. Sitars
Robert R. Smedley
Alan T. Smith
Donald N. Smith
Douglas B. Smith, Jr.
Dustan T. Smith
Marvin W. Smith
Maurice M. Smith
Paul D. Smith
Richard C. Smith
Stephen B. Smith
Donald E. Snelling
Terry W. Snyder
David Sons
Robert P. Soutter
William E. Spangler
James D. Spencer
John M. Spencer
Richard J. Stachurski
Leigh E. Stamets
Raymond E. Stedman, Jr.
Brian G. Stephan
Thomas L. Stiles
Richard D. Stonemark
Robert L. Stovall
Dennis J. Strojny
William C. Sydnor
Robert S. Szacik
John D. Talbird, Jr.
Robert J. Talley
George M. Taylor
Warren F. Taylor, Jr.
Joseph L. Templet, Jr.
Jack O. Terry
William A. Thomas, Jr.
Barry L. Thompson
Mark E. Thompson
Charles B. Thorp
Peter W. Tracy
Douglas S. Tremblay
John W. Trojanowski
Brian B. Turner
Frank V. Turner
Peter C. Vanderhoef
Joseph H. Van Deventer, Jr.
Benjamin F. Varn, Jr.
Michael V. Vasilik
Dennis L. Veraldi
David E. Vipperman
Joseph H. Vipperman, Jr.
Richard E. Wagner
Joseph L. C. Wagoner
Damon R. Waitley
Roy G. Webb
David C. Weber
Walter A. Weiss, Jr.
David L. Welton
William L. Whitaker III
Brian E. White
Kenneth O. White
Donald A. Wilkins
Francis F. Williams, Jr.
Dalton N. Wirtanen
Fred H. Wisely
Robert L. Woodard, Jr.
James E. Wren
Robert K. Wright, Jr.
Frederick R. Wrinkle

The following-named cadets, U.S. Air Force Academy, for appointment in the Regular Air Force, in the grade of second lieutenant, effective upon their graduation, under the provisions of section 8284 of title 10, United States Code. Date of rank to be determined by the Secretary of the Air Force:

Wendell Maurice Adams
Robert Minter Alexander
Charles William Allport
Herbert Altman
Jack Lee Anderson
Robert Floyd Anderson
James Roy Annis
Logan Henry Babin, Jr.
Vernon Earl Backman
Samuel James Baker
Frederick Michael Banks
Robert William Bartley
Donald Ralph Baucom
Gary Lee Baughman
Robert Henry Baxter
Bradley Thomas Beck
Conrad Stanley Biegalski
George Joseph Bifolchi
Gordon Francis Billington
Michael Patrick Blaisdell
Peter Bartholomew Bobko
David Curtis Bockelman
Carl Herbert Bolster
Rudolph Norman Bow, Jr.
Franklin Peter Bradstreet
James Martin Brinkman III
John Nicholas Brothers
Christopher Heath Brown
William Arnold Browning
John Martin Brucher
Michael John Butchko, Jr.
Charles Michel Butler
Robert Marion Carn, Jr.
Howard Kaber Carroll
John Leonard Carroll
Linwood Joseph Carver
Thomas Earl Chaklos
Charles Edward Cheeseman, Jr.
Paul Lee Clanton
Kirk Blystone Clark
Ralph Edward Conlan
Edwin Bryan Connerat, Jr.
Robert Justin Connolly
Gerald Fredric Cornetet
Gerald Allen Daniel
Jerry Wayne Daugherty
Robert Frederick Davey
Robert David DeBerry
Denis Edward Dehne
James Arthur D'Entremont
Otis Obrey Dinning, Jr.
John Charles Dinsmore
Daniel James Donovan II
Joseph William Dryden, Jr.
Ronald Wesley Duvall
Frederick Theodore Dykes
John Russell Easter
James David Eaton, Jr.
George Mitchell Eckel III
Donald John Egan
John Richard Ellsworth
Geoffrey Peter Engels
Clifford Byron Fallon
Arthur DeWilton Farrington
Robert Louis Feits
John Fer
Dean LeRoy Ferris
Frederick Allen Fiedler
David Albert Fields
Kenneth Scott Fisher
John Francis Flanagan, Jr.
Kenneth Henry Fleming
Ralph C. Ford
Gary Fidel Forrest II
Darrell Leon Fox, Jr.
Charles Stephen Franco
Nicholas Henry Fritz, Jr.
Evan Charles Funk
Beau Ernest Gabel
James Patrick Gallagher
John Albert Geiger, Jr.
Frederick Ernest Gerken, Jr.
Arthur Wilton Gillson
Richard Timothy Gilmartin, Jr.
Maynard Landis Goldsmith, Jr.
Lawrence Lee Gooch
Russell Edward Goodenough
Willie Wallace Gray, Jr.
Robert Duke Green
Terrence Hastings Griffey
Charles Farrell Griffin
Chester Willis Griffin, Jr.
John Francis Guilmartin, Jr.
Charles Ellsworth Hale, Jr.
Lanny Woodrow Hall
Donald James Hallager
Gary Roger Hamrick
David Leslie Harlan
Larry Rheuben Harmon
George Brooks Harrison
William Tarver Harvey
Alexander Howard Calkins Harwick
William Jens Haugen
John Charles Hauschildt
Jack Charles Hauser
Frederic Owen Hawkins
Donald Joe Heacox
Frederick Lee Hendryx
Robert Allen Henshaw
Philip Roman Hepburn, Jr.
Walter Charles Herter
Randolph Bullitt E. Hertzog
John Thomas High III
Joseph Vincent Hines
Richard Lee Hodgkinson
Richard Louis Hoffert
Willmore Frederick Holbrow, Jr.
Robert George Holcomb
David Elwin Holt
Robert Stephen Hopkins
Ralph Jefferson Hornaday, Jr.
William Page Howell
Robert J. Huntsman
Donald Lee Hutchinson
Thomas Hutchison
Edgar Allen Jackson
John William Jamba
Larry Othar Jensen
Niels David Jensen
Leo Johnson
Richard Kent Johnson
Richard Raymond Johnson
Bernard William Johnston
Charles Harlan Johnston, Jr.
Thomas Addis Keaney
Harold George Keck, Jr.
Robert Peter Keighery
Thomas Michael Kennedy, Jr.
Dennis Alan Kepner
Keith Haynes Keppen
Charles Ronald Burns Kirk
Richard Leo Klass
William Nelson Knipp
Richard George Krebs
Robert John Kuchlewski
Kenton Earl Lammers

Lanny Thomas Gus Lancaster
Paul Edward Landers, Jr.
Robert Grantham Lannon
Charles Adolph Larson
George William Larson, Jr.
David Robert Lee
Hamilton Taylor Lenox
Gary Dean Lentz
Robert Henry Lightsey
Dino Angelo Lorenzini
John Neate Luebbermann
George Harry Lyidane
Lawrence Arthur Lynn, Jr.
David Christopher Lyon
James Edwin Mack
Jerome Charles MacLennan
Charles Howard MacNevin
James George Mages
Michael Gray Major
Richard Thomas Mangold
William Harry Mannion
Lyman Whitten Marshall
Harreld Pirtle Martin
Edward Allan Martinelli
Thomas Pearson McAtee
Raymond Merl McClintock, Jr.
Robert Leroy McDonough
Eugene David McHugh
Robert John McNaughton
Philip Alexander Merkel
Stephen Clement Mettler
Roger Thomas Meyers
Richard Stanley Mickel
John Frank Miko
Charles Larry Moore
Thomas Kittrell Moore
Alan LeRoy Mosher
Kenneth Edward Needham
Ted Arvin Neff
Don Lawrence Neizinger
Edwin Carraway Newman
Howard Fish Nichols, Jr.
James Larry Nichols
Steve Wall Nielson
Nels Nicholas Niemi
Nils Bonesteel Ohman
Daryl Flaa Olson
David George Olson
William Randall O'Rourke, Jr.
Gene Champlin Pacina
Harry Guy Paddon III
Embert Glendon Page
Robert Danlee Paquet
Richard Channing Parker
Robert Hugh Parker
Stanley Albert Patrie, Jr.
Gaillard Ray Peck, Jr.
David Jon Pederson
Daniel Harry Pemberton
Richard Eugene Perlotto
Paul Edward Pirtle
Charles Stokes Price
Michael Edward Quinton
Richard Allen Ramsey
John Thomas Rausch
Raymond Judson Reeves, Jr.
Thomas Michael Rentenbach II
Roger Stephen Rhoades
Thomas Stewart Rhoades
Harold Wescott Rhodes
Colin Richardson
Eugene Lawrence Robbins
Warren George Robbins
Paul Kurtz Robinson, Jr.
Peter Dodd Robinson
Norman Frederick Roderick
David Hartley Roe
John Hamilton Rogers, Jr.
Ervin Jerome Rokke
Robert James Scauzillo
Robert Charles Schaller
Randall Lee Schamberger
Robert Simon Schaumberg
Michael Tarry Schieber
Richard John Schoof
Clinton Walter Searl
Richard Henry Sell
David Alexander Sellers
Donald William Shepperd
Allen Sigman
Jerry Allen Singleton
Francis Kinney Smith
Jerry Lou Smith
John Elmer Smith
Morris Donald Smith
Roger Thomas Smith
Richard Neale Smull
Warren DeLand Snyder
Edward Lee Spicer
Ralph Merle Spory, Jr.
Roy William Stafford, Jr.
Robert Lee Staib
Edward Joseph Stanton
Jon Robert Staples
John Leonard Starkey, Jr.
Leonard Svitenko
Lewis Christopher Svitenko
John Cottam Swonson, Jr.
Robert Lee Taylor
Ronnie Gene Taylor
George Mersereau Thompson, Jr.
Charles Douglas Tice
Michael Ray Tietge
Douglas Martin Tocado
George Jordan Toffel
Troy Ned Tomlin
Ronald Clinton Tubbs
Nathan Goodwin Tupper
Charles Lee Turner
Frank Richard Urban
Bradley Van Sant
David Kirk Vaughan
Henry Viccellio, Jr.
Donald David Watson
Herbert Joseph Weatherhead
Austin Clark Wedemeyer
Robert Harrison Weight
David Clifford Westhorp
Edd Dudley Wheeler
Richard Clark Wheeler
David Stewart Whitman
James Monroe Whitted
Walter Anderson Wicklein III
Michael Ray Williams
Richard Arthur Williams
Glen David Wilson
Gordon Scott Wilson
Lyle Edward Wilson
Murle Adrian Wilson
Daryl Powell Wood
Vern Milton Wood
Clifton Eugene Woodworth
Leonard Louis Wright
Allan Russell Wylie
Gerard Thomas Young
Joseph Raymon Zaleski

The following-named cadets, U.S. Military Academy, for appointment in the Regular Air Force, in the grade of second lieutenant, effective upon their graduation, under the provisions of section 8284 of title 10, United States Code. Date of rank to be determined by the Secretary of the Air Force:

Charles Oren Bennett, Jr.
Dennis Ray Bennett
Leonard Anthony Butler
Lapsley Roger Caldwell, Jr.
William Phipps Cannon
Vito Michael Caputo
James Francis Corr
James Alexander Davidson, Jr.
Stephen Horace Ellis
John Herbert Fagan, Jr.
Richard William Fellows, Jr.
Ralph Joseph Finelli
David Paul Francis
Philip Stuart Ball Fuller
Jack David Garrett
William Darrell Gertsch
Michael Kenneth Gibson
Dennis William Gilstad
Edward Albaugh Gleichman
Michael Anthony Guenther
Pierce Jude Hanley
Kenneth Dale Herring
Frank Barrett Horton III
Seth John Hudak
Jerome Thomas Janicke
Donald Fred Kauer
Francis Martin Krzyzkowski, Jr.
Dale Harold Kuhns
Anthony Lynn Leatham
Kenneth Orville Lutes
George Thomas Malley
Roger Thomas McNamara
John Robert Meceda
Arthur Ray Miller
William Walton Mogan
Jan Terry Molvar
Edward Joseph Pabich
Donald Francis Pederson
Rudolf Ernest Penczer
Dwayne Donald Piepenburg
Eugene Ramella
Richard Joseph Randazzo
Richard Thomas Ryer
Lawrence Thomas Sanders
Michael George Schredl
Stephen Robert Schwam
Gary Lee Seasholtz
Gary Linn Sharp
Thomas Joseph Slaggie
Ronald Paul Stock
William John Swartz
Albert Richard Symes
Lee Taylor
Thomas John Teuten
Frederick Elmore Tilton
Robert Ferrell Wells
Matthew Bartholomew Whelton, Jr.
Evans Kellogg Whiting
Daniel Winston Wick
Merle Robbins Williams, Jr.
Jay Herndon Witt
Joseph John Wojcik, Jr.
Donald King Woodman

The following-named midshipmen, U.S. Naval Academy, for appointment in the Regular Air Force, in the grade of second lieutenant, effective upon their graduation, under the provisions of section 8284 of title 10, United States Code. Date of rank to be determined by the Secretary of the Air Force:

John Jerry Armstrong
Chester Thomas Baj, Jr.
Michael Lance Barr
Stanley Howard Benton, Jr.
Richard Henry Bezanson
Robert Leonard Bosser
Hilton Copeland Bowers
Thomas Eugene Burch
Robert MacDowell Byrne
William Paul Carter
William George Chavanne
Charles Wendell Clardy
Ralston Pittman Cole
Harry Dean Cooke III
Fred Francis Corballis, Jr.
Donald Thomas Coughlin
Robert Lee Crawford
Edward Joseph Crowley
Bradley Gene Cuthbert
Edward Bernard Danber
Barry Ronal Delphin
Robert Vincent DeMarco
Robert Joseph Di Aiso
Fredrick Lee Dietrich
Kenneth Joseph Duckworth
Daniel Reynolds Dunn
Thomas Fletcher Epley
Roger Neal Fritzel
Allan Corbett Fulton
Terrence Lyle Galloway
Carl Dean Garrison
Graham Hall
James Wesley Hanby
Donald Gordon Hard
Thane David Hawkins
Ralph Paul Heckman
Lucius Lamar Heiskell
John Avery Hickman
Roger Earl Hopkins
Bertrand Huchberger
Dennis Eugene Huff
Thaddeus Eugene Hughes
John Thomas Jackson III
John Philip Jenkins
William John Kazmar
James Herbert Kiehle
Alan Richard Klos
David Kurshan
James Michael Labriola
Harry Wayne Larabee
Charles Edgar Laughlin
Thomas James Leach
David John Lehmiller

Van Peter Liacopoulos
John Ola Lindgren, Jr.
Earle Francis Maloney III
George Marienthal
James Vincent Masella, Jr.
Michael Joseph Miga
Robert George Morrell
Paul Francis Murphy
William Bruce Patterson
Douglas Woodrow Powell
Richard Conger Powell
Lawrence Michael Rank
Edwin Rector
Cyrus Swan Roberts IV
James Edward Roberts
Joseph Dwayne Runnels
Richard Franklin Sanders
Leonard Von Scifers
Jay Davin Sherman
William Francis Slowikowski
Carl Swartz III
Allen Richard Tash
Paul David Thatcher
James Taylor Thomes
William Raymond Thursby, Jr.
Ray Allen Trimmer
John Charles Verneski
Edward Lothrop Warner III
Robert Rowen Westerman
Frederick Clark Wicks
Anthony Michael Yannarella
Paul Edgerton Zumbro

CONFIRMATIONS

Executive nominations confirmed by the Senate April 2, 1962:

U.S. District Judges

Ralph C. Body, of Pennsylvania, to be U.S. district judge for the eastern district of Pennsylvania.

John K. Regan, of Missouri, to be U.S. district judge for the eastern district of Missouri.

John W. Oliver, of Missouri, to be U.S. district judge for the western district of Missouri.

Jesse E. Eschbach, of Indiana, to be U.S. district judge for the northern district of Indiana.

Wesley E. Brown, of Kansas, to be U.S. district judge for the district of Kansas.

James A. Coolahan, of New Jersey, to be U.S. district judge for the district of New Jersey.

U.S. Marshals

Dan M. Douglas, of Arkansas, to be U.S. marshal for the western district of Arkansas for the term of 4 years.

Alfred P. Henderson, of Arkansas, to be U.S. marshal for the eastern district of Arkansas for the term of 4 years.

Robert A. O'Neal, of Indiana, to be U.S. marshal for the southern district of Indiana for the term of 4 years.

U.S. Attorneys

Alfred W. Moellering, of Indiana, to be U.S. attorney for the northern district of Indiana for the term of 4 years.

Robert E. Hauberg, of Mississippi, to be U.S. attorney for the southern district of Mississippi for the term of 4 years. (He is now serving in this office under an appointment which expires May 1, 1962.)

Office of Emergency Planning

Edward A. McDermott, of Iowa, to be Director of the Office of Emergency Planning.

Central Intelligence Agency

Maj. Gen. Marshall Sylvester Carter, O18359, Army of the United States (brigadier general, U.S. Army), to be Deputy Director, Central Intelligence Agency, with the rank of lieutenant general, under the provisions of Public Law 15, 83d Congress, and section 3066, title 10, United States Code.

U.S. Air Force

The following-named officer to be assigned to a position of importance and responsibility designated by the President, in the rank indicated under the provisions of section 8066, title 10, of the United States Code:

To be lieutenant general

Maj. Gen. Harold W. Grant, 497A, Regular Air Force.

U.S. Army

The following-named officer, under the provisions of title 10, United States Code, section 3066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 3066, in rank as follows:

To be general

Lt. Gen. Paul D. Harkins, O17625, U.S. Army.

The following-named officer, under the provisions of title 10, United States Code, section 3066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 3066, in rank as follows:

To be lieutenant general

Maj. Gen. James Lowell Richardson, Jr., O18232, Army of the United States (brigadier general, U.S. Army).

The following-named officers, under the provisions of title 10, United States Code, section 3066, to be assigned to positions of importance and responsibility designated by the President under subsection (a) of section 3066, in rank as follows:

To be generals

Lt. Gen. Barksdale Hamlett, O18143, Army of the United States (major general, U.S. Army).

Lt. Gen. Paul Lamar Freeman, Jr., O17704, Army of the United States (major general, U.S. Army).

The following-named officer, under the provisions of title 10, United States Code, section 3066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 3066, in rank as follows:

To be lieutenant general

Maj. Gen. Frank Schaffer Besson, Jr., O18662, U.S. Army.

Lt. Gen. Garrison Holt Davidson, O16755, Army of the United States (major general, U.S. Army), to be senior U.S. Army member of the Military Staff Committee of the United Nations, under the provisions of title 10, United States Code, section 711.

The following-named officers, under the provisions of title 10, United States Code, section 3066, to be assigned to positions of importance and responsibility designated by the President under subsection (a) of section 3066, in rank as follows:

To be lieutenant generals

Maj. Gen. Thomas Weldon Dunn, O18157, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. John Southworth Upham, Jr., O17178, U.S. Army.

The following-named officers for appointment in the Regular Army of the United States, to the grades indicated, under the provisions of title 10, United States Code, sections 3284, 3306, and 3307:

To be major generals

Lt. Gen. Hamilton Hawkins Howze, O18088, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Thomas Weldon Dunn, O18157, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. James Lowell Richardson, Jr., O18232, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Theodore William Parker, O18369, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. William White Dick, Jr., O18384, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. William Frew Train, O18418, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Francis Thomas Pachler, O18429, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Tom Robert Stoughton, O18136, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Charles Hartwell Bonesteel 3d, O18655, Army of the United States (brigadier General, U.S. Army).

Maj. Gen. Stephen Read Hammer, O18348, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Marshall Sylvester Carter, O18359, Army of the United States (brigadier general, U.S. Army).

Maj Gen. Tom Victor Stayton, O18417, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Rush Blodget Lincoln, Jr., O18656, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Horace Freeman Bigelow, O18775, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Isaac Sewell Morris, O18806, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Albert Watson 2d, O18105, Army of the United States (brigadier general, U.S. Army).

Lt. Gen. John Phillips Daley, O18356, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Robert Hackett, O18380, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Mervyn MacKay Magee, O18478, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Gunnar Carl Carlson, O18515, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Ernest Fred Easterbrook, O18537, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Curtis James Herrick, O18538, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Andrew Joseph Adams, O18579, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Frank Hamilton Britton, O18703, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. James Karrick Woolnough, O18709, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Robert Augur Hewitt, O18718, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Dwight Benjamin Johnson, O18722, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Harvey Herman Fischer, O18832, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. George Thigpen Duncan, O18878, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. John William Bowen, O18904, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Ray Joseph Laux, O42102, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Jean Evans Engler, O19198, Army of the United States (brigadier general, U.S. Army).

Brig. Gen. John Joseph Davis, O18530, U.S. Army.

Maj. Gen. George Wilson Power, O18691, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Harrison Alan Gerhardt, O18697, Army of the United States (brigadier general, U.S. Army).

Brig. Gen. Ashton Herbert Manhart, O18773, U.S. Army.

Maj. Gen. Lawrence Joseph Lincoln, O18968, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Theodore John Conway, O19015, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Charles Henry Chase, O19095, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Edgar Collins Doleman, O19131, Army of the United States (brigadier general, U.S. Army).

To be major generals, Medical Corps

Maj. Gen. Joseph Hamilton McNinch, O18645, Army of the United States (brigadier general, Medical Corps, U.S. Army).

Brig. Gen. James Hedges Forsee, O18265, Medical Corps, U.S. Army.

To be brigadier generals, Medical Corps

Brig. Gen. George Merle Powell, O19340, Army of the United States (colonel, Medical Corps, U.S. Army).

Brig. Gen. Howard Willian Doan, O20057, Army of the United States (colonel, Medical Corps, U.S. Army).

Maj. Gen. James Leslie Snyder, O19627, Army of the United States (colonel, Medical Corps, U.S. Army).

To be brigadier general, Dental Corps.

Col. Charles Max Farber, O20473, Dental Corps, U.S. Army.

U.S. Navy

The following-named officers of the Naval Reserve for temporary promotion to the grade indicated, subject to qualification therefor as provided by law:

To be rear admirals, line

Charles E. Rieben, Jr.
Stephen E. Jones

To be rear admiral, Medical Corps

Moore Moore, Jr.

The following-named officers of the Navy for appointment to the grade indicated on the retired list in accordance with title 10, United States Code, section 5233:

To be vice admirals

Vice Adm. Roland N. Smoot, U.S. Navy.
Rear Adm. George L. Russell, U.S. Navy.

Having been designated, under the provisions of title 10, United States Code, section 5231, the following-named officer, for commands and other duties determined by the President to be within the contemplation of said section, for appointment to the grade indicated while so serving:

Rear Adm. Robert T. S. Keith, U.S. Navy.

U.S. Marine Corps

The following-named officer of the Marine Corps Reserve for temporary appointment to the grade indicated:

To be major general

Walter A. Churchill

The following-named officers of the Marine Corps Reserve for permanent appointment to the grade indicated:

To be brigadier generals

Charles H. Cox
George T. Tomlinson
John L. Winston

The following-named officer of the Marine Corps Reserve for temporary appointment to the grade indicated:

To be brigadier general

Charles F. Duchein

In the Air Force

The nominations beginning Capt. Edward G. Abersold to be major, and ending Angus O. Youngblood to be major, which nominations were received by the Senate and appeared in the Congressional Record on February 21, 1962.

The nominations beginning Herbert A. Adamson to be first lieutenant, and ending Fred L. Witzgall to be first lieutenant, which nominations were received by the Senate and appeared in the Congressional Record on February 21, 1962.

The nominations beginning Alfonse R. Miele as permanent professor of the U.S. Air Force Academy, and ending Alexander Zakrzeski, Jr., to be second lieutenant, which nominations were received by the Senate and appeared in the Congressional Record on February 21, 1962.

The nominations beginning Clark E. Aamodt to be captain, and ending James R. Taylor to be captain, which nominations were received by the Senate and appeared in the Congressional Record on February 7, 1962.

In the Army

The nominations beginning John C. Abercrombie to be colonel, and ending George L. Zuidema, Jr., to be second lieutenant, which nominations were received by the Senate and appeared in the Congressional Record on March 12, 1962.

In the Marine Corps

The nominations beginning Horace E. Knapp, Jr., for permanent appointment to the grade of colonel, and ending Alan C. Stone for temporary appointment to the grade of first lieutenant, which nominations were received by the Senate and appeared in the Congressional Record on March 21, 1962.

In the Navy and Marine Corps

The nominations beginning Warren L. Mobley for temporary appointment to the grade of lieutenant colonel, U.S. Marine Corps, and ending Peter B. Wyrick for permanent appointment to the grade of second lieutenant, U.S. Marine Corps, which nominations were received by the Senate and appeared in the Congressional Record on February 2, 1962.

The nominations beginning William R. Abele for permanent appointment to the grade of first lieutenant, U.S. Marine Corps, and ending CWO John P. VanArtsdalen, U.S. Navy (T), to be a chief electronics technician (W-2) in the Navy for temporary service, which nominations were received by the Senate and appeared in the Congressional Record on February 26, 1962.

WITHDRAWAL

Executive nomination withdrawn from the Senate April 2, 1962:

The nomination sent to the Senate on January 22, 1962, of Allen L. Cline to be postmaster at Clayton, in the State of Illinois.

EXTENSIONS OF REMARKS

Chicago's Good American Awards Tribute

EXTENSION OF REMARKS

OF

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 2, 1962

Mr. PUCINSKI. Mr. Speaker, Good American Awards for "outstanding contributions in the fields of civic improvement and human relations" will be presented tomorrow night, April 3, in Chicago, to 40 outstanding leaders who have been selected for this great honor by the Chicago Committee of 100.

Governor Kerner, the chief executive of the State of Illinois, has proclaimed the week of April 1 through 7 to be "Good Americans Week" in the State of Illinois in conjunction with the awards which are being presented to these outstanding citizens tomorrow night in Chicago.

In his proclamation, Governor Kerner paid tribute to the Chicago Committee of 100 which, since its inception in 1941, has pledged itself as an organization of business and professional men and women to foster civic, social, and economic improvements in the city of Chicago.

The Governor quite appropriately commends the Chicago Committee of 100 for its firm belief that the leadership which our great Nation can offer a troubled world today depends totally upon its ability to continue producing Americans who are passionately and vigorously dedicated to the sacred ideals which have brought our country to unrivaled greatness.

Those being honored with the Good American Award in Chicago have helped create a true image of our Nation by practicing in their daily lives the basic principles of American democracy. These 40 Americans who will be honored during an impressive banquet at McCormick Place in Chicago tomorrow evening are indeed a reflection of the entire population of Chicago, which time and again has demonstrated its abiding dedication to the principles of democracy.

Chicago truly represents the spirit of America. In this great metropolis we find Americans of virtually all ethnic, racial, and religious backgrounds working together to strengthen the fibers of American ideals. On the shores of Lake Michigan, we find people of all economic levels expressing the courage and confidence which is so manifest in the idealism of a nation built on free enterprise and dedication.

The Good American Award recipients, whose names I shall include at the conclusion of my remarks, reflect a cross section of the people of Chicago. Each in his own way has earned this very distinguished honor because of the contribution that he or she has made to the principles of democracy.

While we in Chicago are proud of every one of the people receiving this year's Good American Award, I am particularly proud of the fact that in this group is included one of my own most distinguished constituents, Dr. Lois L. Higgins, director of the Illinois Crime Prevention Bureau, and one of the Nation's outstanding authorities in the field of prevention of crime among young people. Dr. Higgins is known throughout America, and indeed the world, for the great contribution she has made in recent years toward the development of more effective techniques to deal with

the problem of wayward youth. She richly deserves the award she will receive in Chicago tomorrow.

I am sure that my colleagues will want to join me in paying tribute to these outstanding Americans from Chicago who are recipients of the Good American Award. It is my hope that, in time, the Good American Awards will become a national institution, when communities throughout the country will hold similarly inspirational programs to honor the outstanding citizens of their respective communities for their contribution to the American ideals of freedom and democracy.

Mr. Speaker, the leaders named by the Chicago Committee of One Hundred to receive awards in Chicago tomorrow night are:

Senators Douglas, Democrat, of Illinois, and Dirksen, Republican, of Illinois; Mayor Daley; Maj. Gen. B. O. Davis, Jr., Air Force Director of Manpower and Organization; Arthur Rubloff, real estate executive; C. Virgil Martin, president of Carson Pirie Scott & Co.; Joel Goldblatt, president of Goldblatt Bros. department stores; Remick McDowell, chairman of Peoples Gas Light & Coke Co.; Ferd Kramer, president of Draper & Kramer; H. D. Pettibone, former chairman of Chicago Title & Trust Co.; Myron Goldsmith, president, Lag Drug Co.; Dr. Perry E. Julian, president of Julian Laboratories.

Others are Louis E. Martin, deputy chairman of the Democratic National Committee; A. Abbott Rosen, midwest director of the Anti-Defamation League, B'nai B'rith; Judge Hubert L. Will of the Federal district court; Howard C. Mathis, director of West Kentucky Vocational School, Paducah; Norman Ross, radio-television news commentator; Hilton E. Hanna, executive assistant, Amalgamated Meat Cutters & Butchers Workmen of North America Union, LeRoy Winbush, president of Winbush Associates; J. C. Staehle, vice president of Alden, Inc.; Maurice F. X. Donohue, director of the University College of the University of Chicago; the Very Reverend Daniel M. Cantwell, chaplain of the Catholic Interracial Council of Chicago.

The list also includes Lois L. Higgins, director of the Illinois Crime Prevention Bureau; Richard P. Larson, president of South Side Bank & Trust Co.; Raymond M. Hilliard, director of Cook County Department of Public Aid; Mrs. Charlemae Rollins, children's librarian of the Hall branch library; Harriet E. White, director of community affairs for the National Conference of Christians and Jews; Dr. E. Jerry Walker, pastor of St. James Methodist Church; Dr. Archibald J. Carey, Jr., pastor of Quinn Chapel; Dr. T. Manuel Smith, physician and surgeon, and Mrs. Stella L. Counselbaum, executive secretary of the Illinois Commission on Human Rights in High Education.

Nine leaders were named previously to receive the award. They are:

Judge James B. Parsons of the Federal district court; Conrad Hilton, hotel executive; Russ Stewart, executive vice president of the Chicago Sun-Times & Daily News; C. E. McKittrick, assistant to the publisher of the Chicago Tribune; Stuart List, publisher of Chicago's American; Andrew T. Hatcher, associate White House press secretary; Irv Kupcinet, Chicago Sun-Times columnist; Joseph L. Block, chairman of Inland Steel Co., and Frank Reynolds, news commentator from the Columbia Broadcasting System.

Mrs. Grace Baxter Fenderson

EXTENSION OF REMARKS

OF

HON. HUGH J. ADDONIZIO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, April 2, 1962

Mr. ADDONIZIO. Mr. Speaker, the whole Nation, and the city of Newark in particular, has suffered a keen loss in the passing of Mrs. Grace Baxter Fenderson on March 19, 1962. This distinguished American exerted a far-reaching influence for good and made a notable contribution to the great causes of education and of civil rights.

Mrs. Fenderson, a lifelong resident of Newark, was the daughter of the late James M. Baxter, the city's sole Negro principal of a public school. From 1864 until his death in 1909, he was in charge of a school for colored children, and his memory was honored in naming a housing project for him. In recent years his daughter played a leading role in the campaign to secure equality of opportunity for advancement for all teachers in the Newark school system.

Mrs. Fenderson graduated from the old Newark Normal School and was one of the first regular Negro teachers in the Newark public school system. She retired in 1948 after serving 42 years as a teacher in Monmouth Street School. She was a founder and the first president of the Monmouth Street School's Parent-Teacher Association and was made a life member of the PTA after her retirement.

For more than half a century Mrs. Fenderson was a militant foe of racial discrimination and she fought to secure for Negro citizens their right to enjoy our country's limitless horizons of freedom and opportunity. She was a founder in 1914 of the Newark chapter of the National Association for the Advancement of Colored People which in later years she served as president and as chairman and member of its executive committee. She was also a national vice president of the organization.

Mrs. Fenderson was active in many civic and educational groups. She was past president of the Lincoln Douglass Memorial Association, and a former board member of the New Jersey Hygiene Association, and the Sojourner Truth branch of the YWCA; member of the Newark Teachers' Association and the Schoolwomen's Club of Newark. She was a member of St. Philip's Episcopal Church.

I join with her fellow citizens in mourning the passing of this distinguished woman, and I extend to her husband and her brother my heartfelt condolences.

Needed: Increased Funds for Cooperative Extension Service

EXTENSION OF REMARKS

OF

HON. GEORGE GRANT

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 2, 1962

Mr. GRANT. Mr. Speaker, the tremendous accomplishments of American agriculture are well known today. Widespread use of technological information has played a major part in this truly magnificent success story. And an organization which has carried a heavy responsibility in this area through the past half century has been the Cooperative Extension Service.

As the name implies, the Cooperative Extension Service is a cooperative endeavor between the U.S. Department of Agriculture and the land-grant colleges. I have been greatly impressed with the work of the Extension Service in my State of Alabama for the past many years. I have supported the program wholeheartedly. I want to see it adequately financed.

In checking into the present financial support for the Extension Service, I find that the Federal Government has been carrying a smaller and smaller share of the financing. Yet, at the same time the Cooperative Extension Service is being asked by the U.S. Department of Agriculture to carry increased educational responsibilities in connection with Department programs.

At the present, only 37 percent of the funds for the Cooperative Extension Service come from Federal sources. This contrasts with 59 percent of the money originating from Federal sources in 1936. As late as 1947, the Federal Government was providing at least 50 percent of the funds for this Service.

The legislative history of the Smith-Lever Act and the memorandum of understanding between the land-grant colleges and the U.S. Department of Agriculture all stress the cooperative nature of Extension work and are strongly suggestive of equal responsibility for the financing of this work. But the increase in Federal appropriations has been less than one-half that provided by the States and local governments in the period since 1950. Actually $40,047,000 of increased Federal appropriation would be required to equal the appropriations from States and local sources today.

Current salary scales in Extension make it difficult to attract and hold personnel that can best serve the needs of the people. Certainly salaries for Extension workers need to be commensurate with those of individuals employed in other occupations which require a similar level of training. But this does not appear to be the case. Studies have been made which show that the average salaries of Extension workers are now well below those of other Federal employees in the Department of Agriculture where the same level of training and competency is required.

Furthermore, classified civil service employees have received "across-the-board" or automatic salary increases of 51.8 percent since 1950. Federal funds have provided an average increase of 8.1 percent of the salaries of cooperative Extension workers. And if all of the nonearmarked funds appropriated to Extension had been used for salary improvement—which would have left none for increased operating costs—this would have provided an increase of only 12.8 percent in the salaries of Extension workers since 1950.

So it is apparent that this organization—the Cooperative Extension Service—which has served farmers and society so well is at a serious disadvantage because of lack of financing. I know that this inadequate financing shows up in my own State of Alabama where the average county extension worker draws an annual salary of $5,768. These are dedicated well-trained people who frequently find it desirable to move into other areas of agriculture work where the pay is better and the work less demanding. Last year the turnover of county extension workers in my State was more than 13 percent.

The Cooperative Extension Service in Alabama has carried out a program of great economic and social significance to the people of my State. One important facet of the program is 4-H Club work in which more than 125,000 young people received training last year. I want to see the club work along with the other parts of the extension program move ahead even more rapidly in the future. I believe the recent increased emphasis on programs of economic development by the Extension Service in Alabama provides one of the great opportunities for betterment of our people in the years immediately ahead.

This will require additional finances. I wish to strongly support the $12 million increase in Federal funds requested by the Association of State Universities and Land-Grant Colleges for this important work.

Revenue Potentials of a National Lottery

EXTENSION OF REMARKS

OF

HON. PAUL A. FINO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 2, 1962

Mr. FINO. Mr. Speaker, the natural gambling spirit of the American people was quite evident last week in New York when the horseracing season opened.

In the first week of parimutuel betting, the normal human urge to gamble drove almost 356,000 persons through the gates of Aqueduct in the daytime and Roosevelt at night to bet over $28½ million.

Of course, Mr. Speaker, this kind of betting was all proper and legal. But the question is where and with whom have these people placed their bets since last November when the tracks closed? I do not believe anyone is so naive as to believe that they stayed at home waiting for the tracks to reopen. No, these people and millions of others throughout the United States have helped to make gambling a $50 billion industry because of our persistent refusal to recognize and capitalize on this deeply ingrained desire to gamble.

Mr. Speaker, it should be obvious by now that the gambling spirit of our people cannot be dampened nor eradicated. They will bet even if they have to do so illegally. We cannot stop them anymore than we were able to prevent people from drinking during the prohibition era.

A national lottery will give all of the American people an opportunity to satisfy this gambling urge legally and, at the same time, pump into the coffers of our Government over $10 billion a year in additional revenue.

How long are we going to be stubborn? How long are we going to be hypocritical about this gambling issue? How long are we going to keep our eyes closed to the tremendous revenue potentials of a national lottery which can help to cut taxes and reduce our national debt.

The Little-People-to-People Program

EXTENSION OF REMARKS

OF

HON. TORBERT H. MACDONALD

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 2, 1962

Mr. MACDONALD. Mr. Speaker, I wish to commend my colleague, the Honorable PETER W. RODINO, JR., of New Jersey, for his excellent remarks in the CONGRESSIONAL RECORD of February 15 on the need for a little-people-to-people program. The letter to Premier Khrushchev from Congressman RODINO's 10-year-old son Peter may be the start of a great children's crusade for world peace.

When President Eisenhower addressed the White House Conference convoked in 1956 to establish the people-to-people program, he stated:

> If we are going to take advantage of the assumption that all people want peace, then the problem is for people to get together and to leap governments—if necessary, to evade governments—to work out not only one method but thousands of methods by which people can gradually learn a little bit more of each other. It must have the active support of thousands of independent private groups and institutions and millions of individual Americans acting through person-to-person communication in foreign lands.

Although the people-to-people program was designed to mobilize all our human resources, children—one of America's greatest resources—have been virtually overlooked. Our junior citizens, if properly educated and organized, can do much to build bridges of understanding between America and the world. Our young people should be both seen and heard. From my experience as a father of four children, I have great faith that the young Peters of America will someday build an international chain of communication for the free expression of ideas and ideologies among children of the world.

Program for Space Communications

EXTENSION OF REMARKS

OF

HON. HENRY M. JACKSON

OF WASHINGTON

IN THE SENATE OF THE UNITED STATES

Monday, April 2, 1962

Mr. JACKSON. Mr. President, in recent months a great deal has been spoken and written concerning space communications.

In January, Senator WARREN G. MAGNUSON, chairman of the Senate Commerce Committee, prepared a thoughtful and interesting paper showing some of the potentials and problems in this most important field which appeared in the January 1962 issue of Astronautics magazine.

I ask unanimous consent to have this article entitled "Program Planning for Space Communications" printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PROGRAM PLANNING FOR SPACE COMMUNICATIONS

(By U.S. Senator WARREN G. MAGNUSON)

Gen. David Sarnoff in an address last summer at Montreaux made this profound observation:

"Ten years hence, it is conceivable that a billion people in virtually every nation on earth will be watching the same program, at the same time, and in color, with simultaneous translation techniques making it understandable to all."

The scientific miracle that will make this possible is the communications satellite.

Today there is no doubt that such a worldwide service is technically feasible, although much needs to be done to bring it to reality.

A question that haunts many of us in Washington—and many outside of Washington, I am sure—is what nation will achieve an effective globe-circling satellite communications system first.

When a billion people are able to watch the same television program, a program relayed to them from the sky, from what nation will this program originate? What way of life will that program present? Who will control its content?

Something like this was in the mind of Mr. Arthur C. Clarke, British-born scientist who, in 1945, first proposed the use of artificial satellites for radio and television transmission, when several years ago he wrote a committee of Congress as follows:

"Living as I do in the Far East (Colombo, Ceylon), I am constantly reminded of the struggle between the Western World and the U.S.S.R. for the uncommitted millions of Asia. The printed word plays only a small part in this battle for the minds of largely illiterate populations, and even radio is limited in range and impact. But when line-of-sight transmissions become possible from satellites overhead, the propaganda effect may be decisive. * * * When we consider the effect of TV upon our own ostensibly educated public, the impact upon the peoples of Asia and Africa may be overwhelming. It may well determine whether Russian or English is the main language of the future."

Only two nations today have the rocket capacity to place in orbit communications satellites. They are the United States and Soviet Russia. A few years from now many other nations may have developed such capacity. But at present the contest is between our own country and the leader of the Communist bloc, between two nations with wholly conflicting ideologies.

The United States now is moving rapidly ahead in the development of communications satellites. This year we are expected to begin initial tests of four satellite communications systems. These are, as most readers of astronautics know:

Project Relay, utilizing a medium altitude satellite being developed by the Radio Corp. of America under contract for the National Aeronautics and Space Administration;

Project Telstar, also a medium altitude satellite, a cooperative enterprise of the American Telephone & Telegraph Co., and NASA;

Project Advent, a Department of Defense high-altitude system; and

Project Syncom, also a high-altitude satellite proposed by NASA.

The first two would be placed in orbit several thousand miles above the earth and scientists estimate that from 20 to 30 would be required for global radio or television coverage.

The last two would be synchronous satellites which, at 22,300 feet above the earth's surface, would have a speed identical to that of the earth's rotation and thus would appear to be in a fixed position in space. Three of these suitably placed could provide world-around coverage and each could, by line-of-sight transmission, transmit directly to one-third of the globe.

All of the above would be active repeater satellites capable of receiving, amplifying, and transmitting radio signals as do the present overland microwave repeaters.

What action Soviet Russia may be taking to place communications satellites in operation is not known to me, but it is known that Russian scientists have been writing and talking at length about such systems for several years.

In 1960, Aleksandr Mesmeyanov, then president of the Academy of Sciences of the U.S.S.R., announced: "Soviet science is working on plans to utilize satellites for meteorological and radio services."

Mesmeyanov's successor, as president of the academy, Academician M. V. Keldyah, stated in June of last year that a priority "of highest importance" was being given to such satellites, and added:

"The use of communications and satellites and of satellites for relay services would revolutionize communications and television services."

Not long after this Prof. Ari Shternfeld, Soviet winner of an international prize in astronautics, proposed a high altitude synchronous communication satellite system somewhat similar to our Defense Department's Advent and NASA's Syncom, and, for that matter, to the satellite suggested by Mr. Clarke in 1945.

Conceivably, many nations will in time have communications and other satellites of varying types in varying orbits, but all will be dependent for operation, control, and utility on frequency bands of the same electromagnetic spectrum.

The potential of all satellites—our satellites, Russia's satellites, other nations' satellites—will be conditioned by these unalterable scientific truths:

1. There is only one electromagnetic spectrum.

2. The spectrum is finite and uniformly distributed throughout the universe.

3. It is in the public domain.

4. It already is distressingly crowded.

5. That portion of the spectrum adapted to communications, and known as the radio spectrum, is presently considered limited in range to from 10 kilocycles per second to 40,000 megacycles per second.

6. All telecommunications services, both present and potential, must use frequencies of some segments of this spectrum and in a manner that does not interfere with other services.

7. The electromagnetic spectrum has been divided by international agreement into numerous bands reserved for different types of communications services.

8. One hundred and eight nations, members of the International Telecommunications Union, a specialized agency of the United Nations, participate in allocating bands and frequencies. Only 12 bands have been reserved for space communications, and these solely for research purposes and shared equally by all nations.

9. Somewhere within the spectrum, member nations of the ITU will have to find additional frequency bands if the contemplated satellite communications systems are to fulfill their purpose and potential.

10. For this reason, ITU has tentatively scheduled an extraordinary administrative radio conference for the latter part of 1963.

Many committees of the Congress have been aware of the importance of this conference. The Senate Committee on Commerce, of which I am chairman, has held extensive hearings with a view to determining how well our Government is prepared for this conference and will resume these hearings early in the second session.

The Aeronautical and Space Sciences Committee, of which I am a member, is examining the problem and its many implications. The Select Committee on Small Business also has looked into it.

Federal Communications Commissioner T. A. M. Craven has told Congress:

"An operable space communication system is necessarily dependent upon the availability of radiofrequencies. Communications satellites as presently conceived will require large amounts of spectrum space, which already is a very scarce resource. * * * The forthcoming International Radio Conference called for the latter part of 1963 is perhaps the most important communications conference of all times."

Dr. Elmer W. Engstrom, senior executive vice president of the Radio Corp. of America, added this note:

"We must keep in mind a very important international problem. This is the need for satisfactory agreements covering the allocation of frequencies to avoid harmful interference. No worldwide satellite communications system will be feasible without such agreements."

Scientists of 12 nations, at a 5-day conference on science and world affairs, held last September at Stowe, Vt., agreed unanimously to a joint statement which read in part: "We recommend the orderly assignment and use of radio frequencies in space."

Soviet Russia's delegation to this conference was exceeded in numbers only by that of the United States.

At Paris in late October, the 39-nation newly created International Oceanographic Commission of UNESCO, unanimously adopted resolutions "recognizing that existing frequencies in the radio communications spectrum are almost completely absorbed," and establishing a special committee to study requirements for transmitting data between satellite and ocean stations. Again Russia had the second largest delegation in attendance.

Since the 1st session of the 87th Congress, with its numerous inquiries into the status of space communications, ended, there is evidence of increasing study of frequency needs within the executive branch. Government agencies giving active attention to the problem include the National Aeronautics and Space Council, Office of Emergency Planning, Interdepartmental Radio Advisory Committee, and the Federal Communications Commission.

A paper titled "Preliminary Views of the U.S.A. for Frequency Allocations for Space Radio Communications" has been prepared and may be considered a preparatory paper for the 1963 conference.

The paper noted that "the matter of congestion in the high frequency spectrum has concerned members of the ITU for many years," and suggests that 2,975 megacycles per second of spectrum space be allocated to meet foreseeable requirements of satellite communications until about 1970. These bands would be dispersed between 3,700 and 8,400 megacycles.

Six uses of space radio communications are listed as follows:

a. Aeronautical mobile.
b. Broadcasting.
c. Meteorological.
d. Navigation.
e. Space research—guidance, control and associated communications, including tracking and telemetering.
f. Communications relay (both active and passive).

"Broadcasting," defined as transmissions intended for direct reception by the general public, is given but one scant paragraph in the 43-page document, which by its nature is largely technical.

The authors note that "it is probable that communication satellites will be used to relay aural and television broadcast programs."

"However," they add, "the likelihood that the general public will be receiving such transmissions directly from satellites in the near future seems remote. Special receiving stations on the earth's surface may be established to relay programs over conventional communications systems to the broadcasting stations which already serve the general public."

This is an interesting document as far as it goes, but I find no mention of a need for weighing or projecting the international and sociological implications of worldwide radio and television services through the use of communications satellites.

President Kennedy in his statement of July 24, 1961, seems to me to have gone far beyond the departmental paper on preliminary views when he said:

"I am anxious that development of this new technology to bring the farthest corner of the globe within reach by voice and visual communication, fairly and equitably available for use, proceed with all possible promptness."

Assuming that this is done, assuming that allocations are made available at the 1963 ITU conference that will make such worldwide voice and visual service possible, what uses do the nonmilitary agencies and departments of our Government propose to make of this new and advanced technology which, in the words of the president of the Academy of Sciences of the U.S.S.R. will "revolutionize communications and television services."

This question should be answered specifically by our Government agencies, and answered soon. I know of but one agency that, to date, has put in writing its prospective channel requirements in connection with a satellite communication system. That is the U.S. Information Agency.

With reference to television requirements USIA has reported as follows:

"Since it is not now possible to transmit television broadcasts on existing point-to-point high frequency radio and cable circuits, communication satellites provide the possibility of a great new advance in international telecasting. We anticipate the following television program circuit requirements for point-to-point feeds with subsequent relay by local or regional stations:

"Television program channels required (video bandwidth):

Washington to—	*Number of circuits*
Latin America	1
Near East	1
Far East	1
Southeast Asia	1
South Asia	1
West Europe (Eurovision)	1
Africa	1
Total	7

"Channel requirements on the satellite system for radio are given as follows:

Washington to—	*Number of circuits*
England and North Europe	1
Germany and West Europe	1
Greece and Near East	1
Ceylon and South Asia	1
Philippines and Southeast Asia	1
Okinawa and Far East	1
Liberia and Africa	1
Latin America	1
Total	8"

As I stated in my remarks prepared for the American Rocket Society's "Space Flight Report to the Nation" in New York City last October, it is my opinion that all nonmilitary departments of our Government should poll their knowledge of potential peaceful applications of satellite communications and prepare short-range and long-range programs within their department fields which could serve as guides to the overall planning group.

In this way the executive branch and Congress could arrive at a projection of future frequency requirements, a projection based on efficient and profitable uses of space communications.

Accordingly, I have written to each of the following departments and agencies requesting their views and comments on this proposal:

Department of Agriculture and Foreign Agricultural Service; Office of Education and Public Health Service of the Department of Health, Education, and Welfare; Department of State and International Cooperation Administration; U.S. Weather Bureau; Bureau of Foreign Commerce; Bureau of Commercial Fisheries; Post Office Department; National Aeronautics and Space Administration; Federal Communications Commission.

Each of these agencies, in my opinion, could make valuable contributions to world understanding and development by utilizing worldwide broadcasting whenever feasible and when suitable frequencies are made available.

Everywhere in the world peoples, regardless of their stage of advancement, will welcome visual instruction on how to decrease mortality, particularly infant mortality, by the adoption of simple health measures.

Everywhere they will welcome programs on how to increase their food production.

Everywhere they will welcome early warnings of violent storms or floods.

Everywhere they will welcome news telecasts of events and the personages shaping them in other parts of the world.

In many areas they will welcome information on markets and sources of supply.

Peoples everywhere, in brief, welcome knowledge, views and information.

The communications satellite, as I stated in my New York remarks, can be the most valuable manmade instrument of good will and understanding in the history of the world. And this, I am firmly convinced, is the greatest use that the United States can conceivably make of the tremendous investment in brains and treasure that has gone into our enormous space program.

Washington Report

EXTENSION OF REMARKS

OF

HON. BRUCE ALGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 2, 1962

Mr. ALGER. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following Newsletter of March 31, 1962:

WASHINGTON REPORT

(By Congressman BRUCE ALGER, of Texas)

The Revenue Act of 1962 (see Newsletters of March 17 and 24) will affect every person, and this Nation, adversely for years to come, if enacted. (It now goes to the Senate). The House passed it 219 (218 Democrats, 1 Republican) to 196 (162 Republicans, 34 Democrats) after a bitter, partisan struggle where, too frequently, partisanship overshadowed the facts and merits. President Kennedy and the Democrat leadership, liberals all, wanted the bill and brought all the pressure possible to bear on other Democrats. For my part, I can report (no matter my differences with Republicans on some other occasions) that virtue rested almost entirely on the Republican side by any test, of fact, merit, Constitution, and traditional American principle. Overall, Republicans were particularly concerned with the budget-busting cost of the package bill, of $1 billion or more the first fiscal year 1963 with all the dangers of inflation at home and gold outflow through unfavorable balance of payments abroad, and secondly, the "carrot and stick" reward and punishment nature through further Federal control of our lives, business and personal.

Since Republicans and Democrats agreed on many of the noncontroversial provisions the debate centered about the 3 sections in dispute. Section 2 Investment Credit, section 13 Foreign Controlled Corporations, section 19 Withholding Tax on Interests and Dividends. These three comprised the amendments embodied in the substitute rule, requested by Republicans of the Rules Committee, to grant a limited rule, 3 specific amendments replacing the closed rule, not permitting any amendments.

For section 2, the Republicans substituted liberalized depreciation and an inventory allowance for distribution and retail type businesses. For section 13, the Republicans offered a substitute tightening foreign tax rules but not taxing earnings until repatriated to the shareholders. Section 19, to eliminate entirely the withholding. This attempt to improve a bad bill was defeated when the limited rule was refused by a vote of 225 (all Democrat) to 190 (all Republicans plus 27 Democrats).

The three sections of the bill can be summarized as follows: Section 2, Investment credit. A credit of 7 percent for industry (three-sevenths for public utilities), of the amount of investment in new equipment will be subtracted from taxable income. Section 13. A "controlled foreign corporation," 50 percent of which is owned directly or indirectly by American taxpayers, would be taxed on earnings abroad, irrespective of whether the foreign corporation distributes earnings to shareholders. Section 19. A withholding tax on all interests and dividends, except those under 18, unless exemption certificates are filed by the individual with each savings account or corporation.

Some of the arguments against are sufficient to show why Republicans (as conservatives), disapproved these sections. Section 2. Investment credit (as opposed to liberalized depreciation, a faster writeoff). (1) A $2 billion annual subsidy to only certain industries constituted a tax windfall, bonanza, loophole, or gimmick, making a total of 107 percent of equipment cost, since 100 percent depreciation will still be received; (2) favors large business and penalizes small, also omits distribution and retail types of business; (3) subsidizes laggards (and inefficiency) since those who haven't modernized nor stayed abreast will get more than those current in equipment replacement; (4) faster depreciation is not involved, so our industry is still not placed in competitive position with foreign business (Japan 100 percent depreciation in 5 years, Germany 67 percent, United States less than 50 percent); (5) no one wants this legislation, on the contrary thinks it bad legislation and self-defeating; the C. of C., N.A.M., AFL-CIO, Farm Bureau, Farmers Union—the poles are joined in opposition.

Section 19. Withholding of interest and dividends, (1) administrative monstrosity and chaos; (2) massive over-withholding will result, taxes taken from those who pay no tax, not recoverable unless claim is filed, no notification to taxpayer of amounts withheld, and no forgiveness unless exemption certificate filed in advance, annually with each savings account and corporation, a procedure difficult and unlikely for people to follow; (3) corporations and savings institutions will necessarily go to great expense and trouble to be tax collector for Government; (4) this is not tax equity to match withholding on salaries and wages. In latter case there is a taxpayer with deductions, exemptions, etc., but in recipient of interest and dividend there is not necessarily a taxpayer; (5) voluntary basis of U.S. tax reporting is now abandoned; (6) taxpayer identification numbers, already placed on each taxpayer, plus automatic data processing (ADP) by computers plus educational campaign will produce desired results voluntarily, without this new withholding; (7) 32 million withholding accounts will be less than 40 cents, costing more to process than collected. Two hundred and fifty million above $10 with processing cost of $5.5 million. Hundreds of millions accounts below $10, costing who knows how much to process? (8) 15 million shareholders of stock, many are not taxpayers, 29 million savings and loan recipients, 7 million of which receive less than $10, again many not taxpayers involved.

In summary, the Treasury will collect and keep large amounts of tax to which Government is not entitled, taken from people who need it most.

Section 13. Foreign controlled corporation. This section is far reaching in effect, and so interrelated with our treaties and trade policy I would like to present them comparatively for some sober thought on the part of my readers. This comparison is drawn in the remarks I made on the floor of the House during debate.

The speech is reprinted below:

REVENUE ACT OF 1962

Mr. ALGER. Mr. Chairman, too little attention in this debate, it seems to me, has been given to the comparative consideration of this tax bill and the Trade Expansion Act of 1962, both measures coming before the Ways and Means Committee. Interestingly enough, both give evidence to the attempt being made by both the administration and Democratic congressional leaders to lessen the competitive position economically of the United States in the world today. Three general and related statements can be made about the provisions of these bills, even before any attempt is made to wonder why this is being done. First, both bills lessen U.S. industry's ability to compete in the world market. Second, both bills increase Government's control over industry and in so doing threaten to destroy private enterprise, replacing our private ingenuity and incentive with Government-controlled industry. The answer to socialism, communism's challenge of Government-controlled industry is not to shackle our own with similar controls. On the contrary, we should free up our industry in both tax and trade to place our Nation in a better position economically to compete for the world's market, as freemen and private enterprise.

Freedom and private enterprise can run circles around men who work for Government in Government-controlled industries.

Let us look at both the tax and trade bills. The minority report, the Republican separate views state the case well, on the tax

effect of U.S. foreign-controlled corporations—pages 21-27 of the report. These points are made:

First. Congress cannot constitutionally tax shareholders on the undisturbed income of foreign corporations, except in case of evasion. Until the Court decides this after costly litigation we will not know if this tax is even constitutional.

Second. This tax bill reverses a longstanding U.S. policy of encouraging expansion of U.S. industry abroad. Trade not aid was part of this theme.

Third. Tax deferral abroad was considered so important last year by the Democrats that H.R. 5 was sponsored with this statement in the report of their position:

"The postponement of American tax as long as the funds are used in foreign operations is necessary to place the U.S. corporations operating abroad on a competitive basis with other corporations, either United States or foreign owned, which operate in the same foreign countries."

Today's tax bill completely reverses this policy of last year and many years in the past, placing our U.S. corporations at a disadvantage by now increasing their tax burden.

Fourth. Foreign investment of U.S. industry that accumulates abroad in the long run helps, not hurts, the balance-of-payments problem because a dollar invested abroad increases exports from the United States and produces dividends to the American investor which ultimately exceed the dollar invested. This bill now contradicts this undisputed logic.

Fifth. Any attempt to keep American business at home through the tax laws is isolationism at its worst. The tax laws would then become the equivalent of a discriminatory tariff or duty, applicable only to the American-owned business operating overseas but not to its foreign-owned competitor.

Sixth. Until there is free trade with others, nations lowering tariffs to meet ours, Congress should not penalize the American businessman further for going abroad in order to seek and make a place in that market.

Seventh. American corporations must compete with foreign owned. If the American firm cannot invest equally abroad with his competitors, foreign capital will take its place. Then income flowing back to the United States will be less.

Eighth. The other 14 major industrial nations do not tax undistributed earnings as we are here seeking to do. On the contrary many adopt tax incentives to encourage investment abroad.

Ninth. Liberalized depreciation, not investment credit, as here proposed is the area too where foreign nations can outcompete the United States. In the first 5 years, while U.S. industry can depreciate less than 50 percent of the cost of equipment Japan can write off 100 percent, Germany 67 percent, and others can do likewise.

Tenth. The use of so-called tax havens by an American-owned foreign company actually produces more tax revenue for the United States when funds are repatriated.

Eleventh. The tax bill is likely to cause foreign nations to increase their tax of U.S. industry there to soak up the differential in tax which would otherwise go to the United States. This too will serve to drive American business out of the European market.

Twelfth. The tax on U.S.-controlled foreign corporations violates our tax treaties with other nations. For one, the U.S. membership of the Organization for Economic Cooperation and Development—OECD—permits the United States taxing American shareholders only on those profits which are distributed by the company. This bill violates our agreements with Sweden, the United Kingdom, Germany, France, Netherlands, Denmark, Norway, Switzerland, Austria, Italy, Belgium, Greece, Ireland, and Canada.

Boil these statements down—they say one thing. American firms are in for tougher times in trying to compete in the world market.

Now let us look at the Trade Expansion Act of 1962. The President is given carte blanche authority to cut tariffs 50 percent on broad categories of products and remove all tariffs that are lower than 5 percent. What is and what will be American industry's position in world market? Will it be easier to compete or not?

First of all, U.S. tariffs are now among the lowest in the world. Others in reciprocal trade agreements do not match ours.

On the contrary they impose, in violation of GATT agreements, quotas, licenses, embargoes, cartels, registrations, levies, and subsidies and many other restrictive controls, more restrictive than are tariffs as a control of the free flow of trade. American industries are already hurt not because of ability to compete but because other nations unfairly keep up trade barriers. So what will lowering our tariffs accomplish? Further harm to U.S. industry, less ability to compete. The Trade Act of 1962 asks the Congress to abandon, first, the no-injury policy; second, item-by-item consideration of products in trade; third, the peril point and escape clause protection; fourth, Tariff Commission findings; fifth, any court review; sixth, congressional jurisdiction.

In place of this the shift of power goes to the President or to whomever he delegates to single out industries and products for devastating foreign competition by lowering our tariffs while others keep up their tariffs and other controls. Then the President, or whomever he delegates, can single out or deny any industry harmed for Federal aid in loans, guarantees, and advisory help as well as monetary assistance to that industry's workers who are displaced by foreign imports.

Now put the two bills together. What do we have? We have a tremendous increase of governmental control over industry and the transfer of tremendous power to the President by Congress over U.S. industry, dictatorial in scope, beyond recall or repair in damage. Of course, political friends or foes can be properly rewarded or punished. Beyond dictatorial power we see, second, U.S. industry cannot compete with other nations if our creative genius and private initiative is destroyed by bureaucratic governmental control through tax and tariff. Destroyed it will be through regulation by tax and tariff as these bills spell out. Well might we pause to ask ourselves: What is our national purpose? Who is behind this scheme? Why does the President and the Democratic leaders of Congress insist on these two pieces of bad legislation? Our only hope lies in the commonsense and intelligence of our people to see the danger and deny this power and governmental control over our private enterprise and personal freedoms.

Eighty-six Million Dollar Assist to U.S. Gold Problem

EXTENSION OF REMARKS

OF

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 2, 1962

Mr. FINDLEY. Mr. Speaker, an $86 million assist to the U.S. gold problem is possible as the result of new Public Law 480 agreements which utilize a new feature of the law. The assist could have been almost three times as big had U.S. negotiators insisted that the feature be utilized in other new agreements.

Public Law 480 is the authority under which millions of tons of U.S. surplus farm commodities are "sold" abroad. In these transactions the United States acquires foreign currencies which can be spent only for specified local uses.

The amendment, which I sponsored last year, added "exchange for tourist dollars" to the list of currency uses which can be specified in new agreements.

Since then, nine nations have completed agreements utilizing the amendment, which means that $86,588,000 in local currencies will be available to exchange for tourist dollars. These nations are Turkey, United Arab Republic (Egypt), Greece, Syrian Arab Republic, Bolivia, Iran, Guinea, Morocco, and Brazil.

Tourists visiting these countries will be able to exchange dollars for local currencies at the American embassy or consulate. To the extent they do so, the U.S. balance-of-payments and gold crisis will be relieved.

Thirteen nations on the receiving end of new agreements refused to accept the tourist-dollar provision. They are Pakistan, Finland, Indonesia, Iceland, Sudan, China (Taiwan), Congo, Philippines, Poland, Vietnam, Yugoslavia, Tunisia, and Korea.

These food sales agreements are virtually donations. Thirteen countries evidently want our gifts and our tourist dollars, but are not really concerned about helping us meet our gold problem.

Nations utilizing the tourist-dollar provision:

[In millions]

Country	Total value of surplus food sales agreements	Portion available for specified uses, including tourist-dollars exchange
Turkey	$119.90	$23.90
United Arab Republic (Egypt)	123.74	24.70
Greece	10.20	2.80
Syrian Arab Republic	9.00	1.80
Bolivia	1.60	.28
Iran	9.00	2.15
Guinea	7.50	1.80
Morocco	14.20	3.55
Brazil	88.60	14.60
Total	413.74	86.58

Nations refusing to utilize the tourist-dollar provision:

[In millions]

Country	Total value of surplus food sales agreements	Portion available for specified uses
Pakistan	$634.15	$53.60
Finland	1.80	1.10
Indonesia	111.50	13.00
Iceland	1.80	.40
Sudan	4.60	1.10
China (Taiwan)	11.85	2.20
Congo	7.50	.07
Philippines	21.75	5.40
Poland	44.60	44.60
Vietnam	15.15	1.50
Yugoslavia	45.00	4.50
Tunisia	5.70	.80
Korea	40.80	4.00
Total	946.20	132.27